Journal of the Assembly

DURING THE

FIFTY-FIRST SESSION

OF THE

Legislature of the State of California

1935

FIRST PART BEGAN ON MONDAY, JANUARY SEVENTH, AND ENDED SATURDAY, JANUARY TWENTY-SIXTH

SECOND PART BEGAN ON MONDAY, MARCH FOURTH, AND ENDED SUNDAY, JUNE SIXTEENTH

HON. EDWARD CRAIG, Speaker
ARTHUR A. OHNIMUS, Chief Clerk

CALIFORNIA STATE PRINTING OFFICE
GEORGE H. MOORE, STATE PRINTER
SACRAMENTO 1935

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CALIFORNIA LEGISLATURE—ASSEMBLY.

FIFTY-FIRST SESSION.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, January 7, 1935.

Pursuant to the requirements of the Constitution of the State of California and the law, at the hour of twelve o'clock meridian, the Assembly of the fifty-first session of the Legislature of California was called to order by Arthur A. Ohnimus, Chief Clerk of the fiftieth session

In conformity with the law, the following officers of the fiftieth session were also present. Louis F. Erb, Minute Clerk, and Michael Connolly, Sergeant-at-Arms.

PRAYER.

By invitation of the Chief Clerk, prayer was offered by Rabbi Norman M. Goldburg of Sacramento, Chaplain of the Assembly for the fiftieth session

APPOINTMENTS.

The Chief Clerk announced the following appointments of attaches for the temporary organization of the Assembly:

Pages, Bob Millington and Phillip Marton.
Stenographer, Juanita Dependener.

CERTIFICATE FROM SECRETARY OF STATE.

The Chief Clerk read the following certificate of duly elected members of the Assembly of the fifty-first session of the Legislature of the State of California:

STATE OF CALIFORNIA, DEPARTMENT OF STATE.

I, FRANK C. JORDAN, Secretary of State of the State of California, do hereby certify that the following is a complete list of those duly elected at the General Election held on the sixth day of November, A.D. 1934, to represent the people of the State of California as members of the Assembly at the fifty-first session of the Legislature of said State, as appears from the statement of vote received from the county clerks of the various counties and the registrar of voters of the City and County of San Francisco, comprising the several Assembly Districts of the State of California, said statement of vote being a record of and on file in my office, viz

MEMBERS-ELECT OF THE ASSEMBLY.

Name	*District*	*County or counties comprising district*
Michael J Burns	First	Del Norte, Humboldt, Mendocino.
Clinton J Fulcher	Second	Siskiyou, Modoc, Lassen, Shasta, Trinity, Sierra, Plumas.
John H. O'Donnell	Third	Tehama, Glenn, Colusa, Yolo.
J. E. Frazier	Fourth	Butte, Yuba, Sutter
Ernest C Crowley	Fifth	Lake, Napa, Solano.
Jesse M Mayo	Sixth	Placer, El Dorado, Amador, Alpine, Nevada, Mono, Calaveras, Tuolumne, Mariposa, Inyo.
Hubert B Scudder	Seventh	Sonoma, Marin
Roy J Nielsen	Eighth	Sacramento.
Earl D Desmond	Ninth	Sacramento.
T H DeLap	Tenth	Contra Costa.
Dana P Eicke	Eleventh	San Joaquin.
James E Thorp	Twelfth	San Joaquin.
James M Cassidy	Thirteenth	Alameda.

Name	*District*	*County or counties comprising district*
Charles J Wagner	Fourteenth	Alameda
Leon M. Donihue	Fifteenth	Alameda.
Arthur H Breed, Jr	Sixteenth	Alameda.
Henry P. Meehan	Seventeenth	Alameda
Charles W. Fisher	Eighteenth	Alameda.
Gardiner Johnson	Nineteenth	Alameda.
Thomas A. Maloney	Twentieth	San Francisco.
Joseph P Gilmore	Twenty-first	San Francisco.
Kennett B. Dawson	Twenty-second	San Francisco
William B. Hornblower	Twenty-third	San Francisco.
Patrick J. McMurray	Twenty-fourth	San Francisco.
Melvyn I. Cronin	Twenty-fifth	San Francisco.
Ray Williamson	Twenty-sixth	San Francisco.
Jefferson E Peyser	Twenty-seventh	San Francisco.
James F. Brennan	Twenty-eighth	San Francisco.
Frederick Peterson	Twenty-ninth	San Mateo.
H. Dewey Anderson	Thirtieth	Santa Clara.
C C. Cottrell	Thirty-first	Santa Clara.
Hugh P. Donnelly	Thirty-second	Stanislaus
James D. Garibaldi	Thirty-third	Merced, Madera.
Clifford R Kallam	Thirty-fourth	San Benito, Santa Cruz
Ellis E. Patterson	Thirty-fifth	Monterey, San Luis Obispo.
Claude Minard	Thirty-sixth	Fresno.
S. L Heisinger	Thirty-seventh	Fresno
Ford A. Chatters	Thirty-eighth	Kings, Tulare
Alfred W. Robertson	Thirty-ninth	Santa Barbara.
James J. McBride	Fortieth	Ventura
Rodney L. Turner	Forty-first	Kern
Elmer E. Lore	Forty-second	Los Angeles
C Don Field	Forty-third	Los Angeles
John B. Pelletier	Forty-fourth	Los Angeles.
Charles A. Hunt	Forty-fifth	Los Angeles.
Ralph W Evans	Forty-sixth	Los Angeles.
Eleanor Miller	Forty-seventh	Los Angeles
Frank G. Martin	Forty-eighth	Los Angeles.
Herbert J Evans	Forty-ninth	Los Angeles
Frank W Wright	Fiftieth	Los Angeles.
Wm Moseley Jones	Fifty-first	Los Angeles.
Ben Rosenthal	Fifty-second	Los Angeles.
E V. Latham	Fifty-third	Los Angeles.
Wilbur F. Gilbert	Fifty-fourth	Los Angeles.
Frank D Laughlin	Fifty-fifth	Los Angeles.
Thomas J. Cunningham	Fifty-sixth	Los Angeles
Kent H Redwine	Fifty-seventh	Los Angeles
Frank J Waters	Fifty-eighth	Los Angeles.
Charles W. Lyon	Fifty-ninth	Los Angeles.
Geoffrey F. Morgan	Sixtieth	Los Angeles.
Ernest O. Voigt	Sixty-first	Los Angeles.
Augustus F. Hawkins	Sixty-second	Los Angeles.
Ralph Louis Welsh	Sixty-third	Los Angeles
John D. McCarthy	Sixty-fourth	Los Angeles
Gene Flint	Sixty-fifth	Los Angeles.
James J Boyle	Sixty-sixth	Los Angeles.
Lee E Geyer	Sixty-seventh	Los Angeles.
Fred Reaves	Sixty-eighth	Los Angeles.
A. Franklin Glover	Sixty-ninth	Los Angeles.
John G. Clark	Seventieth	Los Angeles.
Harry B. Riley	Seventy-first	Los Angeles.
Godfrey A. Andreas	Seventy-second	San Bernardino.
Gordon W. Corwin	Seventy-third	San Bernardino
James B. Utt	Seventy-fourth	Orange
Edward Craig	Seventy-fifth	Orange
John Phillips	Seventy-sixth	Riverside.
Clarence R. Walker	Seventy-seventh	Imperial
Ralph W Wallace	Seventy-eighth	San Diego.
Paul A Richie	Seventy-ninth	San Diego
Charles W. Stream	Eightieth	San Diego.

WITNESS my hand and the Great Seal of the State of California, at office in Sacramento this fifteenth day of December, A D 1934

[SEAL] FRANK C JORDAN, Secretary of State.

ROLL CALL BY COUNTIES.

The Chief Clerk directed that as the roll of counties was called, the members-elect, representing such counties, should proceed to the Clerk's desk and take and subscribe to the oath of office.

MEMBERS SWORN IN.

As required by section 239 of the Political Code, the Clerk called the roll of counties in alphabetical order, and the following members-elect appeared before the bar of the Assembly, presented their certificates of election and duly qualified by taking and subscribing to the following oath administered by Hon. J A Plummer, Associate Justice of the Third District Court of Appeal

OATH OF OFFICE

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of California, and that I will faithfully discharge the duties as a member of the Assembly for the fifty-first session of the Legislature of the State of California, according to the best of my ability.

James M. Cassidy, Charles J. Wagner, Leon M. Donihue, Arthur H. Breed, Jr., Henry P. Meehan, Charles W. Fisher, Gardiner Johnson, Jesse M Mayo, J. E. Frazier, John H. O'Donnell, T. H. DeLap, Claude Minard, S. L. Heisinger, Michael J. Burns, Clarence R. Walker, Rodney L. Turner, Ford A. Chatters, Ernest C. Crowley, Clinton J. Fulcher, Elmer E. Lore, C. Don Field, John B. Pelletier, Charles A. Hunt, Ralph W. Evans, Eleanor Miller, Frank G. Martin, Herbert J. Evans, Frank W. Wright, William Moseley Jones, Ben Rosenthal, E. V. Latham, Wilbur F. Gilbert, Frank D. Laughlin, Thomas J. Cunningham, Kent H. Redwine, Frank J. Waters, Charles W. Lyon, Geoffrey F. Morgan, Ernest O Voigt, Augustus F. Hawkins, Ralph Louis Welsh, John D. McCarthy, Gene Flint, James J. Boyle, Lee E. Geyer, Fred Reaves, A. Franklin Glover, John G. Clark, Harry B. Riley, James D. Garibaldi, Hubert B. Scudder, Ellis E. Patterson, James B. Utt, Edward Craig, John Phillips, Roy J. Nielsen, Earl D. Desmond, Clifford R. Kallam, Godfrey A. Andreas, Gordon W. Corwin, Ralph W. Wallace, Paul A. Richie, Charles W. Stream, Thomas A. Maloney, Joseph P. Gilmore, Kennett B Dawson, William B. Hornblower, Patrick J. McMurray, Melvyn I Cronin, Ray Williamson, Jefferson E. Peyser, James F. Brennan, Dana P Ericke, James E. Thorp, Frederick Peterson, Alfred W. Robertson, H. Dewey Anderson, C. C Cottrell, Hugh P. Donnelly, James J. McBride.

ANNOUNCEMENT.

The Chief Clerk announced that the next order of business was the nomination and election of officers for the fifty-first session of the Assembly, and declared that nominations for the office of Speaker of the Assembly were now in order.

NOMINATIONS FOR SPEAKER.

Mr. Thomas A Maloney of San Francisco placed in nomination for Speaker Hon. Edward Craig of Brea.

Nomination of Hon. Edward Craig was seconded by Messrs. Charles W Lyon of Los Angeles, James J McBride of Ventura and Charles W. Fisher of Oakland.

Mr John D. McCarthy of Los Angeles placed in nomination for Speaker Hon. William Moseley Jones of Montebello.

Nomination of Hon. William Moseley Jones was seconded by Messrs. Rodney L Turner of Delano, and Henry P. Meehan of Oakland

NOMINATIONS CLOSED.

Mr. Hornblower moved that nominations for Speaker be now closed.
Motion carried
Nominations closed.

ELECTION OF SPEAKER.

The roll was called, with the following result:

For HON EDWARD CRAIG—Anderson, Andreas, Breed, Brennan, Burns, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Ecke, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Heisinger, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Williamson, and Wright—52

For HON. WILLIAM MOSELEY JONES—Boyle, Cassidy, Clark, Donahue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Hunt Laughlin, Lore, McCarthy, McMurray, Meehan, O'Donnell, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, and Welsh—25

For HON. ROY J NIELSEN—Patterson—1.

The Chief Clerk announced the vote of the Assembly, and declared Hon. Edward Craig of Brea the choice of the Assembly for Speaker for the fifty-first session of the Legislature.

REQUEST TO STRIKE NAME FROM ROLL CALL.

Mr. Nielsen requested that the vote registered for him be stricken from the roll call, as he had not been duly nominated nor was he a candidate for the office.

APPOINTMENT OF COMMITTEE OF ESCORT.

The Chief Clerk appointed Messrs Maloney, Lyon, McBride and Fisher a special committee to escort Speaker-elect Hon. Edward Craig to the chair.

OATH OF OFFICE ADMINISTERED.

Upon arriving at the bar of the Assembly, Speaker-elect Hon. Edward Craig took and subscribed to the following oath, administered by Hon J. A. Plummer, Associate Justice of the Third District Court of Appeal:

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of Speaker of the Assembly to the best of my ability.

NOMINATIONS FOR SPEAKER PRO TEMPORE

The Speaker declared the election of Speaker pro tempore next in order, and called for nominations.

Mr F. V Latham of Alhambra placed in nomination for Speaker pro tempore Hon. Clifford R. Kallam of Watsonville.

Nomination of Hon. Clifford R Kallam was seconded by Mr Arthur H. Breed, Jr., of Piedmont

Mr Ernest C Crowley of Suisun placed in nomination for Speaker pro tempore Hon John H O'Donnell of Woodland

Nomination of Hon. John H. O'Donnell was seconded by Messrs James J. Boyle of Los Angeles, S. L Heisinger of Fresno and J E. Frazier of Gridley.

NOMINATIONS CLOSED

Mr. Ray Williamson moved that the nominations for Speaker pro tempore be now closed.

Motion carried

Nominations closed.

ELECTION OF SPEAKER PRO TEMPORE

The roll was called. with the following result:

For HON. JOHN H. O'DONNELL—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Clark, Cronin, Crowley, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, Mayo, McCarthy, McMurray, Meehan, Patterson, Pelletier, Peterson, Reaves Richie, Robertson, Rosenthal, Thorp, Turner, Voigt, Wagner, Welsh, and Williamson—44

For HON. CLIFFORD R. KALLAM—Breed, Chatters, Corwin, Cottrell, Craig, Cunningham Dawson, DeLap, Eicke, Evans, Herbert J., Field, Fisher, Garibaldi, Johnson, Latham, Lyon, Maloney, Martin, McBride, Miller, Minard, Morgan, Nielsen, Peyser, Phillips, Redwine, Riley, Scudder, Stream, Utt, Walker, Wallace, Waters, and Wright—34

Hon. John H. O'Donnell, being the choice of the Assembly for Speaker pro tempore, the Speaker declared him duly elected.

APPOINTMENT OF COMMITTEE OF ESCORT.

The Speaker appointed Messrs. Ernest C. Crowley, James J. Boyle, S. L Heisinger and J. E. Frazier a special committee to escort Speaker pro tempore Hon John H. O'Donnell to the bar of the Assembly.

OATH OF OFFICE ADMINISTERED.

Upon arriving at the bar of the Assembly, Speaker pro tempore Hon. John H. O'Donnell took and subscribed to the following oath, administered by Hon. J. A Plummer, Associate Justice of the Third District Court of Appeal:

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of California, and that I will faithfully discharge the duties of Speaker pro tempore of the Assembly to the best of my ability

NOMINATIONS FOR CHIEF CLERK

The Speaker now declared the nomination and election of Chief Clerk of the Assembly in order.

Mr. John Phillips of Riverside placed in nomination for Chief Clerk, Mr Arthur A Ohnimus of San Francisco.

Nomination of Mr Arthur A Ohnimus was seconded by Messrs. William B Hornblower of San Francisco, Charles A. Hunt of Los Angeles and James J. McBride of Ventura.

NOMINATIONS CLOSED

Mr Jesse M Mayo moved that the nominations for Chief Clerk be now closed

Motion carried.

Nominations closed.

ELECTION OF CHIEF CLERK.

The roll was called. with the following result:

For MR ARTHUR A OHNIMUS—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips,

Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—80.

Mr. Arthur A. Ohnimus, being the choice of the Assembly, was declared duly elected Chief Clerk of the Assembly.

OATH OF OFFICE ADMINISTERED.

Mr. Arthur A. Ohnimus appeared before the bar of the Assembly, and took and subscribed to the following oath of office, administered by Hon J A. Plummer, Associate Justice of the Third District Court of Appeal:

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of Chief Clerk of the Assembly to the best of my ability

NOMINATIONS FOR MINUTE CLERK.

The Speaker declared the next order of business the nomination and election of Minute Clerk of the Assembly.

Mr. William B. Hornblower of San Francisco placed in nomination for Minute Clerk of the Assembly Mr Charles H. Erb of San Francisco.

Nomination of Mr. Charles H Erb was seconded by Messrs. James F. Brennan of San Francisco and Hubert B. Scudder of Sebastopol.

NOMINATIONS CLOSED

Mr. Jesse M Mayo moved that nominations for Minute Clerk be now closed

Motion carried.

Nominations closed

ELECTION OF MINUTE CLERK

The roll was called, with the following result:

FOR MR CHARLES H. ERB—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Colwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—80.

Mr. Charles H. Erb, being the choice of the Assembly, was declared duly elected Minute Clerk of the Assembly.

OATH OF OFFICE ADMINISTERED.

Mr. Charles H. Erb appeared before the bar of the Assembly, and took and subscribed to the following oath of office, administered by Hon. J. A Plummer, Associate Justice of the Third District Court of Appeal.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of California, and that I will faithfully discharge the duties of Minute Clerk of the Assembly to the best of my ability.

NOMINATIONS FOR SERGEANT-AT-ARMS.

The Speaker declared the next order of business the nomination and election of Sergeant-at-Arms of the Assembly

Mr. Melvyn I. Cronin of San Francisco placed in nomination for Sergeant-at-Arms Mr. R J. McGill of Sacramento.

Nomination of Mr. R. J. McGill was seconded by Mr. William Moseley Jones of Montebello.

Mr. Roy J. Nielsen of Sacramento placed in nomination for Sergeant-at-Arms Mr. Joseph P. Moloney of Sacramento.

Nomination of Mr. Joseph P Moloney was seconded by Messrs. Earl D Desmond of Galt and Gardiner Johnson of Berkeley.

NOMINATIONS CLOSED

Mr. Jesse M. Mayo moved that nominations for Sergeant-at-Arms be now closed.

Motion carried.

Nominations closed.

ELECTION OF SERGEANT-AT-ARMS

The roll was called, with the following result:

For MR. JOSEPH P. MOLONEY—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Crowley, Dawson, DeLap, Desmond, Donnelly, Eicke, Evans, Herbert J, Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Peyser, Phillips, Redwine, Riley, Scudder, Thorp, Utt, Walker, Wallace, Williamson, Wright, and Mr. Speaker—48

For MR R J. MCGILL—Andreas, Boyle, Clark, Cronin, Cunningham, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, McBride, McCarthy, McMurray, Meehan, Pelletier, Reaves, Richie, Robertson, Rosenthal, Stream, Turner, Voigt, Wagner, Waters, and Welsh—32

OATH OF OFFICE ADMINISTERED.

Mr. Joseph P. Moloney, being the choice of the Assembly, was declared duly elected Sergeant-at-Arms of the Assembly, and was directed to appear before the bar of the Assembly, where he took and subscribed to the following oath of office administered by Hon J A. Plummer, Associate Justice of the Third District Court of Appeal

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of California, and that I will faithfully discharge the duties of Sergeant-at-Arms of the Assembly to the best of my ability.

NOMINATIONS FOR CHAPLAIN.

The Speaker declared the next order of business the nomination and election of Chaplain of the Assembly.

Mr. Earl D. Desmond of Galt placed in nomination for Chaplain of the Assembly Rev Father John E Tumulty of Sacramento.

Nomination of Rev. Father John E. Tumulty of Sacramento was seconded by Messrs Hornblower of San Francisco, Phillips of Riverside, and Nielsen of Sacramento.

NOMINATIONS CLOSED

Mr. Frederick Peterson moved that the nominations for Chaplain be now closed.

Motion carried.

Nominations closed

ELECTION OF CHAPLAIN.

The roll was called, with the following result

For REV. FATHER JOHN E. TUMULTY—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans Herbert J, Evans, Ralph W., Field, Fisher, Flint, Frazier Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace Waters, Welsh, Williamson, Wright, and Mr Speaker—80

The Speaker thereupon declared Rev Father John E. Tumulty the duly elected Chaplain of the Assembly

ANNOUNCEMENT.

The Chief Clerk announced that in accordance with the power vested in him by the statutes, he had appointed Mr Fred J. Desch of Los Angeles, First Assistant Clerk of the Assembly at the per diem provided by law, and respectfully asked that the Assembly confirm said appointment.

The question being upon the confirmation of the appointment.

The roll was called with the following result:

For MR FRED J DESCH—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Eicke, Evans, Herbert J, Evans, Ralph W, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr Speaker—80

OATH OF OFFICE ADMINISTERED.

Whereupon the Speaker declared Mr. Fred J. Desch duly appointed First Assistant Clerk, and directed him to appear before the bar of the Assembly where he took and subscribed to the following oath of office, administered by Hon. J. A. Plummer, Associate Justice of the Third District Court of Appeal:

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of California, and that I will faithfully discharge the duties of First Assistant Clerk to the best of my ability

SENATE MESSAGE.

The following message from the Senate was taken up and read.

SENATE CHAMBER, SACRAMENTO, January 7, 1935

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day elected the following statutory officers:

President pro tempore, William P Rich
Secretary of the Senate, Joseph A. Beek.
Sergeant-at-Arms, Joseph F. Nolan.
Minute Clerk, Francis E. Dalm.
Chaplain, Rev Newton W. Moats.

J A. BEEK, Secretary of Senate

RESOLUTION.

The following resolution was offered:

By Mr. Herbert J. Evans

Resolved, That the Speaker appoint a select committee of three to inform the Senate that the Assembly is now duly organized, having elected the following statutory officers

Speaker, Edward Craig.
Speaker pro tempore, John H O'Donnell
Chief Clerk, Arthur A Ohnimus.
Minute Clerk, Charles H. Erb.
Sergeant-at-Arms, Joseph Moloney
Chaplain, Father John E Tumulty
First Assistant Clerk, Fred J Desch

Resolution read, and on motion adopted.

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the above resolution, the Speaker appointed Messrs Evans, Herbert J., Maloney and Lyon as such committee.

RESOLUTION.

The following resolution was offered:

By Mr. Nielsen:

Resolved, That a select committee of five be appointed by the Speaker to wait upon His Excellency, the Governor, and inform him that the Assembly is organized and awaits any communication he may have to make to it

Resolution read, and on motion adopted

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the above resolution, the Speaker appointed Messrs. Nielsen, McCarthy, Cottrell, Chatters and Cronin as such select committee.

SENATE MESSAGE

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 7, 1935

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No 1—Relative to inaugural ceremonies

J. A. BEEK, Secretary of Senate

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER ONE BY UNANIMOUS CONSENT.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No 1, at this time, without reference to committee or file, and that same be considered engrossed.

Senate Concurrent Resolution No. 1 was taken up, at this time, without reference to committee or file.

Senate Concurrent Resolution No 1—Relative to inaugural ceremonies.

Senate Concurrent Resolution No. 1 read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 1 adopted by the following vote

AYES—Boyle, Breed, Burns, Cassidy, Chatters Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Dunlap, Donnelly, Evans, Herbert J. Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Miller, Mimard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Peyser, Reaves, Redwine, Riley, Rosenthal, Scudder, Stream, Turner, Welsh, Williamson, Wright, and Mr Speaker—57

NOES—None.

Title read and approved.

Senate Concurrent Resolution No 1 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No 1

Relative to inaugural ceremonies

Resolved by the Senate, the Assembly concurring, That a committee of three members of the Senate be appointed to confer with a committee of three from the Assembly, to make arrangements for the inaugural ceremonies, said committee to be appointed by the President of the Senate and the Speaker of the Assembly, respectively, and to have full power to act in the premises Any expenses to be paid by the Senate and Assembly out of their respective contingent funds, and not to exceed the sum of $500, one-half to be paid from the contingent fund of each house

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the above resolution, the Speaker appointed Messrs. Maloney, Lyon and Chatters as such committee.

RESOLUTION.

The following resolution was offered:

By Mr. Lyon:

Resolved, That the Assembly Rules of the fiftieth (regular) session of the Legislature, as printed in the Assembly Journal of 1933, be and the same are hereby adopted as the temporary rules of this House until otherwise ordered, with the following changes, to wit: 1935 to be inserted in lieu of 1933, wherever those figures appear.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Clark, Cottrell, Crowley, Cunningham, DeLap, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, O'Donnell, Peyser, Phillips, Reaves, Redwine, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—58.

NOES—None.

REPORT OF SELECT COMMITTEE.

The select committee appointed to wait upon the Senate reported that the Senate was organized and ready to proceed with the regular business.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Cunningham:

Resolved, That the Sergeant-at-Arms of the Assembly or the bookkeeper to the Sergeant-at-Arms be and they are hereby authorized to receipt to the Controller for all warrants for the payment of members, officers and attaches of the Assembly.

Resolution read, and on motion adopted.

By Mr Phillips:

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the contingent expense fund in favor of Arthur A. Ohnimus, Chief Clerk, and the State Treasurer is hereby directed to pay the same, in the sum of $150, said amount being for the payment of postage, telegraphing expressage and incidental expenses of the Chief Clerk's office.

Resolution read.

The question being on the adoption of the resolution

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—72

NOES—None.

REPORT OF SELECT COMMITTEE.

The select committee appointed to wait upon the Governor reported as follows:

That the Governor cordially greeted the members of the committee and asked the committee to extend his greetings to the Assembly. He congratulates the Assembly upon its organization.

The Governor wishes to cooperate with the members of the Assembly in solving the problems which will confront us. Above all, he desires their cooperation in the spirit of helpfulness to him.

ROY J NIELSEN, Chairman.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Cottrell:

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to procure from the State Purchasing Department on requisition, for the use of the members of the Assembly, all necessary stationery and supplies

Resolution read.

The above resolution was ordered referred to Committee on Rules, when appointed.

By Mr. Lyon:

Resolved, That the action of Arthur A. Ohnimus, Chief Clerk of the Assembly for the fiftieth session, in employing necessary assistance for the organization of the Assembly for the fifty-first session, be and the same is hereby ratified and approved, and the State Controller is hereby authorized and directed to draw his warrants in favor of the following named persons for the items and the amounts set opposite their respective names, upon the fund for the payment of officers and attaches of the Assembly, and the Treasurer is hereby directed to pay the same:

Arthur A. Ohnimus, Chief Clerk, 5 days at $10 per day_____$50 00
Fred J. Desch, First Assistant Clerk, 5 days at $9 per day_____ 45 00
Juanita Dependener, stenographer, 2 days at $5 per day_____ 10 00

Resolution read

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote.

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—71.

NOES—None.

By Mr. Hornblower:

ASSEMBLY RESOLUTION.

Resolved, That the Chief Clerk be authorized to receive from the members of the Assembly a mailing list of all bills, resolutions, and histories; to be directed to libraries, chambers of commerce, and other public centers, for general inspection. This list is to be limited to ten names each, and shall be forwarded to the legislative bill room for regular mailing. No member shall include on his list any State department or employee thereof. The Chief Clerk is further authorized to place accredited newspaper representatives on the regular mailing list, as well as the Attorney General, Legislative Counsel Bureau, and the Governor's Office. That in addition to the above, the Chief Clerk shall forward to the legislative bill room for regular mailing, five copies of said bills, resolutions, and histories to be mailed to the State Commander of the American Legion, or to such parties as he shall name, and be it further

Resolved, That no additional mailing list shall be allowed or authorized, unless the sum of thirty-five dollars ($35) each is paid therefor, to the State Printer and which sum shall be credited to legislative printing and accounted for to the Legislature; and be it further

Resolved, That the total number of bills to be printed be reduced from three thousand (3000) to a minimum number necessary to supply the ordinary demands; in no event unless otherwise authorized, over two thousand five hundred (2500).

Resolution read.

The above resolution ordered referred to Committee on Rules, when appointed.

By Mr. Martin:

ASSEMBLY RESOLUTION

Resolved, That the Chief Clerk of the Assembly be, and hereby is, authorized and directed to purchase eighty-three (83) sets of the 1933 edition of Deering's Codes of the State of California, each set consisting of the following six volumes.

Civil Code,
Code of Civil Procedure,
Penal Code,
Political Code (two volumes),
1933 Supplement to Codes, General Laws and Constitution;

also five sets of the General Laws of California, each set consisting of three volumes; also three copies of Robert's Rules of Order; also be it

Resolved, That the Chief Clerk of the Assembly be, and hereby is, directed to deliver one set each of the codes (six volumes) to each member of the Assembly; one to the Chief Clerk of the Assembly; one to the Committee on Judiciary, and one to the Committee on Ways and Means; also

That the Chief Clerk be directed to deliver one set of the General Laws (three volumes) to the Committee on Judiciary; one set to the Committee on Ways and Means; one set to the Committee on Social Welfare, and two sets to the Chief Clerk of the Assembly, also

That the three copies of Robert's Rules of Order be delivered to the Chief Clerk of the Assembly, for the use of the members of the Assembly.

Resolution read.

The above resolution ordered referred to Committee on Rules, when appointed

By Mr. Burns.

Resolved, That the State Controller is hereby authorized and directed to draw his warrant in favor of the Chief Clerk of the Assembly in the sum of $10 to be used as the Post Office revolving fund, and the Treasurer is hereby directed to pay the same.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—73.

NOES—None.

APPOINTMENT OF STANDING COMMITTEES.

The Speaker announced the appointment of the following standing committees:

Attaches—Messrs. Utt, Chairman; Chatters, Fulcher, Stream, Dawson, Fisher and Riley.

Mileage—Messrs. Crowley, Chairman; DeLap, Robinson, Garibaldi and Eicke.

MOTION.

Mr. Crowley moved that when the Assembly adjourn this day, it do so out of respect to the memory of the late Hon. Frank L. Coombs of Napa, former member of the Legislature.

Motion unanimously adopted.

COMMUNICATION.

The following communication was filed by the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, January 7, 1935

MR SPEAKER: Pursuant to your instructions, the following named persons have filed their credentials, and are duly recognized as representatives of the newspapers set opposite their names:

Associated Press—L. S. Kimball, H. T. Ashbaugh, Carroll Williams, John E. Baker

California Real Estate Magazine—Glenn D. Willaman, Charles W. Brock, Charles B. Shattuck.
San Francisco Chronicle—Earl C. Behrens.
San Francisco Call-Bulletin—John R. Bruce.
San Francisco Examiner—William H. Jordan, John C. Lee, Maxwell L. Thayer.
Sacramento Union—L. H. Wilson, Howard Kennedy.
Los Angeles Times—Chester G. Hanson.
Oakland Tribune—Anthony F. Moitoret.
Redwood City Times-Gazette—Mona L. Christensen.
The Film Daily—Hulda McGinn.
Variety—Arthur Ungar.
United Press—George E. Helmer, Melvin Lord, J. F. McLaughlin, Lawrin Todd, James Rowe.

ARTHUR A. OHNIMUS, Chief Clerk.

RESOLUTION.

The following resolution was offered:

By Mr. Lyon:

Resolved, That the thanks of the Assembly are hereby tendered to Louis F. Erb, former Minute Clerk, Michael Connolly, former Sergeant-at-Arms, and Madge Cross, former Chief Stenographer, for the competent, efficient and painstaking manner in which they have conducted the business of their respective offices in past sessions of the Legislature, and that we regret that they are unable to again be with us.

Resolution read, and on motion unanimously adopted.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received, read, and ordered printed in the Journal.

ON MILEAGE.

District	Name	Address	Distance from seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
1	Michael J Burns	Eureka, Humboldt County	312				624	$31 20
2	Clinton J. Fulcher	Lookout, Modoc County	324		44	280	560	28 00
3	John H O'Donnell	Woodland, Yolo County	23				46	2 30
4	J E Frazier	Gridley, Butte County	86		14	72	144	7 20
5	Ernest C. Crowley	Suisun, Solano County	48				96	4 80
6	Jesse M Mayo	Angels Camp, Calaveras County	73	12		85	170	8 50
7	Hubert B Scudder	Sebastopol, Sonoma County	90	7		97	194	9 70
8	Roy J. Nielsen	Sacramento, Sacramento County						
9	Earl D Desmond	Galt, Sacramento County	24				48	2 40
10	T. H DeLap	El Cerrito, Contra Costa County	62	18		80	160	8 00
11	Dana P Ecke	Stockton, San Joaquin County	48				96	4 80
12	James E Thorp	Lockford, San Joaquin County	48		3	45	90	4 50
13	James M. Cassidy	Oakland, Alameda County	84				168	8 40
14	Charles J Wagner	Alameda, Alameda County	84	5		89	178	8 90
15	Leon M. Donihue	Oakland, Alameda County	84				168	8 40
16	Arthur H Breed, Jr.	Piedmont, Alameda County	84				168	8 40
17	Henry P Meehan	Oakland, Alameda County	84				168	8 40
18	Charles W Fisher	Oakland, Alameda County	84				168	8 40
19	Gardiner Johnson	Berkeley, Alameda County	84		1	83	166	8 30
20	Thomas A Maloney	San Francisco, San Francisco County	90				180	9 00
21	Joseph P. Gilmore	San Francisco, San Francisco County	90				180	9 00
22	Kennett B Dawson	San Francisco, San Francisco County	90				180	9 00
23	William B. Hornblower	San Francisco, San Francisco County	90				180	9 00
24	Patrick J McMurray	San Francisco, San Francisco County	90				180	9 00
25	Melvyn I. Cronin	San Francisco, San Francisco County	90				180	9 00
26	Ray Williamson	San Francisco, San Francisco County	90				180	9 00
27	Jefferson E Peyser	San Francisco, San Francisco County	90				180	9 00
28	Jas F Brennan	San Francisco, San Francisco County	90				180	9 00
29	Frederick Peterson	Burlingame, San Mateo County	119		8	111	222	11 10
30	H Dewey Anderson	Cupertino, Santa Clara County	128	13		141	282	14 10
31	C C. Cottrell	San Jose, Santa Clara County	128				256	12 80
32	Hugh P. Donnelly	Turlock, Stanislaus County	77	14		91	182	9 10
33	James D Garibaldi	Merced, Merced County	114				228	11 40
34	Clifford R Kallam	Watsonville, Santa Cruz County	198	20		218	436	21 80

ON MILEAGE—Continued

District	Name	Address	Distance from seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
35	Ellis E Patterson	King City, Monterey County	208	50		258	516	$25 80
36	Claude Minard	Fresno, Fresno County	169				338	16 90
37	S L Heisinger	Fresno, Fresno County	169				338	16 90
38	Ford A Chatters	Lindsay, Tulare County	206	20		226	452	22 60
39	Alfred W Robertson	Santa Barbara, Santa Barbara County	460				920	46 00
40	James J. McBride	Ventura, Ventura County	490				980	49 00
41	Rodney L. Turner	Delano, Kern County	278		30	248	496	24 80
42	Elmer E Lore	North Hollywood, Los Angeles County	447				894	44 70
43	C Don Field	Glendale, Los Angeles County	447		10	437	874	43 70
44	John B Pelletier	Los Angeles, Los Angeles County	447				894	44 70
45	Charles A Hunt	Los Angeles, Los Angeles County	447				894	44 70
46	Ralph W. Evans	Los Angeles, Los Angeles County	447				894	44 70
47	Eleanor Miller	Pasadena, Los Angeles County	447	13		460	920	46 00
48	Frank G. Martin	Altadena, Los Angeles County	447	15		462	924	46 20
49	Herbert J. Evans	Monrovia, Los Angeles County	447	18		465	930	46 50
50	Frank W. Wright	Whittier, Los Angeles County	447	15		462	924	46 20
51	Wm Moseley Jones	Montebello, Los Angeles County	447	10		457	914	45 70
52	Ben Rosenthal	Los Angeles, Los Angeles County	447				894	44 70
53	E V Latham	Alhambra, Los Angeles County	447	9		456	912	45 60
54	Wilbur F Gilbert	Los Angeles, Los Angeles County	447				894	44 70
55	Frank D. Laughlin	Los Angeles, Los Angeles County	447				894	44 70
56	Thomas J. Cunningham	Los Angeles, Los Angeles County	447				894	44 70
57	Kent H Redwine	Hollywood, Los Angeles County	447				894	44 70
58	Frank J Waters	Los Angeles, Los Angeles County	447				894	44 70
59	Charles W Lyon	Los Angeles, Los Angeles County	447				894	44 70
60	Geoffrey F Morgan	Santa Monica, Los Angeles County	447	22		469	938	46 90
61	Ernest O Voigt	Los Angeles, Los Angeles County	447				894	44 70
62	Augustus F Hawkins	Los Angeles, Los Angeles County	447				894	44 70
63	Ralph Louis Welsh	Los Angeles, Los Angeles County	447				894	44 70
64	John D. McCarthy	Los Angeles, Los Angeles County	447				894	44 70
65	Gene Flint	Los Angeles, Los Angeles County	447				894	44 70
66	James J Boyle	Los Angeles, Los Angeles County	447				894	44 70
67	Lee E. Geyer	Gardena, Los Angeles County	447	10		457	914	45 70
68	Fred Reaves	San Pedro, Los Angeles County	447	23		470	940	47 00
69	A. Franklin Glover	Compton, Los Angeles County	447	10		457	914	45 70
70	John G Clark	Long Beach, Los Angeles County	447	22		469	938	46 90
71	Harry B Riley	Long Beach, Los Angeles County	447	22		469	938	46 90
72	Godfrey A. Andreas	Upland, San Bernardino County	508	22		530	1,060	53 00
73	Gordon W Corwin	Highland, San Bernardino County	508	10		518	1,036	51 80
74	James B Utt	Tustin, Orange County	481	2		483	966	48 30
75	Edward Craig	Brea, Orange County	481		14	467	934	46 70
76	John Phillips	Banning, Riverside County	512	35		547	1,094	54 70
77	Clarence R Walker	Westmoreland, Imperial County	661		22	639	1,278	63 90
78	Ralph W Wallace	San Diego, San Diego County	573				1,146	57 30
79	Paul A Richie	San Diego, San Diego County	573				1,146	57 30
80	Charles W. Stream	Palm City, San Diego County	573	13		586	1,172	58 60

OFFICERS

Name	Address	Distance from seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 10 cents per mile
Arthur A Ohnimus	San Francisco, San Francisco County	90				180	$18 00
Louis F Erb	San Francisco, San Francisco County	90				180	18 00
Michael Connolly	Los Angeles, Los Angeles County	447				894	89 40

ERNEST C. CROWLEY, Chairman.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr Boyle, Mrs. Thomas Boyle of Los Angeles was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Nielsen, Hon. Arthur F. Ferguson, Mayor of the City of Sacramento, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Stream, Mr. and Mrs. John T. Mathis of Chula Vista were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Redwine, Messrs. Howard Davis and Arthur Young of Los Angeles were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Redwine, Mr. Carl F. Johnson of Flintridge was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Flint, Mr. Frank La Cavera and Mrs. Ruth Tate of Los Angeles were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Field, Mr. and Mrs. E. H. Le Baker of Manhattan Beach were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Miss Miller, Mr. Harold P. Hulls, City Attorney of Pasadena, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Herbert J. Evans, Mr. F. M. Ritter of Pomona was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. McBride, Mr. and Mrs. Dan W. Emmett of Ventura were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Chatters, Mr. J. H. Brothers of Stratford and Mr. J. F. Groham of Lemoore were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Morgan, Mr. and Mrs. Leland M. Ford of Santa Monica were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Morgan, Mr. John Knauft of Los Angeles was extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented and ordered printed in the Journal:

By Mr. Speaker:

From T. B. W. Leland, coroner, City and County of San Francisco, relative to firearms.

By Mr. Speaker:

From California State Beekeepers' Association, relative to standardization law providing proper standards and grades of honey.

By Mr. Speaker:

From Farm Credit Administration, Washington, D. C., relative to loans on the security of property.

By Mr. Speaker:

From Fred B. Hawley, relative to petition for impeachment.

Petition ordered referred to Committee on Judiciary, when appointed.

ADJOURNMENT.

At two o'clock and ten minutes p.m., on motion of Mr. Charles Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Tuesday, January 8, 1935, out of respect to the memory of the late Frank L. Coombs, former member of the Legislature.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, January 8, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Ericke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

READING OF THE JOURNAL

During the reading of the Journal, on motion of Mr. Cottrell, its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. Evans, Herbert J., Mr Lyon was granted leave of absence for this day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Hornblower, Mr. I. M. Peckham, former United States Attorney, and Mrs I. M. Peckham of San Francisco were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Maloney, Mr. Charles Oliva, former Assemblyman, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Nielsen, Mrs. Eleanor Downing and Mrs. Roy J. Nielsen were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Flint, Mrs. Irene Alexander and Mrs. Ethel Ruppe of Los Angeles were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Flint, Mrs. Irvin Taplin and Mrs. Ruth Tate of Los Angeles were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. McBride, Hon. Arlin E. Stockburger, State Director of Finance, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Meehan, Mrs. Harry P. Meehan was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Utt, Dr. and Mrs. Glen Curtis of Brea were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Williamson, Mr. Clifford C. Anglim, former Assemblyman, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Rosenthal, Mr. Henry G. Pfarr, President Venice Bay Protective Association, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Cunningham, Mr. Herman Paige, Jr., was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Riley, Mrs Glenn C. Coolidge, second cousin of the late President Calvin Coolidge, and Mrs. Effie L. Riley, mother of Assemblyman Riley, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. McCarthy, Dr. Z. T. Malaby of Pasadena was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Voigt, Mr. Charles Dempster, former member of the Legislature, and Mrs Charles Dempster were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Voigt, Mr. J. Stitt Wilson of Berkeley was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Fisher, Mr. Gordon Johnson was extended the privilege of the floor of the Assembly for this day.

RESOLUTION.

The following resolution was offered:

By Messrs. Meehan, Latham, Wright and McCarthy:

WHEREAS, It appears that numerous bills and resolutions similar in character and designed to accomplish substantially the same object have been prepared or are being prepared in relation to a considerable number of subjects for presentation to the Legislature; and

WHEREAS, It would make for economy of time and effort on the part of the members of the Legislature and the public, and greatly reduce the cost of legislative printing, if the number of such legislative measures could be reduced; now, therefore, be it

Resolved by the Assembly, That the Committee on Rules be, and it is hereby, requested to devise a method and formulate a plan for the accomplishment of the objects and purposes of this resolution.

The above resolution ordered referred to Committee on Rules, when appointed.

COMMUNICATION.

The following communication was filed by the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1935.

MR. SPEAKER: Pursuant to your instructions, the following named persons have filed their credentials and are duly recognized as representatives of the newspapers set opposite their respective names:

Fresno Bee—Fred Hines.
Modesto Bee—Fred Hines.
Sacramento Union—Charles J. Lilley, John B. Long.

Alameda Times-Star—H. G. Spaulding.
Sacramento Bee—Walter P. Jones, Herbert L. Phillips, Stephen Kyle, Edward Dickson, Hamilton L. Hintz, Alex J. Ashen, Myron V. De Pew, Fred Moore.
International News Service—Gilbert Gordon, Ross G. Marshall, Minna Lafferty.
San Jose News—Rolla R. Roberts.
Motion Picture Daily—Walter Barusch.
Variety—W. H. Lollier.
San Francisco News—B. W. Horne.
Trade Journal Reporting Service—Darwin J. Smith.
Stockton Record—Verne Scoggins.

ARTHUR A. OHNIMUS, Chief Clerk.

RECESS.

At ten o'clock and thirty-five minutes a.m., the Assembly was declared at recess until eleven o'clock a.m. of this day.

REASSEMBLED.

At eleven o'clock a.m., the Assembly reconvened.

Speaker Craig in the chair.

Assistant Clerk Desch reading.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Messrs. McBride, Cronin and Fulcher as a select committee to wait upon the Senate, and inform that honorable body that the Assembly is now ready to meet in Joint Convention.

RECESS.

At eleven o'clock and twenty-five minutes a.m., the Assembly was declared at recess for the purpose of meeting with the Senate in Joint Convention.

IN JOINT CONVENTION.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, January 8, 1935.

At eleven o'clock and twenty-five minutes a.m., the Senate and Assembly met in Joint Convention.

Hon. Edward Craig, Speaker of the Assembly, requested that Hon. John H. O'Donnell, Speaker pro tempore of the Assembly, escort Hon. William P. Rich, President pro tempore of the Senate, to the chair.

The President pro tempore directed the Secretary of the Senate to call the roll of Senators.

SENATE ROLL CALL.

The roll was called, and the following answered to their names:

Senators Biggar, Crittenden, Deuel, Difani, Duval, Edwards, Fletcher, Garrison, Gordon, Hays, Jespersen, Keough, King, Knowland, McColl, McCormack, McGovern, McGuinness, Metzger, Mixter, Olson, Parkman, Perry, Pierovich, Powers, Reindollar, Rich, Schottky, Scollan, Seawell, Sharkey, Slater, Snyder, Stow, Swing, Tickle, Wagy, Williams, and Young—39.

The President pro tempore declared a quorum of the Senate present.

Hon. Edward Craig, Speaker of the Assembly, directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

ASSEMBLY ROLL CALL.

The roll was called, and the following answered to their names:

Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Maloney, Martin, Mayo, McBride, McCarthy, McMur-

ray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—74.

The Speaker declared a quorum of the Assembly present.

JOINT SESSION RESOLUTION.

The following resolution was offered:

By Mr. Hornblower:

Resolved, That the Senate and Assembly in Joint Convention assembled, proceed with the selection in Joint Session of the Legislative Counsel, as provided in section 1 of "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 26, 1913.

Resolution read, and adopted.

NOMINATION OF LEGISLATIVE COUNSEL.

In accordance with the above Joint Session resolution, the Speaker declared the nomination of Legislative Counsel now in order.

Hon. William B. Hornblower of San Francisco placed in nomination Mr. Fred Wood for Legislative Counsel.

The nomination of Mr. Wood was seconded by Senator Slater.

NOMINATIONS CLOSED.

On motion of Senator Slater, the nominations were closed.

ELECTION OF LEGISLATIVE COUNSEL.

The Speaker directed the Chief Clerk to call the roll of Assemblymen.

The roll was called with the following result:

For MR. FRED WOOD—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—79.

The President pro tempore of the Senate directed the Secretary of the Senate to call the roll of Senators.

The roll was called with the following result:

For MR. FRED WOOD—Senators Biggar, Crittenden, Deuel, Difani, Duval, Edwards, Garrison, Gordon, Hays, Jesperson, Keough, King, Knowland, McCormack, McGovern, McGuinness, Metzger, Mixter, Olson, Parkman, Perry, Pierovich, Powers, Reindollar, Rich, Schottky, Scollan, Seawell, Sharkey, Slater, Snyder, Stow, Swing, Tickle, Wagy, Wilhams, and Young—37.

Mr. Fred Wood, being the choice of the Senate and Assembly, sitting in Joint Convention, was declared duly elected Legislative Counsel.

APPOINTMENT OF SELECT COMMITTEE

Hon. W. P. Rich, President pro tempore of the Senate, appointed Joseph Nolan, Sergeant-at-Arms of the Senate, and Joseph Moloney, Sergeant-at-Arms of the Assembly, a select committee to escort Mr. Fred Wood to the bar of the Assembly.

HON. WILLIAM P. RICH, PRESIDENT PRO TEMPORE OF THE SENATE, IN THE CHAIR.

REGULAR ORDER OF BUSINESS.

By direction of the President pro tempore of the Senate, the Secretary of the Senate read sections of the Constitution of the State of

California and sections of the Political Code of the State, which provide for the two branches of the Legislature meeting in Joint Convention for the purpose of canvassing the votes cast for Governor and Lieutenant Governor, as follows:

Of the Constitution:

Section 5. The returns of every election for Governor shall be sealed up and transmitted to the seat of government directed to the Speaker of the Assembly, who shall, during the first week of the session, open and publish them in the presence of both houses of the Legislature. The person having the highest number of votes shall be Governor; but in case any two or more have an equal and highest number of votes, the Legislature shall, by joint vote of both houses, choose one of such persons so having an equal and the highest number of votes for Governor

Section 15. A Lieutenant Governor shall be elected at the same time and place and in the same manner, as the Governor, and his term of office and his qualifications shall be the same. He shall be President of the Senate, but shall have only a casting vote therein.

Of the Political Code:

Section 1292. When an election has been held to fill the office of Governor or Lieutenant Governor, the clerk of each county, in addition to the abstract made for transmission to the Secretary of State, must as soon as the statement of the vote of his county is made out and entered upon the records of the boards of supervisors make two certified abstracts of so much thereof as relates to the vote given for such officers.

Section 1293. The clerk must seal up each abstract separately, and indorse thereon "Election Returns for Governor and Lieutenant Governor."

Section 1294. He must at once direct one copy to the Speaker of the Assembly next to meet, address it to Sacramento, California, and deposit it, postpaid, in the post office.

Section 1295. The other copy he must direct and address, in the same manner, and at once deliver it to a member-elect of the Legislature, or to a Senator who holds over; and the person to whom it is so delivered must deliver it to the Speaker on or before the second day next after his election.

Section 1296. The returns of election for Governor and Lieutenant Governor must, during the first week of the session, be opened, canvassed, and the result declared by the Speaker of the Assembly, in presence of both houses.

Section 1297. No declaration of the result, commission or certificate must be withheld on account of any defect or informality in the return of any election if it can with reasonable certainty be ascertained from such return what office is intended, and who is elected thereto.

ANNOUNCEMENT.

The Speaker of the Assembly announced that the election returns from all the counties in the State had been received and were now at the desk, and that the Joint Convention would proceed with the opening of the returns from the recent election for Governor and Lieutenant Governor of the State of California.

APPOINTMENT OF TELLERS.

The Speaker of the Assembly appointed as tellers, on the part of the Assembly, Messrs. Jones, Johnson, Burns and Walker.

The President pro tempore of the Senate appointed as tellers, on the part of the Senate, Senators Difani, Stow, Seawell and Scollan.

Canvass of the returns was thereupon made, and the tellers reported:

REPORT OF SELECT COMMITTEE.

We, the Joint Committee of the Senate and the Assembly appointed to canvass the vote for the office of Governor and Lieutenant Governor elected at the general election November 6, 1934, find the following returns to be correct as attached hereto.

EDGAR W. STOW, Chairman.
JERROLD L. SEAWELL.
LEONARD J. DIFANI.
THOS. P. SCOLLAN.
WM. MOSELEY JONES.
GARDINER JOHNSON.
C. R. WALKER.

FOR GOVERNOR.

The total number of votes cast for each of the several candidates for the office of Governor of the State of California was announced as follows:

Sam Darcy	5,826
Milen C. Dempster	2,947
Raymond L. Haight	302,519
Frank F. Merriam	1,138,620
Upton Sinclair	879,537
Scattering	273

Whereupon, the Speaker of the Assembly declared Hon. Frank F. Merriam duly elected Governor of the State of California for the next succeeding four years.

FOR LIEUTENANT GOVERNOR.

The total number of votes cast for each of the several candidates for the office of Lieutenant Governor of the State of California was announced as follows:

Jesse W. Southwick	15,741
Pettis Perry	10,528
George J. Hatfield	1,220,515
Sheridan Downey	1,002,832
Scattering	78

Whereupon, the Speaker of the Assembly declared Hon. George J Hatfield duly elected Lieutenant Governor of the State of California for the next succeeding four years.

APPOINTMENT OF SENATE COMMITTEES OF ESCORT.

Hon. William P. Rich, President pro tempore of the Senate, announced the appointment of the following Senate Committees of Escort:

To escort Governor Frank F. Merriam to the inaugural ceremonies: Senators Edwards, Deuel and Hays.

To escort Lieutenant Governor-elect George J. Hatfield to the inaugural ceremonies: Senators Tickle, Snyder and Sharkey.

APPOINTMENT OF ASSEMBLY COMMITTEES OF ESCORT.

Hon. Edward Craig, Speaker of the Assembly, announced the appointment of the following Committees of Escort:

To escort Governor Frank F. Merriam to the inaugural ceremonies: Messrs. Kallam, Stream and Scudder.

To escort Lieutenant Governor-elect George J. Hatfield to the inaugural ceremonies: Messrs. Hornblower, Wright and Turner.

INAUGURAL CEREMONIES.

Call to order of the Joint Convention of the Legislature of the State of California.

Hon. George J. Hatfield, Lieutenant Governor and President of the Senate.

Hon. W. P. Rich, President pro tempore of the Senate.

Hon. Edward Craig, Speaker of the Assembly, presiding.

Tom Boyd's concert orchestra.

REPORT OF COMMITTEES OF ESCORT.

The Senate and Assembly Committees of Escort appeared at the platform in company with His Excellency, Frank F. Merriam, Governor, and Hon. George J. Hatfield, Lieutenant Governor-elect.

INVOCATION.

Prayer by Rev. George M Rourke, D.D., Pastor First Presbyterian Church, Long Beach.

ADMINISTRATION OF OATH OF OFFICE.

Hon. Frank F. Merriam took and subscribed to the following oath of office, administered by Hon. William H. Waste, Chief Justice of the Supreme Court:

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of California, and I will faithfully discharge the duties of the office of Governor of the State of California to the best of my ability, so help me God.

INTRODUCTION OF GOVERNOR FRANK F. MERRIAM.

Hon. W. P. Rich, President pro tempore of the Senate, addressed the Joint Convention as follows:

Fellow Members of the Legislature and Fellow Citizens of California.

It is extremely difficult for me to tell you with what delight and satisfaction that I appear before you as your representative in extending your welcome and greeting to the Governor of the State of California. Our Governor needs no eulogy from me. The members of this Legislature know him as well as I. He was a member of the Assembly for several years. He has been a member of the Senate and he has served one term as Lieutenant Governor of the State of California. No man in the State is better qualified by experience than he is for the position he holds.

As members of the Legislature, we know that there are ahead of us for this coming session some of the greatest problems that ever faced the Legislature of the State of California.

In such trying times the Legislature and the people of the State of California are extremely fortunate in having as their Governor a man of so much experience and of such outstanding ability.

The people of the State of California are looking to this Legislature for some help and for a constructive program which will grant relief to its citizenry. With such a great leader to guide us, I know we can not fail.

Governor Merriam, on behalf of the members of the Legislature of California sitting here today in Joint Convention, I welcome you and greet you as Governor of the State of California and I pledge to you their hearty cooperation and support to make your administration one of progress and of triumph.

INAUGURAL ADDRESS OF GOVERNOR FRANK F. MERRIAM.

Governor Frank F. Merriam proceeded to address the Joint Convention as follows:

INAUGURAL ADDRESS OF GOVERNOR FRANK F. MERRIAM

Delivered to the Senate and Assembly in Joint Session Tuesday, January 8, 1935.

Members of the California Senate and Assembly:

As the representatives of the people in the legislative branch of the State government, I welcome you to Sacramento for the biennial session of the State Legislature. We meet here under conditions that rob this occasion—and our common endeavors—of every influence and issue not vitally concerned with the public welfare and the exceedingly grave problems immediately ahead.

The people of California expect from you and from me at this time the fullest exercise of intelligent, devoted, energetic and unselfish attention to the critical problems confronting this commonwealth.

CONFIDENCE AND COOPERATION NECESSARY.

And if you perceive a disposition on my part in the remarks I shall make to you today, or in later messages I may submit to you, to stress the imperative need for cooperation and confidence between the executive and the legislative agencies of the government, let me say now with all the emphasis at my command that only by the widest application of such cooperation and confidence can essential results be obtained.

In no perfunctory or formal manner, but wholeheartedly and earnestly, I assure you that you may rely at all times upon my readiness to give sympathetic attention to your views and to confer with you individually or collectively upon any and all matters having your attention.

We must not come here as Republicans or as Democrats, or as the representatives of any political party, but as Californians—charged with the responsibility and inspired by the opportunity to serve our people and our State.

If there is any one among us who has come to the State Capital seeking merely to accomplish personal ends, or to further the selfish interests of any class or faction or section, that individual is not only misguided, but is blind to the nature of the trust which all of us share in common

PUBLIC SERVICE ONLY ISSUE

Public necessity, the security of our people, the employment of our citizens, the protection of our homes, the relief of destitution and suffering, the restoration of our constructive economic processes, and the wider and greater enjoyment of the full range of social justice and basic human rights should have, and must have, our undivided, unremitting, and unselfish care.

The next three or four months will mark an epoch in California's history. It is your opportunity, and mine, to labor so diligently, to attain results so effectively, to serve so faithfully, that this epochal period shall hereafter be regarded as a milestone in the progress and in the development of good government.

For if we fail to measure up to the requirements of the emergency with which we are faced; if we do not expeditiously and ably discharge our several duties; if we complicate and increase rather than eliminate and solve the problems of our people—then it shall be said of us that we lacked the capacity and the vision required to render the valuable public service which the people entrusted to us

FUTURE OUTLOOK IS PROMISING.

I fear no such misfortune; rather I am filled with optimism and with confidence We shall succeed, and our success will be interpreted in terms of greater security, happiness, and prosperity for the people of California.

We are entering upon a year of promise and of hope. Our courage is high; and if we soberly recognize the need for renewed effort and for continued service and sacrifice in the interests of our fellow citizens needing and meriting our consideration and care, we are prepared to carry our burdens uncomplainingly and with stout hearts.

With respect to all the methods to be employed or all the steps to be taken in attempting a solution of our many perplexing problems, we may not always see alike, but in the main we are in accord as to the ends to be attained; we have a common goal—service to the people.

With such an understanding, and in such a spirit, I earnestly pray we may proceed.

GOVERNMENT ALONE CAN NOT INDEFINITELY MEET EMERGENCY.

In this era of unprecedented dislocation of ordinary economic forces, the people have been required by necessity to look to National, State and local government for a coordination and the effective use of all their resources.

This condition has prevailed, and to an increasing extent, for almost five years Now, hope is revived that the normal activities of industry, agriculture, business, and commerce will steadily improve to a point where the initiative and enterprise of our citizens will once again afford full opportunity for the employment of all our able-bodied citizens and for the proper and useful expansion of our productive enterprises.

But as fondly as some may believe, and as earnestly as others may hope, government itself can not indefinitely assume the responsibility for meeting all the demands of this depression and this emergency.

PEOPLE THEMSELVES ARE MASTERS OF THEIR DESTINY.

Government, if it be intelligent, efficient, and devoted, can aid in the solution of these problems. Government can be the medium through which an enlightened people can express their ideals and their aspirations, but government can not permanently assume responsibilities which the private citizen and private business must eventually discharge if our people are to remain free and independent.

Before we shall attain complete economic balance, however, we must eliminate the evils which aggravated, and which, in fact, contributed to the collapse of the old economic order from which we now are emerging.

Furthermore, as much as the necessity is to be regretted, we must for some time to come continue to pay the price of some of our mistakes, of our wastefulness, our extravagance, our disregard, as a people, of many of the ordinary safeguards which we should have placed around our activities both in private enterprises and in governmental policies and functions.

SOUND FINANCIAL BASIS ESSENTIAL TO SECURITY.

Of primary importance at this time, from the standpoint of an efficient administration of State functions, is the need for placing the government of California on a sound financial basis.

This we must do without imposing intolerable taxes upon the people and without undertaking obligations not absolutely essential to the public service

As the first step in such a direction, we must adopt a program that will enable us to keep our expenditures below our income.

The mere accomplishment of a balanced State budget is in itself unimportant unless it definitely reflects an intelligent management of the people's business.

In the efforts of myself and those working under my direction to gain a full understanding of the State's financial needs and of measures that must be taken to meet those needs, we have kept in mind the two important facts, that no tax is popular, and that no tax system can be maintained and supported unless it is equitable and in no sense discriminatory.

NEED FOR TAX REVISION AND ADJUSTMENTS RECOGNIZED.

I have been deeply impressed with the general feeling upon the part of citizens everywhere in the State that taxes must be temporarily increased and that the so-called tax base must be broadened to gain revenues from new sources, but I have been equally struck by the fact that both individuals and groups are disposed to feel that "the other fellow" should be called upon to bear the added burden.

This is natural, and particularly so at a time when any additional drain upon the income and resources of individuals and business organizations represents a genuine hardship.

Yet it is obvious that if government is to survive and if the needs of the people in this emergency are to be properly served, public funds must be raised and disbursed.

Ours is the difficult and perhaps thankless task to see to it that no one unnecessary dollar be sought from the taxpayers; that no injustice be worked; that the individual or the corporation, or the business institution, pay all that equity and necessity demand.

Within a short time I shall submit to you a biennial budget for 1935–1937, together with a tax program designed to meet budget requirements. We will complete the current biennium with a deficit of approximately $30,000,000. If we do not adjust our tax needs and our tax program to the emergency condition now confronting us, we shall have a further deficit of approximately $100,000,000 during the next biennial period.

Such conditions prevail despite a determined and widespread policy of retrenchment and economy in the administration of State functions subject to the jurisdiction and direction of the Legislature and of the Governor.

HUMAN NEEDS COME FIRST.

Human needs demand and should receive first consideration; they must be served as long as society exists and government is maintained.

To such a service we must bring not alone the words of our mouths and the wishes of our hearts; we must contribute the labor of our hands and the intelligent and practical attention of our minds.

It is impossible at this time to estimate either the extent or the exact nature of the unemployment relief program which California, in cooperation with the Federal government, will be called upon to carry out. This is a continuing obligation, however, which we neither can nor desire to shirk.

COOPERATION WITH FEDERAL RELIEF PROGRAM ASSURED.

The State and Federal governments are in accord on the general aspects of the relief program. The $24,000,000 relief bond issue approved by the Legislature in special session last September and ratified by the voters of California in November, soon will be available for use.

While it is my purpose to administer State relief policies according to my best judgment as to local needs, I am likewise determined to maintain close contact with Federal relief authorities and to carry on relief activities in California in close harmony with the policies and wishes of the National administration.

Upon this phase of our State affairs I shall have more to say when officers of the National government have indicated their views of certain steps already taken by me to carry out further development of our relief program.

PRESIDENT'S WORK PROGRAM APPROVED.

I am in hearty accord with the announcement of President Roosevelt that every needy unemployed man and woman who is able to work should be required to do so in exchange for compensation from employment either by private business or upon some governmental or public project.

To the care of the disabled, the aged, and the sick, every consideration should be given. There is an obligation here which as a people we have never fully understood or assumed In the future, society will meet this responsibility not only in justice to the individual, but as a protection to society itself.

The hazards and the hardships encountered by the common man have been immeasurably increased and complicated during the last five years. Ours is the duty, so far as we are able, to overcome and remove such handicaps as they are imposed upon the citizenship of our own State.

California is a fertile and a fruitful land. Our natural resources are abundant, and sufficient for many generations to come if wisely utilized and properly conserved. As a people, we are industrious, progressive, and enlightened. Our public and private institutions are sound. Our wellbeing is assured as long as we act for the common good and with an understanding of our common needs

BIENNIAL MESSAGE TO PRESENT STATE'S PROBLEMS.

In the regular biennial message of the Governor, which I am preparing, and which I shall present to you without unnecessary delay, I shall discuss in detail all of the various subjects and public issues which you and I will be expected to consider and upon which we must act during this legislative session.

While it is not in any sense my purpose to ask you to accept and approve, without mature consideration and discussion, such proposals as I may make to you in the furtherance of my administrative program, it is my earnest hope and expec-

tation that your deliberations will result in expeditious handling of the business I shall place before you.

Furthermore, from my own years of experience as a legislator, I feel I may say that your success as a legislative body will be determined more by the quality, the clarity, the justice, and the effectiveness of the laws you enact than by their multiplicity and complexity.

LEGISLATURE RESPONSIBLE TO THE PEOPLE ALONE

Here in this historic State Capitol you are the independent representatives of the people, to whom alone you owe your allegiance and your duty.

Let no special interest, no selfish pleader, no secret influence intrude.

You have my best wishes and throughout the session to come you shall at all times have my assistance and support in evolving a workable program which, in its broad aspects, will encompass efficient and economic administration of government, relief of distress, and eventual reconstruction, recovery and stability.

Very promptly I shall lay before you such information and recommendations as I feel merit your consideration and official action.

FRANK F. MERRIAM, Governor of California.

ADMINISTRATION OF OATH OF OFFICE.

Hon. George J. Hatfield took and subscribed to the following oath of office, administered by Hon. A. F. St. Sure, United States District Judge:

I do solemnly swear that I will support the Constitution of the United States, and the State of California, and that I will faithfully discharge the duties of the office of Lieutenant Governor of the State of California to the best of my ability, so help me God.

INTRODUCTION OF LIEUTENANT GOVERNOR GEORGE J. HATFIELD.

Hon. Edward Craig, Speaker of the Assembly, addressed the Joint Convention as follows:

It is my pleasure and privilege to present to the members of this Joint Convention, Hon. George J. Hatfield, the Lieutenant Governor-elect of the State of California.

I deem this a personal pleasure, for George Hatfield has been a friend of mine of long years' standing, and we have worked together in the American Legion during the many years of our association.

George Hatfield is a member of a pioneer family; he received his education in the public schools of California and is a graduate of Stanford University. He is a veteran, having answered the call of the President during the World War.

For seven and one-half years George Hatfield was the United States District Attorney for northern California, which is a record, no other person having served for that length of time in this position.

One and one-half million people in California expressed their confidence in the ability of George J. Hatfield to perform the duties of the office of Lieutenant Governor. I know that all of the people of California will be well, sincerely and faithfully served by Mr. Hatfield as Lieutenant Governor.

Members of the Senate and Assembly in Joint Convention, I now present to you George J. Hatfield, Lieutenant Governor-elect.

ADDRESS BY LIEUTENANT GOVERNOR GEORGE J. HATFIELD.

Lieutenant Governor George J. Hatfield then addressed the Joint Convention as follows:

INAUGURAL ADDRESS OF
LIEUTENANT GOVERNOR GEORGE J. HATFIELD.

California, during the four years just ahead, faces a period of transcending importance—an era of reconstruction, readjustment and rebuilding after several years of distress and upheaval which have shaken the very foundations of our social and economic order.

Both to California and the entire Nation, it is the most significant period since the critical years of reconstruction which came as an aftermath of the Civil War.

And the course which California charts and follows—a course which must be determined, in large measure, during the legislative session just convened—will undoubtedly have a vital bearing on the future of California government and the welfare of California citizens for generations to come.

More than that, it is of national and international consequence, for California has been made the first major battleground of the changing order.

What we do here, in the months just before us, will determine, to large extent, whether we can have social justice without Socialism. It will determine whether we can have a liberal and progressive idealism, with a proper regard for human rights and human needs, without radicalism!

And in all honesty, we must recognize the fact that unless the causes of radicalism are removed—unless we put our house in order and restore faith in the essential fairness and justness of our governmental and business and industrial institutions—we shall reap the whirlwind of our own callous indifference and inadequacy.

The recent revolt against the established order in California was not without cause. And we need not be in sympathy with many of the policies advocated during that revolt to have a quick sympathy for the human suffering and distress which gave it headway.

So long as we have widespread unemployment and want and need in California, we shall have the seeds of radicalism in California. So long as we have a form of "special privilege" in California which permits tax evasion by a favored few, at the expense of the average taxpayer, we shall have public distrust of our public institutions.

I am not, in this address today, making accusations, or indulging in a program of fault-finding. In fact, I believe that California voters, as a whole, are at least equally responsible with California officials for the inequalities of our tax system and the many other shortcomings of government. None of us—or at least very few of us—had taken our responsibilities as citizens very seriously during the late period of prosperity. And popular government, after all, is usually no better, nor no worse, than the populace behind it.

During the depression, if we learned no other lesson, we learned that *selfishness and greed are bad public policy.* We had cut corners with a reckless abandon; we had almost come to have a contempt for such simple ideals of early Americanism as equity and justice, loyalty and honesty! We had played fast and loose with our government and carelessly "blamed the politicians" for governmental abuses.

And finally *life caught up with us.* Finally we came to the inevitable reckoning for our holiday of gambling and plunging.

Today, after four years of depression, which has touched virtually every home and every family, I think we are all a little tired of insincerity. I think—and I sincerely hope—that we are all ready to admit that there can be no true love of country without consideration for the rights and welfare of our neighbors who comprise the country.

I believe, as Americans, that we are fast acquiring a new concept of loyalty to our own fellow Americans. And in that new stirring of an old idealism, I believe, lies the real hope of rebuilding our business and industrial structure, reemploying our idle workers and securing for every worker a fairer share of his production.

If we are entirely honest, we must recognize that many of the victims of the depression—given the same opportunities, the same natural equipment, preparation and environment, as we have been given—would not today be begging for bread and pleading for work but would be enjoying the comforts now denied them.

We might even admit, if we are thoroughly candid with ourselves, that much of own good fortune in not being numbered among the unemployed and destitute is, in fact, *just good fortune*—the whim of circumstances which gave us a certain parentage, a certain native ability, a certain resourcefulness and a fair measure of preparation to equip us for the battle with life.

I am not, today, discounting individual initiative, which has been the mainspring in the upbuilding of California and America, but I am appealing for a new spirit of cooperation in solving common problems; a new appreciation of the other fellow's problems and a recognition that human need must come first in the new scheme of things, regardless of the cost and regardless even of a balanced or an unbalanced budget.

Many of us, as candidates, made pledges during the recent campaign—pledges that we would work for a 30-hour week in private and public business, for unemployment insurance and old age pensions, for a more equitable distribution of the tax load—and, in short, for a new order of social justice!

I believe we meant those pledges. I believe we owe it to ourselves, as well as to the voters of California, to do everything humanly possible to make them realities.

Governor Merriam, I am confident, will do all in his power to keep faith with the voters—and, as Lieutenant Governor, I will give him every possible assistance in making his program of reconstruction and recovery a success.

The immediate problem before us is to care for the unemployed and destitute until they can be returned to gainful employment. And regardless of every other consideration, the hungry *must* be fed; the needy *must* be cared for. But beyond this immediate task, there is the greater task of maintaining the advantage already gained in the battle for recovery and in restoring our people to a normal degree of security and independence.

I believe we can all cooperate in the solution of these problems—and the many other critical problems before us—without regard to narrow partisanship.

Whether we are Republicans or Democrats, we can and should honestly support President Roosevelt in his earnest and untiring efforts to help the American people through a period of crisis. And we owe the same unselfish, nonpartisan support to Governor Merriam and his administration in their efforts to chart a course to better and happier days in California.

I am not appealing, however, for blind acceptance of any program which may be suggested, or for unquestioning, unthinking loyalty to any leadership. The President of the United States and the Governor of California are entitled to our vigorous support and help when we believe they are right, and they are also entitled to intelligent and helpful criticism when we believe they are wrong. But in this period of emergency, above all else they both deserve complete freedom from petty partisan heckling and the selfish interference of political obstructionists.

There are both Republicans and Democrats in the army of the unemployed. And both Republicans and Democrats should join wholeheartedly in putting them back to work!

The task of caring for the thousands of jobless and destitute in California is made doubly difficult by the fact that our tax sources have run dry—by the fact that we must raise approximately $130,000,000 to wipe out the present general fund deficit and effect a balance between normal income and normal outgo for the coming two years.

It is of primary importance in maintaining California's credit as a State that we balance the State budget. But it is also of primary importance that California's fine reputation for progressive and humanitarian legislation—for splendid educational facilities and for agencies which safeguard the rights and welfare of our workers—be maintained.

We have a regard for the humanities in California more priceless than the excellent credit rating of our securities. If it requires additional taxation to care for California men, women and children during a period of distress, we must find new tax sources. But we must, I believe, recognize that new taxes must be levied on ability to pay, rather than merely on the old theory of services rendered, or benefits obtained.

Those who *have* must pay toward the support of those who *have not*. And any refusal on the part of our great corporations and more wealthy taxpayers to accept their just share of the burden will inevitably fan the flames of radicalism and threaten the overthrow of our whole business and industrial structure.

We can and will achieve reconstruction in California without revolution But we can not, in my opinion, achieve it without adopting a new policy of "live and let live"—a policy which places human rights above property rights and man above the dollar!

BENEDICTION.

Most Rev. Robert Armstrong, D.D., Bishop of Sacramento.

READING AND APPROVAL OF MINUTES.

The minutes of the Joint Convention were read, and on motion of Senator Slater, approved as read.

ADJOURNMENT.

There being no further business, at twelve o'clock and fifty-five minutes p.m., the Speaker of the Assembly adjourned the Joint Convention sine die.

IN ASSEMBLY.

REASSEMBLED.

At one o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1935.

MR. SPEAKER: Your Committee on Mileage begs leave to report that it has computed the mileage according to section 208 of the Political Code, and recommends the adoption of the resolution herewith:

Resolved, That the State Controller be and he is hereby directed and ordered to draw his warrants upon the proper fund in favor of the following named officers

and members of the Assembly for the amounts set opposite their names, and the State Treasurer is hereby directed and ordered to pay the same:

Michael J. Burns	$31 20	Rodney L. Turner	$24 80
Clinton J. Fulcher	28 00	Elmer E. Lore	44 70
John H. O'Donnell	2 30	C. Don Field	43 70
J. E. Frazier	7 20	John B. Pelletier	44 70
Ernest C. Crowley	4 80	Charles A. Hunt	44 70
Jesse M. Mayo	8 50	Ralph W. Evans	44 70
Hubert B. Scudder	9 70	Eleanor Miller	46 00
Roy J. Nielsen	----	Frank G. Martin	46 20
Earl D. Desmond	2 40	Herbert J. Evans	46 50
T. H. DeLap	8 00	Frank W. Wright	46 20
Dana P. Eicke	4 80	William Moseley Jones	45 70
James E. Thorp	4 50	Ben Rosenthal	44 70
James M. Cassidy	8 40	E. V. Latham	45 60
Charles J. Wagner	8 90	Wilbur F. Gilbert	44 70
Leon M. Donihue	8 40	Frank D. Laughlin	44 70
Arthur H. Breed, Jr.	8 40	Thomas J. Cunningham	44 70
Henry P. Meehan	8 40	Kent H. Redwine	44 70
Charles W. Fisher	8 40	Frank J. Waters	44 70
Gardiner Johnson	8 30	Charles W. Lyon	44 70
Thomas A. Maloney	9 00	Geoffrey F. Morgan	46 90
Joseph P. Gilmore	9 00	Ernest O. Voigt	44 70
Kennett B. Dawson	9 00	Augustus F. Hawkins	44 70
William B. Hornblower	9 00	Ralph Louis Welsh	44 70
Patrick J. McMurray	9 00	John D. McCarthy	44 70
Melvyn I. Cronin	9 00	Gene Flint	44 70
Ray Williamson	9 00	James J. Boyle	44 70
Jefferson E. Peyser	9 00	Lee E. Geyer	45 70
James F. Brennan	9 00	Fred Reaves	47 00
Frederick Peterson	11 10	A. Franklin Glover	45 70
H. Dewey Anderson	14 10	John G. Clark	46 90
C. C. Cottrell	12 80	Harry B. Riley	46 90
Hugh P. Donnelly	9 10	Godfrey A. Andreas	53 00
James D. Garibaldi	11 40	Gordon W. Corwin	51 80
Clifford R. Kallam	21 80	James B. Utt	48 30
Ellis E. Patterson	25 80	Edward Craig	46 70
Claude Minard	16 90	John Phillips	54 70
S. L. Heisinger	16 90	Clarence R. Walker	63 90
Ford A. Chatters	22 60	Ralph W. Wallace	57 30
Alfred W. Robertson	46 00	Paul A. Richie	57 30
James J. McBride	49 00	Charles W. Stream	58 60

Officers.

Arthur A. Ohnimus	$18 00	Louis F. Erb	$18 00

Michael Connolly $89 40

—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

CROWLEY, Chairman.
DELAP.
ROBERTSON.
GARIBALDI.
EICKE.

Mr. Crowley moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—70.

NOES—None.

ADJOURNMENT.

At one o'clock and ten minutes p.m., on motion of Mr. Cottrell, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Wednesday, January 9, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,

SACRAMENTO, Wednesday, January 9, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—80.

Quorum present.

PRAYER.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Cottrell, its further reading was dispensed with.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Boyle, Mrs. Thomas Boyle and Mrs. Lee Hoeriger were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Hornblower, Mr. Jerry Scannell, Investigator, C. H. P., of San Francisco was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Lore, Miss Ella F. Dolan of Los Angeles was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Robertson, Dr. Clarence Phelps, President Santa Barbara State Teachers College, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Breed, Mr. Edwin W. Geary of Oakland was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Corwin, Mr. J. J. Prendergast, former Assemblyman, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr Wagner, Mrs. Charles Wagner was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Burns, Judge and Mrs. Harry W. Falk, Dr. and Mrs. Carl T. Wallace, Mr. and Mrs. Blaine McGowans, Mr. and Mrs. Ernest S Mackins, Mr. and Mrs. Ernest Mitchell, and Dr. Gist, Humboldt State Teachers College, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Johnson, Mr. John G. McKean was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Maloney, Mr. and Mrs. Carl Maritzen, Mr. and Mrs. Richard Coleman, Mrs. Thomas A. Maloney, Mrs. Nathan Merenback, Mr. and Mrs. William B Hornblower and daughter Dorothy, and Mrs. Dave Peyser were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Phillips, Mr. H. J. Kimmeale, Chairman, County Democratic Committee, Riverside County, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Cronin and the San Francisco delegation, Hon. Edgar C. Levey, former Speaker of the Assembly, was extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From the American Taxpayers League, Inc, relative to the Florida Homestead Exemption Act.

Also:

By Mr. Speaker:

From Arthur MacDonald, relative to Scientific Study of Modern Civilized Man.

Also:

By Mr. Speaker:

From Plumas County Chamber of Commerce, relative to centralized control of all rural roads.

Also:

By Mr. Speaker:

From California Surplus-Waste Products Institute, relative to the proposed California Surplus-Waste Products Authority.

Also:

By Mr. Speaker:

From Miss Anna M. McGrew, relative to trust deeds and mortgages.

Also:

By Mr. Speaker:

From Seth E Tracy, relative to Townsend Old Age Revolving Pension Plan.

Also:

By Mr. Speaker:

From Voluntary Borough Board, relative to balancing the budgets.

Also:

By Mr. Speaker:

From J. Donald Atkins, relative to calling of the Constitutional Convention a first order of business.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Messrs. Hornblower and Boyle: Assembly Bill No. 1—An act to authorize the adoption and approval of State codes of fair competition for certain trades or industries or subdivisions thereof, to provide for the enforcement of the provisions of any State code of fair competition approved as in this act provided, to provide for standards of fair competition created by National codes of fair competition, to provide for administrative powers of code authorities, to provide penalties for the violations of the provisions hereof, to declare the urgency of this act and to provide that this act shall take effect immediately.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Martin: Assembly Bill No. 2—An act to add section 403a to the Penal Code, relating to the display of flags, banners or other devices in aid of activities of a seditious nature

Bill read first time, and referred to Committee on Crime Problems

By Mr. Martin: Assembly Bill No 3—An act to add section 3 54 to the School Code, relating to prohibited instruction.

Bill read first time, and referred to Committee on Education

By Mr. Martin: Assembly Bill No. 4—An act to require the taking of an oath by persons connected with institutions of learning and to prescribe the forms thereof.

Bill read first time, and referred to Committee on Education.

By Mr. Martin: Assembly Bill No 5—An act to make effective the provisions of "An act to provide a method for improving public streets, avenues, lanes, alleys, courts and places within municipalities of the sixth class, and for levying and collecting assessments upon property to pay for such improvements, and declaring the urgency hereof, to take effect immediately," approved May 25, 1933, and to amend section 20 thereof, relating to the time of operation of the provisions of said act.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Martin and Jones: Assembly Bill No 6—An act to amend section 1 of an act entitled "An act to create a fund to be known as the State highway general fund and providing for expenditures therefrom," approved June 5, 1931, relating to expenditures from said fund.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Peterson: Assembly Bill No. 7—An act to amend sections 581 and 629 of the Code of Civil Procedure, relating to civil actions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Wallace: Assembly Bill No. 8—An act to amend section 8 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to employees.

Bill read first time, and referred to Committee on Insurance.

By Mr. Wallace: Assembly Bill No. 9—An act adding sections 28.5 and 28 6 to the State Civil Service Act, relating to preference for heads of families in State employment.

Bill read first time, and referred to Committee on Civil Service.

By Mr. Wallace: Assembly Bill No. 10—An act to provide for a preference in employment of heads of families in cities, cities and counties, and counties.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Wallace: Assembly Bill No. 11—An act to amend sections 420, 422 and 450 of the Probate Code, relating to the appointment of administrators.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Wallace: Assembly Bill No. 12—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment.

Bill read first time, and referred to Committee on Judiciary.

By Mr Evans, Herbert J.: Assembly Bill No. 13—An act to amend section 73a of the Code of Civil Procedure, relating to superior courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Evans, Herbert J.: Assembly Bill No. 14—An act to amend section 4312 of the Political Code, relating to the place of offices of certain county officers.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cunningham: Assembly Bill No. 15—An act relating to a County Consolidation Commission, to study and report on the subject of consolidation of counties and of county functions in this State, and making an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Garibaldi: Assembly Bill No. 16—An act relating to revenue and taxation, providing for an excise tax on the sale of all oleomargarine as therein defined, providing a penalty for a violation of the provisions thereof and declaring that this act shall take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Messrs. Hunt, Turner, Andreas, Geyer, Lore, Laughlin, Glover, Reaves, Boyle, McCarthy, Voigt, Jones, Wagner, Pelletier, Hawkins, Meehan, Patterson, Anderson, Evans, Ralph W., Flint, Welsh, Clark, Donihue, Richie, Murray, Cassidy, Nielsen, Burns, Cronin, Maloney, Gilmore, Rosenthal, and Gilbert: Assembly Bill No. 17—An act limiting the number of cars in a train, and prescribing penalties for violation thereof.

Bill read first time, and referred to Committee on Labor and Capital.

MOTION TO PRINT.

Mr. Hunt moved that the Chief Clerk be instructed to have 1000 additional copies of Assembly Bill No. 17 printed.

Motion carried.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Donnelly: Assembly Bill No. 18—An act to levy an excise tax on the sale of all butter substitutes, providing for licensing dealers therein, fixing a penalty for a violation of the provisions of the act, and declaring that this act shall take effect immediately.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Wallace: Assembly Bill No. 19—An act to add a new section to the Political Code to be numbered 3612a, relating to veterans' tax exemptions.

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs.

By Mr. Martin: Assembly Bill No. 20—An act relating to the advocacy of the overthrow of the existing form of government by force or other unlawful means.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Burns: Assembly Bill No 21—An act to amend section 356 of the Streets and Highways Code, relating to State highways and establishing a secondary State highway from Westport to Ferndale.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Burns: Assembly Bill No. 22—An act to establish a State highway from Westport in Mendocino County to Ferndale in Humboldt County, and classifying it as a secondary State highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Messrs Jones, Hunt, Boyle, McCarthy, Gilbert, Evans, Ralph W., Flint, Rosenthal, and Reaves: Assembly Bill No 23—An act relating to relief of debtors and guarantors, and permitting postponement of foreclosures and sales under mortgages, deeds of trust, or contracts of purchase of real property, or postponement of forfeitures and terminations under such contracts of purchase, declaring the urgency thereof, and providing that it shall take effect immediately.

Bill read first time.

MOTION.

Mr. Jones moved that the rules be suspended and that Assembly Bill No. 23 be made a special order of business for Monday, January 14, 1935.

The question being on the motion to make Assembly Bill No 23 a special order for Monday, January 14, 1935

The roll was called, and the motion was lost by the following vote:

AYES—Andreas, Boyle, Brennan, Burns, Cassidy, Clark, Donihue, Evans, Ralph W., Flint, Gever, Gilbert, Glover, Hawkins, Hunt, Jones, Laughlin, Lore, McCarthy, McMurray, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Rosenthal, Voigt, Wagner, and Welsh—28.

NOES—Anderson, Breed, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donnelly, Eicke, Evans, Herbert J., Fisher, Fulcher, Garibaldi, Gilmore, Heisinger, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—46.

The Speaker ordered Assembly Bill No 23 referred to Committee on Judiciary.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Latham: Assembly Bill No. 24—An act to amend sections 3, 4, 9, and 21 of the Old Age Security Act, relating to aid to the aged.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Hunt: Assembly Bill No. 25—An act relating to liability for expense of burial of indigent persons.

Bill read first time, and referred to Committee on Public Charities and Corrections.

By Mr. Jones: Assembly Bill No. 26—An act to amend section 1200 of the Probate Code, relating to giving notice.

Bill read first time, and referred to Committee on Judiciary.

By Mr Jones: Assembly Bill No. 27—An act to amend section 1507 of the Probate Code, relating to order granting authority to petition.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Jones: Assembly Bill No. 28—An act to amend section 1000 of the Probate Code, relating to petition and notice of hearing.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Jones: Assembly Bill No 29—An act to amend section 1657 of the Probate Code, relating to accounts of guardian.

Bill read first time, and referred to Committee on Judiciary

By Mr. Heisinger: Assembly Bill No. 30—An act to amend sections 726 and 580a of the Code of Civil Procedure, to amend section 2924½ of the Civil Code, and to add section 580d to the Code of Civil Procedure, relating to deficiency judgments.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Patterson: Assembly Bill No. 31—An act to regulate the hours of service in public and private employment during the emergency declared to exist.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Patterson: Assembly Bill No. 32—An act to amend sections 3, 10, 13 and 21 and to repeal sections 4 and 9 of the Old Age Security Act of the State of California, relating to the protection, welfare and assistance of aged persons and the payment of pensions thereto.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Fisher: Assembly Bill No 33—An act to amend section 4300b of the Political Code of the State of California by adding thereto a

provision fixing a fee to be charged by sheriffs in counties of the third class for arresting prisoners and bringing them into court or jail.

Bill read first time, and referred to Committee on County Government.

By Mr. Fisher: Assembly Bill No. 34—An act to amend section 4300d of the Political Code by adding thereto a provision specifying the mileage to be charged by constables and marshals in counties of the third class in the service of any writ, order or paper, excepting a warrant of arrest.

Bill read first time, and referred to Committee on County Government.

By Mr. Wallace: Assembly Bill No. 35—An act to amend sections 128 and 132 of the Civil Code, relating to actions of divorce.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Desmond: Assembly Bill No 36—An act to amend sections 1261 and 1262 of the Agricultural Code, relating to produce dealers

Bill read first time, and referred to Committee on Agriculture.

By Messrs. Boyle, McCarthy, and Turner: Assembly Bill No. 37—An act relating to the operation of motor vehicles used in unemployment cooperative relief work, and declaring the urgency thereof and that this act shall go into immediate effect.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr Utt: Assembly Bill No. 38—An act to amend section 674 of the Code of Civil Procedure, relating to the priority of certain liens on real property.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cunningham: Assembly Constitutional Amendment No. 1—Proposed amendment to Article XI of the Constitution, by adding section 4, relative to county consolidation.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Patterson: Assembly Constitutional Amendment No. 2—Proposed amendment to Article IX of the Constitution, by amending section 3, relative to county superintendents of schools.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Peterson: Assembly Constitutional Amendment No. 3—Proposed amendment to Article XI, section 7½a of the Constitution, relative to local government.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr Stream: Assembly Constitutional Amendment No. 4—Proposed amendment to Article XIII of the Constitution, by adding sections 1 1 and 1.2 thereto, relative to limitation of tax rates.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Hunt: Assembly Constitutional Amendment No. 5—Proposed amendment to Article IV of the Constitution, by amending section 2, relative to sessions of the Legislature.

Introduced, and referred to Committee on Constitutional Amendments.

By Messrs. Heisinger and Meehan: Assembly Constitutional Amendment No. 6—Proposed amendment to Article XIII of the Constitution, by amending section 1, relative to taxation.

Introduced, and referred to Committee on Constitutional Amendments.

By Miss Miller: Assembly Concurrent Resolution No. 1—An act relative to approving certain amendments to the charter of the city of Pasadena, a municipal corporation in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the sixth day of November, 1934.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Miss Miller asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No 1, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER ONE.

Assembly Concurrent Resolution No. 1—An act relative to approving certain amendments to the charter of the city of Pasadena, a municipal corporation in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the sixth day of November, 1934.

Assembly Concurrent Resolution No. 1 read

The question being on the adoption of Assembly Concurrent Resolution No. 1.

The roll was called, and Assembly Concurrent Resolution No. 1 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Hunt, Johnson, Jones, Kallam, Latham, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No 1 ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 1—An act relative to approving certain amendments to the charter of the city of Pasadena, a municipal corporation in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the sixth day of November, 1934.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following resolution was introduced:

By Messrs. Latham, Field, Nielsen, Wright, Stream, Phillips, Redwine, McBride, Burns, Scudder, Peterson, Hornblower, Patterson, Lyon, Cottrell, Utt, Miller, Cunningham, Martin, Williamson, Frazier, Walker, Waters, Riley, Fisher, Kallam, Cronin, Dawson, Maloney, and Evans: Assembly Joint Resolution No. 1—An act relative to memorializing Congress to enact proposed legislation directing immediate payment of the adjusted service certificate of sailors and soldiers of the World War.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Latham asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 1, at this time, without reference to printer, committee or file, and that same be considered engrossed

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER ONE.

Assembly Joint Resolution No. 1—An act relative to memorializing Congress to enact proposed legislation directing immediate payment of the adjusted service certificate of sailors and soldiers of the World War.

Assembly Joint Resolution No. 1 read.

The question being on the adoption of Assembly Joint Resolution No. 1.

The roll was called, and Assembly Joint Resolution No. 1 adopted by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—66.

NOES—Andreas, Boyle, Evans, Ralph W., Flint, McCarthy, Morgan, and Richie—7.

Title read and approved.

Assembly Joint Resolution No. 1 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 1.

Relative to memorializing Congress to enact proposed legislation directing immediate payment of the adjusted service certificates of sailors and soldiers of the World War.

WHEREAS, A period of depression exists in the State of California, throughout the United States, and the world; and

WHEREAS, The immediate cash payment of the adjusted service certificates of the sailors and soldiers of the World War, some of whom are in dire need owing to the present economic conditions, will alleviate suffering, and increase tremendously the purchasing power of millions of the consuming public, distributed uniformly throughout the Nation, and lighten immeasurably the burden which States, counties, and cities are now required to carry for relief; and

WHEREAS, The payment of such certificates will not create any additional debt, but will discharge and retire an acknowledged contract obligation of the Government; and

WHEREAS, The Government of the United States is now definitely committed to a policy of spending large sums of money for the purpose of hastening recovery from the present economic crisis; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California most respectfully urges and petitions the

President and the Congress of the United States to enact legislation for the immediate payment, at face value, of the adjusted service certificates; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and the Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and member of the House of Representatives from California in the Congress of the United States, and that such Senators and members from California be urged to support such legislation.

EXPLANATION OF VOTE.

The following explanation of vote was received, and ordered printed in the Journal:

I was absent in the Legislative Counsel Bureau, having a measure prepared, and would have voted "aye" had I been present. The resolution was called up without notice or reference to committee.

CHARLES W. LYON.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Messrs. McBride and Stream: Assembly Joint Resolution No. 2—Relative to memorializing Congress to continue the Home Owners' Loan Corporation in existence.

Introduced, and referred to Committee on Federal Relations.

By Mr. Heisinger: Assembly Joint Resolution No. 3—Relative to memorializing and petitioning the President and the Congress of the United States to include the Central Valley Project in the program of unemployment relief and public works construction.

Introduced, and referred to Committee on Federal Relations.

By Messrs. Jones, Meehan, Donihue, Lore, Hunt, Rosenthal, and Boyle: Assembly Joint Resolution No. 4—Relative to memorializing the President and Congress to enact old age pension legislation.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Jones asked for unanimous consent to take up Assembly Joint Resolution No. 4, at this time, without reference to printer, committee or file, and that same be considered engrossed.

OBJECTION TO UNANIMOUS CONSENT.

Mr. Stream objected to granting unanimous consent.

MOTION.

Mr. Jones moved that Rule 122 be suspended for the purpose of considering Assembly Joint Resolution No. 4.

The question being on the motion to suspend Rule 122.

The roll was called, and the motion to suspend Rule 122 carried by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Voigt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—74

NOES—Richie and Wallace—2.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER FOUR

Assembly Joint Resolution No. 4—An act relative to memorializing the President and Congress to enact old age pension legislation.

Assembly Joint Resolution No. 4 read.

The question being on the adoption of Assembly Joint Resolution No. 4.

The roll was called, and Assembly Joint Resolution No. 4 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 4 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 4.

Relative to memorializing the President and Congress to enact old age pension legislation.

WHEREAS, The United States has, for the past few years, passed through a most severe period of depression, hardship and destitution; and

WHEREAS, As a result of said depression many aged persons have seen their savings wiped away after a lifetime of service to our society; and

WHEREAS, Many such unfortunate citizens now find themselves destitute and with no hope of supporting themselves or recouping their fortunes because of advanced age; and

WHEREAS, The establishment of a system of old age security by the payment of pensions to worthy citizens would obviate the need for public charity in this direction, and restore self-respect to the persons receiving such assistance, increase purchasing power and economic revival, and carry out the principles of humanitarian social justice upon which our country was founded; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the President and the Congress of the United States are hereby respectfully urged to enact as quickly as possible such suitable legislation as will provide such a National system of old age pensions and old age security as will accomplish the purposes above set forth and which will be adequate for a respectable existence; and be it further

Resolved, That the Governor of the State of California is hereby requested to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives and to each Senator and member of the House of Representatives from California in the Congress of the United States, and that such Senators and Representatives from California are hereby respectfully urged to support such legislation.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Messrs. Jones, Meehan, Hunt, Rosenthal, Boyle, Donihue, and Lore: Assembly Joint Resolution No. 5—Relative to memorializing the President and Congress to enact unemployment insurance legislation.

Introduced, and referred to Committee on Federal Relations.

By Messrs. Stream, Phillips, Martin, Corwin, Riley, Andreas, Walker, Wright, Redwine, Cunningham, Hunt, and McBride: Assembly Joint Resolution No. 6—Relative to memorializing the President and Congress to carefully consider what is known as the Townsend plan of old age revolving pension.

Introduced, and referred to Committee on Federal Relations.

By Mr. Latham: Assembly Joint Resolution No. 7—Relative to memorializing the President and Congress to favorably consider and submit to the States an amendment to the Constitution enabling Congress to grant Federal suffrage to residents of the District of Columbia.

Introduced, and referred to Committee on Federal Relations.

By Mr. Lyon: Assembly Bill No. 39—An act making an appropriation for the mileage of members of the Assembly at the fifty-first session of the Legislature, the act to take effect immediately.

Bill read first time.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 39, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY BILL NUMBER THIRTY-NINE.

Assembly Bill No. 39—An act making an appropriation for the mileage of members of the Assembly at the fifty-first session of the Legislature, the act to take effect immediately.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Lyon:

Resolved, That Assembly Bill No. 39 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—74.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 39.

SECOND READING OF ASSEMBLY BILL NUMBER THIRTY-NINE.

Assembly Bill No. 39—An act making an appropriation for the mileage of members of the Assembly at the fifty-first session of the Legislature, the act to take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—73.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER THIRTY-NINE.

Assembly Bill No. 39—An act making an appropriation for the mileage of members of the Assembly at the fifty-first session of the Legislature, the act to take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 39 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—74.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Wallace: Assembly Bill No. 40—An act to amend section 407 of the Code of Civil Procedure, relating to summons.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 41—An act to add sections 403.5 and 403.6 to the Penal Code, relating to activities of a seditious nature.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Redwine: Assembly Bill No. 42—An act to amend section 1 of the Direct Primary Law, relating to qualification to participate in primary election.

Bill read first time, and referred to Committee on Elections.

By Mr. Cottrell: Assembly Bill No. 43—An act to add a new section to the Penal Code to be numbered 496bb, relating to buying, receiving, concealing or withholding stolen property, and prescribing penalties for violation of the provisions thereof.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Peyser: Assembly Bill No. 44—An act to prohibit until February 1, 1936, sales under certain mortgages and deeds of trust, and the forfeiture of the interest of the purchaser under certain con-

tracts of purchase, for default in the payment of the principal sum of obligations secured thereby or contracted to be paid thereunder, to extend the Statute of Limitations upon such obligations, to make voidable at the instance of the owner any sale or forfeiture made in violation of the act, to prescribe the time within which an action to avoid the same may be brought, to postpone sales for default in payment of installments due between effective date of act and February 1, 1936, to authorize waiver hereof, to prevent actions against guarantors' obligations the enforcement of the security for which is affected by the act, and to declare the urgency hereof.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Meehan: Assembly Bill No. 45—An act limiting the hours of labor of persons employed as personal or domestic servants and providing penalties for the violation of the provisions of this act.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Field: Assembly Bill No. 46—An act to amend section 3766 of the Political Code, relating to the publication of delinquent tax lists.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Hornblower and Cronin. Assembly Bill No. 47—An act providing for a system of unemployment reserves and compensation, making an appropriation therefor, and prescribing penalties in connection therewith.

Bill read first time, and referred to Committee on Insurance.

By Mr. Nielsen: Assembly Bill No. 48—An act to amend section 1 of the Motor Vehicle Fuel License Tax Act, relating to Diesel fuel.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Hornblower: Assembly Bill No. 49—An act to amend sections 2, 2½, 3 and 13 and to repeal section 9 of the Old Age Security Act, relating to aid to aged persons.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Scudder: Assembly Bill No. 50—An act to amend section 653 of the Fish and Game Code, relating to spearing salmon.

Bill read first time, and referred to Committee on Fish and Game.

By Messrs. Redwine, Lore, Pelletier, Hunt, Evans, Ralph W., Rosenthal, Gilbert, Laughlin, Cunningham, Waters, Lyon, Voigt, Hawkins, Welsh, McCarthy, Flint, Boyle, Geyer, and Reaves: Assembly Concurrent Resolution No. 2—Relative to approving 18 certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of such city at a special election held therein on the twenty-seventh day of September, 1934.

Introduced

REQUEST FOR UNANIMOUS CONSENT.

Mr. Redwine asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 2, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER TWO.

Assembly Concurrent Resolution No. 2—Relative to approving 18 certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of such city at a special election held therein on the twenty-seventh day of September, 1934.

Assembly Concurrent Resolution No. 2 read.

The question being on the adoption of Assembly Concurrent Resolution No. 2.

The roll was called, and Assembly Concurrent Resolution No. 2 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donahue, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, and Mr. Speaker—75.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 2 ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 2—Relative to approving 18 certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of such city at a special election held therein on the twenty-seventh day of September, 1934.

RESOLUTION.

The following resolution was offered:

By Mr. Peterson:

WHEREAS, The condition of building and loan associations within this State is a matter concerning the general welfare of the people; and

WHEREAS, It is necessary that the Legislature of this State have available for its use adequate and accurate information and data relating to such associations; now, therefore, be it

Resolved by the Assembly, That there is hereby created an Assembly committee to consist of five members to be appointed by the Speaker of the Assembly, to make a special study and investigation of building and loan associations; and be it further

Resolved, That the committee as soon as it is appointed shall organize and select a chairman from its membership, and appoint a secretary; and be it further

Resolved, That the committee is hereby authorized to hold public hearings at any place in the State of California, and may hold meetings outside of the State of California, if and when in the judgment of the committee the same may be of assistance to it in gathering data and information required hereby; and be it further

Resolved, That the committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters herein referred to, and is hereby authorized and empowered to require the production of books, agreements, documents and papers of every kind; to issue subpenas and to compel the attendance of witnesses, and the production of testimony. Each of the members of said committee is hereby authorized to administer oaths, and all of the provisions of Article VIII of Chapter II, Title I, Part III of the Political Code relative to the attendance and assembly of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution. The committee is authorized to sit during the constitutional recess of the Legislature and to report back to the Assembly with recommendations at the reconvening thereof; and be it further

Resolved, That the sum of $5,000 or so much thereof as may be necessary and the same is hereby appropriated for the purpose of defraying the expenses of the committee and of said investigation and for the employment of such clerical and other assistance as may be necessary fully to carry out its functions, said sum to

be paid from the contingent fund of the Assembly and the State Controller is hereby authorized and directed to draw his warrant in favor of the person entitled thereto for such expenditures as may be certified to him from time to time by the chairman of said committee, and the State Treasurer is hereby authorized and directed to pay the claim.

The question being on the adoption of the resolution

AMENDMENT

The following amendment was submitted by Mr. Hornblower:

AMENDMENT NUMBER ONE

Insert "$2,500" in lieu of "$5.000" wherever the amount "$5,000" appears.

The question being on the adoption of the amendment.

MOTION.

Mr. McCarthy moved that further consideration of the resolution and the amendment submitted by Mr. Hornblower be continued until the next legislative day.

The question being on the motion to continue.

REQUEST FOR ROLL CALL.

On request of Messrs. Hornblower, Brennan, and Mayo, the Speaker ordered a roll call taken on the motion to continue.

The roll was called, and the motion to continue consideration of the resolution and amendment lost by the following vote:

AYES—Andreas, Boyle, Cassidy, Corwin, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Jones, Laughlin, Lore, McCarthy, Pelletier, Reaves, Richie, Turner, and Welsh—20

NOES—Anderson, Breed, Brennan, Burns, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Eicke, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Hunt, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Pevser, Phillips, Redwine, Riley, Robertson, Rosenthal, Scudder, Utt, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—58.

The question being on the adoption of the amendment submitted by Mr. Hornblower.

Amendment adopted.

FURTHER AMENDMENT.

The following amendment was submitted by Mr. Hornblower:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the resolution, after the word "Loan", strike out the letter "s", in "Associations", and add the words: "situation in California".

The question being on the adoption of the amendment.

Amendment adopted.

FURTHER AMENDMENT.

The following amendment was submitted by Mr. Lyon:

AMENDMENT NUMBER ONE.

Wherever the words "building and loan associations" appear, insert the following: "and real estate mortgage insurance companies, and mortgage companies".

The question being on the adoption of the amendment.

Amendment refused adoption.

The question being on the adoption of the resolution, as amended.

The roll was called, and the resolution, as amended, was adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond,

Donahue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

MOTION.

On motion of Mr. Martin, the following report of special committee was ordered printed in the Journal:

REPORT OF INTERIM COMMITTEE TO STUDY WAYS AND MEANS "TO PROMOTE TEMPERANCE AND SECURE ADDED REVENUE FOR THE STATE BY TAXATION OF INTOXICATING LIQUORS."

To the Honorable Speaker and Honorable Members of the California State Assembly, Fifty-first Legislature.

GENTLEMEN: On Wednesday, July 26, 1933, the California State Assembly, then in session, adopted a resolution, offered by Hon. C. Ray Robinson, under the terms of which resolution a committee was provided for, consisting of five members of the Assembly, to be appointed by the Speaker of the Assembly, to conduct hearings and to make recommendations on ways and means "to promote temperance and secure added revenue for the State by the taxation of intoxicating liquors."

This committee, duly appointed by the Speaker, and composed of the following personnel: Hon. C Ray Robinson, chairman; Hon. Lawrence Cobb, secretary; Hon. Ernest C. Crowley, Hon. James E Thorp and Hon. Frank G. Martin, held a series of public hearings, in the autumn of 1933, in different portions of the State, to wit: Fresno, San Francisco, St. Helena and Los Angeles. Before the committee appeared representatives of grape growers, wine producers, brewers, hotel and restaurant men, retail liquor dealers' associations and church and temperance organizations. Many suggestions were made to our committee.

A supplemental report will be filed later by Hon. C. Ray Robinson, chairman, whose report was delayed on account of his illness.

Individual members of this committee report, recommend and comment as follows:

Hon. Frank G. Martin, of Altadena, Assemblyman, Forty-eighth Assembly District, submits the following as his individual report:

1. Our interim committee heard much for and against the so-called Canadian Plan—by which plan, if adopted, exclusive right of sale and control of sale of liquor in the State would be vested, proprietarily, in the State government itself. While this plan has its merits, I personally am not convinced that, at this time, such a plan affords the best method of handling and controlling the sale of liquor in California. Public sentiment is in flux over this problem. Even since this interim committee was named, the voters of California have ratified a constitutional amendment which provides marked changes in methods of sale of liquor. I feel that the Canadian Plan should be held in abeyance. Should evils and abuses in the sale of liquor by private interests multiply, then it may be deemed advisable to propose to the people of California the adoption of a plan of this nature. I believe that other methods than this should be given thorough trial, until public sentiment crystallizes and takes more definite and concrete form.

2. As to ways and means to handle and control the liquor traffic in California to promote temperance, I strongly favor legislation, amending existing statutes, to make mandatory the teaching, in all grades of the public schools of the State, the harmful effects of alcohol and narcotics upon the human system. Such teaching should be scientific in nature and should be given regularly in all public schools, in all grades, as part of the established curriculum of classroom instruction. The benefits of such teaching as this, in many States of the Union, dating back nearly half a century, are manifestly wholesome and surely promoted temperance, based not upon bigotry, but upon scientific knowledge, reason and common sense.

3. I favor a practicable plan of local option for the State, subject of course, to the sentiment of the people of the State

4. I favor the most rigid provisions possible, in law and in enforcement of law, to prevent the sale of intoxicating liquors to minors.

5 I recommend that no license to sell intoxicating liquors be granted which would permit sale of liquors in direct connection with any public dance hall in the State.

6. I strongly urge that saloons never shall be legalized in California I urge that the sale of intoxicating liquors shall be prohibited in areas within 1,000 feet of any public school or educational institution; any church, public library, hospital or eleemosynary institution

7. I recommend that any and all applicants for license to sell intoxicating liquors in this State shall be required to pass a rigid character test, to prove that they are not and have not been criminal or vicious characters, and to show conclusively, through proper references and certifications, that they are of good character and standing.

8. It should promote temperance to limit the number of liquor-selling establishments in proportion to the population of the localities in which such establishments are situated. It should be promotive of temperance to provide against liquor advertising of any kind in newspapers, magazines, on billboards and in window displays

9. Laws and ordinances against drunken driving on streets and highways should be made more rigid.

REVENUE PHASES.

I believe the members of our interim committee were unanimous in the conviction that the State should not lean heavily upon the liquor traffic for revenues. The heavier taxes should be levied upon imported wines and liquors and upon hard liquor. But even these taxes should be moderate, so as not to encourage bootlegging and illicit manufacture and sale of liquors.

I am not speaking in favor of the legalized sale of any kind of intoxicating liquor. But so long as the people have decreed that selling liquor shall be legal, I feel that California, from the standpoint of sound economy, should tax native wines very lightly, and also beer manufactured in this State. Growing of grapes and making of wines constitute an important allied industry in California and the conservation and encouragement of this industry well may be considered. From the moral standpoint, there is less drunkenness from wine drinking than from any other intoxicating drink, and conditions surrounding the traffic in wines are less objectionable.

Respectfully submitted.

FRANK G. MARTIN.

Report of Hon. James E. Thorp, of Lockeford, Twelfth Assembly District, member of the interim committee:

1. I recommend that the State should not go into the liquor business at this time.

2. I favor the creation of a board known as the State Liquor Control Board, composed of three members; one appointed by the beer interests; one from the wine industry; and one from the distillery or whiskey interests; this board to serve without pay except actual expenses, and to be paid from the revenues of the State derived from liquor licenses and fees. Board members to be removed at the demand of groups appointing them.

I believe this method would remove politics from this important industry and that the industry itself would have to and will keep its own house in order. The board to select a director or manager at a salary of $_____ per month, who will be responsible to the board and the Governor of the State for the administration of his office.

3. That on-sale and off-sale licenses be issued based on population and high enough to demand the respect of the law.

4. That hotels, restaurants, eating houses and clubs be defined and their license fee be based on volume of business, and designated by "A license," "B license" and "C license."

5. That no license be issued for a business where liquor is sold within 1,000 feet of any school or church.

6. That no license be issued to anyone who does not have a good reputation and vouched for by a petition signed by ten taxpayers from the district where said business is to be conducted and only to a citizen of the United States

7. That the tax on beer and dry wine be made light, and the increase be based on the degree of fortification.

8. That proposed changes in the present law by the State Wine Association be given every consideration.

9 That everything possible be done to discourage drunken driving and the sale of liquor to minors

Respectfully submitted.

JAMES E. THORP.

Hon. Ernest C Crowley of Suisun, presents his report as follows:

No conclusion as to the liquor problems in this State can be reached without taking into consideration the large extent of our own California industry. While we have large breweries and some distilleries in California, her native industry is the wine industry. I say native because it represents the investment of millions of dollars in our State and because California, because of her geographical and climatic conditions is a natural wine-producing area and is by far the greatest in the United States About 90 per cent of our home produced wine is shipped to other States and is practically without competition from any wine other than foreign wine. It is subject to competition and sometimes discrimination from other liquor industries but as to wines, we pro-

duce most of that used in the United States and for that reason the government of this State must take care as to her attitude toward taxing wine, that she does not set a precedent for too high taxes which will be followed by the receiving States and destroy our industry. These matters are discussed further in the report under the proper heading.

CANADIAN PLAN.

The Honorable Frank Martin has ably discussed the question of the adoption of the Canadian Plan of state-owned stores and my views coincide fully with his so that I shall not discuss that further than to say that I agree entirely with his statement on the matter.

LEGISLATION.

I believe there should be considerable legislation on the liquor question, chiefly with a view to codifying or clearing up the matter and to remedying oversights in the acts at present. I believe the Beverage Act and the Hornblower Liquor Bill should be rewritten as one bill and the same set forth clearly and concisely in accordance with the new constitutional amendment set forth by the people at the last election.

The people rejected the local option bill presented to them at the last election and while that is final as to that bill, it may be that in the future a local option bill of the type suggested in the Rockefeller report will be acceptable to them, providing for local option with the privilege of bringing in liquor for the man who desires it. If this is done, I believe the legislation should be so drafted as to define the local option area as a large area such as a supervisorial district at least Too small local option areas will lead to inevitable strife and confusion and be impossible of enforcement.

I believe that the legislation as to the sale of light wines and beers should be distinct and apart from that regulating hard liquor. The provision of the amendment requiring a bona fide eating place and meals for the sale of hard liquor is acceptable but I do not believe that a purchaser should be barred from the privilege of light wines and beer with a sandwich or a so-called "Dutch lunch" if he desires them As Mr Martin says, the use of these is more in accordance with temperance and allowing wine or beer at our sandwich parlors will not force a man to go to an establishment which features the hard liquor on its bill of fare.

As to limitation of licenses, I believe that it will be wise not to have too many cutting each other's throats in selling liquor but I can not see how any limitation is to be made without possibility of unfair discrimination and do not believe that the license should be made too high. I believe the situation will adjust itself in accordance with economic conditions and we are not paternal in limiting our grocery stores so they will not fail or lose, why a liquor store?

ENFORCEMENT.

I am not in favor of the creation of a California Liquor Authority or any other such appointive board to handle our liquor enforcement. Such boards soon become invested with autocratic powers and are not responsive to the people as is an elective board. Placing liquor control in the hands of a small appointed board is setting up a political machine of unknown magnitude and power.

The Board of Equalization has worked hard on the liquor question and has done as well as any other board could have done in the times of uncertainty we have just passed. It is also a board subject to popular control at the polls. I see no reason why the liquor supervision should be shifted from them to another head

It is, however, a good policy to rely upon the local officers for the enforcement of the liquor laws and with the power of supervision recently granted the Attorney General of the State, there should not be any question of local influence upon the local officers preventing the enforcement of the laws.

The law which should be most strictly enforced and the violation of which is doing most to discredit the liquor industry at the present time is the prohibition of sales to minors.

The enforcement officers should also be able to block the issuance of further licenses to violators of the law in the past and should investigate carefully to avoid subterfuge in handling these matters.

REVENUE AND TAXES

The State should not look only to its revenue from liquor taxes to the extent of discouraging industry or she may be in the position of killing the goose that laid the golden egg. In the wine industry for instance, the State derives large amounts from the real property taxes on the land and buildings of the wine producers. She also derives personal property taxes from one or two years up to many years while the wine is aging in the winery. Added to this, she collects a sales tax of 2½ per cent and a beverage tax. If she adds to her taxes on wine, she endangers the increase of her revenue from the

real property taxes and personal property taxes which would otherwise increase with a growing industry. For that reason, I believe that when you add up the taxes paid by the wine as follows:

Federal taxes
Federal bonds
State license
State bond fee
Real property taxes
Personal property taxes
Beverage tax to State
Sales tax to State

that wine is paying its full share of taxes now and I should not favor any increase in tax on wine If it must bear further tax, it should be limited to a small tax on fortified wines. And I should further recommend that the winery license fee be modified to be set in accordance to the production of the winery. At present a man with a winery pays a manufacturer's tax of $100 and two bond fees of at least $20 to start a winery be it large or small and this is inequitable to the small man or the grape grower who is trying to produce his own wine to better market his grapes.

Provision should also be made for a temporary license for civic occasions for a licensee with a permanent license. For example, A holds a license in the town of Milpitas to sell beer. The Holy Ghost festival is held a mile or so from town and he desires to sell beer there for the day. He can not now do so without a new license and that being high, too high, for one day, he sells without a license and the agents in fairness must overlook his act The revenue from one such occasion is small but many of them occur continually. Some provision should be made, for a small fee, to allow him a transfer for that day This would bring in revenue now escaping.

As I said before, I do not believe that licenses for the sale of liquor should be too high as that encourages bootlegging again and I do not believe they should be graded as 10,000 or under as a beginning step. Many of our rural towns are 500 or thereabouts. They should not have to pay the license required of a town of 10,000.

I believe that the question of the discrimination of other States against our wines should be considered It has been reported that eastern brewery and distillery interests are levying prohibitive taxes on wines to keep out the competition of our wine industry. If this is true, then I believe that we should retaliate against their products in any way that is constitutionally possible in order to open up the eastern markets.

Respectfully submitted.

ERNEST C. CROWLEY.

ADJOURNMENT.

At one o'clock and fifty-five minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a m , Thursday, January 10, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, January 10, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—80

Quorum present.

PRAYER.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Lyon, its further reading was dispensed with.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Craig, Speaker of the Assembly, Mr. B. J. Feigenbaum, former member of the Legislature, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Morgan, Mr. Alfred A. Newton of Venice, California, was extended the privilege of the floor of the Assembly for this day.

APPOINTMENT OF STANDING COMMITTEE.

The Speaker announced the appointment of the following standing committee:

Rules—Wallace (chairman), Hornblower, Lyon, Phillips, Scudder, Speaker Craig, Speaker pro tempore O'Donnell.

COMMUNICATION

The following communication was filed by the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1935.

MR. SPEAKER: Pursuant to your instructions, the following named persons have filed their credentials, and are duly recognized as representatives of the newspapers set opposite their names:

Community News Representative—John R. McFadden
Colusa Daily Times—W. P. Dwyer.
California Journal of Development—Mort J. Donoghue, C. G. Dunwoody, R. N. Wilson.
Le Courier Francais—A. L. Tournoux
The Tax Digest—John M. Peirce
San Francisco Municipal Review—J. H. Dunbar.
Railway Labor News—James M. Murphy, William Lyons.
Los Angeles Examiner—Joseph Timmons.
Police Review and Civic Guide—A. Belden Gilbert.
Sportsman's Review—L. I. Herrington.

ARTHUR A. OHNIMUS, Chief Clerk

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, January 9, 1935.

MR. SPEAKER: Your Committee on Attaches respectfully begs to report that it has carefully considered the applications for the various positions and desires to submit the following resolution.

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same:

Commencing January 7, 1935	*Per day*
Arthur A. Ohnimus, Chief Clerk	$10 00
Fred J. Desch, Assistant Chief Clerk	9 00
Charles H. Erb, Minute Clerk	9 00
Juanita L. Dependener, Chief Stenographer	6 00
Joseph Moloney, Sergeant-at-Arms	8 00
Father John E. Tumulty, Chaplain	4 00
Andrew J. Kelly, Assistant Minute Clerk	7 00
Ruth Dickey, History Clerk	7 00
Viva Alexander, Stenographer	5 00

Commencing January 8, 1935	*Per day*
Mrs. Ernest C. Crowley, Assistant Sergeant-at-Arms	$5 00
Sarge Clark, Assistant Sergeant-at-Arms	5 00
William I. Gunlock, Engrossing and Enrolling Clerk	7 00
Eugene Sullivan, Assistant Sergeant-at-Arms	5 00
Bob Millington, Page	2 50
Phillip Marton, Page	2 50
Joseph A. Bafigo, Assistant Sergeant-at-Arms	5 00
Glenn E Coolidge, Assistant Clerk	7 00
Myron J. Bonham, Assistant History Clerk	5 00
Honore M Janney, Secretary Committee on Judiciary	6 00
Mona L. Christensen, Postmistress	4 00
Florence Miller, Assistant Postmistress	4 00
Mary Spining, Stenographer	5 00
Paul Botsai, Assistant Sergeant-at-Arms	5 00
Pearl L. McCullough, Stenographer	5 00
Helen Hutchings, Stenographer	5 00
Arthur Engler, Assistant Sergeant-at-Arms	5 00
Art Young, Assistant Sergeant-at-Arms	5 00
May Gilmore, Stenographer	5 00
Beulah Van Wert, Stenographer	5 00
Otto J. Coppersmith, Assistant Sergeant-at-Arms	5 00
William F. Gavin, Assistant Sergeant-at-Arms	5 00
Cristel Hastings, Stenographer	5 00
Mary Burns, Stenographer	5 00
Madeline Hoppin, Stenographer	5 00
Ardene Bourne, Stenographer	5 00
Harold Cutlip, Page	2 50
James Clancy, Page	2 50
Harry R. Jackson, Assistant Sergeant-at-Arms	5 00
Dave Oliver, Assistant Engrossing and Enrolling Clerk	5 00
Commencing January 9, 1935	
Lee Day, Journal Clerk	7 00
Paul Cronin, Assistant Journal Clerk	5 00
Ethel Lachtman, Stenographer	5 00
Beatrice Rae, Stenographer	5 00
Loraine Christianson, Stenographer	5 00
Margaret Chenu, Stenographer	5 00
Rose Klimovich, Stenographer	5 00
A. J. Marshall, Assistant Sergeant-at-Arms	5 00
Nancy Swanson, Stenographer	5 00

Resolved further, That the compensation of the above named attaches shall be on a six day per week basis, except the following elective offices: Chief Clerk, Assistant Chief Clerk, and Minute Clerk, who shall receive compensation on a seven day per week basis.

UTT, Chairman.

Mr. Utt moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—69.

NOES—None.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1935.

MR. SPEAKER: Your Committee on Attaches respectfully begs to report that it has carefully considered the applications for the various positions and desires to submit the following resolution

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same:

Commencing January 7, 1935	*Per day*
Louis F. Erb, Minute Clerk	$9 00

Resolved further, That the following named person be stricken from the list of Assembly Attaches, and his name be stricken from the pay roll of the Assembly to take effect on completion of the work, January 7, 1935:

Louis F. Erb, Minute Clerk $9 00

UTT, Chairman.

Mr. Utt moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote.

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—71.

NOES—None.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1935.

MR. SPEAKER: Your Committee on Attaches respectfully begs to report that it has carefully considered the applications for the various positions and desires to submit the following resolution:

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same:

Commencing January 10, 1935	*Per day (Sundays excepted)*
Ormand H Nelson, Assistant Sergeant-at-Arms	$5 00

Resolved further, That the following named person be stricken from the list of Assembly attaches, and his name be stricken from the pay roll of the Assembly to take effect on completion of the work, January 9, 1935:

Joseph A. Bafigo, Assistant Sergeant-at-Arms $5 00

UTT, Chairman.

Mr. Utt moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Johnson, Jones, Kallam, Latham, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Reaves, Redwine, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—66.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Clark: Assembly Bill No. 51—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Peterson: Assembly Bill No. 52—An act to amend section 15a of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, relating to decrees of adoption.

Bill read first time, and referred to Committee on Judiciary.

By Mr Latham Assembly Bill No. 53—An act relating to the purchase and use of motor vehicles by State agencies or officers or employees thereof.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Voigt: Assembly Bill No. 54—An act to empower and authorize the institution of a suit and/or action against the people of the State of California by former depositors of the Guaranty Building and Loan Association of Los Angeles, a domestic corporation organized and existing under the laws of the State of California, for the recovery of such sum or sums of money as may be found due and owing from the State of California to such depositors, bringing or instituting the action, by reason of the defalcations of one Beesemeyer, and of men associated with him in the enterprise known and/or designated as the Guaranty Building and Loan Association, and/or waive the statute of limitations by the State of California.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Mr. Wright: Assembly Bill No. 55—An act to provide for the operation and maintenance of storage garages for state-owned vehicles, the pooling of vehicles in general use, the placement of the State seal on each vehicle and providing that unofficial use of state-owned vehicles shall constitute a misdemeanor.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy

By Mr. Martin: Assembly Bill No. 56—An act to amend section 3.42 of, and to add section 3.43 to, the School Code, relating to required instruction in the schools.

Bill read first time, and referred to Committee on Education.

By Mr. Chatters: Assembly Bill No. 57—An act to repeal sections 2.879 and 2.880 of the School Code and to add thereto sections 2.879 and 2.880, relating to election of school trustees.

Bill read first time, and referred to Committee on Education.

By Mr. Gilmore: Assembly Bill No. 58—An act to add a new section to the Agricultural Code, to be numbered 318, relating to meat inspection.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Jones: Assembly Bill No. 59—An act to add section 5.5 to an act entitled "An act to provide for the formation, powers, government, operation, and dissolution of garbage disposal districts to facilitate the disposal of garbage and other refuse matter, and annexation thereto, and to provide for the assessment, levy, collection and disbursement of taxes therein," approved April 20, 1927, relating to contracts for collection and disposal of garbage.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Jones: Assembly Bill No. 60—An act to amend section 2 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to applications for licenses.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Jones: Assembly Bill No. 61—An act to amend section 2 of an act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor, to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act," approved May 15, 1933, relating to exemptions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Heisinger: Assembly Bill No. 62—An act to amend sections 1273 and 1274 of the Fish and Game Code, relating to deer.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Scudder: Assembly Bill No. 63—An act to amend section 6.750 of the School Code, relating to use of schoolhouses.

Bill read first time, and referred to Committee on Education.

By Messrs. Latham and Wright: Assembly Constitutional Amendment No. 7—Proposed amendment to Article XIII of the Constitution by adding section 5 thereto, relative to taxation.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Johnson: Assembly Constitutional Amendment No. 8—Proposed amendment to Article XI of the Constitution by adding section 9, relative to consolidation of counties, cities and counties, and cities.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Heisinger: Assembly Constitutional Amendment No. 9—Proposed amendment to Article XIII of the Constitution by adding section 5, relative to taxation.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Glover: Assembly Concurrent Resolution No. 3—Relative to approving certain amendments to the charter of the city of Compton, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the tenth day of October, 1933.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Glover asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 3, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER THREE.

Assembly Concurrent Resolution No. 3—Relative to approving certain amendments to the charter of the city of Compton, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the nineteenth day of October, 1933

Assembly Concurrent Resolution No. 3 read.

Mr. Glover moved the adoption of the resolution.

The question being on the adoption of Assembly Concurrent Resolution No. 3.

The roll was called, and Assembly Concurrent Resolution No. 3 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Domhue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Thorp, Turner, Voigt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—68.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 3 ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 3—Relative to approving certain amendments to the charter of the city of Compton, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the nineteenth day of October, 1933.

RESOLUTION.

The following resolution was offered:

By Mr. Hunt:

WHEREAS, The Los Angeles Grand Jury for 1934 has just completed a period of extensive and unusual activity, in connection with which a considerable sum of money has been expended, the authority and reasons for which are not fully known; and

WHEREAS, Information concerning these activities and expenditures are matters of primary importance and vital concern to the Assembly of the State of California as an aid in considering, or recommending the consideration of, the enactment or enforcement of laws relating to such activities or expenditures; now, therefore, be it

Resolved by the Assembly of the State of California, That a committee of five members of the Assembly be appointed by the Speaker of the Assembly to meet during the legislative recess of the Legislature at its fifty-first session, for the purpose of thoroughly and adequately examining and investigating the activities of the Los Angeles County grand jury for 1934, and to do any and every thing necessary to carry out and effect the purposes of this resolution, and to report thereon, together with its recommendation to the Assembly at the conclusion of the legislative recess, and be it further

Resolved, That the committee shall proceed to organize by the election of one of its members as chairman and by the selection of a secretary and thereupon proceed with the investigation in such manner as it shall determine; and be it further

Resolved, That the committee is hereby authorized and empowered to require the production of books, agreements, documents, records, accounts and papers of every kind; to issue subpenas, to compel the attendance of witnesses and secure testimony, and so far as practicable to have material testimony reported so the same may be available for use by the Assembly; each member of the committee is authorized to administer oaths and all of the provisions of Article VIII, Chapter 2 of Title I of Part III of the Political Code relating to the attendance of the assemblage of witnesses before the Legislature and committees thereof shall apply to the committee appointed under this resolution and it shall be the duty of all officers and employees of Los Angeles County to furnish such reports, information and evidence upon request of the committee as may be pursuant to the purposes herein stated, and be it further

Resolved, That the sum of three hundred dollars ($300) or so much thereof as may be necessary for the purpose of defraying the expenses of the committee and the cost of its investigation, is hereby made available and appropriated for the use of the committee out of the contingent fund of the Assembly, and the State Controller is authorized and directed to draw his warrants in favor of the person or persons entitled thereto for such expenditures as may be certified to him from time to time by the chairman of the committee, and the State Treasurer is hereby authorized and directed to pay the same.

The question being on the adoption of the resolution.

ACTION DEFERRED.

Upon request of Mr. Hunt, further consideration of the above resolution was continued until the next legislative day.

SENATE MESSAGES.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 10, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Concurrent Resolution No. 2—Approving a certain amendment to the charter of the county of Alameda, State of California.

J. A. BEEK, Secretary of Senate

REQUEST FOR UNANIMOUS CONSENT.

Mr. Fisher asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 2, at this time, without reference to printer, committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER TWO.

Senate Concurrent Resolution No. 2—Approving a certain amendment to the charter of the county of Alameda, State of California.

Senate Concurrent Resolution No. 2 read.

Mr. Fisher moved the adoption of the resolution.

The question being on the adoption of Senate Concurrent Resolution No. 2.

The roll was called, and Senate Concurrent Resolution No. 2 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—70.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 2 ordered transmitted to the Senate.

Senate Concurrent Resolution No 2—Approving a certain amendment to the charter of the county of Alameda, State of California.

RECESS

At eleven o'clock and twenty minutes a m., the Assembly was declared at recess until eleven o'clock and thirty minutes a.m. of this day.

REASSEMBLED.

At eleven o'clock and thirty minutes a.m., the Assembly reconvened. Speaker Craig in the chair.

COMMUNICATION.

The following communication from the Department of Finance was received, and ordered printed in the Journal:

STATE OF CALIFORNIA, DEPARTMENT OF FINANCE,
DIVISION OF STATE LANDS, SACRAMENTO, January 7, 1935.

To the Assembly of the State of California.

Pursuant to the provisions of Chapter 800, Statutes of California, 1917, I respectfully report that, according to advices received, certificates of title have been issued to August 1, 1934, by the registrars of land titles under the Torrens Law in 18 of the 58 counties as follows.

Alameda	155
Fresno	42
Humboldt	278
Imperial	446
Kern	114
Lassen	1
Los Angeles	78,065
Orange	7,003
Riverside	265
San Bernardino	4,599
San Diego	4,660
San Francisco	14
San Luis Obispo	3
Santa Barbara	643
Santa Cruz	79
Sonoma	408
Tulare	61
Ventura	3

The Torrens Act provides that upon the original registration of any land, a sum equal to one-tenth of one per cent of the assessed value of the land including per-

manent improvements thereon as the same were valued for county taxation the last time said land and permanent improvements or either thereof were assessed for county taxes next preceding the filing of the petition shall be collected by the registrar and paid to the State Treasurer to be credited to the "Torrens Title Assurance fund." The books of the State Treasurer show that on December 31, 1934, the "Torrens Title Assurance fund" had a cash balance of $230.54 and an investment of $37,000 in bonds.

Respectfully submitted.

CARL B. STURZENACKER, Chief,
Division of State Lands, Department of Finance.

REQUEST TO PRINT IN JOURNAL.

Mr. Andreas asked that the following explanation of vote on Assembly Joint Resolution No. 4, which was adopted by the Assembly on Wednesday, January 9, 1935, be printed in the Journal:

EXPLANATION OF VOTE.

I voted "No" on the resolution concerning the soldiers' bonus by mistake I intended to vote "Aye." My attention was diverted for a moment and I understood the vote was on a proposed objectionable amendment to the resolution when, as a matter of fact, the roll call was on the original resolution and I did not have an opportunity to change my vote before the roll call was announced.

GODFREY A. ANDREAS.

REPORTS OF STANDING COMMITTEES—(RESUMED)

The following report of standing committee was received and read

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1935.

MR. SPEAKER: Your Committee on Rules respectfully submits the following Standing Rules for the Permanent Rules of the Assembly for the fifty-first session and recommends that they be adopted.

WALLACE, Chairman

PERMANENT STANDING RULES OF THE ASSEMBLY FOR THE FIFTY-FIRST SESSION.

1. *Hour of Meeting and Recesses.* After the first day of any session the Assembly shall meet promptly at ten o'clock a.m. daily (Sundays excepted) unless otherwise ordered by a majority of the members present. The time and duration of any and all recesses shall be decided by a majority vote of the members present.

2. *Speaker to Call Assembly to Order.* The Speaker, or in his absence, the Speaker pro tempore, shall take the Speaker's chair on the rostrum precisely at the hour appointed for meeting, and shall immediately call the Assembly to order. In the absence of both the Speaker and Speaker pro tempore, the Chief Clerk, or his assistant, shall call the Assembly to order, whereupon a temporary Speaker shall be elected from among the members to preside.

3. *Order of Business.* The order of business of the Assembly shall be as follows:

1. Roll Call.
2. Prayer by the Chaplain.
3. Reading of the Previous Day's Journal.
4. Presentation of Petitions.
5. Reports of Committees.
6. Messages from the Governor.
7. Messages from the Senate.
8. Introduction and Reference of Bills.
9. Motions and Resolutions.
10. Business on Daily Calendar.
11. Announcements of Committee Meetings.
12. Adjournment.

4. *Roll Call and Quorum.* Before proceeding with the business of the Assembly, the roll of the members shall be called and the names of those present shall be entered on the Journal. A majority of all the members elected to the Assembly shall constitute a quorum for the transaction of business.

5. *Reading of the Previous Day's Journal.* The reading of the Journal of the previous day may be dispensed with on motion by a majority vote of the members present.

6. *Approval of the Journal.* All Journals of the Assembly shall be corrected by the Minute Clerk and delivered by him to the Chief Clerk within seven calendar days. Such corrected Journals may thereafter be approved on motion by a majority vote of the members present.

7. *Presentation of Petitions.* Whenever a petition for or against any pending legislation is presented by a member, he may make a brief statement of the contents thereof. Petitions are not debatable and shall be laid on the table or be referred to a committee as the Speaker shall determine. Mention of receipt of such petition and its disposition shall be entered on the Journal.

Upon receipt of a petition for the impeachment of any person subject to impeachment by the Legislature, the Speaker shall, without comment or debate, forthwith refer such petition to committee.

8. *Reports of Committees.* Reports of special and standing committees shall be delivered to the Chief Clerk or an assistant. They shall be read and ordered printed on the Journal unless it is ordered otherwise by the Speaker or by a majority vote of the members present.

9. *Messages From the Governor.* Messages from the Governor shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed on the Journal unless otherwise ordered by the Speaker or a majority vote of the members present

10. *Messages From the Senate.* Messages from the Senate shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed on the Journal. The Speaker shall forthwith refer to the proper committee all Senate bills accompanying such messages, which reference shall be entered on the Journal. Assembly bills which have been passed without amendment by the Senate shall be ordered to enrollment.

11. *Introduction and Reference of Bills.* Any member desiring to introduce a bill shall rise in his place and address the Speaker, and upon being recognized shall present the same. It shall then be numbered and read the first time at the Clerk's desk and referred to a standing committee, and be printed, and a copy placed upon the desk of each member. Each bill should be examined by the Legislative Counsel Bureau and should bear the stamp of that bureau showing such bill to be in proper form as prescribed by law or Assembly rule.

12 *Motions and Resolutions.* Any motion or resolution not otherwise provided for under the rules shall be placed before the Assembly only under this order of business.

Unless otherwise provided by law or Assembly rule, any motion or resolution may be adopted by a majority of the members present.

13 *Daily Calendar.* There shall be printed an Assembly Daily Calendar for each legislative day following the constitutional recess. The Committee on Rules shall have charge of the Daily Calendar of the Assembly. The following listing shall constitute the order of the Daily Calendar:

1 Special Orders of the Day.
2. Unfinished Business.
3. Second Reading, Assembly Bills.
4. Second Reading, Senate Bills.
5. Third Reading, Assembly Bills.
6. Third Reading, Senate Bills.

All bills on the Daily Calendar shall be called for consideration in the order of their listing, unless otherwise ordered by unanimous consent or an affirmative vote of two-thirds of the members present.

14. *Announcement of Committee Meetings.* The chairman, or in his absence, any member of a committee, upon recognition by the Speaker, may briefly announce the meeting of such committee under this order of business.

15. *Adjournment.* Adjournment for the constitutional recess or adjournment sine die shall be ordered by concurrent resolution The resolution for adjournment sine die shall be passed by the Assembly not less than fourteen days before the date set therein for such adjournment.

DUTIES OF ASSEMBLY OFFICERS.

16. *Duties of the Speaker.* The Speaker shall possess the powers and perform the duties herein prescribed:

(a) To preserve order and decorum; he may speak to points of order in preference to the other members, rising from his chair for that purpose.

(b) To decide all questions of order subject to appeal to the Assembly by any member. On every appeal, he shall have the right to assign his reason for his decision.

(c) To have general direction over the Assembly Chamber and rooms set aside for the use of the Assembly.

(d) To name any member to perform the duties of the Speaker, but such substitutions shall not extend beyond adjournment.

(e) To appoint the membership of all standing and special committees.

(f) To propose a schedule of meetings of standing committees which shall permit a full attendance of all their members without conflict of committee assignments

(g) To have general control and direction over the Journals, papers and bills of the Assembly.

(h) To act as chairman of the Committee of the Whole

(i) To order the lobby and gallery cleared whenever he shall deem it necessary.

(j) To assign desks to properly accredited newspaper representatives

(k) To authenticate by his signature, when necessary, or when required by law, all acts, memorials and resolutions, orders and proceedings of the Assembly.

(l) To sign all writs, warrants and subpenas issued by order of the Assembly.

(m) To perform all other duties pertaining to his office as prescribed by law or Assembly rule.

17. *Duties of Speaker Pro Tempore.* The Speaker pro tempore shall have the powers and perform the duties of the Speaker during his absence.

18. *Duties of the Chief Clerk* The duties of the Chief Clerk shall be as follows.

(a) To have charge of and supervise all clerical business and printing of the Assembly.

(b) To see that the Journals, other publications and records of the Assembly are properly kept.

(c) To refuse to permit any records or papers to be taken from the desk or out of his custody, except upon duly signed receipts from persons authorized

(d) To read or allow his assistants to read from the desk only such matter as the Speaker or the Assembly shall direct.

(e) To have general supervision over all clerks, attaches and employees, and to be responsible for their official acts and their performance of and regular attendance upon their duties

(f) To suspend temporarily any clerk, attache or employee for incompetency or dereliction of duty, pending action by the Attaches Committee.

(g) To perform all other duties pertaining to his office as prescribed by law or Assembly rule.

19. *Duties of the Sergeant-at-Arms.* The duties of the Sergeant-at-Arms shall be as follows:

(a) To attend the Assembly during its session, preserve order, announce all official messengers, and serve all processes issued by authority of the Assembly and directed by the Speaker; he shall receive his actual expenses for himself or for an assistant when executing any such process.

(b) To see that no person is admitted to the Assembly Chamber except in accordance with the provisions of these Rules.

(c) To have general supervision over the Assistant Sergeants-at-Arms and be responsible for their official acts and their performance of and regular attendance upon their duties.

(d) To suspend temporarily any Assistant Sergeant-at-Arms for incompetency or dereliction of duty, pending action by the Attaches Committee.

(e) To execute all commands of the Speaker.

(f) To perform all other duties pertaining to his office as prescribed by law or Assembly rule.

MEMBERS DECORUM AND PRIVILEGES

20 *Order in Speaking to Questions.* When any member is desirous of addressing the Assembly on any subject, he shall rise from his seat and respectfully address himself to "Mr Speaker" Upon being recognized he may continue to speak at his desk, but shall confine himself to the question under consideration, and when he has finished he shall resume his seat.

21. *Speaker to Decide Who Is Entitled to Floor.* When two or more members rise at the same time, the Speaker shall designate the member to speak first

22 *Members called to Order for Transgressing Rules.* If any member in speaking or otherwise, transgresses the Rules of the Assembly, the Speaker shall, or any member may call the offending member to order The member so called to order shall immediately resume his seat, unless permitted to explain; and if called to order by a member, such member shall immediately state the point of order. The point of order shall be decided by the Speaker without debate. If the decision of the Speaker be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, he shall be required to keep his seat. Every such decision by the Speaker shall be subject to an appeal to the Assembly, but no discussion of a question of order shall be allowed unless an appeal be taken from the decision of the Speaker.

23. *Members Called to Order for Offensive Words.* If any member be called to order for offensive words spoken in debate, the person calling him to order shall state to the Assembly the words excepted to and they shall be taken down in writing at the Clerk's desk by the Chief Clerk or his assistant. No member shall be held to answer, or be subject to censure by the Assembly, for language used in debate, if other business shall have been transacted by the Assembly prior to exception being taken to the words spoken.

24. *Members to Vote.* Every member must declare his vote on all questions unless the Assembly excuse him for special reasons, as set forth in the rules.

25. *Leave of Absence.* No member shall absent himself from attendance at any session of the Assembly without leave of the Assembly, and no member shall obtain such leave of absence, or be excused for nonattendance, *except* by a two-thirds vote of all members elected to the Assembly, or by unanimous consent.

26. *Personal Privilege.* Any member may rise to explain a matter personal to himself and shall forthwith be recognized by the Speaker, but shall not discuss a question in such explanation. Such matters of personal privilege yield only to a motion to recess or adjourn.

27. *Protest of Members.* It shall be in order for any member upon recognition by the Speaker, to protest in writing against any action of the Assembly, and have such protest entered on the Journal, provided no such protest shall exceed 50 words in length.

28. *Explanation of Vote.* A member may submit a written explanation of his vote on any bill and have such explanation printed on the Journal immediately following such vote, provided no such explanation shall exceed 50 words in length.

29. *Objection to Reading of any Paper.* Any member upon recognition by the Speaker may object to the reading of any paper before the Assembly. After such objection, the question of reading shall be determined without debate by a majority vote of the members present, upon a brief statement of its substance by the Speaker.

30. *Assignment of Desks to Members.* Members shall be assigned to desks by the Superintendent of Capitol Building and Grounds and, so far as possible, he shall conform to the requests of members, giving due consideration to their seniority in point of service in the Assembly.

MOTIONS AND QUESTIONS.

31. *Precedence of Motions During Debate.* When a question is under debate or before the Assembly, no motions shall be received but the following, which shall take precedence in the order named:

First—To adjourn;
Second—To recess to a time certain;
Third—To lay on the table;
Fourth—For the previous question;
Fifth—To set as a special order;
Sixth—To postpone indefinitely;
Seventh—To refer or re-refer;
Eighth—To amend.

32 *Questions of Order Decided Without Debate.* All incidental questions of order, arising after a motion is made for any of the questions named in Rule 31 and pending such motion, shall be decided by the Speaker without debate, whether on appeal or otherwise.

33. *Appeal From Decision of the Speaker.* Any member may appeal from a decision of the Speaker without waiting for recognition by the Speaker, even though another member has the floor. No appeal is in order when another is pending, or when other business has been transacted by the Assembly prior to the appeal being taken.

Upon the appeal being seconded, the Speaker may give his reasons for the decision, and shall forthwith put this question to the Assembly: "Shall the decision of the Speaker be sustained?"

An appeal can not be amended and yields only to a motion to recess or adjourn, to lay on the table, or a question of personal privilege. If an appeal be laid on the table, it carries with it the main question, *except* when the sustaining of the appeal would not affect the consideration of or action upon the main question. An appeal can not be debated when relating to indecorum, transgression of rules, or priority of business.

A majority vote of the members present shall decide any appeal.

34 *To Adjourn.* A motion to adjourn is not debatable and can not be amended, and is always in order, except: (a) when another member has the floor; (b) when the Assembly is voting; (c) during a call of the Assembly. The name of any member moving an adjournment, and also the hour at which the motion was made and adjournment taken, shall be entered on the Journal. Such a motion to adjourn must be adopted by a majority vote of the members present

When such a motion to adjourn is made and seconded, it shall be in order for the Speaker, before putting the question, to permit any member to state to the Assembly any fact relating to the condition of the business of the Assembly which would seem to render it improper or inadvisable to adjourn. Such statement shall not occupy more than two minutes and shall not be debatable

The unfinished business in which the Assembly was engaged preceding the adjournment shall not be taken up until reached in regular order, unless the

previous question has been ordered on such unfinished business prior to said adjournment.

35. *To Recess to a Time Certain.* A motion to recess to a time certain shall be treated the same as a motion to adjourn, except that such motion is debatable when no business is before the Assembly and can be amended as to the time and duration of the recess. It yields only to a motion to adjourn.

The question under discussion at the time a recess is taken shall be the first order of business upon reassembling.

36. *To Lay on the Table* A motion to lay on the table is not debatable and can not be amended If carried by a majority vote of the members elected, it carries with it the main question and everything that adheres to it. A motion to lay on the table having been decided in the negative, shall not again be allowed on the same day or at the same stage of the bill or question.

THE PREVIOUS QUESTION.

37. *Previous Question Demanded.* The previous question shall be put only when demanded by five members.

38. *Manner of Putting the Previous Question.* The previous question shall be in this form: "Shall the main question be now put?" And its effect, when sustained by a majority of the members present shall be to put an end to all debate and bring the House to a vote on the question or questions before it

39. *Motion to Set Special Order* A motion to set any matter before the Assembly as a special order of business must be adopted by a two-thirds vote of the members present. It is debatable only as to the propriety of setting the main question as a special order of business, and may be amended only as to the time.

40 *Motion to Postpone to a Time Certain* A motion to postpone to a time certain shall be deemed and treated as a motion to set as a special order.

41. *Indefinite Postponement* When a motion is made to postpone indefinitely any bill, resolution, motion or amendment, it opens the main question to debate. Should the motion to postpone indefinitely prevail by a majority vote of the members present, the main question shall not be acted upon again during the session.

42. *To Refer or Re-refer.* A motion to refer or re-refer any bill, motion or question shall be decided by a majority vote of the members present. Such motion may be amended as to reference, is debatable only as to the propriety of such reference, and shall apply only to the main question. Should several different committees be proposed, preference shall be given as follows:

1. Committee of the Whole
2. Standing Committee.
3. Special Committee.

43. *Motion to Amend* A motion to amend may itself be amended, but no "amendment to an amendment" can be amended. A motion to amend is debatable, except where the main question to be amended is not debatable. Any motion to amend may be adopted by a majority vote of the members present.

A motion to amend having been decided in the negative, shall not again be in order on the same day, or at the same stage of proceeding. A motion to amend by striking out certain words having been decided in the negative, shall not preclude a motion to amend by adding words, or a motion to amend by striking out and inserting words; but in no case shall a further amendment be substantially the same as the one rejected.

Subject to the above provisions of this rule, a motion to amend is in order during the second or third reading of any bill.

44. *Amendment to be Germane.* No amendment to any bill, whether reported by a committee or offered by a member, shall be in order when such amendment relates to a different subject, or is intended to accomplish a different purpose, or requires a title essentially different from the original title of any bill, resolution or constitutional amendment.

Upon being called to the attention of the Assembly by a member, any bill so amended in violation of this rule shall be forthwith withdrawn and stricken from the Calendar and laid upon the table and shall not be acted upon again during the session. This rule can only be suspended by unanimous consent and shall apply to all bills of both houses.

45. *Substitute Motion.* A motion to substitute shall be deemed and treated as a motion to amend.

46 *Motion to Strike Out Enacting Clause* A motion to strike out the enacting clause of a bill shall be deemed and treated as a motion to lay on the table.

47. *Motions in Writing.* Upon request of the Speaker or any member, all motions shall be reduced to writing and shall be read by the Speaker before the same is acted upon.

48. *Consideration of Motions.* No motion, whether oral or written, shall be adopted until the same shall be seconded and distinctly stated to the Assembly by the Speaker.

49 *Division of Questions.* Any member may call for a division of the question, and the Speaker shall order the question divided if it comprehend propositions in substance so distinct that one being taken away, a substantive proposition shall remain for the decision of the Assembly

50. *Resolutions Authorizing Expenditure of Money.* The adoption of any resolution authorizing the expenditure of money shall require an affirmative recorded vote of a majority of all members elected to the Assembly.

51. *Withdrawal of Motions.* After a motion is stated by the Speaker, or a bill, resolution or petition read by the Clerk, it shall be deemed to be in the possession of the Assembly, but may be withdrawn from consideration at any time before amendment or decision by consent of a majority of the members present.

52. *Motion to be Germane.* No motion or proposition on a subject different from that under consideration shall be admitted as an amendment.

53. *Bills to be Reported Back to Committee.* All committees shall act upon bills, constitutional amendments and resolutions referred to them as soon as practicable, and when acted upon each bill shall be reported back to the Assembly forthwith, and the chairman of each committee is charged with the observance of this rule; *provided*, that the Assembly may at any time, by a majority vote of all its members, recall a bill, constitutional amendment or resolution from any committee

54. *Motion to Withdraw Bills.* A motion to withdraw a bill from one committee and re-refer it to another committee may be made during the regular order of business. Such motion shall only be debatable as to the propriety of such reference, and shall be decided by a majority vote of the members present.

A motion to strike from the Calendar any bill requires a majority vote of all members elected to the Assembly. Such bill shall not be acted upon again during the session.

55. *Motion to Rescind Action and Expunge Record* Previous to the approval of the Journal by the Assembly, any action of the Assembly may, upon proper motion, be rescinded and its record ordered expunged by an affirmative recorded vote sufficient to take such action originally, *except* that no action shall be rescinded and the record expunged by a vote less than a majority of all members elected to the Assembly. No vote shall be so rescinded after something has been done as a result of such vote that the Assembly can not properly undo, or where such action will allow the reconsideration of a bill in violation of Rule 94

56. *Motion to Correct Journals.* A motion to correct any day's Journal shall be in order prior to the approval by the Assembly of such day's Journal. The adoption of such motion shall require a majority vote of the members present.

57. *Procedure on First Day of Introducing Bills.* In each legislative session on the first day when bills are introduced, under the "Order of Business" or "Introduction and Reference of Bills," the roll shall be called from A to Z and then back again from Z to A, and as each member's name is called, he shall have the privilege of introducing one bill, constitutional amendment, joint or concurrent resolution. After these two roll calls, bills, constitutional amendments, joint or concurrent resolutions shall be introduced by members on recognition of the Speaker, as provided by the rules of the Assembly; and all bills, constitutional amendments or joint or concurrent resolutions introduced before the standing committees of the Assembly are appointed, shall be referred to committees, references to take effect when the committees shall be appointed.

58. *Reference and Printing of Bills.* Immediately following its first reading the Speaker shall refer each bill to a committee, unless upon a motion, the Assembly by a majority vote of the members elected, shall refer it to some other committee. Such motion to refer a bill shall be debatable only as to the propriety of the reference. Any bill to appropriate money, or which requires the expenditure of State moneys, must be considered by the Committee on Ways and Means previous to its passage.

59. *Record of Bills.* The Chief Clerk shall cause to be kept a permanent record of every action taken by the Assembly on every bill, resolution or constitutional amendment, and the date of such action. Every such action and the date thereof shall also be endorsed upon such bill.

60. *Joint and Concurrent Resolutions and Constitutional Amendments.* Joint and concurrent resolutions and constitutional amendments may be amended by a majority of the members present and shall be treated the same as bills, except that they need be read but once. The ayes and noes shall not be called upon the adoption of concurrent resolutions, except those presenting charter amendments or authorizing expenditures of money, unless regularly demanded, or required by statute or by the Constitution. Upon adoption by the Assembly, all proposed amendments to the Constitution shall be printed at length on the Journal. (Const., Art. XVIII, Sec. 1.)

61. *Introduction of Bills After Constitutional Recess.* Any member requesting permission to introduce a bill after the constitutional recess shall send such request in writing to the Clerk's desk under the order of "Introduction of Bills." The request shall give the title of the bill, and shall be accompanied by the bill. The request shall thereupon be entered on the Journal and the bill referred by the Speaker to the Committee on Introduction of Bills. The committee shall ascertain if the granting of such request will exceed the limitations as set forth in section 2 of Article IV of the Constitution, and if it will not, shall report back favorably on the same legislative day each bill so referred to it. The adoption of the report of the committee granting permission to introduce any bill shall require an affirmative vote of three-fourths of all members elected to the Assembly. (Const., Art. IV, Sec. 2.)

Joint and concurrent resolutions and constitutional amendments shall not be referred to the Committee on Introduction of Bills and shall not require a vote to authorize their introduction.

62. *Examining of Bills by Legislative Counsel Bureau.* After introduction all bills shall be delivered to the Legislative Counsel for the purpose of determining if the bill is in the proper form as prescribed by law or Assembly rule. He shall have authority to correct any clerical error such as orthography, adding or correcting the enacting clause, mistakes in numbering sections and references thereto, and in any other particular wherein the bill does not comply in form with law or Assembly rule. He shall have authority to correct any error in the title of an amendatory bill wherein it does not enumerate the sections added or amended of a particular act or code.

If in the opinion of the Legislative Counsel, any correction made by him under the authority of this rule should in any manner be construed to be a change in the bill other than a change in form, he shall obtain the consent of the author of the bill before making such change.

Immediately upon the completion of the check of the bills referred to the Legislative Counsel in accordance with the provisions of this rule, he shall deliver the bills to the State Printer. Under no circumstances shall the Legislative Counsel retain in his possession any bills referred to him under the provisions of this rule for any period longer than two legislative days.

63. *Second Reading of Bills.* All bills shall be read the second time in the order of their appearance upon the Second Reading Calendar. Upon second reading, Senate bills reported without amendments shall be ordered to third reading and Assembly bills reported without amendments shall be ordered engrossed.

64. *Committee Amendments.* Committee amendments reported with bills shall be considered upon their second reading and such amendments may be adopted by a majority vote of the members present. Assembly bills so amended shall be ordered reprinted and engrossed, and Senate bills so amended shall be ordered reprinted and to third reading.

65. *Amendments from the Floor.* Any member may move to amend a bill during its second or third reading and such motion to amend may be adopted by a majority vote of the members present. Bills so amended on second reading shall be treated the same as committee amendments Any bill so amended upon the Third Reading Calendar, shall be reprinted and all Assembly bills so reprinted shall be ordered re-engrossed.

66. *Committee on Engrossment and Enrollment.* It shall be the duty of the Committee on Engrossment and Enrollment to compare all bills, constitutional amendments, and concurrent and joint resolutions, ordered or considered engrossed by the Assembly with the engrossed copies thereof; and, before they pass out of the possession of the Assembly, see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto; and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed.

67. *Engrossing and Enrolling Bills.* The Engrossing and Enrolling Clerk shall engross and enroll the bills, constitutional amendments, and joint and concurrent resolutions which shall come to his hands for such purposes, in compliance with the provisions of section 539 of the Political Code, and in the order of time in which the same shall be acted upon by the Assembly. All Assembly bills, constitutional amendments and joint and concurrent resolutions shall be engrossed before final action is taken on them in the Assembly, and the report of such engrossment must be made to the Assembly on a day previous to the day on which final action is taken.

68. *Bills Transmitted to the Senate.* Upon final passage of any bill, if no notice of motion to reconsider such bill be given, the Speaker shall order the bill transmitted to the Senate under signature of the Chief Clerk. Senate bills refused passage shall forthwith be returned to the Senate under similar signature.

69. *Bills Considered During Last Seven Days.* No Assembly bill shall be passed by the Assembly within seven calendar days previous to the time set for adjournment sine die of the Legislature, except upon recommendation of the Speaker and permission to consider and vote on such bill being granted by a recorded vote of three-fourths of all members elected to the Assembly.

70. *Concurrence in Senate Amendments.* No Senate amendment of an Assembly bill shall be concurred in except by an affirmative recorded vote of a majority of all members elected to the Assembly. When Senate amendments to such bill are so concurred in, it shall be forthwith ordered enrolled, and the Chief Clerk shall notify the Senate of such concurrence.

71. *Nonconcurrence in Senate Amendments.* If the Assembly refuse to concur in the Senate amendments to any Assembly bill, the Chief Clerk shall notify the Senate of such refusal and request the Senate to recede from its amendments If the Senate so recede and notify the Assembly, the bill shall be forthwith ordered enrolled.

72. *Committee on Free Conference.* Should the Senate refuse to recede from its amendments and so notify the Assembly, the Speaker shall thereupon appoint three members as a Committee on Free Conference. If there be a minority vote on concurrence, two of such members shall be selected from those voting against concurrence and the third member shall be selected from those voting for concurrence. The Chairman of the Senate Committee on Free Conference for the same bill shall arrange the time and place of meeting of such committee. It shall require an affirmative vote of not less than four of the members constituting the Committee on Free Conference to agree upon a report and the report shall be submitted to both the Senate and Assembly. Such report is not subject to amendment and if either house refuse to adopt such report, the conferees shall be discharged and other conferees appointed No member who has served on a Committee on Free Conference shall be appointed a member of another Committee on Free Conference on the same bill. The presentation and consideration of any report of a Committee on Free Conference shall always be in order, except during roll call or when a member has the floor. It shall require an affirmative recorded vote of a majority of all members elected to the Assembly to adopt any free conference report. After such adoption, and notice that the Senate has adopted the report, the bill shall be ordered enrolled.

73 *Enrollment.* After final passage by both houses, any Assembly bill, resolution or constitutional amendment, not amended by the Senate, shall be forthwith ordered by the Speaker to be enrolled, as provided in section 539 of the Political Code. The Committee on Engrossment and Enrollment shall report both the day and hour each enrolled bill is presented to the Governor, which report shall be entered on the Journal.

COMMITTEES.

74. *Standing Committees.* The standing committees of the Assembly shall be as follows

1. A Committee on Agriculture, to consist of seventeen members
2. A Committee on Attaches, to consist of seven members.
3. A Committee on Aviation and Aircraft, to consist of eleven members.
4. A Committee on Banking, to consist of nine members
5. A Committee on Building and Loan Associations, to consist of seven members.
6. A Committee on Civil Service, to consist of nine members
7. A Committee on Commerce and Navigation, to consist of nine members.
8. A Committee on Conservation, to consist of nine members.
9. A Committee on Constitutional Amendments, to consist of thirteen members.
10. A Committee on Contested Elections, to consist of five members.
11. A Committee on Contingent Expenses, to consist of five members
12. A Committee on Corporations, to consist of nine members.
13. A Committee on County Government, to consist of fifteen members
14. A Committee on Crime Problems, to consist of seven members.
15. A Committee on Direct Legislation, to consist of seven members.
16. A Committee on Drainage, Swamp and Overflowed Lands, to consist of thirteen members.
17. A Committee on Education, to consist of thirteen members.
18. A Committee on Elections, to consist of eleven members.
19. A Committee on Engrossment and Enrollment, to consist of five members.
20. A Committee on Exhibitions and Fairs, to consist of seven members
21. A Committee on Federal Relations, to consist of seven members.
22. A Committee on Fish and Game, to consist of fifteen members.
23. A Committee on Governmental Efficiency and Economy, to consist of eleven members.

24. A Committee on Governmental Revenues and Expenditures, to consist of five members.

25. A Committee on Hospitals and Asylums, to consist of eleven members

26. A Committee on Insurance, to consist of eleven members

27. A Committee on Introduction of Bills, to consist of five members.

28. A Committee on Irrigation, to consist of seventeen members.

29. A Committee on Judiciary, to consist of twenty-one members.

30. A Committee on Labor and Capital, to consist of thirteen members.

31. A Committee on Libraries, to consist of five members.

32. A Committee on Live Stock and Dairies, to consist of nine members.

33. A Committee on Manufactures, to consist of seven members.

34. A Committee on Medical and Dental Laws, to consist of nine members.

35. A Committee on Mileage, to consist of six members.

36. A Committee on Military Affairs, to consist of nine members.

37. A Committee on Mines and Mining, to consist of nine members.

38. A Committee on Motor Vehicles, to consist of fifteen members.

39. A Committee on Municipal Corporations, to consist of thirteen members.

40. A Committee on Oil Industries, to consist of nine members.

41. A Committee on Prisons and Reformatories, to consist of eleven members

42. A Committee on Public Charities and Corrections, to consist of nine members.

43. A Committee on Public Health and Quarantine, to consist of nine members.

44 A Committee on Public Morals, to consist of eleven members.

45. A Committee on Public Utilities, to consist of eleven members.

46 A Committee on Revenue and Taxation, to consist of fifteen members.

47. A Committee on Roads and Highways, to consist of fifteen members.

48. A Committee on Rules, to consist of seven members, including the Speaker.

49. A Committee on Social Service and Welfare, to consist of nine members.

50. A Committee on Soldiers and Sailors Affairs, to consist of thirteen members.

51. A Committee on State Grounds and Parks, to consist of seven members

52. A Committee on Teachers Colleges, to consist of seven members.

53. A Committee on Unemployment, to consist of seven members

54. A Committee on Universities, to consist of seven members.

55 A Committee on Ways and Means, to consist of twenty-one members.

56. A Committee on Financial Institutions (other than Banking and Building and Loan Associations), to consist of seven members.

57. A Committee on Building and Construction, to consist of seven members

75. *Special Committees.* In addition to the regular standing committees of the Assembly, the Speaker shall appoint any and all special committees he may deem it necessary to appoint, subject to the approval of the Assembly

76 *Duties of Standing Committees.* Committees shall act upon all bills referred to them as soon as practicable. Each bill acted upon shall be reported back to the Assembly not later than the next legislative day, and the chairman of each committee shall be held responsible for the observance of this rule.

77. *Committee Quorum* A majority of the membership of any standing committee shall constitute a quorum for the transaction of its business. At least a majority of all members constituting such committee shall be required to report a bill out of committee

78 *Meetings of Standing Committees.* All standing committees shall meet at the hour provided by schedule, unless otherwise ordered by the Assembly. Committees may hold such additional meetings as the chairman of the committee may deem necessary; provided, that no committee shall meet during any session of the Assembly without first obtaining permission from the Assembly.

Every scheduled committee meeting shall be open to the public, unless the committee by a majority vote of its membership shall order an executive session

79. *Standing Committee Rules.* The Rules of the Assembly shall govern the conduct of all committee meetings whenever practicable Each committee may adopt, by a majority vote of its membership, such additional rules as it may deem necessary for the conduct of any business referred to such committee

80. *Signing Bills Out of Committee.* No bill shall be signed out of any committee except during the final two weeks of the session and then only upon the signatures of a majority of the members of such committee.

81. *Committee Expenditures Not Allowed.* No chairman or member of any committee, during the official conduct of the business of such committee or otherwise, shall be permitted to incur any expense without first receiving the consent of the Assembly, except that the chairman of the Committee on Ways and Means shall be allowed his actual expenses for the performance of any duties of his office during the constitutional recess.

82. *Committee on Rules.* The membership of the Committee on Rules shall consist of the Speaker, the Speaker pro tempore, and five other members of the Assembly to be appointed by the Speaker.

83. *Committee on Attaches.* The Committee on Attaches shall recommend the appointment of all attaches and employees of the Assembly not otherwise provided for by statute. It shall have authority to suspend, with or without pay, any such attache or employee for incompetency or dereliction of duty, pending final action by the Assembly.

84. *Committee on Ways and Means.* It shall be the duty of the Committee on Ways and Means to consider all bills or other matters referred to the committee by the Speaker of the Assembly. The committee shall report whenever necessary, their opinion as to the condition of State revenues and expenditures.

All bills to appropriate money, other than contingent expenses of the Assembly, shall be considered by the Committee on Ways and Means.

Whenever requested by the Assembly, the chairman of the Committee on Ways and Means shall report not later than the next legislative day, the exact condition of legislation involving appropriations and the aggregate amount of all proposed appropriations pending before the committee.

Concurrent resolutions providing for all adjournments shall be referred to the Committee on Ways and Means, which committee shall report back such concurrent resolution not later than the next legislative day, together with any statement the committee may deem advisable relative to the status of the general appropriation bill, or other business before the committee.

85. *Committee of the Whole.* The Assembly may resolve itself into a Committee of the Whole at any time, by a majority vote of the members present. The Speaker of the Assembly, or any member named by the Speaker, shall preside as Chairman of the Committee of the Whole. The Rules of the Assembly shall be observed in the Committee of the Whole so far as they may be applicable, except that the ayes and noes need not be taken.

A motion that the Committee of the Whole "do now rise and report back to the Assembly" shall always be in order and shall be decided without debate. All actions of the Committee of the Whole shall be reported to the Assembly by the chairman, but shall not be entered on the Journal except upon motion and a majority vote of the members present.

VOTING.

86. *Ayes and Noes.* The ayes and noes shall be taken on the final passage of all bills, and on other questions when called for by three members whose names shall be entered on the Journal

87. *Members Excused From Voting.* Every member at his desk when his name is called, shall declare his vote openly and without debate, unless the Assembly shall excuse him All motions to excuse a member shall be made before the Assembly divides or before the call of ayes and noes is commenced Any member requesting to be excused from voting may make a brief oral statement of the reasons for such request, and the question shall then be decided without debate by a majority vote of the members present: provided, no member shall vote on any question in the result of which he has a direct personal interest.

88. *Voting Not to Be Interrupted.* When once begun, voting shall not be interrupted, except that any member may move a call of the Assembly after the completion of the roll and prior to the announcement of the vote.

89 *Changing Vote.* After the vote is announced, no member shall be allowed to change his vote, or have his vote recorded.

90. *Members at Clerk's Desk.* No member or other person shall be allowed at the Clerk's desk while the ayes and noes are being called or the votes counted.

91. *Tie Vote.* In case of an equal division, or tie vote, the question shall be lost.

92. *Division and Count of Assembly.* Upon a division and count of the Assembly on any question, only members at their own desks shall be counted.

93. *Call of the Assembly.* After the roll has been called, and prior to the announcement of the vote, any member may move a call of the Assembly. A majority of the members present may order a call of the Assembly and the Speaker shall immediately order the Sergeant-at-Arms to lock all doors and shall direct the Clerk to prepare a list of absentees as disclosed by the roll call under present con-

sideration. Thereupon no member shall be permitted to leave the Assembly Chamber except by written permission of the Speaker and no person shall be permitted to enter except such member as is taken into custody as herein provided, or Senators, officers, attaches, or employees of the Legislature in the official performance of their duties

Those members who are found to be absent and for whom no leaves of absence have been granted, shall be forthwith taken into custody wherever found by the Sergeant-at-Arms or his assistants, and brought to the Assembly Chamber. No recess or adjournment shall be taken during a call of the Assembly. During such call the Assembly may consider and transact any matter or business by unanimous consent No call of the Assembly shall be ordered on any matter while the Assembly is already under call. A call of the Assembly may be dispensed with at any time upon a majority vote of the members present, at which time the completion of the roll call pending when the call of the Assembly was ordered, shall become the immediate order of business before the Assembly.

94 *Reconsideration of Vote.* Notice of a motion to reconsider on the next legislative day, the vote whereby any bill, constitutional amendment or resolution was passed or refused passage, must be given on the same day such vote to be so reconsidered, was taken.

A notice of motion to reconsider a vote must be given by a member voting on the measure and shall take precedence over all motions, except a motion to adjourn. Upon such notice of motion being given, the measure shall forthwith be placed upon the unfinished business calendar, and no further action shall be taken prior to the next legislative day. When a notice of a motion to reconsider has once been made the same shall be considered to be the property of the Assembly

No notice of motion for reconsideration shall be in order on the day preceding the last day for consideration of Senate or Assembly bills in the Assembly. No motion to reconsider shall be adopted except upon an affirmative recorded vote of a majority of all members elected to the Assembly, except that constitutional amendments to be so reconsidered shall require an affirmative recorded vote of two-thirds of all members elected to the Assembly.

When reconsideration is granted, the bill shall resume its exact position before the Assembly previous to its being voted upon.

PRINTING.

95. *Authority for Printing.* The State Printer shall not charge any printing or other work to the Assembly other than provided by law or Assembly rule, except upon a written order signed by the Chief Clerk of the Assembly and countersigned by the Chairman of the Committee on Rules or by the Speaker, and delivered to him prior to beginning such printing or work. When necessary, the Chief Clerk may order certain printed matter completed in advance of its regular order by the issuance of a rush order.

96. *Printing Style and Form Amount to Be Printed.* Unless otherwise restricted by law or by Assembly rule, the style and form of all printing, the quality of paper to be used, and the number of copies to be printed of each order, shall be decided by the Chief Clerk and approved by the Speaker or Chairman of Committee on Rules.

97. *Printing of Assembly History.* The Chief Clerk shall cause to be compiled and printed during the constitutional recess a Legislative Handbook and a Semi-final Assembly History together with an index, setting forth a complete History showing all actions on bills, resolutions and constitutional amendments prior to the constitutional recess

During the remainder of the session, the Chief Clerk shall cause to be printed and placed upon each member's desk prior to convening on Monday of each week a complete History showing all actions taken upon each measure up to and including the legislative day preceding its issuance. The Weekly History need not contain an index. For each legislative day intervening between the issuance of such Weekly History, there shall be printed a Daily Supplemental History Sheet showing only actions taken upon any measure since the issuance of the preceding Weekly History.

98 *Printing of Maps.* Maps or charts accompanying documents other than bills shall not be printed without special authority from the Assembly by a majority vote of all members elected

RULES.

99 *Adoption of Standing Rules.* The adoption of the Standing Rules shall require an affirmative recorded vote of a majority of all members elected to the Assembly. When once adopted, such standing rules shall remain in effect, unless suspended or amended as provided in these rules, until such time as other standing rules are adopted by a succeeding Legislature.

100 *Parliamentary Rules.* Robert's Rules of Order shall be the recognized authority on all occasions when the Assembly rules are not applicable.

101. *Suspension of Rules.* Unless otherwise specifically provided by law or Assembly rule, any standing rule of the Assembly may be suspended temporarily by a vote of two-thirds of the members present, provided that such temporary sus-

pension shall apply only to the matter under immediate consideration, and in no case shall it extend beyond an adjournment.

102. *Amending Standing Rules.* No standing rule of the Assembly shall be amended except by an affirmative recorded vote of two-thirds of all members elected to the Assembly and one day's notice must be given on the motion thereof.

103. *Temporary Rule.* The Committee on Rules may at any time report a temporary rule. Upon adoption by an affirmative recorded vote of two-thirds of all members elected to the Assembly, such temporary rule shall have the effect for the time being, of a standing rule. If such temporary rule shall be in conflict with a standing rule, it shall supersede such standing rule only for the time being.

A motion proposing to increase or diminish the membership of a standing committee or the number of standing committees, shall not be considered until the same shall have been referred to and approved by the Committee on Rules.

MISCELLANEOUS.

104. *Press Privileges.* Newspaper correspondents desiring Assembly press cards and privileges shall make written application to the Speaker. The Assembly by a majority vote of the members present may revoke any press card.

The Speaker shall assign the Assembly press desks; also the necessary rooms for the exclusive use of such accredited press representatives.

105. *Privilege of Addressing the Assembly.* No person other than a member of the Assembly shall be permitted to address the Assembly except in the Committee of the Whole.

106. *Smoking in Assembly Chamber.* Smoking may be prohibited temporarily during any session of the Assembly by a majority vote of the members present.

107. *Fees for Witnesses.* Each witness summoned to appear before the Assembly or any of its committees shall receive the sum of five dollars for each day such witness shall be required to appear, and the sum of three and one-half cents for each mile he shall travel in coming to and going from the place of examination.

108 *Use of Assembly Chamber.* The Assembly Chamber shall not be used for any public or private business other than legislative matters, during the sessions of the Legislature, except by consent of a majority of all members elected to the Assembly.

109. *Persons Admitted to the Floor of the Assembly.* No persons other than members, officers, attaches and employees of the Legislature, shall be admitted to the floor of the Assembly during any session of the Assembly, except elected State officers, Governors, and ex-Governors of this State, members of Congress, judges of the superior, Appellate and Supreme Courts, ex-Senators and ex-Assemblymen, accredited members of the Press, and the wife, husband or child of any member of the Assembly; provided that a guest of any member shall be admitted upon presentation of a guest card of said member, countersigned by the Speaker, such guest card being valid only on the legislative day for which it was issued.

110. *No Lobbying in the Assembly Chamber.* No person engaged in presenting to the Assembly or its committees any business, or claim, or legislation, shall be permitted to engage in such business in the Assembly Chamber, or be permitted on the floor of the Assembly at any time while the Assembly is in session, unless seated beside a member upon his invitation; and any person transgressing this rule shall be removed from the floor of the Assembly and be debarred from the privilege of the floor during the remainder of the entire session. The Speaker is charged with the enforcement of this rule. This rule can not be suspended except by a two-thirds vote of the entire Assembly.

111. *Roll Calls.* Each bill shall be voted on only by taking the ayes and noes in response to a separate roll call, and no bill shall be passed by a roll call covering more than that one bill, or by substituting the roll call on any bill previously voted upon. As each member votes, the Clerk in an audible tone of voice shall repeat the aye or no of the vote in order that the member voting may know that it is properly registered; and no vote shall be corrected or changed after the results of the roll call have been announced by the Speaker

112. The Speaker may on his own motion or upon the motion of any member of the Assembly, explain the order of business when the motion pending before the Assembly is not debatable. Such explanation is not to consume more than two minutes.

MOTION TO PRINT.

Mr. Williamson moved that the Chief Clerk instruct the State Printer to have a rush order placed on the printing of 100 copies of the Rules, and that same be delivered to the Assembly by four o'clock p m this day.

Motion carried.

ADJOURNMENT

At eleven o'clock and fifty-five minutes a.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Friday, January 11, 1935.

CHARLES H. ERB, Minute Clerk

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, January 11, 1935

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—78.

Quorum present.

PRAYER.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Peterson, its further reading was dispensed with.

PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Mr. Speaker:

From Michael O'Dea, relative to impeachment of judges.

Referred to Committee on Judiciary.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Gilmore, Mrs. Betty Simpson and Mr. Joseph A. Bafigo of San Francisco were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Lyon, Miss Grace Stoermer, former Secretary of the Senate, was extended the privilege of the floor of the Assembly for this day.

LEAVES OF ABSENCE.

On motion of Mr. Johnson, Mr. Fisher was granted leave of absence for this day.

On motion of Mr. Cronin, Mr. Peyser was granted leave of absence for this day.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced:

By Mr. Eicke: Assembly Bill No. 64—An act to amend sections 1206 and 1207 of the Code of Civil Procedure, relating to preferred claims for work or personal services.

Bill read first time, and referred to Committee on Judiciary.

By Mr. McBride: Assembly Bill No. 65—An act granting certain tide and submerged lands of the State of California to the city of San Buenaventura, upon certain trusts and conditions.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Donihue: Assembly Bill No. 66—An act to create a board, designated as California Surplus and Waste Products Authority, for the purpose of preventing waste and conserving and preserving and causing to be utilized all surplus products of the soil of the State, defining their duties and powers, fixing their compensation, and appropriating funds necessary for their operation.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Geyer: Assembly Bill No. 67—An act to amend section 1134 of, and to add sections 1131, 1132 and 1133 to the Agricultural Code, relating to cold storage eggs.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Geyer: Assembly Bill No. 68—An act to add section 15a to an act entitled "An act to provide for the recall of elective officers of incorporated cities and towns, and to repeal Chapter 32, Statutes of 1911, extra session, entitled an act to provide for the recall of elective officers of incorporated cities and towns, approved January 2, 1912," approved May 8, 1931, relating to recall of elective officers of incorporated cities.

Bill read first time, and referred to Committee on Direct Legislation.

By Mr. Chatters: Assembly Bill No. 69—An act to amend section 117 of the Code of Civil Procedure, and to add thereto a new section to be numbered 117c½, relating to small claims courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Chatters: Assembly Bill No. 70—An act to add section 3757 to the Political Code providing for the rejection of all fractions of a cent by auditors and tax collectors when computing taxes, penalties for delinquencies or interest and percentages on redemption.

Bill read first time, and referred to Committee on County Government.

By Mr. Hawkins: Assembly Bill No. 71—An act providing that any person, firm, association, or corporation, agent, superintendent or manager thereof, employing special agents, detectives or so-called spotters, before disciplining or discharging any employee upon a report by such special agent, detective or so-called spotters, give notice and accord

a hearing to such employee upon his request therefor, and providing for the punishment for the violation thereof, and repealing an act entitled "An act providing that any public service corporation, agent, superintendent, or manager thereof, employing special agents, detectives or so-called spotters shall, before disciplining or discharging any employee upon a report by such special agent, detective, or so-called spotters, give notice and accord a hearing to such employee upon his request therefor, and providing for the punishment for the violation thereof," approved April 14, 1915, as amended

Bill read first time, and referred to Committee on Judiciary.

By Mr. Wright: Assembly Bill No. 72—An act relating to bond elections, providing for the manner of holding the same, defining the duties of certain persons in relation thereto, and other matters properly relating thereto.

Bill read first time, and referred to Committee on Elections.

By Mr. Wright: Assembly Bill No. 73—An act to repeal an act entitled "An act creating the office of Chief of the Division of Narcotic Enforcement, providing for appointment to, powers and duties of such office, making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to provide for the establishment and maintenance of a Division of Narcotic Enforcement under the direction and control of the State Board of Pharmacy,' approved May 17, 1927," approved April 30, 1929, and to transfer to the State Board of Pharmacy all powers, duties and functions of the Chief of the Division of Narcotic Enforcement.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Peyser: Assembly Bill No. 74—An act to amend sections 147, 158, and 164 of the Vehicle Code and to add thereto sections 144, 158.4, 158.5, 158.6, 177.5, and 209, relating to license plates.

Bill read first time, and referred to Committee on Motor Vehicles

By Mr. Lyon: Assembly Bill No. 75—An act in relation to and regulating the commencement and continuation of proceedings to enforce or foreclose the lien of special assessment bonds issued for public improvements, and declaring the urgency hereof, and providing that it shall take effect immediately.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Johnson, Assembly Bill No. 76—An act to amend section 2924½ of the Civil Code, relating to mortgages and trust deeds.

Bill read first time, and referred to Committee on Judiciary

By Mr. Burns: Assembly Bill No. 77—An act making an appropriation to pay the claim of W. S. Clark against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr Nielsen: Assembly Bill No 78—An act granting to the city of Sacramento certain lands lying within the city of Sacramento.

Bill read first time, and referred to Committee on State Grounds and Parks.

By Mr. Wagner: Assembly Concurrent Resolution No. 4—Relative to approving seven amendments to the charter of the city of Alameda, in the county of Alameda, State of California, voted for and ratified by the electors of said city on the sixth day of November, 1934.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Wagner asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 4, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER FOUR.

Assembly Concurrent Resolution No. 4—Relative to approving seven amendments to the charter of the city of Alameda, in the county of Alameda, State of California, voted for and ratified by the electors of said city on the sixth day of November, 1934.

Assembly Concurrent Resolution No. 4 read.

Mr. Wagner moved the adoption of Assembly Concurrent Resolution No. 4.

The question being on the adoption of Assembly Concurrent Resolution No. 4.

The roll was called, and Assembly Concurrent Resolution No. 4 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Peterson, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—70.

NOES—None

Title read and approved.

Assembly Concurrent Resolution No. 4 ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 4—Relative to approving seven amendments to the charter of the city of Alameda, in the county of Alameda, State of California, voted for and ratified by the electors of said city on the sixth day of November, 1934.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced:

By Messrs. Stream, Wallace, and Richie: Assembly Concurrent Resolution No. 5—Relative to approving certain amendments to the charter of the county of San Diego, State of California, voted for and ratified by the qualified electors of said county at a general election held therein on the sixth day of November, 1934.

Introduced

REQUEST FOR UNANIMOUS CONSENT.

Mr Stream asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 5, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER FIVE

Assembly Concurrent Resolution No. 5—Relative to approving certain amendments to the charter of the county of San Diego, State of California, voted for and ratified by the qualified electors of said county at a general election held therein on the sixth day of November, 1934.

Assembly Concurrent Resolution No. 5 read.

Mr. Stream moved the adoption of the resolution.

The question being on the adoption of Assembly Concurrent Resolution No. 5.

The roll was called, and Assembly Concurrent Resolution No. 5 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, and Mr. Speaker—69.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 5 ordered transmitted to the Senate.

Assembly Concurrent Resolution No 5—Relative to approving certain amendments to the charter of the county of San Diego, State of California, voted for and ratified by the qualified electors of said county at a general election held therein on the sixth day of November, 1934.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced:

By Mr. Evans, Ralph W.: Assembly Concurrent Resolution No. 6—Relative to approving the charter of the city of Redondo Beach, California, which was submitted to the qualified voters of said city and voted for and ratified by them at an election held on the twenty-fourth day of September, 1934.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Evans, Ralph W., asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 6, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER SIX.

Assembly Concurrent Resolution No. 6—Relative to approving the charter of the City of Redondo Beach, California, which was submitted to the qualified voters of said city and voted for and ratified by them at an election held on the twenty-fourth day of September, 1934.

Assembly Concurrent Resolution No. 6 read.

Mr. Evans, Ralph W., moved the adoption of the resolution.

The question being on the adoption of Assembly Concurrent Resolution No. 6.

The roll was called, and Assembly Concurrent Resolution No. 6 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, and Mr. Speaker—71.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 6 ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 6—Relative to approving the charter of the City of Redondo Beach, California, which was submitted to the qualified voters of said city and voted for and ratified by them at an election held on the twenty-fourth day of September, 1934.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Donihue: Assembly Concurrent Resolution No. 7—Relative to the acquisition of privately owned toll bridges.

Introduced, and referred to Committee on Roads and Highways

By Mr. Donihue: Assembly Constitutional Amendment No. 10—Proposed amendment to Article VI of the Constitution by adding section 4.5, relative to opinions of Supreme Court.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Heisinger: Assembly Constitutional Amendment No. 11—Proposed amendment to Article IV, section 34a, and Article XIII, section 15, of the Constitution, relative to the taxation of real and personal property.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Latham: Assembly Constitutional Amendment No. 12—Proposed amendment to Article VI, section 6 of the Constitution, relative to the superior courts.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Lyon: Assembly Bill No. 79—An act to amend sections 2920, 2924, 2932, 2934 and 2935 of the Civil Code, to add sections 2920.1, 2924.2, 2924.3, 2924.4, 2924.5, 2949, 2949.1, 2953, 2953.1, 2953.2, 2953.3, 2954.4, 2953.5, 2953.6, 2953.7, 2953.8, 2953.9, 2954 and 2954.1 to said code, and to repeal sections 858, 2924a and 2931 of said code, relating to liens or charges on land, including mortgages and trust deeds, the definition thereof, and form and contents, the method and manner of their foreclosure and the rights of the parties thereunder, and pro-

vision for and definition of the manner in which a power of sale may be exercised.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Lyon: Assembly Bill No. 80—An act to amend sections 692 and 694 of the Code of Civil Procedure, relating to sales of property under execution or under power of sale.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Lyon: Assembly Bill No. 81—An act to amend section 11 of the Motor Vehicle Fuel License Tax Act, relating to refunds of license taxes.

Bill read first time, and referred to Committee on Motor Vehicles.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 10, 1935.

MR. SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 39—An act making an appropriation for the mileage of members of the Assembly at the fifty-first session of the Legislature, the act to take effect immediately—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.

Mr. Lyon moved that the Assembly concur in the Senate amendments to Assembly Bill No. 39.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 39?

AMENDMENT NUMBER ONE.

In line 1 of the title of the original bill, as introduced, strike out the words "of members", and strike out all of line 2 of the title and insert in lieu thereof the following: "and other expenses of the".

AMENDMENT NUMBER TWO.

On page 1 of the original bill, as introduced, at the beginning of line 5, strike out "SEC. 2", and insert in lieu thereof the following:

"SEC. 2. Out of any money in the State Treasury not otherwise appropriated, the sum of three thousand five hundred dollars is hereby appropriated for mileage of members and officers of the Senate and for contingent and other expenses of, or authorized by, the Senate.

"SEC. 3".

The roll was called, and Senate amendments to Assembly Bill No. 39 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Reaves, Redwine Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—70.

NOES—None.

The above reported bill ordered to enrollment.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 10, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 1—Relative to approving certain amendments to the charter of the city of Pasadena, a municipal corporation in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the sixth day of November, 1934;

Also: Assembly Concurrent Resolution No. 2—Relative to approving 18 certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of such city at a special election held therein on the twenty-seventh day of September, 1934.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

The above reported Assembly Concurrent Resolutions ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 10, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 1—Relative to memorializing Congress to enact proposed legislation directing immediate payment of the adjusted service certificates of sailors and soldiers of the World War;

Also: Assembly Joint Resolution No. 4—Relative to memorializing the President and Congress to enact old age pension legislation

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

The above reported Assembly Joint Resolutions ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 10, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 3—Relative to approving certain amendments to the charter of the city of Riverside, a municipal corporation in the county of Riverside, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the twentieth day of November, 1934.

J A. BEEK, Secretary of Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr Phillips asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 3, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER THREE.

Senate Concurrent Resolution No. 3—Relative to approving certain amendments to the charter of the city of Riverside, a municipal corporation in the county of Riverside, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the twentieth day of November, 1934.

Senate Concurrent Resolution No. 3 read.

Mr. Phillips moved the adoption of the resolution.

The question being on the adoption of Senate Concurrent Resolution No. 3.

The roll was called, and Senate Concurrent Resolution No. 3 adopted by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Field, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Voigt, Wagner, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—68.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 3 ordered transmitted to the Senate.

Senate Concurrent Resolution No. 3—Relative to approving certain amendments to the charter of the city of Riverside, a municipal corporation in the county of Riverside, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the twentieth day of November, 1934.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 11, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No 4—Relative to recognition by the Legislature of the State of California of the California Pacific International Exposition which will open at San Diego May 29, 1935.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Wallace asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 4, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER FOUR.

Senate Concurrent Resolution No. 4—Relative to recognition by the Legislature of the State of California of the California Pacific International Exposition which will open at San Diego May 29, 1935.

Senate Concurrent Resolution No 4 read.

Mr. Wallace moved the adoption of the resolution.

The question being on the adoption of Senate Concurrent Resolution No. 4.

The roll was called, and Senate Concurrent Resolution No. 4 adopted by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, and Mr. Speaker—73.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 4 ordered transmitted to the Senate.

Senate Concurrent Resolution No 4—Relative to recognition by the Legislature of the State of California of the California Pacific International Exposition which will open at San Diego May 29, 1935.

SENATE MESSAGE

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 11, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 3—Relative to approving certain amendments to the charter of the city of Compton, State of California, ratified

by the qualified electors of said city at a special municipal election held therein on the tenth day of October, 1933.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

Assembly Concurrent Resolution No. 3 ordered to enrollment.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Messrs. Mayo and Chatters: Assembly Bill No. 82—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and to provide for the disposition of the revenues therefrom, and to provide that this act shall take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Lyon: Assembly Bill No. 83—An act to authorize the Commemoration Commission to spend relief funds for the employment and operation of self-help artists' cooperatives, and to make an appropriation.

Bill read first time, and referred to Committee on Unemployment.

By Mr. Lyon: Assembly Bill No. 84—An act to create the Commemoration Commission to succeed to the Spanish War Commemoration Commission; to prescribe the powers, duties, functions, and purposes thereof; to provide for the cooperation of State and local agencies and political subdivisions therewith; to make an appropriation, and to provide for the repayment thereof.

Bill read first time, and referred to Committee on Military Affairs.

By Mr. Lyon: Assembly Bill No. 85—An act making an appropriation to pay the claim of Tony Siminoff against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Messrs. Cottrell, Jones, Mayo, Hornblower, Cronin, and Williamson: Assembly Bill No. 86—An act to establish a system of unemployment reserves for this State, and making an appropriation therefor.

Bill read first time, and referred to Committee on Unemployment.

By Mr. Voigt: Assembly Bill No. 87—An act making an appropriation to pay the claim of Henry G. Pfau.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Lyon: Assembly Bill No. 88—An act to amend section 762 of the Political Code, relating to the office hours of clerks of the District Courts of Appeal.

Bill read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committee were received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1935.

MR. SPEAKER: Your Committee on Rules, to which was referred the following resolution by Mr. Hornblower:

Resolved, That the Chief Clerk be authorized to receive from the members of the Assembly a mailing list of all bills, resolutions, and histories; to be directed to libraries, chambers of commerce, and other public centers, for general inspection. This list is to be limited to 10 names each, and shall be forwarded to the legislative

bill room for regular mailing. The Chief Clerk is further authorized to place accredited newspaper representatives on the regular mailing list, as well as the Attorney General, Legislative Counsel Bureau, and the Governor's Office. That in addition to the above, the Chief Clerk shall forward to the legislative bill room for regular mailing, 5 copies of said bills, resolutions, and histories; to be mailed to the State Commander of the American Legion, or to such parties as he shall name; and be it further

Resolved, That no additional mailing list shall be allowed or authorized, unless the sum of thirty-five dollars ($35) each is paid therefor, to the State Printer and which sum shall be credited to legislative printing and accounted for to the Legislature; and be it further

Resolved, That the total number of bills to be printed be reduced from three thousand (3000) to a minimum number necessary to supply the ordinary demands; in no event unless otherwize authorized over two thousand five hundred (2500);

Has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

WALLACE, Chairman.

Mr. Hornblower moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

AMENDMENT TO RESOLUTION.

Mr. Williamson submitted the following amendment:

AMENDMENT NUMBER ONE.

On line 9 of the resolution, strike out the balance of the line following the period, and strike out line 10 to and including the period.

The question being on the adoption of the amendment.

Amendment adopted.

Report and resolution, as amended, were adopted.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred the following resolution by Mr. Cottrell:

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to procure from the State Purchasing Department on requisition, for the use of the members of the Assembly, all necessary stationery and supplies—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

WALLACE, Chairman.

Mr. Wallace moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

Report and resolution were adopted.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

MR. SPEAKER: Your Committee on Rules, to which was referred consideration of the Standing Rules of the Assembly for the fifty-first session as printed in the Assembly Journal of January 10th—has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted as the Permanent Standing Rules of the Assembly for the fifty-first session.

WALLACE, Chairman.

PERMANENT STANDING RULES OF THE ASSEMBLY FOR THE FIFTY-FIRST SESSION.

Hour of Meeting and Recesses.

1. After the first day of any session the Assembly shall meet promptly at ten o'clock a.m. daily (Sundays excepted) unless otherwise ordered by a majority of the members present. The time and duration of any and all recesses shall be decided by a majority vote of the members present

Speaker to Call Assembly to Order.

2. The Speaker, or in his absence, the Speaker pro tempore, shall take the Speaker's chair on the rostrum precisely at the hour appointed for meeting, and shall immediately call the Assembly to order. In the absence of both the Speaker and Speaker pro tempore, the Chief Clerk, or his assistant, shall call the Assembly to order, whereupon a temporary Speaker shall be elected from among the members to preside.

Order of Business.

3. The order of business of the Assembly shall be as follows:

1. Roll Call.
2. Prayer by the Chaplain.
3. Reading of the Previous Day's Journal.
4. Presentation of Petitions.
5. Reports of Committees.
6. Messages from the Governor.
7. Messages from the Senate.
8. Introduction and Reference of Bills.
9. Motions and Resolutions.
10. Business on Daily Calendar.
11. Announcements of Committee Meetings
12. Adjournment.

Roll Call and Quorum.

4. Before proceeding with the business of the Assembly, the roll of the members shall be called and the names of those present shall be entered on the Journal. A majority of all the members elected to the Assembly shall constitute a quorum for the transaction of business.

Reading of the Previous Day's Journal.

5. The reading of the Journal of the previous day may be dispensed with on motion by a majority vote of the members present

Approval of the Journal.

6. All Journals of the Assembly shall be corrected by the Minute Clerk and delivered by him to the Chief Clerk within seven calendar days. Such corrected Journals may thereafter be approved on motion by a majority vote of the members present.

Presentation of Petitions.

7. Whenever a petition for or against any pending legislation is presented by a member, he may make a brief statement of the contents thereof. Petitions are not debatable and shall be laid on the table or be referred to a committee as the Speaker shall determine. Mention of receipt of such petition and its disposition shall be entered on the Journal.

Upon receipt of a petition for the impeachment of any person subject to impeachment by the Legislature, the Speaker shall, without comment or debate, forthwith refer such petition to committee.

Reports of Committees.

8. Reports of special and standing committees shall be delivered to the Chief Clerk or an assistant. They shall be read and ordered printed on the Journal unless it is ordered otherwise by the Speaker or by a majority vote of the members present.

Messages From the Governor.

9. Messages from the Governor shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed on the Journal unless otherwise ordered by the Speaker or a majority vote of the members present.

Messages From the Senate.

10. Messages from the Senate shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed on the Journal. The Speaker shall forthwith refer to the proper committee all Senate bills accompanying such messages, which reference shall be entered on the Journal. Assembly bills which have been passed without amendment by the Senate shall be ordered to enrollment.

Introduction and Reference of Bills.

11. Any member desiring to introduce a bill shall rise in his place and address the Speaker, and upon being recognized shall present the same. It shall then be numbered and read the first time at the Clerk's desk and referred to a standing committee, and be printed, and a copy placed upon the desk of each member. Each bill should be examined by the Legislative Counsel Bureau and should bear the stamp of that bureau showing such bill to be in proper form as prescribed by law or Assembly rule.

Motions and Resolutions.

12. Any motion or resolution not otherwise provided for under the rules shall be placed before the Assembly only under this order of business.

Unless otherwise provided by law or Assembly rule, any motion or resolution may be adopted by a majority of the members present.

Daily Calendar.

13. There shall be printed an Assembly Daily Calendar for each legislative day following the constitutional recess. The Committee on Rules shall have charge of the Daily Calendar of the Assembly. The following listing shall constitute the order of the Daily Calendar:

1. Special Orders of the Day.
2. Unfinished Business
3. Second Reading, Assembly Bills.
4. Second Reading, Senate Bills.
5. Third Reading, Assembly Bills.
6. Third Reading, Senate Bills.

All bills on the Daily Calendar shall be called for consideration in the order of their listing, unless otherwise ordered by unanimous consent or an affirmative vote of two-thirds of the members present

Announcement of Committee Meetings.

14. The chairman, or in his absence, any member of a committee, upon recognition by the Speaker, may briefly announce the meeting of such committee under this order of business.

Adjournment

15. Adjournment for the constitutional recess or adjournment sine die shall be ordered by concurrent resolution. The resolution for adjournment sine die shall be passed by the Assembly not less than fourteen days before the date set therein for such adjournment.

DUTIES OF ASSEMBLY OFFICERS.

Duties of the Speaker

16. The Speaker shall possess the powers and perform the duties herein prescribed:

(a) To preserve order and decorum; he may speak to points of order in preference to the other members, rising from his chair for that purpose.

(b) To decide all questions of order subject to appeal to the Assembly by any member. On every appeal, he shall have the right to assign his reason for his decision.

(c) To have general direction over the Assembly Chamber and rooms set aside for the use of the Assembly.

(d) To name any member to perform the duties of the Speaker, but such substitutions shall not extend beyond adjournment.

(e) To appoint the membership of all standing and special committees

(f) To propose a schedule of meetings of standing committees which shall permit a full attendance of all their members without conflict of committee assignments

(g) To have general control and direction over the Journals, papers and bills of the Assembly

(h) To act as chairman of the Committee of the Whole.

(i) To order the lobby and gallery cleared whenever he shall deem it necessary.

(j) To assign desks to properly accredited newspaper representatives

(k) To authenticate by his signature, when necessary, or when required by law, all acts, memorials and resolutions, orders and proceedings of the Assembly.

(l) To sign all writs, warrants and subpenas issued by order of the Assembly.

(m) To perform all other duties pertaining to his office as prescribed by law or Assembly rule.

Duties of Speaker Pro Tempore.

17. The Speaker pro tempore shall have the powers and perform the duties of the Speaker during his absence.

Duties of the Chief Clerk.

18. The duties of the Chief Clerk shall be as follows:

(a) To have charge of and supervise all clerical business and printing of the Assembly.

(b) To see that the Journals, other publications and records of the Assembly are properly kept.

(c) To refuse to permit any records or papers to be taken from the desk or out of his custody, except upon duly signed receipts from persons authorized

(d) To read or allow his assistants to read from the desk only such matter as the Speaker or the Assembly shall direct

(e) To have general supervision over all clerks, attaches and employees, and to be responsible for their official acts and their performance of and regular attendance upon their duties.

(f) To suspend temporarily any clerk, attache or employee for incompetency or dereliction of duty, pending action by the Attaches Committee.

(g) To perform all other duties pertaining to his office as prescribed by law or Assembly rule.

Duties of the Sergeant-at-Arms.

19. The duties of the Sergeant-at-Arms shall be as follows:

(a) To attend the Assembly during its session, preserve order, announce all official messengers, and serve all processes issued by authority of the Assembly and directed by the Speaker; he shall receive his actual expenses for himself or for an assistant when executing any such process.

(b) To see that no person is admitted to the Assembly Chamber except in accordance with the provisions of these Rules.

(c) To have general supervision over the Assistant Sergeants-at-Arms and be responsible for their official acts and their performance of and regular attendance upon their duties.

(d) To suspend temporarily any Assistant Sergeant-at-Arms for incompetency or dereliction of duty, pending action by the Attaches Committee.

(e) To execute all commands of the Speaker.

(f) To perform all other duties pertaining to his office as prescribed by law or Assembly rule.

MEMBERS' DECORUM AND PRIVILEGES.

Order in Speaking to Questions.

20. When any member is desirous of addressing the Assembly on any subject, he shall rise from his seat and respectfully address himself to "Mr. Speaker." Upon being recognized he may continue to speak at his desk, but shall confine himself to the question under consideration, and when he has finished he shall resume his seat.

Speaker to Decide Who Is Entitled to Floor.

21. When two or more members rise at the same time, the Speaker shall designate the member to speak first.

Members Called to Order for Transgressing Rules.

22. If any member in speaking or otherwise, transgresses the Rules of the Assembly, the Speaker shall, or any member may call the offending member to order. The member so called to order shall immediately resume his seat, unless permitted to explain; and if called to order by a member, such member shall immediately state the point of order. The point of order shall be decided by the Speaker without debate. If the decision of the Speaker be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, he shall be required to keep his seat. Every such decision by the Speaker shall be subject to an appeal to the Assembly, but no discussion of a question of order shall be allowed unless an appeal be taken from the decision of the Speaker.

Members Called to Order for Offensive Words.

23. If any member be called to order for offensive words spoken in debate, the person calling him to order shall state to the Assembly the words excepted to and they shall be taken down in writing at the Clerk's desk by the Chief Clerk or his assistant. No member shall be held to answer, or be subject to censure by the Assembly, for language used in debate, if other business shall have been transacted by the Assembly prior to exception being taken to the words spoken.

Members to Vote.

24. Every member must declare his vote on all questions unless the Assembly excuse him for special reasons, as set forth in the rules.

Leave of Absence.

25. No member shall absent himself from attendance at any session of the Assembly without leave of the Assembly, and no member shall obtain such leave of absence, or be excused for nonattendance, *except* by a two-thirds vote of all members elected to the Assembly, or by unanimous consent.

Personal Privilege.

26. Any member may rise to explain a matter personal to himself and shall forthwith be recognized by the Speaker, but shall not discuss a question in such explanation. Such matters of personal privilege yield only to a motion to recess or adjourn.

Protest of Members.

27. It shall be in order for any member upon recognition by the Speaker, to protest in writing against any action of the Assembly, and have such protest entered on the Journal, provided no such protest shall exceed 50 words in length.

Explanation of Vote.

28. A member may submit a written explanation of his vote on any bill and have such explanation printed on the Journal immediately following such vote, provided no such explanation shall exceed 50 words in length.

Objection to Reading of Any Paper.

29. Any member upon recognition by the Speaker may object to the reading of any paper before the Assembly. After such objection, the question of reading shall be

determined without debate by a majority vote of the members present, upon a brief statement of its substance by the Speaker.

Assignment of Desks to Members.

30. Members shall be assigned to desks by the Superintendent of Capitol Building and Grounds and, so far as possible, he shall conform to the requests of members, giving due consideration to their seniority in point of service in the Assembly.

MOTIONS AND QUESTIONS.

Precedence of Motions During Debate.

31. When a question is under debate or before the Assembly, no motions shall be received but the following, which shall take precedence in the order named:

First—To adjourn;
Second—To recess to a time certain;
Third—To lay on the table;
Fourth—For the previous question;
Fifth—To set as a special order;
Sixth—To postpone indefinitely;
Seventh—To refer or re-refer;
Eighth—To amend.

Questions of Order Decided Without Debate.

32. All incidental questions of order, arising after a motion is made for any of the questions named in Rule 31 and pending such motion, shall be decided by the Speaker without debate, whether on appeal or otherwise.

Appeal From Decision of the Speaker.

33. Any member may appeal from a decision of the Speaker without waiting for recognition by the Speaker, even though another member has the floor. No appeal is in order when another is pending, or when other business has been transacted by the Assembly prior to the appeal being taken.

Upon the appeal being seconded, the Speaker may give his reasons for the decision and shall forthwith put this question to the Assembly: "Shall the decision of the Speaker be sustained?"

An appeal can not be amended and yields only to a motion to recess or adjourn, to lay on the table, or a question of personal privilege. If an appeal be laid on the table, it carries with it the main question, *except* when the sustaining of the appeal would not affect the consideration of or action upon the main question. An appeal can not be debated when relating to indecorum, transgression of rules, or priority of business.

A majority vote of the members present shall decide any appeal.

To Adjourn.

34 A motion to adjourn is not debatable and can not be amended, and is always in order, except: (a) when another member has the floor; (b) when the Assembly is voting; (c) during a call of the Assembly. The name of any member moving an adjournment, and also the hour at which the motion was made and adjournment taken, shall be entered on the Journal. Such a motion to adjourn must be adopted by a majority vote of the members present.

When such a motion to adjourn is made and seconded, it shall be in order for the Speaker, before putting the question, to permit any member to state to the Assembly any fact relating to the condition of the business of the Assembly which would seem to render it improper or inadvisable to adjourn. Such statement shall not occupy more than two minutes and shall not be debatable.

The unfinished business in which the Assembly was engaged preceding the adjournment shall not be taken up until reached in regular order, unless the previous question has been ordered on such unfinished business prior to said adjournment.

To Recess to a Time Certain.

35. A motion to recess to a time certain shall be treated the same as a motion to adjourn, except that such motion is debatable when no business is before the Assembly and can be amended as to the time and duration of the recess. It yields only to a motion to adjourn.

The question under discussion at the time a recess is taken shall be the first order of business upon reassembling.

To Lay on the Table.

36. A motion to lay on the table is not debatable and can not be amended. If carried by a majority vote of the members elected, it carries with it the main question and everything that adheres to it. A motion to lay on the table having been decided in the negative, shall not again be allowed on the same day or at the same stage of the bill or question.

THE PREVIOUS QUESTION.

Previous Question Demanded.

37. The previous question shall be put only when demanded by five members.

Manner of Putting the Previous Question.

38. The previous question shall be in this form: "Shall the main question be now put?" And its effect, when sustained by a majority of the members present, shall be to put an end to all debate and bring the House to a vote on the question or questions before it.

Motion to Set Special Order.

39. A motion to set any matter before the Assembly as a special order of business must be adopted by a two-thirds vote of the members present. It is debatable only as to the propriety of setting the main question as a special order of business, and may be amended only as to the time

Motion to Postpone to a Time Certain.

40. A motion to postpone to a time certain shall be deemed and treated as a motion to set as a special order.

Indefinite Postponement.

41. When a motion is made to postpone indefinitely any bill, resolution, motion or amendment, it opens the main question to debate. Should the motion to postpone indefinitely prevail by a majority vote of the members present, the main question shall not be acted upon again during the session.

To Refer or Re-refer.

42. A motion to refer or re-refer any bill, motion or question shall be decided by a majority vote of the members present. Such motion may be amended as to reference, is debatable only as to the propriety of such reference, and shall apply only to the main question Should several different committees be proposed, preference shall be given as follows:

1. Committee of the Whole.
2. Standing Committee.
3. Special Committee.

Motion to Amend.

43. A motion to amend may itself be amended, but no "amendment to an amendment" can be amended A motion to amend is debatable, except where the main question to be amended is not debatable. Any motion to amend may be adopted by a majority vote of the members present

A motion to amend having been decided in the negative, shall not again be in order on the same day, or at the same stage of proceeding. A motion to amend by striking out certain words having been decided in the negative, shall not preclude a motion to amend by adding words, or a motion to amend by striking out and inserting words; but in no case shall a further amendment be substantially the same as the one rejected.

Subject to the above provisions of this rule, a motion to amend is in order during the second or third reading of any bill.

Amendment to Be Germane.

44. No amendment to any bill, whether reported by a committee or offered by a member, shall be in order when such amendment relates to a different subject, or is intended to accomplish a different purpose, or requires a title essentially different from the original title of any bill, resolution or constitutional amendment.

Upon being called to the attention of the Assembly by a member, any bill so amended in violation of this rule shall be forthwith withdrawn and stricken from the Calendar and laid upon the table and shall not be acted upon again during the session. This rule can only be suspended by unanimous consent and shall apply to all bills of both houses

Substitute Motion.

45. A motion to substitute shall be deemed and treated as a motion to amend.

Motion to Strike Out Enacting Clause.

46 A motion to strike out the enacting clause of a bill shall be deemed and treated as a motion to lay on the table

Motions in Writing.

47. Upon request of the Speaker or any member, all motions shall be reduced to writing and shall be read by the Speaker before the same is acted upon.

Consideration of Motions.

48 No motion, whether oral or written, shall be adopted until the same shall be seconded and distinctly stated to the Assembly by the Speaker.

Division of Questions.

49. Any member may call for a division of the question, and the Speaker shall order the question divided if it comprehend propositions in substance so distinct that one being taken away, a substantive proposition shall remain for the decision of the Assembly.

Resolutions Authorizing Expenditure of Money.

50 The adoption of any resolution authorizing the expenditure of money shall require an affirmative recorded vote of a majority of all members elected to the Assembly.

Withdrawal of Motions

51. After a motion is stated by the Speaker, or a bill, resolution or petition read by the Clerk, it shall be deemed to be in the possession of the Assembly, but may be withdrawn from consideration at any time before amendment or decision by consent of a majority of the members present.

Motion to Be Germane.

52. No motion or proposition on a subject different from that under consideration shall be admitted as an amendment

Bills to Be Reported Back to Committee.

53. All committees shall act upon bills, constitutional amendments and resolutions referred to them as soon as practicable, and when acted upon each bill shall be reported back to the Assembly forthwith, and the chairman of each committee is charged with the observance of this rule; *provided*, that the Assembly may at any time, by a majority vote of all its members, recall a bill, constitutional amendment or resolution from any committee.

Motion to Withdraw Bills.

54. A motion to withdraw a bill from one committee and re-refer it to another committee may be made during the regular order of business. Such motion shall only be debatable as to the propriety of such reference, and shall be decided by a majority vote of the members present

A motion to strike from the Calendar any bill requires a majority vote of all members elected to the Assembly. Such bill shall not be acted upon again during the session.

Motion to Rescind Action and Expunge Record

55 Previous to the approval of the Journal by the Assembly, any action of the Assembly may, upon proper motion, be rescinded and its record ordered expunged by an affirmative recorded vote sufficient to take such action originally, *except* that no action shall be rescinded and the record expunged by a vote less than a majority of all members elected to the Assembly No vote shall be so rescinded after something has been done as a result of such vote that the Assembly can not properly undo, or where such action will allow the reconsideration of a bill in violation of Rule 94.

Motion to Correct Journals.

56 A motion to correct any day's Journal shall be in order prior to the approval by the Assembly of such day's Journal The adoption of such motion shall require a majority vote of the members present.

Procedure on First Day of Introducing Bills.

57. In each legislative session on the first day when bills are introduced, under the "Order of Business" or "Introduction and Reference of Bills," the roll shall be called from A to Z and then back again from Z to A, and as each member's name is called, he shall have the privilege of introducing one bill, constitutional amendment, joint or concurrent resolution. After these two roll calls, bills, constitutional amendments, joint or concurrent resolutions shall be introduced by members on recognition of the Speaker, as provided by the rules of the Assembly; and all bills, constitutional amendments or joint or concurrent resolutions introduced before the standing committees of the Assembly are appointed, shall be referred to committees, references to take effect when the committees shall be appointed.

Reference and Printing of Bills.

58. Immediately following its first reading the Speaker shall refer each bill to a committee, unless upon a motion, the Assembly by a majority vote of the members elected, shall refer it to some other committee. Such motion to refer a bill shall be debatable only as to the propriety of the reference. Any bill to appropriate money, or which requires the expenditure of State moneys, must be considered by the Committee on Ways and Means previous to its passage.

Record of Bills.

59. The Chief Clerk shall cause to be kept a permanent record of every action taken by the Assembly on every bill, resolution or constitutional amendment, and the date of such action. Every such action and the date thereof shall also be endorsed upon such bill.

Joint and Concurrent Resolutions and Constitutional Amendments

60. Joint and concurrent resolutions and constitutional amendments may be amended by a majority of the members present and shall be treated the same as bills, except that they need be read but once. The ayes and noes shall not be called

upon the adoption of concurrent resolutions, except those presenting charter amendments or authorizing expenditures of money, unless regularly demanded, or required by statute or by the Constitution. Upon adoption by the Assembly, all proposed amendments to the Constitution shall be printed at length on the Journal. (Const., Art. XVIII, Sec. 1.)

Introduction of Bills After Constitutional Recess.

61. Any member requesting permission to introduce a bill after the constitutional recess shall send such request in writing to the Clerk's desk under the order of "Introduction of Bills." The request shall give the title of the bill, and shall be accompanied by the bill. The request shall thereupon be entered on the Journal and the bill referred by the Speaker to the Committee on Introduction of Bills The committee shall ascertain if the granting of such request will exceed the limitations as set forth in section 2 of Article IV of the Constitution, and if it will not, shall report back favorably on the same legislative day each bill so referred to it. The adoption of the report of the committee granting permission to introduce any bill shall require an affirmative vote of three-fourths of all members elected to the Assembly. (Const., Art. IV, Sec. 2.)

Joint and concurrent resolutions and constitutional amendments shall not be referred to the Committee on Introduction of Bills and shall not require a vote to authorize their introduction.

Examining of Bills by Legislative Counsel Bureau.

62. After introduction all bills shall be delivered to the Legislative Counsel for the purpose of determining if the bill is in the proper form as prescribed by law or Assembly rule. He shall have authority to correct any clerical error such as orthography, adding or correcting the enacting clause, mistakes in numbering sections and references thereto, and in any other particular wherein the bill does not comply in form with law or Assembly rule. He shall have authority to correct any error in the title of an amendatory bill wherein it does not enumerate the sections added or amended of a particular act or code.

If in the opinion of the Legislative Counsel, any correction made by him under the authority of this rule should in any manner be construed to be a change in the bill other than a change in form, he shall obtain the consent of the author of the bill before making such change.

Immediately upon the completion of the check of the bills referred to the Legislative Counsel in accordance with the provisions of this rule, he shall deliver the bills to the State Printer. Under no circumstances shall the Legislative Counsel retain in his possession any bills referred to him under the provisions of this rule for any period longer than two legislative days.

Second Reading of Bills.

63. All bills shall be read the second time in the order of their appearance upon the Second Reading Calendar. Upon second reading, Senate bills reported without amendments shall be ordered to third reading and Assembly bills reported without amendments shall be ordered engrossed.

Committee Amendments.

64. Committee amendments reported with bills shall be considered upon their second reading and such amendments may be adopted by a majority vote of the members present. Assembly bills so amended shall be ordered reprinted and engrossed, and Senate bills so amended shall be ordered reprinted and to third reading.

Amendments from the Floor.

65. Any member may move to amend a bill during its second or third reading and such motion to amend may be adopted by a majority vote of the members present. Bills so amended on second reading shall be treated the same as committee amendments Any bill so amended upon the Third Reading Calendar, shall be reprinted and all Assembly bills so reprinted shall be ordered re-engrossed.

Committee on Engrossment and Enrollment.

66. It shall be the duty of the Committee on Engrossment and Enrollment to compare all bills, constitutional amendments, and concurrent and joint resolutions, ordered or considered engrossed by the Assembly with the engrossed copies thereof; and, before they pass out of the possession of the Assembly, see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto; and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed.

Engrossing and Enrolling Bills

67. The Engrossing and Enrolling Clerk shall engross and enroll the bills, constitutional amendments, and joint and concurrent resolutions which shall come to his hands for such purposes, in compliance with the provisions of section 539 of the Political Code, and in the order of time in which the same shall be acted upon by the Assembly. All Assembly bills, constitutional amendments and joint and concurrent resolutions shall be engrossed before final action is taken on them in the

Assembly, and the report of such engrossment must be made to the Assembly on a day previous to the day on which final action is taken

Bills Transmitted to the Senate.

68. Upon final passage of any bill, if no notice of motion to reconsider such bill be given, the Speaker shall order the bill transmitted to the Senate under signature of the Chief Clerk. Senate bills refused passage shall forthwith be returned to the Senate under similar signature.

Bills Considered During Last Seven Days.

69. No Assembly bill shall be passed by the Assembly within seven calendar days previous to the time set for adjournment sine die of the Legislature, except upon recommendation of the Speaker and permission to consider and vote on such bill being granted by a recorded vote of three-fourths of all members elected to the Assembly.

Concurrence in Senate Amendments.

70. No Senate amendment of an Assembly bill shall be concurred in except by an affirmative recorded vote of a majority of all members elected to the Assembly. When Senate amendments to such bill are so concurred in, it shall be forthwith ordered enrolled, and the Chief Clerk shall notify the Senate of such concurrence

Nonconcurrence in Senate Amendments.

71. If the Assembly refuse to concur in the Senate amendments to any Assembly bill, the Chief Clerk shall notify the Senate of such refusal and request the Senate to recede from its amendments. If the Senate so recede and notify the Assembly, the bill shall be forthwith ordered enrolled.

Committee on Free Conference

72. Should the Senate refuse to recede from its amendments and so notify the Assembly, the Speaker shall thereupon appoint three members as a Committee on Free Conference. If there be a minority vote on concurrence, two of such members shall be selected from those voting against concurrence and the third member shall be selected from those voting for concurrence. The Chairman of the Senate Committee on Free Conference for the same bill shall arrange the time and place of meeting of such committee. It shall require an affirmative vote of not less than four of the members constituting the Committee on Free Conference to agree upon a report and the report shall be submitted to both the Senate and Assembly. Such report is not subject to amendment and if either house refuse to adopt such report, the conferees shall be discharged and other conferees appointed. No member who has served on a Committee on Free Conference shall be appointed a member of another Committee on Free Conference on the same bill. The presentation and consideration of any report of a Committee on Free Conference shall always be in order, except during roll call or when a member has the floor. It shall require an affirmative recorded vote of a majority of all members elected to the Assembly to adopt any free conference report. After such adoption, and notice that the Senate has adopted the report, the bill shall be ordered enrolled.

Enrollment.

73. After final passage by both houses, any Assembly bill, resolution or constitutional amendment, not amended by the Senate, shall be forthwith ordered by the Speaker to be enrolled, as provided in section 539 of the Political Code. The Committee on Engrossment and Enrollment shall report both the day and hour each enrolled bill is presented to the Governor, which report shall be entered on the Journal.

COMMITTEES.

Standing Committees.

74. The standing committees of the Assembly shall be as follows:

1. A Committee on Agriculture, to consist of seventeen members.
2. A Committee on Attaches, to consist of seven members.
3. A Committee on Aviation and Aircraft, to consist of eleven members.
4. A Committee on Banking, to consist of nine members.
5. A Committee on Building and Loan Associations, to consist of seven members.
6. A Committee on Civil Service to consist of nine members.
7. A Committee on Commerce and Navigation, to consist of nine members.
8. A Committee on Conservation, to consist of nine members
9. A Committee on Constitutional Amendments, to consist of thirteen members.
10. A Committee on Contested Elections, to consist of five members.
11. A Committee on Contingent Expenses, to consist of five members.
12. A Committee on Corporations, to consist of nine members.
13. A Committee on County Government, to consist of fifteen members
14. A Committee on Crime Problems, to consist of seven members.
15. A Committee on Direct Legislation, to consist of seven members.

16 A Committee on Drainage, Swamp and Overflowed Lands, to consist of thirteen members.
17 A Committee on Education, to consist of thirteen members
18 A Committee on Elections, to consist of eleven members.
19. A Committee on Engrossment and Enrollment, to consist of five members
20. A Committee on Exhibitions and Fairs, to consist of seven members.
21. A Committee on Federal Relations, to consist of seven members.
22. A Committee on Fish and Game, to consist of fifteen members.
23. A Committee on Governmental Efficiency and Economy, to consist of eleven members
24. A Committee on Governmental Revenues and Expenditures, to consist of five members.
25. A Committee on Hospitals and Asylums, to consist of eleven members
26. A Committee on Insurance, to consist of eleven members.
27. A Committee on Introduction of Bills, to consist of five members
28. A Committee on Irrigation, to consist of seventeen members
29. A Committee on Judiciary, to consist of twenty-one members.
30. A Committee on Labor and Capital, to consist of thirteen members
31. A Committee on Libraries, to consist of five members.
32. A Committee on Live Stock and Dairies, to consist of nine members.
33. A Committee on Manufactures, to consist of seven members.
34 A Committee on Medical and Dental Laws, to consist of nine members.
35. A Committee on Mileage, to consist of six members
36 A Committee on Military Affairs, to consist of nine members.
37. A Committee on Mines and Mining, to consist of nine members
38. A Committee on Motor Vehicles, to consist of fifteen members.
39. A Committee on Municipal Corporations, to consist of thirteen members.
40. A Committee on Oil Industries, to consist of nine members.
41. A Committee on Prisons and Reformatories, to consist of eleven members
42. A Committee on Public Charities and Corrections, to consist of nine members.
43 A Committee on Public Health and Quarantine, to consist of nine members.
44 A Committee on Public Morals, to consist of eleven members.
45 A Committee on Public Utilities, to consist of eleven members
46 A Committee on Revenue and Taxation, to consist of fifteen members
47. A Committee on Roads and Highways, to consist of fifteen members
48. A Committee on Rules, to consist of seven members, including the Speaker.
49. A Committee on Social Service and Welfare, to consist of nine members
50. A Committee on Soldiers and Sailors Affairs, to consist of thirteen members
51. A Committee on State Grounds and Parks, to consist of seven members
52. A Committee on Teachers Colleges, to consist of seven members.
53. A Committee on Unemployment, to consist of seven members.
54. A Committee on Universities, to consist of seven members.
55. A Committee on Ways and Means, to consist of twenty-one members
56. A Committee on Financial Institutions (other than banking and building and loan associations), to consist of seven members
57. A Committee on Building and Construction, to consist of seven members

Special Committees.

75. In addition to the regular standing committees of the Assembly, the Speaker shall appoint any and all special committees he may deem it necessary to appoint, subject to the approval of the Assembly.

Duties of Standing Committees.

76 Committees shall act upon all bills referred to them as soon as practicable. Each bill acted upon shall be reported back to the Assembly not later than the next legislative day, and the chairman of each committee shall be held responsible for the observance of this rule.

Committee Quorum.

77 A majority of the membership of any standing committee shall constitute a quorum for the transaction of its business. At least a majority of all members constituting such committee shall be required to report a bill out of committee

Meetings of Standing Committees.

78. All standing committees shall meet at the hour provided by schedule, unless otherwise ordered by the Assembly. Committees may hold such additional meetings as the chairman of the committee may deem necessary; provided, that no committee shall meet during any session of the Assembly without first obtaining permission from the Assembly.

Every scheduled committee meeting shall be open to the public, unless the committee by a majority vote of its membership shall order an executive session.

Standing Committee Rules.

79. The Rules of the Assembly shall govern the conduct of all committee meetings whenever practicable. Each committee may adopt, by a majority vote of its membership, such additional rules as it may deem necessary for the conduct of any business referred to such committee.

Signing Bills Out of Committee.

80 No bill shall be signed out of any committee except during the final two weeks of the session and then only upon the signatures of a majority of the members of such committee.

Committee Expenditures Not Allowed.

81. No chairman or member of any committee, during the official conduct of the business of such committee or otherwise, shall be permitted to incur any expense without first receiving the consent of the Assembly, except that the chairman of the Committee on Ways and Means shall be allowed his actual expenses for the performance of any duties of his office during the constitutional recess.

Committee on Rules.

82. The membership of the Committee on Rules shall consist of the Speaker, the Speaker pro tempore, and five other members of the Assembly to be appointed by the Speaker.

Committee on Attaches.

83. The Committee on Attaches shall recommend the appointment of all attaches and employees of the Assembly not otherwise provided for by statute. It shall have authority to suspend, with or without pay, any such attache or employee for incompetency or dereliction of duty, pending final action by the Assembly.

Committee on Ways and Means.

84. It shall be the duty of the Committee on Ways and Means to consider all bills or other matters referred to the committee by the Speaker of the Assembly The committee shall report whenever necessary, their opinion to the condition of State revenues and expenditures.

All bills to appropriate money, other than contingent expenses of the Assembly, shall be considered by the Committee on Ways and Means.

Whenever requested by the Assembly, the chairman of the Committee on Ways and Means shall report not later than the next legislative day, the exact condition of legislation involving appropriations and the aggregate amount of all proposed appropriations pending before the committee.

Concurrent resolutions providing for all adjournments shall be referred to the Committee on Ways and Means, which committee shall report back such concurrent resolution not later than the next legislative day, together with any statement the committee may deem advisable relative to the status of the general appropriation bill, or other business before the committee.

Committee of the Whole.

85. The Assembly may resolve itself into a Committee of the Whole at any time, by a majority vote of the members present. The Speaker of the Assembly, or any member named by the Speaker, shall preside as Chairman of the Committee of the Whole The Rules of the Assembly shall be observed in the Committee of the Whole so far as they may be applicable, except that the ayes and noes need not be taken.

A motion that the Committee of the Whole "do now rise and report back to the Assembly" shall always be in order and shall be decided without debate. All actions of the Committee of the Whole shall be reported to the Assembly by the chairman, but shall not be entered on the Journal except upon motion and a majority vote of the members present.

VOTING.

Ayes and Noes.

86. The ayes and noes shall be taken on the final passage of all bills, and on other questions when called for by three members whose names shall be entered on the Journal.

Members Excused From Voting.

87. Every member at his desk when his name is called, shall declare his vote openly and without debate, unless the Assembly shall excuse him. All motions to excuse a member shall be made before the Assembly divides or before the call of ayes and noes is commenced Any member requesting to be excused from voting may make a brief oral statement of the reasons for such request, and the question shall then be decided without debate by a majority vote of the members present; provided, no member shall vote on any question in the result of which he has a direct personal interest.

Voting Not to Be Interrupted.

88. When once begun, voting shall not be interrupted, except that any member may move a call of the Assembly after the completion of the roll and prior to the announcement of the vote.

Changing Vote.

89. After the vote is announced, no member shall be allowed to change his vote, or have his vote recorded.

Members at Clerk's Desk.

90. No member or other person shall be allowed at the Clerk's desk while the ayes and noes are being called or the votes counted.

Tie Vote.

91. In case of an equal division, or tie vote, the question shall be lost.

Division and Count of Assembly.

92. Upon a division and count of the Assembly on any question, only members at their own desks shall be counted.

Call of the Assembly.

93. After the roll has been called, and prior to the announcement of the vote, any member may move a call of the Assembly. A majority of the members present may order a call of the Assembly and the Speaker shall immediately order the Sergeant-at-Arms to lock all doors and shall direct the Clerk to prepare a list of absentees as disclosed by the roll call under present consideration. Thereupon no member shall be permitted to leave the Assembly Chamber except by written permission of the Speaker and no person shall be permitted to enter except such member as is taken into custody as herein provided, or Senators, officers, attaches, or employees of the Legislature in the official performance of their duties.

Those members who are found to be absent and for whom no leaves of absence have been granted, shall be forthwith taken into custody wherever found by the Sergeant-at-Arms or his assistants, and brought to the Assembly Chamber. No recess or adjournment shall be taken during a call of the Assembly. During such call the Assembly may consider and transact any matter or business by unanimous consent. No call of the Assembly shall be ordered on any matter while the Assembly is already under call. A call of the Assembly may be dispensed with at any time upon a majority vote of the members present, at which time the completion of the roll call pending when the call of the Assembly was ordered, shall become the immediate order of business before the Assembly.

Reconsideration of Vote.

94. Notice of a motion to reconsider on the next legislative day, the vote whereby any bill, constitutional amendment or resolution was passed or refused passage, must be given on the same day such vote to be so reconsidered, was taken.

A notice of motion to reconsider a vote must be given by a member voting on the measure and shall take precedence over all motions, except a motion to adjourn. Upon such notice of motion being given, the measure shall forthwith be placed upon the unfinished business calendar, and no further action shall be taken prior to the next legislative day. When a notice of a motion to reconsider has once been made the same shall be considered to be the property of the Assembly.

No notice of motion for reconsideration shall be in order on the day preceding the last day for consideration of Senate or Assembly bills in the Assembly. No motion to reconsider shall be adopted except upon an affirmative recorded vote of a majority of all members elected to the Assembly, except that constitutional amendments to be so reconsidered shall require an affirmative recorded vote of two-thirds of all members elected to the Assembly.

When reconsideration is granted, the bill shall resume its exact position before the Assembly previous to its being voted upon.

PRINTING.

Authority for Printing.

95 The State Printer shall not charge any printing or other work to the Assembly other than provided by law or Assembly rule, except upon a written order signed by the Chief Clerk of the Assembly and countersigned by the Chairman of the Committee on Rules or by the Speaker, and delivered to him prior to beginning such printing or work. When necessary, the Chief Clerk may order certain printed matter completed in advance of its regular order by the issuance of a rush order.

Printing Style and Form. Amount to Be Printed.

96 Unless otherwise restricted by law or by Assembly rule, the style and form of all printing, the quality of paper to be used, and the number of copies to be printed of each order, shall be decided by the Chief Clerk and approved by the Speaker or Chairman of Committee on Rules.

Printing of Assembly History.

97. The Chief Clerk shall cause to be compiled and printed during the constitutional recess a Legislative Handbook and a Semifinal Assembly History together with an index, setting forth a complete History showing all actions on bills, resolutions and constitutional amendments prior to the constitutional recess.

During the remainder of the session, the Chief Clerk shall cause to be printed and placed upon each member's desk prior to convening on Monday of each week a complete History showing all actions taken upon each measure up to and including

the legislative day preceding its issuance. The Weekly History need not contain an index. For each legislative day intervening between the issuance of such Weekly History, there shall be printed a Daily Supplemental History Sheet showing only actions taken upon any measure since the issuance of the preceding Weekly History.

Printing of Maps.

98 Maps or charts accompanying documents other than bills shall not be printed without special authority from the Assembly by a majority vote of all members elected.

RULES.

Adoption of Standing Rules.

99. The adoption of the standing rules shall require an affirmative recorded vote of a majority of all members elected to the Assembly. When once adopted, such standing rules shall remain in effect, unless suspended or amended as provided in these rules, until such time as other standing rules are adopted by a succeeding Legislature.

Parliamentary Rules.

100. Robert's Rules of Order shall be the recognized authority on all occasions when the Assembly rules are not applicable

Suspension of Rules.

101 Unless otherwise specifically provided by law or Assembly rule, any standing rule of the Assembly may be suspended temporarily by a vote of two-thirds of the members present, provided that such temporary suspension shall apply only to the matter under immediate consideration, and in no case shall it extend beyond an adjournment.

Amending Standing Rules.

102. No standing rule of the Assembly shall be amended except by an affirmative recorded vote of two-thirds of all members elected to the Assembly and one day's notice must be given on the motion thereof.

Temporary Rule.

103. The Committee on Rules may at any time report a temporary rule. Upon adoption by an affirmative recorded vote of two-thirds of all members elected to the Assembly, such temporary rule shall have the effect for the time being, of a standing rule. If such temporary rule shall be in conflict with a standing rule, it shall supersede such standing rule only for the time being.

A motion proposing to increase or diminish the membership of a standing committee or the number of standing committees, shall not be considered until the same shall have been referred to and approved by the Committee on Rules.

MISCELLANEOUS.

Press Privileges.

104. Newspaper correspondents desiring Assembly press cards and privileges shall make written application to the Speaker. The Assembly by a majority vote of the members present may revoke any press card.

The Speaker shall assign the Assembly press desks; also the necessary rooms for the exclusive use of such accredited press representatives.

Privilege of Addressing the Assembly.

105. No person other than a member of the Assembly shall be permitted to address the Assembly except in the Committee of the Whole.

Smoking in Assembly Chamber.

106. Smoking may be prohibited temporarily during any session of the Assembly by a majority vote of the members present.

Fees for Witnesses.

107. Each witness summoned to appear before the Assembly or any of its committees shall receive the sum of five dollars for each day such witness shall be required to appear, and the sum of three and one-half cents for each mile he shall travel in coming to and going from the place of examination.

Use of Assembly Chamber.

108. The Assembly Chamber shall not be used for any public or private business other than legislative matters, during the sessions of the Legislature, except by consent of a majority of all members elected to the Assembly.

Persons Admitted to the Floor of the Assembly.

109. No persons other than members, officers, attaches and employees of the Legislature, shall be admitted to the floor of the Assembly during any session of the Assembly, except elected State officers, Governors, and ex-Governors of this State, members of Congress, judges of the superior, Appellate and Supreme Courts, ex-Senators and ex-Assemblymen, accredited members of the press, and the wife, husband or child of any member of the Assembly; provided that a guest of any member shall be admitted upon presentation of a guest card of said member, counter-

signed by the Speaker, such guest card being valid only on the legislative day for which it was issued.

No Lobbying in the Assembly Chamber.

110 No person engaged in presenting to the Assembly or its committee any business, or claim, or legislation, shall be permitted to engage in such business in the Assembly Chamber, or be permitted on the floor of the Assembly at any time while the Assembly is in session, unless seated beside a member upon his invitation; and any person transgressing this rule shall be removed from the floor of the Assembly and be debarred from the privilege of the floor during the remainder of the entire session. The Speaker is charged with the enforcement of this rule. This rule can not be suspended except by a two-thirds vote of the entire Assembly.

Roll Calls.

111. Each bill shall be voted on only by taking the ayes and noes in response to a separate roll call, and no bill shall be passed by a roll call covering more than that one bill, or by substituting the roll call on any bill previously voted upon. As each member votes, the Clerk in an audible tone of voice shall repeat the aye or no of the vote in order that the member voting may know that it is properly registered; and no vote shall be corrected or changed after the results of the roll call have been announced by the Speaker.

112 The Speaker may on his own motion or upon the motion of any member of the Assembly, explain the order of business when the motion pending before the Assembly is not debatable. Such explanation is not to consume more than two minutes.

AMENDMENT TO RULES

During the reading of the report of the Committee on Rules, the following resolution was offered:

By Mr. Patterson:

Resolved by the Assembly, two-thirds of all members thereof voting in favor thereof, That section 109 of Standing Rules of the Assembly be amended to read as follows:

109. No person other than members, officers, attaches and employees of the Legislature, and members of the press who have received cards from the Speaker, shall be admitted to the floor of the Assembly during any session of the Assembly.

Amendment read.

The question being on the adoption of the amendment submitted by Mr. Patterson.

Amendment refused adoption.

The question being on the adoption of the report of the Committee on Rules.

Mr. Latham offered the following amendment:

AMENDMENT NUMBER ONE.

In line 3, of Rule 80, insert the word "two-thirds", before the word "majority".

Mr. Latham withdrew his amendment.

The question being on the adoption of the report of the Committee on Rules.

Mr. Wallace moved the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Eicke, Evans, Herbert J., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—74.

NOES—None

COMMUNICATION.

The following communication was filed by the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1935

MR. SPEAKER: Pursuant to your instructions, the following named persons have filed their credentials, and are duly recognized as representatives of the newspapers set opposite their names:

Sacramento Bee—Arthur B. Waugh, George Dean
Modesto Bee—George E. Popovich.
Fresno Bee—George E. Popovich.
Los Angeles Examiner—Leslie Dowell.
Modesto Bee—Fred Hines. Heretofore certified—now withdrawn.
Fresno Bee—Fred Hines. Heretofore certified—now withdrawn.

ARTHUR A. OHNIMUS, Chief Clerk.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced:

By Mr. Utt: Assembly Bill No. 89—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such bonds and declaring the urgency of said act.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Utt asked for, and was granted, unanimous consent to take up Assembly Bill No. 89, at this time, without reference to printer, committee or file.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Utt:

Resolved, That Assembly Bill No. 89 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Mr. Utt moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Eicke, Evans, Herbert J., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—72.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 89.

SECOND READING OF ASSEMBLY BILL NUMBER EIGHTY-NINE.

Assembly Bill No. 89—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for

such issuance has already been given by a vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such bonds and declaring the urgency of said act.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—72.

NOES—None

THIRD READING OF ASSEMBLY BILL NUMBER EIGHTY-NINE.

Assembly Bill No. 89—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such bonds and declaring the urgency of said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 89 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced:

By Messrs. Lyon, McBride, Waters, Turner, Stream, Redwine, Phillips, Martin, Walker, Cunningham, Morgan, Riley, Thorp, Cottrell, Boyle, Evans, Ralph W., Fulcher, Anderson, Robertson, Voigt, Chatters, Burns, Williamson, McMurray, Eicke, Dawson, Gilmore, Frazier, Maloney, Donnelly, Garibaldi, Kallam, Laughlin, Rosenthal, Clark, Cassidy, Johnson, Field, Wright, Utt, Evans, Herbert J., Latham, Minard, Donihue, Breed, Meehan, Wagner, O'Donnell, Craig, Hornblower, Mayo, and Heisinger: Assembly Joint Resolution No. 8—Relative to

memorializing Congress to grant consent to taxation by the several States of certain interstate sales.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 8, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER EIGHT.

Assembly Joint Resolution No. 8—Relative to memorializing Congress to grant consent to taxation by the several States of certain interstate sales.

Assembly Joint Resolution No. 8 read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No 8 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—73.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 8 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 8.

Memorializing Congress to grant consent to taxation by the several States of certain interstate sales.

WHEREAS, Necessity for property tax relief is imperative in California as well as in other States throughout the Union; and

WHEREAS, Twenty-six States in an effort to afford property tax relief and to provide revenue for essential functions of government have enacted laws imposing taxes based upon or measured by sales of tangible personal property purchased and delivered in such States; and

WHEREAS, No less than 65 per cent of the population of the United States now resides in States with such laws; and

WHEREAS, By virtue of judicial interpretation of the Federal Constitution, the States may not levy without the consent of Congress taxes based upon or measured by sales moving in interstate commerce; and

WHEREAS, As a result of such an interpretation there is a discrimination in favor of interstate sales as against intrastate sales; and

WHEREAS, Such discrimination if permitted to continue will tend to divert business from normal channels in California and elsewhere throughout the Union, thus subjecting local merchants to unfair competition; and

WHEREAS, It is of vital importance to the welfare of the people of the United States that all things be done to promote the stability of local business in order that the financial structure of California and other States throughout the Union may be preserved; and

WHEREAS, It rests within the power of Congress to permit the States to levy nondiscriminatory taxes upon sales in interstate commerce; and

WHEREAS, The Hon. Pat Harrison, Senator from Mississippi, introduced a measure at the second session of the seventy-third Congress designed to afford the States relief in this matter, and reading as follows:

S. 2897.

An act to regulate interstate commerce by granting the consent of Congress to taxation by the several States of certain interstate sales.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That all taxes or excises levied by any State upon sales of tangible personal property, or measured by sales of tangible personal property, may be levied upon, or measured by, sales of like

property in interstate commerce, by the State into which the property is moved for use or consumption therein, in the same manner, and to the same extent, that said taxes or excises are levied upon or measured by sales of like property not in interstate commerce and no such property shall be exempt from such taxation by reason of being introduced into any State or Territory in original packages, or containers, or otherwise: Provided, That no State shall discriminate against sales of tangible personal property in interstate commerce, nor shall any State discriminate against the sale of products of any other States: Provided further, That no State shall levy any tax or excise upon, or measured by, the sales in interstate commerce of tangible personal property transported for the purpose of resale by the consignee: Provided further, That no political subdivision of any State shall levy a tax or excise upon, or measured by, sales of tangible personal property in interstate commerce. For the purposes of this act a sale of tangible personal property transported, or to be transported, in interstate commerce shall be considered as made within the State into which such property is to be transported for use or consumption therein, whenever such sale is made, solicited, or negotiated in whole or in part within that State.

SEC. 2. Receivers, liquidators, referees, and other officers of any court of the United States are required to pay all taxes and licenses levied by any State or subdivision thereof the same as corporations, partnerships, concerns, persons, or association of persons are required to pay the same. And

WHEREAS, said measure was passed by the Senate on March 15, 1934, but was not voted upon by the House of Representatives and hence did not become law; and

WHEREAS, Need for such legislation is imperative in order to correct grave injustice in California and in all other States throughout the Union where taxes are based upon or measured by sales of tangible personal property; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Congress of the United States be, and it is hereby memorialized, to give relief to the State of California and all other States imposing taxes based upon or measured by sales of tangible personal property by immediately providing for the regulation of interstate commerce through granting consent to taxation by the several States of certain interstate sales as provided by the measure (S. 2897) introduced by Senator Harrison during the second session of the seventy-third Congress; and be it further

Resolved, That copies of this resolution be sent to the presiding officers of the legislative bodies of all other States of the United States, with the request that they transmit similar memorials to Congress, and that copies of this resolution be transmitted to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, to each of the members from California of the Senate and the House of Representatives of the United States, and to the Honorable Pat Harrison, United States Senator from Mississippi, author of the measure which would afford the States relief in this important matter.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED)

The following resolution was introduced:

By Mr. Burns: Assembly Joint Resolution No. 9—Relative to memorializing the President and Congress to carefully consider and enact legislation to provide for a working week of not more than five days of six hours each, without any corresponding reduction in the present compensation or salary.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Burns asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 9, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER NINE.

Assembly Joint Resolution No. 9—Relative to memorializing the President and Congress to carefully consider and enact legislation to provide for a working week of not more than five days of six hours

each, without any corresponding reduction in the present compensation or salary.

Assembly Joint Resolution No. 9 read.

Mr. Burns moved the adoption of the resolution.

The question being on the adoption of Assembly Joint Resolution No. 9.

The roll was called, and Assembly Joint Resolution No. 9 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Eicke, Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—74.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 9 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 9.

Relative to memorializing the President and Congress to carefully consider and enact legislation to provide for a working week of not more than five days of six hours each, without any corresponding reduction in the present compensation or salary.

WHEREAS, There exists not only in our own State of California, but also in every State of this great Nation, a condition of unemployment, which is depriving millions of our citizens of an opportunity to engage in productive effort; and

WHEREAS, This condition, by destroying the purchasing power of so many citizens hurts them economically, physically and morally, and will tend to harm, in the same way, the Nation of which they are a component part, and

WHEREAS, Those citizens who are working, by sharing the benefits of steady employment could aid those citizens less fortunate and at the same time enhance their own prosperity and the prosperity of our country; now, therefore be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the President and the Congress of the United States are hereby respectfully urged to carefully consider and enact legislation to provide for a working week of not more than five days of six hours each, without any corresponding reduction in the present compensation or salary; and be it further

Resolved, That the Governor of the State of California is hereby requested to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives and to each Senator and member of the House of Representatives from California in the Congress of the United States, and that such Senators and members from California are hereby respectfully urged to support such legislation.

REPORT OF JOINT COMMITTEE.

The following report of the Assembly Joint Committee on Unemployment Insurance was submitted:

By Mr. Cottrell:

INSURANCE.

To the Members of the Fifty-first Session of the Legislature of the State of California

SIRS: In accordance with Assembly Concurrent Resolution No. 2 adopted at the fiftieth (extraordinary) session of the California Legislature, the Joint Legislative Committee on Unemployment Insurance appointed pursuant thereto submits to you this, its report. As a result of our study of the matter embraced within Assembly Concurrent Resolution No. 2, the committee recommends the adoption of legislation establishing a compulsory plan of unemployment reserves and benefits for the State of California. A suggested measure accompanies this report.

GENERAL DISCUSSION

In 1911 the State of California adopted its first Workmen's Compensation Insurance and Safety Act the purpose of which was to protect workmen and their families against loss of earnings through injury or death by spreading this loss over industry as a whole, on the ground that it should be considered as one of the costs of doing business. The purpose of unemployment reserves is to protect this workman and

his dependents, so far as possible, against a similar loss of earnings arising (again through no fault of his own), out of another type of industrial accident just as serious for the worker and his dependents—the loss of his job. Through a system of compulsory reserves, this loss is to be considered as a part of the expense of doing business, and spread over all industry. We do not deem it necessary to stress the effect of irregular employment on the workman and his family and the resultant excessive drain on relief agencies; nor to more than mention that the decreased purchasing power of wage earners caused by irregular employment creates a vicious circle. Unemployment is an ever-existing social cost, but we believe that in the future a larger part of the cost must be contributed by industry and business. It is perhaps pertinent that at the present year-end we find many of the larger corporations in the country stressing the size of their respective surpluses which sums are generally accumulated in order to make certain that at least a limited return can be paid on capital through bad times as well as good. The purpose of unemployment reserves is to create a similar fund under the supervision of the State so that at least a limited return may continue to be paid to labor during the same dull periods.

It must be pointed out that the creation of a system of unemployment reserves is not a cure-all. It insures a job to no one and does not mean the end of the present economic depression. When the act has been in effect sufficiently long to have caused the accumulation of a reserve fund large enough to pay unemployment benefits, the cost of unemployment will not thereafter fall entirely upon the worker and his family. The reserve plan should likewise be able to take care of ordinary fluctuations in the demand for labor and to soften the blow of a devastating economic depression, although it definitely can not prevent it.

HISTORY.

The first stage in the evolution of employment insurance consisted of the unemployment benefit plans of trade unions. In England as early as 1824 payments were distributed by the Journeymen Steam Engine Makers Society to men out of work. The first public plan was instituted in 1893 by the public authorities of Berne, Switzerland. Numerous plans were subsequently adopted in many Continental cities but the first bold step of any real importance was the adoption of the National Insurance Act in Great Britain in 1911 covering six industries which normally employed about two and one-half million workers. Since that date the British act has been extended so that it now covers approximately 13,000,000 persons constituting practically the entire wage-earning population of Great Britain other than farm workers and domestic servants. It perhaps is advisable to digress a moment at this point to call attention to the difficulties experienced in the administration of the British act and the reasons therefor. Unemployment reserves are made up of contributions from employers, employees and the State, or from any one or more of them. The amount which can be paid out in benefits to unemployed persons coming within the purview of the act are necessarily limited by the size of the reserve fund It must thus be seen that no workers are paid so much more than their share that nothing remains for the casualties later occurring. It must therefore be understood that if a worker does not secure employment within the limited period of time during which benefits can be paid, he must thereafter be taken care of through actual relief rather than through the payment of unemployment benefits. In Great Britain it was attempted to continue unemployment benefits during a major depression after the reserve fund could no longer meet the drain, having already paid out to the workers the full amount to which they were entitled under the British act. For this purpose, large sums were borrowed from the British treasury. It is submitted that this should not be done and that if reemployment is not obtained by workers within the period provided in the proposed act, the situation should be promptly and properly faced as one for relief rather than for unemployment benefits.

Compulsory insurance laws have further been enacted in Australia, Austria, Bulgaria, Germany, Irish Free State, Italy, Poland and Switzerland, and in the State of Wisconsin. As a matter of fact, 147 bills have been introduced in the various States from 1916 down through 1933 (not to mention numerous amendments and proposed constitutional amendments and enabling acts). As already mentioned, however, the only act adopted to date is the Wisconsin Unemployment Reserves and Compensation Act which although it became a law on January 29, 1932, did not become generally operative until June 27, 1934. The Wisconsin plan, however, provides for a separate reserve fund for each separate employer and is not approved by economists or students of social legislation as it fails to in any way spread the risk.

The members of your committee have communicated with the United States Department of Labor and with the Committee on Economic Security appointed by the President of the United States. It is understood that Federal legislation on the subject under consideration will be proposed and probably adopted. Due to constitutional limitations, however, it is anticipated that the Federal plan will merely impose a pay roll tax for the purpose of raising unemployment reserve funds, permitting a credit as against this tax to employers in States which have adopted a satisfactory plan of unemployment reserves. Although your committee suggests the introduction of the appended bill it is of the belief that no measure should be actually

adopted until such amendments may be made as may be necessary to conform the State legislation to the requirements of any Federal legislation. It is believed by your committee that the essential points of the appended bill will satisfy any Federal requirements.

ESSENTIALS OF PROPOSED BILL

1. *Organization of Fund.* Your committee recommends that one reserve fund be established for all industry. It further recommends, however, that the administrators of the act be required to segregate all employers by industries and that all statistics be kept on an industry basis so that after five years a system of merit rating can be adopted for the benefit of industries which have more stable employment. The British act is based on one fund for all industries; the proposed Minnesota plan suggests the segregation into industries after the fund is satisfactorily established.

2. *Coverage.* Your committee recommends that coverage be made as broad as possible excluding only the smaller firms and certain employments necessarily excluded because of administrative or legal difficulties. It is thus recommended that the plan cover all employers employing an average of more than six employees but exclude, however, certain agricultural and cannery workers, personal or domestic servants in homes, teachers, and public officials, certain employees engaged in interstate commerce, and casual and part-time employees The committee further recommends that the administrators be directed to report to the Legislature after the act has been in force for a period of five years, a scheme for the inclusion within the act of employers employing less than six employees.

3. *Contributions.* Your committee recommends that contributions be made by the employer and employee, the former in an amount equal to 3 per cent of wages paid to employees subject to the act and the latter in an amount equal to 1 per cent of the wage received, the same to be deducted from his wage by his employer Employees receiving in excess of $50 per week ($2,600 per year) are considered, for the purpose of determining contributions and benefits, as receiving $50 per week, their (and their employer's) contributions and their benefits being based on that amount. Based upon the expert opinions which your committee has received, it is of the belief that for the plan to succeed, contributions to the fund must equal at least 4 per cent of the pay roll. Your committee believes that the employee should contribute to the fund in that he is the direct beneficiary thereof, and that he will have more control over it, be more interested in its success and more helpful in the prevention of malingering. Your committee believes that the proportions suggested are proper in view of the employee's lesser ability to pay together with the fact that he makes a further contribution through the waiting period provided for. Your committee is firmly of the opinion that no limitation should be placed upon the number of contributions to be made inasmuch as to place any such limitation would prevent the creation of a fund able to be of substantial benefit when most needed at the time of economic depressions

Your committee recommends that contributions commence January 1, 1936

4 *Benefits.* Your committee recommends a waiting period of four weeks before the payment of benefits, this period to run from the date of the registration of the employee with a State Employment Exchange after the cessation of employment. Your committee further recommends that this waiting period be shortened to three weeks after contributions have been made to the fund for a period of two years It is felt that the longer waiting period is essential in the beginning in order to build up the reserve fund. It is believed that the waiting period should ultimately be made as short as possible inasmuch as the workers sought to be protected by this plan have little or no resources to fall back on when their employment ceases and every effort must be made to have the plan effective without the need of the worker first applying for public relief. The period, however, must be sufficiently long to permit of a proper check of the applicant's case as well as his placement in a new employment. It must likewise be sufficiently long to discourage malingering

The amount of the benefit must necessarily depend upon the amount of the contributions. It must be, however, sufficiently large to permit the worker to support himself and his family during the period it is given, but for obvious reasons must not, as well as can not, be as great as his wage. Your committee recommends that the benefit be 65 per cent of his average weekly wage, in no event to exceed, however, a maximum of $15 per week. Your committee likewise believes that a minimum of $7 per week should be provided in the act.

Benefits can only be paid to an unemployed worker for a limited time without exhausting the fund for the first cases. It is deemed advisable, instead of providing an arbitrary number of benefits for any year, that a worker be entitled to one week of benefits for every four weeks of contributions which he has made. Thus if a worker has contributed to the reserve fund for a year he may receive a maximum of 13 weeks of benefits, if he remains unemployed that long The employee helping to build up the reserve can thus draw benefits in proportion to his number of contributions with certain stipulated maximums Inasmuch as all of the contributions are pooled he is able to draw benefits several times as large as his contributions to the reserve.

Your committee recommends that benefits commence to be paid January 1, 1937.

5. *Conditions for Receipt of Benefits.* Your committee recommends that it be required that a certain number of payments be made before an employee be entitled to receive benefits. This is necessary in order to protect the fund in its infancy. It is further necessary that the worker seeking benefit payments present a true case of unemployment, that is that he be physically able to work, that he register at a State Employment Exchange, and that he accept suitable employment when offered. In the event his employment is terminated without just cause or because of his misconduct your committee believes that sufficient penalty is imposed upon the worker if the waiting period is lengthened, particularly in view of the fact that he, too, has contributed to the reserve.

Administration.

6. Your committee strongly recommends the creation of a new department to administer the proposed Unemployment Reserve Act. This should be created in order to make certain that the administration of the act will be as free from politics as possible. It is recommended that a board of five members be appointed by the Governor with staggered terms similar to the Railroad Commission, in order that control of the board will not be obtained by any one State administration. It is believed that the board should have the right to select its executive officer who should be the actual director, the board to act in an advisory capacity It is likewise believed that all employees below the director should be subject to Civil Service. In this connection it is recommended that the control of the present State Employment Agencies be transferred to the administrators of the act inasmuch as the functioning of these agencies is one of the most important features of the proper administration of an Unemployment Reserve Plan.

In closing, your committee wishes to express its debt to Miss Emily Huntington, Assistant Professor of Economics; Charles A. Gulick, Jr., Associate Professor of Economics, and Albert H. Mowbray, Professor of Insurance, all of the University of California; John B. Canning, Professor of Economics, Leland Stanford University; Paul Scharrenberg, Executive Secretary, California State Federation of Labor; Miss Dorothy Williams, of the California League of Women Voters, and Dr. Louis Bloch, of the Department of Industrial Relations.

Our appreciation must likewise be expressed for the help given us by Mr. H. E. McClellan, who furnished to the members of the committee a great amount of data on the general subject in the form of the reports of the commissions of all the States which have attempted a study of this subject.

Dated: January 10, 1935.

Respectfully submitted,

B. J. FEIGENBAUM.
CHARLES H. DEUEL.
RAY W. HAYS.
DAN E. WILLIAMS.
WM. MOSELEY JONES.
C. C. COTTRELL.

ADJOURNMENT.

At twelve o'clock and fifty-five minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Monday, January 14, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, January 14, 1935.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Red-

wine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—80.

Quorum present.

PRAYER.

Prayer was offered by Rev Father John E. Tumulty, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Lyon, its further reading was dispensed with.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed on the Journal:

By Mr. Speaker:

From Methodist Ministerial Association of Southern California, relative to legislation regarding public schools.

Also:

From Townsend Club No 13, relative to the old age revolving pension plan

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. McCarthy, Mr Alfred Lushing, member, Board of Water and Power Commissioners, city of Los Angeles, was extended the privilege of the floor of the Assembly for this day.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Martin: Assembly Bill No. 90—An act to amend section 1 of the Direct Primary Law, approved June 16, 1913, relating to qualification of political parties for primary elections.

Bill read first time, and referred to Committee on Elections

By Mr. Hawkins: Assembly Bill No. 91—An act to repeal an act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act," approved May 15, 1933, relating to advertising.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Kallam: Assembly Bill No 92—An act to amend section 814 of the Agricultural Code, relating to lettuce.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Desmond: Assembly Bill No. 93—An act to amend section 69 of the Civil Code, relating to marriage licenses.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Wallace, Stream, Richie, and Riley: Assembly Bill No. 94—An act for the relief of certain assessment districts, and for that purpose empowering counties to render financial aid to such districts and making available to such districts the provisions of Chapter IX of the act of Congress entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, as amended, and to declare the urgency of this act, to take effect immediately.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Stream: Assembly Bill No. 95—An act making an appropriation for the control and conservation of flood waters in San Diego County.

Bill read first time, and referred to Committee on Conservation.

By Mr. Stream: Assembly Bill No. 96—An act to add section 429.5 to the Fish and Game Code, relating to fishing licenses.

Bill read first time, and referred to Committee on Fish and Game

By Mr. Stream: Assembly Bill No. 97—An act making an appropriation to pay the claim of the city of Coronado against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Messrs. Peyser, McMurray, and Maloney: Assembly Bill No. 98—An act providing for the establishment, organization, operation and dissolution of municipal housing authorities, vesting them with authority to clear, replan and reconstruct areas in municipalities in which unsanitary and substandard housing conditions exist, to provide and maintain decent, safe and sanitary dwelling accommodations in said areas and elsewhere for persons of low income, to acquire property therefor by purchase, option or lease, or by condemnation in the exercise of the power of eminent domain, to sell or lease their projects, to borrow money, and defining the duties and powers of such municipal housing authorities in the exercise of the authority so vested in them and authorizing any city or city and county establishing a municipal housing authority to give it financial assistance and to issue bonds therefor, and otherwise to aid, assist and cooperate with such municipal housing authority, and declaring the measure an urgency measure within the meaning of section 1 of Article IV of the Constitution and providing accordingly for the act to take effect immediately.

Bill read first time, and referred to Committee on Building and Construction.

By Mr. Peyser: Assembly Bill No. 99—An act to add a new section to the Code of Civil Procedure to be known as section 1872 thereof, relating to and providing for requiring persons bringing actions for damages for personal injuries to submit to an examination of their persons.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Latham: Assembly Bill No. 100—An act relating to the lease and sale of Napa State Farm.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Boyle: Assembly Bill No. 101—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Wallace: Assembly Bill No. 102—An act to add a new section to be numbered 716a to the Code of Civil Procedure, relating to proceedings supplemental to execution.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Wallace: Assembly Bill No. 103—An act to amend section 1240 of the Probate Code, relating to appeals.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Wallace: Assembly Bill No. 104—An act to amend section 171 of the Code of Civil Procedure, relating to officers of courts of justice.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Lyon, Redwine, Martin, Turner, Evans, Herbert J., McBride, and Field: Assembly Bill No 105—An act to prevent interference with the governing authorities of any public school or State university or of any educational institution supported in whole or in part of public funds; to prevent the teaching of and advocacy of resistance to control of any such educational institutions by the governing authorities thereof; to prevent the formation of organizations among the student body of any such educational institution for the purpose of resisting or interfering with the management and control of any such educational institution by the governing authorities thereof, and prescribing certain penalties for the violation thereof.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Lyon, Redwine, Martin, Turner, Evans, Herbert J., McBride, and Field: Assembly Bill No. 106—An act to add section 3.54 to and to amend section 6.750 of the School Code, relating to activities of a seditious nature in connection with the public school system.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Lyon, Redwine, Martin, Turner, Evans, Herbert J., McBride, and Field: Assembly Bill No 107—An act to add sections 39, 39a and 39b to the Penal Code, relating to advocating the overthrow of government by force, violence or other unlawful means.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Lyon, Redwine, Martin, Turner, Evans, Herbert J., McBride, and Field: Assembly Bill No. 108—An act to add section 8a to an "Act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau

of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905," approved May 31, 1917, relating to the duties of sheriffs, marshals, and chiefs of police in relation to activities of a seditious nature.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Lyon, Redwine, Martin, Turner, Evans, Herbert J., McBride, and Field: Assembly Bill No. 109—An act to declare all buildings and property nuisances wherein or upon which meetings or assemblies for the purpose of advocating the overthrow of organized government by means of force or violence, or any unlawful means, are held or occur, and providing for the abatement and prevention of such nuisances by injunction and otherwise.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Lyon, Redwine, Martin, Turner, Evans, Herbert J., McBride, and Field: Assembly Bill No. 110—An act to amend section 1 of the Direct Primary Law, relating to qualifications of political parties for primary elections.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Voigt: Assembly Joint Resolution No. 10—An act memorializing the Public Works Administration to approve the application of the Los Angeles County Flood Control District for a grant of $5,882,000 to be used for the immediate construction and permanent improvement of the flood channel of Ballona Creek between Vineyard Station on the Pacific Electric Railway and the ocean, the same being commonly known as the Ballona Creek Project at Culver City, Del Rey and Venice Bay districts, Los Angeles County, California.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Voigt asked for unanimous consent to take up Assembly Joint Resolution No. 10, at this time, without reference to printer, committee or file, and that same be considered engrossed.

OBJECTION TO UNANIMOUS CONSENT.

Mr. Martin objected to the consideration of Assembly Joint Resolution No. 10, by unanimous consent, at this time.

Assembly Joint Resolution No. 10 read, and referred to Committee on Federal Relations.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following resolution was introduced:

By Mr. Boyle: Assembly Joint Resolution No. 11—Relative to memorializing the President and Congress to enact the necessary legislation to extend, for at least another two-year period, the existence and activities of the Home Owners' Loan Corporation, and to appropriate sufficient funds for the same

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Boyle asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 11, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER ELEVEN.

Assembly Joint Resolution No. 11—Relative to memorializing the President and Congress to enact the necessary legislation to extend, for at least another two-year period, the existence and activities of the Home Owners' Loan Corporation, and to appropriate sufficient funds for the same.

Assembly Joint Resolution No. 11 read.

Mr. Boyle moved the adoption of Assembly Joint Resolution No. 11.

The question being on the adoption of Assembly Joint Resolution No. 11.

The roll was called, and Assembly Joint Resolution No. 11 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, and Mr. Speaker—77.

NOES—None

Title read and approved.

Assembly Joint Resolution No. 11 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 11.

Relative to memorializing the President and Congress to enact the necessary legislation to extend, for at least another two-year period, the existence and activities of the Home Owners' Loan Corporation, and to appropriate sufficient funds for the same

WHEREAS, The National government saw fit to bring into existence in the year 1933 the Home Owners' Loan Corporation for the purpose of aiding financially distressed home owners in refinancing and reconditioning their homes; and

WHEREAS, The services rendered to financially distressed home owners through the Home Owners' Loan Corporation have been of material help in relieving the burdens of many thousands of our citizens, and has been a stabilizing influence during the recent financial and economic crisis; and

WHEREAS, The relief granted to home owners in the form of loans with a moderate rate of interest for reconditioning their property has furnished work to many thousands of the unemployed and needy citizens of the United States, and has materially aided manufacturers and industry; and

WHEREAS, The financial and economic crisis still exists to a moderated degree and there are still many thousands of financially distressed home owners who are in need of the services rendered and loans granted through the Home Owners' Loan Corporation, because they are laboring under the burdens of first and second mortgages which are amortized at a rate of interest too great for their present incomes, or because their homes need reconditioning or refinancing; and

WHEREAS, The extension of the existence and activities, for at least another two-year period, of the Home Owners' Loan Corporation will tend to relieve financial distress, achieve one of its chief purposes, relieve unemployment through encouragement of reconstruction, and aid the economic welfare and stability of the United States; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the President and the Congress of the United States is hereby respectfully urged to enact the necessary legislation to extend the existence and activities, for at least another two-year period, of the Home Owners' Loan Corporation, and to appropriate sufficient funds for the same; and be it further

Resolved, That the Governor of the State of California is hereby requested to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and

member of the House of Representatives from California in the Congress of the United States, and that such Senators and members from California are hereby respectfully urged to support such legislation.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Field: Assembly Bill No. 111—An act to add section 4465a to the Political Code, relating to rates for legal advertising.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Crowley: Assembly Bill No. 112—An act to amend section 105 of the Code of Civil Procedure, relating to justices' courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Crowley: Assembly Bill No. 113—An act to amend section 1822bb of the Code of Civil Procedure, relating to the management, control, and disposal of estates of missing persons.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Chatters: Assembly Bill No. 114—An act to amend section 1 of an act entitled "An act relating to the liability in damages of municipalities, counties, cities and counties, and school districts, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property; prescribing the duties of the officers thereof in such cases and authorizing such public or quasi public corporations to take out and pay for insurance to protect them against such liability," approved June 19, 1931, relating to claims and the institution of suits.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Chatters: Assembly Bill No. 115—An act to amend the title and section 1 of "An act relating to the liability and damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property, and alleged to be due to the negligence or carelessness of such officers; prescribing the duties of claimants in such cases, and authorizing the State and such public or quasi public corporations to take out and pay for insurance to protect their officers against such liability," approved June 19, 1931, relating to liability for negligent and careless operation of motor vehicles, and to claims and the institution of suits.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Cassidy: Assembly Bill No. 116—An act to amend section 692 of the Code of Civil Procedure, relating to notice of sales of real property under execution or under power of sale in deeds of trust.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Heisinger: Assembly Bill No. 117—An act to amend sections 1174 and 1175 of the Fish and Game Code, relating to birds.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Eicke: Assembly Bill No. 118—An act to add a new section to the Public Utilities Act to be numbered 19¼, relating to wharfingers.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Crowley: Assembly Bill No. 119—An act to provide for the formation and conduct of districts for the purpose of abating pests, to declare the urgency of this act and to provide that it shall take effect immediately.

Bill read first time.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Crowley asked for, and was granted, unanimous consent to take up Assembly Bill No. 119, at this time, without reference to print, committee or file, and that same be considered engrossed.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Crowley:

Resolved, That Assembly Bill No. 119 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Mr. Crowley moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Morgan, Nielsen, O'Donnell, Patterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—74.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 119.

SECOND READING OF ASSEMBLY BILL NUMBER ONE HUNDRED NINETEEN.

Assembly Bill No. 119—An act to provide for the formation and conduct of districts for the purpose of abating pests, to declare the urgency of this act and to provide that it shall take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder,

Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—74.
NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER ONE HUNDRED NINETEEN.

Assembly Bill No. 119—An act to provide for the formation and conduct of districts for the purpose of abating pests, to declare the urgency of this act and to provide that it shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 119 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, and Mr. Speaker—74.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following resolution was introduced:

By Mr. Cronin: Assembly Joint Resolution No. 12—Relative to memorializing Congress to enact proposed legislation directing repeal of section 15 of the Black-McKellar Act.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Cronin asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 12, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER TWELVE.

Assembly Joint Resolution No. 12—Relative to memorializing Congress to enact proposed legislation directing repeal of section 15 of the Black-McKellar Act.

Assembly Joint Resolution No. 12 read.

Mr. Cronin moved the adoption of Assembly Joint Resolution No. 12.

The question being on the adoption of Assembly Joint Resolution No. 12.

The roll was called, and Assembly Joint Resolution No. 12 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—78.
NOES—None.

Title read and approved.

Assembly Joint Resolution No. 12 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 12

Relative to memorializing Congress to enact proposed legislation directing repeal of section 15 of the Black-McKellar Act.

WHEREAS, California and the entire Pacific Coast now enjoy safe, fast and efficient air transportation service through the coast division of an airplane carrier system which carries the mail; and

WHEREAS, Unless repealed by Congress before March first, section 15 of the Black-McKellar Act will require that said system give up its mail contract leading to service abandonment; and

WHEREAS, There has been introduced in Congress by Representative Frank H Buck, California, legislation to repeal section 15 of the Black-McKellar Act; and

WHEREAS, Business and the traveling public of the Pacific Coast require an airplane transportation service of proven dependability and, to that end, has urged in numerous resolutions by the public bodies the repeal of section 15 of the Black-McKellar Act; now therefore, be it

Resolved, by the Assembly of the State of California, the Senate concurring That the Legislature of the State of California does hereby petition the Congress of the United States to repeal prior to March 1, 1935, section 15 of the Black-McKellar Act; and be it further

Resolved, That duly authenticated copies of this resolution be sent forthwith to the President of the Senate of the United States, to the Speaker of the House of Representatives of the United States and to the members of Congress from the State of California.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED)

The following bill was introduced:

By Mr. Lyon: Assembly Bill No 120—An act making an appropriation for the mileage of members and officers of the Assembly, the act to take effect immediately.

Bill read first time.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 120, at this time, without reference to print, committee or file, and that same be considered engrossed.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Lyon:

Resolved, That Assembly Bill No. 120 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read

Mr. Lyon moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domlnue, Donnelly, Eicke, Evans, Herbert J, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Wallace, Waters, Welsh, Williamson, Wright, and Mr Speaker—75.

NOES—None

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 120.

SECOND READING OF ASSEMBLY BILL NUMBER ONE HUNDRED TWENTY.

Assembly Bill No. 120—An act making an appropriation for the mileage of members and officers of the Assembly, the act to take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—74.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER ONE HUNDRED TWENTY.

Assembly Bill No. 120—An act making an appropriation for the mileage of members and officers of the Assembly, the act to take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 120 passed by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—75.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 14, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 6—Approving certain amendments to the charter of the city of Alameda, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a general and special municipal election held therein on the sixth day of November, 1934.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Wagner asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 6, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER SIX.

Senate Concurrent Resolution No. 6—Approving certain amendments to the charter of the city of Alameda, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a general and special municipal election held therein on the sixth day of November, 1934.

Senate Concurrent Resolution No. 6 read.

Mr. Wagner moved the adoption of Senate Concurrent Resolution No. 6.

The question being on the adoption of Senate Concurrent Resolution No. 6.

The roll was called, and Senate Concurrent Resolution No. 6 was adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—76.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 6 ordered transmitted to the Senate.

Senate Concurrent Resolution No. 6—Approving certain amendments to the charter of the city of Alameda, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a general and special municipal election held therein on the sixth day of November, 1934.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Messrs. Boyle, O'Donnell, Cassidy, Wagner, Donihue, Meehan, McMurray, Heisinger, Turner, Lore, Pelletier, Hunt, Evans, Ralph W., Jones, Rosenthal, Gilbert, Laughlin, Voigt, Hawkins, Welsh, McCarthy, Flint, Geyer, Reaves, Glover, Clark, and Andreas: Assembly Bill No. 121—An act, to be known as the Rehabilitation Act, declaring the policy of the State of California in relieving hardship and destitution caused by unemployment one of rehabilitation by cooperative self-help production for consumption and exchange of labor for surplus commodities; prescribing duties of State Relief Administrator hereunder; providing funds for administration of relief hereunder; directing cooperative activity be noncompetitive; fixing status of cooperative institutions and their members; fixing title to property hereunder; declaring this act an emergency measure; providing for its constitutional construction; repealing conflicting laws.

Bill read first time, and referred to Committee on Unemployment.

By Messrs. Hunt, O'Donnell, Cassidy, Wagner, Donihue, Meehan, McMurray, Heisinger, Turner, Lore, Pelletier, Evans, Ralph W., Jones, Rosenthal, Gilbert, Laughlin, Voigt, Hawkins, Welsh, McCarthy, Flint, Boyle, Geyer, Reaves, Glover, Clark, Andreas, and Richie: Assembly

Bill No. 122—An act to amend sections 5 and 7 of the Retail Sales Tax Act of 1933, relating to the rate of tax and exemptions, including refunds.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Messrs. Heisinger, O'Donnell, Desmond, Cassidy, Wagner, Donihue, Meehan, McMurray, Turner, Lore, Pelletier, Hunt, Evans, Ralph W., Jones, Rosenthal, Gilbert, Laughlin, Voigt, Hawkins, McCarthy, Flint, Boyle, Geyer, Reaves, Glover, Clark, Andreas, and Richie. Assembly Bill No. 123—An act to levy a tax on natural resources severed from the earth and waters of the State of California.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Messrs. O'Donnell, Cassidy, Wagner, Donihue, Meehan, McMurray, Heisinger, Turner, Lore, Pelletier, Hunt, Evans, Ralph W., Jones, Rosenthal, Gilbert, Laughlin, Voigt, Hawkins, McCarthy, Flint, Boyle, Geyer, Reaves, Glover, Clark, Andreas, and Richie: Assembly Bill No. 124—An act to amend sections 4 and 5 of the Bank and Corporation Franchise Tax Act, relating to taxes of banks, corporations, and public service companies, including the rates thereof and the extension thereof to companies other than insurance companies specified in section 14 of Article XIII of the Constitution of this State.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Messrs. McCarthy, O'Donnell, Desmond, Cassidy, Wagner, Donihue, Meehan, McMurray, Heisinger, Turner, Lore, Pelletier, Hunt, Evans, Ralph W., Jones, Rosenthal, Gilbert, Laughlin, Voigt, Hawkins, Welsh, McCarthy, Flint, Boyle, Geyer, Reaves, Glover, Clark, Andreas, and Richie: Assembly Bill No. 125—An act to amend sections 4, 5, and 6¾ of the Inheritance Tax Act, relating to exemptions and rates of taxes

Bill read first time, and referred to Committee on Revenue and Taxation.

By Messrs. Turner, O'Donnell, Desmond, Cassidy, Wagner, Donihue, Meehan, McMurray, Heisinger, Lore, Pelletier, Hunt, Evans, Ralph W., Jones, Rosenthal, Gilbert, Laughlin, Voigt, Hawkins, Welsh, McCarthy, Flint, Boyle, Geyer, Reaves, Glover, Clark, Andreas, and Richie. Assembly Bill No. 126—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and to provide for the disposition of the revenues therefrom.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Utt: Assembly Bill No. 127—An act to add sections 139.1, 139.2, 139.3, 139.4, 139.5, 139.6, and 139.7 to the Agricultural Code, relating to the registration of fruit trees.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Utt: Assembly Bill No. 128—An act to amend section 487 of the Penal Code, relating to grand theft.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Peyser: Assembly Bill No. 129—An act to add a new section to the Code of Civil Procedure to be numbered 2056, relating to motions to strike answer.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Peyser: Assembly Bill No. 130—An act to amend section 2021 of the Code of Civil Procedure, relating to depositions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Peyser: Assembly Bill No. 131—An act to add section 726a to the Code of Civil Procedure, relating to deficiency judgments.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Garibaldi: Assembly Bill No. 132—An act to amend section 11 of the California District Securities Act, providing that said section shall remain in effect until November 1, 1937, and declaring this act an emergency measure enacted under the police power.

Bill read first time, and referred to Committee on Irrigation.

By Mr Glover: Assembly Bill No 133—An act to amend sections 117 and 117r of the Code of Civil Procedure, relating to the jurisdiction of small claims courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Rosenthal: Assembly Bill No. 134—An act to amend section 137 of the Civil Code, relating to alimony.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Rosenthal: Assembly Bill No. 135—An act to amend section 132 of the Civil Code, relating to final judgment of divorce.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Rosenthal: Assembly Bill No. 136—An act to amend section 167 of the Civil Code, relating to community property.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Rosenthal: Assembly Bill No. 137—An act to amend section 284 of the Code of Civil Procedure, relating to change of attorney.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Meehan, Cassidy, and Hornblower: Assembly Bill No. 138—An act to add section 580d to the Code of Civil Procedure, relating to deficiency judgments.

Bill read first time, and referred to Committee on Judiciary.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 14, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 89—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such bonds and declaring the urgency of said act.

J. A. BEEK, Secretary of Senate.

Assembly Bill No. 89 ordered to enrollment.

COMMUNICATION.

The following communication was filed by the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, January 14, 1935.

MR. SPEAKER: Pursuant to your instructions, the following named persons have filed their credentials, and are duly recognized as representatives of the newspapers set opposite their names:

Independent Truck Owner—Edward E. Levine.
Western Worker—D. Dayton Craig, Michael Quin.

ARTHUR A OHNIMUS, Chief Clerk.

RESOLUTION.

The following resolution was offered:

By Mr. Fisher:

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the contingent fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the sum of $2,000, said amount being for the purchase of postage stamps to be used by members of the Assembly for official mail; and be it further

Resolved, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding $2,000 in the aggregate, as shall be necessary for the use of the members of the Assembly for official mail; and be it further

Resolved, That the amount of stamps requisitioned by any one member of the Assembly for official mail shall not exceed the sum of $25.

Resolution read.

Mr. Fisher moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—76.

NOES—None.

UNFINISHED BUSINESS.

CONSIDERATION OF RESOLUTION BY MR. HUNT.

WHEREAS, The Los Angeles grand jury for 1934 has just completed a period of extensive and unusual activity, in connection with which a considerable sum of money has been expended, the authority and reasons for which are not fully known; and

WHEREAS, Information concerning these activities and expenditures are matters of primary importance and vital concern to the Assembly of the State of California as an aid in considering, or recommending the consideration of, the enactment or enforcement of laws relating to such activities or expenditures; now, therefore, be it

Resolved by the Assembly of the State of California, That a committee of five members of the Assembly be appointed by the Speaker of the Assembly to meet during the legislative recess of the Legislature at its fifty-first session, for the purpose of thoroughly and adequately examining and investigating the activities of the Los Angeles County grand jury for 1934, and to do any and every thing necessary to carry out and effect the purposes of this resolution, and to report thereon, together with its recommendation to the Assembly at the conclusion of the legislative recess; and be it further

Resolved, That the committee shall proceed to organize by the election of one of its members as chairman and by the selection of a secretary and thereupon proceed with the investigation in such manner as it shall determine; and be it further

Resolved, That the committee is hereby authorized and empowered to require the production of books, agreements, documents, records, accounts and papers of every kind; to issue subpenas, to compel the attendance of witnesses and secure testimony, and so far as practicable to have material testimony reported so the same may be available for use by the Assembly; each member of the committee is authorized to administer oaths and all of the provisions of Article VIII, Chapter 2 of Title I

of Part III of the Political Code, relating to the attendance of the assemblage of witnesses before the Legislature and committees thereof shall apply to the committee appointed under this resolution and it shall be the duty of all officers and employees of Los Angeles County to furnish such reports, information and evidence upon request of the committee as may be pursuant to the purposes herein stated; and be it further

Resolved, That the sum of three hundred dollars ($300) or so much thereof as may be necessary for the purpose of defraying the expenses of the committee and the cost of its investigation, is hereby made available and appropriated for the use of the committee out of the contingent fund of the Assembly, and the State Controller is authorized and directed to draw his warrants in favor of the person or persons entitled thereto for such expenditures as may be certified to him from time to time by the chairman of the committee, and the State Treasurer is hereby authorized and directed to pay the same.

Mr. Hunt moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution was refused adoption by the following vote:

AYES—Anderson, Boyle, Flint, Garibaldi, Geyer, Hawkins, Hunt, Jones, Meehan, Pelletier, Reaves, Rosenthal, and Wagner—13.

NOES—Andreas, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Miller, Minard, Morgan, Nielsen, O'Donnell, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Utt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—60.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Peyser: Assembly Bill No. 139—An act to amend sections 165 and 166 of the Civil Code, relating to inventories of the separate property owned by a husband or wife, and making the filing of such inventory notice and prima facie evidence of title

Bill read first time, and referred to Committee on Judiciary.

By Mr. Turner: Assembly Bill No. 140—An act to add section 411 5 to the Vehicle Code, relating to suspension and revocation of licenses.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Turner: Assembly Bill No. 141—An act to amend section 73 of the California Vehicle Act, relating to revocation or suspension of licenses.

Bill read first time, and referred to Committee on Motor Vehicles.

By Messrs. Lyon, Redwine, Martin, Turner, Evans, Herbert J., McBride, and Field: Assembly Constitutional Amendment No. 13—Proposed amendment to Article II, section 1 of the Constitution, relative to electors.

Introduced, and referred to Committee on Constitutional Amendments.

By Messrs. Lyon and Redwine: Assembly Constitutional Amendment No. 14—Proposed amendment to Article IV of the Constitution by adding section 21½ thereto, relative to the qualifications for office.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Turner: Assembly Constitutional Amendment No. 15—Proposed amendment to Article IV, sections 3 and 4 thereof of the Constitution, relative to the legislative department.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Turner: Assembly Constitutional Amendment No. 16—Proposed amendment to Article XIII, section 1¾ of the Constitution, relative to and exempting from taxation all bonds issued by the State or any subdivision thereof.

Introduced, and referred to Committee on Constitutional Amendments.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 14, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 6—Relative to approving the charter of the city of Redondo Beach, California, which was submitted to the qualified voters of said city and voted for and ratified by them at an election held on the twenty-fourth day of September, 1934.

J. A. BEEK, Secretary of Senate
By C. REINDOLLAR, Assistant at Desk.

Assembly Concurrent Resolution No. 6 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 14, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 5—Relative to approving certain amendments to the charter of the county of San Diego, State of California, voted for and ratified by the qualified electors of said county at a general election held therein on the sixth day of November, 1934.

J. A. BEEK, Secretary of Senate
By C. REINDOLLAR, Assistant at Desk.

Assembly Concurrent Resolution No. 5 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 14, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 9—Relative to memorializing the President and Congress to carefully consider and enact legislation to provide for a working week of not more than five days of six hours each, without any corresponding reduction in the present compensation of salary.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

Assembly Joint Resolution No. 9 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 14, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 7—Relative to approving an amendment to the charter of the city of San Diego, a municipal corporation in the county of San Diego, State of California, voted for and ratified by the electors of said city of San Diego at a special municipal election held therein on the sixth day of November, 1934.

J. A. BEEK, Secretary of Senate

REQUEST FOR UNANIMOUS CONSENT.

Mr. Wallace asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 7, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER SEVEN.

Senate Concurrent Resolution No. 7—Relative to approving an amendment to the charter of the city of San Diego, a municipal corporation, in the county of San Diego, State of California, voted for and ratified by the electors of said city of San Diego at a special municipal election held therein on the sixth day of November, 1934.

Senate Concurrent Resolution No. 7 read

Mr. Wallace moved the adoption of Senate Concurrent Resolution No. 7.

The question being on the adoption of Senate Concurrent Resolution No. 7.

The roll was called, and Senate Concurrent Resolution No. 7 adopted by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—75.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 7 ordered transmitted to Senate.

Senate Concurrent Resolution No. 7—Relative to approving an amendment to the charter of the city of San Diego, a municipal corporation, in the county of San Diego, State of California, voted for and ratified by the electors of said city of San Diego at a special municipal election held therein on the sixth day of November, 1934.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 14, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 8—Relative to approving an amendment to the charter of the city of San Diego, a municipal corporation in the county of San Diego, State of California, voted for and ratified by the electors of said city of San Diego at a special municipal election held therein on the nineteenth day of December, 1933.

J. A. BEEK, Secretary of Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Wallace asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No 8, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER EIGHT.

Senate Concurrent Resolution No. 8—Relative to approving an amendment to the charter of the city of San Diego, a municipal corporation in the county of San Diego, State of California, voted for and ratified by the electors of said city of San Diego at a special municipal election held therein on the nineteenth day of December, 1933.

Senate Concurrent Resolution No 8 read.

Mr. Wallace moved the adoption of Senate Concurrent Resolution No. 8.

The question being on the adoption of Senate Concurrent Resolution No. 8.

The roll was called, and Senate Concurrent Resolution No. 8 adopted by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—75.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 8 ordered transmitted to Senate.

Senate Concurrent Resolution No. 8—Relative to approving an amendment to the charter of the city of San Diego, a municipal corporation in the county of San Diego, State of California, voted for and ratified by the electors of said city of San Diego at a special municipal election held therein on the nineteenth day of December, 1933.

ADJOURNMENT.

At one o'clock p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Tuesday, January 15, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,

SACRAMENTO, Tuesday, January 15, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Peterson, its further reading was dispensed with.

LEAVE OF ABSENCE.

On motion of Mr. Fisher, Miss Miller was granted leave of absence for this day.

GUEST ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Hornblower, Mr. George Rochester, former member of the Legislature, was extended the privilege of the floor of the Assembly for this day.

COMMUNICATION.

The following communication was filed by the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1935.

MR. SPEAKER: Pursuant to your instructions, the following named persons have filed their credentials, and are duly recognized as representatives of the newspapers set opposite their names:

California State Grange News—Franklin Hichborn.
Sausalito News—Frank B. Anderson.

ARTHUR A. OHNIMUS, Chief Clerk

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Cottrell: Assembly Bill No. 142—An act to amend section 32 of the Penal Code, relating to the definition of an accessory.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Brennan: Assembly Bill No. 143—An act making an appropriation to pay the claim of the Massachusetts Mutual Life Insurance Company against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Pelletier: Assembly Bill No. 144—An act to repeal an act entitled "An act to provide for the establishment, maintenance and operation of unemployment relief camps," approved June 15, 1933.

Bill read first time, and referred to Committee on Unemployment.

By Mr. Pelletier: Assembly Bill No. 145—An act to abate salaries of State officers and employees in cases where such party receives a pension or retirement allowance from a political subdivision or municipal corporation.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Breed: Assembly Bill No. 146—An act to amend section 6.36 of the School Code, relative to the powers and duties of governing boards of school districts, declaring the urgency thereof, and providing that it shall take effect immediately.

Bill read first time, and referred to Committee on Education.

By Mr. Stream: Assembly Bill No. 147—An act to add two new sections to the Penal Code, to be numbered 200 and 201, establishing the public offense of unlawfully causing death through operation of a motor vehicle and providing penalties therefor.

Bill read first time, and referred to Committee on Crime Problems.

By Messrs. Stream and Wallace: Assembly Bill No. 148—An act in relation to relief from special assessments and in relation to financial relief therefrom, and of taxing districts, as defined in Chapter IX of

the act of Congress entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, as amended, validating petitions and proceedings under or in contemplation of proceedings under, said Chapter IX, and authorizing contribution by cities, counties, cities and counties and the State toward the payment of such assessments, and declaring the urgency thereof, to take effect immediately.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Stream and Wallace: Assembly Bill No. 149—An act to add a new section to the Political Code, to be numbered 3756a, relating to the extension of time for the payment of property taxes for the fiscal year ending June 30, 1935, to take effect immediately.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Peyser: Assembly Bill No. 150—An act granting to the City and County of San Francisco certain lands of the State of California located in the City and County of San Francisco upon certain trusts and conditions.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Heisinger: Assembly Bill No. 151—An act to amend section 370 of the Vehicle Code, relating to registration fees.

Bill read first time, and referred to Committee on Motor Vehicles.

By Messrs. Evans, Ralph W., and McCarthy: Assembly Bill No. 152—An act to amend section 6.07 of the Building and Loan Association Act, relating to building and loan associations, and providing for the urgency thereof.

Bill read first time.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Evans, Ralph W., asked for unanimous consent to take up Assembly Bill No. 152, at this time, without reference to printer, committee or file, and that same be considered engrossed.

OBJECTION TO UNANIMOUS CONSENT.

Mr. Lyon objected to unanimous consent to the consideration of Assembly Bill No. 152.

MOTION TO SUSPEND RULES.

Mr. Evans, Ralph W., moved to suspend the rules, and that Assembly Bill No. 152 be made a special order of business for tomorrow.

The question being on the motion to suspend the rules.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. McCarthy moved a call of the House.

Motion lost.

The roll was called, and the motion to suspend the rules was lost by the following vote:

AYES—Burns, Cassidy, Clark, Crowley, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Hunt, Jones, Laughlin, Lore,

McCarthy, McMurray, Meehan, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, and Welsh—32.

NOES—Anderson, Andreas, Boyle, Breed, Brennan, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Eicke, Evans, Herbert J. Field, Fisher Frazier, Fulcher, Garibaldi, Heisinger, Johnson, Kallam, Latham, Lyon, Maloney, Martin, McBride, Minard, Nielsen, Peterson, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—44.

Assembly Bill No. 152 referred to Committee on Building and Loan Associations.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Messrs. Williamson, Cronin, and McMurray: Assembly Bill No. 153—An act to amend the title and sections 4a, 13 and 14 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the extension of the provisions of said act to the companies and their franchises, other than insurance companies and their franchises, specified in section 14 of Article XIII of the Constitution of this State.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Messrs. Williamson, Cronin, and McMurray: Assembly Bill No. 154—An act to amend the title and sections 8, 14, 32 and 33 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the extension of the provisions of said act to the companies and their franchises, other than insurance companies and their franchises, specified in section 14 of Article XIII of the Constitution of this State.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Messrs. Williamson, Cronin, and McMurray: Assembly Bill No. 155—An act to amend the title and sections 4, 4a, 5, 8, 10, 11, 12, 13, 15, 16, 18, 19, 20, 21, 23, 24, 25, 26, 27, 29, 30, 31 and 35 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the extension of the provisions of said act to the companies and their franchises, other than insurance companies and their franchises, specified in section 14 of Article XIII of the Constitution of this State.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Cassidy: Assembly Bill No. 156—An act to amend section 8 of an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20,

1905," approved May 31, 1917, relating to fingerprinting persons arrested or convicted of criminal offenses.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Messrs. Jones, Hunt, and Geyer: Assembly Bill No. 157—An act to add a new section to the Penal Code, to be numbered 368b, relating to the safe manning of railroad engines.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Lyon: Assembly Bill No. 158—An act to amend sections 117 and 117r of the Code of Civil Procedure, relating to small claims courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Nielsen: Assembly Bill No. 159—An act making an appropriation to pay the claim of L. N. Vaughn, against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Nielsen: Assembly Bill No. 160—An act to amend section 18 of the Juvenile Court Law, relating to the term of office of probation officers.

Bill read first time, and referred to Committee on County Government.

By Mr. Utt: Assembly Bill No. 161—An act to amend section 10 of an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Cronin: Assembly Bill No. 162—An act to limit the jurisdiction of courts over matters arising out of or involving labor disputes.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Heisinger: Assembly Bill No. 163—An act to impose a tax on the privilege of severance of crude petroleum and other hydrocarbon substances from the earth, to take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Hunt: Assembly Bill No. 164—An act to amend section 737s of the Political Code, relating to the salaries of judges of the superior court in Los Angeles County.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Cassidy: Assembly Bill No. 165—An act making an appropriation to pay the claim of Walter Pacheco against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Chatters: Assembly Bill No. 166—An act to amend section 1 of an act entitled "An act relating to the safety of design and construction of public school buildings, providing for the regulation,

inspection, and supervision of the construction, reconstruction or alteration of or addition to public school buildings and for the inspection of existing school buildings, defining the powers and duties of the State Division of Architecture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act to take effect immediately," approved April 10, 1933, relating to the buildings and work subject to the provisions of said act.

Bill read first time, and referred to Committee on Building and Construction.

By Mr. Waters: Assembly Constitutional Amendment No. 17—Proposed amendment to Article IV, section 34a and Article XIII, section 15 of the Constitution, relative to taxes on real property according to the value thereof.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Fisher: Assembly Concurrent Resolution No. 8—Approving certain amendment to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the nineteenth day of December, 1933.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Fisher asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 8, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER EIGHT.

Assembly Concurrent Resolution No. 8—Approving certain amendment to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the nineteenth day of December, 1933.

Assembly Concurrent Resolution No. 8 read.

Mr. Fisher moved the adoption of Assembly Concurrent Resolution No. 8.

The question being on the adoption of Assembly Concurrent Resolution No. 8.

The roll was called, and Assembly Concurrent Resolution No. 8 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Gever, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—69

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No 8 ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 8—Approving certain amendment to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the nineteenth day of December, 1933.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Clark: Assembly Bill No. 167—An act to add section 2924d to the Civil Code, relating to redemption after sale under mortgage or deed of trust.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Richie: Assembly Bill No. 168—An act to amend section 852 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to election of city attorney of cities of the sixth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Wallace: Assembly Bill No. 169—An act to amend section 607 of the Code of Civil Procedure, relating to the order of trial.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hornblower: Assembly Bill No 170—An act to establish a Vehicle Code, thereby consolidating and revising the law relating to vehicles and vehicular traffic, and to repeal certain acts and parts of acts specified herein.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Hornblower: Assembly Bill No. 171—An act to amend sections 3051, 3051a and 3052 of the Civil Code, relating to liens on personal property for work, materials, supplies, feed, care, keep and services rendered.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Hunt and Jones: Assembly Joint Resolution No. 13—Relative to memorializing the President and Congress to carefully consider the required legislation necessary to give our citizens at least an even break with the aliens within our borders and which will tend to eliminate the unfair competition of alien labor against labor by citizens of the United States.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hunt asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 13, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER THIRTEEN.

Assembly Joint Resolution No. 13—Relative to memorializing the President and Congress to carefully consider the required legislation necessary to give our citizens at least an even break with the aliens

within our borders and which will tend to eliminate the unfair competition of alien labor against labor by citizens of the United States.

Assembly Joint Resolution No. 13 read.

Mr. Hunt moved the adoption of Assembly Joint Resolution No. 13.

The question being on the adoption of Assembly Joint Resolution No. 13.

The roll was called, and Assembly Joint Resolution No. 13 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—73

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 13 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 13.

Relative to memorializing the President and Congress to carefully consider the required legislation necessary to give our citizens at least an even break with aliens within our borders and which will tend to eliminate the unfair competition of alien labor against labor by citizens of the United States.

WHEREAS, The United States is one of the few countries which has not adopted legislation regulating the percentage of alien workers allowed to be employed on any one undertaking; and

WHEREAS, Aliens are freely allowed to work at gainful occupations within this country, despite the fact that the United States has about 10,500,000 unemployed citizens, and

WHEREAS, Alien labor is spreading from the farms into other occupations and industries; and

WHEREAS, Alien labor is undermining the working conditions of American labor; and

WHEREAS, The Mexican government requires employment of nine Mexican citizens to every alien on any one job and refuses entry to aliens seeking employment, while the United States government allows Mexicans to enter this country and engage in gainful occupations without such restrictions; and

WHEREAS, The minimum protection that the United States government should give its citizens is the requirement that at least one American citizen of voting age be employed to each alien on any one undertaking; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the President and the Congress of the United States are hereby respectfully urged to carefully consider the required legislation necessary to give our citizens at least an even break with the aliens within our borders and which will tend to eliminate the unfair competition of alien labor against labor by citizens of the United States, and be it further

Resolved, That the Governor of the State of California is hereby requested to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and member of the House of Representatives from California in the Congress of the United States, and that such Senators and members from California are hereby respectfully urged to support such legislation.

RESOLUTION.

The following resolution was offered:

By Messrs. Maloney, Cronin, Hornblower, DeLap, Minard, and Garibaldi:

ASSEMBLY RESOLUTION.

WHEREAS, The Assembly of the State of California regards with enthusiasm any conquest of the Pacific Ocean which brings the State closer to the islands of the Pacific; and

WHEREAS, The Assembly regards with admiration the accomplishment of daring enterprises in the air; and

WHEREAS, Miss Amelia Earhart has just conquered the Pacific in an epoch-making flight from Hawaii to California, the first time by a woman, and the first time by anyone without a copilot, navigator or other companion; now, therefore, be it

Resolved by the Assembly of the State of California, That Miss Earhart be congratulated and complimented by the Assembly for accomplishing the great feat which she did; and be it further

Resolved, That a suitably prepared copy hereof be sent by the Chief Clerk of the Assembly to Miss Earhart.

Mr. Maloney moved the adoption of the resolution.

The question being on the adoption of the resolution.

Resolution adopted unanimously.

RECESS.

At eleven o'clock and twenty minutes a.m., on the motion of Mr. Lyon, the Assembly was declared at recess until eleven o'clock and forty-five minutes a.m. of this day.

REASSEMBLED.

At eleven o'clock and forty-five minutes a.m., the Assembly reconvened.

Speaker Craig in the chair.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Evans, Herbert J: Assembly Bill No 172—An act to add a new section to be numbered section 8a to an act entitled "An act to promote the development of the egg industry in California, to prohibit the sale of eggs unfit for human food, to provide standards of quality and weight for the sale of eggs, to provide for proper labeling of all eggs displayed for sale to the consumer, to protect the consuming public by preventing deception in the sale of eggs, providing penalties for the violation of the provisions of this act, and repealing all acts, or parts of acts in conflict herewith," approved May 28, 1931, relating to cold storage eggs and shell treated eggs.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Evans, Herbert J.: Assembly Bill No. 173—An act to amend section 1132 of, and to add a new section to be numbered 1132.5 to, the Agricultural Code, relating to cold storage eggs and shell treated eggs.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Messrs. Minard, Brennan, Heisinger, Cottrell, Burns, Dawson, Anderson, Frazier, Robertson, and Stream: Assembly Bill No. 174—An act to amend the title of Part I of Division V of the School Code and to amend sections 5.1 and 5.2 thereof, relating to State colleges.

Bill read first time, and referred to Committee on Teachers Colleges.

By Mr. Voigt: Assembly Bill No. 175—An act to amend section 28 of the "Weights and Measures Act," approved June 16, 1913, relating to inspection of meters or instruments for measurement of services sold by public utilities excepting municipally owned public utilities.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Voigt: Assembly Bill No. 176—An act to amend section 463 of the Streets and Highways Code, relating to State highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. McBride: Assembly Bill No. 177—An act to add a new section to the Civil Code, to be numbered 453.7a, relating to mortgage insurance companies, and declaring the urgency thereof.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr. Wallace: Assembly Bill No. 178—An act to amend sections 1261 to 1273, inclusive, of the Agricultural Code, relating to produce dealers.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Wallace: Assembly Bill No. 179—An act to amend section 953c of the Code of Civil Procedure, relating to appeals.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Kallam: Assembly Concurrent Resolution No. 9—Relative to fixed charges.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Kallam asked for unanimous consent to take up Assembly Concurrent Resolution No. 9, at this time, without reference to printer, committee or file, and that same be considered engrossed.

OBJECTION TO UNANIMOUS CONSENT.

Mr. Jones objected to unanimous consent to the consideration of Assembly Concurrent Resolution No. 9.

MOTION TO SUSPEND RULES.

Mr. Kallam moved, seconded by Mr. Fisher, to suspend the rules.

Mr. Kallam withdrew his motion.

Assembly Concurrent Resolution No. 9 referred to Committee on Ways and Means.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 15, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 120—An act making appropriation for mileage of members and officers of the Assembly, the act to take effect immediately.

J. A. BEEK, Secretary of Senate.
By BOB CROSS, Assistant at Desk.

Assembly Bill No. 120 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 15, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 61—An act making an appropriation for the mileage of members and officers of the Senate, the act to take effect immediately.

J. A. BEEK, Secretary of Senate.

CONSIDERATION OF SENATE BILL NUMBER SIXTY-ONE.

Senate Bill No. 61—An act making an appropriation for the mileage of members and officers of the Senate, the act to take effect immediately.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Lyon asked for, and was granted, unanimous consent to take up Senate Bill No. 61, at this time, without reference to committee or file.

Bill read first time.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Crowley:

Resolved, That Senate Bill No. 61 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Mr. Lyon moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—74.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 61.

SECOND READING OF SENATE BILL NUMBER SIXTY-ONE.

Senate Bill No. 61—An act making an appropriation for the mileage of members and officers of the Senate, the act to take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—74.

NOES—None.

THIRD READING OF SENATE BILL NUMBER SIXTY-ONE.

Senate Bill No. 61—An act making an appropriation for the mileage of members and officers of the Senate, the act to take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 61 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—74.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SENATE MESSAGE

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 15, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 1—Relative to memorializing Congress to provide compensation, in lieu of taxes, for certain lands of the United States within the borders of the several States.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

Senate Joint Resolution No. 1 referred to Committee on Federal Relations.

RESOLUTION.

The following resolution was offered:

By Mr. Morgan:

WHEREAS, The Chamber of Commerce of the City of Sacramento has very generously provided for the entertainment and enjoyment of the members of the Legislature assembled at the fifty-first session by providing for the very beautiful inaugural ball, which was a tremendous success and thoroughly enjoyed by all in attendance; and,

WHEREAS, The Chamber of Commerce of the City of Sacramento in addition is now planning a dinner in honor of the Governor, Lieutenant Governor and members of the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly expresses its cordial appreciation and thanks for the activities of the Sacramento Chamber of Commerce in entertaining and honoring in such elaborate fashion the Governor, Lieutenant Governor and members of the Legislature assembled at the fifty-first session.

Mr. Morgan moved the adoption of the resolution.

The question being on the adoption of the resolution.

Resolution adopted unanimously.

ADJOURNMENT.

At twelve o'clock and thirty minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Wednesday, January 16, 1935.

CHARLES H. ERB, Minute Clerk

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, January 16, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. McBride, its further reading was dispensed with.

LEAVE OF ABSENCE.

On motion of Mr. Fisher, Miss Miller was granted leave of absence for the day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Nielsen, Mr. Eugene Knight, teacher, and the following pupils of the Arden Grammar School: Clairemond Carey, Joe Sertich, Kenneth Lewis, Helen Moisio, Geneva Fraties, Earl Barnes, Norman Farmer, Nick Pascovich, Tom Ikisaki, Joe Pascovich, Roy Stansfield, James McAdoo, Frankie Zainina, Barbara Stevenson, Phyllis Carroll, Beverley Messinger, Mary Wallner, Edna Owens, Phoebe Jonas, Olive Crockett, Sally Breuner, Barbara Brand, Arlie Crockett, Francilla Rupert, Edna McQueen, Akira Sasaki, Edward Lewis, Margie Ross, Edna Lincioni, David Boylan, Jane Adams, Elizabeth Rupert, Eron Jonas, Teddy Noack, Bill Linn, Lucius McGill, Wallie Jones, Henry Gavazza, Bill LeMoir, John Vasti, Raymond Hein, and Edward Murten were extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petition was presented, and ordered printed in the Journal:

By Mr. Speaker:

From Altadena Citizens' Association, relative to control of roads in the State Highway Commission.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 89—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such bonds and declaring the urgency of said act—and reports that the same has been correctly enrolled, and presented the same to the Governor on this fifteenth day of January, at three o'clock and forty-five minutes p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 1—Relative to memorializing Congress to enact proposed legislation directing immediate payment of the adjusted service certificates of sailors and soldiers of the World War;

Also: Assembly Joint Resolution No. 4—Relative to memorializing the President and Congress to enact old age pension legislation;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of January, at three o'clock and forty-five minutes p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 3—Approving certain amendments to the charter of the city of Compton, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the tenth day of October, 1933—and reports that the same has been correctly enrolled, and presented the same to the Governor on this fifteenth day of January, at three o'clock and forty-five minutes p.m.

WATERS, Chairman.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 15, 1935.

Members of the Assembly, Sacramento, California.

Herewith attached find copy of letter received from His Excellency, President Roosevelt, regarding the need for legislation to make the National Housing Act more effective in California. Copy of the letter from Mr. James A. Moffett, Administrator of the Federal Housing Act, and copy of the New York law, to both of which reference is made, are also enclosed.

President Roosevelt has been assured of the cooperation of California along the line suggested, and I am sending the enclosed to the Assembly and Senate for such consideration and action as may be deemed desirable.

Very sincerely yours,

FRANK F. MERRIAM, Governor of California.

(COPY).

THE WHITE HOUSE, WASHINGTON, December 17, 1934.

MY DEAR GOVERNOR: I am enclosing a copy of a letter to me from Mr. James A. Moffett, the Administrator of the Federal Housing Administration. This letter calls my attention to the need for certain legislation to make Titles II and III of the National Housing Act more effective.

Amendments to existing State laws seem to be called for in practically every State—44 of them—in which State Legislatures are meeting this winter.

Mr. Moffett tells me that the bill passed by the Legislature of the State of New York, in special session last August, seems to meet the general needs. I am enclosing a copy of this bill.

It would give me great satisfaction if you would give this matter your most careful consideration with the object, if you approve, of obtaining legislation in your State in 1935.

If you would care to have any further information in regard to the details or objects relating to this subject, I shall be glad to have you call on Mr. Moffett at any time.

Very sincerely yours,

(Signed) FRANKLIN D. ROOSEVELT.

His Excellency, Frank F. Merriam, Governor of California, Sacramento, California.

(COPY).

FEDERAL HOUSING ADMINISTRATION,
WASHINGTON, December 11, 1934.

MY DEAR MR. PRESIDENT: In order that the Federal Housing Administration may attain a full measure of success throughout the country, it is essential that banks, insurance companies, building and loan associations, trust companies, fiduciaries, and other investors be able legally to make insured mortgage loans, and to invest in insured mortgages and in National mortgage association obligations, as provided by the National Housing Act.

You may recall that Title II of the National Housing Act, in order to create a sound mortgage market and induce mortgage money to finance new construction, provided for the insurance of long term, low interest-bearing, fully amortized home mortgage loans, by authorizing the creation of a Federal mutual insurance fund Title III of the act authorizes the creation of National mortgage associations subject to the supervision and control of the Federal Housing Administrator. The object of these associations is to provide a liquid market for home mortgages and thus to aid in establishing a more sound National credit system.

At the present time there are in the States various statutory limitations upon loans and investments by the aforementioned investing institutions, which restrict their ability to benefit fully from the National housing program. A similar limitation upon the lending power of National banks has already been removed by the Congress.

The legislatures of many States will convene during the next few months. Could you not, with propriety, suggest to the Governors of these States that their statutes shall be amended as soon as possible so that banks, insurance companies, building and loan associations, trust companies, fiduciaries and all other investors under *statutory restrictions might be permitted legally to make insured mortgage loans* and to invest in insured mortgages and in National mortgage association obligations as provided by the National Housing Act?

Respectfully yours,

J. A. MOFFETT, Administrator.

The President, The White House, Washington, D. C.

(COPY).

State of New York, No. 195, in Assembly (Extraordinary Session),
August 17, 1934.

Rec. 60.

Senate Bill No. 187—Introduced by Mr. Wald, amended on second reading, *ordered reprinted, and passed.*

An Act to authorize corporations and private bankers subject to the provisions of the banking law to make loans, advances of credit and purchases in accordance with the provisions of an act of Congress, entitled "National Housing Act," approved by the President on June 27, 1934, and exempting such loans, advances of credit and purchases from the application of general statutes.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

SECTION 1. Subject to such regulations as may be prescribed by the Federal Housing Administrator, acting pursuant to the act of Congress, entitled "National Housing Act," approved on June 27, 1934, and to such regulations as the Banking Board finds to be necessary and proper, corporations and private bankers subject to the banking law are authorized:

(a) To make such loans and advances of credit and purchases of obligations representing loans and advances of credit as are eligible for insurance pursuant to Title I, section 2 of such National Housing Act and to obtain such insurance.

(b) To make such loans secured by mortgages on real property as are eligible for insurance pursuant to Title II of such National Housing Act and to obtain such insurance.

No law of this State prescribing the nature, amount or form of security or requiring security upon which loans or advances of credit may be made, or prescribing or limiting interest rates upon loans or advances of credit, or prescribing or limiting the period for which loans or advances of credit may be made shall be deemed to apply to loans, advances of credit or purchases made pursuant to the foregoing paragraphs (a) and (b).

2. Subject to such regulations as the Banking Board finds to be necessary and proper, building and loan associations and savings and loan associations are authorized to secure insurance from the Federal Savings and Loan Insurance Corporation pursuant to Title IV of such National Housing Act.

3. This act shall take effect immedately.

(2473 Rev. 11-20-34).

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Martin: Assembly Bill No 180—An act to provide for the creation of a State Commission Market and the organization thereof, to carry on the business of receiving from the producers thereof agricultural products of the State and disposing of such products on com-

mission, creating the "State Commission Market fund" and making an appropriation.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Riley: Assembly Bill No. 181—An act to add section 11b to an act known as "The Motor Vehicle Fuel License Tax Act," relating to the taxation of fuel used in aircraft, and the disposition of the funds derived therefrom.

Bill read first time, and referred to Committee on Aviation and Aircraft.

By Mr. Wagner: Assembly Bill No. 182—An act to amend the title and section 1 of "An act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or other establishment employing any female to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, relating to the employment of females.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Fisher: Assembly Bill No 183—An act repealing sections 367a, 367b, and 367c of the Political Code, renumbering sections 367d to 367g, inclusive, thereof, to be sections 367q to 367t, inclusive, and adding sections 367a to 367p thereto, relating to the Department of Social Welfare.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. McBride: Assembly Bill No. 184—An act to amend section 6 07 of the "Building and Loan Association Act" approved May 5, 1931, relating to acceptance of investment certificates or shares in payment for loans or property.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Mr. Minard: Assembly Bill No. 185—An act to amend section 4300c of the Political Code, relating to recording fees.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Flint, Hawkins, McCarthy, Geyer, Rosenthal, Pelletier, and Reaves: Assembly Bill No 186—An act to amend section 11½ and section 11 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for

help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, relative to limitations on fees charged, and to the provisions of receipts or contracts issued by such agencies.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Latham and Wright: Assembly Bill No. 187—An act providing for transfers from the State highway fund to the general fund in the State treasury of an amount equal to that paid or that necessary to be paid during the eighty-fifth, eighty-sixth, eighty-seventh and eighty-eighth fiscal years for the principal and interest upon certain State bonds for highway purposes to take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

CHIEF CLERK ORDERED READING.

ANNOUNCEMENT BY THE SPEAKER.

The Speaker announced the following appointments of standing committees:

Agriculture (17)—Phillips (Chairman), Boyle, Crowley, Corwin, Desmond, Donnelly, Frazier, Garibaldi, Heisinger, Lore, McBride, Meehan, O'Donnell, Richie, Thorp, Walker, and Wright.

Attaches (7)—Utt (Chairman), Chatters, Dawson, Fisher, Fulcher, Riley, and Stream.

Aviation and Aircraft (11)—Morgan (Chairman), Anderson, Cronin, Evans, Ralph W., Flint, Gilmore, Heisinger, Hunt, Martin, Waters, and Welsh.

Banking (9)—Williamson (Chairman), Cottrell, Donnelly, Lyon, Meehan, Patterson, Peyser, Peterson, and Redwine.

Building and Construction (7)—Peyser (Chairman), Fisher, Flint, Glover, Martin, Peterson, and Welsh.

Building and Loan (7)—Scudder (Chairman), Cottrell, Kallam, Laughlin, McBride, Wallace, and Williamson.

Civil Service (9)—Nielsen (Chairman), Anderson, Donihue, Kallam, Maloney, McBride, McCarthy, Thorp, and Voigt.

Commerce and Navigation (9)—Maloney (Chairman), Breed, Gilmore, Hornblower, McBride, Nielsen, Riley, Robertson, and Wallace.

Conservation (9)—Redwine (Chairman), Andreas, Evans, Herbert J., Flint, Fulcher, Lore, Mayo, Morgan, and Welsh.

Constitutional Amendments (13)—Latham (Chairman), Chatters, Cunningham, Corwin, Desmond, Evans, Ralph W., Field, Frazier, Garibaldi, Pelletier, Redwine, Walker, and Waters.

Contested Elections (5)—O'Donnell (Chairman), Clark, Glover, Hunt, and Pelletier.

Contingent Expenses (5)—Walker (Chairman), Andreas, Burns, Flint, and Pelletier.

Corporations (9)—Breed (Chairman), Clark, Cottrell, Evans, Herbert J., Jones, McCarthy, Rosenthal, Wallace, and Williamson.

County Government (15)—DeLap (Chairman), Cassidy, Desmond, Evans, Ralph W., Gilbert, Glover, Hawkins, Hunt, Meehan, McMurray, Pelletier, Reaves, Richie, Rosenthal, and Voigt.

Crime Problems (7)—Miller (Chairman), Brennan, Fisher, Gilmore, Hawkins, Johnson, and Martin.

Direct Legislation (7)—Heisinger (Chairman), Donihue, Gilbert, Hawkins, Lore, Richie, and Wagner.

Drainage, Swamp and Overflowed Lands (13)—Desmond (Chairman), Andreas, Boyle, Donihue, Donnelly, Flint, Geyer, Gilbert, Hawkins, Reaves, Rosenthal, Stream, and Voigt.

Education (13)—Chatters (Chairman), Anderson, Brennan, Cunningham, Dawson, Geyer, Gilbert, Johnson, Miller, Morgan, Patterson, Phillips, and Williamson.

Elections (11)—Dawson (Chairman), Andreas, Brennan, Cottrell, Desmond, Gilbert, Hawkins, Maloney, Miller, Peyser, and Waters.

Engrossment and Enrollment (5)—Waters (Chairman), Flint, Gilbert, Minard, and Walker.

Exhibitions and Fairs (7)—Fulcher (Chairman), Donnelly, Kallam, McMurray, Nielsen, Phillips, and Stream.

Federal Relations (7)—Turner (Chairman), Boyle, Cassidy, Gilbert, Glover, McMurray, and Voigt.

Financial Institutions (7)—Eicke (Chairman), Corwin, Cronin, Garibaldi, Riley, Robertson, and Utt.

Fish and Game (15)—Fisher (Chairman), Burns, Chatters, Cronin, Crowley, Fulcher, Gilmore, Hornblower, Lyon, Maloney, Mayo, McBride, Patterson, Redwine, and Scudder.

Governmental Efficiency and Economy (11)—Field (Chairman), Clark, Glover, Latham, Martin, Miller, Nielsen, Peyser, Reaves, Stream, and Wright.

Governmental Revenues and Expenditures (5)—Jones (Chairman), Donihue, Donnelly, McMurray, and Rosenthal.

Hospitals and Asylums (11)—Corwin (Chairman), Cassidy, Donihue, Glover, Geyer, Laughlin, McCarthy, McMurray, Meehan, Reaves, and Richie.

Insurance (11)—Minard (Chairman), Cronin, Evans, Herbert J., Frazier, Fulcher, Garibaldi, Hornblower, Kallam, Maloney, McBride, and Stream.

Introduction of Bills (5)—Cunningham (Chairman), Breed, Laughlin, Redwine, and Reaves.

Irrigation (17)—Frazier (Chairman), Andreas, Chatters, DeLap, Desmond, Donnelly, Garibaldi, Geyer, Heisinger, Mayo, Minard, O'Donnell, Pelletier, Phillips, Reaves, Wagner, and Walker.

Judiciary (21)—Lyon (Chairman), Brennan, Cronin, Crowley, Cunningham, Dawson, DeLap, Eicke, Fisher, Hornblower, Johnson, Jones, McCarthy, Minard, O'Donnell, Peyser, Redwine, Robertson, Wallace, Welsh, and Williamson.

Labor and Capital (13)—Burns (Chairman), Anderson, Brennan, Flint, Hunt, Jones, Maloney, McCarthy, Meehan, Patterson, Pelletier, Turner, and Voigt.

Libraries (5)—Hunt (Chairman), Hawkins, Meehan, Patterson, and Wagner.

Live Stock and Dairies (9)—Thorp (Chairman), Burns, Cassidy, Desmond, Garibaldi, Heisinger, O'Donnell, Phillips, and Walker.

Manufactures (7)—Gilmore (Chairman), Clark, Donihue, Evans, Herbert J., Latham, Maloney, and Thorp.

Medical and Dental Laws (9)—Cronin (Chairman), Boyle, Corwin, Dawson, Evans, Ralph W., Fisher, Geyer, Johnson, and Peyser.

Mileage (6)—Crowley (Chairman), DeLap, Eicke, Garibaldi, Robertson, and Wagner.

Military Affairs (9)—Boyle (Chairman), Laughlin, Lore, Pelletier, Reaves, Richie, Rosenthal, Voigt, and Wagner

Mines and Mining (9)—Mayo (Chairman), Eicke, Corwin, Frazier, Fulcher, Lore, Meehan, Turner, and Waters.

Motor Vehicles (15)—Hornblower (Chairman), Andreas, Breed, Cottrell, Crowley, Field, Heisinger, Jones, Lore, Lyon, Nielsen, Peterson, Peyser, Thorp, and Wagner.

Municipal Corporations (13)—Wright (Chairman), Cunningham, DeLap, Evans, Ralph W., Field, Latham, Lyon, Scudder, Redwine, Riley, Rosenthal, Waters, and Welsh.

Oil Industries (9)—McBride (Chairman), DeLap, Frazier, Latham, Riley, Robertson, Turner, Utt, and Wright.

Prisons and Reformatories (11)—Martin (Chairman), Cassidy, Cottrell, Clark, Eicke, Evans, Ralph W., Hunt, Miller, Peterson, Richie, and Scudder.

Public Charities and Corrections (9)—Andreas (Chairman), Geyer, Hawkins, Laughlin, Lore, McCarthy, Voigt, Wagner, and Welsh.

Public Health and Quarantine (9)—Kallam (Chairman), Boyle, Dawson, Evans, Herbert J., Field, Gilmore, McMurray, Utt, and Williamson.

Public Morals (11)—Garibaldi (Chairman), Cunningham, Hornblower, Lyon, Maloney, Miller, Phillips, Riley, Scudder, Utt, and Wright.

Public Utilities (11)—Evans, Herbert J. (Chairman), Breed, Cassidy, Dawson, Evans, Ralph W., Field, McBride, Miller, Robertson, Stream, and Utt.

Revenue and Taxation (15)—Riley (Chairman), DeLap, Field, Frazier, Heisinger, Kallam, Latham, Lyon, O'Donnell, Robertson, Thorp, Utt, Wallace, Williamson, and Wright.

Roads and Highways (15)—Stream (Chairman), Breed, Burns, Chatters, Crowley, Fulcher, Johnson, Jones, Kallam, Laughlin, Mayo, Peterson, Turner, Utt, and Walker.

Rules (7)—Wallace (Chairman), Craig, Hornblower, Lyon, O'Donnell, Phillips and Scudder.

Social Service (9)—Brennan (Chairman), Anderson, Cassidy, Crowley, Donihue Fisher, Gilmore, Morgan, and Thorp.

Soldiers and Sailors Affairs (13)—Peterson (Chairman), Eicke, Geyer, Johnson, Laughlin, McCarthy, McMurray, Minard, Morgan, Nielsen, Patterson, Richie, and Turner.

State Grounds and Parks (7)—Donnelly (Chairman), Clark, Mayo, Nielsen, Patterson, Rosenthal, and Wallace.

Teachers Colleges (7)—Robertson (Chairman), Burns, Eicke, Glover, Minard, Morgan, and Stream.

Unemployment (7)—Anderson (Chairman), Breed, Evans, Herbert J., Jones, Martin, Minard, and Welsh.

Universities (7)—Johnson (Chairman), Brennan, Clark, Cronin, Cunningham, Morgan, and Waters.

Ways and Means (21)—Cottrell (Chairman), Anderson, Boyle, Breed, Burns, Chatters, Corwin, Dawson, Field, Hunt, Kallam, Latham, Martin, Mayo, Miller, Peterson, Phillips, Riley, Scudder, Turner, and Wright.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced, and referred as indicated:

By Mr. Boyle: Assembly Bill No. 188—An act to add section 654d to the Penal Code, relating to advertising food, drink, drug, or cosmetic products by radio broadcasting and providing penalties for violation thereof.

Bill read first time, and referred to Committee on Medical and Dental Laws.

MOTION TO APPROVE JOURNALS.

Mr. Lyon moved that Assembly Journals of Monday, January 7, 1935; Tuesday, January 8, 1935; Wednesday, January 9, 1935; Thursday, January 10, 1935, and Friday, January 11, 1935, be approved as corrected by the Minute Clerk.

Motion to correct Journals carried.

RESOLUTION.

The following resolution was offered:

By Messrs. Wagner and Cassidy:

ASSEMBLY RESOLUTION.

Relative to the Governor's budget bill and program.

WHEREAS, The Legislature has been in session since January 7, 1935, and plans to take a recess on January 26, 1935; and

WHEREAS, The Legislature's work is largely dependent upon the program and budget bill submitted by His Excellency, Governor Frank F. Merriam; and

WHEREAS, It is of vital importance to the people of the State of California that the Legislature proceed with its work in considering the many weighty and important problems now before the State of California; now, therefore, be it

Resolved, That the Legislature does earnestly request His Excellency, Governor Frank F. Merriam, to submit to it his program and budget bill at the earliest possible moment.

Mr. Cassidy moved the adoption of the resolution.

CONSIDERATION OF RESOLUTION BY MESSRS. WAGNER AND CASSIDY.

Mr. Lyon moved that the resolution be referred to Committee on Rules.

Mr. Evans, Herbert J., seconded the motion.

MOTION TO LAY ON TABLE.

Mr. Martin moved that the resolution be laid on the table.

Mr. Lyon seconded the motion.

Motion carried.

Resolution laid on table.

RECESS.

At ten o'clock and fifty-five minutes a.m., the Speaker declared the Assembly at recess for the purpose of hearing from Lieutenant Governor Fred S. Alward of Nevada.

At ten o'clock and fifty-seven minutes a.m., the Assembly reconvened. Speaker Craig in the chair.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced, and referred as indicated:

By Mr. Patterson: Assembly Bill No. 189—An act to add a new section to the School Code to be numbered 4.182, relating to the insuring under the Workmen's Compensation Insurance and Safety Act and/or the Workmen's Compensation, Insurance and Safety Act of 1917 of persons employed by county superintendents of schools to supervise instruction in the public schools.

Bill read first time, and referred to Committee on Insurance.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1935.

MR. SPEAKER: Your Committee on Attaches respectfully begs to report that it has carefully considered the applications for the various positions and desires to submit the following resolution:

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same:

	Per day (Sundays excepted)
Commencing January 14, 1935	
Irving Mahoney, Assistant Sergeant-at-arms	$5 00
Commencing January 15, 1935	
Anna Medbury, Stenographer	5 00
Evelyn Towler, Stenographer	5 00
Commencing January 16, 1935	
Harry R. Jackson, Assistant Enrollment Clerk	5 00
Dave Oliver, Assistant Clerk	7 00

Resolved further, That the following named persons be stricken from the list of Assembly attaches, and their names be stricken from the pay roll of the Assembly, to take effect on completion of the work, January 15, 1935:

	Per day
Harry R. Jackson, Assistant Sergeant-at-arms	$5 00
Dave Oliver, Assistant Enrollment Clerk	5 00

Resolved further, That the compensation of Viva Alexander shall commence on January 13, 1935, and be on a seven (7) day per week basis.

UTT, Chairman.

Mr. Utt moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution

The roll was called, and the report and resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—74.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Garibaldi: Assembly Bill No. 190—An act to amend section 422 of the Streets and Highways Code, relating to State highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Garibaldi: Assembly Bill No. 191—An act to add section 600 to the Streets and Highways Code, relating to secondary State highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Garibaldi: Assembly Bill No. 192—An act to amend section 7 of an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, relating to State highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Garibaldi: Assembly Bill No. 193—An act to establish an additional State highway and classifying it as a secondary State highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Cronin: Assembly Bill No. 194—An act to amend sections 20 and 24 of the "Workmen's Compensation, Insurance and Safety Act of 1917," as amended, relative to awards and disposition thereof.

Bill read first time, and referred to Committee on Insurance.

By Mr. Gilmore: Assembly Bill No. 195—An act to amend section 305 of the Agricultural Code, relating to meat inspection.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Field: Assembly Bill No. 196—An act to amend section 2 of the "Los Angeles County Flood Control Act," approved June 12, 1915, relating to powers of the district, declaring the urgency hereof and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Cronin: Assembly Constitutional Amendment No. 18—Proposed Amendment to Article VI, section 4b of the Constitution, relative to district courts of appeal.

Introduced, and referred to Committee on Constitutional Amendments.

RECESS.

At eleven o'clock a.m., on the motion of Mr. Lyon, the Assembly was declared at recess until eleven o'clock and thirty minutes a.m. of this day.

REASSEMBLED.

At eleven o'clock and thirty minutes a.m., the Assembly reconvened.

Speaker Craig in the chair.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following resolution was introduced, and referred as indicated:

By Mr. Field: Assembly Joint Resolution No. 14—Relative to memorializing the Public Works Administration to approve the appli-

cation of the Los Angeles County Flood Control District for a grant of $4,150,000 to be used for the immediate construction of 12 debris basins in the La Crescenta, La Canada, Verdugo Wash and Haines Canyon districts, the same being commonly known as the La Crescenta, La Canada, Verdugo Wash and Haines Canyon Project, in the county of Los Angeles, California.

Introduced, and referred to Committee on Federal Relations.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 12—Relative to memorializing Congress to enact proposed legislation directing repeal of section 15 of the Black-McKellar Act.

J. A. BEEK, Secretary of Senate.

Assembly Joint Resolution No. 12 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 3—Relative to the action of the President of the United States in lifting the tariff on hay and live stock feed from Canada, and the action by the Secretary of Agriculture in signing an agreement authorizing an "Agency for Deficiency Distribution" for the distribution in the United States of hay and live stock feed from Canada.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

Senate Joint Resolution No. 3 read first time, and referred to Committee on Federal Relations.

ADJOURNMENT.

At eleven o'clock and fifty minutes a. m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Thursday, January 17, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, January 17, 1935.

At ten o'clock a m, pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Nielsen, its further reading was dispensed with.

LEAVE OF ABSENCE.

On motion of Mr. Fisher, Miss Miller was granted leave of absence for this day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Cottrell, the following superintendent, teachers, and pupils of the Willow Glen Grammar School at San Jose, California: Mr R. B Kennedy, district superintendent; Miss Mildred Lewis and Mrs. Charles Ianne, teachers, and Aileen Dyche, Bernice Nelson, Grace Mascovich, Helen Prindiville, Kirk Darling, Nadine Johns, Gerald Berryhill, Robert Slaght, Robert Hinshaw, Sam Gellman, Orlyn Gire, Billy Rushworth, Alice Carter, Orlo Hill, Lloyd Aubry, Jacqueline Taber, Allen Peterson, Bobby Jopson, Warren Thomas, Junior Harvey, Louis Bergna, Billy McReynolds, Claude Cunningham, Joanne Abell, Larry Hudson, Robert Hill, pupils, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Nielsen, the following principal and pupils of the Fair Oaks Grammar School: Paul Kelly, principal; Betty Armstrong, Marion Frazier, Doris Gallaher, Jewel Grigsby, Thalia Heim, Hazel Holland, Constance Johns, Verna Mae Johnson, Elaine Lewis, Ruth Pregnitz, Gertrude Thompson, Peggy Brillhart, Catherine Weber, Warren Blyler, Renee Price, Ruth Sheeks, Clarion Cockran, Joe Campoy, Victor Fulton, Kent Harris, Anthony Karjaka, David McNaught, Robert Massey, Leland Orr, Lester Roediger, Donald Riggins, and Russell Olsen, pupils, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Hornblower, Hon. John C. Corbett, member of the State Board of Equalization, San Francisco, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. O'Donnell, Mr. Fred Meir of Woodland was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of the San Francisco delegation, Mr. W. J. Varley of San Francisco was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of the San Francisco delegation, Mr George H. Allen of San Francisco was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Johnson, Hon. Cecil Lavers, city attorney of Albany, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Redwine, Mr. M. M Hurford, president, Federal Home Loan Bank of Los Angeles, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Meehan, Mr. Howard E. Shields of Oakland was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Cassidy, Mr. John M. Kinucan was extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Mr. Robert E. Shippey, relative to legislation on the following: 1. Compulsory unemployment insurance and old age pension plan. 2. Workmen's Compensation Act; 3. Strengthening the prevailing wage law; 4. Regulating peaceful picketing; 5. Prohibiting use of strikebreakers by State employment bureaus; 6. Strengthening the antiblacklisting law; 7. Limiting the hours of truck drivers on the highways; 8. Supporting all measures sponsored by the State Federation of Labor.

Also:

By Mr. Speaker.

From R K. Rhodes, relative to Townsend Old Age Pension Plan

Also:

From G. Wagner, relative to California Old Age Pension Law.

COMMUNICATIONS.

The following communication was received, and ordered printed in the Journal

By Mr. Heisinger.

CAPITOL, January 15, 1935.

MR. SPEAKER: A constituent has written to me as follows:

"Assemblyman S. L. Heisinger, Sacramento, California.

DEAR SIR:

The letter which is enclosed with this note brings up the question in my mind as to who is running this State; the Legislature and other authorized authorities or the California Teachers Association?

Very respectfully."

(Encl.)

(COPY).

CALIFORNIA TEACHERS ASSOCIATION, SIERRA EDUCATIONAL NEWS,
155 SANSOME STREET, SAN FRANCISCO, December 29, 1934.

To County, City and District Superintendents, and High School Principals.

Assemblyman S. L. Heisinger of Fresno states that he will introduce a bill in the next session of the Legislature for the printing of all high school textbooks in the State Printing Office. Mr. Heisinger tried to have such legislation enacted in the 1929 session of the Legislature. At that time we had difficulty in defeating the proposal.

He states:

"The eastern book printers are earning millions of dollars from the printing of school books. It appears to every loyal Californian that this work should remain in the State. The State Printing Office saves the taxpayers of California many thousands of dollars on what books are printed by it. It is my intention that every book used in the schools shall be printed by the State."

I believe it is the duty of the high school principals of the State to contact the members of the Legislature before they go to Sacramento in January, in order that this proposal may be defeated.

I am sure that I do not have to discuss this matter with you in order that you may know its seriousness. The State printing of high school texts would mean a curtailment of the educational opportunity of our youth. It will restrict the various high schools in the selection of material suitable for their own needs.

Will you contact your Assemblyman and your Senator and explain to them just how serious this proposal is?

We must do everything we can to keep a measure of this kind from becoming a law.

Yours very truly,

ROY W. CLOUD, State Executive Secretary.

This letter of Mr. Cloud's is erroneous in practically every detail. I have not made the statements he has quoted and never had an intention to introduce such a drastic bill. My School Text Book Bill of 1929, having passed both houses of the Legislature, Mr. Cloud admits that he and others caused the Governor to veto it. By wide distribution of this letter, Mr. Cloud has placed himself in a very unenviable position. Mr. Cloud should verify these statements or publicly retract the same.

Respectfully submitted,

S. L. HEISINGER,
Assemblyman, Thirty-Seventh District.

MOTION.

Mr. Williamson moved that the Chief Clerk be instructed to purchase flowers to be sent to Miss Eleanor Miller, with the best wishes of the Assembly for a speedy recovery from her illness.

Motion carried.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1935.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 5—Relative to memorializing the President and Congress to enact unemployment insurance legislation—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

TURNER, Chairman.

Assembly Joint Resolution No. 5 ordered to engrossment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1935.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 3—Relating to the action of the President of the United States in lifting the tariff on hay and live stock feed from Canada, and the action by the Secretary of Agriculture in signing an agreement authorizing an "Agency for Deficiency Distribution" for the distribution in the United States of hay and live stock feed from Canada—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

TURNER, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Cottrell asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 3, at this time, without reference to committee or file.

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER THREE

Senate Joint Resolution No. 3—Relating to the action of the President of the United States in lifting the tariff on hay and live stock feed from Canada, and the action by the Secretary of Agriculture in signing an agreement authorizing an "Agency for Deficiency Distribution" for the distribution in the United States of hay and live stock feed from Canada.

Senate Joint Resolution No. 3 read.

Mr. Cottrell moved the adoption of Senate Joint Resolution No. 3.

The question being on the adoption of Senate Joint Resolution No. 3.

The roll was called, and Senate Joint Resolution No. 3 was adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher,

Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Welsh, Williamson, and Mr. Speaker—73.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 3 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 3.

Relating to the action of the President of the United States in lifting the tariff on hay and live stock feed from Canada, and the action by the Secretary of Agriculture in signing an agreement authorizing an "Agency for deficiency distribution" for the distribution in the United States of hay and live stock feed from Canada.

WHEREAS, There is a shortage of hay and live stock feeds in certain Eastern and Middle Western States of the United States; and

WHEREAS, By Presidential proclamation the tariff on hay and live stock feeds from Canada has been lifted;

WHEREAS, The Secretary of Agriculture has signed an agreement authorizing an "agency for deficiency distribution" which has been organized for the purpose of bringing Canadian feed stuffs into the United States; and

WHEREAS, A reduction in freight rates on railroads in Canada and from Canada and likewise in the United States for the purpose of transporting these Canadian feed stuffs has been secured; and

WHEREAS, There is in existence in California and other Pacific Coast States a surplus of hay, barley and other feed stuffs; and

WHEREAS, These domestic feed stuffs can be equitably and economically moved into the drought areas to the benefit of American citizens; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California most respectfully urges and petitions the President of the United States and the Secretary of the United States Department of Agriculture to postpone any action looking toward the importation of feed stuffs from Canada until the surplus feed stuffs produced by citizens of the United States have been equitably and efficiently distributed into the drought areas, after which distribution of domestic grown surpluses there will be sufficient time to give serious consideration to the importation of feed stuffs from foreign countries; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President of the United States and to the Secretary of Agriculture of the United States.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1935.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 1—Relative to memorializing Congress to provide compensation, in lieu of taxes, for certain lands of the United States within the borders of the several States—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

TURNER, Chairman.

Senate Joint Resolution No. 1 ordered on file.

COMMUNICATION.

The following communication was filed by the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1935.

MR. SPEAKER: Pursuant to your instructions, the following named person has filed his credentials, and is duly recognized as representative of the newspaper set opposite his name:

Box Office—A. M. Garfinkle.

ARTHUR A. OHNIMUS, Chief Clerk.

COMMUNICATION.

The following communication was received, and ordered printed in the Journal:

By Mr. Speaker:

ASSEMBLY, CALIFORNIA LEGISLATURE, FIFTY-FIRST SESSION.

Members of the California Legislature, Sacramento:

Pursuant to the resolution adopted by the Assembly relative to the investigation of the building and loan situation I hereby appoint the following members:

1. Frederick Peterson (Chairman).
2. Kennett B. Dawson.
3. James J. McBride.
4. James B. Utt.
5. Ralph Louis Welsh.

I have endeavored to select an impartial, unprejudiced committee that will expeditiously, thoroughly and courageously investigate the building and loan situation and render to the Assembly a clear, comprehensive report of its findings of fact, conclusions and recommendations.

I have faith that the work of the committee will develop a constructive legislative program having in purpose the rehabilitation of our building and loan institutions and the complete restoration of confidence.

EDWARD CRAIG, Speaker of the Assembly.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 16, 1935.

Members of the California Assembly, Sacramento.

Herewith enclosed find copy of communication received from His Excellency, President Franklin D. Roosevelt, and my reply thereto.

I am submitting this correspondence to the members of the Assembly and Senate that they may be fully informed regarding the President's generous offer of aid and my assurance of the appreciation and cooperation of the State of California.

Yours very sincerely,

FRANK F. MERRIAM, Governor of California.

(COPY).

THE WHITE HOUSE, WASHINGTON, December 22, 1934.

MY DEAR GOVERNOR MERRIAM: In the event that an additional public works program is authorized at the coming session of the Congress, I should like to see the municipalities of your State legally able to take full advantage of such a program. With this in mind, I have instructed Administrator Ickes to place at your disposal the Legal Division of the Public Works Administration for the purpose of suggesting bills which, if enacted into law, would enable municipalities of your State to secure the benefits of this phase of the recovery program.

Our experience in the past 18 months has brought to light the difficulty of gearing the legal machinery which has served municipalities of your State adequately for decades to the speed with which the Federal government must extend credit to achieve desired results. It has been found that revision of the procedure relative to municipal financing is essential, at least for the duration of the existing emergency. I wish to submit for your consideration in formulating your legislative program, the following general suggestions:

1. Simplification of the procedure for the authorization and financing by municipalities of public works projects, for example, by shortening the periods of notices before elections on bond issues.

2. Creation of municipal improvement authorities without power to tax, but with power to issue bonds payable solely from the income of revenue-producing improvements, such as water, sewer, and electric light and power systems.

3. Authorizing municipalities to engage in slum clearance, including condemnation of necessary lands, and the construction, operation and maintenance of low-cost housing, to make contributions therefor, and to enter into contracts with the Federal government in connection therewith.

4. Providing for the creation of nonprofit public benefit corporations or agencies to provide for the electrification of rural communities with the assistance of the Federal government.

5. Validation of bonds and other obligations heretofore issued by municipalities for public works projects and sold to the Federal government.

If you will write me how you feel about these suggestions, I will request Administrator Ickes to have prepared such bills as may be deemed advisable.

Quite apart from the above suggestions, I think it would be helpful if arrangements could be made whereby the Public Works Administration is furnished with copies of all laws enacted at the forthcoming legislative session This will materially aid the administration in advancing funds on approved projects.

Very sincerely,

(Signed) FRANKLIN D. ROOSEVELT.

Hon Frank F. Merriam, Governor of California, Sacramento, California.

(COPY)

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 16, 1935

His Excellency, Franklin D. Roosevelt,
President of the United States, Washington, D. C

MY DEAR MR PRESIDENT: This will acknowledge your favor of December 22d, last, regarding enactment of any legislation necessary to enable the municipalities of California to secure benefits of any additional public works program which may be authorized by Congress at the present session

The suggestions are most welcome, and copies of such bills as Administrator Ickes may prepare and forward will be appreciated It will be a pleasure to forward to Public Administrator Ickes copies of such laws as may be enacted by the Legislature during the current session.

Because it is a matter of deep concern to our people and to the welfare of the State, may I call attention to the great Central Valley Water Project of California. This project is pending for approval before the Federal Emergency Administration of Public Works.

The project seems to fulfill completely and in detail the requirements of that part of your recovery program relative to the granting of Federal assistance in financing the construction by States of meritorious public works I heartily recommend the Central Valley Water Project for your favorable consideration.

Perhaps, I am going somewhat afield but it would be most helpful if Administrator Harold L Ickes would present to me any suggestions or recommendations regarding legislation deemed desirable, in order to expedite the approval of this project

Allow me, Mr President, to thank you for your offer of assistance and to assure you that such offer is accepted by me, on behalf of the State which I represent, in the full measure in which it is made California wishes to cooperate with you to the utmost in your great and constructive recovery program.

With highest assurances of regard, I am

Yours very sincerely,

(Signed) FRANK F MERRIAM, Governor of California

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 16, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No 8—Approving certain amendments to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the nineteenth day of December, 1933.

J A. BEEK, Secretary of Senate.

The above reported Assembly concurrent resolution ordered to enrollment.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Messrs. Peyser, Hornblower, McMurray, Maloney, Gilmore, Dawson, Brennan, Cronin, and Williamson: Assembly Bill No. 197—An act granting in trust to the City and County of San Francisco the interest of the State in and to, and the control and management of the harbor of San Francisco, as described in the act; providing for the disposition of revenues derived from the operation of said harbor; providing for the sale of bonds authorized but not sold; providing for the pay-

ment of interest on bonds, and for the redemption of bonds; fixing the terms and conditions of the grant; providing for the issuance of a proclamation by the Governor.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr Martin: Assembly Bill No 198—An act to amend sections 1, 3, 4, 5, 10, 12, 13 and 23 of the Direct Primary Law, relating to the time of holding primary elections.

Bill read first time, and referred to Committee on Elections.

By Mr. Martin: Assembly Bill No. 199—An act to establish the California State Reformatory; to provide for purchase of land therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Mr. Martin: Assembly Bill No. 200—An act to amend sections 3, 4 and 21 and to repeal sections 5 and 9 of the Old Age Security Act of the State of California, relating to aid to the aged.

Bill read first time, and referred to Committee on Social Service and Welfare

By Mr. Brennan: Assembly Bill No. 201—An act to establish a system of unemployment reserves for this State, and making an appropriation therefor.

Bill read first time, and referred to Committee on Unemployment.

By Mr. Donihue: Assembly Bill No. 202—An act to be known as the Cooperative Industries Act, setting up machinery for the creation and regulation of cooperative industrial corporations and their financing, defining policy and declaring the existence of an economic emergency requiring the enactment of this legislation.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr Donihue: Assembly Bill No. 203—An act to be known as the Uniform Income, Transfer and Inheritance Tax Law, abolishing all taxes on real and personal property except idle unimproved and property held out of use; providing for a uniform tax on all income, transfers, inheritances and receipts, except perishable fruits and farm products and certain basic necessities; providing for a State Tax Board to determine and collect the taxes so levied and for their reapportionment; exempting homes from execution; declaring the public policy of the people of the State touching the recent widespread economic depression; and declaring the existence of a public emergency requiring the enactment of this legislation.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Donihue: Assembly Bill No. 204—An act to be known as the State Economy Act, providing for a program of useful public works,

enjoyable by all citizens alike, to absorb unemployment and abolish charity; providing the means for financing such public works program and for State expenses without the necessity of further bond issues; providing an adequate and equitable auxiliary medium of exchange, regulating the volume and stabalizing the value thereof.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Clark: Assembly Bill No. 205—An act to amend section 702 of the Code of Civil Procedure, relating to redemption interest.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Chatters: Assembly Bill No. 206—An act to amend section 1 of Chapter 339 of the Statutes of 1933 entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to the construction of certain words and phrases.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Reaves: Assembly Bill No. 207—An act to amend section 1 of, and to add section 3 to, the Motor Vehicle Fuel License Tax Act, relating to motor vehicle fuel.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Peyser: Assembly Bill No. 208—An act to prohibit until January 1, 1937, sales under certain chattel mortgages for default in the payment of the principal sum, to extend the Statute of Limitations upon such obligations, to make voidable at the instance of the owner any sale made in violation of the act, to prescribe the time within which an action to avoid such a sale may be brought, and to declare the urgency thereof, and to provide that this act take effect immediately.

Bill read first time, and referred to Committee on Judiciary.

MOTION TO RUSH PRINTING.

Mr. Peyser moved that the Chief Clerk be instructed to rush the printing of Assembly Bill No. 208.

Motion carried.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Peyser: Assembly Bill No. 209—An act to amend section 3746 of, and to add section 3746a to, the Political Code, relating to taxation.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Turner: Assembly Bill No. 210—An act to amend section 106 of the California Vehicle Act, relating to rear lights on motor vehicles, trailers, and semitrailers.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Turner: Assembly Bill No. 211—An act to amend section 621 of the Vehicle Code, relating to rear lights on motor vehicles, trailers, and semitrailers.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Fulcher: Assembly Bill No. 212—An act to add section 171 to the Fish and Game Code, relating to game refuges.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Fulcher: Assembly Bill No. 213—An act to add section 172 to the Fish and Game Code, relating to game refuges.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. McCarthy: Assembly Bill No. 214—An act to repeal the Transportation District Act.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. McCarthy. Assembly Bill No. 215—An act to promote the safety of employees and the traveling public upon railroads by prohibiting persons, firms, and corporations operating railroads in this State from requiring or permitting certain employees to receive, deliver or transmit over telegraph or telephone lines any orders for the movement of trains, defining an emergency and repealing the act entitled "An act to promote the safety of employees and the traveling public upon railroads by prohibiting certain persons, firms and corporations operating railroads in this State from requiring or permitting certain employees to receive, deliver or transmit over telegraph or telephone lines any orders for the movement of trains except in such cases or classes of cases as may be permitted by the Railroad Commission," approved May 24, 1915.

Bill read first time, and referred to Committe on Public Utilities.

By Messrs. Hunt, Jones and Boyle. Assembly Bill No. 216—An act to establish a State prison, providing for the selection and acquisition of a site and the construction and equipment of buildings and structures therefor, the management, conduct and use thereof, and making an appropriation therefor.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Mr. Lyon: Assembly Bill No. 217—An act to amend section 3746 of the Political Code, relating to taxation.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Patterson: Assembly Bill No. 218—An act to add section 86a to the Penal Code, relating to members of the Legislature.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Williamson: Assembly Bill No. 219—An act to amend the title and sections 4, 4a and 23 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the extension of the provisions of said act to the companies and their franchises, other than insurance companies and their franchises, specified in section 14 of Article XIII of the Constitution of this State.

Bill read first time, and referred to Committee on Banking.

By Mr. Minard: Assembly Bill No. 220—An act to amend section 1033 of the Code of Civil Procedure, relating to cost bills in superior, municipal and justices' courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Martin: Assembly Bill No. 221—An act to amend section 1 of an act entitled "An act to provide for direct legislation by cities and towns, including initiative and referendum," approved January 2, 1912, as amended, relating to the number of signatures required on petitions.

Bill read first time, and referred to Committee on Elections.

By Mr. Martin: Assembly Bill No. 222—An act to amend section 4058 of the Political Code, relating to the number of signatures required on petitions for initiative and referendum by electors of counties.

Bill read first time, and referred to Committee on Elections.

By Mr. Nielsen: Assembly Bill No. 223—An act to amend section 3649 of the Political Code, relating to the assessment and taxation of property escaping assessment between the first Monday in March and the first Monday in July.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Wallace: Assembly Bill No. 224—An act to amend section 3627a of the Political Code, relating to taxation of securities and solvent credits.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr. Wallace: Assembly Bill No. 225—An act to amend section 675 of the Code of Civil Procedure, relating to the satisfaction of judgments.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Riley. Assembly Bill No. 226—An act to amend section 3746 of the Political Code, relating to taxation.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Voigt: Assembly Bill No. 227—An act to add a new section to the Civil Code to be numbered 137a, relating to costs and attorney's fees granted in actions for divorce or permanent support.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Peterson: Assembly Bill No. 228—An act to confer upon blind persons, accompanied by dogs, certain rights of public conveyance, accommodation or amusement.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Peterson: Assembly Bill No. 229—An act to amend sections 3366 and 4041.14 and to repeal section 3384 of the Political Code, relating to the licensing of businesses by the counties.

Bill read first time, and referred to Committee on County Government.

By Mr. Wagner: Assembly Bill No. 230—An act to amend section 3897 of the Political Code, relating to the redemption of property sold for delinquent taxes.

Bill read first time, and referred to Committee on Judiciary.

By Mr. McCarthy: Assembly Bill No. 231—An act to amend section 10 of an act entitled "An act to limit the amount of special assessments for public improvements and acquisitions of property for public purposes; to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or part by special assessments; to provide a basis for valuation of property for the purpose of establishing a special assessment limitation, and to authorize the payment of a part of the cost of such public improvements and acquisitions of property from any available public fund where a part of such cost is paid by special assessment on benefited property, and to provide that a majority protest shall be a bar to any proceeding," approved June 8, 1931, relating to limitations on assessments.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Patterson: Assembly Bill No. 232—An act to amend section 2.93 of the School Code, relating to superintendents of schools.

Bill read first time, and referred to Committee on Education.

By Messrs. Patterson and Reaves: Assembly Bill No. 233—An act appropriating the sum of $50,395 out of the general fund of the State of California for the modernizing of the Assembly Chamber and committee rooms.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Breed: Assembly Bill No. 234—An act creating a commission for the coordination of State and local governments, defining its powers and duties, and making an appropriation therefor.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Breed: Assembly Bill No. 235—An act to amend section 4041.16 of the Political Code, relating to the indigent sick and dependent poor.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Breed: Assembly Bill No. 236—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read first time, and referred to Committee on County Government.

By Mr. Heisinger: Assembly Bill No. 237—An act to impose a tax on the privilege of severance of all forms of natural gas from the earth, to take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Scudder: Assembly Bill No. 238—An act to add section 791.6 to the Fish and Game Code, relating to crabs.

Bill read first time, and referred to Committee on Fish and Game.

By Messrs. Latham, Riley, and Wright: Assembly Bill No. 239—An act to amend the title and sections 4, 4a, 5 and 23 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the rates thereof and the extension thereof to companies, other than insurance companies, specified in section 14 of Article XIII of the Constitution of this State.

Bill read first time, and referred to Committee on Financial Institutions.

By Messrs. Pelletier, Richie, Flint, Glover, and Reaves: Assembly Concurrent Resolution No. 10—Relative to recommending to the Governor, and urging upon him that he grant an immediate unconditional pardon to Thomas J. Mooney, now serving a life sentence in San Quentin Penitentiary; and recommending to the State Board of Pardons, and urging upon it, that it recommend an immediate unconditional pardon for Warren K Billings, now serving a life sentence in Folsom Penitentiary.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Richie asked for unanimous consent to take up Assembly Concurrent Resolution No. 10, at this time, without reference to printer, committee or file, and that same be considered engrossed.

Mr. Redwine objected to unanimous consent.

Mr. Richie moved that the rules be suspended for the purpose of considering Assembly Concurrent Resolution No. 10.

Mr. Wagner seconded the motion.

REQUEST FOR ROLL CALL.

On request of Messrs. Lyon, Field, and Fisher, the Speaker ordered a roll call taken on the motion by Mr Richie to suspend the rules.

The roll was called, and the motion to suspend the rules was lost by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Clark, Flint, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Jones, Laughlin, Lore, Maloney, McCarthy, McMurray, Meehan, Morgan, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, Wallace, and Welsh—31.

NOES—Breed, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Heisinger, Johnson, Kallam, Latham, Lyon, Martin, Mayo, McBride, Minard, Nielsen, O'Donnell, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Waters, Williamson, Wright, and Mr. Speaker—47.

Assembly Concurrent Resolution No. 10 ordered referred to Committee on Judiciary

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced:

By Mr. Johnson: Assembly Concurrent Resolution No. 11—Relative to approving certain amendments to the charter of the city of Albany, a municipal corporation in the county of Alameda, State of California,

voted for and ratified by the qualified electors of said city at an election held therein November 6, 1934.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Johnson asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 11, at this time, without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER ELEVEN.

Assembly Concurrent Resolution No. 11—Relative to approving certain amendments to the charter of the city of Albany, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at an election held therein November 6, 1934.

Assembly Concurrent Resolution No. 11 read.

Mr. Johnson moved the adoption of Assembly Concurrent Resolution No. 11.

The question being on the adoption of Assembly Concurrent Resolution No. 11.

The roll was called, and Assembly Concurrent Resolution No. 11 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Gever, Gilmore Hawkins, Heisinger, Hornblower, Hunt, Johnson Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—72.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 11 ordered transmitted to the Senate.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Evans, Herbert J.: Assembly Concurrent Resolution No 12—Relative to the issuance of a proclamation by the Governor declaring the second week of October of each year as "Old Glory Week"

Introduced, and referred to Committee on Soldiers and Sailors Affairs.

By Mr. Patterson: Assembly Constitutional Amendment No. 19—Proposed amendment to Article IX, section 3, of the Constitution, relative to qualifications for office of county superintendent of schools.

Introduced, and referred to Committee on Constitutional Amendments.

By Messrs. Wright and Latham: Assembly Bill No. 240—An act to amend section 362 of the Streets and Highways Code and to add section 603 thereto, relating to State highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Messrs. Wright and Latham: Assembly Bill No. 241—An act to amend section 7 of an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, relating to State highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Field: Assembly Bill No. 242—An act to add a new section to be numbered section 28a to an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, relating to assessments and bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Field: Assembly Bill No 243—An act to amend sections 5, 5½, 6, 7, 8, and 11, of "The Metropolitan Water District Act," relating to metropolitan water district.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. McMurray: Assembly Bill No. 244—An act to amend section 653e of the Penal Code, relating to the blacklisting of employees.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Field: Assembly Constitutional Amendment No. 20—Proposed amendment to Article IV of the Constitution of the State by adding section 31c thereto, relative to relief to assessment districts.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Desmond: Assembly Bill No. 245—An act making an appropriation to pay the claim of C. D. Plum against the State of California.

Bill read first time, and referred to Committee on Ways and Means

RESOLUTIONS.

The following resolutions were offered:

By Mr. Lyon:

Resolved, That the same provisions which govern the mailing or distribution of bills, resolutions, Histories, etc., shall govern the distribution of copies of the Governor's budget. The price of copies of the budget to be sold shall be fifty cents ($0.50) each, provided, however, that there shall be delivered to the State Depart-

ment of Finance one hundred (100) copies to exchange for budgets of other States and other jurisdictions, and 15 copies be furnished the Chief Clerk of the Assembly.

Resolution read.

Mr. Lyon moved the adoption of the resolution.

The question being on the adoption of the resolution.

Resolution adopted.

By Mr. Morgan:

ASSEMBLY RESOLUTION.

WHEREAS, The State of Nebraska has recently adopted a unicameral legislative system; and,

WHEREAS, The system so adopted by that State is of great interest to all students of government and of particular interest to legislators and legislative bodies; and,

WHEREAS, The State of California and its Legislature should be informed and provision should be made properly to study the theory and workings of this system and its application to the American State government; now therefore, be it

Resolved by the Assembly of the State of California, That a committee of five members of this Assembly be appointed by the Speaker to study the operation of the unicameral legislative system in Nebraska and the theory of the unicameral legislative system and report the results of its study, together with such legislation, if any, which it considers desirable as a result of such study, to the Assembly at the commencement of the fifty-second session of the Legislature.

Resolution read.

Mr. Morgan moved the adoption of the resolution.

The question being on the adoption of the resolution.

Resolution adopted.

By Mr. Patterson:

ASSEMBLY RESOLUTION.

WHEREAS, It has been shown that one hour out of every four is lost to the Assembly during the transaction of business, due to the time consumed in oral roll calls; and

WHEREAS, The work of the Assembly is to that extent impeded; now, therefore, be it

Resolved by the Assembly of the State of California, That the Speaker of the Assembly be and he is hereby authorized to appoint a committee of five members of the Assembly to work in conjunction with the Superintendent of State Buildings and Grounds for the installation of a system of electrical roll calling during the remainder of the fifty-first session of the Legislature; and, be it further

Resolved, That the sum of $10,000 is hereby appropriated out of the contingent fund of the Assembly, to Arthur A. Ohnimus, Chief Clerk of the Assembly. The sum so appropriated, or as much thereof as may be necessary, shall be expended by him under the direction of the committee, for the installation, on approval, of an electrical roll call system in the Assembly Chamber.

The system shall be installed during the constitutional recess of the fifty-first Legislature, and shall be complete and ready for use at the conclusion of such recess; and, be it further

Resolved, That if the Assembly approves and decides to purchase the roll call system, the funds herein appropriated shall apply on the purchase price thereof.

Resolution read.

Mr. Patterson moved the adoption of the resolution.

The question being on the adoption of the resolution.

Mr. Lyon moved that the resolution offered by Mr. Patterson be referred to the Committee on Rules.

Motion carried.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Cronin: Assembly Bill No. 246—An act for the regulation and control of corporations organized for the purpose of operating nonprofit hospital service plans.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Cronin: Assembly Bill No. 247—An act requiring licenses for the operation, maintenance, opening or establishment of stores, prescribing the license and filing fees to be paid therefor, and the powers and duties of the State Board of Equalization in connection therewith, and prescribing penalties for the violation thereof.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Cronin: Assembly Bill No. 248—An act to amend sections 3051, 3051a and 3052 of the Civil Code, relating to liens on aircraft and other personal property.

Bill read first time, and referred to Committee on Aviation and Aircraft.

By Mr. Cronin: Assembly Bill No. 249—An act relating to the use of the air and to make uniform the law with reference thereto; to provide for the licensing of aircraft, airmen and air navigation facilities; to provide for an air division as a part of and under the control of the Department of Motor Vehicles; to provide for the office of Chief of Air Division and it's employees thereof; to provide for the revenue of the operation and maintenance of said Air Division and the manner of collecting same; to provide for the organization, powers and duties for the maintenance of the Aviation Division; to provide for the carrying out of the objects of this act; to provide for the time this act shall go into effect and to repeal all acts and parts of acts in conflict with this act; to provide for the enforcement of this act and the penalty for violations thereof.

Bill read first time, and referred to Committee on Aviation and Aircraft.

By Mr. Cronin: Assembly Bill No. 250—An act to amend sections 2957, 2959, 2965 and 2966 of the Civil Code, relating to mortgages of personal property.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Voigt: Assembly Bill No. 251—An act to amend section 7 of an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, relating to State highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Cronin: Assembly Bill No. 252—An act to amend section 499b of the Penal Code, relating to the unauthorized taking for temporary use or operation of aircraft, automobiles, bicycles, motorcycles or other vehicles.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Utt: Assembly Constitutional Amendment No. 21—Proposed amendment to Article IV, section 1 of the Constitution, relative to the

submission of drafts of initiative and referendum measures to the Attorney General, and to the filing of initiative or referendum petition.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Cronin: Assembly Constitutional Amendment No. 22—Proposed amendment to Article XIII of the Constitution, by adding a new section to said Article XIII to be numbered 4a, relating to the exemption of airports from taxation except for State purposes.

Introduced, and referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 1—Approving certain amendments to the charter of the city of Pasadena, a municipal corporation in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the sixth day of November, 1934;

Also. Assembly Concurrent Resolution No. 2—Approving eighteen certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of such city at a special election held therein on the twenty-seventh day of September, 1934;

Also: Assembly Concurrent Resolution No. 5—Approving certain amendments to the charter of the county of San Diego, State of California, voted for and ratified by the qualified electors of said county at a general election held therein on the sixth day of November, 1934;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this seventeenth day of January, 1935, at eleven o'clock, a.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 9—Relative to memorializing the President and Congress to carefully consider and enact legislation to provide for a working week of not more than five days of six hours each, without any corresponding reduction in the present compensation or salary—and reports that the same has been correctly enrolled, and presented the same to the Governor on this seventeenth day of January, 1935, at eleven o'clock a.m

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 120—An act making an appropriation for the mileage of members and officers of the Assembly, the act to take effect immediately—and reports that the same has been correctly enrolled, and presented the same to the Governor on this seventeenth day of January, 1935, at eleven o'clock a.m.

WATERS, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Fulcher asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 1, at this time, without reference to file

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER ONE

Senate Joint Resolution No. 1—Relative to memorializing Congress to provide compensation, in lieu of taxes, for certain lands of the United States within the borders of the several States.

Senate Joint Resolution No. 1 read.

Mr. Fulcher moved the adoption of Senate Joint Resolution No. 1.

The question being on the adoption of Senate Joint Resolution No. 1.

The roll was called, and Senate Joint Resolution No. 1 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr Speaker—72.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 1 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No 1.

Relative to memorializing Congress to provide compensation, in lieu of taxes, for certain lands of the United States within the borders of the several States.

WHEREAS, The United States Government has withdrawn and set apart within permanent National parks or forests, enormous tracts of land, approximately nineteen million acres in the State of California alone; and

WHEREAS, Among other reasons, this has been made possible by the owner of timber land trading in their "cut-over" lands to the government for selected "cuttings"; and

WHEREAS, The United States Government pays no taxes on such lands resulting in throwing a heavy tax burden on privately owned property in the same political subdivision; now, therefore, be it

Resolved by the Senate and Assembly, jointly, That Congress is urgently requested to appropriate sufficient money so that a sum of five cents per acre per year may be paid, in lieu of taxes, to the political subdivisions in which such lands belonging to the United States are situated; and be it further

Resolved, That a copy of this resolution be sent to the President of the United States, the Vice President, the Speaker of the House of Representatives and each of the members from California of the Senate and House of Representatives of the United States.

ADJOURNMENT.

At twelve o'clock and fifteen minutes p m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Friday, January 18, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY

ASSEMBLY CHAMBER,

SACRAMENTO, Friday, January 18, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—78.

Quorum present

PRAYER.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Evans, Herbert J., its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. Morgan, Miss Miller was granted leave of absence for this day.

On motion of Mr. Johnson, Mr. Fisher was granted leave of absence for this day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Meehan, Mr. Robert MacDonald of Alameda, California, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Cassidy, Mr. C. F. Heilman was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Wright, Mr. R. E. Lee Aldrich was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Martin, Mr. and Mrs. Kenneth Marshall were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Phillips, Prof. V. O. Knudson was extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITION.

The following petition was presented and ordered printed in the Journal:

By Mr. Speaker:

From S. A. Evans, relative to Townsend Old Age Pension Plan.

ASSISTANT CLERK COOLIDGE READING.

COMMUNICATION.

The following communication was received, and ordered printed in the Journal:

CALIFORNIA LEGISLATURE, ASSEMBLY,
FIFTY-FIRST SESSION, January 17, 1935.

Arthur Ohnimus, Chief Clerk of the Assembly.

DEAR MR. OHNIMUS: My name was put on Assembly Bill No. 122 without my request. Will you please have my name stricken from the bill?

Very truly yours,

G. A. ANDREAS.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1935.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 75—An act in relation to and regulating the commencement and continuation of proceedings to enforce or foreclose the lien of special assessment bonds issued for public improvements, and declaring the urgency hereof, and providing that it shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WRIGHT, Chairman.

Assembly Bill No. 75 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 5—Relative to memorializing the President and Congress to enact unemployment insurance legislation—and reports that the same has been correctly engrossed.

WATERS, Chairman.

Assembly Joint Resolution No 5 ordered on file for adoption.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1935.

MR SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 7—Relative to memorializing the President and Congress to favorably consider and submit to the States an amendment to the Constitution enabling Congress to grant Federal suffrage to residents of the District of Columbia—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

TURNER, Chairman.

Assembly Joint Resolution No. 7 ordered to engrossment.

Also:

MR. SPEAKER Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 2—Relating to memorializing Congress to continue the Home Owners' Loan Corporation in existence—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

TURNER, Chairman.

Assembly Joint Resolution No. 2 ordered to engrossment.

Also:

MR. SPEAKER Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 6—Relative to memorializing the President and Congress to carefully consider what is known as the Townsend Plan of Old Age Revolving Pension—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

TURNER, Chairman.

Assembly Joint Resolution No. 6 ordered to engrossment

REQUEST FOR UNANIMOUS CONSENT.

Mr. Wright asked for unanimous consent to take up Assembly Joint Resolution No. 6, at this time, without reference to engrossment.

OBJECTION TO UNANIMOUS CONSENT.

Mr. Williamson objected to unanimous consent to the consideration of Assembly Joint Resolution No. 6.

MOTION TO SUSPEND RULES.

Mr. Wright moved that the rules be suspended for the purpose of considering Assembly Joint Resolution No. 6.

Mr Wright withdrew his motion.

MOTION TO VACATE ORDER.

Mr. Wright moved that the Speaker vacate his order whereby he ordered Assembly Joint Resolution No. 6 referred to engrossment.

Motion carried.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER SIX.

Assembly Joint Resolution No. 6—Relative to memorializing the President and Congress to carefully consider what is known as the Townsend Plan of Old Age Revolving Pension

MOTION TO AMEND.

Mr. Wright offered the following amendments to Assembly Joint Resolution No. 6:

AMENDMENT NUMBER ONE.

On page 2, lines 2 and 3, of the printed measure, strike out the following: "appropriate to take care of such circumstances".

AMENDMENT NUMBER TWO.

On page 2 of the printed measure strike out lines 5 to 10, inclusive.

AMENDMENT NUMBER THREE.

On page 2, line 19, of the printed measure, after the words "enactment of", insert the following: "an old age pension law and to study".

AMENDMENT NUMBER FOUR.

On page 2, line 20, of the printed measure, strike out the words "in the form of (a) legislation obligating"; also strike out all of lines 21 to 29, inclusive, on said page; and strike out "such pension system", line 30 of said page.

AMENDMENT NUMBER FIVE.

On page 2, line 38, of the printed measure, strike out the word "support", and insert in lieu thereof the following: "study".

Amendments to Assembly Joint Resolution No. 6 read, and adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Wright asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 6, at this time, without reference to printer or file, and that same be considered engrossed.

FURTHER CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER SIX.

Assembly Joint Resolution No. 6—Relative to memorializing the President and Congress to carefully consider what is known as the Townsend Plan of Old Age Revolving Pension.

Mr. Wright moved the adoption of Assembly Joint Resolution No. 6.

The question being on the adoption of Assembly Joint Resolution No. 6.

The roll was called, and Assembly Joint Resolution No. 6 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donohue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—73.

NOES—Wallace—1.

Title read and approved.

Assembly Joint Resolution No. 6 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 6.

Relative to memorializing the President and Congress to carefully consider what is known as the Townsend Plan of Old Age Revolving Pension

WHEREAS, The care of the dependent aged has become so great a financial burden to some States that the economic welfare and stability of such States are seriously affected and even threatened; and

WHEREAS, The problem of the care of the dependent aged has recently attained major proportions throughout the Nation, owing largely to the increasing mechanization of our industrial system and to the fact that the economic depression has destroyed the financial independence of a large number of our people, including even those who had prudently prepared for the time when they could no longer earn a livelihood; and

WHEREAS, It seems wise to retire from industry and business those whose efficiency is declining because of advancing old age, thus giving more opportunity for employment and advancement to younger workers; and

WHEREAS, Experience has shown that when ownership of property disqualifies the owner for receipt of an old age pension, a serious injustice is effected and a penalty imposed upon those whose prudence and thrift has led them to prepare for old age by investment in a home or other small holdings, but who have no income with which to support themselves and to preserve their property, particularly since there is often no market for the property; and

WHEREAS, Doctor F. E. Townsend, of Long Beach, California, has devised a plan, commonly known as the "Townsend Plan of Old Age Revolving Pension"; and

WHEREAS, The President of the United States has recognized the responsibility of the Federal Government in this matter, and has indicated that he will recommend to the Congress of the United States, at its next session, that there be legislation bearing on this problem; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the President and the Congress of the United States is hereby respectfully urged to carefully consider the enactment of an old age pension law and to study the "Townsend Plan of Old Age Revolving Pension"; and be it further

Resolved, That the Governor of the State of California is hereby requested to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and member of the House of Representatives from California in the Congress of the United States, and that such Senators and members from California are hereby respectfully urged to study such legislation.

REASON FOR VOTE.

Mr. Wallace offered the following explanation of his vote on Assembly Joint Resolution No. 6:

We must have a reasonable degree of security in our old age, but since the President and Congress have already indicated they are not in favor of the Townsend Plan, I shall continue to work for a liberal and progressive California Old Age Pension Law.

RALPH W. WALLACE.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committees was received and read:

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1935.

MR SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 10—Relative to memorializing the Public Works Administration to approve the application of the Los Angeles County Flood Control District for a grant of $5,882,000 to be used for the immediate construction and permanent improvement of the flood channel of Ballona Creek between Vineyard Station on the Pacific Electric Railway and the ocean, the same being commonly known as the Ballona Creek Project at Culver City, Del Rey and Venice Bay districts, Los Angeles County, California—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

TURNER, Chairman.

Assembly Joint Resolution No. 10 ordered to engrossment.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Wright: Assembly Bill No. 253—An act to amend section 996 of the Political Code, relating to vacancies.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Cottrell: Assembly Bill No. 254—An act to add a new section to the Code of Civil Procedure to be known as section 1871½, relating to reports of medical examinations and expert medical testimony in civil actions and proceedings.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cottrell. Assembly Bill No. 255—An act to provide for the selection of impartial expert medical witnesses and impartial medical examiners appointed by the court under sections 1871, 1871½ of the Code of Civil Procedure or section 1027 of the Penal Code, from eligible lists or panels to be provided under the direction of the Civil Service Commission.

Bill read first time, and referred to Committee on Judiciary.

By Mr Johnson: Assembly Bill No 256—An act to amend section 4190 of the Political Code and to add thereto new sections to be numbered 4206, 4206a, 4207 and 4207a, relating to law libraries.

Bill read first time, and referred to Committee on Libraries.

By Mr. Lyon (by request): Assembly Bill No. 257—An act to establish a Bureau for the Blind in the Department of Institutions, providing for the administration thereof, making appropriations therefor, and repealing certain acts in conflict herewith.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Lyon: Assembly Bill No. 258—An act to amend sections 453.2, 453.3, 453.5, 453.6 and 453.12 of the Civil Code, all relating to mortgage insurance companies.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr Lyon: Assembly Bill No. 259—An act to add a new section to the Civil Code, to be numbered 453.14, relating to mortgage insurance companies; declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr. Lyon: Assembly Bill No. 260—An act to amend sections 12422, 12423, 12442, 12484, 12486, 12488 and 12543 of the Insurance Code and to add a new section to said code to be numbered 12490, all relating to mortgage insurers.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr. Lyon: Assembly Bill No. 261—An act making an appropriation for the contingent expenses of the Assembly at its fifty-first session, and declaring that this act shall take effect immediately.

Bill read first time, and referred to Committee on Ways and Means.

By Messrs. Phillips and Walker: Assembly Bill No. 262—An act to validate contracts heretofore executed by county water districts with the United States and all proceedings relative thereto, including creation of improvement districts, and to provide for the levy and collection of taxes to pay any sums required by the terms of such contracts and to declare the urgency hereof.

Bill read first time.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Phillips asked for, and was granted, unanimous consent to take up Assembly Bill No. 262, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Phillips:

Resolved, That Assembly Bill No. 262 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Mr. Phillips moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Williamson, Wright, and Mr. Speaker—73.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 262.

SECOND READING OF ASSEMBLY BILL NUMBER TWO HUNDRED SIXTY-TWO.

Assembly Bill No. 262—An act to validate contracts heretofore executed by county water districts with the United States and all proceedings relative thereto, including creation of improvement districts, and to provide for the levy and collection of taxes to pay any sums required by the terms of such contracts and to declare the urgency hereof.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—66.

NOES—None

THIRD READING OF ASSEMBLY BILL NUMBER TWO HUNDRED SIXTY-TWO

Assembly Bill No. 262—An act to validate contracts heretofore executed by county water districts with the United States and all proceedings relative thereto, including creation of improvement districts,

and to provide for the levy and collection of taxes to pay any sums required by the terms of such contracts and to declare the urgency hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 262 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—66

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced:

By Messrs. Walker and Phillips: Assembly Bill No. 263—An act to authorize the execution of contracts between any irrigation district or districts and any county water district or districts organized under the laws of this State, each of which districts shall have executed with the United States a contract or contracts under the provisions of the Federal Reclamation Law for construction of works, acquisition, purchase, extension, operation or maintenance of such works or for a water supply or electric power rights or privileges or assumption as principal or guarantor of indebtedness to the United States, or for any of said purposes and which such districts shall propose to divert or carry water for use in such districts by means of a single main canal or system of works and providing certain purposes for which such contracts between such districts may be executed, providing for the manner of authorization of such contracts and validating such contracts heretofore executed, declaring the urgency hereof and providing that this act shall go into immediate effect.

Bill read first time.

REQUEST FOR UNANIMOUS CONSENT.

Mr Walker asked for, and was granted, unanimous consent to take up Assembly Bill No. 263, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Walker:

Resolved, That Assembly Bill No. 263 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Mr. Walker moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, and Mr. Speaker—70.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 263.

SECOND READING OF ASSEMBLY BILL NUMBER TWO HUNDRED SIXTY-THREE.

Assembly Bill No. 263—An act to authorize the execution of contracts between any irrigation district or districts and any county water district or districts organized under the laws of this State, each of which districts shall have executed with the United States a contract or contracts under the provisions of the Federal Reclamation Law for construction of works, acquisition, purchase, extension, operation or maintenance of such works or for a water supply or electric power rights or privileges or assumption as principal or guarantor of indebtedness to the United States, or for any of said purposes and which such districts shall propose to divert or carry water for use in such districts by means of a single main canal or system of works and providing certain purposes for which such contracts between such districts may be executed, providing for the manner of authorization of such contracts and validating such contracts heretofore executed, declaring the urgency hereof and providing that this act shall go into immediate effect.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, and Mr. Speaker—70.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER TWO HUNDRED SIXTY-THREE.

Assembly Bill No. 263—An act to authorize the execution of contracts between any irrigation district or districts and any county water district or districts organized under the laws of this State, each of which districts shall have executed with the United States a contract or contracts under the provisions of the Federal Reclamation Law for construction of works, acquisition, purchase, extension, operation or maintenance of such works or for a water supply or electric power rights or privileges or assumption as principal or guarantor of indebtedness to the United States, or for any of said purposes and which such

districts shall propose to divert or carry water for use in such districts by means of a single main canal or system of works and providing certain purposes for which such contracts between such districts may be executed, providing for the manner of authorization of such contracts and validating such contracts heretofore executed, declaring the urgency hereof and providing that this act shall go into immediate effect.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 263 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Walker: Assembly Bill No. 264—An act to amend section 737m of the Political Code, relating to the salaries of the judges of the superior court in and for the county of Imperial.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Messrs. Gilbert, Laughlin, and Rosenthal: Assembly Bill No. 265—An act to add section 364k to the Political Code, relating to the Division of the Deaf in the Department of Industrial Relations.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Messrs. Gilbert and Andreas: Assembly Bill No. 266—An act relating to special assessments and for the relief of property owners from unjust and burdensome assessments heretofore levied for the opening, widening, and improving of highways, or for park purposes, providing for the payment of such assessments by the State of California, from the State highway fund, declaring the urgency hereof, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Flint: Assembly Bill No. 267—An act to amend section 1004 of the Penal Code, relating to grounds for demurrer.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Flint: Assembly Bill No. 268—An act to amend section 921 of the Penal Code, relating to the finding of indictments.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Flint: Assembly Bill No. 269—An act to amend section 927 of the Penal Code, relating to the questioning and liability of a grand juror.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Wright: Assembly Bill No. 270—An act to amend sections 366, 366a and 366b of the Political Code, relating to the Department of Institutions.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Morgan: Assembly Bill No. 271—An act to amend section 463 of the Streets and Highways Code, relating to secondary State highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Morgan: Assembly Bill No. 272—An act to amend section 7 of an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, relating to State highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Messrs. Heisinger and Lyon: Assembly Bill No. 273—An act requiring the licensing of certain vehicles used for the transportation of persons or property in this State, defining such vehicles, providing for the imposition, collection, and distribution of license taxes for the privilege of operating such vehicles in this State, making appropriations for the purposes of this act, prescribing penalties for the violation of this act, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Burns: Assembly Bill No. 274—An act making an appropriation for the support of the Division of Ports, Eureka Harbor, Department of Public Works, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Patterson: Assembly Bill No. 275—An act to establish a system of unemployment reserves for this State, and making an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Patterson: Assembly Bill No. 276—An act to amend sections 1, 10, 12, 21, 22, 23, 24, and 25 of an act entitled the "Direct Primary Law," relating to nonpartisan offices.

Bill read first time, and referred to Committee on Elections.

By Messrs. Meehan and Cassidy: Assembly Bill No. 277—An act to amend sections 1 and 4 of an act entitled "An act creating in the State Department of Penology a Division of Prison Terms and Paroles

under the control of a Board of Prison Terms and Paroles, defining the powers and duties of said division and of said board, and making an appropriation therefor," approved May 28, 1931, relating to the Board of Prison Terms and Paroles.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Messrs. Latham, Lyon, Wright, Lore, Stream, Rosenthal, Reaves, Geyer, Glover, Waters, Pelletier, Wallace, Martin, Walker, Andreas, Redwine, Riley, Evans, Herbert J., Gilbert, Laughlin, and Field: Assembly Bill No 278—An act for the relief of certain special assessment districts, and for that purpose authorizing any city or county, or city and county, upon consent of the holder of bonds, in connection with any refunding or liquidating plans to adjust, annul, pay, waive, cancel, settle, refund, liquidate or discharge any taxes or assessments, penalties, interest or costs accrued or accruing, or levied or to be levied, and making available to such city or county, or city and county, the provisions of Chapter IX of the act of Congress entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, as amended and any bankruptcy law or laws of the United States now or hereafter enacted, and to declare the urgency of this act, to take effect immediately.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Cronin: Assembly Bill No. 279—An act to amend sections 1, 10, 12, 21, 22, 23, 24 and 25 of an act entitled the "Direct Primary Law," relating to nonpartisan offices.

Bill read first time, and referred to Committee on Elections.

By Mr. Donihue: Assembly Bill No. 280—An act to be known as the Meritorious Service Act, providing monthly remittances to certain citizens in certain cases, repealing existing legislation, defining policy and declaring the existence of a public emergency requiring the passage of this legislation.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Donihue: Assembly Bill No. 281—An act to be known as the Auxiliary Legislature Act, providing for a State Bureau of Political and Social Science Research to study and discuss, report on and make recommendations concerning existing and proposed State and National legislation affecting the people of the State of California.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Donihue: Assembly Bill No. 282—An act to be known as the Mortgage and Redemption Law, granting relief in certain cases from inequitable mortgage and trust deed sales of real property during the depression and economic emergency, relating to the instrumentality by which real property may be made security for the performance of an obligation, and providing the mode of foreclosure of such instrumentalities and for the right of redemption thereunder after foreclosure; providing for the judicial determination, under proper rules of evidence and within a limited time of the validity and effect of sales

and conveyances made by mortgages and trustees under power of sale which have not been adjudicated; attaching the right of redemption after judgment to the right given of access to the courts of the State for the purpose of judicially determining the validity and effect of such sales and conveyances; providing that the right of redemption declared shall include the right of an accounting; declaring the provisions of this act to be severable; declaring the public policy of the people of this State touching the recent widespread foreclosures and the economic effects thereof; and declaring the present existence of a public emergency requiring the enactment of this legislation.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Riley: Assembly Bill No 283—An act to amend section 852 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporation," approved March 13, 1883, relating to cities of the sixth class.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Riley: Assembly Bill No. 284—An act to amend sections 5 and 7 of "An act to provide for the recall of elective officers of incorporated cities and towns, and to repeal Chapter 32, Statutes of 1911, extra session, entitled 'An act to provide for the recall of elective officers of incorporated cities and towns,' approved January 2, 1912," approved May 8, 1931, relating to recall.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Riley: Assembly Bill No. 285—An act to amend section 1361 of the Political Code, relating to counting boards to canvass absent voter ballots in counties having a population of one million persons or more.

Bill read first time, and referred to Committee on Elections.

By Mr. Riley: Assembly Bill No. 286—An act to amend section 10 of an act entitled "An act to provide for and regulate municipal elections in the cities of the fifth and sixth class," approved May 27, 1919, relating to registrations.

Bill read first time, and referred to Committee on Elections.

By Messrs. Fulcher, Thorp, and Eicke: Assembly Bill No. 287—An act to amend section 4041.16 of the Political Code, relating to county care of indigents.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Donnelly: Assembly Bill No. 288—An act to regulate the conduct of election campaigns, to provide penalties for corrupt practices defined therein, to repeal an act entitled "An act to regulate the conduct of election campaigns, and repealing an act entitled 'An act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,' approved February 23, 1893," approved March 19, 1907, and to repeal an act entitled "An act providing for publicity of contributions and expenditures made for the purpose of influencing electors for or against any

proposition voted upon throughout the State and providing penalties for violation of the provisions hereof," approved May 31, 1921

Bill read first time, and referred to Committee on Elections

By Mr. Donnelly: Assembly Bill No. 289—An act to add section 1724 to the Code of Civil Procedure, relating to establishing the fact of death of a joint tenant.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Donnelly: Assembly Bill No. 290—An act to amend section 683 of the Civil Code, relating to joint tenancy.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Williamson: Assembly Bill No. 291—An act to add a new title to Part IV of Division III of the Civil Code of the State of California to be known as Title XVII thereof, relating to trust receipts and to make the law of trust receipts in the State of California uniform with the law of other States.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr. Waters. Assembly Bill No. 292—An act to add section 4088b to the Political Code, relating to the issuance of obligations by a county, city and county or city.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Patterson: Assembly Bill No. 293—An act to add section 90 to the Penal Code, relating to influencing the vote of members of the Legislature.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Clark: Assembly Bill No. 294—An act to amend section 403 of the Vehicle Code, relating to liability for injuries of guests.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr Chatters: Assembly Bill No 295—An act to amend section 2.251 of the School Code, relating to teachers' attendance reports.

Bill read first time, and referred to Committee on Education.

By Mr. Cassidy: Assembly Bill No. 296—An act to amend section 34 of the State Liquor Control Act, approved June 3, 1933, relating to the sale of intoxicating liquor.

Bill read first time, and referred to Committee on Public Morals.

By Mr Anderson: Assembly Bill No. 297—An act to amend section 5.161 of the School Code, relating to high school certificates.

Bill read first time, and referred to Committee on Education.

By Mr. Anderson: Assembly Bill No. 298—An act to repeal section 4.768, relating to reports of attendance in joint elementary school districts.

Bill read first time, and referred to Committee on Education.

By Mr. Anderson: Assembly Bill No. 299—An act to repeal Article LV of Chapter 7 of Part I of Division II of the School Code and to add to said Chapter 7 of Part I of Division II thereof a new article to be

known as Article IV, both relating to the annexation of elementary school districts not in any high school district, to high school districts.

Bill read first time, and referred to Committee on Education.

By Mr. Crowley: Assembly Bill No. 300—An act to add section 443 to the Political Code, relating to emergency funds and emergencies.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Crowley: Assembly Bill No. 301—An act to amend section 2 of an act entitled "An act to provide for the formation, management and dissolution of county fire protection districts composed of lands within one or more counties and annexations to such districts; to set forth the powers of such districts and to provide for levying and collecting taxes on property in such districts to defray the expenses thereof," approved June 12, 1931, relating to holders of acreage.

Bill read first time, and referred to Committee on Conservation.

By Mr. Hunt: Assembly Bill No 302—An act to add two new sections, to be numbered 2¾ and 50¾ to the Public Utilities Act, relating to taxicab companies.

Bill read first time, and referred to Committee on Public Utilities.

By Mr Hunt: Assembly Bill No 303—An act to add section 696 to the Political Code, relating to a meeting place for members of the Legislature in the State Building in the city of Los Angeles.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Hunt: Assembly Bill No. 304—An act to add section 990.5 to the Fish and Game Code, relating to commercial fishing licenses.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hunt: Assembly Bill No 305—An act to amend section 1357 of the Political Code, relating to absentee voters.

Bill read first time, and referred to Committee on Elections.

By Mr Hunt: Assembly Bill No. 306—An act making an appropriation for the support and maintenance of a branch office of the Legislative Counsel at the State Building in the city of Los Angeles.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Hunt: Assembly Bill No. 307—An act to amend section 990 of the Fish and Game Code, relating to commercial fishing licenses.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hunt: Assembly Bill No. 308—An act to amend section 330a of the Penal Code, relating to the possession or control of gambling devices.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Kallam: Assembly Bill No. 309—An act to amend section 110 of the Penal Code, relating to transporting arms into a State prison.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Turner: Assembly Bill No. 310—An act to amend School Code section 4.928, relating to the apportionment of funds to high school districts.

Bill read first time, and referred to Committee on Education.

By Messrs. Welsh, Hunt, McCarthy, Flint, and Jones: Assembly Bill No. 311—An act to provide a system of State control of the manufacture, purchase, sale, importation, exportation, transportation, and use of alcohol and alcoholic liquors; including creation of a State Alcohol Control Authority provision for the sale of alcohol and alcoholic liquors by such authority; making an appropriation therefor; and providing penalties for the violation of the provisions of this act.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Welsh: Assembly Bill No. 312—An act to amend section 2 of an act entitled "An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith," approved May 23, 1923, relating to the duties of the State Fire Marshal.

Bill read first time, and referred to Committee on Conservation.

By Mr. Turner: Assembly Bill No. 313—An act to amend section 444 of the Political Code, relating to the transfer of money from one fund to another in the State treasury.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Williamson: Assembly Bill No. 314—An act to amend sections 2.203 and 2.204 of the School Code, relating to the formation of joint elementary school districts.

Bill read first time, and referred to Committee on Education.

By Mr. Wallace: Assembly Bill No 315—An act to amend section 284 of the Code of Civil Procedure, relating to substitution of attorneys and fees of same.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Mayo and Fulcher: Assembly Bill No. 316—An act to amend section 11822 of the Insurance Code, relating to expense of conducting the business of the Compensation Insurance Fund.

Bill read first time, and referred to Committee on Insurance.

By Mr. Cronin: Assembly Bill No. 317—An act to amend section 3 of an act entitled "An act to regulate the vocation of fishing and to provide therefrom revenue for the propagation, restoration and preservation of the fish in the waters of the State of California," relating to regulations of the Fish and Game Commission.

Bill read first time, and referred to Committee on Fish and Game

By Messrs. Jones, Richie, Pelletier, Lore, Welsh, McCarthy, Voigt, Flint, Clark, Andreas, Geyer, Laughlin, Glover, Reaves, Rosenthal, and Gilbert: Assembly Bill No. 318—An act to amend section 128 of the Code of Civil Procedure, relating to powers and duties of courts.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Jones, Richie, Pelletier, Lore, Welsh, McCarthy, Voigt, Flint, Clark, Andreas, Geyer, Laughlin, Glover, Reaves, Rosenthal, and Gilbert: Assembly Bill No. 319—An act to add a new section to the Political Code, to be numbered 4469, relating to the Common Law Writ of Error Coram Nobis.

Bill read first time, and referred to the Committee on Judiciary.

By Messrs. Jones, Richie, Pelletier, Lore, Welsh, McCarthy, Voigt, Flint, Clark, Andreas, Geyer, Laughlin, Glover, Reaves, Rosenthal, and Gilbert: Assembly Bill No. 320—An act to amend section 1182 of the Penal Code, and to add a new section thereto, to be numbered 1183, relating to new trials.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Jones, Richie, Pelletier, Lore, Welsh, McCarthy, Voigt, Flint, Clark, Andreas, Laughlin, Glover, Reaves, Rosenthal, and Gilbert: Assembly Bill No. 321—An act to amend section 956a of the Code of Civil Procedure, relating to remedial powers of the appellate courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Jones: Assembly Bill No 322—An act to amend "An act to establish free employment bureaus under the control and management of the Commissioner of the Bureau of Labor Statistics, and making an appropriation therefor," approved May 17, 1915, by adding section 2a thereto, relating to free employment bureaus.

Bill read first time, and referred to Committee on Unemployment.

By Mr. Jones: Assembly Bill No. 323—An act to amend section 9 of an act entitled "An act to provide for the protection, welfare and assistance of aged persons in need and resident in the State of California, providing the method therefor, making an appropriation therefor and prescribing penalties for the violation of the provisions of this act," approved May 28, 1929, relating to transfers of property to county by applicants for aid.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Jones: Assembly Bill No. 324—An act to amend section 1781 of the Civil Code, relating to retaking of possession of personal property by seller.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Jones: Assembly Bill No 325—An act to add a new section to the Code of Civil Procedure to be known as section 1021a, creating the lien of an attorney at law.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Gilmore: Assembly Bill No. 326—An act to amend section 172a of the Penal Code to provide that the selling of liquor within one mile of the administration building of a university is illegal

Bill read first time, and referred to Committee on Public Morals.

By Mr. Donnelly: Assembly Bill No. 327—An act to add Article 3a to Division II of the Agricultural Code, relating to Bang's disease in cattle.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Anderson: Assembly Bill No. 328—An act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad adequately to man their gas, gas-electric, Diesel, or Diesel-electric cars and locomotives.

Bill read first time, and referred to Committee on Public Utilities.

By Messrs. Rosenthal, Welsh, McMurray, Peterson, and Andreas: Assembly Bill No. 329—An act to authorize the adoption of codes of fair competition for certain trades and industries within this State, to declare the urgency thereof, and to provide that this act shall take effect immediately.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Brennan: Assembly Constitutional Amendment No. 23—Proposed amendment to Article XI, sections 1 and 3 thereof of the Constitution, relative to the consolidation of counties.

Introduced, and referred to Committee on Constitutional Amendments.

By Messrs. Brennan, Meehan, Jones, Donihue, Hunt, Boyle, and Voigt: Assembly Constitutional Amendment No. 24—Proposed amendment to Article IV, section 26 of the Constitution, relative to a State lottery.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. McMurray: Assembly Joint Resolution No. 15—Relative to retirement of Federal employees who have been in the service from 15 to 30 years or more and restoration of pay of said employees as of January 1, 1935.

Introduced, and referred to Committee on Federal Relations.

By Mr. Heisinger: Assembly Joint Resolution No. 16—Relative to memorializing the President and Congress to take the necessary steps to institute a thorough investigation of the activities of the school textbooks concerns of the United States in order to determine whether such school textbooks concerns are operating in conformity to law or are conducting their operations and business in violation of existing laws and restraint of trade.

Introduced, and referred to Committee on Federal Relations.

By Messrs. Walker, Phillips, and Corwin: Assembly Joint Resolution No. 17—Relative to memorializing the President and the Congress of the United States to not impair the flax industry of the western States by reciprocal tariff arrangements with any country so as to lower the duty on flax.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Walker asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 17, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER SEVENTEEN.

Assembly Joint Resolution No. 17—Relative to memorializing the President and the Congress of the United States to not impair the flax industry of the western States by reciprocal tariff arrangements with any country so as to lower the duty on flax.

Assembly Joint Resolution No. 17 read.

Mr. Walker moved the adoption of Assembly Joint Resolution No. 17.

The question being on the adoption of Assembly Joint Resolution No. 17.

The roll was called, and Assembly Joint Resolution No. 17 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—71

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 17 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 17.

Relative to memorializing the President and the Congress of the United States to not impair the flax industry of the western States by reciprocal tariff arrangements with any country so as to lower the duty on flax.

WHEREAS, A comparatively new and extensive industry has arisen in the western States in the propagation and cultivation of flax; and

WHEREAS, The acreage planted to flax in California alone has increased from approximately 80 acres to over 50,000 acres under cultivation in the last three years; and

WHEREAS, This tremendous percentage of increase in this short space of time merits serious consideration before any reduction in tariffs is contemplated; and

WHEREAS, This infant industry has grown with such rapidity that in a few short years it bids to surpass at the present rate of increase all major crops of the western States; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the President and the Congress of the United States be memorialized and respectfully urged to carefully consider the interests of the farmers who have entered this new industry, and that no reciprocal tariff arrangements be entered into by this Nation with other countries which shall lower the tariff rates applicable to the flax industry; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby requested to transmit copies of this resolution to the President and the Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and member of the House of Representatives from California in the Congress of the United States, and that such Senators and members from California are hereby respectfully requested and urged to protect the flax industry of the western States and in particular the industry in California.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following resolution was introduced:

By Messrs. Williamson, Gilmore, Burns, Crowley, Brennan, Dawson, Hornblower, Maloney, McMurray, Cronin, and Scudder: Assembly Joint Resolution No. 18—Relative to memoralizing the President and

Congress to enact such legislation as shall be necessary to acquire the Petrified Redwood Forest in Sonoma County, California, for the purpose of establishing it as a National park and monument.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Scudder asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 18, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER EIGHTEEN.

Assembly Joint Resolution No. 18—Relative to memoralizing the President and Congress to enact such legislation as shall be necessary to acquire the Petrified Redwood Forest in Sonoma County, California, for the purpose of establishing it as a National park and monument.

Assembly Joint Resolution No 18 read.

Mr. Scudder moved the adoption of Assembly Joint Resolution No. 18.

The question being on the adoption of Assembly Joint Resolution No. 18.

The roll was called, and Assembly Joint Resoltion No. 18 adopted by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—70

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 18 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 18.

Relative to memoralizing the President and Congress to enact such legislation as shall be necessary to acquire the Petrified Redwood Forest in Sonoma County, California, for the purpose of establishing it as a National park and monument.

WHEREAS, There is existent in the county of Sonoma, State of California, one of nature's great phenomena in the form of a redwood forest which has become petrified, and

WHEREAS, It is a matter of almost common knowledge that but one other petrified forest exists in the United States, it consisting of trees other than redwood, and

WHEREAS, Countless numbers of people from the entire length and breadth of the land visit the forest by reason of its great natural interest, and

WHEREAS, The establishment of the area embracing the trees as a park and monument would require a great amount of excavation by manual labor and thereby provide work for a considerable number of men; and

WHEREAS, There would result a great benefit to science and the study of paleontology by adding the area to our permanently preserved institutions; and

WHEREAS, The virtue of preserving and developing the area containing the forest in the interests of the people of this State and of those of all other States is almost self-evident; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the President and the Congress of the United States to enact legislation for the purpose of creating the Petrified Redwood Forest as a National park and monument, and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and member of the House of Representatives from California in the Congress of the United States, to the Secretary of the Interior, the Director of the Smithsonian Institute, the California State Park Com-

mission and the Department of Paleontology at the University of California, and that such Senators and members from California and others be urged to support such legislation.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following resolution was introduced.

By Messrs. Frazier and O'Donnell: Assembly Concurrent Resolution No 13—Relative to requesting the State Board of Equalization of the State of California, to submit an approximate valuation of all utility properties which are to be placed upon the local county tax rolls

Introduced

REQUEST FOR UNANIMOUS CONSENT.

Mr. Frazier asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No 13, at this time, without reference to printer, committee or file, and that same be considered engrossed

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER THIRTEEN

Assembly Concurrent Resolution No 13—Relative to requesting the State Board of Equalization of the State of California, to submit an approximate valuation of all utility properties which are to be placed upon the local county tax rolls

Assembly Concurrent Resolution No. 13 read.

Mr. Frazier moved the adoption of Assembly Concurrent Resolution No 13

The question being on the adoption of Assembly Concurrent Resolution No. 13.

The roll was called, and Assembly Concurrent Resolution No. 13 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride McCarthy, McMurray, Meehan, Minard Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—72

NOES—None

Title read and approved.

Assembly Concurrent Resolution No 13 ordered transmitted to the Senate

ASSEMBLY CONCURRENT RESOLUTION No. 13.

Requesting the State Board of Equalization of the State of California to submit an approximate valuation of all utility properties which are to be placed upon the local county tax rolls

WHEREAS, The problem of taxation is superior in the interests of the members of the Legislature of the State of California, as well as the citizens of this State; and

WHEREAS, The properties of all utilities are being evaluated by the State Board of Equalization, and are to be placed upon the local county tax rolls; and

WHEREAS, The Constitution of the State of California provides for the levying and assessment of an ad valorem tax upon all property within the State in order to meet any State deficits that may exist; and

WHEREAS, The Legislature has by resolution set the twenty-sixth day of January, 1935, as the day of adjournment, and the time remaining is but a short period; now, therefore, be it

Resolved by the Assembly, the Senate of the State of California concurring thereon, That the Clerk of the Assembly be directed to convey this resolution to the members of the State Board of Equalization, and to the secretary of such board respectfully requesting and urging them to transmit to the Assembly and the Senate

of the State of California, at the earliest possible moment, such an approximate valuation of the utility properties of the State of California; and, be it further

Resolved, That any additional information in the possession of the State Board of Equalization, which will be of material assistance to the Assembly and the Senate of the State of California, relating to this request, be transmitted by the Board of Equalization in like manner, together with such statement of the approximate valuations of utilities, so that the members of the Legislature may become more conversant with the approximate revenue that may be expected in the event an ad valorem tax is placed upon utility properties in the State of California.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No 208—An act to prohibit until January 1, 1937, sales under certain chattel mortgages for default in the payment of the principal sum, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale made in violation of the act, to prescribe the time within which an action to avoid such a sale may be brought, and to declare the urgency thereof, and to provide that this act take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LYON, Chairman.

Assembly Bill No. 208 ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 44—An act to prohibit until February 1, 1936, sales under certain mortgages and deeds of trust, and the forfeiture of the interest of the purchaser under certain contracts of purchase, for default in the payment of the principal sum of obligations secured thereby or contracted to be paid thereunder, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale or forfeiture made in violation of the act, to prescribe the time within which an action to avoid the same may be brought, to postpone sales for default in payment of installments due between effective date of act and February 1, 1936, to authorize waiver hereof, to prevent actions against guarantors' obligations the enforcement of the security for which is affected by the act, and to declare the urgency hereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LYON, Chairman.

Assembly Bill No. 44 ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No 23—An act relating to the relief of debtors and guarantors, and permitting postponement of foreclosures and sales under mortgages, deeds of trust, or contracts of purchase of real property, or postponement of forfeitures and terminations under such contracts of purchase, declaring the urgency thereof, and providing that it shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LYON, Chairman.

Assembly Bill No. 23 ordered on file for second reading.

ON MOTOR VEHICLES.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1935.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No 170—An act to establish a Vehicle Code, thereby consolidating and revising the law relating to vehicles and vehicular traffic, and to repeal certain acts and parts of acts specified herein—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

HORNBLOWER, Chairman.

Assembly Bill No. 170 ordered on file for second reading.

COMMUNICATION.

The following communication was filed by the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1935.

MR. SPEAKER: Pursuant to your instructions, the following named persons have filed their credentials, and are duly recognized as representatives of the newspapers set opposite their names:

The Turlock Tribune—Roby Wantz.
Richmond Independent—Ed. Wilder.

ARTHUR A. OHNIMUS, Chief Clerk.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1935.

MR. SPEAKER: Your Committee on Rules, to which was referred the following resolutions by Mr. Martin:

Resolved, That the Chief Clerk of the Assembly be, and hereby is, authorized and directed to purchase eighty-three (83) sets of the 1933 edition of Deering's Codes of the State of California, each set consisting of the following six volumes:

Civil Code,
Code of Civil Procedure,
Penal Code,
Political Code (two volumes),
1933 Supplement to Codes, General Laws and Constitution;

also five sets of the General Laws of California, each set consisting of three volumes; also three copies of Robert's Rules of Order; also be it

Resolved, That the Chief Clerk of the Assembly be, and hereby is, directed to deliver one set each of the codes (six volumes) to each member of the Assembly; one to the Chief Clerk of the Assembly; one to the Committee on Judiciary, and one to the Committee on Ways and Means; also

That the Chief Clerk be directed to deliver one set of the General Laws (three volumes) to the Committee on Judiciary; one set to the Committee on Ways and Means; one set to the Committee on Social Welfare, and two sets to the Chief Clerk of the Assembly; also

That the three copies of Robert's Rules of Order be delivered to the Chief Clerk of the Assembly, for the use of the members of the Assembly;

Has had the same under consideration, and respectfully reports the same back, and recommends the adoption of the following substitute resolution.

SUBSTITUTE RESOLUTION.

Resolved, That the Chief Clerk of the Assembly be, and he is hereby authorized and directed, to purchase eighty-four (84) complete sets of the 1931 edition of Deering's Codes and General Laws of the State of California, with the 1933 Supplement thereto and the Constitution; also five copies of Robert's Rules of Order;

Further resolved, That the Chief Clerk of the Assembly be, and he is hereby authorized and directed to deliver one (1) set of said codes, Constitution and General Laws to each member of the Assembly, and one (1) set to each of the following committees: Judiciary, Rules, Ways and Means, and the Chief Clerk of the Assembly.

WALLACE, Chairman.

Report and resolution read.

Mr. Wallace moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J, Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—71.

NOES—None.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON MOTOR VEHICLES.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1935.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 37—An act relating to the operation of motor vehicles used in unemployment cooperative relief work, and declaring the urgency thereof and that this act shall go into immediate effect—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

HORNBLOWER, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Boyle asked for, and was granted, unanimous consent to take up Assembly Bill No. 37, at this time, without reference to file, and that same be considered engrossed.

Bill read first time.

CASE OF URGENCY

The following resolution was offered:

By Mr. Boyle:

Resolved, That Assembly Bill No. 37 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Mr. Boyle moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—70.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No 37.

SECOND READING OF ASSEMBLY BILL NUMBER THIRTY-SEVEN.

Assembly Bill No. 37—An act relating to the operation of motor vehicles used in unemployment cooperative relief work, and declaring the urgency thereof and that this act shall go into immediate effect

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J, Evans, Ralph W., Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips Reaves, Red-

wine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—70.

NOES—None

FLOOR AMENDMENT.

During second reading of the bill, the following amendment was submitted by Mr. Boyle

AMENDMENT NUMBER ONE

On page 2 of the printed bill, after line 11, add the following paragraph:

"Any person filing a false affidavit for the purpose of securing an exempt registration for license plates shall be guilty of a misdemeanor."

Mr Boyle moved the adoption of the amendment

Amendment adopted.

CONSIDERATION OF ASSEMBLY BILL NUMBER THIRTY-SEVEN (BY UNANIMOUS CONSENT).

THIRD READING OF ASSEMBLY BILL NUMBER THIRTY-SEVEN.

Assembly Bill No. 37—An act relating to the operation of motor vehicles used in unemployment cooperative relief work, and declaring the urgency thereof and that this act shall go into immediate effect.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 37 passed by the following vote

AYES—Boyle, Breed, Burns, Cassidy, Clark, Colwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domihue, Donnelly, Ecke, Evans, Herbert J., Evans, Ralph W., Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—70.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr Utt: Assembly Bill No 330—An act to add a new section to the Vehicle Code to be numbered 372 5 relating to registration and weight fees.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Utt: Assembly Bill No. 331—An act to add a new section to the California Vehicle Act to be numbered 77¾, relating to registration and weight fees, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Mayo: Assembly Bill No. 332—An act to establish an additional State highway and classifying it as a secondary State highway.

Bill read first time, and referred to Committee on Roads and Highways

By Mr. Mayo: Assembly Bill No. 333—An act to add section 602 to the Streets and Highways Code, establishing a secondary State highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Minard: Assembly Bill No. 334—An act to amend sections 1068, 1085, 1103, 1108, 1162, 1269a, 1272a, 1274a, 1280, 1822a and 1822bb of the Code of Civil Procedure, relating to special proceedings.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Minard: Assembly Bill No. 335—An act to amend sections 105, 112 and 165 of the Code of Civil Procedure, relating to courts of justice.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Minard: Assembly Bill No 336—An act to amend sections 396, 396a, 399, 539, 540, 542, 581, 594, 618, 629, 650, 659a, 667a, 689, 953a, 978a, 980, 983, 983a, 988a, 988b, 988c, 988h, 989, 990, 1005 and 1010 of the Code of Civil Procedure, and to add section 655 thereto, all relating to civil actions.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. McCarthy, Hawkins, and Flint: Assembly Bill No. 337—An act relating to and providing for a moratorium with respect to forfeitures of State school lands as provided for in section 3513 of the Political Code, and declaring the urgency thereof, to take effect immediately.

Bill read first time.

REQUEST FOR UNANIMOUS CONSENT.

Mr. McCarthy asked for, and was granted, unanimous consent to take up Assembly Bill No. 337, at this time, without reference to print, committee or file, and that same be considered engrossed.

CASE OF URGENCY.

The following resolution was offered:

By Mr. McCarthy:

Resolved, That Assembly Bill No. 337 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Mr. McCarthy moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—73.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 337.

SECOND READING OF ASSEMBLY BILL NUMBER THREE HUNDRED THIRTY-SEVEN.

Assembly Bill No. 337—An act relating to and providing for a moratorium with respect to forfeitures of State school lands as provided for in section 3513 of the Political Code, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—73.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER THREE HUNDRED THIRTY-SEVEN.

Assembly Bill No. 337—An act relating to and providing for a moratorium with respect to forfeitures of State school lands as provided for in section 3513 of the Political Code, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 337 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Eicke, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—73.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SENATE MESSAGES.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 18, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 4—Relative to memorializing the Federal Administrator and the California Relief Administrator to give preference to the construction of relief projects which will result in benefits of a permanent character.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

Senate Joint Resolution No. 4 ordered referred to Committee on Federal Relations

REQUEST FOR USE OF ASSEMBLY CHAMBER.

Mr. Nielsen requested that the Assembly grant the use of the Assembly Chamber for a meeting of the Boy Scouts Council this evening, Friday the eighteenth.

Request granted.

ADJOURNMENT.

At twelve o'clock and forty-five minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Monday, January 21, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, January 21, 1935.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—73.

Quorum present.

PRAYER.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Thorp, its further reading was dispensed with.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Dr. Kepsel, relative to increasing the grant of gasoline funds.

Also:

By Mr. Speaker:

From M. W. Taggart, relative to trust deed and mortgage moratorium.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Chatters, Mr. C. A. Black of Lindsay was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. O'Donnell, Mr. Merwyn Wilson of Colusa was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Waters, Mrs. A. B. Murphy of Long Beach was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Corwin, Mr. Cornelius De Bakesy was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Johnson, Miss Thelina M. Price of Oakland was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Miss Miller, Mrs Louise J. Taft of Colusa was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Walker, Hon. Elmer W. Heald, district attorney, Imperial County, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Desmond, Mr. William A. Green was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Maloney, Mr. Thomas Mitchell, former Assemblyman, and Messrs. Matt Curran and Milt Mitchell of San Francisco were extended the privilege of the floor of the Assembly for this day.

LEAVES OF ABSENCE.

On motion of Mr. Utt, Mr. Scudder was granted leave of absence for this day.

On motion of Mr. Welsh, Mr. Eicke was granted leave of absence for this day.

On motion of Mr. Walker, Mr. Martin was granted leave of absence for this day.

On motion of Mr. Maloney, Mr. Hornblower was granted leave of absence for this day.

On motion of Mr. Utt, Mr. Cassidy was granted leave of absence for this day.

On motion of Mr. Utt, Mr. Cottrell was granted leave of absence for this day.

On motion of Mr. Utt, Mr. Richie was granted leave of absence for this day.

EXPRESSION OF APPRECIATION.

Miss Miller expressed her appreciation to the members for the beautiful flower offering sent to her during her recent illness.

ASSISTANT CLERK OLIVER READING.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 2—Relating to memorializing Congress to continue the Home Owners' Loan Corporation in existence;

Also Assembly Joint Resolution No. 7—Relative to memorializing the President and Congress to favorably consider and submit to the States an amendment to the Constitution enabling Congress to grant Federal suffrage to residents of the District of Columbia;

Also Assembly Joint Resolution No 10—Relative to memorializing the Public Works Administration to approve the application of the Los Angeles County Flood Control District for a grant of $5,882,000 to be used for the immediate construction and permanent improvement of the flood channel of Ballona Creek between Vineyard Station on the Pacific Electric Railway and the ocean, the same being commonly

known as the Ballona Creek Project at Culver City, Del Rey and Venice Bay districts, Los Angeles County, California;
And reports that the same have been correctly engrossed

WATERS, Chairman.

Assembly Joint Resolutions Nos 2, 7 and 10 ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No 12—Relative to memorializing Congress to enact proposed legislation directing repeal of section 15 of the Black-McKellar Act—and reports that the same has been correctly enrolled, and presented the same to the Governor on the twenty-first day of January, 1935, at ten o'clock and thirty minutes a m.

WATERS, Chairman.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 21, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 11—Relative to approving certain amendments to the charter of the city of Albany, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at an election held therein November 6, 1934

J. A. BEEK, Secretary of Senate

Assembly Concurrent Resolution No. 11 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 17, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No 8—Relative to memorializing Congress to grant consent to taxation by the several States of certain interstate sales.

J. A. BEEK, Secretary of Senate

Assembly Joint Resolution No 8 ordered to enrollment

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Martin: Assembly Bill No 338—An act to add section 731a to the Code of Civil Procedure, relating to the use of the injunction in industrial or commercial zones.

Bill read first time, and referred to Committee on Manufactures.

By Mr. Anderson: Assembly Bill No. 339—An act imposing a license fee on the conducting of business by the system of chain stores for selling or otherwise disposing of goods, wares, articles, or commodities at retail, providing penalties for failure to pay such tax.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Frazier: Assembly Bill No. 340—An act to amend section 691.6 of the Fish and Game Code, relating to bass.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Williamson: Assembly Bill No. 341—An act to amend sections 21.1, 53, 54, 63, 64, 93, 105, 133, 133.1, 135d, and 139 of the Bank Act.

Bill read first time, and referred to Committee on Banking.

By Mr. Cunningham: Assembly Bill No. 342—An act amending section 1 of an act entitled "An act authorizing counties to construct, improve, maintain and repair streets lying in municipalities or to aid

or assist by the appropriation of money and otherwise in establishing, laying out, opening, widening, extending, straightening, constructing, improving or altering streets or changing or separating the grades thereof within municipalities or in acquiring lands, rights of way or other property necessary therefor," approved April 30, 1923, relating to the granting of aid and assistance by counties in connection with public improvements.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Voigt: Assembly Bill No. 343—An act adding section 4150a to the Political Code of the State of California, relating to the judicial conduct of judges.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Voigt, Anderson, Geyer, Patterson, Meehan, Turner, Glover, Morgan, Reaves, Pelletier, Laughlin, Rosenthal, Gilbert, Lore, Jones, Flint, and Robertson: Assembly Bill No. 344—An act for the construction of two radio broadcast stations and the maintenance and operation thereof by the University of California, and making an appropriation therefor.

Bill read first time, and referred to Committee on Universities.

By Mr. Wallace: Assembly Bill No. 345—An act to add section 148a to the Vehicle Code, relating to the registration of motor vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Peyser: Assembly Bill No. 346—An act to amend section 1208 of the Code of Civil Procedure, relating to liens upon animals.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Peyser: Assembly Bill No. 347—An act to amend sections 640, 641, 642, 645, and 646 of the Probate Code, relating to the setting aside of estates without administration.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Donihue: Assembly Bill No. 348—An act authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for residents in accordance with the provisions of the Farm and Home Purchase Act, defining the powers and duties of the Veterans' Welfare Board, the Veterans' Welfare Finance Committee, and other State officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November.

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs.

By Mr. Donihue. Assembly Bill No. 349—An act to add section 22¼ to the California Toll Bridge Authority Act, relating to the acquisition, construction, operation, and maintenance of interurban railway systems over toll bridges.

Bill read first time, and referred to Committee on Roads and Highways.

By Messrs. Flint, McCarthy, Laughlin, Reaves, Geyer, Jones, Hunt, Pelletier, Boyle, Lore, Gilbert, Clark, and Hawkins: Assembly Bill No. 350—An act to amend section 4041.5 and to repeal section 4056b of the Political Code relating to the powers of board of supervisors.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Messrs. Phillips, Patterson, and Reaves: Assembly Bill No. 351—An act making an appropriation for remodeling the Assembly Chamber in the State Capitol including repairs, alterations, improvements, furnishings and equipment, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Rules.

By Mr. Evans, Herbert, J. Assembly Bill No. 352—An act to amend section 112 of the Code of Civil Procedure, relating to justices' courts.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. McCarthy, Laughlin, Hawkins, and Flint: Assembly Bill No. 353—An act to amend section 28 of the Bank Act, relating to signs informing the public as to insurance on a bank's deposits.

Bill read first time, and referred to Committee on Banking.

By Mr. Minard: Assembly Bill No. 354—An act to add sections 363hh, 363ii and 363jj to the Political Code, creating a Division of Aviation in the Department of Public Works, defining its duties and providing for support therefor.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Minard: Assembly Bill No. 355—An act to amend sections 1 and 13 of the "Motor Vehicle Fuel License Tax Act," relating to aircraft fuel.

Bill read first time, and referred to Committee on Aviation and Aircraft.

By Mr. Minard: Assembly Bill No. 356—An act to amend section 11 of "The California Air Navigation Act," relating to the Aeronautical Commission.

Bill read first time, and referred to Committee on Aviation and Aircraft.

By Mr. Lyon: Assembly Bill No. 357—An act making an appropriation to pay the claim of Winnie Cowen, Lena E. Cowen, William H. Zundelowitz, Simon W. Zundelowitz, Estelle Cooper Dillon, Bessie Ann Cowen Meyer and Donald Selden Cowen against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Lyon: Assembly Bill No. 358—An act to amend sections 188, 193, and 1622 of the Streets and Highways Code, relating to highway lighting systems on State highways and county highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Lyon: Assembly Bill No. 359—An act to amend sections 156, 158, 159, 160, 161, 164 and 370 of the Vehicle Code, relating to registration of vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Frazier: Assembly Bill No. 360—An act to amend section 10 of an act entitled "An act to provide for the aid and relief of indigents" approved June 5, 1933, relating to length of residence

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr Frazier: Assembly Bill No 361—An act to amend the division heading of Division V of the Agricultural Code, relating to standardization.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Latham: Assembly Bill No. 362—An act to amend section 429 of the Fish and Game Code, relating to license fees.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Frazier: Assembly Bill No 363—An act to amend section 1072 of the Agricultural Code, relating to economic poisons

Bill read first time, and referred to Committee on Agriculture.

By Mr. Frazier: Assembly Bill No. 364—An act to amend section 1036 of the Agricultural Code, relating to fertilizing materials.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Frazier: Assembly Bill No. 365—An act to amend section 423 of the Agricultural Code, relating to live stock on highways.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Frazier: Assembly Bill No. 366—An act to amend section 4041.11 of the Political Code, relating to powers and duties of boards of supervisors.

Bill read first time, and referred to Committee on County Government.

By Mr. Frazier: Assembly Bill No. 367—An act to amend section 104 of the Agricultural Code, relating to quarantine

Bill read first time, and referred to Committee on Agriculture.

By Mr. Frazier: Assembly Bill No. 368—An act to amend section 34 of the Agricultural Code, relating to cooperative agreements for the purpose of enforcing provisions relating to standardization.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Andreas: Assembly Bill No. 369—An act to amend sections 10 and 34 of an act entitled "An act to control, license and regulate the

manufacture, transportation, sale, purchase, possession and disposition of wine, beer and intoxicating liquor; to make an appropriation therefor; and to provide penalties for the violation thereof," relating to the sale of liquor.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Riley: Assembly Bill No. 370—An act to amend section 40 of the "Improvement Act of 1911." relating to special assessment proceedings.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Wallace: Assembly Bill No. 371—An act to amend "An act to regulate certain scaffolding or staging for the protection of workmen; requiring that in addition to the duties imposed by any law upon employers using or directing or permitting the use of scaffolding or staging swung or suspended from an overhead support such employers shall be subject to the provisions of this act; fixing penalties for a violation hereof to be the same as provided in section 402c of the Penal Code; and providing for the enforcement of this act by the Commissioner of the Bureau of Labor Statistics," approved April 22, 1913, by amending the title and section 4 thereof, relating to enforcement.

Bill read first time, and referred to Committee on Building and Construction.

By Mr. Andreas: Assembly Bill No. 372—An act relating to mortgages and conditional sales of personal property.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr. Andreas: Assembly Bill No. 373—An act to amend sections 2955 to 2964, inclusive, of the Civil Code, relating to mortgages and conditional sales of personal property.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr. Andreas: Assembly Bill No. 374—An act to amend sections 2965 to 2973, inclusive, and section 2980 of the Civil Code, relating to mortgages and conditional sales of personal property.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr. Andreas: Assembly Bill No. 375—An act to amend sections 2986 to 3011, inclusive, of the Civil Code, relating to pledges of personal property.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr. Andreas: Assembly Bill No. 376—An act to amend "An act to prevent combinations to obstruct the sale of live stock in the State of California," approved February 27, 1893, relating to live stock sales.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Andreas: Assembly Bill No 377—An act to amend sections 2920 to 2942, inclusive, of the Civil Code, relating to mortgages.

Bill read first time, and referred to Committee on Fnancial Institutions.

By Mr. Andreas: Assembly Bill No. 378—An act to amend sections 335 to 348, inclusive, of the Code of Civil Procedure, relating to Statutes of Limitation.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Andreas: Assembly Bill No. 379—An act to amend section 408 of the Political Code, relating to the duties of the Secretary of State.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Andreas: Assembly Bill No. 380—An act to amend sections 4130, 4140 and 4300c of the Political Code, relating to county recorders.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Andreas: Assembly Bill No. 381—An act to amend sections 3046 to 3065, inclusive, of the Civil Code, relating to liens.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr. Andreas: Assembly Bill No. 382—An act to amend section 943 of the Code of Civil Procedure, relating to appeals.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Latham: Assembly Bill No. 383—An act to provide for the discharge, cancellation and retirement of the indebtedness represented by bonds of special assessment improvement districts issued under the Acquisition and Improvement Act of 1925 where said bonds were issued prior to January 1, 1932, and providing for the discharge, cancellation and retirement of said bonds or part thereof where such bonds have been purchased or redeemed by any city, county or city and county for the purpose of cancelling, discharging or reducing special assessment levies against the property in such districts, and to provide for contribution of public funds to assist in such discharging, cancellation or retirement of said bonds

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Latham and Martin: Assembly Bill No. 384—An act to provide for the discharge, cancellation, and retirement of the indebtedness represented by bonds of special assessment improvement districts where such bonds were issued prior to January 1, 1933, and are payable from special assessments levied wholly or partly in accordance with the assessed value of lands, where such bonds have been purchased or are redeemed by any city, county, or city and county for the purpose of discharging, cancelling, or retiring such bonds or part thereof, providing for the reduction of special assessment levies against the property in such districts, and providing a procedure for the discharge, cancellation and retirement of said bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Latham and Martin: Assembly Bill No. 385—An act to provide for the refunding of the indebtedness represented by bonds of special assessment districts formed under laws of the State of California where the bonds are payable from assessments levied in whole or in part in accordance with the assessed value of the lands in the district, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments and reassessments and to provide for the proceedings to test the validity of such refunding and reassessment, and to provide for contributions of public funds to assist in such refunding.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Jones: Assembly Bill No. 386—An act to amend section 472a of the Code of Civil Procedure, relating to demurrers.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Jones: Assembly Bill No. 387—An act to amend sections 1031 and 1032 of the Code of Civil Procedure, relating to costs.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Jones: Assembly Bill No. 388—An act to amend section 689 of the Code of Civil Procedure, relating to third-party claims.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Jones: Assembly Bill No. 389—An act to amend section 690 of the Code of Civil Procedure, relating to the exemption of property from execution or attachment.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Crowley: Assembly Bill No 390—An act to amend section 15a of and to add section 25 to an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, relating to vital statistics.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Fisher. Assembly Bill No. 391—An act to amend section 15a of an act entitled "An act to provide a Central Bureau for the Preservation of Records of Marriages, Births and Deaths and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths, the appointment of State and local

registrars of vital statistics, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of the same, to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, relating to adoptions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Fisher: Assembly Bill No. 392—An act to amend section 227 of the Civil Code, relating to adoptions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Fisher: Assembly Bill No. 393—An act to amend sections 2171, 2172, 2173, 2174, 2175a, 2177, 2185c, 2186, and 2188 of the Political Code, relating to insane persons, and to add a new section thereto to be numbered 2189a.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Wallace: Assembly Bill No. 394—An act to amend section 1 of the "Workmen's Compensation, Insurance and Safety Act of 1917," approved May 23, 1917, relating to intention of act.

Bill read first time, and referred to Committee on Insurance.

By Mr. Chatters: Assembly Bill No. 395—An act to amend Chapter 286, Statutes of 1927, entitled "An act authorizing the Department of Finance to appropriate waters in connection with the utilization and conservation of the water resources of the State in the development of a general or coordinated plan; authorizing the State Department of Finance to release or assign such appropriations; authorizing the State Department of Finance to request other departments of the State or State officers to furnish service or assistance to make investigations in connection with the development of a general or coordinated plan for the utilization or conservation of the water resources of the State," approved April 29, 1927, as amended, by amending section 1 thereof, relating to appropriation of waters by the State Department of Finance.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Chatters: Assembly Bill No. 396—An act to repeal sections 5 and 6 of an act entitled "An act to require tax clearance by assessors and the State Controller, as a prerequisite for the registration of vehicles by the Motor Vehicle Department," approved May 15, 1933, relating to taxes on motor vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Chatters: Assembly Bill No. 397—An act to provide for the levy and collection of taxes and assessments for the purpose of creating a fund for capital outlays by cities, counties, cities and counties or districts.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Lyon: Assembly Bill No. 398—An act making an appropriation to pay the claim of Abraham Lyon against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Lyon: Assembly Bill No. 399—An act to amend sections 919 and 926 of the Penal Code, relating to grand juries.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Riley: Assembly Bill No. 400—An act to amend section 4293 of the Political Code, relating to the disposition of county and township officers' fee records.

Bill read first time, and referred to Committee on County Government.

By Mr. Riley: Assembly Bill No. 401—An act to add a new section to the Political Code, to be numbered 3881b, relating to entry of changes and corrections on assessment book and delinquent list.

Bill read first time, and referred to Committee on County Government.

By Mr. Maloney: Assembly Bill No. 402—An act to add section 137.5 to the Streets and Highways Code, requiring the use of human labor in the construction, improvement, and maintenance of State highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Maloney: Assembly Bill No. 403—An act to amend "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding section 11b thereto and repealing section 11½ thereof, relating to the fees of private employment agencies.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Rosenthal, Hawkins, Gilbert, McCarthy and Flint: Assembly Bill No. 404—An act to repeal an act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores and spotting, sponging, and/or pressing establishments or agencies thereof, and private schools and colleges of spotting, sponging and/or pressing; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violations," approved May 28, 1931.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Turner, Stream, Wallace, Jones, Williamson, Rosenthal, and Evans, Ralph W.: Assembly Bill No. 405—An act to add a new section to the Civil Code to be numbered 2934a, relating to substitution of trustees in trust deeds.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Reaves: Assembly Bill No. 406—An act to add a new article to Chapter I of Part I of Division I of the School Code to be known as Article VII, embracing section 1.45, relating to the participation of pupils in public exhibitions.

Bill read first time, and referred to Committee on Education.

By Messrs. Brennan and Dawson: Assembly Bill No. 407—An act requiring the licensing of certain vehicles used for the transportation of persons or property in this State, defining such vehicles, providing for the imposition, collection, and distribution of license taxes for the privilege of operating such vehicles in this State, making appropriations for the purposes of this act, prescribing penalties for the violation of this act, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Public Utilities.

By Messrs. Brennan and Dawson: Assembly Bill No. 408—An act to amend section 1054 of the Code of Civil Procedure, relating to continuances, postponements and extensions of time.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Brennan and Dawson: Assembly Bill No. 409—An act to amend section 953a of the Code of Civil Procedure, relating to transcript on appeal, stenographic reporter and filing of transcript.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Nielsen: Assembly Bill No. 410—An act to amend section 14a of the State Civil Service Act, relating to the abolition or discontinuance of positions.

Bill read first time, and referred to Committee on Civil Service.

By Mr. Burns: Assembly Bill No. 411—An act to add section 3888a to the Political Code, relating to the payment of taxes.

Bill read first time, and referred to Committee on County Government.

By Mr. Donnelly: Assembly Bill No. 412—An act to amend section 132 of the Civil Code, relating to divorce.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Wright: Assembly Bill No. 413—An act to amend sections 60 and 62 of an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article 1 of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of ways; and providing for the issuance and payment of street improvement bonds to represent certain assessment for the cost thereof, and providing a method

for the payment of such bonds." approved April 7, 1911, Statutes 1911, page 730, as amended.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Chatters: Assembly Bill No. 414—An act to amend section 2.123 of the School Code, relating to the providing of instruction and transportation by county superintendents of schools for elementary pupils.

Bill read first time, and referred to Committee on Education.

By Mr. Peterson: Assembly Bill No. 415—An act to validate proceedings for the annexation, incorporation, and inclusion of territory by municipal corporations

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Reaves: Assembly Bill No. 416—An act to amend section 9 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to compensation provided under said act.

Bill read first time, and referred to Committee on Insurance.

By Mr. Wagner: Assembly Bill No. 417—An act to amend section 631 of the Code of Civil Procedure, relating to trial by jury.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Wagner: Assembly Bill No. 418—An act providing for the spreading of work in the State service for the purpose of relieving unemployment, and to that end regulating the hours of service and rates of compensation of State officers and employees.

Bill read first time, and referred to Committee on Unemployment.

By Messrs. Jones, Hunt, Lore, Pelletier, Wagner, Donihue, Welsh, McCarthy, Clark, Glover, Flint, Meehan, Reaves, Geyer, Laughlin, Rosenthal, Gilbert, Turner, Evans, Ralph W., Boyle, Anderson, Patterson, and Voigt: Assembly Bill No. 419—An act to repeal "An act defining criminal syndicalism and sabotage, prescribing certain acts and methods in connection therewith, and in pursuance thereof and providing penalties and punishments therefor," approved April 30, 1919, declaring the urgency of this act and providing that it shall take effect immediately.

Bill read first time, and referred to committee on Judiciary.

By Mr. Jones: Assembly Bill No. 420—An act to amend section 422 of the Probate Code, relating to order of priority of right to letters

Bill read first time, and referred to Committee on Judiciary.

By Mr. Jones: Assembly Bill No. 421—An act to amend section 1057 and to add sections 1057b and 1057c of the Code of Civil Procedure, relating to sureties.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Fisher and Johnson: Assembly Bill No. 422—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Cronin and Reaves: Assembly Bill No. 423—An act to amend section 993 of the Fish and Game Code, relating to commercial fishing.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Wagner: Assembly Bill No. 424—An act to provide for the incorporation of unemployed persons as unemployed cooperative associations

Bill read first time, and referred to Committee on Unemployment.

By Mr. Breed. Assembly Bill No. 425—An act to amend "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, by amending sections 10 and 15b thereof and adding a new section thereto, to be numbered 15c, relating to the publication of ordinances and the issuance of refunding bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Gilmore: Assembly Bill No. 426—An act to amend "An act regulating the hours of labor of the operators of certain motor vehicles," approved June 10, 1933, by amending section 1 thereof, relating to hours of labor.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. McCarthy: Assembly Bill No. 427—An act authorizing the legislative body of a municipality to vacate, abandon and close any public street, highway, road, boulevard, avenue, alley, way, lane or place, or any part thereof, either to the whole extent of the public right therein or to any partial extent, and prescribing a procedure therefor.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Wallace: Assembly Bill No. 428—An act to add sections 1611 to 1617, inclusive, to the Political Code, relating to the State Board of Recreational Harbor Commissioners for Mission Bay, and to repeal certain acts in conflict herewith.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Donnelly: Assembly Bill No. 429—An act to provide that school authorities of certain public and private schools shall be equipped to render first medical aid to injured children and students.

Bill read first time, and referred to Committee on Education.

By Messrs Welsh and Jones: Assembly Bill No. 430—An act to amend section 2924 of the Civil Code, relating to mortgages and transfers of property in trust.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Desmond: Assembly Bill No. 431—An act to amend section 819 of the Civil Code, relating to rights of tenants.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Desmond: Assembly Bill No. 432—An act making an appropriation to be used for the accumulation and dissemination of spray residue information and spray residue control work.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Redwine: Assembly Bill No. 433—An act making an appropriation to pay the claim of Oscar Samuelson against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Welsh: Assembly Bill No. 434—An act approving, validating and confirming leases or letting of lands or of any interest therein for airport purposes by governmental agencies of this State.

Bill read first time, and referred to Committee on Aviation and Aircraft.

By Messrs. Hunt, Reaves, Flint, and McCarthy: Assembly Bill No. 435—An act to add section 136 to the Code of Civil Procedure, relating to judges of municipal and superior courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. O'Donnell: Assembly Bill No. 436—An act to amend sections 1, 15 and 17 of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to civil engineers.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Meehan, Cassidy, Wagner, Flint, McCarthy, Jones, and Donihue: Assembly Constitutional Amendment No. 25—Proposed amendment to Article XII, section 22 thereof of the Constitution, relative to the Public Utilities Commission.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Jones: Assembly Constitutional Amendment No. 26—Proposed amendment to Article IV, section 24 of the Constitution, relative to acts codifying, revising, consolidating, rearranging or repealing the law.

Introduced, and referred to the Committee on Constitutional Amendments.

By Mr. Wallace: Assembly Joint Resolution No. 19—Relative to inviting the entire Atlantic fleet of the United States Navy to the Pacific coast for several months this year.

Introduced, and referred to Committee on Federal Relations.

By Mr. Anderson: Assembly Joint Resolution No. 20—Relative to government control and ownership of munition plants.

Introduced, and referred to Committee on Federal Relations.

REPORT OF SELECT COMMITTEE.

The following report of Select Committee on Self-Help Cooperatives was ordered printed in the Journal:

By Mr. Boyle:

REPORT OF SELECT COMMITTEE ON SELF-HELP COOPERATIVES.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1935.

MR. SPEAKER: Your Select Committee on Self-Help Cooperatives, appointed during the special session of 1934 pursuant to a resolution approved by the Assembly

on September __, 1934, having conducted public hearings at which representatives of these groups and of the government expressed their opinions, having visited a number of these units where their problems were discussed with the cooperators themselves, and having collected considerable literature in the field, wishes to report as follows:

RISE OF THE MOVEMENT.

The self-help cooperative movement in California began in early 1932 when self-respecting but idle men, their labor unwanted, and farmers, whose produce lay rotting in the fields for lack of an effective market, began trading their surplus services and commodities. Within the ranks of the unemployed, men and women formed "relief associations" and "unemployed units" to facilitate barter with the farmers and between themselves.

By March, 1933, one year after its humble beginning, the movement had assumed tremendous importance, with over 200 associations in the State, and a membership reliably estimated at 89,000, which, added to dependents of the members, makes the total number associated with the self-help groups 340,000, 6 per cent of the State's population. The location of these groups in this early period was conditioned by two chief factors: The availability of agricultural surpluses, and the extent of the unemployment problem in the particular area. In early 1933, Los Angeles County had about 75 per cent of the cooperative members; Alameda had nearly 12 per cent; and Orange contained about 3½ per cent.

During 1932–1933, the cooperatives were chiefly concerned with the salvage of waste products. Most units were able to offer their members food, chiefly vegetables, and services which together amounted to less than a minimum for subsistence. Almost without exception, these groups were democratic in management, and were composed of skilled and unskilled laborers. No race, color, or creed lines were drawn. Usually distribution was made on the basis of need. This initial period of California self-help history has been called the "vegetable" stage, and a considerable number of groups have continued the bartering of their labor with farmers as their chief activity.

LOCAL GOVERNMENT ASSISTANCE.

Confronted with a deepening unemployment relief problem, local officials recognized in the cooperatives the possibility of sustaining a portion of the needy at considerable saving of money and morale. Pressed by the Unemployed Cooperative Relief Association, the leading federation of cooperatives, the Los Angeles County board of supervisors appropriated gasoline for the transportation of food and labor. The city of Los Angeles purchased staple groceries for cooperators in the spring of 1933. Later the county set up an agency called the food administration to supervise the distribution of gasoline. Additional help came from various municipal governments to self-help groups within their boundaries.

The Legislature, during the fiftieth session, greatly facilitated the work of self-help groups by granting free license plates to motor vehicles used for unemployed cooperative relief.

FEDERAL AID TO COOPERATIVES.

Under the Wagner-Lewis Act of June, 1933, the Federal Emergency Relief Administration was empowered to make grants to self-help cooperatives. The policy of the administration was to make grants for working capital to enable the cooperatives to produce necessities and to exchange more efficiently for surpluses. The aims of the Federal administration were not put into effect in California until several months after the approval of the Wagner-Lewis Act. A few scattering grants were made to self-help groups in this State, but the funds were largely used for nonproductive activities.

Following the rejection of a million dollar request of the Unemployed Cooperative Distribution Association, then dominant alliance of southern California barter groups, the Federal program was inaugurated in California in May, 1934. Between June and December of last year, Federal grants have been made to about 75 self-help cooperatives in the State, to an amount totaling nearly a half million dollars.

The productive activities engaged in by California groups under Federal grant covers a wide range, including: Sewing, canning, farming, baking, lumbering, dairying, printing, shoe repairing, fishing, poultry raising, furniture making, soap manufacturing, dehydrating, rabbit raising, and many others.

An analysis of the geographical distribution of cooperatives with Federal aid shows that Los Angeles County has 54 groups with grants; Orange, 22; Alameda, 3; Santa Clara, 2; Riverside, 2; San Bernardino, 1; Monterey, 1; San Luis Obispo, 1; and Tulare, 1.

PROCEDURE UNDER FEDERAL GRANTS.

Application for Federal assistance is made through the State Emergency Relief Administration and the Governor. Grants are limited to nonstock, nonprofit self-cooperatives, which are made up of persons eligible or prospectively eligible to relief. In California, particularly in the southern area, the government has attempted to encourage groups to specialize in particular lines of production, and to obtain balance by interunit exchange of products.

Although the Wagner-Lewis Act forbids the sale of cooperative products on the open market, it does permit sale for cash to the relief administrations and charity agencies. It was anticipated that sufficient sales for cash would be made to enable self-help groups to recover their working capital, thus making possible continued production after the governmental aid was no longer forthcoming. Relief agencies have not yet made sufficient purchases to render this possible.

The grants are administered by the Division of Self-Help Cooperatives of the State Emergency Relief Administration, which maintains an accounting and field staff, with headquarters in San Francisco and Los Angeles. The cooperatives draw upon their grants by purchase orders drawn upon their funds, which remain on deposit with the S E R A. Members of self-help groups with grants are compensated in "cooperative points," at a rate not less than 60 points (30 cents) for each hour of work. There is no cash compensation for the ordinary member, but a limited number of supervisorial work orders based on minimum family budgets are issued by the S E R.A. to managers, bookkeepers, and project superintendents. The number of work orders varies with the size of the group, ranging from three to six or more.

SUCCESS OF COOPERATIVE PRODUCTION.

Proponents of cooperative production did not anticipate any startling record of efficiency and superiority, because of the following factors: (1) The workers recruited by self-help groups are usually less skilled than those in private industry. (2) Machinery and equipment tend to be poorer than that used in private business. (3) Production projects were set up speedily, often without adequate planning. (4) Management is in the hands of leaders who are democratically selected, sometimes without regard to technical ability.

As in private business, the production record in the first months proved disappointing, but recent reports indicate growing success. During November, 1934, for example, Federal grant cooperatives produced $72,239.48 worth of commodities, at a cash cost of only $11,475.41, and a point cost of $52,748.49 (largely labor), which, taken together represent a total cost of production of $64,223.90. This is an enviable record for groups of unemployed cooperators.

Relief and charity agencies appear very hesitant about buying cooperative products for cash. Such purchases in the month of November amounted to only $8,559.05, a small fraction of the total amount produced. Products worth $50,368.59 were exchanged on the barter market, that is, traded between self-help groups on a cooperative point basis.

PRESENT STATUS OF THE MOVEMENT.

There are today probably 200 barter groups in the State, of which about 75 are under Federal grant. Accurate figures on the membership of all groups are not available, but Federal aid cooperatives have something over 6000 active registered members, which, together with their dependents, total around 24,000.

Complete data on the personnel of California cooperatives is not yet available, but a recent survey of nine northern California groups gives an indication of the nature of the membership. It was found that the cooperators are largely American-born; 73.7 per cent were born in the United States; 3.8 per cent in England; 2.1 per cent in Norway; and 2.1 per cent in Germany. Most of the members are Californians of long standing, approximately 87 per cent having been residents of this State for more than five years. The chief occupations of the heads of families or single persons in the movement were: laborers, 25.7 per cent; houseworkers, 13.8 per cent; carpenters, 10.6 per cent; clerks, 6.0 per cent; and mechanics, 6.0 per cent.

A large portion of the cooperative membership is past the period of middle age, and will almost certainly not be reassimilated into industry again.

COMMITTEE'S CONCLUSIONS.

After its study of the self-help cooperative movement in California, the committee draws the following conclusions:

(1) The self-help cooperatives constitute a most suitable means for the rehabilitation of the skills and morale of the unemployed, and the State should take suitable steps to improve their condition and facilitate their work.

(2) These groups will be immeasurably handicapped without the renewal of the free motor vehicle license privilege granted by the Legislature in 1933. The committee has introduced and sponsored Assembly Bill No. 37, which covers this recommendation.

(3) Some provision should be made for utility services for families dependent upon the cooperatives for sustenance. Legislation encouraging the donation of electric, water, and gas services by utility companies may be necessary.

(4) Lacking cash to meet their rent, cooperative families are frequently a heavy burden on small landlords. Some provision should be made for rebating taxes to owners of property used by self-help groups and cooperative members who have no money income.

(5) The State and its subdivisions own considerable amounts of land, some of which is fertile in soil or rich in resources. It might well be made available for use by the cooperatives in their productive endeavors.

(6) Cooperatives might be placed on a self-sustaining basis if some legislation were enacted requiring relief agencies to buy from them.

FEDERAL GRANTS TO COOPERATIVES IN CALIFORNIA.

Los Angeles County—January 8, 1935.

Name of Cooperative	*Major Projects*	*Total Grant*
Altadena Food and Labor Exchange	Canning	$ 4,000 00
Arts and Professions No. 77	Printing	726 00
Baldwin Park No 43	Poultry raising	2,602 00
Unemployment Association of Bell	Canning and farming	3,987 45
Bellflower Unemployed Voters of California	Gardening	55 85
Burbank Cooperative Relief	Gardening	350 00
Burbank X275	Farming	1,716 91
California Cooperative Unit No. 99	Transportation	3,286 98
California Cooperative Units	Central organization purposes and pear contracting	10,771 84
Central Service	Merchandising	688 00
Compton Cooperative No 1	Gardening, cabinet making	13,733 00
Covina Cooperative No. 53	Canning, gardening	2,393 26
El Segundo (C. C. U. No. 259)	Farming	500 00
Gardena Cooperative No. 209	Reed furniture making	6,200 00
Hawthorne	Transportation	1,000 00
Hermosa Beach Self-Help	Rabbit and poultry raising	2,641 50
Highland Park No 98	Sewing	419 15
Huntington Park U. C. R. A.	Baking, shoe repairing	4,555 00
Lennox Willing Workers	Poultry raising and shoe repairing	4,120 90
Lomita Cooperative No. 267	Gardening	379 00
Long Beach No. 217	Large scale sewing	12,903 00
Los Angeles No. 15	Baking, shoe repairing	6,605 25
Los Angeles No 17	Sewing (men's shirts)	2,916 35
Los Angeles No. 22	Gardening	159 40
Los Angeles No 25	Sewing	350 00
Los Angeles No 66	Tailoring	3,789 25
Florence-Goodyear Unemployed	Canning, dehydrating	3,703 00
All-American Unemployed No 268	Rabbit raising	3,333 50
Lynwood No. 4	Gardening	150 00
Montebello (East) Self-Help	Large scale sewing	5,960 00
Montebello No. 49	Gardening	623 88
Monterey Park No 4	Baking	6,430 52
Monterey Park No. 99	Transportation	419 15
Pasadena No. 13	Gardening and soap manufacture	$6,847 90
Pasadena No 76	Sewing	2,360 00
Pico Unemployment Association No. 263	Gardening	565 00
Pomona No. 50	Gardening	320 00
Redondo Beach No. 30	Fishing and fish smoking	7,205 24
Roscoe Cooperative Relief Association	Farming	340 00
Rosemead No 59	Gardening	68 50
Sierra Madre No. 57	Welding	258 25
Signal Hill No 276	Bakery	4,610 00
South Gate (Independent)	Baking, canning	2,400 00
South Pasadena No 55	Gardening	875 00
Torrance Veterans No. 244	Canning	1,636 70
Van Nuys Cooperative Exchange	Farming	300 00
Venice No. 245	Canning	1,026 00
Walnut Park No. 8	Gardening	568 45
Watts No 247	Gardening	432 85
Whittier	Baking dairying, farming	12,067 89
Willowbrook No 250	Shoe repairing	754 40
Wilmar No 261	Gardening	308 95
Wilmington No 12	Canning, gardening, bean sorting	9,384 26

Orange County.

Name of Cooperative	*Major Projects*	*Total Grant*
Anaheim Workers Cooperative	Canning, gardening	7,390 00
Brea-Olinda Cooperative	Gardening, sewing, canning	10,696 63
Buena Park Workers Cooperative	Sewing, gardening	1,634 20
Cypress Unemployment Association	Gardening, canning	736 75
Fullerton Unemployed Workers	Sewing, gardening	10,187 00
Garden Grove Cooperative	Sewing, gardening	2,269 82
Huntington Beach Unemployment Association	Gardening	1,337 75
Unemployment Association of Ocean View	Gardening	702 25
La Habra Cooperative Workers	Gardening	1,777 40
Los Alamitos No. 7	Baking	11,482 13
Newport Beach Cooperative	Baking, fishing	6,742 24
Unemployment Association of Orange	Gardening	1,820 80
Cooperative Workers' Association No. 10	Gardening, canning	1,033 82
U. C. O. C. Warehouse	Printing, shoe repairing, garden	6,388 50
Santa Ana Unemployment Association	Gardening	1,950 40
Associated Unemployed of Santa Ana	Sewing	4,143 63
Laurel Square Unemployed	Gardening	607 25
U. C. X. Warehouse	Canning, shoe repairing, printing	15,644 90
Seal Beach Welfare Association	Fishing	1,668 75
Stanton Unemployment Association	Sewing, gardening	1,086 72
Westminster Mexican Unemployed	Gardening	627 25
Westminster No. 14	Dairying	8,203 75

Riverside County.

Riverside Cooperative Exchange	Canning, gardening, sewing, dairying	13,113 00
Banning	Wheat raising	700 00

San Bernardino County.

Yucaipa Cooperative Exchange	Sewing, wood cutting	1,846 27

Northern California.

Berkeley Unemployed Association	Shoe repairing	2,500 00
Pacific Cooperative League of Berkeley	Housing, milling, weaving	3,925 00
Unemployed Exchange Association	Lumbering, canning, gardening	62,600 00
Monterey Unemployed Relief Council	Wood cutting, shoe repairing	$3,000 00
Atascadero Trading Association	Canning, orchard cultivating, gardening	17,969 00
Peninsula Economic Exchange of Palo Alto	Gardening, wood cutting	3,862 23
San Jose Unemployed Relief Council	Gardening, dehydrating	5,962 85
Tulare	Farming	16 00

JAMES J. BOYLE, Chairman.
JOHN D. McCARTHY.
RODNEY L. TURNER.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Miss Miller: Assembly Bill No. 437—An act to amend section 112 of the Code of Civil Procedure, relating to the jurisdiction of justices' courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Peyser: Assembly Bill No. 438—An act to amend sections 640, 641, 642, 645 and 646 of the Probate Code, relating to estates.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Chatters: Assembly Bill No. 439—An act to amend section 1.251 of the School Code, relating to the qualifications of county supervisors of attendance.
Bill read first time, and referred to Committee on Education.

By Mr. Waters: Assembly Bill No. 440—An act to amend section 18a of the "Street Opening Act of 1903," relating to assessments and contribution of costs by municipalities.
Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Mayo: Assembly Bill No. 441—An act to amend "An act to require security for the payment of wages of persons engaged in the mining industry," approved April 25, 1933, by amending section 1 thereof, relating to security for the payment of wages.
Bill read first time, and referred to Committee on Mines and Mining.

By Mr. Mayo: Assembly Bill No. 442—An act to repeal sections 1270, 1271, 1271.5 and 1272 of the Fish and Game Code, and to add thereto a new section 1270, relating to deer.
Bill read first time, and referred to Committee on Fish and Game.

By Mr. Mayo: Assembly Bill No. 443—An act relating to exemption of mining property from taxes.
Bill read first time, and referred to Committee on Mines and Mining.

By Mr. Mayo: Assembly Bill No. 444—An act to amend section 13 of the Motor Vehicle Fuel License Tax Act, relating to apportionment of the tax fund.
Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Mayo: Assembly Bill No. 445—An act providing for the exemption from taxation of the proceeds of the sale by the producer of gold and silver extracted from the soil of this State.
Bill read first time, and referred to Committee on Mines and Mining.

By Mr. Andreas: Assembly Bill No. 446—An act to provide for the regulation and licensing of the sale of wine and beer, to provide for the purchase or manufacture of liquor by the State Board of Equalization, and the sale and distribution of such liquor by said board, to provide for the establishment of State retail liquor stores for the sale of liquor, and to provide that this act shall take effect upon the passage of a constitutional amendment permitting its enforcement.
Bill read first time, and referred to Committee on Public Morals.

By Mr. Peterson: Assembly Bill No. 447—An act to amend section 20 of the Probate Code, relating to limitations on the disposition of property by will.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Mayo: Assembly Constitutional Amendment No. 27—Proposed amendment to Article XX of the Constitution, by repealing

section 22 thereof, relative to the consumption, sale or disposition of intoxicating liquor.

Introduced, and referred to Committee on Constitutional Amendments.

RESOLUTION.

The following resolution was offered:

By Messrs. Hunt and Jones:

ASSEMBLY RESOLUTION.

WHEREAS, On Sunday, January 20, 1935, Sheriff William I. Traeger, of Los Angeles County, was called to rest; and

WHEREAS, During his term of office he was known as a serious-minded, purposeful efficient and effective law enforcing officer, and a kindly and courteous gentleman, beloved by all; now, therefore, be it

Resolved by the Assembly, That it regrets deeply the passing of William I Traeger, and desires in this simple manner to join in the grief which those near and dear to him must feel; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby instructed to forward to the widow and family of William I. Traeger, a copy of this resolution, suitably engrossed.

Resolution read

Mr Hunt moved the adoption of the resolution.

The question being on the adoption of the resolution.

Resolution adopted.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 44—An act to prohibit until February 1, 1936, sales under certain mortgages and deeds of trust, and the forfeiture of the interest of the purchaser under certain contracts of purchase, for default in the payment of the principal sum of obligations secured thereby or contracted to be paid thereunder, to extend the Statute of Limitations upon such obligations, to make voidable at the instance of the owner any sale or forfeiture made in violation of the act, to prescribe the time within which an action to avoid the same may be brought, to postpone sales for default in payment of installments due between effective date of act and February 1, 1936, to authorize waiver hereof, to prevent actions against guarantors' obligations the enforcement of the security for which is affected by the act, and to declare the urgency hereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 107—An act to add sections 39, 39a, and 39b to the Penal Code, relating to advocating the overthrow of government by force, violence or other unlawful means.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 208—An act to prohibit until January 1, 1937, sales under certain chattel mortgages for default in the payment of the principal sum, to extend the Statute of Limitations upon such obligations, to make voidable at the instance of the owner any sale made in violation of the act, to prescribe the time within which an action to avoid such a sale may be brought, and to declare the urgency thereof, and to provide that this act take effect immediately.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 23—An act relating to the relief of debtors and guarantors, and permitting postponement of foreclosures and sales

under mortgages, deeds of trust, or contracts of purchase of real property, or postponement of forfeitures and terminations under such contracts of purchase, declaring the urgency thereof, and providing that it shall take effect immediately.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 3, line 13, of the printed bill, strike out "1935", and insert in lieu thereof the following: "1937".

AMENDMENT NUMBER TWO.

On page 3, line 37, of the printed bill, strike out "October 1, 1936", and insert in lieu thereof the following: "February 1, 1937".

AMENDMENT NUMBER THREE.

On page 5 of the printed bill, strike out all of lines 11 to 38, inclusive, being section 14, and renumber sections 15, 16 and 17, to sections 14, 15, and 16, respectively.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 75—An act in relation to and regulating the commencement and continuation of proceedings to enforce or foreclose the lien of special assessment bonds issued for public improvements, and declaring the urgency hereof, and providing that it shall take effect immediately.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, strike out "December 31, 1935", and insert in lieu thereof the following: "February 28, 1937".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 10 to 16, both inclusive.

AMENDMENT NUMBER THREE.

On page 1, line 17, of the printed bill, strike out the figure "(2)".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

MOTION TO RUSH PRINTING.

Mr. Jones moved that the Chief Clerk be instructed to rush printing of Assembly Bill No. 23, as amended.

Motion carried.

THIRD READING OF ASSEMBLY BILLS.

Assembly Joint Resolution No. 5—Relative to memorializing the President and Congress to enact unemployment insurance legislation.

Assembly Joint Resolution No. 5 read.

Mr. Jones moved the adoption of Assembly Joint Resolution No. 5.

The question being on the adoption of Assembly Joint Resolution No. 5.

The roll was called, and Assembly Joint Resolution No. 5 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Chatters, Clark, Colwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—71.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 5 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 5.

Relative to memorializing the President and Congress to enact unemployment insurance legislation.

WHEREAS, The United States has, for the past few years passed through a most severe period of depression, hardship and destitution;

WHEREAS, It has become universally recognized that such depression and hardship can, to a large extent, be avoided in the future by providing reserves in prosperous times which may be resorted to in time of distress; and

WHEREAS, The reserves against unemployment is an all essential item in any such program and in times of stress would provide a means of maintaining purchasing power, supporting those unemployed in a self respecting American fashion, obviating public charity and maintaining confidence generally; and

WHEREAS, To be most effective any such program must be National in scope; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the President and Congress of the United States are hereby respectfully urged to enact such legislation, at as early a date as possible, as will provide a means of establishing throughout the United States a system of reserves or insurance against unemployment; and be it further

Resolved, That the Governor of the State of California is hereby requested to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives and to each Senator and member of the House of Representatives from California in the Congress of the United States, and that such Senators and Representatives from California are hereby respectfully urged to support such legislation.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced:

By Messrs. Nielsen, Desmond and Mayo: Assembly Concurrent Resolution No. 14—Relative to the further increase of machine work while laborers and their families are in distress.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Nielsen asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 14, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER FOURTEEN.

Assembly Concurrent Resolution No. 14—Relative to the further increase of machine work while laborers and their families are in distress.

Assembly Concurrent Resolution No. 14 read.

Mr. Nielsen moved the adoption of Assembly Concurrent Resolution No. 14.

The question being on the adoption of Assembly Concurrent Resolution No. 14.

The roll was called, and Assembly Concurrent Resolution No. 14 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Chatters, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Stream, Thorp, Wagner, Walker, Wallace, Waters, Williamson, and Mr Speaker—62.

NOES—Gilbert, McCarthy, Robertson, Rosenthal, Voigt, Welsh, and Wright—7.

Title read and approved.

Assembly Concurrent Resolution No 14 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 14.

Relative to the further increase of machine work while laborers and their families are in distress.

WHEREAS, The President of the United States, Franklin D. Roosevelt, has, since the first day of his inauguration into office, recognized the stark necessity of providing employment for the desperate, sick, and starving millions of workers and their dependents, and

WHEREAS, In 1933, under Title II of the National Industrial Recovery Act, the said President of the United States caused Congress to require that in all contracts, financed wholly or in part by Federal funds, a clause must be inserted providing that, whenever practicable, hand labor must be substituted for machine work upon a short-work-week basis; and

WHEREAS, The aforementioned contracts involve the expenditure of billions of dollars in the State of California and throughout the rest of the Nation; and

WHEREAS, The California Highway Commission has generally followed the same course in regard to substituting hand labor for machine work; and

WHEREAS, At a special session of the California Legislature, the Governor of California, Frank F Merriam, requested that a $24,000,000 bond issue for the relief of unemployment be submitted to the electorate of California, and such bond issue was in fact submitted to such electorate and was decisively approved thereby at the election held in this State in November, 1934; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That, while they firmly believe in constant perfection and introduction of machines to alleviate the drudgery of human existence and thereby make for cultural and physical advancement of our citizenship, nevertheless they realize that it is cruel, ironical, and illogical to vote millions of dollars for the relief of unemployment and then, under the idea of economy, adopt measures which will place workers upon the already staggering charity of relief rolls; and be it further

Resolved, That they do not approve any measure or act proposing additional machines or the introduction of additional machinery into departments of the State government, by any departmental order, until such time as the Nation and the State have had opportunity to return its desperately distressed citizens into productive employment whereby they can earn a remuneration commensurate with a decent standard of American living.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following resolution was introduced:

By Messrs. Brennan, Cronin, Dawson, Gilmore, Hornblower, McMurray, Maloney, Peyser, and Williamson: Assembly Concurrent Resolution No. 15—Relative to approving certain amendments to the charter of the city and county of San Francisco.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 15, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER FIFTEEN.

Assembly Concurrent Resolution No. 15—Relative to approving certain amendments to the charter of the City and County of San Francisco.

Assembly Concurrent Resolution No. 15 read.

Mr. Maloney moved the adoption of Assembly Concurrent Resolution No. 15.

The question being on the adoption of Assembly Concurrent Resolution No. 15.

The roll was called, and Assembly Concurrent Resolution No. 15 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—72.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 15 ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 15—Relative to approving certain amendments to the charter of the City and County of San Francisco.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED)

The following resolution was introduced:

By Mr. Heisinger: Assembly Concurrent Resolution No. 16—Relative to the appointing of a committee from the Assembly and Senate of the State of California to investigate the use of textbooks in all the public schools of California.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Heisinger asked for unanimous consent to take up Assembly Concurrent Resolution No. 16, at this time, without reference to printer, committee or file, and that same be considered engrossed.

OBJECTION TO UNANIMOUS CONSENT.

Mr. Latham objected to unanimous consent to the consideration of Assembly Concurrent Resolution No. 16.

MOTION TO SUSPEND RULES.

Mr. Heisinger moved that the rules be suspended for the purpose of considering Assembly Concurrent Resolution No. 16.

Motion carried.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER SIXTEEN.

Assembly Concurrent Resolution No. 16—Relative to the appointing of a committee from the Assembly and the Senate of the State of California to investigate the use of textbooks in all the public schools of California.

Assembly Concurrent Resolution No. 16 read.

Mr. Heisinger moved the adoption of Assembly Concurrent Resolution No. 16.

The question being on the adoption of Assembly Concurrent Resolution No. 16.

The roll was called, and Assembly Concurrent Resolution No. 16 adopted by the following vote.

AYES—Andreas, Boyle, Brennan, Burns, Chatters, Clark, Corwin, Cronin, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Lore, Lyon, Maloney, Mayo, McBride, McMurray, Meehan, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Riley, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Williamson, and Mr. Speaker—55.

NOES—Anderson, Breed, DeLap, Fisher, Geyer, Gilbert, Latham, Laughlin, McCarthy, Miller, Morgan, Robertson, Rosenthal, Welsh, and Wright—15.

Title read and approved.

Assembly Concurrent Resolution No. 16 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 16

Relative to the appointing of a committee from the Assembly and the Senate of the State of California to investigate the use of textbooks in all the public schools of California.

WHEREAS, There are many instances where children required to move from one school to another are greatly hampered and retarded in their educational progress by the use of textbooks with which they are unfamiliar; and

WHEREAS, Undue influence appears to have been brought to bear upon many teachers, superintendents and governing boards of our public schools compelling the purchase from private concerns at tremendous profits the textbooks which the State of California is capable of printing in the California State Printing Office; and

WHEREAS, These actions have had a tendency to defeat the use of uniform textbooks in our public schools; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring therein, That a committee be appointed, consisting of two members of the Assembly to be appointed by the Speaker of the Assembly, and one member from the Senate to be appointed by the President of the Senate; and be it

Resolved, That the committee shall be directed to hold meetings and conduct hearings in the cities of Los Angeles, Fresno, San Francisco and Sacramento and that they are vested with full power to subpena witnesses, administer oaths and to demand the production before such committee of any records which they may require to conduct such investigation. The Legislative Counsel Bureau shall, at the request of the committee, cooperate with and aid the committee in the investigation, and be it further

Resolved, That the committee shall render its written report at the reassembling of the Legislature in March of this year The committee shall be allowed such traveling and other necessary expenses as are actually incurred while conducting such investigation The expenses of the committee, not to exceed $200, are to be paid proportionately out of the contingent funds of the Assembly and the Senate of the State of California

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Jones. Assembly Bill No. 448—An act to amend section 2969 of the Civil Code, relating to attachments and executions upon mortgaged property.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr. Jones. Assembly Bill No. 449—An act to amend section 689b of the Code of Civil Procedure, relating to attachments and executions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Jones Assembly Bill No. 450—An act to amend sections 4.320, 4 321 and 4.322 and repeal sections 4.323 to 4 334, both inclusive,

of the School Code, all relating to school warrants registered for want of funds.

Bill read first time, and referred to Committee on Education.

By Mr. Jones: Assembly Bill No. 451—An act to add section 303 to the Penal Code, relating to alcoholic beverages.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Jones: Assembly Bill No. 452—An act to add section 90 to the Penal Code, relating to election campaign expenditures or subscriptions in excess of fifty dollars.

Bill read first time, and referred to Committee on Elections.

By Mr. Jones: Assembly Bill No. 453—An act to provide for the registration of ineligible aliens.

Bill read first time, and referred to Committee on Elections.

By Messrs. Brennan, McBride, and Dawson: Assembly Bill No. 454—An act to add section 360(c)1 to the Political Code, relating to the powers and duties of members of the California Highway Patrol.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Clark: Assembly Bill No. 455—An act to amend section 1305 of the Penal Code, to require certain entries in court minutes relating to bail.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Minard: Assembly Bill No 456—An act to amend sections 830, 834 and 1533 of the Probate Code, relating to the borrowing of money by executors, administrators and guardians and the execution by them of mortgages, deeds of trust and pledges to secure the same and the limitation upon recovery on deficiency judgments in such cases.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Riley: Assembly Bill No. 457—An act to amend sections 3, 4, 5, 8, 10, 12, 15, 18, 19, 20-I, and 21 of an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, Statutes 1911, page 730, as amended, relating to an alternative procedure for the doing of work under said act by receiving contributions of labor, materials or equipment from the United States government or other governmental agencies.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Clark: Assembly Bill No. 458—An act to amend section 1297 of the Penal Code, relating to deposits of money.

Bill read first time, and referred to Committee on Judiciary.

COMMUNICATION.

The following communication was filed by the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1935.

MR. SPEAKER. Pursuant to your instructions, the following named persons have filed their credentials, and are duly recognized as representatives of the newspapers set opposite their names.

Federation News—F. M. Robinson.
The Underwriters' Report—Frederick Faulkner.

ARTHUR A. OHNIMUS, Chief Clerk.

RESOLUTION.

The following resolution was offered:

By Mr. Jones:

ASSEMBLY RESOLUTION.

WHEREAS, The President of the United States has given the world an inspiring example of recovery from infantile paralysis, and

WHEREAS, A National fund is now being raised to aid in the battle against this dread disease, and

WHEREAS, The birthday of the Honorable Franklin D. Roosevelt, which is January 30th, has been designated as the date on which a series of dances and entertainments will be held throughout the State of California and the United States, and

WHEREAS, All funds raised from these celebrations will be devoted to combatting the ravages of infantile paralysis, now, therefore, be it

Resolved, That this Assembly most heartily approves and indorses this philanthropic project, and urges the people of California and the Nation to give it the generous and enthusiastic support which it deserves

Resolution read.

Mr. Jones moved the adoption of the resolution.

Motion carried.

ADJOURNMENT.

At twelve o'clock and fifty-five minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Tuesday, January 22, 1935.

CHARLES H. ERB, Minute Clerk

IN ASSEMBLY

ASSEMBLY CHAMBER,

SACRAMENTO, Tuesday, January 22, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names.

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gever, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt,

Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Thorp, its further reading was dispensed with.

LEAVE OF ABSENCE.

On motion of Mr. Chatters, Mr. Eicke was granted leave of absence for this day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Corwin, Mr. Royal H. Mack, secretary Chamber of Commerce, San Bernardino, was extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Harry N. Dyke, relative to talk by Capt. Victor C. Lewis, of Palo Alto, on Townsend Old Age Pension Plan.

By Mr. Speaker:

From A. C. Berghoff, relative to the allocation of race tracks of southern California.

ASSISTANT CLERK OLIVER READING.

COMMUNICATION.

The following communication was filed by the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1935.

MR SPEAKER: Pursuant to your instructions, the following named person has filed his credentials, and is duly recognized as representative of the newspaper set opposite his name:

Railway Labor News—M. F. O'Malley.

ARTHUR A. OHNIMUS, Chief Clerk.

STATEMENT.

The following statement was received, and ordered printed in the Journal:

January 22, 1935.

We, the undersigned, absent from the Assembly Chamber Monday, January 21, 1935, were in attendance at San Quentin Prison in line of official duties as members of the Committee on Prisons and Reformatories

FRANK G. MARTIN, Chairman.
JAMES M. CASSIDY.
C. C. COTTRELL.
PAUL A. RICHIE.
HUBERT B. SCUDDER.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 44—An act to prohibit until February 1, 1936, sales under certain mortgages and deeds of trust, and the forfeiture of the interest of the purchaser under certain contracts of purchase, for default in the payment of the principal sum

of obligations secured thereby or contracted to be paid thereunder, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale or forfeiture made in violation of the act; to prescribe the time within which an action to avoid the same may be brought, to postpone sales for default in payment of installments due between effective date of act and February 1, 1936, to authorize waiver hereof, to prevent actions against guarantors' obligations the enforcement of the security for which is affected by the act, and to declare the urgency hereof;

Also: Assembly Bill No. 208—An act to prohibit until January 1, 1937, sales under certain chattel mortgages for default in the payment of the principal sum, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale made in violation of the act, to prescribe the time within which an action to avoid such a sale may be brought, and to declare the urgency thereof, and to provide that this act take effect immediately;

And reports that the same have been correctly engrossed

WATERS, Chairman.

Assembly Bills Nos. 44 and 208 ordered on file for third reading.

ON MUNICIPAL CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1935.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 196—An act to amend section 2 of the "Los Angeles County Flood Control Act," approved June 12, 1915, relating to powers of the district, declaring the urgency hereof and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WRIGHT, Chairman.

Assembly Bill No. 196 ordered to engrossment, and on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 94—An act for the relief of certain assessment districts, and for that purpose empowering counties to render financial aid to such districts and making available to such districts the provisions of Chapter 9 of the act of Congress entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, as amended, and to declare the urgency of this act, to take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WRIGHT, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Wallace asked for, and was granted, unanimous consent to take up Assembly Bill No. 94, at this time, without reference to file, and that same be considered engrossed.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Wallace:

Resolved, That Assembly Bill No. 94 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Mr. Wallace moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp,

Turner, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—70.
NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 94.

SECOND READING OF ASSEMBLY BILL NUMBER NINETY-FOUR

Assembly Bill No. 94—An act for the relief of certain assessment districts, and for that purpose empowering counties to render financial aid to such districts and making available to such districts the provisions of Chapter 9 of the act of Congress entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, as amended, and to declare the urgency of this act, to take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Domhue, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—66.
NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER NINETY-FOUR.

Assembly Bill No. 94—An act for the relief of certain assessment districts, and for that purpose empowering counties to render financial aid to such districts and making available to such districts the provisions of Chapter 9 of the act of Congress entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, as amended, and to declare the urgency of this act, to take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 94 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond Domhue, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—66
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1935.

MR. SPEAKER: Your committee on Federal Relations, to which was referred Assembly Joint Resolution No. 15—Relative to retirement of Federal employees who have been in the service from 15 to 30 years or more and restoration of pay of said employees as of January 1, 1935—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted

TURNER, Chairman.

Assembly Joint Resolution No. 15 ordered to engrossment.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 21, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on January 17 adopted Senate Concurrent Resolution No. 11—Approving certain amendments to the charter of the city of Piedmont, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election, held therein on the sixth day of November, 1934.

J. A. BEEK, Secretary of Senate.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Breed asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 11 at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER ELEVEN.

Senate Concurrent Resolution No. 11—Approving certain amendments to the charter of the city of Piedmont, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election, held therein on the sixth day of November, 1934.

Senate Concurrent Resolution No. 11 read.

Mr. Breed moved the adoption of Senate Concurrent Resolution No. 11.

The question being on the adoption of Senate Concurrent Resolution No. 11.

The roll was called, and Senate Concurrent Resolution No. 11 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Evans, Herbert J., Evans, Ralph W., Flint, Frazier, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Williamson, Wright, and Mr. Speaker—66

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 11 ordered transmitted to the Senate.

Senate Concurrent Resolution No. 11—Approving certain amendments to the charter of the city of Piedmont, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election, held therein on the sixth day of November, 1934.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 21, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 18—Relative to memorializing the President and Congress to enact such legislation as shall be necessary as to acquire the Petrified Redwood Forest in Sonoma County, California, for the purpose of establishing it as a National park and monument

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

Assembly Joint Resolution No. 18 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 21, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 13—Relative to requesting the State Board of Equalization of the State of California, to submit an approximate valuation of all utility properties which are to be placed upon the local county tax rolls.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

Assembly Concurrent Resolution No. 13 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 21, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 124—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class, and providing for the levy of a tax to pay the same, and declaring the urgency of said act.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk

REQUEST FOR UNANIMOUS CONSENT.

Mr. Chatters asked for, and was granted, unanimous consent to take up Senate Bill No. 124, at this time, without reference to committee or file.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Chatters:

Resolved, That Senate Bill No. 124 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Mr. Chatters moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—65.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 124.

SECOND READING OF SENATE BILL NUMBER ONE HUNDRED TWENTY-FOUR.

Senate Bill No. 124—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class, and providing for the levy of a tax to pay the same, and declaring the urgency of said act.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—65.

NOES—None.

THIRD READING OF SENATE BILL NUMBER ONE HUNDRED TWENTY-FOUR

Senate Bill No. 124—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class, and providing for the levy of a tax to pay the same, and declaring the urgency of said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 124 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—65.

NOES—None.

Title read and approved.

Senate Bill No. 124 ordered transmitted to the Senate.

SENATE MESSAGES

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 21, 1935.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No 9—Relative to the adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

Also:

SENATE CHAMBER, SACRAMENTO, January 21, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No 6—Relative to accepting amendments to permit from the government of the United States for the construction of approach roads and toll areas over certain rights of way leading to the Golden Gate Bridge in the Presidio of San Francisco Military Reservation, and relating to the retro-

cession by the Congress of the United States of jurisdiction over said rights of way and toll areas as relocated;

Also: Senate Concurrent Resolution No. 13—Relative to the relief of overcrowded conditions in the State prisons and the construction of additional prison facilities;

Also. Senate Joint Resolution No. 5—Relating to retirement of Federal employees who have been in the service for 15 to 30 years or more and restoration of pay of said employees as of January 1, 1935

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

Senate Joint Resolution No. 5 ordered referred to Committee on Federal Relations.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Scudder asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 6, at this time, without reference to committee or file.

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER SIX.

Senate Joint Resolution No. 6—Relative to accepting amendments to permit from the government of the United States for the construction of approach roads and toll areas over certain rights of way leading to the Golden Gate Bridge in the Presidio of San Francisco Military Reservation, and relating to the retrocession by the Congress of the United States of jurisdiction over said rights of way and toll areas as relocated.

Senate Joint Resolution No. 6 read.

Mr. Scudder moved the adoption of Senate Joint Resolution No. 6.

The question being on the adoption of Senate Joint Resolution No. 6.

The roll was called, Senate Joint Resolution No. 6 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—66.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 6 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 6

Relative to accepting amendments to permit from the government of the United States for the construction of approach roads and toll areas over certain rights of way leading to the Golden Gate Bridge in the Presidio of San Francisco Military Reservation, and relating to the retrocession by the Congress of the United States of jurisdiction over said rights of way and toll areas as relocated.

WHEREAS, On February 13, 1931, the Secretary of War pursuant to authority in him vested by section 6 of the act of Congress approved July 5, 1884 (23 Stat. 104), granted to the Golden Gate Bridge and Highway District a right of way for the extension, maintenance and operation of a State road across the Presidio of San Francisco Military Reservation, California, and across the Fort Baker Military Reservation, including space for toll booths and facilities for regulating traffic, and also the right to erect, operate and maintain the ends of the Golden Gate Bridge with cable anchorages, upon the said military reservations; and

WHEREAS, Said grant has been accepted by the Golden Gate Bridge and Highway District and also by the Legislature of the State of California under the terms of Senate Joint Resolution No. 11, of the forty-ninth session of the Legislature of the State of California; and

WHEREAS, The said permit and grant were amended by amendments dated April 1, 1931, May 1, 1933, and July 21, 1933, which said three amendments have been accepted by the Golden Gate Bridge and Highway District and approved and accepted by joint resolutions of the Legislature of the State of California, and

WHEREAS, On the nineteenth day of March, 1934, the Secretary of War did grant to the Golden Gate Bridge and Highway District a further modification of said permit as amended, and being a modification providing for the enlargement of the toll area theretofore granted under the original permit in the Presidio of San Francisco Military Reservation, which said amendment and modification of the date last mentioned is hereby expressly referred to; and

WHEREAS, It was in said last named modification and amendment, expressly provided that the amendments and modifications therein contained should not become effective and the original permit of February 13, 1931, should remain unchanged thereby, unless and until the said Golden Gate Bridge and Highway District should have accepted said amendment, and unless and until the State of California should have, with respect to said amendment, taken the same formal action which it was required to take with respect to the original permit, and which is set forth in paragraph 11 and subparagraphs 11a, 11b and 11c of that instrument, as a condition precedent to the taking effect thereof, now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That said modification and amendment dated the nineteenth day of March, 1934, to said permit dated February 13, 1931, as amended by amendments dated April 1, 1931, May 1, 1933, and July 21, 1933, granted by the Secretary of War to the Golden Gate Bridge and Highway District, be and the same hereby is, together with each, all, every and singular the terms, conditions, limitations, reservations and requirements therein contained, accepted by and on behalf of the State of California, and be it further

Resolved, That the State of California does hereby make application to the Congress of the United States for a retrocession of jurisdiction over the rights of way and toll area as relocated and amended by said modification dated the nineteenth day of March, 1934, in lieu of and superseding the application for retrocession of jurisdiction over the right of way heretofore granted across the Presidio of San Francisco Military Reservation in the original permit of February 13, 1931, in case said relocation of the right of way and toll area is finally granted to the Golden Gate Bridge and Highway District, and be it further

Resolved, That the State of California will, in case such retrocession of jurisdiction is granted by Congress, accept such retrocession of jurisdiction, and will assume the responsibility of managing, controlling, policing, and regulating traffic thereon, all subject to the following limitations and to such other limitations as Congress may prescribe:

(a) That nothing in said permit contained shall be construed to give to the State of California or any of its agents, authority at any time to regulate traffic of military personnel or vehicles upon the said bridge or roads. All traffic upon said roads and upon said bridge shall be free from any tolls, charges or any form of obstruction by State or other agencies, against military and naval personnel and their dependents, civilians of the Army and Navy traveling on government business under military authority, and government traffic.

(b) That whenever in the judgment of the Secretary of War or his authorized representative any emergency exists which justifies it, he may assume exclusive control and management of said bridge and roads and may then in his discretion prohibit, limit or regulate traffic thereon.

(c) That nothing in said permit contained shall be construed to confer upon the State courts the right to try persons subject to military law for crimes or offenses committed on said roads, or upon said bridge within the boundaries of the respective military reservations involved, but the courts of the United States or military tribunals as now or hereafter provided by law, shall retain exclusive jurisdiction to try such persons for such offenses. Be it further

Resolved, That the State of California does hereby agree to make such relocated right of way and toll area in the Presidio of San Francisco Military Reservation in said amended permit described a part of the system of public highways of the State; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, to the Secretary of War, to each house of Congress, and to the Senators and Representatives in Congress of the State of California.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Wallace asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 13, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER THIRTEEN.

Senate Concurrent Resolution No. 13—Relative to the relief of overcrowded conditions in the State prisons and the construction of additional prison facilities.

Senate Concurrent Resolution No. 13 read.

Mr. Wallace moved the adoption of Senate Concurrent Resolution No. 13.

The question being on the adoption of Senate Concurrent Resolution No. 13.

The roll was called, and Senate Concurrent Resolution No. 13 was adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hunt, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Voigt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—65.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 13 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 13.

Relative to the relief of overcrowded conditions in the State prisons and the construction of additional prison facilities.

WHEREAS, The present State prisons located at San Quentin and Folsom are now the most congested in the United States, and are insufficient in size and inadequate in equipment properly to care for the prisoners confined therein; and

WHEREAS, The population of said prisons is annually increasing; and

WHEREAS, The transportation of prisoners sentenced from the southern counties in this State to and from the prisons is difficult and hazardous and involves a very considerable expense to the State of California; and

WHEREAS, The overcrowded condition of said prisons greatly increases the problems of discipline and the hazards of riots and escapes; and

WHEREAS, Said overcrowded condition makes it impossible properly to segregate the prisoners, or to separate youthful first offenders from hard and degenerate types of criminals, and greatly hinders the work of rehabilitation of the prisoners confined in said prisons; and

WHEREAS, Lack of space and lack of sufficient modern equipment makes it impossible to keep the prisoners adequately and healthfully employed; and

WHEREAS, It is imperative that the conditions now existing in said prisons be alleviated; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Governor of the State of California be and he is requested and authorized to conduct an investigation to determine the advisability of locating a State prison in one of the southern counties of the State, and to estimate the cost of construction thereof and other related matters; and for that purpose to consult with any State agency and to require and receive from such State agencies any information or data he may require; and be it further

Resolved, That the Governor of the State of California enter into negotiations with the United States Government and appropriate agencies thereof for the purpose of securing Federal aid in the construction of additional prison facilities and particularly for the purpose of constructing a prison in one of the southern counties of the State.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Field asked for, and was granted, unanimous consent to take up Assembly Bill No. 196, at this time, without reference to file, and that same be considered engrossed.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Field:

Resolved, That Assembly Bill No. 196 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Mr. Field moved the adoption of the resolution

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—67.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 196.

SECOND READING OF ASSEMBLY BILL NUMBER ONE HUNDRED NINETY-SIX.

Assembly Bill No. 196—An act to amend section 2 of the "Los Angeles County Flood Control Act," approved June 12, 1915, relating to powers of the district, declaring the urgency hereof and providing that this act shall take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—67.

NOES—None

THIRD READING OF ASSEMBLY BILL NUMBER ONE HUNDRED NINETY-SIX.

Assembly Bill No. 196—An act to amend section 2 of the "Los Angeles County Flood Control Act," approved June 12, 1915, relating to powers of the district, declaring the urgency hereof and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 196 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—67.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO WITHDRAW FROM COMMITTEE.

Mr. Crowley moved that Senate Joint Resolution No 4 be withdrawn from Committee on Federal Relations. and placed on file.

The roll was called, and Mr. Crowley's motion to withdraw Senate Joint Resolution No. 4 from committee was carried by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—68.
NOES—None.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Crowley asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 4, at this time, without reference to printer.

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER FOUR.

Senate Joint Resolution No. 4—Relative to memorializing the Federal Relief Administrator and the California Relief Administrator to give preference to the construction of relief projects which will result in benefits of a permanent character.

Senate Joint Resolution No. 4 read.

Mr. Crowley moved the adoption of Senate Joint Resolution No. 4.

The question being upon the adoption of Senate Joint Resolution No. 4.

The roll was called. and Senate Joint Resolution No. 4 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—68.
NOES—None.

Title read and approved.

Senate Joint Resolution No. 4 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 4.

Relative to memorializing the Federal Relief Administrator and the California Relief Administrator to give preference to the construction of relief projects which will result in benefits of a permanent character.

WHEREAS, It is a matter of common knowledge that an emergency exists relative to the present dire need of men for employment; and

WHEREAS, The financing of relief projects is, in a great degree, made possible only by the issuance of bonds, the retirement of which, in most cases, will require many years; and

WHEREAS, Future generations will and should profit by and enjoy the benefits of projects which result in improvements which are lasting and permanent in their character; and

WHEREAS, Expenditures of moneys in the erection and construction of projects which are permanent in their character will relieve the present unemployment situation to the same degree and extent as will the expenditure of moneys which result only in temporary benefit; and

WHEREAS, The construction of such projects involves the purchase and use of large quantities of materials and supplies, the furnishing of which will give employment to the classes of labor hardest hit by present conditions; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Federal Relief Administrator and the California Relief Administrator are hereby respectfully urged to give preference to the construction of roads, river and harbor improvements, flood control systems, drainage and irrigation systems, public school buildings, State institutional buildings, permanent exposition buildings, permanent civic center buildings, self help cooperatives, subsistence farms, and similar projects, the benefits from which will accrue to future generations, and the furnishing of materials for which will be of present benefit; and be it further

Resolved, That the Governor of the State of California is hereby requested to transmit copies of this resolution to the Federal Relief Administrator, Harry L. Hopkins, and to the California Relief Adminitsrator.

INTRODUCTION AND REFERENCE OF BILLS

The following bills were introduced, and referred as indicated:

By Mr. Utt: Assembly Bill No. 459—An act to amend section 5 of "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Utt: Assembly Bill No. 460—An act to amend section 4 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933, relating to securities.

Bill read first time, and referred to Committee on Banking.

By Mr. Utt: Assembly Bill No. 461—An act to amend section 1 of "An act to authorize and control the deposit in banks of moneys belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, relating to security for deposits.

Bill read first time, and referred to Committee on Banking.

By Mr. Utt: Assembly Bill No. 462—An act to amend section 809 of the Agricultural Code, relating to walnuts.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Utt: Assembly Bill No. 463—An act to amend section 805 of the Agricultural Code, relating to persimmons.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Utt: Assembly Bill No. 464—An act to amend section 820 of the Agricultural Code, relating to tomatoes.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Utt: Assembly Bill No. 465—An act to amend section 675 of the Political Code, referring to the general powers of the Director of Finance.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Utt: Assembly Bill No 466—An act to add a new section providing for making the State a party to an action to foreclose mort-

gages and other liens upon property upon which there may exist a lien securing State taxes.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Utt: Assembly Bill No. 467—An act to amend sections 29 and 31 of the Bank and Corporation Franchise Tax Act, as amended, relating to the lien of the bank and corporation franchise tax.

Bill read first time, and referred to Committee on Banking.

By Mr. Utt: Assembly Bill No. 468—An act making an appropriation to pay the claim of Herb. Alleman against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Utt: Assembly Bill No. 469—An act to add section 383a to the Code of Civil Procedure, relating to proceedings against persons secondarily liable.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Utt: Assembly Bill No. 470—An act to amend section 4021b to the Political Code, relating to recall of elective officers of counties.

Bill read first time, and referred to Committee on Elections.

By Mr. Utt: Assemby Bill No. 471—An act to provide for the recall of elective officers of incorporated cities and towns.

Bill read first time, and referred to Committee on Elections.

By Mr. Utt: Assembly Bill No. 472—An act to add section 3819a to the Political Code, relating to installment paying of delinquent taxes.

Bill read first time, and referred to Committee on County Government.

By Mr. Utt: Assembly Bill No. 473—An act to amend sections 1, 5, 6, 7, and 11 of the Sewer Revenue Bond Act, relating to the sale of sewer revenue bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Utt: Assembly Bill No. 474—An act to amend section 2 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of Commissioner of Corporations," approved May 18, 1917, as amended, relating to brokers and investment counsel.

Bill read first time, and referred to Committee on Corporations.

By Mr. Utt: Assembly Bill No. 475—An act to amend section 272 of the Vehicle Code, relating to the licenses of operators of motor vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr Cottrell: Assembly Bill No. 476—An act to amend sections 204 and 241 of the Code of Civil Procedure, relating to juries.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Brennan, McBride and Dawson: Assembly Bill No. 477—An act to add Article IIk to the Political Code, relating to the Department of Public Safety.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Brennan: Assembly Bill No. 478—An act to amend section 595 of the Code of Civil Procedure, relating to continuances.

Bill read first time, and referred to Committee on Judiciary

By Mr. Wright: Assembly Bill No. 479—An act to amend section 2179 of the Political Code, relating to guardianship and administration of estates of incompetents.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Wright: Assembly Bill No. 480—An act to amend section 1554 of the Probate Code, relating to accounts of guardians of insane persons

Bill read first time, and referred to Committee on Judiciary.

By Mr. Walker: Assembly Bill No 481—An act to amend section 1200 of the Fish and Game Code, relating to doves.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Walker Assembly Bill No. 482—An act to amend section 810.5 of the Agricultural Code, relating to asparagus.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Walker: Assembly Bill No. 483—An act to amend section 1175 of the Fish and Game Code, relating to predatory birds

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Laughlin: Assembly Bill No. 484—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Martin: Assembly Bill No. 485—An act to amend sections 3817b, 3817c, 3817f, 3817g, and 3817h of, and to add sections 3817c3 and 3817i2 to, the Political Code, relating to taxation, including tax delinquencies, tax penalties and costs, tax redemption for tax sales and declaring the urgency thereof, to take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Lore: Assembly Bill No. 486—An act requiring the treasurer of each municipality, county, and city and county to maintain a record of the names and addresses of holders of ad valorem special assessment district bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr Clark: Assembly Bill No. 487—An act to amend section 692 of the Code of Civil Procedure, relating to sales of property under execution or under power contained in a deed of trust.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Lyon: Assembly Bill No. 488—An act to add a new section to the Insurance Code of the State of California, to be numbered 12629, relating to the rehabilitation, readjustment or reorganization of mortgage insurance companies or of all or of any part of the business, properties and assets of such companies, or of the rehabilitation, readjustment or reorganization of mortgage participation trusts and mortgage participation certificates and of the rights or interests of any or all of the investors and creditors of, and persons interested in, such companies or trusts; providing for the kinds of securities issuable in connection therewith and exempting such securities from the provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies, banks, banking institutions and trust companies and officers of the State of California to consent to a plan, as defined in said section, to exchange mortgage participation certificates, shares of stock, bonds, notes, debentures or other rights or claims for securities issued pursuant to such plan and to continue to hold as legal investment any securities so received.

Bill read first time, and referred to Committee on Insurance.

By Mr. Lyon: Assembly Bill No. 489—An act to add a new section to the Civil Code of the State of California, to be numbered section 453.15, relating to the rehabilitation, readjustment or reorganization of mortgage insurance companies or of all or of any part of the business, properties and assets of such companies, or of the rehabilitation, readjustment or reorganization of mortgage participation trusts and mortgage participation certificates and of the rights or interests of any or all of the investors and creditors of, and persons interested in, such companies or trusts; providing for the kinds of securities issuable in connection therewith and exempting such securities from the provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies, banks, banking institutions and trust companies and officers of the State of California to consent to a plan, as defined in said section, to exchange mortgage participation certificates, shares of stock, bonds, notes, debentures or other rights or claims for securities issued pursuant to such plan and to continue to hold as legal investment any securities so received.

Bill read first time, and referred to Committee on Insurance.

By Mr. Riley: Assembly Bill No. 490—An act to amend section 1357 of the Political Code, relating to absent voters.

Bill read first time, and referred to Committee on Elections.

By Mr. Thorp: Assembly Bill No. 491—An act to amend section 651 of the Agricultural Code, relating to dairy statistics.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Thorp: Assembly Bill No. 492—An act to amend section 631 of the Agricultural Code, relating to examination of milk and dairy products.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Thorp: Assembly Bill No. 493—An act to amend section 491 of the Agricultural Code, relating to milk inspection.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Thorp: Assembly Bill No. 494—An act to amend section 476 of the Agricultural Code, relating to fat or oil in dairy products.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Thorp: Assembly Bill No. 495—An act to amend sections 460, 504, and 621 of the Agricultural Code, relating to dairy products.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Thorp: Assembly Bill No. 496—An act to amend section 692 of the Agricultural Code, relating to places where milk or milk products are handled or kept for sale.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Thorp: Assembly Bill No. 497—An act to amend section 457 of the Agricultural Code, relating to testing of milk, cream or products thereof.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Thorp: Assembly Bill No. 498—An act to amend section 453 of the Agricultural Code, relating to milk inspection.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Lyon: Assembly Bill No. 499—An act to amend section 159 of the California Vehicle Act, relating to the disposition of moneys derived under said act.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Lyon: Assembly Bill No. 500—An act to amend section 13 of the "Motor Vehicle Fuel License Tax Act," relating to the disposition of moneys derived under said act.

Bill read first time, and referred to Committee on Motor Vehicles.

By Messrs. Latham and Wright: Assembly Bill No. 501—An act to amend the title and sections 1 and 5 of an act entitled, "An act to levy an excise tax and to regulate the manufacture, distribution and sale of certain beverages; to provide for the licensing of the manufacture, distribution and sale; to prescribe penalties for the violation of this act and to provide that this act shall take effect immediately," approved April 27, 1933, and to repeal Chapter 51, Statutes of 1933, relating to the taxation of beverages, to take effect immediately.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Lore: Assembly Bill No. 502—An act to add section 608 to the Streets and Highways Code, establishing an additional secondary State highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Donihue: Assembly Bill No. 503—An act to add section 1562 to the Insurance Code, relating to foreign insurers.

Bill read first time, and referred to Committee on Insurance.

By Mr. Donihue: Assembly Bill No. 504—An act to add section 127 to Chapter 1 of Division 11 of the Vehicle Code, relating to emergency first aid stations.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr Donihue: Assembly Bill No. 505—An act to provide emergency relief with respect to home mortgage indebtedness, to refinance home mortgages, to extend relief to the owners of homes occupied by them, who are unable to amortize their debt elsewhere, and to make an appropriation.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr. Donihue: Assembly Bill No. 506—An act to provide for farm and home aid to resident citizens of this State, defining the powers and duties of the Veterans' Welfare Board in respect thereto, and making an appropriation.

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs.

By Mr. Donihue: Assembly Bill No. 507—An act to amend section 3664b of the Political Code, relating to taxation of insurance companies or associations.

Bill read first time, and referred to Committee on Insurance.

By Mr. Donihue: Assembly Bill No. 508—An act to add section 921a, and to add Article 3, comprising sections 10531 to 10534, inclusive, to Chapter 6 of Part 2 of Division 2 of the Insurance Code, relating to reserves of life insurers.

Bill read first time, and referred to Committee on Insurance.

By Mr. Cunningham: Assembly Bill No. 509—An act providing for State planning and a State Planning Board, prescribing the powers, duties and jurisdiction thereof.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Anderson: Assembly Bill No. 510—An act to amend section 143 of the Agricultural Code, pertaining to abandoned orchards.

Bill read first time, and referred to Committee on Agriculture.

By Messrs. Jones and Meehan: Assembly Bill No. 511—An act to impose a tax upon moneys deposited in banks and other financial institutions.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr. Frazier: Assembly Bill No. 512—An act to amend section 274 of the Agricultural Code, relating to bee diseases.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Frazier: Assembly Bill No. 513—An act to amend section 395 of the Code of Civil Procedure, relating to venue.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Frazier: Assembly Bill No. 514—An act to repeal section 3385 of the Political Code, relating to licensing of animals kept for propagation.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Messrs Flint, Pelletier, Reaves, Hawkins, Glover, Geyer, Laughlin, Voigt, Turner, Rosenthal, Gilbert, Richie, and Clark: Assembly Bill No. 515—An act to amend section 2924 of the Civil Code, relating to mortgages.

Bill read first time, and referred to Committee on Financial Institutions.

By Messrs. Corwin and Andreas: Assembly Bill No. 516—An act directing the Department of Public Works to lay out and construct as a part of the State highway system a road and bridge from the city of Needles easterly over and across the Colorado River and declaring the same to be a public highway and a part of the State highway system, requiring the maintenance thereof and prescribing the manner in which the cost of such construction and maintenance shall be paid.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Cottrell: Assembly Bill No. 517—An act to add section 605 of the Streets and Highways Code, establishing an additional secondary State highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Waters: Assembly Bill No. 518—An act to amend section 6 of the "Workmen's Compensation Insurance and Safety Act of 1917," approved May 23, as amended, relating to the workmen's compensation.

Bill read first time, and referred to Committee on Insurance.

By Messrs. Stream and Wallace: Assembly Bill No. 519—An act to create and organize the State College of San Diego, its formation, government, curriculum and control.

Bill read first time, and referred to Committee on Teachers Colleges.

By Mr. Stream: Assembly Bill No. 520—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Martin: Assembly Bill No. 521—An act to provide a method for improving public streets, avenues, lanes, alleys, courts and places within municipalities of the sixth class, and for levying and collecting assessments upon property to pay for such improvements, and declaring the urgency hereof, to take effect immediately, and repealing an act approved May 25, 1933, relating to the same subject.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Lyon: Assembly Bill No 522—An act to amend section 400 of the Vehicle Code relative to the liability of governmental agencies.
Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Scudder: Assembly Bill No. 523—An act to add Article XI to Chapter 1 of Part 1 of Division II of the School Code, relating to district elections.
Bill read first time, and referred to Committee on Education.

By Mr. Scudder: Assembly Bill No. 524—An act to amend sections 821 and 827 of the Agricultural Code, relating to apples.
Bill read first time, and referred to Committee on Agriculture.

By Mr Field: Assembly Bill No 525—An act to add sections 285, 285.1, 285 2, 285.3, and 285.4, to the Agricultural Code, relating to brands to be used on apiary equipment.
Bill read first time, and referred to Committee on Agriculture.

By. Mr. DeLap: Assembly Bill No. 526—An act amending an act providing for the registration of contractors, and defining the term contractor; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees of such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act, approved June 13, 1929.
Bill read first time, and referred to Committee on Building and Construction.

By Mr. Nielsen: Assembly Bill No. 527—An act to provide for the creation, organization and government of port districts in one or more counties; to enumerate the powers thereof; to authorize the incurring of indebtedness, the borrowing of money and the issuance of bonds, and other evidences of indebtedness of such district and to provide for the mortgaging, pledging, or hypothecating of property of such districts and the issuance of revenue notes, certificates or warrants payable solely and exclusively from the revenues to be realized from a particular utility or property acquired or to be acquired with the proceeds of such obligations; to provide for the levy and collection of taxes by such districts and the allocation, mortgage, pledge, or hypothecation of the revenues of such districts or any property of such districts; to authorize port districts to enter into agreement with the State of California or any political subdivisions therein or with the United States of America; and to authorize port districts to do and perform all acts and things necessary or appropriate to carry out the purposes of this act.
Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Geyer: Assembly Bill No. 528—An act to amend sections 4.750 and 4.751 of the School Code, relating to the computation of average daily attendance of school districts.
Bill read first time, and referred to Committee on Education.

By Messrs. Andreas and Corwin: Assembly Bill No. 529—An act to amend an act entitled "An act to establish an Agricultural Code,

thereby consolidating and revising the law relating to plant and animal industry and the products thereof, and to repeal certain acts and parts of acts specified herein," known as and called the Agricultural Code.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Redwine: Assembly Bill No. 530—An act to amend sections 758 and 759 of the Political Code, relating to employees of courts of appeal.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 531—An act to amend section 2032 of the Code of Civil Procedure, relating to depositions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 532—An act to amend sections 423, 578, 587, 860, 1201, 1240, 1501, 1515, 1540 and 1630 of the Probate Code and to add new sections thereto to be numbered 588, 1201a and 1516, relating to estates of decedents and estates of persons under guardianship.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Donihue: Assembly Bill No. 533—An act to add a new article, to be numbered Article IV and comprising section 11615, to Chapter 1 of Part III of Division II of the Insurance Code; and to add a new chapter, to be numbered Chapter 3 and comprising section 12120, to Part IV of Division II of the Insurance Code; all relating to accrual of insurance agents' rights and commissions under policies.

Bill read first time, and referred to Committee on Insurance.

By Mr. Donihue: Assembly Bill No. 534—An act to add sections 2¾ and 50¾ to the Public Utilities Act, relating to petroleum production.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Donihue: Assembly Bill No. 535—An act to add section 4a to the Net Container Act, relating to quality.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Donihue: Assembly Bill No. 536—An act to add section 785 to the Insurance Code, relating to statements made by agents in relation to insurance policies.

Bill read first time, and referred to Committee on Insurance.

By Mr. Donihue: Assembly Bill No. 537—An act to add sections 10155 and 10156 to the Insurance Code, relating to provisions and statements required in life policies.

Bill read first time, and referred to Committee on Insurance.

By Mr. Donihue: Assembly Bill No. 538—An act to amend section 341 of, and to add section 341a to, the Civil Code, relating to powers of corporations.

Bill read first time, and referred to Committee on Corporations.

By Mr. Cunningham: Assembly Bill No. 539—An act to repeal section 2.801 of the School Code, relating to the liability of school districts for injury to persons or property.

Bill read first time, and referred to Committee on Education.

By Mr Hunt: Assembly Bill No 540—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended, relating to occupations to which the act applies.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Cassidy: Assembly Bill No 541—An act to amend section 9 of an act entitled "An act for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Jones: Assembly Bill No 542—An act to amend sections 4225 and 4225a of the Political Code, both relating to the powers and duties of county health officers.

Bill read first time, and referred to Committee on County Government.

By Mr Jones: Assembly Bill No. 543—An act authorizing counties to contract with municipalities, and to assume and have jurisdiction of municipal functions thereof, providing for transfer of employees and adjustment of pensions and authorizing municipalities to transfer such functions to counties and to enter into obligations and contracts in relation thereto.

Bill read first time, and referred to Committee on County Government.

By Mr. Rosenthal: Assembly Bill No 544—An act authorizing the creation of a personnel system, merit system or Civil Service system; the creation of the office of Personnel Director; the appointment of a Civil Service Commission; the delegation of certain authority to said personnel officer or commission in municipalities within this State; and prohibiting certain political activities and providing penalties for the violation of said provisions.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Nielsen: Assembly Bill No. 545—An act to amend section 17 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and

the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title 10 of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Andreas: Assembly Bill No. 546—An act to amend section 159 of the California Vehicle Act, relating to the disposition of moneys derived under said act.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Andreas: Assembly Bill No. 547—An act to amend section 13 of the "Motor Vehicle Fuel License Tax Act," relating to the disposition of moneys derived under said act.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Andreas: Assembly Bill No. 548—An act appropriating money in furtherance of the objects of flood control in the Santa Ana River Basin.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Fisher: Assembly Bill No. 549—An act granting certain submerged lands and tidelands of the State of California to the city of Oakland, including the management, use and control thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Fisher: Assembly Bill No. 550—An act to amend section 2337 of the Political Code, relating to institutions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Fisher: Assembly Bill No. 551—An act to add section 1a to an act entitled "An act to provide for the licensing and inspecting of maternity hospitals, lying-in asylums and homes for children; defining the duties of persons conducting the same; and the duties and powers of the county boards of health or county health officers and other health officers in relation thereto; and providing a penalty for the violations of its provisions," approved March 20, 1903, relating to penalties.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Mayo: Assembly Bill No. 552—An act to add a new article, to be numbered Article 1a and comprising section 11725, to Chapter 3 of Part 3 of Division 2 of the Insurance Code, relating to premium on compensation payments covering mining risks.

Bill read first time, and referred to Committee on Insurance.

By Mr Morgan: Assembly Bill No. 553—An act to add sections 762.5, 762.6, and 762.7 to the Vehicle Code, relating to traffic violations, and penalties therefor.

Bill read first time, and referred to Committee on Motor Vehicles

By Mr. Morgan: Assembly Bill No. 554—An act to amend section 463 of the Streets and Highways Code, relating to secondary State highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Morgan: Assembly Bill No. 555—An act to amend section 7 of an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, relating to State highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Morgan: Assembly Bill No. 556—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Morgan: Assembly Bill No. 557—An act to add a new section to the Civil Code to be numbered 2770, relating to life, health and accident insurance policies.

Bill read first time, and referred to Committee on Insurance

By Mr. Morgan: Assembly Bill No. 558—An act to amend section 2766 of the Civil Code, relating to life and disability insurance.

Bill read first time, and referred to Committee on Insurance.

By Mr. Fisher: Assembly Bill No. 559—An act making an appropriation to pay the claim of A. C. Brunzell and E S. Brunzell, copartners, against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Donnelly: Assembly Bill No. 560—An act to amend sections 2.870, 2.871, 2.872, 2.885, 2.887, 2.890, 2.911, 2.917, 2.940, 2.941, 2.990, 2.1055, 2.1090, 2.1152, and 2.1199 of the School Code of the State of California, relating to school trustees.

Bill read first time, and referred to Committee on Education.

By Mr. Donnelly: Assembly Bill No. 561—An act to add section 488 to the Insurance Code, relating to the cancellation of policies.

Bill read first time, and referred to Committee on Insurance.

By Mr. Donnelly: Assembly Bill No. 562—An act to amend "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1933, by amending section 871 thereof, relating to taxes.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Cronin, Fisher, and Andreas: Assembly Bill No. 563—An act to amend sections 691, 694, 605, 696, 697, and 685 of the Fish and

Game Code and to add section 697.5 thereto, and to repeal section 691.6 thereof, relating to fishing.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Cronin: Assembly Bill No. 564—An act to amend an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, relating to habit forming, narcotic and other dangerous drugs.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Cronin: Assembly Bill No. 565—An act to amend an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, relating to habit forming, narcotic and other dangerous drugs.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Messrs. Cronin and Gilmore: Assembly Bill No. 566—An act to provide a system of unemployment reserves and unemployment compensation throughout the State of California, providing penalties and making an appropriation therefor.

Bill read first time, and referred to Committee on Unemployment.

By Mr. Martin: Assembly Bill No. 567—An act to amend sections 3817f and 3817g of the Political Code, relating to amount to be credited, on redemption of property from sale for delinquent taxes, for prior payments on account.

Bill read first time, and referred to Committee on County Government.

By Mr. Martin: Assembly Bill No. 568—An act to amend section 4305 of the Political Code, relating to the salary fund of counties.

Bill read first time, and referred to Committee on County Government.

By Messrs. Martin and Latham: Assembly Bill No. 569—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments, reassessments, to provide for the proceedings to test the validity of such refunding and reassessment, and to provide for contributions of public funds to assist in such refunding.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Martin and Latham: Assembly Bill No. 570—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts organized under the Municipal Improve-

ment District Act of 1915, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments and to provide for the proceedings to test the validity of such refunding and reassessment.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Field: Assembly Bill No. 571—An act amending that certain act entitled "Improvement Bond Act of 1915," approved June 11, 1915, as amended by adding section 15a thereto, providing for the purchase and cancellation of bonds by municipalities.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Reaves, Flint, Voigt, Turner, Gilbert, Glover, Laughlin, Cassidy, Geyer, Boyle, Rosenthal, Donihue, Clark, Hunt, McMurray, Evans, Ralph W., Heisinger, Pelletier, Jones, Hawkins, and Lore: Assembly Bill No. 572—An act to amend section 1 of "An act regulating the hours of employment in underground mines, underground workings, whether for the purpose of tunneling, making excavations or to accomplish any other purpose or design, or in smelting and reduction works," approved May 30, 1913, relating to hours of labor in subterranean or underground employment.

Bill read first time, and referred to Committee on Mines and Mining.

By Messrs. Voigt, Flint, Pelletier, Donihue, Glover, Cassidy, Reaves, Geyer, Gilbert, Turner, Laughlin, Rosenthal, Boyle, Jones, Meehan, Lore, Hawkins, Hunt, McMurray, Clark, Heisinger, and Evans, Ralph W: Assembly Bill No. 573—An act to amend section 653c of the Penal Code, relating to hours of labor on public works.

Bill read first time, and referred to Committee on Roads and Highways.

By Messrs. Pelletier, Voigt, Flint, Donihue, Glover, Reaves, Boyle, Gilbert, Turner, Laughlin, Geyer, Rosenthal, Jones, Meehan, Lore, Hawkins, Heisinger, Evans, Ralph W., Hunt, McMurray, and Clark: Assembly Bill No. 574—An act to add sections 3246a and 3246b, and to amend sections 3244, 3245 and 3246 of the Political Code and to amend section 3247 as added by Chapter 85, Statutes of 1887, renumbering said section to be section 3246c, all relating to hours and wages of labor.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Maloney: Assembly Bill No. 575—An act to restrict the sale or other transfer of personal property by public utilities, to provide for investigation by the Railroad Commission, and to provide a penalty and prosecution for violation thereof.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Riley: Assembly Bill No. 576—An act to repeal section 924 of the Political Code.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Gilmore: Assembly Bill No. 577—An act to amend section 1168 of the Penal Code relating to the sentencing of prisoners, terms of imprisonment, credits to prisoners and paroles of prisoners.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cottrell: Assembly Constitutional Amendment No. 28—Proposed amendment to Article I, section 8 of the Constitution, and adding section 8a thereto, relative to grand juries.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Laughlin: Assembly Constitutional Amendment No. 29—Proposed amendment to Article XIII of the Constitution, by adding thereto a new section to be numbered 5, relative to exemptions from taxation.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Geyer: Assembly Constitutional Amendment No. 30—Proposed amendment to Article XIII of the Constitution, by adding section 10¼ thereto, relative to exemptions from taxation.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Hawkins: Assembly Joint Resolution No. 21—Relative to memorializing and petitioning Congress to enact legislation adequate to stamp out and abolish the evil of lynching.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hawkins asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 21, at this time, without reference to printer, committee, or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER TWENTY-ONE.

Assembly Joint Resolution No. 21—Relative to memorializing and petitioning Congress to enact legislation adequate to stamp out and abolish the evil of lynching.

Assembly Joint Resolution No. 21 read.

Mr. Hawkins moved the adoption of Assembly Joint Resolution No. 21.

The question being on the adoption of Assembly Joint Resolution No. 21.

The roll was called, and Assembly Joint Resolution No. 21 was adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Williamson, and Mr. Speaker—68

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 21 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 21.

Relative to memorializing and petitioning Congress to enact legislation adequate to stamp out and abolish the evil of lynching.

WHEREAS, During the last few years and throughout the Nation as a whole, there have been many lynchings and attempts at lynchings; and

WHEREAS, There is inadequate legislation by the United States and among the several States to discourage lynching; and

WHEREAS, Proper legislation by the Congress of the United States would have a salutary effect and would greatly tend to decrease the number of lynchings and attempts at lynchings; and

WHEREAS, It has been definitely proved that legislation by the United States of America with regard to other crimes has tended to decrease such crimes, and that public protection now demands that the United States extend its legislation to this field of crime; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California hereby memorializes and petitions Congress to enact adequate legislation to decrease and abolish mob violence and lynching; *and be it further*

Resolved, That a copy of this joint resolution be transmitted to the President of the United States, to the Vice President of the United States, and to each Member of the Senate and the House of Representatives of the United States.

SPEECH BY MR HAWKINS.

The following speech by Mr Hawkins in support of his antilynching resolution was ordered printed in the Journal.

Lynching is a National disgrace, the suppression of which is demanded by our best ideals and principles; and by our concept of social justice, which should in this instance dictate our legal justice. The principle of this resolution is its own defense and I ask your support of it.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Frazier: Assembly Bill No. 578—An act relating to revenue and taxation, providing for an excise tax on the sale of oleomargarine containing any fat or oil ingredient other than any one or more of the following: oleo oil, oleo stock, oleo stearine from cattle, neutral lard from hogs, sheep fat, cottonseed oil, peanut oil, corn oil, soya bean oil or milk fat; providing a penalty for a violation of the provisions thereof and declaring that this act shall take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Desmond: Assembly Bill No. 579—An act to amend section 1153 of the Probate Code, relating to publication of reports of the finances of the estate of decedents by the Public Administrator.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Desmond: Assembly Bill No. 580—An act to amend section 760 of the Probate Code, relating to contracts with agents for the sale of property of estates of decedents.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Desmond: Assembly Bill No. 581—An act to amend section 755 of the Probate Code, relating to the confirmation of sales of the property of estates of decedents.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Desmond: Assembly Bill No. 582—An act to amend section 660 of the Probate Code, relating to the possession of certain exempt property and the setting aside of exempt property to the spouse or minor children of a decedent.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Desmond: Assembly Bill No. 583—An act to amend section 1144 of the Probate Code, relating to the disposition of the property of the estate of any decedent of the value of $100 or less.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Desmond: Assembly Bill No. 584—An act to amend section 4307 of the Political Code, relating to the payment of the traveling expenses of certain county officers.

Bill read first time, and referred to Committee on County Government.

By Mr. Nielsen: Assembly Bill No. 585—An act to amend sections 8, 10, 42, 47, and 108 of an act entitled "An act to provide for the creation, establishment and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to the State Employees' Retirement System.

Bill read first time, and referred to Committee on Civil Service.

By Mr. Kallam: Assembly Bill No. 586—An act relating to fees to be paid to the Railroad Commission by railroad corporations, express corporations, freight forwarders, persons or corporations operating vessels, and persons or corporations owning or operating motor vehicles in the transportation of property for hire upon the public highways under the jurisdiction of the Railroad Commission of the State of California, providing for the collection thereof by the Railroad Commission, and providing penalties for the violation of this act.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Kallam: Assembly Bill No. 587—An act regulating the use of public highways for commercial purposes by certain motor vehicles operated thereon for the transportation of property for compensation; preventing discriminations between various forms of transportation; creating the office of Truck Commissioner; conferring powers upon the Railroad Commission with respect to the transportation of property for compensation by said motor vehicles; providing penalties for the violation of this act, and repealing all acts inconsistent with the provisions of this act.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Kallam: Assembly Bill No. 588—An act levying a tax upon the privilege of severing, processing, or severing and processing all natural resources from the soil or water, including all forms of timber and other forest products, minerals, and oil and gas.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr Kallam: Assembly Bill No. 589—An act relating to the making of real estate subdivisions and the making and recording of maps thereof, and empowering cities, cities and counties, and counties in connection therewith, and repealing all acts or portions of acts in conflict herewith.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Cronin: Assembly Bill No. 590—An act to amend section 2309 of the Civil Code, relating to oral authorization.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin: Assembly Bill No. 591—An act to add section 605d½ to the Civil Code, relating to nonprofit, nonstock corporations.

Bill read first time, and referred to Committee on Corporations.

By Mr. Cronin: Assembly Bill No. 592—An act to provide for pledges of personal property unaccompanied by possession in the pledges and the use of trust receipts in connection therewith.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr. Cronin: Assembly Bill No. 593—An act prohibiting any court or judge thereof in this State to issue any restraining order or temporary or permanent injunction, or to declare certain acts illegal, in cases involving or growing out of a labor dispute; defining terms used therein; repealing all acts or parts of acts in conflict with this act; and declaring invalid all local ordinances made by any city, county or city and county pursuant to the provisions of section 11 of Article XI of the Constitution and purporting to regulate matters involved or growing out of a labor dispute.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin (by request): Assembly Bill No. 594—An act to amend section 2274 of the Civil Code, relating to compensation of trustee.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin (by request): Assembly Bill No. 595—An act to amend section 54 of the Probate Code, relating to nuncupative will.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin (by request): Assembly Bill No. 596—An act to amend section 929 of the Probate Code, relating to debts and claims against estate.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin (by request): Assembly Bill No. 597—An act to add section 3370 to the Civil Code, relating to the recovery of attorney's fees.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Latham: Assembly Bill No. 598—An act to provide for the revision of the Constitution of this State, including the election of delegates to the convention, the proceedings, powers, duties, and matters incidental to the convention, the submission of the revised Constitution to the people and matters incidental thereto, and making an appropriation therefor.

Bill read first time, and referred to Committee on Constitutional Amendments.

By Mr. Fisher: Assembly Bill No. 599—An act to amend section 1322 of the Penal Code and section 1881 of the Code of Civil Procedure, relating to the testimony of a husband or wife against the

other and to communications made by either husband or wife to the other during the marriage.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Donihue: Assembly Concurrent Resolution No. 17— Relative to appointing a committee to study insurance policies and prepare uniform standard forms thereof.

Introduced, and referred to Committee on Insurance.

RECESS.

At twelve o'clock and fifteen minutes p.m., the Assembly was declared at recess until two o'clock p m. of this day.

At two o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 22, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 196—An act to amend section 2 of the "Los Angeles County Flood Control Act," approved June 12, 1915, relating to powers of the district, declaring the urgency hereof and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

Assembly Bill No. 196 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 22, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No 15—Relative to approving certain amendments to the charter of the City and County of San Francisco.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

Assembly Concurrent Resolution No. 15 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 22, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 104—An act to amend sections 38 and 48 of the "California Water District Act," approved June 13, 1913, relating to petitions for exclusion and inclusion of lands from and within water districts, to take effect immediately and declaring the urgency thereof.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Chatters asked for, and was granted, unanimous consent to take up Senate Bill No. 104, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Chatters:

Resolved, That Senate Bill No 104 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Mr. Chatters moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Wright, and Mr. Speaker—63.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 104

SECOND READING OF SENATE BILL NUMBER ONE HUNDRED FOUR.

Senate Bill No 104—An act to amend sections 38 and 48 of the "California Water District Act," approved June 13, 1913, relating to petitions for exclusion and inclusion of lands from and within water districts, to take effect immediately, and declaring the urgency thereof.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Wright, and Mr. Speaker—63.

NOES—None.

THIRD READING OF SENATE BILL NUMBER ONE HUNDRED FOUR

Senate Bill No. 104—An act to amend sections 38 and 48 of the "California Water District Act," approved June 13, 1913, relating to petitions for exclusion and inclusion of lands from and within water districts, to take effect immediately, and declaring the urgency thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 104 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Wright, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 22, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 211—An act authorizing savings banks, commercial banks, insurance companies, personal finance companies, mortgage companies, mortgage insurance companies, building and loan associations, trust companies, or fiduciaries or fiduciary institutions, or agencies, public or private, to make in certain cases loans, or advances or credit, which are insured pursuant to the provisions of the National Housing Act, and to invest in, or purchase, insured mortgages and obligations of National mortgage associations or similar credit institutions, the act to take effect immediately.

J. A. BEEK, Secretary of Senate
By C. REINDOLLAR, Assistant at Desk.

Senate Bill No. 211 ordered referred to Committee on Banking.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1935.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 14—Relative to memorializing the Public Works Administration to approve the application of the Los Angeles County Flood Control District for a grant of $4,150,000 to be used for the immediate construction of twelve debris basins in the La Crescenta, La Canada, Verdugo Wash and Haines Canyon Districts, the same being commonly known as the La Crescenta, La Canada, Verdugo Wash and Haines Canyon Project, in the county of Los Angeles, California—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

TURNER, Chairman.

Assembly Joint Resolution No. 14 read, and ordered on file for adoption.

SPECIAL ORDER SET.

On motion of Mr. Peyser, the consideration of Assembly Bills Nos 23, 44, and 208 were made a special order for three o'clock p.m. this day.

Motion carried.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1935.

MR. SPEAKER: Your Committee on Rules, to which was referred the following resolution by Mr. Patterson:

ASSEMBLY RESOLUTION.

WHEREAS, It has been shown that one hour out of every four is lost to the Assembly during the transaction of business, due to the time consumed in oral roll calls, and

WHEREAS, The work of the Assembly is that extent impeded; now, therefore be it

Resolved by the Assembly of the State of California, That the Speaker of the Assembly be and he is hereby authorized to appoint a committee of five members of the Assembly to work in conjunction with the Superintendent of State Buildings and Grounds for the installation of a system of electrical roll calling during the remainder of the fifty-first session of the Legislature; and, be it further

Resolved, That the sum of $10,000 is hereby appropriated out of the contingent fund of the Assembly, to Arthur A. Ohnimus, Chief Clerk of the Assembly. The sum so appropriated or so much thereof as may be necessary, shall be expended by him under the direction of the committee, for the installation, on approval, of an electrical roll call system in the Assembly Chamber.

The system shall be installed during the constitutional recess of the fifty-first Legislature, and shall be complete and ready for use at the conclusion of such recess; and be it further

Resolved, That if the Assembly approves and decides to purchase the roll call system, the funds herein appropriated shall apply on the purchase price thereof; Has had the same under consideration, and respectfully reports the same back, without recommendation.

WALLACE, Chairman.

Report and resolution read.

Mr. Patterson moved the adoption of the report and resolution.

FLOOR AMENDMENTS.

During the reading of the report and resolution, the following amendments were submitted by Mr. Phillips:

AMENDMENT NUMBER ONE.

On page 1, line 14, of the resolution, after the word Assembly, insert the following: "or from State funds as provided for in Assembly Bill No. 351".

Amendment adopted.

MOTION.

Mr. Lyon moved that the Speaker appoint a committee of three from the Assembly to meet with a like committee from the Senate to consider the feasibility and time-saving element of the installation of the electrical roll call system.

Mr. Wright seconded the motion.

REQUEST FOR ROLL CALL.

On request of Messrs. Hunt, Fisher, and Patterson, the Speaker ordered a roll call taken on the motion by Mr. Lyon.

The roll was called, and the motion by Mr. Lyon was lost by the following vote:

AYES—Corwin, Crowley, Donnelly, and Mayo—4.

NOES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Cottrell, Cronin, Cunningham, DeLap, Desmond, Donihue, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Voigt, Wagner, Walker, Wallace, Waters, Wright, and Mr. Speaker—64.

NOTICE OF RECONSIDERATION.

Mr. Lyon gave notice that on the next legislative day he would move to reconsider the vote whereby his motion to Mr. Patterson's resolution was this day refused adoption.

Mr. Lyon withdrew his notice of reconsideration.

Mr. Patterson moved the adoption of the resolution, as amended.

The question being on the adoption of the resolution, as amended.

The roll was called, and the resolution as amended adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cronin, Cunningham, DeLap, Desmond, Donihue, Evans, Herbert J., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, and Mr. Speaker—58.

NOES—Crowley, Evans, Ralph W., Field, Lyon, Martin, Mayo, Riley, Robertson, and Wright—9.

RESOLUTION.

The following resolution was offered:

By Mr. Phillips:

ASSEMBLY RESOLUTION

WHEREAS, It is known to all members who have served prior to the fifty-first session, and already apparent to members serving their first term, that the acoustical

properties of the Assembly Room and the inadequate and antiquated loud-speaking system, represent two of the major difficulties under which the members work during the session and are the causes both of personal discomfort and of diffiiculties in the passage of proper legislation; and

WHEREAS, Every report made upon the subject of necessary improvements in the Capitol Building has emphasized these two factors as of primary importance; therefore, be it

Resolved, That the Assembly of the State of California instruct the Superintendent of Buildings to take immediate steps to improve the acoustical properties of the Assembly Room in accordance with the suggestions made into the report of Professor V. O. Knudson and to install an adequate public address system, also in accordance with this same report, and be it further

Resolved, That the sum of $5500 or such part of it as may be necessary, be taken from State funds provided in a separate bill or from the contingent fund of the Assembly.

Resolution read.

Mr. Phillips moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, DeLap, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Robertson, Rosenthal, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, and Mr. Speaker—58.

NOES—Crowley, Evans, Herbert J., Field, Lyon, Redwine, Riley, Stream, and Wright—8.

FURTHER RESOLUTION BY MR. PHILLIPS.

The following resolution was offered:

By Mr. Phillips:

ASSEMBLY RESOLUTION.

WHEREAS, The Committee on Rules and the Committee on Contingent Expenses of the Assembly, after a joint meeting, sent a telegram to the University of California, Los Angeles, requesting such help as might be given by that institution in an investigation of the acoustical troubles in the Assembly Room; and

WHEREAS, The U. C. L. A., on an hour's notice, authorized Professor V. O. Knudson, the outstanding authority on this subject in the United States, to make a special trip to Sacramento, for this purpose; and

WHEREAS, The investigation made by Dr. Knudson and the report he has since furnished are of great value to the Assembly and will form the basis for necessary corrective measures; and

WHEREAS, Both the University and Professor Knudson have declined to accept remuneration for his services; therefore, be it

Resolved by the Assembly of the State of California, That the thanks of its members are extended to both Professor Knudson personally and to the U. C. L. A.; and be it further

Resolved, That the incidental expenses of Dr. Knudson's trip be paid from the contingent fund of the Assembly.

Resolution read.

Mr. Phillips moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Evans, Herbert, J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Wright, and Mr. Speaker—68.

NOES—None.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 23—An act relating to the relief of debtors and guarantors, and permitting postponement of foreclosures and sales under mortgages, deeds of trust, or contracts of purchase of real property, or postponement of forfeiture and terminations under such contracts of purchase, declaring the ugency thereof, and providing that it shall take effect immediately—and reports that the same has been correctly engrossed.

WATERS, Chairman.

Assembly Bill No. 23 ordered on file for third reading.

SPECIAL ORDER.

The hour of three o'clock p.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

MOTION.

Mr. Latham moved that the Assembly resolve itself into Committee of the Whole for the purpose of considering Assembly Bills Nos. 23, 44 and 208.

Mr. Jones seconded the motion.

Motion carried.

IN COMMITTEE OF THE WHOLE

Speaker Craig in the chair.

Assembly Bills Nos. 23, 44 and 208 considered.

Mr. Latham moved that the committee do now rise, and report same back without recommendation.

Mr. Jones moved that the committee do now rise, and report same back with recommendation do pass.

Mr. Jones withdrew his motion.

Mr. Latham moved that the committee do now rise, and report without recommendation.

Mr. Wright seconded the motion.

Mr. Jones moved that the committee do now rise, and report same back do pass.

Mr. Evans, Ralph W., seconded the motion.

Motion carried

IN ASSEMBLY.

Speaker Craig in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1935.

GENTLEMEN: The Committee of the Whole has had under consideration Assembly Bill No. 208—An act to prohibit until January 1, 1937, sales under certain chattel mortgages for default in the payment of the principal sum, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale made in violation of the act, to prescribe the time within which an action to avoid such a sale may be brought, and to declare the urgency thereof, and to provide that this act take effect immediately;

Also: Assembly Bill No. 23—An act relating to the relief of debtors and guarantors, and permitting postponement of foreclosures and sales under mortgages, deeds of trust, or contracts of purchase of real property, or postponement of forfeitures and terminations under such contracts of purchase, declaring the urgency thereof, and providing that it shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back with the recommendation that it do pass.

CRAIG, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Peyser asked for, and was granted, unanimous consent to take up Assembly Bill No. 44, at this time.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Peyser:

Resolved, That Assembly Bill No. 44 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Mr. Peyser moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution was refused adoption by the following vote:

NOES—Anderson, Andreas, Boyle, Burns, Cassidy, Clark, Corwin, Crowley, Desmond, Donohue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, McCarthy, McMurray, Meehan, Morgan, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Richie, Riley, Rosenthal, Thorp, Turner, Voigt, Wagner, and Welsh—39.

AYES—Breed, Brennan, Chatters, Cottrell, Cronin, Cunningham, Dawson, DeLap, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Gilmore, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Nielsen, Peterson, Peyser, Redwine, Robertson, Scudder, Stream, Utt, Walker, Wallace, Waters, Wright, and Mr. Speaker—37.

FLOOR AMENDMENTS.

During third reading of the bill, the following amendment was submitted by Mr. Martin:

AMENDMENT NUMBER ONE

On page 3, lines 20 and 21, of the printed bill, amend to read as follows: "February 1, 1937."

Amendment adopted.

Assembly Bill No. 44 ordered to reprint.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Peyser asked for unanimous consent to take up Assembly Bill No. 44, at this time, without reference to printer or file, and that same be considered re-engrossed.

Mr. Jones objected to granting unanimous consent.

MOTION TO SUSPEND RULES.

Mr. Peyser moved that the rules be suspended for purpose of considering Assembly Bill No. 44.

Motion lost.

Assembly Bill No 44 ordered to reprint.

CONSIDERATION OF ASSEMBLY BILL NUMBER TWENTY-THREE.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Jones:

Resolved, That Assembly Bill No. 23 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Mr. Jones moved the adoption of the resolution

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—75.

NOES—Minard—1.

THIRD READING OF ASSEMBLY BILL NUMBER TWENTY-THREE.

Assembly Bill No. 23—An act relating to the relief of debtors and guarantors, and permitting postponement of foreclosures and sales under mortgages, deeds of trust, or contracts of purchase of real property, or postponement of forfeitures and terminations under such contracts of purchase, declaring the urgency thereof, and providing that it shall take effect immediately.

FLOOR AMENDMENTS.

During third reading of the bill, the following amendments were submitted by Mr. Johnson:

AMENDMENT NUMBER ONE.

On page 2, line 19, of the printed bill, as amended January 21, 1935, strike out the period after the word "forfeited", and insert thereafter. ", and in the event the period of redemption upon any mortgage or trust deed on real estate heretofore foreclosed would expire within thirty days from and after the effective date of this act, the period of such redemption is extended so as not to expire prior to thirty days from and after the effective date of this act."

AMENDMENT NUMBER TWO

On page 3, between lines 37 and 38, of the printed bill, as amended January 21, 1935, insert a new section as follows:

"Sec. 4a. Where any mortgage or trust deed upon real property has been foreclosed and the period of redemption has not yet expired, the period of redemption may be extended for such additional time as the court may deem just and equitable, but in no event beyond February 1, 1937; provided that the mortgagor, trustor or owner in possession of said property shall, prior to the expiration of the period of redemption, apply to the superior court having jurisdiction of the matter, on not less than ten days' written notice to the mortgagee or trustee, or the attorney of either, as the case may be, for an order determining the reasonable value of the income on said property, or, if the property has no income, then the reasonable rental value of the property involved in such sale, and directing and requiring such mortgagor, trustor or owner in possession, to pay all or a reasonable part of such income or rental value, in or toward the payment of taxes, insurance, interest, mortgage or trust deed indebtedness at such times and in such manner as shall be fixed and determined and ordered by the court. The court shall thereupon hear said application and after such hearing shall make and file its order directing the payment by such mortgagor, trustor or owner in possession, of such an amount at such times and in such manner as to the court shall, under all the circumstances, appear just and equitable Provided that upon the service of the notice or demand

aforesaid that the running of the period of redemption shall be tolled until the court shall make its order upon such application."

Amendments adopted.

FURTHER FLOOR AMENDMENTS.

During third reading of the bill, the following amendments were submitted by Mr. Peyser:

AMENDMENT NUMBER ONE.

On page 3, line 7, of the printed bill, as amended January 21, 1935, strike out "or at least a reason", and in line 8, strike out "able part".

AMENDMENT NUMBER TWO.

On page 3, line 10, of the printed bill, as amended January 21, 1935, strike out "at such times and", and all of line 11, and the words "the circumstances", in line 12.

AMENDMENT NUMBER THREE.

On page 3, line 12, of the printed bill, as amended January 21, 1935, strike out the word "may", and substitute in lieu thereof the word "shall".

MOTION.

Mr. Jones moved that the amendments be voted on separately.

Motion carried.

Amendment No 1 refused adoption

Amendment No. 2 refused adoption.

Amendment No. 3 refused adoption.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Jones asked for, and was granted, unanimous consent to take up for final passage Assembly Bill No. 23, at this time, without reference to printer, committee or file, and that same be considered engrossed.

THIRD READING OF ASSEMBLY BILL NUMBER TWENTY-THREE.

Assembly Bill No. 23—An act relating to the relief of debtors and guarantors, and permitting postponement of foreclosures and sales under mortgages, deeds of trust, or contracts of purchase of real property, or postponement of forfeitures and terminations under such contracts of purchase, declaring the urgency thereof, and providing that it shall take effect immediately.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 23 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—76.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

SPECIAL ORDER.

Mr. Peyser moved that the consideration of Assembly Bill No. 208 be made a special order of business for Wednesday, January 24, 1935

Motion carried

REQUEST FOR UNANIMOUS CONSENT.

Mr. Lyon asked for, and was granted, unanimous consent to take up Senate Bill No 211, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Lyon:

Resolved, That Senate Bill No. 211 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Mr. Lyon moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—76.

NOES—None

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 211.

SECOND READING OF SENATE BILL NUMBER TWO HUNDRED ELEVEN.

Senate Bill No. 211—An act authorizing savings banks, commercial banks, insurance companies, personal finance companies, mortgage companies, mortgage insurance companies, building and loan associations, trust companies, or fiduciaries or fiduciary institutions, or agencies, public or private, to make in certain cases loans, or advances or credit, which are insured pursuant to the provisions of the National Housing Act, and to invest in, or purchase, insured mortgages and obligations of National mortgage associations or similar credit institutions, the act to take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—76.

NOES—None.

THIRD READING OF SENATE BILL NUMBER TWO HUNDRED ELEVEN.

Senate Bill No. 211—An act authorizing savings banks, commercial banks, insurance companies, personal finance companies, mortgage companies, mortgage insurance companies, building and loan associations, trust companies, or fiduciaries or fiduciary institutions, or agencies, public or private, to make in certain cases loans, or advances, or credit, which are insured pursuant to the provisions of the National Housing Act, and to invest in, or purchase, insured mortgages and obligations of National mortgage associations or similar credit institutions, the act to take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 211 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—76.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

RECESS.

At five o'clock and forty-five minutes p.m., the Assembly was declared at recess until nine o'clock p.m. of this day.

REASSEMBLED.

At nine o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

MOTION TO STRIKE FROM FILE.

Mr. Lyon moved that Assembly Bill No. 39 be recalled from the Committee on Engrossment and Enrollment, and that it be stricken from the file.

Motion carried.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 22, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in the action of the Assembly in recalling Assembly Bill No. 39 from Assembly Committee on Engrossment and Enrollment, and the order striking the bill from the file.

J. A. BEEK, Secretary of Senate.

Also:

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 6—Relative to memorializing the

President and Congress to carefully consider what is known as the Townsend Plan of Old Age Revolving Pension.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

Assembly Joint Resolution No. 6 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 22, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 2—Relative to memorializing the President and Congress to adopt the Townsend Plan, relating to old age pensions.

J. A. BEEK, Secretary of Senate.

Senate Joint Resolution No. 2 ordered referred to Committee on Federal Relations.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Breed: Assembly Bill No. 600—An act to amend section 3 of an act entitled "An act authorizing counties to construct, improve, maintain and repair streets lying in municipalities or to aid or assist by the appropriation of money and otherwise in establishing, laying out, opening, widening, extending, straightening, constructing, improving or altering streets or changing or separating the grades within municipalities or in acquiring lands, rights of way, or other property necessary therefor," approved April 30, 1923.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Breed: Assembly Bill No. 601—An act to amend section 1704 of an act entitled "An act to establish a Streets and Highways Code, thereby consolidating and revising the law relating to public ways and all appurtenances thereto, and to repeal certain acts and parts of acts specified herein."

Bill read first time, and referred to Committee on Roads and Highways.

By Messrs. Richie, Reaves, and Flint: Assembly Bill No. 602—An act to regulate certain working conditions of operators of motion picture machines in theaters and motion picture houses; and providing a penalty for the violation thereof.

Bill read first time, and referred to Committee on Labor and Capital.

By Messrs. Richie, Wallace, Pelletier, McCarthy, Flint, Miller, Morgan, Reaves, Rosenthal, and Stream: Assembly Bill No. 603—An act to amend section 4223 of the Political Code, relating to admission to county hospitals.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Messrs. Lyon, Jones, Evans, Herbert J., Hunt, Hawkins, Martin, McBride, Cunningham, Waters, Redwine, and Boyle: Assembly

Bill No. 604—An act to add a new section to the Political Code, to be numbered 4052d, authorizing boards of supervisors to grant temporary use, possession, management and control of public parks for exposition and fair purposes.

Bill read first time, and referred to Committee on Exhibitions and Fairs.

By Messrs. Lyon, Jones, Evans, Herbert J., Hunt, Hawkins, Martin, McBride, Cunningham, Waters, Redwine, and Boyle: Assembly Bill No. 605—An act providing for the acquisition of lands for, and the construction, maintenance and operation of a building at the Pacific Exposition to be held in the county of Los Angeles, State of California, providing for the exhibiting of products, resources of and other matters pertaining to the State of California at said Pacific Exposition, creating the California Pacific Exposition Commission and defining its powers and duties, and making an appropriation therefor.

Bill read first time and referred to Committee on Exhibitions and Fairs.

By Messrs. Lyon, Jones, Evans, Herbert J., Hunt, Hawkins, Martin, McBride, Cunningham, Waters, Redwine, and Boyle: Assembly Bill No. 606—An act to add a new section to the Political Code, to be numbered 2699, authorizing boards of supervisors to temporarily close any public highway, road, street, avenue, alley, lane or place for exposition purposes.

Bill read first time, and referred to Committee on Exhibitions and Fairs.

By Messrs. Lyon, Jones, Evans, Herbert J., Hunt, Hawkins, Martin, McBride, Cunningham, Waters, Redwine, and Boyle: Assembly Bill No. 607—An act relating to the holding of the Pacific Exposition in California, providing for the issuance and sale of State bonds to be known as "California Pacific Exposition bonds," providing for the payment and retirement of said bonds, providing for and creating a fund for the carrying out of the purposes of this act, authorizing the expenditure of moneys in said funds for such purposes, creating a commission to be known as the "Pacific Exposition Commission," creating an interest and sinking fund for the payment of interest on said bonds and the redemption of the same, and making appropriation therefor, making an appropriation of $2,000 for the expense of printing, lithographing and selling said bonds, designating the name by which this act shall be known and fixing the time at which this act shall be and become effective.

Bill read first time, and referred to Committee on Exhibitions and Fairs.

By Messrs. Richie, Reaves, Flint, Pelletier, and Rosenthal: Assembly Bill No. 608—An act limiting the hours of labor of female domestic employees and providing a penalty for its violation.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Eicke: Assembly Bill No. 609—An act to add section 1582a to the Penal Code of the State of California, relating to hours of labor of prison guards.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Mr. Riley: Assembly Bill No. 610—An act amending section 1463 of the Penal Code relating to the disposition of fines collected in municipal courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Patterson: Assembly Bill No. 611—An act making an appropriation for the support of the California Polytechnic School.

Bill read first time, and referred to Committee on Education.

By Mr. Redwine: Assembly Bill No. 612—An act to amend section 1239 of the Code of Civil Procedure, relating to the classification of the estates and rights in lands subject to being taken for public use.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Riley: Assembly Bill No. 613—An act to amend an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within this State and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933 (Statutes 1933, Page 642), by adding thereto a new section to be numbered 14, exempting certain funds from the provision of said act.

Bill read first time, and referred to Committee on County Government.

By Mr. Cunningham: Assembly Bill No. 614—An act to amend section 1680 of the Streets and Highways Code, relating to extending county aid to cities.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. DeLap: Assembly Bill No. 615—An act to amend section 2 of the Contractors License Law, relating to the application of the law to certain work.

Bill read first time, and referred to Committee on Building and Construction.

By Eleanor Miller: Assembly Bill No. 616—An act to provide for the establishment, government, and maintenance of an institution or farm for the confinement, cure, care and rehabilitation of certain drug addicts and to provide for the admission and commitment of such addicts.

Bill read first time, and referred to Committee on Public Charities and Corrections.

By Mr. McMurray: Assembly Bill No. 617—An act making an appropriation to pay the claim of the disbursing officer of the Department of Industrial Relations against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Kallam: Assembly Bill No. 618—An act to provide for the regulation and licensing of greyhound racing and race meetings, and to permit wagering on the results thereof; to create the California Greyhound Racing Board for the regulation, licensing and supervision of greyhound racing and wagering thereon; to provide penalties for the violation of the provisions of this act.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Desmond: Assembly Bill No. 619—An act to amend section 852 of, and to add sections 852a and 852b to, the Political Code, relating to the location of certain State offices and the residence of certain State officers in the city of Sacramento.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Messrs. Stream, Minard and Fulcher as a select committee to wait upon the Senate and inform them that the Assembly is now ready to meet with them in Joint Convention.

RECESS

At the hour of nine o'clock and twenty minutes p.m., the Speaker declared a recess for the purpose of holding a Joint Convention with the Senate to hear a message from the Governor regarding the budget.

IN JOINT CONVENTION

ASSEMBLY CHAMBER,
SACRAMENTO, January 22, 1935.

At nine o'clock and thirty minutes p.m., the Senate and Assembly met in Joint Convention.

Hon. Edward Craig, Speaker of the Assembly, directed that Hon. George J. Hatfield, President of the Senate, and Hon. William P. Rich, President pro tempore of the Senate, be escorted to the platform.

Hon. Edward Craig, Speaker of the Assembly, directed the Chief Clerk of the Assembly to call the roll of Assemblymen

ASSEMBLY ROLL CALL

The roll was called, and the following answered to their names.

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon,

Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—79.

The Speaker declared a quorum of the Assembly present.

Hon. George J. Hatfield, President of the Senate, directed the Secretary of the Senate to call the roll of Senators.

SENATE ROLL CALL.

The roll was called, and the following answered to their names:

Senators Biggar, Crittenden, Deuel, Difani, Duval, Edwards, Fletcher, Garrison, Gordon, Hays, Hulse, Jespersen, Keough, King, Knowland, McColl, McCormack, McGovern, McGuinness, Metzger, Mixter, Olson, Parkman, Perry, Pierovich, Powers, Reindollar, Rich, Schottky, Scollan, Seawell, Sharkey, Slater, Snyder, Stow, Swing, Tickle, Wagy, and Young—39.

The President declared a quorum of the Senate present.

REGULAR ORDER OF BUSINESS.

APPOINTMENT OF JOINT COMMITTEE ON ESCORT.

Appointment of a Joint Committee on Escort to wait upon His Excellency, Governor Frank F. Merriam, and inform him that the Joint Convention is now in session and to escort him to the convention for the purpose of delivering his Budget Message.

APPOINTMENT OF SENATE COMMITTEE OF ESCORT.

The President of the Senate, Hon. George J. Hatfield, announced the appointment of the following Senate Committee on Escort: Senators Slater, Swing, and Sharkey.

APPOINTMENT OF ASSEMBLY COMMITTEE OF ESCORT.

The Speaker of the Assembly, Hon. Edward Craig, announced the appointment of the following Committee on Escort: Messrs Field, Jones, and Brennan.

REPORT OF JOINT COMMITTEE ON ESCORT.

The Senate and Assembly Joint Committee on Escort appeared at the platform with His Excellency, Frank F. Merriam, Governor of California.

INTRODUCTION OF GOVERNOR FRANK F. MERRIAM

Hon. George J. Hatfield, President of the Senate, presented Governor Frank F Merriam to the Joint Convention.

The Governor then delivered his budget message.

BUDGET MESSAGE OF GOVERNOR FRANK F. MERRIAM, AS DELIVERED TO THE SENATE AND ASSEMBLY OF CALIFORNIA IN JOINT ASSEMBLY AT SACRAMENTO, TUESDAY, JANUARY 22, 1935.

To the State Legislature

Fulfilling the requirements of the State Constitution, I am submitting herewith a proposed budget for the State of California for the eighty-seventh and eighty-eighth fiscal years, in which will be presented in detail recommended expenditures and a tax program for meeting the budgetary needs of the State government.

Also, observing the commitments contained in the party platforms adopted last September, and in keeping with certain plans and policies of my own which are neither partisan nor political in their inspiration or objective, I am presenting a discussion of general issues and problems of importance to the State.

THE STATE'S FISCAL PROBLEM.

Members of the Senate and Assembly are familiar with the unprecedented financial condition of the State government, and, hence, I feel it is unnecessary for me to dwell at length upon the fact that our situation with respect to State finances is a critical one.

Let me impress upon you, however, the fundamental fact that unless drastic remedies are applied in this emergency, the State government soon will be unable to function in many of its essential activities, and a condition closely approximating bankruptcy will develop.

There is no precedent in this State for the financial difficulties in which we find ourselves. State revenues have decreased markedly during the last few years At the same time, due in part to emergency demands arising from the extended economic depression, it has not been possible to accomplish any great reduction in governmental costs.

We now come face to face with the fact that the disparity between the income of the State and the expenditures of the State has reached a point of real danger.

This danger is strikingly exemplified by the sharp decline of the State's income from various important sources, some of which have been eliminated, as in the case of the gross receipts tax on the utility corporations, and others which now produce less than half the total moneys collected four years ago.

SHRINKING REVENUE AND INCREASING EXPENSES.

While this shrinkage in revenue has been in progress, requirements for our public schools, for aid to the needy, and for interest and redemption of bonds have more than doubled.

Our revenue situation has been complicated by the loss of the gross receipts tax on utility corporations, a biennial item of approximately $58,000,000 This adjustment in our tax structure, and the transfer of the utility properties to the tax rolls of the several counties, was approved by the people more than eighteen months ago and became effective on the first day of this calendar year

Through this change, also, practically the entire support of the public schools has devolved upon the State.

Because of such losses, the total mandatory expenses of the State government for the coming biennium will exceed the total revenues which existing law will provide. In fact, present rates and schedules will not furnish the State with revenues sufficient to meet payments required by the Constitution for the support of the public schools

Such conditions must be faced with courage; they must be met with intelligence. Political considerations are not involved; partisan issues have no place; personal interests are entirely subordinate. We must work harmoniously and unselfishly together in a common cause for the common good.

At a time when so many hundreds of thousands of men, women and children are suffering undeserved hardships—when the very salvation of society and civilization depends upon our willingness to sacrifice any personal or selfish interests in the service of the people—we must meet extraordinary ills with extraordinary remedies

And while moving with energy and determination to solve the difficulties and handicaps of this emergency, we must likewise begin in an earnest and an effective way to provide means and adopt policies that will cause the State itself to observe the ordinary precautions of the prudent citizen, who does not spend more than he may reasonably expect to earn, and who does not borrow more than he may ultimately be able to repay.

Savings to be effected by reductions in expenditures readily subject to the authority and discretion of the Legislature and the Governor will not materially bring down the cost of State government.

In fact, we could not balance the budget of the State by wholly eliminating the cost of all agencies supported from the general fund, including appropriations for the Legislature, the State courts, the Governor's office, all constitutional officers, the administrative and regulatory departments, State hospitals, prisons, teachers' colleges, and the State university.

STRICT ECONOMY NECESSARY.

The people, who expect no such impossible action nevertheless demand that we, as their chosen representatives, shall cut out all needless costs; that we shall place

the government on a sound footing of economy and efficiency, and that we shall obtain maximum return from the expenditure of public funds.

To such an end we must unreservedly dedicate our common endeavors.

The State government, acting either under mandate of a direct vote of the people, or through legislative enactments that have the approval of the people, has followed certain well-defined policies and has incurred certain specific and continuing obligations.

It must be assumed, and in fact there is no question at all, that the people want these broad policies continued and advanced and expect these obligations to be fully carried out. In my administrative program, and in the budget and tax recommendations presented herein, I am proceeding on such an assumption.

Thus we come to the question of obtaining sufficient revenues to carry out the necessary functions of the government—a question that involves both a necessity for meeting the emergency immediately before us and also for the development of a tax program that will impose no undue hardship and no inequitable or unjust burden upon any individual, class or organization.

In simple terms, our problem from a taxation and revenue standpoint may be readily summarized thus:

The *minimum budget requirements from the general fund* for the biennium of 1935–37, including $69,800,000 for the general operating costs of the State government, and $158,400,000 for disbursements to the counties, will exceed $228,200,000 This is exclusive of the anticipated deficit for the current biennium of approximately $29,000,000.

Estimated revenues from present sources will total $132,600,000

GENERAL FUND REQUIREMENTS.

The following table sets forth the general outlines of the State's financial situation with respect to the general fund:

PAYMENTS TO THE COUNTIES:		
Support of public schools; aid to the needy blind, aged, orphans; tuberculosis, and other subsidies		$158,433,892 82
OPERATING COSTS FOR 1935–37:		
Legislative, executive, judicial, and general administrative	$4,920,532 80	
Regulative, protective, and developmental	7,671,922 45	
Charities and corrections, hospitals, prisons, correctional schools, social welfare	17,195,545 78	
State educational establishments, including the teachers colleges and the University of California	17,723,570 00	
TOTAL OPERATING COSTS		47,511,571 03
PRICES AND EMERGENCIES	$1,500,000 00	
NECESSARY CONSTRUCTION AND IMPROVEMENTS	4,349,300 00	
INTEREST AND REDEMPTION OF BONDS	16,472,074 64	
TOTAL		22,321,374 64
TOTAL GENERAL FUND REQUIREMENTS		$228,266,838 49
ESTIMATED REVENUE UNDER EXISTING LAW, 1935–37		132,643,656 33
REVENUE NEEDED FROM NEW SOURCES TO BALANCE BUDGET		$95,623,182 16

THE DEFICIT PROBLEM.

It will be noted that I have not included in the foregoing table the estimated deficit of approximately $29,000,000 for the current biennium. In all probability the Legislature will find it feasible and advisable to retire this deficit over a period of years. I have, however, made tentative provision for assimilating this debt in the tax program contained in this message.

As a temporary solution of the deficit problem I suggest the possibility of adopting a plan calling for the payment of a greatly reduced rate of interest on the accumulated deficit items.

During the current biennium it will be possible to determine whether the deficit may be gradually absorbed through increased revenues, or through an amortization plan to be submitted to the people for their approval.

Notwithstanding the elimination of this large item from immediate revenue needs, it is apparent that we still must obtain approximately $95,600,000 through new revenue sources if the State's budget is to be brought into balance for the ensuing biennial period.

To such an end I invite your assistance and cooperation in order that the State's business may be efficiently conducted and the State's credit be maintained.

In spite of rigid restrictions in budget recommendations for the operating expenses of the various State departments and agencies, I find that the total appropriations required from the general fund for the ensuing biennium will exceed the 5 per cent limitation on increases provided in section 34a of Article IV of the Constitution.

As will be shown by the analysis below, the budget increase, exclusive of that for public school system (which is exempt from the limitation by the constitutional provision), is taken up by fixed charges and mandatory items over which the budget-maker has practically no control.

INCREASE IN GENERAL FUND APPROPRIATIONS AND COMPARISON WITH FIVE PER CENT LIMITATION AS PROVIDED BY CONSTITUTION, ARTICLE IV, SECTION THIRTY-FOUR-A.

	1933-1935	*1935-1937*
Total appropriations	$214,524,747 76	$228,266,838 49
Less appropriations for public school system	143,148,286 46	146,592,683 82
(Including State teachers colleges and special schools.)		
Appropriations exclusive of public school system	$71,376,461 30	$81,674,154 67
Increase	(14.43%)	10,296,693 37
5 per cent increase would be	3,568,823 06	

The foregoing increase of $10,296,693 37 is composed of the following items:

1. Increased requirements for payment to the counties as the State's share of aid to the aged, orphans, blind, and patients in tuberculosis sanitaria	$3,211,810 41
2. For increased requirements for interest and redemption on State bonds, the increase being very largely occasioned by the two recent relief bond issues	3,096,767 67
3. For increased operating expenses of our State institutions and prisons due to an increase in the number of the State's wards and higher prices of staple commodities	1,156,141 69
4. For necessary new construction at the State hospitals for insane	3,356,388 00
5 For reserves for emergencies and contingencies	1,308,019 56
These increases total	$12,129,127 33
Offset against this sum the recommendations for all other purposes show a net reduction of	1,832,433 96
Making a total net increase in appropriations from the general fund other than for public schools	$10,296,693 37

Items 1 and 2 above are fixed charges over which the executive budget officer has no control whatever.

Item 3 is in a certain sense likewise a fixed charge since there is no means of controlling the number of individuals committed to our State institutions. There is a certain requirement for care and subsistence which must be met. Higher prices for provisions and other supplies have increased these budget requirements.

Item 4: Our State institutions are badly overcrowded The amount of construction provided for in the budget will not relieve present overcrowded conditions to any great degree, but will provide merely for the anticipated increased numbers

Item 5 is in reality not an expenditure item. It is a safety factor demanded in proper budget construction. With the budgets for all State departments and agencies reduced as they are, there remains no margin in the individual budget allotments to provide for emergency conditions.

It is essential to the welfare of the State as a whole that these adjustments in our revenue-producing program be accomplished by the imposition of new or modified taxes only upon those best able to pay. To follow any other course or principle would involve either outright confiscation or invite further dislocation of our economic situation.

NEW SOURCES OF REVENUE RECOMMENDED.

The following new sources of revenue are herewith recommended as being levied either upon profits or luxuries, or upon so-called nonessentials, and are thus most likely to be least burdensome upon our workers and all citizens of small means:

1. Personal Income Tax at one-third federal normal and surtax rates	$17,500,000 00
2. Real Estate Transfer Tax 1 per cent on value of sales	10,000,000 00
3. Increase Bank and Corporation Franchise Tax Increase rate from 2 per cent to 4 per cent	11,000,000 00
4. Alcoholic Beverage Tax (Beer) Increase rate from 2 cents per gallon to 3 cents per gallon	1,000,000 00
5. Tax on Intoxicating Liquors (Hard Liquors) Stamp Tax on sales in State at 40 cents per proof gallon	2,400,000 00
6. Insurance Gross Premium Tax-Increase Increase rate from 2.6 per cent to 4 per cent	6,000,000 00
7. Two per cent Severance Tax and Processing Tax	12,000,000 00
8. Tax on Admissions: Theatres, Games, etc. 1 cent on each 10 cents (first 20 cents exempt)	4,000,000 00
9. Motor Transportation Tax Increase from 3 per cent to 6 per cent and eliminate personal property tax	1,400,000 00
These nine items total	$65,300,000 00
In addition to the above items, to provide funds required for support of public schools, I recommend that the Retail Sales Tax be increased from the 2 per cent rate to 3 per cent	42,000,000 00
TOTAL	$107,300,000 00

This proposed program for obtaining new revenue is not advanced on any basis other than necessity, nor is it imposed with any thought other than it will fall upon those best able to support it.

In compiling the facts and figures upon which each new revenue item is based, we have sought to limit the tax to a minimum. It is axiomatic that no tax, new or old, meets with the approval of those who pay it. Furthermore, because of the economic disturbances of the last few years, with consequent loss of employment to thousands of our citizens, and great reduction in income to other individuals and to industries, we have two general opposing influences with which to contend.

The first, because of its specific needs, would approve a program of taxation that might result in confiscation, and, hence in the destruction of those productive activities to which we must look for revenue at this time. The second, yielding to the human and wholly understandable impulse of self-protection, will look with disfavor upon any further demands upon its resources.

It is my belief the program as outlined to you strikes a just balance between two such extremes, and that your approval of the recommendations herewith presented to you will result in benefits which the State as a whole will enjoy.

IN LIEU TAX.

It is my recommendation that you give consideration to the advisability of eliminating personal property taxes on motor vehicles and levy fees in lieu thereof for State purposes based on weight and value. It is estimated that $25,000,000 can be secured by this arrangement without increasing the tax load on the individual automobile owner. This would in some measure compensate the State for the loss of revenue occasioned by the transfer of the public utility property to the counties. Should you desire to substitute this source of revenue for others above recommended or use it in providing funds for additional buildings at the institutions, it will meet with my approval.

This system will also save the automobile owner the inconvenience of having his certificate stamped by the assessor or tax collecter before securing the automobile license plates and will prove much more efficient.

UNEMPLOYMENT RELIEF.

For the purpose of financing unemployment relief for the coming biennium, it is recommended that certain taxes be levied, with provision for their abrogation at the discretion of the Governor when it shall appear that the present emergency has ceased to exist. In any event, I suggest that such emergency unemployment relief taxes be definitely limited to the two-year period beginning July 1, 1935.

It is recommended that a sum totaling $47,300,000 be provided for unemployment relief for the biennium of 1935-37, to be expended under State supervision and used exclusively in a public works program, and not exceeding 50 per cent of this amount to be used for the construction of State buildings.

The following tax plan to carry out the emergency program of unemployment relief is recommended:

1. 1 cent additional tax on gasoline	$23,300,000 00
2. 3 per cent consumers' tax on gas, electricity, telephone, telegraph, and other utility services	16,000,000 00
3 Tobacco tax: 2 cents per package of twenty cigarettes, and 10 per cent on other products	8,000,000 00
Total	$47,300,000 00

TAXES FOR SUPPORT OF THE PUBLIC SCHOOLS.

Contributions to be made by the State, as required by the Constitution, to the public schools of California for the coming biennium will exceed $142,500,000. The major portion of this sum will be provided by a school tax levied on retail sales.

Two years ago, under provisions of the Sales Tax Law, the Legislature enacted this tax for the support of our schools The terms of the act provided for a rate of 2½ per cent on retail sales, to be reduced to 2 per cent after June 30, 1935.

At the lower rate, it is estimated this tax will produce approximately $84,000,000—or $58,500,000 less than the indicated school requirements.

Because of the unsatisfactory condition of our finances, and the obvious necessity for maintaining our schools at their present high standard of efficiency, I am convinced that during a continuance of our present emergency conditions this type of tax can carry, without severe hardship to our people, an even greater share of the school costs.

Such a tax reaches a large group which otherwise makes a relatively small contribution toward the support of government; and that is the group which derives the most benefit from the public schools. The increased revenue from a 3 per cent school tax will produce approximately $126,000,000—still short of the total required for public school purposes and exclusive of the appropriations needed for the operation of the State university, the teachers' colleges, and other educational institutions of the State.

Operation of the tax on retail sales has indicated the desirability of certain minor adjustments in the method of collecting the tax. It is recommended that section 8 and section 8½ of the Retail Sales Tax Act be repealed, and that the act be amended so as to authorize the merchant to allocate and collect this tax on the basis of his gross sales, thus enabling him to assess the tax on whatever items he may select. To a modified extent this practice has already been followed with success in certain retail establishments.

COSTS OF GOVERNMENTAL OPERATIONS RESTRICTED.

Owing to decreased revenues, and also to the lessened ability of our citizens to carry their financial burdens, I have felt it necessary to adopt a policy calling for the strictest limitation of expenditures for the maintenance and operation of various State boards, departments, commissions and other agencies.

Operating costs have been greatly reduced. Reductions have been made in the higher salaries and further pruning may be necessary if our total income falls short of the basic needs of the government. I have been compelled—in many instances with great reluctance—to make sweeping reductions in the budget requests submitted by department heads.

It is only just to say that under this policy of rigid economy, many State agencies will be unable to operate as heretofore or, possibly, to the extent which the people may expect. In this regard the taxpayer, in his own interest, must be content with less service in some instances until increased revenues permit the government to more fully serve the public.

This much is certain, that every State official and employee will be expected to do his or her best, without complaint in a spirit of public service.

With few exceptions the restricted program of expenditures adopted by the Legislature two years ago has been adhered to and continued in effect. It has been found necessary to provide increased supply allotments for institutions charged with the custody and care of the State's wards. This is due to additional population in these institutions, and to an increase in commodity prices.

While some elasticity has been provided in the budget recommendations for such establishments, any general price increases will involve costs in excess of the budget estimates herewith submitted.

As a measure of safety and protection, I recommend establishment of an emergency reserve fund of not less than $1,500,000 to meet contingencies that may arise.

INSTITUTIONS AND PRISONS OVERCROWDED.

The recent prison break at San Quentin has served to focus public attention on deplorable conditions, due to overcrowding and inadequate facilities, existing in our great penal institutions.

Recurrences of such unfortunate episodes, more terrible and far more disastrous than the temporary escape of four desperate men, more menacing to the lives of prison authorities and of peaceful citizens generally, are inevitable if immediate and vigorous steps are not taken to remedy conditions that have been too long neglected.

On this issue we can not temporize, we can not delay. In the ordinary sense of the term, I feel we can not economize. There is nothing to be gained by the State in saving dollars at the expense of public security and public decency.

The enforced idleness caused by the overcrowding of a prison is a curse which breeds despair, viciousness and corruption. From such consequences society itself is the chief sufferer.

California is an enlightened State, and in this commonwealth have germinated and developed some of the most forward-looking and inspiring humanitarian laws and practices. What a splendid service would be the prompt development here of a prison system that would prevent, rather than create and encourage, the spread of criminal activities and the inculcation of criminal tendencies.

The mere inadequacy of prison facilities falls like a poisonous blight upon the first offender, or those convicted of lesser crimes, who must be herded day and night—month after month—with the vicious, antisocial or degenerate criminal.

It is my prayerful hope that with the aid of the Legislature we may immediately begin the work of sensible prison reform to the end that a modern penal system may be established here, providing for the segregation not only of first offenders, but of different types of offenders.

A junior prison and reformatory should be constructed in Southern California as soon as a proper site can be acquired. Such an institution should be located where soil and climatic conditions are favorable to a work program which will combine healthful activity with useful and productive occupation.

I recommend prompt action looking to appropriations from State revenues, or to the acquisition of funds from the public works program of President Roosevelt, for the purchase of lands and the construction of buildings adequate to meet the requirements of this menacing problem.

At the same time we should adopt laws which will guarantee not only proper corrective procedure in our prisons, but will assure the application of policies definitely seeking the reformation of the individual prisoner. Work, which the individual is equipped by training and experience to perform, or which can be adapted to his physical needs and aptitudes, should be provided for each able-bodied prison inmate. Of course care must be taken that the products of prison labor shall not come into competition with those of free labor.

This practice should be followed as a requisite of prison routine both as a measure of economy in prison operation and in furtherance of the far more important task of rehabilitation of those whose offenses against society have brought about their incarceration.

The lessons so sharply brought home by the San Quentin escapes will have the further effect of drawing attention to our parole laws and their application. In this regard, I hope we may proceed alertly and intelligently; for no individual or public good will be accomplished by any arbitrary or hasty action on this question. Obviously, our parole procedure needs overhauling to the end that society may be more adequately protected and the case of the individual prisoner may be more carefully studied before a parole is granted.

Notwithstanding that we have, possibly, made some mistakes on the side of excessive optimism concerning the likelihood of reforming certain types of prisoners, we shall gain nothing by a sudden zeal for severity toward those who may deserve our thoughtful consideration.

THE WOMEN'S REFORMATORY.

Operation of the Women's Reformatory at Tehachapi has been conducted on an unsatisfactory basis because of contradictions and inadequacies of existing law. This reformatory was established as a result of perseverance and unselfish devotion of leaders in the various women's organizations of California. The institution was authorized, land was purchased and buildings were erected under the directions of a State Board, the majority of whom were women.

An oversight in drafting appropriate legislation for the creation and administration of the reformatory has brought about a situation under which the management of the institution itself is under the women's board, while the prisoners are subject to control by the State Prison Board and the Board of Prison Terms and Paroles.

In order that this important corrective institution be permitted to function efficiently, and in accordance with the purposes for which it was founded, I recommend the enactment of certain clarifying amendments designed to remedy the existing situation.

It is recommended that full control of the reformatory and its inmates be placed under the women's board, and that such board be authorized to fix the length of prison terms and also exercise all powers conferred under our parole laws.

OTHER INSTITUTIONS CROWDED.

Our prisons are not the only State institutions where overcrowding and inadequate facilities and equipment work severe hardships upon the inmates. Many wooden structures, constructed more than 27 years ago as temporary housing facilities, continue to house the insane. These buildings are sheeted with 1-inch pine boards with neither lath nor plaster to protect against heat or cold. This condition presents a serious fire hazard and a constant menace to the lives of patients and attendants.

In many of our State hospitals patients are quartered in basements and in attics. Beds in many wards are so close together that care and treatment of patients is seriously impaired.

To remedy this condition a building program calculated to relieve the situation as rapidly as funds may be made available should be adopted. If the State had been able to maintain such a program through the years, the present intolerable conditions would not exist.

In this budget only such recommendations as will meet the minimum immediate requirements for permanent construction have been included. This is illustrated by the fact that items recommended by me total $3,700,000 for such purposes, while the requirements as estimated by department heads approximate $36,000,000.

Your attention is also directed to the message of President Roosevelt to the present Congress in which he recommended that an augmented program of public works be undertaken without delay through aid from the Federal Government.

AGENCIES SUPPORTED FROM "SPECIAL" FUNDS.

This message has thus far dealt solely with financial problems relating to the proposed expenditures from the State's general fund. We are not confronted with any serious difficulty in maintaining and operating State agencies supported by special funds collected specifically for their exclusive use.

Of course, most of these agencies have found it necessary to adjust their activities and expenditures to the diminished revenues which they have collected, but in the main they have suffered no restrictions in keeping with the severe handicaps encountered by activities supported from general fund appropriations.

A DEPARTMENT OF PUBLIC SAFETY.

The many separate agencies of the State government directly or indirectly concerned with the protection and safety of our citizens can be rendered far more efficient in their services and much more economical in their maintenance and operation through a coordination of authority and effort.

To this end the creation of a Department of Public Safety, into which department should be transferred the California Highway Patrol, the Division of Motor Vehicle Registration, the Bureau of Criminal Identification, the Detective License Division, the Division of Narcotic Enforcement, Board of Prison Terms and Paroles, the State Parole Department, the State Board of Prison Directors, and the State Capitol Police, is recommended.

The members of the California Highway Patrol should be given general police powers, subject to certain restrictions, to be exercised at the discretion of the Governor.

The prevention, detection, suppression and punishment of crime has become difficult and complex. Each political subdivision possesses its own police power and its machinery for fighting crime. The State, however, which is in a position to render effective aid in this matter, and through its widespread activities and facilities to coordinate and expedite the war on criminal activities, has been handicapped through an absence of specifically delegated police authority.

The cost of maintaining and administering a State Department of Public Safety will be more than justified by the results to be obtained.

Your approval of these suggestions will enable California to take a decisive part, within its own borders, in the constant and unrelenting war which goes on between the forces of law and order and the members of the criminal element

Representatives from certain western States have been invited to come to California to meet with representatives from this State for a conference designed to improve, strengthen and extend crime suppression activities. This conference should result in many very definite benefits, among which can be listed more uniform laws, improvement in general police procedure, and greater cooperation between the law enforcement agencies of the several State governments.

It is my earnest determination not only to make California unpopular with the gangster, the criminal, and the thug, but to develop conditions here that will render more difficult if not impossible the operations of organized crime.

COMMISSION TO INVESTIGATE STATE WATER AND POWER PROGRAM.

I now come to a matter which must be treated with absolute candor and impartiality if any ultimate public benefit is to be derived from a discussion of all of its aspects and possibilities. A mere repetition and rehash of all the controversial, contentious, and to some extent highly prejudiced arguments surrounding this subject will serve only to add to popular confusion.

It is a subject upon which honest opinion differs sharply and concerning which experts and other competent authorities are in disagreement. It has become an issue, frequently misunderstood and misrepresented, in politics and political campaigns. Basically, however, it is vitally related to the economic welfare of all the people.

Hence, the suggestions I am advancing herewith must be considered as an attempt to create a basis for intelligent and just consideration of a problem which ultimately must be solved equitably and sensibly

The appointment of a Commission to Investigate the State's Water and Power Program is recommended, to be composed of citizens of California appointed by the

Governor, and to be authorized to investigate the feasibility and desirability, from the standpoint of public interest, of the acquisition by the State of California of the electric power generating and distributing facilities now under both private and public ownership within the State.

We have this situation before us in California: developing side by side, serving a similar purpose, and utilizing the same resources for the production, distribution, and sale of an identical product, there are two great electrical power groups, one actually owned by hundreds of thousands of investors and operated under private manag ment, and the other owned by the people and managed by public authority.

No wide difference exists in the general rates charged by these respective, and to an increasing extent competitive, groups. The privately-owned utilities, subject to government regulation, are required to pay various kinds of taxes; the publicly-owned utilities have not been subject to taxation. There are many other conditions involved in this situation which embrace either actual or potential contradictions, inequalities, and opportunities for conflict.

This problem should not be approached from the standpoint of the partisans either of public or private ownership, but solely from that of the economic well-being of the State as a whole.

Entrance of the Federal Government into gigantic power development projects, and the vast resources thus made available from the public treasury for virtually unlimited e tension of publicly-owned undertakings of this nature, have greatly added to the uncertain status of privately-owned power utilities.

The commission which I ask you to authorize, and which should have a membership of not less than nine nor to exceed fifteen persons, should be empowered to discuss the possible purchase, and to obtain independent estimates of the sale value, of such privately- and publicly-owned generating and distributing systems, which the State might determine to acquire

It must be kept in mind that there are more than 250,000 men and women in California whose savings are invested in the privately-owned electrical industry, and that this very large group of our population is entitled to fair treatment in any negotiations looking to the acquisition, by purchase, of the properties whose securities are held by the investing pub'ic

Whether electric power is to be supplied under private or under public ownership, it is manifest that it should be supplied by a widespread and interconnected system having a diversity of load, serving agriculture and industry as well as residences, so that all classes of consumers may continue to enjoy low rates and the continuity of service that only such a system can afford.

In its broader aspects, this whole question necessarily involves the vital problem of the development and conservation of our water resources in the State, because power development can not be disassociated from that greatest of all natural resources.

STATE'S WATER PROBLEM.

Our water problems are complicated by unequal geographical and seasonal distribution and supply. Such inequalities occur from year to year, and from season to season. In some parts of our State, the water supply is in excess of ultimate needs of the area chiefly affected, while in other sections there is a deficiency even for present necessities.

This vital natural resource must be controlled, distributed and utilized for the benefit and the welfare of the people. So far as practicable, and equitable, the inequalities due to natural conditions must be adjusted by conservation and development.

Floods from our streams must be impounded and their destructive and wasteful forces brought under control. To this end we must plan with energy, foresight, and vision The future progress and prosperity of California are in large degree dependent upon the economic development of our water resources.

Some of our most acute water problems involve a large area of the State These pressing questions can not here be treated in detail, although the conditions have been the subject of legislative concern for many years and a comprehensive plan for their solution has, over a long course of time, been evolved for a large portion of the State.

These plans propose the coordination of all efforts, both public and private, for the complete development, conservation and utilization of all the water resources of California. Portions of the plans are now in course of being realized.

The Metropolitan Water District of Southern California is actively engaged in constructing works to convey and distribute water from the Colorado River, made available by the Boulder Dam Project. The Imperial Valley will benefit largely from the All-American Canal, upon which work is already commenced Our west coast counties, as well as others in the interior, all have their water problems which must be solved at the proper time

The two great valleys of the Sacramento and San Joaquin rivers present an exceedingly acute and complex problem, including impairment of navigation on the Sacramento River, salt water intrusion into the fertile delta lands of the Sacramento and San Joaquin, lack of sufficient fresh water supply for the industries in the San Francisco Bay region, and an entirely inadequate water supply in the San Joaquin Valley.

The Central Valley Project has been carefully planned to embrace the solution of these problems and will confer lasting benefits upon the State and Nation.

UNEMPLOYMENT RELIEF.

The most serious problem confronting us today is the need for relief of unemployment. The situation demands perfect coordination of action between State and Nation. The President in a recent message to Congress has announced that this emergency must be solved by providing employment for those in need, but that the result of that work must be useful in that it must afford permanent improvement in living conditions, or that it shall create future new wealth for the Nation. The Central Valley Project fulfills in all its aspects these practical principles declared by the President to be the necessary foundation for a successful program of work relief.

For many years I have been in complete sympathy with this project, and I am wholeheartedly in favor of its early construction. I have done, and I propose to do, everything in my power to make the project a reality. The Legislature has passed an act, which has been approved by a vote of the people, authorizing and directing the project to be constructed immediately upon funds being made available. The administrative agency created by that act has filed with the Federal Emergency Administration of Public Works an application for a grant and loan of funds for that purpose. Should Congress approve the broad program of the administration for unemployment relief, it is believed the Central Valley Project is in a favorable position to receive Federal aid. In such event we shall be privileged to participate in the erection of a conspicuous and permanent landmark in California history. It may well be placed in the class of the other four great projects now under construction in California, namely, the San Francisco-Oakland Bay Bridge, the Golden Gate Bridge, the Metropolitan Water District and the All American Canal. These five projects involve the expenditure of $526,000,000.

I am in receipt of a letter from the President offering the advice and assistance of the legal division of the Public Works Administration in the preparation and drafting of legislation necessary to facilitate and expedite the National Public Works Program as it may be extended to the State of California. On behalf of the people of the State of California, I have accepted that offer and given assurance that you will stand ready to cooperate with the President and Congress by enacting such legislation as may be necessary to enable our State to go forward with the President and Congress in a National Recovery Program.

FEDERAL COOPERATION WITH STATES FOR SOCIAL SECURITY.

In a special message to Congress, President Roosevelt has outlined a comprehensive program for social security, including unemployment insurance, old age benefits, Federal aid to dependent children, and Federal aid to State and local governmental health agencies.

From a careful reading of the President's comments, and from a study of the plan he has urged Congress to approve, I find myself in full accord with practically all of the suggestions contained in his message.

He has submitted to Congress a report from those appointed by him to investigate the subjects which he discusses, and has asked the Congress to enact proper legislation without delay.

The success of the general social security plan depends entirely on the degree of cooperation that may be developed and maintained between the Federal Government and the governments of the several States, and as no single State at this time can undertake upon its own account a program that does not harmonize with the policies of the National Government, I recommend that we hold ourselves in readiness for prompt action following enactment of legislation by Congress.

Regardless of any differences of opinion and policy that may arise, I believe there is little opportunity for disagreeing with the principles as laid down by the President for the care of the aged and for the protection of workers thrown out of employment during periods of economic depression.

I quote herewith from his message:

> "Federal action is necessary to and conditioned upon the action of States. Fourty-four Legislatures are meeting or will meet soon. In order that the necessary State action may be taken promptly it is important that the Federal Government proceed speedily.
>
> "It is overwhelmingly important to avoid any danger of permanently discrediting the sound and necessary policy of Federal legislation for economic security by attempting to apply it on too ambitious a scale before actual experience has provided guidance for the permanently safe direction of such efforts.
>
> "The place of such a fundamental in our future civilization is too precious to be jeopardized now by extravagant action. It is a sound idea—a sound ideal. Most of the other advanced countries of the world have already adopted it and their experiment affords the knowledge that social insurance can be made a sound and workable project.
>
> "Three principles should be observed in legislation on this subject. In the first place, the system adopted, except for the money necessary to initiate it, should be self-sustaining in the sense that funds for the pay-

ment of insurance benefits should not come from the proceeds of general taxation. Second, excepting in old age insurance, actual management should be left to the States subject to standards established by the Federal Government. Third, sound financial management of the funds and the reserves, and protection of the credit structure of the Nation should be assured by retaining Federal control over all funds through trustees in the treasury of the United States.

"At this time I recommend the following types of legislation looking to economic security:

"1—Unemployment compensation.

"2—Old age benefits, including compulsory and voluntary annuities.

"3—Federal aid to dependent children through grants to States for the support of existing mothers' pension systems and for services for the protection and care of homeless, neglected, dependent and crippled children.

"4—Additional Federal aid to State and local public health agencies and the strengthening of the Federal public health service. I am not at this time recommending the adoption of so-called health insurance, although groups representing the medical profession are cooperating with the Federal Government in the further study of the subject and definite progress is being made.

"With respect to unemployment compensation, I have concluded that the most practical proposal is the levy of a uniform Federal pay roll tax, 90 per cent of which should be allowed as an offset to employers contributing under a compulsory State Unemployment Compensation Act. The purpose of this is to afford a requirement of a reasonably uniform character for all States cooperating with the Federal Government and to promote and encourage the passage of unemployment compensation laws in the States.

"Moreover, in order to encourage the stabilization of private employment, Federal legislation should not foreclose the States from establishing means for inducing industries to afford an even greater stabilization of employment.

"In the important field of security for our old people, it seems necessary to adopt three principles—first, noncontributory old age pensions for those who are now too old to build up their own insurance; it is, of course, clear that for perhaps 30 years to come funds will have to be provided by the States and the Federal Government to meet these pensions.

"Second, compulsory contributory annuities which in time will establish a self-supporting system for those now young and for future generations. Third, voluntary contributory annuities by which individual initiative can increase the annual amounts received in old age.

"It is proposed that the Federal Government assume one-half of the cost of the old age pension plan, which ought ultimately to be supplanted by self-supporting annuity plans.

"The amount necessary at this time for the initiation of unemployment compensation, old age security, children's aid and the promotion of public health, as outlined in the report of the committee on economic security, is approximately $100,000,000.

"The establishment of sound means toward a greater future economic security of the American people is dictated by a prudent consideration of the hazards involved in our National life. No one can guarantee this country against the dangers of future depressions but we can reduce these dangers."

I shall ask California's Representatives in the United States Congress to inform me promptly of the adoption of legislation requested by the President in this matter, and upon receipt of the necessary information, I shall transmit a further message to you, with such recommendations as may be deemed necessary to place California in harmony and cooperation with the Federal Government's social security program.

UNEMPLOYMENT INSURANCE.

The problem of the industrious, law-abiding man or woman who wants work and is unable to get it, is one of the gravest and most perplexing problems confronting and challenging our modern, highly organized, minutely specialized, industrial civilization.

The inherent difficulties of the problem are suggested when we try to differentiate between the industrious, good citizen, who is willing to work, but can not find employment, and the habitual and incurable waster, drifter, and unemployable, who thinks the world, by which he means the industrious and frugal portion of the population, owes him a living.

Nevertheless, the time has come when society, represented by government, can no longer shirk or postpone a vigorous, continued, determined, effort to solve the problem of unemployment. To that task California, in common with the other States and the Federal Government, must devote itself, undaunted by the difficulties.

Numerous unemployment insurance bills have been introduced in the Legislatures of the various States in the past year or two, and 35 such bills were introduced in the last session of Congress.

Thus far, Wisconsin is the only State in which unemployment insurance legislation has been enacted, and as the Wisconsin statute has been in effect only since July 1, 1934, that State is not in a position to aid other States through her experience. Many informed persons question whether the Wisconsin Plan of Unemployment Insurance will accomplish what every well devised plan of unemployment insurance should accomplish. The Wisconsin Plan provides for the creation of a reserve by contributions from a single employer, a group of employers, or an entire industry, but the liability of the group contributing to the fund is limited to the amount of money in the reserve. When the fund is exhausted, the liability ceases. Thus the fund can not become insolvent, but it avoids insolvency by the simple expedient of shutting off liability to support the unemployed.

England has had an insurance act since 1911 and Germany since 1927. Both were swamped by the exigencies of the depression, which upset all calculations, and both have had to seek special subsidies from tax money and have therefore become systems of unemployment relief rather than unemployment insurance based on insurance principles.

In the United States, in addition to the Wisconsin experiment, several large private corporations have adopted plans of unemployment insurance for their own employees. Other and untried plans are being advocated. It is not necessary here to discuss those various plans. My purpose in this statement is to emphasize the urgent need of some practicable plan of relief.

THE TOWNSEND OLD AGE PENSION PLAN.

Formulation of an old age pension law, generally applicable throughout the Nation and representing the joint responsibility of the Federal Government and the several States, will remove the menace of want and destitution from the lives of hundreds of thousands of men and women.

There are many plans for accomplishing this highly desirable result, among them the so-called Townsend Plan, originated by a citizen of California and now formally brought before the Congress of the United States in the form of proposed legislation introduced in the House of Representatives.

The Townsend Plan has attracted the attention and inspired the eager hopes of many thousands of our citizens throughout the Nation. Old age pensions have been recommended by the major political parties of California to the careful attention of the Federal Government.

It is my recommendation that the California Legislature memorialize the Congress, urging a full investigation and study of this plan with a view to its possible adaptation to the Federal old age benefits plan.

SHORTER WORK WEEK.

No permanent and satisfactory adjustment of our long-range unemployment problem can be accomplished until we discover an equitable and economic plan for reducing the total number of hours the average worker shall be required to labor in any one day or any one week in return for a living wage.

On this subject, the Republican Party Platform adopted in State convention at Sacramento on September 20, 1934, said:

> "That as an aid to and in assistance of the greater dissemination of work among the greatest number of people, thereby relieving unemployment and aiding economic recovery, the Congress of the United States is respectfully and earnestly requested and urged to enact laws providing for a shorter working week and day, namely, a thirty-hour week and a six-hour day."

The Democratic Party's State Platform, adopted in State convention on September 20, 1934, announced:

> "We declare in favor of the five-day week and six-hour day without corresponding reduction in wages."

The two major political parties are thus shown to be in close harmony on this vitally important subject, which is in no sense political, but is related to the basic influences of our economic future

It is improbable that absolute uniformity of working hours in all lines of business and industry can readily be achieved, but this should be our goal and the thirty-hour week should be the basis for which we should strive. The accomplishments of such a result should enlist the active cooperation of the State, the employers and the workers.

ALL HIGHWAYS IN STATE SYSTEM.

Since 1912, when the State of California began its highway-building program, good roads have played an increasingly important part in the progress and development of the State. Many millions of dollars have been expended on our highways by the State and county governments and our great highway system is described

by the United States Bureau of Public Roads at this time as second to none in the Nation.

It should be our purpose, therefore, not only to maintain the high road-building and maintenance standards of the past, but to seek every avenue for greater efficiency and improvement.

To this end I recommend abandonment of the existing dual system of State and county roads, and the inclusion of all highways into a single State system, whereby greater economy in construction and maintenance may be assured.

The present sources of revenue for construction and maintenance of highways include the gasoline tax and motor vehicle registration fees, augmented in many counties by taxes on real property.

Under provisions of a program calling for exclusive construction and maintenance of highways by the State, counties will be relieved of the necessity for levying property taxes for road purposes and, through the elimination of 58 separate county road departments, millions of dollars annually will be saved to the taxpayers.

There is no economic justification of this vast duplicating system operated by the counties, and from a service standpoint, the benefits to be obtained from the centralized and coordinated control of the State are almost incalculable.

The actual savings to the taxpayers in the various counties will represent a large sum, as is indicated by the fact that for the fiscal year ending June 30, 1934, such road taxes collected in the counties reached a total of approximately $3,000,000 00

Furthermore, it is evident that a larger percentage of State highway revenues must be expended in the cities and towns of the State in the interest of the people as a whole and of the traveling public.

It is, therefore, recommended that legislation be enacted whereby, first, all county roads shall be constituted State highways, and, second, that the amount now required by law to be expended in cities by the Department of Public Works, out of the State highway fund, shall be doubled.

If approved, this would mean that the cities, instead of receiving ¼-cent from the gasoline tax fund, will be allocated ½-cent from this fund

The policy of opposition to any diversion of highway revenues to any use other than that for which such funds are raised should be continued and protected. This principle, which has received indorsement by vote of the people of California, also is upheld by the Congress of the United States, which has provided, in an act approved by the President on June 18, 1934, that any State which shall divert such taxes to uses other than construction and maintenance of highways shall be deprived of not less than one-third of its apportionment of Federal road-aid funds.

THE STATE'S MINERAL RESOURCES.

Wherever California's agricultural land stops, her mineral resources begin. Our deserts are rich in chemicals, our arid hills and plains are underlain with oil, and the foothills of our Sierras define the greatest established gold-bearing zone in the world. Every encouragement should be given to the exploration and conservation of these mineral resources, of benefit to no one so long as they lie buried, but which, upon development, furnish employment, and stimulate demand for power, transportation, supplies, machinery, and farm products.

In this connection, I wish especially to mention our gold industry. Owing to international concern in the metal, the basis of finance and credit in times of peace, and often the determining factor in war, California's increased gold production is of world-wide interest.

Gold mining, which has played so large a part in the history of the State, merits all the encouragement that the State government can give it.

THE OIL INDUSTRY.

Hundreds of thousands of our people are dependent on the oil industry for employment, for income from investments, or royalties from lands. Virtually everybody is a consumer of the products of this industry The importance of petroleum and its derivatives to our modern civilization, their value as a safeguard to the Nation in time of war, and as a means of holding our commercial supremacy can not be exaggerated.

It is estimated that approximately 9,000,000,000 barrels or three-fourths of our recoverable oil reserves, must be produced from some 300,000 small wells by pumping and that this three-fourths of our proven reserve is in danger on account of the inability of the owners of these small wells to market their oil in competition with that produced from flowing wells.

Low-cost flowing oil can be brought to the surface and dumped on the market, thereby forcing the shut-down and abandonment of the small wells with higher production costs, with a resultant loss of employment, loss to the owners of the land, loss of revenue to the various units of government, and loss to the Nation of an irreplacable resource of enormous economic value.

The taxes paid by the oil industry in California to the Federal, State and local governments exceed $5,000,000 per month.

Regulation of crude oil production by governmental authority is necessary to prevent waste of our oil reserves. For several years we have had comparatively

successful regulation of oil production in this State by voluntary agreement within the industry. But this is not sufficient. We should cooperate with the other oil-producing States and the Federal Government in order to protect California's oil industry from the evils attendant upon excessive production and ruinous competition.

AGRICULTURE.

The last two years have shown some improvement in prices received by producers of California crops, but prices are still below a fair normal return for most of our agricultural products. Restoration of normal prices for such products would be reflected in the increased purchasing power of farmers, with a consequent speeding up of many other forms of industry.

Everything possible should be done by the Legislature and the State government to encourage producing farmers and to restore the normal income of this basic industry. Laws having a practical application to the farmers' problems should be enacted in aid of the more efficient and profitable production, transportation and marketing of crops.

At the same time there should be no impairment of the valuable and multitudinous services rendered to the farmer, the dairyman, and the horticulturist, such as quarantine service, pest control, the program for wiping out bovine tuberculosis, and other governmental activities administered in the farmers' interest.

It is recommended that the Senate and Assembly committees having as their special concern the problems and needs of the State's agriculture scrutinize Federal legislation enacted by Congress in aid of the farmer and base any additional or supplementary State laws on the Federal enactments.

This will assure cooperation between the National and State governments and enable California to benefit from any special advantages offered by the Federal farm program.

EXTENSION OF DEBT RELIEF LEGISLATION.

It is recommended that the temporary relief to taxpayers and certain classes of debtors afforded by the special legislative session last September be extended as a further measure of protection for those unable to meet their financial obligations at this time.

Conditions which prompted such relief measures have not improved to an extent that would justify suspension of such emergency enactments as those providing for the extension of periods of redemption, reduction of penalties, and postponement of times of sale, resale, and execution of deeds in respect to delinquent State, county and irrigation district taxes and assessments on real property.

Necessity also demands an extension of various emergency legislative acts adopted for the purpose of aiding other hard-pressed debtors, including a moratorium on defaults on contracts of purchase and on the foreclosure of mortgages and deeds of trust, and on the sale under power of sale contained in mortgages or deeds of trust executed upon real property.

The Legislature will have ample time to give these important problems such consideration and attention as may be requisite to the adoption of a more comprehensive plan for the relief of those individuals and groups in our citizenship requiring the solicitous and helpful care of the State government.

CALIFORNIA PACIFIC INTERNATIONAL EXPOSITION.

In keeping with the ability of the State of California to participate, it is recommended that the Legislature cooperate with and aid those in charge of the California Pacific International Exposition, which is scheduled to open in San Diego on May 29 of this year.

Sponsored by the civic and business leaders of the State, and actively supported by the enterprising citizens of San Diego, this nonprofit undertaking will seek to stimulate recovery in the west by attracting to its exhibits residents from all sections of the country and from abroad.

California joins with the people of San Diego in inviting a host of visitors to this exhibit of modern invention, art, and industry.

CONCLUSION.

This budget is offered with no pride of opinion concerning any item. Neither have I advanced my views on other subjects relating to the State government and the welfare of the people with any arbitrary thought or purpose. Our difficulties are great, and there is no simple or easy way to meet them. There may be better solutions of some of our fiscal and social problems than I have been able to present. But I have given to the task long and anxious days, and I feel that the budget recommendations are fair and practical, and, if approved, will enable the State government to carry on through the next biennium on a business basis.

In formulating the budget I have adhered to certain principles which seem to me not only sound, but in present circumstances, imperative. Severe economy must be practiced to the point where further economy would be injurious to the public inter-

est. But the necessary appropriations and expenditures should be balanced by income.

Taxes from new sources should be distributed so that all shall bear some portion of the burden, but those best able to pay should carry a greater portion of the load.

If you disagree with me respecting any revenue item, I shall be glad to discuss its merits with you, but if the Legislature should decide to eliminate or modify any revenue item, then the responsibility will be on you to provide an equal amount of revenue from another source or to eliminate an equal item of expense.

If you should add expense items, it will be necessary for the Legislature to provide the money wherewith they shall be met.

The task of solving these questions is yours as well as mine and I certainly claim no monopoly of knowledge or wisdom. In this spirit, and with this reminder of the restrictions imposed by the simple arithmetic of the situation I confide this budget to your consideration.

Submitted this twenty-second day of January, 1935.

FRANK F. MERRIAM, Governor of California.

ADJOURNMENT.

There being no further business, at ten o'clock p.m., the President of the Senate adjourned the Joint Convention sine die.

IN ASSEMBLY.

The Assembly reconvened at ten o'clock and five minutes p.m. Speaker Craig in the chair.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Desmond: Assembly Bill No. 620—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read first time, and referred to Committee on County Government.

By Mr. Johnson: Assembly Bill No. 621—An act to amend sections 2240 and 2255 of the Political Code, relating to the clothing, transportation, dental work, eye care, operations and hospitalization of pupils enrolled in the California School for the Deaf and the California School for the Blind.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Dawson: Assembly Bill No. 622—An act to amend sections 1.72 and 1.73–1 of the School Code, relating to the transportation of public school pupils.

Bill read first time, and referred to Committee on Education.

By Messrs. Lyon, Jones, Evans, Herbert J., Hunt, Hawkins, Martin, McBride, Cunningham, Waters, Redwine, and Boyle: Assembly Constitutional Amendment No. 31—Proposed amendment to Article XVI section 10 of the Constitution, relative to a resolution to propose to the people of the State of California that the Constitution of said State be amended by adding to Article XVI thereof a new section to be numbered 10, validating the act of the Legislature of the State of California providing for the issuance of bonds to the amount of $5,000,000 for the purpose of providing a fund to be used and disbursed for the purpose of the Pacific Exposition to be held in California.

Introduced, and referred to Committee on Constitutional Amendments.

By Messrs. Lyon, Jones, Evans, Herbert J., Hunt, Hawkins, Martin, McBride, Cunningham, Waters, Redwine, and Boyle: Assembly Constitutional Amendment No. 32—Proposed amendment to Article XI of the Constitution, relative to adding a resolution to propose to the people of the State of California that the Constitution of said State be amended by adding to Article XI thereof a new section to be numbered 8-b authorizing the city of Los Angeles to amend its charter in certain particulars.

Introduced, and referred to Committee on Constitutional Amendments.

By Messrs. Lyon, Jones, Evans, Herbert J., Hunt, Hawkins, Martin, McBride, Cunningham, Waters, Redwine, and Boyle: Assembly Constitutional Amendment No. 33—Proposed amendment to article of the Constitution, relative to amending Article XI by adding new section 18a authorizing not to exceed $5,000,000 bonds by Los Angeles County in furtherance of Pacific Exposition.

Introduced, and referred to Committee on Constitutional Amendments.

By Messrs. Lyon, Jones, Evans, Herbert J., Hunt, Hawkins, Martin, McBride, Cunningham, Waters, Redwine, and Boyle: Assembly Joint Resolution No. 22—Relative to requesting President and the Congress of the United States to invite the peoples of the world to participate in Pacific Exposition.

Introduced, and referred to Committee on Federal Relations.

By Messrs. Lyon, Jones, Evans, Herbert J., Hunt, Hawkins, Martin, McBride, Cunningham, Waters, Redwine, and Boyle: Assembly Joint Resolution No. 23—Relative to requesting western States to unite with California in exposition project.

Introduced, and referred to Committee on Federal Relations.

By Mr. Riley: Assembly Joint Resolution No. 24—Relative to uniform taxation of petroleum producing property.

Introduced, and referred to Committee on Federal Relations.

By Mr. Evans, Ralph W.: Assembly Concurrent Resolution No. 18—Relative to approving the charter of the city of Redondo Beach, California, which was submitted to the qualified voters of said city and voted for and ratified by them at an election held on the twenty-fourth day of September, 1934.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Evans, Ralph W., asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 18, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER EIGHTEEN.

Assembly Concurrent Resolution No. 18—Relative to approving the charter of the city of Redondo Beach, California, which was submitted

to the qualified voters of said city and voted for and ratified by them at an election held on the twenty-fourth day of September, 1934.

Mr. Evans, Ralph W., moved the adoption of Assembly Concurrent Resolution No. 18.

Assembly Concurrent Resolution No. 18 read.

The question being on the adoption of Assembly Concurrent Resolution No. 18.

The roll was called, and Assembly Concurrent Resolution No. 18 was adopted by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Wallace, Waters, Welsh, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 18 ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 18—Relative to approving the charter of the city of Redondo Beach, California, which was submitted to the qualified voters of said city and voted for and ratified by them at an election held on the twenty-fourth day of September, 1934.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 75—An act in relation to and regulating the commencement and continuation of proceedings to enforce or foreclose the lien of special assessment bonds issued for public improvements, and declaring the urgency hereof, and providing that it shall take effect immediately, and reports that the same has been correctly engrossed.

WATERS, Chairman.

THIRD READING OF ASSEMBLY BILL NUMBER SEVENTY-FIVE.

Assembly Bill No. 75—An act in relation to and regulating the commencement and continuation of proceedings to enforce or foreclose the lien of special assessment bonds issued for public improvements and declaring the urgency hereof, and providing that it shall take effect immediately.

FLOOR AMENDMENT.

During third reading of the bill, the following amendment was submitted by Mr. Lyon:

AMENDMENT NUMBER ONE.

On page 2, between lines 18 and 19, of the printed bill, as amended, insert the following:

"Sec. 4a. Anything to the contrary in any other statute notwithstanding, the officer charged with the duty of receiving payment on account of such bond is, until the date mentioned in section 1 hereof, authorized to accept the payment of any interest and penalties for delinquencies in the payment thereof, and such bond without the payment of any installment or principal due or past due on such bond; provided that he has not received notice pursuant to any statute that an action or proceeding has been commenced to enforce the lien of such bond."

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 75, at this time, without reference to printer or file.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Lyon:

Resolved, That Assembly Bill No. 75 presents a case of urgency as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Mr. Lyon moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Wallace, Waters, Welsh, Wright, and Mr. Speaker—69.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 75.

THIRD READING OF ASSEMBLY BILL NUMBER SEVENTY-FIVE.

Assembly Bill No. 75—An act in relation to and regulating the commencement and continuation of proceedings to enforce or foreclose the lien of special assessment bonds issued for public improvements, and declaring the urgency hereof, and providing that it shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 75 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Wallace, Waters, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Martin: Assembly Bill No. 623—An act to amend section 2653 of the Political Code, relating to road district tax rates.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Boyle: Assembly Bill No. 624—An act to amend section 61 of the Bank Act, making flood control bonds legal for savings bank investments.

Bill read first time, and referred to Committee on Banking.

ADJOURNMENT.

At ten o'clock and forty minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Wednesday, January 23, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, January 23, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Wright, and Mr. Speaker—71.

Quorum present.

PRAYER.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Evans, Herbert J., its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. Chatters, Mr. Eicke was granted leave of absence for this day.

On motion of Mr. Crowley, Mr. Frazier was granted leave of absence for this day.

On motion of Mr. Turner, the following members of the Assembly Building and Loan Investigating Committee: Messrs. Peterson, Utt, Welsh, Dawson, and McBride, were granted leave of absence for the day on account of official business for the Assembly.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Cassidy, Rev. P. J. Kennedy of Oakland was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Maloney, Mr. and Mrs. Chas. Read, Vice President California State Federation of Labor, Secretary-Treasurer and Business Manager, Local 70, Brotherhood Teamsters of Ala-

meda, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Heisinger, Mr. A. M Drew, former member of the Assembly, 1908-1911, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Jones, Mr. Cecil King, former Assemblyman, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Wagner, Mr. Robert C. Wagner, publisher of Assembly Record, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. DeLap, Mr. and Mrs. R. R. Veale, Mrs. Bartlett, Mrs. Victor Henney, Miss Andre Henney, and Miss Beverly Wright were extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From A. S. Dudley, relative to resolution adopted by the Assembly relative to Inaugural Ball.

By Mr. Speaker:

From Mountain View, California, Townsend Club, relative to the Townsend Plan.

ASSISTANT CLERK COOLIDGE READING.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1935.

Mr. Speaker: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 14—Relative to memorializing the Public Works Administration to approve the application of the Los Angeles County Flood Control District for a grant of $4,150,000 to be used for the immediate construction of twelve debris basins in the La Crescenta, La Canada, Verdugo Wash and Haines Canyon Districts, the same being commonly known as the La Crescenta, La Canada, Verdugo Wash and Haines Canyon Project, in the County of Los Angeles, California;

Also: Assembly Joint Resolution No. 15—Relative to retirement of Federal Employes who have been in the service from 15 to 30 years or more and restoration of pay of said employes as of January 1, 1935;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported resolutions ordered on file for adoption.

SPECIAL ORDER SET.

On motion of Mr. Peyser, the consideration of Assembly Bill No. 208 was made a special order for this day, at eleven o'clock a.m.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker announced the appointment of the following members of the Assembly: Messrs. Patterson (Chairman), Phillips, Wright, Mayo, and Scudder, to carry out the provisions of the resolution introduced by Mr. Patterson, and adopted by the Assembly.

MOTION TO APPROVE JOURNALS

Mr Lyon moved that Assembly Journals of Monday, January 14, 1935; Tuesday, January 15, 1935; Wednesday, January 16, 1935;

Thursday, January 17, 1935, and Friday, January 18, 1935, be approved as corrected by the Minute Clerk.

Motion carried.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. McBride: Assembly Bill No. 625—An act to amend section 782 of the Fish and Game Code, relating to lobsters.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. McBride: Assembly Bill No. 626—An act to amend sections 86 and 87 of the Fish and Game Code, relating to fish and game districts.

Bill read first time, and referred to Committee on Fish and Game.

By Messrs. Cottrell, Williamson, Cunningham, Wallace, Cronin, Brennan, Redwine, Waters, and Clark: Assembly Bill No. 627—An act to provide for the retirement with retirement allowance, of justices of the Supreme Court and of the District Courts of Appeal, and of judges of the superior courts in counties in which the provisions of section 26 of Article VI of the Constitution shall be adopted as applicable to such judge or judges.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Garibaldi: Assembly Bill No. 628—An act to repeal section 113 of the California Irrigation District Act, relating to actions or proceedings against an irrigation district or board of directors thereof, brought by the holders of bonds of the district.

Bill read first time, and referred to Committee on Irrigation.

By Messrs. Garibaldi and Chatters: Assembly Bill No. 629—An act to amend the California Districts Securities Commission Act by amending section 11 thereof, relating to the levy of annual assessments by irrigation districts, and declaring the urgency thereof.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Stream: Assembly Bill No. 630—An act to amend sections 71, 72, 73, 104, 135, 136, 160, and 194, to add sections 101.5, 104.5, 136.5, and 233 to, to add a new article, to be numbered 4, to Chapter 4 of Division I, to add a new chapter, to be numbered 5, to Division I, and to repeal sections 74, 112, and 134, of the Streets and Highways Code, relating to public ways.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Stream (by request): Assembly Bill No. 631—An act to amend section 3897 and to repeal section 3898 of the Political Code, relating to the sale of lands deeded to the State for delinquent taxes.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

By Mr. Stream (by request): Assembly Bill No. 632—An act to amend sections 11 and 12 of Chapter 247, Statutes of 1913, entitled "An act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water

works, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an act entitled 'An act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby,' approved March 21, 1905," approved June 6, 1913, relating to redemption of property sold for delinquent assessments, declaring the urgency of this act and providing that it shall take effect immediately.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Stream (by request): Assembly Bill No. 633—An act to add section 3897½ to the Political Code, relating to the sale and deeding of lands deeded to the State for delinquent taxes.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

By Mr. Stream (by request): Assembly Bill No. 634—An act to repeal section 3774 of the Political Code, relating to the holding, leasing and sale of lands to which the State or any political subdivision or agency of the State holds title through sale and deed on account of delinquent taxes and assessments.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

By Mr. Stream (by request): Assembly Bill No. 635—An act to amend section 3787 of the Political Code, relating to certain deeds to the State.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

By Mr. Hawkins: Assembly Bill No. 636—An act to add section 5.129 to the School Code, relating to exemptions from teacher's examinations.

Bill read first time, and referred to Committee on Education.

By Mr. Hawkins: Assembly Bill No. 637—An act to add section 21a to the Juvenile Court Law, relating to the prevention of juvenile delinquency through public councils or committees.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Welsh: Assembly Bill No. 638—An act to amend sections 997, 1009, 1116, 1117, 1166, 1188, 1262, 1297, 1302, 1371, and 1384 of the Penal Code, relating to refund of money deposited in lieu of bail, and to repeal conflicting acts and parts of acts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Breed: Assembly Bill No. 639—An act to amend section 69 of the Civil Code, relating to applications for and issuance of licenses to marry.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Fisher, Donihue, Cassidy, Wagner, Breed, Meehan, and Johnson: Assembly Bill No. 640—An act establishing and classifying an additional State highway in Alameda County.

Bill read first time, and referred to Committee on Roads and Highways.

By Messrs. Fisher, Donihue, Cassidy, Johnson, Wagner, Breed, and Meehan: Assembly Bill No. 641—An act to add a new section to be numbered 611, to an act entitled "An act to establish a Streets and Highways Code, thereby consolidating and revising the law relating to public ways and all appurtenances thereto, and to repeal certain acts and parts of acts specified herein."

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Voigt (by request): Assembly Bill No. 642—An act to provide for the formation of districts within municipalities for the acquisition, construction or extension of water works, water systems or water distribution systems; for the issuance, sale and payment of bonds of such districts to meet the cost of such water works, water systems or water distribution systems; and for the acquisition, construction or extension of such water works, water systems or water distribution systems.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Evans, Herbert J.: Assembly Bill No. 643—An act to amend section 320 of the Civil Code, relating to elections of corporation directors.

Bill read first time, and referred to Committee on Corporations.

By Mr. Hunt: Assembly Bill No. 644—An act to prohibit the use of less than two men upon street cars and busses operated in this State.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Fisher: Assembly Bill No. 645—An act to amend section 403c of the Civil Code, relating to corporations.

Bill read first time, and referred to Committee on Corporations.

By Mr. Lore: Assembly Bill No. 646—An act to amend section 13 of the Motor Vehicle Fuel License Tax Act, relating to expenditures of money allocated to counties and cities and counties.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Martin: Assembly Bill No. 647—An act to amend section 1269a of the Civil Code, relating to exchange of homestead property when one spouse is incompetent.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin: Assembly Bill No. 648—An act to amend section 694 of the Fish and Game Code, relating to striped bass.

Bill read first time, and referred to Committee on Fish and Game.

By Messrs. Jones and Hunt: Assembly Bill No. 649—An act to repeal section 536 of the Civil Code.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Jones and Hunt: Assembly Bill No. 650—An act to amend the title of and section 8 of an act entitled "An act regulating the making of openings or the placing of structures or the change or renewal of any structure and the planting or removal of trees or shrubs or the placing of obstructions in or on State roads and highways; providing for the issuance of permits by the State Department of Public Works relative thereto, and for the laying or placing pipes, conduits, sewers, poles, wires, railways, obstructions and other objects, and for the planting, trimming or removal of trees or shrubs in or on State roads and highways; providing for the requirement of bonds from applicants before the issuance of such permits; and prescribing the penalty for violations of the provisions of this act," approved April 23, 1915, as amended, to provide for the relative rights of the State and cities, cities and counties, and counties in respect to franchises granted in highways subsequently declared to be State highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Messrs. Jones and Hunt: Assembly Bill No. 651—An act to amend an act entitled "An act providing for the sale of street railroad and other franchises in counties and municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting acts," approved March 22, 1905, as amended, by amending sections 1 and 3 of said act to confine the application of said act to public utilities, and to require annual payments thereunder to counties and municipalities for the first five years of the term of the franchise as well as the succeeding years thereof, and to provide penalties for delinquencies in such payments, and by adding two new sections to said act to be known as sections 3a and 4a providing a method of computing such annual payments.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Jones: Assembly Bill No. 652—An act to add section 11b to the Motor Vehicle Fuel License Tax Act, relating to fuel used in unemployment cooperative relief work.

Bill read first time, and referred to Committee on Unemployment.

By Mr. Jones: Assembly Bill No. 653—An act to amend section 1 of an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, relating to county relief of indigents, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Minard: Assembly Bill No. 654—An act to amend section 1502 of the Probate Code of the State of California, relating to the guardianship of estates.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Stream: Assembly Bill No. 655—An act to amend section 15b of the California Irrigation District Act, relating to the duties and powers of boards of directors.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Chatters: Assembly Bill No. 656—An act to validate bonds, including refunding bonds, of irrigation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Minard: Assembly Bill No. 657—An act to amend sections 41c and 42 of the California Irrigation District Act, relating to the payment of irrigation district assessments.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Patterson: Assembly Bill No. 658—An act to amend sections 45 and 47 of the California Irrigation District Act and to repeal section 46 of said act, all relating to certificates of sale and redemption therefrom, and the issuance of deeds.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Stream (by request): Assembly Bill No. 659—An act to amend section 76a of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property within municipalities, and upon property and rights of way owned by municipalities, or of which a municipality has possession and the rights of way under the provisions of section 14 of Article I of the Constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and provide for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, relating to the foreclosure of bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Stream: Assembly Bill No. 660—An act authorizing public and private corporations of and in the State of California to make applications for the right to establish, operate and maintain, and to establish, operate and maintain foreign trade zones in or adjacent to ports of entry in this State.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Latham: Assembly Bill No. 661—An act to amend section 4.360 of the School Code, relating to school district budgets.

Bill read first time, and referred to Committee on Education.

By Mr. Latham: Assembly Bill No. 662—An act to provide for the refunding of bonds issued under the "Improvement Bond Act of 1915" and for the extension of liens and assessments and the collection and enforcement of such assessments and the payment of said bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Latham: Assembly Bill No. 663—An act to amend an act entitled "An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from special

assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments, reassessments, to provide for the proceedings to test the validity of such refunding and reassessment, and to provide for contributions of public funds to assist in such refunding," approved June 5, 1933, by amending section 15 thereof, relating to the issuance of refunding bonds, and declaring the urgency of said act.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Latham: Assembly Bill No. 664—An act amending "An act in relation to relief from special assessments and in relation to financial relief therefrom, and of taxing districts, as defined in Chapter IX of the act of Congress entitled 'An act to establish a uniform system of bankruptcy throughout the United States,' approved July 1, 1898, as amended, validating petitions and proceedings under or in contemplation of proceedings under, said Chapter IX, and authorizing contribution by cities and counties toward the payment of such assessments, and declaring the urgency thereof, to take effect immediately," and declaring the urgency thereof, to take effect immediately.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Latham: Assembly Bill No. 665—An act to amend an act entitled "An act authorizing the common council, board of trustees, or other governing body of any incorporated city or town other than cities of the first class to refund its indebtedness, to issue bonds therefor, and to provide for the payment of the same," approved March 9, 1897, by amending section 1 thereof relating to refunding bonds and to the use of Federal courts in municipal bankruptcy or refunding proceedings.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Latham: Assembly Bill No. 666—An act to authorize low cost housing projects organized under the Limited Dividend Housing Corporations Act to comply with and take advantage of the National Housing Act, and amending the Limited Dividend Housing Corporations Act.

Bill read first time, and referred to Committee on Building and Construction.

By Mr. Latham: Assembly Bill No. 667—An act to provide for the refunding of bonds issued under an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition or construction of such improvements," approved April 20, 1915, and bonds issued under the

Municipal Improvement District Act of 1927, and providing procedure therefor.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Latham: Assembly Bill No. 668—An act to provide for the refunding of the bonded indebtedness of special improvement districts, the bonds of which are payable from special assessments levied wholly or partly in accordance with the assessed value of lands and for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts and the cancellation of unpaid taxes and assessments of such districts, and for the levy of assessments and reassessments to pay such refunding bonds and to enforce the liens of such assessments and reassessments, and to provide for contributions of public funds to assist in such refunding or the payment of refunding bonds, and for proceedings to test the validity of such refunding and assessment or reassessment proceedings and the use of the bankrupt laws of the United States of America in any refunding.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Mayo: Assembly Bill No. 669—An act to add section 3817½ to the Political Code, relating to taxation.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Crowley, Nielsen, Scudder, Redwine, Cronin, Peyser, and Desmond: Assembly Bill No. 670—An act to establish a board to be known as the Rector Dam Authority; to prescribe its duties, powers, functions and jurisdiction; to authorize the authority to construct a dam in Rector Canyon to impound the waters of Rector Creek and to sell and distribute said waters; to authorize the authority to issue and sell revenue bonds to provide funds for the acquisition and construction of said dam and to provide for the redemption thereof from the revenues received from the sale and distribution of such waters; authorizing the Department of Public Works of the State of California to operate and maintain such dam and all property appurtenant thereto; authorizing the board to acquire and hold real property necessary for its purposes, and to enter into agreements with State, Federal, and local officers and agencies, and political subdivisions, municipalities, and public districts.

Bill read first time, and referred to Committee on Conservation.

By Mr. Lyon: Assembly Bill No. 671—An act relating to the redemption of property sold to cities for delinquent taxes and assessments, and declaring the urgency thereof.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Reaves: Assembly Bill No. 672—An act to amend sections 89 and 90 of the Fish and Game Code, relating to fish and game districts.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Turner: Assembly Bill No. 673—An act to add section 1681 to the Insurance Code, relating to insurance of property in which an agent, broker or solicitor has an interest.

Bill read first time, and referred to Committee on Insurance.

By Mr. Cronin: Assembly Concurrent Resolution No. 19—Relative to a legislative investigation as to the advisability of establishing a State prison in the southern counties of the State of California.

Introduced, and referred to Committee on Prisons and Reformatories.

THIRD READING OF ASSEMBLY BILLS.

Assembly Joint Resolution No. 7—Relative to memorializing the President and Congress to favorably consider and submit to the States an amendment to the Constitution enabling Congress to grant Federal suffrage to residents of the District of Columbia.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER SEVEN.

Assembly Joint Resolution No. 7—Relative to memorializing the President and Congress to favorably consider and submit to the States an amendment to the Constitution enabling Congress to grant Federal suffrage to residents of the District of Columbia.

Assembly Joint Resolution No. 7 read.

Mr. Latham moved the adoption of Assembly Joint Resolution No. 7.

The question being on the adoption of Assembly Joint Resolution No. 7.

The roll was called, and Assembly Joint Resolution No. 7 adopted by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Reaves, Richie, Riley, Scudder, Stream, Thorp, Turner, Wagner, Walker, Waters, Welsh, Wright, and Mr. Speaker—57.

NOES—Robertson—1.

Title read and approved.

Assembly Joint Resolution No. 7 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 7.

Relative to memorializing the President and Congress to favorably consider and submit to the States an amendment to the Constitution enabling Congress to grant Federal suffrage to residents of the District of Columbia.

WHEREAS, The District of Columbia with its half million people, is the only community in the United States which is denied representation in the National government;

WHEREAS, The men and women residing in the District of Columbia have no voice in determining through a vote for President, Vice President, and spokesmen in Congress the policies of the Nation in which they live, either in war or in peace;

WHEREAS, The District of Columbia taxpayers must pay what they are assessed without opportunity to determine the nature of their taxes or the purposes for which the money is spent;

WHEREAS, It is a fundamental principle of our Republic that governments derive their just powers from the consent of the governed; be it therefore

Resolved, by the Assembly and the Senate of California, jointly, That the President and the Congress of the United States is hereby respectfully urged to set in motion the machinery for correcting this present un-American condition of the residents of the District of Columbia by submitting to the States for ratification the constitutional amendment enabling Congress to make it possible for residents of the District of Columbia to vote for President, Vice President, and Representatives of Congress; and be it further

Resolved, That the Governor of the State of California is hereby requested to transmit copies of this resolution to the President and Vice President of the United

States, to the Speaker of the House of Representatives, and to each Senator and member of the House of Representatives from California in the Congress of the United States, and that such Senators and members from California are hereby respectfully urged to support such legislation.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER TEN.

Assembly Joint Resolution No. 10—Relative to memorializing the Public Works Administration to approve the application of the Los Angeles County Flood Control District for a grant of $5,882,000 to be used for the immediate construction and permanent improvement of the flood channel of Ballona Creek between Vineyard Station on the Pacific Electric Railway and the ocean, the same being commonly known as the Ballona Creek Project at Culver City, Del Rey, and Venice Bay districts, Los Angeles County, California.

Assembly Joint Resolution No. 10 read.

Mr. Voigt moved the adoption of Assembly Joint Resolution No. 10.

The question being on the adoption of Assembly Joint Resolution No. 10.

The roll was called, and Assembly Joint Resolution No. 10 adopted by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donihue, Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Wright, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 10 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 10.

Relative to memorializing the Public Works Administration to approve the application of the Los Angeles County Flood Control District for a grant of $5,882,000 to be used for the immediate construction and permanent improvement of the flood channel of Ballona Creek between Vineyard Station on the Pacific Electric Railway and the ocean, the same being commonly known as the Ballona Creek Project at Culver City, Del Rey and Venice Bay districts, Los Angeles County, California.

WHEREAS, There are within the State of California a number of important projects which remain incompleted, because of lack of sufficient funds without the aid of Federal funds; and

WHEREAS, The construction of the Ballona Creek Project is one of the important projects which remains incompleted, because of lack of sufficient funds without the aid of Federal funds; and

WHEREAS, The Culver City, Del Rey and Venice Bay districts are practically flooded out each year by the annual torrential rainfalls, because of the lack of construction of the Ballona Creek Project; and

WHEREAS, Since the annexation of the Del Rey and Venice Bay districts to the city of Los Angeles, approximately eleven more inlets have been added to those districts but no outlets for same have been provided for; and

WHEREAS, Outlets are vitally necessary and should be immediately provided for; and

WHEREAS, An acute condition of unemployment now exists, and the immediate commencement of construction of the Ballona Creek Project will give employment to a large number of unemployed citizens, and

WHEREAS, The Legislature of the State of California do hereby endorse the application of the Los Angeles Flood Control District to the Public Works Administration for a grant of $5,882,000 for the construction of the Ballona Creek Project; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Public Works Administration be and the same is hereby respectfully urged to approve the application of the Los Angeles County Flood Control District for a

grant of $5,882,000 to be used for the immediate construction and permanent improvement of the flood channel of Ballona Creek between Vineyard Station on the Pacific Electric Railway and the ocean, the same being commonly known as the Ballona Creek Project at Culver City, Del Rey and Venice Bay districts, Los Angeles County, California; and be it further

Resolved, That the Governor of the State of California is hereby requested to transmit copies of this resolution to the Federal Administrator of the Public Works Administration.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER TWO.

Assembly Joint Resolution No. 2—Relating to memorializing Congress to continue the Home Owners' Loan Corporation in existence.

Assembly Joint Resolution No. 2 read.

Mr. Stream moved the adoption of Assembly Joint Resolution No. 2.

The question being on the adoption of Assembly Joint Resolution No. 2.

The roll was called, and Assembly Joint Resolution No. 2 adopted by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donihue, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Wright, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 2 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 2.

Relating to memorializing Congress to continue the Home Owners' Loan Corporation in existence.

WHEREAS, The Home Owners' Loan Corporation has aided financially distressed home owners in refinancing and reconditioning their homes; and

WHEREAS, The moneys heretofore granted to home owners, for reconditioning has furnished work to thousands, and aided manufacturers and industry as a whole, and dropped thousands from relief lists; and

WHEREAS, There are still home owners laboring under the burden of a first and second mortgage, which are being amortized at a rate of interest too great for their present income; and

WHEREAS, The continuance of the work of the Home Owners' Loan Corporation will relieve further financial distress, achieve its chief purpose, promote employment through encouragement of reconstruction, and that the economic welfare and stability of our Nation will be aided; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the President and the Congress of the United States be urged to continue the work of the Home Owners' Loan Corporation, by proper legislation, with liberal provisions to that end, and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and member of the House of Representatives from California in the Congress of the United States, and that such Senators and members from California be urged to support such legislation.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1935.

MR. SPEAKER: Your Committee on Rules, to which was referred Senate Concurrent Resolution No. 9—Relative to the adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

WALLACE, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Wallace asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 9, at this time, without reference to file, and that same be considered engrossed.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER NINE.

Senate Concurrent Resolution No. 9—Relative to the adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling.

Senate Concurrent Resolution No. 9 read.

Mr. Wallace moved the adoption of Senate Concurrent Resolution No. 9.

The question being on the adoption of Senate Concurrent Resolution No. 9.

The roll was called, and Senate Concurrent Resolution No. 9 adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Wright, and Mr. Speaker—63.

NOES—Evans, Ralph W.—1.

Title read and approved.

Senate Concurrent Resolution No. 9 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 9.

Relative to the adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling.

WHEREAS, Section 2 of Article IV of the Constitution of the State of California requires that, after the Legislature has been in session for a period not exceeding 30 days a recess must be taken by both houses for a period of not less than 30 days; therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the fifty-first session of the Legislature of the State of California shall adjourn for said recess at three o'clock p.m. on January 26, 1935, and shall reassemble at eleven o'clock a.m. on March 4, 1935.

SPECIAL ORDER.

The hour of eleven o'clock a.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY BILL NUMBER TWO HUNDRED EIGHT.

Assembly Bill No. 208—An act to prohibit until January 1, 1937, sales under certain chattel mortgages for default in the payment of the principal sum, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale made in violation of the act, to prescribe the time within which an action to avoid such a sale may be brought, and to declare the urgency thereof, and to provide that this act take effect immediately.

Bill read.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Voigt, Wagner, Walker, Wallace, Waters, Wright, and Mr. Speaker—69.
NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER TWO HUNDRED EIGHT.

Assembly Bill No. 208—An act to prohibit until January 1, 1937, sales under certain chattel mortgages for default in the payment of the principal sum, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale made in violation of the act, to prescribe the time within which an action to avoid such a sale may be brought, and to declare the urgency thereof, and to provide that this act take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 208 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Voigt, Wagner, Walker, Wallace, Waters, Wright, and Mr. Speaker—69.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Lyon: Assembly Bill No. 674—An act prescribing the terms upon which certificates of registration of inspectors and/or sanitary officers as "registered sanitarians" shall be issued; prescribing a course and minimum amount of schooling or training to be possessed by applicants therefor after one (1) year from date of approval of this act; authorizing the State Board of Public Health to certify approved schools, conduct examinations and issue "registered sanitarian" certificates; prescribing the powers and duties of the State board; prescribing conditions under which the title "registered sanitarian" or the placing of the initials "R. S." may be used after the names of the certificate holders; providing penalties for violations hereof; and grounds for the suspension, cancellation, denial or revocation of such certificates of registration.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Hornblower: Assembly Bill No. 675—An act to repeal sections 10 and 1420 of, and to add a new section to be numbered 10 to, the Fish and Game Code, relating to the Fish and Game Commission.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Anderson: Assembly Bill No. 676—An act relating to inspection by citizens of this State of books, records and minutes of corporations receiving appropriations from the State of California or any political subdivision thereof.

Bill read first time, and referred to Committee on Corporations.

By Mr. Nielsen: Assembly Bill No. 677—An act to add section 495 of the Fish and Game Code, relating to the taking of fish.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Nielsen: Assembly Bill No. 678—An act to amend section 1203.6 of the Fish and Game Code, relating to pheasants.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Nielsen: Assembly Bill No. 679—An act to repeal section 363n, of the Political Code, relating to State contracts for architectural services.

Bill read first time, and referred to Committee on Building and Construction.

By Mr. Patterson: Assembly Bill No. 680—An act to prohibit the use of less than two men upon street cars and buses operated in this State.

Bill read first time, and referred to Committee on Public Utilities.

By Messrs. Patterson and Geyer: Assembly Bill No. 681—An act to add a new section to the Civil Code to be numbered 2981, relating to conditional sales, conditional sales contracts and the recovery of property thereunder.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Patterson: Assembly Bill No. 682—An act to provide for a Legislative Executive Advisory Committee and the creation of a secretariat therefor, prescribing the powers and duties of such advisory committee and its secretariat, and making an appropriation for the support thereof.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Messrs. Hornblower, Brennan, Dawson, Cronin, Gilmore, McMurray, Peyser, and Williamson: Assembly Bill No. 683—An act extending Skyline Boulevard easterly along the Santa Clara-Santa Cruz County line to a junction with Hecker Highway at or near the summit, and declaring such extension to be a State highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Messrs. Latham and Wright: Assembly Bill No. 684—An act to amend sections 1273 and 1274 of the Fish and Game Code, relating to deer.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Cronin: Assembly Bill No. 685—An act to amend section 30 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, relating to liability for workmen's compensation.

Bill read first time, and referred to Committee on Insurance.

By Messrs. Cronin and Peyser: Assembly Bill No. 686—An act to amend an act entitled "An act to protect the natural resources of water, petroleum and gas from damage, waste and destruction; relating to the creation of a division in the Department of Natural Resources for the prevention of such damage, waste and destruction; providing for the appointment of a State Oil and Gas Supervisor, prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purpose of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; providing for bonds required of drillers of oil and gas wells; and making an appropriation for the purpose of this act, approved June 10, 1915, as amended, by adding thereto section 18a, relating to slanting wells.

Bill read first time, and referred to Committee on Conservation.

By Mr. Peyser: Assembly Bill No. 687—An act relating to fire insurance business, providing for the filing of rating schedules, the establishment of public rating bureaus, defining their powers and method of conducting their business, providing for the supervision of the Insurance Commissioner over such rating bureaus and rating schedules, prohibiting deviation from such rating schedules and providing a penalty therefor.

Bill read first time, and referred to Committee on Insurance.

MOTION TO PRINT.

Mr. Redwine moved that the Chief Clerk instruct the State Printer to print 500 extra copies of the following: Assembly Bills Nos. 2, 3, 4, 20, 41, 42, 56, 90, 105 to 110, inclusive, Assembly Constitutional Amendment No. 13, and Assembly Constitutional Amendment No. 14.

Mr. Phillips amended the motion to read 1000 copies of each of said bills.

Motion carried.

MOTION.

Mr. Phillips moved that the final paragraph of the resolution which appears at the top of page 37 in the Assembly Journal of Tuesday, January 22, be stricken out and that the following be inserted in place of it:

Be it further

Resolved, That the sum of five thousand five hundred dollars, or such part of it as may be necessary, be taken from the contingent fund of the Assembly by a warrant payable to Frank Killam.

Resolution read.

Mr. Phillips moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover,

Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Lore, Lyon, Maloney, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—61.

NOES—None.

RESOLUTION.

The following resolution was offered:

By Mr. Brennan:

ASSEMBLY RESOLUTION.

Relative to appointing an Assembly Investigation Committee to investigate the present status, conditions, and mode of operation of the State Bar of California.

WHEREAS, The present status, conditions and mode of operation of the State Bar of California have been a subject matter of considerable comment; and

WHEREAS, It appears that there is a great deal of dissatisfaction existent in regard to the functioning and handling of the various committee investigations and activities of the State Bar of California, and

WHEREAS, There have been numerous complaints made that the governing body of the State Bar of California has, in numerous instances, exceeded the bounds of its authority and jurisdiction, and appears to have shown favoritism in its election of various committees for hearings and various other purposes; and

WHEREAS, There is an urgent need of comprehensive study and investigation of the existent conditions in regard to the State Bar of California in order that necessary remedial action may be taken, appropriate legislation recommended correcting the same, and a report made concerning its receipts and expenditures of money; now, therefore, be it

Resolved by the Assembly, That there is hereby created an Assembly Investigation Committee to consist of five members of the Assembly, to be appointed by the Speaker of the Assembly; and, be it further

Resolved, That it shall be the duty of said Assembly Investigation Committee to investigate and make a thorough study of any and all matters relating to the present status, financial condition, and mode of conduct of the State Bar of California, in order that the committee may recommend to the Legislature such legislation as it may deem appropriate, necessary and proper as a result of its investigation and study; and, be it further

Resolved, That the committee is hereby authorized to hold public hearings at any place in the State of California; and, be it further

Resolved, That the committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters herein referred to, and is hereby authorized and empowered to require the production of books, agreements, documents and papers of every kind; to issue subpenas and to compel the attendance of witnesses, and the production of testimony. Each of the members of said committee is hereby authorized to administer oaths, and all of the provisions of Article VIII of Chapter II, Title I, Part III of the Political Code, relative to the attendance and assembly of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution and to any subcommittee of one or more members of said Assembly Investigation Committee. The committee is authorized to sit during the constitutional recess of the Legislature, and to report back to the Assembly its recommendations at the reconvening thereof; and, be it further

Resolved, That the sum of $250 or so much thereof as may be necessary, is hereby set apart, reserved and appropriated out of the contingent fund of the Assembly which may have been heretofore or may hereafter be appropriated for the contingent expenses of the Assembly at this session of the Legislature, for the purpose of paying the expenses incurred by the Assembly Investigation Committee hereby created and for the purposes herein set forth, such payments to be disbursed from time to time by Controller's warrants to be drawn against such contingent fund upon the written orders of the Chairman of said Assembly Investigation Committee, and the State Treasurer is hereby authorized and directed to pay the same.

AMENDMENT.

The following amendment to Mr. Brennan's resolution was offered:

By Mr. Hornblower:

AMENDMENT NUMBER ONE.

On page 3 of the resolution, strike out last paragraph of the resolution.

Amendment read and adopted.

Resolution read, as amended.

Mr. Brennan moved the adoption of the resolution, as amended.

The question being on the adoption of the resolution, as amended.

The roll was called, and the resolution, as amended, adopted by the following vote:

AYES—Anderson, Brennan, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Wallace, Waters, and Mr. Speaker—56.

NOES—Breed, Cottrell, DeLap, Fisher, Johnson, Latham, Miller, Minard, Scudder, Walker, and Wright—11.

MOTION TO RE-REFER.

Mr. Lyon moved that Assembly Bills Nos. 386 and 387 be withdrawn from Committee on Insurance, and be re-referred to Committee on Financial Institutions.

The question being on re-referring Assembly Bills Nos. 386 and 387 to the Committee on Financial Institutions.

Assembly Bills Nos. 386 and 387 referred to Committee on Financial Institutions.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Gilmore: Assembly Bill No. 688—An act to establish civil service in cities of the fifth and sixth classes.

Bill read first time, and referred to Committee on Civil Service.

By Mr. Gilmore (by request): Assembly Bill No. 689—An act to amend section 453e of the Civil Code, relating to corporations formed to carry on the business of mutual insurance upon the assessment plan.

Bill read first time, and referred to Committee on Insurance.

By Mr. Gilmore (by request): Assembly Bill No. 690—An act to define life and accident and health insurance on the assessment plan and to provide for the formation of corporations to conduct life and accident and health insurance on the assessment plan, for the government thereof, and for the licensing and regulation of their agents.

Bill read first time, and referred to Committee on Insurance.

By Mr. Gilmore (by request): Assembly Bill No. 691—An act to amend section 1 of the act entitled "An act to provide for a notice to be printed on the cover of the policies of all insurance companies, associations or societies, relating to future assessments," approved June 6, 1913.

Bill read first time, and referred to Committee on Insurance.

By Mr. Gilmore (by request): Assembly Bill No. 692—An act to amend section 1 of an act entitled "An act providing that any domestic society, organization or company, providing life insurance for its members or their beneficiaries upon the assessment plan, including any domestic fraternal benefit society organized or operating under the act entitled 'An act for the regulation and control of fraternal benefit societies,' approved May 1, 1911, as amended, may change into a corporation to transact a life insurance business as a legal reserve or level premium company, not affecting existing suits, rights or contracts, for the protection of which business may be transacted of the kind transacted before reorganization, and for the protection of which a fund is

to be created under conditions set forth herein," approved May 22, 1919.

Bill read first time, and referred to Committee on Insurance.

By Mr. Gilmore (by request): Assembly Bill No. 693—An act to amend Chapters 4 and 6 of Division I, Part IV, Title II, of the Civil Code for the following purposes: 1. To prevent the formation or licensing of any new associations or corporations under these chapters. 2. To subject associations or corporations formed under these chapters to the provisions of the general laws relative to insurance companies or corporations in so far as they are not in direct conflict with these chapters. 3. To require that any such association or corporation as shall promise any benefit not limited to the proceeds of one assessment or shall provide for the collection of stipulated premiums on definite dates shall hold such reserves as are found necessary to carry out the promises made. 4. To require separation of expense and benefit funds and prevent the use for expenses of funds collected to pay benefits. 5. To provide a reasonable standard of solvency, for the manner of liquidation of insolvent associations and corporations and for relative rights of officers and directors and other creditors. 6. To require such associations or corporations when denying liability for any claim on the ground of misrepresentation to show affirmatively that the agent taking the application had no knowledge of such misrepresentation. 7. To make failure to hold reserves called for by this act a cause for restraining such an association or corporation from doing business.

Bill read first time, and referred to Committee on Insurance.

By Mr. Wallace: Assembly Bill No. 694—An act to amend sections 327, 810, 831, 841 and 1201 of the Probate Code, relating to publication of notices in probate proceedings.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Wallace: Assembly Bill No. 695—An act to amend section 784 of the Probate Code, relating to confirmation of sales of real property by executors and administrators.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Gilmore: Assembly Bill No. 696—An act making appropriations to pay the claims of John Doe, Richard Roe, John Smith and John Smith against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Wallace: Assembly Bill No. 697—An act to amend section 422 of the Probate Code, relating to the right of certain persons to appointment as administrator.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 698—An act to amend section 11 of the Inheritance Tax Act, to require that county auditor's warrants be drawn for the payment of refunds.

Bill read first time, and referred to Committee on County Government.

By Mr. Redwine: Assembly Bill No. 699—An act to add a new section to the Penal Code, to be numbered 1375, prescribing the manner

in which counties shall pay the State for expense of insane and inebriates.

Bill read first time, and referred to Committee on County Government.

By Mr. Cottrell: Assembly Bill No. 700—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Redwine: Assembly Bill No. 701—An act to amend section 1374 of the Penal Code, relating to the expense of maintenance in State hospitals of persons charged with crime.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cottrell: Assembly Bill No. 702—An act to amend section 159a of the Code of Civil Procedure, relating to qualifications of justices of the peace.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Martin, Jones, Hunt, and Boyle: Assembly Bill No. 703—An act to establish the California State Reformatory; to provide for purchase of land therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor, and declaring the urgency thereof.

Bill read first time.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Martin asked for unanimous consent to take up Assembly Bill No. 703, at this time, without reference to printer, committee or file, and that same be considered engrossed.

POINT OF ORDER.

Mr. Lyon arose to the following point of order: That as this bill carried an appropriation, it would require a letter from the Governor showing the urgency.

RULING BY SPEAKER.

The Speaker ruled the point of order well taken.

MOTION TO PRINT.

Mr. Martin moved that the Chief Clerk be instructed to place a rush order on the printing of Assembly Bill No. 703.

Motion carried.

SPECIAL ORDER SET.

On motion of Mr. Martin, the consideration of Assembly Bill No. 703 was made a special order for Thursday, January 24, 1935, at ten o'clock and thirty minutes a.m.

MOTION TO PRINT.

Mr. Kallam moved that the Chief Clerk instruct the printer to print 5000 copies of Assembly Bills Nos. 586 and 587.

Motion carried.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced, and referred as indicated:

By Mr. Field: Assembly Bill No. 704—An act to regulate and limit residential zones, subdivisions, districts and lots or plots, upon which it shall be permissible to erect buildings for human habitation, and an act preventing the erection of buildings for human habitation in subdivisions, districts, lots or plots, known to be in old river beds, water courses or in the path of possible flood streams or in flood stream areas, and repealing all acts and parts of acts in conflict with this act.

Bill read first time, and referred to Committee on Building and Construction.

RECESS.

At ten o'clock and twenty minutes a.m., the Speaker, on motion of Mr. Wagner, declared the Assembly at recess for the purpose of hearing from the Alameda delegation of the Italian Chamber of Commerce.

REASSEMBLED.

At ten o'clock and thirty minutes a.m., the Assembly reconvened. Speaker Craig in the chair.

RESOLUTION.

The following resolution was offered:

By Messrs. Fisher and Wagner:

ASSEMBLY RESOLUTION.

WHEREAS, The Italian Chamber of Commerce of the East Bay has, at considerable expense and labor, undertaken the work of ascertaining what California products could be best imported to and used in Italy, and has aided in effecting a better understanding between the peoples of Italy and California; now, therefore, be it

Resolved, That the Assembly of the State of California commend the work of the Italian Chamber of Commerce of the East Bay and extend the best wishes of the members of the Assembly to the members of said Chamber of Commerce for success of their most laudable efforts.

Resolution read.

Mr. Fisher moved the adoption of the resolution.

The question being on the adoption of the resolution.

Resolution adopted unanimously.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Martin: Assembly Bill No. 705—An act to amend section 19 of the Penal Code, relating to place of imprisonment for misdemeanor.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Nielsen and Frazier: Assembly Bill No. 706—An act to add section 606 to the Streets and Highways Code, relating to State highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Maloney: Assembly Bill No. 707—An act to amend section 5 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing.

Bill read first time, and referred to Committee on Public Morals.

By Messrs. Lyon, Andreas, Corwin, and Mayo: Assembly Bill No. 708—An act to aid in carrying into effect the provisions of section 10 of Article XVI of the Constitution, relating to relief from hardship and destitution due to and caused by unemployment, and to provide for and relating to the expenditure of moneys, authorized by said section 10, for the purpose of providing subsistence farms for persons entitled to relief under the provisions of said section, authorizing the expenditure of moneys for such purpose and prescribing the powers and duties of the Relief Administrator and the Relief Commission and repealing provisions of the Unemployment Relief Bond Act of 1933 in conflict herewith, declaring the urgency thereof and providing that it shall take effect immediately.

Bill read first time, and referred to Committee on Unemployment.

By Mr. Andreas: Assembly Bill No. 709—An act to amend section 1 of an act entitled "An act relating to the doing of public work by day's labor or force account, except emergency and maintenance work and work costing less than $10,000; requiring the State Highway Engineer, State Engineer, the State Architect, county engineers, county surveyor, city and county engineers, county highway engineers, road commissioners, city engineers, commissioners of public works, superintendents of streets, harbor engineers, flood control engineers, and the engineers of any reclamation, irrigation or other districts, political subdivisions, or agencies of the State directing, supervising or superintending such work, or in charge of the engineering for or in connection therewith, to keep the costs, prepare and file plans, specifications and estimates of cost, and, upon completion, prepare and file certificates of cost thereof; and providing for the keeping of such plans, specifications and certificates as public records" approved June 21, 1923, as amended, relating to the use of day's labor or force account on public work, including maintenance, providing for sealed bids on such work where the cost exceeds $5,000 and providing penalties for violation of said act.

Bill read first time, and referred to Committee on Building and Construction.

By Mr. Nielsen: Assembly Bill No. 710—An act to establish a Military Code, thereby revising and consolidating the law relating to the armed forces and Militia of the State and relating to military and veterans' affairs, aid and welfare, institutions, and buildings and repeal certain acts and parts of acts therein specified.

Bill read first time, and referred to Committee on Military Affairs.

By Mr. Latham (by request): Assembly Bill No. 711—An act to amend section 9 of the "General Cemetery Act," relating to property used for cemetery purposes.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Wright: Assembly Bill No. 712—An act to amend section 19a of the Penal Code, relating to punishment for crime.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Desmond: Assembly Bill No. 713—An act to amend section 1 of an act entitled "An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation of prisoners' recreation and educational fund; providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith," approved June 9, 1923, as amended, relating to convict labor.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Mr. Latham: Assembly Bill No. 714—An act to amend section 337 of the Code of Civil Procedure, relating to the time within which actions upon any contract, obligation or liability founded upon a statement in writing may be commenced.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Williamson: Assembly Bill No. 715—An act to provide, in accordance with the provisions of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide for penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," for the allocation and apportionment of balances in the "Fair and exposition fund" for the benefit of State institutions of learning providing vocational training in agriculture, animal husbandry and kindred subject.

Bill read first time, and referred to Committee on Public Morals.

By Messrs. Johnson and Williamson: Assembly Bill No. 716—An act to amend section 6 of, and to add section 24 to the act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to

provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act."

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hornblower: Assembly Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding a new section to Article XI thereof, to be numbered section 9, relating to the general prevailing rate of wages on public works.

Introduced, and referred to Committee on Constitutional Amendments.

MOTION.

Mr. Kallam moved that when the Assembly adjourn this day, it do so out of respect to the memory of the late Honorable George Cleveland, former member of the Legislature; and that the Chief Clerk be instructed to convey to the widow of the late George Cleveland the sympathy of this Assembly.

Motion carried unanimously.

ADJOURNMENT.

At twelve o'clock and thirty-five minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Thursday, January 24, 1935, out of respect to the memory of the late George Cleveland, former member of the Legislature.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,

SACRAMENTO, Thursday, January 24, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order:

Hon. Edward Craig, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—72.

Quorum present.

PRAYER.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Hunt, its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. Chatters, Mr. Eicke was granted leave of absence for this day.

On motion of Mr. Lyon, the following members of the Assembly Building and Loan Investigating Committee: Messrs. Peterson, Utt, Welsh, Dawson, and McBride, were granted leave of absence for this day on account of official business for the Assembly.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Brennan, Mrs. Walter McGovern of San Francisco was extended the privilege of the floor of the Assembly for this day

Through the courtesy of Miss Miller, Helen A. Sparks, Superintendent of Nurses, Sutter Hospital, Sacramento, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of San Francisco delegation, Mrs. Minerva Strohl, President Women's Peace Officers' Association of California, Mrs. Maria Pomadere, Mr. Rudolph Morris, and Mr. Al Rhine were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Cottrell, Sister Miriam Joseph, Sister Marie Theresa, Sister Mary Reginald, Sister Mary of the Nativity, Sister Mary Eucharista, Dorothy Davidson, Jane Caierra, Jessie Olivieri, Charlotte Jennings, Rosalie Speciale, Katherine Hill, Theresa Guerin, Margaret Matasci, Helen Picetti, Katherine McCosker, Olympia Nier, Audrey Lunderg, Florence Kaffer, Mary Shenk, Alice Bose, Fay Wetzel, Emma Venturi, Ethel George, Dolores Martin, Bernice Martin, Josephine Verdeire, Olivia Ghiorsi, Mary McCarthy, Irene Genoresi, Ethel Mae Davis, Marian Orlando, Vivian Dennis, Dorothy Johnson, Alicia Booksin, Mrs. Martin, Roberta Hill, Sontina Armanino, Alma Carson, Mrs. Frank Artana, Mary Wentzel, and Laura Aiassa were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Morgan, Mrs. George McKee of Sacramento was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Fulcher, Judge Albert Ross and Mr. A. J. Mathews were extended the privilege of the floor of the Assembly for this day.

ASSISTANT CLERK COOLIDGE READING.

PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Mr. Speaker:

From Robert F. Waldron, Speaker of the House, State of Washington Legislature, relative to the entry of the United States into the World Court.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 196—An act to amend section 2 of the "Los Angeles County Flood Control Act," approved June 12, 1915, relating to powers of the district, declaring the urgency hereof and providing that this act shall take effect immediately—

and reports that the same has been correctly enrolled, and presented the same to the Governor on this twenty-third day of January, at two o'clock and thirty minutes p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 8—Memorializing Congress to grant consent to taxation by the several States of certain interstate sales—and reports that the same has been correctly enrolled, and presented the same to the Governor on this twenty-third day of January, 1935, at two o clock and thirty minutes p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 170—An act to establish a Vehicle Code, thereby consolidating and revising the law relating to vehicles and vehicular traffic, and to repeal certain acts and parts of acts specified herein—and reports that the same has been correctly engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1935.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 19—Relative to inviting the entire Atlantic Fleet of the United States Navy to the Pacific Coast for several months this year—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

TURNER, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Wallace asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 19, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER NINETEEN.

Assembly Joint Resolution No. 19—Relative to inviting the entire Atlantic Fleet of the United States Navy to the Pacific Coast for several months this year.

Assembly Joint Resolution No 19 read.

Mr. Wallace moved the adoption of Assembly Joint Resolution No. 19.

The question being on the adoption of Assembly Joint Resolution No. 19.

The roll was called, and Assembly Joint Resolution No. 19 was adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Chatters, Clark, Corwin, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 19 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 19.

Relative to inviting the entire Atlantic Fleet of the United States Navy to the Pacific Coast for several months this year.

WHEREAS, For several months last year the entire Pacific Fleet of the United States Navy was sent to the Atlantic Coast, and the people of California would be pleased to be the host for several months this year to the entire Atlantic Fleet of the United States Navy and especially so during the California Pacific International Exposition in San Diego next summer; therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the State of California cordially invites the entire Atlantic Fleet of the United States Navy to the Pacific Coast for several months this year and the Fleet is assured of a hearty and sincere welcome; and be it further

Resolved, That the President of the United States and the Secretary of the Navy are respectfully urged to accept our invitation and send the entire Atlantic Fleet to visit us; and be it further

Resolved, That copies of this resolution be forwarded by the Chief Clerk of the Assembly to the President and Secretary of the Navy.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1935.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 20—Relative to government control and ownership of munition plants—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

TURNER, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Anderson asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 20, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER TWENTY.

Assembly Joint Resolution No. 20—Relative to government control and ownership of munition plants.

Assembly Joint Resolution No. 20 read.

Mr. Anderson moved the adoption of Assembly Joint Resolution No. 20.

The question being on the adoption of Assembly Joint Resolution No. 20.

The roll was called, and Assembly Joint Resolution No. 20 was adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, Maloney, Mayo, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—59.

NOES—Fisher, Johnson, Lyon, Martin, and Robertson—5.

Title read and approved.

Assembly Joint Resolution No. 20 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 20.

Relative to government control and ownership of munition plants.

WHEREAS, The disclosures before the Investigating Committee of the United States Senate reveal the enormous profits made by the manufacturers of war munitions, and reveal the international connections of these interests and the methods to which munitions manufacturers resort in subsidizing agents and even public officials; and

WHEREAS, The incentive of enormous profits from the sale of munitions is a constant hazard to peace; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That Congress be memorialized to immediately enact legislation for the control or ownership by the Federal government of all plants engaged in the manufacture of war munitions; be it further

Resolved, That the Chief Clerk of the Assembly be forthwith directed to transmit a copy of this resolution to the President of the United States, to the Committee of the United States Senate investigating the activities of munitions manufacturers, to the House of Representatives, and to the United States Senate.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 23, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 18—Relative to approving the charter of the city of Redondo Beach, California, which was submitted to the qualified voters of said city and voted for and ratified by them at an election held on the twenty-fourth day of September, 1934.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

The above reported resolution ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 23, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 16—Approving certain amendments to the charter of the county of Los Angeles, State of California, submitted to, voted for, and ratified by, the electors of said county at a special election held in said county for that purpose on the sixth day of November, 1934.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Jones asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 16, at this time, without reference to printer, committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER SIXTEEN.

Senate Concurrent Resolution No. 16—Approving certain amendments to the charter of the county of Los Angeles, State of California, submitted to, voted for, and ratified by, the electors of said county at a special election held in said county for that purpose on the sixth day of November, 1934.

Senate Concurrent Resolution No. 16 read

Mr. Jones moved the adoption of Senate Concurrent Resolution No. 16.

The question being on the adoption of Senate Concurrent Resolution No. 16.

The roll was called, and Senate Concurrent Resolution No. 16 was adopted by the following vote:

AYES—Anderson, Andreas, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J. Evans, Ralph W., Field, Fisher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McCarthy, Miller, Minard, Morgan, Patterson, Pelletier, Reaves, Redwine, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 16 ordered transmitted to the Senate.

Senate Concurrent Resolution No. 16—Approving certain amendments to the charter of the county of Los Angeles, State of California, submitted to, voted for, and ratified by, the electors of said county at a special election held in said county for that purpose on the sixth day of November, 1934.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 23, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 15—Calling for the general observance of Cabrillo Day and authorizing the Governor of the State of California to make appropriate proclamations with respect thereto.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Brennan asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 15, at this time, without reference to printer, committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER FIFTEEN.

Senate Concurrent Resolution No. 15—Calling for the general observance of Cabrillo Day and authorizing the Governor of the State of California to make appropriate proclamations with respect thereto.

Senate Concurrent Resolution No. 15 read.

Mr. Brennan moved the adoption of Senate Concurrent Resolution No. 15.

The question being on the adoption of Senate Concurrent Resolution No. 15.

The roll was called, and Senate Concurrent Resolution No. 15 was adopted by following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Glover, Hawkins, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Minard, Patterson, Pelletier, Peyser, Phillips, Reaves, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Williamson, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 15 ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION No. 15.

Calling for the general observance of Cabrillo Day and authorizing the Governor of the State of California to make appropriate proclamations with respect thereto.

WHEREAS, Juan Rodriguez Cabrillo, a native of Portugal, discovered California on Thursday, September 28, 1542, while in the service of the King of Spain by entering the harbor of San Diego; and

WHEREAS, The discovery of California by Cabrillo was an event of world-wide importance, and the anniversary of such event is of particular interest to the people of the State of California; now, therefore, be it

Resolved by the Senate, the Assembly concurring, as follows: That the people of the State of California are called upon to observe "Cabrillo Day" on the twenty-eighth day of September of each year, by appropriate patriotic observances, and the Governor of the State of California is hereby requested to issue a proclamation to the people of this State, each year, calling their attention to the anniversary of the discovery of California by Juan Rodriguez Cabrillo.

SPECIAL ORDER.

The hour of ten o'clock and thirty minutes a.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Assembly Bill No. 703—An act to establish the California State Reformatory; to provide for purchase of land therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor, and declaring the urgency thereof.

MOTION TO REFER TO COMMITTEE.

Mr. Martin moved that Assembly Bill No. 703 be referred to Committee on Prisons and Reformatories.

Motion carried.

Assembly Bill No. 703 ordered referred to Committee on Prisons and Reformatories.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 23, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 142—An act to repeal section 11a of an act entitled "An act to aid commerce and navigation by authorizing certain improvements in and about Islais Creek and as a means thereof creating a reclamation district to be called and known as the 'Islais Creek' Reclamation District,' fixing the boundaries thereof, providing for the management and control thereof, vesting certain powers therein, and authorizing a method for the reclamation of the lands of said district; and to aid and assist such works of reclamation granting to the City and County of San Francisco and its successors any title of the State in or to any public highways lying in said district with certain reservations; and dissolving any reclamation district wholly situate within the boundaries of said Islais Creek Reclamation District," approved April 6, 1925, relating to delinquent installments of assessments, and declaring the urgency thereof, and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Cronin asked for, and was granted, unanimous consent to take up Senate Bill No. 142, at this time, without reference to printer, committee or file.

Bill read first time.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Cronin:

Resolved, That Senate Bill No. 142 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Mr. Cronin moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peyser, Phillips, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp,

Turner, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—61.
NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 142.

SECOND READING OF SENATE BILL NUMBER ONE HUNDRED FORTY-TWO.

Senate Bill No. 142—An act to repeal section 11a of an act entitled "An act to aid commerce and navigation by authorizing certain improvements in and about Islais Creek and as a means thereof creating a reclamation district to be called and known as the 'Islais Creek Reclamation District,' fixing the boundaries thereof, providing for the management and control thereof, vesting certain powers therein, and authorizing a method for the reclamation of the lands of said district; and to aid and assist such works of reclamation granting to the City and County of San Francisco and its successors any title of the State in or to any public highways lying in said district with certain reservations; and dissolving any reclamation district wholly situate within the boundaries of said Islais Creek Reclamation District," approved April 6, 1925, relating to delinquent installments of assessments, and declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peyser, Phillips, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—61.
NOES—None.

THIRD READING OF SENATE BILL NUMBER ONE HUNDRED FORTY-TWO.

Senate Bill No. 142—An act to repeal section 11a of an act entitled "An act to aid commerce and navigation by authorizing certain improvements in and about Islais Creek and as a means thereof creating a reclamation district to be called and known as the 'Islais Creek Reclamation District,' fixing the boundaries thereof, providing for the management and control thereof, vesting certain powers therein, and authorizing a method for the reclamation of the lands of said district; and to aid and assist such works of reclamation granting to the City and County of San Francisco and is successors any title of the State in or to any public highways lying in said district with certain reservations; and dissolving any reclamation district wholly situate within the boundaries of said Islais Creek Reclamation District," approved April 6, 1925, relating to delinquent installments of assessments, and declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 142 passed by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, Miller, Minard, Morgan, Nielsen, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Reaves: Assembly Bill No. 717—An act to amend sections 715, 736, and 867 of the Fish and Game Code and to add thereto section 869, relating to fish.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Reaves: Assembly Bill No. 718—An act to amend section 990 of the Fish and Game Code, and to add thereto section 990.4, relating to commercial fishing.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Reaves: Assembly Bill No. 719—An act to add section 957.5 to the Fish and Game Code, and to amend section 958 thereof, relating to nets.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Evans, Ralph W.: Assembly Bill No. 720—An act to amend section 1058 of the Code of Civil Procedure, relating to the giving of bonds or undertakings in civil actions or proceedings by the State or counties or officers thereof.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Evans, Ralph W.: Assembly Bill No. 721—An act to amend section 4300f of the Political Code, relating to juror's fees and mileage.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Evans, Ralph W.: Assembly Bill No. 722—An act to add a new section to the Code of Civil Procedure, to be numbered 605, establishing the procedure for jury fees in civil cases, making such fees a revenue of the county, and repealing conflicting acts and parts of acts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Evans, Ralph W.: Assembly Bill No. 723—An act to amend section 1143 of the Penal Code, relating to fees and mileage of jurors in criminal cases.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Desmond: Assembly Bill No. 724—An act to add a new section to the Political Code of the State of California to be numbered 3476b, relating to assessments of reclamation districts and

providing for crediting payments made under invalid calls of installment of assessments upon subsequent calls of installment of assessments.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Mr. Desmond: Assembly Bill No. 725—An act to amend sections 616, 617 and 618 of the Fish and Game Code, relating to trout.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Desmond: Assembly Bill No. 726—An act to amend section 611.5 of the Fish and Game Code, relating to golden trout.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Chatters: Assembly Bill No. 727—An act to amend the title of, and to add two new sections to be numbered 1a and 2a, respectively, to an act entitled "An act relating to the liability in damages of the officers of districts, towns, cities, cities and counties, counties and of the State of California for injuries to person or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, prescribing the duties of certain public officers with respect thereto, and repealing an act entitled 'An act relating to the liability of public officers for damages resulting from defects and dangers in streets, highways, public buildings, public work or property,' approved April 26, 1911," approved May 18, 1919, relating to the liability of public officers and employees.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Riley: Assembly Bill No. 728—An act to amend sections 1239, 1249 and to repeal section 1246 of the Code of Civil Procedure, relating to eminent domain.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Fisher: Assembly Bill No. 729—An act to amend section 1382 of the Penal Code, relating to the dismissal of prosecutions.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Maloney: Assembly Bill No. 730—An act to amend section 1 of an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931 (Stats. 1931, Chap. 397), relative to the definition of public contract work and payment of the prevailing rate therefor.

Bill read first time, and referred to Committee on Building and Construction.

By Mr. Peterson: Assembly Bill No. 731—An act to amend section 10 of an act entitled "An act providing for the formation, government and operation of harbor districts, the calling and conducting of elections in such districts of harbor commissioners, defining their powers and duties, and providing for the issuance and disposal of bonds of such harbor districts, and providing for the assessment, levy and collection of taxes for the payment of such bonds and for the ordinary annual expenses of such harbor districts," approved June 10, 1931, relating to the government of such districts.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Wallace: Assembly Bill No. 732—An act to amend section 2280 of the Civil Code, relating to trusts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Wallace: Assembly Bill No. 733—An act to amend section 1032 of the Code of Civil Procedure, relating to costs in civil actions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Walker: Assembly Bill No. 734—An act to validate the organization and incorporation of municipal corporations.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Martin: Assembly Bill No. 735—An act to amend sections 4 and 10 of an act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision," approved May 18, 1917, relating to the operation of the business of industrial loan companies.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr. Cunningham: Assembly Bill No. 736—An act to amend section 2.481 of the School Code, relating to the transfer of an elementary school district from one high school district to another.

Bill read first time, and referred to Committee on Education.

By Mr. Cunningham: Assembly Bill No. 737—An act to repeal Article VIIIa of Chapter VI of Part I of Division II, embracing sections 2.440a to 2.454a, inclusive, of the School Code, relating to high school districts.

Bill read first time, and referred to Committee on Education.

By Mr. Redwine: Assembly Bill No. 738—An act to amend section 13 of "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casinghead gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the

diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923 as amended, relating to expenditures of funds.

Bill read first time, and referred to Committee on Oil Industries.

By Mr. Redwine: Assembly Bill No. 739—An act to amend an act entitled, "An act authorizing counties to construct, improve, maintain and repair streets lying in municipalities or to aid or assist by the appropriation of money and otherwise in establishing, laying out, opening, widening, extending, straightening, constructing, improving or altering streets or changing or separating the grades thereof within municipalities or in acquiring lands, rights of way or other property necessary therefor," approved April 30, 1923, as amended, by amending section 2 thereof to authorize appropriations for the illumination of highways.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Redwine: Assembly Bill No. 740—An act to amend sections 2, 3, and 5 of an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, as amended, relating to the allocation and expenditure of State highway funds and the construction, improvement, illumination and maintenance of highways.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Redwine: Assembly Bill No. 741—An act to amend section 159 of the California Vehicle Act, approved May 30, 1923, as amended, relating to the motor vehicle fund and the disposition of moneys placed therein.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Gilbert: Assembly Bill No. 742—An act to regulate the rate of interest on obligations.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr. Gilbert: Assembly Bill No. 743—An act to levy a tax upon the registration of bonds.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Gilbert: Assembly Bill No. 744—An act to provide for the retirement on pension of State employees.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Messrs. Gilbert, Geyer, Reaves, and Glover: Assembly Bill No. 745—An act to establish a system of planned economy in the State of

California to the end of supplying human needs and comforts through the utilization of the natural resources of the State, the machinery of production, distribution and finance; providing for the administration and enforcement of this act; to provide penalties for the violation hereof; and to repeal all acts or parts of acts inconsistent herewith.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Messrs. Gilbert, Geyer, Reaves, and Glover: Assembly Bill No. 746—An act to levy a tax upon the privilege of engaging in all forms of commercial enterprise within the State of California, providing for exceptions thereto and providing for the collection thereof.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Messrs. Gilbert and Glover: Assembly Bill No. 747—An act to provide for the registration of persons within this State.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Gilbert: Assembly Bill No. 748—An act to provide for the elimination of grade crossings within this State.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Gilbert: Assembly Bill No. 749—An act making an appropriation for installing toilet facilities in the building occupied by the Department of Motor Vehicles in Los Angeles.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Reaves: Assembly Bill No. 750—An act to impose a tax on the transfer of shares or certificates of stock, certificates of rights to stock, or certificates of deposits of stock, or bonds, and to provide for the collection thereof, to take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Brennan: Assembly Bill No. 751—An act to add section 291½ to, and to amend section 292 of the Code of Civil Procedure, relating to the filing of accusations against attorneys and counsellors at law and to the time for answering thereto.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Patterson: Assembly Bill No. 752—An act making an appropriation for minor construction and improvements at the California Polytechnic School.

Bill read first time, and referred to Committee on Education.

By Messrs. Lore and Phillips: Assembly Bill No. 753—An act to amend section 4 of "An act to regulate the construction of building in the State of California, in respect to resistance to horizontal forces, providing penalties for the violation thereof and providing that this act become effective immediately," approved May 26, 1933, relating to the application of said act.

Bill read first time, and referred to Committee on Building and Construction.

By Messrs. Evans, Herbert J., and Lyon: Assembly Bill No. 754—An act to make an appropriation for the Sixth District Agricultural Association for the purpose of constructing buildings and appurtenances thereto.

Bill read first time, and referred to Committee on Exhibitions and Fairs.

By Mr. Cottrell: Assembly Bill No. 755—An act making an appropriation to the State Board of Control to pay certain claims against State of California, and repealing an act herein specified.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Hunt: Assembly Bill No. 756—An act to amend section 696 of the Fish and Game Code, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

By Messrs. Anderson and Patterson: Assembly Bill No. 757—An act to authorize the creation and establishment of a public utilities commission within any city, county and other local governmental agency or political subdivision, and to authorize the issuance and sale of revenue bonds for the purpose of defraying costs of construction and/or acquisition of public utilities and extensions and additions to public utilities for the production, purchase, sale and distribution of products, commodities, energy and/or services of such public utilities, providing for the payment of such bonds and the interest thereon.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Frazier: Assembly Bill No. 758—An act to repeal section 52a of the California Irrigation District Act, relating to the payment of assessments with matured bonds and coupons.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Frazier: Assembly Bill No. 759—An act to amend section 47a of the California Irrigation District Act by adding thereto a provision authorizing payment of current assessments upon partial redemption.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Peyser (by request): Assembly Bill No. 760—An act to provide for the establishment of local health districts in any part of the State, and defining their powers and duties.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Messrs. Hunt and Jones: Assembly Bill No. 761—An act to amend section 5 of the Retail Sales Tax Act of 1933, relating to taxation of the privilege of selling tangible personal property and of the privilege of furnishing, preparing or serving tangible personal property.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. DeLap (by request): Assembly Bill No. 762—An act to add a new section to the School Code to be numbered 2.123–1, relating to

the payment of the cost of food and lodging for certain elementary school pupils from the unapportioned county elementary school fund.

Bill read first time, and referred to Committee on Education.

By Mr. Peyser: Assembly Bill No. 763—An act to prohibit until February 1, 1936, sales under certain mortgages and deeds of trust, and the forfeiture of the interest of the purchaser under certain contracts of purchase, for default in the payment of the principal sum of obligations secured thereby or contracted to be paid thereunder, to extend the Statute of Limitations upon such obligations, to make voidable at the instance of the owner any sale or forfeiture made in violation of the act, to prescribe the time within which an action to avoid the same may be brought, to postpone sales for default in payment of installments due between effective date of act and February 1, 1936, to authorize waiver hereof, to prevent actions against guarantors' obligations the enforcement of the security for which is affected by the act, and to declare the urgency hereof.

Bill read first time.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Peyser asked for unanimous consent to take up Assembly Bill No. 763, at this time, without reference to printer, committee or file, and that same be considered engrossed.

OBJECTION TO UNANIMOUS CONSENT.

Mr. Jones objected to unanimous consent to the consideration of Assembly Bill No. 763.

MOTION TO SUSPEND RULES.

Mr. Peyser moved that the rules be suspended for purpose of considering Assembly Bill No. 763.

Mr. Fisher seconded the motion.

REQUEST FOR ROLL CALL.

On request of Messrs. Jones, Hunt, and Turner, the Speaker ordered a roll call taken on the motion of Mr. Peyser to suspend the rules.

The roll was called, and the motion to suspend the rules was lost by the following vote:

AYES—DeLap, Field, Fisher, Hornblower, Johnson, Latham, Maloney, Minard, Peyser, Williamson, and Wright—11.

NOES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Kallam, Laughlin, Lore, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, and Mr. Speaker—61.

Assembly Bill No. 763 ordered referred to Committee on Judiciary.

INTRODUCTION AND REFERENCE OF BILLS (RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Donnelly: Assembly Bill No. 764—An act to amend section 818 and to repeal sections 819 and 820 of the Penal Code, relating to the issuance of warrants.

Bill read first time, and referred to Committee on Judiciary

By Mr. Chatters: Assembly Bill No. 765—An act to amend section 3.172 of the School Code, relating to beginning classes of elementary schools.

Bill read first time, and referred to Committee on Education.

By Mr. Scudder: Assembly Bill No. 766—An act to add Chapter 9, embracing sections 725 to 734, inclusive, to Division IV of the Agricultural Code, relating to dairies and dairy products.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Messrs. Hornblower, Patterson, Jones, Lyons, Latham, Burns, Martin, Fisher, Nielsen, and Maloney: Assembly Bill No. 767—An act to amend sections 2, 2½, 3, 4, 10, 13, 14 and 21 and to repeal sections 5 and 9 of the Old Age Security Act of the State of California, relating to aid to the aged.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Messrs. Flint, Burns, Hunt, McCarthy, Hawkins, Rosenthal, Geyer, and Pelletier: Assembly Bill No. 768—An act to amend section 11 of an act entitled "An act prescribing the terms upon which licenses or certificates of registration may be issued to practitioners of barbering, creating the State Board of Barber Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved May 31, 1927.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Nielsen: Assembly Bill No. 769—An act to amend section 18 of the Juvenile Court Law, relating to the term of office of probation officers.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Kallam: Assembly Bill No. 770—An act to add section 604 to the Streets and Highways Code, establishing an additional secondary State highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Jones: Assembly Bill No. 771—An act authorizing counties to contract with cities and towns, and to assume and carry on certain municipal functions thereof, providing for transfers of employees and adjustment of pensions, and authorizing cities to transfer such functions to counties and to enter into contracts in relation thereto.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Hornblower: Assembly Bill No. 772—An act to amend section 115 of the Vehicle Code, relating to the California Highway Patrol.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Hornblower: Assembly Bill No. 773—An act to amend section 122 of the Vehicle Code, relating to the California Highway Patrol.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Hornblower: Assembly Bill No. 774—An act to amend section 1197 of the Political Code, relating to election ballots.

Bill read first time, and referred to Committee on Elections.

By Mr. Cronin: Assembly Bill No. 775—An act to amend section 1 of the Direct Primary Law, relating to qualification to participate in primary election.

Bill read first time, and referred to Committee on Elections.

By Mr. Cronin: Assembly Bill No. 776—An act to amend section 1 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision" (approved March 31, 1927, Statutes 1927, page 51, in effect July 29, 1927, amendment approved June 15, 1931, in effect August 14, 1931; amended March 27, 1933, Statutes 1933, page 330), relating to definition and incorporation.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr. Cronin: Assembly Bill No. 777—An act to amend section 2 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision" (approved March 31, 1927, Statutes 1927, page 51, in effect July 29, 1927, amendment approved June 15, 1931, in effect August 14, 1931; amended March 27, 1933, Statutes 1933, page 330), relating to by-law provisions.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr. Cronin: Assembly Bill No. 778—An act to amend section 3 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision" (approved March 31, 1927, Statutes 1927, page 51, in effect July 29, 1927, amendment approved June 15, 1931, in effect August 14, 1931; amended March 27, 1933, Statutes 1933, page 330), relating to powers.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr. Cronin: Assembly Bill No. 779—An act to amend section 4 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision" (approved March 31, 1927, Statutes 1927, page 51, in effect July 29, 1927, amendment approved June 15, 1931, in effect August 14, 1931; amended March 27, 1933, Statutes 1933, page 330), relating to prohibitions.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr. Cronin: Assembly Bill No. 780—An act to amend section 6 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision" (approved March 31, 1927, Statutes 1927, page 51, in effect July 29, 1927, amendment approved June 15, 1931, in effect August 14, 1931; amended March 27, 1933, Statutes 1933, page 330), relating to deposits and investments.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr. Cronin: Assembly Bill No. 781—An act to amend section 19 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision" (approved March 31, 1927, Statutes 1927, page 51, in effect July 29, 1927, amendment approved June 15, 1931, in effect August 14, 1931; amended March 27, 1933, Statutes 1933, page 330), relating to supervisory committee.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr. Cronin: Assembly Bill No. 782—An act to amend section 373b of the Political Code, relating to the Department of Natural Resources.

Bill read first time, and referred to Committee on Mines and Mining.

By Mr. Donnelly: Assembly Bill No. 783—An act to amend section 410 of the Vehicle Code, relating to the financial responsibility of owners or drivers of motor vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Boyle: Assembly Bill No. 784—An act relating to the sale, disposition of, advertising, and control through licensing, of prophylactics and contraceptives.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Boyle: Assembly Bill No. 785—An act to amend the title, sections 1, 2, 3, 4 and 5 of and to add a new section, to be numbered section 6, to an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for violation thereof," approved February 28, 1905 (Stats. 1905, Chap. 34), relating to the hours of drug clerks, requiring the keeping of records and posting schedules of such hours, providing for the enforcement of the act by the Chief of the Division of Labor Statistics and Law Enforcement and providing for the use of fines under the act by the said division for the administration of the act in augmentation of its current appropriations.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Lore: Assembly Bill No. 786—An act to amend section 4041.7 of the Political Code, defining the powers of the board of supervisors.

Bill read first time, and referred to Committee on County Government.

By Mr. Lore: Assembly Bill No. 787—An act to amend section 1168 of the Penal Code, relating to sentences, imprisonments and paroles of prisoners.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Messrs. McMurray and Williamson: Assembly Bill No. 788—An act to amend section 653c-1 of the Penal Code, relating to the 30-hour week on public works whether the work is done under contract or other-

wise, providing penalties for violation of its provisions and declaring the urgency thereof.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Burns: Assembly Bill No. 789—An act relating to compulsory military training in the colleges and universities of the State of California.

Bill read first time, and referred to Committee on Universities.

By Mr. Burns: Assembly Bill No. 790—An act to amend sections 652, 655, 656 and 665 of the Fish and Game Code, relating to salmon.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Pelletier: Assembly Bill No. 791—An act to provide for the establishment of unemployment and social insurance.

Bill read first time, and referred to Committee on Insurance.

By Mr. Pelletier: Assembly Bill No. 792—An act to prohibit child labor.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Clark: Assembly Bill No. 793—An act to amend section 5.900 of the School Code, relating to the retirement of public school teachers.

Bill read first time, and referred to Committee on Education.

By Messrs. Clark, Anderson, Burns, Cottrell, Morgan, Patterson, and Phillips: Assembly Bill No. 794—An act to amend sections 5.900, 5.904, 5.970, 5.980, 5.990, 5.993, 5.1003, 5.1004, 5.1030, 5.1031, 5.1032, 5.1060, 5.1080, and 5.1083 of the School Code, to amend the titles of Chapter III, of Articles IV and VII of Chapter III, of Chapter VI, of Articles II and III of Chapter VI, all of Part IV of Division V of said Code; to add two new sections to said code to be numbered 5.971 and 5.972; and to add to Chapter V of Part IV of Division V of said code a new article to be known as Article VIII; to add to Chapter V of Part IV of Division V of said code a new article to be known as Article V; and to add to Chapter VI of Part IV of Division V of said code a new article to be known as Article IIIA, all relating to the payment of retirement salaries and retirement annuities to teachers employed in the public schools of this State.

Bill read first time, and referred to Committee on Education.

By Mr. Gilmore: Assembly Bill No. 795—An act relating to conditional sale or lease contracts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Gilmore: Assembly Bill No. 796—An act to amend the Vehicle Code, relating to vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Gilmore: Assembly Bill No. 797—An act to amend the Vehicle Code, relating to vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Gilmore: Assembly Bill No. 798—An act to amend the Vehicle Code, relating to vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Gilmore: Assembly Bill No. 799—An act to amend the Vehicle Code, relating to vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Gilmore: Assembly Bill No. 800—An act to amend the Vehicle Code, relating to vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Gilmore: Assembly Bill No. 801—An act to amend the California Vehicle Act, relating to vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Gilmore: Assembly Bill No. 802—An act to amend the California Vehicle Act, relating to vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Gilmore: Assembly Bill No. 803—An act to amend the California Vehicle Act, relating to vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Gilmore: Assembly Bill No. 804—An act to amend the California Vehicle Act, relating to vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Gilmore: Assembly Bill No. 805—An act to amend the California Vehicle Act, relating to vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Maloney: Assembly Bill No. 806—An act to amend sections 10, 12 and 14 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing.

Bill read first time, and referred to Committee on Public Morals.

By Messrs. Stream and Riley: Assembly Bill No. 807—An act relating to public highways, the laying out, construction, improvement, maintenance, administration and control thereof, the allocation and expenditure of moneys appropriated therefor, declaring certain highways State highways, amending and repealing certain provisions of the Streets and Highways Code and adding certain provisions thereto, and repealing certain acts relating to public highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Turner: Assembly Bill No. 808—An act establishing the interest rate upon loan or forbearance of money, goods or things in action, accounts after demands and judgments.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr. Turner: Assembly Bill No. 809—An act to amend section 2261 of the Civil Code of California, relating to investment of money by trustee.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Turner: Assembly Bill No. 810—An act to add section 3a to the Motor Vehicle Fuel License Tax Act, relating to the levy of an additional tax of one-half cent on motor vehicle fuel, and providing for the disposition of the money derived therefrom.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Messrs. Turner and Wallace: Assembly Bill No. 811—An act to provide for a uniform method of foreclosing trust deeds in the State of California, creating the office of State Public Trustee and providing for public trustees in every county and city and county of the State; providing that deeds of trust given to secure indebtedness shall name such public trustee as the trustee thereof; and substituting said public trustee for all trustees now provided for in any trust deed; that deeds of trust hereafter executed which name other persons as trustee shall hereafter be deemed mortgages; providing for the duties of public trustees, sales, releases, fees and salaries and reports; providing for advertised sales, notices and recording of such sales; providing for certificates of sale by public trustees and the recording thereof; providing for redemption by holding of subsequent encumbrances, grantors and judgment creditors, and for succession and partial redemptions; providing for assignments of certificates, executions of deeds after lapse of redemption period and the charging of fees against grantors; providing for the issuance of duplicate certificates in case of loss of original; providing for the furnishing of supplies for the use of public trustees; and providing for the release of trust deeds, the effect of releases or partial releases before maturity of notes and that releases shall be valid as to recitals therein; and making provisions for the enforcement of this act.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Cottrell: Assembly Bill No. 812—An act to amend section 226 of the Civil Code, relating to proceedings on adoption.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cottrell: Assembly Bill No. 813—An act to amend section 540 of the Code of Civil Procedure, relating to attachments.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Lyon: Assembly Bill No. 814—An act adding section 95 to the Agricultural Code, relating to and providing for the exhibition of California live stock.

Bill read first time, and referred to Committee on Exhibitions and Fairs.

By Mr. Martin: Assembly Bill No. 815—An act to amend section 528 of the Vehicle Code and to repeal section 529 thereof, relating to overtaking and passing vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Martin: Assembly Bill No. 816—An act relating to shares of insured Federal savings and loan associations as legal investments for trust and other funds.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr. Martin: Assembly Bill No. 817—An act to amend section 125 of the California Vehicle Act, relating to overtaking and passing vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Lyon: Assembly Bill No. 818—An act to amend an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended, by amending section 28 thereof, relating to exclusion of territory.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Lyon: Assembly Bill No. 819—An act to amend sections 2167, 2167a, 2169, 2172 and 2175 of, to repeal sections 2168, 2170, 2171 and 2185c of, and to add new sections numbered 2168, 2171 and 2185c to the Political Code, relating to persons mentally disordered or otherwise incompetent.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Lyon: Assembly Bill No. 820—An act to amend section 741 of the Fish and Game Code, relating to fish.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Lyon: Assembly Bill No. 821—An act to amend sections 2.440a, 2.441a and 3.260 of the School Code of the State of California.

Bill read first time, and referred to Committee on Education.

By Mr. Riley: Assembly Bill No. 822—An act to amend section 3714 of the Political Code, relating to budgets and taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Riley: Assembly Bill No. 823—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal corporation," approved March 18, 1883, as amended, by amending section 862 thereof, relating to and adding to the powers of sixth class cities.

Bill read first time, and referred to Committee on Municipal Corporations.

APPOINTMENT OF SELECT COMMITTEES.

The Speaker announced the appointment of the following members of the Assembly: Messrs. Brennan (Chairman), Hornblower, Johnson, Minard and Evans, Ralph W., to carry out the provisions of the resolution, relative to the investigation of the State bar, introduced by Mr. Brennan, and adopted by the Assembly.

Also:

The Speaker announced the appointment of the following members of the Assembly: Messrs. Morgan (Chairman), O'Donnell, Turner, Nielsen, and Miss Miller, to carry out the provisions of the resolution to study Nebraska legislative system, introduced by Mr. Morgan, and adopted by the Assembly.

MOTION.

Mr. Williamson moved that when the Assembly adjourn this day, it do so in commemoration of the eighty-seventh anniversary of the discovery of gold in California by James W. Marshall.

Motion carried unanimously.

RECESS.

At twelve o'clock and ten minutes p.m., on the motion of Mr. Lyon, the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED.

At two o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Riley: Assembly Bill No. 824—An act to authorize sanitary and sanitation districts, cities and towns to acquire and construct works for the collection, treatment, purification and disposal of sewage, by issuing bonds payable solely from the revenues of such works, and to collect revenues, rates or charges for the use of such works.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Riley: Assembly Bill No. 825—An act to provide for the formation of sewer districts within counties, cities and counties and municipalities for the acquisition or construction of sanitary sewage works or improvements, for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition, construction, maintenance and operation of such improvements.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Riley: Assembly Bill No. 826—An act to add a new section to the Code of Civil Procedure to be numbered 336a and to amend section 337 thereof, relating to the periods prescribed for the commencement of actions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Riley: Assembly Bill No. 827—An act to validate the organization and bonds of municipal improvement districts formed under the Municipal Improvement District Act of 1927 and providing for the levy of special assessment taxes to pay said bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Riley: Assembly Bill No. 828—An act to amend an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution with municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, as amended, by amending section 23 thereof, relating to priority of liens and bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Hornblower: Assembly Bill No. 829—An act to add a new section to the Political Code to be numbered 1357a, relating to additional persons who may procure ballots of their precincts from the county clerk or registrar of the county or city and county and in case of a municipal election, from the city clerk of the municipality of their residence, and cast said ballots.

Bill read first time, and referred to Committee on Elections.

By Mr. Richie: Assembly Bill No. 830—An act to add new sections to the Civil Code to be numbered 2981 and 2982, relating to conditional sales of personal property.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Richie: Assembly Bill No. 831—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Richie: Assembly Bill No. 832—An act to amend section 6.750 of the School Code, relating to the use of schoolhouses.

Bill read first time, and referred to Committee on Education.

By Messrs. Anderson and Nielsen: Assembly Bill No. 833—An act to create and establish a State system of regional colleges, providing for their formation, government, curricula and control.

Bill read first time, and referred to Committee on Teachers Colleges.

By Mr. Wright: Assembly Bill No. 834—An act relating to and imposing limitations on expenditures by counties, cities and counties, districts and other political subdivisions, under authority of section 20 of Article XI of the Constitution of the State.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Hunt: Assembly Bill No. 835—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from special assessments levied wholly or partly

in accordance with the assessed value of lands, to provide for the issue or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of refunding assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such refunding assessments, reassessments and to provide for the proceedings to test the validity of such refunding and assessment, and to provide for contributions of public funds in such refunding.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Stream and Riley: Assembly Bill No. 836—An act to amend sections 64, 712, 713, 714, 715, 771, and 778, and to repeal sections 779, 780, and 781 of the Vehicle Code.

Bill read first time, and referred to Committee on Roads and Highways.

By Messrs. Stream and Riley: Assembly Bill No. 837—An act to amend section 70 of the Streets and Highways Code, relating to the California Highway Commission.

Bill read first time, and referred to Committee on Roads and Highways.

By Messrs. Stream and Riley: Assembly Bill No. 838—An act to amend the Streets and Highways Code, by adding to Division I thereof a new chapter, to be numbered 6, relating to proceedings to change the grade or to establish the boundaries of State highways, and other proceedings affecting private property.

Bill read first time, and referred to Committee on Roads and Highways.

By Messrs. Stream and Riley: Assembly Bill No. 839—An act to amend section 13 of the Motor Vehicle Fuel License Tax Act, relating to the disposition of funds.

Bill read first time, and referred to Committee on Roads and Highways.

By Messrs. O'Donnell, Chatters, Donnelly, Garibaldi, Frazier, Patterson, and Minard: Assembly Bill No. 840—An act to amend an act entitled "An act to authorize irrigation districts to cooperate and contract with the United States under the provisions of the Federal reclamation laws for a water supply, or the construction, operation or maintenance of works, including drainage works, or for the assumption by the district of indebtedness to the United States on account of district lands; and to provide the manner and method of payments to the United States under such contract, and for the apportionment of assessments, and the levy thereof, upon the lands of the district to secure revenue for such payments, and to provide for the judicial review and determination of the validity of the proceedings in connection with such contract, and to provide for the construction of works by the district; to provide for the borrowing or procuring of money from the United States or any agency thereof and the entering into contracts, and/or the issuance of bonds, warrants or other evidence of indebtedness for the repayment thereof," approved May 5, 1917, as

amended, by amending the title thereof and amending sections 1 and 11 thereof, and declaring the urgency thereof.

Bill read first time, and referred to Committee on Irrigation.

By Messrs. Chatters and O'Donnell: Assembly Bill No. 841—An act to amend sections 1 and 3 of an act entitled "An act relating to the redemption of property sold to irrigation districts for delinquent assessments, and declaring the urgency thereof," approved September 20, 1934, relating to redemptions and declaring the urgency thereof.

Bill read first time, and referred to Committee on Irrigation.

By Mr. O'Donnell: Assembly Bill No. 842—An act validating certificates of sale and deeds based thereon issued by irrigation districts.

Bill read first time, and referred to Committee on Irrigation.

By Mr. O'Donnell: Assembly Bill No. 843—An act to repeal section 73a of the California Irrigation District Act relating to the procedure by which property owners may be relieved from obligations of the district.

Bill read first time, and referred to Committee on Irrigation.

By Mr. O'Donnell: Assembly Bill No. 844—An act to add a new section to the California Irrigation District Act to be designated section 31a, referring to and providing for an alternative form of irrigation district bonds and for the procedure for the issuance of the same.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Peterson: Assembly Bill No. 845—An act to amend the title and sections 1, 2, 3, 4, 5, 6, 7, 9, 10, 15, 16, 17, 20, 22 and 24½ and to repeal section 3½ of an act entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department and to assess and collect taxes from time to time, for such purpose, and to create a board of fire commissioners," approved March 4, 1881, as amended, relating to fire departments in unincorporated towns and villages.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Peterson: Assembly Bill No. 846—An act providing for the manner of renewal of a mortgage.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Latham: Assembly Bill No. 847—An act to provide for the issuance of refunding bonds to represent and be secured by certain refunding assessments made for the purpose of refunding the outstanding indebtedness represented by bonds of special improvement districts payable from the special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the collection of such assessments, the sale of the property affected thereby, and for the payment of the bonds so issued.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Field: Assembly Bill No. 848—An act to amend section 2.60 of the School Code, relating to the correction and relocation of boundaries of school districts.

Bill read first time, and referred to Committee on Education.

By Mr. Field: Assembly Bill No. 849—An act authorizing counties receiving subsidies from the State for assistance in the maintenance of charitable, and public welfare institutions, to lease lands and buildings from the United States government.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Field: Assembly Bill No. 850—An act authorizing charitable and public welfare institutions receiving allocations of funds from the State to lease land and buildings from the United States government.

Bill read first time, and referred to Committee on Public Charities and Corrections.

By Mr. Desmond: Assembly Bill No. 851—An act to add a new chapter to Part III of Division IV of the School Code to be known as Chapter IV, relating to sinking funds in school districts for the replacement, reconstruction and/or alteration of buildings.

Bill read first time, and referred to Committee on Education.

By Mr. Mayo: Assembly Bill No. 852—An act for the relief of purchasers of State lands where the price has not been fully paid and providing for an appraisement of said lands and a determination of value thereof; and providing further, for the payment by the purchaser of the amount duly appraised as the present value of said lands.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

By Mr. Fulcher: Assembly Bill No. 853—An act to amend sections 3817c and 3817d and 3897 of the Political Code and to add to said code new sections numbered 3817b2, 3817c2, 3817f, 3817g, 3817h and 3817i, relating to taxation, including tax delinquencies, tax penalties and costs, tax redemptions and tax sales, and declaring the urgency thereof, to take effect immediately.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Jones: Assembly Bill No. 854—An act to amend section 334 of the Insurance Code, relating to materiality of concealments and representations.

Bill read first time, and referred to Committee on Insurance.

By Mr. Jones: Assembly Bill No. 855—An act to amend section 647 of the Penal Code, relating to vagrancy.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Andreas and Corwin: Assembly Bill No. 856—An act to appropriate money for flood control, including conservation and the relief of unemployment, in San Bernardino County and the Santa Ana River Basin.

Bill read first time, and referred to Committee on Conservation.

By Mr. Maloney: Assembly Bill No. 857—An act to amend section 4 of an act entitled "An act to regulate the payment of wages or compensation for labor or services in private employments, establishing regular pay days, providing that the notices as to pay days must be kept posted by the employer and making failure to keep such notices posted prima facie evidence of violation of the act, providing criminal penalties for the violation of its provisions, authorizing the Commissioner of the Bureau of Labor Statistics to enforce this act, defining the duties of district attorneys and prosecuting attorneys of cities relative to its enforcement, providing for the collection of certain penalties by civil action at the direction of said commissioner for failure to maintain regular pay days and the disposition of penalties so collected, providing a civil penalty for failure of the employer to pay discharged employees or employees who quit and permitting such employees to sue directly or through an assignee for such penalties as well as permitting the said commissioner to sue for same in such cases as he may deem proper; repealing an act entitled 'An act providing for the time of payment of wages,' approved May 1, 1911, as amended April 28, 1915, and repealing an act entitled 'An act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; providing a penalty for the violation thereof; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this act,' approved June 8, 1915," approved May 6, 1919 (Stats. 1919, Chap. 202), as amended, providing for the use of civil penalties collected for violation of the monthly and semimonthly pay day laws, and of fines for violation of the act, by the Division of Labor Statistics and Law Enforcement for the administration of the act in augmentation of its current appropriations.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Maloney: Assembly Bill No 858—An act to amend section 7 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913 (Stats. 1913, Ch. 282), as amended, relating to the amount of license fees and bonds of employment agencies and providing for the use of license fees and fines by the Division of Labor Statistics and Law Enforcement for the administration of the act in augmentation of its current appropriations.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Maloney: Assembly Bill No. 859—An act to amend the title and sections 1 and 2 of and to add a new section, to be numbered section 3, to an act entitled "An act requiring public awarding bodies or officers withholding penalties or forfeitures from contractors for violations by contractors or subcontractors of any public works labor acts carrying penalties or forfeitures from the contract payments to

transfer such penalties or forfeitures to the State Treasurer to become a part of the general fund of the State 90 days after completion of the contract, unless suit is brought and formal notice of suit is given, requiring any court collecting criminal penalties or fines under such acts to likewise transmit same to the State Treasurer to become a part of the general fund of the State, providing for the temporary retention of such penalties or forfeitures by the public awarding body or officer pending litigation in cases where suit is brought and formal notice of such suit is given within 90 days after completion of the contract, limiting the time for action by the contractor or his assignee for recovery of the said penalties or forfeitures to the said 90-day period, making such suit the exclusive remedy of the contractor or his assignee with reference to such penalties or forfeitures and providing that suit shall be brought without permission from any State or other authority and be limited to the recovery of such penalties or forfeitures without prejudice to the contractor's or assignee's rights in regard to other matters affecting the contract but with the burden on the plaintiff to establish his right to the penalties or forfeitures withheld," approved April 25, 1933 (Stats. 1933, Chap. 580), providing for the deposit of penalties, forfeitures and fines under the Public Works Labor Laws in a contingent fund of the Division of Labor Statistics and Law Enforcement and their use by said division for the administration of said laws in augmentation of its current appropriations.

Bill read first time, and referred to Committee on Building and Construction.

By Mr. Donihue: Assembly Bill No. 860—An act to add Chapter 13 to Part 2 of Division 2 of the Insurance Code, relating to the State life insurance fund.

Bill read first time, and referred to Committee on Insurance.

By Mr. Cronin: Assembly Bill No. 861—An act to add a new section to the Civil Code to be numbered 3443, relating to fraud in bulk sales.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin: Assembly Bill No. 862—An act to amend sections 3 and 5 of the "Retail Sales Tax Act of 1933," relating to taxation of the privilege of selling tangible personal property and the privilege of furnishing, preparing or serving tangible personal property.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Brennan: Assembly Bill No. 863—An act to amend the title and sections 1, 2, 3, 4, 5, 6, 7 and 8 of an act entitled "An act to provide for the proper sanitary condition of factories and workshops, and the preservation of the health of employees," approved Feb. 6, 1889 (Stats. 1889, Chap. 5), as amended, relative to the sanitation, lighting and ventilation of factories, workshops and other places of employment, providing for the enforcement thereof by the Chief of the Division of Labor Statistics and Law Enforcement and providing penalties for the violation thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Patterson: Assembly Bill No. 864—An act relating to revenue and taxation on all phases of our tax systems.
Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Patterson: Assembly Bill No. 865—An act relating to fish and game.
Bill read first time, and referred to Committee on Fish and Game.

By Mr. Patterson: Assembly Bill No. 866—An act relating to unemployment insurance.
Bill read first time, and referred to Committee on Insurance.

By Mr. Patterson: Assembly Bill No. 867—An act relating to health insurance.
Bill read first time, and referred to Committee on Insurance.

By Mr. Patterson: Assembly Bill No. 868—An act relating to the taxation of inheritances.
Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Patterson: Assembly Bill No. 869—An act relating to a sales tax.
Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Patterson: Assembly Bill No. 870—An act relating to a tax on personal property.
Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Patterson: Assembly Bill No. 871—An act providing for a severance tax.
Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Patterson: Assembly Bill No. 872—An act relating to the taxation of incomes.
Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Patterson: Assembly Bill No. 873—An act to amend section 6.30 of the School Code, relating to bids for contracts.
Bill read first time, and referred to Committee on Education.

By Mr. Martin: Assembly Bill No. 874—An act to amend sections 1, 9, 10, 13 and 17 of an act entitled "An act to create for the State of California a Department of Engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain acts a felony and repealing an act entitled "An act creating a Commissioner of Public Works, defining his duties and powers and fixing his compensation," approved February 9, 1900, and all acts or parts of acts amendatory thereof; also

repealing an act entitled "An act to create a Department of Highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year," approved April 1, 1897; also repealing an act entitled "An act providing for the appointment of an Auditing Board to the Commissioner of Public Works, authorizing and directing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this act," approved March 17, 1897, and all acts or parts of acts amendatory thereof; also repealing an act entitled "An act to provide for the appointment, duties and compensations of a Debris Commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such commissioner," approved March 24, 1893, and all acts or parts of acts amendatory thereof; also repealing an act entitled "An act to create the office of Lake Tahoe Wagon Road Commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this act," approved April 1, 1897, and all acts or parts of acts amendatory thereof," approved March 11, 1907, Statutes 1907, as amended.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Wagner: Assembly Bill No. 875—An act to amend sections 9, 23, and 24 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to industrial accidents.

Bill read first time, and referred to Committee on Insurance.

By Mr. Wagner: Assembly Bill No. 876—An act to amend section 8 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to employees.

Bill read first time, and referred to Committee on Insurance.

By Mr. Rosenthal: Assembly Bill No. 877—An act to amend section 662 of the Code of Civil Procedure, relating to motions for new trial.

Bill read first time, and referred to Committee on Judiciary.

By Mr. DeLap: Assembly Bill No. 878—An act to amend section 1005 of the Code of Civil Procedure, relating to notice of motion.

Bill read first time, and referred to Committee on Judiciary.

By Mr. DeLap: Assembly Bill No. 879—An act to add a new section to the Code of Civil Procedure, to be numbered 597, relating to the separate trial of any one or more of the issues joined.

Bill read first time, and referred to Committee on Judiciary.

By Mr. DeLap: Assembly Bill No. 880—An act to amend section 726 of the Code of Civil Procedure, relating to foreclosure of mortgages.

Bill read first time, and referred to Committee on Judiciary.

By Mr. DeLap: Assembly Bill No. 881—An act to amend section 608 of the Code of Civil Procedure, relative to instructions and comment in civil cases.

Bill read first time, and referred to Committee on Judiciary.

By Mr. DeLap: Assembly Bill No. 882—An act to amend section 338 of the Code of Civil Procedure, relating to limitation of actions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Stream (by request): Assembly Bill No. 883—An act to amend sections 45, 47 and 48 of the California Irrigation District Act, all relating to delinquent assessments, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Irrigation.

By Messrs. Hunt and Jones: Assembly Bill No. 884—An act to add a new section to the Penal Code, to be numbered section 593b, relating to climbing upon poles, towers and other structures supporting wires or cables, transmitting electric energy.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Hunt: Assembly Bill No. 885—An act to add section 28a to the Weights and Measures Act, relating to the inspection of taxicab meters.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Hunt: Assembly Bill No. 886—An act to provide for shortening of time for trial and appeal of causes arising out of injuries to persons.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hunt: Assembly Bill No. 887—An act to add Article 4 to Chapter 5 of Part 2 of Division 2 of the Insurance Code, relating to life insurance policy proceeds.

Bill read first time, and referred to Committee on Insurance.

By Mr. Hunt: Assembly Bill No. 888—An act to provide for supervision of manufacture and projection of motion pictures in this State, including inspection, classification and cataloging of such pictures, both silent and otherwise; the creation of a State Motion Picture Commission and the definition of its powers, functions and duties and other matters relating thereto.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Hunt: Assembly Bill No. 889—An act relating to pensioners of the State or of any county, city and county or other political subdivision thereof.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Fisher: Assembly Bill No. 890—An act to amend sections 8 and 17 of the State Medical Practice Act, relating to certificates licens-

ing the practice of medicine, drugless healing and chiropody, and to penalties for violation of the provisions of the act.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Anderson: Assembly Bill No. 891—An act to repeal section 2.982 of the School Code relating to duties of school trustees.

Bill read first time, and referred to Committee on Education.

By Messrs. Frazier, O'Donnell, Desmond and Nielsen: Assembly Bill No. 892—An act making an appropriation to the Reclamation Board of the State of California to carry out the provisions of an act entitled "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, as modified by the report of California Debris Commission, dated January 5, 1925, and providing the extent to which the State of California will contribute to the expense of executing the plan approved in said report, conditioned upon the United States assuming a corresponding obligation and further providing the purposes to which said expenditures made hereunder shall be applied," approved May 4, 1925.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Mr. DeLap (by request): Assembly Bill No. 893—An act to amend sections 1065 and 1071 of the Agricultural Code, relating to economic poisons.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Messrs. Kallam, Thorp and Walker: Assembly Bill No. 894—An act to amend section 893 of, and to add section 897.1 to the Agricultural Code, relating to field crops.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Kallam: Assembly Bill No. 895—An act to amend section 820 of the Agricultural Code, relating to the standardization of tomatoes.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Thorp: Assembly Bill No. 896—An act to amend sections 479, 508, 510, 581, 585, 590, 591, 593, 632, and 673 of the Agricultural Code, relating to dairies and dairy products.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Thorp: Assembly Bill No. 897—An act to amend section 487a of the Agricultural Code of California.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Thorp: Assembly Bill No. 898—An act to amend section 488(a) of the Agricultural Code of California.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Thorp: Assembly Bill No. 899—An act to amend sections 473, 508(f), 508(g) and 516 of the Agricultural Code of California.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Messrs. Riley and Lyon: Assembly Bill No. 900—An act providing for an investigation and report on the subject of gross receipts taxes for the State of California and for any or all of its governmental units, making an appropriation therefor, and declaring this act to be an urgency measure to go into immediate effect.

Bill read first time, and referred to Committee on Rules.

By Messrs. Riley and Cunningham: Assembly Bill No. 901—An act to amend section 12 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, relating to the conservation of natural resources.

Bill read first time, and referred to Committee on Conservation.

By Messrs. Riley and Cunningham: Assembly Bill No. 902—An act to amend section 18 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, relating to the powers of the Surveyor General, now the Chief of the Division of State Lands.

Bill read first time, and referred to Committee on Conservation.

By Messrs. Riley and Cunningham: Assembly Bill No. 903—An act to amend section 4 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, relating to the extension of prospecting permits for oil and gas which were in effect June 1, 1933, and upon which has been expended $25,000 or more in the prospecting for oil and gas.

Bill read first time, and referred to Committee on Conservation.

By Mr. Latham: Assembly Constitutional Amendment No. 35—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Article XXV thereto, relating to taxation, and providing for property relief and a gross income tax.

Introduced, and referred to Committee on Constitutional Amendments.

By Messrs. Jones, O'Donnell, Cassidy, Wagner, Donihue, Meehan, McMurray, Heisinger, Turner, Lore, Pelletier, Hunt, Evans, Ralph W., Rosenthal, Gilbert, Laughlin, Voigt, Hawkins, Welsh, McCarthy, Flint, Boyle, Geyer, Reaves, Glover, Clark, Richie, and Garibaldi: Assembly Constitutional Amendment No. 36—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XIII thereof, a new section to be numbered 5, relating to taxation.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Wallace: Assembly Constitutional Amendment No. 37—A resoluion to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article XIII thereof a new section to be numbered 5, relating to exemptions from taxation.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Wagner: Assembly Constitutional Amendment No. 38—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by adding to Article XIII thereof a new section to be numbered 4a, relating to taxation of property used by unemployed cooperative associations.

Introduced, and referred to Committee on Constitutional Amendments.

By Messrs. Lyon and Morgan: Assembly Joint Resolution No. 25—Relative to memorializing the President and Congress to enact the required legislation for a complete and impartial investigation of the military defense situation in the State of California.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 25 at this time, without reference to printer, committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER TWENTY-FIVE.

Assembly Joint Resolution No. 25—Relative to memorializing the President and Congress to enact the required legislation for a complete and impartial investigation of the military defense situation in the State of California.

Assembly Joint Resolution No. 25 read.

FLOOR AMENDMENT.

During reading of Assembly Joint Resolution No. 25, the following amendment was submitted by Mr. Hornblower:

AMENDMENT NUMBER ONE.

On page 2 of the resolution, strike out the paragraph reading:

"WHEREAS, The necessity of a larger force was shown when the National Guard was called to San Francisco, leaving only 335 men in southern California, in the face of threatened dock strikes at Wilmington and San Pedro at the same time; now therefore, be it.".

Amendment adopted.

FURTHER CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER TWENTY-FIVE.

Assembly Joint Resolution No. 25—Relative to memorializing the President and Congress to enact the required legislation for a complete and impartial investigation of the military defense situation in the State of California.

Assembly Joint Resolution No. 25 read, as amended.

Mr. Lyon moved the adoption of Assembly Joint Resolution No. 25, as amended.

The question being on the adoption of Assembly Joint Resolution No. 25, as amended.

The roll was called, and Assembly Joint Resolution No. 25, as amended, adopted by the following vote:

AYES—Anderson, Boyle, Breed, Cassidy, Chatters, Corwin, Cottrell, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Garibaldi, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Lore, Lyon, Maloney, Martin, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Phillips, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Wright, and Mr. Speaker—50.

NOES—Geyer, Glover, Pelletier, and Williamson—4.

Title read and approved.

Assembly Joint Resolution No. 25 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 25.

Relative to memorializing the President and Congress to enact the required legislation for a complete and impartial investigation of the military defense situation in the State of California.

WHEREAS, During recent times there has been a great deal of public interest and discussion in regard to the military defense situation in the State of California; and

WHEREAS, As a result of such discussion and study on the part of representative citizens of the State of California there appears to be a very apparent weakness in the military defense of said State; and

WHEREAS, Investigations made by and information compiled by Congressman John F. Dockweiler quite conclusively demonstrates the inadequacy of the coast defense in California; and

WHEREAS, California has only one antiaircraft detachment with a complement of 24 officers and 323 men, which is situated at Fort McArthur, to cover and protect the entire length of the California coast line; and

WHEREAS, The Coast Artillery in California has only 2 officers and 24 men in San Diego, 4 officers and 28 men at Fort McArthur and two detachments at San Francisco consisting of 32 officers and 323 men in one detachment and 4 officers and 76 men in the other detachment; and

WHEREAS, There is no tank corps of any kind in the State of California, despite the fact that California is a frontier State; and

WHEREAS, The aviation defense in California is totally inadequate; and

WHEREAS, Under the National Defense Act of 1919, California should have 17,600 National Guardsmen, but actually has only 6,050; now therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the President and the Congress of the United States are hereby respectfully urged

to enact the required legislation for a complete and impartial investigation of the military defense situation in the State of California; and be it further

Resolved, That the Governor of the State of California is hereby requested to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Member of the House of Representatives from California in the Congress of the United States, and that such Senators and Members from California are hereby respectfully urged to support such legislation.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Anderson: Assembly Joint Resolution No. 26—Relative to memorializing Congress to proceed with the construction of the International Highway from Canada to Fairbanks, Alaska.

Introduced, and referred to Committee on Federal Relations.

By Mr. Wagner: Assembly Joint Resolution No. 27—Relative to memorializing the President and Congress to carefully consider the required legislation necessary to restrict all immigration into the United States until such a time as the United States may recover its economic stability and its vast army of unemployed citizens are returned to positions of employment.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Wagner asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 27, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER TWENTY-SEVEN.

Assembly Joint Resolution No. 27—Relative to memorializing the President and Congress to carefully consider the required legislation necessary to restrict all immigration into the United States until such a time as the United States may recover its economic stability and its vast army of unemployed citizens are returned to positions of employment.

Assembly Joint Resolution No. 27 read.

Mr. Wagner moved the adoption of Assembly Joint Resolution No. 27.

The question being on the adoption of Assembly Joint Resolution No. 27.

The roll was called, and Assembly Joint Resolution No. 27 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McCarthy, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 27 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 27.

Relative to memorializing the President and Congress to carefully consider the required legislation necessary to restrict all immigration into the United States until such a time as the United States may recover its economic stability and its vast army of unemployed citizens are returned to positions of employment.

WHEREAS, The Legislature of the State of California has consistently urged adherence by the United States to a policy of restricted immigration; and

WHEREAS, The influx of cheap alien laborers has caused and continues to cause unjust and unfair competition with American laborers, and at the same time abrogates and nullifies the beneficial results to be expected from a National policy of restricted immigrations; and

WHEREAS, The continued inflow of alien people and the rate of increase of those already here means the gradual replacement of the American-born people by those of alien blood; and

WHEREAS, Aliens are freely allowed to work at gainful occupations within this country, despite the fact that the United States has about 10,500,000 unemployed citizens; and

WHEREAS, Alien labor is undermining the working conditions of American labor, and the economic stability of the United States; now, therefore, be it

Resolved by the Assembly and the Senate of California, jointly, That the President and the Congress of the United States is hereby respectfully urged to carefully consider and enact the required legislation necessary to restrict all immigration into the United States until such a time as the United States may recover its economic stability and its vast army of unemployed citizens are returned to positions of employment; and be it further

Resolved, That the Governor of the State of California is hereby requested to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and member of the House of Representatives from California in the Congress of the United States, and that such Senators and members from California are hereby respectfully urged to support such legislation

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced:

By Miss Miller: Assembly Concurrent Resolution No. 20—Relative to the variance between the enrolled copy of Assembly Concurrent Resolution No. 1 and Assembly Concurrent Resolution No. 1 as it was submitted to and approved by the Legislature of the State of California, approving certain amendments to the charter of the city of Pasadena ratified at a municipal election held on the sixth day of November, 1934.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Miss Miller asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 20, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER TWENTY.

Assembly Concurrent Resolution No. 20—Relative to the variance between the enrolled copy of Assembly Concurrent Resolution No. 1, and Assembly Concurrent Resolution No. 1 as it was submitted to and approved by the Legislature of the State of California, approving certain charter amendments to the charter of the city of Pasadena ratified at a municipal election held on the sixth day of November, 1934.

Assembly Concurrent Resolution No. 20 read.

Miss Miller moved the adoption of Assembly Concurrent Resolution No. 20.

The question being on the adoption of Assembly Concurrent Resolution No. 20.

The roll was called, and Assembly Concurrent Resolution No. 20 was adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 20 ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 20—Relative to the variance between the enrolled copy of Assembly Concurrent Resolution No. 1, and Assembly Concurrent Resolution No. 1 as it was submitted to and approved by the Legislature of the State of California, approving certain charter amendments to the charter of the city of Pasadena ratified at a municipal election held on the sixth day of November, 1934.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Messrs. Williamson, Maloney, McMurray, Peyser, Cronin, Gilmore, and Hornblower: Assembly Concurrent Resolution No. 21—Relative to the acquiring by the State, of rights of way to the beaches along our coast.

Introduced, and referred to Committee on Roads and Highways.

By Mr. Fisher: Assembly Concurrent Resolution No. 22—Relative to approving certain amendment to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the nineteenth day of December, 1933.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Fisher asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 22, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER TWENTY-TWO.

Assembly Concurrent Resolution No. 22—Relative to approving certain amendment to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the nineteenth day of December, 1933.

Assembly Concurrent Resolution No. 22 read.

Mr. Fisher moved the adoption of Assembly Concurrent Resolution No. 22.

The question being on the adoption of Assembly Concurrent Resolution No. 22.

The roll was called, and Assembly Concurrent Resolution No. 22 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Richie, Riley, Robertson, Scudder, Thorp, Turner, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 22 ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 22—Relative to approving certain amendment to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the nineteenth day of December, 1933.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Redwine: Assembly Constitutional Amendment No. 39—A resolution to propose to the people of the State of California an amendment to Article IV of the Constitution of the State, by amending section 31 thereof, relating to paying the principle and interest on bonds issued by city, county, city and county, district or other political subdivision whose funds are in the custody of the treasurer of any city, county, or city and county.

Introduced, and referred to Committee on Constitutional Amendments.

By Messrs. Turner and Evans, Herbert J.: Assembly Constitutional Amendment No 40—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article XIII thereof, a new section to be numbered 5, relating to exemptions from taxation.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Redwine: Assembly Constitutional Amendment No. 41—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State by amending section 11 of Article VI thereof, relating to the appointment, number, classification and compensation of clerks and other attaches of the municipal court.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Nielsen: Assembly Bill No. 904—An act to amend section 600 of the Probate Code, relating to inventory and appraisement of estates.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Nielsen: Assembly Bill No. 905—An act to amend section 1020 of the Probate Code, relating to necessary procedure in issuing decrees of distribution.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Nielsen: Assembly Bill No. 906—An act confirming the formation, organization and existence of municipal utility districts.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Nielsen: Assembly Bill No. 907—An act to amend sections 616, 617 and 618 of the Fish and Game Code, relating to trout.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Nielsen: Assembly Bill No. 908—An act to amend section 611.5 of the Fish and Game Code, relating to golden trout.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Nielsen: Assembly Bill No. 909—An act to repeal section 611.6 of the Fish and Game Code, relating to steelhead trout.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Nielsen: Assembly Bill No. 910—An act to amend section 5.500 of the School Code, relating to terms of employment.

Bill read first time, and referred to Committee on Education.

By Mr. Nielsen: Assembly Bill No. 911—An act to amend section 610 of the Fish and Game Code, relating to trout and whitefish.

Bill read first time, and referred to Committee on Fish and Game.

By Miss Miller: Assembly Bill No. 912—An act to amend sections 2, 3, 4, 6, 7, and 18 of the "Act Concerning Cosmetology," as amended.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Cottrell: Assembly Bill No. 913—An act to amend section 662 of the Political Code, relating to the payment of fees to private persons, firms or corporations.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Corwin: Assembly Bill No. 914—An act to amend section 391 of the Agricultural Code, relating to estrays.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Messrs. Phillips, Garibaldi, Turner, Corwin, and Walker: Assembly Bill No. 915—An act to amend "An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission; prescribing the powers, duties and authority of said commission and the members thereof; providing for the institution of proration programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purposes of said

act and providing for the collection thereof; and making an appropriation therefor"; approved June 5, 1933, by amending sections 2, 5, 8, 9, 10, 11, 16, 18, 19, 20, 21, 22, 23, 24, 25, and 26 and adding new sections numbered 27, 28, 29.

Bill read first time, and referred to Committee on Agriculture.

By Messrs. Phillips, Walker and Corwin: Assembly Bill No. 916—An act to establish legislative standards in relation to the rehabilitation of agriculture and the regulation of producers, packers, distributors, shippers, marketers, handlers, processors and others dealing in agricultural, viticultural and horticultural products and of any competing commodity or product thereof; to recognize, make effective and provide for the enforcement in this State of marketing agreements and licenses issued or prescribed by the Secretary of Agriculture of the United States under the National Agricultural Adjustment Act, being Public Act No. 10 of the Seventy-third Congress of the United States; to provide for the issuance, administration and enforcement of State marketing agreements and State licenses in connection therewith; to prescribe the powers, duties and jurisdiction of the State Director of Agriculture in relation thereto; to provide that said State and Federal marketing agreements and licenses shall be and establish by the State Department of Agriculture.

Bill read first time, and referred to Committee on Agriculture.

standards of fair competition in this State; to suspend all antitrust and unfair competition laws of this State in conflict herewith and therewith; to prescribe remedies, rights, duties and penalties with respect to violations hereof and thereof; to provide ways, means and moneys for the administration and enforcement of said State and Federal marketing agreements and licenses; to declare the existence of a State and National agricultural emergency and the urgency of this act and that this act shall take effect immediately.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Phillips: Assembly Bill No. 917—An act making an appropriation for the support and maintenance of highway inspection stations

By Mr. Phillips: Assembly Bill No. 918—An act to amend sections 798 and 830 of the Agricultural Code, relating to dates.

Bill read first time, and referred to Committee on Agriculture.

By Messrs. Phillips and Kallam: Assembly Bill No. 919—An act to amend sections 1261 and 1262 of Chapter 6, Division VI of the Agricultural Code, relating to produce dealers.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Phillips: Assembly Bill No. 920—An act to amend section 1261 of the Agricultural Code, relating to produce dealers.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Phillips: Assembly Bill No. 921—An act to amend section 1268 of the Agricultural Code, relating to produce dealers.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Phillips: Assembly Bill No. 922—An act to amend section 1264 of the Agricultural Code, relating to produce dealers.
Bill read first time, and referred to Committee on Agriculture.

By Mr. Phillips: Assembly Bill No. 923—An act to amend section 1283 of the Agricultural Code, relating to deciduous fruit dealers.
Bill read first time, and referred to Committee on Agriculture.

By Messrs. Phillips and Boyle: Assembly Bill No. 924—An act to amend sections 781, 783, 784, 785, 787, 788, and 822, and to add sections 784.1, 784.2 784 3, 784.4, 784.5, and 784.6 to the Agricultural Code, relating to fruits, nuts and vegetables.
Bill read first time, and referred to Committee on Agriculture.

By Mr. Phillips: Assembly Bill No. 925—An act to amend section 830.5 of the Agricultural Code, relating to transportation of fruits, nuts, and vegetables.
Bill read first time, and referred to Committee on Agriculture.

By Mr. Phillips: Assembly Bill No. 926—An act to amend section 3.472 of the School Code, relating to the transportation of teachers of agriculture employed by high school districts and engaged in supervising project work of pupils.
Bill read first time, and referred to Committee on Education.

By Mr. Phillips: Assembly Bill No. 927—An act to provide for the further development of vocational education in California by accepting the provisions and benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled and approved May 21, 1934, entitled "An act to provide for the further development of vocational education in the several States and Territories"; and making an appropriation therefor; and declaring the urgency thereof and providing that this act shall take effect immediately.
Bill read first time, and referred to Committee on Education.

By Mr. Phillips: Assembly Bill No. 928—An act to amend sections 4.280b and 4.281b of the School Code, relating to a revolving fund for warehouse stock.
Bill read first time, and referred to Committee on Education.

By Mr. Phillips: Assembly Bill No. 929—An act to repeal Article V of Chapter I of Part III of Division IV, embracing sections 4.320 to 4.334, inclusive, of the School Code, and to repeal Article VI of Chapter I of Part III of Division IV, embracing sections 4.340 to 4.353 of the School Code, and to enact in lieu thereof a new article to be numbered V, embracing sections 4.320 to 4.331, inclusive, all relating to payments from district funds.
Bill read first time, and referred to Committee on Education.

By Mr. Phillips: Assembly Bill No. 930—An act to amend section 4.360 of the School Code, relating to school district budgets, declaring the urgency thereof and providing that this act shall take effect immediately.
Bill read first time, and referred to Committee on Education.

By Mr. Williamson: Assembly Bill No. 931—An act to amend section 3½ of an act entitled "An act to be known as the Child Labor Law, and regulating the employment, hours, kinds and conditions of labor of children; providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of act inconsistent herewith," approved May 10, 1919 (Stats. 1919, Chap. 259), as amended, relative to the age of children employed in public places.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Williamson: Assembly Bill No. 932—An act to amend "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act." approved May 15, 1933, relating to the business of outdoor advertising.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Williamson (by request): Assembly Bill No. 933—An act to amend section 5.750 of the School Code, relating to the compensation of persons employed in school districts in positions requiring certification qualifications while absent from duty because of illness.

Bill read first time, and referred to Committee on Education.

By Mr. Williamson: Assembly Bill No. 934—An act to amend section 5.63 of the School Code, relating to admission of nonresident students.

Bill read first time, and referred to Committee on Education.

By Mr. Williamson: Assembly Bill No. 935—An act to amend section 5.350 of the School Code, relating to fees for credentials and certificates.

Bill read first time, and referred to Committee on Education.

By Mr. Williamson: Assembly Bill No. 936—An act to amend section 5.21 of the School Code, relating to the collection of fees in the California State Teachers Colleges.

Bill read first time, and referred to Committee on Teachers Colleges.

By Mr. Williamson: Assembly Bill No. 937—An act to amend section 1714½ of the Civil Code.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Williamson (by request San Francisco Board of Education): Assembly Bill No. 938—An act to amend sections 5.140, 5.150 (e), and 5.166 of the School Code, relating to the standards for the granting of credentials and certificates.

Bill read first time, and referred to Committee on Education.

By Mr. Redwine: Assembly Bill No. 939—An act to add to the Fish and Game Code sections 842.5, 842.6, and Article 1-A, embracing sections 1000 and 1001, relating to commercial fishing.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Redwine: Assembly Bill No. 940—An act to add section 25 5 to the Fish and Game Code, relating to the establishment and maintenance of hatcheries.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Redwine: Assembly Bill No. 941—An act to amend section 428 of the Fish and Game Code and to add thereto sections 428.5 and 428.6, relating to sporting fishing licenses, and the disposition of fees therefrom.

Bill read first time, and referred to Committee on Fish and Game.

MOTION TO RUSH PRINTING.

Mr. Cottrell moved that the Chief Clerk instruct the State Printer to rush the printing of Assembly Bill No. 913.

Motion carried.

COMMUNICATION.

The following communication was received, and ordered printed in the Journal.

STATE BOARD OF EQUALIZATION, STATE OF CALIFORNIA,
SACRAMENTO, January 23, 1935.

Hon. Arthur A. Ohnimus, Chief Clerk of the Assembly,
State Capitol, Sacramento, California.

DEAR MR. OHNIMUS: Pursuant to Assembly Concurrent Resolution No. 13, I have the honor to transmit a statement prepared by the State Board of Equalization showing the approximate valuation of utility properties in the State of California, based upon operative roll assessments of 1934.

This statement is supplemented by tabulations showing this information in such detail as we think may prove of value to the members of the Legislature for the purposes indicated in the resolution

A similar letter and enclosure are being sent to Honorable Joseph A. Beek, Secretary of the Senate.

Very truly yours,

DIXWELL L. PIERCE, Secretary.

REPORT BY STATE BOARD OF EQUALIZATION PURSUANT TO ASSEMBLY CONCURRENT RESOLUTION NUMBER THIRTEEN.

AVAILABILITY OF INFORMATION.

In order to carry out the duties imposed upon it, pursuant to section 14 of Article XIII of the Constitution and of sections 3663a and 3663b of the Political Code, the State Board of Equalization created a division in its organization designated the Valuation Division, which division is, at present, diligently engaged in assembling the necessary information and data to enable the board to make the required assessments annually beginning in 1935.

This information and data, however, are not yet complete, nor will it be until about June 1, 1935. Accordingly, it is impossible at this date for the State Board of Equalization to furnish the Legislature with a statement of the valuation of utility property based upon its own independent studies and conclusions. Recourse, therefore, must be had to certain other information which is in the possession of the board, and the following report is based upon such information. A statement of the information used and the value of utility property based thereon follows.

TABLE I.

Column 1. A statement showing the actual assessment in 1934 of those classes of operative property, which beginning in 1935 are to be assessed by the board and placed upon local tax rolls. The material under this heading has been compiled from the operative assessment rolls for 1934 submitted by the respective county assessors, pursuant to the provisions of section 3665c of the Political Code, together with the assessments made by the State Board of Equalization for roadways, roadbeds, rails and rolling stock of intercounty railroads, pursuant to the provisions of section 3670c of the Political Code.

Column 2. A statement showing the assessment of nonoperative property as assessed by local county assessors and as equalized by local county boards of equalization as reported by county auditors, pursuant to the provisions of section 2728 of the Political Code.

Column 3. The total of Column 1 and Column 2.

TABLE II.

Column 1. The assessed values as reported by the local county assessors contained in Table I, Column 1, have been converted to an estimated true value by the application of the ratios of assessed value to true value, as found by the State Board of Equalization on December 3, 1934, pursuant to the provisions of section 11, Chapter 642, Statutes of 1931, as amended by Chapter 757, Statutes of 1933, to which has been added the value of that portion of intercounty railroad property assessed by the State Board of Equalization.

Column 2. Shows the estimated true value of nonoperative property obtained by applying the assessment ratios above referred to, to the total assessments of nonoperative property as set forth in Column 2 of Table I.

Column 3. Is the estimated true value of both classes of property arrived at by the addition of Column 1 and Column 2.

Column 4. Shows the proportion that the operative property (column 1) bears to the nonoperative property (column 2) expressed in per cent.

The total true value of operative property to be placed upon local tax rolls as developed in Column 1 of Table II amounts to $1,280,852,026, this figure being as of March 2, 1934.

The total value of operative property as found by the Tax Research Bureau in its report to the Legislature dated December 1, 1932, amounted to $1,920,945,000. This figure was as of December 31, 1931.

The difference between these two figures would appear to arise from four principal causes:

A. The inclusion of the value of franchises in the figure reported by the Tax Research Bureau, which value is excluded from the amount arrived at based on the operative roll of 1934.

Franchises were excluded from the analysis of the operative roll for the reason that the franchises are especially excluded from the property to be assessed by the State Board of Equalization.

B. The inclusion of the value of other intangibles in the figure reported by the Tax Research Bureau, which value is excluded from the amount determined on the basis of the 1934 operative roll.

Intangibles were excluded from the analysis of the operative roll, and likewise from nonoperative property values, for the reason that intangibles are subject to special low rates of taxation and are not available as a part of the general property tax base.

C. The two figures are not of the same date, and it is possible that there has been a material change in values since December 31, 1931.

D. The two totals are based upon figures which represent the judgment of different groups of individuals and, therefore, may not reflect exactly the same judgment as to value.

TABLE I.

Statement of Assessments as of the First Monday of March, 1934, Segregated between Counties and Operative and Nonoperative Property.

Counties		Assessment as of First Monday in March, 1934		
		Operative Property*	Nonoperative Property	Total Operative and Nonoperative Property
No.	Name	Column 1	Column 2	Column 3
1	Alameda	$39,502,153	$381,841,782	$421,343,935
2	Alpine	221,290	779,124	1,000,414
3	Amador	3,547,698	6,121,150	9,668,848
4	Butte	9,274,570	31,228,993	40,503,563
5	Calaveras	1,464,530	6,699,420	8,163,950
6	Colusa	3,262,634	17,884,255	21,146,889
7	Contra Costa	10,589,416	82,943,457	93,532,873
8	Del Norte	163,750	9,143,282	9,307,032
9	El Dorado	1,718,640	10,192,325	11,910,965
10	Fresno	44,393,267	129,615,505	174,008,772
11	Glenn	3,566,474	17,572,780	21,139,254
12	Humboldt	2,663,500	44,714,485	47,377,985
13	Imperial	6,391,183	38,749,159	45,140,342
14	Inyo	5,703,354	11,099,195	16,802,549
15	Kern	31,298,890	139,219,840	170,518,730
16	Kings	4,525,274	38,000,160	42,525,434
17	Lake	768,690	7,006,500	7,775,190
18	Lassen	6,500,657	12,657,825	19,158,483
19	Los Angeles	188,715,167	2,178,925,205	2,367,640,372
20	Madera	4,298,737	20,623,400	24,922,137
21	Marin	2,933,500	28,719,299	31,652,799
22	Mariposa	508,805	4,293,908	4,802,713
23	Mendocino	2,636,020	19,408,905	22,044,925
24	Merced	5,952,275	32,815,885	38,768,160
25	Modoc	5,113,338	6,953,028	12,066,366
26	Mono	2,807,668	3,223,200	6,030,868
27	Monterey	7,665,156	52,463,910	60,129,066
28	Napa	3,015,111	21,018,060	24,033,171
29	Nevada	2,852,719	6,396,185	9,248,904
30	Orange	13,691,633	125,884,945	139,576,578
31	Placer	9,106,437	19,407,500	28,513,937
32	Plumas	10,796,652	7,919,535	18,716,187
33	Riverside	13,642,190	46,201,550	59,843,740
34	Sacramento	17,783,893	126,856,640	144,640,533
35	San Benito	1,518,999	12,938,275	14,457,274
36	San Bernardino	31,746,100	67,711,243	99,457,343
37	San Diego	21,287,624	149,176,025	170,463,649
38	San Francisco	47,499,075	737,677,746	785,176,821
39	San Joaquin	15,393,197	82,020,940	97,414,137
40	San Luis Obispo	4,102,477	32,902,288	37,004,765
41	San Mateo	4,904,723	50,051,101	54,955,824
42	Santa Barbara	10,092,446	77,609,556	87,702,002
43	Santa Clara	11,132,347	119,775,525	130,907,872
44	Santa Cruz	2,744,134	23,873,735	26,617,869
45	Shasta	9,790,348	13,518,035	23,308,383
46	Sierra	383,796	2,508,715	2,892,511
47	Siskiyou	6,551,781	17,526,840	24,078,621
48	Solano	5,632,775	31,542,834	37,175,609
49	Sonoma	4,904,474	40,240,232	45,144,706
50	Stanislaus	6,780,067	42,464,645	49,244,712
51	Sutter	3,948,983	15,938,175	19,887,158
52	Tehama	3,689,921	13,629,240	17,319,161
53	Trinity	355,240	2,935,660	3,290,900
54	Tulare	13,512,180	52,371,699	65,883,879
55	Tuolumne	2,926,905	7,082,750	10,009,655
56	Ventura	9,039,669	66,709,950	75,749,619
57	Yolo	5,361,814	25,992,362	31,354,176
58	Yuba	4,619,885	13,766,920	18,386,805
	Totals	$694,994,231*	$5,386,544,884	$6,081,539,115

*Includes operative property of companies specified in section 14 of Article XIII

TABLE II.

Statement of True Value as of the First Monday in March, 1934, Segregated Between Counties and Operative and Nonoperative Property and the Ratios of True Value of Operative Property to True Value of Nonoperative Property.

Counties No.	Name	Estimated True Value as of March 2, 1934: Operative Property* Column 1	Nonoperative Property Column 2	Total Operative and Nonoperative Property Column 3	Ratio of operative Property to Nonoperative Property Column 4
1	Alameda	$72,161,085	$756,868,903	$829,029,988	9.53
2	Alpine	389,595	1,371,697	1,761,292	28.40
3	Amador	7,082,491	12,697,798	19,780,289	55.78
4	Butte	16,346,232	71,739,648	88,085,880	22.79
5	Calaveras	2,055,746	12,806,523	14,862,269	16 05
6	Colusa	4,021,916	34,467,291	38,489,207	11.67
7	Contra Costa	19,348,206	211,137,433	230,485,639	9.16
8	Del Norte	357,611	19,966,640	20,324,251	1.79
9	El Dorado	2,573,772	21,807,218	24,380,990	11.80
10	Fresno	78,125,197	258,001,325	336,126,522	30.28
11	Glenn	4,624,633	35,642,278	40,266,911	12.98
12	Humboldt	4,270,947	96,590,254	100,861,201	4.42
13	Imperial	9,397,128	76,041,802	85,438,930	12.36
14	Inyo	10,761,053	39,658,453	50,419,506	27.13
15	Kern	67,972,184	377,880,750	445,852,934	17.99
16	Kings	6,517,929	77,616,792	84,134,721	8.40
17	Lake	1,964,954	17,908,512	19,873,466	10 97
18	Lassen	6,914,363	24,092,328	31,006,691	28.70
19	Los Angeles	355,508,700	4,340,297,836	4,695,806,536	8.19
20	Madera	6,317,194	39,897,497	46,214,691	15.83
21	Marin	5,031,222	77,569,273	82,600,495	6 49
22	Mariposa	677,980	7,804,269	8,482,249	8.69
23	Mendocino	5,054,915	52,400,990	57,455,905	9 65
24	Merced	9,721,373	94,242,242	103,963,615	10.32
25	Modoc	6,261,943	26,497,965	32,759,908	23.63
26	Mono	4,181,069	5,491,907	9,672,976	76 13
27	Monterey	13,322,579	136,593,796	149,916,375	9.75
28	Napa	4,110,152	42,345,116	46,455,268	9.71
29	Nevada	6,123,213	16,787,453	22,910,666	36.47
30	Orange	28,769,458	351,148,904	379,918,362	8.19
31	Placer	14,211,096	36,328,417	50,539,513	39.12
32	Plumas	16,641,859	13,872,645	30,514,504	119 96
33	Riverside	25,472,181	144,905,322	170,377,503	17.58
34	Sacramento	27,980,695	225,433,770	253,414,465	12.41
35	San Benito	2,523,391	25,745,646	28,269,037	9.80
36	San Bernardino	60,368,734	217,158,441	277,527,175	27.80
37	San Diego	44,402,923	337,403,529	381,806,452	13.16
38	San Francisco	90,401,218	1,409,395,769	1,499,796,987	6.41
39	San Joaquin	27,115,493	190,251,688	217,367,181	14.25
40	San Luis Obispo	11,087,409	66,792,004	77,879,413	16.60
41	San Mateo	15,070,770	185,939,535	201,010,305	8.11
42	Santa Barbara	18,141,016	179,101,135	197,242,151	10.13
43	Santa Clara	20,681,863	270,485,074	291,166,937	7 65
44	Santa Cruz	5,400,716	67,289,825	72,690,541	8.03
45	Shasta	26,091,346	41,993,705	68,085,051	62.13
46	Sierra	550,058	5,878,254	6,428,312	9.36
47	Siskiyou	8,598,709	33,315,217	41,913,926	25.81
48	Solano	8,639,967	64,379,150	73,019,117	13.42
49	Sonoma	9,782,576	114,131,865	123,914,441	8 57
50	Stanislaus	12,195,386	106,736,900	118,932,286	11.43
51	Sutter	6,291,042	42,835,901	49,126,943	14 69
52	Tehama	5,961,804	28,380,664	34,342,468	21.01
53	Trinity	671,446	7,415,155	8,086,601	9.06
54	Tulare	21,726,146	127,448,391	149,174,537	17.05
55	Tuolumne	8,888,024	22,500,214	31,388,238	39.50
56	Ventura	16,293,171	153,519,888	169,813,059	10.61
57	Yolo	7,504,755	57,536,397	65,041,152	13.04
58	Yuba	8,193,392	29,802,866	37,996,258	27.49
	Totals	$1,280,852,026	$11,543,350,260	$12,824,202,286	11.10

*Includes operative property of companies specified in section 14 of Article XIII.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1935.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 411—An act to add section 3888a to the Political Code, relating to the payment of taxes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DELAP, Chairman.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Burns asked for, and was granted, unanimous consent to take up Assembly Bill No. 411, at this time, without reference to file, and that same be considered engrossed.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Burns:

Resolved, That Assembly Bill No. 411 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Mr. Burns moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Williamson and Mr. Speaker—69.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 411.

SECOND READING OF ASSEMBLY BILL NUMBER FOUR HUNDRED ELEVEN.

Assembly Bill No. 411—An act to add section 3888a to the Political Code, relating to the payment of taxes.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Williamson, and Mr. Speaker—69.

NOES—None.

FLOOR AMENDMENTS.

During second reading of the bill, the following amendments were submitted by Mr. Burns:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the word "shall" and insert in lieu thereof the following: "may by resolution of the board of supervisors,".

AMENDMENT NUMBER TWO.

On page 1, line 5, of the printed bill, strike out the period, and add the following: "where the amount of the warrant is equal to or less than the amount of taxes due."

Amendments adopted.

FURTHER CONSIDERATION OF ASSEMBLY BILL NUMBER FOUR HUNDRED ELEVEN BY UNANIMOUS CONSENT.

THIRD READING OF ASSEMBLY BILL NUMBER FOUR HUNDRED ELEVEN.

Assembly Bill No. 411—An act to add section 3888a to the Political Code, relating to the payment of taxes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 411 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert, J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Williamson, and Mr. Speaker—69.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

COMMUNICATION.

The following communication was filed by the Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1935.

MR. SPEAKER: Pursuant to your instructions, the following named persons have filed their credentials and are duly recognized as representatives of the newspapers set opposite their respective names:

The New Age-Dispatch—Frederick M. Roberts.
The Occidental News Service—Frederick M. Roberts.

ARTHUR A. OHNIMUS, Chief Clerk.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 23, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 73—An act authorizing the Division of Water Resources of the Department of Public Works to prosecute efforts to secure Federal aid and assistance in financing the construction of the Central Valley Project, as said project is authorized and defined in the Central Valley Project Act of 1933, making an appropriation therefor, and declaring the urgency thereof, and providing that this act shall take immediate effect.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

Senate Bill No. 73 read first time.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Chatters asked for, and was granted, unanimous consent to take up Senate Bill No. 73, at this time, without reference to committee or file.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 23, 1935.

To the Honorable Members of the Assembly:

Senate Bill No. 73—An act authorizing the Division of Water Resources of the Department of Public Works to prosecute efforts to secure Federal aid and assistance in financing the construction of the Central Valley Project, as said project is authorized and defined in the Central Valley Project of 1933, making an appropriation therefor, and declaring the urgency thereof, and providing that this act shall take immediate effect.

In my opinion said Senate Bill No. 73 constitutes an emergency bill within the meaning of that term as used in section 34 of Article IV of the Constitution of the State of California, and the consideration of which should not await the final enactment of the Budget Bill.

I therefore recommend the consideration of this bill as such an emergency measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Chatters:

Resolved, That Senate Bill No. 73 presents a case of urgency as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second and third times, and placed upon its passage.

Resolution read.

Mr. Chatters moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—66.

NOES—Corwin—1.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 73.

SECOND READING OF SENATE BILL NUMBER SEVENTY-THREE.

Senate Bill No. 73—An act authorizing the Division of Water Resources of the Department of Public Works to prosecute efforts to secure Federal aid and assistance in financing the construction of the Central Valley Project, as said project is authorized and defined in the Central Valley Project Act of 1933, making an appropriation therefor, and declaring the urgency thereof, and providing that this act shall take immediate effect.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—66.

NOES—Corwin—1.

THIRD READING OF SENATE BILL NUMBER SEVENTY-THREE.

Senate Bill No. 73—An act authorizing the Division of Water Resources of the Department of Public Works to prosecute efforts to secure Federal aid and assistance in financing the construction of the Central Valley Project, as said project is authorized and defined in the Central Valley Project Act of 1933, making an appropriation therefor, and declaring the urgency thereof, and providing that this act shall take immediate effect.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 73 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—66.

NOES—Corwin—1.

Title read and approved.

Bill ordered transmitted to the Senate.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 24, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 328—An act relating to rural relief or rehabilitation corporations or agencies, and authorizing persons holding State offices or employments to participate therein, declaring the urgency of this act, and providing that it shall go into immediate effect.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

Senate Bill No. 328 read first time.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Lyon asked for, and was granted, unanimous consent to take up Senate Bill No. 328, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED TWENTY-EIGHT.

Senate Bill No. 328—An act relating to rural relief or rehabilitation corporations or agencies, and authorizing persons holding State offices or employments to participate therein, declaring the urgency of this act, and providing that it shall go into immediate effect.

Bill read first time.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Lyon:

Resolved, That Senate Bill No. 328 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second and third times, and placed upon its passage.

Resolution read.

Mr. Lyon moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—64.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 328.

SECOND READING OF SENATE BILL NUMBER THREE HUNDRED TWENTY-EIGHT.

Senate Bill No. 328—An act relating to rural relief or rehabilitation corporations or agencies, and authorizing persons holding State offices or employments to participate therein, declaring the urgency of this act and providing that it shall go into immediate effect.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—68.

NOES—None.

THIRD READING OF SENATE BILL NUMBER THREE HUNDRED TWENTY-EIGHT.

Senate Bill No. 328—An act relating to rural relief or rehabilitation corporations or agencies, and authorizing persons holding State offices or employments to participate therein, declaring the urgency of this act and providing that it shall go into immediate effect.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 328 passed by the following vote:

AYES—Anderson, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 24, 1935.

To the Honorable Members of the Assembly, State of California.

Assembly Bill No. 170—An act to establish a Vehicle Code, thereby consolidating and revising the law relating to vehicles and vehicular traffic, and to repeal certain acts and parts of acts specified therein.

In my opinion constitutes an emergency bill within the meaning of section 34 of Article IV of the State Constitution, the consideration of which should not await final enactment of the Budget Bill, in view of the confusion and expense which may be avoided by early consideration of this measure in the light of other legislative measures pending and designed to affect substantial changes in the Vehicle Code if adopted.

I therefore recommend the consideration of this bill as an emergency measure within the meaning of the term as used in section 34 of Article IV of the Constitution.

Respectfully submitted,

FRANK F. MERRIAM, Governor of California.

THIRD READING OF ASSEMBLY BILL NUMBER ONE HUNDRED SEVENTY.

Assembly Bill No. 170—An act to establish a Vehicle Code, thereby consolidating and revising the law relating to vehicles and vehicular traffic, and to repeal certain acts and parts of acts specified herein.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 170 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Waters: Assembly Bill No. 942—An act to amend section 423 of the Probate Code of the State of California, relating to nomination of administrators.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Fulcher: Assembly Bill No. 943—An act to amend section 688 of the Political Code, relating to claims against the State of California.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Fulcher (by request): Assembly Bill No. 944—An act regulating the use of public highways by motor vehicles operated thereon for the transportation of property for compensation; conferring powers upon the Railroad Commission with respect thereto; providing penalties for the violations of this act and repealing all acts inconsistent with the provisions of this act.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Hawkins: Assembly Bill No. 945—An act to amend sections 405a and 405b of the Penal Code, relating to lynching, and providing penalties therefor.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Reaves: Assembly Bill No. 946—An act to amend sections 3, 4, 5, 7, 9, 10, 12 and 17 of an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by the electors November 7, 1922, relating to the Board of Chiropractic Examiners and the practice of chiropractic.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Messrs. Fisher, Breed, Donihue, Meehan, Peyser, Cassidy, Cronin, McMurray, Maloney, Brennan, Gilmore, Johnson, and Wagner: Assembly Bill No. 947—An act to amend Chapter 763, Statutes of 1929, approved June 10, 1929, as amended by Chapter 401, Statutes of 1931, approved May 25, 1931, and as amended by Chapter 10, Statutes of 1933, approved January 26, 1933, entitled and known and cited as "California Toll Bridge Authority Act" by amending the title thereof and by amending sections 2, 9, 11, 14, 16, 20 and 22½, and by adding thereto new sections numbered 4½, 5½, 5¾, 8½, 8¾, 9½, 9¾, 12½, 13¾, 16¼ and 16½, relating to and prescribing additional duties, powers and limitations regarding the construction and financing of toll bridges; and providing for the acquisition, construction, financing and operation of transportation facilities thereof and thereto; and providing that this act become effective immediately.

Bill read first time, and referred to Committee on Roads and Highways.

By Messrs. Mayo, Nielsen, and Desmond: Assembly Bill No. 948—An act to amend section 677a of the Political Code, relating to departmental budgets.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Messrs. Mayo, Nielsen, and Desmond: Assembly Bill No. 949—An act to amend section 535 of the Political Code, relating to purchase of machinery or equipment for the State Printing Plant.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Fisher: Assembly Bill No. 950—An act to amend section 1060 of the Fish and Game Code, and to add thereto sections 481.5, and 1064.5, relating to fish and game.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Boyle: Assembly Bill No. 951—An act relating to the securing of Federal aid in connection with the funding or refunding of outstanding bonds or assessments of assessment districts in the State of California.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Lore: Assembly Bill No. 952—An act to amend Chapter 6 of Division VI of the Agricultural Code, relating to produce dealers and to provide for a bond for produce dealers.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Morgan: Assembly Bill No. 953—An act to amend section 1031 of the Fish and Game Code, relating to propagation of fish in artificial bodies of water and private hatcheries.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Kallam (by request): Assembly Bill No. 954—An act to amend section 4223 of the Political Code, and to add to Article I, Chapter 9, Title 2, Part 4 of the Political Code eleven new sections, to be numbered 4223a to 4223k, inclusive, all relating to defining and providing for county hospitals; defining indigent sick, dependent poor, and other persons entitled to admission to and treatment at or by county hospitals or branches or departments or clinics thereof; prescribing conditions for admission to and treatment at or by county hospitals or branches or departments or clinics thereof; providing for the recovery of the reasonable cost of services rendered therein in certain cases, that books, records and accounts be kept for the determination of said and other costs, that periodic reports be made by the board of supervisors of admissions to and the conduct and operation of the county hospital and any branch or department or clinic thereof, and for the approval thereof by the auditor of the county or city and county; and prescribing the powers and duties of the board of supervisors; the auditor, and the district attarney in relation to the conduct and operation of county hospitals and any branch or department or clinic thereof, and penalties for the violation of this act; and repealing all laws in conflict herewith.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Mr. Kallam: Assembly Bill No. 955—An act to amend the title and sections 1 and 24, and to add section 8a to the "Storm Water District Act of 1909," approved March 13, 1909 as amended, relating to the formation of districts for the purpose of controlling soil erosion and protecting the lands in such district from damage by storm water or other waters.

Bill read first time, and referred to Committee on Conservation.

By Mr. Redwine: Assembly Bill No. 956—An act to amend an act entitled "An act providing for the issuance of improvement bonds to

represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, by amending sections 5 and 15 thereof, relating to special assessment bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Meehan: Assembly Bill No. 957—An act to repeal an act entitled "An act to create a public corporation to be known as 'The State Bar of California,' to provide for its organization, government, membership and powers, to regulate the practice of law, and to provide penalties for the violation of said act," approved March 31, 1927.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Morgan (by request): Assembly Bill No. 958—An act to amend section 4190 of the Political Code, relating to establishment and government and the creation of a fund for law library.

Bill read first time, and referred to Committee on Libraries.

By Messrs. Johnson, Fisher, Wallace, and Cunningham: Assembly Bill No. 959—An act to amend section 59 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to referees of the Industrial Accident Commission.

Bill read first time, and referred to Committee on Insurance.

By Messrs. Johnson, Fisher, Wallace, and Cunningham: Assembly Bill No. 960—An act to add a new section to the Political Code, to be numbered 832, relating to general referees, defining such referees and regulating their powers and remuneration.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cunningham: Assembly Bill No. 961—An act to amend sections 5.400, 5.402, 5.403, 5.408, 5.420, 5.500, 5.502, 5 510, 5.520, 5.521, 5.640, 5.680, 5.690, 5.691, 5.710, 5.711 and 5.712 of the School Code, relating to tenure, and to add four new sections to the School Code, to be numbered 5.409, 5.505, 5.666 and 5.667, all relating to the employment, classification, dismissal and resignation of persons employed in school districts in positions requiring certification qualifications.

Bill read first time, and referred to Committee on Education.

By Mr. Cunningham: Assembly Bill No. 962—An act to amend the School Code by amending sections 5 650, 5.651, 5 652, 5 653, 5 654, 5.661 and by repealing sections 5.655, 5.656, 5.657, 5.658, 5.659, 5.662, 5.663.

Bill read first time, and referred to Committee on Education.

By Mr. Cunningham: Assembly Bill No. 963—An act authorizing cities, city and county, counties and special districts to arrange for joint performance of functions with other cities, city and county, counties or special districts.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Cunningham: Assembly Bill No. 964—An act declaring it the duty of the county sheriffs to coordinate the activities of all police

departments within their respective counties in the enforcement of State and local laws dealing with felonies.

Bill read first time, and referred to Committee on County Government.

By Mr. Evans, Herbert J.: Assembly Bill No. 965—An act to amend sections 2, 3, 4, 5 and 6 of, and to add sections, 6a, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26, to an act entitled "An act to create a State Board of Accountancy and prescribe its duties and powers; to provide for the examination of and issuance of certificates to qualify applicants with the designation of certified public accountant; and to provide the grade of penalty for violation of the provisions hereof," approved March 23, 1901, relating to the powers of the Board of Accountancy.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. McCarthy: Assembly Bill No. 966—An act to add a new section to be numbered 13b to the "Motor Vehicle Fuel License Tax Act," approved May 30, 1923, as amended, relating to the expenditure of motor vehicle fuel tax funds.

Bill read first time, and referred to Committee on Motor Vehicles.

By Messrs. Wallace, Stream, and Richie: Assembly Bill No. 967—An act to add a new section to be numbered 4135c to the Political Code, relating to records to be kept by the county recorders.

Bill read first time, and referred to Committee on County Government.

By Mr. Wallace: Assembly Bill No. 968—An act to amend sections 1, 1½, and 1¼ of an act entitled "An act to require employers to pay the cost of bonds and photographs required of and furnished by employees, or applicants for employment, and to protect cash bonds and other security put up by employees, or applicants for employment, pursuant to the contract of employment, prohibiting investments and the sale of stock or an interest in a business in connection with the securing of a position and advertisements to this effect, providing for the enforcement of the act by the Chief of the Division of Labor Statistics and Law Enforcement of the State Department of Industrial Relations and providing penalties for violation thereof," approved April 20, 1917, relating to costs of bonds and photographs for employees.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Waters: Assembly Bill No. 969—An act providing for restrictions upon the use and the temporary closing of streets, alleys, ways, lanes, courts or places within municipalities, defining the duty of municipalities with relation thereto and the procedure therefor.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Corwin: Assembly Bill No. 970—An act making an appropriation to acquire certain water rights and to purchase pipe lines and other appurtenances in connection with the installation and storage of

water obtained thereby for use at Pacific Colony and at the State Narcotic Hospital.

Bill read first time, and referred to Committee on Conservation.

By Mr. Andreas: Assembly Bill No. 971—An act to provide for the construction and operation of a State college to be located in the district between Pasadena and San Bernardino, and providing the sum of $750,000 for the construction and operation thereof.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Crowley: Assembly Bill No. 972—An act to amend section 791 of the Agricultural Code, relating to apricots.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Crowley: Assembly Bill No. 973—An act to amend section 803 of the Agricultural Code, relating to peaches.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Crowley: Assembly Bill No. 974—An act to amend section 794 of the Agricultural Code, relating to cherries.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Crowley: Assembly Bill No. 975—An act to amend section 804 of the Agricultural Code, relating to pears.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Crowley: Assembly Bill No. 976—An act to amend section 806 of the Agricultural Code, relating to plums and fresh prunes.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Anderson: Assembly Bill No. 977—An act to add a new article to Chapter I of Part I of Division II of the School Code, embracing section 2.88, relating to school district advisory committees.

Bill read first time, and referred to Committee on Education.

By Mr. Redwine: Assembly Bill No. 978—An act to amend section 12 of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to civil engineers.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 979—An act to be known as the Professional Engineers Act to regulate the practice of the profession of engineering and register professional engineers, to provide for the revocation of such registration and the restoration thereof, to make certain acts misdemeanors, and to provide penalties therefor.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine (by request): Assembly Bill No. 980—An act to add sections 717, 718, 719 and 720 to the Political Code, relating to State police.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Jones: Assembly Bill No. 981—An act to amend section 10 of an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with

respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holders to facilitate the enforcement of this act, prescribing penalties for the violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," approved November 2, 1920, relating to conspiracy to effect illegal transfer.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Boyle: Assembly Bill No. 982—An act to amend section 67a of the Code of Civil Procedure, relating to the superior court in counties of the first class.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Boyle: Assembly Bill No. 983—An act to amend an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misprinted foods or liquors and regulating the traffic therein, providing penalties, establishing a State laboratory for foods, liquors and drugs and make an appropriation therefor," approved March 11, 1907, relating to liquor.

Bill read first time, and referred to Committee on Public Morals.

By Messrs. Martin, Cunningham, Lyon, Walker, Waters, Stream, Redwine, Corwin, Phillips, Boyle, Wright, Latham, and Miss Miller: Assembly Bill No. 984—An act to be known as the "Prisons and Paroles Act," relating to the State prisons and similar institutions, their government, and the imprisonment, parole and release of the inmates thereof, repealing certain laws relating to the same subject and declaring when this act shall go into effect.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Messrs. Martin, Cunningham, Lyon, Walker, Corwin, Redwine, Boyle, Phillips, Wright, Latham, Waters, Stream, and Miss Miller: Assembly Bill No. 985—An act to add section 6a to "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualification; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905," approved May 31, 1917, relating to furnishing information to the Prison and Parole Commission, and declaring when this act shall go into effect.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Messrs. Martin, Cunningham, Lyon, Walker, Waters, Stream, Redwine, Corwin, Phillips, Boyle, Latham, Wright, and Miss Miller: Assembly Bill No. 986—An act to amend sections 3 and 12 and to repeal sections 7 and 8 of, and to add section 4a to, "An act to

establish an institution for the confinement, care and reformation of women misdemeanants, and women convicted of a felony the punishment for which is less than death; to provide for its maintenance, conduct and government, and to make an appropriation therefor," approved May 9, 1929, relating to the board of trustees, and declaring when this act shall go into effect.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Messrs. Martin, Cunningham, Walker, Lyon, Boyle, Waters, Phillips, Corwin, Wright, and Latham: Assembly Bill No. 987—An act to amend the Penal Code by amending sections 1192a, 1202a, 1217, 1572, 1574, 1581, 1583, 1584, 1585, 1587, 1590, 1591, 1592, 1593, and 1595 thereof, repealing sections 1168, 1573, 1575, 1576, 1577, 1578, 1580, 1582, 1586, 1594, and 1596 thereof, and adding sections 1168.1 to 1168.11, inclusive, 1571.1 to 1571 5, inclusive, 1576, 1577.1 to 1577.5, inclusive, 1578, 1580, 1582.1, 1582 2, 1586, 1586.5, 1594, and 1596 thereto, all relating to State prisons and similar institutions, their government, and the imprisonment, parole, and discharge of the inmates thereof, repealing certain laws relating to the same subject, and declaring when this act shall go into effect.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Mr. Minard: Assembly Bill No. 988—An act to amend section 5.161 of the School Code, relating to high school certificates.

Bill read first time, and referred to Committee on Education.

By Mr. Field: Assembly Bill No. 989—An act to amend section 1 of "An act making an appropriation to the State Board of Control to pay claims against the State of California;" approved June 16, 1933, relating to claims eligible to examination.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Cronin: Assembly Bill No. 990—An act to amend section 13 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," as amended, relating to revocation or suspension of licenses.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Desmond: Assembly Bill No. 991—An act to repeal section 611.6 of the Fish and Game Code, relating to steelhead trout.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Cronin: Assembly Bill No. 992—An act to amend section 11 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the definition of dentistry.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Cunningham: Assembly Bill No. 993—An act to provide a procedure for the consolidation of counties.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Phillips: Assembly Bill No. 994—An act to amend section 690.10 of the Political Code, relating to the right to construct and maintain structures for highway purposes on or partly on ungranted swamp, overflowed, marsh, tide or submerged lands of the State of California.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Mr. Phillips: Assembly Bill No. 995—An act to amend section 3444 of the Political Code, relating to the use and occupancy for highway purposes of ungranted tide and submerged lands, beds of navigable channels, streams, rivers, lakes, bays and inlets of the State of California.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Mr. Phillips: Assembly Bill No. 996—An act to amend sections 14 and 14(a) of an act entitled "An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, and to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor."

Bill read first time, and referred to Committee on Civil Service.

By Messrs. Anderson and Patterson: Assembly Bill No. 997—An act to add Chapter 8 to Division VI of the Agricultural Code, relating to proration programs with respect to agricultural crops.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Boyle: Assembly Bill No. 998—An act to amend sections 4.765, 4.920, and 4.950 of the School Code, relating to computation of average daily attendance in elementary and secondary schools and junior colleges.

Bill read first time, and referred to Committee on Education.

By Mr. Geyer: Assembly Bill No. 999—An act to establish a State Board of Examiners for Public School Custodians and Engineers, to provide for the examination and certification of certain classes of public school employees, and to regulate the conditions of their employment.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Messrs. Jones, Lyon, Wright, Heisinger, and Miss Miller: Assembly Bill No. 1000—An act to amend section 336 of the Penal Code of the State of California, prohibiting the sale or dispensing of intoxicating liquor by minors and providing a penalty therefor.

Bill read first time, and referred to Committee on Public Morals.

By Messrs. Breed, Minard, Nielsen, Garibaldi, Heisinger, and Mayo: Assembly Bill No. 1001—An act to authorize the Division of Water Resources of the Department of Public Works to gather and correlate information and data pertinent to an annual forecast of seasonal water crop, including the making of snow surveys, and to cooperate with other agencies in such work, and making an appropriation therefor.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Heisinger: Assembly Bill No. 1002—An act to amend an act entitled "An act relating to the rights, power, and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheat in certain cases, requiring the procedure therein, requiring reports of certain property holders to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," approved November 2, 1920, relating to aliens working on land.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Constitutional Amendment No. 42—A resolution to propose to the people of the State of California, an amendment to Article XIII of the Constitution of the State, by amending section 9a thereof, relating to computation, refunding and collection of excess and deficiency taxes on unsecured real property.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Redwine: Assembly Constitutional Amendment No. 43—A resolution to propose to the people of the State of California, an amendment to Article XIII of the Constitution of the State, by amending section 7 thereof, relating to the payment of taxes in installments.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Redwine: Assembly Constitutional Amendment No. 44—A resolution to propose to the people of the State of California, an amendment to section 25½ of Article IV of the Constitution of said State, relating to fish and game.

Introduced, and referred to Committee on Constitutional Amendments.

MOTION TO RUSH PRINTING.

Mr. Fisher moved that the Chief Clerk instruct the State Printer to rush the printing of Assembly Bill No. 947.

Motion carried.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 24, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 75—An act in relation to and regulating the commencement and continuation of proceedings to enforce or foreclose the lien of

special assessment bonds issued for public improvements, and declaring the urgency hereof, and providing that it shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By BOB CROSS, Assistant at Desk.

Assembly Bill No. 75 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 24, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 7—Relative to authorizing the Governor to appoint a representative to confer with the representative of other oil-producing States and the United States.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Minard asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 7, at this time, without reference to printer, committee or file.

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER SEVEN.

Senate Joint Resolution No. 7—Relative to authorizing the Governor to appoint a representative to confer with the representative of other oil-producing States and the United States.

Senate Joint Resolution No. 7 read.

Mr. Minard moved the adoption of Senate Joint Resolution No. 7.

The question being on the adoption of Senate Joint Resolution No. 7.

The roll was called, and Senate Joint Resolution No. 7 was adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Hunt, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Voight, Wagner, Walker, Waters, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 7 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 7.

Relative to authorizing the Governor to appoint a representative to confer with the representative of other oil-producing States and the United States.

WHEREAS, A subcommittee of the House Committee on Interstate and Foreign Commerce, acting pursuant to H. Res. 441, Seventy-third Congress, has recommended to the Congress that the enactment of Federal legislation for regulation of the oil industry be withheld temporarily to give an opportunity for the oil-producing States to effect an interstate agreement for the conservation of oil and stabilization of production thereof; and

WHEREAS, It is preferable that the States, through the exercise of their police powers in cooperation with each other and the Federal government, shall meet this problem rather than surrender their sovereign function in favor of centralized Federal control.

Resolved, by the Senate and the Assembly of the State of California, jointly, That the Legislature of the State of California does hereby authorize the Governor to appoint a representative to meet with representatives of the Governors of other petroleum-producing States, and the United States, for the purpose of formulating a compact among such States effecting the following objectives:

(a) Establishment of a Joint State and Federal Fact-Finding Agency to consist of one representative of each compacting State appointed by the Governor and one representative of the United States as Congress or the President shall direct. Said agency shall make periodic findings, of the demand for petroleum to be produced within the United States or withdrawals from storage, and for petroleum and products thereof to be imported.

(b) Voluntary regulation of production by each compacting State within its own borders in accordance with said determination of the Joint Fact-Finding Agency, to the extent that and in such manner as the laws of each State may authorize.

(c) Formulation by the joint agency of Uniform Conservation Measures and Tax Laws which it shall recommend to the compacting States

No compact made under the authority of this act shall bind this State unless and until:

(a) Said compact shall be ratified by the Legislature of this State, and Congress shall consent thereto.

(b) Congress shall make provision for the limitation of importations of petroleum and the products thereof, including natural asphalt.

(c) Congress shall provide for the control of interstate movements of petroleum produced or withdrawn from storage in violation of the compact or of the laws and valid regulations of the several States, and products of such petroleum.

(d) Any act of the Legislature of the State of California approving said compact shall likewise provide for its administration, and shall include in the provisions for the administration of the compact the creation of a commission to administer the compact, which commission shall be fairly representative of the various interests of the oil industry, with due provision for the protection of the public interest.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1935.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 5—Relating to retirement of Federal employees who have been in the service for 15 to 30 years or more and restoration of pay of said employees as of January 1, 1935—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

TURNER, Chairman.

Senate Joint Resolution No. 5 ordered on file for adoption.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 44—An act to prohibit until February 1, 1936, sales under certain mortgages and deeds of trust, and the forfeiture of the interest of the purchaser under certain contracts of purchase, for default in the payment of the principal sum of obligations secured thereby or contracted to be paid thereunder, to extend the Statute of Limitations upon such obligations, to make voidable at the instance of the owner any sale or forfeiture made in violation of the act, to prescribe the time within which an action to avoid the same may be brought, to postpone sales for default in payment of installments due between effective date of act and February 1, 1936, to authorize waiver hereof, to prevent actions against guarantors' obligations the enforcement of the security for which is affected by the act, and to declare the urgency hereof—and reports that the same has been correctly engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. DeLap: Assembly Bill No. 1003—An act to repeal sections 2948 and 2956 of the Civil Code, relating to forms of mortgages for real property and personal property.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Wallace: Assembly Bill No. 1004—An act to amend section 13 of an act entitled "An act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty

for violations of this act," approved May 26, 1913, relating to employees.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Wallace: Assembly Bill No. 1005—An act to amend section 402c of the Penal Code, relating to safety.

Bill read first time, and referred to Committee on Building and Construction.

By Mr. Wallace: Assembly Bill No. 1006—An act to amend section 484 of the Penal Code, relating to theft.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Wallace: Assembly Bill No. 1007—An act to amend section 29 of the California Workmen's Compensation, Insurance and Safety Act, relating to compensation insurance.

Bill read first time, and referred to Committee on Insurance.

By Mr. Wallace: Assembly Bill No. 1008—An act to amend the title and sections 1, 2 and 3 of "An act limiting the liability of supervisors, city trustees, city councils, boards of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances," relating to the liability of the State and its officers.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Nielsen: Assembly Bill No. 1009—An act to amend section 9 of "An act defining clinics and dispensaries, providing for the operation, conduct, maintenance, examination and regulation thereof, requiring permits therefor, providing for the issuance and revocation of such permits by the State Board of Public Health, fixing the amount of and providing for the collection and disposition of annual fees for such permits, creating the clinic and dispensary fund, prescribing the powers and duties of the State Board of Public Health and of the Director of Public Health in reference to such clinics and dispensaries, and prescribing penalties for the violation of the provisions of this act," approved June 5, 1933, relating to annual fee for permits.

Bill read first time, and referred to Committee on Medical and Dental Laws.

COMMUNICATIONS.

The following communications were received, and ordered printed in the Journal:

January 24, 1935.

Hon. Edward Craig, Speaker of the Assembly,
State Capitol, Sacramento, California.

DEAR MR. CRAIG: Will you please advise all members of the Assembly that it is our intention to commence work in the Assembly Chamber on Monday morning, January 28th, at eight o'clock a.m.

Our first job will be to move all of the desks out into the hall. Desks Nos. 1 to 40, inclusive, will be arranged numerically in the second floor hall. Desks Nos. 41 to 80, inclusive, will be arranged numerically in the third floor hall.

Very truly yours,

FRANK N KILLAM, Chief,
Bureau of Buildings and Grounds

Also:

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS,
SACRAMENTO, January 4, 1935.

To the Honorable Members of the State Legislature of California, Session of 1935.

Pursuant to the provisions of Assembly Concurrent Resolution No. 49 (Chapter 88, Statutes of 1931), directing the Department of Public Works to investigate the possibilities of taking over the Muir Woods Toll Road, Marin County, California, or building a State highway into the National park, maintained by the United States government, and to report its findings to the 1935 Session of the Legislature, I have the honor to transmit to you, in the accompanying report, the results of such study.

Yours very truly,

EARL LEE KELLY, Director of Public Works.

REPORT ON MUIR WOODS TOLL ROAD, MARIN COUNTY, CALIFORNIA, DECEMBER, 1934.

At the last session of the State Legislature was passed Assembly Concurrent Resolution No. 49, reading as follows:

"WHEREAS, The United States Government maintains the Muir Woods in Marin County as a National park; and

"WHEREAS, Thousands of the citizens of the State of California and of other States visit said park annually; and

"WHEREAS, The only highway leading to and from said park is privately owned and is a toll road; and

"WHEREAS, The existence of a toll road is of great inconvenience to the people of the State of California and tends to deprive great numbers of people from the advantages of the park maintained by the Federal government; now, therefore, be it

"*Resolved by the Assembly of the State of California, the Senate thereof concurring*, That the Department of Public Works be and it is hereby requested to investigate the possibilities of taking over said toll road or building a State highway into said part, and to report its findings to the 1935 Session of the Legislature."

In accordance with the above an investigation and study were made and the following report is prepared for consideration and further action.

The Muir Woods National Monument is a beautiful stand of virgin redwood timber of high scenic value. It comprises an area of approximately 426 acres, originally included in the monument proper, to which a subsequent addition of 29.25 acres was secured by the monument to prevent encroachment of unsightly developments by commercial exploitation. It is situated in the basin of and on the slope of Redwood Creek, west of a divide that runs southerly from Mt. Tamalpais. Its location is indicated on the attached map, marked in orange, west of Mill Valley on the Marin Peninsula.

The monument lies in an area of Marin County removed from main traveled highways. Present highway access to the monument is provided by a toll road, owned and operated by the Muir Woods Toll Road Company. The easterly end of the toll road joins a county road that extends southeasterly from Mill Valley. This toll road terminus is on a point of the aforesaid county road on the ridge 0.9 mile north of a road from Manzanita across the Marin Peninsula to the coast, now being maintained as State Highway Route 56. The east entrance to the toll road is accordingly approached by using the road from Manzanita to approximately the summit of the Marin Peninsula and thence by county road northerly for 0.9 mile, or by an alternative and more circuitous route by way of Mill Valley and a minor standard road ascending to the ridge therefrom.

From the above mentioned east terminus of the toll road the latter descends rapidly to the southeast corner of the Muir Woods National Monument in a distance of 1.8 miles. The road has steep grades, ranging from 8 per cent to 11 per cent, with very sharp curvature. Roadway width averages 18 feet and its alignment closely follows the contour of ridges in descending to the floor of Frank Valley.

Another section of toll road descends southwesterly from the monument, following Frank Canyon for a distance of approximately 2.7 miles to a connection with said State Route 56 at a point where the latter approaches close to the coast from its descent from the ridge that divides the Marin Peninsula. The west leg of the toll road on the floor of Frank Valley is on rather poor alignment but on light grades. It also averages 18-foot width.

The toll road, comprising the two above sections aggregating 4.5 miles in length, came under the jurisdiction of the Muir Woods Toll Road Company in 1926 through the efforts of the William Kent interests, who still control it. It was built primarily to furnish highway facilities to the Muir Woods Monument by improving an existing road which was not traversable by automobile. The toll road company made this road improvement approximately on the location of the existing road. It is estimated that about 50,000 cubic yards of material were removed in widening and constructing the former road on the east leg thereof, and approximately 25,000 cubic

yards of material were removed on the western section in Frank Canyon. The road was earth graded and at present but a few sections have been lightly surfaced with local material. There are a few minor structures for drainage, consisting mostly of timber type, and at the present time in poor condition.

In its present location, shown on the map in yellow, the toll road is not considered a suitable location on which improvements could be made that would render it satisfactory for any considerable period of time or for that volume of traffic which would induce serious consideration for improvement of the road. Particularly on the east toll road entrance the sharp alignment, steep gradients, narrow roadway width and general low type of improvement make the location not adaptable to higher standards. It would be necessary to construct on a new location to obtain adequate standards. The east approach road to the monument constitutes the routing leading most directly from the points of origin of the majority of travel to the monument.

The west section of the toll road in Frank Canyon is susceptible to improvement because the sharp alignment could be rectified on gradients that are not excessive. This west section, however, has its terminus on the State highway near the coast and to use it traffic must negotiate the entire length of the State maintained route from Manzanita across the Marin Peninsula, a road section which in itself would require much improvement prior to and to be consistent with improvement of an approach to the Muir Woods National Monument.

The entire toll road could be made more safe for traffic by widening in the nature of minor improvements. It would be necessary to replace old timber structures and to oil surface the roadbed. Such improvements might be accomplished on the present road with an expenditure of approximately $25,000. The general character of the road would not be materially changed by this procedure.

To construct a highway on better standards to the present point of contact at the Muir Woods National Monument would require a new location. A feasible location has been indicated on the map in dotted green line. The projected location departs from Manzanita Highway on the ridge near the point of departure of the present county road approach to the east toll gate. The location would descend on maximum 6 per cent grade northerly to the floor of Frank Valley near the southeast corner of the monument: It would be 1.9 miles in length. Alignment would necessarily be on curvature requiring 200-foot minimum radius curves in the gulches. The cost of constructing such a road would be approximately $150,000, which includes grading for a 36-foot roadway and a bituminous type surfacing 22 feet in width.

From observation of the map it will be noted that the existing toll road and the suggestion for a location on modern standards serve as an entrance to one extreme corner of the Muir Woods National Monument. Before considering the expenditure of the considerable sum necessary to provide an adequate highway for the sole purpose of reaching one point on the monument, or of acquiring the existing toll road of inferior standards and inherent disadvantages for continued maintenance thereof, it would be advisable to study roadways in relation to the scenic area in the vicinity of the National monument.

North of the monument lies a considerable area of State park and north of the latter lies a wide area surrounding Mt. Tamalpais. The ultimate creation of a large recreational area or park would include much of the mountain area contiguous to Mt. Tamalpais, which has a beautiful growth of redwood, fir and other species of native trees. The wooded areas accessible from and the panoramic views that are obtained from the summit and ridges offer recreational advantages of an area close to San Francisco and the bay cities. With the construction of the Golden Gate Bridge, the demand for developing adequate highway through this area will increase and will not be satisfied with access only to the National monument.

With the above in mind it would be possible to construct a highway approach to the monument which would provide access to both the State park and to the monument and could be eventually extended to serve a wider area. On this suggestion a routing has been indicated in heavy green line, a road starting from the Manzanita Highway as on the present county road that approaches the east toll road entrance from the south. This highway would continue northwesterly along the ridge north of the east toll road entrance to a point near the northeast corner of the State park land. Thence it is projected to descend through the State park to a site which could be used as its general terminal, central to points of interest in Muir Woods National Monument and in the State park. It is estimated that such a road, with a length of approximately 3.75 miles, could be built on a standard 36-foot graded width with 22 feet bituminous surfacing at approximately $185,000. The estimated cost is $35,000 in excess of that required to construct the previously described road direct to the floor of Frank Valley at the southerly tip of the Muir Woods National Monument.

The accompanying map shows the relation of the alternative highway to the existing county road from Mill Valley across the Marin Peninsula to Stinson Beach. There is also shown the location of the toll road known as the Ridgecrest Toll Road, which connects with the Mill Valley-Stinson Beach County Road on the

south and with the Bolinas Bay-Fairfax County Road on the north. One leg of the toll road ascends to the summit of Mt. Tamalpais.

The investigation of practical roads to the Muir Woods National Monument naturally lead to considerations of a more comprehensive nature. The facts developed are:

1. The Muir Woods Toll Road has relatively small value as a permanent facility and would not be adaptable to other than minor improvements.

2. The Muir Woods Toll Road serves only as an approach to an extreme corner of the National monument. Construction of a modern highway on new location, intended for the same purpose, would cost approximately $150,000.

3. An alternative location of high scenic value and serving a greater area of State park and Muir Woods National Monument can be constructed for approximately $185,000. The alternative route would be adaptable to extension through a wider recreational area.

4. Available records show that within the last six years visitors to the National monument have decreased 50 per cent. The maximum number of visitors occurred in 1928, when 103,000 visited the monument, approximately 50 per cent being hikers, approximately 20 per cent came by the cog train then operating, and approximately 30 per cent by passenger cars and stages. At the present time approximately 50,000 visit the park annually, of which about 13 000 enter by automobile and about 37,000 are hikers.

5. At the present time approximately 4000 to 5000 vehicles utilize the toll road annually. Removal of the toll, 50 cents per car and 15 cents per passenger, would induce an increase in traffic over the available road facility but require a considerable betterment thereof and considerable annual maintenance. Betterment, limited by the inherent deficiencies in the existing location, would be a temporary and not wholly adequate or safe expedient

6. A satisfactory approach road requires new construction on new location. To provide a new approach road to the monument will cost $150 000 to $185,000. The projected new approach roads to serve in lieu of the toll road are predicated upon forming connection to State Highway Route 56 as now maintained from Manzanita across the Marin Peninsula. It would be inconsistent to plan construction on the monument road until the State highway route providing access thereto is brought to better standard. State Highway Route 56 may be subject to relocation or rerouting which would alter present suggestions for coordinating the monument approach road therewith. Until routing and location of Route 56 is permanently defined it would be inadvisable to determine upon location and construction of a new monument road.

The conclusion reached is that, under the above circumstances, the State would not be justified in taking over the present low standard toll road for temporary use or in adopting and constructing a permanent type of approach road before permanent routing and location of State Highway Route 56 is established and consistent improvement is made on this State route

RESOLUTION.

The following resolution was offered:

By Mr. Patterson:

Resolved, That the Assembly resolution introduced by Mr. Patterson and appearing in Assembly Journal of Tuesday, January 22, 1935, at page 35, be amended as follows:

In the second line in the paragraph, starting with the word "*Resolved*" strike out the words "Arthur A Ohnimus, Chief Clerk of the Assembly", and insert in lieu thereof the words "Frank N. Killam, Superintendent of Capitol Building and Grounds." And be it further

Resolved, That the Controller be directed to draw his warrant on the contingent fund of the Assembly in favor of Frank N. Killam, Superintendent of Capitol Building and Grounds, in the sum of $10,000, or as much thereof as may be necessary to carry out the provisions of this resolution.

CONSIDERATION OF RESOLUTION BY MR. PATTERSON.

Resolution read.

Mr. Patterson moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller,

Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Stream, Turner, Voigt, Wagner, Walker, Wallace, Waters, Wright, and Mr. Speaker—62.

NOES—None.

THIRD READING OF SENATE BILLS.

Senate Joint Resolution No. 5—Relating to retirement of Federal employees who have been in the service for 15 to 30 years or more and restoration of pay of said employees as of January 1, 1935.

Senate Joint Resolution No. 5 read.

The question being on the adoption of Senate Joint Resolution No. 5.

The roll was called, and Senate Joint Resolution No. 5 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Riley, Robertson, Rosenthal, Stream, Turner, Voigt, Wagner, Walker, Waters, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 5 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 5.

Relating to retirement of Federal employees who have been in the service for fifteen to thirty years or more and restoration of pay of said employees as of January 1, 1935.

WHEREAS, Employees who have attained the age of sixty years and have rendered at least fifteen years service should be eligible for retirement, and all civil service employees who have rendered at least thirty years service regardless of age should be allowed to retire at their option with adequate pensions to insure their proper care during the balance of their lives; and

WHEREAS, The President of the United States has determined that the percentage of reduction of government employees' salaries shall continue to be five per cent to and including June 30, 1935; and

WHEREAS, It is believed that such reductions should be discontinued and that full pay of government employees should be restored as of January 1, 1935; now, therefore, be it

Resolved by the Senate and Assembly, jointly, That the Legislature of the State of California at its fifty-first regular session urges that the Congress of the United States adopt such legislation as will enable this to be done; and be it further

Resolved, That copies of this resolution be forwarded by the Secretary of the Senate to the President of the United States, to the Secretary of Labor of the United States, and to each member of Congress and the United States Senate from the State of California.

RESOLUTION.

The following resolution was offered:

By Mr. McCarthy:

ASSEMBLY RESOLUTION.

WHEREAS, It is reported that conditions in the various State hospitals are overcrowded; and

WHEREAS, It is the desire of this Assembly that definite information concerning the conditions in the various State hospitals be placed before it so that, if such overcrowded conditions exist, the conditions may properly be remedied; now, therefore, be it

Resolved by the Assembly of the State of California, That a committee consisting of three members of the Assembly appointed by the Speaker of the Assembly be constituted for the purpose of investigating conditions in the various State hospitals with a view of determining whether such State hospitals are overcrowded and, if such overcrowding exists, to make such recommendations for the relief thereof as the said committee shall deem necessary; and be it further

Resolved, That such committee is hereby authorized to hold such hearings and make such investigations as may be necessary to obtain full and complete information concerning such conditions in such State hospitals; and be it further

Resolved, That such committee is authorized and empowered to do any and all things necessary to make a full and complete investigation of and report upon the matters herein referred to; and be it further

Resolved, That the sum of two hundred dollars is hereby appropriated for the purposes herein set forth.

FLOOR AMENDMENTS.

During the reading of the resolution, the following amendment was submitted by Mr. McCarthy.

AMENDMENT NUMBER ONE.

Strike out the appropriation in the resolution.

Amendment read, and refused adoption.

CONSIDERATION OF RESOLUTION BY MR. MCCARTHY.

Resolution read.

Mr. McCarthy moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution was refused adoption by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Chatters, Clark, Cronin, Crowley, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Jones, Kallam, Laughlin, Lore, Mayo, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Reaves, Rosenthal, Turner, Voigt, Wagner, Waters, and Williamson—40.

NOES—Boyle, Breed, Corwin, Cottrell, Cunningham, DeLap, Evans, Herbert J., Fisher, Frazier, Garibaldi, Heisinger, Hornblower, Johnson, Latham, Lyon, Maloney, Martin, Minard, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Walker, Wallace, Wright, and Mr. Speaker—31.

EXPLANATIONS OF VOTE.

I voted "No" on this resolution because I am of the opinion that there is no point in spending time or money to investigate what is obvious.

GARDINER JOHNSON,
Member of the Assembly, Nineteenth District.

January 24, 1925.

Also:

I am voting "No" on this resolution because we already have the facts to justify an expenditure of money to provide for the needs of these unfortunate ones. I believe the expenses of an investigation would be a waste of money.

S. L. HEISINGER.

RESOLUTION.

The following resolution was offered:

By Mr. Hawkins:

ASSEMBLY RESOLUTION.

WHEREAS, There exists in the city of Los Angeles an acute situation relating to street railway transportation which directly affects the general welfare and the economic well-being of a large number of citizens of this State; and

WHEREAS, In a recent labor dispute between the Los Angeles Railway Company and its employees, said concern refused to accept the decision of the proper Federal authorities as a basis for settlement, thus causing untold discomfort to patrons, great losses to mercantile interests, and demoralization and privation to the families of workers; and

WHEREAS, There have been constant complaints concerning increased rates which the Los Angeles Railway Company has enjoyed during a period of constantly decreasing purchasing power of citizens who use such services; and

WHEREAS, Information concerning these problems is of primary importance to the Assembly of the State of California in considering legislation relating to the cooperation of this State with the Federal government in the effective settlement of labor controversies, and relating to the adequate regulation of rates or services of such utilities by the Railroad Commission; now, therefore, be it

Resolved by the Assembly of the State of California, That a committee of five members of the Assembly be appointed by the Speaker of the Assembly to meet during the forthcoming legislative recess, for the purpose of examining and investigating the situation mentioned above, and to do any and all things necessary to

carry out the purposes and intent of this resolution, and to report thereon, together with its recommendations to the Assembly; and be it further

Resolved, That the committee is hereby authorized and empowered to require the production of books, agreements, documents, records, accounts, and papers of every kind; to issue subpenas to compel the attendance of witnesses and secure testimony, and so far as practicable to have material testimony reported so the same may be available for use by the Assembly; each member of the committee is authorized to administer oaths and all the provisions of Article VIII, Chapter 2 of Title I of Part III of the Political Code, relating to the attendance of the assemblage of witnesses before the Legislature and committees thereof shall apply to the committee appointed under this resolution and it shall be the duty of all officers and employees of said concern and of the Railroad Commission to furnish such reports, information, and evidence upon request of the committee as may be pursuant to the purposes herein stated; and be it further

Resolved, That the sum of two hundred fiftv dollars ($250) or so much thereof as may be necessary for the purpose of defraying the expenses of the committee and the cost of its investigation, is hereby made available and appropriated for the use of the committee out of the contingent fund of the Assembly, and the State Controller is authorized and directed to draw his warrants in favor of a person or persons entitled thereto for such expenditures as may be certified to him from time to time by the chairman of the committee, and the State Treasurer is hereby authorized and directed to pay the same.

MOTION TO LAY ON TABLE.

Mr. Lyon moved that the resolution be laid on the table.

REQUEST FOR ROLL CALL.

On request of Messrs. Jones, Hunt, and Geyer, the Speaker ordered a roll call taken on the motion of Mr. Lyon that the resolution be laid on the table.

The roll was called, and the motion to lay on the table was lost by the following vote:

AYES—Breed, Cottrell, Cunningham, DeLap, Fisher, Frazier, Fulcher, Heisinger, Hornblower, Johnson, Latham, Lyon, Maloney, Martin, Miller, Minard, Nielsen, Peyser, Phillips, Redwine, Riley, Scudder, Stream, Walker, Wright, and Mr. Speaker—26.

NOES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Jones, Kallam, Laughlin, Lore, Mayo, McCarthy, McMurray, Meehan, Morgan, Patterson, Pelletier, Reaves, Richie, Robertson, Rosenthal, Thorp, Turner, Voigt, Wagner, Wallace, Waters, and Williamson—44.

FLOOR AMENDMENTS.

During the reading of the resolution, the following amendment was submitted by Mr. Patterson:

AMENDMENT NUMBER ONE.

On page 1, at the end of paragraph 3, of the resolution, add the following: "and longshoremen's strike in San Francisco."

Amendment refused adoption.

CONSIDERATION OF RESOLUTION BY MR. HAWKINS.

Resolution read.

Mr. Hawkins moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution was refused adoption by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Clark, Crowley, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Laughlin, Lore, Maloney, McCarthy, McMurray, Meehan, Patterson, Pelletier, Reaves, Rosenthal, Turner, Voigt, and Wagner—30.

NOES—Boyle, Breed, Brennan, Chatters, Corwin, Cottrell, Cronin, Cunningham, DeLap, Desmond, Donnelly, Field, Fisher, Frazier, Fulcher, Heisinger, Johnson, Kallam, Latham, Lyon, Martin, Mayo, Miller, Minard, Morgan, Nielsen, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—40.

EXPLANATION OF VOTE.

To the Clerk of the Assembly:

Please record with my vote of "no" on the resolution offered by Mr. Hawkins the following explanation, in substance: Mr. Richie votes "no" by reason of insufficient appropriation provided, and in the belief that the investigation called for would not be adequate and satisfactory.

PAUL A. RICHIE.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Gilmore: Assembly Bill No. 1010—An act to amend sections 1, 2, 3, 4 and 5 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulation, to provide rules regulating the proper sanitation of canneries, under the State Board of Health," approved May 23, 1925, as amended, relating to the inspection of canneries, the State Board of Public Health, and to the power and duties thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine

By Mr. Cronin: Assembly Bill No. 1011—An act to amend section 537 of the Code of Civil Procedure, relating to the grounds for issuance of attachments.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin: Assembly Bill No. 1012—An act to add a new section to the Code of Civil Procedure, to be numbered 2007, relating to depositions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin: Assembly Bill No. 1013—An act to add a new section to the Code of Civil Procedure, to be numbered 2009a, relating to the use of affidavits in all actions in the courts of this State.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin: Assembly Bill No. 1014—An act to add section 1876 to the Code of Civil Procedure, relating to rules of evidence.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin: Assembly Bill No. 1015—An act to amend section 545 of the Code of Civil Procedure, relating to persons having property in their possession belonging to the judgment debtor.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin: Assembly Bill No. 1016—An act to add a new section to the Code of Civil Procedure, to be numbered 467, relating to pleading compliance with a statute.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin: Assembly Bill No. 1017—An act to add a new section to the Code of Civil Procedure, to be numbered 466, relating to pleading compliance with a statute.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin: Assembly Bill No. 1018—An act to amend section 1211 of the Code of Civil Procedure, relating to contempt of court.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin: Assembly Bill No. 1019—An act to amend section 1211 of the Code of Civil Procedure, relating to punishment of contempt of court.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cronin: Assembly Bill No. 1020—An act to amend section 1212 of the Code of Civil Procedure, relating to when a warrant of attachment may issue.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Pelletier, Meehan, Geyer, Hawkins, Rosenthal, Clark, Maloney, Andreas, Reaves, Flint, Glover, Cassidy, Gilbert, Donihue, Richie, Voigt, Anderson, Hornblower, and Lore: Assembly Bill No. 1021—An act to abolish the death penalty as a punishment for crime, except in certain cases, and to provide for the punishment for crimes in cases where the death penalty is abolished.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cunningham: Assembly Bill No. 1022—An act to amend an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. McMurray: Assembly Bill No. 1023—An act to amend an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 12, 1915.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. McBride: Assembly Bill No. 1024—An act declaring and designating the Yerba Buena Road a State highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. McBride: Assembly Bill No. 1025—An act to amend section 4249 of the Political Code, relating to compensation of county officers in counties of the twentieth class.

Bill read first time, and referred to Committee on County Government.

By Mr. McBride: Assembly Bill No. 1026—An act to amend section 737ddd of the Political Code, relating to the salary of the judge of the superior court in and for the county of Ventura.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Messrs. Scudder and Redwine: Assembly Bill No. 1027—An act to amend sections 535 and 536 of the Fish and Game Code, and to repeal sections 536.5, 536.6, 536.7, 536.8, and 536.9, relating to fish screens.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Robertson: Assembly Constitutional Amendment No. 45—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending section 18 of Article XI thereof, relating to the incurring of indebtedness by political subdivisions.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Reaves: Assembly Constitutional Amendment No. 46—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new section to Article IV thereof, to be numbered 25¼, relating to the practice of chiropractic.

Introduced, and referred to Committee on Constitutional Amendments.

By Messrs. Latham, Wright, Corwin, Phillips, Boyle, Waters, Miller, Stream, Redwine, Martin, Cunningham, Walker, and Lyon: Assembly Constitutional Amendment No. 47—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Article X thereof, relating to prisons and paroles.

Introduced, and referred to Committee on Constitutional Amendments.

Mr. McCarthy gave notice that on the next legislative day he would move to reconsider the vote whereby the resolution introduced by him was this day refused adoption.

ADJOURNMENT.

At six o'clock and thirty-five minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m. Friday, January 25, 1935, in commemoration of the eighty-seventh anniversary of the discovery of gold in California by James W. Marshall.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, January 25, 1935.

At ten o'clock a.m, pursuant to adjournment, the Assembly was called to order:

Hon. Edward Craig, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt,

Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Nielsen, its further reading was dispensed with.

LEAVE OF ABSENCE.

On motion of Mr. Chatters, Mr. Eicke was granted leave of absence for this day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Cassidy, Mr. Anthony O'Donnell, secretary of Alameda County Farm Bureau, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Cassidy, Mr. Walter Block, president of Alameda County Farm Bureau, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Miss Miller, Robert M. Fulton of Pasadena, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Martin, Mr. and Mrs. James S. Jones of La Canada, California, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Flint, Winifred Rae Flint and Edward Stetson were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. McMurray, Mrs. Frank Reed of Sacramento, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Voigt, Fred P. Ahern, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Lore, H. Berg, president of Colscenta Canada National Bank of Montrose, California, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Johnson, Venerable W. R. H. Hodgkin, archdeacon of the Episcopal Diocese of California, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of San Diego delegation, Rufus Choat, Frank Forward, L. W. March, and A. Muehliesen, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Wright, Mr. and Mrs. Fred Neushutz, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Cassidy and Mr. Johnson, Mr. Chris Runckel, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. McCarthy, John F. Miller of Los Angeles, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Chatters, C. H. Glenn and H. G. McKeever of Corcoran, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Nielsen, B. W. Painter, principal, Lilla T. Best, teacher, and the following pupils of Sutter Junior High School: Mary Ellen Adams, Eleanor Barr, Annie Borgia, Dorothy Brennan, Betty Jean Broady, Louise Fletcher, Dorothy Frieden, Nona Green, Jacqueline James, Violet Johnson, Mary Jane Kelly, Shirley Matheson, Elaine McCallum, Iliene Medford, Irene Medford, Marian Patterson, Laura Renny, Florette Silva, Pearl Strach, Dorothy Struck, Marie Van Slyke, Vivian Williams, Donald Boschert, Ray Draper, Richard Ensbury, Bill Ferrell, Frank Gomes, Bobby Hoyes, Billy Kidder, Clarence Kulil, Ned Pedisch, James Plunkett, Rodney Robinson, Dempsey Rossetto, William Rotas, Kenneth Slocum, Boyd Webber, and Virgil Yee were extended the privilege of the floor of the Assembly for this day.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Colorado Street Improvement District Association, relative to the transfer to the State Highway Commission of various city streets and county roads.

By Mr. Speaker:

From Mary R. Schwab, relative to completion of section of Junipero Serra Boulevard extension Joint Highway District No. 10 of the State of California.

By Mr. Speaker:

From C. A. Palmer, relative to resolution passed by all the stockholders of the Orange County National Farm Loan Association.

ASSISTANT CLERK OLIVER READING.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Messrs. O'Donnell, Turner, Cronin, Waters, Patterson, Heisinger, and Jones: Assembly Bill No. 1028—An act for the raising of revenue to meet the expenditures of this State, not otherwise provided for, pursuant to the provisions of the first paragraph of section 15 of Article XIII of the Constitution, and adding section 3664a-2 to the Political Code, relating to the taxation of operators of pipe lines used in the transportation of oil between points in this State, except common carriers, including tax delinquencies, tax penalties and costs, tax liens, remedies for unauthorized taxation, and defining the duties of operators of pipe lines, and prescribing penalties for violations of the act, and declaring the urgency thereof, to take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Messrs. Waters, Boyle, Jones, Turner, Patterson, Anderson, McMurray, and O'Donnell: Assembly Bill No. 1029—An act for the raising of revenue to meet the expenditures of this State not otherwise provided for, pursuant to the provisions of the first paragraph of section 15 of Article XIII of the Constitution, and adding section 3664a-3 to the Political Code, relating to the taxation of operators of pipe lines

used in the transportation of gas between points in this State, except common carriers, including tax delinquencies, tax penalties and costs, tax liens, remedies for unauthorized taxation, and defining the duties of operators of such pipe lines, and prescribing penalties for violations of the act, and declaring the urgency thereof, to take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Messrs. Boyle, Waters, Anderson, Patterson, Jones, Turner, O'Donnell, and McMurray: Assembly Bill No. 1030—An act defining unlawful gas, prohibiting dealing in and transporting by pipe line of unlawful gas, requiring certain corporations, individuals and associations of individuals engaged in the business of buying lawful gas and transporting the same by pipe line to be common purchasers of such gas, and fixing penalties for violations of the act.

Bill read first time, and referred to Committee on Oil Industry.

By Messrs. Jones, Waters, O'Donnell, Patterson, McMurray, Anderson, Boyle, and Turner: Assembly Bill No. 1031—An act to amend section 13 (a) and 47 (a) of an act entitled "An act to provide for the organization of the Railroad Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund,' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," and designated in the act so entitled as the "Public Utilities Act," approved April 23, 1915, as amended.

Bill read first time, and referred to Committee on Public Utilities.

By Messrs. Anderson, O'Donnell, Jones, Patterson, Turner, Waters, Boyle, and McMurray: Assembly Bill No. 1032—An act to amend sections 2, 19, 22, 25, 46 and 50 of an act entitled "An act to provide for the organization of the Railroad Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund,' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," and designated in the act so entitled as the "Public Utilities Act," approved April 23, 1915, as amended.

Bill read first time, and referred to Committee on Public Utilities.

By Messrs. Evans, Ralph W., Waters, O'Donnell, Boyle, Anderson, Patterson, McMurray, Turner, and Jones: Assembly Bill No. 1033—An act to amend section 285 of the Civil Code, being a part of Title I,

Chapter 2, of "The General Corporation Law," relating to corporations, approved June 12, 1931.

Bill read first time, and referred to Committee on Corporations.

By Mr. Riley: Assembly Bill No. 1034—An act to amend sections 3817b, 3817d, 3817f, 3817g, and 3817h of, and to add sections 3817c3 and 3817i2 to, the Political Code, relating to taxation, including tax delinquencies, tax penalties and costs, tax redemption for tax sales and declaring the urgency thereof, to take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Wallace: Assembly Bill No. 1035—An act to amend sections 713, 715, 731, 733.5, 867 and 868 of, and to add sections 930 and 717.5 to the Fish and Game Code, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Johnson: Assembly Bill No. 1036—An act to amend section 1418 of the Penal Code, relating to the pardoning or commutation of sentence of convicts twice convicted of felony.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Peyser: Assembly Bill No. 1037—An act to safeguard the public health by regulating the use of x-rays on living persons in the State of California.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Evans, Herbert J.: Assembly Bill No. 1038—An act to add a new section to the Political Code of the State of California to be numbered 3810, relating to judicial review of assessments and taxes alleged to be illegal or erroneous and providing procedure for such review.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Evans, Herbert J.: Assembly Bill No. 1039—An act to amend section 3617 of the Political Code, relating to definition of terms used for taxation purposes.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Clark: Assembly Bill No. 1040—An act to create a Department of Penal Affairs, to define its powers and duties, to provide for its organization, to create a Board of Pardons and Paroles, define its powers and duties and provide for its organization, and to repeal all acts and sections of acts inconsistent therewith, and to become effective, if and when, Assembly Constitutional Amendment No. ____ is approved by the people.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Clark: Assembly Bill No. 1041—An act providing employment for inmates of State prisons and reformatories; providing for appointment and compensation of a Superintendent of Prison Industries and providing rules and regulations for the carrying out of the provisions thereof.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Richie: Assembly Bill No. 1042—An act to add section 150 to the Civil Code, relating to property of a husband.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Richie: Assembly Bill No. 1043—An act to amend section 1218 of the Code of Civil Procedure, relating to punishment of contempt.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Richie: Assembly Bill No. 1044—An act to amend sections 5.650, 5.653 and 5.661 of the School Code, relating to dismissal of permanent employees.

Bill read first time, and referred to Committee on Education.

By Mr. Richie: Assembly Bill No. 1045—An act to add a new section to the Code of Civil Procedure, to be numbered 34a, relating to suits in pauper's form.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Richie: Assembly Bill No. 1046—An act to authorize and permit physicians, surgeons, medical doctors, osteopaths, chiropractors, and any other practitioners, who have been duly licensed to practice similar professions under the laws of California, to enter into any contracts or agreements with their patients for professional services, or hospitalization without complying with the provisions of law applicable to insurance and insurance contracts; and to provide for the termination and cancellation of such contracts.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Richie: Assembly Bill No. 1047—An act to repeal section 647 of the Penal Code, relating to the definition of vagrants.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Richie: Assembly Bill No. 1048—An act to create an association to be known as the "California Bar Association for Attorneys," relating to the practice of law in California, and to repeal the State Bar Act.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Anderson, Patterson, and Morgan: Assembly Bill No. 1049—An act to amend section 86 of the Code of Civil Procedure, relating to duties of municipal court clerks.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Anderson, Patterson, and Morgan: Assembly Bill No. 1050—An act to add a new section to the Political Code to be numbered section 4178a, relating to duties of county clerks.

Bill read first time, and referred to Committee on County Government.

By Mr. DeLap: Assembly Bill No. 1051—An act to amend an act entitled "An act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or control thereof," which became a law under constitutional provision without the Governor's

approval February 25, 1901, by amending section 6 thereof, relating to the sale of municipal bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. DeLap: Assembly Bill No. 1052—An act to provide for the manner of payment of matured bonds and coupons of any issue of bonds of any county, city and county, municipal corporation, taxing district, political subdivision or other public corporation of this State in cases where the available money in the fund set apart for the payment of such bonds or coupons is insufficient to pay the same in full.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. DeLap: Assembly Bill No. 1053—An act requiring the compilation and publication of reports relative to the financial condition of the municipal corporations within the State.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Riley: Assembly Bill No. 1054—An act to add section 3a to and to amend sections 3, 4, 5, 6, 7, 8, 10, 14, 15, 16, 17, 18 and 19 of the "Los Angeles County Flood Control Act," relating to the government and control of the district and the powers and duties of the board of directors thereof.

Bill read first time, and referred to Committee on Conservation.

By Mr. Lyon: Assembly Bill No. 1055—An act to amend section 401 of the Vehicle Code, relative to the liability of governmental agencies.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Lyon: Assembly Bill No. 1056—An act to amend section 200 of the Code of Civil Procedure, relating to exemptions from jury duty.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Lyon: Assembly Bill No. 1057—An act to amend section 786 of the Fish and Game Code, relating to lobsters.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Lyon: Assembly Bill No. 1058—An act making an appropriation to pay the claim of Bernard Sargen, against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Minard: Assembly Bill No. 1059—An act to amend section 377 of the Code of Civil Procedure, relating to the maintenance of actions for damages against persons responsible for the death of another.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Heisinger: Assembly Bill No. 1060—An act to add section 2a to the Public Utilities Act, relating to toll bridges, whether publicly or privately owned, declaring the owners thereof to be public utilities in respect thereto and placing the same under the jurisdiction, supervision and regulation of the Railroad Commission.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Lore: Assembly Bill No. 1061—An act to amend section 12 of "An act to provide for the recall of elective officers of incorporated cities and towns, and to repeal Chapter 32, Statutes of 1911, extra session, entitled 'An act to provide for the recall of elective officers of incorporated cities and towns,' approved January 2, 1912," approved May 8, 1931, relating to recall.

Bill read first time, and referred to Committee on Elections.

By Mr. Martin: Assembly Bill No. 1062—An act to amend section 3714 of the Political Code, relating to the preparation and adoption of annual budgets by county boards of supervisors and providing for the publication thereof.

Bill read first time, and referred to Committee on County Government.

By Mr. Redwine: Assembly Bill No. 1063—An act to amend section 182 of the Penal Code, relating to criminal conspiracy.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Redwine: Assembly Bill No. 1064—An act authorizing municipalities to afford special assessment relief by the appropriation of money for the reduction of special assessments and the payments on bonds issued to represent such assessments, and by the payment of any portion of the principal or interest of, or by the purchase or redemption at a discount of, or by the transfer to the interest and sinking fund for the discharge and payment of bonds, the proceeds of which have been used for the acquisition of rights of way or easements for, or for the construction, maintenance, improvement or repair of such streets, bridges and culverts within such cities, and providing a method for the making of such appropriations.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. DeLap: Assembly Bill No. 1065—An act to amend section 17 of an act entitled the "Joint Highway District Act," relating to construction work.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Cunningham: Assembly Bill No. 1066—An act to amend section 1238 of the Civil Code, relating to homesteads.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Cunningham and Rosenthal: Assembly Bill No. 1067—An act to amend section 1007 of the Civil Code, relating to title by prescription and adverse possession against the State, counties, cities and counties or municipal corporations thereof.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Andreas: Assembly Bill No. 1068—An act to require written approval by the board of supervisors before the erection for dwell-

ing or residence purposes of any structure situated in a canyon or wash and subject to the perils of flood waters.

Bill read first time, and referred to Committee on County Government.

By Mr. Robertson: Assembly Bill No. 1069—An act to amend section 3003 of the Civil Code, relating to waiver of demand of notice of sale of pledge.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Robertson: Assembly Bill No. 1070—An act to amend section 175 of the Civil Code, relating to liability of husband for support of wife.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Robertson: Assembly Bill No. 1071—An act to amend section 3440 of the Civil Code providing for the sale of stock of trade involved and providing for the liability of any auctioneer selling said stock.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Robertson: Assembly Bill No. 1072—An act to amend section 441 of the Probate Code, relating to notice of application for letters of administration.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Robertson: Assembly Bill No. 1073—An act to amend section 3005 of the Civil Code, relating to the manner of sale of pledged property.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Fisher: Assembly Bill No. 1074—An act to amend section 3617 of the Political Code, relating to the definition of terms for purposes of taxation.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Thorp: Assembly Bill No. 1075—An act to amend section 1 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to persons exempt from tax.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Hunt: Assembly Bill No. 1076—An act to amend sections 2, 6, 6a, 9, 12, and 13 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the Board of Dental Examiners.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Chatters: Assembly Bill No. 1077—An act to amend section 951 of Article 3 of Chapter 5 of Division 5 of the Agricultural Code, relating to one variety cotton district.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Clark: Assembly Bill No. 1078—An act to amend section 18 of the Inheritance Tax Act, relating to the levying of inheritance taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Messrs. Cunningham, Riley, and Phillips: Assembly Bill No. 1079—An act to amend section 4.52 of the School Code, relating to the support of junior college districts.

Bill read first time, and referred to Committee on Education.

By Mr. Geyer: Assembly Bill No. 1080—An act to amend section 5.722 of the School Code, relating to leaves of absence.

Bill read first time, and referred to Committee on Education.

By Mr. Flint: Assembly Bill No. 1081—An act to amend section 7 of the act entitled "An act authorizing the establishment of municipal courts prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualifications and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts in cities of the first and one-half class.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Patterson: Assembly Bill No. 1082—An act pertaining to hours of labor in the commercial fishing industry.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Patterson: Assembly Bill No. 1083—An act pertaining to commercial fishermen outside of the jurisdiction of California and those under the jurisdiction of California.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Patterson: Assembly Bill No. 1084—An act relating to water conservation and check dams in the Salinas River Valley and the tributaries thereof, and an appropriation for the same.

Bill read first time, and referred to Committee on Conservation.

By Mr. Patterson: Assembly Bill No. 1085—An act relating to the memorialization of Congress to furnish aid in the construction of check dams in the Salinas River Valley.

Bill read first time, and referred to Committee on Federal Relations.

By Mr. Patterson: Assembly Bill No. 1086—An act relating to the memorialization of Congress to aid the rubber industry in the United States and in California.

Bill read first time, and referred to Committee on Federal Relations.

By Messrs. Pelletier, Gilbert, Geyer, Anderson, Laughlin, and Flint: Assembly Bill No. 1087—An act to amend section 5.150 of the School Code, relating to the issuance of certificates.

Bill read first time, and referred to Committee on Education.

By Mr. Clark: Assembly Bill No. 1088—An act to amend sections 1622 and 1623 of the Streets and Highways Code, relating to the disposition of funds by counties.

Bill read first time, and referred to Committee on County Government.

RECESS.

At ten o'clock and forty-three minutes a.m., the Speaker, on motion of Mr. Lyon, seconded by Mr. Williamson, declared the Assembly at recess for the purpose of hearing from Mr. William May Garland.

REASSEMBLED.

At ten o'clock and fifty minutes a.m., the Assembly reconvened. Speaker Craig in the chair.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Cottrell: Assembly Bill No. 1089—An act to amend sections 3727 and 3728 of the Political Code, relating to the entering of values and acreages in the assessment book and the preparation of duplicate statistical statements of assessments.

Bill read first time, and referred to Committee on County Government.

By Mr. Cottrell: Assembly Bill No. 1090—An act to add a new section to the Political Code to be numbered 3887, relating to the priority of the State of California for taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Messrs. Garibaldi, Crowley, Heisinger, Minard, Scudder, and Thorp: Assembly Bill No. 1091—An act making an appropriation for the enforcement of standards, quality and identity, covering the manufacture and sale of California wines and brandy.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Minard: Assembly Bill No. 1092—An act to add a new section to the Political Code to be numbered 3720, relating to the filing by county clerks with county assessors and the State Board of Equalization of certifications and new districts and changes in the boundaries of existing districts.

Bill read first time, and referred to Committee on County Government.

By Mr. Chatters: Assembly Bill No. 1093—An act amending section 2 of an act entitled "An act to authorize and empower boards of supervisors to levy a tax for advertising, exploiting, promoting and aiding measures designed to preserve, aid or develop the agricultural, horticultural, viticultural and water resources and advantages of their several counties," approved April 17, 1929, relating to the period of time said act shall be in force and effect.

Bill read first time, and referred to Committee on County Government.

By Mr. Burns: Assembly Bill No. 1094—An act to add a new section to the Political Code to be numbered 3663c, relating to the correction of errors by the State Board of Equalization in assessments made by said Board.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

By Mr. Robertson: Assembly Bill No. 1095—An act providing for the levy and collection of a tax upon all natural resources, including fish and game, severed from the earth or removed from the waters of this State.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Anderson: Assembly Bill No. 1096—An act to provide for the establishment, regulation and supervision of systems of health service insurance in California.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Anderson: Assembly Bill No. 1097—An act to provide for the establishment and administration of a system of health insurance.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Richie: Assembly Bill No. 1098—An act to add section ____ to the Penal Code, relating to collective bargaining.

Bill read first time, and referred to Committee on Judiciary.

RECESS.

At eleven o'clock a.m., the Speaker, on motion of Mr. Burns, declared the Assembly at recess for the purpose of hearing from former Governor Gillette.

REASSEMBLED.

At eleven o'clock and three minutes a.m., the Assembly reconvened. Speaker Craig in the chair.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Richie: Assembly Bill No. 1099—An act to add section 92a to the Civil Code, relating to grounds of divorce.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Richie: Assembly Bill No. 1100—An act to add section 43a to the Civil Code, relating to causes of action based upon alienation of affection and breach of promise.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Richie: Assembly Bill No. 1101—An act to add section 4452b to the Political Code, relating to responsibility of municipal corporations.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Richie: Assembly Bill No. 1102—An act to add section 4452a to the Political Code, relating to responsibility of municipal corporations.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Richie: Assembly Bill No. 1103—An act to add section 43a to the Political Code, relating to constitutional, personal and civil rights.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Richie: Assembly Bill No. 1104—An act to add section 151 of the Penal Code, relating to oppressive and discriminatory law enforcement.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Gilmore: Assembly Bill No. 1105—An act to amend section 501 of the Agricultural Code, relating to dairies and dairy products.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Gilmore: Assembly Bill No. 1106—An act to amend section 820 of the Agricultural Code, relative to tomatoes.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Gilmore: Assembly Bill No. 1107—An act to amend section 820 of the Agricultural Code, relative to tomatoes.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Gilmore: Assembly Bill No. 1108—An act to add section 3770 to the Political Code, relating to the Division of Private Educational Institutions in the Department of Professional and Vocational Standards.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Meehan: Assembly Bill No. 1109—An act to amend section 330a of the Penal Code, relating to gambling.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Garibaldi: Assembly Bill No. 1110—On act to amend sections 3774, 3897, and 3897d of the Political Code, relating to taxation.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Utt: Assembly Bill No. 1111—An act to provide for the formation, government, operation and dissolution of library districts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Utt: Assembly Bill No. 1112—An act to validate bonds of school districts, high school districts, and junior college districts of every kind and class, and providing for the levy of a tax to pay the same, and declaring the urgency of said act.

Bill read first time, and referred to Committee on Education.

By Mr. Clark: Assembly Constitutional Amendment No. 48—A resolution to propose to the people of the State of California an amendment to Article X of the Constitution of the State of California,

relating to the State Board of Prison Directors, and to convict labor, and an amendment to section 16 of Article XX of the Constitution of the State of California, relating to terms of office not fixed by the Constitution.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Richie: Assembly Constitutional Amendment No. 49—A resolution to propose to the people of the State of California an amendment to section 21 of Article I of the Constitution of said State, relating to privileges and immunities.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Richie: Assembly Constitutional Amendment No. 50—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article IX thereto a new section to be numbered 9½, relating to the University of California.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Richie: Assembly Constitutional Amendment No. 51—A resolution to propose to the people of the State of California an amendment to section 9 of Article I of the Constitution of said State, relating to freedom of speech and of the press.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Richie: Assembly Constitutional Amendment No. 52—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding thereto a new section to be numbered 9¾, relating to the University of California.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Richie: Assembly Joint Resolution No. 28—Relative to memorializing the Senate of the United States to conduct an investigation of vigilantism in California and throughout the United States.

Introduced, and referred to Committee on Federal Relations.

RECESS.

At eleven o'clock and ten minutes a.m., the Speaker declared the Assembly at recess for the purpose of having a photograph taken of the Assembly.

REASSEMBLED.

At eleven o'clock and twelve minutes a.m., the Assembly reconvened. Speaker Craig in the chair.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Wright: Assembly Bill No. 1113—An act to amend an act entitled "An act to establish the California State Historial Association, providing for the appointment of a board of trustees for said associa-

tion and making an appropriation for its support during the seventy-ninth and eightieth fiscal years," approved May 25, 1927.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Wright: Assembly Bill No. 1114—An act to amend Article VII of Chapter II of Part IV of Division II of the School Code, relating to the Division of Schoolhouse Planning.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Wright: Assembly Bill No. 1115—An act to amend section 364a of the Political Code, relating to the Department of Industrial Relations.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Wright: Assembly Bill No. 1116—An act to amend section 1393 and to repeal section 1394 of the Political Code, relating to the University of California.

Bill read first time, and referred to Committee on Universities.

By Mr. Wright: Assembly Bill No. 1117—An act to add section 5.64 to the School Code, relating to State Teachers Colleges.

Bill read first time, and referred to Committee on Teachers Colleges.

By Mr. Wright: Assembly Bill No. 1118—An act to amend an act entitled "An act to establish the California Polytechnic School in the county of San Luis Obispo, and making an appropriation therefor," approved March 8, 1901.

Bill read first time, and referred to Committee on Education.

By Mr. Wright (by request): Assembly Bill No. 1119—An act to amend sections 4.961, 4.963, 4.965, 4.970, 4.973, and 4.990 and to add a new section to be numbered 4.967 to the School Code, all relating to school district bonds.

Bill read first time, and referred to Committee on Education.

By Messrs. Wright, Stream, Evans, Herbert J., Latham, Kallam, Martin, and Scudder: Assembly Bill No. 1120—An act to amend sections 1, 3, 9, 12a, 15, 19, 20a and 20b and to add sections 2a, 3b, 3c, 3d, 3e, 3f, 3g, 3h, 3i, 9a, 9c, 12b, 20b, 20c, 20d, 20e, 20f, 20g, 20h, 20i, 20j and 20k to the California Real Estate Act, relating to the creation of the Real Estate Board and prescribing the powers and duties thereof, to the regulation and licensing of real estate brokers and salesmen, and to the inspection and regulation of subdivisions.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Messrs. Anderson, Patterson, and Geyer: Assembly Bill No. 1121—An act creating county commissions comprised of a county school superintendent and seven elective members, two thereof being certificated school employees, to formulate a plan for reorganizing school systems. Creates State Commission to Formulate Plan for Reorganizing State System, including employees' tenure, to be based in so far as they apply on county commissions' reports. Directs submission

of State plan, and county plans approved by State Commission, to State and county voters respectively at general election in 1936; majority approving, State plan becomes law whereupon any defeated county plan may be revised, reapproved and resubmitted to voters, existing school laws applying in county until new plan passes.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Field: Assembly Bill No. 1122—An act to accept the provisions of an act of the Congress of the United States effective June 6, 1933, entitled "An act to provide for the establishment of a National Employment System and for cooperation with the States in the promotion of such system, and for other purposes."

Bill read first time, and referred to Committee on Unemployment.

By Mr. Field: Assembly Bill No. 1123—An act to amend section 2 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933, relating to the payment and disposition of interest on funds of any county, city and county, city, town, municipality or other public or municipal corporation deposited in banks.

Bill read first time, and referred to Committee on Banking

By Mr. Waters: Assembly Bill No. 1124—An act amending sections 44 and 517 of the Vehicle Code, relating to authorized emergency vehicle.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Waters: Assembly Bill No. 1125—An act adding a new section to the Civil Code of the State of California, to be numbered 734, relating to the control of municipal property by the legislative body thereof and the right of access and use of municipal property by members of the public.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Hawkins: Assembly Bill No. 1126—An act to amend an act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act," approved May 15, 1933, relating to regulation of outdoor advertising.

Bill read first time, and referred to Committee on Judiciary

By Mr. O'Donnell: Assembly Bill No. 1127—An act to amend sections 1271 and 1271.5 of the Fish and Game Code, relating to deer.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. O'Donnell: Assembly Bill No. 1128—An act relating to the sale of property sold to a county treasurer, as trustee of a reclamation district or of the bond fund, or to a reclamation district for delinquent assessments and installments thereof.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Mr. O'Donnell: Assembly Bill No. 1129—An act amending section 3897 of the Political Code, relating to the procedure for the sale of property deeded to the State in payment of delinquent taxes, if not otherwise disposed of under section 3897a or section 3897b of the Political Code, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Donnelly: Assembly Bill No. 1130—An act to amend section 3444 of the Political Code, to empower the Division of State Lands to promulgate rules and regulations governing the use of certain State lands and the enforcement of such rules and regulations.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Messrs. Peyser, Garibaldi, Lyon, Jones, Cronin, Maloney, Hornblower, Minard, and Hunt: Assembly Joint Resolution No. 29—Relative to fostering and protecting grape and wine industries.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Peyser asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 29, at this time, without reference to print, committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER TWENTY-NINE.

Assembly Joint Resolution No. 29—Relative to fostering and protecting grape and wine industries.

Assembly Joint Resolution No. 29 read.

Mr. Peyser moved the adoption of Assembly Joint Resolution No. 29.

The question being on the adoption of Assembly Joint Resolution No. 29.

The roll was called, and Assembly Joint Resolution No. 29 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Thorp, Turner, Voigt, Wagner, Walker, Waters, and Williamson—59.

NOES—Mr. Speaker—1.

Title read and approved.

Assembly Joint Resolution No. 29 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 29.

Relative to fostering and protecting grape and wine industries.

WHEREAS, The grape and wine industries provide a livelihood for upwards of 150,000 persons, comprising grape growers, winery workers and their dependents, in California, in addition to many thousands in other States and in addition to many thousands employed in various allied industries in this State and elsewhere; and

WHEREAS, These industries, after fifteen years of compulsory stagnation due to the Prohibition Laws, are now again in a position to recover their losses and to contribute greatly to the public welfare, because the industries above named already comprise the second largest agricultural pursuit in California, within excess of 500,000 acres of vineyards and 654 wineries in active operation, altogether representing an investment exceeding $420,000,000; and

WHEREAS, The increasing use of wine as an article of food in certain major consuming centers, including California, offers the most promising available means of increasing the prosperity and speeding the agricultural, industrial and business recovery of this State and also holds promise of developing the grape and wine industries into the greatest industries of California; and

WHEREAS, The principal obstacle now delaying the extensive development, and, in fact, seriously hampering the present recovery of these industries is the blocking of the wine distribution channels in many parts of the Nation by certain types of excessive taxation, excessive licensing and regulatory restrictions, which obstacle is created almost entirely by the widely prevalent misunderstanding of the true function of wine, which is in fact an integral part of the diet, entitled to be classified and treated as a food rather than as a liquor; and

WHEREAS, Such obstacles to wine distribution act to increase the cost of wine beyond the average family's food budget and also to prevent the product from being made conveniently available for use in the home, therefore working a discrimination against consumers of ordinary means by placing wine in a luxury class in which it is available only to a wealthy few; and

WHEREAS, The experience of the State of California, which has during the past year received in excess of $250,000 in revenue from a reasonable tax on wine, has demonstrated that a reasonable tax upon wine can return a larger net revenue to a taxing unit than can be obtained from an excessive tax which hampers distribution; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly. That the Legislature of the State of California respectfully urges the President and Congress of the United States and California's Senators and Representatives in Congress to do all in the their power to remove all unwarranted obstacles to wine distribution, so that the recovery and the Nation-wide growth of the grape and wine industry may be encouraged in this State as well as in other States and so that consumers of average means may be enabled to obtain wine conveniently and at reasonable prices within the family food budget; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the Vice President, the Speaker of the House of Representatives of the Congress of the United States and to California's Senators and Representatives in Congress.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Fisher: Assembly Bill No. 1131—An act to amend sections 682, 806, 811, 827, 849, 877 and 878 of the Penal Code, relating to proceedings before the committing magistrate, and to add a new section to the Penal Code numbered 877a, relating to the commitment by the magistrate on plea of guilty.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Fisher: Assembly Bill No. 1132—An act to amend section 1093, 1127, 1323 and 1439 of the Penal Code, relating to instructions and comment in criminal cases.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Fisher: Assembly Bill No. 1133—An act to amend sections 800 and 802 of the Penal Code, relating to limitation of criminal actions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cottrell: Assembly Bill No. 1134—An act to amend section 2 and section 3 of an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof," and repealing an act entitled "An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications, fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office, approved March 20, 1905," approved May 31, 1917, as amended, relating to its organization and defining its powers and duties.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Thorp: Assembly Bill No. 1135—An act to add Chapter 9 to Division IV of the Agricultural Code, relating to the production and marketing of milk and other dairy products.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Fisher: Assembly Bill No. 1136—An act to amend section 850 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations" approved March 18, 1883, relating to the filling of vacancies in offices in cities of the sixth class.

Bill read first time, and referred to Committee on Municipal Corporations.

By Miss Miller: Assembly Bill No. 1137—An act defining building loans, providing for the recording before beginning of construction of a detailed statement of the actual terms and conditions and true consideration thereof verified upon the oath of the borrower and forbidding the recording of a false statement or procuring the recording thereof, and providing for penalties and consequences of the violation of the terms of this act, and providing for clearing the record of abandoned building loans.

Bill read first time, and referred to Committee on Building and Construction.

By Mr. Cunningham: Assembly Bill No. 1138—An act to amend section 3804 of the Political Code, to prescribe place of filing claim for refund of taxes, penalties or costs, and to validate the filing of such claims heretofore filed.

Bill read first time, and referred to Committee on County Government.

By Mr. Cunningham: Assembly Bill No. 1139—An act to add a new section to the Political Code, to be numbered 4041.27, relating to emergency aid to sick and injured.

Bill read first time, and referred to Committee on County Government.

By Mr. Cunningham: Assembly Bill No. 1140—An act to amend sections 2168 and 2185c of the Political Code and amending section 259a of the Code of Civil Procedure by adding subdivision 8 thereto, relating to the apprehension of insane persons and the issuance of warrants therefor and relating to the duties of court commissioners.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Robertson: Assembly Bill No. 1141—An act to add section 11a to and to amend section 23 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Chatters: Assembly Bill No. 1142—An act to amend sections 5.640, 5.658, 5.710 and 5.720 of the School Code, relating to employees.

Bill read first time, and referred to Committee on Education.

By Mr. Hawkins: Assembly Bill No. 1143—An act to add section 365 to the Military Code, relating to opportunity for military training of all citizens and membership in the National Guard.

Bill read first time, and referred to Committee on Military Affairs

By Mr. Anderson: Assembly Bill No. 1144—An act to amend the "Building and Loan Association Act," approved May 5, 1931, relating to building and loan associations.

Bill read first time, and referred to Committee on Building and Loan.

By Mr. Andreas: Assembly Bill No. 1145—An act to amend section 3440 of the Civil Code, relating to bulk sales.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Williamson and Johnson: Assembly Bill No. 1146—An act to amend section 1197a of the Political Code, relating to initiative petitions.

Bill read first time, and referred to Committee on Elections.

By Messrs. Williamson and McMurray: Assembly Bill No. 1147—An act to provide for the enforcement and collection of the tax imposed by the Gift Tax Act.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Messrs. Williamson and McMurray: Assembly Bill No. 1148—An act to be known as the "Gift Tax Act" to establish a tax on gifts and legacies and to provide for its collection and to direct the disposition of its proceeds.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Messrs. Williamson and McMurray: Assembly Bill No. 1149—An act to be known as the "Gift Tax Act" to establish a tax on gifts, to provide for its collection and to direct the disposition of its proceeds;

to provide for the enforcement of liens created by this act and for suits to quiet title against claims or liens arising hereunder.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Messrs. Johnson and Breed: Assembly Bill No. 1150—An act to amend section 4 of an act entitled "An act to permit the consolidation of elections and to provide a procedure therefor."

Bill read first time, and referred to Committee on Elections.

By Messrs. Desmond and Donnelly: Assembly Joint Resolution No. 30—Relative to memorializing the Senate of the United States to refrain from permitting entry of the United States into the World Court or the League of Nations.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Desmond asked for unanimous consent to take up Assembly Joint Resolution No. 30, at this time, without reference to print, committee or file, and that same be considered engrossed.

OBJECTION TO UNANIMOUS CONSENT.

Mr. Voigt objected to unanimous consent to the consideration of Assembly Joint Resolution No. 30.

Assembly Joint Resolution No. 30 ordered to Committee on Federal Relations.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Wallace: Assembly Bill No. 1151—An act to add a new section to the Political Code, to be numbered 3757, relating to installments of taxes.

Bill read first time, and referred to Committee on County Government.

By Mr. Cronin: Assembly Bill No. 1152—An act to amend section 1714 of the Civil Code, relating to responsibility for negligence.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Morgan and Garibaldi: Assembly Bill No. 1153—An act to impose a tax and to regulate sales and distribution in this State of moving picture films sold or distributed for commercial exhibition by any person, firm, corporation or association in this State and to provide methods and penalties for the enforcement of such tax.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Cottrell: Assembly Bill No. 1154—An act to authorize the Building and Loan Commissioner to liquidate building and loan associations whose capital or reserve is impaired and in certain cases to permit the depositors to incorporate a mutual building and loan association and for that purpose use the available assets for the working capital and to liquidate the remaining assets and to pay the proceeds thereof pro rata to said depositors until paid in full and the excess, if any, to the stockholders according to their several holdings.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Mr. Boyle: Assembly Bill No. 1155—An act to amend section 48 of the Fish and Game Code, by providing for the disposition of fines and forfeitures resulting from the enforcement by counties or county officers or employees of provisions of law relating to the illegal use or possession of nets.

Bill read first time, and referred to Committee on County Government.

By Mr. Redwine: Assembly Bill No. 1156—An act to amend section 683 of the Civil Code, relating to joint tenancies.

Bill read first time, and referred to Committee on Judiciary.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Walker:

Resolved, That the Controller be and is hereby authorized and directed to draw his warrants on the contingent fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Bancroft-Whitney Company, codes and general laws	$4,226 58
Bureau of Purchases	406 34
Vern O. Knudsen (expenses trip to Sacramento)	27 90
Vern O. Knudsen (luncheon)	3 28
Hub Florists (flowers to Miss Miller)	10 25

Resolution read, and ordered referred to Committee on Contingent Expenses.

By Mr. Walker:

ASSEMBLY RESOLUTION.

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred fifty dollars ($150.00), said amount being for the payment of postage, telegraphing, expressage and incidental expenses of the Chief Clerk's office.

Resolution read, and ordered referred to Committee on Contingent Expenses.

By Mr. Walker:

ASSEMBLY RESOLUTION.

WHEREAS, Various members of the Assembly will desire to have shipped to their various places of residence their bill files and other printed matter for use during the constitutional recess; threfore, be it

Resolved, That the Sergeant-at-Arms, Joseph Moloney, be authorized to procure such boxes, packing and other material as is necessary for the purpose of shipping same properly packed to said members, and the State Controller is hereby authorized to draw his warrant on the contingent expense fund of the Assembly in favor of Joseph Moloney, Sergeant-at-Arms, in an amount not to exceed $350, and the State Treasurer is hereby authorized to pay the same.

CONSIDERATION OF RESOLUTION BY MR. WALKER.

Resolution read.

Mr. Walker moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Miller, Minard, Morgan,

O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—63.

NOES—None.

RECESS.

At twelve o'clock m., on the motion of Mr. Lyon, the Assembly was declared at recess until two o'clock p.m. of this day.

REASSEMBLED.

At two o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Cottrell: Assembly Bill No. 1157—An act appropriating moneys to the "Judges' retirement fund" in pursuance of Article VI, section 26 of the Constitution.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Messrs. Cottrell, Kallam, and Anderson: Assembly Bill No. 1158—An act extending Skyline Boulevard easterly along the Santa Clara-Santa Cruz County line to a junction with Hecker Highway at or near the summit.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Fisher: Assembly Bill No. 1159—An act to amend section 11 of an act known as the "Juvenile Court Law," approved June 5, 1915, as amended, relative to making juvenile court orders for reimbursement by parents and other persons and from estates of minors, liens upon real property of such parents or other persons or in the estates of such minors by the method of recording abstracts of such orders.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Desmond: Assembly Bill No. 1160—An act to amend section 2 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the Board of Dental Examiners.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Welsh: Assembly Bill No. 1161—An act to amend section 718c of the Civil Code, empowering municipalities to lease property.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Cunningham: Assembly Bill No. 1162—An act to repeal Article I, Chapter VI, Part II, Division VI, embracing sections 6.470 to 6.479, inclusive, of the School Code and to enact a new article in lieu thereof, all relating to purchasing of apparatus and supplies.

Bill read first time, and referred to Committee on Education.

By Mr. Breed: Assembly Bill No. 1163—An act to add to Chapter I of Part IV of Division IV of the School Code, a new article to be known as Article VII, embracing sections 4.755, 4.756, and 4.757, relating to the computation of average daily attendance.

Bill read first time, and referred to Committee on Education.

By Mr. Nielsen: Assembly Bill No. 1164—An act to provide for improvement of rivers, bank protection and clearing flood channels, in cooperation with county, State or Federal relief agencies, political subdivisions, districts, corporations or indivduals, and making an appropriation therefor.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Nielsen: Assembly Bill No. 1165—An act to amend an act entitled, "An act providing an additional and/or alternative method for financing the acquirement, construction, development, improvement, reconstruction, extension and repair of water works systems by any political subdivision or public agency of the State authorized by law to own and operate such water works systems by the issuance and sale to the United States Government or any agency of said government of revenue bonds payable solely out of the revenue derived or to be derived therefrom; providing for the operation of such systems in case of deficiencies in revenues, providing for a statutory lien on works acquired, constructed, improved, reconstructed, extended or repaired under the provisions of this act; providing for the use of the power of eminent domain by political subdivisions or public agency proceeding under this act; defining the terms political subdivisions and public agencies as included herein, and providing a time for the expiration of said act," approved May 27, 1933, by amending sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 14 thereof; adding a new section thereto to be numbered section 14½, and repealing section 16 thereof.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Andreas: Assembly Bill No. 1166—An act to add a new section to the Political Code, to be numbered ------, relating to the Department of Agriculture.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Andreas: Assembly Bill No. 1167—An act to add a new section to the Political Code, to be numbered ------, relating to the Department of Finance.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Andreas: Assembly Bill No. 1168—An act to add a new section to the Political Code, to be numbered ------, relating to the Department of Agriculture.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Andreas: Assembly Bill No. 1169—An act to add a new section to the Political Code, to be numbered ------, relating to the Department of Natural Resources.

Bill read first time, and referred to Committee on Conservation.

By Mr. Andreas: Assembly Bill No. 1170—An act to add a new section to the Political Code, to be numbered ------, relating to the Department of Professional and Vocational Standards.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Andreas: Assembly Bill No. 1171—An act to add a new section to the Political Code, to be numbered ------, relating to the Department of Investments.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Andreas: Assembly Bill No. 1172—An act to add a new section to the Political Code, to be numbered ------, relating to the Department of Public Works.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Andreas: Assembly Bill No. 1173—An act to add a new section to the Political Code, to be numbered ------, relating to the Department of Motor Vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Andreas: Assembly Bill No. 1174—An act to add a new section to the Political Code to be numbered ----, relating to the Department of Institutions.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Andreas: Assembly Bill No. 1175—An act to add a new section to the Political Code to be numbered ----, relating to the Department of Motor Vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Latham: Assembly Bill No. 1176—An act to amend the "Streets and Highways Code," relating to streets and highways.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Latham, Anderson, Andreas, Boyle, Breed, Cottrell, Cunningham, Fisher, Geyer, Glover, Johnson, Martin, Morgan, Waters, Wright, and Miss Miller: Assembly Bill No. 1177—An act to amend section 13 of the "Motor Vehicle Fuel License Tax Act," Chapter 267, Statutes of 1923, approved May 30, 1923, as amended, relating to the allocation of motor vehicle fuel fund moneys to counties.

Bill read first time, and referred to Committee on Motor Vehicles.

By Messrs. Latham, Anderson, Andreas, Boyle, Breed, Cottrell, Cunningham, Fisher, Geyer, Glover, Johnson, Martin, Morgan, Waters, Wright, and Miss Miller: Assembly Bill No. 1178—An act to amend sections 3 and 5 of an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditures of funds for the construction, maintenance and improvement of State highways," approved

May 26, 1927, relating to the allocation and expenditure of State highway funds.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Latham: Assembly Bill No. 1179—An act to amend sections 12391, 12392 and 12393 of the Insurance Code.

Bill read first time, and referred to Committee on Insurance.

By Mr. DeLap (by request): Assembly Bill No. 1180—An act to define section 2 of an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr. Burns: Assembly Bill No. 1181—An act to amend sections 4.770, 4.771, 4.773, 4.785, 4.796 and 4.797 of the School Code and to add thereto two new sections to be numbered 4.774 and 4.484, all relating to the apportionment of State funds for public school purposes.

Bill read first time, and referred to Committee on Education.

By Mr. Chatters: Assembly Bill No. 1182—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and to provide for the disposition of the revenues therefrom, and to provide that this act shall take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Wallace: Assembly Bill No. 1183—An act to amend section 24 of the Direct Primary Law, relating to elections.

Bill read first time, and referred to Committee on Elections.

By Messrs. Hornblower and Maloney: Assembly Bill No. 1184—An act authorizing and providing for preference of employment on all State jobs and positions now existing, or that may hereafter be created, within the area north of Bakersfield, to be given to all bona fide employees on the ferryboat systems operating on San Francisco Bay when such employees lose their present position, due to the introduction and opening of the various decks of the San Francisco-Oakland Bay Bridge and the Golden Gate Bridge, and further authorizing and providing that the California Toll Bridge Authorities and other toll bridge authorities, in any contract between the toll bridge authorities and carriers or companies that may be granted permission to operate over the bridges there shall be provided in such contracts that preference of employment shall be given all bona fide employees on the ferryboat systems operating on the San Francisco Bay, when such employees lose their present positions due to the introduction and opening of the various decks and bridges; and be it further authorized and provided that this same provision with regard to preference of employment shall be granted on such jobs as may be controlled by the toll bridge authorities themselves, or by tenants or concessionaires of the toll bridge authorities.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Maloney: Assembly Bill No. 1185—An act authorizing the Board of State Harbor Commissioners to make application for the privilege of establishing, maintaining and operating a foreign trade zone on the property under the jurisdiction and control of said board on the waterfront of San Francisco, and to establish, maintain and operate such zone, pursuant to the act of Congress of June 18, 1934, Chapter 590.

Bill read first time. and referred to Committee on Commerce and Navigation.

By Mr. McMurray: Assembly Bill No. 1186—An act to add a new section to the School Code to be numbered 3.764, relating to courses of study in elementary schools.

Bill read first time, and referred to Committee on Education.

By Mr. McMurray: Assembly Bill No. 1187—An act to add a new section to the School Code to be numbered 3 113, relating to the establishment of kindergartens.

Bill read first time, and referred to Committee on Education.

By Mr. McMurray: Assembly Bill No. 1188—An act to add a new article to Chapter II of Part II of Division IV of the School Code to be known as Article XI, relating to school district funds.

Bill read first time, and referred to Committee on Education.

By Miss Miller: Assembly Bill No. 1189—An act to amend sections 274c, 437c, 594, 632, 973, and 1033 of the Code of Civil Procedure, and to add sections 35 and 982a thereto, relating to civil actions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Evans, Ralph W.: Assembly Bill No. 1190—An act to amend section 365e½ of the Political Code, relating to high type paving.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Evans, Ralph W.: Assembly Bill No. 1191—An act to amend section 133 of the Streets and Highways Code, relating to high type paving.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Lyon: Assembly Bill No. 1192—An act to add section 95 to the Agricultural Code, relating to and providing for the exhibition of live stock in southern California.

Bill read first time, and referred to Committee on Exhibitions and Fairs.

By Mr. Lyon: Assembly Bill No. 1193—An act to amend section 14a of an act entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their

deputies, and other officers; defining "gasoline" and prescribing specifications for products sold or offered for sale as "gasoline"; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to licensing of persons, firms, associations or corporations, installing and using motor vehicle fuel pumps, and to declare the urgency thereof.

Bill read first time, and referred to Committee on Oil Industries.

By Mr. Lyon: Assembly Bill No. 1194—An act amending the title and section 31 of and to that certain statute entitled "Improvement Act of 1911," approved April 7, 1911, as amended, relating to public improvements and the repair and reconstruction of portions of improved streets, avenues, lanes, alleys, courts or places, bulkheads, retaining walls or other works for the protection of the same and to the payment of the costs thereof and establishing a procedure for the same.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Fisher (by request): Assembly Bill No. 1195—An act making an appropriation to pay the claim of Mrs. W. R. Layne against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Fisher: Assembly Bill No. 1196—An act to assist deaf students attending the Galludet College at Washington, D. C., and making an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Voigt: Assembly Bill No. 1197—An act to amend section 5 of an act entitled "An act to be known as the Child Labor Law, and regulating the employment, hours, kinds and conditions of labor of children; providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 10, 1919, as amended, relating to the employment of children.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Field: Assembly Bill No. 1198—An act to repeal sections 2.1223 and 6.523 of the School Code, relating to reports of books purchased for any school district.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Scudder: Assembly Bill No. 1199—An act to amend section 3658a of the Political Code, relating to assessments by reference to maps.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs Phillips and Field: Assembly Bill No. 1200—An act requiring the licensing of certain vehicles used for the transportation of persons or property in this State, defining such vehicles, providing for the imposition, collection, and distribution of license taxes for the

privilege of operating such vehicles in this State, making appropriations for the purposes of this act, repealing an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle, and provided that this act shall take effect immediately," approved May 15, 1933, subject to certain conditions, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Utt: Assembly Bill No. 1201—An act to add section 2.455a to the School Code, relating to severance of joint schools.

Bill read first time, and referred to Committee on Education.

By Mr. Cottrell: Assembly Bill No. 1202—An act to amend section 1 of an act entitled "An act requiring the reporting of personal injuries and prescribing penalties for the violation of the provisions thereof," approved May 23, 1929, relating to the duty of hospitals, pharmacies, physicians and other persons to report cases of persons suffering from wounds and injuries.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Latham: Assembly Constitutional Amendment No. 53—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding section 11 to Article XVI thereof, relating to the issuance of bonds, debentures or other evidences of debt.

Introduced, and referred to Committee on Constitutional Amendments.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 25, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Concurrent Resolution No. 20—Relative to the variance between the enrolled copy of Assembly Concurrent Resolution No. 1, as it was submitted to and approved by the Legislature of the State of California approving certain amendments to the charter of the city of Pasadena ratified at a municipal election held on the sixth day of November, 1934.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

Assembly Concurrent Resolution No. 20 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 25, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 17—Relative to memorializing the President and the Congress of the United States to not impair the flax industry of the western States by reciprocal tariff arrangements with any country so as to lower the duty on flax.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

Assembly Joint Resolution No. 17 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 25, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 22—Relative to approving certain amendment to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the

qualified electors of said city at a special municipal election held therein on the nineteenth day of December, 1933.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

Assembly Concurrent Resolution No. 22 ordered to enrollment.

COMMUNICATION.

The following communication was received, and ordered printed in the Journal:

CALIFORNIA CODE COMMISSION,
SACRAMENTO, CALIFORNIA, January 25, 1935.

Hon. Arthur A. Ohnimus, Chief Clerk of the Assembly,
State Capitol, Sacramento, California.

DEAR MR. OHNIMUS: I have the privilege to transmit herewith to the Assembly, the report of the California Code Commission to the Governor and the Legislature, at the legislative session of 1935.

Very truly yours,

THOMAS C. RIDGWAY, Chairman.

STATE OF CALIFORNIA.
REPORT OF THE CALIFORNIA CODE COMMISSION.
To the Governor and the Legislature of the State of California at the Legislative Session of 1935.

LETTER OF TRANSMITTAL.

To His Excellency Frank F. Merriam, Governor of California,
and to the Members of the Legislature.

The California Code Commission, created by Chapter 750, Statutes of 1929, to enter upon a revision, compilation and codification of the laws of this State, and continued by Chapter 929, Statutes of 1931, and Chapter 645, Statutes of 1933, hereby presents its report.

January 25, 1935.

THOMAS C. RIDGWAY, Chairman.
PERRY EVANS, Vice Chairman.
WILLIAM G. HALE, Vice Chairman.
CHARLES A. BEARDSLEY.
DON G. BOWKER.
GERALD H. HAGAR.
A. M. KIDD.
NORRIS MONTGOMERY.
WILLIAM B. OWENS.

REPORT OF THE CALIFORNIA CODE COMMISSION FOR THE YEARS 1933–1934.

I—PREVIOUS REPORTS.

1. *Report 1930 (submitted at the legislative session of 1931).*

The California Code Commission, appointed in January, 1930, submitted its first report in December of that year presenting:

(1) A plan for the consolidation and revision of all the laws of the State, to be arranged alphabetically by subjects. These subjects or titles, as they were tentatively recommended, numbered 33.

(2) A bill to complete a revision of the law on one of these subjects, the Probate Code.

(3) A Statutory Record, showing the status and disposition of every act and of every section of every act adopted in California, so far as expressly affected by subsequent legislation.

At the legislative session of 1931, the Probate Code bill was adopted, the Statutory Record ordered printed, an appropriation of $45,000 made for the continuation of the work, and the commission directed to proceed with the plan and to report to the Legislature in 1933.

2. *Report 1933 (submitted at the legislative session of 1933).*

Upon the new appropriation being available in August, 1931, the commission resumed its work and submitted its second report January 9, 1933, presenting:

(1) A Statutory Record completed to include 1931 legislation, checked against the official session laws and delivered to the State Printer for publication with the cumulative supplement to the Index to the Laws of California.

(2) A compilation of the latest amended forms of each act of the Legislature not expressly repealed or superseded, on the basis of the completed Statutory Record

and revised list of subject codes, compiled from the official session laws, classified and allocated.

(3) A list of statutes declared unconstitutional or impliedly repealed, and source notes compiled and recorded.

(4) A Fish and Game Code, an Agricultural Code, a District Organization Act, and changes in the Code of Civil Procedure, in bill form, recommended for adoption by the Legislature and approval by the Governor.

(5) A Military Code and a Vehicle Code. (For recommendations on these two codes see report of commission, submitted January 9, 1933, at page 14.)

(6) A report of progress made in the preparation of the Insurance Code and the Streets and Highways Code.

(7) An amendment to section 24 of Article IV of the State Constitution, relating to the titles and subjects of revision laws recommended for adoption by the Legislature.

(8) A recommendation of the commission (in addition to those above noted) that the Legislature indicate a definite policy in reference to publication of the codes and that a Code Commission be continued with an adequate appropriation to pursue the plan of revision.

At the legislative session of 1933 the Fish and Game Code Bill, the Agricultural Code Bill, the Military Code Bill, the District Organization Act Bill and the bills setting out changes in the Code of Civil Procedure were adopted and the commission was directed to proceed with its plan of revision and codification and to report to the Legislature in 1935. (Act creating commission, as amended, set forth as Appendix A.)

II—ORGANIZATION FOR 1933–1935.

Upon the new appropriation becoming available in August, 1933, the commission resumed its work with the following membership:

Charles A. Beardsley, Oakland.
Don G. Bowker, Los Angeles.
Perry Evans, San Francisco.
Gerald H. Hagar, Oakland.
William G. Hale, Los Angeles.
A. M. Kidd, Berkeley.
William B. Owens, Stanford University.
Thomas C. Ridgway, Los Angeles.
Charles D. Swanner, Santa Ana.

Charles D. Swanner has resigned and has been succeeded by:

Norris Montgomery, Santa Barbara.

Thomas C. Ridgway, Perry Evans and Fred B. Wood, Legislative Counsel, were continued as chairman, vice chairman and secretary, respectively, and William G. Hale elected a vice chairman of the commission.

III—STATEMENT OF WORK DONE.

With the major part of the foundation work, the so-called "mechanics" of the revision, such as the Statutory Record, compilation, classification and allocation of statutes, completed, and with only minor details remaining plus the necessary labor to keep the foundation work up to date, the commission devoted itself to the remaining step, in accordance with its plan of revision and codification of all the laws of the State, namely the actual drafting of the remaining codes.

The commission in its work of revision and codification has adopted a definite policy not to make substantive changes, but to confine its work to a compilation, consolidation, and clarification of the existing law. Such changes in wording as are made, are made to resolve ambiguities or to conform with administrative practice and legislative intent. The revision and codification will present the existing law in such form as to facilitate greatly the making of such substantive changes as are found to be necessary.

In August, 1933, when the appropriation for the continuation of the work became available, the commission selected the following codes for consideration:

Vehicle Code.
Insurance Code.
Streets and Highways Code.
Military Code.
Labor Code.
Elections Code.
Natural Resources Code.
Parks, Museums, and Public Monuments Code.
Health and Safety Code.
Business and Professional Regulations Code.
Social Welfare Code.
Harbors and Navigation Code.
Code of Civil Procedure.
Penal Code.

The Vehicle Code, Insurance Code, Military Code, and Division I and Division II of the Streets and Highways Code have been completed. These have been prepared in bill form and are recommended for adoption at the 1935 session of the Legislature. On the remaining codes substantial progress has been made, but the commission feels further work should be done upon them and will delay submitting them until the 1937 session of the Legislature. The commission plans to make further reports thereon to the Legislature at the 1935 session.

The preliminary drafting of the codes is done by a staff of statute revisers, one code being assigned to each reviser. The subject matter of each code is first arranged into divisions, parts, chapters, articles and sections, work which is fully as important as the work of allocating the laws to the various codes. Each draft as it is prepared by the reviser is examined and checked by an editor on the staff and is then submitted to a special subcommittee, composed of members of the commission, for consideration and approval.

The commission has deemed it of the utmost importance to receive from interested "experts in the field" criticism and suggestion on each code during the course of its preparation. A conference group for each code, composed of such persons, is organized, and mimeographed copies of the code as it is prepared are submitted to them. Conferences are periodically held with the group and the subcommittee of the commission and the draftsman and editor of the code. When completed each code is submitted to the commission as a whole for final consideration and approval

Each code is then printed together with notes and cross-reference tables and distributed to all members of the Legislature and to all other interested persons for criticism and suggestions.

In 1931 an appropriation of $45,000 was made from the general fund for the work of the commission in 1933, but approximately one-half of this amount was appropriated ($25,500), only $10,000 of which was from the general fund To augment this appropriation the commission was authorized to contract with State agencies for the revision and codification of laws, in which they might be particularly interested to form a part of the general plan of revision and codification, and the commission was also authorized to accept donations of money.

No donations were received. Only one contract was entered into, that being with the Department of Public Works for the revision and codification of the laws relating to State highways for inclusion in the Streets and Highways Code.

1. Vehicle Code

Pursuant to a resolution adopted at the 1931 session of the Legislature (Assembly Concurrent Resolution No. 37) a legislative committee was appointed to revise the California Vehicle Act In response to the request of the chairman of the committee, the commission assisted in this revision, providing a draftsman from its staff and a subcommittee of its membership The legislative committee appointed an advisory committee of representatives of the automotive industry and other interested parties to consider and propose substantive changes in the law relating to motor vehicles which were incorporated in the Vehicle Code Bill introduced at the 1933 session (Assembly Bill 674).

The Vehicle Code bill so presented was not a Code Commission bill revising and codifying the law relating to this subject, but contained many substantive changes The commission in its report submitted January 9, 1933 (p. 14) stated that "The proposed Vehicle Code, to be submitted by the legislative committee, is recommended by the commission as to form and draftsmanship."

Assembly Bill 674 passed the Assembly but was referred by the Senate to the Code Commission, with the direction to note all substantive changes and to report thereon to the Senate (Senate Daily Journal for May 12, 1933, at page 111.) The report was published, and presented to the Senate in July, 1933. No action was taken by the Senate on this report at that time.

The commission, on the basis of its report and as the result of further study, has prepared a new draft of the Vehicle Code, incorporating the existing law without substantive change. This draft was printed and distributed May 10, 1934, together with explanatory notes and cross-reference tables. It has been thoroughly examined by all interested persons and many suggestions have been received. Such of these suggestions as are designed to eliminate possible substantive changes or to improve the form and draftsmanship have been incorporated in the bill submitting the Vehicle Code to the 1935 session of the Legislature.

This code has been carefully prepared, has had the benefit of wide distribution and the consideration and comment of all interested persons, and the commission recommends its adoption.

The commission has assisted the legislative advisory committee, among others, in the preparation of separate bills to amend the Vehicle Code. The commission, however, makes no recommendation concerning the substantive changes proposed by those separate amendatory bills

The Vehicle Code, originally entitled Vehicles and Aircraft Code, has been renamed and the laws relating to aircraft are no longer included in it.

2. *Insurance Code.*

This code revises and codifies all of the laws of this State relating to the subject of insurance. It includes the substance of 359 sections taken from the Political, Penal and Civil Codes, a portion of two sections of the Code of Civil Procedure and in addition portions of 46 general laws. All laws thus revised and codified will be repealed in a schedule of repeals which constitutes Division IV of the code.

The code consists of four main divisions. A number of sections governing the construction of all four divisions are included as general provisions inserted before Division I.

Division I contains the rules governing insurance generally. Division II contains the rules governing particular classes of insurance. Division III contains the rules governing the office and duties of the Insurance Commissioner.

This code embodies a very technical and involved body of law At the inception of the work on it a conference group, composed of organizations representing the insurance agents, insurance brokers, reciprocal insurers, mutual insurers, and stock insurers, the Insurance Commissioner and the Attorney General was formed, and the comments and suggestions of this group have proven to be invaluable Without this the commission would not have the assurance which it has in recommending this code for adoption.

The proposed code, together with cross-reference tables and explanatory notes was printed September 20, 1934, and widely distributed and further suggestions received; such of these as improve the form and draftsmanship or eliminate possible substantive changes are incorporated in the code as introduced in the Legislature.

3. *Streets and Highways Code.*

This code will revise and codify all the laws of this State relating to: the acquisition, construction, improvement, and maintenance of State highways, county highways and city streets, public bridges (other than those under California Toll Bridge Authority) and ferries; street, highway, and bridge districts; street and highway lighting, grade separation; tree planting; State and county official bodies having charge of construction, improvement and maintenance operations.

This code, in addition to general provisions governing construction of the code and Division V, consisting of a schedule of repeals, will include Division I State highways, Division II county highways, Division III street improvement and opening, Division IV street bonds, and two or three other divisions covering the remainder of the laws to be revised and codified in this code.

The preliminary mimeographed draft of the entire first two divisions and parts of Divisions III and IV have been prepared and distributed to interested persons for examination. The first two divisions comprise a natural group and the preliminary draft of these divisions has been given very thorough consideration especially by the persons concerned with the administration of their provisions.

The "Proposed Streets and Highways Code" as printed sets forth the text proposed for Division I, State highways, and Division II, county highways. The commission submits this portion of the law as a Streets and Highways Code and recommends it for adoption. The code will be provided with a title sufficiently broad to embrace the entire proposed subject matter to be included in this code, but with a text setting forth only the text of Divisions I and II, leaving for addition thereto at a subsequent session the remaining provisions of the proposed code.

The remainder of this code will include the many laws relating to "streets." They are very involved, the result of many years of legislation governing street proceedings throughout the entire State, the various alternative technical methods having been the subject of almost constant litigation in the courts. These laws have been the subject of study by several interim legislative committees, the latest of which reported to the Legislature in 1933:

> "As stated earlier in this report, the committee believes that further work of revision should be done and we therefore recommend that the Code Commission, which is technically better able to handle the research than a legislative committee, carry on the work of scientific revision which this committee has commenced so that ultimately the entire law on the subject may be codified into three or four adequate statutes." (Report of Assembly Committee to Study the Acquisition and Improvement Laws of the State of California, 1933, p. 9.)

The commission has made considerable progress in formulating a plan for the revision and codification of these laws and has completed a good portion of the actual drafting. The drafts must be submitted to city officials throughout the State for suggestions and comment, for which reason the commission is not prepared at this time to submit the balance of this code, but will delay submission of it until 1937, at which time it will be recommended for incorporation with Divisions I and II submitted at this time.

4 *Military Code.*

The Military Code enacted at the 1933 session of the Legislature (Chapter 975, Statutes 1933) was not a Code Commission project. The commission in its report

of January 9, 1933, stated that the Department of Veterans and Military Affairs had prepared a revision of the laws relating to the State's Military activities, the principal object of which was to make the State Military Law conform to The National Defense Act, and that the Code Commission had assisted in formulating a Military Code, which code

> "if submitted to the 1933 session of the Legislature will propose several substantive changes in the State's Military Laws, and, hence can only carry the recommendation of the commission, in so far as it has participated in its preparation, as to form and draftsmanship." (P. 12.)

The commission has prepared a complete revision of the Military Code enacted at the 1933 session, to place it in harmony with the Code Commission's plan of revision and codification, and among other things to incorporate in it all of the laws relating to veterans, which will more than double the size of this code.

The preliminary draft was completed early in 1934 and copies distributed to interested persons, including representatives of the National Guard and the Veterans' Welfare Board, the two agencies principally concerned with the laws revised and codified in this code.

Although a considerable number of changes have been made in the preliminary draft and it has not been printed for wider distribution, the commission feels, since the work has been done in such close cooperation with the persons most intimately concerned with the subject matter of the law revised and codified, and in view of the few persons vitally interested, that this code may be submitted at this time and so recommends it for adoption.

5. *Labor Code.*

This code revises and codifies all the laws of this State relating to the subject of labor, including laws governing the Department of Industrial Relations, employment agencies, child and female labor, employer and employee, master and servant, master and apprentice, health and safety of employees at work, wages and hours of labor, labor provisions relating to public works, trade unions, unemployment, and certain aspects of workmen's compensation. This includes 82 sections taken from the Penal, Political and Civil Codes and 56 general laws. These laws and code sections will be repealed in a schedule of repeals which constitutes Division VI of the code.

In addition to the schedule of repeals and 20 sections of general provisions of construction in the front of the code, there are five other divisions. Division I relates to the Department of Industrial Relations, Division II employment regulation and supervision, Division III employment relations, Division IV workmen's compensation and insurauce, Division V safety in employment.

The laws included in this code unquestionably affect more intimately the rights and duties of a larger group of people than do any other group of laws. They embody the bill of rights for labor. For this reason the commission is extremely anxious to have the preliminary draft of the code as widely distributed and as carefully examined by as many interested persons as possible, including employer groups, employee groups and representatives of the State agencies charged with the enforcement of these laws. The commission was not able to organize a conference group until this preliminary draft was completed, although many suggestions and comments were received by correspondence. Consequently the commission has not had this proposed code printed for wider distribution, but is awaiting further suggestions and comments from persons examining it.

Persons now examining the preliminary draft and who are most intimately concerned with the administration of these laws have expressed the desire for a further period of study and the commission believes that their wishes should be respected and that opportunity afforded. Printed copies of the proposed code, together with cross-reference tables and explanatory notes, when available, will afford a means for consideration by more interested persons and will probably make easier the examination and study by those who have received the preliminary draft.

The commission, therefore, will not request adoption of the Labor Code at this time, but will submit it in 1937.

6. *Elections Code.*

This code, revising and codifying all of the laws of this State relating to elections, includes laws governing general elections, the presidential primary, the direct primary, local elections, contests, recall, election officers, voting machines, ballots, campaign expenses and consolidation of elections.

The code, in addition to the general provisions governing construction and Division XIII setting out a schedule of repeals, includes the following divisions: Division I voters. Division II precincts and election officers, Division III types of elections generally, Division IV nominations (including the presidential and direct primary), Division V local elections, Division VI propositions submitted to voters, Division VII proclamations and ballots, Division VIII conduct of elections, Division IX canvass and declaration of results, Division X election campaigns, Division XI contests, and Division XII penal provisions.

This code, while not making substantive changes, does depart from the existing set up of the election laws and attempts to consolidate and set out in a logical manner the procedure applicable to general, primary and local elections. This has involved more than mere drafting, because it necessitates the gathering together of similar rules relating to the many types of elections and the formulating of a single rule applicable to all, and the filling in of many gaps in the procedure governing the conduct of the various types of elections where the procedure is now left to cross-reference and inference.

The preliminary draft of this code is over half completed and copies have been submitted to various experts in the field of election law, including representative public officials charged with their administration and enforcement. The commission has not received from the persons examining the draft suggestions or comments indicating that it was receiving the detailed attention and study which the commission feels the draft must have before it can be submitted. Persons receiving the draft, however, have been unanimous in their approval of the general plan.

With the completion of the draft and the printing of the proposed code, more time can be devoted to arranging for detailed examination and for suggestions and comments from experts in the field of election law. The code will be ready for submission in 1937.

7. *Natural Resources Code.*

This code revises and codifies all the laws of this State relating to natural resources, with the exception of those relating to fish and game (Fish and Game Code, Chapter 73, Statutes 1933) and waters (proposed Waters Code).

The code is divided into five divisions in addition to the general provisions governing construction, and Division VI schedule of repeals: Division I public lands, Division II mines and minerals, Division III oil and gas, Division IV forests and forestry, and Division V parks. (In connection with the last division it is to be noted that the 1933 list of then proposed codes included the "Parks, Museums and Public Monuments Code," as number sixteen in the list of twenty-five alphabetically arranged subject codes. This code has been incorporated in the Natural Resources Code as Division V.)

The work on this code was begun early in the year but was later suspended and was not resumed until the latter part of the year. Thus far the preliminary mimeographed draft has been completed through Division I public lands, and copies have been supplied to the Division of State Lands in the Department of Finance, and have been the subject of conferences with members of the staff of the division. Such part of the preliminary draft as has been completed has also been submitted to the Department of Natural Resources and is being examined by the officers of that department as will the balance of the code.

This code is not ready for submission at this time, but the preliminary draft will soon be completed and printed for distribution and examination. The code will be ready for submission in 1937.

8. *(a) Health and Safety Code; (b) Business and Professional Regulations Code; (c) Social Welfare Code; (d) Harbors and Navigation Code.*

Although the reduced appropriation for the work of the commission did not permit of work upon these four codes as originally planned, considerable preliminary work has been done. The volume of law included in any of these is not large and they will be ready for submission in 1937.

9. *Code of Civil Procedure.*

The commission, in addition to its work on the general revision and codification, has collaborated with the Judicial Council and the State Bar in formulating certain substantial changes in the Code of Civil Procedure, as follows:

The commission at the 1933 session submitted to the Legislature a revision of certain portions of the Code of Civil Procedure designed to harmonize the provisions relating to jurisdiction, venue and practice in the superior, municipal and justices courts, and to eliminate ambiguities and archaic and obsolete practices and to make the rules of procedure in trial courts more nearly uniform. The bills submitting this revision were adopted by the Legislature and approved by the Governor in accordance with the recommendations of the commission.

Certain proposed amendments have been drafted which for the most part are only for the purpose of clarifying the sections amended, or to bring the sections up to date, or to eliminate obsolete provisions or provisions held unconstitutional. In a few instances some changes in substance are suggested. The scope of the changes is indicated, and the amendments explained, in a detailed report, covering each section amended, on file in the office of the secretary of the commission, copies of which have been distributed to judges and lawyers for consideration. Bills embodying these changes, or some of them, will be submitted to the Legislature.

The commission is now working on a complete revision of the law of evidence. The proposed revision will not be confined to a mere restatement and reorganization of the present code, but will include substantial changes. Prior to any final approval by the Code Commission, the proposed changes together with a statement of reasons

and full citation of authorities will be submitted to the Committee on Administration of Justice of the State Bar for consideration and criticism. Sections dealing with the subject of witnesses, particularly the topics of competency, privilege, examination, cross-examination and impeachment, are well under way.

The commission is receiving the assistance of the School of Law of the University of Southern California, Stanford Law School and School of Jurisprudence of the University of California in making the preliminary studies and tentative revision.

When completed, this revision will be presented to the Legislature as a unit. This will make possible a special consideration of questions involving substantial changes in the law of evidence prior to the submission of a complete recodification of the Code of Civil Procedure.

10. Penal Code.

The commission is preparing amendments to the Penal Code to bring the code into conformity with propositions 4, 5 and 6, adopted November 6, 1934.

The general revision of the Penal Code is proceeding more slowly. A model code on criminal procedure has been prepared by the American Law Institute. Most of the important changes from the common law proposed by this model code are already law in California. A detailed comparison of the model code with the procedural provisions of the California Penal Code is being made to see if there are changes which should be recommended.

Important changes in criminal procedure depend upon changes in the substantive criminal law. No important codification of substantive criminal law has been made in this country for over 80 years. The American Bar Association has recommended that the American Law Institute prepare such codification, but the latter organization has not yet received funds for this work. The New York Commission on the Administration of Justice (see report of the commission for 1934, page 50) states:

> "It is hoped by this commission that the comprehensive study of the Penal Law of New York, begun under its auspices, can be carried to completion by the permanent Law Revision Commission proposed by it, and that the State of New York can thus be given in the near future a modern law of crimes, and one which shall be a model for other States."

It would seem advisable to proceed slowly with the restatement of the substantive criminal law and to cooperate with other organizations engaged in similar work.

IV—AMENDMENT TO SECTION TWENTY-FOUR OF ARTICLE IV OF THE CONSTITUTION OF CALIFORNIA.

The commission, in its report of January 9, 1933, stated:

> "Section 24 of Article IV of the Constitution of California provides, in part, that 'every act shall embrace but one subject, which subject shall be expressed in its title.' Because of the scope, and often complexity, of revision acts, there will be ever present the danger of having such acts declared unconstitutional under this section. The Supreme Court of California so declared the revision of the codes attempted in 1901, in Lewis vs. Dunne, 134 Cal. 291, and although the Supreme Court has indicated a very liberal policy in interpreting this section in the case of Evans vs. Superior Court, 83 Cal. Dec. 263, holding that the Probate Code contains but a single subject, properly expressed in its title, any revision bill is always subject to this danger.
>
> "For this reason, the commission has prepared and recommends to the Legislature the adoption of a proposed amendment to this section of the Constitution, which will except from its operation the revision acts proposed by a 'commission, commissioner or board constituted and authorized by law to prepare such codification, revision, consolidation, rearrangement, or repeal, whether such act is enacted as thus submitted or with changes therein made by the Legislature prior to enactment.'
>
> It is to be noted that the exemption is limited to revision acts proposed by constituted and authorized commissions, commissioners or boards.
>
> "Many other States having in their constitutions provisions similar to section 24 of Article IV of our Constitution have realized the danger it presents to revision acts and have inserted a provision similar to this proposed amendment. Likewise, the California Constitutional Commission, in its report submitted September 29, 1930, proposing a revision of the California Constitution, revised section 24 of Article IV so as to include such an exception."

Pursuant to this recommendation, Assembly Constitutional Amendment No. 31 was introduced at the 1933 session of the Legislature and was passed by the Assembly.

The commission is definitely of the opinion that this amendment should be made, and therefore again submits it and recommends its adoption by the Legislature. The wording of this proposed amendment, as now submitted (set forth as Appendix C), has been revised so as to refer to codes enacted prior to its adoption and subsequent to 1928 (in order not to purport to validate the revisions of the codes attempted in 1901 and declared unconstitutional) subject to the same limitation that the revision acts have been proposed by constituted and authorized commissions, commissioners or boards.

V—RECOMMENDATIONS.

All of the work on the revision and codification herein reported has been done in less than one year and a half and with an appropriation of a little more than half of that available for the work during the preceding year and a half period. Consideration has been given to 12 of the 24 codes (in addition to the Code of Civil Procedure and Penal Code), which has resulted in the completion of some for submission to the Legislature and the Governor and sufficient progress on the balance to make possible their completion by 1937.

Besides the codes already enacted and those herein reported on there remain but six codes for consideration: (1) Banking, Building and Loan and Investment Code, (2) Corporations, Partnerships and Associations Code, (3) Government Code, (4) Public Utilities Code, (5) Revenue and Taxation Code, and (6) Waters Code.

The work on the codes, consideration to which has been given during the last year and a half, and which are not submitted at this time, will continue even during the 1935 session of the Legislature. Attention can soon be given to these remaining six important codes. On these codes, as well as all other remaining codes, the foundation work has been done, as explained in the reports of the commission submitted in 1930 and in 1933. How fast this work proceeds, of course, will depend upon the appropriation available.

Unquestionably a greater number of the codes to which consideration has been given during the last year and a half could have been submitted at this time if the commission were not committed to the definite policy of earnestly soliciting the examination and resulting suggestions and comment from interested persons, "experts in the field." The commission is convinced that it is only by arranging for such examination and subjecting proposed codes to the hot fire of criticism, that the commission can with due confidence submit a code and recommend it to the Legislature for adoption and to the Governor for approval as a finished product, in view of the absolute reliance of all concerned on the recommendation of the commission, so necessary to its effectiveness and the utility of its work.

The commission expresses its appreciation to the representatives of public and private agencies who have at all times during the preparation of the codes so generously assisted and cooperated with their advice and counsel, and it is sincerely hoped that this will continue in connection with the remaining codes.

The 1935 session of the Legislature will be a busy and important session, crowded with the consideration of pressing problems affecting the welfare of the State. This will prevent detailed consideration of proposed codes, for which reason the commission does not feel justified in submitting any code not considered a finished product.

The commission is desirous once again of calling attention to the problem of compiling the codes for publication when the revision and codification is completed, as outlined in the commission's report of January 9, 1933:

> "The various codes in the revision plan will be scattered throughout the session laws of the respective years in which they are adopted; presumably a compilation thereof will be made by private publishers. The form and thoroughness of this compilation is tremendously important, for upon it may depend one of the chief advantages of the revision, namely, the expeditious determination of the status of all the statutory law on a given subject. In order to assure this advantage, the publication of the finished revision must comprehend a system of thorough and complete cross reference, together with a comprehensive and exhaustive subject index. The code classification adopted and the arrangement made of the material included are believed to be the most logical and practical grouping of the California law; but no grouping can be devised which, without the aid of proper index headings and cross reference entries, will present at all times, in one place, all the statutory law on a given subject. This publication should be supervised by an appropriate State agency, to the end that the preparation of the material for publication be characterized by the same degree of thoroughness as is the actual revision.
>
> "State publication, under such supervision, would permit the finished revision to be sold at a price sufficient to cover the cost of printing and such amount, in addition, as would to a substantial extent defray the expense incurred in making the revision. Experience in other States, as cited in the 1930 report of the commission, indicates that State publication will permit the sale of the codes at a moderate price." (Pages 13 and 14.)

As the commission stated in its report submitted in 1930 and again in its report submitted in 1933, it is impossible to estimate definitely the time necessary to complete the entire revision and codification. The foundation work is completed, the drafting alone remains to be pursued in the manner and order herein indicated. The trained personnel and organization developed up to 1933 was correspondingly reduced with the reduction in appropriation at that time. Such a personnel and organization can not be immediately redeveloped, but if adequate appropriation is made, consistent with a satisfactory redevelopment of such personnel and organization, the work, it is estimated, could be completed by 1939.

It is to be recalled that the appropriation in 1935 included only $10,000 from the general fund, the balance being obtained from certain designated special funds of various departments concerned with the administration of laws being codified

It may be that the Legislature will again desire to indicate that appropriations be made from certain special funds of various departments concerned with the administration of the laws now being codified.

In accordance with the foregoing, the commission makes the following recommendations:

(1) The commission recommends that the Legislature adopt, and that the Governor approve, the

(a) Proposed Vehicle Code
(b) Proposed Insurance Code
(c) Proposed Military Code
(d) Proposed Streets and Highways Code (including only text of Division I, State highways, and Division II, county highways).

(2) The commission recommends that the Legislature adopt the proposed concurrent resolution submitting an amendment to section 24 of Article IV of the State Constitution, relating to the titles and subjects of revision laws.

(3) The commission recommends that the Legislature indicate a definite policy in reference to the compilation for publication of the various codes that will be included in the completed revision.

(4) The commission recommends that a Code Commission be continued, for the purpose of continuing the revision and codification in accordance with the general plan now being followed.

(5) The commission recommends that an adequate sum be made available for carrying on the work of the commission.

THOMAS C. RIDGWAY, Chairman.
PERRY EVANS, Vice Chairman.
WILLIAM G. HALE, Vice Chairman.
DON G. BOWKER.
CHARLES A. BEARDSLEY.
GERALD H. HAGAR.
A. M. KIDD.
NORRIS MONTGOMERY.
W. B. OWENS.

APPENDIX A.

Statute Creating Commission, Chapter 750, Statutes 1929, as Amended by Chapter 929, Statutes 1931, and Chapter 645, Statutes 1933.

An act creating a Commission to Codify, Consolidate, Revise or compile the Statutes of California and to report thereon to the Legislature, and making an appropriation therefor, and authorizing State departments, boards, bureaus and commissions to contract for the revision of certain laws. (Chapter 645, Statutes 1933.)

The people of the State of California do enact as follows:

SECTION 1. A commission is hereby created to be known as the California Code Commission. Said commission shall consist of nine members, to be appointed by the Governor within a reasonable time after the passage of this act.

The members of such commission shall serve without compensation, but shall be allowed actual expenses incurred in traveling, and in the discharge of their duties. (Chapter 750, Statutes 1929.)

SEC. 2. Within ten days after the appointment of the commission it shall meet and organize by selecting one of its members chairman.

It shall be the duty of the commission hereby created to immediately enter upon a revision of all the laws of this State including those enacted at the present session of the Legislature. The work of revision shall comprehend the preparation of a statutory record showing the status and disposition of all acts and parts of acts heretofore adopted; the codification, consolidation, compilation or revision of all statutes in force and the express repeal of all statutes heretofore repealed by implication, held unconstitutional by the Supreme Court of this State, or which will be rendered obsolete by the proposed revision if adopted; and whenever necessary the correction of errors in form or substance including such restatement as will best serve clearly and correctly to express the existing provisions of law, and the suggestion of such substantive changes in the existing law as may be deemed proper. The commission shall prepare a report embodying therein among such other things such legislative measures proposed by it as may be calculated to effect the adoption or enactment of such revision. (Chapter 929, Statutes 1931.)

SEC. 2a. Any State department, board, bureau or commission may enter into a contract with the commission for the purpose of securing the preparation of a revision of any existing California law or group of laws, independent of the general revision of all of the laws of this State directed under the provisions of section 2 of this act. Such independent revision of any law or laws shall be prepared in the same manner as is provided in this act for the general revision, and shall be so prepared as to form a part of the plan of general revision adopted and pursued by the commission.

The cost of any revision prepared pursuant to a contract entered into under the provisions of this section shall be defrayed entirely from the appropriation made

for the use or support of the department, board, bureau or commission contracting for such revision work, and any department, board, bureau or commission desiring to so contract is authorized to use any part of such appropriation for this purpose. Such cost shall in no event exceed the actual necessary expenses incurred in the preparation of such revision. None of the money appropriated by section 7 of this act shall be used to defray the cost of preparing any revision pursuant to contract, as in this section provided. (Chapter 645, Statutes 1933.)

SEC. 3. The material of the State Library shall be made available to said commission, and all offices of the State, and all departments, commissions and bureaus, and other official State organizations, and all persons connected therewith shall give said commission full information, and reasonable assistance in any matters of research requiring recourse to them, or to data within their knowledge or control. The commission may cooperate with any of the bar associations of the State, or the American Bar Association in any manner suitable for the fulfillment of their purposes. It is hereby made the duty of the board of governors of the State Bar to assist said commission, in any manner the commission may request within the scope of the powers or duties of the said commission. It shall further be the duty of the commission to confer and cooperate with any legislative committee on revision of the law. (Chapter 929, Statutes 1931.)

SEC. 4. The commission shall submit its report, including its recommendations as to revision of the laws in bill form, to the Governor and the Legislature at the fifty-first session of the Legislature, and shall distribute the report to the Governor, the members of the Legislature, and the heads of all departments of the State. Said report shall be accompanied by exhibits of various changes, modifications, improvements, and suggest enactments prepared or proposed by it with a full and accurate index thereto. (Chapter 645, Statutes 1933.)

SEC. 5. The report, and exhibit shall be printed by the State Printer under the supervision of the commission The exhibits or proceedings shall be so printed as to show in the readiest manner the changes proposed by the commission, and in those cases wherein it shall recommend, and repeal of a law, and propose a substitute therefor, or propose a new law. Such laws, and proposals shall be set forth in a manner most convenient for comparison. (Chapter 750, Statutes 1929.)

SEC. 6. The Legislative Counsel shall be the secretary of the commission and the commission shall have power to employ and fix the compensation of such clerical and other assistants as may be necessary. (Chapter 645, Statutes 1933.)

SEC. 7. Out of the moneys in the State Treasury the sum of $25,500 is hereby appropriated to be expended in accordance with law in carrying out the provisions of this act. Said sum of $25,500 is appropriated out of and payable from certain moneys and funds, as follows:

Out of the Department of Agriculture fund $3500; out of the fish and game preservation fund $4000; out of the motor vehicle fund $6000; out of the insurance fund $2000, and the remainder, $10,000, out of moneys in the general fund not otherwise appropriated. The commission is also authorized to accept donations of money for use in carrying out the provisions of this act. (Chapter 645, Statutes 1933.)

APPENDIX B.

Code Classification.

(Note—Compare with list appearing as Appendix D, page 21, commission report, dated January 9, 1933. Following changes made: (a) Parks, Museums and Monuments Code eliminated, (b) Streets, Highways and Bridges Code now Streets and Highways Code, (c) Vehicle and Aircraft Code now Vehicle Code.)

1. Agricultural Code.
2. Banking, Building and Loan and Investment Code.
3. Business and Professional Regulations Code.
4. Civil Code.
5. Code of Civil Procedure.
6. Corporations, Partnerships, and Associations Code.
7. Elections Code.
8. Fish and Game Code.
9. Government Code.
10. Harbors and Navigation Code.
11. Health and Safety Code.
12. Insurance Code.
13. Labor Code.
14. Military Code.
15. Natural Resources Code.
16. Penal Code.
17. Probate Code.
18. Public Utilities Code.
19. Revenue and Taxation Code.
20. School Code.
21. Social Welfare Code.
22. Streets and Highways Code.
23. Vehicle Code.
24. Waters Code.

APPENDIX C.

Proposed Amendment to Section 24 of Article IV of State Constitution.

------ Constitutional Amendment No. ----—A resolution to propose to the people of the State of California an amendment to section 24 of Article IV of the Constitution of said State, relating to acts codifying, revising, consolidating, rearranging or repealing the law.

Resolved by the ------, the ------ concurring, That the Legislature of the State of California at its fifty-first regular session commencing on the seventh day of January, 1935, two-thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State of California, that section 24 of Article IV of the Constitution of said State be amended to read as follows:

Sec. 24 Every act shall embrace but one subject, which subject shall be expressed in its title. But if any subject shall be embraced in an act which shall not be expressed in its title, such act shall be void only as to so much thereof as shall not be expressed in its title. The foregoing requirements of this section shall not apply to an act of the Legislature enacted subsequent to 1928 or hereafter enacted, codifying, revising, consolidating, rearranging or repealing the whole or any portion of the law, if the act was or is submitted by a commission, commissioner or board constituted and authorized by law to prepare such codification, revision, consolidation, rearrangement, or repeal, whether the act was or is enacted as submitted or with changes therein made by the Legislature prior to enactment. No law shall be revised or amended by reference to its title; but in such case the act revised or section amended shall be reenacted and published at length as revised or amended; and all laws of the State of California, and all official writings, and the executive, legislative, and judicial proceedings, shall be conducted, preserved, and published in no other than the English language.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Williamson: Assembly Bill No. 1203—An act to add two new sections to the Bank Act, numbered 67.1 and 80.1, relating to loans of the character prescribed by section 13b of the Federal Reserve Act or by section 5d of the Reconstruction Finance Corporation Act.

Bill read first time, and referred to Committee on Banking.

By Mr. Williamson: Assembly Bill No. 1204—An act to amend sections 2 and 26 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations'," approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities.

Bill read first time, and referred to Committee on Corporations.

By Mr. Waters: Assembly Bill No. 1205—An act to add a new part to Division II of the School Code, to be known as Part VI, relating to the formation, government, support, control and administration of unified school districts created from elementary and high school districts, and of elementary, high school and junior college districts having coterminous boundaries and governing boards of identical personnel.

Bill read first time, and referred to Committee on Education.

By Mr. Waters: Assembly Bill No. 1206—An act to add a new part to Division II of the School Code, to be known as Part VII, relating to the formation, government, support, control and administration of uni-

fied school districts created from school districts not coterminous and not having governing boards of identical personnel.

Bill read first time, and referred to Committee on Education.

By Mr. Hunt: Assembly Bill No. 1207—An act to amend section 3664a-1 of the Political Code.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hunt: Assembly Bill No. 1208—An act to amend section 3 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violation of the provisions hereof, and providing this act shall take effect immediately."

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Hunt: Assembly Bill No. 1209—An act to amend section 4a of an act entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes."

Bill read first time, and referred to Committee on Banking.

By Mr. Hunt: Assembly Bill No. 1210—An act to amend section 6¾ of an act entitled "An act to be known as the "Inheritance Tax Act," to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under an act hereby repealed; to provide penalties for failure to comply with the provisions of this act; and to repeal Chapter 589 of the laws of the session of the Legislature of California of 1917, approved May 23, 1917, known as the "Inheritance Tax Act" and to repeal all acts and parts of acts in conflict with this act.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Boyle: Assembly Bill No. 1211—An act to amend section 3 of an act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores and spotting, sponging, and/or pressing establishments, or agencies thereof, and private schools and colleges of spotting, sponging and/or pressing; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Division of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement and providing penalties for violations," approved May 28, 1931, as amended.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Lyon: Assembly Bill No. 1212—An act to amend section 7 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties

and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the regulation of the practice of optometry.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Lyon: Assembly Bill No. 1213—An act to amend section 10½ of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the regulation of the practice of optometry.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Lyon: Assembly Bill No. 1214—An act to amend section 10½ of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the regulation of the practice of optometry.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Lyon: Assembly Bill No. 1215—An act to amend section 11 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the regulation of the practice of optometry.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Thorp: Assembly Bill No. 1216—An act to amend section 818 of the Agricultural Code, relating to potatoes.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Turner: Assembly Bill No. 1217—An act to amend section 365e½ of the Political Code, relating to powers and duties of the California Highway Commission in respect to construction or repair of highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Turner: Assembly Bill No. 1218—An act to amend section 133 of the Streets and Highways Code, relating to high type paving.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Turner: Assembly Bill No. 1219—An act to amend section 365e½ of the Political Code, relating to high type paving.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Turner: Assembly Bill No. 1220—An act to repeal section 180 of the Vehicle Code, relating to transfers of vehicles to dealers.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Turner: Assembly Bill No. 1221—An act to provide revenue for the State of California, specifying the methods of computing and collecting the same, providing penalties for the violation of the provisions hereof, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Lyon: Assembly Bill No. 1222—An act for the prevention of the manufacture, advertising, sale or transportation of adulterated, mislabeled or misbranded cosmetics, regulating the traffic in cosmetics and providing penalties for the violation thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Gilbert (by request): Assembly Bill No. 1223—An act to levy a graduated ad valorem tax on all forms of property; providing for exemptions therefrom; and providing for the collection and administration of this act.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Gilbert (by request): Assembly Bill No. 1224— An act to levy an ad valorem tax on motor vehicles, providing for a graduated scale of assessment based upon the age of such motor vehicles; and making provisions for the collection thereof.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Peyser: Assembly Bill No. 1225—An act to amend section 5 of the Retail Sales Tax Act of 1933, relating to exemptions.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Messrs. Hornblower, Peyser, Cronin, McMurray, Brennan, Dawson, Maloney, Gilmore, and Williamson: Assembly Bill No. 1226—An act adding a new section to the Political Code numbered _____, authorizing boards of supervisors to temporarily close any public highways, roads, streets, avenues, alleys, lanes, or places necessary for exposition purposes.

Bill read first time, and referred to Committee on Exhibitions and Fairs.

By Messrs. Hornblower, Peyser, Cronin, McMurray, Brennan, Dawson, Maloney, Gilmore and Williamson: Assembly Bill No. 1227—An act relating to the holding of the San Francisco Bay Bridge Exposition in the City and County of San Francisco, in the State of California, providing for the issuance and sale of State bonds to be known as "San Francisco Bay Bridge Exposition bonds," providing for the payment and retirement of said bonds, providing for and creating a fund for the carrying out of the purposes of this act, authorizing the expenditures of moneys in said fund for such purpose, creating a commission to be

known as the "San Francisco Bay Bridge Exposition Commission," creating an interest and sinking fund for the payment of interest on said bonds, and the redemption of the same, and making an appropriation therefor.

Bill read first time, and referred to Committee on Exhibitions and Fairs.

By Messrs. Hornblower, Peyser, Cronin, McMurray, Brennan, Dawson, Maloney, Gilmore and Williamson: Assembly Bill No. 1228—An act providing for the acquisition of lands for, and the construction, maintenance and operation of a building at the San Francisco Bay Bridge Exposition to be held in the City and County of San Francisco, State of California, providing for the exhibition of products, resources of and other matters pertaining to the State of California at said San Francisco Bay Bridge Exposition, creating the San Francisco Bay Bridge Exposition, defining its purposes and duties and making an appropriation therefor.

Bill read first time, and referred to Committee on Exhibitions and Fairs.

By Mr. Minard: Assembly Bill No. 1229—An act to amend section 4460 of the Political Code, relating to newspapers of general circulation.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Peyser (by request): Assembly Bill No. 1230—An act to amend section 32 of the Retail Sales Tax Act of 1933, approved July 31, 1933, relating to penalties.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Peyser (by request): Assembly Bill No. 1231—An act to amend section 3 of the Retail Sales Tax Act of 1933, approved July 31, 1933, relating to the rate of tax.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Fisher: Assembly Bill No. 1232—An act to amend section 573 of the Probate Code of the State of California, relating to actions which may be maintained against executors and administrators.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Patterson: Assembly Bill No. 1233—An act to amend section 1065 of Article 4, Chapter 5, Part 2, of the Fish and Game Code.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. O'Donnell: Assembly Bill No. 1234—An act to amend section 9 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to adjustment of gross receipts taxes.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Johnson (by request): Assembly Bill No. 1235—An act to add to the Probate Code a new section, to be numbered 1068, relating

to the discharge of executors and administrators and the termination of probate proceedings.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Latham: Assembly Bill No. 1236—An act to amend an act entitled "An act to authorize municipal corporations to issue bonds, for the purpose of investing the proceeds arising from the sale thereof, in other bonds issued for public improvements," approved April 26, 1909, by amending sections 1 and 3 thereof, relating to bonds to be purchased and the use of the funds.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Latham: Assembly Bill No. 1237—An act to provide for the adjudication of insolvency of certain special districts having indebtedness represented by outstanding bonds payable from special assessments levied wholly or in part, in accordance with the assessed value of lands, to provide for the liquidation of the indebtedness of such districts under the direction and control of the superior court, to provide for the fixing of limitation of liability of lands within such districts for the payment of such indebtedness, to provide for the collection, administration, control and distribution of the assets and income of such districts, and to provide for contributions of public funds to assist in such liquidation.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Fulcher: Assembly Bill No. 1238—An act to authorize the Governor of the State of California to grant an easement or title to state-owned land to the United States of America in aid of public work, relief or other projects aiding recovery.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Fulcher: Assembly Bill No. 1239—An act to add section 620 to the Streets and Highways Code, establishing a secondary State highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Kallam (by request): Assembly Bill No. 1240—An act to impose a tax upon gross receipts.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Messrs. Cottrell and Anderson: Assembly Bill No. 1241—An act to amend section 4234 of the Political Code, relating to Santa Clara County.

Bill read first time, and referred to Committee on County Government.

By Mr. Phillips: Assembly Bill No. 1242—An act to add Chapter 2a to Division V of the Agricultural Code, to consist of sections 840, 841, 841.1, 842, 842.1, 842.2, 842 3, 842.4, 842.5, 843, 843.1, 843.2, 843.3,

844, 845, 845.1, and 845.2, inclusive, relating to the standardization of, and standards for, honey.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Phillips: Assembly Bill No. 1243—An act to amend sections 828 and 829 of the Agricultural Code, relating to fruits, nuts and vegetables.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Utt: Assembly Bill No. 1244—An act to amend section 792 of the Agricultural Code, relating to avocados.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Field: Assembly Bill No. 1245—An act to provide for the granting of assistance to school districts for the inspection, repair, reconstruction, replacement, alteration or erection of buildings.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Field: Assembly Bill No. 1246—An act to amend section 3663a of the Political Code, relating to the assessment of property by the State Board of Equalization.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Field: Assembly Bill No. 1247—An act to repeal sections 3664, 3664a, 3664d of the Political Code and other acts inconsistent with section 14 of Article XIII of the Constitution of the State of California, to amend sections 3664b and 3664b-1 of the Political Code, all relating to the carrying into effect of the provisions of section 14 of Article XIII of the Constitution of the State of California.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Field: Assembly Bill No. 1248—An act to add a new section to the Political Code to be known as section 3663d, relating to the assessment of property by the State Board of Equalization and the allocation of the assessed value of such property to the various taxing jurisdictions of the State.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Field: Assembly Bill No. 1249—An act to amend section 3663b of the Political Code, relating to the assessment of property by the State Board of Equalization.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Cottrell: Assembly Bill No. 1250—An act to levy an excise tax on the manufacture, distribution and sale of alcoholic beverages; to provide for the licensing of the manufacture, distribution and sale; to prescribe penalties for the violation of this act; to make an appropriation for the enforcement of this act and to provide that this act shall take effect immediately.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Morgan: Assembly Bill No. 1251—An act to amend section 172 of the Penal Code, relating to selling, giving away, or exposing for sale, intoxicating, vinous or alcoholic liquors within or contiguous to certain Federal and State buildings and grounds.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Lyon: Assembly Bill No. 1252—An act to amend sections 1257a, 1258 and 1261 of the Political Code and to add to said code a new section to be designated section 1174b to authorize the use of one tally book only in each election precinct in counties having a population of one million persons or more.

Bill read first time, and referred to Committee on Elections.

By Mr. Lyon: Assembly Bill No. 1253—An act adding a new section to the Political Code of the State of California, to be designated section 1142b, to provide for the furnishing to county clerks and registrars of voters of the several counties of the State by the Secretary of State, a pamphlet of forms for use at elections.

Bill read first time, and referred to Committee on Elections.

By Mr. Lyon: Assembly Bill No. 1254—An act to amend section 2175a of the Political Code, to authorize counties to recover cost of care of harmless insane.

Bill read first time, and referred to Committee on County Government.

By Mr. Lyon: Assembly Bill No. 1255—An act to amend section 2167b of the Political Code, known as the Psychopathic Parole Act, to authorize counties to recover cost of care of persons mentally disordered.

Bill read first time, and referred to Committee on County Government.

AMENDMENTS TO STANDING RULES.

The following amendments to the Standing Rules of the Assembly, as printed in the Assembly Journal of January 10, 1935, were read, and ordered printed in the Journal:

By Mr. Phillips:

In Rule 11, srike out the period at the end of the first sentence after the word "same," and the first 20 words of the following sentence, and substitute a comma *and the following*: ". *or he may at any time during a session send or hand the* bill to the clerk's desk. When received at the clerk's desk, it shall, under the proper order of business, be numbered and read the first time, and referred to a standing committee,".

In Rule 20, in the second sentence, after the comma following the word "desk", insert the following: ", or at a microphone,".

Following Rule 86, add the following new rules:

Electrical Voting System.

"86A. Upon the installation of the electrical voting system, and except as provided for in Rule 93B and 93C, reference in these rules to "ayes and noes" or to "roll call" shall be understood to refer to the recording of ayes and noes by the electrical system.

The procedure for using the electrical voting system will be as follows: When the Speaker orders "The clerk shall prepare the roll", the clerk shall thereupon unlock the electrical voting system, and when the ringing of the gong indicates that the electrical system is unlocked, the members present shall record their votes. The clerk will then show the total vote upon the voting boards, except in the case of uncontested measures, when previously agreed upon by the Assembly. The Speaker shall then ask: "Has every member voted?" and upon repeating this question, and receiving no negative answer, nor a request for an extension, nor for a call of the absentees, nor a motion for a call of the Assembly, he shall order

the clerk to clear the roll. The clerk shall then lock the system, and hand the record to the Speaker, who shall announce the vote.

Calling the Absentee Vote.

86B. If during the interval between the showing of the vote upon the voting boards and the clearing of the roll, any member shall request that "the absentees be called", the Speaker shall say: "If there is any member who has not voted, he shall now vote." After the voting of such absentees, the vote shall be shown, the roll cleared and the vote announced as provided for in Rule 86A. The Speaker may order the vote of the absentees without request from the floor."

In Rule 87, line 2, change the word "declare", to the word "record".

In Rule 88, line 3, between the words "the", and "announcement", insert the following: "final recording and".

Following Rule 93, add the following new rules:

Call of the Assembly Under Electrical Voting System.

"93A. This procedure under a call of the Assembly shall be the same as in Rule 93, except as follows: If during the interval before vote has been recorded, a member shall move a call of the Assembly, and a majority of the members present so order, the Speaker shall instruct the clerk to record a temporary vote, which record shall be in duplicate. The clerk shall then lock the voting system as in Rule 86A, and shall hold the original record at his desk, and shall give the duplicate to the author of the bill, or the member handling it. When the call of the Assembly has been dispensed with, and upon order of the Speaker, the clerk shall call the roll of the absent members and record these upon the original record, which shall then become the permanent record and be handed to the Speaker, who shall announce the vote.

A member may change his vote while the record is held at the desk (before other business is taken up), or when the oral roll call is taken after the call of the Assembly is dispensed with.

During a call of the Assembly the electrical voting system may be used for any other business taken up by unanimous consent and requiring roll call, except as provided for in Rule 93C.

Request for Roll Call by Clerk.

93B. Upon request of five (5) members, an oral roll call may be substituted for the electrically recorded vote. Such request must be made before the Speaker orders a vote by the electrical system.

Request for Extending Interval.

93C. Upon the request of any member, a majority of the members present may order the roll call retained upon the electrical system either for an additional minute or during a call of the Assembly. The vote upon this request must be viva voce or by division and count. If the vote is ordered held upon the electrical system during a call of the Assembly, voting on other measures, where a roll call is required, shall be by oral roll call."

In Rule 111, strike out the first 27 words of the second sentence and substitute the following: "When an oral roll call is taken by the clerk, instead of by the electrical voting system, the clerk shall, as each member votes, repeat the "aye" or the "no" in an audible tone of voice, so that the member voting".

RESOLUTION.

The following resolution was offered:

By Mr. Fisher:

ASSEMBLY RESOLUTION.

Resolved, That the Chief Clerk of the Assembly be and he is hereby ordered and directed to prepare, during the constitutional recess, for use of the members of the Legislature, a complete and comprehensive Legislative Manual or Handbook of the size and style uniform with similar publications of previous sessions, same to contain list of State officers, members and officers of both houses of the Legislature, list of committees and rules of both houses and joint rules, together with indexes to the same, and such other information as he may deem useful; also to prepare for the use of members of the Legislature a Semi-Final Calendar containing a history of all bills introduced to date, together with a complete index and cross-index to the same, to be printed and distributed during the constitutional recess, and the Chief Clerk is hereby empowered to employ such expert assistants, indexers, etc., as he may find necessary, and the Controller is hereby ordered and directed to draw his warrant on the contingent fund of the Assembly in favor of the Chief Clerk of the Assembly in the sum of $700 00 to pay for such services, and the Treasurer is hereby ordered and directed to pay the same. The Chief Clerk of the Assembly is further directed to furnish the Controller with vouchers for all expenditures made by him in pursuance of the work set forth above, during the said constitutional recess.

CONSIDERATION OF RESOLUTION BY MR. FISHER.

Resolution read.

Mr. Lyon moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Walker, Waters, Williamson, Wright, and Mr. Speaker—64.

NOES—None.

MOTIONS TO PRINT.

Mr. Wright moved that the Chief Clerk instruct the State Printer to print 1500 copies of Assembly Bill No. 1120.

Motion carried.

Mr. Crowley moved that the Chief Clerk instruct the State Printer to print 1000 copies of Assembly Bill No. 510, Chapter 882, Statutes of 1931.

Motion carried.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 25, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on January 24, 1935, passed as amended, Assembly Bill No. 23—An act relating to the relief of debtors and guarantors, and permitting postponement of foreclosures and sales under mortgages, deeds of trust, or contracts of purchase of real property, or postponement of forfeitures and terminations under such contracts of purchase, declaring the urgency thereof, and providing that it shall take effect immediately—and respectfully request your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

MOTION.

Mr. Jones moved that the Assembly do not concur in the Senate amendments to Assembly Bill No. 23.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 23?

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out the words "permitting postponement of foreclosures and", and insert in lieu thereof "postponing".

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, strike out the word "or", and insert in lieu thereof "and".

AMENDMENT NUMBER THREE.

In line 4 of the title of the printed bill, strike out the words "or postponement of", and substitute in lieu thereof "postponing".

AMENDMENT NUMBER FOUR.

In line 5 of the title of the printed bill, following the comma, insert the following: "in certain cases".

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, strike out all of lines 10 to 52, inclusive, and insert in lieu thereof the following:

"SEC. 2. Until February 1, 1937, except in the case of mining property, no sale shall be made under any power of sale contained in any mortgage or deed of trust heretofore executed upon real property, nor shall any sale be made under any final decree of foreclosure rendered in any action to foreclose a mortgage hertofore exe-

cuted upon real property nor shall the interest of any purchaser under a contract of purchase of real property heretofore executed, be terminated or forfeited, in any case in which the only default in the performance of the obligation for which said mortgage or deed of trust was given as security or in the performance of such contract consists solely of the failure to pay when due the principal sum of such obligation.

Nothing contained in this act shall prevent the acceleration, by reason of the nonpayment of taxes, interest or insurance, of the entire obligation secured by any such mortgage or deed of trust, nor prevent the sale thereunder by reason of such default.

SEC. 3. In all cases in which the time within which an action upon any obligation founded upon a written instrument secured by a mortgage or deed of trust upon real property, or any guaranty thereof, may be commenced would expire by virtue of section 337 of the Code of Civil Procedure during the period extending between the date upon which this act takes effect and the first day of February, 1937, such time is hereby extended so as not to expire until April 1, 1937.

SEC. 4. Any sale of real property under a deed of trust or mortgage with power of sale made in violation of this act shall be voidable, except as against a bona fide purchaser or encumbrancer for value, at the instance of the record owner of such real property at the time of such sale; provided that any action to avoid such sale or any deed executed pursuant thereto must be brought within one year of the date of such sale.

SEC. 5. Nothing contained in this act shall apply to or be deemed to affect (a) any mortgage, deed or trust or contract of sale upon real property executed after the effective date of this act, or (b) any mortgage or deed of trust securing the payment of bonds or other evidences of indebtedness authorized or permitted to be issued by the Commissioner of Corporations or made by public utilities subject to the provisions of the Public Utilities Act.

SEC. 6. Except in the case of mining property, no sale shall be made under any power of sale contained in any mortgage or deed of trust executed before the effective date of this act upon real property, nor shall any sale be made under any final decree of foreclosure rendered in any action to foreclose a mortgage executed before the effective date of this act upon real property, nor shall the interest of any purchaser under a contract of purchase of real property executed before the effective date of this act be terminated or forfeited, in any case in which the only default in the performance of the obligation for which said mortgage or deed of trust was given as security or in the performance of the obligation of such contract consists solely of the failure to pay when due installments of the principal sum of such obligation which became due according to the terms of such obligation between the effective date of this act and February 1, 1937, until at least six months after the due date of the last installment of the principal sum of such obligation.

Nothing contained in this section shall prevent the acceleration by reason of the nonpayment of taxes, interest or insurance, of the entire obligation secured by any such mortgage or deed of trust, nor prevent the sale thereunder by reason of such default.

In all cases in which the time within which an action upon any installment of the principal sum of an obligation, or any guaranty thereof, a sale for default in the payment of which is postponed by this act, would expire by virtue of section 337 of the Code of Civil Procedure prior to the time when such sale is permitted by this section, then such time in which such action may be brought is extended to and until three months after the date upon which such sale might be held under this section.

SEC. 7. No suit or action shall be commenced against the guarantor of any note secured by a mortgage or deed of trust upon real property in any case while by virtue of any law no sale may be made under any power of sale contained in such mortgage or deed of trust, or while no sale may be made under the final decree of foreclosure rendered in an action to foreclose such mortgage.

SEC. 8. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of section 1 of Article IV of the Constitution, and shall therefore go into immediate effect.

The facts constituting the necessity are as follows: A severe economic depression exists throughout the State, rendering many of its citizens unable to pay the principal sum of their debts or to otherwise refinance their loans. As a result thereof, through foreclosure actions, they are being deprived of their property."

AMENDMENT NUMBER SIX.

Strike out all of pages 3, 4, 5 and 6 of the printed bill.

AMENDMENT NUMBER SEVEN.

On page 2, line 15, of the proposed committee amendments, after the word "of", strike out the word "taxes,".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 23 by the following vote:

AYES—Scudder—1.
NOES—Anderson, Andreas, Breed, Brennan, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—65.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 25, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and January 24, 1935, passed as amended, Assembly Bill No. 94—An act for the relief of certain assessment districts, and for that purpose empowering counties to render financial aid to such districts and making available to such districts the provisions of Chapter 9 of the act of Congress entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, as amended, and to declare the urgency of this act, to take effect immediately—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

MOTION.

Mr. Wallace moved that the Assembly concur in Senate amendments to Assembly Bill No. 94.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 94?

AMENDMENT NUMBER ONE.

On page 2, line 9, of the printed bill, after the word "exceed", strike out the figure "80", and insert in lieu thereof the figure "50".

AMENDMENT NUMBER TWO.

On page 2, line 46, of the printed bill, strike out the word "eighty", and insert in lieu thereof the word "fifty".

The roll was called, and Senate amendments to Assembly Bill No. 94 were concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—63.
NOES—None.

Assembly Bill No. 94 ordered to enrollment.

COMMUNICATION.

The following communication was received, and ordered printed in the Journal:

By Mr. Heisinger:

Mr. Speaker and Members of the Assembly.

There has come into my hands a letter addressed to Mr. Anderson from one of the leading educators of America. He has requested his name to be withheld from publicity, but his letter in part is as follows:

Dr. H. D. Anderson, State Assemblyman, Sacramento, California.

MY DEAR DR. ANDERSON: I read with approval the enclosed statement of an investigation of the State textbook situation, the resolution calling for the investigation coming from Assemblyman Heisinger of Fresno. In my honest

opinion conditions are as bad as they were in the period preceding the adoption of the new Constitution back in 1879. I hope that if the State Senate fails to concur in the joint investigation that the Assembly will go ahead on its own accord.

There are several matters which ought not to be overlooked in such a study. In the first place, there is a Curriculum Commission which expends much thought and effort on textbooks. To my knowledge, the reports of this committee have never decided the adoption of books. As a matter of fact, I do not know of a single time when the recommendation of the commission has been followed. You have probably seen that just recently three members of the commission resigned. It would be interesting to know why; particularly why Hockett of the University of California, and Jacobson of Oakland, gave up their connections with the commission.

If this commission is not able to function, the proper thing to do would be to repeal the legislation which created it. I believe this would be a good thing. In the first place, it would save some money, the second place, it would take away any shield under which a State Board of Education and a State superintendent could conceal their actions. I have no doubt that the general assumption is that the State board adopts on the recommendation of this commission of experts. This is not the case.

My first suggestion therefore is that the Legislature repeal sections 6 263, 6 264, and 6.265.

Second, we now have in the office of the State Department of Education two men who devote themselves to the administration of textbooks and publications. A single division should take care of all this work, and, it may well take over the work now performed by the California Textbook Commission.

As an alternative to this, the connection of the State Board of Education with textbook adoptions might be taken away altogether, and the function lodged in a State Textbook Commission which actually adopts the books according to law.

The textbook law declares specifically that "other things being equal," California authors shall be favored in adopting books. This law has also been set aside by the State Board of Education

I shall not enter into a report of the rumors which are afloat concerning textbook adoptions in this State. They are as scandalous as any reported 50 or 60 years ago, when the present State Textbook Law was enacted. My idea is that a thorough and complete investigation ought to be made, and the whole matter cleared up. Whenever any kind of unethical conduct enters into the management of the schools, whenever there is even a suspicion of crookedness, the children suffer, and in the long run, the people foot the bill.

I have heard rumors that people interested in textbook adoptions have financial connections with publishing interests. Such matters should be checked.

If this investigation committee is authorized, I believe it will uncover an amazing story of intrigue.

In connection with his statement, may I say that on last evening when the Senate committee hearing on my resolution should have been held, there was a lineup around the room, the usual lobby of California educators, presumably to strangle the proposed investigation into the activities of the schoolbook trust.

When the committee was dismissed for lack of a quorum which automatically killed my resolution, there seemed to be a smile of satisfaction upon the faces of some persons who seem so anxious about the interests of the book trust.

S. L. HEISINGER.

RESOLUTION.

The following resolution was offered:

By Mr. Lore:

ASSEMBLY RESOLUTION.

WHEREAS, The charges collected by utilities from rate payers are in reality a form of taxation under our existing system of regulated monopoly; and

WHEREAS, The salaries and expenses of officials and employees of such utilities constitute one of the largest items of operating expenses of these utilities; and

WHEREAS, A reduction in the salaries of these officials and employees and their expenses should reflect itself in lower rates; and

WHEREAS, The information as to the amount of the salaries and expenses of these officials and employees would be useful to the Assembly in considering questions of utility regulation and revenue and taxation; therefore be it

Resolved by the Assembly of the State of California, That the Railroad Commission be requested to furnish the Assembly within the next 30 days, or as soon as possible, a list of all employees of all public utility corporations under the jurisdiction of the Railroad Commission receiving salaries of $5,000 or over during the year 1934, together with a list of their respective salaries and expenses for the past year as shown by the records of the Railroad Commission;

Resolved further, That said Railroad Commission be and is hereby requested in addition to furnish to the Assembly as soon as possible a statement of all gifts, contributions, attorney's fees and payments made by each of said public utility corporations, whether directly or in the name of their officers or employees, to any and all civic, commercial, service, fraternal, promotional, philanthropic or other organization.

Resolution read.

Mr. Lore moved the adoption of the resolution.

The question being on the adoption of the resolution.

REQUEST FOR ROLL CALL.

On request of Messrs. Lore, Anderson, and Hawkins, the Speaker ordered a roll call taken on the resolution by Mr. Lore.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Patterson moved a call of the house.

Motion lost.

The roll was called, and the resolution by Mr. Lore was adopted by the following vote:

AYES—Anderson, Burns, Cassidy, Clark, Cottrell, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Fulcher, Gever, Gilbert, Glover, Hawkins, Heisinger, Hunt, Laughlin, Lore, McCarthy, Meehan, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, and Wallace—32.

NOES—Andreas, Breed, Brennan, Corwin, Cronin, Cunningham, DeLap, Evans, Herbert J., Field, Fisher, Frazier, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Miller, Minard, Morgan, Peyser, Riley, Robertson, Scudder, Stream, Thorp, Walker, Waters, Williamson, Wright, and Mr. Speaker—31.

RESOLUTION.

The following resolution was offered:

By Mr. Lore:

ASSEMBLY RESOLUTION.

WHEREAS, All public utility properties in the State of California were returned to local tax rolls on Decembr 31, 1934, as provided by the so-called Riley-Stewart Plan, and are to be assessed by the State Board of Equalization for purposes of taxation; and

WHEREAS, The Assembly has by resolution called upon the State Board of Equalization for tentative estimates of the value of such property for purposes of taxation; and

WHEREAS, Figures which would enable members of the Assembly and the public to make comparisons between valuation on utility property for the levying of taxes, on the one hand, and for the establishment of rates, on the other, are of the utmost importance; now therefore, be it

Resolved by the Assembly of the State of California, That the Railroad Commission be and is hereby requested to furnish to the Assembly at its earliest convenience, figures on the valuation of said utility properties for rate making purposes in a form which will make possible comparison with the valuation of the State Board of Equalization.

Resolution read.

Mr. Lore moved the adoption of the resolution.

The question being on the adoption of the resolution by Mr. Lore.

Resolution adopted.

RESOLUTION.

The following resolution was offered:

By Mr. McMurray:

ASSEMBLY RESOLUTION.

Resolved, That the State Department of Public Works be, and it is hereby requested to present and report to this Assembly on or before March 5, 1935, an itemized and detailed account and statement of its expenditures for construction and maintenance of State highways, including cost of rights of way acquired, and

salaries and wages and rates thereof paid by it in the work of highway construction and maintenance; this information being necessary and indispensable to the members of the Legislature in the consideration of State expenditures including the relative proportion of expenditures for salaries and wages as compared with other elements of cost.

Resolution read.

Mr. McMurray moved the adoption of the resolution.

The question being on the adoption of the resolution by Mr. McMurray.

Resolution adopted.

MOTION TO PRINT.

Mr. Latham moved that the Chief Clerk instruct the State Printer to print 1000 additional copies of Assembly Constitutional Amendment No. 35.

Motion carried.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced:

By Mr. Cottrell: Assembly Bill No. 1256—An act making an appropriation to pay the cost of printing constitutional amendments and referendum measures for the 1933 and 1934 elections, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read first time.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Cottrell asked for, and was granted, unanimous consent to take up Assembly Bill No. 1256, at this time, without reference to printer, committee or file, and that same be considered engrossed.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 25, 1935.

To the Honorable Members of the Assembly.

Assembly Bill No. 1256—An act making an appropriation to pay the cost of printing constitutional amendments and referendum measures for the 1933 and 1934 elections, declaring the urgency thereof, and providing that this act shall take effect immediately.

In my opinion said Assembly Bill No. 1256 constitutes an emergency bill within the meaning of that term as used in section 34, of Article IV, of the Constitution of the State of California, and the consideration of which should not await the final enactment of the Budget Bill.

I therefore recommend the consideration of this bill as such an emergency measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Cottrell:

Resolved, That Assembly Bill No. 1256 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second and third times, and placed upon its passage.

Resolution read.

Mr. Cottrell moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Wright and Mr. Speaker—63.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 1256.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND TWO HUNDRED FIFTY-SIX.

Assembly Bill No. 1256—An act making an appropriation to pay the cost of printing constitutional amendments and referendum measures for the 1933 and 1934 elections, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Wright, and Mr. Speaker—63.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER ONE THOUSAND TWO HUNDRED FIFTY-SIX.

Assembly Bill No. 1256—An act making an appropriation to pay the cost of printing constitutional amendments and referendum measures for the 1933 and 1934 elections, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1256 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Wright, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced:

By Mr. Cottrell: Assembly Bill No. 1257—An act making an appropriation to the emergency fund specified in Item 201 of section 1 of an act entitled "An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately," approved May 11, 1933, for the purposes therein specified, and declaring the urgency thereof.

Bill read first time.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Cottrell asked for, and was granted, unanimous consent to take up Assembly Bill No. 1257, at this time, without reference to printer, committee or file, and that same be considered engrossed.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 25, 1935.

To the Honorable Members of the Assembly.

Assembly Bill No. 1257—An act making an appropriation to the emergency fund specified in Item 201 of section 1 of an act entitled "An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately," approved May 11, 1933, for the purposes therein specified, and declaring the urgency thereof.

In my opinion said Assembly Bill No. 1257 constitutes an emergency bill within the meaning of that term as used in section 34, of Article IV, of the Constitution of the State of California, and the consideration of which should not await the final enactment of the Budget Bill.

I therefore recommend the consideration of this bill as such an emergency measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Cottrell:

Resolved, That Assembly Bill No. 1257 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second and third times, and placed upon its passage.

Resolution read.

Mr. Cottrell moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Cunningham, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Williamson, Wright, and Mr. Speaker—63.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 1257.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND TWO HUNDRED FIFTY-SEVEN.

Assembly Bill No. 1257—An act making an appropriation to the emergency fund specified in Item 201 of section 1 of an act entitled "An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately," approved May 11, 1933, for the purposes therein specified, and declaring the urgency thereof.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Cunningham, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Williamson, Wright, and Mr. Speaker—63.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER ONE THOUSAND TWO HUNDRED FIFTY-SEVEN.

Assembly Bill No. 1257—An act making an appropriation to the emergency fund specified in Item 201 of section 1 of an act entitled "An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately," approved May 11, 1933, for the purposes therein specified, and declaring the urgency thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1257 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Cunningham, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder,

Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Williamson, Wright, and Mr. Speaker—63.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced:

By Mr. Field: Assembly Bill No. 1258—An act to amend section 2 of the "Los Angeles County Flood Control Act," approved June 12, 1915, relating to powers of the district, declaring the urgency hereof and providing that this act shall take effect immediately
Bill read first time.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Field asked for, and was granted, unanimous consent to take up Assembly Bill No. 1258, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CASE OF URGENCY.

The following resolution was offered:
By Mr. Field:

Resolved, That Assembly Bill No. 1258 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second and third times, and placed upon its passage.

Mr. Field moved the adoption of the resolution.
The question being on the adoption of the resolution.
The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Wagner, Walker, Waters, Williamson, Wright, and Mr. Speaker—58.
NOES—Voigt—1.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 1258.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND TWO HUNDRED FIFTY-EIGHT.

Assembly Bill No. 1258—An act to amend section 2 of the "Los Angeles County Flood Control Act," approved June 12, 1915, relating to powers of the district, declaring the urgency hereof and providing that this act shall take effect immediately.
Bill read second time.
Urgency clause read.
The question being: Shall this section, setting forth the urgency features of this bill, be passed?
The roll was called, and the urgency clause adopted by the following vote:

AYES—Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Herbert J.,

Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Wagner, Walker, Waters, Williamson, Wright, and Mr. Speaker—58.

NOES—Voigt—1.

THIRD READING OF ASSEMBLY BILL NUMBER ONE THOUSAND TWO HUNDRED FIFTY-EIGHT.

Assembly Bill No. 1258—An act to amend section 2 of the "Los Angeles County Flood Control Act," approved June 12, 1915, relating to powers of the district, declaring the urgency hereof and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1258 passed by the following vote:

AYES—Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Desmond, Domhue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Wagner, Walker, Waters, Williamson, Wright, and Mr. Speaker—58.

NOES—Voigt—1.

Title read and approved.

Bill ordered transmitted to the Senate.

NOTICE OF RECONSIDERATION.

Mr. Lyon gave notice that on the next legislative day he would move to reconsider the vote whereby the resolution by Mr. Lore, relative to salaries of employees of public utilities, was this day adopted.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Lyon: Assembly Bill No. 1259—An act to amend sections 1 and 2 of and to add a new section to "An act to provide for the creation of a board of parole commissioners for each county in this State, for the paroling of prisoners confined in county jails, and authorizing and empowering such boards to make rules and regulations in relation thereto," approved March 25, 1909, as amended, relating to the authorization of the board of county parole commissioners to parole aliens who consent to return or to be returned to their native country and further providing that when such aliens are indigent the county may pay the expenses of the transportation of such alien to his native country and that such expenses shall be a legal charge upon the county and providing for a method of guaranteeing the actual return of such aliens.

Bill read first time, and referred to Committee on County Government.

By Mr. Lyon: Assembly Bill No. 1260—An act to amend section 1140 of the Probate Code, relating to the duties of the public administrator and providing for the management, control, rental and sale by

the public administrator of properties of indigent or other aliens returned to their native lands by or at the request of counties.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Lyon: Assembly Bill No. 1261—An act to amend the title of and sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 of an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, as amended, relating to the limitation of aid and relief to aliens and to their return to their native country, providing the expenses of such return to be a county charge, providing for the management, rental, sale and control of property of aliens so returned, providing for the actual return of such aliens to their native country, relating to payments and reimbursement by indigents and kindred to the counties and to the manner and method of collecting the same and relating to the eligibility of persons for aid and relief.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Lyon: Assembly Bill No. 1262—An act to amend section 1 of an act entitled "An act authorizing the investment and reinvestment and disposition of any surplus moneys in the treasury of any county, city and county, incorporated city or town, or municipal utility district, or flood control district." approved April 23, 1913, Statutes of 1913, page 76, as amended.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Lyon: Assembly Bill No. 1263—An act to add a new section to the Political Code of the State of California, to be numbered 4041.27, authorizing boards of supervisors to provide for the creation and operation of a system of insurance and pensions for the benefit of physicians and nurses employed in county institutions, to procure group insurance for the benefit of such employees, and to provide for the payment of premiums therefor.

Bill read first time, and referred to Committee on County Government.

By Mr. Lyon: Assembly Bill No. 1264—An act to add a new section to the Political Code of the State of California, to be numbered 3719, authorizing the temporary borrowing of money by counties and school districts upon the credit of revenue in course of collection, and the issuing of tax anticipation notes or warrants as evidence of such indebtedness.

Bill read first time, and referred to Committee on County Government.

By Mr. Lyon: Assembly Bill No. 1265—An act providing for the regulation and control of production, sale and transportation of all oil, gas and other petroleum products in the State of California, and providing for the appointment of a commission of three members to exercise certain powers in connection therewith.

Bill read first time, and referred to Committee on Oil Industries.

By Mr. Lyon: Assembly Bill No. 1266—An act to amend section 621 of the Vehicle Code, relating to rear lights on motor vehicles, trailers, and semitrailers.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Lyon: Assembly Bill No. 1267—An act to amend the title and to add two new sections, to be numbered 2a and 2b, to an act entitled "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the health of persons by whom the materials from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors; and providing for the punishment of the same," approved March 6, 1909, relating to the use of sealed containers and providing for the sterilization of used bottles, receptacles and containers used for foods, drugs and liquors.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Lyon: Assembly Bill No 1268—An act to validate the formation, organization and existence of county water districts, and to validate the acts of the board of directors of such districts in the inclusion of land therein or exclusion of land therefrom, and to validate the proceedings of such directors taken for the creation of a bonded indebtedness.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Lyon: Assembly Bill No. 1269—An act authorizing and empowering any county, city and county, or city in the State of California to donate, convey, and grant to the State of California, or to district agricultural associations thereof, any real property owned, held and used by it for fair ground and exposition purposes, or which it may hereafter acquire, hold and use for such purposes.

Bill read first time, and referred to Committee on County Government.

By Mr. Lyon: Assembly Bill No. 1270—An act to add a new section to the act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, relating to the sale of personal property of such persons upon their death.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Messrs. Lyon, Fisher, Cottrell, Minard, Riley, Wright, Latham, Fulcher, and Miss Miller: Assembly Bill No. 1271—An act imposing an excise tax on the storage, use or other consumption in this State of tangible personal property, providing for the registration of retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof,

prescribing penalties for violations of the provisions hereof and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Lyon: Assembly Bill No. 1272—An act to amend the "Act Concerning Cosmetology," approved May 31, 1927, as amended.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Lyon: Assembly Bill No 1273—An act to amend the title and sections 2, 9, 15, 17, 18, 20, 21, 22, 23, 24, 26, 27, 30 and 33 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933; to repeal sections 7 and 19 of said act; to add sections 7 and 19 to said act; all relating to the taxation of the privilege of selling tangible personal property; and to provide that this act shall take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Lyon: Assembly Bill No. 1274—An act to add section 168 to the Vehicle Code, relating to registration of vehicles and to add section 384 to the Vehicle Code, relating to registration and license fees

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. McCarthy: Assembly Bill No. 1275—An act to amend sections 11, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 37, 38, 39, 43, 48, 49, of, to repeal sections 12, 13, 40, 41, 42, of, and to add sections 20a, 20b, 20c, 26a, 51, 52, 53, 54, 55, 56, 57, 58, 59 to the State Bar Act, relating to attorneys and the practice of law.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Frazier: Assembly Bill No. 1276—An act to provide for the investigation and study of the control and suppression of blackbirds, coots, linnets, horned larks and other birds or animals in relation to damage to agricultural crops and making an appropriation therefor.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Frazier: Assembly Bill No. 1277—An act to add a new section to the Political Code, to be numbered 3454½, relating to reclamation districts and requiring that in all actions against a reclamation district or any person sued by reason of his connection therewith the board of trustees must be made parties defendant.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Frazier: Assembly Bill No. 1278—An act to amend "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof," approved May 14,

1927, relating to collection agencies and the regulation, supervision and licensing thereof.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cottrell: Assembly Bill No. 1279—An act to amend section 3366 of the Political Code, relating to license taxes.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Frazier: Assembly Bill No. 1280—An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement to said act and penalties for the violation thereof.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Williamson: Assembly Bill No. 1281—An act to amend sections 6, 13, 14 and 20 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State laboratory for food, liquors, and drugs and making an appropriation therefor," approved March 11, 1907, as amended, relating to adulteration, mislabeling, misbranding, false advertising and sale of food and the powers of the State Board of Health in relation thereto.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Williamson: Assembly Bill No. 1282—An act to amend the title and to amend sections 2, 3, 4, 6, 12 and 19 of, and to add new sections 4a and 6a to an act entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, as amended, relating to the adulteration, mislabeling, misbranding, advertising and sale of drugs and devices and to the powers of the State Board of Public Health in relation thereto.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Gilmore: Assembly Bill No. 1283—An act to amend section 658 of the Fish and Game Code, relating to the salmon season in Game Districts 10 and 11.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Gilmore: Assembly Bill No 1284—An act to amend section 958 of the Fish and Game Code, relating to the use of trawl nets.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Gilmore: Assembly Bill No. 1285—An act to amend section 788 of the Fish and Game Code, relating to the crab season in California.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Gilmore: Assembly Bill No. 1286—An act to add a new section to the Fish and Game Code, to be known as section 788.5, relating to the possession of crabs.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Gilmore: Assembly Bill No. 1287—An act to amend section 790 of the Fish and Game Code, relating to the preservation of crabs and crab meat.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Gilmore: Assembly Bill No. 1288—An act to amend section 4 of "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to tax on gross receipts.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Gilmore: Assembly Bill No. 1289—An act to amend the Vehicle Code, relating to motor vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Gilmore: Assembly Bill No. 1290—An act to amend the Vehicle Code, relating to motor vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Gilmore: Assembly Bill No. 1291—An act to amend the Vehicle Code, relating to motor vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Gilmore: Assembly Bill No. 1292—An act to amend the Vehicle Code, relating to motor vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Gilmore: Assembly Bill No. 1293—An act to amend the Vehicle Code, relating to motor vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Gilmore: Assembly Bill No. 1294—An act to amend the Vehicle Code, relating to motor vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Gilmore: Assembly Bill No. 1295—An act to amend the Vehicle Code, relating to motor vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Gilmore: Assembly Bill No. 1296—An act granting certain State lands to the City and County of San Francisco.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Gilmore. Assembly Bill No. 1297—An act adding a section to the Vehicle Code, relating to physical examinations of chauffeurs.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Scudder: Assembly Bill No. 1298—An act to amend section 1238 of the Code of Civil Procedure, relating to the exercise of the right of eminent domain.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cunningham: Assembly Bill No. 1299—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read first time, and referred to Committee on County Government.

By Messrs. Scudder, Kallam, and Jones: Assembly Bill No. 1300—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, as amended, by amending sections numbered 4.01 relating to guarantee stock, 6.02 relating to withdrawals, 6.07 relating to investment certificates and shares, 8.09 relating to interest and dividends, 9.02 relating to investments and 9.04 relating to purchases, sales, transfers and pledges of loans; postponing the effective date of the amendment of section 6.02 of said act as set forth in section 5a of Chapter 431 of the Statutes of 1933; adding to said act new sections to be numbered 8.10 relating to rate of return on shares and investment certificates, 9.18 relating to insurance, loans, advances of credit and purchases of obligations pursuant to the National Housing Act, 10.03a relating to reserve or surplus accounts, 10.09 relating to reports, statements and analyses by the Building and Loan Commissioner and 12.11 relating to conversion of a building and loan association into a Federal Savings and Loan Association and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to vote for or approve such conversion, to exchange shares, stock, investment certificates or other rights or claims for shares issued by such Federal Savings and Loan Association, and to continue to hold as a legal investment any shares so received; adding a new article to be numbered XVI to said act relating to the rehabilitation, readjustment or reorganization of one or more building and loan associations of the classes specified in such Article XVI, or of all or of any part of the business, properties and assets of such association or associations, or the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of and other

persons interested in such association or associations, providing for the kinds of securities issuable in connection therewith and exempting such securities from certain provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Article XVI, to exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received; and declaring the urgency of this act and providing that it shall take effect immediately.

Bill read first time.

MOTION.

Mr. Scudder moved that the Assembly resolve itself into Committee of the Whole for the purpose of considering Assembly Bill No. 1300.

Mr. Williamson seconded the motion.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Craig in the chair.

Assembly Bill No. 1300 considered.

Mr. Lyon moved that the committee do now rise, and report back to the Assembly.

Mr. Scudder seconded the motion.

Motion carried.

IN ASSEMBLY.

Speaker Craig in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1935.

GENTLEMEN: Your Committee of the Whole has had under consideration Assembly Bill No. 1300—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; *to define, authorize, and regulate the issuance of shares, stock and investment certificates* of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, *as amended, by amending sections numbered 4.01 relating to guarantee stock,* 6.02 relating to withdrawals, 6.07 relating to investment certificates and shares, 8.09 relating to interest and dividends, 9.02 relating to investments and 9.04 relating to purchases, sales, transfers and pledges of loans; postponing the effective date of the amendment of section 6.02 of said act as set forth in section 5a of Chapter 431 of the Statutes of 1933; adding to said act new sections to be numbered 8.10 relating to rate of return on shares and investment certificates, 9.18 relating to insurance, loans, advances of credit and purchases of obligations pursuant to the National Housing Act, 10.03a relating to reserve or surplus accounts, 10.09 relating to reports, statements and analyses by the Building and Loan Commissioner and 12.11 relating to conversion of a building and loan association into a Federal Savings and Loan Association and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to vote for or approve such conversion, to exchange shares, stock, investment certificates or other rights or claims for shares issued by such Federal Savings and Loan Association,

and to continue to hold as a legal investment any shares so received; adding a new article to be numbered XVI to said act relating to the rehabilitation, readjustment or reorganization of one or more building and loan associations of the classes specified in such Article XVI, or of all or of any part of the business, properties and assets of such association or associations, or the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of and other persons interested in such association or associations, providing for the kinds of securities issuable in connection therewith and exempting such securities from certain provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Article XVI, to exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received; and declaring the urgency of this act and providing that it shall take effect immediately—and does now report the same back.

CRAIG, Chairman.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 25, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No. 23—An act relating to the relief of debtors and guarantors, and permitting postponement of foreclosures and sales under mortgages, deeds of trust, or contracts of purchase of real property, or postponement of forfeitures and terminations under such contracts of purchase, declaring the urgency thereof, and providing that it shall take effect immediately—and appointed Senators Snyder, Rich, and Stow as a Committee on Free Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of Senate.

RECESS.

At six o'clock p.m., on the motion of Mr. Lyon, the Assembly was declared at recess until eight o'clock p.m. of this day.

REASSEMBLED.

At eight o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Assistant Clerk Coolidge reading.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Fisher: Assembly Bill No. 1301—An act to amend section 718 of the Civil Code and section 842 of the Probate Code and to add a new section numbered 1538.5 to the Probate Code, relating to the leasing of property of a minor, insane or incompetent person, or of a decedent.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Boyle: Assembly Bill No. 1302—An act to amend sections 2, 3, 7, 12, and 18 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to pharmacy.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Boyle: Assembly Bill No. 1303—An act to amend section 7 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California

State Board of Pharmacy," approved March 20, 1905, relating to the employment of inspectors.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Messrs. Boyle and Jones: Assembly Bill No. 1304—An act to amend an act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores, and spotting, sponging, and/or pressing establishments, or agencies thereof, and private schools and colleges of spotting, sponging, and/or pressing; providing for the registration or licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violations," approved May 28, 1931.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Boyle: Assembly Bill No. 1305—An act to provide for the establishment of standards of sanitation for the laundry industry and providing for a sanitary inspection service of said industry, and fixing penalties for the violations thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Eicke: Assembly Bill No. 1306—An act to add a new section to the Public Utilities Act to be numbered 25¼, relating to the operation and ownership of wharves or dock facilities by railroad corporations.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Thorp: Assembly Bill No. 1307—An act to license, regulate and control the manufacture, transportation, sale, purchase, possession and disposition of alcoholic beverages; to make an appropriation for the enforcement of this act; and to prescribe penalties for the violation of this act.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Field: Assembly Bill No. 1308—An act to amend section 16 of the "Act Concerning Cosmetology," approved May 31, 1927.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Field: Assembly Bill No. 1309—An act to regulate the location, construction, occupancy and operation of hat cleaning and blocking establishments, or agencies thereof, and private schools and colleges of hat cleaning and blocking; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement; and providing penalties for violations.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Field: Assembly Bill No. 1310—An act to amend sections 1, 2, 3, 4, 5 and 7, of the act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or

stores and spotting, sponging, and/or pressing establishments, or agencies thereof, and private schools and colleges of spotting, sponging and/or pressing; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violations," approved May 28, 1931, relating to the cleaning and dyeing industry.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Evans, Ralph W., McCarthy, Jones, Brennan, Rosenthal, Wallace, Boyle, Hunt, and Turner: Assembly Bill No. 1311—An act declaring title guarantee and title insurance policies to be contrary to public policy in certain cases.

Bill read first time, and referred to Committee on Insurance.

By Messrs. Evans, Ralph W., McCarthy, Brennan, Wallace, Jones, Rosenthal, Boyle, Hunt, and Turner: Assembly Bill No. 1312—An act declaring a right of action for slander of title.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Evans, Ralph W., Clark, and Boyle: Assembly Bill No. 1313—An act to amend section 2924 of the Civil Code, relating to transfers of property as security for the performance of another act.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cunningham: Assembly Bill No. 1314—An act to amend sections 1a, 3, 4, 9b, 10a, 11a, 11b, c, d, e, and 12 of, and to add new sections 11f and g, to an act entitled "An act to regulate land surveying and to define the duties of and to license land surveyors, to provide for the revocation of such licenses and the restoration thereof, to make certain acts misdemeanors and to provide penalties therefor, and to repeal an act entitled 'An act to define the duties of and to license land surveyors' approved March 16, 1907," approved May 24, 1933.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Boyle, Hornblower, and Redwine: Assembly Bill No. 1315—An act to authorize the adoption and approval of State Codes of Fair Competition for certain trades and industries, both for the entire State and for subdivisions thereof; to provide for the enforcement of National codes and of the provisions of State Codes of Fair Competition approved as in this act provided; to provide penalties for the violation of the provisions hereof; to declare the urgency of this act; to repeal all acts or parts of acts in conflict herewith; and to provide that this act shall take effect immediately.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Peyser: Assembly Bill No. 1316—An act to amend an act to establish a Vehicle Code, thereby consolidating and revising the law relating to vehicles and vehicular traffic, and to repeal certain acts and parts of acts specified herein.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Peyser: Assembly Bill No. 1317—An act to amend an act to establish a Vehicle Code, thereby consolidating and revising the law

relating to vehicles and vehicular traffic, and to repeal certain acts and parts of acts specified herein.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Peyser: Assembly Bill No. 1318—An act to amend an act to establish a Vehicle Code, thereby consolidating and revising the law relating to vehicles and vehicular traffic, and to repeal certain acts and parts of acts specified herein.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Cronin: Assembly Bill No. 1319—An act to amend section 27 of the "State Civil Service Act," relating to preference to veterans and the widows of veterans.

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs.

By Mr. Cronin: Assembly Bill No. 1320—An act regulating the use of public highways by motor carriers of passengers for hire, requiring the operators of such vehicles to secure permits from the Railroad Commission of California for the operation thereof, to foster a fair distribution of traffic between the several highway transportation agencies to the end that the public highways may be relieved of unnecessary commercial traffic and that necessary existing agencies of transportation shall be preserved, and providing penalties for violation of this act.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Cronin: Assembly Bill No. 1321—An act to repeal section 513 of the Vehicle Code, relating to speed limits

Bill read first time, and referred to Committee on Motor Vehicles.

By Messrs. Stream, Wallace, and Richie: Assembly Bill No. 1322—An act to amend an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933, relating to the deposit of public moneys.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Nielsen and Thorp: Assembly Bill No. 1323—An act to regulate the sale, purchase, transportation and marketing of poultry and to provide a penalty for the violation thereof.

Bill read first time, and referred to Committee on Live Stock and Dairies

By Mr. Nielsen: Assembly Bill No. 1324—An act to amend section 1 of an act entitled "An act to reduce the fire hazards of clothes cleaning establishments, providing for the enforcement thereof by the Division of Fire Safety in the Department of Industrial Relations providing ways and means for enforcement and providing penalties for violations," approved May 28, 1931.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Nielsen: Assembly Bill No. 1325—An act providing an additional and/or alternative method for financing the acquirement,

construction, development, improvement, reconstruction, extension and repair of waterworks systems by any political subdivision or public agency of the State authorized by law to own and operate such waterworks systems by the isuance and sale to the United States Government or any agency of said government of revenue bonds payable solely out of the revenue derived or to be derived therefrom; providing for the operation of such systems in case of deficiencies in revenues, providing for a statutory lien on works acquired, constructed, improved, reconstructed, extended or repaired under the provisions of this act; providing for the use of the power of eminent domain by political subdivisions or public agency proceeding under this act; defining the terms political subdivisions and public agencies as included herein, and providing a time for the expiration of said act, approved May 27, 1933, relating to an additional or alternate method for financing waterworks systems in the State."

Bill read first time, and referred to Committee on Municipal Corporations.

By Miss Miller: Assembly Bill No. 1326—An act to add section 36 to the Bank Act, relating to legal investments.

Bill read first time, and referred to Committee on Banking.

By Mr. Meehan: Assembly Bill No. 1327—An act to add section 1a to the California Air Navigation Act, relating to aircraft.

Bill read first time, and referred to Committee on Aviation and Aircraft.

By Mr. McMurray: Assembly Bill No. 1328—An act amending section 285 of the Civil Code, relating to the formation of corporations and the purposes for which corporations may be formed.

Bill read first time, and referred to Committee on Corporations.

By Messrs. Chatters, Donnelly, Garibaldi, Minard, Turner, Heisinger, and Thorp: Assembly Bill No. 1329—An act authorizing and empowering irrigation districts, reclamation districts, municipal utility districts, public utility districts, municipalities, and any and all public and municipal corporations, districts and State agencies of whatsoever kind and character, organized and existing, or which may be hereafter organized under and by virtue of the laws of the State of California, or which may hereafter be formed under similar acts which may be enacted in the future, to enter into contract with the Water Project Authority of the State of California for any and all purposes and objects of the Central Valley Project Act of 1933, and enabling and empowering any and all such organizations to execute any contract for the purchase or use of water, electric energy or any other facilities to be made available by the Central Valley Project and to comply with any and all terms and conditions of any such contract and particularly to enable and empower such organizations to segregate and allocate revenues derived from the use, distribution or sale of any such facilities and to deposit any such revenues, or any taxes or assessments levied upon the lands or property within such organization for the purpose of raising funds to meet any and all payments under any such contract, into a special account; and enabling and empowering any and all such organizations to constitute any and all moneys and funds so deposited

in such special account a trust fund to be used solely for the purpose of making payments to said Water Project Authority under any such contract; and authorizing and empowering any such organization to grant to said Water Project Authority, in any such contract, a special lien upon any and all funds of any such organization available for the payment of operation and maintenance of such organization, to said Water Project Authority as security for the payment of any amounts due under any such contract.

Bill read first time, and referred to Committee on Irrigaton.

By Mr. Patterson: Assembly Bill No. 1330—An act to amend sections 990, 991, and 993, of Article I, Chapter 5, Part 2, of the Fish and Game Code.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Robertson: Assembly Bill No. 1331—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Robertson: Assembly Bill No. 1332—An act to add section 3306a to the Civil Code, relating to breach of contract to deliver a quitclaim deed.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Field and Frazier: Assembly Bill No. 1333—An act to facilitate the enforcement of laws of the State of California concerning motor vehicles by the establishment of ports of entry upon highways entering this State; vesting authority to establish and conduct such ports of entry in the State Board of Equalization; authorizing said State Board of Equalization to utilize the facilities and employees of any department of this State which may be convenient in the conduct of such ports of entry; and authorizing said State board to contract with private persons or corporations for the maintenance of port of entry service at such highways of lesser importance; and authorizing the State Board of Equalization to act as agent for the Department of Motor Vehicles and of any other department, board or officer of this State having to do with the administration or enforcement of laws relating to the use of public highways.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Nielsen: Assembly Bill No. 1334—An act to amend section 602 of the Penal Code, relating to trespass.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Nielsen: Assembly Bill No. 1335—An act to amend section 627 of the Penal Code, relating to trespass.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Jones and Hunt: Assembly Bill No. 1336—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, and 16, and to add sections 17, 18, 19, 20, 21, 22, 23, and 24 to, an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests

to twelve rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," submitted by initiative and approved by electors November 4, 1924, relating to boxing and wrestling.

Bill read first time, and referred to Committee on Public Morals.

By Messrs. Jones and Hunt: Assembly Bill No. 1337—An act to amend section 4300g of the Political Code, relating to witness fees.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hunt: Assembly Bill No. 1338—An act to amend section 668 of the Penal Code, relating to punishment and conviction of prior felons.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Fisher and Maloney: Assembly Bill No. 1339—An act to add a new division to the Vehicle Code, to be numbered IX-A, relating to vehicular crossings constructed or owned by the State, the control and policing thereof, and the regulation of traffic thereon.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. McCarthy: Assembly Bill No. 1340—An act authorizing the Governor to execute a compact with the State of Nevada, for the purpose of promoting comity and good will between California and Nevada with reference to the Boulder Canyon Project, and of adjusting matters pertaining to the proposed taxation of property located in Nevada and owned by the State of California or any political subdivision thereof.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Phillips: Assembly Bill No. 1341—An act to amend section 1241 of the Civil Code and to add a new section thereto to be numbered 1241a, relating to homesteads.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Phillips: Assembly Bill No. 1342—An act to amend section 1429 of the Penal Code, relating to the entering of pleas by a defendant.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Phillips: Assembly Bill No. 1343—An act to repeal sections 2.21, 3.174, 3.301, 3.302, 3.306, 3.308, 3.309, 3.415, 3.416 of the School Code, to add to Part I of Division II of the said code a new chapter to be known as Chapter 8, and to add to said code a new section to be numbered 3.306, all relating to the attendance of pupils upon the public schools.

Bill read first time, and referred to Committee on Education.

By Mr. Phillips: Assembly Bill No. 1344—An act providing for the creation, management, maintenance and improvement of the California Desert Park.

Bill read first time, and referred to Committee on State Grounds and Parks.

By Mr. Phillips: Assembly Bill No. 1345—An act to amend sections 5, 12, and 25 of, and to repeal section 52 of, and to add sections 7, 25a, 25b, and 52 to the County Water District Act, relating to the sale and distribution of water in districts, and the election of officers of said districts.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Phillips: Assembly Bill No. 1346—An act to amend section 107 of the Penal Code, relating to punishment for escape of a prisoner.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Boyle: Assembly Bill No. 1347—An act to amend section 372 of the Political Code, relating to the members of the State Board of Public Health.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Fisher: Assembly Bill No. 1348—An act to amend section 690.10 of the Political Code, relating to rights in and upon swamp, overflowed, marsh, tide and submerged lands.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Mr. McMurray: Assembly Bill No. 1349—An act to amend section 817 of the Penal Code, relating to peace officers.

Bill read first time, and referred to Committee on Judiciary.

By Mr. McMurray (by request): Assembly Bill No. 1350—An act to amend sections 33, 34, and 1702 of the Insurance Code, all relating to insurance.

Bill read first time, and referred to Committee on Insurance.

By Mr. McMurray (by request): Assembly Bill No. 1351—An act to amend section 755 and subsection (b) of section 763 of the Insurance Code, relating to insurance.

Bill read first time, and referred to Committee on Insurance.

By Mr. Lyon: Assembly Bill No. 1352—An act to add a new section to the Penal Code to be numbered section 1306a, relating to forfeiture of bail bond.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Desmond: Assembly Bill No. 1353—An act to amend sections 372, 2979, 2979a, 2979b, 2979c, 2979d, 2979e, 2980, 2981, 2982, 2982a, 2983, and 2984 of the Political Code, relating to the State Board of Health.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Desmond: Assembly Bill No. 1354—An act to amend sections 372, 372a, 372b, 372c, 372d, 372e, 372f, and 372g of the Political Code, relating to the powers and duties of the State Board of Public Health.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Patterson: Assembly Bill No. 1355—An act to amend the State Medical Practice Act.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Messrs. Anderson and Patterson: Assembly Bill No. 1356—An act relating to the bargaining power of employer and employee, including the encouragement of the amicable settlement of disputes between employers and employees and the creation of a California Labor Board for these and other purposes.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 1357—An act to amend sections 420, 422, 427, 431, 1176, and 1232 of the Fish and Game Code, and repeal section 421 thereof, relating to fish and game.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Nielsen: Assembly Bill No. 1358—An act to create a board or authority to be known as California State Capitol Park Extension Authority, and to provide for its membership and specifying its powers and duties; to authorize said California State Capitol Park Extension Authority to purchase, condemn or otherwise acquire for and in the name of the State of California certain real property situate in the city of Sacramento, State of California, to prepare or cause to be prepared plans and specifications and to execute the same, to make contracts, purchase material and employ labor for the purpose of an extension to the present State Capitol Park; also to authorize any city, county, city and county, incorporated city or town, to advance or contribute money, rights of way, labor, materials, or other property in aid of the acquisition of said property, or to close and abandon streets and alleys; also to authorize the said California State Capitol Park Extension Authority to enter into any agreement with any such political subdivisions for the repayment of contributions or advances; and providing the time and manner of making such repayments; also to authorize said California State Capitol Park Extension Authority to receive donations of money from the United States government, or any department or instrumentality thereof, and also to make and enter into such deeds, leases, agreements, contracts or stipulations with the United States Government, or with any agent or officer thereof, or any corporation, agency or instrumentality existing thereunder as it may deem proper, for assistance or contribution in the acquisition of said property; also to authorize said California State Capitol Park Extension Authority to make agreements with steam and electric or other railroad or transportation companies for the use of any portion of any street running through said extension or the property hereafter acquired under the provisions of this act; to authorize any portion of

the ground to be created into a park for the erection hereon of buildings to be used for State purposes; also to provide for the closing and abandoning of any street or alley forming a part of said extension of Capitol Park; also to empower the Department of Public Works to designate roads or streets through said extension as State highways; and also to do any other act or thing that may be useful, convenient or proper in carrying out the provisions of this act.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Corwin: Assembly Bill No. 1359—An act to amend sections 365, 365a, 365b, 365c, 365d, 365e, 365f, 365g, and 365h of the Political Code of the State of California, relating to the California Highway Commission.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Cunningham: Assembly Bill No. 1360—An act to add sections 54a and 54b to the Civil Code, relating to the right of privacy of persons, and to provide a method by which such right or privacy may be enforced.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hunt: Assembly Bill No. 1361—An act to amend sections 4041.16, 4223, and 4307 of the Political Code, relating to county hospitals and to county charges for the support of indigent, sick, and dependent poor.

Bill read first time, and referred to Committee on County Government.

By Mr. Williamson: Assembly Bill No. 1362—An act to amend section 3669e of the Political Code of the State of California, relating to the powers of State Board of Equalization.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Williamson: Assembly Bill No. 1363—An act to amend section 11 of an act entitled "An act providing for the organization and regulation of reciprocal or interinsurance exchanges, to be known as 'The Reciprocal or Interinsurance Act of the State of California,' and repealing the act entitled 'An act providing for reciprocal and interexchange of indemnities, prescribing regulations therefor and fixing a license fee, and repealing an act entitled "An act defining certain classes of contract for the exchange of indemnity, prescribing regulations therefor, and fixing a license fee," approved December 24, 1911,' approved May 26, 1917, as amended," approved June 3, 1921.

Bill read first time, and referred to Committee on Insurance.

By Mr. Williamson: Assembly Bill No. 1364—An act authorizing the State Franchise Tax Commissioner to destroy certain tax returns.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Jones: Assembly Bill No. 1365—An act relating to the marking of State highways for the purpose of indicating route numbers and making readily available information of a cautionary, regulatory

or directional nature pertaining to the use of such highways, and defining the powers and duties of the State Department of Public Works and the Division of Highways in relation thereto.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Riley: Assembly Bill No. 1366—An act to amend sections 1, 2, 3, 4, 5, 6, 7 and 9a, of an act entitled "An act providing for the registration of contractors, and defining the term contractor; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, and as amended.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Riley: Assembly Bill No. 1367—An act validating the formation and organization of county sanitation districts under the provisions of an act of the Legislature of the State of California, approved May 29, 1923, as amended February 2, 1925, April 18, 1927, April 22, 1927, May 22, 1929, and June 9, 1931, and entitled, as amended, "An act authorizing the creation, government, maintenance and dissolution of county sanitation districts, the annexation of contiguous territory to such districts, the issuance of bonds by such districts and the powers thereof," and validating bonds of such districts.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Reaves: Assembly Bill No. 1368—An act making an appropriation for the construction of an armory in the city of San Pedro, Los Angeles County, California.

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs.

By Messrs. Anderson and Geyer: Assembly Bill No. 1369—An act to amend section 6.2 of the School Code, relating to powers of boards of school trustees and city boards of education.

Bill read first time, and referred to Committee on Education.

By Mr. Frazier: Assembly Bill No. 1370—An act to amend an act entitled "An act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such districts," approved March 20, 1903, as amended, by amending the title and sections 37 and 40 thereof, and adding a new section to be designated section 97 to authorize the borrowing or procuring of money by drainage districts from the United States or any agency thereof, and declaring the urgency thereof.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Mr. Frazier: Assembly Bill No. 1371—An act to amend section 491 and section 492 of Chapter 2 of Division IV of the Agricultural Code, relative to the milk inspection service.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Frazier: Assembly Bill No. 1372—An act to amend section 585 and section 586 of Division IV of the Agricultural Code, relating to the labeling of containers of market milk and cream.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Cronin: Assembly Bill No. 1373—An act to create the California Homestead Rehabilitation Commission for the purpose of rehabilitating agricultural homesteads, enhancing unemployment relief and eliminating congestion in metropolitan and urban areas.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Kallam: Assembly Bill No. 1374—An act to amend sections 1500 and 1678 of the Insurance Code, relating to insurance.

Bill read first time, and referred to Committee on Insurance.

By Mr. Kallam: Assembly Bill No. 1375—An act to add Chapter 1a to Part 2 of Division 1 of the Insurance Code, comprising sections 1109 to 1138, inclusive, to add Article 3 to Chapter 3, Part 3, Division 2 of said code comprising section 11760, to add Article 12 to Chapter 2, Part 6, Division 2 of said code comprising section 12640, and to amend sections 1282, 2010, 7060, 9060, 10190, 10395, and 12400 of said code, all relating to insurance.

Bill read first time, and referred to Committee on Insurance.

By Mr. Waters: Assembly Bill No. 1376—An act to amend section 3816 of the Political Code, relating to distribution of moneys received on account of redemption or purchase of lands sold to the State for nonpayment of taxes.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

By Mr. Waters: Assembly Bill No. 1377—An act to provide for the custody and disposition of money and other property belonging to inmates of county institutions.

Bill read first time, and referred to Committee on County Government.

By Mr. Utt: Assembly Bill No. 1378—An act to amend section 2 of an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, relating to the maintenance of State highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Utt: Assembly Bill No. 1379—An act to add section 92 to the Banking Act, relating to trustees.

Bill read first time, and referred to Committee on Banking.

By Mr. Utt: Assembly Bill No. 1380—An act to amend section 105 of the Bank Act, relating to deposit of trust funds by departmental banks.

Bill read first time, and referred to Committee on Banking.

By Mr. Utt: Assembly Bill No. 1381—An act to amend section 790 and to add section 813.5 to the Agricultural Code, relating to celery.

Bill read first time, and referred to Committee on Agriculture.

By Messrs. Cunningham, Geyer, and Flint: Assembly Bill No. 1382—An act to amend section 5.682 of the School Code, relating to tenure of position for teachers.

Bill read first time, and referred to Committee on Education.

By Mr. Pelletier: Assembly Bill No 1383—An act to provide for the protection, welfare, and assistance of aged and disabled persons in need and resident in the State of California, providing the method therefor, and payment thereof and prescribing penalties for the violation of the provisions of this act; and to repeal the Old Age Security Act of the State of California.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Richie: Assembly Bill No. 1384—An act to amend an act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the "Railroad Commission fund" and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act, relating to compensation for and expenses of members of the Hours and Wages Bureau of said Railroad Comission.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Garibaldi: Assembly Bill No. 1385—An act relating to and providing for the regulation and licensing of parimutuel wagering, and repealing all acts and parts of acts inconsistent therewith.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Latham: Assembly Bill No. 1386—An act to further the purpose and to facilitate the operation of Article XXV of the Constitution of the State of California providing for the levying, assessing, collecting, paying, and disposing of the tax imposed thereunder; making an appropriation for the administration hereof and prescribing penalties for violations of the provisions hereof.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Utt: Assembly Bill No. 1387—An act to empower and direct the Director of Finance to locate and establish by agreement or action to quiet title, the boundary between tide and submerged lands and littoral lands, in Orange County, California, to empower the grantee of any such tide and submerged lands to locate and establish such boundary, and to make an appropriation therefor.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. McCarthy: Assembly Bill No. 1388—An act to add a new section to the School Code, to be numbered section 5.662, relating to professional ethics committees.

Bill read first time, and referred to Committee on Education.

By Mr. Richie: Assembly Constitutional Amendment No. 54—A resolution to propose to the people of the State of California, an amendment to section 22 of Article XII of the Constitution of the State of California, relating to the powers and duties of the Railroad Commission in prescribing hours of labor and compensation of employees and officers of public utilities and creating within the Railroad Commission an Hours and Wages Bureau.

Introduced, and referred to Committee on Constitutional Amendments.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 25, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 21—Relative to memorializing and petitioning Congress to enact legislation adequate to stamp out and abolish the evil of lynching.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

Assembly Joint Resolution No. 21 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 25, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 337—An act to amend section 104 of the Agricultural Code, relating to quarantine.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

Assembly Bill No. 337 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 25, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 29—Relative to fostering and protecting grape and wine industries.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

Assembly Joint Resolution No. 29 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 25, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and passed as amended, and as a case of urgency, Assembly Bill No. 119—An act to provide for the formation and conduct of districts for the purpose of abating pests, to declare the urgency of this act and to provide that it shall take effect immediately—and respectfully requests your honorable body to concur in said amendments.

J. A BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

MOTION.

Mr. Crowley moved that the Assembly do concur in Senate amendments to Assembly Bill No. 119.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 119?

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to provide for the formation, government, operation, and dissolution of pest abatement districts, for the assessment, levy, collection, and disbursement of taxes therein, to declare the urgency hereof, and to provide that this act take effect immediately."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 26, inclusive, also all of page 2, and insert in lieu thereof the following:

"SECTION 1. As used in this act, the term "pest" includes any plant, animal, insect, fish, or other matter or material, not under human control, which is offensive to the senses or interferes with the comfortable enjoyment of life, and is not protected under any other provision of law. It is the purpose of this act to provide for the abatement of pests, and the provisions of this act shall be cumulative to any other provisions of law relating to the abatement of pests or nuisances.

SEC. 2. The organization of a pest abatement district may be initiated by a petition, describing the exterior boundaries of the proposed district, and the nature of the pest or pests to be controlled or abated. The petition may fix the maximum rate of assessment to be levied for the district.

SEC. 3. The petition shall be signed by registered voters resident in the proposed district equal in number to ten per cent of the votes cast therein at the last preceding general election. The petition may consist of any number of separate instruments, which shall be duplicates, except as to the signatures and addresses of the signers. Each person who signs the petition shall also include his address.

SEC. 4. The petition shall be presented to the clerk of the county in which the land in the proposed district is situated. The clerk shall compare the signatures on the petition with the names of the registered voters for the purpose of ascertaining whether or not the petition contains sufficient signatures.

SEC. 5. If the petition lacks the necessary number of signatures the clerk shall certify that fact, and at any time within sixty days thereafter additional signatures may be presented to supplement the signatures on the original petition and such signatures shall be compared by the clerk in the manner above prescribed. If sufficient additional signatures are not so presented, proceedings under such petition shall be terminated, without prejudice to the right to file a new petition.

SEC 6. If the petition is found to contain the requisite number of signatures the clerk shall make a certificate to that effect and shall present the petition, with his certificate, to the board of supervisors.

SEC. 7. If the board of supervisors finds that the petition has been properly presented, the board shall, by resolution, fix a time for the hearing of said petition not less than two nor more than five weeks from the time of presentation thereof, and shall cause notice to be given of the time and place of said hearing by publication in some newspaper of general circulation, printed and published in said county, for not less than two weeks prior to the time of said hearing.

SEC. 8. At the time of the hearing or at any time to which it may be adjourned the board shall determine whether or not the notice required herein has been published as required and shall hear and consider all competent and relevant testimony or evidence offered in support of or in opposition to the formation of such district. The board may make such changes in the proposed boundaries of the district as it may deem advisable, and upon the application of the owner of any land within the proposed district may exclude such land, or upon the application of the owner of any land outside of the district and contiguous thereto, may include such land within the district, if the board determines that such exclusion or inclusion is proper.

SEC. 9 If, upon such hearing, the board determines that the public interest or welfare of the proposed territory and the inhabitants thereof require the formation of such district, the board, by resolution, shall declare its findings, and shall order that the territory within the boundaries determined by the board be created into a pest abatement district, under an appropriate name to be selected by the board.

SEC. 10. The clerk of the board shall immediately cause to be filed in the office of the county recorder in which the district is situated a certified copy of such order, and shall cause to be filed a certified copy thereof with the Secretary of State, and after the date of the last mentioned filing the district named therein shall be incorporated as a pest abatement district, with all of the rights, privileges, and powers set forth in this act, or necessarily incident thereto.

SEC. 11. Within thirty days after such incorporation the board of supervisors shall appoint a board of trustees, consisting of five members, as the governing body of such district The members of the board of trustees shall hold office at the

pleasure of the board of supervisors, and shall serve as such trustees without compensation, but shall be allowed their necessary traveling and other expenses incurred in the performance of their official duties.

SEC. 12. The board of trustees of such district shall have power to take all necessary or proper steps for the extermination of the pest or pests referred to in the petition, subject to the control of municipal or other public authorities having jurisdiction in the matter. The board of trustees may purchase supplies, and other personal property; may employ such labor as may be necessary; may acquire by purchase, condemnation, or otherwise, in the name of the district, any necessary lands, rights of way, easements, real property, or other property or material, necessary for any of the purposes of the district; may make contracts to indemnify or compensate any owner of land or other property for any injury or damage caused by the exercise of the powers conferred by this act or incident thereto; and may sue and be sued and do all things that are necessary to carry out the powers herein conferred and to carry out the objects of the formation of the district.

SEC. 13. The board of trustees of each district shall annually before the tenth day of July file with the board of supervisors an estimate of the amount of money necessary to be raised by taxation for the purposes of the district during the ensuing fiscal year.

SEC. 14. The board of supervisors shall levy, annually, a tax sufficient to raise the amount required for the purposes of the district. The board of supervisors shall determine the rate of such tax by deducting fifteen per cent from the total assessed value of the taxable property of the district as it appears upon the assessment roll and then dividing the sum required for the purposes of the district by the remainder of such assessed value. If the rate has been fixed by the petition, the rate fixed by the board shall not exceed such rate.

SEC. 15. All taxes levied under the provisions of this act shall be assessed and collected at the same time and in the same manner as other taxes are collected for county purposes, and when collected shall be paid into the county treasury to the credit of the district.

SEC. 16. The funds of the district shall be withdrawn from the treasury upon the warrant of the board of trustees. The board of supervisors, from time to time, may order a temporary transfer from other funds in the treasury available for the purpose to the credit of the fund of the district. Such temporary transfer shall be made only upon resolution adopted by the board of supervisors directing the treasurer to make such transfer, and shall not exceed eighty-five per cent of the taxes accruing to the district, and shall not be made prior to the first day of the fiscal year nor after the last Monday in April of the current fiscal year. Any funds so transferred shall be replaced from the taxes accruing to such district before any other obligation of the district is met from such taxes.

SEC. 17. At any time after the incorporation of the district, upon petition of the owners of land contiguous thereto, such land may be annexed to the district, if the board of supervisors find that such annexation shall be for the benefit of the land so annexed and for the benefit of the district.

SEC. 18. Upon application of such persons as could have initiated proceedings for the formation of a district, the board of supervisors may, after notice of hearing, published in the manner herein prescribed for the notice of a hearing of a petition, dissolve such district if it appears to the board that such dissolution is proper. The dissolution of a district shall not have any effect on any assessment theretofore levied. Upon such dissolution the board of supervisors shall succeed to all the powers and jurisdiction of the board of trustees for the purpose of winding up the affairs of the district, and may continue to levy such assessments as are necessary in the winding up of the affairs of the district. No district shall be finally dissolved until all outstanding obligations of the district, including the repayment of funds transferred to the credit of the district including the repayment of funds transferred to the credit of the district from other funds of the county, have been fully paid and discharged.

SEC. 19. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution, and shall therefore go into effect immediately. A statement of the facts constituting such necessity is as follows:

In certain areas within this State there exist pests, the abatement of which is necessary and desirable in order to promote the comfort and welfare of the residents of such areas. The purpose of this act is to provide a method for the abatement of such pests. Facilities of the State Emergency Relief Administration are now available to assist in the work of eradicating or controlling these pests in cooperation with local governmental units such as a district, the organization of which is herein provided for. These facilities may not long continue to be available and in order to utilize these facilities, and in order that the work of abating these pests and relieving persons from the discomforts caused by such pests may be accomplished as soon as possible, it is necessary that this act take effect immediately."

The roll was called, and Senate amendments to Assembly Bill No. 119 were concurred in by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 119 ordered to enrollment.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 25, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and passed as amended, and as a case of urgency, Assembly Bill No. 411—An act to add section 3888a to the Political Code, relating to the payment of taxes—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

MOTION.

Mr. Burns moved that the Assembly do concur in Senate amendments to Assembly Bill No. 411.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 411?

AMENDMENT NUMBER ONE.

On page 1 of the printed, amended bill, after the words "may by resolution of the board of supervisors", insert "passed by a four-fifths vote".

AMENDMENT NUMBER TWO.

On page 1 of the printed, amended bill, strike out lines 11 to 16, inclusive, and insert in lieu thereof the following: "The facts constituting the necessity are as follows: Various counties of the State have registered warrants of their own issue outstanding in large amounts, and the merchants and the banks in those several communities are overloaded with such warrants and are unable to take up more of them, all of which tends to impair and threatens to continue to impair the credit of the counties of the State. The provisions of this act are calculated to tend to remedy this situation, wherefore it is necessary that this act take effect immediately."

AMENDMENT NUMBER THREE.

On page 1, line 4, of the printed, amended bill, strike out the word "shall", and insert in lieu thereof the following: "may by resolution of the board of supervisors,".

AMENDMENT NUMBER FOUR.

On page 1, line 5, of the printed, amended bill, strike out the period, and add the following: "where the amount of the warrant is equal to or less than the amount of taxes due."

The roll was called, and Senate amendments to Assembly Bill No. 411 were concurred in by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 411 ordered to enrollment.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 25, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 469—An act to authorize the city of Napa to execute certain conveyances to the United States of America, declaring the urgency thereof, and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

Senate Bill No. 469 read first time.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Crowley asked for, and was granted, unanimous consent to take up Senate Bill No. 469, at this time, without reference to printer, committee or file.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Crowley:

Resolved, That Senate Bill No. 469 presents a case of urgency, as the term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second and third times, and placed upon its passage.

Resolution read.

Mr. Crowley moved the adoption of the resolution.

The question being on the adoption of the resolution,

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cronin, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—69.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 469.

SECOND READING OF SENATE BILL NUMBER FOUR HUNDRED SIXTY-NINE.

Senate Bill No. 469—An act to authorize the city of Napa to execute certain conveyances to the United States of America, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cronin, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard,

Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—69.

NOES—None.

THIRD READING OF SENATE BILL NUMBER FOUR HUNDRED SIXTY-NINE.

Senate Bill No. 469—An act to authorize the city of Napa to execute certain conveyances to the United States of America, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 469 passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cronin, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—69.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker announced the appointment of Messrs. Jones, Scudder, and Cronin as a Committee on Free Conference to meet with a like committee from the Senate for the consideration of Assembly Bill No. 23.

MOTION.

Mr. Scudder moved that the Assembly resolve itself into a Committee of the Whole for purpose of considering Assembly Bill No. 1300.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Craig in the chair.

Assembly Bill No. 1300 considered.

Mr. Scudder moved that the committee do now rise, and report back to the Assembly.

Motion carried.

IN ASSEMBLY.

Speaker Craig in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of the Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1935.

GENTLEMEN: Your Committee of the Whole which has had under consideration Assembly Bill No. 1300—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and

liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commisisoner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, as amended. by amending sections numbered 4.01, relating to guarantee stock, 6.02 relating to withdrawals, 6.07 relating to investment certificates and shares. 8.09 relating to interest and dividends. 9.02 relating to investments and 9.04 relating to purchases, sales, transfers and pledges of loans; postponing the effective date of the amendment of section 6.02 of said act as set forth in section 5a of Chapter 431 of the Statutes of 1933; adding to said act new sections to be numbered 8.10, relating to rate of return on shares and investment certificates, 9.18 relating to insurance, loans, advances of credit and purchases of obligations pursuant to the National Housing Act. 10.03a relating to reserve or surplus accounts, 10.09 relating to reports, statements and analyses by the Building and Loan Commissioner and 12.11 relating to conversion of a building and loan association into a Federal savings and loan association and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to vote for or approve such conversion, to exchange shares, stock, investment certificates or other rights or claims for shares issued by such Federal savings and loan association, and to continue to hold as a legal investment any shares so received; adding a new article to be numbered XVI to said act relating to the rehabilitation, readjustment or reorganization of one or more building and loan associations of the classes specified in such Article XVI, or of all or of any part of the business, properties and assets of such association or associations, or the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of and other persons interested in such association or associations, providing for the kinds of securities issuable in connection therewith and exempting such securities from certain provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Article XVI, to exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received; and declaring the urgency of this act and providing that it shall take effect immeddiately—does now report the same back.

CRAIG, Chairman.

Assembly Bill No. 1300 ordered referred to Committee on Building and Loan Associations.

MINORITY REPORT ON ASSEMBLY BILL No. 1300.

We feel that delay of this legislation will very materially retard a progressive step toward the solution of the problem confronting the depositors of the innumerable building and loan associations of California. We therefore feel and recommend immediate consideration of Assembly Bill No. 1300.

RAY WILLIAMSON.
CLIFFORD R. KALLAM.

MOTIONS TO PRINT.

Mr. Waters moved that the Chief Clerk instruct the State Printer to print 500 copies of Assembly Bills Nos. 1028 to 1033, inclusive.

Motion carried.

Mr. Martin moved that the Chief Clerk instruct the State Printer to print 1000 copies of Assembly Bill No. 1301.

Motion carried.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Gilmore: Assembly Bill No. 1389—An act to amend the Insurance Code, relating to insurance.

Bill read first time, and referred to Committee on Insurance.

By Mr. Gilmore: Assembly Bill No. 1390—An act to amend the Insurance Code, relating to Insurance.

Bill read first time, and referred to Committee on Insurance.

By Mr. Nielsen: Assembly Bill No. 1391—An act making an appropriation for the State Agricultural Society out of any moneys made available by law for the construction of public works for or in behalf of unemployment relief.

Bill read first time, and referred to Committee on Exhibitions and Fairs.

By Mr. Nielsen: Assembly Bill No. 1392—An act to amend the title of, and the act known as, the State Civil Service Act, relating to State Civil Service, including the adaptation thereof to Article XXIV of the State Constitution.

Bill read first time, and referred to Committee on Civil Service.

By Mr. Nielsen: Assembly Bill No. 1393—An act to add section 195.5 to the Military Code, relating to status of Civil Service employees in time of war.

Bill read first time, and referred to Committee on Civil Service.

By Mr. Desmond: Assembly Bill No. 1394—An act amending section 14, of an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Waters and Geyer: Assembly Bill No. 1395—An act to amend sections 5.1100, 5.1101, 5.1110, 5.1120, 5.1121, 5.1122, 5.1132, 5.1135, 5.1136, 5.1138 of the School Code, relating to the retirement of teachers and employees by school districts and to add a new section to be numbered section 5.1139 to the School Code.

Bill read first time, and referred to Committee on Education.

By Miss Miller: Assembly Bill No. 1396—An act to amend section 644 of the Penal Code, relating to the punishment of habitual criminals.

Bill read first time, and referred to Committee on Crime Problems.

By Miss Miller: Assembly Bill No. 1397—An act to amend section 168 of the Civil Code, respecting liability of wife's earnings for husband's debts.

Bill read first time, and referred to Committee on Judiciary.

By Miss Miller: Assembly Bill No. 1398—An act to amend section 1 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms

capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any such weapons by certain classes of persons; to prescribe penalties for violation of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, and relating to penalties for violations of this act.

Bill read first time, and referred to Committee on Crime Problems.

By Miss Miller: Assembly Bill No. 1399—An act to amend subdivision c of section 690 of the Code of Civil Procedure, relating to exemptions from execution.

Bill read first time, and referred to Committee on Judiciary.

By Miss Miller: Assembly Bill No. 1400—An act to amend section 667 of the Penal Code, relating to the punishment of petty theft after a prior conviction of a felony.

Bill read first time, and referred to Committee on Crime Problems.

By Miss Miller: Assembly Bill No. 1401—An act to add a new section to the Penal Code, to be numbered 18b, relating to the punishment of certain felonies.

Bill read first time, and referred to Committee on Crime Problems.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1402—An act to amend section 3756 of the Political Code, relating to delinquent dates fixed; penalties prescribed.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1403—An act to amend section 3670c of the Political Code, relating to Controller to pay bond taxes to counties and cities on operative property enumerated in subdivisions a, b, and d, of section 14, Article XIII of the Constitution.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1404—An act to amend section 3670 of the Political Code, relating to auditor to report bank real estate assessments to State board which may equalize them.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1405—An act to amend section 3746 of the Political Code, relating to times for payment of taxes.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1406—An act to amend section 3666a of the Political Code, relating to

Insurance Commissioner to make annual report to State Board of Equalization for tax purposes.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1407—An act to amend section 3829 of the Political Code, relating to tax collector to be compensated for collecting personal property taxes as County Government Act may provide.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1408—An act to amend section 3827 of the Political Code, relating to tax collector to note tax collections.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1409—An act to amend section 3826 of the Political Code, relating to tax collector to make monthly settlement with auditor.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1410—An act to amend section 3823 of the Political Code, relating to what rate of tax governs such collections.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1411—An act to amend section 3793 of the Political Code, relating to fees fixed for selling personal property.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1412—An act to amend section 3821 of the Political Code, relating to seizure and sale of personal property for tax payments authorized in certain cases.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1413—An act to amend section 3668c of the Political Code, relating to lien of taxes extends to all property of companies subject to State taxation.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1414—An act to amend section 3668b of the Political Code, relating to tax payment dates fixed; delinquency penalties provided; immediate payment of unsecured taxes required; sale of property for nonpayment of taxes provided; controller to give notice concerning taxes.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1415—An act to amend section 3732 of the Political Code, relating to auditor to deliver assessment book to tax collector with affidavit.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1416—An act to amend section 3737 of the Political Code, relating to auditor must prepare financial statement of county.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1417—An act to amend section 3738 of the Political Code, relating to personal property tax receipts to be furnished to assessor by auditor.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1418—An act to amend section 3669c of the Political Code, relating to suspension of corporate powers required on failure to pay taxes; revivor permitted; action for delinquent taxes prescribed.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1419—An act to amend section 3758 of the Political Code, relating to delinquency penalties to be entered by auditor with aid of tax collector.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No 1420—An act to amend section 3759 of the Political Code, relating to tax collector to deliver assessment book and delinquent list to auditor.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1421—An act to amend section 3696 of the Political Code, relating to State tax rate to be fixed by board; notification prescribed.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1422—An act to amend section 3764 of the Political Code, relating to annual publication of delinquent tax list and notices of sale required; form of notice prescribed.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1423—An act to amend section 3713 of the Political Code, relating to ad valorem tax to be levied to meet deficiency.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser and Hornblower: Assembly Bill No. 1424—An act to amend section 3714 of the Political Code, relating to county budget prescribed; supervisors to fix tax rate; bond taxes limited.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1425—An act to amend section 3797 of the Political Code, relating to comparison of delinquent list with unpaid assessments to be made by tax collector and auditor.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1426—An act to amend section 3820 of the Political Code, relating to assessor to collect taxes not secured by real property

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1427—An act to amend section 3717 of the Political Code, relating to personal property tax made lien on real property.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1428—An act to amend section 3718 of the Political Code, relating to extent of tax liens on real property, improvements and possessory rights in real estate defined.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1429—An act to amend section 3821 of the Political Code, relating to seizure and sale of personal property for tax payments authorized in certain cases.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1430—An act to amend section 3728 of the Political Code, relating to auditor to prepare duplicate statistical statement of assessments.

Bill read first time, and referred to Committee on Judiciary.

By Messrs Maloney, Peyser, and Hornblower: Assembly Bill No. 1431—An act to amend section 3831 of the Political Code, relating to auditor to examine assessment book to ascertain amount of taxes collected by assessor.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1432—An act to amend section 3652 of the Political Code, relating to assessor to complete assessment book by affidavit.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1433—An act to amend section 4022 of the Political Code, relating to official bonds of county officers.

Bill read first time, and referred to Committee on Judiciary.

By Messrs Maloney, Peyser, and Hornblower: Assembly Bill No. 1434—An act to amend section 3649 of the Political Code, relating to property escaping assessment to be assessed when discovered.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1435—An act to amend section 3633 of the Political Code, relating to arbitrary assessment prescribed when taxpayer fails to make statement.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1436—An act to amend section 2656 of the Political Code, relating to

division of road funds at time of incorporation or annexation of territory.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1437—An act to amend section 3693 of the Political Code, relating to reappraisal of property in county may be made by commission to further work of equalization.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Péyser, and Hornblower: Assembly Bill No. 1438—An act to amend section 3659 of the Political Code, relating to surveyor general to report to assessor all State lands sold.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1439—An act to amend section 3817 of the Political Code, relating to redemption procedure prescribed for property sold to State.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1440—An act to amend section 3667 of the Political Code, relating to annual franchise reports required; contents prescribed.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1441—An act to amend section 3692 of the Political Code, relating to powers and duties of State Board of Equalization prescribed.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1442—An act to amend section 3666b of the Political Code, relating to banks to make annual statement of condition.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1443—An act to amend section 3668a of the Political Code, relating to record of assessment for State taxes required; certification and delivery to Controller prescribed.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1444—An act to amend section 3665c of the Political Code, relating to annual reports required from public utilities: contents prescribed.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1445—An act to amend section 3663a of the Political Code, relating to State Board of Equalization to assess certain property.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1446—An act to amend section 3665a of the Political Code, relating to "Gross receipts from operation" defined; adjustments provided.

Bill read first time, and referred to Committee on Judiciary.

By Messrs Maloney, Peyser, and Hornblower. Assembly Bill No. 1447—An act to amend section 3655 of the Political Code, relating to report of assessor to State Board of Equalization required.

Bill read first time, and referred to Committee on Judiciary.

By Messrs Maloney, Peyser, and Hornblower: Assembly Bill No 1448—An act to amend section 3664b–4 of the Political Code, relating to method of computing ocean marine insurance tax prescribed

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower. Assembly Bill No. 1449—An act to amend section 3638a of the Political Code, relating to situs of property in transit fixed at owner's residence.

Bill read first time, and referred to Committee on Judiciary.

By Messrs Maloney, Peyser, and Hornblower. Assembly Bill No 1450—An act to amend section 3738 of the Political Code, relating to personal property tax receipts to be furnished to tax collector by auditor.

Bill read first time, and referred to Committee on Judiciary.

By Messrs Maloney, Peyser, and Hornblower Assembly Bill No. 1451—An act to amend section 3653 of the Political Code, relating to copies of assessment book to be furnished cities, irrigation districts, etc., on request.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower. Assembly Bill No. 1452—An act to amend section 3678 of the Political Code, relating to auditor to make statement concerning properties redeemed and unredeemed for delinquent taxes

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1453—An act to amend section 3831 of the Political Code, relating to auditor to examine assessment book to ascertain amount of taxes collected by tax collector

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No 1454—An act to amend section 3671b of the Political Code, relating to counties to reimburse districts for revenue losses

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower. Assembly Bill No 1455—An act to amend section 3820 of the Political Code, relating to tax collector to collect taxes not secured by real property.

Bill read first time, and referred to Committee on Judiciary

By Messrs. Maloney, Peyser, and Hornblower. Assembly Bill No. 1456—An act to amend section 3672 of the Political Code, relating to supervisors to equalize assessments in April.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower. Assembly Bill No. 1457—An act to amend section 3629 of the Political Code, relating to taxpayer required to file statement with assessor.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1458—An act to amend section 3663b of the Political Code, relating to procedure prescribed for assessment of property by State Board of Equalization.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1459—An act to amend section 3670cc of the Political Code, relating to Controller to pay bond taxes to counties and cities on operative property enumerated in section 15, Article XIII of the Constitution.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1460—An act to amend section 3753 of the Political Code, relating to tax collector must settle with auditor at monthly intervals.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney, Peyser, and Hornblower: Assembly Bill No. 1461—An act to amend section 3668 of the Political Code, relating to assessments to be made by State Board of Equalization; special procedure prescribed for levy on bank shares; board to give notice of completion of assessments; procedure for equalization provided.

Bill read first time, and referred to Committee on Judiciary.

ADJOURNMENT.

At nine o'clock and twenty-five minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m. Saturday, January 26, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,

SACRAMENTO, Saturday, January 26, 1935.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

The roll was called by First Assistant Chief Clerk Fred J. Desch, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fuleher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—78.

Quorum present.

PRAYER.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Hunt, its further reading was dispensed with

LEAVES OF ABSENCE.

On motion of Mr. Minard, Mr DeLap was granted leave of absence for this day.

On motion of Mr. Chatters, Mr. Eicke was granted leave of absence for this day.

GUESTS ADMITTED TO FLOOR OF ASSEMBLY.

Through the courtesy of Mr. Cottrell, Agnes O'Donnell, daughter of John H. O'Donnell, was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Mayo, Raymond Mayo and Jesse M. Mayo, Jr., were extended the privilege of the floor of the Assembly for this day

Through the courtesy of Mr Waters, Josephine D. Beckwith of Los Angeles was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Brennan, Hugh L. Smith and son, James Smith, were extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr Chatters, Miss Pansy Bowen of Visalia was extended the privilege of the floor of the Assembly for this day.

Through the courtesy of Mr. Maloney, Mrs John Maltman, Mrs. John H. Riordan, of San Francisco; Mr and Mrs. Fred Henderson, of Altadena, California, and Florence McAuliffe, President of San Francisco Bar Association, were extended the privilege of the floor of the Assembly for this day.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 25, 1935.

To the Honorable Members of the Assembly, State of California.

I am enclosing herewith report of the cases of Pardons, Commutations of Sentence, Restorations of Citizenship, and Reprieves issued by Governor James Rolph, Jr., prior to June 3, 1934, and myself from said date to January 7, 1935.

This report is being sent to you in accordance with the provisions of section 1, Article VII, of the State Constitution.

Very sincerely yours,

FRANK F. MERRIAM, Governor of California

MESSAGE OF GOVERNOR CONCERNING PARDONS, COMMUTATIONS, RESTORATION OF CITIZENSHIP AND REPRIEVES.

Granted by Governor James Rolph, Jr., and Governor Frank F. Merriam for Period 1933–1935.

To the Members of the Senate and Assembly of the State of California.

In accordance with the provisions of section 1 of Article VII of the Constitution of California, I hereby transmit to you a copy of the cases of pardon, commutation of sentence, restoration of citizenship and reprieve issued by Governor James Rolph, Jr., and myself from January 3, 1933, to January 7, 1935.

FRANK F. MERRIAM, Governor.

REPRIEVES.

PETER FARRINGTON, Folsom No. 16471. Convicted in San Francisco County for crime of Murder, First Degree, and sentenced to be hanged January 20, 1933. Reprieved from January 20, 1933, to February 17, 1933, at request of attorney. Dated January 10, 1933

PETER FARRINGTON, Folsom No 16471. Convicted in San Francisco County for the crime of Murder, First Degree, scheduled to hang February 17, 1933. Nathan C. Coghlan, attorney representing Farrington, requested a further stay to permit him to contact certain witnesses that could prove the innocence of Peter Farrington. Reprieved to March 3, 1933. Dated February 14, 1933.

PETER FARRINGTON, Folsom No. 16471. Convicted in San Francisco County of the Crime of Murder, First Degree, scheduled to hang March 3, 1933. Because Governor had declared Friday, March 3d, a legal holiday the question arose whether or not it would be proper to execute a man on a legal holiday. To avoid any possible difficulty a reprieve was granted to March 10, 1933. Dated March 2, 1933.

PETER FARRINGTON, Folsom No. 16471 Convicted in San Francisco County of the crime of Murder, First Degree, scheduled to be executed March 10, 1933. Because date of execution is the birthday of Peter Farrington a reprieve was granted to March 24, 1933. Dated March 7, 1933.

JOHN C. FLEMING, Folsom No. 18003. Convicted in San Bernardino County of the crime of Murder, First Degree, scheduled to be executed September 22, 1933. Robert O'Neil, attorney representing Fleming, requested additional time in which he might be able to present an application for executive clemency. Reprieved to November 17, 1933. Dated September 18, 1933.

CLAUDE FORBES, San Quentin No. 53615. Convicted in Alameda County of the crime of Murder, First Degree, scheduled to be executed on April 7, 1933. Transcript of the proceedings for the Governor's examination had not been received from the District Attorney of Alameda County. Reprieve granted to April 28, 1933. Dated April 5, 1933.

CLAUDE FORBES, San Quentin No. 53615. Convicted in Alameda County of the crime of Murder, First Degree, scheduled to be executed April 28, 1933. Hon. William H. Waste, Chief Justice of the Supreme Court of California, informed the Governor that a writ of coram nobis had been filed with the Supreme Court and suggested a sixty-day reprieve to allow the court sufficient time in which to consider the appeal. Reprieved to June 30, 1933. Dated April 26, 1933.

CLAUDE FORBES, San Quentin No. 53615. Convicted in Alameda County of the crime of Murder, First Degree, scheduled to be executed June 30, 1933 Jas. B Holohan, Warden of San Quentin Penitentiary, requested a further stay of execution in order to eliminate any question of doubt as to whether or not a writ of coram nobis automatically postpones the execution Reprieved to September 29, 1933 Dated June 9, 1933.

CLAUDE FORBES, San Quentin No. 53615. Convicted in Alameda County of the crime of Murder, First Degree, scheduled to be executed September 29, 1933. B. Grant Taylor, Clerk of the Supreme Court, requested an additional stay of execution in order to allow the court sufficient time in which to reach a decision in the matter of the writ of coram nobis. Reprieved to December 8, 1933 Dated September 25, 1933.

ALBERT W FULLER, San Quentin No. 51299. Convicted in Madera County for crime of Murder, First Degree, and sentenced to hang January 13, 1933 Reprieved from January 13, 1933, to February 17, 1933, at request of Superior Judge Martin I. Welsh, who was designated by Governor to make an investigation, and which had not been completed. Dated January 10, 1933

ALBERT W. FULLER, San Quentin No. 51299. Convicted in Madera County of First Degree Murder, scheduled to hang February 17, 1933 Hon Martin I Welsh, Judge of the Superior Court of Sacramento County, requested a further stay of execution in order to allow him sufficient time in which to complete his investigation of the case. Reprieved to March 24, 1933 Dated February 14, 1933.

ALBERT W. FULLER, San Quentin No. 51299 Convicted in Madera County of the crime of Murder, First Degree, scheduled to be executed March 24, 1933 Hon. Martin I. Welsh, Judge of the Superior Court of Sacramento County, requested additional time in which to complete his investigation and file his report of the case. Reprieved to May 5, 1933. Dated March 20, 1933.

ALBERT W. FULLER, San Quentin No. 51299 Convicted in Madera County of the crime of Murder, First Degree, scheduled to be executed May 5, 1933. Report of Hon. Martin I. Welsh, Judge of the Superior Court of Sacramento County, has not been received and he is outside the State Reprieved to June 16, 1933. Dated May 1, 1933.

ALBERT W. FULLER, San Quentin No. 51299. Convicted in Madera County of the crime of Murder, First Degree, scheduled to be executed June 16, 1933. Hon. Martin I Welsh, Judge of the Superior Court of Sacramento County, has requested a further stay of execution in order to allow him sufficient time in which to file his report Reprieved to July 14, 1933. Dated June 13, 1933.

HARRY FULLER GOOLD, San Quentin No. 50727. Convicted in Los Angeles County of the crime of Murder, First Degree, scheduled to be executed January 6, 1933.

Reprieve granted in order to postpone action on the matter of the application for commutation of sentence on behalf of Goold until the Governor would be in a position to take action on the application of Frank J. Paciga. Reprieved to March 24, 1933. Dated January 2, 1933.

HARRY FULLER GOOLD, San Quentin No. 50727. Convicted jointly with Frank J Paciga in Los Angeles County of the crime of Murder, First Degree, scheduled to be executed March 24, 1933. Execution postponed until District Attorney of Los Angeles has filed his report in the case of Frank J. Paciga, San Quentin No. 50755, who was convicted jointly with Harry Fuller Goold. Reprieved to April 28, 1933. Dated March 20, 1933

HARRY FULLER GOOLD, San Quentin No. 50727. Convicted in Los Angeles County of the crime of Murder, First Degree, scheduled to be executed April 28, 1933. Because a further reprieve was granted to Frank J. Paciga, who was convicted jointly with Harry Goold, a reprieve was granted to June 2, 1933, the date Frank J. Paciga is scheduled to be executed. Dated April 25, 1933.

HARRY FULLER GOOLD, San Quentin No. 50727. Convicted jointly with Frank J. Paciga in Los Angeles County of the crime of Murder, First Degree, scheduled to be executed June 2, 1933. To allow the Governor to reach a decision simultaneously on the cases of Frank J. Paciga and Harry Fuller Goold. Reprieved to June 30, 1933. Dated June 1, 1933.

HARRY FULLER GOOLD, San Quentin No. 50727. Convicted in Los Angeles County of the crime of Murder, First Degree, scheduled to be executed June 30, 1933. Reprieved in order to allow the warden of San Quentin Penitentiary sufficient time in which to test the sanity of Goold Reprieved to August 11, 1933. Dated June 28, 1933.

JACK D. GREEN, San Quentin No. 51811 Convicted of the crime of Murder, First Degree, in Los Angeles County, scheduled to be executed April 21, 1933. Walter J. Little requested additional time in order to allow the attorneys for Jack Green to present further facts and circumstances concerning the homicide of which Jack Green was convicted. Reprieved to May 26, 1933. Dated April 20, 1933.

JACK D. GREEN, San Quentin No. 51811. Convicted jointly with Joseph F. Regan in Los Angeles County of the crime of Murder, First Degree, scheduled to be executed May 26, 1933. Attorney requested additional time in which to present affidavits to the trial judge Reprieved to June 16, 1933. Dated May 24, 1933.

JACK D. GREEN, San Quentin No. 51811. Convicted in Los Angeles County of the crime of Murder, First Degree, scheduled to be executed on June 16, 1933. Lawrence L. Larrabee, president of the Los Angeles Bar Association, requested a reprieve in order to allow the Bar Association sufficient time in which to investigate the alleged irregularities of the jury which convicted Jack D. Green. Reprieved to August 4, 1933 Dated June 13, 1933

JACK D. GREEN, San Quentin No. 51811 Convicted in Los Angeles County of the crime of Murder, First Degree, scheduled to be executed on August 4, 1933. Reprieve granted in order to allow the Governor sufficient time in which to study the recommendation of the Los Angeles Bar Association. Reprieved to September 15, 1933. Dated August 2, 1933.

JACK D. GREEN, San Quentin No. 51811. Convicted in Los Angeles County of the crime of Murder, First Degree, scheduled to be executed September 15, 1933. Further reprieve granted because the Governor was confined to bed with an attack of pneumonia. Reprieved to November 17, 1933. Dated September 13, 1933.

JACK D. GREEN, San Quentin No. 51811. Convicted in Los Angeles County of the crime of Murder, First Degree, scheduled to be executed on November 17, 1933. Additional time granted in order to allow the legal advisers of the Governor to complete their investigation of the case. Reprieved to December 1, 1933. Dated November 14, 1933.

JACK D. GREEN, San Quentin No. 51811 Convicted in Los Angeles County of the crime of Murder, First Degree, scheduled to be executed on December 1, 1933 Additional time granted in order to allow the legal advisers of the Governor to complete their investigation of the case. Reprieved to December 22, 1933. Dated November 25, 1933.

JACK D. GREEN, San Quentin No. 51811. Convicted in Los Angeles County of the crime of Murder, First Degree, scheduled to be executed on December 22, 1933. Additional time granted in order to allow the legal advisers of the Governor to complete their investigation of the case. Reprieved to January 5, 1934 Dated December 19, 1933.

DANIEL HARRIS, Folsom No. 18566. Convicted in Contra Costa County of the crime of Murder, First Degree, scheduled to be executed May 12, 1933. Additional time allowed for the Supreme Court to consider his application for commutation of sentence. Reprieved to July 6, 1934 Dated April 30, 1934.

ALFRED HARRISON, San Quentin No. 51870 Convicted in Los Angeles County of the crime of Murder, First Degree, scheduled to be executed on May 5, 1933. Hon. William R McKay, Judge of the Municipal Court of Los Angeles City, who was deputy district attorney who assisted in the prosecution of Harrison, requested a further stay of execution in order to allow him sufficient time in which to complete his investigation. Reprieved to July 7, 1933. Dated May 1, 1933.

ALFRED HARRISON, San Quentin No 51870. Convicted in Los Angeles County of the crime of Murder, First Degree, scheduled to be executed July 7, 1933. Donald McClure, attorney for Alfred Harrison, requested a further stay of execution in order to allow him sufficient time in which to present an appeal for a commutation of sentence Reprieved to September 1, 1933. Dated July 5, 1933.

ALFRED HARRISON, San Quentin No. 51870. Convicted in Los Angeles County of the crime of Murder, First Degree, scheduled to be executed September 1, 1933 Reprieve granted in order to allow sufficient time in which the Governor might obtain the recommendation of the judge who presided at the trial, and the District Attorney of Los Angeles County. Reprieved to November 3, 1933. Dated August 21, 1933.

ALFRED HARRISON, San Quentin No 51870. Convicted in Los Angeles County of the crime of Murder, First Degree, scheduled to be executed on November 3, 1933. Further time requested by Wm. R. McKay and Donald McClure, attorneys representing Harrison Reprieved to January 12, 1934. Dated October 31, 1933

ALFRED HARRISON, San Quentin No. 51870. Convicted in Los Angeles County of the crime of Murder, First Degree, scheduled to be executed at San Quentin January 12, 1934. Additional time granted to permit District Attorney Buron Fitts sufficient time for further study of the case. Reprieved to February 16, 1934. Dated January 11, 1934.

KOJI HATAMOTO, San Quentin No. 52794. Convicted in Los Angeles County of crime of Murder, First Degree, and sentenced to be hanged January 20, 1933. Due to lack of time for Governor to consider application for executive clemency, reprieve was granted from January 20, 1933, to March 24, 1933. Dated January 18, 1933.

KOJI HATAMOTO, San Quentin No. 52794. Convicted in Los Angeles County of the crime of Murder, First Degree, scheduled to be executed March 24, 1933 Reprieve granted in order to allow Governor additional time in which to complete his study and investigation of the case. Reprieved to April 21, 1933 Dated March 20, 1933.

KOJI HATAMOTO, San Quentin No. 52794. Convicted in Los Angeles County of the crime of Murder, First Degree, scheduled to be executed April 21, 1933. Rev. Joseph K Tsukamoto requested additional time in order that a group of people might be able to call upon the Governor and present additional evidence of the case. Reprieved to May 19, 1933. Dated April 19, 1933

Z KAWAMOTO, San Quentin No 51253. Convicted in Tulare County of the crime of Murder, First Degree, scheduled to be executed March 31, 1933 Transcript of the proceedings for the Governor's examination had not been received from the District Attorney of Tulare County. Reprieve granted to May 12, 1933 Dated March 28, 1933.

Z. KAWAMOTO, San Quentin No 51253. Convicted in Tulare County of the crime of Murder, First Degree, scheduled to be executed May 12, 1933. Additional time granted in order to allow an attorney to file an application for commutation of sentence. Reprieved to June 23, 1933. Dated May 8, 1933.

Z KAWAMOTO, San Quentin No. 51253. Convicted in Tulare County of the crime of Murder, First Degree, scheduled to be executed June 23, 1933. Hon Frank Lamberson, Judge of the Superior Court of Tulare County, requested a further stay of execution in order to allow him additional time in which he might file a recommendation in the matter of the application of Z. Kawamoto Reprieved to July 7, 1933. Dated June 20, 1933.

Z. KAWAMOTO, San Quentin No 51253. Convicted in Tulare County of the crime of Murder, First Degree, scheduled to be executed on July 7, 1933 Additional time granted in order to allow the District Attorney of Tulare County and others to appear before the Governor in person to present additional facts concerning the homicide. Reprieved to September 1, 1933 Dated July 5, 1933

PAT NOBLES, Folsom No. 17261. Convicted in Los Angeles County of the crime of Murder, First Degree, and sentenced to be hanged February 3, 1933 In order to permit Governor to study lengthy report of Chief of the Bureau of Criminal Identification, reprieve granted from February 3, 1933, to April 7, 1933 Dated January 30, 1933.

PAT NOBLES, Folsom No 17261. Convicted in Los Angeles County of the crime of Murder, First Degree, scheduled to be executed April 7, 1933. Allow additional time to Pat Nobles to obtain evidence of proof that he had not been previously confined in the Texas penitentiary. Reprieved to June 9, 1933. Dated April 5, 1933.

PAT NOBLES, Folsom No 17261 Convicted in Los Angeles County of the crime of Murder, First Degree, scheduled to be executed June 9, 1933. Reprieved in order to allow Pat Nobles additional time in which to produce evidence that he was not previously incarcerated in the Texas penitentiary Reprieved to September 22, 1933. Dated June 5, 1933

PAT NOBLES, Folsom No. 17261. Convicted in Los Angeles County of the crime of Murder, First Degree, scheduled to be executed September 22, 1933. Further reprieve granted because the Governor was confined to bed with an attack of pneumonia. Reprieved to January 19, 1934. Dated September 18, 1933

PAT NOBLES, Folsom No 17261. Convicted in Los Angeles County of the crime of Murder, First Degree, scheduled to be executed January 19, 1934. Additional

time granted to permit further study of new evidence by the Justices of the Supreme Court. Reprieved to April 20, 1934. Dated January 15, 1934

PAT NOBLES, Folsom No 17261. Convicted in Los Angeles County of the crime of Murder, First Degree, scheduled to be executed April 20, 1934 Additional time granted to permit further study of new evidence by the Justices of the Supreme Court Reprieved to November 23, 1934. Dated April 14, 1934.

FRANK J. PACIGA, *San Quentin No. 50755. Convicted in Los Angeles County* of the crime of Murder, First Degree, scheduled to be executed December 6, 1933. Hon. Buron Fitts, District Attorney of Los Angeles County, requested additional time to allow his office sufficient time in which to complete their investigation and report. Reprieved to March 24, 1933. Dated January 2, 1933.

FRANK J. PACIGA, San Quentin No. 50755 Convicted in Los Angeles County of the crime of Murder, First Degree, scheduled to be executed March 24, 1933 District Attorney's office of Los Angeles requested additional time in which to complete an investigation of the case. Reprieved to April 28, 1933. Dated March 20, 1933.

FRANK J. PACIGA, San Quentin No. 50755. Convicted in Los Angeles County of the crime of Murder, First Degree, scheduled to be executed April 28, 1933. Hon. Buron Fitts requested additional time in order to permit his office sufficient time in which to complete their investigation of the case. Reprieved to June 2, 1933. Dated April 25, 1933.

FRANK J PACIGA, San Quentin No. 50755. Convicted jointly with Harry Fuller Goold in Los Angeles County of the crime of Murder, First Degree, scheduled to be executed June 2, 1933. Reprieve granted in order to allow Governor sufficient time to carefully consider the recommendation of Hon. Buron Fitts, District Attorney of Los Angeles County. Reprieved to June 30, 1933. Dated June 1, 1933.

JOSEPH F. REGAN, San Quentin No. 51812. Convicted of the crime of Murder, First Degree, in Los Angeles County, scheduled to be executed April 21, 1933 Noel Sullivan requested additional time in order to present other facts concerning the case. Reprieved to May 26, 1933. Dated April 20, 1933.

JOSEPH F. REGAN, San Quentin No. 51812. Convicted jointly with Jack D. Green in Los Angeles County of the crime of Murder, First Degree, scheduled to be executed May 26, 1933. Reprieve granted to Regan because a final decision had not been reached in the case of Jack D. Green, his codefendant. Reprieved to June 16, 1933 Dated May 24, 1933.

JOSEPH F. REGAN, San Quentin No 51812. Convicted in Los Angeles County of the crime of Murder, First Degree, scheduled to be executed on June 16, 1933 In order to permit the Governor to arrive at a decision on this case and the case of Jack D. Green simultaneously, reprieved to August 4, 1933 Dated June 13, 1933.

JOSEPH F REGAN, San Quentin No. 51812 Convicted in Los Angeles County of the crime of Murder, First Degree, scheduled to be executed August 4, 1933. In order to permit a decision on this case and that of Jack D. Green simultaneously, reprieved to August 18, 1933. Dated August 3, 1933.

QUANG SHICK, San Quentin No. 44182-A Convicted in Colusa County of the crime of Murder, First Degree, scheduled to be executed on November 3, 1933. *Supreme Court of California requested a further reprieve in order to allow* the attorney sufficient time in which to present to them an application for a commutation of sentence Reprieved to January 5, 1934. Dated October 30, 1933.

QUANG SHICK, San Quentin No. 44182-A. Convicted in Colusa County of the crime of Murder, First Degree, scheduled to be executed on January 5, 1934. Further reprieve granted to allow the legal advisors to petition the United States Supreme Court for a writ of certiorari Reprieved to February 9, 1934. Dated January 2, 1934.

GEORGE SMITH, San Quentin No 50031 Convicted in Alameda County of the crime of Murder, First Degree, scheduled to be executed January 6, 1933. Attorney representing George Smith requested a further stay in order to allow the Supreme Court sufficient time in which to reach a decision in the matter of an appeal from an order of the Superior Court denying a writ. Reprieved to March 10, 1933. Dated January 2, 1933.

GEORGE SMITH, San Quentin No. 50031 Convicted in Alameda County of the crime of Murder, First Degree, scheduled to be executed March 10, 1933. Ernest Spagnoli, attorney representing George Smith, requested a further stay in order to allow sufficient time for him to perfect an appeal to the United States Supreme Court. Reprieved to May 19, 1933 Dated March 7, 1933.

GEORGE SMITH, San Quentin No 50031. Convicted in Alameda County of the crime of Murder, First Degree, scheduled to be executed May 19, 1933. Supreme Court of California has not had sufficient time to determine whether or not the attorney has an appeal that may be presented to the United States Supreme Court. Reprieved to June 23, 1933. Dated May 15, 1933

GEORGE SMITH, San Quentin No. 50031 Convicted in Alameda County of the crime of Murder, First Degree, scheduled to be executed June 23, 1933. Hon. B Grant Taylor, Clerk of the Supreme Court of California, requested a further stay of execution in order to allow sufficient time for the Attorney General of California to file a brief. Reprieved to September 22, 1933 Dated June 14, 1933.

DICK VILLION, Folsom No. 18536. Convicted in Santa Clara County of the crime of Murder, First Degree, scheduled to be executed September 1, 1933. Kenneth R. Malovos, attorney representing Villion, requested additional time in order that he might be able to appear personally and present an application for a commutation of sentence. Reprieved to October 6, 1933. Dated August 28, 1933.

DICK VILLION, Folsom No. 18536. Convicted in Santa Clara County of the crime of Murder, First Degree, scheduled to be executed October 6, 1933. Further reprieve granted because the Governor was confined to bed with an attack of pneumonia. Reprieved to December 1, 1933. Dated October 3, 1933.

RESTORATION OF CITIZENSHIP.

CARL FREDERICK ANDREWS, San Quentin No. 30123. Convicted in Los Angeles County on December 7, 1916, of the crime of Burglary. Released on parole December 21, 1917. Recommended by Ed. H. Whyte, State Parole Officer, and the Advisory Pardon Board. Restored to citizenship on December 12, 1933.

JOHN BEDIGREW, Folsom No. 7119. Convicted in Tulare County in October, 1908, of the crime of Rape. Released on parole March 11, 1917. Recommended by Ed. H. Whyte, State Parole Officer, and the Advisory Pardon Board. Restored to citizenship February 18, 1933.

EMMANUEL BROWN, Folsom No. 4088. Convicted in Los Angeles County on May 6, 1897, of the crime of Murder. Released on parole July 5, 1912. Recommended by Ed. H. Whyte, State Parole Officer, and the Advisory Pardon Board. Restored to citizenship on February 20, 1933.

C. C. CAMP, San Quentin No. 23825. Convicted in Solano County on October 5, 1909, of the crime of Murder. Released on parole February 12, 1917. Recommended by Ed. H. Whyte, State Parole Officer, and the Advisory Pardon Board. Restored to citizenship December 20, 1933.

CHARLES CARONNA, San Quentin No. 46067. Convicted in Ventura County on September 28, 1928, of the crime of Bribery. Released on parole July 26, 1930. Recommended by Robert E. Clark, United States Marshal, Hon. Edward Henderson, Judge, James C. Hollingsworth, District Attorney. Restored to citizenship April 5, 1934.

JOHN J. COLLIER, San Quentin No. 48872. Convicted in Alameda County in the month of July, 1930, of the crime of Conspiracy to Violate Section 68 of the Penal Code. Released on parole September 28, 1931. Recommended by Hon. Lincoln S. Church, Judge of the Superior Court of Alameda County, who presided at the trial, and Hon. Earl Warren, District Attorney of Alameda County. Restored to citizenship March 3, 1933.

CASS COLVIN, Folsom No. 3956. Convicted in Fresno County on November 23, 1896, of the crime of Murder. Released on parole May 1, 1911. Recommended by Ed. H. Whyte, State Parole Officer, and the Advisory Pardon Board. Restored to citizenship on December 14, 1933.

CLYDE S. COOK, San Quentin No. 49160. Convicted in San Francisco County on October 15, 1930, of the crime of Grand Theft. Released on parole March 29, 1932. Recommended by Ed. H. Whyte, State Parole Officer, and Matthew Brady, District Attorney of San Francisco County. Restored to citizenship May 19, 1934.

PETER CONSULTER, San Quentin No. 42516. Convicted in the City and County of San Francisco on August, 1926, of the crime of Manslaughter. Released on parole September 21, 1927. Recommended by Ed. H. Whyte, State Parole Officer, and the Advisory Pardon Board. Restored to citizenship December 22, 1933.

J. D. CUNNINGHAM, San Quentin No. 46481. Convicted in Los Angeles County on December 12, 1927, of the crime of Grand Theft. Released on parole March 3, 1931. Recommended by Hon. Thurmond Clarke, who was the Deputy District Attorney in charge of the prosecution of Cunningham, and Hon. Hartley Shaw, Judge of the Superior Court of Los Angeles, who presided at the trial. Restored to citizenship on December 9, 1933.

THEODORE DALLEN, Folsom No. 8508. Convicted in Siskiyou County on November 1, 1912, of the crime of Murder, Second Degree. Released on parole November 2, 1917. Recommended by Ed. H. Whyte, State Parole Officer, and the Advisory Pardon Board. Restored to citizenship on May 15, 1933.

SOLEDAD DE LA TORRE, San Quentin No. 49132. Convicted in San Diego County on September 29, 1930, of the crime of Violation State Poison Act. Released on parole December 4, 1931. Recommended by Ed. H. Whyte, State Parole Officer, and the Advisory Pardon Board. Restored to citizenship December 12, 1933.

JAMES W. FINLEY, Folsom No. 6327. Convicted in Mendocino County during the month of May, 1904, of the crime of Murder and Assault with a Deadly Weapon. Released on parole March 12, 1917. Recommended by a majority Justices of the Supreme Court of California and W. E. Evans, Congressman from the Ninth District of California. Restored to citizenship on April 17, 1933.

SAMUEL L. FISHER, San Quentin No. 35269. Convicted in San Diego County on August 24, 1921, of the crime of First Degree Burglary. Released on parole

April 9, 1923. Recommended by Ed. H. Whyte, State Parole Officer, and the Advisory Pardon Board. Restored to citizenship December 22, 1933.

JOSEPH H. FITZPATRICK, San Quentin No. 42111. Convicted in Los Angeles County during the month of October, 1925, of the crime of Bribery. Released on parole December 20, 1927. Recommended by Ed H Whyte, State Parole Officer, and the Advisory Pardon Board. Restored to citizenship on December 20, 1933.

RICHARD OTIS GRAVES, San Quentin No. 41111. Convicted in Los Angeles County on July 23, 1925, of the crime of Violation of Section 141 of the Motor Vehicle Act Released on parole March 8, 1928. Recommended by Ed H. Whyte, State Parole Officer, and the Advisory Pardon Board. Restored to citizenship on April 13, 1933.

PAUL HARRIS, San Quentin No. 42715. Convicted in San Diego County on October 4, 1926, of the crime of Forgery. Recommended by Ed. H. Whyte, State Parole Officer, and the Advisory Pardon Board and Thos. Whelan, District Attorney of San Diego County. Restored to citizenship on February 14, 1933.

HOWARD HOGAN, San Quentin No. 40120 Convicted in Alameda County on November 22, 1924, of the crime of Manslaughter. Released on parole May 22, 1926. Recommended by Ed H. Whyte, State Parole Officer, Hon. Earl Warren, District Attorney of Alameda County, and Hon. Fred V. Wood, Judge of the Superior Court of Alameda County, who presided at the trial of Howard Hogan. Restored to citizenship on November 20, 1933.

NORA A. HUDSON, San Quentin No 45688 Convicted in Los Angeles County on May 14, 1928, of the crime of First Degree Robbery. Released on parole August 4, 1931. Recommended by Ed. H. Whyte, State Parole Officer, and the Advisory Pardon Board. Restored to citizenship December 22, 1933

JOHN KELLY, San Quentin No. 26881. Convicted in Imperial County on October 14, 1913, of the crime of Grand Larceny. Released on parole March 29, 1915. Recommended by Ed. H. Whyte, State Parole Officer. Franklin J. Cole, who was Judge of the Superior Court of Imperial County at the time of the trial, H. L. Welch, who was Deputy District Attorney of Imperial County in charge of the prosecution of Kelly. Restored to citizenship on November 4, 1933

EDWARD L. KIRK, San Quentin No. 46424. Convicted in Alameda County on March 30, 1928, of the crime of Embezzlement Released on parole April 5, 1930. Recommended by Ed. H. Whyte. State Parole Officer, and the Advisory Pardon Board. Restored to citizenship May 7, 1934

JAMES W. LARSEN, San Quentin No. 42619 Convicted in Kern County on September 4, 1926, of the crime of First Degree Robbery. Released on parole November 9, 1931. Recommended by Ed H Whyte, State Parole Officer, and the Advisory Pardon Board Restored to citizenship December 21, 1933

W. R LINSCOTT, Paroled San Quentin No. 46305 Convicted in Santa Cruz County on December 8, 1928, of the crime of Forgery Released on parole on October 12, 1930. Advisory Pardon Board, under date of January 19, 1933, recommended that his application for pardon (Restoration of Citizenship) be granted. Same granted under date of January 30, 1933 Dated January 30, 1933

TED MALONE, San Quentin No. 51312. Convicted in Los Angeles County on December 10, 1931, of the crime of Grand Theft. Released on parole December 12, 1932. Recommended by the Advisory Pardon Board and Hon. Charles S. Burnell, Judge of the Superior Court of Los Angeles County Restored to citizenship on February 25, 1933.

J. P. MASON, San Quentin No 35010. Convicted in San Bernardino County on June 4, 1921, of the crime of Embezzlement Released on parole January 15, 1923. Recommended by the Advisory Pardon Board, and Hon. J. W Curtis, Associate Justice of the Supreme Court of California, who presided at the trial of Mason. Restored to citizenship October 25, 1933

GUY MASTERSON, San Quentin No 49469 Convicted in Ventura County on December 3, 1930, of the crime of Possession of a Still. Released on parole January 6, 1932 Recommended by Ed. H. Whyte, State Parole Officer, and the Advisory Pardon Board Restored to citizenship April 19, 1934.

THOMAS RAY MARTIN, San Quentin No. 40102. Convicted in Los Angeles County on November 12, 1924, of the crime of Assault with a Deadly Weapon Released on parole June 28, 1927 Recommended by the Advisory Pardon Board and Hon Edwin F Hahn, Judge of the Superior Court of Los Angeles County. Restored to citizenship on July 5, 1933.

THOMAS O'BRIEN, Folsom No. 11012 Convicted in Orange County on October 6, 1918, of the crime of Grand Larceny. Released on parole May 14, 1920. Recommended by Hon. William H Waste, Chief Justice of the Supreme Court of California. Restored to citizenship December 22, 1933.

JAMES T. PEASGOOD, JR, San Quentin No 37187 Convicted in Los Angeles County on December 11, 1922, of the crime of Embezzlement Released on parole December 24, 1923. Recommended by Ed H Whyte, State Parole Officer, and the Advisory Pardon Board Restored to citizenship December 21, 1933.

JACK PETERSON, Folsom No 8033 Convicted in Fresno County during the month of June, 1911, of the crime of Murder. Released on parole August 24, 1923.

Recommended by Ed. H. Whyte, State Parole Officer, and the Advisory Pardon Board. Restored to citizenship on April 27, 1933.

LOUIS PRENTICE, San Quentin No. 36286. Convicted in Alameda County on April 18, 1922, of the crime of Burglary, First Degree. Released on parole November 10, 1923 Recommended by Ed. H. Whyte, State Parole Officer, and the Advisory Pardon Board. Restored to citizenship April 20, 1934.

FREDERICK PURSE, Folsom No. 9910. Convicted in Sacramento County on January 28, 1916, of the crime of Murder. Released on parole May 25, 1928. Recommended by Ed H. Whyte, State Parole Officer, and Advisory Pardon Board. Restored to citizenship February 4, 1933.

CARL G. ROBBINS, San Quentin No. 19870. Convicted in Kern County during the month of December, 1902, of the crime of Murder. Released on parole December 11, 1912. Recommended by Ed. H. Whyte, State Parole Officer, and the Advisory Pardon Board. Restored to citizenship on May 3, 1933.

T. M RYAN, San Quentin No. 42053. Convicted in Sacramento County on October 28, 1925, of the crime of Extortion. Released on parole January 11, 1928 Recommended by Ed. H. Whyte, State Parole Officer, the Advisory Pardon Board and Neil R. McAllister. Restored to citizenship on March 7, 1933

WILLIAM J. SCHIVO, San Quentin No. 29697. Convicted in San Francisco County on June 6, 1916, of the crime of Burglary and Assault to Murder. Released on parole July 3, 1922. Recommended by the Advisory Pardon Board, Hon. Matthew Brady, District Attorney of San Francisco County, and George H. Cabaniss, Judge of the Superior Court of said county. Restored to citizenship on August 2, 1933.

THOMAS LENAR SEAGOE, San Quentin No. 33543 Convicted in Santa Barbara County on February 25, 1920, of the crime of Grand Larceny. Released on parole August 26, 1922. Recommended by Ed. H. Whyte, State Parole Officer, and the Advisory Pardon Board. Restored to citizenship on February 20, 1933.

A. R SHURTLEFF, San Quentin No 48859. Convicted in Alameda County during the month of July, 1930, of the crime of Conspiracy to Bribe. Released on parole September 25, 1931. Recommended by Ed. H. Whyte, State Parole Officer, Hon. Lincoln S. Church, Judge of the Superior Court of Alameda County, and Hon. James T. Drew, Chief of Police of the City of Oakland. Restored to citizenship on November 15, 1933.

LLOYD R. STEFFAN, San Quentin No. 47872. Convicted in San Francisco County on December 13, 1929, of the crime of Grand Theft. Released on parole April 13, 1931. Recommended by Ed. H. Whyte, State Parole Officer, and the Advisory Pardon Board. Restored to citizenship June 10, 1933.

HAROLD GEORGE SMITH, San Quentin No. 33165. Convicted in Humboldt County on November 15, 1919, of the crime of Violation of Section 28 of the Motor Vehicle Act. Released on parole June 15, 1922 Recommended by Ed. H. Whyte, State Parole Officer, and the Advisory Pardon Board. Restored to citizenship April 21, 1934.

ELIOT STANICH, San Quentin No 39649. Convicted in Los Angeles County on July 7, 1924, of the crime of Removing Mortgaged Personal Property. Released on parole August 4, 1925. Recommended by Ed. H. Whyte, State Parole Officer, and Asa Keyes, District Attorney of Los Angeles County. Restored to citizenship December 26, 1933.

LOUIS H. STEVENS, San Quentin No. 39543. Convicted in San Diego County on June 6, 1924, of the crime of Attempt to Commit Robbery. Released on parole July 27, 1928. Recommended by Ed. H. Whyte, State Parole Officer, and the Advisory Pardon Board. Restored to citizenship December 20, 1933.

SYLVESTER STEWART, San Quentin No. 47691. Convicted in Los Angeles County on October 16, 1929, of the crime of Attempted Grand Theft Released on parole December 20, 1930. Recommended by Ed. H. Whyte, State Parole Officer, and the Advisory Pardon Board. Restored to citizenship February 23, 1934.

C E. STRUTHERS, San Quentin No. 46169. Convicted in Butte County on October 26, 1928, of the crime of Burglary, Second Degree. Released on parole August 14, 1930. Recommended by Ed. H. Whyte, State Parole Officer, Hon. Chas. A. Walker, District Attorney of Butte County, and H. D. Gregory, who was Judge of the Superior Court at the time of the conviction Restored to citizenship on April 11, 1933

FRANK E TUTTLE, San Quentin No. 39382 Convicted in Yolo County on May 5, 1924, of the crime of Burglary, First Degree. Released on parole August 20, 1929. Recommended by Ed H. Whyte, State Parole Officer, and the Advisory Pardon Board Restored to citizenship on June 10, 1933.

HENRY S VILLA, San Quentin No. 39709 Convicted in Alameda County on July 23, 1924 of the crime of Receiving a Bribe. Released on parole February 9, 1926 Recommended by Ed. H. Whyte, State Parole Officer, Honorable Earl Warren, District Attorney of Alameda County. Restored to citizenship February 2, 1934

STUART L. WARE, San Quentin No. 45431 Convicted in Sutter County on May 17, 1928, of the crime of Operating a Still. Released on parole August 12, 1929. Recommended by Ed. H Whyte, State Parole Officer, and the law of which

he was convicted was repealed by the fiftieth session of the California Legislature Restored to citizenship December 14, 1933.

JOHN WARNER, San Quentin No. 40677. Convicted in Alameda County on April 1, 1925, of the crime of Second Degree Burglary. Released on parole October 15, 1927. Recommended by Ed. H. Whyte, State Parole Officer, and the Advisory Pardon Board. Restored to citizenship December 21, 1933.

LEE YICK, San Quentin No. 37105. Convicted in Fresno County of the crime of Murder on October 13, 1921. Released on parole December 15, 1931. Recommended by D. A. Cashin, Judge First District Court of Appeal, Division One; T. R. Thomson, Judge of the Superior Court of Fresno County, and H. Z. Austin, Judge of the Superior Court of Fresno County. Restored to citizenship January 7, 1933.

PARDONS.

JUAN CABALLERO, San Quentin No. 43837. Convicted in Los Angeles County on July 2, 1927, of the crime of Embezzlement. Released on parole after serving two years into custody of United States Department of Labor, Immigration Service, for deportation to Mexico. Recommended by Honorable Jose Clouthier, First Judge of the District Tijuana, Lower California, General Abelardo L. Rodriquez, President of the Republic of Mexico, Honorable Alejandro Lubbert, Consul General of Mexico. Pardon granted for the crime of Embezzlement on May 10, 1933.

F. C. COBDING, of Camptonville. Pardon granted for the offense of Petty Theft on May 17, 1933.

ASA KEYES, San Quentin No. 41818. Convicted in Los Angeles County of the crime of Criminal Conspiracy on February 20, 1929. Released on parole October 12, 1931. Pardon recommended by Ed. H. Whyte, State Parole Officer, Honorable Wm. H. Waste, Chief Justice of the Supreme Court of California, Honorable Edward I. Butler, Judge of the Superior Court, who presided at the trial of Asa Keyes, Honorable Buron Fitts, District Attorney of Los Angeles County, who was in charge of the prosecution at the trial. Pardon issued August 19, 1933.

WILLIS H. PRATHER, San Quentin No. 47375. Convicted in Mendocino County on July 19, 1929, of the crime of Failure to Account for Public Funds. Released on Parole January 27, 1931. Recommended by Ed. H. Whyte, State Parole Officer, Mr. Lilburn Gibson, District Attorney of Mendocino County, Honorable M. H. Iversen, Judge of the Superior Court of Mendocino County. Pardon granted for the crime of Failure to Account for Public Funds on January 9, 1933.

CHARLES S. RALPH, San Quentin No. 39457. Convicted in Sacramento County on May 21, 1924, of the crime of Presenting False Claims. Released after serving one year. Recommended by Honorable Charles O. Busick, Judge of the Superior Court of Sacramento County, J. J. Henderson, District Attorney. Pardon granted for the crime of Presenting False Claims on January 3, 1933.

THOMAS RINO, San Quentin No. 48855. Convicted in Contra Costa County on July 21, 1930, of the crime of Lewd and Lascivious Conduct, two counts of Lewd and Lascivious Conduct. Recommended by Jas. F. Hoey, District Attorney of Contra Costa County, Honorable H. V. Alvarado, Judge of the Superior Court of Contra Costa County. Pardon granted on the first count of Lewd and Lascivious conduct on April 21, 1933.

VICTOR SEGARINI, San Quentin No. 53018. Convicted in San Joaquin County on October 18, 1932, of the crime of Grand Theft, two counts Grand Theft. Recommended by Guard C. Dariah, District Attorney of San Joaquin County, Honorable D. M. Young, Judge of the Superior Court of San Joaquin County. Pardon granted on the first count of Grand Theft March 15, 1933.

COMMUTATION OF SENTENCE.

LEROY BREMER. Folsom No. 17497. Convicted in Los Angeles County on November 16, 1931, of the crime of Grand Theft. Recommended by Honorable William H. Waste, Chief Justice of the Supreme Court of California, Honorable Fletcher Bowron, Judge of the Superior Court of Los Angeles County, Grant B. Cooper, Deputy District Attorney of Los Angeles County. Sentence commuted to time already served, on January 11, 1934.

JESS DARWIN BROWN, San Quentin No. 50166. Convicted in San Mateo County on April 30, 1931, of the crime Second Degree Robbery. Recommended by Hon. Edmund Scott, District Attorney of San Mateo County, Hon. Franklin Swart, Judge of the Superior Court of San Mateo County. Codefendant was sent to Preston School of Industry and released after serving six months. Sentence commuted to time served December 21, 1933.

R. S. CAUDELL, San Quentin No. 23688. Convicted in San Bernardino County, July 13, 1909, of the crime of Rape. Commutation of sentence recommended by Advisory Pardon Board and Ed. H. Whyte, State Parole Officer. Sentence commuted to time served February 27, 1933.

MRS. ROSARIA CIANI, Women's State Prison at Tehachapi No. 55551. Convicted in Los Angeles County on January 24, 1934, of the crime of Manslaughter. Recommended by Honorable Charles B. Burnell, Judge of the Superior Court of Los Angeles County, all the members of the jury panel who were present in Department No. 27 of the Superior Court when the evidence was presented, Honorable Buron Fitts, District Attorney of Los Angeles County. Sentence commuted to time already served on April 16, 1934.

GILBERT F. COLLIE, San Quentin No. 51375. Convicted in San Bernardino County January 11, 1932, of the crime of Murder in the First Degree. Recommended by Dr. R. A. Cushman, Superintendent of the Mendocino State Hospital, Dr. Herman M. Adler, Consulting Psychiatrist of the State Department of Institutions Sentence commuted to life imprisonment without parole on January 17, 1934.

ODD CORNELL, San Quentin No 43218. Convicted in Kern County on February 7, 1927, for the crime of Murder, First Degree. Recommended by Dr R. A. Cushman, Medical Director and Superintendent of the Mendocino State Hospital, and Dr. Herman M. Adler, Consulting Psychiatrist of the State Department of Institutions. Sentence commuted to life imprisonment without parole on January 17, 1934.

TED H. DURO, Folsom No 16213 Convicted in Santa Cruz County on December 22, 1927, of the crime of Issuing a Fictitious Check. Recommended by Supreme Court of California and Stanford G. Smith, District Attorney of Santa Cruz County, who prosecuted Ted H. Duro Sentence commuted to seven years on March 30, 1933.

ROBERT EMMONS, Folsom No. 17087. Convicted in Los Angeles County on January 27, 1931, of the crime of Manslaughter. Recommended by a majority of the Justices of the Supreme Court signed by Honorable John W. Shenk, Acting Chief Justice. Sentence commuted to time already served on April 18, 1934.

JACK D. GREEN, San Quentin No. 51811. Convicted in Los Angeles County in January, 1932, of the Crime of Murder. Affidavits of certain of the jurors, the findings of the Board of Trustees and the Committee on the Constitutional Rights of the Bar Association of Los Angeles County and a mass of correspondence and other documents bearing upon the subject were studied by Governor Rolph. Sentence commuted to life imprisonment without parole on January 4, 1934.

ALFRED HARRISON, San Quentin No. 51870 Convicted in Los Angeles County on March 22, 1932, of the crime of Murder, First Degree. Recommended by Honorable William R McKay, Judge of the Municipal Court, Honorable Ruben S. Schmidt, Judge of the Superior Court of Los Angeles County, Honorable Buron Fitts, District Attorney of Los Angeles County. Sentence commuted to life imprisonment without parole on February 15, 1934

CARL P. JOERSCHKE, San Quentin No. 52701. Convicted in Los Angeles County on August 17, 1932, of the crime of First and Second Degree Robbery. Recommended by Dr L. L. Stanley, Resident Physician at San Quentin, Board of Prison Terms and Paroles, Honorable William H. Waste, Chief Justice of the Supreme Court of California. Sentence commuted to time already served on February 23, 1934.

ELEANOR JONES, San Quentin No 53648. Convicted in Butte County on February 14, 1933, of the crime of Grand Theft. Recommended by the Board of Prison Terms and Paroles in order to allow Eleanor Jones to give birth to her child outside the prison walls. She was found to be in a pregnant condition upon arrival at San Quentin. Sentence commuted to time served May 11, 1933.

ZIRO KAWAMOTO, San Quentin No. 51253. Convicted in Tulare County on December 3, 1931, of the crime of Murder Recommended by Hon. Frank Lamberson, Judge of the Superior Court of Tulare County, who presided at the trial, and Hon. Walter C Haight, District Attorney of Tulare County, who conducted the prosecution of Kawamoto. Recommendations made on the basis that the evidence *did not prove that the homicide was a planned and premediated killing.* Sentence commuted from death to life imprisonment August 25, 1933.

EARL M. KELLER, Folsom No. 16567. Convicted in Los Angeles County of the crime of Forgery. Recommended by Board of Prison Terms and Paroles and the Supreme Court of California. Sentence commuted to five years, February 18, 1933.

JAMES R. KELLEY, San Quentin No. 51496. Convicted in Alameda County in February, 1932, of the crime of Manslaughter. Due to physical condition of prisoner based upon letter from the resident physician of San Quentin Prison, Dr. Leo L. Stanley, sentence commuted to time served. Dated January 19, 1933.

EUGENE T. MARTIN, Folsom No. 16492 Convicted in Contra Costa County on October 20, 1930, of the crime of Escaping from Legal Custody of an Officer. Recommended by the Supreme Court of California. Hon. Hillard Comstock, Judge of the Superior Court, who presided at the trial, and Joseph F. Hoey, District Attorney of Contra Costa County. Sentence commuted to time served July 5, 1933.

CHARLES MCDEVITT, San Quentin No. 23415 Convicted in Contra Costa County on March 1, 1909, of the crime of Burglary. Recommended by the Supreme Court of California and Ed. H. Whyte, State Parole Officer. Sentence commuted to time served September 28, 1933

MARY AGNES MCGREW, San Quentin No. 50335. Convicted in San Francisco County on June 4, 1931, of the crime of Grand Theft. Recommended by the Supreme Court of California. Sentence commuted to time served September 27, 1933.

JEAN B. MONETTE, Folsom No 18296. Convicted in Ventura County on January 26, 1933, for the crime of Violation of Section 141a of the Motor Vehicle Act. Recommended by Honorable James C. Hollingsworth, District Attorney of Ventura County, Honorable Edward Henderson, Judge of the Superior Court of Ventura County. Sentence commuted to time already served on February 2, 1934.

EMMETT PARKER, San Quentin No. 51530. Convicted in Imperial County of the crime of First Degree Robbery. Because of very poor physical condition Dr. L. L.

Stanley, Warden James B. Holohan and the State Board of Prison Directors, in accordance with the provisions of section 1596 of the Penal Code, recommended that the sentence be commuted to time served. The sentence was commuted to time served on February 3, 1933.

EDNA PARKS, San Quentin No. 53216. Convicted in Sacramento County on November 22, 1932, of the crime of Second Degree Robbery. Recommended by Dr. L. L. Stanley, Resident Physician at San Quentin Prison. Rev. Thomas J. O'Dwyer, Catholic Welfare Bureau. Sentence commuted to time already served on February 28, 1934.

GEORGE POUND, San Quentin No. 42717. Convicted in San Joaquin County during the month of September, 1926, of the crime of Murder. Recommended by Deputy District Attorney Raymond Dunne, who prosecuted the case, several of the jurors who found George Pound guilty and the Board of Prison Terms and Paroles. Sentence commuted to time served December 21, 1933.

MONTREAL JEFFERSON RAMEY. Convicted in Ventura County on June 12, 1933, of the crime of Grand Theft. Recommended by Honorable J. J. Trabucco, Judge of the Superior Court of Ventura County, Honorable Edward Henderson, Judge of the Superior Court of Ventura County, James C. Hollingsworth, District Attorney. Sentence commuted to thirty days in the Ventura County Jail on January 24, 1934.

ARCHIE TAYLOR, San Quentin 15435. Convicted in Shasta County on June 3, 1919, of the crime of Rape. Recommended by Albert F. Ross, who was the Deputy Sheriff that arrested Archie Taylor, Hon Walter E. Herzinger, Judge of the Superior Court of Shasta County, who presided at his trial, and Jesse W. Carter who was District Attorney of Shasta County at the time of the trial. Sentence commuted to time served March 8, 1933

MARION TRUTICH. Convicted in Los Angeles County on April 28, 1933, of the crime of Grand Theft. Recommended by Buron Fitts, District Attorney of Los Angeles County, Honorable Gordon L. McDonough, Supervisor Second District, Los Angeles County, Honorable Chas. W. Fricke, Judge of the Superior Court. Sentence commuted to three months in the Los Angeles County Jail on January 10, 1934.

WILLIAM M. VEGAS, Folsom No. 18133. Convicted in Fresno County on October 19, 1932, of the crime of Possession of a Still. Recommended by the Supreme Court of California. Sentence commuted to time served October 13, 1933

PAUL VILLIER, Folsom No. 16058. Convicted in Alameda County on December 27, 1929, of the crime of Violating Section 476A of the Penal Code. Recommended by the Supreme Court of California in order that he might be deported to South Africa. He was placed in the custody of W. E. Walsh, Immigration Inspector, upon his release. Sentence commuted to time served August 21, 1933.

JOHN WALKER, San Quentin No. 27334. Convicted in Los Angeles County on March 18, 1914, of the crime of Murder. Recommended by Ed. H. Whyte, State Parole Officer, and Advisory Pardon Board. Sentence commuted to time served on February 23, 1934.

WILLIAM J. WALKER. San Quentin No. 52251. Convicted in Santa Cruz County on May 24, 1932, of the crime of Bribery. Recommended by Hon. Jas. L. Atteridge, Judge of the Superior Court of Santa Cruz County, and Hon. J. Frank Murphy, District Attorney of Santa Cruz County, who acted as judge and prosecuting attorney at the trial of William J. Walker, and the Advisory Pardon Board. Sentence commuted to time served April 12, 1933.

FRED WILLIAMS, Folsom No. 16100. Convicted in Placer County on January 30, 1930, of the crime of Second Degree Burglary. Recommended by the Supreme Court of California and the Board of Prison Terms and Paroles. Sentence commuted to seven and one-half years July 7, 1933.

LEE R. WILSON, San Quentin No. 54015. Convicted in Ventura County in April, 1933, of the crime of Violating Section 112 of the Motor Vehicle Act. Recommended by Hon. H. S. Shaffer, Judge of the Superior Court of Ventura County, Hon. James C. Hollingsworth, District Attorney of Ventura County, and Mr. Clay Claberg, Chief Probation Officer of Ventura County. Sentence commuted to time served October 23, 1933.

Cloyd Nagel, Los Angeles
Charles Nichols, Los Angeles
Frank Nichols, Los Angeles
Patrick O'Connor, Los Angeles
E. Ortiz, Los Angeles
Manuel Ortiz, Los Angeles
Fred Parker, Los Angeles
Stillman Peck, Los Angeles
Paul W. Poulsen, Los Angeles
John E. Powers, Los Angeles
Augustus B. Pratt, Los Angeles
Ted Price, Los Angeles
Emil Ramirez, Los Angeles
George A. Rategan, Los Angeles
Edward S. Rico, Los Angeles
Glenn Robrecht, Los Angeles
Ramon Rocha, Los Angeles
Robert Rogers, Los Angeles
James Ross, Los Angeles
Fernando Ruiz, Los Angeles
Thos. Russell, Los Angeles
Jack Sanford, Los Angeles
Frank Sapohe, Los Angeles
Arthur Satterfield, Los Angeles
Rolley "Rex" Scantlin, Los Angeles
Harold E. Schneider, Los Angeles
Marvin B. Shook, Los Angeles
Gordon Simpson, Los Angeles

Edgar L. Smith, Los Angeles
Ivan H. Soglofsky, Los Angeles
Claude Thomas, Los Angeles
Lee B. Tompkins, Los Angeles
Frank C. Vernon, Los Angeles
Anthony Walker, Los Angeles
Robert H. Wallace, Los Angeles
Willie H. Ward, Los Angeles
Douglas A. Watson, Los Angeles
Howard Webb, Los Angeles
Albert Wise, Los Angeles
Ray E. Wright, Los Angeles
William J. Yadon, Los Angeles
Jimmy Yrand, Los Angeles
L. A Buckingham, Madera
Frank Sevilla, Monterey
Joseph A. Watkins, Monterey
Kenneth William Johnson, Orange
J. A. Kester, Orange
James Myers, Orange
LeRoy Wilson, Orange
E. Aguilar, Riverside
Neil W. Campbell, Riverside
Theda May Campbell, Riverside
John Celestino, Riverside
Bettie Davis, Riverside
Frederick M. Earles, Riverside
George E. Franklin, Riverside
Pedro Garcia, Riverside
Robin Goosby, Riverside
John C. Hall, Riverside
Elmer Stanton, Riverside
Frank Starr, Riverside
Edward Thom, Riverside
John Clifton Wilson, Riverside
George S. Wright, Riverside
Samuel A. May, San Diego
A. Galewsky, San Luis Obispo
George Kinnee, San Luis Obispo
Jerry Burke, San Mateo
Sam Ricotta, Santa Clara
Attilio Badaracco, Solano
Dennis Robert Edlund, Stanislaus
Clayton Gran, Stanislaus
Paul D. Sanders, Stanislaus
R. W. Jaynes, Tulare
Anson P. Perkshire, Tulare
James R. Rogads, Tulare
Camillo Palumbo, Ventura

ACTS OF EXECUTIVE CLEMENCY GRANTED BY GOVERNOR FRANK F. MERRIAM JUNE 3, 1934, TO JANUARY 7, 1935

Reprieve.

MANUEL LARRIOS, San Quentin No. 54465. Convicted in San Bernardino County of the crime of Murder, First Degree, sentenced to death June 15, 1934. Application for a commutation of sentence filed on behalf on Manuel Larrios had not been considered by the late Governor James Rolph, Jr., because of his illness. Governor Merriam, having only been Governor for one week, did not have an opportunity to give the application his careful consideration. Therefore it was necessary to issue a reprieve in order to give additional time in which to study the case. Reprieve was also requested by Hon. A. Lubbert, Consul General of Mexico. Reprieved to September 14, 1934. Dated June 11, 1934

Reprieve.

ARTHUR SHORTEN, San Quentin No. 53152. Convicted in Los Angeles County of the crime of Murder, First Degree, scheduled to be executed July 27, 1934. Letter of recommendation was received July 22, 1934, from Hon. Isaac Pacht, Judge of the Superior Court of Los Angeles County, who presided at the trial of Arthur Shorten. In view of the nearness of the date of execution, it was not possible for the Governor to complete his investigation and give sufficient thought and study to the recommendation of Judge Pacht. Therefore, a reprieve to September 14, 1934, was granted to Arthur Shorten. Dated July 23, 1934.

Reprieve.

APOLONIO CAMPOS, San Quentin No. 56174. Convicted in Riverside County of the crime of Murder, First Degree, sentenced to be executed August 10, 1934. A reprieve was requested by Hon. Cordell Hull, Secretary of State and Hon. A. Lubbert, Consul General of Mexico. Reprieve to September 21, 1934.

Reprieve.

LEO DWIGHT MURPHY, San Quentin No 54767. Convicted in Los Angeles County of the crime of Murder, First Degree, scheduled to be executed August 24, 1934. Attorneys both in San Francisco and Los Angeles, who have only recently been retained to represent Murphy, requested a reprieve to allow them sufficient time in which to prepare and present an appeal to the Governor. Reprieved to December 7, 1934.

Reprieve.

MANUEL LARRIOS, San Quentin No. 54465. Convicted in San Bernardino County of the crime of Murder, First Degree, scheduled to be executed September 14, 1934. Hon. F. A. Leonard, Judge of the Superior Court of San Bernardino County, who presided at the trial of Manuel Larrios sent a telegram on September 13, 1934, to Senator Ralph E. Swing stating that in his opinion the facts of the case justify clemency. Reprieve granted to Manuel Larrios in order to allow the Governor sufficient time in which to consult with the Judge and to receive a detailed report from him. Reprieved to November 9, 1934. Dated September 13, 1934.

Commutation of Sentence.

ARTHUR SHORTEN, San Quentin No. 53152. Convicted in Los Angeles County of the crime of Murder, First Degree, scheduled to be executed September 14, 1934. Commutation of sentence recommended by Hon. Isaac Pacht, Judge of the Superior

Court, who presided at the trial, James B. Holohan, Warden of San Quentin Penitentiary, and more than one-half of the jurors who served on the jury before whom Shorten appeared. Sentence commuted from death to life imprisonment. Dated September 13, 1934.

Reprieve.

CHARLES TEDESCO, San Quentin No. 54904. Convicted in Los Angeles County of the crime of Murder, First Degree, sentenced to be executed October 19, 1934. Attorneys representing Charles Tedesco requested a stay of execution in order to allow them sufficient time in which to contact the District Attorney and the trial Judge. Reprieve to November 16, 1934. Dated October 15, 1934

Commutation of Sentence.

MANUEL LARRIOS, San Quentin No. 54465. Convicted in San Bernardino County of the crime of Murder, First Degree, scheduled to be executed on November 9, 1934. Commutation of sentence was recommended by five of the jurors who sat in judgment in the case of Manuel Larrios and Hon. F. A. Leonard, Judge of the Superior Court of San Bernardino County, who presided at the trial. Sentence commuted from death to life imprisonment. Dated November 3, 1934.

Commutation of Sentence.

CHARLES TEDESCO, San Quentin No. 54904. Convicted in Los Angeles County of the crime of Murder, First Degree, scheduled to be executed November 16, 1934. Commutation of sentence recommended by W. H. Langdon, John W. Preston, Emmet Seawell, Associate Justices of the Supreme Court, and William H. Waste, Chief Justice, because of the uncertainty existing as to whether the crime was committed by Tedesco or Ford. Sentence commuted from death to life imprisonment. Dated November 15, 1934.

Pardon.

EDWARD S. BONILLA, San Quentin No. 23316. Convicted in San Francisco County of the Crime of Murder about January 16, 1909. Pardon recommended by a majority of the Justices of the Supreme Court and the Advisory Pardon Board. Pardon granted to Edward S. Bonilla December 21, 1934.

Pardon.

ALFRED FINKEN, Folsom No. 13366. Convicted in Butte County on December 11, 1924, of the crime of Burglary, Second Degree. Released on parole September 14, 1928. Recommended by a majority of the Justices of the Supreme Court, Hon. H. T. Gregory, formerly Judge of the Superior Court of Butte County and the late Ed. H. Whyte, State Parole Officer. Pardon granted December 21, 1934.

Pardon.

HENRY M. JAMES, San Quentin No. 47246. Convicted in Merced County of the crime of Assault With a Deadly Weapon on June 24, 1929. Released on parole February 19, 1931. Pardon recommended by Advisory Pardon Board, Hon. Stephen P. Galvin, District Attorney of Merced County, Hon. E. N. Rector, Judge of the Superior Court of Merced County, Hon. Ed. H. Whyte, State Parole Officer. Pardon granted to Henry M. James, December 21, 1934.

Pardon.

RODERICK KEARNEY, San Quentin No. 46912. Convicted in Alameda County on April 13, 1929, of the crime of Violation of Section 141 of the Motor Vehicle Act. Released on parole October 31, 1930. Recommended by Hon. Earl Warren, District Attorney of Alameda County, and the late Ed. H. Whyte, State Parole Officer. Pardon granted to Roderick Kearney on December 21, 1934.

Pardon.

GEORGE W. LOCKE, San Quentin No. 52373. Convicted in Ventura County on June 8, 1932, of the crime of Grand Theft. Released on parole August 28, 1933. Recommended by Hon. James C. Hollingsworth, District Attorney of Ventura County, Hon. Edward Henderson, Judge of the Superior Court of Ventura County, Mr. Clay Claberg, Probation Officer of Ventura County and the late Ed. H. Whyte, State Parole Officer. Pardon granted to George W. Locke, December 21, 1934.

Pardon.

ANTHONY LYNN, San Quentin No. 36197. Convicted in Los Angeles County on March 24, 1922, of the crime of Forgery. Released on parole October 1, 1923. Recommended by the Advisory Pardon Board and the late Ed. H. Whyte, State Parole Officer. Pardon granted to Anthony Lynn December 21, 1934.

Pardon.

MARSHALL J. OAKES, San Quentin No. 39669. Convicted in Los Angeles County on July 10, 1924, of the crime of Robbery, Second Degree. Released on parole

September 10, 1927. Recommended by the Advisory Pardon Board and the late Ed. H. Whyte, State Parole Officer Pardon granted to Marshall J. Oakes December 21, 1934.

Commutation of Sentence.

SIMON STUTCHMAN, San Quentin No. 56651. Convicted in Tulare County on October 11, 1932, of the crime of Violation of Section 112 of the California Vehicle Act. Recommended by the Justices of the Supreme Court; Hon. Frank Lamberson, Judge of the Superior Court of Tulare County; Hon. Walter Haight, District Attorney of Tulare County; Hon. Roscoe L. Patterson, Supervisor of the Third District, Tulare County. Hon J S Clack. Justice of the Peace of Visalia Township and Hon. B. H Hudson, Chief of Police of Visalia Sentence commuted to time already served on December 21, 1934.

Pardon.

ELIJAH TAYLOR, San Quentin No 50723. Convicted in Butte County on March 24, 1931, of the crime of Operating a Still. Released on parole September 13, 1932. Pardon recommended by the Advisory Pardon Board, Hon. Charles A Walker, District Attorney of Butte County, and the late Ed. H. Whyte, State Parole Officer. Pardon granted to Elijah Taylor December 21, 1934.

Pardon.

CLIFFORD O. WHEELER, San Quentin No 28851. Convicted in Ventura County in July, 1915, of the crime of Murder. Released on parole June 11, 1926. Recommended by the Advisory Pardon Board; Hon Don G. Bowker, former District Attorney of Ventura County. Hon Merle J Rogers, Judge of the Superior Court of Ventura County and the late Ed H. Whyte, State Parole Officer. Pardon granted to Clifford O Wheeler December 21, 1934.

Pardon.

EARL BUSSE Convicted in Los Angeles County on September 8, 1911, of the crime of Bribery Sentenced to five years on probation. Pardon recommended by the Advisory Pardon Board and Mr. Carl L. May, Probation Officer of Los Angeles County. Pardon granted to Earl Busse December 22, 1934.

Pardon.

WILLIAM CLAYTON, Folsom No. 4284. Convicted in San Francisco County on January 14, 1898, of the crime of First Degree Robbery. Released on parole November 5, 1910 Recommended by the Advisory Pardon Board and the late Ed. H. Whyte, State Parole Officer. Pardon granted to William Clayton December 22, 1934.

Pardon.

JOE D. COUNTRYMAN, San Quentin No. 50722 Convicted in Butte County on March 24, 1931, of the crime of Operating a Still Released on parole September 13, 1932 Recommended by the Advisory Pardon Board and Hon. Charles A. Walker, District Attorney of Butte County, and Hon. H. D. Gregory, former Judge of the Superior Court of Butte County. Pardon granted to Joe D. Countryman December 22, 1934.

Commutation of Sentence.

MARTIN FEDDERSON, Folsom No 11472. Convicted in San Francisco County on April 4, 1920, of the crime of Robbery. Recommended by the Justices of the Supreme Court. Sentence commuted to time served December 22, 1934.

Pardon.

LIM FOON, San Quentin No 28622. Convicted in San Joaquin County on June 14, 1915, of the crime of Murder. Released on parole June 23, 1925. Recommended by the Advisory Pardon Board, the late Ed. H. Whyte, State Parole Officer, and Dr L L. Stanley, resident physician of San Quentin. Pardon granted to Lim Foon December 22, 1934.

Restoration of Citizenship.

FRED A. GRACE, San Quentin No. 36239. Convicted in Los Angeles County on April 1, 1922, of the crime of Robbery. Released on parole October 31, 1927. Recommended by the Advisory Pardon Board and the late Ed. H. Whyte, State Parole Officer. Full citizenship rights from the crime of robbery restored to Fred A. Grace on December 22, 1934.

Commutation of Sentence.

CHARLES MARTIN GRIGSBY, Folsom No. 18013. Convicted in Los Angeles County on August 4, 1932, of the crime of Petty Theft. Recommended by the Justices of the Supreme Court Sentence commuted to time served December 22, 1934.

Pardon

W. H. HOY, San Quentin No. 49996. Convicted in El Dorado County on April 1, 1931, of the crime of Violating Section 549 of the Penal Code. Released on parole December 3, 1931. Recommended by the Advisory Pardon Board and the late Ed. H. Whyte, State Parole Officer. Pardon granted to W. H. Hoy December 22, 1934.

Pardon.

EDWARD MOLLE, San Quentin No. 33841. Convicted in Los Angeles County on June 18, 1920, of the crime of Grand Larceny. Pardon recommended by the Advisory Pardon Board. Pardon granted to Edward Molle December 22, 1934.

Pardon.

ROBERT S. ROBERTSON, San Quentin No. 36772. Convicted in Ventura County on August 22, 1922, of the crime of Grand Larceny. Pardon recommended by the Advisory Pardon Board. Pardon granted to Robert S. Robertson December 22, 1934.

Commutation of Sentence

HERBERT D. RYAN, Folsom No. 15433. Convicted in San Francisco County on September 12, 1928, of the crime of Escape from the Legal Custody of an Officer. Recommended by the Justices of the Supreme Court. Sentence commuted to time served on December 22, 1934.

Pardon

FRANCIS W. STEELE, San Quentin No. 46913. Convicted in Alameda County on April 13, 1929, of the crime of Manslaughter and Violation of Section 141 of the California Vehicle Act. Released on parole October 31, 1930. Recommended by the Advisory Pardon Board: Hon. Earl Warren, District Attorney of Alameda County; the late Ed. H. Whyte, State Parole Officer, and Hon. Fred V. Wood, Judge of the Superior Court of Alameda County. Pardon granted to Francis W. Steele December 22, 1934.

Commutation of Sentence.

JOHN BENNETT WALKER, San Quentin No. 32250. Convicted in San Joaquin County December 27, 1918, of the crime of Murder, First Degree. Released on parole February 5, 1931. Recommended by Advisory Pardon Board. Sentence commuted to time already served December 22, 1934.

Pardon

BESSIE VEGLATTE, held in the county jail awaiting transfer to the Women's Prison at Tehachapi. Convicted in Los Angeles County of the crime of Second Degree Robbery, September 20, 1934, because of provisions in Section 1203 of the Penal Code, Thomas P. White, Judge of the Superior Court, was prevented from granting probation to Bessie Veglatte as he desired to do. At the time sentence was pronounced, he recommended that the Governor issue a pardon upon the condition that Bessie Veglatte and her three-months-old child be returned to Monticello, Maine. Pardon granted December 27, 1934.

INTRODUCTION AND REFERENCE OF BILLS

The following bills were introduced, and referred as indicated:

By Mr. Hornblower: Assembly Bill No. 1462—An act to amend sections 1 and 4 of the act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931, relative to the definition of public contract work and the payment of the general prevailing rate therefor.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hornblower: Assembly Bill No. 1463—An act to amend sections _____ of the Vehicle Code.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Brennan: Assembly Bill No. 1464—An act to amend section 182 of the Penal Code, relating to punishment for criminal conspiracy.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Flint: Assembly Bill No. 1465—An act to amend section 744 of the Fish and Game Code, relating to sword fish.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Fulcher: Assembly Bill No. 1466—An act making an appropriation to pay the claim of the county of Plumas against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Laughlin: Assembly Bill No. 1467—An act to amend sections 12 and 14 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing license fees.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Hawkins: Assembly Bill No. 1468—An act to add sections 8a to 8e, and 8p to 8u, inclusive, to the Juvenile Court Law, relating to forestry camps for wards of the juvenile court.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Minard: Assembly Bill No. 1469—An act to amend an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, as amended relating to public utility districts

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Garibaldi: Assembly Bill No. 1470—An act to amend an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, relating to municipal utility districts.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Hunt: Assembly Bill No. 1471—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hunt: Assembly Bill No. 1472—An act creating a board of review for the licensing of motion picture distributors and exhibitors and prescribing rules and regulations governing the production, distribution and exhibition of motion pictures.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Peterson: Assembly Bill No. 1473—An act to amend sections 11, 14, 15, 20, 26, 27, 29, 43 and 49 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to public utility districts in unincorporated territory.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Br. Breed: Assembly Bill No. 1474—An act establishing a certain additional State highway and classifying it as a secondary highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Clark: Assembly Bill No. 1475—An act relating to the powers and duties of building inspectors of cities, cities and counties, or counties.

Bill read first time, and referred to Committee on County Government.

By Mr. Stream: Assembly Bill No. 1476—An act to establish an Assessment Code, thereby consolidating and revising the law relating to the assessment of property for the purposes of taxation, and to repeal certain acts and parts of acts specified herein.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Stream: Assembly Bill No. 1477—An act to amend section 3635, 2586, 2589, 2590 and 2610 of the Political Code, relating to the administration of certain bays, coasts and harbors.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Turner: Assembly Bill No. 1478—An act to amend section 4240 of the Political Code, relating to county officers and employees in counties of the eleventh class.

Bill read first time, and referred to Committee on County Government.

By Mr. Chatters: Assembly Bill No. 1479—An act to amend section 3479 of the Civil Code, relating to nuisances.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Chatters: Assembly Bill No. 1480—An act to add new sections to the Agricultural Code, to be numbered 1148, 1149 and 1150, relating to disease.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Chatters: Assembly Bill No 1481—An act providing for the incorporation of a horticultural protection district authorizing such district to levy and collect taxes to carry on its operation and provide for the powers, management and government of such district and imposing certain duties and functions in connection with such district upon certain county officials.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Walker. Assembly Bill No. 1482—An act making appropriation for the elimination of camel's thorn out of certain moneys heretofore appropriated for that purpose.

Bill read first time, and referred to Committee on Agriculture.

By Mr Morgan (by request) · Assembly Bill No. 1483—An act to amend section 5.750 of the School Code, relating to absence from service of certificated employees on account of illness.

Bill read first time, and referred to Committee on Education.

By Mr. Turner: Assembly Bill No 1484—An act establishing a certain additional State highway and classifying it as a secondary highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Utt. Assembly Bill No 1485—An act to amend section 4014 of the Political Code of the State of California, relating to township officers

Bill read first time, and referred to Committee on County Government.

By Mr. Utt· Assembly Bill No 1486—An act authorizing a suit against the State of California to quiet title against it to certain real property in the city of Newport Beach, California.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Utt: Assembly Bill No. 1487—An act to establish the line of ordinary high tide in and for a part of Newport Bay in the city of Newport Beach, Orange County, California, and to establish and declare that the land adjacent to said line was upland on and prior to May 25, 1919, and was not tidelands or submerged lands on said date, but was situated above the line of mean high tide of the Pacific Ocean on said date.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Utt: Assembly Bill No. 1488—An act to amend sections 795, 796, and 797 of the Agricultural Code, relating to the transportation and care of citrus fruits

Bill read first time, and referred to Committee on Agriculture.

By Messrs. Chatters, Cottrell, Cronin, Corwin, DeLap, Nielsen, O'Donnell, Patterson, Peyser, Phillips, Redwine, and Walker: Assembly Bill No. 1489—An act to amend section 135 of the Vehicle Code, relating to powers of the members of the California Highway Patrol.

Bill read first time, and referred to Committee on Motor Vehicles.

By Messrs. Chatters, Cottrell, Cronin, DeLap, Hunt, Nielsen, O'Donnell, Patterson, Peyser, Phillips, and Redwine: Assembly Bill No. 1490—An act to amend section 27 of the State Civil Service Act, relating to preference to veterans.

Bill read first time, and referred to Committee on Civil Service.

By Mr. Wallace: Assembly Bill No. 1491—An act establishing municipal courts in cities and cities and counties of the second and one-fourth class, prescribing a constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Wallace: Assembly Bill No. 1492—An act to amend section 9 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation, and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts in cities or cities and counties of the second and one-fourth class

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Evans, Ralph W., Lore, and Clark: Assembly Bill No. 1493—An act providing for the calling of a Constitutional convention in the State of California.

Bill read first time, and referred to Committee on Constitutional Amendments.

By Mr. Evans, Ralph W.: Assembly Bill No. 1494—An act to amend the "State Bar Act" approved March 31, 1927, relating to attorneys at law and the practice of law in the State of California.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Evans, Ralph W.: Assembly Bill No. 1495—An act to prohibit the solicitation of trust business in this State.

Bill read first time, and referred to Committee on Financial Institutions.

By Messrs. Evans, Ralph W., and McCarthy: Assembly Bill No. 1496—An act to prohibit the rendering of a deficiency judgment following the foreclosure of a mortgage or trust deed.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Chatters: Assembly Bill No. 1497—An act to amend section 6 of an act entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department and to assess and collect taxes, from time to time, for such purpose, and to create a board

of fire commissioners," approved March 4, 1881, as amended, relating to the conduct of elections.

Bill read first time, and referred to Committee on Elections.

By Mr. Chatters: Assembly Bill No. 1498—An act to add a new section to be numbered section 17½ to an act entitled "An act providing for the incorporation of public utility districts in unincorporated territories, authorizing such districts to incur bonded indebtedness for the purpose of construction of work in the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, as amended, relating to elections.

Bill read first time, and referred to Committee on Elections.

By Mr. Meehan: Assembly Bill No. 1499—An act to amend the Vehicle Code, relating to vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Utt: Assembly Bill No. 1500—An act to add section 92.5 to the Agricultural Code, relating to money appropriated for the encouragement of county and district agricultural fairs, declaring the urgency hereof and providing that this act shall go into immediate effect.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Meehan: Assembly Bill No. 1501—An act making an appropriation to build a chapel at San Quentin Prison.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Mr. Rosenthal: Assembly Bill No. 1502—An act to amend an act entitled: "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," (otherwise known as the Public Utilities Act), as amended.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Chatters: Assembly Bill No. 1503—An act to amend the California Irrigation District Act, relating to irrigation districts.

Bill read first time, and refered to Committee on Irrigation.

By Mr. Chatters: Assembly Bill No. 1504—An act to amend the Central Valley Project Act of 1933

Bill read first time, and referred to Committee on Judiciary.

By Mr. Garibaldi: Assembly Bill No 1505—An act to amend the Central Valley Project Act of 1933.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Garibaldi: Assembly Bill No. 1506—An act to amend the Irrigation District Improvement Act, relating to irrigation districts.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Garibaldi: Assembly Bill No. 1507—An act to amend the California Irrigation District Act, relating to irrigation districts.
Bill read first time, and referred to Committee on Judiciary.

By Mr Minard. Assembly Bill No. 1508—An act to amend the California Irrigation District Act, relating to irrigation districts.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Minard: Assembly Bill No 1509—An act to amend the Irrigation District Improvement Act, relating to irrigation districts.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Minard: Assembly Bill No. 1510—An act to amend the Central Valley Project Act of 1933.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Donnelly: Assembly Bill No 1511—An act to amend the California Irrigation District Act, relating to irrigation districts.
Bill read first time, and referred to Committee on Judiciary.

By Messrs. Chatters and Turner: Assembly Bill No. 1512—An act to amend the Central Valley Project Act of 1933.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Turner: Assembly Bill No. 1513—An act to amend the Irrigation District Improvement Act, relating to irrigation districts.
Bill read first time, and referred to Committee on Judiciary.

By Messrs. Maloney and Peyser: Assembly Bill No. 1514—An act to amend section 3 and to add section 5 to an act entitled "An act to authorize assessors and tax collectors to accept checks, bank drafts and money orders in payment of taxes, subject to due honor thereof and relating to the manner of making collection thereon and settlement with the county treasurer therefor," approved May 24, 1921, relating to assessors and tax collectors.
Bill read first time, and referred to Committee on County Government.

By Messrs Maloney and Peyser: Assembly Bill No. 1515—An act to amend section 3669a of the Political Code, relating to action for recovery of taxes claimed illegal provided.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Heisinger: Assembly Bill No. 1516—An act providing for the adoption or compilation, publication, use and disposal of textbooks and supplementary textbooks in the schools of the State of California and appropriating the sum of $10,000 to create a supplemental textbook fund, providing that this fund shall be a revolving fund.
Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Heisinger: Assembly Bill No. 1517—An act to amend the Irrigation District Improvement Act, relating to irrigation districts.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Chatters, Cottrell, Corwin, Cronin, DeLap, Hunt, Niel sen, O'Donnell, Peterson, Peyser, Phillips, Redwine, and Walker: Assembly Joint Resolution No. 31—Relative to memorializing Congress to appropriate sufficient funds and enact additional legislation to provide a comprehensive plan for the deporting of undesirable aliens and aliens who are illegally within this Nation.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Nielsen asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 31, at this time, without reference to print or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER THIRTY-ONE.

Assembly Joint Resolution No. 31—Relative to memorializing Congress to appropriate sufficient funds and enact additional legislation to provide a comprehensive plan for the deporting of undesirable aliens and aliens who are illegally within this Nation.

Assembly Joint Resolution No. 31 read.

Mr. Nielson moved the adoption of Assembly Joint Resolution No. 31.

The question being on the adoption of Assembly Joint Resolution No. 31.

The roll was called, and Assembly Joint Resolution No. 31 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Johnson, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Thorp, Turner, Wagner, Walker, Waters, Welsh, Williamson, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 31 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 31.

Memorializing Congress to appropriate sufficient funds and enact additional legislation to provide a comprehensive plan for the deporting of undesirable aliens and aliens who are illegally within this Nation.

WHEREAS, The United States Department of Labor is and has been charged with the duty of deporting from this Nation undesirable aliens and aliens who are illegally in this Nation; and

WHEREAS, It has been publicly stated that funds are not available in sufficient quantity to permit active, militant action in the matter of illegally entered or undesirable aliens; and

WHEREAS, It is the sense of the Legislature of the State of California that the Department of Labor requests the full cooperation of the United States Department of Justice in the deporting of undesirable aliens and aliens who are illegally in this country; and

WHEREAS, The Departments of Labor and Justice have limited funds available for the carrying out of this important duty; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California respectfully requests and memorializes the Congress of the United States to provide permanent bureaus of record free from political interference or interruption, to carry on a continuous investigation of all subversive activities in the United States; and be it further

Resolved, That this Legislature respectfully requests and memorializes the Congress of the United States to make such immediate appropriations as needed to

carry on this extensive investigation and that any and all additional laws be enacted by the Congress of the United States as will further the extensive plan as proposed by the Departments of Justice and Labor.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following resolution was introduced:

By Messrs. Chatters, Cottrell, Cronin, Corwin, DeLap, Hunt, Nielsen, O'Donnell, Peterson, Peyser, Phillips, Redwine, and Walker: Assembly Joint Resolution No. 32—Relative to memorializing Congress to prepare proper legislation providing for the deportation of aliens who are dependent upon public relief.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Nielsen asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 32, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER THIRTY-TWO.

Assembly Joint Resolution No. 32—Relative to memorializing Congress to prepare proper legislation providing for the deportation of aliens who are dependent upon public relief.

Assembly Joint Resolution No. 32 read.

Mr. Nielsen moved the adoption of Assembly Joint Resolution No. 32.

The question being on the adoption of Assembly Joint Resolution No. 32.

The roll was called, and Assembly Joint Resolution No. 32 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Johnson, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Thorp, Turner, Wagner, Walker, Waters, Welsh, Williamson, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 32 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 32.

Memorializing Congress to prepare proper legislation providing for the deportation of aliens who are dependent upon public relief.

WHEREAS, The problem of public relief is of paramount importance to every city, county, State and the Federal government, and as the projects of public relief in every community, State, and the Nation find thousands of instances in which aliens having failed to apply for citizenship in the United States are enjoying such benefits; and

WHEREAS, The prerequisite of admission to citizenship requires that aliens submit proof that they are not likely to become a public charge; and

WHEREAS, The problem of unemployment for our citizens is distinctly hampered in consequence of the competition of aliens occupying public relief jobs in this country and receiving assistance from public relief projects to the obvious detriment of our own people, either directly or indirectly; and

WHEREAS, It is the duty of the city, county, State and Federal government to provide primarily for its citizens and taxpayers who are confronted with the impossibility of maintaining their own existence by gainful labors in commerce and industry; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California respectfully requests and memorializes the Congress of the United States to pass immediately National legislation requiring the deportation of all unemployed aliens now dependent upon public charity and relief and those who may be occupying positions of employment on

relief projects under the administration of any city, county, State, or the Federal government; and it is further

Resolved, That the Legislature of the State of California respectfully requests and memorializes that in order to not impose undue hardship on those aliens having accustomed themselves to our standards of living that an exemption from the provisions of such proposed legislation be granted to such aliens over 60 years of age who have resided continuously in the United States for a period of 20 or more years.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Flint: Assembly Bill No. 1518—An act defining "sovereignty of electors," prescribing certain acts and methods in connection therewith and in pursuance thereof and providing penalties, forfeitures and punishments therein and therefor.

Bill read first time, and referred to Committee on Elections.

By Miss Miller (by request): Assembly Bill No. 1519—An act to amend section 271 of the Penal Code of the State of California.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Geyer: Assembly Bill No. 1520—An act to amend sections 4.50, 4 51, 4.52, 4.53, and 4.54 of the School Code, relating to the support of junior colleges.

Bill read first time, and referred to Committee on Education.

By Mr. Geyer: Assembly Bill No. 1521—An act to amend section 14 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways, in the State of California, by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to the exemption of certain vehicles.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Geyer: Assembly Bill No. 1522—An act to repeal section 9 of the Old Age Security Act, relating to transfers of property by a person securing aid.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Geyer: Assembly Bill No 1523—An act to amend the Political Code, relating to primary election.

Bill read first time, and referred to Committee on Elections.

By Mr. Geyer: Assembly Bill No. 1524—An act to amend the School Code, relating to school cafeterias.

Bill read first time, and referred to Committee on Education.

By Mr. Geyer: Assembly Bill No. 1525—An act to amend section 4.161 of the School Code, relating to county school budgets.

Bill read first time, and referred to Committee on Education.

By Messrs. Lyon and Clark: Assembly Bill No. 1526—An act to amend an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain

assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 17, 1911, by adding thereto a new section to be numbered 18¼.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Latham: Assembly Bill No. 1527—An act to amend section 3627 of the Political Code, relating to the method of appraisement for the purposes of taxation.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Laughlin: Assembly Bill No. 1528—An act to add section 616 to the Streets and Highways Code, establishing a secondary State highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Utt: Assembly Bill No 1529—An act to validate bonds of school districts, high school districts, and junior college districts of every kind and class and providing for the levy of a tax to pay the same, and declaring the urgency of said act.

Bill read first time.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Utt asked for, and was granted, unanimous consent to take up Assembly Bill No 1529, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Utt:

Resolved, That Assembly Bill No. 1529 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Mr. Utt moved the adoption of the resolution.

The question being on the adoption of the resolution

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, Desmond, Denahue, Donnelly, Evans, Herbert J. Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Glover Hawkins, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr Speaker—65.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 1529.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND FIVE HUNDRED TWENTY-NINE.

Assembly Bill No. 1529—An act to validate bonds of school districts, high school districts, and junior college districts of every kind and class

and providing for the levy of a tax to pay the same, and declaring the urgency of said act

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Andreas, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Glover, Hawkins, Hunt, Johnson, Jones, Latham, Laughlin, Love, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—65

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER ONE THOUSAND FIVE HUNDRED TWENTY-NINE.

Assembly Bill No. 1529—An act to validate bonds of school districts, high school districts, and junior college districts of every kind and class and providing for the levy of a tax to pay the same, and declaring the urgency of said act.

Bill read third time

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1529 passed by the following vote:

AYES—Andreas, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Glover, Hawkins, Hunt, Johnson, Jones, Latham, Laughlin, Love, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—65

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Frazier: Assembly Bill No. 1530—An act to amend section 590 of the Agricultural Code, relating to the labeling of butter

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Frazier: Assembly Bill No. 1531—An act to amend section 3491 of the Political Code, relating to reclamation districts.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Mr. Frazier: Assembly Bill No. 1532—An act to amend the Political Code by amending sections 3466a and 3491, relating to reclamation districts.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Mr. Martin: Assembly Bill No. 1533—An act to amend section 871 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to the assessment, levy and collection of taxes.

Bill read first time, and referred to Committee on Municipal Corporations

By Messrs. Andreas, Jones, and Corwin: Assembly Bill No. 1534—An act repealing section 365e½ of the Political Code, relating to roads and highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Messrs. Andreas, Jones, Corwin, and Phillips: Assembly Bill No. 1535—An act to amend section 365e½ of the Political Code, relating to powers and duties of the California Highway Department in respect to construction or repair of highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Messrs. Andreas, Jones, and Corwin: Assembly Bill No. 1536—An act amending sections 2 and 3 of an act entitled "An act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair, or improvement of any State structure, building, road, or other State improvement of any kind, and to repeal an act entitled 'An act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,'" relating to the construction of roads and highways.

Bill read first time, and referred to Committee on Roads and Highways

By Messrs. Andreas, Jones, and Corwin: Assembly Bill No. 1537—An act repealing section 133 of the Streets and Highways Code, relating to construction of roads and highways

Bill read first time, and referred to Committee on Roads and Highways.

By Messrs. Andreas, Jones, Corwin, and Phillips: Assembly Bill No. 1538—An act amending section 133 of the Streets and Highways Code, relating to the construction of roads and highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Cunningham: Assembly Bill No. 1539—An act to amend sections 9 and 23 of, and to add section 9a to, "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to leasing of State lands, for the purpose of taking of gold or other minerals from, and the grant-

ing of easements to take and extract oil, gas and other hydrocarbons by means of wells drilled from the littoral lands into, tide and submerged lands, whether granted or ungranted, and the beds of navigable rivers and lakes, and to repeal section 24 thereof.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

THIRD READING OF ASSEMBLY BILLS.

Assembly Joint Resolution No. 14—Relative to memorializing the Public Works Administration to approve the application of the Los Angeles County Flood Control District for a grant of $4,150,000 to be used for the immediate construction of twelve debris basins in the La Crescenta, La Canada, Verdugo Wash and Haines Canyon districts, the same being commonly known as the La Crescenta, La Canada, Verdugo Wash and Haines Canyon Project, in the county of Los Angeles, California.

Assembly Joint Resolution No. 14 read.

Mr. Fields moved the adoption of Assembly Joint Resolution No. 14.

The question being on the adoption of Assembly Joint Resolution No. 14.

The roll was called, and Assembly Joint Resolution No. 14 adopted by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hunt, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 14 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 14.

Relative to memorializing the Public Works Administration to approve the application of the Los Angeles County Flood Control District for a grant of $4,150,000 to be used for the immediate construction of twelve debris basins in the La Crescenta, La Canada, Verdugo Wash and Haines Canyon districts, the same being commonly known as the La Crescenta, La Canada, Verdugo Wash and Haines Canyon Project, in the county of Los Angeles, California.

WHEREAS, There are within the State of California a number of important projects which remain incompleted, because of lack of sufficient funds, without the aid of Federal funds; and

WHEREAS, The construction of the La Crescenta, La Canada, Verdugo Wash and Haines Canyon Project is one of the important projects which remains incomplete, because of lack of sufficient funds, without the aid of Federal funds; and

WHEREAS, Recent brush fires have completely removed the protective plant covering from the steep unstable mountain watersheds draining into the La Crescenta and La Canada areas, and have exposed these thickly populated residential districts to a very serious flood and debris hazard; and

WHEREAS, The rainstorm of December 31, 1933, and January 1, 1934, with intensities of rainfall less than may be expected in this region, produced a havoc of destruction, thirty lives were lost in this disaster and over four hundred and eighty homes were made uninhabitable, and an estimated property damage of over $5,000,000 resulted; and

WHEREAS, This thickly populated district, which includes the communities of Montrose, La Crescenta, La Canada and Tujunga, is now exposed to a repetition of this disaster with possibly a greater toll and loss of life and property if a storm of equal or greater intensity should strike it within the next several years, and

WHEREAS, In order to remove this great hazard it is proposed to construct twelve debris basins at the mouth of the canyons which discharge on the cones upon which these communities are located and it is planned to construct permanent concrete channels to safely carry the desilted water from debris basins, and

WHEREAS, The Legislature of the State of California does hereby endorse the application of the Los Angeles County Flood Control District to the Public Works Administration for a grant of $4,150,000 for the construction of the La Crescenta, La Canada, Verdugo Wash and Haines Canyon Project; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Public Works Administration be and the same is hereby respectfully urged to approve the application of the Los Angeles County Flood Control District for a grant of $4,150,000 to be used for the immediate construction of the twelve debris basins and permanent concrete channels in the La Crescenta, La Canada, Verdugo Wash and Haines Canyon Project in Los Angeles County, California, and be it further

Resolved, That the Governor of the State of California is hereby requested to transmit copies of this resolution to the Federal Administrator of the Public Works Administration.

MOTIONS TO PRINT.

Mr. Waters moved that the Chief Clerk instruct the State Printer to print 1000 additional copies of Assembly Bill No. 444

Motion carried.

Mr. Phillips moved that the Chief Clerk instruct the State Printer to print 5000 copies of Assembly Bill No. 1200.

Motion carried.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Lyon: Assembly Bill No 1540—An act to amend section 4 of and to add section 8 to an act entitled "An act creating a Commission to Codify, Consolidate, Revise or Compile the Statutes of California and to report thereon to the Legislature, and making an appropriation therefor, and authorizing State departments, boards, bureaus and commissions to contract for the revision of certain laws," approved June 10, 1929, relating to reports and making an appropriation therefor.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Maloney (by request): Assembly Bill No. 1541—An act to add section 1203b to the Penal Code, relating to probation.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Maloney (by request): Assembly Bill No. 1542—An act relating to the examination of juvenile offenders, and providing for State aid and cooperation with county authorities

Bill read first time, and referred to Committee on Judiciary.

By Mr. Maloney (by request): Assembly Bill No 1543—An act to amend section 1027 of the Penal Code, relating to alienists in criminal cases.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Maloney (by request): Assembly Bill No. 1544—An act to add sections 366h to 366m, inclusive, to the Political Code, relating to State psychiatrists, and the establishment of a Division of Psychiatry in the Department of Institutions.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Maloney (by request): Assembly Bill No. 1545—An act to add sections 974 to 974c inclusive to Title VI, Chapter 1, of Part II of

the Penal Code, relating to the examination of persons charged with crime.

Bill read first time, and referred to Committee on Crime Problems.

By Messrs. Cottrell and Andreas: Assembly Bill No. 1546—An act to add section 4 to an act entitled "An act limiting the liability of supervisors, city trustees, city councils, boards of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances," approved June 13, 1923, relating to the liability of counties, municipalities and school districts.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Cottrell and Andreas: Assembly Bill No. 1547—An act to amend section 1 of an act entitled "An act relating to the liability in damages of municipalities, counties, cities and counties, and school districts, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property; prescribing the duties of the officers thereof in such cases and authorizing such public or quasi-public corporations to take out and pay for insurance to protect them against such liability," approved June 19, 1931, relating to claims and the institution of suits.

Bill read first time, and referred to Committee on Judiciary.

By Mr. McCarthy. Assembly Bill No. 1548—An act to remit to holders of certificates of purchase of State lands one-half of any penalty which has accrued on account of failure of any such purchaser to pay interest when due, in consideration of the payment of any such purchaser, on or before December 31, 1935, to the State of California, of any sums due the State on account of interest, plus the remaining one-half of any accrued penalties.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

By Mr. Minard: Assembly Bill No. 1549—An act to provide for the purchase of real property for the State Teachers College at Fresno, and to make an appropriation therefor.

Bill read first time, and referred to Committee on Teachers Colleges.

By Mr. Minard: Assembly Bill No. 1550—An act to add section 32a to "An act creating a State Land Settlement Board, and defining its powers and duties, and making an appropriation in aid of its operations," approved June 1, 1917, as amended, and to ratify and confirm certain acts of the Director of Finance with respect to the disposition of properties at the Delhi State Land Settlement and Durham State Land Settlement.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

By Messrs. Reaves and Flint: Assembly Bill No. 1551—An act relating to taxation, for State purposes, of vessels which are exempt

from taxation except for State purposes, and providing for the assessment, levy, collection and enforcement thereof.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Messrs. Anderson and Boyle. Assembly Bill No. 1552—An act to establish a State Board of Qualifying Certificate Examiners in the fundamental sciences underlying the practice of the healing arts, to provide for its organization and powers, to provide that certification by such board be a prerequisite to eligibility for examination for a license to practice the healing arts and to define healing arts.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Anderson: Assembly Bill No. 1553—An act to authorize the Building and Loan Commissioner to liquidate building and loan associations whose capital or reserve is impaired and in certain cases to permit the depositors to incorporate a mutual building and loan association and for that purpose use the available assets for the working capital and to liquidate the remaining assets and to pay the proceeds thereof pro rata to said depositors until paid in full and the excess, if any, to the stockholders according to their several holdings.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Mr. Lyon: Assembly Bill No. 1554—An act to amend "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 5, 1931, relating to retirement and pensions.

Bill read first time, and referred to Committee on County Government.

By Mr. Lyon: Assembly Bill No. 1555—An act to amend section 1195b of the Political Code, relating to election pamphlets.

Bill read first time, and referred to Committee on Elections.

By Mr. Lyon: Assembly Bill No. 1556—An act to amend section 518 of the Penal Code, relating to extortion.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Lyon: Assembly Bill No. 1557—An act to amend sections 1640 to 1680, both inclusive, and sections 1700 to 1714, both inclusive, of the Insurance Code, relating to agents, brokers, and solicitors.

Bill read first time, and referred to Committee on Insurance.

By Mr. Robertson: Assembly Bill No. 1558—An act to amend section 2323x16 of the Political Code, relating to agricultural commissioners in counties of the sixteenth class.

Bill read first time, and referred to Committee on County Government

By Mr. Robertson: Assembly Bill No 1559—An act to amend section 4245 of the Political Code, relating to the compensation of county officers in counties of the sixteenth class.

Bill Read first time, and referred to Committee on County Government.

By Mr. Robertson: Assembly Bill No. 1560—An act to amend section 737pp of the Political Code, relating to the compensation of the judge of the superior court, Santa Barbara County.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Maloney: Assembly Bill No. 1561—An act to amend sections 2 and 9 of an act entitled "An act to revise an act entitled 'An act defining mattresses; regulating the making, remaking, and sale thereof; prohibiting the use of unsanitary and unhealthy materials therein; requiring that materials used shall be accurately described, and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled; and making the violation of any of the provisions of this act a misdemeanor, and repealing legislation inconsistent with this act,' approved June 7, 1915, as amended," approved May 31, 1929, relating to secondhand mattress material.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Maloney: Assembly Bill No. 1562—An act to amend sections 2, 9, and 10 of an act entitled "An act to revise an act entitled 'An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling, or repairing upholstered furniture; and creating the upholstered furniture inspection fund,' approved May 9, 1927," approved June 1, 1929, relating to secondhand upholstery.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Corwin: Assembly Bill No. 1563—An act making an appropriation for major construction and equipment at Patton State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Mr. Peyser: Assembly Bill No. 1564—An act to amend section 164 of the Civil Code, relating to community property.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Peyser: Assembly Bill No. 1565—An act to amend section 5 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property and providing for permits to retailers, providing for the revenue, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for the violations of the provisions hereof,

and providing this act shall take effect immediately," approved July 31, 1933, relating to exemptions on certain personal property.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Peyser: Assembly Bill No. 1566—An act making an appropriation to pay the claim of Yeoman Mutual Life Insurance Company against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Lyon: Assembly Bill No. 1567—An act to amend section 14 of the "Inheritance Tax Act," approved June 3, 1921, as amended, relating to the appointment of inheritance tax appraisers.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Brennan and Hornblower: Assembly Bill No. 1568—An act to amend sections 28, 43, 46 and 48 of the State Bar Act, as amended, relating to fees and the distribution thereof.

Bill read first time, and referred to Committee on Judiciary.

By Mr Cronin: Assembly Bill No. 1569—An act to amend section 4 of an act entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled "An act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof," approved June 12, 1913, relating to schools of nursing.

Bill read first time, and referred to Committee on Medical and Dental Laws

By Mr. Kallam: Assembly Bill No. 1570—An act to add two new sections to the Public Utilities Act, to be numbered 2¾ and 50¾, defining highway common carriers and providing for the regulation thereof and requiring the issuance of certificates of public convenience and necessity therefor, and to repeal Chapter 213 of the Statutes of 1917, approved May 10, 1917, and amendments thereto.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Redwine (by request): Assembly Bill No. 1571—An act relating to rights, royalties, interests or estates in or to oil, gas, or other hydrocarbons in or under or to be extracted from real property, or in or to the proceeds derived from the sale of such oil, gas or other hydrocarbons, and relating to the rights and liabilities of the owners or holders of such rights, royalties, interests or estates and relating to instruments conveying the same and the recording thereof.

Bill read first time, and referred to Committee on Oil Industries.

By Mr. Redwine: Assembly Bill No 1572—An act to amend section 125 of the Code of Civil Procedure, relating to sittings of court.

Bill read first time, and referred to Committee on Judiciary.

By Mr Wagner. Assembly Bill No. 1573—An act to amend section 1197a of the Political Code, for the purpose of making certain the payment of adequate compensation to persons soliciting signatures to initiative, referendum, and recall petitions, requiring the filing of bonds by the proponents of such petitions to insure the payment of such compensation.

Bill read first time, and referred to Committee on Elections.

By Mr. Garibaldi: Assembly Bill No 1574—An act to amend section 403 of the Vehicle Code, relating to liability for injury to or death of guests.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Garibaldi: Assembly Bill No 1575—An act to amend section 1415 of the Fish and Game Code, relating to the forfeiture and suspension of hunting licenses.

Bill read first time, and referred to Committee on Fish and Game.

By Mr Garibaldi Assembly Bill No. 1576—An act to amend section 21 of the Fish and Game Code, relating to the power and authority of deputies.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Garibaldi: Assembly Bill No 1577—An act to amend section 1416 of the Fish and Game Code, relating to forfeiture and suspension of sporting fishing licenses.

Bill read first time, and referred to Committee on Fish and Game.

By Mr Wagner: Assembly Bill No 1578—An act making an appropriation to pay the claim of Piedmont Market, Inc., against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Scudder: Assembly Bill No 1579—An act to amend the Insurance Code, relating to insurance principles, practice and business, and matters incidental thereto

Bill read first time, and referred to Committee on Insurance.

By Mr Scudder. Assembly Bill No 1580—An act to amend the Insurance Code, relating to insurance principles, practice and business, and matters incidental thereto

Bill read first time, and referred to Committee on Insurance

By Mr. Scudder: Assembly Bill No 1581—An act to amend the Insurance Code, relating to insurance principles, practice and business, and matters incidental thereto.

Bill read first time, and referred to Committee on Insurance

By Mr Scudder: Assembly Bill No 1582—An act to amend the Insurance Code, relating to insurance principles, practice and business, and matters incidental thereto.

Bill read first time, and referred to Committee on Insurance.

By Mr. Scudder: Assembly Bill No. 1583—An act to amend the Insurance Code, relating to insurance principles, practice and business, and matters incidental thereto.

Bill read first time, and referred to Committee on Insurance.

By Mr. Scudder: Assembly Bill No. 1584—An act to amend sections 10110 to 11524 of the Insurance Code, relating to life, disability, and life and disability insurance.

Bill read first time, and referred to Committee on Insurance.

By Mr. Scudder: Assembly Bill No. 1585—An act to amend sections 11550 to 12020 of the Insurance Code, relating to insurance against legal liability, including liability, Workmen's Compensation, and common carrier liability insurance.

Bill read first time, and referred to Committee on Insurance.

By Mr. Scudder: Assembly Bill No. 1586—An act to amend sections 12050 to 12111 of the Insurance Code, relating to miscellaneous casualty insurances.

Bill read first time, and referred to Committee on Insurance.

By Mr. Scudder: Assembly Bill No. 1587—An act to amend sections 12140 to 12311 of the Insurance Code, relating to motor clubs.

Bill read first time, and referred to Committee on Insurance.

By Mr. Scudder: Assembly Bill No. 1588—An act to amend sections 12340 to 12400 of the Insurance Code, relating to title insurance.

Bill read first time, and referred to Committee on Insurance.

By Mr. Scudder: Assembly Bill No. 1589—An act to amend sections 12420 to 12631 of the Insurance Code, relating to mortgage insurance.

Bill read first time, and referred to Committee on Insurance.

By Mr. Scudder: Assembly Bill No. 1590—An act to amend sections 12680 to 12741 of the Insurance Code, relating to land value insurance.

Bill read first time, and referred to Committee on Insurance.

By Mr. Scudder: Assembly Bill No. 1591—An act to amend sections 12900 to 12976 of the Insurance Code, relating to the powers, functions and duties of the Insurance Commissioner.

Bill read first time, and referred to Committee on Insurance.

By Mr. Pelletier: Assembly Bill No. 1592—An act to amend section 5 of an act entitled "An act to levy an excise tax and to regulate the manufacture, distribution and sale of certain beverages; to provide for the licensing of the manufacture, distribution and sale; to prescribe penalties for the violation of this act and to provide that this act shall take effect immediately," approved April 27, 1933.

Bill read first time, and referred to Committee on Public Morals.

By Messrs. Flint, Pelletier, McCarthy, Turner, Gilbert, Glover, Hawkins, Evans, Ralph W., Geyer, Laughlin, and Clark: Assembly Bill No. 1593—An act to impose a tax on the conducting of business by the system of chain stores for selling or otherwise disposing of goods, wares, articles or commodities, providing penalties for failure to pay such

tax, and defining certain crimes in connection with the enforcement of such tax.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Lore, Waters, and Cunningham: Assembly Bill No. 1594—An act to amend section 2 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to petitions for incorporation.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Williamson: Assembly Bill No. 1595—An act to amend section 9 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to compensation.

Bill read first time, and referred to Committee on Insurance.

By Mr. Williamson: Assembly Bill No. 1596—An act to make shares issued by Federal savings and loan associations, and by building and loan associations, legal investments for the funds of executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Mr. Williamson: Assembly Bill No. 1597—An act to amend section 23 of "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," approved March 1, 1929, relating to the payment of taxes.

Bill read first time, and referred to Committee on Banking.

By Mr. Desmond: Assembly Bill No. 1598—An act to amend section 13 of the Motor Vehicle Fuel License Tax Act, relating to the distribution of money received from gasoline licenses taxes.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr Desmond: Assembly Bill No. 1599—An act to amend section 226 of and to add section 226a to the Civil Code, relating to adoption.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Nielsen (by request): Assembly Bill No. 1600—An act to amend section 685 of the Code of Civil Procedure, relating to the enforcement of judgments after five years.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Nielsen: Assembly Bill No. 1601—An act regulating the use and method of carrying electrical current for the purpose of furnishing motor power for railroads, street railways, and interurban trains, and prescribing penalties for the violation hereof.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Nielsen: Assembly Bill No. 1602—An act to amend an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr. Nielsen: Assembly Bill No. 1603—An act to carry into effect the provisions of Article XXIV of the Constitution of the State of California approved and ratified at the election on November 6, 1934, relating to the merit system in civil service and State employment.

Bill read first time, and referred to Committee on Civil Service.

By Mr. Nielsen: Assembly Bill No. 1604—An act to amend the title and the provisions of an act entitled "State Civil Service Act," approved June 16, 1933, as amended, to carry into effect the provisions of Article XXIV of the Constitution of the State of California approved at the election held on November 6, 1934.

Bill read first time, and referred to Committee on Civil Service.

By Mr. Nielsen: Assembly Bill No. 1605—An act to amend sections 2.1223, 6 523, 6 561½, 6.260, 6.262, 6.264, 6.274, 6.275, 6.276 of the School Code, relating to the public school system.

Bill read first time, and referred to Committee on Education.

By Mr. Nielsen: Assembly Bill No. 1606—An act to amend the "Sewer Revenue Bond Act," approved May 15, 1933, relating to acquisition and operation of sewerage disposal works.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Johnson, Fisher, Breed, Corwin, Cunningham, Martin, and Wallace: Assembly Bill No. 1607—An act creating a State Board of Eugenics and defining the powers and duties thereof; and providing for the care, protection, and decrease of the State's defectives, and lowering of the expenses therefor.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Turner: Assembly Bill No. 1608—An act to amend sections 1, 4, 5, 10, 12, 13, and 15 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," as approved May 25, 1921, as amended, relating to the issuance, transfer, terms of, and rights under prospecting permits, leases, and sales of State mineral lands.

Bill read first time, and referred to Committee on Conservation

By Messrs. Johnson, Wallace, Cunningham, Corwin, Breed, Martin, and Fisher: Assembly Bill No 1609—An act to repeal section 645 of the Penal Code, relating to carnal abuse.

Bill read first time, and referred to Committee on Crime Problems

By Mr. Utt: Assembly Bill No. 1610—An act adding a new section, to be numbered 4a, to an act entitled, "An act regulating the making of openings or the placing of structures or the change or renewal of any

structure and the planting or removal of trees or shrubs or the placing of obstructions in or on State roads and highways; providing for the issuance of permits by the State Department of Engineering relative thereto, and for the laying or placing pipes, conduits, sewers, poles, wires, railways, obstructions and other objects, and for the planting, trimming or removal of trees or shrubs in or on State roads and highways; providing for the requirement of bonds from applicants before the issuance of such permits; and prescribing the penalty for violations of the provisions of this act, approved April 23, 1915, as amended.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Anderson: Assembly Bill No. 1611—An act to prohibit corporations from holding or owning guarantee stock in building and loan association.

Bill read first time, and referred to Committee on Corporations.

By Messrs. Voigt, Lore, Geyer and Flint: Assembly Bill No. 1612—An act to amend sections 13 (a) and 47 (a) of an act entitled "An act to provide for the organization of the Railroad Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund,' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," and designated in the act so entitled as the "Public Utilities Act," approved April 23, 1915, as amended.

Bill read first time, and referred to Committe on Public Utilities.

By Messrs. Voigt, Lore, Clark, Geyer and Flint: Assembly Bill No. 1613—An act to require the acceptance of certificates or other evidences of investments secured by mortgages and/or deeds of trust, in payment of the obligations for which said security is given.

Bill read first time, and referred to Committee on Financial Institutions

By Mr. McBride: Assembly Bill No. 1614—An act to amend section 135 of the Vehicle Code, relating to the California Highway Patrol

Bill read first time, and referred to Committee on Motor Vehicles.

By Messrs. Redwine and Martin: Assembly Bill No. 1615—An act to restrain aliens, who are or may become vagrants, paupers, mendicants, criminals or invalids inflicted with contagious or infectious diseases, and aliens otherwise dangerous or detrimental to the well-being or peace of the State from entering the State, and to impose conditions upon which such persons may reside in the State, and to provide the means and mode of their removal from the State, upon failure or refusal to comply with such conditions.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Mayo: Assembly Bill No. 1616—An act to establish an additional State highway and classifying it as a secondary State highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Mayo: Assembly Bill No. 1617—An act to add section 602 to the Streets and Highways Code, establishing a secondary State highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Messrs. Hornblower, Peyser, Cronin, McMurray, Brennan, Dawson, Maloney, Gilmore and Williamson: Assembly Joint Resolution No. 33—Relative to memorializing Congress to request the President and the Congress of the United States to invite the people of the world to participate in the San Francisco Bay Bridge Exposition to be held at the City and County of San Francisco, State of California, during the year 1938.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No 33, at this time, without reference to printer or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER THIRTY-THREE.

Assembly Joint Resolution No 33—Relative to memorializing Congress to request the President and the Congress of the United States to invite the people of the world to participate in the San Francisco Bay Bridge Exposition to be held at the City and County of San Francisco, State of California, during the year 1938.

Assembly Joint Resolution No 33 read

Mr. Maloney moved the adoption of Assembly Joint Resolution No. 33.

The question being on the adoption of Assembly Joint Resolution No. 33.

The roll was called and Assembly Joint Resolution No. 33 adopted by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Domhue, Donnelly, Evans, Herbert J. Evans, Ralph W., Field, Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McBride McCarthy, McMurray, Meehan, Miller, Mmard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie Riley, Robertson, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Water , Williamson, Wright, and Mr. Speaker—66

NOES—None

Title read and approved

Assembly Joint Resolution No 33 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No 33

Relative to memorializing Congress to request the President and the Congress of the United States to invite the people of the world to participate in the San Francisco Bay Bridge Exposition to be held at the City and County of San Francisco State of California during the year 1938

WHEREAS, Two great bridges of world renown will be completed on or about the first day of January, 1938 spanning San Francisco Bay, connecting the City and County of San Francisco with Marin and Alameda counties; and

WHEREAS, The erection of these two bridges is a monumental achievement of civilization; and

WHEREAS, It is befitting that the people of the world be invited to celebrate the completion thereof; now therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California most respectfully urges and requests the President and the Congress of the United States to invite the people of the world to participate in said San Francisco Bay Bridge Exposition to be held in said year 1938; and be it further

Resolved That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and member of the House of Representatives from California in Congress of the United States, and that such Senators and members from California be urged to support such exposition.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following resolution was introduced:

By Messrs Hornblower, Peyser, Cronin, McMurray, Brennan, Dawson, Maloney, Gilmore and Williamson: Assembly Joint Resolution No. 34—Relative to memorializing the Governors, the Lieutenant Governors, and the legislators of each of the State of the United States, to invite the people of their respective States to participate in the San Francisco Bay Bridge Exposition to be held at the City and County of San Francisco, State of California, during the year 1938.

Introduced.

REQUEST FOR UNANIMOUS CONSENT

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 34, at this time, without reference to printer or file, and that same be considered engrossed

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER THIRTY-FOUR.

Assembly Joint Resolution No. 34—Relative to memorializing the Governors, the Lieutenant Governors, and the legislators of each of the States of the United States, to invite the people of their respective States to participate in the San Francisco Bay Bridge Exposition to be held at the City and County of San Francisco, State of California, during the year 1938

Assembly Joint Resolution No. 34 read

Mr Maloney moved the adoption of Assembly Joint Resolution No 34

The question being on the adoption of Assembly Joint Resolution No 34.

The roll was called, and Assembly Joint Resolution No. 34 adopted by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr Speaker—66

NOES—None

Title read and approved

Assembly Joint Resolution No 34 ordered transmitted to the Senate

ASSEMBLY JOINT RESOLUTION No 34

Relative to memorializing the Governors, the Lieutenant Governors, and the legislators of each of the States of the United States, to invite the people of their respective States to participate in the San Francisco Bay Bridge Exposition to be held at the City and County of San Francisco, State of California during the year 1938.

WHEREAS, Two great bridges of world renown will be completed on or about the first day of January, 1938, spanning San Francisco Bay, connecting the City and County of San Francisco with Marin and Alameda counties; and

WHEREAS, The erection of these two bridges is a monumental achievement of civilization; and

WHEREAS, It is befitting that the people of the various States of the Union be invited to celebrate the completion thereof; now therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California most respectfully urges and requests the Governors, Lieutenant Governors and legislators of said States to invite the people of their respective States to participate in the aforementioned San Francisco Bay Bridge Exposition to be held in the said year 1938; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Governors, Lieutenant Governors, and legislators, of the various States of the United States, and that said Governors, Lieutenant Governors, and legislators of the said States urge the people of their respective States to attend the San Francisco Bay Bridge Exposition in 1938.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Messrs. Cronin, Utt, Garibaldi, Corwin, and Riley: Assembly Bill No. 1618—An act to amend the Personal Property Broker's Act, relating to the classification and regulation of the business of personal property brokers, including the fixing and regulation of their charges and interest, and to repeal all acts and parts of acts inconsistent herewith.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr. Burns: Assembly Bill No. 1619—An act making an appropriation for major construction and equipment at Talmadge State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Messrs. Meehan and Fisher. Assembly Bill No. 1620—An act making an appropriation for the establishment of a free employment agency in the city of Oakland.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Peyser: Assembly Bill No. 1621—An act to prohibit until February 1, 1937, sales under certain mortgages and deeds of trust, and the forfeiture of the interest of the purchaser under certain contracts of purchase, for default in the payment of the principal sum of obligations secured thereby or contracted to be paid thereunder, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale or forfeiture made in violation of the act, to prescribe the time within which an action to avoid the same may be brought, to postpone sales for default in payment of installments due between effective date of act and February 1, 1937, to authorize waiver hereof, to prevent actions against guarantors' obligations the enforcement of the security for which is affected by the act, and to declare the urgency hereof.

Bill read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1935.

MR. SPEAKER: Your Committee on Attaches respectfully begs to report that it has carefully considered the applications for the various positions and desires to submit the following resolution:

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same.

	Per day
Commencing January 23, 1935	
Alice Mae Atkinson	$5 00
Commencing January 26, 1935	
Ruth Tate	5 00

UTT, Chairman.

Report and resolution read.

Mr. Utt moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Chatters, Corwin, Cronin, Crowley, Cunningham, Dawson, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—63.

NOES—None.

REPORTS OF STANDING COMMITTEES (RESUMED).

The following report of standing committee was received and read:

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1935.

MR. SPEAKER: WHEREAS, During the constitutional recess, services of the officers, attaches and employees of the Assembly will not be required with the exception hereinafter noted; and

WHEREAS, There is a great deal of exacting details pertaining to this session of the Legislature to be taken care of; and

WHEREAS, It will be necessary to retain a certain amount of help to assist in the performance of this work; therefore, be it

Resolved, That the name of each of the officers, attaches and employees heretofore employed by the fifty-first session of the Assembly for the positions at the per diem provided by law, be, and they are hereby stricken from the roll to begin and include the twenty-seventh day of January, 1935, save and except the following:

Arthur A. Ohnimus, Chief Clerk, 36 days at $10 per day	$360 00
Viva Alexander, one day at $5 per day	5 00

UTT, Chairman.

Report and resolution read.

Mr. Utt moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Chatters, Corwin, Cronin, Crowley, Cunningham, Dawson, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—63.

NOES—None

RESOLUTION.

The following resolution was offered:

By Mr. Evans:

Resolved, That the Chief Clerk be authorized and directed to receipt for any warrants for members, officers or attaches of the Assembly during the constitutional recess.

Resolution read.

Mr. Evans moved the adoption of the resolution

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Chatters, Corwin, Cronin, Crowley, Cunningham, Dawson, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—63.

NOES—None.

RESOLUTION.

The following resolution was offered:

By Mr. Heisinger:

ASSEMBLY RESOLUTION.

Relative to the appointing of a committee from the Assembly of the State of California to investigate the use of textbooks in the public schools of California.

WHEREAS, There are many instances where children required to move from one school to another are greatly hampered and retarded in their educational progress by the use of textbooks with which they are unfamiliar; and

WHEREAS, Undue influence appears to have been brought to bear upon teachers, superintendents and governing boards of our public schools influencing the purchase from private concerns at tremendous profits the textbooks which the State of California is capable of printing in the California State Printing Office; and

WHEREAS, These actions have had a tendency to defeat the use of uniform textbooks in our public schools; now, therefore be it

Resolved by the Assembly of the State of California, That a committee be appointed consisting of three members of the Assembly to be appointed by the Speaker of the Assembly; and be it

Resolved, That the committee shall be directed to hold meetings and conduct hearings in the cities of Los Angeles, Fresno, San Francisco and Sacramento and that they are vested with full power to subpena witnesses, administer oaths and to demand the production before such committee of any records which they may require to conduct such investigation. The Legislative Counsel Bureau shall, at the request of the committee, cooperate with and aid the committee in the investigation; and be it further

Resolved, That the committee shall render its written report at the reassembling of the Legislature in March of this year. The committee shall be allowed such traveling and other necessary expenses as are actually incurred while conducting such investigation. The expenses of the committee, not to exceed $300, are to be paid out of the contingent funds of the Assembly of the State of California.

Resolution read.

Mr. Heisinger moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Flint, Fulcher, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, Maloney, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Turner, Voigt, Wagner, Wallace, Welsh, Williamson, and Mr. Speaker—51.

NOES—Breed, Field, Fisher, Geyer, Johnson, Martin, McBride, Robertson, Thorp, Walker, Waters, and Wright—12.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker announced the appointment of the following members of the Assembly to carry out the provisions of the resolution by Mr. Heisinger: Messrs. Heisinger (Chairman), Cassidy, and Fisher.

SENATE MESSAGE

The following message from the Senate was taken up and read

SENATE CHAMBER, SACRAMENTO, January 26, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 262—An act to validate contracts heretofore executed by county water districts within the United States and all proceedings relative thereto, including creation of improvement districts, and to provide for the levy and collection of taxes to pay any sums required by the terms of such contracts and to declare the urgency hereof;

Also: Assembly Bill No. 263—An act to authorize the execution of contracts between any irrigation district or districts and any county water district or districts organized under the laws of this State, each of which districts shall have executed with the United States a contract or contracts under the provisions of the Federal Reclamation Law for construction of works, acquisition, purchase, extension, operation or maintenance of such works or for a water supply or electric power rights or privileges or assumption as principal or guarantor of indebtedness to the United States or for any of said purposes and which such districts shall propose to divert or carry water for use in such districts by means of a single main canal or system of works and providing certain purposes for which such contracts between such districts may be executed, providing for the manner of authorization of such contracts and validating such contracts heretofore executed, declaring the urgency hereof and providing that this act shall go into immediate effect.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

Assembly Bills Nos. 262 and 263 ordered to enrollment.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Peterson: Assembly Bill No. 1622—An act to amend the 1929 Statutes, approved by the Governor June 17, 1929, and in effect August 14, 1929, by repealing sections 13, 15, and 16 of Chapter 838, said act being entitled "An act to provide for the establishment of official master plans and the appointment of planning commissions in cities, cities and counties, and counties; prescribing the manner of adoption of such plans, portions thereof, amendments thereto and composition thereof; prescribing the powers and duties of such commissions; providing for the transfer thereto of the powers and duties of other planning commissions; providing for the preparation, adoption and recordation of precise street plans; providing for the control of the construction of buildings within the lines of streets shown on such precise street plans; providing for the levy of a special tax for the support of a planning commission and other acts pursuant to this act and making certain expenditures legal charges against the funds of cities, cities and counties, and counties and regional planning commissions; providing for the establishment by cities, cities and counties, and counties and regional planning commissions, including two or more cities, cities and counties, or counties, or a portion or portions thereof, or both; making certain act, misdemeanors; and repealing other acts in conflict herewith."

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Phillips: Assembly Bill No. 1623—An act to amend the Political Code of the State of California by adding thereto a new section to be known as section 3804-C, relating to cancellation of tax assessments.

Bill read first time, and referred to Committee on County Government.

By Mr. Phillips: Assembly Bill No. 1624—An act to amend section 265 of the Vehicle Code, requiring operators and chauffeurs licenses to contain the fingerprints and a description of each licensee.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Phillips: Assembly Bill No. 1625—An act to prevent fraud, deception and imposition in the solicitation within the State of California of the deposit of bonds, notes, debentures and other evidences of indebtedness under, and/or the consent of the holders or owners of such securities, to a protective committee agreement, and to prevent fraud, deception and imposition in the operations and activities of protective committees organized within the State of California to act for and in behalf of the holders or owners of such securities, and for such purposes to create a commission to regulate and supervise the establishment and the operations of protective committees, depositaries under protective committee agreements, and solicitors for protective committee agreements; to prescribe the powers and duties of such commission; to license members of protective committees, depositaries under protective committee agreements and solicitors for protective committee agreements; and to prescribe penalties for violation of this act.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Phillips: Assembly Bill No. 1626—An act to amend section 2924 and to repeal section 2924b of the Civil Code, relating to notice of sale.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Phillips: Assembly Bill No. 1627—An act to amend section 1425 of the Penal Code, relating to the jurisdiction of justices' courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Patterson: Assembly Bill No. 1628—An act pertaining to fish and game. Pertaining to the regulation and jurisdiction of fish reduction plants within the jurisdictional limits of the State of California in the Pacific Ocean and bays thereof.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Patterson: Assembly Bill No. 1629—An act relating to fees for contracts and services to contracting parties and a penalty thereof.

Bill read first time, and referred to Committee on Judiciary.

By Mr. McCarthy: Assembly Bill No. 1630—An act to amend section 3714 of the Political Code, relating to the publication of budgets.

Bill read first time, and referred to Committee on County Government.

By Mr. McCarthy: Assembly Bill No. 1631—An act to provide for the registration of bonds and interest coupons unpaid for want of funds and the preference and payment thereof in the order of such registration, when funds are available.

Bill read first time, and referred to Committee on County Government.

By Mr. Anderson (by request of T. J. O'Donnell, Palo Alto, California): Assembly Bill No. 1632—An act to amend section 3617 of and to add section 3640 and 3748a to the Political Code, relating to taxation of credits, claims, debts, and demands due, owing or accruing for or on account of money deposited with certain institutions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Field: Assembly Bill No. 1633—An act to add a new section to the Agricultural Code to be numbered section 830.6 requiring the sterilization of used containers of fruits, nuts, or vegetables, before such containers are again used or sold, for the purpose of containing, shipping, or transporting fruits, nuts, or vegetables, and requiring the sterilization of used containers before such containers are returned to, or taken upon, the premises of any grower, packer, or shipper of fruits, nuts or vegetables.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr Evans, Herbert J.: Assembly Bill No. 1634—An act to repeal sections 378, 378a, 378b, 378c, 378d, 378e, 378f, and 378g of the Political Code, relating to the Bureau of Commerce.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Cunningham: Assembly Bill No 1635—An act to amend section 1 of an "Act to require tax clearance by assessors and the State Controller as a prerequisite for the registration of vehicles by the Motor Vehicle Department," approved May 15, 1933, relating to tax clearance by assessors prerequisite for registration.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Brennan: Assembly Bill No 1636—An act to add sections 275, 276, 277, 279, 280 to the Code of Civil Procedure, relating to attorneys and counselors at law.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Pelletier: Assembly Bill No. 1637—An act to regulate and license the business of producing or distributing hydraulic cement, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Pelletier: Assembly Bill No. 1638—An act to amend Article I of Chapter VI of Part II of Division VI of the School Code.

Bill read first time, and referred to Committee on Education.

By Mr. Pelletier: Assembly Bill No. 1639—An act to amend Article VII of Chapter I of Part III of Division VI of the School Code.

Bill read first time, and referred to Committee on Education.

By Mr. Phillips: Assembly Bill No. 1640—An act to amend section 3866 and to repeal section 3871 of the Political Code, relating to settlements between county treasurers and the State.

Bill read first time, and referred to Committee on County Government.

By Mr. Fisher Assembly Bill No. 1641—An act to amend section 46 of the Workmen's Compensation Insurance and Safety Act, approved May 26, 1913, relating to insurance carriage of the State and certain political subdivisions, public corporations and quasi public corporations.

Bill read first time, and referred to Committee on Insurance.

By Mr. Lyon: Assembly Bill No. 1642—An act to amend section 502 of the Vehicle Code, relating to punishment.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Lyon: Assembly Bill No. 1643—An act to amend section 3236 of the Political Code, relating to acceptance of bids on public works and authorizing a preference to materials and supplies manufactured within the State of California.

Bill read first time, and referred to Committee on County Government.

By Mr. Williamson: Assembly Bill No. 1644—An act relating to the escheat to the State of unclaimed moneys deposited with public utilities and providing for the collection, use and disposition thereof.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

By Mr. Williamson: Assembly Bill No. 1645—An act to require governmental units to furnish reports to the State Department of Finance concerning bonds and bonded indebtedness.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Br Mr McBride: Assembly Bill No. 1646—An act to amend an act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the "Railroad Commission fund" and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code, and all acts and parts of acts inconsistent with the provisions of this act.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. McBride: Assembly Bill No. 1647—An act to amend an act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the "Railroad Commission fund" and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code, and all acts and parts of acts inconsistent with the provisions of this act.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. McBride: Assembly Bill No. 1648—An act to amend section 84 of an act to provide for the organization of the Railroad Commission,

to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the "Railroad Commission fund" and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of the act as amended.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. McBride: Assembly Bill No. 1649—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, to provide for the disposition of the revenues therefrom, to make an appropriation for the administration hereof, and to provide that this act shall take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Hornblower: Assembly Bill No. 1650—An act to amend sections 480, 481, 482, 483, 503, 505, 736, 737, 738 and 743 of the Vehicle Code, to repeal sections 502 and 739 of said code and to add sections 500, 501, 502, 506, 739, 743.5 and 743.6 to said code, relating to accidents involving motor vehicles, the duty of drivers of such vehicles to stop, render aid and give certain information, defining the crime of negligent homicide and prescribing penalties therefor, also relating to persons driving motor vehicles while under the influence of liquor or narcotic drugs, to the stealing or unlawful taking of motor vehicles, and the reckless driving of such vehicles, to the taking of persons arrested before magistrates, and the duties of arresting officers in connection with said persons, to the procedure to be followed where the person arrested is either taken before a magistrate or is given notice to appear in court, to changes of venue in prosecutions for violations of said code, and to the procedure to be followed upon the arrest of all persons violating said code.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Hornblower: Assembly Bill No. 1651—An act to amend the Vehicle Code by amending sections 618, 621, 623, 625, 633, 634, 635, 637, 639, 640 and 670; to renumber section 663 to be section 664; to repeal Chapter 4 of Division X embracing sections 645 to 658, inclusive, sections 661, 662 and 677; to add sections 623.5, 638, a new Chapter 4 to Division X, embracing sections 645 to 656, inclusive, 660, 661, 662 and 663, relating to vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Hornblower: Assembly Bill No. 1652—An act to amend the Vehicle Code by amending sections 195, 196, 197, 198 and 380, relating to vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Hornblower: Assembly Bill No. 1653—An act to amend the Vehicle Code by amending sections 320, 488 and 489, relating to vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Hornblower: Assembly Bill No. 1654—An act to amend sections 459 and 471 of, and to add a new section to be numbered 466 to, the Vehicle Code, relating to highways and the regulation thereof.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Hornblower: Assembly Bill No. 1655—An act to amend the Vehicle Code by amending sections 134 and 776; by adding sections 131, 136 and 681, relating to vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Hornblower: Assembly Bill No. 1656—An act to amend the Vehicle Code by repealing sections 414 and 415; by adding sections 414, 415 and 416, relating to vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Hornblower: Assembly Bill No. 1657—An act to amend the Vehicle Code by amending sections 253, 257, 267, 268, 269, 270, 272, 273, 314, 315, 316 and 338; by repealing sections 350, 351, 352, 353 and 354; by adding sections 254, 271.5, 350, 351, 352, 353 and 354, relating to vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Hornblower: Assembly Bill No. 1658—An act to amend sections 468, 474, 515, 516, 713 and 714 of, and to add a new section to be numbered 692 to, the Vehicle Code, relating to highways, bridges and structures thereon, and the regulation of speeds and weights of vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Laughlin: Assembly Bill No. 1659—An act to impose a special tax and regulate sales and distribution in this State of moving picture films sold or distributed by any person, firm, corporation or association in this State, and to provide methods and penalties for the enforcement of such tax.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Laughlin: Assembly Bill No. 1660—An act to limit the amount of taxes which may be imposed upon real or personal property according to the value thereof, for county and city and county purposes.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Laughlin: Assembly Bill No. 1661—An act to provide a system of unemployment insurance.

Bill read first time, and referred to Committee on Insurance

By Mr. Breed: Assembly Bill No. 1662—An act to amend sections 17, 20 and 22 of the Personal Property Brokers Act, relating to taxation and the disposition of moneys.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr. Breed: Assembly Bill No. 1663—An act to amend sections 21, 25 and 26 of, to add sections 26a and 26b to, and to repeal section 28

of the Corporate Securities Act, relating to taxation, fees and the disposition of moneys.

Bill read first time, and referred to Committee on Corporations.

By Mr. Frazier: Assembly Bill No. 1664—An act to amend an act entitled "An act to create a reclamation district to be called 'Reclamation District No. 1660'," and providing for the control and management thereof.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Mr. Martin: Assembly Bill No. 1665—An act providing for employment and old age pensions.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Hornblower: Assembly Bill No. 1666—An act to amend an act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled "An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof," approved June 5, 1931, and all acts or parts of acts inconsistent with the provisions of this act.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Hornblower: Assembly Bill No. 1667—An act to amend an act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled "An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof," approved June 5, 1931, and all acts or parts of acts inconsistent with the provisions of this act.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Cunningham: Assembly Bill No. 1668—An act regulating the practice of architecture, civil engineering, and land surveying by officers, or employees, of the State of California, or of any county, city and county, city, town, school district, road district, drainage district, levee district, bridge district, sanitary district, water district, irrigation district, utility district, or other improvement district of any kind, thereof, or any other political division thereof, or of any public corporation thereof which has the right to levy taxes, or assessments which may be collected as taxes, or of any public corporation thereof whose revenue is derived either in whole or in part from public funds which have been collected as taxes.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Robertson: Assembly Bill No. 1669—An act to amend section 112 of the Code of Civil Procedure, relating to jurisdiction of justices' courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Robertson: Assembly Bill No. 1670—An act to amend section 82 of the Code of Civil Procedure, and to add section 111a thereto, relating to courts of justice.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Robertson: Assembly Bill No. 1671—An act to amend sections 392, 393, 395, 396, 396b and 398 of the Code of Civil Procedure, and to repeal section 396a thereof, relating to civil actions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cottrell: Assembly Bill No. 1672—An act making an appropriation for major construction and equipment for Department of Institutions.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Messrs. Cottrell and Anderson: Assembly Bill No. 1673—An act making an appropriation for major construction and equipment at Agnews State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Messrs. Cottrell and Anderson: Assembly Bill No. 1674—An act making an appropriation for the acquisition of land for private road purposes for the use of Agnews State Hospital and/or Department of Institutions.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Messrs. Cottrell and Anderson: Assembly Bill No. 1675—An act making an appropriation for the acquisition of certain property and equipment for the use of San Jose State Teachers College.

Bill read first time, and referred to Committee on Teachers Colleges.

By Mr. Cottrell: Assembly Bill No. 1676—An act creating the Commission of Inquiry and Information for the Constitutional Convention to be convened for the rewriting of the State Constitution.

Bill read first time, and referred to Committee on Constitutional Amendments.

By Mr. Martin: Assembly Constitutional Amendment No. 57—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding section 10 to Article XI thereof, relating to the performance by county officers of certain city and district functions.

Introduced, and referred to Committee on Constitutional Amendments.

SENATE MESSAGES.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 26, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 1258—An act to amend section 2 of the "Los Angeles County Flood Control Act," approved June 12, 1915.

relating to powers of the district, declaring the urgency hereof and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate
By C. REINDOLLAR, Assistant at Desk.

Assembly Bill No. 1258 ordered to enrollment.

RESOLUTION.

The following resolution was offered:

By Mr. Phillips:

ASSEMBLY RESOLUTION.

Resolved, That the following amendments to the rules as presented in the Journal of Friday, January 25th, be adopted.

In Rule 11, strike out the period at the end of the first sentence after the word "same," and the first 20 words of the following sentence, and substitute a comma and the following. ", or he may at any time during a session send or hand the bill to the clerk's desk. When received at the clerk's desk, it shall, under the proper order of business, be numbered and read the first time, and referred to a standing committee,".

In Rule 20, in the second sentence, after the comma following the word "desk", insert the following: ", or at a microphone,".

Following Rule 86, add the following new rules:

Electrical Voting System.

"86A. Upon the installation of the electrical voting system, and except as provided for in Rule 93B and 93C, reference in these rules to "ayes and noes" or to "roll call" shall be understood to refer to the recording of ayes and noes by the electrical system.

The procedure for using the electrical voting system will be as follows: When the Speaker orders "The clerk shall prepare the roll", the clerk shall thereupon unlock the electrical voting system, and when the ringing of the gong indicates that the electrical system is unlocked, the members present shall record their votes. The clerk will then show the total vote upon the voting boards, except in the case of uncontested measures, when previously agreed upon by the Assembly. The Speaker shall then ask: "Has every member voted?" and upon repeating this question, and receiving no negative answer, nor a request for an extension, nor for a call of the absentees, nor a motion for a call of the Assembly, he shall order the clerk to clear the roll. The clerk shall then lock the system, and hand the record to the Speaker, who shall announce the vote.

Calling the Absentee Vote.

86B. If during the interval between the showing of the vote upon the voting boards and the clearing of the roll, any member shall request that "the absentees be called", the Speaker shall say: "If there is any member who has not voted, he shall now vote." After the voting of such absentees, the vote shall be shown, the roll cleared and the vote announced as provided for in Rule 86A. The Speaker may order the vote of the absentees without request from the floor."

In Rule 87, line 2, change the word "declare", to the word "record".

In Rule 88, line 3, between the words "the", and "announcement", insert the following: "final recording and".

Following Rule 93, add the following new rules:

Call of the Assembly Under Electrical Voting System.

"93A. This procedure under a call of the Assembly shall be the same as in Rule 93, except as follows: If during the interval before vote has been recorded, a member shall move a call of the Assembly, and a majority of the members present so order, the Speaker shall instruct the clerk to record a temporary vote, which record shall be in duplicate. The clerk shall then lock the voting system as in Rule 86A, and shall hold the original record at his desk, and shall give the duplicate to the author of the bill, or the member handling it. When the call of the Assembly has been dispensed with, and upon order of the Speaker, the clerk shall call the roll of the absent members and record these upon the original record, which shall then become the permanent record and be handed to the Speaker, who shall announce the vote.

A member may change his vote while the record is held at the desk (before other business is taken up), or when the oral roll call is taken after the call of the Assembly is dispensed with.

During a call of the Assembly the electrical voting system may be used for any other business taken up by unanimous consent and requiring roll call, except as provided for in Rule 93C.

Request for Roll Call by Clerk.

93B. Upon request of five (5) members, an oral roll call may be substituted for the electrically recorded vote. Such request must be made before the Speaker orders a vote by the electrical system

Request for Extending Interval.

93C Upon the request of any member, a majority of the members present may order the roll call retained upon the electrical system either for an additional minute or during a call of the Assembly. The vote upon this request must be viva voce or by division and count If the vote is ordered held upon the electrical system during a call of the Assembly, voting on other measures, where a roll call is required, shall be by oral roll call.

In Rule 111, strike out the first 27 words of the second sentence and substitute the following: "When an oral roll call is taken by the clerk, instead of by the electrical voting system, the clerk shall, as each member votes, repeat the "aye" or the "no" in an audible tone of voice, so that the member voting".

Resolution read.

Mr. Phillips moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, and Mr. Speaker—68.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT.

Mr Wallace asked for unanimous consent to suspend the rules at this time

The following amendment to the Standing Rules was submitted:

By Mr. Wallace:

AMENDMENT NUMBER ONE

In Rule 106, strike out the period at the end of the rule, and add the following: "and is prohibited in the gallery at all times".

OBJECTION TO UNANIMOUS CONSENT.

Mr. Hunt objected to unanimous consent to the motion, by Mr. Wallace, to suspend the rules.

RECESS.

At twelve o'clock and five minutes p.m., on the motion of Mr. Lyon, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Craig in the chair.

SENATE MESSAGE

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 26, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 1256—An act making an appropriation to pay the cost of printing constitutional amendments and referendum measures for the 1933 and 1934 elections, declaring the urgency thereof, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 1257—An act making an appropriation to the emergency fund specified in Item 201 of section 1 of an act entitled "An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and

providing that this act shall take effect immediately," approved May 11, 1933, for the purposes therein specified, and declaring the urgency thereof.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

Assembly Bills Nos. 1256 and 1257 ordered to enrollment.

ASSISTANT CLERK OLIVER READING.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Peterson: Assembly Bill No. 1677—An act to add section 8a to an act entitled "An act to provide for the formation, management and dissolution of county water works districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county water works district bonds and the payment thereof," approved June 13, 1913, relating to refunding bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Minard: Assembly Bill No. 1678—An act to add a new section to the Penal Code to be numbered 969½, relating to the amendment of a complaint to charge prior convictions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Minard: Assembly Bill No. 1679—An act to amend section 1207 of the Penal Code, relating to entry of judgment.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Minard: Assembly Bill No. 1680—An act to amend sections 1235 and 1238 of the Penal Code, relating to appeals in criminal cases.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Hornblower, Peyser, Cronin, McMurray, Brennan, Dawson, Maloney, Gilmore, and Williamson. Assembly Bill No. 1681—An act providing for the creation and organization of a port district, as an agency of the State of California, for the improvement, development, maintenance, control, government and operation of the harbor of San Francisco, and its authorized facilities, and for the development of the commerce, navigation, fisheries of that harbor, to be known as the Port of San Francisco, and to become the successor of the Board of State Harbor Commissioners; defining the powers, duties, and jurisdiction of said port district; providing for the qualifications, the selection, and certain powers and duties of the officers and employees of said port district; abolishing the Board of State Harbor Commissioners and offices and positions thereunder; transferring certain State property to said port district, in trust for the State, for the uses and purposes of the act; providing for the acquisition, construction, maintenance, management and operation of property by said port district; authorizing said port district to levy taxes and incur indebtedness for certain purposes, and to fix, regulate, and collect for its own purposes all charges for the use or enjoyment of public property under the jurisdiction, possession and control of said port district or managed or operated by it; authorizing the City and County of San Francisco to make contributions to said port district for certain

purposes; defining the obligations and privileges of the port district with regard to certain public moneys and certain State bonds, and certain harbor improvement funds and sinking funds connected therewith; providing a procedure for determining the validity of the bonds of said port district; and providing for the extension of said port district and the acquisition of certain State property in the event of any consolidation of the City and County of San Francisco with the county of San Mateo or any part thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Cunningham: Assembly Bill No. 1682—An act to amend sections 671 and 672 of the Political Code, relating to the investment of funds in the State treasury by the Director of Finance.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Reaves: Assembly Bill No. 1683—An act to create extensions to certain State roads in the San Pedro area.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Burns: Assembly Bill No. 1684—An act to amend sections 9, 23, and 24 of, and to add section 9a to, "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to leasing of State lands and the taking of gold or other minerals, other than oil or gas, from tide or submerged lands and the beds of navigable rivers and lakes.

Bill read first time, and referred to Committee on Conservation.

By Mr. McCarthy: Assembly Bill No. 1685—An act to amend sections 121 and 188 of the Streets and Highways Code, relating to the expenditure of State highway funds.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Evans, Herbert J: Assembly Bill No. 1686—An act to amend section 20 (d) of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to continuing jurisdiction of commission.

Bill read first time, and referred to Committee on Insurance.

By Mr. Evans, Herbert J.: Assembly Bill No. 1687—An act to amend section 14 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, relating to reassignment of a death benefit.

Bill read first time, and referred to Committee on Insurance.

By Mr. Evans, Herbert J.: Assembly Bill No. 1688—An act to amend section 12 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to average earnings.

Bill read first time, and referred to Committee on Insurance.

By Mr. Evans, Herbert J.: Assembly Bill No. 1689—An act to amend section 11 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended.

Bill read first time, and referred to Committee on Insurance.

By Mr. Evans, Herbert J.: Assembly Bill No. 1690—An act to amend section 9 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to medical treatment.

Bill read first time, and referred to Committee on Insurance.

By Mr. Hornblower: Assembly Bill No. 1691—An act to amend section 427 of the Fish and Game Code, relating to hunting licenses.

Bill read first time, and referred to Committee on Fish and Game.

By Messrs. Andreas, Garibaldi, and Hunt: Assembly Bill No. 1692—An act relating to the manufacturing of fish meal and fish oil.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Latham: Assembly Bill No. 1693—An act to add section 2.1 to an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to 12 rounds; to create an athletic commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," relating to the State Athletic Commission.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Latham: Assembly Bill No. 1694—An act to amend section 352 of the Political Code, relating to State officers and employees.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Latham: Assembly Bill No. 1695—An act to amend section 10 of an act entitled "An act to authorize and control the deposits in banks of moneys belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 13, 1923, relating to the deposit of money belonging to or in the custody of the State.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Wallace: Assembly Bill No. 1696—An act to amend section 410 of the Vehicle Code, relating to judgments.

Bill read first time, and referred to Committee on Motor Vehicles.

By Messrs, Hornblower, Peyser, Cronin, McMurray, Brennan, Dawson, Maloney, Gilmore, and Williamson: Assembly Bill No. 1697—An act providing for the creation and organization of a port district, as an agency of the State of California, for the improvement, development, maintenance, control, government and operation of the harbor of San Francisco, and its authorized facilities, and for the development of the commerce, navigation, and fisheries of that harbor, to be known as the Port of San Francisco, and to become the successor of the Board of State Harbor Commissioners; defining the powers, duties, and jurisdiction of said port district; providing for the qualifications, the selection, and certain powers and duties of the officers and employees of said port district; abolishing the Board of State Harbor Commissioners and offices and positions thereunder; transferring certain State property to said port district, in trust for the State, for the uses and purposes of the act; providing for the acquisition, construction, maintenance, management and operation of property by said port district; authorizing said port district to levy taxes and incur indebtedness for certain purposes, and to fix, regulate, and collect for its own purposes all charges for the use or enjoyment of public property under the jurisdiction, possession and control of said port district or managed or operated by it; authorizing the City and County of San Francisco to make contributions to said port district for certain purposes; defining the obligations and privileges of the port district with regard to certain public moneys and certain State bonds, and certain harbor improvement funds and sinking funds connected therewith; providing a procedure for determining the validity of the bonds of said port district; and providing for the extension of said port district and the acquisition of certain State property in the event of any consolidation of the City and County of San Francisco with the county of San Mateo or any part thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Lyon: Assembly Bill No. 1698—An act to add a new section to the Political Code to be numbered 696, relating to a Bureau of Efficiency in the Department of Finance.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Lyon: Assembly Bill No. 1699—An act to amend section 351 of, and to add section 351a to, the Political Code, relating to officers of departments of the State government.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Lyon: Assembly Bill No. 1700—An act to amend section 663 of the Political Code, relating to the State Board of Control.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Lyon: Assembly Bill No. 1701—An act to add Article XIk to the Poltical Code, relating to the Department of Public Safety.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Nielsen: Assembly Bill No. 1702—An act to amend section 788 of the Agricultural Code, relating to containers.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Cottrell: Assembly Bill No. 1703—An act making an appropriation to pay the claim of the Superintendent of Accounts of the Department of Finance against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Cottrell: Assembly Bill No. 1704—An act making an appropriation to pay the claim of _____ against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Messrs. Scudder, Phillips, Mayo, Thorp, Garibaldi, Walker, Turner, and O'Donnell: Assembly Bill No. 1705—An act to amend sections 2955, 2956, 2957, 2958, 2960, 2962, 2963, 2965 and 2966; and to repeal sections 2959, 2961 and 2964 of the Civil Code; and to add to said code new sections numbered 2959a, 2974, 2975, 2976, 2977, 2978, 2979, 2979a, and 2979b, relating to mortgages of personal property, and including provisions for the filing thereof, the continuity of the liens thereof, the securing of additional advances and obligations thereunder, mortgaging of natural increase of live stock and other animate chattels, and of after acquired and consumable property, and providing for the interpretation of laws relating to recording, the record, producing, exhibiting, presenting, executing, acknowledging, proving and certifying thereof and affidavits relating thereto.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Scudder, Phillips, Mayo, Thorp, Garibaldi, Walker, Turner, and O'Donnell: Assembly Bill No. 1706—An act to amend sections 2922, 2933, 2934, 2935, 2938, 2939, 2939½, 2940 and 2941 of the Civil Code, relating to mortgages in general and providing for the filing of mortgages of personal property and crops, and related instruments; eliminating requirements that mortgages of personal property and crops, and related instruments, including powers of attorney to execute the same, be acknowledged and executed with the formalities required in the case of a grant of real property; and prescribing the duty of the mortgagee on satisfaction of such a filed mortgage.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Scudder, Phillips, Mayo, Thorp, Garibaldi, Walker, Turner and O'Donnell: Assembly Bill No. 1707—An act to amend section 2980 of the Civil Code and to provide for the filing of conditional sales contracts and leases of live stock, animate chattels, mining equipment and machinery and bailment or feeder agreements relating to live stock and other animate chattels, and prescribing rights and remedies in connection therewith.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Scudder, Phillips, Mayo, Thorp, Garibaldi, Walker, Turner, and O'Donnell: Assembly Bill No. 1708—An act to amend sections 1164, 1165, 1169, 1170, 1171 and 1172 of the Civil Code, relating to the recording and filing of transfers and mortgages of, and agreements relating to real and personal property.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Scudder, Phillips, Mayo, Thorp, Garibaldi, Turner, and O'Donnell: Assembly Bill No. 1709—An act to amend the headings of Chapter IV, Title IV, Part IV, Division II, of the Civil Code, and Articles I and II thereof, to make said headings consistent with the contents of said chapter and articles.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Scudder, Phillips, Mayo, Thorp, Garibaldi, Walker, Turner, and O'Donnell: Assembly Bill No. 1710—An act to amend sections 658 and 660 of the Civil Code, relating to property in general; defining real property and fixtures thereto, and providing that for the purposes of mortgaging, crops, fruits, berries, emblements, and things attached to or forming a part of land which may be severed therefrom under the terms of a mortgage, shall be deemed personal property.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Scudder, Phillips, Mayo, Thorp, Garibaldi, Walker, Turner, and O'Donnell: Assembly Bill No. 1711—An act to amend section 2911 of the Civil Code, relating to the matter of the extinction of liens.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Scudder, Phillips, Mayo, Thorp, Garibaldi, Walker, Turner, and O'Donnell: Assembly Bill No. 1712—An act to amend sections 4130, 4131, 4131a, 4132, 4136, 4137, 4138 and 4140 of the Political Code, relating to county recorders, their duties and functions, and requirements relating thereto, and penalty for neglect thereof or for misconduct.

Bill read first time, and referred to Committee on County Government.

By Messrs. Scudder, Phillips, Mayo, Thorp, Garibaldi, Walker, Turner, and O'Donnell: Assembly Bill No. 1713—An act to amend section 408 of the Political Code, relating to the duties of the Secretary of State.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Riley: Assembly Bill No. 1714—An act providing for the levy and collection of a tax on the gross receipts of individuals, firms, corporations and associations and prescribing the duties of certain State officers in connection therewith.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Turner: Assembly Bill No. 1715—An act to amend the Inheritance Tax Act, relating to appraisers.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Turner: Assembly Bill No 1716—An act to amend sections 1, 9, 10, 13 and 17 of an act entitled "An act to create for the State of California a Department of Engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to

provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain acts a felony and repealing an act entitled 'An act creating a Commissioner of Public Works, defining his duties and powers and fixing his compensation,' approved February 9, 1900, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to create a Department of Highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897; also repealing an act entitled 'An act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing and directing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this act,' approved March 17, 1897, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to provide for the appointment, duties and compensation of a Debris Commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such commissioner,' approved March 24, 1893, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to create the office of Lake Tahoe Wagon Road Commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this act,' approved April 1, 1897, and all acts or parts of acts amendatory thereof,'' approved March 11, 1907, Statutes 1907, page 215, as amended.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Rosenthal: Assembly Bill No. 1717—An act to amend section 5 of an act entitled ''An act to be known as the Child Labor Law, and regulating the employment, hours, kinds and conditions of labor of children; providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith,'' approved May 10, 1919, as amended, relating to the employment of children.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Rosenthal: Assembly Bill No 1718—An act to create for the State of California a Tax Commission, providing for the employment by said commision of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the dutes of said commission, its officers and employees, and empowering said commission to levy, collect and distribute all of the taxes for the State of California, the political subdivisions thereof, all municipalities and

districts within said State, and making an appropriation for the purpose of carrying out the provisions hereof.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Cassidy: Assembly Bill No. 1719—An act to provide that the power to tax the trucks of wholesalers shall be exercised only by the State and shall not be exercised by any city, city and county, county, or public municipality.

Bill read first time, and referred to Committee on Revenue and Taxation

By Mr. Heisinger Assembly Bill No. 1720—An act to determine what is a fair income on investments of public utilities in California.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Minard: Assembly Bill No. 1721—An act to amend sections 859 and 860 of the Penal Code, relating to the examination of a case before a magistrate, and to add section 859a of the Penal Code, relating to a plea of guilty to the complaint before a magistrate.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Minard: Assembly Bill No. 1722—An act to amend section 1408 of the Penal Code, relating to the order for delivery of property to the owner.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Minard: Assembly Bill No. 1723—An act to amend sections 888 and 959 of the Penal Code, relating to indictments.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Brennan: Assembly Bill No. 1724—An act relating to the solicitation of law business and the settlement of personal injury claims and contingent attorney's fees.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Brennan: Assembly Bill No 1725—An act to amend the State Bar Act.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Garibaldi: Assembly Bill No. 1726—An act authorizing a suit against the State of California to quiet title against it to certain real property in county of Merced, State of California.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Scudder, Phillips, Mayo, Thorp, Garibaldi, Walker, Turner, and O'Donnell: Assembly Bill No. 1727—An act to amend section 409 of the Political Code, relating to the fees of the Secretary of State

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Messrs. Scudder, Phillips, Mayo, Thorp, Garibaldi, Walker, Turner, and O'Donnell. Assembly Bill No 1728—An act to amend section 4300c of the Political Code, relating to the fees of county recorders.

Bill read first time, and referred to Committee on County Government

By Messrs. Scudder, Phillips, Mayo, Thorp, Garibaldi, Walker, Turner, and O'Donnell: Assembly Bill No 1729—An act to amend section 113 of the Penal Code, relating to the larceny, destruction, etc., of records or files by officers, having them in custody.

Bill read first time, and referred to Committee on Crime Problems.

By Messrs Scudder, Phillips, Mayo, Thorp, Garibaldi, Walker, Turner, and O'Donnell: Assembly Bill No. 1730—An act to amend section 3440 of the Civil Code, relating to transfers presumed fraudulent, transfers of wines, bulk sales, public auctions and transfers under orders of court.

Bill read first time, and referred to Committee on Public Morals.

By Messrs Scudder, Phillips, Mayo, Thorp, Garibaldi, Walker, Turner, and O'Donnell: Assembly Bill No. 1731—An act to amend section 470 of the Penal Code, relating to the forgery of wills, conveyances, etc

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Scudder, Phillips, Mayo, Thorp, Garibaldi, Walker, Turner, and O'Donnell: Assembly Bill No. 1732—An act to amend section 471 of the Penal Code, relating to the making of false entries in records or returns.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Scudder, Phillips, Mayo, Thorp, Garibaldi, Walker, Turner, and O'Donnell: Assembly Bill No. 1733—An act to amend section 706 of the Probate Code, relating to the matter of claims founded on written instruments and/or secured by liens.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Scudder, Phillips, Mayo, Thorp, Garibaldi, Walker, Turner, and O'Donnell: Assembly Bill No. 1734—An act to amend section 833 of the Probate Code, relating to the execution of instruments by executors and administrators.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Garibaldi. Assembly Bill No. 1735—An act to add a new section to the Political Code, to be numbered 689a, relating to use of the State's teletype system.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Scudder (by request): Assembly Bill No. 1736—An act to amend section 360c of the Political Code, relating to the California Highway Patrol.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Scudder (by request) Assembly Bill No. 1737—An act to amend section 471 of the Agricultural Code, relating to milk and milk products.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Wright: Assembly Bill No. 1738—An act to add section 443 to the Political Code, relating to fingerprint records of officers and

employees of the State and providing for the enforcement of the provisions thereof.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Wright: Assembly Bill No. 1739—An act to add section 670a to the Political Code, relating to the refund of penalties.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

By Mr. Wright: Assembly Bill No. 1740—An act to add sections 3676a, 3676b, 3676c, 3676d, 3676e, 3676f, 3676g, and 3676h to the Political Code, relating to taxation.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Wright: Assembly Bill No. 1741—An act to amend section 91.6 of the Agricultural Code, relating to the Sixth District Agricultural Association.

Bill read first time, and referred to Committee on Exhibitions and Fairs.

By Mr. Wright: Assembly Bill No. 1742—An act to amend section 3.738 and to add section 3.738a to the School Code, relating to interscholastic athletic activities under the supervision of the State Supervisor of Physical Education.

Bill read first time, and referred to Committee on Education.

By Mr. Phillips: Assembly Bill No. 1743—An act to amend the Palo Verde Irrigation District Act, approved June 21, 1923, as amended, by adding to said act, as amended, new sections to be numbered and providing as follows, to wit: section 28½o, relating to disposal of tax-deeded and tax-delinquent lands; section 65, relating to proceedings in bankruptcy; section 66, relating to contracts with the United States or any agency thereof under an act approved May 5, 1917, as amended, and validating such contracts; section 67, validating bonds of the district; and section 68, validating rehabilitation plans; and declaring the legislative intent as to unconstitutionality.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Wallace: Assembly Bill No. 1744—An act to amend sections 37, 76, 101, 102, 115, and 382 of the Military Code.

Bill read first time, and referred to Committee on Military Affairs.

By Mr Wallace: Assembly Bill No. 1745—An act to add sections 200 and 201 to the Penal Code, relating to the crime of unlawfully causing death through the operation of a motor vehicle.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Wallace: Assembly Bill No. 1746—An act regulating the practice of mine engineering and assaying.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Martin: Assembly Bill No. 1747—An act to add section 3a to "An act to establish a Legislative Counsel Bureau and making an

appropriation therefor," approved May 26, 1913, relating to codification and compilation of county and city ordinances and resolutions.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Nielsen: Assembly Bill No. 1748—An act to amend sections 420 and 428 of the Fish and Game Code, relating to sporting, hunting and fishing licenses.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Donnelly: Assembly Bill No. 1749—An act to prohibit the pollution of streams in the State of California by filling said streams with debris from mining operations and dredging operations.

Bill read first time, and referred to Committee on Mines and Mining.

By Mr. Flint: Assembly Bill No. 1750—An act to amend section 1.11 of the School Code, relating to the exclusion of pupils.

Bill read first time, and referred to Committee on Education

By Mr. Geyer: Assembly Bill No. 1751—An act to amend section 4.923 of the School Code, relating to computation of pupils' attendance.

Bill read first time, and referred to Committee on Education.

By Mr. Geyer: Assembly Bill No. 1752—An act to amend sections 5.500, 5.680, and 5.681 of the School Code, relating to teachers' tenure

Bill read first time, and referred to Committee on Education.

By Mr. Geyer: Assembly Bill No. 1753—An act to amend sections 2.876, 2.877, 2.878, 2.885, 2.890, 2.891, and to repeal 2.886 of the School Code, relating to the election or appointment of boards.

Bill read first time, and referred to Committee on Education.

By Mr. Geyer: Assembly Bill No. 1754—An act to amend sections 4.962, 4.963, 4.964, 4.1010, and to add new sections to be known as 4.967 and 4.968 of the School Code, relating to bond elections.

Bill read first time, and referred to Committee on Education

By Mr. Johnson: Assembly Bill No. 1755—An act to amend sections 1466, 1467, 1468 and 1469 of the Penal Code, and to repeal sections 1468a and 1470 of the Penal Code, all relating to appeals to the superior court in criminal cases

Bill read first time, and referred to Committee on Judiciary.

By Mr. Johnson: Assembly Bill No. 1756—An act to add four new sections, to be numbered 1000a, 1000b, 1000c and 1000d to Chapter III of Title XIV of Part II of the Code of Civil Procedure, relating to admissions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cassidy: Assembly Bill No. 1757—An act to amend the Public Utilities Act to prevent the use of the dial system of obtaining telephone connections by any telephone company in California.

Bill read first time, and referred to Committee on Public Utilities.

By Messrs. Cassidy and Wagner: Assembly Bill No. 1758—An act relating to taxation of public service companies; including the rates of

taxation on railroads, including street railways, whether operated in one or more counties, sleeping car, dining car, drawing room car and palace car companies, refrigerator, oil, stock, fruit, and other car loaning and other car companies operating upon railroads in this State, companies doing express business on any railroad, steamboat, vessel or stage line in this State, telegraph companies, telephone companies, companies engaged in the transportation or sale of gas or electricity, and companies owning, operating or managing any automobile, truck or auto truck, jitney bus, stage or auto stage used in the business of transportation of persons or property as a common carrier for compensation over any public highway in this State between fixed termini, or over a regular route, other than buses used exclusively for the transportation of pupils to or from any public school, when owned or operated by the school or school district.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Fulcher (by request): Assembly Bill No. 1759—An act to amend section 814 of the Probate Code, relating to sale of mining property.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Fulcher: Assembly Bill No. 1760—An act to amend section 210 of the Vehicle Code, relating to nonresidents.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Fulcher: Assembly Bill No. 1761—An act declaring to be a State highway and adding to the State highway system a road extending from Bieber via Lookout to a point near Malin.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Fulcher: Assembly Bill No 1762—An act declaring to be a State highway and adding to the State highway system a road extending from Canby to a point near Hackimore.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Stream: Assembly Bill No. 1763—An act to amend sections 669, 702, 703, 709, 711 and 712 of the Fish and Game Code, relating to black bass, crappie, calico bass and sun fish.

Bill read first time, and referred to Committee on Fish and Game

By Mr. Richie: Assembly Bill No. 1764—An act to add Article VI to the Bank Act, relating to the establishment and operation of banks by the State of California

Bill read first time, and referred to Committee on Banking

By Mr. Phillips: Assembly Joint Resolution No. 35—Relative to memorializing Congress to consider the almond industry of California and to maintain the existing tariff regulations thereon.

Introduced.

REQUEST FOR UNANIMOUS CONSENT

Mr. Phillips asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 35, at this time, without reference to printer, committee or file, and that same be considered engrossed

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER THIRTY-FIVE

Assembly Joint Resolution No. 35—Relative to memorializing Congress to consider the almond industry of California and to maintain the existing tariff regulations thereon.

Assembly Joint Resolution No. 35 read

Mr. Phillips moved the adoption of Assembly Joint Resolution No. 35.

The question being on the adoption of Assembly Joint Resolution No. 35.

The roll was called, and Assembly Joint Resolution No. 35 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Maloney, Martin, Mayo, McBride, McCarthy, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—68.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 35 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 35.

Relating to memorializing Congress to consider the almond industry of California and to maintain the existing tariff regulations thereon.

WHEREAS, The growing and marketing of almonds is one of California's great agricultural industries, and

WHEREAS, This is a specialty crop, not always fully understood by those unfamiliar with California conditions, and with great present and future possibilities, and

WHEREAS, This industry annually provides the livelihood for our 5000 growers, together with their dependents, and their employees, and in addition, the partial livelihood of all who furnish services and supplies, to the total of many times the above figure, and

WHEREAS, The reciprocal trade agreements proposed between this country and Italy and Spain threaten this industry with disaster, if not actual extinction.

Therefore be it resolved, That the Assembly of the State of California and the Senate, jointly do hereby memorialize Congress to give this matter immediate and serious consideration, and to maintain the tariff protection which is the only safeguard of this important California industry; and be it further

Resolved, That copies of the resolution be sent to the President of the United States, the President of the Senate, the Speaker of the House of Representatives, the Senators from California and all members of the California delegation in Congress.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Cronin: Assembly Bill No. 1765—An act to establish standards for the granting and use of professional degrees in the learned professions and providing penalties for the violation hereof

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Donihue: Assembly Bill No. 1766—An act to add section 716 to the Insurance Code, relating to the filing of a bond with the commissioner as a prerequisite to carrying on the business of insurance.

Bill read first time, and referred to Committee on Insurance.

By Mr. Donihue: Assembly Bill No 1767—An act to amend sections 159, 370 and 377 and to add section 187 to the Vehicle Code, relating to registration and transfer fees

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr Donihue: Assembly Bill No. 1768—An act to provide for the bonding, licensing, regulation and supervision of all persons, firms or corporations engaged in the business of selling or wrecking new or used automobiles and to provide for the enforcement of the provisions of this act.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Anderson: Assembly Bill No. 1769—An act to amend sections 1 and 41 of the "California Water District Act," approved June 13, 1913, relating to water districts, the purposes and administration thereof.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Anderson: Assembly Bill No. 1770—An act establishing and validating the organization and existence of water districts.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Anderson: Assembly Bill No 1771—An act to repeal section 109a of "The California Irrigation District Act," approved March 31, 1897, relating to name of irrigation districts.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Corwin: Assembly Bill No. 1772—An act providing for the purchase of timber lands in San Bernardino County and making an appropriation therefor and vesting authority and power in the State Park Commission to make said purchases in the name of the State of California from the moneys herein appropriated and to manage and control said lands and whenever necessary in their judgment to exercise a right of eminent domain in acquiring said lands by condemnation proceedings and empowering the State Park Commission to receive gifts and contributions towards the purchase, care or maintenance of said lands.

Bill read first time, and referred to Committee on Conservation.

By Mr. Nielsen: Assembly Bill No. 1773—An act to amend the Bank Act.

Bill read first time, and referred to Committee on Banking.

By Mr. Nielsen: Assembly Bill No. 1774—An act to amend the Real Estate Brokers License Act.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Maloney: Assembly Constitutional Amendment No. 55—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 9 of Article IX thereof, relating to the election of the trustees of the University of California and to their terms

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Phillips. Assembly Constitutional Amendment No. 56—A resolution to propose to the people of the State of California, an

amendment to the Constitution of said State by amending section 13 of Article I thereof, relating to appeals by the State in criminal trials.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Martin: Assembly Constitutional Amendment No 57—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding section 10 to Article XI thereof, relating to the performance by county officers of certain city and district functions.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Johnson: Assembly Constitutional Amendment No. 58—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 8 of Article XI thereof, relating to the preparation and adoption of charters by cities and cities and counties.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Brennan: Assembly Constitutional Amendment No. 59—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 23 of Article VI of the Constitution of said State, relating to eligibility of person to be judge.

Introduced, and referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1935

MR. SPEAKER: Your Committee on Contingent Expenses, to which was referred the following resolutions by Mr. Walker

Resolved, That the Controller be and is hereby authorized and directed to draw his warrants on the contingent fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Bancroft-Whitney Company, codes and general laws	$4,226 58
Bureau of Purchases	406 34
Vern O. Knudsen (expenses trip to Sacramento)	27 90
Vern O. Knudsen (luncheon)	3 28
Hub Florists (flowers to Miss Miller)	10 25

Also:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred fifty dollars ($150 00), said amount being for the payment of postage, telegraphing, expressage and incidental expenses of the Chief Clerk's office;

Has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

WALKER, Chairman.

Report and resolutions read.

Mr. Walker moved the adoption of the report and resolutions

The question being on the adoption of the report and resolutions

The roll was called, and the report and resolutions adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—66

NOES—None.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1935.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 24—Relative to uniform taxation of petroleum-producing property—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

TURNER, Chairman

REQUEST FOR UNANIMOUS CONSENT.

Mr. Riley asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 24, at this time, without reference to file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER TWENTY-FOUR.

Assembly Joint Resolution No. 24—Relative to uniform taxation of petroleum producing property.

Assembly Joint Resolution No 24 read.

Mr. Riley moved the adoption of Assembly Joint Resolution No 24.

The question being on the adoption of Assembly Joint Resolution No. 24.

The roll was called, Assembly Joint Resolution No. 24 was adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Donihue, Donnelly, Evans, Herbert J, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Johnson, Latham, Laughlin, Lore, Maloney, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—63.

NOES—Hornblower and Hunt—2

Title read and approved.

Assembly Joint Resolution No 24 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 24.

Relative to uniform taxation of petroleum producing property.

WHEREAS, There is a lack of uniformity in the methods of appraising and taxing petroleum producing property by the various taxing units of the State of California, and the various petroleum producing States of the United States; and

WHEREAS, It is desirable that the present inequities be remedied; and

WHEREAS, It may be desirable and practicable to adopt uniform methods and rates of taxation upon such property by the several oil producing States; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California hereby requests the American Legislators' Association to call a conference of the representatives of the oil producing States with a view of formulating uniform legislation and methods of taxing petroleum producing property. Be it further

Resolved, That if such a conference is called the delegates from the State of California shall consist of a member of the Assembly to be appointed by the Speaker, a

member of the Senate to be appointed by the President of the Senate, a member to be appointed by the Governor. Be it further

Resolved, That a copy of this joint resolution be transmitted to the American Legislators' Association, to the Governors of the petroleum producing States, and the Presidents of the Senate and Speakers of said States with the request that they submit it for action by the Legislatures of their States

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated.

By Mr. Mayo: Assembly Bill No. 1775—An act to amend section 3663b of the Political Code, relating to the Board of Equalization.

Bill read first time, and referred to Committee on County Government.

By Mr. Mayo: Assembly Bill No. 1776—An act to add section 621 to the Streets and Highways Code, establishing a secondary State highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Donnelly: Assembly Bill No. 1777—An act to amend section 57 of the California Irrigation District Act, relating to salaries of directors.

Bill read first time, and referred to Committee on Irrigation

By Mr. Cronin: Assembly Bill No. 1778—An act to amend section 290a of the Civil Code, relating to certificates approving articles of incorporation.

Bill read first time, and referred to Committee on Corporations.

By Mr. Cronin: Assembly Bill No. 1779—An act to amend section 462 of the Political Code, relating to unclaimed money of the State.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

By Mr. Cronin: Assembly Bill No. 1780—An act to amend section 92 of the Agricultural Code, relating to agricultural fairs.

Bill read first time, and referred to Committee on Exhibitions and Fairs

By Mr. Redwine: Assembly Bill No. 1781—An act to amend sections 1, 2, 3, 5, 6, 9, 10, 11, 14, 16, 17, 18, 19 and 20 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to twelve rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare the amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," approved by electors November 4, 1924, relating to boxing and wrestling contests and the powers of the State Athletic Commission.

Bill read first time, and referred to Committee on Public Morals.

By Miss Miller: Assembly Bill No 1782—An act to amend section 1257a of the Political Code, relating to the elections and the canvass and counting of the ballots cast at elections.

Bill read first time, and referred to Committee on Elections.

By Mr. Gilmore: Assembly Bill No 1783—An act to create a Liquor Control Board, defining its powers and duties

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Hornblower: Assembly Bill No. 1784—An act to add section 675.5 to the Vehicle Code, relating to glass.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. McBride: Assembly Bill No. 1785—An act relating to fees to be paid to the Railroad Commission by passenger stage corporations as defined in the Public Utilities Act, and persons or corporations owning or operating motor vehicles in the transportation of property for hire upon the public highways under the jurisdiction of the Railroad Commission of the State of California, providing for the collection thereof by the Railroad Commission, and providing penalties for the violation of this act.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Breed: Assembly Bill No. 1786—An act to amend section 2 of an act entitled, "An act providing for the establishment and administration of industrial farms or industrial road camps in the counties of the State and the commitment thereto and discipline of persons charged with or convicted of public offenses," approved June 3, 1921, relating to the charge for maintaining persons on industrial farms and industrial road camps.

Bill read first time, and referred to Committee on County Government.

By Mr. Crowley: Assembly Bill No. 1787—An act to add section 15c to an act entitled "An act to provide a Central Bureau for the Preservation of Records of Marriages, Births and Deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits, and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith." approved May 19, 1915, relating to legitimated children

Bill read first time, and referred to Committee on Judiciary.

By Mr. Crowley: Assembly Bill No. 1788—An act making an appropriation for major construction and equipment at Napa State Hospital

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Mr. Crowley: Assembly Bill No. 1789—An act to amend section 3454 of the Political Code, relating to reclamation districts.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Mr. Crowley: Assembly Bill No. 1790—An act whereby the Director of Finance is authorized and empowered to deed, quitclaim or in any manner transfer Rector Canyon water shed and the water rights therewith connected and any rights of way or conduits required therefor to the Rector Canyon Dam Authority.

Bill read first time, and referred to Committee on Conservation.

By Mr. Crowley: Assembly Bill No. 1791—An act to amend section 2 of "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, relating to personal property brokers.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr. Crowley: Assembly Bill No. 1792—An act validating the purchase of bonds by municipalities under the Improvement Act of 1911 and the Improvement Act of 1915 from the proceeds of the delinquent street assessment fund provided for in said act.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. McBride: Assembly Bill No. 1793—An act to add section 690.11 to the Political Code, relating to fees.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

By Mr. Anderson: Assembly Bill No. 1794—An act to amend the title of, and to amend, an act entitled "An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same, reenacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the 'Water Conservation Act of 1929,' and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred," (Chapter 1020, Statutes of 1931), to repeal sections 51 to 54 inclusive, and to add new sections to be numbered 51 to 80 inclusive, relating to exclusion of lands from water conservation districts and to improvement districts within water conservation districts (Chapter 906, Statutes of 1933).

Bill read first time, and referred to Committee on Conservation.

By Mr. Lore: Assembly Bill No. 1795—An act to amend sections 1, 3½, 4 and 5 of "An act to be known as the Child Labor Law and regulating the employment, hours, kinds and conditions of labor of children: providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and

parts of acts inconsistent herewith," approved May 19, 1919, as amended.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Laughlin: Assembly Bill No. 1796—An act relating to the distribution of motion picture films, providing for the regulation thereof, and levying a tax upon motion picture films.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Laughlin: Assembly Bill No. 1797—An act to provide a State Old Age Pension Plan.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Waters: Assembly Bill No 1798—An act to add section 3659a to the Political Code, relating to assessment rolls.

Bill read first time, and referred to Committee on County Government.

By Mr. Waters: Assembly Bill No. 1799—An act authorizing any county, city and county, or city to credit on delinquent taxes due to such county, city and county, or city with the consent of the owner of the property on which such taxes are delinquent, sums due or which may become due to the owner of such property for the use or rental of such property by such county, city and county, or city or by any department or agency thereof or by any person or persons for whose rental or compensation for the use of such property such county, city and county or city, or any department or agency thereof shall be or shall become responsible and authorizing agreements between the counties, cities and counties or cities and departments or agencies thereof and persons for whom any such county, city and county, or city or department or agency thereof shall pay or advance funds for the payment of rent, providing for the repayment in installments by such persons of the amount credited on delinquent taxes on account of such rental.

Bill read first time, and referred to Committee on Municipal Corporations.

By Messrs. Waters, Phillips, and Utt: Assembly Bill No. 1800—An act to amend an act entitled "An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operative and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts," approved May 10, 1927, as amended, designated the "Metropolitan Water District Act," by amending sections 4, 5, 6 and 7, and by adding a new section, to be numbered 6½, all relating to the formation, powers, government and management of metropolitan water districts, and the presentation of claims and demands thereto.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Waters: Assembly Bill No. 1801—An act providing for the creation of power districts; prescribing the powers and duties of such districts; and authorizing such districts to conduct and operate utilities for the production, transmission or distribution of electric energy, and to issue bonds and providing for the payment of such bonds, and declaring the urgency hereof.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Waters: Assembly Bill No. 1802—An act providing for the acquisition, purchase, construction, reconstruction, improvement, betterment, extension, operation, and maintenance of revenue-producing undertakings by any municipality of this State; authorizing and regulating the issuance of revenue bonds for financing such undertakings, and providing for the payment of such bonds and the rights of holders thereof, and declaring the urgency hereof.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Waters: Assembly Bill No. 1803—An act to amend section 10 of an act entitled "An act to revise an act entitled 'An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling, or repairing upholstered furniture; and creating the upholstered furniture inspection fund,' approved May 9, 1927," approved June 1, 1929, relating to the manufacture, sale, labeling and inspection of second-hand upholstered furniture.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Evans, Herbert J.: Assembly Bill No. 1804—An act validating, ratifying, approving and confirming bonds and other instruments or obligations heretofore issued by public bodies of this State for public works projects.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Stream: Assembly Bill No. 1805—An act providing for the creation of power districts; prescribing the powers and duties of such districts; and authorizing such districts to conduct and operate utilities for the production, transmission or distribution of electric energy, and to issue bonds and providing for the payment of such bonds and declaring the urgency thereof.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Jones: Assembly Bill No. 1806—An act to provide for the levy of a tax of unoccupied or non-productive lands

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Jones: Assembly Bill No. 1807—An act to define, license and regulate the business of carrying goods and services on the installment plan or financing such sales.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr. Jones: Assembly Bill No. 1808—An act to regulate certain institutions and persons loaning money and providing interest and other charges that may be exacted from borrowers.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr Jones: Assembly Bill No. 1809—An act to provide for the creation, organization and management of park and playground districts.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Jones: Assembly Bill No. 1810—An act to amend section 690 of the Code of Civil Procedure, relating to exceptions on execution.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Jones: Assembly Bill No. 1811—An act to amend the Torrens Title Act.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Jones: Assembly Bill No. 1812—An act relating to horse racing and amending the provisions of certain acts relating thereto.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Jones: Assembly Bill No. 1813—An act to amend certain sections of the Direct Primary Law.

Bill read first time, and referred to Committee on Elections.

By Mr. Jones: Assembly Bill No. 1814—An act to amend certain sections of the Direct Primary Law.

Bill read first time, and referred to Committee on Elections.

By Mr. Jones: Assembly Bill No. 1815—An act relating to elections and election boards and to repeal and amend certain provisions of the Political Code relating thereto.

Bill read first time, and referred to Committee on Elections.

By Mr. Jones: Assembly Bill No. 1816—An act to amend the Liquor Control Act of 1933.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Jones: Assembly Bill No. 1817—An act to amend the Liquor Control Act of 1933.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Jones: Assembly Bill No. 1818—An act levying a tax upon certain persons engaged in the business of buying and selling securities and acting as brokers in any such transactions, or engaged in the business of marketing, selling or exchanging securities of all kinds, and to regulate such businesses.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr Jones: Assembly Bill No 1819—An act to add a new section to the Probate Code, to be numbered 1558, providing for allowances by

the court to next of kin of an insane or incompetent person out of surplus income of said insane or incompetent person

Bill read first time, and referred to Committee on Judiciary.

By Mr. Jones: Assembly Bill No. 1820—An act to amend certain provisions of the County Water Districts Act, Statutes of 1913, page 1049, and other acts pertaining to water districts.

Bill read first time, and referred to Committee on County Government.

By Mr Jones: Assembly Bill No. 1821—An act relating to writs of habeas corpus and amending certain code sections with relation thereto.

Bill read first time, and referred to Committee on Judiciary

By Mr. Jones: Assembly Bill No. 1822—An act relating to mutual assessment insurance companies and amending certain acts and code sections relating to such companies and associations.

Bill read first time, and referred to Committee on Insurance.

By Messrs. Meehan and Jones: Assembly Bill No. 1823—An act to provide for the creation and management of lotteries in the State of California and legalizing lottery transactions.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Hunt: Assembly Bill No. 1824—An act to require the Department of Public Works to construct, improve and maintain State highways, and to prohibit the letting of contracts for any such work.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Hunt: Assembly Bill No. 1825—An act relating to and regulating the subject of fishing within the jurisdiction of the State of California.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hunt: Assembly Bill No. 1826—An act relating to the supervision, regulation and restricting of commercial fishing in the waters under the jurisdiction of the State of California.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Hunt: Assembly Bill No. 1827—An act relating to the regulation and supervision of public utilities.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Hunt: Assembly Bill No. 1828—An act relating to regulating working conditions of labor, in public and private enterprises.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Hunt: Assembly Bill No. 1829—An act relating to the regulation of hours of labor.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Hunt: Assembly Bill No. 1830—An act relating to the extension of veterans' rights for loan grants on homes and farms.

Bill read first time, and referred to Committee on Soldiers and Sailors Affairs.

By Mr. Hunt: Assembly Bill No 1831—An act relating to the control of traffic upon the public highways of the State of California, whether situated within unincorporated or incorporated territory.

Bill read first time, and referred to Committee on Roads and Highways

By Mr. Hunt: Assembly Bill No. 1832—An act adding section 157½ to the Code of Civil Procedure, relating to appointment of superior court judges

Bill read first time, and referred to committee on Judiciary.

By Mr. O'Donnell: Assembly Bill No. 1833—An act to amend an act entitled "An act to regulate the construction of buildings in the State of California, in respect to resistance to horizontal forces, providing penalties for the violation thereof and providing that this act become effective immediately," approved May 26, 1933, relating to construction of buildings.

Bill read first time, and referred to Committee on Building and Construction.

By Mr. O'Donnell (by request): Assembly Bill No. 1834—An act to amend section 48 of the Fish and Game Code, relating to fees and fines

Bill read first time, and referred to Committee on Fish and Game

By Mr. O'Donnell: Assembly Bill No. 1835—An act to amend an act entitled "An act relating to the safety of design and construction of public school buildings, providing for regulation, inspection and supervision of the construction, reconstruction or alteration of or addition to public school buildings, and for the inspection of existing school buildings, defining the powers and duties of the State Division of Agriculture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act, to take effect immediately," approved April 10, 1933, relating to the regulation and inspection of the construction of public school buildings.

Bill read first time, and referred to Committee on Building and Construction.

By Mr. O'Donnell: Assembly Bill No. 1836—An act to amend section 585 of the Agricultural Code, relating to dairies and dairy products.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. O'Donnell: Assembly Bill No. 1837—An act to amend sections 269 and 271 of the Code of Civil Procedure, relating to the appointment, duties and compensation of phonographic reporters.

Bill read first time, and referred to Committee on Judiciary.

By Mr. O'Donnell (by request): Assembly Bill No. 1838—An act to define and regulate the practice of shorthand reporting; creating a State Board of Shorthand Reporting, and providing for its powers and duties; providing for the examination and certification of shorthand reporters, with the designation of "Certified shorthand reporter"; and prescribing

penalties for violations of this act and to repeal section 270 of the Code of Civil Procedure.

Bill read first time, and referred to Committee on Judiciary.

By Mr. O'Donnell: Assembly Bill No. 1839—An act to provide for the adoption of the Uniform Narcotic Drug Act.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. O'Donnell: Assembly Bill No. 1840—An act to regulate the possession, sale, distribution in traffic in narcotics in the State of California by providing for the adoption by the State of certain regulations of the Federal Government and prescribing penalty for the violation thereof.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. O'Donnell: Assembly Bill No 1841—An act to amend sections 750 and 813, inclusive, of "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to peace officers.

Bill read first time, and referred to Committee on County Government.

By Mr. O'Donnell: Assembly Bill No. 1842—An act to amend section 4290 of the Political Code, relating to fees of county officers.

Bill read first time, and referred to Committee on County Government.

By Mr. Cunningham: Assembly Bill No. 1843—An act to amend sections 29 and 30 of the Direct Primary Law, relating to campaign expenditures.

Bill read first time, and referred to Committee on Elections.

By Mr. Cunningham: Assembly Bill No. 1844—An act to amend section 1094 of the Political Code, relating to registrations

Bill read first time, and referred to Committee on Judiciary.

By Mr. Andreas: Assembly Bill No. 1845—An act to amend section 5 of the Retail Sales Tax Act of 1933, relating to exempt sales.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Rosenthal: Assembly Bill No. 1846—An act to add a new section to the Penal Code to be numbered 653h, relating to employment of certified employees of school districts.

Bill read first time, and referred to Committee on Education.

By Mr. Rosenthal: Assembly Bill No. 1847—An act to add section 3045 to the Civil Code, relating to liens of an attorney.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Rosenthal: Assembly Bill No. 1848—An act to amend section 1468 of the Penal Code, relating to a statement on appeal.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Wagner: Assembly Bill No. 1849—An act to create the Public Relations Commission; to prescribe the powers, duties, functions, and purposes thereof; to abolish certain public welfare agencies; and to repeal all acts or portions of acts in conflict therewith.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Wagner: Assembly Bill No. 1850—An act to impose a tax upon transfers of real property or of interests or estates therein.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Wagner: Assembly Bill No. 1851—An act to impose a tax upon bank balances of banks doing business in this State.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Wagner: Assembly Bill No. 1852—An act to create a tax revenue fund in the State treasury and for the payment of certain moneys into said fund to be expended for the relief of unemployment conditions.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Wagner: Assembly Bill No. 1853—An act to amend sections 1 to 25 of the Inheritance Tax Act and to add 10 new sections thereto to be numbered 1.1 to 1.10 inclusive, relating to taxation of gifts, legacies, inheritances, bequests, devises, successions and transfers.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Wagner: Assembly Bill No. 1854—An act to amend sections 1 to 38 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Wagner. Assembly Bill No. 1855—An act to impose a tax upon the income of individuals or income received on behalf of individuals in this State.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Wagner: Assembly Bill No. 1856—An act to impose a tax upon the compensation of employees employed in this State, for the purpose of financing a fund to relieve employees from hardship and suffering in times of unemployment.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Wagner: Assembly Bill No. 1857—An act imposing a tax upon the net income of business enterprises in this State.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Wagner: Assembly Bill No. 1858—An act to amend sections 3 and 29 of and to add a new section to be numbered section 4a to the Retail Sales Tax Act of 1933, relating to the taxation of the privilege of selling tangible personal property and of the privilege of furnishing, preparing or serving tangible personal property, including particularly the rates of tax and the extension of the tax to interstate sales.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Fulcher: Assembly Bill No. 1859—An act to authorize the Division of Water Resources of the Department of Public Works to enter into compromise settlements with judgment debtors under judgments heretofore rendered in proceedings under sections 25 to 36f, both inclusive, of the Water Commission Act, declaring a moratorium on the collection of such judgments and suspending the accrual of interest thereon, and making an appropriation into the cash revolving fund created by Chapter 854, Statutes of 1921, to reimburse said fund in the amounts by which such settlements shall be less than the amounts due from such judgment debtors.

Bill read first time, and referred to Committee on Judiciary.

MOTION TO PRINT.

Mr. Evans, Ralph W., moved that the Chief Clerk instruct the State Printer to print 500 copies of Assembly Bill No. 150.

Motion carried.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1935.

MR. SPEAKER. Your Committee on Free Conference concerning Assembly Bill No. 23—An act relating to the relief of debtors and guarantors, and postponing sales under mortgages, deeds of trust, and contracts of purchase of real property, postponing forfeitures and terminations under such contracts of purchase, in certain cases, declaring the urgency thereof, and providing that it shall take effect immediately—reports that it has met a like committee of the Senate, consisting of Senators Snyder, Stow, and Rich, and reports that the Committee on Free Conference has agreed to recommend the following: That the bill be further amended as follows

AMENDMENT NUMBER ONE

On page 6 of the printed bill, as amended in the Senate January 24, 1935, strike out line 1, and insert in lieu thereof the following: "Sec 2. Until May 1 1935, except in the case of min-"

AMENDMENT NUMBER TWO.

On page 6, line 15, of the printed bill, as amended in the Senate January 24, 1935, insert after "nonpayment of", the following: "taxes,".

AMENDMENT NUMBER THREE.

On page 6, line 25, of the printed bill, as amended in the Senate January 24 1935, strike out "February, 1937", and insert in lieu thereof the following "May, 1935".

AMENDMENT NUMBER FOUR.

On page 6, line 26, of the printed bill, as amended in the Senate January 24, 1935, strike out "April 1, 1937", and insert in lieu thereof the following: "August 1, 1935".

AMENDMENT NUMBER FIVE.

On page 7 of the printed bill, as amended in the Senate January 24, 1935, strike out lines 6 and 7, and insert in lieu thereof the following: "tion between the effec-

tive date of this act and May 1, 1935, until at least six months after the due date of the last".

JONES,
CRONIN,
SCUDDER,
Assembly Committee on Free Conference.

SNYDER,
RICH,
STOW,
Senate Committee on Free Conference.

Report read.

The question being on the adoption of the report.

REQUEST FOR ROLL CALL.

On request of Messrs. Stream, Peterson, Hunt, Turner, and McBride, the Speaker ordered a roll call taken on the adoption of the report of the Committee on Free Conference.

The roll was called, and the report of the Committee on Free Conference was refused adoption by the following vote:

AYES—Breed, Desmond, Fisher, Hornblower, Kallam, Latham, and Minard—7.

NOES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—71.

EXPLANATION OF VOTE

On the roll call on the vote to accept or reject the conference report I voted "Aye" and later changed to "No," anticipating my appointment as a member of the new Conference Committee as a representative of the minority.

EARL D. DESMOND.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker announced the appointment of Messrs. Phillips, O'Donnell, and Breed, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Assembly Bill No. 23.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Fulcher: Assembly Bill No. 1860—An act to declare a moratorium on the collection of judgments rendered in proceedings pursuant to the provisions of sections 25 to 36f, both inclusive, of the Water Commission Act for unpaid costs or for unpaid assessments taxed as costs in such judgments, suspending the accrual of interest upon such judgments during the period of such moratorium, and extending the statute of limitations upon any such judgment.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Nielsen: Assembly Bill No. 1861—An act to amend section 694da of the Political Code, relating to the State Agricultural Society contingent fund.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Nielsen: Assembly Bill No. 1862—An act to add two new sections to the Political Code, to be numbered 359c and 359d, to provide for vacations of officers and employees of the State of California, with pay and empowering the State Personnel Board to promulgate rules and regulations governing the same, in so far as applicable to such members of the Civil Service, and to repeal a certain act therein specified.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Nielsen: Assembly Bill No. 1863—An act to add a new section to the Political Code to be numbered 359e, to provide for leave of absence with pay to officers and employees of the State of California, when ill, and to empower the State Personnel Board to promulgate rules and regulations governing the same in so far as applicable to members of the Civil Service, and to empower appointing powers of such officers and employees to promulgate rules and regulations governing the same, in so far as applicable to officers and employees not members of the Civil Service.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Cassidy: Assembly Bill No. 1864—An act to amend section 3746 of the Political Code, relating to taxation.

Bill read first time, and referred to Committee on County Government.

By Mr. Reaves: Assembly Bill No. 1865—An act to add a new section to the general laws imposing a tax on billboards and outdoor advertising.

Bill read first time, and referred to Committee on Revenue and Tax ation.

By Mr. Reaves: Assembly Bill No. 1866—An act to amend the Workmen's Compensation Act.

Bill read first time, and referred to Committee on Insurance

By Mr. Patterson: Assembly Bill No. 1867—An act providing for the purchase, acquisition, and installation of an electrical voting flash system.

Bill read first time, and referred to Committee on Rules.

By Mr. Rosenthal: Assembly Bill No. 1868—An act providing an additional and/or alternative method for financing the acquirement, construction, development, improvement, reconstruction, extension and repair of public utility services or systems including franchises or portions thereof by the State, any State authority or any political subdivision or public agency of the State by the issuance and sale of self-liquidating revenue bonds payable solely out of the revenue derived or to be derived therefrom; providing for the operation of such public utility services or systems in case of deficiencies in revenues providing for a statutory lien on works acquired, constructed, improved, reconstructed, extended or repaired under the provisions of this act; providing for the use of the power of eminent domain by the State, or its political subdivisions or public agency, State authority proceeding

under this act; defining the terms and powers of political subdivisions or public agency as included herein, declaring the urgency hereof, to take effect immediately.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Boyle: Assembly Bill No. 1869—An act to amend section 1a of an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1933, relating to cost.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Boyle: Assembly Bill No. 1870—An act to amend section 4 of an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, relating to injunctions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Boyle: Assembly Bill No. 1871—An act to amend the title of the Retail Sales Tax Act of 1933, approved July 31, 1933, and to amend section 8½ of said act, relating to the collection of the tax.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Boyle: Assembly Bill No. 1872—An act to add section 405a to the Code of Civil Procedure, relating to bonds for costs in civil actions for malpractice.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Boyle: Assembly Bill No. 1873—An act to amend section 17 of an act entitled "An act to control, license, and regulate the manufacture, transportation, sale, purchase, possession, and disposition of wine, beer, and intoxicating liquor; to make an appropriation therefor; and to provide penalties for the violation hereof," approved June 3, 1933, relating to types of licenses to be issued.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Boyle: Assembly Bill No. 1874—An act to amend section 26 of an act entitled "An act to control, license, and regulate the manufacture, transportation, sale, purchase, possession and disposition of wine, beer, and intoxicating liquor; to make an appropriation therefor; and to provide penalties for the violation thereof," approved June 3, 1933, relating to persons holding an interest in "on sale" or "off sale" licenses.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Boyle: Assembly Bill No. 1875—An act to amend section 3 of the Motor Vehicle Fuel License Tax Act, relating to license taxes
Bill read first time, and referred to Committee on Motor Vehicles.

By Messrs. Welsh and Jones: Assembly Bill No. 1876—An act to regulate the transportation of certain flammable liquids over highways within the State of California.
Bill read first time, and referred to Committee on Public Utilities.

By Mr. Latham: Assembly Bill No. 1877—An act to add a new section to the School Code to be numbered 6.53, relating to the duties, powers and liability of governing boards of school districts and members thereof in connection with school district buildings.
Bill read first time, and referred to Committee on Education.

By Mr. Morgan (by request): Assembly Bill No. 1878—An act to add section 183 to the Code of Civil Procedure, relating to judges.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Williamson: Assembly Bill No. 1879—An act to amend section 576 of the Vehicle Code, relating to special stops required of vehicles.
Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Williamson (by request): Assembly Bill No. 1880—An act to amend sections 5.930 and 5.931 of the School Code, both relating to balances due deceased recipients of annuities from the public school teacher's retirement salary fund.
Bill read first time, and referred to Committee on Education.

By Mr. Williamson (by request): Assembly Bill No. 1881—An act to add a new section, section 563d, to the Penal Code prohibiting false rumors regarding corporations.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Williamson (by request): Assembly Bill No. 1882—An act to amend section 629b of the Political Code, relating to life insurance.
Bill read first time, and referred to Committee on Insurance.

By Mr. Cottrell: Assembly Bill No. 1883—An act to amend section 472a of the Political Code, relating to the defense of State officers and employees.
Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Cottrell: Assembly Bill No. 1884—An act to amend section 13 and to add a new section to be numbered 13a to "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle, and providing that this act shall take effect immediately," approved May 15, 1933, relating to the disposition and control of moneys received under said act.
Bill read first time, and referred to Committee on Public Utilities

By Mr. Cottrell: Assembly Bill No. 1885—An act to amend section 91.5 of the Agricultural Code, relating to the sixth district agricultural association fund.

Bill read first time, and referred to Committee on Exhibitions and Fairs.

By Mr. Utt: Assembly Bill No. 1886—An act providing relief for delinquent taxpayers of drainage and other districts.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Land.

By Mr. Minard: Assembly Bill No. 1887—An act to amend the Insurance Code, relating to insurance.

Bill read first time, and referred to Committee on Insurance.

By Mr. Minard: Assembly Bill No. 1888—An act to amend the Insurance Code, relating to insurance.

Bill read first time, and referred to Committee on Insurance.

By Mr. Minard: Assembly Bill No. 1889—An act to amend the Insurance Code, relating to insurance.

Bill read first time, and referred to Committee on Insurance.

By Mr. Minard: Assembly Bill No. 1890—An act to amend section 653c-1 of the Penal Code, relating to the hours of labor on public works.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Fisher: Assembly Bill No. 1891—An act to amend section 482 of the Fish and Game Code, relating to the Trinity and Klamath River district.

Bill read first time, and referred to Committee on Fish and Game

By Mr. Fisher (by request): Assembly Bill No. 1892—An act appropriating the sum of $1,200 to pay the claim of Robert Francis Layne and Minna M. Layne against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Fisher: Assembly Bill No. 1893—An act to amend section 685 of the Code of Civil Procedure, relating to execution of judgments.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Fisher (by request): Assembly Bill No. 1894—An act to add section 685a to the Code of Civil Procedure, relating to renewal of judgment.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Fisher: Assembly Bill No. 1895—An act to amend section 1142 of the Political Code, relating to elections.

Bill read first time, and referred to Committee on Elections.

By Mr. Fisher: Assembly Bill No. 1896—An act to add a new section to the Political Code to be numbered section 1143, relating to boards of election.

Bill read first time, and referred to Committee on Elections.

By Mr. Frazier: Assembly Bill No. 1897—An act to amend an "Act granting certain tide lands and submerged lands of the State of California to the City and County of San Francisco for development and use as a public airport, regulating the management, use, lease and control thereof, authorizing the reclamation and certain improvements of said lands and the construction and maintenance of a bridge or causeway connecting said lands with Yerba Buena Island," by adding a new section to the numbered section 4 permitting the temporary use of said lands for exposition purposes.

Bill read first time, and referred to Committee on Exhibitions and Fairs.

By Mr. Lyon: Assembly Bill No. 1898—An act to add section 1313a to the Penal Code, relating to making wilful leaving jurisdiction of court after depositing bail a felony.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Lyon: Assembly Bill No. 1899—An act to add section 1314a to the Penal Code, relating to undertaking on bail and cash bail same amount.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Lyon: Assembly Bill No. 1900—An act to amend section 3664b of the Political Code, relating to taxation of insurance companies.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Lyon: Assembly Bill No. 1901—An act relating to real estate transactions and imposing a tax thereon and providing for the enforcement and collection of the tax, this act to take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Lyon: Assembly Bill No. 1902—An act to amend sections 1305, 1306, and 1307 of the Penal Code, relating to forfeiture of the undertaking of bail or of the deposit of money.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hornblower: Assembly Bill No. 1903—An act to amend section 690 of the Code of Civil Procedure, relating to exemptions from execution or attachment.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hornblower: Assembly Bill No. 1904—An act to amend sections 3, 6, 7, 9, 10, and 14 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provision," approved June 5, 1933, relating to the powers of the California Horse Racing Board.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Cottrell: Assembly Bill No. 1905—An act to amend section 11 of the Workmen's Compensation Act, approved May 23, 1917.

Bill read first time, and referred to Committee on Insurance.

By Mr. Pelletier: Assembly Bill No. 1906—An act to add section 987b to the Penal Code, relating to the office of public defender.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Pelletier: Assembly Bill No. 1907—An act to add section 238 to the Penal Code, relating to arresting.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Flint: Assembly Bill No. 1908—An act to amend sections 1065 and 1068 of the Fish and Game Code, relating to fish.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Patterson: Assembly Bill No. 1909—An act to be known as "Health Insurance Act"; defining health insurance; providing for the assessment, collection and disbursement of funds for the purpose of insuring health; creating a Commission for the Management of Health Insurance Funds, and prescribing penalty for violation thereof.

Bill read first time, and referred to Committee on Insurance.

By Mr. Patterson: Assembly Bill No. 1910—An act to provide for the levy and collection of a tax on the abstraction of natural resources; to provide for the administration thereof and to prescribe penalties for the violation thereof.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Patterson: Assembly Bill No. 1911—An act to amend an act known as "The Inheritance Tax Act," approved June 3, 1921.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Patterson: Assembly Bill No. 1912—An act to be known as "Tax Code"; providing for a complete system of taxation for the support of the State, county and municipal government; to provide for the property liable to taxation and assessment thereof; to provide for the equalization of assessment; to provide for the levy and collection of taxes and the duties of public officers in connection therewith; to provide for the license of banks and corporations doing business in the State; to provide for the taxing of motor vehicle fuel; and to provide for taxes upon natural resources; to provide for sale taxes; to provide for taxes on inheritance; to provide penalty for failure to comply with the provisions of this act and to repeal all acts inconsistent therewith.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Patterson: Assembly Bill No. 1913—An act making appropriation for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held

November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Clark: Assembly Bill No. 1914—An act to amend section 1928 of the Code of Civil Procedure, relating to evidence.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Clark: Assembly Bill No. 1915—An act making an appropriation to dredge Alamitos Bay.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Clark: Assembly Bill No. 1916—An act to amend section 537 of the Code of Civil Procedure, relating to attachments.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Clark: Assembly Bill No. 1917—An act making an appropriation to improve the State park at Alamitos Bay.

Bill read first time, and referred to Committee on State Grounds and Parks.

By Mr. Clark: Assembly Bill No. 1918—An act to add section 10½ to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to hospital records of persons receiving compensation thereunder.

Bill read first time, and referred to Committee on Insurance.

By Mr. Clark: Assembly Bill No. 1919—An act to amend section 6 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to presumptions in respect to injuries to employees.

Bill read first time, and referred to Committee on Insurance.

By Mr. Clark: Assembly Bill No. 1920—An act to amend section 2 of the Inheritance Tax Act, relating to computation of tax, including deduction of expenses of administration.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Clark: Assembly Bill No. 1921—An act to amend section 1461 of the Probate Code, relating to guardians of insane or incompetent persons.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Clark: Assembly Bill No. 1922—An act to amend sections 2283 to 2290, inclusive, of the Political Code, relating to State aid to orphans, half orphans, abandoned children, and children of fathers not able to pursue a gainful occupation.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Clark: Assembly Bill No. 1923—An act to amend section 24 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to fees of attorneys in workmen's compensation cases.

Bill read first time, and referred to Committee on Insurance.

By Mr. Lyon: Assembly Bill No. 1924—An act relating to the classification and regulation of the business of pawn brokers, including

the fixing and regulation of their charges and interest, and to repeal all acts and parts of acts inconsistent herewith.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr. Reaves: Assembly Bill No. 1925—An act to amend sections 4 and 7 of "An act to prevent the unauthorized use and disposition of, and traffic in human bodies, to prescribe the keeping of proper records, to promote medical education and public health by regulating the disposition and utilization of the unclaimed dead, to provide penalties for the violation of this act and to repeal sections 3094 and 3095 of the Political Code and all other acts or portions of acts in conflict with this act," approved May 18, 1927, relating to the use of dead bodies.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Reaves: Assembly Bill No. 1926—An act to amend section 1 of an act entitled "An act to secure native-born and naturalized citizens of the United States the exclusive right to be employed in any department of the State, county, city and county and city government in this State, except in certain schools, to validate certain acts, and to repeal all acts in conflict herewith," approved May 19, 1915, relating to the employment of aliens.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Flint: Assembly Bill No. 1927—An act amending section 1 of "An act to provide for the establishment and maintenance of preventoria for the treatment of persons susceptible to tuberculosis; providing for the granting of State aid to cities, counties, cities and counties, and groups of counties, for the care and treatment of such persons; defining the powers and duties of the Department of Public Health and Bureau of Tuberculosis in relation thereto, and making an appropriation therefor," relating to subsidies.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Mr. Flint: Assembly Bill No. 1928—An act amending section 3 of "An act to amend sections 2 and 3 of an act entitled 'An act to provide for the establishment and maintenance of a Bureau of Tuberculosis under the direction of the State Board of Health; defining its powers and duties; providing for the granting of State aid to cities, counties, cities and counties, and groups of counties for the support and care of persons affected with tuberculosis; making an appropriation therefor, and repealing certain acts of the Legislature of the State of California,' approved June 12, 1915, as amended," relating to subsidies.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Mr. Flint: Assembly Bill No. 1929—An act to amend section 4041k of the Political Code.

Bill read first time, and referred to Committee on County Government.

By Mr. Flint: Assembly Bill No. 1930—An act relating to the licensing, regulating and fixing rules covering motion picture and theatrical agents.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Redwine: Assembly Bill No. 1931—An act to amend section 131 of the Civil Code, relating to the filing of decisions in divorce cases.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 1932—An act to amend section 91 of the Civil Code, relating to the effect of divorce.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 1933—An act to amend section 61 of the Civil Code of the State of California, relating to the legality of subsequent marriages.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 1934—An act to amend section 90 of the Civil Code, relating to the dissolution of marriage.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 1935—An act to amend section 132 of the Civil Code, relating to final judgments.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Redwine: Assembly Bill No. 1936—An act to amend section 473 of the Code of Civil Procedure, relating to when pleadings can be amended.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Thorp: Assembly Bill No. 1937—An act to add a new section to the Agricultural Code to be numbered 477.1, relating to the advertising of percentage of fat in market milk.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Scudder: Assembly Bill No. 1938—An act to amend "The Building and Loan Association Act," approved May 5, 1931, as amended.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Mr. Scudder: Assembly Bill No. 1939—An act providing for the liquidation of building and loan associations and declaring the urgency thereof.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Mr. Scudder: Assembly Bill No. 1940—An act authorizing and allowing credit of certificates of building and loan associations against the _____ of borrower and declaring the urgency thereof.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Mr. Scudder: Assembly Bill No. 1941—An act prohibiting holding companies of building and loan associations to deal in certificates for deposit books of said associations.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Mr. Scudder: Assembly Bill No. 1942—An act to provide for the supervision of building and loan associations.

Bill read first time, and referred to Committee on Building and Loan Associations

By Mr. Scudder: Assembly Bill No. 1943—An act to protect the public health; providing for the regulation and supervision of public laboratories performing chemical, bacteriological, pathological, physiological, serological and/or other scientific examinations, analyses, determinations, experiments or procedures to aid in the diagnosis and/or control of diseases of man and public laboratories engaged in the preparation and/or propagation of any virus, serum, toxin, antitoxin, or analogous products applicable to the prevention and/or cure of diseases of man, requiring permits for the conduct, maintenance and/or operation thereof, providing for the issuance and revocation of such permits by the State Board of Public Health, fixing the amount of and providing for the collection and disposition of annual fees for such permits, prescribing the powers and duties of the State Board of Public Health and the Director of Public Health in reference to such laboratories; and prescribing penalties for the violation of the provisions of this act.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Field: Assembly Bill No. 1944—An act to provide for a general system of State Civil Service based upon merit, efficiency and fitness as ascertained by competitive examinations; providing the powers, duties, purposes and functions of the State Personnel Board; and to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act and with Article XXIV of the Constitution of this State.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Miss Miller: Assembly Bill No. 1945—An act to amend sections _____ of the Insurance Code, to add new sections thereto, and to repeal certain sections thereof, relating to insurance principles, practice and matters incidental thereto.

Bill read first time, and referred to Committee on Insurance.

By Miss Miller: Assembly Bill No. 1946—An act to regulate the possession, sale, distribution in traffic in narcotics in the State of California by providing for the adoption by the State of certain regulations of the Federal Government and prescribing penalty for the violation thereof.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Miss Miller: Assembly Bill No. 1947—An act to amend an act entitled "An act to promote the better education of nurses in the better care of the sick in the State of California, to provide for and regulate examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled 'An act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualify applicants of the Board of Regents of the University of California, and to provide penalty for violation thereof,' " approved June 12, 1913, as amended.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Boyle: Assembly Bill No. 1948—An act to amend "An act to provide for the regulation and licensing of horse racing, horse race meeting and the wagering on the results thereon; to create the California Horse Race Board, for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing.

Bill read first time, and referred to committee on Public Morals.

By Mr. Boyle: Assembly Bill No. 1949—An act to provide for the licensing and forming of insurance organizations, similar to Lloyd's organization of London, and prescribing rules and regulations governing the same.

Bill read first time, and referred to Committee on Insurance.

By Mr. Cronin: Assembly Bill No. 1950—An act to add section 171a½ to the Penal Code, relating to firearms.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. Kallam: Assembly Bill No. 1951—An act to amend State Liquor Control Act.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Kallam: Assembly Bill No. 1952—An act to amend Agricultural Code.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Kallam: Assembly Bill No. 1953—An act relating to taxation.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Kallam: Assembly Bill No. 1954—An act to amend Fish and Game Code.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Kallam: Assembly Bill No. 1955—An act to amend Insurance Code.

Bill read first time, and referred to Committee on Insurance.

By Mr. Kallam: Assembly Bill No. 1956—An act to amend Streets and Highways Code.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Kallam: Assembly Bill No. 1957—An act to amend Public Utilities Act.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Walker: Assembly Bill No. 1958—An act to add section 10a to an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holdings to facilitate the enforcement of this act, prescribing penalties for violations of the provisions hereof and repealing all acts or parts of acts inconsistent of or in conflict herewith," approved by the electors November 2, 1920, relating to control of land by aliens.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Walker: Assembly Bill No. 1959—An act to add sections 306 and 306a to the Penal Code, relating to minors.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Cunningham: Assembly Bill No. 1960—An act to add a new section to the Political Code, to be numbered section 3810, relating to judicial review of assessments and taxes alleged to be illegal or erroneous, and providing procedure for such review.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cunningham: Assembly Bill No. 1961—An act to amend section 3617 of the Political Code, relating to definitions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Lyon: Assembly Bill No. 1962—An act to amend the title and sections 1 and 5 of an act entitled "An act to levy an excise tax and to regulate the manufacture, distribution and sale of certain beverages; to provide for the licensing of the manufacture, distribution and sale; to prescribe penalties for the violation of this act and to provide that this act shall take effect immediately," approved April 27, 1933, extending the provisions thereof to cover all intoxication liquors, and relating to the rate of tax.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Lyon: Assembly Bill No. 1963—An act relating to licensing and taxing of vehicles, including certain license taxes based upon weight and value in lieu of taxation according to value, and providing for the administration and enforcement thereof.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Utt: Assembly Bill No. 1964—An act to amend sections 3638a, 3717 and 3787 of, and to add section 3716a to, the Political Code, relating to the lien of taxes secured by real property.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Utt: Assembly Bill No 1965—An act relating to a legislative research committee, to encourage and utilize research by public and private agencies for legislative purposes.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Utt: Assembly Bill No. 1966—An act relating to royalties paid and to be paid to the State of California by producers of crude oil and prescribing the duties of the Director of Finance in connection therewith.

Bill read first time, and referred to Committee on Oil Industries.

By Mr. Utt: Assembly Bill No. 1967—An act to add a new section to be numbered 14a to the "District Investigation Act of 1933," approved June 10, 1933.

Bill read first time, and referred to Committee on County Government.

By Mr. Utt: Assembly Bill No. 1968—An act to amend section 752 of "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the election of officers in cities of the fifth class; and declaring the urgency of this act and providing that it shall take effect immediately.

Bill read first time, and referred to Committee on County Government.

By Mr. Utt: Assembly Bill No. 1969—An act to amend section 752 of "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the election of officers in cities of the fifth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Utt: Assembly Bill No. 1970—An act authorizing the creation of a personnel system, merit system or civil service system, the creation of the office of Personnel Director; the appointment of a Civil Service Commission; the delegation of certain authority to said personnel officer or commission in municipalities within this State; and prohibiting certain political activities and providing penalties for the violation of said provisions.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Utt: Assembly Bill No. 1971—An act granting to the county of Orange certain state-owned lands lying within said county.

Bill read first time, and referred to Committee on County Government.

By Mr. Lyon: Assembly Bill No. 1972—An act to amend section 10 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Lyon: Assembly Bill No. 1973—An act to amend section 7 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to the number and salary of judges, officers and attaches of municipal courts in cities of the first and one-half class.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Lyon: Assembly Bill No 1974—An act to provide for the number and compensation of judges of the municipal court in any city governed by a freeholders' charter, containing a population of more than 40,000, in counties of the first class.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Lyon: Assembly Bill No. 1975—An act to amend section 7 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts, in cities of the first and one-half class, governed by a freeholders' charter.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Chatters: Assembly Bill No. 1976—An act to amend section 29 of "The California Irrigation District Act" approved March 31, 1897, as amended, relating to the purpose for which property may be held by said district

Bill read first time, and referred to Committee on Irrigation.

By Mr. Andreas: Assembly Bill No. 1977—An act to amend Chapters I, II, III, IV, V, VII, VIII, IX, X and XI of Part I, Division II, of the School Code.

Bill read first time, and referred to Committee on Education.

By Mr. Field: Assembly Bill No. 1978—An act relating to municipal corporations to be known as housing authorities to engage in slum clearance and housing projects; to provide for the creation of such housing authorities; to define the powers and duties of housing authorities and to provide for the exercise of such powers, including borrowing money, issuing bonds and other obligations, and giving security therefor; to provide for the making of grants and the lending of money to housing authorities by cities and by cities and counties of the first, second and third classes; and to declare the urgency thereof.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr Glover: Assembly Bill No. 1979—An act to amend sections 851 and 852 of an act entitled "An act to provide for the organization,

incorporation, and government of municipal corporations," approved March 18, 1883, relating to city officers.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Glover: Assembly Bill No. 1980—An act relating to employment in public service.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Glover: Assembly Bill No. 1981—An act relating to conditional sales contracts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Glover: Assembly Bill No. 1982—An act relating to the use of the word "company."

Bill read first time, and referred to Committee on Corporations.

By Mr. Field: Assembly Bill No. 1983—An act relating to the allocation of State subsidies to counties for forestation, reforestation, fire control, and rehabilitation of forest areas denuded by fire, providing a procedure for the allocation and distribution of such funds and accounting therefor.

Bill read first time, and referred to Committee on Conservation.

By Mr. Lore: Assembly Bill No. 1984—An act to regulate the rates of public utilities, to prevent discriminatory rates between different parts of the same incorporated cities, and to provide for investigation and a supervision by the Railroad Commission.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Lore: Assembly Bill No. 1985—An act to amend the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Lore: Assembly Bill No. 1986—An act for the relief of special assessment districts and to that end authorizing any county, city or city and county upon the conditions and under the circumstances herein specified, to acquire bonds of or issued by such districts and making certain moneys and funds available therefor.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Clark: Assembly Bill No. 1987—An act to amend section 3 of "An act relating to the liability in damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property, and alleged to be due to the negligence or carelessness of such officers; prescribing the duties of claimants in such cases, and authorizing the State and such public or quasi public corporation to take out and pay for insurance to protect their officers against such liability," approved June 19, 1931.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Frazier: Assembly Bill No. 1988—An act to add a new section to the Penal Code to be known as section 537i, relating to the defrauding of garage keepers.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Field: Assembly Bill No. 1989—An act to amend section 677 of the Political Code, relating to State accounting.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Field: Assembly Bill No. 1990—An act to repeal section 677a of the Political Code and to add section 677.5 thereto, relating to budgets of State departments and other State agencies

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Field: Assembly Bill No. 1991—An act to repeal section 658a of the Political Code and to add section 658.5 thereto, relating to refunds of fees paid to the State.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

By Mr. Field: Assembly Bill No. 1992—An act to add section 675.1 to the Political Code, and to repeal section 675b thereof, relating to the approval of salaries by the Department of Finance.

Bill read first time, and referred to Committe on Governmental Efficiency and Economy.

By Mr. Field: Assembly Bill No. 1993—An act to amend section 675a of the Political Code, relating to approval of contracts by the Department of Finance.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Field: Assembly Bill No. 1994—An act to repeal section 686a of the Political Code and to add section 686.5 thereto, relating to accountants in the Department of Finance

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Kallam (by request): Assembly Bill No. 1995—An act to amend section 779 of the Political Code, relating to publication of court reports.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Turner: Assembly Bill No. 1996—An act to amend section 159 of the California Vehicle Act, relating to motor vehicle fund.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Turner: Assembly Bill No 1997—An act to amend section 777 of the Vehicle Code, relating to appropriation for maintenance of department.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Turner: Assembly Bill No. 1998—An act to amend sections 770 and 771 of the Vehicle Code, relating to disposition of fines and forfeitures.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Turner: Assembly Bill No. 1999—An act to amend section 160 of the California Vehicle Act, relating to the disposition of fines and forfeitures.

Bill read first time, and referred to Committee on Motor Vehicles

By Mr. Jones: Assembly Bill No. 2000—An act to add a new section to the Code of Civil Procedure, to be numbered 565a, relating to appointment of receivers.

Bill read first time, and referred to Committee on Judiciary

By Mr. Jones: Assembly Bill No. 2001—An act to amend sections 975 and 978 and to repeal section 976 of the Code of Civil Procedure, relating to appeals from justices' court.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Jones: Assembly Bill No. 2002—An act to repeal sections 649, 650, 651, 652, 653, 939, 940, 951, 952, 953, 953a, 953b, 953c, and 953d of the Code of Civil Procedure, of the State of California.

Bill read first time, and referred to Committee on Judiciary

By Mr. Jones: Assembly Bill No. 2003—An act to add section 654 to the Code of Civil Procedure, relating to the method of appeal in civil actions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Jones: Assembly Bill No. 2004—An act relating to signs upon the roads and highways of this State.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Jones: Assembly Bill No. 2005—An act to amend the Agricultural Code by adding to Division VI thereof a new chapter numbered VIII, embracing sections 1299 to 1299.6, inclusive, relating to the licensing and regulation of traveling merchants and providing penalties for the violation thereof.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Jones: Assembly Bill No. 2006—An act to amend "An act to provide for the formation, management and dissolution of park, recreation and parkway districts and annexations thereto and withdrawals therefrom, designating and setting forth the process of the governing bodies of such districts and providing for the levying and collecting of taxes on property in such districts to defray the expenses thereof," approved May 23, 1927.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Jones: Assembly Bill No. 2007—An act to provide for the formation, management and dissolution of recreation, park and playground districts within any city, city and county, or county, designating the powers of the governing bodies of such districts and providing

for the levy and collection of taxes on property in such districts to defray the expenses thereof.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Jones: Assembly Bill No. 2008—An act to provide for the formation, maintenance, and dissolution of playground and recreational park districts within counties.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Jones: Assembly Bill No. 2009—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11 of an act entitled "An act to provide for the formation, management and dissolution of park, recreation and parkway districts and annexations thereto and withdrawals therefrom, designating and setting forth the process of the governing bodies of such districts and providing for the levying and collecting of taxes on property in such districts to defray the expenses thereof," approved May 23, 1927.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Clark (by request). Assembly Bill No. 2010—An act to amend section 7 of the "Retail Sales Tax Act of 1933," relating to the refunding of the sales tax paid on relief work foodstuff purchases.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Cottrell: Assembly Bill No. 2011—An act to provide revenue by imposing a State tax upon the sale of tobacco products, providing permits for retail dealers, prescribing the method and manner of levying and collecting such tax, conferring powers and imposing duties on the Franchise Tax Commission, providing penalties for the enforcement of this act, allocating the revenue derived therefrom, and making an appropriation for the administration of this act.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Nielsen: Assembly Bill No. 2012—An act to amend the Vehicle Code.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Nielsen: Assembly Bill No. 2013—An act to amend the Vehicle Code.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Fisher: Assembly Bill No. 2014—An act to amend section 1239 of the Code of Civil Procedure, relating to eminent domain.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Fisher: Assembly Bill No. 2015—An act to amend section 1238 of the Code of Civil Procedure, relating to eminent domain.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Fisher: Assembly Bill No 2016—An act repealing Article 11h of Chapter 3 of Title I of Part III of the Political Code, consisting

of sections 367 to 367g, inclusive, and adding a new Article 11h to said chapter, title, and part, to consist of sections 367 to 367t, inclusive, relating to a Department of Public Welfare.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Williamson (by request): Assembly Bill No. 2017—An act to repeal Part 3 of the School Code, consisting of sections 6.740 to 6.772, inclusive, and to add a new part to said code to be designated Part 3, consisting of sections 6 740 to 6 745, inclusive.

Bill read first time, and referred to Committee on Education.

By Messrs. Latham and Wright: Assembly Bill No. 2018—An act to amend section 4 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to the rate of tax.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Peyser: Assembly Bill No. 2019—An act to amend section 2289 of the Political Code, relating to State aid to indigent orphans.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Field: Assembly Bill No. 2020—An act to add a new section to the Penal Code to be numbered 476b, relating to printing, duplicating or imitating blank checks.

Bill read first time, and referred to Committee on Crime Problems

By Mr. Robertson: Assembly Bill No. 2021—An act to amend section 41 of the Probate Code, relating to bequests and devises.

Bill read first time, and referred to Committee on Judiciary

By Mr. Latham: Assembly Bill No 2022—An act levying a tax upon the privilege of severing, processing, or severing and processing any natural resource, providing for the collection and enforcement thereof and making an appropriation therefor.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Messrs Anderson, Burns, Boyle, McMurray, and Hunt: Assembly Bill No. 2023—An act to amend the title and sections 1, 2 and 3 of, and to add a new section to be numbered section 4, to an act entitled "An act to provide for a day of rest from labor," approved February 27, 1893 (Stats 1893, Chap. 41), relative to the scope of the act, providing for the enforcement of the act by the Chief of the Division of Labor Statistics and Law Enforcement and providing penalties for violation of the provisions thereof.

Bill read first time, and referred to Committee on Labor and Capital

By Messrs. Voigt and Anderson (by request): Assembly Bill No. 2024—An act regulating and restricting the use of trailers and other vehicles in the tow of motor vehicles upon the public highways of this State and providing penalties for the violation of this act.

Bill read first time, and referred to Committee on Motor Vehicles.

By Messrs. Voigt and Anderson (by request): Assembly Bill No. 2025—An act to amend the title and sections 1 and 2 of an act entitled "An act regulating the hours of labor of the operators of certain motor vehicles," approved June 10, 1933 (Stats. 1933, Chap. 801), relative to the hours of labor of truck drivers, requiring records of such hours available to peace officers or district attorneys and any other officers entitled to inspect same and providing penalties for violation of the provisions thereof

Bill read first time, and referred to Committee on Public Utilities.

By Messrs. Pelletier and Hawkins: Assembly Bill No. 2026—An act to direct the State departments, and particularly the Superintendent of Education to stress the significance of tolerance as a basic American principle, defining the meaning of tolerance, providing for the inclusion of instruction of tolerance in the public school system, providing a pledge of tolerance, and providing penalties for the violations of said pledge.

Bill read first time, and referred to Committee on Education.

By Mr. Kallam: Assembly Bill No. 2027—An act to regulate greyhound racing in California.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Fulcher: Assembly Bill No. 2028—An act to amend section 1310 of the Fish and Game Code and to add thereto section 1340.6, relating to bear.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Martin: Assembly Bill No. 2029—An act to amend section 4041.7 of the Political Code, defining the powers of the board of supervisors.

Bill read first time, and referred to Committee on County Government.

By Mr. Martin: Assembly Bill No. 2030—An act to amend sections 1426, 1427 and 1428 of the Streets and Highways Code, relating to expenditures by boards of supervisors of moneys received by the counties from the motor vehicle fund or from moneys received by the county for vehicle registration license fees and authorizing contributions to ad valorem special assessment proceedings, or the purchase of bonds issued in any ad valorem acquisition or improvement district.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Martin: Assembly Bill No 2031—An act to amend section 159 of an act entitled the "California Vehicle Act," approved May 30, 1923, as amended, to provide for the use of funds derived under that act as contribution to special assessment proceedings, or the purchase of the bonds issued in any ad valorem acquisition or improvement proceeding.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Martin: Assembly Bill No. 2032—An act to amend section 13½ of an act entitled "An act to regulate the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels,

requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in, or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, Statutes of 1923, page 571, as amended, providing for the uses and purposes to which the funds derived under said act may be used.

Bill read first time, and referred to Committee on Oil Industries.

By Messrs. Johnson and Dawson: Assembly Bill No 2033—An act to amend the title and sections 2, 4 and 5 of an act entitled "An act regulating the payment of wages earned in seasonal labor and prescribing the powers and duties of the Commissioner of the Bureau of Labor Statistics, in relation thereto," approved May 28, 1913 (Stats. 1913, Chap. 198), relative to disputes regarding seasonal labor and the application of the State Wage Law thereto.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Johnson and Dawson. Assembly Bill No. 2034—An act to amend sections 1 and 2 of an act entitled "An act prohibiting employers of labor from coercing employees in the purchase of things of value, and prescribing a penalty for the violation of the provisions hereof," approved April 26, 1917 (Stats. 1917, Chap. 141), relative to requiring employees to patronize any person or firm in the purchase of any thing of value, or service, and relative to the penalty therefor.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Johnson: Assembly Bill No. 2035—An act to add a new section to the Civil Code, to be numbered section 2005, relative to the basis of figuring wages for a portion of a month.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Heisinger: Assembly Bill No. 2036—An act to add section 526a to the Political Code, relating to State printing.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Hornblower: Assembly Bill No. 2037—An act to add a new section to the Political Code to be numbered 1357a, relating to additional persons who may procure ballots of their precincts from the county clerk or registrar of the county or city and county and in case of a municipal election, from the city clerk of the municipality of their residence, and cast said ballots.

Bill read first time, and referred to Committee on Elections.

By Messrs. Anderson and Crowley: Assembly Bill No. 2038—An act to amend the title and section 12 of, and to add a new section, to

be numbered section 14, to an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933 (Stats. 1933, Chap. 761), relative to penalties for assisting, either directly or indirectly, in bringing indigents into this State.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Messrs. Anderson and Crowley: Assembly Bill No 2039—An act to add a new section to the Civil Code, to be numbered section 1972, relative to transportation expenses and return transportation expenses for workers brought into or sent out of the State to render personal services

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cottrell: Assembly Bill No. 2040—An act making an appropriation to pay the claim of the Superintendent of Accounts of the Department of Finance against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Patterson: Assembly Bill No. 2041—An act to amend section 920 of the Political Code, prohibiting interest of members of the Legislature, State, political subdivision, city, and county, city and township, ministerial officers, employees or appointees in certain contracts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Geyer: Assembly Bill No. 2042—An act to amend sections 5.500, 5.680, and 5.681 of the School Code, relating to teachers.

Bill read first time, and referred to Committee on Education.

By Mr. Glover: Assembly Bill No. 2043—An act to amend section 5.722 of the School Code, relating to resignations, dismissals and leaves of absence of certified employees.

Bill read first time, and referred to Committee on Education.

By Mr Hunt: Assembly Bill No. 2044—An act to amend sections 12 and 14 of an act entitled "An act to provide for the regulation and licensing of horse races, horse ------ and the wagering on the results thereof; to create a California Horse Racing Board for the regulation, licensing, and supervision of said horse races and wagering thereon; to provide penalty for the violation of the provisions of this act and to provide that this act shall take effect upon the adoption of a constitutional amendment, ratifying such provisions," approved June 5, 1933, relating to the division of commissions between State and licensees

Bill read first time, and referred to Committee on Public Morals.

By Mr. Desmond: Assembly Bill No. 2045—An act to amend section 14a of the California Irrigation District Act.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Desmond: Assembly Bill No. 2046—An act relating to commissions charged by persons handling agricultural products.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Dawson (by request): Assembly Bill No. 2047—An act to amend section 1197 of the Code of Civil Procedure, relative to executions in mechanics' lien actions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dawson (by request): Assembly Bill No. 2048—An act to amend the title and section 1 of an act entitled "An act prohibiting the issuance as payment for wages of any evidence of indebtedness unless the same is negotiable and payable without discount, and providing that the same must be payable upon demand," approved March 1, 1911 (Stats. 1911, Chap. 92), as amended, providing that evidences of indebtedness for wages must be payable upon demand.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Frazier: Assembly Bill No. 2049—An act relating to and providing for the levy and collection of a tax upon sales of tangible personal property and making provision for the administration thereof and prescribing penalties for violation of its provisions, the act to take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Clark: Assembly Bill No. 2050—An act amending section 1428 of the Penal Code, relating to keeping minutes.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Clark: Assembly Bill No. 2051—An act amending section 1461a of the Penal Code, relating to municipal court procedure.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Clark: Assembly Bill No. 2052—An act amending section 1428a, relating to minute books of municipal courts.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Welsh, Dawson, McBride, Peterson, and Utt: Assembly Bill No. 2053—An act to amend the Building and Loan Association Act and the title thereof.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Messrs. Welsh, Dawson, McBride, Peterson, and Utt: Assembly Bill No. 2054—An act to amend the Building and Loan Association Act and the title thereof.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Messrs. Peterson, Dawson, McBride, Utt, and Welsh: Assembly Bill No. 2055—An act to amend the Building and Loan Association Act and the title thereof.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Messrs. Peterson, Dawson, McBride, Utt, and Welsh: Assembly Bill No. 2056—An act to amend the Building and Loan Association Act and the title thereof.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Messrs. Peterson, Dawson, McBride, Utt, and Welsh: Assembly Bill No. 2057—An act to amend the Building and Loan Association Act and the title thereof.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Messrs. Dawson, McBride, Peterson, Utt, and Welsh: Assembly Bill No. 2058—An act to amend the Building and Loan Association Act and the title thereof.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Messrs. Dawson, McBride, Peterson, Utt, and Welsh: Assembly Bill No. 2059—An act to amend the Building and Loan Association Act and the title thereof.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Messrs Dawson, McBride, Peterson, Utt, and Welsh: Assembly Bill No. 2060—An act to amend the Building and Loan Association Act and the title thereof.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Messrs. McBride, Dawson, Peterson, Utt, and Welsh: Assembly Bill No. 2061—An act to amend the Building and Loan Association Act and the title thereof.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Messrs. McBride, Dawson, Peterson, Utt, and Welsh: Assembly Bill No. 2062—An act to amend the Building and Loan Association Act and the title thereof.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Messrs. McBride, Dawson, Peterson, Utt, and Welsh: Assembly Bill No. 2063—An act to amend the Building and Loan Association Act and the title thereof.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Messrs. Utt, Dawson, McBride, Peterson, and Welsh: Assembly Bill No. 2064—An act to amend the Building and Loan Association Act and the title thereof.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Messrs. Utt, Dawson, McBride, Peterson, and Welsh: Assembly Bill No. 2065—An act to amend the Building and Loan Association Act and the title thereof.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Messrs. Utt, Dawson, McBride, Peterson, and Welsh: Assembly Bill No. 2066—An act to amend the Building and Loan Association Act and the title thereof.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Messrs. Welsh, Dawson, McBride, Peterson, and Utt: Assembly Bill No. 2067—An act to amend the Building and Loan Association Act and the title thereof.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Mr. Lore: Assembly Bill No. 2068—An act to provide for attorney's fees in suits to foreclose bonds or assessments of any special assessment district.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Mayo: Assembly Bill No. 2069—An act making an appropriation to pay the claim of the superintendent of accounts of the Department of Finance against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Lyon: Assembly Bill No. 2070—An act to amend section 13 of the Direct Primary Law, relating to sample ballots.

Bill read first time, and referred to Committee on Elections

By Mr. Martin: Assembly Bill No. 2071—An act to add section 1586.5 to the Penal Code, relating to the manufacture of automobile license plates by prisoners in State prisons.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Lyon: Assembly Bill No. 2072—An act declaring Wilshire Boulevard in the city of Los Angeles to be a secondary State highway and providing for the establishment and maintenance of a park along a portion of the length of said highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Lyon: Assembly Bill No. 2073—An act to amend section 1195b of the Political Code, relating to election pamphlets

Bill read first time, and referred to Committee on Elections.

By Mr. Martin: Assembly Bill No. 2074—An act to amend section 13 of the Motor Vehicle Fuel Tax Act, approved May 30, 1923, as amended, relating to distribution of tax.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Evans, Herbert J.: Assembly Bill No 2075—An act to add section 142.5 to the Code of Civil Procedure, relating to sessions of the superior court.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Gilmore: Assembly Bill No. 2076—An act to repeal an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and

providing that this act shall take effect immediately," approved May 15, 1933.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Redwine: Assembly Bill No. 2077—An act to amend the Fish and Game Code.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Redwine: Assembly Bill No. 2078—An act to amend the Fish and Game Code.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Wallace: Assembly Bill No. 2079—An act to add section 410.5 to the Vehicle Code, relating to judgments on account of personal injury to or death of any person resulting from the operation of a motor vehicle.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Scudder: Assembly Bill No. 2080—An act to provide for the acquisition of the Muir Wood Toll Road by the State, and the inclusion thereof in the State highway system, and making an appropraition therefor.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Frazier: Assembly Bill No. 2081—An act to add section 628 to the Streets and Highways Code, establishing secondary State highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Peyser (by request): Assembly Bill No. 2082—An act to add a new section to the Code of Civil Procedure to be numbered section 1264a, relating to taking of property by eminent domain.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Frazier: Assembly Bill No. 2083—An act to amend section 10920 of the Insurance Code, relating to life and disability insurance on the assessment plan.

Bill read first time, and referred to Committee on Insurance.

By Mr. Frazier: Assembly Bill No. 2084—An act relating to banks as defined in and operating under that certain act known as the "Bank Act" approved March 1, 1909, as amended, or any bank created and operating under and pursuant to any laws of this State and in that regard fixing, regulating and limiting the fees, bonus, commissions, discounts and other compensation which such banks may charge or receive from a borrower in connection with a loan or forbearance of money, goods or things in action all in the exercise of the powers vested in the Legislature by the provisions of section 22 of Article XX of the Constitution.

Bill read first time, and referred to Committee on Banking.

By Mr. Frazier: Assembly Bill No 2085—An act to add section 631 to the Streets and Highways Code, establishing a secondary State highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Evans, Ralph W.: Assembly Bill No. 2086—An act to amend the "Building and Loan Association Act," approved May 5, 1931, relating to the right of depositors to inspect the books and records of building and loan company or association.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Mr. Evans, Ralph W.: Assembly Bill No. 2087—An act amending the Code of Civil Procedure, relating to the qualification of judges.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Williamson: Assembly Bill No. 2088—An act to amend section 3764 of the Political Code, relating to sales of real property to the State for delinquent taxes, and declaring an urgency.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Williamson: Assembly Bill No. 2089—An act to amend section 1928 of the Civil Code, relating to the liability of a hirer of personal property.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Wagner: Assembly Bill No. 2090—An act to amend section 41 of the Probate Code, relating to charitable dispositions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Cunningham: Assembly Constitutional Amendment No. 60—A resolution to propose to the people of the State of California amendments to Article XI of the Constitution of said State by adding sections 4 and 7¼ thereto, relating to the consolidation of counties.

Introduced, and referred to Committee on Constitutional Amendments.

By Messrs. Kallam and Williamson: Assembly Constitutional Amendment No. 61—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XX thereof, a new section to be numbered 23, relating to alcoholic liquor.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Lyon: Assembly Constitutional Amendment No. 62—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new section to be numbered section 16 of Article IX, relating to the management and control of museums and art galleries

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Burns: Assembly Concurrent Resolution No. 23—Relative to the blind.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Burns asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 23, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER TWENTY-THREE.

Assembly Concurrent Resolution No. 23—Relative to the blind.

Assembly Concurrent Resolution No. 23 read.

Mr. Burns moved the adoption of Assembly Concurrent Resolution No. 23.

The question being on the adoption of Assembly Concurrent Resolution No. 23.

The roll was called, and Assembly Concurrent Resolution No. 23 adopted by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—67.

NOES—None

Title read and approved.

Assembly Concurrent Resolution No. 23 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 23.

Relative to the blind.

WHEREAS, The blind of this State have adopted the use of a white stick or cane to designate their disability; and

WHEREAS, Municipalities have adopted ordinances requiring motorists to give right of way to blind persons using a white stick or cane; and

WHEREAS, There is now pending legislation before the Legislature of the State of California, requiring a uniform recognition of the use of the white stick or cane by the blind; and

WHEREAS, It is desirous that the number of accidents be reduced to a minimum; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, Respectfully request the law enforcement officers of this State to enforce with utmost diligence all ordinances and laws heretofore adopted by municipal and political subdivisions of this State relating to the recognition of the use of the white stick or cane by the blind.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following resolution was introduced:

By Messrs. Chatters, Corwin, Nielsen, and Phillips: Assembly Joint Resolution No. 36—Relative to memorializing Congress to enact proposed legislation commonly known as "Universal draft" in time of war.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Chatters asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 36, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER THIRTY-SIX.

Assembly Joint Resolution No. 36—Relative to memorializing Congress to enact proposed legislation commonly known as "Universal draft" in time of war.

Assembly Joint Resolution No. 36 read.

Mr. Chatters moved the adoption of Assembly Joint Resolution No. 36.

The question being on the adoption of Assembly Joint Resolution No. 36.

The roll was called, and Assembly Joint Resolution No. 36 was adopted by the following vote:

AYES—Andreas, Breed, Brennan, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Robertson, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—62.

NOES—Richie—1.

Title read and approved.

Assembly Joint Resolution No. 36 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 36.

Relative to memorializing Congress to enact proposed legislation commonly known as "Universal draft" in time of war.

WHEREAS, The young men of America were called from their useful occupations during the World War to shoulder arms in the defense of our country and to make the great sacrifice of time, strength, health and even life itself while certain others not required to make these great sacrifices were exploiting our government and our citizens; and

WHEREAS, During this National emergency, profiteering by individuals, firms and corporations who looted the government and gouged our citizens was so prevalent as to become a stain upon our National honor; and

WHEREAS, The munitions committee of the United States Senate has recently disclosed the huge profits made by munition, shipbuilding and other war-time contractors; and

WHEREAS, It is fair and just that every resource of this Nation, in addition to men to bear arms should be available without private profit or gain for National defense in time of war and that Congress should provide for the conscription of every citizen and all of money, industries, and property of whatsoever nature necessary for the prosecution thereof; now, therefore, be it

Resolved, by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California most respectfully urges and petitions the President of the United States and the Congress of the United States to enact such legislation necessary to accomplish the universal conscription in time of war of the material resources, industrial organizations and services of our Nation which is necessary to the successful termination of such emergency and to the end that all semblances of profit shall be eliminated therefrom; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Member of the House of Representatives from California in the Congress of the United States, and that such Senators and Members from California be urged to support such legislation.

EXPLANATION OF VOTE.

To the Clerk:

Please record the following "explanation of vote" in case of my vote on the resolution to draft wealth in time of war.

I vote "no" because the principle in the law recommended to Congress would be that of a stronger sanction to the draft of men. War today is a capitalist racket, and a law to draft wealth would be circumvented. The psychology of a law to draft wealth would be that of strengthening the hands of the war makers.

PAUL A. RICHIE

RECESS.

At one o'clock and thirty-five minutes p.m., on the motion of Mr. Lyon, the Assembly was declared at recess until one o'clock and forty minutes p m. of this day.

REASSEMBLED.

At one o'clock and forty minutes p.m., the Assembly reconvened. Speaker Craig in the chair.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 21—Relative to memorializing and petitioning Congress to enact legislation adequate to stamp out and abolish the evil of lynching—and reports that the same has been correctly enrolled, and presented the same to the Governor on this twenty-sixth day of January, 1935, at one o'clock and thirty minutes p m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 337—An act relating to and providing for a moratorium with respect to forfeitures of State school lands as provided for in section 3513 of the Political Code, and declaring the urgency thereof, to take effect immediately;

Also: Assembly Bill No. 1258—An act to amend section 2 of the "Los Angeles County Flood Control Act," approved June 12, 1915, relating to powers of the district, declaring the urgency hereof and providing that this act shall take effect immediately;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-sixth day of January, 1935, at one o'clock and thirty minutes p m.

WATERS, Chairman.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Donihue: Assembly Bill No. 2091—An act to prohibit the sale of gasoline unless the gasoline is mixed with alcohol, and to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect immediately.

Bill read first time, and referred to Committee on Oil Industries.

By Mr. Redwine: Assembly Bill No. 2092—An act to amend section 493.5 of the Fish and Game Code, and to add thereto section 741.5, relating to fish.

Bill read first time, and referred to Committee on Fish and Game.

By Messrs. Wright and Latham: Assembly Bill No. 2093—An act imposing a tax on the privilege of consuming or enjoying the commodities or services of public utilities, publicly or privately owned, providing for the collection and disposition thereof; making an appropriation for the administration of this act, prescribing penalties for violations of the provisions hereof; and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Stream: Assembly Bill No. 2094—An act to add section 3a to the Motor Vehicle Fuel License Tax Act, relating to the levy of an

additional tax of one cent on motor vehicle fuel, and providing for the disposition of the money derived therefrom.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Stream: Assembly Bill No. 2095—An act imposing a tax upon admissions and providing for the collection and enforcement thereof.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Messrs. Brennan and Dawson: Assembly Bill No. 2096—An act amending the State Bar Act, relating to attorneys at law.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hornblower: Assembly Bill No. 2097—An act to amend section 777 of the Vehicle Code, relating to the moneys received by the department.

Bill read first time, and referred to Committee on Motor Vehicles

By Messrs. O'Donnell, Turner, Cassidy, and Phillips: Assembly Bill No. 2098—An act to amend section 13 of the Public Utilities Act, relating to public utility rates.

Bill read first time, and referred to Committee on Public Utilities.

By Mr O'Donnell (by request): Assembly Bill No. 2099—An act to amend section 691 of the Agricultural Code, relating to animal industry.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Phillips: Assembly Bill No. 2100—An act to amend section 1 and to add a new section to be numbered ___ to the "Palo Verde Irrigation District Act," approved June 21, 1923, relating to the organization and government of the Palo Verde Irrigation District.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Phillips: Assembly Bill No. 2101—An act to add section 1 and to add a new section to be numbered ___ to "An act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended, relating to the organization and government of irrigation districts.

Bill read first time, and referred to Committee on Irrigation.

By Mr. Phillips: Assembly Bill No. 2102—An act providing for the formation of nonprofit membership corporations to be known as electric membership corporations for the purpose of promoting and encouraging the fullest possible use of electric energy in the State by making electric energy available to the inhabitants of the State at the lowest cost consistent with sound economy and prudent management of the business of such corporations; providing for the rights, powers and duties of such corporations; authorizing and regulating the issuance of

revenue obligations by such corporations; and providing for the payment of such obligations and the rights of the holders thereof; and declaring the urgency thereof.

Bill read first time, and referred to Committee on Corporations.

By Mr. Phillips: Assembly Bill No. 2103—An act providing for an investigation of and report on the feasibility and desirability, from the standpoint of the public interest, of acquisition by the State of California of the existing facilities for the generaton and distribution of electric power in California, whether now under private or public ownership, providing for a commission therefor; and the appointment of such commission, defining the powers, duties and compensation of such commission in respect thereto; and making an appropriation therefor.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Phillips: Assembly Bill No 2104—An act to amend section 1 and to add a new section to be numbered ___ to "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, relating to the organization and management of county water districts.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Phillips: Assembly Bill No. 2105—An act relating to the payment of taxes on account.

Bill read first time, and referred to Committee on Judiciary

By Messrs. Phillips and Field: Assembly Bill No. 2106—An act to amend an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to transportation for hire.

Bill read first time, and referred to Committee on Public Utilities.

By Messrs. Field and Cunningham · Assembly Bill No. 2107—An act to add section 636 to the Streets and Highways Code, establishing an additional secondary State highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Messrs. Riley, Redwine, and Field: Assembly Bill No. 2108—An act relating to unemployment reserves and compensation, providing penalties and making appropriations.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy

By Mr. Riley: Assembly Bill No. 2109—An act to repeal section 15 of and to add a new section to be numbered 15 to "An act imposing a license fee or tax for the transportation of persons or property for

hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to refunds.

Bill read first time, and referred to Committee on Public Utilities

By Mr. Riley: Assembly Bill No. 2110—An act to add a new section to be numbered 11a to the "Motor Vehicle Fuel License Tax Act," approved May 30, 1923, relating to refunds.

Bill read first time, and referred to Committee on Mileage.

By Mr. Kallam: Assembly Bill No. 2111—An act making an appropriation for flood control work on the Pajaro River in Santa Cruz and Monterey counties.

Bill read first time, and referred to Committee on Conservation

By Mr. McMurray: Assembly Bill No 2112—An act to regulate the manufacture and sale of sausage meat.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Latham (by request) Assembly Bill No 2113—An act to amend sections 26 and 26(a) of the Workmen's Compensation, Insurance and Safety Act of 1917," as amended, relative to the subrogation of an employer.

Bill read first time, and referred to Committee on Insurance.

By Mr. Donihue: Assembly Bill No. 2114—An act imposing a tax on the conducting of business by the system of chain stores for selling or otherwise disposing of goods, wares, articles or commodities at retail, providing penalties for failure to pay such tax, and defining certain crimes in connection with the enforcement of such tax.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Latham: Assembly Bill No. 2115—An act to add a new chapter to Title IX of Part III of the Political Code to be numbered ------, embracing sections ------ to ------, relating to taxes and the collection thereof.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Latham: Assembly Bill No. 2116—An act to further the purpose and to facilitate the operation of Article XXV of the Constitution of the State of California, providing for the levying, assessing, collecting, paying and disposing of the tax imposed thereunder; making an appropriation for the administration hereof, and prescribing penalties for the violation of the provisions of this act.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Latham: Assembly Bill No. 2117—An act to add a new chapter to Title IX of Part III of the Political Code, to be numbered 9a, embracing sections 3857 to 3863, relating to taxation and providing for the levying, assessing, collecting, paying, and disposing of taxes whenever such duties are imposed upon the State Board of Equaliza-

tion; prescribing assessments and penalties or delinquencies or failure to pay such taxes; and prescribing penalties for the violation of the provisions of this chapter.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Latham: Assembly Bill No. 2118—An act in furtherance of the purposes and to facilitate the operation of Article XXV of the Constitution of the State of California, the "Property Relief and Gross Income Tax Law," providing for the collection and enforcement thereof, authorizing and directing the State Board of Equalization to receive and collect the tax imposed thereunder, prescribing such penalties for failure to pay the tax imposed thereby, prescribing penalties for violation of the provisions of this act, making an appropriation for the enforcement hereof.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Latham: Assembly Bill No. 2119—An act for the enforcement and collection of the "Property Relief and Gross Income Tax Law."

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Patterson: Assembly Bill No. 2120—An act to add a new section to be numbered 29½ to the Public Utilities Act, approved April 23, 1915, relating to reports of salaries and expenses of officers and employees of public utilities, and determination of rates.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Lore: Assembly Bill No. 2121—An act to amend sections 1104, 1108, 1143, 1144, 1146, and 1147 of Chapter 8 of Division V of the Agricultural Code, relating to the administration of standards for eggs and egg products, and to make an appropriation

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Lore: Assembly Bill No. 2122—An act to postpone proceedings by the holder or owner of any bond to enforce the lien arising out of the levy of any special assessment or special assessment tax, or arising out of the issuance of any special assessment bond, or ad valorem district bonds or direct assessment district bonds, levied or issued to pay the cost of the improvement or acquisition of property for public purposes, declaring the urgency thereof, and providing that it shall take effect immediately.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. McMurray: Assembly Bill No 2123—An act to amend section 9 of the State Civil Service Act, relating to appointments.

Bill read first time, and referred to Committee on Civil Service.

By Mr. McMurray: Assembly Bill No. 2124—An act to amend "An act to provide for the regulation and licensing of horse racing, horse

racing meeting and the wagering on the results thereon; to create the California Horse Race Board, for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing.

Bill read first time, and referred to Committee on Public Morals

By Mr. McMurray: Assembly Bill No. 2125—An act providing for the regulation, supervision and conduct of wrestling matches or exhibitions and of boxing and sparring matches or exhibitions.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Hunt: Assembly Bill No. 2126—An act to regulate and supervise coaching schools which prepare applicants for civil service examinations.

Bill read first time, and referred to Committee on Civil Service.

By Mr. Johnson (by request): Assembly Bill No. 2127—An act to amend section 2094 of the Code of Civil Procedure, relating to the form and method of oath of a witness.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Desmond: Assembly Bill No. 2128—An act to amend section 14a of the "State Civil Service Act," relating to the abolition or discontinuance of positions.

Bill read first time, and referred to Committee on Civil Service

By Mr. Desmond: Assembly Bill No. 2129—An act amending section 111 of the Penal Code, relating to expense of trial of convicts

Bill read first time, and referred to Committee on Judiciary.

By Mr. Desmond: Assembly Bill No. 2130—An act amending sections _____ of the Political Code, relating to county government.

Bill read first time, and referred to Committee on County Government.

By Mr. Scudder: Assembly Bill No. 2131—An act making an appropriation for the improvement of flood conditions at the mouth of the Klamath River.

Bill read first time, and referred to Committee on Conservation.

By Mr. Peyser: Assembly Bill No. 2132—An act to amend section 454 of the Code of Civil Procedure, relating to pleading accounts and bills of particulars.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Peyser: Assembly Bill No. 2133—An act to amend sections 447 and 448 of the Code of Civil Procedure, relating to the pleading of written instruments.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Pelletier. Assembly Bill No. 2134—An act to amend section 6.2 of the School Code, relating to school property.

Bill read first time, and referred to Committee on Education.

By Mr. Field. Assembly Bill No. 2135—An act to amend an act entitled "An act to authorize the counties of the State of California to establish retirement systems for their employees," approved May 20, 1919 (Statutes 1919, page 782), by amending sections 1 and 6 thereof, to redefine the words "regular interest," to provide for refund of deceased member's funds without administration or probate and to authorize the board of retirement to limit the amount of excess contributions a member may deposit.

Bill read first time, and referred to Committee on County Government

By Mr. Jones. Assembly Bill No. 2136—An act relating to the relief of debtors and guarantors, and permitting postponement of foreclosures and sales under mortgages, deeds of trust or contracts of purchase of real property, or postponement of forfeitures and terminations under such contracts of purchase, declaring the urgency thereof, and providing that it shall take effect immediately.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr. Jones. Assembly Bill No. 2137—An act to provide for pro tem judges of the courts of the State of California and providing for compensation therefor, for the purpose of assisting the trial and appellate courts of the State of California in the expedition of its business and to appoint judges pro tem from among the practicing lawyers of the State of California to sit as judges pro tem and to receive compensation therefor.

Bill read first time, and referred to Committee on Judiciary.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of Committee on Free Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1935.

MR SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 23—An act relating to the relief of debtors and guarantors, and postponing sales under mortgages, deeds of trust, and contracts of purchase of real property, postponing forfeitures and terminations under such contracts of purchase, in certain cases, declaring the urgency thereof, and providing that it shall take effect immediately—reports that it has met a like committee of the Senate, consisting of Senators Hays, Wagy and Edwards, and reports that the Committee on Free Conference has agreed to recommend the following:

That the Assembly concur in the Senate amendments, and that the bill be further amended as follows:

AMENDMENT NUMBER ONE

Strike out the title of the printed bill, and insert in lieu thereof the following.

"An act relating to the relief of debtors and guarantors, and permitting postponement of foreclosures and sales under mortgages, deeds of trust, or contracts of purchase of real property, or postponement of forfeitures and terminations under such contracts of purchase, declaring the urgency thereof, and providing that it shall take effect immediately."

AMENDMENT NUMBER TWO.

Strike out all of pages 6 and 7 of the printed bill, and insert in lieu thereof the following:

"SEC. 2. Until 30 days from and after the effective date of this act, no sale shall be held (a) under any deed of trust upon real property, (b) under any power of sale conferred by a mortgage upon real property, or (c) under any decree of foreclosure of any mortgage or deed of trust upon real property; and no decree of foreclosure of a mortgage or deed of trust upon real property shall be entered, nor shall the interest of any purchaser under a contract of purchase of real property be foreclosed, terminated, or forfeited, and in the event the period of redemption upon any mortgage or trust deed on real estate heretofore foreclosed would expire

within 30 days from and after the effective date of this act, the period of such redemption is extended so as not to expire prior to 30 days from and after the effective date of this act.

SEC. 3. At any time within 30 days from and after the effective date of this act, or within 30 days from and after the recording of the notice of default under section 2924 of the Civil Code, but in any event not later than September 1, 1935, the trustor under any deed of trust upon real property, or the mortgagor under any mortgage upon real property conferring the power of sale, may file a petition in the superior court of the county in which such real property or the major portion thereof is situated, praying for an order postponing the sale of such real property under such deed of trust or under such power of sale conferred by such mortgage. A copy of such petition shall be served upon the trustee and the beneficiary under such deed of trust or upon the mortgagee under such mortgage, as the case may be, in the manner provided by law for the service of summons in a civil action, and a notice of pendency of such petition shall immediately be recorded in each county in which any of such real property is situated. Such notice of pendency shall state the name of the petitioner and the nature of the petition, and the book and page of the records of the county recorder in which the mortgage or deed of trust is recorded.

Upon application of the petitioner after service of such petition, or upon application of any other party in interest after the filing of the petition, a hearing shall be had thereon within twenty days after such application, upon such notice as the court prescribes. After the filing of such petition and the recording of the notice of pendency thereof as provided in this act, no sale shall be held under such deed of trust or under the power of sale conferred by such mortgage until the court makes its order in the matter. Upon such hearing the court may make its order, if it finds equitable grounds for relief, ordering that the sale shall not be held until on or after such date as the court considers just and equitable, but in no event beyond September 1, 1935. If the court orders the sale postponed it shall determine the reasonable value of the income from such property, or if the property has no income, then the reasonable rental value of such property, or if the property is unimproved, a reasonable sum to be paid by the trustor or mortgagor as determined by the court, and shall require the trustor or mortgagor to pay all or at least a reasonable part of such income, rental value, or sum so determined by the court, in or toward the payment of taxes, insurance, interest, or principal of the indebtedness at such times and in such manner determined to be just and equitable under the circumstances.

In no event shall the court order the payment of a lesser sum than that necessary to pay (a) current taxes, (b) all delinquent taxes, except that such taxes may be paid in installments as may be provided by law, and (c) any insurance premiums required to be paid by the debtor under the contract between the parties. The court must include in such order provisions requiring maintenance and repair, regulating the disposition of any income from the property, and such other provisions as it deems just and equitable for the protection of the security.

SEC. 4. In any decree hereafter rendered, prior to September 1, 1935, foreclosing a mortgage or deed of trust upon real property, the court may provide that the sale of the property shall not be held until on or after such date as the court considers just and equitable, but in no event later than September 1, 1935 If the court provides in such decree that the sale shall not be held until on or after such date as it shall fix, it shall determine the reasonable value of the income from such property, or if the property has no income, then the reasonable rental value of such property, or if the property is unimproved, a reasonable sum to be paid by the trustor or mortgagor as determined by the court, and shall require the trustor or mortgagor to pay all or at least a reasonable part of such income, rental value, or sum so determined by the court, in or toward the payment of taxes, insurance, interest, or principal of the indebtedness at such times and in such manner determined to be just and equitable under the circumstances

In no event shall the court order the payment of a lesser sum than that necessary to pay (a) current taxes, (b) all delinquent taxes, except that such taxes may be paid in installments as may be provided by law, and (c) any insurance premiums required to be paid by the debtor under the contract between the parties. The court must include in such order provisions requiring maintenance and repair, regulating the disposition of any income from the property, and such other provisions as it deems just and equitable for the protection of the security.

SEC. 4a Where any mortgage or trust deed upon real property has been foreclosed and the period of redemption has not yet expired, the period of redemption may be extended for such additional time as the court may deem just and equitable, but in no event beyond September 1, 1935; provided that the mortgagor, trustor or owner in possession of said property shall, prior to the expiration of the period of redemption, apply to the superior court having jurisdiction of the matter, on not less than 10 days' written notice to the mortgagee or trustee, or the attorney of either, as the case may be, for an order determining the reasonable value of the

income on said property, or, if the property has no income, then the reasonable rental value of the property involved in such sale, and directing and requiring such mortgagor, trustor or owner in possession, to pay all or a reasonable part of such income or rental value, in or toward the payment of taxes, insurance, interest, mortgage or trust deed indebtedness at such times and in such manner as shall be fixed and determined and ordered by the court

In no event shall the court order the payment of a lesser sum than that necessary to pay (a) current taxes, (b) all delinquent taxes, except that such taxes may be paid in installments as may be provided by law, and (c) any insurance premiums required to be paid by the debtor under the contract between the parties.

The court shall thereupon hear said application and after such hearing shall make and file its order directing the payment by such mortgagor, trustor or owner in possession, of such an amount at such times and in such manner as to the court shall, under all the circumstances, appear just and equitable. Provided that upon the service of the notice or demand aforesaid that the running of the period of redemption shall be tolled until the court shall make its order upon such application.

SEC 5 The purchaser of any real property under any contract of purchase may, at any time within thirty days after the effective date of this act, or at any time prior to the foreclosure, termination, or forfeiture of his interest under such contract, but in no event later than September 1, 1935, file a petition in the superior court of the county in which such real property, or the major portion thereof, is situated for an order postponing the foreclosure, termination, or forfeiture of his interest thereunder A copy of such petition shall be served upon the vendor, and notice of pendency of such petition shall be recorded, and a hearing shall be held at the same time and in the same manner as is provided in section 3 of this act in respect to petitions in relation to sales under deeds of trust and mortgages conferring a power of sale.

SEC. 6 Upon the petition of any party in interest prior to the time to which the postponement was made, and after notice and hearing as in the case of a petition for postponement, the court may alter or supplement its order or decree of postponement upon the presentation of evidence that the provisions of the order or decree require alteration or supplementing to make them just and reasonable.

If the trustor, mortgagor or purchaser commits waste or defaults in any payment or act required by the order or decree of the court, the court may order that the sale, foreclosure, termination or forfeiture postponed by the original order or decree, proceed as provided by law if it finds after hearing upon such notice to the applicant or his attorney as it prescribes, that there has been such waste or such default, amounting to a material breach of the order or decree of postponement.

SEC. 7. No suit or action shall be commenced against the guarantor of any note secured by a mortgage or deed of trust upon real property in any case while by virtue of any law no sale may be made under any power of sale contained in such mortgage or deed of trust, or while no sale may be made under the final decree of foreclosure rendered in an action to foreclose such mortgage.

SEC 8 Whenever the time within which an action may be commenced upon any obligation founded upon a written instrument secured by mortgage, deed of trust or contract of purchase of real property, would expire by virtue of section 337 of the Code of Civil Procedure during the period of postponement ordered pursuant to the provisions of this act, such time is hereby extended to the extent of such period of postponement.

SEC 9. Nothing contained in this act shall apply to or be deemed to affect (a) any mortgage, deed of trust or contract of sale upon real property executed after the effective date of this act, or (b) any mortgage or deed of trust securing the payment of bonds or other evidences of indebtedness authorized or permitted to be issued by the Commissioner of Corporations or made by public utilities subject to the provisions of the Public Utilities Act.

SEC 10 As used in this act:

(a) The terms "mortgagor," "mortgagee," "trustor," "trustee," "purchaser," "vendor," and "guarantor," shall include their personal representatives, assigns or successors in interest, and the singular shall include the plural.

(b) The term "trustee" shall also include the beneficiary of a deed of trust

SEC 11 Nothing contained in this act precludes any trustor under a deed of trust or any mortgagor under a mortgage or any purchaser under a contract for the purchase of real property from executing and delivering at any time a grant deed to his beneficiary, mortgagee or vendor, as the case may be, and the execution and delivery of any such deed by any such trustor, mortgagor or purchaser shall constitute a waiver of the benefit of all the provisions of this act. The failure on the part of any trustor, mortgagor or purchaser to file a petition within the times specified in this act, shall be deemed a waiver of the benefit of the provisions of this act.

SEC. 12. Any sale of real property under a deed of trust or mortgage made in violation of this act shall be voidable, except as against a bona fide purchaser or encumbrancer for value, at the instance of the record owner of such real property at the time of such sale: provided that any action to avoid such sale or any deed executed pursuant thereto must be brought within one year of the date of such sale.

SEC. 13. There shall be no filing fees for the filing of any document with the county clerk under the provisions of this act.

SEC. 14. If any feature or application of this act is finally determined by the courts to be unconstitutional, such feature or application shall no longer apply, but all other features and applications shall continue in full force and effect, it being the intent of the Legislature to make this act as effective as possible to relieve debtors in the manner herein provided.

SEC. 15. Whenever any petition under this act is to be or is being heard by the court, the interested parties may submit to the court, in writing, a composition of the indebtedness involved in the proceeding, or a compromise settlement of the proceeding, and the court shall have jurisdiction and may by its order confirm and approve such composition or settlement.

SEC. 16. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of section 1 of Article IV of the Constitution, and shall therefore take effect immediately.

The facts constituting the necessity are the dangers to the State and to the people involved in the unusually large number of foreclosures, sales, forfeitures and terminations which will result in the near future under mortgages, deeds of trust, and contracts of purchase of real property, because of defaults in payments by the owners or purchasers of such property. Such defaults are the result of exceptionally depressed economic conditions in this State, which have deprived a large proportion of the landowners and land purchasers of sufficient income to meet their obligations. The dangers in the situation are such as to threaten the maintenance of law and order, and to lead to the pauperization of many persons who have hitherto constituted an important part of the self-supporting and economically independent people of this State. This act will provide a means for delaying such sales, foreclosures, terminations, and forfeitures so as to permit landowners and land purchasers to find means of meeting their obligations, and at the same time will protect the interests of creditors. The dangers mentioned will thus be avoided."

PHILLIPS,
O'DONNELL,
BREED,
Assembly Committee on Free Conference

HAYS,
WAGY,
EDWARDS,
Senate Committee on Free Conference

Report read.

Mr. Phillips moved the adoption of the report of the Committee on Free Conference.

The question being on the adoption of the report of the Committee on Free Conference.

The roll was called, and the report of the Committee on Free Conference adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—71.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Latham: Assembly Bill No. 2138—An act to amend the title and sections 3, 9, 12a, 15 and 19 of the California Real Estate Act, relating to powers, duties and functions of the Real Estate Commissioner.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Rosenthal: Assembly Bill No. 2139—An act to amend section 281 of the Code of Civil Procedure, relating to attorneys and counsellors at law.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Rosenthal: Assembly Bill No. 2140—An act to add section 1738a to the Civil Code, relating to conditional sales of personal property.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Rosenthal: Assembly Bill No. 2141—An act to amend section 1120 of the Probate Code, relating to jurisdiction of court after final distribution.

Bill read first time, and referred to Committee on Judiciary.

By Mr. McCarthy: Assembly Bill No. 2142—An act to amend section 13 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the appropriation of the State's share of commissions.

Bill read first time, and referred to Committee on Public Morals.

By Mr. McCarthy: Assembly Bill No. 2143—An act to add a new section to be numbered section 24a to the act known as the "Direct Primary Law," relating to the personnel of committees.

Bill read first time, and referred to Committee on Elections.

By Mr. DeLap: Assembly Bill No. 2144—An act to amend section 4242 of the Political Code, relating to the compensation of county and township officers in counties of the thirteenth class.

Bill read first time, and referred to Committee on County Government.

By Mr. DeLap: Assembly Bill No. 2145—An act to amend section 4242a of the Political Code, relating to jurors' fees in counties of the thirteenth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Rosenthal (by request): Assembly Bill No. 2146—An act to provide for the payment of rewards to persons who supply the State with information enabling it to recover lands or interests therein, owned by the State, or the issues and profits thereof, or the value of oil and gas or minerals reserved to the State, where such lands or interests therein, or oil and gas or minerals are illegally, fraudulently or adversely held or claimed by another; creating a land fraud recovery fund, and making an appropriation for the payment of such rewards.

Bill read first time, and referred to Committee on Governmental Revenue and Expenditures.

By Mr. Turner: Assembly Bill No. 2147—An act to amend section 14 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued," approved June 11, 1915 (Stats. 1915, page 1441), as amended, relating to prorating of assessments upon subdivisions of land.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Turner: Assembly Bill No. 2148—An act to amend sections 1, 2, 3, 4, and 7 of an act entitled "An act relating to the safety of design and construction of public school buildings, providing for regulation, inspection and supervision of the construction, reconstruction or alteration of or addition to public school buildings, and for the inspection of existing school buildings, defining the powers and duties of the State Division of Architecture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act, to take effect immediately," approved April 10, 1933, relating to the duties of the State Division of Architecture.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Frazier: Assembly Bill No. 2149—An act to amend sections 86, 89, 90 and 94 of the California Irrigation District Act, relating to the inclusion of land in irrigation districts and fixing conditions under which such lands may be included, and the liability of such included lands for the obligations of such irrigation districts, declaring the urgency thereof, the act to take effect immediately.

Bill read first time.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Frazier asked for, and was granted, unanimous consent to take up Assembly Bill No. 2149, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY BILL NUMBER TWO THOUSAND ONE HUNDRED FORTY-NINE.

Assembly Bill No. 2149—An act to amend sections 86, 89, 90 and 94 of the California Irrigation District Act, relating to the inclusion of land in irrigation districts and fixing conditions under which such lands may be included, and the liability of such included lands for the obligations of such irrigation districts, declaring the urgency thereof, the act to take effect immediately.

CASE OF URGENCY.

The following resolution was offered

By Mr. Frazier:

Resolved, That Assembly Bill No. 2149 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is

hereby dispensed with, and it is ordered that said bill be read the first, second and third times, and placed upon its passage.

Resolution read.

Mr. Frazier moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, Desmond, Denihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—62.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 2149.

SECOND READING OF ASSEMBLY BILL NUMBER TWO THOUSAND ONE HUNDRED FORTY-NINE.

Assembly Bill No. 2149—An act to amend sections 86, 89, 90, and 94 of the California Irrigation District Act, relating to the inclusion of land in irrigation districts and fixing conditions under which such lands may be included, and the liability of such included lands for the obligations of such irrigation districts, declaring the urgency thereof, the act to take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, Desmond, Denihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—62.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER TWO THOUSAND ONE HUNDRED FORTY-NINE.

Assembly Bill No. 2149—An act to amend sections 86, 89, 90, and 94 of the California Irrigation District Act, relating to the inclusion of land in irrigation districts and fixing conditions under which such lands may be included, and the liability of such included lands for the obligations of such irrigation districts, declaring the urgency thereof, the act to take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2149 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, Desmond, Denihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilbert,

Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. O'Donnell (by request): Assembly Bill No. 2150—An act to repeal Chapter V of Division VI embracing sections 1231 to 1258, inclusive, of the Agricultural Code, relating to agricultural warehouses.

Bill read first time, and referred to Committee on Agriculture.

By Mr. O'Donnell (by request): Assembly Bill No. 2151—An act to repeal Chapter IV of Division V of the Agricultural Code embracing sections 891 to 900, inclusive, relating to field crops.

Bill read first time, and referred to Committee on Agriculture.

By Mr. O'Donnell (by request): Assembly Bill No. 2152—An act to repeal Chapter IV of Division V, embracing sections 891 to 900, inclusive, of the Agricultural Code, relating to field crops.

Bill read first time, and referred to Committee on Agriculture.

By Mr. O'Donnell: Assembly Bill No. 2153—A new section to be numbered 812 is hereby added to the Civil Code, relating to cattle guards.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Riley: Assembly Bill No. 2154—An act to provide for the establishment and maintenance of a bureau in the State Board of Public Health for the suppression of noxious odors, prescribing its powers and duties and making an appropriation to carry out the provisions hereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Riley: Assembly Bill No. 2155—An act to amend the Vehicle Code, relating to felonies and other offenses.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Riley: Assembly Bill No. 2156—An act to amend sections 3678, ------ and to repeal sections 3738, ------ of the Political Code and to add to said Code sections numbered 3817j, ------, relating to the collection of taxes and providing for the collection of delinquent taxes and unsecured taxes by the tax collector.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Donnelly: Assembly Bill No. 2157—An act to amend section 479 of the Agricultural Code, relating to dairies and dairy products.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr Clark: Assembly Bill No 2158—An act making it unlawful for hospitals, clinics, sanitariums, physicians, surgeons or other persons to refuse inspection of records by attorneys

Bill read first time, and referred to Committee on Judiciary.

By Mr. Clark: Assembly Bill No 2159—An act to amend section 4300f of the Political Code, relating to jurors' fees.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Clark: Assembly Bill No. 2160—An act to amend section 117p of the Code of Civil Procedure, relating to fees in small claims courts

Bill read first time, and referred to Committee on Judiciary

By Messrs McCarthy, Hunt, Jones, Reaves, Geyer, Gilbert, Rosenthal, Flint, Glover, Lore, Hawkins, Pelletier, Voigt and Clark (by request): Assembly Bill No 2161—An act to provide for the aid and rehabilitation of citizens of the State of California who are the victims of economic and business depression.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Messrs. Hunt and Gilbert: Assembly Bill No. 2162—An act to add section 629 to the Streets and Highways Code, establishing a secondary State highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr Hunt: Assembly Bill No 2163—An act to amend the act known and designated as the "Central Valley Project Act," approved August 5, 1933, relating to the conservation of water power and the development of electric energy.

Bill read first time, and referred to Committee on Conservation.

By Mr Hunt: Assembly Bill No 2164—An act relating to the sale of used cars by used car dealers.

Bill read first time, and referred to Committee on Motor Vehicles

By Mr. Hunt: Assembly Bill No. 2165—An act to amend section 372 of the Vehicle Code, relating to registration fees.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Hunt: Assembly Bill No. 2166—An act to amend sections 12 and 14 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof, to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to division between the State and licensees.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Rosenthal: Assembly Bill No. 2167—An act creating a Board of Review for the licensing of motion picture distributors and exhib-

itors and prescribing rules and regulations governing the production, distribution and exhibition of motion pictures.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Desmond: Assembly Bill No. 2168—An act for the preservation of certain lands in the State of California for agriculture purposes and fixing penalties for violation of the provisions thereof.

Bill read first time, and referred to Committee on Agriculture.

By Mr. DeLap: Assembly Bill No. 2169—An act to amend section 4242 of the Political Code, relating to counties of the thirteenth class.

Bill read first time, and referred to Committee on County Government.

By Mr. DeLap: Assembly Bill No. 2170—An act to amend section 737g of the Political Code, relating to the salary of the judge in Contra Costa County.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Walker: Assembly Bill No. 2171—An act to amend section 4247 of the Political Code, relating to salaries of county officers in counties of the eighteenth class.

Bill read first time, and referred to Committee on County Government.

By Mr. Walker: Assembly Bill No. 2172—An act to provide for the appointment of defenders of persons accused of crime and authorizing the appointment of counsel therefor, and to provide for the compensation of such appointed counsel.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Crowley, O'Donnell, McCarthy, and Burns: Assembly Bill No. 2173—An act relating to the escheat to the State of California unclaimed moneys deposited with public utilities, and providing for the collection, use and disposition thereof.

Bill read first time, and referred to Committee on Governmental Revenues and Expenditures.

By Mr. Rosenthal: Assembly Bill No. 2174—An act to confirm, ratify and make valid ordinances heretofore passed by the city council or the people of any incorporated city creating a Civil Service Commission and placing employees of the city under control of said Civil Service Commission.

Bill read first time, and referred to Committee on Municipal Corporations.

RESOLUTION.

The following resolution was offered:

By Mr. Garibaldi:

ASSEMBLY RESOLUTION.

Relative to appointing a Judicial Survey Committee for the purpose of studying and surveying the Judiciary Department of the State and making available information as to the needs of further legislation in regard to the same.

WHEREAS, It is necessary and desirable that the Assembly and its members have accurate, detailed and complete information immediately available at all times con-

cerning the work, salaries, needs and costs of the various branches of the Judiciary Department of the States, upon which to predicate their action; and

WHEREAS, There is an urgent need of a comprehensive study and survey of the Judiciary Department of the State, in order that proper recommendations may be made concerning the same and appropriate legislation proposed; and

WHEREAS, There have been numerous bills and amendments offered in the Assembly relating to the Judiciary Department which should not be acted upon without the proper information and data being before the members of the Assembly; now, therefore, be it

Resolved, That there is hereby created a Judicial Survey Committee, to consist of three members of the Assembly to be appointed by the Speaker of the Assembly, who shall study and make a survey of the Judiciary Department of the State in order that the members of the Assembly may have accurate, detailed and complete information immediately available at all times concerning the work, salaries, needs and costs of various branches of the Judiciary Department of the State; and be it further

Resolved, That the committee, as soon as it is appointed, shall organize and select a chairman from its membership and appoint a secretary, and the committee is hereby authorized to hold public hearings at any place in the State of California, and to set during the constitutional recess; and be it further

Resolved, That if any legislation seems to the committee to be desirable as a result of its investigations, the committee may draft such legislation or cause it to be drafted in as comprehensive a form as possible and the same shall be presented with their report at the reconvening of the Assembly immediately after the constitutional recess.

Resolution read.

Mr. Garibaldi moved the adoption of the resolution.

The question being on the adoption of the resolution.

Resolution adopted.

MOTION TO PRINT.

Mr. Scudder moved that the Chief Clerk instruct the State Printer to print 2500 copies of Assembly Bill No. 1300.

Motion carried.

MOTION TO RE-REFER.

Mr. Utt moved that Assembly Bills Nos. 330 and 331 be withdrawn from Committee on Revenue and Taxation and be re-referred to Committee on Motor Vehicles.

Motion carried.

Assembly Bills Nos. 330 and 331 ordered re-referred to Committee on Motor Vehicles.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Evans, Herbert J.: Assembly Bill No. 2175—An act relating to the Division of Forestry and providing for the allocation and distribution of certain funds administered by said Division of Forestry.

Bill read first time, and referred to Committee on Conservation.

By Mr. Hornblower: Assembly Bill No. 2176—An act to amend section 1065 of the Fish and Game Code, relating to sardines.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Rosenthal (by request): Assembly Bill No. 2177—An act to amend section 3627 of the Political Code, relating to assessments.

Bill read first time, and referred to Committee on Corporations.

By Mr. Fisher: Assembly Bill No. 2178—An act to add section 623 to the Streets and Highways Code, establishing a secondary State highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Fisher Assembly Bill No 2179—An act to amend sections 2482 and 2484 of the Civil Code, relating to limited partnerships.

Bill read first time, and referred to Committee on Corporations.

By Mr. Fisher: Assembly Bill No. 2180—An act to amend section 17 of the Public Utilities Act, relating to discrimination in relation to transportation by common carriers.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Fisher: Assembly Bill No. 2181—An act to amend section 7 of the Motor Vehicle Fuel License Tax Act, relating to refunds.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Fisher: Assembly Bill No 2182—An act to add a new Article 4a to Chapter 3 of Part 3 of Division IV of the Fish and Game Code, relating to taxidermy.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Riley: Assembly Bill No. 2183—An act to amend the "Inheritance Tax Act," approved June 3, 1921, relating to inheritance taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Messrs Phillips and Corwin: Assembly Bill No. 2184—An act to amend the title and sections 1 and ------ of an act entitled "------," relating to the cleaning and dyeing industry.

Bill read first time, and referred to Committee on Judiciary.

By Messrs. Phillips and Corwin: Assembly Bill No. 2185—An act relating to a code and standard of fair competition for the cleaning and dyeing industry repealing certain acts cited herein and declaring the urgency of this act and providing that it shall go into immediate effect.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Phillips: Assembly Bill No 2186—An act to require the Department of Public Works to improve that portion of the State highway route No. 26 between Banning and Whitewater.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr Phillips: Assembly Bill No 2187—An act to add section 622 to the Streets and Highways Code, establishing an additional secondary State highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Phillips: Assembly Bill No. 2188—An act to amend section 3 of "An act to allow unincorporated towns and villages to establish, equip and maintain a police department, to provide for the formation, government and operation of said police districts, the assessment, collection and custody and disbursement of taxes, for such purpose, and to create a board of police commissioners," approved April 26, 1927, relating to the allowing of police commissioners to create ordinances governing local conditions.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr Martin: Assembly Bill No. 2189—An act to amend section 529 of the Vehicle Code, relating to overtaking and passing.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr Lyon: Assembly Bill No. 2190—An act to amend the "Corporate Securities Act," approved May 18, 1917, relating to tipster sheets, sales on the phone, and residence of agents.

Bill read first time, and referred to Committee on Public Morals

By Mr. Lyon: Assembly Bill No. 2191—An act to amend sections 1, 5, 7, 10, 12, 13, 24 and 25 of the Direct Primary Law, approved June 16, 1913, as amended, relating to primary elections, providing for party conventions in the State and various political units thereof, and the powers and duties of the same, for the choosing of delegates to such conventions, method of choosing members of the party county central committee and State central committee and the powers and duties of the same.

Bill read first time, and referred to Committee on Elections

By Messrs Latham and Wright: Assembly Bill No 2192—An act imposing a tax on the privilege of consuming or enjoying the commodities or services of public utilities, publicly or privately owned, providing for the collection and disposition thereof, making an appropriation for the administration of this act, prescribing penalties for violations of the provisions hereof, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Public Utilities.

SENATE MESSAGES

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 26, 1935

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No 23—An act relating to the relief of debtors and guarantors, and postponing sales under mortgages, deeds of trust, and contracts of purchase of real property, postponing forfeitures and terminations under such contracts of purchase, in certain cases, declaring the urgency thereof, and providing, that it shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk

Assembly Bill No. 23 ordered to enrollment

Also:

SENATE CHAMBER, SACRAMENTO, January 26, 1935.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No 9—Relative to memorializing the Congress of these United States to eliminate the taxation of gasoline by the Federal government.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Turner asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 9, at this time, without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER NINE.

Senate Joint Resolution No. 9—Relative to memorializing the Congress of these United States to eliminate the taxation of gasoline by the Federal government

Senate Joint Resolution No. 9 read.

Mr. Turner moved the adoption of Senate Joint Resolution No. 9.

The question being on the adoption of Senate Joint Resolution No. 9.

The roll was called, and Senate Joint Resolution No. 9 was adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Love, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—68.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 9 ordered transmitted to the Senate.

SENATE JOINT RESOLUTION No. 9

Relative to memorializing the Congress of these United States to eliminate the taxation of gasoline by the Federal government

WHEREAS, The Congress of the United States of America has imposed a tax upon all sales of gasoline; and

WHEREAS, The State of California and all other several States of the United States have already imposed taxes upon such sales; and

WHEREAS, The Federal tax on such sales is untimely and prohibitive and, coupled with the respective State taxes on such sales, places a burden upon the users of gasoline beyond that which they should carry and beyond that which the traffic can legitimately bear; and

WHEREAS, The taxation of sales of gasoline should properly be left to the exclusive use of the States as a means of providing funds for road construction and maintenance; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Congress of the United States be and it is hereby respectfully memorialized to enact with all convenient speed such legislation as may be necessary to abolish the Federal gasoline sales tax and to yield to the States exclusively the power to tax such sales in the future; and be it further

Resolved, That a copy of this resolution be transmitted to the President of the United States, the Clerk of the House of Representatives, the Secretary of the United States and to each member of Congress elected from the State of California and that the latter be urged to use their best offices to procure the enactment of such legislation as will accomplish the purposes of this resolution.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 26, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted, as a case of urgency, Senate Bill No. 815—An act to amend section 92 of the Agricultural Code, relating to agricultural fairs, to declare the urgency thereof, and to provide that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk

Senate Bill No. 815 read first time

REQUEST FOR UNANIMOUS CONSENT.

Mr. Turner asked for, and was granted, unanimous consent to take up Senate Bill No. 815, at this time, without reference to committee or file, and that same be considered engrossed.

CONSIDERATION OF SENATE BILL NUMBER EIGHT HUNDRED FIFTEEN.

Senate Bill No. 815—An act to amend section 92 of the Agricultural Code, relating to agricultural fairs, to declare the urgency thereof, and to provide that this act shall take effect immediately.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Turner:

Resolved, That Senate Bill No. 815 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second and third times, and placed upon its passage

Resolution read.

Mr. Turner moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, and Mr Speaker—67.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 815.

SECOND READING OF SENATE BILL NUMBER EIGHT HUNDRED FIFTEEN.

Senate Bill No. 815—An act to amend section 92 of the Agricultural Code, relating to agricultural fairs, to declare the urgency thereof, and to provide that this act shall take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, and Mr Speaker—67.

NOES—None.

THIRD READING OF SENATE BILL NUMBER EIGHT HUNDRED FIFTEEN.

Senate Bill No. 815—An act to amend section 92 of the Agricultural Code, relating to agricultural fairs, to declare the urgency thereof, and to provide that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 815 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy,

McMurray, Miller, Minard, Morgan, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, and Mr Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO PRINT.

Mr. Frazier moved that the Chief Clerk instruct the State Printer to print 5000 copies each of Assembly Bills Nos. 1333 and 1200.

Motion carried.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Johnson: Assembly Bill No. 2193—An act establishing a system of gift taxes in the State of California.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Utt: Assembly Bill No. 2194—An act to amend section 135 of the Vehicle Code, relating to the California Highway Patrol.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Utt: Assembly Bill No. 2195—An act to amend section 118 of the Vehicle Code, relating to the California Highway Patrol.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Jones: Assembly Bill No. 2196—An act to repeal section 241 of the Code of Civil Procedure and to amend sections 204, 204a, 204b, 204c, 204d, 209 and 211 thereof, and to add thereto new sections to be numbered 216, 242 1, 242 2, 242.3, 242.4, 242.5, 242.6, 242.7, 242.8, 242 9, 242.10, 242.11, 242 12, 242.13, 242.14, 242.15, 242.16, and 242.17, all relating to juries.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Geyer: Assembly Bill No 2197—An act to amend section 502 of the Vehicle Code, relating to driving while an habitual user of narcotic drugs or under the influence of narcotic drugs or intoxicating liquor.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Glover: Assembly Bill No. 2198—An act requiring insurance companies doing business in this State to invest any and all surplus over and above legal reserve in securities and obligations of the State of California.

Bill read first time, and referred to Committee on Insurance.

By Mr Glover: Assembly Bill No 2199—An act requiring insurance companies doing business in this State to invest their legal reserve in securities and obligations of the State of California, and providing penalty for the violation thereof.

Bill read first time, and referred to Committee on Insurance.

By Mr. Glover: Assembly Bill No. 2200—An act to authorize the State of California to engage in the business of issuing insurance to

the same extent and for the same purposes allowed to private corporations or persons.

Bill read first time, and referred to Committee on Insurance.

By Mr. Glover: Assembly Bill No 2201—An act providing for publicity of contributions and expenditures made for the purpose of influencing electors for or against any candidate running for an elective office in the State of California and providing penalty for violation of the provisions hereof.

Bill read first time, and referred to Committee on Elections.

By Mr. Glover: Assembly Bill No 2202—An act to add a new section to the Penal Code to be numbered section 59a, relating to intimidation of public employees to influence votes.

Bill read first time, and referred to Committee on Elections.

By Mr. McBride: Assembly Bill No. 2203—An act regulating the fees and charges of an unsecured loan broker.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr. Utt: Assembly Bill No. 2204—An act to amend section 73½ of the California Vehicle Act, relating to suspension of operators' and chauffeurs' licenses.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Utt: Assembly Bill No. 2205—An act to add section 599.5 to the Vehicle Code, relating to unlawful displays on vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Riley: Assembly Bill No. 2206—An act to amend section 1a of an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, as amended, relating to unfair competition.

Bill read first time, and referred to Committee on Judiciary.

RECESS.

At one o'clock and forty minutes p.m., on the motion of Mr. Lyon, the Assembly was declared at recess until one o'clock and forty-five minutes p.m. of this day.

REASSEMBLED.

At one o'clock and forty-five minutes p.m., the Assembly reconvened. Speaker Craig in the chair.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, January 26, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 36—Relative to memorializing

Congress to enact proposed legislation commonly known as "Universal Draft" in time of war.

J. A. BEEK, Secretary of Senate.

Assembly Joint Resolution No. 36 ordered to enrollment.

RESOLUTION.

The following resolution was offered:

By Mr. Hornblower:

ASSEMBLY RESOLUTION

WHEREAS, Grave doubt has been thrown upon the enactment of a moratorium law for the benefit of all of the citizens of the State of California because the Legislature has previously passed a concurrent resolution to adjourn on January 26, 1935, at three o'clock in the afternoon and at the hour of one o'clock and thirty minutes of that afternoon the Senate and the Assembly of the Legislature have not agreed upon the type of moratorium law to be passed, and in the event the Legislature adjourns without passing a moratorium law, the Governor would be empowered to call an extraordinary session immediately after the Legislature adjourns in the event it should not enact a moratorium law; and

WHEREAS, This Assembly is desirous of continuing in session or calling an extraordinary session for this immediate piece of legislation; now, therefore, be it

Resolved by the Assembly of the Legislature of the State of California, His Excellency, the Governor of the State of California, is respectfully requested to call an extraordinary session of the State Legislature to convene immediately after the State Legislature adjourns in the event it should not enact a moratorium law, and be it further

Resolved, That a copy of this resolution be immediately transmitted to the Governor and to the Senate.

Resolution read.

Mr. Hornblower moved the adoption of the resolution.

The question being on the adoption of the resolution.

MOTION.

Mr. Welsh moved the previous question.

Motion carried.

REQUEST FOR ROLL CALL.

On request of Messrs. Welsh, McCarthy, Evans, Ralph W., Pelletier, and Boyle, the Speaker ordered a roll call taken on the resolution by Mr. Hornblower relative to extraordinary session.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, and Mr. Speaker—64.

NOES—Breed, Cottrell, Fisher, Kallam, Robertson, Scudder, and Wright—7.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 26, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 24—Relating to uniform taxation of petroleum-producing property

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

Assembly Joint Resolution No. 24 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 26, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 35—Relative to memorializing Con-

gress to consider the almond industry of California and to maintain the existing tariff regulations thereon.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

Assembly Joint Resolution No. 35 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 26, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 14—Relative to memorializing the Public Works Administration to approve the application of the Los Angeles County Flood Control District for a grant of $4,150,000 to be used for the immediate construction of 12 debris basins in the La Crescenta, La Canada, Verdugo Wash and Haines Canyon districts, the same being commonly known as the La Crescenta, La Canada, Verdugo Wash and Haines Canyon Project, in the county of Los Angeles, California.

J. A BEEK, Secretary of Senate
By C. REINDOLLAR, Assistant at Desk.

Assembly Joint Resolution No. 14 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 26, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 1529—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class and providing for the levy of a tax to pay the same, declaring the urgency of said act

J. A BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

Assembly Bill No. 1529 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 26, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 34—Relative to memorializing the Governors, the Lieutenant Governors, and the legislators of each of the States of the United States, to invite the people of their respective States to participate in the San Francisco Bay Bridge Exposition to be held at the City and County of San Francisco, State of California, during the year 1938;

Also Assembly Joint Resolution No 33—Relative to memorializing to request the President and the Congress of the United States to invite the people of the world to participate in the San Francisco Bay Bridge Exposition to be held at the City and County of San Francisco, State of California, during the year 1938

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

Assembly Joint Resolutions Nos 33 and 34 ordered to enrollment.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1935.

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 75—An act in relation to and regulating the commencement and continuation of proceedings to enforce or foreclose the lien of special assessment bonds issued for public improvements, and declaring the urgency hereof, and providing that it shall take effect immediately—and reports that the same has been correctly enrolled, and presented the same to the Governor on this twenty-sixth day of January, 1935, at one o'clock and thirty minutes p.m

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 6—Relative to memorializing the President and Congress to carefully consider what is known as the Townsend Plan of Old Age Revolving Pension;

Also: Assembly Joint Resolution No. 18—Relative to memorializing the President and Congress to enact such legislation as shall be necessary to acquire the petrified redwood forest in Sonoma County, California, for the purpose of establishing it as a National park and monument;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-sixth day of January, 1935, at one o'clock and thirty minutes p.m.

WATERS, Chairman.

Also:

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 11—Approving certain amendments to the charter of the city of Albany, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at an election held therein November 6, 1934;

Also: Assembly Concurrent Resolution No 13—Requesting the State Board of Equalization of the State of California to submit an approximate valuation of all utility properties which are to be placed upon the local county tax rolls;

Also: Assembly Concurrent Resolution No. 15—Approving certain amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at an election held therein on the sixth day of November, 1934;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-sixth day of January, 1935, at one o'clock and thirty minutes p.m.

WATERS, Chairman

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. Evans, Ralph W.: Assembly Bill No. 2207—An act to add a new section to the Civil Code, to be numbered 453.7a, relating to mortgage insurance companies, and declaring the urgency thereof.

Bill read first time, and referred to Committee on Insurance.

By Mr. Clark: Assembly Bill No. 2208—An act requiring marine architects to be certified as such, setting out qualifications, rules and regulations therefor.

Bill read first time, and referred to Committee on Judiciary.

By Mr Clark: Assembly Bill No. 2209—An act to amend the "Workmen's Compensation Insurance and Safety Act of 1917," approved May 23, 1917, relating to testimony by physicians.

Bill read first time, and referred to Committee on Insurance.

By Mr. Clark: Assembly Bill No. 2210—An act to amend the School Code, relating to payments to members of the State Board of Education.

Bill read first time, and referred to Committee on Education.

By Mr. Wallace. Assembly Bill No 2211—An act to add a new section to the Code of Civil Procedure, to be numbered section 2048a, relating to the appointment of a jury commissioner in the county of San Diego.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Wallace: Assembly Bill No. 2212—An act to amend the "Inheritance Tax Act," approved June 3, 1931, relating to inheritance taxes.

Bill read first time, and referred to Committee on Revenue and Taxation

By Mr. Wallace: Assembly Bill No. 2213—An act to add section 687 to the Code of Civil Procedure, relating to the sales of real property by writ of execution.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hunt: Assembly Bill No. 2214—An act to add section 416 to, and to repeal sections 410, 411, 412, and 413, of the Vehicle Code, relating to the insurance required for the operation of motor vehicles.
Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Fulcher: Assembly Bill No. 2215—An act to amend section 21 of the Fish and Game Code, relating to bonds of employees.
Bill read first time, and referred to Committee on Fish and Game.

By Mr. Richie: Assembly Bill No. 2216—An act to amend section 29 of the California Workmen's Compensation, Insurance and Safety Act of 1917, relating to compensation insurance.
Bill read first time, and referred to Committee on Insurance.

By Mr. Richie: Assembly Bill No. 2217—An act to amend section 402c of the Penal Code, relating to safety measures.
Bill read first time, and referred to Committee on Building Construction.

By Mr. Richie: Assembly Bill No. 2218—An act to amend section 484 of the Penal Code, relating to thefts and fraud.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Richie: Assembly Bill No. 2219—An act to amend section 1 of an act entitled "An act to require employers to pay the cost of bonds and photographs required of and furnished by employees or applicants for employment," approved April 20, 1917, relating to property as a substitute for a bond.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Richie: Assembly Bill No. 2220—An act to amend section 13 of an act entitled "An act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this act," approved May 26, 1913, relating to claims.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Richie: Assembly Bill No. 2221—An act to amend section 4 of an act entitled "An act to regulate certain scaffolding or staging for the protection of workmen; requiring that in addition to the duties imposed by any law upon employers using or directing or permitting the use of scaffolding or staging sunk or suspended from overhead supports, such employers shall be subject to the provisions of this act; fixing penalties for a violation hereof to be the same as provided in section 402c of the Penal Code; and providing for the enforcement of this act by the Commission of the Bureau of Labor Statistics," approved April 22, 1913, relating to the enforcement of this act.
Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Richie: Assembly Bill No. 2222—An act to provide for the taxation of incomes in this State.
Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Richie: Assembly Bill No. 2223—An act providing for franchise taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Richie: Assembly Bill No 2224—An act pertaining to cooperative organizations.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Richie: Assembly Bill No 2225—An act pertaining to the governing authorities of colleges and universities supported in whole or in part by taxation.

Bill read first time, and referred to Committee on Universities.

By Mr. Turner: Assembly Bill No. 2226—An act to carry into effect the provisions of section 15 of Article XIII of the Constitution of the State of California, relating to taxes on gross receipts.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Robertson: Assembly Bill No. 2227—An act to amend "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Martin: Assembly Bill No. 2228—An act to add section 506 to and to repeal section 502 of the Vehicle Code, relating to driving while under the influence of narcotics or intoxicating liquors.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Burns: Assembly Bill No. 2229—An act to amend sections ----, ----, ----, ----, of the Fish and Game Code.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Burns: Assembly Bill No. 2230—An act to amend sections ----, ----, ----, ----, ----, of the Fish and Game Code.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Burns: Assembly Bill No. 2231—An act to amend sections ------, ------, ------, ------, of the Fish and Game Code

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Johnson: Assembly Bill No. 2232—An act to amend section 4295 of the Political Code, relating to official without fees.

Bill read first time, and referred to Committee on County Government.

By Mr. Mayo: Assembly Bill No. 2233—An act to add section 189.5 to the Streets and Highways Code.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Mayo: Assembly Bill No. 2234—An act to establish the date of discovery of gold in the State of California as January 19, 1848, and to provide for the correction of all public records bearing any other date.

Bill read first time, and referred to Committee on Mines and Mining.

By Mr. Phillips: Assembly Bill No. 2235—An act to add section 422 to the Penal Code, relating to the printing of blank checks.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Fisher: Assembly Bill No. 2236—An act relating to the licensing, regulating and supervising of boarding homes for children or aged persons; to provide for the enforcement of this act by the State Department of Social Welfare; prescribing rules and regulations concerning such boarding homes for children or aged persons; and prescribing penalties for the violation of the provisions of this act.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Fisher: Assembly Bill No. 2237—An act to provide for the protection, welfare, and assistance of aged persons in need and residents in the State of California, providing the method therefor, making an appropriation therefor, placing the enforcement of this act under the State Department of Social Welfare, and prescribing penalties for the violations of provisions of this act, and to repeal an act entitled "An act to provide for the protection, welfare and assistance of aged persons in need and residents of the State of California, providing the method therefor, making appropriation therefor, and providing penalties for the violation of the provisions of this act," approved May 28, 1929.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Fisher: Assembly Bill No. 2238—An act to provide for the needy blind persons not inmates of any institution supported in whole or part by the State or any of its subdivisions; prescribing rules of eligibility for such aid, empowering the Chief of the Division for Blind of the State Department of Social Welfare to supervise the enforcement of this act; making appropriation therefor, and prescribing penalties for the violation of the provisions of this act, and to repeal an act entitled "An act to provide for needy blind persons, not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, making appropriation therefor and prescribing penalties for the violation of the provisions of the act," approved May 28, 1929.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Fisher: Assembly Bill No. 2239—An act relating to aid to needy children; prescribing rules of eligibility for aid; empowering the State Department of Social Welfare to supervise the enforcement of this act, making an appropriation for the carrying out of the provisions of this act, and prescribing penalties for the violation hereof; and repealing Chapter 2a of Part 3, Title V, of the Political Code, com-

prising sections 2283 to 2290, inclusive; and to repeal Chapter 2a of Article III, Part 3, Title V, of the Political Code.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Fisher: Assembly Bill No. 2240—An act relating to aid to needy children; prescribing rules of eligibility for aid; empowering the State Department of Social Welfare to supervise the enforcement of this act, making an appropriation for the carrying out of the provisions of this act, and prescribing penalties for the violation hereof; and repealing Chapter 2a of Part 3, Title V, of the Political Code, comprising sections 2283 to 2290, inclusive; and to repeal Chapter 2a of Article III, Part 3, Title V, of the Political Code.

Bill read first time, and referred to Committee on Social Service and Welfare

By Messrs. Wallace, Stream, and Richie: Assembly Bill No. 2241—An act to add section 679.5 to the Vehicle Code, relating to required equipment.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Desmond: Assembly Bill No. 2242—An act to add section 3832 to the Political Code, to require the payment of personal property taxes by the insurer on property destroyed by fire after twelve o'clock meridian on the first Monday in March of each year.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Lyon: Assembly Bill No. 2243—An act relating to fair trade practices, including a requirement that the contract between a manufacturer or producer and his dealer, distributor or agent may not be canceled without cause, providing for a hearing and judicial determination of the rights of the parties in such cases, and for the enforcement of the provisions of the act.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Donihue: Assembly Bill No. 2244—An act to amend the title and section 6 of "An act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this act," approved May 26, 1913, relating to minimum wages.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Maloney: Assembly Bill No. 2245—An act to amend section 15 of the Port District Act, relating to port district taxation.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Boyle: Assembly Bill No. 2246—An act to add a new section to the Civil Code to be numbered 1862.5, relating to the liens of the keeper of furnished apartment houses.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Boyle: Assembly Bill No. 2247—An act to amend the "Usury law," approved November 5, 1918, relating to the rate of interest.

Bill read first time, and referred to Committee on Judiciary.

By Mr. McCarthy: Assembly Bill No. 2248—An act to amend section 242 of the Code of Civil Procedure, relating to grand juries.

Bill read first time, and referred to Committee on Judiciary.

By Mr. McCarthy: Assembly Bill No. 2249—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read first time, and referred to Committee on County Government.

By Mr. McCarthy: Assembly Bill No. 2250—An act to amend sections 799, 894, 925, 927 and 928 of, to add sections 896 and 932 to, and to repeal section 895 of the Penal Code, relating to limitation of time and grand juries.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dawson (by request): Assembly Bill No. 2251—An act to amend sections _____ of the School Code, relating to music teachers.

Bill read first time, and referred to Committee on Education.

By Mr. Dawson (by request): Assembly Bill No. 2252—An act to amend sections _____ of the School Code, relating to employment of teachers.

Bill read first time, and referred to Committee on Education.

By Mr. Dawson (by request): Assembly Bill No. 2253—An act to amend section ___ of the School Code, relating to textbook material in respect to the subject of narcotic drugs.

Bill read first time, and referred to Committee on Education.

By Mr. Dawson (by request): Assembly Bill No. 2254—An act to amend sections _____ of the School Code, relating to music teachers.

Bill read first time, and referred to Committee on Education.

By Mr. Williamson: Assembly Bill No. 2255—An act to amend section 3764 of the Political Code, relating to sales of real property to the State for delinquent taxes, and declaring an urgency.

Bill read first time, and referred to Committee on Governmental Revenue and Expenditures.

By Mr. Brennan: Assembly Bill No. 2256—An act to add section 3438 to the Civil Code, relating to settlements.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Richie: Assembly Bill No. 2257—An act to amend section 130 of the California Vehicle Act, relating to signals on turning and stopping.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Richie: Assembly Bill No. 2258—An act to amend section 545 of the Vehicle Code, relating to signs on turning and stopping.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr Hunt: Assembly Bill No. 2259—An act regulating the employment of minors and establishing a commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this act.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Hunt: Assembly Bill No. 2260—An act to limit the jurisdiction of courts over matters arising out of or involving labor disputes.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hunt: Assembly Bill No 2261—An act to amend an act known and designated as the "Old Age Security Act," relating to aid to the aged.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Hunt: Assembly Bill No. 2262—An act to establish a system of unemployment reserves for this State, and making an appropriation therefor.

Bill read first time, and referred to Committee on Insurance.

By Mr. Hunt: Assembly Bill No. 2263—An act to provide for a working week of not more than five days of six hours each, without any corresponding reduction in the present compensation or salary.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Scudder: Assembly Bill No. 2264—An act to amend section 658 of the Fish and Game Code, relating to salmon.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Scudder: Assembly Bill No. 2265—An act to add section 660.6 to the Fish and Game Code, relating to salmon.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Scudder: Assembly Bill No. 2266—An act to amend the Motor Vehicle Code, relating to the appointment of voluntary Highway Patrol officers.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Scudder: Assembly Bill No. 2267—An act to amend section 10 of the Fish and Game Code, relating to the Fish and Game Commission.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Field: Assembly Bill No. 2268—An act to amend section 1 of an act entitled "An act providing for the supervision and regulation of the transportation of property for compensation over any public highway by auto trucks; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, relating to the determination of the operation of auto trucks by transportation companies.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Voigt (by request): Assembly Bill No 2269—An act to add section 630 to the Streets and Highways Code, establishing a secondary State highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Voigt (by request): Assembly Bill No. 2270—An act to amend section 8½ of the Retail Bill Tax Act of 1933 approved July 1, 1933, relating to collection of tax by retailer from consumer.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Hunt: Assembly Bill No. 2271—An act to amend section 692 of the Fish and Game Code, relating to striped bass.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Patterson: Assembly Bill No. 2272—An act regulating the distance which a locomotive may be operated in a backward direction.

Bill read first time, and referred to Committee on Public Utilities

By Mr. Patterson: Assembly Bill No. 2273—An act prohibiting the operation of locomotives unless attended by employees.

Bill read first time, and referred to Committee on Public Utilities

By Mr. Geyer: Assembly Bill No. 2274—An act to amend section 2810 of the School Code, relating to contracts.

Bill read first time, and referred to Committee on Education.

MOTION TO PRINT.

Mr. McCarthy moved that the Chief Clerk instruct the State Printer to print 1000 copies of Assembly Bill No. 152.

Motion carried.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Messrs. Garibaldi (Chairman), Cronin and Wallace to carry out the provisions of the resolution by Mr. Garibaldi, relative to investigation of judges.

RESOLUTION.

The following resolution was offered:

By Mr. Fulcher:

ASSEMBLY RESOLUTION.

WHEREAS, The members of the Assembly of the State of California have learned with profound regret and deepest sorrow of the passing of the wife of Senator John B. McColl; and

WHEREAS, Mrs. McColl, throughout a long and useful life, has won for herself the admiration, respect and love of all who knew her; and

WHEREAS, It is fitting that the colleagues of Senator John B. McColl extend to him in this, his time of trial, their sincere condolences; now, therefore, be it

Resolved by the Assembly of the State of California, That when the Assembly adjourns for its recess this day, it do so out of respect to the memory of the wife of our friend, Senator John B. McColl; and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby instructed to have prepared a suitable memorial resolution properly engrossed and mailed to the family of the deceased.

Resolution read.

Mr. Fulcher moved the adoption of the resolution.

The question being of the adoption of the resolution.

Resolution adopted unanimously.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED)

The following bills were introduced, and referred as indicated:

By Mr. Geyer: Assembly Bill No. 2275—An act to add section 3.43 to the School Code, relating to compulsory instruction.

Bill read first time, and referred to Committee on Education.

By Mr. Lyon: Assembly Bill No. 2276—An act to amend section 54 of the Bank Act, relating to real estate holdings of banks.

Bill read first time, and referred to Committee on Banking.

By Mr. Redwine: Assembly Bill No. 2277—An act to add section 159a to the California Vehicle Act, relating to the uses and purposes for which funds derived under said act may be used.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Redwine: Assembly Bill No. 2278—An act to add section 13¼ to the "Motor Vehicle Fuel License Tax Act," relating to uses and purposes for which funds derived under said act may be used.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Redwine: Assembly Bill No. 2279—An act to amend the "Improvement Act of 1911," relating to assessments and bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Redwine. Assembly Bill No. 2280—An act to amend the Street Opening Act of 1903, relating to assessments.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Redwine: Assembly Bill No. 2281—An act for the relief of property assessed, pursuant to an act entitled "An act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Redwine: Assembly Bill No. 2282—An act relating to relief from certain special assessments.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Redwine: Assembly Bill No. 2283—An act to add a new section to be numbered 17 to an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or when an admission fee is charged, and limiting such boxing contests to twelve rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to

witness such amateur boxing contest." approved November 4, 1924, relating to the State Athletic Commission.

Bill read first time, and referred to Committee on Public Morals.

By Messrs. Wright and Latham: Assembly Bill No. 2284—An act to amend sections 5, 7, 23, 24 and 25 of the Direct Primary Law, relating to candidates.

Bill read first time, and referred to Committee on Elections.

By Mr. Lore: Assembly Bill No. 2285—An act to amend section 1626 of the Streets and Highways Code, relating to relief to special assessment districts.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Lore: Assembly Bill No. 2286—An act to amend section 4041.7 of the Political Code, relating to the powers of the board of supervisors.

Bill read first time, and referred to Committee on County Government.

By Mr. Utt: Assembly Bill No. 2287—An act to amend section 1 of the Direct Primary Law, relating to qualification of new parties.

Bill read first time, and referred to Committee on Elections.

By Mr. Walker: Assembly Bill No. 2288—An act to amend the title of, and to add a new section to be numbered 4c to "An act to provide for the government of irrigation districts having an area of more than 500,000 acres and to enable such irrigation districts to construct levees and to protect the lands within such districts from damage resulting from floods and the overflow of rivers and for that purpose to provide additional powers for boards of directors within such irrigation districts," approved January 21, 1915, relating to irrigation districts

Bill read first time, and referred to Committee on Irrigation.

APPOINTMENT OF SPECIAL COMMITTEE.

The Speaker appointed Messrs Fulcher, Burns and O'Donnell to carry out the provisions of the resolution offered by Mr Fulcher, relative to attending the funeral of the late Mrs. John B McColl

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated.

By Mr. Riley: Assembly Bill No. 2289—An act to amend section 1 of "An act relating to the use and furnishing of stamps, coupons, tickets, can covers, bottle caps or other similar devices, for or with the sale of goods, wares or merchandise and the giving of gifts, premiums or bonuses in connection with or as part of the sale of goods, wares or merchandise, and providing a penalty for violation thereof," approved June 15, 1933.

Bill read first time, and referred to Committee on Judiciary

By Mr. Riley: Assembly Bill No. 2290—An act to amend section ------ of the Vehicle Code, relating to vehicles and vehicular traffic.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Welsh: Assembly Bill No. 2291—An act to amend Chapter 7 of Division X of the Vehicle Code by adding a new section to be numbered 681, providing for regulation of the transportation of certain inflammable liquids over highways within the State of California.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Gilmore: Assembly Bill No. 2292—An act to amend section 23 of the California Barber Law, relating to restrictions upon barber shops or colleges in this State.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Gilmore: Assembly Bill No. 2293—An act relating to trailers.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Scudder: Assembly Bill No. 2294—An act to repeal sections 327, 330, 331, 332, 333, 334 and 335 of the Fish and Game Code, relating to game refuges.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Frazier: Assembly Bill No. 2295—An act to amend an act entitled "An act to provide for the inspection, quarantine and registration to aviaries and other places where shell parrakeets are sold, offered for sale, trade or barter; and to provide for the inspection of all birds which may be kept in such places; to declare the urgency thereof and provide that this act shall take effect immediately," approved by the Governor May 26, 1933.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Johnson: Assembly Bill No. 2296—An act to amend section 633a of the Political Code, relating to insurance brokers.

Bill read first time, and referred to Committee on Insurance.

By Mr. Peyser: Assembly Bill No. 2297—An act to amend sections 422 and 423 of the Probate Code, relating to the nomination and appointment of administrators.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Jones (by request): Assembly Bill No. 2298—An act to amend the title and sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20 of an act entitled "An act to create a flood control district to be called 'Los Angeles County Flood Control District'; to provide for the control and conservation of flood and storm waters, and for the protection of harbors, waterways, public highways and property in said district from damage from such waters, and for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness, and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district; to provide for the government and control of said district, and to define the powers and duties of the officers thereof," approved June 12, 1915, as amended, and by adding three new sections to said act to be numbered sections 3a, 3b, and 3c, relating to and providing for the government and control of said district by a board of directors, defining the powers and duties of said board and for the appointment of certain officers by said board, and dividing said district into five divisions for the election of a director from each of such

divisions, and providing for the performance of certain duties by Los Angeles County officers for said district.

Bill read first time, and referred to Committee on Conservation.

By Mr. Peyser: Assembly Bill No. 2299—An act to add section 428.5 to the Vehicle Code, relating to the sale of vehicles by a lienholder.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Peyser: Assembly Bill No. 2300—An act to amend section 503 of the Vehicle Code, relating to the theft and unlawful taking of a motor vehicle.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Peyser: Assembly Bill No. 2301—An act to amend section 148 of the Vehicle Code, relating to registration of vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Peyser: Assembly Bill No. 2302—An act to amend section 439 of the Vehicle Code, relating to reports of vehicles known to have been unlawfully stored.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Peyser: Assembly Bill No. 2303—An act to amend sections 425, 426, 427, and 428 of the Vehicle Code, relating to liens on vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

RECESS.

At one o'clock and fifty minutes p.m., on the motion of Mr. Lyon, the Assembly was declared at recess until one o'clock and fifty-five minutes p.m. of this day.

REASSEMBLED.

At one o'clock and fifty-five minutes p.m., the Assembly reconvened. Speaker Craig in the chair.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, January 26, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 2149—An act to amend sections 86, 89, 90, and 94 of the California Irrigation District Act, relating to the inclusion of land in irrigation districts and fixing conditions under which such lands may be included, and the liability of such included lands for the obligations of such irrigation districts, declaring the urgency thereof, the act to take effect immediately.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

Assembly Bill No. 2149 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 26, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 23—Relative to the blind.

J. A. BEEK, Secretary of Senate.
By C. REINDOLLAR, Assistant at Desk.

Assembly Concurrent Resolution No. 23 ordered to enrollment

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated.

By Mr. Flint: Assembly Bill No. 2304—An act to provide for the regulation of the organization and operation of hospital associations.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Mr. Hornblower: Assembly Bill No. 2305—An act to amend the State Medical Practice Act, relating to chiropody.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Johnson: Assembly Bill No. 2306—An act to amend sections 630 and 630.5 of the Probate Code, relating to estates under $5,000.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Johnson: Assembly Bill No. 2307—An act to amend sections 714 and 715 of the Code of Civil Procedure, relating to proceedings supplemental to execution.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Johnson: Assembly Bill No. 2308—An act to amend section 170 of the Civil Code, relating to husband and wife.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Flint: Assembly Bill No. 2309—An act to provide for the regulation of the organization and operation of hospital associations.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Mr. Frazier: Assembly Bill No. 2310—An act authorizing trustees of reclamation districts to make refunds where wrongful assessments have been made.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Mr. McMurray: Assembly Bill No. 2311—An act relating to alcoholic beverages

Bill read first time, and referred to Committee on Public Morals

By Mr. McMurray: Assembly Bill No. 2312—An act to amend the Direct Primary Law.

Bill read first time, and referred to Committee on Elections.

By Mr. McMurray: Assembly Bill No. 2313—An act to amend sections 1041, 1053, 1066, 1075, 1083, 1094, and 1097, of the Political Code, relating to elections.

Bill read first time, and referred to Committee on Elections.

By Mr. McMurray: Assembly Bill No. 2314—An act relating to elections.

Bill read first time, and referred to Committee on Elections.

By Mr. Donihue: Assembly Bill No. 2315—An act to add sections 911, 1107, 1108, 1109, and 1110 to the Insurance Code, relating to reserves of insurers.

Bill read first time, and referred to Committee on Insurance.

By Mr. Minard: Assembly Bill No. 2316—An act to add section 374c to the Penal Code, relating to plumbing fixtures and installations

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Minard: Assembly Bill No. 2317—An act to amend section 1553 of, and to add sections 925a and 1020a to the Probate Code, relating to accounts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Clark: Assembly Bill No. 2318—An act to amend section 710 of the Code of Civil Procedure, relating to the collection of moneys from judgment debtors.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Desmond: Assembly Bill No. 2319—An act to amend section 651 of the Fish and Game Code, relating to salmon.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Desmond: Assembly Bill No. 2320—An act to amend section 652 of the Fish and Game Code, relating to salmon.

Bill read first time, and referred to Committee on Fish and Game

By Mr. Desmond: Assembly Bill No. 2321—An act to amend section 655 of the Fish and Game Code, relating to salmon.

Bill read first time, and referred to Committee on Fish and Game

By Mr. Desmond: Assembly Bill No. 2322—An act to amend section 653 of the Fish and Game Code, relating to salmon.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Desmond: Assembly Bill No. 2323—An act to amend section 613 of the Fish and Game Code, relating to steelhead trout.

Bill read first time, and referred to Committee on Fish and Game

By Mr. Wallace: Assembly Bill No. 2324—An act to amend section 437c of the Code of Civil Procedure, relating to summary judgments

Bill read first time, and referred to Committee on Judiciary.

By Mr. Wagner: Assembly Bill No. 2325—An act to amend section 8 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to employees.

Bill read first time, and referred to Committee on Insurance.

By Mr. Mayo: Assembly Bill No. 2326—An act to amend section 3 of an act entitled "An act creating in the State Department of Penology a Division of Prison Terms and Paroles under the control of a Board of Prison Terms and Paroles defining the powers and duties of said division and of said board and making an appropriation therefor," approved May 28, 1931, relating to paroles and the hearing thereon.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Mr. Flint: Assembly Bill No. 2327—An act to amend sections 1, 2 and 3 of an act entitled "An act defining criminal syndicalism and sabotage, prescribing certain acts and methods in connection thereof and in pursuance thereof and providing penalties and punishments

therefor," approved April 30, 1919, relating to criminal syndicalism and to prescriptions, penalties and punishments therein and therefor.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Phillips: Assembly Bill No. 2328—An act to amend section 3817d of the Political Code, relating to taxation.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Peyser: Assembly Bill No. 2329—An act to repeal section 430 of the Vehicle Code, and add thereto a new section 430, relating to vehicles.
Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Scudder: Assembly Bill No. 2330—An act to amend the "Fish and Game Code," approved April 11, 1933, relating to fish and game and other wild life.
Bill read first time, and referred to Committee on Fish and Game.

By Mr. Scudder: Assembly Bill No. 2331—An act to amend the "Fish and Game Code," approved April 11, 1933, relating to fish and game and other wild life.
Bill read first time, and referred to Committee on Fish and Game.

By Mr. Scudder: Assembly Bill No. 2332—An act to amend the "Fish and Game Code," approved April 11, 1933, relating to fish and game and other wild life.
Bill read first time, and referred to Committee on Fish and Game.

By Mr. Scudder: Assembly Bill No. 2333—An act to amend the "Fish and Game Code," approved April 11, 1933, relating to fish and game and other wild life.
Bill read first time, and referred to Committee on Fish and Game.

By Mr. Fulcher: Assembly Bill No. 2334—An act prohibiting the use of drafts for payment of live stock or agricultural products.
Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Geyer: Assembly Bill No. 2335—An act to provide for the protection of oil field workers by requiring an attendant at boilers and providing penalties for violation hereof.
Bill read first time, and referred to Committee on Oil Industries.

By Mr. Crowley: Assembly Bill No. 2336—An act to amend section 1293 of the Fish and Game Code, relating to destructive mammals.
Bill read first time, and referred to Committee on Fish and Game.

By Mr. Wagner: Assembly Bill No. 2337—An act providing for the suspension of all laws or parts of laws relative to the enforcement of debts as defined herein, public or private, in order to provide relief of debtors who are unable to meet their obligations; providing for the enforcement hereof and declaring the urgency thereof.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Field: Assembly Bill No. 2338—An act to amend "An act to regulate the occupations and practices of hairdressers and cosmeticians, cosmetologists, and the branches of cosmetology; to create the State

Board of Cosmetology, and to provide for the issuance by said board of certificates of registration and licenses entitling the holders thereof to engage in and to teach such occupations and practices; to insure the better education of hairdressers and cosmeticians; to provide for rules regulating the proper conduct and sanitation of cosmetological establishments, schools of cosmetology, and places where the occupations of hairdressers and cosmeticians are practiced; prescribing penalties for the violation of the provisions of this act," approved May 31, 1927, relating to cosmetology.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Boyle: Assembly Bill No. 2339—An act to amend section 195 of the Streets and Highways Code, relating to expenditure of State highway money.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Rosenthal: Assembly Bill No. 2340—An act declaring certain corporations, individuals or association of individuals engaged, directly or indirectly, in the transportation of crude oil or petroleum or the products thereof, for hire or otherwise, to be common carriers and public utilities and subject to the provisions of the Public Utilities Act.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Voigt: Assembly Bill No. 2341—An act giving county boards of supervisors the power to meet the requirements of the Federal Government in order to obtain money or appropriations for flood control or public work contracts.

Bill read first time, and referred to Committee on County Government.

By Mr. Voigt: Assembly Bill No. 2342—An act to amend section 6 of and to add section 31 to an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualifications and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Voigt: Assembly Bill No. 2343—An act to amend section 737s of the Political Code, relating to the salaries of judges of the superior court in counties of the first class.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Williamson: Assembly Bill No. 2344—An act to amend section 402 of the Vehicle Code, relating to liability of owners of motor vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Donihue: Assembly Bill No. 2345—An act to amend section 1586 of the Penal Code, relating to the propagation and care of game birds by prisoners.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Donihue: Assembly Bill No. 2346—An act to add section 3817j to the Political Code, relating to taxation.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Donihue: Assembly Bill No. 2347—An act to amend section 3664b of the Political Code, relating to taxation of insurance companies or associations.

Bill read first time, and referred to Committee on Insurance.

By Messrs. Martin and Flint: Assembly Bill No. 2348—An act to amend sections 5, 7, 23, 24 and 25 of the Direct Primary Law, relating to candidates on more than one party ticket.

Bill read first time, and referred to Committee on Elections.

By Mr. Evans, Herbert J.: Assembly Bill No. 2349—An act to add section 33a to the Code of Civil Procedure, relating to courts of justice.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Heisinger: Assembly Bill No. 2350—An act to restrict the net operating profits of public utilities.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Hawkins: Assembly Bill No. 2351—An act providing for the establishment of a camp or system of camps to be maintained in connection with the State prisons.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Mr. Hawkins: Assembly Bill No. 2352—An act to amend the "Old Age Securities Act of the State of California," approved May 28, 1929, relating to aged persons.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Scudder: Assembly Bill No. 2353—An act providing for the collection rent and income from property on foreclosure or which is in default under a deed of trust or mortgage.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hornblower: Assembly Bill No. 2354—An act to amend sections _____ of the Vehicle Code.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Robertson: Assembly Bill No. 2355—An act to add section 691.5 to, to amend section 691 of, and to repeal section 691.6 of the Fish and Game Code, relating to striped bass.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Thorp: Assembly Bill No. 2356—An act to add sections 802a and 802b to the Agricultural Code, relating to the inspection of grapes used for wine purposes.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Thorp: Assembly Bill No. 2357—An act to appropriate $5,000 to enforce the provisions of the law relating to the standards of quality for the manufacture and sale of California wines and brandies, by the Department of Health.
Bill read first time, and referred to Committee on Public Morals.

By Mr. Cottrell: Assembly Bill No. 2358—An act to amend the Fish and Game Code, relating to fish and game.
Bill read first time, and referred to Committee on Fish and Game.

By Mr. Nielsen: Assembly Bill No. 2359—An act to amend sections ------ of the Military Code.
Bill read first time, and referred to Committee on Military Affairs.

By Mr. Walker: Assembly Bill No. 2360—An act to amend section 1199 and to repeal section 1115 of the Political Code, relating to elections.
Bill read first time, and referred to Committee on Elections.

By Mr. Walker: Assembly Bill No. 2361—An act to amend section 1210 of the Political Code, relating to elections.
Bill read first time, and referred to Committee on Elections.

By Mr. Walker: Assembly Bill No. 2362—An act to amend section 1210 of the Political Code, relating to elections.
Bill read first time, and referred to Committee on Elections.

By Mr. Walker: Assembly Bill No. 2363—An act to amend section 13 of the Direct Primary Law, relating to elections.
Bill read first time, and referred to Committee on Elections.

By Mr. Cronin: Assembly Bill No. 2364—An act to amend section 402, and to add a new section to be numbered 417, to the Vehicle Code, relating to the liability of lessors of vehicles for hire.
Bill read first time, and referred to Committee on Public Utilities.

By Messrs. Cronin and McMurray: Assembly Bill No. 2365—An act requiring licenses for the operation, maintenance, opening or establishment of chain stores, prescribing the license and filing fees to be paid therefor, and the powers and duties of the State Board of Equalization in connection therewith, defining chain stores, and prescribing penalties for the violation thereof.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Brennan: Assembly Bill No. 2366—An act to amend section 629b of the Political Code, relating to the definition of group life insurance.
Bill read first time, and referred to Committee on Insurance.

By Mr. Brennan: Assembly Bill No. 2367—An act to amend sections 430, 473 and 1054 and to add section 429 to the Code of Civil Procedure.
Bill read first time, and referred to Committee on Judiciary.

By Mr. Frazier: Assembly Constitutional Amendment No. 63—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 22 of Article

XII of the Constitution of said State, relating to creation and powers of the Railroad Commission.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Desmond: Assembly Constitutional Amendment No. 64—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 22 of Article XX thereof, relating to intoxicating liquor

Introduced, and referred to Committee on Constitutional Amendments.

RESOLUTION.

The following resolution was offered:

By Mr. Kallam:

ASSEMBLY RESOLUTION.

WHEREAS, Many hundreds of bills have been introduced in both the Assembly and the Senate; and

WHEREAS, Great public interest is shown in the present economic situation in the State government; and

WHEREAS, Considerable embarrassment will be avoided if the members of the Legislature are given the printed bills at a very early date; now, therefore, be it

Resolved, That the State Printer be directed to give preference to printing Assembly and Senate bills and publications.

Resolution read.

Mr. Kallam moved the adoption of the resolution.

The question being on the adoption of the resolution.

Resolution adopted.

RECESS.

At one o'clock and fifty-seven minutes p.m., the Speaker, on motion of Mr. Lyon, seconded by Mr. Maloney, declared the Assembly at recess for the purpose of hearing from His Excellency Governor Frank F. Merriam

REASSEMBLED.

At two o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED)

The following bills were introduced, and referred as indicated:

By Mr Hornblower: Assembly Bill No. 2368—An act to add sections 73 and 74 to an act entitled "An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to retirement of members of the California Highway Patrol.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Hornblower: Assembly Bill No. 2369—An act to add section 9a to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to disability of members of the California Highway Patrol.

Bill read first time, and referred to Committee on Insurance.

By Mr Cassidy: Assembly Bill No. 2370—An act providing that the board of supervisors of each county shall appoint an equal number

of election officers from each major party to serve on the election board in each precinct.

Bill read first time, and referred to Committee on Elections.

By Mr. O'Donnell: Assembly Bill No. 2371—An act to provide for the adoption of the Uniform Narcotic Drug Act.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Geyer: Assembly Bill No. 2372—An act to amend section 14 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways, in the State of California, by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to the exemption of certain vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Peterson: Assembly Bill No. 2373—An act relating to telegraph companies and the telegraph business.

Bill read first time, and referred to Committee on Public Utilities.

By Mr. Desmond: Assembly Bill No. 2374—An act to amend sections 612 and 615 of the Fish and Game Code, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game

By Mr. Desmond: Assembly Bill No 2375—An act to amend section 2337 of the Political Code, relating to homes for the care of children and the licensing of persons conducting the same

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Utt: Assembly Bill No. 2376—An act making an appropriation for the support of the Legislative Counsel Bureau and declaring the urgency thereof, the act to take effect immediately.

Bill read first time, and referred to Committee on Ways and Means

By Mr. Jones: Assembly Bill No. 2377—An act to amend sections 925 and 927 of the Penal Code, relating to grand juries.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Hornblower: Assembly Bill No. 2378—An act providing a compensation, retirement and pension system for members of the California Highway Patrol.

Bill read first time, and referred to Committee on Motor Vehicles.

MOTION.

Mr. Lyon moved that Assembly Concurrent Resolution No 6 be recalled from the Committee on Engrossment and Enrollment, and stricken from the file, for the reason that Assembly Concurrent Resolution No. 18 had superseded it, and had been filed with the Secretary of State.

Motion carried.

MOTION

Mr Lyon moved that Assembly Concurrent Resolution No. 8 be recalled from the Committee on Engrossment and Enrollment, and stricken from the file, for the reason that Assembly Concurrent Resolution No. 22 had superseded it, and had been properly filed with the Secretary of State.

Motion carried

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 23—An act relating to the relief of debtors and guarantors, and permitting postponement of foreclosures and sales under mortgages, deeds of trust, or contracts of purchase of real property, or postponement of forfeitures and terminations under such contracts of purchase, declaring the urgency thereof, and providing that it shall take effect immediately—and reports that the same has been correctly enrolled, and presented the same to the Governor on this twenty-sixth day of January, 1935, at one o'clock and forty-five minutes p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 94—An act for the relief of certain assessment districts, and for that purpose empowering counties to render financial aid to such districts and making available to such districts the provisions of Chapter 9 of the act of Congress entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, as amended, and to declare the urgency of this act, to take effect immediately;

Also: Assembly Bill No. 262—An act to validate contracts heretofore executed by county water districts with the United States and all proceedings relative thereto, including creation of improvement districts, and to provide for the levy and collection of taxes to pay any sums required by the terms of such contracts and to declare the urgency hereof;

Also Assembly Bill No. 263—An act to authorize the execution of contracts between any irrigation district or districts and any county water district or districts organized under the laws of this State, each of which districts shall have executed with the United States a contract or contracts under the provisions of the Federal Reclamation Law for construction of works, acquisition, purchase, extension, operation or maintenance of such works or for a water supply or electric power rights or privileges or assumption as principal or guarantor of indebtedness to the United States, or for any of said purposes and which such districts shall propose to divert or carry water for use in such districts by means of a single main canal or system of works and providing certain purposes for which such contracts between such districts may be executed, providing for the manner of authorization of such contracts and validating such contracts heretofore executed, declaring the urgency hereof and providing that this act shall go into immediate effect;

Also. Assembly Bill No 411—An act to add section 3888a to the Political Code, relating to the payment of taxes;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-sixth day of January, 1935, at one o'clock and forty-five minutes p.m.

WATERS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1256—An act making an appropriation to pay the cost of printing constitutional amendments and referendum measures for the 1933 and 1934 elections, declaring the urgency thereof, and providing that this act shall take effect immediately;

Also: Assembly Bill No 1257—An act making an appropriation to the emergency fund specified in item 201 of section 1 of an act entitled "An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately," approved May 11, 1933, for the purposes therein specified, and declaring the urgency thereof;

Also: Assembly Bill No 119—An act to provide for the formation, government, operation, and dissolution of pest abatement districts, for the assessment, levy,

collection, and disbursement of taxes therein, to declare the urgency hereof, and to provide that this act take effect immediately;

Also: Assembly Bill No. 2149—An act to amend sections 86, 89, 90 and 94 of the California Irrigation District Act, relating to the inclusion of land in irrigation districts and fixing conditions under which such lands may be included, and the liability of such included lands for the obligations of such irrigation districts, declaring the urgency thereof, the act to take effect immediately;

Also: Assembly Bill No. 1529—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class and providing for the levy of a tax to pay the same, and declaring the urgency of said act;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-sixth day of January, 1935, at one o'clock and forty-five minutes p.m.

WATERS, Chairman

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 20—Relative to the variance between the enrolled copy of Assembly Concurrent Resolution No. 1 and Assembly Concurrent Resolution No. 1 as it was submitted to and approved by the Legislature of the State of California, approving certain amendments to the charter of the city of Pasadena ratified at a municipal election held on the sixth day of November, 1934;

Also: Assembly Concurrent Resolution No. 22—Approving certain amendment to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the nineteenth day of December, 1933;

Also: Assembly Concurrent Resolution No. 18—Relative to approving the charter of the city of Redondo Beach, California, which was submitted to the qualified voters of said city and voted for and ratified by them at an election held on the twenty-fourth day of September, 1934;

Also: Assembly Concurrent Resolution No. 23—Relative to the blind;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-sixth day of January, 1935, at one o'clock and forty-five minutes p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 17—Relative to memorializing the President and the Congress of the United States to not impair the flax industry of the Western States by reciprocal tariff arrangements with any country so as to lower the duty on flax;

Also: Assembly Joint Resolution No. 14—Relative to memorializing the Public Works Administration to approve the application of the Los Angeles County Flood Control District for a grant of $4,150,000 to be used for the immediate construction of twelve debris basins in the La Crescenta, La Canada, Verdugo Wash and Haines Canyon districts, the same being commonly known as the La Crescenta, La Canada, Verdugo Wash and Haines Canyon Project, in the county of Los Angeles, California;

Also: Assembly Joint Resolution No. 24—Relative to uniform taxation of petroleum producing property;

Also: Assembly Joint Resolution No. 29—Relative to fostering and protecting grape and wine industries;

Also: Assembly Joint Resolution No. 33—Relative to memorializing Congress to request the President and the Congress of the United States to invite the people of the world to participate in the San Francisco Bay Bridge Exposition to be held at the City and County of San Francisco, State of California, during the year 1938;

Also: Assembly Joint Resolution No. 34—Relative to memorializing the Governors, the Lieutenant Governors, and the legislators of each of the States of the United States, to invite the people of their respective States to participate in the San Francisco Bay Bridge Exposition to be held at the City and County of San Francisco, State of California, during the year 1938;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-sixth day of January, 1935, at one o'clock and forty-five minutes p.m.

WATERS, Chairman

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 35—Relating to memorializing Congress to consider the almond industry of California and to maintain the existing tariff regulations thereon;

Also: Assembly Joint Resolution No. 36—Relative to memorializing Congress to enact proposed legislation commonly known as "Universal Draft" in time of war;

And reports that the same have been correctly enrolled, and presented the same to

the Governor on this twenty-sixth day of January, 1935, at one o'clock and forty-five minutes p.m

WATERS, Chairman.

RESOLUTION.

The following resolution was offered:

By Mr. Kallam:

Resolved, That the Speaker appoint a Committee of Three to wait upon His Excellency, Governor Frank F. Merriam, and inform His Excellency that the Assembly is ready to adjourn for the constitutional recess, and awaits his further pleasure.

Resolution read.

Mr. Kallam moved the adoption of the resolution.

The question being on the adoption of the resolution.

Resolution adopted.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Messrs. Kallam, Latham, and Nielsen to carry out the provisions of the resolution by Mr. Kallam.

RESOLUTION.

The following resolution was offered:

By Mr. Evans, Herbert J.

Resolved, That a Committee of Three be appointed by the Speaker to wait upon the Senate and inform that body that the Assembly is ready for the constitutional recess, and ask if the Senate has any further communication to make to the Assembly.

Resolution read.

Mr. Kallam moved the adoption of the resolution.

The question being on the adoption of the resolution.

Resolution adopted.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Messrs. Evans, Herbert J., Donnelly, and McMurray to carry out the provisions of the resolution by Mr. Evans, Herbert J.

REPORT OF SELECT COMMITTEE.

The committee appointed to wait upon His Excellency the Governor appeared before the bar of the Assembly, and reported that they had communicated with the Governor, and that he had no further communication to make to the Assembly.

REPORT OF SELECT COMMITTEE.

The committee appointed to wait upon the Senate appeared before the bar of the Assembly, and reported that the instructions of the Assembly had been carried out, and that the Senate had concluded its labors and was ready to adjourn.

COMMITTEE FROM THE SENATE.

Senators Olson, Fletcher, and Gordon appeared before the bar of the Assembly, and informed the Assembly that the Senate was ready to adjourn, and asked if the Assembly had any further message to convey to the Senate.

The Speaker replied that the Assembly had concluded its labors, and was ready to adjourn, and had no further communication to make to the Senate.

MOTION TO APPROVE JOURNALS.

Mr. Lyon moved that Assembly Journals of Monday, January 21, 1935; Tuesday, January 22, 1935; Wednesday, January 23, 1935; Thursday, January 24, 1935; Friday, January 25, 1935; Saturday, January 26, 1935, be approved as corrected by the Minute Clerk.

Motion carried.

ADJOURNMENT.

At three o'clock p.m., Saturday, January 26, 1935, in accordance with the provisions of Senate Concurrent Resolution No. 9, and out of respect to the memory of the late Mrs. Catharine McColl, wife of Senator John B. McColl, Hon. Edward Craig, Speaker of the Assembly, announced that the time for the adjournment for the constitutional recess of the fifty-first session of the Legislature of the State of California had arrived, and thereupon declared the Assembly adjourned until eleven o'clock a.m., Monday, March 4, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, March 4, 1935

At eleven o'clock, a.m., pursuant to the requirements of section 2, Article IV of the Constitution of the State of California, and to the provisions of Senate Concurrent Resolution No. 9, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—78

Quorum present.

PRAYER.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. McBride, its further reading was dispensed with.

LEAVE OF ABSENCE.

On motion of Mr. Burns, Mr. Scudder was granted leave of absence for this day.

PRIVILEGE OF FLOOR OF ASSEMBLY EXTENDED.

On request of Mr. Utt, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Al Foster of Fullerton and Mr. J. S. Colling of Anaheim.

On request of Mr. Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Willard D. Bretz, Chief of Police, South Gate, California; Mr. Harold Atkinson, Chief of Police, Huntington Park, California, and Mr. Delbert A. Hessick, City Attorney, Huntington Park, California.

On request of Mr. Chatters, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Milton Chatters of Flint, Michigan.

On request of Mr. Latham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. O. C. (Jack) Travis of Alhambra and Mr. Charles B. Shattuck, Chairman, Legislative Committee, California Real Estate Association of Los Angeles.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. George Gelder of Berkeley, former member of the Assembly during 1913, 1915, and 1917.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Rev. Britton D. Weigle, relative to the Three-Day Marriage License Law.

From Rev. Britton D. Weigle, relative to repeal of the three days' notice before securing marriage licenses

From H. F. Kane, relative to Criminal Syndicalism Law of California.

From William A. Burton, relative to Assembly Bill No. 791.

From H. Conrad, relative to Assembly Bill No. 791.

From Rowland E. Weiss, relative to bonds and taxation.

From Mrs. Sarah E. Finley, relative to textbooks on the science of citizenship.

From A. F. Harris, relative to fish and game laws

From G. E. Chapman, relative to transaction tax

From O. K. Wenvinski, relative to approval by Congress of the General Pulaski Memorial Day resolution.

From J. A. Johnson, relative to the Criminal Syndicalism Law.

From Mrs. Harger, relative to road building plan

From Guy Henry, relative to fur-bearing animals

From H. Gale Atwater, relative to Assembly Bills Nos. 105, 106, 107, 108, 109, and 110.

From Mrs. Jennie Crusen, relative to taxation

MOTION.

Mr. Chatters moved that when the Assembly adjourn this day, it do so out of respect to the memory of the late Honorable Dana P. Eicke, member of the Legislature; and that the Chief Clerk be instructed to convey to the widow and family of the late Dana P. Eicke the sympathy of this Assembly.

Motion seconded by Mr. Maloney.

Motion carried unanimously.

RESOLUTION.

The following resolution was offered:

By Mr. Lyon:

Resolved, That the Speaker appoint a Committee of Three to notify the Senate that the Assembly has reconvened, pursuant to Senate Concurrent Resolution No. 9,

adopted on January 23, 1935, and is ready to proceed with the business of the State with all officers heretofore elected present, to wit.

Speaker, Hon. Edward Craig.
Speaker pro Tempore, Hon. John H. O'Donnell.
Chief Clerk, Arthur A. Ohnimus
Minute Clerk, Charles H. Erb.
Chaplain, Rev. Father John E. Tumulty.
Sergeant-at-Arms, Joseph Moloney.
Assistant Chief Clerk, Fred J. Desch

Resolution read, and on motion adopted

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the above resolution, the Speaker appointed Messrs. Lyon, Evans and Maloney as such Select Committee.

RESOLUTION

The following resolution was offered:

By Mr. Field:

Resolved, That a Committee of Three be appointed by the Speaker to wait upon His Excellency, Governor Frank F. Merriam, and inform him that the Assembly has reconvened after the constitutional recess, and awaits any communication that he may wish to make to it

Resolution read, and on motion adopted.

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the above resolution, the Speaker appointed Messrs. Field, Jones and Hornblower as such Select Committee.

COMMITTEE FROM THE SENATE.

Senators Stow, McColl and Tickle appeared before the bar of the Assembly and informed the Assembly that pursuant to the provisions of Senate Concurrent Resolution No. 9, the Senate had reconvened, and was ready to proceed with the business of the State with all officers heretofore elected present.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Walker:

Resolved, That the Controller be and is hereby authorized to draw his warrants on the contingent fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Nagle and Slyter (Floral pieces, Ericke and others)	$56 37
Harold Shav (Flowers, Mrs. Frank Jordan)	10 25
Arthur A. Ohnimus (Mimeographed letters, members committee preference, amount paid to Helen F. Schafer)	8 30
Department of Finance (Pro rate telephone service)	49 11
Capital City Planing Mill (Cabinet case)	49 71
Cascade Towel Supply Co. (Towel service)	40 60
The Sacramento Bee (Installation and rental radio broadcast)	29 25
J. C. Hobrecht Co. (Installing, reconditioning loud speaker)	230 00
Bureau of Purchases (Supplies, January, February)	177 34

Referred to Committee on Contingent Expenses.

By Mr. Walker:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred fifty dollars ($150), said amount being for the payment of postage, telegraphing, expressage and incidental expenses of the Chief Clerk's office.

Referred to Committee on Contingent Expenses.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

March 4, 1935

ON MILEAGE.

District	Name	Address	Distance from seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
1	Michael J Burns	Eureka, Humboldt County	312				624	$31 20
2	Clinton J Fulcher	Lookout, Modoc County	324		44	280	560	28 00
3	John H. O'Donnell	Woodland, Yolo County	23				46	2 30
4	J E Frazier	Gridley, Butte County	86		14	72	144	7 20
5	Ernest C Crowley	Suisun, Solano County	48				96	4 80
6	Jesse M Mayo	Angels Camp, Calaveras County	73	12		85	170	8 50
7	Hubert B. Scudder	Sebastopol, Sonoma County	90	7		97	194	9 70
8	Roy J. Nielsen	Sacramento, Sacramento County						
9	Earl D Desmond	Galt, Sacramento County	24				48	2 40
10	T. H. DeLap	El Cerrito, Contra Costa County	62	18		80	160	8 00
12	James E. Thorp	Lockford, San Joaquin County	48		3	45	90	4 50
13	James M. Cassidy	Oakland, Alameda County	84				168	8 40
14	Charles J Wagner	Alameda, Alameda County	84	5		89	178	8 90
15	Leon M Donihue	Oakland, Alameda County	84				168	8 40
16	Arthur H. Breed, Jr	Piedmont, Alameda County	84				168	8 40
17	Henry P. Meehan	Oakland, Alameda County	84				168	8 40
18	Charles W Fisher	Oakland, Alameda County	84				168	8 40
19	Gardiner Johnson	Berkeley, Alameda County	84		1	83	166	8 30
20	Thomas A. Maloney	San Francisco, San Francisco County	90				180	9 00
21	Joseph P Gilmore	San Francisco, San Francisco County	90				180	9 00
22	Kennett B. Dawson	San Francisco, San Francisco County	90				180	9 00
23	William B. Hornblower	San Francisco, San Francisco County	90				180	9 00
24	Patrick J McMurray	San Francisco, San Francisco County	90				180	9 00
25	Melvyn I. Cronin	San Francisco, San Francisco County	90				180	9 00
26	Ray Williamson	San Francisco, San Francisco County	90				180	9 00
27	Jefferson E Peyser	San Francisco, San Francisco County	90				180	9 00
28	Jas F. Brennan	San Francisco, San Francisco County	90				180	9 00
29	Frederick Peterson	Burlingame, San Mateo County	119		8	111	222	11 10
30	H Dewey Anderson	Cupertino, Santa Clara County	128	13		141	282	14 10
31	C. C Cottrell	San Jose, Santa Clara County	128				256	12 80
32	Hugh P. Donnelly	Turlock, Stanislaus County	77	14		91	182	9 10
33	James D Garibaldi	Merced, Merced County	114				228	11 40
34	Clifford R. Kallam	Watsonville, Santa Cruz County	198	20		218	436	21 80
35	Ellis E Patterson	King City, Monterey County	208	50		258	516	25 80
36	Claude Minard	Fresno, Fresno County	169				338	16 90
37	S. L. Heisinger	Fresno, Fresno County	169				338	16 90
38	Ford A. Chatters	Lindsay, Tulare County	206	20		226	452	22 60
39	Alfred W. Robertson	Santa Barbara, Santa Barbara County	460				920	46 00
40	James J. McBride	Ventura, Ventura County	490				980	49 00
41	Rodney L Turner	Delano, Kern County	278		30	248	496	24 80
42	Elmer E Lore	North Hollywood, Los Angeles County	447				894	44 70
43	C Don Field	Glendale, Los Angeles County	447		10	437	874	43 70
44	John B Pelletier	Los Angeles, Los Angeles County	447				894	44 70
45	Charles A Hunt	Los Angeles, Los Angeles County	447				894	44 70
46	Ralph W Evans	Los Angeles, Los Angeles County	447				894	44 70
47	Eleanor Miller	Pasadena, Los Angeles County	447	13		460	920	46 00
48	Frank G. Martin	Altadena, Los Angeles County	447	15		462	924	46 20
49	Herbert J Evans	Monrovia, Los Angeles County	447	18		465	930	46 50
50	Frank W. Wright	Whittier, Los Angeles County	447	15		462	924	46 20
51	Wm Moseley Jones	Montebello, Los Angeles County	447	10		457	914	45 70
52	Ben Rosenthal	Los Angeles, Los Angeles County	447				894	44 70
53	E V. Latham	Alhambra, Los Angeles County	447	9		456	912	45 60
54	Wilbur F Gilbert	Los Angeles, Los Angeles County	447				894	44 70
55	Frank D. Laughlin	Los Angeles, Los Angeles County	447				894	44 70
56	Thomas J Cunningham	Los Angeles, Los Angeles County	447				894	44 70
57	Kent H. Redwine	Hollywood, Los Angeles County	447				894	44 70
58	Frank J Waters	Los Angeles, Los Angeles County	447				894	44 70
59	Charles W Lyon	Los Angeles, Los Angeles County	447				894	44 70
60	Geoffrey F Morgan	Santa Monica, Los Angeles County	447	22		469	938	46 90
61	Ernest O Voigt	Los Angeles, Los Angeles County	447				894	44 70
62	Augustus F Hawkins	Los Angeles, Los Angeles County	447				894	44 70
63	Ralph Louis Welsh	Los Angeles, Los Angeles County	447				894	44 70
64	John D McCarthy	Los Angeles, Los Angeles County	447				894	44 70
65	Gene Flint	Los Angeles, Los Angeles County	447				894	44 70
66	James J Boyle	Los Angeles, Los Angeles County	447				894	44 70
67	Lee E Geyer	Gardena, Los Angeles County	447	10		457	914	45 70
68	Fred Reaves	San Pedro, Los Angeles County	447	23		470	940	47 00
69	A Franklin Glover	Compton, Los Angeles County	447	10		457	914	45 70
70	John G. Clark	Long Beach, Los Angeles County	447	22		469	938	46 90

ON MILEAGE—Continued

District	Name	Address	Distance from seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
71	Harry B Riley	Long Beach, Los Angeles County	447	22	----	469	938	$46 90
72	Godfrey A Andreas	Upland, San Bernardino County	508	22	----	530	1,060	53 00
73	Gordon W. Corwin	Highland, San Bernardino County	508	10	----	518	1,036	51 80
74	James B Utt	Tustin, Orange County	481	2	---	483	966	48 30
75	Edward Craig	Brea, Orange County	481	---	14	467	934	46 70
76	John Phillips	Banning, Riverside County	512	35	----	547	1,094	54 70
77	Clarence R Walker	Westmoreland, Imperial County	661	---	22	639	1,278	63 90
78	Ralph W. Wallace	San Diego, San Diego County	573	----	----	----	1,146	57 30
79	Paul A Richie	San Diego, San Diego County	573	---	----	----	1,146	57 30
80	Charles W. Stream	Palm City, San Diego County	573	13	----	586	1,172	58 60

OFFICERS

Name	Address	Distance from seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 10 cents per mile
Charles H. Erb	San Francisco, San Francisco County	90	----	----	----	180	$18 00

ERNEST C. CROWLEY, Chairman.

INTRODUCTION AND REFERENCE OF BILLS.

The following resolution was introduced:

By Messrs. Maloney, Garibaldi, Thorp, Chatters, Desmond, Mayo, Jones, and McMurray. Assembly Concurrent Resolution No. 24—Relative to the adjournment of the Legislature out of respect to the memory of the late Honorable Dana P. Eicke

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 24, at this time, without reference to printer, committee or file, and that same be considered engrossed

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER TWENTY-FOUR.

Assembly Concurrent Resolution No. 24—Relative to the adjournment of the Legislature out of respect to the memory of the late Honorable Dana P. Eicke.

Assembly Concurrent Resolution No 24 read.

Mr. Maloney moved the adoption of Assembly Concurrent Resolution No. 24.

The question being on the adoption of Assembly Concurrent Resolution No. 24.

Assembly Concurrent Resolution No 24 adopted

Title read and approved.

Assembly Concurrent Resolution No 24 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 24.

Relative to the adjournment of the Legislature out of respect to the memory of the late Honorable Dana P Eicke.

WHEREAS, Divine Providence has seen fit to remove from this earthly sphere of activity the Honorable Dana P. Eicke; and

WHEREAS, During his short but active service in this Legislature he endeared himself to the hearts of the members by his sterling character and qualities, and

WHEREAS, The members of this Legislature have learned with profound regret and the deepest sorrow of the passing of their esteemed colleague, Honorable Dana P. Eicke; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That when the Legislature adjourns this day it do so out of respect to the memory of the late Honorable Dana P. Eicke, and be it further

Resolved, That the Chief Clerk be and he is hereby instructed to have prepared a suitable memorial resolution properly engrossed and mailed to the family of the deceased.

MOTION

Mr. Maloney moved that the following message, written to his son, by the late Dana P. Eicke, be printed in the Journal:

Motion carried unanimously.

STATE CAPITOL, Sacramento

DEAR SON: I'm sorry that I can't be home to see you graduate, but maybe at this time a few thoughts from your old man even if they ain't followed wouldn't be altogether out of place. I expect that good old John Humphreys or somebody like him will be there to hand you your diploma and to make a speech telling you that the world is your oyster and that all you gotta do is just hop to it and collect.

Now, I dunno's I'd take that too literally, although in the main he's right I hope you'll go into politics. That don't mean that you'll hafta run for office, but I'd like it if you would always be a politician You'll always find folks who'll sneer at 'em, but if you'll do pretty much as all other politicians do you'll often be dejected, inspected, suspected and finally, if you're right, respected.

Probily one of the first politicians of record was Moses, whose constituency stayed with him 40 years. His record has never been topped, although Sheriff Veale of Martinez has tied him There's a picture in the National Hotel at Jackson that lampoons Lincoln for being a politician The Roosevelt boys got it plenty and so has lots of others. Be proud of being a politician if you are one and always remember that a statesman is only a politician who is dead.

Don't run for office if you're in search of heavy sugar It ain't there and don't always expect to be on the majority side, but if you're right, sooner or later your party will catch up to you. If a thing is wrong don't be afraid to smash it, even if you know that it's gonna put you in the hot lard for awhile Just take care of today and like as not tomorrow will take care of you You won't always be right but the main point is if you think you are it's safe to take a chance

When you get any new ideas, no matter how good they seem, it's probily a good idea to spring 'em a little slow and easy. Nearly 2000 years ago there was a carpenter in Nazarene who organized a new party. Like I told you, the mazuma was scarce and the administration fried him plenty and finally wound up by spiking him to a cross, but up to the time you're handed your diploma, his platform has never been beat.

Son, it's been quite a long time since I went around passing out the cigars and croakin' "It's a boy," but I don't mind telling you at this time that your Maw and me has got a lot of happiness and comfort out of your being a good, decent son to us.

YOUR POP

P.S.—If them white flannel pants that you're wearin' tonight shrinks after they're washed, don't throw 'em away, because if this session of the Legislature lasts as long as some think it will, I'll hafta have 'em to wear for underdrawers next winter, which won't be the first time that I've done that either

REPORT OF SELECT COMMITTEE

The Select Committee appointed to wait upon the Governor appeared before the bar of the Assembly and reported that it had waited upon the Governor, and that he would send a communication to the Assembly at a later date.

COMMUNICATIONS.

The following communications were received, and ordered printed in the Journal:

By Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1935.

MR. SPEAKER: Pursuant to your instructions, the following named persons have filed their credentials and are duly recognized as representatives of the newspapers set opposite their respective names:

California Building Loan Journal—Neill Davis.
California Class Room Teacher—J. H. Swan.
San Francisco Newspaper Publishers' Association—E. O. Kelsey.
Los Angeles Times—Kyle D. Palmer.

ARTHUR A. OHNIMUS, Chief Clerk.

By Mr. Speaker:

Communication by Hon. R. L. Patterson, representative to the Interstate Oil Compact Conference.

Referred to Committee on Oil Industries.

By Chief Clerk:

WATSONVILLE, January 29, 1935.

Hon. Arthur A. Ohnimus, Secretary,
State Assembly, Sacramento, California.

DEAR SIR: Thank you for your kind letter expressing the sympathy of the members of the Assembly.

I am deeply touched by the honor they have shown my husband's memory, and also by your personal expression of sympathy.

Sincerely yours,

MRS. GEORGE C. CLEVELAND

By Mr. Speaker:

SAN FRANCISCO, CALIFORNIA, February 2, 1935.

Hon. Edward Craig, Speaker of the Assembly.

DEAR MR. CRAIG: May I express to you and to the members of the Assembly our appreciation for your thoughtful kindness during our recent bereavement.

MRS. G. D. OHNIMUS.

SACRAMENTO, CALIFORNIA, March 4, 1935.

To thank you for your thoughtful kindness at a time when it was greatly appreciated.

FRANK C. JORDAN.

SACRAMENTO, CALIFORNIA, February 15, 1935.

MY DEAR TED: I deeply appreciate the large wreath of pink carnations, violets, and freesias the members of the Assembly so kindly and thoughtfully sent to the funeral services of Mrs. McColl in Redding.

While the loss of her is overwhelming, I shall always treasure the memory of the way her friends and mine treated her while she was alive, and particularly the respect and honor which was paid her after she had gone to that better, finer world.

I wish you would express to the members of the Assembly my deep appreciation of the lovely floral piece and for the resolution of sympathy and condolence which was unanimously adopted when you learned of the passing of my most beloved and cherished possession.

Most sincerely, your friend,

JOHN B. McCOLL

Hon. Ted Craig, Speaker, California State Assembly, Sacramento, California.

By Chief Clerk:

RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.
SAN FRANCISCO, CALIFORNIA, February 4, 1935.

Mr. Arthur A. Ohnimus, Chief Clerk, Assembly, California Legislature,
State Capitol, Sacramento, California.

MY DEAR MR. OHNIMUS: This will acknowledge receipt of your letter of January 31st, inclosing a copy of an Assembly resolution adopted on January 25th, requesting the commission to furnish the Assembly "figures on valuation of said utility properties for rate-making purposes in a form which will make possible comparison with the valuation of the State Board of Equalization."

I have taken this matter up with our Engineering Department, which is starting today to assemble the available data that we have on this subject.

While the commission has under its jurisdiction a total of 1544 privately-owned public utilities, the majority of our rate proceedings have involved the larger gas, electric, telephone and water utilities, and several of the electric railways.

The compiling of the historical cost of the physical properties of these larger utilities, as of June 30, 1934, will be completed and furnished to you within the next three weeks. However, the securing and compiling of accurate figures for all of the 1544 utilities, even from their books records alone, would involve several months of time and not less than $5,000 of expense.

Will you kindly advise whether the data on the larger utilities, as outlined above, will be sufficient for your purposes?

Yours very truly,

RAILROAD COMMISSION OF THE STATE OF CALIFORNIA,
By H. G. MATHEWSON, Secretary.

RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.
SAN FRANCISCO, CALIFORNIA, February 5, 1935

Mr Arthur A. Ohnimus, Chief Clerk, Assembly, California Legislature, Sacramento, California.

DEAR SIR: We have your letter of January 31st, together with the Assembly resolution referred to therein.

Upon reading the resolution it seems to us that the information which the Assembly desires is substantially the same as that which the utilities and transportation companies are required to file with the commission under its General Order No. 77-A. We are inclosing herewith a copy of such order.

We are calling upon the utilities to comply with General Order No. 77-A as soon as possible and in no event later than March 1st. A few have already filed their reports.

We will endeavor to comply with the Assembly resolution. We will submit a report as soon as we have the data of the major utilities. If this is not satisfactory, kindly tell us how you wish us to proceed in filing the reports with you

Yours truly,

RAILROAD COMMISSION, STATE OF CALIFORNIA,
By H. G. MATHEWSON, Secretary.

Enclosure

GENERAL ORDER NO. 77-A.

RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Filing With the Railroad Commission by Public Utilities and Transportation Companies of Salary Data, Dues, Donations, Contributions, Subscriptions and Legal Fees.

Original order approved September 27, 1927—Effective January 1, 1928.
Revised order approved December 18, 1933—Effective January 1, 1934.

It is hereby ordered, That all public utilities and transportation companies having gross annual operating revenues of $100,000 or more are directed and required to prepare and file with the Railroad Commission of the State of California on or before March 1st of each and every year a statement showing the names of all officers or employees who during the preceding calendar year received a salary of $5,000 or more per annum; the salary received by each such officer or employee during the preceding calendar year; the amount of the expense account of each such officer or employee during the preceding calendar year; the amount of any contingent fee or other moneys directly or indirectly paid to each such officer or employee during the preceding calendar year, and the title and duties of each officer or employee.

It is hereby further ordered, That all public utilities and transportation companies having gross annual revenues of $25,000 and less than $100,000 are directed and required to prepare and file with the Railroad Commission of the State of California on or before March 1st of each and every year a statement showing the names of all officers or employees who during the preceding calendar year received a salary of $3,000 or more per annum, the salary received by each such officer or employee during the preceding calendar year; the amount of the expense account of each such officer or employee during the preceding calendar year; the amount of any contingent fee or other moneys directly or indirectly paid to each such officer or employee during the preceding calendar year, and the title and duties of each such officer or employee.

It is hereby further ordered, That all public utilities and transportation companies having gross annual revenues of $25,000 or more are directed and required to file with the Railroad Commission of the State of California on or before March 1st of each and every year a statement showing for the next preceding calendar year; (a) the total dues, donations, subscriptions and contributions of all kinds made or

paid directly or indirectly, by increasing employees' salaries to offset such dues donations, subscriptions and contributions or in any other manner, the names of the persons, associations, firms and corporations receiving such dues, donations, subscriptions and contributions, and the amount of said dues, donations, subscriptions and contributions paid or made to each of said persons, associations, firms or corporations; (b) the total payments to attorneys, the name of each attorney or legal firm receiving payment and the amount paid to each of said attorney or legal firm; (c) the name of the accounts to which said dues, donations, contributions, subscriptions and payments to attorneys was charged on the utility or transportation company books during the said next preceding calendar year and the amount charged to each of said accounts.

Approved and dated at San Francisco, California, this eighteenth day of December, 1933.

RAILROAD COMMISSION OF THE STATE OF CALIFORNIA
H. G. MATHEWSON, Secretary.

RAILROAD COMMISSION OF THE STATE OF CALIFORNIA,
SAN FRANCISCO, CALIFORNIA, March 1, 1935.

Mr. Arthur A. Ohnimus, Chief Clerk, Assembly, California Legislature, Sacramento, California.

DEAR SIR: Referring to your letter of February 7th:

We are preparing the salary and other data mentioned in the Assembly resolution of January 25th and expect to submit a report to you on Monday or Tuesday of next week.

Yours truly,

RAILROAD COMMISSION OF THE STATE OF CALIFORNIA
By H. G. MATHEWSON, Secretary.

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS,
SACRAMENTO, February 15, 1935.

Mr. Arthur A. Ohnimus, Chief Clerk, Assembly, Sacramento, California

DEAR MR. OHNIMUS: I have your letter of February 13, 1935, in which you call my attention to the resolution introduced by Assemblyman Patrick J. McMurray of San Francisco and adopted by the Assembly which calls upon the Department of Public Works to present and report to the Assembly on or before March 5th an itemized and detailed account and statement of its expenditures for construction and maintenance of State highways, and thank you for it.

Our department has been working on this resolution for some time and will be prepared to report as requested in the resolution.

With kind regards and best wishes, I am

Sincerely yours,

EARL LEE KELLY, Director of Public Works.

CONGRESS OF THE UNITED STATES, HOUSE OF REPRESENTATIVES,
WASHINGTON, D. C., January 21, 1935.

Arthur A. Ohnimus, Chief Clerk, California State Legislature, Sacramento, California.

MY DEAR MR. OHNIMUS: I have your communication of January 17th, enclosing copy of Assembly Joint Resolution No. 1, adopted by the California Legislature on January 10th, favoring the immediate payment, at face value, of the adjusted service certificates.

Please be advised that I unequivocally stand for the payment of the bonus and shall do everything I can to assist in the passage of such a measure.

Very truly yours,

JOHN M. COSTELLO.

CONGRESS OF THE UNITED STATES, HOUSE OF REPRESENTATIVES,
WASHINGTON, D. C., January 22, 1935

Mr. Arthur A. Ohnimus, Chief Clerk, California Legislature, Sacramento, California.

MY DEAR MR. OHNIMUS: Acknowledgment is made of your communication of January 17th, in which you enclose copy of resolution adopted by the California Legislature on January 10th, relative to the immediate payment of the adjusted compensation certificates.

I am pleased to inform you that I am heartily in favor of the immediate payment of this obligation, and you may be assured of my most aggressive support in having legislation of this kind enacted at the earliest possible time. That was one of the planks in my platform more than two years ago, and I shall continue to do so.

I have also had your resolution recorded in the Congressional Record.

Thanking you for writing me, and assuring you of my cooperation at all times, I remain

Very cordially yours,

CHARLES KRAMER, M. C.

STATE OF NEW MEXICO, HOUSE OF REPRESENTATIVES,
TWELFTH LEGISLATURE, SANTE FE, February 16, 1935

Mr. Arthur A. Ohnimus, Chief Clerk,
Legislative Assembly, Sacramento, California.

DEAR SIR: I have your letter and copy of the Assembly Joint Resolution No. 34, and will refer the same to the House Committee on Oil and Gas for its consideration and action.

It has been the wish of the Governor that our Legislature should adjourn on the twentieth instant, and some several days ago a joint resolution passed both houses cutting off the further introduction of bills and resolutions unless unanimous consent was obtained for the introduction of same or same was sponsored by a message from the Governor requesting the introduction.

The Oil and Gas Committee will, no doubt, confer with Governor Tingley on this matter and perhaps will see if it is agreeable to him to send up a similar resolution to yours.

Very truly yours,

ALVAN N. WHITE, Speaker of the House.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 31, 1935.

Hon. Members of the Assembly of California, Sacramento, California.

I am herewith returning without my signature, Assembly Bill No. 196.

A duplicate of this bill (Assembly Bill No. 1258) with some amendments, was later passed by the Legislature and has been signed, and is now known as Chapter 4 of the Statutes of 1935.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, February 18, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on January 22d adopted Senate Concurrent Resolution No. 10—Relative to Joint Rules of the Legislature.

J. A. BEEK, Secretary of Senate.

Senate Concurrent Resolution No. 10 ordered referred to Committee on Rules.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced, and referred as indicated:

By Messrs. Cronin and Williamson: Assembly Constitutional Amendment No. 65—A resolution to propose to the people of the State of California an amendment of Article XIII of the Constitution of the State, by adding section 17 thereto, relating to taxation.

Introduced, and referred to Committee on Constitutional Amendments.

RESOLUTION.

The following resolution was offered:

By Messrs. Flint, McCarthy, Donihue, Wagner, Hawkins, Glover, and Reaves:

ASSEMBLY RESOLUTION.

WHEREAS, By an act of the Legislature approved May 16, 1933, Statutes of 1933, Chapter 393, page 1019, the California Highway Commission was authorized to negotiate for the acquisition of that certain toll road known as the "Sears Point Toll Road," extending from the city of Vallejo to Sears Point; and

WHEREAS, The Sears Point Toll Road has not been purchased, and

WHEREAS, It will be necessary to reconstruct the said Sears Point Toll Road and that it will be necessary to expend additional sums in such reconstruction, now, therefore, be it

Resolved by the Assembly, That there is hereby created an Assembly committee to consist of five members to be appointed by the Speaker of the Assembly, to make an investigation of the problems relating to the purchase of the Sears Point Toll Road and the desirability of continuing with the negotiations to purchase the same, and be it further

Resolved, That the committee, as soon as it is appointed, shall organize and select a chairman from its members, and appoint a secretary; and be it further

Resolved, That the sum of $500, or so much thereof as may be necessary, is hereby appropriated for the purpose of defraying the expenses of the committee and of said investigation, said sum to be paid from the contingent fund of the Assembly, and the State Controller is hereby authorized and directed to draw his warrant in favor of the person entitled thereto for such expenditures as may be certified to him from time to time by the chairman of said committee, and the State Treasurer is hereby authorized and directed to pay his claim

CONSIDERATION OF RESOLUTION.

Consideration continued to next legislative day.

REPORT OF SELECT COMMITTEE.

The Select Committee appointed to wait upon the Senate appeared before the bar of the Assembly and reported that the instructions of the Assembly had been carried out, and that the Senate would communicate its wishes through a committee from that body.

REQUEST FOR PERMISSION TO INTRODUCE BILL

The following request for permission to introduce a bill was presented:

By Messrs. Hornblower and Wallace

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1935

MR SPEAKER: We ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to authorize the legislative bodies of counties, cities and cities and counties to attend the sessions of the Legislature of the State of California and to appear before said Legislature and the committees thereof and making the cost incidental thereto a proper charge against the funds of the county, or city or city and county, and declaring the urgency thereof.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1935

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the authors be permitted to introduce it. The title of said bill is as follows

An act to authorize the legislative bodies of counties, cities and cities and counties to attend the sessions of the Legislature of the State of California and to appear before said Legislature and the committees thereof and making the cost incidental thereto a proper charge against the funds of the county, or city or city and county, and declaring the urgency thereof.

CUNNINGHAM, Chairman

Mr. Cunningham moved the adoption of the report of the Committee on Introduction of Bills.

The question being on the adoption of the report.

The roll was called, and the report of the Committee on Introduction of Bills adopted by the following vote.

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Gari-

baldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr Speaker—73.

NOES—Robertson—1.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced:

By Messrs. Hornblower and Wallace: Assembly Bill No. 2379—An act to authorize the legislative bodies of counties, cities and cities and counties to attend the sessions of the Legislature of the State of California and to appear before said Legislature and the committees thereof and making the cost incidental thereto a proper charge against the funds of the county, or city or city and county, and declaring the urgency thereof.

Bill read first time.

REQUEST FOR UNANIMOUS CONSENT.

Mr Hornblower asked for, and was granted, unanimous consent to take up Assembly Bill No. 2379, at this time, without reference to printer, committee or file, and that same be considered engrossed

CASE OF URGENCY.

The following resolution was offered:

By Mr. Hornblower:

Resolved, That Assembly Bill No 2379 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr Speaker—76

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 2379.

SECOND READING OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED SEVENTY-NINE.

Assembly Bill No. 2379—An act to authorize the legislative bodies of counties, cities and cities and counties to attend the sessions of the Legislature of the State of California and to appear before said Legislature and the committees thereof and making the cost incidental thereto a proper charge against the funds of the county, or city or city and county, and declaring the urgency thereof.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED SEVENTY-NINE.

Assembly Bill No. 2379—An act to authorize the legislative bodies of counties, cities and cities and counties to attend the sessions of the Legislature of the State of California and to appear before said Legislature and the committees thereof and making the cost incidental thereto a proper charge against the funds of the county, or city or city and county, and declaring the urgency thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2379 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED)

The following bill was introduced:

By Messrs Cronin, Brennan, Dawson, Gilmore, Hornblower, Maloney, McMurray, Peyser, and Williamson: Assembly Concurrent Resolution No. 25—Relative to the death of Fremont Older.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Brennan asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 25, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER TWENTY-FIVE.

Assembly Concurrent Resolution No. 25—Relative to the death of Fremont Older.

Assembly Concurrent Resolution No. 25 read.

Mr. Brennan moved the adoption of Assembly Concurrent Resolution No. 25.

The question being on the adoption of Assembly Concurrent Resolution No. 25.

Assembly Concurrent Resolution No. 25 adopted.

Title read and approved.

Assembly Concurrent Resolution No. 25 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No 25.

Relative to the death of Fremont Older.

WHEREAS, One of the most beloved, public-spirited, respected, and revered citizens of the State of California has passed to the Great Beyond. He was for nigh on to half a century a leader of our thought and a champion of good government and of the cause of the underdog. He had no superior in American journalism. He will be missed most by those who knew him best. We refer to our friend and champion, the late lamented citizen, Fremont Older of San Francisco. Therefore, be it

Resolved, by the Assembly of the State of California, the Senate concurring, That when the Legislature adjourns this day, it do so out of respect to the memory of the late Hon. Fremont Older; and, be it further

Resolved, That the Chief Clerk be and is hereby, instructed to have prepared a suitable memorial resolution properly engrossed and mailed to the family of the deceased.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 4, 1935

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No 20—Inviting Secretary of Labor Perkins to address a joint session of the Senate and Assembly

J. A. BEEK, Secretary of Senate.

Senate Concurrent Resolution No 20 ordered referred to Committee on Rules

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced:

By Mr. Hunt: Assembly Joint Resolution No. 37—Relative to memorializing the Senate of the United States to enact the President's $4,800,000,000 Work Relief Program without further delay.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hunt asked for unanimous consent to take up Assembly Joint Resolution No. 37, at this time, without reference to printer, committee or file, and that same be considered engrossed

SPECIAL ORDER SET.

On motion of Mr. Lyon, the consideration of Assembly Joint Resolution No. 37 was made a special order for Tuesday, March 5, 1935, at ten o'clock and thirty minutes a.m.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced:

By Miss Miller: Assembly Concurrent Resolution No. 26—Relative to the death of Emma D. Jordan.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Miss Miller asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 26, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER TWENTY-SIX.

Assembly Concurrent Resolution No. 26—Relative to the death of Emma D. Jordan.

Assembly Concurrent Resolution No. 26 read.

Miss Miller moved the adoption of Assembly Concurrent Resolution No. 26.

The question being on the adoption of Assembly Concurrent Resolution No. 26.

Assembly Concurrent Resolution No. 26 adopted.

Title read and approved.

Assembly Concurrent Resolution No. 26 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 26.

Relative to the death of Emma D. Jordan.

WHEREAS, The Honorable Frank C. Jordan has for many years been one of the best loved of our State officials; and

WHEREAS, There has befallen him since our last meeting the severe misfortune of the loss, through death, of his beloved wife, Emma D. Jordan; and

WHEREAS, Emma D. Jordan was beloved not only by her husband and family, but by all who knew her; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the members of the Legislature of the State of California extend to the family of Emma D. Jordan their deepest sympathy, and that when we adjourn this day we do so out of respect to her memory; and be it further

Resolved, That this resolution be spread upon the minutes of the Senate and Assembly and that suitably engrossed copies be transmitted to the members of her family.

ANNOUNCEMENT.

The Speaker announced the appointment of Mr. Frank J. Waters to the Committee on Judiciary to fill the vacancy created by the death of Assemblyman Eicke.

ADJOURNMENT.

At twelve o'clock and twenty minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Tuesday, March 5, 1935, out of respect to the memory of the late Honorable Dana P. Eicke, former member of the Legislature, Mr. Fremont Older, and Mrs Emma D. Jordan.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, March 5, 1935

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A Ohnimus, and the following members answered to their names

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—78

Quorum present.

PRAYER.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Field, its further reading was dispensed with

LEAVE OF ABSENCE.

On motion of Mr Burns, Mr Scudder was granted leave of absence for this day.

PRIVILEGE OF FLOOR OF ASSEMBLY EXTENDED.

On request of Mr Andreas, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Walter V. Combs, City Councilman, Ontario, California.

On request of Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Gates A. Johnson of St. Paul, Minnesota.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Max Cavette, Secretary of the Affiliated Commercial Association of Berkeley.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker.

From George A Parker, relative to counties comprising appellate districts.

From George D. Perry, relative to lighting system on Firestone Boulevard, Los Angeles.

From R. E. Soudon, relative to building and loan legislation.

From Edward M. Duhton, relative to Townsend Old Age Pension Plan

ASSISTANT CLERK COOLIDGE READING COMMUNICATIONS.

The following communications were received, and ordered printed in the Journal.

By Mr Speaker:

STOCKTON, CALIFORNIA,
673 LEXINGTON, February 13, 1935.

DEAR MR. CRAIG: As Speaker, will you kindly convey my thanks and appreciation to the Assembly for the beautiful floral chair sent in honor of my husband.

Sincerely,

FLORENCE EICKE.

By Chief Clerk:

Mr. Arthur A. Ohnimus, Chief Clerk, Assembly, California Legislature.

DEAR MR. OHNIMUS: Please convey to the members of both houses of the California Legislature my grateful acknowledgment and deep appreciation of the

beautiful memorial resolution adopted by both houses of the Legislature, expressing the affection and high esteem in which the members hold the memory of the late Governor James Rolph, Jr.

The very special effort made by the workmen in the State Printing Department to make this memorial an outstanding piece of work, whereby, they too, might express their affection and high regard, as shared with the members of the Legislature, is greatly appreciated.

Most sincerely,

ANNIE M. ROLPH.

San Francisco, 1055 California Street.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1935.

MR. SPEAKER: Pursuant to your instructions, the following named person has filed his credentials and is duly recognized as representative of the newspaper set opposite his name:

San Francisco Argonaut—John A. Henshall.

ARTHUR A. OHNIMUS, Chief Clerk.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1935.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 240—An act to amend section 362 of the Streets and Highways Code and to add section 603 thereto, relating to State highways;

Also: Assembly Bill No. 241—An act to amend section 7 of an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, relating to State highways;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

STREAM, Chairman.

The above reported bills ordered on file for second reading.

RESOLUTION.

The following resolution was offered:

By Mr. Peterson:

ASSEMBLY RESOLUTION.

Resolved, That the additional sum of $1,500 is hereby appropriated from the contingent fund of the Assembly for the purpose of defraying the expenses of the committee and the investigation, appointed and made pursuant to an Assembly resolution adopted in Assembly January 9, 1935, relating to the study and investigation of building and loan associations.

Resolution read.

Mr. Peterson moved the adoption of the resolution

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—71.

NOES—Williamson—1.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1935.

MR. SPEAKER: Your Committee on Mileage begs leave to report that it has computed the mileage according to section 208 of the Political Code, and recommends the adoption of the resolution herewith:

Resolved, That the State Controller be and he is hereby directed and ordered to draw his warrants upon the proper fund in favor of the following named officers and members of the Assembly for the amounts set opposite their names, and the State Treasurer is hereby directed and ordered to pay the same:

Michael J. Burns	$31 20	Melvyn I Cronin	$9 00
Clinton J Fulcher	28 00	Ray Williamson	9 00
John H. O'Donnell	2 30	Jefferson E Peyser	9 00
J. E Frazier	7 20	James F Brennan	9 00
Ernest C. Crowley	4 80	Frederick Peterson	11 10
Jesse M. Mayo	8 50	H. Dewey Anderson	14 10
Hubert B. Scudder	9 70	C. C. Cottrell	12 80
Roy J Nielsen	----	Hugh P. Donnelly	9 10
Earl D. Desmond	2 40	James D. Garibaldi	11 40
T. H. DeLap	8 00	Clifford R. Kallam	21 80
James E. Thorp	4 50	Ellis E. Patterson	25 80
James M. Cassidy	8 40	Claude Minard	16 90
Charles J Wagner	8 90	S. L. Heisinger	16 90
Leon M. Donihue	8 40	Ford A. Chatters	22 60
Arthur H Breed, Jr.	8 40	Alfred W. Robertson	46 00
Henry P. Meehan	8 40	James J. McBride	49 00
Charles W Fisher	8 40	Rodney L. Turner	24 80
Gardiner Johnson	8 30	Elmer E Lore	44 70
Thomas A. Maloney	9 00	C. Don Field	43 70
Joseph P. Gilmore	9 00	John B. Pelletier	44 70
Kennett B Dawson	9 00	Ralph Louis Welsh	44 70
Charles A. Hunt	44 70	John D. McCarthy	44 70
Ralph W Evans	44 70	Gene Flint	44 70
Eleanor Miller	46 00	James J. Boyle	44 70
Frank G. Martin	46 20	Lee E. Geyer	45 70
Herbert J. Evans	46 50	Fred Reaves	47 00
Frank W. Wright	46 20	A. Franklin Glover	45 70
William Moseley Jones	45 70	John G. Clark	46 90
Ben Rosenthal	44 70	Harry B. Riley	46 90
E V. Latham	45 60	Godfrey A. Andreas	53 00
Wilbur F Gilbert	44 70	Gordon W Corwin	51 80
Frank D. Laughlin	44 70	James B. Utt	48 30
Thomas J. Cunningham	44 70	Edward Craig	46 70
Kent H Redwine	44 70	John Phillips	54 70
Frank J. Waters	44 70	Clarence R Walker	63 90
Charles W. Lyon	44 70	Ralph W. Wallace	57 30
Geoffrey F. Morgan	46 90	Paul A. Richie	57 30
Ernest O. Voigt	44 70	Charles W. Stream	58 60
Augustus F. Hawkins	44 70		
William B Hornblower	9 00	Officer.	
Patrick J McMurray	9 00	Charles H. Erb	$18 00

has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

CROWLEY, Chairman.
DELAP.
ROBERTSON.
GARIBALDI

Report and resolution read

Mr. Crowley moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Mayo, McBride, McCarthy, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie Riley, Robertson,

Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—69.

NOES—None.

CONSIDERATION OF GOVERNOR'S VETO.

Assembly Bill No. 196—An act to amend section 2 of the "Los Angeles County Flood Control Act," approved June 12, 1915, relating to powers of the district, declaring the urgency hereof and providing that this act shall take effect immediately.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt Wagner, Walker, Wallace, Welsh, Williamson, Wright, and Mr. Speaker—71.

ASSEMBLY RESOLUTION.

Acquisition, "Sears Point Toll Road."

Mr. Flint moved that the consideration of the above resolution be continued to the next legislative day.

Motion carried.

THIRD READING OF ASSEMBLY BILLS.

Assembly Joint Resolution No. 15—Relative to retirement of Federal employees who have been in the service from 15 to 30 years or more and restoration of pay of said employees as of January 1, 1935.

Mr. McMurray moved that Assembly Joint Resolution No. 15 be re-referred to Committee on Federal Relations.

Motion carried.

SPECIAL ORDER.

The hour of ten o'clock and thirty minutes a.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER THIRTY-SEVEN.

Assembly Joint Resolution No. 37—Relative to memorializing the Senate of the United States to enact the President's $4,800,000,000 work relief program without further delay.

Mr. Boyle moved that Assembly Joint Resolution No. 37 be referred to Committee on Unemployment.

Motion carried.

Assembly Joint Resolution No. 37 ordered referred to Committee on Unemployment.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON ROADS AND HIGHWAYS

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1935

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No 807—An act relating to public highways, the laying out, construction, improvement, maintenance, administration and control thereof, the allocation and expenditure of moneys appropriated therefor, declaring certain highways State highways, amending and repealing certain provisions of the Streets and Highways Code and adding certain provisions thereto, and repealing certain acts relating to

public highways—has had the same under consideration, and respectfully reports the same back, without recommendation, as amended.

STREAM, Chairman.

The above reported bill ordered on file for second reading.

RECESS.

At ten o'clock and forty minutes a.m., on motion of Mr. Lyon, the Assembly was declared at recess until eleven o'clock a.m., of this day.

REASSEMBLED.

At eleven o'clock a.m., the Assembly reconvened.

Speaker Craig in the chair.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1935.

MR SPEAKER: Your Committee on Contingent Expenses, to which were referred the two following resolutions by Mr. Walker:

Resolved, That the Controller be and is hereby authorized to draw his warrants on the contingent fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Nagle and Slyter (Floral pieces, Eicke and others)	$56 37
Harold Shay (Flowers, Mrs. Frank Jordan)	10 25
Arthur A. Ohnimus (Mimeographed letters, members committee preference, amount paid to Helen F. Schafer)	8 30
Department of Finance (Pro rate telephone service)	49 11
Capital City Planing Mill (Cabinet case)	49 71
Cascade Towel Supply Co. (Towel service)	40 60
The Sacramento Bee (Installation and rental radio broadcast)	29 25
J. C. Hobrecht Co. (Installing, reconditioning loud speaker)	230 00
Bureau of Purchases (Supplies, January, February)	177 34

Also *Resolved*, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred fifty dollars ($150), said amount being for the payment of postage, telegraphing, expressage and incidental expenses of the Chief Clerk's office; Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted.

WALKER, Chairman.
ANDREAS.
PELLETIER.
FLINT.
BURNS.

Report and resolutions read.

Mr. Walker moved the adoption of the report and resolutions.

The question being on the adoption of the report and resolutions.

The roll was called, and the report and resolutions adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—73.

NOES—None.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1935.

MR. SPEAKER. Your Committee on Judiciary, to which was referred Assembly Bill No. 88—An act to amend section 762 of the Political Code, relating to the office hours of clerks of the District Courts of Appeal;

Also: Assembly Bill No 113—An act to amend section 1822bb of the Code of Civil Procedure, relating to the management, control, and disposal of estates of missing persons;

Also: Assembly Bill No. 129—An act to add a new section to the Code of Civil Procedure to be numbered 2056, relating to motions to strike an answer;

Also: Assembly Bill No. 130—An act to amend section 2021 of the Code of Civil Procedure, relating to depositions;

Also: Assembly Bill No. 185—An act to amend section 4300c of the Political Code, relating to recording fees;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

LYON, Chairman

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 550—An act to amend section 2337 of the Political Code, relating to institutions;

Also: Assembly Bill No. 878—An act to amend section 1005 of the Code of Civil Procedure, relating to notice of motion;

Also: Assembly Bill No. 879—An act to add a new section to the Code of Civil Procedure, to be numbered 597, relating to the separate trial of any one or more of the issues joined;

Also: Assembly Bill No. 1036—An act to amend section 1418 of the Penal Code, relating to the pardoning or commutation of sentence of convicts twice convicted of felony;

Also: Assembly Bill No. 1059—An act to amend section 377 of the Code of Civil Procedure, relating to the maintenance of actions for damages against persons responsible for the death of another;

Also: Assembly Bill No 1232—An act to amend section 573 of the Probate Code of the State of California, relating to actions which may be maintained against executors and administrators;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LYON, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1898—An act to add section 1313a to the Penal Code, relating to making wilful leaving jurisdiction of court after depositing bail a felony;

Also: Assembly Bill No. 2306—An act to amend sections 630 and 630 5 of the Probate Code, relating to estates under $5,000;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

LYON, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER Your Committee on Judiciary, to which was referred Assembly Bill No. 112—An act to amend section 105 of the Code of Civil Procedure, relating to justices' courts,

Also: Assembly Bill No 1235—An act to add to the Probate Code a new section, to be numbered 1068, relating to the discharge of executors and administrators and the termination of probate proceedings;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

LYON, Chairman.

The above reported bills ordered on file for second reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Stream:

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making an appropriation for the support of the Twenty-second District Agricultural Association, declaring the urgency thereof and providing that this act shall take effect immediately

Referred to Committee on Introduction of Bills.

By Mr. Lyon:

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act relating to the transfer and expenditure of moneys for relief of hardship and destitution due to and caused by unemployment, and declaring the urgency hereof.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON INTRODUCTION OF BILLS

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1935

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act making an appropriation for the support of the Twenty-second District Agricultural Association, declaring the urgency thereof and providing that this act shall take effect immediately.

CUNNINGHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act relating to the transfer and expenditure of moneys for relief of hardship and destitution due to and caused by unemployment and declaring the urgency hereof.

CUNNINGHAM, Chairman.

Reports read.

Mr. Cunningham moved the adoption of the reports

The question being on the adoption of the reports.

The roll was called, and the reports adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—74

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Stream: Assembly Bill No. 2380—An act making an appropriation for the support of the Twenty-second District Agricultural Association, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Lyon: Assembly Bill No. 2381—An act relating to the transfer and expenditure of moneys for relief of hardship and destitution due to and caused by unemployment and declaring the urgency hereof.

Bill read first time.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 2381, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED EIGHTY-ONE.

Assembly Bill No. 2381—An act relating to the transfer and expenditure of moneys for relief of hardship and destitution due to and caused by unemployment, and declaring the urgency hereof.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Lyon:

Resolved, That Assembly Bill No. 2381 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Mr. Lyon moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—78.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 2381.

SECOND READING OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED EIGHTY-ONE.

Assembly Bill No. 2381—An act relating to the transfer and expenditure of moneys for relief of hardship and destitution due to and caused by unemployment, and declaring the urgency hereof.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride,

McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—76.

NOES—None.

Assembly Bill No. 2381 read third time.

FLOOR AMENDMENT.

During third reading of the bill, the following amendment was submitted by Mr. Jones:

AMENDMENT NUMBER ONE.

After section 2, insert a new section to be numbered section 2½ as follows:

"SEC. 2½. In addition to the other sums of money herein appropriated, the sum of $5,000,000 is hereby appropriated out of the first fund made available from the proceeds of those bonds authorized to be issued under section 10 of Article XVI of the Constitution; said money to be expended by the State Relief Administrator for the purpose of fostering, instituting and maintaining cooperative self-help activities among the destitute citizens of this State where such destitution is due to and caused by unemployment."

The question being on the adoption of the amendment submitted by Mr. Jones.

POINT OF ORDER.

Mr. Lyon arose to the following point of order: That according to Rule 44, the amendment by Mr. Jones was not permissible.

Mr. Jones withdrew his amendment.

FLOOR AMENDMENT.

During third reading of the bill, the following amendment was submitted by Mr. Jones:

AMENDMENT NUMBER ONE.

After section 2, insert a new section to be numbered section 2½ as follows:

"SEC. 2½. The State Relief Administrator is directed to expend the sum of $5,000,000 for the purpose of fostering, instituting and maintaining cooperative self-help activities among the destitute citizens of this State where such destitution is due to and caused by unemployment."

Mr. Jones withdrew his amendment.

SPECIAL ORDER.

Mr. Jones moved that the consideration of Assembly Bill No. 2381 be made a special order for two o'clock and thirty minutes p.m. today.

Mr. Jones withdrew his motion.

MOTION.

Mr. Lyon moved that the Assembly resolve itself into a Committee of the Whole for purpose of considering Assembly Bill No. 2381.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Speaker Craig in the chair.

Assembly Bill No. 2381 considered.

Mr. Jones moved that the committee do now rise, and report back to the Assembly.

Motion carried.

IN ASSEMBLY.

Speaker Craig in the chair.

REPORT OF THE COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1935.

GENTLEMEN: The Committee of the Whole has had under consideration Assembly Bill No. 2381—An act relating to the transfer and expenditure of moneys for relief

of hardship and destitution due to and caused by unemployment, and declaring the urgency hereof—and respectfully reports the same back.

CRAIG, Chairman.

FURTHER CONSIDERATION OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED EIGHTY-ONE.

THIRD READING OF ASSEMBLY BILL NUMBER TWO THOUSAND THREE HUNDRED EIGHTY-ONE.

Assembly Bill No. 2381—An act relating to the transfer and expenditure of moneys for relief of hardship and destitution due to and caused by unemployment, and declaring the urgency hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2381 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—78.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

SENATE MESSAGES

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 5, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in the action of your honorable body in recalling from enrollment Assembly Concurrent Resolution No. 6 and Assembly Concurrent Resolution No. 8, and ordering these measures stricken from the file.

J. A. BEEK, Secretary of Senate.

Also:

SENATE CHAMBER, SACRAMENTO, March 5, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 25—Relative to the death of Fremont Older.

J. A. BEEK, Secretary of Senate.
By BOB CROSS, Assistant at Desk.

Assembly Concurrent Resolution No. 25 ordered to enrollment

Also:

SENATE CHAMBER, SACRAMENTO, March 5, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 24—Relative to the adjournment of the Legislature out of respect to the memory of the late Honorable Dana P. Eicke.

J. A. BEEK, Secretary of Senate
By BOB CROSS, Assistant at Desk.

Assembly Concurrent Resolution No. 24 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 5, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 26—Relative to the death of Emma D. Jordan.

J. A. BEEK, Secretary of Senate.
By BOB CROSS, Assistant at Desk.

Assembly Concurrent Resolution No. 26 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 5, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed, as amended, the following: Assembly Bill No. 2379—An act to authorize the legislative bodies of counties, cities and cities and counties to attend the sessions of the Legislature of the State of California and to appear before said Legislature and the committees thereof and making the cost incidental thereto a proper charge against the funds of the county, or city or city and county—and respectfully requests your honorable body to concur in said amendment.

J. A. BEEK, Secretary of Senate.

The question being put Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2379?

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, after the word "counties", insert: ", directly, or through a duly authorized representative or representatives,".

The roll was called, and Senate amendment to Assembly Bill No 2379 was concurred in by the following vote

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Thorp, Turner, Voigt, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—69.

NOES—None.

The above reported bill ordered to enrollment.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 5, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No 14—Relative to approving certain amendments to the charter of the city of Sacramento, a municipal corporation of the State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of November, 1933.

J A. BEEK, Secretary of Senate

REQUEST FOR UNANIMOUS CONSENT.

Mr. Nielsen asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 14, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER FOURTEEN.

Senate Concurrent Resolution No. 14—Relative to approving certain amendments to the charter of the city of Sacramento, a municipal corporation of the State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of November, 1933.

Senate Concurrent Resolution No. 14 read.

Mr. Nielsen moved the adoption of Senate Concurrent Resolution No. 14.

The question being on the adoption of Senate Concurrent Resolution No. 14.

The roll was called, and Senate Concurrent Resolution No. 14 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond,

Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Voigt, Walker, Wallace, Waters, Wright, and Mr. Speaker—70.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 14 ordered transmitted to the Senate.

MOTION TO RE-REFER.

Mr. Lyon moved that Assembly Bill No. 338 be withdrawn from Committee on Manufactures, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Assembly Bill No. 338 to Committee on Judiciary.

Motion carried.

Assembly Bill No. 338 ordered re-referred to Committee on Judiciary.

RESOLUTION.

The following resolution was offered:

By Mr. Heisinger:

ASSEMBLY RESOLUTION

WHEREAS, It has been reported in the newspapers that the electric power feature connected with the Friant Dam on the San Joaquin River has been eliminated from the Central Valley Project; and

WHEREAS, Several proposed public utility districts within the San Joaquin Valley are in process of formation with the intent of using power from said dam and project; and

WHEREAS, The city of Fresno and other cities have been seriously considering the use of power to be generated at said dam; and

WHEREAS, All of these projects may be compelled to be abandoned if the said power feature of the project is left out thereby greatly hampering the activities desired by the people; therefore be it

Resolved by the Assembly, That the Speaker appoint a committee of three members to make an investigation to learn if the Federal authorities have requested the elimination of the said power feature or whether said feature has been eliminated at the instance of the powerful electric power trusts;

Resolved, further, That the committee at its earliest convenience shall make a written report to the Assembly of its findings.

Resolution read.

Mr. Heisinger moved that the consideration of the above resolution be continued until the next legislative day.

ADJOURNMENT.

At one o'clock and twenty minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Wednesday, March 6, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY

ASSEMBLY CHAMBER,

SACRAMENTO, Wednesday, March 6, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—77.

Quorum present.

PRAYER.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Thorp, its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. Burns, Mr. Scudder was granted leave of absence for this day.

On motion of Mr. Cronin, Mr. Williamson was granted leave of absence for this day.

PRIVILEGE OF FLOOR OF ASSEMBLY EXTENDED.

On request of Mr. Meehan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Clifford Wixson, supervisor of Alameda County.

ASSISTANT CLERK OLIVER READING.

PRESENTATION OF PETITIONS.

The following petition was presented, and ordered printed in the Journal:

By Mr. Lyon:

From W. E. Walker, opposing Assembly Bill No. 1314.

COMMUNICATIONS

The following communications were received, and ordered printed in the Journal:

By Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1935.

MR. SPEAKER: Pursuant to your instructions, the following named persons have filed their credentials and are duly recognized as representatives of the newspapers set opposite their respective names:

Epic News—Larry Gross.
Municipal Utilities—C. R. Reid.
Union Labor Bulletin—J. L. R. Marsh, Charles W. Lyon.

ARTHUR A. OHNIMUS, Chief Clerk.

By Mr. Crowley:

BAKERSFIELD, CALIFORNIA, March 4, 1935.

Hon. Ernest Crowley, Assembly Chamber,
State Capitol, Sacramento, California.

DEAR SIR. During a recent visit to the northern part of the State I had occasion to ascertain the opinion of many of our blind citizens in relation to legislation.

It is the general consensus of opinion that the Needy Blind Persons Act of 1931 is entirely satisfactory at this time. Any attempt to amend or replace the act, would, as it seems to us, be unfortunate.

It is with peculiar pleasure I am able to say to a legislator at this time there is a phase of social security legislation which does not require improvement. The

blind of the State appreciate the splendid work that has been done for them in the passage of the above act, and it gives us particular pleasure not to ask anything of busy and much harassed law makers at the present time of crisis.

I need hardly remind you that I am in a position to have a pretty good idea of legislation of this character, aside from being a blind man myself I have been President of the California Alumni of Self-Supporting Blind, and an officer and chairman of other associations. I, therefore, request that no action be taken either to amend or otherwise change the present act

Yours truly,

R. W. HENDERSON.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1935.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1901—An act relating to real estate transactions and imposing a tax thereon and providing for the enforcement and collection of the tax, this act to take effect immediately—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

ON FEDERAL RELATIONS

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1935

MR. SPEAKER. Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 2—Relative to memorializing the President and Congress to adopt the Townsend Plan relating to old age security—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted, as amended.

TURNER, Chairman.

Senate Joint Resolution No. 2 ordered on file for adoption.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1935.

MR. SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 1693—An act to add section 2.1 to an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to twelve rounds; to create an athletic commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," relating to the State Athletic Commission;

Also: Assembly Bill No. 1959—An act to add sections 306 and 306a to the Penal Code, relating to minors;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

GARIBALDI, Chairman.

The above reported bills ordered on file for second reading

WITHDRAWAL OF ASSEMBLY RESOLUTION BY MR. HEISINGER.

Mr. Heisinger withdrew his resolution appearing in Assembly Journal March 5, 1935, page 13.

EXPLANATORY REMARKS.

MR. SPEAKER AND MEMBERS OF THE ASSEMBLY: Yesterday morning when I presented a resolution to provide for a committee to investigate why the electric power feature had been eliminated from the Friant Dam of the Central Valley Project, I did so because my district and the cities in Fresno County are vitally interested in that feature of the program.

Since then there has been a meeting of the Central Valley Project Authority and by resolution they have ordered the engineers to make a further investigation to determine if the power feature can be included.

Their action in a measure accomplishes the purpose of my resolution and as my thought is to assist the project to the fullest extent I now ask that the resolution be not acted upon at this time.

S. L. HEISINGER

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 240—An act to amend section 362 of the Streets and Highways Code and to add section 603 thereto, relating to State highways.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 241—An act to amend section 7 of an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, relating to State highways.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 807—An act relating to public highways, the laying out, construction, improvement, maintenance, administration and control thereof, the allocation and expenditure of moneys appropriated therefor, declaring certain highways State highways, amending and repealing certain provisions of the Streets and Highways Code and adding certain provisions thereto, and repealing certain acts relating to public highways.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, after "counties", insert the following: "and all highways and all projects of any joint highway district to which the State has contributed any money prior to the effective date of this act,".

AMENDMENT NUMBER TWO.

On page 2, line 9, of the printed bill, after "purposes", insert the following: ", nor to institute any proceeding for the creation of, or to create any special assessment district for such purposes".

AMENDMENT NUMBER THREE.

On page 2, line 11, of the printed bill, strike out "county".

AMENDMENT NUMBER FOUR.

On page 2, line 21, of the printed bill, after "Sec. 8", insert the following: "All records, maps and other documents relating to county roads in the office of any county surveyor or county engineer shall be delivered to the department on October 1, 1935."

AMENDMENT NUMBER FIVE.

On page 3 of the printed bill, between lines 9 and 10, insert the following:

"SEC. 12.5. The department is authorized in accordance with law to employ and fix the compensation of such additional employees as are necessary to carry out the additional duties imposed upon it by this act. In making temporary appointments to the positions of rural engineer as provided in section 140.5 of the Streets and Highways Code, the department shall be limited to those applicants who on the effective date of this act were occupying the positions of county surveyor or county engineer of counties in this State. Each temporary appointment of a person to perform labor in any locality shall be made only from persons who have resided in the county in which such appointee will be required to work a majority of his time, for at least one year immediately prior to the effective date of this act."

AMENDMENT NUMBER SIX.

On page 3 of the printed bill, strike out line 36, and the word "located" in line 37, and insert in lieu thereof the following: "the county which made the commitment".

AMENDMENT NUMBER SEVEN.

On page 4, line 9, of the printed bill, strike out "county", and insert in lieu thereof "local governmental agency".

AMENDMENT NUMBER EIGHT.

On page 5 of the printed bill, between lines 18 and 19, insert the following:

"188. In apportioning the State highway fund money as required by this article, there shall be excluded from the computations of moneys expended any sums contributed by any person or governmental unit to pay any portion of the cost of constructing, improving or maintaining any State highway.

Any biennial balance remaining unexpended to the credit of a particular county group, or to a particular county, shall remain credited thereto."

AMENDMENT NUMBER NINE.

On page 5, line 19, of the printed bill, strike out "188", and insert in lieu thereof "189".

AMENDMENT NUMBER TEN.

On page 5, line 25, of the printed bill, strike out "189", and insert in lieu thereof "190".

AMENDMENT NUMBER ELEVEN.

On page 5, line 32, of the printed bill, strike out "190", and insert in lieu thereof "191".

AMENDMENT NUMBER TWELVE.

On page 5 of the printed bill, strike out line 42, and insert in lieu thereof the following:

"192. For the purpose of section 191 the population in each".

AMENDMENT NUMBER THIRTEEN.

On page 5, line 47, of the printed bill, strike out "192", and insert in lieu thereof "193".

AMENDMENT NUMBER FOURTEEN.

On page 6, line 1, of the printed bill, strike out "193", and insert in lieu thereof "194".

AMENDMENT NUMBER FIFTEEN.

On page 6, line 15, of the printed bill, strike out "194", and insert in lieu thereof "195".

AMENDMENT NUMBER SIXTEEN.

On page 6, line 22, of the printed bill, strike out "195", and insert in lieu thereof "196".

AMENDMENT NUMBER SEVENTEEN.

On page 6, line 26, of the printed bill, strike out "196", and insert in lieu thereof "197".

AMENDMENT NUMBER EIGHTEEN.

On page 6, line 28, of the printed bill, strike out "189 and 190", and insert in lieu thereof "190 and 191".

AMENDMENT NUMBER NINETEEN.

On page 6, line 38, of the printed bill, strike out "197", and insert in lieu thereof "198".

AMENDMENT NUMBER TWENTY.

On page 6, line 46, of the printed bill, strike out "198", and insert in lieu thereof "199".

AMENDMENT NUMBER TWENTY-ONE.

On page 7 of the printed bill, strike out lines 11 to 18, inclusive

AMENDMENT NUMBER TWENTY-TWO.

On page 7, line 19, of the printed bill, strike out "196", and insert in lieu thereof "197".

AMENDMENT NUMBER TWENTY-THREE

On page 7 of the printed bill, strike out all of lines 32 to 40, inclusive, and insert in lieu thereof the following: "as hereinafter provided. There shall first be set aside for expenditure in or for each county and consolidated city and county the sum of $5,000 for each quarter of a year. The balance remaining after such sums are set aside shall be apportioned for expenditure in the counties and consolidated cities and counties in the proportion that the number of vehicles registered in each bears to the total number registered in the State."

AMENDMENT NUMBER TWENTY-FOUR.

On page 7, line 41, of the printed bill, immediately after "203.", insert the following: "Any apportionment of money to a consolidated city and county shall be paid to such city and county at the times herein mentioned."

AMENDMENT NUMBER TWENTY-FIVE.

On page 7, lines 48 and 49, of the printed bill, strike out: "Such amounts shall be ascertained as follows:".

AMENDMENT NUMBER TWENTY-SIX.

On page 7 of the printed bill, strike out lines 50 to 52, inclusive, and on page 8, strike out lines 1 to 7, inclusive.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 8 of the printed bill, strike out lines 26 to 46, inclusive, and insert in lieu thereof the following: "purposes for which moneys from the State highway fund may be required to be expended under section 208."

AMENDMENT NUMBER TWENTY-EIGHT.

On page 9 of the printed bill, strike out lines 10 to 14, inclusive.

AMENDMENT NUMBER TWENTY-NINE.

On page 9, lines 23 and 24, of the printed bill, strike out "between the two county groups", and insert in lieu thereof the following: "among the counties."

AMENDMENT NUMBER THIRTY.

On page 9 of the printed bill, strike out all of lines 25 and 26, and insert in lieu thereof the following: "an expenditure within the borrowing county."

AMENDMENT NUMBER THIRTY-ONE.

On page 10, line 7, of the printed bill, strike out "a", and strike out all of lines 8 to 13, inclusive, and insert in lieu thereof the following: "twenty per cent of the sum apportioned to such county under the provisions of section 202."

AMENDMENT NUMBER THIRTY-TWO.

On page 10 of the printed bill, strike out line 37, and insert in lieu thereof the following: "charged to the county requesting such expenditure."

AMENDMENT NUMBER THIRTY-THREE.

On page 10, line 39, of the printed bill, strike out "group".

AMENDMENT NUMBER THIRTY-FOUR.

On page 10, line 41, of the printed bill, after "highways", insert the word "therein".

AMENDMENT NUMBER THIRTY-FIVE.

On page 10, line 50, of the printed bill, strike out the words "two county groups", and insert in lieu thereof "counties".

AMENDMENT NUMBER THIRTY-SIX.

On page 11 of the printed bill, between lines 7 and 8, insert the following:

"215. Upon written request of the board of supervisors of any county, the commission shall allocate to and the department shall expend such portion of the moneys allocated for expenditure in such county as is so requested, upon district State highways in any other county. Such request must be filed with the commission prior to December 31st of the year preceding the fiscal year during which the expenditure is to be made."

AMENDMENT NUMBER THIRTY-SEVEN.

On page 13 of the printed bill, between lines 36 and 37, insert the following:

"SEC. 27.5. A new section to be numbered 140.5 is hereby added to said code to read as follows:

140.5. To administer the construction and maintenance of district State highways, the department shall divide the State into such areas as will insure the efficient administration of district State highways. In each such area the department shall establish an office which shall be under the direction of a rural engineer. The department may provide for the supervision and administration of such offices, and the highways under the jurisdiction of each rural engineer, in such manner as will insure a unified State highway system."

AMENDMENT NUMBER THIRTY-EIGHT

On page 15, line 34, of the printed bill, strike out "760", and insert in lieu thereof "761".

AMENDMENT NUMBER THIRTY-NINE.

On page 15 of the printed bill, strike out lines 39 to 42, inclusive

AMENDMENT NUMBER FORTY.

On page 16 of the printed bill, strike out line 51, and insert in lieu thereof the following: "the commission. The commission may prescribe reasonable".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 88—An act to amend section 762 of the Political Code, relating to the office hours of clerks of the District Courts of Appeal.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 113—An act to amend section 1822bb of the Code of Civil Procedure, relating to the management, control, and disposal of estates of missing persons.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 129—An act to add a new section to the Code of Civil Procedure to be numbered 2056, relating to motions to strike an answer.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 130—An act to amend section 2021 of the Code of Civil Procedure, relating to depositions.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 185—An act to amend section 4300c of the Political Code, relating to recording fees.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 550—An act to amend section 2337 of the Political Code, relating to institutions.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 878—An act to amend section 1005 of the Code of Civil Procedure, relating to notice of motion.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 879—An act to add a new section to the Code of Civil Procedure, to be numbered 597, relating to the separate trial of any one or more of the issues joined.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1036—An act to amend section 1418 of the Penal Code, relating to the pardoning or commutation of sentence of convicts twice convicted of felony.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1059—An act to amend section 377 of the Code of Civil Procedure, relating to the maintenance of actions for damages against persons responsible for the death of another.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1232—An act to amend section 573 of the Probate Code of the State of California, relating to actions which may be maintained against executors and administrators.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1898—An act to add section 1313a to the Penal Code, relating to making wilful leaving jurisdiction of court after depositing bail a felony.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2306—An act to amend sections 630 and 630.5 of the Probate Code, relating to estates under $5,000.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 112—An act to amend section 105 of the Code of Civil Procedure, relating to justices' courts

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee·

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, after the word "peace", strike out the words "or police judge", and insert in lieu thereof the words "or a city police judge, or judge of the city court or other court of the city.".

AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, after the word "justice," strike out the words "or police judge", and insert in lieu thereof the words "or a city police judge, or judge of the city court or other court of the city,".

AMENDMENT NUMBER THREE.

On page 1, line 16, of the printed bill, after the word "justice," strike out the words "or police judge", and insert in lieu thereof the words "or a city police judge, or judge of the city court or other court of the city,".

AMENDMENT NUMBER FOUR.

On page 1, line 17, of the printed bill, after the word "justice," strike out the words "or police judge", and insert in lieu thereof the words "or a city police judge, or judge of the city court or other court of the city,".

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1235—An act to add to the Probate Code a new section, to be numbered 1068, relating to the discharge of executors and administrators and the termination of probate proceedings.

COMMITTEE AMENDMENTS

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, after the comma following the word "code", insert the following language "or by a verified petition signed by or on behalf of the executor or administrator".

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, strike out the comma after the word "administrator", and also strike out the words "by petition, may", and substitute in lieu thereof, following the word "*administrator*", the following words "may in said verified petition".

AMENDMENT NUMBER THREE.

On page 1, line 10, of the printed bill, strike out everything beginning with the words "by causing" etc., down to and including the word "hearing," in line 4, on page 2, and in lieu thereof substitute the following: "in the manner provided by section 1200 of the Probate Code."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1935.

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1271—An act imposing an excise tax on the storage, use or other

consumption in this State of tangible personal property, providing for the registration of retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof and providing that this act shall take effect immediately;

Also: Assembly Bill No. 1273—An act to amend the title and sections 2, 9, 15, 17, 18, 20, 21, 22, 23, 24, 26, 27, 30 and 33 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933; to repeal sections 7 and 19 of said act; to add sections 7 and 19 to said act; all relating to the taxation of the privilege of selling tangible personal property; and to provide that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

RILEY, Chairman.

The above reported bills ordered on file for second reading.

ANNOUNCEMENT.

The Speaker announced the receipt of the reports filed by the Railroad Commission, relative to salary and other data in response to Assembly resolutions appearing in Assembly Journal of January 25, 1935, page 55.

RECESS.

At ten o'clock and forty minutes a.m., on motion of Mr. Speaker, the Assembly was declared at recess until eleven o'clock a.m., of this day.

REASSEMBLED.

At eleven o'clock a.m., the Assembly reconvened.

Speaker Craig in the chair.

RESOLUTION.

The following resolution was offered:

By Messrs. Fulcher, Burns and O'Donnell:

ASSEMBLY RESOLUTION.

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrants on the contingent expense fund of the Assembly in favor of Clinton J. Fulcher in the sum of $27, Michael J. Burns in the sum of $33.60, and John H. O'Donnell in the sum of $24, said members being the special committee appointed to attend the funeral of Mrs. John B. McColl, wife of the Honorable John B. McColl, member of the Senate, at Redding, California, and said amounts being for expenses incurred in attending said funeral, and the State Treasurer is hereby directed to pay the same.

Resolution read.

Mr. Fulcher moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—70.

NOES—None

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON MOTOR VEHICLES.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1935.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 522—An act to amend section 400 of the Vehicle Code, relative to the

liability of governmental agencies—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1935.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1120—An act to amend sections 1, 3, 9, 12a, 15, 19, 20a and 20b and to add sections 3a, 3b, 3c, 3d, 3e, 3f, 3g, 3h, 3i, 9a, 9c, 12b, 20b, 20c, 20d, 20e, 20f, 20g, 20h, 20i, 20j and 20k to the California Real Estate Act, relating to the creation of the Real Estate Board and prescribing the powers and duties thereof, to the regulation and licensing of real estate brokers and salesmen, and to the inspection and regulation of subdivisions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1935.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 295—An act to amend section 2.251 of the School Code, relating to teachers' attendance reports;

Also: Assembly Bill No. 298—An act to repeal section 4.768, relating to reports of attendance in joint elementary school districts;

Also: Assembly Bill No. 310—An act to amend School Code section 4.928, relating to the apportionment of funds to high school districts;

Also: Assembly Bill No. 765—An act to amend section 3.172 of the School Code, relating to beginning classes of elementary schools;

Also: Assembly Bill No. 1880—An act to amend sections 5.930 and 5.931 of the School Code, both relating to balances due deceased recipients of annuities from the public school teachers' retirement salary fund;

Also: Assembly Bill No. 926—An act to amend section 3.472 of the School Code, relating to the transportation of teachers of agriculture employed by high school districts and engaged in supervising project work of pupils;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

CHATTERS; Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 927—An act to provide for the further development of vocational education in California by accepting the provisions and benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled and approved May 21, 1934; entitled "An act to provide for the further development of vocational education in the several States and Territories"; and making an appropriation therefor; and declaring the urgency thereof and providing that this act shall take effect immediately;

Also. Assembly Bill No. 930—An act to amend section 4.360 of the School Code, relating to school district budgets, declaring the urgency thereof and providing that this act shall take effect immediately;

Also: Assembly Bill No. 57—An act to repeal sections 2.879 and 2.880 of the School Code and to add thereto sections 2.879 and 2.880, relating to election of school trustees;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

CHATTERS, Chairman.

The above reported bills ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1935.

MR SPEAKER Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 278—An act for the relief of certain special assessment districts, and for that purpose authorizing any city or county, or city and county, upon consent of the holder of bonds, in connection with any refunding or liquidating plans to

adjust, annul, pay, waive, cancel, settle, refund, liquidate or discharge any taxes or assessments, penalties, interest or costs accrued or accruing, or levied or to be levied, and making available to such city or county, or city and county, the provisions of Chapter IX of the act of Congress entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, as amended, and any bankruptcy law or laws of the United States now or hereafter enacted, and to declare the urgency of this act, to take effect immediately,

Also: Assembly Bill No. 662—An act to provide for the refunding of bonds issued under the "Improvement Bond Act of 1915" and for extension of liens and assessments and the collection and enforcement of such assessments and the payment of said bonds;

Also: Assembly Bill No. 663—An act to amend an act entitled "An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments reassessments, to provide for the proceedings to test the validity of such refunding and reassessment, and to provide for contributions of public funds to assist in such refunding," approved June 5, 1933, by amending section 15 thereof relating to the issuance of refunding bonds, and declaring the urgency of said act;

Also: Assembly Bill No. 664—An act amending "An act in relation to relief from special assessments and in relation to financial relief therefrom, and of taxing districts, as defined in Chapter IX of the act of Congress entitled 'An act to establish a uniform system of bankruptcy throughout the United States,' approved July 1, 1898, as amended, validating petitions and proceedings under or in contemplation of proceedings under said Chapter IX, and authorizing contribution by cities and counties toward the payment of such assessments, and declaring the urgency thereof, to take effect immediately," and declaring the urgency thereof, to take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

WRIGHT, Chairman

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 734—An act to validate the organization and incorporation of municipal corporations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

WRIGHT, Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 665—An act to amend an act entitled "An act authorizing the common council, board of trustees, or other governing body of any incorporated city or town other than cities of the first class to refund its indebtedness, to issue bonds therefor, and to provide for the payment of the same," approved March 9, 1897, by amending section 1 thereof relating to refunding bonds and to the use of Federal courts in municipal bankruptcy or refunding proceedings;

Also: Assembly Bill No. 667—An act to provide for the refunding of bonds issued under an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition or construction of such improvements" approved April 20, 1915, and bonds issued under the Municipal Improvement District Act of 1927, and providing procedure therefor;

Also: Assembly Bill No. 668—An act to provide for the refunding of the bonded indebtedness of special improvement districts, the bonds of which are payable from special assessments levied wholly or partly in accordance with the assessed value of lands and for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts and the cancellation of unpaid taxes and assessments of such districts and for the levy of assessments and reassessments to pay such refunding bonds and to enforce the liens of such assessments and reassessments, and to provide for contributions of public funds to assist in such refunding or the payment of refunding bonds and for proceedings to test the validity of such

refunding and assessment or reassessment proceedings and the use of the bankrupt laws of the United States of America in any refunding;

Also Assembly Bill No. 847—An act to provide for the issuance of refunding bonds to represent and be secured by certain refunding assessments made for the purpose of refunding the outstanding indebtedness represented by bonds of special improvement districts payable from the special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the collection of such assessments, the sale of the property affected thereby, and for the payment of the bonds so issued;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

WRIGHT, Chairman

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 425—An act to amend "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, by amending sections 10 and 15b thereof and adding a new section thereto to be numbered 15c, relating to the publication of ordinances and the issuance of refunding bonds—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

WRIGHT, Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No 1236—An act to amend an act entitled "An act to authorize municipal corporations to issue bonds, for the purpose of investing the proceeds arising from the sale thereof, in other bonds issued for public improvements," approved April 26, 1909, by amending sections 1 and 3 thereof, relating to bonds to be purchased and the use of the funds;

Also: Assembly Bill No 1237—An act to provide for the adjudication of insolvency of certain special districts having indebtedness represented by outstanding bonds payable from special assessments levied wholly or in part, in accordance with the assessed value of lands, to provide for the liquidation of the indebtedness of such districts under the direction and control of the superior court, to provide for the fixing of limitation of liability of lands within such districts for the payment of such indebtedness, to provide for the collection, administration, control and distribution of the assets and income of such districts, and to provide for contributions of public funds to assist in such liquidation;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

WRIGHT, Chairman

The above reported bills ordered on file for second reading.

MOTION TO RE-REFER.

Mr. Cottrell moved that Assembly Bill No. 913 be withdrawn from Committee on Judiciary and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 913 to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 913 ordered re-referred to Committee on Ways and Means.

ANNOUNCEMENT OF APPOINTMENT.

The Speaker announced the appointment of Mr. James B. Utt as chairman of Committee on Financial Institutions.

RESOLUTION.

The following resolution was offered:

By Mr. Morgan:

ASSEMBLY RESOLUTION.

WHEREAS, The Supreme Judge of the Universe has called to his reward the former Justice Oliver Wendell Holmes of the United States Supreme Court; and

WHEREAS, The passing of Justice Holmes closes a career of 94 years which was constantly occupied with honored and devoted service to the rights of humanity; and

WHEREAS, Justice Holmes was for 29 years a distinguished member of the United States Supreme Court; and

WHEREAS, His voice was always lifted in defense of human rights and his scholarly mind constantly afforded the American people inspiring examples of clear thinking and plain speaking; now, therefore, be it

Resolved, That this Assembly hereby records its sense of profound loss in the passing of this distinguished and heroic figure in our National life; and be it further

Resolved, That this Assembly recognizes the late Justice Holmes as one who was always a brilliant jurist, a scholarly lawyer and an inspiring example of courage and leadership in high places; and be it further

Resolved, That when this Assembly adjourns at the close of this legislative day, it do so in respect to the memory of the late Justice Holmes.

Resolution read and adopted.

ASSEMBLY RESOLUTION.

By Messrs. Flint, et al—Acquisition, "Sears Point Toll Road."

Mr. Flint requested that the resolution be referred to Committee on Roads and Highways.

Request granted.

Assembly resolution ordered referred to Committee on Roads and Highways.

INTRODUCTION AND REFERENCE OF BILLS.

The following resolution was introduced:

By Mr. Lyon: Assembly Joint Resolution No. 38—Relative to memorializing the President and Congress to enact House Joint Resolution No. 143, introduced January 30, 1935, authorizing the awarding of Distinguished Service Medals to Tony Siminoff, Oliver F. Rominger, and Robert E. Beck, veterans of the Philippine Insurrection.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 38, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER THIRTY-EIGHT.

Assembly Joint Resolution No. 38—Relative to memorializing the President and Congress to enact House Joint Resolution No. 143, introduced January 30, 1935, authorizing the awarding of Distinguished Service Medals to Tony Siminoff, Oliver F. Rominger, and Robert E. Beck, veterans of the Philippine Insurrection.

Assembly Joint Resolution No. 38 read.

Mr. Lyon moved the adoption of Assembly Joint Resolution No. 38.

The question being on the adoption of Assembly Joint Resolution No. 38.

The roll was called, and Assembly Joint Resolution No. 38 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones,

Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Welsh, Wright, and Mr. Speaker—70.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 38 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 38.

Relative to memorializing the President and Congress to enact House Joint Resolution No. 143, introduced January 30, 1935, authorizing the awarding of Distinguished Service Medals to Tony Siminoff, Oliver F. Rominger, and Robert E Beck, veterans of the Philippine Insurrection.

WHEREAS, Tony Siminoff, Oliver F. Rominger, and Robert E. Beck volunteered and served in the Regular Army of the United States, and saw service in the same in the Philippine Insurrection; and

WHEREAS, Said Tony Siminoff, as member of Company K, Eighteenth Regiment United States Infantry; Oliver F. Rominger, as member of the band of the Eighteenth Regiment United States Infantry; and Robert E. Beck, as member of Company A, Eighteenth Regiment United States Infantry; at great risk to themselves and under fire of the enemy rendered first aid to Lieutenant F C. Bolles, Commander of Company F, Eighteenth Regiment United States Infantry, and carried him from the field of battle, and thus saved his life, so that he is now serving his country as a Major General in the United States Army; and

WHEREAS, Such brave and meritorious action on the part of said Tony Siminoff, Oliver F. Rominger, and Robert E. Beck, is deserving of award in commemoration thereof for such meritorious conduct in action involving an actual conflict with an enemy, said act taking place on February 12, 1899, during the action near Jaro, Philippine Islands; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the President and Congress of the United States be hereby respectfully urged to enact House Joint Resolution No. 143, awarding the Distinguished Service Medals to Tony Siminoff, Oliver F. Rominger, and Robert E. Beck, veterans of the Philippine Insurrection; and be it further

Resolved, That the Governor of the State of California is hereby requested to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and member of the House of Representatives from California in the Congress of the United States, and that such Senators and members from California are hereby respectfully urged to support such legislation, and that a copy of this resolution also be transmitted to the Secretary of War.

MOTION TO RE-REFER.

Mr. Hunt moved that Assembly Bill No. 157 be withdrawn from Committee on Crime Problems, and ordered re-referred to Committee on Labor and Capital.

The question being on re-referring Assembly Bill No. 157 to Committee on Labor and Capital.

Motion carried.

Assembly Bill No. 157 ordered re-referred to Committee on Labor and Capital.

REQUEST TO PRINT IN JOURNAL.

Mr. McMurray requested that the following report be printed in the Journal:

Request granted.

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS.
SACRAMENTO, March 4, 1935.

Mr. Arthur A. Ohnimus, Chief Clerk, Assembly, California Legislature, State Capitol, Sacramento, California.

DEAR MR. OHNIMUS: Reference is made to your letter of January 31st, enclosing copy of Assembly resolution as adopted on January 25, 1935, and shown on page 56 of the Assembly Journal, wherein the Department of Public Works is requested to submit to the Assembly an itemized and detailed account of its expenditures for construction and maintenance, etc.

In accordance with this request, I am enclosing a detailed statement as prepared by the Comptroller of this department and covering expenditures for maintenance and construction during the fiscal year July 1, 1933, to June 30, 1934. Also, attached is a statement of amounts paid direct to labor on all completed projects financed under Title II of the National Industrial Recovery Act and State highway funds during practically this same period. The amounts shown as paid to labor do not represent payments to labor in the case of commercially produced materials used in the project.

As it was not clear in our minds as to the intent and extent of the information desired by this resolution, the matter was taken up with Mr. McMurray, the author of this bill, who passed upon the information enclosed as being satisfactory, with the exception that he is also interested in receiving information as shown in the following questions and answers:

(1) Number of employees regularly employed on maintenance work? On June 30, 1934, there were 2662 employees engaged in field maintenance. (See page 87 of the Biennial Report of 1934.)

(2) Number of employees on part time or relief pay rolls? On June 30, 1934, there were 3004 part time employees on our maintenance pay rolls. (See page 87 of the Biennial Report of 1934.)

(3) Number of employees regularly engaged in construction and administration activities? On the June, 1934, pay roll, there were 2229 persons employed in central and district office administration and construction activities. This figure includes 173 free men employed in convict camps, 180 men on five special day labor projects, and 339 employed in our highway shops.

(4) Estimated number of employees employed by contractors? On June, 1934, there were 7500 men employed by contractors on road and bridge projects.

The statements made a part of this report have been prepared to provide the specific information requested in the resolution; and a considerable amount of detail regarding all phases of highway activities and expenditures is available in the Biennial Report of the Division of Highways, which was recently released, copies of which are available for any member of the Legislature.

With kindest personal regards, I am,

Very sincerely yours,

EARL LEE KELLY, Director of Public Works.

DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS

Expenditures for Maintenance and Construction, July 1, 1933, to June 30, 1934

Maintenance	Materials and supplies	Service and expense	Salaries and wages	Equipment	Total
General maintenance	$793,669 36	$114,422 15	$2,220,548 14	$775,500 28	$3,904,139 93
Major slides	51,398 30	12,769 93	322,405 45	207,603 83	594,177 51
Specific maintenance	569,741 13	398,018 59	362,758 68	196,209 96	1,526,728 36
Maintenance betterments	63,623 14	208,645 93	29,319 60	19,824 42	321,413 09
Maintenance general expense	80,663 30	43,625 56	403,780 19	52,504 32	580,573 37
Maintenance engineering	363 97	9,207 13	34,805 36	3,800 21	48,176 67
Subtotals	$1,559,459 20	$786,689 29	$3,373,617 42	$1,255,443 02	$6,975,208 93
Maintenance in cities ¼ cent	41,344 99	17,790 02	41,888 94	9,065 67	110,089 62
Totals	$1,600,804 19	$804,479 31	$3,415,506 36	$1,264,508 69	$7,085,298 55
Construction and reconstruction—					
Preliminary surveys and plans	$7,044 66	$335,201 68	$680,450 53	$27,195 56	$1,049,892 43
Right of way	2,252,192 27	811,375 97	176,477 96	24,561 39	3,264,607 59
Construction engineering	27,756 53	279,967 41	1,159,107 37	119,205 50	1,586,036 81
Construction, day labor	819,332 69	390,260 40	986,029 38	518,728 41	2,714,350 88
Construction, contracts*	107,340 41	16,256,746 50	35,313 62	2,016 58	16,401,417 11
Betterments, day labor	193,836 06	12,471 21	972,102 21	339,312 51	1,517,721 99
Betterments, contracts*	54 45	123,855 78	11 51		123,921 74
Joint highway districts		663,574 94			663,574 94
Subtotals	$3,407,557 07	$18,873,453 89	$4,009,492 58	$1,031,019 95	$27,321,523 49
Construction, cities ¼ cent	238,389 47	1,123,194 70	20,077 87	5,544 24	1,387,206 28
Totals	$3,645,946 54	$19,996,648 59	$4,029,570 45	$1,036,564 19	$28,708,729 77
Grand totals	$5,246,750 73	$20,801,127 90	$7,445,076 81	$2,301,072 88	$35,794,028 32

* Amounts appearing under Service and Expense for construction and betterment contracts are payments to contractors. An analysis of contracts amounting to over $11,000,000 indicates that 34 per cent of such payments to contractors are expended for labor. Applying this factor to the above payments to contractors and to the ¼-cent expenditures in cities would indicate that an additional $5,951,290 97 was expended for labor or a total of $13,396,367 78 on the above program of $35,794,028 32. These figures do not include labor employed in the production of material used on highway maintenance and construction.

Grading.

Project Number	Contract Number	Road	Payment to Contractor	Labor Cost	Per Cent
233	63T1	III-Sie-25-A	$30,000	$19,671	65
49-A	64TC1	IV-SCr-5-B	83,026	32,213	37
235-A	66XC1	VI-Ker-57-A	133,583	33,070	25
259-B	46CS6-66XC3	VI-Ker-58-D	101,338	46,152	45
229	63WC4	III-Yol-50-A	147,764	47,051	32
226-C	65WC2	V-Mon-56-F	148,708	50,491	34
259-A	46DS6-66X2	VI-Ker-58-D	143,925	57,301	40
45-A	41WC2-61WC1	I-Tri-20-C	115,857	67,851	59
197-B	62TC1	II-Teh-29-A	213,391	110,370	52
Totals			$1,117,592	$464,070	42

Grading and Gravel Surface.

Project Number	Contract Number	Road	Payment to Contractor	Labor Cost	Per Cent
218	21CN1-61WC3	I-Men-48-A	$44,774	$19,025	43
238	62WC1	II-Sis-82-D	51,108	19,599	38
231	610WC2	X-Cal-65-B	72,431	27,922	39
237	610WC3-410CN4	X-Ama-34-C	61,338	28,028	46
228	42CN13-62WC3	II-Mod-28-C	78,173	34,390	44
209-A	54TC1	IV-Son,Men-1-D,L	131,691	37,279	28
162-E	51TC1-61TC5	I-Men-1-I	70,058	37,918	54
174-A	63TC2	III-Col-7-C	104,212	39,269	38
249	65XC2	V-SLO-125-A	84,120	42,703	51
12-C	510TC1	X-Mpa-18-A,I,J	149,792	50,038	33
12-D 68	61TC1	I-D N-1-B	713,683	229,830	32
Totals			$1,561,380	$566,001	36

Grade and Bituminous Treated Surfacing.

Project Number	Contract Number	Road	Payment to Contractor	Labor Cost	Per Cent
161-B	66VC2	VI-Ker-4-F	$25,475 37	$7,194	28
234	58XC1	VIII-SBd-43-A	33,023.00	11,459	35
200-C	61TC4	I-Hum-1-A	33,349 00	14,460	43
253	611X1	XI-Imp-Riv-187-F,G,A,B	55,000 00	18,123	33
102-C	62TC3	II-Sis-3-A	61,026 00	18 482	30
225	64TC2	IV-Son-8-A	66,619 00	19,876	30
226-A	65WC1	V-Mon-56-H	52,520 00	19,931	38
236	610TC2	X-S,J-24-B	83,088 00	20,756	25
240	66XC2	VI-Ker-139-A	57,573 00	22,521	39
258	65XC1	V-S B-80-A,B	52,304 00	29,998	57
227-A	63TC2	V-Mon-2-F,E	116,901 00	32,475	28
49-A	24EC12-44EC9-64TC17	IV-SCr-5-B	183,930 00	32,895	18
110-A	63WC2	III-Nev-15-C,D	120,194.00	35,331	29
M-83-D H-83-A 204-D	59VC2	IX-Iny-23-D, Bis	129,941.00	36,631	28
40-A	52TC1-62TC2	II-Sha-28-A,B	130,962.00	44,297	34
243	61WC2	I-Lak-49-A,B	123,219 00	45,520	37
246	58XC2	VIII-SBd-59-A	139,695 00	69,689	50
220-A	42TC11	II-Sha-28-A	202,475 00	26,624	43
110-B	53WC1-63WC3	III-Pla,Nev-15-A,E	242,861 00	88,737	36
204-C	59FC2	IX-Mno-23-F,G	202,141 00	111,466	55
Totals			$2,112,000.00	$766,465	36

R. C. Bridges.

Project Number	Contract Number	Road	Payment to Contractor	Labor Cost	Per Cent
268	514WC3	III-Pla-38-A	$7,530	$3,710	49
H-136-A, M-136-A	614VC3	XI-S.D-2-B	13,931	8,379	60
245-A	614TC2	III-But-3-D	14,585	4,756	33
142-E	514TC4	X-Sac-4-B	15,605	8,159	52
243	614WC3	I-Lak-49-B	16,654	6,766	41
211-G	614XC8	VII-L A-26-D	18,428	7,160	39
NRM 211-E4	614XC7	VII-L A-26-L A	25,578	9,517	37
241	614XC2	VII-Ven-151-B	27,358	8,087	30
M-58-H4	411VC13-614VC11	V-S.B-2-S B	31,136	8,570	28
163-A	54VC1	VIII-SBd-26-A	36,748	11,952	33
226-A	614WC2	V-Mon-56-H	36,944	9,904	27
217-B	614TC6	X-Sol-7-H	39,307	11,366	29
NRM 211-E5	614XC9	VII-L.A-26-L A	40,650	12,051	30
232[a]	614XC4	Feeder Buaro St.	42,848	14,251	33
211-A	614XC1	VII-L.A-26-B	46,173	9,762	21
M-250-A2	614XC13	VII-L A-157-L A	48,233	23,311	48
136-A3	411VC11-614VC7	XI-S.D-2-A, B	69,999	27,793	40
S-258[a]	614XC11-411XC6	V-S.B-80-A, B	80,000	26,055	33
211-G	614XC10	VII-L.A-26-D	95,850	33,849	35
257-A	614VC5	VII-L.A-2-L A	134,280	47,300	35
Totals			$831,837	$291,698	35

Grade and A. C. Pavement.

Project Number	Contract Number	Road	Payment to Contractor	Labor Cost	Per Cent
172-D	611VC6	XI-S D-12-B, C	$22,607	$9,001	40
185-C	64TMC1-64TC11	IV-SCl-2-Gil	28,585	6,244	22
194-C	66TC3	VI-Fre-4-Fre	34,774	12,911	37
130-C	65VC4	V-S B-2-J	37,070	11,346	31
121-E	27VC13	VII-L A-9-H	37,234	16,582	44
149-B	64TC3	IV-C.C-14-A	40,604	10,608	26
24-I	47VC21	VII-Ora-2-Ana	44,706	14,905	33
2-A	47FCS-67VC11	VII-Ven-2-C	45,860	15,376	34
202-B	64TC7	IV-SCr-5-SCr	46,125	10,778	23
173-D	44TC9	IV-Mrn-1-Saus	48,520	15,737	32
194-C	66TC1	VI-Fre-4-Fre	50,631	14,099	28
223	44CN4	IV-C.C-14-B	51,780	15,841	31
171-C	610TC3	X-Sta-4-Mod	56,487	28,338	50
211-H	28XC6-68XC5	VIII-SBd-26-C	59,723	16,519	28
72-B	67VC5	VII-L A-9-A	76,026	29,353	39
M-171-D, H-171-E	610TC4	X-Sta-4-A, Tur	76,042	27,784	36
176-A 210-B	46CS5	VI-Tul-4-F	77,005	30,370	39
216-A	53EC1	III-Yub-3-A, B	86,530	28,206	33
161-F	46CS4, 411CS11	VI-Ker-4-G	93,416	43,281	46
264-B	64TC18	IV-Ala-5-S.Ln Oak	109,668	50,085	46
224-C	67VC7	VII-L A-60-LBch	124,822	44,539	36
179-C	65TC1	V-Mon-2-C	146,100	46,640	32
174-A	63TC4	III-Col-7-C	147,764	39,552	27
212-A	27FC22-47FC7-67VC10	VII-L A-23-C, D	176,806	61,167	35
248	64WC1	S C Co Feeder	186,671	42,290	23
H-58-B, 58-H2	65VC6	V-S B-2-K	192 691	54,009	28
131-D	611VC2	XI-Imp-27-A,B	223,849	67,638	30
NRM 58-H H-130-C2	65VC5	V-S.B-2-S B. S.B.P.K.	236,765	71,667	30
Totals			$2,558,811	$845,868	33

Grade and A. C. and P. C. C. Pavement.

Project Number	Contract Number	Road	Payment to Contractor	Labor Cost	Per Cent
73-E	67VC3	VII-L.A-2-Mtbl.	$50,512	$13,130	25
267-A	64WC2	IV-S.F-55-S.F.	108,364	22,732	21
188-A 13-B	67VC1	VII-L.A-4-A	117,445	41,794	35
3-A	64TC5, 64TC10	IV-Ala.C.C-14-A	312,597	69,531	22
180-C	63TC1	III-Pla-17-A,B	275,472	102,424	37
H-211-F M-211-G	67XC5	VII-L.A-26-D	319,613	104,437	33
Totals			$1,184,004	$354,048	30

P. C. C. Grade and Pavement.

Project Number	Contract Number	Road	Payment to Contractor	Labor Cost	Per Cent
130-D	65VC1	V-S.B-2-J	$23,167	$9,043	39
184-C[2]	68VC1	VIII-SBd-9-SBd	24,392	6,843	28
130-H	67VC2	VII-Ven-2-Ven	30,526	7,316	24
224-A, 224-B	47VC20	VII-L.A-60-F.LBch	41,615	11,064	27
M-57-A H-57-B	62TC4	II-Teh-3-C,R.B	51,825	21,316	42
58-D	25FC11	V-S.B-2-G	66,034	27,618	42
25-D	65VC2	V-SLO-2-E	72,353	13,912	19
137-D	611VC3	XI-Imp-26-A	74,659	15,969	21
211-D	68XC4	VIII-SBd-26-D	99,803	23,285	23
H-211-C M-211-C	67XC1	VII-L.A-26-C, Cov.	176,032	53,884	30
M-250-A	67XC3	VII-L A-157-L.A.	226,206	64,756	29
58-G	65VC3	V-S.B-2-F,E	313,764	140,036	45
Totals			$1,200,376	$395,042	33

Bridges.

Project Number	Contract Number	Road	Payment to Contractor	Labor Cost	Per Cent
H-209-A5	514TC6	IV-Son,Men-1-D,L	$25,640	$7,955	31
H-209-A6	514TC7	IV-Son,Men-1-D,L	25,938	8,174	31
240	614XC3	VI-Ker-139-A	26,895	4,843	18
177-E	514TC2	X-Mad-4-C	33,579	5,652	17
252[2]	514XC1-614XC12	XI-S.D-2-F	64,392	9,662	15
Totals			$176,444	$36,286	21

Steel and Timber.

Project Number	Contract Number	Road	Payment to Contractor	Labor Cost	Per Cent
211-E[3]	614XC6	VII-L.A-26-L.A	$23,652	$7,307	36
M-211-E[1]	614XC5	VII-L A-26-L.A	27,136	8,779	32
M-58-H[3]	411VC12-614VC8	V-S.B-2-S.B.	45,305	12,030	27
Totals			$96,093	$28,116	29

Steel and R. C.

Project Number	Contract Number	Road	Payment to Contractor	Labor Cost	Per Cent
231[3]	614WC5	X-Cal-65-B	$23,534	$8,708	37
H-209-A[3]	514TC1	IV-Son,Men-1-D,L	26,202	5,595	21
162-C	614TC4	I-Men-1-K	53,601	13,848	26
H-209-A[4]	514TC5	IV-Son,Men-1-D.L	68,124	20,430	29
130-B[3]	614VC6	VII-Ven-2-D,E,F	82,830	28,226	34
142-B	411TC23	X-Sac-4-A.B	93,624	30,824	33
H-209-A[2]	514TC3	IV-Son,Men-1-D,L	143,022	31,562	22
M-184-C	411CS10-614VC2	VIII-SBd-9-SBd	191,456	63,955	33
Totals			$682,393	$203,148	30

SUMMARY.

Number of Projects	*Type of Work*	*Payment to Contractor*	*Average Amount Paid*	*Amount to Labor*	*Per Cent to Labor*
9	Grading	$1,117,592	$124,173	$464,070	42
11	Grading and gravel surface	1,561,380	141,944	566,001	36
20	Grading and bituminous treated surface	2,112,000	104,336	766,465	36
20	Reinforced concrete bridges	841,837	41,815	292,698	35
28	Grading and asphalt concrete	2,558,811	91,386	845,868	33
3	Steel and timber bridges	96,093	33,031	29,326	30
8	Steel and reinforced concrete bridges	682,393	85,300	203,148	30
6	Grading and A. C. and P. C. C. pavement	1,184,004	197,334	354,048	30
12	Grading and P. C. C. pavement	1,200,375	100,031	395,042	33
5	Timber bridges	176,444	35,290	36,286	21
122		$11,530,930	$96,052	$3,952,942	34

MOTION TO RE-REFER.

Mr. Hawkins moved that Assembly Bill No. 71 be withdrawn from Committee on Judiciary, and ordered re-referred to Committee on Labor and Capital.

The question being on re-referring Assembly Bill No. 71 to Committee on Labor and Capital.

Motion carried.

Assembly Bill No. 71 ordered re-referred to Committee on Labor and Capital.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following constitutional amendment was introduced, and referred as indicated.

By Mr. Johnson: Assembly Constitutional Amendment No. 66—Proposed amendment to Article XIII, section 1½, of the Constitution, relative to exemption from taxes of property used solely and exclusively for religious worship.

Introduced, and referred to Committee on Constitutional Amendments

REQUEST FOR USE OF ASSEMBLY CHAMBER.

Mr. Anderson requested that the Assembly grant the use of the Assembly Chamber to the Committee on Unemployment, Thursday, March 7, 1935, at seven o'clock and thirty minutes p.m.

Request granted.

ADJOURNMENT.

At eleven o'clock and fifty minutes a.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Thursday, March 7, 1935, out of respect to the memory of the late former Justice Oliver Wendell Holmes.

CHARLES H. ERB, Minute Clerk

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, March 7, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—77.

Quorum present.

PRAYER.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Scudder, its further reading was dispensed with.

LEAVE OF ABSENCE.

On motion of Mr. Cronin, Mr. Williamson was granted leave of absence for this day.

PRIVILEGE OF FLOOR OF ASSEMBLY EXTENDED.

On request of Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Anson Ford.

On request of Mr. Cunningham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. John Anson Ford, Supervisor of Los Angeles County.

On request of Mr. Dawson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. George T. Davis, member of Assembly of New York Legislature.

On request of Mr. Brennan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. C. Harrold Caulfield, President of the Board of Education of San Francisco, and Mr. P. Paul Vlantin, Jr.

On request of Mr. Riley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Howard Deems of Long Beach.

On request of Mr. Stream, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. John C. Barger of Ramona, California.

On request of Mr. Cassidy, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. Ralph V. Richmond, Supervisor of Alameda County.

On request of Mr. Evans, Ralph W., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Sam M. Greene, former member of the Legislature.

On request of Mr. Donihue, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. George A. Janssen, Supervisor of Alameda County.

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Colonel Neb Holderman.

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Andrew Shreveland of Vallejo, California.

On request of Mr. Chatters, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Messrs. J. A. Rowe, W. C. Bradford, D. Rambo and J. H. Althouse of Terra Bella.

ASSISTANT CLERK OLIVER READING.

PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal:

By Mr. Speaker:

From Ruth Ruby, opposing increase of sales tax.

COMMUNICATION.

The following communication was received, and ordered printed in the Journal:

HOUSE OF REPRESENTATIVES, STATE OF WASHINGTON,
OLYMPIA, March 3, 1935.

To the Honorable, The Legislature of the State of California, Sacramento, California.

GENTLEMEN: Your attention is respectfully called to the enclosed memorial to the United States Congress seeking Federal aid for dental care of school children.

This memorial passed the Legislature of the State of Washington, receiving a vote of 71 to 23 in the House of Representatives, and 30 to 6 in the Senate.

The consideration of this proposal is requested by the appropriate committees of your Legislature, if and when in session.

Fraternally yours,

ADELA PARKER.

HOUSE JOINT MEMORIAL NUMBER THREE.

Relating to the use of public funds for the dental care of children in the public schools.

To His Excellency, the President of the United States, to the Honorable United States Health Commissioner, and to the Honorable Senate and House of Representatives of the United States.

Your memorialists, the Senate and House of Representatives of the State of Washington most respectfully represent and petition as follows:

WHEREAS, Educators have determined that defective teeth are a serious impediment to progress in the education of the young, as well as a factor in delinquency; and

WHEREAS, Competent authorities state that 98 per cent of the school children of the United States need dental care; and

WHEREAS, Under present circumstances the dental care of most of these children must necessarily be neglected to their serious loss throughout their lives; and

WHEREAS, Estimates show that the entire twenty-five million (25,000,000) public school children needing this care may receive it for about fifty million dollars ($50,000,000) the first year and a much reduced sum in the years thereafter; and

WHEREAS, No other expenditure of such a sum would contribute more to the health, happiness and progress of the youth of our Nation and to their well being as citizens in their adult years; and

WHEREAS, In the relief programs of the Nation little has been done for professional groups which have suffered extremely along with the manual workers; therefore, be it

Resolved, That your memorialists do respectfully urge that Federal funds be appropriated immediately to the amount of fifty million dollars ($50,000,000) or such sum as may be necessary to provide dental care for all pupils in the grade

and high schools of the United States who desire to avail themselves of this service, be it further

Resolved, That a copy of this memorial be transmitted to the President of the United States, to the United States Health Commissioner, to Mrs. Franklin D. Roosevelt and to each Senator and Representative in Congress from the State of Washington.

Passed the House January 29, 1935

(Signed) ROBT. F. WALDRON,
Speaker of the House.

Passed the Senate February 13, 1935

(Signed) VICTOR A. MEYERS,
President of the Senate.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 27—An act to amend section 1507 of the Probate Code, relating to order granting authority to petition;

Also: Assembly Bill No. 28—An act to amend section 1000 of the Probate Code, relating to petition and notice of hearing;

Also: Assembly Bill No. 29—An act to amend section 1657 of the Probate Code, relating to accounts of guardian,

Also: Assembly Bill No. 334—An act to amend sections 1068, 1085, 1103, 1108, 1162, 1269a, 1272a, 1274a, 1280, 1822a and 1822bb of the Code of Civil Procedure, relating to special proceedings;

Also: Assembly Bill No. 335—An act to amend sections 105, 112 and 165 of the Code of Civil Procedure, relating to courts of justice;

Also: Assembly Bill No. 637—An act to add section 21a to the Juvenile Court Law, relating to the prevention of juvenile delinquency through public councils or committees;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LYON, *Chairman*.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER. Your Committee on Judiciary, to which was referred Assembly Bill No. 639—An act to amend section 69 of the Civil Code, relating to applications for and issuance of licenses to marry;

Also: Assembly Bill No. 694—An act to amend sections 327, 810, 831, 841 and 1201 of the Probate Code, relating to publication of notices in probate proceedings;

Also: Assembly Bill No. 695—An act to amend section 784 of the Probate Code, relating to confirmation of sales of real property by executors and administrators;

Also: Assembly Bill No. 1066—An act to amend section 1238 of the Civil Code, relating to homesteads;

Also: Assembly Bill No. 1301—An act to amend section 718 of the Civil Code and section 842 of the Probate Code and to add a new section numbered 1538.5 to the Probate Code, relating to the leasing of property of a minor, insane or incompetent person, or of a decedent;

Also: Assembly Bill No. 1468—An act to add sections 8a to 8e, and 8p to 8u, inclusive, to the Juvenile Court Law, relating to forestry camps for wards of the juvenile court;

Also: Assembly Bill No. 1819—An act to add a new section to the Probate Code, to be numbered 1558, providing for allowances by the court to next of kin of an insane or incompetent person out of surplus income of said insane or incompetent person;

Also: Assembly Bill No. 2133—An act to amend sections 447 and 448 of the Code of Civil Procedure, relating to the pleading of written instruments;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LYON, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 714—An act to amend section 337 of the Code of Civil Procedure, relating to the time within which actions upon any contract, obligation or liability founded

upon a statement in writing may be commenced—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LYON, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2243—An act relating to fair trade practices, including a requirement that the contract between a manufacturer or producer and his dealer, distributor or agent may not be canceled without cause, providing for a hearing and judicial determination of the rights of the parties in such cases, and for the enforcement of the provisions of the act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LYON, Chairman.

The above reported bill ordered on file for second reading.

ON AVIATION AND AIRCRAFT.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1935.

MR. SPEAKER: Your Committee on Aviation and Aircraft, to which was referred Assembly Bill No. 248—An act to amend sections 3051, 3051a and 3052 of the Civil Code, relating to liens on aircraft and other personal property;

Also: Assembly Bill No. 249—An act relating to the use of the air and to make uniform the law with reference thereto; to provide for the licensing of aircraft, airmen and air navigation facilities; to provide for an Air Division as a part of and under the control of the Department of Motor Vehicles; to provide for the office of Chief of Air Division and its employees thereof; to provide for the revenue of the operation and maintenance of said Air Division and the manner of collecting same; to provide for the organization, powers and duties for the maintenance of the Aviation Division; to provide for the carrying out of the objects of this act; to provide for the time this act shall go into effect and to repeal all acts and parts of acts in conflict with this act; to provide for the enforcement of this act and the penalty for violations thereof;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

MORGAN, Chairman

The above reported bills ordered on file for second reading.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1935.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 656—An act to validate bonds, including refunding bonds, of irrigation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Assembly Bill No. 657—An act to amend sections 41c and 42 of the California Irrigation District Act, relating to the payment of irrigation district assessments;

Also: Assembly Bill No. 759—An act to amend section 47a of the California Irrigation District Act by adding thereto a provision authorizing payment of current assessments upon partial redemption;

Also: Assembly Bill No. 843—An act to repeal section 73a of the California Irrigation District Act, relating to the procedure by which property owners may be relieved from obligations of the district;

Also: Assembly Bill No. 1743—An act to amend the Palo Verde Irrigation District Act, approved June 21, 1923, as amended, by adding to said act, as amended, new sections to be numbered and providing as follows, to wit: Section 28½o, relating to disposal of tax-deeded and tax-delinquent lands; section 65, relating to proceedings in bankruptcy; section 66, relating to contracts with the United States or any agency thereof under an act approved May 5, 1917, as amended, and validating such contracts; section 67, validating bonds of the district; and section 68, validating rehabilitation plans; and declaring the legislative intent as to unconstitutionality;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

FRAZIER, Chairman.

The above reported bills ordered on file for second reading.

Also

MR SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 629—An act to amend The California Districts Securities Commission Act by amending section 11 thereof, relating to the levy of annual assessments by irrigation districts, and declaring the urgency thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1935.

MR SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1378—An act to amend section 2 of an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, relating to the maintenance of State highways—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

STREAM, Chairman

The above reported bill ordered on file for second reading.

Also.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 650—An act to amend the title of and section 8 of an act entitled "An act regulating the making of openings or the placing of structures or the change or renewal of any structure and the planting or removal of trees or shrubs or the placing of obstructions in or on State roads and highways; providing for the issuance of permits by the State Department of Public Works relative thereto, and for the laying or placing pipes, conduits, sewers, poles, wires, railways, obstructions and other objects, and for the planting, trimming or removal of trees or shrubs in or on State roads and highways; providing for the requirement of bonds from applicants before the issuance of such permits; and prescribing the penalty for violations of the provisions of this act," approved April 23, 1915, as amended, to provide for the relative rights of the State and cities, cities and counties, and counties in respect to franchises granted in highways subsequently declared to be State highways—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

STREAM, Chairman.

The above reported bill ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 88—An act to amend section 762 of the Political Code, relating to the office hours of clerks of the District Courts of Appeal;

Also: Assembly Bill No. 113—An act to amend section 1822bb of the Code of Civil Procedure, relating to the management, control, and disposal of estates of missing persons;

Also: Assembly Bill No. 129—An act to add a new section to the Code of Civil Procedure to be numbered 2056, relating to motions to strike an answer,

Also: Assembly Bill No 130—An act to amend section 2021 of the Code of Civil Procedure, relating to depositions;

Also: Assembly Bill No. 185—An act to amend section 4300c of the Political Code, relating to recording fees;

Also: Assembly Bill No. 240—An act to amend section 362 of the Streets and Highways Code and to add section 603 thereto, relating to State highways;

Also: Assembly Bill No. 550—An act to amend section 2337 of the Political Code, relating to institutions;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 878—An act to amend section 1005 of the Code of Civil Procedure, relating to notice of motion;

Also: Assembly Bill No. 879—An act to add a new section to the Code of Civil Procedure, to be numbered 597, relating to the separate trial of any one or more of the issues joined;

Also: Assembly Bill No. 1036—An act to amend section 1418 of the Penal Code, relating to the pardoning or commutation of sentence of convicts twice convicted of felony;

Also: Assembly Bill No. 1059—An act to amend section 377 of the Code of Civil Procedure, relating to the maintenance of actions for damages against persons responsible for the death of another;

Also: Assembly Bill No. 1232—An act to amend section 573 of the Probate Code of the State of California, relating to actions which may be maintained against executors and administrators;

Also: Assembly Bill No. 1898—An act to add section 1313a to the Penal Code, relating to making wilful leaving jurisdiction of court after depositing bail a felony;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 6, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 2381—An act relating to the transfer and expenditure of moneys for relief of hardship and destitution due to and caused by unemployment, and declaring the urgency hereof.

J. A. BEEK, Secretary of Senate.

Assembly Bill No. 2381 ordered to enrollment.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Miss Miller:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1935

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to regulate the practice of pest control; to create the State Pest Control Board, to provide for the registration and licensing of persons engaged in such practice, and for the protection of the public in the practice of pest control.

Referred to Committee on Introduction of Bills.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1901—An act relating to real estate transactions and imposing a tax thereon and providing for the enforcement and collection of the tax, this act to take effect immediately.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 7, of the printed bill, after "prescribe.", insert the following: "All money received by the commissioner shall be deposited in the treasury to the credit of the general fund."

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out lines 15 and 16, and insert in lieu thereof the following: "Is guilty of a misdemeanor.

SEC. 6 No instrument in writing in respect to which a tax is imposed by this act shall be recorded in the office of the recorder of any county or city and county unless the same has affixed thereto, or is accompanied by, the stamps required by this act. The recorder may require an affidavit of the person on whose behalf the instrument is sought to be recorded, as to the true value of the consideration paid, or of the property sought to be transferred."

AMENDMENT NUMBER THREE.

On page 2, line 17, of the printed bill, strike out "6.", and insert in lieu thereof the following: "7."

AMENDMENT NUMBER FOUR.

On page 2, line 20, of the printed bill, strike out "7.", and insert in lieu thereof the following: "8"

AMENDMENT NUMBER FIVE.

On page 2, line 24, of the printed bill, strike out the period, and insert in lieu thereof a semicolon and the following: "nor to any transfer made pursuant to an agreement entered into prior to the effective date of this act, when the sale price has been agreed upon in such agreement

SEC. 9. Any person who makes any transfer for security or otherwise for the purpose of evading the payment of the tax imposed by this act is guilty of a misdemeanor.

SEC. 10. Inasmuch as this act provides a tax levy for the usual current expenses of the State it shall take effect immediately."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1693—An act to add section 2.1 to an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to twelve rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," relating to the State Athletic Commission.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1959—An act to add sections 306 and 306a to the Penal Code, relating to minors.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1271—An act imposing an excise tax on the storage, use or other consumption in this State of tangible personal property, providing for the registration of retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof and providing that this act shall take effect immediately.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1273—An act to amend the title and sections 2, 9, 15, 17, 18, 20, 21, 22, 23, 24, 26, 27, 30, and 33 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933; to repeal sections 7 and 19 of said act; to add sections 7 and 19 to said act; all relating to the

taxation of the privilege of selling tangible personal property; and to provide that this act shall take effect immediately.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 522—An act to amend section 400 of the Vehicle Code, relative to the liability of governmental agencies.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1120—An act to amend sections 1, 3, 9, 12a, 15, 19, 20a and 20b and to add sections 2a, 3b, 3c, 3d, 3e, 3f, 3g, 3h, 3i, 9a, 9c, 12b, 20b, 20c, 20d, 20e, 20f, 20g, 20h, 20i, 20j and 20k to the California Real Estate Act, relating to the creation of the Real Estate Board and prescribing the powers and duties thereof, to the regulation and licensing of real estate brokers and salesmen, and to the inspection and regulation of subdivisions.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 295—An act to amend section 2.251 of the School Code, relating to teachers' attendance reports.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 298—An act to repeal section 4.768, relating to reports of attendance in joint elementary school districts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 310—An act to amend School Code section 4.928, relating to the apportionment of funds to high school districts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 765—An act to amend section 3.172 of the School Code, relating to beginning classes of elementary schools.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1880—An act to amend sections 5.930 and 5 931 of the School Code, both relating to balances due deceased recipients of annuities from the public school teacher's retirement salary fund.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 926—An act to amend section 3.472 of the School Code, relating to the transportation of teachers of agriculture employed by high school districts and engaged in supervising project work of pupils.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 927—An act to provide for the further development of vocational education in California by accepting the provisions and benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled and approved May 21, 1934, entitled "An act to provide for the further development of vocational education in the several States and Territories"; and making an appropriation therefor; and declaring the urgency thereof and providing that this act shall take effect immediately

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 930—An act to amend section 4.360 of the School Code, relating to school district budgets, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 57—An act to repeal sections 2 879 and 2 880 of the School Code and to add thereto sections 2.879 and 2.880, relating to election of school trustees.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 278—An act for the relief of certain special assessment districts, and for that purpose authorizing any city or county, or city and county, upon consent of the holder of bonds, in connection with any refunding or liquidating plans to adjust, annul, pay, waive, cancel, settle, refund, liquidate or discharge any taxes or assessments, penalties, interest or costs accrued or accruing, or levied or to be levied, and making available to such city or county, or city and county, the provisions of Chapter IX of the act of Congress entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, as amended, and any bankruptcy law or laws of the United States now or hereafter enacted, and to declare the urgency of this act, to take effect immediately.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 662—An act to provide for the refunding of bonds issued under the "Improvement Bond Act of 1915" and for the extension of liens and assessments and the collection and enforcement of such assessments and the payment of said bonds

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 663—An act to amend an act entitled "An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments, reassessments, to provide for the proceedings to test the validity of such refunding and reassessment, and to provide for contributions of public funds to assist in such refunding," approved June 5, 1933, by amending section 15 thereof, relating to the issuance of refunding bonds, and declaring the urgency of said act.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 664—An act amending "An act in relation to relief from special assessments and in relation to financial relief therefrom, and of taxing districts, as defined in Chapter IX of the act of Congress entitled 'An act to establish a uniform system of bankruptcy throughout the United States,' approved July 1, 1898, as amended, validating petitions and proceedings under or in contemplation of proceedings under, said Chapter IX, and authorizing contribution by cities and counties toward the payment of such assessments, and declar-

ing the urgency thereof, to take effect immediately," and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 734—An act to validate the organization and incorporation of municipal corporations.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 665—An act to amend an act entitled "An act authorizing the common council, board of trustees, or other governing body of any incorporated city or town other than cities of the first class to refund its indebtedness, to issue bonds therefor, and to provide for the payment of the same," approved March 9, 1897, by amending section 1 thereof, relating to refunding bonds and to the use of Federal Courts in municipal bankruptcy or refunding proceedings.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 667—An act to provide for the refunding of bonds issued under an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition or construction of such improvements," approved April 20, 1915, and bonds issued under the Municipal Improvement District Act of 1927, and providing procedure therefor.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 668—An act to provide for the refunding of the bonded indebtedness of special improvement districts, the bonds of which are payable from special assessments levied wholly or partly in accordance with the assessed value of lands and for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts and the cancellation of unpaid taxes and assessments of such districts, and for the levy of assessments and reassessments to pay such refunding bonds and to enforce the liens of such assessments and reassessments, and to provide for contributions of public funds to assist in such refunding or the payment of refunding bonds, and for proceedings to test the validity of such refunding and assessment or reassessment proceedings and the use of the bankrupt laws of the United States of America in any refunding.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 847—An act to provide for the issuance of refunding bonds to represent and be secured by certain refunding assessments made for the purpose of refunding the outstanding indebtedness represented by bonds of special improvement districts payable from the special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the collection of such assessments, the sale of the property affected thereby, and for the payment of the bonds so issued.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 425—An act to amend "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the

acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, by amending sections 10 and 15b thereof and adding a new section thereto to be numbered 15c, relating to the publication of ordinances and the issuance of refunding bonds.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out the last three lines of the title, and insert in lieu thereof the following: "sections 5 relating to the division of election precincts, 10 relating to the publication of ordinances, 12 relating to the issuance of revenue bonds and the investment of surplus moneys, 15b relating to the bonds of the district and their use as security, and adding a new section thereto to be numbered 15c, relating to the issuance of refunding bonds."

AMENDMENT NUMBER TWO

On page 1 of the printed bill, preceding line 1, insert the following:

"SECTION 1. Section 5 of the act cited in the title hereof is hereby amended to read as follows.

Sec. 5. Before calling said election the board of supervisors shall divide the proposed district into five wards or subdistricts, the boundaries of which shall be so drawn that each shall contain approximately an equal number of electors, as nearly as may be. The municipalities and any other territory included in the proposed district may be divided for the purpose of establishing the boundaries of said wards or subdistricts."

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out "SECTION 1", and insert in lieu thereof, "SEC. 2".

AMENDMENT NUMBER FOUR.

On page 1, after line 18, of the printed bill, insert the following:

"SEC. 3. Section 12 of the act cited in the title hereof is hereby amended to read as follows:

Sec 12 Any municipal utility district incorporated as herein provided shall have power

First—To have perpetual succession.

Second—To sue and be sued, except as otherwise provided herein or by law, in all actions and proceedings, in all courts and tribunals of competent jurisdiction.

Third—To adopt a seal and alter it at pleasure

Fourth—To take by grant, purchase, gift, devise, or lease, or condemn in proceedings under eminent domain, or otherwise acquire, and to hold and enjoy real and personal property of every kind within or without the district necessary to the full or convenient exercise of its powers. The directors of the district may lease, mortgage, sell or otherwise dispose of any real or personal property within or without the district when in their judgment it is for the best interests of the district so to do. The provisions of this section shall apply to all sales or mortgages heretofore or hereafter made.

Fifth—To acquire, construct, own, operate, control or use, within or without, or partly within and partly without, the district, works or parts of works for supplying the inhabitants of said district and municipalities therein, with light, water, power, heat, transportation, telephone service, or other means of communication, or means for the disposition of garbage, sewage, or refuse matter; and to do all things necessary or convenient to the full exercise of the powers herein granted, also to purchase any of the commodities or services aforementioned from any other utility district, municipality, person, or private company, and distribute the same. Whenever there is a surplus of water, light, heat or power above that which may be required by such inhabitants or municipalities within the district, such district shall have power to sell or otherwise dispose of such surplus outside of the district to persons, firms, and public or private corporations, or municipalities outside said district.

Whenever any of the facilities, works, or utilities of the district, or part thereof, is not used or employed to its fullest capacity for the benefit or requirements of the district or its inhabitants, such district shall have power to enter into an agreement or agreements with counties, cities, municipalities, irrigation districts, public utility companies, or any public corporations or agencies, upon such terms and conditions as may be satisfactory to its board of directors, for renting, leasing, or otherwise using the available portion or parts of such facilities, works, or utilities, and in connection with any such agreement, renting or leasing, the district may undertake or perform any services incidental thereto

Sixth—To have or exercise the right of eminent domain in the manner provided by law for the condemnation of private property for public use. To take any prop-

erty necessary or convenient to the exercise of the powers herein granted, whether such property be already devoted to the same use or otherwise. In the proceedings, venue and trial, relative to the exercise of such right the district shall have all the rights, powers and privileges of a municipal corporation, and all rights, powers and privileges herein conferred.

Seventh—To construct works across or along any street or public highway, or over any of the lands which are now or may be the property of this State, and to have the same rights and privileges appertaining thereto as have been or may be granted to municipalities within the State, and to construct its works across any stream of water or watercourse. The district shall restore any such street or highway to its former state as near as may be, and shall not use the same in a manner to unnecessarily impair its usefulness.

Eighth—To borrow money and incur indebtedness, and to issue bonds or other evidences of such indebtedness; also to refund or retire any indebtedness that may exist against or be assumed by the district; provided, no indebtedness shall be incurred exceeding the ordinary annual income and revenue of the district without the approval of a two-thirds vote of the electors voting on the proposition to incur such indebtedness; provided, however, that a further vote of the electors is not required for any indebtedness heretofore or hereafter incurred within the purposes and not exceeding the available amount of any previously authorized bond issue and as to such indebtedness the proceeds of any of such bonds unexpended in the treasury of the district, or the par value of any of such bonds which are unsold shall be deemed a part of the ordinary annual income and revenue of such district; provided further, that any district operating a utility under rules and regulations requiring applicants for extensions to advance the expenses of such extensions and facilities for serving additional territory may enter into agreements to refund to such applicants in a subsequent year the whole or any part of such expenses so advanced and such refunds may be paid out of the revenues of such subsequent years; provided, further, that revenue bonds or obligations payable solely out of the revenues of a utility and issued for the acquisition or construction of such utility or for extensions thereof or improvements or betterments thereto shall be negotiable instruments and shall not be deemed to be within the limitations of this section or the limitations of section 15 of this act.

Ninth—To levy and collect, or cause to be levied and collected, taxes for the purpose of carrying on the operations and paying the obligations of the district.

Tenth—To make contracts, to employ labor, and to do all acts necessary and convenient for the full exercise of the powers herein in this act granted.

Eleventh—To proceed in the name of the district in case of condemnation proceedings.

Twelfth—To invest any surplus money in the district treasury, including money in any sinking fund established for the purpose of providing for the payment of the principal or interest of any bonded or other indebtedness or for any other purpose, not required for the immediate necessities of the district, in its own bonds, or in the treasury notes or bonds of the United States, or of this State, or bonds of any city and county, city, school district or county water district situated within the county or counties in which the municipal utility district is situated in whole or in part, or bonds of any county which includes any part of such municipal utility district, and such investment may be made by direct purchase of any issue of such bonds or treasury notes, or part thereof, at the original sale of the same or by the subsequent purchase of such bonds or treasury notes Any bonds or treasury notes thus purchased and held may from time to time be sold and the proceeds reinvested in bonds or treasury notes as above provided. Sales of any bonds or treasury notes thus purchased and held shall from time to time be made in season so that the proceeds may be applied to the purposes for which the moneys with which the bonds or treasury notes were originally purchased, was placed in the treasury of the district."

AMENDMENT NUMBER FIVE.

On page 1, line 19, of the printed bill, strike out "Sec. 2", and insert in lieu thereof, "Sec. 4".

AMENDMENT NUMBER SIX.

On page 2, line 38, of the printed bill, strike out "Sec. 3", and insert in lieu thereof, "Sec. 5".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1236—An act to amend an act entitled "An act to authorize municipal corporations to issue bonds, for the purpose of investing the proceeds arising from the sale thereof, in other bonds issued for public improvements," approved April 26, 1909, by amending sections 1 and 3 thereof, relating to bonds to be purchased and use of the funds.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1237—An act to provide for the adjudication of insolvency of certain special districts having indebtedness represented by outstanding bonds payable from special assessments levied wholly or in part, in accordance with the assessed value of lands, to provide for the liquidation of the indebtedness of such districts under the direction and control of the superior court, to provide for the fixing of limitation of liability of lands within such districts for the payment of such indebtedness, to provide for the collection, administration, control and distribution of the assets and income of such districts, and to provide for contributions of public funds to assist in such liquidation.

Bill read second time, ordered to engrossment, and third reading.

THIRD READING OF SENATE BILLS.

Senate Joint Resolution No. 2—Relative to memorializing the President and Congress to adopt the Townsend Plan, relating to old age security.

COMMITTEE AMENDMENT.

During the reading of Senate Joint Resolution No. 2, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 2, of the title of the printed bill, strike out the word "adopt", and insert in lieu thereof the word "consider".

Amendment adopted.

Senate Joint Resolution No. 2 ordered to reprint, and on file for adoption.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 6, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 707—An act to empower and authorize the Relief Administrator named in section 10 of Article XVI of the Constitution of California, to reimburse the United States of America and/or relief agencies thereof, from the fund established by said section 10 of Article XVI of the Constitution of California, on account of moneys disbursed for unemployment relief in California.

J. A. BEEK, Secretary of Senate.

Senate Bill No. 707 read first time, and referred to Committee on Ways and Means.

RESOLUTION.

The following resolution was offered:

By Mr. Voigt:

ASSEMBLY RESOLUTION.

WHEREAS, From time to time certain legislation is enacted which depends for its success upon the cooperation of other States; and,

WHEREAS, It is desirable that a committee of the Assembly be empowered to deal with matters which require such interstate cooperation; and,

WHEREAS, It is necessary to enlarge the scope of the activities of the present Assembly standing Committee on Federal Relations to enable the same to consider such interstate problems; now, therefore, be it

Resolved by the Assembly of the State of California, That Assembly Standing Rule No. 74 be amended to change the name of Committee No. 21 from "Federal Relations" to "Federal and Interstate Relations."

Resolution read, and referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1935.

MR SPEAKER Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to regulate the practice of pest control; to create the State Pest Control Board; to provide for the registration and licensing of persons engaged in such practice, and for the protection of the public in the practice of pest control.

CUNNINGHAM, Chairman.

Report read.

Mr. Cunningham moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Wright, and Mr. Speaker—66.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Miss Miller: Assembly Bill No. 2382—An act to regulate the practice of pest control; to create the State Pest Control Board; to provide for the registration and licensing of persons engaged in such practice, and for the protection of the public in the practice of pest control.

Bill read first time, and referred to Committee on Agriculture.

MOTION TO RE-REFER.

Mr. Flint moved that Assembly Bill No. 1593 be withdrawn from Committee on Judiciary, and ordered re-referred to Committee on Revenue and Taxation

The question being on re-referring Assembly Bill No. 1593 to Committee on Revenue and Taxation.

Motion carried.

Assembly Bill No 1593 ordered re-referred to Committee on Revenue and Taxation.

MOTION TO RE-REFER.

Mr. Mayo moved that Assembly Bill No. 444 be withdrawn from Committee on Motor Vehicles, and ordered re-referred to Committee on Roads and Highways.

The question being on re-referring Assembly Bill No. 444 to Committee on Roads and Highways.

Motion carried.

Assembly Bill No. 444 ordered re-referred to Committee on Roads and Highways.

RESOLUTION.

The following resolution was offered:

By Mr. Maloney:

March 7, 1935.

WHEREAS, The editor of the Brotherhoods' National paper, "Labor," published in Washington, D. C., has extended the courtesy of sending a copy of each week's edition to the members of the Legislature during this session, upon request of the representatives of the Railroad Brotherhoods in this State; be it therefore

Resolved, That the Assembly, through its Chief Clerk, extend to Mr. Edward Keating, former Congressman and present editor of "Labor," our sincere appreciation for the courtesy accorded us.

JONES.
HUNT.
MALONEY.

Resolution read and adopted.

ANNOUNCEMENT.

Miss Miller called the attention of the Assembly to the birthday of the late Luther Burbank, and Arbor Day.

MOTION TO RE-REFER.

Mr. Wright moved that Assembly Bill No 72 be withdrawn from Committee on Elections, and ordered re-referred to Committee on Municipal Corporations.

The question being on re-referring Assembly Bill No. 72 to Committee on Municipal Corporations.

Motion carried.

Assembly Bill No. 72 ordered re-referred to Committee on Municipal Corporations.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1935.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 913—An act to amend section 662 of the Political Code, relating to the payment of fees to private persons, firms and corporations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, as amended.

COTTRELL, Chairman

The above reported bill ordered on file for second reading.

RECESS.

At ten o'clock and forty minutes a.m., on motion of Mr. Lyon, the Assembly was declared at recess until eleven o'clock a.m. of this day.

REASSEMBLED.

At eleven o'clock a.m., the Assembly reconvened.

Speaker Craig in the chair.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON COUNTY GOVERNMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1935.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1640—An act to amend section 3866 and to repeal section 3871 of the Political Code, relating to settlements between county treasurers and the State;

Also: Assembly Bill No. 2171—An act to amend section 4247 of the Political Code, relating to salaries of county officers in counties of the eighteenth class; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

DELAP, Chairman.

The above reported bills ordered on file for second reading.

RESOLUTION.

The following resolution was offered:

By Messrs. Crowley and Phillips:

ASSEMBLY RESOLUTION.

WHEREAS, The Assembly has just had installed a new public address system, necessitating the removal of the old system now obsolete and no longer satisfactory for use in the Assembly; and

WHEREAS, The old public address system could be used to good advantage at the Veteran's Welfare Home at Yountville as an aid and assistance to the many public meetings held at the home; now, therefore, be it

Resolved, by the Assembly, That the Sergeant-at-Arms of the Assembly and the Superintendent of Buildings and Grounds are authorized and directed to transfer the old public address system of the Assembly to, and make the same available for use at, the Veteran's Home at Yountville.

Resolution read.

Mr. Crowley moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—67.

NOES—None.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1935

MR. SPEAKER: Your Committee on Attaches respectfully begs to report that it has carefully considered the applications for the various positions and desires to submit the following resolution:

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same:

Commencing March 3, 1935—	*Per day*
Joseph Moloney, Sergeant-at-Arms	$8 00
Ruth Dickey, File Clerk	7 00
Glen E. Coolidge, Assistant Clerk	7 00
Alice M. Atkinson, Stenographer	5 00

Commencing March 4, 1935—	*Per day*
Arthur A. Ohnimus, Chief Clerk	$10 00
Fred J. Desch, Assistant Chief Clerk	9 00
Charles H. Erb, Minute Clerk	9 00
Andrew J. Kelly, Assistant Minute Clerk	7 00
David J. Oliver, Assistant Clerk	7 00
Lee Day, Journal Clerk	7 00
Wm. I. Gunlock, Enrolling Clerk	7 00
Myron J. Bonham, History Clerk	7 00
Juanita L. Dependener, Chief Stenographer	6 00
Honore M. Janney, Secretary Judiciary Committee	6 00
Harry R. Jackson, Assistant Enrolling Clerk	5 00
Paul Cronin, Assistant Journal Clerk	5 00
Sarge Clark, Bookkeeper Assistant Sergeant-at-Arms	5 00
Mrs. E. C. Crowley, Assistant Sergeant-at-Arms	5 00
Eugene Sullivan, Assistant Sergeant-at-Arms	5 00
Paul Botsai, Assistant Sergeant-at-Arms	5 00
Arthur Engler, Assistant Sergeant-at-Arms	5 00
William F. Gavin, Assistant Sergeant-at-Arms	5 00
A. J. Marshall, Assistant Sergeant-at-Arms	5 00
Irving Mahoney, Assistant Sergeant-at-Arms	5 00
Ormond H. Nelson, Assistant Sergeant-at-Arms	5 00
Leo Richardson, Assistant Sergeant-at-Arms	5 00
Allan Spence, Assistant History Clerk	5 00
Viva Alexander, Stenographer	5 00
Mrs. E. N. Longley, Stenographer	5 00
Mary Spining, Stenographer	5 00
Pearl L. McCullough, Stenographer	5 00
Helen Hutchings, Stenographer	5 00
May Gilmore, Stenographer	5 00
Cristel Hastings, Stenographer	5 00
Mary Burns, Stenographer	5 00
Madeline Hoppin, Stenographer	5 00
Ardene Bourne, Stenographer	5 00
Ethel Lachtman, Stenographer	5 00
Beatrice Rae, Stenographer	5 00
Loraine Christiansen, Stenographer	5 00
Margaret Chenu, Stenographer	5 00
Rose Klimovich, Stenographer	5 00
Nancy Swanson, Stenographer	5 00
Evelyn Towler, Stenographer	5 00
Anna Medbury, Stenographer	5 00
Father J. E. Tumulty, Chaplain	4 00
Mona L. Christiansen, Postmistress	4 00
Florence Miller, Assistant Postmistress	4 00
Harold Cutlip, Page	2 50
Bob Millington, Page	2 50
James Clancy, Page	2 50
Phillip Marton, Page	2 50
John O'Donnell, Jr., Page	2 50
Commencing March 5, 1935—	
Art Young, Assistant Sergeant-at-Arms	$5 00
Val Hearne, Assistant Sergeant-at-Arms	5 00
Beulah Van Wart, Assistant Clerk	7 00
Maurine Arrington, Stenographer	5 00
Irene Cirac, Stenographer	5 00
Mary C. Flynn, Stenographer	5 00

Resolved further, That the compensation of the above named attaches shall be on a six-day per week basis, except the elective officers of Chief Clerk, Assistant Chief Clerk, Minute Clerk, Sergeant-at-Arms, Enrollment and Engrossment Clerk (appointive), Honore Janney (appointive), and Viva Alexander (appointive), who shall receive compensation on a seven-day per week basis.

UTT, Chairman.

Report and resolution read.

Mr. Utt moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond,

Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—71.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced, and referred as indicated:

By Mr. Lyon: Assembly Joint Resolution No. 39—Relative to memorializing Congress to incorporate in a National Old Age Pension Plan the principles and objectives of the Townsend Plan.

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Lyon asked for unanimous consent to take up Assembly Joint Resolution No. 39, at this time, without reference to printer, committee or file, and that same be considered engrossed.

OBJECTION TO UNANIMOUS CONSENT.

Mr. Welsh objected to granting unanimous consent.

MOTION.

Mr. Lyon moved to suspend the rules.

The question being: Shall the rules of the Assembly be suspended?

The roll was called, and the motion to suspend the rules was refused adoption by the following vote:

AYES—Burns, Chatters, Corwin, Cottrell, Cunningham, Dawson, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Garibaldi, Gilbert, Hunt, Johnson, Jones, Kallam, Latham, Lyon, Martin, Mayo, McBride, Miller, Minard, Morgan, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Walker, Waters, Wright, and Mr. Speaker—43.

NOES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Clark, Cronin, Desmond, Donihue, Evans, Ralph W., Flint, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Laughlin, Lore, Maloney, McCarthy, McMurray, Meehan, Patterson, Pelletier, Voigt, Wagner, Wallace, and Welsh—30.

Assembly Joint Resolution No. 39 ordered referred to Committee on Federal Relations.

STATEMENT BY MR. ROY J. NIELSEN.

When the vote for suspension of the rules for the immediate consideration of the Townsend Plan resolution came up this day I was unavoidably out of the chamber Had I been here I would have voted for the immediate consideration of the resolution.

ROY J. NIELSEN.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON CIVIL SERVICE.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1935.

MR. SPEAKER: Your Committee on Civil Service, to which was referred Assembly Bill No. 1393—An act to add section 195.5 to the Military Code, relating to status of civil service employees in time of war—has had the same under consideration, and respectfully reports the same back, and recommends that the same do pass.

NIELSEN, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Civil Service, to which was referred Assembly Bill No. 585—An act to amend sections 8, 10, 42, 47 and 108 of an act entitled "An act to provide for the creation, establishment and adjustment with other such systems, of a retirement system for employees of the State of California, and make

an appropriation therefor," approved June 9, 1931, relating to the State Employees' Retirement System—has had the same under consideration, and respectfully reports the same back, and recommends that the same do pass.

NIELSEN, Chairman

The above reported bill ordered on file for second reading.

REQUEST FOR USE OF ASSEMBLY CHAMBER.

Mr. Stream requested that the Assembly grant the use of the Assembly Chamber to the Committee on Roads and Highways, Thursday, March 21, 1935, at two o'clock and thirty minutes p.m.

Request granted.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Utt:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to prohibit and declare void certain contracts, conditions, agreements and understandings in connection with the sale or contract to sell motor vehicles by manufacturers or distributors thereof, and prohibiting the giving or payment of any thing or service of value by any manufacturer or distributor of motor vehicles to any one engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles, and the acceptance or receipt thereof by any such person when competition in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles may be lessened or eliminated, or a monopoly created or tended to be created, and prohibiting from doing business in this State any one engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles who so accepts or receives any thing or service of value from any manufacturer or distributor of motor vehicles, and prescribing penalties, forfeitures, and recoveries for the violation thereof.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1935.

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to prohibit and declare void certain contracts, conditions, agreements and understandings in connection with the sale or contract to sell motor vehicles by manufacturers or distributors thereof, and prohibiting the giving or payment of any thing or service of value by any manufacturer or distributor of motor vehicles to any one engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles, and the acceptance or receipt thereof by any such person when competition in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles may be lessened or eliminated, or a monopoly created or tended to be created, and prohibiting from doing business in this State any one engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles who so accepts or receives any thing or service of value from any manufacturer or distributor of motor vehicles, and prescribing penalties, forfeitures, and recoveries for the violation thereof.

CUNNINGHAM, Chairman.

Report read.

Mr. Cunningham moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly,

Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Wright, and Mr. Speaker—69.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced, and referred as indicated:

By Mr. Utt: Assembly Bill No. 2383—An act to prohibit and declare void certain contracts, conditions, agreements and understandings in connection with the sale or contract to sell motor vehicles by manufacturers or distributors thereof, and prohibiting the giving or payment of any thing or service of value by any manufacturer or distributor of motor vehicles to anyone engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles, and the acceptance or receipt thereof by any such person when competition in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles may be lessened or eliminated, or a monopoly created or tended to be created, and prohibiting from doing business in this State anyone engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles who so accepts or receives any thing or service of value from any manufacturer or distributor of motor vehicles, and prescribing penalties, forfeitures, and recoveries for the violation thereof.

Bill read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 24—Relative to the adjournment of the Legislature out of respect to the memory of the late Honorable Dana P Eicke;

Also: Assembly Concurrent Resolution No. 25—Relative to the death of Fremont Older;

Also: Assembly Concurrent Resolution No. 26—Relative to the death of Emma D. Jordan;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this seventh day of March, 1935, at eleven o'clock a.m.

WATERS, Chairman

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2379—An act to authorize the legislative bodies of counties, cities and cities and counties, directly, or through a duly authorized representative or representatives, to attend the sessions of the Legislature of the State of California and to appear before said Legislature and the committees thereof and making the cost incidental thereto a proper charge against the funds of the county, or city or city and county, and declaring the urgency thereof—and reports that the same has been correctly enrolled, and presented the same to the Governor on this seventh day of March, 1935, at eleven o'clock a.m.

WATERS, Chairman.

MOTION TO RE-REFER

Mr Anderson moved that Assembly Bill No. 328 be withdrawn from Committee on Public Utilities, and ordered re-referred to Committee on Labor and Capital.

The question being on re-referring Assembly Bill No. 328 to Committee on Labor and Capital.

Motion carried.

Assembly Bill No 328 ordered re-referred to Committee on Labor and Capital.

ADJOURNMENT.

At eleven o'clock and fifty minutes a.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Friday, March 8, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, March 8, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, Desmond, Donihue, Donnelly, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Heisinger, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—61.

Quorum present.

PRAYER.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Redwine, its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. Minard, Mr. DeLap was granted leave of absence for the day.

On motion of Mr. Lyon, Mr. Evans, Herbert J., was granted leave of absence for the day.

On motion of Mr. Cronin, Mr. Williamson was granted leave of absence for the day.

PRIVILEGE OF FLOOR OF ASSEMBLY EXTENDED.

On request of Mr. McMurray, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. George C. Delany, Jr., of Mono County.

On request of Mr. Burns, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. J. J. McNa-

mara, Supervisor of Crescent City, Del Norte County, (formerly known as the Valley Butcher).

On request of Mr. Brennan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. W. J. Fitzgerald, Sheriff of San Francisco, and Mr. Leo Cunningham.

On request of Mr. Garibaldi, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. P. J. Thornton, County Clerk of Merced County.

On request of Mr. Burns, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Harry M. Burke, County Clerk of Mendocino County.

On request of Mr. Walker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Hugh Osborne.

On request of Mr. McBride, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Al Barnes, District Attorney, Ventura County.

ASSISTANT CLERK COOLIDGE READING.

PRESENTATION OF PETITION.

The following petition was presented, and ordered printed in the Journal.

By Mr. Speaker:

From J. H. Wright, protesting against the passage of Assembly Bill No. 1282

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1935

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Bill No. 1085—An act relating to the memorialization of Congress to furnish aid in the construction of check dams in the Salinas River Valley;

Also. Assembly Bill No. 1086—An act relating to the memorialization of Congress to aid the rubber industry in the United States and in California;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

TURNER, Chairman

The above reported bills ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 57—An act to repeal sections 2.879 and 2.880 of the School Code and to add thereto sections 2.879 and 2.880, relating to election of school trustees;

Also. Assembly Bill No. 112—An act to amend section 105 of the Code of Civil Procedure, relating to justices' courts;

Also: Assembly Bill No. 295—An act to amend section 2.251 of the School Code, relating to teachers' attendance reports;

Also. Assembly Bill No. 298—An act to repeal section 4.768, relating to reports of attendance in joint elementary school districts;

Also. Assembly Bill No. 522—An act to amend section 400 of the Vehicle Code, relative to the liability of governmental agencies;

Also: Assembly Bill No. 663—An act to amend an act entitled "An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments, reassessments, to provide for the proceedings to test the validity of such refunding and reassessment, and to provide for contributions of public funds to assist in such refunding,"

approved June 5, 1933, by amending section 15 thereof relating to the issuance of refunding bonds, and declaring the urgency of said act;
And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 667—An act to provide for the refunding of bonds issued under an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities, for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition or construction of such improvements," approved April 20, 1915, and bonds issued under the Municipal Improvement District Act of 1927, and providing procedure therefor;

Also: Assembly Bill No. 807—An act relating to public highways, the laying out, construction, improvement, maintenance, administration and control thereof, the allocation and expenditure of moneys appropriated therefor, declaring certain highways State highways, amending and repealing certain provisions of the Streets and Highways Code and adding certain provisions thereto, and repealing certain acts relating to public highways;

Also: Assembly Bill No. 668—An act to provide for the refunding of the bonded indebtedness of special improvement districts, the bonds of which are payable from special assessments levied wholly or partly in accordance with the assessed value of lands and for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts and the cancellation of unpaid taxes and assessments of such districts, and for the levy of assessments and reassessments to pay such refunding bonds and to enforce the liens of such assessments and reassessments, and to provide for contributions of public funds to assist in such refunding or the payment of refunding bonds, and for proceedings to test the validity of such refunding and assessment or reassessment proceedings and the use of the bankrupt laws of the United States of America in any refunding;

Also: Assembly Bill No. 734—An act to validate the organization and incorporation of municipal corporations,

Also: Assembly Bill No. 765—An act to amend section 3.172 of the School Code, relating to beginning classes of elementary schools,
And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 926—An act to amend section 3.472 of the School Code, relating to the transportation of teachers of agriculture employed by high school districts and engaged in supervising project work of pupils;

Also: Assembly Bill No. 927—An act to provide for the further development of vocational education in California by accepting the provisions and benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled and approved May 21, 1934; entitled "An act to provide for the further development of vocational education in the several States and territories"; and making an appropriation therefor; and declaring the urgency thereof and providing that this act shall take effect immediately;

Also: Assembly Bill No. 930—An act to amend section 4.360 of the School Code, relating to school district budgets, declaring the urgency thereof and providing that this act shall take effect immediately;

Also: Assembly Bill No. 1120—An act to amend sections 1, 3, 9, 12a, 15, 19, 20a and 20b and to add sections 3a, 3b, 3c, 3d, 3e, 3f, 3g, 3h, 3i, 9a, 9c, 12b, 20b, 20c, 20d, 20e, 20f, 20g, 20h, 20i, 20j and 20k to the California Real Estate Act, relating to the creation of the Real Estate Board and prescribing the powers and duties thereof, to the regulation and licensing of real estate brokers and salesmen, and to the inspection and regulation of subdivisions;

Also: Assembly Bill No. 1235—An act to add to the Probate Code a new section to be numbered 1068, relating to the discharge of executors and administrators and the termination of probate proceedings;
And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1236—An act to amend an act entitled "An act to authorize municipal corporations to issue bonds, for the purpose of investing the proceeds arising from the sale thereof, in other bonds issued for public improvements," approved

April 26, 1909, by amending sections 1 and 3 thereof, relating to bonds to be purchased and the use of the funds;

Also: Assembly Bill No. 1237—An act to provide for the adjudication of insolvency of certain special districts having indebtedness represented by outstanding bonds payable from special assessments levied wholly or in part, in accordance with the assessed value of lands, to provide for the liquidation of the indebtedness of such districts under the direction and control of the superior court, to provide for the fixing of limitation of liability of lands within such districts for the payment of such indebtedness, to provide for the collection, administration, control and distribution of the assets and income of such districts, and to provide for contributions of public funds to assist in such liquidation;

Also: Assembly Bill No. 1271—An act imposing an excise tax on the storage, use or other consumption in this State of tangible personal property, providing for the registration of retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof and providing that this act shall take effect immediately;

Also: Assembly Bill No. 1693—An act to add section 2 1 to an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to twelve rounds; to create an athletic commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," relating to the State Athletic Commission;

And reports that the same have been correctly engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1880—An act to amend sections 5 930 and 5 931 of the School Code, both relating to balances due deceased recipients of annuities from the public school teachers' retirement salary fund;

Also: Assembly Bill No. 1273—An act to amend the title and sections 2, 9, 15, 17, 18, 20, 21, 22, 23, 24, 26, 27, 30 and 33 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933; to repeal sections 7 and 19 of said act; to add sections 7 and 19 to said act; all relating to the taxation of the privilege of selling tangible personal property; and to provide that this act shall take effect immediately;

Also: Assembly Bill No. 1959—An act to add sections 306 and 306a to the Penal Code, relating to minors;

And reports that the same have been correctly engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

ON INSURANCE

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1935.

MR SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1641—An act to amend section 46 of the Workmen's Compensation Insurance and Safety Act, approved May 26, 1913, relating to insurance carriage of the State and certain political subdivisions, public corporations and quasi public corporations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

MINARD, Chairman.

The above reported bill ordered on file for second reading.

ON FINANCIAL INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1935.

MR SPEAKER: Your Committee on Financial Institutions, to which was referred Assembly Bill No. 239—An act to amend the title and sections 4, 4a, 5 and 23 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the rates thereof and the extension thereof to companies, other than insurance companies, specified in section 14 of Article XIII of the Constitution of

this State—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Revenue and Taxation.

UTT, Chairman.

The above reported bill ordered re-referred to Committee on Revenue and Taxation.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No 913—An act to amend section 662 of the Political Code, relating to the payment of fees to private persons, firms or corporations.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In the title of the printed bill, after the word "corporations", strike out the period, and insert in lieu thereof a comma, and add the following: "declaring the urgency thereof, and providing that it shall take effect immediately."

AMENDMENT NUMBER TWO.

On page 2, line 7, of the printed bill, after the word "will", strike out the word "not".

AMENDMENT NUMBER THREE.

On page 1, line 26, of the printed bill, before the word "this", add the following: "SEC. 2."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 27—An act to amend section 1507 of the Probate Code, relating to order granting authority to petition.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 28—An act to amend section 1000 of the Probate Code, relating to petition and notice of hearing.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 29—An act to amend section 1657 of the Probate Code, relating to accounts of guardian.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 334—An act to amend sections 1068, 1085, 1103, 1108, 1162, 1269a, 1272a, 1274a, 1280, 1822a and 1822bb of the Code of Civil Procedure, relating to special proceedings.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 335—An act to amend sections 105, 112 and 165 of the Code of Civil Procedure, relating to courts of justice.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 714—An act to amend section 337 of the Code of Civil Procedure, relating to the time within which actions upon any contract, obligation or liability founded upon a statement in writing may be commenced.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after "337 of", insert the following: "and to add section 335a to".

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, strike out "a statement", and insert in lieu thereof the following: "an instrument".

AMENDMENT NUMBER THREE.

On page 1, line 4, of the printed bill, strike out the semicolon, and insert in lieu thereof the following: "except as provided in section 335a."

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 5 to 15, inclusive.

AMENDMENT NUMBER FIVE.

On page 1, line 16, of the printed bill, strike out "(2)", and insert in lieu thereof the following: "2."

AMENDMENT NUMBER SIX.

On page 1 of the printed bill, immediately following line 23, insert the following:

"SEC. 2. Section 335a is hereby added to the Code of Civil Procedure to read as follows:

335a. Within seven years. An action upon any contract, obligation or liability founded upon an instrument in writing, which is secured by a mortgage or deed of trust upon real property; provided that the time within which any action for a money judgment for the balance due upon an obligation for the payment of which a deed of trust or mortgage with power of sale upon real property or any interest therein was given as security, following the exercise of the power of sale in such deed of trust or mortgage, may be brought shall not extend beyond three months after the time of sale under such deed of trust or mortgage."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 637—An act to add section 21a to the Juvenile Court Law, relating to the prevention of juvenile delinquency through public councils or committees.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 639—An act to amend section 69 of the Civil Code, relating to applications for and issuance of licenses to marry.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 694—An act to amend sections 327, 810, 831, 841 and 1201 of the Probate Code, relating to publication of notices in probate proceedings.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 695—An act to amend section 784 of the Probate Code, relating to confirmation of sales of real property by executors and administrators.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1066—An act to amend section 1238 of the Civil Code, relating to homesteads.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1301—An act to amend section 718 of the Civil Code and section 842 of the Probate Code and to add a new section

numbered 1538.5 to the Probate Code, relating to the leasing of property of a minor, insane or incompetent person, or of a decedent.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1468—An act to add sections 8a to 8e, and 8p to 8u, inclusive, to the Juvenile Court Law, relating to forestry camps for wards of the juvenile court.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1819—An act to add a new section to the Probate Code, to be numbered 1558, providing for allowances by the court to next of kin of an insane or incompetent person out of surplus income of said insane or incompetent person.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2133—An act to amend sections 447 and 448 of the Code of Civil Procedure, relating to the pleading of written instruments.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2243—An act relating to fair trade practices, including a requirement that the contract between a manufacturer or producer and his dealer, distributor or agent may not be canceled without cause, providing for a hearing and judicial determination of the rights of the parties in such cases, and for the enforcement of the provisions of the act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

In line 1 of the title of the printed bill, strike out "including a require-", and all of lines 2, 3, 4, 5, and 6 of the title, and insert in lieu thereof the following: "creating a Fair Trade Bureau in the office of the Commissioner of Corporations, providing for a judicial hearing and determination of questions arising hereunder and for the enforcement of the provisions hereof."

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, after the period, insert the following.

"This act shall be administered by the Commissioner of Corporations, who is hereinafter called the commissioner. There is hereby created in the office of the Commissioner of Corporations a division to be known as a Fair Trade Bureau. Said commissioner shall appoint a deputy to be in charge of such bureau who shall act under the supervision of the commissioner but who is invested with all the powers conferred by this act upon the commissioner.

SEC. 2. There is hereby conferred upon the commissioner authority to supervise in all its forms all trade that is not necessarily under the exclusive jurisdiction and control of a Federal agency, and to make and enforce such regulations as will secure fair competition in commerce and prevent unfair trade practices in this State.

SEC. 3. Unfair trade ethics, practices, or methods are unjust to the citizens of the State and they are hereby declared unlawful.

SEC. 4. Amongst others, the following are unfair trade ethics, practices or methods, and as such are illegal:

(a) Every contract, combination in the form of a trust, or otherwise, or a conspiracy in restraint of trade in this State;

(b) Interference with the contractual relationship, such as inducing a customer or prospective customer to cancel an order placed or to cancel or rescind a contract made with a competitor;

(c) Failure or refusal of a manufacturer or producer to definitely define and allot to his dealer, distributor or agent the territory or area in which the latter shall represent the former, in case the manufacturer or producer requires such dealer, distributor or agent not to deal in or handle goods, wares, merchandise, machinery, supplies, or other commodities of a competitor of the manufacturer or producer;

(d) Cancellation without cause, by either party thereto, of a contract between a manufacturer or producer and his dealer, distributor or agent.

The enumeration in this section of certain specific unfair trade ethics, practices or methods is not to the exclusion of other unfair trade ethics, practices or methods defined or proscribed by other provisions of this act or by other provisions of law.

SEC. 5. The commissioner is hereby empowered and directed to prevent persons, firms, partnerships, or corporations from using unfair trade ethics, practices, or methods of competition in commerce. Whenever the commissioner shall have reason to believe that any such person, firm, partnership or corporation has been or is using any unfair trade ethics, practices, or method of competition in commerce, and it shall appear to the commissioner that a proceeding by him in respect thereto would be to the interest of the public, he shall issue and serve upon such person, firm, partnership or corporation a complaint stating his charges in that respect, and containing a notice of a hearing upon a date and at a place therein fixed, not less than ten nor more than thirty days after the service of said complaint. The person, firm, partnership or corporation so complained of shall have the right to appear at the time and place so fixed and show cause why an order shall not be entered by the commissioner requiring such person, firm, partnership or corporation to cease and desist from the unfair trade ethics, practices, as charged in said complaint. Any person, firm, partnership or corporation may make application, and upon good cause shown, may be allowed by the commissioner to intervene and appear in said proceeeding by counsel or in person. The testimony in any such proceeding shall be reduced to writing and filed in the office of the commissioner. If, upon such hearing, the commissioner shall be of the opinion that the trade ethics, practices, or methods of competition in question is prohibited by this act, he shall make a report in writing in which he shall state his findings as to the facts, and shall issue and cause to be served on such person, firm, partnership or corporation an order requiring such person, firm, partnership or corporation to cease and desist from using such trade ethics, practices or methods of competition. Until a transcript of the record in such hearing shall have been filed in a court of competent jurisdiction, as hereinafter provided, the commissioner may at any time upon such notice and in such manner as he shall deem proper, modify or set aside in whole or in part, any report or any order made or issued by him under this section.

If such person, firm, partnership or corporation fails or neglects to obey such order of the commissioner while the same is in effect, the commissioner may apply to the superior court within any county or city and county where the trade ethics, practices, or method of competition in question was used or where such person, firm, partnership or corporation resides or has its principal place of business, for the enforcement of his order, and shall certify and file with his application a transcript of the entire record in the proceeding, including all the testimony taken and the report and order of the commissioner. Upon such filing of the application and transcript, the court shall cause notice thereof to be served upon such person, firm, partnership or corporation and thereupon shall have jurisdiction of the proceeding and of the question determined therein, and shall have power to make and enter upon the pleadings, testimony and proceedings set forth in such transcript a decree confirming, modifying, or setting aside the order of the commissioner. The findings of the commissioner as to the facts upon which he has taken testimony shall be conclusive. If either party shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the proceedings before the commissioner, the court may hear such additional evidence or may order the same to be taken before the commissioner and to be adduced upon the hearing in such manner and upon such terms and conditions as to the court may seem proper.

Where such additional evidence is taken before the commissioner, he may modify his findings as to the facts, or make new findings by reason of the additional evidence so taken, and he shall file such modified or new findings which, if supported by testimony, shall be conclusive, and his recommendation, if any, for the modification or setting aside of his original order, with the return of such additional evidence.

SEC. 6. Any judgment of the superior court shall be final, except that same shall be subject to review by the Supreme Court in the same manner as appeals from other judgments thereof.

Any party required by such order of the commissioner to cease and desist from using such trade ethics, practices, or method of competition may file in the superior court of the county where the method of competition in question was used or where such person, firm, partnership or corporation resides or has its principal place of business, a written petition praying that the order of the commissioner be set aside. A copy of such petition shall be forthwith served upon the commissioner and thereupon the commissioner forthwith shall certify and file in said court a transcript of the record as hereinbefore provided. Upon the filing of the transcript the court shall have the same jurisdiction to affirm, set aside or modify the order of the commissioner as in the case of an application by the commissioner for the enforcement of his order, and the finding of the commissioner as to the facts, shall in like manner be conclusive Such proceedings in the superior court shall be given precedence over other cases pending therein and shall be in every way expedited. No order of the commissioner or judgment of any court to enforce the same shall in any way

relieve or absolve any person, firm, partnership or corporation from any liability under any other act.

SEC. 7. Any person, firm, or corporation who neglects or refuses to obey the order of the commissioner when confirmed by the court shall be punished as for contempt of court, on the relation of the commissioner, by fine or imprisonment or by both in the discretion of the court; and in addition the commissioner shall revoke the license of any foreign corporation to do business in this State if it so neglects or refuses to obey such an order.

SEC. 8. The commissioner shall also have power:

(1) To gather and compile information concerning, and to investigate from time to time the organization, business, conduct, trade ethics, practices and management of any corporation, firm, partnership or individual engaged in commerce and their relation to other corporations, firms, partnerships or individuals engaged in commerce.

(2) To cooperate and collaborate with the Federal Trade Commissioner in promoting and facilitating the discontinuance of unfair methods of competition.

(3) To require by general or special orders, corporations, firms, partnerships or individuals engaged in commerce, or any of them, respectively, to file with the commissioner in such form as the commissioner may prescribe, annual or special, or both annual and special, reports or answers in writing to specific questions, furnishing to the commissioner such information as he may require as to the organization, business, conduct, practices, management and relation to other corporations, firms, partnerships and individuals filing such reports or answers in writing. Such reports and answers shall be made under oath, or otherwise, as the commissioner may prescribe and shall be filed with the commissioner within such reasonable period of time as he may prescribe, unless additional time be granted in any case by him.

(4) Upon the direction of the Governor or either house of the Legislature, to investigate and report the facts relating to any alleged violation of the laws of the State of California pertaining to the organization, trade ethics, business conduct, practices, and management of any corporation, firm, partnership or individual engaged in commerce.

(5) To make public, from time to time, such portions of the information obtained by it hereunder, except trade secrets and names of customers, as it shall deem expedient to the public interest, and to make biennial and special reports to the Legislature and to submit therewith recommendations for additional legislation; and to provide for the publication of its reports and decisions in such form and manner as may be best adapted for public information and use

(6) To administer any other act which the Legislature may designate relating to trade relations, trademarks, trade names, business conduct, practices and management of corporations, firms, partnerships, and individuals engaged in commerce.

SEC. 9 The several departments and bureaus of the State government shall furnish to the commissioner upon his request, all records, papers and information in their possession relating to any corporation, firm, partnership or individual subject to any of the provisions of this act, and shall detail from time to time such officials and employees to the commissioner as the Governor may direct.

SEC. 10. For the purposes of this act the commissioner or his duly authorized agent or agents shall at all reasonable times have access to, for the purpose of examination, and the right to copy any documentary evidence of any corporation, firm, partnership or individual being investigated or proceeded against; and the commissioner shall have power to require by subpena the attendance and testimony of witnesses and the production of all such documentary evidence relating to any matter under investigation.

Such attendance of witnesses, and the production of such documentary evidence, may be required from any place in the State at any designated place of hearing. And in case of disobedience of a subpena, the commissioner may invoke the aid of the superior court of any county or city and county in which any inquiry, investigation, hearing or proceeding may be held by the commissioner in requiring the attendance and testimony of witnesses and the production of documentary evidence.

"The superior court in any county or city and county within the jurisdiction of which such inquiry, investigation, hearing or proceeding is carried on shall, in case of contumacy or refusal to obey a subpena issued to any corporation, firm, partnership or person, issue an order requiring such corporation, firm, partnership or person to appear before the commissioner or to produce documentary evidence if so ordered or to give evidence touching the matter in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof.

SEC. 11. The commissioner may order testimony to be taken by deposition in any proceeding or investigation pending under this act at any stage of such proceeding or investigation. Such depositions may be taken before any person designated by the commissioner and having power to administer oaths. Such testimony shall be reduced to writing by the person taking the deposition or under his direction, and shall then be subscribed by the deponent. Any person may be compelled to appear and depose and to produce documentary evidence in the same manner as witnesses

may be compelled to appear and testify and produce documentary evidence before the commissioner as hereinbefore provided.

Witnesses summoned before the commissioner shall be paid the same fees and mileage as are paid witnesses in civil actions in the superior courts of this State, and witnesses whose depositions are taken and the persons taking the same shall severally be entitled to the same fees as are paid for like services in civil cases in the superior courts of the State.

The fees and mileage of witnesses summoned before the commissioner shall be paid from the funds appropriated for the use of the commissioner in the same manner as other expenses of the commissioner are paid.

No person shall be excused from attending and testifying or from producing documentary evidence before the commissioner or in obedience to the subpena of the commissioner on the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him, may tend to incriminate him or subject him to a penalty or forfeiture. But no natural person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he may testify, or produce evidence, documentary or otherwise, before the commissioner in obedience to a subpena issued by it; provided, however, that no natural person so testifying shall be exempt from prosecution and punishment for perjury committed in so testifying.

SEC. 12. Any person who shall neglect or refuse to attend and testify, or to answer any lawful inquiry, or to produce documentary evidence, if in his power so to do, in obedience to the subpena or lawful requirement of the commissioner, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than one hundred nor more than one thousand dollars, or by imprisonment in the county jail for not more than one year or by both such fine and imprisonment.

Any person, firm, corporation or partnership failing or refusing to obey any lawful order of the commissioner shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding five thousand dollars.

Any person who shall wilfully make, or cause to be made, any false entry or statement of fact in any report required to be made under this act, or who shall wilfully make or cause to be made, any false entry in any account, record, or memorandum kept by any corporation, firm, partnership or individual subject to this act, or who shall wilfully neglect or fail to make or cause to be made, full, true and correct entries in such accounts, records or memoranda of all facts and transactions appertaining to the business of such corporation, firm, partnership or individual or who shall wilfully remove out of the jurisdiction of the State of California, or wilfully mutilate, alter or by any other means falsify any documentary evidence of such corporation, firm, partnership or individual, or who shall wilfully refuse to submit to the commissioner or to any of his authorized agents for the purpose of inspection or taking copies, any documentary evidence of such corporation, firm, partnership or individual in his possession or within his control, shall be deemed guilty of an offense and upon conviction thereof shall be punished by a fine of not less than one thousand dollars nor more than five thousand dollars or by imprisonment for a term of not more than two years or by both such fine and imprisonment.

SEC 13. If any corporation, firm, partnership or individual required by this act to file any annual or special report shall fail so to do within the time fixed by the commissioner for filing the same, and such failure shall continue for thirty days after notice of such default, the corporation, firm, partnership or individual shall forfeit to the State of California the sum of one hundred dollars for each and every day of the continuance of such failure, which forfeiture shall be payable into the treasury of the State of California, and shall be recoverable in a civil action in the name of the State of California brought in a county where the corporation, firm, partnership or individual resides or has its principal place of business It shall be the duty of the Attorney General to prosecute for the recovery of forfeitures.

SEC. 14. Any officer or employee of the commissioner who shall make public any information obtained by the commissioner, without his authority, unless directed by a court, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding one thousand dollars or by imprisonment in the county jail for not more than one year or by both such fine and imprisonment.

SEC. 15 If any section, subsection, sentence, clause or phrase of this act be for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act, and the Legislature hereby declares that it would have passed this act and each and every other section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases of this act be declared unconstitutional."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 248—An act to amend sections 3051, 3051a and 3052 of the Civil Code, relating to liens on aircraft and other personal property.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 47, of the printed bill, strike out "Motor Vehicles", and insert in lieu thereof "Public Works".

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, strike out lines 18 to 22, inclusive, and insert in lieu thereof the following: "tion certificate, and also to the Department of Motor Vehicles or the Aviation Division of the Department of Public Works, as the case may be, by registered letter; and the Department of Motor Vehicles or the Aviation Division of the Department of Public Works shall in like manner immediately notify said".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 249—An act relating to the use of the air and to make uniform the law with reference thereto; to provide for the licensing of aircraft, airmen and air navigation facilities; to provide for an air division as a part of and under the control of the Department of Motor Vehicles; to provide for the office of Chief of Air Division and its employees thereof; to provide for the revenue of the operation and maintenance of said Air Division and the manner of collecting same; to provide for the organization, powers and duties for the maintenance of the Aviation Division; to provide for the carrying out of the objects of this act; to provide for the time this act shall go into effect and to repeal all acts and parts of acts in conflict with this act; to provide for the enforcement of this act and the penalty for violations thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 4 of the title of the printed bill, strike out "Air", and insert in lieu thereof "Aviation".

AMENDMENT NUMBER TWO.

In line 5 of the title of the printed bill, strike out "Motor Vehicles", and insert in lieu thereof "Public Works".

AMENDMENT NUMBER THREE.

In line 6 of the title of the printed bill, strike out "Air", and insert in lieu thereof "the Aviation".

AMENDMENT NUMBER FOUR.

In line 8 of the title of the printed bill, strike out "Air", and insert in lieu thereof "Aviation".

AMENDMENT NUMBER FIVE.

On page 3, line 18, of the printed bill, strike out "Motor Vehicles", and insert in lieu thereof "Public Works".

AMENDMENT NUMBER SIX.

On page 3, line 25, of the printed bill, strike out "Motor Vehicles", and insert in lieu thereof "Public Works".

AMENDMENT NUMBER SEVEN.

On page 3, line 28, of the printed bill, strike out "Motor Vehicles", and insert in lieu thereof "Public Works".

AMENDMENT NUMBER EIGHT.

On page 4, lines 31 and 32, of the printed bill, strike out "of the Department of Motor Vehicles".

AMENDMENT NUMBER NINE.

On page 4, lines 35 and 36, of the printed bill, strike out "of the Department of Motor Vehicles".

AMENDMENT NUMBER TEN.

On page 4, lines 41 and 42, of the printed bill, strike out "of the Department of Motor Vehicles".

AMENDMENT NUMBER ELEVEN.

On page 4 of the printed bill, strike out lines 46 to 48, inclusive.

AMENDMENT NUMBER TWELVE.

On page 4, lines 49 and 50, of the printed bill, strike out "of the Department of Motor Vehicles".

AMENDMENT NUMBER THIRTEEN.

On page 5, lines 35 and 36, of the printed bill, strike out "of the Department of Motor Vehicles".

AMENDMENT NUMBER FOURTEEN.

On page 5, line 47, of the printed bill, strike out "of the Department of Motor Vehicles".

AMENDMENT NUMBER FIFTEEN.

On page 6, line 34, of the printed bill, strike out "21", and insert "20".

AMENDMENT NUMBER SIXTEEN.

On page 7, line 6, of the printed bill, strike out "of the Department of Motor Vehicles".

AMENDMENT NUMBER SEVENTEEN.

On page 7, line 14, of the printed bill, strike out "of the Department of Motor Vehicles".

AMENDMENT NUMBER EIGHTEEN.

On page 7, line 21, of the printed bill, strike out "of the Department of Motor Vehicles".

AMENDMENT NUMBER NINETEEN.

On page 7, lines 25 and 26, of the printed bill, strike out "of the Department of Motor Vehicles".

AMENDMENT NUMBER TWENTY.

On page 7, lines 30 and 31, of the printed bill, strike out "of the Department of Motor Vehicles".

AMENDMENT NUMBER TWENTY-ONE.

On page 7, lines 34 and 35, of the printed bill, strike out "of the Department of Motor Vehicles".

AMENDMENT NUMBER TWENTY-TWO.

On page 7, lines 37 and 38, of the printed bill, strike out "of the Department of Motor Vehicles".

AMENDMENT NUMBER TWENTY-THREE.

On page 7, line 48, of the printed bill, strike out "of the Department of Motor Vehicles".

AMENDMENT NUMBER TWENTY-FOUR.

On page 7, line 50, of the printed bill, strike out "of the Department of Motor Vehicles".

AMENDMENT NUMBER TWENTY-FIVE.

On page 8, line 1, of the printed bill, strike out "of the Department of Motor Vehicles".

AMENDMENT NUMBER TWENTY-SIX.

On page 8, lines 21 and 22, of the printed bill, strike out "of the Department of Motor Vehicles"

AMENDMENT NUMBER TWENTY-SEVEN.

On page 8, line 26, of the printed bill, strike out "of the Department of Motor Vehicles".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 8, line 29, of the printed bill, strike out "of the Department of Motor Vehicles".

AMENDMENT NUMBER TWENTY-NINE.

On page 8, line 35, of the printed bill, strike out "of the Department of Motor Vehicles".

AMENDMENT NUMBER THIRTY.

On page 8, line 39, of the printed bill, strike out "of the Department of Motor Vehicles".

AMENDMENT NUMBER THIRTY-ONE.

On page 9, line 9, of the printed bill, strike out "of the Department of Motor Vehicles".

AMENDMENT NUMBER THIRTY-TWO.

On page 9, lines 11 and 12, of the printed bill, strike out "of the Department of Motor Vehicles".

AMENDMENT NUMBER THIRTY-THREE.

On page 9, lines 20 and 21, of the printed bill, strike out "of the Department of Motor Vehicles".

AMENDMENT NUMBER THIRTY-FOUR.

On page 10, lines 5 and 6, of the printed bill, strike out "of the Department of Motor Vehicles".

AMENDMENT NUMBER THIRTY-FIVE.

On page 10, line 21, of the printed bill, strike out "of the Department of Motor Vehicles".

AMENDMENT NUMBER THIRTY-SIX.

On page 10, lines 23 and 24, of the printed bill, strike out "of the Department of Motor Vehicles".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 10, line 26, of the printed bill, strike out "of the Department of Motor Vehicles".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 10, lines 44 and 45, of the printed bill, strike out "of the Department of Motor Vehicles".

AMENDMENT NUMBER THIRTY-NINE.

On page 10, lines 48 and 49, of the printed bill, strike out "i, 9, 10, 11, 15, 16, 19, 20 and 22", and insert "6, 7, 9, 10, 11, 15, 16, 18, 19, 20, 22, 23 and 24" in its place.

AMENDMENT NUMBER FORTY.

On page 11, lines 8, 9, and 10, of the printed bill, strike out:

"SEC. 29. An act entitled "California Air Navigation" approved ------ as amended, and all other acts or parts of acts in conflict therewith, are hereby repealed." and insert

"SEC. 29. If any section, subsection, sentence, clause or phrase of this act is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this act. The Legislature hereby declares that it would have passed this act, and each section, subsection, sentence and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

"SEC. 30. An act entitled "California Air Navigation" approved June 18, 1929, together with all amendments, and all other acts or parts of acts in conflict herewith, are hereby repealed."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 656—An act to validate bonds, including refunding bonds, of irrigation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 657—An act to amend sections 41c and 42 of the California Irrigation District Act, relating to the payment of irrigation district assessments.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 759—An act to amend section 47a of the California Irrigation District Act by adding thereto a provision authorizing payment of current assessments upon partial redemption.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 843—An act to repeal section 73a of the California Irrigation District Act, relating to the procedure by which property owners may be relieved from obligations of the district.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1743—An act to amend the Palo Verde Irrigation District Act, approved June 21, 1923, as amended, by adding to said act, as amended, new sections to be numbered and providing as follows, to wit: Section 28¼o, relating to disposal of tax-deeded and tax-delinquent lands; section 65, relating to proceedings in bankruptcy; section 66, relating to contracts with the United States or any agency thereof under an act approved May 5, 1917, as amended, and validating such contracts; section 67, validating bonds of the district; and section 68, validating rehabilitation plans; and declaring the legislative intent as to unconstitutionality.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 629—An act to amend the California District Securities Commission Act by amending section 11 thereof, relating to the levy of annual assessments by irrigation districts, and declaring the urgency thereof.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, strike out all of lines 4 to 31, both inclusive, and insert in lieu thereof the following:

"SEC. 2. The agricultural emergency referred to in section 2 of Chapter 60 of the Statutes of 1933 continues to exist, and it is necessary for the same reasons that section 11 of the act cited in the title hereof was enacted to continue the section in effect until November 1, 1937."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1378—An act to amend section 2 of an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, relating to the maintenance of State highways.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 650—An act to amend the title of and section 8 of an act entitled "An act regulating the making of openings or the placing of structures or the change or renewal of any structure and the planting or removal of trees or shrubs or the placing of obstructions in or on State roads and highways; providing for the issuance of permits by the State Department of Public Works relative thereto, and for the laying or placing pipes, conduits, sewers, poles, wires, railways, obstructions and other objects, and for the planting, trimming or removal of trees or shrubs in or on State roads and highways; providing for the requirement of bonds from applicants before the issuance of such permits; and prescribing the penalty for violations of the pro-

visions of this act," approved April 23, 1915, as amended, to provide for the relative rights of the State and cities, cities and counties, and counties in respect to franchises granted in highways subsequently declared to be State highways.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1640—An act to amend section 3866 and to repeal section 3871 of the Political Code, relating to settlements between county treasurers and the State.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2171—An act to amend section 4247 of the Political Code, relating to salaries of county officers in counties of the eighteenth class.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 585—An act to amend sections 8, 10, 42, 47 and 108 of an act entitled "An act to provide for the creation, establishment and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to the State Employees' Retirement System.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1393—An act to add section 195.5 to the Military Code, relating to status of civil service employees in time of war.

Bill read second time, ordered to engrossment, and third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1935.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 39—Relative to memorializing Congress to incorporate in a National old age pension plan the principles and objectives of the Townsend plan—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted, as amended.

TURNER, Chairman.

COMMITTEE AMENDMENTS.

During the reading of Assembly Joint Resolution No. 39, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

After the word "more", in the fourth paragraph, strike out the words "must be sponsored and managed by the National Government", and insert in lieu thereof the following: "should be sponsored by the National Government."

AMENDMENT NUMBER TWO.

In the sixth paragraph after the word "government", add the following: "with the cooperation and participation of the several States."

AMENDMENT NUMBER THREE.

In the sixth paragraph, after the word "authority", add the following: "with the cooperation of the several States."

Amendments adopted.

Assembly Joint Resolution No. 39 read.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 39, at this time, without reference to reprint, or file, and that same be considered re-engrossed.

REQUEST TO PRINT IN JOURNAL.

Mr. Lyon requested that the letter received by him from the Governor, pertaining to Assembly Joint Resolution No. 39, be printed in the Journal.

Request granted.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, March 6, 1935.

Hon. Charles W. Lyon, State Assembly, Sacramento, California.

MR. DEAR MR. LYON: Answering your inquiry as to the possible need for further action by the California Legislature in memorializing Congress on the subject of a National old age pension program, may I suggest that an affirmative expression by the Legislature, setting forth certain fundamental facts, would be both appropriate and helpful.

Should the Legislature determine to address a further communication to the Congress on this important subject, I believe certain amplifying comments should be made.

Obviously, any provision for the financial care of men and women eligible to receive old age benefits must be National in scope, both as to the method of obtaining necessary revenues, and as to the total amount to be paid beneficiaries.

Any other method would work undue hardship on the taxpayers of the several States, and might by reason of its inequities and conflicting provisions, create such dissension and confusion as to defeat the basic objects sought.

In my opinion, no single State, independent of the others, can set up a pension plan such as is now before Congress. The problem is a National one, and should be developed and managed by the National Government. Each State should pay only its portion of the uniform cost, and each beneficiary share equally in the benefits. Any greater payment to beneficiaries in one State than in another will attract eligibles to the State making the larger payments, and unjustly increase the tax burden on persons, business, and industry.

After studying the general subject and investigating the general objectives of the Townsend plan, I have become convinced that the principles underlying its proposals are sound, and that its recommendations should be adapted to the National old age pension program.

Accomplishment of a unified National system of old age benefits, sponsored, managed and supported by the Federal Government, will provide the protection and security to which our citizens of advancing years are entitled.

Trusting these observations and suggestions will be received in the spirit in which they are offered, I am

Very sincerely yours,

FRANK F. MERRIAM, Governor of California.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER THIRTY-NINE.

Assembly Joint Resolution No. 39—Relative to memorializing Congress to incorporate in a National old age pension plan the principles and objectives of the Townsend plan

Mr. Lyon moved the adoption of Assembly Joint Resolution No. 39.

The question being on the adoption of Assembly Joint Resolution No. 39.

MOTION TO LAY ON TABLE.

Mr. Clark moved, seconded by Mr. Hunt, that Assembly Joint Resolution No. 39 be laid on the table.

The roll was called, and the motion to lay on the table was lost by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Cassidy, Clark, Desmond, Donihue, Donnelly, Flint, Geyer, Gilbert, Glover, Hawkins, Hunt, Jones, Laughlin, McCarthy, McMurray, O'Donnell, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wallace, and Welsh—28.

NOES—Breed, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Field, Fisher, Fulcher, Garibaldi, Heisinger, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Wagner, Walker, Waters, Wright, and Mr. Speaker—41.

FURTHER CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER THIRTY-NINE.

FLOOR AMENDMENTS.

During reading of Assembly Joint Resolution No. 39, the following amendment was submitted by Mr. Cassidy:

AMENDMENT NUMBER ONE.

On page 1, of the printed resolution, immediately following line 7, insert the following

"WHEREAS, His Excellency, the Governor of California has approved the recommendations of Doctor F. E. Townsend, for a revolving old age pension plan and has promised his continued support therefor; and".

The question being on the amendment submitted by Mr. Cassidy.

MOTION TO LAY ON TABLE.

Mr. Boyle moved that the amendment by Mr. Cassidy be laid on the table.

POINT OF ORDER.

Mr. Lyon arose to the following point of order: That the motion was dilatory

RULING BY SPEAKER.

The Speaker ruled the point of order not well taken.

The question being on the motion to lay on the table.

The roll was called, and the motion to lay on the table was lost by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Clark, Desmond, Donihue, Donnelly, Flint, Geyer, Gilbert, Glover, Hawkins, Hunt, Jones, Laughlin, Martin, McMurray, Meehan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, and Wallace—28.

NOES—Breed, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Heisinger, Hornblower, Johnson, Kallam, Latham, Lore, Lyon, Maloney, Mayo, McBride, McCarthy, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Wagner, Walker, Waters, Wright, and Mr. Speaker—44

CONSIDERATION OF AMENDMENT BY MR. CASSIDY.

DEMAND FOR PREVIOUS QUESTION.

Messrs. Welsh, Utt, Riley, Stream and McBride demanded the previous question.

The question being put: Shall the main question be now put?

The roll was called, and the demand for the previous question carried by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, Desmond, Donihue, Donnelly, Field, Fisher, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Waters, Welsh, Wright, and Mr. Speaker—63.

NOES—Flint, Frazier, Gilbert, Gilmore, Hornblower, McCarthy, Rosenthal, Wagner, and Wallace—9.

FURTHER CONSIDERATION OF AMENDMENT BY MR. CASSIDY.

The question being on the adoption of the amendment submitted by Mr Cassidy.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Clark, Crowley, Donihue, Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, Mayo, McCarthy, McMurray, Meehan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, and Wallace—31.

NOES—Andreas, Breed, Brennan, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, Desmond, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, McBride, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Wagner, Walker, Waters, Welsh, Wright, and Mr Speaker—42.

The question being on the adoption of the amendment submitted by Mr. Cassidy.

FURTHER CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER THIRTY-NINE.

FURTHER FLOOR AMENDMENT.

The following amendment was submitted by Mr. Patterson:

AMENDMENT NUMBER ONE.

On page 2, line 4, after the words "United States", add the following: "The Townsend plan is sound only in part but as to the source of revenue to support the plan it is unsound, because the major burden falls on those less able to pay, therefore be it

Resolved, That the support of the Townsend plan be raised from inheritance and income taxes and not from the sales or transaction tax as the present plan calls for."

The question being on the amendment submitted by Mr. Patterson:

REQUEST FOR ROLL CALL.

On motion of Messrs. Jones, Hunt, Geyer, Reaves, and Boyle, the Speaker ordered a roll call taken on amendment by Mr. Patterson to Assembly Joint Resolution No. 39.

The roll was called, and the amendment to Assembly Joint Resolution No. 39 refused adoption by the following vote:

AYES—Anderson, Andreas, Boyle, Cassidy, Clark, Flint, Geyer, Glover, Hunt, Jones, Laughlin, Lore, Mayo, McCarthy, McMurray, Meehan, Patterson, Pelletier, Reaves, Richie, Turner, Voigt, Wallace, and Welsh—24.

NOES—Breed, Brennan, Burns, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, Desmond, Donihue, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Heisinger, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, McBride, Miller, Minard, Morgan, Nielsen, O'Donnell, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Wagner, Walker, Waters, Wright, and Mr Speaker—47.

FURTHER FLOOR AMENDMENT TO ASSEMBLY JOINT RESOLUTION NUMBER THIRTY-NINE

The following amendment was submitted by Mr. Jones:

AMENDMENT NUMBER ONE.

Strike out all resolution, and insert in lieu thereof the following:

"WHEREAS, The United States has, for the past few years, passed through a most severe period of depression, hardship and destitution; and

WHEREAS, As a result of said depression many aged persons have seen their savings wiped away after a lifetime of service to our society; and

WHEREAS, Many such unfortunate citizens now find themselves destitute and with no hope of supporting themselves or recouping their fortunes because of advanced age; and

WHEREAS, The revolving old age pension plan originated by Dr. F. E. Townsend, of California, has been presented to the United States Senate and the National House of Representatives; and

WHEREAS, The program contemplates both relief for the aged and widespread adjustments in our economic system certain to result in improved working conditions and in extensive reduction of unemployment among thousands of men and women under the age of 60 years; and

WHEREAS, It appears that the said Townsend pension plan is the most progressive and fundamentally sound proposals yet made to permanently end poverty in the United States; now, therefore, be it

Resolved, by the Assembly and the Senate of the State of California, jointly, That the Congress of the United States is respectfully urged to enact the Townsend plan without any impairment or amendment; and be it further

Resolved, That the Governor of the State of California is hereby requested to forward a copy of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, and to each Senator and member of the House of Representatives from California in the Congress of the United States."

The question being on the amendment submitted by Mr. Jones.

MOTION TO APPOINT SELECT COMMITTEE.

Mr. Evans, Ralph W., moved that the Speaker appoint a Select Committee of three members of the Assembly to invite the Governor to address the Assembly on Assembly Joint Resolution No. 39.

The roll was called, and the motion to appoint Select Committee was carried by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Flint, Frazier, Fulcher, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Miller, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—61.

NOES—Breed, Cottrell, Fisher, Garibaldi, Geyer, Heisinger, Johnson, Mayo, Minard, Morgan, Robertson, and Utt—12.

SPECIAL ORDER SET.

On motion of Mr. Lyon, the consideration of Assembly Joint Resolution No. 39, and the amendment submitted by Mr. Jones, was made a special order for Monday, at eleven o'clock and thirty minutes a m

MOTION TO EXPUNGE RECORD.

Mr. Andreas moved that, due to error on the voting machine, that the record of vote on the motion by Mr Evans, Ralph W., be expunged.

Motion lost.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 88—An act to amend section 762 of the Political Code, relating to the office hours of clerks of the District Courts of Appeal.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 88 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy,

McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Turner, Utt, Voigt, Walker, Waters, Welsh, Wright, and Mr Speaker—69

NOES—Wagner—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 113—An act to amend section 1822bb of the Code of Civil Procedure, relating to the management, control, and disposal of estates of missing persons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 113 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Welsh, Wright, and Mr. Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 129—An act to add a new section to the Code of Civil Procedure to be numbered 2056, relating to motions to strike an answer.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 129 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Welsh, Wright, and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 185—An act to amend section 4300c of the Political Code, relating to recording fees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 185 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue,

Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Waters, Welsh, Wright, and Mr. Speaker—71.

NOES—Heisinger—1.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 1059—An act to amend section 377 of the Code of Civil Procedure, relating to the maintenance of actions for damages against persons responsible for the death of another.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1059 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1232—An act to amend section 573 of the Probate Code of the State of California, relating to actions which may be maintained against executors and administrators.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1232 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—67.

NOES—O'Donnell and Redwine—2.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1935

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 847—An act to provide for the issuance of refunding bonds to

represent and be secured by certain refunding assessments made for the purpose of refunding the outstanding indebtedness represented by bonds of special improvement districts payable from the special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the collection of such assessments, the sale of the property affected thereby, and for the payment of the bonds so issued—and reports that the same has been correctly engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2381—An act relating to the transfer and expenditure of moneys for relief of hardship and destitution due to and caused by unemployment, and declaring the urgency hereof—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eighth day of March, 1935, at eleven o'clock a m.

WATERS, Chairman.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1935.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 55—An act to provide for the operation and maintenance of storage garages for state-owned vehicles, the pooling of vehicles in general use, the placement of the State seal on each vehicle and providing that unofficial use of state-owned vehicles shall constitute a misdemeanor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1970—An act authorizing the creation of a personnel system, merit system or civil service system; the creation of the office of personnel director; the appointment of a civil service commission; the delegation of certain authority to said personnel officer or commission in municipalities within this State; and prohibiting certain political activities and providing penalties for the violation of said provisions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1935.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1262—An act to amend section 1 of an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county, incorporated city or town, or municipal utility district, or flood control district," approved April 23, 1913, Statutes of 1913, page 76, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1161—An act to amend section 718c of the Civil Code, empowering municipalities to lease property—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WRIGHT, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1199—An act to amend section 3658a of the Political Code, relating to assessments by reference to maps—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WRIGHT, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 671—An act relating to the redemption of property sold to cities for delinquent taxes and assessments, and declaring the urgency thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1268—An act to validate the formation, organization and existence of county water districts, and to validate the acts of the board of directors of such districts in the inclusion of land therein or exclusion of land therefrom, and to validate the proceedings of such directors taken for the creation of a bonded indebtedness—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1194—An act amending the title and section 31, of and to that certain statute entitled "Improvement Act of 1911," approved April 7, 1911, as amended, relating to public improvements and the repair and reconstruction of portions of improved streets, avenues, lanes, alleys, courts or places, bulkheads, retaining walls or other works for the protection of the same and to the payment of the costs thereof and establishing a procedure for the same—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 771—An act authorizing counties to contract with cities and towns, to assume and carry on certain municipal functions thereof, providing for transfers of employees and adjustment of pensions, and authorizing cities to transfer such functions to counties and to enter into contracts in relation thereto—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1064—An act authorizing municipalities to afford special assessment relief by the appropriation of money for the reduction of special assessments and the payments on bonds issued to represent such assessments, and by the payment of any portion of the principal or interest of, or by the purchase or redemption at a discount of, or by the transfer to the interest and sinking fund for the discharge and payment of bonds, the proceeds of which have been used for the acquisition of rights of way or easements for, or for the construction, maintenance, improvement or repair of streets, bridges and culverts within such cities, and providing a method

for the making of such appropriations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 956—An act to amend an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, by amending sections 5 and 15 thereof, relating to special assessment bonds—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 642—An act to provide for the formation of districts within municipalities for the acquisition, construction or extension of water works, water systems or water distribution systems; for the issuance, sale and payment of bonds of such districts to meet the cost of such water works, water systems or water distribution systems; and for the acquisition, construction or extension of such water works, water systems or water distribution systems—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 521—An act to provide a method for improving public streets, avenues, lanes, alleys, courts and places within municipalities of the sixth class, and for levying and collecting assessments upon property to pay for such improvements, and declaring the urgency hereof, to take effect immediately, and repealing an act approved May 25, 1933, relating to the same subject—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, MARCH 8, 1935.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 36—An act to amend sections 1261 and 1262 of the Agricultural Code, relating to produce dealers;

Also: Assembly Bill No. 361—An act to amend the division heading of Division V of the Agricultural Code, relating to standardization;

Also: Assembly Bill No. 363—An act to amend section 1072 of the Agricultural Code, relating to economic poisons;

Also Assembly Bill No. 364—An act to amend section 1936 of the Agricultural Code, relating to fertilizing materials;

Also: Assembly Bill No. 367—An act to amend section 104 of the Agricultural Code, relating to quarantine;

Also: Assembly Bill No. 368—An act to amend section 34 of the Agricultural Code, relating to cooperative agreements for the purpose of enforcing provisions relating to standardization;

Also: Assembly Bill No. 923—An act to amend section 1283 of the Agricultural Code, relating to deciduous fruit dealers;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

PHILLIPS, Chairman.

The above reported bills ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1935.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 661—An act to amend section 4.360 of the School Code, relating to school district budgets;

Also: Assembly Bill No. 736—An act to amend section 2.481 of the School Code, relating to the transfer of an elementary school district from one high school district to another;

Also: Assembly Bill No. 414—An act to amend section 2.123 of the School Code, relating to the providing of instruction and transportation by county superintendents of schools for elementary pupils;

Also: Assembly Bill No. 1343—An act to repeal sections 2.21, 3.174, 3.301, 3.302, 3.306, 3.308, 3.309, 3.415 and 3.416 of the School Code, to add to Part I of Division II of the said code a new chapter to be known as Chapter VIII, and to add to said code a new section to be numbered 3.306, all relating to the attendance of pupils upon the public schools;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

CHATTERS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 314—An act to amend sections 2.203 and 2.204 of the School Code, relating to the formation of joint elementary school districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

CHATTERS, Chairman.

The above reported bill ordered on file for second reading.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, MARCH 8, 1935.

MR. SPEAKER: Your Committee on Corporations, to which was referred Assembly Bill No. 645—An act to amend section 403c of the Civil Code, relating to corporations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BREED, Chairman.

The above reported bill ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, MARCH 8, 1935.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 920—An act to amend section 1261 of the Agricultural Code, relating to produce dealers—has had the same under consideration, and respectfully reports the same back, without recommendation, as amended.

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1935.

MR SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 961—An act to amend sections 5.400, 5.402, 5.403, 5.408, 5.420, 5.500, 5.502, 5.510, 5.520, 5.521, 5.640, 5.680, 5.690, 5.691, 5.710, 5.711 and 5.712 of the School Code, relating to tenure, and to add four new sections to the School Code, to be numbered 5.409, 5.505, 5.506, 5.666 and 5.667, all relating to the employment, classification, dismissal and resignation of persons employed in school districts in positions requiring certification qualifications—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

CHATTERS, Chairman.

The above reported bill ordered on file for second reading.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1935.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 432—An act making an appropriation to be used for the accumulation and dissemination of spray residue information and spray residue control work;

Also: Assembly Bill No. 1482—An act making an appropriation for the elimination of camel's thorn out of certain moneys heretofore appropriated for that purpose; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and be re-referred to Committee on Ways and Means.

PHILLIPS, Chairman.

The above reported bills ordered re-referred to Committee on Ways and Means.

ON GOVERNMENTAL EFFICIENCY AND ECONOMY.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1935.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1694—An act to amend section 352 of the Political Code, relating to State officers and employees—has had the same under consideration, and repectfully reports the same back, and recommends that it do pass.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 544—An act authorizing the creation of a personnel system, merit system or civil service system; the creation of the office of personnel director; the appointment of a civil service commission; the delegation of certain authority to said personnel officer or commission in municipalities within this State; and prohibiting certain political activities and providing penalties for the violation of said provisions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

MOTION TO RE-REFER.

Mr. Cronin moved that Assembly Bill No. 686 be withdrawn from the Committee on Conservation, and ordered re-referred to Committee on Oil Industries.

The question being on re-referring Assembly Bill No. 686 to the Committee on Oil Industries.

Motion carried.

Assembly Bill No. 686 ordered re-referred to Committee on Oil Industries.

RESOLUTION.

The following resolution was offered:

By Mr. Mayo:

ASSEMBLY RESOLUTION.

WHEREAS, The Grand Parlor of the Native Daughters of the Golden West is convening in Sacramento on June 17, 18, 19 and 20, 1935; and,

WHEREAS, It is appropriate and fitting that this convention be held in the State Capitol; now, therefore, be it

Resolved by the Assembly of the State of California, That the Grand Parlor of the Native Daughters of the Golden West be and it is hereby invited and authorized to use the Assembly Chamber for its convention on June 17, 18, 19 and 20, 1935.

Resolution read.

Mr. Mayo moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Waters, Welsh, Wright, and Mr. Speaker—72.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bill was introduced, and referred as indicated:

By Messrs. Geyer, Hunt, Jones, Clark, Boyle, Rosenthal, Reaves, Glover, Hawkins, Flint, Pelletier, and Richie: Assembly Joint Resolution No. 40—Relative to Townsend old age pension plan.

Introduced, and referred to Committee on Federal Relations.

MOTION TO PRINT IN JOURNAL.

Mr. Lore moved the reports filed by the Railroad Commission, relative to salary and other data, be withdrawn from the Committee on Rules, and be printed in the Journal.

The question being on the motion by Mr. Lore.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Laughlin, Lore, Maloney, McCarthy, McMurray, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Richie, Riley, Rosenthal, Stream, Turner, Voigt, Wagner, Wallace, Waters, and Welsh—47.

NOES—Breed, Brennan, Corwin, Dawson, Field, Fisher, Frazier, Fulcher, Heisinger, Johnson, Kallam, Latham, Lyon, Martin, McBride, Minard, Reaves, Redwine, Robertson, Scudder, Utt, Walker, Wright, and Mr. Speaker—24.

SALARY AND OTHER DATA FILED BY RAILROAD COMMISSION OF THE STATE OF CALIFORNIA IN RESPONSE TO ASSEMBLY RESOLUTION APPEARING IN ASSEMBLY JOURNAL JANUARY 25, 1935, PAGE 55.

March 5, 1935, File No. 069.

Mr. Arthur A. Ohnimus, Chief Clerk, Assembly, California Legislature, Sacramento, California.

DEAR SIR: In response to Assembly Resolution of January 25th, referred to in your letter of January 31st, we are submitting to you herewith two copies of a report showing the names of officers and employees of public utility corporations who during 1934 received a salary of $5,000 or more, and the expenses of such officers or employees. The report also shows the dues, donations, subscriptions, contributions and attorney fees, of public utility corporations who paid salaries of $5,000 or more.

The data in the report was furnished the commission under its General Order No. 77-A. We have not examined the corporations' records to verify the figures submitted by them. Such an examination would require a great deal of time and involve considerable expense.

The report covers the following corporations:

American States Water Service of California.
Anaheim Truck and Transfer Company, Incorporated.
Asbury Transportation Company.
Associated Telephone Company, Limited.
The Atchison, Topeka and Santa Fe Railway Company—Coast Lines.
California Milk Transport, Incorporated.
The California Oregon Power Company.
California Street Cable Railroad Company.
California Water Service Company.
Coast Counties Gas and Electric Company.
Consumers' Ice and Cold Storage Company.
Federal Cold Storage Company.
Great Northern Railway Company—California.
The Harbor Tug and Barge Company.
Howard Terminal.
Los Angeles Compress and Warehouse Company.
Los Angeles Gas and Electric Corporation.
Los Angeles Railway Corporation.
Los Angeles and Salt Lake Railroad Company.
Los Angeles Steamship Company.
Mackay Radio and Telegraph Company.
Market Street Railway Company.

Marr Freight Transit, Incorporated.
McCloud River Railroad Company.
McCormick Steamship Company.
Merchants Ice and Cold Storage Company.
Motor Freight Terminal Company.
Northwestern Pacific Railroad Company.
Overland Terminal Warehouse Company.
Outer Harbor Terminal Railway Company.
Outer Harbor Dock and Wharf Company
Pacific Electric Railway Company.
Pacific Gas and Electric Company—
Great Western Power Company of California.
Feather River Power Company
Napa Valley Electric Company.
Modesto Gas Company.
Pacific Greyhound Lines, Incorporated.
Pacific Motor Transport Company.
Pacific Steamship Lines, Limited.
The Pacific Telephone and Telegraph Company.
Parr-Richmond Terminal Corporation.
Peerless Stages, Incorporated
Petaluma and Santa Rosa Railroad Company.
Port Costa Warehouse Company.
Public Utilities California Corporation
The Pullman Company.
Railway Express Agency, Incorporated
The Richmond & San Rafael Ferry and Transportation Company.
Sacramento Northern Railway.
San Diego & Arizona Railway Company.
San Diego Consolidated Gas and Electric Company.
San Diego Electric Railway Company.
San Diego Ice and Cold Storage Company.
San Joaquin Light and Power Corporation—
Midland Counties Public Service Corporation.
San Jose Water Works.
Santa Barbara Telephone Company.
Santa Maria Gas Company.
Santa Maria Valley Railroad Company.
Security Warehouse and Cold Storage Corporation.
Sierra Pacific Power Company.
Southern California Edison Company, Limited.
Southern California Gas Company.
Southern California Telephone Company.
Southern Counties Gas Company of California.
Southern Pacific Company—Pacific Lines.
Southern Pacific Golden Gate Ferries, Limited
Southern Pacific Milling Company.
Taylor Truck-A-Way, Limited.
Terminal Refrigerating Company.
Trona Railway Company.
United Transfer Company.
Vallejo Electric Light and Power Company
The Western Pacific Railroad Company.
The Western Union Telegraph Company
Western Water Company.
Weyl-Zuckerman and Company.
Whittier Home Telephone and Telegraph Company.
Wilmington Transportation Company.
Yosemite Park and Curry Company.

A few companies who we think may have paid salaries of $5,000 or more during 1934, have not yet filed their reports. As soon as we receive them we will submit a supplemental report.

Yours very truly,

RAILROAD COMMISSION, STATE OF CALIFORNIA.
By H. G. MATHEWSON, Secretary.

AMERICAN STATES WATER SERVICE COMPANY OF CALIFORNIA.

I. Names of employees who during 1934 received a salary of $5,000 or more

Name	*Amount of salary*	*Expenses*
J. B. Whitworth, Chairman of Board of Directors	$6,166 78	$701 60
A. B. Muller, President	5,000 00	Less than 100 00
Total	$11,166 78	

No fees.

II. Dues, donations, subscriptions and contributions.

Los Angeles County Employees' Association	$35 00
All City Employees' Association	100 00
Civil Service Employees	10 00
Los Angeles City Employees	6 00
Bell Unemployed Association	8 69
Bell City League	10 00
P. T. A. Relief Association	5 55
Tujunga Flood Victims' Benefit	5 00
Tujunga Merchants' Association	5 00
Tujunga Kiwanis Club	5 00
Tujunga Service Club	5 00
Hollydale Cumberland Presbyterian Church	15 00
Gardena Welfare Relief	5 00
Gardena Unemployed Relief	1 00
Gardena Civic League Club House	10 00
Gardena Lions Club	3 00
Gardena I. O. O. F.	5 00
Huntington Beach Christmas Trees and Baskets	8 00
Placentia High School	5 00
Mardi Gras Parade at Barstow	8 00
Community Christmas Tree at Barstow	6 00
Venice Street Improvement Celebration	10 00
Tournament of Roses	5 00
Community Chest	130 00
Boy Scouts of America	26 00
American Red Cross	3 00
Miscellaneous Chamber of Commerce Donations	22 50
Christmas Baskets	10 00
Huntington Beach Fourth of July Committee	3 00
Total	$470 74

Charged to account of Promotion of Business Expense.

III. Attorney fees.

Paul Overton Law Expense—General $1,900 00

ASBURY TRANSPORTATION COMPANY.

I. Names of employees who during 1934 received a salary of $5,000 or more.

	Salary	*Expenses*
F. H. Asbury, President and General Manager	$12,000 00	$158 25
J. T. Asbury, Secretary-Treasurer and Manager of Operations	12,000 00	355 86
Totals	$24,000 00	$514 11

No contingent fees to either.

II. Dues, donations, subscriptions and contributions.

Contributions, Account No. 315—

Union Oil Workers	$15 00
Los Angeles Tuberculosis and Health Association	2 00
Salvation Army	5 00
Mrs. J. L. Webster's Christmas Tree Fund	10 00
Total	$32 00

ASBURY TRANSPORTATION COMPANY—CONTINUED

Subscriptions and Dues, Account No. 652—

Los Angeles Chamber of Commerce	$50 00
California State Chamber of Commerce	30 00
Wilmington Chamber of Commerce	20 00
Vernon Industrial Development Association	12 00
California Oil and Gas Association	12 00
American Petroleum Institute	14 00
Southwest Builder and Contractor	120 00
Los Angeles Drayman's Association	16 00
Los Angeles Times	10 80
Western Truck Owners	4 00
Motor Truck Association of Southern California	40 00
Automobile Club of Southern California	13 00
Total	$341 80

III. Attorney fees

Account No. 667—

Rex W. Boston	$2,591 80
Bart F. Wade	350 00
Lewis Stein	99 75
C. H. Bartholomew	95 50
H. E. Northway	258 33
Miscellaneous printing, investigation, etc	313 04
Total	$3,708 42

ASSOCIATED TELEPHONE COMPANY, LTD.

I. Names of employees who during 1934 received a salary of $5,000 or more.

Name	*Amount*	*Expenses*
John G. Mott, Chairman of Board of Directors	$8,500 00	
C. F. Mason, President	7,600 00	$1,458 30
Carl H. Lorbeer, District Manager	6,300 00	
Total	$22,400 00	

No fees.

II. Dues, donations, subscriptions and contributions.

Charged to Account 645—

Better Business Bureau, Long Beach	$60 00
33 Club, Long Beach	15 00
Long Beach Credit Association, Long Beach	36 00
Business Men's Association, Covina	33 00
Business Men's Association, San Bernardino	15 00
Business Men's Association, Ontario	38 00
Rotary, Long Beach	40 00
Rotary, West Los Angeles	20 00
Rotary, Covina	14 00
Rotary, San Bernardino	26 50
Rotary, Santa Monica	15 00
Rotary, Laguna	23 75
Rotary, Hermosa	29 50
Rotary, Ontario	10 75
Rotary, Claremont	12 00
Chamber of Commerce, Long Beach	40 00
Chamber of Commerce, Covina	20 00
Chamber of Commerce, San Bernardino	60 00
Chamber of Commerce, Pomona	80 00
Chamber of Commerce, Redondo	50 00
Chamber of Commerce, Hermosa	50 00
Chamber of Commerce, Laguna	57 00
Chamber of Commerce, Azusa	12 00
Chamber of Commerce, Mar Vista	15 00
Chamber of Commerce, Claremont	9 00
Chamber of Commerce, San Dimas	25 00

ASSOCIATED TELEPHONE COMPANY, LTD.—CONTINUED

Charged to Account 645—Continued

Chamber of Commerce, Chino	$3 00
Chamber of Commerce, Upland	12 00
Chamber of Commerce, Ontario	24 00
Chamber of Commerce, Huntington Beach	12 00
Chamber of Commerce, Los Angeles	225 00
Chamber of Commerce, Venice	50 00
Lions Club, Venice	9 00
Young Men's Club, Westwood Village	15 00
Santa Monica Athletic Club, Santa Monica	55 00
Builders Exchange, Long Beach	20 00
Ocean Park Business Men's Association, Ocean Park	50 00
The Credit Bureau, Pomona	24 00
Total	$1,305 50

Charged to Account 675—

California State Chamber of Commerce, Los Angeles	$50 00
Y. W. C. A., Long Beach	125 00
Y. W. C. A., San Bernardino	25 00
California Telephone Association, Long Beach	788 76
Virginia Country Club, Long Beach	55 00
Total	$1,043 76

Charged to Account 661—

Pacific Coast Club, Long Beach	$330 00
California Club, Los Angeles	115 00
Virginia Country Club, Long Beach	44 00
Total	$489 00

Charged to Account 413—

Community Chest, Covina	$50 00
Community Chest, Long Beach	800 00
Community Chest, Pomona	200 00
Community Chest, Santa Monica	187 50
Community Chest, Venice	25 00
Salvation Army, Ontario	5 00
Y. M. C. A., San Bernardino	35 00
Christmas Seals-Tuberculosis Association, Long Beach	10 00
Red Cross, Ontario	10 00
Red Cross, San Bernardino	10 00
Red Cross, Redondo	5 00
Red Cross, Santa Monica	25 00
Red Cross, Hermosa	5 00
Ocean Park Business Men's Association, Ocean Park	15 00
Venice Business Men's Association, Venice	25 00
Santa Monica Breakwater Celebration, Santa Monica	25 00
Boy Scouts of America, Laguna	10 00
Boy Scouts of America, Huntington Beach	10 00
Antelope Valley Alfalfa Festival, Antelope Valley	10 00
Total	$1,462 50

III. Attorney fees.

	Charged to account	*Amount*
O'Melveny, Tuller & Myers	207 Right of Way	$500 00
O'Melveny, Tuller & Myers	664 Law Department	1,055 26
Lyon & Lyon	675 Other General Expenses	168 00
Total		$1,723 26

ANAHEIM TRUCK AND TRANSFER CO., INC.

I Names of employees who during 1934 received a salary of $5,000 or more.

Name	*Amount*
J. B. Collings, President	$6,000 00
Chas. A. Pearson, Secretary	6,000 00
Total	$12,000 00

No expenses or contingent fees

II Dues, donations, subscriptions and contributions

Charged Account 671—

Anaheim Chamber of Commerce	$25 00
Salvation Army	5 00
Total	$30 00

III. Attorney fees.

None.

THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY—COAST LINES

Statement Showing Name, Title, Duties, Salary, Expense Account and Any Contingent Fee Paid Each Officer or Employee Residing Within the State of California, Who During the Year 1934 Received a Salary of $5,000 or More Per Annum.

Name of officer or employee	Title	Residence	Duties	Salary	Expense account	Contingent fee
Jones, C W	Assistant Secretary and Assistant Treasurer	Los Angeles	In charge of financial matters	$10,050 00	$18 40	
Appel, A O	Deputy Assistant Treasurer	Los Angeles	Assisting in financial matters	5,475 00	11 60	
Hitchcock, J R	General Manager	Los Angeles	In charge of maintenance and operation of properties	22,812 48	470 75	
MacKie, F J	Assistant General Manager	Los Angeles	Assisting general manager in matters relating to maintenance and operation of properties	10,037 52	404 40	
Stedman, C N	Assistant to General Manager	Los Angeles	In charge of general manager's office	5,180 68		
Hill, C E	Assistant to General Manager	Los Angeles	In charge of personnel	6,077 28	319 77	
Quirk, W T	Assistant to General Manager	Los Angeles	General transportation, time table, rate investigation	5,475 00	295 15	
Simpson, G W	Superintendent	Fresno	In charge of divisional maintenance and operation of properties	6,351 00	126 05	
Fluhr, C G	Superintendent	San Bernardino	In charge of divisional maintenance and operation of properties	6,351 00	109 33	
Christie, J A	Superintendent	San Francisco	In charge of divisional maintenance and operation of properties	6,351 00	326 65	
Tisdale, H H	Superintendent	Needles	In charge of divisional maintenance and operation of properties	5,686 50	141 25	
Wall, H S	Mechanical Superintendent	Los Angeles	In charge of general maintenance of equipment	7,299 96	481 40	
Harman, F B	Superintendent of Shops	San Bernardino	In charge of general maintenance of equipment	5,175 72		
Blanchard, M C	Chief Engineer	Los Angeles	In charge of construction and improvements	9,124 98	65 99	
Brennan, R	Attorney, Coast Lines	Los Angeles	In charge of legal matters	8,212 50	523 90	
Duffy, G E	Commerce Attorney	San Francisco	Assisting attorney in legal matters	5,201 25	990 75	
Reed, M W	Attorney	Los Angeles	Assisting attorney in legal matters	5,475 00	239 90	
Hunt, W G	Auditor	Los Angeles	In charge of accounting and auditing	5,748 78	248 95	
Hayden, J R	Assistant Traffic Manager	San Francisco	In charge of matters relating to freight and passenger traffic and compiling freight and passenger rates	11,862 48	1,109 20	
Hastings, P P	General Freight Agent	San Francisco	In charge of compiling rates and soliciting freight traffic	8,212 50	1,763 95	
Anewalt, H P	General Freight Agent	Los Angeles	In charge of compiling rates and soliciting freight traffic	7,665 00	968 17	
Reinhardt, A M	Assistant General Freight Agent	San Francisco	Assisting general freight agent in compiling rates and soliciting freight traffic	6,022 50	310 11	
Duffy, J B	Assistant Passenger Traffic Manager	Los Angeles	In charge of compiling rates and soliciting passenger traffic	7,665 00	1,621 10	
Maginnis, F A	Manager of Ice Plants	Los Angeles	In charge of managing and operating ice plants	9,124 98	370 50	
	Totals			$187,538 11	$10,520 27	

THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY—COAST LINES—CONTINUED

Statement showing total dues, donations, subscriptions and contributions paid within the State of California to persons, associations, firms and corporations during the year 1934.

Name of organization	*Description*	*Account*	*Amount*
All Year Club of Southern California	Subscription	353	$2,400 00
All Year Club of Southern California	Subscription	356	2,400 00
Associated Farmers of California, Inc.	Subscription	460	1,500 00
California Growers and Shippers	Subscription	460	300 00
Californians Incorporated	Subscription	353	1,000 00
Californians Incorporated	Subscription	356	1,000 00
California State Chamber of Commerce	Subscription	460	7,800 00
California State Federation of Labor	Subscription	460	100 00
California Tax Payer's Association	Subscription	460	6,000 00
East Bay Industrial Association	Subscription	460	500 00
Industrial Association of Contra Costa County	Subscription	460	90 00
Industrial Association of Contra Costa County	Dues	460	12 00
Industrial Association of San Francisco	Subscription	460	7,500 00
Industrial Association of San Francisco	Dues	460	700 00
Los Angeles Chamber of Commerce	Subscription	353	2,400 00
Los Angeles Chamber of Commerce	Subscription	356	2,400 00
North Central Improvement Association	Dues	460	36 00
Pacific Railway Club	Subscription	460	20 00
Regional Safety Conference	Subscription	460	9 00
San Diego Police Department	Subscription	460	10 00
San Francisco Convention and Tourist Bureau	Subscription	351	525 00
San Francisco Police Department	Subscription	460	10 00
Sheriffs Relief Association	Subscription	460	10 00
Alhambra Chamber of Commerce	Dues	352	20 00
Alhambra Kiwanis Club	Dues	352	17 00
Alhambra Rotary Club	Dues	352	25 00
Anaheim Chamber of Commerce	Dues	376	25 00
Antioch Chamber of Commerce	Dues	376	5 00
Arcadia Chamber of Commerce	Dues	376	4 00
Azusa Chamber of Commerce	Dues	376	35 00
Bakersfield Chamber of Commerce	Dues	376	12 00
Bakersfield Club	Dues	376	66 00
Bakersfield Rotary Club	Dues	376	22 00
Barstow Chamber of Commerce	Dues	376	6 00
Berkeley Chamber of Commerce	Dues	352	25 00
Berkeley Lions Club	Dues	352	36 00
Chula Vista Chamber of Commerce	Dues	352	10 00
Chula Vista Chamber of Commerce	Dues	356	10 00
Claremont Chamber of Commerce	Dues	376	9 00
Colton Chamber of Commerce	Dues	376	5 00
Corcoran Chamber of Commerce	Dues	376	25 00
Corona Chamber of Commerce	Dues	352	25 00
Dinuba Chamber of Commerce	Dues	376	24 00
El Segundo Chamber of Commerce	Dues	376	4 00
Escalon Chamber of Commerce	Dues	376	6 00
Escondido Chamber of Commerce	Dues	376	25 00
Exeter Chamber of Commerce	Dues	376	12 00
Fallbrook Chamber of Commerce	Dues	376	10 00
Fontana Chamber of Commerce	Dues	376	5 00
Fresno County Chamber of Commerce	Dues	201	12 00
Fresno County Chamber of Commerce	Dues	352	75 00
Fresno County Chamber of Commerce	Dues	371	12 50
Fresno County Chamber of Commerce	Dues	376	25 00
Fresno Commercial Club	Dues	201	15 00
Fresno Commercial Club	Dues	371	15 00
Fresno Commercial Club	Dues	352	36 00
Fresno Rotary Club	Dues	352	34 00
Fullerton Chamber of Commerce	Dues	376	20 00
Glendale Chamber of Commerce	Dues	352	25 00
Glendale Kiwanis Club	Dues	352	45 83
Glendora Chamber of Commerce	Dues	376	24 00
Hemet Valley Chamber of Commerce	Dues	376	15 00
Hermosa Beach Chamber of Commerce	Dues	376	10 00
Highland Chamber of Commerce	Dues	376	3 00
Highland Park Kiwanis Club	Dues	352	26 00
Hollywood Kiwanis Club	Dues	352	66 00
Huntington Park Chamber of Commerce	Dues	352	20 00
Inglewood Chamber of Commerce	Dues	376	10 00
Lindsay Chamber of Commerce	Dues	376	12 00

THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY—COAST LINES—CONTINUED.

Statement showing total dues, donations, subscriptions and contributions paid within the State of California to persons, associations, firms and corporations during the year 1934—Continued.

Name of organization	*Description*	*Account*	*Amount*
Long Beach Chamber of Commerce	Dues	352	$25 00
Long Beach Kiwanis Club	Dues	352	30 00
Los Angeles Rotary Club	Dues	351	48 00
Los Angeles Merchants & Manufacturers Association	Dues	351	12 00
Los Angeles Merchants & Manufacturers Association	Subscription	460	750 00
Merced Chamber of Commerce	Dues	376	60 00
Monrovia Chamber of Commerce	Dues	376	10 00
National City Chamber of Commerce	Dues	376	10 00
Needles Chamber of Commerce	Dues	201	20 00
Needles Chamber of Commerce	Dues	371	20 00
Oakdale Dinner Club	Dues	376	21 00
Oakland Chamber of Commerce	Dues	351	250 00
Oakland Lions Club	Dues	376	36 00
Oceanside Chamber of Commerce	Dues	376	10 00
Ontario Chamber of Commerce	Dues	376	15 00
Orange Community Chamber of Commerce	Dues	376	20 00
Pasadena Chamber of Commerce & Civic Association	Dues	376	75 00
Pasadena Rotary Club	Dues	376	30 00
Pittsburg Chamber of Commerce	Dues	376	25 00
Placentia Chamber of Commerce	Dues	376	24 00
Pomona Chamber of Commerce	Dues	352	20 00
Porterville Chamber of Commerce	Dues	376	12 00
Redlands Chamber of Commerce	Dues	376	24 00
Reedley Chamber of Commerce	Dues	376	9 00
Rialto Chamber of Commerce	Dues	376	2 00
Richmond Chamber of Commerce	Dues	201	8 32
Richmond Chamber of Commerce	Dues	301	25 00
Richmond Chamber of Commerce	Dues	371	20 84
Richmond Chamber of Commerce	Dues	376	25 00
Richmond Chamber of Commerce	Dues	408	20 84
Richmond Industrial Commission	Dues	201	40 00
Richmond Industrial Commission	Dues	371	40 00
Richmond Industrial Commission	Dues	408	40 00
Richmond Rotary Club	Dues	376	30 00
Riverside Chamber of Commerce	Dues	376	25 00
Sacramento Chamber of Commerce	Dues	352	20 00
Sacramento Rotary Club	Dues	352	36 00
San Bernardino Chamber of Commerce	Dues	352	25 00
San Bernardino Chamber of Commerce	Dues	376	25 00
San Bernardino Chamber of Commerce	Dues	201	12 50
San Bernardino Chamber of Commerce	Dues	371	12 50
San Bernardino Rotary Club	Dues	352	24 00
San Diego Chamber of Commerce	Dues	352	200 00
San Diego Rotary Club	Dues	352	24 00
San Dimas Chamber of Commerce	Dues	376	2 50
San Francisco Chamber of Commerce	Dues	201	20 00
San Francisco Chamber of Commerce	Dues	351	420 00
San Francisco Chamber of Commerce	Dues	352	240 00
San Francisco Chamber of Commerce	Subscription	353	965 00
San Francisco Chamber of Commerce	Subscription	356	965 00
San Francisco Chamber of Commerce	Dues	356	180 00
San Francisco Chamber of Commerce	Dues	371	20 00
San Francisco Chamber of Commerce	Dues	376	60 00
San Francisco Chamber of Commerce	Dues	408	20 00
San Francisco Commercial Club	Dues	201	16 00
San Francisco Commercial Club	Dues	351	188 00
San Francisco Commercial Club	Dues	352	48 00
San Francisco Commercial Club	Dues	371	16 00
San Francisco Commercial Club	Dues	408	16 00
San Francisco Town Town Club	Dues	351	96 00
San Francisco Rotary Club	Dues	352	50 00
San Francisco Jr Chamber of Commerce	Dues	351	36 00
San Jacinto Chamber of Commerce	Dues	376	10 00
San Jose Kiwanis Club	Dues	352	36 00
San Pedro Chamber of Commerce	Dues	352	25 00
Santa Ana Chamber of Commerce	Dues	376	25 00
Santa Barbara Chamber of Commerce	Dues	352	25 00
Santa Barbara Rotary Club	Dues	352	30 00

THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY—COAST LINES—CONTINUED

Statement showing total dues, donations, subscriptions and contributions paid within the State of California to persons, associations, firms and corporations during the year 1934—Continued

Name of organization	*Description*	*Account*	*Amount*
Santa Monica Ocean Park Chamber of Commerce	Dues	352	$20 00
Santa Monica Rotary Club	Dues	352	25 50
Stockton Chamber of Commerce	Dues	376	18 00
Stockton Chamber of Commerce	Dues	352	18 00
Stockton Kiwanis Club	Dues	352	30 00
Torrance Chamber of Commerce	Dues	201	50
Torrance Chamber of Commerce	Dues	371	50
Torrance Chamber of Commerce	Dues	351	2 00
Torrance Chamber of Commerce	Dues	356	1 00
Torrance Chamber of Commerce	Dues	376	1 00
Tulare Chamber of Commerce	Dues	376	24 00
Upland Chamber of Commerce	Dues	376	30 00
Upland Rotary Club	Dues	376	16 00
Victorville Chamber of Commerce	Dues	376	3 00
Visalia Chamber of Commerce	Dues	376	25 00
Whittier Chamber of Commerce	Dues	352	25 00
Wilmington Chamber of Commerce	Dues	201	10 00
Wilmington Chamber of Commerce	Dues	371	10 00
Wilmington Chamber of Commerce	Dues	352	40 00
California Arizona Cotton Association	Dues	354	25 00
Central Manufacturing District Club—L. A.	Dues	352	22 00
Emeryville Industries Assn	Dues	376	20 00
Foreign Trade Club of Southern California	Dues	351	12 00
Total			$43,791 83

Recapitulation.

Account charged—	
Maintenance of Way and Structures	
201—Superintendence	$154 82
Maintenance of Equipment	
301—Superintendence	25 00
Traffic	
351—Superintendence	1,589 00
352—Outside Agencies	1,524 33
353—Advertising	6,765 00
354—Traffic Associations	25 00
356—Industrial and Immigration Bureaus	6,956 00
Transportation—Rail Line	
371—Superintendence	167 34
376—Station Supplies and Expenses	1,141 50
408—Operating Floating Equipment	96 84
General	
460—Other Expenses	25,347 00
Total	$43,791 83

Statement of Payments During the Year 1934 to Attorneys Within the State of California.

Name of attorney or legal firm	*Payment*	*Account charged*
Geo. W. Lupton, Jr.	$40 00	454—Law Expenses
Hill, Morgan and Bledsoe	5,795 46	705—Miscellaneous Physical Property
E. W. Camp	2,737 50	454—Law Expenses
Robert Brennan	8,212 50	454—Law Expenses
M. W. Reed	5,475 00	454—Law Expenses
E. T. Lucey	2,737 50	454—Law Expenses
Leo Sievert	4,380 00	454—Law Expenses
H. K. Lockwood	4,380 00	454—Law Expenses
G. E. Duffy	5,201 25	454—Law Expenses
W. F. Brooks	1,916 25	454—Law Expenses
Total	$40,875 46	

CALIFORNIA MILK TRANSPORT, INC

I. Names of employees who during 1934 received a salary of $5,000 or more.

	Salary	Expenses
Jos Perumean, President and General Manager	$10,475 00	$436 80
Joe Bozoff, Vice President	6,000 00	
Total	$16,475 00	$436 80

II. Dues, donations, subscriptions and contributions

None.

III. Attorney fees.

C. C. Stratton, Long Beach, attendance on Corporation Commissioner and services at director's meetings	$560 00
L. U Uhlman, Long Beach, court services	10 00
C. St John, Downey, notary fees	19 25
Constable's office, service of papers	72 50
L. A. Monroe, Los Angeles, tariff filing	5 00
Total	$666 75

THE CALIFORNIA OREGON POWER COMPANY.

I. Names of employees who during 1934 received a salary of $5,000 or more

	Salary	Expenses
J. C. Boyle, Vice President in Charge of Operations	$5,525 00	$1,779 93
No fees.		
M. D Field, Vice President and Treasurer	5,100 00	1 569 54
Director's fees $70		
Totals	$10,625 00	$3,349 47

II. Dues, donations, subscriptions and contributions. Charged to Account 945, Other General Office Expense

Name of recipient	Amount
Chicago Lighting Institute	$50 00
Agricultural Engineering Research Foundation	300 00
Edison Electric Institute	740 14
Electrical Association	13 05
Oregon Reclamation Congress	25 00
Oregon State Engineering Society	5 00
National Security Owners' Association	1,250 00
Shasta Cascade Wonderland Association	25 00
Oregon C R. E. A.	255 00
California C. R. E. A. and C. T. P. A	729 02
Chamber of Commerce Dues—Roseburg	120 00
Chamber of Commerce Dues—U. S A	50 00
Chamber of Commerce Dues—Grants Pass	200 00
Chamber of Commerce Dues—Medford	300 00
Chamber of Commerce Dues—Ashland	12 00
Chamber of Commerce Dues—Klamath Falls	400 00
National Safety Council	60 00
Northwest Electric Light and Power Association	381 13
International Association of Electrical Inspectors	25 00
Public Utility Advertising Association	10 00
Illuminating Engineering Society	10 60
Local organizations (Kiwanis, Lions, Chambers of Commerce, luncheons, etc.)	396 06
Local community activities (celebrations, decorations, etc.)	691 88
Boy Scouts	70 00
Community Chest	300 00
Volunteers of America	5 00
Albertina Kerr Home	2 50
S.E.R.A. Canning Kitchen	10 25
Red Cross	80 00
Jackson County Public Health Association	2 00
Klamath County Public Health Association	6 00
Total	$6,524 63

THE CALIFORNIA OREGON POWER COMPANY—CONTINUED

III. Attorney Fees.

Name	Account charged	Amount	Totals
Brobeck, Phleger & Harrison	946—Law Expenses	$5,460 79	
	951—Regulatory Commission Expense	74 95	
	Construction	149 11	
			$5,684 85
Cleland & Clifford	951—Regulatory Commission Expense	$2,191 14	
			2,191 14
Cummins, Hagenah & Flynn	946—Law Expenses	$3,142 88	
	951—Regulatory Commission Expense	6,510 41	
			9,653 29
R. C. Grosbeck	946—Law Expenses	$1,320 00	
	Construction	721 35	
			2,041 35
D. V. Kuykendall	946—Law Expenses	$1,551 32	
	Construction	3,011 66	
	942—Pay and Expenses, other general office employees	1,620 00	
			6,182 98
Claude McCulloch	946—Law Expenses	$1,668 20	
	Construction	380 00	
			2 048 20
McCulloch & Horan	946—Law Expenses		333 32
Rawles Moore	946—Law Expenses		78 20
A. E. Reames	946—Law Expenses		4,182 50
Tebbe & Tebbe	946—Law Expenses	$463 25	
	Construction	95 00	
			558 25
Walter C. Van Emon	946—Law Expenses	$250 00	
	Construction	100 00	
			350 00
Rice & Orcutt	946—Law Expenses		740 00
Tapscott & Tapscott	946—Law Expenses		100 00
Henry McGuiness	946—Law Expenses		150 00
Jay Upton	946—Law Expenses		300 00
Harris, Smith & Bryson	946—Law Expenses		100 00
F. P. Farrell	946—Law Expenses		20 00
H. C. Blackmer	946—Law Expenses		55 00
N. C. Peters	946—Law Expenses		6 00
Butler & Butler	946—Law Expenses		5 00
Total			$34,780 08

CALIFORNIA STREET CABLE RAILROAD COMPANY

I. Names of employees who during 1934 received a salary of $5,000 or more.

Name	Salary	Expenses
James W. Harris, President and General Manager	$8,400 00	
No fees or expenses		

II. Dues, donations, subscriptions and contributions

Account 89—

Christmas gratuity paid to employees	$1,150 00
Policeman's Ball	20 00
Fireman's Ball	20 00
Industrial Association of San Francisco	240 00
San Francisco Chamber of Commerce	60 00
Chamber of Commerce of the United States	50 00
California Self-insurer's Association	50 00
Total	$1 590 00

III. Attorney fees.

Henry Heidelberg	$1,186 50	$82 50	Acct 89
		1,104 00	Acct. 92
Total		$1,186 50	

CALIFORNIA WATER SERVICE COMPANY.

Year Ended December 31, 1934.

Salaries Amounting to $5,000 or More.

Name	*Title*	*Salary*	*Bonus*	*Expenses*
E. C. Elliott,	President	$16,900 70	$2,500 00	$2,006 95
E. B. Walthall,	Vice President	6,918 70	----------	374 61
E. F. C. Parker,	Vice President and Comptroller	7,892 91	----------	1,078 80
Raymond Beeny,	Secretary-Treasurer	6,679 49	----------	1,038 08
H. K. Griffin,	Manager, Northern Division	5,678 72	----------	752 50
C. T. Chenery,	Chairman of Board of Directors	5,000 00	----------	1,208 00
	Totals	$49,063 52	$2,500 00	$6,458 94

Payments to Attorneys—

Name	
McCutchen, Olney, Mannon & Greene	$12,739 42
Richard Belcher	600 00
Louttit & Marceau	700 00
Rich, Weis & Carlin	600 00
J. E. Rodgers and A. F. Bray	1,200 00
Jerome D. Peters	350 00
Total	$16,189 42

Accounts Charged—

Legal Expense	$14,072 36
Regulatory Commission Expense	47 70
Other General Expense	14 39
Casualty, Insurance and Contingency Reserve	1,602 19
Miscellaneous Debits to Profit and Loss	451 78
Miscellaneous Suspense	1 00
Total	$16,189 42

CALIFORNIA WATER SERVICE COMPANY.

Dues, Donations, Subscriptions and Contributions, Year Ended December 31, 1934.

ACCT E-44, OTHER GENERAL EXPENSES	Amount	Distribution to plants									
		Bk	Bel	Ch	CC	Di	Ha	H R.	Hgh	Li	L P
Division office											
Academy of Political Science	$5 00										
American Chemical Society	17 50										
American Society Civil Engineers	41 00										
American Water Works Association	70 00										
Bank Guards (Christmas)	5 75										
Californians, Inc	35 00										
California State Auto Association	36 00										
California State Federation of Labor	10 00										
Chamber of Commerce, California	216 66										
Chamber of Commerce, San Francisco	60 00										
Chamber of Commerce, U. S. A	150 00										
Commercial Club	197 20										
Community Chest	120 00										
Controllers' Institute	48 92										
Family Club	180 00										
Mail Carrier (Christmas)	10 00										
Mt Diablo Country Club	132 00										
National Sec. Owners' Association	50 00										
Olympic Club	75 00										
Orinda Country Club	260 83										
Police Dept. Widows and Orphans Ball	3 00										
Purchasing Agents Association	12 00										
Tuberculosis Association	2 00										
White Cross Stamps	5 00										
Totals	$1,742 86	$183 17	$317 90	$65 36	$157 73	$9 06	$44 62	$111 02	$5 93	$21 96	$11 15
District offices											
Adventist Church	$4 50				$2 50						
American Legion	7 75				1 50			$6 25			
American Water Works Association	120 00	$10 00	$10 00	$10 00	$20 00		$10 00	10 00			
Bakersfield Club	49 50	49 50									
Benefit Shows	1 55										
Benefit Balls	3 00										
Belvedere Civic Association	1 00		1 00								
Boy Scouts	141 50			12 50	30 00		10 00				
Brotherhood Railway Carmen	1 00										
Business and Prof Women's Club	6 00										

CALIFORNIA WATER SERVICE COMPANY—CONTINUED

Dues, Donations, Subscriptions and Contributions, Year Ended December 31, 1934

ACCT E-11, OTHER GENERAL EXPENSES	Distribution to plants										
	L A	Mrl	Oro	Pet	Re	S C	S M	S S F	Stn	Vi	Wl
Division office											
California Taxpayers Association	$100 00				$100 00						
Catholic Charities	3 00										
Chamber of Commerce	1,079 60	$20 00	$25 00	$50 50	111 00			$108 00			
City Employees Picnic	3 00							3 00			
Civic Loyalty Campaign	1 50				1 50						
Colored Methodist Church	2 50										
Community Chest	465 00		100 00	25 00							
Concord Athletic Club	75				75						
Concord Community Ball	2 00				2 00						
Concord Pergola Fund	50 00				50 00						
Concord P T A Benefit	70				70						
Congregational Church	2 50										
Conservation Association, L A County	25 00		16 67					8 33			
Convention Card Carnival	2 00										
Farm Bureau	5 00	5 00									
Fourth of July Celebrations	3 50			2 50							
Firemen's Benefit Funds	37 75	1 00			4 00		$2 00	12 50			
Girl Scouts	5 00										
Hanford Baseball Club	5 00						5 00				
Hermosa Beach Float	1 00										
Junior College Football Game	3 00							1 00			
Junior Traffic Officers Uniforms	1 00										
Junction Street Dance	5 00			5 00							
Kern County Committee	50 00	50 00									
Kiwanis Club	78 00							51 50			
Lamb and Pet Parade	2 00										
Lecture, San Mateo College	2 00										
Little Community Theater	2 85										
Lions Club	58 00	2 50			43 50						
Martinez Exchange Club	16 00				16 00						
Martinez Food Show	1 00				1 00						
Merchants Association	20 00										
Merchants Mfts and Employers Assn	180 00										
Native Daughters Dance	1 00										
Pioneer Day Corps	55 00	55 00									
Policemens Benefit Ball	6 00										
Port of Stockton stickers	50										
President's Birthday Ball	4 00						1 00	2 00			
Red Cross	93 50				45 00	$3 00	20 00	5 00			

Redding Regatta Finance Committee	10 00										
Redondo Beach Club	10 00							10 00			
Rod and Gun Club	1 00										
Rotary Club	185 00		20 00	20 00		18 00		15 00			
Salvation Army	35 75			12 50	2 50		10 00			5 00	
San Joaquin County Fair Association	100 00										
Soroptimist Club	12 00			12 00							
South San Francisco Mfgrs Association	21 00										
South Side Improvement Club	3 00										
St. Patrick Church entertainment	1 00										
Stockton Annual Regatta	20 00										
Shriners Crippled Children Fund	1 22										
Academy of Political Science											
American Chemical Society											
American Society of Civil Engineers											
American Water Works Association											
Bank Guards (Christmas)											
Californians, Inc											
California State Auto Association											
California State Federation of Labor											
Chamber of Commerce, California											
Chamber of Commerce, San Francisco											
Chamber of Commerce, U S A											
Commercial Club											
Community Chest											
Controllers' Institute											
Family Club											
Mail Carrier (Christmas)											
Mt Diablo Country Club											
National Sec Owners' Association											
Olympic Club											
Orinda County Club											
Police Dept. Widows and Orphans Ball											
Purchasing Agents Association											
Tuberculosis Association											
White Cross Stamps											
Totals	$14 81	$52 11	$52 98	$65 71	$36 77	$9 59	$133 33	$62 05	$315 46	$52 28	$19 87
District offices											
Adventist Church			$2 00								
American Legion											
American Water Works Association		$10 00		$10 00	$10 00		$10 00		$10 00		
Bakersfield Club											
Benefit shows											$1 55
Benefit balls			1 00								2 00
Belvedere Civic Association											
Boy Scouts		20 00	12 00	10 00	10 00					$15 00	22 00
Brotherhood Railway Carmen									1 00		
Business and Professional Women's Club					6 00						

CALIFORNIA WATER SERVICE COMPANY—CONTINUED

Dues, Donations, Subscriptions and Contributions, Year Ended December 31, 1934.

ACCT. E-44, OTHER GENERAL EXPENSES	Distribution to plants										
	Amount	Bk	Bel.	Ch	CC	Di	Ha	H R	Hgh	Li	L P
California Taxpayers Association											
Catholic Charities											$3 00
Chamber of Commerce		$25 00	$50 00	$60 00	$50 00	$3 00	$30 00	$85 00	$254 60	$100 00	7 50
City employees picnic											
Civic Loyalty Campaign											
Colored Methodist Church			2 50								
Community Chest								40 00	300 00		
Concord Athletic Club											
Concord Community Ball											
Concord Pergola Fund											
Concord P T A Benefit											
Congregational Church			2 50								
Conservation Association, L. A. County											
Convention Card Carnival			2 00								
Farm Bureau											
Fourth of July Celebrations			1 00								
Firemen's Benefit Funds		3 00					2 00	2 50	5 00	4 00	1 75
Girl Scouts							5 00				
Hanford Baseball Club											
Hermosa Beach Float											
Junior College Football Game							3 00				
Junior Traffic Officers Uniforms			1 00								
Junction Street Dance											
Kern County Committee											
Kiwanis Club											26 50
Lamb and Pet Parade											2 00
Lecture, San Mateo College							2 00				
Little Community Theater							2 85				
Lions Club				12 00							
Martinez Exchange Club											
Martinez Food Show											
Merchants Association		17 00	5 00								
Merchants Mfts and Employers Assn									180 00		
Native Daughters Dance											1 00
Pioneer Day Corps											
Policemens Benefit Ball							2 00		2 00	2 00	
Port of Stockton stickers									50		
President's Birthday Ball											1 00
Red Cross			2 00		10 00		7 50				1 00

Redding Regatta Finance Committee					10 00						
Redondo Beach Club											
Rod and Gun Club			1 00								
Rotary Club		17 00	12 00		25 00		25 00		15 00	18 00	
Salvation Army				5 00							75
San Joaquin County Fair Association									100 00		
Soroptimist Club											
South San Francisco Mfgrs. Association								21 00			
South Side Improvement Club									3 00		
St Patrick Church entertainment			1 00								
Stockton Annual Regatta									20 00		
Shriners Crippled Children Fund											1 22
Thanksgiving donation	3 00	3 00									
Tuberculosis Association	22 00		1 00		1 00						
Unemployed benefit	5 00							5 00			
Veterans of Foreign Wars	5 25						2 50				
Visalia Rodeo Association	10 00										
Volunteer Fire Department dance	75										
Walnut Creek low tunnel celebration	10 00				10 00						
Willows Ambulance Fund	2 25										
Willows High School benefit	70										
Y. M. C. A.	62 00	10 00					10 00				
Indigent families	36 78				30 05			6 73			
Glad Tidings Relief	7 57										
Community Shelter	90 39										
Auto Park	39 92										
Jewish Cemetery	30 00										
Oroville Cemetery	30 00										
City and County Welfare Department	32 40										
Presbyterian Church	34 80										
Methodist Church	27 00										
Christian Science Church	28 20										
Richard Belcher	19 90										
Salvation Army	65 40										
A. M. E. Church	16 20										
St. John's Episcopal Church	18 60										
Christian Church	16 80										
Colored Baptist Church	20 40										
Presbyterian parsonage	25 80										
Christian Church	13 95										
Catholic Church	16 80										
Catholic Church parsonage	55 80										
M. E parsonage	34 80										
Episcopal parsonage	24 00										
St John's Guild Hall	19 80										
Totals	$5,680 54	$489 17	$491 57	$215 36	$630 73	$30 06	$115 12	$355 33	$5 93	$26 96	$11 15

CALIFORNIA WATER SERVICE COMPANY—CONTINUED.

Dues, Donations, Subscriptions and Contributions, Year Ended December 31, 1934.

ACCT. E-4 f, OTHER GENERAL EXPENSES	Distribution to plants										
	L A	Mtl	Oro	Pet	Re	S C.	S M	S S F	Stn	Vi	Wi
Thanksgiving donation											
Tuberculosis Association			$1 00		$5 00		$12 00		$1 00		$1 00
Unemployed benefit											
Veterans of Foreign Wars											2 75
Visalia Rodeo Association										$10 00	
Volunteer Fire Department Dance											75
Walnut Creek low tunnel celebration											
Willows Ambulance Fund											2 25
Willows High School Benefit											70
Y. M. C. A.		$25 00	12 00				5 00				
Donated water											
Indigent families											
Glad Tidings Relief				$7 57							
Community Shelter							90 39				
Auto park			39 92								
Jewish Cemetery			30 00								
Oroville Cemetery			30 00								
City and County Welfare Department		32 40									
Presbyterian Church		31 80									
Methodist Church		27 00									
Christian Science Church		28 20									
Richard Belcher		19 90									
Salvation Army		65 10									
A. M. E. Church		16 20									
St. John's Episcopal Church		18 60									
Christian Church		16 80									
Colored Baptist Church		20 10									
Presbyterian parsonage		25 80									
Christian Church		13 95									
Catholic Church		16 80									
Catholic Church parsonage		55 80									
M. E. parsonage		31 80									
Episcopal parsonage		24 00									
St. John's Guild Hall		19 80									
Grand totals	$14 81	$639 76	$260 90	$170 28	$162 77	$12 59	$330 07	$210 55	$1,207 56	$201 28	$98 59

COAST COUNTIES GAS AND ELECTRIC COMPANY.

I. Names of employees who during 1934 received a salary of $5,000 or more.

	Salary	*Expenses*
H. L. Farrar, President	$4,666 66	$939 51
R. N. Dreiman, General Auditor and Assistant Treasurer	6,225 00	406 91
A. E. Strong, General Superintendent	6,225 00	317 54
H. W. Edmund, Sales Manager	6,225 00	336 43
C. Grunsky, Chief Engineer	5,400 00	648 30
Totals	$28,745 66	$2,648 69

II. Dues, donations, subscriptions and contributions

Account 845—Other General Office Expenses.

Associations—	
Santa Clara Electrical Development League	$3 00
Merced County Farm Bureau	5 00
National Safety Council	60 00
Light and Power Council	857 50
Californians Incorporated	50 00
D. E. S. Association, Los Banos	5 00
California State Federation of Labor	25 00
Pacific Coast Electrical Association (membership for 15 employees)	15 00
Pacific Coast Gas Association (membership for 17 employees)	85 00
Pacific Coast Gas Association (annual dues and company membership)	204 00
American Gas Association (annual dues and company membership)	379 97
Membership for R. N. Dreiman	7 50
Service Clubs—	
F. S. Thomas, Rotary Club, Watsonville	30 00
T. Underwood, Rotary Club, Gilroy	18 00
Earl Crick, 20-30 Club, Santa Cruz	8 50
R. Henderson, Kiwanis Club, Santa Cruz	56 00
A. E. Strong, Rotary Club, Santa Cruz	24 00
P. Vinet, Exchange Club, Martinez	14 00
E. B. Mason, Rotary Club, Pittsburg	14 00
Milo Cain, Exchange Club, Santa Cruz	16 00
R. N. Dreiman, Rotary Club, Santa Cruz	24 00
H. W. Edmund, Lions Club, Santa Cruz	12 00
B. Rice, Exchange Club, Hollister	34 00
Chambers of Commerce—	
Martinez	36 00
San Ramon Valley	25 00
Gilroy	37 50
Pittsburg	60 00
San Lorenzo Valley	12 00
Los Banos	25 00
Davenport	12 00
Antioch	25 00
Watsonville	200 00
F. S. Thomas (Watsonville Chamber of Commerce)	12 00
Santa Cruz	250 00
Aptos	10 00
California State	100 00
San Benito	25 00
Subscriptions and Contributions—	
Tuberculosis Association (stamps), Santa Cruz	1 00
P. Vinet (exsheriff's dinner), Martinez	10 00
J. P. McCall (exsheriff's dinner), Martinez	10 00
Scouts (annual ball), Watsonville	5 50
Marine Corps ball, Watsonville	2 00
Home Owned Business Association, Watsonville	25 00
White Cross Antinarcotic League, Watsonville	3 00
R. Henderson (Ben Lomond Fire Department)	5 00
R. Henderson (annual bird show), Santa Cruz	5 00
Hollister American Legion	2 50
Santa Cruz American Legion	10 00

COAST COUNTIES GAS AND ELECTRIC COMPANY—CONTINUED

Subscriptions and Contributions—Continued

T. H Underwood (horse show tickets), Hollister	$18 50
Horse Show, Hollister	25 00
Hollister Chamber of Commerce (contribution toward street lighting during horse show), Hollister	25 00
Gilroy Show (tickets), Gilroy	1 00
Men's Brotherhood, Watsonville	1 00
R. Henderson (tickets educational film), Santa Cruz	1 00
Parent Teachers Association (tickets), San Benito	1 00
T. H. Underwood (Gilroy Gmykhana), Gilroy	29 00
Contractors Labor Council, Watsonville	15 00
Diablo Valley Community Apricot Festival	10 00
Madrone Rodeo, Gilroy	10 00
R. Henderson (fireman's ball), Santa Cruz	2 00
War Veterans, Watsonville	2 00
State Highway Patrol (dance), Santa Cruz	10 00
State Highway Patrol (dance), Watsonville	4 00
R. Henderson (Spanish War Veterans), Santa Cruz	2 00
T H. Underwood (high school benefit), Gilroy	5 00
Total Account No 845	$3,017 47

Account No. 508.

Donations to Charitable Institutions—

Boulder Creek Community Chest	$5 00
Boy Scouts of America, Pittsburg	25 00
Salvation Army, Hollister	5 00
Boys Club, Santa Cruz	7 50
Boy Scouts of America, Hollister	5 00
Community Chest, Santa Cruz	300 00
Community Chest, Watsonville	300 00
Martinez Red Cross, Martinez	10 00
Community Relief, Los Banos	10 00
Red Cross, Crockett	5 00
Tuberculosis Association, Santa Cruz	1 00
Red Cross, Antioch	5 00
Tuberculosis Association, Merced County	1 00
Salvation Army, Gilroy	5 00
Total Account No. 508	$684 50

III. Attorney Fees.

Account No 846.

Law Expenses, General—

Pillsbury, Madison and Sutro, San Francisco	$3,600 00
Rittenhouse and Snyder, Santa Cruz	1,074 25
Total Account No. 846	$4,674 25

Account No 857.

Other Miscellaneous Expense—

Rittenhouse and Snyder, Santa Cruz	$2,600 00
(Of the above amount, $2,000 was paid to Thomas E O'Donnell, Esq., Attorney at Law, Hollister, California (See letter to Railroad Commission, December 8, 1934.)	

CONSUMERS' ICE AND STORAGE COMPANY

I. Names of employees who during 1934 received a salary of $5,000 or more

A. F Brinkman, Vice President, salary	$5,600 00
Less amount charged to Account 405, nonutility operating expense	4,670 96
Charged to Account 650	$929 04
A. F. Brinkman, Vice President, expenses	$500 00
Less amount charged to Account 405	417 05
Charged to Account 650	$82 95
K. Melrose, Secretary, salary	$3,234 00
Less amount charged to Account 405	2,729 82
Charged to Account 650	$504 18

CONSUMERS' ICE AND STORAGE COMPANY—CONTINUED.

II. Dues, donations, subscriptions and contributions.

Account 313-E.

Donations and Contributions—	
Boy Scouts of America	$4 15
Sacramento Community Chest	66 36
Sacramento Chamber of Commerce	8 30
Sacramento Convention Bureau	82
Northern California Business Council	4 15
American Red Cross	4 15
Miscellaneous Charity Ball tickets, etc	9 68
Total Account 313-E	$97 61

Account 657.

Dues and Subscriptions—	
U. S. Chamber of Commerce	$8 30
Sacramento Chamber of Commerce	39 82
Retail Credit Association	5 66
Sacramento Community Chest	20 74
Sacramento Convention Bureau	9 13
McNeil Club	33
Business Extension Bureau	9 13
California Association of Ice Industries	52 75
Nickerson & Collins	49
Pacific States Cold Storage Warehouse Association	312 38
Taxpayers' Association of Sacramento County	9 60
National Association of Ice Industries	32 29
Association of Refrigerated Warehouses	28 00
Miscellaneous small amounts, none of which were made to officers or employees	66
Total Account 657	$529 28

III. Attorney fees

Fees to Downey, Brand and Seymour, Attorneys	$46 00

FEDERAL COID STORAGE COMPANY.

I. Names of employees who during 1934 received a salary of $5,000 or less.

	Salary	*Expense*
T. J Murphy, President, (part time)	$7,500 00	
Jean G. Drake, Superintendent and Sales Manager	6,000 00	$327 51
Total	$13,500 00	

No contingent fees.

II. Dues, donations, subscriptions and contributions.

	Acct. charged	*Amt.*
Donations—		
Produce Exchange of Los Angeles (pro rata of cost of car of potatoes for charity)	313	$50 00
Dues and Subscriptions—		
Los Angeles Produce Exchange	657	$110 00
American Warehouse Association	657	204 00
Western Fruit Jobbers' Association	657	40 00
Los Angeles Taxpayers' Association	657	122 78
Total		$476 78

III. Attorney fees

H. E. Prudhon	658	$200 00

GREAT NORTHERN RAILWAY COMPANY

I. Names of employees in California who during 1934 received a salary of $5,000 or more

	Salary	Expenses
B. S. Merritt, General Freight Agent, San Francisco, California, soliciting freight shipments	$5,400 00	$3,964 74

No contingent fees.

II. Dues, donations, subscriptions and contributions.

	Amount	Account charged
Dues for one membership in Los Angeles Chamber of Commerce	$25 00	Traffic—Outside Agencies
Dues for one membership in Sacramento Chamber of Commerce	20 00	Traffic—Outside Agencies
Dues for nine memberships in San Francisco Chamber of Commerce $270 00	60 00	General—General Office Supplies and Expenses
	30 00	General—Law Expenses
	120 00	Traffic—Superintendence
	60 00	Traffic—Outside Agencies
Total	$315 00	

III. Attorney fees.

	Amount	Account charged
Earl and Hall, Standard Oil Bldg., San Francisco	$13 10	General—Law Expenses
Guy C. Earl, 2914 McClure St., San Francisco, Cal., salary as attorney	800 00	General—Law Expenses
Total	$813 10	

THE HARBOR TUG AND BARGE COMPANY, SAN FRANCISCO, CALIFORNIA.

I Names of Employees who during 1934 received a salary of $5,000 or more.

	Salary	Expenses
C. C Kriemler, President	$9,000 00	$262 50

No contingent fees.

II. Dues, donations, subscriptions and contributions.

(Included in Account 670—General Expenses.)

Dues— Name	Amount
California Inland Water Carriers' Conference	$781 00
Shipowners' Association of the Pacific Coast	300 00
Boat Builders' and Repairers' Association	18 50
River and Harbor Improvement Industry	5 00
Oakland Chamber of Commerce	25 00
San Francisco Chamber of Commerce	60 00
San Francisco Commercial Club	60 50
Propeller Club	60 00
Total	$1,310 00
Donations **(Included in Account 680)**—	
San Francisco Police Department Widows and Orphans Association (tickets)	$10 00
San Francisco Fire Department Widows and Orphans Association (tickets)	2 00
Press Club (tickets)	4 00
Young Men's Institute (tickets)	10 00
Hotel Employees (tickets)	2 00
Boy Scouts of America	10 00
Alameda County Tuberculosis and Health Association	1 00
San Francisco Tuberculosis Association	1 00
Floral pieces	10 25
Total	$50 25
Subscriptions (Included in Account 680)—	
Californians, Incorporated	25 00
Contributions (Included in Account 680)—	
Merriam Campaign Committee	25 00

THE HARBOR TUG AND BARGE COMPANY SAN FRANCISCO CALIFORNIA—CONTINUED

Attorney's Fees (Included in Account 670) General Expenses—

Gwyn H. Baker	$143 00
McCutchen, Mannon, Olney & Greene	278 00
Irving H. Frank	2,000 00
Notary and recording fees	80 00
Notary fees and recording fees (charged to customer)	120 00
Total	$2,381 00

HOWARD TERMINAL.

I. Names of employees who during 1934 received a salary of $5,000 or more.

	Expenses	*Salary*	*Charged to*
Chas. P. Howard, President		$300 00	Warehouse Expense
Chas. P. Howard, President	$247 05	6,810 00	Wharfinger Expense
Total		$7,110 00	

No contingent fees

II. Dues, donations, subscriptions and contributions

Oakland Chamber of Commerce	$310 00	
San Francisco Chamber of Commerce	120 00	
East Bay Industrial Association	15 00	
Emeryville Industries Association	10 00	
State Campaign for Governor	50 00	
Industrial Athletic Association	10 00	
San Francisco Bay Carloaders Association	60 00	
California State Chamber of Commerce	50 00	
Chamber of Commerce of the United States of America	50 00	
California Manufacturers Association	40 00	
Community Chest of Oakland	700 00	
Community Chest of San Francisco	50 00	
Lions Club of Oakland	36 00	
Oakland Traffic Club	22 00	
Oakland Real Estate Board	100 00	
Oakland Foreign Trade Club	25 00	
Transportation Club of San Francisco	32 50	
Total	$1,680 50	Wharfinger Expense
Warehousemen's Association of the Port of San Francisco	$210 28	
Merchandise Warehousing Trade Code Authority	108 00	
American Warehousemen's Association	33 00	
California Warehousemen's Association	35 00	
Total	$386 28	Warehouse Expense

III Attorney's fees

Fitzgerald, Abbott & Beardsley	$300 00	
McCutchen, Olney, Mannon & Greene	7,310 00	
Total	$7,610 00	Wharfinger Expense

LOS ANGELES COMPRESS AND WAREHOUSE CO.

I. Names of employees who during 1934 received a salary of $5,000 or more.

I. E. Blohm, General Manager	$5,400 00

II. Dues, donations, subscriptions and contributions.

California-Arizona Cotton Association	$25 00
Los Angeles American Institutions	100 00
American Ports Association	10 00
California Chamber of Commerce	25 00
Los Angeles Chamber of Commerce	12 50
San Pedro Chamber of Commerce	25 00
Total	$197 50
Community Chest	$25 00

III. Attorney's fees

Newlin & Ashburn, retainer	$900 00

LOS ANGELES GAS AND ELECTRIC CORPORATION

Statement Showing Salary, Expense Account and Contingent Fee or Bonus of All Officers or Employees of Los Angeles Gas and Electric Corporation Who Received a Salary of $5,000 or More During Year 1934.

Name	Title	Duties and jurisdiction	Salary	Expense account (A)	Contingent fee or bonus (B)
Addison B. Day	President and general manager	General management	$36,000 00	$1,991 00	$1,220 00
H L. Masser	Vice president and executive engineer	Details of general management	16,200 00	1,179 70	1,200 00
W E. Houghton	Vice president and treasurer	General finances, secretarial department, general accounting, taxes and assessments, etc	10,800 00		280 00
F E. Seaver	Secretary	Stockholders and directors, insurance, pay roll, employee records, stock sales, etc	7,020 00	7 00	280 00
E N. Simmons	Auditor and assistant secretary	Duties usually attached to office of auditor and assistant secretary	7,020 00	48 18	
T B Parks	Purchasing agent (deceased)	Duties usually attached to office of purchasing agent	5,799 69	11 74	
LeRoy M Edwards	General counsel	Head of legal department	9,000 00	42 00	180 00
Paul Overton	Attorney	Legal matters	13,500 00	143 07	280 00
Samuel Poorman	Attorney	Legal matters	10,800 00	26 76	
H J Kister	Special service manager	Special assignments	5,400 00	1 40	
Frank Weiss	Manager new business	New business special service, advertising, competitive franchises	8,100 00	370 46	260 00
O L Moore	Manager customers department	Head of customers department	7,560 00	6 89	260 00
D L Scott	Personnel manager	Public relations, employment, employee education and activities, subscriptions and donations, memberships in organizations	6,480 00	16 00	
J G. Rollow	Chief electrical engineer	Details of electric manufacturing and distribution departments' operation and construction	7,020 00	11 04	
W. R. Shettel	Constructing engineer	Supervision of plant construction	5,404 64	18 09	
T. N Kellett	Superintendent gas manufacture (deceased)	Supervision of gas production plant	5,114 58		
W M Henderson	Superintendent gas district	Supervision of operation and construction in gas distribution department	5,945 06	73 66	
E R Northmore	Superintendent electric distribution	Supervision of operation and construction in electric distribution department	6,053 11	279 18	
Totals			$173,217 08	$1,526 17	$3,960 00

A No allowances for expenses or dues but actual expenses paid by regular expense voucher as incurred
B Directors' fees.
Other than regular salaries and directors' fees as above noted, no other compensation was received from the corporation in the form of expense allowance, contingent fee, bonus or otherwise

LOS ANGELES GAS AND ELECTRIC CORPORATION—CONTINUED.

Donations, Dues, Subscriptions and Contributions Made During 1934.

Name	Explanation	Distribution				
		Amount	508	Gas 823	Gas 836	Gas 845
Charitable Donations						
Maternity Cottage	Contribution	$60 00	$60 00			
Los Angeles Community Chest	Subscription	10,000 00	10,000 00			
Pasadena Community Chest	Donations	300 00	300 00			
Alhambra Community Chest	Donations	50 00	50 00			
South Pasadena Community Chest	Donations	50 00	50 00			
Rev Richard J Hennessy	Contribution—St John's Charity Bazaar	10 00				$7 14
H L Masser	Electric Club Christmas Charity	20 00				
H L Masser	Los Angeles City Council Christmas Benefit Fund—Food for destitute	25 00	25 00			
H L Masser	American Legion Christmas Charity Fund	10 00	10 00			
O W Twitchell	Women's Better Government League Christmas Dinner	25 00				17 85
Total Charitable Donations		$10,550 00	$10,495 00			$24 99
Donations on Account Good Will						
Pasadena Police Relief Association	Contribution—Tickets for Annual Ball	$5 00				$3 57
Southern California Restaurant Association	Dues 10/1/33 to 9/30/35	40 00				28 56
C F Stanley	Contributions—Gas used in painting toys for needy children—Inglewood	2 19				1 56
Addison B Day	Contribution to California Institute Associates for research work	1,000 00				714 00
Philharmonic Orchestra	Four season tickets to concerts	108 00				77 11
Sheriff's Relief Association	Ten tickets to Sheriff's 1934 Relief Fund Barbecue	10 00				7 14
Eagle Rock Chamber of Commerce	Contribution to Permanent Street Decoration Fund	5 00				3 57
Eagle Rock Chamber of Commerce	Contribution Christmas Street Decoration Fund	3 00				2 14
Eagle Rock Chamber of Commerce	Contribution account Sales Day decorations	10 00				7 14
F P Raymer	Six tickets for Community Capers Civic Benefit	4 50				3 21
The Centinella Days Committee	Donation for general and miscellaneous expense	15 00				10 71
L L Bellona	Donation to South Pasadena merchants for christmas decorations	1 00				72
Retail Merchants Association of Huntington Park	Contribution—Decoration of streets	25 00				17 85
Total donations account good will		$1,228 69				$877 28

Contribution to Organizations for the Advancement of this Community						
Joint Fund—Chamber of Commerce—All Year Club	Subscription for 1934	$1,000 00				$714 00
California State Chamber of Commerce	Contribution for year	250 00				178 50
Pasadena Chamber of Commerce & Civic Association	Tournament of Roses Participation	1 00				71
Pasadena Tournament of Roses Association	Annual dues	10 00				7 14
Los Angeles New & Better Housing Commission	Contribution for Better Housing Campaign	166 66			$116 66	
Alhambra Better Housing Commission	Contribution for Better Housing Campaign	25 00				17 85
Total contributions to organizations for advancement of community		$1 452 66			$116 66	$918 20
Subscriptions to Tax Associations, etc						
California Tax Payers Association	Prorata share expenses	$3,101 81				
Total subscriptions to tax associations, etc		$3,101 81				
Subscriptions to Associations for Promoting Development of Industry						
L A Building Owners & Managers Association	Dues for 1934	$150 00				$107 10
Pacific Coast Gas Association	Subscription to Cooperative Ad Fund	4 525 00				4,525 00
Pacific Coast Gas Association	Subscription to budget	3,343 75				3,343 75
Pacific Coast Electrical Association	Dues for year 1934	1 00				
American Gas Association	Annual Dues	3,108 00				3,108 00
American Society for Testing Materials	Dues	15 00				10 71
Total subscriptions to associations for promoting development of industry		$11,142 75				$11,094 56
Dues						
Alhambra Chamber of Commerce	Dues for 1934	$20 00				$14 28
Monterey Park Chamber of Commerce	Dues for 1934	12 00				8 57
Watts Chamber of Commerce	Dues for 1934	25 00				17 85
Pasadena Chamber of Commerce and Civic Ass'n	Dues for 1934	25 00				17 85
Southeast District Chamber of Commerce	Dues to March 1, 1935	20 00				14 28
Inglewood Chamber of Commerce	Dues for 1934	20 00				14 28
Bell Chamber of Commerce	Dues to April 1, 1935	12 00				8 57
L A Junior Chamber of Commerce	Dues to June 1, 1935	12 00				8 57
Eagle Rock Chamber of Commerce	Dues to March 1, 1935	17 00				12 14
Southgate Chamber of Commerce	Dues to July 1, 1935	25 00				17 85
Hollywood Chamber of Commerce	Dues to Oct 1, 1935	25 00				17 85
Southeast District Chamber of Commerce	Dues for 1935	20 00				14 28
Commercial Board of Los Angeles	Dues for 1934	30 00				21 42
Merchants & Manufacturers Association	Dues for 1934	120 00				85 68
Advertising Club of Los Angeles	Dues for 1934	24 00				17 14
Los Angeles Optimist Club	Dues for 1934	36 00				25 70
Pasadena Optimist Club	Dues for 1934	36 00				25 70
Optimist Club of Southwest Los Angeles	Dues for 1934	60 00				42 84
Executives Association of Los Angeles	Dues for 1934	125 00				89 25
California Natural Gasoline Association	Dues for year ending 4/4/34	5 00				3 57

LOS ANGELES GAS AND ELECTRIC CORPORATION—CONTINUED.

Donations, Dues, Subscriptions and Contributions Made During 1934.

Name	Explanation	Distribution				
		Gas 846	Electric 923	Electric 936	Electric 945	Electric 946
Charitable Donations—Continued						
Maternity Cottage	Contribution					
Los Angeles Community Chest	Subscription					
Pasadena Community Chest	Donations					
Alhambra Community Chest	Donations					
South Pasadena Community Chest	Donations					
Rev. Richard J. Hennessy	Contribution—St. John's Charity Bazaar				$2 86	
H L Masser	Electric Club Christmas Charity				20 00	
H. L. Masser	Los Angeles City Council Christmas Benefit Fund—Food for destitute					
H. L Masser	American Legion Christmas Charity Fund					
O W. Twitchell	Women's Better Government League Christmas Dinner				7 15	
Total charitable donations					$30 01	
Donations on Account Good Will						
Pasadena Police Relief Association	Contribution—Tickets for Annual Ball				$1 43	
Southern California Restaurant Association	Dues 10/1/33 to 9/30/35				11 44	
C. F. Stanley	Contribution—Gas used in painting toys for needy children—Inglewood				63	
Addison B. Day	Contribution to California Institute Associates for research work				286 00	
Philharmonic Orchestra	Four season tickets to concerts				30 89	
Sheriff's Relief Association	Ten tickets to Sheriff's 1934 Relief Fund Barbecue				2 86	
Eagle Rock Chamber of Commerce	Contribution to Permanent Street Decoration Fund				1 43	
Eagle Rock Chamber of Commerce	Contribution Christmas Street Decoration Fund				86	
Eagle Rock Chamber of Commerce	Contribution account Sales Day decorations				2 86	
F P. Raymer	Six tickets for Community Capers Civic Benefit				1 29	
The Centinella Days Committee	Donation for general and miscellaneous expense				4 29	
L. L. Bellona	Donation to South Pasadena merchants for Christmas decorations				28	
Retail Merchants Association of Huntington Park	Contribution—Decoration of streets				7 15	
Total donations account good will					$351 41	

Contribution to Organizations for the Advancement of this Community						
Joint Fund—Chamber of Commerce—All Year Club	Subscription for 1934				$286 00	
California State Chamber of Commerce	Contribution for year				71 50	
Pasadena Chamber of Commerce & Civic Association	Tournament of Roses participation				29	
Pasadena Tournament of Roses Association	Annual Dues				2 86	
Los Angeles New & Better Housing Commission	Contribution for Better Housing Campaign			$50 00		
Alhambra Better Housing Commission	Contribution for Better Housing Campaign				7 15	
Total contributions to organizations for advancement of community				$50 00	$367 80	
Subscriptions to Tax Associations, etc						
California Tax Payers Association	Prorata share expenses				$3,101 81	
Total subscriptions to tax associations, etc					$3,101 81	
Subscriptions to Associations for Promoting Development of Industry						
Los Angeles Building Owners & Managers Association	Dues for 1934				$12 90	
Pacific Coast Gas Association	Subscription to Cooperative Advertising Fund					
Pacific Coast Gas Association	Subscription to budget					
Pacific Coast Electrical Association	Dues for year 1934				1 00	
American Gas Association	Annual dues					
American Society for Testing Materials	Dues				4 29	
Total subscriptions to associations for promoting development of industry					$48 19	
Dues						
Alhambra Chamber of Commerce	Dues for 1934				$5 72	
Monterey Park Chamber of Commerce	Dues for 1934				3 43	
Watts Chamber of Commerce	Dues for 1934				7 15	
Pasadena Chamber of Commerce & Civic Association	Dues for 1934				7 15	
Southeast District Chamber of Commerce	Dues to March 1, 1935				5 72	
Inglewood Chamber of Commerce	Dues for 1934				5 72	
Bell Chamber of Commerce	Dues to April 1, 1935				3 43	
Los Angeles Junior Chamber of Commerce	Dues to June 1, 1935				3 43	
Eagle Rock Chamber of Commerce	Dues to March 1, 1935				4 86	
Southside Chamber of Commerce	Dues to July 1, 1935				7 15	
Hollywood Chamber of Commerce	Dues to Oct. 1, 1935				7 15	
Southeast District Chamber of Commerce	Dues for 1935				5 72	
Commercial Board of Los Angeles	Dues for 1934				8 58	
Merchants & Manufacturers Association	Dues for 1934				34 32	
Advertising Club of Los Angeles	Dues for 1934				6 86	
Los Angeles Optimist Club	Dues for 1934				10 30	
Pasadena Optimist Club	Dues for 1934				10 30	
Optimist Club of Southwest Los Angeles	Dues for 1934				17 16	
Executives Association of Los Angeles	Dues for 1934				35 75	
California Natural Gasoline Association	Dues for year ending 4/4/34				1 43	

LOS ANGELES GAS AND ELECTRIC CORPORATION—CONTINUED

Donations, Dues, Subscriptions and Contributions Made During 1934.

Name	Explanation	Distribution				
		Amount	508	Gas 823	Gas 836	Gas 845
Membership Dues						
Rotary Club of Los Angeles	Dues for 1934	$18 00				$34 27
Rotary Club of Alhambra	Dues for 1934	25 00				17 85
Rotary Club of Inglewood	Dues to Feb 1, 1935	30 00				21 42
Kiwanis Club of Los Angeles	Dues for 1934	50 00				35 70
Kiwanis Club of Alhambra	Membership fee and dues to Dec 31, 1934	17 50				12 50
Kiwanis Club of Eagle Rock	Dues for 1934	15 00				10 71
Kiwanis Club of Watts	Dues for 1934	14 00				10 00
Seismological Society of America	Dues for 1934	3 00				2 14
American Society of Heating & Ventilating Engineers	One regular, two affiliate memberships	24 00				17 14
Pasadena Merchants Association	Dues for 1934	24 00				17 13
Southwestern Section, International Association of Electrical Inspectors	Dues for 1934	4 00				2 86
Plumbing Inspectors Association of California	Dues for 1934	25 00				17 85
Vermont-Manchester Business Association	Dues for 1934	4 50				3 21
The Electrical Estimators	Dues for 1934	6 00				4 28
Pacific Coast Building Officials Conference	Dues for year ending June 30, 1935	25 00				17 85
National Association of Power Engineers	Dues for year ending July 1, 1935	18 00				12 85
Sales Managers Association of Los Angeles	Dues for year ending June 30, 1935	20 00				14 28
Furnace Dealers' Association	Dues April to Oct 1934 (inclusive)	7 00				5 00
Illuminating Eng Society	Dues year ending Sept 30, 1935	7 50				5 35
Women's City Club	Dues to June 1, 1935	5 00				3 57
Total dues		$1,041 50				$743 63
Miscellaneous						
National Security Owners Association	Contribution—Southern California Unit	$2 000 00	$2,000 00			
Grand total		$30,517 41	$12,495 00		$116 66	$13,658 66

LOS ANGELES GAS AND ELECTRIC CORPORATION—CONTINUED.

Donations, Dues, Subscriptions and Contributions Made During 1934.

Name	Explanation	Distribution				
		Gas 846	Electric 923	Electric 936	Electric 945	Electric 946
Membership Dues--Continued						
Rotary Club of Los Angeles	Dues for 1934				$13 73	
Rotary Club of Alhambra	Dues for 1934				7 15	
Rotary Club of Inglewood	Dues to Feb 1, 1935				8 58	
Kiwanis Club of Los Angeles	Dues for 1934				14 30	
Kiwanis Club of Alhambra	Membership fee and dues to Dec. 31, 1934				5 00	
Kiwanis Club of Eagle Rock	Dues for 1934				4 29	
Kiwanis Club of Watts	Dues for 1934				4 00	
Seismological Society of America	Dues for 1934				86	
American Society of Heating & Ventilating Engineers	One Regular, two affiliate memberships				6 86	
Pasadena Merchants Association	Dues for 1934				6 87	
Southwestern Section, International Association of Electrical Inspectors	Dues for 1934				1 14	
Plumbing Inspectors Association of California	Dues for 1934				7 15	
Vermont-Manchester Business Association	Dues for 1934				1 29	
The Electrical Estimators	Dues for 1934				1 72	
Pacific Coast Building Officials Conference	Dues for year ending June 30, 1935				7 15	
National Association of Power Engineers	Dues for year ending July 1, 1935				5 15	
Sales Managers Association of Los Angeles	Dues for year ending June 30, 1935				5 72	
Furnace Dealers' Association	Dues April to October, 1934 (inclusive)				2 00	
Illuminating Eng Society	Dues year ending September 30, 1935				2 15	
Women's City Club	Dues to June 1, 1935				1 43	
Total dues					$297 87	
Miscellaneous						
National Security Owners Association	Contribution—Southern California Unit					
Grand total				$50 00	$4,197 09	

LOS ANGELES GAS AND ELECTRIC CORPORATION—CONTINUED.

Payments to Attorneys During 1934 Not on Regular Pay Roll.

Name	Explanation	Distribution									
		Amount	Gas 392 Electric 391	Gas 823	Gas 841	242	Gas 846	Electric 923	Electric 941	Electric 945	Electric 946
Pillsbury, Madison & Sutro	Expenses account franchise cases	$35 65					$25 45				$10 20
Total payments to attorneys	not on regular pay roll	$35 65					$25 45				$10 20
		Payments to attorneys during 1934 on regular pay roll									
Le Roy M Edwards*	Salary and expenses	$9,222 00			$128 52		$6,455 09		$51 48		$2,586 01
Paul Overton*	Salary and expenses	13,923 07	$1,686 32		199 92	$9 22	8,530 54		80 08		3,416 99
Samuel Poorman*	Salary and expenses	10,826 76					7,730 31				3,096 45
Neil G Locke	Salary and expenses	4,919 06				41 17	3,482 81				1,395 08
D. W. Cozad	Salary and expenses	702 49		$491 74				$210 75			
N. C Finch	Salary	107 88					77 03				30 85
Total payments to attorneys on regular pay roll		$39,701 26	$1,686 32	$491 74	$328 44	$50 39	$26,276 68	$210 75	$131 56		$10,525 38
Grand total payments to attorneys during 1934		$39,736 91	$1,686 32	$491 74	$328 44	$50 39	$26,302 13	$210 75	$131 56		$10,525 58

* These items also included on page 1 of schedule showing salary, expense accounts, etc., of officers.

LOS ANGELES RAILWAY CORPORATION.

I. Names of employees who during 1934 received a salary of $5,000 or more.

	Salary	Expenses
S. M. Haskins, President	$13,500 00	$252 65
P. B. Harris, Vice President and General Manager	17,820 00	--------
Richard Sachse, Vice President and Consulting Engineer	14,580 00	624 71
R. O. Crowe, Vice President and Comptroller	13,608 00	--------
C. A. Henderson, Deceased, Secretary and Treasurer	6,237 00	--------
S. J. Nock, Secretary and Treasurer	7,785 00	42 40
H. G Weeks, Assistant to General Manager	8,001 00	404 22
R B. Hill, Manager of Transportation	9,720 00	--------
D. R. Dye, Operating Superintendent	5,220 00	--------
S. A. Bishop, General Claim Agent	6,000 00	--------
B. Schupp, Purchasing Agent	5,220 00	138 57
B. H. Eaton, Engineer, Way and Structures	5,360 00	--------
L. J. Turley, Electrical Engineer	5,495 00	--------
H. E. Jordan, Superintendent of Equipment	5,190 00	77 25
C. V. Means, Traffic Manager	5,220 00	--------
Totals	$128,956 00	$1,539 80

II. Dues, donations, subscriptions and contributions.

All Year Club	$250 00
American Transit Association	3,500 35
Arnold, A. G.	100 00
Bell Chamber of Commerce	12 00
California Electric Railway Association	1,203 91
California Festival Association	100 00
California State Chamber of Commerce	1,700 00
California State Federation of Labor	100 00
Central Business District Association	1,250 00
City Council—Christmas Basket Show	100 00
Commercial Board of Los Angeles	30 00
Community Chest of Los Angeles	8,875 00
Culinary Workers' Union	25 00
Dostal's Floral Co.	260 00
Electric Club	62 00
Electric Railway Presidents' Conference Committee	6,700 00
Home for the Aged	50 00
Ladies of the D. A. R.	10 00
Los Angeles Chamber of Commerce	570 00
Los Angeles Newsboys' Club	15 00
Los Angeles Orthopedic Foundation	10 00
Merchants' and Manufacturers' Association	5,000 00
Midtown Development Association	100 00
Municipal League of Los Angeles	50 00
Municipal Motorcycle Officers of California	25 00
Old Mission Home for Orphans	5 00
President's Birthday Ball Movement	100 00
Pacific Railway Club	6 00
Realty Values Stabilization Committee	55 00
Redondo Floral Co	144 00
Rotary Club	12 00
Southeast District Chamber of Commerce	20 00
Sheriff's Relief Association	50 00
St. John's Church	100 00
Southside Chamber of Commerce	125 00
Transit Code Authority	722 43
United States Chamber of Commerce	600 00
Union Rescue Mission	25 00
Uptown Chamber of Commerce	30 00
W. C. T. U. (Baldwin Union Branch)	10 00
W. C. T U. (Hollenbeck Branch)	10 00
West Hollywood Chamber of Commerce	12 50
Women's Better Government League	15 00
Total	$32 140 19

NOTE—The above items represent cash disbursements during the year 1934, chargeable to Account 89, Miscellaneous General Expenses. Large items are accrued on the books monthly, or, if paid in advance, charged to Suspense and written off in equal amounts monthly, over the period to which they apply.

LOS ANGELES RAILWAY CORPORATION—CONTINUED.

III. Attorney fees.	*Account*			
Claude I. Parker	86 Law Expenses	$500 00		
Gibson, Dunn & Crutcher	86 Law Expenses	18,784 07		
			$19,284 07	
Gibson, Dunn & Crutcher	92 Injuries and Damages	$75 540 29		
Gibson, Dunn & Crutcher—Bus	666 Injuries and Damages	923 28		
			76,463 57	
Total			$95,747 64	

LOS ANGELES AND SALT LAKE RAILROAD COMPANY (UNION PACIFIC SYSTEM).

I. Names of employees who during 1934 received a salary of $5,000 or more

	Salary	*Expenses*
F. H. Knickerbocker, General Manager	$18,250 00	$1,317 30
A. V. Kipp, Assistant Traffic Manager	10,950 00	1,760 41
W. H. Olin, Assistant Traffic Manager	7,665 00	2,239 02
C. C. Barry, Auditor	5,460 00	
E. E. Bennett, General Attorney	8,212 52	856 05
A. L. Coey, Superintendent	6,022 52	885 45
W. F. Lincoln, General Freight Agent	5,475 00	1,193 00
L. E. Omer, General Passenger Agent	5,475 00	1,309 20
Frank Strong, Industrial Agent	5,475 00	1,712 52
Totals	$72,985 04	$11,272 95

II Dues, donations, subscriptions and contributions.

	Amount	*Account charged*
All Year Club of Southern California, Los Angeles	$4,800 00	O. E. 353
Associated Farmers of California, Los Angeles	600 00	O. E. 460
California Self-Insurers' Association, San Francisco	250 00	O. E. 454
California State Chamber of Commerce, San Francisco	1 200 00	O. E. 460
California State Chamber of Commerce, San Francisco	1,400 00	O. E. 353, Adv.
California Taxpayers' Association, Los Angeles	2,500 00	O. E. 460
Chamber of Commerce, Anaheim	50 00	O. E 376
Chamber of Commerce, Fresno	25 00	O E 352
Chamber of Commerce, Glendale	25 00	O. E. 352
Chamber of Commerce, Huntington Park	20 00	O E 352
Chamber of Commerce, Long Beach	25 00	O. E 352
Chamber of Commerce, Los Angeles	4,800 00	O. E. 354
Chamber of Commerce, Oakland	25 00	O. E. 352
Chamber of Commerce and Civic Association, Pasadena	25 00	O E 352
Chamber of Commerce, Pomona	20 00	O. E. 376
Chamber of Commerce, Riverside	25 00	O. E 352
Chamber of Commerce, Sacramento	25 00	O E 352
Chamber of Commerce, San Francisco	30 00	O E 351
Chamber of Commerce, San Pedro	25 00	O E 352
Chamber of Commerce, Santa Ana	25 00	O E 352
Chamber of Commerce, San Diego	25 00	O. E. 352
Chamber of Commerce, San Jose	25 00	O E 352
Chamber of Commerce, Santa Monica	20 00	O E 352
Chamber of Commerce, Wilmington	20 00	O E 352
Commercial Board of Los Angeles, Los Angeles	30 00	O. E. 352
Los Angeles County Law Library, Los Angeles	3 00	O. E 454
Major Disaster Emergency Council, Los Angeles	9 75	O. E. 460
Merchants and Manufacturers Ass'n of Los Angeles	750 00	O E. 460
Motor Carriers' Association of California San Francisco	112 50	O E 460
Purchasing Agents' Association of Los Angeles	35 00	Material Store Expenses
Rotary Club of Fullerton, Fullerton	12 00	O. E 376
Total	$16,937 25	

III. Attorney fees.

Hill, Morgan & Bledsoe, Los Angeles	$2,464 29*	
Mason & Windham, Long Beach	150 00	O. E. 454
C. L. McFarland, Riverside	25 00	O E. 454
Total	$2,639 29	

Investment in road and equipment—Account 2, Land for transportation purposes.

LOS ANGELES STEAMSHIP COMPANY.

I. Names of employees who during 1934 received a salary of $5,000 or more.

	Salary	*Expenses*
R. J. Chandler, President	$19,200 00	$1,307 97
R. P. Dunbar, Secretary and General Auditor	6,720 00	38 35
J. B. Banning, Jr., General Superintendent	6,720 00	956 20
Totals	$32,640 00	$2,302 52

No contingent fees.

II. Dues, donations, subscriptions and contributions.

Pacific Coastwise Conference	$3,518 28
Local Steamship Agents Association, San Francisco	60 00
National Foreign Trade Council	250 00
Los Angeles Transportation Club	159 65
Chamber of Commerce of United States	100 00
Los Angeles Chamber of Commerce	200 00
California State Chamber of Commerce	300 00
Los Angeles Steamship Association	63 90
Foreign Trade Club	30 00
Long Beach Chamber of Commerce	25 00
San Diego Chamber of Commerce	25 00
Bilge Club	5 00
Wilmington Chamber of Commerce	120 00
Pacific American Steamship Association	1,034 80
Better Business Bureau	600 00
Regulated Carriers, Inc	650 00
Kiwanis Club, Los Angeles	25 00
Women's Traffic Club	2 00
Community Chest, Los Angeles	200 00
Rail and Water Club	24 00
California Club	330 00
California Yacht Club	13 20
Commercial Board of Los Angeles	90 00
Terminal Club	36 00
Merchants and Manufacturers Association	20 00
Motorcycle Officers Association	5 00
Merriam Campaign Committee	325 00
San Diego Community Chest	30 00
Christmas Gifts to Police Officers	40 00
Total	$8,281 83

Distribution of above items—

Traffic expense	$3,998 83
Operation of vessels	1,079 80
General expenses	3,203 20
Total	$8,281 83

III. Attorney fees.

McCutchen, Olney, Mannon and Greene	$250 20
Frank E Thompson	600 00
Woodruff, Burr and Smith	50 00
Bogle, Bogle and Gates	25 00
Lillick, Olson and Graham	62 66
Total	$987 86
Charged to Legal Expenses	$662 86
Charged to Underwriters or Insurance Reserves	325 00
Total	$987 86

MACKAY RADIO AND TELEGRAPH COMPANY.

Railroad Commission of California—Report Under General Order No. 77-A.
Year Ending December 31, 1934.

1. Names of all officers or employees who received a salary of $5,000 or more, amount received, and the amount of the expense account of each of these officers or employees

A. Y. Tuel—Vice President and General Manager *Account No.*

Salary ---- $6,000 00 Salaries of General Officers ---- 640
Expenses-- 1,510 61 Expenses of General Officers and Clerks ---- 643

In this connection we invite your attention to the fact that the salary paid to Mr. Tuel is applicable only in part to business done in California. Our business is conducted in several States, the Philippines and Hawaiian Islands, and therefore less than 25 per cent of Mr. Tuel's salary could be apportioned to California upon any basis of apportionment.

MACKAY RADIO AND TELEGRAPH COMPANY—CONTINUED

2. Dues, Donations, Subscriptions, and Contributions.

Name and location	*Amount*	*Account charged*
P. Ladwig—Building Janitor, San Francisco, Cal.	$5 00	Obtaining Stock and Commercial News 630
V. Rigoni—Building Janitor, San Francisco, Cal.	5 00	Obtaining Stock and Commercial News 630
L. Serventi—Building Janitor, San Francisco, Cal.	5 00	Obtaining Stock and Commercial News 630
Working Girls Aid, San Francisco, Cal.	5 00	Obtaining Stock and Commercial News 630
Policemen's Ball, San Francisco, Cal	5 00	Obtaining Stock and Commercial News 630
Firemen's Ball, San Francisco, Cal.	5 00	Obtaining Stock and Commercial News 630
Commercial Club, San Francisco, Cal.	48 00	General Stationery and Printing 643
Downtown Association, San Francisco, Cal.	24 00	General Stationery and Printing 643
Commonwealth Club, San Francisco, Cal	12 00	General Stationery and Printing 643
Propeller Club, San Francisco, Cal.	12 00	Minor Rents for Property 607
Portland Executive Club, Portland, Ore.	60 00	Obtaining Stock and Commercial News 630
Portland Chamber of Commerce, Portland	50 00	Obtaining Stock and Commercial News 630
Portland Shipping Club, Portland, Ore.	5 00	Obtaining Stock and Commercial News 630
Nippon Society, Portland, Ore.	10 00	Obtaining Stock and Commercial News 630
Foreign Trade Club of Southern California, Los Angeles, Cal.	12 00	Obtaining Stock and Commercial News 630
Rail and Water Club, Los Angeles, Cal.	12 00	Obtaining Stock and Commercial News 630
Lions Club, Tacoma, Wash.	60 00	Obtaining Stock and Commercial News 630
Chamber of Commerce, Honolulu, T. H.	36 00	Obtaining Stock and Commercial News 630
Mercury Business Club, Honolulu, T. H	72 00	Obtaining Stock and Commercial News 630
Hawaii Tourist Bureau, Honolulu, T. H.	60 00	Obtaining Stock and Commercial News 630
Shriners Hospital Benefit, Honolulu, T. H.	3 00	Obtaining Stock and Commercial News 630
Honolulu Police Benefit, Honolulu, T. H.	2 00	Obtaining Stock and Commercial News 630
Transportation Club, Seattle, Wash.	24 00	Obtaining Stock and Commercial News 630
Merchants Exchange, Seattle, Wash.	90 00	Obtaining Stock and Commercial News 630
Exchange Club, Seattle, Wash.	56 00	Obtaining Stock and Commercial News 630
Chamber of Commerce, San Diego, Cal.	25 00	Obtaining Stock and Commercial News 630
Merchants Central Credit Association, San Diego, Cal.	42 00	Obtaining Stock and Commercial News 630
Executives Association, San Diego, Cal	42 00	Obtaining Stock and Commercial News 630
Chamber of Commerce—Marine Department, San Francisco	120 00	Minor Rents for Property 607
Foreign Trade Club, San Francisco, Cal.	12 00	Obtaining Stock and Commercial News 630
San Francisco Junior Chamber of Commerce, San Francisco, Cal.	30 00	Obtaining Stock and Commercial News 630
Total	$949 00	

MACKAY RADIO AND TELEGRAPH COMPANY—CONTINUED.

3. Attorney fees.

Name and location	*Amount*	*Account charged*	
John McFie, Jr., Manila, P. I.	$1,679 59	General Law Expense	645
Dewitt, Perkins & Brady, Manila, P. I.	2,095 83	General Law Expense	645
Ross Lawrence Selp, Manila, P. I.	25 00	General Law Expense	645
Smith, Southwell & Smith, San Francisco	400 50	General Law Expense	645
Livingston & Livingston, San Francisco	165 00	General Law Expense	645
Chester & Murphy, Portland, Ore.	100 00	General Law Expense	645
Covington, Burling & Rublee, Washington, D. C.	700 35	General Law Expense	645
Allman & Co., Shanghai, China	2,500 00	General Law Expense	645
Total	$7,666 27		

MARKET STREET RAILWAY COMPANY.

I. Names of employees who during 1934 received a salary of $5,000 or more.

	Salary	*Director's fees*	*Expenses*
Wm. Abbott, Vice President and General Counsel	$18,720 00	$220 00	
Burt Hamerstrom, Vice President in charge service	14,040 00	220 00	$1,010 72
Cyril Appel, Attorney	11,232 00		
J. M. Yount, Vice President in Charge Maintenance and Equipment	10,670 40	240 00	144 91
J. H. Handlon, Claim Agent	7,020 00		577 85
K. W. Cannon, Attorney	6,739 20		
B. P. Legare, Engineer	5,616 00		12 75
A. W. Brohman, Superintendent Transportation	5,616 00		434 40
Dr. J. H. O'Connor, Medical Director	5,616 00		
Totals	$85,269 60	$680 00	$2,180 63

II. Dues, donations, subscriptions and contributions.

	Amount
American Transit Association	$1,650 41
American Bar Association	8 00
American Legion	41 75
Association of Pioneer Women	3 25
Ancient Order of Hibernians	5 00
Alco Crime Prevention League	2 00
Burlingame Chamber of Commerce	25 00
Boy's House	10 00
Byllesby Post, No. 3000, V. F. W.	150 00
Bar Association of San Francisco	4 75
Better Business Bureau of San Francisco	50 00
Business, Professional Women's Club	13 50
Bay Shore Voters League	2 50
Brotherhood of Railway Clerks	7 25
Bernal Progressive Club	10 45
Community Chest of San Francisco	3,000 77
California Electric Railway Association	1,111 00
Civic League of Improvement Clubs	401 00
California State Chamber of Commerce	300 00
Controllers Institute of America	25 00
California Taxpayer's Association	100 00
California Self Insurers Association	250 00
Children's Recreation Center	9 00
Cooperative Club	30 00
Central Mission Association	6 50
Clement St. Merchants' Association	15 00
Commonwealth Club	12 00
Civic League of Women Voters	5 00
California Motorcycle Club	5 00
Commercial Club	3 00
Colma Fire Department	10 00
Central Council of Civic Clubs	1 50
California Grays	5 00
Californians, Inc.	350 00
Down Town Association	622 00
Denman Alumni	1 00
Daughters of Erin	2 10

MARKET STREET RAILWAY COMPANY—CONTINUED.

11 Dues, donations, subscriptions and contributions

	Amount
Divisadero Merchants Improvement Association	$5 00
Day Nursery Poor Children	4 00
Exchange Club	83 00
Executives' Association of San Francisco	112 00
Eureka Valley Club	3 00
Electric League	3 00
East West of Castro Club	3 50
Eureka Valley Promotion Association	1 50
Excelsior Merchants' Association	10 00
Electric Development League	8 20
Fillmore Street Merchants Improvement Association	335 00
Friendly Fellows	3 20
Free Lance	3 00
Fraternity Club	11 00
Good Samaritan Benefit	2 50
Geary Boulevard Association	21 50
Geary Merchants	3 00
Girls Kitchen	3 00
Go to Church Stamps	2 50
Girl Scouts	5 00
Haight and Fillmore Improvement Association	4 50
Hayes Valley Improvement Club	3 00
Haight-Ashbury Improvement Club	16 00
Highway Patrolmen	15 00
Industrial Association of San Francisco	6,118 75
Institute of Public Relations	25 00
Jewish Community Center	5 00
Knights of Pythias	5 00
Knights of the Round Table	27 50
Kalping Club	2 00
Lions International	51 00
Market Street Railway Co. Employees' Cooperative Association	16 50
Mechanic Institute	3 00
Masonic Club	30 00
Mission Merchants	27 00
Moose Glee Club	2 00
Mothers Aid Ball	2 00
Millbrae School	5 00
Mutual Business Club	24 00
Mission Commercial Club	1 50
Marine Corps Ball	2 00
Mt. Vernon Improvement Association	3 00
Mission Central Association	1 50
North Central Improvement Association	61 50
North Beach Promotion Association	4 00
Noe Valley Whist Club	50
Noe Valley Improvement Club	6 00
Needlework Guild	1 00
Newsboy's Christmas	2 00
Office Building Employees	77 50
Optimist Club	166 26
Olympic Club	72 60
Office Employees Barn Dance	4 00
O'Kelly, Rev. James	10 00
Pacific Radio Trade Association	180 00
Purchasing Agents' Association of Northern California	24 00
Polk-Larkin-Van Ness Improvement Association	28 00
Press Club of San Francisco	83 00
Police Ball	35 00
Park-Presidio Improvement Association	20 35
Portola Merchants Association	8 50
Public Education Society	1 00
Park-Presidio Kiwanis Club	52 89
Park-Presidio Optimist Club	16 65
President's Assembly	2 00
Parent-Teachers Association	1 00
Professional Women's Club	5 50
Pacific Railway Club	3 00

MARKET STREET RAILWAY COMPANY—CONTINUED.

	Amount
President Roosevelt's Birthday Party	$300 00
Renista Italian Benefit Dance	10 50
Rotary Club	90 00
San Francisco Bureau of Government Research	616 70
San Francisco Real Estate Board	220 00
San Francisco Stock Exchange	125 00
San Francisco Advertising Club	58 67
San Mateo Chamber of Commerce	25 00
State Chamber of Commerce	800 00
Southern Promotion Association	24 00
San Francisco Summer Symphony Association	20 00
San Francisco Chamber of Commerce	720 00
San Francisco Police Department Christmas Donations	670 00
San Francisco Junior Chamber of Commerce	36 45
South of Army Association	7 50
Sunset Optimist Club	9 00
St. Patrick's Day Celebration	5 00
St. Theresa's Church	3 00
S. F. Cantori	5 00
St. Kivin's Church	1 00
Shriners	4 00
San Francisco Surf Fishing Club	7 50
Shrine Club	7 50
South of Army Merchants	7 75
Salvation Army	2 00
St. Mark's Church	2 00
San Francisco Labor Council	4 00
San Francisco Housewives League	1 00
San Francisco Fire Department	15 00
St. John's Church	4 00
St. Mary's Church	2 50
San Francisco Tuberculosis Association	2 00
Sunset Community Association	1 50
Trinity Center	10 00
Twenty-third Assembly Club	10 50
Union League Club	79 20
Unemployed Whist Party	2 00
Upper Noe Valley Club	1 50
Unemployed Kitchen	3 00
Unemployed Girls	5 00
Veterans of Foreign Wars	6 00
Van Ness Avenue Improvement Association	6 00
Veteran's Benefit Celebration	27 50
Veteran Patient's Welfare Fund	2 50
Veterans Benefit Dance	3 00
White Cross Seals	5 00
Whist Party	5 00
Women's Relief Kitchen	2 00
Y. M. C. A.	51 70
Young Men's Catholic Club	3 00
Total	$20,158 60
Charged to operating expense, Account No. 89	$19,808 60
Charged to operating expense, Account No. 80-B	$350 00

III Attorney Fees.

	Amount	*Account charged*
Walter H. Linforth and William M. Cannon	$11,230 00	Reserve for injuries and damages.
Thelen and Martin	6,500 00	Acct. 89

MARR FREIGHT TRANSIT, INC.

I. Names of employees who during 1934 received a salary of $5,000 or more.

	Salary	Expenses
T. E. Marr, President and General Manager	$9,000 00	$50 00

No fees.

II. Dues, donations, subscriptions and contributions.

Dues and Subscriptions—

Harbor Franchise Association	$15 00
L. A. Draymens Association	5 00
Traffic Service Association	10 00
Motor Truck Association	51 00
Los Angeles Chamber of Commerce	25 00
Los Angeles Athletic Club	43 89
Daily Shipping Guide	30 00
Universal Guide	5 00
Total	$184 89
Less—Payable at 12/31/33 to Harbor Franchise Association and included in 1933 expenses, but not paid, and not now payable	145 00
(All charged to No. 662—Office)	
	$39 89

Donations—

Orthopaedic Foundation	$15 00
Childrens Home of California	15 00
Parent-Teacher Association	5 00
California Highway Patrol Association	10 00
(All charged to No. 671—Miscellaneous General Expense.)	
Total	$45 00

III. Attorney Fees.

Mr. Shearer	$50 00
Phil Jacobson	180 00
Otto Gerth	30 00
(All charged to No. 667—Law Expense)	
	$260 00

MC CLOUD RIVER RAILROAD COMPANY.

I. Names of employees who during 1934 received a salary of $5,000 or more.

	Salary	Expenses
D. M. Swobe, President and Traffic Manager	$12,000 00	$2,479 33

II. Dues, donations, subscriptions and contributions.

Dues—

	Amount	Account charged
American Railway Association—Dues for 1934	$10 00	451
American Railway Association—Assessments for 1934	49 91	451
Association of American Railroads—Assessment No. 1 for December, 1934	11 83	451
American Short Line Railroad Association—Annual dues for 1934	391 00	451
Railway Accounting Officers Association—Annual dues for 1934 for P. N. Myers	7 00	451

Donations—

San Francisco Community Chest	50 00	460
Red Cross	5 00	460
Collection charge on draft	20	460
Total	$524 94	

III. Attorney fees.

Pillsbury, Madison & Sutro, retainers fee—1934	$1,200 00	454
Expenses in connection with *Crooks* vs. *McCloud River R. R. Co.*	33 60	454
Total	$1,233 60	

MC CORMICK STEAMSHIP COMPANY

I. Names of employees who during 1934 received a salary of $5,000 or more.

Name	Salary	Expenses	Charged
C. E. Helms, Vice President	$8,700 00	None	Officers' Salaries
C. L. Wheeler, Vice President and General Manager	17,400 00	$3,086 55	Management Expense
Jas S Brown, Secretary	4,800 00	224 50	Office Expense
M. C. Darr, General Auditor	6,425 00	118 16	Office Expense
J. C. Strittmatter, General Traffic Manager	13,177 00	7,050 53	Traffic Expense
H. Lueddemann, District Traffic Manager	11,125 00	6,351 55	Traffic Expense
G. A. Dundon, District Traffic Manager	5,940 00	2,722 11	Traffic Expense
E C. Bentzen, District Traffic Manager	5,100 00	1,846 74	Traffic Expense
R F. Burley, Assistant Traffic Manager	5,400 00	3,207 34	Traffic Expense
J. A. Lunny, Operating Manager	11,125 00	2,762 61	Operating Expense
John Halvorsen, District Operating Manager	5,377 50	1,500 46	Operating Expense
W G. Libbey, District Operating Manager	6,424 00	929 10	Operating Expense
Totals	$100,993 50	$29,799 65	

No fees.

II. Dues, donations, subscriptions and conrtibutions.

Donations	$1,167 59	General Expense
Subscriptions	5,931 96	General Expense
Total	$7,099 55	

III. Attorney fees $4,202 97 General Expense

MERCHANTS ICE AND COLD STORAGE COMPANY.

I. Names of employees who during 1934 received a salary of $5,000 or more.

Acct. 650—General Officers' Salaries, Expenses—	*Salaries*	*Expenses*
Wm. A Sherman, President, General Manager	$12,000 00	$732 00
M. Maffei, Vice President	4,500 00 (For 10 Mos.)	
John A. Hawkins, Assistant General Manager	5,400 00	282 05
Totals	$21,900 00	$1,014 05

Acct. 65—Director's Fees—	
Wm. A. Sherman, President, General Manager	$82 50
M. Maffei, Vice President	95 00
Total	$177 50

II. Dues, donations, subscriptions and contributions.

Acct. 657—Dues and Subscriptions—	
Pacific States Cold Storage Warehousemen's Association	$573 75
American Warehousemen's Association	280 00
Pacific States Butter, Egg, Poultry Association	60 00
S. F. Chamber of Commerce	60 00
Western Fruit Jobbers Association	50 00
Chamber of Commerce, U. S. A	50 00
San Francisco Commercial Club	136 67
San Francisco Mercantile Exchange	90 00
Engineers Club	153 46
Rotary Club	60 00
North Central Improvement Association	74 88
Civic League	10 00
California Journal of Development	28 00
Wholesale Fruit & Produce Dealers' Association	150 00

MERCHANTS ICE AND COLD STORAGE COMPANY—(CONTINUED).

II. Dues, donations, subscriptions and contributions—(Continued).

Acct. 657—Dues and Subscriptions—(Continued).

Wall Street Journal	$6 00
Refrigeration Engineers	7 00
Time	5 00
Coast Packer	2 00
Labor Clarion	15 00
Coast Banker	10 00
Commercial News Publishing Co	12 00
Industrial Association of San Francisco	125 00
Refrigeration	2 00
The Leader	3 00
Argonaut	5 00
San Francisco County Record	10 00
Municipal Record	10 00
Down Town Association	12 00
News Week	1 00
Food Directory	6 66
California Manufacturers' Association	40 00
American Federation	16 50
Total	$2.064 92

Acct. 653—Donations—

Robertson	$2 50
National Guard	10 00
Education Society	5 00
Mrs. Lynch	5 00
News Boys	5 00
Tuberculosis Association	5 00
California Commandery	10 00
Knights Templar	2 00
Widows and Orphans	10 00
St. Patrick Shelter	35 00
Motorcycle Officers	10 00
President's Ball Tickets	15 00
The Leader	5 00
California Legion	10 00
Unemployed Girls	10 00
White Cross Stamp	10 00
Total	$149 50

III. Attorney fees.

A. J. Scampini	$1,800 00
Joseph McInerney	1,800 00
Edward Molkenbuhr	61 50
Heller, Ehrman, White & McAuliffe	7 78
Total	$3,669 28

MOTOR FREIGHT TERMINAL COMPANY.

I. Names of employees who during 1934 received a salary of $5,000 or more.

	Amount	Account charged
G. M. Duntley	$15,000 00	661

II. Dues, donations, subscriptions and contributions

Dues and Subscriptions—

Certificated Highway Carriers, Inc	$1,500 00	671
National Rebuilt Tire Co.	20 00	315
Total	$1,520 00	

Donations—

Los Angeles Community Chest	$375 00	315

III. Attorney fees.

Gibson, Dunn & Crutcher	$3,025 00	667
Hugh Gordon	164 70	667
Reedy & Duane	576 62	667
McCutchen, Olney Mannon & Greene	75 00	667
Brand & Seymour	200 00	667
W. K. Downey	3,294 00	667
Total	$7,335 32	

NORTHWESTERN PACIFIC RAILROAD COMPANY

I Names of employees who during 1934 received a salary of $5,000 or more

	Salary	Expense account
E. H Maggard, President and General Manager	*$9,416 25	$638 00

No contingent fees

II. Dues, donations, subscriptions and contributions

	Amount	Amount charged
Cloverdale Chamber of Commerce	$15 00	376 Station Supplies & Exp
Cloverdale Volunteer Fire Department	20 00	460 Other Expenses
Corte Madera Fire Department	1 00	460 Other Expenses
California Electric Railway Association	150 00	460 Other Expenses
Eureka Chamber of Commerce	50 00	351 Superintendence
Eureka Fire Department	10 00	460 Other Expenses
Ferndale Chamber of Commerce	12 00	376 Station Supplies & Exp.
Fortuna Chamber of Commerce	5 00	376 Station Supplies & Exp.
Fortuna Fire Department	5 00	460 Other Expenses
Healdsburg Chamber of Commerce	24 00	376 Station Supplies & Exp
Kentfield Chamber of Commerce	3 00	376 Station Supplies & Exp.
Lake County Chamber of Commerce	10 00	376 Station Supplies & Exp
Marin County Association of Fire Departments	6 00	460 Other Expenses.
Pacific Coast Claim Conference	20 00	151 Salaries & Exp of Gen Off
Petaluma Chamber of Commerce	48 00	376 Station Supplies & Exp
Press Club	27 50	451 Salaries & Exp. of Gen. Off.
Redwood Empire Association	500 00	353 Advertising
Regulated Carriers, Inc.	250 00	454 Law Expenses
Regulated Carriers, Inc	250 00	460 Other Expenses
San Rafael Chamber of Commerce	93 75	460 Other Expenses
San Rafael Chamber of Commerce	24 00	376 Station Supplies & Exp
San Rafael Fire Department Relief Fund	10 00	460 Other Expenses
Santa Rosa Chamber of Commerce	50 00	376 Station Supplies & Exp
Sausalito Chamber of Commerce	12 00	376 Station Supplies & Exp
Sebastopol Chamber of Commerce	15 00	460 Other Expenses

* Includes $7,200 charged other affiliated companies

NORTHWESTERN PACIFIC RAILROAD COMPANY—CONTINUED.

II. Dues, donations, subscriptions and contributions—Continued.

	Amount	*Account charged*
Ukiah Chamber of Commerce	$15 00	376 Station Supplies & Exp
Ukiah Fire Department	10 00	460 Other Expenses.
Widows and Orphans Association—San Francisco Police Department	50 00	460 Other Expenses.
Willits Chamber of Commerce	12 00	376 Station Supplies & Exp
Total	$1,698 25	

III. Attorney fees.

W. J. Little	$1,309 88	460 Other Expenses
Orrick, Palmer & Dahlquist	2,326 35	454 Law Expenses.
Total	$3,636 23	

OVERLAND TERMINAL WAREHOUSE COMPANY.

I. Names of employees who during 1934 received a salary of $5,000 or more.

	Salary	*Expenses*
H. D. Crooks, Operator, Managerial Supervision	$6,000 00	$630 50
A. J. Crooks, Resident Manager, Supervision and Solicitation	6,000 00	1,972 20
Gordon Ross, Associate Manager, Supervision and Solicitation	6,000 00	1,066 22
Totals	$18,000 00	$3,668 92

No contingent fees.

II. Dues, donations, subscriptions and contributions.

			Account charged
Merchandise Warehouse Trade Code Authority, subscription	$168 48		652
	143 52		404
		$312 00	
Old Folks Jewish Home, contribution	$10 83		335
	9 23		404
		20 06	
Los Angeles Chamber of Commerce, dues	$54 00		652
	46 00		404
		100 00	
Code Authority for the Refrigerated Warehousing Industry, subscription	$56 25		652
	18 75		404
		75 00	
Total		$507 06	

III. Attorney fees.

None.

OUTER HARBOR TERMINAL RAILWAY COMPANY—OUTER HARBOR DOCK AND WHARF COMPANY.

I. Names of employees who during 1934 received a salary of $5,000 or more.

Name	*Salary*	*Expense account*	*Contingent fees*
F. J. McGowen, General Manager Outer Harbor Dock and Wharf Company	$5,350 00	$366 05	None

II. Dues, donations, subscriptions and contributions.

None.

III. Attorney fees.

None.

PACIFIC ELECTRIC RAILWAY COMPANY.

I. Names of employees who during 1934 received a salary of $5,000 or more

Name	*Title and duties*	*Salary*	*Expenses*
D. W. Pontius,	President	$13,122 00	$2,092 55 x
Frank Karr,	Vice President and Chief Counsel	11,664 00	668 94
O. A. Smith,	Vice President and General Manager	9,000 00	594 83
E. C. Johnson,	Chief Engineer	7,310 40	770 48
L. A. Lovell,	Secretary and Auditor	6,335 40	38 18
T. J. Day,	Freight Traffic Manager	6,335 40	800 65
H. O. Marler,	Passenger Traffic Manager	6,335 40	689 05
G. F. Squires,	General Superintendent	6,000 00	207 90
S. H. Anderson,	Superintendent of Power and Equipment	5,848 20	491 21 xx
E. E. Morris,	Counsel	5,848 20	
W. L. Weber,	Chief Surgeon	5,700 00	682 15 xxx
C. Thorburn,	Purchasing Agent	5,604 60	77 06
S. A. Bishop,	General Claim Agent	5,415 00	
M. S. Wade,	Treasurer	5,361 00	
Totals		$99,879 60	$7,113 00

x Includes $415 00 for use of automobile.
xx Includes $345 00 for use of automobile.
xxx Includes $360 00 for use of automobile.

PACIFIC ELECTRIC RAILWAY COMPANY—CONTINUED.

Statement of Dues, Donations, Subscriptions and Contributions of All Kinds and Payments to Attorneys, also Distribution for Year 1934.

Dues, donations, etc., paid to	Amount	Accounts charged						
		A/c 1	29	45	63	69	79	80
Advertising Club of Los Angeles	$24 00							$24 00
Alhambra Chamber of Commerce	20 00					$20 00		
American Railway Association	40 00							
American Transit Association	3,109 38							
Arcadia Chamber of Commerce	8 00					4 00		
Azusa Chamber of Commerce	35 00				$35 00			
Bell Chamber of Commerce	12 00							
Bellflower Chamber of Commerce	25 00					12 50		
Better Business Bureau of Los Angeles	75 00							
Beverly Hills Chamber of Commerce	50 00					25 00	$25 00	
Burbank Chamber of Commerce	20 00					20 00		
Business Mens Association of Santa Ana	3 00					3 00		
California Club	660 00							
California State Chamber of Commerce	275 00							
California Intelligence Service Bureau	200 00							200 00
California Tax Payers Association	1,375 00							
California Self Insurers Association	187 50							
California Resort Operators Association	12 00							
California Electric Railway Association	1,296 00							
Claremont Chamber of Commerce	18 00					9 00	9 00	
Commercial Board of Los Angeles	30 00						30 00	
Compton Chamber of Commerce	25 00					25 00		
Corona Chamber of Commerce	25 00					12 50		
Culver City Chamber of Commerce	25 00						25 00	
Electric Club of Los Angeles	30 00	$2 00	$1 00	$1 00	2 00		12 00	
El Monte Chamber of Commerce	8 00					4 00		
El Segundo Chamber of Commerce	5 00					5 00		
Etiwanda Service Club	4 00					4 00		
Foreign Trade Club	12 00						12 00	
Garden Grove Chamber of Commerce	10 00					10 00		
Glendale Chamber of Commerce	50 00					25 00	25 00	
Glendora Chamber of Commerce	24 00					24 00		
Harbor Traffic Club	6 00						6 00	
Hermosa Beach Chamber of Commerce	20 00						10 00	
Hotel Greeters of Southern California	8 00							
Huntington Beach Chamber of Commerce	6 00							
Hollywood Chamber of Commerce	50 00						25 00	
Hollywood Merchants Association	20 00							20 00
Inglewood Chamber of Commerce	10 00					10 00		
Joint Fund, Chamber of Commerce All Year Club	500 00							

Jonathan Club, Los Angeles	605 00	44 00	22 00	22 00	121 00		264 00
Kiwanis Club of Los Angeles	50 00						
Kiwanis Club of Glendora	20 00				20 00		
Kiwanis Club of San Bernardino	54 00				54 00		
Los Angeles Junior Chamber of Commerce	12 00						
Lions Club of Los Angeles	36 00						36 00
Long Beach Chamber of Commerce	125 00				25 00		75 00
Los Angeles Chamber of Commerce, Venice Division	25 00						25 00
Los Angeles Chamber of Commerce, West Los Angeles Division	25 00					25 00	
Los Angeles Optimist Club	36 00	12 00	6 00	6 00	12 00		
Los Angeles Traffic Association	1,500 00						
Los Angeles Transportation Club	347 80	13 20	6 60	6 60	13 20		256 30
Merchants and Manufacturers Association	750 00						
Monrovia Chamber of Commerce	10 00					10 00	
Municipal League of Los Angeles	9 00	9 00					
National Bureau of Casualty and Surety Underwriters	9 37						
National Editorial Association	5 00						
Newport Harbor Chamber of Commerce	25 00						
North Hollywood Chamber of Commerce	25 00						25 00
Ontario Chamber of Commerce	15 00					15 00	
Optimist Club of Long Beach	60 00						60 00
Optimist Club of San Pedro	36 00					36 00	
Orange County Coast Association	12 50						12 50
Orange Community Chamber of Commerce	20 00						
Pacific Coast Claim Conference	20 00						
Palms Chamber of Commerce	12 00						12 00
Pasadena Chamber of Commerce	125 00	8 34	1 17	4 16	33 33	25 00	25 00
Pomona Chamber of Commerce	20 00					20 00	
Purchasing Agents Association of Los Angeles	35 00						
Railway Accounting Officers Association	7 00						
Railway Treasury Officers Association	10 00						
Redondo Beach Chamber of Commerce	672 00					12 00	12 00
Regulated Carriers	1,200 00						
Rotary Club of Los Angeles	48 00				48 00		
Rotary Club of Santa Monica	25 50						25 50
Rotary Club of Upland	16 00					16 00	
Realty Values Stabilization Committee	100 00						
Redlands Chamber of Commerce	24 00						24 00
Riverside Chamber of Commerce	50 00						50 00
Southeast District Chamber of Commerce	20 00						20 00
San Bernardino Chamber of Commerce	75 00				25 00		25 00
San Gabriel Chamber of Commerce	6 00						
San Pedro Chamber of Commerce	50 00						50 00
Santa Ana Chamber of Commerce	50 00					25 00	25 00
Santa Monica-Ocean Park Chamber of Commerce	40 00						40 00
Southern California Hotel Association	28 00						
Sierra Madre Chamber of Commerce	10 00					10 00	
Temple Chamber of Commerce	5 00						
Torrance Chamber of Commerce	10 00	31	2 17	17	1 32	1 00	2 00

PACIFIC ELECTRIC RAILWAY COMPANY—CONTINUED.

Statement of Dues, Donations, Subscriptions and Contributions of All Kinds and Payments to Attorneys, also Distribution for Year 1934.

	Accounts charged						Affiliated companies
	81	83	84	86	89	92	
Dues, donations, etc., paid to—Continued							
Advertising Club of Los Angeles							
Alhambra Chamber of Commerce							
American Railway Association					$40 00		
American Transit Association					3,409 38		
Arcadia Chamber of Commerce			$4 00				
Azusa Chamber of Commerce							
Bell Chamber of Commerce			12 00				
Bellflower Chamber of Commerce							$12 50
Better Business Bureau of Los Angeles					75 00		
Beverly Hills Chamber of Commerce							
Burbank Chamber of Commerce							
Business Mens Association of Santa Ana							
California Club		$330 00		$275 00		$55 00	
California State Chamber of Commerce					275 00		
California Intelligence Service Bureau							
California Tax Payers Association					1,375 00		
California Self Insurers Association						187 50	
California Resort Operators Association	$12 00						
California Electric Railway Association					1,296 00		
Claremont Chamber of Commerce							
Commercial Board of Los Angeles							
Compton Chamber of Commerce							
Corona Chamber of Commerce							12 50
Culver City Chamber of Commerce							
Electric Club of Los Angeles		12 00					
El Monte Chamber of Commerce			4 00				
El Segundo Chamber of Commerce							
Etiwanda Service Club							
Foreign Trade Club							
Garden Grove Chamber of Commerce							
Glendale Chamber of Commerce							
Glendora Chamber of Commerce							
Harbor Traffic Club							
Hermosa Beach Chamber of Commerce			10 00				
Hotel Greeters of Southern California	8 00						
Huntington Beach Chamber of Commerce			6 00				
Hollywood Chamber of Commerce			25 00				
Hollywood Merchants Association							
Inglewood Chamber of Commerce							
Joint Fund, Chamber of Commerce All Year Club					500 00		

Jonathan Club, Los Angeles		132 00					
Kiwanis Club of Los Angeles						50 00	
Kiwanis Club of Glendora							
Kiwanis Club of San Bernardino							M.T Co. 6 00
Los Angeles Junior Chamber of Commerce			6 00				
Lions Club of Los Angeles							
Long Beach Chamber of Commerce			25 00				
Los Angeles Chamber of Commerce, Venice Division							
Los Angeles Chamber of Commerce, West Los Angeles Division							
Los Angeles Optimist Club							
Los Angeles Traffic Association					1,500 00		
Los Angeles Transportation Club		27 90			24 00		
Merchant and Manufacturers Association					750 00		
Monrovia Chamber of Commerce							
Municipal League of Los Angeles							
National Bureau of Casualty and Surety Underwriters						9 37	
National Editorial Association					5 00		
Newport Harbor Chamber of Commerce			12 50				M.T.Co. 12 50
North Hollywood Chamber of Commerce							
Ontario Chamber of Commerce							
Optimist Club of Long Beach							
Optimist Club of San Pedro							
Orange County Coast Association							
Orange Community Chamber of Commerce			20 00				
Pacific Coast Claim Conference			20 00				
Palms Chamber of Commerce							
Pasadena Chamber of Commerce			25 00				
Pomona Chamber of Commerce							
Purchasing Agents Association of Los Angeles		35 00					
Railway Accounting Officers Association		7 00					
Railway Treasury Officers Association		10 00					
Redondo Beach Chamber of Commerce	624 00	12 00	12 00				
Regulated Carriers					1,200 00		
Rotary Club of Los Angeles							
Rotary Club of Santa Monica							
Rotary Club of Upland							
Realty Values Stabilization Committee					100 00		
Redlands Chamber of Commerce							
Riverside Chamber of Commerce							
Southeast District Chamber of Commerce							
San Bernardino Chamber of Commerce			25 00				
San Gabriel Chamber of Commerce			6 00				
San Pedro Chamber of Commerce							
Santa Ana Chamber of Commerce							
Santa Monica-Ocean Park Chamber of Commerce							
Southern California Hotel Association	28 00						
Sierra Madre Chamber of Commerce							
Temple Chamber of Commerce			5 00				
Torrance Chamber of Commerce		1 00	2 00				

PACIFIC ELECTRIC RAILWAY COMPANY—CONTINUED.

Statement of Dues, Donations, Subscriptions and Contributions of All Kinds and Payments to Attorneys, also Distribution for Year 1934.

Dues, donations, etc., paid to—Continued	Accounts charged							
	Amount	A/c 1	29	15	63	69	79	80
Transit Code Authority	$1,424 19							
Watts Chamber of Commerce	25 00					$25 00		
West Hollywood Chamber of Commerce	25 00						$25 00	
Whittier Chamber of Commerce	25 00				$25 00			
Wilmington Chamber of Commerce	40 00						40 00	
Yorba Linda Chamber of Commerce	15 00					15 00		
Totals	$16,638 21	$88 88	$41 94	$39 93	$414 85	$448 00	$1,308 30	$244 00

Dues, donations, etc., paid to—Continued	Accounts charged						Affiliated companies
	81	83	84	86	89	92	
Transit Code Authority					$1,424 19		
Watts Chamber of Commerce							
West Hollywood Chamber of Commerce							
Whittier Chamber of Commerce							
Wilmington Chamber of Commerce							
Yorba Linda Chamber of Commerce							
Totals	$672 00	$566 90	$219 50	$275 00	$11,973 57	$301 87	$43 50

PACIFIC ELECTRIC RAILWAY COMPANY—CONTINUED.

Statement of Dues, Donations, Subscriptions and Contributions of All Kinds and Payments to Attorneys, also Distribution for Year 1934.

Payments to company attorneys, etc	Accounts charged				Affiliated companies
		Salary	Personal expenses	86	92	
Frank Karr*						
E. E. Morris*						
C. W. Cornell	$5,021 86	$4,873 80	$148 06			
O. O. Collins	4,972 77	4,571 82	400 95			
R. E. Wedekind	4,850 46	4,304 04	546 42			
E. L. H. Bissinger	3,039 48	3,039 48		$17,762 03	$4,673 17	$6,309 49
E. C. Demo	866 22	866 22				
B. Waters	150 00	150 00				
Office clerks, etc **	8,843 90	8,843 90				
Totals	$27,714 69	$26,649 26	$1,095 43			

* Salaries reported in statement of officers and employees receiving $5,000 or more per annum.
** Wages of office clerks, etc., included in order to balance distribution.
Issued by Accounting Department Los Angeles, California, February 20, 1935.

PACIFIC GAS AND ELECTRIC COMPANY.

I. Names of employees who during 1934 received a salary of $5,000 or more.

	Salary	*Expenses*	*Total*
Adams, I. B., Division Manager, San Jose	$6,600 00	$590 75	$7,190 75
Barthol, O. H., Assistant Treasurer and Cashier	5,496 00	--------	5,496 00
Beckett, B. B., Rate Engineer	5,496 00	--------	5,496 00
Beckett, E. J., Assistant Treasurer	5,496 00	58 77	5,554 77
Bosley, W. B, General Counsel	16,488 00	520 40	17,008 40
Bostwick, Henry, Division Manager, San Francisco	8,244 00	383 85	8,627 85
Bragg, Geo. H., Engineer, Electric Dept.	6,048 00	416 19	6,464 19
Coghlan, J. P., Second Vice President and Assistant to President	19,788 00	1,365 90	21,153 90
Cooper, H. M., Division Manager, Drum	5,496 00	--------	5,496 00
Crawford, H. M., Sales Manager	7,704 00	544 43	8,248 43
Cutten, C. P., Rate Attorney	19,788 00	28 60	19,816 60
Downing, P. M., First Vice President and General Manager	36,636 00	775 41	37,411 41
Doyle, F. F., Manager, Natural Gas Div.	8,796 00	326 59	9,122 59
Dunn, W. R., Attorney, Law Dept.	5,638 00	749 28	6,387 28
Euler, W. G. B., General Superintendent	10,080 00	--------	10,080 00
Fagg, J. H., Division Manager, DeSabla	5,496 00	489 60	5,985 60
Fisher, R. E., Vice President in Charge of Public Relations and Sales	19,788 00	1,453 61	21,241 61
Florence, E. W., Division Manager, Sacramento	6,600 00	665 60	7,265 60
Foote, D. H., Third Vice President, Secretary-Treasurer	19,788 00	--------	19,788 00
Frost, A. M., Manager, Agricultural Sales	5,496 00	1,181 79	6,667 79
Fuller, R. S., Engineer, Gas Dept.	7,476 00	370 52	7,846 52
Furniss, Geo B, Assistant Manager, East Bay Division	5,232 00	--------	5,232 00
George, F. R., Engineer, Electric Dept.	8,244 00	114 79	8,358 79
Hanson, F. P., Manager, Purchases and Stores	8,244 00	33 05	8,277 05
Heryford, H. B, Division Manager, San Joaquin	6,600 00	770 77	7,370 77
Hockenbeamer, A. F., President	68,700 00	1,573 95	70,273 95
Hodges, E. W., Comptroller	13,200 00	600 55	13,800 55
Holt, C. E., Manager, Stock Transfer Dept.	5,496 00	--------	5,496 00
Hunt, Geo. A., Engineer	5,030 00	493 02	5,523 02
Johnson, E. C, Division Manager, Colgate	5,496 00	383 60	5,879 60
Jollyman, J. P., Engineer	8,940 00	42 86	8,982 86
Joy, Al. C., Manager, Publicity Dept	6,876 00	1,419 49	8,295 49
Koontz, John A, Jr., Engineer	5,484 00	14 20	5,498 20
Lack, M. D, Manager, Tax Dept	7,152 00	860 18	8,012 18
Lisberger, S. J, Engineer	8,940 00	92 62	9,032 62
Markwart, A. H., Vice President in Charge of Engineering	16,104 00	788 95	16,892 95
Martin, D. G, Auditor	6,048 00	26 10	6,074 10
McCann, E. G, Manager, Personnel Dept.	6,048 00	226 15	6,274 15
McKay, M. C., Engineer	5,484 00	168 45	5,652 45
Milford, G. R., Division Manager, Shasta	5,496 00	468 89	5,964 89
Newbert, L. H., Division Manager, East Bay	8,244 00	211 21	8,455 21
Peterson, O. W., Engineer	9,972 00	272 79	10,244 79
Powell, R C., Engineer	6,984 00	303 18	7,287 18
Rand, Geo. H, Manager, Credit and Stock Sales	10,992 00	273 69	11,265 69
Reynolds, L. A., Auditor, G. W P. Section	7,416 00	46 58	7,462 58
Ridgway, H G, Division Manager, North Bay	5,496 00	484 85	5,980 85
Ross, Harry C., Engineer, Gas Dept., and Claims Adjuster	5,558 75	408 83	5,967 58
Ryan, J. T, Valuation Engineer	5,663 00	524 92	6,187 92
Shaw, S. B., Automotive Engineer	5,040 00	314 86	5,354 86
Sloane, Paul E, Attorney	6,600 00	39 50	6,639 50
Spaulding, W. H, Attorney	10,992 00	146 46	11,138 46
Steele, E H., Engineer	6,760 00	492 11	7,252 11

PACIFIC GAS AND ELECTRIC COMPANY—CONTINUED.

	Salary	*Expenses*	*Total*
Steele, I. C., Engineer	$6,708 00	$35 79	$6,743 79
Straub, T. J., General Attorney	16,488 00	543 75	17,031 75
Sutherland, N. R., Manager, Commercial Dept	5,496 00	234 87	5,730 87
Vincent, W. G., Vice President and Executive Engineer	19,788 00	86 50	19,874 50
Yard, W. S., Vice President in Charge of Gas Construction and Operation	17,940 00		17,940 00
Totals	$591,389 75	$22,418 80	$613,808 55

General Order No. 77-A.

Total donations, dues, subscriptions and contributions of all kinds paid by the Pacific Gas and Electric Company, during the calendar year 1934 distributed to accounts as charged on the company's books.

(a) Donations—Charitable institutions, community chests, unemployment relief, churches and other welfare activities as per detail attached	$21,800 95
(b) Dues, Subscriptions and Contributions—Payments to industrial and trade associations, clubs, and other organizations as per detail attached	81,549 06
Total	$103,350 01

Distribution of Charges.

Electric Operating Expenses—	
Div. Acct. No. 750 Production Expenses—Superintendence—Steam-Electric	$1 80
Div. Acct. No. 775 Production Expenses—Superintendence—Hydro-Electric	50 19
Div. Acct. No. 850 Transmission Expenses—Superintendence	43 48
Div. Acct. No. 925 Distribution Expenses—Superintendence	720 58
Div. Acct. No. 928 Distribution Expenses—Substation Supplies and Expenses	25 62
Div. Acct. No. 933 Distribution Expenses—Complaints and Inspections	5 64
Div. Acct. No. 955 Commercial Supplies and Expenses	856 76
Div. Acct. No. 977 New Business—Demonstrating—Canvassing and Soliciting	579 65
Div. Acct. No. 979 Miscellaneous New Business Supplies and Expenses	270 05
Gas Operating Expenses—	
Div. Acct No. 1750 Production Expenses—Superintendence—Manufacturing Gas	7 00
Div. Acct. No. 1760 Production Expenses—Superintendence—Natural Gas	3 00
Div. Acct. No. 1850 Transmission Expenses—Superintendence	2 60
Div. Acct. No. 1925 Distribution Expenses—Superintendence	373 16
Div. Acct. No. 1932 Distribution Expenses—Complaints and Inspections	96
Div. Acct. No. 1955 Commercial Supplies and Expenses	587 51
Div. Acct. No. 1977 New Business—Demonstrating—Canvassing and Soliciting	1,002 47
Div. Acct. No. 1979 Miscellaneous New Business Supplies and Expenses	301 70
Railway Operating Expenses—	
Div. Acct No. 2850 General and Miscellaneous Salaries and Expenses	6 48
Water Operating Expenses—	
Div. Acct. No. 3602 Distribution Expenses—Superintendence—Collection	3 72
Div. Acct. No. 3604 Distribution Expenses—Office Expense—Collection	2 90

PACIFIC GAS AND ELECTRIC COMPANY—CONTINUED

Distribution of Charges—Continued

Merchandise and Jobbing—			
Div. Acct. No. 5750	General Labor and Expenses		$165 99
Div. Acct. No. 6068	Transportation Expense		24 30
Div. Acct No. 6070	Division Supervision Expense		16,826 78
Div. Acct. No. 6075	Mt. Shasta Power Corporation		62
Div. Acct. No. 6083	Great Western Power Co		68 47
Ledger Acct. No. 402 3	General and Miscellaneous Expenses—		
	Electric Department	$58,877 66	
	Gas Department	21,672 47	
	Water Department	253 72	
	Railway Department	459 92	
	Steam Department	154 81	
			81,418 58
	Total		$103,350 01

Statement of Donations, Year 1934.

American Legion—		
Miscellaneous donations		$77 96
Improvement and Development Associations—		
Redwood Empire Association	$500 00	
California Mission Trails Association	100 00	
Sacramento Convention Bureau	240 00	
Home Planning Bureau, Oakland	250 00	
Miscellaneous	184 70	
		1,274 70
Boy Scouts—		
Miscellaneous donations		7.34 06
Fairs, Exhibits, etc.—		
Santa Rosa Rose Carnival	$50 00	
Stockton Water Regatta	50 00	
California Rodeo Association, Salinas	100 00	
Float for Colmado Del Rodeo, Salinas	183 95	
County Fair Stockton	100 00	
St. Helena Vintage Festival	50 00	
Stockmen's Rodeo Association, Livermore	25 00	
Bi-County Fair, Marysville	50 00	
Northern California Grape Festival	52 00	
Miscellaneous small donations	119 01	
		779 96
Camp Fire Girls—		
Miscellaneous donations		20 00
Chambers of Commerce—		
Miscellaneous donations		1,179 60
Relief and Welfare Organizations—		
Widows and Orphans Aid Association, San Francisco Police Department	$100 00	
Salvation Army—Sacramento, Salinas, Napa, Red Bluff, Modesto, Orland, Willows, Eureka	187 50	
Y. M. C. A.—Eureka, Salinas, Stockton, Marysville	188 00	
Sacramento Orphanage	190 05	
Widows, Orphans Aid Association, Sacramento Police Department	50 00	
Widows, Orphans Aid Association, Oakland Police Department	100 00	
Miscellaneous small donations	170 00	
		985 55
Churches and Educational Institutions—		
Sundry donations		201 35
Services and Energy Donated to Charities, Institutions, etc.—		
Coit Tower, San Francisco	$286 02	
Energy used to light Christmas tree, City Hall, Oakland	29 79	
Temporary service for Christmas tree, G. G. Park	66 16	
Install flood lights, Highland Ave., Piedmont	43 58	
Junior Chamber of Commerce, Greater San Jose Week	22 36	
State of California, lighting Capitol dome	69 30	
Miscellaneous donations, labor and energy	204 14	
		721 35

PACIFIC GAS AND ELECTRIC COMPANY—CONTINUED.

Statement of Donations, Year 1934—Continued

Appliances, Lamps, etc., Donated to Churches, Clubs, Public Buildings, etc.—		
Coal range donated to San Mateo Community Center	$55 00	
Material furnished C. C. C. Camp, Chico	80 00	
Mars gas furnace to Boy and Girl Scouts, Belmont	92 24	
Miscellaneous donations, sundry small amounts	201 45	
		$428 69
Merchants Associations—		
Marysville Merchants Association	$25 00	
Sacramento Retail Merchants Association	50 00	
Mission Street Merchants Association, San Francisco	28 00	
Merchants Association of San Jose	35 00	
Hayward Poultry Producers Association	20 43	
Miscellaneous small donations	180 26	
		338 69
Red Cross—		
Miscellaneous donations		36 00
Community Chests—		
Chico	$200 00	
Hayward	100 00	
Richmond	100 00	
Oakland	5,812 80	
Berkeley	1,660 80	
Willows (1933)	25 00	
Stockton	1,200 00	
Santa Clara County	924 00	
South San Francisco	100 00	
San Jose	1,000 00	
Monterey Peninsula	100 00	
Sacramento	1,764 00	
Los Gatos	10 00	
		12 946 60
Police Departments—		
Tickets to benefits and miscellaneous donations		83 10
Fire Departments—		
Tickets to benefits and miscellaneous donations		285 46
Fraternal, Military and Civic Organizations—		
Monterey Trade Warrant Stamps	$39 00	
Municipal Railway Employees Benefit, San Francisco	25 00	
Truck for unemployed, Alameda	10 00	
Corning Drum and Bugle Corporation	25 00	
Armistice decorations, Roseville	13 50	
Home Loan program, Sonora	10 00	
Funds to stimulate National Housing Act, Pittsburg	15 00	
Special bridge committee, San Francisco	250 00	
Rehabilitation of citrus orchards in Sacramento Valley	300 00	
Santa Clara Valley Water Conservation District	181 40	
Jubilee and Fair, Angels Camp	25 00	
Fourth of July, Nevada City	25 00	
Miscellaneous small donations	788 98	
		1,707 88
Total		$21,800 95

Subscriptions, Contributions and Dues, Year 1934.

Trade Organization, etc.—	
California Taxpayers Association	$8,139 81
Committee on Relation of Electricity to Agriculture	1,960 67
Light and Power Council	5,112 45
Edison Electric Institute	15,523 41
International Chamber of Commerce	100 00
Industrial Association of San Francisco	4,800 00
Natural Industrial Conference Board	200 00
Pacific Coast Gas Association	7,390 00
California Electric Railway Association	189 00
Californians Incorporated	3,475 60
National Association of Manufacturers	100 00
American Gas Association	100 00
San Francisco Real Estate Board	600 00
Industrial Association of Contra Costa County	300 00

PACIFIC GAS AND ELECTRIC COMPANY—CONTINUED.

Subscriptions, Contributions and Dues, Year 1934—Continued.

Trade Organization, etc.—Continued.

California Forest Protective Association	$100 00
Better Housing Committee—San Francisco Chamber of Commerce	500 00
American Transit Association	228 01
National Safety Council	220 00
San Francisco Credit Merchants Association	300 00
Associated Farmers of California	1,250 00
Miscellaneous Trade Organizations	465 00
Total	$51,053 95

Chambers of Commerce—

United States Chamber of Commerce	$1,042 68
California State Chamber of Commerce	7,521 00
Monterey	304 00
Pacific Grove	48 00
Salinas	310 00
Colusa County	25 00
Marysville	25 00
Sutter County	25 00
Chico	134 00
Orland	40 00
Willows	40 00
Auburn	25 00
Grass Valley	60 00
Nevada City	60 00
Alameda	100 00
Antioch	25 00
Berkeley	400 00
Walnut Creek	50 00
Hayward	50 00
Livermore	25 00
Martinez	120 00
Oakland	1,625 00
Pittsburg	180 00
Pleasanton	25 00
Richmond	375 00
San Leandro	120 00
Eureka	400 00
Ferndale	25 00
Fortuna	25 00
Vallejo	50 00
El Dorado	60 00
Sacramento	655 02
Woodland	54 15
San Francisco	3,000 00
San Francisco, Jr	84 00
Lodi	37 00
Manteca	48 00
Modesto	75 00
Newman	36 00
Oakdale	50 00
Stockton	1,336 00
Tracy	110 00
Turlock	65 00
Burlingame	35 00
Redwood City	100 00
San Jose	500 00
San Mateo	25 00
Corning	37 00
Red Bluff	120 00
Redding	40 00
Napa	50 00
Petaluma	100 00
San Rafael	99 00
Santa Rosa	120 00
Sebastopol	30 00
Santa Clara	30 00
Miscellaneous—Subscriptions under $25	505 94
Total	$20,656 79

PACIFIC GAS AND ELECTRIC COMPANY—CONTINUED.

Credit Associations Bureau—

Credit Bureau Salinas	$60 00
Retail Credit Association—Auburn	30 00
Better Business Bureau—Oakland	120 00
Oakland Association of Credit Men	24 00
Credit Association of Humboldt County	31 00
Marin County Credit Association	60 00
Merchants Credit Association—Petaluma	120 00
Retail Credit Association—Yolo County	30 00
Retail Credit Association—Sacramento	66 00
Retail Credit Association—Woodland	9 00
Better Business Bureau—San Francisco	350 00
Board of Trade	36 00
Retail Credit Association—San Francisco	54 00
Better Business Bureau—Stockton	100 00
Merchants Rate Bureau—Stockton	25 00
Lodi Rating Bureau	48 00
Better Business Bureau—San Jose	45 12
Wholesalers Credit Bureau—San Jose	90 00
Credit Rating Bureau—Red Bluff	60 00
Total	$1,358 12

Builders Exchange—

Miscellaneous dues	$207 00

Development, Trade and Merchants Associations—

Downtown Association, Berkeley	$42 00
Manufacturers Association, Berkeley	18 00
East Bay Industrial Association	600 00
Emeryville Industrial Associations	64 50
Furnace Dealers Association of Northern California	600 00
Industrial Commission Richmond	120 00
Gas Appliance Society	280 00
Oakland Real Estate Board	75 00
Redwood Empire Association	50 00
Merchants Association—Petaluma	60 00
Merchants Association—Vallejo	90 00
Builders Exchange—Sacramento	30 00
Retail Merchants Association—Sacramento	275 00
Bureau of Hotel and Restaurant Purveyors	60 00
Certified Heating and Pipe Contractors	60 00
Civic League of Improvement Clubs	150 00
Downtown Association—San Francisco	600 00
North Central Improvement Association	120 00
Merchants Association—Stockton	71 00
Merchants Manufacturing and Employees Association—Stockton	414 00
Industrial Association of Santa Clara County	250 00
Merchants Association—San Jose	210 00
Electrical Appliance Societies	130 00
San Francisco Convention and Tourist Bureau	250 00
Merchants and Business Mens Association—Tracy	45 00
Miscellaneous dues and subscriptions	465 63
Total	$5,130 13

Commercial and Business Clubs and Organizations—

Advertising clubs	$98 00
Optimist clubs	140 08
Kiwanis clubs	377 04
Lions clubs	559 00
Rotary clubs	1,080 25
Exchange clubs	142 00
20–30 clubs	67 20
50–50 clubs	16 00
Executives associations	250 00
Knights of Round Table	59 50
Soroptimist clubs	72 00
Miscellaneous dues and subscriptions	282 00
Total	$3,143 07
Total subscriptions and dues	$81,549 06

PACIFIC GAS AND ELECTRIC COMPANY—CONTINUED.

Total payments to attorneys and legal firms by the Pacific Gas and Electric Company for the calendar year 1934, as per detail attached, distributed to the account on the company's books, excluding salaries and expense accounts of salaried attorneys reported as officers and employees of the Company

Distribution of Charges.

Construction, Electric	Condemnation and water right litigation, Mt. Shasta Power Corporation	$8,979 62	
Construction, Electric	Miscellaneous Condemnations, Rights-of-Way, etc Pacific Gas and Electric Company	550 00	
Construction, All	Proration of total legal expense, Pacific Gas and Electric Company	5,076 84	
			$14,606 46
Affiliated Companies	Proration of total legal expense		5,433 93
Ledger Acct. No. 101 07	Miscellaneous Fixed Capital Installed—Patents		302 80
Ledger Acct. No. 242.2	Casualty Reserve—(Injuries and Damages)		11,368 10
Ledger Acct. No. 402 3	General and Miscellaneous Expenses		
	(a) Regulatory Commission Expense, Gas Department		59.198 45
	(b) Law Dept. Expenses		
	Electric Dept.	$17,754 48	
	Gas Dept.	10,140 97	
	Water Dept.	113 21	
	Railway Dept	175 48	
	Steam Dept.	118 87	
			28,303 01
	Total		$119,212 75

Payments to Attorneys During the Year 1934—

Attorneys	*Amount*
Arola, Virgil M.	$50 00
Athearn, Chandler and Farmer	4,804 62
Belcher, Richard	250 00
Carr and Kennedy	862 85
Chenoweth and Leininger	4,775 00
Chickering and Gregory	5,500 00
Chamberlin, T L	300 00
Cooley, Crowley and Supple	5,091 65
Cullinan, Hickey & Sweigert	12,200 00
Decoto, Ezra	850 00
Durst, Harold	525 00
Donohue, Hynes and Hamlin	900 00
Goodman, W. U.	476 45
Hatfield, W. H & V. L.	3,000 00
Hall, Chaffee E	7,200 00
Jones, George F	700 00
Lindersmith, H E	500 00
Lacey, C. F.	300 00
Martinelli and Gardner	200 00
McCutchen, Olney Mannon & Greene	57 698 45
McDonald, J. J.	250 00
McEnerney, Garret W	3,000 00
Neumiller and Ditz	1,450 00
Nutter and Rutherford	1,000 00
Nelson, H. C	4 440 93
Peters, Jerome D	350 00
Townsend and Loftus	302 80
Vogelsang, Brown, Cram, Feeley and Finney	2,000 00
White and Case	235 00
Total	$119,212 75

PACIFIC GAS AND ELECTRIC COMPANY—CONTINUED

(1) Salary payments by Great Western Power Company of California for the calendar year 1934 of $5,000 00 or more per annum_____ None

(2) Total dues, donations, subscriptions and contributions of all kinds of Great Western Power Company of California for the calendar year 1934 _____ $11 799 40

(3) Names of the persons, associations, firms and corporations receiving such dues, etc., and the amount paid to each

Boy Scouts, Quincy _____	$25 00
Oakland Community Chest_____	1,187 20
Berkeley Community Chest_____	339 20
Santa Clara County Community Chest_____	76 00
Sacramento Community Chest_____	636 00
California Taxpayers Association_____	1,563 22
Committee on Relation of Electricity to Agriculture _____	384 98
Light and Power Council_____	982 18
Edison Electric Institute_____	3 435 90
Chamber of Commerce of U S A _____	157 32
Californians, Inc. _____	524 40
California State Chamber of Commerce_____	1,048 00
Industrial Association of San Francisco_____	1,440 00
Total _____	$11,799 40

(4) Total payments to attorneys by Great Western Power Company of California for the calendar year 1934_____ $8,198 33

(5) Names of the attorneys or legal firms receiving such payments and the amounts paid to each

W. U. Goodman_____	$250 00
White & Case_____	75 00
Percy C. West_____	40 00
Devlin, Devlin & Diepenbrock_____	3,000 00
Jerome D. Peters_____	3 500 00
H C. Nelson _____	833 33
George F. Jones_____	500 00
Total _____	$8,198 33

(6) Names of the accounts to which said dues, etc, and payments to attorneys were charged and the amount charged to each of said accounts

*Other General Office Expense*_____	$11,799 40
Distribution Land—"A"_____	290 00
Water Sales Expense_____	7,000 00
Law Expense—General _____	908 33
Total _____	$19,997 73

(1) Salary payments by Feather River Power Company for the calendar year 1934 of $5,000 or more per annum_____ None

(2) Total dues, donations, subscriptions and contributions of all kinds of Feather River Power Company for the calendar year 1934___ None

(3) Total payments to attorneys by Feather River Power Company for the calendar year 1934_____ None

(1) Salary payments by Napa Valley Electric Company for the calendar year 1934 of $5,000 or more per annum_____ None

(2) Total dues, donations, subscriptions and contributions of all kinds of Napa Valley Electric Company for the calendar year 1934_____ $33 26

(3) Names of the persons, associations, firms and corporations receiving such dues, etc., and the amount paid to each
Edison Electric Institute_____ 33 26

(4) Total payments to attorneys by Napa Valley Electric Company for the calendar year 1934_____ None

PACIFIC GAS AND ELECTRIC COMPANY—CONTINUED.

(5) Name of the accounts to which said dues, etc., and payments to attorneys were charged and the amount charged to each of said accounts:

Other general office expenses	$33 26

(1) *Total payments made by Modesto Gas Company during the calendar year 1934 to officers or employees receiving salaries of $5,000 or more per annum* None

(2) Total donations, subscriptions and contributions of all kinds of Modesto Gas Company for the calendar year 1934, distributed to accounts as charged on the company's books:

(a) Donations—Charitable institutions, Community Chests, churches and other local educational and welfare activities	None
(b) Dues, subscriptions and contributions—	
Pacific Coast Gas Association	$14 75
Rotary Club, Modesto	12 00
Gas Appliance Society	50 00
California State Chamber of Commerce	30 00
Total	$106 75

Distribution of Charges.

Account 791—Distribution superintendence	$6 24
Account 825—Commercial supplies and expenses	2 88
Account 833—Demonstrating, canvassing and soliciting	2 88
Account 836—Miscellaneous new business supplies and expenses	50 00
Account 845—Other general office expenses	24 75
Account 136d—Prepayments	20 00
Total	$106 75

(3) Total payments to attorneys by Modesto Gas Company for the calendar year 1934 None

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PACIFIC GREYHOUND LINES, INC.

I. Names of employees who during 1934 received a salary of $5,000 or more.

	Salary	*Expense*
W. E. Travis, President	$21,600 00	$3,390 61
H. C. Lucas, Vice President and General Counsel	9,458 00	1,752 79
F. W. Ackerman, Assistant to President	5,900 00	273 96
L. D. Jones, General Manager	6,250 00	1,004 25
R. M. Ahrens, General Superintendent of Maintenance and Equipment	5,050 00	242 36
Totals	$48,258 00	$6,663 97

II. Dues, donations, subscriptions and contributions.

Account No.	*Title*		
650	Superintendence and Solicitations		$186 25
	Traffic Promotion—Dues and Subscriptions Paid to—		
	San Francisco Convention and Tourist Bureau	$50 00	
	Californians, Inc	50 00	
	All Year Club of Southern California	50 00	
	City Passenger Agents' Association	2 00	
	Northern California Passenger Association	2 00	
	Southern Promotion Association	6 00	
	Travelarians of California	19 25	
	Executives' Association	7 00	
671	Miscellaneous General Expenses—Donations		$22 00
	Paid to—		
	American Rescue Worker	$4 00	
	Rivista Italian d'America Dance Tickets	6 00	
	Unemployed Relief Kitchen Tickets	2 00	
	Christmas Gifts — Elevator Operators — 221 Pine Street	10 00	

PACIFIC GREYHOUND LINES, INC.—CONTINUED

II. Dues, donations, subscriptions and contributions—Continued.

Dues and subscriptions		$20,332 25
Motor Carriers' Association of California	$13,650 00	
Passenger Carriers' Association, San Francisco, California	5,850 00	
Salinas Chamber of Commerce	20 00	
Southern Promotion Association	18 00	
Santa Monica Chamber of Commerce	20 00	
San Francisco Chamber of Commerce	60 00	
Junior Chamber of Commerce	12 00	
Sacramento Chamber of Commerce	25 00	
Redwood Empire Association	250 00	
Shasta-Cascade Wonderland Association	5 00	
Redding Chamber of Commerce	25 00	
Industrial Association	60 00	
L. A. Chamber of Commerce	100 00	
Eureka Chamber of Commerce	25 00	
El Centro Chamber of Commerce	18 00	
Oakland Chamber of Commerce	25 00	
San Francisco Convention and Tourist Bureau	50 00	
San Diego Chamber of Commerce	25 00	
Protective Order of Police	50 00	
Treasurer of the Travelarians, San Francisco	12 25	
Sacramento Chamber of Commerce—Trade Club Night	2 00	
San Mateo Chamber of Commerce	5 00	
San Diego Chamber of Commerce	23 00	

III. Attorney fees.

(Salaries and expenses of attorneys carried on pay roll during 1934, receiving less than $5,000 per annum)

Account 667—Law Expense.

	Salary	*Expense*
General Legal Salaries and Expenses—		
Orla St. Clair	$1,165 00	$1,744 34
John D. Maatta	475 00	40 65
Totals	$1,640 00	$1,784 99

667	Law Expense—		
	General legal fees and expenses		$595 48
	Paid to—		
	Bronson, Bronson & Slaven, San Francisco, California	$25 00	
	Orla St. Clair, San Francisco, California	250 00	
	Dorothy L. Ready, 922 Kohl Building, San Francisco	9 60	
	David D. French, 200 Arcada Building, Santa Barbara	3 00	
	Travers, Landels, Weigel & Crocker, Russ Building, San Francisco, California	215 25	
	Lloyd G. Buchler, for cost of bringing John Machado into court on Order of Examination	10 00	
	William C. Crossland, 310 Brix Building, Fresno, California	24 50	
	F. Harry Le Barron Co., 448 S. D. Trust & Savings Bldg., San Diego, California	11 88	
	Romer, O'Connor & Son, Inc., Collection Agents, San Francisco, California	46 25	

PACIFIC MOTOR TRANSPORT COMPANY.

I. Names of employees who during 1934 received a salary of $5,000 or more.

	Salary	*Expense account*
L. B. Young, Vice President and General Manager	$5,600 00	$1,307 30

No contingent fees

II. *Dues, donations, subscriptions and contributions*

Name	*Amount*		*Account charged*
Harbor Franchise Carriers Association	$45 00	$22 50	No. 33 Superintendence—Traffic
		22 50	No. 37 Superintendence—Transp.
Lions Club	12 00		No. 33 Superintendence—Traffic
Pacific Traffic Assn.	6 00	3 00	No. 33 Superintendence—Traffic
		3 00	No. 37 Superintendence—Transp.
Regulated Carriers, Inc	37 80		No. 53 Salaries and Expenses of General Office
Los Angeles Transportation Club	14 00	7 00	No. 33 Superintendence—Traffic
		7 00	No. 37 Superintendence—Transp.
Total	$114 80		

III. Attorney fees.

Nothing to report.

PACIFIC STEAMSHIP LINES, LTD.

I. Names of employees who during 1934 received a salary of $5,000 or more.

	Salary	*Expense account*
E. H. Hall, Treasurer	$6,140 00	$586 88
H. B. Brittan, Passenger Traffic Manager	6,480 00	700 45
Charles A. Perkes, Freight Traffic Manager	6,480 00	1,675 95
W. P. Bannister, Operating Manager	5,400 00	249 75
Totals	$24,500 00	$3,213 03

No contingent fees.

PACIFIC STEAMSHIP LINES, LTD.—CONTINUED

II. Dues, donations, subscriptions and contributions

	Total	I. C. C. account charged
American Federation of Labor	$11 00	WE 16
Better Business Bureau	600 00	17
Battery "D," 143d Field Artillery, Sacramento	5 00	18
Californians, Inc.	66 67	18
California Municipal Motorcycle Officers	10 00	18
Community Chest	75 00	18
Fertilizer Association	17 25	23
Miscellaneous Christmas Gratuities	52 50	16
Mrs. Angelo Martin	50 00	16
Peter Martin	100 00	16
Marine Corp.	10 00	18
Oakland Traffic Club	10 00	23
Propeller Club	10 00	17
Pacific Traffic Club	10 00	17
Produce Dealers	43 58	23
Rotary Club	25 00	17
San Francisco Labor Council	10 00	16
San Francisco Grain Trade Association	9 50	18
St. Patrick's Day Golf Tournament	18 25	18
Mrs. A. D. Tibbetts	500 99	16
American Railway Association	20 00	55
Athens Club	46 20	20
Association of Water Line Accounting Officers	7 50	55
Chamber of Commerce, Oakland	25 00	20
Chamber of Commerce, San Francisco	60 00	20
Commercial Club, San Francisco	100 40	20
Foreign Trade Club	11 00	20
High Twelve Club	5 00	55
Los Angeles Advertising Club	6 00	18
Merchants Exchange Club	41 00	20
Merchants and Manufacturers Association	12 00	20
Olympic Club	228 86	20
Officers Club	12 00	55
Pacific Coastwise Conference	11 587 39	20
Pacific Traffic Association	23 75	20
Pacific Coastwise Lumber Conference	496 40	20
Rotary Club	85 20	20
Railway Accounting Officers Association	7 00	55
Railway Treasury Officers Association	17 50	55
Transportation Club	182 50	20
Tourist Travel Clearing Agency	84	20
Western Military Bureau	641 85	20
Western Passenger Association	3 94	20
Total	$15,255 08	

III. Attorney fees.

Bogle, Bogle and Gates	$314 87	WE 51
Keith R. Ferguson	2,650 00	51
Lillick, Olson and Graham	78 26	51
Lillick, Olson, Levy and Geary	1,005 54	51
McCamant, Thompson and King	135 00	51
Young, Lillick, Olson, Graham and Kelly	357 25	51
Total	$4,540 92	

THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY.

(Operates in California, Oregon, Washington and Idaho.)

Officers or Employees Who Received a Salary of $5,000 or More per Annum During Year 1934

Name of officers or employees	Title	Duties	Salary	Salary** applicable to California	Expense* account	Directors' fees
The following gene	ral officers of The Pacific Telephone	and Telegraph Company are also general officers of associated companies	as noted.			
Pillsbury, H D	President	President, The Pacific Telephone and Telegraph Company President, Bell Telephone Company of Nevada President, Southern California Telephone Company President, The Home Telephone and Telegraph Company of Spokane	$55,008 00	$41,181 74	$900 00	$240 00
Powley, N R	Vice president in charge of operations	Vice President, The Pacific Telephone and Telegraph Company Vice president, Bell Telephone Company of Nevada Vice president, Southern California Telephone Company Vice president, The Home Telephone and Telegraph Company of Spokane Vice president, The Home Telephone and Telegraph Company of Southern Oregon	32,087 95	24,022 64	1,197 00	220 00
Reagan, F J	Vice president in charge of information and personnel	Vice president, The Pacific Telephone and Telegraph Company Vice president, Bell Telephone Company of Nevada Vice president, Southern California Telephone Company Vice president, The Home Telephone and Telegraph Company of Spokane	22,003 65	16,473 03	929 81	----------
Fleager, C E	Vice president in charge of system matters	Vice president, The Pacific Telephone and Telegraph Company Vice president, Bell Telephone Company of Nevada Vice president, Southern California Telephone Company Vice president, The Home Telephone and Telegraph Company of Spokane	18,335 70	13,727 02	1,376 75	----------
Kleinschmidt, W G	Secretary and treasurer	Secretary and treasurer, The Pacific Telephone and Telegraph Company Secretary and treasurer, Bell Telephone Company of Nevada Secretary and treasurer, Southern California Telephone Company Secretary and treasurer, The Home Telephone and Telegraph Company of Spokane Assistant secretary and assistant treasurer, The Home Telephone and Telegraph Company of Southern Oregon	13,751 75	10,295 25	280 35	----------
Casassa, C S	Vice president and general auditor.	Vice president and general auditor, The Pacific Telephone and Telegraph Company Vice president and general auditor, Bell Telephone Company of Nevada Vice president and general auditor, Southern California Telephone Company Vice president and general auditor, The Home Telephone and Telegraph Company of Spokane General auditor, The Home Telephone and Telegraph Company of Southern Oregon	22,003 65	16,473 03	----------	----------

Anderson, G. W	Assistant secretary and assistant treasurer	Assistant secretary and assistant treasurer, The Pacific Telephone and Telegraph Company Assistant secretary and assistant treasurer, Bell Telephone Company of Nevada Assistant secretary and assistant treasurer, The Home Telephone and Telegraph Company of Spokane Assistant secretary, Southern California Telephone Company	5,683 55	3,516 47		
The following general employees act for The Pacific Telephone and Telegraph Company and associated companies						
Blanck, C T	Assistant vice president	In charge of tax matters	12,101 75	9,059 98	133 20	
Chamberlin, J. N	Assistant vice president	System plant, traffic and engineering matters	9,901 45	7,412 72		
Keller, G. M	Assistant to vice president	In charge of medical department	8,251 00	6,177 11	125 02	
Folger, W. A	Assistant vice president	Title is descriptive	7,701 65	5,765 84	178 20	
Stannard, M. L	Engineer	Title is descriptive	7,692 60	5,759 07		
Cole, O, Jr.	Secretary, general employees' benefit committee	Title is descriptive	7,151 25	5,353 78	176 19	
Kietzman, W L	General tariff engineer	In charge of staff commercial activities	7,151 25	5,353 78	37 80	
Marshall, J G	Attorney	Title is descriptive	6,601 00	4,941 84	297 15	
Hansley, H A	System special agent	Title is descriptive	6,601 00	4,941 84	665 25	
Heller, J E	System long lines supervisor	Title is descriptive	6,051 10	4,530 16		
Thomas, J C	Supervisor of news bureau	Title is descriptive	5,722 25	4,283 96	155 73	
Fisher, E. J	System special studies engineer	Title is descriptive	5,625 75	4,211 72	192 91	
Davis, P. E	Advertising and production supervisor	Title is descriptive	5,512 30	4,408 41		
Hynes, G. A	Assistant to vice president	Title is descriptive	5,500 85	4,118 21	67 87	
Mayers, E A	Program and results supervisor	Title is descriptive	5,301 90	3,969 27		
Risley, H. R	Special representative	Title is descriptive	5,237 45	3,921 02		
Casal, F M	Engineer	Title is descriptive	5,114 25	3,828 78		
Crowley, A. V	Chief accountant	Title is descriptive	12,101 75	9,059 98		
Whelan, H J	General accountant, January 1 to November 30, 1934 Supervisor of plant and disbursement methods December 1 to December 31, 1934	Title is descriptive	8,801 20	6,589 02		
Swords, H J	Supervisory clerk accounting department	Title is descriptive	5 190 60	3 885 94	28 95	

No contingent fees.
*Prorated to California on same basis as salaries
**Salaries prorated to California on basis of plant and stations or on basis of payroll

THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY—CONTINUED.
(Northern California and Nevada Area.)
Year 1934.

Name of officers or employees	Title	Duties	Salary	Salary** applicable to California	Expense* account	Directors' fees
Corcoran, J H	Vice president and general manager January 1 to November 30, 1934	Vice president and general manager, The Pacific Telephone and Telegraph Company Vice president and general manager, Bell Telephone Company of Nevada	$17,671 35	$16,963 26	$8 90	
Sullivan, M R	General traffic manager, January 1 to November 30, 1934 Vice president and general manager December 1 to December 31, 1934	Title is descriptive	12,101 75	11,866 08	124 10	
Senger, G H	Chief engineer	Title is descriptive	12,101 75	1140 72		
King, S L	General commercial manager	Title is descriptive	12,101 75	11,880 41		
Hambrook, R. E	General plant manager	Title is descriptive	8,801 45	8,566 98	28 03	
Mannocci, J E	Assistant to general manager	Title is descriptive	8,801 20	8,448 54		
Cole, C F	Assistant vice president, January 1 to November 30, 1934 General traffic manager, December 1 to December 31, 1934	Title is descriptive	8,251 00	6,355 55	529 16	
West, J A	Division traffic manager, January 1 to March 7, 1934 General personnel supervisor, March 8 to December 31, 1934	Title is descriptive	6,601 00	6,385 70	48 80	
Nagel, G W	Medical director	Title is descriptive	6,000 00	5,759 58		
Long, E. H	General plant employment supervisor	Title is descriptive	7,151 25	6,960 74	18 58	
Joslin, R T	Superintendent of buildings, supplies and motor vehicles	Title is descriptive	6,051 05	5,902 38	48 78	
Young, R Z	General plant engineer	Title is descriptive	5,817 90	5,662 91		
Cole, O R	Motor vehicle superintendent	Title is descriptive	5,500 85	5,366 63	119 14	
Cone, D I	Transmission and protection engineer	Title is descriptive	7,675 70	7,510 13	57 10	
Hall, A N	Inventory and costs engineer	Title is descriptive	6,326 05	6,189 60		
Barton, R C	Outside plant engineer	Title is descriptive	5,775 75	5,651 17	19 21	
Blake, R I	Equipment and building engineer	Title is descriptive	5,500 85	5,382 20	32 42	
Powell, J W	Central office equipment engineer	Title is descriptive	5,234 90	5,121 98	2 70	
Wolfe, R. E	General traffic engineer	Title is descriptive	8,801 20	8,646 03		
Prichton, S E	Traffic operators' quarters manager	Title is descriptive	6,601 00	6,601 00	44 57	
Van Etten, H B	Traffic planning engineer	Title is descriptive	5,500 85	5,403 87		
Horton, T N	General traffic supervisor, January 1 to May 9, 1934 General traffic employment supervisor, May 10 to December 31, 1934	Title is descriptive	5,500 85	5,403 87	10 72	

Kloppenburg, E. C.	Traffic toll supervisor	Title is descriptive	5,225 80	5,133 67	55 57	
Taylor, H. K.	General sales manager	Title is descriptive	8,251 00	8,100 09	25 99	
Power, R. E.	General commercial supervisor	Title is descriptive	7,701 65	7,560 79	348 64	
Roller, P. R.	Staff assistant, January 1 to August 31, 1934	Title is descriptive	7,151 25	7,099 55	55 38	
	General commercial representative, September 1 to December 31, 1934					
Brewer, G. N	Directory production supervisor	Title is descriptive	6,601 00	6,480 20	38 00	
Edelen, H W.	General commercial agent	Title is descriptive	6,601 00	6,601 00	43 94	
Woltman, H R.	Commercial training supervisor	Title is descriptive	6,051 10	5,940 42	59 30	
Fensler, E. G.	Directory problems engineer	Title is descriptive	5,775 75	5,775 75	2 70	
Masters, R. S.	Market and development engineer	Title is descriptive	5,225 80	5,130 22		
Hoedel, R. O.	Auditor	Title is descriptive	12,101 75	11,616 83	31 82	
Patton, R. F	Assistant auditor	In charge of revenue accounting	6,051 10	5,943 63	5 89	
SAN FRANCISCO DIVISION						
Scotford, R H.	Division plant engineer	Title is descriptive	6,601 00	6,601 00	2 30	
Perkins, E E.	Division plant manager	Title is descriptive	6,601 00	6,601 00		
Hicks, E. N	District traffic superintendent	Title is descriptive	6,051 10	6,051 10	36 55	
Kellar, S	General traffic employment supervisor, January 1 to March 7, 1934	Title is descriptive	6,051 10	6,031 26		
	Division traffic manager, March 8 to December 31, 1934					
Gee, E. C.	Division traffic engineer	Title is descriptive	5,500 85	5,500 85		
Brown, L. M.	Division commercial manager	Title is descriptive	6,875 95	6,875 95	1,019 32	
EAST BAY DIVISION						
Fitzsimmons, L G	Division plant manager	Title is descriptive	7,976 05	7,976 05	120 00	
Turner, C. A.	Division plant supervisor	Title is descriptive	5,500 85	5,500 85	10 40	
Condit, W. J.	Staff assistant	Title is descriptive	5,075 85	5,075 85		
Holmes, J D	Division commercial manager	Title is descriptive	7,426 15	7,426 15	513 20	
Springer, G J	District commercial manager, January 1 to May 31, 1934	Title is descriptive	5,775 75	5,775 75	295 52	
	Commercial representative, June 1 to December 31, 1934					
COAST DIVISION						
Moore, J. J	Division plant manager	Title is descriptive	6,051 05	6,051 05	109 14	
Edmunds, F O	Division construction superintendent	Title is descriptive	5,500 85	5,500 85	224 06	
Wallick, G P.	Division commercial manager	Title is descriptive	7,151 25	7,151 25	406 69	
Moore, C H	District commercial manager	Title is descriptive	5,225 80	5,225 80	209 66	
INLAND DIVISION						
Brown, B	Division plant manager	Title is descriptive	7,426 15	6,656 06	180 90	
Thrall, W G	Division traffic manager	Title is descriptive	5,775 75	5,409 91	155 11	
Owens, H E	Division commercial manager	Title is descriptive	5,225 80	4,794 88	674 73	
Totals			$674,585 55	$586,698 70	$12,501 14	$460 00

No contingent fees.
*Prorated to California on same basis as salaries
**Salaries prorated to California on basis of plant and stations or on basis of payroll

THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY—CONTINUED.

II. Dues, donations, subscriptions and contributions.

Location	*Organization*	*Classification*	*Amount*
Berkeley,	Community Chest	413	$1,000 00
Chico,	Community Chest	413	42 50
Fresno,	Community Chest	413	500 00
Monterey,	Community Chest (Monterey Peninsula)	413	75 00
Oakland,	Community Chest	413	3,500 00
Richmond,	Community Chest	413	37 50
Sacramento,	Community Chest	413	600 00
San Francisco,	Community Chest	413	12,000 00
San Jose	Community Chest (Santa Clara County)	413	500 00
Santa Cruz,	Community Chest	413	50 00
South San Francisco,	Community Chest	413	25 00
Stockton,	Community Chest	413	350 00
Vacaville,	Community Chest	413	5 00
Vallejo,	Community Chest	413	25 00
Madera,	Chamber of Commerce (Madera Co.)	645	91 30
Petaluma,	Chamber of Commerce	645	71 60
Porterville,	Chamber of Commerce	645	96 00
Redding,	Chamber of Commerce	645	62 50
Sacramento,	Chamber of Commerce (Consolidated)	645	350 00
San Francisco,	Chamber of Commerce (State)	120-06-36	1,059 51
San Francisco,	Chamber of Commerce (State)	675	1,190 49
San Francisco,	Chamber of Commerce	675	1,500 00
San Francisco,	Chamber of Commerce (United States)	675	1,000 00
Stockton,	Chamber of Commerce	645	300 00
Tracy,	Chamber of Commerce	645	37 00
Truckee,	Chamber of Commerce	645	20 00
Turlock,	Chamber of Commerce	645	50 00
Ukiah,	Chamber of Commerce	645	50 00
Visalia,	Chamber of Commerce	645	60 00
Alameda,	Rotary Club	645	50 00
Alameda,	Rotary Club	640	26 00
Auburn,	Rotary Club	645	45 00
Bakersfield,	Bakersfield Club	323	66 00
Bakersfield,	Merchants' Association	645	60 00
Bakersfield,	Rotary Club	645	29 00
Bakersfield,	The Association of 20-30 Clubs	645	10 00
Berkeley,	Downtown Association	645	42 00
Berkeley,	Rotary Club	645	42 00
Berkeley,	Rotary Club	640	19 00
Burlingame,	Merchants' Association	645	39 00
Burlingame,	Rotary Club	645	19 25
Carmel,	Peninsula Community Hospital	413	7 50
Chico,	Lions Club	645	12 00
Chico,	Rotary Club	645	21 00
Cloverdale,	Volunteer Fire Department	650	5 00
Dinuba,	Rotary Club	645	20 00
Eureka,	"F" Street Improvement Club	650	11 50
Eureka,	Rotary Club	645	29 60
Eureka,	Volunteer Fire Department	645	5 00
Fairfield,	Lions Club	645	49 00
Fresno,	Credit Managers' Association of Northern and Central California	645	6 00
Fresno,	Kiwanis Club	640	20 30
Fresno,	Kiwanis Club	645	12 00
Fresno,	Lions Club	645	20 00
Fresno,	Merchants' Association	645	36 00
Fresno,	Rotary Club	640	37 00
Fresno,	Rotary Club	645	25 75
Fresno,	University Sequoia Club	323	33 00
Grass Valley,	Rotary Club	645	25 00
Hanford,	American Red Cross	413	8 00
Hayward,	District Relief Committee	413	25 00
Hayward,	Rotary Club	645	50 50
Healdsburg,	Kiwanis Club	645	33 30
Jackson,	Lions Club	645	12 00
King City,	Rotary Club	645	30 00
Lakeport,	Rotary Club	645	20 00
Lodi,	Lions Club	645	3 00
Lodi,	Rating Bureau	645	30 00

THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY—CONTINUED.

II. Dues, donations, subscriptions and contributions—Continued.

Location	*Organization*	*Classification*	*Amount*
Lodi,	Rotary Club	645	$23 00
Lodi,	Victor Farm Bureau	645	6 00
Madera,	Business Men's Association	645	60 00
Madera,	Lions Club	645	30 00
Martinez,	Kiwanis Club	645	19 00
Marysville,	Rotary Club	645	17 00
Merced,	Rotary Club	645	15 00
Modesto,	Merchants' Association	645	60 00
Modesto,	Rotary Club	645	28 40
Monterey,	Kiwanis Club	645	12 00
Mountain View,	Kiwanis Club	645	15 00
Napa,	Rotary Club	645	20 00
Newman,	Exchange Club	645	42 00
Niles,	Niles Private Lighting District	650	10 00
Oakland,	Advertising Club	132	15 00
Oakland,	Altrurians of California	645	4 00
Oakland,	Association of Credit Men	645	24 00
Oakland,	Athens Athletic Club	323	81 20
Oakland,	Better Business Bureau	132	60 00
Oakland,	Better Business Bureau	645	60 00
Oakland,	Business and Professional Women's Club	645	14 00
Oakland,	Central and Northern California Ledger Interchange Bureau	645	75 00
Oakland,	East Bay Defense Association	675	500 00
Oakland,	East Bay Industrial Association	675	600 00
Oakland,	Industrial Athletic Association of Greater Oakland	621	8 33
Oakland,	Industrial Athletic Association of Greater Oakland	640	8 33
Oakland,	Industrial Athletic Association of Greater Oakland	706	8 34
Oakland,	Kiwanis Club	640	39 00
Oakland,	Loyal Knights of the Round Table	645	33 00
Oakland,	Merchants' Exchange	640	12 00
Oakland,	Merchants' Exchange	642	12 00
Oakland,	Retailers' Credit Association of Alameda County	645	72 00
Oakland,	Rotary Club	640	91 00
Oakland,	Uptown Association	640	12 50
Oroville,	Rotary Club	645	6 00
Oroville,	Rotary Club	640	6 00
Palo Alto,	Merchants' Association	650	3 25
Palo Alto,	Rotary Club	645	30 00
Petaluma,	Rotary Club	645	24 50
Pittsburg,	Rotary Club	645	20 00
Placerville,	Lions Club	645	16 00
Porterville,	Rotary Club	645	33 00
Red Bluff,	Rotary Club	645	15 00
Redding,	Rotary Club	645	20 50
Redwood City,	Kiwanis Club	645	12 00
Richmond,	Rotary Club	645	10 00
Sacramento,	Advertising Club	132	12 00
Sacramento,	Convention Bureau	640	6 25
Sacramento,	Convention Bureau	645	56 25
Sacramento,	Exchange Club	645	20 00
Sacramento,	Kiwanis Club	645	18 00
Sacramento,	Lions Club	640	19 00
Sacramento,	Police Guards	663	10 00
Sacramento,	Retailers' Credit Association	645	60 00
Sacramento,	Rotary Club	640	36 00
Sacramento,	Rotary Club	645	37 00
Sacramento,	Sutter Club	323	335 03
Sacramento,	Wholesalers' Credit Association	645	122 00
Salinas,	Exchange Club	645	75 00
Salinas,	Rotary Club	640	2 00
Salinas,	Rotary Club	645	25 00
San Francisco,	Advertising Club	132	70 00
San Francisco,	Better Business Bureau	645	150 00
San Francisco,	Board of Trade	645	33 00
San Francisco,	Bureau of Governmental Research	675	100 00
San Francisco,	Business and Professional Women's Club	621	19 00

THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY—CONTINUED.

II. Dues, donations, subscriptions and contributions—Continued.

Location	*Organization*	*Classification*	*Amount*
San Francisco,	California Literary Association	665	$3 00
San Francisco,	California State Peace Officers Association	640	7 50
San Francisco,	California State Peace Officers Association	665	2 50
San Francisco,	Californians, Inc.	675	1,083 50
San Francisco,	California Taxpayers Association	120-06-36	3,000 00
San Francisco,	California Taxpayers Association	675	3,000 00
San Francisco,	Chief Special Agents Association	665	2 50
San Francisco,	Civic League of Imp. Clubs & Assns.	645	120 00
San Francisco,	Clement St. Merchants Association	645	12 00
San Francisco,	Commercial Club	640	46 50
San Francisco,	Commercial Club	665	12 00
San Francisco,	Convention & Tourist Bureau	640	62 50
San Francisco,	Credit Mgrs. Assn. of Nor. and Cent. Calif.	645	89 50
San Francisco,	Downtown Association	645	500 00
San Francisco,	Eureka Valley Promotion Association	645	5 00
San Francisco,	Fillmore St. Merch. & Imp. Assn.	645	30 00
San Francisco,	Geary St. Merchants Association	645	14 00
San Francisco,	Haight & Ashbury Improvement Association	645	7 20
San Francisco,	Ind. Association of San Francisco	675	120 00
San Francisco,	Ind. Association of San Francisco	675	4,500 00
San Francisco,	Industrial Association of San Francisco	640	5 00
San Francisco,	Industrial Association of San Francisco	633	5 00
San Francisco,	Industrial Association of San Francisco	706	5 00
San Francisco,	International Association Chiefs of Police	665	10 00
San Francisco,	Kiwanis Club-Park-Presidio District	640	25 75
San Francisco,	Knights of the Round Table	640	27 00
San Francisco,	Lions Club	645	37 00
San Francisco,	Lions Club	640	9 00
San Francisco,	Mechanics Institute	665	6 00
San Francisco,	Mission Street Merchants Association	645	22 00
San Francisco,	Mission Street Optimists Club	645	61 00
San Francisco,	Mutual Business Club	640	18 00
San Francisco,	National Geographic Society	665	6 00
San Francisco,	National Tax Association	661	5 00
San Francisco,	New York Academy of Political Science	665	5 00
San Francisco,	North Beach Promotion Association	645	4 00
San Francisco,	Northern California Hotel Association	640	100 00
San Francisco,	Olympic Club	323	156 80
San Francisco,	Optimist Club	645	23 00
San Francisco,	Optimist Club Park-Presidio District	645	50 24
San Francisco,	Pacific Coast Electrical Association	705	2 00
San Francisco,	Point Lobos Improvement Association	645	3 00
San Francisco,	Police Guards	663	60 00
San Francisco,	Polk-Van Ness and Larkin Dist. Assn.	645	19 00
San Francisco,	Press Club	640	32 75
San Francisco,	Press Club	665	41 25
San Francisco,	Retailers Credit Association	645	89 98
San Francisco,	Rotary Club	640	74 90
San Francisco,	San Francisco Electrical Development League	706	6 00
San Francisco,	San Francisco Real Estate Board	706	55 00
San Francisco,	Society of Auto-Motive Engineers, Inc.	702	22 00
San Francisco,	Soroptomist Club	661	21 50
San Francisco,	S.W. Section International Association of Electrical Inspectors	705	20 00
San Francisco,	State Bar of California	661	7 50
San Francisco,	Sunset Optimist Club	645	19 25
San Francisco,	Union League Club	323	77 60
San Francisco,	Western Addition Lions Club	645	12 00
San Jose,	Commercial Club of Santa Clara County	645	10 50
San Jose,	Lions Club	645	29 50
San Jose,	Merchants Association	645	30 00
San Jose,	Rotary Club	640	72 00
San Leandro,	Rotary Club	645	30 40
San Luis Obispo,	Rotary Club	645	22 50
San Rafael,	Marvelous Marin	645	10 00
San Rafael,	Rotary Club	645	24 00
Santa Cruz,	Rotary Club	645	24 00
Santa Rosa,	Rotary Club	645	20 00
Selma,	Rotary Club	645	12 00
Sonora,	Lions Club	645	30 00

THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY—CONTINUED.

II. Dues, donations, subscriptions and contributions—Continued.

Location	*Organization*	*Classification*	*Amount*
South San Francisco,	Exchange Club	645	$2 25
South San Francisco,	Manufacturer's Association	645	27 00
Stockton,	Kiwanis Club	645	20 00
Stockton,	Merchants Association	645	66 00
Stockton,	Rotary Club	645	28 50
Stockton,	Yosemite Club	323	92 40
Sunnyvale,	Rotary Club	645	12 00
Tahoe City,	Lake Tahoe-Sierra Association	645	20 00
Tracy,	Lions Club	645	14 50
Truckee,	Lions Club	645	12 00
Tulare,	Rotary Club	645	19 00
Turlock,	Lions Club	645	3 75
Turlock,	Rotary Club	645	17 50
Ukiah,	Volunteer Fire Department	650	5 00
Vallejo,	Merchants Association	650	20 00
Vallejo,	Rotary Club	645	20 00
Visalia,	Merchants Association	645	3 75
Visalia,	Rotary Club	645	24 00
Watsonville,	Rotary Club	645	27 50
Willows,	Kiwanis Club	645	7 50
Woodland,	Rotary Club	645	37 50
Total			$43,729 25

III. Attorneys Fees.

Location	*Organization*	*Classification*	*Amount*
Bakersfield,	Frederick E. Hoar	664	$25 00
Eureka,	Blaine & McGowan	645	12 33
Fresno,	Everts, Ewing, Wild & Everts	664	78 00
Grass Valley,	Lynne Kelly	664	16 60
Grass Valley,	E. H. Armstrong	664	141 00
Martinez,	Tinning & DeLap	664	544 50
Oakland,	Donahue, Hynes & Hamlin	664	3,477 77
Sacramento,	Devlin & Devlin	664	2,400 00
San Francisco,	J. Clark Benson	664	8 22
San Francisco,	Walter H. Duane	647	720 00
San Francisco,	Arthur T. George	664	1,919 72
San Francisco,	Pillsbury, Madison & Sutro	664	35,025 03
San Francisco,	Pillsbury, Madison & Sutro	120-06-26	1 50
San Francisco,	Pillsbury, Madison & Sutro	120-06-36	54 75
San Francisco,	Pillsbury, Madison & Sutro	120-06-66	1 50
San Francisco,	Pillsbury, Madison & Sutro	120-07-27	75
San Francisco,	Henry G Sanford	672-02-142	50 00
San Francisco,	Thelen & Marvin	664	250 00
Ukiah,	Hale McCowen Jr.	664	50 00
Total			$44,776 67

PARR-RICHMOND TERMINAL CORPORATION.

I Names of employees who during 1934 received a salary of $5,000 or more.

	Salary	*Expenses*
Fred D. Parr, President	$9,000 00	$652 21

No contingent fees.

II. Dues, donations, subscriptions and contributions.

Donations and contributions, charged general expense	$130 00
Advertising and dues	2,721 00
Total	$2,851 00

III. Attorney fees.

Charged to legal expense	$3,976 95

PEERLESS STAGES, INC.

I. Names of employees who during 1934 received a salary of $5,000 or more.

	Salary	*Expenses*
Jos. B. Held, President and General Manager	$5,500 00	$464 32

II. Dues, donations, subscriptions and contributions.

Association Dues, etc.—	*Amount*	*Account charged*
Motor Carriers Association	$713 52	667
San Leandro Chamber of Commerce	50 00	671
Hayward Chamber of Commerce	25 00	671
San Jose Chamber of Commerce	25 00	671
Oakland Chamber of Commerce	25 00	671
Motor Bus Code Authority	219 06	671
National Association of Motor Bus Operators	100 00	671
Total	$1,157 58	
Donations—		
Community Chest	$10 00	671

III. Attorney fees.

Harry A. Encell	$225 00	667
Orla St. Clair	234 15	667
Total	$459 15	

PETALUMA AND SANTA ROSA RAILROAD COMPANY.

I. Names of employees who during 1934 received a salary of $5,000 or more.

	Salary	*Expenses*
E. H. Maggard, President and General Manager	$8,808 75	None

No contingent fees.

II. Dues, donations, subscriptions and contributions

	Amount	*Account charged*
California Electric Railway Association	$98 50	89—Misc. General Expenses
Pacific Coast Claim Conference	20 00	89—Misc General Expenses
Petaluma Chamber of Commerce	100 00	89—Misc. General Expenses
Regulated Carriers, Inc.	75 00	86—Law Expenses
Regulated Carriers, Inc.	75 00	89—Misc. General Expenses
Sebastopol Chamber of Commerce	100 00	69—Sta. Exp. $15 00 82—Misc. Tr. Ex. 15 00 89—Misc. Gen. Ex. 70 00
Sonoma County Farm Bureau	5 00	89—Misc. General Expenses
Santa Rosa Chamber of Commerce	100 00	89—Misc. General Expenses
Total	$573 50	

III. Attorney fees.

Geary & Geary and C. J. Tauzer	$79 00	86—Law Expenses

PORT COSTA WAREHOUSE COMPANY.

I. Names of employees who during 1934 received a salary of $5,000 or more.

A. C. Livingston, President, Treasurer and General Manager $6,000 00

No fees.

II. Dues, donations, subscriptions and contributions.

None.

III. Attorney fees.

None.

PUBLIC UTILITIES CALIFORNIA CORPORATION.

February 19, 1935.

Railroad Commission of the State of California,
California State Building, San Francisco, California.

GENTLEMEN: In accordance with the provisions of your General Order No. 77-A, I wish to report as follows for the calendar year ended December 31, 1934:

Employee receiving $5,000 or more a year from Public Utilities California Corporation is as follows:

F. J. Keys	Salary	$5,676 25
	Expense Account	2,024 56

Mr. Keys is Vice President and General Manager of the Public Utilities California Corporation and his duties consist of the supervision and management of all properties operated by this company. No contingent fees or other moneys were paid directly or indirectly to Mr. Keys during the year ended December 31, 1934.

Donations, contributions and subscriptions made by this company during the calendar year ended December 31, 1934 are as follows:

	Electric Acct. 508	*Water Acct. 114*	*Telephone Acct. 675*
San Francisco Police Department	$0 38	$1 00	$0 62
Boy Scouts of America—Crescent City	5 00	-----	-----
Community Hall—Boulder Creek	4 49	-----	-----
Rio Vista Social Club	-----	-----	1 00
Spanish War Veterans—Capitola	-----	1 00	-----
Boy Scouts of America—Ferndale	-----	-----	2 50
Rio Vista Fire Department	-----	-----	2 00
American Legion—Rio Vista	-----	-----	13 80
Crescent City Ball Club	1 00	-----	-----
Chamber of Commerce—Crescent City	10 65	9 35	-----
Fourth of July Committee—Crescent City	2 50	-----	-----
Boulder Creek Fire Department	8 50	1 00	-----
Rio Vista Bass Derby	-----	-----	10 00
County Welfare Department—Crescent City	2 50	-----	-----
St. Joseph's Church—Crescent City	50	50	-----
San Francisco Fire Department	66	1 26	1 08
Community Chest—San Francisco	2 42	4 62	3 96
Smith River Fair Committee	40	35	-----
Boy Scouts of America—Niles	-----	1 00	-----
Rio Vista Band and Drum Corps	-----	-----	2 00
Crescent City Golf Club	75	75	-----
Motorcycle Officers Association—Susanville	-----	-----	3 00
National Transcribers Society—Susanville	-----	-----	3 50
Community Chest—Capitola	4 20	2 80	-----
Salvation Army—Susanville	-----	-----	3 50
American Red Cross—Crescent City	50	50	-----
American Red Cross—Niles	-----	1 00	-----
American Red Cross—Boulder Creek	1 00	-----	-----
American Red Cross—Susanville	-----	-----	5 00
Totals	$45 45	$25 13	$51 96

Payments made to attorneys during the calendar year ended December 31, 1934, are as follows:

	Electric Acct. 946	*Water Acct. 39*	*Telephone Acct. 667*
John L. Childs—Crescent City	$100 00	-----	-----
Rosenshine, Hoffman, Davis & Martin, San Francisco	-----	$250 00	-----
Orrick, Palmer & Dalquist, San Francisco	307 22	713 39	$488 00
Half Moon Bay Water Rights C-2 $750 00	-----	-----	-----
Roseville Sale Exp. Reduction -----	-----	-----	-----
Roseville Sale Exp. Surplus 1,089 61	-----	-----	-----
Arcata Sale Expense—137 100 00	-----	-----	-----
Totals $1,939 61	$407 22	$963 39	$488 00

PUBLIC UTILITIES CALIFORNIA CORPORATION—CONTINUED.

Payments of dues made during the calendar year ended December 31, 1934, were as follows:

	Electric Acct. 9/5	*Water Acct. E-44*	*Telephone Acct. 661*
Alturas Chamber of Commerce	$-----	$-----	$33 00
Business Men's Credit Association of Lassen County	-----	-----	6 00
Lake County Chamber of Commerce	-----	-----	16 00
U. S. Independent Telephone Association	-----	-----	94 00
Susanville Chamber of Commerce	-----	-----	12 00
Rotary Club of Susanville	-----	-----	12 00
Chamber of Commerce—Ferndale	-----	-----	2 50
Lassen County Farm Bureau—Susanville	-----	-----	5 00
Kiwanis Club—Crescent City	30 85	-----	-----
Lions Club—Half Moon Bay	-----	12 00	-----
Chamber of Commerce—Capitola	-----	1 00	-----
Lions Club—Roseville	-----	9 00	-----
Chamber of Commerce—Arcata	-----	10 00	-----
Chamber of Commerce—Niles	-----	6 00	-----
Chamber of Commerce—Guerneville	-----	12 00	-----
San Lorenzo Valley Chamber of Commerce—Boulder Creek	6 00	6 00	-----
Chamber of Commerce—DeCoto	-----	75	-----
Delta Sportsman's Club—Rio Vista	-----	-----	6 00
Chamber of Commerce—Rio Vista	-----	-----	4 00
Rio Vista Social Club—Rio Vista	-----	-----	5 00
California Taxpayers Association	6 55	12 51	10 72
Totals	$43 40	$69 26	$206 22

Yours very truly,

(Signed.) PUBLIC UTILITIES CALIFORNIA CORPORATION.
By J. B. PURDUM

THE PULLMAN COMPANY.

I. Names of employees in California who during 1934 received a salary of $5,000 or more.

None.

II. Dues, donations, subscriptions and contributions.

California State Chamber of Commerce, for support, charged SE-27, Superintendence, C.C.O.	$400 00
San Francisco Police Department, Christmas gratuity, charged SE-48, Other General Expenses	40 00
California Taxpayers Association, subscription, charged to SE-44, Law Expenses	22 50
Total	$462 50

III. Attorneys fees.

		Charged to account
R. Brennan, Los Angeles	$834 45	SE-44, Law Expenses
Burke Corbett, San Francisco	1,146 36	SE-44, Law Expenses
H. H. Sanborn, Berkeley	1,021 15	SE-44, Law Expenses
Sanborn & Roehl, San Francisco	3,644 56	SE-44, Law Expenses
Total	$6,646 52	

RAILWAY EXPRESS AGENCY, INC.

I. Names of employees in California who during 1934 received a salary of $5,000 or more.

Name	*Title*	*Duties*	*Salary*	*Expense account*
W. A. Benson,	Vice President	General	$15,000 00	$2,249 30
B. L Crawford,	Assistant to Vice President	General	5,760 00	874 25
E. M. Whittle,	General Manager	General	8,775 00	2,463 03
Alfred Sutro,	General Attorney	General	10,000 00	1 30
L. P. Bergman,	Superintendent of Traffic and Transportation	General	5,111 22	2,292 03
W. J. MacGreevy,	Superintendent	General	5,670 00	1,317 90
Total			$50,316 22	$9,197 81

No contingent fees, etc.

II. Dues, donations, subscriptions and contributions.

Name of association	*City, California*	*I.C.C. account charged*	*Amount*
Dues—			
Alameda Chamber of Commerce,	Alameda	40	$25 00
Berkeley Chamber of Commerce,	Berkeley	40	25 00
Eureka Chamber of Commerce,	Eureka	40	25 00
Fresno County Chamber of Commerce,	Fresno	40	25 00
Los Angeles Chamber of Commerce,	Los Angeles	40	75 00
Los Angeles Chamber of Commerce,	Los Angeles	37–2	175 00
Merced Chamber of Commerce,	Merced	40	25 00
Modesto Chamber of Commerce,	Modesto	40	25 00
Petaluma Chamber of Commerce,	Petaluma	40	24 00
Oakland Chamber of Commerce,	Oakland	40	50 00
San Diego Chamber of Commerce,	San Diego	40	25 00
San Francisco Chamber of Commerce,	San Francisco	40	120 00
San Francisco Chamber of Commerce,	San Francisco	37–2	480 00
San Jose Chamber of Commerce,	San Jose	40	25 00
Santa Barbara Chamber of Commerce,	Santa Barbara	40	25 00
Santa Cruz Chamber of Commerce,	Santa Cruz	40	25 00
Santa Rosa Chamber of Commerce,	Santa Rosa	40	25 00
Stockton Chamber of Commerce,	Stockton	40	18 00
Watsonville Chamber of Commerce,	Watsonville	40	25 00
Merchants and Manufacturers Association,	Los Angeles	40	12 00
"Down Town" Association,	San Francisco	37–2	24 00
Regulated Carriers, Inc., (Regular),	San Francisco	33–2	1,200 00
Regulated Carriers, Inc. (Special),	San Francisco	33–2	100 00
Y. M. C. A., 50 per cent dues paid for employees—			
H. Ziegler, Driver,	Los Angeles	52	7 50
R. A. Bayler, Driver,	Oakland	52	8 10
F. W. Hedlind, Driver,	Oakland	52	8 10
T. E. Howard, Driver,	Oakland	52	8 10
F. A. D. Jensen, Express Handler,	Oakland	52	8 10
A. F. Kaifer, Driver,	Oakland	52	8 10
V. F. Meyer, Revising Clerk,	Oakland	52	8 10
J. E. Morris, Driver,	Oakland	52	8 10
D. F. Murphy, Express Handler,	Oakland	52	8 10
Wm. Pregno, Express Handler,	Oakland	52	8 10
R. F. Troxel, Driver,	Oakland	52	8 10
R. R. Greenwood, Clerk-Div. 98,	San Francisco	52	13 00
Total			$2,679 50
Donations, Subscriptions and Contributions—			
Contribution—For advertising. Year 1934—	Los Angeles Chamber of Commerce, Los Angeles	62	$150 00
Subscription—Installments — California-Pacific International Exposition—three (3) monthly installments on $1,000 contribution,	San Diego	62	450 00
Contribution "Californians," Inc., 1934,	San Francisco	62	250 00
Donation—Sick and Funeral Fund—Veteran Firemen's Association of San Francisco,	San Francisco	62	10 00

RAILWAY EXPRESS AGENCY, INC.—CONTINUED.

Donations, Subscriptions and Contributions—Continued.

Donation—Widows and Orphans' Fund—Widows and Orphans Association of San Francisco Fire Department, San Francisco	62	$10 00
Subscription—Relief Fund—California Municipal and County Motorcycle Officers' Association, San Francisco	62	15 00
Subscription—Industrial Association of San Francisco—1934, San Francisco	62	500 00
Subscription—Industrial Association of San Francisco Emergency, San Francisco	62	500 00
Subscription—Special—California State Chamber of Commerce—to Legislative Program Fund, San Francisco	62	250 00
Total		$2,135 00

III. Attorneys fees.

Noon & Noon in case Patrick Torres Vigil, Clerk, San Diego	56–2	$15 00
W. F. Herron and Gerald P. Hallinan for I. A. C. award to hurdle injury August 9, 1932, San Francisco	56–2	75 00
Newlin & Ashburn, Los Angeles	56	430 26
Pillsbury, Madison & Sutro, San Francisco	56	46 55
Total		$566 81
Grand total		$5,381 31

THE RICHMOND AND SAN RAFAEL FERRY AND TRANSPORTATION CO.

I. Names of employees who during 1934 received a salary of $5,000 or more.

	Salary	*Expenses*
Oliver J. Olson, President	$9,000 00	$625 00
Andrew F. Mahony, Jr., Vice President	6,125 00	
Oliver J. Olson, Jr., Secretary	6,250 00	
Total	$21,375 00	

No contingent fees.

II. Dues, donations, subscriptions and contributions.

	Advertising account	*Donation account*	*General expense account*
California Municipal and County Traffic Officers Association	------	------	$10 00
California State Automobile Association	$37 00	------	------
Dominican Sisters	------	$10 00	------
Industrial Association	------	------	46 00
Marvelous Marin, Inc.	------	------	20 00
National Guard Benefit	------	------	10 00
Redwood Empire Association	200 00	------	------
Richmond Chamber of Commerce	------	------	25 00
Richmond Community Chest	------	200 00	------
Richmond Police Department Ball	------	------	5 00
St. Francis Girl's Directory	------	5 00	------
San Francisco Chamber of Commerce	------	------	60 00
San Rafael Chamber of Commerce	------	------	24 00
San Quentin Athletic Club	------	10 00	------
Tuberculosis Association	------	2 00	------
Berkeley Chamber of Commerce	------	------	31 25
Totals	$237 00	$227 00	$231 25

III. Attorney fees.

Probeck, Phleger & Harrison	$453 65
Hood & Strong	420 50
F. M. McAuliffe	1,200 00
Tinning & Delap	101 50
Total	$2,175 65

SACRAMENTO NORTHERN RAILWAY.

I. Names of employees who during 1934 received a salary of $5,000 or more.

	Salary	*Expenses*
H. A. Mitchell, President	$8,748 00	$362 90
J. B. Rowary, General Manager	5,130 00	918 05
Totals	$13,878 00	$1,280 95

II. Dues, donations, subscriptions and contributions.

Ad Club, dues	$3 00
American Railway Engineering Association, dues	11 00
American Railway Association, dues	40 00
Associated Sportsmen, donation	5 00
Athens Athletic Club, Oakland, dues	79 20
Bureau of Explosives, dues	81 92
California Electric Railway Association, assessments	229 50
Colusa Chamber of Commerce, dues	5 00
D-D-Club of Sacramento, dues	3 00
Greater San Ramon Valley Chamber of Commerce, Ltd., dues	50 00
Industrial Association of San Francisco, subscriptions	12 00
Merchants Exchange of Oakland, dues	12 00
National Fire Protection Association, dues	10 00
National Safety Council, dues	50 00
Pacific Radio Trade Association, contribution	60 00
Pacific Railway Club, dues	3 00
Pittsburg Chamber of Commerce, dues	25 00
Railway Fire Protection Association, dues	10 00
Railway Tie Association, dues	2 00
Rotary Club of Sacramento, dues	36 00
Sacramento Northern Welfare Safety Club, donation	450 00
Sutter Club of Sacramento, dues	39 60
Sutter Club of Sacramento, donation	2 50
Widows and Orphans Fund, Sacramento Fire Department, donation	15 00
Yolo County Farm Bureau, dues	5 00
Total	$1,239 72

III. Attorneys Fees.

Brown Ledwich & Rosson	$254 00
Hugh H. Donovan	150 00
P. A. Fontaine	75 00
Chester G. Gannon	650 00
C. B. Guthrie	25 00
Raymond Hall	425 00
C. J. Hasman	275 00
Hinsdale, Otis & Johnson	1,838 70
Geo. F. Jones	888 00
Edwin V. McKenzie	1,090 00
J. M. McPherson	300 00
L. J. Skirving	400 00
Total	$6,370 70

Names of the accounts to which said dues, donations, contributions, subscriptions and payments to attorneys were charged and amounts charged to each.

Account		
1	Superintendence of Way and Structures	$18 20
29	Superintendence of Equipment	7 20
45	Superintendence of Power	7 20
63	Superintendence of Transportation	10 20
69	Station expenses	77 00
83	Salaries and expenses of general officers	57 70
86	Law expenses	2,057 00
89	Miscellaneous general expenses	1,045 42
92	Injuries and damages	4,319 70
215	Taxes assignable to railway operations	10 80
	Total	$7,610 42

SAN DIEGO AND ARIZONA RAILWAY COMPANY

I. Names of employees who during 1934 received a salary of $5,000 or more.

	Salary	*Expenses Acct.*
F. L. Annable, President and General Manager	$8,100 00	$530 35

No contingent fees

II. Dues, donations, subscriptions and contributions.

	Amount	*Account Charged*
California Pacific International Exposition	$700 00	460
California State Chamber of Commerce	75 00	451
Cuyamaca Club	79 20	451
Chula Vista Chamber of Commerce	20 00	376
El Centro Chamber of Commerce	18 00	352
Executive Association of San Diego	42 00	452
Lions Club of San Diego	40 00	727–23
Purchasing Agents Association of San Diego	25 00	727–23
Rotary Club of San Diego	24 00	451
San Diego Chamber of Commerce	150 00	460
San Diego Club	79 20	351
San Diego Country Club	132 00	351
San Diego Realty Board	6 00	451
	$1,390 40	

III. Attorney fees.

Read G. Dilworth	$3,011 28	454	Law Expenses

SAN DIEGO CONSOLIDATED GAS AND ELECTRIC COMPANY.

I. Names of employees who during 1934 received a salary of $5,000 or more.

Name	Title	Salary	Directors' fees	Auto rental	*Association dues	Expense accounts	Total
L. M. Klauber	Vice president in charge of operations	$12,000 00	$130 00	$1,408 42	$56 00	$970 80	$14,565 22
A. F. Holloway	Vice president in charge of sales	8,724 00	140 00	900 00	34 00	522 50	10,320 50
M. B. Fowler	Vice president and treasurer	8,184 00	140 00		10 00	207 45	8,541 45
H. R. Peckham	General superintendent	6,816 00	130 00	747 50	2 50		7,696 00
J. A. Cannon	Secretary	5,908 50	140 00		2 50	52 25	6,103 25
K. B. Ayers	Superintendent of electrical distribution	5,454 00		808 45	7 50	109 71	6,379 66
J. A. Harritt	Superintendent of gas production	5,454 00			2 50	155 83	5,612 33
D. H Perkins	Superintendent of gas distribution	5,454 00			2 50	88 34	5,544 84
C. D. Weiss	Superintendent of shops, stores and transportation	5,454 00			10 00	27 00	5,491 00
C. W. Wiggins	Superintendent of electrical production	5,454 00		294 05	7 50		5,755 55
		$68,902 50	$680 00	$4,158 42	$135 00	$2,133 88	$76,009 80
W. F. Raber	[1]President		$140 00		$20 00	$928 92	$1,088 92

[1] Salary of W. F Raber paid by Byllesby Engineering and Management Corporation
* Association dues shown on this statement are also shown on the statement of association dues

SAN DIEGO CONSOLIDATED GAS AND ELECTRIC COMPANY—CONTINUED.

II. Dues, donations, subscriptions and contributions.

Dues—Name of Association.	*Total Dues*
Better Business Bureau	$100 00
Better American Federation	60 00
Builders' Exchange	48 00
Bureau of Radio and Electric Appl.	840 00
Chamber of Commerce, U. S. A.	400 00
Chambers of Commerce—	
California State	500 00
Escondido	150 00
Fallbrook	10 00
La Jolla	5 00
La Mesa	48 00
Lemon Grove	30 00
National City	40 00
Oceanside	130 00
Ocean Beach	10 00
San Clemente	60 00
San Diego	5,000 88
San Diego—Junior	6 00
San Dieguito	25 00
Orange County Coast Association	25 00
California Taxpayers' Association	1,238 06
Chicago Lighting Institute	100 00
Commission on Relation of Electricity to Agriculture	278 25
Dunn and Bradstreet	210 00
Edison Electric Institute	1,810 46
Electrical Association	24 12
Pacific Coast Electrical Association	1 00
Gas Appliance Association	795 00
Illuminating Engineers Society	20 90
Light and Power Council	1,073 21
Manufacturers' and Employees' Association	300 00
Merchants' Central Credit Association	105 00
National District Heating Association	26 40
National Safety Council	75 00
National Security Owner's Association	600 00
Pacific Coast Gas Association	745 00
Pacific Coast Gas Association	554 00
*San Diego California Club	2,400 00
San Diego Club	100 00
San Diego Convention and Tourists' Bureau	350 00
San Diego County Electric Refrigeration Bureau	150 00
California Taxpayers' Association (San Diego County)	100 00
San Diego Realty Board	25 00
San Diego Wholesale Credit Men's Association	90 00
Seismological Society of America	3 00
Total	$18,662 28

Accounts to Which Association Dues Were Charged—	
Other general office expenses—gas	$5,060 84
Other general office expenses—electric	11,157 56
Other general office expenses—steam	130 88
New business supplies and expenses—gas	615 20
New business supplies and expenses—electric	867 80
Commercial supplies and expenses—gas	176 22
Commercial supplies and expenses—electric	176 28
Demonstrating, canvassing and soliciting—gas	200 00
Merchandise department, commercial supplies and expense—electric	52 50
Relief and welfare—gas	26 25
Relief and welfare—electric	48 75
New business advertising—electric	120 00
Merchandise department, advertising—electric	30 00
Total	$18,662 28

* The San Diego California Club is affiliated with the San Diego Chamber of Commerce and was organized for the purpose of carrying on national advertising campaigns to attract tourists and permanent residents to the community

SAN DIEGO CONSOLIDATED GAS AND ELECTRIC COMPANY—CONTINUED.

II. Dues, donations, subscriptions and contributions—Continued.

Name of organization	*Employee's name*	*Total dues*
Advertising Club,	P. P. Pine	$16 00
Advertising Club,	F. M. Raymond	16 00
American Chemical Society,	L. M. Klauber	20 00
American Meterological Society,	L. M. Klauber	2 00
Electric Club,	50 employees	375 00
Executive Association,	Alfred May	8 50
Exchange Club,	G. H. P. Dellmann	12 50
Illuminating Engineers Society,	A. I. Benedict	10 00
Kiwanis Club,	A. L. Noel	12 00
Kiwanis Club,	J. P. Brown	24 00
Kiwanis Club,	A. C. Nadon	10 00
Kiwanis Club,	Howard Glasgow	15 00
Kiwanis Club,	E. D. Sherwin	24 00
La Jolla Country Club,	H. G. Dillon	132 00
Lions' Club,	Earl Warren	35 00
Men's Club,	Howard Glasgow	2 00
Men's Club,	F. M. Raymond	2 00
Men's Club,	B. B. Sturtevant	2 00
National Municipal League,	W. F. Raber	10 00
Pacific Coast Gas Association,	23 employees	57 50
Purchasing Agents' Association,	S. R. Robinson	25 00
Rotary Club,	Percy Fisher	18 00
Rotary Club,	W. A. Lambert	18 00
Rotary Club,	E. R. Hollingsworth	20 00
Rotary Club,	A. E. Holloway	24 00
Rotary Club,	L. M. Klauber	24 00
Rotary Club,	A. R. Whisler	12 00
San Diego County Farm Bureau,	Percy Fisher	5 00
San Diego Press Club,	F. M. Raymond	35 00
Southwestern section of International Association of Elec. Insp,	W. H. Talbott	3 00
Total		$969 50

Accounts to Which Employees Dues Paid to Various Organizations Are Charged—

Production superintendence—electric	$13 80
Miscellaneous production supply and expense—gas	12 80
Miscellaneous production supply and expense—electric	5 40
Distribution superintendence—gas	15 80
Distribution superintendence—electric	22 20
Meter department salaries and expenses—electric	3 00
Commercial supplies and expenses—gas	4 25
Commercial supplies and expenses—electric	4 25
New business advertising—gas	25 16
New business advertising—electric	25 84
Demonstrating, canvassing and soliciting—gas	48 50
Demonstrating, canvassing and soliciting—electric	128 00
Miscellaneous new business supplies and expenses—gas	52 92
Miscellaneous new business supplies and expenses—electric	103 08
Other general office expense—gas	61 00
Other general office expense—electric	381 40
Other general office expense—steam	10
Supply expense	25 00
Merchandise department advertising	2 00
Merchandise department miscellaneous expense	35 00
Total	$969 50

SAN DIEGO CONSOLIDATED GAS AND ELECTRIC COMPANY—CONTINUED.

II. Dues, donations, subscriptions and contributions—Continued.

Miscellaneous Contributions, Donations and Subscriptions—

Association or organization	*Total amount*
Advertising Club of San Diego	$25 00
American Legion of La Mesa	1 05
Boy Scout Fund of National City	3 00
Boy Scout Fund of La Mesa	2 00
Coronado Horse Show	25 00
Civic Center Association (Julius Wangenheim)	100 00
Chula Vista Athletic Association	25 00
Capistrano Playground	10 76
El Cajon Playground	53 43
Encinitas Flower Show	41 03
Escondido House of Childhood Clinic	29 52
Escondido Welfare	1 60
Escondido Grape Day Association	10 00
Kiwanis Club of National City	1 10
La Mesa Chamber of Commerce (December Christmas Fund)	5 00
La Mesa Chamber of Commerce (La Mesa Flower Show)	10 00
La Jolla Country Club	2 00
Lakeside Union Grammar School / Recreation Center (George Longworthy)	5 00
La Mesa Crippled Children's Fund	1 00
National City Crippled Children's Fund	1 50
National City Basket Fund	5 00
National City Municipal Plunge	1 00
National City Indoor Baseball League	25
National City Welfare	50
Oceanside Athletic Fund	10 00
Rotary Club of Coronado	5 00
San Diego Union and Tribune Contest for School Children (Old Ironsides)	13 01
St. Martin's Catholic Church	5 68
Society for Crippled Children	100 00
Sisters of Nazareth	50 00
Veterans of Foreign Wars	25 00
St. Mathew's Episcopal Church	5 90
Advertising Club	1 51
Cooking School Door Prizes	12 24
San Juan Capistrano Woman's Club	84
Lakeside Woman's Club	2 83
St. Augustine School	3 26
National City Playground	26 60
St. Patrick's Church	3 23
Olivewood Club	3 09
Total	$627 93

Accounts to Which Miscellaneous Contributions, Donations and Subscriptions Were Charged—

Other general office expenses—gas	$188 20
Other general office expenses—electric	377 10
Other general office expenses—steam	3 13
Piping and appliances	2 95
Wiring and appliances	56 55
Total	$627 93

Donations—

Organization	*Misc. debits to profit and loss*
Community Chest of San Diego	$6,150 00
Community Chest of Coronado	80 00
Paradise Valley Sanitarium	25 00
American Red Cross (San Diego)	50 00
American Red Cross (Coronado)	10 00
Total	$6,315 00

SAN DIEGO CONSOLIDATED GAS AND ELECTRIC COMPANY—CONTINUED.

III. Attorney fees.

Cummins, Hagenah & Flynn, Chicago, Ill	$11,573 50
Stearns, Luce & Forward, San Diego, Calif.	8,338 95
Chickering & Gregory, San Francisco, Calif.	49,500 39
Better Collection Agency, Santa Ana, Calif	15 00
Total	$69,427 84

Accounts to Which Charged—

Legal expense—gas	$4,621 16
Legal expense—electric	10,367 94
Legal expense—steam	132 12
Injuries and damages—Gas	770 25
Rate case suspense	48,536 37
Accounts payable	5,000 00
Total	$69,427 84

SAN DIEGO ELECTRIC RAILWAY COMPANY.

I. Names of employees who during 1934 received a salary of $5,000 or more.

	Salary	*Expenses*
S. E. Mason, Vice President and General Manager	$6,879 00	$290 00

II. Dues, donations, subscriptions and contributions. (Charged to Account 89—General Expenses.)

San Diego Chamber of Commerce	$575 00
California Electric Railway Association	374 50
American Transit Association	792 58
Rotary Club of San Diego	26 25
Manufacturers' and Employers' Association	15 00
San Diego Police Relief Association	15 00
American Federation of Labor Relief Fund	10 00
Transit Employees Association	2 50
Total	$1,810 83

III. Attorney fees.

Morrison, Hohfeld, Foerster, Shuman & Clark—	
Charged to Account 92—Injuries and Damages	$10,107 18
Charged to Account 86—Law Expenditures	73 23
Total	$10,180 41

SAN DIEGO ICE AND COLD STORAGE CO

I. Names of employees who during 1934 received a salary of $5,000 or more

	Salary	*Traveling expenses*	*Directors fees*
J. B. Dunbar, President and General Manager	$5,500 00	$40 45	$60 00

II. Dues, donations, subscriptions and contributions

		Accounts charged to 657 *Utility*	405 *Nonutility*
Dues and Subscriptions—			
Executives Association	$81 30	$32 52	$48 78
Chamber of Commerce	50 00	20 00	30 00
California Manufacturings Association	10 00	4 00	6 00
Pacific States Warehouse Association	298 76	298 76	------
Associated Manufacturers	36 00	14 40	21 60
U. S. Chamber of Commerce	7 50	3 01	4 49
Southern California Bottled Water Association	1 50	--------	1 50
Southern California and Arizona Association of Ice Industries	250 70	--------	250 70
San Diego Wholesale Credit Men's Association	75 00	30 00	45 00
Better Business Bureau	15 00	6 00	9 00
Business Men's League	18 00	7 20	10 80
Totals	$843 76	$415 89	$427 87

SAN DIEGO ICE AND COLD STORAGE CO.—CONTINUED.

Donations—

Community Chest of San Diego (Acct. 658 on books. Report Acct. 313)	$300 00

III. Attorney fees

Richmond Jackson	$70 10
Ralph E. Jenney	100 00
Total	$170 10

SAN JOAQUIN LIGHT AND POWER CORPORATION

I. Names of employees who during 1934 received a salary of $5,000 or more.

	Salary	*Expense*
A. Emory Wishon, President	$20,853 57	$2,423 56
W. E. Durfey, Vice President and Assistant Secretary and Assistant Treasurer	8,348 01	23 17
F. H. Pearson, Attorney	5,463 33	191 21
E. P. Smith, Assistant to President	7,654 15	919 66
H. K. Fox, Construction Engineer	9,112 88	403 27
L. J. Moore, Executive Engineer	6,285 57	198 37
Totals	$57,717 51	$4,159 24

II. Dues, donations, subscriptions and contributions.

Business and Industrial Organizations—

Agricultural Labor Bureau	$300 00
American Academy of Political and Social Science	10 00
American Forestry Association	4 00
American Legion Exposition Committee	50 00
American Library Association	5 00
American Society of Mechanical Engineers	20 00
American Society for Testing Materials	15 00
Bakersfield Frontier Days Association	25 00
Better Business Bureau	225 00
Building Owners and Managers Association—Fresno	50 00
Bureau of National Affairs	25 00
California Electrical Bureau	200 00
California Safety Society	3 00
California Tax Payers Association	1,478 29
Committee on Relation of Electricity to Agriculture	417 58
Edison Electric Institute	3,535 06
Farm Bureau	86 00
Fresno Traffic Association	175 00
Gas Appliance Society of California	200 00
Illuminating Engineers Society	7 50
Industrial Development Campaign	300 00
International Association of Electric Inspectors	50 00
Light and Power Council	897 14
Los Banos Portuguese D. E. S. Association	10 00
Madera Business Men's Association	60 00
Madera Del Carmina Celebration	5 00
Merced County Credit Bureau	60 00
Merced Volunteer Fire Department	25 00
Merchants Association of Bakersfield	120 00
Merchants Association of Fresno	51 00
National Aeronautical Association	100 00
National Fire Protection Association	10 00
National Safety Council	100 00
Out-Door Christmas Tree Association	200 00
Pacific Coast Gas Association	729 00
Purchasing Agent's Association	24 00
San Joaquin Tourist and Travel Association	150 00
Sierra Highway Imp. Association	5 00
Southern California Meter Association	2 50
Southwestern Sec. Inter Nat'l Association Elec. Insp	4 00

SAN JOAQUIN LIGHT AND POWER CORPORATION—CONTINUED.

Club Dues—	
Bakersfield	$60 50
Bulldog Booster Club	45 00
Breakfast Club	2 50
Business Men's	40 00
Colored Athletic Club	10 00
Commercial	150 00
Engineers	36 00
Exchange	42 00
Fresno Advertising	18 00
Kiwanis	7 50
Lions	76 50
Optimists	20 00
Petroleum	18 70
Rotary	180 50
Round Table	16 50
University-Sequoia	66 00
Donations—	
Bakersfield Salvation Army	25 00
Boy Scouts	75 00
Brotherhood Railway Trainmen	5 00
California Association—Highway Patrolmen	25 00
Campfire Girls—Bakersfield	25 00
Community Chest—Fresno	2,000 00
Fresno County Tuberculosis Association	25 00
Los Banos Community Relief Chest	15 00
Police and Firemen's Fund	27 00
Madera County Voluntary Relief Fund	20 00
Mennonite Church—Bakersfield	1 75
Red Cross—Corcoran	25 00
Reedley Community Fund	10 00
Salvation Army—Madera	10 00
Sanger Chamber of Commerce Welfare Fund	50 00
Selma Community Welfare Association	25 00
Shafter Colony Church—Bakersfield	5 00
Veterans of Civil War	1 00
Warm Springs—Foundation Crippled Children	110 00
Chambers of Commerce—	
Bakersfield	150 00
California—State of	1,222 00
Clovis	7 00
Corcoran	25 00
Dinuba	40 00
Fowler	2 00
Fresno County	1,000 00
Fresno County Jr. Div.	6 00
Gustine	7 50
Kerman	6 00
Kingsburg	50 00
Los Banos	25 00
Madera County	110 00
Merced County	110 00
Reedley	34 00
Sanger	56 00
Taft	3 00
U. S. A.	500 00
Total	$16,357 02

Charge to—		
Construction Overhead	395	$47 50
General Expense Account	825	42 50
General Expense Account	925	132 50
General Expense Account	945	12,727 77
General Expense Account	845	929 00
General Expense Account	953	2,477 75
Total		$16,357 02

III. Attorney fees.

Athearn-Chandler and Farmer	$6,093 75
Dempsey and Mackey, Los Angles	2,901 15
H. C. Nelson	833 33
Total	$9,828 23

MIDLAND COUNTIES PUBLIC SERVICE CORPORATION.

II. Dues, donations, subscriptions and contributions.

Business and Industrial Organizations—	
California Taxpayers Association	$244 42
Committee on Relation of Electricity to Agriculture	70 31
Edison Electric Institute	606 94
Farm Bureau—Paso Robles	4 50
Farm Bureau—Santa Barbara Co	5 00
Light and Power Council	153 57
Merchants Association—Coalinga	15 00
Merchants Association—San Luis Obispo	24 00
Merchants Association—Santa Maria Valley	36 00
Club Dues—	
Atascadero Business Men's Club	9 00
Exchange Club—Paso Robles	6 00
Kiwanis Club	21 05
Ladies Community Club	10 00
Rotary Club	32 00
Santa Maria Club	27 50
Solvang Business Men's Club	9 00
Donations—	
American Red Cross	65 00
Avenell Community Church	10 00
Boy Scouts	40 00
Boy's Work Committee	5 00
Chambers of Commerce—	
California State	179 00
Coalinga	50 00
San Luis Obispo	24 00
Santa Maria Valley	75 00
Total	$1,722 29

Charged to—

Construction Overhead	395	$5 00
General Expense Account	925	90 00
General Expense Account	945	1,517 29
General Expense Account	953	110 00
Total		$1,722 29

III. Attorney fees.

C. J. Preisker, Santa Maria	$600 00
Dempsey and Mackey, Los Angeles	500 00
Total	$1,100 00

SAN JOSE WATER WORKS.

I. Names of employees who during 1934 received a salary of $5,000 or more.

Name and title	*Salary*	*Expense account*
H. S. Kittredge, President	$11,050 00	$134 78
E. W. Green, Secretary	5,525 00	156 13
Totals	$16,575 00	$290 91

II. Dues, donations, subscriptions and contributions.

Dues—	*Amount*	*Acct. charged*
Citizens' League on Government and Taxation	$240 00	E-44
La Rinconada Country Club	36 00	E-44
Industrial Association	125 00	E-44
Institute of Water Supply Utilities	233 15	E-44
San Jose Chamber of Commerce	375 00	E-44
San Jose Junior Chamber of Commerce	12 00	E-44
California State Chamber of Commerce	200 00	E-44
United States Chamber of Commerce	50 00	E-44
West Santa Clara Street Development Association	9 00	E-44
Better Business Bureau	45 12	E-44
Merchants' Association of San Jose	30 00	E-44

SAN JOSE WATER WORKS—CONTINUED.

	Amount	Acct. charged
Subscriptions—		
American Bankers Association	$1 00	E-44
Public Utilities Reports, Inc.	25 00	E-44
American City Magazine	1 00	E-44
United Business Service	1 00	E-44
Western Construction News	3 00	E-44
Engineering News Record	10 00	E-44
Contributions—		
American Legion Dance Committee	5 00	E-44
Send the Band to Miami Fund	25 00	E-44
Los Gatos Sportsman Club	2 50	E-44
Rebecca Ball	2 50	E-44
Marine Ball	5 00	E-44
Municipal Chorus	2 00	E-44
Knights of Columbus	3 00	E-44
National Guard Ball	5 00	E-44
Unemployed Relief Council Benefit Ball	5 00	E-44
Theater Tickets—Benefit	1 00	E-44
Policeman Ball	5 00	E-44
Hillview Country Club	2 50	E-44
Firemens Ball	10 00	E-44
Civic Auditorium Fund	10 00	E-44
San Jose Needle Club	4 00	E-44
Donations—		
Santa Clara County Community Chest	1,000 00	E-44
W. C. T. U.	5 00	E-44
Santa Clara Valley Water Conservation District	1,338 26	E-44
Christmas Seals	6 00	E-44
Total	$3,833 03	

III Attorney fees.

R. C. Leib	$3,100 00	E-39
C. C. Coolidge	500 00	E-39
R C Leib	1,000 00	Surplus
C. C. Coolidge	500 00	Surplus
McCutchen, Olney, Mannon & Greene	1,500 00	Surplus
R. C. Leib	500 00	Acct. 14
McCutchen, Olney, Mannon & Greene	11,000 00	Acct. 14
Total	$18,100 00	

SANTA BARBARA TELEPHONE COMPANY.

I Names of employees who during 1934 received a salary of $5,000 or more.

R. E. Easton, President and Treasurer	$7,200 00
D. A. Sattler, Vice President and Secretary	9,000 00
Total	$16,200 00

No expense accounts.

II. Dues, donations, subscriptions and contributions.

Santa Barbara Rotary Club	Acct. 640	$74 85
Santa Barbara Junior Chamber of Commerce	Acct. 645	10 00
Santa Barbara Chamber of Commerce	Acct. 675	100 00
California Taxpayers' Association	Acct. 675	100 00
Santa Barbara Sailing Association	Acct. 675	10 00
United States Independent Telephone Association	Acct. 675	100 00
Carpinterians	Acct. 675	12 00
Santa Barbara Community Chest	Acct. 413	100 00
Carpinteria Community Chest	Acct. 413	20 00
Lompoc Community Chest	Acct. 413	10 00
American Red Cross, Santa Barbara Chapter	Acct. 413	10 00
Christmas Seal Committee	Acct. 413	10 00
Total		$556 85

SANTA BARBARA TELEPHONE COMPANY—CONTINUED.

III. Attorney fees.

Chickering and Gregory	Acct. 664	$1,260 40
Preisker, Goble & Twitchell	Acct. 664	5 00
Total		$1,265 40

SANTA MARIA GAS COMPANY.

I. Names of employees who during 1934 received a salary of $5,000 or more.

	Salary	*Expenses*
R. E. Easton, President, Treasurer and General Manager	$5,296 15	$112 93

II. Dues, donations, subscriptions and contributions.

Donations—	*508e*
Boy Scouts of America	$30 00
Salvation Army	65 00
American Red Cross	14 40
Community Chest, Lompoc	40 00
Y. M. C. A.	25 00
Total	$174 40

Contributions—	*Total*	*832b*	*845*	*851b*
California Mission Trails Association	$20 00	$20 00		
Pacific Coast Gas Association	213 00	102 00	$111 00	
National Safety Council	12 50			$12 50
California Taxpayers Association	113 64		113 64	
Chamber of Commerce—San Luis Obispo	12 00		12 00	
Chamber of Commerce—Santa Maria	75 00		75 00	
Atascadero Bus. Mens Association	12 00		12 00	
Totals	$458 14	$122 00	$323 64	$12 50

III. Payment to Attorneys.

	Total	*244a*	*823b*
Fitzgerald, M. A.	$50 00	$50 00	
Balaam & Balaam	1 50		$1 50
Totals	$51 50	$50 00	$1 50

SANTA MARIA VALLEY RAILROAD COMPANY.

I. Names of employees who during 1934 received a salary of $5,000 or more.

G. Allan Hancock, President—$9,000 00 No expenses or fees

II. Dues, donations, subscriptions and contributions.

Name	*Amount*	*Account charged*
Regulated carriers	$150 00	$112 50—O. E. 1251 37 50—O. E. 1291
American Short Line Railroad Association	213 96	O. E. 1291
Railway Accounting Officers' Association	7 00	O. E. 1251
Santa Barbara County Farm Bureau	5 00	O. E. 1251
Boy Scouts of America	10 00	O. E. 1294
Working Girls' Aid	5 00	O. E. 1294
Santa Maria Valley Chamber of Commerce	15 00	O. E. 1294
Young Men's Christian Association	5 00	O. E. 1294
Total	$410 96	

III. Attorney fees.

Preisker, Goble, Twitchell and Stephens	$149 92	O. E. 1291

SECURITY WAREHOUSE AND COLD STORAGE CORPORATION.

I. Names of employees who during 1934 received a salary of $5,000 or more.

	Salary	*Expense account*
J. Q. Patton, Secretary and General Manager	$9,120 78	$733 29
G. H. Ballantyne, Assistant Manager	6,549 76	883 85
Totals	$15,670 54	$1,617 14

II. Dues, donations, subscriptions and contributions.

None.

III. Attorneys fees.

Haskins & Sells	$50 00	to Account 653
Rea, Free & Jacka	600 00	to Account 100
Total	$650 00	

SIERRA PACIFIC POWER COMPANY.

(Operates in Nevada and California)

I. Names of employees who during 1934 received a salary of $5,000 or more.

Name—Position	*Salary*	*Expense account*
George A. Campbell, President	$10,000 00	$1,503 91
H. P. Dayton, Treasurer	5,000 00	96 55
George G. Devore, Assistant to President	5,500 00	4,463 33
Totals	$20,500 00	$6,063 79

No other fees.

II. Dues, donations, subscriptions and contributions.

Accounts charged	*Amount*	
Electric Department—Other Miscellaneous General Expenses	$446 40	$781 32
Electric Department—Other Miscellaneous General Expenses	30 40	781 32
Electric Department—Other Miscellaneous General Expenses	86 20	781 32
Total	$563 00	

III. Attorney fees.

Thatcher & Woodburn	$5,247 23	781.26	Elec. Dept. Law Exp.—Gen.
Reno National Bank Bldg.	1,520 00	781.32	Elec. Dept. Other Misc. Gen. Exp
Reno, Nevada	1,520 00	784	Elec. Dept. Regulatory Com. Exp.
	362 15	781.26	Gas Dept. Law Exp.—Gen.
	120 00	781.32	Gas Dept. Other Misc. Gen. Exp.
	120 00	784	Gas Dept. Regulatory Com. Exp.
	1,386 45	781.26	Water Dept. Law Exp.—Gen.
	360 00	781.32	Water Dept. Other Misc. Gen. Exp.
	360 00	784	Water Dept. Regulatory Com. Exp.
	850 00	101	Fixed Capital
	300 00	136.1	Misc. Suspense—Debit
Total	$12,145 83		
Orrick, Palmer & Dahlquist	$263 65	781.26	Elec. Dept. Law Exp.—Gen.
Financial Center Building	12 00	781.26	Gas Dept. Law Exp.—Gen.
San Francisco, California	36 00	781.26	Water Dept. Law Exp —Gen.
San Francisco, California	3,994 12	101	Fixed Capital
San Francisco, California	1,700 00	136.1	Misc. Suspense—Debit
Total	$5,405 77		

SOUTHERN CALIFORNIA EDISON COMPANY, LTD.

I. Names of employees who during 1934 received a salary of $5,000 or more.

Name	*Title*	*Compensation*	*Expenses*
Bauer, Harry J.	President	$45,504 00	$118 20
Reppy, R. V.	Vice President and General Counsel	24,550 00	551 30
Lewis, Fred B.	Vice President and General Manager	23,792 00	196 65
Davis, E. R.	Assistant General Manager	15,288 00	148 34
Trott, D. M.	Vice President	18,204 00	------
Peters, Clifton	Secretary	10,920 00	------
Mullendore, W. C.	Executive Vice President	23,792 00	785 15
Dennis, H. W.	Civil Engineer	8,190 00	437 83
Ammann, F. X., M.D.	Chief Surgeon	6,000 00	------
Watkins, E. F.	Manager of Purchases	8,190 00	72 73
Lee, Luther J.	Assistant to President	10,920 00	------
Woodard, B. F.	Assistant to General Counsel	9,828 00	12 08
Hoxie, George L.	Economist and Research Engineer	8,870 00	------
Fluno, Byron F.	Comptroller	8,190 00	34 20
Frost, W. L.	Vice President	10,920 00	213 20
McWhinney, Winfred C.	General Commercial Manager	8,190 00	3,146 13
Hamilton, Fred G.	Manager of Operation	8,527 50	------
Ducker, P. H.	Superintendent of Transportation	6,006 00	700 08
Story, B. T.	Treasurer	10,738 00	------
Greenhouse, Frank L.	Manager of Investment Department	10,920 00	------
Kelley, A. R.	Valuation Engineer	8,190 00	46 49
Staal, C. P.	Auditor	10,920 00	------
Doolittle, H. L.	Designing Engineer	8,190 00	16 15
Miller, Frank E.	Right of Way Agent	9,282 00	374 04
Hinson, N. B.	Chief Engineer	7,025 72	43 80
Fischer, W. H.	Vice President	10,920 00	481 41
Barre, H. A.	Chief Engineer (deceased)	8,190 00	94 56
Welbridge, R. R.	Division Manager	6,828 00	110 61
Moulton, H. J.	Division Manager	5,460 00	157 68
Hewes, C. E.	Division Manager	8,190 00	189 45
Graef, William P.	Division Manager	8,190 00	439 30
Denninger, Paul J.	Division Manager	5,190 00	68 00
Campbell, Charles M.	Division Manager	5,100 00	672 99
Whitehead, A. L.	Division Manager	5,460 00	133 47
Larkin, Gail C.	Attorney	7,644 00	129 29
Cunningham, E. W.	Attorney	7,098 00	185 60
Trowbridge, George E.	Attorney	7,098 00	587 17
Smith, R. E.	Executive Assistant	7,098 00	171 01
Spratt, H. B.	Assistant Secretary	5,190 00	------
Houston, C. E.	Assistant Commercial Manager	7,098 00	179 77
McFadden, Robert C.	New Business Manager	6,006 00	81 82
Rice, H. C.	Manager Merchandise Department	5,460 00	303 62
Decker, George E.	Master Mechanic	5,190 00	758 90
Frampton, William R.	Manager Shop and Test	5,190 00	------
Michener, Harold	Engineer	5,460 00	29 65
Philo, Frank G.	Superintendent Steam Generation	7,098 00	324 20
Boyles, R. G.	Assistant Manager of Operation	5,149 30	130 37
Battey, W. R.	Division Superintendent (Coast Divisions)	5,225 15	1,201 63
Dukelow, T. H.	Claim Agent	6,006 00	89 68
Showers, O. V.	Assistant Secretary	7,098 00	------
Maxwell, A. Addison	Assistant Auditor	5,190 00	------
Totals		$488,973 67	$13,416 55

NOTE: No contingent fees paid.

II. Dues, donations, subscriptions and contributions.

Name of organization	*Account charged* Blank work order 19705	925	Operating expenses 945	*Total*
Advertising Club, Long Beach	------	$14 40	------	$14 40
Advertising Club, Los Angeles	------	------	$48 00	48 00
Agricultural Labor Bureau, San Joaquin Valley	------	------	250 00	250 00
All Year Club and Chamber of Commerce Joint Fund, Los Angeles	See Chamber of Commerce			
American Legion, Alhambra	------	------	5 00	5 00
American Legion, Long Beach	------	------	3 43	3 43
American Legion, Santa Paula	------	------	2 50	2 50
American Legion, Tujunga	------	------	1 50	1 50
American Red Cross, El Monte	------	------	5 00	5 00

SOUTHERN CALIFORNIA EDISON COMPANY, LTD.—CONTINUED.

II. Dues, donations, subscriptions and contributions—Continued.

Name of organization	Account charged: Blank work order 19705	Blank work order 925	Operating expenses 945	Total
American Red Cross, Inglewood	------	------	$10 00	$10 00
American Red Cross, Kings County	------	------	10 00	10 00
American Red Cross Relief, Laguna	------	------	6 43	6 43
American Red Cross, Ontario	$35 00	------	------	35 00
American Red Cross, Redondo	5 00	------	------	5 00
American Red Cross, San Bernardino	------	------	25 00	25 00
American Red Cross, Santa Ana	35 00	------	2 00	37 00
American Red Cross, Santa Monica	------	------	25 00	25 00
American Red Cross, Sierra Madre	------	------	5 00	5 00
American Society for Metals, Cleveland, Ohio	------	------	10 00	10 00
American Society for Testing Metals, Philadelphia, Pa.	------	------	30 00	30 00
American Society for Metals, Santa Monica	------	------	4 68	4 68
American Water Works Association, Los Angeles	------	------	10 00	10 00
American Wood Preservers Association, Los Angeles	------	------	10 00	10 00
Amusement and Business Men's Association, Venice	------	$15 00	------	15 00
Barlow Sanitarium, Los Angeles	10 00	------	110 00	120 00
Bazaar, Ventura	------	------	6 12	6 12
Beckoneers, Long Beach	------	540 00	------	540 00
Better American Federation of California, Los Angeles	------	------	325 00	325 00
Better Business Bureau, Long Beach	------	100 00	------	100 00
Better Business Bureau, Los Angeles	------	------	200 00	200 00
Better Business Association, South Pasadena	------	2 00	------	2 00
Better Homes Campaign, Los Angeles	------	------	500 00	500 00
Boy Scouts of America, Delano	------	------	5 00	5 00
Boy Scouts of America, Duarte	------	------	10 00	10 00
Boy Scouts of America, Fullerton	------	------	15 00	15 00
Boy Scouts of America, Hanford	------	------	10 00	10 00
Boy Scouts of America, Lindsay	------	------	15 00	15 00
Boy Scouts of America, Ontario	10 00	------	------	10 00
Boy Scouts of America, Orange County	50 00	------	5 00	55 00
Boy Scouts of America, Redlands	------	------	20 00	20 00
Boy Scouts of America, Redondo	------	------	1 25	1 25
Boy Scouts of America, San Bernardino	------	------	25 00	25 00
Boy Scouts of America, Ventura	------	------	40 00	40 00
Boy Scouts of America, Verdugo Hills	------	------	15 00	15 00
Boy Scouts of America, Visalia	------	------	15 00	15 00
Breakfast Club (Charity Fund), Santa Ana	------	------	10 00	10 00
Builders Exchange, Long Beach	------	------	54 00	54 00
Builders Exchange Picnic, Long Beach	------	3 93	------	3 93
Builders Exchange, Los Angeles	------	------	40 50	40 50
Builders Exchange, Orange County, Santa Ana	------	45 00	------	45 00
Builders Exchange, Santa Monica	------	48 00	------	48 00
Business Men's Association, Alhambra	------	27 00	------	27 00
Business Men's Association, Huntington Beach	------	4 00	------	4 00
Business Men's Association, Los Angeles	------	------	5 00	5 00
Business Men's Association, Montrose	------	16 32	------	16 32
Business Men's Association, North Hollywood	------	1 00	----	1 00

SOUTHERN CALIFORNIA EDISON COMPANY, LTD.—CONTINUED.

II. Dues, donations, subscriptions and contributions—Continued.

Name of organization	Account charged: Blank work order 19705	Blank work order 925	Operating expenses 945	Total
Business Men's Association, Ocean Park	------	$125 00	------	$125 00
Business Men's Association, Pasadena	------	9 00	------	9 00
Business Men's Association, Redondo Beach	------	2 50	------	2 50
Business Men's Association, Santa Ana	------	60 00	------	60 00
California Manufacturing Association, Los Angeles	------	------	$150 00	150 00
California Newspaper Publishers' Association, Los Angeles	------	------	10 00	10 00
California Safety Society, Los Angeles	------	------	1 00	1 00
California Taxpayers' Association, Los Angeles	------	------	4,989 80	4,989 80
Calimesa Social Club, San Bernardino	------	5 00	------	5 00
Catholic Welfare Association, San Bernardino	------	------	10 00	10 00
Centinella Days Committee, Inglewood	------	15 00	------	15 00
Chamber of Commerce, Alhambra	------	40 00	------	40 00
Chamber of Commerce, Arcadia	------	12 00	------	12 00
Chamber of Commerce, Baldwin Park	------	12 00	------	12 00
Chamber of Commerce, Beaumont	------	25 00	------	25 00
Chamber of Commerce, Bell	------	24 00	------	24 00
Chamber of Commerce, Bellflower	------	30 00	------	30 00
Chamber of Commerce, Beverly Hills	------	50 00	------	50 00
Chamber of Commerce, Camarillo	------	10 00	------	10 00
Chamber of Commerce, Carpinteria Valley	------	12 00	------	12 00
Chamber of Commerce, Chino	------	3 00	------	3 00
Chamber of Commerce, Claremont	------	9 00	------	9 00
Chamber of Commerce, Clearwater	------	15 00	------	15 00
Chamber of Commerce, Compton	------	75 00	------	75 00
Chamber of Commerce, Covina	------	20 00	------	20 00
Chamber of Commerce, Culver City	------	80 00	------	80 00
Chamber of Commerce, Delano	------	36 00	------	36 00
Chamber of Commerce, Downey	------	14 00	------	14 00
Chamber of Commerce, Eagle Rock	------	16 00	------	16 00
Chamber of Commerce, El Monte	------	18 00	------	18 00
Chamber of Commtrce, Exeter	------	75 00	------	75 00
Chamber of Commerce, Fillmore	------	10 00	------	10 00
Chamber of Commerce, Fontana	------	5 00	------	5 00
Chamber of Commerce, Fresno	------	------	25 00	25 00
Chamber of Commerce, Fullerton	------	42 00	------	42 00
Chamber of Commerce, Gardena	------	15 00	------	15 00
Chamber of Commerce, Garden Grove	------	20 00	------	20 00
Chamber of Commerce, Huntington Park	------	2 43	------	2 43
Chamber of Commerce, Glendale	------	75 00	25 00	100 00
Chamber of Commerce, Glendora	------	24 00	------	24 00
Chamber of Commerce, Graham	------	25 00	------	25 00
Chamber of Commerce, Hawthorne	------	25 00	------	25 00
Chamber of Commerce, Hermosa Beach	------	40 00	------	40 00
Chamber of Commerce, Huntington Beach	------	78 33	------	78 33
Chamber of Commerce, Inglewood	------	82 75	------	82 75
Chamber of Commerce, Laguna Beach	------	25 00	------	25 00
Chamber of Commerce, Lake Arrowhead	------	5 00	------	5 00
Chamber of Commerce, Lancaster	------	31 00	------	31 00
Chamber of Commerce, Lindsay	------	101 00	------	101 00
Chamber of Commerce, Long Beach	------	1,100 00	------	1,100 00
Chamber of Commerce, Los Angeles	------	------	2,043 16	2,043 16

SOUTHERN CALIFORNIA EDISON COMPANY, LTD.—CONTINUED.

II. Dues, donations, subscriptions and contributions—Continued.

Name of organization	Account charged: Blank work order 19705	Blank work order 925	Operating expenses 945	Total
Chamber of Commerce and All Year Club Joint Fund, Los Angeles	------	------	$1,000 00	$1,000 00
Chamber of Commerce, Lomita	------	18 00	------	18 00
Chamber of Commerce, Maywood	------	12 00	------	12 00
Chamber of Commerce, Montebello	------	60 00	------	60 00
Chamber of Commerce, Monterey Park	------	6 00	------	6 00
Chamber of Commerce, Monrovia	------	75 00	------	75 00
Chamber of Commerce, Montrose	------	5 00	------	5 00
Chamber of Commerce, Newport Harbor	------	115 00	------	115 00
Chamber of Commerce, North Hollywood	------	62 00	------	62 00
Chamber of Commerce, Norco	------	10 00	------	10 00
Chamber of Commerce, Norwalk	------	15 00	------	15 00
Chamber of Commerce, Ojai Valley	------	5 00	------	5 00
Chamber of Commerce, Ontario	------	100 00	------	100 00
Chamber of Commerce, Orange	------	115 00	------	115 00
Chamber of Commerce, Oxnard	------	87 00	------	87 00
Chamber of Commerce, Pasadena	------	27 00	------	27 00
Chamber of Commerce, Placentia	------	12 00	------	12 00
Chamber of Commerce, Pomona	------	154 00	------	154 00
Chamber of Commerce, Porterville	------	137 50	------	137 50
Chamber of Commerce, Puente	------	7 00	------	7 00
Chamber of Commerce, Redlands	------	150 00	------	150 00
Chamber of Commerce, Redondo Beach	------	40 00	------	40 00
Chamber of Commerce, Redondo	------	10 00	------	10 00
Chamber of Commerce, Riverside	------	125 00	------	125 00
Chamber of Commerce, Rosemead	------	6 00	------	6 00
Chamber of Commerce, San Bernardino	------	200 00	------	200 00
Chamber of Commerce, San Dimas	------	20 00	------	20 00
Chamber of Commerce, Santa Ana	------	174 00	------	174 00
Chamber of Commerce, Santa Barbara	------	250 00	------	250 00
Chamber of Commerce, San Fernando	------	24 00	------	24 00
Chamber of Commerce, San Gabriel	------	6 00	------	6 00
Chamber of Commerce, Santa Monica	------	217 50	------	217 50
Chamber of Commerce, Santa Paula	------	80 00	------	80 00
Chamber of Commerce, Sierra Madre	------	20 00	------	20 00
Chamber of Commerce, Strathmore	------	10 00	------	10 00
Chamber of Commerce, Sunset Beach	------	15 00	------	15 00
Chamber of Commerce, Temple City	------	7 50	------	7 50
Chamber of Commerce, Torrance	------	5 00	------	5 00
Chamber of Commerce, Topanga Canyon	------	12 00	------	12 00
Chamber of Commerce, Tujunga	------	5 00	------	5 00
Chamber of Commerce, Tulare	------	125 00	------	125 00
Chamber of Commerce, Upland	------	31 00	------	31 00
Chamber of Commerce, Ventura	------	146 00	------	146 00
Chamber of Commerce, Vernon	------	200 00	------	200 00
Chamber of Commerce, Visalia	------	160 00	------	160 00
Chamber of Commerce, Watts	------	20 00	------	20 00
Chamber of Commerce, West Hollywood	------	75 00	------	75 00
Chamber of Commerce, West Los Angeles	------	50 00	------	50 00
Chamber of Commerce, Whittier	------	125 00	------	125 00
Chamber of Commerce, Wilmar	------	10 00	------	10 00
Chamber of Commerce, Yorba Linda	------	10 00	------	10 00
Chamber of Commerce, United States, Washington, D. C.	------	------	250 00	250 00
Chamber of Commerce, State of California	------	------	4,600 00	4,600 00
Charity League, Santa Monica	------	------	1 63	1 63
Children's Pageant, Ocean Park	------	15 00	------	15 00
Christian Endeavor Union, Santa Barbara	------	------	1 41	1 41

SOUTHERN CALIFORNIA EDISON COMPANY, LTD.—CONTINUED.

II. Dues, donations, subscriptions and contributions—Continued.

Name of organization	Account charged: Blank work order 19705	Blank work order 925	Operating expenses 945	Total
Church of Latter Day Saints, Compton	------	------	$10 78	$10 78
Citizens Alliance Relief, Santa Paula	------	$1 00	1 00	2 00
Citizens Association, Altadena	------	1 00	------	1 00
City Club, San Marina	------	3 75	------	3 75
City of Covina, Covina	------	1 00	------	1 00
City of Visalia, Visalia	------	129 53	------	129 53
City Planners' Association of Los Angeles	------	------	2 00	2 00
Civic and Progressive Association, Belvedere	------	10 00	------	10 00
Civic Regatta Association, Santa Monica	------	50 00	------	50 00
Civic Works Administration, Women's Sewing Association, North Hollywood	------	------	4 26	4 26
Civil Works Sewing Association, Compton	------	------	13 11	13 11
Coast Association of Orange County, Santa Ana	------	25 00	------	25 00
Commercial Board, Los Angeles	------	------	30 00	30 00
Commercial Club, North Long Beach	------	1 00	------	1 00
Committee on Relations of Electricity and Agriculture, Berkeley	------	------	1,669 42	1,669 42
Community Chest, Alhambra	------	------	100 00	100 00
Community Chest, Covina	$50 00	------	------	50 00
Community Chest, El Segundo	25 00	------	------	25 00
Community Chest, Glendale	------	------	75 00	75 00
Community Chest, La Canada	25 00	------	------	25 00
Community Chest, La Verne	20 00	------	------	20 00
Community Chest, Los Angeles	------	------	15,000 00	15,000 00
Community Chest, Pasadena	------	------	100 00	100 00
Community Chest, Pomona	------	------	200 00	200 00
Community Chest, Santa Barbara	------	------	150 00	150 00
Community Chest, Santa Monica	------	------	400 00	400 00
Community Chest, South Pasadena	------	------	100 00	100 00
Community Chest, Ventura	------	------	100 00	100 00
Community Free Relief, Long Beach	------	------	5 00	5 00
Community Music Association, Redlands	------	15 00	------	15 00
Community Welfare, Long Beach	------	------	1,500 00	1,500 00
Community Welfare, Orange	10 00	------	------	10 00
Congregation Bnai Zion, Montebello	------	------	15 00	15 00
Conservation Association, Los Angeles	------	------	200 00	200 00
Cooperative Relief Association, Ventura	------	------	8 50	8 50
Cooperative District Committee of Orange County, Santa Ana	------	------	2 70	2 70
Cosmopolitan Tabernacle, Los Angeles	1 46	------	------	1 46
County Welfare Bureau, Santa Monica	------	------	23 83	23 83
Covina Christmas Celebration Committee, Covina	------	1 00	------	1 00
Cow Testing Association, San Bernardino	------	15 00	------	15 00
Credit Association, Ventura	------	18 00	------	18 00
David and Margaret Home, La Verne	------	------	5 13	5 13
Downtown Business Men's Association of Los Angeles, Los Angeles	------	------	120 00	120 00
Ebell Club, Long Beach	------	------	2 00	2 00
Edison Electric Institute, Los Angeles	------	------	14,015 83	14,015 83
Electrical Decoration Contest, Santa Ana	------	5 25	------	5 25
Electric Club, Los Angeles	------	------	32 11	32 11
Elks, B. & P. Order of, Visalia	------	------	2 77	2 77
Elks, B. & P. Order of, Los Angeles	------	------	6 00	6 00

SOUTHERN CALIFORNIA EDISON COMPANY, LTD.—CONTINUED

II. Dues, donations, subscriptions and contributions—Continued.

Name of organization	Account charged: Blank work order 19705	Blank work order 925	Operating expenses 945	Total
Exchange Club, Delano	------	$11 00	$1 00	$12 00
Exchange Club, Long Beach	------	22 00	------	22 00
Farm Bureau, Los Angeles County	------	------	60 00	60 00
Farm Bureau, Santa Barbara	------	5 00	------	5 00
Farm Bureau, Ventura County	------	15 00	------	15 00
Farm Bureau Center, Chino	------	5 00	------	5 00
Farm Credit Association, Santa Ana	------	15 80	------	15 80
Federated Women's Club, Ventura	------	------	25 66	25 66
First Christian Church, Long Beach	------	------	10 00	10 00
Florence Prosperity Fair, Vernon	------	89 10	------	89 10
Flood Relief Fund, Pasadena	------	------	100 00	100 00
Girl Scouts, Orange County	25 00	------	------	25 00
Great Western Live Stock Show, Vernon	------	100 00	------	100 00
Hanford Baseball Committee, Hanford	------	15 00	------	15 00
Haynes, Rev. F. N., Negro Achievement Week, Santa Monica	------	------	3 00	3 00
High School, Lindsay	------	5 15	------	5 15
Hi-Y Committee, Fillmore	------	------	5 00	5 00
Holy Family Church, South Pasadena	------	------	6 83	6 83
Horticultural Show, Bellflower	------	1 02	------	1 02
Illuminating Engineers' Society, Los Angeles	------	------	57 50	57 50
Independent Harvesters Relief Association, Santa Monica	------	------	7 65	7 65
International Association for Identification, Los Angeles	------	------	37 00	37 00
International Association of Electrical Inspectors, Southwestern Section, Los Angeles	------	------	16 00	16 00
Industrial Association of City Terrace, Montebello	------	25 00	------	25 00
Institute of Government, U. S. C., Los Angeles	------	------	60 00	60 00
Iron and Steel Conference, Los Angeles	------	------	10 00	10 00
Jewish Consumptive Relief Association, Monrovia	------	------	10 00	10 00
Junior Chamber of Commerce of Los Angeles, El Monte	------	------	127 28	127 28
Junior Chamber of Commerce, Long Beach	------	32 50	------	32 50
Junior Chamber of Commerce, Los Angeles	------	------	117 00	117 00
Junior Chamber of Commerce, Pasadena	------	5 00	------	5 00
Junior Chamber of Commerce, Santa Barbara	------	15 00	------	15 00
Kiwanis Club, Alhambra	------	17 00	------	17 00
Kiwanis Club, Hanford	------	16 50	------	16 50
Kiwanis Club, Hermosa Beach	------	50 00	------	50 00
Kiwanis Club, Lancaster	------	10 00	------	10 00
Kiwanis Club, Lindsay	------	12 00	------	12 00
Kiwanis Club, Los Angeles	------	------	50 00	50 00
Kiwanis Club, Long Beach	------	22 50	------	22 50
Kiwanis Club, No. Hollywood	------	30 00	------	30 00
Kiwanis Club, Pasadena	------	38 00	------	38 00
Kiwanis Club, Pomona	------	28 00	------	28 00
Kiwanis Club, San Bernardino	------	24 00	------	24 00
Kiwanis Club, Santa Monica	------	33 00	------	33 00
Kiwanis Club, Sierra Madre	------	15 00	------	15 00
Kiwanis Club, So Pasadena	------	20 00	------	20 00
Kiwanis Club, Visalia	------	21 00	------	21 00
Kiwanis Club, Whittier	------	------	2 75	2 75
Lions Club, Laguna Beach	------	36 00	------	36 00
Lions Club, Los Angeles	------	------	44 50	44 50

SOUTHERN CALIFORNIA EDISON COMPANY, LTD.—CONTINUED.

II. Dues, donations, subscriptions and contributions—Continued.

Name of organization	Account charged: Blank work order 19705	Blank work order 925	Operating expenses 945	Total
Lions Club, Long Beach	------	$40 20	------	$40 20
Lions Club, Santa Ana	------	29 19	------	29 10
Little Sisters of the Poor, Home for Aged, Los Angeles	------	------	$5 00	5 00
Lomita Catholic Church, Redondo Beach	$1 47	------	------	1 47
Long Beach Blvd. Improvement Assn., Compton	------	1 00	------	1 00
Los Angeles Credit Men's Assn., Los Angeles	------	------	25 00	25 00
Los Angeles Realty Board, Los Angeles	------	------	30 00	30 00
Masonic Club, Long Beach	------	10 00	------	10 00
Masonic Club "Edison," Los Angeles	------	------	3 97	3 97
Men's Club, Covina	------	15 00	------	15 00
Merchants Association, Fillmore	------	10 00	------	10 00
Merchants Association, Monrovia	------	36 00	------	36 00
Merchants Association, Montrose	------	15 00	------	15 00
Merchants Association, Pasadena	------	24 00	------	24 00
Merchants Association, Santa Monica	------	1 63	------	1 63
Merchants Association, Whittier	------	1 00	------	1 00
Merchants and Manufacturers Assn., Los Angeles	------	------	1,200 00	1,200 00
Merchants Credit Assn., Santa Barbara	------	60 00	------	60 00
Merchants Credit Assn., Ventura	------	18 00	------	18 00
Methodist Church, Watts	------	------	2 25	2 25
Midtown Association, Los Angeles	------	------	25 00	25 00
M.G.M. Studios, Culver City	------	8 61	------	8 61
McGonega, C. C. (For New Post Office at Bell), Vernon	------	100 00	------	100 00
Monrovia Day Celebration, Monrovia	------	2 21	------	2 21
Municipal Band, Redlands	------	1 50	------	1 50
National Assn. of Manufacturers, Los Angeles	------	------	100 00	100 00
National Economic League, Los Angeles	------	------	5 00	5 00
National Fire Protection Assn., Boston, Mass.	------	------	10 00	10 00
National Orange Show, San Bernardino	------	195 00	------	195 00
Nazarene Sisters, Santa Barbara	------	------	1 00	1 00
News Press, Santa Barbara	------	5 00	------	5 00
Old Spanish Days Fiesta, Santa Barbara	------	50 00	------	50 00
Ojai School Benefit, Ojai	------	------	2 00	2 00
Oneonta Club, South Pasadena	------	10 50	------	10 50
Optimist Club, Los Angeles	------	------	36 00	36 00
Pac. Coast Elec. Assn, San Francisco	------	------	1 00	1 00
Peace Officers Assn., Los Angeles Co.	------	------	2 50	2 50
Peace Officers Assn., Orange Co., Huntington Beach	------	4 00	------	4 00
Peace Officers Assn., Orange Co., Santa Ana	------	4 00	------	4 00
Police Radio Station, Pomona	------	19 30	------	19 30
Police Revolver Club, Los Angeles	------	------	100 00	100 00
"Port of Long Beach," Long Beach	------	15 00	------	15 00
P.T.A., Thrift Shop, Arcadia	------	3 25	------	3 25
P.T.A, Roosevelt High, Santa Monica	------	------	8 22	8 22
P.T.A., High School, Venice	------	------	1 63	1 63
Purchasing Agents' Assn, Los Angeles	------	------	105 00	105 00
Redondo City Employees, Redondo	------	1 64	------	1 64
Relief Assn., North Hollywood	------	------	1 13	1 13
Relief Assn., San Fernando	------	------	2 53	2 53
Relief Assn, South Pasadena	------	------	2 20	2 20
Retail Merchants Credit Assn., Los Angeles	------	------	15 00	15 00
Rotary Club, Beverly Hills	------	60 75	------	60 75
Rotary Club, Compton	------	20 00	------	20 00

SOUTHERN CALIFORNIA EDISON COMPANY, LTD.—CONTINUED.

II. Dues, donations, subscriptions and contributions—Continued.

Name of organization	Account charged: Blank 19705	Work order 925	Operating expenses 945	Total
Rotary Club, Covina	------	$25 00	------	$25 00
Rotary Club, Fullerton	------	14 75	------	14 75
Rotary Club, Huntington Beach	------	20 00	------	20 00
Rotary Club, Huntington Park	------	32 00	------	32 00
Rotary Club, Inglewood	------	31 00	------	31 00
Rotary Club, Long Beach	------	36 40	$5 00	41 40
Rotary Club, Los Angeles	------	------	48 00	48 00
Rotary Club, Monrovia	------	25 00	------	25 00
Rotary Club, Montebello	------	41 20	------	41 20
Rotary Club, Ontario	------	25 00	------	25 00
Rotary Club, Oxnard	------	17 50	------	17 50
Rotary Club, Pasadena	------	30 00	------	30 00
Rotary Club, Porterville	------	21 50	------	21 50
Rotary Club, Redlands	------	18 00	------	18 00
Rotary Club, Redondo	------	20 00	------	20 00
Rotary Club, Santa Barbara	------	30 00	------	30 00
Rotary Club, Santa Monica	------	53 24	------	53 24
Rotary Club, Santa Paula	------	25 00	------	25 00
Rotary Club, Tulare	------	18 00	------	18 00
Rotary Club, Ventura	------	12 10	------	12 10
Rotary Club, Visalia	------	24 00	------	24 00
Rotary Club, Whittier	------	30 00	------	30 00
Round Table, Fullerton	------	1 00	------	1 00
Saint John's Church, Inglewood	------	------	10 00	10 00
Saint James Altar Society, Redondo	------	------	3 33	3 33
Saint Clement's Church, Santa Monica	------	------	9 15	9 15
Saint Monica Church, Santa Monica	$1 45	------	------	1 46
Salvation Army, Bell and Maywood	20 00	------	------	20 00
Salvation Army, Compton	------	------	25 00	25 00
Salvation Army, Hanford	------	------	15 00	15 00
Salvation Army, Montebello	------	------	20 00	20 00
Salvation Army, Ontario	20 00	------	------	20 00
Salvation Army, Porterville	------	------	15 00	15 00
Salvation Army, Redlands	------	------	25 00	25 00
Salvation Army, Santa Ana	50 00	------	------	50 00
Salvation Army, San Bernardino	75 00	------	------	75 00
Salvation Army, Santa Paula	------	------	10 00	10 00
Salvation Army, Tulare	------	------	15 00	15 00
Salvation Army, Whittier	------	------	15 00	15 00
Santa Barbara Float Committee, Santa Barbara	------	10 00	------	10 00
Sciots Ball, Long Beach	------	3 24	------	3 24
Sheriffs Relief Association, Los Angeles	------	------	25 00	25 00
Sisters of Nazareth, Ventura	------	------	2 00	2 00
Sisters of the Poor, Redlands	------	------	1 00	1 00
Sisters of the Poor, San Bernardino	------	------	1 00	1 00
South California Club, Los Angeles	------	------	12 00	12 00
Southeast Electrical Club, Vernon	------	2 70	------	2 70
South Western Military Academy, San Marino	------	50	------	50
Special Agent's Association, Los Angeles	------	------	2 50	2 50
Standard Oil Company Employees, Santa Monica	------	98	------	98
Standard Oil Company Employees, Whittier	------	1 28	------	1 28
Theatres Guild of Long Beach, Long Beach	------	10 00	------	10 00
33 Club, Long Beach	------	40 00	------	40 00
Transportation Club, Santa Monica	------	4 50	------	4 50
Tuberculosis Association, Hanford	------	------	10 00	10 00
Tuberculosis Association, Long Beach	------	------	25 00	25 00
Tulare County Farm Bureau, Visalia	------	7 50	------	7 50
20-30 Club, San Bernardino	------	9 00	------	9 00
Unemployment Relief Association, Unit 8, Long Beach	------	------	25 00	25 00
Unemployment Relief Association, Unit 8, North Hollywood	60	------	------	60
Unemployed, South Pasadena	------	------	16 70	16 70

SOUTHERN CALIFORNIA EDISON COMPANY, LTD.—CONTINUED.

II. Dues, donations, subscriptions and contributions—Continued.

Name of organization	*Account charged* Blank work order 19705	925	Operating expenses 945	*Total*
Unemployed, Sunland	------	------	$5 40	$5 40
Unemployed Association, Santa Ana	------	------	22 30	22 30
Unemployed Association, Westminster	------	------	8 06	8 06
Unemployed Voters Association, Bellflower	------	------	4 00	4 00
Unemployed Voters Association, Norwalk	------	------	6 92	6 92
Unemployment Association, Garden Grove	$4 20	------	2 38	6 58
Union High School, Delano	------	------	10 00	10 00
United Relief, Long Beach	------	------	2 40	2 40
Valencia Merchants Float, Fullerton	------	$2 00	------	2 00
Valencia Orange Festival, Fullerton	------	5 00	------	5 00
Vernon Industrial Development Association, Vernon	------	60 00	------	60 00
Veterans Aid, North Hollywood	1 62	------	9 47	11 09
Veterans of Foreign Wars, North Hollywood	------	------	2 21	2 21
Veterans of Foreign Wars, Ventura	------	8 23	------	8 23
Veterans Welfare, Orange County	25 00	------	------	25 00
Visalia Rodeo Association, Visalia	------	25 00	------	25 00
Volunteer Fire Department, Seal Beach	------	------	5 00	5 00
Welfare Association, Riverside	------	------	150 00	150 00
Welfare Association, Whittier	------	------	50 00	50 00
Welfare League, Chino	------	------	3 33	3 33
Women's Club, Downey	------	1 30	------	1 30
Women's Club, Los Angeles	------	------	5 00	5 00
Women's Club, Montebello	------	5 00	------	5 00
Women's Club, North Hollywood	------	1 40	------	1 40
Women's Club, Southgate	------	------	11 41	11 41
Xmas Tree Lighting, Pasadena	------	103 71	------	103 71
Y. M. C. A., Kings County	------	------	15 00	15 00
Y. M. C. A., Lindsay	------	------	15 00	15 00
Y. M. C. A., Monrovia	------	------	15 00	15 00
Y. M. C. A., Ontario	------	------	25 00	25 00
Y. M. C. A., Orange	10 00	------	10 00	20 00
Y. M. C. A., Pomona	20 00	------	------	20 00
Y. M. C. A., Porterville	------	------	15 00	15 00
Y. M. C. A., Redlands	------	------	35 00	35 00
Y. M. C. A., San Bernardino	25 00	------	50 00	75 00
Y. M. C. A., Santa Ana	40 00	------	------	40 00
Y. M. C. A., Tulare County	------	------	40 00	40 00
Y. M. C. A., Whittier	------	------	15 00	15 00
Y. W. C. A., Building Fund, Long Beach	------	------	250 00	250 00
Y. W. C. A., Orange	------	------	10 00	10 00
Y. W. C. A., Santa Ana	25 00	------	------	25 00
Yucaipa Apple Show, Yucaipa	------	10 00	------	10 00
Totals	$620 81	$9,398 80	$52,402 01	$62,421 62

SOUTHERN CALIFORNIA EDISON COMPANY, LTD.—CONTINUED.

Report on Payments to Attorneys and Legal Firms not Carried on Pay Rolls, etc.

III. Attorney fees.

Name	*Total Paid*	*Accounts Charged*	*Amount*
Biby, John E.	$808 14	946 Law Expenses—Gen.	$808 14
Conley, Conley & Conley	909 65	Chgd. to W. O. not yet distributed	1 75
		946 Law Expenses—Gen.	907 90
Farnsworth, Burke & Maddox	1,560 75	946 Law Expenses—Gen.	1,560 75
Gibson, Dunn & Crutcher	3,000 00	946 Law Expenses—Gen.	3,000 00
Heller, Ehrman, White & McAuliffe	4,136 94	945 Other Gen. Office Exp.	4,136 94
Mason, Bruce	1,200 00	946 Law Expenses—Gen.	1,200 00
Maxwell, Wm. H.	137 50	303 Misc. Intangible capital	137 50
McFadden, T. L.	600 00	946 Law Expenses—Gen.	600 00
Sheridan, Orr, Drapeau & Gardner	900 00	946 Law Expenses—Gen.	900 00
Treadwell, Edward F.	6,000 00	Chgd. to W. O not yet distributed	6,000 00
Treadwell, Laughlin & Treadwell	568 43	Chgd. to W. O. not yet distributed	568 43
Griffith & Thornburgh	150 83	946 Law Expenses—Gen.	150 83
Head, Wellington & Jacobs	225 00	Injuries & Damages Reserve	225 00
Johnson, Charles P.	50 00	Injuries & Damages Reserve	50 00
O'Melveny, Tuller & Myers	7 05	945 Other Gen Office Exp.	7 05
Waters, Byron	150 00	946 Law Expenses—Gen.	150 00
		Total	$20,404 29

Attorneys on Company's Pay Roll for Calendar Year 1934.

Reppy, R. V.	$25,101 30	946 Law Expenses—Gen.	$25,041 02
		Chg to W. O. not yet distributed	60 28
Woodard, B. F.	9,840 08	946 Law Expenses—Gen	9,328 00
		Chg. to W. O. not yet distributed	10 08
		Chg. to Edison Securities Company	2 00
Larkin, Gail C.	7,773 29	946 Law Expenses—Gen	$7,716 69
		Edison Securities Company	28 89
		346 Dist. Poles, Towers & Fixtures—San Bernardino	4 82
		347 Dist. O. H. Conductors San Bernardino	4 81
		Injuries and Damages Reserve	8 60
		Chg. to W. O. not yet distributed	9 50
		Total	$7,773 71
Cunningham, E. W.	7,283 60	946 Law Expenses—Gen.	7,199 80
		Edison Securities Company	10 00
		Injuries and Damages Reserve	49 55
		942-B Expenses G. O. Employees	24 25
Trowbridge, G. E.	7,685 17	946 Law Expenses—Gen.	3,602 93
		Chg. to W. O. not yet distributed	4,082 24
Selig, Gail B.	4,587 78	946 Law Expenses—Gen.	4,587 78
Koch, Victor E.	2,314 95	946 Law Expenses—Gen	2,299 45
		Edison Securities Company	15 50
Total			$64,586 19

NOTE: Total paid is salary plus expense account as set forth in Statement No. 1.

SOUTHERN CALIFORNIA GAS COMPANY.

I. Names of employees who during 1934 received a salary of $5,000 or more.

Name	*Title*	*Salary*	*Expense*	*Fees, directors, etc.*	*Total amount*
A. B. Macbeth,	President	$45,000 00	$490 41	$1,200 00	$46,690 41
T. J. Reynolds,	Vice President and General Counsel	18,180 00	193 85	1,325 00	19,698 85
F. J. Schafer,	Vice President in Charge Management and Distribution	17,100 00	32 95	345 00	17,477 95
William Noeller, Jr.,	Vice President in Charge Natural Gas Production and Transmission	17,100 00	369 62	320 00	17,789 62
C. L. Whitehill,	Secretary	5,940 00	------	------	5,940 00
L. D. Romig,	Treasurer	5,280 00	44 27	------	5,324 27
G. A. Detrick,	Auditor	5,760 00	------	------	5,760 00
F. M. Banks,	Vice President in Charge Sales	8,640 00	546 57	275 00	9,461 57
R. R. Blackburn,	Supervisor Personnel, Claims and Safety	5,184 00	624 02	------	5,808 02
A. L. Cleveland,	Tax, Land and Railway Agent	5,400 00	33 50	------	5,433 50
F. C. Ingram,	Manager Customs Department	7,128 00	116 08	------	7,244 08
E. H. Wetlaufer,	Rate and Appraisal Engineer	6,756 00	35 59	------	6,791 59
H. P. George,	General Superintendent Natural Gas Products and Transmission	5,940 00	83 71	------	6,023 71
Lee Holtz,	General Superintendent of Manufacture and Distribution	8,640 00	325 25	------	8,965 25
H. C. McAllister,	Division Manager	6,324 00	97 21	------	6,421 21
S. C. Singer,	Division Manager	5,676 00	59 20	------	5,735 20
C. M. Grow,	Manager New Business Department	6,048 00	143 81	------	6,191 81
E. Henderson,	Assistant General Superintendent Natural Gas Products and Transmission	6,756 00	------	------	6,756 00
Totals		$186,852 00	$3,196 04	$3,465 00	$193,513 04

SOUTHERN CALIFORNIA GAS COMPANY—CONTINUED.

II. Dues, donations, subscriptions and contributions.

Account 845.2.

	Amount
American Ceramic Society	$60 00
American Gas Association	6,108 41
American Petroleum Institute	20 00
American Society of Bakery Engineers	16 00
American Society Heating and Ventilating Engineers	18 00
American Society for Metals	10 00
American Welding Society	10 00
Advertising Club, Los Angeles	24 00
Better America Federation of California	600 00
Better Business Bureau, Los Angeles	200 00
Building Owners and Managers Association, Los Angeles	150 00
Central Business District Association	250 00
Chamber of Commerce, Los Angeles	500 00
Chamber of Commerce, West Los Angeles	100 00
Chamber of Commerce, Ventura	12 00
Chamber of Commerce, Beverly Hills	175 00
Chamber of Commerce, Delano	12 00
Chamber of Commerce, Glendale	150 00
Chamber of Commerce, Maywood	12 00
Chamber of Commerce, Tujunga	5 00
Chamber of Commerce, San Fernando	24 00
Chamber of Commerce, Uptown, Los Angeles	30 00
Chamber of Commerce, Junior, Los Angeles	79 00
Chamber of Commerce, Artesia	12 00
Chamber of Commerce, Bellflower	20 00
Chamber of Commerce, Clearwater	6 00
Chamber of Commerce, Compton	100 00
Chamber of Commerce, Burbank	20 00
Chamber of Commerce, Downey	12 00
Chamber of Commerce, Gardena	10 00
Chamber of Commerce, Hermosa Beach	30 00
Chamber of Commerce, Lancaster	11 00
Chamber of Commerce, Montrose	5 00
Chamber of Commerce, North Hollywood	24 00
Chamber of Commerce, Norwalk	12 00
Chamber of Commerce, Redondo Beach	40 00
Chamber of Commerce, Torrance	5 00
Chamber of Commerce, Colton	50 00
Chamber of Commerce, Corona	35 00
Chamber of Commerce, Lake Elsinore	2 00
Chamber of Commerce, Redlands	100 00
Chamber of Commerce, Rialto	10 00
Chamber of Commerce, Riverside	150 00
Chamber of Commerce, San Bernardino	185 00
Chamber of Commerce, San Jacinto Valley	15 00
Chamber of Commerce, Dinuba	12 00
Chamber of Commerce, Exeter	12 00
Chamber of Commerce, Kingsburg	12 00
Chamber of Commerce, Lindsay	24 00
Chamber of Commerce, Porterville	24 00
Chamber of Commerce, Reedley	12 00
Chamber of Commerce, Tulare	24 00
Chamber of Commerce, Visalia	36 00
Chamber of Commerce, Palm Springs	25 00
Chamber of Commerce, Beaumont	15 00
Chamber of Commerce, Banning	25 00
Chamber of Commerce, Hemet Valley	20 00
Chamber of Commerce, Fontana	5 00
Chamber of Commerce, Van Nuys	6 00
Commercial Board, Los Angeles	30 00
California Natural Gas Association	75 00
Central Manufacturing District Club	22 00
Chefs de Cuisine Association of California	10 00
California Taxpayers Association	1,490 83
California Intelligence Service Bureau	100 00
California State Federation of Labor	100 00
California Safety Society	1 00
California State Chamber of Commerce	500 00
City Hall Celebration, Elsinore	10 00
California Oil and Gas Association	250 00
California Home Economics Association	3 00

SOUTHERN CALIFORNIA GAS COMPANY—CONTINUED.

II. Dues, donations, subscriptions and contributions—Continued.

	Amount
Downtown Association of Los Angeles	$70 00
Downtown Business Men's Association, Los Angeles	50 00
Exchange Club, Wasco	8 00
Furnace Dealer's Association	1 00
Furnace Dealer's Association of Southern California	5 00
Furnace Dealers Association of Los Angeles	1 00
Joint Fund, Los Angeles Chamber of Commerce	2,000 00
Kiwanis Club, Glendale	25 00
Kiwanis Club, Van Nuys	18 20
Kiwanis Club, Lancaster	10 00
Kiwanis Club, Visalia	21 00
Kiwanis Club, Los Angeles	50 00
Kiwanis Club, Banning	15 00
Kiwanis Club, South Gate	12 50
Kiwanis Club, Hanford	9 00
Lions Club, Visalia	51 00
Lions Club, Porterville	54 96
Lions Club, Los Angeles	42 50
Lions Club, San Bernardino	24 00
Lions Club, Glendale	21 00
Lions International Club	24 00
Los Angeles Advertising Association	9 00
Los Angeles Realty Board	380 00
Los Angeles County Farm Bureau	10 00
Merchants and Manufacturing Association, Los Angeles	1,500 00
National Orange Show, San Bernardino	75 00
National Tax Association	5 00
National Safety Council	100 00
National Association of Power Engineers	18 00
Pacific Coast Building Officials	25 00
Plumbing Inspectors Association of California	25 00
Pacific Coast Gas Association	3,439 50
Pacific Coast Building Conference	25 00
Purchasing Agents Association, Los Angeles	35 00
Rotary Club, Compton	25 00
Rotary Club, Redondo Beach	20 00
Rotary Club, Burbank	20 00
Rotary Club, Taft	20 00
Rotary Club, Redlands	18 00
Rotary Club, Visalia	24 00
Rotary Club, San Bernardino	36 00
Rotary Club, Riverside	30 00
Rotary Club, Beverly Hills	26 50
Rail and Water Club	13 00
Riverside Business Mens Association	48 00
Rodeo Parade Committee, Visalia	10 00
Riverside County Farm Bureau	4 50
Southern California Restaurant Association	20 00
Southern California Meter Association	5 00
United States Chamber of Commerce	500 00
Wasco Volunteer Fire Department	10 00
Total	$21,252 90

SOUTHERN CALIFORNIA GAS COMPANY—CONTINUED.

Donations, Subscriptions and Contributions. (Account 508)—	*Amount*
American Red Cross, San Bernardino	$25 00
Boy Scouts, Burbank	15 00
Boy Scouts, Colton	10 00
Boy Scouts, Dinuba	15 00
Boy Scouts, Exeter	10 00
Boy Scouts, Hanford	15 00
Boy Scouts, La Crescenta	10 00
Boy Scouts, Lindsay	15 00
Boy Scouts, Porterville	15 00
Boy Scouts, Reedley	10 00
Boy Scouts, San Bernardino	20 00
Boy Scouts, Tulare	15 00
Boy Scouts, Visalia	15 00
Better Housing Program, Compton	10 00
Catholic Welfare Association, San Bernardino	15 00
Christmas Basket Fund, Los Angeles	58 00
Comite de Beneficencia Mexicana, Los Angeles	15 00
Community Chest, Corona	50 00
Community Chest, El Segundo	25 00
Community Chest, Glendale	105 00
Community Chest, La Canada	25 00
Community Chest, Los Angeles	10,000 00
Community Chest, Ventura	50 00
Community Hospital, Riverside	120 00
National Security Owners Association, Los Angeles	1,000 00
Police Rifle Range, Taft	16 68
Salvation Army, Redlands	15 00
Salvation Army, San Bernardino	25 00
Salvation Army, Taft	100 00
Unemployment Relief—Gas Bills	3,375 83
Welfare Association, Riverside	150 00
Y. M. C. A., Kings County	15 00
Y. M. C. A., Redlands	25 00
Y. M. C. A., San Bernardino	35 00
Y. M. C. A, Tulare County	20 00
Y. W. C. A., Redlands	10 00
Y. W. C. A., San Bernardino	20 00
Total	$15,470 51

III. Attorney Fees.

	Charged	*Amount*
O'Melveny, Tuller & Myers	Account 846 2	$3,000 00
McFadzean & Crowe	Account 846 2	400 00
Lyon & Lyon	Account 846.2	592 27
Raymond E. Hodge	Account 242	200 00
Total		$4,192 27

SOUTHERN CALIFORNIA TELEPHONE COMPANY.

Statement Showing Salary, Expense Account and Director's Fees of All Officers or Employees who Received a Salary of $5,000 or More per Annum During Year 1934.

Name of officers or employees	Title	Duties	Salary	Expense account	Directors' fees
Pillsbury, H. D.	President	Title is descriptive	(a)		$10 00
Powley, N. R.	Vice president	Title is descriptive	(a)		80 00
Rush, F. N.	Vice president and general manager in charge of operations	Title is descriptive	$18,335 70	$315 40	110 00
Hadden, R. J.	Assistant to the general manager	Title is descriptive	6,270 70	212 00	
Reagan, F. J.	Vice president	Title is descriptive	(a)		
Fleager, C. E.	Vice president	Title is descriptive	(a)		
Cassasa, C. S.	Vice president and general auditor	Title is descriptive	(a)		
Klenschmidt, W. G.	Secretary and treasurer	Title is descriptive	(a)		
Knapp, J. R.	Assistant secretary and assistant treasurer	Title is descriptive	6,601 00	106 00	
McCallen, S. W	Assistant secretary and assistant treasurer	Title is descriptive	5,133 50		
Anderson, G. W.	Assistant secretary	Title is descriptive	(a)		
Deck, F. L.	Auditor	Title is descriptive	6,601 15	74 20	
Temple, C. H.	Special representative	Special duties	15,000 00		
Stephens, P	Medical director	Title is descriptive	7,200 00		
Gaines, T. R.	Educational supervisor	Title is descriptive	6,601 00	188 55	
O'Brien, M. H	Secretary, Employees' Benefit Committee	Title is descriptive	5,500 85		
Marwick, R. H	General plant manager	Title is descriptive	12,101 75	191 20	
Herrmann, F R.	Division plant manager	Title is descriptive	7,701 65	57 05	
Sweningsen, O	Superintendent of buildings, supplies and motor vehicles	Title is descriptive	7,151 25	11 85	
Ryan, R. L.	Superintendent of construction and plant engineering	Title is descriptive	6,601 00	21 15	
Jordan, W. J.	Division construction superintendent	Title is descriptive	6,051 10	28 46	
Ilse, J. H	General plant supervisor	Title is descriptive	6,051 10	19 89	
Bevan, A E	Division plant manager	Title is descriptive	6,051 10	102 61	
Kastner, C. C	Plant staff assistant	Title is descriptive	5,631 75		
Deutsch, P.	District plant superintendent	Title is descriptive	5,500 85		
Bockoven, L. M.	Plant operating assistant	Title is descriptive	5,500 85		
Fellows, W. F.	District plant superintendent	Title is descriptive	5,500 85		
Spencer, F. B.	Maintenance supervisor	Title is descriptive	5,491 60	12 30	
Board, A. R.	Chief technical man	Title is descriptive	5,225 80		
Hitchcock, H. W.	Chief engineer	Title is descriptive	12,101 75	82 95	
Russell, V. W.	Equipment and building engineer	Title is descriptive	7,701 65	25 00	
Scoville, G L.	Inventory and costs engineer	Title is descriptive	6,040 90		
Smith, D. F.	Plant extension engineer	Title is descriptive	6,030 70		
Lamb, W. E.	Central office equipment engineer	Title is descriptive	6,030 70	1 90	
Nott, G. E.	Transmission and protection engineer	Title is descriptive	6,020 50	4 70	
Wheelock, F. O.	Equipment maintenance engineer	Title is descriptive	5,473 05	4 05	
Morrison, G. R.	Building engineer	Title is descriptive	5,420 75	14 22	
Littig, A L.	General traffic manager	Title is descriptive	12,101 75	166 32	
Manning, E E.	General traffic supervisor	Title is descriptive	8,251 00	99 35	
Kistler, L A.	Division traffic manager, January 1 to October 2, 1934 General traffic engineer, October 3 to December 31, 1934	Title is descriptive	7,701 65	50 35	

Whittemore, J. T.	Division traffic manager	Title is descriptive	6,601 00	39 80	
Nash, H. R	General traffic employment supervisor	Title is descriptive	6,051 10	1 40	
Rutherfurd, G. R	District commercial manager, January 1 to October 31, 1934	Title is descriptive	6,051 10	117 56	
	Division traffic manager, November 1 to December 31, 1934				
Leigh, C. C.	Division traffic supervisor	Title is descriptive	5,225 80	8 20	
Allen, H. B.	Traffic inspection supervisor	Title is descriptive	5,170 95	52 50	
Jess, G. H.	General commercial manager	Title is descriptive	9,351 40	435 00	
McCully, G. R.	Directory Manager, January 1 to March 20, 1934		8,251 00	66 10	
	Staff Assistant, March 21 to December 31, 1934				
Miller, L C.	Division commercial manager	Title is descriptive	7,426 15	58 55	
Mitchell, J H.	General commercial supervisor	Title is descriptive	7,151 25	617 57	
Wright, B G.	Manager	Title is descriptive	6,875 95	219 05	
Pattison, P N.	General commercial agent	Title is descriptive	6,051 10	216 38	
Bailey, W. W.	Division commercial supervisor	Title is descriptive	5,775 75	22 05	
Harris, T. J.	General commercial engineer	Title is descriptive	5,500 85	204 78	
Gibbs, D. W.	Sales supervisor	Title is descriptive	5,225 80		
Zacher, E. F.	District commercial manager	Title is descriptive	5,225 80		
Weldon, C. H.	Assistant auditor	In charge of revenue accounting	8,251 00	12 05	
Totals			$318,864 95	$3,860 49	$200 00

(a) See The Pacific Telephone and Telegraph Co.
No contingent fees.

SOUTHERN CALIFORNIA TELEPHONE COMPANY—CONTINUED.

II. Dues, donations, subscriptions and contributions.

Location	*Organization*	*Classification*	*Amount*
Alhambra,	Community Chest	413	$75 00
Arcadia,	Community Chest	413	10 00
Calexico,	Community Chest	413	15 00
Corona,	Community Chest	413	30 00
El Segundo,	Community Chest	413	25 00
Glendale,	Community Chest	413	100 00
Los Angeles,	Community Chest	413	13,000 00
Orange,	Community Chest	413	45 00
Pasadena,	Community Chest	413	300 00
Pasadena,	Community Chest (La Canada Valley)	413	25 00
San Diego,	Community Chest	413	500 00
Santa Ana,	Community Chest	413	250 00
Ventura,	Community Chest	413	50 00
Alhambra,	Chamber of Commerce	645	10 00
Alhambra,	Chamber of Commerce (Monterey Park)	645	6 00
Alhambra,	Chamber of Commerce (Rosemead)	645	4 00
Alhambra,	Chamber of Commerce (San Gabriel)	645	6 00
Alhambra,	Chamber of Commerce (Temple City)	645	5 00
Anaheim,	Chamber of Commerce	645	25 00
Arcadia,	Chamber of Commerce	645	6 00
Beverly Hills,	Chamber of Commerce	645	12 50
Brawley,	Chamber of Commerce	645	10 00
Burbank,	Chamber of Commerce	645	40 00
Calipatria,	Chamber of Commerce	645	12 00
Canoga Park,	Chamber of Commerce	645	12 00
Chula Vista,	Chamber of Commerce	645	50 00
Colton,	Chamber of Commerce	645	12 00
Compton,	Chamber of Commerce	645	25 00
Compton,	Chamber of Commerce (Clearwater-Hynes)	645	3 00
Corona,	Chamber of Commerce	645	50 00
Crescenta,	Chamber of Commerce (Montrose)	645	5 00
Culver City,	Chamber of Commerce	645	25 00
Culver City,	Chamber of Commerce (Merch. Jubilee Fnd.)	675	25 00
Culver City,	Chamber of Commerce (Palms)	645	12 00
Del Mar,	Chamber of Commerce (San Dieguito District)	645	8 00
Eagle Rock,	Chamber of Commerce	645	16 00
El Centro,	Chamber of Commerce	645	18 00
El Centro,	Chamber of Commerce (Junior)	645	5 00
El Monte	Chamber of Commerce	645	6 00
El Segundo,	Chamber of Commerce	645	5 00
Escondido,	Chamber of Commerce	645	10 00
Fall Brook,	Chamber of Commerce	645	10 00
Fillmore,	Chamber of Commerce	645	10 00
Fullerton,	Chamber of Commerce	645	20 00
Garden Grove,	Chamber of Commerce	645	10 00
Glendale,	Chamber of Commerce	645	64 58
Glendale,	Chamber of Commerce	675	75 00
Glendale,	Chamber of Commerce (Junior)	645	2 50
Hawthorne,	Chamber of Commerce	645	25 00
Holtville,	Chamber of Commerce	645	10 00
Inglewood,	Chamber of Commerce	645	20 00
Julian,	Chamber of Commerce	645	2 00
La Jolla,	Chamber of Commerce	645	5 00
La Mesa,	Chamber of Commerce	645	6 00
Los Angeles,	Chamber of Commerce (Bell)	645	12 00
Los Angeles,	Chamber of Commerce (Beverly Hills)	645	25 00
Los Angeles,	Chamber of Commerce	132	25 00
Los Angeles,	Chamber of Commerce	621	75 00
Los Angeles,	Chamber of Commerce	626	6 33
Los Angeles,	Chamber of Commerce	626	18 67
Los Angeles,	Chamber of Commerce	640	150 00
Los Angeles,	Chamber of Commerce	640	25 00
Los Angeles,	Chamber of Commerce	661	125 00
Los Angeles,	Chamber of Commerce	662	50 00
Los Angeles,	Chamber of Commerce	665	25 00
Los Angeles,	Chamber of Commerce	705	50 00
Los Angeles,	Chamber of Commerce	706	75 00
Los Angeles,	Chamber of Commerce (All Year Club)	675	2,000 00

SOUTHERN CALIFORNIA TELEPHONE COMPANY—CONTINUED.

II. Dues, donations, subscriptions and contributions—Continued.

Location	*Organization*	*Classification*	*Amount*
Los Angeles,	Chamber of Commerce (Graham)	645	$6 00
Los Angeles,	Chamber of Commerce (Hollywood)	675	240 00
Los Angeles,	Chamber of Commerce (Junior)	132	12 00
Los Angeles,	Chamber of Commerce (Junior)	642	12 00
Los Angeles,	Chamber of Commerce (Southeast)	645	60 00
Los Angeles,	Chamber of Commerce (Southside)	645	25 00
Los Angeles,	Chamber of Commerce (Uptown)	645	30 00
Los Angeles,	Chamber of Commerce (Watts)	645	25 00
Los Angeles,	Chamber of Commerce (West Hollywood)	645	50 00
Montebello,	Chamber of Commerce	645	24 00
National City,	Chamber of Commerce	645	15 00
Newport Beach,	Chamber of Commerce (Newport Harbor)	645	25 00
Newport Beach,	Chamber of Commerce (Newport Harbor)	675	25 00
North Hollywood,	Chamber of Commerce	675	25 00
North Hollywood,	Chamber of Commerce	645	12 00
Oceanside,	Chamber of Commerce	645	10 00
Ojai,	Chamber of Commerce (Ojai Valley)	645	10 00
Orange,	Chamber of Commerce (Community)	645	60 00
Pasadena,	Chamber of Commerce and Civic Association	645	50 00
Placentia,	Chamber of Commerce	645	12 00
Placentia,	Chamber of Commerce (Yorba Linda)	645	10 00
Riverside,	Chamber of Commerce	645	100 00
San Diego,	Chamber of Commerce	621	25 00
San Diego,	Chamber of Commerce	645	150 00
San Diego,	Chamber of Commerce	706	25 00
San Pedro,	Chamber of Commerce	645	25 00
Santa Ana,	Chamber of Commerce	675	100 00
Santa Ana,	Chamber of Commerce	645	12 00
Torrance,	Chamber of Commerce	645	1 00
Van Nuys,	Chamber of Commerce	645	24 00
Ventura,	Chamber of Commerce	645	62 00
Ventura,	Chamber of Commerce (Ventura County)	645	2 00
Wilmington,	Chamber of Commerce	645	20 00
Alhambra,	Business Men's Association	645	27 00
Alhambra,	Kiwanis Club	645	8 50
Anaheim,	American Red Cross	413	10 00
Anaheim,	Boy Scouts	413	5 00
Anaheim,	Lions Club	645	$58 00
Anaheim,	Northern Orange County Credit Bureau	645	36 00
Anaheim,	Salvation Army	413	10 00
Anaheim,	Y. M. C. A.	413	5 00
Avalon,	Catalina Island Business Men's Assn	645	2 50
Beverly Hills,	Kiwanis Club	645	16 20
Burbank,	American Red Cross	413	15 00
Burbank,	Boy Scouts	413	10 00
Burbank,	Merchants Assn.	645	30 00
Burbank,	Rotary Club	645	20 00
Compton,	Rotary Club	645	10 00
Compton,	Salvation Army	413	25 00
Compton,	The Credit Bureau, Ltd.	645	60 00
El Centro,	Boy Scouts	413	10 00
El Centro,	Imperial County Farm Bureau	645	6 00
El Centro,	Imperial Valley Credit Assn	645	15 00
El Centro,	Kiwanis Club	645	13 50
El Centro,	Volunteer Fire Dept	612	15 00
El Monte,	Business & Professional Women's Club	645	2 50
Escondido,	Kiwanis Club	645	12 00
Fullerton,	Community Welfare Council	413	45 00
Fullerton,	Kiwanis Club	645	49 50
Fullerton,	Northern Orange County Credit Bureau	645	36 00
Glendale,	Kiwanis Club	645	12 50
Glendale,	Merchants Association	645	42 00
Glendale,	Rotary Club	640	25 00
Hollywood,	Kiwanis Club	645	60 64
Hollywood,	Lions Club	645	60 00
Hollywood,	Optimist Club	645	70 50
Huntington Park,	Rotary Club	645	25 00
Inglewood,	Retail Merchants Credit Assn.	645	60 00
Inglewood,	Rotary Club	645	30 00
La Jolla,	Kiwanis Club	645	24 00

SOUTHERN CALIFORNIA TELEPHONE COMPANY—CONTINUED.

II. Dues, donations, subscriptions and contributions—Continued.

Location	*Organization*	*Classification*	*Amount*
Los Angeles,	Advertising Club	640	$24 00
Los Angeles,	Advertising Club	642	18 00
Los Angeles,	Advertising Club	132	48 00
Los Angeles,	Better Business Bureau	640	200 00
Los Angeles,	Building Owners & Mgrs. Assn	707	160 00
Los Angeles,	California Breakfast Club	645	56 00
Los Angeles,	Chief Special Agents Assn.	706	10 50
Los Angeles,	Commercial Board of Los Angeles	640	30 00
Los Angeles,	County Farm Bureau	645	10 00
Los Angeles,	Credit Men's Assn.	645	25 00
Los Angeles,	Downtown Business Men's Assn	640	130 00
Los Angeles,	International Assn. for Identification	706	2 00
Los Angeles,	Jonathan Club	323	220 00
Los Angeles,	Kiwanis Club	640	37 50
Los Angeles,	Lions Club	640	42 00
Los Angeles,	Los Angeles Traffic Assn.	675	210 00
Los Angeles,	Merchants & Manufacturers Assn.	675	2,025 00
Los Angeles,	Merchants & Manufacturers Assn.	640	75 00
Los Angeles,	Mid-Town Development Assn	645	50 00
Los Angeles,	Northeast Optimist Club	645	20 00
Los Angeles,	Optimist Club	645	18 00
Los Angeles,	Optimist Club	640	9 00
Los Angeles,	Peace Officers Assn. of California (Los Angeles)	706	2 50
Los Angeles,	Peace Officers Assn. of California (State)	706	2 50
Los Angeles,	Purchasing Agents Assn.	704	35 00
Los Angeles,	Retail Merchants Credit Assn	645	15 00
Los Angeles,	Rotary Club	661	48 00
Los Angeles,	Society of Auto-Motive Engineers	702	20 00
Los Angeles,	The Electric Club	640	24 00
Los Angeles,	The Electric Club	661	6 00
Los Angeles,	The Electric Club	661	6 00
Los Angeles,	Vermont, Manchester Business Assn.	645	4 50
Los Angeles,	Wholesalers Board of Trade	645	90 00
Los Angeles,	Writers Club	642	6 00
Montebello,	Rotary Club	645	13 00
North Hollywood,	Rotary Club	645	30 50
Pasadena,	Athletic Club	323	48 40
Pasadena,	Kiwanis Club	645	61 50
Pasadena,	Merchants Assn.	645	24 00
Pasadena,	Optimist Club	645	60 00
Pasadena,	Tournament of Roses Assn.	645	10 00
Riverside,	Business Men's Assn.	645	36 00
Riverside,	Rotary Club	645	30 00
Riverside,	Welfare Assn.	413	70 00
San Diego,	Cuyamaca Club	323	79 20
San Diego,	Electric Club	640	5 00
San Diego,	Hillcrest Business Assn.	645	1 50
San Diego,	Merchants Central Credit Assn., Ltd	645	60 00
San Diego,	Rotary Club	640	24 00
San Pedro,	Lions Club	645	20 00
San Pedro,	Merchants Assn.	645	30 00
Santa Ana,	Business Men's Assn	645	60 00
Santa Ana,	Business & Professional Women's Club	645	7 00
Santa Ana,	Lions Club	645	15 00
Santa Ana,	Orange County Farm Bureau	645	10 00
Santa Ana,	Rotary Club	645	20 00
South Pasadena,	Kiwanis Club	645	2 00
Van Nuys,	Kiwanis Club	645	48 00
Ventura,	Merchants Credit Assn.	645	60 00
Ventura,	Ventura County Farm Bureau	645	5 00
Wilmington,	Rotary Club	645	22 91
	Total		$24,549 93

III. Attorney fees

	Classification	*Amount*
Los Angeles, Lawler and Degnan	664	$20,282 25
San Diego, Wright, Monroe, Thomas & Glenn	664	1,237 50
Total		**$21,519 75**

SOUTHERN COUNTIES GAS COMPANY OF CALIFORNIA.

I. Names of employees who during 1934 received a salary of $5,000 or more.

	Salary	Expense account	Fees
Franklin S. Wade, Pres. & Gen. Manager	$26,730 77	$1,950 39	$1,260 00
Arthur F. Bridge, Vice-President	13,240 38	213 61	1,300 00
Moreton R. Thompson, Vice-President	9,003 46	191 05	300 00
Norman R. McKee, Vice-President	8,120 77	357 42	125 00
William J. McCoy, Comptroller	5,443 27	66 85	
Edward C. Cox, Secretary	5,167 56	45 99	300 00
Fred Champion, Treasurer and Ass't Sec'y	5,323 62	111 86	
Fred G. Merker, Dist. Manager, Santa Ana	5,296 15	245 96	
Walter G. Rich, Dist. Manager, Whittier	5,825 76	21 70	
Walter E. Keefe, Dist. Manager, Pomona	6,096 46	189 63	
Oliver R. C. Grow, Dist. Manager, San Pedro	5,566 86	279 05	
Joseph C. Gilbert, Dist. Mgr., Santa Monica	6,096 48	313 85	
George W. Smith, Dist. Mgr., Santa Barbara	5,037 24	337 48	
LeRoy M. Edwards, General Counsel	8,100 00		1,145 00
Totals	$115,048 78	$4,324 84	$4,430 00

II. Dues, donations, subscriptions and contributions.

	Amount
Community Chests—	
Los Angeles	$2,000 00
Santa Monica	400 00
Santa Ana	250 00
Pomona	200 00
Santa Barbara	150 00
Ventura	75 00
San Pedro	50 00
Covina	50 00
San Dimas	25 00
La Verne	25 00
Salvation Army—	
Fullerton	25 00
Monrovia	5 00
Orange	10 00
Huntington Beach	10 00
Anaheim	25 00
Oxnard	10 00
Ontario	25 00
Claremont	5 00
American Red Cross—	
Whittier	25 00
Montebello	5 00
La Habra	5 00
Monrovia	25 00
Ontario	25 00
Ocean Park	25 00
Boy Scouts of America—	
Ventura	25 00
Oxnard	10 00
Monrovia	20 00
Culver City	25 00
Laguna Beach (Building Fund)	10 00
El Monte	5 00
Fullerton	15 00
Huntington Beach	20 00
Y. M. C. A.—	
Whittier	100 00
Ontario	25 00
Monrovia	5 00
Santa Anita	20 00
Northern Orange County	25 00
Anaheim	25 00
Orange	25 00
Pomona	20 00
Tri County (Ventura)	15 00
Y. W. C. A.—	
North Orange	10 00
San Pedro	12 50

SOUTHERN COUNTIES GAS COMPANY OF CALIFORNIA—CONTINUED.

II. Dues, donations, subscriptions and contributions—Continued.

	Amount
National Security Owners Association	$600 00
Congregational Church, Venice	19 75
Methodist Church, Covina	10 00
P.-T. A., Arcadia Council, Monrovia	6 00
Upland Relief Association	25 00
Arcadia Community Fund	25 00
Orange County Tuberculosis and Health Association	5 00
Duarte Christmas Committee	10 00
Ventura County Tuberculosis Association	4 62
Ruth Home, El Monte	10 00
Monrovia Christmas Tree Association	25 00
Arcadia Firemen's Association	10 00
Elks' Lodge No. 906, Santa Monica	3 00
Grand View Methodist Church, San Pedro	10 00
First M. E Colored Church, Santa Monica	5 00
Summer Playground Association, Monrovia	10 00
Sisters of Nazareth, Pomona	15 00
Legion Drum Corps, Santa Ana	5 00
Cottage Hospital, Santa Barbara	5 00
Missionary Rest Home, Santa Monica	10 00
Community Church, Saticoy	10 00
Community Welfare, Orange	10 00
Aunt Kate Wright Charity Fund, Monrovia	5 00
American Legion, Ventura	10 00
Total amount charged to Account 508-E	$4,710 87

Chambers of Commerce—

Anaheim	$100 00
Arcadia	20 00
Azusa	12 00
Baldwin Park	12 00
California State, Los Angeles	150 00
Claremont	9 00
Covina	20 00
Crenshaw Boulevard and West Vernon	3 00
Culver City	90 00
El Monte	36 00
Fillmore	25 00
Fullerton	40 00
Garden Grove	10 00
Glendora	24 00
Huntington Beach	60 00
Joint Fund, Los Angeles and All Year Club	500 00
Laguna Beach	24 00
La Puente Valley	7 00
Los Angeles	355 00
Mar Vista	15 00
Monrovia	90 00
Newport Harbor	35 00
Ojai Valley	5 00
Ontario	75 00
Orange	100 00
Oxnard	75 00
Placentia	24 00
Pomona	145 00
Rosemead	10 00
San Clemente	25 00
San Pedro	155 00
Santa Ana	229 00
Santa Barbara	210 00
Santa Monica	6 00
Santa Monica-Ocean Park	125 00
Santa Paula	100 00
Sierra Madre	30 00
Temple City	10 00
United States	150 00
Upland	18 00
Ventura	125 00
Whittier	131 00
Wilmington	5 00
Yorba Linda	15 00

SOUTHERN COUNTIES GAS COMPANY OF CALIFORNIA—CONTINUED.

II. Dues, donations, subscriptions and contributions—Continued.

	Amount
California Oil and Gas Association	$112 00
Merchants and Manufacturers Association of Los Angeles	36 00
Better American Federation of California	100 00
American Gas Association	1,560 54
Pacific Coast Gas Association	1,520 50
California Taxpayers' Association	1,043 68
California Country Club—Land Fund	13 20
Plumbing Inspectors' Association of California	25 00
Orange County Coast Association	25 00
Ventura County Farm Bureau	5 00
Santa Monica Bay District Board of Trade	12 00
San Bernardino County Farm Bureau	5 00
Santa Ana Merchants' Association	25 00
Santa Barbara County Farm Bureau	25 00
Harbor District—Hotel and Apartment House Owners' Association	4 00
Ventura Nite Ball Association	10 00
Ocean Park Business Men's Association	16 00
Santa Barbarians, Inc.	25 00
Monrovia Day Breakfast Committee	10 00
Santa Ana Renovize Campaign	5 00
Pacific Coast Building Officials' Conference	25 00
Conservation Association of Los Angeles	50 00
Los Angeles Realty Board Property Owners' Division	300 00
Business League of Pomona	15 00
"Old Spanish Days" Fiesta Committee	25 00
Santa Paula Boosters' Association	10 00
Los Angeles County Farm Bureau	10 00
Orange County Farm Bureau	10 00
Christmas Tree Committee—Pomona	15 00
Arcadia Service Association	10 00
Merchants and Trade Committee—Pomona	10 00
Total amount charged to Account 845	$8,462 92
American Red Cross	$1 00
Associated Unemployed—Santa Ana	9 99
Baptist Church—Azusa	5 00
Cooperative Distributing Committee of Orange County	1 29
Cooperative Relief—Sierra Madre	5 00
Cooperative Welfare Association—Garden Grove	9 57
Cooperative Workers' Relief Association of Orange	2 53
Cooperative Workers' Relief Exchange No. 10—Orange	12 78
Cooperative Working Relief Association—Newport Beach	9 21
El Bethel Home—Pomona	2 93
Salvation Army	85 00
U. C. R. A.—Monrovia	15 00
U. C. R. A. No. 59—Monrovia	25 00
U. C. R. A No. 35—Monrovia	30 00
U. C. R. A. No. 32—Monrovia	5 00
U. C. R. A. No. 51—Monrovia	6 00
Unemployed Association of Garden Grove	22 03
Unemployed Association of Santa Ana, Inc.	59 10
Unemployed of Anaheim	15 06
Unemployed Corporation—Buena Park	7 04
Unemployed Cooperative Relief No. 1—Ventura	47 60
Unemployed Workers' Association—Brea	33 40
Unemployed Workers' Association—Fullerton	24 12
United Cooperative Exchange of Orange County	9 48
United Cooperative Exchange of Santa Ana No. 1	6 68
Whittier Welfare Association	16 84
Workers' Cooperative of California, Inc—Anaheim	3 32
Workmen's Cooperative Association—Buena Park	2 19
Total amount charged to Account 854-D	$472 16
Grand total	$13,645 95

SOUTHERN COUNTIES GAS COMPANY OF CALIFORNIA—CONTINUED.

Amount Paid for Membership Dues of Employees in Clubs and Organizations.

	Amount
Rotary Club—	
Arcadia	$16 00
Los Angeles	148 00
Monrovia	28 75
Ontario	10 75
Pomona	20 00
San Pedro	28 00
Santa Ana	55 00
Santa Barbara	15 00
Santa Monica	10 50
Ventura	10 00
Lions Club—	
El Monte	12 70
Santa Ana	15 00
Santa Monica	70 20
Santa Paula	56 00
Ventura	43 00
Whittier	25 50
Kiwanis Club—	
Monrovia	64 45
Pomona	20 00
San Pedro	16 00
Santa Ana	53 00
Santa Barbara	15 00
Sierra Madre	48 00
Ventura	44 77
Business and Professional Women's Club, San Pedro	6 50
Business and Professional Women's Club, Santa Ana	9 00
Zonta Club, Santa Barbara	12 00
Zonta Club, Santa Monica	24 00
Los Angeles Athletic Club	57 20
Purchasing Agents Association, Los Angeles	27 50
Home Economics Association of Southern California	6 00
Exchange Club, Santa Barbara	72 20
20–30 Club, Ventura	36 00
Santa Monica Bay Optimist Club	22 00
Total	$1,098 02

III. Attorney fees.

	Amount	Account charged
Oscar C. Sattinger	$1,817 50	846
Oscar C. Sattinger	7 00	242
Oscar C. Sattinger	6 00	823
L. A. West	1,200 00	846
Thos. L. McFadden	300 00	846
Albert Launer	300 00	846
Griffith and Thornburgh	228 55	846
John A. Galvin	300 00	846
James C. Hollingsworth	300 00	846
West and McKinney	108 50	846
Maude E. David	69 25	846
Frank F. Flournoy	6 00	846
Industrial Fuel Supply Company	27 74	846
Union Title Insurance Company	25 00	846
Dun & Bradstreet, Inc.	3 00	846
Total	$4,698 54	

SOUTHERN COUNTIES GAS COMPANY OF CALIFORNIA—CONTINUED.

Legal Expense—	*Amount*
Charged to Law Expenses	$4,685 54
Charged to Casualty and Insurance Reserve	7 00
Charged to Meter Reading and Collecting	6 00
	$4,698 54

(Names of recipients attached.)

Dues, Donations, Subscriptions and Contributions—	
Charged to miscellaneous debits to profit and loss	$4,710 87
Charged to other general office expenses	8,462 92
Charged to other miscellaneous expenses	472 16
	$13,645 95
Membership dues of employees in clubs and organizations	1,098 02
	$14,743 97

(Names of recipients attached.)

SOUTHERN PACIFIC COMPANY—PACIFIC LINES.

Salaries and Expenses Paid Officers or Employees of Southern Pacific Company in California, Who Receive a Salary of $5,000 or More Per Annum.

Name	*Title*	*Duties*	1934		
			Salary	*Expense account*	*Contingent fee*
Executive Department—					
A. D. McDonald	President	Immediate charge, under direction of the Chairman, of management, operation and traffic (except traffic under the jurisdiction of the Vice Chairman) of the railroads and properties of the company	$50,000 00	$742 61	------
W. A. Worthington	Vice President	As delegated by President	21,000 00	664 34	------
F. L. Burckhalter	Vice President	As delegated by President	21,000 00	------	------
M. J. Wise	Assistant to President	As delegated by President	13,122 00	375 71	------
C. R. Harding	Assistant to President	As delegated by President	10,935 00	127 85	------
Frank Mulks	Assistant to President	As delegated by President	8,748 00	204 71	------
Traffic Department—					
J. T. Saunders	Vice President, System Freight Traffic	General supervision and control of freight traffic of the company, the solicitation and development of freight traffic interchanged with other companies and the establishment of rates and divisions incident thereto, acting under the President	21,000 00	3,740 00	------
H. C. Hallmark	Freight Traffic Manager in charge Rates and Divisions, San Francisco	Traffic, freight, in charge of rates and divisions, under supervision of Vice President, System Freight Traffic	9,622 80	2,335 92	------
F. E. Scott	General Freight Agent, Southern District, Los Angeles	Supervision over all freight traffic matters in Southern District	8,100 00	2,437 20	------
G. J. Blech	Assistant General Freight Agent, Southern District, Los Angeles	Assist General Freight Agent in handling freight traffic matters—Southern District	6,075 00	1,261 26	------
[1]H. W. Klein	General Freight Agent, Central District	Supervision over all freight traffic matters—Central District	3,543 75	254 00	------
[2]D. J McGanney	Assistant to Vice President System Freight Traffic, San Francisco	Assist Vice President System Freight Traffic in supervision and control of freight traffic	3,402 00	141 00	------

F. S. McGinnis, Vice President, System Passenger Traffic	General supervision and control of passenger traffic of company, the solicitation and development of passenger traffic interchanged with other companies, and the establishment of rates and divisions incident thereto, acting under the President	17,496 00	4,320 75	------
F. S. Howard, Assistant to Vice President, System Passenger Traffic	Assist Vice President in handling passenger traffic	6,804 00	990 12	------
F. C. Lathrop, General Passenger Agent, Central District	Supervision all passenger traffic matters—Central District	8,100 00	1,670 61	------
Garnett King, Assistant General Passenger Agent, Central District, Oakland	Assist General Passenger Agent in handling passenger traffic matters—Central District	5,832 00	1,034 09	------
J. L. Fielding, Assistant to Freight Traffic Manager in charge of Rates and Divisions, effective August 1, 1934	Assist Freight Traffic Manager in Charge of Rates and Divisions	2,250 00	493 81	------
N Kinell. Assistant General Passenger Agent, Southern District, Los Angeles	Assist General Passenger Agent in handling passenger traffic matters—Southern District	5,832 00	787 25	------
F. E Watson, Assistant to Vice President, System Passenger Traffic, San Francisco	Assist Vice President in handling passenger traffic	5,832 00	1,112 95	------
H. P. Monahan, General Passenger Agent, Southern District, Los Angeles	Supervision of all passenger traffic matters—Southern District	7,200 00	1,319 13	------
H. A. Butler, Manager, DCH&R and News Service	Supervision of D C.H.&R. Dept.	5,940 00	241 28	------
W. C. Fitch, Manager Perishable Freight Traffic	Supervision perishable freight service	7,290 00	2,830 75	------
J R. Nixon, Freight Claim Agent, San Francisco	Supervision freight claim	5,832 00	1,097 35	------
W. A. Westington, General Industrial Agent, San Francisco	Supervision industrial matters	5,346 00	947 59	------
Treasury Department—				
C. M. Scott, Local Treasurer	Treasury, as delegated	8,100 00	196 11	------

[1] Succeeded by D J McGanney effective August 1, 1934
[2] Succeeded by A I Hoskins effective August 1, 1934.

SOUTHERN PACIFIC COMPANY—PACIFIC LINES—CONTINUED.

Salaries and Expenses Paid Officers or Employees of Southern Pacific Company in California, Who Receive a Salary of $5,000 or More Per Annum.

Name	Title	Duties	1934 Salary	1934 Expense account	1934 Contingent fee
Valuation Department—					
J. B. Baker	Valuation Officer	Valuation, under the direction of the Chief Engineer	$5,832 00	$30 70	------
Accounting Department—					
F. L. McCaffery	General Auditor, San Francisco	Immediate charge and supervision, under the direction of the President, of accounts of all companies under jurisdiction of President	13,365 00	651 70	------
R. Adams	Assistant General Auditor, San Francisco	Accounting, as delegated by General Auditor	9,180 00	------	------
C. B. Friend	Auditor of Disbursements, San Francisco	Supervision disbursements accounting matters	5,130 00	21 90	------
H. C. McCleer	Auditor of Miscellaneous Accounts, San Francisco	Supervision miscellaneous accounting matters	5,130 00	9 85	------
G. W. McElwain	Auditor of Passenger Accounts, San Francisco	Supervision passenger accounting matters	5,184 00	166 91	------
F. D. Sanborn	Auditor of Freight Accounts, San Francisco	Supervision freight accounting matters	5,832 00	600 04	------
Engineering Department—					
W. H. Kirkbride	Chief Engineer, San Francisco	Construction, Maintenance of Way and Structures, and Valuation	11,340 00	157 55	------
Hospital Department—					
W. B. Coffey	Chief Surgeon and Manager Hospital Department, San Francisco	Hospital	18,225 00	------	------
Purchasing Department—					
G. M. Betterton	Purchasing Agent	Purchasing, as delegated	8,646 00	608 85	------
Law Department—					
Guy V. Shoup	General Solicitor, San Francisco	General charge of all legal business of company in the west, under direction of the President or the General Counsel	21,600 00	182 94	------
C. W. Durbrow	Assistant General Solicitor	Law, as delegated by General Solicitor. Acts in advisory capacity as to valuation matters	18,225 00	205 45	------
H. C. Booth	General Attorney	Law, as delegated by General Solicitor	6,804 00	62 50	------
W. I. Gilbert	Trial Attorney, Los Angeles	Handles trial of damage suits and such other special matters assigned Los Angeles and vicinity	8,019 00	------	------

E. J. Foulds, General Attorney	Law, as delegated by General Solicitor	8,748 00	416 05	------
D. V. Cowden, Tax Attorney, San Francisco	General supervision of tax matters	6,804 00	383 50	------
F. W. Bower, General Claims Agent, Pacific Lines	Handles investigation and adjustment of all claims other than loss and damage to freight	6,804 00	482 33	------
J. E. Lyons, Commerce Attorney, San Francisco	Handles both Federal and State Commerce matters	8,100 00	425 90	------
A. E. Stewart, Contract Attorney, San Francisco	Handles contract matters	5,832 00	106 39	------
C. O. Amonette, Attorney, San Francisco	Renders services and gives advice in legal matters assigned to him by General Solicitor	8,748 00	------	------
H. H. McElroy, Attorney, San Francisco	Handles Federal and State commerce matters and legal matters as assigned by General Solicitor	8,019 00	207 92	------
Miscellaneous—				
C. F. Impey, Land Commissioner, San Francisco	Land	8,100 00	------	------
J. H. Sheehan, Chief of Secret Service, San Francisco	In charge of secret service	5,832 00	251 65	------
G. L. King, Assistant Secretary	Secretary's, as delegated	6,318 00	------	------
C. J. McDonald, Mail and Express Traffic Manager	Supervisor mail and express traffic matters	8,100 00	380 25	------
C. F. Flinn, Special Representative Land Department	Investigation of timber lands	5,832 00	943 12	------
Operating Department—				
J. H. Dyer, Vice President in Charge of Operations	Maintenance and operation of the railroads west of El Paso, Texas; Tucumcari, N. M., and Ogden, Utah, acting under the president	21,000 00	335 50	------
A. T. Mercier, General Manager, San Francisco	Maintenance and operation, under supervision of vice president in charge of operations	14,400 00	151 10	------
A. J. Hancock, Assistant General Manager, San Francisco	Assists general manager in handling operating and labor matters	6,561 63	235 10	------
L. U. Morris, Assistant General Manager, San Francisco	Assists general manager in supervision of maintenance and operation	10,800 00	127 65	------
R. McIntyre, Assistant to General Manager, San Francisco	Supervision wage matters and adjustments of wage disputes of trainmen, enginemen and yardmen	8,100 00	------	------
P. Slater, Assistant to General Manager, San Francisco	Supervision of relations with the public and operating personnel	5,400 00	2,323 16	------

SOUTHERN PACIFIC COMPANY—PACIFIC LINES—CONTINUED.

Name	Title	Duties	1934 Salary	1934 Expense account	1934 Contingent fee
Operating Department—Continued					
W. B. Kirkland	Superintendent of Transportation, San Francisco	Supervision of freight and passenger train schedules and performance of freight and passenger car supply and distribution thereof	$7,200 00	$1,335 00	------
George McCormick	General Superintendent of Maintenance, Personnel and Equipment, San Francisco	Motive power and mechanical	13,122 00	178 05	------
O. B. Schoenky	Superintendent of Maintenance Personnel, Southern District, Los Angeles	Supervision general shops at Los Angeles and mechanical department work in southern district	6,561 00	190 26	------
A. D. Williams	Superintendent of Maintenance Personnel, Northern District, Sacramento	Supervision general shops at Sacramento and mechanical department work in northern district	6,561 00	149 70	------
E. B Dailey	Engineer Car Construction	Supervision draftsmen and car designing	5,346 00	------	------
A. S. McKelligon	General Storekeeper, San Francisco	Supervises stocking and issuance of material and supplies	5,670 00	476 26	------
[1]W. M. Jaekle	Engineer, Maintenance of Ways and Streets, San Francisco	Supervision of maintenance of way and structures, under direction of chief engineer	6,075 00	262 75	------
[1] Succeeded by P. T. Robinson effective October 1, 1934			1,725 00	91 05	------
E. E. Mayo	Assistant Engineer, San Francisco, Title changed to Assistant Chief Engineer effective October 1, 1934	Engineering matters as delegated by chief engineer	6,613 50	------	------
G. W. Rear	Engineer of Bridges, San Francisco	Supervision maintenance and construction of bridges and trestles	5,832 00	361 55	------
Western Division—					
G. E. Gaylord	Superintendent	Supervision of maintenance and operations of Western Division	6,318 00	12 70	------

Sacramento Division—				
W. L. Hack, Superintendent	Supervision of maintenance and operations of Sacramento Division	6,318 00	340 47	------
J. W. FitzGerald, District Superintendent, Dunsmuir	Assists superintendent in handling operations of Sacramento Division	5,346 00	174 20	------
Coast Division—				
J. J. Jordan, Superintendent	Supervision of maintenance and operations of Coast Division	6,318 00	63 59	------
San Joaquin Division—				
J. D. Brennan, Superintendent	Supervision of maintenance and operations of San Joaquin Division	5,346 00	112 62	------
Los Angeles Division—				
C. F. Donnatin, Superintendent	Supervision of maintenance and operations of Los Angeles Division	6,318 00	134 87	------
	Totals	$670,245 18	$43,075 82	------

SOUTHERN PACIFIC COMPANY—PACIFIC LINES—CONTINUED.

Dues, Donations, Subscriptions and Contributions Paid in California During Year 1934.

Name	Amount	Account	Title
Alameda Chamber of Commerce	$8 33	201	Superintendence
	8 33	301	Superintendence
	25 00	352	Outside Agencies
	8 34	371	Superintendence
	$50 00		
Albany Chamber of Commerce	12 00	376	Station Supp. and Exp.
Alhambra Chamber of Commerce	20 00	352	Outside Agencies
All Year Club Southern California	4,800 00	353	Advertising
Alturas Chamber of Commerce	24 00	352	Outside Agencies
Associated Farmers of California	2,500 00	460	Other Expenses
Association of Certified Boilers and Elevator Inspts. of Calif	4 00	301	Superintendence
Auburn Chamber of Commerce	5 00	376	Station Supp. and Exp.
Bakersfield Civic Community Club	12 00	352	Outside Agencies
Berkeley Chamber of Commerce	125 00	352	Outside Agencies
Berkeley Manufacturing Assn.	12 00	376	Station Supp. and Exp.
Berkeley Traffic Safety Committee	20 00	460	Other Expenses
Better Business Bureau of L. A.	600 00	351	Superintendence
Better Business Bureau of S. F.	600 00	351	Superintendence
Board of Directors Bridge Exposition—San Francisco	2,500 00	353	Advertising
Brawley Chamber of Commerce	5 00	376	Station Supp. and Exp.
Burlingame Chamber of Commerce	15 00	376	Station Supp. and Exp.
Business and Professional Womens Club—Los Angeles	10 00	351	Superintendence
California Arizona Cotton Assn	25 00	351	Superintendence
California Electric Railway Assn.	1,406 14	460	Other Expenses
California Growers and Shippers Protective League—S. F.	500 00	460	Other Expenses
California Library Association	1 00	460	Other Expenses
California Self Insurers Assn.	250 00	454	Law Expenses
California State Chamber of Commerce	12,835 00	460	Other Expenses
California Tax Payers Assn.	6,000 00	460	Other Expenses
California Wool Growers Assn.	$5 00	371	Superintendence
	6 00	453	General Office Supplies and Expenses
	11 00		
Californians, Inc	7,500 00	353	Advertising
California Pacific International Exposition	7,500 00	460	Other Expenses
Calistoga Chamber of Commerce	12 00	376	Station Supp and Exp.
Calexico Chamber of Commerce	12 00	376	Station Supp. and Exp.
Chief Special Agents Association of Los Angeles	2 50	371	Superintendence
Crocket Volunteer Fire Dept.	10 00	460	Other Expenses
Commercial Club of Fresno	36 00	376	Station Supp. and Exp.
Crockett Volunteer Fire Dept.	10 00	460	Other Expenses
Chico Chamber of Commerce	25 00	376	Station Supp. and Exp.
Delano Chamber of Commerce	12 00	376	Station Supp. and Exp.
Duarte Chamber of Commerce	1 00	460	Other Expenses
Dinuba Chamber of Commerce	12 00	376	Station Supp. and Exp.
Downtown Association of San Francisco	$8 00	201	Superintendence
	8 00	301	Superintendence
	8 00	371	Superintendence
	48 00	352	Outside Agencies
	24 00	453	Gen. Off. Supp. and Exp.
	96 00		
Dunsmuir Chamber of Commerce	15 00	376	Station Supp. and Exp.
East Bay Industrial Association	750 00	460	Other Expenses
Emeryville Industry Association	20 00	352	Outside Agencies
Exeter Chamber of Commerce	12 00	376	Station Supp. and Exp.
Farmington Fire District	5 00	460	Other Expenses
Foreign Trade Club—Los Angeles	$6 00	351	Superintendence
	6 00	352	Outside Agencies
	12 00		

SOUTHERN PACIFIC COMPANY—PACIFIC LINES—CONTINUED.

Dues, Donations, Subscriptions and Contributions Paid in California During Year 1934.

Name	Amount	Account	Title
Foreign Trade Club—San Francisco	$50 00	352	Outside Agencies
Fresno Commercial Club	36 00	352	Outside Agencies
Fresno County Chamber of Commerce	125 00	460	Other Expenses
Gridley Community Club	1 00	376	Station Supp. and Exp.
Hayward Chamber of Commerce	10 00	376	Station Supp. and Exp.
Imperial Valley Growers and Shippers Protective League	1,250 00	460	Other Expenses
Industrial Association of Contra Costa County	162 00	460	Other Expenses
Industrial Association of San Francisco	33,000 00	460	Other Expenses
Jonathan Club	121 00	351	Superintendence
Junior Chamber of Commerce—San Jose	12 00	352	Outside Agencies
Kingsburg Chamber of Commerce	20 00	376	Station Supp. and Exp.
Kiwanis Club	36 00	352	Outside Agencies
Lindsay Chamber of Commerce	12 00	376	Station Supp. and Exp.
Lions Club	36 00	352	Outside Agencies
Livermore Chamber of Commerce	1 00	376	Station Supp. and Exp.
Lodi Business Men's Association	5 00	376	Station Supp. and Exp.
Lodi Chamber of Commerce	12 00	376	Station Supp. and Exp.
Long Beach Chamber of Commerce	25 00	352	Outside Agencies
Los Angeles Chamber of Commerce	$3,600 00	460	Other Expenses
	100 00	352	Outside Agencies
	3,700 00		
Los Angeles County Sheriffs Association	25 00	460	Other Expenses
Los Angeles Junior Chamber of Commerce	12 00	352	Outside Agencies
Los Banos Chamber of Commerce	24 00	376	Station Supp. and Exp.
Madera Chamber of Commerce	15 00	376	Station Supp. and Exp.
Martinez Chamber of Commerce	12 00	376	Station Supp. and Exp.
Merced Chamber of Commerce	30 00	376	Station Supp. and Exp.
Merchants and Manufacturers Association—Los Angeles	750 00	460	Other Expenses
Merchants Association of San Jose, Ltd.	24 00	352	Outside Agencies
Modesto Chamber of Commerce	25 00	352	Outside Agencies
Monterey Chamber of Commerce	12 00	376	Station Supp. and Exp.
Motor Carriers Association—California	1,247 90	460	Other Expenses
Mt. Shasta Chamber of Commerce	6 00	376	Station Supp. and Exp.
Mechanics Institute	6 00	460	Other Expenses
Napa Chamber of Commerce	20 00	376	Station Supp. and Exp.
National Security Owners Association—San Francisco	1,500 00	460	Other Expenses
Newman Chamber of Commerce	10 00	376	Station Supp. and Exp.
Niles Chamber of Commerce	6 00	376	Station Supp. and Exp.
Oakland Chamber of Commerce	475 00	460	Other Expenses
Oakland Junior Chamber of Commerce	12 00	352	Outside Agencies
Oakland Police Department—Widows and Orphans Fund	50 00	460	Other Expenses
Oakland Rotary Club	36 00	376	Station Supp. and Exp.
Orland Chamber of Commerce	15 00	376	Station Supp. and Exp.
Pacific Coast Claim Conference	20 00	453	Gen. Off. Supp. and Exp.
Pacific Coast Electrical Association	1 00	201	Other Expenses
Pacific Radio Trade Association	180 00	277	Superintendence
Pacific Railway Club	30 00	460	Other Expenses
Palo Alto Chamber of Commerce	50 00	376	Station Supp. and Exp.
Pasadena Chamber of Commerce	25 00	352	Outside Agencies

SOUTHERN PACIFIC COMPANY—PACIFIC LINES—CONTINUED

Dues, Donations, Subscriptions and Contributions Paid in California During Year 1934.

Name	*Amount*	*Account*	*Title*
Peace Officers Association of California	$2 50	371	Superintendence
Pittsburg Chamber of Commerce	25 00	376	Station Supp. and Exp.
Pomona Chamber of Commerce	20 00	376	Station Supp. and Exp.
Porterville Chamber of Commerce	12 00	376	Station Supp and Exp.
Press Club of San Francisco	16 50	452	Salaries and Expenses of Clerks and Attendants
Red Bluff Chamber of Commerce	12 00	376	Station Supp. and Exp.
Redding Chamber of Commerce	15 00	376	Station Supp. and Exp.
Redlands Chamber of Commerce	24 00	376	Station Supp. and Exp.
Redwood City Chamber of Commerce	50 00	411	Other Expenses
Reedley Chamber of Commerce	9 00	376	Station Supp. and Exp.
Regulated Carriers, Inc. $2,112 50		460	Other Expenses
2,112 50		454	Law Expense
	4,225 00		
Richmond Chamber of Commerce $12 49			Superintendence
12 50		301	Superintendence
12 51		371	Superintendence
50 00		352	Outside Agencies
12 50		376	Station Supp. and Exp.
	100 00		
Riverside Chamber of Commerce	25 00	352	Outside Agencies
Roseville Chamber of Commerce	6 00	376	Station Supp. and Exp.
Rotary Club of San Francisco $37 50		352	Outside Agencies
12 50		351	Superintendence
	50 00		
Rotary Club of San Jose $34 25		352	Outside Agencies
22 38		351	Superintendence
	56 63		
Sacramento Chamber of Commerce $50 00		201	Superintendence
50 00		301	Superintendence
50 00		371	Superintendence
310 00		352	Outside Agencies
	460 00		
Sacramento Fire Department—Widows and Orphans Fund	50 00	460	Other Expenses
Sacramento Police Department—Widows and Orphans Fund	25 00	460	Other Expenses
Salinas Chamber of Commerce	20 00	376	Station Supp. and Exp.
San Bernardino Chamber of Commerce	25 00	352	Outside Agencies
San Jose Chamber of Commerce	250 00	460	Other Expenses
San Mateo Chamber of Commerce	25 00	376	Station Supp. and Exp.
San Francisco Bureau of Government Research	1,067 67	460	Other Expenses
San Francisco Chamber of Commerce	3,120 00	460	Other Expenses
San Francisco Commercial Club	12 00	201	Superintendence
San Francisco Convention and Tourist League	1,075 00	353	Advertising
San Francisco Fire Department—Widows and Orphans Fund	100 00	460	Other Expenses
San Francisco Junior Chamber of Commerce $4 00		201	Superintendence
4 00		301	Superintendence
36 00		352	Outside Agencies
4 00		371	Superintendence
	48 00		
San Francisco Lions Club $18 00		352	Outside Agencies
18 00		351	Superintendence
	36 00		
San Francisco Press Club	33 00	452	Sal., Exp. of Clks. & Ats.
Sanger Chamber of Commerce	25 00	376	Station Supp. and Exp.
San Mateo Chamber of Commerce	25 00	376	Station Supp. and Exp.
San Pedro Chamber of Commerce	25 00	352	Outside Agencies

SOUTHERN PACIFIC COMPANY—PACIFIC LINES—CONTINUED

Dues, Donations, Subscriptions and Contributions Paid in California During Year 1934

Name	*Amount*	*Account*	*Title*
Santa Ana Chamber of Commerce	$25 00	352	Outside Agencies
Santa Barbara Chamber of Commerce	25 00	352	Outside Agencies
Santa Cruz Chamber of Commerce	25 00	376	Station Supp. and Exp.
Santa Rosa Chamber of Commerce	25 00	352	Outside Agencies
Selma Chamber of Commerce	25 00	376	Station Supp. and Exp
Sheriffs Relief Association—Los Angeles	25 00	460	Other Expenses
Southern Promotion Association	150 00	460	Other Expenses
South San Francisco Chamber of Commerce	24 00	376	Station Supp. and Exp.
St. Helena Chamber of Commerce	12 00	376	Station Supp. and Exp.
Stockton Chamber of Commerce	72 00	460	Other Expenses
Strathmore Chamber of Commerce	10 00	376	Station Supp. and Exp
Suisun Community Club	36 00	376	Station Supp. and Exp
Sutter Club of Sacramento	$61 60	201	Superintendence
	61 60	301	Superintendence
	61 60	371	Superintendence
	184 80		
Sutter Yuba Chamber of Commerce	25 00	376	Station Supp. and Exp.
Terminal Club	51 00	352	Outside Agencies
Tracy Chamber of Commerce	12 00	376	Station Supp. and Exp.
Tulare Chamber of Commerce	12 00	376	Station Supp. and Exp
Turlock Chamber of Commerce	15 00	376	Station Supp. and Exp
Union League Club—San Francisco	29 70	351	Superintendence
Vallejo Chamber of Commerce	25 00	376	Station Supp and Exp.
Visalia Chamber of Commerce	25 00	376	Station Supp and Exp.
Watsonville Pajaro Valley Chamber of Commerce	12 00	376	Station Supp. and Exp.
Williams Chamber of Commerce	12 00	376	Station Supp. and Exp.
Willows Chamber of Commerce	7 50	376	Station Supp. and Exp
Wilmington Chamber of Commerce	20 00	352	Outside Agencies
Winters Service Club	12 00	376	Station Supp. and Exp.
	$103.584 84		

Payments Made to Attorneys in California During the Year 1934 Carried on Regular Payroll of Southern Pacific Company at a Rate of Less Than $5,000 per Annum.

Name	*Amount*	*Account*	*Title*
Allen, John J., Jr.	$1,095 00	454	Law Expenses
Gilbert, W. I., Jr.	2,190 00	454	Law Expenses
Gonzales, Emilio	4 860 00	454	Law Expenses
Goodrich, Augustus G.	3,285 00	454	Law Expenses
Guilfoyle, John J.	1,642 50	454	Law Expenses
Hilebrand, Roy G.	4,214 10	454	Law Expenses
Hobbs, Henry W.	3,285 00	454	Law Expenses
Jones, Archibald A.	4,214 10	454	Law Expenses
Karr, Frank	2,286 00	454	Law Expenses
Levinsky, Arthur L.	2,190 00	454	Law Expenses
Mason, Burton	4,860 00	454	Law Expenses
Meinhold, William	3,285 00	454	Law Expenses
Myers, Roy S.	2,737 50	454	Law Expenses
Robinson, Ray C.	360 00	454	Law Expenses
Thunen, Frank	4,860 00	454	Law Expenses
Whittle, Albert L	4,397 82	454	Law Expenses
	$49,762 02		

SOUTHERN PACIFIC COMPANY—PACIFIC LINES—CONTINUED.

Other Payments to Attorneys in California During Year 1934.

Name	*Amount*	*Account*	*Title*
Armfield and Eddy	$12 00	454	Law Expenses
Barton and Petrini	5,048 28	454	Law Expenses
Brennan, Robert	206 95	454	Law Expenses
Chamberlain, T. L.	302 00	454	Law Expenses
Devlin, Devlin and Diepenbrock	1,591 94	454	Law Expenses
Dunne, Dunne and Cook	5,332 60	454	Law Expenses
Durst, H. D.	2,422 00	454	Law Expenses
Freeman, G. R.	375 60	454	Law Expenses
Griffith and Thornburgh	2,583 41	454	Law Expenses
Holcomb Grant	463 00	454	Law Expenses
Johnson, Elliott	5,452 75	454	Law Expenses
Lacey, C. F.	253 50	454	Law Expenses
Levinsky and Jones	96 94	454	Law Expenses
Little, W. J	13,876 42	454	Law Expenses
McFadzean and Crowe	804 00	454	Law Expenses
O'Neal, Louis	2,396 50	454	Law Expenses
Raines, J. M.	254 75	454	Law Expenses
Robinson, C. R.	1,291 00	454	Law Expenses
Rodgers and Bray	978 50	454	Law Expenses
Stammer, W. H	2,665 84	454	Law Expenses
Tillotson, W. O.	447 40	454	Law Expenses
Wylie, A. K.	35 00	454	Law Expenses
Watson, Ess, Croner, Barnett and Whittaker	52 14	454	Law Expenses
Hickox and Trude	1,233 80		
Total	$48,176 32		

SOUTHERN PACIFIC GOLDEN GATE FERRIES, LTD.

I. Names of employees who during 1934 received a salary of $5,000 or more.

	Salary	*Expense account*
S. P. Eastman, President	$5,700 00	
E. H. Maggard, Vice President and General Manager	7,200 00	$653 10
C. F. Fennema, Assistant to General Manager	*2,700 00	130 46
G. E. Collins, Traffic Agent	*2,700 00	88 55
Totals	$18,300 00	$872 11

No contingent fees.

II. Dues, donations, subscriptions and contributions.

	Amount	*Account charged*
Berkeley Chamber of Commerce	$100 00	WE 20 Traffic Associations.
Berkeley Community Chest	450 00	WE 55 Other Gen. Expenses.
California State Chamber of Commerce	335 00	WE 55 Other Gen. Expenses
Industrial Association of San Francisco	800 00	WE 55 Other Gen. Expenses
Lake County Water Sports and Rodeo Association	15 00	WE 21 Advertising.
Marvelous Marin, Inc.	20 00	WE 20 Traffic Associations.
Oakland Chamber of Commerce	50 00	WE 20 Traffic Associations.
Oakland Community Chest	600 00	WE 55 Other Gen. Expenses.
Redwood Empire Association	937 50	WE 20 Traffic Associations
Redwood Empire Association	187 50	WE 55 Other Gen. Expenses
Regional Park Project	100 00	WE 55 Other Gen Expenses
Richmond Chamber of Commerce	25 00	WE 20 Traffic Associations
Richmond Community Chest	100 00	WE 55 Other Gen. Expenses
San Francisco Chamber of Commerce	300 00	WE 20 Traffic Associations.
San Francisco Community Chest	1,500 00	WE 21 Advertising
San Francisco Community Chest	500 00	WE 55 Other Gen. Expenses.
San Rafael Chamber of Commerce	125 00	WE 20 Traffic Associations.
Save the Redwood League	10 00	WE 55 Other Gen. Expenses.

*Salaries increased to a rate in excess of $5,000 per annum effective July 1, 1934.

SOUTHERN PACIFIC GOLDEN GATE FERRIES, LTD.—CONTINUED.

II. Dues, donations, subscriptions and contributions—Continued.

	Amount	*Account charged*
Southern Promotion Association	$150 00	WE 21 Advertising.
Vallejo Chamber of Commerce	25 00	WE 20 Traffic Associations.
Vallejo Community Chest	25 00	WE 55 Other Gen. Expenses
Widows and Orphans Aid Association—San Francisco Police Department	50 00	WE 55 Other Gen. Expenses
	$6,405 00	

III. Attorney fees.

J. H. Black	$250 00	WE 51 Law Expenses.
E. J. Foulds	2,850 00	WE 51 Law Expenses.
Elliott Johnson	54 00	WE 51 Law Expenses.
	$3,154 00	

SOUTHERN PACIFIC MILLING COMPANY.

I. Names of employees who during 1934 received a salary of $5,000 or more.

	Salary	*Expenses*
Timothy Hopkins, President	$5,400 00	
W. H. Dillon, Vice President and General Manager	7,020 00	$1,465 98
Totals	$12,420 00	$1,465 98

No contingent fees.

II. Dues, donations, subscriptions and contributions.

Contributions and Donations—	*Amount*
California Municipal and County Motorcycle Officers' Association	$5 00
California Hay, Grain and Feed Dealers' Association	10 00
Community Chest of San Francisco	250 00
California Warehousemen's Association	7 50
Christmas Offerings	20 00
San Francisco Policemen's Ball	3 00
San Francisco Firemen's Ball	3 00
Subscriptions and Dues—	
National Automobile Club	$10 00
San Francisco Chamber of Commerce	156 00
United States Chamber of Commerce	50 00
California Hay, Grain and Feed Dealers' Association	150 00
California Self Insurers	100 00
California Warehousemen's Association	300 00
California Retail Lumbermen's Association	42 00
Coast Counties Lumbermen's Club	1,080 00
Grain Trade Association	120 00
Total	$2,306 50

III. Attorney fees.

McCutchen, Olney, Mannon & Greene, San Francisco	$946 51
Schauer, Ryon & McMahon, Santa Barbara	54 00
A. B. Greene, Court Reporter, San Luis Obispo	350 00
Total	$1,350 51

TAYLOR TRUCK-A-WAY, LTD.

I. Names of employees who during 1934 received a salary of $5,000 or more.

Fred R. Taylor, President and General Manager $15,000 00

II. Dues, donations, subscriptions and contributions

None.

III. Attorney fees.

Rex W. Boston (Law Expense) $25 00

TERMINAL REFRIGERATING COMPANY.

Salaries of $5,000 or More—Year 1934—

Herbert C. Stone, General Manager	$12,000 00
Rex J. Miller, Secretary-Treasurer	6,000 00
Harlan J. Nissen, Superintendent	5,900 00
Total	$23,900 00

Expense Accounts.

(These are expenses incurred on behalf of the company by the officers and employees, and reimbursed.)

By Officers—

Herbert C. Stone, General Manager	$434 22

By Employees—

Wilbur J. Miller	41 00
Harlan J. Nissen	19 00
Total	$494 22

No contingent fees.

Statement of Dues, Donations, Subscriptions, etc.—

To	*Dues and subscriptions account No. 657*	*Payments to attorneys account No. 658D*	*Donation No. 659*
Lawler & Degnan	------	$192 00	------
Los Angeles Community Chest	------	------	$1,500 00
Palestine Labor League	------	------	25 00
Jewish Home	------	------	8 10
Produce Exchange, potatoes to poor, Christmas	------	------	50 00
Los Angeles Chamber of Commerce	$132 00	------	------
Los Angeles Junior Chamber of Commerce	12 00	------	------
Los Angeles Junior Chamber All Year Club	50 00	------	------
California State Chamber of Commerce	75 00	------	------
Pacific Coast Packer	2 00	------	------
Ice and Refrigeration	3 00	------	------
Association of Refrigeration Warehouse	80 00	------	------
Produce News	3 00	------	------
Western Fruit Jobbers Association	50 00	------	------
Pacific States B. E. & P. A.[1]	30 00	------	------
Property Owners Division	12 00	------	------
Rotary Club	48 00	------	------
National Association of Refrigeration Engineers	21 00	------	------
Code Authority Refrigeration Warehouse Industry	250 00	------	------
Los Angeles Credit Men's Association	25 00	------	------
Pacific States Cold Storage Warehousemen's Association	131 25	------	------
Commercial News	2 50	------	------
Los Angeles Times	10 80	------	------
United States Egg Magazine	2 00	------	------
American C. and P. P. Review	2 00	------	------
The Kiplinger Wash. Ag.	18 00	------	------
Merchants and Manufacturers Association	12 00	------	------
Terminal Club	108 00	------	------
Public Service Bureau	240 00	------	------
Associate Produce Dealers and Brokers	120 00	------	------
Produce Exchange of Los Angeles	240 00	------	------
Better America Federation	180 00	------	------
Totals	$1,859 55	$192 00	$1,583 10

[1]Butter, Egg and Poultry Association

TRONA RAILWAY COMPANY.

I. Names of employees who during 1934 received a salary of $5,000 or more

W. E. Burke, President and Treasurer	$6,480 00
Dividend of 55 per cent on 1 share Trona Railway Co. common capital stock (director's qualifying share)	55 00

No expenses.

II. Dues, donations, subscriptions and contributions

	Amount	*Acct. Charged*
American Short Line Railroad Assn	$269 50	Administration
Calif. Short Line Railroad Assn	243 00	Administration
Railway Accounting Officers Assn	7 00	Administration
Pacific Car Demurrage Bureau	356 03	Station Service
Railway Equipment & Pub. Co.	67 00	Traffic Expense
Trans-Continental Freight Bureau	180 00	Station Service
Western Classification Committee	12 75	Traffic Expense
Total	$11,135 28	

III. Attorney fees.

Oliver & Donnally	$12 77	Administration

UNITED TRANSFER CO.

I. Names of employees who during 1934 received a salary of $5,000 or more

N. M. Monsch, President	$6,000 00
Frank Himmelman, Vice President	3,600 00
Total	$9,600 00

II. Dues, donations, subscriptions and contributions.

Community Chest, Oakland	$25 00
Tuberculosis Society	3 00
Total	$28 00

III. Attorney fees.

None.

VALLEJO ELECTRIC LIGHT AND POWER CO

I. Names of employees who during 1934 received a salary of $5,000 or more.

	Salary	*Expenses*	*Amount charged*
Ervin J. Casper, General Manager and President	$15,000 00	------	941
		$553 77	941-A
Engineering & Supt. during construction (R. C. Bragg)	2,400 00	------	390
Totals	$20,100 00	$553 77	

II. Dues, donations, subscriptions and contributions.

Community Chest	$200 00	508-E
Miscellaneous (Churches, all denominations)	99 60	508-E
Total	$299 60	

III. Attorney fees.

Salary and fees	$3,021 50	946

THE WESTERN PACIFIC RAILROAD COMPANY.

Statement for the Year 1934 in Response to General Order No. 77-A of the Railroad Commission of the State of California. Salaries, Expense Accounts and Fees Paid for the Year 1934, to Officers and Employees Receiving Salary of $5,000 or more per annum.

Name of officer or employee	Title	Period of incumbency	Salary	Salary received for year	Expense account for year	Total	Duties of position
A. C. James	Chairman, board of directors	Entire year	$5,000 00 per annum, 1/1 to 12/31	$5,000 00		$5,000 00	Presiding officer of board of directors, with powers and duties assigned by board of directors and executive committee.
T. M. Schumacher	Chairman, executive committee	Entire year	15,000 00 per annum, 1/1 to 12/31	15,000 00	$2,810 00	17,810 00	Presiding officer of executive committee with jurisdiction over all affairs and business of company
Charles Elsey	President	Entire year	25,000 00 per annum, 1/1 to 12/31	25,000 00	2,529 61	27,529 61	In direct charge of property, with jurisdiction over its management
E. W. Mason	Vice president and general manager	Entire year	1,134 00 per month, 1/1 to 12/31	13,608 00	520 00	14,128 00	In charge of maintenance and operation.
J. W. Williams	Chief engineer	Entire year	891 00 per month, 1/1 to 12/31	10,692 00	191 41	10,883 41	Supervision engineering department.
Carl Taylor	Counsel to board	Jan 1 to Nov. 15	416 67 per month, 1/1 to 11/15/1934	4,374 98		4,374 98	Adviser to board of directors, executive committee and executive officers—headquarters in New York.
Brua H. Campbell	Counsel to board	Nov. 14 to Dec. 31	416 67 per month, 11/14 to 12/31	625 02		625 02	Adviser to board of directors, executive committee and executive officers, headquarters in New York
C. W. Dooling	Attorney	Entire year	450 00 per month, 1/1 to 12/31	5,400 00	366 00	5,766 00	General work of law department.
D. C. DeGraff	General auditor	Entire year	546 75 per month, 1/1 to 12/31	6,561 00		6,561 00	Supervision accounting department.
E. C. Bates	Treasurer	Entire year	416 67 per month, 1/1 to 12/31	5,000 00		5,000 00	Custody of funds
J. F. Hogan	Vice president in charge of traffic	Entire year	1,080 00 per month, 1/1 to 12/31	12,960 00	4,325 00	17,285 00	In charge of traffic department
J. F. Bon	Freight traffic manager	Entire year	675 00 per month, 1/1 to 12/31	8,100 00	1,686 00	9,786 00	Supervision of freight traffic department, in charge of solicitation, rates and divisions.
F. H Hocken	Assistant freight traffic manager	Entire year	445 50 per month, 1/1 to 12/31	5,346 00	2,910 60	8,256 60	Supervision solicitation freight traffic, headquarters, San Francisco.
H. E. Poulterer	Assistant freight traffic manager	Entire year	445 50 per month, 1/1 to 12/31	5,316 00	1,746 80	7,092 80	Supervision solicitation freight traffic, headquarters, San Francisco
John J. Grogan	Assistant traffic manager	Entire year	486 00 per month, 1/1 to 12/31	5,832 00	3,015 84	8,847 84	Supervision solicitation traffic, headquarters, Chicago

C. F. Post	Purchasing agent	Entire year	416 67 per month, 1/1 to 12/31	5,000 00	405 80	5,405 80	Supervision purchases and sales of material and supplies.
M. B. McPartland	Superintendent motive power	Entire year	675 00 per month, 1/1 to 12/31	8,100 00	587 25	8,687 25	Supervision of maintenance of motive power, cars and machinery.
T. E. Coyle	Division superintendent (deceased)	Jan. 1 to Nov. 30	416 67 per month, 1/1 to 11/30	4,791 71	913 06	5,704 77	Supervision of operation, western division.
H. J. Beem	Division superintendent	Entire year	416 67 per month, 1/1 to 12/31	5,000 00	465 47	5,465 47	Supervision of operation, eastern division
G. W. Curtis	Division superintendent	Dec. 1 to Dec 31	416 67 per month, 12/1 to 12/31	416 67	----------	416 67	Supervision of operation, eastern division
B. J. Simmons	Engineer, maintenance of way and structures	Entire year	416 67 per month, 1/1 to 12/31	5,000 00	452 19	5,452 19	Supervision of maintenance, roadway track and structures.
Totals				$157,153 38	$22,925 03	$180,078 41	

THE WESTERN PACIFIC RAILROAD COMPANY—CONTINUED.

(a) Dues, Donations, Subscriptions paid in Year 1934.

Berkeley Chamber of Commerce	Dues	$50 00
California State Chamber of Commerce	Subscription	2,000 00
Fresno County Chamber of Commerce	Dues	25 00
Humboldt County, Nevada, Chamber of Commerce	Dues	24 00
Klamath Falls, Oregon, Chamber of Commerce	Dues	25 00
Lodi District Chamber of Commerce	Dues	12 00
Los Angeles Chamber of Commerce	Dues	25 00
Niles Chamber of Commerce	Dues	6 00
Nubieber Chamber of Commerce	Dues	5 00
Big Valley Chamber of Commerce	Dues	6 00
Oakland Chamber of Commerce	Dues	375 00
Oakland Junior Chamber of Commerce	Dues	10 00
Pocatello, Idaho, Chamber of Commerce	Dues	20 00
Portland, Oregon, Chamber of Commerce	Dues	60 00
Redwood City Chamber of Commerce	Dues	50 00
Reno, Nevada, Chamber of Commerce	Dues	25 00
San Francisco Chamber of Commerce	Dues	1,000 00
San Francisco Junior Chamber of Commerce	Dues	36 00
South San Francisco Chamber of Commerce	Dues	24 00
San Jose Chamber of Commerce	Dues	25 00
San Jose Chamber of Commerce	Subscription	100 00
Stockton Chamber of Commerce	Dues	11 00
Sutter-Yuba County Chamber of Commerce	Dues	25 00
Salt Lake City, Utah, Chamber of Commerce	Contribution	660 00
St. Louis, Mo., Chamber of Commerce	Dues	50 00
Spokane, Wash., Chamber of Commerce	Dues	25 00
Twin Falls, Idaho, Chamber of Commerce	Dues	25 00
United States Chamber of Commerce	Subscription	200 00
Down Town Association	Dues	144 00
Californians, Inc.	Donation	675 00
Press Club of San Francisco	Subscription	100 00
Emeryville Industrial Association	Dues	10 00
East Bay Industrial Association	Dues	300 00
Industrial Association of San Francisco	Dues	1,050 00
Industrial Association of Contra Costa County	Contribution	162 00
California Growers and Shippers League	Contribution	250 00
California State Federation of Labor Year Book	Subscription	100 00
Associated Farmers of California	Contribution	400 00
Horticultural Development District No. 1	Contribution	500 00
Leland Cutler, President Board of Directors Bridge Exposition	Contribution	500 00
Nevada Taxpayers Association	Assessment	300 00
Utah Taxpayers Association	Assessment	125 90
Sacramento Fire Department	Donation	15 00
Thornton Fire Department	Donation	18 00
San Francisco Convention Tourist Bureau	Donation	340 00
Widows and Orphans Aid Association, San Francisco—Fire Department	Donation	10 00
San Francisco Fire Department Aid Association San Francisco Police Department	Donation	22 50
San Francisco Police Department Aid Association Sacramento Fire Department	Donation	12 50
Association American Railroads	Assessment	1,097 20
American Railway Association	Assessment	3,049 27
Pacific Coast Claim Conference	Dues	20 00
Association of Railway Claim Agents	Dues	25 00
Railway Accounting Officers Association	Dues and Assessment	48 84
Lions Club, Sacramento	Dues	18 00
Railway Treasury Officers Association	Dues	10 00
Manufacturers Association of South San Francisco	Dues	8 00
Motor Carriers Association	Dues	175 00
Athens Athletic Club, Oakland	Dues	79 20
Jonathon Club, Los Angeles	Dues	132 00
Kiwanis Club, Sacramento	Dues	25 00
Lions Club, Reno	Dues	20 00
Multnomah AA Club, Portland, Oregon	Dues	33 00
Oakland Hills County Club	Dues	198 00
Salt Lake City Commercial Club	Dues	60 00
San Francisco Commercial Club	Dues	192 00
San Francisco Foreign Trade Club	Dues	12 00
San Francisco Mutual Business	Dues	18 00
Pacific Railway Club, San Francisco	Dues	12 00

THE WESTERN PACIFIC RAILROAD COMPANY—CONTINUED.

(a) Dues, Donations, Subscriptions paid in Year 1934—Continued.

Rotary Club, Sacramento	Dues	$36 00
Rotary Club, Oroville	Dues	6 00
Sutter Club, Sacramento	Dues	621 60
Yosemite Club, Stockton	Dues	92 40
University Sequoia Club, Fresno	Dues	79 20
East Side Commercial Club, Portland, Oregon	Dues	36 00
Traffic Club, Oakland	Dues	42 00
Traffic Club, Cincinnati, Ohio	Dues	10 00
Passenger Traffic Club, Cincinnati, Ohio	Dues	4 00
Traffic Club, Cleveland, Ohio	Dues	20 00
Traffic Club, Miami Valley, Dayton, Ohio	Dues	5 00
Traffic Club, Winston-Salem, N. C	Dues	3 00
Traffic Club, Detroit, Michigan	Dues	15 00
Passenger Traffic Club, Detroit, Michigan	Dues	6 00
Traffic Club, St Louis, Missouri	Dues	36 00
Passenger Traffic Club, St Louis, Missouri	Dues	12 00
City Passenger Agents Association, St. Louis, Missouri	Dues	12 00
Women's Traffic Club, St. Louis, Missouri	Dues	3 00
Michigan Traffic Golf Association, Detroit	Dues	5 00
Traffic Club, Kansas City, Missouri	Dues	10 00
Traffic Club, Denver, Colorado	Dues	18 00
Traffic Club, Minneapolis, Minnesota	Dues	6 00
Traffic Club, Omaha, Nebraska	Dues	5 00
Motor City Traffic Club, Detroit	Dues	2 00
Pacific Traffic Association, San Francisco	Dues	48 00
Transportation Club, Buffalo, New York	Dues	2 50
Transportation Club, Louisville, Kentucky	Dues	5 00
Transportation Club, St. Paul, Minnesota	Dues	2 50
Transportation Club, Minneapolis, Minnesota	Dues	5 00
Transportation Club, Los Angeles	Dues	39 60
Transportation Club, San Francisco	Dues	240 00
Oakland Foreign Trade Club	Dues	6 00
Total		$16,600 21

(b) Payments to Attorneys for Year 1934.

A. R Baldwin	$250 00
Brown, Ledwich & Rosson	2,043 00
Fabian & Clendenning	1,200 00
C B Henderson	800 00
Hinsdale, Otis & Johnson	641 58
George F. Jones	250 00
W. G. Little	2,383 46
E. N. McKenzie	2,500 00
McNamara & Robbins	250 00
Neumiller & Ditz	306 35
Ernest I. Spiegl	235 80
Thatcher & Woodbin	1,170 41
Townley, Wild, Campbell & Clark	135 00
H. P Tyler	4,800 00
Carl Taylor	4,374 98
Van Cott, Riter & Farnsworth	156 00
Ware & Ware	119 65
McCutcheon, Olney, Manning & Green	350 00
Mitchell, Taylor, Capron & Marsh	7,686 66
Millbrook, Tweed, Hope & Webb	75 00
Brua H Campbell	625 02
C. W. Dooling	5,766 00
L N Bradshaw	4,710 24
Total	$40,829 15

(c) Names of the Accounts to Which Said Dues, Donations, Contributions, Subscriptions and Payments to Attorneys Were Charged and Amounts Charged to Each.

	Amount charged
Account 201—Superintendence	$197 20
Account 247—Telegraph and Telephone Lines	7 50
Account 274—Injuries to Persons	5 00
Account 301—Superintendence	186 40
Account 332—Injuries to Persons	5 00
Account 351—Superintendence	716 75

THE WESTERN PACIFIC RAILROAD COMPANY—CONTINUED.

(c) Names of the Accounts to Which Said Dues, Donations, Contributions, Subscriptions and Payments to Attorneys Were Charged and Amounts Charged to Each—Continued.

Account 352—Outside Agencies	$2,666 71
Account 353—Advertising	3,775 00
Account 356—Industrial and Immigration Bureaus	15 00
Account 359—Other Expenses	410 00
Account 371—Superintendence	4,326 92
Account 376—Station Supplies and Expenses	34 25
Account 407—Telegraph and Telephone Operation	7 50
Account 416—Damage to Property	5 00
Account 417—Damage to Live Stock on Right of Way	5 00
Account 420—Injuries to Persons	5 00
Account 451—Salaries and Expenses of General Officers	417 84
Account 454—Law Expenses	38,589 95
Account 460—Other Expenses	3,595 90
Account 532—Railway Tax Accruals	13 24
Sacramento Northern Railway	1,909 53
Tidewater Southern Railway Company	534 67
Total	$57,429 36

Correct:

San Francisco, California, February 18, 1935.

D. C. DELYROFF, General Manager.

(Copy.)

THE WESTERN UNION TELEGRAPH COMPANY.

60 Hudson St., N. Y. February 27, 1935.
G. O. No. 77—A

Mr. H. G. Mathewson, Secretary, California State Bldg., San Francisco, California

DEAR SIR: In accordance with General Order No. 77A, I am enclosing statement showing the amounts paid to the general officers of the company who received a salary of $5,000 or over per annum for the year ended December 31, 1934, which statement shows their titles and which titles indicate their duties. No contingent fees were paid such officers in 1934. The officers without exception have their headquarters outside of California and their duties pertain to the affairs of the company generally rather than to the State of California particularly, but I have made no attempt to allocate any portion of their salaries to California. You will, of course, understand that the salaries as specified as in no sense chargeable in any large percentage to California.

I am asking General Manager Cook to furnish you additional information relative to employees in California whose salaries were over $5,000, together with an affidavit in the same form as submitted in the past covering donations, etc.

So far as amounts paid to attorneys during 1934 is concerned, fees amounted to $6,725, and disbursements to $769.49. These fees covered services rendered in ordinary litigation to which the company was a party and miscellaneous matters. Of the amount paid as attorneys' fees, $6,485 covering ordinary litigation was charged to Account 648, and disbursements incurred in connection therewith and charged to the same amount, amounted to $756.79. The balance of the attorney's fees, $240, and the balance of the disbursements, $12.70 incurred in miscellaneous matters, were charged to Account 645. The attorneys and the amounts paid to them are as follows:

Pillsbury, Madison and Sutro, San Francisco:	
Ordinary litigation Account 648—Fees	$5,035 00
Disbursements	481 10
Miscellaneous legal matters Account 645—Fees	10 00
Disbursements	10 70
Edwin Camack, Los Angeles:	
Ordinary litigation Account 648—Fees	1,175 00
Disbursements	203 94
Miscellaneous legal matters Account 645—Fees	80 00
Disbursements	2 00
Eugene Daney, San Diego:	
Ordinary litigation Account 648—Fees	75 00
Disbursements	2 00
Sutherland, Dearing and Jertberg, Fresno:	
Ordinary litigation Account 648—Fees	200 00
Disbursements	69 75
Oscar Lawler, Los Angeles:	
Account 645—(Misc. Legal matters)—Fees	150 00
Total	$7,494 49

THE WESTERN UNION TELEGRAPH COMPANY—CONTINUED

I trust that this information together with that furnished by Mr. Cook will meet with your requirements and I shall appreciate your acknowledging receipt thereof.

Very truly yours,

R. H. OVERBAUGH,
General Attorney.

Statement showing amounts paid to general officers, who receive a salary of $5,000 or over per annum, for the year ended December 31, 1934

Name	*Title*	*Amount*
Newcomb Carlton,	Chairman of the Board	$66,674 00
R. B. White,	President	60,000 00
J. C. Willever,	First Vice President	29,667 00
E. Y. Gallaher,	Vice President and Comptroller	28,448 00
J. J. Welch,	Vice President in charge traffic	22,352 00
W. C. Titley,	Vice President in charge plant	20,117 00
F. R. Stark,	General Solicitor	19,101 00
R. H. Overbaugh,	General Attorney	16,256 00
F. E. d'Humy,	Vice President in charge of Engineering	14,602 00
G. K. Huntington,	Treasurer	13,411 00
L. McKisick,	Vice President and Secretary	12,192 00
H. W. Ladd,	General Auditor	11,379 00
Total		$314,199 00
C. P. R. Coode,	Vice President (London, England)	£3,189–10–9

WESTERN WATER COMPANY.

I. Names of employees who during 1934 received a salary of $5,000 or more

Name	*Title*	*Salary*	*Expense account*	*Directors' fees*	*Contingent or other fees*
Young, T. M.,	V. P. and Mgr.	$9,720	$329 91	$220 00	None
Rintoul, B.,	Supt.	5,940	118 00	------	None
Totals		$15,660	$447 91		

NOTE—Expense account of T. M. Young represents cash paid by him for transportation and living expenses while on business of this company, also emergency expenses.

Expense account B. Rintoul represents transportation and expenses traveling on business for this company, $64. Dues paid by him to Business Men's Club of Taft, $54.

II. Dues, donations, subscriptions and contributions

To whom paid	*Amount paid*	*Charged to Account E-38*	*Surplus 11¼*
Kern County Taxpayers Association	$50 00	$50 00	$----
Taft High School Publication	5 00	------	5 00
Salvation Army	5 00	------	5 00
Seventh Day Adventist Church	2 00	------	2 00
Totals	$62 00	$50 00	$12 00

III. Attorneys' fees.

Name	*Amount paid*	*Accounts charged to E-38*	*E-39*
Beaizley, W. B.	$12 50	$12 50	$----
Chickering & Gregory	3,172 95	172 95	3,000 00
Totals	$3,185 45	$185 45	$3,000 00

WEYL-ZUCKERMAN & CO

I. Names of employees who during 1934 received a salary of $5,000 or more

	Salary	Traveling expense
M. Zuckerman, President	$8,400 00	$1,725 00
H. S. Nurenburg, Secretary-Treasurer	4,800 00	
H. G. Zuckerman, Director	6,000 00	
R. C. Zuckerman, Director	8,400 00	
E. Marx, Kansas City Office Manager	6,000 00	
John von Husen, Auditor	3,225 00	554 01
Totals	$36,825 00	$2,279 01

No contingent fees

II. No dues, donations, subscriptions or contributions.

III. Attorney fees.

Livingston & Livingston, in connection with farming business	$7,454 79
Percy Webster Nutter & Rutherford McNoble & Parkinson, Stockton, California, in connection with farming business	411 50
Various law firms in Los Angeles, California; Fort Worth, Texas; Kansas City, Mo., in connection with trading business	416 84
Total	$8,283 13

Charged to legal expenses.

WHITTIER HOME TELEPHONE & TELEGRAPH COMPANY

I. Names of employees who during 1934 received a salary of $5,000 or more.

A. Wardman, President

Salary	$9,018 00
Auto expense	900 00
Miscellaneous expense	300 00
Directors fees	30 00
Total	$10,248 00

II. Dues, donations, subscriptions and contributions

	Amount	Account charged
U. S. Independent Telephone Association, dues	$156 00	675
Whittier Merchants Credit Bureau, dues	30 00	645
Whittier Chamber of Commerce, dues and service funds	200 00	675
Salvation Army	25 00	675
Boy Scouts of America, contribution	10 00	675
Whittier College, contribution	119 20	675
Merriam for Governor Campaign	100 00	675
California Independent Telephone Association, dues	87 65	675
National Syncrotax Association, contribution	250 00	675
Total	$977 85	

III. Attorney fees

None

WILMINGTON TRANSPORTATION COMPANY.

I. Names of employees who during 1934 received a salary of $5,000 or more.

	Salary	Expenses
David P. Fleming, Executive Vice President	$10,200 00	$23 84

No contingent fees.

II. Dues, donations, subscriptions and contributions.

	Amount	Account charged
Los Angeles Chamber of Commerce	$875 00	WE 20
San Pedro Chamber of Commerce	25 00	WE 20
Wilmington Chamber of Commerce	140 00	WE 20
Long Beach Chamber of Commerce	50 00	WE 20
Merchants & Manufacturers Association	12 00	WE 20
Commercial News	2 50	WE 20
Transportation Club	18 00	WE 20
Total	$1,122 50	

WILMINGTON TRANSPORTATION COMPANY—CONTINUED

III. Attorney fees.

Young, Lillick, Olson & Kelly	$850 00	WE 51
Hindman & Davis	210 22	WE 51
Total	$1,060 22	

YOSEMITE PARK AND CURRY CO.

I Names of employees who during 1934 received a salary of $5,000 or more.

Name	*Salary*	*Expense account*
Mrs. D. Curry, Chairman of the Board	$8,500 00	$108 00
Don B Tresidder, President	15,000 00	1,773 07
H. H. Hoss, Secretary-Treasurer	5,400 00	176 41
H Oehlmann, Purchasing Agent	5,400 00	161 60
Total	$34,300 00	$2,219 08

II. Dues, donations, subscriptions and contributions.

Various donations	$1,087 77
Various dues and subscriptions	2,254 93
Total	$3.342 70

III Attorneys fees.

Legal and auditing fees	$3,053 32

MOTION TO RE-REFER.

Mr. Donihue moved that Assembly Bill No. 535 be withdrawn from the Committee on Judiciary, and ordered re-referred to Committee on Manufactures

The question being on re-referring Assembly Bill No. 535 to the Committee on Manufactures.

Motion carried.

Assembly Bill No. 535 ordered re-referred to Committee on Manufactures.

MOTION TO RE-REFER.

Mr. Donihue moved that Assembly Bill No. 2346 be withdrawn from the Committee on Judiciary, and ordered re-referred to Committee on Revenue and Taxation.

The question being on re-referring Assembly Bill No. 2346 to the Committee on Revenue and Taxation.

Motion carried.

Assembly Bill No 2346 ordered re-referred to Committee on Revenue and Taxation.

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the motion by Mr. Evans, Ralph W., the Speaker appointed Messrs. Evans, Ralph W., Wright, and Robertson as such Select Committee to invite the Governor to address the Assembly on Assembly Joint Resolution No 39.

MOTION TO RE-REFER.

Mr Clark moved that Assembly Bill No. 1040 be withdrawn from the Committee on Governmental Efficiency and Economy, and ordered re-referred to Committee on Prisons and Reformatories.

The question being on re-referring Assembly Bill No. 1040 to the Committee on Prisons and Reformatories

Motion carried.

Assembly Bill No. 1040 ordered re-referred to Committee on Prisons and Reformatories.

MOTION TO RE-REFER.

Mr. Clark moved that Assembly Bill No. 1041 be withdrawn from the Committee on Governmental Efficiency and Economy, and ordered re-referred to Committee on Prisons and Reformatories

The question being on re-referring Assembly Bill No 1041 to the Committee on Prisons and Reformatories.

Motion carried.

Assembly Bill No. 1041 ordered re-referred to Committee on Prisons and Reformatories.

MOTION TO RE-REFER.

Mr. Utt moved that Assembly Bill No. 2383 be withdrawn from the Committee on Judiciary, and ordered re-referred to Committee on Financial Institutions.

The question being on re-referring Assembly Bill No. 2383 to the Committee on Financial Institutions.

Motion carried.

Assembly Bill No. 2383 ordered re-referred to Committee on Financial Institutions.

ADJOURNMENT.

At twelve o'clock and twenty minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m , Monday, March 11, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, March 11, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A Ohnimus, and the following members answered to their names.

Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—76

Quorum present.

PRAYER.

Prayer was offered by Rev Father John E Tumulty, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Nielsen, its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. Dawson, Mr. Brennan was granted leave of absence for the day.

On motion of Mr McMurray, Mr. O'Donnell was granted leave of absence for the day.

On motion of Mr. Gilmore, Mr Cronin was granted leave of absence for the day.

PRIVILEGE OF FLOOR OF ASSEMBLY EXTENDED.

On request of Mr. Field, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr John R. Moore of Glendale.

On request of Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Herman P Noll of Pasadena.

On request of Mr. Chatters, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. W. S Sulser of Lindsay, California, and Mrs. J. M. Vickery of Woodland.

On request of Mr. Redwine, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Warren Libby of Los Angeles, California.

On request of Mr. Meehan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Charles Norman of Alton.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr M. Thayer Rhodes of Berkeley, and Mr. P. L McMullen and Miss Phyllis McMullen of Oakland.

ASSISTANT CLERK COOLIDGE READING.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Imperial County Farm Bureau, in opposition to Assembly Bill No 954

From Western Fruit Jobbers Association, protesting Train Limit Bills, Six-hour Day Bills, Full Crew Bills, etc.

From Board of Supervisors, Contra Costa County, in opposition to Assembly Bills Nos. 1705 to 1713, inclusive, and 1728, and Senate Bills Nos 741 to 751, inclusive, and 967; also, imploring the Legislature to memorialize the Congress of the United States to adopt an adequate Old Age Pension Law.

From Oil Producers Agency of California, opposing additional taxation; also, relative to "fixed charges" be controlled and taxation be reduced.

From A R Stephens protesting the action of the SERA in cutting the SERA budgets.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1935

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1819—An act to add a new section to the Probate Code, to be numbered 1558, providing for allowances by the court to next of kin of an insane or incompetent person out of surplus income of said insane or incompetent person;

Also: Assembly Bill No. 2243—An act relating to fair trade practices, creating a fair trade bureau in the office of the Commissioner of Corporations, providing for a judicial hearing and determination of questions arising hereunder and for the enforcement of the provisions hereof,

And reports that the same have been correctly engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 248—An act to amend sections 3051, 3051a and 3052 of the Civil Code, relating to liens on aircraft and other personal property,

Also: Assembly Bill No. 249—An act relating to the use of the air and to make uniform the law with reference thereto; to provide for the licensing of aircraft, airmen and air navigation facilities, to provide for an Aviation Division as a part of and under the control of the Department of Public Works; to provide for the office of Chief of Aviation Division and its employees thereof; to provide for the revenue of the operation and maintenance of said Aviation Division and the manner of collecting same; to provide for the organization, powers and duties for the maintenance of the Aviation Division; to provide for the carrying out of the objects of this act; to provide for the time this act shall go into effect and to repeal all acts and parts of acts in conflict with this act, to provide for the enforcement of this act and the penalty for violations thereof;

Also: Assembly Bill No. 629—An act to amend The California Districts Securities Commission Act by amending section 11 thereof, relating to the levy of annual assessments by irrigation districts, and declaring the urgency thereof;

Also: Assembly Bill No. 714—An act to amend section 337 of and to add section 335a to the Code of Civil Procedure, relating to the time within which actions upon any contract, obligation or liability founded upon an instrument in writing may be commenced;

Also: Assembly Bill No. 913—An act to amend section 662 of the Political Code, relating to the payment of fees to private persons, firms and corporations, declaring the urgency thereof, and providing that it shall take effect immediately;

And reports that the same have been correctly engrossed

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 27—An act to amend section 1507 of the Probate Code, relating to order granting authority to petition;

Also: Assembly Bill No. 28—An act to amend section 1000 of the Probate Code, relating to petition and notice of hearing,

Also: Assembly Bill No. 29—An act to amend section 1657 of the Probate Code, relating to accounts of guardian;

Also: Assembly Bill No. 241—An act to amend section 7 of an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways" approved May 26, 1927, relating to State highways;

Also: Assembly Bill No. 278—An act for the relief of certain special assessment districts, and for that purpose authorizing any city or county, or city and county, upon consent of the holder of bonds, in connection with any refunding or liquidating plans to adjust, annul, pay, waive, cancel, settle, refund, liquidate or discharge any taxes or assessments, penalties, interest or costs accrued or accruing, or levied or to be levied, and making available to such city or county, or city and county, the provisions of Chapter IX of the act of Congress entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, as amended, and any bankruptcy law or laws of the United States now or hereafter enacted, and to declare the urgency of this act, to take effect immediately,

Also: Assembly Bill No. 310—An act to amend School Code section 4 928, relating to the apportionment of funds to high school districts;

Also: Assembly Bill No. 334—An act to amend sections 1068, 1085, 1103, 1108 1162, 1269a, 1272a, 1274a, 1280, 1822a and 1822bb of the Code of Civil Procedure, relating to special proceedings;

And reports that the same have been correctly engrossed

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 335—An act to amend sections 105, 112 and 165 of the Code of Civil Procedure, relating to courts of justice;

Also Assembly Bill No 425—An act to amend "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, by amending sections 5, relating to the division of election precincts, 10 relating to the publication of ordinances, 12 relating to the issuance of revenue bonds and the investment of surplus moneys, 15b relating to the bonds of the district and their use as security, and adding a new section thereto to be numbered 15c, relating to the issuance of refunding bonds;

Also: Assembly Bill No 585—An act to amend sections 8, 10, 42, 47 and 108 of an act entitled "An act to provide for the creation, establishment and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to the State Employees' Retirement System;

Also: Assembly Bill No 637—An act to add section 21a to the Juvenile Court Law, relating to the prevention of juvenile delinquency through public councils or committees;

Also, Assembly Bill No 639—An act to amend section 69 of the Civil Code, relating to applications for and issuance of licenses to marry;

Also Assembly Bill No 656—An act to validate bonds, including refunding bonds, of irrigation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

And reports that the same have been correctly engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No 650—An act to amend the title of and section 8 of an act entitled "An act regulating the making of openings or the placing of structures or the change or renewal of any structure and the planting or removal of trees or shrubs or the placing of obstructions in or on State roads and highways, providing for the issuance of permits by the State Department of Public Works relative thereto, and for the laying or placing pipes, conduits, sewers, poles, wires, railways, obstructions and other objects, and for the planting, trimming or removal of trees or shrubs in or on State roads and highways; providing for the requirement of bonds from applicants before the issuance of such permits; and prescribing the penalty for violations of the provisions of this act," approved April 23, 1915, as amended, to provide for the relative rights of the State and cities, cities and counties, and counties in respect to franchises granted in highways subsequently declared to be State highways;

Also: Assembly Bill No 657—An act to amend sections 41e and 42 of the California Irrigation District Act, relating to the payment of irrigation district assessments;

Also, Assembly Bill No 662—An act to provide for the refunding of bonds issued under the "Improvement Bond Act of 1915" and for the extension of liens and assessments and the collection and enforcement of such assessments and the payment of said bonds;

Also: Assembly Bill No. 664—An act amending "An act in relation to relief from special assessments and in relation to financial relief therefrom, and of taxing districts, as defined in Chapter IX of the act of Congress entitled 'An act to establish a uniform system of bankruptcy throughout the United States,' approved July 1, 1898, as amended, validating petitions and proceedings under or in contemplation of proceedings under, said Chapter IX, and authorizing contribution by cities and counties toward the payment of such assessments, and declaring the urgency thereof, to take effect immediately," and declaring the urgency thereof, to take effect immediately;

Also: Assembly Bill No. 665—An act to amend an act entitled "An act authorizing the common council, board of trustees or other governing body of any incorporated city or town other than cities of the first class to refund its indebtedness, to issue bonds therefor, and to provide for the payment of the same," approved March 9, 1897, by amending section 1 thereof relating to refunding bonds and to the use of Federal courts in municipal bankruptcy or refunding proceedings;

And reports that the same have been correctly engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 694—An act to amend sections 327, 810, 831, 841 and 1201 of the Probate Code, relating to publication of notices in probate proceedings;

Also: Assembly Bill No. 695—An act to amend section 784 of the Probate Code, relating to confirmation of sales of real property by executors and administrators;

Also: Assembly Bill No. 759—An act to amend section 47a of the California Irrigation District Act by adding thereto a provision authorizing payment of current assessments upon partial redemption;

Also: Assembly Bill No. 843—An act to repeal section 73a of the California Irrigation District Act, relating to the procedure by which property owners may be relieved from obligations of the district;

Also: Assembly Bill No. 1066—An act to amend section 1238 of the Civil Code, relating to homesteads;

Also: Assembly Bill No. 1301—An act to amend section 718 of the Civil Code and section 842 of the Probate Code and to add a new section numbered 1538.5 to the Probate Code, relating to the leasing of property of a minor, insane or incompetent person, or of a decedent;

Also: Assembly Bill No. 1378—An act to amend section 2 of an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, relating to the maintenance of State highways;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1393—An act to add section 195.5 to the Military Code, relating to status of civil service employees in time of war;

Also: Assembly Bill No. 1640—An act to amend section 3866 and to repeal section 3871 of the Political Code, relating to settlements between county treasurers and the State;

Also: Assembly Bill No. 1743—An act to amend the Palo Verde Irrigation District Act, approved June 21, 1923, as amended, by adding to said act, as amended, new sections to be numbered and providing as follows, to wit: Section 28½o, relating to disposal of tax-deeded and tax-delinquent lands; section 65, relating to proceedings in bankruptcy; section 66, relating to contracts with the United States or any agency thereof under an act approved May 5, 1917, as amended, and validating such contracts; section 67, validating bonds of the district; and section 68, validating rehabilitation plans; and declaring the legislative intent as to unconstitutionality;

Also: Assembly Bill No. 1901—An act relating to real estate transactions and imposing a tax thereon and providing for the enforcement and collection of the tax, this act to take effect immediately;

Also: Assembly Bill No. 2133—An act to amend sections 447 and 448 of the Code of Civil Procedure, relating to the pleading of written instruments;

And reports that the same have been correctly engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 39—Relating to memorializing Congress to incorporate in a National old age pension plan the principles and objectives of the Townsend Plan—and reports that the same has been correctly engrossed

WATERS, Chairman

Assembly Joint Resolution No. 39 ordered on file for adoption.

ON GOVERNMENTAL REVENUES AND EXPENDITURES

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1935.

MR. SPEAKER: Your Committee on Governmental Revenues and Expenditures, to which was referred Assembly Bill No. 1779—An act to amend section 462 of the Political Code, relating to unclaimed money of the State—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, as amended.

JONES, Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Governmental Revenues and Expenditures to which was referred Assembly Bill No 1793—An act to add section 690 11 to the Political Code, relating to fees;

Also Assembly Bill No 1991—An act to repeal section 658a of the Political Code and to add section 658 5 thereto, relating to refunds of fees paid to the State;

Also: Assembly Bill No 1548—An act to remit to holders of certificates of purchase of State lands one-half of any penalty which has accrued on account of failure of any such purchaser to pay interest when due, in consideration of the payment by any such purchaser, on or before December 31, 1935, to the State of California, of any sums due the State on account of interest plus the remaining one-half of any accrued penalties;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

JONES, Chairman.

The above reported bills ordered on file for second reading.

RECESS.

At eleven o'clock and ten minutes a m., on the motion of Mr. Lyon, the Assembly was declared at recess until eleven o'clock and twenty minutes a m. of this day, for the purpose of hearing from Mr. Levi L. Carlile of Riverside, and Mr. Espinor, relative to Assembly Bill No. 791

REASSEMBLED.

At eleven o'clock and twenty minutes a m., the Assembly reconvened.

Speaker Craig in the chair.

EXPLANATION OF VOTE

Mr. Arthur A. Ohnimus, Chief Clerk, Assembly

On March 8th when the vote was taken on Mr. Lore's motion to print the salaries of public service corporations, my attention was diverted and I voted "No," when I should have voted "Aye"

Very truly yours,

FRED REAVES

SENATE MESSAGES

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 7, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 93—An act to amend section 7 of the "California Nautical School Act" approved June 3, 1929, as amended, relating to the payment by pupils enrolled in the California Nautical School of fees and other charges and the disposition thereof.

J. A BEEK, Secretary of Senate

Senate Bill No. 93 read first time, and referred to Committee on Governmental Efficiency and Economy.

Also:

SENATE CHAMBER, SACRAMENTO, March 8, 1935

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 489—An act to amend section 1053 of the Penal Code, relating to substitution of judges in criminal actions

J A BEEK, Secretary of Senate

Senate Bill No. 489 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, March 8, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 227—An act prohibiting the use of certain canes

except by blind persons, and providing protection against accidents to such persons, and providing penalties for violation thereof.

J. A BEEK, Secretary of Senate.

Senate Bill No 227 read first time, and referred to Committee on Social Welfare

REQUEST FOR USE OF ASSEMBLY CHAMBER.

Mr. Hawkins requested that the Assembly grant the use of the Assembly Chamber to the Committee on Unemployment, for three o'clock this afternoon, and that a Committee of Three be appointed to invite the members of the Senate Committee on Unemployment to sit in the meeting.

SUBSTITUTE MOTION.

Mr. Wright moved as a substitute motion that the committee confer with Mr. Anderson, and to wait upon the Senate

Motion carried

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed Messrs Hawkins, Wagner and Wright to carry out the provisions of the motion.

INTRODUCTION AND REFERENCE OF BILLS.

The following resolution was introduced:

By Messrs. Phillips and Walker: Assembly Joint Resolution No. 41—Relative to the establishment of a public authority for the development and improvement of the Colorado River Basin and the distribution of the waters of the Colorado River.

Introduced

REQUEST FOR UNANIMOUS CONSENT.

Mr. Phillips asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 41, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER FORTY-ONE

Assembly Joint Resolution No. 41—Relative to the establishment of a public authority for the development and improvement of the Colorado River Basin and the distribution of the waters of the Colorado River

Assembly Joint Resolution No. 41 read.

Mr Phillips moved the adoption of Assembly Joint Resolution No. 41.

The question being on the adoption of Assembly Joint Resolution No. 41.

The roll was called, and Assembly Joint Resolution No. 41 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—71.

NOES—None.

ASSEMBLY JOINT RESOLUTION NO 41

Relative to the establishment of a public authority for the development and improvement of the Colorado River Basin and the distribution of the waters of the Colorado River.

WHEREAS, The States of Arizona, California, Colorado, Nevada, New Mexico, Utah and Wyoming have important interests in the waters of the Colorado River, which is one of the chief assets of said States, and its full development is essential to the future growth and prosperity of said States; and

WHEREAS, It appears to be to the best interest of said seven States that a public authority should be established by the consent of said States and the United States of America for the purpose of providing for the development and improvement of the Colorado River Basin and the supervision of distribution of the waters of the Colorado River; now, therefore, be it

Resolved by the Senate and Assembly of the State of California jointly, That the Legislatures or other competent authorities of the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming, and the Congress of the United States be and they are hereby memorialized and earnestly requested to designate and appoint representatives for the purpose of considering ways and means by which a Colorado River authority may be established and determining the powers and duties which may with advantage to the several States and the United States be vested in such authority; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the Secretary of the Interior, each of the Senators and Representatives representing California in the Congress of the United States and the Governors of each of the States of Arizona, Colorado, Nevada, New Mexico, Utah, and Wyoming.

Title read and approved.

Assembly Joint Resolution No 41 ordered transmitted to the Senate.

SPECIAL ORDER

The hour of eleven o'clock and thirty minutes a m, having arrived, the special order heretofore set for this hour was taken up for consideration.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER THIRTY-NINE.

The question being on the adoption of the amendment submitted by Mr Jones.

COMMUNICATION FROM GOVERNOR

The following letter from the Governor was read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, March 8, 1935

Hon. Chas. W. Lyon, Assembly Chamber, Sacramento, California.

MY DEAR MR. LYON: Upon returning from San Francisco this evening, I am informed the Assembly has by motion requested my presence in the Assembly on Monday, March 11, 1935, and has appointed a committee to "invite, request and escort" me on that occasion.

Since I have arranged to fill several appointments in Glendale and Los Angeles over the weekend, and do not expect to return in time Monday to meet the committee, I am sending this communication

I am also informed my presence is desired in connection with the consideration of Assembly Joint Resolution No. 39 My attitude toward the Townsend Old Age Revolving Pension Act is definitely set forth in my radio address over N B C on Monday evening, March 4th At that time I said

> "Dr. Townsend's recommendations have my approval, and will continue to have my support."

If a more definite endorsement of Dr. Townsend's Plan is desired than contained in your resolution, I am very pleased to concur and join in requesting amendment of the same by including in the joint resolution, H R. 3977, introduced in the National House of Representatives, January 16, 1935. The inclusion of this entire bill, prepared by Dr Townsend, will avoid any misunderstanding as to the intention of the authors of the resolution and of the Legislature I am enclosing herewith proposed amendment, in harmony with the above statement.

Assuring you I will be pleased to furnish any additional information desired, upon request of the committee or the Assembly, I am

Cordially yours,

FRANK F. MERRIAM, Governor of California.

MOTION

Mr. Lyon moved that the letter received and read by him from Governor Frank F. Merriam be printed in the Journal

Motion carried.

The question being on the adoption of the amendment submitted by Mr Jones

Mr. Lyon submitted the following amendment as a substitute amendment to the amendment submitted by Mr. Jones.

AMENDMENT NUMBER ONE.

On page 1 of Assembly Joint Resolution No. 39, as amended in the Assembly March 8, 1935, strike out lines 13 to 26, inclusive, and on page 2, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following.

"*Resolved by the Assembly and the Senate of the State of California, jointly,* That the Congress of the United States is respectfully urged to enact H R 3977, introduced in the House of Representatives January 16, 1935, and cited as the "Townsend Old-Age Revolving Pension Act," which is as follows.

SEC. 2. That every citizen of the United States, 60 years of age and over, or who shall attain the age of 60 years after the passage of this act, while actually residing in the United States, shall be entitled to receive, upon application and qualification, a pension in the sum of $200 per month during the life of the pensioner: Provided, that (a) the pensioner shall discontinue and refrain from all gainful competitive pursuits or salaried positions of any kind; (b) the pensioner shall covenant and agree that he or she will within 30 days of receipt of said pension expend all of the same for goods, commodities, or services within the jurisdiction of the United States; (c) proof of age and citizenship shall be according to the law and procedure of the State of residence of the pensioner, and (d) this pension shall be wholly exempt from attachment, garnishment, or execution.

SEC. 3. There is hereby levied a tax of 2 per centum on the gross dollar value of each business, commercial, and/or financial transaction done within the United States. The President of the United States is hereby empowered by executive order to increase or decrease the 2 per centum tax by not more than 50 per centum, when in his discretion he deems it advisable, in order to adequately finance the said pension roll. This tax shall be levied in addition to any other Federal tax on goods or commodities. This tax so levied shall be paid by the seller once each calendar month, calculated on the seller's aggregate gross sales, in accordance with rules and regulations to be promulgated by the Secretary of the Treasury of the United States.

(a) It is hereby provided in order to facilitate the collection of this tax that all sellers of goods, commodities, and commercial things of value shall obtain a license upon payment of a fee, the amount thereof to be fixed by the Secretary of the Treasury, who is empowered with full authority to use his discretion as to methods and means of collecting this tax.

SEC 4 Any qualified pensioner who, for any justifiable reason, has failed to legally receive and disburse said pension, may, upon proper proof, be reinstated and thereafter receive the pension

(a) All pensioners under this act shall be permitted to expend not more than 15 per centum of each monthly pension for charity, church, and fraternal organizations.

(b) Pensioners under this act shall receive no other pension from the United States nor from any State nor any political subdivision thereof, except all disabled war veterans now receiving or who may receive disability allowance, compensation, or pension from the United States Government

(c) The benefits of this act shall not accrue to any person while an inmate of an insane asylum, eleemosynary institution, or while under penal sentence in any jail or penitentiary.

SEC 5. Immediately after the passage of this act, the Secretary of the Treasury shall authorize all National and State banks, members of the Federal Insurance Deposit Corporation, to credit each properly identified pensioner the first day of each calendar month in the sum of $200, and said banks shall be reimbursed by the United States Treasury for the amounts so credited to pensioner or pensioners

SEC. 6. All salaries for individual services are hereby exempted from the tax provisions of this act

SEC 7. Pensions under this act shall be forfeited or discontinued for the following reasons

(a) Any person who has been duly convicted of a felony shall be ineligible for this pension for a period of 10 years following the completion of his sentence.

(b) Any pensioner under this act who is convicted of a felony shall immediately forfeit his said pension

(c) Any pensioner who violates the conditions imposed by (a) and (b) of section 2 of this act may be deprived of the said pension.

SEC 8 The Secretary of the Treasury shall appoint pension boards of three members, who shall constitute a district pension board. No two members of this

board may belong to the same political party. Such boards may appoint deputies within their districts. All members of the board shall serve without compensation other than their pensions. Such boards shall have supervision of the administration of this act in their respective districts and shall be governed by rules and regulations promulgated by the Secretary of the Treasury. A pension board shall be so set up for each county in the United States other than the areas of metropolitan cities wherein boards shall be created in each ward or similar political subdivision.

SEC. 9. Any and all oaths or affirmations required under the provisions of this act may be administered by any officer authorized by the law of any State to take acknowledgments for the conveyance of real property or by any member of a duly constituted pension board as herein provided.

SEC 10. It shall be a felony and punishable as such for any pensioner or seller as herein described to misrepresent or make a false statement with regard to any provisions of this act, with intent to defraud the government of the United States under penalty of a fine of not more than $1,000 or imprisonment for not more than two years, or both."

Amendment read.

The question being on the adoption of the substitute amendment submitted by Mr. Lyon.

POINT OF ORDER.

Mr Jones arose to the following point of order: That the amendment submitted by Mr. Lyon was not in order.

RULING BY SPEAKER.

The Speaker ruled the point of order not well taken.

MOTION TO SET SPECIAL ORDER.

Mr. Evans, Ralph W., moved that further consideration of Assembly Joint Resolution No. 39 be made a special order for Wednesday, March 13, 1935, and that a Select Committee, appointed by the Speaker, wait on the Governor and escort him to the rostrum

The question being on the motion by Mr. Evans, Ralph W., setting Assembly Joint Resolution No. 39 as a special order for Wednesday, March 13, 1935, at eleven o'clock and thirty minutes a. m

The roll was called, and the motion by Mr. Evans, Ralph W, was lost by the following vote:

AYES—Anderson, Boyle, Clark, Evans, Ralph W., Geyer, Glover, McCarthy, Reaves, Richie, Rosenthal, Turner, and Voigt—12.

NOES—Andreas, Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Relwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—63.

FURTHER CONSIDERATION OF AMENDMENT BY MR. LYON.

The question being on the adoption of the amendment submitted by Mr Lyon.

MOTION TO RE-REFER

Mr. McCarthy moved, seconded by Mr. Reaves, that Assembly Joint Resolution No 39 be re-referred to Committee on Federal Relations.

The question being on the motion to re-refer.

REQUEST FOR ROLL CALL

On request of Mr. McCarthy, the Speaker ordered a roll call taken on the motion to re-refer Assembly Joint Resolution No. 39 to Committee on Federal Relations.

The roll was called, and the motion to re-refer was lost by the following vote:

AYES—Clark, Evans, Ralph, W., Flint, Heisinger, Laughlin, McCarthy, Reaves, Rosenthal, and Turner—9.

NOES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunnington, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—65

The question being on the adoption of the amendment submitted by Mr. Lyon:

DEMAND FOR PREVIOUS QUESTION

Messrs. Phillips, Riley, Martin, Morgan and Cottrell demanded the previous question.

The question being put: Shall the main question be now put?

The roll was called, and demand for previous question sustained by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—69

NOES—Evans, Ralph W., Hornblower, Jones, and McCarthy—4.

FURTHER CONSIDERATION OF AMENDMENTS TO ASSEMBLY JOINT RESOLUTION NUMBER THIRTY-NINE.

The question being on the adoption of the amendment submitted by Mr. Lyon.

The roll was called.

MOTION TO EXPUNGE RECORD.

Mr. Williamson moved that the vote taken on the adoption of the amendment submitted by Mr. Lyon, be expunged from the record and the action rescinded.

Motion carried.

The question being on the adoption of the amendment submitted by Mr. Lyon.

The roll was called, and the amendment adopted by the following vote:

AYES—Andreas, Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Utt, Wagner, Walker, Waters, Welsh, Wright, and Mr. Speaker—61

NOES—Anderson, Boyle, Clark, Desmond, Evans, Ralph W., Heisinger, Mayo, McCarthy, McMurray, Richie, Thorp, Turner, Voigt, Wallace, and Williamson—15.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 39, as amended, at this time, without reference to reprint, or file, and that same be considered re-engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER THIRTY-NINE, AS AMENDED.

Assembly Joint Resolution No. 39—Relative to memorializing Congress to incorporate in a National old age pension plan the principles and objectives of the Townsend Plan.

Assembly Joint Resolution No 39 read as amended.

Mr. Lyon moved the adoption of Assembly Joint Resolution No. 39, as amended.

The question being on the adoption of Assembly Joint Resolution No 39, as amended.

The roll was called.

MOTION TO EXPUNGE RECORD.

Mr. Hornblower moved that the vote on Assembly Joint Resolution No. 39 be expunged from the record, and the action rescinded.

Motion carried.

The question being on the adoption of Assembly Joint Resolution No. 39, as amended.

The roll was called, and Assembly Joint Resolution No. 39, as amended, adopted by the following vote:

AYES—Andreas, Burns, Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunningham, DeLap, Donahue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Peyser Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Utt, Wagner Walker, Waters, Welsh, Wright, and Mr Speaker—58

NOES—Anderson, Boyle, Breed, Clark, Dawson, Desmond, Evans, Ralph W., Heisinger, Mayo, McCarthy, McMurray, Richie, Thorp, Turner, Voigt, Wallace, and Williamson—17

Title read and approved.

Assembly Joint Resolution No 39 ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION No. 39

Relating to memorializing Congress to incorporate in a National old age pension plan the principles and objectives of the Townsend Plan.

WHEREAS, Various proposals for the establishment of old age pensions are now under consideration by the Congress of the United States; and

WHEREAS, The revolving old age pension plan originated by Dr. F. E Townsend, of California, has been presented to the United States Senate and the National House of Representatives; and

WHEREAS, The program contemplates both relief for the aged and widespread adjustments in our economic system certain to result in improved working conditions and in extensive reduction of unemployment among thousands of men and women under the age of 60 years, and

Resolved by the Assembly and the Senate of the State of California, jointly, That the Congress of the United States is respectfully urged to enact H. R. 3977, introduced in the House of Representatives, January 16, 1935, and cited as the "Townsend Old-Age Revolving Pension Act," which is as follows:

SEC. 2 That every citizen of the United States, 60 years of age and over, or who shall attain the age of 60 years after the passage of this act, while actually residing in the United States, shall be entitled to receive, upon application and qualification, a pension in the sum of $200 per month during the life of the pensioner Provided, that (a) the pensioner shall discontinue and refrain from all gainful competitive pursuits or salaried positions of any kind; (b) the pensioner shall covenant and agree that he or she will within 30 days of receipt of said pension expend all of the same for goods, commodities, or services within the jurisdiction of the United States, (c) proof of age and citizenship shall be according to the law and procedure of the State of residence of the pensioner; and (d) this pension shall be wholly exempt from attachment, garnishment, or execution

SEC. 3 There is hereby levied a tax of 2 per centum on the gross dollar value of each business, commercial, and/or financial transaction done within the United States The President of the United States is hereby empowered by executive order

to increase or decrease the 2 per centum tax by not more than 50 per centum, when in his discretion he deems it advisable, in order to adequately finance the said pension roll. This tax shall be levied in addition to any other Federal tax on goods or commodities. This tax so levied shall be paid by the seller once each calendar month, calculated on the seller's aggregate gross sales, in accordance with rules and regulations to be promulgated by the Secretary of the Treasury of the United States.

(a) It is hereby provided in order to facilitate the collection of this tax that all sellers of goods, commodities, and commercial things of value shall obtain a license upon payment of a fee, the amount thereof to be fixed by the Secretary of the Treasury, who is empowered with full authority to use his discretion as to methods and means of collecting this tax.

SEC 4. Any qualified pensioner who, for any justifiable reason, has failed to legally receive and disburse said pension, may, upon proper proof, be reinstated and thereafter receive the pension.

(a) All pensioners under this act shall be permitted to expend not more than 15 per centum of each monthly pension for charity, church, and fraternal organizations.

(b) Pensioners under this act shall receive no other pension from the United States nor from any State nor any political subdivision thereof, except all disabled war veterans now receiving or who may receive disability allowance, compensation, or pension from the United States Government.

(c) The benefits of this act shall not accrue to any person while an inmate of an insane asylum, eleemosynary institution, or while under penal sentence in any jail or penitentiary.

SEC. 5. Immediately after the passage of this act, the Secretary of the Treasury shall authorize all National and State banks, members of the Federal Insurance Deposit Corporation, to credit each properly identified pensioner the first day of each calendar month in the sum of $200, and said banks shall be reimbursed by the United States Treasury for the amounts so credited to pensioner or pensioners.

SEC. 6. All salaries for individual services are hereby exempted from the tax provisions of this act.

SEC. 7. Pensions under this act shall be forfeited or discontinued for the following reasons:

(a) Any person who has been duly convicted of a felony shall be ineligible for this pension for a period of 10 years following the completion of his sentence.

(b) Any pensioner under this act who is convicted of a felony shall immediately forfeit his said pension.

(c) Any pensioner who violates the conditions imposed by (a) and (b) of section 2 of this act may be deprived of the said pension.

SEC. 8. The Secretary of the Treasury shall appoint pension boards of three members, who shall constitute a district pension board. No two members of this board may belong to the same political party. Such boards may appoint deputies within their districts All members of the board shall serve without compensation other than their pensions. Such boards shall have supervision of the administration of this act in their respective districts and shall be governed by rules and regulations promulgated by the Secretary of the Treasury. A pension board shall be so set up for each county in the United States other than the areas of metropolitan cities wherein boards shall be created in each ward or similar political subdivision.

SEC. 9. Any and all oaths or affirmations required under the provisions of this act may be administered by any officer authorized by the law of any State to take acknowledgments for the conveyance of real property or by any member of a duly constituted pension board as herein provided.

SEC. 10. It shall be a felony and punishable as such for any pensioner or seller as herein described to misrepresent or make a false statement with regard to any provisions of this act, with intent to defraud the Government of the United States under penalty of a fine of not more than $1,000 or imprisonment for not more than two years, or both.

Resolved, That the Governor of the State of California is hereby requested to forward a copy of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, and to each Senator and member of the House of Representatives from California in the Congress of the United States

EXPLANATIONS OF VOTE

I strongly favor an old age pension plan, National in scope, which in principle and objective, is included in the so-called Townsend Plan, but the amount of the pension and the manner in which the money is to be raised are matters which lie solely within congressional discretion and this Assembly should not infringe upon this prerogative of Congress.

KENNETT B DAWSON, *Assemblyman Twenty-second District.*

Also:

Through an error in the electrical voting system, the record makes it appear that I did not vote on the endorsement of the Townsend Plan. I desire the printed record in the Journal to show that I voted "Aye" on this measure.

GEOFFREY F MORGAN, Sixtieth District.

REQUEST TO PRINT IN JOURNAL

Mr. Burns requested that the following questions and answers be printed in the Journal:

Request granted.

MR. BURNS: Will Mr Lyon yield to a question?
QUESTION: Mr. Lyon, you speak for the Governor in this matter?
ANSWER. Yes
QUESTION Does the Governor consider this plan sound?
ANSWER I would assume so by virtue of the fact that he has submitted the whole Townsend Plan in his resolution

REQUEST FOR USE OF ASSEMBLY CHAMBER.

Mr Anderson requested, and was granted, the use of the Assembly Chamber to the Committee on Unemployment for the purpose of holding a public meeting this day, March 11, 1935, at three o'clock p.m

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1085—An act relating to the memorialization of Congress to furnish aid in the construction of check dams in the Salinas River Valley.

COMMITTEE AMENDMENT

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, following section 1 add the following

"WHEREAS, The water level of the Salinas Valley is rapidly declining; and

WHEREAS, The salt water is beginning to encroach inwardly from the ocean, and

WHEREAS, The cost of power is making it almost prohibitive for agricultural pursuits in the Salinas Valley due to the low water level; and

WHEREAS, Erosion is taking place and the soils are rapidly being put in danger because of the lack of proper soil and water protection; and

WHEREAS, The people of Salinas Valley are aware of this and are desirous of having the Federal Government remedy these defects and to save the Salinas Valley for future generations to conduct agricultural pursuits and to continue to increase the habitation of the Salinas Valley; and

WHEREAS, The water for domestic use may soon be jeopardized if populations increase; therefore, be it

Resolved, That the Federal Government conduct a survey and plan for the construction of check dams and a soil erosion prevention project; and be it further

Resolved, That this be enacted immediately for the preservation of the soils for future generations that may inhabit the Salinas Valley

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1086—An act relating to the memorialization of Congress to aid the rubber industry in the United States and in California.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee.

AMENDMENT NUMBER ONE

On page 1, line 1, of the printed bill, following section 1, add the following:

"WHEREAS, That enough rubber can be produced in the United States of America to furnish all the necessary needs of this Nation, from the guayule plants that can be grown on the marginal land of this Nation, and

WHEREAS, The guayule plant produces the finest quality rubber in the world; and

WHEREAS, The American rubber companies who produce in foreign lands, in order to compete with foreign companies, pay a starvation wage to their labor, thus depressing wages and forcing low standards of living in this country as well as in foreign countries because of the devastating competitive practices, such as Japan is forcing onto the world today; and

WHEREAS, The American people must be put back to gainful labor; and

WHEREAS, Salinas Valley is producing this rubber and has proven the practicability of its production by manufacturing as a finished product 1200 pounds per day in one small factory; therefore, be it

Resolved, That the Congress of the United States of America place a protective tariff thereon after a number of years by which American foreign interests can begin using the marginal lands of the United States of America for rubber production if they so desire. And discontinue the practice of paying a starvation wage to foreign labor, thus aiding in depressing the standard of living in other parts of the world to which the selfish interest in this Nation use in comparing and justifying the low standards they insist upon in this Nation and driving the standards of living down to that of a peonage condition such as the practice of the Japanese in the production of its goods and its depressing effect upon the working and business people of the world."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1641—An act to amend section 46 of the Workmen's Compensation, Insurance and Safety Act, approved May 26, 1913, relating to insurance carriage of the State and certain political subdivisions, public corporations and quasi public corporations.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1970—An act authorizing the creation of a personnel system, merit system or civil service system; the creation of the office of Personnel Director; the appointment of a Civil Service Commission; the delegation of certain authority to said personnel officer or commission in municipalities within this State; and prohibiting certain political activities and providing penalties for the violation of said provisions.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1262—An act to amend section 1 of an act entitled "An act authorizing the investment and reinvestment and disposition of any surplus moneys in the treasury of any county, city and county, incorporated city or town, or municipal utility district, or flood control district," approved April 23, 1913, Statutes of 1913, page 76, as amended.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1161—An act to amend section 718c of the Civil Code, empowering municipalities to lease property.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1199—An act to amend section 3658a of the Political Code, relating to assessments by reference to maps.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 671—An act relating to the redemption of property sold to cities for delinquent taxes and assessments, and declaring the urgency thereof.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 1268—An act to validate the formation, organization and existence of county water districts, and to validate the acts of the board of directors of such districts in the inclusion of land therein or

exclusion of land therefrom, and to validate the proceedings of such directors taken for the creation of a bonded indebtedness.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1194—An act amending the title and section 31 of and to that certain statute entitled "Improvement Act of 1911," approved April 7, 1911, as amended, relating to public improvements and the repair and reconstruction of portions of improved streets, avenues, lanes, alleys, courts or places, bulkheads, retaining walls or other works for the protection of the same and to the payment of the costs thereof and establishing a procedure for the same.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 771—An act authorizing counties to contract with cities and towns, and to assume and carry on certain municipal functions thereof, providing for transfers of employees and adjustment of pensions, and authorizing cities to transfer such functions to counties and to enter into contracts in relation thereto.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1064—An act authorizing municipalities to afford special assessment relief by the appropriation of money for the reduction of special assessments and the payments on bonds issued to represent such assessments, and by the payment of any portion of the principal or interest of, or by the purchase or redemption at a discount of, or by the transfer to the interest and sinking fund for the discharge and payment of bonds, the proceeds of which have been used for the acquisition of rights of way or easements for, or for the construction, maintenance, improvement or repair of such streets, bridges and culverts within such cities, and providing a method for the making of such appropriations.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 956—An act to amend an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, by amending sections 5 and 15 thereof, relating to special assessment bonds

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 642—An act to provide for the formation of districts within municipalities for the acquisition, construction or extension of waterworks, water systems or water distribution systems; for the issuance, sale and payment of bonds of such districts to meet the cost of such waterworks, water systems or water distribution systems, and for the acquisition, construction or extension of such waterworks, water systems or water distribution systems.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 521—An act to provide a method for improving public streets, avenues, lanes, alleys, courts and places within municipalities of the sixth class, and for levying and collecting assessments upon property to pay for such improvements, and declaring the urgency

hereof, to take effect immediately, and repealing an act approved May 25, 1933, relating to the same subject.
Bill read second time, ordered to engrossment, and third reading

Assembly Bill No 36—An act to amend sections 1261 and 1262 of the Agricultural Code, relating to produce dealers.
Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 361—An act to amend the division heading of Division V of the Agricultural Code, relating to standardization.
Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 363—An act to amend section 1072 of the Agricultural Code, relating to economic poisons
Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 364—An act to amend section 1036 of the Agricultural Code, relating to fertilizing materials.
Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 367—An act to amend section 104 of the Agricultural Code, relating to quarantine.
Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 368—An act to amend section 34 of the Agricultural Code, relating to cooperative agreements for the purpose of enforcing provisions relating to standardization.
Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 923—An act to amend section 1283 of the Agricultural Code, relating to deciduous fruit dealers
Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 661—An act to amend section 4.360 of the School Code, relating to school district budgets.
Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 736—An act to amend section 2.481 of the School Code, relating to the transfer of an elementary school district from one high school district to another
Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 414—An act to amend section 2 123 of the School Code, relating to the providing of instruction and transportation by county superintendents of schools for elementary pupils.
Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 1343—An act to repeal sections 2 21, 3.174, 3.301, 3.302, 3.306, 3.308, 3.309, 3.415, 3 416 of the School Code, to add to Part I of Division II of the said code a new chapter to be known as Chapter VIII, and to add to said code a new section, to be numbered 3.306, all relating to the attendance of pupils upon the public schools.
Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 314—An act to amend sections 2 203 and 2 204 of the School Code, relating to the formation of joint elementary school districts.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 3 to 10, both inclusive, and insert in lieu thereof the following:

"2 203. Excepting as otherwise provided in this article, joint elementary school districts shall be formed in the same manner as is prescribed by Article III of Chapter II of this part for the formation of elementary school districts."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 645—An act to amend section 403c of the Civil Code, relating to corporations.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 20, of the printed bill, strike out the word "lieu", and insert in lieu thereof the word "lieu"

AMENDMENT NUMBER TWO

On page 2, line 7, of the printed bill, strike out the words "three consecutive weeks", and insert in lieu thereof the words "two consecutive months"

AMENDMENT NUMBER THREE.

On page 2, line 8, of the printed bill, after the word "claiming", strike out the words "at any time before the expiration of thirty days from the completion of such publications", and insert said words so stricken out after the word "shall", on page 2, line 10.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 920—An act to amend section 1261 of the Agricultural Code, relating to produce dealers

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "section 1261 of", and insert in lieu thereof "sections 1261, 1263, 1265, 1267, 1268 of and to add a new section to be numbered 1268 5 to".

AMENDMENT NUMBER TWO

On page 1, line 26, of the printed bill, strike out "for the purpose of resale at wholesale"

AMENDMENT NUMBER THREE.

On page 2, line 7, of the printed bill, strike out the period, and insert in lieu thereof a comma, and add the following: "and provided that the term 'dealer' as herein defined shall not include retailers"

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, after line 18, add the following

"SEC. 2 Section 1263 of the Agricultural Code is hereby amended to read as follows:

1263. No person shall act as a commission merchant, dealer, broker or agent without having obtained a license as provided in this chapter Every person, acting as a commission merchant, dealer, broker or agent as herein defined shall file an application with the director for a license to transact the business of commission merchant, dealer, broker, and/or agent, and such application shall be accompanied

by the license fee herein provided for each specified class of business. Separate applications shall be filed for each class of business.

Such application shall in each case state the class or classes of farm products applicant proposes to handle, the full name of the person applying for such license, and if the applicant be a firm, exchange, association or corporation, the full name of each member of the firm, or the names of the officers of the exchange, association or corporation shall be given in the application. Such application shall further state the principal business address of the applicant in the State of California and elsewhere and the name or names of the person or persons authorized to receive and accept service of summons and legal notices of all kinds for the applicant. Such applicant shall further satisfy the director of his or its character, responsibility and good faith in seeking to carry on the business stated in the application.

In addition to the general requirements applicable to all classes of applications as in this section set forth, the following requirements shall apply to the class of application noted.

(a) Commission merchants. Each application shall include a schedule of commissions and charges for services, and such designated commissions and charges shall not be changed or varied for the license period except by written contract between the parties.

(b) Agents: Each application shall include such information as the director may consider proper or necessary, and shall include the name and address of applicant, and the name and address of each commission merchant, dealer or broker represented or sought to be represented by said agent, and the written indorsement or nomination of such commission merchant, dealer or broker.

The director shall thereupon issue to such applicant, a license entitling the applicant to conduct the business described in the application at the place named in the application for a year from the date thereof or until the same shall have been revoked for cause. Provided, however, that licenses of agents shall expire upon the date of expiration of the license of the principal for whom the agent acts. The director may also issue to each agent a card or cards, which shall bear the signature of said agent and his principal, separate cards being required for each principal. Any agent shall show said card or cards upon the request of any interested person.

Fraud or misrepresentation in making any application shall ipso facto work a revocation of any license granted thereunder. All indicia of the possession of a license shall be at all times the property of the State of California and each licensee shall be entitled to the possession thereof only for the duration of said license.

For filing the application herein described, each applicant must pay a fee as follows:

(a) Commission merchants: Twenty-five dollars for each year, provided, that a person licensed as a slaughterer under the provisions of Article 3 of Chapter 1 of Division III of this code shall be entitled to be licensed as a commission merchant without payment of further fees.

(b) Dealers: Twenty-five dollars for each year.

(c) Brokers: Twenty-five dollars for each year.

(d) Agents: One dollar for each year.

Any person who shall have been licensed as a commission merchant shall, upon application, be licensed also as a dealer and as a broker as defined herein, without payment of further fees, and shall thereupon conform to the parts of this chapter regulating the business of a dealer and/or broker. Any person who has applied for and received a license as a dealer or broker in the manner and upon payment of the fee herein set forth may apply for and secure a license as a commission merchant in addition to the license issued to him as such dealer or broker, without payment of further fee and upon further complying with those parts of this chapter regulating the licensing of a commission merchant.

SEC. 3. Section 1265 of the Agricultural Code is hereby amended to read as follows:

1265. Before any license is issued to any commission merchant, the applicant shall execute and deliver to the director a surety bond in the sum of $5,000 executed by the applicant as principal and by a surety company qualified and authorized to do business in this State as surety. Said bond shall be conditioned upon compliance with the provisions of the chapter and upon the faithful and honest handling of farm products in accordance with the terms of this chapter. Said bond shall be to the State in favor of every producer-consignor of farm products. Any producer-consignor of farm products claiming to be injured by the fraud, deceit or wilful negligence of any commission merchant may bring action upon said bond against both principal and surety in any court of competent jurisdiction to recover the damages caused by such fraud, deceit or wilful negligence, or the failure to comply with the provisions of this chapter. In case of failure by a commission merchant to pay producer-consignor credits for farm products received from said consignors to be sold, the director shall proceed forthwith to ascertain the names and addresses of all consignor creditors of such commission merchant, together with the amounts due and owing to them and each of them by such commission merchant, and shall request all

such consignor creditors to file a verified statement of their respective claims with the director. Thereupon the director shall bring an action on the bond in behalf of said consignor creditors. Upon any action being commenced on said bond, the director may require the filing of a new bond and immediately upon the recovery in any action on such bond such commission merchant shall file a new bond and upon failure to file the same within ten days in either case, such failure shall constitute grounds for the suspension or revocation of his license.

SEC. 4. Section 1267 of the Agricultural Code is hereby amended to read as follows:

1267. For the purpose of enforcing the provisions of this chapter the director is authorized to receive verified complaints from producers against any commission merchant, dealer, broker or agent or any person, assuming or attempting to act as such, and upon receipt of such verified complaint shall have full authority to make any and all necessary investigations relative to the said complaint. He shall have at all times free and unimpeded access to all buildings, yards, warehouses, storage and transportation facilities in which any produce is kept, stored, handled or transported. He shall have full authority to administer oaths and take testimony thereunder, to issue subpenas requiring the attendance of witnesses before him, together with all books, memoranda, papers, and other documents, articles or instruments, to compel the disclosure by such witnesses of all facts known to them relative to the matters under investigation, and all parties disobeying the orders or subpenas of said director shall be guilty of contempt and shall be certified to the superior court of the State for punishment for such contempt. Copies of records, inspection certificates, certified reports, findings and all papers on file in the office of the director shall be prima facie evidence of the matters therein contained.

SEC. 5. Section 1268 of the Agricultural Code is hereby amended to read as follows:

1268. The director on his own motion may or upon the verified complaint of any interested party shall investigate, examine or inspect any transaction involving solicitation, receipt, sale or attempted sale of farm products by any person or persons acting or assuming to act as a commission merchant, dealer, broker or agent, failure to make proper and true account of sales and settlement thereof as in this chapter required; the intentional making of false statements as to condition, and quantity of any farm products received or in storage; the intentional making of false statements as to market conditions; the failure to make payment for farm products within the time required by this chapter; or investigate, examine or inspect any and all other injurious transactions, and in furtherance of any such investigation, examination or inspection, the director or any authorized representative, may examine that portion of the ledgers, books, accounts, memoranda and other documents, farm products, scales, measures, and other articles and things used in connection with the business of such person relating to the transactions involved. When a producer-consignor of farm products fails to obtain settlement satisfactory to him in any transaction after having notified the consignee, a verified complaint may be filed with the director who shall undertake to effect a settlement, and in the event that he shall fail to effect such settlement, he shall cause a copy of such complaint, together with a notice of the time and place of hearing of such complaint to be served personally or by mail upon such person. Such service shall be made at least ten days before the hearing, which shall be held in the city or town in which is situated the business location of the licensee, or in which the transaction complained of is said to have occurred, or at the nearest office of the State Department of Agriculture. At the time and place appointed for such hearing the director or his agents, shall hear the parties to such complaint, and shall enter in the office of the director at Sacramento a decision either dismissing such complaint or specifying the facts established on such hearing. If upon such hearing the director determines from the facts specified that the licensee has violated any provision of section 1269 of this chapter, he shall, unless the offender has already made reparation to the person complaining, determine the amount of damage, if any, to which such person is entitled as a result of such violation, and shall make an order directing the offender to pay to such person complaining such amount on or before the date fixed in the order. A copy of such decision shall be furnished to each, every and all the respective parties thereto.

SEC. 6. A new section is hereby added to the Agricultural Code to be numbered 1268.5 to read as follows:

1268.5. In the event that a person against whom an order as specified in section 1268 of this chapter is made and issued shall fail, neglect or refuse to obey said order or orders within the time specified in said order, the director may thereupon, and in the premises, issue a further order to said person, directing said person to show cause why the license or licenses of said person should not be suspended or revoked for failure to comply with said order.

In such case, a copy of said order to show cause, together with notice of the time and place of hearing upon said order, shall be served personally or by mail upon said person. Such service shall be made at least ten days before said hearing, which shall be held in the city or town in which is situated the business location of the licensee, or at an office of the Department of Agriculture nearest to said city or town.

At the time and place appointed for such hearing the director or his agents shall hear the matter set forth in the order, and the showing of the licensee in the premises, and shall enter in the office of the director at Sacramento an order and decision specifying the facts, dismissing the order to show cause, or directing the suspension or revocation of the license or licenses held by the licensee, or making such other conditional or probationary orders as may be proper. A copy of said order and decision shall be furnished to the licensee

Nothing in this section contained may be construed as limiting the power of the director to revoke or suspend a license when he is satisfied of the existence of any of the facts specified in section 1269 of this chapter."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 961—An act to amend sections 5.400, 5.402, 5.403, 5.408, 5.420, 5.500, 5.502, 5.510, 5.520, 5.521, 5.640, 5.680, 5.690, 5.691, 5.710, 5.711, and 5.712 of the School Code, relating to tenure, and to add four new sections to the School Code, to be numbered 5.409, 5.505, 5.666, and 5.667, all relating to the employment, classification, dismissal and resignation of persons employed in school districts in positions requiring certification qualifications.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, after the number "5.502", insert a comma and the following "5.503"

AMENDMENT NUMBER TWO

On page 1 of the printed bill, strike out all of line 13, and in line 14, strike out the following: "nent classification", and insert in lieu thereof the following: "5.402 Any person".

AMENDMENT NUMBER THREE.

On page 2, line 26, of the printed bill, after the second comma, insert the following: "or other district within this State,".

AMENDMENT NUMBER FOUR

On page 3, line 1, of the printed bill, after the word "plan", insert the words "or system".

AMENDMENT NUMBER FIVE.

On page 3, line 14, of the printed bill, strike out the words "of such appointment", and insert in lieu thereof the following: "such employment becomes effective".

AMENDMENT NUMBER SIX.

On page 3, line 52, of the printed bill, after the first comma insert the following: "shall retain his permanent classification as a classroom teacher Persons employed in administrative or supervisory positions requiring certification qualifications"

AMENDMENT NUMBER SEVEN

On page 4, line 37, of the printed bill, strike out the word "conterminous", and insert in lieu thereof the word "coterminous".

AMENDMENT NUMBER EIGHT.

On page 5, line 45, of the printed bill, strike out the word 'three", and insert in lieu thereof the following "first four".

AMENDMENT NUMBER NINE.

On page 5, line 46, of the printed bill, strike out the word "three", and insert in lieu thereof the word "four".

AMENDMENT NUMBER TEN.

On page 5, line 48, of the printed bill, strike out the word "three", and insert in lieu thereof the word "four".

AMENDMENT NUMBER ELEVEN.

On page 5, line 51, of the printed bill, strike out the word "three", and insert in lieu thereof the word "four".

AMENDMENT NUMBER TWELVE.

On page 6 of the printed bill, strike out all of lines 25 to 32, inclusive, and insert in lieu thereof the following

"A certificated employee who serves in a position or positions requiring certification qualifications in two or more districts, each having an average daily attendance of 850 or more and governed by governing boards of identical personnel, for a total of three complete consecutive school years shall, upon being elected for the fourth consecutive school year to a position or positions requiring certification qualifications in any of said districts, be classified as a permanent employee of the last district in which he was employed prior to such election for the fourth consecutive school year"

AMENDMENT NUMBER THIRTEEN

On page 6, line 38, of the printed bill, after the word "affected", insert the following: "and such employees shall have the same status with respect to their classification in the schools of the district after such division, unionization or consolidation, or change in school district boundaries as they had prior thereto".

AMENDMENT NUMBER FOURTEEN

On page 6, line 46, of the printed bill, after said line 46, insert the following:

"The provisions of this section, and all rights hereby granted, shall apply to any such division, union or consolidation of school districts, or change in school district boundaries, made at any time subsequent to January 1, 1931, to the same extent as changes made subsequent to the effective date of this section, and the provisions hereof shall be, and shall be construed to be retroactive to January 1, 1931.

Provided, on the consolidation of one or more school districts in which the average daily attendance for the preceding school year was less than 850 pupils, with a district or districts in which the a d a was or may become 850 or more pupils, the regular three-year probationary period must be served by any probationary teacher, after the effective date of the consolidation"

AMENDMENT NUMBER FIFTEEN

On page 7, line 6, of the printed bill, after said line 6, insert the following: "shall have power, and it shall be their duty to dismiss substitute"

AMENDMENT NUMBER SIXTEEN.

On page 7, line 15, of the printed bill, strike out the word "three", and insert in lieu thereof the word "four".

AMENDMENT NUMBER SEVENTEEN

On page 7, line 16, of the printed bill, strike out the words "the four", and insert in lieu thereof the words "four school"

AMENDMENT NUMBER EIGHTEEN.

On page 7, line 30, of the printed bill, after the word "dismissals", insert the word "permanent".

AMENDMENT NUMBER NINETEEN.

On page 7, line 44, of the printed bill, after the comma insert the word "permanent"

AMENDMENT NUMBER TWENTY.

On page 8, line 12, of the printed bill, strike out the word "no", and insert in lieu thereof the word "any".

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1694—An act to amend section 352 of the Political Code, relating to State officers and employees.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 544—An act authorizing the creation of a personnel system, merit system or civil service system; the creation of the office of personnel director; the appointment of a civil service commission; the delegation of certain authority to said personnel officer or commission in municipalities within this State; and prohibiting certain political activities and providing penalties for the violation of said provisions

Bill read second time, ordered to engrossment, and third reading.

MOTION TO RE-REFER.

Mr. Stream moved that Assembly Bill No. 807 be withdrawn from the file, and ordered re-referred to Committee on Roads and Highways.

The question being on re-referring Assembly Bill No. 807 to Committee on Roads and Highways.

Motion carried.

Assembly Bill No 807 ordered re-referred to Committee on Roads and Highways.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following resolution was introduced:

By Messrs. Peyser, Maloney, Gilmore, Williamson, Hornblower, McMurray, Dawson, and Cronin: Assembly Concurrent Resolution No. 27—Relative to the retirement of Edward J. Hanna as Archbishop of the Archdiocese of San Francisco.

Introduced

REQUEST FOR UNANIMOUS CONSENT.

Mr. Peyser asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No 27, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER TWENTY-SEVEN.

Assembly Concurrent Resolution No 27—Relative to the retirement of Edward J. Hanna as Archbishop of the Archdiocese of San Francisco.

Assembly Concurrent Resolution No. 27 read

Mr Peyser moved the adoption of Assembly Concurrent Resolution No. 27.

The question being on the adoption of Assembly Concurrent Resolution No. 27.

The roll was called, and Assembly Concurrent Resolution No 27 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Cowan, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—70.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No 27 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 27.

Relative to the retirement of Edward J. Hanna as Archbishop of the Archdiocese of San Francisco.

WHEREAS, It has come to the attention of the members of the Legislature of the State of California that Edward J. Hanna has, because of his advancing years and with the approval of the Holy See, resigned from the position of Archbishop of the Archdiocese of San Francisco; and

WHEREAS, The score of years during which Edward J. Hanna held the position of Archbishop of the Archdiocese of San Francisco was marked by distinguished service not only to his church but also to the people of the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That this expression of the regret of the Legislature of California upon the retirement of Edward J Hanna and appreciation of the distinguished services rendered the State of California on many occasions be spread upon the minutes of each house of the Legislature, and that a copy of this resolution, suitably engrossed, be sent to Edward J. Hanna.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1271—An act imposing an excise tax on the storage, use or other consumption in this State of tangible personal property, providing for the registration of retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof and providing that this act shall take effect immediately.

COMMITTEE AMENDMENTS.

During third reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 8 of the printed bill, strike out lines 24 to 32, inclusive, and insert in lieu thereof the following: "certificate. The judgment may be".

AMENDMENT NUMBER TWO.

On page 8 of the printed bill, strike out lines 35 to 40, inclusive, and insert in lieu thereof the following.

"An abstract of such judgment or a copy thereof may be recorded with the county recorder of any county and from the time of such recording, the amount herein required to be collected, interest and penalty therein set forth shall constitute a lien upon all the real property of the retailer in such county, owned by him or which he may afterwards and before the lien expires acquire, which lien shall have the force, effect and priority of a judgment lien. Execution shall issue upon such a judgment upon request of the board in the same manner as execution may issue upon other judgments and sales shall be held under such execution as prescribed in the Code of Civil Procedure. In all proceedings under this section the board shall be authorized to act on behalf of the people of the State of California."

AMENDMENT NUMBER THREE.

On page 9 of the printed bill, strike out lines 34, 35 and 36, and insert in lieu thereof the following: "property, real or personal, of the retailer and thereafter sell at public auction such property so".

AMENDMENT NUMBER FOUR.

On page 10 of the printed bill, strike out lines 13 to 18, inclusive, and insert in lieu thereof the following. "erty, and a deed for any real property so sold, and such bill of sale or deed shall vest the interest or title of the retailer in the purchaser. The unsold portion of".

AMENDMENT NUMBER FIVE.

On page 12 of the printed bill, strike out lines 23 to 31, inclusive, and insert in lieu thereof the following: "forth in the certificate The judgment may be filed by the county clerk in a".

AMENDMENT NUMBER SIX.

On page 12 of the printed bill, strike out lines 34 to 47 inclusive and insert in lieu thereof the following:

"An abstract of such judgment or a copy thereof may be recorded with the county recorder of any county and from the time of such recording, the amount of the taxes, interest and penalty therein set forth shall constitute a lien upon all the real property of the person against whom the judgment was entered in such county, owned by him or which he may afterwards and before the lien expires acquire, which lien shall have the force, effect and priority of a judgment lien. Execution shall issue upon such a judgment upon request of the board in the same manner as execution may issue upon other judgments and sales under execution shall be held as prescribed in the Code of Civil Procedure In all proceedings under this section the board shall be authorized to act on behalf of the people of the State of California"

AMENDMENT NUMBER SEVEN

On page 13 of the printed bill, strike out lines 15 and 16, and insert in lieu thereof the following: "property, real or personal, of such person and thereafter sell at pub-".

AMENDMENT NUMBER EIGHT

On page 13 of the printed bill, strike out lines 45 to 50 inclusive, and insert in lieu thereof the following: "erty, and a deed for any real property so sold, and such bill of sale or deed shall vest the interest or title of such person in the purchaser The unsold portion".

Amendments adopted.

Bill read third time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No 1273—An act to amend the title and sections 2, 9, 15, 17, 18, 20, 21, 22, 23, 24, 26, 27, 30, and 33 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933; to repeal sections 7 and 19 of said act, to add sections 7 and 19 to said act, all relating to the taxation of the privilege of selling tangible personal property; and to provide that this act shall take effect immediately.

COMMITTEE AMENDMENTS.

During third reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 11 of the title of the printed bill, strike out "sections 7 and", and insert in lieu thereof "section".

AMENDMENT NUMBER TWO

In line 12 of the title of the printed bill, strike out "7" and insert in lieu thereof "9½".

AMENDMENT NUMBER THREE.

On page 4, line 15, of the printed bill, after "Sec 4", strike out all of lines 15, 16 and 17, and "Sec. 7." at the beginning of line 18, and insert in lieu thereof the following "A new section numbered 9½ is hereby added to said act to read as follows: 'Sec. 9½.'"

AMENDMENT NUMBER FOUR.

On page 9 of the printed bill, strike out lines 12 to 21, inclusive, and insert in lieu thereof the following: "tax, interest and penalty set forth in the certificate. The judgment may be filed".

AMENDMENT NUMBER FIVE.

On page 9 of the printed bill, strike out lines 24 to 38, inclusive, and insert in lieu thereof the following

"An abstract of such judgment or a copy thereof may be recorded with the county recorder of any county and from the time of such recording, the amount of the taxes, interest and penalty therein set forth shall constitute a lien upon all the real property of the retailer in such county, owned by him or which he may afterwards and before the lien expires acquire which lien shall have the force, effect and priority of a judgment lien. Execution shall issue upon such a judgment upon request of the board in the same manner as execution may issue upon other judgments and sales shall be held under such execution as prescribed in the Code of Civil Procedure In all proceedings under this section the board shall be authorized to act on behalf of the people of the State of California."

AMENDMENT NUMBER SIX.

On page 10, line 23, of the printed bill, strike out "personal" before the word "property", and insert after the word "property", "real or personal."; strike out all of said line following "retailer", all of line 24, and all that part of line 25 preceding the word "and".

AMENDMENT NUMBER SEVEN

On page 11, line 6, of the printed bill, after "sold", insert the following: ", and such bill of sale or deed shall vest the interest or title of the retailer in the purchaser."; strike out all of lines 8, 9, 10, 11 and 12 and "thereof." in line 13

Amendments adopted.

Bill read third time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No 522—An act to amend section 400 of the Vehicle Code, relative to the liability of governmental agencies.

COMMITTEE AMENDMENTS.

During third reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

On page 1, line 3, of the printed bill, strike out "Section".

AMENDMENT NUMBER TWO.

On page 2, line 10, of the printed bill, strike out "And the", and insert in lieu thereof the following: "The".

Amendments adopted.

Bill read third time, ordered to reprint, re-engrossment, and third reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 11, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 544—An act to amend sections 5 and 6 of an act entitled "An act prescribing certain duties to be performed by the State Controller, State Treasurer and State Board of Examiners," approved February 20, 1872, relating to warrants.

J. A BEEK, Secretary of Senate.

Senate Bill No. 544 read first time, and referred to Committee on Governmental Efficiency and Economy

Also.

SENATE CHAMBER, SACRAMENTO, March 11, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 147—An act to establish a Streets and Highways Code, thereby consolidating and revising the law relating to public ways and all appurtenances thereto, and to repeal certain acts and parts of acts specified herein

J. A BEEK, Secretary of Senate.

Senate Bill No 147 read first time, and referred to Committee on Roads and Highways

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced, and referred as indicated:

By Mr Voigt: Assembly Joint Resolution No 42—Relative to memorializing the President and Congress to enact appropriate legislation to establish a Social Credit System in the United States by providing for the establishment of a National municipal currency.

Introduced, and referred to Committee on Federal Relations.

MOTION TO RE-REFER.

Mr. Wright moved that Assembly Bill No 55 be withdrawn from the file, and ordered re-referred to Committee on Governmental Efficiency and Economy.

The question being on re-referring Assembly Bill No. 55 to Committee on Governmental Efficiency and Economy

Motion carried.

Assembly Bill No. 55 ordered re-referred to Committee on Governmental Efficiency and Economy.

MOTION.

Mr. Crowley moved that when the Assembly adjourn this day, it do so out of respect to the memory of the late Dr T. H. Stice of Napa State Hospital.

Motion carried.

MOTION TO RE-REFER

Mr. Breed moved that Assembly Bill No 425 be withdrawn from the file, and ordered re-referred to Committee on Municipal Corporations.

The question being on re-referring Assembly Bill No. 425 to Committee on Municipal Corporations

Motion carried.

Assembly Bill No 425 ordered re-referred to Committee on Municipal Corporations.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1036—An act to amend section 1418 of the Penal Code, relating to the pardoning or commutation of sentence of convicts twice convicted of felony.

FLOOR AMENDMENTS.

During third reading of the bill, the following amendments were submitted by Mr. Johnson:

AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, strike out everything beginning with the words "In the event", down to and including the word "Governor", in line 25, and insert in lieu thereof the following:

"If the Governor proposes to grant the application, he shall so advise the judges of the Supreme Court in writing, and shall forward to the Clerk of the Supreme Court for the consideration of said judges, all papers and documents relied upon in support of and in opposition to said application, including prior convictions and prison records. If a majority of the judges recommend that executive clemency be granted, the Clerk of the Supreme Court shall retransmit the application, together with all papers and documents filed in the case, to the Governor; otherwise the documents shall remain in the files of the court."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 3 and 4, and insert in lieu thereof the following: "1418. He".

AMENDMENT NUMBER THREE.

On page 1, line 9, of the printed bill strike out line 9, and insert in lieu thereof the following: "reprieve.

Neither the Governor nor the Legis-".

AMENDMENT NUMBER FOUR

On page 1, lines 12 and 13, of the printed bill, strike out "after the first day of January, eighteen hundred eighty,".

Amendments adopted.

Bill read third time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1235—An act to add to the Probate Code a new section, to be numbered 1068, relating to the discharge of executors and administrators and the termination of probate proceedings.

FLOOR AMENDMENT

During third reading of the bill, the following amendment was submitted by Mr. Johnson:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, strike out everything from "1068.", down to the word "administrator" in line 7 on page 2, and insert in lieu thereof the following.

"1068. A verified petition may be signed and filed by or on behalf of the executor or administrator setting forth the fact that it appears that there is no property of any kind belonging to the estate and subject to administration, and praying for the termination of further proceedings and for his discharge. The clerk of the court must set the petition for hearing by the court and give notice thereof for the period and in the manner required by section 1200 of this code. If it appears to the satisfaction of the court upon such hearing that the facts stated in the petition are true it shall make its order terminating the proceeding and discharging the executor or administrator. The verified petition referred to in this section may be filed and an order may be entered thereon without the return of an inventory provided for by Chapter 9 of Division III of this code."

Amendment adopted.

Bill read third time, ordered to reprint, re-engrossment, and third reading.

MOTION TO RE-REFER

Mr. Pelletier moved that Assembly Bill No. 791 be withdrawn from Committee on Insurance, and ordered re-referred to Committee on Unemployment.

The question being on re-referring Assembly Bill No 791 to Committee on Unemployment.

Motion carried.

Assembly Bill No. 791 ordered re-referred to Committee on Unemployment.

ADJOURNMENT.

At one o'clock and thirty-five minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Tuesday, March 12, 1935, out of respect to the memory of the late Dr. T. H. Stice of Napa State Hospital.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY

ASSEMBLY CHAMBER,

SACRAMENTO, Tuesday, March 12, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Mmard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace Waters, Welsh, Williamson, Wright, and Mr. Speaker—78.

Quorum present

PRAYER.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. McBride, its further reading was dispensed with.

LEAVE OF ABSENCE.

On motion of Mr. Meehan, Mr. Crowley was granted leave of absence for this day.

PRIVILEGE OF THE FLOOR EXTENDED.

On request of the San Francisco, Sacramento and Alameda delegations, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Max Baer, champion heavyweight of the world, and his manager, Mr. Ancil Hoffman.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Leo Gallagher of San Francisco and Mrs. Ann Stefan of Galt.

On request of Mr Evans, Ralph W., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr Sanford M. Anderson, president-manager Peoples Building and Loan Association, Inglewood, California.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. L S Hadley of Modesto, Mr. S W. Conover of Turlock and Mr Joe Hart of Modesto

ASSISTANT CLERK OLIVER READING.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From A F. Harris, opposing bills pertaining to taxing incomes up to $4,000.

From voters of Alameda County, favoring passing resolution memorializing the Congress of the United States to pass the Townsend Old Age Pension Plan

From J E McGregor, opposing Assembly Bill No. 967.

From National Re-employment Committee, relative to retaining Charley Fallert as manager thereof

From Associated Chambers of Commerce of Orange County, protesting railroad legislation increasing cost of operation affecting citrus and agricultural interests of Orange County

From Peace Officers Association of Orange County, opposing all bills abolishing sheriffs' and constables' offices.

From Harbor District Worker's Club, favoring paying full union wages on all emergency work relief.

From Orange County Peace Officers Association, opposing enactment of Alco bill.

By Mr. Donihue.

From Consumers Protective League, opposing Assembly Bill No. 2093, and a consumers tax on utility service, also any increase in the State sales tax

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1935

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 36—An act to amend sections 1261 and 1262 of the Agricultural Code, relating to produce dealers;

Also: Assembly Bill No. 361—An act to amend the division heading of Division V of the Agricultural Code, relating to standardization;

Also: Assembly Bill No. 363—An act to amend section 1072 of the Agricultural Code, relating to economic poisons;

Also Assembly Bill No. 364—An act to amend section 1036 of the Agricultural Code, relating to fertilizing materials;

Also, Assembly Bill No 367—An act to amend section 104 of the Agricultural Code, relating to quarantine;

Also: Assembly Bill No. 368—An act to amend section 34 of the Agricultural Code, relating to cooperative agreements for the purpose of enforcing provisions relating to standardization;

Also: Assembly Bill No. 414—An act to amend section 2.123 of the School Code, relating to the providing of instruction and transportation by county superintendents of schools for elementary pupils;

And reports that the same have been correctly engrossed

WATERS, Chairman

The above reported bills ordered on file for third reading

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 521—An act to provide a method for improving public streets, avenues, lanes, alleys, courts and places within municipalities of the sixth class, and for levying and collecting assessments upon property to pay for such improvements, and declaring the urgency hereof, to take effect immediately, and repealing an act approved May 25, 1933, relating to the same subject;

Also: Assembly Bill No. 642—An act to provide for the formation of districts within municipalities for the acquisition, construction or extension of water works, water systems or water distribution systems; for the issuance, sale and payment of bonds of such districts to meet the cost of such water works, water systems or water distribution systems; and for the acquisition, construction or extension of such water works, water systems or water distribution systems;

Also: Assembly Bill No 671—An act relating to the redemption of property sold to cities for delinquent taxes and assessments, and declaring the urgency thereof;

Also: Assembly Bill No. 661—An act to amend section 4 360 of the School Code, relating to school district budgets;

Also: Assembly Bill No. 736—An act to amend section 2 481 of the School Code, relating to the transfer of an elementary school district from one high school district to another;

And reports that the same have been correctly engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 771—An act authorizing counties to contract with cities and towns, to assume and carry on certain municipal functions thereof, providing for transfers of employees and adjustment of pensions, and authorizing cities to transfer such functions to counties and to enter into contracts in relation thereto;

Also: Assembly Bill No. 923—An act to amend section 1283 of the Agricultural Code, relating to deciduous fruit dealers;

Also: Assembly Bill No 956—An act to amend an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, by amending sections 5 and 15 thereof, relating to special assessment bonds,

Also, Assembly Bill No 1064—An act authorizing municipalities to afford special assessment relief by the appropriation of money for the reduction of special assessments and the payments on bonds issued to represent such assessments, and by the payment of any portion of the principal or interest of, or by the purchase or redemption at a discount of, or by the transfer to the interest and sinking fund for the discharge and payment of bonds, the proceeds of which have been used for the acquisition of rights of way or easements for, or for the construction, maintenance,

improvement or repair of streets, bridges and culverts within such cities, and providing a method for the making of such appropriations;

Also: Assembly Bill No. 1161—An act to amend section 718c of the Civil Code, empowering municipalities to lease property;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1194—An act amending the title and section 31, of and to that certain statute entitled "Improvement Act of 1911," approved April 7, 1911, as amended, relating to public improvements and the repair and reconstruction of portions of improved streets, avenues, lanes, alleys, courts or places, bulkheads, retaining walls or other works for the protection of the same and to the payment of the costs thereof and establishing a procedure for the same;

Also: Assembly Bill No. 1199—An act to amend section 3653a of the Political Code, relating to assessments by reference to maps;

Also: Assembly Bill No. 1262—An act to amend section 1 of an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county, incorporated city or town, or municipal utility district, or flood control district," approved April 23, 1913, Statutes of 1913, page 76, as amended;

Also: Assembly Bill No. 1268—An act to validate the formation, organization and existence of county water districts, and to validate the acts of the board of directors of such districts in the inclusion of land therein or exclusion of land therefrom, and to validate the proceedings of such directors taken for the creation of a bonded indebtedness;

Also: Assembly Bill No. 1343—An act to repeal sections 2.21, 3.174, 3 301, 3.302, 3.306, 3 308, 3 309, 3.415 and 3.416 of the School Code, to add to Part I of Division II of the said code a new chapter to be known as Chapter VIII, and to add to said code a new section to be numbered 3 306, all relating to the attendance of pupils upon the public schools;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1468—An act to add sections 8a to 8e, and 8p to 8u, inclusive, to the Juvenile Court Law, relating to forestry camps for wards of the juvenile court;

Also: Assembly Bill No. 1641—An act to amend section 46 of the Workmen's Compensation, Insurance and Safety Act, approved May 26, 1913, relating to insurance carriage of the State and certain political subdivisions, public corporations and quasi public corporations;

Also: Assembly Bill No. 1694—An act to amend section 352 of the Political Code, relating to State officers and employees;

Also: Assembly Bill No. 1970—An act authorizing the creation of a personnel system, merit system or civil service system; the creation of the office of Personnel Director; the appointment of a Civil Service Commission; the delegation of certain authority to said personnel officer or commission in municipalities within this State; and prohibiting certain political activities and providing penalties for the violation of said provisions;

Also: Assembly Bill No. 2171—An act to amend section 4247 of the Political Code, relating to salaries of county officers in counties of the eighteenth class;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

ON EXHIBITIONS AND FAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1935.

MR. SPEAKER: Your Committee on Exhibitions and Fairs, to which was referred Assembly Bill No 1741—An act to add section 91.6 to the Agricultural Code, relating to the Sixth District Agricultural Association;

Also: Assembly Bill No. 1885—An act to amend section 91.5 of the Agricultural Code, relating to the Sixth District Agricultural Association fund;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

FULCHER, Chairman

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Exhibitions and Fairs, to which was referred Assembly Bill No. 1780—An act to amend section 92 of the Agricultural Code, relating to agricultural fairs—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

FULCHER, Chairman

The above reported bill ordered on file for second reading.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1935.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 947—An act to amend Chapter 763, Statutes of 1929, approved June 10, 1929, as amended by Chapter 401 Statutes of 1931, approved May 25, 1931, and as amended by Chapter 10 Statutes of 1933, approved January 26, 1933, entitled and known and cited as "California Toll Bridge Authority Act" by amending the title thereof and by amending sections 2, 9, 11, 14, 16, 20 and 22¼, and by adding thereto new sections numbered 4½, 5½, 5¾, 8½, 8¾, 9½, 9¾, 12½, 13¾, 16¼ and 16½, relating to and prescribing additional duties, powers and limitations regarding the construction and financing of toll bridges; and providing for the acquisition, construction, financing and operation of transportation facilities thereof and thereto, and providing that this act become effective immediately—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

STREAM, Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Roads and Highways, to which was referred Senate Bill No. 147—An act to establish a Streets and Highways Code, thereby consolidating and revising the law relating to public ways and all appurtenances thereto, and to repeal certain acts and parts of acts specified herein—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

STREAM, Chairman

The above reported bill ordered on file for second reading.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. McCarthy:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1935

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act relating to penalties on delinquent taxes and declaring the urgency thereof

Referred to Committee on Introduction of Bills.

RESOLUTION.

The following resolution was offered:

By Mr. Reaves

ASSEMBLY RESOLUTION.

Assembly Resolution relating to appointing an Assembly Investigation Committee to investigate the present status, financial conditions and mode of operation of the ice business and the manufacturing and distribution of the same, in the State of California.

WHEREAS, There is claimed to exist in the State of California a monopoly of the ice business and the manufacturing and distribution of the same; and

WHEREAS, This monopoly is purported to operate by buying up ice plants and then closing them down, and thus eliminate competition, and also to increase the

unemployment problem in the State of California by the discharge of a large number of employees of such plants; and

WHEREAS, It is claimed that said monopoly is now conspiring to raise the price of ice to the consumer, and thus reduce the amount of ice consumed, and at the same time maintain the same gross revenue from sales, and also by virtue of a lower overhead, earn larger dividends; and

WHEREAS, Said monopoly is in direct violation to the laws of the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created an Assembly Investigation Committee to consist of five members of the Assembly to be appointed by the Speaker of the Assembly; and be it further

Resolved, That it shall be the duty of said Assembly Investigation Committee to investigate and make a thorough study of any and all matters relating to the present status, financial condition and mode of operation of the ice companies doing business in the State of California, in order that the committee may recommend to the Legislature such legislation as it may deem appropriate, necessary and proper as the result of its investigation and study; and be it further

Resolved, That the committee as soon as it is appointed, shall organize and select a chairman from its membership, and appoint a secretary; and be it further

Resolved, That the committee is hereby authorized to hold public hearings at any place in the State of California; and be it further

Resolved, That the committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters herein referred to, and is hereby authorized and empowered to require the production of books, agreements, documents and papers of every kind; to issue subpenas, and to compel the attendance of witnesses and production of testimony. Each of the members of said committee is hereby authorized to administer oaths and all of the provisions of Article VIII of Chapter II, Title I, Part III of the Political Code, relative to the attendance and assembly of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution and to any subcommittee of one or more members of said Assembly Investigation Committee. The Assembly Investigation Committee shall report to the Legislature with all convenient speed, but not later than the first day of February, 1937, the results of its investigations and studies, with legislative proposals which it recommends, and said Assembly Investigation Committee may also report from time to time such results of its investigations and studies as it may deem necessary for the action or advice of the Legislature; and be it further

Resolved, That the sum of $500, or so much thereof as may be necessary, is hereby set apart, reserved, and appropriated out of the contingent fund of the Assembly which may have been heretofore or may hereafter be appropriated for the contingent expenses of the Assembly at this session of the Legislature, for the purpose of paying the expenses incurred by the Assembly Investigation Committee hereby created and for the purposes herein set out, such payments to be disbursed from time to time by Controller's warrants, to be drawn against such contingent fund upon the written orders of the Chairman of said Assembly Investigation Committee, and the State Treasurer is hereby authorized and directed to pay the same.

Resolution read, and referred to Committee on Public Health and Quarantine.

COMMUNICATIONS

The following communications were received, and ordered printed in the Journal:

By Mr. Speaker:

CARSON CITY, NEVADA, March 12, 1935

The Honorable Assembly.

Congratulations for your support of the Townsend Plan.

S. W. CONWELL,
Sponsor of the Plan in Nevada Assembly.

OAKLAND, CALIFORNIA, March 11, 1935

Hon. Edward Craig.

Read before California Assembly

Seventy-two Townsend clubs in mass meeting of Alameda, Contra Costa counties, representing 250,000 petitioners thank you for memorializing Congress to pass the Townsend bill.

RAY POLLARD, Division Manager.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1779—An act to amend section 462 of the Political Code, relating to unclaimed money of the State.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after the word "agency", insert the following: "except the State Compensation Insurance Fund".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1793—An act to add section 690.11 to the Political Code, relating to fees.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1991—An act to repeal section 658a of the Political Code and to add section 658.5 thereto, relating to refunds of fees paid to the State

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1548—An act to remit to holders of certificates of purchase of State lands one-half of any penalty which has accrued on account of failure of any such purchaser to pay interest when due, in consideration of the payment by any such purchaser, on or before December 31, 1935, to the State of California, of any sums due to the State on account of interest, plus the remaining one-half of any accrued penalties.

Bill read second time, ordered to engrossment, and third reading

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 240—An act to amend section 362 of the Streets and Highways Code and to add section 603 thereto, relating to State highways.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 240 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—73

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 241—An act to amend section 7 of an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classify-

ing the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, relating to State highways.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 241 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 130—An act to amend section 2021 of the Code of Civil Procedure, relating to depositions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 130 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Welsh, Williamson, and Mr. Speaker—70.

NOES—Minard and Robertson—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 878—An act to amend section 1005 of the Code of Civil Procedure, relating to notice of motion.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 878 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—76.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 879—An act to add a new section to the Code of Civil Procedure, to be numbered 597, relating to the separate trial of any one or more of the issues joined.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 879 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—75.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO RE-REFER.

Mr. DeLap moved that Assembly Bill No. 112 be withdrawn from the file, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Assembly Bill No. 112 to Committee on Judiciary.

Motion carried.

Assembly Bill No 112 ordered re-referred to Committee on Judiciary.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No 1901—An act relating to real estate transactions and imposing a tax thereon and providing for the enforcement and collection of the tax, this act to take effect immediately.

Assembly Bill No. 1901 ordered re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1693—An act to add section 2 1 to an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to twelve rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," relating to the State Athletic Commission.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 1693 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W, Field, Fisher Flint Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder,

Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—74.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1959—An act to add sections 306 and 306a to the Penal Code, relating to minors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1959 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Waters, Welsh, Wright, and Mr. Speaker—67.
NOES—Evans, Ralph W., Hornblower, Reaves, Richie, Wagner, and Wallace—6.

Title read and approved
Bill ordered transmitted to the Senate.

Assembly Bill No. 1120—An act to amend sections 1, 3, 9, 12a, 15, 19, 20a and 20b and to add sections 2a, 3b, 3c, 3d, 3e, 3f, 3g, 3h, 3i, 9a, 9c, 12b, 20b, 20c, 20d, 20e, 20f, 20g, 20h, 20i, 20j and 20k to the California Real Estate Act, relating to the creation of the Real Estate Board and prescribing the powers and duties thereof, to the regulation and licensing of real estate brokers and salesmen, and to the inspection and regulation of subdivisions.

Bill read third time.

FLOOR AMENDMENT.

During third reading of the bill, the following amendment was submitted by Mr. Desmond:

AMENDMENT NUMBER ONE.

On page 2, line 30, of the printed bill, after the period, strike out the period, and add the words "and maintain thereafter its permanent offices in the city of Sacramento."

Amendment read.

The question being on the adoption of the amendment by Mr Desmond.

MOTION TO RE-REFER.

Mr. Peyser moved that Assembly Bill No. 1120, and the amendment, be re-referred to Committee on Governmental Efficiency and Economy.

The question being on the motion to re-refer.

REQUEST FOR ROLL CALL.

On request of Messrs. Wright, Hunt, and McCarthy, the Speaker ordered a roll call taken on the motion by Mr. Peyser to re-refer Assembly Bill No. 1120, and amendment, to Committee on Governmental Efficiency and Economy.

The roll was called, and the motion to re-refer Assembly Bill No. 1120, and amendment, to Committee on Governmental Efficiency and Economy, lost by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Cassidy, Cronin, Dawson, Desmond, Evans, Ralph W., Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Jones, Lore, Maloney, McBride, McCarthy, McMurray, Meehan, Minard, O'Donnell, Pelletier, Peyser, Robertson, Rosenthal, Turner, Utt, Voigt, Wagner, Wallace, Williamson, and Mr Speaker—34.

NOES—Breed, Burns, Chatters, Clark, Corwin, Cottrell, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Glover, Johnson, Kallam, Latham, Laughlin, Lyon, Martin, Mayo, Miller, Morgan, Nielsen, Patterson, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Scudder, Stream, Thorp, Walker, Waters, Welsh, and Wright—43.

The question being on the adoption of the amendment submitted by Mr. Desmond.

The roll was called, and the amendment submitted by Mr. Desmond refused adoption by the following vote:

AYES—Boyle, Burns, Cassidy, DeLap, Desmond, Donnelly, Fisher, Flint, Frazier, Glover, Johnson, Martin, Mayo, McMurray, Meehan, Nielsen, Stream, Wagner, Wallace, and Mr. Speaker—20.

NOES—Anderson, Andreas, Breed, Brennan, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fulcher, Geyer, Gilmore, Hawkins, Hornblower, Hunt, Jones Kallam, Latham, Laughlin, Lore, Lyon, Maloney, McBride, McCarthy, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Voigt, Walker, Waters Welsh, Williamson, and Wright—54.

MOTION FOR SPECIAL ORDER.

Mr Cronin moved that Assembly Bill No. 1120 be made a special order for eleven o'clock a m., Wednesday, March 13, 1935.

The question being on the motion to set Assembly Bill No. 1120 as a special order.

The roll was called, and motion that Assembly Bill No. 1120 be made a special order was lost by the following vote.

AYES—Anderson, Boyle, Breed, Brennan, Cassidy, Cronin Evans, Ralph W., Frazier, Geyer, Gilmore, Glover, Heisinger, Lore, McCarthy, McMurray, Minard, O'Donnell, Peyser, Richie, Robertson, Wagner, Walker, Wallace, Williamson, and Mr. Speaker—25

NOES—Andreas, Burns, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Fulcher, Gilbert, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Riley, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Waters, Welsh, and Wright—51.

Bill read third time.

FLOOR AMENDMENT

During third reading of the bill, the following amendment was submitted by Mr. Hornblower.

AMENDMENT NUMBER ONE.

On page 10, line 12, of the printed bill, after the word "occur", insert a period, and strike out the words "such prosecutions" in line 12, and all of lines 13 and 14.

The question being on the adoption of the amendment submitted by Mr. Hornblower.

The roll was called, and the amendment to Assembly Bill No 1120 was adopted by the following vote.

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt,

Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—Robertson—1.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Assembly Bill No. 1120, as amended, at this time, without reference to printer, re-engrossment or file

RECESS.

At twelve o'clock and ten minutes p. m., on the motion of Mr. Lyon, the Assembly was declared at recess until twelve o'clock and twenty minutes p m of this day, for the purpose of hearing from Max Baer, the world's heavyweight champion.

REASSEMBLED.

At twelve o'clock and twenty minutes p.m., the Assembly reconvened. Speaker Craig in the chair.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read.

ON COUNTY GOVERNMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1935.

MR SPEAKER Your Committee on County Government, to which was referred Assembly Bill No. 34—An act to amend section 4300d of the Political Code by adding thereto a provision specifying the mileage to be charged by constables and marshals in counties of the third class in the service of any writ, order or paper, excepting a warrant of arrest;

Also: Assembly Bill No. 70—An act to add section 3757 to the Political Code providing for the rejection of all fractions of a cent by auditors and tax collectors when computing taxes, penalties for delinquencies or interest and percentages on redemption,

Also: Assembly Bill No. 229—An act to amend sections 3366 and 4041.14 and to repeal section 3384 of the Political Code, relating to the licensing of businesses by the counties;

Also: Assembly Bill No 472—An act to add section 3819a to the Political Code, relating to installment payment of delinquent taxes;

Also. Assembly Bill No. 1485—An act to amend section 4014 of the Political Code of the State of California, relating to township officers;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

DELAP, Chairman

The above reported bills ordered on file for second reading.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1935.

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2033—An act to amend the title and sections 2, 4 and 5 of an act entitled "An act regulating the payment of wages earned in seasonal labor and prescribing the powers and duties of the Commissioner of the Bureau of Labor Statistics, in relation thereto," approved May 28, 1913 (Stats. 1913, Chap. 198), relative to disputes regarding seasonal labor, and the application of the State Wage Law thereto—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

LYON, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No 346—An act to amend section 1208 of the Code of Civil Procedure, relating to liens upon animals,

Also: Assembly Bill No. 436—An act to amend sections 1, 15 and 17 of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to civil engineers;

Also: Assembly Bill No. 438—An act to amend sections 640, 641, 642, 645 and 646 of the Probate Code, relating to estates;

Also: Assembly Bill No. 1678—An act to add a new section to the Penal Code to be numbered 969½, relating to the amendment of a complaint to charge prior convictions;

Also: Assembly Bill No. 1679—An act to amend section 1207 of the Penal Code, relating to entry of judgment;

Also: Assembly Bill No 1722—An act to amend section 1408 of the Penal Code, relating to the order for delivery of property to the owner;

Also: Assembly Bill No. 1723—An act to amend sections 888 and 959 of the Penal Code, relating to indictments;

Also: Assembly Bill No. 1995—An act to amend section 779 of the Political Code, relating to publication of court reports;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LYON, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 654—An act to amend section 1502 of the Probate Code of the State of California, relating to the guardianship of estates;

Also: Assembly Bill No. 1680—An act to amend sections 1235 and 1238 of the Penal Code, relating to appeals in criminal cases;

Also: Assembly Bill No. 1721—An act to amend sections 859 and 860 of the Penal Code, relating to the examination of a case before a magistrate, and to add section 859a of the Penal Code, relating to a plea of guilty to the complaint before a magistrate;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended

LYON, Chairman

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 532—An act to amend sections 423, 578, 587, 860, 1201, 1240, 1501, 1515, 1540 and 1630 of the Probate Code and to add new sections thereto to be numbered 588, 1201a and 1516, relating to estates of decedents and estates of persons under guardianship—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

LYON, Chairman

The above reported bill ordered on file for second reading

ON COUNTY GOVERNMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1935

MR SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 33—An act to amend section 4300b of the Political Code of the State of California by adding thereto a provision fixing a fee to be charged by sheriffs in counties of the third class for arresting prisoners and bringing them into court or jail—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

DELAP, Chairman

The above reported bill ordered on file for second reading.

ON RULES.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1935.

MR. SPEAKER: Your Committee on Rules, to which was referred Senate Concurrent Resolution No. 20—Inviting Secretary of Labor Perkins to address a joint session of the Senate and Assembly—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

WALLACE, Chairman

Senate Concurrent Resolution No. 20 ordered on file for adoption.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Mr. Thorp:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add Chapter 8 to Division VI of the Agricultural Code, relating to the marketing of milk and other dairy products.

Referred to Committee on Introduction of Bills.

Also:

By Mr. Burns:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add section 652 to the Penal Code, relating to jurors

Referred to Committee on Introduction of Bills.

COMMUNICATION.

The following communication was received, and ordered printed in the Journal:

By Mr. Heisinger:

(COPY)

CITY OF FRESNO,
OFFICE OF CITY ATTORNEY, March 6, 1935

Assemblyman S. L. Heisinger, Sacramento, California

DEAR MR. HEISINGER: I have read with interest your statement regarding the Friant power project and believe that the same should be investigated

Just prior to your statement I started a little private investigation on my own behalf of the Advisory Committee of the State-wide Water Project. The first was James Burke, attorney at Visalia. Last Thursday I appeared in the superior court at Visalia in the case of Smith vs. Southern California Edison Company, et al. and Mr Burke was the attorney for the Southern California Edison Company, which has been fighting not only the power part of the project but also the water plan itself. The second on the list is Mr. Carr of Redding, California On investigation I find that Mr. Carr for a number of years last past has been acting as attorney for the P. G. & E. To my mind, no attorney can straddle two sides of the fence at the same time and it is apparent that the power company has worked its men into the committees representing the opposition This is a plan generally followed by it to kill off any plan which it opposes.

My suggestion to you would be that possibly you could insist that no power company attorney or any one who had ever been in the employ of the power company, either directly or indirectly, should be on that committee, and that you could very likely force a resignation of at least two members. I feel that a further investigation of the other members will reveal power company connections

It is apparent from even a casual observation of the activities of the State-wide Water Plan that the power company is working its men into commanding positions in the State-wide Water Plan.

A week ago there was a committee formed in Tulare County to "assist the water plan." The head of this committee was City Attorney Fred Heid of Tulare, who recently negotiated, on behalf of four councilmen of Tulare, the abandonment of municipal ownership proceedings in the city of Tulare within a few months of the time that the citizens would be given a chance to vote on the project

I feel the hearing which you have suggested with a smoking out of power company sympathizers and employees would be of great benefit to the State and unless this is done that the State-wide Water Project will be killed from opposition created within its own committees

Please take this information and use it as you care to

With best personal regards, I am very truly yours,

CLAUDE L. ROWE, City Attorney

STATEMENT BY MR. HEISINGER

Mr. Speaker and Members of the Assembly.

The letter of Mr. Rowe is plain and shows the policy generally pursued by the utility people These attorneys should, in self-respect, resign from the commission,

and no Governor should in the future appoint men to such important public positions who have any corporation affiliations.

I believe the Bay Bridge is menaced in like manner by the Southern Pacific, another predatory financial octopus which intends to mulch the people out of millions of dollars if it ties up the bridge for a generation.

These powerful corporations have escaped taxes to the amount of millions which has caused our State deficit, and have taken away from the people other millions expressed in high rates

Such tactics are forcing the people to public ownership faster than anything else

S. L. HEISINGER.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read·

ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1935.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to section 24 of Article IV of the Constitution of said State, relating to acts codifying, revising, consolidating, rearranging or repealing the law—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

LATHAM, Chairman

Assembly Constitutional Amendment No. 26 ordered to engrossment, and on file for adoption

Also:

MR SPEAKER. Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 65—A resolution to propose to the people of the State of California an amendment of Article XIII of the Constitution of the State, by adding section 17 thereto, relating to taxation—has had the same under consideration, and respectfully reports the same back without recommendation.

LATHAM, Chairman.

Assembly Constitutional Amendment No. 65 ordered to engrossment, and on file for adoption.

SPECIAL ORDER.

Mr. Williamson moved that the consideration of Assembly Constitutional Amendment No. 65 be made a special order for eleven o'clock a.m., Tuesday, March 19, 1935.

Motion carried.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON CONSTITUTIONAL AMENDMENTS

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1935.

MR. SPEAKER Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 15—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending sections 3 and 4 of Article IV of the Constitution, relating to the legislative department;

Also: Assembly Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment of Article IV of the Constitution of the State, by adding section 31c thereto, relating to relief to assessment districts;

Also: Assembly Constitutional Amendment No. 66—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 1½ of Article XIII thereof, relating to exemption from taxes of property used solely and exclusively for religious worship;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted, as amended.

LATHAM, Chairman

The above reported Assembly constitutional amendments ordered to engrossment, and on file for adoption.

FURTHER CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND ONE HUNDRED TWENTY, AS AMENDED.

Assembly Bill No 1120—An act to amend sections 1, 3, 9, 12a, 15, 19, 20a and 20b and to add sections 2a, 3b, 3c, 3d, 3e, 3f, 3g, 3h, 3i, 9a, 9c, 12b, 20b, 20c, 20d, 20e, 20f, 20g, 20h, 20i, 20j and 20k to the California Real Estate Act, relating to the creation of the Real Estate Board and prescribing the powers and duties thereof, to the regulation and licensing of real estate brokers and salesmen, and to the inspection and regulation of subdivisions.

Bill read third time.

FLOOR AMENDMENTS

During third reading of the bill, the following amendments were submitted by Mr. Robertson:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "20a and 20b".

AMENDMENT NUMBER TWO

In line 3 of the title of the printed bill, strike out "20b, 20c, 20d, 20e, 20f, 20g, 20h, 20i, 20j,".

AMENDMENT NUMBER THREE.

On page 7 of the printed bill, strike out lines 24 to 51, inclusive.

AMENDMENT NUMBER FOUR

On page 8 of the printed bill, strike out lines 1 to 52, inclusive

AMENDMENT NUMBER FIVE.

On page 9 of the printed bill, strike out lines 1 to 35, inclusive.

AMENDMENT NUMBER SIX.

On page 9, line 36, of the printed bill, strike out "20b", and insert in lieu thereof the following: "20k".

FURTHER CONSIDERATION OF AMENDMENTS TO ASSEMBLY BILL NUMBER ONE THOUSAND ONE HUNDRED TWENTY DEFERRED

RECESS.

At twelve o'clock and thirty-five minutes p m , on motion of Mr. Lyon, the Assembly was declared at recess until two o'clock p m of this day.

REASSEMBLED.

At two o'clock p.m , the Assembly reconvened Speaker Craig in the chair.

REPORTS OF STANDING COMMITTEES—(RESUMED)

The following reports of standing committee were received and read:

ON CONSERVATION

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1935

MR SPEAKER: Your Committee on Conservation, to which was referred Assembly Bill No. 903—An act to amend section 4 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, relating to the extension of prospecting permits for oil and gas which were in effect June 1, 1933, and upon which has been expended $25,000 or more in the prospecting for oil and gas;

Also: Assembly Bill No. 670—An act to establish a board to be known as the Rector Dam Authority; to prescribe its duties, powers, functions and jurisdiction; to authorize the authority to construct a dam in Rector Canyon to impound the waters of Rector Creek and to sell and distribute said waters; to authorize the authority to issue and sell revenue bonds to provide funds for the acquisition and construction of said dam and to provide for the redemption thereof from the revenues

received from the sale and distribution of such waters, authorizing the Department of Public Works of the State of California to operate and maintain such dam and all property appurtenant thereto, authorizing the board to acquire and hold real property necessary for its purposes, and to enter into agreements with State, Federal, and local officers and agencies, and political subdivisions, municipalities, and public districts,

Has had the same under consideration and respectfully reports the same back, and recommends that they do pass as amended.

REDWINE, Chairman

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER. Your Committee on Conservation, to which was referred Assembly Bill No 1684—An act to amend sections 9, 23, and 24 of, and to add section 9a to, "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights, to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to leasing of State lands and the taking of gold or other minerals, other than oil or gas, from tide or submerged lands and the beds of navigable rivers and lakes;

Also: Assembly Bill No. 312—An act to amend section 2 of an act entitled "An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith," approved May 23, 1923, relating to the duties of the State Fire Marshal;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended

REDWINE, Chairman

The above reported bills ordered on file for second reading.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 12, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 195—An act to validate bonds, including refunding bonds, of irrigation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest of such bonds;

Also: Senate Bill No. 197—An act to legalize bonds heretofore issued and sold or to be issued and sold by bridge and highway districts;

Also: Senate Bill No. 198—An act to validate the organization and existence of county water districts;

Also: Senate Bill No. 200—An act to legalize bonds heretofore issued and sold or to be issued and sold by port districts where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such port districts voting upon the question of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such bonds;

Also: Senate Bill No. 201—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any county water district, providing for the application of the proceeds of sale of such bonds and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof;

Also: Senate Bill No. 202—An act to legalize revenue bonds heretofore issued or sold or to be issued and sold by port districts, and providing for a levy of taxes to pay the principal and interest of such bonds.

J. A. BEEK, Secretary of Senate.
By CARL A SHIPKEY, Assistant Secretary

Senate Bill No 195 read first time, and referred to Committee on Irrigation.

Senate Bills Nos. 197, 198, 200, 201 and 202 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, March 12, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 178—An act to legalize refunding bonds heretofore issued and sold, or to be issued and sold, by counties or cities and counties where authority for such issuance has already been given by a vote of not less than two-thirds of the qualified electors of such counties or cities and counties voting upon the proposition of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such refunding bonds;

Also: Senate Bill No. 180—An act to legalize refunding bonds heretofore issued or sold or to be issued and sold by municipalities, and providing for a levy of taxes to pay the principal and interest of such bonds;

Also: Senate Bill No. 181—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness and providing for a levy of taxes to pay the principal and interest of such bonds;

Also: Senate Bill No. 182—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by counties or cities and counties where authority for such issuance has already been given by a vote of not less than two-thirds of the qualified electors of such counties or cities and counties voting upon the proposition of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such bonds;

Also. Senate Bill No. 183—An act to validate bonds of flood control districts, including refunding bonds, and all proceedings relative thereto and to provide for the levy and collection of taxes to pay the principal and interest of such bonds;

Also: Senate Bill No. 184—An act to validate proceedings for the annexation of territory to, incorporation in, and inclusion thereof, within municipal corporations;

Also: Senate Bill No. 186—An act to validate bonds, including refunding bonds, of sanitary districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest of such bonds

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bills Nos. 178, 180, 181, 182, 183, 184 and 186 read first time, and referred to Committee on Judiciary

Also:

SENATE CHAMBER, SACRAMENTO, March 12, 1935.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 27—Relative to the retirement of Edward J. Hanna as Archbishop of the Archdiocese of San Francisco.

J. A. BEEK, Secretary of Senate

Assembly Concurrent Resolution No. 27 ordered to enrollment.

MOTION TO RE-REFER.

Mr. Maloney moved that Assembly Bill No 403 be withdrawn from Committee on Judiciary, and ordered re-referred to Committee on Labor and Capital.

The question being on re-referring Assembly Bill No 403 to Committee on Labor and Capital.

Motion carried.

Assembly Bill No 403 ordered re-referred to Committee on Labor and Capital.

MOTION TO RE-REFER.

Mr. Johnson moved that Assembly Bill No. 1607 be withdrawn from Committee on Governmental Efficiency and Economy, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Assembly Bill No 1607 to Committee on Judiciary.

Motion carried.

Assembly Bill No 1607 ordered re-referred to Committee on Judiciary.

REQUEST FOR USE OF ASSEMBLY CHAMBER

Mr. Fisher requested, and was granted, the use of the Assembly Chamber for the Committee on Fish and Game for the purpose of holding a public meeting this evening, March 12, 1935.

FURTHER CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND ONE HUNDRED TWENTY, AS AMENDED.

Assembly Bill No 1120—An act to amend sections 1, 3, 9, 12a, 15, 19, 20a and 20b and to add sections 3a, 3b, 3c, 3d, 3e, 3f, 3g, 3h, 3i, 9a, 9c, 12b, 20b, 20c, 20d, 20e, 20f, 20g, 20h, 20i, 20j and 20k to the California Real Estate Act, relating to the creation of the Real Estate Board and prescribing the powers and duties thereof, to the regulation and licensing of real estate brokers and salesmen, and to the inspection and regulation of subdivisions

The question being on the amendments submitted by Mr. Robertson.

Mr. Robertson withdrew his amendments

Bill read third time.

The question being on the passage of Assembly Bill No 1120, as amended.

FLOOR AMENDMENTS

During third reading of the bill, the following amendments were submitted by Mr Robertson

AMENDMENT NUMBER ONE.

On page 1, line 1, of the title of the printed bill, after "19,", insert the following "20a and 20b".

AMENDMENT NUMBER TWO

On page 7 of the printed bill, strike out lines 26 to 42, inclusive, and insert in lieu thereof the following:

"Sec. 20a. Prior to the time when subdivided lands shall be offered for sale as an agricultural or rural acreage subdivision not exclusively residential, or for colonization purposes, or for poultry raising or animal husbandry, the owner, his agent, or subdivider, shall notify the Real Estate Commissioner in writing of his intention to sell such offering. Such notice of intention shall contain the following information: The name and address of the owner, name and address of subdivider; legal description and area of land; a true statement of the condition of the title to the land, particularly including all encumbrances thereon, the terms and conditions on which it is intended to dispose of such land, together with copies of any contracts intended to be used and such other information as the owner or subdivider may desire to present.

After receiving such a statement the Real Estate Commissioner may require such additional information concerning the project as he deems necessary, and for which purpose he shall be empowered to prepare a questionnaire for the owner, his agent, or subdivider, to answer. In case the lands to be subdivided shall be subject to a lien or encumbrance securing or evidencing the payment of money other than taxes or assessments levied by public authority, or in case the interest of the owner or subdivider be held under option or contract of purchase or in trust, it shall be unlawful to sell any land in such subdivision unless provision exists in such lien, encumbrance, option, contract or trust agreement, or in a valid supplementary agreement enabling the vendor to deliver, title to each parcel sold free of such lien, encumbrance, option, contract or trust agreement, upon completion of all payments and performance of all the terms and provisions required to be made and/or performed by the vendee under the agreement of sale Certified or verified copies of documents containing such provisions shall be filed with the Real Estate Commissioner prior to the sale of any part of the subdivision.

The commissioner shall be empowered to employ such expert and technical assistants as may be necessary to a proper examination of the project. The total cost of such examination by the commissioner, together with charges of said experts and technical assistants, if any, shall be borne by the owner or subdivider of the project on the basis of actual cost to the Real Estate Department. An initial fee of twenty-five dollars shall accompany the answered questionnaire. The additional cost shall not exceed the rate of fifteen cents (15c) per acre if the project is situated in this State, which cost shall be payable upon demand of the commissioner If the project be situated outside of this State the questionnaire shall be accompanied by a fee equal

to three cents a mile for each mile going and returning, estimated by the commissioner to be traveled by railroad from Sacramento to the location of the project, plus a fee of fifty dollars. In the event the time consumed in the examination exceeds five days, the owner or subdivider shall, after the examination of the project, pay to the commissioner a sum at the rate of ten dollars per day for each day consumed in such examination over and above five days.

The owner or subdivider shall be required to pay the fees of all expert and technical assistants together with their necessary traveling expenses in going to and returning from the project, the distance to be computed by the most direct railroad route from Sacramento to the site of the project and return, which cost shall be payable upon demand of the commissioner. If the department decides to make an examination of the project, the commissioner shall make a public report thereon and is hereby authorized to publish said report. Said fees shall not be a lien upon said land, nor shall the failure to comply with the provisions of this section affect in any way the title to any of said land.

It shall be unlawful for the owner or subdivider of the project, after it is submitted to the commissioner, to materially change the set-up of such offering without first notifying the commissioner in writing of such intended change

The State Real Estate Commissioner, upon his own initiative may investigate any such lands being at the time of the adoption of this act offered for sale for colonization purposes or for farm acreage subdivision or for rural settlement, and may make public his findings thereon.

For the purpose of this act the words "subdivided lands" and "subdivision" are hereby defined as land or lands divided for the purpose of sale or lease, whether immediate or future, into five or more lots or parcels.

No lien, encumbrance, option, contract or trust agreement existing on the ninety-first day after the adjournment of the 1931 session of the Legislature, and no extension, renewal or refinancing of any such existing lien, encumbrance, option, contract or trust agreement shall be affected by any amendment to this section adopted at such session."

AMENDMENT NUMBER THREE.

On page 9, line 36, of the printed bill, strike out ", as it now exists,"

AMENDMENT NUMBER FOUR.

On page 9, line 38, of the printed bill, strike out "20k", and insert in lieu thereof the following: "20b".

Amendments read.

SUBSTITUTE AMENDMENTS.

Mr. Robertson submitted the following amendments as a substitute for the amendments previously submitted by him.

AMENDMENT NUMBER ONE

In line 1 of the title of the printed bill, strike out "20a and 20b".

AMENDMENT NUMBER TWO

In line 3 of the title of the printed bill, strike out "20b, 20c, 20d, 20e, 20f, 20g, 20h, 20i, 20j,"

AMENDMENT NUMBER THREE.

On page 7 of the printed bill, strike out lines 24 to 51 inclusive

AMENDMENT NUMBER FOUR

On page 8 of the printed bill, strike out lines 1 to 52, inclusive

AMENDMENT NUMBER FIVE.

On page 9 of the printed bill, strike out lines 1 to 35, inclusive

AMENDMENT NUMBER SIX.

On page 9, line 36, of the printed bill, strike out "20b", and insert in lieu thereof the following: "20k".

Amendments read.

DEMAND FOR PREVIOUS QUESTION.

Messrs. Morgan, Stream, Johnson, Cunningham, and Wright demanded the previous question.

The question being put. Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of the amendments submitted by Mr. Robertson.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Anderson, Boyle, Brennan, Cassidy, Cottrell, Cronin, Dawson, Desmond, Donihue, Evans, Ralph W., Fulcher, Gilmore, Heisinger, Hornblower, McMurray, Minard, Peyser, Robertson, Rosenthal, Turner, Utt, Wagner, and Williamson—23.

NOES—Andreas, Breed, Burns, Chatters, Clark, Corwin, Cunningham, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Geyer, Glover, Hawkins, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Scudder, Stream, Thorp, Voigt, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—52.

DEMAND FOR PREVIOUS QUESTION.

Messrs. Riley, Stream, Redwine, Field, and Evans, Herbert J., demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1120, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Welsh, and Wright—61

NOES—Brennan, Cassidy, Dawson, Donihue, Gilmore, Hornblower, Hunt, Jones, Maloney, McMurray, Richie, Robertson, Utt, Williamson, and Mr. Speaker—15.

Title read and approved.

Bill ordered transmitted to the Senate.

EXPLANATION OF VOTE ON ASSEMBLY BILL NUMBER ONE THOUSAND ONE HUNDRED TWENTY.

We are in full accord with the principles involved in Assembly Bill No. 1120 but we are opposed to the creation of any more boards, bureaus and commissions.

A study in the use of our governmental costs in the State of California for the past 25 years will show plainly that the huge increase in our State budget from $50,000,000 in 1910 to $347,000,000 in 1935 can partly be attributed to the creation of so many boards, bureaus and commissions. We feel that the time has arrived in California when our governmental costs must be reduced as our taxpayers are unable to pay the present cost and with the State of California $29,000,000 in the red, it is poor time to ask the taxpayers or any business group to increase their taxes.

EDWARD CRAIG, Speaker
JAMES B. UTT.

THIRD READING OF ASSEMBLY BILLS—(RESUMED)

Assembly Bill No. 295—An act to amend section 2.251 of the School Code, relating to teachers' attendance reports.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 295 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner,

Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—72.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No 298—An act to repeal section 4.768, relating to reports of attendance in joint elementary school districts.
Bill read third time.
The question being on the passage of the bill
The roll was called, and Assembly Bill No 298 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, and Mr. Speaker—72.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 310—An act to amend School Code section 4.928, relating to the apportionment of funds to high school districts.
Bill read third time
The question being on the passage of the bill.
The roll was called, and Assembly Bill No 310 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, and Mr. Speaker—72
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 765—An act to amend section 3.172 of the School Code, relating to beginning classes of elementary schools.
Bill read third time.
The question being on the passage of the bill
The roll was called, and Assembly Bill No 765 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner,

Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—71.
NOES—None

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 926—An act to amend section 3.472 of the School Code, relating to the transportation of teachers of agriculture employed by high school districts and engaged in supervising project work of pupils

Bill read third time.

FLOOR AMENDMENT.

During third reading of the bill, the following amendment was submitted by Mr. Phillips:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out "of agriculture employed by", and strike out all of lines 3 and 4 of the title, and insert in lieu thereof the following "and pupils for agriculture courses."

Amendment adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Phillips asked for, and was granted, unanimous consent to take up Assembly Bill No 926, as amended, at this time, without reference to printer or file, and that same be considered engrossed.

Assembly Bill No. 926—An act to amend section 3.472 of the School Code, relating to the transportation of teachers of agriculture employed by high school districts and engaged in supervising project work of pupils.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 926 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—72.
NOES—None

Title read and approved.
Bill ordered transmitted to the Senate

Assembly Bill No 930—An act to amend section 4 360 of the School Code, relating to school district budgets, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Urgency clause read

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert

J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—73.

NOES—None.

Assembly Bill No. 930—An act to amend section 4.360 of the School Code, relating to school district budgets, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 930 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—74.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate

Assembly Bill No. 57—An act to repeal sections 2.879 and 2.880 of the School Code and to add thereto sections 2.879 and 2.880, relating to election of school trustees.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 57 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 278—An act for the relief of certain special assessment districts, and for that purpose authorizing any city or county, or city and county, upon consent of the holder of bonds, in connection with any refunding or liquidating plans to adjust, annul, pay, waive, cancel, settle, refund, liquidate or discharge any taxes or assessments, penalties, interest or costs accrued or accruing, or levied or to be levied, and making available to such city or county, or city and county, the provisions of Chapter IX of the act of Congress entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, as amended, and any bankruptcy law

or laws of the United States now or hereafter enacted, and to declare the urgency of this act, to take effect immediately.

Bill read third time.

MOTION TO RE-REFER.

Mr. Evans, Ralph W., moved, seconded by Mr. Hunt, that Assembly Bill No. 278 be withdrawn from the file, and ordered re-referred to Committee on Municipal Corporations.

The question being on re-referring Assembly Bill No. 278 to Committee on Municipal Corporations

Motion carried.

Assembly Bill No. 278 ordered re-referred to Committee on Municipal Corporations

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 734—An act to validate the organization and incorporation of municipal corporations

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 734 passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—70.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION TO RE-REFER.

Mr Evans, Ralph W, moved, seconded by Mr. Boyle, that Assembly Bills Nos. 662, 663, 664, 665, 667, 668, 847, 1236, and 1237 be withdrawn from the file, and ordered re-referred to Committee on Municipal Corporations.

The question being on re-referring Assembly Bills Nos. 662, 663, 664, 665, 667, 668, 847, 1236, and 1237 to Committee on Municipal Corporations.

REQUEST FOR ROLL CALL.

On request of Messrs. Latham, Wright and Stream, the Speaker ordered a roll call taken on the motion to re-refer.

The roll was called, and the motion to re-refer carried by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Maloney, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Robertson, Rosenthal, Thorp, Turner, Voigt, Wagner, Waters, Welsh, and Williamson—54.

NOES—Evans, Herbert J, Field, Frazier, Latham, Lore, Martin, Reaves, Redwine, Richie, Riley, Scudder, Stream, Wallace, Wright, and Mr Speaker—15

Assembly Bills Nos. 662, 663, 664, 665, 667, 668, 847, 1236 and 1237 ordered re-referred to Committee on Municipal Corporations.

MOTION TO RE-REFER

Mr. Flint moved that Assembly Bill No. 186 be withdrawn from Committee on Judiciary, and ordered re-referred to Committee on Labor and Capital.

The question being on re-referring Assembly Bill No. 186 to Committee on Labor and Capital.

Motion carried.

Assembly Bill No 186 ordered re-referred to Committee on Labor and Capital.

MOTION TO RE-REFER

Mr Williamson moved that Assembly Bill No. 219 be withdrawn from Committee on Banking, and ordered re-referred to Committee on Revenue and Taxation.

The question being on re-referring Assembly Bill No 219 to Committee on Revenue and Taxation.

Motion carried.

Assembly Bill No 219 ordered re-referred to Committee on Revenue and Taxation.

MOTION TO RE-REFER

Mr. Nielsen moved that Assembly Bill No. 1393 be withdrawn from the file, and ordered re-referred to Committee on Civil Service.

The question being on re-referring Assembly Bill No. 1393 to Committee on Civil Service.

Motion carried.

Assembly Bill No. 1393 ordered re-referred to Committee on Civil Service.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill, was presented:

By Mr. Riley:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1935

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows

An act to amend section 1 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the city of Long Beach upon certain trusts and conditions, approved April 28, 1925, relating to the use of such tidelands and submerged lands.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1935

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it The title of said bill is as follows:

An act relating to penalties on delinquent taxes and declaring the urgency thereof

CUNNINGHAM, Chairman.

Also:

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to add section 652 to the Penal Code, relating to jurors.

CUNNINGHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to add Chapter 8 to Division VI of the Agricultural Code, relating to the marketing of milk and other dairy products

CUNNINGHAM, Chairman.

Also.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 1 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the city of Long Beach upon certain trusts and conditions, approved April 28, 1925, relating to the use of such tidelands and submerged lands.

CUNNINGHAM, Chairman

Reports read

Mr. Cunningham moved the adoption of the reports

The question being on the adoption of the reports

The roll was called, and the reports adopted by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J. Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi Glover, Hawkins, Hornblower, Hunt Johnson, Jones Kallam Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan Miller, Minard Morgan, O'Donnell, Patterson Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—68

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced, and referred as indicated:

By Mr. McCarthy: Assembly Bill No. 2384—An act relating to penalties on delinquent taxes and declaring the urgency thereof.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr Burns: Assembly Bill No 2385—An act to add section 652 to the Penal Code, relating to jurors

Bill read first time, and referred to Committee on Judiciary

By Mr. Thorp Assembly Bill No 2386—An act to add Chapter 8 to Division VI of the Agricultural Code, relating to the marketing of milk and other dairy products.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Mr. Riley: Assembly Bill No. 2387—An act to amend section 1 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the city of Long Beach upon certain trusts and conditions, approved April 28, 1925, relating to the use of such tidelands and submerged lands.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Crowley: Assembly Concurrent Resolution No. 28—Relative to the adjournment of the Legislature out of respect to the memory of Dr T. H. Stice

Introduced.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Meehan asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 28, at this time, without reference to printer, committee or file, and that same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER TWENTY-EIGHT.

Assembly Concurrent Resolution No. 28—Relative to the adjournment of the Legislature out of respect to the memory of Dr T. H Stice.

Assembly Concurrent Resolution No. 28 read.

Mr. Meehan moved the adoption of Assembly Concurrent Resolution No. 28.

The question being on the adoption of Assembly Concurrent Resolution No. 28.

The roll was called, and Assembly Concurrent Resolution No. 28 adopted by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J, Evans, Ralph W., Fibld, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Johnson, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, and Mr. Speaker—66.

NOES—None.

Title read and approved

Assembly Concurrent Resolution No. 28 ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No 28

Relative to the adjournment of the Legislature out of respect to the memory of Dr. T. H. Stice.

WHEREAS, Divine Providence has seen fit to remove from this earthly sphere Dr. T. H. Stice, the Superintendent of Napa State Hospital; and

WHEREAS, The members of this Legislature have learned with profound regret and deepest sorrow of his passing; now, therefore, be it

Resolved by the Assembly, the Senate concurring, That when the Legislature adjourns this day it do so out of respect to the memory of said Dr. T. H Stice; and be it further

Resolved, That the Chief Clerk be and he is hereby instructed to have prepared a suitable memorial resolution properly engrossed and mailed to the family of the deceased.

MOTION TO PRINT.

Mr. Thorp moved that the Chief Clerk instruct the State Printer to print 1000 additional copies of Assembly Bill No. 2386.

Motion carried.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 12, 1935

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 653—An act to add a new section to the School Code to be numbered 2 1363, relating to the acceptance of gifts, donations, bequests and devises to schools and colleges administered by the Director of Education or the Department of Education;

Also: Senate Bill No. 366—An act to renumber section 532a of the Penal Code, as added by Chapter 70 of the Statutes of 1913, to be section 532c of said code, relating to giving lots on the drawing of numbers;

Also: Senate Bill No 377—An act to validate the organization and existence of regional park districts;

Also: Senate Bill No. 23—An act to amend section 4041.17 of the Political Code, relating to the acquisition of real property by boards of supervisors;

Also: Senate Bill No. 257—An act to amend sections 4120 and 4121 of the Political Code of the State of California, relating to the books, accounts and vouchers in the office of county treasurers and the examination of the books and records and the counting of the money in said office;

Also: Senate Bill No. 47—An act to amend section 10 of an act entitled "An act to provide for the formation, management and dissolution of county fire protection districts composed of lands within one or more counties and annexations to such districts; to set forth the powers of such districts and to provide for levying and collecting taxes on property in such districts to defray the expenses thereof," approved June 12, 1931, relating to taxes of county fire protection districts.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 653 read first time, and referred to Committee on Education.

Senate Bills Nos 366 and 377 read first time, and referred to Committee on Judiciary.

Senate Bills Nos. 23, 257 and 47 read first time, and referred to Committee on County Government.

Also:

SENATE CHAMBER, SACRAMENTO, March 12, 1935

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 170—An act to establish a Vehicle Code, thereby consolidating and revising the law relating to vehicles and vehicular traffic, and to repeal certain acts and parts of acts specified herein.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary

Assembly Bill No. 170 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 12, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 187—An act to validate the organization and existence of municipal improvement districts;

Also: Senate Bill No. 188—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any municipal water district, and directing the levy and collection of a tax sufficient to pay the principal and interest thereof;

Also: Senate Bill No. 189—An act to validate the organization and existence of municipal water districts;

Also: Senate Bill No. 190—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold by any water conservation district and directing the levy and collection of a tax sufficient to pay the principal and interest thereof;

Also: Senate Bill No. 191—An act to validate the organization and existence of water conservation districts;

Also: Senate Bill No. 192—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any joint highway district, and directing the levy and collection of a tax sufficient to pay the principal and interest thereof;

Also: Senate Bill No. 194—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any acquisition and improvement district, and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof, and declaring the urgency thereof;

Also: Senate Bill No. 196—An act to validate the organization and existence of acquisition and improvement districts and declaring the urgency thereof.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 187 read first time, and referred to Committee on Municipal Corporations

Senate Bill No. 192 read first time, and referred to Committee on Roads and Highways.

Senate Bills Nos. 188, 189, 190, 191, 194 and 196 read first time, and referred to Committee on Judiciary

Also:

SENATE CHAMBER, SACRAMENTO, March 12, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as an urgency measure, Senate Bill No. 2—An act making an appropriation for a State exhibit at the California Pacific International Exposition, declaring the urgency thereof, and providing that this act shall take effect immediately

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 2 read first time, and referred to Committee on Exhibitions and Fairs.

Also:

SENATE CHAMBER, SACRAMENTO, March 12, 1935

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as urgency measures, Senate Bill No. 177—An act to confirm and validate the boundaries of school districts, high school districts and junior college districts of every kind and class and declaring the urgency thereof;

Also: Senate Bill No. 199—An act confirming and validating the formation or organization and existence of irrigation districts, and declaring the urgency thereof

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bills Nos 177 and 199 read first time, and referred to Committee on Judiciary.

RESOLUTION.

The following resolution was offered

By Mr. Chatters:

ASSEMBLY RESOLUTION.

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrants on the contingent expense fund of the Assembly in favor of Earl D Desmond in the sum of $11.41, James E. Thorp in the sum of $9.87 and Ford A Chatters in the sum of $27.58, said members being the special committee appointed by the Speaker to attend the funeral of Hon Dana P. Eicke, member of the California State Assembly, in Stockton, California, on January 30, 1935, said amounts being expenses incurred in attending said funeral, and the State Treasurer is hereby directed to pay the same

Resolution read.

Mr Chatters moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Burns, Cassidy, Clark, Corwin, Cronin, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Johnson, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan Miller, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Walker, Wallace, Waters, Welsh, Williamson, and Mr. Speaker—58

NOES—None

COMMUNICATION.

The following communication was received, and ordered printed in the Journal:

CALIFORNIA LEGISLATURE,
ASSEMBLY, March 12, 1935.

Mr Edward Craig, Speaker, and Members of the Assembly.

GENTLEMEN: It was most cheering to see the decorum and attentiveness with which members of the Legislature listened to the proponents of Assembly Bill No 791 before the Unemployment Committees of the Senate and the Assembly. Such an exhibition reaffirms our faith in the civil liberties guaranteed in the Constitution of the United States.

I wish to take this opportunity to express my appreciation for the courtesy and consideration shown toward those who spoke for the legislation.

Sincerely,

JOHN B. PELLETIER

MOTION TO RE-REFER.

Mr. Utt moved that Assembly Bill No. 1968 be withdrawn from Committee on County Government, and ordered re-referred to Committee on Municipal Corporations.

The question being on re-referring Assembly Bill No. 1968 to Committee on Municipal Corporations.

Motion carried.

Assembly Bill No 1968 ordered re-referred to Committee on Municipal Corporations.

MOTION TO RE-REFER.

Mr. Fisher moved that Assembly Bill No. 1108 be withdrawn from Committee on Governmental Efficiency and Economy, and ordered re-referred to Committee on Education.

The question being on re-referring Assembly Bill No 1108 to Committee on Education.

Motion carried.

Assembly Bill No. 1108 ordered re-referred to Committee on Education

MOTION TO RE-REFER.

Mr. Cronin moved that Assembly Bills Nos. 248 and 249 be withdrawn from the file, and ordered re-referred to Committee on Aviation and Aircraft.

The question being on re-referring Assembly Bills Nos. 248 and 249 to Committee on Aviation and Aircraft.

Assembly Bills Nos. 248 and 249 ordered re-referred to Committee on Aviation and Aircraft.

ADJOURNMENT.

At four o'clock and thirty minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Wednesday, March 13, 1935.

CHARLES H ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,

SACRAMENTO, Wednesday, March 13, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

The roll was called by Chief Clerk Arthur A Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie Riley,

Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr Speaker—78

Quorum present.

PRAYER.

Prayer was offered by Rev. Father John E Tumulty, Chaplain of the Assembly.

READING OF THE JOURNAL.

During the reading of the Journal, on motion of Mr. Evans, Herbert J., its further reading was dispensed with.

LEAVES OF ABSENCE.

On motion of Mr. Dawson, Mr. Brennan was granted leave of absence for this day.

On motion of Mr. Thorp, Mr. Nielsen was granted leave of absence for this day.

PRIVILEGE OF FLOOR OF ASSEMBLY EXTENDED.

On request of Mr. Meehan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Eddie Carey of Emeryville and Mr James Quinn of Oakland.

On request of Mr Cassidy, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr Willard Grimes of Oakland

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Messrs. J. E Black, and Joe T. Renas, Jr., of Berkeley.

On request of Mr. Chatters, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. W. S. Cairns of Lindsay, California.

On request of Mr. Nielsen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. J. M. Nielsen of Berkeley.

On request of Mr. Anderson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Judge Charles A. Thompson of Santa Clara.

On request of Mr. Wright, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. E. E. Day of Whittier; Mr E. J Milne, Superintendent, Whittier State School; Mr. H L. Perry of Whittier, Mr. B. G Martin, Secretary, Whittier Chamber of Commerce, and Father T. J. O Dwyer of Los Angeles

On request of Mr. Andreas, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. H. E DeNyse, Trustee, California Federation of Women's Clubs.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Claire Goodwin, Boxing Commissioner, and Mr Don Shields, Chief Boxing Inspector.

On request of Mr O'Donnell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the faculty adviser and pupils of the civics class, Pierce Joint Union High School, College City, California; Miss J. M. Westerberg, Faculty Adviser, and George Arcand, Yvon Bailey, Kenneth Betterton, Vaughn Brookins, Leo Belle Byers, William Charter, Mary Jane Cook, Bill Cross, Mollie

Day, Albert Duarte, Elizabeth Dulm, Martha Fruchtenicht, Billy Hancock, Ayako Hattori, Betty Heathman, Florence Hill, Lois Hoffman, Marjorie Hornlein, Florence Howe, Gale Humphrey, Billy Hunt, Nellie Jacobsen, Barbara Jansen, Lois Locke, Clifford Myers, Dorothy Myers, Herbert Newland, Ollie Rowe, Donald Santure, Jane Schohr, Betty Scofield, Betty Sills, Eugene Smith, Irwin Sweet, Opal Tourte, Stanley Tourte, John Walter, Richard Watkin, and Joseph Watson, pupils.

ASSISTANT CLERK COOLIDGE READING.

PRESENTATION OF PETITIONS.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Edward M. Dighton, relative to a joint meeting of officers of all the Townsend Old Age Pension Clubs of Los Angeles County representing about 50,000 members, asking the Assembly to make certain changes in the wording of Senate Joint Resolution No. 2

From Idaho Petroleum Industries Committee, advocating passage of a similar measure to House Bill No. 233

From D. Giddings, president Orange County unit, Natural Milk Producers Association of California, protesting against passage of Senate Bill No. 331.

From the City and County Engineers Association of Los Angeles County, opposing Assembly Bills Nos. 231, 807 and 839, and Senate Bills Nos 321, 322, 323 and 405; also Assembly Bill No 1475

From the City and County Engineers Association of Los Angeles County, opposing Assembly Bills Nos. 436, 457, 589, 823, 824, 825 and 1883.

COMMUNICATIONS

The following communications were received, and ordered printed in the Journal:

By Mr. Speaker:

SECRETARY OF STATE,
SALEM, OREGON, February 27, 1935

To the Honorable Speaker of the House of Representatives.
State of California, Sacramento, California.

MY DEAR SIR: By direction of the thirty-eighth legislative Assembly of Oregon, now in session, I have the honor to transmit certified copy of House Joint Resolution No. 9.

Yours very truly,

EARL SNELL, Secretary of State.

HOUSE JOINT RESOLUTION No 9.

To the Honorable Senate and the House of Representatives of the State of California in session assembled.

WHEREAS, Section 55-405, Oregon Code 1930, as amended by Chapter 313, Oregon Laws, 1931, and Chapter 54, Oregon Laws, 1933, second special session, provides that currently registered foreign licensed motor vehicles, trailers, or semitrailers, may be operated over the highways of Oregon for compensation or profit in interstate commerce, to the extent that in the foreign State of the vehicle owner's residence like exemptions and privileges are granted vehicles duly registered and licensed under the laws of and owned by residents of Oregon;

WHEREAS, The laws of the State of California make no provision whereby motor vehicles, trailers, or semitrailers owned by residents of Oregon and licensed under the laws of this State may be operated into or through the State of California in interstate commerce, except that such vehicles be registered under the laws of California, which fact operates to the distinct disadvantage and financial detriment of many motor vehicle owners of this State; now, therefore, be it

Resolved that the House of Representatives of the State of Oregon, the Senate jointly concurring, Respectfully petition the legislative Assembly of the State of California, in regular session, to enact such amendments to the California vehicle statutes as to enable the operation in interstate commerce,

between the two States, of motor vehicles currently registered under the laws of the State in which the owners of such motor vehicles may reside; be it further

Resolved, That the Secretary of State be and hereby is instructed to transmit a copy of this resolution to the President of the Senate and the Speaker of the House of the legislative Assembly of the State of California.

Adopted by the House February 7, 1935.

JOHN E. COOTER,
Speaker of the House.

Adopted by the Senate February 25, 1935.

HENRY L. CORBETT,
President of the Senate.

Endorsed, House Joint Resolution No. 9 Introduced by Representative Semon.

W. F. DRAGER, Chief Clerk.

Filed: February 27, 1935, Earl Snell, Secretary of State

CERTIFICATE

STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE

I, Earl Snell, Secretary of State of the State of Oregon, and Custodian of the Seal of said State, do hereby *certify*:

That I have carefully compared the annexed copy of House Joint Resolution No. 9 of the thirty-eighth legislative Assembly, convened in regular session January 14, 1935, with the *original* thereof filed in the office of the Secretary of State February 27, 1935, and that the same is a full, true and correct transcript therefrom and of the whole thereof, together with all endorsements thereon. In testimony whereof, I have hereunto set my hand and affixed hereto the Seal of the State of Oregon.

Done at the Capitol at Salem, Oregon, this twenty-seventh day of February, A. D. 1935.

[SEAL] EARL SNELL, Secretary of State

STATE OF CALIFORNIA, DEPARTMENT OF STATE,
SACRAMENTO, February 25, 1935

Hon. Edward Craig,
Speaker of the Assembly,
State Capitol, Sacramento, California.

MY DEAR MR CRAIG: For my children and personally I want to thank you and the members of the Assembly for the beautiful floral wreath sent as a tribute to our loved one and also I deeply appreciate the honor paid Mrs. Jordan, by the presence of a committee from your body during the ceremony.

It was a touching recognition always to be remembered.

Faithfully yours,

FRANK C. JORDAN.

Also:

OIL PRODUCERS SALES AGENCY OF CALIFORNIA,
LOS ANGELES, CALIFORNIA.

RESOLUTION ON THE FEDERAL GASOLINE TAX.

To the Ways and Means Committee of the House of Representatives and the Finance Committee of the Senate in the Congress of the United States of America, greeting:

WHEREAS, The Congress of the United States has levied an emergency Federal tax of 1 cent per gallon on sales of gasoline, the revenues from which are utilized for general fund purposes; and

WHEREAS, Such Federal gasoline tax constitutes a double assessment on motor vehicle operators, in view of the fact that the 48 States of the United States had already levied State taxes on sales of gasoline when the said Federal gasoline tax was imposed, and such tax is, in fact, an invasion of the rights of the States, and

WHEREAS, The use for general fund purposes, of the said revenue derived from such Federal gasoline tax, constitutes, in effect, a usurpation and diversion of funds that should rightfully accrue to the States for road construction and maintenance, and

WHEREAS, The assessment of this tax by the Federal Government is highly detrimental to the interests of the States, in that it now tends to make the total gasoline tax in many States prohibitive and is causing in some States, diminished returns, and

WHEREAS, Contrary to the intent and purpose of the gasoline tax principle as originally recognized by the States and later subscribed to by the Congress of the

United States in the Hayden-Cartwright Act of 1934, the Federal gasoline tax also encourages diversion and evasion of gasoline taxes in the States; and

WHEREAS, Revenues from the taxation of gasoline sales were intended properly to belong to the States, for the construction and maintenance of roads and must be restored to them particularly in view of the necessity for matching future Federal aid funds, as soon to be provided under the Hayden-Cartwright Act of 1934; and

WHEREAS, For the foregoing reasons, and in view of the fact that the Ways and Means Committee of the House of Representatives, the Finance Committee of the Senate and the Vinson Subcommittee on Double Taxation have each previously recognized the unfairness of the Federal gasoline tax and have stated that it ought to be eliminated; and

WHEREAS, We believe that the said tax should be allowed to expire at the expiration of the present fiscal year, on June 30, 1935, and the taxation of gasoline hereafter left to the States for their exclusive use as a means of providing funds for highways; now, therefore, be it

Resolved, by the Oil Producers Sales Agency of California by its board of directors in the city of Los Angeles, California, on January 16 in this, the year 1935, That the above committees and both houses of Congress be and hereby are memorialized on behalf of the members of this organization to allow the Federal gasoline tax to expire at the close of the present fiscal year, June 30, 1935, in accordance with the declared intent at the time it was passed; that it be not levied again in any way whatsoever and that the Federal Government permanently withdraw from the field of gasoline taxation and leave to the States exclusively the power and right to tax gasoline sales in the future; and be it further

Resolved, That a copy of this resolution be transmitted to the chairman of the Ways and Means Committee of the House of Representatives to be laid before the members of the committee, and to the chairman of the Senate Committee on Finance to be laid before the members of that committee, and, likewise, to both Senators from this State and the members of the House of Representatives from this district and State, and such other Congressmen as may be necessary, urging them to use their utmost endeavors to carry out our desires as expressed in the letter and spirit of this resolution and thus afford to our members and all those who operate motor vehicles or are consumers of gasoline, commercially or privately, the greatly needed relief which they demand from an excessive burden of discriminatory taxation due largely to the combined high tax on gasoline in State and Nation.

A true copy of resolution adopted by the Board of Directors of Oil Producers Sales Agency of California at their regular meeting held January 16, 1935.

RUSH M. BLODGET, Vice President

By Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1935.

MR. SPEAKER: Pursuant to your instructions, the following named person has filed his credentials and is duly recognized as representative of the newspaper set opposite his name:

The Geyserville Press—Hal Burd

ARTHUR A. OHNIMUS, Chief Clerk.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to section 24 of Article IV of the Constitution of said State, relating to acts codifying, revising, consolidating, rearranging or repealing the law;

Also: Assembly Constitutional Amendment No. 65—A resolution to propose to the people of the State of California an amendment of Article XIII of the Constitution of the State, by adding section 17 thereto, relating to taxation;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above Assembly constitutional amendments ordered on file for adoption.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 645—An act to amend section 403c of the Civil Code, relating to corporations;

Also: Assembly Bill No. 1085—An act relating to the memorialization of Congress to furnish aid in the construction of check dams in the Salinas River Valley;

Also: Assembly Bill No. 1086—An act relating to the memorialization of Congress to aid the rubber industry in the United States and in California;

Also: Assembly Bill No. 1548—An act to remit to holders of certificates of purchase of State lands one-half of any penalty which has accrued on account of failure of any such purchaser to pay interest when due, in consideration of the payment by any such purchaser, on or before December 31, 1935, to the State of California, of any sums due the State on account of interest, plus the remaining one-half of any accrued penalties;

Also: Assembly Bill No. 1793—An act to add section 690.11 to the Political Code, relating to fees;

And reports that the same have been correctly engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1991—An act to repeal section 658a of the Political Code and to add section 658.5 thereto, relating to refunds of fees paid to the State;

Also: Assembly Bill No. 2306—An act to amend sections 630 and 630.5 of the Probate Code, relating to estates under five thousand dollars;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 522—An act to amend section 400 of the Vehicle Code, relative to the liability of governmental agencies;

Also: Assembly Bill No. 1036—An act to amend section 1418 of the Penal Code, relating to the pardoning or commutation of sentence of convicts twice convicted of felony;

Also: Assembly Bill No. 1235—An act to add to the Probate Code a new section, to be numbered 1068, relating to the discharge of executors and administrators and the termination of probate proceedings;

Also: Assembly Bill No. 1273—An act to amend the title and sections 2, 9, 15, 17, 18, 20, 21, 22, 23, 24, 26, 27, 30 and 33 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933; to repeal section 19 of said act; to add sections 9½ and 19 to said act; all relating to the taxation of the privilege of selling tangible personal property; and to provide that this act shall take effect immediately;

And reports that the same have been correctly re-engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1935.

MR. SPEAKER. Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 154—An act to amend the title and sections 8, 14, 32 and 33 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the extension of the provisions of said act to the companies and their franchises, other than insurance companies and their franchises, specified in section 14 of Article XIII of the Constitution of this State;

Also: Assembly Bill No. 155—An act to amend the title and sections 4, 4a, 5, 8, 10, 11, 12, 13, 15, 16, 18, 19, 20, 21, 23, 24, 25, 26, 27, 29, 30, 31 and 35 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the extension of the provisions of said act to the companies and their franchises, other than insurance companies and their franchises, specified in section 14 of Article XIII of the Constitution of this State;

Also: Assembly Bill No. 1182—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and to provide for the disposition of the revenues therefrom, and to provide that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

RILEY, Chairman

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1649—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, to provide for the disposition of the revenues therefrom, to make an appropriation for the administration hereof, and to provide that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1935.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 892—An act making an appropriation to the Reclamation Board of the State of California to carry out the provisions of an act entitled, "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, as modified by the report of California Debris Commission, dated January 5, 1925, and providing the extent to which the State of California will contribute to the expense of executing the plan approved in said report, conditioned upon the United States assuming a corresponding obligation and further providing the purposes to which said expenditures made hereunder shall be applied," approved May 4, 1925—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

DESMOND, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 724—An act to add a new section to the Political Code of the State of California to be numbered 3476b, relating to assessments of reclamation districts and providing for crediting payments made under invalid calls of installment of assessments upon subsequent calls of installment of assessments—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DESMOND, Chairman

The above reported bill ordered on file for second reading

Also:

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 1128—An act relating to the sale of property sold to a county treasurer, as trustee of a reclamation district or of the bond fund, or to a reclamation district for delinquent assessments and installments thereof, declaring the urgency thereof, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 1531—An act to amend section 3491 of the Political Code, relating to reclamation districts;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

DESMOND, Chairman.

The above reported bills ordered on file for second reading.

ON FISH AND GAME

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1935.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 950—An act to amend section 1060 of the Fish and Game Code, and to add thereto sections 481.5 and 1064.5, relating to fish and game;

Also: Assembly Bill No. 1330—An act to amend sections 990, 991, and 993, of Article 1, Chapter 5, Part 2, of the Fish and Game Code;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended

FISHER, Chairman.

The above reported bills ordered on file for second reading.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1935.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 17—An act limiting the number of cars in a train, and prescribing penalties for violation thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BURNS, Chairman.

The above reported bill ordered on file for second reading.

ON MINES AND MINING.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1935.

MR. SPEAKER: Your Committee on Mines and Mining, to which was referred Assembly Bill No. 441—An act to amend "An act to require security for the payment of wages of persons engaged in the mining industry," approved April 25, 1933, by amending section 1 thereof, relating to security for the payment of wages—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MAYO, Chairman.

The above reported bill ordered on file for second reading.

SECOND READING OF ASSEMBLY BILLS.

Assembly Constitutional Amendment No. 15—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending sections 3 and 4 of Article IV of the Constitution, relating to the legislative department.

COMMITTEE AMENDMENTS.

During reading of Assembly Constitutional Amendment No. 15, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 4 of the title of the printed measure, strike out "and 4", and insert in lieu thereof a comma and the following "4 and 5".

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed measure, strike out "and 4", and insert in lieu thereof a comma and the following: "4 and 5".

AMENDMENT NUMBER THREE.

On page 1 of the printed measure, strike out lines 9 to 29, inclusive, and insert in lieu thereof the following:

"First—That section 3 of Article IV of said Constitution be amended to read as follows:

Sec. 3. Members of the Assembly shall be elected in the year 1936 at the time and in the manner now provided by law. Thereafter members of the Assembly shall be chosen for a term of four years at an election on the first Tuesday after the first Monday in November. The seats of the forty members of Assembly elected in the year 1938 from the even numbered districts shall be vacated at the expiration of the second year, so that one-half of the members of the Assembly shall be elected every two years. No member of the Assembly is eligible to file a declaration of candidacy or an acceptance of candidacy for election to the Senate unless he first resign from membership of the Assembly, such resignation to be effective December 31st of the year he files such declaration or acceptance of candidacy.

Second—That section 4 of Article IV of said Constitution is amended to read as follows:

Sec. 4. Senators shall be chosen for the term of six years, at the same time and places as members of the Assembly, and no person shall be a member of the Senate or Assembly who has not been a citizen and inhabitant of the State three years, and of the district for which he shall be chosen one year, next before his election

Third—That section 5 of Article IV of said Constitution be amended to read as follows:

Sec 5 The Senate shall consist of forty members, and the Assembly of eighty members to be elected by districts, numbered as hereinafter provided The seats of the thirteen Senators elected in the year 1938 from the even numbered districts two to twenty-six inclusive shall be vacated at the expiration of the fourth year, those of the seven Senators elected in that year from the even numbered districts twenty-eight to forty inclusive shall be vacated at the expiration of the sixth year: those of the six Senators elected in the year 1940 from the odd numbered districts one to eleven inclusive shall be vacated at the end of the fourth year and those of the fourteen Senators elected in the year 1940 from the odd numbered districts thirteen to thirty-nine inclusive shall be vacated at the expiration of the sixth year, so that approximately one-third of the Senators shall be elected every two years "

Amendments adopted

Assembly Constitutional Amendment No. 15 read, ordered to reprint, engrossment, and on file for adoption

Assembly Constitutional Amendment No. 20—A resolution to propose to the people of the State of Califoria an amendment of Article IV of the Constitution of the State, by adding section 31c thereto, relating to relief to assessment districts

COMMITTEE AMENDMENT.

During reading of Assembly Constitutional Amendment No 20, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE

On page 1 line 13, of the printed measure, after "any", insert the following: "city, city and county, or ".

Amendment adopted.

Assembly Constitutional Amendment No. 20 read, ordered to reprint, engrossment, and on file for adoption

Assembly Constitutional Amendment No. 66—Proposed amendment to Article XIII, section 1½, of the Constitution, relative to exemption from taxes of property used solely and exclusively for religious worship.

COMMITTEE AMENDMENTS.

During reading of Assembly Constitutional Amendment No. 66, the following amendments were submitted by the committee.

AMENDMENT NUMBER ONE

On page 1, line 12, of the printed measure, change the word "building" to "buildings", then strike out everything in line 12 beginning with the comma after the word "building", down to and including the word "therein", in line 13.

AMENDMENT NUMBER TWO

On page 1, line 14, of the printed measure, reinstate the word "same" before the word "building," then strike out the words "building, real property and personal property."

Amendments adopted

FLOOR AMENDMENT.

During reading of Assembly Constitutional Amendment No. 66, the following amendment was submitted by Mr. Johnson.

AMENDMENT NUMBER ONE.

In the title of the printed measure, strike out the words "property used", and in lieu thereof substitute the following: "buildings and personal property used therein."

Amendment adopted

Assembly Constitutional Amendment No. 66 read, ordered to reprint, engrossment, and on file for adoption.

Assembly Bill No. 1741—An act to add section 91 6 to the Agricultural Code, relating to the Sixth District Agricultural Association.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1885—An act to amend section 91.5 of the Agricultural Code, relating to the Sixth District Agricultural Association fund.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1780—An act to amend section 92 of the Agricultural Code, relating to agricultural fairs.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "section 92", and insert in lieu thereof the following: "sections 86 and 92"

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 and 2, and insert in lieu thereof the following:

"SECTION 1. Section 86 of the Agricultural Code is hereby amended to read as follows:

86. Each district agricultural association is a State institution. Each association by its name has perpetual succession, may have a seal, be sued and, with the approval of the Department of Finance, may

(a) Contract, and sue.

(b) Purchase, acquire, hold, sell, exchange or convey any interest in real or personal property and beautify or improve such property

(c) Lease any portion of its real estate for the purpose of building museums or coliseums thereon.

(d) Lease lands owned, managed or controlled by it, whether in trust or otherwise, not needed for the permanent use of said association, to any nonprofit agricultural fair association within its district, or to any municipal corporation or county, in which said lands are located, for a period not to exceed fifty years, for purposes not inconsistent with the objects and purposes for which said association is formed and for which said lands are held, owned, or controlled by it.

(e) Contract with any county or county fair association for holding a fair jointly with the same. Such joint fair shall constitute a district fair of the association.

(f) Do any and all things necessary to carry out the above powers and the objects and purposes for which the association is formed.

SEC. 2. Section 92 of the Agricultural Code is hereby amended to read as follows:".

AMENDMENT NUMBER THREE.

On page 1, line 15, of the printed bill strike out "August first.", and insert in lieu thereof the following: "December 31st".

AMENDMENT NUMBER FOUR.

On page 1, line 17, of the printed bill, strike out "the preceding", and insert in lieu thereof the following: "that".

AMENDMENT NUMBER FIVE.

On page 1, line 19, of the printed bill, strike out "one county", and strike out all of line 20.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 947—An act to amend Chapter 763, Statutes of 1929, approved June 10, 1929, as amended by Chapter 401, Statutes of 1931, approved May 25, 1931, and as amended by Chapter 10, Statutes of 1933, approved January 26, 1933, entitled and known and cited as "California Toll Bridge Authority Act." by amending the title thereof and by amending sections 2, 9, 11, 14, 16, 20 and 22½, and by adding thereto new sections numbered 4½, 5½, 5¾, 8½, 8¾, 9½,

9¾, 12½, 13¼, 16¼ and 16½, relating to and prescribing additional duties, powers and limitations regarding the construction and financing of toll bridges; and providing for the acquisition, construction, financing and operation of transportation facilities thereof and thereto; and providing that this act become effective immediately.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in line 7 of the title, after "2,", add the following: '6½,".

AMENDMENT NUMBER TWO.

On page 3, line 49, of the printed bill, after the word 'thereto", add a comma, and strike out the words: "or may operate the transportation facilities thereon of the additional transportation facilities connecting or coordinated therewith".

AMENDMENT NUMBER THREE.

On page 4, line 4, of the printed bill, after the word "with", add the following: "and to issue permits to".

AMENDMENT NUMBER FOUR.

On page 4 of the printed bill, at the end of line 8, add the following: "also providing that the execution of any such contract or the granting of any such permit shall not relieve any such transportation company from the duty of obtaining a certificate of public convenience and necessity from the Railroad Commission and of complying with the rules and regulations of the Railroad Commission."

AMENDMENT NUMBER FIVE.

On page 7, line 47, of the printed bill, at the end of section 5 thereof, add a new section reading as follows:

"SEC. 5(a). Section 6½ of said act is hereby amended to read as follows:

Sec. 6½. In the event a bond issue for the acquisition or construction of a toll bridge or bridges or other highway crossing shall be authorized and sold in whole or in part and the California Toll Bridge Authority and Director of the Department of Public Works deem it advisable and advantageous to enlarge or extend such toll bridge or bridges or other highway crossing or any of them or to change the structure or design thereof in order to afford new or greater facilities for any type or class of traffic, the said California Toll Bridge Authority may issue additional bonds for the purpose of enlarging or extending such toll bridge or bridges or other highway crossing or changing the structure or design thereof in order to afford such new or greater facilities, provided the surrender and cancellation of all outstanding bonds theretofore issued for the acquisition or construction of such toll bridge or bridges or other highway crossing as originally designed can be assured or obtained by call or by consent of the holders thereof. Such additional bonds shall not constitute a debt or obligation of the State of California but shall be bonds of the California Toll Bridge Authority of the same character and payable from the same funds as other bonds herein authorized; provided, however, that the pledge of the tolls and other revenues to be received from the operation of such toll bridge or bridges or other highway crossing to the payment of outstanding bonds shall not in any way be lessened, diminished or affected thereby. If the bonds issued for the acquisition or construction of such toll bridge or bridges or other highway crossing as originally designed which may be then outstanding are at that time by their terms subject to immediate retirement before maturity at the option of the California Toll Bridge Authority, or if the holders consent to the retirement of such bonds, the said authority may include in the issue of bonds to be sold for the purpose of enlarging or extending said toll bridge or bridges or other highway crossing or changing the design thereof, an amount of bonds sufficient to produce funds with which to retire such outstanding bonds according to their terms; provided, however, that before any such bonds are delivered the California Toll Bridge Authority shall have first duly called the outstanding bonds for redemption in accordance with their terms and conditions or have obtained the consent of the holders thereof to the retirement of such outstanding bonds Out of the proceeds derived from the sale of such new bonds there shall be set aside an amount of money sufficient to retire such outstanding bonds as may be thereafter presented for payment. Bonds of the new authorized issue may be delivered in part in exchange for a like principal amount of outstanding bonds of the original issue if the holders of such outstanding bonds to be so exchanged consent thereto.

All provisions of this act shall apply with like force and effect to the issuance of any bonds of such new authorized issue and the holders thereof shall be subrogated to all the rights and powers of the holders of the bonds which are surrendered in

exchange therefor, except as such rights and powers may be modified by the express terms of the bonds of such new authorized issue or the proceedings authorizing their issuance"

AMENDMENT NUMBER SIX.

On page 8, line 15, of the printed bill, at the end of the first full sentence of section 8¾, add the following: "No part of such transportation facilities located within any city, or city and county shall be constructed or operated therein without the approval of the board of supervisors or other legislative body of said city or city and county"

AMENDMENT NUMBER SEVEN

On page 13, line 12, of the printed bill, strike out the word 'property', and add in place thereof: "vehicles other than railway freight cars".

AMENDMENT NUMBER EIGHT.

On page 13, line 18, of the printed bill, at the end of section 12, strike out the period and add the following: ", or to any bridge or tube between the cities of Oakland and Alameda. The limitations and provisions of this section and of section 12 shall not apply to any ferry authorized or permitted by the California Toll Bridge Authority to be operated and maintained across the waters of the bay between the City and County of San Francisco and the city of Alameda, and it is further provided that the provisions and limitations of this section and of section 12 shall not prevent the operation of any ferry or other similar means of crossing authorized or permitted by the California Toll Bridge Authority during such period of time as any such toll bridge or other highway crossing is obstructed to traffic because of accident thereto or repair thereof, or is for any reason unable to fully accommodate traffic"

AMENDMENT NUMBER NINE.

On page 14 of the printed bill, strike out lines 28 to 32, inclusive, and on page 15 of the printed bill, strike out lines 1 to 20, inclusive, and add the following:

"The California Toll Bridge Authority is hereby authorized and empowered to prescribe the terms and conditions upon which any person, or firm, or group of persons, or private, public or municipal corporation, or any district or political subdivision may transport any person or property over any toll bridge or bridges or other toll highway crossing, and the approaches to each end thereof, acquired or constructed or to be acquired or constructed or in course of construction in accordance with the provisions of this act, or may operate any of the transportation facilities thereon, and no person, or firm or group of persons, or private, public or municipal corporation, or any district or political subdivision shall transport any person or property over any such toll bridge or bridges or other toll highway crossing or the approaches thereto or operate the transportation facilities thereon, unless first authorized or permitted so to do by the California Toll Bridge Authority, and in accordance with such authorization or permission

The California Toll Bridge Authority is hereby further authorized and empowered to grant permits to and to enter into contracts with steam, electric, bus, railroad and other transportation companies, public or private, and with any municipal or public corporation or public utility district or political subdivision for the use of any such toll bridge or bridges or other toll highway crossing, and for the use of the transportation facilities thereof, upon such terms and conditions as may be mutually agreed upon; provided, however, that prior to the granting of any such permit or the execution of any such contract, the California Toll Bridge Authority shall first determine that such permit or contract is advisable or necessary for the financing of such bridge or bridges or other toll highway crossing or for the proper or necessary or safe use of such bridge or bridges and for the best interests of the State

The grant of any such permit or the execution of any such contract by the California Toll Bridge Authority shall not be deemed to relieve any such transportation company or corporation, subject to the jurisdiction of the Railroad Commission of the State of California, from the duty of obtaining such certificate of public convenience and necessity for the conduct of a transportation service over any toll bridge or other highway crossing as may by law be required or from the duty of complying with every lawful order, rule or regulation of the Railroad Commission respecting such transportation service

The California Toll Bridge Authority may permit in any such contract or permit, if it shall deem the same advisable or necessary, of the use by the transportation company or corporation or district or subdivision providing transportation, of the transportation facilities of the California Toll Bridge Authority upon such terms and in such manner as the California Toll Bridge Authority shall deem proper, without restriction thereof to the toll bridge or bridges or other highway crossing to which said transportation facilities relate, provided that such use shall

be for or in aid of the transportation of persons or property over such bridge or bridges or other highway crossing or the approaches thereto"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 34—An act to amend section 4300d of the Political Code by adding thereto a provision specifying the mileage to be charged by constables and marshals in counties of the third class in the service of any writ, order or paper, excepting a warrant of arrest.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 70—An act to add section 3757 to the Political Code providing for the rejection of all fractions of a cent by auditors and tax collectors when computing taxes, penalties for delinquencies or interest and percentages on redemption

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 229—An act to amend sections 3366 and 4041.14 and to repeal section 3384 of the Political Code, relating to the licensing of businesses by the counties.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 472—An act to add section 3819a to the Political Code, relating to installment paying of delinquent taxes.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1485—An act to amend section 4014 of the Political Code of the State of California, relating to township officers.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2033—An act to amend the title and sections 2, 4 and 5 of an act entitled "An act regulating the payment of wages earned in seasonal labor and prescribing the powers and duties of the Commissioner of the Bureau of Labor Statistics, in relation thereto," approved May 28, 1913 (Stats 1913, Chap 198), relative to disputes regarding seasonal labor, and the application of the State Wage Law thereto

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No 346—An act to amend section 1208 of the Code of Civil Procedure, relating to liens upon animals.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 436—An act to amend sections 1, 15 and 17 of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to civil engineers.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 438—An act to amend sections 640, 641, 642, 645 and 646 of the Probate Code, relating to estates.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1678—An act to add a new section to the Penal Code to be numbered 969½, relating to the amendment of a complaint to charge prior convictions.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1679—An act to amend section 1207 of the Penal Code, relating to entry of judgment.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1722—An act to amend section 1408 of the Penal Code, relating to the order for delivery of property to the owner.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 1723—An act to amend sections 888 and 959 of the Penal Code, relating to indictments.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1995—An act to amend section 779 of the Political Code, relating to publication of court reports.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 654—An act to amend section 1502 of the Probate Code of the State of California, relating to the guardianship of estates.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE

In line 1 of the title of the printed bill, strike out the words "amend section 1502 of", and substitute in lieu thereof the following: "add a new section numbered 1558 to".

AMENDMENT NUMBER TWO

On page 1 of the printed bill, strike out all of lines 1 to 14, inclusive, and insert in lieu thereof the following:

"SECTION 1. There is hereby added to the Probate Code a new section numbered 1558 and to read as follows:".

AMENDMENT NUMBER THREE.

On page 1, line 15, of the printed bill, before the word "If", insert the following "1558".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out all of lines 19 to 22, inclusive, and insert in lieu thereof the following: "the court, the court upon the settlement of the account, shall order the guardianship of the estate of the ward terminated and the guardian of the estate forthwith discharged".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1680—An act to amend sections 1235 and 1238 of the Penal Code, relating to appeals in criminal cases

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee.

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the words "to the Supreme Court".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1721—An act to amend sections 859 and 860 of the Penal Code, relating to the examination of a case before a magistrate, and to add section 859a of the Penal Code, relating to a plea of guilty to the complaint before a magistrate.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

On page 2, line 13, of the printed bill, after the period insert the following "The foregoing provisions of this section shall not be construed to authorize the receiving of a plea of guilty from any defendant not represented by counsel."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 532—An act to amend sections 423, 578, 587, 860, 1201, 1240, 1501, 1515, 1540 and 1630 of the Probate Code and to add new sections thereto to be numbered 588, 1201a and 1516, relating to estates of decedents and estates of persons under guardianship

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of section 1 thereof beginning with line 1, and ending with line 15

AMENDMENT NUMBER TWO.

On page 1, line 16, of the printed bill, amend "SEC. 2", to read "SECTION 1"

AMENDMENT NUMBER THREE.

On page 2 line 7 of the printed bill amend "SEC. 3", to read "SEC 2"

AMENDMENT NUMBER FOUR

On page 2 line 25, of the printed bill, amend "SEC. 4", to read "SEC. 3"

AMENDMENT NUMBER FIVE.

On page 2, line 34, of the printed bill, amend "SEC. 5", to read "SEC 4".

AMENDMENT NUMBER SIX.

On page 2, line 49, of the printed bill, amend "SEC 6", to read "SEC. 5"

AMENDMENT NUMBER SEVEN.

On page 3, line 17, of the printed bill amend "SEC. 7", to read "SEC 6".

AMENDMENT NUMBER EIGHT.

On page 3, line 31, of the printed bill, amend "SEC. 8", to read "SEC. 7".

AMENDMENT NUMBER NINE

On page 3, line 48 of the printed bill, amend "SEC 9", to read "SEC. 8".

AMENDMENT NUMBER TEN.

On page 4, line 7, of the printed bill, amend "SEC 10", to read "SEC. 9".

AMENDMENT NUMBER ELEVEN.

On page 4, line 14, of the printed bill, amend "SEC 11", to read "SEC. 10".

AMENDMENT NUMBER TWELVE.

On page 4, line 24, of the printed bill, amend "SEC. 12", to read "SEC 11"

AMENDMENT NUMBER THIRTEEN

On page 4, line 38, of the printed bill amend "SEC 13", to read "SEC. 12".

AMENDMENT NUMBER FOURTEEN

On page 2, line 14, of the printed bill, insert a comma after "estate".

AMENDMENT NUMBER FIFTEEN.

On page 2, lines 36 and 27, of the printed bill, strike out the commas

AMENDMENT NUMBER SIXTEEN

On page 2, line 38, of the printed bill, insert a comma after "mine".

AMENDMENT NUMBER SEVENTEEN.

On page 3, line 9, of the printed bill, strike out the comma and the word "or" at the end of the line, and insert in lieu thereof a semicolon.

AMENDMENT NUMBER EIGHTEEN.

On page 3, line 10, of the printed bill, strike out the word "or" at the end of the line, and insert in lieu thereof a semicolon.

AMENDMENT NUMBER NINETEEN.

On page 3, line 38, of the printed bill, insert a comma after "domain"

AMENDMENT NUMBER TWENTY.

On page 4, line 11, of the printed bill, strike out the first "or".

AMENDMENT NUMBER TWENTY-ONE.

On page 4, line 24, of the printed bill, strike out "1201a", and insert in lieu thereof "1201.5".

AMENDMENT NUMBER TWENTY-TWO.

On page 4, line 26, of the printed bill, strike out "1201.a", and insert in lieu thereof "1201.5".

AMENDMENT NUMBER TWENTY-THREE.

On page 4, line 28, of the printed bill, strike out "notices", and insert in lieu thereof "notice".

AMENDMENT NUMBER TWENTY-FOUR.

On page 4, line 29, of the printed bill, strike out "notices", and insert in lieu thereof "notice".

AMENDMENT NUMBER TWENTY-FIVE.

On page 1, line 21, of the printed bill, strike out the word "Such", and insert in lieu thereof "such".

AMENDMENT NUMBER TWENTY-SIX

On page 2, line 1, of the printed bill, following the period, insert the following: "The court may also authorize the executor or administrator on such terms and conditions as may be approved by it to extend or renew, or in any manner modify the terms of, any obligation owing to or running in favor of the decedent or his estate".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 2, line 43, of the printed bill, following the word "property", insert the following: ", some part thereof."

AMENDMENT NUMBER TWENTY-EIGHT.

On page 4, line 16, of the printed bill, after the word "or", insert the following: "no".

AMENDMENT NUMBER TWENTY-NINE.

On page 4, line 40, of the printed bill, after the word "or", insert the following: "no".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 33—An act to amend section 4300b of the Political Code of the State of California by adding thereto a provision fixing a fee to be charged by sheriffs in counties of the third class for arresting prisoners and bringing them into court or jail.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, strike out the following: "in counties of the third class".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 903—An act to amend section 4 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to pros-

peet for and take any such minerals, to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, relating to the extension of prospecting permits for oil and gas which were in effect June 1, 1933, and upon which has been expended $25,000 or more in the prospecting for oil and gas.

COMMITTEE AMENDMENT.

During second reading of the bill, the following amendment was submitted by the committee:

AMENDMENT NUMBER ONE.

Immediately following line 2 of the printed bill, insert the following

"Sec. 4. Prospecting Permits for Oil and Gas Exception The Surveyor General is hereby authorized, upon the payment to him of fifty cents per acre, for each acre in area embraced within the boundaries of the lands proposed to be prospected and under such rules and regulations as he may prescribe, to grant to any person or association of persons, who are residents of the State of California and citizens of the United States or who have declared their intention of becoming such, or corporations 90 per cent of whose stockholders are citizens of the United States a prospecting permit, which shall give the exclusive right, for a period not exceeding two years, to prospect for oil or gas, upon not exceeding six hundred forty acres of land wherein such deposits of oil or gas belong to the State and are not within any known geological structure of a producing oil or gas field, upon condition that the permittee shall begin drilling operations within six months from the date of the permit, and shall within one year from and after the date of the permit, drill one or more wells for oil or gas to a depth of not less than one thousand feet each, unless valuable deposits of oil or gas shall be sooner discovered, and shall, within two years from date of the permit, drill for oil or gas to an aggregate depth of not less than two thousand feet unless valuable deposits of oil or gas shall be sooner discovered The Surveyor General may, if he shall find that the permittee has been unable with the exercise of diligence to test the land in the time granted by the permit, extend any such permit for such time, not exceeding two years, and upon such conditions as he shall prescribe. Any permittee whose permit was in good standing on October 1, 1933, and who has within four years from the date of the permit performed the drilling conditions set forth in this section and has expended $50,000 or more on said permit and has not made a discovery of valuable deposits of oil or gas within that period, and desires to further prospect, then his permit shall be extended until June 1, 1936. Whether the lands sought in any such application and permit are surveyed or unsurveyed the applicant shall, prior to filing his application for permit, locate such land in a reasonably compact form and according to the legal subdivisions of the public land surveys if the land be surveyed; and in an approximately square or rectangular tract, if the land be an unsurveyed tract, the length of which shall not exceed two and one-half times its width; the land to be surveyed by the Surveyor General at the expense of the applicant for a permit in such form as the Surveyor General shall deem to be to the best interest of the State; provided, however, that in case of prospecting permits and leases to river beds, lake beds, overflowed, tide and submerged lands, the width or length of the prospecting permit or lease along the shore line, measured on an east and west or north and south line shall not exceed one-quarter mile

Preference Rights Established by Erection of Monuments and Posting of Notices Recording Notices. If the applicant shall cause to be erected upon the land for which a permit is sought a monument not less than four feet high, at some conspicuous place thereon, and shall post a notice in writing on or near said monument stating that an application for permit will be made within thirty days after the date of posting said notice, giving the name of the applicant, the date of the notice, and such a general description of the land to be covered by such permit by reference to courses and distances from such monument and such other natural objects and permanent monument as will reasonably identify the land, stating the amount thereof in acres, he shall during the period of thirty days following such marking and posting, be entitled to a preferential right over others to a permit for the land so identified; provided, however, that applicant shall, as a part of this application for a permit, show that within two days after the posting of the said notice, he recorded a copy of the same in the county recorder's office of the county in which the said land is situated

Marking Boundaries Exception Permits Covering Tidelands, etc. (Rights of Littoral Owners) The applicant shall within ninety days after receiving a permit, mark each of the corners of the tract described in the permit upon the ground with substantial monuments, so that the boundaries can be readily traced on the ground,

and shall post in a conspicuous place upon the lands a notice that such permit has been granted and a description of the lands covered thereby; provided, however, that where the boundaries of the land sought to be prospected or developed under lease are wholly or partially in river or lake beds, overflowed, tide and submerged lands, the notice shall be conspicuously posted on a monument as close to a corner of the land as possible and shall specifically describe the area to be developed by courses and distances so that the limits of the area can be easily determined; provided, further, however, that in no case shall permits or leases be granted covering tide, overflowed or submerged lands fronting on an incorporated city, or for a distance of one mile on either side thereof; provided, further, however, that in case of an application for a permit or a lease covering tide, overflowed or submerged land by anyone other than the littoral or riparian proprietor, said littoral or riparian proprietor shall have six months within which to file an application for a permit or lease, but if said littoral or riparian proprietor fails to comply with the requirements of this act and its rules and regulations made in pursuance hereof, his preferential rights shall thereupon cease and forever be terminated, and the original applicant shall be permitted to proceed with his application; provided, further, that after the approval of this act and prior to the first day of September, 1929, no monument shall be erected, or notice posted upon or notice recorded in relation to any tide, overflowed, or submerged lands of this State, or application for permit presented to or received by the Surveyor General for or in relation to any tide, overflowed or submerged lands of this State as provided in this section; provided, further, that no permit to prospect or drill for oil or gas in or upon any tide, overflowed or submerged lands shall ever be granted by the Surveyor General upon an application made between the date of approval of this act and the first day of September, 1929. Nothing contained in the two provisos last preceding this clause, shall, however, be deemed or construed to prevent any littoral owner from exercising the preference right given by the terms of this section, nor as affecting the rights under this act of the holder of any permit or lease heretofore issued and now outstanding nor of any applicant therefor who has fully complied heretofore with the provisions of this act, nor as recognizing ratifying or validating any rights so claimed.

Sec 5. Lease. Royalty. Upon establishing to the satisfaction of the Surveyor General that valuable deposits of oil or gas have been discovered within the limits of the land embraced in any permit, the permittee shall be entitled to a lease for one-fourth of the land embraced in the prospecting permit; provided, that the permittee shall be granted a lease for as much as one hundred sixty acres of said lands, if there be that number of acres within the permit. The area to be selected by the permittee shall be in compact form and if surveyed, to be described by the legal subdivision of the public land surveys; if unsurveyed, to be surveyed by the Surveyor General at the expense of the applicant for lease in accordance with rules and regulations to be prescribed by the Surveyor General, and the lands leased shall be conformed to and taken in accordance with the legal subdivisions of such surveys; deposits made to cover expense of survey shall be deemed appropriated for that purpose, and any excess deposit may be repaid to the person or persons making such deposits or their legal representative. Such lease shall be for a term of twenty years upon a royalty of five per centum in amount or value of the production and the annual payment in advance of a rental of one dollar per acre, the rental paid for any one year to be credited against the royalties as they accrue for that year, with the right of renewal as prescribed in section 8 hereof; provided, however, that a lease granted to a permittee whose permit has been extended until June 1, 1936, shall be upon a royalty of 12½ per centum of the amount or value of the production, instead of 5 per centum. The permittee shall also be entitled to a preference right to a lease for the remainder of the land in his prospecting permit at a royalty of not less than 12½ per centum in amount or value of the production, and under such other conditions as are fixed for oil or gas leases in this act, the bonus and royalty to be determined by competitive bidding or fixed by such other method as the Surveyor General may by regulations prescribe; provided, that the Surveyor General shall have the right to reject any and all bids."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 670—An act to establish a board to be known as the Rector Dam Authority; to prescribe its duties, powers, functions and jurisdiction; to authorize the Authority to construct a dam in Rector Canyon to impound the waters of Rector Creek and to sell and distribute said waters; to authorize the Authority to issue and sell revenue bonds to provide funds for the acquisition and construction of said dam and to provide for the redemption thereof from the revenues received from the sale and distribution of such waters; authorizing the

Department of Public Works of the State of California to operate and maintain such dam and all property appurtenant thereto; authorizing the board to acquire and hold real property necessary for its purposes, and to enter into agreements with State, Federal, and local officers and agencies, and political subdivisions, municipalities, and public districts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, after the period in said line, insert the following: "Members of said Authority shall serve without compensation."

AMENDMENT NUMBER TWO

On page 2, line 16, of the printed bill after the period in said line, insert the following: "The Authority shall have full jurisdiction and control over that portion of the Napa State Farm which lies east or easterly from that certain public road or highway known as Silvarado Trail, together with any and all rights of way, pipe lines, flumes and ditches belonging to the State and used or useful to conduct water to or from Napa State Hospital, Napa State Farm or Veterans' Home of California. Napa State Farm, formerly known as the "Fry Ranch," is a tract of land situated near the town of Rutherford, in the county of Napa, State of California, acquired by the State under the provisions of the act entitled "An act to establish the California State Reformatory, to provide for the purchase of land therefor, and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor," approved April 24, 1911"

AMENDMENT NUMBER THREE.

On page 2, line 47, of the printed bill, after "hereof", insert the following, "or placed under the jurisdiction and control of the Authority by the provisions hereof".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1684—An act to amend sections 9, 23, and 24 of, and to add section 9a to, "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to leasing of State lands and the taking of gold or other minerals, other than oil or gas, from tide or submerged lands and the beds of navigable rivers and lakes.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out the first and second lines of the title, and insert in lieu thereof the following:

"An act to amend section 23, and to repeal section 24 of 'An act to reserve all minerals in State lands; to' ".

AMENDMENT NUMBER TWO

On page 1 of the printed bill, strike out the remainder of the title, commencing with the word "relating", in line 12, and insert in lieu thereof the following: "relating to leasing and granting easements to extract oil, gas and other hydrocarbons by means of wells drilled from littoral lands into State lands".

AMENDMENT NUMBER THREE.

Strike out all of sections 1, 2 and 3 of the printed bill, and insert in lieu thereof the following:

"SECTION 1. Section 23 of the act cited in the title hereof is hereby amended to read as follows:

Sec 23. The State, any political subdivision of the State, any city of the State, any city and county of the State, or any official, or any or either of them, is hereby prohibited from granting any privilege or right of any kind whatsoever to conduct prospecting operations, or to drill for oil, gas or other hydrocarbons, or to take, extract or drain oil or gas or other hydrocarbons, by means of structures and/or machinery erected or constructed upon the surface of the tidelands, whether filled or unfilled, submerged lands, overflowed lands, or beds of navigable rivers or lakes provided, that the Surveyor General, when it appears to be to the best interests of the State, subject only to the provisions of this section, may grant a lease or easement to a littoral owner, successor, assignee or authorized person of such littoral owner, to take and extract oil, gas or other hydrocarbons for a term not to exceed thirty (30) years, by means of wells drilled from the surface of the littoral lands, or lands adjacent thereto, with provision that the tops of any such wells, structures and machinery shall be upon littoral lands or lands adjacent thereto, into the tidelands, whether filled or unfilled, submerged lands, overflowed lands, beds of navigable rivers and lakes, of the State, whether granted or ungranted, upon such terms, consideration and royalty as shall be determined by the Surveyor General Any lease or easement so granted shall be free of any and all restrictions contained in this act and shall be subject only to the provisions of this section, except that the Surveyor General shall have power to promulgate proper rules and regulations to make effective the purposes of this section Prior to granting any such lease or easement, the Surveyor General shall require a bond which in his judgment will protect the State; in lieu of such bond, the Surveyor General may accept negotiable security which shall be deposited in the custody of the State Treasurer who shall be responsible for the safekeeping thereof.

SEC. 2. Section 24 of this act is hereby repealed."

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 312—An act to amend section 2 of an act entitled "An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith," approved May 23, 1923, relating to the duties of the State Fire Marshal.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, strike out the semicolon and insert in lieu thereof the comma

AMENDMENT NUMBER TWO

On page 2, after line 11 of the printed bill, insert the following:

"Any person, copartnership, firm, association, corporation or organization who shall violate any of the provisions of this act, shall be guilty of a misdemeanor and punishable by a fine of not less than fifty dollars nor more than two hundred dollars, or by imprisonment for a term of not less than thirty days nor more than one hundred eighty days, or by both such fine and imprisonment. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this act, or any order, rule or regulation made hereunder, is committed, continued or permitted by him"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

SECOND READING OF SENATE BILLS.

Senate Bill No. 147—An act to establish a Streets and Highways Code, thereby consolidating and revising the law relating to public ways and all appurtenances thereto, and to repeal certain acts and parts of acts specified herein.

Bill read second time, and ordered to third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No 913—An act to amend section 662 of the Political Code, relating to the payment of fees to private persons, firms or corporations.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Lore, Maloney, Martin, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Welsh, Wright, and Mr Speaker—61.

NOES—None

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 913 passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Lore, Maloney, Martin, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Welsh, Wright, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 27—An act to amend section 1507 of the Probate Code, relating to order granting authority to petition

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 27 passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap Donihue, Donnelly, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Lore, Maloney, Martin, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Welsh, Wright, and Mr Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 28—An act to amend section 1000 of the Probate Code, relating to petition and notice of hearing.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 28 passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gever, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Lore, Maloney, Martin, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Welsh, Wright, and Mr Speaker—62

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 29—An act to amend section 1657 of the Probate Code, relating to accounts of guardian.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 29 passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Maloney, Martin, McMurray, Meehan, Miller, Minard, Morgan O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Welsh, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate

Assembly Bill No. 334—An act to amend sections 1068, 1085, 1103, 1108, 1162, 1269a, 1272a, 1274a, 1280, 1822a and 1822bb of the Code of Civil Procedure, relating to special proceedings.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 334 passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J, Field, Fisher, Flint, Fulcher, Garibaldi, Gever, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 335—An act to amend sections 105, 112 and 165 of the Code of Civil Procedure, relating to courts of justice.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 335 passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J. Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr Speaker—67.
NOES—None

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 550—An act to amend section 2337 of the Political Code, relating to institutions
Bill read third time.
The question being on the passage of the bill.
The roll was called

CALL OF THE HOUSE.

Pending the announcement of the vote, Mr. Fisher moved a call of the House
Motion carried.
Time, eleven o'clock and twenty-five minutes a.m.
The Speaker directed the Sergeant-at-Arms to close the doors.
The doors were closed, and the Chief Clerk was directed to call the roll.
The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—77.

The Chief Clerk announced the absentees.
The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

MOTION TO DISPENSE WITH FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE.

At eleven o'clock and thirty minutes a.m., Mr. Hornblower moved that further proceedings under call of the House be dispensed with.
Motion lost.

MOTION TO SUSPEND RULES.

Mr. Phillips moved that the Assembly suspend Rule No. 93.
Motion carried unanimously.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At eleven o'clock and fifty minutes a.m., further proceedings under call of the House were dispensed with, on motion of Mr. Fisher.
The roll of absentees was called, and Assembly Bill No. 550 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Cunningham, Evans, Herbert J., Field, Fisher, Flint, Frazier, Gari-

baldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Johnson, Kallam, Latham, Lyon, Martin, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Patterson, Peyser, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Utt, Walker, Waters, Welsh, and Wright—47.

NOES—Corwin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fulcher, Heisinger, Hornblower, Jones, Laughlin, Lore, Maloney, Mayo, McMurray, Nielsen, O'Donnell, Pelletier, Peterson, Phillips, Richie, Rosenthal, Thorp, Turner, Voigt, Wagner, Wallace, Williamson, and Mr. Speaker—31

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1898—An act to add section 1313a to the Penal Code, relating to making wilful leaving jurisdiction of court after depositing bail a felony.

COMMITTEE AMENDMENTS.

During third reading of the bill, the following amendments were submitted by the committee:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, after "bail", insert the following "or released on his own recognizance".

AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed bill, insert after "deposited", the following, "or which released such person on his own recognizance".

Amendments adopted.

Bill read, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1880—An act to amend sections 5.930 and 5.931 of the School Code, both relating to balances due deceased recipients of annuities from the public school teacher's retirement salary fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1880 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 637—An act to add section 21a to the Juvenile Court Law, relating to the prevention of juvenile delinquency through public councils or committees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 637 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier,

Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—73.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 639—An act to amend section 69 of the Civil Code, relating to applications for and issuance of licenses to marry.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 639 passed by the following vote.

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr Speaker—74.
NOES—Pelletier—1.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No 694—An act to amend sections 327, 810, 831, 841 and 1201 of the Probate Code, relating to publication of notices in probate proceedings.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 694 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr Speaker—69.
NOES—None.

Title read and approved
Bill ordered transmitted to the Senate.

Assembly Bill No. 695—An act to amend section 784 of the Probate Code, relating to confirmation of sales of real property by executors and administrators.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 695 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert, J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal,

Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—72.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

MOTION TO RE-REFER.

Mr. Breed moved that Assembly Bill No. 425 be withdrawn from the file, and ordered re-referred to Committee on Municipal Corporations.

The question being on re-referring Assembly Bill No 425 to Committee on Municipal Corporations.

Motion carried.

Assembly Bill No. 425 ordered re-referred to Committee on Municipal Corporations.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON CRIME PROBLEMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1935

MR SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No 1400—An act to amend section 667 of the Penal Code, relating to the punishment of petty theft after a prior conviction of a felony—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

MILLER, Chairman.

The above reported bill ordered on file for second reading.
Also:

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No 1609—An act to repeal section 645 of the Penal Code, relating to carnal abuse—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MILLER, Chairman

The above reported bill ordered on file for second reading.
Also:

MR SPEAKER Your Committee on Crime Problems, to which was referred Assembly Bill No 2020—An act to add a new section to the Penal Code to be numbered 476b, relating to printing, duplicating or imitating blank checks—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

MILLER, Chairman

The above reported bill ordered on file for second reading.
Also:

MR SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No 729—An act to amend section 1382 of the Penal Code, relating to the dismissal of prosecutions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MILLER, Chairman.

The above reported bill ordered on file for second reading.

ON MOTOR VEHICLES.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1935.

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 81—An act to amend section 11 of the Motor Vehicle Fuel License Tax Act, relating to refunds of license taxes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HORNBLOWER, Chairman

The above reported bill ordered on file for second reading

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1935.

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No 1007—An act to amend section 1007 of the Civil Code, relating to title by prescription and adverse possession against the State, counties, cities and counties or municipal corporations thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, as amended, and be re-referred to Committee on Judiciary.

WRIGHT, Chairman

The above reported bill ordered on file for second reading.

ON INSURANCE

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1935.

MR SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 558—An act to amend section 2766 of the Civil Code, relating to life and disability insurance—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MINARD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER. Your Committee on Insurance, to which was referred Assembly Bill No. 557—An act to add a new section to the Civil Code to be numbered 2770, relating to life, health and accident insurance policies—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MINARD, Chairman.

The above reported bill ordered on file for second reading.

ON TEACHERS COLLEGES.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1935.

MR SPEAKER: Your Committee on Teachers Colleges, to which was referred Assembly Bill No. 833—An act to create and establish a State system of regional colleges, providing for their formation, government, curricula and control—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

ROBERTSON, Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Teachers Colleges, to which was referred Assembly Bill No. 174—An act to amend the title of Part I, Division V of the School Code, and to amend sections 5 1 and 5 2 thereof relating to State colleges—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

ROBERTSON, Chairman

The above reported bill ordered on file for second reading

ON MUNICIPAL CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1935.

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 283—An act to amend section 852 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities of the sixth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WRIGHT, Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1594—An act to amend section 2 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to petition for incorporation—has had the

same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

WRIGHT, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 486—An act requiring the treasurer of each municipality, county, and city and county to maintain a record of the names and addresses of holders of ad valorem special assessment district bonds—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WRIGHT, Chairman

The above reported bill ordered on file for second reading.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1935

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 793—An act to amend section 5.900 of the School Code, relating to the retirement of public school teachers;

Also: Assembly Bill No. 794—An act to amend sections 5.900, 5.904, 5.970, 5.980, 5.990, 5.993, 5.1003, 5.1004, 5.1030, 5.1031, 5.1032, 5.1060, 5.1080 and 5.1083 of the School Code; to amend the titles of Chapter III, of Articles IV and VII of Chapter III, of Chapter VI, of Articles II and III of Chapter VI, all of Part IV of Division V of said code, to add two new sections to said code to be numbered 5.971 and 5.972; and to add to Chapter V of Part IV of Division V of said code a new article to be known as Article VIII; to add to Chapter V of Part IV of Division V of said code a new article to be known as Article V; and to add to Chapter VI of Part IV of Division V of said code a new article to be known as Article IIIa, all relating to the payment of retirement salaries and retirement annuities to teachers employed in the public schools of this State;

Has had the same under consideration, and respectfully reports the same back, without recommendation, as amended.

CHATTERS, Chairman

The above reported bills ordered on file for second reading

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1935

MR SPEAKER. Your Committee on Education, to which was referred Assembly Bill No. 737—An act to repeal Article VIIIa of Chapter VI of Part I of Division II, embracing sections 2.440a to 2.454a inclusive, of the School Code, relating to high school districts;

Also. Assembly Bill No. 1877—An act to add a new section to the School Code to be numbered 6.53, relating to the duties, powers and liability of governing boards of school districts and members thereof in connection with school district buildings;

Also: Assembly Bill No. 928—An act to amend sections 4.280b and 4.281b of the School Code, relating to a revolving fund for warehouse stock;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

CHATTERS, Chairman.

The above reported bills ordered on file for second reading.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Mr. Geyer:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making an appropriation for the compensation of owners of birds of the Psittacine family, declaring the urgency thereof, the act to take effect immediately.

LEE E. GEYER.

Referred to Committee on Introduction of Bills.

RECESS.

At twelve o'clock and five minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until one o'clock and thirty minutes p m , of this day.

REASSEMBLED.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Craig in the chair.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1935.

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1271—An act imposing an excise tax on the storage, use or other consumption in this State of tangible personal property, providing for the registration of retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof and providing that this act shall take effect immediately—and reports that the same has been correctly re-engrossed

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 34—An act to amend section 4300l of the Political Code by adding thereto a provision specifying the mileage to be charged by constables and marshals in counties of the third class in the service of any writ, order or paper, excepting a warrant of arrest;

Also: Assembly Bill No. 70—An act to add section 3757 to the Political Code providing for the rejection of all fractions of a cent by auditors and tax collectors when computing taxes, penalties for delinquencies or interest and percentages on redemption;

Also. Assembly Bill No. 229—An act to amend sections 3366 and 4041.14 and to repeal section 3384 of the Political Code, relating to the licensing of businesses by the counties;

Also: Assembly Bill No. 346—An act to amend section 1208 of the Code of Civil Procedure, relating to liens upon animals;

Also· Assembly Bill No. 436—An act to amend sections 1, 15 and 17 of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to civil engineers;

Also Assembly Bill No 438—An act to amend sections 640, 641, 642, 645 and 646 of the Probate Code, relating to estates;

And reports that the same have been correctly engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 472—An act to add section 3819a to the Political Code, relating to installment paying of delinquent taxes;

Also: Assembly Bill No. 544—An act authorizing the creation of a personnel system, merit system or civil service system; the creation of the office of Personnel Director; the appointment of a Civil Service Commission; the delegation of certain authority to said personnel officer or commission in municipalities within this State; and prohibiting certain political activities and providing penalties for the violation of said provisions;

Also: Assembly Bill No. 961—An act to amend sections 5 400, 5 402, 5 403, 5.408, 5.420, 5 500, 5.502, 5.503, 5.510, 5.520, 5.521, 5.640, 5.680, 5 690, 5 691, 5 710, 5.711 and 5 712 of the School Code, relating to tenure, and to add four new sections to the School Code, to be numbered 5 409, 5 505, 5.506, 5.666 and 5.667, all relating to the employment, classification, dismissal and resignation of persons employed in school districts in positions requiring certification qualifications;

Also Assembly Bill No 1485—An act to amend section 4014 of the Political Code of the State of California, relating to township officers,

Also: Assembly Bill No. 1678—An act to add a new section to the Penal Code to be numbered 969½, relating to the amendment of a complaint to charge prior convictions;
And reports that the same have been correctly engrossed

WATERS, *Chairman*

The above reported bills ordered on file for third reading

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1679—An act to amend section 1207 of the Penal Code, relating to entry of judgment;
Also: Assembly Bill No. 1722—An act to amend section 1408 of the Penal Code, relating to the order for delivery of property to the owner;
Also: Assembly Bill No. 1741—An act to add section 916 to the Agricultural Code, relating to the Sixth District Agricultural Association;
Also: Assembly Bill No. 1779—An act to amend section 462 of the Political Code, relating to unclaimed money of the State;
And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1066—An act to amend section 1238 of the Civil Code, relating to homesteads.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1066 passed by the following vote:

AYES—Andreas, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, Donahue, Donnelly Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Latham Maloney, Martin, McBride, McCarthy, Meehan, Miller, Morgan, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—48
NOES—None

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 1301—An act to amend section 718 of the Civil Code and section 842 of the Probate Code and to add a new section numbered 1538.5 to the Probate Code, relating to the leasing of property of a minor, insane or incompetent person, or of a decedent.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1301 passed by the following vote:

AYES—Andreas, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, Donahue, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Latham, Lore, Maloney, Martin, McBride, McCarthy, Meehan, Miller, Morgan, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr Speaker—49.
NOES—None.

Title read and approved

Bill ordered transmitted to the Senate

Assembly Bill No. 1468—An act to add sections 8a to 8e, and 8p to 8u, inclusive, to the Juvenile Court Law, relating to forestry camps for wards of the juvenile court

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1468 passed by the following vote.

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson DeLap, Donahue, Donnelly, Evans, Ralph W. Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, and Mr. Speaker—61.

NOES—None

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 2133—An act to amend sections 447 and 448 of the Code of Civil Procedure, relating to the pleading of written instruments.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2133 passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns Cassidy, Chatters, Clark, Corwin, Crowley, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Ralph W Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Pelletier, Peyser Phillips, Reaves, Redwine, Riley, Robertson, Stream, Thorp Turner Utt, Voigt, Wagner, Walker, Wallace, Waters, and Mr Speaker—58

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2243—An act relating to fair trade practices, including a requirement that the contract between a manufacturer or producer and his dealer, distributor or agent may not be canceled without cause, providing for a hearing and judicial determination of the rights of the parties in such cases, and for the enforcement of the provisions of the act.

Assembly Bill No 2243 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 656—An act to validate bonds, including refunding bonds, of irrigation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read third time

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 656 passed by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins Heisinger, Hunt, Johnson, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller Minard, Morgan, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 657—An act to amend sections 41c and 42 of the California Irrigation District Act, relating to the payment of irrigation district assessments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 657 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1819—An act to add a new section to the Probate Code, to be numbered 1558, providing for allowances by the court to next of kin of an insane or incompetent person out of surplus income of said insane or incompetent person.

Bill read third time.

FLOOR AMENDMENT.

During third reading of the bill, the following amendment was submitted by Mr. Jones:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, before "On", insert the following: "1558"

Amendment adopted.

Bill read third time.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Jones asked for, and was granted, unanimous consent to take up Assembly Bill No. 1819, as amended, at this time, without reference to printer or file, and that same be considered engrossed.

THIRD READING OF ASSEMBLY BILL NUMBER ONE THOUSAND EIGHT HUNDRED NINETEEN, AS AMENDED.

Assembly Bill No. 1819—An act to add a new section to the Probate Code, to be numbered 1558, providing for allowances by the court to next of kin of an insane or incompetent person out of surplus income of said insane or incompetent person.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 1819 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Pelletier, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, and Mr Speaker—65

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 759—An act to amend section 47a of the California Irrigation District Act by adding thereto a provision authorizing payment of current assessments upon partial redemption.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 759 passed by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—67.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 843—An act to repeal section 73a of the California Irrigation District Act, relating to the procedure by which property owners may be relieved from obligations of the district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 843 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner Utt Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1743—An act to amend the Palo Verde Irrigation District Act, approved June 21, 1923, as amended, by adding to said act, as amended, new sections to be numbered and providing as follows, to wit: Section 28½o, relating to disposal of tax-deeded and tax-delinquent lands; section 65, relating to proceedings in bankruptcy; section 66, relating to contracts with the United States or any agency thereof under an act approved May 5, 1917, as amended, and validating such contracts; section 67, validating bonds of the district; and section 68, validating rehabilitation plans; and declaring the legislative intent as to unconstitutionality.

Bill read third time

FLOOR AMENDMENTS.

During third reading of the bill, the following amendments were submitted by Mr. Phillips:

AMENDMENT NUMBER ONE.

In line 10 of the title of the printed bill, strike out the first word "and", and insert after the word "plans;" the words "and section 69, incorporating in the district lands which were formerly public lands;".

AMENDMENT NUMBER TWO

On page 4, line 28, of the printed bill, preceding section 6, insert the following:

"SEC. 6. A new section is hereby added to said Palo Verde Irrigation District Act, as amended to be numbered 69, and to read as follows:

Sec. 69 All lands which are now privately owned and situate within the exterior boundaries of the district but which were public lands of the United States or lands of this State at the time of the organization of said district and have not heretofore been included within said district are hereby incorporated within and made a part of said district for all purposes. The Legislature hereby finds and determines that all such lands are and will be benefited by the accomplishment of the purposes of this act and should now be and become a part of said district."

AMENDMENT NUMBER THREE.

On page 4, line 29, of the printed bill, strike out the numeral "6", and insert in lieu thereof the numeral "7".

Amendments adopted

REQUEST FOR UNANIMOUS CONSENT.

Mr. Phillips asked for, and was granted, unanimous consent to take up Assembly Bill No 1743, as amended, at this time, without reference to printer or file, and that same be considered engrossed.

THIRD READING OF ASSEMBLY BILL NUMBER ONE THOUSAND SEVEN HUNDRED FORTY-THREE, AS AMENDED.

Assembly Bill No. 1743—An act to amend the Palo Verde Irrigation District Act, approved June 21, 1923, as amended, by adding to said act, as amended, new sections to be numbered and providing as follows, to wit: Section 28½o, relating to disposal of tax-deeded and tax-delinquent lands; section 65, relating to proceedings in bankruptcy; section 66, relating to contracts with the United States or any agency thereof under an act approved May 5, 1917, as amended, and validating such contracts; section 67, validating bonds of the district; and section 68, validating rehabilitation plans; and declaring the legislative intent as to unconstitutionality.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 1743 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Gever, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Vogt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—67

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 629—An act to amend The California District Securities Commission Act by amending section 11 thereof, relating to the levy of annual assessments by irrigation districts, and declaring the urgency thereof.

Bill read third time.

FLOOR AMENDMENTS.

During third reading of the bill, the following amendments were submitted by Mr. Garibaldi:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended, after "amend", insert the following: "section 11 of".

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, as amended, strike out "by amending section 11 thereof".

AMENDMENT NUMBER THREE.

In lines 3 and 4 of the title of the printed bill, as amended, strike out "and declaring the urgency thereof.", and insert in lieu thereof the following: "providing that said section shall remain in effect until November 1, 1937, and declaring this act an emergency measure enacted under the police power."

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Garibaldi asked for, and was granted, unanimous consent to take up Assembly Bill No. 629, as amended, at this time, without reference to printer or file, and that same be considered re-engrossed.

THIRD READING OF ASSEMBLY BILL NUMBER SIX HUNDRED TWENTY-NINE, AS AMENDED.

Assembly Bill No. 629—An act to amend the California District Securities Commission Act by amending section 11 thereof, relating to the levy of annual assessments by irrigation districts, and declaring the urgency thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 629 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—70.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1640—An act to amend section 3866 and to repeal section 3871 of the Political Code, relating to settlements between county treasurers and the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1640 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley,

Robertson, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, and Mr. Speaker—65.
NOES—Latham and Wright—2.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2171—An act to amend section 4247 of the Political Code, relating to salaries of county officers in counties of the eighteenth class.
Bill read third time.

FLOOR AMENDMENTS.

During third reading of the bill, the following amendments were submitted by Mr. Walker:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out "rendered", and insert in lieu thereof the following: "required".

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, strike out "assessments", and insert in lieu thereof the following: "expenses".

AMENDMENT NUMBER THREE.

On page 1, line 7, of the printed bill, strike out "Imperial", and insert in lieu thereof the following. "the eighteenth class".

AMENDMENT NUMBER FOUR

On page 1, lines 10 and 11, of the printed bill, strike out "the county of Imperial, State of California," and insert in lieu thereof the following: "counties of the eighteenth class".

AMENDMENT NUMBER FIVE.

On page 1, lines 14 and 15, of the printed bill, strike out "the county of Imperial", and insert in lieu thereof the following. "counties of the eighteenth class"

AMENDMENT NUMBER SIX.

On page 1, line 21, of the printed bill, strike out "of Imperial".

AMENDMENT NUMBER SEVEN.

On page 1, line 22, of the printed bill, strike out "for", and insert in lieu thereof the following: "of".

AMENDMENT NUMBER EIGHT.

On page 1, line 25, of the printed bill, strike out "of Imperial".

AMENDMENT NUMBER NINE.

On page 1, line 26, of the printed bill, immediately before "shall", insert "he".

AMENDMENT NUMBER TEN.

On page 2, lines 12 and 13, of the printed bill, strike out "justices throughout the county of Imperial", and insert in lieu thereof the following: "justices' courts in such counties".

AMENDMENT NUMBER ELEVEN.

On page 2 of the printed bill, strike out line 20, and insert in lieu thereof a period.

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Walker asked for, and was granted, unanimous consent to take up Assembly Bill No. 2171, as amended, at this time, without reference to printer or file, and that same be considered re-engrossed.

THIRD READING OF ASSEMBLY BILL NUMBER TWO THOUSAND ONE HUNDRED SEVENTY-ONE, AS AMENDED.

Assembly Bill No. 2171—An act to amend section 4247 of the Political Code, relating to salaries of county officers in counties of the eighteenth class.
Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2171 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—68

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1641—An act to amend section 46 of the Workmen's Compensation, Insurance and Safety Act, approved May 26, 1913, relating to insurance carriage of the State and certain political subdivisions, public corporations and quasi public corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1641 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1262—An act to amend section 1 of an act entitled "An act authorizing the investment and reinvestment and disposition of any surplus moneys in the treasury of any county, city and county, incorporated city or town, or municipal utility district, or flood control district," approved April 23, 1913, Statutes of 1913, page 76, as amended.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1262 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1161—An act to amend section 718c of the Civil Code, empowering municipalities to lease property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1161 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Robertson, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 1268—An act to validate the formation, organization and existence of county water districts and to validate the acts of the board of directors of such districts, in the inclusion of land therein or exclusion of land therefrom, and to validate the proceedings of such directors taken for the creation of a bonded indebtedness

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1268 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 771—An act authorizing counties to contract with cities and towns, and to assume and carry on certain municipal functions thereof, providing for transfers of employees and adjustment of pensions, and authorizing cities to transfer such functions to counties and to enter into contracts in relation thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 771 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves,

Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—68
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1064—An act authorizing municipalities to afford special assessment relief by the appropriation of money for the reduction of special assessments and the payments on bonds issued to represent such assessments, and by the payment of any portion of the principal or interest of, or by the purchase or redemption at a discount of, or by the transfer to the interest and sinking fund for the discharge and payment of bonds, the proceeds of which have been used for the acquisition of rights of way or easements for, or for the construction, maintenance, improvement or repair of such streets, bridges and culverts within such cities, and providing a method for the making of such appropriations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1064 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr Speaker—67
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 956—An act to amend an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, by amending sections 5 and 15 thereof, relating to special assessment bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 956 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—65.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 642—An act to provide for the formation of districts within municipalities for the acquisition, construction or extension of water works, water systems or water distribution systems; for

the issuance, sale and payment of bonds of such districts to meet the cost of such water works, water systems or water distribution systems; and for the acquisition, construction or extension of such water works, water systems or water distribution systems.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 642 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J, Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—67.

NOES—Field and Utt—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 521—An act to provide a method for improving public streets, avenues, lanes, alleys, courts and places within municipalities of the sixth class, and for levying and collecting assessments upon property to pay for such improvements, and declaring the urgency hereof, to take effect immediately, and repealing an act approved May 25, 1933, relating to the same subject.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—69.

NOES—None.

THIRD READING OF ASSEMBLY BILL NUMBER FIVE HUNDRED TWENTY-ONE.

Assembly Bill No. 521—An act to provide a method for improving public streets, avenues, lanes, alleys, courts and places within municipalities of the sixth class, and for levying and collecting assessments upon property to pay for such improvements, and declaring the urgency hereof, to take effect immediately, and repealing an act approved May 25, 1933, relating to the same subject.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 521 passed by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J, Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert,

Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—70

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 923—An act to amend section 1283 of the Agricultural Code, relating to deciduous fruit dealers.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 923 passed by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 661—An act to amend section 4.360 of the School Code, relating to school district budgets.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 661 passed by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—69.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 414—An act to amend section 2.123 of the School Code, relating to the providing of instruction and transportation by county superintendents of schools for elementary pupils.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 414 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream,

Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—73.
NOES—None.

Title read and approved
Bill ordered transmitted to the Senate

Assembly Bill No. 1343—An act to repeal sections 2.21, 3.174, 3.301, 3.302, 3.306, 3.308, 3.309, 3.415, 3.416 of the School Code, to add to Part I of Division II of the said code a new chapter to be known as Chapter VIII, and to add to said code a new section, to be numbered 3.306, all relating to the attendance of pupils upon the public schools.

FLOOR AMENDMENTS.

During third reading of the bill, the following amendments were submitted by Mr Phillips:

AMENDMENT NUMBER ONE.

In line 5 of the title of the printed bill, after the comma, insert the following "and to amend section 3.305 thereof.".

AMENDMENT NUMBER TWO

On page 1, line 10, of the printed bill, after the word "district", insert the following: "of the same type and class".

AMENDMENT NUMBER THREE.

On page 2, line 36, of the printed bill, following said line 36, insert the following "SEC. 4. Section 3.305 of the School Code is hereby amended to read as follows. 3.305. Any person who is, under the provisions of this article, eligible to attend high school and who resides in a county in which no high school is maintained, may attend any high school of the State."

Amendments adopted.

REQUEST FOR UNANIMOUS CONSENT

Mr. Phillips asked for, and was granted, unanimous consent to take up Assembly Bill No. 1343, as amended, at this time, without reference to printer or file, and that same be considered re-engrossed.

THIRD READING OF ASSEMBLY BILL NUMBER ONE THOUSAND THREE HUNDRED FORTY-THREE, AS AMENDED

Assembly Bill No 1343—An act to repeal sections 2.21, 3.174, 3.301, 3.302, 3.306, 3.308, 3.309, 3.415, 3.416 of the School Code, to add to Part I of Division II of the said code a new chapter to be known as Chapter VIII, and to add to said code a new section, to be numbered 3.306, all relating to the attendance of pupils upon the public schools

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1343 passed by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—70.
NOES—None.

Title read and approved
Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1694—An act to amend section 352 of the Political Code, relating to State officers and employees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1694 passed by the following vote:

AYES—Andreas, Boyle, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Geyer, Gilmore, Glover, Heisinger, Hornblower, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, O'Donnell, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—55

NOES—Anderson, Cassidy, Desmond, Donahue, Donnelly, Evans, Ralph W., Flint, Garibaldi, Hawkins, Hunt, Jones, Robertson, and Voigt—13.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 361—An act to amend the division heading of Division V of the Agricultural Code, relating to standardization.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 361 passed by the following vote.

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 363—An act to amend section 1072 of the Agricultural Code, relating to economic poisons.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 363 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—70.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 364—An act to amend section 1036 of the Agricultural Code, relating to fertilizing materials.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 364 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—71.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 367—An act to amend section 104 of the Agricultural Code, relating to quarantine.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 367 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr Speaker—76.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 368—An act to amend section 34 of the Agricultural Code, relating to cooperative agreements for the purpose of enforcing provisions relating to standardization.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 368 passed by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Williamson, Wright, and Mr Speaker—72.
NOES—None

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Frazier gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 368 was this day passed

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No 1085—An act relating to the memorialization of Congress to furnish aid in the construction of check dams in the Salinas River Valley.

By order of the Speaker, Assembly Bill No. 1085 ordered re-referred to Committee on Federal Relations.

Assembly Bill No. 1086—An act relating to the memorialization of Congress to aid the rubber industry in the United States and in California.

By order of the Speaker, Assembly Bill No 1086 ordered re-referred to Committee on Federal Relations

Assembly Bill No 961—An act to amend sections 5 400, 5 402, 5 403, 5.408, 5.420, 5.500, 5 502, 5.510, 5 520, 5 521, 5 640, 5.680, 5.690, 5 691, 5 710, 5 711, and 5 712 of the School Code, relating to tenure, and to add four new sections to the School Code, to be numbered 5 409, 5.505, 5 666, and 5 667, all relating to the employment, classification, dismissal and resignation of persons employed in school districts in positions requiring certification qualifications

By order of the Speaker, Assembly Bill No. 961 ordered re-referred to Committee on Education.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read.

ON BUILDING AND LOAN.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1935.

MR. SPEAKER: Your Committee on Building and Loan, to which was referred Assembly Bill No. 1300—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following, to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, as amended, by amending sections numbered 4.01 relating to guarantee stock, 6 02 relating to withdrawals, 6 07 relating to investment certificates and shares, 8.09 relating to interest and dividends, 9 02 relating to investments and 9.04 relating to purchases, sales, transfers and pledges of loans; postponing the effective date of the amendment of section 6 02 of said act as set forth in section 5a of Chapter 431 of the Statutes of 1933; adding to said act new sections to be numbered 8.10 relating to rate of return on shares and investment certificates, 9.18 relating to insurance, loans, advances of credit and purchases of obligations pursuant to the National Housing Act, 10.03a relating to reserve or surplus accounts, 10 09 relating to reports, statements and analyses by the Building and Loan Commissioner and 12 11 relating to conversion of a building and loan association into a Federal Savings and Loan Association and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to vote for or approve such conversion, to exchange shares, stock investment certificates or other rights or claims for shares issued by such Federal Savings and Loan Association, and to continue to hold as a legal investment any shares so received; adding a new article to be numbered XVI to said act relating to the rehabilitation, readjustment or reorganization of one or more building and loan

associations of the classes specified in such Article XVI, or of all or of any part of the business, properties and assets of such association or associations, or the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of and other persons interested in such association or associations, providing for the kinds of securities issuable in connection therewith and exempting such securities from certain provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Article XVI, to exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received; and declaring the urgency of this act and providing that it shall take effect immediately—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

SCUDDER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Building and Loan, to which was referred Assembly Bill No. 1144—An act to amend the "Building and Loan Association Act," approved May 5, 1931, relating to building and loan associations—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

SCUDDER, Chairman.

The above reported bill ordered on file for second reading

ON BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1935.

MR. SPEAKER: Your Committee on Banking, to which was referred Assembly Bill No 341—An act to amend sections 21 1, 53, 54, 63, 64, 93, 105, 133, 133.1, 135d and 139 of the Bank Act—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

WILLIAMSON, Chairman

The above reported bill ordered on file for second reading

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1935.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No 563—An act to amend sections 691, 694, 695, 696, 697, and 865 of the Fish and Game Code and to add section 697 5 thereto, and to repeal section 691.6 thereof, relating to fishing—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FISHER, Chairman.

The above reported bill ordered on file for second reading

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1935.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act making an appropriation for the compensation of owners of birds of the Psittacine family, declaring the urgency thereof, the act to take effect immediately.

CUNNINGHAM, Chairman.

Report read.

Mr. Cunningham moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine Richie, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr Speaker—72.

NOES—None

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Mr. Geyer: Assembly Bill No. 2388—An act making an appropriation for the compensation of owners of birds of the Psittacine family, declaring the urgency thereof, the act to take effect immediately.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Latham: Assembly Constitutional Amendment No. 67—Proposed amendment to the Constitution, by adding Article XXVI thereto, relative to a State police.

Introduced, and referred to Committee on Constitutional Amendments

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON ATTACHES.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1935

MR. SPEAKER: Your Committee on Attaches respectfully begs to report that it has carefully considered the applications for the various positions and desires to submit the following resolution:

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same:

	Per day (Sundays excepted)
Commencing March 8, 1935—	
Mabel A. Brown, Stenographer	$5 00
Commencing March 11, 1935—	
Beryle Cole, Stenographer	5 00
Selma Loukonen, Stenographer	5 00
Samuel M. Harrison, Assistant Sergeant-at-Arms	5 00
Chris Nelson, Assistant Sergeant-at-Arms	5 00
James Scott, Assistant Enrollment and Engrossment Clerk	5 00
William Guthrie, Page	2 50

Resolved, further, That the following named persons be stricken from the list of Assembly attaches, and their names be stricken from the pay roll of the Assembly to take effect on completion of the work:

March 9, 1935—	
Mrs E N Longley, Stenographer	$5 00
March 12, 1935—	
Chris Nelson, Assistant Sergeant-at-Arms	5 00

UTT, Chairman

Mr Utt moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Chatters, Clark, Colwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J. Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr Speaker—67.

NOES—None.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 650—An act to amend the title of and section 8 of an act entitled "An act regulating the making of openings or the placing of structures or the change or renewal of any structure and the

planting or removal of trees or shrubs or the placing of obstructions in or on State roads and highways; providing for the issuance of permits by the State Department of Public Works relative thereto, and for the laying or placing pipes, conduits, sewers, poles, wires, railways, obstructions and other objects, and for the planting, trimming or removal of trees or shrubs in or on State roads and highways; providing for the requirement of bonds from applicants before the issuance of such permits; and prescribing the penalty for violations of the provisions of this act," approved April 23, 1915, as amended, to provide for the relative rights of the State and cities, cities and counties, and counties in respect to franchises granted in highways subsequently declared to be State highways.

Bill read third time.

FLOOR AMENDMENTS.

During third reading of the bill, the following amendments were submitted by Mr. Jones:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out all of lines 1 to 4, inclusive, and add the following: "provisions of this act, and providing for the rights and powers of cities, cities and counties, and counties in respect to franchises granted in public highways heretofore or hereafter declared to be State highways."

AMENDMENT NUMBER TWO

On page 2, line 14, of the printed bill, strike out the word "a", and strike out all of lines 15 to 34, inclusive, and insert in lieu thereof the following "any public highway has heretofore or shall hereafter be declared to be a State highway, this act shall not be construed as a limitation upon or affecting the rights and powers of any city, or city and county, or county to impose, collect, receive, and retain tolls, charges, or payments imposed by any franchise heretofore or hereafter granted by such city, city and county, or county, nor shall it affect in any other manner the rights and powers of such city, city and county, or county relating to franchises in or upon any such public highway."

Amendments adopted.

Bill read third time, ordered to reprint, engrossment, and third reading.

MOTION TO RE-REFER

Mr Redwine moved that Assembly Bill No. 738 be withdrawn from Committee on Oil Industries, and ordered re-referred to Committee on Motor Vehicles.

The question being on re-referring Assembly Bill No 738 to Committee on Motor Vehicles.

Motion carried

Assembly Bill No 738 ordered re-referred to Committee on Motor Vehicles.

MOTION TO RE-REFER

Mr Anderson moved that Assembly Bill No 1121 be withdrawn from Committee on Governmental Efficiency and Economy, and ordered re-referred to Committee on Education

The question being on re-referring Assembly Bill No. 1121 to Committee on Education.

Motion carried

Assembly Bill No 1121 ordered re-referred to Committee on Education

MOTION TO RE-REFER

Mr. Cronin moved that Assembly Bill No 1373 be withdrawn from Committee on Governmental Efficiency and Economy, and ordered re-referred to Committee on Unemployment.

The question being on re-referring Assembly Bill No. 1373 to Committee on Unemployment

Motion carried.

Assembly Bill No. 1373 ordered re-referred to Committee on Unemployment.

SENATE MESSAGES.

The following messages from the Senate were taken up and read·

SENATE CHAMBER, SACRAMENTO, March 13, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, as an urgency measure, Assembly Bill No. 37—An act relating to the operation of motor vehicles used in unemployment cooperative relief work, and declaring the urgency thereof and that this act shall go into immediate effect—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate

Assembly Bill No 37 ordered on unfinished business file

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1935

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 28—Relative to the adjournment of the Legislature out of respect to the memory of Dr T. H. Stice

J. A BEEK, Secretary of Senate
By CARL A SHIPKEY, Assistant Secretary

Assembly Concurrent Resolution No. 28 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1935

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 245—An act to repeal sections 3 284 and 3 285 of the School Code, relating to the maintenance of high school courses in elementary schools;

Also: Senate Bill No. 248—An act to amend section 1030 of the Political Code, relating to office hours;

Also· Senate Bill No. 308—An act to add a new section to the School Code to be numbered 3.232, relating to the establishment of junior high schools;

Also: Senate Bill No. 652—An act to amend section 4 798 of the School Code, relating to apportionments of State funds for public school purposes;

Also: Senate Bill No. 662—An act to add a new section to the Penal Code to be numbered 597h, relating to cruelty to animals.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bills Nos. 245, 308 and 652 read first time, and referred to Committee on Education.

Senate Bill No. 248 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 662 read first time, and referred to Committee on Crime Problems.

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 33—An act to amend sections 674 and 675 of the Code of Civil Procedure, relating to the filing and recording of abstracts and satisfactions of judgments in the office of the county recorder;

Also: Senate Bill No 176—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class, and providing for the levy of a tax to pay the same;

Also, Senate Bill No. 179—An act to validate the organization and existence of school districts, high school districts and junior college districts of every kind and class;

Also: Senate Bill No. 185—An act to validate bonds of municipal improvement districts, and providing for the levy of a tax to pay the same;

Also: Senate Bill No. 193—An act to validate bonds, including refunding bonds, of reclamation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest of such bonds.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bills Nos. 33, 176, 179, 185 and 193 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 376—An act to repeal Article II of Chapter II of Part II of Division III of the School Code and to add to Chapter II of Part II of Division III of the School Code a new article to be known as Article I relating to contracts between State teachers colleges and elementary school districts for the education of pupils of such districts;

Also: Senate Bill No. 739—An act to amend section 4300a of the Political Code, relating to fees;

Also: Senate Bill No. 701—An act to amend subdivision 19 of section 4237 of the Political Code, relating to grand jurors and trial jurors fees and mileage;

Also: Senate Bill No. 28—An act to amend section 1881 of the Code of Civil Procedure, relating to privileged communications.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 376 read first time, and referred to Committee on Education.

Senate Bills Nos. 701 and 739 read first time, and referred to Committee on County Government.

Senate Bill No. 28 read first time, and referred to Committee on Judiciary.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, March 7, 1935.

To the Honorable Members of the Assembly, State of California.

Senate Bill No. 147—An act to establish a Streets and Highways Code, thereby consolidating and revising the law relating to public ways and all appurtenances thereto, and to repeal certain acts and parts of acts specified herein.

In my opinion, such Senate Bill No. 147 constitutes an emergency bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, and the consideration of which should not await final enactment of the Budget Bill.

I, therefore, recommend the consideration of this bill as such an emergency measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

REQUEST FOR UNANIMOUS CONSENT.

Mr. Utt asked for, and was granted, unanimous consent to take up Senate Bill No. 147, at this time, without reference to file.

CASE OF URGENCY.

The following resolution was offered:

By Mr. Utt.

Resolved, That Senate Bill No. 147 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby

dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Mr. Utt moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—69.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 147.

THIRD READING OF SENATE BILL NUMBER ONE HUNDRED FORTY-SEVEN.

Senate Bill No. 147—An act to establish a Streets and Highways Code, thereby consolidating and revising the law relating to public ways and all appurtenances thereto, and to repeal certain acts and parts of acts specified herein

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No 147 finally passed by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Senate Bill No 147 ordered transmitted to the Senate

ADJOURNMENT.

At four o'clock p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Thursday, March 14, 1935.

CHARLES H. ERB, Minute Clark.

IN ASSEMBLY

ASSEMBLY CHAMBER,

SACRAMENTO, Thursday, March 14, 1935

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair

The roll was called by Chief Clerk Arthur A Ohnimus, and the following members answered to their names:

Roll Call.

Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—78.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr Thorp, its further reading was dispensed with.

Leave of Absence.

On motion of Mr. Dawson, Mr. Brennan was granted leave of absence for this day.

Privilege of Floor of Assembly Extended.

On request of Mr. Wagner, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. W. H. C. Hatteroth, Member of the Democratic State Central Committee and Secretary of Third Regional Democratic Party.

On request of Mr. O'Donnell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Rev. Mortimer Chester, Rector of Episcopal Church of Woodland, and District Chaplain of C. C. C.

On request of Mr. Hornblower, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Judge Thomas E. Hayden.

On request of Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Walter Malone, State Chairman, American Home of California Federation of Women's Clubs, and Mrs. Charles S. McKelvey, Vice President of California Federation of Women's Clubs.

On request of Mr. Cottrell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs George Kelly of San Jose.

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Lowell Palmer, Deputy District Attorney, Napa, California; Messers. A. N. Bell, C. B. Wheeler; Mrs. William Wheeler, and Mrs. A. N. Bell.

On request of Mr. Scudder, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Mae Altman, teacher, and the following pupils of Manteca Union High School, Manteca: Genevieve Mendosa, Imogene Campbell, Mae Fern Platt, Octavia Reed, Juliet Bidou, Dick Pierce, Ross Brown, Tom Lourentzas, Gordon Wiser, Mel Woodward, Florence Nelson, Lorraine Rox, Calvin Purvis, Harold Reynolds, George Reynolds, and Al Gilbeau.

On request of Mr. Nielsen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sadie Cable, principal, and the following pupils of Orangevale School, Sacramento County: Betty Strothers, Teddy Greenhalgh, Marjorie Johnston, Bernard Grundman, Joseph Errecart, Jack Fox, Dick McIlroy, Ralph Ickes, Billie Muns, Tom Beemer, Frederick Tomich, Lewis Saree Ram, Erla Noss, Roland Stroup, Olga Gavrilko, Robert Martin, Kenneth Hemz, Florence Dahl, Angelina Zanetta, Gertrude Dennis, Mary Zurflech, Ella King, Susan Baranek, Teddy McNabb, Gordon McNabb, Robert Phillips, and Edna Duggins

On request of Mr. Nielsen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Gault, teacher, and the following pupils of the Edward Kelley School, Bradshaw: Kiyoka Iwasa, Josephine Dagostina, Bernice Silva, Irene Rose, Kiyoko Kitada, Shizui Doi, Miriko Yokoi, Chiyo Satow, Yosheko Yokoi, Tony Martin, and Frank Okita.

On request of Mr. Cottrell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mary Hauverman, teacher, and the following pupils of the Manteca Union High School, Manteca: Grace Densdale, Winifred Souza, Dorothy Dos Reis, Ruth Cannon, Betty Olson, Mary Street, Dorothy Boege, Lillian Johnson, Madeline Hatek, Nan Stone, Nydia Wilbur, Dorothy Putnam, Evelyn Medevia, Lena Cowal, Mary Theiler, Dorothy Stone, Roberta Hensley, Irene Ernst, and Adeline Garcia.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dorothy Johnston, teacher, and the following pupils of the Reese Grammar School, Florin: Torhi Fujihara, Masayahi Kawamoto, Reiko Shimiza, Margie Boras, Grace Matsusaki, Mary Fujii, Jean Dekuzaker, Paul Franusich, Sam Sasaki, Bill Tsukanoti, and Kinue Tamura.

On request of Mr. Hornblower, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. D. D. Heagerty, State Organizer of the Fraternal Order of Eagles; Mr. Gene Jewett, State President of the Fraternal Order of Eagles; and Mr. John J McGowan, Secretary of the Fraternal Order of Eagles.

On request of the San Francisco delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Paul Scharrenberg, wife of Paul Scharrenberg, secretary of California State Federation of Labor; and Mrs Gladys Horne, wife of Bennie Horne, newspaper correspondent of San Francisco News; and Mr Daniel Gallagher.

On request of Mr. Scudder, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lieut. Robert T. McClain, United States Army, retired.

ASSISTANT CLERK COOLIDGE READING.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1935.

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 139—An act to amend sections 165 and 166 of the Civil Code, relating to inventories of the separate property owned by a husband or wife, and making the filing of such inventory notice and prima facie evidence of title;

Also: Assembly Bill No 882—An act to amend section 338 of the Code of Civil Procedure, relating to limitation of actions;
Also: Assembly Bill No. 1132—An act to amend sections 1093, 1127, 1323, and 1439 of the Penal Code, relating to instructions and comment in criminal cases;
Also: Assembly Bill No. 1133—An act to amend sections 800 and 802 of the Penal Code, relating to limitation of criminal actions;
Also: Assembly Bill No. 1342—An act to amend section 1429 of the Penal Code, relating to the entering of pleas by a defendant;
Also: Assembly Bill No. 1346—An act to amend section 107 of the Penal Code, relating to punishment for escape of a prisoner;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LYON, Chairman

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 978—An act to amend section 12 of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to civil engineers—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LYON, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1131—An act to amend sections 682, 806, 811, 827, 849, 877, and 878 of the Penal Code, relating to proceedings before the committing magistrate, and to add a new section to the Penal Code numbered 87a, relating to the commitment by the magistrate on plea of guilty—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

LYON, Chairman.

The above reported bill ordered on file for second reading.

On Oil Industries.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1935

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 686—An act to amend an act entitled "An act to protect the natural resources of water, petroleum and gas from damage, waste and destruction, relating to the creation of a division in the Department of Natural Resources for the prevention of such damage, waste and destruction; providing for the appointment of a State Oil and Gas Supervisor, prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings, creating a fund for the purpose of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; providing for bonds required of drillers of oil and gas wells; and making an appropriation for the purpose of this act, approved June 10, 1915, as amended, by adding thereto section 18a, relating to slanting wells—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

McBRIDE, Chairman.

The above reported bill ordered on file for second reading.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1935.

MR. SPEAKER. Your Committee on Ways and Means, to which was referred Assembly Bill No. 261—An act making an appropriation for the contingent expenses of the Assembly at its fifty-first session, and declaring that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1500—An act to add section 92.5 to the Agricultural Code, relating to money appropriated for the encouragement of county and district agricultural fairs, declaring the urgency hereof and providing that this act shall go into immediate effect—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

On Federal Relations.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1935.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 26—Relative to memorializing Congress to proceed with the construction of the international highway from Canada to Fairbanks, Alaska—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

TURNER, Chairman.

Assembly Joint Resolution No. 26 read, ordered to engrossment, and on file for adoption

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1885—An act to amend section 91.5 of the Agricultural Code, relating to the Sixth District Agricultural Association fund;

Also: Assembly Bill No. 1995—An act to amend section 779 of the Political Code, relating to publication of court reports;

Also: Assembly Bill No. 2033—An act to amend the title and sections 2, 4 and 5 of an act entitled "An act regulating the payment of wages earned in seasonal labor and prescribing the powers and duties of the Commissioner of the Bureau of Labor Statistics, in relation thereto," approved May 28, 1913 (Stats. 1913, Chap. 198), relative to disputes regarding seasonal labor, and the application of the State Wage Law thereto;

Also: Assembly Bill No. 1723—An act to amend sections 888 and 959 of the Penal Code, relating to indictments;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1935.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 707—An act relating to the expenditure of moneys in the relief fund created by section 10 of Article XVI of the Constitution, and declaring the urgency thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bills ordered on file for second reading.

Motion to Approve Journals.

Mr. Lyon moved that the Journals of Monday, March 4, 1935; Tuesday, March 5, 1935; Wednesday, March 6, 1935; Thursday, March 7, 1935; and Friday, March 8, 1935, be approved as corrected by the Minute Clerk.

Motion carried.

Second Reading of Assembly Bills.

Assembly Bill No. 154—An act to amend the title and sections 8, 14, 32 and 33 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the extension of the provisions of said act to the companies and their franchises, other than

insurance companies and their franchises, specified in section 14 of Article XIII of the Constitution of this State.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

In line 4 of the title of the printed bill, after the word "companies", insert the following: "taxable hereunder".

Amendment No. 2.

On page 3, line 12, of the printed bill, strike out the word "subsection", and insert in lieu thereof the following: "subdivision".

Amendment No. 3.

On page 3, line 26, of the printed bill, strike out the word "subsection", and insert in lieu thereof the following: "subdivision".

Amendment No. 4.

On page 3, line 37, of the printed bill, strike out the word "subsection", and insert in lieu thereof the following: "subdivision".

Amendment No. 5.

On page 6 of the printed bill, after the deleted words "and to prevent avoidance of tax liability" in line 11, insert the following as a separate paragraph:

"In the case of a corporation doing business within the meaning of this act, whether under agreement or otherwise, in such manner as either directly or indirectly to benefit the members or stockholders of the corporation, or any of them, or any person or persons, directly or indirectly interested in such business, by rendering services of any nature whatsoever, or acquiring or disposing of its products or the goods or commodities in which it deals, at less than a fair price therefor; or where such a corporation, owned and/or controlled either directly or indirectly by another corporation or corporations, renders services of any nature whatsoever, or acquires or disposes of the products of the corporations so owning and/or controlling such corporation, in such a manner as to create a loss or improper net income, the commissioner, in order to prevent evasion of taxes or clearly to reflect the income of such a corporation, may require a report consolidated with the owning and/or controlling corporation or corporations, or such other facts as he deems necessary, and may determine the amount which shall be deemed to be the entire net income allocable to this State of the business of such corporation for the calendar or fiscal year, and compute the tax on such net income. In determining the entire net income the commissioner shall have regard to the fair profits which, but for any agreement, arrangement or understanding, might be or could have been obtained from dealing in such products, goods or commodities."

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 155—An act to amend the title and sections 4, 4a, 5, 8, 10, 11, 12, 13, 15, 16, 18, 19, 20, 21, 23, 24, 25, 26, 27, 29, 30, 31 and 35 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the extension of the provisions of said act to the companies and their franchises, other than insurance companies and their franchises, specified in section 14 of Article XIII of the Constitution of this State.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

In line 5 of the title of the printed bill, after the word "companies", insert the following: "taxable hereunder".

Amendment No. 2.

On page 2, line 45, of the printed bill, strike out first four words, and insert in lieu thereof the following: "and do not result in".

Amendment No. 3.

On page 3, lines 16, 17 and 18, of the printed bill, strike out "subsection, together with all other provisions of this act shall apply, in the case of banks or corporations

reporting on a calendar year basis," and insert in lieu thereof the following: "subdivision, and of all other amendments to this act enacted during the year 1935, shall apply".

Amendment No. 4.

On page 3, line 24, of the printed bill, strike out the word "subsection", and insert in lieu thereof the following: "subdivision".

Amendment No. 5.

On page 3, line 25, of the printed bill, after the comma following the word "act", insert the following: "shall accrue on January 1, 1935, and".

Amendment No. 6.

On page 6, line 18, of the printed bill, strike out the word "subsection", and insert in lieu thereof the following: "subdivision".

Amendment No. 7.

On page 6, line 31, of the printed bill, strike out the word "subsection", and insert in lieu thereof the following: "subdivision".

Amendment No. 8.

On page 6, line 42, of the printed bill, strike out the word "subsection", and insert in lieu thereof the following: "subdivision".

Amendment No. 9.

On page 10, line 15, of the printed bill, after "companies", insert the following: "taxable hereunder".

Amendment No. 10.

On page 10, line 34, of the printed bill, strike out the word "subsection", and insert in lieu thereof the following: "subdivision".

Amendment No. 11.

On page 13, line 29, of the printed bill, after the word "any", insert the following: "taxable".

Amendment No. 12.

On page 13, line 30, of the printed bill, delete the first word "its", and insert in lieu thereof the following: "such"

Amendment No. 13.

On page 13, line 30, of the printed bill, after the word "precede", insert the following: "the effective date of"

Amendment No. 14.

On page 13, line 33, of the printed bill, after the words "prior to", insert the following: "the effective date of"

Amendment No. 15.

On page 13, line 37, of the printed bill, after the word "any", insert the following: "taxable".

Amendment No. 16.

On page 13, line 37, of the printed bill, after the word "months", insert the following: "of such taxable year"

Amendment No. 17.

On page 13, line 38, of the printed bill, after the words "prior to", insert the following: "the effective date of".

Amendment No. 18.

On page 13, line 40, of the printed bill, after the words "prior to", insert the following: "the effective date of".

Amendment No. 19.

On page 16, lines 1 and 2, of the printed bill, strike out the words "subsection (a)", and insert in lieu thereof the following: "subdivision (a) of this section"

Amendment No. 20.

On page 16, lines 31 and 32, of the printed bill, strike out the word "subsection", and insert in lieu thereof the following: "subdivision".

Amendment No. 21.

On page 19, line 9, of the printed bill, strike out the word "subsection", and insert in lieu thereof the following: "subdivision".

Amendment No. 22.

On page 20, line 24, of the printed bill, after the period following the word "period", insert the following sentence: "For the purposes of this paragraph a return filed before the last day prescribed by law for the filing thereof shall be considered as filed on such last day."

Amendment No. 23.

On page 22, line 52, of the printed bill, after the period following the word "qualification", insert the following: "Notwithstanding any other provision in this act to the contrary the amendments to this section shall only apply to taxes accruing on or after the effective date of such amendments; provided, however, in no event shall taxes accruing prior to such effective date attach as a lien later than such date and; provided further, that taxes resulting solely from amendments to this act shall attach as a lien on such date."

Amendment No. 24.

On page 13, line 29, of the printed bill, after the word "any", insert the following: "taxable".

Amendment No. 25.

On page 13, line 30, of the printed bill, strike out the word "its", and insert in lieu thereof the following: "such".

Amendment No. 26.

On page 13, line 30, of the printed bill, after the word "precede", insert the following: "the effective date of".

Amendment No. 27.

On page 13, line 33, of the printed bill, after the word "to", insert the following: "the effective date of".

Amendment No. 28.

On page 13, line 37, of the printed bill, after the word "any", insert the following: "taxable".

Amendment No. 29.

On page 13, line 37, of the printed bill, after the word "months", insert the following: "of such taxable year".

Amendment No. 30.

On page 13, line 38, of the printed bill, after the word "to", insert the following: "the effective date of".

Amendment No. 31.

On page 13, line 40, of the printed bill, after the word "to", insert the following "the effective date of".

Amendment No. 32.

On page 21, line 27, of the printed bill, after the comma following the word "payer", strike out the balance of that line, and lines 28, 29, 30, 31, 32, and that portion of line 33 preceding the word "Every", and insert in lieu thereof the following: "but no such credit or refund shall be allowed or made after three years from the time the tax was paid, unless before the expiration of such period a claim therefor is filed by the taxpayer."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1182—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and to provide for the disposition of the revenues therefrom, and to provide that this act shall take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee.

Amendment No. 1.

On page 1, between lines 2 and 3, of the printed bill, insert the following

"SEC. 2. Definitions. For the purposes of this act and unless otherwise required by the context—

(a) The word "commissioner" means the Bank and Corporation Franchise Tax Commissioner.

(b) The words "State board" mean the State Board of Equalization.

(c) The word "taxpayer" includes any individual, fiduciary, estate, or trust subject to the tax imposed by this act.

(d) The word "individual" means a natural person.

(e) The word "fiduciary" means a guardian, trustee, executor, administrator receiver, conservator, or any person, whether individual or corporate, acting in any fiduciary capacity for any person, estate or trust.

(f) The word "person" includes individuals, fiduciaries, partnerships and corporations.

(g) The term "partnership" includes a syndicate, group, pool, joint venture, or other unincorporated organization, through or by means of which any business, financial operation, or venture is carried on, and which is not, within the meaning of this act, a trust or estate or a corporation; and the term "partner" includes a member in such a syndicate, group, pool, joint venture, or organization.

(h) The word "corporation" includes joint stock companies or associations, insurance companies, business trusts or so-called 'Massachusetts Trusts".

(i) The words "taxable year" mean the calendar year or the fiscal year, upon the basis of which the State net income is computed under this act; if no fiscal year has been established they mean the calendar year.

(j) The words "fiscal year" mean a taxable year ending on the last day of any month other than December

(k) The word "paid", for the purposes of the deductions under this act, means "paid or accrued" or "paid or incurred", and the words "paid or accrued", "paid or incurred" and "incurred" shall be construed according to the method of accounting upon the basis of which the State net income is computed under this act. The word "received" for the purpose of the computation of the State net income under this act means "received or accrued", and the words 'received or accrued" shall be construed according to the method of accounting upon the basis of which the State net income is computed under this act

(l) The word "resident" applies only to individuals and includes for the purpose of determining liability to the tax imposed by this act, with reference to the State net income of any taxable year, any individual domiciled in this State, and any other individual who maintains a permanent place of abode within this State or spends in the aggregate more than six months of the taxable year within this State The word "nonresident" includes any natural person other than a resident

(m) The words "foreign country" mean any jurisdiction other than one embraced within the United States. The words "United States", when used in a geographical sense, include the States, the territories of Alaska and Hawaii, the District of Columbia and the possessions of the United States.

(n) The words "Federal net income" in the case of individuals mean the net income of such individuals determined in accordance with the "Revenue Act of 1934" which, for the purposes of this act, is hereby referred to and incorporated with the same force and effect as though fully set forth herein, except where said "Revenue Act of 1934" is expressly inconsistent with the provisions of this act

(o) The words "State net income' mean the net income determined in accordance with section 5 of this act

(p) The words "taxable net income" mean the "State net income" in excess of the credits against "State net income" provided in section 6 of this act

SEC. 3 Who Shall File Returns.

(a) Every resident required to make an income tax return to the United States government, and every other resident, shall make a return to the commissioner, stating specifically the items of his gross income and the deductions and credits allowed by this act, if having a "State net income' of—

(1) $1,000 or over, if single, or if married and not living with husband or wife;

(2) $2,500 or over, if married and living with husband or wife; or

(3) If having a gross income of $5,000 or over, regardless of the amount of "State net income".

(b) Every nonresident, whether or not required to make an income tax return to the United States government, and regardless of the amount of his "State net income," shall make a return to the commissioner, stating specifically the items of gross income derived from property owned or business transacted within this State and the deductions and credits allowed by this act

(c) If a husband and wife living together have an aggregate "State net income" for the taxable year of $2,500 or over, or an aggregate gross income for such year of $5,000 or over—

(1) Each shall make such a return, or

(2) The income of each shall be included in a single joint return, in which case the tax shall be computed on the aggregate income

(d) If the taxpayer is unable to make his own return, the return shall be made by a duly authorized agent or by the guardian or other person charged with the care of the person or property of such taxpayer

(e) Every resident or nonresident, taxable under this act, who is a beneficiary of an estate or trust taxable hereunder, shall include in his gross income, the distributive share of the "State net income" of the estate or trust received by him or distributable to him during the taxable year.

SEC. 4 Fiduciary Returns.

(a) Every fiduciary (except a receiver appointed by authority of law in possession of part only of the property of an individual) shall make a return for any of the following individuals, estates or trusts, taxable hereunder, for which he acts, stating specifically the items of gross income thereof and the deductions and credits allowed under this act—

(1) Every individual having a "State net income" for the taxable year of $1,000 or over if single, or if married and not living with husband or wife;

(2) Every individual having a "State net income" for the taxable year of $2,500 or over, if married and living with husband or wife;

(3) Every individual having a gross income for the taxable year of $5,000 or over, regardless of the amount of his "State net income";

(4) Every estate or trust the "State net income" of which for the taxable year is $1,000 or over;

(5) Every estate or trust the gross income of which for the taxable year is $5,000 or over, regardless of the amount of the "State net income"; and

(6) Every estate or trust of which any beneficiary is a nonresident.

(b) Under such rules and regulations as the commissioner may prescribe, a return filed by one of two or more joint fiduciaries shall be sufficient compliance with the above requirement. Such fiduciary shall state under oath (1) that he has sufficient knowledge of the affairs of the individual, estate, or trust, for which the return is made, to enable him to make the return, and (2) that the return is, to the best of his knowledge and belief, true and correct.

(c) Any fiduciary required to make a return under this act shall be subject to all the provisions of this act which apply to individuals.

SEC. 5. Determination of State Net Income. "State net income" shall be determined as hereinafter provided:

(a) To the amount ascertained as the "Federal net income" there shall be added—

(1) Interest upon the obligations, after deduction of interest incurred or continued to purchase or carry such obligations, of a State, Territory, or any political subdivision, district (including school districts), or municipality thereof, other than interest upon the obligations of the State of California, or any political subdivision, district (including school districts), or municipality thereof, if such interest is not included in the determination of "Federal net income";

(2) Income taxes imposed by this State, and other States, if included in the determination of "Federal net income";

(3) Any salary, wages, compensation, remuneration, emolument, fee or other fixed or determinable annual or periodical income of any officer or employee of this State, or any political subdivision, district, municipality, or other public officer or employee thereof, which is exempt from taxation under the "Revenue Act of 1934."

(b) From the amount ascertained as the "Federal net income", if included in the determination thereof, there shall be excluded—

(1) Any compensation received by the taxpayer during the taxable year from the United States as an officer or employee thereof, including persons in the Military or Naval forces of the United States;

(2) Any or all interest on tax exempt bonds or other obligations of the United States, or of a corporation organized under act of Congress, if such corporation is an instrumentality of the United States government.

(c) Any taxpayer, taxable hereunder, not required to make and file an income tax return with the United States government, shall, subject to the adjustments provided in this section, determine the amount of his "State net income" in accordance with the "Revenue Act of 1934" which, for the purposes of this act, is hereby referred to and incorporated with the same force and effect as though fully set forth herein, except where said "Revenue Act of 1934" is expressly inconsistent with the provisions of this act, provided, however, in the case of a nonresident the deductions and losses shall be allowed only if and to the extent that such deductions and losses are connected with income taxable hereunder.

SEC. 6. Credits of Individual Against "State Net Income."

(a) Credits for Normal Tax Only. There shall be allowed for the purpose of the normal tax, but not for the surtax, the following credits against the "State net income"—

(1) All dividends taxable under this act;

(2) Earned Income Credit.—Ten per centum of the amount of the earned net income, but not in excess of 10 per centum of the amount of the "State net income."

(3) Earned Income Definitions.—For the purposes of this section—

(A) "Earned income" means wages, salaries, professional fees, and other amounts received as compensation for personal services actually rendered, but does not include any amount not included in the determination of "State net income," nor that part of the compensation derived by the taxpayer for personal services rendered by him to a corporation which represents a distribution of earnings or profits rather than a reasonable allowance as compensation for the personal services actually rendered. In the case of a taxpayer engaged in a trade or business in which both personal services and capital are material income producers, a reasonable allowance as compensation for the personal services actually rendered by the taxpayer, not in excess of 20 per centum of his share of the net profits of such trade or business, shall be considered as earned income;

(B) "Earned income deductions" means such deductions as are allowed for the purpose of computing net income, and are properly allocable to or chargeable against earned income;

(C) "Earned net income" means the excess of the amount of the earned income over the sum of the earned income deductions. If the taxpayer's "State net income" is not more than $3,000, his entire "State net income" shall be considered to be earned net income, and if his "State net income" is more than $3,000, his earned net income shall not be considered to be less than $3,000. In no case shall the earned net income be considered to be more than $14,000

(b) Credits for Both Normal Tax and Surtax. Every resident and nonresident taxable under this act shall be allowed for the purposes of the normal tax and the surtax the following credits against "State net income"—

(1) Personal Exemptions.—In the case of a single person, a personal exemption of $1,000, or in case of the head of a family or a married person living with husband or wife, a personal exemption of $2,500. A husband and wife living together shall receive but one personal exemption. The amount of such personal exemption shall be $2,500. If such husband and wife make separate returns, the personal exemption may be taken by either or divided between them;

(2) Credit for Dependents.—Four hundred dollars for each person (other than husband or wife) dependent upon and receiving his chief support from the taxpayer if such dependent person is under 18 years of age or is incapable of self-support because mentally or physically defective;

(3) Change of Status.—If the status of the taxpayer, in so far as it affects the personal exemption or credit for dependents changes during the taxable year, the personal exemption and credit shall be apportioned, under such rules and regulations as are prescribed by the commissioner, in accordance with the number of months before and after such change. For the purpose of such apportionment a fractional part of a month shall be disregarded unless it amounts to more than half a month in which case it shall be considered as a month.

SEC. 7. Imposition of Tax on Residents and Nonresidents.

(a) A tax is hereby imposed upon the "taxable net income" of every resident of this State and upon the "taxable net income" of every nonresident which is derived from property located or business transacted within this State, which tax shall be levied, collected, and paid annually, in the manner hereinafter provided.

(b) The tax payable on the "taxable net income" shall be one-third of the amount of normal tax and surtax which would have been payable to the United States Government on an equivalent net income, at the rates for such normal tax and surtax as provided in sections 11 and 12(b) of the "Revenue Act of 1934."

SEC. 8. Imposition of Tax on Estates or Trusts.

(a) The taxes imposed by this act upon individuals shall apply to, and be imposed upon, the income of estates or of any kind of property held in trust (other than so-called Massachusetts trusts), including—

(1) Income accumulated in trust for the benefit of unborn or unascertained person or persons with contingent interests, and income accumulated or held for future distribution under the terms of the will or trust;

(2) Income which is to be distributed currently by the fiduciary to the beneficiaries, and income collected by a guardian of an infant which is to be held or distributed as the court may direct;

(3) Income received by estates of deceased persons during the period of administration or settlement of the estate; and

(4) Income which, in the discretion of the fiduciary may be either distributed to the beneficiaries or accumulated.

(b) The tax shall be computed upon the "taxable net income" of the estate or trust, shall be a charge against such estate or trust, and shall be paid by the fiduciary, except as provided in subdivisions (g) and (h) of this section.

(c) The "State net income" of the estate or trust shall be computed in the same manner and on the same basis as in the case of an individual, except that—

(1) There shall be allowed as a deduction (in lieu of the deduction for charitable, etc., contributions authorized by section 23(o) of the "Revenue Act of 1934"), any part of the gross income, without limitation, which pursuant to the terms of the will or deed creating the trust is during the taxable year paid or permanently set aside for the purposes and in the manner specified in section 23(o) of the "Revenue Act of 1934," or is to be used exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, or for the establishment, acquisition, maintenance or operation of a public cemetery not operated for profit;

(2) There shall be allowed as an additional deduction in computing the "State net income" of the estate or trust the amount of the income of the estate or trust for its taxable year which is to be distributed currently by the fiduciary to the beneficiaries, and the amount of the income collected by a guardian of an infant which is to be held or distributed as the court may direct, but the amount so allowed as a deduction shall be included in computing the "State net income" of the beneficiaries whether distributed to them or not. Any amount allowed as a deduction under this paragraph shall not be allowed as a deduction under paragraph (3) of this subdivision in the same or any succeeding taxable year;

(3) In the case of income received by estates of deceased persons during the period of administration or settlement of the estate, and in the case of income which, in the discretion of the fiduciary, may be either distributed to the beneficiary or accumulated, there shall be allowed as an additional deduction in computing the "State net income" of the estate or trust the amount of the income of the estate or trust for its taxable year, which is properly paid or credited during such year to any legatee, heir, or beneficiary, but the amount so allowed as a deduction shall be included in computing the "State net income" of the legatee, heir, or beneficiary.

(d) Credits Against "State Net Income."

(1) For the purpose of the normal tax and surtax the estate or trust shall be allowed the same personal exemption as is allowed to a single person under section 6(b)(1), and, if no part of the income of the estate or trust is included in computing the "State net income" of any legatee, heir, or beneficiary, then in addition the same credit against "State net income" for dividends as is allowed by section 6(a)(1).

(2) If any part of the income of an estate or trust is included in computing the "State net income" of any legatee, heir, or beneficiary, such legatee, heir or beneficiary, shall for the purpose of the normal tax, be allowed as a credit against his "State net income," in addition to the credits allowed to him under section 6, his proportionate share of the dividends specified in section 6(a)(1) as are, under this section, required to be included in computing his "State net income" Any remaining portion of such dividends specified in section 6(a)(1) shall, for the purpose of the normal tax, be allowed as a credit to the estate or trust.

(e) If the taxable year of a beneficiary is different from that of the estate or trust, the amount which he is required, under subdivision (c)(2) of this section, to include in computing his "State net income," shall be based upon the income of the estate or trust for any taxable year of the estate or trust ending within his taxable year.

(f) A trust created by an employer as a part of a stock bonus, pension, or profit sharing plan for the exclusive benefit of some or all of his employees, to which contributions are made by such employer, employee, or both, for the purpose of distributing to such employees the earnings and principal of the fund accumulated by the trust in accordance with such plan, shall not be taxable under this section, but the amount actually distributed or made available to any distributee shall be taxable to him in the taxable year in which so distributed or made available to the extent that it exceeds the amounts paid in by him. Such distributees shall for the purpose of the normal tax be allowed as credits against "State net income" such part of the amount so distributed or made available as represents the item of dividends specified in section 6(a)(1).

(g) Where at any time the power to revest in the grantor title to any part of the corpus of the trust is vested—

(1) In the grantor, either alone or in conjunction with any person not having a substantial adverse interest in the disposition of such part of the corpus or the income therefrom, or

(2) In any person not having a substantial adverse interest in the disposition of such part of the corpus or the income therefrom, then the income of such part of the trust shall be included in computing the "State net income" of the grantor

(h) Where any part of the income of a trust—

(1) Is, or in the discretion of the grantor or of any person not having a substantial adverse interest in the disposition of such part of the income may be held or accumulated for future distribution to the grantor; or

(2) May, in the discretion of the grantor or of any person not having a substantial adverse interest in the disposition of such part of the income, be distributed to the grantor; or

(3) Is, or in the discretion of the grantor or of any person not having a substantial adverse interest in the disposition of such part of the income may be, applied to the payment of premiums upon policies of insurance on the life of the grantor (except policies of insurance irrevocably payable for the purposes and in the manner specified in section 23(o) of the "Revenue Act of 1934", relating to the so-called "charitable contribution" deduction); then such part of the income of the trust shall be included in computing the "State net income" of the grantor.

(i) As used in this section the term "in the discretion of the grantor", means "in the discretion of the grantor, either alone or in conjunction with any person not having a substantial adverse interest in the disposition of the part of the income in question"

SEC. 9. Time and Place for Filing Returns.

(a) Returns shall be under oath, in such form as the commissioner may from time to time prescribe, and shall be filed with the commissioner, at his main office or at any branch office which he may establish. The commissioner shall cause to be prepared blank forms for the said returns and shall cause them to be distributed throughout the State and to be furnished upon application, but failure to receive or secure the form shall not relieve any taxpayer from the obligation of making any return herein required.

(b) Returns made on the basis of the calendar year shall be filed on or before the fifteenth day of April following the close of the calendar year. Returns made on the basis of a fiscal year shall be filed on or before the fifteenth day of the fourth month following the close of the fiscal year.

(c) The commissioner, under such rules and regulations as he shall prescribe, may grant a reasonable extension of time for filing the return and/or for payment of the tax, or any installment thereof, disclosed by the return, due or to become due within the period of the extension, whenever in his judgment good cause exists therefor, and he shall keep a record of every such extension. No such extension or extensions shall aggregate more than six months from the due date provided in subdivision (b) of this section.

SEC. 10. Time, Place, and Method of Payment of Tax.

(a) The total amount of tax imposed under this act shall be paid on the fifteenth day of April following the close of the calendar year, or, if the return should be made on the basis of a fiscal year, then on the fifteenth day of the fourth month following the close of the fiscal year.

(b) The taxpayer may elect to pay the tax in three equal installments, in which case the first installment shall be paid on the date prescribed for the payment of the tax, the second installment shall be paid on the fifteenth day of the fourth month, and the third installment on the fifteenth day of the eighth month, after such date. If any installment is not paid on or before the date fixed for its payment, the whole amount of tax unpaid shall be paid upon notice and demand from the commissioner.

(c) The tax imposed under this act, or any installment thereof, may be paid, at the election of the taxpayer, prior to the date prescribed for its payment.

(d) The tax, and any additions thereto, imposed by this act, shall be paid to the commissioner at Sacramento, or to his authorized representatives at any branch office. Remittances may be in the form of uncertified check, payable to the State Treasurer, during such time and under such regulations as the commissioner may prescribe, but if a check so received is not paid by the bank on which it is drawn, the taxpayer by whom such check is tendered shall remain liable for the payment of the tax, and all additions thereto, the same as if such check had not been tendered.

SEC. 11. Interest and Additions to the Tax.

(a) Failure to File Return.

(1) If any taxpayer fails to make and file a return required by this act, within the time prescribed by law or prescribed by the commissioner in pursuance of law, 25 per centum of the tax shall be added to the tax, except that when a return is filed after such time and it is shown that the failure to file the return was due to reasonable cause and not due to wilful neglect no such addition shall be made to the tax. The amount so added to any tax shall be collected at the same time and in the same manner and as a part of the tax unless the tax has been paid before the discovery of the neglect, in which case the amount so added shall be collected in the same manner as the tax.

(2) If any taxpayer, upon notice and demand by the commissioner, fails or refuses to make and file a return required by this act, the commissioner is authorized to make an estimate of the net income and to compute and levy the amount of tax due under this act from any available information, and in such case 50 per centum of the tax shall be added to the tax as a part of the tax and collected in the same manner as the tax.

(b) Interest on Deficiencies.—Interest upon the amount determined as a deficiency shall be assessed at the same time as the deficiency, shall be paid upon notice and demand from the commissioner, and shall be collected as a part of the tax, at the rate of 6 per centum per annum from the date prescribed for the payment of the tax (or, if the tax is paid in installments, from the date prescribed for the payment of the first installment) to the date the deficiency is assessed.

(c) Additions to the Tax in Case of Deficiency.

(1) Negligence.—If any part of any deficiency is due to negligence, or intentional disregard of rules and regulations but without intent to defraud, 5 per centum of the total amount of the deficiency (in addition to such deficiency) shall be assessed, collected, and paid in the same manner as if it were a deficiency, except that the provisions of section 15, relating to the prorating of a deficiency, and of subdivision (b) of this section, relating to interest on deficiencies, shall not be applicable.

(2) Fraud.—If any part of any deficiency is due to fraud with intent to evade tax, then 50 per centum of the total amount of the deficiency (in addition to such deficiency) shall be so assessed, and shall be paid upon notice and demand from the commissioner.

(d) Additions to Tax in Case of Nonpayment:

(1) General Rule.—Where the amount determined by the taxpayer as the tax imposed by this act, or any installment thereof, or any part of such amount or installment, is not paid on or before the date prescribed for its payment, there shall be collected as a part of the tax, interest upon such unpaid amount at the rate of 1 per centum a month from the date prescribed for its payment until it is paid.

(2) If Extension Granted.—Where an extension of time for payment of the amount so determined as the tax by the taxpayer, or any installment thereof, has been granted, and the amount the time for payment of which has been extended, and the interest thereon determined under paragraph (4) of this subdivision, is not paid in full prior to the expiration of the period of the extension, then, in lieu of the interest provided in paragraph (1) of this subdivision, interest at the rate of 1 per centum a month shall be collected on such unpaid amount from the date of the expiration of the period of the extension until it is paid.

(3) Deficiency.—Where a deficiency, or any interest or additional amounts assessed in connection therewith under subdivisions (b) and (c) of this section, or any addition to the tax in case of delinquency provided for in subdivisions (a) (1) and (2) of this section is not paid in full within 10 days from the date of notice and demand from the commissioner, there shall be collected as part of the tax, interest

upon the unpaid amount at the rate of 1 per centum a month from the date of such notice and demand until it is paid. If any part of a deficiency prorated to any unpaid installment under section 15 is not paid in full on or before the date prescribed for the payment of such installment, there shall be collected as part of the tax, interest upon the unpaid amount at the rate of 1 per centum a month from such date until it is paid.

(4) Interest on Extension.—If the time for payment of the amount determined as the tax by the taxpayer, or any installment thereof, is extended under the provisions of section 9(c), there shall be collected as a part of such amount, interest thereon at the rate of 6 per centum per annum from the date upon which such payment should have been made if no extension had been granted to the date of expiration of the period of extension, or to the date the tax is paid, whichever is earlier.

(5) Fiduciaries.—For any period an estate is held by a fiduciary appointed by order of any court of competent jurisdiction or by will, there shall be collected interest at the rate of 6 per centum per annum in lieu of the interest provided in subdivisions (b)(1), (2) and (3) of this section.

SEC. 12. Accounting Periods.

(a) The net income shall be computed upon the basis of the taxpayer's annual accounting period (fiscal year or calendar year, as the case may be) in accordance with the method of accounting regularly employed in keeping the books of such taxpayer; but if no such method of accounting has been so employed, or if the method employed does not clearly reflect the income, the computation shall be made in accordance with such method as in the opinion of the commissioner does clearly reflect the income. If the taxpayer's annual accounting period is other than a fiscal year as defined in section 2(1) or if the taxpayer has no annual accounting period or does not keep books, the net income shall be computed on the basis of the calendar year.

(b) If a taxpayer, with the approval of the commissioner, changes the basis of computing net income from fiscal year to calendar year a separate return shall be made for the period between the close of the last fiscal year for which return was made and the following December 31st. If the change is from calendar year to the fiscal year, a separate return shall be made for the period between the close of the last calendar year for which return was made and the date designated as the close of the fiscal year. If the change is from one fiscal year to another fiscal year a separate return shall be made for the period between the close of the former fiscal year and the date designated as the close of the new fiscal year.

(1) Where a separate return is made under subdivision (b) of this section on account of a change in the accounting period, and in all other cases where a separate return is required or permitted, by regulations prescribed by the commissioner, to be made for a fractional part of a year, then the income shall be computed on the basis of the period for which separate return is made.

(2) If a separate return is made under subdivision (b) of this section, on account of a change in the accounting period, the net income, computed on the basis of the period for which separate return is made, shall be placed on an annual basis by multiplying the amount thereof by twelve and dividing by the number of months included in the period for which the separate return is made. The tax shall be such part of the tax computed on such annual basis as the number of months in such period is of twelve months

(3) The commissioner shall by regulations prescribe the method of applying the provisions of subdivisions (b)(1) and (b)(2) (relating to computing income on the basis of a short period and placing such income on an annual basis) to cases where the taxpayer makes a separate return under subdivision (b) on account of a change in the accounting period, and it appears that for the period for which the return is so made he has received earned income

(c) In the case of a return made for a fractional part of a year, except a return made under subdivision (b), on account of a change in the accounting period, the personal exemption and the credit for dependents shall be reduced respectively to amounts which bear the same ratio to the full credits provided as the number of months in the period for which return is made bears to 12 months

SEC 13. Supplementary Returns. If the commissioner shall be of the opinion that any taxpayer has failed to file a return, or to include in a return filed, either intentionally or through error, items of taxable income, he may require from such taxpayer a return, or a supplementary return, under oath, in such form as he shall prescribe, of all the items of income which the taxpayer received during the year for which the return is made, whether or not taxable under the provisions of this act. Every taxpayer required by the Federal Government to file a supplementary return shall file a supplementary return with the commissioner. If from a supplementary return, or otherwise, the commissioner finds that any items of income, taxable under this act, have been omitted from the original return he may require the items so omitted to be disclosed to him, under oath of the taxpayer, and to be added to the original return. Such supplementary return and the correction of the orig-

inal return shall not relieve the taxpayer from any of the penalties to which he may be liable under any provision of this act. The commissioner may proceed under the provisions of section 15 of this act whether or not he requires a return or a supplementary return under this section.

SEC. 14. Jeopardy Assessments.

(a) If the commissioner finds that a taxpayer designs quickly to depart from this State or to remove his property therefrom, or to conceal himself or his property therein, or to do any other act tending to prejudice or to render wholly or partly ineffectual proceedings to collect the tax for the taxable year then last past or the taxable year then current unless such proceedings be brought without delay, the commissioner shall declare the taxable period for such taxpayer immediately terminated and shall cause notice of such finding and declaration to be given the taxpayer, together with a demand for immediate payment of the tax for the taxable period so declared terminated and of the tax for the preceding taxable year or so much of such tax as is unpaid, whether or not the time otherwise allowed by law for filing the return and paying the tax has expired; and such taxes shall thereupon become immediately due and payable. In any proceeding in court brought to enforce payment of taxes made due and payable by virtue of the provisions of this section the finding of the commissioner, made as herein provided, whether made after notice to the taxpayer or not, shall be for all purposes presumptive evidence of the taxpayer's design.

(b) If the commissioner believes that the assessment or collection of a deficiency will be jeopardized by delay, he shall immediately assess such deficiency (together with all interest, additional amounts, or additions to the tax provided for by this act) and the amount so assessed shall be due and payable upon notice and demand from the commissioner.

(c) If any taxpayer fails to file a return, or files a false or fraudulent return with intent to evade tax, for any taxable year, the tax may be assessed, or a proceeding in court for the collection of such tax may be begun without assessment, at any time.

(d) The commissioner is hereby authorized to prescribe such rules and regulations as may be necessary to properly carry out the provisions of this section.

SEC 15. Assessment of Deficiency Tax. Protest. Appeal

As soon as practicable after the return is filed, the commissioner shall examine it and shall determine the correct amount of the tax. If the commissioner determines that the tax disclosed by the original return is less than the tax disclosed by his examination he shall mail notice to the taxpayer at his last known address of the deficiency proposed to be assessed The notice shall set forth the details and computation of such deficiency.

Within 60 days after mailing of said notice the taxpayer may file with the commissioner a written protest against the levy of the proposed deficiency, specifying therein the grounds upon which the protest is based. The protest must be under oath.

If no such protest is so filed the amount of the deficiency shall be final upon the expiration of said 60-day period. If a protest is so filed it shall be the duty of the commissioner to reconsider the computation and levy of the deficiency complained of, and, if the taxpayer has so requested in his protest, it shall be the duty of the commissioner to grant said taxpayer, or his authorized representatives, an oral hearing.

The commissioner's action upon the protest shall be final upon the expiration of 30 days from the date when he mails notice of his action to the taxpayer, unless within that 30-day period the taxpayer appeals in writing from the action of the commissioner to the State board. The appeal must be addressed and mailed to the State Board of Equalization at Sacramento, California, and a copy of the appeal addressed and mailed at the same time to the commissioner at Sacramento, California. Said board shall hear and determine the same and thereafter shall forthwith notify the taxpayer and the commissioner of its determination, and the reasons therefor. Such determination shall be final, unless, within 60 days from the time of such determination, the commissioner shall apply to the Supreme Court of the State for a writ of certiorari or review for the purpose of having the lawfulness of the decision of said board inquired into and determined.

When a deficiency has been determined and the tax has become final under the provisions of this section, the commissioner shall mail notice and demand to the taxpayer for the payment thereof, and such tax shall be due and payable at the expiration of 10 days from the date of such notice and demand, unless the taxpayer has elected to pay the tax in installments, in which case the deficiency shall be prorated to the three installments Except as provided in section 14 (relating to jeopardy assessments), that part of the deficiency so prorated to any installment the date for payment of which has not arrived, shall be collected at the same time as, and as part of, such installment. That part of the deficiency so prorated to any installment the date for payment of which has arrived shall be due and payable at the expiration of 10 days from the date of such notice.

A certificate by the commissioner or of said board, as the case may be, of the mailing of the notices specified in this section shall be prima facie evidence of the computation and levy of the deficiency in tax and of the giving of said notices.

Except in the case of a fraudulent return, every notice of a proposed deficiency tax shall be mailed to the taxpayer within three years after the return was filed and no deficiency shall be assessed or collected with respect to the year for which such return was filed unless such notice is mailed within such period For the purposes of this paragraph a return filed before the last day prescribed by law for the filing thereof shall be considered as filed on such last day

Any amount of tax in excess of that disclosed by the return, due to a mathematical error, notice of which has been mailed to the taxpayer, shall not be considered a deficiency assessment within the meaning of this section. The taxpayer shall have no right of protest or appeal as herein provided, based on such notice, nor shall such assessment or collection be prohibited by any of the provisions of this section.

SEC. 16. Refund of Tax, Interest on Refunds, Appeal

If in the opinion of the commissioner, or State board, as the case may be, a tax has been computed in a manner contrary to law or has been erroneously computed by reason of a clerical mistake on the part of the commissioner or said board, or, if any tax, penalty or interest has been paid more than once, or has been erroneously or illegally collected, or has been erroneously or illegally computed, such fact shall be set forth in the records of the commissioner, and the amount collected in excess of what was legally due shall be credited on any taxes then due from the taxpayer under this act, and the balance refunded to the taxpayer, but no such credit or refund shall be allowed or made after three years from the time the tax was paid, unless before the expiration of such period a claim therefor is filed by the taxpayer. Every claim for refund must be in writing under oath and must state the specific grounds upon which the claim is founded.

If the commissioner disallows any claim for refund he shall notify the taxpayer accordingly. Within 30 days after the mailing of such notice, or if the commissioner does not act upon any claim for a refund within six months after the time the claim was filed, then within 30 days after the expiration of said six months, the commissioner's action upon the claim shall be final, unless within such 30-day period the taxpayer appeals in writing from the action of the commissioner to the State board The appeal must be addressed to the State Board of Equalization at Sacramento, California, and a copy of the appeal addressed and mailed at the same time to the commissioner at Sacramento, California. Said board shall hear and determine the same and thereafter shall forthwith notify the taxpayer and the commissioner of its determination Such determination shall be final, unless, within 60 days from the time of such determination, the commissioner shall apply to the Supreme Court of the State for a writ of certiorari or review for the purpose of having the lawfulness of the decision of said board inquired into and determined

Interest shall be allowed and paid upon any overpayment of any tax, if the overpayment was not made because of an error or mistake on the part of the taxpayer, at the rate of six per centum per annum as follows:

(1) In the case of a credit, from the date of the overpayment to the date of the allowance of the credit Any interest allowed on any credit shall first be credited on any taxes due from the taxpayer under this act.

(2) In the case of a refund, from the date of the overpayment to a date preceding the date of the refund warrant by not more than 30 days, such date to be determined by the commissioner

Any refund or any portion thereof which is erroneously made, and any credit or any portion thereof which is erroneously allowed, may be recovered, together with interest at the rate of 6 per centum per annum from the date the refund was made or the credit allowed, in an action brought by the commissioner in a court of competent jurisdiction in the county of Sacramento in the name of the people of the State of California, and such action shall be tried in the county of Sacramento unless the court with the consent of the prosecutor, order a change of place of trial The Franchise Tax Counsel or the Attorney General must prosecute such action, and the provisions of the Code of Civil Procedure, relating to service of summons, pleadings, proofs, trials, and appeals are applicable to the proceedings herein provided for.

In the event that a tax has been illegally levied against a taxpayer, the commissioner shall set forth on his records the reasons therefor and thereafter shall authorize the cancellation of such tax

SEC. 17. Action to Recover Tax.

Any taxpayer claiming that the tax computed and levied against him is void in whole or in part may pay the tax under protest and bring an action against the State Treasurer for the recovery of the whole or any part of the amount paid. The protest must be in writing under oath and must state in detail the grounds upon which the claim is founded. Such action must be filed within 90 days after the notice and demand for the payment of the tax under section 15 hereof; provided, however, no action shall be filed for the recovery of a deficiency

assessment unless the taxpayer has made protest to the commissioner of the computation and levy complained of under the provisions of such section; and provided further, that no action shall be brought to recover any deficiency assessment, or any part thereof, if the taxpayer has at any time appealed to the State board from the action of the commissioner in overruling the taxpayer's protest to the commissioner's proposal of the said deficiency assessment.

When a refund claim has been filed under the provisions of section 16 hereof, and the same has been denied or no action has been taken thereon by the commissioner within six months from the filing thereof, the taxpayer may bring an action against the State Treasurer on the grounds set forth in such claim for the recovery of the whole or any part of the amount claimed as an overpayment, but such action must be brought within 90 days from the date of the commissioner's denial of such claim or within 90 days from the expiration of the said six months if no action has been taken by the commissioner; provided, that no action shall be filed if the taxpayer has appealed to the State board from the action of the commissioner with respect to any refund claim.

In any judgment of any court rendered for any overpayment in respect of any tax imposed by this act, interest shall be allowed at the rate of 6 per centum per annum upon the amount of the overpayment, from the date of the payment or collection thereof to the date of allowance of credit on account of such judgment or to a date preceding the date of the refund warrant by not more than 30 days, such date to be determined by the commissioner.

Whenever under the provisions of this section an action is commenced against the State Treasurer, a copy of the complaint and the summons must be served upon the Treasurer or his deputy and the commissioner. At the time the Treasurer demurs or answers, he may demand that the action be tried in the superior court of the county of Sacramento, which demand must be granted The Franchise Tax Counsel or the Attorney General of the State of California must defend the action. A failure to begin such action within the time herein specified shall be a bar against the recovery of such taxes.

Within 60 days after the determination of the State board of any appeal from the action of the commissioner the appellant may apply to the Supreme Court of the State for a writ of certiorari or review for the purpose of having the lawfulness of the decision or order of State board inquired into and determined. Such writ shall be made returnable not later than 30 days after the date of the issuance thereof, and shall direct the State board to certify its record in the case to the court. On the return day, the cause shall be heard by the Supreme Court, unless for a good reason the same be continued. The State board and each party to the proceeding before such board shall appear in the review proceeding. The provisions of the Code of Civil Procedure of this State relating to the writs of review shall apply to proceedings instituted in the Supreme Court under the provisions of this section.

SEC 18. Partnership Not Taxable.

(a) An individual carrying on business in partnership shall be liable for income tax only in his individual capacity and shall include in his gross income the distributive share of the net income of the partnership received by him or distributable to him during the taxable year.

(b) The "State net income" of the partnership shall be computed in the same manner and on the same basis as in the case of an individual.

(c) The partner shall, for the purpose of the normal tax, be allowed as a credit against his "State net income," in addition to the credits allowed to him under section 6 hereof, his proportionate share (not in excess of the "State net income" of the partnership) of dividends specified in section 6 (a) (1) as are received by the partnership.

(d) In the case of the members of a partnership the proper part of each share of the net income which consists of earned income shall be determined under rules and regulations prescribed by the commissioner and shall be separately shown in the return of the partnership.

(e) Every partnership shall make a return for each taxable year, stating specifically the items of gross income and the deductions allowed by this act, and shall include in the return the names and addresses of the individuals, whether residents or nonresidents, who would be entitled to share in the "State net income" if distributed and the amount of the distributive share of each individual. The return shall be sworn to by any one of the partners.

(f) If the taxable year of a partner is different from that of the partnership, the distributive share of the "State net income" of the partnership to be included in computing the "State net income" of the partner for his taxable year shall be based upon the "State net income" of the partnership for any taxable year of the partnership ending within the taxable year of the partner.

SEC. 19 Information at Source.

(a) Every individual, partnership, corporation, joint stock company or association, insurance company, business trust, or so-called Massachusetts Trust, being a resident or having a place of business in this State, in whatever capacity acting, including lessees or mortgagors of real or personal property, fiduciaries, employers and all officers and employees of this State or any political subdivision of this State, having the control, receipt, custody, disposal or payment of interest (other than interest coupons payable to bearer), rent, salaries, wages, premiums, annuities, compensations, remunerations, emoluments or other fixed or determinable annual or periodical gains, profits and income amounting to $1,000 or over, paid or payable during any year to any taxpayer, shall make complete return thereof under oath, to the commissioner, under such regulations and in such form and manner and to such extent as may be prescribed by him

(b) Such returns may be required, regardless of amounts, (1) in the case of payments of interest upon bonds, mortgages, deeds of trust, or other similar obligations of corporations, and (2) in the case of collections of items (not payable in the United States) of interest upon the bonds of foreign countries and interest upon the bonds of and dividends from foreign corporations by persons undertaking as a matter of business or for profit the collection of foreign payments of such interest or dividends by means of coupons, checks, or bills of exchange

(c) When necessary to make effective the provisions of this section the name and address of the recipient of income shall be furnished upon demand of the person paying the income.

(d) The provisions of this section shall not apply to the payment of interest obligations not taxable under this act.

SEC. 20. Allocation of Income and Deductions

In any case of two or more organizations, trades or businesses (whether or not incorporated, whether or not organized in the State of California, and whether or not affiliated) owned or controlled directly or indirectly by the same interests, the commissioner is authorized to distribute, apportion or allocate gross income or deductions between or among such organizations, trades, or businesses, if he determines that such distribution apportionment, or allocation is necessary (1) in order to prevent evasion of taxes of any taxpayer taxable hereunder, or (2) clearly to reflect the income of any such organizations, trades, or businesses where the income of any taxpayer taxable hereunder is affected thereby in such manner as to permit evasion of taxes.

SEC. 21. Credit for Taxes Paid Other States by Resident or Nonresident Taxpayers.

(a) Whenever a resident taxpayer of this State has become liable to income tax to another State or country upon his net income, or any part thereof, for the taxable year, derived from sources without this State, and subject to taxation under this act, the amount of income tax payable by him under this act shall be credited with the amount of income tax so paid by him to such other State or country, but such credit shall not exceed such proportion of the tax payable under this act as the income subject to tax in such other State or country bears to the taxpayer's entire income upon which the tax is imposed by this act.

(b) Whenever a nonresident taxpayer taxable under this act has become liable to income tax to the State or country where he resides upon his net income for the taxable year, derived from sources within this State and subject to taxation under this act, the amount of income tax payable by him under this act shall be credited with such proportion of the tax so payable by him to the State or country where he resides as his income subject to taxation under this act bears to his entire income upon which the tax so payable to such other State or country was imposed; provided, that such credit shall be allowed only if the laws of said State or country grant a substantially similar credit to residents of this State subject to income tax under such laws, or impose a tax upon the personal incomes of its residents derived from sources in this State and exempt from taxation the personal incomes of residents of this State. No credit shall be allowed against the amount of the tax on any income taxable under this act which is exempt from taxation under the laws of such other State.

(c) The credits provided in this section shall be allowed only on presentation to the commissioner of satisfactory proof that the taxpayer is entitled to same.

SEC. 22. Tax Upon Settlement of Fiduciary's Account.

(a) No final account of a fiduciary shall be allowed by the probate court unless such account shows and the judge of said court finds, that all taxes imposed by the provisions of this act upon said fiduciary, which have become payable, have been paid, and that all taxes which may become due are secured by bond, deposit or otherwise. The certificate of the commissioner and the receipt for the amount of the tax therein certified shall be conclusive as to the payment of the tax, to the extent of said certificate.

(b) For the purpose of facilitating the settlement and distribution of estates held by fiduciaries, the commissioner may on behalf of the State agree upon the amount of taxes at any time due or to become due from such fiduciaries under

the provisions of this act, and payment in accordance with such agreement shall be full satisfaction of the taxes to which the agreement relates.

SEC. 23. Contract to Assume Tax Illegal. It shall be unlawful for any person to agree or contract directly or indirectly to pay or assume or bear the burden of any tax payable by any taxpayer under the provisions of this act. Any such contract or agreement shall be null and void and shall not be enforced or given effect by any court.

SEC. 24. Enforcement of Tax. If any tax imposed by this act or any portion of such tax be not paid after the same becomes due, the commissioner shall issue a warrant under his hand directed to the sheriff of any county of the State, commanding him to levy upon and sell the real and personal property of the taxpayer, found within his county, for the payment of the amount thereof, with the added penalties, interest and the cost of executing the warrant, and to return such warrant to the commissioner and pay to him the money collected by virtue thereof by a time to be therein specified, not less than 60 days from the date of the warrant. The sheriff shall within five days after the receipt of the warrant, file with the clerk of his county a copy thereof, and thereupon the clerk shall enter in the judgment docket, in the column for judgment debtors, the name of the taxpayer mentioned in the warrant, and in appropriate columns the amount of the tax or portion thereof and penalties for which the warrant is issued, and the date when such copy is filed, and thereupon the amount of such warrant so docketed shall become a lien upon the title to and interest in real property or chattels real of the taxpayer against whom it is issued in the same manner as a judgment duly docketed in the office of such clerk. The said sheriff shall thereupon proceed upon the same in all respects, with like effect, and in the same manner prescribed by law in respect to executions issued against property upon judgments of a court of record, and shall be entitled to the same fees for his services in executing the warrant, to be collected in the same manner. If a warrant be returned not satisfied in full, the commissioner shall have the same remedies to enforce the claim for taxes against the taxpayer as if the people of the State had recovered judgment against the taxpayer for the amount of the tax.

The commissioner may, at any time, bring an action in a court of competent jurisdiction, in the name of the people of the State of California, to recover the amount of any taxes, penalties, and interest due under this act. The Franchise Tax Counsel or the Attorney General of this State must prosecute such action and such action shall be tried in the county of Sacramento unless the court with the consent of the prosecutor, order a change of place of trial. In such action a writ of attachment may be issued, and no bond or affidavit previous to the issuing of said attachment is required. In such action a certificate by the commissioner showing the delinquency shall be prima facie evidence of the levy of the tax, of the delinquency and of compliance by the commissioner and the State board with all the provisions of this act in relation to the computation and levy of the tax.

It is expressly provided that the foregoing remedies of the State shall be cumulative and that no action taken by the commissioner shall be or be construed to be an election on the part of the State or any of its officers to pursue any remedy hereunder to the exclusion of any other remedy for which provision is made in this act.

SEC. 25. Tax a Debt. Every tax imposed by this act, and all increases, interest and penalties thereon, shall become, from the time it is due and payable, a personal debt, from the person or persons liable to pay the same, to the State of California.

SEC. 26. Penal Provisions. Any person who, with or without fraudulent intent, fails to pay any tax or to make, render, sign or verify any return, or to supply any information, within the time required by or under the provisions of this act, shall be liable to a penalty of not more than $1,000, to be recovered by the Franchise Tax Counsel or the Attorney General, in the name of the people, by action in any court of competent jurisdiction.

Any person or any officer or employee of any corporation, or member or employee of any partnership, who, with or without intent to evade any requirement of this act or any lawful requirement of the commissioner thereunder, shall fail to pay any tax or to make, sign or verify any return or to supply any information required by or under the provisions of this act, or who, with like intent, shall make, render, sign or verify any false or fraudulent return or statement, or shall supply any false or fraudulent information, shall be liable to a penalty of not more than $1,000, to be recovered by the Franchise Tax Counsel or the Attorney General in the name of the people, by action in any court of competent jurisdiction, and shall also be guilty of a misdemeanor and shall, upon conviction, be fined not to exceed $1,000 or be imprisoned not to exceed one year, or both, at the discretion of the court.

The prosecutor shall have the power, with the consent of the commissioner to compromise any penalty for which he is authorized to bring action under this section. The penalties provided by this section shall be additional to all other penalties in this act provided.

The certificate of the commissioner to the effect that a tax has not been paid, that a return has not been filed, or that information has not been supplied as required by the provisions of this act, shall be prima facie evidence that such tax has not been paid, that such return has not been filed or that such information has not been supplied.

SEC. 27. Disposition of Proceeds.

(a) All moneys and remittances received by the commissioner in pursuance of the provisions of this act shall be transmitted promptly to the State Treasurer, and copies of the schedules covering such transmittals shall be furnished at the same time to the State Controller.

(b) All moneys and remittances so received and so transmitted shall be deposited, after clearance of remittances, in the State treasury and credited to the "Personal income tax fund."

(c) For expenditure by the commissioner in carrying out the provisions of this act there is hereby appropriated a sum of money equal to $100,000 and 3 per cent, or so much thereof as may be necessary, of all other moneys deposited in the personal income tax fund, said $100,000 being payable out of moneys in the general fund not otherwise appropriated, the remainder of the moneys hereby appropriated being payable out of the personal income tax fund, provided, that, out of said 3 per cent of said other moneys deposited in the personal income tax fund on or before June 30, 1937, the sum of $100,000 shall be returned into the general fund. For expenditure by the Controller in carrying out the provisions of this act there is hereby appropriated out of the personal income tax fund the sum of $5,000 or so much thereof as may be necessary, and for expenditure by the State Treasurer in carrying out the provisions of this act there is hereby appropriated out of the personal income tax fund the sum of $10,000 or so much thereof as may be necessary. The balance of the moneys in the personal income tax fund shall, upon order of the State Controller, be drawn therefrom for the purpose of making refunds hereunder or be transferred to the general fund of the State.

SEC. 28. Commissioner to Administer This Act, Districts.

(a) The commissioner shall administer and enforce the tax herein imposed, for which purpose he shall divide the State into not less than 13 districts, in each of which a branch office or offices shall be established. Such districts, in so far as practicable, shall conform with the sales tax districts

(b) The commissioner, for the purpose of ascertaining the correctness of any return or for the purpose of making an estimate of the taxable income of any taxpayer, shall have power to examine or cause to be examined by any agent or representative designated by him for that purpose, any books, papers, records or memoranda, bearing upon the matters required to be included in the return, and may require the attendance of the taxpayer or of any other person having knowledge in the premises, and may take testimony and require proof material for his information, with power to administer oath to such person or persons.

(c) The commissioner may appoint and remove, in the manner provided by law, such officers, agents, branch office income tax deputies, and other employees as he may deem necessary, such persons to have such duties and powers as the commissioner may from time to time prescribe. Any temporary appointments of branch office income tax deputies and other branch office employees shall be made from eligible residents of the district in which such branch office or offices are located The salaries of the personnel required by the commissioner shall be such as he may prescribe, in the manner provided by law, and the commissioner and such personnel shall be allowed reasonable and necessary traveling and other expenses incurred in the performance of their duties. The commissioner may require such of the officers, agents, deputies and other employees as he may designate, to give bond for the faithful performance of their duties in such sum and with such sureties as he may determine, and all premiums on such bonds shall be paid by the commissioner out of moneys appropriated for the administration of this act.

(d) The commissioner and such officers, as he may designate, shall have the power to administer an oath to any person or to take the acknowledgment of any person in respect of any return or report required by this act or the rules and regulations of the commissioner.

SEC. 29. Secrecy Required of Officials, Penalty for Violation.

(a) Except in accordance with proper judicial order or as otherwise provided by law, it shall be unlawful for the commissioner, any deputy, agent, clerk or other officer or employee, to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any report or return required under this act. Nothing herein shall be construed to prohibit the publication of statistics, so classified as to prevent the identification of particular reports or returns and the items thereof, or the inspection by the Attorney General or other legal representatives of the State, of the report or return of any taxpayer who shall bring action to set aside or review the tax based thereon, or against whom an action or proceeding has been instituted to recover any tax or any penalty imposed by this act Reports and returns shall be preserved for four years and thereafter until the commissioner orders them to be destroyed.

(b) Any offense against subdivision (a) of this section shall be a misdemeanor

(c) Notwithstanding the provisions of this section, the commissioner may permit the Commissioner of Internal Revenue of the United States, or the proper officer of any State imposing an income tax upon the incomes of individuals, or the authorized representative of either such officer, to inspect the income tax returns of any individual, or may furnish to such officer or his authorized representative an abstract of the return of income of any taxpayer or supply him with information concerning any item of income contained in any return, or disclosed by the report of any investigation of the income or return of income of any taxpayer; but such permission shall be granted or such information furnished to such officer or his representative, only if the statutes of the United States or of such other State, as the case may be, grant substantially similar privileges to the proper officer of this State charged with the administration of this act

SEC. 30. Unconstitutionality or Invalidity. If any clause, sentence, paragraph, or part of this act shall, for any reason, be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this act, but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment shall have been rendered. No caption of any section or set of sections shall in any way affect the interpretation of this act or any part thereof.

SEC. 31 Taking Effect of the Act.

(a) This act shall take effect immediately and the tax so imposed shall be assessed, levied, collected and paid with respect to net income, taxable hereunder, received on or after January 1, 1935.

(b) The first return of a taxpayer reporting on a calendar year basis shall be filed for the taxable year ending December 31, 1935.

(c) The first return of a taxpayer reporting on a fiscal year basis for any fiscal year ending in the calendar year 1935 shall be filed on or before the fifteenth day of the fourth month following the close of such fiscal year, or on or before the fifteenth day of the fourth month following the effective date of this act whichever is later, and the tax payable by such taxpayer, shall be such part of the tax computed on the "taxable net income" for such fiscal year as the number of months of such fiscal year ending in the calendar year 1935 bears to the total number of months of such fiscal year."

Amendment No. 2.

On page 1, of the printed bill, strike out lines 3 to 26, inclusive, and strike out all of pages 2 to 6, inclusive, of the printed bill

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1649—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, to provide for the disposition of the revenues therefrom, to make an appropriation for the administration hereof, and to provide that this act shall take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2 line 15, of the printed bill, after the word "upon", insert the word "all"

Amendment No. 2.

On page 2, line 30, of the printed bill strike out the word "said", and insert in lieu thereof the words "the Federal"

Amendment No. 3.

On page 2, between lines 44 and 45, of the printed bill, insert the following

"(b) The following items shall not be included in gross income and shall be exempt from taxation under this act

(1) Items excluded from gross income under subdivisions (1), (2), (3), (5), and (6) of subsection (b) of section 22 of said Revenue Act of 1934, which subsections are hereby referred to and incorporated with the same force and effect as though fully set forth herein

(2) Income which this State is prohibited from taxing under the Constitution or laws of the United States of America or under the Constitution of this State

(c) Whenever in the opinion of the State board the use of inventories is necessary in order to clearly determine the income of any taxpayer, inventories shall be taken by such taxpayer upon such basis as the State board may prescribe as con-

forming as nearly as may be to the best accounting practice in the trade or business and as most clearly reflecting the income

(d) In the case of a sale or other disposition of property, the gain or loss shall be computed as provided in subsections a, b and d of section 111 and section 113 (b) of said Revenue Act of 1934 which are hereby referred to and incorporated with the same force and effect as though fully set forth herein, provided, however, that for the purposes of this act, the word 'Commissioner' in said sections shall be deemed to mean 'State board' and the words 'with the approval of the secretary' in said sections shall be deemed omitted

(e) In the case of sales or exchanges of capital assets, the gain or loss shall be taken into account in computing net income in the manner provided in section 117 of said Revenue Act of 1934 which section and the sections of said Revenue Act of 1934 referred to therein are hereby referred to and incorporated with the same force and effect as though fully set forth herein

(f) In the case of taxpayers other than residents the gross income includes gross income from property located or business transacted in this State

(g) Gross income from sources within and without the United States shall be computed in accordance with the provisions of section 119 of said Revenue Act of 1934 which section and the sections of said revenue act referred to therein are hereby referred to and incorporated with the same force and effect as though fully set forth herein, provided however that the word 'Commissioner' in said sections referred to shall be deemed to mean 'State board' and the words 'with the approval of the secretary' in said sections shall be deemed to be omitted"

Amendment No. 4.

On page 2, line 45, of the printed bill, after the word "computing", insert the word "net".

Amendment No. 5.

On page 2, line 47 of the printed bill, strike out "b" "c" h," and "j"

Amendment No. 6.

On page 2, line 48, of the printed bill, strike out the word 'the", and insert in lieu thereof the word "said"

Amendment No. 7.

On page 2, after line 51, of the printed bill, add the following:

"(b) That portion of the total interest paid or accrued within the taxable year on indebtedness that the total taxable income of the taxpayer bears to the total income of the taxpayer from all sources; provided, however, that no deduction shall be allowed or taken for interest paid or accrued within the taxable year on indebtedness incurred or continued to purchase or carry obligations, the interest upon which is wholly exempt from taxes imposed by this act."

Amendment No. 8.

On page 3, line 1 of the printed bill, strike out "(b)", and insert in lieu thereof "(c)"

Amendment No. 9.

On page 3 of the printed bill, strike out lines 14 to 19, both inclusive, and insert in lieu thereof the following:

"(d) Losses sustained during the taxable year and not compensated for by insurance or otherwise;

1. if incurred in trade or business; or

2. if incurred in any transaction entered into for profit, though not connected with the trade or business, or

3 of property not connected with the trade or business, if the loss arises from fires, storms, shipwreck, or other casualty, or from theft.

The basis for determining the amount of deduction for losses sustained, to be allowed under this subsection shall be the adjusted basis provided in section 5 of this act for determining the loss from the sale or other disposition of property."

Amendment No. 10.

On page 3, line 20, of the printed bill, strike out "(d)", and insert in lieu thereof "(e)".

Amendment No. 11.

On page 3, line 42, of the printed bill, strike out "(e)", and insert in lieu thereof "(f)".

Amendment No. 12.

On page 3 of the printed bill, strike out that portion of line 43 following the word "extent", and strike out line 44, and insert in lieu thereof the following, "provided in subdivision (d) of section 117 of the said Revenue Act of 1934 which subdivision is hereby referred to and incorporated with the same force and effect as though fully set forth herein."

Amendment No. 13.

On page 3, line 45, of the printed bill, strike out "(f)", and insert in lieu thereof "(g)".

Amendment No. 14.

On page 3 of the printed bill, strike out lines 51 to 52, both inclusive, and insert in lieu thereof the following:

"(h) In the case of mines, oil and gas wells, other natural deposits, and timber, a reasonable allowance for depletion and for depreciation of improvements, according to the peculiar conditions in each case; such reasonable allowance in all cases to be made under rules and regulations to be prescribed by the State board. In any case in which it is ascertained as a result of operations or of development work that the recoverable units are greater or less than the prior estimate thereof, then such prior estimate (but not the basis for depletion) shall be revised and the allowance under this subsection for subsequent taxable years shall be based upon such revised estimate In the case of leases the deductions shall be equitably apportioned between the lessor and the lessee. In the case of property held by one person for life with remainder to another person, the deduction shall be computed as if the life tenant were the absolute owner of the property and shall be allowed to the life tenant. In the case of property held in trust the allowable deduction shall be apportioned between the income beneficiaries and the trustee in accordance with the pertinent provisions of the instrument creating the trust, or, in the absence of such provisions, on the basis of the trust income allocable to each. The percentage of depletion allowable under this subsection shall be computed in accordance with the provisions of subdivisions (3) and (4) of subsection (b) of section 114 of said Revenue Act of 1934 which subdivisions and the sections of said revenue act referred to therein are hereby referred to and incorporated with the same force and effect as though fully set forth herein

(i) The basis upon which depletion, exhaustion, wear and tear, and obsolescence are to be allowed in respect of any property shall be as provided in section 114 of said Revenue act of 1934 which section and all sections of said revenue act referred to therein are hereby referred to and incorporated with the same force and effect as though fully set forth herein; provided, however, that the word 'Commissioner' in said sections shall be deemed to mean 'State board' and the words 'with the approval of the secretary' shall be deemed omitted "

Amendment No. 15.

On page 4 of the printed bill, strike out lines 1 to 4, both inclusive

Amendment No. 16.

On page 4 line 5 of the printed bill, strike out "(h)", and insert in lieu thereof "(j)".

Amendment No. 17.

On page 4, line 38, of the printed bill, strike out "(h) ", and insert in lieu thereof "(j)".

Amendment No. 18.

On page 4, line 42, of the printed bill, strike out "(h)", and insert in lieu thereof "(i)

Amendment No. 19.

On page 4, line 43, of the printed bill, after the word "applicable.", add the following "In the case of a taxpayer other than a resident the deductions under this subdivision shall be allowed only as to contributions or gifts made to corporations or associations incorporated by or organized under the laws of this State or to the vocational rehabilitation fund above mentioned or to this State or any political subdivision thereof for exclusively public purposes.

(k) In the case of any taxpayer the deductions permitted by subdivision (a) of section 23 of the Federal Revenue Act of 1934 and referred to and incorporated by subsection (a) of this section of this act, shall not be allowed if, and to the extent that they are connected with the production of income not taxable under this act, and proper apportionment and allocation of such deductions with respect to taxable and nontaxable income shall be determined under rules and regulations to be prescribed by the State board.

(l) In the case of a taxpayer other than a resident the deductions allowed by this section shall be allowed only if and to the extent that they are connected with the income arising from property located or business transacted within this State and taxable under this act to a nonresident taxpayer, and the proper apportionment and allocation of the deductions with respect to sources of income within and without the State shall be determined under rules and regulations to be prescribed by the State board "

Amendment No. 20.

On page 4 line 46, of the printed bill, after the word "of", insert the following, "section 24 of".

Amendment No. 21.

On page 5 of the printed bill, strike out lines 9 to 51, both inclusive, and on page 6 of said bill, strike out lines 1 to 45, both inclusive.

Amendment No. 22.

On page 7, line 36, of the printed bill, strike out the word "of", following the word "Board".

Amendment No. 23.

On page 7, line 37, of the printed bill, strike out the word "Equalization".

Amendment No. 24.

On page 9, line 1, of the printed bill, strike out the word "of", following the word "Board".

Amendment No. 25.

On page 9, line 2, of the printed bill, strike out the word "Equalization", and strike out the word "he", and insert in lieu thereof the word "it".

Amendment No. 26.

On page 9, line 3, of the printed bill, strike out the word "he", and insert in lieu thereof the word "it".

Amendment No. 27.

On page 9, line 20, of the printed bill, insert a comma after the word "shall".

Amendment No. 28.

On page 10, line 16, of the printed bill, strike out "(a)"

Amendment No. 29.

On page 10, line 18, of the printed bill, strike out "section 161a", and insert in lieu thereof the following, "subdivisions (1), (2), (3) and (4) of subsection (a) of section 161".

Amendment No. 30.

On page 10, line 19, of the printed bill, strike out "is", and insert in lieu thereof, "subdivision are".

Amendment No. 31.

On page 10, line 21, of the printed bill, strike out "(b)".

Amendment No. 32.

On page 10, between lines 25 and 26, of the printed bill, insert the following:

"For the purposes of this section the word 'settlor' shall mean and include every creator of a trust and every decedent and where in this section the settlor is spoken of as a resident or a nonresident the same shall be taken to include a decedent who upon his or her death is a resident or a nonresident as the case may be.

The taxable income of the estate or trust shall include the following:

(1) The income from real property and tangible personal property located and from business transacted in this State.

(2) The income from intangible property with a situs in this State.

(3) The income from real property and tangible personal property located outside this State and the income from intangible property with a situs outside this State in the following cases:

(a) Where the beneficiary and the fiduciary and the settlor are all residents of this State.

(b) Where the beneficiary and the fiduciary are residents of this State regardless of the residence of the settlor.

(c) Where the fiduciary is a resident of this State regardless of the residence of of the residence of the fiduciary.

(d) Where the beneficiary is a resident of this State regardless of the residence of the fiduciary and the settlor.

(e) Where the fiduciary is a resident of this State regardless of the residence of the beneficiary and the settlor.

(f) Where the settlor is a resident of this State regardless of the residence of the beneficiary and the fiduciary.

(g) Where the fiduciary and the settlor are residents of this State regardless of the residence of the beneficiary.

Where the taxability of income under this section depends on the residence of the beneficiary and there are two or more beneficiaries for the estate or trust, the income taxable under this section shall be apportioned according to the number of fiduciaries resident in this State, such apportionment being determined according to rules and regulations prescribed by the State board.

Where the taxability of income under this section depends on the residence of the beneficiary and there are two or more beneficiaries for the estate or trust, the income taxable under this section shall be apportioned according to the number of beneficiaries resident in this State, such apportionment being determined according to rules and regulations prescribed by the State board."

Amendment No. 33.

On page 10, line 27, of the printed bill, after the word "the", and before the word "manner", insert the word "same"; and after the word "the", and before the word "basis", insert the word "same".

Amendment No. 34.

On page 10 of the printed bill, strike out all of that portion of line 27 following the word "basis" and strike out lines 28 to 30, both inclusive; and insert in lieu thereof the following "as in the case of an individual taxpayer except that

(a) There shall be allowed as a deduction (in lieu of the deductions authorized by subdivision (j) of section 6 of this act) any part of the gross income, without limitation, which pursuant to the terms of the will or deed creating the trust, is during the taxable year paid or permanently set aside for the purposes and in the manner specified in subdivision (j) of section 6, or is to be used exclusively for religious, charitable, literary, scientific, or educational purposes, or for the prevention of cruelty to children or animals, or for the establishment, acquisition, maintenance or operation of a public cemetery not for profit,

(b) There shall be allowed as an additional deduction in computing the net income of the estate or trust, the amount of income of the estate or trust for its taxable year which is distributed currently by the fiduciary to the beneficiaries, and the amount of income collected by a guardian of an infant which is to be held or distributed as the court may direct; but the amount so allowed as a deduction shall be included in computing the net income of the beneficiaries whether distributed or not. Any amount allowed as a deduction under this paragraph shall not be allowed as a deduction under paragraph (c) of this section in the same or any succeeding taxable year. In the case of the income of a beneficiary not a resident derived through such an estate or trust, such income shall be taxable only to the extent provided in subdivision (f) of section 5 of this act

(c) In the case of income received by estates of deceased persons during the period of administration or settlement of the estate, and in the case of income which, in the discretion of the fiduciary, may be either distributed to the beneficiary or accumulated, there shall be allowed as an additional deduction in computing the net income of the estate or trust the amount of income of the estate or trust for its taxable year, which is properly paid or credited during such year to any legatee, heir, or beneficiary, but the amount so allowed as a deduction shall be included in computing the net income of the legatee, heir, or beneficiary. In such cases the income of the legatee, heir, or beneficiary not a resident shall be taxable only to the extent provided in subdivision (f) of section 5 of this act"

Amendment No. 35.

On page 10 of the printed bill, strike out all of that portion of line 32 following the word "allowed", and strike out lines 33 to 35, both inclusive, and insert in lieu thereof the following: 'the same personal exemption as is allowed to a single person under subdivision (1) of subsection (b) of section 8 of this act, and if no part of the income of the estate or trust is included in computing the net income of any legatee, heir or beneficiary, then in addition the same credits against net income for dividends and interest as are allowed by subsection (a) of section 8 of this act

If any part of the income of an estate or trust is included in computing the net income of any legatee, heir or beneficiary, such legatee, heir, or beneficiary shall, for the purpose of the normal tax be allowed as credits against net income, in addition to credits allowed him under section 8, his proportionate share of such amounts of dividends and interest specified in subsection (a) of section 8, as are under this act, required to be included in computing his net income. Any remaining portion of such amounts specified in subsection (a) of section 8 shall, for the purpose of the normal tax, be allowed as credits to the estate or trust"

Amendment No. 36.

On page 10 of the printed bill, strike out all of that portion of line 43 following the word "employer", and strike out lines 44 to 47, both inclusive, and insert in lieu thereof the following: "as a part of a stock bonus, pension, or profit-sharing plan for the exclusive benefit of some or all of his employees, to which contributions are made by such employer, or employees, or both, for the purpose of distributing to such employees the earnings and principal of the fund accumulated by the trust in accordance with such plan, shall not be taxable under section 16 of this act, but the amount actually distributed or made available to any distributee shall be taxable to him in the year in which so distributed or made available to the extent that it exceeds the amounts paid in by him Such distributees shall for the purpose of the normal tax be allowed as credits against net income such part of the amount so distributed or made available as represents the items of dividends and interest specified in subsection (a) of section 8 of this act."

Amendment No. 37.

On page 11 of the printed bill, strike out lines 5 to 22, both inclusive, and insert in lieu thereof the following:

"SEC. 23. Individuals carrying on business in partnership shall be liable for income tax only in their individual capacity and there shall be included in com-

puting the net income of each partner his distributive share, whether distributed or not, of the net income of the partnership for the taxable year. The net income of the partnership shall be computed in the same manner and on the same basis as in the case of an individual.

SEC. 24. The partner shall for the purpose of the normal tax, be allowed as a credit against his net income, in addition to the credits allowed to him under section 8 of this act, his proportionate share of such amounts (not in excess of the net income of the partnership) of dividends and interest specified in subsection (a) of section 8 of this act as are received by the partnership.

SEC. 25 Every partnership shall make a return for each taxable year stating specifically the items of its gross income and the deductions allowed by this title, and shall include in the return the names and addresses of the individuals who would be entitled to share in the net income if distributed and the amount of the distributive share of each individual The return shall be sworn to by any one of the partners.

If the taxable year of a partner is different from that of the partnership, the distributive share of the net income of the partner for his taxable year shall be based upon the net income of the partnership for any taxable year of the partnership (whether beginning on, before, or after January 1, 1934) ending within the taxable year of the partner."

Amendment No. 38.

On page 12, between lines 36 and 37, of the printed bill, insert the following:

"The State board whenever it deems it necessary to insure compliance with the provisions of this act, may under rules and regulations prescribed by it, require any individual, partnership, corporation, joint stock company or association or insurance company, including lessees or mortgagors and employees of the State or of any political subdivision of the State having control, receipt, custody, disposal or payment of interest (other than interest coupons payable to bearer), rent, salaries, wages, premiums, annuities, compensation, remunerations, emoluments or other fixed or determinable annual or periodical gains, profits and income paid or payable to any taxpayer to deduct and withhold the tax due from such taxpayer and make return thereof and pay the tax to the State board."

Amendment No. 39.

On page 15, line 2, of the printed bill, strike out "of Equalization".

Amendment No. 40.

On page 16, line 31, of the printed bill, after "Sec. 37.", and before the word "No", insert the following as separate paragraphs:

"Upon notice of the State board that any person is acting in a fiduciary capacity, such fiduciary shall assume the powers, rights, duties, and privileges of the taxpayer in request of any tax imposed by this act (except as otherwise specifically provided and except that the tax shall be collected from the estate of the taxpayer), until notice is given that the fiduciary capacity has terminated.

Notice under this section shall be given in accordance with rules and regulations prescribed by the State board."

Amendment No. 41.

On page 17, line 34, of the printed bill, strike out the word "Compromised", and insert in lieu thereof the word "compromise".

Amendment No. 42.

On page 18, line 43, of the printed bill, strike out "of Equalization".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 724—An act to add a new section to the Political Code of the State of California to be numbered 3476b, relating to assessments of reclamation districts and providing for crediting payments made under invalid calls of installment of assessments upon subsequent calls of installment of assessments.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1128—An act relating to the sale of property sold to a county treasurer, as trustee of a reclamation district or of the bond fund, or to a reclamation district for delinquent assessments and installments thereof, declaring the urgency thereof, and providing that this act shall take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, of the printed bill, section 2 thereof, strike out beginning with the word "of", in line 20, and ending with the word "districts", in line 38, and insert in lieu thereof the following:

"for which said land was sold to the county treasurer, subject however, to the following addition, to wit:

The amount of all subsequent assessment calls against the land sought to be redeemed, together with the interest and penalties, if any, accrued thereon; and subject, also, to the following deductions, to wit:

(a) All penalties upon that portion of all delinquent calls made against the assessment against said land, to pay interest accrued on said assessment prior to May 15, 1933;

(b) All penalties upon that portion of said delinquent calls made to pay the principal of said assessments;

(c) All amounts credited upon said delinquent calls derived from the rental and/or operation of said land by the district, as hereinabove provided; which said purchase price may be paid in cash or in matured bonds or coupons thereof of said district issued upon said assessment, and upon the payment of such purchase price, the said county treasurer shall execute to such purchaser upon such sale a deed conveying said property free of encumbrances except the unpaid and uncalled balance of said assessment, and any other assessment of said district, and any State, county and municipal taxes and any taxes or assessments of irrigation, conservation or water storage districts and subject to any leases of said property made pursuant to the provisions of section 3466a of the Political Code; provided, however, that the provisions for redemption in this act provided shall not, in any event, apply to assessments levied or calls made based upon assessment valuations as provided for under the provisions of section 3456 of the Political Code of the State of California."

Amendment No. 2.

On page 2, line 42, of the printed bill, in section 3 thereof, insert between the word "party", and the word "an", the following: "and to the secretary of the district".

Amendment No. 3.

On page 2, line 49, of the printed bill, in section 3 thereof, insert between the word "report", and the word "to", the following: "to the secretary of the district, and also".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1531—An act to amend section 3491 of the Political Code, relating to reclamation districts

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 20, of the printed bill, after the period insert the following: "Executives, administrators, special administrators, guardians and trustees may cast the votes of the estates represented by them"

Amendment No. 2.

On page 1, line 26, of the printed bill, after "district", insert the following: ", the value thereof to be determined from the next preceding assessment roll of the county,".

Amendment No. 3.

On page 2, line 27, of the printed bill, after the period, insert the following: "The board of trustees of the district shall, prior to the election, cause to be prepared and certified by the proper officer and furnished to the board of election, a true and correct copy of the said next preceding assessment roll of the said county or counties, which said certified roll shall be used by the said board of election in determining the number of votes each voter is entitled to cast"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 950—An act to amend section 1060 of the Fish and Game Code, and to add thereto sections 481 5, and 1064.5, relating to fish and game.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

In line 2 of the title of the printed bill, strike out "sections 481 5, and 1064 5," and insert in lieu thereof the following: "section 481 5,".

Amendment No. 2.

On page 1, line 6, of the printed bill, strike out "sardines", and insert in lieu thereof the following "any fish, mollusk or crustacean".

Amendment No. 3.

On page 1, line 7, of the printed bill, strike out "sardines", and insert in lieu thereof the following "fish, mollusk or crustacean".

Amendment No. 4.

On page 1, line 23, of the printed bill, strike out "sardines", and insert in lieu thereof the following: "fish, mollusk or crustaceans"

Amendment No. 5.

On page 2 of the printed bill, strike out lines 7 to 14, inclusive

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1330—An act to amend sections 990, 991, and 993, of Article 1, Chapter 5, Part 2, of the Fish and Game Code.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 1, following section 1, add the following: "Section 990 of Article 1, Chapter 5, Part 2, of the Fish and Game Code is hereby amended to read as follows:

990. Every person who uses or operates or assists in using or operating any boat, net, trap, line, or other appliance to take fish, mollusks, or crustaceans for profit, or who brings or causes fish, mollusks or crustaceans to be brought ashore at any point in the State for the purpose of selling the same in a fresh state, must procure a commercial fishing license. A commercial fishing license may be issued only to a person who has been a resident of the State of California continuously for a period of not less than one year immediately prior to the time he makes application for such license; provided, however, that captains and engineers of commercial fishing boats maintaining crews of not less than eight persons upon each such boat, shall be exempt from the residential provisions of this section

That section 991 of said Article 1, Chapter 5, Part 2, of the Fish and Game Code is hereby amended to read as follows:

991. (a) The commission shall prepare and issue suitable application forms for commercial fishing licenses, which as a condition precedent to the issuance of any such license, shall be executed by the applicant under oath and filed with the commission or a duly authorized representative thereof, and each such application shall, among other matters, contain substantially the following provisions: (1) That the applicant will comply with all laws of the State of California, and all lawful rules and regulations of the commission relating to commercial fishing, during the effective term of the license issued pursuant to the application; (2) That, during such term, the applicant will not fish for, or deliver fish to any person, firm, or corporation, engaged in the business of reducing fish in the fresh state to fertilizer, meal, and/or oil unless and until such person, firm, or corporation has been duly licensed so to do under the provisions of this code and such license is in full force and effect at the time of any such delivery.

(b) The commission shall prepare also suitable license forms for commercial fishing and the same shall be issued subject to revocation by the commission at any time for violation of any of the provisions of the license application. Such licenses shall be effective from April 1st to March 31st, or, if issued after the beginning of such term, for the remainder thereof.

Section 993 of Article 1, Chapter 5, Part 2, of the Fish and Game Code is hereby amended to read as follows.

993 Any license issued under the provisions of this article may be suspended for a period of not less than thirty days or may be forfeited by the commission for the violation of any of the provisions of said article or of the application for a commercial fishing license hereunder, or of any of the provisions of Article 1, Chapter 1, Part 1, Division IV, or Chapter 4, Part 2, Division IV of this code, and any such violation shall constitute a misdemeanor and shall be punishable as prescribed in the Penal Code."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 17—An act limiting the number of cars in a train, and prescribing penalties for violation thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

In line 1 of the title of the printed bill, after "act", insert the following: "to promote the safety of travelers and employees on trains by".

Amendment No. 2.

On page 1, in line 16, of the printed bill, strike out "; and', and strike out all of lines 17, 18, and 19, and in line 20 strike out "railway may be run or operated", and insert in lieu thereof a period and the following: "The Railroad Commission of the State of California shall enforce, and shall recover all penalties provided by, this act."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 441—An act to amend "An act to require security for the payment of wages of persons engaged in the mining industry," approved April 25, 1933, by amending section 1 thereof, relating to security for the payment of wages.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1400—An act to amend section 667 of the Penal Code, relating to the punishment of petty theft after a prior conviction of a felony.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1609—An act to repeal section 645 of the Penal Code, relating to carnal abuse.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2020—An act to add a new section to the Penal Code to be numbered 476b, relating to printing, duplicating or imitating blank checks.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 729—An act to amend section 1382 of the Penal Code, relating to the dismissal of prosecutions.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 15, of the printed bill, strike out "enters his plea", and insert in lieu thereof: "is arrested and brought within the jurisdiction of the court".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 81—An act to amend section 11 of the Motor Vehicle Fuel License Tax Act, relating to refunds of license taxes.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 7, of the printed bill, after "State", insert the following: ", or any person, having a civil service status with the United States Government, who shall buy any motor vehicle fuel and use the same exclusively in the transportation of rural free delivery mail".

Amendment No. 2.

On page 1, line 5, of the printed bill, following the word "operated", strike out the comma and the words "or intended to be operated.".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1067—An act to amend section 1007 of the Civil Code, relating to title by prescription and adverse possession against the State, counties, cities and counties or municipal corporations thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 10, of the printed bill, after the words "the State or", strike out the word "by".

Amendment No. 2.

On page 1, line 11, of the printed bill, strike out the word "by".

Amendment No. 3.

On page 1, line 12, of the printed bill, strike out the word "by".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 558—An act to amend section 2766 of the Civil Code, relating to life and disability insurance.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, after the word "times", insert the following: "as provided in the policy".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 557—An act to add a new section to the Civil Code, to be numbered 2770, relating to life, health and accident insurance policies.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 833—An act to create and establish a State system of regional colleges, providing for their formation, government, curricula and control.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 174—An act to amend the title of Part I of Division V of the School Code, and to amend sections 5 1 and 5 2 thereof, relating to State colleges.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 283—An act to amend section 852 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities of the sixth class.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1594—An act to amend section 2 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to petition for incorporation.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 16, of the printed bill, strike out the words "of such a", and insert in lieu thereof the words "for such".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 486—An act requiring the treasurer of each municipality, county, and city and county to maintain a record of the names and addresses of holders of ad valorem special assessment district bonds.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

In line 3 of the title of the printed bill, strike out "valoren", and insert in lieu thereof the following: "valorem".

Amendment No. 2.

On page 1, line 8, of the printed bill, strike out "Nothing contained in this", and strike out all of lines 9 to 12, inclusive.

Amendment No. 3.

On page 1, line 1, of the printed bill, after "SECTION 1", insert: "Whenever the legislative body of any municipality, county or city and county so directs".

Amendment No. 4.

On page 1, line 1, of the printed bill, strike out the word "every", and in lieu thereof insert the word "said"

Amendment No. 5.

On page 1, line 2, of the printed bill, strike out the word "any".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 793—An act to amend section 5 900 of the School Code, relating to the retirement of public school teachers

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 26, of the printed bill, after the word "and", insert the following: "notwithstanding anything in this article to the contrary".

Amendment No. 2.

On page 1, line 27, of the printed bill, strike out the following: "regardless of the", and strike out all of lines 28 and 29, and insert in lieu thereof a semicolon and the following: "provided such persons shall have served in the public schools of California for at least ten years immediately preceding his retirement".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 794—An act to amend sections 5.900, 5.904, 5.970, 5.980, 5.990, 5.993, 5.1003, 5.1004, 5.1030, 5.1031, 5.1032, 5.1060, 5.1080, and 5.1083 of the School Code, to amend the titles of Chapter III, of Articles IV and VII of Chapter III, of Chapter VI, of Articles II and III of Chapter VI, all of Part IV of Division V of said code; to add two new sections to said code to be numbered 5.971 and 5 972, and to add to Chapter V of Part IV of Division V of said code a new article to be known as Article VIII; to add to Chapter V of Part IV of Division V of said code a new article to be known as Article V; and to add to Chapter VI of Part IV of Division V of said code a new article to be known as Article IIIa, all relating to the payment of retirement salaries and retirement annuities to teachers employed in the public schools of this State.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

In line 1 of the title of the printed bill, after the word "sections", insert the following: "5.802, 5.804, 5 890, 5.894,".

Amendment No. 2.

In line 1 of the title of the printed bill, after the first comma, insert the number "5 901,".

Amendment No. 3.

In line 1 of the title of the printed bill, after the second comma, insert the following: "5 910, 5 911, 5.921, 5 962,".

Amendment No. 4.

In line 1 of the title of the printed bill, after the third comma, insert the following: "5 971, 5 972,".

Amendment No. 5.

In line 2 of the title of the printed bill, after the third comma, insert the following: "5 1009, 5.1023,"

Amendment No. 6.

In line 2 of the title of the printed bill, after the seventh comma, insert the following: "5 1061, 5.1062".

Amendment No. 7.

In line 2 of the title of the printed bill, after the sixth comma, insert the following "5.1040, 5.1041, 5.1047, 5.1048,".

Amendment No. 8.

In line 6 of the title of the printed bill, after the semicolon, insert the following: "to repeal sections 5.1042 to 5.1046, both inclusive, of said Code and to repeal Article IV of Chapter VI of Part IV of Division V of said Code,"

Amendment No. 9.

In line 6 of the title of the printed bill, strike out the word "two", and insert in lieu thereof the word "six".

Amendment No. 10.

In line 7 of the title of the printed bill, strike out the first word "and", and insert in lieu thereof a comma

Amendment No. 11.

In line 7 of the title of the printed bill, strike out the semicolon and insert in lieu thereof a comma and the following: "5.981, 5.1004½, 5.1010, 5.1011;".

Amendment No. 12.

In line 14 of the title of the printed bill, strike out the words "teachers employed in the public", and strike out all of line 15 of the title of the printed bill, and insert in lieu thereof the following: 'persons serving the State, counties and school districts in positions having to do with the superintending, administration and supervision in colleges, schools, and classes maintained by the State and/or the school districts thereof.'

Amendment No. 13.

On page 1 of the printed bill, strike out all of lines 1 and 2, and insert in lieu thereof the following

"SECTION 1. Section 5.802 of the School Code is hereby amended to read as follows:

5.802 Librarians employed full time in elementary or secondary schools, or who serve full time partly as librarian and partly as a teacher, also county superintendents of schools, and certificated employees working under the direction of county superintendents of schools, shall be subject to the burdens and entitled to the benefits of the provisions of this part, on the same basis as other teachers

SEC. 1a. Section 5.804 of the School Code is hereby amended to read as follows:

5.804 The service of all employees employed in the public schools of this State who hold valid and unrevoked credentials issued by the State Board of Education and who are employed for the major part of each school month in work authorized by their credentials, and service of county superintendents and certificated employees under the direction of county superintendents, shall be equivalent to service as a teacher under a legal certificate in a day or evening school. The time of such service shall be reckoned in determining the right of such employees to retirement salaries under the provisions of this part

SEC. 1b. Section 5.890 of the School Code is hereby amended to read as follows:

5.890. Every person subject to the burdens and entitled to the benefits of the provisions of this part who shall have complied with all the requirements of this part, and who shall have served under a legal certificate as a qualified teacher in public day or evening schools or partly as such teacher in public day or evening schools or partly as such teacher and partly as superintendent or supervising executive or educational administrator or librarians for at least thirty school years, at least fifteen of which shall have been in the public schools of this State including the last ten years of service immediately preceding retirement, shall be entitled to retire; or if physically or mentally incapacitated for the proper performance of the duties of teacher, may be compelled to retire by the Board of Education, school trustees, or other school authorities employing such teacher.

SEC. 1c. Section 5.894 of the School Code is hereby amended to read as follows

5.984. Upon retirement, voluntary or involuntary, a person qualifying under this article shall be entitled to receive, during life, an annual retirement salary of six hundred dollars, payable in equal installments monthly by warrant drawn as provided in this part. All retirement salaries granted under this article prior to the adoption of this section shall be adjusted to conform with the terms of this section, subject to the provisions of Chapter VI of this part, provided that no retirement salary granted prior to the adoption of this section shall be reduced by reason of the provisions hereof

SEC. 1d. Section 5.900 of the School Code is hereby amended to read as follows:".

Amendment No. 14.

On page 1, line 3, of the printed bill, strike out the words "Any public school teacher", and insert in lieu thereof the following: "Every person subject to the burdens and entitled to the benefits of the provisions of this part".

Amendment No. 15.

On page 1, line 8, of the printed bill, after the word "administrator," insert the words "or librarian,".

Amendment No. 16.

On page 2, line 2, of the printed bill, strike out the word "teacher", and insert in lieu thereof the word "person"

Amendment No. 17.

On page 2, line 2, of the printed bill, after said line 2, insert the following:

"SEC. 1e. Section 5.901 of the School Code is hereby amended to read as follows:

5.901. Teaching outside of the United States of America and its Territories shall not be accepted for purposes of retirement under the provisions of this article. In the case of any person who is compelled by the board of education, school trustees, or other school authorities to retire under the provisions of this article, and who is sixty-five years of age or older at date of retirement, the last ten years of whose service has been in the State of California, teaching within the United States of America and its Territories shall be accepted for purposes of eligibility for retirement as the equivalent or service in the public schools of this State."

Amendment No. 18.

On page 2, line 6, of the printed bill, strike out the word "teacher", and insert in lieu thereof the word "person".

Amendment No. 19.

On page 2, line 8, of the printed bill, after the word "in", insert the word "equal".

Amendment No. 20.

On page 2, line 8, of the printed bill, strike out the word "quarterly", and insert in lieu thereof the word "monthly".

Amendment No. 21.

On page 2, line 10, of the printed bill, strike out the word "five", and insert in lieu thereof the word "SIX".

Amendment No. 22.

On page 2, line 13, of the printed bill, strike out the word "teacher", and insert in lieu thereof the word "person".

Amendment No. 23.

On page 2, line 16, of the printed bill, after said line 16, insert the following:

"SEC. 2a. Section 5.910 of the School Code is hereby amended to read as follows:

5.910. All persons heretofore retired after thirty years of service under the provisions of the act of the Legislature of the State of California, approved March 26, 1895, entitled "An act to create and administer a public school teachers' annuity and retirement fund in the several counties and cities and counties in this State," and acts amendatory thereof, shall be entitled to an annual retirement salary of six hundred dollars, payable in installments monthly by warrants drawn as provided in this part.

SEC. 2b. Section 5.911 of the School Code is hereby amended to read as follows:

5.911. Each person who by reason of incapacity due to bodily or mental infirmity shall have retired under the aforesaid act approved March 26, 1895, and acts amendatory thereof, after fifteen years' service, shall receive upon the taking effect of this part and during the period of disability, an annual retirement salary which shall be the same fraction of the maximum retirement salary of six hundred dollars as said person's time of service is of thirty years.

SEC. 2c. Section 5.921 of the School Code is hereby amended to read as follows:

5.921. If any person having qualified under Article IV, of this chapter, returns to service in the public schools of the State and thereafter qualifies under Article III, of this chapter, there shall be deducted from the retirement salary payable to such person under the provisions of Article III, of this chapter, the amount of retirement salary, theretofore actually received by such person under the provisions of Article IV, of this chapter, such amount to be so deducted in equal monthly installments until the whole amount so received under Article IV, of this chapter, shall have been deducted. The amount of such deduction to be made monthly shall not exceed ten dollars.

SEC. 2d. Section 5.962 of the School Code is hereby amended to read as follows

5.962. To require the boards of education, school trustees, and other public authorities, and all officers having duties to perform in respect to the contributions by teachers and school districts and other employing agencies to the public school teachers' permanent fund, to report to the board from time to time as to such matters pertaining to the payment of such contributions, as it may deem desirable."

Amendment No. 24.

On page 3, line 5, of the printed bill, after the word "State", insert a comma and the following: "which said amount".

Amendment No. 25.

On page 3, line 9, of the printed bill, after the word "than", insert the word "one-half".

Amendment No. 26.

On page 3, line 9, of the printed bill, strike out the word "teachers", and insert in lieu thereof the following "persons subject to the burdens of this part".

Amendment No. 27.

On page 3, line 13, of the printed bill, after the word 'between", insert the word "one-half'.

Amendment No. 28.

On page 3, line 24, of the printed bill, after the first word "to", insert the word in lieu thereof the following persons subject to the burdens of this part"

Amendment No. 29.

On page 3, line 24, of the printed bill, after the first word 'to' insert the word "one-half'.

Amendment No. 30.

On page 3, line 25, of the printed bill, strike out the word "teachers", and insert in lieu thereof the following: "persons subject to the provisions of this part".

Amendment No. 31.

On page 3, line 26, of the printed bill, following said line 26, insert the following:

"SEC. 8a. A new section is hereby added to the School Code to be numbered 5.1004½, and to read as follows:

5.1004½. A semiannual contribution shall be made by each school district or other agency employing any persons subject to the burdens of this part, of a sum equal to six dollars for each person so employed. It is hereby made the duty of each county auditor to deduct from the apportionment of State funds received from the State Controller in the month of April of each year a sum equal to six dollars for each person employed who is subject to the burdens of this part, and to make a deduction on the same basis from the apportionment of State funds received in the month of October of each year. It is hereby further provided that the amount of money deducted by the county auditor for the school district as its contribution to the public school teachers' permanent fund shall not be construed or calculated to be a part of the funds expended by the district in computing any limitation now in the law or which may hereafter be placed as a restriction upon the budgeting power of school districts. The amounts so deducted shall immediately be paid by the county auditor to the State Treasurer for credit to the public school teachers' permanent fund. Remittances to the State Treasurer of six dollars for each person employed who is subject to the burdens of this part must be made in April and October of each year by each employing agency on whose behalf the county auditor does not receive apportionments of State funds. In cases where persons subject to the burdens of this part are employed by the State, remittances to the State Treasurer of six dollars for each person so employed must be made in April and October of each year by the disbursing officer of the institution where such persons are employed, and such remittances shall be made out of funds provided for the support of such institution. Amounts due the public school teachers' permanent fund under this section shall be calculated on the basis of the number of persons subject to the burdens of this part as shown by the last payrolls prior to April 15th and October 15th respectively.

SEC. 8b. Section 5.1009 of the School Code is hereby amended to read as follows:

5.1009. The Public School Teachers' Retirement Investment Board shall have power and it shall be its duty to invest the moneys in the permanent fund in securities, to deposit such securities with the State Treasurer, and to make the sale of such securities when in its judgment such sale will be advisable. The State Treasurer shall collect the income from investments of the fund and interest and dividends thereon.

None of the moneys in the public school teachers' permanent fund shall be invested in any securities except those in which the funds of savings banks may be legally invested.

The State Controller is authorized to draw his warrant upon the public school teachers' permanent fund in payment of duly audited claims arising out of investment of the moneys in said fund.

SEC. 8c. A new section is hereby added to the School Code to be known as section 5.1010, and to read as follows:

5.1010. Should any person who has made contributions to the public school teachers' permanent fund from or after July 1, 1935, cease to be subject to the burdens of this part except by death or retirement under the provisions of this part, the total of all contributions which he has made to the fund from and after July 1, 1935, shall be returned to him on demand in one sum, without interest. Should any person again become subject to the burdens of this part, after any of his contributions to the public school teachers' permanent fund have been returned to him as provided in this section, he shall thereupon repay to the fund the amount previously returned to him with interest at the rate of four per cent per annum, compounded annually, from the date on which he received the return

of his contributions, and such repayment may be made in installments in accordance with rules and regulations established by the public school teachers' retirement salary fund board.

SEC. 8d. A new section is hereby added to the School Code to be numbered 5.1011, and to read as follows.

5.1011. Upon receipt of proper proofs of the death of a person who has made contributions to the public school teachers' permanent fund from or after July 1, 1935, before a retirement salary has been granted to him, the total of all contributions which he has made to the fund from and after July 1, 1935, shall be returned in one sum, without interest, to his estate or to such person as he shall have nominated by written designation duly filed with the board.

SEC. 8e. Section 5.1023 of the School Code is hereby amended to read as follows:

5.1023. The secretary of the public school teachers' retirement salary fund board shall report to the board at each quarterly meeting the amount necessary to pay the retirement salaries for the succeeding quarter, and thereupon the said board shall notify the State Controller and by resolution, duly adopted, shall direct him to make transfer of the needed amount from the public school teachers' permanent fund to the public school teachers' retirement salary fund.

It shall be the duty of the State Controller thereupon to make such transfer and to notify the State Treasurer in order that he may make corresponding entry in the records of his office."

Amendment No. 32.

On page 4, line 5, of the printed bill, after said line 5, insert the following:

"SEC. 11a. Section 5.1040 of the School Code is hereby amended to read as follows:

5.1040. Each teacher subject to the burdens of this part shall contribute twenty-four dollars each school year to the public school teachers' permanent fund for not less than thirty years.

SEC. 11b. Section 5.1041 of the School Code is hereby amended to read as follows:

5.1041. The contribution required by this article shall be deducted by the county auditor, school trustees or other disbursing officer from the salary of each person subject to the burdens of this part, and shall be paid to the superintendent of schools of the county, who shall issue a receipt to the person from whose salary the deduction was made. A proportionate amount of the annual contribution shall be deducted from each salary payment, corresponding to the period covered by such salary payment.

SEC. 11c. Section 5.1047 of the School Code is hereby amended to read as follows.

5.1047. Any teacher applying for retirement under this part offering service outside of this State, performed after January 1, 1914, shall be required to pay in addition to twenty-four dollars for each year of such service, an amount equal to five per cent interest per annum on the twenty-four dollars for each year of such service, beginning with the date upon which the final payment of each year would have been due had the teaching been done in this State, and the payment of such dues and interest may be made at any time before retirement, or, if not made before retirement may be made at the time of retirement, or may be withheld from the retirement salary after the manner provided in Article III of this chapter.

SEC. 11d. Section 5.1048 of the School Code is hereby amended to read as follows:

5.1048. Any teacher who claims exemption from the provisions of this part and later applies for retirement under this part shall be required to pay in addition to twenty-four dollars for each year of service performed after January 1, 1914, an amount equal to five per cent interest per annum on the twenty-four dollars for each year of such service beginning with the date upon which the final payment of each year would have been due if the teacher had not claimed exemption and the payment of such dues and interest may be made at any time before retirement, or, if not made before retirement may be made at the time of retirement, or may be withheld from the retirement salary after the manner provided in Article III of this chapter.

SEC. 8e. School Code sections 5.1042 to 5.1046, both inclusive, are hereby repealed."

Amendment No. 33.

On page 4, line 9, of the printed bill, after the first comma, insert the word "hereafter".

Amendment No. 34.

On page 4, line 16, of the printed bill, strike out all of line 16, and insert in lieu thereof the following: "and not less than thirty years and not less than seven hundred and twenty dollars; provided, that a person retired on account of physical incapacity shall contribute twenty-four dollars per year for the number of years of service allowed under such incapacity in computing the retirement salary due such person."

Amendment No. 35.

On page 4, line 20, of the printed bill, strike out the word "teacher", and insert in lieu thereof the word "person".

Amendment No. 36.

On page 4, line 21, of the printed bill, strike out the word "teacher", and insert in lieu thereof the word "person".

Amendment No. 37.

On page 4, line 23, of the printed bill, after the comma, insert the following: "but not less than seven hundred and twenty dollars, except in case of retirement by reason of physical incapacity,".

Amendment No. 38.

On page 4, line 24, of the printed bill, strike out the word "teacher", and insert in lieu thereof the word "person"

Amendment No. 39.

On page 4, line 30, of the printed bill, strike out the word "sixty", and insert in lieu thereof the word "five".

Amendment No. 40.

On page 4, line 30, of the printed bill, strike out the word "quarter", and insert in lieu thereof the word "month".

Amendment No. 41.

On page 4, line 31, of the printed bill, strike out the words "of retirement", and strike out all of lines 32 and 33 and in line 34 strike out the following: "Chapter III, of this part,".

Amendment No. 42.

On page 4, line 41, of the printed bill, strike out the period and insert in lieu thereof a comma, and the following, "but not less than seven hundred and twenty dollars except as otherwise provided in this part.

SEC. 14a. Article IV of Chapter VI of Part IV of Division V of the School Code, comprising School Code sections 5 1070 and 5.1071 is hereby repealed."

Amendment No. 43.

On page 6 of the printed bill, strike out all of lines 7 and 8, and insert in lieu thereof the following.

"SEC. 24. Section 5 970 of the School Code is hereby amended to read as follows:

5 970 Regulate the duties of boards of education, school trustees and other school authorities, imposed upon them by this part, in respect to the contributions by teachers to the public school teachers' permanent fund, and the contributions by school districts and other employing agencies to the public school teachers' permanent fund, and the deposits by teachers in the public school teachers' annuity deposit fund, and the deduction of teachers' contributions and deposits from the teachers' salaries

SEC 24a A new section is hereby added to the School Code to be numbered 5 971 and to read as follows:"

Amendment No. 44.

On page 6, line 25, of the printed bill, after said line 25, insert the following.

"SEC. 25a. A new section is hereby added to the School Code to be known as 5 981, and to read as follows:

5 981. There is hereby established the Public School Teachers Retirement Investment Board which shall consist of the State Superintendent of Schools, the State Director of Finance, the State Controller and two teachers appointed by the State Board of Education for a four-year term. The board shall annually elect two of its members as president and secretary respectively Actual expenses incurred by members by reason of attending meetings of the Public School Teachers Retirement Investment Board and shall be paid from the public school teachers permanent fund and the annuity deposit fund"

Amendment No. 45.

On page 6, line 33, of the printed bill, strike out the word "teacher", and insert in lieu thereof the word "person".

Amendment No. 46.

On page 6, line 44, of the printed bill, strike out the word "teacher", and insert in lieu thereof the word "person".

Amendment No. 47.

On page 6, line 46, of the printed bill, strike out the word "teacher", and insert in lieu thereof the word "person"

Amendment No. 48.

On page 6, line 47, of the printed bill, strike out the semicolon, and insert in lieu thereof a comma.

Amendment No. 49.

On page 6, line 48, of the printed bill, strike out the word "teacher", and insert in lieu thereof the word "person".

Amendment No. 50.

On page 7, line 16, of the printed bill, strike out the roman numeral "IV", and insert in lieu thereof the roman numeral "V".

Amendment No. 51.

On page 7, line 30, of the printed bill, strike out the following: "State Department of Finance", and insert in lieu thereof the following: "Public School Teachers Retirement Investment Board".

Amendment No. 52.

On page 7, line 32, of the printed bill, strike out the following: "and to col-", and strike out all of line 33, and insert in lieu thereof a semicolon.

Amendment No. 53.

On page 7, line 36, of the printed bill, after the period insert the following: "The State Treasurer shall collect the income from investments of the fund and interest and dividends thereon.

None of the moneys in the public school teachers' permanent fund shall be invested in any securities except those in which the funds of savings banks may be legally invested.

The State Controller is authorized to draw his warrant upon the public school teachers' permanent fund in payment of duly audited claims arising out of the investment of the moneys in said fund."

Amendment No. 54.

On page 7, line 45, of the printed bill, after the word "to", insert the following: "two dollars less than".

Amendment No. 55.

On page 7, line 52, of the printed bill, strike out the word "teacher", and insert in lieu thereof the word "person".

Amendment No. 56.

On page 7, line 53, of the printed bill, strike out the words "within two years".

Amendment No. 57.

On page 8, line 1, of the printed bill, strike out the word "teacher", and insert in lieu thereof the word "person".

Amendment No. 58.

On page 8 of the printed bill, beginning in line 3, strike out the following: "either one per cent, two per cent, three per cent, or", and insert in lieu thereof the following: "a sum equal to two dollars less than".

Amendment No. 59.

On page 8 of the printed bill, beginning in line 7, strike out the following. "at the percentage rate selected, which percentage shall thereafter remain fixed", and insert in lieu thereof the following: "which may not thereafter be revoked".

Amendment No. 60.

On page 8, line 10, of the printed bill, strike out the word "teacher", and insert in lieu thereof the word "person".

Amendment No. 61.

On page 8, line 12, of the printed bill, after the word "paid", insert the following "semiannually by warrant of the school district or other employing agency".

Amendment No. 62.

On page 8, line 14, of the printed bill, strike out the period, and insert in lieu thereof the following: "and to the clerk of the governing board of the school district, or in the case of any other employing agency, to the disbursing officer thereof."

Amendment No. 63.

On page 8, line 16, of the printed bill, strike out the word "teacher", and insert in lieu thereof the word "person".

Amendment No. 64.

On page 8, line 18, of the printed bill, strike out the word "teacher", and insert in lieu thereof the word "person".

Amendment No. 65.

On page 8, line 19, of the printed bill, strike out the word "the", and insert in lieu thereof the words "all deductions".

Amendment No. 66.

On page 8, line 20, of the printed bill, strike out the following: "deduction of four per cent".

Amendment No. 67.

On page 8, line 20, of the printed bill, after the word "compensation", insert the following. "as provided in this part".

Amendment No. 68.

On page 8, line 23, of the printed bill, strike out the word "teacher", and insert in lieu thereof the word "person".

Amendment No. 69.

On page 8, line 25, of the printed bill, strike out the word "teacher", and insert in lieu thereof the word "person".

Amendment No. 70.

On page 8, line 26, of the printed bill, strike out the word "any", and insert in lieu thereof the word "the".

Amendment No. 71.

On page 8, line 31, of the printed bill, strike out the word "teacher", and insert in lieu thereof the word "person".

Amendment No. 72.

On page 8, line 37, of the printed bill, strike out the word "teacher", and insert in lieu thereof the word "person".

Amendment No. 73.

On page 8, line 38, of the printed bill, strike out the word "teacher", and insert in lieu thereof the following: "subject to the provisions of this part".

Amendment No. 74.

On page 8, line 43, of the printed bill, strike out the word "teacher", and insert in lieu thereof the word "person".

Amendment No. 75.

On page 8, line 48, of the printed bill, after said line 48, insert the following:

"5.1070. If any person who has made, or is required to make, deposits in the annuity deposit fund under the provisions of this article be employed by a school district or other employing agency which requires membership in, and contributions to, a local retirement system as a condition of employment, contributions to the annuity deposit fund shall not be required from him while he continues in such employment. At his option, however, he may continue to make deposits in the annuity deposit fund as provided in this article. Any accumulated deposits standing to his credit in the annuity deposit fund shall so remain and withdrawal of accumulated deposits shall not be permitted while he is subject to the burdens of this part."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 737—An act to repeal Article VIIIa of Chapter VI of Part I of Division II, embracing sections 2.440a to 2.454a, inclusive, of the School Code, relating to high school districts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1877—An act to add a new section to the School Code to be numbered 6.53, relating to the duties, powers and liability of governing boards of school districts and members thereof in connection with school district buildings.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 928—An act to amend sections 4.280b and 4.281b of the School Code, relating to a revolving fund for warehouse stock.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1300—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to pre-

scribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith." approved May 5, 1931, as amended, by amending sections numbered 4 01 relating to guarantee stock, 6.02 relating to withdrawals, 6 07 relating to investment certificates and shares, 8 09 relating to interest and dividends, 9.02 relating to investments and 9 04 relating to purchases, sales, transfers and pledges of loans; postponing the effective date of the amendment of section 6.02 of said act as set forth in section 5a of Chapter 431 of the Statutes of 1933; adding to said act new sections to be numbered 8.10 relating to rate of return on shares and investment certificates, 9.18 relating to insurance, loans, advances of credit and purchases of obligations pursuant to the National Housing Act, 10 03a relating to reserve or surplus accounts, 10 09 relating to reports, statements and analyses by the Building and Loan Commissioner and 12 11 relating to conversion of a building and loan association into a Federal Savings and Loan Association and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to vote for or approve such conversion, to exchange shares, stock, investment certificates or other rights or claims for shares issued by such Federal Savings and Loan Association, and to continue to hold as a legal investment any shares so received; adding a new article to be numbered XVI to said act relating to the rehabilitation, readjustment or reorganization of one or more building and loan associations of the classes specified in such Article XVI, or of all or of any part of the business, properties and assets of such association or associations, or the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of and other persons interested in such association or associations, providing for the kinds of securities issuable in connection therewith and exempting such securities from certain provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Article XVI, to exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received; and declaring the urgency of this act and providing that it shall take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 6 of the printed bill, between lines 4 and 5, insert a new paragraph reading as follows:

"Subject to such rules and regulations as the commissioner may prescribe, every association (whether or not it is on notice or on a pro rata basis) may, from any funds on hand (whether or not such funds are "available funds" as defined in this section), and shall, if ordered so to do by the commissioner out of available funds, pay, in each month, with or without requiring notice of intention to withdraw, and regardless of the nonpayment of any or all matured claims, to any one or more of its shareholders or certificate holders who shall request such payment and who shall show, by affidavit and other evidence satisfactory to such association, that they are in financial distress by reason of old age, illness, unemployment or otherwise, not to exceed $60, including any other money received by such shareholders or certificate holders from such association during such month. Any person who, in any affidavit filed with an association for the purpose of obtaining a withdrawal pursuant to this paragraph, states as true any material fact which he knows to be false, shall be guilty of a misdemeanor. No provisions of this act imposing any liability, either civil or criminal, shall apply to any association or to any of its directors, officers or employees by reason of any payment made or any act done or omitted in good faith pursuant to the provisions of this paragraph."

Amendment No. 2.

On page 6 of the printed bill, between lines 30 and 31, insert a new paragraph reading as follows:

"No association shall operate under the provisions of this section after September 1, 1935, unless it shall first have made application for and obtained from the commissioner a permit then in effect authorizing it so to do. No such permit shall be granted except upon a public hearing held by the commissioner pursuant to notice thereof given for such time and in such manner as the commissioner shall prescribe. No such permit shall be granted unless the commissioner shall determine that the same is reasonably required for the protection of the association and its shareholders and certificate holders as a class, or is in the public interest. If at any time the commissioner shall find, having due regard to the earnings of any particular association, the nature and amount of its assets and liabilities, the amount of its undivided profits, reserves, surplus and capital, and the protection of its certificate holders and shareholders as a class, that it would be contrary to the interests of the holders of its outstanding investment certificates or shares for such association to continue to pay withdrawals in accordance with the provisions of this section, he shall have the power to order such association to discontinue paying withdrawals pursuant to the provisions of this section."

Amendment No. 3.

On page 6, line 50, of the printed bill, after the semicolon add the following: "provided, however, that after September 1, 1935, no association shall accept its own outstanding investment certificates or shares in partial or full payment for property sold by such association or in partial or full payment of loans, unless such association shall first have applied for and obtained from the commissioner a permit then in effect authorizing it so to do. No such permit shall be granted except upon a public hearing held by the commissioner pursuant to notice thereof given for such time and in such manner as the commissioner shall prescribe. No such permit shall be granted unless the commissioner shall determine that the same is reasonably required for the protection of the association and its certificate holders and shareholders as a class, or is in the public interest. If at any time the commissioner, having due regard to the earnings of any particular association, the nature and amount of its assets and liabilities, the amount of its undivided profits, reserves, surplus and capital, and the protection of its certificate holders and shareholders as a class, shall find that it would be contrary to the interests of the holders of its outstanding investment certificates or shares for such association to continue to accept its outstanding investment certificates or shares on the terms upon which the same are being accepted in payment for property or loans pursuant to this section, he shall have the power to order such association to discontinue accepting its outstanding investment certificates or shares in payment for property or loans except upon strict compliance with such terms and conditions as he may specify in such order, or to order such association forthwith to entirely cease and desist from accepting investment certificates or shares in payment for property or loans pursuant to this section."

Amendment No. 4.

On page 6, line 51, of the printed bill, strike out the following: "provided, however, notwithstanding", and substitute in lieu thereof the word "Notwithstanding".

Amendment No. 5.

On page 8, line 2, of the printed bill, after the word "matured", change the period to a semicolon, and add the following: "provided, however, that in the event any association shall, as hereinafter provided, pay, credit, declare or allow such interest or dividends in an amount less than at such rate of 4 per cent per year, it shall, out of future earnings, and prior to payment or declaration of any dividends on stock, pay on all investment certificates and shares then outstanding, an amount equal to the difference between 4 per cent per year and the amount of interest or dividends so paid, credited, declared or allowed"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1144—An act to amend the "Building and Loan Association Act," approved May 5, 1931, relating to building and loan associations.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his associates and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent therewith," approved May 5, 1931, as amended, by amending sections numbered 6.02 relating to withdrawals, 9.04 relating to purchases, sales and pledges of loans, and 13.16 relating to powers of commissioner upon liquidation, repealing section 6.07 relating to acceptance of investment certificates or shares in payment for loans or property; adding to said act new sections to be numbered 9.18 relating to insurance, loans, advances of credit and purchases of obligations pursuant to the National Housing Act, 10.03a relating to reserve or surplus accounts, 10.09 relating to reports, statements and analyses by the Building and Loan Commissioner and 12.11 relating to conversion of a building and loan association into a Federal Savings and Loan Association and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to vote for or approve such conversion, to exchange shares, stock, investment certificates or other rights or claims for shares issued by such Federal Savings and Loan Association, and to continue to hold as a legal investment any shares so received; adding a new article to be numbered XVI to said act relating to the conservation and reorganization of one or more building and loan associations of the classes specified in such Article XVI, or of all or of any part of the business, properties and assets of such association or associations, or the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of and other persons interested in such association or associations, providing for the kinds of securities issuable in connection therewith and exempting such securities from certain provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Article XVI, to exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received; and declaring the urgency of this act and providing that it shall take effect immediately"

Amendment No. 2.

On page 1, line 1 of the printed bill, following "SECTION 1.", insert the following: "Sec. 6.02 of the act cited in the title hereof, as amended, is hereby amended to read as follows

Sec 6 02 Limitation on Withdrawals The term "matured withdrawal claims," as used in this article, shall include each and all of the following, to wit (1) the value of all shares or investment certificates or parts thereof, in respect of which valid notices of intention to withdraw shall be on file, matured and unpaid, including notices of intention to withdraw by defaulting shareholders pursuant to section 3.05 of this act, as well as notices of withdrawal generally pursuant to section 6.01 of this act; (2) the value of all shares which shall have matured pursuan to section 3 03 of this act and which shall be unpaid; (3) the value of all investment certificates in respect of which the holders, pursuant to section 5.07 of this act but subject to section 6 02 of this act, shall be entitled to receive the redemption price, but which shall be unpaid; and (4) the value of all definite term investment certificates which shall have reached the expressed date of their maturing but which shall be unpaid.

Regardless of whether or not an association is on notice or on a pro rata basis, its obligation to pay matured withdrawal claims, and the right of shareholders and certificate holders to receive payment of matured withdrawal claims, shall be secondary and subsequent to the right of such association to pay, and to provide reasonable reserves for the payment of, the following: taxes, assessments, insurance, repairs, alterations and other sums necessary to protect and preserve or to furnish or equip its properties and its interest in properties (including those on the security of which it holds loans); principal and interest on borrowings by such association, otherwise than through the issuance of investment certificates; interest on investment certificates and dividends on shares, rent, compensation of officers, agents, salesmen and other employees, and other usual and ordinary operating expenses of such association; and commitments on its incomplete loans or investments; provided, however, that an association on notice or on a pro rata basis shall not pay any dividends on its stock or distribute any profits to its stockholders or make any loans or investments, except loans or investments pursuant to its obligations incurred before it became an association on notice, and except loans expressly permitted by section 9.01 of this act. Moreover, regardless of whether or not an association is on notice or on a pro rata basis, its obligation to pay matured withdrawal claims, and the right of shareholders and certificate holders to receive payment of matured withdrawal claims, shall be limited to payments from its cash on hand or in the bank, proceeds from sale of investments and loans and other cash receipts of such association; and shall be further limited to payments pursuant to the subsequent provisions of this section. The cash proceeds and other receipts aforesaid which shall remain after deducting therefrom all payments, reserves, loans and investments above mentioned in this paragraph, are hereafter in this section 6.02 called the "available funds."

The term "free money," as hereafter used in this section 6 02, is hereby defined as that part of the available funds which may be used at the option of the association to pay any or all withdrawals without requiring notice of intention to withdraw or before the maturity of a notice of intention to withdraw regardless of the nonpayment of any or all matured withdrawal claims or to pay any or all definite term investment certificates before the expressed date of maturity subject to such adjustment of interest, if any, as may be provided in such certificates Provided that no free money shall be used to pay withdrawals to any certificate holder who was not such on March 10, 1933

If the association is neither on notice nor on a pro rata basis, and if there are no matured withdrawal claims (excepting claims for the payment of which funds have been set aside by the association) then all of the available funds shall be free money, and may be used for the purpose of making loans or investments, or for any other purpose not prohibited by law.

If there are matured withdrawal claims (for the payment of any of which funds have not been set aside by the association), then not to exceed twenty-five per cent of the available funds shall be free money (but in such case no part of such free money shall be used to pay dividends on stock or be distributed as profits to stockholders), and all of the remainder shall be applied to the payment of withdrawals. The commissioner is hereby authorized, in the case of any or all associations, to reduce the amount of such free money from twenty-five per cent of the available funds to such smaller per cent of the available funds as he may from time to time prescribe, and in such case all the remainder shall be applied to the payment of withdrawals Whether or not the commissioner shall have reduced such amount of free money such remainder of the available funds shall be applied (regardless of whether or not the association is on notice or on a pro rata basis) at such times as the commissioner shall prescribe to the payment of matured withdrawal claims as follows

First To all matured withdrawal claims in respect of investment certificates until all sums payable thereon are paid and, as between several holders thereof, pro rata according to the unpaid principal thereof at the time of each such payment

Second To all matured withdrawal claims in respect of shares until all sums payable thereon are paid and, as between the several holders thereof, pro rata according to the unpaid value thereof at the time of each such payment.

Every association (whether or not it is on notice or on a pro rata basis) shall, from available funds exclusive of free money, and subject to such rules and regulations as the commissioner may prescribe, pay in each month, with or without requiring notice of intention to withdraw, and regardless of the nonpayment of any or all matured withdrawal claims, to any one or more of its shareholders or certificate holders who shall request such payment, not to exceed whichever of the two following amounts shall be the greater (1) twenty-five dollars per person, or (2) one per cent of the value of such person's shares or investment certificates (in addition to any free money which may be applied to the payment of withdrawals); and withdrawals may be made at any time from pledged shares and investment certificates, whether or not the association is on notice or on a pro rata basis, and without notice; provided, the full amounts of such withdrawals shall be used to pay the indebtedness for which such shares or investment certificates are pledged, or any part thereof; and provided further, that in the case of loans upon the mutual plan, such withdrawals without notice shall be permitted only at the option of the association unless the entire indebtedness shall be simultaneously paid

If in any accounting period an association has not used as free money the full amounts which such association is permitted by this section 6.02 to use for such purposes, then (unless the commissioner shall otherwise order in the case of such association) the amounts not so used shall be available to the association in any subsequent period for such purpose until such amounts shall have been so used, in addition to the amounts which would otherwise be available for such purpose in such subsequent period.

No association shall make any contract waiving in any manner any of the provisions of this section and, if any such contract shall be so made, such contract shall be void.

The provisions of this act shall govern, during the existence of the emergency period as hereinafter defined and only during such period, the withdrawal and other rights of the holders of all shares and investment certificates whether heretofore or hereafter issued, and whether or not withdrawal claims shall have heretofore been filed or shall have heretofore matured.

The term "emergency period" as used in this section 6.02 shall mean the period commencing March 10, 1933, and ending June 1, 1937; provided, however, that said emergency period with respect to any or all associations may be terminated at any time prior to June 1, 1937, by order of the commissioner.

SEC. 2. Section 6.07 of said act, as amended, is hereby repealed.

SEC. 3. Section 8.09 of said act, as amended, is hereby amended to read as follows:

Sec. 8.09. Regulation of Interest and Dividends. Notwithstanding anything to the contrary, contained in this act or in any investment certificate or certificate evidencing shares or in any agreement or elsewhere, no association shall hereafter at any time pay, credit, declare or allow any interest or dividends in excess of the rate of four per cent per year in respect of interest or dividends which shall accrue or be earned during the emergency period (but only during such period) as hereinafter in this section 8.09 defined, upon investment certificates or shares, whether heretofore or hereafter issued and whether or not withdrawal claims shall have heretofore been filed or shall have heretofore matured. The commissioner is hereby authorized, however, during such emergency period, in the case of any or all associations, to increase such rate to a rate not in excess of five per cent per year, or to decrease such rate or to postpone the time for the payment of such interest or dividends, or any part thereof, or to decrease such rate and to postpone such time of payment, if he shall determine that such increase is reasonably justified in the interest of the certificate holders or shareholders, or is in the public interest, or that such decrease or postponement or decrease and postponement, is reasonably necessary for the protection of the investment in such association of its certificate holders or shareholders, or is in the public interest; provided, however, that in the event the authority granted the commissioner by this section 8.09 to increase or decrease such rate or to postpone such time of payment shall be held invalid, then it is hereby declared to be the intention of the Legislature that the invalidity of such authority shall not affect the validity of the remaining portions of this section; provided further, that in no case shall the commissioner increase or decrease such rate or postpone such time of payment unless he shall have caused a notice of such intended action to be mailed to each shareholder and certificate holder addressed to their address as it appears on the books of the association, at least ten days before such intended action is taken, and provided further that such association or any of its certificate holders or shareholders aggrieved by the action of the commissioner may at any time within ten days after the taking of such action apply to the Supreme Court of the State of California for a review of such action; and provided further, that any association paying interest of less than four per cent per year shall credit outstanding investment certificates and

shares with the difference between the interest actually paid and the amount which would have been paid at the rate of four per cent per annum.

Notwithstanding anything to the contrary contained in this act or in any outstanding note, mortgage, deed of trust or other instrument or elsewhere, no association, nor the commissioner while in possession of the property, business and assets of any association shall hereafter at any time demand, charge or collect any interest in excess of the rate of seven and two-tenths per cent per year in respect of the interest which shall accrue during said emergency period (but only during such period), upon any loan, secured by real property, held or heretofore or hereafter made by any association, or held by the commissioner while in possession of the property, business and assets of any association; provided, however, that nothing herein contained shall prevent any association or the commissioner, while in possession of the property, business and assets of any association, from collecting interest at such maximum yearly rate monthly in advance, nor from charging or collecting usual and ordinary fees and expenses in connection with the making or renewing of any loan.

Solely for the purpose of this section, and notwithstanding anything to the contrary in this act contained, the term "investment certificate" as used in this section 8.09 shall be deemed to include any instrument issued to its savers by a borrowers' mutual building and loan association as defined in section 15.01 of this act, and the term "association" as used in this section 8.09 shall be deemed to include a borrowers' mutual building and loan association as defined in section 15.01 of this act. Notwithstanding anything to the contrary herein contained, the commissioner may in his discretion permit any association which has neither stock nor investment certificates issued or outstanding to pay, credit, declare or allow during said emergency period, a dividend on its shares in excess of said maximum yearly rate of four per cent. Notwithstanding the respective rates of interest and dividends prescribed in this section 8.09, or by the commissioner pursuant to this section 8.09, interest on unpaid interest or dividends on unpaid dividends may be paid, credited, declared, allowed, demanded, charged or collected at a like rate.

The term "emergency period" as used in this section 8.09 shall mean the period commencing March 10, 1933, and ending June 1, 1937; provided, however, that said emergency period may be terminated at any time prior to June 1, 1937, with respect to any association, by order of the commissioner. Any agreement contrary to any of the provisions of this section shall be void.

If, during said emergency period, any association shall make any net profits after dividends on shares, computed in accordance with accounting practices prescribed or approved by the commissioner, the total amount of such net profits after dividends on shares shall be set aside as a loss reserve which shall be available at all times to meet any losses whether arising from loans or otherwise, and no part of such loss reserve may be used to pay dividends on stock; provided, that the foregoing provision shall not apply to associations which have not availed themselves of the provisions of this act.

SEC. 4. Section 9.02 of said act, as amended, is hereby amended to read as follows:

Sec. 9.02. Investments Generally. An association when neither on notice nor on a pro rata basis, nor availing itself of the emergency provisions of this act, may invest in, hold, buy and sell the following:

(1) Real property used or to be used primarily as the principal office or branch of such association; provided that no association issuing either stock or investment certificates or both shall invest in such real property more than one-half of the sum of its aggregate paid-up nonwithdrawable capital and any surplus and reserve which is not subject to distribution to the shareholders or stockholders except upon dissolution or liquidation;

(2) Furniture, fixtures, furnishings and equipment necessary or proper for the business of such association, or for use in connection with properties owned by or securing loans of such association; provided that no association issuing either stock or investment certificates or both shall invest in furniture, furnishings and equipment for its offices, more than ten per cent of the sum of its aggregate paid-up nonwithdrawable capital and any surplus and reserve which is not subject to distribution to the shareholders or stockholders except upon dissolution or liquidation.

(3) United States government bonds and treasury certificates; or any bonds, debentures, notes or other obligations guaranteed by the United States of America;

(4) Bonds, debentures and notes issued by any Federal Home Loan Bank, or other similar Federal agency, or consolidated Federal Home Loan Bank bonds, debentures or notes;

(5) Bonds of this State or of any county, municipality or school district in this State;

(6) Bonds of this State or of any county, municipality or school districts in this State;

(7) Bonds issued by any railroad corporation or any public utility corporation excluding street railway corporations, substantially all of the properties of which are located in the United States of America; provided the purchase of all bonds pursuant to the sole authority of this subdivision (7) shall be first approved by the commissioner;

(8) Stock issued by any Federal Home Loan Bank or other similar Federal agency of which such association may be eligible to be a member, or

(9) Bonds, notes, debentures or other obligations of National mortgage associations or other similar credit institutions now or hereafter organized under Title III of the National Housing Act; provided the purchase of all bonds, notes, debentures, or other obligations pursuant to the sole authority of this subdivision (9) shall be first approved by the commissioner.

Provided that, except with the prior consent of the commissioner, no association at any one time shall have invested pursuant to subdivisions (6), (7), and (9) of this section an aggregate amount in excess of ten per cent of the then total assets of such association; provided further that associations on notice or on a pro rata basis, or availing themselves of the emergency provisions of this act may with the prior approval of the commissioner avail themselves of the provisions of this section.

Associations may make deposits with any bank and such deposits shall not be construed as loans within the meaning of this act.

Nothing in this section shall be construed to prevent an association from holding real property which it has acquired in liquidation of loans made by it and operating the same until disposed of in accordance with the provisions of Article XVI.

SEC. 5. Section 9.04 of this act, as amended, is hereby amended to read as follows:

Sec. 9.04. Purchases, Sales and Pledges of Loans. An association not on notice, or on a pro rata basis or availing itself of the emergency provisions of this act may purchase any notes or other obligations, together with the mortgages, trust deeds or other security therefor, if such notes or obligations evidence loans which, at the time of such purchase, such association would be authorized to make pursuant to this act in an amount at least equal to the amount so purchased. No association shall sell, exchange, transfer, pledge, hypothecate or otherwise dispose of or encumber any notes or other obligations held by it, evidencing any loan made or purchased by it, or the mortgages, trust deeds of other security therefor, except with the approval of the commissioner; provided that any association may, without the necessity of obtaining such approval, pledge or otherwise hypothecate any of the notes or other obligations held by it, together with the mortgages, trust deeds, and other security therefor, to the extent permitted by section 9.05 or section 9.06 of this act.

SEC. 6. A new section is hereby added to said act, as amended, to be numbered 9.18 and to read as follows:

Sec. 9.18. National Housing Act Loans and Insurance. Irrespective of any other provision in this act an association not on notice, or on a pro rata basis or availing itself of the emergency provisions of this act (a) either with or without security, may make loans, advance credit, and purchase obligations representing loans and advances of credit, for the purpose of financing alterations, repairs, and improvements pursuant to Title I of the National Housing Act upon real property securing a loan then held by such association if the Federal Housing Administrator shall insure such association against losses which it may sustain as a result of such loans, advances of credit and purchases made by such association for such purpose, to the extent of 20 per cent of the total amount of the loans, advances of credit and purchases made by such association for such purpose; (b) may make loans upon the security of improved real property pursuant to the provisions of this section and pursuant to Title II of the National Housing Act, if the Federal Housing Administrator pursuant to said Title II shall have insured, or shall have made a commitment to insure, such association against losses of principal which it may sustain as a result of such loans, and (c) may secure insurance pursuant to said National Housing Act. (No law of this State prescribing the nature, amount or form of security or requiring security upon which loans or advances of credit may be made, or prescribing or limiting the period for which loans or advances of credit may be made, and no provision of this act prescribing or limiting interest rates upon loans or advances of credit, shall be deemed to apply to loans, advances of credit or purchases made pursuant to this section.)

SEC. 7. A new section is hereby added to said act, as amended, to be numbered 10.03a and to read as follows:

Sec. 10.03a. Federal Insurance Reserve Account. Any association by resolution of its board of directors may irrevocably establish all or any part of any reserve or surplus account, except reserves for the benefit of certificate and shareholders for the sole purpose of absorbing losses, provided, however, that, except in the case of reserve or surplus accounts which were available prior to the adoption of such resolution for the purpose (either solely or among other things) of absorbing losses, the written consent of the commissioner shall first be obtained. If prior to the adoption of such resolution (a) the reserve or surplus account so established for the sole purpose of absorbing losses was available for the purpose (either solely or among other things) of absorbing losses, and (b) such reserve or surplus account constituted all or a part of, or counted towards the loss reserve referred to in section 8.09, the loan reserve or the stock surplus referred to in section 10.03, or any other reserve or surplus account required by or referred to in this act, except as hereinabove excepted, then such reserve or surplus account

(excepting such part, if any, as may be absorbed by losses) shall continue to constitute all or a part of, or to be counted towards, such reserve or surplus account required by or referred to in this act.

SEC. 8. A new section is hereby added to said act, as amended, to be numbered 10.09, and to read as follows:

Sec. 10.09. Reports by Commissioner. The commissioner shall, not later than February 15 of each year, mail to the investors of all associations, a full and complete annual report concerning their association at the close of business the calendar year preceding, and the cost of preparing, printing, mailing and auditing such report shall be paid by such association.

The report shall consist of a balance sheet as of the close of business December 31st of each year for the 12 months preceding, or in the case of associations in operation less than 12 months, the period of operation during the calendar year shall constitute the business year for such association. The balance sheet shall show all the assets of such association, the nature and cost thereof, and in such detail and in such form as is the generally accepted building and loan practice when reporting to the commissioner, but with intangible, worthless, and doubtful items segregated and shown item for item; also all the liabilities of such association in such detail and in such form as is the generally accepted building and loan practice when reporting to the commissioner, including a detailed analysis of the surplus, reserve, and undivided profit, or any other such account, showing how and from what sources such surplus and undivided profit or other such account was created; also a profit and loss statement of such association showing earnings and income, the nature and source thereof, and the expenses and fixed charges in such detail and in such form as is generally the building and loan practice when reporting to the commissioner. All such reports, balance sheets, and profit and loss statements shall show what the practice of such association has been during the three years or lesser period as to the character of the charges, dividends or other distributions made against its various surplus accounts, and as to depreciation, depletion and maintenance charges, in such detail and form as is the generally accepted building and loan practice when reporting to the Building and Loan Commissioner. Such reports, balance sheets, and profit and loss statements shall differentiate between any recurring and nonrecurring income and between any investment (bonds, stocks, real estate owned and operated) and operating income. It is expressly stipulated that the form used for balance sheet and income reports by the commissioner shall first be submitted for approval to the society of certified public accountants for the State of California.

All such annual reports, balance sheets, and profit and loss statements shall be certified by an independent public or certified accountant, and all papers and documents used in connection with the audit shall be dated and certification of audit shall state that such accountant or other expert has, after reasonable investigation, reasonable ground to believe and does believe, at the time of such certification that the statements therein are true and that there is no omission to state a material fact required to be stated therein or necessary to make the statement therein not misleading, except as specifically noted. In determining what constitutes reasonable investigation and reasonable grounds for belief, the standard of reasonableness shall be that required of a person occupying a fiduciary relationship

In addition to the foregoing provisions, all reports of whatsoever kind or description made by any association to the commissioner shall be open to inspection at all offices of the commissioner to any investor thereof or his authorized agent.

In addition to the foregoing, every association on notice or on a pro rata basis or availing itself of the emergency provisions of this act, shall make available by mail or through delivery in person at the office of such association, to all investors of such association when so requested by such investor, a monthly-yearly report of such association. Such monthly-yearly reports to consist of a balance sheet in form and substance and items as published yearly (1932–33) by the commissioner, but such monthly-yearly reports need not be audited and certified by an independent public or certified accountant. All monthly reports shall be available not later than the tenth day of each month. The cost of preparing and printing and mailing such monthly report shall be paid by such association

In addition to the foregoing, every association on notice or on a pro rata basis, or availing itself of the emergency provisions of this act, or in liquidation, under the possession, control, and authority of the commissioner, shall mail within 60 days after going on notice, or on a pro rata basis, or availing itself of the emergency provisions of this act, or going into liquidation, to all investors of such association, a report, statement and balance sheet showing in detail all the data and the items as called for in paragraph 2 of this section by adding thereto the following analysis:

(a) Classification of all loans as to kinds; that is, residential, farm, city income properties, apartment house, hotel, etc., and classification of loans as to size under each heading above; that is, loans up to $5,000, from $5,000 to $10,000, from $10,000 to $15,000, etc.

(b) Commissioner's approved appraisal of properties, classified same as subsection (a) against which loans have been made, and according to size of loan; and amount by which loan exceeds or is less than commissioner's appraised value of property.

(c) Interest delinquencies segregated and classified same as subsection (a).

(d) Amount of principal payment delinquencies classified and according to size of loan same as subsection (a).

(e) Amount of taxes accrued and amount of taxes delinquent, classified, and according to size of loan same as subsection (a)

(f) Commissioner's appraisal of properties shall be made on an actual factual material basis and not on mere opinion, hunch, or made-to-order basis The commissioner shall state the guiding principle used by him in arriving at each valuation.

In each and every case the commissioner shall state his appraised value of the property along with a comparison of the amount of money loaned on each piece of property. The intent and purpose of this section being to define, control and standardize appraisal practices It is further stipulated that if any outside accountant, engineer, or appraiser, is named as having prepared or certified to an appraisal or a valuation for use in connection with the commissioner's reports to investors and depositors, the written consent of such person or persons shall be filed with each appraisal made All appraisals shall be checked and verified once each year if changing economic, commercial and regulatory conditions justify in the judgment of the commissioner. The name of the person or persons making a reappraisal shall be attached to the reappraisal report and reasons shall be given for any and all changes in valuations as compared with the original appraisal. All appraisals and reappraisals shall be made at the cost of such association.

This section 10.09 shall expire at the end of the emergency period, which period, for the purpose of this section 10.09, shall commence with the effective date of this section 10 09 and shall expire June 1, 1937, or at such earlier date as the commissioner shall find and declare that such emergency period has terminated.

SEC 9. A new section is hereby added to said act, as amended, to be numbered 12 11 and to read as follows:

Sec 12 11. Conversion into Federal Association An association not on notice, or on a pro rata basis or availing itself of the emergency provisions of this act, may convert itself into a Federal Savings and Loan Association by following the procedure hereafter outlined in this section 12.11 At any regular or special meeting of the investors of any such association which meeting in either case shall have been called to consider such action, the investors by an affirmative majority of the votes cast in person or by proxy at such meeting, may declare by resolution the determination to convert such association into a Federal Savings and Loan Association If such association has investment certificates outstanding, such determination shall be approved, either before or after the adoption of such resolution, by certificate holders holding not less than two-thirds in value of such outstanding investment certificates.

Within ten days after said meeting (or if such association has outstanding investment certificates, within ten days after said meeting or within ten days after the requisite approvals of its certificate holders have been given, whichever is later) there shall be filed in the office of the commissioner a certificate verified by the affidavit of the president or vice president and the secretary or assistant secretary of such association, which certificate shall contain a copy of the minutes of said meeting and a statement as to whether or not such association has outstanding investment certificates, and if it has, that certificate holders holding not less than two-thirds in value of such outstanding investment certificates have approved the determination to convert such association into a Federal Savings and Loan Association; and a like certificate shall be filed in the office of the Secretary of State. A certified copy of such certificate so filed in the office of the Secretary of State shall be presumptive evidence of the holding and of the action of such meeting and of the approvals of certificate holders.

After said meeting, such association shall take such action as may be necessary to make it a Federal Savings and Loan Association, and within ten days after receipt of the Federal charter there shall be filed, in the office of the commissioner and thereafter and within said ten-day period in the office of the Secretary of State, a copy of said charter issued to such association by the Federal Home Loan Bank Board or a certificate showing the organization of such association as a Federal Savings and Loan Association certified by or on behalf of the Federal Home Loan Bank Board. Upon the filing of such instrument in the office of the Secretary of State such association shall cease to be a State association and shall thereafter be a Federal Savings and Loan Association

At the time when such conversion becomes effective as hereinbefore provided in this section 12 11 such association shall cease to be supervised by this State and all of the property of such association, including all of its right, title and interest in and to all property of every kind and character, whether real, personal, or mixed, shall immediately, by operation of law and without any conveyance or transfer whatsoever and without any further act or deed be vested in said association under its new name

and style as a Federal Savings and Loan Association and under its new jurisdiction; and said Federal Savings and Loan Association shall have, hold and enjoy the same in its own right as fully and to the same extent as the same was possessed, held and enjoyed by it as a State association and said Federal Savings and Loan Association shall continue responsible for all of the obligations of said State association to the same extent as though said conversion had not taken place; it being expressly declared that such Federal Savings and Loan Association shall be merely a continuation of such State association under a new name and new jurisdiction and such revision of its corporate structure as may be considered necessary for its proper operation under said new jurisdiction

Any executor, administrator, guardian or receiver, and any trustee of any kind or nature, and any insurance company or cemetery association may, without the necessity of obtaining court approval: (a) vote in person or by proxy in favor of converting an association into a Federal Savings and Loan Association, or may approve the determination to so convert; (b) exchange any shares, stock, investment certificates or other rights or claims, for shares issued by such Federal Savings and Loan Association; and (c) may continue to hold as a legal investment any shares so received.

SEC. 10 Section 13 16 of the act cited in the title hereof is hereby amended to read as follows

Sec. 13.16 In liquidating the affairs of an association, the commissioner shall have power to collect all moneys due to, and claims of, such association and to give full receipt therefor, to release or reconvey all real or personal property pledged, hypothecated or transferred in trust as security for loans; to approve and pay all just and equitable claims, provided that shares shall participate ratably with investment certificates in the case of any association in which shareholders shall have heretofore been granted the right and option by the association to exchange their shares for investment certificates of equal value, to commence and prosecute all actions and proceedings necessary to enforce liquidation; and on the order of the superior court of the county in which the principal office in this State of such association is located, given and made after a hearing on such notice as the court shall prescribe, to compound bad or doubtful debt or claims and to sell, convey and transfer real and personal property. If a purchaser for any bad or doubtful debt or claim can not be obtained and it appears improbable that recovery thereon can be had and that the costs of action to enforce collection of the same would probably be lost, the court may direct that suit thereon need not be brought. For the purpose of executing and performing any of the powers and duties hereby conferred upon him, the commissioner may in the name of such association or in his own name prosecute and defend any and all suits and other legal proceedings and may in the name of such association or in his own name as commissioner execute, acknowledge, and deliver any and all deeds, assignments, releases, requests for reconveyance, and other instruments necessary and proper to effectuate any sale of real or personal property or other transaction in connection with the liquidation of such association, and any deed, assignment, release, request for reconveyance or other instrument executed pursuant to the authority hereby given shall be valid and effectual for all purposes as though the same had been executed by the officers of such association by authority of its board of directors In case any of the real property so sold is located in a county other than the county in which the application to the court for leave to sell the same is made, the commissioner shall cause a certified copy of the order authorizing or ratifying such sale to be recorded in the office of the recorder of the county in which such real property is located

Upon determining to liquidate an association, the commissioner shall cause an inventory of all the assets of such association to be made in duplicate, the original to be filed with the court and the duplicate in the office of the commissioner. He shall cause notice to be given by publication once a week for four successive weeks in some newspaper of general circulation published at or near the principal place of business in this State of such association, to all persons having claims against it as creditors or investors or otherwise, to present and file same and make legal proof thereof at a place and within a time to be designated in such publication, which time shall be not less than two months after such first publication; and within ten days after such first publication he shall cause a copy of such notice to be mailed to all persons whose names appear of record upon its books as creditors or investors; and upon the expiration of the time fixed for the presentation of claims, the commissioner shall prepare or cause to be prepared in duplicate a full and complete schedule of all claims presented, specifying by classes those that have been approved and those that have been disapproved and shall file the original with the court and the duplicate in the office of the commissioner. Claims of certificate holders and shareholders shall include principal and interest at the rate of 4 per cent per annum to and including date of payment of their claims Not later than five days after the time of filing such schedule with the court, written notice shall be mailed to all claimants whose claims have been rejected. Action to enforce the payment of

or to establish any rejected claim must be brought and service had within four months from and after the date of filing of the schedule of claims with the proper court; otherwise all such actions shall be forever barred. All claims of creditors, investors or other persons against the association or against any property owned or held by it must be presented to the commissioner in writing verified by the claimant or some one in his behalf within the period limited in the above-mentioned notice for the presentation of claims; and any claim not so presented shall be forever barred; provided, however, that the claim of any investor, appearing upon the books of the association to be a valid claim, presented after the expiration of the time fixed in said notice, shall be entitled to share in any dividends declared subsequent to the presentation of such claim

The commissioner may under his hand and official seal appoint one or more special deputies to assist in the duties of liquidation and distribution under his direction and may also employ such special legal counsel, accountants and assistants as may be needful and requisite and fix the salaries and compensation to be allowed and paid to each. All such salaries and compensation with such other reasonable and necessary expenses as may be incurred in the liquidation shall be paid by the commissioner from the funds of such association in his hands. From the net realization of assets in excess of such salaries, compensation and expenses, the commissioner shall first pay all approved claims other than to shareholders and stockholders, without distinction or preference as between the claims of certificate holders and other creditors; and thereafter he shall distribute and pay dividends in liquidation first to the shareholders until their claims are fully paid or such assets or funds are exhausted, and second, if any such assets or funds remain, to the stockholders until such assets or funds are exhausted; provided, however, notwithstanding anything to the contrary herein contained, in the case of any association in which shareholders shall have heretofore been granted the right and option by the association to exchange their shares for investment certificates of equal value he shall distribute and pay dividends in liquidation to such shareholders without distinction or preference as between the claims of such shareholders and the claims of certificate holders and other creditors. Such distributions shall be made as funds are available therefor to the extent of 10 per cent or more of the approved claims of the class of claimants then entitled to distribution, and shall continue until all the assets have been realized upon and a final dividend in liquidation shall be declared and paid. Upon the payment of a final dividend in liquidation, the commissioner shall prepare and file with the court a full and final statement of the liquidation, including a summary of the receipts and disbursements, and a duplicate thereof shall be filed in the office of the commissioner and after due hearing and approval by the court, the liquidation shall be deemed to be closed.

The determination by the commissioner to liquidate any association, evidenced by filing written notice of such determination with the court, shall operate to stay or dissolve any or all actions or attachments instituted or levied within thirty days next preceding the taking possession of such association by the commissioner, and pending the process of liquidation as herein provided no attachment or execution shall be levied or lien created upon any of the property of such association

Whenever in the case of any association which shall have issued stock, the commissioner shall have fully liquidated all claims other than claims of stockholders, and shall have made due provision for any and all known but unclaimed liabilities, excepting claims of stockholders, and shall have paid all expenses of liquidation, then upon the written request of the holders of a majority of the stock of such association any surplus that may then remain in his hands, together with all the records and effects, shall be delivered to the association or its trustees, and thereafter such association or its trustees shall have title thereto free from any claim of the commissioner.

SEC. 2. Section 15 12 of the 'Building and Loan Association Act" is hereby amended to read as follows:

15.12. Apportionment of profits; and reserve. Profits and losses shall be apportioned at least annually, and shall be apportioned to all shares in each class at the time of such apportionment, according to the actual or book value thereof; provided, that the directors of any such association may in their discretion provide that full paid shares shall be preferred to the full amount thereof as against all other shares either upon liquidation or dissolution or at any time during the life of such association. If the reserve fund shall not equal five per cent of the outstanding loans at the time of each apportionment of profits, the directors shall set aside, as a reserve fund, not less than five per cent of the net profits accruing since the last prior apportionment, and shall continue so to do until said fund shall amount to at least five per cent of the loans in force, at which figure said fund shall thereafter be maintained. Said reserve fund shall at all times be available to meet losses arising from any source.

SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of section 1 of Article IV of the Constitution of the State of California, and shall take effect immediately. The following is a statement of the facts which constitute such necessity:

There are numerous building and loan associations now, at the present time, in the process of liquidation and in order that shareholders in such associations shall be assured of full and complete protection by allowing them under the conditions set forth in this act to participate ratably with investment certificates and in order that building and loan associations may take advantage of recent Federal legislation and to prevent protracted and costly litigation, it is absolutely essential that this act take effect immediately and its provisions made immediately applicable to associations now in the process of liquidation.

SEC. 11. A new article is hereby added to said act, as amended, to be numbered XVI and to read as follows:

Article XVI—Conservation and Reorganization of Associations

Sec 16.01. This article shall apply to all associations which within fifteen days after the effective date of this act have not applied to the commissioner for permission to resume the normal functioning of an association and to all associations which, within sixty days after the effective date of this act have not resumed the normal functioning of an association.

"Normal functioning" as used in this article shall include the resumption of recognition and discharge of all obligations with respect to the payment of interest upon deposits, and withdrawals thereof in accordance with the terms of said obligations as the same existed prior to March 10, 1933

Sec. 16.02. Any association upon a showing of financial ability satisfactory to the commissioner, may be granted permission by the commissioner to resume normal functioning. Any association after receiving such permission shall be obligated to resume interest and withdrawal payments in accordance with the terms of its outstanding contracts of deposit as the same existed prior to March 10, 1933

Sec. 16.03 Notwithstanding any other provision of law, in this act or elsewhere, the commissioner shall take possession of all associations which on the sixty-first day after the effective date of this act have not resumed normal functioning, or which thereafter fail to continue normal functioning The commissioner, upon taking such possession, shall cause an immediate investigation to be made to determine the financial condition of the association concerned for the purpose of classification, as (1) an association which may be conserved, (2) an association which must be reorganized, or (3) an association which must be liquidated. Upon the conclusion of such investigation, the commissioner shall classify all associations in his possession in one or the other category. After the original classification, the commissioner, by reason of changed conditions or other new developments, may reclassify any association in his possession. Such classification and reclassification shall be prima facie evidence of such fact.

Sec. 16.04. After classification of an association as one which may be conserved, or which must be reorganized, the commissioner shall appoint for such association a conservator who shall take charge of all the business and assets of the association, and shall conduct and manage the same for the benefit of the holders of outstanding investment certificates and shares until such association is able to resume normal functioning or has been reorganized.

Sec. 16 05. After classification of an association as one which must be reorganized and a conservator has been appointed, a plan of reorganization as hereinafter provided shall be developed.

Rehabilitation of Associations.

Sec 16.01 Application of Article. The terms "such association" or "such associations," as used in this article, shall be limited to an association or associations included in one or more of the following classes. (1) An association of which the property, business and assets are in the possession of the commissioner; (2) an association which is no longer able to conduct the normal business of an association; (3) an association which is unable to discharge its debts or other obligations as they become due or which is an "association on notice" as defined in section 6 01; (4) an association which is in such condition that, unless such association is liquidated or a plan is consummated, a preference is likely to be obtained by some certificate holders over other certificate holders or by some shareholders over other shareholders or by some creditors over other creditors of the same class; (5) an association which is in such a condition that it will probably be necessary, unless a plan is consummated, to liquidate such association or to sell or otherwise dispose of a substantial part of its assets at substantially less than the amount which might reasonably be expected to be realized therefrom in the ordinary and proper conduct of a going business. The determination by the commissioner that an association is included in one or more of the foregoing classes shall be prima facie evidence of such fact

Sec. 16 02 Definition of Plan. The term "plan" as used in this article is hereby defined to mean a plan for the rehabilitation, readjustment or reorganization of such association or of two or more such associations, or of all or of any part of the business, properties and assets of such association or of two or more such associations, or for the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of, and other persons, if any, interested in, such association or of two or more such associations, or for any two or more of the foregoing purposes. Without limiting the generality of the foregoing, a

plan may provide in respect of all or any part of the business, properties and assets of such association or associations for any one or more of the following: (1) for the retention thereof by, or (if then in the possession of the commissioner) the return thereof to, such association or any of such associations; (2) the retention thereof by, or (if not then in the possession of the commissioner) the delivery thereof to, the commissioner; (3) the transfer thereof to another corporation or to two or more other corporations (which corporation or corporations or any of them may but need not be an association or associations or a Federal Savings and Loan Association or associations); (4) the transfer thereof to a trustee or trustees. Any new association formed, pursuant to a plan, to continue the building and loan business of an existing association, may adopt and continue to use the name of such existing association or any part of such name.

Sec 16 03. Procedure. A plan (1) may be proposed by the commissioner or (2) may be proposed, subject to the approval of the commissioner, by such association or by two or more such associations through action of the board of directors of such association or associations or (3) by a committee representing and made up of depositors and certificate holders, which committee shall have been appointed and authorized by a public meeting of depositors and certificate holders called for that purpose by the publications of the call, purposes, together with the place, time and date of such meeting, in a newspaper of general circulation in the city or town where the principle office of such association, or associations is located. No plan shall be proposed or approved by the commissioner unless the commissioner is satisfied that the plan is fair and equitable and does not discriminate in favor of any class of investors, creditors or other persons affected thereby, is feasible and satisfies the priorities herein established.

Any plan to be approved by the court, the following priorities shall be observed

First. Holders of all outstanding investment certificates and shares shall first receive credit in full for their principal and interest to date of approval of the plan by the court.

Second. Creditors shall receive the face value of their legal claims.

Third Stockholders shall receive the face value of their stock in accordance with its conditions and preference.

If the assets of the association, or associations, shall be insufficient to satisfy the claims of any of the foregoing groups when its priority is reached, the available assets shall be apportioned ratably For the purpose of this article, real property, loans, and all other assets (whether like or unlike the foregoing) shall be valued at which may reasonable be expected to be realized therefrom in the orderly and proper conduct of a going business. A plan, if proposed or approved by the commissioner, shall be presented by the proposer or proposers to the superior court of the county in which an office of such association, or of at least one of such associations, is located with a petition that the court determine the fairness of such plan and the approvals requisite to such plan becoming operative, which petition shall set forth such plan and the fact that it has been proposed or approved by the commissioner and any other facts which such proposer or proposers shall deem material to a consideration of the fairness of such plan. Thereupon the court shall fix the time and place for the hearing of such petition and shall direct such association or each of such associations to deliver to such proposer or proposers (or, in the discretion of the court, to the commissioner) a list of the names and addresses of the investors and creditors of such association or of each of such associations and of all other known persons, if any, affected by such plan, whereupon such association or each of such associations shall comply with such direction. Thereafter the proposer or proposers of such plan, not less than twenty days before the date fixed for such hearing, shall mail or cause to be mailed to each of the investors and creditors of such association or associations and to all other known persons, if any, affected by such plan, a notice of the time and place fixed by the court for such hearing and either a copy of such plan or a summary thereof, which summary shall be either prepared or approved by the commissioner Section 8 08 of this act shall not apply to such notices. Said notices shall be mailed, postage prepaid, to the respective addresses as shown on such list or lists, or if no address be there shown, to the last known address In addition, the proposer or proposers of such plan shall cause notice of the time and place fixed for such hearing to be posted in three public places in said county not less than twenty days before the day fixed for such hearing and to be published at least once and not less than twenty days nor more than thirty days before the day fixed for such hearing in a newspaper of general circulation published in said county A copy of said plan shall be kept by the commissioner available for public inspection and he shall take such other steps as he shall deem necessary for making the plan and all notices and facts in connection therewith available to all interested parties

Sec. 16 04 Hearing. At the time and place fixed for such hearing, or at the time and place to which such hearing may be continued by the court, the court shall hear the parties interested therein and, if it deem it necessary, may take testimony relative thereto and/or may accept proof in affidavit form as to any fact or circumstance material thereto. Such hearing shall be, among other things, upon the fairness of the terms and conditions of the issuance of all securities to be issued pursuant to such plan and of the exchange thereof for outstanding securities, claims or property interests, or partly in such exchange and partly for cash, and all persons to whom it is

proposed to issue securities in such exchange shall have the right to appear at such hearing. No plan shall be approved by the court unless the court is satisfied that the plan is fair and equitable and does not discriminate in favor of any class of investors, creditors or other persons affected thereby, is feasible and the priorities, as set forth in this article are observed After the completion of such hearing the court shall approve, modify or disapprove such plan. No such plan shall become operative unless and until it shall have been approved, in its original form or if modified, in its modified form, by such court and the commissioner, nor unless and until such plan shall have been consented to, either in person or by a duly appointed agent, attorney or committee by the following persons: (a) if such association or any of such associations shall have stock outstanding, then by the holders of a majority in amount of the stock of such association or of each of such associations having stock outstanding; (b) if such association or any of such associations shall have shares outstanding, then by the holders of a majority in value of the shares of such association or of each of such associations having shares outstanding; (c) if such association or any of such associations shall have investment certificates outstanding, then by the holders of two-thirds in value of the investment certificates of such association or of each of such associations having investment certificates outstanding; (d) if such association or any of such associations shall have creditors, then by two-thirds of each class of creditors of such association or of each of such associations having creditors; (e) and by two-thirds in amount of each class of other known persons, if any, affected by such plan; provided, however, that such consents shall not be required in the case of any investor, creditor or other person affected, or of any class of investors, creditors or other persons affected if (1) the rights of such person or persons shall not be materially affected by such plan or (2) if such plan shall provide for the payment in cash of the value of the right or interest of such person or persons; and provided further, that such consents shall not be required from stockholders of any association if the value of the assets of such association shall be less than the liabilities thereof, including the value of all outstanding shares and investment certificates, or if the business, properties and assets of such association be then in the possession of the commissioner; and provided further, that the consent of the shareholders of any association shall not be required if the value of the assets of such association shall be less than the liabilities of such association, including the value of its investment certificates but not including the value of its shares, or if the business, properties and assets of such association be then in the possession of the commissioner. For the purpose of this article, real property, contracts for the sale of real property, loans, and all other assets (whether like or unlike the foregoing) shall be valued at what may reasonably be expected to be realized therefrom in the orderly and proper conduct of a going business. The consents required by this section may be given before the plan is presented to the court, or after such presentation and before the court has approved it, or after such approval. If at the time such plan is approved by the court the proportions above required of the investors, creditors and other persons, if any, affected thereby shall not have consented to the plan, the order of court may provide that upon satisfactory proof of the fact that such consents have been given, a further order may be entered ex parte providing that such plan shall become operative, which further order shall be binding upon the commissioner, such association or associations, and all such investors and creditors, and all other persons, if any, affected thereby. The superior court in which such petition is pending is hereby given jurisdiction to determine all questions required to be determined pursuant to this article including, without limiting the generality of the foregoing, the following: whether the association or associations subject to such plan are included in one or more of the classes specified in section 16.01; whether any plan, either in its original or modified form, is fair and equitable; whether it discriminates in favor of any class of investors, creditors or other persons affected thereby; whether it is feasible; whether the terms and conditions of the proposed issuance and exchange of securities thereunder are fair and to approve or disapprove such terms and conditions; the total liabilities of such association or associations; the approvals requisite under this article to such plan becoming operative, including jurisdiction to determine, for the purposes of the plan and such consents, the division of the creditors and other known persons, if any, affected by such plan, into classes according to the nature of their respective claims and interests

Sec 16 05. Effect of Approved and Consents When such plan shall have been so approved by the court and the commissioner and shall have been consented to by or on behalf of the respective required proportions of the investors, creditors and other persons, if any, affected thereby, such plan shall be binding upon the commissioner, such association or associations, all the investors and creditors of such association or associations, and all other persons, if any, affected thereby; and such association or associations and all such investors and creditors and all other persons, if any, affected thereby shall be conclusively deemed to have consented to all of the terms and conditions of such plan whether or not all of such persons shall actually have consented thereto and whether or not all of them shall have received notice of such plan or of such hearing as hereinbefore provided. Thereupon such steps shall be taken by the commissioner, such association or associations and all other persons affected by such plan, and all acts shall be done, all instruments executed and all

securities issued, as may be required by such plan so approved and as may be necessary or desirable for the consummation of such plan. The commissioner shall supervise and direct subject to the orders of the court the consummation of such plan. The commissioner shall have and may exercise the same jurisdiction, authority and powers with respect to any business, properties or assets retained by or delivered to the commissioner pursuant to any plan as the commissioner shall have with respect to the business, properties and assets of any association of which the commissioner has taken possession; and the commissioner shall have and may exercise the same jurisdiction, authority and powers with respect to any association (excepting a Federal Savings and Loan Association) formed pursuant to any plan or to which any business, properties or assets may be returned or transferred pursuant to any plan as the commissioner would have of such association if it had been formed or had acquired its business, properties and assets by means other than a plan.

Sec. 16.06. Appeals. No appeal from an order of the superior court approving a plan shall be effectual for any purpose, unless within thirty days after the entry of such order the appellant or appellants shall file with the clerk of such court a bond executed on the part of the appellant or appellants by at least two sureties to the effect that the appellant or appellants, in the event such order is affirmed on appeal, will pay all of respondents' costs, expenses and reasonable attorneys fees arising from such appeal, and also all losses and damages to the investors, creditors and other persons, if any, affected by such plan, arising from any delay in consummating such plan during the pendency of such appeal. The form and amount of such bond shall be approved by the superior court but in no case shall such bond be for an amount less than one per cent of the total liabilities of such association or associations. Appeals from orders approving plans shall be given preference in hearing on appeal over all other appeals, except contested election cases and cases in which the people of the State are parties

Sec. 16.07. Securities Issued Under Plan. The term "securities" as used in this article shall include not only shares, stock and investment certificates issuable by associations under other provisions of this act but also shares of Federal Savings and Loan Associations and stock of one or more classes issuable by corporations generally, and also bonds, notes, debentures, warrants, or evidences of indebtedness or of beneficial interest or of any other claims or rights. An association may issue, pursuant to a plan approved under this article, any one or more of the above mentioned kinds of securities, regardless of any provisions of this act to the contrary None of the provisions of the Corporate Securities Act shall apply to any securities issued pursuant to a plan approved under this article, whether or not such securities are issued by an association, except that brokers, as defined in said act, shall be subject to the provisions of said act with respect to all transactions involving such securities.

Sec 16.08. Authority of Fiduciaries. Any executor, administrator, guardian or receiver, and any trustee of any kind or nature, and any insurance company or cemetery association may, without the necessity of obtaining any specific court approval, (a) consent to any plan which has been approved by the court pursuant to section 16 04: (b) exchange any shares, stock, investment certificates or other rights or claims, for securities issued pursuant to such plan; and (c) may continue to hold as legal investment any securities so received.

Sec. 16.09. Emergency Period. No plan shall be operative pursuant to this article unless approved by the court and consented to as required by this article during the emergency period, which period, for the purposes of this article, shall commence with the effective date of this article and shall expire February 1, 1937, or at such earlier date as the commissioner shall find and declare that such emergency period has terminated; provided, however, that if, prior to the expiration or termination of said emergency period, such plan shall have been approved by the superior court and shall have been consented to as required by this article, such plan shall become operative, unless such approval shall be set aside on appeal, notwithstanding the fact that such approval of the superior court was not final at the expiration or termination of such emergency period.

Sec. 16.10. Legislative Declaration of Emergency The Legislature hereby declares the existence of a public emergency affecting the welfare, health, safety and comfort of the people requiring the provisions of this article, arising out of the following circumstances. More than four hundred million dollars is invested in associations in this State and such investments are held by several hundred thousand people, a large percentage of whom are persons of only moderate means and many of whom are executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations Nearly all of the funds of associations have been invested in long-time loans secured by real property, mostly by homes owned and occupied by persons of only moderate means. By reason of the long-continued and still existing disruption of the general economic and financial processes, with resulting widespread unemployment and drastic decline in rental and sales values, it has been and will be impossible for many borrowers from associations to meet their obligations to the associations. By reason of defaults of such borrowers, many associations have suffered heavy losses, both in income and in net worth In the absence of this article liquidation of many such associations would be necessary Such liquidation would impose severe hardships not only upon the borrowers and investors

but also upon the public generally since, by forcing the sale in each locality of numerous parcels of real property, the real estate market would be speedily demoralized, which would cause great losses both to borrowers and investors and also to the public generally, as well as large increases in tax delinquencies, and danger to the financial stability of banks and insurance companies. Associations are not subject to the Bankruptcy Act, but are and for many years have been subject to control and regulation by the State and to supervision by the commissioner. In the public interest it is necessary to enact this article in order to provide a means, subject to suitable safeguards, by which the business or affairs of associations in one or more of the classes specified in section 16.01 may be rehabilitated.

SEC. 14. If any section, subsection, paragraph, sentence, clause, phrase or other part of this act, or if any article, section, subsection, paragraph, sentence, clause, phrase or other part of the Building and Loan Association Act as amended by this act, is for any reason held to be unconstitutional, or to be invalid as applied to any person, association or circumstance, such decision shall not affect the validity of the remaining portions of this act or of said act as so amended, or the application to other persons, associations or circumstances of the part held to be invalid as aforesaid. The Legislature hereby declares that it would have passed this act and each section, subsection, paragraph, sentence, clause, phrase or other part thereof, and would have amended said act by adding thereto each article, section, subsection, paragraph, sentence, clause, phrase or other part added thereto by this act, irrespective of the fact that any one or more of the sections, subsections, paragraphs, sentences, clauses, phrases or other parts of this act be declared unconstitutional or be invalid as applied to any person, association or circumstance, and irrespective of the fact that any one or more of the articles, sections, subsections, paragraphs, sentences, clauses, phrases or other parts added to said act by this act be declared unconstitutional or be invalid as applied to any person, association or circumstance.

SEC. 15. The Legislature hereby declares that this act is enacted in the exercise of the police powers of this State in view of the existing emergency affecting building and loan associations arising from the circumstances set forth in section 16.10 of the act cited in the title hereof, as amended by this act.

SEC. 16. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of section 1 of Article IV of the Constitution of the State of California, and as such it shall take effect immediately. The following is a statement of the facts constituting such necessity: By reason of the long-continued and still existing depression, many building and loan associations have suffered heavy losses both in income and in net worth and are unable to carry on their normal business, thereby causing severe hardship to hundreds of thousands of investors and home owners and increasing public unemployment and distress. The provisions of this act will enable building and loan associations to obtain insurance from the Federal Savings and Loan Insurance Corporation, to make insured loans pursuant to the National Housing Act, to convert into Federal savings and loan associations and otherwise to rehabilitate the business of building and loan associations. The provisions of this act are necessary not only to accomplish the foregoing, but also to enable many building and loan associations to continue in business during the period required for such rehabilitation and to create proper safeguards for the protection of the public during such period. In the absence of this act much forced liquidation would occur immediately which would demoralize the real estate market, cause tremendous losses to borrowers, investors and the public generally, as well as large increases in tax delinquencies and danger to the financial stability of banks and insurance companies. It is therefore essential to the immediate preservation of the public peace, health and safety that each and every part of this act be enacted and be immediately effective."

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 341—An act to amend sections 21.1, 53, 54, 63, 64, 93, 105, 133, 133.1, 135d and 139 of the Bank Act

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

In line 2 of the title of the printed bill, following the word "act", insert the following: "and to add two new sections thereto to be numbered 16d and 51.1".

Amendment No. 2.

On page 2 of the printed bill, commencing in line 13, strike out the words "either twenty-five dollars, fifty dollars or".

Amendment No. 3.

On page 2, line 14, of the printed bill, strike out the word "lesser", and insert in lieu thereof the following: "other".

Amendment No. 4.

On page 2, line 32, of the printed bill, strike out the word "five", and insert in lieu thereof the following: "seven".

Amendment No. 5.

On page 5 of the printed bill, strike out all of lines 12 to 42, inclusive.

Amendment No. 6.

On page 5, line 43, of the printed bill, strike out the numeral "7", and insert in lieu thereof the following: "6".

Amendment No. 7.

On page 6, line 6, of the printed bill, following the word "banks", insert the following: "or in which such deposit will be fully insured under the provisions of any law of the United States.".

Amendment No. 8.

On page 6, line 20, of the printed bill, following the word "deposited", insert the following: ": provided, further, that no security shall be required in case of any such part of any such deposits as is insured under the provisions of any law of the United States."

Amendment No. 9.

On page 6, line 28, of the printed bill, strike out the numeral "8", and insert in lieu thereof the following: "7"

Amendment No. 10.

On page 7, line 31, of the printed bill, strike out the numberal "9", and insert in lieu thereof the following "8".

Amendment No. 11.

On page 7, line 42, of the printed bill, strike out the numeral "10", and insert in lieu thereof the following: "9".

Amendment No. 12.

On page 7, line 49, of the printed bill, following the word "stock", insert the following "of one or more classes".

Amendment No. 13.

On page 8, line 17, of the printed bill, strike out the word "without", and insert in lieu thereof the following "whether"

Amendment No. 14.

On page 8, line 33, of the printed bill, strike out the numeral "11", and insert in lieu thereof the following: "10"

Amendment No. 15.

On page 10 of the printed bill, following line 6, insert the following

"SEC. 11. A new section is hereby added to the Bank Act to be numbered 16d and to read as follows.

Sec 16d. No order stopping payment on a check shall be valid unless the same be in writing specifically describing the check ordered stopped and delivered to the particular office or branch of the bank on which said check was drawn.

Any bank that pays a check, the payment of which has been ordered stopped as herein provided, shall be responsible to the person who so ordered the payment thereof stopped, for any actual loss incurred by such person because of the payment by such bank of such check

The delivery to one office or branch of a bank of an order to stop payment on a check shall not constitute notice, actual or constructive, to any other office or branch of the same bank and shall not impair the right of such bank to be a holder in due course of such check, other than the office or branch to which such order to stop payment is delivered.

Sec. 12. A new section is hereby added to the Bank Act to be numbered 51 1 and to read as follows:

When the court has ordered the deposit of any of the assets of an estate with a bank or trust company as provided in sections 51 and 93 hereof, any bank having possession or control of any of the assets so ordered deposited, shall, upon the demand of the said bank or trust company which has been ordered to receive such deposit, whether the officer or trustee ordered to make such deposit has duly qualified or not, deliver such assets to the bank or trust company named by the court to receive such deposit and the receipt and acceptance of such assets by such bank or trust company shall relieve the bank which has been in possession thereof from all further responsibility therefor"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 563—An act to amend sections 691, 694, 695, 696, 697 and 865 of the Fish and Game Code and to add section 697.5 thereto, and to repeal section 691 6 thereof, relating to fishing

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee.

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out the word "lines", and insert in lieu thereof the word "lures".

Amendment adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Third Reading of Assembly Bills.

Assembly Constitutional Amendment No 26—A resolution to propose to the people of the State of California an amendment to section 24 of Article IV of the Constitution of said State, relating to acts codifying, revising, consolidating, rearranging or repealing the law.

Assembly Constitutional Amendment No 26 read.

The question being on the adoption of Assembly Constitutional Amendment No. 26

The roll was called, and Assembly Constitutional Amendment No. 26 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Garibaldi, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riehe, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Assembly Constitutional Amendment No. 26 ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 26.

A resolution to propose to the people of the State of California an amendment to section 24 of Article IV of the Constitution of said State, relating to acts codifying, revising, consolidating, rearranging or repealing the law.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its fifty-first regular session commencing on the seventh day of January, 1935, two-thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof hereby proposes to the people of the State of California, that section 24 of Article IV of the Constitution of said State be amended to read as follows:

Sec 24. Every act shall embrace but one subject, which subject shall be expressed in its title But if any subject shall be embraced in an act which shall not be expressed in its title, such act shall be void only as to so much thereof as shall not be expressed in its title The foregoing requirements of this section shall not apply to an act of the Legislature enacted subsequent to 1928 or hereafter enacted, codifying, revising, consolidating rearranging or repealing the whole or any portion of the law, if the act was or is submitted by a commission, commissioner or board constituted and authorized by law to prepare such codification, revision, consolidation, rearrangement, or repeal, whether the act was or is enacted as submitted or with changes therein made by the Legislature prior to enactment No law shall be revised or amended by reference to its title but in such case the act revised or section amended shall be reenacted and published at length as revised or amended; and all laws of the State of California and all official writings, and the executive, legislative and judicial proceedings shall be conducted, preserved, and published in no other than the English language.

Assembly Bill No 1036—An act to amend section 1418 of the Penal Code, relating to the pardoning or commutation of sentence of convicts twice convicted of felony.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1036 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W, Field, Flint, Garibaldi, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1235—An act to add to the Probate Code a new section, to be numbered 1068, relating to the discharge of executors and administrators and the termination of probate proceedings.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1235 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, and Mr. Speaker—68

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No 1273—An act to amend the title and sections 2, 9, 15, 17, 18, 20, 21, 22, 23, 24, 26, 27, 30 and 33 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately." approved July 31, 1933; to repeal sections 7 and 19 of said act; to add sections 7 and 19 to said act; all relating to the taxation of the privilege of selling tangible personal property; and to provide that this act shall take effect immediately.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lyon:

Amendment No. 1.

In the next to the last line of the title of the printed bill, after the word "selling", insert ", renting or leasing".

Amendment No. 2.

On page 2, line 25, of the printed bill, after the word "property", insert the following: "where the property is substantially consumed during the term of the lease or rental agreement or, if the property is leased or rented under different agreements, then during the combined terms of such agreements, but excludes transactions where the leasing or rental of the property is merely incidental to leasing or rental of real property or the rendition of a service by the lessor".

Amendments adopted

Bill read, ordered to reprint, re-engrossment, and on file for third reading.

Motion to Set Special Order.

Mr. Lyon moved that further consideration of Assembly Bill No. 1273, as amended, be made a special order for Monday, March 18, 1935, at eleven o'clock and thirty minutes a.m.

Motion to Rush Printing.

Mr. Lyon moved that the Chief Clerk be instructed to place a rush order on the printing of Assembly Bill No. 1273, as amended.

Motion carried.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 522—An act to amend section 400 of the Vehicle Code, relative to the liability of governmental agencies

Bill read third time

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 522 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Waters, Welsh, Williamson, Wright, and Mr. Speaker—71.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 714—An act to amend section 337 of the Code of Civil Procedure, relating to the time within which actions upon any contract, obligation or liability founded upon a statement in writing may be commenced.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Latham:

Amendment No. 1.

On page 2, line 13, of the printed bill, as amended, after the period, add the following: "The provisions of this section do not apply to or revive any action the time for the commencement of which has expired prior to the effective date hereof."

Amendment adopted.

Bill read, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1378—An act to amend section 2 of an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, relating to the maintenance of State highways.

Withdrawal of Bill.

By order of the Speaker, Assembly Bill No 1378 was withdrawn from the file, and referred to Committee on Roads and Highways.

Assembly Bill No. 585—An act to amend sections 8, 10, 42, 47 and 108 of an act entitled "An act to provide for the creation, establishment and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to the State Employees' Retirement System.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 585 passed by the following vote.

AYES—Anderson, Andreas, Boyle, Breed, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Waters, Welsh, Williamson, and Mr Speaker—69.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1199—An act to amend section 3658a of the Political Code, relating to assessments by reference to maps.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1199 passed by the following vote:

AYES—Andreas, Boyle, Breed, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson,

Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—66
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No 736—An act to amend section 2 481 of the School Code, relating to the transfer of an elementary school district from one high school district to another.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 736 passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—69
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 645—An act to amend section 403c of the Civil Code, relating to corporations

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 645 passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—73
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate

Assembly Bill No 1779—An act to amend section 462 of the Political Code, relating to unclaimed money of the State

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1779 passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson,

Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—76.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No 1793—An act to add section 690 11 to the Political Code, relating to fees

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1793 passed by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Millet, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Williamson, Wright, and Mr. Speaker—69
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1991—An act to repeal section 658a of the Political Code and to add section 658 5 thereto, relating to refunds of fees paid to the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1991 passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—73.
NOES—None.

Title read and approved
Bill ordered transmitted to the Senate.

Assembly Bill No. 1548—An act to remit to holders of certificates of purchase of State lands one-half of any penalty which has accrued on account of failure of any such purchaser to pay interest when due, in consideration of the payment by any such purchaser, on or before December 31, 1935, to the State of California, of any sums due to the State on account of interest, plus the remaining one-half of any accrued penalties

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1548 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Flint, Frazier, Fulcher, Garibaldi,

Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, and Mr. Speaker—69.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No 70—An act to add section 3757 to the Political Code providing for the rejection of all fractions of a cent by auditors and tax collectors when computing taxes, penalties for delinquencies or interest and percentages on redemption.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 70 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr Speaker—73

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 1741—An act to add section 91.6 to the Agricultural Code, relating to the Sixth District Agricultural Association

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1741 passed by the following vote:

AYES—Anderson, Andreas, Breed, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Riley, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Williamson, Wright, and Mr. Speaker—63

NOES—Evans, Ralph W., Flint, McCarthy, O'Donnell, Richie, Robertson, and Wallace—7

Title read and approved

Notice of Reconsideration.

Mr. Evans, Ralph W., gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1741 was this day passed.

Assembly Bill No. 34—An act to amend section 4300d of the Political Code by adding thereto a provision specifying the mileage to be charged by constables and marshals in counties of the third class in the service of any writ, order or paper, excepting a warrant of arrest.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 34 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Williamson, and Mr. Speaker—71.

NOES—None

Title read and approved

Bill ordered transmitted to the Senate

Assembly Bill No. 229—An act to amend sections 3366 and 4041 14 and to repeal section 3384 of the Political Code, relating to the licensing of businesses by the counties.

Bill read third time.

Call of the House.

Pending the announcement of the vote, Mr. Peterson moved a call of the House.

Motion carried.

Time: Twelve o'clock and five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—74.

The Chief Clerk announced the absentees

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 436—An act to amend sections 1, 15 and 17 of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to civil engineers

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 436 passed by the following vote:

AYES—Andreas, Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans Ralph W., Field, Fisher, Flint, Frazier, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Turner, Voigt, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—62.

NOES—Fulcher, Garibaldi, Hornblower, and Utt—4.

Title read and approved.

Notice of Reconsideration.

Mr. Hornblower gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 436 was this day passed.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 346—An act to amend section 1208 of the Code of Civil Procedure, relating to liens upon animals

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 346 passed by the following vote:

AYES—Anderson, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Utt, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr Speaker—66

NOES—None

Title read and approved

Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the House Dispensed With.

At twelve o'clock and forty minutes p m, further proceedings under call of the House were dispensed with, on motion of Mr. Peterson.

The roll of absentees was called, and Assembly Bill No. 229 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Flint, Fulcher, Garibaldi, Gilmore, Hawkins, Hornblower, Jones, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Miller, Minard, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Wright, and Mr. Speaker—54.

NOES—Chatters, Cottrell, Donihue, Evans, Ralph W., Fisher, Frazier, Geyer, Gilbert, Glover, Heisinger, Hunt, Johnson, Laughlin, Lore, McMurray, Meehan, Morgan, O'Donnell, Richie, Rosenthal, Wallace, and Williamson—22.

Title read and approved.

Bill ordered transmitted to the Senate

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1678—An act to add a new section to the Penal Code to be numbered 969½, relating to the amendment of a complaint to charge prior convictions.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1678 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Redwine,

Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Utt, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—66.
NOES—Crowley, Flint, McCarthy, and Reaves—4.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1679—An act to amend section 1207 of the Penal Code, relating to entry of judgment.
Bill read third time.
The question being on the passage of the bill
The roll was called, and Assembly Bill No. 1679 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream Thorp, Utt, Voigt, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—69
NOES—Crowley and McCarthy—2.

Title read and approved.
Bill ordered transmitted to the Senate

Assembly Bill No 1722—An act to amend section 1408 of the Penal Code, relating to the order for delivery of property to the owner.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1722 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Huut, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—67.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate

Third Reading of Senate Bills.

Senate Concurrent Resolution No. 20—Relative to inviting Secretary of Labor Perkins to address a joint session of the Senate and Assembly.
Senate Concurrent Resolution No. 20 read.
Mr. Wallace moved the adoption of Senate Concurrent Resolution No. 20.
The question being on the adoption of Senate Concurrent Resolution No. 20.
The roll was called, and Senate Concurrent Resolution No. 20 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves,

Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—70
NOES—None.

Title read and approved.

Senate Concurrent Resolution No 20 ordered transmitted to the Senate.

Senate Concurrent Resolution No. 20.

Relative to inviting Secretary of Labor Perkins to address a joint session of the Senate and Assembly

WHEREAS, The United States Secretary of Labor, Miss Frances Perkins, has been extended an invitation by the Governor of California, Hon. Frank F Merriam, to visit Sacramento; and

WHEREAS, The Senate and Assembly of the State of California would be honored to have Miss Perkins address them; now, therefore, be it

Resolved by the Senate, the Assembly concurring, That an invitation be extended to Secretary of Labor Perkins to address the Senate and Assembly in joint session assembled; and be it further

Resolved, That on the twenty-second day of March, 1935, or at such time as may be more convenient, the Senate and Assembly shall assemble in joint session in the Assembly Chamber for the purpose of greeting Secretary of Labor Perkins and listening to an address by her.

Reconsideration of Assembly Bill No. 368.

In compliance with his notice given on a previous day, Mr. Frazier moved that the vote whereby Assembly Bill No. 368 was passed be reconsidered.

The roll was called, and the same was reconsidered by the following vote.

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—70.
NOES—None.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 368—An act to amend section 34 of the Agricultural Code, relating to cooperative agreements for the purpose of enforcing provisions relating to standardization.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Frazier:

Amendment No. 1.

On page 1, line 8, of the printed bill, after the word "or", insert "with boards of supervisors".

Amendment adopted.

Bill read third time.

Request for Unanimous Consent.

Mr. Frazier asked for, and was granted, unanimous consent to take up Assembly Bill No 368, as amended, at this time, without reference to printer, committee or file, and that same be considered engrossed

Assembly Bill No. 368—An act to amend section 34 of the Agricultural Code, relating to cooperative agreements for the purpose of enforcing provisions relating to standardization.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 368, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—67.

NOES—Field, Jones, and Utt—3.

Title read and approved.

Notice of Reconsideration.

Mr. Utt gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 368 was this day passed.

Special Order Set.

On motion of Mr. Cronin, the consideration of Assembly Bill No. 563 was made a special order for Monday, March 18, 1935, at two o'clock and thirty minutes p m

Motion to Re-refer.

Mr. Jones moved that Assembly Bill No. 2136 be withdrawn from Committee on Financial Institutions, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Assembly Bill No. 2136 to Committee on Judiciary.

Motion carried.

Assembly Bill No. 2136 ordered re-referred to Committee on Judiciary.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1935.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 493—An act to amend section 491 of the Agricultural Code, relating to milk inspection—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

THORP, Chairman.

The above reported bill ordered on file for second reading.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1935.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 401—An act to add a new section to the Political Code, to be numbered 3881b, relating to entry of changes and corrections on assessment book and delinquent list:

Also: Assembly Bill No. 1786—An act to amend section 2 of an act entitled, "An act providing for the establishment and administration of industrial farms or industrial road camps in the counties of the State and the commitment thereto and discipline of persons charged with or convicted of public offenses," approved June 3, 1921, relating to the charge for maintaining persons on industrial farms and industrial road camps;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

DELAP, Chairman.

The above reported bills ordered on file for second reading.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1935.

MR SPEAKER. Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 365—An act to amend section 423 of the Agricultural Code, relating to live stock on highways.

Also: Assembly Bill No. 491—An act to amend section 651 of the Agricultural Code, relating to dairy statistics;

Also: Assembly Bill No. 492—An act to amend section 631 of the Agricultural Code, relating to examination of milk and dairy products;

Also: Assembly Bill No. 494—An act to amend section 476 of the Agricultural Code, relating to fat or oil in dairy products.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

THORP, Chairman.

The above reported bills ordered on file for second reading.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1935.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill 601—An act to amend section 1704 of an act entitled "An act to establish a Streets and Highways Code, thereby consolidating and revising the law relating to public ways and all appurtenances thereto, and to repeal certain acts and parts of acts specified herein"—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

STREAM, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 763—An act to prohibit until February 1, 1936, sales under certain mortgages and deeds of trust, and the forfeiture of the interest of the purchaser under certain contracts of purchase, for default in the payment of the principal sum of obligations secured thereby or contracted to be paid thereunder, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale or forfeiture made in violation of the act, to prescribe the time within which an action to avoid the same may be brought, to postpone sales for default in payment of installments due between effective date of act and February 1, 1936, to authorize waiver hereof, to prevent actions against guarantors' obligations the enforcement of the security for which is affected by the act, and to declare the urgency hereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LYON, Chairman.

The above reported bill ordered on file for second reading.

On Irrigation.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1935.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 395—An act to amend Chapter 286, Statutes of 1927, entitled "An act authorizing the Department of Finance to appropriate waters in connection with the utilization and conservation of the water resources of the State in the development of a general or coordinated plan; authorizing the State Department of Finance to release or assign such appropriations, authorizing the State Department of Finance to request other departments of the State or State officers to furnish service or assistance to make investigations in connection with the development of a general or coordinated plan for the utilization or conservation of the water resources of the State," approved April 29, 1927, as amended, by amending section 1 thereof, relating to appropriation of waters by the State Department of Finance—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 658—An act to amend sections 45 and 47 of the California Irrigation District Act and to repeal section 46 of said act, all relating to certificates of sale and redemption therefrom, and the issuance of deeds;

Also: Assembly Bill No 841—An act to amend sections 1 and 3 of an act entitled "An act relating to the redemption of property sold to irrigation districts for delinquent assessments, and declaring the urgency thereof," approved September 20, 1934, relating to redemptions and declaring the urgency thereof;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

FRAZIER, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 655—An act to amend section 15b of the California Irrigation District Act, relating to the duties and powers of boards of directors;

Also, Assembly Bill No. 844—An act to add a new section to the California Irrigation District Act to be designated section 31a, referring to and providing for an alternative form of irrigation district bonds and for the procedure for the issuance of the same;

Also: Assembly Bill No. 1076—An act to amend section 29 of "The California Irrigation District Act," approved March 31, 1897, as amended, relating to the purpose for which property may be held by said district;
Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

FRAZIER, Chairman.

The above reported bills ordered on file for second reading.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 14, 1935.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed, as an urgency measure, Senate Bill No. 792—"An act making an appropriation to meet a deficiency in the appropriation for legislative printing, binding, etc., declaring the urgency thereof, and providing that this act shall take effect immediately."

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary

Bill read first time.

Request for Unanimous Consent.

Mr. Cottrell asked for, and was granted, unanimous consent to take up Senate Bill No 792, at this time, without reference to printer, committee or file.

Case of Urgency.

The following resolution was offered:
By Mr. Cottrell:

Resolved, That Senate Bill No 792 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second and third times, and placed upon its passage

Resolution read.

Mr. Cottrell moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, Desmond, Donihue, Donnelly, Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Wallace, Waters, Williamson, and Mr. Speaker—65.

NOES—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 792

Second Reading of Senate Bill No. 792.

Senate Bill No. 792—An act making an appropriation to meet a deficiency in the appropriation for legislative printing, binding, etc., declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Voigt, Walker, Wallace, Waters, Williamson, and Mr. Speaker—64

NOES—None.

Third Reading of Senate Bill No. 792.

Senate Bill No. 792—An act making an appropriation to meet a deficiency in the appropriation for legislative printing, binding, etc., declaring the urgency thereof, and providing that this act shall take effect immediately.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 792 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Williamson, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Adjournment.

At one o'clock and ten minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Friday, March 15, 1935

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, March 15, 1935.

At ten o'clock a m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Colwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Herbert J, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Wright, and Mr. Speaker—70

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Maloney, its further reading was dispensed with

Leaves of Absence

On motion of Mr. Minard, Mr DeLap was granted leave of absence for this day.

On motion of Mr. Maloney, Mr Hornblower and Mr. Brennan were granted leaves of absence for this day.

On motion of Mr. Wallace, Mr Evans, Ralph W. and Mr. Boyle were granted leaves of absence for this day.

On motion of Mr. McBride, Mr. Turner was granted leave of absence for this day.

On motion of Mr. Utt, Mr Welsh was granted leave of absence for this day.

On motion of Mr. Cronin, Mr. Peyser and Mr. Williamson were granted leaves of absence for this day.

Privilege of Floor of Assembly Extended.

On request of Mr. Flint, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. A. E. Edington.

On request of Mr. Gilmore, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the Star of the Sea, 110-pound State champion C Y O basketball team, Mr John Donahue, manager; Mr. John Green, captain; Mr. Vincent Gurtler, coach; Mr. Henry Crane Oest, coach; and Messrs William Doyle, Dennis Powers, Edward Smyth, James Hannon, Joseph Dito, Mario Saletone, Vernon Silva, John Driscoll, Bernard Lennon, and Joseph Donohue

On request of Mr. Cunningham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. N. H.

Hubbard, director of the Department of Public Relations of the Affiliated Teachers Organizations of Los Angeles.

On request of San Francisco delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. T A. Maloney, wife of Assemblyman Maloney, Mrs. Annie Peterson, Inspector Peter R Maloney, founder of South of Market Boys; Mr. Tom Toomey, Mr Con Cullonan and Mr Harry Sperf.

On request of Mr. Donahue, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Guy W. Wolf of Oakland

On request of Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Chief Ernest F. Coop of Pasadena and Mr. Robert Coop of University of California.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr Speaker:

From Order of Railway Conductors, Mount Lowe Division 503, Los Angeles, California, relative to train limit legislation

From Second Interstate Assembly, favoring appropriate agencies on interstate cooperation be formed in each State

From Pacific Division of the National Electrical Wholesalers, expressing to the members of the Legislature of the State of California their patriotic devotion to the government of the United States.

From Cooks, Pastry Cooks and Assistants, Local No 44, favoring serving of free meals to school children in cafeterias as a part of the National program for emergency relief.

From International Federation of Technical Engineers, Architects and Draftsmens Union, Local No 39, opposing Senate Bills Nos. 321, 322, 325 and 405, and Assembly Bills Nos 807 and 839, and kindred bills

Communication.

The following communication was received, and ordered printed in the Journal:

By Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1935

MR. SPEAKER: Pursuant to your instructions, the following named person has filed his credentials and is duly recognized as a representative of the newspaper set opposite his name:

The California Milk News—Frank S. Glass

ARTHUR A OHNIMUS, Chief Clerk.

ASSISTANT CLERK COOLIDGE READING

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1935

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 26—Relative to memorializing Congress to proceed with the construction of the international highway from Canada to Fairbanks, Alaska—and reports that the same has been correctly engrossed.

WATERS, Chairman

Assembly Joint Resolution No. 26 ordered on file for adoption.

Also:

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 33—An act to amend section 4300b of the Political Code of the State of California by adding thereto a provision fixing a fee to be charged by sheriffs for arresting prisoners and bringing them into court or jail;

Also: Assembly Bill No 283—An act to amend section 852 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities of the sixth class;

Also: Assembly Bill No. 312—An act to amend section 2 of an act entitled "An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith," approved May 23, 1923, relating to the duties of the State Fire Marshal;

Also: Assembly Bill No 314—An act to amend sections 2 203 and 2 204 of the School Code, relating to the formation of joint elementary school districts;

Also: Assembly Bill No. 441—An act to amend "An act to require security for the payment of wages of persons engaged in the mining industry," approved April 25, 1933, by amending section 1 thereof, relating to security for the payment of wages;

Also: Assembly Bill No 557—An act to add a new section to the Civil Code to be numbered 2770, relating to life, health and accident insurance policies;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 654—An act to add a new section numbered 1558 to the Probate Code of the State of California, relating to the guardianship of estates,

Also: Assembly Bill No. 670—An act to establish a board to be known as the Rector Dam Authority; to prescribe its duties, powers, functions and jurisdiction; to authorize the authority to construct a dam in Rector Canyon to impound the waters of Rector Creek and to sell and distribute said waters; to authorize the authority to issue and sell revenue bonds to provide funds for the acquisition and construction of said dam and to provide for the redemption thereof from the revenues received from the sale and distribution of such waters; authorizing the Department of Public Works of the State of California to operate and maintain such dam and all property appurtenant thereto; authorizing the board to acquire and hold real property necessary for its purposes, and to enter into agreements with State, Federal, and local officers and agencies, and political subdivisions, municipalities, and public districts;

Also: Assembly Bill No. 724—An act to add a new section to the Political Code of the State of California to be numbered 3476b, relating to assessments of reclamation districts and providing for crediting payments made under invalid calls of installment of assessments upon subsequent calls of installment of assessments;

Also: Assembly Bill No. 737—An act to repeal Article VIIIa of Chapter VI of Part I of Division II, embracing sections 2 440a to 2.454a, inclusive, of the School Code, relating to high school districts;

Also: Assembly Bill No. 833—An act to create and establish a State system of regional colleges, providing for their formation, government, curricula and control;

And reports that the same have been correctly engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 928—An act to amend sections 4.280b and 4 281b of the School Code, relating to a revolving fund for warehouse stock;

Also: Assembly Bill No. 1400—An act to amend section 667 of the Penal Code, relating to the punishment of petty theft after a prior conviction of a felony;

Also. Assembly Bill No. 1609—An act to repeal section 645 of the Penal Code, relating to carnal abuse;

Also: Assembly Bill No 1680—An act to amend sections 1235 and 1238 of the Penal Code, relating to appeals in criminal cases;

Also: Assembly Bill No 1721—An act to amend sections 859 and 860 of the Penal Code, relating to the examination of a case before a magistrate, and to add section 859a of the Penal Code, relating to a plea of guilty to the complaint before a magistrate,

Also Assembly Bill No 1780—An act to amend sections 86 and 92 of the Agricultural Code, relating to agricultural fairs,
And reports that the same have been correctly engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1877—An act to add a new section to the School Code to be numbered 6.53, relating to the duties, powers and liability of governing boards of school districts and members thereof in connection with school district buildings;

Also: Assembly Bill No. 2020—An act to add a new section to the Penal Code to be numbered 476b, relating to printing, duplicating or imitating blank checks;

Also: Assembly Bill No. 920—An act to amend sections 1261, 1263, 1265, 1267, 1268 of and to add a new section to be numbered 1268.5 to the Agricultural Code, relating to produce dealers;

Also: Assembly Bill No. 532—An act to amend sections 423, 578, 587, 860, 1201, 1240, 1501, 1515, 1540 and 1630 of the Probate Code and to add new sections thereto to be numbered 588, 1201a and 1516, relating to estates of decedents and estates of persons under guardianship;
And reports that the same have been correctly engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 15—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending sections 3, 4, and 5 of Article IV of the Constitution, relating to the legislative department,

Also: Assembly Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment of Article IV of the Constitution of the State, by adding section 31c thereto, relating to relief to assessment districts;

Also: Assembly Constitutional Amendment No 66—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 1½ of Article XIII thereof, relating to exemption from taxes of buildings and personal property used therein solely and exclusively for religious worship;
And reports that the same have been correctly engrossed.

WATERS, Chairman

The above reported Assembly constitutional amendments ordered on file for adoption.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 650—An act to amend the title of and section 8 of an act entitled "An act regulating the making of openings or the placing of structures or the change or renewal of any structure and the planting or removal of trees or shrubs or the placing of obstructions in or on State roads and highways providing for the issuance of permits by the State Department of Public Works relative thereto, and for the laying or placing pipes conduits, sewers, poles, wires railways, obstructions and other objects, and for the planting, trimming or removal of trees or shrubs in or on State roads and highways; providing for the requirement of bonds from applicants before the issuance of such permits and prescribing the penalty for violations of the provisions of this act" approved April 23 1915 as amended, to provide for the relative rights of the State and cities, cities and counties and counties in respect to franchises granted in highways subsequently declared to be State highways;

Also Assembly Bill No 1898—An act to add section 1313a to the Penal Code, relating to making wilful leaving jurisdiction of court after depositing bail a felony,
And reports that the same have been correctly re-engrossed

WATERS, Chairman

The above reported bills ordered on file for third reading

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 903—An act to amend section 4 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and

report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, relating to the extension of prospecting permits for oil and gas which were in effect June 1, 1933, and upon which has been expended $25,000 or more in the prospecting for oil and gas;

Also: Assembly Bill No. 947—An act to amend Chapter 763, Statutes of 1929, approved June 10, 1929, as amended by Chapter 401 Statutes of 1931, approved May 25, 1931, and as amended by Chapter 10, Statutes of 1933, approved January 26, 1933, entitled and known and cited as "California Toll Bridge Authority Act" by amending the title thereof and by amending sections 2, 6½, 9, 11, 14, 16, 20 and 22½, and by adding thereto new sections numbered 4½, 5½, 5¾, 8½, 8¾, 9½, 9¾, 12½, 13¾, 16½ and 16¼, relating to and prescribing additional duties, powers and limitations regarding the construction and financing of toll bridges and providing for the acquisition, construction, financing and operation of transportation facilities thereof and thereto; and providing that this act become effective immediately;

And reports that the same have been correctly engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1935

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 938—An act to amend sections 5.140, 5.150 (c) and 5.166, of the School Code, relating to the standards for the granting of credentials and certificates—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

CHATTERS, Chairman.

The above reported bill ordered on file for second reading

On Building and Construction.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1935

MR SPEAKER Your Committee on Building and Construction, to which was referred Assembly Bill No 753—An act to amend section 4 of "An act to regulate the construction of buildings in the State of California, in respect to resistance to horizontal forces, providing penalties for the violation thereof and providing that this act become effective immediately," approved May 26, 1933, relating to the application of said act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

PEYSER, Chairman

The above reported bill ordered on file for second reading

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER SACRAMENTO, March 13, 1935.

MR. SPEAKER Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No 1031—An act to repeal sections 378, 378a, 378b, 378c, 378d, 378e, 378f, 378g of the Political Code, relating to the Bureau of Commerce;

Also: Assembly Bill No. 1700—An act to amend section 663 of the Political Code, relating to the State Board of Control;

Also: Assembly Bill No 1861—An act to amend section 694da of the Political Code, relating to the State Agriculture Society contingent fund;

Also. Assembly Bill No 1989—An act to amend section 677 of the Political Code, relating to State accounting;

Also: Assembly Bill No. 1990—An act to repeal section 677a of the Political Code and to add section 677.5 thereto, relating to budgets of State departments and other State agencies,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

FIELD, Chairman.

The above reported bills ordered on file for second reading.
Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1992—An act to add section 675.1 to the

Political Code, and to repeal section 675b thereof, relating to the approval of salaries by the Department of Finance;

Also Assembly Bill No 1993—An act to amend section 675a of the Political Code, relating to approval of contracts by the Department of Finance;

Also: Assembly Bill No. 1994—An act to repeal section 686a of the Political Code and to add section 686 5 thereto, relating to accountants in the Department of Finance,

Also: Assembly Bill No. 2036—An act to add section 526a to the Political Code, relating to State printing,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

FIELD, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No 6—An act to amend section 1, of an act entitled "An act to create a fund to be known as the State highway general fund and providing for expenditures therefrom," approved June 5, 1931, relating to expenditures from said fund—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FIELD, Chairman

The above reported bill ordered on file for second reading

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No 509—An act providing for State planning and a State Planning Board, prescribing the powers, duties and jurisdiction thereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

FIELD, Chairman.

The above reported bill ordered on file for second reading

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1645—An act to require government units to furnish reports to the State Department of Finance concerning bonds and bonded indebtedness—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1862—An act to add two new sections to the Political Code to be numbered 359c and 359d, to provide for vacations of officers and employees of the State of California, with pay, and empowering the State Personnel Board to promulgate rules and regulations governing the same, in so far as applicable to such members of the civil service, and to repeal a certain act therein specified—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

FIELD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1863—An act to add a new section to the Political Code to be numbered 359e, to provide for leave of absence with pay to officers and employees of the State of California, when ill, and to empower the State Personnel Board to promulgate rules and regulations governing the same in so far as applicable to members of the civil service, and to empower appointing powers of such officers and employees to promulgate rules and regulations governing the same, in so far as applicable to officers and employees not members of the civil

service—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1935

MR SPEAKER: Your Committee on Education, to which was referred Assembly Bill No 528—An act to amend sections 4 750 and 4.751 of the School Code, relating to the computation of average daily attendance of school districts;

Also Assembly Bill No 1181—An act to amend sections 4 770, 4 771, 4.773, 4.785, 4.796, and 4.797 of the School Code and to add thereto two new sections to be numbered 4.774 and 4.484, all relating to the apportionment of State funds for public school purposes;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

CHATTERS, Chairman

The above reported bills ordered on file for second reading.

Senate Messages.

The following message from the Senate was taken up and read.

SENATE CHAMBER, SACRAMENTO, March 14, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 139—An act to provide for the burning of the brush and debris on a watershed for experimental purposes.

Also: Senate Bill No. 282—An act to amend section 16x24 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-fourth class,

Also: Senate Bill No. 427—An act to amend section 4 360 of the School Code, relating to school district budgets, declaring the urgency thereof and providing that this act shall take effect immediately,

Also: Senate Bill No. 519—An act to repeal "An act to regulate the business of selling live stock at public auction and requiring live stock auctioneers to obtain a license and to execute a bond to the State of California, and providing penalties for violation of this act, and repealing acts in conflict herewith," approved June 1, 1921.

J. A BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary

Senate Bill No. 139 read first time, and referred to Committee on Conservation.

Senate Bill No. 282 read first time, and referred to Committee on County Government.

Senate Bill No 427 read first time, and referred to Committee on Education

Senate Bill No 519 read first time, and referred to Committee on Live Stock and Dairies

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr Meehan:

ASSEMBLY CHAMBER SACRAMENTO, March 15, 1935

MR SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 19 of the Juvenile Court Law, relating to referees in counties of the third class.

Referred to Committee on Introduction of Bills

Reconsideration of Assembly Bill No. 368.

Assembly Bill No 368—An act to amend section 34 of the Agricultural Code, relating to cooperative agreements for the purpose of enforcing provisions relating to standardization

Reconsideration of Assembly Bill No. 368 Waived.

Mr. Utt waived his notice to reconsider the vote whereby Assembly Bill No 368 was passed.

Assembly Bill No. 368 ordered transmitted to the Senate.

Second Reading of Assembly Bills.

Assembly Bill No 139—An act to amend sections 165 and 166 of the Civil Code, relating to inventories of the separate property owned by a husband or wife, and making the filing of such inventory notice and prima facie evidence of title.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 882—An act to amend section 338 of the Code of Civil Procedure, relating to limitation of actions

Bill read second time.

Withdrawal of Bill.

By order of the Speaker, Assembly Bill No 882 was withdrawn from the file, and referred to Committee on Judiciary

Assembly Bill No 1132—An act to amend sections 1093, 1127, 1323, and 1439 of the Penal Code, relating to instructions and comment in criminal cases.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1133—An act to amend sections 800 and 802 of the Penal Code, relating to limitation of criminal actions.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1342—An act to amend section 1429 of the Penal Code, relating to the entering of pleas by a defendant.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1346—An act to amend section 107 of the Penal Code, relating to punishment for escape of a prisoner.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 978—An act to amend section 12 of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to civil engineers.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, after the words "Sec. 12.", add the following:

"(a) It shall be the duty of the board to inquire into the identity of any persons not registered as provided in this act and practicing as, or claiming to be a civil engineer. The board shall have the power to receive and investigate complaints against registered civil engineers, and to make findings, and shall have the power by a two-thirds (⅔) vote to reprove, privately or publicly, or to suspend for a period not to exceed two (2) years, or to revoke the certificate of any civil engineer registered hereunder who has been convicted of a felony, or who has not a good

character, or who has been found guilty by the board of any deceit, misrepresentation, violation of contract, fraud, or gross incompetency in his practice, or guilty of any fraud or deceit in obtaining his certificate or violation of any provision of this act.

(b) Proceedings for the reproval, suspension or revocation of certificate of registration shall be begun by filing with the secretary of the board written charges against the accused, such charges shall be in detail, and sworn to under oath by the complainant or such proceedings may be initiated by the board on its own motion without the filing or presentation of any complaint. The board shall designate a time and place for a hearing and shall notify the accused of this action and furnish him a copy of all charges, either by personal service or by registered United States mail, at least thirty (30) days prior to the date of hearing. The accused shall have the right to appear personally or by counsel, to cross-examine witnesses or to produce witnesses in his defense. The board shall have the power to compel the attendance of witnesses, and the production of necessary papers and documents.

The board may reissue a certificate of registration to any person whose certificate has been revoked; provided, two (2) or more members of the board vote in favor of such reissue for reasons the board may deem sufficient."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1131—An act to amend sections 682, 806, 811, 827, 849, 877, and 878 of the Penal Code, relating to proceedings before the committing magistrate, and to add a new section to the Penal Code numbered 87a, relating to the commitment by the magistrate on plea of guilty.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 21 to 25, inclusive, and insert in lieu thereof the following: "this code, the complaint shall contain the same allegations, including the charge of prior conviction or convictions of crime, as are required for indictments and informations and, whenever applicable, shall be construed and shall have substantially the same effect as provided in this code for indictments and informations."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 686—An act to amend an act entitled "An act to protect the natural resources of water, petroleum and gas from damage, waste and destruction; relating to the creation of a division in the Department of Natural Resources for the prevention of such damage, waste and destruction; providing for the appointment of a State Oil and Gas Supervisor, prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purpose of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; providing for bonds required of drillers of oil and gas wells; and making an appropriation for the purpose of this act, approved

June 10, 1915, as amended, by adding thereto section 18a, relating to slanting wells.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

In line 6 of the title of the printed bill, strike out the comma, and insert in lieu thereof a semicolon.

Amendment No. 2.

On page 1, line 21, of the title of the printed bill, after "relating to", insert the following: "the drilling, redrilling, deepening, use and disuse of wells including subsurface directional surveys thereof and the straightening, correction, use or disuse of"

Amendment No. 3.

On page 2 of the printed bill, strike out lines 13 to 44, inclusive, and insert in lieu thereof the following: "section 18a thereto, to read as follows:

Sec 18a. The owner or operator of any oil or gas well the actual drilling of which shall be commenced on or after the date when this amendment becomes effective, or which having been so commenced shall thereafter be redrilled or deepened, shall furnish to the State Oil and Gas Supervisor, from time to time as required by the supervisor during progress of such drilling, redrilling or deepening operations, such information, by subsurface directional survey or otherwise, as may be required by the supervisor and as may be necessary to enable the supervisor to ascertain the subsurface location of the well.

When any information or survey filed in accordance with this act indicates to the satisfaction of the supervisor that the course of any such well has departed from the vertical to such extent as would place, or has placed the productive portion of said well, or any part of such productive portion, outside the boundary lines, as projected vertically downward, of the tract of land upon which such well is being drilled, redrilled or deepened, and upon or within which the owner or operator of the well has a legal right to drill the well, the supervisor shall, in the manner provided in section 8 of this act for other notices, make and serve upon such owner or operator his order to take such action, as designated by him, as shall be necessary to straighten or correct the course of said well so as to keep the productive portion of said well within said boundaries, and such owner or operator shall forthwith either abandon such well, in accordance with this act, or comply with such order of such supervisor.

The failure of any such operator or owner to comply with said order, within a reasonable time, shall make the said order, and the information and records upon which it is based in the office of the supervisor, public records. In addition to any other remedy provided by law the Director of Natural Resources may institute, or have proceedings instituted in the name of the people of the State of California, and any firm, person or corporation injuriously affected by such departure of said well from said boundaries may institute an action in the superior court of the county within which said well is located, to enjoin the drilling, deepening, redrilling, operating and producing of said well until the owner or operator shall have complied with said order; and in any such action the said public records shall constitute prima facie evidence of such departure. Until compliance with the said order of the supervisor, as originally made by the supervisor or as modified by the court in event of such court action, the supervisor shall not approve any further action by the owner or operator in relation to the further drilling, deepening, redrilling, operating or producing of said well."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No 261—An act making an appropriation for the contingent expenses of the Assembly at its fifty-first session, and declaring that this act shall take effect immediately.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the printed bill, after the word "of", insert the figures "$50,000".

Amendment adopted.

Bill read second time.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 261, as amended, at this time, without reference to printer, committee or file, and that same be considered engrossed.

Case of Urgency.

The following resolution was offered:

By Mr. Lyon:

Resolved, That Assembly Bill No. 261, as amended, presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Mr. Lyon moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Dombue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Heisinger, Hunt, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Thorp, Utt, Voigt, Walker, Wallace, Waters, and Mr Speaker—60.

NOES—None

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 261, as amended

Second Reading of Assembly Bill No. 261, as Amended.

Assembly Bill No. 261—An act making an appropriation for the contingent expenses of the Assembly at its fifty-first session, and declaring that this act shall take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote.

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Dombue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Utt, Voigt, Walker, Wallace, Waters, and Mr. Speaker—62.

NOES—None.

Third Reading of Assembly Bill No. 261, as Amended.

Assembly Bill No. 261—An act making an appropriation for the contingent expenses of the Assembly at its fifty-first session, and declaring that this act shall take effect immediately

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 261 passed by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Donihue, Donnelly, Evans, Herbert J, Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Utt, Walker, Wallace, Waters, and Mr Speaker—60

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate

Motion to Reconsider Assembly Bill No. 436 Continued.

Mr O'Donnell moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 436 was passed, be continued until the next legislative day.

Motion carried.

Motion to Reconsider Assembly Bill No. 1741 Continued.

Mr. Hunt moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1741 was passed, be continued until the next legislative day.

Motion carried.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1500—An act to add section 92.5 to the Agricultural Code, relating to money appropriated for the encouragement of county and district agricultural fairs, declaring the urgency hereof and providing that this act shall go into immediate effect.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 3 to 7, inclusive, and insert in lieu thereof the following:

"92.5. Whenever an agricultural fair has received an allotment during the preceding year, the Director of Finance may, at any time during the year 1935, allot to such fair an amount not in excess of seventy-five per cent of the premiums paid out for the preceding year, as an advance upon the allotment to which such fair will become entitled under the provisions of section 92. Such advance shall be deducted from the allotment for such fair under section 92."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 13 to 24, inclusive, and insert in lieu thereof the following:

"By the amendment of section 92 of the Agricultural Code by Chapter 24, Statutes of 1935, to enable agricultural fairs which have not been held in previous years to participate in the allocation of funds available for such fairs, and changing the basis of such allocation from the premiums paid in the preceding year to the premiums paid in the current year, those fairs which have been conducted for successive years will be unable to obtain the customary allocation of funds until after the fair is over. This act provides for an advance of a portion of the funds to which such fairs are entitled in order to enable them to continue in operation. Unless provision is made for such advance the conduct of such fairs will be hampered and the welfare of an important factor in the economic life of the State will be impaired. Such advances must be made prior to the ordinary effective date of this act, and consequently it is necessary that this act should go into immediate effect."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 493—An act to amend section 491 of the Agricultural Code, relating to milk inspection.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

In line 1 of the title of the printed bill, after the word "amend", strike out "section 491", and insert in lieu thereof "sections 491 and 493".

Amendment No. 2.

On page 1 of the printed bill, after line 21, add the following:

"SEC 2 Section 493 of the Agricultural Code is hereby amended to read as follows

493. Any milk delivered by the producer thereof, to be sold as any grade of market milk, shall not be degraded or excluded from the market when a score of the dairy on which said milk is produced is below the specified minimum legal requirement

(a) Unless a copy of said score shall be promptly given to the proprietor or operator of the dairy and when milk is sold in bulk to a distributor or processor, a copy of said notice shall also be given to such distributor or processor.

(b) Unless a rescore, after ten days, shows the score of said dairy to be still or again below the specified minimum legal requirements and a copy of such rescore is promptly given to the proprietor or operator of said dairy and the purchaser of the milk produced by said dairy and until sixty hours elapses after the rescore. If, during the sixty hours, following the rescoring, a protest is filed with the head of the milk inspection service under whose jurisdiction the milk of such dairy is sold, the milk produced on said dairy shall not be degraded or excluded from the market until after a third score has been made and concurred in by the representative of said milk inspection service and the director."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 365—An act to amend section 423 of the Agricultural Code, relating to live stock on highways.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 491—An act to amend section 651 of the Agricultural Code, relating to dairy statistics.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 492—An act to amend section 631 of the Agricultural Code, relating to examination of milk and dairy products.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 494—An act to amend section 476 of the Agricultural Code, relating to fat or oil in dairy products.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 401—An act to add a new section to the Political Code, to be numbered 3881b, relating to entry of changes and corrections on assessment book and delinquent list.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1786—An act to amend section 2 of an act entitled "An act providing for the establishment and administration of industrial farms or industrial road camps in the counties of the State and the commitment thereto and discipline of persons charged with or convicted of public offenses," approved June 3, 1921, relating

to the charge for maintaining persons on industrial farms and industrial road camps.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 601—An act to amend section 1704 of an act entitled "An act to establish a Streets and Highways Code, thereby consolidating and revising the law relating to public ways and all appurtenances thereto, and to repeal certain acts and parts of acts specified herein."

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 763—An act to prohibit until February 1, 1936, sales under certain mortgages and deeds of trust, and the forfeiture of the interest of the purchaser under certain contracts of purchase, for default in the payment of the principal sum of obligations secured thereby or contracted to be paid thereunder, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale or forfeiture made in violation of the act, to prescribe the time within which an action to avoid the same may be brought, to postpone sales for default in payment of installments due between effective date of act and February 1, 1936, to authorize waiver hereof, to prevent actions against guarantors' obligations the enforcement of the security for which is affected by the act, and to declare the urgency hereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

In line 1 of the title of the printed bill, strike out "1936," and insert in lieu thereof the following: "1937, foreclosures and".

Amendment No. 2.

In line 6 of the title of the printed bill, after the comma, insert the following: "to permit extension of time for payment of interest upon such obligations,".

Amendment No. 3.

In line 12 of the title of the printed bill, strike out "1936", and insert in lieu thereof the following: "1937".

Amendment No. 4.

On page 2, line 13, of the printed bill, strike out "1936", and insert in lieu thereof the following: "1937".

Amendment No. 5.

On page 2, line 14, of the printed bill, strike out "no sale shall", and insert in lieu thereof the following: "no decree of foreclosure of a mortgage or deed of trust heretofore executed upon real property shall be entered, nor shall any sale".

Amendment No. 6.

On page 2, line 26, of the printed bill, strike out "Nothing", and insert in lieu thereof the following: "Except as otherwise provided with respect to interest, nothing".

Amendment No. 7.

On page 2, between lines 30 and 31, of the printed bill, insert the following:

"SEC. 3. If notice of default is recorded pursuant to section 2924 of the Civil Code, or if a forfeiture or termination is declared under a written contract for the purchase of real property, and in either case the only default is the nonpayment of an installment of interest, then in case of the notice of default the trustor or mortgagor may, or in case of the contract of purchase the purchaser may, file in the superior court of the county in which the real property or the major portion thereof is situated, a petition praying for an extension of time in which to pay the delinquent installment of interest.

If an action is filed for the foreclosure of a mortgage or trust deed upon real property, and the only default is the nonpayment of an installment of interest, the

mortgagor, trustor or defendant may file in the foreclosure action a petition praying for an extension of time in which to pay the delinquent installment of interest.

A copy of such petition shall be served upon the trustee and the beneficiary in the case of a deed of trust, or upon the mortgagee in the case of a mortgage, or upon the vendor in the case of a contract of purchase, in the manner provided by law for the service of summons in a civil action, and a notice of pendency of such petition shall immediately be recorded in each county in which any of the real property involved is situated. Such notice of pendency shall state the name of the petitioner and of all other parties to the mortgage, deed of trust or contract of purchase and the nature of the petition, and the book and page of the records of the county recorder in which the mortgage, deed of trust or contract of purchase is recorded.

Return of service of the petition shall be filed with the clerk of the superior court who shall set the petition for hearing within ten days after the filing of the return. Five days notice shall be given to all parties to the mortgage, trust deed or contract of purchase or to their personal representatives, assigns or successors in interest. Upon good cause shown the court may grant an extension of time, not to exceed five days, for the hearing, and shall grant no further extension and shall render its order within five days after the submission of the matter.

Upon the hearing the court, if it finds equitable grounds, may extend the time for payment of the delinquent installment of interest for not more than ninety days after the due date of such installment, and if the installment of interest is not paid within the extended time the court shall permit the foreclosure action or the sale under power of sale or the forfeiture or termination to proceed."

Amendment No. 8.

On page 2, line 31, of the printed bill, strike out "3.", and insert in lieu thereof the following: "4."

Amendment No. 9.

On page 2, line 32, of the printed bill, after "founded", insert the following "upon a written contract for the purchase of real property or"

Amendment No. 10.

On page 2, line 37, of the printed bill, strike out "1936", and insert in lieu thereof the following: "1937".

Amendment No. 11.

On page 2, line 38, of the printed bill, strike out "1936", and insert in lieu thereof the following: "1937".

Amendment No. 12.

On page 2, line 39, of the printed bill, strike out "4.", and insert in lieu thereof the following: "5."

Amendment No. 13.

On page 2, line 47, of the printed bill, strike out "5.", and insert in lieu thereof the following: "6."

Amendment No. 14.

On page 3, line 4, of the printed bill, strike out "6.", and insert in lieu thereof the following: "7."

Amendment No. 15.

On page 3, line 21, of the printed bill, strike out the period, and insert in lieu thereof the following: ", which installment became due on or before February 1, 1937."

Amendment No. 16.

On page 3, line 22 of the printed bill, strike out "Nothing", and insert in lieu thereof the following: "Except as otherwise provided with respect to interest, nothing".

Amendment No. 17.

On page 3, line 36, of the printed bill, strike out "7.", and insert in lieu thereof the following "8."

Amendment No. 18.

On page 3, between lines 42 and 43, of the printed bill, insert the following:

"SEC. 9. There shall be no filing fees for the filing of any document with the county clerk under the provisions of this act.

SEC. 10. As used in this act

(a) The terms "mortgagor," "mortgagee," "trustor," "trustee" "purchaser," "vendor," and "guarantor," shall include their personal representatives, assigns or successors in interest, and the singular shall include the plural.

(b) The term "trustee" shall also include the beneficiary of a deed of trust."

Amendment No. 19.

On page 3, line 43, of the printed bill, strike out "8.", and insert in lieu thereof the following "11."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 395—An act to amend Chapter 286, Statutes of 1927, entitled "An act authorizing the Department of Finance to appropriate waters in connection with the utilization and conservation of the water resources of the State in the development of a general or coordinated plan; authorizing the State Department of Finance to release or assign such appropriations; authorizing the State Department of Finance to request other departments of the State or State officers to furnish service or assistance to make investigations in connection with the development of a general or coordinated plan for the utilization or conservation of the water resources of the State," approved April 29, 1927, as amended, by amending section 1 thereof, relating to appropriation of waters by the State Department of Finance.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 658—An act to amend sections 45 and 47 of the California Irrigation District Act and to repeal section 46 of said act, all relating to certificates of sale and redemption therefrom, and the issuance of deeds

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 36, of the printed bill, after the word "money", insert a comma and the following: "plus the amount of any recorder's fee fixed by law for the service hereinafter provided for,".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 841—An act to amend sections 1 and 3 of an act entitled "An act relating to the redemption of property sold to irrigation districts for delinquent assessments, and declaring the urgency thereof," approved September 20, 1934, relating to redemptions and declaring the urgency thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the title of the printed bill, after the word "redemptions", add the following: "and by adding a new section to be numbered section 4 validating payments heretofore made under said act."

Amendment No. 2.

On page 1, line 4, of the printed bill, strike out the figures "10", and insert in lieu thereof the figures "30".

Amendment No. 3.

On page 1, line 15, of the printed bill, strike out the parenthesis before the word "of".

Amendment No. 4.

On page 1, line 16, of the printed bill, strike out the parenthesis after the word "assessments".

Amendment No. 5.

On page 1, lines 18 and 19, of the printed bill, strike out the following: "on all unpaid assessments from date of sale to date of redemption".

Amendment No. 6.

On page 2, line 13, of the printed bill, strike out the figure "10", and insert in lieu thereof the figure "30".

Amendment No. 7.

On page 2, line 23, of the printed bill, after the word "same", insert the following "by the payment of the amount of the unpaid portion of the total amount of said delinquent assessments".

Amendment No. 8.

On page 2 of the printed bill, after line 25, insert the following:

"SEC. 3. A new section is hereby added to be numbered section 4 and to read as follows:

Sec. 4. Any payment on account of the redemption of any land heretofore received by the collector of any irrigation district under an erroneous construction of the act of which this act is amendatory is hereby declared valid and sufficient for the purpose for which such payment was accepted, provided such payment was in an amount equal to at least one-tenth of the total amount of the assessments then delinquent on said land."

Amendment No. 9.

On page 2, line 26, of the printed bill, strike out the figure "3", and insert in lieu thereof the figure "4".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 655—An act to amend section 15b of the California Irrigation District Act, relating to the duties and powers of boards of directors.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 21, of the printed bill, strike out the period after the word "only", and insert a semicolon and the following words: "provided further, that districts required by law or provisions of agreements under which the water supply of the district, or any part thereof, was acquired, to furnish water outside the boundaries of the district to consumers whose rights to service were, at the time any such supply of water was acquired by the district, enforceable by reason of their status as persons of the class for whose benefit such water was appropriated or dedicated, may, acting by and through its board of directors, regulate the use of water so furnished and fix and collect reasonable rates and charges for such water and the service thereof."

Amendment No. 2.

On page 1, line 3, of the title of the printed bill, strike out the period, and insert in lieu thereof the following: "and providing for the use of water for any beneficial purposes."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 844—An act to add a new section to the California Irrigation District Act to be designated section 31a, referring to and providing for an alternative form of irrigation district bonds and for the procedure for the issuance of the same.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the title of the printed bill, strike out all of the title after the word "act", and insert in lieu thereof the following, "to amend section 33 of the California Irrigation District Act, relating to the payment of bonds and interest thereon."

Amendment No. 2.

On page 1 of the printed bill, strike out all of lines 1 to 14, both inclusive, and insert in lieu thereof the following.

"SECTION 1. Section 33 of the California Irrigation District Act is hereby amended to read as follows:

Sec. 33. Said bonds and the interest thereon shall, except as provided in section 32e hereof, be paid from revenue derived from an annual assessment upon the land within the district, and all the land within the district shall be and remain liable to be assessed for such payments as hereinafter provided. The board of directors shall have power to provide for a reserve fund to be used for the payment of interest on or principal of any outstanding bonds and any source or sources of revenue may by order of the board of directors with the approval of the California Districts Securities Commission be irrevocably allocated to such reserve fund."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1976—An act to amend section 29 of "The California Irrigation District Act," approved March 31, 1897, as amended, relating to the purpose for which property may be held by said district.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the title of the printed bill, strike out the period, and insert in lieu thereof a comma and the following words, "and providing for the sale or lease of same"

Amendment No. 2.

On page 1 of the printed bill, strike out all of lines 1 to 19, both inclusive, and insert in lieu thereof the following:

"SECTION 1 Section 29 of the California Irrigation District Act is hereby amended to read as follows

Sec 29. The legal title to all property acquired under the provisions of this act shall immediately and by operation of law vest in such irrigation district and shall be held by such district in trust for and is hereby dedicated and set apart to the uses and purposes set forth in this act The board of directors of said district is hereby authorized and empowered on behalf of the district to hold, use, acquire, manage, occupy, possess, sell or lease said property as herein provided

The board of directors of said district may determine by resolution duly entered upon their minutes that any property, real or personal, held by said irrigation district is no longer necessary to be retained for the uses and purposes thereof and may thereafter sell or lease such property upon such terms and conditions as may appear to said board to be for the best interest of the said district All conveyances or leases shall be executed by the secretary and president of said district on behalf of said district and in accordance with a resolution of the board of directors previously passed and adopted and must be for a valuable consideration.

Whenever it appears to the board of directors that any particular parcel of real property held by the district may be leased for the purpose of developing, taking, removing or extracting therefrom minerals, oil, gas or other hydrocarbons, without interfering with the use of said real property for the purpose for which it is dedicated, the board of directors shall pass a resolution, duly entered upon their minutes, that such real property may be so leased and may thereafter lease such real property for the purpose or purposes specified in said resolution, upon such terms as the board shall deem most beneficial to the district"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No 707—An act to empower and authorize the Relief Administrator named in section 10 of Article XVI of the Constitution of California, to reimburse the United States of America and/or relief agencies thereof, from the fund established by said section 10 of Article XVI of the Constitution of California, on account of moneys disbursed for unemployment relief in California.

Bill read second time, and ordered to third reading.

Third Reading of Assembly Bills.

Assembly Bill No. 1885—An act to amend section 91 5 of the Agricultural Code, relating to the Sixth District Agricultural Association fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1885 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Thorp, Utt, Voigt, Walker, Waters, and Mr. Speaker—60

NOES—Wagner—1

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 2033—An act to amend the title and sections 2, 4 and 5 of an act entitled "An act regulating the payment of wages earned in seasonal labor and prescribing the powers and duties of the Commissioner of the Bureau of Labor Statistics, in relation thereto," approved May 28, 1913 (Stats 1913, Chap 198), relative to disputes regarding seasonal labor, and the application of the State Wage Law thereto.

Bill read third time

The question being on the passage of the bill

The roll was called, and Assembly Bill No 2033 passed by the following vote·

AYES—Anderson, Andreas, Breed, Burns Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen Patterson, Pelletier, Peterson, Phillips, Reaves Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, and Mr Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 1723—An act to amend sections 888 and 959 of the Penal Code, relating to indictments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1723 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patter-

son, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, and Mr. Speaker—61.
NOES—None

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1995—An act to amend section 779 of the Political Code, relating to publication of court reports.
Bill read third time.
The question being on the passage of the bill
The roll was called, and Assembly Bill No. 1995 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, Donihue, Donnelly, Evans, Herbert J., Field, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Wright, and Mr. Speaker—60
NOES—Desmond—1.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 1995.

Mr. Donnelly gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1995 was this day passed.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1970—An act authorizing the creation of a personnel system, merit system or civil service system; the creation of the office of personnel director; the appointment of a civil service commission; the delegation of certain authority to said personnel officer or commission in municipalities within this State; and prohibiting certain political activities and providing penalties for the violation of said provisions.
Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Utt:

Amendment No. 1.

On page 2, line 7, of the printed bill, strike out the language commencing with the word "a" down to and including the word "city" in line 10, and insert in lieu thereof: "the withdrawal thereof shall have been submitted to the qualified electors of said city at a special or regular municipal election held in said city and shall have been approved by not less than a two-thirds vote of the electors voting on such proposition".

Amendment No. 2.

On page 2 of the printed bill, strike out lines 43 to 52, both inclusive.

Amendment No. 3.

On page 3 of the printed bill, strike out lines 1 to 11, both inclusive

Amendments adopted.

Request for Unanimous Consent.

Mr. Utt asked for, and was granted, unanimous consent to take up Assembly Bill No. 1970, as amended, at this time, without reference to printer or file, and that same be considered engrossed.

Third Reading of Assembly Bill No. 1970, as Amended.

Assembly Bill No. 1970—An act authorizing the creation of a personnel system, merit system or civil service system; the creation of the office of personnel director; the appointment of a civil service commission; the delegation of certain authority to said personnel officer or commission in municipalities within this State; and prohibiting certain political activities and providing penalties for the violation of said provisions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1970, as amended, passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Corwin, Crowley, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Wright, and Mr. Speaker—65.

NOES—Geyer and Jones—2

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 1970.

Mr Cassidy gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1970 was this day passed.

Reconsideration of Assembly Bill No. 1970 Waived.

Mr. Cassidy waived his notice to reconsider the vote whereby Assembly Bill No. 1970 was passed.

Assembly Bill No. 1970 ordered transmitted to the Senate

Explanation of Vote.

In view of the fact that the undersigned are authors of bills which are duplicates of Assembly Bill No 1970, we are joining herewith as cosponsors of the above Assembly Bill No. 1970.

BEN ROSENTHAL.
JOE GILMORE

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1935.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 55—An act to provide for the operation and maintenance of storage garages for state-owned vehicles, the pooling of vehicles in general use, the placement of the State seal on each vehicle and providing that unofficial use of state-owned vehicles shall constitute a misdemeanor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1935

MR. SPEAKER Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 578—An act relating to revenue and taxation, providing for an excise tax on the sale of all oleomargarine containing any fat or oil ingredient other than any one or more of the following: oleo oil, oleo stock, oleo stearine from cattle,

neutral lard from hogs, sheep fat, cottonseed oil, peanut oil, corn oil, soya bean oil or milk fat; providing a penalty for a violation of the provisions thereof and declaring that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1935.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 495—An act to amend sections 460, 504, and 621 of the Agricultural Code, relating to dairy products;

Also. Assembly Bill No 496—An act to amend section 692 of the Agricultural Code, relating to places where milk or milk products are handled or kept for sale;

Also: Assembly Bill No. 897—An act to amend section 487 (a) of the Agricultural Code of California;

Also: Assembly Bill No. 898—An act to amend section 488 (a) of the Agricultural Code of California;

Also: Assembly Bill No. 899—An act to amend sections 473, 508 (f), and 508 (g) and 516 of the Agricultural Code of California;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended

THORP, Chairman.

The above reported bills ordered on file for second reading

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1935.

MR SPEAKER Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No 1130—An act to amend section 3444 of the Political Code, to empower the Division of State Lands to promulgate rules and regulations governing the use of certain State lands and the enforcement of such rules and regulations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FIELD, Chairman

The above reported bill ordered on file for second reading.

On Exhibitions and Fairs.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1935

MR SPEAKER: Your Committee on Exhibitions and Fairs, to which was referred Assembly Bill No. 1391—An act making an appropriation for the State Agricultural Society out of any moneys made available by law for the construction of public works for or in behalf of unemployment relief—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means

FULCHER, Chairman

Assembly Bill No. 1391 ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: Your Committee on Exhibitions and Fairs, to which was referred Senate Bill No 2—An act making an appropriation for a State exhibit at the California Pacific International Exposition, declaring the urgency thereof, and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means

FULCHER, Chairman.

Senate Bill No. 2 ordered re-referred to Committee on Ways and Means.

On Public Utilities.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1935.

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 2192—An act imposing a tax on the privilege of consuming or enjoying the commodities or services of public utilities, publicly or privately owned, providing for the collection and disposition thereof, making an appropriation for the

administration of this act, prescribing penalties for violations of the provisions hereof, and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back without recommendation, and be re-referred to Committee on Revenue and Taxation

EVANS, Chairman.

Assembly Bill No. 2192 ordered re-referred to Committee on Revenue and Taxation.

Also:

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 884—An act to add a new section to the Penal Code, to be numbered section 593b, relating to climbing upon poles, towers and other structures supporting wires or cables, transmitting electric energy;

Also: Assembly Bill No. 1884—An act to amend section 13 and to add a new section to be numbered 13a to "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle, and providing that this act shall take effect immediately," approved May 15, 1933, relating to the disposition and control of moneys received under said act;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

EVANS, Chairman

The above reported bills ordered on file for second reading.

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1935.

MR SPEAKER. Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 19 of the Juvenile Court Law, relating to referees in counties of the third class.

CUNNINGHAM, Chairman.

Consideration of Report of Committee on Introduction of Bills.

Report read.

Mr. Cunningham moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J. Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Waters, Wright, and Mr. Speaker—65

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

By Mr. Latham. Assembly Constitutional Amendment No 68—Proposed amendments to Article XIII, section 14, of the Constitution, relative to taxation.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Meehan· Assembly Bill No 2389—An act to amend section 19 of the Juvenile Court Law, relating to referees in counties of the third class.

Bill read first time, and referred to Committee on Judiciary.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1935

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1067—An act to amend section 1007 of the Civil Code, relating to title by prescription and adverse possession against the State, counties, cities and counties or municipal corporations thereof—and reports that the same has been correctly engrossed.

WATERS, Chairman

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 17—An act to promote the safety of travelers and employees on trains by limiting the number of cars in a train, and prescribing penalties for violation thereof;

Also: Assembly Bill No. 486—An act requiring the treasurer of each municipality, county, and city and county to maintain a record of the names and addresses of holders of ad valorem special assessment district bonds;

Also: Assembly Bill No. 558—An act to amend section 2766 of the Civil Code, relating to life and disability insurance;

Also: Assembly Bill No. 563—An act to amend sections 691, 694, 695, 696, 697, and 865 of the Fish and Game Code and to add section 697 5 thereto, and to repeal section 691.6 thereof, relating to fishing;

Also: Assembly Bill No. 729—An act to amend section 1382 of the Penal Code, relating to the dismissal of prosecutions;

Also: Assembly Bill No. 793—An act to amend section 5 900 of the School Code, relating to the retirement of public school teachers;

Also: Assembly Bill No. 950—An act to amend section 1060 of the Fish and Game Code, and to add thereto section 481 5, relating to fish and game;

And reports that the same have been correctly engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1067—An act to amend section 1007 of the Civil Code, relating to title by prescription and adverse possession against the State, counties, cities and counties or municipal corporations thereof.

Withdrawal of Bill.

By order of the Speaker, Assembly Bill No. 1067 was withdrawn from the file, and referred to Committee on Municipal Corporations.

Recess.

At eleven o'clock and five minutes a.m., on motion of Mr. Lyon, the Assembly was declared at recess for the purpose of holding St. Patrick's Day exercises.

Reassembled.

At twelve o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1935.

MR. SPEAKER. Your Committee on Municipal Corporations, to which was referred Assembly Bill No 242—An act to add a new section to be numbered section 28a to an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and

rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, relating to assessments and bonds—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 2104—An act to amend section 1 and to add a new section to be numbered _____ to "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, relating to the organization and management of county water districts—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No 440—An act to amend section 18a of the "Street Opening Act of 1903," relating to assessments and contribution of costs by municipalities—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 425—An act to amend "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, by amending sections 5 relating to the division of election precincts, 10 relating to the publication of ordinances, 12 relating to the issuance of revenue bonds and the investment of surplus moneys, 15b relating to the bonds of the district and their use as security, and adding a new section thereto to be numbered 15c, relating to the issuance of refunding bonds—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

WRIGHT, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 828—An act to amend an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, as amended by amending section 23 thereof, relating to priority of liens and bonds—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WRIGHT, Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 231—An act to amend section 10 of an act entitled "An act to limit the amount of special assessments for public improvements and acquisitions of property for public purposes, to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or part by special assessments, to provide a basis for valuation of property for the purpose of establishing a special assessment limitation, and to authorize the payment of a part of the cost of such public improvements and acquisitions of property from any available public fund where a part of such cost is paid by special assessment on benefited property, and to provide that a majority protest shall be a bar to any proceeding," approved June 8, 1931, relating to limitations on assessments—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WRIGHT, Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 114—An act to amend section 1 of an act entitled "An act relating to the liability in damages of municipalities, counties, cities and counties, and school districts, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property; prescribing the duties of the officers thereof in such cases and authorizing such public or quasi public corporations to take out and pay for insurance to protect them against such liability," approved June 19, 1931, relating to claims and the institution of suits;

Also Assembly Bill No. 115—An act to amend the title and section 1 of "An act relating to the liability and damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property, and alleged to be due to the negligence or carelessness of such officers; prescribing the duties of claimants in such cases, and authorizing the State and such public or quasi public corporations to take out and pay for insurance to protect their officers against such liability," approved June 19, 1931, relating to liability for negligent and careless operation of motor vehicles, and to claims and the institution of suits;

Has had the same under consideration, and respectfully reports the same back without recommendation, and be re-referred to Committee on Judiciary

WRIGHT, Chairman

Assembly Bills Nos. 114 and 115 ordered re-referred to Committee on Judiciary.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1345—An act to amend sections 5, 12, and 25 of, to repeal section 52 of, and to add sections 7, 25a, 25b, and 52 to the County Water District Act, relating to the sale and distribution of water in districts, and the election of officers of said districts—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

WRIGHT, Chairman

The above reported bill ordered on file for second reading

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1935

MR. SPEAKER Your Committee on Rules, to which was referred Senate Concurrent Resolution No. 10—Resolved by the Senate of the State of California, the Assembly concurring, That the following be, and the same are hereby adopted as the Joint Rules of the Senate and Assembly of the State of California for the fifty-first session of the Legislature—has had the same under consideration, and respectfully reports the same back with recommendation that it do pass, as amended

WALLACE, Chairman

Request for Unanimous Consent.

Mr. Wallace asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 10, at this time, without reference to file.

Consideration of Senate Concurrent Resolution No. 10.

Senate Concurrent Resolution No 10—Resolved by the Senate of the State of California, the Assembly concurring, That the following be, and the same are hereby adopted as the Joint Rules of the Senate and Assembly of the State of California for the fifty-first session of the Legislature.

Committee Amendments.

During reading of Senate Concurrent Resolution No. 10, the following amendments were submitted by the committee:

Amendment No. 1.

In Rule 2, page 2, line 37, strike out the following: "(1)".

Amendment No. 2.

In Rule 13, page 4, line 39, add the following paragraph:

"In the case of an amendment to a skeleton bill, which amendment actually sets up, for the first time, the wording of the bill, this rule shall not apply, but the use of italics and strike-out type shall be as in an original bill."

Amendment No. 3.

In Rule 14, page 5, line 3, after the word "each", insert the following: "State"

Amendment No. 4.

In Rule 15, page 5, line 32, after the word "to", and before the word "State", insert the following: "elective"

Amendment No. 5.

(a) In Rule 20, page 6, line 48, strike the words "Secretary of the Senate and the", and in line 49, strike out the words "Chief Clerk of the Assembly", and insert in lieu thereof the following: "Supervisor of Documents".

(b) In Rule 20, page 6, line 51, after the word "sessions", strike out the comma, and insert in lieu thereof a period, and strike out the following words in that line "and they are hereby authorized", and strike out all of line 52 on that page, and strike out all of lines 1 and 2 on page 7.

Amendment No. 6.

(a) In Rule 33, page 9, line 22, after the word "the", and before the word "time", insert the following: "intended."

(b) In Rule 33, page 9, line 23, after the word "Legislature", and before the word "unless", insert the following: "In the resolution of notice of intention to adjourn."

Amendment No. 7.

In Rule 34, page 9, line 35, strike out the numeral "7", and insert in lieu thereof the numeral "5", so that the reference will be to "Joint Rule 35."

Amendment No. 8.

(a) In Rule 44, page 12, line 19, strike out the words "for adjournment", and insert therein the following: "of notice of intention to adjourn."

(b) In Rule 44, page 12, line 20, after the word "such", and before the word "adjourn-" insert the word "intended".

WALLACE, Chairman

Amendments read and adopted.

Senate Concurrent Resolution No 10 ordered to reprint, and on file for adoption.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1935.

MR. SPEAKER: Your Committee on Rules recommends the following amendments to the Standing Rules of the Assembly:

Amendment No. 1.

In Rule 74, Committee No. 21, change the name "Committee on Federal Relations", to "Committee on Federal and Interstate Relations."

Amendment No. 2.

In Rule 86 A, second paragraph, in the second sentence, after the word "Speaker", strike out 16 words (to include the word "system"), and insert in lieu thereof the following: "announces, 'The members will now vote',".

Amendment No. 3.

In Rule 86 A, in the third sentence strike out the last seven words, beginning with the word "when", and insert in lieu thereof the following: "or when so instructed by the Speaker."

Amendment No. 4.

In Rule 86 A, in the last sentence, after the word "system", insert the following: "record the vote.".

Amendment No. 5.

After Rule 93 C, add a new rule to be known as 93 D, as follows:

"93 D. The clerk in charge of the voting machine shall make a copy of every recorded vote for the Speaker, which shall then become the record for the Minute Clerk. Under a call of the house, the author of the bill (or the member handling it) and the leader of the opposition, may also on their own requests, receive copies. In addition to these, sufficient copies may be made, with the approval of the Speaker, for the representatives of the press."

Amendment No. 6.

In Rule 86 B add a new paragraph, to read as follows

"If the Speaker pro tempore or any member shall be performing the duties of the Speaker, under Rule 16(d) his vote may be given orally and shall be so recorded."

WALLACE, Chairman.

Amendments to standing rules ordered printed in the Journal.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1935.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 464—An act to amend section 820 of the Agricultural Code, relating to tomatoes;

Also: Assembly Bill No. 895—An act to amend section 820 of the Agricultural Code, relating to the standardization of tomatoes;

Also: Assembly Bill No. 915—An act to amend "An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission; prescribing the powers, duties and authority of said commission and the members thereof; providing for the institution of proration programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purposes of said act and providing for the collection thereof; and making an appropriation therefor," approved June 5, 1933, by amending sections 2, 5, 8, 9, 10, 11, 16, 18, 19, 20, 21, 22, 23, 24, 25, and 26 and adding new sections numbered 27, 28, and 29;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

PHILLIPS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 463—An act to amend section 805 of the Agricultural Code, relating to persimmons;

Also: Assembly Bill No. 524—An act to amend sections 821 and 827 of the Agricultural Code, relating to apples;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

PHILLIPS, Chairman

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 92—An act to amend section 814 of the Agricultural Code, relating to lettuce;

Also: Assembly Bill No. 462—An act to amend section 809 of the Agricultural Code, relating to walnuts;

Also: Assembly Bill No. 918—An act to amend sections 798 and 830 of the Agricultural Code, relating to dates;

Also: Assembly Bill No. 974—An act to amend section 794 of the Agricultural Code, relating to cherries;

Also, Assembly Bill No 1244—An act to amend section 792 of the Agricultural Code, relating to avocados;

Also: Assembly Bill No 1381—An act to amend section 790 and to add section 813 5 to the Agricultural Code, relating to celery;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

PHILLIPS, Chairman.

The above reported bills ordered on file for second reading.

Resolution.

The following resolution was offered:

By Mr. Nielsen:

Assembly Resolution.

WHEREAS, Emmett J. Peterson served the Third Congressional District and the State of California very competently for many years as secretary to the late Congressman C. F. Curry and as Deputy Attorney General; and

WHEREAS, Emmett J. Peterson rendered very valuable services to the ex-service men as Commander of the Sixth District, American Legion; and

WHEREAS, Providence has seen fit to call him to his reward; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly desires to express its recognition of the services of Emmett J. Peterson to the State and Nation and to acknowledge the loss to the State of California in his passing; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to have a suitably engrossed copy of this resolution and present it to his mother as an expression of sympathy.

Resolution read

Mr. Nielsen moved, seconded by Mr. Desmond, that the resolution be adopted.

Resolution adopted.

Request to Print in Journal.

Mr. Lyon requested that the following address be printed in the Journal.

Request granted.

St. Patrick's Day Speech by Mr. Charles W. Lyon.

This is the birthday of Saint Patrick, the Patron Saint of Ireland, and in passing we may note that in company with us throughout the civilized world, wherever the sons of the Gael may wander, the praises of Saint Patrick are sung and the story of his life and teachings are told.

The seventeenth day of March is a day that will ever be celebrated by the sons of Erin whether under the open dome of Ireland's sky, in the dark recesses of her glens and coves, or in the temples and halls of fame of foreign lands. The seventeenth day of March is Ireland's great national holiday It is a day that has a tender significance to every Irish heart. It is a day that has come to indicate and suggest to the Irish mind the time when Ireland and her people were freed from the bonds of paganism and superstition; the time when Ireland was one of the great centers of intellectual activity in Europe; the time when Ireland was called the "land of saints and scholars"; the time when the sons of Erin were happy, contented and free. It is a day that suggests and recalls to the Irish mind the time when Ireland was the "Niobe of nations." It suggests the tear-stained, blood-stained tragedy of the Irish race—the long, sad struggle of a people for liberty and independence, the long sad struggle of a people to maintain the faith that St. Patrick implanted within their breasts. Yes, it is a day that has come to serve as an inspiration for the future and it gives rise to the fond hope in the breast of every Irish heart that Ireland may soon again become a free and independent nation.

We celebrate St. Patrick's Day above all other days because St. Patrick reared the Cross of God on Erin's soil; because he lit the fire of the Christian faith in the Irish breast never to flicker or die out; because St. Patrick symbolizes the Irish ideal of true manhood; his lowly birth and beginning, his life, his humility, his works and his teachings have served and will ever serve as an inspiration for devotion, fidelity, courage and true Christian charity to the Irish race.

There is also another reason why we celebrate St. Patrick's Day, and why we recall the part that Ireland and her sons have played in the world's history: To tell the story of Ireland to the people of the civilized world in order that they may appreciate and have before them the injustice Ireland has suffered in order that Banquo's ghost may not down, and in order that England in this enlightened age, bowed in sorrow and shame, may at last repent and endeavor to make at least partial reparation for her sins against the Irish people.

History tells us that St. Patrick in about the year 400 A D. came to Ireland as a slave; that he was employed as a shepherd herding sheep on her mountain sides; that he learned to love her cheerful, true and simple people; that he escaped to the Continent, where he prepared himself and returned to Erin as an apostle of Christ to convert the people, whom he had learned to love, to Christianity without shedding a single drop of blood

At the time St. Patrick came to Ireland, she was a pagan nation, though her people were possessed of a certain loftiness of mind and worship, and had reached a high state of culture and civilization. St. Patrick indeed found a fertile soil in the keen, sharp and receptive mind of the Celt in which to sow the seeds of the true Christian faith. The result of St Patrick's fruitful mission to Ireland is too familiar to you to warrant repetition. You remember how he Christianized her people, how he met the Druids, the learned priests of Paganism, and the King of Ireland on Tara's Hill and here explained to them the true Christian faith, and expounded to them the doctrine of the Trinity, using as an illustration the three-leaf shamrock, which was ever afterward to be a sacred emblem of the Irish people; how he then lit the flame of Christianity upon the altar of God which has remained burning steadily throughout the centuries, dispelling the surrounding darkness and sending its civilizing beams to the uttermost parts of the earth.

The centuries immediately following the advent of St. Patrick were prosperous ones for her people. She was known as the land of saints and scholars. Her schools and colleges were famed the world over. She was in fact one of the great centers of intellectual activity. Her learned monks carried the celestial banner of Christianity to the Continent and to her sister island England. Her teachers were sought in the leading institutions of learning of the time. Charlemagne, who had reared his great empire on the ruins of mighty Rome, sought out the Irish scholars and teachers and appointed them to positions of honor and responsibility in his court.

While her people were quietly engaged in peaceful educational pursuits and in furtherance of the arts and sciences; when the pen had supplanted the sword; the Danes, a band of marauders and barbarians of the north, like the Huns of Eld, crushed down upon her like a mighty avenging fury; destroyed, sacked and pillaged her churches and temples, laid waste her fields and impaired her industries But her people were undaunted, and with the faith of St. Patrick in their heart and the determination to be free, a united Irish people rose up in their might and drove the enemy from their borders in the year 1014 on the field of Clontarf, under the leadership of the mighty Brian Boru But the influence of the Danes left its traces on Irish civilization and in her weakened condition, Ireland with her life blood sapped; her institutions of learning in ruins; her fields laid bare; began slowly to recoup her lost fortunes. Her people, somewhat disunited, but filled with sincerity, simplicity and truth, unaccustomed to the treachery, deceit, intrigue and bad faith of her Briton brethren, fell a prey to the siren guile and serpent guile of Henry II, their pretended friend, in the year 1171. Then followed the tear-stained, blood-stained tragedy of Erin's sons—the terrible slaughter by Cromwell at Drogheda. Her very hills and valleys echoed with the wails and moans of a starved, dying and depressed people. Her very soil reeked with the innocent blood of her sons.

During these dark days in Erin, there appeared on the scene of action heroes, priests, patriots, statesmen and martyrs whose loyalty, bravery and courage astounded the world; her Hugh O'Neils, her Patrick Sarsfields, her Father Murpheys, her Wolf Tones, her Lord Fitzgeralds, her Edmond Burkes, her Robert Emmets, her Daniel O'Connells, her William Smith O'Briens, her Thomas Meaghers her Michael Davitts and her Charles Stuart Parnells.

The history of the dark days of Erin are doubtless familiar to you all. Her penal laws; how her representatives of God were hunted like wolves; her lands taken from her sons—oppression unbearable, tyranny unspeakable. Ireland oppressed by her brethren of Briton without right or reason, robbed of her lands and possessions; robbed of her homes and her firesides. Ireland, who had a glorious history "ere England had emerged from British barbarism!" Her sons forbidden by law to wear

the green shamrock, their sacred emblem; with unselfish devotion to a principle and to the faith of their fathers, and with that courage, sacrifice and fidelity symbolized to the Irish mind by St. Patrick, began their march westward. In the words of the poet.

But if at last our color should be torn from Ireland's heart,
Her sons with shame and sorrow from the dear old isle will part;
I've heard a whisper of a country that lies beyond the sea,
Where rich and poor stand equal in the light of equality.

Adjournment.

At twelve o'clock and thirty minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Monday, March 18, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, March 18, 1935.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—78.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Turner, its further reading was dispensed with.

Leave of Absence.

On motion of Mr. Dawson, Mr. Brennan was granted leave of absence for this day.

Privilege of Floor of Assembly Extended.

On request of Mr. Turner, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Margaret Stoeckle of San Francisco.

On request of Mr. McBride, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Dow R. Holt of Ventura.

On request of Mr. Kallam, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Fred W. Atkinson of Watsonville.

On request of Mr. Jones, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Chas. G. Keyes.

On request of Mr. O'Donnell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. F. J. King of Fruto, California.

On request of Mr. Hunt, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. E. J. Sullivan of Los Angeles

On request of Mr. Lyon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. C. C. C. Tatum, former president of California Real Estate Association of Los Angeles; Mr. Bert O. Miller of Los Angeles, vice president, California Real Estate Association; Mr. Charles K. Atlass, chairman Legislative Committee, Los Angeles Realty Board.

On request of Mr. O'Donnell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the principal and pupils of the Winters Grammar School, Winters, California, as follows: R. J. Meade, principal, and Shizuyo Tsuji, Ruth Ruggles, Jane Young, Tadakazu Kato, Sarah Robinson, Robert Hargitt, Kimiyo Matsushita, Masumi Seta, Theola Forden, Marjorie Hopkins, Georgia Little, Jean Wehrman, Arliss Moor, Toshi Miyai, Ernest Lewis, Robert Gale, Jack Mermod, William Brooks, Frank Mahoney, King Taylor, Heartaka Kato, Garlan Eggman and Tony Garcia, pupils.

On request of Mr. O'Donnell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the superintendent, chaperon and pupils of Clarksburg High School, Clarksburg: Mr. L. T. Sims, superintendent; Mrs. Gus Olson, chaperon, and the following students. Norman Olson, Kahl Fawcett, Burt Swarts, Louise Yelland, Agnes Warriner, Mikiye Hayashi, Adeline Baliel and Martha Cone.

On request of Mr. Redwine, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Verna Neilson.

On request of Mr. Cunningham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Herman Paine of Santa Monica.

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs Harry G. Meehan of Oakland, California.

ASSISTANT CLERK OLIVER READING.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From H. Eigh, favoring repeal of the Criminal Syndicalism Law.

From Robert Dominguez, opposing additional taxation on motion picture industries.

From E. Snapper Ingram, opposing additional taxation on motion picture industries.

From Mrs. Lydia Garrett, favoring laws that the Los Angeles Junior Chamber of Commerce are backing, regarding persons or societies that would destroy our government.

From J. E Hopper, opposing additional taxation on motion picture industry

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1935

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 81—An act to amend section 11 of the Motor Vehicle Fuel License Tax Act, relating to refunds of license taxes;

Also: Assembly Bill No 139—An act to amend sections 165 and 166 of the Civil Code, relating to inventories of the separate property owned by a husband or wife, and making the filing of such inventory notice and prima facie evidence of title;

Also: Assembly Bill No. 154—An act to amend the title and sections 8, 14, 32 and 33 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the extension of the provisions of said act to the companies taxable hereunder and their franchises, other than insurance companies and their franchises, specified in section 14 of Article XIII of the Constitution of this State;

Also: Assembly Bill No. 155—An act to amend the title and sections 4, 4a, 5, 8, 10, 11, 12, 13, 15, 16, 18, 19, 20, 21, 23, 24, 25, 26, 27, 29, 30, 31 and 35 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the extension of the provisions of said act to the companies taxable hereunder and their franchises, other than insurance companies and their franchises, specified in section 14 of Article XIII of the Constitution of this State;

Also Assembly Bill No. 174—An act to amend the title of Part I of Division V of the School Code, and to amend sections 5 1 and 5 2 thereof, relating to State colleges;

Also: Assembly Bill No. 341—An act to amend sections 21.1, 53, 54, 63, 64, 93, 105, 133, 133 1, 135d and 139 of the Bank Act, and to add two new sections thereto to be numbered 16d and 51.1:

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 365—An act to amend section 423 of the Agricultural Code, relating to live stock on highways;

Also: Assembly Bill No. 395—An act to amend Chapter 286, Statutes of 1927, entitled "An act authorizing the Department of Finance to appropriate waters in connection with the utilization and conservation of the water resources of the State in the development of a general or coordinated plan; authorizing the State Department of Finance to release or assign such appropriations; authorizing the State Department of Finance to request other departments of the State or State officers to furnish service or assistance to make investigations in connection with the development of a general or coordinated plan for the utilization or conservation of the water resources of the State," approved April 29, 1927, as amended, by amending section 1 thereof, relating to appropriation of waters by the State Department of Finance;

Also: Assembly Bill No. 401—An act to add a new section to the Political Code, to be numbered 3881b, relating to entry of changes and corrections on assessment book and delinquent list;

Also: Assembly Bill No. 491—An act to amend section 651 of the Agricultural Code, relating to dairy statistics;

Also: Assembly Bill No. 492—An act to amend section 631 of the Agricultural Code, relating to examination of milk and dairy products;

Also: Assembly Bill No. 493—An act to amend sections 491 and 493 of the Agricultural Code, relating to milk inspection;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 494—An act to amend section 476 of the Agricultural Code, relating to fat or oil in dairy products,

Also: Assembly Bill No. 601—An act to amend section 1704 of an act entitled "An act to establish a Streets and Highways Code, thereby consolidating and revising the law relating to public ways and all appurtenances thereto, and to repeal certain acts and parts of acts specified herein";

Also: Assembly Bill No. 655—An act to amend section 15b of the California Irrigation District Act, relating to the duties and powers of boards of directors and providing for the use of water for any beneficial purposes;

Also: Assembly Bill No 658—An act to amend sections 45 and 47 of the California Irrigation District Act and to repeal section 46 of said act, all relating to certificates of sale and redemption therefrom, and the issuance of deeds;

Also: Assembly Bill No. 686—An act to amend an act entitled "An act to protect the natural resources of water, petroleum and gas from damage, waste and destruction; relating to the creation of a division in the Department of Natural Resources for the prevention of such damage, waste and destruction; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purpose of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; providing for bonds required of drillers of oil and gas wells; and making an appropriation for the purpose of this act, approved June 10, 1915, as amended, by adding thereto section 18a, relating to the drilling, redrilling, deepening, use and disuse of wells including subsurface directional surveys thereof and the straightening, correction, use or disuse of slanting wells;

And reports that the same have been correctly engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 763—An act to prohibit until February 1, 1937, foreclosures and sales under certain mortgages and deeds of trust, and the forfeiture of the interest of the purchaser under certain contracts of purchase, for default in the payment of the principal sum of obligations secured thereby or contracted to be paid thereunder, to permit extension of time for payment of interest upon such obligations, to extend the Statute of Limitations upon such obligations, to make voidable at the instance of the owner any sale or forfeiture made in violation of the act, to prescribe the time within which an action to avoid the same may be brought, to postpone sales for default in payment of installments due between effective date of act and February 1, 1937, to authorize waiver hereof, to prevent actions against guarantors' obligations the enforcement of the security for which is affected by the act, and to declare the urgency hereof;

Also: Assembly Bill No. 1128—An act relating to the sale of property sold to a county treasurer, as trustee of a reclamation district or of the bond fund, or to a reclamation district for delinquent assessments and installments thereof, declaring the urgency thereof, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 1132—An act to amend sections 1093, 1127, 1323, and 1439 of the Penal Code, relating to instructions and comment in criminal cases;

Also: Assembly Bill No. 1133—An act to amend sections 800 and 802 of the Penal Code, relating to limitation of criminal actions;

Also: Assembly Bill No. 1330—An act to amend sections 990, 991, and 993, of Article 1, Chapter 5, Part 2, of the Fish and Game Code;

Also: Assembly Bill No. 1342—An act to amend section 1429 of the Penal Code, relating to the entering of pleas by a defendant;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 841—An act to amend sections 1 and 3 of an act entitled "An act relating to the redemption of property sold to irrigation districts for delinquent assessments, and declaring the urgency thereof," approved September 20, 1934, relating to redemptions and by adding a new section to be numbered section 4 validating payments heretofore made under said act, and declaring the urgency thereof;

Also: Assembly Bill No. 844—An act to amend section 33 of the California Irrigation District Act, relating to the payment of bonds and interest thereon;

Also: Assembly Bill No. 978—An act to amend section 12 of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to civil engineers;

Also: Assembly Bill No. 1131—An act to amend sections 682, 806, 811, 827, 849, 877, and 878 of the Penal Code, relating to proceedings before the committing magistrate, and to add a new section to the Penal Code numbered 87a, relating to the commitment by the magistrate on plea of guilty;

Also: Assembly Bill No. 1500—An act to add section 92.5 to the Agricultural Code, relating to money appropriated for the encouragement of county and district agricultural fairs, declaring the urgency hereof and providing that this act shall go into immediate effect;

Also: Assembly Bill No. 1976—An act to amend section 29 of "The California Irrigation District Act," approved March 31, 1897, as amended, relating to the purpose for which property may be held by said district, and providing for the sale or lease of same;

Also: Assembly Bill No. 1182—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and to provide for the disposition of the revenues therefrom, and to provide that this act shall take effect immediately;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1346—An act to amend section 107 of the Penal Code, relating to punishment for escape of a prisoner;

Also: Assembly Bill No. 1531—An act to amend section 3491 of the Political Code, relating to reclamation districts;

Also: Assembly Bill No. 1594—An act to amend section 2 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to petition for incorporation;

Also: Assembly Bill No. 1684—An act to amend section 23, and to repeal section 24 of "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to leasing and granting easements to extract oil, gas and other hydrocarbons by means of wells drilled from littoral lands into State lands;

Also: Assembly Bill No. 1786—An act to amend section 2 of an act entitled, "An act providing for the establishment and administration of industrial farms or industrial road camps in the counties of the State and the commitment thereto and discipline of persons charged with or convicted of public offenses," approved June 3, 1921, relating to the charge for maintaining persons on industrial farms and industrial road camps;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1649—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, to provide for the disposition of the revenues therefrom, to make an appropriation for the administration hereof, and to provide that this act shall take effect immediately—and reports that the same has been correctly engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 714—An act to amend section 337 of, and to add section 335a to, the Code of Civil Procedure, relating to the time within which actions upon any contract, obligation or liability founded upon an instrument in writing may be commenced—and reports that the same has been correctly re-engrossed.

WATERS, Chairman

The above reported bill ordered on file for third reading

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1273—An act to amend the title and sections 2, 9, 15, 17, 18, 20, 21, 22, 23, 24, 26, 27, 30 and 33 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933; to repeal section 19 of said act; to add sections 9½ and 19 to said act; all relating to the taxation of the privilege of selling, renting or leasing tangible personal property; and to provide that this act shall take effect immediately—and reports that the same has been correctly re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

On Prisons and Reformatories.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1935.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 1501—An act making an appropriation to build a chapel at San Quentin Prison—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

MARTIN, Chairman.

Assembly Bill No. 1501 ordered re-referred to Committee on Ways and Means.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 15, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 107—An act delegating to the California Highway Commission power and authority during times when the Legislature of the State of California is not in session to accept on behalf of the State of California grants of rights of way for State roads through military reservations from the government of the United States made by the Secretary of War to the State of California or any political subdivision thereof, and declaring the effect of such acceptance;

Also: Senate Bill No 316—An act to amend an act entitled "An act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such districts," approved March 20, 1903, as amended, relating to the funds of such districts and taxes therefor.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 107 read first time, and referred to Committee on Roads and Highways.

Senate Bill No. 316 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also:

SENATE CHAMBER, SACRAMENTO, March 15, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as an urgency measure, Senate Bill No. 101—An act to amend section 3 of an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, relating to expenditure of State highway funds within cities, declaring the urgency hereof, and to provide that this act take effect immediately

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary

Senate Bill No 101 read first time, and referred to Committee on Roads and Highways.

Special Order Set.

On motion of Mr. Williamson, the consideration of Assembly Constitutional Amendment No. 65 was continued as a special order for Tuesday, March 26, 1935, at eleven o'clock a.m.

Motion carried.

Reconsideration of Assembly Bill No. 1741.

In compliance with his notice given on a previous day, Mr. Evans, Ralph W., moved that the vote whereby Assembly Bill No. 1741 was passed be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Clark, Cronin, Dawson, DeLap, Desmond, Donahue, Evans, Ralph W., Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, McCarthy, McMurray, Minard, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Robertson, Rosenthal, Scudder, Thorp, Turner, Wallace, and Williamson—44.

NOES—Andreas, Chatters, Corwin, Cottrell, Crowley, Cunningham, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Latham, Lyon, Martin, McBride, Miller, Morgan, Nielsen, Phillips, Redwine, Riley, Stream, Utt, Wagner, Walker, Waters, Welsh, Wright, and Mr. Speaker—30.

Assembly Bill No. 1741—An act to add section 91.6 to the Agricultural Code, relating to the Sixth District Agricultural Association.

Assembly Bill No. 1741 ordered on file for third reading.

Special Order Set for Assembly Bill No. 1273.

On motion of Mr. Lyon, the consideration of Assembly Bill No. 1273 was continued as a special order for Tuesday, March 19, 1935, at eleven o'clock a.m.

Reconsideration of Assembly Bill No. 1995 Waived.

Mr. Donnelly waived his notice to reconsider the vote whereby Assembly Bill No. 1995 was passed.

Assembly Bill No. 1995 ordered transmitted to the Senate.

Second Reading of Assembly Bills.

Assembly Bill No. 938—An act to amend sections 5.140, 5.150 (e), and 5.166 of the School Code, relating to the standards for the granting of credentials and certificates.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

Strike out line 1 of the title of the printed bill, and insert in lieu thereof the following: "An act to add two new sections and one new subsection to be numbered sections 5.143, 5.150(f), and 5.168, of the".

Amendment No. 2.

On page 1 of the printed bill, strike out all of lines 1 to 21, inclusive, and insert in lieu thereof the following:

"SECTION 1. Two new sections and one new subsection are hereby added to the School Code cited in the title hereof, to read as follows:

5.143. The State Board of Education may permit persons to act as research specialists in any field on the basis of a general secondary school credential, or a special research credential, or a State of California professional license in the

field of service. The provisions of section 5142 of this code shall be applicable to this section.

5.150(f). To act as research specialists.

5.168. Research certificates authorizing the holders to perform such research services as shall relate to the operation or management of the public schools may be issued. The provisions of section 5167 of this code shall be applicable to this section."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 753—An act to amend section 4 of "An act to regulate the construction of buildings in the State of California, in respect to resistance to horizontal forces, providing penalties for the violation thereof and providing that this act become effective immediately," approved May 26, 1933, relating to the application of said act.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 16, of the printed bill, strike out the words: "is located on a farm and".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1634—An act to repeal sections 378, 378a, 378b, 378c, 378d, 378e, 378f, 378g of the Political Code, relating to the Bureau of Commerce.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1700—An act to amend section 663 of the Political Code, relating to the State Board of Control.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1861—An act to amend section 694da of the Political Code, relating to the State Agricultural Society contingent fund

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1989—An act to amend section 677 of the Political Code, relating to State accounting.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1990—An act to repeal section 677a of the Political Code and to add section 677.5 thereto, relating to budgets of State departments and other State agencies.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1992—An act to add section 675.1 to the Political Code, and to repeal section 675b thereof, relating to the approval of salaries by the Department of Finance.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1993—An act to amend section 675a of the Political Code, relating to approval of contracts by the Department of Finance.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1994—An act to repeal section 686a of the Political Code and to add section 686.5 thereto, relating to accountants in the Department of Finance.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2036—An act to add section 526a to the Political Code, relating to State printing.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 6—An act to amend section 1, of an act entitled "An act to create a fund to be known as the State highway general fund and providing for expenditures therefrom," approved June 5, 1931, relating to expenditures from said fund.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 17 to 20, inclusive, and insert in lieu thereof the following: "and secondary State highways and within the groups of counties designated in Chapter 794, Statutes of 1927, as provided with respect to expenditure of other State highway funds in said act or as said act may be amended; provided, however, that any and all Federal emergency funds allocated to this State for highway purposes, as to which no funds are required to be added by the State or any governmental unit thereof, and upon which no conditions inconsistent with this section are imposed, shall be expended in the several counties"

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 509—An act providing for State planning and a State Planning Board, prescribing the powers, duties and jurisdiction thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the printed bill, amend section 1 to read as follows:

"There is created as a division of the Department of Finance a State Planning Board of five citizens to be appointed by the Governor. The members of the board shall not be paid but may receive compensation for their reasonable expenses incurred in the performance of their duties. The responsible executive or representative appointed by the board of each State department and institution shall constitute an advisory committee to such State Planning Board."

Amendment No. 2.

On page 1, line 19, of the printed bill, amend section 2 to read as follows

"The terms of each appointive member of the board begins January 1st of the year of appointment and shall be three (3) years, except that the first five (5) members appointed shall determine by lot their respective terms as follows: One (1) member for one (1) year; two (2) members for two (2) years and two (2) members for three (3) years. In case of a vacancy in the office of an appointive member, the Governor shall appoint a successor to serve the unexpired term."

Amendment No. 3.

On page 2, line 1, of the printed bill, amend section 3 to read as follows:

"The board shall adopt rules for the transaction of its business and shall keep a record of its official actions, making reports as may be requested to the Governor and the Director of Finance. It shall annually select a chairman from its appointive members and a secretary who need not be a member of the board."

Amendment No. 4.

On page 2, line 6, of the printed bill, amend section 4 to read as follows:

"The board shall employ a Director of Planning who shall be qualified by special training, experience and demonstrated ability in the field of planning and may

employ subject to the approval of the Director of Finance such other persons as may be necessary for its work."

Amendment No. 5.

On page 2, line 16, of the printed bill, amend section 5 to read as follows: "The State Planning Board shall have authority to cooperate with any persons or organizations interested, for devising means to develop the natural, economic and social resources of the State, and it is authorized to accept emergency fund grants from the Federal or State governments or their agencies, and may accept gifts. The State Planning Board shall encourage the extension and correlation of State planning by agencies of the State government and participate in interstate and National planning efforts, both with a view to benefit to be derived by the larger region or Nation, and by the State"

Amendment No. 6.

Strike out all of sections 6 to 10, inclusive, of the printed bill

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1645—An act to require governmental units to furnish reports to the State Department of Finance concerning bonds and bonded indebtedness.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 10, of the printed bill, strike out the words "governing body", and insert in lieu thereof the following: "executive or responsible officer".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1862—An act to add two new sections to the Political Code to be numbered 359c and 359d, to provide for vacations of officers and employees of the State of California, with pay, and empowering the State Personnel Board to promulgate rules and regulations governing the same, in so far as applicable to such members of the civil service, and to repeal a certain act therein specified.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out the word "Each", and insert in lieu thereof the following: "Except as otherwise provided by law, each"

Amendment No. 2.

On page 1, line 5, of the printed bill, strike out the word "for", and insert in lieu thereof the word "during".

Amendment No. 3.

On page 1, line 15, of the printed bill, after the word "employed", insert the following: "for a period of at least six months and".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1863—An act to add a new section to the Political Code to be numbered 359e, to provide for leave of absence with pay to officers and employees of the State of California, when ill, and to

empower the State Personnel Board to promulgate rules and regulations governing the same in so far as applicable to members of the civil service, and to empower appointing powers of such officers and employees to promulgate rules and regulations governing the same, in so far as applicable to officers and employees not members of the civil service.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out the word "Every", and insert in lieu thereof the following: "Unless otherwise provided by law, every".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 528—An act to amend sections 4.750 and 4.751 of the School Code, relating to the computation of average daily attendance of school districts.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

In line 3 of the title of the printed bill, after the word "districts", insert the following: "declaring the urgency thereof and providing that this act shall take effect immediately".

Amendment No. 2.

On page 2, line 9, of the printed bill, following said line 9, insert the following:

"SEC. 3. This measure is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution, and as such shall take effect immediately.

The reasons constituting such necessity are as follows:

Under School Code section 4.750 as it now exists, whenever the records of a school district for any school year have been lost or destroyed, or the average daily attendance thereof has been materially affected by a public calamity, the average daily attendance of the district is determined by adding to or subtracting from the average daily attendance of the district for the preceding school year the average yearly increase or decrease, as the case may be, for the next preceding three school years. In no case has the average daily attendance for any year in a district been decreased by the operation of the existing law. The attendance in practically every school district increases yearly. Under the existing law, if the attendance of a district is materially affected by a public calamity for two or more successive school years there is a pyramiding of the attendance computed under the present law. During the current school year 1934–1935 the school districts comprising one school system alone received about $1,039,000 more from State funds than it would normally have been entitled to receive. This sum was taken from funds which would otherwise have gone to the other school districts. To prevent a recurrence of this diversion of funds at the expense of other school districts of the State during the next school year 1935–1936, which begins July 1, 1935, and thereafter, it is necessary that this measure take effect immediately."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1181—An act to amend sections 4.770, 4.771, 4.773, 4.785, 4.796, and 4.797 of the School Code and to add thereto two new sections to be numbered 4.774 and 4.484, all relating to the apportionment of State funds for public school purposes.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

In line 1 of the title of the printed bill, strike out the word "and".

Amendment No. 2.

In line 2 of the title of the printed bill, after the number "4.797", insert a comma and the following: "4.871 and 4.884".

Amendment No. 3.

In line 3 of the title of the printed bill, strike out the number "4.484", and insert in lieu thereof the number "4.784".

Amendment No. 4.

On page 2, line 38, of the printed bill, following said line 38, insert the following:

"SEC. 6a. Section 4 871 of the School Code is hereby amended to read as follows

4 871. He shall apportion to each high school district five hundred fifty dollars for each year of the six-year course covering grades nine to fourteen, inclusive, maintained in each high school therein during the preceding school year. Apportionments made on this basis on account of any school in which the number of full-time teachers employed is less than the number of grades maintained shall not exceed the number of full-time teachers employed in such schools.

SEC. 6b. Section 4.884 of the School Code is hereby amended to read as follows:

4.884. He shall allow for each high school district two hundred and fifty dollars for each year of the six-year course, covering grades nine to fourteen, inclusive, maintained in each high school therein during the preceding school year Apportionments made on this basis on account of any school in which the number of full-time teachers employed is less than the number of grades maintained shall not exceed the number of full-time teachers employed in such schools."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 55—An act to provide for the operation and maintenance of storage garages for state-owned vehicles, the pooling of vehicles in general use, the placement of the State seal on each vehicle and providing that unofficial use of state-owned vehicles shall constitute a misdemeanor

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of lines 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, and insert in lieu thereof the following: "to provide for the operation and maintenance of automobile storage garages owned by the State in such parts of the State as may be necessary, and the Director of Finance shall have the power to formulate and enforce such rules and regulations as he may deem necessary to regulate storage, use and pooling of state-owned passenger automobiles in state-owned garages"

Amendment No. 2.

On page 1, line 13, after the word "vehicles", add "except those operated by State officials and".

Amendment No. 3.

On page 1, line 21, after the word "to", strike out "suspension from the State service upon", strike out all of line 22, and add in lieu thereof the following: "dismissal or suspension from the State service upon order of the State Personnel Board after notice and hearing as prescribed by section 14 of the Civil Service Act; provided, however, that nothing in this section shall apply to any motor vehicle owned or operated by any department which is now or may hereafter become equipped to and does store and maintain any motor vehicle belonging to or under the jurisdiction of any department".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 578—An act relating to revenue and taxation, providing for an excise tax on the sale of all oleomargarine containing any fat or oil ingredient other than any one or more of the following: oleo oil, oleo stock, oleo stearine from cattle, neutral lard from hogs, sheep fat, cottonseed oil, peanut oil, corn oil, soya bean oil or milk fat; providing a penalty for a violation of the provisions thereof and declaring that this act shall take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

In line 7 of the title of the printed bill, strike out "and declaring that this", and strike out line 8, and insert in lieu thereof a period.

Amendment No. 2.

On page 3 of the printed bill, strike out lines 22 to 25, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 495—An act to amend sections 460, 504, and 621 of the Agricultural Code, relating to dairy products.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

In line 1 of the title of the printed bill, before the word "and", insert "585,".

Amendment No. 2.

On page 1 of the printed bill, between lines 21 and 22 thereof, insert the following:

"SEC. 3. Section 585 of the Agricultural Code is hereby amended to read as follows:

585. The class or grade of all market milk sold, except in bulk to distributors, the word "raw" or "pasteurized," as the case may be, and the name and address of the producer or original bottler shall at all times appear plainly and in a conspicuous place on, or be securely attached to, every cap, bottle, can or other container.

Ungraded market milk shall be labeled with the words, "Market Milk." Graded market milk shall be labeled with the name of the grade. All labels required by this section shall be in capital letters not less than one-eighth inch in height and one-sixteenth inch in width.

No false, misleading, or deceptive name, picture, symbol, mark, word or other representation shall appear on any milk bottle, bottle cap, can or other container, nor on any advertisement for market milk. A label or advertisement of market milk shall be deemed to be false, misleading or deceptive if in any particular it is untrue, or by ambiguity or inference creates a misleading or deceptive impression regarding the production, handling, processing, quality, composition, merits, or value of such market milk."

Amendment No. 3.

On page 1, line 22, of the printed bill, strike out "3.", and insert in lieu thereof "4."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 496—An act to amend section 692 of the Agricultural Code, relating to places where milk or milk products are handled or kept for sale.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee·

Amendment No. 1.

On page 1, line 19, of the printed bill, strike out the period, and insert in lieu thereof the following: "or if any containers, utensils, or apparatus, or equipment are used for any purpose other than that of handling milk and the products of milk."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 897—An act to amend section 487(a) of the Agricultural Code of California

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

In line 1 of the title of the printed bill, strike out "487(a)", and insert in lieu thereof "487".

Amendment No. 2.

In lines 1 and 2 of the title of the printed bill, strike out the words "of California", and insert in lieu thereof the words "relating to guaranteed milk".

Amendment No. 3.

On page 1, line 1, of the printed bill, insert "SECTION 1", before the word "section".

Amendment No. 4.

On page 1, line 1, of the printed bill, strike out "487(a)", and insert in lieu thereof "487".

Amendment No. 5.

On page 1, following line 32, of the printed bill, insert the following:

"(b) Guaranteed pasteurized milk shall conform to all the requirements for raw guaranteed milk, except it need not be bottled where produced and except it shall contain not more than three thousand bacteria per milliliter at the time of delivery to the consumer."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 898—An act to amend section 488(a) of the Agricultural Code of California.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

In line 1 of the title of the printed bill, strike out "488(a)", and insert in lieu thereof "488".

Amendment No. 2.

In lines 1 and 2 of the title of the printed bill, strike out the words "of California", and insert in lieu thereof "relating to Grade A milk".

Amendment No. 3.

On page 1, line 1, of the printed bill, insert "SECTION 1", before the word "section".

Amendment No. 4.

On page 1, line 1, of the printed bill, strike out the words "488(a) of the above entitled act", and insert in lieu thereof the following: "488 of the Agricultural Code".

Amendment No. 5.

On page 1, following line 28, of the printed bill, insert the following:

"(b) Grade A pasteurized milk is market milk which conforms to the following minimum requirements: The health of the cows shall be determined by physical

examination at least once in six months by an official representative of an approved milk inspection service; it shall be produced on dairies that score not less than seventy per cent on the dairy farm score card adopted by the department and it shall contain not more than one hundred fifty thousand bacteria per milliliter before pasteurization and not more than fifteen thousand bacteria per milliliter at the time of delivery to the consumer."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 899—An act to amend sections 473, 508(f), 508(g), and 516 of the Agricultural Code of California.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

Strike out all of lines 1 and 2 of the title of the printed bill, and insert in lieu thereof the following: "An act to amend sections 473, 508, and 516 of the Agricultural Code, relating to dairy products."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 25, inclusive, and lines 1 to 4, inclusive, on page 2, and insert in lieu thereof the following:

"SECTION 1. Section 473 of the Agricultural Code is hereby amended to read as follows:

473. Pasteurized milk or pasteurized skim milk, combined with fruit or fruit juices, chocolate, chocolate sirups, or harmless sirups, with or without the addition of harmless coloring material, may be used in the manufacture and sale of soft drinks under a trade name, provided the use on the dairy where same is produced of graded raw milk and the raw skim milk derived therefrom for such purposes is not prohibited Such product shall be so colored or contain ingredients that cause it to distinctly differ from milk in appearance and other characteristics.

SEC. 2. Section 508 of the Agricultural Code is hereby amended to read as follows:

508. Established varieties of cheese are as follows:

(a) Cheddar cheese is made by the so-called cheddar process which consists in part, of subjecting the curd to a matting and milling process and molding in hoops, under pressure, into characteristic forms with a plain white bandage, and containing not more than thirty-eight per cent of moisture.

(b) Granular cheese is made by the so-called stirred curd or granular process and molded, in hoops, under pressure, into characteristic forms with a red bandage, similar to those of the cheddar variety, and containing not more than forty per cent moisture.

(c) Monterey cheese is made by the so-called stirred curd or granular process, without added color, characteristic in size and molded, in bags, under pressure, into characteristic shape or form, and containing not more than forty-four per cent of moisture.

(d) High moisture jack cheese is made by the so-called stirred curd or granular process, without added coloring, and molded into forms or shapes resembling that of Monterey cheese, containing not more than fifty per cent of moisture. It shall be labeled on both flat surfaces with the name, the grade, whether whole milk or part skim milk, and the factory number in letters not less than one inch in height nor less than one-fourth inch in width.

(e) Cream cheese is an unripened cheese made by the Neufchatel process or variations thereof, from cream, milk or skim milk enriched with cream or butterfat sufficient so that the resultant cheese shall contain in its water-free substance not less than sixty-five per cent of pure milk fat. All manufacturers of cheese who manufacture cream cheese from butter shall first secure from the department a permit to do so. Said permit shall be issued subject to the rules and regulations of the director, and may be revoked for violation thereof after hearing.

(f) Cottage cheese shall be made from pure milk or skim milk which has been pasteurized, with or without harmless coloring matter, and sold fresh without molding into forms, provided, on the dairies where produced the use of graded raw milk or the skim milk derived therefrom for the purpose of making cottage cheese is not prohibited.

(g) Creamed cottage cheese is cottage cheese to which a sufficient quantity of pure fresh, pasteurized sweet cream is added so that the finished product contains not less than four per cent of pure milk fat, provided on the dairies where produced

the use of graded raw cream for the purpose of making cream cottage cheese is not prohibited.

SEC. 3. Section 516 of the Agricultural Code is hereby amended to read as follows:

516. The ingredients except fruits, nuts, and flavors, to be used in the manufacture of ice cream or ice milk shall be pasteurized, provided nothing in this section shall prohibit the use on the dairies where same is produced of graded raw milk, the skim milk derived therefrom, or graded raw cream in the manufacture of ice cream."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1130—An act to amend section 3444 of the Political Code, to empower the Division of State Lands to promulgate rules and regulations governing the use of certain State lands and the enforcement of such rules and regulations.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 14, of the printed bill, strike out "(New section added June 13, 1933; Stats. 1933, p. 2377.)".

Amendment No. 2.

On page 1, line 24, of the printed bill, strike out the words "The Chief of the Division of State Lands"; strike out all of lines 25 and 26; and on page 2, strike out lines 1 and 2 and the word "division", in line 3, and add to line 3 "The Chief of the Division of State Lands".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 884—An act to add a new section to the Penal Code, to be numbered section 593b, relating to climbing upon poles, towers and other structures supporting wires or cables, transmitting electric energy.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1884—An act to amend section 13 and to add a new section to be numbered 13a to "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle, and providing that this act shall take effect immediately," approved May 15, 1933, relating to the disposition and control of moneys received under said act.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 242—An act to add a new section to be numbered section 28a to an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, high-

ways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, relating to assessments and bonds.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 52, of the printed bill, strike out the comma and the word "together", and insert in lieu thereof a period.

Amendment No. 2.

On page 3 of the printed bill, strike out lines 1 and 2.

Amendment No. 3.

On page 3, line 8, of the printed bill, after the comma, strike out the remainder of said line 8; strike out lines 9 to 18, inclusive; strike out line 19 to and including the period, and insert in lieu thereof the following: "no reassessment made pursuant to this section shall change the security or lien of any such bond in any manner whatsoever or the method of the enforcement thereof."

Amendment No. 4.

On page 3, line 22, of the printed bill, strike out "assessment", and insert in lieu thereof "reassessment".

Amendment No. 5.

On page 3, line 23, of the printed bill, after "bond", insert "and assessment".

Amendment No. 6.

On page 3 of the printed bill, strike out lines 25 to 30, inclusive, and insert in lieu thereof the following: "Whenever prior to ordering said reassessment any payments shall have been made on any assessment, or on any bond issued to represent any such assessment, the owner of record of the property against which such assessment was levied, at the time such payment was made, shall be entitled to receive a return in an amount in the proportion that the payment or payments made bears to the difference between the original assessment and said reassessment, with respect to the lot, piece or parcel of land for which such payment or payments were made. The balance of any such appropriation, as determined by the reassessment, shall be credited pro rata to the bonds in payment thereof, applying such payment first to the interest due and then upon the principal. Thereafter the city treasurer shall pay to the holder of each bond the payment so credited from said bond and assessment redemption fund. The city treasurer is hereby authorized and directed to make all payments of refunds as authorized by this section. Whenever it shall appear to the legislative body that payments shall have been made on any such assessments or bonds prior to".

Amendment No. 7.

On page 3, line 36, of the printed bill, strike out "ninety (90) days", and insert in lieu thereof "one year".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2104—An act to amend section 1 and to add a new section to be numbered ____ to "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, relating to the organization and management of county water districts.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

Strike out the title of the printed bill, and insert in lieu thereof the following

"An act to amend the County Water District Act, approved June 10, 1913, as amended, by adding to said act, as amended, a new section, to be numbered 4a, providing for the election of directors by divisions, instead of at large, if authorized by election."

Amendment No. 2.

Strike out section 1 of the printed bill, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the act cited in the title hereof, to be numbered 4a, and to read as follows:

Sec. 4a. The board of directors may, if it deems it to be for the best interest of the district, by resolution submit to the qualified electors at a special or general water district election the question whether the directors of the district shall be elected by divisions. If such question is so submitted, the notice of election and the ballot shall contain a statement of the question and the election shall be conducted as nearly as practicable as required at other district elections

If at such election the majority of the electors voting upon said question shall approve the election of directors by divisions, then:

(a) The board of directors shall promptly after such election by resolution divide the district into five divisions, as nearly equal in acreage as may be practicable, and assign a number to each division; and said board may thereafter, at any time, but not less than sixty days before a general water district election, by resolution change the boundaries of the divisions, so as to keep them as nearly equal in size as may be practicable; and

(b) Said board shall, not less than sixty days prior to the next succeeding general water district election, by resolution designate which divisions shall elect directors at such election to succeed the directors whose terms then expire and the remaining divisions shall elect directors at the next general water district election following such election; and

(c) Directors shall be residents of the divisions by which they are elected."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 440—An act to amend section 18a of the "Street Opening Act of 1903," relating to assessments and contribution of costs by municipalities.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 45, of the printed bill, strike out the comma and the words "together with", and insert in lieu thereof a period; strike out all of line 46, and strike out line 47 to and including the period.

Amendment No. 2.

On page 3, line 1, of the printed bill, after the comma, strike out the remainder of said line 1; strike out lines 2 to 11, inclusive; strike out line 12 to and including the period, and insert in lieu thereof the following: "no reassessment made pursuant to this section shall change the security or lien of any such bond in any manner whatsoever or the method of the enforcement thereof."

Amendment No. 3.

On page 3, line 15, of the printed bill, strike out "assessment", and insert in lieu thereof "reassessment".

Amendment No. 4.

On page 3, line 16, of the printed bill, after "bond", insert "and assessment".

Amendment No. 5.

On page 3 of the printed bill, strike out lines 18 to 23, inclusive, and insert in lieu thereof the following:

"Whenever prior to ordering said reassessment any payments shall have been made on any assessment, or on any bond issued to represent any such assessment, the owner of record of the property against which such assessment was levied, at the

time such payment was made, shall be entitled to receive a return in an amount in the proportion that the payment or payments made bears to the difference between the original assessment and said reassessment, with respect to the lot, piece or parcel of land for which such payment or payments were made. The balance of any such appropriation, as determined by the reassessment, shall be credited pro rata to the bonds in payment thereof, applying such payment first to the interest due and then upon the principal. Thereafter the city treasurer shall pay to the holder of each bond the payment so credited from said bond and assessment redemption fund The city treasurer is hereby authorized and directed to make all payments of refunds as authorized by this section. Whenever it shall appear to the legislative body that payments shall have been made on any such assessments or bonds".

Amendment No. 6.

On page 3, line 29, of the printed bill, strike out "ninety (90) days", and insert in lieu thereof "one year".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 425—An act to amend "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, by amending sections 10 and 15b thereof and adding a new section thereto to be numbered 15c, relating to the publication of ordinances and the issuance of refunding bonds.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 4, line 11, of the printed bill, after the word "district", strike out the period, and insert a comma followed by the words: "provided, however, that taxes shall not be levied or collected to pay the interest on, or principal of, any revenue bond".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 828—An act to amend an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution with municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, as amended, by amending section 23 thereof, relating to priority of liens and bonds.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 231—An act to amend section 10 of an act entitled "An act to limit the amount of special assessments for public improve-

ments and acquisitions of property for public purposes; to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or part by special assessments; to provide a basis for valuation of property for the purpose of establishing a special assessment limitation, and to authorize the payment of a part of the cost of such public improvements and acquisitions of property from any available public fund where a part of such cost is paid by special assessment on benefited property, and to provide that a majority protest shall be a bar to any proceeding," approved June 8, 1931, relating to limitations on assessments.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1345—An act to amend sections 5, 12, and 25 of, and to repeal section 52 of, and to add sections 7, 25a, 25b, and 52 to the County Water District Act, relating to the sale and distribution of water in districts, and the election of officers of said districts.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee.

Amendment No. 1.

Strike out the title, and all of pages 1, 2, 3, 4 and 5 and page 6, lines 1 to 25, of the printed bill, and insert in lieu thereof the following:

"An act to amend the County Water District Act, approved June 10, 1913, as amended, by amending sections numbered 5, 7, 12 and 25 of said act, as amended, and by repealing section 52 of said act, as amended, and by adding to said act, as amended, new sections, to be numbered and providing as follows, to wit: Section 16a, relating to refunding bonds; section 25a, relating to addition to a county water district of lands situate in a county contiguous to the county in which such district was organized; section 25b, relating to conditions upon addition of land to the district; and section 52, adding to the district lands privately owned which were public lands when the district was organized.

SECTION 1. Section 5 of the County Water District Act, approved June 10, 1913, as amended, is hereby amended to read as follows:

Sec. 5. (1) The mode of nomination and election of all directors of such water district to be voted for at any water district election shall be as follows and not otherwise:

(2) The name of a candidate shall be printed upon the ballot when a certificate of nomination shall have been filed in his behalf in the manner and form and under the conditions hereinafter set forth.

(3) The certificate of nomination shall consist of one or more parts, signed by not less than twenty-five qualified electors residing within said district. Said certificate shall read substantially as follows:

Certificate of Nomination.

State of California } ss
County of _____ }

We, the undersigned, certify that we do hereby join in a certificate of nomination of _____, whose residence is at _____, in said county and State, for the office of director of _____ County Water District to be voted for at the election to be held in said district on the _____ day of _____, 19__, and each of us further certifies that he is a qualified elector residing within said district and is not at this time a signer of any other certificate nominating any other candidate for the above named office, or, in case there are several places to be filled in said office, that he has not signed more certificates than there are places to be filled in said office; that his residence and occupation are as hereinafter stated.

Signature.	Residence.	Occupation.
_____	_____	_____
_____	_____	_____

Verification Deputy's Affidavit.

State of California }
} ss
County of _____ }

I, _____, solemnly swear that I have been appointed according to provisions of the County Water District Act as a verification deputy to secure signatures to a certificate of nomination of _____ as a candidate for election to the office of director, of _____ County Water District; that all the signatures on this section of said certificate were made in my presence and that to my knowledge and belief each of said signatures is the genuine signature of the person whose name it purports to be.

_____
Verification Deputy.

Subscribed and sworn to before me this _____ day of _____, 19__.

_____
Notary Public (or other official).

The certificate of nomination of which this section forms a part shall, if found sufficient, be returned to said verification deputy at No. _____, _____ Street, _____, California.

(4) It shall be the duty of the county clerk to furnish upon application a reasonable number of forms of certificate of nomination. All certificates must be of uniform size as determined by the county clerk. Each signer of a certificate must not at the time of signing a certificate have his name signed to any other certificate for any other candidate for the same office, nor, in case there are several places to be filled in the same office, signed to more certificates for candidates for said office than there are places to be filled in such office. In case an elector has signed two or more conflicting certificates, all his signatures shall be rejected

(5) The candidate or any five qualified electors of the district may appoint verification deputies to secure the signatures to certificates of nomination and the document in which such verification deputies are appointed, as herein provided, shall be filed with the county clerk at or before the time the certificate of nomination is left with the county clerk for filing or for examination Said document shall be in substantially the following form:

Form for Appointment.

The undersigned hereby appoint__ the following qualified electors of _____ County Water District as verification deputies to obtain signatures to a certificate of nomination nominating _____ as a candidate for the office of director of said district at an election to be held in said district on the _____ day of _____, 19__.

Name.	Address.
_____	_____
_____	_____
_____	_____
_____	_____

Dated this _____ day of _____, 19__.

Residence.	Signature.
_____	_____

(6) The certificate of nomination consisting of one or more parts may be presented to the county clerk not earlier than forty-five days nor later than thirty days before the election. The county clerk shall endorse thereon the date upon which the certificate was presented to him and shall forthwith examine the same and ascertain whether or not it conforms to the provisions of this section. If found not to conform thereto, he shall immediately, in writing, designate on said petition the defect or omission or reason why such certificate can not be filed and shall return the certificate to the person therein designated The certificate may then be amended and again presented to the clerk as in the first instance and he shall forthwith examine the same. If necessary, the board of supervisors shall provide extra help to enable the clerk to perform satisfactorily and promptly the duties imposed by this section

(7) Any signer of a certificate of nomination may withdraw his name from the same by filing with the county clerk a written revocation of his signature before the certificate is filed by the clerk and not otherwise. He shall then be at liberty to sign a certificate for another candidate for the same office.

(8) Any person who has been nominated under this section as a candidate may, not later than twenty-five days before the day of election, cause his name to be withdrawn from nomination by filing with the county clerk a written request therefor. No name so withdrawn shall be printed upon the ballot. If, upon such withdrawal, the number of candidates remaining does not equal the number to be elected,

then other nominations may be made by filing certificates therefor not later than twenty-five days prior to such election

(9) If either the original or amended certificate of nomination be found sufficiently signed, the clerk shall file the same twenty-five days before the date of the election. When a certificate of nomination shall be filed with the clerk it shall not be withdrawn nor added to.

(10) The county clerk shall preserve in his office, for a period of two years, all certificates of nomination filed under this section.

(11) Immediately after such certificates are filed, the county clerk shall enter the names of the candidates in a list, with the offices to be filled, and shall, not later than twenty days before the election, certify such list as being the list of candidates nominated, and the board of supervisors shall cause said certified list of names and the offices to be filled to be published in a proclamation calling an election at least once a week for two successive weeks next before the date of the election in some newspaper of general circulation published in the district and designated by the board of directors of the district. In case there is no newspaper of general circulation published in the district, such board of directors may designate any newspaper of general circulation published in the county. Such proclamation shall conform in all respects to the general State law governing the conduct of general elections now or hereafter in force, applicable thereto, except as otherwise herein provided

(12) The county clerk shall cause the ballots to be printed and bound and numbered as provided by said general State law, except as otherwise required in this act The ballots shall contain the list of names and the respective offices as published in the proclamation and shall be in substantially the following form:

General (Or Special) District Election,

_____ County Water District.

(Inserting date thereof).

Instructions to Voters To vote, stamp or write a cross (+) opposite the name of the candidate for whom you desire to vote. All marks otherwise made are forbidden All distinguishing marks are forbidden and make the ballot void. If you wrongly mark, tear or deface this ballot, return it to the inspector of election, and obtain another.

(13) All ballots printed shall be precisely on the same size, quality, tint of paper, kind of type, and color of ink, so that without the number it would be impossible to distinguish one ballot from another; and the names of all candidates printed upon the ballot shall be in type of the same size and style. A column may be provided on the right-hand side for questions to be voted upon at water district elections, as provided for under this act The names of the candidates for each office shall be arranged in alphabetical order, and nothing on the ballot shall be indicative of the source of the candidacy or of the support of any candidate.

(14) The ballot shall contain the following instructions: "For director vote for (giving number)."

(15) A half-inch square shall be provided at the right of the name of each candidate wherein to mark the cross.

(16) Half-inch spaces shall be left below the printed names of candidates for each office equal in number to the number to be voted for, wherein the voter may write the name of any person or persons for whom he may wish to vote.

(17) The county clerk shall cause to be printed sample ballots, identical with the ballot to be used at the election, and shall furnish copies of the same on application to registered voters at his office at least five days before the date fixed for such election, and shall mail one such ballot to each voter entitled to vote at such election, so that all of said sample ballots shall have been mailed at least three whole days before said election.

(18) In case there is but one person to be elected to an office, the candidate receiving a majority of the votes cast for the candidates for that office shall be declared elected; in case there are two or more persons to be elected to an office, then those candidates equal in number to the number to be elected, who receive the highest number of votes for such office shall be declared elected; provided, however, that no person shall be declared elected to any office at such first election unless the number of votes received by him shall be greater than one-half the number of ballots cast at such election.

(19) If at any election held as above provided there be any office to which the required number of persons was not elected, then as to such office the said first election shall be considered to have been a primary election for the nomination of candidates, and a second election shall be held to fill said office. The candidates not elected at such first election, equal in number to twice the number to be elected to any given office, or less if so there be, who receive the highest number of votes for the respective offices at such first election, shall be the only candidates at such second election; provided, that if there be any person who, under the provisions of this subdivision, would have been entitled to become a candidate for any office, except for the fact that some other candidate received an equal number of votes

therefor, then all such persons receiving such equal number of votes shall likewise become candidates for such office. The candidates equal in number to the persons to be elected who shall receive the highest number of votes at such second election shall be declared elected to such office.

(20) The said second election, if necessary to be held, shall be held three weeks after the first election.

(21) All the provisions and conditions above set forth as to the conduct of an election, so far as they may be applicable, shall govern the second election, except that notice of election need be published twice only; and provided, also, that the same precincts and polling places shall, if possible, be used.

(22) If a person elected fails to qualify, the office shall be filled as if there were a vacancy in such office, as provided in section 4 of this act

(23) No informality in conducting district elections shall invalidate the same.

SEC. 2. Section 7 of said act, as amended, is hereby amended to read as follows:

Sec. 7. Every incumbent of the office of director, whether elected by popular vote for a full term, or appointed by the board of directors to fill a vacancy, is subject to recall by the voters of any county water district organized under the provisions of this act, in accordance with the recall provisions of the general laws of the State applicable to officers of counties.

SEC 3. Section 12 of said act, as amended, is hereby amended to read as follows:".

Amendment No. 2.

On page 6, line 45, of the printed bill, strike out the word "conduit", and insert in lieu thereof the word "conduits".

Amendment No. 3.

On page 7, line 12, of the printed bill, strike out the word "persons", and insert in lieu thereof the word "person".

Amendment No. 4.

On page 7, line 27, of the printed bill, strike out the word "persons", and insert in lieu thereof the word "person".

Amendment No. 5.

On page 7, line 46, of the printed bill, strike out the word "district", and insert in lieu thereof the word "districts".

Amendment No. 6.

On page 9, line 17, of the printed bill, after the initial word "To", insert the words "sell or".

Amendment No. 7.

On page 9, line 20, of the printed bill, insert before section 4, a new section, to read as follows

"SEC. 4. A new section is hereby added to said act, as amended, to be numbered 16a and to read as follows:

Sec. 16a. The board of directors may, by resolution, submit to the electors of the district, a proposition for the issuance of new bonds for the purpose of refunding any or all of the bonds outstanding, voted by such electors and in like manner may submit to the electors of any improvement district of the district a proposition for the issuance of new bonds for the purpose of refunding bonds voted by the electors of such improvement district, which proposition may be voted on at any general or special water district election and the procedure upon such election shall be in accordance, so far as applicable, with the procedure upon an original issue of bonds, except that no hearing need be held upon the question whether the bond issue will benefit the entire district or only a portion thereof and the vote of a majority of the electors voting upon the proposition shall be sufficient to authorize the issue of refunding bonds. Such refunding bonds shall not bear a higher rate of interest than the bonds to be refunded and may be issued and sold in the manner and form prescribed for an original issue of bonds and may, if the holders of bonds of an original issue and the board of directors so agree, be exchanged for such original bonds at not less than par, provided that the face value of the refunding bonds so exchanged shall not exceed the face value of the original bonds. The board of directors may raise money by water rates or taxes to pay principal and interest of such refunding bonds in the same manner as prescribed for payment of bonds of an origina issue."

Amendment No. 8.

On page 9, line 20, of the printed bill, strike out the numeral "4", and insert in lieu thereof the numeral "5".

Amendment No. 9.

On page 9, line 26, of the printed bill, after the word "which", insert the words "are or".

Amendment No. 10.

On page 9, line 40, of the printed bill, after the word "shall", insert a comma and the words "commencing not later than forty days after the filing of the petition,".

Amendment No. 11.

On page 9, line 42, of the printed bill, after the syllable "trict", insert a comma and the words "or a newspaper printed and published in the county, if there be no newspaper printed and published in the district,".

Amendment No. 12.

On page 10, line 4, of the printed bill, strike out the words "unless provided by said board.", and insert in lieu thereof the words "and unless so advanced at the time of filing the petition, or provided by the board the secretary shall not publish the notice."

Amendment No. 13.

On page 10, line 12, of the printed bill, after the word "district", insert the words "and of the lands to be added".

Amendment No. 14.

On page 10, line 33, of the printed bill, after the word "district", insert the words "and of the lands to be added".

Amendment No. 15.

On page 11, line 6, of the printed bill, strike out the numeral "5", and insert in lieu thereof the numeral "6".

Amendment No. 16.

On page 11, line 11, of the printed bill, strike out the word "Sections", and insert in lieu thereof the word "Section".

Amendment No. 17.

On page 11, line 35, of the printed bill, strike out the numeral "6", and insert in lieu thereof the numeral "7".

Amendment No. 18.

On page 12, line 1, of the printed bill, after the word "thirty", insert the words "nor more than sixty".

Amendment No. 19.

On page 12, line 17, of the printed bill, strike out the numeral "7", and insert in lieu thereof the numeral "8".

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 464—An act to amend section 820 of the Agricultural Code, relating to tomatoes.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee.

Amendment No. 1.

On page 1 of the printed bill, between lines 25 and 26, insert the following paragraph:

"Mature in the case of tomatoes which are not wrapped, packed and lidded, shall mean that the tomatoes have attained at least a tinge of yellow or pink color on some portion of the surface before removal from the vine, except when due to climatic conditions the coloring process may be more advanced within the tomato than without, at which time maturity shall be determined according to the definition of maturity expressed in section 781 of the Agricultural Code."

Amendment No. 2.

On page 2, line 6, of the printed bill, after the word "permitted", in said line, insert the following: "if the container in which they are packed is plainly marked, on the outside of the end which bears any marks intended to describe the contents of such container, in letters not less than one-half inch in height, with the words "bridge pack", and".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 895—An act to amend section 820 of the Agricultural Code, relating to the standardization of tomatoes.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

In line 1 of the title of the printed bill, strike out "amend section 820", and insert in lieu thereof the following: "add a new chapter, to be numbered 1a, to Division V".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 26, inclusive, and insert in lieu thereof the following:

"SECTION 1. A new chapter is hereby added to Division V of the Agricultural Code, to be numbered 1a, and to read as follows:

Chapter 1a. Tomato Standards.

761. It is hereby provided that United States standards for cannery tomatoes, as established by the Bureau of Agricultural Economics of the United States Department of Agriculture, shall be the official standards of this State.

762. When any standards of quality are specified in contracts to sell cannery tomatoes or deliver cannery tomatoes on consignment by the producer, such standards of quality shall be the official standards established by section 761"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 915—An act to amend "An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission; prescribing the powers, duties and authority of said commission and the members thereof; providing for the institution of proration programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purposes of said act and providing for the collection thereof; and making an appropriation therefor," approved June 5, 1933, by amending sections 2, 5, 8, 9, 10, 11, 16, 18, 19, 20, 21, 22, 23, 24, 25 and 26, and adding new sections numbered 27, 28, 29.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the last two lines of the title, and insert in lieu thereof the following: "Sections 2, 5, 8, 9, 10, 11, 16, 18, 20, 21, 22, 23 and 24 and adding the new sections numbered 17 5, 19 3, 22 5 and 25.5".

Amendment No. 2.

On page 2, line 17, of the printed bill, after the word "producer", insert the following: "or his cooperative marketing association".

Amendment No. 3.

On page 2 of the printed bill, strike out all of lines 25 and 26, and insert in lieu thereof the following, "of their total production which all producers may harvest and prepare for market and/or market"

Amendment No. 4.

On page 2 of the printed bill, strike out all of line 27, and insert in lieu thereof the following:

"(n) The term "dealer" means any distributor or retailer.

(o) The term "processor" means any person who cans, dries or otherwise preserves agricultural products for sale in their preserved form.

(p) The term "production" means those agricultural commodities which qualify for marketing and sale to the consuming public under existing State and Federal standardization and other laws".

Amendment No. 5.

On page 5, line 24, of the printed bill, following the word "factors", strike out the word "in", and insert in lieu thereof the following: "within or serving".

Amendment No. 6.

On page 5 of the printed bill, strike out line 47, and insert in lieu thereof the following:

"SEC. 8. A new section is hereby added to said act, to be numbered 17.5 and to read as".

Amendment No. 7.

On page 6, line 27, of the printed bill, strike out "18", and insert in lieu thereof the following: "17.5".

Amendment No. 8.

On page 6, line 44, of the printed bill, strike out "19", and insert in lieu thereof "18".

Amendment No. 9.

On page 7, line 7, of the printed bill, strike out "19", and insert in lieu thereof "18".

Amendment No. 10.

On page 7 of the printed bill, strike out all of line 23 following the comma, and all of lines 24 and 25, and insert in lieu thereof the following: "it may appoint a program committee of six producers and three handlers; provided that any marketing agency controlling more than one-sixth of the production within or serving the zone of the commodity subject to the program shall be entitled to name such proportion of the producer members of said committee as it controls of the production except that no such marketing agency shall be entitled to name more than four of the producer members of said committee."

Amendment No. 11.

On page 7 of the printed bill, strike out all of line 38, and insert in lieu thereof the following:

"SEC. 10. A new section is hereby added to said act, to be numbered 19.3 and to read".

Amendment No. 12.

On page 8, line 16, of the printed bill, strike out "20", and insert in lieu thereof "19.3".

Amendment No. 13.

On page 8, line 18, of the printed bill, strike out the period, and insert in lieu thereof the following: "and the stage in the movement of the prorated commodity from harvest into a primary channel at which it may be applied."

Amendment No. 14.

On page 8, line 20 of the printed bill, strike out the words "or estimated production", and insert in lieu thereof the following: "production, whether in storage or otherwise, or upon estimated production".

Amendment No. 15.

On page 8, line 21, of the printed bill, strike out the word 'primary".

Amendment No. 16.

On page 8, line 30, of the printed bill, strike out 'profitably", and insert in lieu thereof "advantageously".

Amendment No. 17.

On page 8 of the printed bill, at the end of line 31, insert the following:

"In operating any such surplus pool, a program committee may prescribe standards, packs and grades for the receipt by the pool of the surplus, and may fix grading, packing, and servicing charges to be assessed against such commodities received by the pool and requiring such handling.

The program committee, by uniform rules, may provide for the substitution, volume for volume, of commodities not pooled for commodities in the pool. The program committee shall handle all commodities received by a surplus pool and account for the same on a pooled basis. Each producer delivering his surplus to a pool shall be credited for all production so delivered at such values as may be fixed by the program committee."

Amendment No. 18.

On page 8, line 33, of the printed bill, after the words "facilities for the", insert the following: "grading, packing, servicing, processing, preparing for market and".

Amendment No. 19.

On page 8, line 47, of the printed bill, strike out "in this State or", and insert in lieu thereof the following: "of this State,".

Amendment No. 20.

On page 8, line 48, of the printed bill, between the words "States" and "of", insert the word "or".

Amendment No. 21.

On page 9 of the printed bill, after line 6, insert the following:

"(i) To borrow money from any source, including the Federal Intermediate Credit Bank, by pledge of all or any part of a surplus pool

(j) To create, maintain and disburse an equalization fund for the removal of any inequities between producers resulting from errors in estimating production.

(k) To establish grades and pack standards for the marketing of the commodity under proration; provided, that such grades and pack standards shall not be in conflict with existing standardization or other laws of this State, or of the United States."

Amendment No. 22.

On page 9, line 7, of the printed bill, strike out the following: ", if granted,", and insert in lieu thereof the following: "as may be granted".

Amendment No. 23.

On page 9 of the printed bill, after line 12, insert the following paragraph:

"No member of a program committee, zone agent, nor any employee or agent of any of them as such shall be held responsible individually in any way whatsoever to any person for errors in judgment, in mistakes, or other acts either of commission or omission except for acts of dishonesty."

Amendment No. 24.

On page 9, line 13, of the printed bill, strike out "21", and insert in lieu thereof "20".

Amendment No. 25.

On page 9 of the printed bill, strike out all of lines 31 to 45, inclusive, and insert in lieu thereof the following:

"Sec. 20. After any proration program has been formulated and has been approved by the commission, the agent for the zone shall assume the administration of the program and any subsequent modification thereof and the issuance of such proration certificates as are required thereunder. Such certificates may be divided into primary and secondary certificates, in which case each producer shall be entitled to one primary certificate which shall indicate the total quantities of the commodity, as to which the program has been instituted, which the producer named in such certificate will have available during the marketing season. Said primary certificates shall also indicate from time to time the number of secondary certificates theretofore issued under them. Secondary certificates shall be numbered consecutively and shall be used to control the time and volume of harvesting or other preparation for disposal; provided, that in the case of commodities which are normally concentrated for preparation for market, secondary certificates may authorize harvesting of the entire crop for the purpose of delivery to a concentration point and subsequent marketing control. Secondary certificates shall accompany all deliveries of the prorated commodity by producers into a primary trade channel. Such certificates may be made negotiable between producers at the option of the program committee.

In the operation of any program, cooperative and other marketing agencies entitled to the possession of agricultural commodities for marketing purposes may be authorized to receive certificates for producers represented by them and to represent their respective producers when proration is applied to the commodity while in the possession of such agencies.

SEC. 12. Section 21 of said act is hereby amended to read as follows.".

Amendment No. 26.

On page 10 of the printed bill, strike out all of lines 13 to 33, inclusive.

Amendment No. 27.

On page 10, line 46, of the printed bill, strike out "23", and insert in lieu thereof "21".

Amendment No. 28.

On page 11 of the printed bill, strike out all of line 13, and insert in lieu thereof the following:

"SEC. 13. Section 22 of said act is hereby amended to read".

Amendment No. 29.

On page 11, line 28, of the printed bill, strike out "24", and insert in lieu thereof "22".

Amendment No. 30.

On page 11 of the printed bill, strike out all of line 43, and insert in lieu thereof the following:

"SEC 14 A new section is hereby added to said act, to be numbered 22 5, and to read ".

Amendment No. 31.

On page 11, line 52, of the printed bill, strike out "25", and insert in lieu thereof "22.5".

Amendment No 32.

On page 12, line 15, of the printed bill, strike out "26", and insert in lieu thereof "23".

Amendment No. 33.

On page 12, line 24, of the printed bill, strike out "26", and insert in lieu thereof "23"

Amendment No. 34.

On page 12 of the printed bill, strike out all of line 29 following the word "effective", and all of line 30, and insert in lieu thereof the following: ". Such petition shall be ineffective for any purpose unless there shall be deposited at the time with the commission a sum of money equal to the probable costs of holding a hearing upon the petition to determine the sufficiency of the signatures thereto. If upon such hearing, it shall be established that the petition to terminate is sufficiently signed, the commission shall terminate the program.

The commission may at any time initiate an investiga-".

Amendment No. 35.

On page 12 of the printed bill, strike out all of lines 34, 35 and 36, and insert in lieu thereof the following: "the commission shall terminate said program In no case shall any program on a seasonal crop be terminated except at the end of its marketing season "

Amendment No. 36.

On page 12 of the printed bill, strike out all of lines 37 and 38, and insert in lieu thereof the following

"SEC 16 Section 24 of said act is hereby amended to read as follows:".

Amendment No. 37.

On page 12, line 39, of the printed bill, strike out "27", and insert in lieu thereof "24".

Amendment No. 38.

On page 13, line 2, of the printed bill, strike out "28", and insert in lieu thereof "25.5".

Amendment No. 39.

On page 13 of the printed bill, strike out all of lines 3 to 11, inclusive

Amendment No. 40.

On page 13, line 12, of the printed bill, strike out "29", and insert in lieu thereof "25.5".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 463—An act to amend section 805 of the Agricultural Code, relating to persimmons

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 524—An act to amend sections 821 and 827 of the Agricultural Code, relating to apples.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 92—An act to amend section 814 of the Agricultural Code, relating to lettuce.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 13, of the printed bill, strike out the word "closed".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 462—An act to amend section 809 of the Agricultural Code, relating to walnuts.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 14, of the printed bill, strike out "fifty", and insert in lieu thereof "twenty-five".

Amendment No. 2.

On page 1, line 15, of the printed bill, strike out "meat", and insert in lieu thereof "kernel".

Amendment No. 3.

On page 1, line 16, of the printed bill, strike out "meat", and insert in lieu thereof "kernel".

Amendment No. 4.

On page 1, line 20, of the printed bill, after the period, insert the following sentence: "However, when determining the percentage of walnuts seriously damaged by shriveling in any one container or bulk lot, two walnuts in which the kernels are each more than twenty-five per cent shriveled shall be counted as one seriously damaged walnut."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 918—An act to amend sections 798 and 830 of the Agricultural Code, relating to dates.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 29, of the printed bill, between the words "to" and "dates", insert a comma.

Amendment No. 2.

On page 2, line 1, of the printed bill, after the word "treatment", insert a comma

Amendment No. 3.

On page 2, line 2, of the printed bill, strike out the comma

Amendment No. 4.

On page 2, line 3, of the printed bill, strike out the word "marketing", and insert in lieu thereof "marking".

Amendment No. 5.

On page 2, line 4, of the printed bill, after the word "height", insert a comma.

Amendment No. 6.

On page 2, line 7, of the printed bill, after the word "to", insert a comma

Amendment No. 7.

On page 2, line 20, of the printed bill, after the word "vegetables,", insert the following: "except dates,".

Amendment No. 8.

On page 2, line 24, of the printed bill, strike out the word "or", and insert in lieu thereof the following: "and all such fruits, nuts or vegetables including dates, which are not wrapped or packed, and".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 974—An act to amend section 794 of the Agricultural Code, relating to cherries.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 16, of the printed bill, between the word "the" and the word "cherries", insert the following: "average size of the".

Amendment No. 2.

On page 2, line 7, of the printed bill, strike out the period, and insert in lieu thereof the following: "or the letter "R"."

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1244—An act to amend section 792 of the Agricultural Code, relating to avocados.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee.

Amendment No. 1.

On page 1, lines 16 to 18, inclusive, of the printed bill, strike out "Avocados shall also be free from any other defect which causes a waste of fifteen per cent or more by weight of the individual avocado, including the skin and seed", and insert in lieu thereof the following: "Avocados shall also be free from all defects, other than those hereinbefore mentioned, which singly or in the aggregate cause a waste of fifteen per cent or more, by weight, of the entire avocado, including the skin and seed"

Amendment No. 2.

On page 1, lines 29 and 30, of the printed bill, strike out the following: "in weight by more than fifteen per cent above or below the average weight of the avocados in the container.", and insert in lieu thereof the following: "in weight by more than thirty-three and one-third per cent of any avocado in the container."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1381—An act to amend section 790 and to add section 813.5 to the Agricultural Code, relating to celery

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 9, of the printed bill, after the word "size", insert the following: "letters or".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Financial Institutions.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1935.

MR. SPEAKER: Your Committee on Financial Institutions, to which was referred Assembly Bill No 260—An act to amend sections 12422, 12423, 12442, 12484, 12486, 12488 and 12543 of the Insurance Code and to add a new section to said code to be numbered 12490, all relating to mortgage insurers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

UTT, Chairman.

The above reported bill ordered on file for second reading

Also:

MR SPEAKER: Your Committee on Financial Institutions, to which was referred Assembly Bill No. 258—An act to amend sections 453.2, 453 3, 453.5, 453.6, and 453 12 of the Civil Code, all relating to mortgage insurance companies—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

UTT, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Financial Institutions, to which was referred Assembly Bill No. 488—An act to add a new section to the Insurance Code of the State of California, to be numbered 12629, relating to the rehabilitation, readjustment or reorganization of mortgage insurance companies or of all or of any part of the business, properties and assets of such companies, or of the rehabilitation, readjustment or reorganization of mortgage participation trusts and mortgage participation certificates and of the rights or interests of any or all of the investors and creditors of, and persons interested in, such companies or trusts; providing for the kinds of securities issuable in connection therewith and exempting such securities from the provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies, banks, banking institutions and trust companies and officers of the State of California to consent to a plan, as defined in said section, to exchange mortgage participation certificates, shares of stock, bonds, notes, debentures or other rights or claims for securities issued pursuant to such plan and to continue to hold as legal investment any securities so received—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

UTT, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Financial Institutions, to which was referred Assembly Bill No. 489—An act to add a new section to the Civil Code of the State of California, to be numbered section 453.15, relating to the rehabilitation, readjustment or reorganization of mortgage insurance companies or of all or of any part of the business, properties and assets of such companies, or of the rehabilitation, readjustment or reorganization of mortgage participation trusts and mortgage participation certificates and of the rights or interests of any or all of the investors and creditors of, and persons interested in, such companies or trusts; providing for the kinds of securities issuable in connection therewith and exempting such securities from the provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies, banks, banking institutions and trust companies and officers of the State of California to consent to a plan, as defined in said section, to exchange mortgage participation certificates, shares of stock, bonds, notes, debentures or other rights or claims for securities issued pursuant to such plan and to continue to hold as legal investment any securities so received—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

UTT, Chairman.

The above reported bill ordered on file for second reading.

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1935.

MR. SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 1336—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, and 16, and to add sections 17, 18, 19, 20, 21, 22, 23, and 24 to, an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to twelve rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," submitted by initiative and approved by electors November 4, 1924, relating to boxing and wrestling—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

GARIBALDI, Chairman.

The above reported bill ordered on file for second reading.

On Financial Institutions.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1935.

MR SPEAKER. Your Committee on Financial Institutions, to which was referred Assembly Bill No 291—An act to add a new title to Part IV of Division III of the Civil Code of the State of California to be known as Title XVII thereof, relating to trust receipts and to make the law of trust receipts in the State of California uniform with the law of other States—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

UTT, Chairman

The above reported bill ordered on file for second reading.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 27—Relative to the retirement of Edward J. Hanna as Archbishop of the Archdiocese of San Francisco;

Also: Assembly Concurrent Resolution No. 28—Relative to the adjournment of the Legislature out of respect to the memory of Dr. T. H. Stice;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighteenth day of March, at eleven o'clock and thirty minutes a m

WATERS, Chairman.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 170—An act to establish a Vehicle Code, thereby consolidating and revising the law relating to vehicles and vehicular traffic, and to repeal certain acts and parts of acts specified herein—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eighteenth day of March, 1935, at eleven o'clock and thirty minutes a m.

WATERS, Chairman

Resolution.

The following resolution was offered:

By Mr. McCarthy:

Assembly Resolution.

Be it resolved by the Assembly of the State of California, That the use of the Assembly Chamber on Saturday, March 23, 1935, from two o'clock p.m. to six o'clock p.m., be and is hereby granted to the Guaranty Building and Loan Depositors' Investors' Protective Association of Southern California, for a specially called mass meeting to be held at that time by that association; and be it further

Resolved, That the Superintendent of Buildings and Grounds is hereby authorized and directed to make all necessary preparation and afford all necessary facilities to said association for that meeting.

Resolution read and adopted.

Withdrawals and Re-references of Assembly Bills.

By order of the Speaker the following Assembly bills were withdrawn from file, and ordered re-referred to committees as follows:

Assembly Bill No 920 to Committee on Agriculture.
Assembly Bill No. 1780 to Committee on Expositions and Fairs.
Assembly Bill No 947 to Committee on Roads and Highways.
Assembly Bill No. 532 to Committee on Judiciary.
Assembly Bill No. 1684 to Committee on Conservation.
Assembly Bill No 312 to Committee on Conservation.
Assembly Bill No 154 to Committee on Revenue and Taxation
Assembly Bill No. 155 to Committee on Revenue and Taxation.
Assembly Bill No. 1182 to Committee on Revenue and Taxation.
Assembly Bill No. 1649 to Committee on Revenue and Taxation.
Assembly Bill No 950 to Committee on Fish and Game
Assembly Bill No 1330 to Committee on Fish and Game.
Assembly Bill No. 793 to Committee on Education
Assembly Bill No. 341 to Committee on Banking.
Assembly Bill No. 1133 to Committee on Judiciary.
Assembly Bill No. 978 to Committee on Judiciary
Assembly Bill No. 685 to Committee on Conservation
Assembly Bill No. 763 to Committee on Judiciary.
Assembly Bill No. 655 to Committee on Irrigation
Assembly Bill No. 844 to Committee on Irrigation.
Assembly Bill No. 1976 to Committee on Irrigation.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1935

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No 1968—An act to amend section 752 of "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the election of officers in cities of the fifth class; and declaring the urgency of this act and providing that it shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WRIGHT, Chairman

The above reported bill ordered on file for second reading.

Recess.

At twelve o'clock and five minutes p m, on the motion of Mr Lyon, the Assembly was declared at recess until one o'clock and thirty minutes p m., of this day

Reassembled.

At one o'clock and thirty minutes p m, the Assembly reconvened Speaker Craig in the chair.

Third Reading of Assembly Bills.

Consideration of Assembly Constitutional Amendment No. 15.

Assembly Constitutional Amendment No 15—A resolution to propose to the people of the State of California, an amendment to the

Constitution of said State by amending sections 3 and 4 of Article IV of the Constitution, relating to the legislative department.

Assembly Constitutional Amendment No. 15 read.

Mr. Turner moved the adoption of Assembly Constitutional Amendment No. 15.

The question being on the adoption of Assembly Constitutional Amendment No. 15

The roll was called, and Assembly Constitutional Amendment No. 15 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donahue, Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Minard, Morgan, Pelletier, Peyser, Phillips, Reaves, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—56.

NOES—Donnelly, Mayo, Richie, and Wallace—4

Title read and approved.

Assembly Constitutional Amendment No 15 ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 15.

A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending sections 3 and 4 of Article IV of the Constitution, relating to the legislative department

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its regular session commencing on the seventh day of January, 1935, two-thirds of the members elected to each of the two houses of the said Legislature voting therefor, hereby proposes to the people of the State of California, that sections 3, 4 and 5 of Article IV of the Constitution of said State be amended to read as follows:

First—That section 3 of Article IV of said Constitution be amended to read as follows:

Sec. 3 Members of the Assembly shall be elected in the year 1936 at the time and in the manner now provided by law. Thereafter members of the Assembly shall be chosen for a term of four years at an election on the first Tuesday after the first Monday in November The seats of the forty members of Assembly elected in the year 1938 from the even-numbered districts shall be vacated at the expiration of the second year, so that one-half of the members of the Assembly shall be elected every two years. No member of the Assembly is eligible to file a declaration of candidacy or an acceptance of candidacy for election to the Senate unless he first resign from membership of the Assembly, such resignation to be effective December 31st of the year he files such declaration or acceptance of candidacy.

Second—That section 4 of Article IV of said Constitution is amended to read as follows:

Sec. 4. Senators shall be chosen for the term of six years, at the same time and places as members of the Assembly, and no person shall be a member of the Senate or Assembly who has not been a citizen and inhabitant of the State three years, and of the district for which he shall be chosen one year, next before his election.

Third—That section 5 of Article IV of said Constitution be amended to read as follows:

Sec 5. The Senate shall consist of 40 members, and the Assembly of 80 members, to be elected by districts, numbered as hereinafter provided. The seats of the thirteen Senators elected in the year 1938 from the even-numbered districts 2 to 26 inclusive shall be vacated at the expiration of the fourth year; those of the seven Senators elected in that year from the even-numbered districts 28 to 40 inclusive shall be vacated at the expiration of the sixth year; those of the six Senators elected in the year 1940 from the odd-numbered districts 1 to 11 inclusive shall be vacated at the end of the fourth year and those of the 14 Senators elected in the year 1940 from the odd-numbered districts 13 to 39 inclusive shall be vacated at the expiration of the sixth year, so that approximately one-third of the Senators shall be elected every two years.

Consideration of Assembly Constitutional Amendment No. 66.

Assembly Constitutional Amendment No. 66—Proposed amendment to Article XIII, section 1½, of the Constitution, relative to exemption

from taxes of property used solely and exclusively for religious worship.

Assembly Constitutional Amendment No. 66 read.

Mr. Johnson moved the adoption of Assembly Constitutional Amendment No. 66.

The question being on the adoption of Assembly Constitutional Amendment No. 66.

The roll was called, and Assembly Constitutional Amendment No. 66 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, and Mr. Speaker—68.

NOES—None.

Title read and approved.

Assembly Constitutional Amendment No. 66 ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 66.

A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 1½ of Article XIII thereof, relating to exemption from taxes of buildings and personal property used therein solely and exclusively for religious worship

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its regular session commencing on the seventh day of January, 1935, two-thirds of the members elected to each of the two houses of the said Legislature voting therefor, hereby proposes to the people of the State of California, that the Constitution of said State be amended by amending section 1½ of Article XIII thereof, to read as follows:

Sec. 1½. All buildings, and so much of the real property on which they are situated as may be required for the convenient use and occupation of said buildings, together with all personal property within the buildings or used in connection therewith, when the same are used solely and exclusively for religious worship, shall be free from taxation; provided, that no building so used which may be rented for religious purposes and rent received by the owner therefor, shall be exempt from taxation.

Consideration of Assembly Joint Resolution No. 26.

Assembly Joint Resolution No. 26—Relative to memorializing Congress to proceed with the construction of the international highway from Canada to Fairbanks, Alaska.

Assembly Joint Resolution No. 26 read.

Mr. Anderson moved the adoption of Assembly Joint Resolution No. 26.

The question being on the adoption of Assembly Joint Resolution No. 26.

The roll was called, and Assembly Joint Resolution No. 26 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—70.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 26 ordered transmitted to the Senate.

Assembly Joint Resolution No. 26.

Relative to memorializing Congress to proceed with the construction of the international highway from Canada to Fairbanks, Alaska.

WHEREAS, A time of grave emergency exists in which many millions of our citizens are unable to secure gainful employment; and

WHEREAS, This condition falls with crushing, demoralizing effect upon the young, virile, adventuresome persons in our society who have been denied their equal rights to attain individual success by a complex, concentrated power machine industry over which they can not exert directive control; and

WHEREAS, The Federal and State governments are searching frantically for a form of unemployment relief which will adequately care for the needy without degrading them and pauperizing the commonwealth; and

WHEREAS, The United States possesses a last great frontier in Alaska, so vast in its territory, and so rich in yet unexploited resources which, conservatively estimated by experts, can be developed to sustain six million people; and

WHEREAS, There is surveyed and projected as part of the program of public works the completion of the Alaska highway from Vancouver, B. C., to Fairbanks, Alaska, which will open to travel and colonization a region of great natural beauty and economic potentialities; and

WHEREAS, The projected road construction will employ several thousand young men who are likely to remain in Alaska, there to take their part in the development of the territory; and

WHEREAS, Our sister States of the Pacific are memorializing the President of the United States and the Congress thereof to proceed with this enterprise because of its emergency effect upon unemployment, its advantages to coast scenic travel, the development of the Territory of Alaska, and the strategic importance of the road for military defense purposes; therefore, be it

Resolved by this Assembly in joint resolution with the Senate of the State of California, That the Governor of California forward a copy of this resolution to the President of the United States and the Congress, requesting that immeditae steps be taken to complete the projected Alaska highway

Assembly Bill No. 1898—An act to add section 1313a to the Penal Code, relating to making wilful leaving jurisdiction of court after depositing bail a felony.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1898 refused passage by the following vote:

AYES—Crowley, Evans, Herbert J., Fulcher, Garibaldi, Lyon, and Miller—6.

NOES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Gever, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Wallace, Waters, Welsh, Williamson, and Mr. Speaker—65

Assembly Bill No. 650—An act to amend the title of and section 8 of an act entitled "An act regulating the making of openings or the placing of structures or the change or renewal of any structure and the planting or removal of trees or shrubs or the placing of obstructions in or on State roads and highways; providing for the issuance of permits by the State Department of Public Works relative thereto, and for the laying or placing pipes, conduits, sewers, poles, wires, railways, obstructions and other objects, and for the planting, trimming or removal of trees or shrubs in or on State roads and highways; providing for the requirement of bonds from applicants before the issuance of such permits; and prescribing the penalty for violations of the provisions of this act," approved April 23, 1915, as amended, to provide for the relative rights of the State and cities, cities and counties, and counties in respect to franchises granted in highways subsequently declared to be State highways.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 650 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Welsh, and Mr Speaker—73.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 438—An act to amend sections 640, 641, 642, 645 and 646 of the Probate Code, relating to estates.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 438 passed by the following vote:

AYES—Andreas, Breed, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr Speaker—64.

NOES—Anderson, Cassidy, Dawson, Desmond, Evans, Ralph W, Johnson, Lyon, Minard, O'Donnell, Robertson, and Williamson—11

Title read and approved.

Bill ordered transmitted to the Senate.

Special Order.

The hour of two o'clock and thirty minutes p.m, having arrived, the special order heretofore set for this hour was taken up for consideration.

Assembly Bill No. 563—An act to amend sections 691, 694, 695, 696, 697 and 865 of the Fish and Game Code and to add section 697.5 thereto, and to repeal section 691.6 thereof, relating to fishing.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 563 passed by the following vote:

AYES—Anderson, Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilmore, Heisinger, Hornblower, Johnson, Kallam, Latham, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Peyser, Phillips, Redwine, Riley, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—54.

NOES—Boyle, Clark, DeLap, Evans, Herbert J., Evans, Ralph W., Geyer, Glover, Hawkins, Hunt, Jones, Laughlin, Lore, Lyon, Maloney, McCarthy, Pelletier, Reaves, Robertson, Rosenthal, Voigt, and Wallace—21.

Title read and approved.

Bill ordered transmitted to the Senate.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1935.

MR SPEAKER. Your Committee on Motor Vehicles, to which was referred Assembly Bill No 1614—An act to amend section 135 of the Vehicle Code, relating to the California Highway Patrol—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 231—An act to amend section 10 of an act entitled "An act to limit the amount of special assessments for public improvements and acquisitions of property for public purposes; to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or part by special assessments; to provide a basis for valuation of property for the purpose of establishing a special assessment limitation, and to authorize the payment of a part of the cost of such public improvements and acquisitions of property from any available public fund where a part of such cost is paid by special assessment on benefited property, and to provide that a majority protest shall be a bar to any proceeding," approved June 8, 1931, relating to limitations on assessments,

Also: Assembly Bill No. 524—An act to amend sections 821 and 827 of the Agricultural Code, relating to apples;

Also: Assembly Bill No. 463—An act to amend section 805 of the Agricultural Code, relating to persimmons;

Also: Assembly Bill No. 828—An act to amend an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalties, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, as amended, by amending section 23 thereof, relating to priority of liens and bonds;

Also Assembly Bill No 884—An act to add a new section to the Penal Code, to be numbered section 593b, relating to climbing upon poles, towers and other structures supporting wires or cables, transmitting electric energy;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1634—An act to repeal sections 378, 378a, 378b, 378c, 378d, 378e, 378f, 378g of the Political Code, relating to the Bureau of Commerce,

Also: Assembly Bill No. 1700—An act to amend section 663 of the Political Code, relating to the State Board of Control;

Also: Assembly Bill No. 1861—An act to amend section 694da of the Political Code, relating to the State Agricultural Society contingent fund;

Also: Assembly Bill No. 1884—An act to amend section 13 and to add a new section to be numbered 13a to "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle, and providing that this act shall take effect immediately," approved May 15, 1933, relating to the disposition and control of moneys received under said act;

Also: Assembly Bill No. 1989—An act to amend section 677 of the Political Code, relating to State accounting;

Also: Assembly Bill No. 1990—An act to repeal section 677a of the Political Code and to add section 677 5 thereto, relating to budgets of State departments and other State agencies;

Also: Assembly Bill No. 1992—An act to add section 675.1 to the Political Code, and to repeal section 675b thereof, relating to the approval of salaries by the Department of Finance;
And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1993—An act to amend section 675a of the Political Code, relating to approval of contracts by the Department of Finance;

Also: Assembly Bill No. 1994—An act to repeal section 686a of the Political Code and to add section 686.5 thereto, relating to accountants in the Department of Finance;

Also: Assembly Bill No. 2036—An act to add section 526a to the Political Code, relating to State printing;
And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Request for Use of Assembly Chamber.

Mr. Lyon requested that the Assembly grant the use of the Assembly Chamber to the Committee on Judiciary on Wednesday night, March 20, 1935.

Request granted.

Motion to Reconsider Assembly Bill No. 436 Continued.

Mr. Hornblower moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No 436 was passed, be continued until the next legislative day.

Motion carried.

Motion to Re-refer Assembly Bill No. 338.

Mr. Martin moved that Assembly Bill No. 338 be withdrawn from Committee on Judiciary, and ordered re-referred to Committee on Municipal Corporations.

The question being on re-referring Assembly Bill No. 338 to Committee on Municipal Corporations.

Motion carried.

Assembly Bill No 338 ordered re-referred to Committee on Municipal Corporations.

Motion to Re-refer Assembly Bill No. 2249.

Mr. McCarthy moved that Assembly Bill No. 2249 be withdrawn from Committee on County Government, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Assembly Bill No. 2249 to Committee on Judiciary.

Motion carried.

Assembly Bill No. 2249 ordered re-referred to Committee on Judiciary.

Motion to Re-refer Assembly Bill No. 2285.

Mr. Lore moved that Assembly Bill No. 2285 be withdrawn from Committee on Roads and Highways, and ordered re-referred to Committee on County Government.

The question being on re-referring Assembly Bill No. 2285 to Committee on County Government.

Motion carried.

Assembly Bill No. 2285 ordered re-referred to Committee on County Government.

Motion to Re-refer Assembly Bill No. 1684.

Mr. Burns moved that Assembly Bill No. 1684 be withdrawn from Committee on Conservation, and ordered re-referred to Committee on Oil Industries.

The question being on re-referring Assembly Bill No. 1684 to Committee on Oil Industries.

Motion carried.

Assembly Bill No 1684 ordered re-referred to Committee on Oil Industries.

Adjournment.

At four o'clock and five minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Tuesday, March 19, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, March 19, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—78.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Frazier, its further reading was dispensed with.

Leave of Absence.

On motion of Mr. Dawson, Mr. Brennan was granted leave of absense for this day.

Privilege of Floor of Assembly Extended.

On request of Mr. Fisher, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the teachers and pupils of the University High School, Oakland, as follows: Miss Helen Warrack, Mr. Lynn Barrett and Miss Hazel Flood, teachers, and Natalie Becker, Idola Brokaw, Jean Barker, Carolyn Challoner, Isobel Craig, Barbara Crane, Rose Davidson, Dorothy Dell, Coloma Dubbin, May Goodwin, Jane Haskins, Wilma Jordan, Lucille Klein, Shirley Larsen, Helen Lawrence, Vivian Laybourne, Hazel Leighten, Jean Suhr, Mary Lax, Hazel McKee, Joan Mein, Martha Mockil, Elva O'Donnell, Betty Allen, Rosemma Ahlborn, Jewell Baker, Jean Barker, Marie Burdette, Virginia Bussell, Pat Berthrand, Kathryn Cerelli, Dorothea Darch, Dorothy Davis, Jane De Roy, June Emerson, Florence Haslett, Nancy Lee Huff, Stella Hutten, Iva die Hyatt, Marjorie Leigh, Barbara Long, Lynette Mason, Nancy Mavity, Bertha Neilsen, Pat O'Rourke, Laura Post.

Marjorie Phelps, Cynthia Richardson, Lorraine Rounds, Lea Sherman, Barbara Schmidt, Virginia Suydam, Margaret Walls, Norma Wilfred, Phyllis Wisecarber, George Bedrosian, John Cave, Clifton Catley, John Cleary, Stanley Jackson, Kenneth Hedstrom, Bob Kieth, Fred Kidder, Jim Lukes, Wallace McFarlane, Reed McDonald, Henry Morrell, Janet Price, Lillian Rawn, Marjorie Rosenthal, Inez Sorel, Rowena Tregia, Elizabeth Trueb, Betty Van Sickle, Douglas Anderson, Jack Archbold, Bob Briggs, Leonard Brennan, Douglas Chase, Jack Downing, Isadore Finkelstein, Leonard Gross, Roy Hjirsman, Bill Hale, Charles Head, George Kyte, Leon La Faille, Grant Mahoney, Warren Merrill, Vernon Queenen, Verdun Romer, Neil Stewart, Dick Scott, Bob Vance, Marion Burgess, Betty Stearns, Henry Gloy, Paul Phillips, Paul Yockey, Niles Millar, Jack Newman, James Noleroth, Doyle Smith, Tetsuro Suito, Tom Sturgis, Jim Taylor and Donna Rae Shuster, pupils.

On request of Mr. O'Donnell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the teacher and pupils of the civics classes of the Esparto Union High School as follows: Jeannette Greenwood, teacher; Frank B. Hopkins, and Joe Barrios, Elvia Bei, Lois Bowles, Earl Burke, Jimmie Burke, Gwen Bahlman, Charles Barr, Willis Butterfield, Edna Cavalli, Dale Creamer, Jack Duncan, Virginia Duncan, Gust Eowan, Katherine Eowan, Stanley Faustman, Hayes Gable, Marietta Gilliam, George Grider, Alston Gray, Kenneth Harris, Margaret Hartwig, Jack Herman, Howard Hickerson, Helen James, Hayden James, Fern Jones, George Knight, Robert Keisler, June Kantlehner.

Carolyn Lewis, Francis Lider, John Lider, Bessie Matsumoto, Charlyn McClellen, Wilma Morrin, Robert McKinley, Eudora Mitchell, Wyatt Mitchell, Gordon Ness, Audrey Nurse, Mabel Parker, Robert Rooney, Fern Rominger, Hideo Sagara, Kenneth Shell, Earnest Smith, Don Spalding, Veon Story, Gladys Stotts, John Swete, Bessie Taber, Jim Tadlock, Stanley Thompson, Patricia Weaver, Dorothy Woupios, Anita Willis, Burnell Zentner, and Craig Zentner, pupils

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the teacher and pupils of the Stanford Junior High School, low eighth

Social Studies Class, Sacramento, as follows: Lena B. Everett, teacher, and Emamae Prising, Jimmie Davis, Vernon Grimm, Emmett Grimm, Evelyn Matson, John Olbrich, Dick Lahti, Harold Devault, Arthur Brown, Phyllis Jensen, Jean Warren, Hazel Littlefield, Elaine Tariel, Anna Habecker, June Walker, Mighnon Jefferson, Axel Larson, Albert Howell, Leland Potter, Henry Oughton, Betty Jenkins, Marjorie Akerly, Ruth White, and Eleanor Allgier, pupils.

On request of Mr. Evans, Herbert J., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Henry C. Chase.

On request of Speaker Craig and Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. "Beans" Reardon, National League umpire, and Mr. George Stainback, center fielder of the Chicago Cubs.

On request of Mr. Welsh, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Harry E. Welsh of Fullerton, California.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Contracting Plasterers Association of Alameda and Contra Costa counties, opposing continuance of the Department of Registrar of Contractors Licenses.

From William P. Sarders, favoring Assembly Bill No. 419 and immediate release of 16 prisoners now charged with criminal syndicalism in Sacramento.

From Orange County Builders Exchange, protesting the transfer of control of the Orange County highways from the local organization which constructs and maintains them.

From Pacific States Butter, Egg, Cheese and Poultry Association, San Francisco, opposing reduction of the length of trains.

From Altadena Welfare Board, favoring passage of Assembly Bills Nos. 4, 106, 107, 108, 109, and 110.

From Utopian Society of America, stating that they specifically have no connection with proposed meeting at the Shrine Civic Auditorium in Los Angeles on March 21, 1935, nor with the proposed cavalcade to Sacramento the following day.

ASSISTANT CLERK OLIVER READING.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1935.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 555—An act to amend section 7 of an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, relating to State highways—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

STREAM, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 554—An act to amend section 463 of the Streets and Highways

Code, relating to secondary State highways—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

STREAM, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER. Your Committee on Roads and Highways, to which was referred Assembly Bill No 21—*An act to amend* section 356 of the Streets and Highways Code, relating to State highways and establishing a secondary State highway from Westport to Ferndale—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

STREAM, Chairman.

The above reported bill ordered on file for second reading

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 18, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 31—Memorializing Congress to appropriate sufficient funds and enact additional legislation to provide a comprehensive plan for the deporting of undesirable aliens and aliens who are illegally within this Nation;

Also: Assembly Joint Resolution No. 32—Memorializing Congress to prepare proper legislation providing for the deportation of aliens who are dependent upon public relief

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary

Assembly Joint Resolutions Nos. 31 and 32 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 18, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XIII thereof, a new section to be numbered 17, relating to the power of the Legislature to provide for the borrowing of money to meet appropriations, in anticipation of the collection of taxes and revenues.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Constitutional Amendment No. 18 referred to Committee on Constitutional Amendments.

Also:

SENATE CHAMBER, SACRAMENTO, March 18, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 430—An act to amend sections 3727 and 3728 of the Political Code, relating to the entering of values and acreages in the assessment book and the preparation of duplicate statistical statements of assessments,

Also: Senate Bill No. 708—An act relating to the borrowing of money by the State in anticipation of taxes and revenues;

Also: Senate Bill No. 822—An act to amend section 27 of the Streets and Highways Code, relating to the maintenance of the State highways;

Also: Senate Bill No. 877—An act to add section 15a to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to evasions of license fees through wagers conducted on information furnished through news services;

Also: Senate Bill No 1016—An act validating the formation, organization and existence of districts formed under the "Orange County Water District Act," approved June 14, 1933.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bills Nos. 430 and 708 read first time, and referred to Committee on Revenue and Taxation.

Senate Bill No. 822 read first time, and referred to Committee on Roads and Highways.

Senate Bill No. 877 read first time, and referred to Committee on Public Morals.

Senate Bill No 1016 read first time, and referred to Committee on Conservation.

Also:

SENATE CHAMBER, SACRAMENTO, March 18, 1935.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 289—An act validating the formation and existence of certain harbor districts and all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by such districts and authorizing the levy and collection of taxes sufficient to pay the principal and interest thereof;

Also Senate Bill No 330—An act to add sections 762, 763 and 764 to, and to repeal sections 789, 790 and 791 of, the Probate Code, relating to sales of property;

Also: Senate Bill No. 415—An act to add a new section to the Political Code to be numbered 3887, relating to the priority of the State of California for taxes;

Also: Senate Bill No 419—An act to amend section 3658a of the Political Code, relating to assessments by reference to maps.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary

Senate Bills Nos. 289 and 330 read first time, and referred to Committee on Judiciary.

Senate Bill No. 415 read first time, and referred to Committee on Revenue and Taxation.

Senate Bill No. 419 read first time, and referred to Committee on Municipal Corporations.

Also:

SENATE CHAMBER, SACRAMENTO, March 18, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1—An act to amend section 6 of an act entitled "An act to provide for the formation, organization and government of storm-water districts, for the purpose of protecting the land therein from damage from storm water and from the waters of any innavigable stream, watercourse, canyon or wash, for the construction of the necessary works of protection by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909;

Also: Senate Bill No. 57—An act to amend section 26 of the California Irrigation District Act, approved March 31, 1897, relating to directors of irrigation districts;

Also. Senate Bill No. 255—An act to add a new section to be numbered 844, to the Civil Code, relating to actions for the declaration of rights of persons associated in the use of ditches, flumes, pipe lines or conduits for the conveyance of water;

Also: Senate Bill No. 256—An act to amend sections 251, 304, 307, 323, 348, 364, 374, 463 and 465 of the Streets and Highways Code, relating to State highways.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No 1 read first time, and referred to Committee on Conservation.

Senate Bills Nos. 57 and 255 read first time, and referred to Committee on Irrigation.

Senate Bill No. 256 read first time, and referred to Committee on Roads and Highways.

Also:

SENATE CHAMBER, SACRAMENTO, March 18, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as urgency measures, Senate Bill No. 293—An act to amend section 98 of the California Irrigation District Act and to repeal sections 99, 99½, 106, 107 and 108 of said act, all relating to the cancellation and destruction of unissued or unsold bonds and coupons of irrigation districts, and declaring the urgency thereof;

Also: Senate Bill No 685—An act to add section 274d to the Code of Civil Procedure, relating to phonographic reporters, and declaring the urgency of this act;

Also: Senate Bill No. 1070—An act to amend an act entitled "An act relating to the redemption of property sold to irrigation districts for delinquent assessments, and declaring the urgency thereof," approved September 20, 1934, by amending sections 1 and 3 of said act and to validate redemptions heretofore made, and declaring the urgency thereof

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 293 read first time, and referred to Committee on Irrigation

Senate Bill No 685 read first time, and referred to Committee on Judiciary.

Senate Bill No 1070 read first time, and referred to Committee on Irrigation.

Second Reading of Assembly Bills.

Assembly Bill No. 260—An act to amend sections 12422, 12423, 12442, 12484, 12486, 12488 and 12543 of the Insurance Code and to add a new section to said code to be numbered 12490, all relating to mortgage insurers.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

Amend the title of the printed bill to read as follows

"An act to amend sections 12422, 12423, 12427, 12442, 12484, 12486, 12488 and 12543 of the Insurance Code and to add a new section to said code to be numbered 12490, all relating to mortgage insurers."

Amendment No. 2.

On page 2, line 8, of the printed bill, strike out the word "six", and insert in lieu thereof the word "five".

Amendment No. 3.

On page 2, between lines 25 and 26, of the printed bill, insert the following

"SEC. 2½. Section 12427 of the Insurance Code is hereby amended to read as follows.

12427. A "mortgage participation trust" means a trust established by the assignment and transfer to a trustee of a group of securities the payment of all of which securities is insured, either singly or as a group, by a policy or policies of mortgage insurance, in which undivided shares or interests or rights to participate may be or have been assigned by means of mortgage participation certificates."

Amendment No. 4.

On page 2, line 45, of the printed bill, after the figures "$250,000.", insert the following: "No company shall be deemed insolvent under the provisions of section 984 of the Insurance Code or under any other law of this State, because of the fact that it has reduced its outstanding capital stock to an aggregate par value less than $250,000 pursuant to the provisions of this section. Changes in the assets of any trust under which mortgage participation certificates have been issued, which certificates at the date of issuance fully conformed to and complied with the law then in force, which changes are effected in the administration of and pursuant to the provisions of such trust, shall not be deemed the issuance of policies of mortgage insurance or mortgage participation certificates."

Amendment No. 5.

On page 3, line 24, of the printed bill, after the word "thereof", strike out the period and insert the following: "; provided, further, no company shall acquire, or

purchase any stock pursuant to the provisions of this paragraph without having first obtained the approval in writing of the Insurance Commissioner."

Amendment No. 6.

On page 3 of the printed bill, strike out lines 25 to 34, inclusive, and insert in lieu thereof the following:

"7. Stocks, bonds, debentures, or other securities of any corporation where the same or any thereof are acquired by a mortgage insurer in full or partial satisfaction of a debt previously contracted or an obligation previously acquired in good faith and owned or insured by such company, or in exchange for any such debt or obligation; also stocks, bonds, debentures, or other securities of any corporation where the same or any thereof are acquired in connection with the sale or liquidation of any real estate owned by such company or held in any mortgage participation trust of such company, also stocks, bonds, debentures, or other securities of any corporation where the same or any thereof are acquired in connection with or as a part of any plan or agreement of reorganization, readjustment or rehabilitation of such company, which plan or agreement has been approved in the manner required by any present or future law or in connection with the amendment, modification or termination in a manner provided by any present or future law of any or all mortgage participation certificates issued by such company or of all or any part of the mortgage participation trusts created by such company; also stocks, bonds, debentures, or other securities of any corporation organized to take over and acquire all or any part of the assets of such mortgage insurer and all or any part of the assets of any existing mortgage participation trust or trusts created by such company; provided, however, no mortgage insurer shall acquire or invest in stocks, bonds, debentures, or other securities of any corporation in an amount greater than ten per cent of the then authorized, issued and outstanding capital stock of such mortgage insurer or in an amount greater than $25,000, without having first obtained the written consent of the Insurance Commissioner."

Amendment No. 7.

On page 3, between lines 39 and 40, of the printed bill, add the following:

"A mortgage insurer may renew or extend any loan heretofore legally made or purchased or accept and hold any purchase money mortgage or deed of trust in connection with the liquidation of any real estate."

Amendment No. 8.

On page 5, line 48, of the printed bill, strike out the figures "1937", and insert in lieu thereof the figures "1936".

Amendment No. 9.

On page 5, line 49, of the printed bill, strike out the figures "1937", and insert in lieu thereof the figures "1936".

Amendment No. 10.

On page 5 of the printed bill, following line 50, insert the following:

"SEC. 9. For the purpose of construing other acts or existing contracts this act shall be deemed to be an amendment to Chapter VIII of Title II of Part IV of Division First of the Civil Code of the State of California."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 258—An act to amend sections 453.2, 453.3, 453.5, 453.6 and 453.12 of the Civil Code, all relating to mortgage insurance companies.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 16, of the printed bill, strike out the word "improve", and insert in lieu thereof the word "improved".

Amendment No. 2.

On page 2, line 43, of the printed bill, strike out the word "six", and insert in lieu thereof the word "five".

Amendment No. 3.

On page 5, line 2, of the printed bill, after the figures "$250,000.", insert the following: "No company shall be deemed insolvent under the provisions of section 602 of the Political Code or under any other law of this State, because of the fact that it has reduced its outstanding capital stock to an aggregate par value less than $250,000 pursuant to the provisions of this section. Changes in the assets of any

trust under which mortgage participation certificates have been issued, which certificates at the date of issuance fully conformed to and complied with the law then in force, which changes are effected in the administration of and pursuant to the provisions of such trust, shall not be deemed the issuance of policies of mortgage insurance or mortgage participation certificates."

Amendment No. 4.

On page 5, line 39, of the printed bill, after the word "company", insert the following: "or the acceptance of any purchase money mortgage or deed of trust in connection with the liquidation of any real estate".

Amendment No. 5.

On page 6, line 26, of the printed bill, after the word "thereof", strike out the period and insert the following: "; provided, further, no company shall acquire, or purchase any stock pursuant to the provisions of this paragraph without having first obtained the approval in writing of the Insurance Commissioner."

Amendment No. 6.

On page 6 of the printed bill, strike out lines 27 to 38, inclusive, and insert in lieu thereof the following:

"7. Stocks, bonds, debentures, or other securities of any corporation where the same or any thereof are acquired by a mortgage insurance company in full or partial satisfaction of a debt previously contracted or an obligation previously acquired in good faith and owned or insured by such company, or in exchange for any such debt or obligation; also stocks, bonds, debentures, or other securities of any corporation where the same or any thereof are acquired in connection with the sale or liquidation of any real estate owned by such company or held in any mortgage participation trust of such company, also stocks, bonds, debentures, or other securities of any corporation where the same or any thereof are acquired in connection with or as a part of any plan or agreement of reorganization, readjustment or rehabilitation of such company, which plan or agreement has been approved in the manner required by any present or future law or in connection with the amendment, modification or termination in a manner provided by any present or future law of any or all mortgage participation certificates issued by such company or of all or any part of the mortgage participation trusts created by such company; also stocks, bonds, debentures, or other securities of any corporation organized to take over and acquire all or any part of the assets of such mortgage insurance company and all or any part of the assets of any existing mortgage participation trust or trusts created by such company, provided, however, no mortgage insurance company shall acquire or invest in stocks, bonds, debentures, or other securities of any corporation in an amount greater than ten per cent of the then authorized, issued and outstanding capital stock of such mortgage insurance company or in an amount greater than $25,000, without having first obtained the written consent of the Insurance Commissioner."

Amendment No. 7.

On page 6, line 50, of the printed bill, after the word "acquire", insert the words "own or hold".

Amendment No. 8.

On page 8, line 3, of the printed bill, after the figure "6", strike out the word "and", and the figure "7", and insert in lieu thereof the following: ", 7 and 8".

Amendment No. 9.

On page 9, line 23, of the printed bill, strike out the figures "1937", and insert in lieu thereof the figures "1936".

Amendment No. 10.

On page 9, line 25, of the printed bill, strike out the figures "1937", and insert in lieu thereof the figures "1936".

Amendment No. 11.

On page 9, following line 25, of the printed bill, insert the following:

"SEC. 6 *This act shall be deemed to be an amendment to Chapter VIII of Title* II of Part IV of Division First of the Civil Code of the State of California."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 488—An act to add a new section to the Insurance Code of the State of California, to be numbered 12629, relating to the rehabilitation, readjustment or reorganization of mortgage insurance companies or of all or of any part of the business, properties and assets of such companies, or of the rehabilitation, readjustment or reor-

ganization of mortgage participation trusts and mortgage participation certificates and of the rights or interests of any or all of the investors and creditors of, and persons interested in, such companies or trusts; providing for the kinds of securities issuable in connection therewith and exempting such securities from the provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies, banks, banking institutions and trust companies and officers of the State of California to consent to a plan, as defined in said section, to exchange mortgage participation certificates, shares of stock, bonds, notes, debentures or other rights or claims for securities issued pursuant to such plan and to continue to hold as legal investment any securities so received

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

Amend the title of the printed bill to read as follows:

"An act to add a new section to the Insurance Code of the State of California to be numbered 12629, relating to the rehabilitation, readjustment or reorganization of mortgage insurance companies or of all or of any part of the business, properties and assets of such companies, and to the revision, modification or termination of mortgage participation trust, mortgage participation certificates and policies of mortgage insurance and to the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of, and persons interested in, such companies or trusts; providing for the kinds of securities issuable in connection therewith and exempting such securities from the provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies, banks, banking institutions and trust companies and officers of the State of California to consent to a plan, as defined in said section, to exchange mortgage participation certificates, shares of stock, bonds, notes, debentures or other rights or claims for securities issued pursuant to such plan and to continue to hold as legal investment any securities so received"

Amendment No. 2.

On page 2, line 21, of the printed bill, strike out the word "reorganization", and also strike out all of lines 22 to 25, inclusive, and insert in lieu thereof the following: "modification or termination of such trusts, certificates or policies is found by the court in connection with any plan submitted to it as hereinafter provided to be necessary or advantageous to the rehabilitation, readjustment or reorganization of any mortgage insurance company pursuant to this section."

Amendment No. 3.

On page 2, line 40, of the printed bill, after the figure "(2)", insert the word "for".

Amendment No. 4.

On page 3 of the printed bill, strike out all of lines 29 and 30, and insert in lieu thereof the following: "known certificate holders, investors and creditors of such company affected by such plan and to the trustee or depositary under all mortgage participation trusts created by such company and then in existence, together".

Amendment No. 5.

On page 4, line 2, of the printed bill, after the word "new", insert the words "or amended".

Amendment No. 6.

On page 5, line 38, of the printed bill, after the word "proportions", insert the words "herein required".

Amendment No. 7.

On page 5, line 44, of the printed bill, strike out the words "and all such", and insert in lieu thereof ", the trustees and depositaries under all mortgage participation trusts affected thereby and all".

Amendment No. 8.

On page 5, line 52, of the printed bill, after the word "new", insert the words "or amended".

Amendment No. 9.

On page 6 of the printed bill, after line 4, insert the following.

"In all cases where the plan involves the revision, modification or termination of mortgage participation trusts and as an incident thereto the transfer of the title to trust assets, the title to and management of such trust assets pending the hearing on such plan and its approval by the court and the Insurance Commissioner and for such further period as the court may prescribe and subject to such reserve powers as may be granted by the trust agreement to the company, or conferred by the court, shall continue in the trustee or depositary under the respective mortgage participation trusts affected Upon the approval of such plan by the court and the Insurance Commissioner the trust assets of all such trusts shall be transferred, conveyed, assigned, delivered, or otherwise dealt with, conformably to such plan, as the court may order and direct, upon application of the proposer of such plan.

The superior court shall retain jurisdiction of all parties to said proceeding until the plan approved is fully carried out and consummated and the carrying out and consummation of such plan shall be subject to the supervision and control of such court. In connection therewith the court may make all orders and decrees by way of injunction or otherwise as may be necessary, proper and equitable in order to carry out and consummate said plan and make the same fully effective."

Amendment No. 10.

On page 6, line 6, of the printed bill, after the word "approving", insert the words "or modifying".

Amendment No. 11.

On page 6, line 16, of the printed bill, strike out the words "The form and", and strike out all of lines 17 to 23, inclusive, and the words "of such company outstanding.", in line 27, and insert in lieu thereof the following: "The form of such bond shall be approved and the amount thereof fixed by the superior court but in no case shall such bond be for an amount greater than one per cent of the total liabilities of such company, provided that if mortgage participation certificates are affected by such plan such bond shall be for an amount not more than one per cent of the total liabilities of the company plus one per cent of the aggregate face amount of all mortgage participation certificates of such company outstanding"

Amendment No. 12.

On page 7, line 7, of the printed bill, after the word "for", insert the following: 'certificates, amended certificates or".

Amendment No. 13.

On page 7, line 10, of the printed bill, after the word "any", insert the words "certificates, amended certificates or".

Amendment No. 14.

On page 8, line 18, of the printed bill, after the word "rehabilitated,", insert the word "modified,".

Amendment No. 15.

On page 8 of the printed bill, after line 37, insert the following:

"SEC. 5. For the purpose of construing other acts or existing contracts this act shall be deemed to be an amendment to Chapter VIII of Title II of Part IV of Division First of the Civil Code of the State of California."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 489—An act to add a new section to the Civil Code of the State of California, to be numbered section 453.15, relating to the rehabilitation, readjustment or reorganization of mortgage insurance companies or of all or of any part of the business, properties and assets of such companies, or of the rehabilitation, readjustment or reorganization of mortgage participation trusts and mortgage participation certificates and of the rights or interests of any or all of the investors and creditors of, and persons interested in, such companies or trusts; providing for the kinds of securities issuable in connection therewith and exempting such securities from the provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies, banks, banking institutions and trust companies and officers of the State of California to consent

to a plan, as defined in said section, to exchange mortgage participation certificates, shares of stock, bonds, notes, debentures or other rights or claims for securities issued pursuant to such plan and to continue to hold as legal investment any securities so received.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

Amend the title of the printed bill to read as follows:

"An act to add a new section to the Civil Code of the State of California, to be numbered section 543.15, relating to the rehabilitation, readjustment or reorganization of mortgage insurance companies or of all or of any part of the business, properties and assets of such companies, and to the revision, modification or termination of mortgage participation trusts, mortgage participation certificates and policies of mortgage insurance and to the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of, and persons interested in, such companies or trusts; providing for the kinds of securities issuable in connection therewith and exempting such securities from the provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies, banks, banking institutions and trust companies and officers of the State of California to consent to a plan, as defined in said section, to exchange mortgage participation certificates, shares of stock, bonds, notes, debentures or other rights or claims for securities issued pursuant to such plan and to continue to hold as legal investment any securities so received."

Amendment No. 2.

On page 2 of the printed bill, strike out all of lines 22 to 25, inclusive, and insert in lieu thereof the following: "modification or termination of such trusts, certificates or policies is found by the court in connection with any plan submitted to it as hereinafter provided to be necessary or advantageous to the rehabilitation, readjustment or reorganization of any mortgage insurance company pursuant to this section."

Amendment No. 3.

On page 2, line 41, of the printed bill, insert the word "for", before the word "the", at the beginning of said line.

Amendment No. 4.

On page 3 of the printed bill, strike out all of lines 30 and 31, and the words "by such plan" in line 32, and insert in lieu thereof the following: "to each of the known certificate holders, investors and creditors of such company affected by such plan and to the trustee or depositary under all mortgage participation trusts created by such company and then in existence.".

Amendment No. 5.

On page 4, line 4, of the printed bill, after the word "new", insert the words "or amended".

Amendment No. 6.

On page 5, line 41, of the printed bill, after the word "proportions", insert the words "herein required".

Amendment No. 7.

On page 5, line 47, of the printed bill, strike out the words "and all such", and insert in lieu thereof ", the trustees and depositaries under all mortgage participation trusts affected thereby and all".

Amendment No. 8.

On page 6, line 4, of the printed bill, after the word "new", insert the words "or amended".

Amendment No. 9.

On page 6 of the printed bill, after line 7, insert the following:

"In all cases where the plan involves the revision, modification or termination of mortgage participation trusts and as an incident thereto the transfer of the title to trust assets, the title to and management of such trust assets pending the hearing on such plan and its approval by the court and the Insurance Commissioner and for such further period as the court may prescribe and subject to such reserve powers as may be granted by the trust agreement to the company, or conferred by the court, shall continue in the trustee or depositary under the respective mortgage participation trusts affected. Upon the approval of such plan by the court and the Insurance Commissioner the trust assets of all such trusts shall be transferred, conveyed, assigned, delivered, or otherwise dealt with, comformably to such plan, as the court may order and direct, upon application of the proposer of such plan.

The superior court shall retain jurisdiction of all parties to said proceeding until the plan approved is fully carried out and consummated and the carrying out and consummation of such plan shall be subject to the supervision and control of such court. In connection therewith the court may make all orders and decrees by way of injunction or otherwise as may be necessary, proper and equitable in order to carry out and consummate said plan and make the same fully effective."

Amendment No. 10.

On page 6, line 9, of the printed bill, after the word "approving", insert the words "or modifying".

Amendment No. 11.

On page 6, line 19, of the printed bill, strike out the words "The form and", and strike out all of lines 20 to 26, inclusive, and the words "of such company outstanding." in line 27, and insert in lieu thereof the following: "The form of such bond shall be approved and the amount thereof fixed by the superior court but in no case shall such bond be for an amount greater than one per cent of the total liabilities of such company, provided that if mortgage participation certificates are affected by such plan such bond shall be for an amount not more than one per cent of the total liabilities of the company plus one per cent of the aggregate face amount of all mortgage participation certificates of such company outstanding."

Amendment No. 12.

On page 7, line 10, of the printed bill, after the word "for", insert the following: "certificates, amended certificates or".

Amendment No. 13.

On page 7, line 13, of the printed bill, after the word "any", insert the words "certificates, amended certificates or".

Amendment No. 14.

On page 8, line 22, of the printed bill, after the word "rehabilitated," insert the word "modified.".

Amendment No. 15.

On page 8 of the printed bill, after line 40, insert the following:

"SEC 5. This act shall be deemed to be an amendment to Chapter VIII of Title II of Part IV of Division First of the Civil Code of the State of California."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1336—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, and 16, and to add sections 17, 18, 19, 20, 21, 22, 23 and 24 to an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to twelve rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," submitted by initiative and approved by electors November 4, 1924, relating to boxing and wrestling.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

In the title of the printed bill, strike out the first two lines, and all of line 3 before the quotation mark, and insert in lieu thereof the following: "An act to amend section 1 of and to add sections 3.5 and 6.5 to".

Amendment No. 2.

On page 1 of the printed bill, strike out all of line 5 after "California.", and strike out all of lines 6 to 12, inclusive, and insert in lieu thereof the following. "The commission shall consist of five members appointed by the Governor for terms

of four years. The members in office at the time this section, as amended, takes effect, shall continue in office for their respective terms, one term to expire on January 1, 1936, one on January 1, 1935, and one on January 1, 1939, and the terms of the two new members, to be appointed in pursuance of this section as amended, shall expire on January 15, 1937, their successors to be appointed for terms of four years."

Amendment No. 3.

On page 1, line 16, of the printed bill, strike out "Two", and insert in lieu thereof the following: "Three".

Amendment No. 4.

On page 2, line 3, of the printed bill, strike out "two", and insert in lieu thereof the following: "three".

Amendment No. 5.

On page 2 of the printed bill, strike out lines 18 to 52, inclusive, and strike out all of pages 3 to 14, inclusive, and insert in lieu thereof the following:

"SEC. 2. Section 3.5 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 3.5. No wrestling match, exhibition, event or demonstration shall be advertised or announced as a match or contest, but only as an exhibition. Any violation of this section shall be a misdemeanor, and any license holder under the provisions of this act responsible directly or indirectly for any advertisement or announcement contrary to this section shall forfeit such license, and it shall be canceled by the commission, and such license holder shall not be eligible to procure another license under the provisions of this act for a period of six months after such cancellation.

SEC. 3. Section 6.5 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 6.5. Any participant in a wrestling match or exhibition who inflicts a rabbit punch or punches on another participant, or who kicks another participant, or throws a participant out of the ring, shall be penalized for the first offense by being restrained for a period of six months, such period to begin immediately after the occurrence of such offense, from participating in any wrestling match or exhibition to be held or given by any club, corporation, organization or association duly licensed to give or hold such matches or exhibitions; for a second offense he shall be similarly restrained for at least two years; and for a third offense he shall be totally disqualified from further admission or participation in any wrestling match or exhibition held or given by any club, corporation, organization or association duly licensed to give or hold such matches or exhibitions in this State."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 291—An act to add a new title to Part IV of Division Third of the Civil Code of the State of California to be known as Title XVII thereof, relating to trust receipts and to make the law of trust receipts in the State of California uniform with the law of other States.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to add a new chapter to Title XIV of Part IV of Division Third of the Civil Code to be known as Chapter III-A thereof, in relation to trust receipts and pledges of personal property unaccompanied by possession in the pledgee and to make uniform the law relating thereto and to amend section 2988 of the Civil Code relative to the lien of the pledgee."

Amendment No. 2.

On page 1 of the printed bill, strike out all of lines 1, 2 and 3, and insert in lieu thereof the following:

"SECTION 1. A new chapter to Title XIV of Part IV of Division Third of the Civil Code to be known as Chapter III-A thereof, is hereby added to the Civil Code to read as follows:".

Amendment No. 3.

On page 1 of the printed bill, strike out line 5, and insert in lieu thereof the following: "Chapter III-A".

Amendment No. 4.

On page 1, line 8, of the printed bill, strike out the figures "3269", and insert in lieu thereof the following: "3012".

Amendment No. 5.

On page 1, line 8, of the printed bill, strike out the word "title", and insert in lieu thereof the following: "chapter".

Amendment No. 6.

On page 1, line 10, of the printed bill, strike out the figures "3270", and insert in lieu thereof the following: "3013".

Amendment No. 7.

On page 2, line 12, of the printed bill, strike out "III", and insert in lieu thereof the following: "Third".

Amendment No. 8.

On page 2, line 31, of the printed bill, strike out the figure "10", and insert in lieu thereof the following: "2016.6".

Amendment No. 9.

On page 2, line 39, of the printed bill, strike out the word "title", and insert in lieu thereof the following: "chapter".

Amendment No. 10.

On page 3, line 15, of the printed bill, strike out the word "title", and insert in lieu thereof the following: "chapter".

Amendment No. 11.

On page 3, line 22, of the printed bill, strike out the figures "3271", and insert in lieu thereof the following: "3014".

Amendment No. 12.

On page 3, line 25, of the printed bill, strike out the word "title", and insert in lieu thereof the following: "chapter".

Amendment No. 13.

On page 4, line 1, of the printed bill, strike out the figures "3273.5", and "3272", and insert in lieu thereof the following: "3016.5", and "3015".

Amendment No. 14.

On page 4, line 2, of the printed bill, strike out the word "title", and insert in lieu thereof the following: "chapter".

Amendment No. 15.

On page 4, line 5, of the printed bill, strike out the word "title", and insert in lieu thereof the following: "chapter".

Amendment No. 16.

On page 4, line 26, of the printed bill, strike out the figures "3272", and insert in lieu thereof the following: "3015".

Amendment No. 17.

On page 4, line 40, of the printed bill, strike out the figures "3273.4", and insert in lieu thereof the following: "3016.4".

Amendment No. 18.

On page 5, line 1, of the printed bill, strike out the figures "3273", and insert in lieu thereof the following: "3016".

Amendment No. 19.

On page 5, line 10, of the printed bill, strike out the word "title", and insert in lieu thereof the following: "chapter".

Amendment No. 20.

On page 5, line 11, of the printed bill, strike out the figures "3273.1", and insert in lieu thereof the following: "3016.1".

Amendment No. 21.

On page 5, line 13, of the printed bill, strike out the word "title", and insert in lieu thereof the following: "chapter".

Amendment No. 22.

On page 5, line 15, of the printed bill, strike out the figures "3273.2", and insert in lieu thereof the following: "3016.2".

Amendment No. 23.

On page 5, line 16, of the printed bill, strike out the figures "3273.2", and insert in lieu thereof the following: "3016.2".

Amendment No. 24.

On page 6, line 9, of the printed bill, strike out the figures "3273.3", and insert in lieu thereof the following: "3016.3".

Amendment No. 25.

On page 6, line 14, of the printed bill, following the word "sections", strike out the balance of the line and line 15, and insert in lieu thereof the following: "3016.4, 3016.5, 3016.6, 3016.7, 3016.10 and 3016.11 of this chapter".

Amendment No. 26.

On page 6, line 18, of the printed bill, strike out the figures "3273.5", and insert in lieu thereof the following "3016.5".

Amendment No. 27.

On page 6, line 26, of the printed bill, strike out the figures "3273.4", and insert in lieu thereof the following: "3016.4"

Amendment No. 28.

On page 6, line 32, of the printed bill, strike out the word "title", and insert in lieu thereof the following: "chapter".

Amendment No. 29.

On page 7, line 5, of the printed bill, strike out the figures "3273.5", and insert in lieu thereof the following: "3016.5".

Amendment No. 30.

On page 7, line 7, of the printed bill, strike out the word "title", and insert in lieu thereof the following: "chapter".

Amendment No. 31.

On page 7, line 14, of the printed bill, strike out the word "title", and insert in lieu thereof the following: "chapter".

Amendment No. 32.

On page 7, line 21, of the printed bill, strike out the figures "3272", and insert in lieu thereof the following "3015".

Amendment No. 33.

On page 7, line 7, of the printed bill, strike out the word "title", and insert in lieu thereof the following "chapter".

Amendment No. 34.

On page 7, line 33, of the printed bill, strike out the figures "3273.4", and insert in lieu thereof the following: "3016.4".

Amendment No. 35.

On page 7, line 34, of the printed bill, strike out the word "title", and insert in lieu thereof the following: "chapter".

Amendment No. 36.

On page 7, line 49, of the printed bill, strike out the figures "3273.4", and insert in lieu thereof the following: "3016.4".

Amendment No. 37.

On page 8, line 16, of the printed bill, strike out the figures "3273.6", and insert in lieu thereof the following: "3016.6".

Amendment No. 38.

On page 8, line 25, of the printed bill, strike out the figures "3273.5", and insert in lieu thereof the following: "3016.5".

Amendment No. 39.

On page 8, line 41, of the printed bill, strike out the figures "3273.7", and insert in lieu thereof the following: "3016.7".

Amendment No. 40.

On page 8, line 48, of the printed bill, strike out the word "title", and insert in lieu thereof the following: "chapter".

Amendment No. 41.

On page 8, line 51, of the printed bill, strike out the figures "3273.8", and insert in lieu thereof the following: "3016.8".

Amendment No. 42.

On page 9, line 4, of the printed bill, strike out the figures "3273.9", and insert in lieu thereof the following "3016.9".

Amendment No. 43.

On page 9, line 22, of the printed bill, strike out the word "title", and insert in lieu thereof the following: "chapter".

Amendment No. 44.

On page 10, line 9, of the printed bill, strike out the figures "3273.10", and insert in lieu thereof the following: "3016.10".

Amendment No. 45.

On page 10, line 18, of the printed bill, strike out the figures "3273.11", and insert in lieu thereof the following: "3016.11".

Amendment No. 46.

On page 10, line 18, of the printed bill, strike out the word "Title", and insert in lieu thereof the following: "Chapter".

Amendment No. 47.

On page 10, line 19, of the printed bill, strike out the world "title", and insert in lieu thereof the following: "chapter".

Amendment No. 48.

On page 10, line 30, of the printed bill, strike out the figures "3273.12", and insert in lieu thereof the following: "3016.12".

Amendment No. 49.

On page 10, line 31, of the printed bill, strike out the word "title", and insert in lieu thereof the following: "chapter".

Amendment No. 50.

On page 10, line 37, of the printed bill, strike out the figures "3273.5", and insert in lieu thereof the following: "3016.5".

Amendment No. 51.

On page 10, line 37, of the printed bill, strike out the figures "3273.7", and insert in lieu thereof the following: "3016.7".

Amendment No. 52.

On page 10, line 41, of the printed bill, strike out the figures "3273.13", and insert in lieu thereof the following: "3016.13".

Amendment No. 53.

On page 10, line 42, of the printed bill, strike out the word "title", and insert in lieu thereof the following: "chapter".

Amendment No. 54.

On page 10, line 46, of the printed bill, strike out the figures "3273.14", and insert in lieu thereof the following: "3016.14".

Amendment No. 55.

On page 10, line 46, of the printed bill, strike out the word "title", and insert in lieu thereof the following: "chapter".

Amendment No. 56.

On page 10, line 49, of the printed bill, strike out the figures "3273.15", and insert in lieu thereof the following: "3016.15".

Amendment No. 57.

On page 10, line 49, of the printed bill, strike out the word "title", and insert in lieu thereof the following: "chapter".

Amendment No. 58.

On page 11, line 1, of the printed bill, strike out the word "title", and insert in lieu thereof the following: "chapter".

Amendment No. 59.

On page 11, line 3, of the printed bill, strike out the word "title", and insert in lieu thereof the following: "chapter".

Amendment No. 60.

On page 11, line 4, of the printed bill, strike out the figures "3273.16", and insert in lieu thereof the following: "3016.16".

Amendment No. 61.

On page 11, line 4, of the printed bill, strike out the word "title", and insert in lieu thereof the following: "chapter".

Amendment No 62.

On page 11, line 6, of the printed bill, strike out the word "title", and insert in lieu thereof the following: "chapter".

Amendment No. 63.

On page 11, line 7, of the printed bill, strike out the following "title as hereby added", and all of line 8, and insert in lieu thereof the following: "chapter becomes effective."

Amendment No. 64.

On page 11 of the printed bill, following line 8, insert the following:

"SEC. 2 Section 2988 of the Civil Code is hereby amended so as to read as follows:

2988. Except as otherwise provided in Chapter III-A of Title XIV of Part IV of Division Third of the Civil Code, the lien of a pledge is dependent upon possession, and no pledge is valid until the property pledged is delivered to the pledgee, or to a pledge-holder, as hereafter prescribed"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1968—An act to amend section 752 of "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the election of officers in cities of the fifth class; and declaring the urgency of this act and providing that it shall take effect immediately.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1614—An act to amend section 135 of the Vehicle Code, relating to the California Highway Patrol.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of lines 5 to 22, both inclusive, and insert in lieu thereof the following: "shall have the power

(a) Of peace officers for the purpose of enforcing the provisions of this code or of any other law; provided that the primary duty of the California Highway Patrol shall be the enforcement of the provisions of this code, and the members thereof shall not act as peace officers in enforcing any other law except

(1) When in hot pursuit of any offender or suspected offender,

(2) To make arrests for crimes committed in their presence or upon any highway,

(3) When requested so to act by the Governor, or

(4) When requested so to act by the mayor or chief of police of any city or city and county or by the sheriff of any county, to assist in the preservation of law and order within such city, city and county, or county, respectively

(b) At all times to direct all traffic in conformance with the provisions of law, and in the event of a fire or other emergency or to expedite traffic or to insure safety to direct traffic as conditions may require notwithstanding the provisions of this code.

(c) When on duty, upon reasonable belief that any vehicle is being operated in violation of any provision of this code, to require the driver thereof to stop and submit to an inspection of such vehicle, the equipment, license plates and registration card thereon or to a test of the light or brake equipment upon such vehicle

(d) To inspect any vehicle of a type required to be registered hereunder on a highway or in any garage or repair shop for the purpose of locating stolen vehicles and investigating the title and registration thereof.

(e) To serve all warrants relating to the enforcement of this code."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Third Reading of Assembly Bills.

Assembly Bill No. 714—An act to amend section 337 of the Code of Civil Procedure, relating to the time within which actions upon any

contract, obligation or liability founded upon a statement in writing may be commenced.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Latham moved a call of the house.

Motion carried.

Time, ten o'clock and thirty-five minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—67.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the house.

Poceedings Under Call of the House by Unanimous Consent.
Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 314—An act to amend sections 2.203 and 2.204 of the School Code, relating to the formation of joint elementary school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 314 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Welsh, Williamson, and Mr Speaker—67.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 472—An act to add section 3819a to the Political Code, relating to installment paying of delinquent taxes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 472 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans,

Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr Speaker—70.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 1485—An act to amend section 4014 of the Political Code of the State of California, relating to township officers.

Bill read third time

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Utt:

Amendment No. 1.

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof the following: "4014. The officers of a town-".

Amendment No. 2.

On page 1, line 11, of the printed bill, strike out "; provided, however, that in", and insert in lieu thereof the following: ". In".

Amendment No. 3.

On page 1, line 19, of the printed bill, strike out "Provided, however, that appointments", and insert in lieu thereof the following "Appointments"

Amendment No. 4.

On page 1, line 20, of the printed bill, after "section", insert the following: ", as amended,".

Amendment No. 5.

On page 1 of the printed bill, strike out lines 26 to 29, inclusive, and insert in lieu thereof the following: "Nothing in this section".

Amendment No. 6.

On page 1, line 31, of the printed bill, strike out "holding office or employ-", and strike out all of line 32, and insert in lieu thereof a period

Amendments adopted.

Request for Unanimous Consent.

Mr. Utt asked for, and was granted, unanimous consent to take up Assembly Bill No. 1485, as amended, at this time, without reference to printer or file, and that same be considered engrossed.

Third Reading of Assembly Bill No. 1485, as Amended.

Assembly Bill No 1485—An act to amend section 4014 of the Political Code of the State of California, relating to township officers

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1485, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field Fisher, Flint, Frazier, Fulcher, Gever, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney Martin, Mayo, McMurray, Meehan, Miller Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 1680—An act to amend sections 1235 and 1238 of the Penal Code, relating to appeals in criminal cases.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1680 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, and Mr. Speaker—69

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1721—An act to amend sections 859 and 860 of the Penal Code, relating to the examination of a case before a magistrate, and to add section 859a of the Penal Code, relating to a plea of guilty to the complaint before a magistrate.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1721 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 33—An act to amend section 4300b of the Political Code of the State of California by adding thereto a provision fixing a fee to be charged by sheriffs in counties of the third class for arresting prisoners and bringing them into court or jail.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Fisher:

Amendment No. 1.

On page 2 of the printed bill, strike out line 21, and insert in lieu thereof the following: "pursuant to process issuing out of a justice's court, one dollar."

Amendment adopted.

Request for Unanimous Consent.

Mr. Fisher asked for, and was granted, unanimous consent to take up Assembly Bill No. 33, as amended, at this time, without reference to printer or file, and that same be considered engrossed.

Third Reading of Assembly Bill No. 33, as Amended.

Assembly Bill No 33—An act to amend section 4300b of the Political Code of the State of California by adding thereto a provision fixing a fee to be charged by sheriffs in counties of the third class for arresting prisoners and bringing them into court or jail.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 33, as amended, passed by the following vote.

AYES—Anderson, Andreas, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—64.

NOES—Boyle, Crowley, Evans, Ralph W., Garibaldi, Geyer, McBride, Minard, Riley, Robertson, Rosenthal, and Stream—11.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 903—An act to amend section 4 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, relating to the extension of prospecting permits for oil and gas which were in effect June 1, 1933, and upon which has been expended $25,000 or more in the prospecting for oil and gas.

Withdrawal of Bill.

By order of the Speaker, Assembly Bill No 903 was withdrawn from the file, and referred to Committee on Oil Industries.

Assembly Bill No. 724—An act to add a new section to the Political Code of the State of California to be numbered 3476b, relating to assessments of reclamation districts and providing for crediting payments made under invalid calls of installment of assessments upon subsequent calls of installment of assessments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 724 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner,

Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—71.
NOES—None.

Title read and approved
Bill ordered transmitted to the Senate.

Assembly Bill No. 441—An act to amend "An act to require security for the payment of wages of persons engaged in the mining industry," approved April 25, 1933, by amending section 1 thereof, relating to security for the payment of wages.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 441 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—71.
NOES—Redwine and Richie—2.

Title read and approved.
Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the House Dispensed With.

At eleven o'clock a.m, further proceedings under the call of the house were dispensed with, on motion of Mr. Latham

The roll of absentees was called, and Assembly Bill No. 714 was passed by the following vote:

AYES—Andreas, Burns, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, Evans, Herbert J., Field, Fisher, Frazier, Gilmore, Glover, Heisinger, Hornblower, Johnson, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Miller, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Reaves, Redwine, Riley, Stream, Thorp, Turner, Utt, Walker, Waters, Wright, and Mr. Speaker—45.
NOES—Anderson, Boyle, Breed, Cassidy, Corwin, DeLap, Desmond, Domhue, Donnelly, Evans, Ralph W., Flint, Fulcher, Garibaldi, Geyer, Gilbert, Hawkins, Hunt, Jones, Laughlin, McMurray, Meehan, Minard, Pelletier, Richie, Robertson, Rosenthal, Voigt, Wagner, Wallace, and Welsh—30

Title read and approved.

Notice of Reconsideration.

Mr. Welsh gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 714 was this day passed.

Special Order.

The hour of eleven o'clock a m, having arrived, the special order heretofore set for this hour was taken up for consideration.

Assembly Bill No. 1273—An act to amend the title and sections 2, 9, 15, 17, 18, 20, 21, 22, 23, 24, 26, 27, 30 and 33 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for

the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933; to repeal sections 7 and 19 of said act; to add sections 7 and 19 to said act; all relating to the taxation of the privilege of selling tangible personal property; and to provide that this act shall take effect immediately.

Bill read third time.

Motion.

Mr. Hornblower moved that the Assembly resolve itself into the Committee of the Whole for the purpose of consideration of Assembly Bill No. 1273.

Motion carried.

In Committee of the Whole.

Speaker Craig in the chair.

Assembly Bill No. 1273 considered.

Mr. Lyon moved that the committee do now rise, and report back to the Assembly.

In Assembly.

Speaker Craig in the chair.

Report of Committee of the Whole.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1935.

GENTLEMEN: Your Committee of the Whole, which has had under consideration Assembly Bill No. 1273—An act to amend the title and sections 2, 9, 15, 17, 18, 20, 21, 22, 23, 24, 26, 27, 30 and 33 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933; to repeal section 19 of said act; to add sections 9½ and 19 to said act; all relating to the taxation of the privilege of selling, renting or leasing tangible personal property; and to provide that this act shall take effect immediately—does now report the same back.

CRAIG, Chairman

Further consideration of Assembly Bill No. 1273 deferred

Recess.

At twelve o'clock m., on motion of Mr. Lyon, the Assembly was declared at recess until one o'clock and thirty minutes p.m., of this day.

Reassembled.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Craig in the chair.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1935

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 794—An act to amend sections 5 802, 5 804, 5.890, 5.894, 5 900, 5.901, 5.904, 5.910, 5 911, 5.921, 5.962, 5.970, 5.971, 5 972, 5.980, 5 990, 5.993, 5.1003, 5.1004, 5.1009, 5.1023, 5.1030, 5.1031, 5.1032, 5 1040, 5.1041, 5 1047, 5.1048, 5.1060, 5.1061, 5.1062, 5.1080 and 5.1083 of the School Code; to amend the titles of Chapter III, of Articles IV and VII of Chapter III, of Chapter VI, of Articles II and III of Chapter VI, all of Part IV of Division V of said code; to repeal sections 5.1042

to 5.1046, both inclusive, of said code and to repeal Article IV of Chapter VI of Part IV of Division V of said code; to add six new sections to said code to be numbered 5.971, 5.972, 5.981, 5.1004½, 5.1010 and 5.1011 and to add to Chapter V of Part IV of Division V of said code a new article to be known as Article VIII; to add to Chapter V of Part IV of Division V of said code a new article to be known as Article V; and to add to Chapter VI of Part IV of Division V of said code a new article to be known as Article IIIA, all relating to the payment of retirement salaries and retirement annuities to persons serving the State, counties and school districts in positions having to do with the superintending, administration and supervision in colleges, schools, and classes maintained by the State and/or the school districts thereof—and reports that the same has been correctly engrossed.

WATERS, Chairman

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1300—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations, and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, as amended, by amending sections numbered 4.01 relating to guarantee stock, 6.02 relating to withdrawals, 6.07 relating to investment certificates and shares, 8.09 relating to interest and dividends, 9.02 relating to investments and 9.04 relating to purchases, sales, transfers and pledges of loans; postponing the effective date of the amendment of section 6.02 of said act as set forth in section 5a of Chapter 431 of the Statutes of 1933; adding to said act new sections to be numbered 8.10 relating to rate of return on shares and investment certificates, 9.18 relating to insurance, loans, advances of credit and purchases of obligations pursuant to the National Housing Act, 10.03a relating to reserve or surplus accounts, 10.09 relating to reports, statements and analyses by the Building and Loan Commissioner and 12.11 relating to conversion of a building and loan association into a Federal Savings and Loan Association and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to vote for or approve such conversion, to exchange shares, stock, investment certificates or other rights or claims for shares issued by such Federal Savings and Loan Association, and to continue to hold as a legal investment any shares so received; adding a new article to be numbered XVI to said act relating to the rehabilitation, readjustment or reorganization of one or more building and loan associations of the classes specified in such Article XVI, or of all or of any part of the business, properties and assets of such association or associations, or the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of and other persons interested in such association or associations, providing for the kinds of securities issuable in connection therewith and exempting such securities from certain provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Article XVI, to exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received; and declaring the urgency of this act and providing that it shall take effect immediately—and reports that the same has been correctly engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1935

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 63—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 22 of Article XII of the Constitution of said State, relating to creation and powers of the Railroad Commission—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

LATHAM, Chairman

Assembly Constitutional Amendment No 63 ordered to engrossment

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No 62—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new section to be numbered section 16 of Article IX, relating to the management and control of museums and art galleries—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

LATHAM, Chairman.

Assembly Constitutional Amendment No. 62 ordered to engrossment.

On Governmental Revenues and Expenditures.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1935

MR. SPEAKER. Your Committee on Governmental Revenues and Expenditures, to which was referred Assembly Bill No. 2146—An act to provide for the payment of rewards to persons who supply the State with information enabling it to recover lands or interests therein, owned by the State, or the issues and profits thereof, or the value of oil and gas or minerals reserved to the State, where such lands or interests therein, or oil and gas or minerals are illegally, fraudulently or adversely held or claimed by another; creating a land fraud recovery fund; and making an appropriation for the payment of such rewards—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

JONES, Chairman.

The above reported bill ordered on file for second reading.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1935

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1655—An act to amend the Vehicle Code by amending sections 134 and 776; by adding sections 131, 136, and 681, relating to vehicles—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

On Elections.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1935

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 305—An act to amend section 1357 of the Political Code, relating to absentee voters—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DAWSON, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER. Your Committee on Elections, to which was referred Assembly Bill No. 1498—An act to add a new section to be numbered section 17½ to an act entitled "An act providing for the incorporation of public utility districts in unincorporated territories, authorizing such districts to incur bonded indebtedness for the purpose of construction of work in the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts

upon certain county officers," approved May 31, 1921, as amended, relating to elections—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DAWSON, Chairman.

The above reported bill ordered on file for second reading.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1935.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 514—An act to repeal section 3385 of the Political Code, relating to licensing of animals kept for propagation—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

THORP, Chairman.

The above reported bill ordered on file for second reading.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1935.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1093—An act amending section 2 of an act entitled "An act to authorize and empower boards of supervisors to levy a tax for advertising, exploiting, promoting and aiding measures designed to preserve, aid or develop the agricultural, horticultural, viticultural and water resources and advantages of their several counties," approved April 17, 1929, relating to the period of time said act shall be in force and effect—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DELAP, Chairman.

The above reported bill ordered on file for second reading.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1935.

MR SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 482—An act to amend section 810 5 of the Agricultural Code, relating to asparagus—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading.

On Governmental Revenues and Expenditures.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1935.

MR. SPEAKER: Your Committee on Governmental Revenues and Expenditures, to which was referred Assembly Bill No. 1739—An act to add section 670a to the Political Code, relating to the refund of penalties—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

JONES, Chairman.

The above reported bill ordered on file for second reading.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1935.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1653—An act to amend the Vehicle Code by amending sections 320 and 488, relating to vehicles—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1652—An act to amend the Vehicle Code by amending sections 195, 196, 197, 198, and 380, relating to vehicles—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

On Elections.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1935

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 1497—An act to amend section 6 of an act entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department and to assess and collect taxes, from time to time, for such purpose, and to create a board of fire commissioners," approved March 4, 1881, as amended, relating to the conduct of elections—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

DAWSON, Chairman

The above reported bill ordered on file for second reading.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1935

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 497—An act to amend section 457 of the Agricultural Code, relating to testing of milk, cream or products thereof;

Also: Assembly Bill No. 498—An act to amend section 453 of the Agricultural Code, relating to milk inspection;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

THORP, Chairman

The above reported bills ordered on file for second reading.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1935

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1271—An act imposing an excise tax on the storage, use or other consumption in this State of tangible personal property, providing for the registration of retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COTTRELL, Chairman

The above reported bill ordered on file for second reading.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1935

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 46—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new section to Article IV thereof, to be numbered 25¼, relating to the practice of chiropractic—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LATHAM, Chairman

The above reported Assembly Constitutional Amendment ordered on file for adoption.

On Governmental Revenues and Expenditures.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1935

MR. SPEAKER: Your Committee on Governmental Revenues and Expenditures, to which was referred Assembly Bill No. 1539—An act to amend sections 9 and 23 of, and to add section 9a to, "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to leasing of State lands, for the purpose of taking of gold or other minerals from, and the granting of easements to take and extract oil, gas and other hydrocarbons by means of wells drilled from the littoral lands into, tide and submerged lands, whether granted or ungranted, and the beds of navigable rivers and lakes, and to repeal section 24 thereof;

Also, Assembly Bill No. 2173—An act relating to the escheat to the State of California unclaimed moneys deposited with public utilities, and providing for the collection, use and disposition thereof;
Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

JONES, Chairman.

The above reported bills ordered on file for second reading.

On Conservation.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1935.

MR SPEAKER. Your Committee on Conservation, to which was referred Assembly Bill No. 1054—An act to add section 3a to and to amend sections 3, 4, 5, 6, 7, 8, 10, 14, 15, 16, 17, 18, and 19 of the "Los Angeles County Flood Control Act," relating to the government and control of the district and the powers and duties of the board of directors thereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

REDWINE, Chairman.

The above reported bill ordered on file for second reading.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1935.

MR SPEAKER Your Committee on Motor Vehicles, to which was referred Assembly Bill No 1654—An act to amend sections 459 and 471 of, and to add a new section to be numbered 466 to, the Vehicle Code, relating to highways and the regulation thereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1935.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 1205—An act to add a new part to Division II of the School Code to be known as Part VI, relating to the formation, government, support, control and administration of unified school districts created from elementary and high school districts, and of elementary, high school and junior college districts having coterminous boundaries and governing boards of identical personnel;

Also: Assembly Bill No. 1206—An act to add a new part to Division II of the School Code to be known as Part VII, relating to the formation, government, support, control and administration of unified school districts created from school districts not coterminous and not having governing boards of identical personnel;
Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

CHATTERS, Chairman.

The above reported bills ordered on file for second reading.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1935.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 327—An act to add Article 3a to Division II of the Agricultural Code, relating to Bang's disease in cattle;

Also: Assembly Bill No. 2157—An act to amend section 479 of the Agricultural Code, relating to dairies and dairy products;
Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

THORP, Chairman.

The above reported bills ordered on file for second reading.

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1935.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 890—An act to amend sections 8 and 17 of the State Medical Practice Act, relating to certificates licensing the practice of medicine, drugless healing, and chiropody, and to penalties for violation of the provisions of

the act—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

CRONIN, Chairman.

The above reported bill ordered on file for second reading.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1935.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1651—An act to amend the Vehicle Code by amending sections 618, 621, 623, 625, 633, 634, 635, 637, 639, 640 and 670; to renumber section 663 to be section 664; to repeal Chapter 4 of Division X embracing sections 645 to 658, inclusive, sections 661, 662 and 677; to add sections 623.5, 638, a new Chapter 4 to Division X, embracing sections 645 to 656, inclusive, 660, 661, 662 and 663, relating to vehicles—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1935.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Bill No. 598—An act to provide for the revision of the Constitution of this State, including the election of delegates to the convention, the proceedings, powers, duties, and matters incidental to the convention, the submission of the revised Constitution to the people and matters incidental thereto, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LATHAM, Chairman.

The above reported bill ordered on file for second reading.

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1935.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 246—An act for the regulation and control of corporations organized for the purpose of operating nonprofit hospital service plans—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

CRONIN, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 992—An act to amend section 11 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the definition of dentistry—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

CRONIN, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 990—An act to amend section 13 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," as amended, relating to revocation or suspension of licenses—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

CRONIN, Chairman.

The above reported bill ordered on file for second reading.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1935.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1657—An act to amend the Vehicle Code by amending sections

253, 257, 267, 268, 269, 270, 272, 273, 314, 315, 316 and 338; by repealing sections 350, 351, 352, 353 and 354; by adding sections 254, 271.5, 350, 351, 352, 353 and 354, relating to vehicles—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

HORNBLOWER, Chairman

The above reported bill ordered on file for second reading.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1935.

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 282—An act to amend section 16x24 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-fourth class;

Also: Senate Bill No. 23—An act to amend section 4041.17 of the Political Code, relating to the acquisition of real property by boards of supervisors;

Also: Senate Bill No. 257—An act to amend sections 4120 and 4121 of the Political Code of the State of California, relating to the books, accounts and vouchers in the office of county treasurers and the examination of the books and records and the counting of the money in said office;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

DELAP, Chairman.

The above reported bills ordered on file for second reading.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1935.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Senate Bill No. 519—An act to repeal "An act to regulate the business of selling live stock at public auction and requiring live stock auctioneers to obtain a license and to execute a bond to the State of California, and providing penalties for violation of this act, and repealing acts in conflict herewith," approved June 1, 1921—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

THORP, Chairman.

The above reported bill ordered on file for second reading.

Communication.

The following communication was received, and ordered printed in the Journal:

By Mr. Speaker:

STATE OF NEW JERSEY, DEPARTMENT OF STATE,
TRENTON, March 15, 1935

Hon. Frank C. Jordan,
Sacramento, California.

SIR: I transmit herewith Joint Resolution No. 3 enacted by the Legislature of New Jersey and request that you present the same to your Legislature for its consideration.

Respectfully yours,

THOMAS A. MATHIS, Secretary of State.

Joint Resolution No. 3, Laws of 1935.

[OFFICIAL COPY REPRINT.]

Assembly Committee Substitute for Senate Joint Resolution No. 3.

State of New Jersey.

Adopted February 26, 1935.

Joint resolution providing for an unpaid commission on interstate cooperation.

WHEREAS, There is constant confusion and there are frequent competition and conflict between the States of the Union in their laws and their administrative practices concerning taxation, labor, commerce, agriculture, liquor traffic, motor vehicles, crime prevention, public welfare, and many other subjects of government with which this State is vitally concerned; and

WHEREAS, It is desirable for the people of this State that such disharmony and chaos shall not continue, but that the governments shall strive together in accordance with enlightened standards and mutually acceptable policies; and

WHEREAS, The necessity for official cooperation between the State governments is recognized by the compact provision in section 10 of Article I of the Constitution of the United States; and

WHEREAS, The President of the United States has recently declared that "both the Congress and the executive departments of the National Government are constantly confronted with problems whose solutions require coordinated effort on the part of the States and of the Federal Government," and that "it is apparent to all students of government that there is urgent need for better machinery of cooperation between Federal, State, and local governments in many fields"; and

WHEREAS, There have now been established agencies which provide such machinery of cooperation, namely, the American Legislators' Association, which has been officially sanctioned and endorsed by one or both branches of 46 Legislatures, and the Council of State Governments, which has been organized by said association; and

WHEREAS, It is to the interest of the people of this State that their government officially participate with the governments of the other States in the formulation of their cooperative policies and in their other deliberations, in order that the interests of this State may not be disregarded and in order that this State may do its share, or more than its share, in the development of a more perfect Union; now, therefore, be it

Resolved by the Senate and General Assembly of the State of New Jersey:

1. There is hereby established the New Jersey Commission on Interstate Cooperation, whose function it shall be to perfect the participation of this State in the Council of State Governments, for the purpose of establishing and maintaining governmental machinery to facilitate communication, negotiation, understanding, and cooperation between the State of New Jersey and the other States of the Union, both regionally and nationally.

2. The commission shall report to the Governor and to the Legislature on the first day of each regular legislative session, and at such other times as it deems proper. Its members shall serve without compensation, but they shall be paid their necessary expenses in carrying out their obligations under this resolution. It may employ a secretary and such other assistants as are needed in the performance of its duties, or it may share the expense of such employment with similar commissions of other States.

3. The said commission shall be composed of 15 members, namely:

The five members of the Committee on Interstate Cooperation of the Senate,

The five members of the Committee on Interstate Cooperation of the House of Assembly, and

Five officials of the State named by the Governor, one of whom shall be designated by him as the chairman of the commission.

4. The said committees of the Senate and the House of Assembly, hereby or heretofore established, shall be standing committees, and their members shall be designated as are the members of other standing committees. These committees shall function during the regular sessions of the Legislature, and also during the interim periods between such sessions; their members shall serve until their successors are designated; and they shall constitute the New Jersey Council of the American Legislators' Association.

5. The Secretary of State of New Jersey shall forthwith communicate the text of this measure to the Governor and to the Legislature of each of the other States of the Union, with the respectful request that each Legislature shall enact a measure similar to this resolution, thus establishing a similar commission with like duties and powers, and thus joining with this State in the common cause of reducing the burdens which are imposed upon our citizens by governmental confusion, competition, and conflict.

Approved March 12, 1935.

Further Consideration of Assembly Bill No. 1273.

Assembly Bill No. 1273—An act to amend the title and sections 2, 9, 15, 17, 18, 20, 21, 22, 23, 24, 26, 27, 30, and 33 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933; to repeal sections 7 and 19 of said act; to add sections 7 and 19 to said act; all relating to the taxation of the privilege of selling tangible personal property; and to provide that this act shall take effect immediately.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Jones:

Motion.

Mr. Hornblower moved that the amendments submitted by Mr. Jones be voted on separately.

Motion carried.

Amendment No. 1.

On page 2, line 12, of the printed bill, as amended in the Assembly March 14, 1935, after the word "includes", strike out the following: "the fabrication of tangible personal property for consumers who furnish either directly or indirectly the materials used in the fabrication work and".

Amendment No. 1 read.

The question being on the adoption of Amendment No 1 to Assembly Bill No. 1273, submitted by Mr. Jones.

Request for Roll Call.

On request of Messrs Lyon, Hunt and Jones, the Speaker ordered a roll call taken on Amendment No. 1 by Mr. Jones.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Clark, Desmond, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, Mayo, McCarthy, McMurray, Patterson, Pelletier, Reaves, Richie, Rosenthal, Thorp, Voigt, and Wagner—30.

NOES—Andreas, Breed, Chatters, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donahue, Evans, Herbert J. Field, Fisher, Frazier, Fulcher, Garibaldi, Johnson, Kallam, Latham, Lyon, Maloney, Martin, McBride, Meehan, Miller, Minard, Morgan, O'Donnell, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Utt, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—42.

Amendment No. 2.

On page 2, line 28, of the printed bill, as amended in the Assembly March 14, 1935, after the word "agreements", insert the following: "by the same lessee,".

Amendment read and adopted.

Amendment No. 3.

On page 9, line 2, of the printed bill, as amended in the Assembly March 14, 1935, after the word "retailer", insert the following: "not exempt from execution under the provisions of section 690 of the Code of Civil Procedure,".

Amendment read and adopted.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 1273, as amended, at this time, without reference to printer or file, and that same be considered re-engrossed.

Assembly Bill No. 1273—An act to amend the title and sections 2, 9, 15, 17, 18, 20, 21, 22, 23, 24, 26, 27, 30, and 33 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933; to repeal sections 7 and 19 of said act; to add sections 7 and 19 to said act; all

relating to the taxation of the privilege of selling tangible personal property; and to provide that this act shall take effect immediately.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Rosenthal:

Amendment No. 1.

On page 2, line 10, of the printed bill, strike out the word "barter".

Amendment read, and refused adoption.

Further Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. McCarthy:

Amendment No. 1.

On page 2, lines 5, 6, and 7, of the printed bill, as amended March 14, 1935, strike out the words "any county, city and county, municipality, district, or other political subdivision thereof".

Amendment read.

Request for Roll Call.

On request of Messrs. Hornblower, Geyer, and Morgan, the Speaker ordered a roll call taken on the amendment submitted by Mr. McCarthy.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. McCarthy moved a call of the house.

Motion carried.

Time, three o'clock and fifteen minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Dimmick, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Utt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—71.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the house.

Proceedings Under Call of the House by Unanimous Consent.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1935.

MR. SPEAKER: Your committee on Engrossment and Enrollment has examined Assembly Bill No. 425—An act to amend "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, by amending sections 5 relating to the division of election precincts, 10 relating to the publication of ordinances, 12

relating to the issuance of revenue bonds and the investment of surplus moneys, 15b relating to the bonds of the district and their use as security, and adding a new section thereto to be numbered 15c, relating to the issuance of refunding bonds—and reports that the same has been correctly re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 6—An act to amend section 1, of an act entitled "An act to create a fund to be known as the State highway general fund and providing for expenditures therefrom," approved June 5, 1931, relating to expenditures from said fund;

Also: Assembly Bill No. 55—An act to provide for the operation and maintenance of storage garages for state-owned vehicles, the pooling of vehicles in general use, the placement of the State seal on each vehicle and providing that unofficial use of state-owned vehicles shall constitute a misdemeanor;

Also: Assembly Bill No. 92—An act to amend section 814 of the Agricultural Code, relating to lettuce;

Also: Assembly Bill No. 242—An act to add a new section to be numbered section 28a to an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, relating to assessments and bonds;

Also: Assembly Bill No. 440—An act to amend section 18a of the "Street Opening Act of 1903," relating to assessments and contribution of costs by municipalities;

Also: Assembly Bill No. 462—An act to amend section 809 of the Agricultural Code, relating to walnuts;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 464—An act to amend section 820 of the Agricultural Code, relating to tomatoes;

Also: Assembly Bill No. 495—An act to amend sections 460, 504, 585, and 621 of the Agricultural Code, relating to dairy products;

Also: Assembly Bill No. 496—An act to amend section 692 of the Agricultural Code, relating to places where milk or milk products are handled or kept for sale;

Also: Assembly Bill No. 509—An act providing for State planning and a State Planning Board, prescribing the powers, duties and jurisdiction thereof;

Also: Assembly Bill No. 528—An act to amend sections 4.750 and 4.751 of the School Code, relating to the computation of average daily attendance of school districts, declaring the urgency thereof and providing that this act shall take effect immediately;

Also: Assembly Bill No. 578—An act relating to revenue and taxation, providing for an excise tax on the sale of all oleomargarine containing any fat or oil ingredient other than any one or more of the following: oleo oil, oleo stock, oleo stearine from cattle, neutral lard from hogs, sheep fat, cottonseed oil, peanut oil, corn oil, soya bean oil or milk fat; providing a penalty for a violation of the provisions thereof; And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 753—An act to amend section 4 of "An act to regulate the construction of buildings in the State of California, in respect to resistance to horizontal forces, providing penalties for the violation thereof and providing that this act become effective immediately," approved May 26, 1933, relating to the application of said act;

Also: Assembly Bill No. 895—An act to add a new chapter, to be numbered 1a, to Division V of the Agricultural Code, relating to the standardization of tomatoes.
Also: Assembly Bill No. 897—An act to amend section 487 of the Agricultural Code, relating to guaranteed milk;
Also: Assembly Bill No. 898—An act to amend section 488 of the Agricultural Code, relating to Grade A milk;
Also: Assembly Bill No. 889—An act to amend sections 473, 508, and 516 of the Agricultural Code, relating to dairy products;
Also: Assembly Bill No. 918—An act to amend sections 798 and 830 of the Agricultural Code, relating to dates;
Also: Assembly Bill No. 938—An act to add two new sections and one new subsection to be numbered sections 5.143, 5.150 (f), and 5.168, of the School Code, relating to the standards for the granting of credentials and certificates;
And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 974—An act to amend section 794 of the Agricultural Code, relating to cherries;
Also: Assembly Bill No. 1130—An act to amend section 3444 of the Political Code, to empower the Division of State Lands to promulgate rules and regulations governing the use of certain State lands and the enforcement of such rules and regulations;
Also: Assembly Bill No. 1244—An act to amend section 792 of the Agricultural Code, relating to avocados;
Also: Assembly Bill No. 1381—An act to amend section 790 and to add section 813 5 to the Agricultural Code, relating to celery;
Also: Assembly Bill No. 1181—An act to amend sections 4.770, 4.771, 4.773, 4.785, 4.796, 4.797, 4.871 and 4 884 of the School Code and to add thereto two new sections to be numbered 4.774 and 4 784, all relating to the apportionment of State funds for public school purposes;
Also: Assembly Bill No. 1645—An act to require government units to furnish reports to the State Department of Finance concerning bonds and bonded indebtness;
Also: Assembly Bill No. 1862—An act to add two new sections to the Political Code to be numbered 359c and 359d, to provide for vacations of officers and employees of the State of California, with pay, and empowering the State Personnel Board to promulgate rules and regulations governing the same, in so far as applicable to such members of the civil service, and to repeal a certain act therein specified;
And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1935.

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 162—An act to limit the jurisdiction of courts over matters arising out of or involving labor disputes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LYON, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No 479—An act to amend section 2179 of the Political Code, relating to guardianship and administration of estates of incompetents;
Also. Assembly Bill No. 480—An act to amend section 1554 of the Probate Code, relating to accounts of guardians of insane persons;
Also Assembly Bill No. 2136—An act relating to the relief of debtors and guarantors, and permitting postponement of foreclosures and sales under mortgages, deeds of trust, or contracts of purchase of real property, or postponement of forfeitures and terminations under such contracts of purchase, declaring the urgency thereof, and providing that it shall take effect immediately;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

LYON, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1462—An act to amend sections 1 and 4 of the act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931, relative to the definition of public contract work and the payment of the general prevailing rate therefor—has had the same under consideration, and respectfully reports the same back without recommendation, and be re-referred to Committee on Building and Construction.

LYON, Chairman.

Assembly Bill No. 1462 re-referred to Committee on Building and Construction.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1400—An act to amend section 667 of the Penal Code, relating to the punishment of petty theft after a prior conviction of a felony.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1400 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Welsh, Williamson, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 283—An act to amend section 852 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities of the sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 283 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 486—An act requiring the treasurer of each municipality, county, and city and county to maintain a record of the names and addresses of holders of ad valorem special assessment district bonds.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr Lore:

Amendment No. 1.

In line 1 of the title of the printed bill, as amended, strike out "each", and insert in lieu thereof the following: "any".

Amendment No. 2.

In line 2 of the title of the printed bill, as amended, strike out "and", and insert in lieu thereof the following: "or"

Amendment No. 3.

In line 3 of the title of the printed bill, as amended, after "bonds", insert the following: "when so directed by the legislative body of said municipality, county, or city and county".

Amendment No. 4.

On page 1 of the printed bill, as amended, strike out line 2, and insert in lieu thereof the following: "pality, county, or city and county so directs, the treasurer".

Amendments adopted.

Request for Unanimous Consent.

Mr. Lore asked for, and was granted, unanimous consent to take up Assembly Bill No. 486, as amended, at this time, without reference to printer or file, and that same be considered re-engrossed.

Assembly Bill No. 486—An act requiring the treasurer of each municipality, county, and city and county to maintain a record of the names and addresses of holders of ad valorem special assessment district bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 486, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Vogt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr Speaker—70

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 928—An act to amend sections 4.280b and 4.281b of the School Code, relating to a revolving fund for warehouse stock.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 928 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly,

Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—71.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate

Assembly Bill No 139—An act to amend sections 165 and 166 of the Civil Code, relating to inventories of the separate property owned by a husband or wife, and making the filing of such inventory notice and prima facie evidence of title

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 139 passed by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr Speaker—67.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 1132—An act to amend sections 1093, 1127, 1323, and 1439 of the Penal Code, relating to instructions and comment in criminal cases

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1132 passed by the following vote:

AYES—Anderson Andreas, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr Speaker—67.

NOES—Clark and Robertson—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1133—An act to amend sections 800 and 802 of the Penal Code, relating to limitation of criminal actions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1133 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Geyer,

Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—69.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 493—An act to amend section 491 of the Agricultural Code, relating to milk inspection.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 493 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W, Fisher, Frazier, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley Robertson, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 491—An act to amend section 651 of the Agricultural Code, relating to dairy statistics.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 491 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Frazier, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Williamson, Wright, and Mr. Speaker—66.

NOES—Robertson—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 492—An act to amend section 631 of the Agricultural Code, relating to examination of milk and dairy products.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 492 passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves,

Richie, Riley, Scudder, Thorp, Utt, Voigt, Wagner, Wallace, Waters, Williamson, Wright, and Mr Speaker—64.
NOES—Robertson—1.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 494—An act to amend section 476 of the Agricultural Code, relating to fat or oil in dairy products

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 494 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—72
NOES—Evans, Ralph W.—1.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 401—An act to add a new section to the Political Code, to be numbered 3881b, relating to entry of changes and corrections on assessment book and delinquent list.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 401 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—74.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the House Dispensed With.

At four o'clock p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. McCarthy.

The roll of absentees was called, and the amendments submitted by Mr McCarthy were refused adoption by the following vote

AYES—Anderson, Andreas, Boyle, Burns, Clark, Cronin, Crowley, Dawson, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, Maloney, McCarthy, McMurray, Patterson, Pelletier, Peyser, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, Waters, Welsh, and Williamson—38
NOES—Breed, Cassidy, Chatters, Corwin, Cottrell, Cunningham, DeLap, Desmond, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Johnson, Kallam, Latham, Lyon, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, Niel-

sen, O'Donnell, Peterson, Phillips, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Wright, and Mr. Speaker—39.

Special Order Set.

On motion of Mr. Lyon, the further consideration of Assembly Bill No. 1273, and amendments, were made a special order for Wednesday, March 20, 1935, at ten o'clock and thirty minutes a.m.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1935

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1—An act to authorize the adoption and approval of State codes of fair competition for certain trades or industries or subdivisions thereof, to provide for the enforcement of the provisions of any State code of fair competition approved as in this act provided, to provide for standards of fair competition created by National codes of fair competition, to provide for administrative powers of code authorities, to provide penalties for the violations of the provisions hereof, to declare the urgency of this act and to provide that this act shall take effect immediately;

Also: Assembly Bill No. 131—An act to add section 726a to the Code of Civil Procedure, relating to deficiency judgments;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended

LYON, Chairman.

Assembly Bill No. 131 ordered on file for second reading.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 1, at this time, without reference to file.

Second Reading of Assembly Bill No. 1.

Assembly Bill No. 1—An act to authorize the adoption and approval of State codes of fair competition for certain trades or industries or subdivisions thereof, to provide for the enforcement of the provisions of any State code of fair competition approved as in this act provided, to provide for standards of fair competition created by National codes of fair competition, to provide for administrative powers of code authorities, to provide penalties for the violations of the provisions hereof, to declare the urgency of this act and to provide that this act shall take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title of the act, and insert in lieu thereof the following:

"An act relating to codes, agreements, and standards of fair competition, repealing certain acts cited herein, and declaring the urgency of this act and providing that it shall go into immediate effect"

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 19, inclusive, and on page 2 of the printed bill, strike out lines 1 and 2, inclusive, and insert in lieu thereof the following:

"SECTION 1. The existence of a National emergency productive of widespread unemployment, and disorganization of industry, which burdens interstate and foreign commerce, affects the public welfare, and undermines the standards of living of the American people is hereby recognized, and it is hereby declared that such National emergency contributes to the existence of a similar state-wide emergency productive of similar conditions in this State, which affect the industry and commerce of this State and the welfare of its citizens, and that the existence of the state-wide emergency contributes to the existence of the National emergency. It

is hereby declared to be the purpose of this act and the policies of this State, to supplement and to cooperate in effectuating National policy, to meet the emergency, to insure uniformity of State regulation of commerce with National regulation, to remove obstructions to the free flow of commerce which tend to diminish the amount thereof, and to provide for the general welfare; by promoting the organization of industry for the purpose of cooperative action among trade groups, by inducing and maintaining united action of labor and management under adequate governmental sanctions and supervision, by eliminating unfair competitive practices, by promoting the fullest possible utilization of the present productive capacity of industries, by avoiding undue restriction of production (except as may be temporarily required), by increasing the consumption of industrial and agricultural products by increasing purchasing power, by reducing and relieving unemployment, by improving standards of labor, and otherwise rehabilitating industry and conserving natural resources. The foregoing policies shall be the standards for, and limitations upon the exercise by the Governor of powers provided for in the subsequent sections of this act.'

Amendment No. 3.

On page 2, line 4, of the printed bill, strike out the word "may", and insert in lieu thereof the word 'shall".

Amendment No. 4.

On page 2, line 15, of the printed bill, after the word "codes", insert the following: "may apply to the entire State or any part thereof, and".

Amendment No. 5.

On page 2, line 38, of the printed bill, after the word "accounts", insert a comma and the following words within the parentheses: ", against selling below cost, against use of loss leaders, against use of unfair and misleading advertising, and such other trade practices which are found to be unfair by the Governor and are not otherwise inconsistent with the corresponding National Code)."

Amendment No. 6.

On page 2, line 40, of the printed bill, strike out the word "may", and insert in lieu thereof the word "shall".

Amendment No. 7.

On page 2, line 41, of the printed bill, strike out the word "are", and insert in lieu thereof the words "he finds".

Amendment No. 8.

On page 2, line 42, of the printed bill, after the word "policy", insert the words "and requirements".

Amendment No. 9.

On page 3, line 10, of the printed bill, strike out the word "may", and insert in lieu thereof the word "shall".

Amendment No. 10.

On page 3, line 11, of the printed bill, strike out the words "may be", and insert in lieu thereof the following: "he finds".

Amendment No. 11.

On page 3, line 16, of the printed bill, strike out the word "may", and insert in lieu thereof the word "shall".

Amendment No. 12.

On page 3, line 18, of the printed bill, after the word "act", insert the following: "as he finds necessary".

Amendment No. 13.

On page 3, line 18, of the printed bill, after the word "policy", insert the following: "and requirements".

Amendment No. 14.

On page 3, line 33, of the printed bill, strike out the word "policies", and insert in lieu thereof the following: "policy and requirements".

Amendment No. 15.

On page 4, line 6, of the printed bill, after the word "the", strike out the words "policies declared in section 1", and insert in lieu thereof the word "policy".

Amendment No. 16.

On page 4, line 26, of the printed bill, add a new sentence to read as follows: "Acquittal on the ground the defendant was not engaged in a transaction subject to Federal regulation shall not be deemed an acquittal on the merits for the purpose of this section."

Amendment No. 17.

On page 4 of the printed bill, strike out lines 34 to 39, inclusive, and insert in lieu thereof the following: "also of the several district and city attorneys and other public prosecutors to enforce this act. For such purpose any such officer may appear in court in person or by duly authorized deputy or assistant or by any attorney of this State acting pursuant to his direction."

Amendment No. 18.

On page 5 of the printed bill, strike out lines 2 and 3, and insert in lieu thereof the following: "In any such action the jury, or if there is no jury, the court, may in its discretion fix as damages payable to such employee an additional sum equal to the".

Amendment No. 19.

On page 5, line 12, of the printed bill, after the word "policy", insert the following "and requirements".

Amendment No. 20.

On page 5, line 13, of the printed bill, after the word "authorized", insert the following: "with the consent of the National government to utilize such National agencies, officials and employees, and".

Amendment No. 21.

On page 5 of the printed bill, strike out lines 46 and 47, and insert in lieu thereof the following:

"SEC. 21. This act shall cease to be in effect on and after September 1, 1937."

Amendment No. 22.

On page 5, line 50, of the printed bill, after the word "competition", insert the following: "which has been or may be".

Amendment No. 23.

On page 6, line 1, of the printed bill, strike out the words "to effectuate policies corresponding to those set forth in section 1 of this act," and insert in lieu thereof the following "if such code will meet the requirements set forth in the clauses numbered (1) and (2) of section 2 and the clauses numbered (1), (2), and (3) of section 4 of this act,".

Amendment No. 24.

On page 6, line 10, of the printed bill, strike out the words "policies corresponding to those set forth in section 1 of this act," and insert the following "the policy of this act, if such agreement will meet the requirements set forth in clauses (1), (2), and (3) of section 4 of this act."

Amendment No. 25.

On page 6 of the printed bill, between lines 22 and 23, insert the following

"SEC. 23 Nothing contained in any code of fair competition approved under the provisions of this act shall constitute the members of any code authority partners for any purpose, nor shall any member of such code authority, or any person acting for them, be liable in any manner to anyone for an act of any other member, officer, agent or employee of said code authority, nor be liable to anyone for any act or omission to act under the code, except for his or her own wilful misfeasance or nonfeasance."

Amendment No. 26.

On page 6, line 23, of the printed bill, strike out "Sec. 23.", and insert in lieu thereof the following: "Sec. 24."

Amendment No. 27.

On page 6, line 27, of the printed bill, strike out "Sec. 24.", and insert in lieu thereof the following: "Sec. 25."

Amendment No. 28.

On page 6, line 51, of the printed bill, after the word "to", insert the following: "invalidate any State code of fair competition approved and now in effect under the provisions of said acts, in so far as said codes are not in conflict with the provisions and requirements of this act, nor shall such repeal be construed or operate to".

Amendment No. 29.

On page 7 of the printed bill, insert the following between lines 3 and 4:

"SEC. 26. All documents, papers, records, codes, orders, rules and regulations, relating to codes of fair competition, now in the possession of the Commissioner of Corporations or the Department of Industrial Relations shall on the effective date of this act be transferred to and shall be filed by the Secretary of State."

Amendment No. 30.

On page 7, line 4, of the printed bill, strike out "Sec. 25.", and insert in lieu thereof the following: "Sec 27."

Amendment No. 31.

On page 7, line 6, of the printed bill, strike out "Sec. 26 ", and insert in lieu thereof the following: "Sec. 28."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Reconsideration of Assembly Bill No. 436.

In compliance with his notice given on a previous day, Mr. Hornblower moved that the vote whereby Assembly Bill No. 436 was passed be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Anderson, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 436—An act to amend sections 1, 15 and 17 of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to civil engineers.

Assembly Bill No. 436 ordered on file for third reading.

Motion to Re-refer Senate Bill No. 227.

Mr. Crowley moved that Senate Bill No. 227 be withdrawn from Committee on Social Welfare, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Senate Bill No. 227 to Committee on Judiciary.

Motion carried

Senate Bill No. 227 ordered re-referred to Committee on Judiciary.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1935

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1775—An act to amend section 3663b of the Political Code, relating to the Board of Equalization—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DELAP, Chairman

The above reported bill ordered on file for second reading.

Adjournment.

At four o'clock and twenty minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Wednesday, March 20, 1935.

CHARLES H. ERB, Minute Clerk

IN ASSEMBLY

ASSEMBLY CHAMBER,

SACRAMENTO, Wednesday, March 20, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—78.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Gilbert, its further reading was dispensed with.

Leave of Absence.

On motion of Mr. Dawson, Mr. Brennan was granted leave of absence for this day

Privilege of Floor of Assembly Extended.

On request of the Alameda County delegation, privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. B. A. Wallman, Chief of Police of Oakland.

On request of Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. George H. Johnson, Deputy District Attorney of Los Angeles County.

On request of Mr. Waters, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Charles W. Eastin of Los Angeles.

On request of Mr. Stream, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Will S. Heller, County Treasurer, San Diego County.

On request of Mr. Breed, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Phillip A. Hershey of San Francisco.

On request of Mr Nielsen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the president, teacher, and students of the Western School of Business, Sacramento, Neal C. Keltner, president; Ernest Coulson, teacher, and the following students of the Accounting Class: George Zarzana, George Gazanan, James Houser, Tom Hulverstott, John Graham, Robert Haight, Stanford Jones, Etta Johnson, Eva Coffman, Marie Cole, Billie Holland, Therisa Silva, Al Dixon, Constance Murphy, Trilma Rathford, Anita Saccaggetti, Louise Dragone, Irene Bean, Elsie Maude Taylor, Jean Chapman, Hilda Sarmento, Vivylln Sparks, Mildred Wiese, Virginia Minster, Martha Holland, Mary Campas, Winifred Seburn, Eula Morrill, Marie Dragseth, John Hennrivlle, Evelyn Kerr, Brownie Hornberger, Marie Steiner, and Billy Perry.

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the principal, teacher and pupils of the Dixon Grammar School, Zella Behrman, teacher; C. A. Jacobs, principal, and the following pupils of the Seventh and Eighth Grades: Marjorie Behrman, Shirley Cecil, Dorothy Dawson, Lavern Hissey, Helen Kilkenny, Jane Lyon, Marion Madden, Peggy Marvin, Barbara McKenzie, Dorothy McNeill, Janet Potter, Evelyn Webb, Otto Bruhn, Marion Avila, Laura Jean Aye, Marjorie Barkmeyer, Zanette Belden, Betty Mae Carpenter, Althea Dannenburg, Evelyn Dodini, Betty Rae Felton, Wanda Haase, Marjorie Hooper, Eloise Green, Ruth Lawrence, Clinton Ferguson, Lee Hopkins, Weston Jacobe, James Johnston, Eddie Kilkenny, Howard King, Edwin Mack, Billy Pritchard, Giro Kawashima, Vincent Rossi, Russell Rohwer, Jack Reichel, Edward Seifert, John Ravolli, Elizabeth Phillips, Marilee Rohwer, Emily Sores, Madiline Soares, Margaret Soloman, John Bloom, Kenyon Clark, Donald Helms, Freeland Mace, Russell Martin, William Taylor, and Norman Thistle.

On request of Mr. Donnelly the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the teachers and pupils of the Turlock High School, Miss Iva V. Smith, teacher, Mr. Frederick Flint, teacher, and the following pupils: Mary Arbuckle, Eugene Carroll, Warren Clemons, John Convers, Wilma Ericson, Babette Gaster, Ruth Huls, Tsuneo Iwata, Wallace Lindskoog, Lorraine Piehn, Arlene Thorpe, Betty Torosian, Wesley Train, and Ina Edman, Seniors; and Madeline Andre, Edward Avakoff, Eleanor Blide, Edward Boyer, Margaret Brown, Floyd Hoard, Jeanette Mathiesen, Elinor Nelson, Dorothy Oliver, Milton Sondino, Virginia Swanson, and Genevieve Tarr, juniors; and Ingrid Bondeson, Virginia Bradley, Margaret Danielson, Edith DeWitt, Maxine Dilworth, Lester Edman, Eileene Fausett, Eva Fosberg, Edith Harmon, Margaret Hinson, Eldora Johnson, Harold Johnson, Leslie Johnson, Okemah Kay, Florence Leebeck, Patricia Leek, Mary Mann, Zelda McCullagh, Joyce Olmsted, Betty Peterson, Christl Schneider, Lillian Shimmon, Zoe Smith, Donald Swanson, and Dorothy Talbot, sophomores; and Robert Barnet, Grayce Burkham, Jeanne Farmer, Max Hecox, Lorraine Johnson, Eunice Olson, Wanda Ord, Goldie Shogren, Charlotte Smith, Florence Hauser, and Nora Hauser, freshmen.

On request of Mr. O'Donnell the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the teacher and pupils of the Clarksburg Union Grammar School, Clarksburg, Gene Maxey, teacher, and the following pupils of the eighth grade: Alison Swartz, Marjorie Otterback, Lyle Miller, Heroshi Sakai, Isao Tokunaga, Fred Valine, George Oki, Margaret McDonald, John Kimura, Suanari Koyasako, Genette Heringer, Yoshie Shimada, Eldon Studarus, Phyllis Perry, Corrinne Brown, Russell Robertson, Bernard Avila, Pete Queada, Natsuko Morishage, Lorraine Jacinto and Shimako Sato.

On request of Mr. Nielsen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the teacher and pupils of the Sylvan School, Sacramento County, R M. Griffin, teacher, Mrs. L. E. Pickering, Mrs. F. E. Foster, and Mrs. R. M. Griffin; and the following pupils: Charles Krause, Adolph Van Maren, Birdie Jeanne Foster, Betty Cherrill, Henry Wenger, Shirley Henderson, Odes Taylor,

Kikuye Urakawa, Luce Crane, Kay Arakawa, Jackie Schmeider, Russell Nelson, Earl Chapman, Emerson Pickering, Clyde Armour, Lawrence Root, Norman Hull, Joe Guisti, Ike Leland Clover, Wendell O'Rell, Douglas Van Maren, Walter Martin, Theresa Ciani, and Ralph Jaynes.

On request of Mr. Clark, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. John Gee Clark, Mr. Stanley D. Clark, and Miss Betty Clerk.

On request of Mr. Riley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Cliff Holz of Long Beach.

On request of Messrs. Maloney, Dawson, and Hornblower, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. E. Cameron, Mr Walter F. Kaplan, Mr. George W. Hall, Mr. Herbert Dale, and Mr. Vincent D. Kennedy of San Francisco.

On request of Mr. Martin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. Robert Kingsley, head of the School of Law, University of Southern California, Los Angeles.

On request of Mr. Frazier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the Franklin 4-H Agriculture Club, Sutter County, H. L Graser, assistant county agent, and Vernon Mayfield, Laverne Luther, James Luther, Dallas Trexler, Dean Trexler, Everett Putman, Ned Putman, Elsie Byer, Dorothy Marden, French Summers, Gertrude Welter, Helen Welter, Don Hixson, Yaecko Suyenaga, Richard Welter, R. H. Klamt, Mrs. Grace Trexler, Mrs. Florence Luther, and Herman Ellinger.

On request of Mr. Nielsen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Ellan Peterson, Fanstine Tonelli, and Lucille Navarro.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr Speaker:

From William R. Spinney, opposing any increase in the tax on gross insurance premiums.

By Mr. Corwin:

From Contemporary Club, Redlands, California, opposing Assembly Bills Nos. 61, 91, 716, 932, 1126, and 1865

ASSISTANT CLERK COOLIDGE READING.

Reports of Standing Committees.

The following reports of standing committee were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1935.

MR. SPEAKER: Your committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 62—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new section to be numbered section 16 of Article IX, relating to the management and control of museums and art galleries;

Also, Assembly Constitutional Amendment No. 63—A resolution to propose to the people of the State of California, an amendment to the Constitution of said

State by amending section 22 of Article XII of the Constitution of said State, relating to creation and powers of the Railroad Commission;
And reports that the same have been correctly engrossed.

WATERS, Chairman

The above Assembly Constitutional Amendments ordered on file for adoption.

Also:

MR. SPEAKER. Your committee on Engrossment and Enrollment has examined Assembly Bill No 1345—An act to amend the County Water District Act, approved June 10, 1913, as amended, by amending sections numbered 5, 7, 12 and 25 of said act, as amended, and by repealing section 52 of said act, as amended, and by adding to said act, as amended, new sections, to be numbered and providing as follows, to wit. section 16a, relating to refunding bonds; section 25a, relating to addition to a county water district of lands situate in a county contiguous to the county in which such district was organized; section 25b, relating to conditions upon addition of land to the district; and section 52, adding to the district lands privately owned which were public lands when the district was organized—and reports that the same has been correctly engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER. Your committee on Engrossment and Enrollment has examined Assembly Bill No 1863—An act to add a new section to the Political Code to be numbered 359e, to provide for leave of absence with pay to officers and employees of the State of California, when ill, and to empower the State Personnel Board to promulgate rules and regulations governing the same in so far as applicable to members of the Civil Service, and to empower appointing powers of such officers and employees to promulgate rules and regulations governing the same, in so far as applicable to officers and employees not members of the Civil Service;

Also: Assembly Bill No. 1968—An act to amend section 752 of "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the election of officers in cities of the fifth class; and declaring the urgency of this act and providing that it shall take effect immediately;

Also: Assembly Bill No. 2104—An act to amend the County Water District Act, approved June 10, 1913, as amended, by adding to said act, as amended, a new section, to be numbered 4a, providing for the election of directors by divisions, instead of at large, if authorized by election;

Also: Assembly Bill No. 915—An act to amend "An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission; prescribing the powers, duties and authority of said commission and the members thereof; providing for the institution of proration programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purposes of said act and providing for the collection thereof; and making an appropriation therefor," approved June 5, 1933, by amending sections 2, 5, 8, 9, 10, 11, 16, 18, 20, 21, 22, 23 and 24 and adding the new sections numbered 17 5, 19.3, 22.5 and 25 5;
And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 19, 1935.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2171—An act to amend section 4247 of the Political Code, relating to salaries of county officers in counties of the eighteenth class.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary

Assembly Bill No. 2171 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 19, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No 39—Relating to memorializing Congress to incorporate in a National old age pension plan the principles and objectives of the Townsend Plan.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary

Assembly Joint Resolution No. 39 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 19, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 389—An act to amend section 630 of the Probate Code, relating to summary probate proceedings;

Also Senate Bill No. 450—An act to amend section 4030 of the Political Code, relating to vacancies in county boards of supervisors.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 389 read first time, and referred to Committee on Judiciary.

Senate Bill No. 450 read first time, and referred to Committee on County Government.

Introduction and Reference of Bills.

The following bill was introduced, and referred as indicated:

By Mr. Patterson: Assembly Constitutional Amendment No. 69—Proposed amendment to Article IV of the Constitution, by amending sections 1 to 10, 12 to 17, 19, 23a and 34 thereof, relating to a single house Legislature.

Introduced, and referred to Committee on Constitutional Amendments.

Report of Special Committee.

The following report of Special Committee was received, read, and ordered printed in the Journal:

Report of Special Committee Appointed Pursuant to an Assembly Resolution Passed September 15, 1934, Relative to the Subject of Horse Racing.

Your committee held a meeting in Los Angeles during the month of November, 1934, at which time the members of the California Horse Racing Commission were interrogated, together with many other citizens interested in the subject.

Racing in California is in its infancy in so far as the present law is concerned and no information was elicited at the hearing or testimony introduced, which in the opinion of the members of your committee would be of any value to the Legislature in proposing amendments to the existing law.

The hearing developed the fact that all matters pertaining to racing had been administered in a regular manner, and your committee in so far as its investigation is concerned have no recommendation to make.

Since the powers of our committee ceased with the coming of the present session of the Legislature, we respectfully ask that the committee be discharged, and that all matters necessary be considered during the present session of the Legislature in relation thereto should be referred to a proper committee of the Assembly.

Respectfully submitted.

CHARLES W. LYON.
P. J. McMURRAY.
T. A. MALONEY.
CLARE WOOLWINE.

Second Reading of Assembly Bills.

Assembly Constitutional Amendment No 46—A resolution to propose to the people of the State of California an amendment to the

Constitution of the State by adding a new section to Article IV thereof, to be numbered 25¼, relating to the practice of chiropractic.

Committee Amendments.

During second reading of Assembly Constitutional Amendment No. 46, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed measure, strike out lines 9 to 27, inclusive.

Amendment No. 2.

Strike out all of pages 2, 3, 4 and 5 of the printed measure, and insert in lieu thereof the following:

"Sec. 25¼. The provisions of an act passed at the fifty-first session of the Legislature of the State of California, entitled "An act to amend sections 3, 4, 5, 9, 10, 12 and 17 of an initiative act entitled 'An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith,' approved by the electors November 7, 1922, relating to the Board of Chiropractic Examiners and practice of chiropractic," are hereby confirmed, ratified, and declared to be fully effective."

Amendments adopted.

Assembly Constitutional Amendment No. 46 ordered to reprint, engrossment, and third reading.

Assembly Bill No. 555—An act to amend section 7 of an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, relating to State highways.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 9 of the printed bill, strike out lines 33 to 36, inclusive, and insert in lieu thereof the following: "ocean near Colorado Street, thence southerly to a point near Bicknell Street, thence to the ocean front and southerly including portions of the Promenade in Santa Monica and of Ocean Front Walk in Los Angeles to Trolleyway south of Avenue 66 in Playa del Rey, Los Angeles."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 554—An act to amend section 463 of the Streets and Highways Code, relating to secondary State highways.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out the comma and strike out all of lines 6 to 9, inclusive, and insert in lieu thereof the following: "near Colorado Street, thence southerly to a point near Bicknell Street, thence to the ocean front and southerly including portions of the Promenade in Santa Monica and of Ocean Front Walk in Los Angeles to Trolleyway south of Avenue 66 in Playa del Rey, Los Angeles."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 21—An act to amend section 356 of the Streets and Highways Code, relating to State highways and establishing a secondary State highway from Westport to Ferndale.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

In line 1 of the title of the printed bill, after "of", insert: ", and to add sections 614, 615 and 639 to,".

Amendment No. 2.

In line 2 of the title of the printed bill, strike out "and establishing a secondary", and strike out all of line 3 of the title, and insert in lieu thereof a period.

Amendment No. 3.

On page 1 of the printed bill, immediately following line 12, insert the following:

"SEC. 2. Section 639 is hereby added to the Streets and Highways Code, to read as follows:

639 The routes or portions of routes described in this section are hereby added to the State highway system.

(a) In the City and County of San Francisco:

Army Street from Potrero to San Jose Avenue.

San Jose Avenue from Army Street to Bernal Avenue.

Bernal Avenue from Randall Street to Monterey Boulevard.

San Jose Avenue from Monterey Boulevard to Alemany Boulevard.

Van Ness Avenue South (or parallel route) from Fell Street to Army Street.

Bryant Street Extension from Tenth Street to Van Ness Avenue South.

Duboce Avenue from Harrison Street to Funston Avenue.

Clipper Street from Twenty-sixth Street to Portola Drive.

Divisional Highway from Lombard Street to Bernal Avenue.

(b) In the county of Marin:

San Quentin to Olema via Kentfield. (Sir Francis Drake Highway) (Route 1 to Route 56).

Black Point to Point Reyes via Novato. (Route 8 to Route 1 to Route 56).

(c) In the county of Sonoma:

Balance of Shoreline Highway from Marin County Line at Valley Ford to Jenner Bridge. (Would become part of Route 56).

Sebastopol to Bodega. (Route 104 to Route 56).

West Side route from Healdsburg along the Russian River to Guerneville. (Route 1 to Route 104).

Mark West lateral from the Redwood Highway to Calistoga, Napa County, via Petrified Forest (Route 1 to Route 49).

Petaluma to Valley Ford, connecting with Shoreline Highway. (Route 1 to Route 56).

Approach to Sears Point Toll Road from Stage Gulch to Black Point Cutoff near Lakesville. (Route 8 to Route 104).

Freestone to Monte Rio, via Occidental and Camp Meeker.

(d) In the county of Napa:

Petrified Forest Road from Calistoga to Santa Rosa. (Route 49 to Route 1).

Butts Canyon Highway from intersection with State Highway Route 102 to the Lake County line, southeast of Middletown.

From the intersection with State Highway Route 102 south of Monticello to Lake County line north of Knoxville.

(e) In the county of Lake:

Lower Lake to intersect Route 89, Middletown to Upper Lake Highway through county.

Inclusion of the Lucerne cut-off road, via Rodman Bridge. (Route 15 to Route 89).

Butts Canyon Road, Middletown to Napa County line.

Upper Lake to forest boundary, via Middle Creek.

(f) In the county of Mendocino:

The road between DeHaven and Laytonville. (Between Routes 1 and 56).

Fort Bragg-Rockport Road where it joins the Shoreline Highway, otherwise known as the Hollow Tree Road. (Between Shoreline and Redwood Highways).

The Willits-Fort Bragg Road, from Noyo Hill near Fort Bragg to Willits. (Between Routes 1 and 56).

McDonald (Mountain House) to the "Y" intersection with new Cloverdale-Hopland unit at north Cloverdale.

(g) In the county of Del Norte:

That portion of old road from Endert's Beach to Last Chance Slide. (Portion of Route 1 later to be abandoned).

Elk Valley crossroad connecting Routes 1 and 71.

Mill Creek Drive, from intersection with Route 1 just south of Crescent City to Old Convict Bridge spanning the Smith River, there intersecting Route 1 (via Mill Creek State Park).

From the intersection of Route 1, south of Douglas Memorial Bridge around by Ed Chapman's, thence to intersection again with Route 1.

SEC. 3. Section 614 is hereby added to the Streets and Highways Code, to read as follows:

614. There is hereby added to the State highway system a new route, or portion of route, from Route 56 near Westport to Route 1 at Laytonville via Jackson Valley.

SEC. 4. Section 615 is hereby added to the Streets and Highways Code, to read as follows:

615. There is hereby added to the State highway system a new route, or portion of route, from Route 1 near Longvale via the course of Outlet Creek to Eel River, thence down Eel River to Dos Rios, thence to the mouth of Williams Creek, east of Covelo."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2146—An act to provide for the payment of rewards to persons who supply the State with information enabling it to recover lands or interests therein, owned by the State, or the issues and profits thereof, or the value of oil and gas or minerals reserved to the State, where such lands or interests therein, or oil and gas or minerals are illegally, fraudulently or adversely held or claimed by another; creating a land fraud recovery fund; and making an appropriation for the payment of such rewards.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1655—An act to amend the Vehicle Code by amending sections 134 and 776; by adding sections 131, 136 and 681, relating to vehicles.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 305—An act to amend section 1357 of the Political Code, relating to absentee voters.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1498—An act to add a new section to be numbered section 17½ to an act entitled "An act providing for the incorporation of public utility districts in unincorporated territories, authorizing such districts to incur bonded indebtedness for the purpose of construction of work in the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, as amended, relating to elections.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 514—An act to repeal section 3385 of the Political Code, relating to licensing of animals kept for propagation.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1093—An act amending section 2 of an act entitled "An act to authorize and empower boards of supervisors to levy a tax for advertising, exploiting, promoting and aiding measures designed to

preserve, aid or develop the agricultural, horticultural, viticultural and water resources and advantages of their several counties." approved April 17, 1929, relating to the period of time said act shall be in force and effect.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 482—An act to amend section 810.5 of the Agricultural Code, relating to asparagus.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1739—An act to add section 670a to the Political Code, relating to the refund of penalties.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, after the word "fees", insert the following: "in cases where remittances have been delayed or lost in transit, or where such penalties have been assessed in error," and strike out in said line the words "reasons are", and insert in lieu thereof the following: "evidence is".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1653—An act to amend the Vehicle Code by amending sections 320, 488, and 489, relating to vehicles.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to amend the Vehicle Code by amending sections 320 and 488, relating to vehicles and records to be kept by the Department of Motor Vehicles."

Amendment No. 2.

On page 2 of the printed bill, strike out lines 12 to 24, inclusive

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1652—An act to amend the Vehicle Code by amending sections 195, 196, 197, 198, and 380, relating to vehicles.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 7, of the printed bill, strike out "encumbrances", and insert in lieu thereof the following: "encumbrancers"

Amendment No. 2.

On page 1, line 23, of the printed bill, strike out "encumbrances", and insert in lieu thereof the following: "encumbrancers".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1497—An act to amend section 6 of an act entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department and to assess and collect taxes, from time to time, for such purpose, and to create a board of fire commissioners," approved March 4, 1881, as amended, relating to the conduct of elections.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out the word "conduction", and insert in lieu thereof the following word: "conduct".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 497—An act to amend section 457 of the Agricultural Code, relating to testing of milk, cream or products thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

In line 1 of the title of the printed bill, strike out "section 457", and insert in lieu thereof the following: "sections 457 and 637".

Amendment No. 2.

On page 1 of the printed bill, after line 8, add the following

"SEC. 2. Section 637 of the Agricultural Code is hereby amended to read as follows:

637 The licenses issued in accordance with the provisions of this chapter, upon a hearing before the director of which the licensee shall have a written notice of the time and place of said hearing and the charges made against him may be suspended or revoked by the director if, after written notice, the licensee fails, after thirty days, to comply with the laws, rules and regulations under which the license was granted. No such thirty days' notice will be required in cases of manipulation of measures, weights, samples or tests for milkfat content or bacterial counts of milk or cream upon which payment is based, or the record thereof."

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 498—An act to amend section 453 of the Agricultural Code, relating to milk inspection.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 15, of the printed bill, strike out "find", and insert in lieu thereof "fine."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1271—An act imposing an excise tax on the storage, use or other consumption in this State of tangible personal property, providing for the registration of retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making

an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof and providing that this act shall take effect immediately

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 15, line 49, of the printed bill, as amended, strike out the word "Treasurer", and insert in lieu thereof the following: "State Board of Equalization"

Amendment No. 2.

On page 15, line 51, of the printed bill, as amended, strike out the word "daily".

Amendment No. 3.

On page 16, line 20, of the printed bill, as amended, after the word "necessary", insert a comma and the following: "and for expenditure by the State Department of Finance in auditing and checking receipts collected under the provisions of this act, five thousand dollars or so much thereof as may be necessary."

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1539—An act to amend sections 9 and 23 of, and to add section 9a to, "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights, to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to leasing of State lands, for the purpose of taking of gold or other minerals from, and the granting of easements to take and extract oil, gas and other hydrocarbons by means of wells drilled from the littoral lands into, tide and submerged lands, whether granted or ungranted, and the beds of navigable rivers and lakes, and to repeal section 24 thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 1 and 2 of the title, and insert in lieu thereof the following:

"An act to amend sections 23 and 24 of, and to add section 18b to, that certain act entitled, "An act to reserve all minerals in State lands; to pro-"

Amendment No. 2.

On page 1 of the printed bill, strike out lines 13 to 18, both inclusive, of the title, and insert in lieu thereof the following:

"State lands, for the purpose of taking minerals from, and the leasing for the prospecting for, or extraction, mining, capture or acquisition of oil, gas and other hydrocarbon substances on, in, within or from lands belonging to this State or over which this State has or claims or asserts any jurisdiction."

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 to 11, inclusive

Amendment No. 4.

Strike out all of pages 2 and 3 of the printed bill, and insert in lieu thereof the following:

"SECTION 1. Section 18b is hereby added to said act, to read as follows:

Sec. 18b Subsection (a) Subject only to the provisions of this section and such further terms and conditions and such consideration, bonus or royalty as the Surveyor General may prescribe, the Surveyor General when in his judgment the best interests of the State will be served, shall have power to lease for the sole purpose hereinafter mentioned any of the tidelands, whether filled or unfilled, submerged lands, overflowed lands of the State, whether granted or ungranted.

Subsection (b) No such lease shall be made save for the sole purpose of the prospecting for, or extraction, mining, capture or acquisition of, oil, gas and other hydrocarbon substances on, in, within or from such lands by the lessee or lessees therein named or their sublessees, assignees or successors exclusively, by underground means and operations, to wit:

(1) Of a kind and character which will not destroy, impair or in any manner whatsoever affect any right of navigation, fishing, bathing or commerce or any easement, right, privilege, trust or use vested in the public or the people of this State without power of alienation in or to such area or the beauty or natural topography or conditions of the surface thereof; and

(2) Without, in any event, the erection, maintenance or use of surface structures, machinery or works on any land so demised whether or not covered by water or in or on the waters of the ocean

Subsection (c) No such lease shall be made except to the littoral owners to such lands or to a person or persons then having either directly or indirectly by, through or under such owner or owners of said land lawful right or access in, on, to or through such lands sufficient, in the judgment of the Surveyor General, to enable them, wherever the necessary surface structures, machinery or works may be located during the term of said lease, to engage in operations thereunder in the manner aforesaid without invasion of the private rights and property of such littoral owner

Subsection (d) No such lease shall be made for a longer term than twenty years with option of renewal in the lessee for one like term on like conditions

Subsection (e) Every lease made hereunder shall be subject and subordinate to all existing lawful private rights of all other persons and to all rights of navigation, fishing, bathing and commerce and all easements, rights, privileges, trusts and uses vested in the public or the people of this State without power of alienation.

SEC 2. Section 23 of the act cited in the title is hereby amended to read as follows

Sec 23. Except as provided in section 18b of this act, no application for a permit to prospect for oil or gas or minerals other than oil and gas shall be received, nor shall any such permit be granted or issued by the State or any official thereof, or by any political subdivision of the State or any official thereof for tidelands, whether filled or unfilled, submerged lands, overflowed lands or the beds of navigable rivers or lakes; provided, however, that nothing contained in this section shall be deemed or construed with reference to an applicant for a prospecting permit who has made application in full accordance and compliance with the provisions of this act on or prior to January 17, 1929, or if a littoral owner on or prior to the last day upon which he can under the provisions of section 4 of this act exercise his preferential rights with respect to an application made on or prior to January 17, 1929, as denying his right, if any he have, to receive such prospecting permit nor as recognizing, ratifying, or validating any such right so claimed.

SEC 3 Section 24 of the act cited in the title is hereby amended to read as follows:

Sec. 24. Except as provided in section 18b of this act, no lease for drilling for oil or gas, or for the production or extraction of any minerals other than oil or gas shall be made, executed or delivered by the State or any official thereof, or by any political subdivision of the State or any official thereof for tidelands, whether filled or unfilled, submerged lands, overflowed lands or the beds of navigable rivers or lakes; provided, however, that nothing contained in this section shall be deemed or construed with reference to the holder of a valid, uncanceled and unforfeited prospecting permit granted upon an application filed in full accordance and compliance with the provisions of this act on or prior to January 17, 1929, or if a littoral owner, on or prior to the last day upon which he can under the provisions of section 4 of this act, exercise his preferential rights with respect to an application made on or prior to January 17, 1929, as prohibiting such permit holder from exercising the right, if any he have, to apply for and receive a lease under the provisions of section 5 of this act, nor as recognizing, ratifying or validating any such right so claimed."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2173—An act relating to the escheat to the State of California unclaimed moneys deposited with public utilities, and providing for the collection, use and disposition thereof.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee.

Amendment No. 1.

On page 1, line 1, of the printed bill, after the words "Section 1.", insert the following: "All amounts of moneys heretofore or hereafter deposited with, or collected by, any public utility for the purpose of guaranteeing payment for service distributed or supplied by such public utility, which have remained unclaimed for five years or more after the account guaranteed thereby has been settled, or after service to the depositor has been discontinued, together with any interest due thereon, may be claimed by the State in escheat proceedings as provided herein

SEC 2 Within sixty days from and after the effective date of this act, and on or before the first day of March of each year thereafter, each public utility having such unclaimed deposits shall file with the Railroad Commission and the Attorney General a verified report showing all amounts of money so held by it and which have been unclaimed for five years or more. Said report shall contain such additional information as may be required by said Railroad Commission, but the names of the depositors and the dates of deposit need not be shown unless required by said Railroad Commission.

SEC. 3. Whenever the Attorney General shall be informed by said report, or in any other manner, that any such moneys have remained unclaimed, as aforesaid, he shall commence an action on behalf of the State of California in the superior court of the county of Sacramento in which shall be joined as parties the public utility which collected said moneys and all persons known to have a legal right to claim the same, or to have any right, title or interest therein, which latter persons may be designated in the complaint as "all persons claiming any right, title or interest in the moneys described in this complaint" Any number of public utilities and claimants or public utilities or claimants may be included in one action

SEC 4. Service of process in such action shall be made by delivery of a copy of the complaint and summons to the president, secretary or managing officer of each defendant public utility, and by publication of a copy of such summons for a period of four weeks in a newspaper of general circulation published in the county where the action is brought.

SEC 5 At the time of issuing the summons herein provided for, the clerk of the court shall also issue a notice signed by him, giving the title and number of the action, and referring to the complaint therein, and directed to "all persons claiming any right, title or interest in any moneys deposited with the defendant utility or utilities set forth in said complaint for five years or more as guarantees of payment for service," and requiring them to appear within sixty days after the first publication of summons and show cause, if any they have, why the money involved in said action should not be paid to the State Treasurer for deposit in the State hospital fund, and notifying them that if they do not so appear and show cause, the State will apply to the court for the relief demanded in the complaint. A copy of said notice shall be attached to and published with the copy of summons heretofore required to be published, and at the end of the copy of said notice so published there shall be a statement of the date of the first publication of the summons and notice Any person interested may appear in said action and become a party thereto

SEC 6. Upon the trial the court must hear all parties who have appeared therein and if it be determined that the moneys or any part thereof have remained unclaimed as hereinabove stated and that all or any of the claimants appearing in the action are not entitled to the return of the same, the court must render judgment in favor of the State declaring that said moneys have escheated to the State and commanding the defendant public utility or public utilities to pay the same to the State Treasurer in lawful money of the United States of America.

SEC. 7. Any public utility which makes payment to the State Treasurer as provided above is not thereafter liable to any person for the money so paid and any action which may be brought by any person against such public utility for the recovery of such money shall be defended by the Attorney General without cost to the public utility.

SEC 8 All of said moneys shall be paid to the State Treasurer as provided above and shall be deposited by him in the State hospital fund and thereupon become a part of such fund which is hereby created for the following purposes:

Said fund shall be used for the construction of permanent improvements in the State hospitals of the State, the precedence of said improvements to be determined as follows:

1. The first unit of said construction shall be a medical unit and receiving wards of two hundred beds each for men and women thereto connected at Napa State Hospital.

2. The second of said units shall be a building for the care and control of the criminal insane in this State.

3. The succeeding units shall be designated by the Governor of the State in his budget as the moneys accrue in said fund."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1054—An act to add section 3a to and to amend sections 3, 4, 5, 6, 7, 8, 10, 14, 15, 16, 17, 18, and 19 of the "Los Angeles County Flood Control Act," relating to the government and control of the district and the powers and duties of the board of directors thereof.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the printed bill, after "Section 1.", insert the following:

"Section 3 of said act is hereby amended to read as follows.

SEC. 3. The government and control of said district shall be vested in a board of five directors which shall be known as the board of directors of the Los Angeles County Flood Control District. All powers, rights, privileges and duties vested in or imposed upon said district shall be exercised and performed by and through said board of directors; provided, however, that the exercise of any and all executive, administrative and ministerial powers may be by said board of directors delegated and redelegated to any of the offices or officers created hereby or by the board of directors acting hereunder.

The said board shall create the offices of general manager, of chief engineer, of counsel and of controller, and shall appoint such officers and prescribe their duties and fix their compensation, which said officers shall hold office during the pleasure of said board; provided that the offices of general manager and of chief engineer may be combined by said board; provided that the county treasurer shall be ex officio treasurer of said board and custodian of all money of the said flood control district and shall be liable upon his official bond as county treasurer for the safekeeping thereof, and shall receive and disburse said money in accordance with the provisions of this act and such regulations not in conflict with this act as may be prescribed by the said board of directors.

The said board shall appoint such other officers, agents and employees for said district as in their judgment may be deemed necessary and prescribe their duties and fix their compensation; provided, however, that within two years after the organization of the first board under this act, the board shall, except as to the offices of general manager, of chief engineer, of counsel and of controller, prescribe a system of civil service for said district.

The said board of directors shall hold regular meetings at least twice each month. Special meetings may be called at any time by the president of the board or by three directors by written notice delivered to each of the directors at least twenty-four hours before the time specified for the proposed meeting. Any action taken by the said board shall require the affirmative votes of at least a majority of the members of the board and such action shall be recorded in the minutes with the ayes and noes at length.

The board of directors shall publish annual reports descriptive of the work that has been done and new work proposed, together with financial statements relative thereto. The board shall have compiled and published physical data that has been collected by the said flood control district.

SEC. 2. A new section is hereby added to said act, to be numbered section 3a and to read as follows:

SEC. 3a. The said board of directors shall consist of five members, one to be appointed from that portion of each of the supervisorial districts of Los Angeles County lying within the flood control district. Each of said directors shall be a qualified elector and the owner of real property in the area from which he is appointed, must reside therein during his incumbency as director and at the date of his appointment, shall have been a resident of Los Angeles County for not less than five years.

In accordance with the above requirements and not less than thirty days prior to the time an office on said board is to be filled, the resident executive head of the University of California at Los Angeles is authorized and directed to recommend in writing a list of two persons for each office to be filled to the board of supervisors of Los Angeles County who shall, within not less than ten days nor more than thirty days after receipt thereof, appoint one of the persons whose name is so recommended to each office to be filled on said board of directors, provided that within sixty days

after this amendment becomes effective, the said resident executive head shall recommend five such lists to said supervisors who shall, within not less than ten days nor more than thirty days after receipt thereof, appoint five of the persons whose names are so recommended to constitute the first board of directors hereunder

The said resident executive head of the University of California at Los Angeles shall associate with himself as many of the presidents or executive heads of educational institutions of collegiate grade in Los Angeles County as may consent to so serve, not exceeding four, to act in an advisory capacity in the selection of persons to be recommended to the board of supervisors as aforesaid.

Petitions proposing a candidate for director from a supervisorial district signed by not less than fifty nor more than one hundred electors and property owners of such district may be submitted to said resident executive head for his consideration.

Vacancies on said board of directors shall be filled in the same manner and subject to the same requirements as herein provided for the appointment of said board; provided, that whenever a vacancy occurs from any cause other than expiration of term of office, the recommendation of said resident executive head shall be made within sixty days after such vacancy occurs. Any appointment to fill an unexpired term shall be for the balance thereof.

The term of office of each member of the board of directors shall be four years and until his successor is appointed and qualified, except those appointed to fill a vacancy as herein provided; provided, that the first directors appointed hereunder shall, at the first meeting of the board, so classify themselves by lot that the term of one member shall expire January 2, 1936; one member, January 2, 1937; one member, January 2, 1938; two members, January 2, 1939.

Upon appointment by the board of supervisors of the first board of directors of said district, such directors shall, without delay, meet and organize by electing one of their members president and one vice president, and annually thereafter, as soon as practicable after the second day of January of each year, the directors shall elect such officers, who shall each hold office for a term of one year and until his successor is elected and qualified, unless his membership on the board sooner expires. The directors shall fill, for the unexpired term, any vacancy occurring in the office of president or vice president

The board of directors shall appoint a clerk of said Los Angeles County Flood Control District who shall be ex officio clerk of said board, and who shall hold office during the pleasure of said board.

SEC. 3. Section 4 of said act is hereby amended to read as follows:

Sec. 4 The board of directors shall appoint a permanent board of technical consultants of not less than three nor more than five, the members of which shall not be subject to civil service selection and who shall hold office at the pleasure of the board of directors of said district. It shall be the duty of said board of consultants to review the major engineering plans of the district, including the comprehensive plan of flood control and conservation hereinafter provided for, and to perform such other duties as may be prescribed by the board of directors.

The board of directors shall cause to be prepared a comprehensive plan of flood control and conservation for the district which shall be referred to the said board of consultants for recommendation. After such modification, if any, as is deemed necessary by said board of directors, the said comprehensive plan shall be approved by a vote of not less than four-fifths of said board Thereafter it shall be printed and copies thereof made available to the public. Before becoming finally effective, public hearings shall be held thereon. Notice of any such hearing shall be given at least thirty days prior to the holding thereof by publication in two successive issues of a daily newspaper of general circulation throughout the district. After the said public hearings, the plan shall be reconsidered and a vote of not less than four-fifths of the board of directors shall be necessary for its final adoption. Until the plan has been so prepared and finally adopted, no work other than maintenance shall be done on any flood control or conservation project in the district except on those for which provision has already been made by bond issues voted by the people. Provided, however, that in the case of an actual emergency, the directors by a vote of not less than four-fifths of said board, may order any necessary emergency work done. After the comprehensive plan has been finally adopted it may be changed only by a vote of not less than four-fifths of the directors and after public hearings thereon following notice in the same manner as in the case of hearings on the adoption of the plan

Before the construction of any unit or portion of the comprehensive plan is ordered, the board of directors by resolution shall require its engineering staff to file with it a report which shall show

1. A general description of the work to be done.

2. General plans, profiles, cross sections and general specifications of the work to be done.

3. A general description of the lands, rights of way, easements and property proposed to be taken, acquired or injured in carrying out said work

4. A map which shall show the location of the proposed work and improvements, and lands, rights of way, easements and property to be taken, acquired or injured in carrying out said work, and any other information in regard to same that may be deemed necessary or useful.

5 An estimate of the cost of such work, including an estimate of the cost of lands, rights of way, easements and property proposed to be taken, acquired or

injured in carrying out said work, and also of all incidental expenses likely to be incurred in connection therewith, including legal, clerical, engineering, exploration work, superintendence, inspection, printing, and advertising, and stating the total amount of bonds necessary to be issued to pay for the same.

SEC. 4. Section 5 of said act is hereby amended to read as follows:

Sec 5 After the adoption of said comprehensive plan of flood control and conservation, the board of directors of said district may, from time to time, propose bond issues to be submitted to the electors of the district for the purpose of constructing units of the said comprehensive plan. Before any such bond issue is proposed, the board of directors shall require its engineering staff to prepare a report on the work contemplated, which report shall, so far as it is practicable with reference to the particular unit or units involved, furnish the information required by paragraphs *numbered 1 to 5 inclusive of section 4 above* The *said board of directors may, by* resolution, either adopt the same as filed or may refer such report to its engineering staff or any other engineer or engineers to be modified or changed, and when a report satisfactory to not less than four-fifths of said board has been filed, the said board of directors shall by resolution adopt said report and state the amount of the entire estimated cost for which bonds are to be voted, and a finding in said resolution adopted by said board of directors as to the sufficiency of said report, and that the same complies with all the requirements of this act in relation thereto, shall be final and conclusive against all persons except the State of California upon suit commenced by the Attorney General.

SEC. 5. Section 6 of the said act is hereby amended to read as follows.

Sec 6. After the adoption of the report and resolution by said board of directors, as above provided, said board shall transmit an authenticated copy of such report and resolution to the board of supervisors, who shall call a special election and submit to the qualified electors of said district the proposition of incurring a bonded debt in the amount and for the purposes stated in said report

Said board of supervisors shall call such special election by ordinance, and may *consolidate such special election with the next general election if such general* election is to be held within six months from the date of such ordinance, and shall recite therein the objects and purposes for which the indebtedness is proposed to be incurred; provided that it shall be sufficient to give a brief general description of such objects and purposes, and refer to the report adopted by said board of directors, *which is on file, for particulars*; and *said ordinance shall in accordance* with the provisions therefor, adopted by the resolution of the board of directors, also state the estimated cost of the proposed work and improvements, the amount of the principal of the indebtedness to be incurred therefor, and what part of such indebtedness shall be paid each and every year, which shall not be less than one-fortieth of *the whole amount of such indebtedness, and the rate of interest to be paid on such* indebtedness. The board of supervisors shall fix the date on which such special election shall be held, the manner of holding the same, and the manner of voting for or against incurring such indebtedness. The rate of interest to be paid on such indebtedness shall not exceed six per centum per annum.

For the purposes of said election, *said board of supervisors shall*, in said ordinance, establish election precincts within the boundaries of the said district, and may form election precincts by consolidating the precincts established for general election purposes in said district to a number not exceeding six for each such bond election precinct, and shall designate a polling place and shall appoint election boards, the composition of which shall correspond with the boards appointed in general elections in Los Angeles County. Said board of supervisors is further authorized to consolidate such election as to all or part of such precincts in accordance with the provisions of an act entitled "An act to permit the consolidation of elections and to provide a procedure therefor" approved June 11, 1913, as amended, with any city or county election, or elections, if more than one city included in said district is holding an election on the day set for said bond election, regardless of whether the election boards in such city or county election are composed of less, the same or more members than election boards as herein provided, or less, the same or more members than election boards in the precincts at said bond election not included in such consolidation or consolidations.

In all particulars not recited in such ordinance, such election shall be held as nearly as practicable in conformity with the general election laws of the State.

Said board of directors shall cause so much of said report as covers a general description of the work to be done, and the map showing the location of the proposed work and improvements, to be printed at least thirty days before the date fixed for such election, and a copy thereof furnished to every qualified elector of said district who shall apply for the same.

Said ordinance calling such election shall, prior to the date set for such election, be published ten times in a daily, or four times in a weekly, newspaper of general circulation, printed and published in said district, and designated by said board of supervisors for said purpose. No other notice of such election need be given.

Any defect or irregularity in the proceedings prior to the calling of such election shall not affect the validity of the bonds.

If, at such election, a majority of the votes cast are in favor of incurring such bonded indebtedness, then bonds of said district for the amount stated in such proceedings shall be issued and sold as in this act provided.

SEC. 6 Section 7 of said act is hereby amended to read as follows:

Sec. 7. The said board of directors shall, subject to the provisions of this act, prescribe by ordinance the form of said bonds, and of the interest coupons attached thereto. Said bonds shall be payable substantially in the following manner: A part to be determined by said board, and which shall not be less than one-fortieth part of the whole amount of such indebtedness, shall be payable each and every year on a day and date, and at a place to be fixed by said board and designated in such bonds, together with the interest on all sums unpaid on such date until the whole of said indebtedness shall have been paid.

The bonds shall be issued in such denominations as the said board of directors may determine, except that no bonds shall be of a less denomination than one hundred dollars, nor of a greater denomination than one thousand dollars, and shall be payable on the day and at the place fixed in said bonds, and with interest at the rate specified in such bonds, which rate shall not be in excess of six per centum per annum, and shall be payable semiannually, and said bonds shall be signed by the president of the board of directors, and countersigned by the controller of said flood control district, and the seal of said district shall be affixed thereto. The interest coupons of said bonds shall be numbered consecutively and signed by the said controller of said flood control district by his engraved or lithographed signature. In case any such officer whose signatures or countersignatures appear on the bonds or coupons shall cease to be such officer before delivery of such bonds to the purchaser, such signature or countersignature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until the delivery of the bonds.

SEC 7 Section 8 of said act is hereby amended to read as follows

Sec. 8. The said board of directors may issue and sell the bonds of such district authorized as hereinbefore provided at not less than par value, and the proceeds of the sale of such bonds shall be placed in the treasury of the county of Los Angeles to the credit of said flood control district, and the proper record of such transactions shall be placed upon the books of said county treasury, and said district fund shall be applied exclusively to the purposes and objects mentioned in the report and resolution adopted by said board of directors and in the ordinance calling such special bond election as aforesaid, subject to the provisions in this act contained Payments from said district fund shall be made upon demands prepared, presented, allowed and audited in the manner prescribed by said board of directors, provided that all demands in excess of five hundred dollars shall be allowed by the said board before payment thereof.

SEC 8. Section 10 of said act is hereby amended to read as follows:

Sec 10 The board of directors shall each year, in accordance with section 14, include an item in its budget sufficient to pay the interest on said bonds for that year and such portion of the principal thereof as is to become due before the time for making the next general tax levy, and the board of supervisors shall levy a tax each year upon the taxable real property in such district sufficient to pay said interest and principal. Such tax shall be levied and collected on said real property at the time and in the same manner as the general tax levy for county purposes, and when collected shall be paid into the county treasury of said Los Angeles County to the credit of said district fund, and be used for the payment of the principal and interest on said bonds, and for no other purpose

The principal and interest on said bonds shall be paid by the county treasurer of said Los Angeles County in the manner provided by law for the payment of principal and interest on bonds of said county.

SEC 9. Section 14 of said act is hereby amended to read as follows

Sec. 14 The board of directors shall annually, prior to the beginning of each fiscal year make a budget, showing all the purposes for which the said flood control district will need money and the amount of money that will be needed for each of said purposes for the next ensuing fiscal year; said budget shall include items to meet the bonded indebtedness of said district, and the interest thereon, to provide for surveys, investigations, exploration work and for new construction, and to pay the cost and expenses of maintaining, operating, extending and repairing any works or improvements of said district for the ensuing fiscal year and shall contain a statement showing the amount to be raised by taxation Authenticated copies of the said budget shall be filed with the board of supervisors and the county auditor not later than the first day of August next succeeding. The board of supervisors must annually at the time and in the manner of levying county taxes, levy and cause to be collected a tax upon the taxable real property in said district sufficient to raise the amount specified in said statement in said budget; provided, however, that such tax levied under this section for any one fiscal year shall not exceed ten cents on each one hundred dollars of the assessed valuation of the real property in said district exclusive of any tax levied to meet the bonded indebtedness of said district and the interest thereon The revenue derived from said tax levied under

this section shall be immediately paid into the county treasury to the credit of the *said district and said board of directors shall have the power to control and order* the expenditure thereof for said purposes in accordance with said budget

SEC. 10 Section 15 of said act is hereby amended to read as follows:

Sec. 15 All contracts for any improvement or unit of work, except as hereinafter provided estimated to cost in excess of five thousand dollars, shall be let to the lowest responsible bidder in the manner hereinafter provided. The said board of directors of said district shall advertise by five or more insertions in a daily newspaper of general circulation, or by two or more insertions in a weekly newspaper of general circulation, printed and published in said district, inviting sealed proposals for the construction of the improvement or work. The said board shall have the right to require such bonds as it may deem best from the successful bidder, to insure the faithful performance of the contract, and shall also have the right to reject any and all bids not suitable to the best interest of the district In the event all proposals are rejected or no proposals are received pursuant to advertisement therefor, or the estimated cost of such work does not exceed the sum of five thousand dollars or the work consists of channel protection, maintenance work, or emergency work necessary to protect life and property from impending flood damage, the board of directors may, without advertising for bids therefor, have said work done by force account

Materials, supplies, equipment and other personal property necessary to carry out the purposes of this act shall be purchased in accordance with rules and regulations therefor adopted by the board of directors; provided, that in cases where the amount involved shall be in excess of one thousand dollars, contracts for the furnishing of such personal property shall be let to the lowest responsible bidder after publication of notices inviting bids, subject to the right of said board to reject any and all proposals Any improvements for which bonds are voted under the provisions of this act, shall be made in conformity with the report, plans, specifications *and map theretofore adopted, as above specified, unless the doing of any such* work described in said report shall be prohibited by law, or be rendered contrary to the best interests of said district by some change of conditions in relation thereto, in which event said board of directors may, by a vote of not less than four-fifths of all the members thereof, order necessary changes made in such proposed work or improvements, and may cause new plans and specifications to be made and adopted therefor.

Any work or improvement provided for in this act may be located, constructed and maintained in, along or across any public road or highway in the county of Los Angeles, in such manner as to afford security for life and property, but the said board of directors of said district shall restore or cause to be restored such *road or highway to its former state as near as may be so as not to impair its* usefulness.

The plans and specifications for any work proposed to be done, or improvements to be made, under this act, in any municipality in said district shall first be approved by the legislative body of such municipality before the commencement of such work or improvements, and before any contract shall be let therefor; provided, that in the event such legislative body shall refuse or neglect to approve the said plans and specifications for such work or improvement within thirty days after *being requested by said board of directors so to do, then said board of directors* shall omit the doing of such work or making of such improvement within such municipality, and such omission shall not affect the validity of its proceedings under this act, and the funds which were to be expended for such proposed work or improvement in said municipality may be expended elsewhere by said board of directors for carrying out the purposes of this act

SEC 11. Section 16 of said act is hereby amended to read as follows:

Sec. 16 The said board of directors of said district shall have power to make and enforce all needful rules and regulations for the administration and government of said district, and to appoint or employ all needful agents, superintendents and engineers to properly look after the performance of any work provided for in this act, and to perform all other acts necessary or proper to accomplish the purposes of this act.

Said board of directors shall have power to do all work and to construct and acquire all improvements necessary or useful for carrying out any of the purposes of this act; and said board of directors shall have power to acquire either within or without the boundaries of said district, by purchase, condemnation, donation or by other lawful means, in the name of said district, from private persons, corporations, reclamation districts, swamp land districts, levee districts, *protection districts, drainage districts, irrigation districts, or other public corpora*tions or agencies or districts, all lands, rights of way, easements, property or materials necessary or useful for carrying out any of the purposes of this act; to make contracts to indemnify or compensate any owner of land or other property for any injury or damage necessarily caused by the exercise of the powers conferred by this act, or arising out of the use, taking or damage of any property, rights of way, or easements for any of such purposes, to compensate any reclamation

district, protection district, drainage district, irrigation district, or other district, public corporation or agency or district, for any right of way, easement or property taken over or acquired by said Los Angeles County Flood Control District as a part of its work of flood control or conservation or protection provided for in this act, and any such reclamation district protection district, drainage district, irrigation district or other district or public corporation or agency is hereby given power and authority to distribute such compensation in any manner that may be now or hereafter allowed by law; to maintain actions to restrain the doing of any act or thing that may be injurious to carrying out any of the purposes of this act by said district, or that may interfere with the successful execution of said work, or for damages for injury thereto; to do any and all things necessary or incident to the powers hereby granted, or to carry out any of the objects and purposes of this act; to compel, by injunction, the owner or owners of any bridge, trestle, wire line, viaduct, embankment or other structure which shall be intersected, traversed or crossed by any channel, ditch, bed of any stream, waterway, conduit or canal, so to construct or alter the same as to offer a minimum of obstruction to the free flow of water through or along any such channel, ditch, bed of any stream, waterway, conduit or canal, and whenever necessary in the case of existing works or structures, to compel the removal or alteration thereof for such purpose.

In case of condemnation proceedings, the said board of directors shall proceed in the name of said district, under the provisions of Title VII, Part III, of the Code of Civil Procedure of the State of California, which such provisions are hereby made applicable for that purpose, and it is hereby declared that the use of the property, lands, rights of way, easements, or materials which may be condemned, taken or appropriated under the provisions of this act is a public use subject to the regulation and control of the State in the manner prescribed by law, and said board of directors of said district is hereby vested with full power to do all other acts or things necessary or useful for the promotion of the work of the control of the flood and storm waters of said district, and to conserve such waters for beneficial and useful purposes, and to protect from damage from such storm or flood waters the harbors, waterways, public highways and property in said district; provided, however, that nothing in this act contained shall be deemed to authorize said district, or any person or persons, to divert the waters of any river, creek, stream, irrigation system, canal or ditch, from its channel, to the detriment of any person or persons having any interest in such river, creek, stream, irrigation system, canal or ditch, or the waters thereof or therein, unless previous compensation be first ascertained and paid therefor under the laws of this State authorizing the taking of private property for public uses; and provided, further, that nothing in this act shall be construed as in any way affecting the plenary power of any incorporated city, city and county, or town, or municipal or county water district, to provide for a water supply of such public corporation, or as affecting the absolute control of any properties of such public corporations necessary for such water supply, and nothing herein contained shall be construed as vesting any power of control over such properties in said Los Angeles County Flood Control District, or in any officer thereof or in any person referred to in this act; and provided, further, that nothing in this act contained shall be deemed to authorize said board of directors to raise money for said district by any method or system other than by the issuing of bonds, or by the levying of a tax upon the assessed value of all the real property in said district in the manner in this act provided

SEC. 12. Section 17 of said act is hereby amended to read as follows:

Sec. 17. Said board of directors of said district shall have full power and authority to cooperate with and to act in conjunction with the State of California, of any of its engineers, officers, boards, commissioners, departments or agencies, or with the government of the United States, or any of its engineers, officers, boards, commissions, departments or agencies, or with any public or private corporation, in the construction of any work for the controlling of flood or storm waters of said district, or for the protection of property, or any of the harbors, channels, waterways, roads or highways in said district, or for the purpose of conserving said waters for beneficial use and to adopt a definite plan or system of work for such purpose, and when so adopted no substantial change affecting their interest shall thereafter be made in the same without the express consent of the officer, board, commission, department or agency of the State or Federal Government, or public or private corporation, in conjunction with which the same was originally adopted.

Said board of directors of said district shall have full power and authority to contract with any municipality, irrigation district, or metropolitan water district, for the construction by such municipality, irrigation district, or metropolitan water district, at its own expense under plans approved by said flood control district, of works for the enlargement and increase of storage capacity of any reservoir, work, or structure used or to be used for the controlling and conservation of flood or storm waters of said flood control district, and to authorize by contract, or otherwise, the use by any such municipality, irrigation district or metropolitan water district of said enlarged and increased storage capacity or space thereby created, or such reservoir,

work or structure in excess of that now designed and approved for controlling and conserving the flood or storm waters, of said Los Angeles County Flood Control District, and for the storage and release of waters coming entirely from points outside of said flood control district; provided, however, the original space or its equivalent space or storage capacity constructed by the flood control district shall at all times be subject to the use and control of said Los Angeles County Flood Control District for the controlling or conservation of such flood or storm waters by the said flood control district.

SEC. 13. Section 18 of said act is hereby amended to read as follows:

Sec. 18 Whenever said board of directors shall by resolution duly passed by vote of not less than four-fifths of all its members determine that the public interest or necessity of said district demands the issuance by said district of additional bonds for carrying out the work of flood control, water conservation or for any of the purposes of this act, said board of directors may again proceed as in this act provided, and have a report made and filed as provided for in section 5 of this act, and may then submit to the qualified voters of said district the question of issuing additional bonds in the same manner and with like procedure as hereinbefore provided, and all the above provisions of this act for the issuing and sale of such bonds and for the expenditure of the proceeds thereof shall be deemed to apply to such issue of additional bonds

SEC 14. Section 19 of said act is hereby amended to read as follows

Sec. 19 Should the proposition of issuing bonds submitted at any election under this act fail to receive the requisite number of votes of the qualified voters voting at such election to incur the indebtedness for the purpose specified, the said board of directors of said district shall have power and authority at the expiration of six months after such election, in the manner hereinbefore provided, to submit the question of incurring indebtedness and issuing bonds under the terms of this act, either for the same objects and purposes, or for any of the objects and purposes of this act"

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1654—An act to amend sections 459 and 471 of, and to add a new section to be numbered 466 to, the Vehicle Code, relating to highways and the regulation thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 13 and 14, of the printed bill, strike out ", except as otherwise provided in section 466 hereof".

Amendment No. 2.

On page 2 of the printed bill, strike out lines 12 to 14, inclusive, and insert in lieu thereof the following: "the case of any State highway within a city, until such ordinance or resolution has been submitted to and approved in writing by the Department of Public Works"

Amendment No. 3.

On page 2, line 18, of the printed bill, after "maintain", insert the following: "or cause to be erected and maintained".

Amendment No. 4.

On page 2 of the printed bill, between lines 25 and 26, insert the following:

"The State Department of Public Works may erect and maintain, or cause to be erected and maintained, on any State highway, such stop signs, semaphores or other traffic control signalling devices as are necessary for the public safety and the orderly and efficient use of the highways by the public. It is unlawful to fail to obey any such sign, semaphore or signalling device"

Amendment No. 5.

On page 2 of the printed bill, strike out line 28, and insert in lieu thereof the following:

"471. Stop Signs at Through Highways. (a) Every primary and secondary State".

Amendment No. 6.

On page 2 of the printed bill, strike out line 32, and insert in lieu thereof the following: "(b) Subject to the provisions of section 466, any local".

Amendment No. 7.

In line 1 of the title of the printed bill, after "459", insert ", 465".

Amendment No. 8.

On page 2 of the printed bill, between lines 14 and 15, insert the following:

"SEC. 1 5. Section 465 of the Vehicle Code is hereby amended to read as follows:

Sec. 465. Official Traffic Control Devices. (a) The State Department of Public Works, Division of Highways, shall adopt a manual and specifications for a uniform system of traffic signs consistent with the provisions of this code for use upon streets and highways within this State. Said division shall also place and maintain or cause to be placed and maintained such traffic control devices conforming to its manual and specifications upon all highways outside of cities under its jurisdiction as it shall deem necessary to indicate and to carry out the provisions of this code or to regulate, warn or guide traffic.

(b) Subject to the provisions of section 466, local authorities in their respective jurisdictions shall place and maintain or cause to be placed and maintained such traffic signs and control devices upon streets and highways as may be necessary to indicate and to carry out the provisions of this code or local traffic ordinances or to regulate, warn or guide traffic. All traffic signs hereafter erected shall conform to the State manual and specifications.

(c) All traffic signs conforming to the State manual and specifications and all other traffic control devices conforming to the provisions of this code placed or maintained as provided in this section shall be deemed for the purposes of this code official traffic signs and control devices. Any sign hereafter erected which does not conform to the State manual and specifications is illegal, and no conviction for failure to obey its direction shall be valid.

(d) The provisions of this or any other section of this division shall not modify, limit or prohibit the Railroad Commission from erecting and maintaining or causing to be erected and maintained signs and signals as authorized by law and all signs and signals so erected shall likewise be deemed official traffic control devices."

Amendment No. 9.

On page 3, line 9, of the printed bill, after the word "sign", insert "and traffic signal."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1205—An act to add a new part to Division II of the School Code to be known as Part VI, relating to the formation, government, support, control and administration of unified school districts created from elementary and high school districts, and of elementary, high school and junior college districts having coterminous boundaries and governing boards of identical personnel.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

In line 3 of the title of the printed bill, after the word "control", insert a comma and the words "functions, maintenance,".

Amendment No. 2.

On page 2, line 2, of the printed bill, after the word 'support", insert a comma and the word "functions'.

Amendment No. 3.

On page 3, line 5, of the printed bill, strike out the following: "or which include".

Amendment No. 4.

On page 3, line 10, of the printed bill, strike out the following: 'or which includes".

Amendment No. 5.

On page 3, line 20, of the printed bill, strike out the comma and the following: "nor including"

Amendment No. 6.

On page 3, line 25, of the printed bill, strike out the following "or does not include'

Amendment No. 7.

On page 3, line 26, of the printed bill, strike out the following "the board of supervisors on recom-', and strike out all of lines 27 to 37, inclusive, and insert in

lieu thereof the following: "It shall be governed by a governing board of five members who shall be elected at large.

The members of the governing board of the elementary school district merged into a unified school district created under the provisions of this part, which unified school district is not coterminous with a chartered city or a city of the first to fifth classes, inclusive, shall become members of the governing board of the unified school district and shall serve until the members elected at the next succeeding election for members of the governing board of the unified school district take office. If the governing board of such elementary school district consists of only three members, the county superintendent of schools having jurisdiction over the unified school district shall appoint two additional members to said board to serve until the members elected at the next succeeding election for members of the governing board of the unified school district take office."

Amendment No. 8.

On page 3, line 38, of the printed bill, strike out the number "2.2032", and insert in lieu thereof the number "2.2031".

Amendment No. 9.

On page 3, line 42, of the printed bill, strike out all of said line 42, and insert in lieu thereof the following: "their successors take office."

Amendment No. 10.

On page 3, line 43, of the printed bill, strike out the following: "2.2033. On the last Friday of March of each year", and insert in lieu thereof the following:

"2.2032. On the day prescribed by law for the holding of elections for members of governing boards of elementary school districts following the formation of a unified school district under this part, and on the same day of each year thereafter, an election shall be held".

Amendment No. 11.

On page 3, line 44, of the printed bill, strike out the following: "there shall be held an election".

Amendment No. 12.

On page 4, line 42, of the printed bill, after said line 42, insert the following

"2.2061. Kindergartens may be maintained by the governing board of a unified school district created under the provisions of this part as herein provided. The kindergarten or kindergartens maintained by an elementary school district at the time it became a part of the unified school district shall be continued, except that a kindergarten or kindergartens may be discontinued or additional kindergarten or kindergartens may be established in the manner prescribed elsewhere in this code. In any elementary school district or portion of elementary school district included in a unified school district, wherein a kindergarten was not maintained at the time of the merger of such elementary school district or portion of elementary school district into a unified school district, a kindergarten may be established by the governing board of the unified school district as provided elsewhere in this code."

Amendment No. 13.

On page 5, line 21, of the printed bill, after the word "may", insert a comma and the following: "subject to the provisions of sections 2.85 and 2.86 of this Code,".

Amendment No. 14.

On page 5, line 46, of the printed bill, strike out the period and the word "For", and insert in lieu thereof the word "for".

Amendment No. 15.

On page 6, line 37, of the printed bill, strike out the comma and insert in lieu thereof the following "which becomes a part of a unified school district,".

Amendment No. 16.

On page 6, line 42, of the printed bill, strike out the following: "employed in a school".

Amendment No. 17.

On page 6, line 42, of the printed bill, after the word "becomes", insert the following: "in its entirety".

Amendment No. 18.

On page 6, line 43, of the printed bill, strike out the following: "created under the provisions of this part", and insert in lieu thereof the following: "and every probationary employee of a school district employed in a school located in a portion of a school district which becomes a part of a unified school district, where the whole of such district does not become a part of a unified school district,".

Amendment No. 19.

On page 6, line 49, of the printed bill, after said line 49, insert the following:

"2.2102. Any probationary employee of an elementary school district or high school district having an average daily attendance of less than eight hundred fifty, who, under the provisions of this article, becomes an employee of a unified school district having a total average daily attendance of eight hundred fifty or more at

the end of his third complete consecutive school year of service in such elementary or high school district shall not become a permanent employee of the unified school district until he has served therein for a complete school year immediately following the effective date of the formation of such unified school district and has been reemployed for the succeeding school year."

Amendment No. 20.

On page 8, line 49, of the printed bill, after the word "manner", insert the following: "and from the same funds, except as hereinafter in this part provided".

Amendment No. 21.

On page 9, line 13, of the printed bill, strike out the following: "expenses of full-", and strike out all of line 14, and insert in lieu thereof the following: "necessary expenses of supervisors of instruction and for the preparation and coordination of courses of study as prescribed in Chapter XV of this part."

Amendment No. 22.

On page 9, line 29, of the printed bill, strike out the second comma and the following "except that if kindergartens", and strike out all of lines 30 to 32, inclusive, and insert in lieu thereof a semicolon.

Amendment No. 23.

On page 9, line 38, of the printed bill, after said line 38, insert the following:

"2.2135. If in any elementary school district, or portion of elementary school district, which is a part of a unified school district, one or more kindergartens are maintained, a tax of not to exceed fifteen cents on each one hundred dollars of assessed valuation in such elementary school district, or portion of elementary district, shall be levied and collected, the proceeds of which shall be used exclusively by the governing board of the unified school district for the expenses of such kindergarten or kindergartens in such elementary school district or portion of elementary school district."

Amendment No. 24.

On page 9, of the printed bill, strike out all of lines 43 to 50, inclusive, and on page 10 of the printed bill, strike out all of lines 1 to 12, inclusive, and insert in lieu thereof the following:

"2 2140. The funds apportioned under the provisions of section 2 2132 of this code for a unified school district which during the preceding school year had an average daily attendance of less than fifteen hundred in the elementary schools thereof shall be apportioned to the county elementary school supervision fund. In all other cases, funds apportioned under section 2 2132 of this code for a unified school district shall be apportioned directly to the district.

2 2141. Except as hereinafter provided, funds apportioned directly to a district under the provisions of section 2 2132 of this code shall be used exclusively for the payment of salaries and necessary expenses of supervisors of instruction for elementary schools of the district

2 2142. The county superintendent of schools of each county may expend such amounts as may be necessary of the county elementary school supervision fund for the preparation and coordination of courses of study.

2 2143 Except as otherwise provided in section 2 1340 of this code, the governing board of any unified school district may enter into a contract with the county superintendent of schools having jurisdiction over such district for the supervision of instruction in the elementary and secondary schools of the district and for the preparation and coordination of courses of study for such schools The governing board of such district shall transfer to the county elementary school supervision fund from the funds apportioned to it under the provisions of section 2 2132 of this code, and shall transfer to the county secondary school supervision fund, which fund is hereby created in the county treasury, from the secondary school funds of the district, such sums as may be agreed upon by the governing board of the district and the county superintendent of schools.

2.2144 The county secondary school supervision fund shall be used by the county superintendent of schools for the supervision of instruction in the secondary schools of the unified school districts contracting, and for the preparation and coordination of courses of study in such schools

2 2145 The governing board of any unified school district having an average daily attendance of fifteen hundred or more in the elementary schools of the district during the preceding school year may enter into an agreement with the governing board or boards of one or more other unified school district in the same or adjoining counties for the joint employment of supervisors of instruction."

Amendment No. 25.

On page 10, line 20, of the printed bill, after the word "for", insert the following "the suspension and lapsation of"

Amendment No. 26.

On page 10 line 24, of the printed bill, after said line 24, insert the following:

"CHAPTER XVII—JURISDICTION

2.2160 The county superintendent of schools of the county in which the greatest part of the assessed valuation of any unified school district lies shall have jurisdiction over such unified school district for such purposes as may be specified in this code."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1206—An act to add a new part to Division II of the School Code to be known as Part VII, relating to the formation, government, support, control and administration of unified school districts created from school districts not coterminous and not having governing boards of identical personnel.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

In line 3 of the title of the printed bill, after the word "control", insert a comma and the words "functions, maintenance,".

Amendment No. 2.

On page 1, line 21, of the printed bill, after the word "support", insert a comma and the word "functions".

Amendment No. 3.

On page 1, line 26, of the printed bill, following said line 26, insert the following:

"2.3002. The provisions of section 11 of an act entitled "An act to provide for the replacement and/or the reconstruction in whole or in part of all city, county, school district, or other special district buildings wholly or partially destroyed by earthquakes since January, 1933, declaring the urgency thereof and providing that this act shall take effect immediately" approved May 26, 1933, shall not operate to prevent the inclusion of any elementary school district, high school district or junior college district, in whole or in part, in any unified school district created under the provisions of this part."

Amendment No. 4.

On page 2, line 28, of the printed bill, strike out the number "2.2020", and insert in lieu thereof the number "2.3010".

Amendment No. 5.

On page 2, line 36, of the printed bill, strike out the word "may", and insert in lieu thereof the following: "said commission shall determine to".

Amendment No. 6.

On page 2 of the printed bill, strike out all of lines 47 to 49, inclusive.

Amendment No. 7.

On page 4, line 2, of the printed bill, strike out the word "maye", and insert in lieu thereof the following: "said committee shall determine to".

Amendment No. 8.

On page 4, line 49, of the printed bill, strike out the following. "such election", and insert in lieu thereof the following: "all elections held under the provisions of this article".

Amendment No. 9.

On page 8 of the printed bill, beginning in line 2, strike out the following: "or which include".

Amendment No. 10.

On page 8, line 8, of the printed bill, strike out the following. "or which includes".

Amendment No. 11.

On page 8, line 15, of the printed bill, after the word "shall", insert the following. "be eligible to election to said board and shall".

Amendment No. 12.

On page 8, line 16, of the printed bill, following said line 16, insert the following:

"2.3042 Every qualified elector residing within the boundaries of a unified school district governed by a city board of education as provided in this chapter,

shall, where the members of such city board of education are subject to recall, have the right to circulate and sign petitions for the recall of members of said board and shall have the right to vote on the question of the recall of any member of such board at any election held for that purpose."

Amendment No. 13.

On page 8, line 19, of the printed bill, strike out the following: "nor including".

Amendment No. 14.

On page 8, line 25, of the printed bill, strike out the following: "or does not include".

Amendment No. 15.

On page 8, line 26, of the printed bill, after the word "committee", insert a comma and the following: "if such district is formed".

Amendment No. 16.

On page 8 of the printed bill, strike out all of line 44, and insert in lieu thereof the following:

"2 3053. Upon the formation of any unified school district, which is not coterminous with a chartered city, the county superintendent of schools having jurisdiction over such district shall appoint from the members of the governing boards of the school districts which become a part of such unified school district a board of five members to serve until their successors shall have been elected and qualified.

2 3054. Annually on the day prescribed by law for the election of members of governing boards of elementary school districts, in every".

Amendment No. 17.

On page 9, line 5, of the printed bill, strike out the following: "first day of May", and strike out all of line 6, and insert in lieu thereof the following: "same day as the terms of elected members of governing boards of elementary school districts commence."

Amendment No. 18.

On page 10, line 6, of the printed bill, after said line 6, insert the following:

"3 3081. Kindergartens may be maintained by the governing board of a unified school district created under the provisions of this part as herein provided. The kindergarten or kindergartens maintained by an elementary school district at the time it became a part of the unified school district shall be continued, except that a kindergarten or kindergartens may be discontinued, or additional kindergarten or kindergartens may be established, in the manner prescribed elsewhere in this code. In any elementary school district or portion of elementary school district included in the unified school district, wherein a kindergarten was not maintained at the time of the merger of such elementary school district or portion of elementary school district into a unified school district, a kindergarten may be established by the governing board of the unified school district as provided elsewhere in this code."

Amendment No. 19.

On page 10, line 41, of the printed bill, after the word "may", insert a comma and the following: "subject to the provisions of sections 2 85 and 2.86 of this code,".

Amendment No. 20.

On page 11, line 31, of the printed bill, after the word "including", insert the following: "at the time of its creation".

Amendment No. 21.

On page 11, line 47, of the printed bill, after said line 47, insert the following:

"2 3115 Where the governing board of a high school district is by law the governing board of a junior college district, and the high school district becomes a part of a unified school district, the members of the governing board of the high school district shall continue to act as the governing board of the junior college district. Upon the expiration of the terms of office of any members of the board, their successors shall be elected in the manner provided in this code for the election of governing boards of junior college districts composed of two or more high school districts."

Amendment No. 22.

On page 12, line 1, of the printed bill, after the word "district", insert the following: "which becomes a part of the unified school district".

Amendment No. 23.

On page 12, line 6, of the printed bill, strike out the words "employed in a school".

Amendment No. 24.

On page 12, line 6, of the printed bill, after the word "becomes", insert the following: "in its entirety".

Amendment No. 25.

On page 12, line 7, of the printed bill, strike out the following: "created under the provisions of this part", and insert in lieu thereof the following: "and every probationary employee of a school district employed in a school located in a portion of a school district which becomes a part of the unified school district, where the whole of such school district does not become a part of such unified school district,".

Amendment No. 26.

On page 12, line 13, of the printed bill, after said line 13, insert the following:

"2.3122. *Any probationary employee of an elementary school district or high school district having an average daily attendance of less than eight hundred fifty,* who under the provisions of this article becomes an employee of a unified school district having an average daily attendance of eight hundred fifty or more, at the end of his third complete consecutive school year of service in such elementary or high school district shall not become a permanent employee of the unified school district until he has served therein for a complete school year immediately following the effective date of the formation of such unified school district and has been reemployed for the succeeding school year."

Amendment No. 27.

On page 14, line 10, of the printed bill, after the word "manner", insert the following: "and from the same funds, except as hereinafter in this part provided,".

Amendment No. 28.

On page 14, line 25, of the printed bill, strike out the following: "expenses of full-time", and strike out all of line 26, and insert in lieu thereof the following: "necessary expenses of supervisors of instruction and for the preparation and coordination of courses of study as prescribed in Chapter IV of this part."

Amendment No. 29.

On page 14, line 41, of the printed bill, strike out the comma and the following: "except that if kindergartens are maintained by", and strike out all of lines 42 and 43, inclusive, and insert in lieu thereof a semicolon

Amendment No. 30.

On page 14, line 49, of the printed bill, after said line 49, insert the following:

"2.3155. If in any elementary school district, or portion of elementary school district, which is a part of a unified school district one or more kindergartens are maintained, a tax of not to exceed fifteen cents on each one hundred dollars of assessed valuation in such elementary school district, or portion of elementary school district, shall be levied and collected, the proceeds of which shall be used exclusively by the governing board of the unified school district for the expenses of such kindergarten or kindergartens in such elementary school district or portion of elementary school district."

Amendment No. 31.

On page 15 of the printed bill, strike out all of lines 4 to 23, inclusive, and insert in lieu thereof the following:

"2.3160. The funds apportioned under the provisions of section 2.3152 of this code for a unified school district which during the preceding school year had an average daily attendance of less than fifteen hundred in the elementary schools thereof shall be apportioned to the county elementary school supervision fund, which fund is hereby created in the county treasury. In all other cases, funds apportioned under the provisions of section 2.3152 of this code for a unified school district shall be apportioned directly to the district.

2.3161. Except as hereinafter provided, funds apportioned directly to a district under the provisions of section 2.3152 of this code shall be used exclusively for the payment of salaries and necessary expenses of supervisors of instruction for the elementary schools of the district.

2.3162. *The county superintendent of schools of each county may expend such* amounts as may be necessary of the county elementary school supervision fund for the preparation and coordination of courses of study.

2.3163. Except as provided in section 2.3160 of this code, the governing board of any unified school district to which funds are apportioned directly under the provisions of this chapter may enter into a contract with the county superintendent of schools having jurisdiction over such district for the supervision of instruction in the elementary schools of the district and for the preparation and coordination of courses of study for such schools. The governing board of such district shall transfer to the county elementary school supervision fund from the funds apportioned to it under the provisions of section 2.3152 of this code and may transfer to the county secondary school supervision fund, which fund is hereby created in the county treasury, from the secondary school funds of the district, such sums as may be agreed upon by the county superintendent of schools and the governing board of the district.

2.3164. The county secondary school supervision fund shall be used by the county superintendent of schools for the supervision of instruction in the secondary schools of the districts contracting, and for the preparation and coordination of courses of study in such schools.

2.3165. The governing board of any unified school district having an average daily attendance of fifteen hundred or more in the elementary schools thereof may enter into an agreement with the governing board or boards of one or more other unified school districts in the same or adjoining counties for the joint employment of supervisors of instruction."

Amendment No. 32.

On page 15, line 31, of the printed bill, after the word "the", insert the following: "suspension and lapsation of".

Amendment No. 33.

On page 15, line 35, of the printed bill, after said line 35, insert the following:

"CHAPTER XVI—JURISDICTION

2.3180. The county superintendent of schools of the county in which the greatest part of the assessed valuation of any unified school district lies shall have jurisdiction over such unified school district for such purposes as may be specified in this code."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 327—An act to add Article 3a to Division II of the Agricultural Code, relating to Bang's disease in cattle.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out "request", and insert in lieu thereof the following: "behalf".

Amendment No. 2.

On page 1, line 7, of the printed bill, after the period, insert the following: "Such specimen shall be taken, and transmitted to the department by a licensed veterinarian."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2157—An act to amend section 479 of the Agricultural Code, relating to dairies and dairy products.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, immediately following line 2, insert the following:

"479. (a) "Market milk" is milk which is supplied to the consumer in the natural fluid state, or prepared for human consumption without being converted into any other form or product, as distinguished from manufacturing milk. Except as provided herein, market milk shall contain not less than three and three-tenths per cent of milk fat and "market milk" includes "market cream" except as otherwise specifically provided.

(b) Except on the premises where produced it is unlawful to sell or otherwise dispose of market milk, to the retail trade, unless said milk is contained in standard milk bottles which have been mechanically filled and capped in a milk room properly designed and equipped and approved by the department, except as herein provided. All receptacles, other than receptacles brought by persons for the purpose of containing milk purchased at retail, used for receiving market milk shall be properly washed and sterilized in the place of business maintained in connection with said milk room. Transferring of milk from one receptacle to another upon any highway, any street or sidewalk, or upon any vehicle, or in any place except a milk room as specified above is prohibited.

This subsection shall not apply to any person producing less than ten gallons of milk per day."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 890—An act to amend sections 8 and 17 of the State Medical Practice Act, relating to certificates licensing the practice of medicine, drugless healing, and chiropody, and to penalties for violation of the provisions of the act.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 7, of the printed bill, after the semicolon following the word "casts", strike out the balance of the line, and all of lines 8 to 11, inclusive, and, in lieu thereof, insert the following: "provided that nothing contained in this section shall be construed to prohibit the manufacture, the recommendation or the sale of corrective shoes or of appliances for human feet; provided further that the word "recommendation" as used in this act shall not be so construed as to allow any manufacturer and/or seller to diagnose and/or treat and/or prescribe for any affliction, ailment, disease, or deformity of the human foot and/or feet."

Amendment No. 2.

On page 3, line 27, of the printed bill, after the word "feet", strike out the period and insert in lieu thereof a semicolon followed by the words: "provided further that the word "recommendation" as used in this act shall not be so construed as to allow any manufacturer and/or seller to diagnose and/or treat and/or prescribe for any affliction, ailment, disease, or deformity of the human foot and/or feet."

Amendment No. 3.

On page 3, line 14, of the printed bill, after the comma following the word "specialist", insert the word "orthopedemist".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1651—An act to amend the Vehicle Code by amending sections 618, 621, 623, 625, 633, 634, 635, 637, 639, 640, and 670; to renumber section 663 to be section 664; to repeal Chapter 4 of Division X embracing sections 645 to 658, inclusive, sections 661, 662 and 677; to add sections 623.5, 638, a new Chapter 4 to Division X, embracing sections 645 to 656, inclusive, 660, 661, 662, and 663, relating to vehicles.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

In line 7 of the title of the printed bill, after "663", insert the following: "and a new section to be numbered 692".

Amendment No. 2.

On page 1, line 16, of the printed bill, after "section", insert the following: "directly ahead".

Amendment No. 3.

On page 1, line 18, of the printed bill, after "time", insert the following: ", direction".

Amendment No. 4.

On page 2, line 7, of the printed bill, strike out the word "on", first appearing in this line, and insert in lieu thereof the following: "at".

Amendment No. 5.

On page 2, line 15, of the printed bill, after "times", strike out "whenever head lamps are lighted".

Amendment No. 6.

On page 2 of the printed bill, strike out all of line 17, and insert in lieu thereof the following: "3 standard candlepower and a maximum of 15 standard".

Amendment No. 7.

On page 2 of the printed bill, strike out all of line 23, and insert in lieu thereof the following: "in diameter or six and one-half square inches in area and the light source shall not be less than three nor".

Amendment No. 8.

On page 2, line 25, of the printed bill, strike out "ten", and insert in lieu thereof the following: "twenty-five".

Amendment No. 9.

On page 2 of the printed bill, at the end of line 31, after the word "diameter", insert the following: "or seven square inches in area,".

Amendment No. 10.

On page 2, line 37, of the printed bill, after the period, insert the following: "The engineering requirements for these reflectors shall be governed by the S.A.E. or I.E.S. specifications."

Amendment No. 11.

On page 2 of the printed bill, strike out line 51, and insert in lieu thereof the following: "equipment, nor to motor trucks equipped with snow removal devices, but shall apply to motor trucks and automobiles used independently of such equipment."

Amendment No. 12.

On page 3, line 8, of the printed bill, strike out the word "blue", and insert in lieu thereof the word "green".

Amendment No. 13.

On page 3 of the printed bill, strike out all of lines 10 and 11, and insert in lieu thereof the following: "located. The provisions of this section shall not apply to passenger common carrier vehicles."

Amendment No. 14.

On page 5, line 3, of the printed bill, strike out "(b)", and insert in lieu thereof "(c)".

Amendment No. 15.

On page 5, line 8, of the printed bill, strike out "(c)", and insert in lieu thereof "(d)".

Amendment No. 16.

On page 6 of the printed bill, at the end of line 16, after the word "on", insert the following: "or prior to".

Amendment No. 17.

On page 6 of the printed bill, strike out lines 26 and 27, and insert in lieu thereof the following: "For any rear or tail lamp or red reflector----------$25"

Amendment No. 18.

On page 6, line 30, of the printed bill, after "lamp", insert the following: "or signal lamp or signal device".

Amendment No. 19.

On page 7 of the printed bill, strike out lines 51 and 52.

Amendment No. 20.

On page 8 of the printed bill, strike out lines 1 to 18, inclusive.

Amendment No. 21.

On page 10, line 42, of the printed bill, after "adjusted", add the following: "and maintained".

Amendment No. 22.

On page 11, line 8, of the printed bill, strike out "three", and insert in lieu thereof the following: "two and one-half".

Amendment No. 23.

On page 12 of the printed bill, after line 21, add the following:

"SEC. 20. A new section is hereby added to the Vehicle Code to be numbered 692 and to read as follows:

692. None of the provisions of this division shall apply to highway construction or maintenance equipment or to motor trucks equipped with snow removal devices. Such provisions shall, however, apply to all motor trucks and motor vehicles used independently of any such equipment."

Amendment No. 24.

On page 1, line 5, of the title of the printed bill, after "638," add "677,".

Amendment No. 25.

On page 12 of the printed bill, between lines 20 and 21, insert the following:

"(e) The driver of any vehicle who fails or refuses to stop and submit the vehicle to a brake test when so instructed by an officer of the California Highway Patrol is guilty of a misdemeanor."

Amendment No. 26.

On page 12 of the printed bill, after line 21, add the following:

"SEC. 20. A new section to be numbered 677 is added to the Vehicle Code to read as follows:

677. Defective Windshields Prohibited. It shall be unlawful to operate any motor vehicle upon a highway when the windshield is in such a defective condition as to impair the driver's vision.

In the event any windshield fails to comply with this code the officer making the inspection shall direct the driver to make such windshield conform to the requirements of this code within forty-eight hours. The officer may also arrest said driver and give him a notice to appear and further require said driver or the owner of the vehicle to produce in court satisfactory evidence that said windshield has been made to conform to the requirements of this code."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 598—An act to provide for the revision of the Constitution of this State, including the election of delegates to the convention, the proceedings, powers, duties, and matters incidental to the convention, the submission of the revised Constitution to the people and matters incidental thereto, and making an appropriation therefor.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out "January, 1936", and insert in lieu thereof the following: "February, 1937".

Amendment No. 2.

On page 1, line 4, of the printed bill, strike out all of the line after "SEC. 2.", and all of lines 5 to 24, inclusive, and insert in lieu thereof the following: "The delegates to such convention shall be chosen in the same manner and have the same qualifications as members of the Legislature.

SEC. 3. At the August primary election to be held in 1936, candidates for the office of delegate to the Constitutional Convention shall be nominated in each district of this State from which a member of the Assembly of this State is elected, and in each district of this State in which a member of the Senate of this State is elected. In the left-hand column of the ballot, immediately under the heading "State", shall be printed the designation "Delegate to the Constitutional Convention", to be followed under such heading by the names of candidates for that office.

The names of candidates nominated at such primary election shall appear in the same relative position on the ballot at the general election to be held in November, 1936, and at that election there shall be elected one delegate from each district of this State from which a member of the Assembly of this State is elected and one delegate from each district from which a member of the Senate of this State".

Amendment No. 3.

On page 2 of the printed bill, strike out all of lines 1 to 15, inclusive, and the figure "3" in line 16, and insert in lieu thereof the following: "is elected and in the same manner as members of the Legislature.

SEC. 4. Delegates chosen as herein provided".

Amendment No. 4.

On page 2, line 18, of the printed bill, strike out "January, 1936", and insert in lieu thereof the following: "February, 1937".

Amendment No. 5.

On page 2, line 19, of the printed bill, strike out "such secretaries", and insert in lieu thereof the following: "one of their number secretary".

Amendment No. 6.

On page 2 of the printed bill, strike out lines 22 to 30, inclusive, and insert in lieu thereof the following:

"SEC. 5. The president of the convention may appoint a doorkeeper and four pages. The convention may employ such expert, technical and other assistance as to it seems advisable.

SEC. 6. All committee rooms of the State Capitol building shall be under the control of the convention while it is holding its session in that building. If the convention has not completed its deliberations before March 1, 1937, it may adjourn on or prior to that date to any city in this State that it may choose as a proper place in which to hold further sessions and to complete its work."

Amendment No. 7.

On page 2, lines 41 and 42, of the printed bill, strike out "constitutional".

Amendment No. 8.

On page 3, line 19, of the printed bill, strike out "general election in the year 1936", and insert in lieu thereof the following: "election at which the Constitution agreed upon by the convention is submitted to the people for their ratification or rejection".

Amendment No. 9.

On page 4, line 26, of the printed bill, after "with", insert the following: "any other special election that may be held during the period between the time when the convention has agreed upon a Constitution and has adjourned sine die and the general election in 1938. If no special election for any other purpose is called to be held during such period a special election is hereby called to be consolidated with".

Amendment No. 10.

On page 4, line 27, of the printed bill, strike out "1936, at which", and insert in lieu thereof the following: "1938. In either case at such".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 246—An act for the regulation and control of corporations organized for the purpose of operating nonprofit hospital service plans.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 20, of the printed bill, strike out the period, and insert in lieu thereof a semicolon and the following: "and provided further that no such corporation operating under the provisions of this act shall enter into any such contract with any hospital which shall not have been certified to by the State Department of Public Health as complying with the hospital standards of the State Department of Public Health."

Amendment No. 2.

On page 1, line 25, of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "nor shall it apply to or govern any corporation formed and existing under the Constitution of 1849 pursuant to the act entitled "An act concerning corporations", passed April 22, 1850."

Amendment No. 3.

On page 2, line 13, of the printed bill, strike out the period, and insert in lieu thereof "in the State of California."

Amendment No. 4.

On page 3 of the printed bill, strike out all of lines 26 to 32, inclusive

Amendment No. 5.

On page 3, line 33, of the printed bill, strike out the numerals "15", and insert in lieu thereof the numerals "14".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 992—An act to amend section 11 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the definition of dentistry.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 6 to 8, inclusive, and insert in lieu thereof the following: "be a dentist, or (2) performs, or offers to perform, an operation or diagnosis of any".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 990—An act to amend section 13 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," as amended, relating to revocation or suspension of licenses.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 11, of the printed bill, after the word "advertising", strike out the words "definite or fixed".

Amendment No. 2.

On page 2, line 12, of the printed bill, after the word "of", strike out the words "any sign containing", and insert in lieu thereof the following: "large display, glaring light signs or containing".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1657—An act to amend the Vehicle Code by amending sections 253, 257, 267, 268, 269, 270, 272, 273, 314, 315, 316, and 338; by repealing sections 350, 351, 352, 353, and 354; by adding sections 254, 271.5, 350, 351, 352, 353, and 354, relating to vehicles.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of lines 14 to 20, inclusive, and insert in lieu thereof the following:

"254. Temporary Licenses. The department may issue to any person applying for an operator's license, a temporary operator's license, and to any person applying for a chauffeur's license, a temporary chauffeur's license. No such temporary licenses may be issued to any person who has not successfully passed the tests prescribed by the department for operator's or chauffeur's licenses. A temporary license shall permit the operation of a motor vehicle upon the highways for a period of thirty days, when the licensee has such license in his immediate possession."

Amendment No. 2.

On page 3 of the printed bill, strike out all of lines 40, 41 and 42, and insert in lieu thereof: "Each license shall also contain a space for the indorsement thereon of a record of each suspension or revocation thereof".

Amendment No. 3.

On page 5, line 36, of the printed bill, after the word "may", insert the following: "in writing".

Amendment No. 4.

On page 6, line 23, of the printed bill, strike out "phonographic".

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 162—An act to limit the jurisdiction of courts over matters arising out of or involving labor disputes.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 479—An act to amend section 2179 of the Political Code, relating to guardianship and administration of estates of incompetents.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, after "any", insert the following: "insane or feeble-minded"

Amendment No. 2.

On page 1, line 11, of the printed bill, strike out "incompetent", and insert in lieu thereof the following: "insane or feeble-minded".

Amendment No. 3.

On page 1, line 24, of the printed bill, after "estates.", insert the following: "The retiring secretary shall, within sixty days after his retirement as secretary of the State Department of Institutions, file an account with the court in each case in which he has acted as guardian or administrator and shall not be released from his bonds as guardian or administrator until each account is settled and approved by the court."

Amendment No. 4.

On page 2 of the printed bill, strike out all of lines 7 to 14, inclusive

Amendment No. 5.

On page 1, line 17, of the printed bill, strike out "shall", and insert in lieu thereof the following: "may".

Amendment No. 6.

On page 1, line 19, of the printed bill, strike out "in preference to any other person".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 480—An act to amend section 1554 of the Probate Code, relating to accounts of guardians of insane persons

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, after the word "notice", insert the following: "of the time and place of hearing and a copy of the account".

Amendment No. 2.

On page 1 of the printed bill, strike out all of line 6

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2136—An act relating to the relief of debtors and guarantors, and permitting postponement of foreclosures and sales under mortgages, deeds of trust, or contracts of purchase of real property, or postponement of forfeitures and terminations under such contracts of purchase, declaring the urgency thereof, and providing that it shall take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

In line 5 of the title of the printed bill, after the comma after "purchase", insert the following: "repealing Chapter 7, Statutes of 1935,".

Amendment No. 2.

On page 2 of the printed bill, strike out lines 5 to 18, inclusive.

Amendment No. 3.

On page 2 of the printed bill, strike out lines 19 and 20, and insert in lieu thereof the following:

"Sec. 2. At any time within thirty days from and".

Amendment No. 4.

On page 2, line 22, of the printed bill, strike out "in any event".

Amendment No. 5.

On page 2 of the printed bill, strike out lines 40 to 44, inclusive, and insert in lieu thereof the following: "A hearing shall be had upon the petition five days after the filing thereof. After the filing of such petition and the".

Amendment No. 6.

On page 3, line 11, of the printed bill, after the period after "circumstances", insert the following: "In no event shall the court order the payment of a lesser sum than that necessary to pay (a) current taxes, (b) all delinquent taxes, except that such taxes may be paid in installments as may be provided by law, and (c) any insurance premiums required to be paid by the debtor under the contract between the parties."

Amendment No. 7.

On page 3, line 11, of the printed bill, strike out "may", and insert in lieu thereof the following: "must".

Amendment No. 8.

On page 3, line 16, of the printed bill, strike out "4", and insert in lieu thereof the following: "3".

Amendment No. 9.

On page 3, line 32, of the printed bill, after the period after "circumstances", insert the following "In no event shall the court order the payment of a lesser sum than that necessary to pay (a) current taxes, (b) all delinquent taxes, except that such taxes may be paid in installments as may be provided by law, and (c) any insurance premiums required to be paid by the debtor under the contract between the parties."

Amendment No. 10.

On page 3, line 33, of the printed bill, strike out "may", and insert in lieu thereof the following: "must".

Amendment No. 11.

On page 3, line 37, of the printed bill, strike out "4a", and insert in lieu thereof the following: "4".

Amendment No. 12.

On page 4, line 3, of the printed bill, after the period after "court", insert the following: "In no event shall the court order the payment of a lesser sum than that necessary to pay (a) current taxes, (b) all delinquent taxes, except that such taxes may be paid in installments as may be provided by law, and (c) any insurance premiums required to be paid by the debtor under the contract between the parties."

Amendment No. 13.

On page 4, lines 13 and 14, of the printed bill, strike out ", at any time within thirty days after the effective date of this act, or".

Amendment No. 14.

On page 4, line 16, of the printed bill, strike out "in no event", and insert in lieu thereof the following: "not".

Amendment No. 15.

On page 5, lines 7 and 8, of the printed bill, strike out "the effective date of this act", and insert in lieu thereof the following: "February 1, 1935"

Amendment No. 16.

On page 5, line 12, of the printed bill, before the period in said line, and after "Act", insert the following: ", or (c) any mortgage, or deed of trust securing any loan made by the United States Government or any agency thereof or any loan insured by the United States Government or any agency thereof"

Amendment No. 17.

On page 5, line 15, of the printed bill, after "vendor" and inside the quotes, insert a comma.

Amendment No. 18.

On page 5, line 32, of the printed bill, strike out "voidable", and insert in lieu thereof the following: "void".

Amendment No. 19.

On page 5, lines 34 and 35, of the printed bill, strike out ", at the instance of the record owner of such real property at the time of such sale".

Amendment No. 20.

On page 5, line 36, of the printed bill, after "thereto", insert the following: "by a bona fide purchaser or encumbrancer for value"

Amendment No. 21.

On page 5, between lines 40 and 41, of the printed bill, insert the following:
"SEC. 14. No receiver shall be appointed by any court for any property subject to a mortgage or deed of trust, a sale under which is governed by the provisions of this act."

Amendment No. 22.

On page 5, line 41, of the printed bill, strike out "14", and insert in lieu thereof the following: "15".

Amendment No. 23.

On page 5, line 48, of the printed bill, strike out "15", and insert in lieu thereof the following: "16".

Amendment No. 24.

On page 6, between lines 2 and 3 of the printed bill, insert the following:
"SEC. 17. Chapter 7, Statutes of 1935, is hereby repealed; provided, however, that the repeal of said act shall not effect any proceedings taken thereunder and in so far as such proceedings have not been completed they may be continued under this act and subject to its provisions."

Amendment No. 25.

On page 6, line 3, of the printed bill, strike out "16", and insert in lieu thereof the following: "18".

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 131—An act to add section 726a to the Code of Civil Procedure, relating to deficiency judgments

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee.

Amendment No. 1.

In line 1 of the title of the printed bill strike out "section 726a", and insert in lieu thereof the following: "section 2924d to the Civil Code and sections 726a and 726b".

Amendment No. 2.

In line 2 of the title of the printed bill, strike out the period, and insert in lieu thereof the following: ", and declaring the urgency thereof."

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 to 6, inclusive, and insert in lieu thereof the following:
"SECTION 1. A new section is hereby added to the Civil Code to be numbered 2924d and to read as follows

2924d. No judgment shall be rendered for the balance due upon any obligation which was secured by a deed of trust or mortgage with power of sale upon real property following the exercise of such power of sale, if exercised at any time between the effective date of this act and February 1, 1937.

SEC. 2. A new section is hereby added to the Code of Civil Procedure to be numbered 726a and to read as follows:

726a. Any person who takes as security for an obligation a deed of trust, mortgage or other lien upon real property, thereby waives all right to obtain a judgment for the balance due upon said obligation following the sale of said real property upon foreclosure by suit or by exercise of the power of sale contained in the instrument creating a lien upon such real property.

SEC. 3. A new section is hereby added to the Code of Civil Procedure to be numbered 726b and to read as follows:

726b. Between the effective date hereof and February 1, 1937, no money judgment for a balance due after sale under a decree of foreclosure shall be rendered in any action brought under section 726 of the Code of Civil Procedure.

SEC. 4. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of section 1 of Article IV of the Constitution, and shall therefore go into immediate effect.

The facts constituting the necessity are as follows:

A severe economic depression exists throughout the State, making many citizens unable to pay their debts and bringing about many foreclosures, wherein the obligor loses not only the property upon which there is a lien but also has a further debt created against him. In order to relieve this situation between now and February 1, 1937, it is necessary that this act go into immediate effect."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 1775—An act to amend section 3663b of the Political Code, relating to the Board of Equalization.

Bill read second time, ordered to engrossment, and third reading

Second Reading of Senate Bills.

Senate Bill No. 282—An act to amend section 16x24 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-fourth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 23—An act to amend section 4041.17 of the Political Code, relating to the acquisition of real property by boards of supervisors.

Bill read second time, and ordered on file for third reading.

Senate Bill No 257—An act to amend sections 4120 and 4121 of the Political Code of the State of California, relating to the books, accounts and vouchers in the office of county treasurers and the examination of the books and records and the counting of the money in said office

Bill read second time, and ordered on file for third reading.

Senate Bill No. 519—An act to repeal "An act to regulate the business of selling live stock at public auction and requiring live stock auctioneers to obtain a license and to execute a bond to the State of California, and providing penalties for violation of this act, and repealing acts in conflict herewith," approved June 1, 1921.

Bill read second time, and ordered on file for third reading

Consideration of Senate Amendments to Assembly Bill No. 37.

Assembly Bill No. 37—An act relating to the operation of motor vehicles used in unemployment cooperative relief work, and declaring the urgency thereof and that this act shall go into immediate effect.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 37?

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended in the Assembly January 18, 1935, strike out the word "motor".

Amendment No. 2.

On page 1, line 8, of the printed bill, as amended in the Assembly January 18, 1935, strike out the word "motor".

Amendment No. 3.

On page 1, line 9, of the printed bill, as amended in the Assembly January 18, 1935, after the hyphenated word "tration", insert the following: "or transfer of registration"

Amendment No. 4.

On page 1, line 11, of the printed bill, as amended in the Assembly January 18, 1935, strike out the word "motor".

Amendment No. 5.

On page 1, line 13, of the printed bill, as amended in the Assembly January 18, 1935, after the word "enable", strike out the words "the Department of Motor Vehicles", and insert in lieu thereof the following: "the official agency of the State of California in charge of administrating unemployment cooperative relief work".

Amendment No. 6.

On page 1, line 15, of the printed bill, as amended in the Assembly January 18, 1935, after the word "registration", insert the following: "or transfer of registration".

Amendment No. 7.

On page 1, line 16, of the printed bill, as amended in the Assembly January 18, 1935, insert the following:

"(c) the affidavit required under subsection (b) hereof shall be prescribed and provided by the Department of Motor Vehicles and must be duly approved by the official agency of the State of California in charge of administering unemployment cooperative relief work."

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 37 by the following vote:

AYES—None.

NOES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hersinger, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, McMurray, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Voigt, Wagner, Walker, Waters, Wright, and Mr. Speaker—58.

Withdrawal of Bills.

By order of the Speaker, Assembly Bill No. 671 was withdrawn from the file and referred to Committee on Municipal Corporations.

By order of the Speaker, Assembly Bill No. 794 was withdrawn from the file and referred to Committee on Education.

By order of the Speaker, Assembly Bill No 1300 was withdrawn from the file and referred to Committee on Building and Loan Associations.

By order of the Speaker, Assembly Bill No. 938 was withdrawn from the file and referred to Committee on Education.

By order of the Speaker, Assembly Bill No. 898 was withdrawn from the file and referred to Committee on Live Stock and Dairies.

By order of the Speaker, Assembly Bill No. 899 was withdrawn from the file and referred to Committee on Live Stock and Dairies.

By order of the Speaker, Assembly Bill No. 2104 was withdrawn from the file and referred to Committee on Municipal Corporations.

By order of the Speaker, Assembly Bill No. 1345 was withdrawn from the file and referred to Committee on Rules.

By order of the Speaker, Assembly Bill No. 464 was withdrawn from the file and referred to Committee on Agriculture.

By order of the Speaker, Assembly Bill No. 895 was withdrawn from the file and referred to Committee on Agriculture.

By order of the Speaker, Assembly Bill No. 915 was withdrawn from the file and referred to Committee on Agriculture.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1655—An act to amend the Vehicle Code by amending sections 134 and 776; by adding sections 131, 136 and 681, relating to vehicles.

Floor Amendments.

During second reading of the bill, the following amendments were submitted by Mr. Hornblower:

Amendment No. 1.

In line 1 of the title of the printed bill, strike out "sections", and insert in lieu thereof the following: "section".

Amendment No. 2.

In line 2 of the title of the printed bill, strike out "and 776".

Amendment No. 3.

On page 2 of the printed bill, strike out lines 17 to 29, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Special Order.

The hour of ten o'clock and thirty minutes a m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Third Reading of Assembly Bill No. 1273.

Assembly Bill No. 1273—An act to amend the title and sections 2, 9, 15, 17, 18, 20, 21, 22, 23, 24, 26, 27, 30, and 33 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933; to repeal sections 7 and 19 of said act; to add sections 7 and 19 to said act; all relating to the taxation of the privilege of selling tangible personal property; and to provide that this act shall take effect immediately.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Hornblower:

Amendment No. 1.

On page 3, line 9, of the printed bill, as amended, after "received", insert the following: "for cost of transportation of the property into this State nor".

Amendment No. 2.

On page 3, line 11, of the printed bill, strike out the period, and insert in lieu thereof a semicolon and the following: "provided, further, that "gross receipts" shall not include the sale price or any portion of the sale price upon the second or subsequent sale at retail of any personal property by or to any person, it being the purpose hereof to tax the retail sale of personal property but once and thus to avoid double taxation."

Motion.

Mr. Hornblower moved that the amendments submitted by him be voted on separately

Motion carried.

Amendment No. 1 read

The question being on the adoption of Amendment No. 1 to Assembly Bill No 1273, submitted by Mr. Hornblower.

Request for Roll Call.

On request of Messrs. Hornblower, Lyon, and Geyer, the Speaker ordered a roll call taken on Amendment No. 1 to Assembly Bill No. 1273, submitted by Mr. Hornblower.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Anderson, Boyle, Cassidy, Clark, Dawson, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Lore, McCarthy, McMurray, Patterson, Pelletier, Peyser, Reaves, Richie, Voigt, Wagner, and Williamson—24.

NOES—Andreas, Breed, Burns, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J, Evans, Ralph W, Field, Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Johnson, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, McBride, Miller, Minard, Morgan, O'Donnell, Phillips, Redwine, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Walker Wallace, Waters, Welsh, Wright, and Mr. Speaker—46

Amendment No. 2 read.

The question being on the adoption of Amendment No 2 to Assembly Bill No 1273, submitted by Mr. Hornblower.

Request for Roll Call.

On request of Messrs. Hornblower, Lyon and Dawson, the Speaker ordered a roll call taken on Amendment No. 2 to Assembly Bill No. 1273, submitted by Mr. Hornblower.

The roll was called, and Amendment No 2 refused adoption by the following vote:

AYES—Anderson, Clark, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, McCarthy, McMurray, Patterson, Pelletier, Richie, and Wagner—18

NOES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Johnson, Kallam, Latham, Lyon, Maloney, Martin, McBride, Meehan, Miller, Minard, Morgan, O'Donnell, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Walker, Wallace, Waters Welsh, Wright, and Mr. Speaker—53.

Statement by Mr. Hornblower.

In support of his amendment to exempt the sales tax on transportation of freight when freight is included in the sale price of the product.

"The reason for presenting this amendment to the present Sales Tax Law is because our sister State, Arizona, has enacted under section 8 of their Sales Tax Law of 1933 the following freight deduction law.

> "SEC. 8. Freight deduction.—In computing the amount of tax levied by this article upon the business activities classified in subdivision (A) and paragraph (1) of subdivision (C) of section 2 of this article, such selling price shall be reduced by the amount of the actual freight paid by the taxpayer, from the place of production to the place of delivery, when such freight is included in the sale price of such products. (See 6538.)"

It would seem no more than proper that since Arizona has taken into consideration, as well as other States, that freight or transportation charges is not tangible property and thus should be exempt from any sales tax, that California likewise should treat its consumers and merchants and manufacturers in the same manner. My amendment would not only have affected the automobile industry but every other industry doing business in the State of California wherein freight is charged as part of the retail sale."

Further Consideration of Assembly Bill No. 1273.

Assembly Bill No. 1273—An act to amend the title and sections 2, 9, 15, 17, 18, 20, 21, 22, 23, 24, 26, 27, 30, and 33 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933; to repeal sections 7 and 19 of said act; to add sections 7 and 19 to said act; all relating to the taxation of the privilege of selling tangible personal property; and to provide that this act shall take effect immediately.

Bill read third time

Further Floor Amendments.

During third reading of the bill, the following amendments were submitted by Messrs. Jones, Hunt, Boyle, Rosenthal, Evans, Ralph W., Geyer, Glover, Gilbert, Reaves, McCarthy, Pelletier, Flint, Laughlin, Clark, Hawkins, Richie, Anderson, and Cassidy:

Amendment No. 1.

On page 3 of the printed bill, between lines 21 and 22, section 2, of the printed bill, as amended in the Assembly March 14, 1935, insert a new section numbered 2½ reading as follows:

"SEC. 2½ Section 5 of said act is hereby amended to read as follows

Sec. 5. There are hereby specifically exempted from the provisions of this act and from the computation of the amount of tax levied, assessed or payable under this act the following:

(a) The gross receipts from sales of tangible personal property which this State is prohibited from taxing under the Constitution or laws of the United States of America or under the Constitution of this State

(b) The gross receipts from the sales, furnishing, or service of gas, electricity, and water, when delivered to consumers through mains, lines, or pipes.

(c) The gross receipts from sale of gold bullion or gold concentrates or gold precipitates by the producer or refiner thereof.

(d) The gross receipts from sales of tangible personal property used for the performance of a contract on public works executed prior to the effective date of this act.

(e) The gross receipts from sales for human consumption of food products, except the following: candy and confectioneries; soft drink beverages and bottled water; malt and alcoholic beverages."

Amendment read.

Substitute Amendment.

During reading of the amendment to Assembly Bill No. 1273, submitted by Messrs. Jones, Hunt, Boyle, Rosenthal, Evans, Ralph W., Geyer, Glover, Gilbert, Reaves, McCarthy, Pelletier, Flint, Laughlin, Clark, Hawkins, Richie, Anderson, and Cassidy, the following amendment was submitted by Mr. Peyser as a substitute amendment:

Amendment No. 1.

In lieu of subdivision e of section 5 of the amendment offered by Mr. Jones and others, substitute the following: "Sec. e The gross receipts from foodstuffs: "As used in this section, 'foodstuffs' shall mean only the following:

Domestic meats, poultry and fish, other than shell fish;
Milk and cream including canned milk and evaporated milk, butter, eggs and domestic cheese;
Fruits and vegetables, whether fresh, canned or dried, except imported fruits or vegetables;
Bread in loaf form;
Coffee and tea, including cereal substitutes therefor;
Flour, meal and cereals sold for household purposes;
Sugar, syrups, salt, pepper, yeast and lard including animal fat and vegetable substitutes therefor;
it is the intention that this exemption shall apply to these primary and essential foodstuffs as the words used are commonly understood

The exemption of the articles of food herein enumerated is upon the condition that the retailer shall keep accurate and separate records of the exempted articles in such form and detail as may be prescribed by the board, and in any event in such manner that accurate reports may be separately made covering the sale of such conditionally exempted articles and in such form as may be accurately and conveniently checked by the representatives of the board.

Unless records are kept in such manner as will accurately disclose separate accounting of sales of taxable and nontaxable merchandise the conditional exemptions herein made shall not be allowed, and it shall be the duty of the board to assess a tax upon the total gross sales, and if records are not kept showing total gross sales it shall be the duty of the board to assess a tax upon an estimation of such sales upon the best information obtainable."

Amendment read.

The question being on the adoption of the substitute amendment to Assembly Bill No. 1273, submitted by Mr. Peyser.

Recess.

At twelve o'clock m., on motion of Mr. Lyon, the Assembly was declared at recess until two o'clock p.m., of this day.

Reassembled.

At two o'clock p.m., the Assembly reconvened. Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Building and Loan Associations.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1935

MR. SPEAKER: Your Committee on Building and Loan Associations, to which was referred Assembly Bill No. 1300—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title 16 of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, as amended, by amending sections numbered 4.01 relating to guarantee stock, 6.02 relating to withdrawals, 6.07 relating to investment certificates and shares, 8.09 relating to interest and dividends, 9.02 relating to investments and 9.04 relating to purchases, sales, transfers and pledges of loans,

postponing the effective date of the amendment of section 6.02 of said act as set forth in section 5a of Chapter 431 of the Statutes of 1933; adding to said act new sections to be numbered 8.10 relating to rate of return on shares and investment certificates, 9.18 relating to insurance, loans, advances of credit and purchases of obligations pursuant to the National Housing Act, 10.03a relating to reserve or surplus accounts, 10.09 relating to reports, statements and analyses by the Building and Loan Commissioner and 12.11 relating to conversion of a building and loan association into a Federal savings and loan association and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to vote for or approve such conversion, to exchange shares, stock, investment certificates or other rights or claims for shares issued by such Federal savings and loan association, and to continue to hold as a legal investment any shares so received; adding a new article to be numbered XVI to said act relating to the rehabilitation, readjustment or reorganization of one or more building and loans associations of the classes specified in such Article XVI, or of all or of any part of the business, properties and assets of such association or associations, or the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of and other persons interested in such association or associations, providing for the kinds of securities issuable in connection association into a Federal savings and loan association and authorizing executors, therewith and exempting such securities from certain provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Article XVI, to exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received; and declaring the urgency of this act and providing that it shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

SCUDDER, Chairman.

Request for Unanimous Consent.

Mr. Scudder asked for, and was granted, unanimous consent to take up Assembly Bill No. 1300, at this time, without reference to file, for the purpose of amending.

Second Reading of Assembly Bill No. 1300.

Assembly Bill No. 1300—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title 16 of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, as amended, by amending sections numbered 4.01 relating to guarantee

stock, 6.02 relating to withdrawals, 6.07 relating to investment certificates and shares, 8.09 relating to interest and dividends, 9.02 relating to investments and 9.04 relating to purchases, sales, transfers and pledges of loans; postponing the effective date of the amendment of section 6.02 of said act as set forth in section 5a of Chapter 431 of the Statutes of 1933; adding to said act new sections to be numbered 8.10 relating to rate of return on shares and investment certificates, 9.18 relating to insurance, loans, advances of credit and purchases of obligations pursuant to the National Housing Act, 10.03a relating to reserve or surplus accounts, 10.09 relating to reports, statements and analyses by the Building and Loan Commissioner and 12.11 relating to conversion of a building and loan association into a Federal savings and loan association and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to vote for or approve such conversion, to exchange shares, stock, investment certificates or other rights or claims for shares issued by such Federal savings and loan association, and to continue to hold as a legal investment any shares so received; adding a new article to be numbered XVI to said act relating to the rehabilitation, readjustment or reorganization of one or more building and loan associations of the classes specified in such Article XVI, or of all or of any part of the business, properties and assets of such association or associations, or the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of and other persons interested in such association or associations, providing for the kinds of securities issuable in connection therewith and exempting such securities from certain provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Article XVI, to exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received; and declaring the urgency of this act and providing that it shall take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 5, line 14, of the printed bill, as amended March 14, 1935, after the word "stockholder", and before the parenthesis, insert the following: ", or, without the prior approval of the commissioner, for any purpose other than the payment of withdrawals".

Amendment No. 2.

On page 6, line 6, of the printed bill, as amended March 14, 1935, after the comma, insert the following: "and notwithstanding anything to the contrary in this act.".

Amendment No. 3.

On page 6, line 12, of the printed bill, as amended March 14 1935 insert between the words "matured" and "claims", the word "withdrawal".

Amendment No. 4.

On page 6, line 19, of the printed bill, as amended March 14, 1935, after the period, insert the following:

"All funds paid by any association pursuant to this paragraph shall be deemed to be paid out of available funds exclusive of free money."

Amendment No. 5.

On page 8, line 21, of the printed bill, as amended March 14, 1935, strike out the word "that", and the comma immediately following it, and insert in lieu thereof the following: ", but".

Amendment No. 6.

On page 9 of the printed bill, as amended March 14, 1935, strike out all the language commencing with the word "provided" in line 20, and ending with the period in line 28, and insert in lieu thereof the following: "provided, however, that in the event any association shall hereafter pay, credit, declare or allow such interest or dividends as hereinafter provided in any amount less than at such rate of four per cent per year, it shall, out of future profits, and prior to payment or declaration of any dividends on stock, pay on all investment certificates and shares then outstanding, on which, in the absence of this section, the rate of return would have been equal to or greater than four per cent per year, an amount equal to the difference between four per cent per year from and after the effective date of this act and the amount of all interest or dividends so paid, credited, declared or allowed on such investment certificates or shares in respect of the period from and after the effective date of this act."

Amendment No. 7.

On page 13 of the printed bill, as amended March 14, 1935, strike out entire line 48, and insert in lieu thereof the following: "An association".

Amendment No. 8.

On page 20, line 29, of the printed bill, as amended March 14, 1935, strike out the word "claims", and insert in lieu thereof the word "rights", and after the period insert the following:

"In any such plan the court and the commissioner shall give due consideration to the rights and interests of all persons affected thereby (with due regard to the feasibility of such plan and the condition of such association or associations), in the following order of priorities: first, secured creditors; second, unsecured creditors; third, investment certificate holders; fourth, shareholders; and fifth, stockholders; provided, however, that provision may be made in any such plan for the payment in full of all taxes, assessments, insurance, and other operating expenses; provided, further, that in the case of any association of which the property, business and assets are in the possession of the commissioner which shows a net profit from and after the effective date of this act, the court and the commissioner shall require as a condition of approval of any such plan that there be added, pro rata, or in such equitable manner as the court and the commissioner may determine, to the claims of the investment certificate holders and shareholders of such association as interest and dividends on such investment certificates and shares, an amount which may equal such net profits of such association, but shall in no event exceed a sum equal to the total interest and dividends at the rate of four per cent per year on all such claims from the effective date of this act up to the date of approval of the plan by the court, less the amount of any interest or dividends actually paid or credited on such investment certificates and shares in respect of the period from and after the effective date of this act."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Motion to Rush Printing of Assembly Bill No. 1300.

Mr Scudder moved that the Chief Clerk instruct the State Printer to rush the printing of Assembly Bill No. 1300, as amended.

Motion carried.

Special Order Set for Assembly Bill No. 1300.

On motion of Mr. Scudder, the consideration of Assembly Bill No 1300 was made a special order for Thursday, March 21, 1935, at eleven o'clock a.m.

Request for Use of Assembly Chamber.

Mr. Morgan requested that the Assembly grant the use of the Assembly Chamber to the Committee on Aviation and Aircraft on Wednesday afternoon, March 20, 1935, at four o'clock p.m.

Request granted.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1935

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No 865—An act relating to fish and game;

Also: Assembly Bill No. 1082—An act pertaining to hours of labor in the commercial fishing industry;

Also: Assembly Bill No 1628—An act pertaining to fish and game Pertaining to the regulation and jurisdiction of fish reduction plants within the jurisdictional limits of the State of California in the Pacific Ocean and bays thereof;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

FISHER, Chairman.

The above reported bills ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1935

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No 1599—An act to amend section 226 of, and to add section 226a to the Civil Code, relating to adoption—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LYON, Chairman

The above reported bill ordered on file for second reading.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1935

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 2118—An act in furtherance of the purposes and to facilitate the operation of Article XXV of the Constitution of the State of California, the "Property Relief and Gross Income Tax Law," providing for the collection and enforcement thereof, authorizing and directing the State Board of Equalization to receive and collect the tax imposed thereunder, prescribing such penalties for failure to pay the tax imposed thereby, prescribing penalties for violation of the provisions of this act, and making an appropriation for the enforcement hereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 485—An act to amend sections 3817b, 3817d, 3817f, 3817g and 3817h of, and to add sections 3817c3 and 3817i2 to, the Political Code, relating to taxation, including tax delinquencies, tax penalties and costs, tax redemption for tax sales and declaring the urgency thereof, to take effect immediately;

Also: Assembly Bill No. 1565—An act to amend section 5 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property and providing for permits to retailers, providing for the revenue, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for the violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933, relating to exemptions on certain personal property;

Also: Assembly Bill No. 1129—An act amending section 3897 of the Political Code relating to the procedure for the sale of property deeded to the State in payment of delinquent taxes, if not otherwise disposed of under section 3897a or section 3897b of the Political Code, declaring the urgency thereof, and providing that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

RILEY, Chairman.

The above reported bills ordered on file for second reading

On Crime Problems.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1935.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No 309—An act to amend section 110 of the Penal Code, relating

to transporting arms into a State prison—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MILLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 142—An act to amend section 32 of the Penal Code, relating to the definition of an accessory—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MILLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 252—An act to amend section 499b of the Penal Code, relating to the unauthorized taking for temporary use or operation of aircraft, automobiles, bicycles, motorcycles or other vehicles—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MILLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 43—An act to add a new section to the Penal Code to be numbered 496bb, relating to buying, receiving, concealing or withholding stolen property, and prescribing penalties for violation of the provisions thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

MILLER, Chairman.

The above reported bill ordered on file for second reading.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1935

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 340—An act to amend section 691.6 of the Fish and Game Code, relating to bass—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

FISHER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 950—An act to amend section 1060 of the Fish and Game Code, and to add thereto section 481.5, relating to fish and game—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FISHER, Chairman.

The above reported bill ordered on file for second reading.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1935.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1182—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and to provide for the disposition of the revenues therefrom, and to provide that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1935.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1533—An act to amend section 871 of an act entitled "An act to

provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to the assessment, levy and collection of taxes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

On Labor and Capital.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1935

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 608—An act limiting the hours of labor of female domestic employees and providing a penalty for its violation;

Also: Assembly Bill No. 574—An act to add sections 3246a and 3246b, and to amend sections 3244, 3245 and 3246 of the Political Code and to amend section 3247 as added by Chapter 85, Statutes of 1887, renumbering said section to be section 3246c, all relating to hours and wages of labor;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BURNS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 31—An act to regulate the hours of service in public and private employment during the emergency declared to exist;

Also: Assembly Bill No. 45—An act limiting the hours of labor of persons employed as personal or domestic servants and providing penalties for the violation of the provisions of this act;

Also: Assembly Bill No. 788—An act to amend section 653c-1 of the Penal Code, relative to the 30-hour week on public works whether the work is done under contract or otherwise, providing penalties for violation of its provisions and declaring the urgency thereof;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

BURNS, Chairman.

The above reported bills ordered on file for second reading.

On Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1935.

MR SPEAKER: Your Committee on Corporations, to which was referred Assembly Bill No. 1204—An act to amend sections 2 and 26 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities, providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations,'" approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

BREED, Chairman

The above reported bill ordered on file for second reading.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 20, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as an urgency measure, Senate Bill No. 1059—An act to add section 4030a to the Political Code, relating to tenure of certain public officers, declaring the urgency thereof and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 1059 read first time, and referred to Committee on County Government.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1935

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1554—An act to amend "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 5, 1931, relating to retirement and pensions—has had the same under consideration, and respectfully *reports the same back without recommendation, as amended*

DELAP, Chairman.

The above reported bill ordered on file for second reading

Third Reading of Assembly Bills—(Resumed).

Further Consideration of Substitute Amendment to Assembly Bill No. 1273 by Mr. Peyser.

Substitute amendment read.

The question being on the adoption of the substitute amendment to Assembly Bill No. 1273, submitted by Mr. Peyser.

Mr. Lyon moved, seconded by Mr. Kallam, that Assembly Bill No. 1273, as amended, and other amendments pending, be re-referred to Committee on Revenue and Taxation

Motion carried.

Assembly Bill No. 1273, as amended, and amendments pending, ordered re-referred to Committee on Revenue and Taxation.

Third Reading of Assembly Bills.

Assembly Bill No. 654—An act to amend section 1502 of the Probate Code of the State of California, relating to the guardianship of estates

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 654 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Welsh, Williamson, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 670—An act to establish a board to be known as the Rector Dam Authority; to prescribe its duties, powers, functions and jurisdiction; to authorize the authority to construct a dam in Rector Canyon to impound the waters of Rector Creek and to sell and distribute said waters; to authorize the authority to issue and sell revenue bonds to provide funds for the acquisition and construction of said dam and to provide for the redemption thereof from the revenues received from the sale and distribution of such waters; authorizing the Depart-

ment of Public Works of the State of California to operate and maintain such dam and all property appurtenant thereto; authorizing the board to acquire and hold real property necessary for its purposes, and to enter into agreements with State, Federal, and local officers and agencies, and political subdivisions, municipalities, and public districts

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 670 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—67.

NOES—Evans, Herbert J, Field, Hunt, and Lyon—4.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 1531—An act to amend section 3491 of the Political Code, relating to reclamation districts.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Frazier:

Amendment No. 1.

On page 1, line 20, of the printed bill, as amended, strike out "Executives", and insert in lieu thereof the following: "Executors".

Amendment No. 2.

On page 2, line 6, of the printed bill, as amended, strike out "; the", and insert in lieu thereof a period and the following: "The".

Amendment No. 3.

On page 2, line 32, of the printed bill, as amended, strike out "trustees of the district", and insert in lieu thereof the following: "supervisors".

Amendments adopted.

Bill read third time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2020—An act to add a new section to the Penal Code to be numbered 476b, relating to printing, duplicating or imitating blank checks.

Bill read third time

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Field:

Amendment No. 1.

On page 1, line 7, of the printed bill, strike out ", or", and insert in lieu thereof the following: "as the prospective drawer thereof, or the name".

Amendment read and adopted

Request for Unanimous Consent.

Mr. Field asked for, and was granted, unanimous consent to take up Assembly Bill No. 2020, as amended, at this time, without reference to printer or file, and that same be considered re-engrossed.

Assembly Bill No. 2020—An act to add a new section to the Penal Code to be numbered 476b, relating to printing, duplicating or imitating blank checks.

Bill read third time, ordered to reprint and re-engrossment.

Assembly Bill No. 729—An act to amend section 1382 of the Penal Code, relating to the dismissal of prosecutions

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 729 passed by the following vote:

AYES—Anderson, Boyle, Breed, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—70.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate

Third Reading Senate Bills.

Senate Bill No. 707—An act to empower and authorize the Relief Administrator named in section 10 of Article XVI of the Constitution of California, to reimburse the United States of America and/or relief agencies thereof, from the fund established by said section 10 of Article XVI of the Constitution of California, on account of moneys disbursed for unemployment relief in California.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—64.

NOES—Boyle, Hunt, Pelletier, Reaves, and Voigt—5.

Senate Bill No. 707—An act to empower and authorize the Relief Administrator named in section 10 of Article XVI of the Constitution of California, to reimburse the United States of America and/or relief agencies thereof, from the fund established by said section 10 of Article XVI of the Constitution of California, on account of moneys disbursed for unemployment relief in California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 707 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—65.

NOES—Glover, Lore, Pelletier, Reaves, and Voigt—5

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 81—An act to amend section 11 of the Motor Vehicle Fuel License Tax Act, relating to refunds of license taxes.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Fisher:

Amendment No. 1.

On page 1, line 8, of the printed bill, strike out the words "person, having a civil service status with", and insert in lieu thereof the words "employee of".

Amendment No. 2.

On page 1, line 11, of the printed bill, after the word "mail", insert the words "and/or special delivery mail".

Amendments read.

Request for Roll Call.

On request of Messrs. Lyon, Jones, and Fisher, the Speaker ordered a roll call taken on the amendments submitted by Mr. Fisher.

The roll was called, and the amendments adopted by the following vote

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Voigt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—64.

NOES—Breed, Corwin, Field, Peyser, Phillips, Redwine, Richie, Thorp, and Wallace—9.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 81, as amended, at this time, without reference to printer or file, and that same be considered re-engrossed.

Assembly Bill No. 81—An act to amend section 11 of the Motor Vehicle Fuel License Tax Act, relating to refunds of license taxes.

Bill read third time.

Further Floor Amendments

During third reading of the bill, the following amendments were submitted by Mr. Jones:

Amendment No. 1.

On page 1, line 7, of the printed bill, as amended in Assembly March 14, 1935, after the word "State.", insert the following: "or any corporation or association of persons not organized for profit and having as its purpose the relief and rehabilita-

tion of unemployed persons by cooperative, self-help activities, and who shall use motor vehicle fuel for such purpose,".

Amendment No. 2.

On page 1, line 22, of the printed bill, as amended in Assembly March 14, 1935, after the word "same,", insert the following: "and in the event the claimant is any cooperative self-help corporation or association as above defined such affidavit shall further state the nature and objects of such corporation or association and the manner in which all such motor vehicle fuel has been used"

Amendments read

Request for Roll Call.

On request of Messrs, Boyle, Fisher, and Lyon, the Speaker ordered a roll call taken on the amendments submitted by Mr. Jones.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr Jones moved a call of the House.

Motion carried.

Time, four o'clock and twenty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr Speaker—78

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Further Proceedings Under Call of the House Dispensed With.

At four o'clock and twenty-one minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Jones.

The roll of absentees was called, and the amendments submitted by Mr. Jones were adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Clark, Cronin, Crowley, Dawson, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Jones, Latham, Laughlin, Lore, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Richie, Riley, Rosenthal, Turner, Voigt, Wagner, Wallace, Waters, and Mr Speaker—42

NOES—Breed, Chatters, Corwin, Cottrell, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Heisinger Hornblower, Johnson, Kallam, Lyon, Maloney, Miller, Minard, Morgan, Nielsen, Peyser, Phillips, Redwine, Robertson, Scudder, Stream, Thorp, Utt, Walker, Welsh Williamson, and Wright—36.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No 81, as amended, at this time, without reference to printer or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 81, as Amended.

Assembly Bill No. 81—An act to amend section 11 of the Motor Vehicle Fuel License Tax Act, relating to refunds of license taxes.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 81, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—65.

NOES—Breed, Cunningham, Field, Johnson, Kallam, Mayo, Minard, Peyser, Utt, and Welsh—10

Title read and approved

Bill ordered transmitted to the Senate

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1935.

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1498—An act to add a new section to be numbered section 17½ to an act entitled "An act providing for the incorporation of public utility districts in unincorporated territories, authorizing such districts to incur bonded indebtedness for the purpose of construction of work in the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, as amended, relating to elections;

Also: Assembly Bill No. 1614—An act to amend section 135 of the Vehicle Code, relating to the California Highway Patrol;

Also: Assembly Bill No. 1775—An act to amend section 3663b of the Political Code, relating to the Board of Equalization;

Also: Assembly Bill No. 2146—An act to provide for the payment of rewards to persons who supply the State with information enabling it to recover lands or interests therein, owned by the State, or the issues and profits thereof, or the value of oil and gas or minerals reserved to the State, where such lands or interests therein, or oil and gas or minerals are illegally, fraudulently or adversely held or claimed by another; creating a land fraud recovery fund; and making an appropriation for the payment of such rewards;

And reports that the same have been correctly engrossed

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1—An act relating to codes, agreements, and standards of fair competition, repealing certain acts cited herein, and declaring the urgency of this act and providing that it shall go into immediate effect;

Also: Assembly Bill No. 162—An act to limit the jurisdiction of courts over matters arising out of or involving labor disputes;

Also: Assembly Bill No. 305—An act to amend section 1357 of the Political Code, relating to absentee voters,

Also. Assembly Bill No. 482—An act to amend section 810 5 of the Agricultural Code, relating to asparagus;

Also: Assembly Bill No. 514—An act to repeal section 3385 of the Political Code, relating to licensing of animals kept for propagation;

Also: Assembly Bill No. 1093—An act amending section 2 of an act entitled "An act to authorize and empower boards of supervisors to levy a tax for advertising, exploiting, promoting and aiding measures designed to preserve, aid or develop

the agricultural, horticultural, viticultural and water resources and advantages of their several counties," approved April 17, 1929, relating to the period of time said act shall be in force and effect;
And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1935.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1738—An act to add section 443 to the Political Code, relating to fingerprint records of officers and employees of the State and providing for the enforcement of the provisions thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FIELD, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1698—An act to add a new section to the Political Code to be numbered 696, relating to a fact finding bureau in the Department of Finance—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No 1735—An act to add a new section to the Political Code, to be numbered 689a, relating to use of the State's teletype system—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

FIELD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1695—An act to amend section 10 of an act entitled "An act to authorize and control the deposits in banks of moneys belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, relating to the deposit of money belonging to or in the custody of the State—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1682—An act to amend sections 671 and 672 of the Political Code, relating to the investment of funds in the State treasury by the Director of Finance—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1552—An act to establish a State Board of Qualifying Certificate Examiners in the fundamental sciences underlying the practice of the healing arts, to provide for its organization and powers, to provide that certification by such board be a prerequisite to eligibility for examination for a license to practice the healing arts and to define healing arts—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1134—An act to amend section 2 and section 3 of an act entitled, "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof," and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications, fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office, approved March 20, 1905,' approved May 31, 1917," as amended, relating to its organization and defining its powers and duties;

Also: Assembly Bill No. 1699—An act to amend section 351 of, and to add section 351a to, the Political Code, relating to officers of departments of the State government;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

FIELD, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 270—An act to amend sections 366, 366a and 366b of the Political Code, relating to the Department of Institutions—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER. Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 264—An act to amend section 737m of the Political Code, relating to the salaries of the judges of the superior court in and for the county of Imperial;

Also: Assembly Bill No. 2103—An act providing for an investigation of and report on the feasibility and desirability, from the standpoint of the public interest, of acquisition by the State of California of the existing facilities for the generation and distribution of electric power in California, whether now under private or public ownership, providing for a commission therefor, and the appointment of such commission, defining the powers, duties and compensation of such commission in respect thereto, and making an appropriation therefor;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and be re-referred to Committee on Ways and Means.

FIELD, Chairman.

Assembly Bills Nos 264 and 2103 ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1883—An act to amend section 472a of the Political Code, relating to the defense of State officers and employees—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FIELD, Chairman.

The above reported bill ordered on file for second reading

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1935

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No 998—An act to amend sections 4 765 4.920 and 4.950 of the School Code, relating to computation of average daily attendance in elementary and secondary schools and junior colleges—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

CHATTERS, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 56—An act to amend section 3.42 of, and to add section 3.43 to, the School Code, relating to required instruction in the schools;

Also: Assembly Bill No. 232—An act to amend section 2.93 of the School Code, relating to superintendents of schools;

Also: Assembly Bill No. 851—An act to add a new chapter to Part III of Division IV of the School Code to be known as Chapter IV, relating to sinking funds in school districts for the replacement, reconstruction and/or alteration of buildings:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

CHATTERS, Chairman

The above reported bills ordered on file for second reading.

On Banking.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1935

MR SPEAKER: Your Committee on Banking, to which was referred Assembly Bill No. 341—An act to amend sections 21.1, 53, 54, 63, 64, 93, 105, 133, 133.1, 135d and 139 of the Bank Act;

Also: Assembly Bill No. 1203—An act to add two sections to the Bank Act numbered 67.1 and 80.1, relating to loans of the character prescribed by section 13b of the Federal Reserve Act or by section 5d of the Reconstruction Finance Corporation Act;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

WILLIAMSON, Chairman

The above reported bills ordered on file for second reading.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1935.

MR. SPEAKER Your Committee on Education, to which was referred Senate Bill No. 653—An act to add a new section to the School Code to be numbered 2.1363, relating to the acceptance of gifts, donations, bequests and devises to schools and colleges administered by the Director of Education or the Department of Education—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

CHATTERS, Chairman.

The above reported bill ordered on file for second reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 20, 1935.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 10—Relative to memorializing the Public Works Administration to approve the application of the Los Angeles County Flood Control District for a grant of $5,882,000 to be used for the immediate construction and permanent improvement of the flood channel of Ballona Creek between Vineyard Station on the Pacific Electric Railway and the ocean, the same being commonly known as the Ballona Creek Project at Culver City, Del Rey and Venice Bay districts, Los Angeles County, California

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary

Assembly Joint Resolution No. 10 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 20, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 99—An act to amend sections 4.161 and 4.221 of the School Code, all relating to unapportioned county school funds.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No 99 read first time, and referred to Committee on Education.

Reconsideration Waived.

Mr. Welsh waived his notice to reconsider the vote whereby Assembly Bill No. 714 was passed.

Assembly Bill No. 714 ordered transmitted to the Senate.

Motion to Re-refer Assembly Bill No. 1269.

Mr Utt moved that Assembly Bill No. 1269 be withdrawn from Committee on County Government, and ordered re-referred to Committee on Governmental Efficiency and Economy.

The question being on re-referring Assembly Bill No. 1269 to Committee on Governmental Efficiency and Economy.

Motion carried.

Assembly Bill No. 1269 ordered re-referred to Committee on Governmental Efficiency and Economy.

Adjournment.

At four o'clock and thirty minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Thursday, March 21, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY

ASSEMBLY CHAMBER,

SACRAMENTO, Thursday, March 21, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—78.

Quorum present

Prayer.

Prayer was offered by Rev. Father John E Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. McBride, its further reading was dispensed with.

Leave of Absence.

On motion of Mr Dawson, Mr. Brennan was granted leave of absence for this day.

Privilege of Floor of Assembly Extended.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Lena B. Everett, teacher of Social Studies, and the high eighth class pupils, Stanford Junior High School, Sacramento, California, as follows: Dorothy Adams, Mildred Adams, Clayton Ball, Julia Bertagnini, Robert Boggs, Verna Carlson, Marie Evans, Patricia Harris, Edward Herstein, Lee Jasper, Ruth Mayberry, Leonard Mefford, Harriet Offer, Richard Pape, Clara Pollacci, Evelyn Riesen, Lloyd Rude, Oreste Scarrone, Mary Scolli, Maxine Siegel, Betty Standley, Marjorie Tietzen, Ellis Whittington, Marie Fender, Roy Miller and Estel Orr.

On request of San Francisco delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the professors and students of the University of San Francisco, St. Ives Law Club, honor society for legal students, as follows: Professor and Mrs. A. Russell Berti, Professor and Mrs. James Baker Bassett, John F. Duff, President, and Thomas J. O'Toole, Richard J. Roberts, Samuel Wicklow, Richard Carpenter, Kenneth Lynch, Henry Wickstrom, Joseph Kiernan, Norman Petersen, Leo J. Murphy, Noel Dyer, Joseph Devencenzi and Edward Heavey.

On request of Mr. McBride, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Ray Randsall, Chief Deputy United States Marshal of Los Angeles; Mr Fruman R. Bliss, Undersheriff, Ventura County; and Mr. R L. Ryan, County Surveyor of Ventura County.

On request of Mr. Frazier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. J. A. Bumgarner of Butte County, Mr. Chas. Stearns, Assistant Engineer of Butte County; Mayor Sam Marks, also a Supervisor of Butte County; Mr Henry White and Mr. W. Orendorff, Supervisors of Butte County.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. M. M. Brame of Turlock.

On request of Mr. Evans, Herbert J., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. J. M. Paige, Secretary of the Pomona Chamber of Commerce.

On request of Mr. Riley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Leigh Hume, City Accountant of Long Beach; Mr. Robert C. Dye, Chief Deputy City Assessor of Long Beach, and Mr. C. C. McWhinney of Long Beach.

On request of Mr. Phillips, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. A. C Fulmor, County Surveyor of Riverside County.

On request of Mr. Martin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Irma Buwalda of Pasadena.

On request of Mr. Redwine, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr Bush, Secretary, Hollywood Chamber of Commerce.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. S. W. Gibbs and Miss Philnora Gibbs of Berkeley.

On request of Mr. Breed, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Chas. Francis Gebbart.

On request of Mr. Meehan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Olive M. Harmiff, President Women's Legislative Club of Oakland; Mrs. Alice Lore, Legislative Club; Estella Long Salisbury, Legislative Club; M Ethel Carey, Legislative Club; S. Grace Isaacson, Legislative Club; Mrs C. W. La Posea, Women's Legislative Club; Mrs. W. Sorenson, Alameda City Club, Mrs. S W. Moran, Daughters of Norway; Nora C. Curran, Women's Legislative Club; Mrs. O. Sundby, Daughters of Norway; Mrs. G. A. Johnson, Daughters of Norway; Mrs. N. Marlen, Daughters of Norway; Mrs. S. J. Sterner, Daughters of Norway; Mrs. Athalie Anderson, Daughters of Norway; Mrs. Annie Carlsen, Daughters of Norway; Mrs. Gertrude Gottstein, Alameda Women's Civic Club; Mrs. A. Karasson, Alameda Women's Civic Club; Mrs. A. C. Andersen, Daughters of Norway; Mrs. Clara Boe, Young Epic Club, Berkeley; Mrs. Ursula F. Tjensvold, Women's Legislative Club, and Mrs. Frona J Ernst, Diamond Merchants Association.

Presentation of Petitions.

The following petitions were presented and ordered printed in the Journal:

By Mr. Speaker:

From Robert Dominguez, opposing Assembly Bill No. 542.

From Robert Dominguez, favoring passage of Assembly Bill No. 17 and Senate Bill No 24.

ASSISTANT CLERK COOLIDGE READING.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 258—An act to amend sections 453.2, 453.3, 453 5, 453 6, and 453 12 of the Civil Code, all relating to mortgage insurance companies;

Also: Assembly Bill No 260—An act to amend sections 12422, 12423, 12427, 12442, 12484, 12486, 12488 and 12543 of the Insurance Code and to add a new section to said code to be numbered 12490, all relating to mortgage insurers;

Also: Assembly Bill No. 448—An act to add a new section to the Insurance Code of the State of California to be numbered 12629, relating to the rehabilitation, readjustment or reorganization of mortgage insurance companies or of all or of any part of the business, properties and assets of such companies, and to the revision, modification or termination of mortgage participation trusts, mortgage participation certificates and policies of mortgage insurance and to the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of, and persons interested in, such companies or trusts; providing for the kinds of securities issuable in connection therewith and exempting such securities from the provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies, banks, banking institutions and trust companies and officers of the State of California to consent to a plan, as defined in said section, to exchange mortgage participation certificates, shares of stock, bonds, notes, debentures or other rights or claims for securities issued pursuant to such plan and to continue to hold as legal investment any securities so received;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading

Also.

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 489—An act to add a new section to the Civil Code of the State

of California, to be numbered section 543.15, relating to the rehabilitation, readjustment or reorganization of mortgage insurance companies or of all or of any part of the business, properties and assets of such companies, and to the revision, modification or termination of mortgage participation trusts, mortgage participation certificates and policies of mortgage insurance and to the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of, and persons interested in, such companies or trusts; providing for the kinds of securities issuable in connection therewith and exempting such securities from the provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies, banks, banking institutions and trust companies and officers of the State of California to consent to a plan, as defined in said section, to exchange mortgage participation certificates, shares of stock, bonds, notes, debentures or other rights or claims for securities issued pursuant to such plan and to continue to hold as legal investment any securities so received—and reports that the same has been correctly engrossed

WATERS, Chairman

The above reported bill ordered on file for third reading.

Motion to Approve Journals.

Mr. Lyon moved that the Journals of Monday, March 11, 1935; Tuesday, March 12, 1935; Wednesday, March 13, 1935; Thursday, March 14, 1935; and Friday, March 15, 1935, be approved as corrected by the Minute Clerk.

Motion carried.

Second Reading of Assembly Bills.

Assembly Bill No. 865—An act relating to fish and game

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

In the title of the printed bill, strike out the words "relating to fish and game", and, after the words "An act", insert in lieu thereof the following: "to add section 793.5 to and to amend section 797 of the Fish and Game Code, relating to abalone."

Amendment No. 2.

On page 1, line 1, of the printed bill, after "SECTION 1.", insert the following:

"Section Number 793.5 is hereby added to the Fish and Game Code to read as follows:

793.5. No abalone may be taken for sale within the boundaries of fish and game district 18 lying between a line extending due west from the mouth of San Simeon Creek in San Luis Obispo County and a line extending due west from the westerly common boundaries of San Luis Obispo and Santa Barbara counties.

SEC. 2. Section 797 of the Fish and Game Code is hereby amended to read as follows:

797. Abalone meat may not be transported out of the State."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1082—An act pertaining to hours of labor in the commercial fishing industry.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

In the title of the printed bill, after the words "An act", strike out the words "pertaining to hours of labor in the commercial fishing industry.", and insert in lieu thereof the words: "to amend section 1065 of the Fish and Game Code, relating to the taking of sardines for commercial purposes."

Amendment No. 2.

On page 1, line 1, of the printed bill, after the words and figures "SECTION 1.", insert the following: "Section 1065 of the Fish and Game Code is hereby amended to read as follows:

1065. Sardines may be taken for use in a reduction plant, or by a packer, only in accordance with the provisions of this article, as follows: In districts 4, 4½, 18, 19, 20, 20A, and 21 between November 1st and March 31st; elsewhere in the State between August first and February fifteenth. This section does not prohibit the taking of sardines for the purpose of salting, curing, smoking, or drying, or for the purpose of packing in cans known as quarter-pound or square cans less than ten ounces in net weight; provided, that in a ten-ounce can, fish of a size of not less than eight fish to the can may be used, and there shall be added to the commonly known quarter-pound can not less than one ounce of olive oil or a commercial salad oil, and a proportionately larger amount of such oil to the larger sizes of cans; provided further, that during such periods in said respective districts it shall be unlawful to fish for or to take or catch sardines for use in a reduction plant or by a packer between the hours of twelve o'clock noon of Saturday and twelve o'clock noon of Sunday next thereafter."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1628—An act pertaining to fish and game. Pertaining to the regulation and jurisdiction of fish reduction plants within the jurisdictional limits of the State of California in the Pacific Ocean and bays thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

In the title of the printed bill, after the words "An act", strike out the following: "pertaining to fish and game. Pertaining to the regulation and jurisdiction of fish reduction plants within the jurisdictional limits of the State of California in the Pacific Ocean and bays thereof.", and insert in lieu thereof the following: "To amend the Fish and Game Code by adding thereto a new section to be numbered 1064.5, relating to fish reduction plants".

Amendment No. 2.

On page 1, line 1, of the printed bill, after "SECTION 1." insert the following:

"It shall be unlawful for any person, firm, or corporation, engaged within this State or on waters within the jurisdiction thereof, in the business of manufacturing or reducing fish in the fresh state or fish offal into fish fertilizer, scrap, meal, flour, chicken feed, or oil, to accept delivery of, or to buy, any such fish or fish offal from any person, firm, or corporation not holding a commercial fishing license duly issued under the provisions of this code, and which is in full force and effect at the time of any such sale or delivery; and it shall be unlawful for any person, firm, or corporation, engaged in any such manufacturing or reducing business, whether within this State, the waters within the jurisdiction thereof, or the waters of the Pacific Ocean contiguous or adjacent thereto, within twelve miles thereof, and off the coast of this State, to ship or transport across any part of said State or the waters within its jurisdiction any of such products manufactured or reduced from fish in the fresh state or fish offal delivered or sold to the manufacturer or reducer thereof by any person, firm, or corporation, not holding a commercial fishing license duly issued as hereinabove mentioned, which at the time of such delivery is in full force and effect. The burden shall rest upon each such manufacturer and reducer to secure information from the Department of Fish and Game regarding the issuance of commercial fishing licenses, and the suspension or revocation of the same.

Any person, firm, or corporation, violating any of the provisions of this section, shall be guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine not exceeding one thousand dollars or by imprisonment in a county jail not exceeding one year, or by both such fine and imprisonment, for each such offense."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1599—An act to amend section 226 of, and to add section 226a to the Civil Code, relating to adoption.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

Strike out line 1 of the title of the printed bill, and insert in lieu thereof the following: "An act to amend sections 226 and 227 and to repeal section 227a of".

Amendment No. 2.

On page 1, line 3, of the printed bill, insert after "226.", the following: "Any person desiring to adopt a child may, for that purpose, petition the superior court in and for the county in which the petitioner resides, and the clerk of that court shall immediately notify the probation officer of that county by a notice in writing of the pendency of the proceedings. The probation officer shall thereupon, and within fifteen days thereafter, make an investigation to ascertain whether or not the child is a proper subject of adoption, whether or not the proposed home is suitable for the child, and whether or not the person or persons proposing to adopt the child are proper persons for such adoption. The probation officer shall forthwith, upon completing the investigation, file his report with the court before which such proceeding is pending, recommending that the adoption either be or be not granted; and such report of the probation officer shall be prima facie evidence of all facts appearing therein, and the burden of controverting the same shall be upon the petitioner in the event of an adverse report. In the event such report is not filed within such fifteen days, the court before which such proceeding is pending shall thereupon proceed to hear the said matter and determine the adoption, irrespective of the absence of said report.

SEC. 2. Section 227 of the Civil Code is hereby amended to read as follows:

227. The person or persons desiring to adopt a child, and the child proposed to be adopted, must appear before the court. The court must examine all persons appearing before it pursuant to this section, each separately, and the report of the probation officer if filed as provided in section 226 of this code. If the court is satisfied that the interests of the child will be promoted by the adoption, the party or parties adopting shall execute or acknowledge an agreement in writing that the child shall be treated in all respects as the lawful child of the party or parties, and the court shall thereupon make an order awarding the custody of the child to the adopting parent or parents. The petition, relinquishment, agreement and order must be filed in the office of the county clerk and shall not be open to inspection by any other than the parties to the action and their attorneys except upon the written authority of the judge of the superior court.

SEC. 3. Section 227a of the Civil Code is hereby repealed."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2118—An act in furtherance of the purposes and to facilitate the operation of Article XXV of the Constitution of the State of California, the "Property Relief and Gross Income Tax Law," providing for the collection and enforcement thereof, authorizing and directing the State Board of Equalization to receive and collect the tax imposed thereunder, prescribing such penalties for failure to pay the tax imposed thereby, prescribing penalties for violation of the provisions of this act, and making an appropriation for the enforcement hereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

In lines 1 to 3 of the title of the printed bill, strike out "in furtherance of the purposes and to facilitate the operation of Article XXV of the Constitution of the State of California,", and insert in lieu thereof the following: "to provide for the raising of public revenue by imposing a tax upon the receipt of gross income, to be known as".

Amendment No. 2.

In line 4 of the title of the printed bill, strike out "thereof", and insert in lieu thereof the following: "of the tax".

Amendment No. 3.

In line 6 of the title of the printed bill, strike out "thereunder", and insert in lieu thereof the following: "hereunder".

Amendment No. 4.

In line 7 of the title of the printed bill, strike out "such".

Amendment No. 5.

In line 8 of the title of the printed bill, strike out "thereby", and insert in lieu thereof the following: "hereby".

Amendment No. 6.

On page 1 of the printed bill, strike out lines 2 and 3, and insert in lieu thereof the following:

"Property Relief and Gross Income Tax Law.

SEC. 2. The following words, terms and phrases when used in this act have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(a) "Person" means any individual, firm, copartnership joint adventure, association, corporation, estate, trust, business trust, receiver, syndicate or any group or combination acting as a unit, and the plural as well as the singular number, engaging in any transaction for the purpose of financial or pecuniary gain or profit.

(b) "Gross income" means the gross receipt of money or its equivalent derived from trade, business or commerce in the form of fees, commissions, interest, rents, dividends, royalties, and other emoluments including capital gains; the gross proceeds accruing from the sale of tangible personal property by the producer, manufacturer, distributor or retailer without any deduction for the cost of goods sold; and the gross proceeds accruing from the sale of services whether separate or in combination with the sale of tangible personal property. No deductions shall be allowed except as otherwise expressly provided in this act

(c) "Sale" means the transfer, exchange or barter of tangible personal property, or the rendering of services for a consideration, including the sale of gas, electricity, transportation, communication and other services performed in trade, business or commerce, whether retail or wholesale The selling price of goods sold or services rendered, or both when in combination, shall be the measure of a sale for taxation purposes hereunder.

(d) "Taxpayer" means any person liable for any tax imposed by or under this act.

(e) "Board" means the State Board of Equalization.

(f) "Tax" means the tax imposed by this act

SEC 3 On and after the effective date of this act, there is hereby imposed upon every person doing business in this State a tax measured by the application of rates against gross income as follows:

SEC. 4. Upon the entire gross income derived by any person from the business of mining and producing and/or processing for sale, profit or use any coal, oil, natural gas, metals, limestone, sand, gravel or other mineral products or felling and producing timber for sale, profit or use or seining, trapping or catching fish, shellfish, or other sea foods or products for sale, profit or use, one per cent.

SEC 5. Upon the entire gross income derived by any person from the business of manufacturing, compounding or preparing for sale, profit or use any article or articles, substance or substances, commodity or commodities, one-half of one per cent.

SEC. 6. Upon the entire gross income derived by any person from the business of selling as a wholesaler or jobber, any tangible personal property, one-fourth of one per cent.

SEC 7. Upon the entire gross income derived by any person from the business of selling at retail any tangible personal property, two and one-half per cent.

SEC. 8. Upon the entire gross income derived from such business by each company (as defined in section 14 of Article XIII of the Constitution of this State) engaged in the transmission or sale of gas or electricity in this State, two and one-half per cent.

SEC. 9. Upon the entire gross income derived from such business by each street railway company (as defined in section 14 of Article XIII of the Constitution of this State) operating in this State, one per cent.

SEC. 10. Upon the entire gross income derived from such business by each railway company (excluding street railways) operating in this State, and each sleeping car, dining car, drawing-room car and palace car company, refrigerator, oil, stock, fruit or other car loading company operating upon any railroad in this State, and each company doing express business on any railroad, steamboat, vessel or stage line

in this State (as such companies are defined in section 14 of Article XIII of the Constitution of this State), two per cent.

SEC. 11. Upon the entire gross income derived from such business by each telegraph and telephone company (as defined in section 14 of Article XIII of the Constitution of this State) operating in this State, two per cent.

SEC. 12. Upon the entire gross income derived from such business by each company (as defined in section 15 of Article XIII of the Constitution of this State as the same existed June 1, 1933), owning, operating or managing any automobile, truck or auto truck, jitney bus, stage or auto stage used in the business of transportation of persons or property as a common carrier for compensation over any public highway in this State between fixed termini or over a regular route (other than buses used exclusively for the transportation of pupils to or from any public school, when owned or operated by the school or school district), two per cent.

SEC. 13. Upon the entire gross income derived from such business by each operator (as defined in the act approved May 15, 1933, Statutes of California, 1933, Chapter 339) who transports for compensation or hire persons or property upon or over any public highway within this State, two per cent.

SEC. 14. Upon the entire gross income derived by any person from any business for which the rate of tax is not expressly fixed by any of the provisions of any of the preceding sections of this act, one per cent.

SEC. 15. The rates prescribed in sections 9, 10, 11, 12 and 13, respectively, of this act shall apply with equal force to any county, city and county, city or public district or public agency engaging in a proprietary capacity in any business activity mentioned in said sections 9, 10, 11, 12 and 13, respectively.

SEC. 16. There are hereby specifically exempted from the provisions of this act and from the computation of the amount of tax levied, assessed or payable under this act the following:

SEC. 17. Gross income in respect to which, under the Constitution and laws of the United States, it is not competent for the State to impose the tax hereby imposed;

SEC. 18. Gross income derived from a transaction not actively engaged in by the taxpayer for the purpose of financial or pecuniary gain or profit;

SEC. 19. Gross income of an individual if otherwise taxed as personal income under the laws of this State;

SEC. 20. Gross income of insurance companies otherwise taxed under Article XIII of the Constitution of this State;

SEC. 21. Gross income of banks otherwise taxable under Article XIII of the Constitution of this State; and

SEC. 22. The gross receipt of money or value involved in the transfer of real property, stocks, bonds, principal of loans and other forms of capital, except that capital gains and the earnings of capital invested are taxed hereunder as income

SEC. 23. If the entire business of the taxpayer is done within this State, the tax shall be according to or measured by his entire gross income. If the entire business of the taxpayer is not done within this State, the tax shall be according to or measured by that portion thereof which is derived from business done within this State. The portion of gross income derived from business done within this State shall be determined by an allocation upon the basis of sales, purchases, expenses of manufacture, pay roll, value and situs of tangible property or by reference to these or other factors or by such other method of allocation as is fairly calculated to assign to the State the portion of gross income reasonably attributable to the business done within this State, and avoid subjecting the taxpayer to double taxation.

SEC. 24. If any person engages in any business or in the performance of any function in respect to which a tax is imposed by this act, he shall be deemed to have applied for and to have duly obtained from the State of California a license under this act to engage in and to conduct such business or perform such function for the current tax year, upon the condition that he shall pay the tax accruing to the State of California under the provisions of said law; and he is hereby duly licensed to engage in and conduct such business or perform such function.

SEC. 25. The tax so levied shall be a direct obligation of the taxpayer and shall be due and payable in quarterly installments on or before the fifteenth day of the month next succeeding each quarterly period. Said quarterly periods end respectively on the last days of the months of March, June, September and December of each year, respectively. The taxpayer shall on or before the fifteenth day of the month following the close of each quarterly period as above defined, or before the fifteenth day of the month following each quarterly period, make out a return for the preceding quarterly period in such form as may be prescribed by the board showing the gross income of the taxpayer, the amount of the tax for the period covered by such return and such information as the board may deem necessary for the proper administration of this act. The taxpayer shall deliver the return together with a remittance of the amount of the tax due to the office of the board. The board, if it deems it necessary in order to insure the payment of the

said tax, may require returns and payment of the tax to be made for other than quarterly periods. Returns shall be signed by the taxpayer or his duly authorized agent but need not be verified by oath. Any taxpayer having cash and credit sales may report the same separately and upon making application therefor may obtain from the board an extension of time for the payment of taxes due on such credit sales Any such extension shall be granted by the board pursuant to such rules and regulations as the board may from time to time prescribe. When any such extension is granted the taxpayer shall thereafter include in each quarterly return as a separate item all collections made during the quarterly period covered by the return from sales made on credit prior to said quarterly period and shall pay the tax due on such collections in the same manner as though said collections resulted from a sale made in said quarterly period. A sale on credit is deemed to include any and all conditional sales, lease contracts, and other deferred payment transactions.

SEC. 26. The board for good cause may extend for not to exceed thirty days the time for making any return required under the provisions of this act.

SEC. 27. The board, whenever it deems it necessary to insure compliance with the provisions of this act, may require any taxpayer to deposit with it such security as the board may determine. The same may be sold by the board at public sale if it becomes necessary so to do in order to recover any tax, interest or penalty due. Notice of such sale may be served upon the person who deposited such securities personally or by mail; if by mail, service shall be made in the manner prescribed in section 1013 of the Code of Civil Procedure and addressed to the person at his address as the same appears in the records of the board. Upon any such sale, the surplus, if any, above the amounts due hereunder shall be returned to the person who deposited the security.

SEC. 28. For the purpose of the proper administration hereof and to prevent evasion of said tax, it shall be presumed that all gross income is subject to said tax until the contrary is established. If the board is not satisfied with the return and payment of tax made by any taxpayer, it is hereby authorized and empowered to make an additional assessment of tax due from such taxpayer based upon the facts contained in the return or upon any information within its possession or that shall come into its possession The board shall give to the taxpayer written notice of such additional assessment, together with written notice of the time and place where the taxpayer may be heard on a petition by him for reassessment. Such notice may be served upon the taxpayer personally or by mail; if by mail, service shall be made in the manner prescribed by section 1013 of the Code of Civil Procedure and addressed to the taxpayer at his address as the same appears in the records of the board.

SEC. 29. If a taxpayer neglects or refuses to make a return and payment as required by this act, the board shall make an estimate based upon any information in its possession or that may come into its possession, of the amount of the gross income of the delinquent for the period in respect to which he failed to make return, and payment, and upon the basis of said estimated amount, compute and assess the tax payable by the delinquent adding to the sum thus arrived at a penalty equal to ten per cent thereof. Promptly thereafter the board shall give to the delinquent written notice of such estimate, tax and penalty, the notice to be served personally by mail in the same manner as prescribed for service of notice by the provisions of section 29 hereof. But the delinquent shall have the right to petition for reassessment of any such tax found, determined and declared by the board pursuant to and in accordance with the provisions of this section.

SEC 30. Any tax assessed by the board under the provisions of sections 29 and 30 hereof, together with the penalty if any there be, shall be due and payable from the taxpayer to the board fifteen days after the service upon the taxpayer of notice of the assessment of such tax.

SEC. 31. Any taxpayer against whom an additional assessment is made by the board under the provisions of section 29 hereof, may petition for a reassessment thereof. Notice of intention to file such a petition or to appear and be heard shall be given by the taxpayer to the board prior to the time the additional assessment becomes due and payable. A petition for such a reassessment may be filed with the board on or before the date designated in the notice of such additional assessment as the time when the taxpayer may be heard on a petition by him for reassessment. Each such hearing shall be held at the time and place designated in such notice to the taxpayer, but the board shall have power to continue the same from time to time as may be necessary. Each such petition filed with the board shall set forth specifically and in detail the grounds upon which it is claimed the assessment is erroneous. If no petition for reassessment is filed with the board the taxpayer may nevertheless appear at the hearing and present his objections orally

None of the provisions of this section shall be construed to accord to any taxpayer the right to petition for reassessment in a case of neglect or refusal upon his part to make a return within the time prescribed by this act or by the board under the authority of this act.

SEC. 32. Except in the case of a fraudulent return, or neglect or refusal to make a return, every notice of additional tax proposed to be assessed hereunder shall be mailed to the taxpayer within two years after the return was filed.

SEC. 33. All taxes not paid to the board by the taxpayer on the date when the same becomes due and payable, shall bear interest in the rate of twelve per cent per annum from and after such date until paid.

SEC 34. If, in the opinion of the board, a tax has been computed in a manner contrary to law or has been erroneously computed by reason of a clerical mistake on the part of the board, such fact shall be set forth in the records of the board and the amount of the overpayment shall be credited on any taxes then due from the taxpayer under said act, and the balance shall be refunded to the taxpayer, his successors, administrators, executors or assigns.

If any tax, penalty or interest has been paid more than once, or has been erroneously or illegally collected, or has been erroneously or illegally computed, the board shall certify to the State Board of Control the amount collected in excess of what was legally due, from whom it was collected, or by whom paid, and if approved by that board the same shall be credited on any taxes then due from the taxpayer under said law, and the balance shall be refunded to the taxpayer but no such credit or refund shall be allowed unless duplicate copies of a claim for refund are filed within six months from the date of overpayment.

Every claim for refund must be in writing under oath and must state the specific grounds upon which the claim is founded.

Any refund or any portion thereof which is erroneously made and any credit or any portion thereof which is erroneously allowed, may be recovered in an action brought by the Controller of the State in a court of competent jurisdiction in the county of Sacramento in the name of the people of the State of California and such action shall be tried in the county of Sacramento unless the court with the consent of the Attorney General, orders a change of place of trial The Attorney General must prosecute such action, and the provisions of the Code of Civil Procedure relating to service of summons, pleadings, proofs, trials and appeals are applicable to the proceedings herein provided for.

In the event that a tax has been illegally levied against a taxpayer the board shall certify such fact to the State Board of Control and said board shall authorize the cancellation of the tax upon the records of the board.

If fraud or evasion on the part of a taxpayer is discovered by the board, it shall determine the amount by which the State has been defrauded, shall add to the amount so determined a penalty equal to twenty-five per cent thereof and shall assess the same against the taxpayer. The amount so assessed shall be immediately due and payable.

SEC. 35. The board shall report to the Controller every assessment made under this act, and he shall keep a record thereof.

SEC. 36 In any case in which said tax, or any interest or penalty imposed under this act is not paid when due the board may file for record in the recorder's office of any county a notice of lien specifying the amount of the tax, interest or penalty due and the name of the taxpayer liable for the same. From the time of filing any such notice the amount of the tax specified in such notice shall have the force and effect of the lien of a judgment against the taxpayer named in said notice of lien for the amount specified in such notice Such lien may be released by filing for record in the office of the county recorder of a release thereof executed by the board upon payment of the tax, interest and penalties or upon receipt by the board of security sufficient to secure payment thereof, but no such release shall be deemed a waiver of said tax, or any interest or penalty levied or assessed under this act and due and payable or to become due and payable by such taxpayer

SEC. 37. If any taxpayer liable for said tax shall sell out his business or stock of goods or shall quit the business, he shall make a final return within fifteen days after the date of selling or quitting business. His successor, if any, shall be required to withhold sufficient of the purchase money to cover the amount of such taxes and interest or penalties due and unpaid until such time as the former owner shall produce a receipt from the board showing that they have been paid, or a certificate stating that no taxes are due. If the purchaser of a business or stock of goods shall fail to withhold purchase money as above provided, he shall be personally liable for the payment of the taxes, interest and penalties accrued and unpaid on account of the operation of the business by the former owner.

SEC 38. In the event that any taxpayer is delinquent in the payment of said tax, the board may give notice of the amount of such delinquency by registered mail to all persons having in their possession, or under their control, any credits or other personal property belonging to such taxpayer, or owing any debts to such taxpayer at the time of receipt by them of such notice and thereafter any person so notified shall neither transfer nor make any other disposition of such credits, other personal property, or debits until the board shall have consented to a transfer or disposition, or until twenty days shall have elapsed from and after the receipt of such notice. All persons so notified must, within five days after receipt of such

notice, advise the board of any and all such credits, other personal property or debts, in their possession, under their control or owing by them, as the case may be

SEC. 39 At any time within two years after any taxpayer is delinquent in the payment of said tax, the board may proceed forthwith to collect the tax due from the taxpayer in the following manner: The board shall seize any property, real or personal, subject to the lien of said tax, and thereafter sell at public auction such property so seized, or a sufficient portion thereof, to pay said tax, together with any interest or penalties imposed hereby for such delinquency, and any and all costs that may have been incurred on account of such seizure and sale. Notice of such intended sale and the time and place thereof shall be given to such delinquent taxpayer and to all persons appearing of record to have an interest in such property in writing at least ten days before the date set for such sale by enclosing such notice in an envelope addressed to such taxpayer at his last known residence or place of business in this State if any, and in the case of any person appearing of record to have an interest in such property addressed to each person at the last known place of residence, if any, and depositing the same in the United States mail, postage prepaid, and by publication for at least ten days before the date set for such sale in a newspaper of general circulation published in the county or city and county in which the property seized is to be sold; provided, that if there be no newspaper of general circulation in such county or city and county, then by the posting of such notice in three public places in such county or city and county ten days prior to the date set for such sale. The notice shall contain a description of the property to be sold, together with a statement of the amount of the taxes, interest, penalties and costs, the name of the taxpayer, and the further statement that unless such taxes, interest and penalties and cost are paid on or before the time fixed in said notice for such sale, said property, or so much thereof as may be necessary, will be sold in accordance with law and said notice

SEC. 40. At any such sale, the property shall be sold by the board in accordance with law and said notice, and the board shall deliver to the purchaser a bill of sale for the personal property, and a deed for any real property so sold, and such bill of sale or deed shall vest the interest or title of the taxpayer in the purchaser. The unsold portion of any property so seized may be left at the place of sale at the risk of the taxpayer. If, upon any such sale, the moneys so received shall exceed the amount of all taxes, interest, penalties and costs due the State from such taxpayer, any such excess shall be returned to the taxpayer, and his receipt therefor obtained; provided, however, that if any person having an interest or lien upon the property has filed with the board prior to any such sale notice of such interest or lien the board shall withhold any such excess pending a determination of the rights of the respective parties thereto by a court of competent jurisdiction. If, for any reason, the receipt of such taxpayer shall not be available, the board shall deposit such excess moneys with the State Treasurer, as trustee for such owner, subject to the order of such taxpayer, his heirs, successors or assigns

SEC. 41 It is expressly provided that the foregoing remedies of the State shall be cumulative and that no action taken by the board or Attorney General shall be construed to be an election on the part of the State or any of its officers to pursue any remedy hereunder to the exclusion of any other remedy for which provision is made in this act.

SEC. 42. Every taxpayer shall keep such records, receipts, invoices and other pertinent papers in such form as the board may require.

The board or any person authorized in writing by it is hereby authorized to examine the books, papers, records and equipment and to investigate the character of the business of any taxpayer in order to verify the accuracy of any return made, or if no return was made by such taxpayer, to ascertain and assess the tax imposed by the act. The board is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe, adopt and enforce rules and regulations relating to the administration and enforcement of the provisions of this act and in the collection of said taxes, and any penalties and interest imposed by this act, and to that end may appoint, such accountants, auditors, investigators and assistants as it may deem necessary to enforce its powers and perform its duties under this act.

SEC. 43. It shall be unlawful for the board, or any person having an administrative duty under this act to divulge or to make known in any manner whatever, the business affairs, operations, or information obtained by an investigation of records and equipment of any taxpayer visited or examined in the discharge of official duty, or the amount or source of income, profits, losses, expenditures or any particular thereof, set forth or disclosed in any return, or to permit any return or copy thereof or any book containing any abstract or particulars thereof to be seen or examined by any person except as provided by law; provided, however, that the Governor may authorize examination of such returns by other State officers, by tax officers of another State, or the Federal Government, if a reciprocal arrangement exists, and any other persons the Governor may so authorize

Any violations of the provisions of this section shall be a misdemeanor and be punished by a fine not exceeding one thousand dollars, or by imprisonment not exceeding one year, or both, at the discretion of the court.

SEC. 44. All fees, taxes, interest and penalties must be paid to the board in the form of remittances payable to the Treasurer of the State of California, and said board shall transmit such payments forthwith to the State Treasurer to be deposited in the State treasury to the credit of the "Gross income tax fund," which fund is hereby created.

SEC. 45. For expenditure by the board in carrying out the provisions of this act there is hereby appropriated a sum of money equal to _____ dollars plus _____ per cent, or so much thereof as may be necessary, of all other moneys deposited in the gross income tax fund; said _____ dollars being payable out of moneys in the general fund not otherwise appropriated, the remainder of the moneys hereby appropriated being payable out of the gross income tax fund; provided, that, out of said _____ per cent of said other moneys deposited in the gross income tax fund and on or before June 30, 1937, the sum of _____ dollars shall be returned into the general fund.

SEC. 46. For expenditure by the Controller in carrying out the provisions of this act there is hereby appropriated out of the gross income tax fund the sum of _____ dollars or so much thereof as may be necessary.

SEC. 47. The balance of the moneys in the gross income tax fund shall, upon order of the State Controller, be drawn therefrom for the purpose of refunding to the taxpayers hereunder or be transferred to the general fund of the State

SEC. 48. At any time within two years after the delinquency of any tax, the board may bring an action in a court of competent jurisdiction in the name of the people of the State of California to collect the amount delinquent, together with penalties. The Attorney General must prosecute such action, and the provisions of the Code of Civil Procedure relating to service of summons, pleadings, proofs, trials, and appeals are applicable to the proceedings herein provided for. In such action a writ of attachment may issue, and no bond or affidavit previous to the issuing of said attachment is required. In such action a certificate by the board showing the delinquency shall be prima facie evidence of the levy of the tax, of the delinquency and of compliance by the board with all the provisions of this act in relation to the computation and levy of the tax.

SEC. 49. No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against this State or against any officer thereof to prevent or enjoin under this act the collection of any tax sought to be collected; but after payment of any such tax under protest, duly verified and setting forth the grounds of objections to the legality of such tax, the taxpayer paying such tax may bring an action against the State Treasurer in a court of competent jurisdiction in the county of Sacramento for the recovery of tax so paid under protest. No such action may be instituted more than sixty days after the tax becomes due and payable, and failure to bring suit within said sixty days shall constitute waiver of any and all demands against this State on account of alleged overpayment of such taxes hereunder. No grounds of illegality of the tax shall be considered by the court other than those set forth in the protest filed at the time of the payment of the tax.

SEC. 50. If in any such action, judgment is rendered for the plaintiff, the amount of the judgment shall first be credited on any taxes due from the plaintiff under said act, and the balance of the judgment shall be refunded to the plaintiff. In any such judgment, interest shall be allowed at the rate of six per cent per annum upon the amount of tax found to have been illegally collected from the date of payment of such tax to the date of allowance of credit on account of such judgment or to a date preceding the date of the refund warrant by not more than thirty days, such date to be determined by the Controller

SEC. 51. In no case shall any judgment be rendered in favor of the plaintiff in any action brought against the State Treasurer to recover any such tax, when such action is brought by or in the name of an assignee of the taxpayer paying said tax, or by any person other than the person who has paid such tax.

SEC. 52. Any taxpayer failing or refusing to furnish any return hereby required to be made, or failing or refusing to furnish a supplemental return or other data required by the board, or rendering a false or fraudulent return, shall be guilty of a misdemeanor and subject to a fine of not exceeding five hundred dollars for each such offense.

SEC. 53. Any person required to make, render, sign or verify any report as aforesaid, who makes any false or fraudulent return, with intent to defeat or evade the assessment required by law to be made, shall be guilty of a misdemeanor, and shall for each such offense be fined not less than three hundred dollars and not more than five thousand dollars or be imprisoned not exceeding one year in the county jail or be subject to both said fine and imprisonment in the discretion of the court

SEC. 54. Any violation of the provisions of this act, except as otherwise herein provided, shall be a misdemeanor and be punishable as such.

SEC. 55. Every order, decision or other official act of the board shall be subject to review if such proceeding is brought within sixty days after notice of the rendering of such order, decision or other official act in accordance with the provisions of Chapter I, Title I of Part III of the Code of Civil Procedure. Upon such review the court shall be limited to a consideration and determination of the question

whether there has been an abuse of discretion on the part of the board in making such order, decision or other official act.

SEC. 56. The Retail Sales Act of 1933 and all acts or parts of acts in conflict herewith are hereby repealed.

SEC. 57. This act shall take effect upon the adoption of a constitutional amendment ratifying its provisions."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 485—An act to amend sections 3817b, 3817d, 3817f, 3817g and 3817h of, and to add sections 3817c3 and 3817i2 to, the Political Code, relating to taxation, including tax delinquencies, tax penalties and costs, tax redemption for tax sales and declaring the urgency thereof, to take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

In the title of the printed bill, strike out lines 1 and 2, and insert in lieu thereof the following: "An act to add section 3900a to the".

Amendment No. 2.

In lines 4 and 5 of the title of the printed bill, strike out the following "tax redemptions for tax sales".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 to 24, inclusive, and all of pages 2, 3, 4, 5, 6, 7, 8 and 9, and insert in lieu thereof the following:

"SECTION 1. A new section to be numbered 3900a is hereby added to the Political Code, to read as follows:

3900a. When any license tax imposed by the Motor Vehicle Fuel License Tax Act, approved May 30, 1923 (being Chapter 267 of the statutes of the forty-fifth session of the Legislature of this State), as amended, which tax accrued and became payable prior to January 1, 1935, remains unpaid, such delinquent license tax may be made payable in installments, and the collection thereof postponed accordingly, by the filing with the State Controller prior to January 1, 1936, of a written instrument (hereinafter referred to as an "obligation") executed by such distributor, (hereinafter referred to as "original distributor") or by the trustee in bankruptcy of such distributor, or a receiver of such distributor appointed by any court of this State or the United States, or by another distributor or a broker, duly licensed as such distributor or broker under said act, who has succeeded to the ownership of all or any of the property used in the distribution of motor vehicle fuel in respect to which such delinquent license tax accrued, and undertaking to make payment of the amount of all delinquent motor vehicle fuel license taxes becoming payable prior to January 1, 1935, by the original distributor, and of all penalties accrued thereon by reason of the nonpayment thereof as provided in said act, in equal monthly installments not exceeding one hundred eighty in all and payable on or before the first day of the calendar month next after the filing of said obligation and of each month thereafter until full payment of said delinquent taxes and penalties, together with interest on each such monthly installment from January 1, 1935, to, and payable at, the time of payment of such installment, at the rate of four per cent per annum for a period of ten years after filing of the obligation and at the rate of seven per cent per annum thereafter, provided any distributor executing said obligation shall not then be delinquent in the payment of any license tax imposed by said act and becoming due and payable on or subsequent to January 1, 1935, and provided further, that if default shall be made in the payment of any monthly installment, or the interest thereon, provided for in said obligation, and such default shall continue for a period of ninety days, or if default shall be made in the payment of any license tax imposed by said act and becoming due and payable by any distributor executing said obligation, subsequent to the filing thereof, the State Controller shall proceed to collect all installments provided for in said obligation and then unpaid, whether due or not due, with interest thereon at the rate aforesaid from January 1, 1935, to the date of such collection, in any manner provided in said act in respect to other license taxes becoming delinquent thereunder, and the total amount so to be collected by reason of default as aforesaid shall be a lien upon all property of any distributor executing the obligation hereinbefore provided for, with the same force and effect as if said amount had accrued as a license tax upon motor vehicle

fuel distributed in the month preceding such default under the terms and provisions of said act, but nothing herein contained shall be construed or shall operate to release any property from any lien created by said act for or in respect to any license tax the collection of which is postponed or authorized to be postponed hereunder, and in the event of default as hereinbefore stated the remedies herein provided shall be cumulative and in addition to any other remedies which may be provided by law for the collection of such delinquent license tax. Whenever used in this section, unless the context otherwise indicates, the word "tax" shall include any penalties and/or interest accruing or accrued in respect thereto, and the word "distributor" shall include any receiver, or trustee in bankruptcy, executing the obligation herein provided for.

SEC 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of section 1 of Article IV of the Constitution and shall therefore go into immediate effect. The facts constituting the necessity are as follows:

The Federal court has held that certain receiver certificates are prior to the lien of the State for certain delinquent gasoline taxes due prior to January 1, 1935. *This bill provides for the payment of the delinquent tax in installments with interest*, and will permit the reorganization of certain of the delinquent companies, the taking up of such receiver certificates and the restoration of the priority of the lien of the State. In the case of certain delinquent companies reorganization plans must, by court order, be completed prior to May 1, 1935, and unless such plans may be completed by that date the State will be faced with a controversy as to the priority of its lien In order to avoid this it is necessary that this act take immediate effect."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1565—An act to amend section 5 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property and providing for permits to retailers, providing for the revenue, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for the violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933, relating to exemptions on certain personal property.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee

Amendment No. 1.

On page 1, line 19, of the printed bill, after the period, insert the following: "As used in this section, "foodstuffs" shall mean only the following:

Domestic meats, poultry and fish, other than shell fish;

Milk and cream including canned milk and evaporated milk, butter, eggs and domestic cheese;

Fruits and vegetables whether fresh, canned or dried, except imported fruits or vegetables;

Bread in loaf form;

Coffee and tea, including cereal substitutes therefor,

Flour, meal and cereals sold for household purposes;

Sugar, syrups, salt, pepper, yeast and lard including animal fat and vegetable substitutes therefor;

It is the intention that this exemption shall apply to these primary and essential foodstuffs as the words used are commonly understood

The exemption of the articles of food herein enumerated is upon the condition that the retailer shall keep accurate and separate records of the exempted articles in such form and detail as may be prescribed by the board, and in any event in such manner that accurate reports may be separately made covering the sale of such conditionally exempted articles and in such form as may be accurately and conveniently checked by the representatives of the board

Unless records are kept in such manner as will accurately disclose separate accounting of sales of taxable and nontaxable merchandise the conditional exemptions herein made shall not be allowed, and it shall be the duty of the board to

assess a tax upon the total gross sales, and if records are not kept showing total gross sales it shall be the duty of the board to assess a tax upon an estimation of such sales upon the best information obtainable."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1129—An act amending section 3897 of the Political Code, relating to the procedure for the sale of property deeded to the State in payment of delinquent taxes, if not otherwise disposed of under section 3897a or section 3897b of the Political Code, declaring the urgency thereof, and providing that this act shall take effect immediately

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 4 of the printed bill, between lines 8 and 9, insert the following:
"SEC. 2. This act shall be subject to all the provisions of section 3817d of the Political Code."

Amendment No. 2.

On page 4, line 9 of the printed bill, strike out "2", and insert in lieu thereof the following: "3".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 309—An act to amend section 110 of the Penal Code, relating to transporting arms into a State prison.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 142—An act to amend section 32 of the Penal Code, relating to the definition of an accessory.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 43—An act to add a new section to the Penal Code to be numbered 496bb, relating to buying, receiving, concealing or withholding stolen property, and prescribing penalties for violation of the provisions thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 252—An act to amend section 499b of the Penal Code, relating to the unauthorized taking for temporary use or operation of aircraft, automobiles, bicycles, motorcycles or other vehicles.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 340—An act to amend section 691.6 of the Fish and Game Code, relating to bass.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 950—An act to amend section 1060 of the Fish and Game Code, and to add thereto sections 481.5, and 1064.5, relating to fish and game.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 7, of the printed bill, insert after the word "which", the following: "while operating in or out from this State or any port or harbor thereof."

Amendment No. 2.

On page 1, line 7, of the printed bill, strike out the words "has during that calendar", and in line 8, strike out the word "year", and insert in lieu thereof the following "by which there is."

Amendment No. 3.

After the last paragraph on page 2 of the printed bill, add a new section to be designated section 3, to read as follows:

"SEC 3. If any section, subsection, clause, sentence or phrase of this act which is reasonably separable from the remaining portions of this act is for any reason held to be unconstitutional, such decision shall not affect the remaining portions of this act. The Legislature hereby declares that it would have passed the remaining portions of this act irrespective of the fact that any such section, subsection, clause, sentence or phrase of this act be declared unconstitutional."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 1182—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and to provide for the disposition of the revenues therefrom, and to provide that this act shall take effect immediately.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1533—An act to amend section 871 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to the assessment, levy and collection of taxes.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee.

Amendment No. 1.

On page 1 of the printed bill, strike out lines 3 to 26, inclusive, and insert in lieu thereof the following

"Sec 871. The city council shall have the power, and it shall be its duty, to provide by ordinance a system for the assessment, levy and collection of all city taxes not inconsistent with the provisions of this chapter. Nothing herein shall prevent the city council from exercising the power granted by general laws of the State relative to the assessment and collection of taxes by county officers. All taxes assessed, together with any percentage imposed for delinquency and the costs of collection, shall constitute liens on the property assessed; every tax upon personal property shall be a lien upon the real property of the owner thereof The liens provided for in this section shall attach as of the first Monday in March of each year, and may be enforced by a sale of the real property affected, and the execution and delivery of all necessary certificates and deeds therefor, under such regulations as may be prescribed by ordinance, or by action in any court of competent jurisdiction to foreclose such liens. Any property sold for such taxes shall be subject to redemption within a redemption period of at least five years and upon such terms as the city council may prescribe by ordinance. All deeds made upon any sale of property for taxes or special assessments under the provisions of this chapter shall have the same force and effect in evidence as is or may hereafter be provided by law for deeds for property sold for nonpayment of State taxes. Every tax has the effect of a judgment against the person, and every lien created by this section has the force and effect of an execution levied against all property of the delinquent; the judgment is not satisfied nor the lien removed until the taxes are paid or the property sold for the payment thereof; provided, that the lien of every tax whether now existing or hereafter attaching shall cease to exist for all purposes after thirty years from the time said tax became a lien; and provided further that every tax whether now existing or hereafter levied shall be conclusively presumed to have been paid after thirty

years from the time the same became a lien, unless the property subject thereto has been sold in the manner provided by law for the payment of said tax."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 608—An act limiting the hours of labor of female domestic employees and providing a penalty for its violation.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 574—An act to add sections 3246a and 3246b, and to amend sections 3244, 3245 and 3246 of the Political Code and to amend section 3247 as added by Chapter 85, Statutes of 1887, renumbering said section to be section 3246c, all relating to hours and wages of labor.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 31—An act to regulate the hours of service in public and private employment during the emergency declared to exist.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 23, of the printed bill, strike out the period, and insert in lieu thereof the following: ", or employee, employed on board intrastate vessels."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 45—An act limiting the hours of labor of persons employed as personal or domestic servants and providing penalties for the violation of the provisions of this act.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out the period, and insert in lieu thereof the following: ", if the servant lives off the premises of the employer, and in no event to exceed forty-eight hours a week. If the servant lives on the premises of the employer she may be employed not to exceed ten hours during any one day and in no event to exceed sixty hours a week."

Amendment No. 2.

On page 1 of the printed bill, strike out all of line 6, and insert in lieu thereof the following: "the hours set out in section 1 hereof or who shall".

Amendment No. 3.

On page 1 of the printed bill, strike out all of line 10, and insert in lieu thereof the following: "the hours set out in section 1 hereof is guilty of".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 788—An act to amend section 653c1 of the Penal Code, relative to the thirty-hour week on public works whether the work is done under contract or otherwise, providing penalties for violation of its provisions and declaring the urgency thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 12, of the printed bill, before the word "maintenance", insert the word "emergency".

Amendment No. 2.

On page 1, line 13, of the printed bill, before the word "repair", insert the word "emergency".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1204—An act to amend sections 2 and 26 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations,' " approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

In line 1 of the title of the printed bill, following the figure "2", insert the following: ", 4".

Amendment No. 2.

In line 12 of the title of the printed bill, following the words "in the sale of securities", strike out the period and add the following words: "; and declaring the measure an urgency measure within the meaning of section 1 of Article IV of the Constitution and providing accordingly for the act to take effect immediately."

Amendment No. 3.

On page 2, line 22, of the printed bill, following the word "earnings", strike out the words "excepting therefrom any cer-", and strike out all of lines 23, 24, 25, 26, 27, 28, 29, 30, 31, 32 and 33, and insert in lieu thereof the following words: ", guarantee of a security and any certificate of deposit for a security."

Amendment No. 4.

On page 5, line 21, of the printed bill, following the word "securities,", insert the following: "(except certificates of deposit or any guarantee of any security, both of which are covered in paragraphs 10 and 11 of this section 26)".

Amendment No. 5.

On page 7, line 11, of the printed bill, following the word "indenture", insert the following words: "or other instrument".

Amendment No. 6.

On page 7 of the printed bill, between lines 13 and 14, insert the following:

"10. For filing any application for a permit to issue certificates of deposit, twenty-five dollars, plus a sum, as estimated by the commissioner, to cover the actual expense of noticing and holding any hearing held in connection therewith.

11. For filing any application for a permit to execute or issue any guarantee of any security, twenty-five dollars."

Amendment No. 7.

On page 7 of the printed bill, following line 24, add the following:

"SEC. 3. Section 4 of said act is hereby amended to read as follows:

Sec. 4. Upon the filing of such application, it shall be the duty of the commissioner to examine it and the other papers and documents filed therewith, and he may, if he deems it advisable, make or have made a detailed examination, audit and investigation of the applicant and its affairs If he finds that the proposed plan

of business of the applicant is not unfair, unjust, or inequitable, that it intends to fairly and honestly transact its business, and that the securities that it proposes to issue and the method to be used by it in issuing or disposing of them are not such as, in his opinion, will work a fraud upon the purchaser thereof, the commissioner shall issue to the applicant a permit authorizing it to issue and dispose of securities, as therein provided, in this State, in such amounts and for such considerations and upon such terms and conditions as the commissioner may in said permit provide Otherwise, he shall deny the application and refuse such permit and notify the applicant in writing of his decision. Every permit shall recite in bold type that the issuance thereof is permissive only and does not constitute a recommendation or endorsement of the securities permitted to be issued The commissioner may impose conditions requiring the deposit in escrow of securities, the impoundment of the proceeds from the sale thereof, limiting the expense in connection with the sale thereof and such other conditions as he may deem reasonable and necessary or advisable to insure the disposition of the proceeds of such securities in the manner and for the purposes provided in such permit.

Pursuant to this act the commissioner has been and is authorized, in the instance of an application for a permit to issue securities in exchange for one or more bona fide outstanding securities, claims or property interests, or partly in such exchange and partly for cash, to approve the terms and conditions of such issuance and exchange and the fairness of such terms and conditions, after a hearing upon the fairness of such terms and conditions at which all persons to whom it is proposed to issue securities in such exchange shall have the right to appear

The commissioner may act as escrow holder for securities required to be deposited in escrow by his order He may, from time to time, amend, alter or revoke any permit issued by him, or temporarily suspend the rights of the applicant under such permit

SEC 4 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution of the State of California, and as such it shall take effect immediately The following is a statement of the facts constituting such necessity

By reason of the long-continued and still existing depression throughout the State of California and throughout the United States, many companies have suffered heavy financial losses and are unable safely and properly to meet their obligations and liabilities under their outstanding securities, thereby threatening such companies with severe hardship or insolvency or forced liquidation, and causing distress to holders of their securities and the public generally. There exists the necessity for rapid and orderly readjustments and proper rehabilitation under the regulation and supervision of the commissioner in these and like situations, to promote orderly processes and conduct of business, and to prevent the cumulative evils of present economic disruption and financial demoralization The provisions of this act will assist such companies to readjust their affairs and rehabilitate themselves, and to continue in business in an orderly manner, to the mutual benefit of such companies and the holders of their outstanding securities, and the public generally. It is therefore essential to the immediate preservation of the public peace, health and safety that each and every part of this act be enacted and be immediately effective "

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1554—An act to amend "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 5, 1931, relating to retirement and pensions.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

In line 1 of the title of the printed bill, after the word "amend", add the words: "sections 1, 2, 3, 4, 6, 7, 8 and 14 of", and in lines 7 and 8 of the title, after the words "relating to", add the following "the composition of the retirement board: time of meeting; manner of transacting business; the duties of said board and time for annual report; computation of time for retirement privilege; interest rate

on contributions and deposits; time for payments; refund of sums in excess of sum necessary for prior service credit, and revising the arrangement of certain portions of said act"

Amendment No. 2.

On page 1, line 1, of the printed bill, after the words "SECTION 1", add the following: "Section 1 of said act is hereby amended to read as follows:

"Section 1. The chairman of the board of supervisors, the treasurer, the sheriff and the auditor of the county or city and county and one other person who shall be in active service as a peace officer and a member of the retirement system and who shall be elected by the members of the peace officers' retirement system, are hereby constituted ex officio the county peace officers' retirement board, which board shall exercise the powers and perform the duties hereinafter prescribed; provided, however, that the provisions of this act shall become effective in any particular county, only upon condition that the provisions of this act are accepted by ordinance passed by four-fifths (4/5) vote of its board of supervisors, in which event the provisions of this act shall become operative in such county on the first day of January, or on the first day of July next following the expiration of three months after the passage of said ordinance."

Amendment No. 3.

SEC. 2. Section 2 of said act is hereby amended to read as follows:

Sec. 2. (a) They shall organize as such county peace officers' retirement board by choosing from their number a chairman and treasurer, and thereafter said officers shall be chosen biennially by said board. The members of the said board shall serve without compensation, but they shall be reimbursed out of the funds of the county for any expense or loss of salary or wage which they may have incurred through services on the board and for costs of operation of this retirement system.

(b) Said board shall meet for the transaction of business at least once every three months in each calendar year and shall meet at such other times as said board or a majority thereof may order. Notice of all meetings shall be given by the secretary at least three days in advance thereof.

(c) A majority of said members may transact business in lieu of all of the members.

Amendment No. 4.

SEC. 3. Section 3 of said act is hereby amended to read as follows:

Sec. 3. In addition to the other powers herein granted, the said board shall be vested with the following powers and duties:

(a) To compel witnesses to attend and testify before it, upon all matters connected with the operation of this act, in the same manner as is or may be provided by law for the taking of testimony before notaries public; and its president, or any member of said board, may administer oaths to such witnesses.

(b) To appoint a secretary, and to provide for the payment from said fund of all its necessary expenses, including secretary hire and printing; provided, that no compensation or emolument shall be paid to any members of said board for any duty required or performed under this act.

(c) To make all needful rules and regulations not inconsistent with this act and such rules and regulations shall become effective when approved by the board of supervisors.

(d) It shall be the duty of said board to report annually in the month of January to the board of supervisors, or other governing authority of the county, or city and county, the condition of the county peace officers' retirement fund and the receipts and disbursements on account of the same with a full and complete list of the beneficiaries of said fund and the amounts paid them, for the preceding calendar year.

(e) The said board shall annually prepare a budget of the cost of maintaining the pension fund and for this purpose may employ an actuary to assist the board in preparing its budget and report to the end that said system may be scientifically financed and administered.

(f) Said board shall have charge and control of said fund or funds and shall administer the same and shall have power to order payments therefrom in accordance with the provisions of this act.

Amendment No. 5.

SEC. 4. Section 4 of said act is hereby amended to read as follows:

Sec. 4. For the purpose of providing and maintaining a fund to meet the payments of demands drawn for the payment of pensions and the expenses of said retirement board, a fund is hereby created to be known as the "County peace officers' retirement fund." There shall be paid into said fund the following moneys to wit:

(a) Salary. A portion of each month's salary of each peace officer who is included within the provisions of this act in an amount equal to two per cent of peace officer's monthly salary.

(b) Credit for Prior Service. Upon election by any said person to come within the provisions of this act, said person shall automatically be excluded from any other retirement system as aforementioned, and any sums due or to the credit of such person under such other system shall be transferred to this pension system,

to the credit of such person, in accordance with the law made and provided for such cases, it being the intention that the retirement system provided by this act shall be exclusive and that the persons entitled thereto shall not participate in any other system now or hereafter provided by law for county or township officers or employees; provided, however, that where said person elects to come within the provisions of this act and elects to secure credit for prior service as a county peace officer under this act, and where the sum to the credit of said person so transferred from some other system to this system exceeds that necessary to entitle said person to credit for said prior service as a peace officer under this system, there shall be refunded to said person such portion of said sum so transferred to the credit of said person, as exceeds the amount necessary to entitle said person to the credit claimed for such prior service.

(c) County Donation. An amount to be determined and appropriated each year by the board of supervisors. Said amount to be sufficient, together with the contribution of peace officers to meet all of the demands, including interest, against said pension fund. The board shall monthly deposit all contributions received in the county treasury to the credit of said fund.

(d) All contributions and deposits shall bear simple interest at a rate to be fixed by the board of retirement with the approval of the board of supervisors but said rate shall in no event be greater than 4 per cent per annum.

Amendment No. 6.

SEC. 5. Section 6 of said act is hereby amended to read as follows:

Sec. 6. Investment of Fund. The board shall have charge and control of and shall safely keep the funds of the system, and shall invest and reinvest the same, and may from time to time sell any securities held by them and invest and reinvest the proceeds therefrom, and any and all unappropriated income of said funds; provided, however, that all funds received by them not required for current disbursements shall be invested in those securities only which shall be legal for savings bank investments, or deposited at interest in any State or National bank doing business within the county; provided, that the credit of the county shall not be given or lent in aid of, or to, any person, association, or corporation, whether municipal or otherwise, nor shall it be pledged in any manner whatever for the payment of the liabilities of any individual, association, municipal or other corporation whatever. They may, whenever they sell such securities, deliver the securities so sold upon receiving the proceeds thereof, and may execute any and all documents necessary to transfer the title thereto. The duties herein imposed upon the members of the board shall be deemed a part of their official duties and for the faithful performance of which they shall be liable on their official bonds.

Amendment No. 7.

SEC 6. Section 7 of said act is hereby amended to read as follows

Sec. 7 President, a treasurer and secretary.

Fund Created A trust fund account to be known as "County peace officers' retirement fund" is hereby created to be opened upon the books of the auditor and treasurer of the counties adopting a retirement system under the provisions of this act. All transfers or payments to the retirement fund and all withdrawals and other cash transactions, shall be accounted upon the books of the auditor and treasurer in and out of this fund account, in the manner they would be accounted if they were county transactions.

Amendment No. 8.

SEC. 7. Section 8 of said act is hereby amended to read as follows

Sec. 8 All warrants drawn on the county peace officers' retirement fund shall be signed by the treasurer and at least one other member of the board of retirement, who shall be designated by such board, but no warrant so drawn shall be valid until it has been countersigned and numbered by the county auditor and a record made of it by him. Payments provided for in this act shall be made monthly upon proper vouchers

Amendment No. 9.

SEC 8. Section 14 of said act is hereby amended to read as follows

Sec 14 (a) Any person who is eligible to participate in the pension system provided by this act and who does so participate and who is a member of or participant in or is eligible for membership or participation in any other pension system provided by law for county or township officers or employees shall upon his election to participate in the pension system provided by this act be ineligible for membership or participation in any other retirement or pension system provided by law for county or township officers or employees.

(b) Upon election by any said person to come within the provisions of this act said person shall automatically be excluded from any other system as aforementioned and any sums due such person under such other system shall be paid to him as in the case of separation from the service, it being the intention that the retirement system provided by this act shall be exclusive and that the persons entitled thereto shall not participate in any other system now or hereafter provided by law for county or township officers or employees: provided, however, that where said person elects to come within the provisions of this act and elects to secure credit for prior service as a county peace officer under this act, and where such person has to his

credit in any other pension system a sum exceeding that necessary to entitle said person to credit for said prior service as a county peace officer, there shall be refunded to said person so electing to come within this system (only) such sum (due) said person under said other pension system as exceeds the amount necessary to entitle said person to credit claimed for prior service as a county peace officer.

(c) No peace officer who receives compensation from the county for disability under any workmen's compensation act or by virtue of any judgment obtained against the county for disability shall receive any of the benefits provided by this act, nor in the event of his death shall any such benefits inure to his dependents as here provided; provided, however, that where such person is retired under the provisions of this act and would be entitled to a pension thereunder such person may receive such portion of the pension authorized as is represented by the difference between workmen's compensation and the full amount of the pension to which he might otherwise be entitled, it being the intention that the pension allowed for injury incurred in line of duty shall not be cumulative with the benefits under workmen's compensation which may be awarded for the same injury or disability.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1738—An act to add section 443 to the Political Code, relating to fingerprint records of officers and employees of the State and providing for the enforcement of the provisions thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, after the word "within", insert the word "ten"

Amendment No. 2.

On page 1, line 9, of the printed bill, after the word "before", insert the word "thirty".

Amendment No. 3.

On page 1, line 10, of the printed bill, after the word "the", insert the word "third".

Amendment No. 4.

On page 1, lines 11 and 12, of the printed bill, strike out the words "Division of Personnel and Organization", and insert in lieu thereof the following: "Personnel Board".

Amendment No. 5.

On page 1, line 14, of the printed bill, after the word "the", insert the word "first", and after the word "of", insert the word "October".

Amendment No. 6.

On page 1, lines 18 and 19, of the printed bill, strike out the words "Division of Personnel and Organization", and insert in lieu thereof the following: "State Personnel Board".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1735—An act to add a new section to the Political Code, to be numbered 689a, relating to use of the State's teletype system.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out the word "the", and insert in lieu thereof the following: "Except where a State agency pays for its own teletype installation, service or equipment, the"

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1698—An act to add a new section to the Political Code to be numbered 696, relating to a fact-finding bureau in the Department of Finance.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of lines 3 to 27, inclusive, and insert in lieu thereof the following:

"696. There is hereby created within the Division of Budgets and Accounts of the Department of Finance, a fact-finding bureau. The department, through the fact-finding bureau, shall have general power to ascertain the methods of operation of any State department, board, institution, commission or office and the duties of each position therein for the purpose of making recommendations to department heads concerning such changes as will result in economy and increased efficiency in the conduct of the business of the State. The department shall investigate the possibility of effecting consolidations of State agencies and activities and of simplified organization of State government operations.

For the purpose of carrying out the provisions of this section the Department of Finance, through the fact-finding bureau may require from any State office or employee such reports and information as may be required by the bureau for such studies as it may undertake.

The department may engage the services of such research agencies and technical and clerical assistants as the bureau may deem necessary, the cost of which may not be included within the meaning of section 695 of the Political Code. The department shall furnish biennially to the Governor a report from the fact-finding bureau setting forth the recommendations made by the bureau to heads of departments, together with such other recommendations for the consolidation of services and agencies of the State government which the bureau in its opinion believes to be for the best efficiency, economy and interests of the State, which report shall be available for public information. The report shall contain a statement as to whether or not the recommendations made to department heads have been followed and, if not, a statement as to the reason therefor."

Amendment No. 2.

On page 2 of the printed bill, strike out all of lines 1 to 7, inclusive

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1695—An act to amend section 10 of an act entitled "An act to authorize and control the deposits in banks of moneys belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, relating to the deposit of money belonging to or in the custody of the State.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, after the comma following the word "Treasurer", insert the following: "except such petty cash funds authorized by the State Department of Finance."

Amendment adopted

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 1682—An act to amend sections 671 and 672 of the Political Code, relating to the investment of funds in the State treasury by the Director of Finance.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 1 to 3, inclusive, of the title, and insert in lieu thereof the following: "An act relating to the investment of funds in the State treasury"

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 27, inclusive, and insert in lieu thereof the following:

"SECTION 1. Wherever any State officer, board or employee is authorized to invest funds in the State treasury in securities which are legal investments for savings banks, such officer, board or employee is authorized to invest such funds in registered warrants of the State.

SEC. 2 Any act or parts of acts in conflict herewith are hereby repealed"

Amendment No. 3.

On page 2 of the printed bill, strike out lines 1 to 19, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1552—An act to establish a State Board of Qualifying Certificate Examiners in the Fundamental Sciences underlying the practice of the healing arts, to provide for its organization and powers, to provide that certification by such board be a prerequisite to eligibility for examination for a license to practice the healing arts and to define healing arts.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 2, of the printed bill, after the word "shall", and before the word "be", strike out the word "hereafter", and insert in lieu thereof the following: "after this act is in effect".

Amendment No. 2.

On page 1, line 3, of the printed bill, after the word 'examination", and before the word 'for", insert the words "given by any board of examiners".

Amendment No. 3.

On page 1, line 3, of the printed bill, after the word "practice", and before the word "the", insert the words "any system of".

Amendment No. 4.

On page 1, line 4, of the printed bill, after the comma following the word "thereof", and before the word "be', strike out the word "or", and insert in lieu thereof 'and no person shall"

Amendment No. 5.

On page 1 of the printed bill, strike out all of lines 5 to 14, inclusive, and insert in lieu thereof the following: "license or certificate, unless prior thereto he has filed with the licensing board or officer empowered to issue such a license, a certificate referred to in this act as a qualifying certificate as evidence of his ability in at least five of the following subjects: comparative anatomy, nonmedical physiology, human embryology, chemistry, physics, zoology, biology, nonmedical hygiene, elementary bacteriology and English (hereinafter referred to as the fundamental sciences). Such certificate must have been issued by the State Board of Qualifying Certificate Examiners in the Fundamental Sciences prior to the date that the holder thereof matriculated or registered as a student in any legally incorporated and duly recognized school of the healing art approved by such board of examiners authorized under the laws of the State of California to issue a certificate or license which would permit the holder thereof to practice any system of the healing art in this State."

Amendment No. 6.

On page 1 of the printed bill, strike out all of lines 15 to 19, inclusive, and insert in lieu thereof the following:

"SEC 2. The Healing Art Defined. For the purpose of this act, any license or certificate which permits the holder thereof to offer or undertake to diagnose, treat, operate on or prescribe for any human ailment, pain, injury, disease, deformity, or other physical or mental condition of any person, or which permits the holder thereof to hold himself out as so doing shall be held to be a license to practice the healing art."

Amendment No. 7.

On page 1 of the printed bill, commencing at line 20, and ending at the period after the word "Technology" on page 2, line 7, strike out the entire section 3, and insert in lieu thereof the following:

"SEC 3. Board of Qualifying Certificate Examiners in the Fundamental Sciences. Appointment and Personnel. The Governor of the State of California shall appoint, as soon as this act becomes a law, a State Board of Qualifying Certificate Examiners in the Fundamental Sciences consisting of five members each of whom must have been a resident and a registered voter in the State of California for a period of at least five years preceding the date of his appointment. Immediately after this act becomes a law, the Regents of the University of California, the Board of Trustees of Stanford University, the Board of Trustees of the University of Southern California, the Board of Trustees of the University of Santa Clara and the Board of Trustees of the California Institute of Technology shall each submit to the Governor a list of at least five members of the faculty of each of said institutions. The Governor of the State of California shall select from the list of names so submitted five whom he shall appoint as members of the State Board of Qualifying Certificate Examiners in the Fundamental Sciences. Not more than one member of said State Board of Qualifying Certificate Examiners in the Fundamental Sciences shall be appointed from the faculty of each of the aforesaid institutions, and no member of the faculty of a medical school or no person who holds a degree in any of the healing arts and no person actively engaged in the practice of the healing art or any branch thereof shall be eligible for appointment on said Board of Qualifying Certificate Examiners in the Fundamental Sciences."

Amendment No. 8.

On page 2 of the printed bill, strike out all of lines 19, 20, 21, 22 and 23, and insert in lieu thereof the following: "expiration of the term of any member, the Governor shall fill the vacancy by appointment for a term of five years from the date of expiration On the death, resignation or removal of any member, the Governor shall fill the vacancy by appointment for the unexpired portion of the term of such member. Every member shall serve until his successor is".

Amendment No. 9.

On page 2, line 26, of the printed bill, after the period following the word "aforesaid", strike out the rest of said line 26, and all of lines 27 and 28.

Amendment No. 10.

On page 2 of the printed bill, strike out all of lines 29 to 39, inclusive, and insert in lieu thereof the following:

"SEC. 4. Organization of Board: Duties. Within thirty days after the appointment of the members of the Board of Qualifying Certificate Examiners in the Fundamental Sciences, as provided in section 3 of this act, said board shall assemble and organize by electing from their members a president, a vice president and a secretary-treasurer, each of whom shall serve for one year or until their successors are elected and qualified. Said board shall adopt the form of application to be used, and shall have authority to prescribe such reasonable rules and regulations relative to the proper administration of this act and the examination of applicants in the qualifying certificate subjects as may be found necessary for the proper performance of its duties. As to any matter coming within".

Amendment No. 11.

On page 2, line 42, of the printed bill, after the word "and", at the end of the line, insert the following: "the attendance of witnesses may be compelled by subpena issued by the secretary-treasurer, which shall be served in accordance with the statutes of this State then in force as to service of subpenas generally, and all statutes of this State then in force relating to subpenas are hereby made applicable to subpenas hereunder."

Amendment No. 12.

On page 2, line 43, of the printed bill, capitalize the letter "a", in the word "any", at the beginning of the line.

Amendment No. 13.

On page 2, line 47, of the printed bill, after the word "the", and before the comma, strike out the word "secretary", and insert in lieu thereof the word "secretary-treasurer".

Amendment No. 14.

On page 2, line 48, of the printed bill, after the word "including", and before the word "register", strike out the word "the", and insert in lieu thereof the word "a".

Amendment No. 15.

On page 2 of the printed bill, strike out all of lines 49 and 50, and insert in lieu thereof the following: "applicants for examination, preserving the names, ages, addresses, together with".

Amendment No. 16.

On page 3, line 3, of the printed bill, after the word "third", and before the word "in", strike out the word "Saturday", and insert in lieu thereof the word "Monday".

Amendment No. 17.

On page 3, line 7, of the printed bill, strike out the period following the word "board", and insert in lieu thereof a comma, followed by the words "and a similar notice shall be mailed to all applicants at the last known address of such applicants at least two weeks prior to the date of examination, giving the time and place of examination."

Amendment No. 18.

On page 3, line 8, of the printed bill, after the word "and", strike out the balance of line 8, also strike out all of lines 9 to 16, inclusive, and insert in lieu thereof the following "such other employees necessary to properly administer the provisions of this act, who shall hold their positions at the pleasure of the board. Each member of the Board of Qualifying Certificate Examiners shall be paid a per diem of ten dollars for each day actually spent in the performance of his duties including the correction of examination papers at the rate of one per diem for every forty papers or fraction thereof and shall also be entitled to necessary traveling expenses."

Amendment No. 19.

On page 3 of the printed bill, strike out lines 17 to 22, inclusive, and insert in lieu thereof the following:

"SEC. 5. Examinations. Each applicant for a qualifying certificate may select any five of the ten subjects for examination specified in section 1 of this act, and shall be required to write in the English language his answers to ten questions in each of the five subjects so selected. The questions submitted to the applicant shall be of such a nature as to constitute an adequate test as to whether the person so examined has knowledge of the elementary principles of such qualifying certificate subjects equal to that required of students in similar subjects at the University of California".

Amendment No. 20.

On page 3, line 26, of the printed bill, after the period following the word "thereof", insert the following: "Each applicant must obtain a general average of seventy-five per cent and not less than sixty per cent in more than two subjects."

Amendment No. 21.

On page 3 of the printed bill, strike out lines 27 to 35, inclusive, and insert, in lieu thereof, the following:

"SEC. 6. Fees. Any person not hereinafter exempted from the provisions of this act who seeks to practice any form of the healing art in this State shall apply to the secretary-treasurer of the Board of Qualifying Certificate Examiners on blank forms adopted and furnished by said board. Said applicant shall specify which five of the ten subjects of examination mentioned in section 1 of this act that said applicant has selected for his examination, and at the same time he shall notify the Board of Qualifying Certificate Examiners that he will appear for examination at the next meeting to be held not less than two weeks after the filing of his application. Said application must be filed with the secretary-treasurer and accompanied by a fee of twenty dollars and show sufficient".

Amendment No. 22.

On page 3, line 39, of the printed bill, after the word "application", strike out the rest of the line, and also strike out all of lines 40 and 41, and insert in lieu thereof the following: "the extent and character of the applicant's education or the branch or system of the healing art which he proposes to practice."

Amendment No. 23.

On page 3 of the printed bill, strike out all of lines 42 to 52, inclusive, and on page 4, strike out lines 1, 2 and 3, and insert in lieu thereof the following:

"SEC. 7. Certificate of Registration. If, after such written examination, the applicant has been given a grade of seventy-five per cent in each of the five subjects

in which he has been examined, a certificate of registration in the qualifying certificate subjects, signed by the president and the secretary-treasurer and sealed with the seal of the board, shall be issued to him. If he fails in not more than two subjects, he may be reexamined in the subject or subjects in which he failed at any subsequent examination held within one year from the date of the examination at which he failed and without filing another application or payment of an additional fee. If he obtains a general average of seventy-five per cent in any such subsequent examination, a qualifying certificate in the fundamental sciences shall be issued to him duly signed by the president and the secretary-treasurer with the official seal of the board attached. Any applicant who fails to make an average of seventy-five per cent in three subjects must file with the secretary-treasurer a new application for examination in all subjects accompanied by a fee of twenty dollars."

Amendment No. 24.

On page 4, line 6, of the printed bill, after the word "practice", strike out the rest of the line, and also, in line 7, strike out the words "in this State", at the beginning of said line, and insert in lieu thereof the following: "any system or mode of treating the sick or afflicted under the laws of the State of California regulating the healing art".

Amendment No. 25.

On page 4, line 14, of the printed bill, strike out the entire line, and insert in lieu thereof the following: "who shall apply to the secretary-treasurer of the Board of Qualifying Certificate Examiners for such certificate".

Amendment No. 26.

On page 4, line 18, of the printed bill, after the word "to", and before the word "in", strike out the word "law", and insert in lieu thereof the following: "the Statutes of California governing the healing art".

Amendment No. 27.

On page 4, line 20, of the printed bill, after the word "of", and before the word "by", strike out the words "healing pursued", and insert in lieu thereof the following: "the healing art followed".

Amendment No. 28.

On page 4, line 23, of the printed bill, after the word "registration", and before the word "shall", insert the following: "when issued to said applicant by the Board of Qualifying Certificate Examiners".

Amendment No. 29.

On page 4, line 29, of the printed bill, after the word "examination", and before the word "pursuant", strike out the word "therein".

Amendment No. 30.

On page 4, line 33, of the printed bill, after the word "and", and before the word "actual", insert the following: "thereafter an".

Amendment No. 31.

On page 4 of the printed bill, strike out all of lines 45 to 52, inclusive, and insert in lieu thereof the following: "The Board of Qualifying Certificate Examiners may in its discretion issue a certificate of registration in the qualifying certificate subjects to any person not hereinafter exempted from the provisions of this act, who is lawfully authorized to practice, as by this act defined, in some other State or Territory of the United States other than California on the date this act takes effect, and who was on said date regularly licensed or registered in the manner then by law provided in his respective State, and who thereafter becomes regularly licensed or registered in California in the manner then by law".

Amendment No. 32.

On page 5, line 1, of the printed bill, after the word "as", and before the word "receive", strike out the words "herein provided", and insert in lieu thereof the following "provided in this act".

Amendment No. 33.

On page 5, line 5, of the printed bill, after the word "a", at the end of the line, insert the following: "form adopted by the Board of Qualifying Certificate Examiners".

Amendment No. 34.

On page 5, line 6, of the printed bill, following the comma after the word "purpose", strike out the words "such application being", and insert in lieu thereof the following "and such application shall be".

Amendment No. 35.

On page 5 of the printed bill, strike out all of lines 8 to 15, inclusive, and insert in lieu thereof the following:

"SEC. 9 Disposal of Fees. All fees earned by the Board of Qualifying Certificate Examiners and all fines shall be reported at the beginning of each month for

the month preceding and at the same time the entire amount of such collections shall be paid into the State treasury to be credited to a fund to be known as the Board of Qualifying Certificate Examiners contingent fund, which fund is hereby created Such contingent fund shall be for the use of the Board of Qualifying Certificate Examiners, and out of it shall be paid all salaries and other expenses necessarily incurred in carrying into effect the provisions of this act."

Amendment No. 36

On page 5 of the printed bill, strike out all of lines 16 to 32, inclusive, and insert in lieu thereof *the following:*

"SEC. 10. Appeal from Board's Decision. Any applicant who has been denied examination by the Board of Qualifying Certificate Examiners and/or has been denied the issuance of a qualifying examiners certificate after he has passed the examination and who feels aggrieved by the board's decision, may appeal, within thirty days after such denial or refusal to issue a certificate, to the superior court of any county, and such court shall on such appeal inquire into the cause of such denial or refusal to issue. If, in the opinion of the court, admission to the examination or the issuance of a certificate was refused without just cause, the court may *order the board to admit said applicant to examination or to issue him a certificate.* Notice of an appeal from the denial by the board of the right to examination or the failure to issue a certificate to an applicant who has passed the examination shall be served by leaving with the secretary-treasurer of the board an attested copy thereof within thirty days after said board has notified the applicant of its refusal to examine him or to issue him a certificate. Hearings of such appeals shall proceed in accordance with such rules as the court may determine".

Amendment No. 37.

On page 5, line 34, of the printed bill, after the word "which" and before the word "is", insert the following: "may have been obtained by fraud or".

Amendment No. 38.

On page 5, line 35 of the printed bill, after the word "be", and before the period, strike out the word "void", and insert in lieu thereof the following: "canceled by the Board of Qualifying Certificate Examiners, and the date and cause of cancellation shall be made a record on the minutes of the board, and at the same time a notice shall be sent by registered mail to the holder of said certificate at his last known address, and a similar notice shall be mailed to whatever licensing board of the healing art in this State that issued the license or certificate to him"

Amendment No. 39.

On page 5, line 37 of the printed bill, after the word "revocation", and before the word "of", insert the following: "or suspension"

Amendment No. 40.

On page 5, line 38, of the printed bill, after the word "thereof", strike out the period, and insert the following: "and shall be automatically reinstated by the reinstatement of his license to practice the healing art heretofore revoked or suspended in this State."

Amendment No. 41.

On page 5, line 43, of the printed bill, after the word "of", and before the word "and", strike out the word "Personnel", and insert in lieu thereof the word "Professional".

Amendment No. 42.

On page 5, line 46 of the printed bill after the word "established", strike out the words "after the passage of this"

Amendment No. 43.

On page 5, line 47, of the printed bill strike out the entire line, and insert in lieu thereof the following: "on the date this act is passed or which may subsequently be established by statute in this State"

Amendment No. 44.

On page 6, line 1, of the printed bill, strike out the entire line and insert in lieu thereof the following: "a misdemeanor and on conviction thereof shall be punished by a fine not".

Amendment No. 45.

On page 6 of the printed bill, strike out all of lines 13 to 20, inclusive, and insert in lieu thereof the following:

"SEC. 15. Obtaining License Without Certificate: Penalty Any person who shall obtain or attempt to obtain a certificate or license to practice any system of the healing art or any branch thereof from any board authorized under the statutes of the State of California to issue any such license or certificate, without presenting to said licensing board a valid certificate issued by the Board of Qualifying Certifi-

cate Examiners, as by this act required, shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding one hundred dollars or imprison-".

Amendment No. 46.

On page 6 of the printed bill, strike out all of lines 23 to 34, inclusive, and insert in lieu thereof the following

"SEC 16. Issuing Invalid Certificate: Penalty. Any person who knowingly issues or participates in the issuance of a license to practice any system or mode of treating the sick or afflicted in this State to any person who, prior to the issuance of said license, has failed to file a valid certificate issued by the Board of Qualifying Certificate Examiners with the licensing board authorized by law to grant a certificate or license to practice any system of the healing art, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding one hundred dollars, or by imprisonment in the county jail for not more than three months, or by both such fine and imprisonment. Any person who presents to any board authorized by the laws of this State to grant a certificate or license to treat the sick or afflicted any forged or counterfeit certificate which purports to have been issued by the Board of Qualifying Certificate Examiners and/or any person who presents to any licensing board in this State a certificate issued by the Board of Qualifying Certificate Examiners which has been obtained by dishonesty or fraud shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding one hundred dollars, or by imprisonment in the county jail for not more than three months, or by both such fine and imprisonment."

Amendment No. 47.

On page 6 of the printed bill strike out all of lines 35 to 41, inclusive, and in line 42, strike out the words "all violators thereof", also the period after the said word "thereof", and insert in lieu thereof the following:

"SEC. 17. Investigation: Duties of Officers. It shall be the duty of every sheriff, police officer and peace officer to investigate violations of this act that may come to their attention or be reported to them, and it shall be the duty of the district attorney of jurisdiction to prosecute all violators of this act"

Amendment No. 48.

On page 6, line 47, of the printed bill, after the word "persons", and before the word "regularly", insert the following: "now or hereafter".

Amendment No. 49.

On page 7 of the printed bill, commencing with line 11, strike out the period after the word "therewith", and strike out the balance of the line, together with all of lines 12 to 17, inclusive, and insert in lieu thereof a comma, followed by the words: "provided such persons do not attempt to treat, diagnose or operate for any ailment of the human system or hold themselves out as so doing"

Amendment No. 50.

On page 7 of the printed bill, strike out all of lines 18 to 23, inclusive, and insert in lieu thereof the following:

"SEC. 19. Limitation of Provisions. All statutory provisions with reference to the requirements governing the issuance of licenses to practice any system of the healing art in this State at the time this act is in effect are expressly continued, and no provision herein shall be construed as repealing any of said statutory provisions except as herein provided or that may be in conflict herewith"

Amendment No. 51.

On page 7 of the printed bill, strike out all of lines 24 to 27, inclusive, and insert in lieu thereof the following:

"SEC. 20. Relation to Department of Professional and Vocational Standards. The State Board of Qualifying Certificate Examiners in the Fundamental Sciences is hereby placed under the Department of Professional and"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1134—An act to amend section 2 and section 3 of an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof," and repealing an act entitled "An act to create a State Bureau of Criminal Identification, and providing for the appointment

of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications, fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office, approved March 20, 1905," approved May 31, 1917, as amended, relating to its organization and defining its powers and duties.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 270—An act to amend sections 366, 366a and 366b of the Political Code, relating to the Department of Institutions.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 8 and 9, of the printed bill, strike out "and shall have civil service status,".

Amendment No. 2.

On page 1, line 11, of the printed bill, after "tutions", and before the comma, insert the following: "in accordance with the State Civil Service Act".

Amendment No. 3.

On page 1, line 12, of the printed bill, after "dollars", insert the following "nor more than fifteen thousand dollars".

Amendment No. 4.

On page 2, line 13, of the printed bill, after "material", insert the following ", supplies or equipment".

Amendment No. 5.

On page 2, line 30, of the printed bill, strike out "but shall receive their actual", and insert in lieu thereof the following: "and shall not be entitled to"

Amendment No. 6.

On page 2 of the printed bill, strike out line 33, and insert in lieu thereof the following: "and shall determine general policies for the guidance".

Amendment No. 7.

On page 2, line 47, of the printed bill, strike out the period, and insert in lieu thereof the following: "in accordance with the State Civil Service Act"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1883—An act to amend section 472a of the Political Code, relating to the defense of State officers and employees.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of lines 19 to 22, inclusive, and insert in lieu thereof the following: "acting officially."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 998—An act to amend sections 4.765, 4.920, and 4.950 of the School Code, relating to computation of average daily attendance in elementary and secondary schools and junior colleges

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 56—An act to amend section 3.42 of, and to add section 3.43 to the School Code, relating to required instruction in the schools.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 12, of the printed bill, strike out the word "injurious."

Amendment No. 2.

On page 1, lines 14 and 15, of the printed bill, after the word "curriculum", strike out "and shall be given a place in the established branches of instruction."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 232—An act to amend section 2.93 of the School Code, relating to superintendents of schools.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

In the title of the printed bill, strike out line 2, and insert in lieu thereof the following: "to the qualifications of county, city and district superintendents of schools and deputy and assistant county, city and district superintendents of schools."

Amendment No. 2.

On page 1, line 3, of the printed bill, strike out the word "No", and insert in lieu thereof the following: "Except as herein provided, no"

Amendment No. 3.

On page 1, line 10, of the printed bill, after the period, insert the following: "Persons serving as a deputy county superintendent of schools in a purely clerical capacity shall not be required to hold any certificate or credential referred to in this section."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 851—An act to add a new chapter to Part III of Division IV of the School Code to be known as Chapter IV, relating to sinking funds in school districts for the replacement, reconstruction and/or alteration of buildings.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 2, of the printed bill, after the period, insert the following: "Should the sinking fund of a school district be placed at interest by the county treasurer, all accrued interest shall be credited to the sinking fund of the school district."

Amendment No. 2.

On page 2, line 7, of the printed bill, after the period, insert the following: "If at any time the governing board of a school district does not desire to use such sinking fund for school building purposes as provided in this chapter, then in that event such sinking fund shall revert to the respective county unapportioned school funds for the use of the school district for which such sinking fund was established."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 341—An act to amend sections 21.1, 53, 54, 63, 64, 93, 105, 133, 133.1, 135d and 139 of the Bank Act.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1203—An act to add two sections to the Bank Act numbered 67.1 and 80.1, relating to loans of the character prescribed by section 13b of the Federal Reserve Act or by section 5d of the Reconstruction Finance Corporation Act.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1699—An act to amend section 351 of, and to add section 351a to, the Political Code, relating to officers of departments of the State government.

Bill read second time, ordered to engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 653—An act to add a new section to the School Code to be numbered 2.1363, relating to the acceptance of gifts, donations, bequests and devises to schools and colleges administered by the Director of Education or the Department of Education.

Bill read second time, and ordered on file for third reading.

Motion to Rush Printing.

Mr. Latham moved that the Chief Clerk instruct the State Printer to rush printing of Assembly Bill No. 2118

Motion carried.

Third Reading of Assembly Bills.

Assembly Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment of Article IV of the Constitution of the State, by adding section 31c thereto, relating to relief to assessment districts.

Floor Amendments.

During reading of Assembly Constitutional Amendment No. 20, the following amendments were submitted by Mr. Field:

Amendment No. 1.

On page 1, line 14, of the printed measure, as amended, strike out the "s" in "highways".

Amendment No. 2.

On page 1, line 19, of the printed measure, as amended, after the period in said line, add the following: "Any such acts of the Legislature heretofore adopted are hereby confirmed and declared valid and shall have the same force and effect as if adopted after the effective date of this amendment."

Amendments adopted.

Request for Unanimous Consent.

Mr. Field asked for, and was granted, unanimous consent to take up Assembly Constitutional Amendment No. 20, at this time, without reference to printer or file, and that same be considered engrossed.

Consideration of Assembly Constitutional Amendment No. 20.

Assembly Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment of Article

IV of the Constitution of the State, by adding section 31c thereto, relating to relief to assessment districts.

Assembly Constitutional Amendment No. 20 read.

Mr. Field moved the adoption of Assembly Constitutional Amendment No. 20.

The question being on the adoption of Assembly Constitutional Amendment No. 20.

The roll was called, and Assembly Constitutional Amendment No 20 adopted by the following vote:

AYES—Anderson, Boyle, Breed, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Domihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Thorp, Turner, Voigt, Wagner, Walker, Waters, Williamson, Wright, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Assembly Constitutional Amendment No. 20 ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 20.

A resolution to propose to the people of the State of California an amendment of Article IV of the Constitution of the State, by adding section 31c thereto, relating to relief to assessment districts

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its fifty-first regular session commencing on the seventh day of January, 1935, two-thirds of the members elected to each of the two houses of the said Legislature voting in favor thereof, hereby proposes to the people of the State of California that the Constitution of said State be amended by adding to Article IV thereof a new section to be numbered 31c, to read as follows:

SEC 31c. No provision of this Constitution shall be construed as a limitation upon the power of the Legislature to provide by general law for the refunding, repayment or adjustment, from public funds raised or appropriated by the United States, the State or any city, city and county, or county for street and highways improvement purposes, of assessments or bonds, or any portion thereof, which have become a lien upon real property, and which were levied or issued to pay the cost of street or highway improvements or of opening and widening proceedings which may be or may have become of more than local benefit.

Third Reading of Assembly Bills—(Resumed).

Assembly Constitutional Amendment No. 63—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 22 of Article XII of the Constitution of said State, relating to creation and powers of the Railroad Commission.

Assembly Constitutional Amendment No. 63 read.

Mr Frazier moved the adoption of Assembly Constitutional Amendment No. 63.

The question being on the adoption of Assembly Constitutional Amendment No 63.

The roll was called, and Assembly Constitutional Amendment No. 63 adopted by the following vote:

AYES—Anderson Boyle, Breed, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Domihue, Donnelly, Evans, Ralph W, Field, Fisher, Frazier, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Morgan, Patterson, Pelletier, Peterson, Phillips, Reaves, Red-

wine, Richie, Riley, Robertson, Rosenthal, Thorp, Turner, Voigt, Walker, Waters, Williamson, Wright, and Mr. Speaker—57.

NOES—Flint—1

Title read and approved.

Assembly Constitutional Amendment No. 63 ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 63.

A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 22 of Article XII of the Constitution of said State, relating to creation and powers of the Railroad Commission.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its regular session commencing on the seventh day of January, 1935, two-thirds of the members elected to each of the two houses of the said Legislature voting therefor, hereby proposes to the people of the State of *California, that the Constitution of said State be amended to read as follows*

SEC. 22. There is hereby created a Public Service Commission which shall consist of five members and which shall be known as the Public Service Commission of the State of California. The commission shall be appointed by the Governor from the State at large; provided, that the Legislature, in its discretion, may divide the State into districts for the purpose of such appointments, said districts to be as nearly equal in population as practicable; and provided further, that the three commissioners in office at the time this section takes effect shall serve out the term for which they were elected, and that two additional commissioners shall be appointed by the Governor immediately after the adoption of this section, to hold office during the same term. Upon the expiration of said term, the term of office of each commissioner thereafter shall be six years, except the commissioners first appointed hereunder after such expiration, one of whom shall be appointed to hold office until January 1, 1917, two until January 1, 1919, and two until January 1, 1921 Whenever a vacancy in the office of commissioner shall occur, the Governor shall forthwith appoint a qualified person to fill the same for the unexpired term. Commissioners appointed for regular terms shall at the beginning of the term for which they are appointed, and those appointed to fill vacancies, shall, immediately upon their appointment, enter upon the duties of their offices. The Legislature shall fix the salaries of the commissioners, but pending such action the salaries of the commissioners, their officers and employees shall remain as now fixed by law. The Legislature shall have the power, by a two-thirds vote of all members elected to each house, to remove any one or more of said commissioners from office for dereliction of duty or corruption or incompetency. All of said commissioners shall be qualified electors of this State, and no person in the employ of or holding any official relation to any person, firm or corporation, which said person, firm or corporation is subject to regulation by said Public Service Commission and no persons owning stock or bonds of any such corporation or who is in any manner pecuniarily interested therein, shall be appointed to or hold the office of Public Service Commissioner. No vacancy in the commission shall impair the right of the remaining commissioners to exercise all the powers of the commission The act of a majority of the commissioners when in session as a board shall be deemed to be the act of the commission; but any investigation, inquiry or hearing which the commission has power to undertake or to hold may be undertaken or held by or before any commissioner designated for the purpose by the commission, and every order made by a commissioner so designated, pursuant to such inquiry, investigation or hearing, when approved or confirmed by the commission ordered filed in its office, shall be deemed to be the order of the commission.

Said commission shall have the power to establish rates of charges for the transportation of passengers and freight by railroads and other transportation companies, and no railroad or other transportation company shall charge or demand or collect or receive a greater or less or different compensation for such transportation of passengers or freight, or for any service in connection therewith, between the points named in any tariff of rates, established by said commission, than the rates, fares and charges which are specified in such tariff. The commission shall have the further power to examine books, records and papers of all railroad and other transportation companies; to hear and determine complaints against railroad and other transportation companies; to hear and determine complaints against railroad and other transportation companies; to issue subpoenas and all necessary process and send for persons and papers; and the commission and each of the commissioners shall have the power to administer oaths, take testimony and punish for contempt in the same manner and to the same extent as courts of record; the commission may prescribe a uniform system of accounts to be kept by all railroad and other transportation companies.

No provision of this Constitution shall be construed as a limitation upon the authority of the Legislature to confer upon the Public Service Commission additional powers of the same kind or different from those conferred herein which are not inconsistent with the powers conferred upon the Public Service Commission in this Constitution, and the authority of the Legislature to confer such additional powers is expressly declared to be plenary and unlimited by any provision of this Constitution

The provisions of this section shall not be construed to repeal in whole or in part any existing law not inconsistent herewith, and the "Railroad Commission Act" of this State approved February 10, 1911, shall be construed with reference to this constitutional provision and any other constitutional provision becoming operative concurrently herewith. And the said act shall have the same force and effect as if the same had been passed after the adoption of this provision of the Constitution and of all other provisions adopted concurrently herewith, except that the three commissioners referred to in said act shall be held and construed to be the five commissioners provided for herein

Assembly Constitutional Amendment No. 62—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new section to be numbered section 16 of Article IX, relating to the management and control of museums and art galleries.

Assembly Constitutional Amendment No. 62 read.

Mr. Lyon moved the adoption of Assembly Constitutional Amendment No. 62.

The question being on the adoption of Assembly Constitutional Amendment No. 62.

The roll was called, and Assembly Constitutional Amendment No. 62 adopted by the following vote:

AYES—Anderson, Boyle, Breed, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Walker, Waters, Williamson, and Mr. Speaker—60.

NOES—Flint, Hawkins, and McCarthy—3.

Title read and approved.

Assembly Constitutional Amendment No. 62 ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 62.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new section to be numbered 16 of Article IX, relating to the management and control of museums and art galleries.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its fifty-first regular session, commencing on the seventh day of January, 1935, two-thirds of all the members elected to each of the houses thereof voting in favor hereof, hereby proposes to the people of the State of California that the Constitution of said State be amended as follows:

That a new section to be numbered 16, be added to Article IX, to read as follows:

SEC. 16. The Legislature of the State of California, the board of supervisors of a county or city and county, the council or other governing body of a municipal corporation and the governing body of any other political subdivision of the State of California, having authority to acquire and maintain publicly-owned museums or art galleries, are and each is hereby granted the power and authority to enter into contracts and leases with nonprofit corporations, organized under the laws of California, for the management and control of any part or all of the exhibits of such museums and art galleries

Assembly Bill No. 558—An act to amend section 2766 of the Civil Code, relating to life and disability insurance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 558 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Waters, Williamson, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 557—An act to add a new section to the Civil Code, to be numbered 2770, relating to life, health and accident insurance policies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 557 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Patterson, Pelletier, Peterson, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Waters, Williamson, Wright, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1877—An act to add a new section to the School Code to be numbered 6.53, relating to the duties, powers and liability of governing boards of school districts and members thereof in connection with school district buildings.

Bill read third time.

Demand for Previous Question.

Messrs. Hunt, Evans, Herbert J., Boyle, DeLap, and Lyon demanded the previous question.

The question being put: Shall the main question be now put?

Request for Roll Call.

On request of Messrs. Hornblower, Patterson, and Heisinger, the Speaker ordered a roll call taken on the previous question.

The roll was called, and the demand for the previous question lost by the following vote:

AYES—Anderson, Boyle, Breed, Cassidy, Corwin, Cronin, Cunningham, DeLap, Donihue, Evans, Herbert J., Fisher, Fulcher, Heisinger, Hunt, Lore, Lyon, Mayo, McBride, Miller, Morgan, Pelletier, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Stream, Utt, Walker, Waters, Wright, and Mr. Speaker—33.

NOES—Andreas, Chatters, Clark, Cottrell, Crowley, Dawson, Desmond, Donnelly, Evans, Ralph W., Field, Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Johnson, Laughlin, Maloney, Martin, McCarthy, McMurray, Meehan, Minard, Nielsen, O'Donnell, Patterson, Peterson, Reaves, Rosenthal, Turner, Voigt, Wagner, and Welsh—37.

Further consideration of Assembly Bill No. 1877 deferred.

Withdrawal of Bills.

By order of the Speaker, the following Assembly bills were withdrawn from the file, and re-referred to committees, as follows:

Assembly Bill No. 509 re-referred to Committee on Governmental Efficiency and Economy

Assembly Bill No 495 re-referred to Committee on Live Stock and Dairies.

Assembly Bill No. 496 re-referred to Committee on Live Stock and Dairies

Assembly Bill No 897 re-referred to Committee on Live Stock and Dairies.

Assembly Bill No. 488 re-referred to Committee on Insurance.

Assembly Bill No. 489 re-referred to Committee on Insurance

Assembly Bill No. 1614 re-referred to Committee on Motor Vehicles.

Assembly Bill No. 436 re-referred to Committee on Judiciary.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1300—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees, to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes, to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors, to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, as amended, by amending sections numbered 4.01 relating to guarantee stock, 6.02 relating to withdrawals, 6.07 relating to investment certificates and shares, 8.09 relating to interest and dividends, 9.02 relating to investments and 9.04 relating to purchases, sales, transfers and pledges of loans; postponing the effective date of the amendment of section 6.02 of said act as set forth in section 5a of Chapter 431 of the Statutes of 1933; adding to said act new sections to be numbered 8.10 relating to rate of return on shares and investment certificates, 9.18 relating to insurance, loans, advances of credit and purchases of obligations pursuant to the National Housing Act, 10.03a relating to reserve or surplus accounts, 10.09 relating to reports, statements and analyses by the Building and Loan Commissioner and 12.11 relating to conversion of a building and loan association into a Federal Savings and Loan Association and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to vote for or approve such conversion, to exchange shares, stock, investment certificates or other rights or claims for shares issued by such Federal Savings and Loan Association, and to continue to hold as a legal investment any shares so received; adding a new article to be numbered XVI to said act relating to the rehabilitation, readjustment or reorganization of one or more building and loan associations of the classes specified in such Article XVI, or of all or of any part of the business, properties and assets of such association or associations, or the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of and other persons interested in such association or associations, providing for the kinds of securities issuable in connection therewith and exempting such securities from certain provisions of the Corporate Securi-

ties Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Article XVI, to exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received; and declaring the urgency of this act and providing that it shall take effect immediately—and reports that the same has been correctly re-engrossed

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Special Order.

The hour of eleven o'clock a.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Third Reading of Assembly Bill No. 1300.

Assembly Bill No. 1300—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, as amended, by amending sections numbered 4.01 relating to guarantee stock, 6.02 relating to withdrawals, 6.07 relating to investment certificates and shares, 8.09 relating to interest and dividends, 9.02 relating to investments and 9.04 relating to purchases, sales, transfers and pledges of loans; postponing the effective date of the amendment of section 6.02 of said act as set forth in section 5a of Chapter 431 of the Statutes of 1933; adding to said act new sections to be numbered 8.10 relating to rate of return on shares and investment certificates, 9.18 relating to insurance, loans, advances of credit and purchases of obligations pursuant to the National Housing Act, 10.03a relating to reserve or surplus accounts, 10.09 relating to reports, statements and analyses by the Building and Loan Commissioner and 12.11 relating to conversion of a building and loan association into a Federal savings and loan association and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to vote for or approve such conversion, to exchange shares, stock, investment certificates or other rights or claims for shares issued by such Federal sav-

ings and loan association, and to continue to hold as a legal investment any shares so received; adding a new article to be numbered XVI to said act relating to the rehabilitation, readjustment or reorganization of one or more building and loan associations of the classes specified in such Article XVI, or of all or of any part of the business, properties and assets of such association or associations, or the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of and other persons interested in such association or associations, providing for the kinds of securities issuable in connection therewith and exempting such securities from certain provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Article XVI, to exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received; and declaring the urgency of this act and providing that it shall take effect immediately.

Bill read third time

Motion.

Mr. Hornblower moved that the special order for consideration of Assembly Bill No. 1300 be continued to Thursday, March 28, 1935, at eleven o'clock a.m.

Amendment to Motion.

Mr. Hornblower amended his motion for continuance of special order to Tuesday, March 26, 1935, at eleven o'clock a m.

The question being on the motion by Mr. Hornblower to set Assembly Bill No. 1300 as a special order for Tuesday, March 26, 1935, at eleven o'clock a m.

Substitute Motion.

Mr. McCarthy moved, as a substitute motion, that the special order be set for Thursday, March 28, 1935, at eleven o'clock a m

The question being on the substitute motion by Mr. McCarthy

Request for Roll Call.--

On request of Messrs. Wagner, Patterson and Heisinger, the Speaker ordered a roll call taken on the substitute motion by Mr McCarthy.

The roll was called, and the substitute motion setting Assembly Bill No. 1300 as a special order for Thursday, March 28, 1935, at eleven o'clock a.m , by Mr. McCarthy, was adopted by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Herbert J , Evans, Ralph W . Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, and Waters—54.

NOES—Andreas, Breed, Chatters, Cottrell, DeLap, Field, Frazier, Gilmore, Kallam, Latham, Minard, Redwine, Riley, Robertson, Scudder, Utt, Wallace, Williamson, Wright, and Mr. Speaker—20.

Special Order.

The special order for Assembly Bill No. 1300 ordered continued to Thursday, March 28, 1935, at eleven o'clock a.m.

Further Consideration of Assembly Bill No. 1877.

Assembly Bill No 1877—An act to add a new section to the School Code to be numbered 6 53, relating to the duties, powers and liability of governing boards of school districts and members thereof in connection with school district buildings.

Assembly Bill No. 1877 passed on file.

Assembly Bill No. 1342—An act to amend section 1429 of the Penal Code, relating to the entering of pleas by a defendant.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1342 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Williamson, Wright, and Mr. Speaker—68

NOES—Maloney—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1346—An act to amend section 107 of the Penal Code, relating to punishment for escape of a prisoner.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1346 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—62.

NOES—Geyer, and Lore—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1131—An act to amend sections 682, 806, 811, 827, 849, 877, and 878 of the Penal Code, relating to proceedings before the committing magistrate, and to add a new section to the Penal Code numbered 87a, relating to the commitment by the magistrate on plea of guilty.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1131 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser,

Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Waters, Williamson, Wright, and Mr. Speaker—68

NOES—None

Title Amendment.

During reading of the title, the following amendment was offered by Mr. Fisher:

Amendment No. 1.

In line 4 of the title of the printed bill, as amended, strike out "87a", and insert in lieu thereof the following "877a".

Amendment adopted

Title, as amended, read and approved.

Bill ordered transmitted to the Senate

Message from the Governor.

The following message from the Governor was received and read:

GOVERNOR'S OFFICE,
SACRAMENTO, March 20, 1935.

To the Honorable Members of the Assembly.

Assembly Bill No. 1500—An act to add section 92.5 to the Agricultural Code, relating to money appropriated for the encouragement of county and district agricultural fairs, declaring the urgency thereof, and providing that this act shall go into immediate effect

In my opinion said Assembly Bill No. 1500 constitutes an emergency bill within the meaning of that term as used in section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

I therefore recommend the consideration of this bill as such an emergency measure

Respectfully submitted

FRANK F. MERRIAM, Governor of California

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1500—An act to add section 92.5 to the Agricultural Code, relating to money appropriated for the encouragement of county and district agricultural fairs, declaring the urgency hereof and providing that this act shall go into immediate effect.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—71.

NOES—Evans, Ralph W., Flint, and McCarthy—3.

Third Reading of Assembly Bill No. 1500.

Assembly Bill No. 1500—An act to add section 92.5 to the Agricultural Code, relating to money appropriated for the encouragement of county and district agricultural fairs, declaring the urgency hereof and providing that this act shall go into immediate effect

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 1500 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J, Field, Fisher, Frazier, Fulcher Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr Speaker—69

NOES—Evans, Ralph W, and McCarthy—2

Title read and approved.

Bill ordered transmitted to Senate

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Attaches.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1935

MR. SPEAKER: Your Committee on Attaches respectfully begs to report that it has carefully considered the applications for the various positions and desires to submit the following resolution:

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same:

	Per day (Sundays excepted)
Commencing March 15, 1935—	
Irene Hiddleson, Stenographer	$5 00
Commencing March 18, 1935—	
Bert Farewell, Page	2 50

Resolved, further, That the following named persons be stricken from the list of Assembly attaches, and their names be stricken from the pay roll of the Assembly to take effect on completion of the work

March 16, 1935—	
Paul Cronin, Assistant Journal Clerk	$5 00
Ardene Bourne, Stenographer	5 00
March 21, 1935—	
Irene Hiddleson, Stenographer	5 00

UTT, Chairman

Report and resolution read.

Mr Utt moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Williamson, Wright, and Mr Speaker—71.

NOES—None.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Financial Institutions.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1935

MR. SPEAKER: Your Committee on Financial Institutions, to which was referred Assembly Bill No. 259—An act to add a new section to the Civil Code, to be numbered 453.14, relating to mortgage insurance companies; declaring the urgency

thereof and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

UTT, Chairman

The above reported bill ordered on file for second reading.

On Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1935.

MR. SPEAKER: Your Committee on Corporations, to which was referred Assembly Bill No. 643—An act to amend section 320 of the Civil Code, relating to elections of corporation directors;

Also: Assembly Bill No. 2179—An act to amend sections 2482 and 2484 of the Civil Code, relating to limited partnerships,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

BREED, Chairman.

The above reported bills ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1935

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 13—An act to amend section 73a, of the Code of Civil Procedure, relating to superior courts;

Also: Assembly Bill No. 14—An act to amend section 4312 of the Political Code, relating to the place of offices of certain county officers;

Also: Assembly Bill No. 93—An act to amend section 69 of the Civil Code, relating to marriage licenses;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

LYON, Chairman.

The above reported bills ordered on file for second reading.

On Prisons and Reformatories.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1935

MR. SPEAKER: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 703—An act to establish the California State Reformatory; to provide for purchase of land therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor, and declaring the urgency thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended, and be re-referred to Committee on Ways and Means.

MARTIN, Chairman

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1935

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 532—An act to amend sections 423, 578, 587, 860, 1201, 1240, 1501, 1515, 1540 and 1630 of the Probate Code and to add new sections thereto to be numbered 588, 1201a and 1516, relating to estates of decedents and estates of persons under guardianship—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LYON, Chairman.

The above reported bill ordered on file for second reading.

On Federal Relations.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1935.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 42—Relative to memorializing the President and Congress to enact appropriate legislation to establish a social credit system in the United States by providing for the establishment of a National municipal currency—

has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended

TURNER, Chairman.

Assembly Joint Resolution No. 42 ordered on file for adoption

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1935.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 2—An act making an appropriation for a State exhibit at the California Pacific International Exposition, declaring the urgency thereof, and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

On Drainage, Swamp and Overflowed Lands.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1935

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 1370—An act to amend an act entitled "An act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such districts," approved March 20, 1903, as amended, by amending the title and sections 37 and 40 thereof, and adding a new section to be designated section 97, to authorize the borrowing or procuring of money by drainage districts from the United States or any agency thereof, and declaring the urgency thereof;

Also: Assembly Bill No. 1789—An act amending section 4120 of the Political Code, relating to the examination of books and accounts in the office of the county treasurer;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

DESMOND, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 1664—An act to amend an act entitled an act to create a reclamation district to be called "Reclamation District No. 1660," and providing for the control and management thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

DESMOND, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 1348—An act to amend section 690 10 of the Political Code, relating to rights in and upon swamp, overflowed, marsh, tide and submerged lands—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

DESMOND, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 316—An act to amend an act entitled "An act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such districts," approved March 20, 1903, as amended, relating to the funds of such districts and taxes therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DESMOND, Chairman

The above reported bill ordered on file for third reading.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 20, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 658—An act to amend section 3.472 of the School Code, relating to the transportation of pupils, instructors and supervisors of high school agriculture classes.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary

Senate Bill No. 658 read first time, and referred to Committee on Education.

Resolution.

The following resolution was offered:

By Mr. McCarthy:

Assembly Resolution.

Be it resolved by the Assembly of the State of California, That the use of the Assembly Chamber on Saturday, March 23, 1935, from two o'clock p.m. to six o'clock p.m., be and is hereby granted to the Guaranty Building and Loan Depositors' Investors' Protective Association of Southern California, for a specially called mass meeting to be held at that time by that association; and be it further

Resolved, That the Superintendent of Buildings and Grounds is hereby authorized and directed to make all necessary preparation and afford all necessary facilities to said association for that meeting, including permission to install broadcasting facilities, and broadcast.

Resolution read.

Mr. Wagner moved the adoption of the resolution

The question being on the adoption of the resolution

Resolution refused adoption.

Recess.

At twelve o'clock and fifteen minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

Reassembled.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Irrigation.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1935.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 840—An act to amend an act entitled "An act to authorize irrigation districts to cooperate and contract with the United States under the provisions of the Federal Reclamation Laws for a water supply, or the construction, operation or maintenance of works, including drainage works, or for the assumption by the district of indebtedness to the United States on account of district lands; and to provide the manner and method of payments to the United States under such contract, and for the apportionment of assessments, and the levy thereof, upon the lands of the district to secure revenue for such payments, and to provide for the judicial revenue and determination of the validity of the proceedings in connection with such contract, and to provide for construction of works by the district, to provide for the borrowing or procuring of money from the United States or any agency thereof and the entering into contracts, and/or the issuance of bonds, warrants or other evidence of indebtedness for the repayment thereof, approved May 5, 1917, as amended, by amending the title thereof and amending sections 1 and 11 thereof, and declaring the urgency thereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 844—An act to amend section 33 of the California Irrigation District Act, relating to the payment of bonds and interest thereon;

Also: Assembly Bill No. 1277—An act to add a new section to the Political Code to be numbered 3454½, relating to reclamation districts and requiring that in all actions against a reclamation district or any person sued by reason of his connection therewith the board of trustees must be made parties defendant;

Also: Assembly Bill No. 1976—An act to amend section 29 of "The California Irrigation District Act," approved March 31, 1897, as amended, relating to the purpose for which property may be held by said district, and providing for the sale or lease of same;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

FRAZIER, Chairman

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Irrigation, to which was referred Senate Bill No. 1070—An act to amend an act entitled "An act relating to the redemption of property sold to irrigation districts for delinquent assessments, and declaring the urgency thereof," approved September 20, 1934, by amending sections 1 and 3 of said act and to validate redemptions heretofore made, and declaring the urgency thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FRAZIER, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Irrigation to which was referred Senate Bill No. 57—An act to amend section 26 of the California Irrigation District Act, approved March 31, 1897, relating to directors of irrigation districts;

Also: Senate Bill No. 293—An act to amend section 98 of the California Irrigation District Act and to repeal sections 99, 99½, 106, 107 and 108 of said act, all relating to the cancellation and destruction of unissued or unsold bonds and coupons of irrigation districts, and declaring the urgency thereof;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

FRAZIER, Chairman.

The above reported bills ordered on file for second reading.

Third Reading of Assembly Bills.

Assembly Bill No. 1786—An act to amend section 2 of an act entitled "An act providing for the establishment and administration of industrial farms or industrial road camps in the counties of the State and the commitment thereto and discipline of persons charged with or convicted of public offenses," approved June 3, 1921, relating to the charge for maintaining persons on industrial farms and industrial road camps.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr Breed:

Amendment No. 1.

In line 1 of the title of the printed bill, strike out "amned", and insert in lieu thereof the following "amend".

Amendment No. 2.

On page 1, line 19, of the printed bill, after "all", insert the following: "such".

Amendments adopted.

Request for Unanimous Consent.

Mr. Breed asked for, and was granted, unanimous consent to take up Assembly Bill No. 1786, as amended, at this time, without reference to printer or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1786.

Assembly Bill No. 1786—An act to amend section 2 of an act entitled "An act providing for the establishment and administration of industrial farms or industrial road camps in the counties of the State, and the commitment thereto and discipline of persons charged with or convicted of public offenses," approved June 3, 1921, relating to the charge for maintaining persons on industrial farms and industrial road camps.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1786, as amended, passed by the following vote:

AYES—Anderson, Andreas, Breed, Cassidy, Clark, Corwin, Cottrell, Cunningham, DeLap, Donahue, Donnelly, Evans, Ralph W., Flint, Fulcher, Gilbert, Hawkins, Johnson, Latham, Laughlin, Lore, Martin, McBride, McCarthy, Meehan, Minard, Morgan, Patterson, Phillips, Redwine, Riley, Robertson, Stream, Turner, Utt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr Speaker—41

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 601—An act to amend section 1704 of an act entitled "An act to establish a Streets and Highways Code, thereby consolidating and revising the law relating to public ways and all appurtenances thereto, and to repeal certain acts and parts of acts specified herein."

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Breed:

Amendment No. 1.

In line 1 of the title of the printed bill, strike out "an act entitled "An act to", and strike out all of lines 2, 3, 4 and 5 of the title of the printed bill, and insert in lieu thereof the following: "the Streets and Highways Code, relating to county highways."

Amendment adopted.

Request for Unanimous Consent.

Mr. Breed asked for, and was granted, unanimous consent to take up Assembly Bill No. 601, as amended, at this time, without reference to printer or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 601.

Assembly Bill No. 601—An act to amend section 1704 of an act entitled "An act to establish a Streets and Highways Code, thereby consolidating and revising the law relating to public ways and all appurtenances thereto, and to repeal certain acts and parts of acts specified herein."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 601 passed by the following vote:

AYES—Anderson, Andreas, Breed, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, DeLap, Donihue, Donnelly, Evans, Ralph W., Flint, Fulcher, Geyer, Gilbert, Hawkins, Heisinger, Johnson, Latham, Laughlin, Lore, Martin, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr Speaker—49
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No 395—An act to amend Chapter 286, Statutes of 1927, entitled "An act authorizing the Department of Finance to appropriate waters in connection with the utilization and conservation of the water resources of the State in the development of a general or coordinated plan; authorizing the State Department of Finance to release or assign such appropriations; authorizing the State Department of Finance to request other departments of the State or State officers to furnish service or assistance to make investigations in connection with the development of a general or coordinated plan for the utilization or conservation of the water resources of the State," approved April 29, 1927, as amended, by amending section 1 thereof, relating to appropriation of waters by the State Department of Finance.

Bill read third time
The question being on the passage of the bill
The roll was called, and Assembly Bill No. 395 passed by the following vote:

AYES—Anderson, Andreas, Breed, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, DeLap, Donihue, Donnelly, Evans, Ralph W., Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Latham, Laughlin, Lore, Martin, McBride, McCarthy, Miller, Minard, Morgan, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Thorp, Turner, Utt, Voigt, Walker, Waters, Welsh, and Mr. Speaker—47
NOES—None

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No 658—An act to amend sections 45 and 47 of the California Irrigation District Act and to repeal section 46 of said act, all relating to certificates of sale and redemption therefrom, and the issuance of deeds

Bill read third time
The question being on the passage of the bill.
The roll was called, and Assembly Bill No 658 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Cassidy, Chatters, Clark, Corwin, Cottrell, DeLap, Donihue, Donnelly, Evans, Ralph W., Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Martin, McBride, McCarthy, Meehan Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Voigt, Walker, Waters, and Welsh—48
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate

Assembly Bill No 841—An act to amend sections 1 and 3 of an act entitled "An act relating to the redemption of property sold to irrigation districts for delinquent assessments, and declaring the urgency thereof," approved September 20, 1934, relating to redemptions and declaring the urgency thereof.

Re-reference of Assembly Bill No. 841.

Assembly Bill No. 841 ordered re-referred to Committee on Irrigation.

Assembly Bill No. 753—An act to amend section 4 of "An act to regulate the construction of buildings in the State of California, in respect to resistance to horizontal forces, providing penalties for the violation thereof and providing that this act become effective immediately," approved May 26, 1933, relating to the application of said act

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 753 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W Fisher, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No 1634—An act to repeal sections 378, 378a, 378b, 378c, 378d, 378e, 378f, 378g of the Political Code, relating to the Bureau of Commerce.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1634 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W, Fisher Fulcher, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Welsh, Williamson and Mr Speaker—59

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1700—An act to amend section 663 of the Political Code, relating to the State Board of Control.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1700 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Her-

bert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Heisinger, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—65.

NOES—Hawkins, Hornblower, Hunt, and Jones—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1989—An act to amend section 677 of the Political Code, relating to State accounting.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1989 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1990—An act to repeal section 677a of the Political Code and to add section 677.5 thereto, relating to budgets of State departments and other State agencies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1990 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—65.

NOES—Flint, Gilbert, and Reaves—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1992—An act to add section 675.1 to the Political Code, and to repeal section 675b thereof, relating to the approval of salaries by the Department of Finance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1992 passed by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Minard, Morgan,

O'Donnell, Patterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1993—An act to amend section 675a of the Political Code, relating to approval of contracts by the Department of Finance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1993 passed by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—71

NOES—Evans, Ralph W., and Gilbert—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1994—An act to repeal section 686a of the Political Code and to add section 686.5 thereto, relating to accountants in the Department of Finance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1994 passed by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—69

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 44—An act to prohibit until February 1, 1936, sales under certain mortgages and deeds of trust, and the forfeiture of the interest of the purchaser under certain contracts of purchase, for default in the payment of the principal sum of obligations secured thereby or contracted to be paid thereunder, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale or forfeiture made in violation of the act, to prescribe the time within which an action to avoid the same may be brought, to postpone sales for default in payment of installments due between effective date of act and February 1, 1936, to authorize waiver

hereof, to prevent actions against guarantors' obligations the enforcement of the security for which is affected by the act, and to declare the urgency hereof.

Bill read third time.

Committee Amendments.

During third reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out lines 17 and 18, and insert in lieu thereof the following:

"SEC. 2. Until February 1, 1937, except in the case of mining property, no decree of foreclosure of a mortgage or deed of trust heretofore executed upon real property shall be entered, nor shall any sale be made under any power of sale".

Amendment No. 2.

On page 2, line 30, of the printed bill, as amended, strike out "Nothing", and insert in lieu thereof the following. "Except as otherwise provided with respect to interest, nothing".

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out lines 35 to 42, inclusive, and insert in lieu thereof the following:

"SEC. 3. If notice of default is recorded pursuant to section 2924 of the Civil Code, or if a forfeiture or termination is declared under a written contract for the purchase of real property, and in either case the only default is the nonpayment of an installment of interest, then in case of the notice of default the trustor or mortgagor may, or in case of the contract of purchase the purchaser may, file in the superior court of the county in which the real property or the major portion thereof is situated, a petition praying for an extension of time in which to pay the delinquent installment of interest.

If an action is filed for the foreclosure of a mortgage or trust deed upon real property, and the only default is the nonpayment of an installment of interest, the mortgagor, trustor or defendant may file in the foreclosure action a petition praying for an extension of time in which to pay the delinquent installment of interest.

A copy of such petition shall be served upon the trustee and the beneficiary in the case of a deed of trust, or upon the mortgagee in the case of a mortgage, or upon the vendor in the case of a contract of purchase, in the manner provided by law for the service of summons in a civil action, and a notice of pendency of such petition shall immediately be recorded in each county in which any of the real property involved is situated. Such notice of pendency shall state the name of the petitioner and of all other parties to the mortgage, deed of trust or contract of purchase and the nature of the petition, and the book and page of the records of the county recorder in which the mortgage, deed of trust or contract of purchase is recorded.

Return of service of the petition shall be filed with the clerk of the superior court who shall set the petition for hearing within ten days after the filing of the return. Five days notice shall be given to all parties to the mortgage, trust deed or contract of purchase or to their personal representatives, assigns or successors in interest. Upon good cause shown the court may grant an extension of time, not to exceed five days, for the hearing, and shall grant no further extension and shall render its order within five days after the submission of the matter.

Upon the hearing the court, if it finds equitable grounds, may extend the time for payment of the delinquent installment of interest for not more than one hundred and eighty days after the due date of such installment, and if the installment of interest is not paid within the extended time the court shall permit the foreclosure action or the sale under power of sale or the forfeiture or termination to proceed.

SEC. 4. In all cases in which the time within which an action upon any obligation founded upon a written contract for the purchase of real property or upon a written instrument secured by a mortgage or deed of trust upon real property, or any guaranty thereof, may be commenced would expire by virtue of section 337 of the Code of Civil Procedure during the period extending between the date upon which this act takes effect and the first day of February, 1937, such time, is hereby extended so as not to expire until April 1, 1937."

Amendment No. 4.

On page 2, line 43, of the printed bill, as amended, strike out "4", and insert in lieu thereof the following: "5".

Amendment No. 5.

On page 2, line 51, of the printed bill, as amended, strike out "5", and insert in lieu thereof the following: "6"

Amendment No. 6.

On page 3, line 7, of the printed bill, as amended, strike out "6", and insert in lieu thereof the following "7"

Amendment No. 7.

On page 3, line 24, of the printed bill as amended, strike out the period, and insert in lieu thereof the following ", which installment became due on or before February 1, 1937"

Amendment No. 8.

On page 3, line 25, of the printed bill, as amended, strike out "Nothing", and insert in lieu thereof the following: "Except as otherwise provided with respect to interest, nothing".

Amendment No. 9.

On page 3, line 39, of the printed bill, as amended, strike out "7", and insert in lieu thereof the following, "8".

Amendment No. 10.

On page 3 of the printed bill, as amended, between lines 45 and 46, insert the following

"SEC 9 There shall be no filing fees for the filing of any document with the county clerk under the provisions of this act

SEC. 10. As used in this act:

(a) The terms "mortgagor," "mortgagee," "trustor," "trustee," "purchaser," "vendor," and "guarantor," shall include their personal representatives, assigns or successors in interest, and the singular shall include the plural.

(b) The term "trustee" shall also include the beneficiary of a deed of trust"

Amendment No. 11.

On page 3, line 46, of the printed bill, as amended, strike out "8", and insert in lieu thereof the following: "11"

Amendments adopted.

Bill read third time, ordered to reprint, engrossment, and third reading.

Motion to Set Special Order.

Mr. Peyser moved that the consideration of Assembly Bill No 44, as amended, be made a special order for Monday, March 25, 1935, at eleven o'clock a.m.

Substitute Motion.

Mr Jones moved, as a substitute motion, that Assembly Bill No. 2136 be considered with Assembly Bill No. 44, and that the special order be set for Tuesday, April 2, 1935, at eleven o'clock a m.

The question being on the adoption of the substitute motion by Mr Jones

Request for Roll Call.

On request of Messrs Hunt, Desmond, and Wagner, the Speaker ordered a roll call taken on the substitute motion by Mr. Jones

The roll was called

Call of the House.

Pending the announcement of the vote, Mr Jones moved a call of the House.

Motion carried.

Time, two o'clock and forty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors

The doors were closed, and the Chief Clerk was directed to call the roll

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam,

Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr Speaker—75

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House

Proceedings Under Call of the House by Unanimous Consent.

Resolution.

The following resolution was offered:

By Mr. McMurray:

Assembly Resolution.

WHEREAS, An Assembly committee was appointed at the fiftieth (special) session of the Legislature to investigate and report to the fifty-first session of the Legislature on the subject of horse racing in California; and

WHEREAS, The investigation started by this committee is as yet unfinished, for which reason it is necessary and proper that said investigation should be continued to completion and a report made thereon in full and be submitted to the Legislature; and

WHEREAS, Certain charges and accusations have recently been made publicly and in the press concerning the activities of the Racing Board in its administration of the Racing Law in this State, which charges and accusations were not made known or presented to the Assembly committee appointed at the fiftieth (special) session of the Legislature; and

WHEREAS, Such charges and accusations should be investigated and a report made thereon as a result thereof to the Legislature to the end that in the event the same are found to be true, legislation may be proposed to appropriately amend the Racing Law to remedy the situation, now, therefore, be it

Resolved by the Assembly of the State of California, That a committee of five members of the Assembly be appointed by the Speaker of the Assembly to continue the investigation of the subject of horse racing in California, and particularly certain charges recently made in connection with the activities of the Racing Board in its administration of the Racing Law in this State; and be it further

Resolved, That said committee shall proceed with said investigation in such manner as may be determined by said committee and that it is hereby authorized to hold public hearings at any place in the State of California, at which hearings the people shall have opportunity to present their views to the committee; and be it further

Resolved, That said committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters herein referred to, and is hereby authorized and empowered to require the production of books, agreements, documents, and papers of every kind; to issue subpenas and to compel the attendance of witnesses, and to procure testimony; and each of the members of said committee is hereby authorized to administer oaths, and all the provisions of Article VIII of Chapter 2, Title I, Part III, of the Political Code, relative to the attendance of witnesses before the Legislature and committees thereof, shall apply to said committee; and be it further

Resolved, That said committee shall organize and make its investigation as soon as possible and report thereon to the Assembly at the fifty-first session of the Legislature not later than 30 days after the adoption of this resolution

Resolution read.

Motion.

Mr. Hornblower moved, seconded by Mr Maloney, that the resolution submitted by Mr McMurray be referred to Committee on Public Morals.

Substitute Motion.

Mr. O'Donnell moved, as a substitute motion, that the resolution be referred to Committee on Agriculture.

Motion to Lay on the Table.

Mr. Lyon moved that the whole matter be laid on the table.

The question being on the motion to lay on the table.

Request for Roll Call.

On request of Messrs. McMurray, Welsh and Hunt, the Speaker ordered a roll call taken on the motion to lay on the table.

The roll was called, and the motion to lay on the table was lost by the following vote:

AYES—Andreas, Breed, Cunningham, DeLap, Evans, Herbert J., Field, Frazier, Heisinger, Hornblower, Kallam, Lyon, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, and Mr. Speaker—29.

NOES—Anderson, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Scudder, Turner, Voigt, Welsh, Williamson, and Wright—46.

The question being on the motion by Mr. O'Donnell to refer the resolution to Committee on Agriculture.

The roll was called, and the motion to refer the resolution to Committee on Agriculture lost by the following vote:

AYES—Anderson, Andreas, Breed, Clark, Desmond, Evans, Herbert J., Field, Flint, Frazier, Heisinger, Hornblower, Latham, Laughlin, Lyon, Maloney, Mayo, McBride, McCarthy, Miller, Nielsen, O'Donnell, Pelletier, Peyser, Redwine, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Wright, and Mr. Speaker—32.

NOES—Boyle, Cassidy, Chatters, Corwin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Ralph W., Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Johnson, Jones, Kallam, Lore, Martin, Minard, Morgan, Peterson, Reaves, Richie, Riley, Robertson, Scudder, Stream, Utt, Waters, and Welsh—36.

The question being on the motion by Mr. Hornblower to refer the resolution to Committee on Public Morals.

Demand for Previous Question.

Messrs. Martin, Latham, Riley, Wright and Field demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion by Mr. Hornblower to refer the resolution to Committee on Public Morals.

Request for Roll Call.

On request of Messrs. Hornblower, Boyle and Lyon, the Speaker ordered a roll call taken on the motion by Mr. Hornblower to refer the resolution to Committee on Public Morals.

The roll was called, and the motion to refer to Committee on Public Morals carried by the following vote:

AYES—Breed, Chatters, Corwin, Cunningham, DeLap, Donnelly, Evans, Herbert J., Field, Frazier, Fulcher, Garibaldi, Gilbert, Glover, Heisinger, Hornblower, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, and Mr. Speaker—39.

NOES—Anderson, Andreas, Boyle, Burns, Cassidy, Clark, Cottrell, Cronin, Crowley, Dawson, Desmond, Donihue, Evans, Ralph W., Fisher, Flint, Geyer, Gilmore, Hawkins, Hunt, Johnson, Jones, Latham, Laughlin, Lore, McCarthy, McMurray, Meehan, O'Donnell, Patterson, Pelletier, Richie, Rosenthal, Turner, Voigt, Welsh, Williamson, and Wright—37.

Resolution by Mr. McMurray ordered referred to Committee on Public Morals.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 340—An act to amend section 691.6 of the Fish and Game Code, relating to bass;

Also: Assembly Bill No. 479—An act to amend section 2179 of the Political Code, relating to guardianship and administration of estates of incompetents;

Also: Assembly Bill No. 480—An act to amend section 1554 of the Probate Code, relating to accounts of guardians of insane persons;

Also: Assembly Bill No. 498—An act to amend section 453 of the Agricultural Code, relating to milk inspection;

Also: Assembly Bill No. 554—An act to amend section 463 of the Streets and Highways Code, relating to secondary State highways;

Also: Assembly Bill No. 555—An act to amend section 7 of an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, relating to State highways;

Also: Assembly Bill No. 574—An act to add sections 3246a and 3246b, and to amend sections 3244, 3245 and 3246 of the Political Code and to amend section 3247 as added by Chapter 85, Statutes of 1887, renumbering said section to be section 3246c, all relating to hours and wages of labor;

Also: Assembly Bill No. 608—An act limiting the hours of labor of female domestic employees and providing a penalty for its violation;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 990—An act to amend section 13 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," as amended, relating to revocation or suspension of licenses;

Also: Assembly Bill No. 992—An act to amend section 11 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the definition of dentistry.

Also: Assembly Bill No. 890—An act to amend sections 8 and 17 of the State Medical Practice Act, relating to certificates licensing the practice of medicine, drugless healing, and chiropody, and to penalties for violation of the provisions of the act;

Also: Assembly Bill No. 998—An act to amend sections 4.765, 4.920, and 4.950 of the School Code, relating to computation of average daily attendance in elementary and secondary schools and junior colleges;

Also: Assembly Bill No. 1134—An act to amend section 2 and section 3 of an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof," and repealing an act entitled "An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications, fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office, approved March 20, 1905," approved May 31, 1917, as amended, relating to its organization and defining its powers and duties;

And reports that the same have been correctly engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 43—An act to add a new section to the Penal Code to be numbered 496bb, relating to buying, receiving, concealing or withholding stolen property, and prescribing penalties for violation of the provisions thereof;

Also: Assembly Bill No. 131—An act to add section section 2924d to the Civil Code and sections 726a and 726b to the Code of Civil Procedure, relating to deficiency judgments and declaring the urgency thereof;

Also: Assembly Bill No. 142—An act to amend section 32 of the Penal Code, relating to the definition of an accessory;

Also: Assembly Bill No. 246—An act for the regulation and control of corporations organized for the purpose of operating nonprofit hospital service plans;

Also: Assembly Bill No. 252—An act to amend section 499b of the Penal Code, relating to the unauthorized taking for temporary use or operation of aircraft, automobiles, bicycles, motorcycles or other vehicles;

Also: Assembly Bill No. 309—An act to amend section 110 of the Penal Code, relating to transporting arms into a State prison;

Also: Assembly Bill No. 327—An act to add Article 3a to Division II of the Agricultural Code, relating to Bang's disease in cattle;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 21, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 71—An act to amend section 601 of the Code of Civil Procedure, relating to peremptory challenges in civil cases;

Also: Senate Bill No. 499—An act to add a new section, to be numbered 14a, to an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the enforcement of said act.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary

Senate Bill No. 71 read first time, and referred to Committee on Judiciary.

Senate Bill No. 499 read first time, and referred to Committee on Medical and Dental Laws.

Withdrawal of Assembly Bills.

By order of the Speaker, the following bills were stricken from the file, and ordered re-referred to committees:

Assembly Bill No. 555 re-referred to Committee on Roads and Highways

Assembly Bill No. 554 re-referred to Committee on Roads and Highways

Assembly Bill No. 327 re-referred to Committee on Live Stock and Dairies.

Assembly Bill No. 246 re-referred to Committee on Medical and Dental Laws.

Assembly Bill No. 992 re-referred to Committee on Medical and Dental Laws.

Assembly Bill No. 990 re-referred to Committee on Medical and Dental Laws.

Assembly Bill No. 131 re-referred to Committee on Judiciary.

Assembly Bill No. 890 re-referred to Committee on Medical and Dental Laws

Motion to Dispense With Further Proceedings Under Call of the House.

Mr. Martin moved that further proceedings under call of the House be dispensed with.

Request for Roll Call.

On request of Messrs. Martin, Hunt, and Jones, the Speaker ordered a roll call taken on the motion by Mr. Martin to dispense with further proceedings under call of the House.

The roll was called, and the motion to dispense with further proceedings under call of the House carried by the following vote:

AYES—Breed, Chatters, Corwin, Cottrell, Cronin, Cunningham, DeLap, Evans, Herbert J. Field, Frazier, Fulcher, Garibaldi, Heisinger, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, O'Donnell, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Wright, and Mr. Speaker—40.

NOES—Anderson, Andreas, Boyle, Burns, Cassidy, Clark, Crowley, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Laughlin, Lore, McCarthy, McMurray, Meehan, Patterson, Pelletier, Peterson, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, Welsh, and Williamson—38.

Further Proceedings Under Call of the House Dispensed With.

At three o'clock and thirty minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Martin.

The roll of absentees was called, and the substitute motion by Mr. Jones that Assembly Bill No. 2136 be considered with Assembly Bill No. 44, and to set special order for same, was lost, by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Clark, Cronin, Crowley, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, Mayo, McCarthy, McMurray, Meehan, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Richie, Rosenthal, Thorp, Turner, Voigt, Wagner, Welsh, Williamson, and Mr. Speaker—42.

NOES—Breed, Chatters, Corwin, Cottrell, Cunningham, DeLap, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, McBride, Miller, Minard, Morgan, Nielsen, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Utt, Walker, Wallace, Waters, and Wright—36.

The question being on the motion by Mr. Peyser that consideration of Assembly Bill No. 44 be made a special order for Monday, March 25, 1935, at eleven o'clock a.m.

Request for Roll Call.

On request of Messrs Hunt, Wagner and Jones, the Speaker ordered a roll call taken on the motion by Mr Peyser to set Assembly Bill No. 44 as special order.

The roll was called, and the motion to set Assembly Bill No. 44 as special order was lost by the following vote:

AYES—Breed, Chatters, Cottrell, Cronin, Cunningham, DeLap, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, O'Donnell, Peyser, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Wright, and Mr. Speaker—40

NOES—Anderson, Andreas, Boyle, Burns, Cassidy, Clark, Corwin, Crowley, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, McCarthy, McMurray, Meehan, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, and Welsh—37.

Adjournment.

At three o'clock and fifty minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m. Friday, March 22, 1935

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, March 22, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—74.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Glover, its further reading was dispensed with.

Leaves of Absence.

On motion of Mr. Dawson, Mr. Brennan was granted leave of absence for this day.

On motion of Mr. Williamson, Mr. DeLap was granted leave of absence for this day.

On motion of Mr. Morgan, Miss Miller was granted leave of absence for this day.

On motion of Mr. Utt, Mr. Fulcher was granted leave of absence for the balance of this legislative day.

On motion of Mr. Fisher, Mr. Cottrell was granted leave of absence for this day.

On motion of Mr. Maloney, Mr. Peyser was granted leave of absence for this day.

Privilege of Floor of Assembly Extended.

On request of Mr. Corwin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Howard L. Way, county surveyor of San Bernardino County.

On request of Mr. Nielsen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the teachers and students of the Western School of Business, Sacramento, shorthand class; Miss Florence Quinn and Miss E. Smith, teachers, and Antonette Torre, Mildred McDonald, Ernabeth Nichols, Mary Pfefferle, John Webber, Margaret Kelleher, Helen Jones, Hertha Martin, Anita Scacchetti, Bernice Cooper, Clara Murch, Mary Powers, Peter Dragone, Emma Preitkis, Brownie Hornberger, Rose Westergard, Genevieve Parisi, Edward Codramac, Alice Zine, Amalia Poncioni, Madeline Zine, Janet

Winkler, Trilma Rachford, Marie Cole, Helen Veress, Helen Kiss, Juanita Rochester, Isabel Montaner, Ann Schluer, Nadeen Bratton, Roland Ele, Carmon Boyer, Marjorie Rieff, Kathryn Siddles, Marie Mooney, Gladys Metcalf, Esther Kilborn, Robert Engle, Elizabeth Barreas, Rose Guadgno, and Sadie Zine, students

On request of Mr. Morgan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Lloyd H. Snider and Mr. Wade P. Brummal of Sacramento.

On request of Mr. Latham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Theodore L. Stearns of Los Angeles, and Mr. J. Homer Hough of Alhambra

On request of Mr. Dawson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Robert H. Ransom of Stanford University.

On request of Mr. Cunningham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. Frederick P. Woellner, professor of education at the University of California at Los Angeles, and Mrs. Frederick P. Woellner.

On request of Mr. Waters, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Charles Crail, Jr., Joe Crail of Los Angeles, sons of the Hon. Charles Crail, Judge of the District Court of Appeal, and Mr. Delbert Morris of Los Angeles

On request of Mr. Laughlin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. George H. Johnson.

On request of Mr. Gilbert, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Roy D. Whitlow of Woodland.

On request of Mr. Riley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Ray O. Baldwin, executive secretary of Long Beach Chamber of Commerce.

On request of Messrs Maloney and Lyon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Buron Fitts and Mrs. Harry Wishard.

On request of Mr. Redwine, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Catherine Vinn Carr, president Women's Division Los Angeles County Republican Assembly: Miss Gertrude Furress, Miss Rena Brewster, Miss Dora Woods, Mrs. Louise Sanborn, Miss Ruth Pinkney, and Miss Evelyn Simms

On request of Mr. O'Donnell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Jennie Corner, Mr. Donald Peterson, and the principal and pupils of the Maxwell Union High School as follows. G A. Spiess, principal, and Freda Arnold, Helen Derks, Marian Conner, Helen Doolittle, Glenn Elliott, Barbara Harden, Homer Hastings, Robert Mohammed, Peter Peterson, Pauline Richter, Rebecca Sutton, and Alice Yearnshaw, members of the junior class.

On request of Mr. Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the trustee, principal, patrons of the district, and pupils of the Alpine School, San Joaquin County, as follows: Mr. Ed Preszler, trustee, Mary E. Rath-

bun, principal; Mr. and Mrs. Fred Frey, Mr and Mrs Henry Geringer, Mrs. John Wiedrich, Mrs. H Habesland, Mrs Lillian Joens and Mrs. Ed Preszler, patrons of the district; and Viola Wiedrich, Ruth Handel, Marie Berman, Winifred Miller, Elsie Reimche, Margaret Gerber, Doris Frey, John Young, Lowell Ehrhardt, Lynda Buchmiller, Rosalie Habesland, Lillian Steinwandt, Myra Beckman, Aldena Reimche, Vernon Kammerer, Eugene Bert, Robert Johns, Hugo Messing, Raymond Preszler, Alfred Joens, Lorene Rau, Ella Geringer, Erma Roll, Douglas Rathbun, Charlie Ludwig, Marvin Nies, Bennie Schmidt, Johnny Wiederich, pupils

ASSISTANT CLERK OLIVER READING.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker.

From Federated Tax Reduction Leagues, opposing Assembly Bills Nos 98, 202, 505, 670, 757, 823, 824, 825, 1165, 1801, 1802, 1868, 1978 and 2102; also Senate Bills Nos. 78, 276, 602, 704, 705 and 868.

From Railroad Employees' National Pension Association, urging passage of Assembly Bill No 17 and Senate Bill No. 24.

From Newhall-Saugus Chamber of Commerce, urging the building of the State penitentiary and prison farm on selected site in Bouquet Canyon

From American Chemical Society, Sacramento Branch, opposing Assembly Bill No 1943

From Citizens Protective Club of Long Beach, opposing Assembly Bill No 1054 and favoring Senate Bill No 535

From Motor Car Dealers Association of Orange County, favoring Assembly Bill No. 2383.

Communication.

The following communication was received, and ordered printed in the Journal:

S. F. No. 879—Resolution No. 16.

A Joint Resolution—Memorializing the President and Congress of the United States to amend the Federal law so as to permit the States to tax National banks upon a fair and equitable basis and requesting the States to join in a similar memorial

WHEREAS, The several States are prohibited from taxing the property, income or shares of National banks except in the precise method prescribed by Congress (section 5219 R. S. U. S.); and

WHEREAS, From 1866 to 1923 the only method by which Congress authorized the States to tax National banks was to tax upon their shares and during such period such shares were taxed by the States at the property rate, upon the same basis as the property of the farmer,, merchant, manufacturer and home owner, thereby securing equality of the burden of taxation among all property owners, and

WHEREAS, Said Federal statute provided that the rate of such tax should not exceed the rate imposed by the State upon other moneyed capital in the hands of individual citizens of the States invested in notes, bonds and other evidences of debt (moneys and credits) coming into competition with the business of banking, and

WHEREAS, Beginning in 1921 and continuing down to the present time there have been rendered various decisions of the United States Supreme Court and other Federal and State courts, construing the above limitation, the effect of which decisions has been to practically destroy the power of the States to tax the shares of National banks, it being manifestly impossible to classify such investments into those competing and those not competing with the business of National banks. It is also clearly evident that there is no similarity or relationship between shares in a National bank which have a right to share in the profits of a going business arising from the income from all the deposits in the bank as well as the capital invested in shares, and also to share in the income received from other activities of such bank and a debt evidenced by a note or bond, the income from which is limited to the interest provided therein. It is absurd to claim that for purposes of taxation such wholly different types of property should be treated precisely alike; and,

WHEREAS, Although the Federal act in form permits States to tax the net income of banks or to levy a tax measured by or according to such net income, such method is entirely and wholly unjust, inequitable and inadequate. Because, first, when

such method is used by a State it is in lieu of all other forms of taxation. Second, any such bank is entirely tax free unless it makes a net profit, whereas all other persons, owners of property, must pay a tax whether they make a profit or loss. This places the National banks in a privileged class and exempts them from paying any share of the public burdens during the period when they do not make a net profit, thus shifting their share of the tax burden upon other property owners. Third, in all the States where the net income, or measured by net income methods have been used, the shrinkage in taxes collected from banks have ranged from 66⅔ per cent to 90 per cent, as compared to former tax collections under the share tax plan; and

WHEREAS, Because of the decisions of courts holding void taxes upon the shares of National banks the whole matter of taxing banks, both National and State, has been thrown into great confusion, many of the States have been persuaded to abandon the share method of taxing banks and have either adopted low millage rates of from three to five mills on the dollar of value of such stock, or have adopted the income tax, or measured by income tax methods, with the result that in the past ten years the total tax of National banks have been reduced from $79,376,000 in 1922 to $48,080,000 in 1932, notwithstanding the fact that during such period the total capital and surplus of such banks increased from $2,356,427,000 to $2,828,408,000, and thus during a period when taxes have increased upon all other forms of property and for all other persons, banks have secured reductions, and

WHEREAS, In March, 1927, the Supreme Court of the United States held bank taxes in Minnesota to the amount of approximately $1,200,000 void because the rate was higher than the rate on moneys and credits and the Legislature at once established the Minnesota Bank Tax Commission for the purpose of obtaining such an amendment to the Federal law as would permit this and other States to tax bank stock upon its value as other property is taxed; said commission has in all practicable ways endeavored to secure such amendment by enlisting the cooperation of all other States and other taxing officials, by appearing before committees of the Senate and House of Representatives of Congress of the United States, by attending National tax conferences, by correspondence with tax officials of all other States and by conferences with them and otherwise; and

WHEREAS, Through the efforts of the said commission and the tax officials of other States bills have been introduced at every session of Congress providing for the necessary amendments to said Federal act, and by reason of the lobby maintained by the American Bankers Association, all efforts to obtain such legislation have been unsuccessful; however, in June, 1934, the Banking and Currency Committee of the House of Representatives reported favorably upon a bill introduced by Mr. Steagall, chairman of said committee, which bill would grant to the States all the relief required. Said report is an unanswerable argument in favor of restoring to the States the power to tax bank shares upon an equitable basis, the same as they were taxed for nearly 60 years; and

WHEREAS, Bills identical with the so-called Steagall Bill have been introduced and are now pending in the Congress of the United States, and it is of the utmost importance that all of the States join in the effort to secure the passage thereof, now, therefore, be it

Resolved by the Legislature of the State of Minnesota, That the Congress of the United States, the President of the United States, are hereby respectfully and earnestly urged to so amend section 5219 R. S. U. S., that the States may tax the shares of National banks upon the ad valorem basis with no other limitation thereof except that the rate be not greater than the rate imposed upon the shares of State banks; be it further

Resolved, That all the States of the United States are hereby earnestly urged and requested to adopt resolutions similar to this resolution memorializing Congress and the President of the United States to pass such legislation and to cooperate with the State of Minnesota for the purpose of securing the enactment of such legislation until the same is secured, be it further

Resolved, That the Secretary of State of Minnesota is authorized and requested to send copies of this resolution to the President of the United States, Vice President of the United States, Speaker of the House of Representatives of the United States, and to each member of the House of Representatives from the State of Minnesota also to send a duly authenticated copy hereof to the Presiding Officer of each house of the Legislature of all the States in the Union, and to the chairman of the tax committees of each house thereof

HJALMAR PETERSEN, President of the Senate
GEORGE W. JOHNSON, Speaker of the House of Representatives

Passed the Senate the fourth day of March, 1935

C. H. SPAETH, Secretary of the Senate.

Passed the House of Representatives the seventh day of March, 1935

JOHN I. LEVIN, Chief Clerk, House of Representatives.
FLOYD B. OLSON, Governor of the State of Minnesota
MIKE HOLM, Secretary of State

Approved: March 11, 1935.
Filed: March 11, 1935.

I, Mike Holm, Secretary of State of the State of Minnesota, do hereby certify that I have compared the annexed copy with record of the original resolution in my office of S F. No. 879, being Resolution No. 16, Laws 1935, and that said copy is a true and correct transcript of said resolution and of the whole thereof

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State, at the Capitol, in Saint Paul, this fourteenth day of March, A. D 1935.

MIKE HOLM,
[SEAL] Secretary of State, State of Minnesota

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1935

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 46—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new section to Article IV thereof, to be numbered 25¼, relating to the practice of chiropractic—and reports that the same has been correctly engrossed.

WATERS, Chairman.

Assembly Constitutional Amendment No. 46 ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1531—An act to amend section 3491 of the Political Code, relating to reclamation districts—and reports that the same has been correctly re-engrossed.

WATERS, Chairman

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1271—An act imposing an excise tax on the storage, use or other consumption in this State of tangible personal property, providing for the registration of retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof and providing that this act shall take effect immediately—and reports that the same has been correctly re-re-engrossed.

WATERS, Chairman

The above reported bill ordered on file for third reading

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 21—An act to amend section 356 of, and to add sections 614, 615 and 639 to, the Streets and Highways Code, relating to State highways;

Also: Assembly Bill No. 291—An act to add a new chapter to Title XIV of Part IV of Division III of the Civil Code to be known as Chapter III-A thereof, in relation to trust receipts and pledges of personal property unaccompanied by possession in the pledges and to make uniform the law relating thereto and to amend section 2988 of the Civil Code relative to the lien of the pledgee,

Also: Assembly Bill No. 497—An act to amend sections 457 and 637 of the Agricultural Code, relating to testing of milk, cream or products thereof,

Also: Assembly Bill No 1054—An act to add section 3a to and to amend sections 3, 4, 5, 6, 7, 8, 10, 14, 15, 16, 17, 18, and 19 of the "Los Angeles County Flood Control Act," relating to the government and control of the district and the powers and duties of the board of directors thereof;

Also: Assembly Bill No. 1205—An act to add a new part to Division II of the School Code to be known as Part VI, relating to the formation, government, support, control, functions, maintenance, and administration of unified school districts created from elementary and high school districts, and of elementary, high school and junior college districts having coterminous boundaries and governing boards of identical personnel;

Also: Assembly Bill No. 1654—An act to amend sections 459, 465 and 471 of, and to add a new section to be numbered 466 to, the Vehicle Code, relating to highways and the regulation thereof;

And reports that the same have been correctly engrossed

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1203—An act to add two sections to the Bank Act, numbered 67 1 and 80.1, relating to loans of the character prescribed by section 13b of the Federal Reserve Act or by section 5d of the Reconstruction Finance Corporation Act;

Also: Assembly Bill No. 1497—An act to amend section 6 of an act entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department and to assess and collect taxes, from time to time, for such purpose, and to create a board of fire commissioners," approved March 4, 1881, as amended, relating to the conduct of elections,

Also: Assembly Bill No. 1655—An act to amend the Vehicle Code by amending section 134; by adding sections 131, 136, and 681, relating to vehicles,

Also: Assembly Bill No. 1652—An act to amend the Vehicle Code by amending sections 195, 196, 197, 198, and 380, relating to vehicles,

Also: Assembly Bill No 1653—An act to amend the Vehicle Code by amending sections 320 and 488, relating to vehicles and records to be kept by the Department of Motor Vehicles;

Also: Assembly Bill No 1699—An act to amend section 351 of, and to add section 351a to, the Political Code, relating to officers of departments of the State government;

Also: Assembly Bill No. 1739—An act to add section 670a to the Political Code, relating to the refund of penalties;

Also: Assembly Bill No. 2157—An act to amend section 479 of the Agricultural Code, relating to dairies and dairy products;

And reports that the same have been correctly engrossed

WATERS, *Chairman*

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2173—An act relating to the escheat to the State of California unclaimed moneys deposited with public utilities, and providing for the collection, use and disposition thereof;

Also: Assembly Bill No. 1657—An act to amend the Vehicle Code by amending sections 253, 257, 267, 268, 269, 270, 272, 273, 314, 315, 316, and 338; by repealing sections 350, 351, 352, 353, and 354; by adding sections 254, 271 5, 350, 351, 352, 353, and 354, relating to vehicles;

Also: Assembly Bill No. 1336—An act to amend section 1 of and to add sections 3 5 and 6.5 to "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to twelve rounds, to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," submitted by initiative and approved by electors November 4, 1924, relating to boxing and wrestling;

Also: Assembly Bill No 2136—An act relating to the relief of debtors and guarantors, and permitting postponement of foreclosures and sales under mortgages, deeds of trust, or contracts of purchase of real property, or postponement of forfeitures and terminations under such contracts of purchase; repealing Chapter 7, Statutes of 1935, declaring the urgency thereof, and providing that it shall take effect immediately;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No 31—Memorializing Congress to appropriate sufficient funds and enact additional legislation to provide a comprehensive plan for the deporting of undesirable aliens and aliens who are illegally within this Nation;

Also: Assembly Joint Resolution No 32—Memorializing Congress to prepare proper legislation providing for the deportation of aliens who are dependent upon public relief;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-first day of March, 1935, at four o'clock and thirty minutes p.m.

WATERS, Chairman.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1935

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1394—An act amending section 14, of an act entitled: "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 834—An act relating to and imposing limitations on expenditures by counties, cities and counties, districts and other political subdivisions, under authority of section 20 of Article XI of the Constitution of the State—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

On Financial Institutions.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1935.

MR. SPEAKER: Your Committee on Financial Institutions, to which was referred Assembly Bill No. 488—An act to add a new section to the Insurance Code of the State of California to be numbered 12629, relating to the rehabilitation, readjustment or reorganization of mortgage insurance companies or of all or of any part of the business, properties and assets of such companies, and to the revision, modification or termination of mortgage participation trusts, mortgage participation certificates and policies of mortgage insurance and to the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of, and persons interested in, such companies or trusts; providing for the kinds of securities issuable in connection therewith and exempting such securities from the provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies, banks, banking institutions and trust companies and officers of the State of California to consent to a plan, as defined in said section, to exchange mortgage participation certificates, shares of stock, bonds, notes, debentures or other rights or claims for securities issued pursuant to such plan and to continue to hold as legal investment any securities so received—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

UTT, Chairman

The above reported bill ordered on file for second reading.

On Unemployment.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1935.

MR SPEAKER Your Committee on Unemployment, to which was referred Assembly Bill No 121—An act to be known as the Rehabilitation Act, declaring the policy of the State of California in relieving hardship and destitution caused by unemployment one of rehabilitation by cooperative self-help, production for consumption and exchange of labor for surplus commodities; prescribing duties of State Relief Administrator hereunder; providing funds for administration of relief hereunder; directing cooperative activity be noncompetitive; fixing status of cooperative institutions and their members, fixing title to property hereunder, declaring this act an emergency measure; providing for its constitutional construction; repealing conflicting laws—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

ANDERSON, Chairman.

The above reported bill ordered on file for second reading

Also:

MR. SPEAKER: Your Committee on Unemployment, to which was referred Assembly Bill No 1122—An act to accept the provisions of an act of the Congress of the United States effective June 6, 1933, entitled, "An act to provide for the

establishment of a National employment system and for cooperation with the States in the promotion of such system, and for other purposes"—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

ANDERSON, Chairman.

The above reported bill ordered on file for second reading

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1935

MR. SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 1812—An act relating to horse racing and amending the provisions of certain acts relating thereto—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

GARIBALDI, Chairman.

The above reported bill ordered on file for second reading

Also:

MR SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 618—An act to provide for the regulation and licensing of greyhound racing and race meetings, and to permit wagering on the results thereof; to create the California Greyhound Racing Board for the regulation, licensing and supervision of greyhound racing and wagering thereon; to provide penalties for the violation of the provisions of this act;

Also: Assembly Bill No 308—An act to amend section 330a of the Penal Code, relating to the possession or control of gambling devices,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

GARIBALDI, Chairman

The above reported bills ordered on file for second reading

Also:

MR. SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 451—An act to add section 303 to the Penal Code, relating to alcoholic beverages—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

GARIBALDI, Chairman.

The above reported bill ordered on file for second reading.

On Financial Institutions.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1935.

MR. SPEAKER: Your Committee on Financial Institutions, to which was referred Assembly Bill No. 489—An act to add a new section to the Civil Code of the State of California, to be numbered section 543.15, relating to the rehabilitation, readjustment or reorganization of mortgage insurance companies or of all or of any part of the business, properties and assets of such companies, and to the revision, modification or termination of mortgage participation trusts, mortgage participation certificates and policies of mortgage insurance and to the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of, and persons interested in, such companies or trusts; providing for the kinds of securities issuable in connection therewith and exempting such securities from the provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies, banks, banking institutions and trust companies and officers of the State of California to consent to a plan, as defined in said section, to exchange mortgage participation certificates, shares of stock, bonds, notes, debentures or other rights or claims for securities issued pursuant to such plan and to continue to hold as legal investment any securities so received—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

UTT, Chairman.

The above reported bill ordered on file for second reading.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1935

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 419—An act to amend section 3658a of the Political Code, relating to

assessments by reference to maps—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WRIGHT, Chairman

The above reported bill ordered on file for second reading.

On Financial Institutions.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1935.

MR SPEAKER: Your Committee on Financial Institutions, to which was referred Assembly Bill No. 1618—An act to amend the Personal Property Broker's Act, relating to the classification and regulation of the business of personal property brokers, including the fixing and regulation of their charges and interest, and to repeal all acts and parts of acts inconsistent herewith—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

UTT, Chairman.

The above reported bill ordered on file for second reading

Second Reading of Assembly Bill No. 1618.

Assembly Bill No. 1618—An act to amend the Personal Property Brokers' Act, relating to the classification and regulation of the business of personal property brokers, including the fixing and regulation of their charges and interest, and to repeal all acts and parts of acts inconsistent herewith.

Floor Amendments.

During second reading of the bill, the following amendments were submitted by Mr. Utt:

Amendment No. 1.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to amend an act entitled, "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, so as to classify, license and regulate the business of personal property brokers, and to prescribe, fix, limit and regulate their charges and interest rates; and to authorize and regulate assignments of wages, salaries, commissions or earnings, earned or to be earned, when given to a personal property broker as security for a loan of, or as consideration for the payment of, three hundred dollars or less; and to repeal all acts and portions of acts inconsistent herewith; and declaring this measure an urgency measure within the meaning of section 1 of Article IV of the Constitution, and providing accordingly for the act to take effect immediately."

Amendment No. 2.

On page 1, line 1, of the printed bill, after "SECTION 1", insert the following:

"This act shall be known as the "Personal Property Brokers' Act."

SEC. 2. The following words have in this act the signification attached to them in this section, unless otherwise apparent from the context:

(a) The word "commissioner" means the Commissioner of Corporations, of the State of California, or any assistant, deputy, investigator, auditor or any other person employed by him

(b) The term "personal property broker", as used in this act, includes all who are engaged in the business of lending money and taking in the name of the lender, or in any other name, in whole or in part, as security for such loan, any contract or obligation involving the forfeiture of rights in or to personal property, the use and possession of which property is retained by other than the mortgagee or lender, or all who are engaged in the business of lending money and taking in the name of the lender, or in any other name, in whole or in part as security for such loan, any lien on, assignment of, or power of attorney relative to wages, salary, earnings, income or commission

(c) The word "registrant" means a personal property broker duly licensed as a registrant under this act

(d) The word "licensee" means a personal property broker duly licensed as a licensee under this act.

(e) The word "person" includes, without limitation, every person, firm, copartnership, association, trust or corporation, and every other entity natural or artificial

(f) The following words and terms, 'interest", "rate of interest", "charge", "fee", "bonus", "commission", "discount", and "compensation" shall have the same meaning in this act as they have in that section of Article XX of the Constitution

of California which was adopted at the general election of November 6, 1934, pursuant to Assembly Constitutional Amendment No 79.

SEC. 3 (a) This act shall not apply to any person doing business under and as permitted by any law of this State or of the United States relating to banks, savings banks, trust companies, building and loan associations, industrial loan companies, credit unions, or duly licensed pawnbrokers, while doing the business authorized by the respective law or laws under which each operates.

(b) Nothing contained in this act shall apply to any of the following:

1. Any nonprofit cooperative association organized under Title XXIII of Part IV of Division I of the Civil Code as said title existed at any time prior to the effective date of this amendment or under Chapter 4 of Division VI of the Agricultural Code, in loaning or advancing money in connection with any activity mentioned therein;

2. Any corporation, association, syndicate, joint stock company or partnership engaged exclusively in the business of marketing agricultural, horticultural, viticultural, dairy, live stock, poultry and bee products on a cooperative nonprofit basis in loaning or advancing money to the members thereof or in connection with any such business; or

3. Any corporation securing money or credit from any Federal Intermediate Credit Bank organized and existing pursuant to the provisions of an act of Congress entitled "Agricultural Credits Acts of 1933," as amended, in loaning or advancing money or credit so secured.

SEC. 4. (a) All personal property brokers shall be licensed by the commissioner under this act as either registrants or licensees.

(b) It shall be the duty of the commissioner and he shall have the power, jurisdiction and authority to investigate the conditions with reference to personal property brokers and report thereon biennially to the Legislature and make such recommendations as he may deem wise for legislation to remedy evils thereby disclosed and relating otherwise to the subject matter of this act.

SEC. 5. No personal property broker shall make loans in amounts of three hundred dollars ($300) or less, and charge, contract for or receive on any such loan, interest, fees, bonus, commissions, discounts, and any other compensation or consideration, greater than ten per cent (10%) per annum in the aggregate, unless such personal property broker shall have first obtained a license as a licensee from the commissioner, and unless such loan or loans shall have been made in accordance with the rules, regulations, conditions and limitations of this act applicable to licensees.

SEC. 6 (a) Application for license as a registrant shall be in writing and verified under oath, in such form as may be prescribed by the commissioner, and shall contain the name and business address of the applicant, a statement and description of the type of business in which the applicant is engaged, and such further relevant information as the commissioner may require. Every such applicant shall, at the time of making such application, pay to the commissioner the sum of five dollars ($5) for each place of business to be operated for a period terminating on the last day of the current calendar year and in full payment of all expenses for examinations under and for the administration of this act.

(b) Application for license as a licensee shall be in writing and verified under oath, in such form as may be prescribed by the commissioner, and shall contain the name and address (both of the residence and place of business) of the applicant, and if the applicant is a firm, copartnership or association, of every member thereof, and if a corporation, of every officer and director thereof; also the county and municipality or township with street and number, if any, where the business is to be conducted, and such further information as the commissioner may require. Every such applicant shall, at the time of making such application, pay to the commissioner the sum of one hundred dollars ($100) as a fee for investigating the application and the additional sum of two hundred dollars ($200) as an annual license fee for a period terminating on the last day of the current calendar year and in full payment of all expenses for examinations under and for administration of this act, provided, that if the application is filed after June 30th in any year such additional sum shall be only one hundred dollars ($100).

(c) Every applicant for license as a licensee shall also prove in form satisfactory to the commissioner, that he or it has available for the operation of such business at the location specified in the application, liquid assets of at least twenty-five thousand dollars ($25,000).

SEC. 7. Every applicant for license as a licensee shall at the time of filing such application, deposit with the commissioner and thereafter maintain a bond, satisfactory to said commissioner, in which the applicant shall be the obligor, and liable thereon in a sum not in excess of one thousand dollars ($1,000) in the aggregate, with one or more sureties, which shall be subject to the approval of the commissioner. Such bond shall run to the State of California, for the use thereof, and to any person or persons who may have a cause of action against the obligor of said bond under the provisions of this act, and shall furthermore be conditioned that said obligor will faithfully conform to and abide by the provisions of this act

and all of the rules and regulations made by the commissioner thereunder, and will pay to the State and to such person or persons any and all amounts which may become due or owing to the State or to such person or persons from said obligor under and by virtue of the provisions of this act. The total aggregate liability, however, on said bond shall be limited to the total payment of one thousand dollars ($1,000).

SEC. 8. Upon the filing of such application for license as a licensee and the payment of such fees and the deposit of such bond, the commissioner shall investigate and if he shall find (1) that the financial responsibility, business reputation, experience, character, and general fitness of the applicant, and of the members thereof, if the applicant be a firm, copartnership, or association, and of the officers and directors thereof if the applicant be a corporation, are such as to command the confidence of the community and to warrant belief that the business will be operated honestly, fairly, and efficiently within the purposes of this act, and (2) that allowing such applicant to engage in business will promote the convenience and advantage of the community in which the business of the applicant is to be conducted, and (3) that the applicant has available for the operation of such business at the specified location liquid assets of at least twenty-five thousand dollars ($25,000), he shall thereupon issue and deliver a license to the applicant to make loans in accordance with the provisions of this act at the location specified in the said application, which license shall remain in full force and effect until it is surrendered, suspended or revoked as hereinafter provided; if the commissioner shall not so find he shall not issue such license and he shall notify the applicant of the denial and return to the applicant the bond. The commissioner shall approve or deny every application for license hereunder within sixty (60) days from the filing thereof with the said fees and the said bond. If the application is denied the commissioner shall within twenty (20) days thereafter file with the Division of Corporations a written decision and findings with respect thereto containing the evidence and the reasons supporting the denial, and forthwith serve upon the applicant or mail a copy thereof to the applicant at his last known address.

SEC. 9. Such license as a licensee shall state the address at which the business is to be conducted and shall state fully the name of the licensee, and if the licensee is a firm, copartnership, or association, the names of the members thereof, and if a corporation, the date and place of its incorporation. Such license shall be kept conspicuously posted in the place of business of the licensee and shall not be transferable or assignable.

SEC. 10. (a) If the commissioner shall find at any time that the bond of a licensee is insecure or exhausted, or otherwise doubtful, an additional bond satisfactory to him, in the same amount and of the same character as required by section 7 of this act shall be filed by the licensee within ten (10) days after written demand upon the licensee by the commissioner.

(b) Every licensee shall maintain at all times at least twenty-five thousand dollars ($25,000) in assets for each licensed place of business, either in liquid form available for the operation of or actually used in the conduct of business at each such place of business.

SEC. 11. (a) No licensee shall maintain or operate more than one place of business, branch or agency under the same license, but the commissioner may issue more than one license to the same licensee upon compliance with all the provisions of this act governing an original issuance of a license, for each such new license. A separate bond and license shall be required for each place of business, branch, agency or location.

(b) Whenever a licensee shall change the location of his place of business, or the location of any branch or agency, to another location within the same municipality or township, he shall at once give written notice thereof to the commissioner who shall attach to the license in writing his record of the change and the date thereof, which shall be authority for the operation of such business, branch or agency under such license at such new location. No change in the location outside of the original municipality or township shall be permitted under the same license.

SEC. 12. Every licensee hereunder may lend any sum of money not exceeding three hundred dollars ($300) in amount and may charge, contract for, and receive thereon a sum (which shall include the fees, bonus, commissions, discounts, and other compensations, and all interest permitted by or authorized under that section of Article XX of the Constitution of California which was adopted at the general election of November 6, 1934, pursuant to Assembly Constitutional Amendment No. 79) which sum is in this act referred to in the aggregate as "charges", and which sum may equal but shall not exceed an amount computed at the rate of three and one-half per cent (3½%) per month on the unpaid principal balances. No amount whatsoever shall be paid, deducted, or received in advance. Charges shall not be compounded and shall be computed only on unpaid principal balances. For the purpose of computing charges for a fraction of any month one day shall be considered one-thirtieth of a month. No licensee shall induce or permit any borrower or borrowers to split up or divide any loans. No licensee shall induce or permit any person, nor any husband and wife jointly or severally, to become obligated,

directly or contingently or both, under more than one contract of loan at the same time, for the purpose or with the result of obtaining higher charges than would otherwise be permitted under this act In addition to the charges herein provided for, no further amount whatsoever shall be directly or indirectly charged, contracted for, or received; provided, however, that nothing in this act contained shall be construed to deny to any licensee the right to charge, contract for, and receive from any borrower the lawful expenses, if any, actually paid by the licensee to any public officer for acknowledging, filing, recording and releasing in any public office any instrument securing the loan, or the right to collect such expenses when the loan is made or at any time thereafter, nor the right of any party litigant under the laws of California to recover costs in any suit and to recover reasonable attorney's fees when authorized by the contract of loan It any charges in excess of those authorized by this act are charged, contracted for, or received the contract of loan shall be void and the licensee shall have no right to collect or receive any principal, interest, or charges whatsoever thereon.

SEC. 13 The payment of three hundred dollars ($300) or less in money, credit, goods, or things in action, as consideration for any sale or assignment of, or order for, the payment of wages, salary, commissions, or other compensation for services, whether earned or to be earned, shall for the purposes of regulation under this act be deemed a loan secured by such assignment, and the amount by which such assigned compensation exceeds the amount of such consideration actually paid shall for the purposes of regulation under this act be deemed interest, fees, bonus, commissions, discounts, or other compensation upon or for such loan from the date of such payment to the date such compensation is payable Such transaction shall be governed by and subject to the provisions of this act.

SEC. 14 (a) Notwithstanding the provision of any other act, a written assignment or order for the payment of not more than twenty-five per cent (25%) of salary, wages, commissions or other compensation for services, whether earned or to be earned, when given as security for a loan made by any licensee under this act, shall be valid, and under such assignment or order a sum not exceeding twenty-five per cent (25%) of the borrower's salary, wages, commissions or other compensation for services, shall be collectible from the employer of the borrower by the licensee, from the time that a copy of such assignment or order verified by the oath of the assignee or his agent, together with a similarly verified statement of the amount unpaid upon such loan, is delivered to the employer or is left at the usual place of business of such employer with his or its superintendent, manager or person in charge.

(b) No assignment or order for payment of any salary, wages, commissions, or other compensation for services, whether earned or to be earned, given to secure any loan made by any licensee under this act, shall be valid, unless it is executed in person by the assignor and unless the amount of such loan is paid to the borrower simultaneously with its execution, or the assignment or order is given to secure an existing debt

SEC 15 (a) Every licensee shall

(1) Deliver to the borrower at the time the loan is made a statement (upon which there shall be printed a copy of section 12 of this act) in the English language showing in clear and distinct terms the amount and date of the loan and of its maturity, the nature of the security for the loan, the name and address of the borrower and of the licensee, and the agreed rate of charge or charges

(2) Give to the borrower a plain and complete receipt for all payments made on account of any such loan at the time such payments are made, specifying the amount applied to charges and the amount, if any, applied to principal balance, if any, of such loan

(3) Permit payment to be made in advance in any amount on any contract of loan at any time, but the licensee may apply such payment first to all agreed charges up to the date of such payment

(4) Upon payment of the loan in full, plainly mark every obligation and security signed by the borrower with the word "Paid" or "Canceled" and release all security, and cancel and return any note, chattel mortgage, and any assignment or order given to the licensee by the borrower unless same are a part of the court record in any action.

(5) File with the commissioner for each licensed place of business a full and accurate schedule of the maximum charges to be currently made by the licensee at each such place of business

(6) Submit to the commissioner a sample copy of written instruments to be used by such licensee, evidencing loan of credit transactions or fixing contractual rights as regulated by this act, and such instruments shall not be used until approved by him, and shall be subject to the rules and regulations established by the commissioner for the operation of said licensees.

(7) Keep and use in his business such books, accounts and records as will properly enable the commissioner to determine whether such licensee is complying with the provisions of this act and with all rules and regulations made by the commissioner

hereunder. Every licensee shall preserve such books, accounts and records for at least two years after making the final entry on any loan recorded therein.

(8) On or before the fifteenth day of April of each year file a report with the commissioner giving such relevant information as the commissioner reasonably may require concerning the business and operations during the preceding calendar year of each licensed place of business conducted by such licensee within the State. Such report shall be made under oath and shall be in the form prescribed by the commissioner, who shall make and publish annually an analysis and recapitulation of such reports.

(b) No licensee shall:

(1) Conduct the business of making loans under the provisions of this act within any office, room, or place of business in which any other business is solicited or engaged in, or in association or conjunction therewith, except as may be authorized in writing by the commissioner upon his finding that the character of such other business is such that the granting of such authority would not facilitate evasions of this act or of the rules and regulations lawfully made hereunder.

(2) Transact such business or make any loan provided for by this act under any other name or at any other place of business than that named in the license.

(3) Take any confession of judgment or any power of attorney, or any note, promise to pay, or security that does not accurately disclose the actual amount of the loan, the time for which it is made, and the agreed rate of charge or charges, nor any instrument in which blanks are left to be filled in after execution.

(4) Take a lien upon real estate as security for any loan under the provisions of this act, except such lien as is created by law upon the recording of a judgment.

(5) Charge, contract for, or receive any interest greater than ten per cent (10%) per annum upon any loan of more than three hundred dollars ($300). The foregoing prohibition shall also apply to any licensee who permits any person, as borrower, or as endorser, guarantor, or surety for any borrower, or otherwise, to owe directly or contingently or both to the licensee at any time the sum of more than three hundred dollars ($300) for principal.

(c) The commissioner shall make an examination of the affairs, business, office, and records of each licensee at least once each year.

SEC. 16. Any personal property broker licensed as a registrant may contract in writing for a rate of interest not exceeding ten per cent (10%) per annum upon any loan of three hundred dollars ($300) or less

SEC. 17. Every personal property broker licensed hereunder shall, on or before the twentieth day of each December, pay to the commissioner the sum of two hundred dollars ($200) if a licensee, or the sum of five dollars ($5) if a registrant, as the annual license fee for the succeeding calendar year and in full payment of all expenses for examinations under and for administration of this act. Every licensee shall at the same time file with the commissioner a bond in the same amount and of the same character as required by section 7 of this act.

SEC. 18. (a) If any personal property broker refers in any advertising matter to the rate of interest, charge or charges upon loans to be made by him or it, the commissioner may require such personal property broker to state such rate fully and clearly in such manner as the commissioner may deem necessary to prevent misunderstanding thereof by prospective borrowers.

(b) The commissioner may require any personal property broker to submit and secure the approval of advertising copy before used, and may order any personal property broker to discontinue the further use of any objectionable advertising at any time.

(c) No personal property broker shall advertise, print, display, publish, distribute, or broadcast or cause or permit to be advertised, printed, displayed, published, distributed, or broadcast, in any manner whatsoever, any statement or representation with regard to the rates, terms or conditions for lending of money or credit, which is false, misleading, or deceptive. The commissioner may order any personal property broker to desist from any conduct which the commissioner shall find to be a violation of the foregoing provisions.

SEC. 19. Any personal property broker may contract in writing for a rate of interest not exceeding ten per cent (10%) per annum upon any loan of more than three hundred dollars ($300).

SEC. 20. The commissioner is hereby authorized and empowered to make such rules and regulations as may be necessary for the proper conduct of the business of personal property brokers and the enforcement of this act, in addition hereto and not inconsistent herewith.

SEC. 21. (a) The commissioner shall, upon ten (10) days notice to a personal property broker, stating the contemplated action and in general the grounds therefor, and upon reasonable opportunity to be heard, suspend or revoke any license issued hereunder if he shall find that

(1) The personal property broker has failed to pay the annual license fee or to maintain in effect the bond or bonds required under the provisions of this act or to comply with any demand, ruling, or requirement of the commissioner lawfully made pursuant to and within the authority of this act; or that

(2) The personal property broker has violated any provision of this act or any rule or regulation lawfully made by the commissioner under and within the authority of this act; or that

(3) Any fact or condition exists which, if it had existed at the time of the original application for such license, clearly would have warranted the commissioner in refusing originally to issue such license.

(b) The commissioner may suspend or revoke only the particular license with respect to which grounds for revocation or suspension may occur or exist, or, if he shall find that such grounds for revocation or suspension are of general application to all offices, or to more than one office, operated by such personal property broker, he shall suspend or revoke all of the licenses issued to said personal property broker or such licenses as such grounds apply to, as the case may be.

(c) Any personal property broker may surrender any license by delivering to the commissioner written notice that he thereby surrenders such license, but such surrender shall not affect such personal property broker's civil or criminal liability for acts committed prior to such surrender or subsequent thereto.

(d) No suspension or revocation or surrender of any such license shall impair or affect the obligation of any pre-existing lawful contract between the personal property broker and any borrower.

(e) Every license issued hereunder shall remain in force and effect until the same shall have been surrendered, suspended or revoked, in accordance with the provisions of this act. The commissioner shall have authority on his own initiative to reinstate suspended licenses or to issue new licenses to a personal property broker whose license or licenses shall have been revoked if no fact or condition then exists which clearly would have warranted the commissioner in refusing originally to issue such license or licenses.

(f) Whenever the commissioner shall suspend or revoke a license issued to a personal property broker pursuant to this act, he shall forthwith file with the Division of Corporations a written order to that effect and findings with respect thereto containing the evidence and the reasons supporting the suspension or revocation, and forthwith serve upon or mail to the personal property broker a copy thereof at his last known address.

SEC. 22. (a) For the purpose of discovering violations of this act, or securing information required by him hereunder, the commissioner may, at any time, either personally or by any deputy, investigator or auditor designated by him, investigate the loans and business, and examine the books, accounts, records and files used therein of every personal property broker, and of every person, who or which shall be engaged in the business of lending money, whether such person shall act or claim to act as principal or agent, or under or without the authority of this act, and for such purposes the commissioner and his representatives shall have free access to the offices and places of business, books, accounts, records, papers, files, safes and vaults of all such persons. The commissioner and all persons duly designated by him shall have authority and power to administer oaths and to take the testimony of any witnesses and to issue subpoenas requiring the attendance upon any examination, investigation or hearing in any part of the State of witnesses and the production of books, documents and other things under their control. Such power shall not be terminated by the surrender, suspension or revocation of any license theretofore issued by the commissioner. All the provisions of Chapter II, of Title III of Part IV of the Code of Civil Procedure, relating to the means of production of evidence out of court shall be applicable to any examination, investigation or hearing under this act. The authority to make or conduct any such examination, investigation or hearing, including the authority to administer oaths and to subpoena witnesses, and to take their testimony may be delegated by the commissioner to any assistant, deputy, investigator or auditor appointed by him for that purpose. Such appointment shall be made by an instrument in writing, signed by the commissioner over his official seal, and upon such examination, investigation, or hearing the same shall be produced by such assistant, deputy, investigator or auditor at any time upon demand therefor.

(b) Whenever the commissioner shall believe from evidence satisfactory to him that any person has violated or is about to violate any of the provisions of this act, or any order, license, permit, decision, demand or requirement, or any part or provision thereof, he may bring an action in the name of the people of the State of California in the superior court of the State of California against such person to enjoin such person from continuing such violation or engaging therein or doing any act or acts in furtherance thereof. In said action an order or judgment may be entered awarding such preliminary or final injunction as may be proper.

SEC. 23. Every order, decision, license, finding, rule, regulation, ruling, demand, or other official act of the commissioner shall be subject to review, in accordance with the provisions of Chapter I of Title I of Part III of the Code of Civil Procedure. Upon such review, the burden of proof shall lie upon the appellant, and the court shall receive and consider any pertinent evidence, whether oral or documentary, concerning the action of the commissioner under review, but shall be limited to a consideration and determination of the question whether there has

been an abuse of discretion on the part of the commissioner in making such order, decision, license, finding, rule, regulation, ruling, demand, or other official act.

SEC. 24 (a) Any person, firm, copartnership, association, trust, corporation or natural or artificial entity and the several members, officers, directors, agents, and employees thereof, who shall violate any of the provisions of section 5, 12, 13, 15a, 15b 16, 18a, 18b, or 18c of this act, shall be guilty of a misdemeanor.

(b) Any contract of loan not invalid for any other reason, in the making or collection of which any act shall have been done which constitutes a misdemeanor under this section, shall be void and the lender shall have no right to collect or receive any principal, interest, or charges whatsoever.

SEC. 25. All investigating, license and other fees collected by the commissioner under this act shall be paid at least once each week, accompanied by a detailed statement thereof, into the treasury of the State to the credit of the fund to be known as the "Personal property brokers fund," which fund is hereby created. All money paid to the commissioner, as in this act provided, shall be paid by him into the State treasury and credited to the personal property brokers fund, and all such moneys are hereby appropriated to be used by the commissioner in carrying out the provisions of this act, and the Comptroller shall draw his warrant on said fund from time to time in favor of the commissioner for the amounts expended under his direction, and the Treasurer shall pay the same. The commissioner may, with the consent of the Board of Control, withdraw from said fund a sum not exceeding one thousand five hundred dollars ($1,500), to be used as a revolving fund where cash advances are necessary, and the commissioner must account for such sums so withdrawn for said revolving fund at any time upon demand of the Board of Control.

SEC. 26. Any personal property broker having a license as such, issued by the commissioner for the calendar year 1935, under Chapter 577, Statutes 1933, in force when this act becomes effective, may surrender such license to the commissioner, and upon payment of one hundred dollars ($100) to the commissioner, the commissioner shall issue a new license to operate as a licensee under this act for the remainder of the calendar year 1935, at the particular location specified in such new license; provided, however, that any such new license so issued may be suspended or revoked for cause in the manner and on the grounds hereinabove specified in this act, and that any licensee to whom such new license is issued shall be subject to all of the provisions of this act as to licenses for other places of business, branches, agencies and locations.

SEC. 27. (a) All acts and parts of acts, whether general, special, or local, which relate to the same subject matter as this act are hereby repealed in so far as they are inconsistent with the provisions of this act.

(b) This act or any part thereof may be modified, amended, or repealed so as to effect a cancellation or alteration of any license or right of a personal property broker hereunder, provided that such cancellation or alteration shall not impair or affect the obligation of any pre-existing lawful contract between any personal property broker and any borrower.

SEC. 28. If any section, subsection, sentence, clause, or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause, and phrase thereof irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional

SEC. 29. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public, peace, health and safety within the meaning of section 1 of Article IV of the Constitution of the State of California, and as such it shall take effect immediately. The following is a statement of the facts constituting such necessity:

As a consequence of the approval by the people of Assembly Constitutional Amendment No 79 appearing as proposition No. 12 on the ballot at the general election of November 6, 1934, which amendment sought to fix the general interest rate and exempted various clauses from certain of its provisions, there have come into existence throughout the State of California widespread abuses and usurious practices to the detriment of the necessitous borrowers of small sums of money. Because of the lack of any law regulating the practices indulged in by lenders and limiting the sum which they may exact from borrowers and because of the lack of governmental supervision, conditions exist under which necessitous borrowers of small sums are repeatedly and continuously exploited by rapacious lenders, with the result that such borrowers are forced into economic servility and subjection without the possibility of escape from this vicious type of oppression. At the same time the said lack of regulation prevents reputable, experienced and financially responsible lenders from engaging in the business of making small loans and thereby said necessitous borrowers are deprived of the benefits and protection which would result from comprehensive regulation of the lender by the State. The above mentioned Assembly constitutional amendment by its provisions contemplates legislative enactment relating to the subjects covered by it, and lack of such legislation has resulted in uncertainty making possible abusive practices inimical to the general welfare There exists, therefore,

the necessity for comprehensive and effective legislation providing for regulation and supervision by the commissioner of such business for the protection of the borrower, whose plight is emphasized by prevalent depressed economic conditions, as well as for the protection of the business itself."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Martin:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1935

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add a new section to the Penal Code to be numbered 210, relating to kidnaping.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1935.

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to add a new section to the Penal Code to be numbered 210, relating to kidnaping.

CUNNINGHAM, Chairman.

Report read.

Mr. Cunningham moved the adoption of the report.

The question being on the adoption of the report

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Boyle, Breed, Cassidy, Chatters, Clark, Corwin, Crowley, Cunningham, Dawson, Desmond, Donihue, Field, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, and Mr. Speaker—60

NOES—None.

Introduction and Reference of Bills

The following bill was introduced, and referred as indicated:

By Mr. Martin: Assembly Bill No. 2390—An act to add a new section to the Penal Code to be numbered 210, relating to kidnaping.

Bill read first time, and referred to Committee on Crime Problems.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Building and Construction.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1935.

MR. SPEAKER. Your Committee on Building and Construction, to which was referred Assembly Bill No. 679—An act to repeal section 363n, of the Political Code, relating to State contracts for architectural services—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

PEYSER, Chairman.

The above reported bill ordered on file for second reading.

Second Reading of Assembly Bills.

Assembly Joint Resolution No. 42—Relative to memorializing the President and Congress to enact appropriate legislation to establish a social credit system in the United States by providing for the establishment of a National municipal currency.

Committee Amendments.

During reading of Assembly Joint Resolution No. 42, the following amendments were submitted by the committee:

Amendment No. 1.

In line 4 of the title of the printed measure, after the word "providing", delete the balance of line 4, and all of line 5, and insert in lieu thereof the following: "a currency based on actual assets"

Amendment No. 2.

On page 1 of the printed measure, delete all of lines 6 to 27, inclusive.

Amendment No. 3.

Delete all of page 2 of the printed measure, and insert in lieu thereof the following:

"WHEREAS, There exists not only in our own State of California, but also in every State in this Nation, a condition of unemployment, destitution and industrial and commercial stagnation, involving the loss of more than forty billion dollars annually, and

WHEREAS, This condition is inimical to the physical, moral and social welfare of the people, and strikes at the very foundation of our democracy by destroying the faith of the people in the institutions of representative government; and

WHEREAS, This state of affairs is directly traceable to the failure of our monetary system with its inherent inflexibility, to keep pace with the expanding energies of an advancing civilization, particularly when the control of money and credit had passed into the hands of private monopoly, and had become the means of exploitation; and

WHEREAS, It is the acknowledged duty of our government to provide a medium of exchange, adequate to the full utilization of our National productive capacity, and the control of that medium must be entirely subject to the authority delegated by the people to the Federal Government as provided in the Constitution; and

WHEREAS, Our unlimited resources and highly developed facilities of production are ample to provide universal abundant prosperity and economic security for all of our people, if means were provided to release the dormant energies now held in bondage by a debt burden unparalleled in all human history; and

WHEREAS, To continue borrowing is to continue the trend toward complete economic slavery, and final control of all the means of wealth production by a corporate feudality controlled by a few, and the inevitable destruction of a form of government conceived in liberty and dedicated to the proposition that all men have equal rights to the pursuits of happiness; now therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the President and the Congress of the United States be hereby respectively urged to enact appropriate legislation to establish a social credit system in the United States whereby the bonds of States, counties and municipalities may be deposited with the United States Government, and currency issued thereon without interest on the same terms as was formerly accorded to privately-owned National banks. Such bonds to be redeemed in twenty equal annual installments, payable at the rate of 5 per cent a year, and as they mature the currency issued would be returned to the government and the bonds canceled. This would provide a flexible currency, solidly backed by the growing wealth of the country, and adequate funds would thus be made available without usury, to restore our people to productive activity, rescue our States, counties and municipalities from bankruptcy, and inaugurate a new era of prosperity.

Resolved, That the Governor of the State of California be hereby requested to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and member of the House of Representatives from California in the Congress of the United States, and that such Senators and members of the House of Representatives from California be hereby respectfully urged to support such legislation."

Amendments adopted

Assembly Joint Resolution No. 42 ordered to reprint, engrossment, and third reading.

Assembly Bill No 259—An act to add a new section to the Civil Code, to be numbered 453.14, relating to mortgage insurance companies; declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 643—An act to amend section 320 of the Civil Code, relating to elections of corporation directors.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 2179—An act to amend sections 2482 and 2484 of the Civil Code, relating to limited partnerships

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 13—An act to amend section 73a, of the Code of Civil Procedure, relating to superior courts.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 14—An act to amend section 4312 of the Political Code, relating to the place of offices of certain county officers

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 93—An act to amend section 69 of the Civil Code, relating to marriage licenses

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 703—An act to establish the California State Reformatory; to provide for purchase of land therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor, and declaring the urgency thereof

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

In line 1 of the title of the printed bill, insert after "Reformatory", the following "under the management and control of the State Board of Prison Directors".

Amendment No. 2.

In line 2 of the title of the printed bill, strike out "of land", and insert in lieu thereof the following: "or acquirement of farm lands by unconditional gift or use of lands owned by the State".

Amendment No. 3.

In line 7 of the title of the printed bill, strike out ", and declaring the urgency thereof".

Amendment No. 4.

On page 1, lines 5 and 6, of the printed bill, strike out "not less than sixteen and not more than thirty years of age at the time of sentence,".

Amendment No. 5.

On page 1, line 7, of the printed bill, strike out "for the first time".

Amendment No. 6.

On page 1, line 13, of the printed bill, insert after "provided", the following: "; and all laws applying to the existing State prison and the prisoners therein confined, are hereby made applicable to the reformatory provided for in this act".

Amendment No. 7.

On page 2, line 21, of the printed bill, strike out "his first", and insert in lieu thereof the following: "a".

Amendment No. 8.

On page 2, line 38, of the printed bill, after "suitable", insert the following: "farm".

Amendment No. 9.

On page 2, line 42, of the printed bill, after "same", insert the following: "or to obtain such farm site by unconditional gift or by the use of land owned by the State".

Amendment No. 10.

On page 2, line 50, of the printed bill, after "such", insert the following: "farm".

Amendment No. 11.

On page 2, line 50, of the printed bill, after "by", insert the following. "unconditional".

Amendment No. 12.

On page 3 of the printed bill, between lines 6 and 7, insert the following:

"SEC. 13. The structures for the reformatory provided for in this act shall be of medium security or dormitory barracks."

Amendment No. 13.

On page 3, line 7, of the printed bill, strike out "13", and insert in lieu thereof the following: "14".

Amendment No. 14.

On page 3 of the printed bill, strike out lines 12 to 24, inclusive, and insert in lieu thereof the following:

"SEC. 15 It is the purpose of this act to provide for segregation from hardened criminals of offenders of a mild type, without regard to their age, who seem capable of moral rehabilitation and restoration to good citizenship Should the reformatory provided for in this act be established in connection with or in close proximity to any general prison of the State, such reformatory shall be sufficiently isolated so that its prisoners shall not contact or mingle with criminals of hardened type"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 532—An act to amend sections 423, 578, 587, 860, 1201, 1240, 1501, 1515, 1540 and 1630 of the Probate Code and to add new sections thereto to be numbered 588, 1201a and 1516, relating to estates of decedents and estates of persons under guardianship.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

In line 1 of the title of the printed bill, as amended, strike out "423".

Amendment No. 2.

In line 3 of the title of the printed bill, as amended, strike out "1201a", and insert in lieu thereof the following: "1201 5"

Amendment No. 3.

On page 2, line 33, of the printed bill, after the word "purchase", strike out the comma.

Amendment No. 4.

On page 2, line 36, of the printed bill, strike out "the clerk,".

Amendment No. 5.

On page 2, line 37, of the printed bill, following the comma, insert the following. "the petitioner".

Amendment No. 6.

On page 4, line 22 of the printed bill, strike out "the clerk,".

Amendment No. 7.

On page 4, line 23, of the printed bill, following the numerals "1200", insert the following: "and by section 1201".

Amendment No. 8.

On page 4, line 23, of the printed bill, following the comma, insert the following: "the petitioner."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1370—An act to amend an act entitled "An act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such districts," approved March 20, 1903, as amended, by amending the title and sections 37 and 40 thereof, and adding a new section to be designated section 97 to authorize the borrowing or procuring of money by drainage districts from the United States or any agency thereof, and declaring the urgency thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1789—An act amending section 4120 of the Political Code, relating to the examination of books and accounts in the office of the county treasurer.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1664—An act to amend an act entitled "An act to create a reclamation district to be called 'Reclamation District No. 1660,' and providing for the control and management thereof."

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the printed bill, after "SECTION 1.", insert the following:

"Section 2 of an act entitled 'An act to create a reclamation district to be called 'Reclamation District No. 1660,' and providing for the control and management thereof," approved June 1, 1915, is hereby amended to read as follows:

The management and control of said reclamation district is made subject to the provisions of the Political Code and other laws of the State of California relative to reclamation districts formed under the provisions of said Political Code, except as otherwise provided herein *From and after the election to be held at the time* and in the manner provided in this section, the management and control of said district shall be vested in a board of five trustees; an election of said five trustees shall be held on the third Tuesday of October, 1935, and on the same date every four years thereafter. In case of any vacancy in the office of trustees of said district, the board of supervisors of the county of Sutter, State of California, shall fill such vacancy by appointment That said trustees shall hold office for four years after the date of said election or until their successors are elected and qualified The office and principal place of business of said district shall be in the city of *Sacramento, or at a place in or near to said district, and the board of trustees may* from time to time fix such office or place of business and change the same. The said election shall be held and the board of supervisors shall have jurisdiction of all matters concerning said district to the same extent as if the said district was formed under the provisions of the Political Code of the State of California, except as otherwise provided in this act All funds of said district shall be deposited in the county treasury of the county of Sutter and shall be disbursed by said treasurer of said county in payment of the warrants of said district."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1348—An act to amend section 690.10 of the Political Code, relating to rights in and upon swamp, overflowed, marsh, tide and submerged lands.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 37, of the printed bill, strike out the period after the word "State", and insert the following: "or of any right of the State to locate, construct, and maintain upon, over, or across any of said lands, public highways and appurtenant works for the protection thereof"

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 840—An act to amend an act entitled "An act to authorize irrigation districts to cooperate and contract with the United States under the provisions of the Federal reclamation laws for a water supply, or the construction, operation or maintenance of works, including drainage works, or for the assumption by the district of indebtedness to the United States on account of district lands; and to provide the manner and method of payments to the United States under such contract, and for the apportionment of assessments, and the levy thereof, upon the lands of the district to secure revenue for such payments, and to provide for the judicial revenue and determination of the validity of the proceedings in connection with such contract, and to provide for the construction of works by the district; to provide for the borrowing or procuring of money from the United States or any agency thereof and the entering into contracts, and/or the issuance of bonds, warrants or other evidence of indebtedness for the repayment thereof," approved May 5, 1917, as amended, by amending the title thereof and amending sections 1 and 11 thereof, and declaring the urgency thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, in the last two lines of the title, strike out the comma and the words "and declaring the urgency thereof".

Amendment No. 2.

On page 2, line 44, of the printed bill, strike out the parenthesis sign before the word "or".

Amendment No. 3.

On page 2, line 45, of the printed bill, strike out the parenthesis sign after the word "purposes".

Amendment No. 4.

On page 2, line 51, of the printed bill, strike out the parenthesis sign in front of the word "any".

Amendment No. 5.

On page 2, line 52, of the printed bill, strike out the parenthesis sign after the word "financing".

Amendment No. 6.

On page 3, line 1, of the printed bill, strike out the parenthesis sign in front of the word "including".

Amendment No. 7.

On page 3, line 2, of the printed bill, strike out the parenthesis sign after the word "indebtedness".

Amendment No. 8.

On page 3, line 10, of the printed bill, strike out the parenthesis sign in front of the word "any".

Amendment No. 9.

On page 3, line 10, of the printed bill, strike out the parenthesis sign after the word "district".

Amendment No. 10.

On page 4 of the printed bill, strike out all of lines 17 to 39, both inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 844—An act to add a new section to the California Irrigation District Act to be designated section 31a, referring to and providing for an alternative form of irrigation district bonds and for the procedure for the issuance of the same.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1277—An act to add a new section to the Political Code to be numbered 3454½, relating to reclamation districts and requiring that in all actions against a reclamation district or any person sued by reason of his connection therewith the board of trustees must be made parties defendant.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1976—An act to amend section 29 of "The California Irrigation District Act," approved March 31, 1897, as amended, relating to the purpose for which property may be held by said district.

Bill read second time, ordered to engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 2—An act making an appropriation for a State exhibit at the California Pacific International Exposition, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 316—An act to amend an act entitled "An act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such districts," approved March 20, 1903, as amended, relating to the funds of such districts and taxes therefor.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1070—An act to amend an act entitled "An act relating to the redemption of property sold to irrigation districts for delinquent assessments, and declaring the urgency thereof," approved September 20, 1934, by amending sections 1 and 3 of said act to validate redemptions heretofore made, and declaring the urgency thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, strike out lines 26 and 27, and in line 28, strike out "Sec. 4", and insert in lieu thereof the following: "Sec 3".

Amendment No. 2.

On page 2, line 43, of the printed bill, strike out "to which this act is an amendment", and insert in lieu thereof the following: "amended by this act".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 57—An act to amend section 26 of the California Irrigation District Act, approved March 31, 1897, relating to directors of irrigation districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 293—An act to amend section 98 of the California Irrigation District Act and to repeal sections 99, 99½, 106, 107 and 108 of said act, all relating to the cancellation and destruction of unissued or unsold bonds and coupons of irrigation districts.

Bill read second time, and ordered on file for third reading

Third Reading of Assembly Bills.

Assembly Bill No. 1645—An act to require governmental units to furnish reports to the State Department of Finance concerning bonds and bonded indebtedness.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1645 passed by the following vote:

AYES—Anderson, Boyle, Breed, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Evans, Herbert J., Field, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 528—An act to amend sections 4.750 and 4.751 of the School Code, relating to the computation of average daily attendance of school districts.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Field,

Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Minard, Morgan, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—60.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 528 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Cassidy, Chatters, Clark, Corwin, Cronin, Dawson, Desmond, Domhue, Donnelly, Evans, Herbert J., Field, Flint, Garibaldi, Geyer, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—58

NOES—Glover—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Explanation of Vote.

March 22, 1935.

MR. SPEAKER: It was my intention to vote "Yes" on Assembly Bill No. 528 I pressed the "No" button by mistake.

A. FRANKLIN GLOVER.

Assembly Bill No. 55—An act to provide for the operation and maintenance of storage garages for state-owned vehicles, the pooling of vehicles in general use, the placement of the State seal on each vehicle and providing that unofficial use of state-owned vehicles shall constitute a misdemeanor.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Wright:

Amendment No. 1.

On page 1, line 14, of the printed bill, as amended, after the word "and", insert the following: "except with respect to automobiles operated by constitutional officers and directors of departments,".

Amendment No. 2.

On page 1, line 18, of the printed bill, as amended, after the word "garages", insert a comma and the following: "provided, however, that nothing in this section shall apply to any motor vehicle owned or operated by any department which is now or may hereafter become equipped to and does store and maintain any motor vehicle belonging to or under the jurisdiction of any department".

Amendment No. 3.

On page 2, line 5, of the printed bill, as amended, strike out the following words: "shall be guilty of a misdemeanor".

Amendment No. 4.

On page 2 of the printed bill, as amended, strike out all of lines 10 to 14, inclusive, and insert in lieu thereof the following: "Service Act"

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 884—An act to add a new section to the Penal Code, to be numbered section 593b, relating to climbing upon poles, towers and other structures supporting wires or cables, transmitting electric energy.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Hunt:

Amendment No. 1.

On page 1, line 10, of the printed bill, strike out the period after "misdemeanor", and insert in lieu thereof a semicolon and the following: "provided, that nothing herein shall apply to employees of either privately or publicly owned public utilities engaged in the performance of their duties."

Amendment adopted.

Request for Unanimous Consent.

Mr. Hunt asked for, and was granted, unanimous consent to take up Assembly Bill No. 884, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 884, as Amended.

Assembly Bill No. 884—An act to add a new section to the Penal Code, to be numbered section 593b, relating to climbing upon poles, towers and other structures supporting wires or cables, transmitting electric energy.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 884, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—61

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 242—An act to add a new section to be numbered section 28a to an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the costs thereof, and providing a method for the payment of such bonds," approved April 7, 1911, relating to assessments and bonds

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 242 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney,

Martin, Mayo, McCarthy, McMurray, Meehan, Minard, Morgan, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 440—An act to amend section 18a of the "Street Opening Act of 1903," relating to assessments and contribution of costs by municipalities.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 440 passed by the following vote:

AYES—Andreas, Boyle, Breed, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, Donahue, Donnelly, Field, Fisher, Flint, Frazier, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Minard, Morgan, Nielsen, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—60.

NOES—None

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No 231—An act to amend section 10 of an act entitled "An act to limit the amount of special assessments for public improvements and acquisitions of property for public purposes; to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or part by special assessments; to provide a basis for valuation of property for the purpose of establishing a special assessment limitation, and to authorize the payment of a part of the cost of such public improvements and acquisitions of property from any available public fund where a part of such cost is paid by special assessment on benefited property, and to provide that a majority protest shall be a bar to any proceeding," approved June 8, 1931, relating to limitations on assessments.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. McCarthy:

Amendment No. 1.

On page 1, line 13, of the printed bill, after the word "all", insert the following: "unpaid".

Amendment adopted.

Request for Unanimous Consent.

Mr McCarthy asked for, and was granted, unanimous consent to take up Assembly Bill No. 231, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 231, as Amended.

Assembly Bill No 231—An act to amend section 10 of an act entitled "An act to limit the amount of special assessments for public improve-

ments and acquisitions of property for public purposes; to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or part by special assessments; to provide a basis for valuation of property for the purpose of establishing a special assessment limitation, and to authorize the payment of a part of the cost of such public improvements and acquisitions of property from any available public fund where a part of such cost is paid by special assessment on benefited property, and to provide that a majority protest shall be a bar to any proceeding," approved June 8, 1931, relating to limitations on assessments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 231, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—64

NOES—Desmond—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 463—An act to amend section 805 of the Agricultural Code, relating to persimmons.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 463 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Patterson, Pelletier, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—64.

NOES—Evans, Ralph W., and Richie—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 524—An act to amend sections 821 and 827 of the Agricultural Code, relating to apples.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Scudder:

Amendment No. 1.

In line 2 of the title of the printed bill, strike out the period, and insert in lieu thereof the following: "; to declare the urgency hereof and to provide that this act take effect immediately."

Amendment No. 2.

On page 2, line 14, of the printed bill, strike out "the", and insert in lieu thereof the following: "The".

Amendment No. 3.

On page 2, line 42, of the printed bill, after "fancy", insert the following: "and".

Amendments adopted.

Request for Unanimous Consent.

Mr Scudder asked for, and was granted, unanimous consent to take up Assembly Bill No. 524, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 524, as Amended.

Assembly Bill No. 524—An act to amend sections 821 and 827 of the Agricultural Code, relating to apples.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, Patterson, Pelletier, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—66.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 524, as amended, passed by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Minard, Morgan, Nielsen, Patterson, Pelletier, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 92—An act to amend section 814 of the Agricultural Code, relating to lettuce.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 92 passed by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Chatters, Clark, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 462—An act to amend section 809 of the Agricultural Code, relating to walnuts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 462 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 918—An act to amend sections 798 and 830 of the Agricultural Code, relating to dates.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 918 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Clark, Corwin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 974—An act to amend section 794 of the Agricultural Code, relating to cherries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 974 passed by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, Cunningham, Dawson, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—58.

NOES—Desmond and Donnelly—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1244—An act to amend section 792 of the Agricultural Code, relating to avocados.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1244 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Riley, Robertson, Rosenthal, Turner, Utt, Voigt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—59

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 1381—An act to amend section 790 and to add section 813 5 to the Agricultural Code, relating to celery.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1381 passed by the following vote.

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Stream, Turner, Utt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 1741—An act to add section 91.6 to the Agricultural Code, relating to the Sixth District Agricultural Association

Bill read third time.

Re-reference of Assembly Bill No. 1741.

Assembly Bill No. 1741 ordered re-referred to Committee on Exhibitions and Fairs.

Assembly Bill No. 260—An act to amend sections 12422, 12423, 12442, 12484, 12486, 12488 and 12543 of the Insurance Code and to add a new section to said code to be numbered 12490, all relating to mortgage insurers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 260 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Chatters, Corwin, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W, Field, Fisher, Flint, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Morgan, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Utt, Voigt, Wagner, Walker, Waters, Welsh, Wright, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 258—An act to amend sections 453.2, 453.3, 453.5, 453.6, and 453.12 of the Civil Code, all relating to mortgage insurance companies.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

Motion to Expunge Record.

Mr. Maloney moved that the vote taken on Assembly Bill No. 258 be expunged from the record, and the action rescinded.

Motion carried.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 258 passed by the following vote :

AYES—Anderson, Andreas, Boyle, Burns, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, Desmond, Donnelly, Evans, Herbert J , Evans, Ralph W., Field, Fisher, Frazier, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Morgan, Nielsen, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Waters, Wright, and Mr. Speaker—60.

NOES—*None*

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No 2146—An act to provide for the payment of rewards to persons who supply the State with information enabling it to recover lands or interests therein, owned by the State, or the issues and profits thereof, or the value of oil and gas or minerals reserved to the State, where such lands or interests therein, or oil and gas or minerals are illegally, fraudulently or adversely held or claimed by another; creating a land fraud recovery fund; and making an appropriation for the payment of such rewards.

Bill read third time.

Re-reference of Assembly Bill No. 2146.

Assembly Bill No. 2146 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 514—An act to repeal section 3385 of the Political Code, relating to licensing of animals kept for propagation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 514 passed by the following vote:

AYES—Anderson, Andreas, Burns, Chatters, Corwin, Cronin, Crowley, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Minard, Morgan, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—60.

NOES—*None*.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 305—An act to amend section 1357 of the Political Code, relating to absentee voters.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 305 passed by the following vote:

AYES—Anderson, Andreas, Burns, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 482—An act to amend section 810.5 of the Agricultural Code, relating to asparagus.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 482 passed by the following vote:

AYES—Anderson, Andreas, Burns, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 479—An act to amend section 2179 of the Political Code, relating to guardianship and administration of estates of incompetents.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr Wright:

Amendment No. 1.

On page 1, line 24, of the printed bill, as amended, restore the word "estates", to ordinary type

Amendment adopted.

Request for Unanimous Consent.

Mr Wright asked for, and was granted, unanimous consent to take up Assembly Bill No 479, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 479, as Amended.

Assembly Bill No. 479—An act to amend section 2179 of the Political Code, relating to guardianship and administration of estates of incompetents

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 479, as amended, passed by the following vote.

AYES—Andreas, Boyle, Breed, Burns, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, Desmond, Domihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 480—An act to amend section 1554 of the Probate Code, relating to accounts of guardians of insane persons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 480 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, Desmond, Domihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—66

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate

Assembly Bill No. 340—An act to amend section 691.6 of the Fish and Game Code, relating to bass.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 340 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, Desmond, Domihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Morgan, Nielsen, O'Donnell, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Welsh, Wright, and Mr. Speaker—63.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No 252—An act to amend section 499b of the Penal Code, relating to the unauthorized taking for temporary use or operation of aircraft, automobiles, bicycles, motorcycles or other vehicles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 252 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Clark, Corwin, Cronin, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Voigt, Walker, Waters, Welsh, and Wright—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1271—An act imposing an excise tax on the storage, use or other consumption in this State of tangible personal property, providing for the registration of retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof and providing that this act shall take effect immediately.

Bill read third time.

Re-reference of Assembly Bill No. 1271.

Assembly Bill No. 1271 ordered re-referred to Committee on Revenue and Taxation.

Motion to Re-refer Assembly Bill No. 686.

Mr. Cronin moved that Assembly Bill No. 686 be withdrawn from Committee on Conservation, and ordered re-referred to Committee on Oil Industries.

The question being on re-referring Assembly Bill No. 686 to Committee on Oil Industries.

Motion carried.

Assembly Bill No. 686 ordered re-referred to Committee on Oil Industries.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1935.

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 875—An act to amend sections 9, 23 and 24 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to industrial accidents;

Also: Assembly Bill No. 959—An act to amend section 59 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to referees of the Industrial Accident Commission;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

MINARD, Chairman.

The above reported bills ordered on file for second reading.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1935.

MR SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 2168—An act for the preservation of certain lands in the State of California for agriculture purposes, and fixing penalties for violation of the provisions thereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1935.

MR SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 2386—An act to add Chapter 8 to Division VI of the Agricultural Code, relating to the marketing of milk and other dairy products—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

THORP, Chairman.

The above reported bill ordered on file for second reading.

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1935.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No 1215—An act to amend section 11 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the regulation of the practice of optometry—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

CRONIN, Chairman.

The above reported bill ordered on file for second reading.

Second Reading of Assembly Bill No. 1215.

Assembly Bill No 1215—An act to amend section 11 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the regulation of the practice of optometry.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the printed bill, after "SECTION 1.", add the following: "Section 11 of the act cited in the title hereof is hereby amended to read as follows:

SEC. 11. The certificate of registration of any person registered as provided for in this act, may be revoked or suspended for a fixed period by the said board of optometry for any of the following causes:

1 His conviction of a felony or misdemeanor involving moral turpitude, in which case the record of conviction, or a certified copy thereof certified by the clerk of the court or by the judge in whose court the conviction is had, shall be conclusive evidence of such conviction.

2 When his certificate of registration has been secured by fraud or deceit practiced upon the board

3. For unprofessional conduct, or for gross ignorance or inefficiency in his profession. Unprofessional conduct shall mean employing what are known as "cappers" or "steerers" to obtain business; the obtaining of any fee by fraud or misrepresentation; employing directly or indirectly any suspended or unlicensed optician or optometrist to perform any work covered by the provisions of this act; directly or indirectly accepting employment to practice optometry from any person not having a valid, unrevoked certificate of registration as an optometrist, or from any company or association, the managing officer or officers of which do not have a valid, unrevoked certificate of registration as optometrists; provided, however, that the term "accepting employment to practice optometry" as used in this clause of this act shall not be construed so as to prevent a licensed optometrist from practicing optometry upon an individual client; the advertising of optical business or treatment or advice in which untruthful, improbable, or impossible statements are made; habitual intemperance or gross immorality; permitting another to use his certificate of registration for any purpose, advertising definite fixed prices for service or eyeglasses, spectacles, optical appliances, frames, lenses or accessories. (Prices shall be construed to be definite and fixed and coming within the purview of this section even though the words "and up" or "as low as" or words of similar import are used in connection therewith); advertising or offering free eye examination, free consultation, free sight test, or words of similar import, either alone or in connection with the sale of eyeglasses, spectacles, frames, lenses, optical appliances, or accessories.

4. Who shall send a solicitor from house to house or who shall solicit from house to house.
5. When the holder is suffering from a contagious or infectious disease.
6. For any violation of the provisions of this act.
7. When the holder uses the title of "Doctor" or "Dr." as a prefix to his name; or, without holding a diploma from an accredited school of optometry, the letters "Opt.D." or "O.D." as a suffix to his name; or holds himself out as having a special knowledge of optometry, as defined in this act."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1935.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No 1213—An act to amend section 10½ of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the regulation of the practice of optometry—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

CRONIN, Chairman.

The above reported bill ordered on file for second reading.

Second Reading of Assembly Bill No. 1213.

Assembly Bill No 1213—An act to amend section 10½ of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the regulation of the practice of optometry.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the printed bill, after "SECTION 1.", add the following: "Section 10½ of the act cited in the title hereof is hereby amended to read as follows:

Sec. 10½. It shall be unlawful for any person:

1. To sell or barter, or offer to sell or barter any certificate of registration issued by the State Board of Optometry; or

2. To purchase or procure by barter any such certificate of registration with intent to use the same as evidence of the holder's qualification to practice optometry, or

3 To alter with fraudulent intent in any material regard such certificate of registration; or

4. To use or attempt to use any such certificate of registration which has been purchased, fraudulently issued, counterfeited or materially altered, as a valid certificate of registration; or

5. To practice optometry under a false or assumed name; or

6 To wilfully make any false statement in a material regard in an application for an examination before the State Board of Optometry or for a certificate of registration; or

7. To practice optometry in the State of California without having at the time of so doing a valid unrevoked certificate of registration as an optometrist; or

8 To advertise by displaying a sign or otherwise or hold himself out to be an optometrist or optician without having at the time of so doing a valid unrevoked certificate of registration from the said State Board of Optometry. For the purposes of this act the term advertising shall be deemed to include the use of a newspaper, magazine, or other publication, book, notice, circular, pamphlet, letter, handbill, poster, bill, sign, placard, card, label, tag, window display, store sign, radio announcement, or any other means or methods now or hereafter employed to bring to the attention of the public the practice of optometry or the prescribing, fitting or sale, in connection therewith, of lenses, frames, or other accessories or appurtenances.

9. To dispense, replace or duplicate an ophthalmic lens or ophthalmic lenses without a prescription or order from a duly licensed physician and surgeon, oculist or optometrist; provided, that this act shall not be construed so as to prevent a duly licensed physician and surgeon, oculist or optometrist from filling a prescription, prescriptions, order or orders under the provisions of this act; provided, further, that this act shall not be construed so as to prevent the replacing, duplicating or repairing of an ophthalmic lens or ophthalmic lenses, or the replacing, duplicating or repairing of the frames or fittings thereof by the person or persons qualified to write or fill prescriptions or orders under the provision of this act; and, provided, further, that the provisions hereof shall not be construed so as to prevent an optical mechanic from doing the merely mechanical work upon such lenses, or upon the frames or fittings thereof. An ophthalmic lens, within the meaning of this act shall be any lens which has a spherical or cylindrical or prismatic power or value.

10 To accept employment with or continue in the employ of, or act as an assistant to, any optometrist or optometrists, either directly or indirectly, when he has knowledge that such optometrist or optometrists are violating any of the provisions of the Optometry Act of the State of California"

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

By Mr. Kallam Assembly Constitutional Amendment No 70—Proposed amendment to the Constitution by adding new article number XIIIA, and by repealing section 12 of Article XI, relative to taxation.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Patterson: Assembly Joint Resolution No. 43—Relative to memorializing Congress to furnish aid in the construction of check dams in the Salinas River Valley.

Introduced, and referred to Committee on Federal Relations.

By Mr. Patterson: Assembly Joint Resolution No. 44—Relative to memorializing Congress to aid the rubber industry in the United States and in California.

Introduced, and referred to Committee on Federal Relations.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1935.

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 10—Relative to memorializing the Public Works Administration to approve the application of the Los Angeles County Flood Control District for a grant of $5,882,000 to be used for the immediate construction and permanent improvement of the flood channel of Ballona Creek between Vineyard Station on the Pacific Electric Railway and the ocean, the same being commonly known as the Ballona Creek Project at Culver City, Del Rey and Venice Bay districts, Los Angeles County, California;

Also, Assembly Joint Resolution No. 39—Relating to memorializing Congress to incorporate in a National old age pension plan the principles and objectives of the Townsend plan;

And reports that the same have been correctly enrolled, and presented the same to the Governor on the twenty-second day of March, 1935, at twelve o'clock and fifteen minutes p m.

WATERS, Chairman

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2171—An act to amend section 4247 of the Political Code, relating to salaries of county officers in counties of the eighteenth class—and reports

that the same has been correctly enrolled, and presented the same to the Governor on this twenty-second day of March, 1935, at twelve o'clock and fifteen minutes p.m.

WATERS, Chairman.

Withdrawal of Bills.

By order of the Speaker, the following Assembly bills were withdrawn from file, and ordered re-referred to committees as follows:

Assembly Constitutional Amendment No. 40 re-referred to Committee on Constitutional Amendments.

Assembly Bill No. 1741 re-referred to Committee on Exhibitions and Fairs.

Assembly Bill No. 1336 re-referred to Committee on Public Morals.

Assembly Bill No. 291 re-referred to Committee on Financial Institutions.

Assembly Bill No. 21 re-referred to Committee on Roads and Highways.

Assembly Bill No. 2173 re-referred to Committee on Governmental Revenues and Expenditures.

Assembly Bill No 1054 re-referred to Committee on Conservation.

Assembly Bill No. 1654 re-referred to Committee on Motor Vehicles

Assembly Bill No. 1205 re-referred to Committee on Education.

Assembly Bill No. 2157 re-referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1657 re-referred to Committee on Motor Vehicles.

Motion to Re-refer.

Mr. Scudder moved that the following bills be withdrawn from committees, and ordered re-referred as follows.

Assembly Bill No. 1712 from Committee on County Government, re-referred to Committee on Judiciary.

Assembly Bill No. 1728 from Committee on County Government, re-referred to Committee on Judiciary.

Assembly Bill No. 1713 from Committee on Governmental Efficiency and Economy, re-referred to Committee on Judiciary.

Assembly Bill No. 1727 from Committee on Governmental Efficiency and Economy, re-referred to Committee on Judiciary

Assembly Bill No. 1729 from Committee on Crime Problems, re-referred to Committee on Judiciary.

Motion carried.

Resolutions.

The following resolutions were offered:

By Mr. Andreas:

Assembly Resolution.

WHEREAS, The policy of this Assembly is to support all moves tending toward the good of California agriculture and agriculturists; and

WHEREAS, The lemon industry of the State has now on hand its largest crop in many years, and is faced with the lowest market in 19 years; and

WHEREAS, This industry is now taking steps to secure an equitable return to all of its growers by securing signatures of member growers upon a petition to the Agricultural Prorate Commission, urging that commission to declare proration of shipments of the present crop; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly go on record as supporting the lemon industry in their effort, and as memorializing the Agricultural Prorate Commission to declare the proration of this year's crop.

Resolution read.

Mr. Andreas moved the adoption of the resolution.

The question being on the adoption of the resolution.

Resolution adopted.

By Mr Garibaldi:

Assembly Resolution.

Resolved, That the Assembly Standing Committee on Public Morals be, and it is hereby, authorized to institute and conduct any investigation of a fact pertaining to or relevant or incidental to the consideration of any pending legislative measure before it for consideration, and to that end is hereby authorized to hold hearings and to investigate all matters and things in relation thereto, including the power to require the production of books, documents, records, accounts and papers of every kind; to issue subpenas, to compel the attendance of witnesses and to procure testimony, and so far as practicable to have material testimony reported so that the same may be available for use by the Legislature, and the chairman and each member of the committee is authorized to administer oaths, and all of the provisions of Article VIII of Chapter 2 of Title 1 of Part 3 of the Political Code relating to the attendance and assemblage of witnesses before the Legislature and committees thereof shall apply to said committee.

Resolution read.

Mr. Garibaldi moved the adoption of the resolution.

The question being on the adoption of the resolution

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr Speaker—68.

NOES—None.

Request to Print Report in Journal.

Mr. Cronin requested that the report of the Interim Committee for the Investigation of Small Loans be printed in the Journal.

Request granted.

Report of the Interim Committee of the Assembly of the State of California for the Investigation of Small Loans.

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REPORT OF THE INTERIM COMMITTEE OF THE ASSEMBLY OF THE STATE OF CALIFORNIA

Be It Remembered, That on the twelfth day of May, 1933, the Assembly of the 1933 California Legislature adopted the following resolution:

WHEREAS, The current period of economic instability has caused an increase in small loans; and

WHEREAS, The proper legislation should be enacted to protect both the lender and the borrower; now, therefore, be it

Resolved by the Assembly of the State of California, That a committee of three members of the Assembly, to be appointed by the Speaker thereof, be appointed to make a survey and to investigate all problems in connection with the making of small loans, with particular regard to legislation that should be considered at the fifty-first session of the Legislature during the session beginning in January, 1935; and be it further

Resolved, That said committee shall proceed to organize by the election of one of its members as chairman and by the election of a secretary and shall proceed with such survey and investigation in such manner as may be determined by the committee; and be it further

Resolved, That said committee is hereby authorized to hold public hearings at any place in the State of California at which hearings the people shall have oportunity to present their views to the committee; and be it further

Resolved, That said committee is hereby authorized and empowered to do all things necessary to make a full and complete investigation of the matters herein referred to and is hereby authorized and empowered to require the production of books, agreements, documents and papers of every kind, to issue subpenas and to compel the attendance of witnesses and to procure testimony. Each of the members of said committee is hereby authorized to administer oaths and all the provisions of Article VIII of Chapter II, Title I, Part III of the Political Code of the State, relative to the attendance and assemblage of witnesses before the Legislature and committees thereof shall apply to the committee appointed under this resolution. Said committee may sit during the sessions of the Legislature, during the recesses thereof and during the interval between sessions, and be it further

Resolved, That said committee shall report and make recommendations to the fifty-first session of the Legislature during the session commencing in January, 1935, before the constitutional recess thereof; and be it further

Resolved, That the committee in order to make a comprehensive investigation of this problem, may accept donations from philanthropic persons, foundations and others interested in the survey and investigation, and shall expend such donations in carrying out the purposes hereof.

In accordance with the above resolution, the Speaker appointed Messrs Craig, Lyon and Cronin as such committee.

Pursuant to the foregoing resolution, the undersigned members of the Assembly named by the Speaker as the interim committee, met on the sixteenth day of March, 1934, at the hour of two o'clock p.m., in Room 610 of the State Building at Los Angeles, California. The meeting was called to order by Assemblyman Craig, and thereafter Mr. Craig was duly elected chairman of the committee. Assemblyman Cronin was elected secretary and Assemblyman Lyon was elected vice chairman. After several meetings at which pertinent evidence was examined, the committee made its conclusions and now makes the following report:

FOREWORD.

The "small loan problem" is not a new problem in the State of California, nor is it confined to this State or to the present period It is a problem arising out of the age-old custom of lending money for a consideration. Its vices are born of the dominion exercised by the one possessed of plenty over him who has little or nothing. Its background is a composite of human frailties, of folly, credulity, improvidence and oppression. The origin of the problem may be traced partially to custom, but more accurately to the vagaries of human character. Its manifestations are disclosed and magnified by the power that is industry, by the centralization of capital, by the congestion of humanity into small areas, by the exactions of society, but fundamentally it may be found wherever men gather, because it is rooted in the essentials of human existence. It is necessary, therefore, that, before the problem is studied, it must be recognized first and its solution determined thereafter. By the very nature of things, such solution and consequent remedy must be paternal for it deals with the deficiencies of mankind, with the weakness of the oppressed and the helplessness of the unfortunate

INTRODUCTORY.

Since 1909 it has been the legislative policy of this State to divide the lending transactions for the purpose of regulation into the three general classifications of (1) loans secured by real estate, (2) loans secured by personal property, and (3) unsecured loans. From our investigation we conclude that such classification is sound and should not be disturbed. However, it is necessary to subdivide these classes further where circumstances require regulation appropriate to a part thereof only.

This report is concerned with the second class of loans, i.e., those secured by personal property. For the purpose of regulation, accuracy is increased by the classification of such loans as either consumptive or productive. A merchant borrows money with which to enlarge his stock, an industrialist borrows to build a factory; a farmer to buy seed. These are "productive" loans; they were made to enable production and profit. On the other hand, a wage earner's wife is sick and he borrows money that he may hire a physician; another borrows to buy a winter's coal supply; still another to repair a leaking roof. These are "consumptive" loans. The money derived therefrom is "consumed," absorbed by the routine of life Its expenditure is made necessary by some human or social need or by some emergency.

Because these loans as a rule are small, that designation has come to be universally used as a class name. By a similar rule established by custom, the "small loan" has been designated as one under $300. It must be borne in mind, however, that such designation is a matter of facility only and that essentially the nature and purpose of the loan must control the investigation. Such designation does not preclude regulation of loans of larger sums when circumstances require such regulation, as has been indicated by former legislation in this State and by regulatory legislation sustained and now in effect in various States It may be said, therefore, that we are here concerned with an investigation of "consumptive" loans and with evils connected therewith. One other observation should be made for clarity's sake:

the committee has isolated for separate comment the makers of small loans into the following divisions: Personal property brokers, pawnbrokers, industrial lenders and credit unions. Such division has been made for the reason that each named class presents special problems peculiar to itself.

PERSONAL PROPERTY BROKERS.

It has been said already that the problem of small loan legislation is not confined to California. The causes, the results, the attempts to remedy evils, these are universal. Necessarily, however, the details vary in different jurisdictions and in California custom and previous legislation have created a situation unlike any which has come to the attention of your committee. Today in California, it is virtually impossible to obtain a loan directly from a lender. The loan must be "negotiated" or "arranged" by a "broker" who exacts a fee for such service. This fee is additional to such interest as may be exacted by the lender. Since the law fixes no limit on the amount a "broker" may charge for his services, the cost to the borrower is such amount as the "broker" may arbitrarily assess.

In the year 1909, this Legislature passed an act known as the Personal Property Brokers' Act, and in 1911 that act was amended to provide for an interest rate of 2 per cent per month. Such interest provision remained unamended until repealed by the initiative measure passed by the people in 1918, and known as the Usury Law. This Usury Law provided for a maximum interest rate of 12 per cent per annum. It was general in character and made no exemptions. Consequently, the measure could be amended only by the people; the Legislature was without power to legislate upon any phase of interest, although its problems were recognized and the need of remedy conceded. This situation was confirmed by the decision of the Supreme Court rendered in 1932, given in the case of *Beneficial* vs. *Haight*, 215 Cal 506. Therein was concerned the act of the 1931 Legislature, which had thoroughly considered the small loan problem and thereafter passed remedial legislation patterned after the Uniform Small Loan Act, then in force in twenty-six States of the Union. That legislation was passed in the form of an amendment of the Personal Property Brokers' Act above referred to on the theory that the Usury Law, being general in scope, had not repealed the Personal Property Brokers' Act, which was specific The Supreme Court, however, held that the Usury Law was adamant and the Personal Property Brokers' Act was subject to it. The Usury Law was definitely established as the controlling statute of all money lending. Its inadequacy is discussed in a subtopic hereafter. Suffice it to say, at this point, that the limitations of the Usury Law were consistently evaded or avoided and the vices attendant upon high-rate lending remained.

The Legislature of 1933 was powerless to do anything to overcome such problems. It had been told by the Supreme Court that the people and not the Legislature could cope with the money lending evils. The possibility of reform by the people of a situation, made complex by myriad technicalities, was remote. Accordingly, the 1933 Legislature, after careful consideration, framed a constitutional amendment to be submitted to the people, which, in effect would amend the Usury Law and give the Legislature the power to legislate over those classes whose business conditions made reform necessary. The "personal property brokers," "pawnbrokers," "industrial lenders" and "credit unions" were among the classes named. The amendment referred to is Assembly Constitutional Amendment No. 79, which appeared on the ballot November 6, 1934.

Apparently the people themselves had recognized the necessity of reform in the field of money lending, for the amendment passed with a substantial majority in its favor. As a consequence, the Legislature is free to act upon those problems which will be herein presented and to follow the recommendations of your committee which have resulted from an extraordinary and detailed investigation of the problems.

USURY LAW INADEQUATE.

Society has long recognized the weakness of the borrower as compared with the lender, and in essaying to protect the borrower from the avarice of the lender, Usury Laws were passed Taken as a class, these laws fix the maximum rate of interest chargeable by all classes. No distinction is made between secured and unsecured loans, between a high risk and a low one, between a "productive" loan and a "consumptive" loan The result is that such Usury Laws are inadequate, because they do not fit existing conditions. The Usury Law of this State is no exception; it essays to fix a maximum rate and does not distinguish between that class of loans in which the rate is sufficient and another class of loans in which the rate is unquestionably inadequate

A cardinal principle which may be announced as a theorem, proven by experience as well as logic, is that a lender will not part with his money unless he is compensated for its use. Money is a commodity for which the majority of humankind slave and search, and having acquired it, men guard it jealously. It is only for the purpose of increasing their capital that lenders risk their wealth. If that inducement is taken away, capital becomes timid and suspicious

The rate fixed by the Usury Law, to wit: 10 per cent per annum, may be conceded to be adequate where the security is sufficient. In that type of loan one factor and only one determines the loan, to wit: The value of the security hypothe-

cated to the lender. Once that value is determined, the lender need only regard the mechanics of the loan transaction to insure himself of absolute security.

Suppose, however, that the borrower has no security. Is he to be barred from borrowing money? Because he has no bankable collateral, is he to be deprived of a right to borrow, thereby being forced to suffer the burden of some emergency or loss?

Who are these borrowers without security acceptable to banks? They are 85 per cent of the public; they are the masses; they are the people whose lives may be altered or shattered by tragedies which small financial assistance could avoid. They are the wage earners, the rank and file of our communities; they are the working class.

The Usury Law, by failing to provide adequate compensation for unsecured loans or loans made on security of personal effects, prevents lenders from making such loans and thereby deprives the majority of the people of the Commonwealth from enjoying a prerogative which undeniably is their right.

But because these agencies impose an excessive expense upon the borrower, the cost of the loan becomes exorbitant and disproportionate.

Because the lender making loans to the classes without bankable security is required to use the medium of third persons, or brokers, to avoid the rigors of the usury law, the cost of the loan thereby becomes burdensome and oppressive

Thus we discover the anomaly that the Usury Law designed to protect the weak actually adds to their burden.

RATE FIXED BY USURY LAW INADEQUATE.

The question may naturally be asked: "Why is it necessary to pay a lender more for a loan made on the security of personal effects, than for one with security which is acceptable to the banks? The answer is that the risk involved necessitates greater protective measures, requires greater compensation, and makes possible greater loss which must be recouped from the business at large.

The small loan of that character is characterized by detail necessary to consummate it. A brief consideration of the circumstances will amply illustrate the necessity for such detail. Suppose John Smith, a brakeman, applies for a loan. He owns no real estate, he has recently moved and his only income is his job He owns some furniture and possesses other furniture which he is buying on the installment plan. He owns no other property. Obviously before the risk of lending money to John Smith may be undertaken, considerable investigation is necessary. On the face of the statement above set out, John Smith is precluded from borrowing from any recognized lending medium, such as a bank or building and loan company. Moreover, he is precluded from borrowing from any medium, unless his "character" is shown as being worthy. Simply stated, the lender must insure himself that John Smith is honest. He must verify the fact that John Smith has a job, he must find out how long he has held it, what reputation he has with the company, how much money he owes to credit institutions for furniture, clothing or commodities, what reputation he has for prompt payment, how he comports himself socially, is he a spendthrift, does he have domestic troubles, does he owe doctor bills, are there any judgments outstanding. In fact, the lender must discover all the facts necessary to enable him to conclude that John Smith will probably repay the money he borrows.

Having discovered the facts, the lender's job is only half done. He must make a record of his investigations for future reference, he must draw the note evidencing the loan, he must prepare the mortgage which will secure the note, if an assignment of wages is given, he must assure himself that the employer will accept such assignment. After the money is advanced, he must collect the installments; he must send notices of due dates; he must remind John Smith by telephone And finally, the lender must pay the overhead incidental to the operations of his office.

No eloquence is necessary to indicate that the lender can not perform all the above functions for a return of 10 per cent per year. If the loan were larger or the security different, the recompense might be sufficient. But the Usury Law has not made provision for variable circumstances and the inevitable result is that legitimate capital is barred from the field of small loans.

The situation has been given careful and unbiased study and the conclusions reached are those above indicated Walter S. Hilborn, speaking as a director of the Division of Remedial Loans, of the Russell Sage Foundation, a philanthropic institution seeking reform in the field of small loans, has this to say:

> "Why should small loans bear a rate of interest so much higher than that at which large loans are customarily made? There are several valid grounds for the higher rate.
>
> 1. The risk on these loans is relatively greater, the duration of the loan being longer than in the case of ordinary bank loans, generally 12 months, and the security of a character not usually acceptable to a commercial bank.
>
> 2. Operating expense is high, because the amount of each loan is small, it must be collected in monthly installments, and investigation of the reliability of borrowers must be made with greater care than in the case of bank loans.

3. The lending capacity of a small-loan agency is limited to its cash capital on which it must pay dividends; while that of a commercial bank includes, in addition to its resources, the deposits of its customers on which it does not have to pay dividends or interest"

Reginald Heber Smith, an eminent attorney of the State of Massachusetts, chairman of the Committee on Legal Aid of the American Bar Association, in his treatise "The Facts About the Small Loan Business," says

"When it is stated that the legal rate cannot be fixed lower than 3½ per cent per month, that rate sounds high to the man who can step into a bank, put up collateral and get his loan at 6, 7 or 8 per cent per annum. There are three big differences which, after a little reflection, are clear: (1) The risk involved in the small loan is greater. The small loan is a personal risk. The bank loan is against collateral or business assets, (2) the licensed lender cannot charge the borrower for the expense of the loan, whereas the banks can and do. The bank loans, moreover, are for substantial sums which fall due at one time, (3) In proportion to the amounts loaned, the percentage of cost of conducting a small loans business is far greater (than that of conducting the bank loan department)."

Many additional authorities may be quoted on the subject. Suffice it to say that the Russell Sage Foundation, being a National remedial endowed organization, having made exhaustive research of the subject, has found that the rate fixed by the usual Usury Law is inadequate, and that a higher rate is required

USURY LAWS AVOIDED.

We are not interested in the avoidance or evasion of Usury Laws in States other than California, beyond the fact that such evasions are universal, except when governed by legislation fitted to the need We are, however, interested in the fact that in California the Usury Law has been and continues to be both avoided and evaded By using the term "evaded", we are referring not only to illegal operations, of which we have found many, but also to the legal methods by means of which the purpose of the Usury Law is avoided. Many such plans exist. They are usually obtuse, circuitous, detailed and difficult of understanding resulting in unnecessary expense The average borrower has little or no comprehension of the legal effect, right or scope of such plan. To him it is a medium of obtaining money which he needs Such a plan is the brokerage plan widely used in California.

THE BROKERAGE PLAN.

We have already touched upon the brokerage plan, which today is the prevalent method of money lending in this State. Briefly, the plan involves the following procedure: The borrower can not borrow money directly from the lender. He is sent to a "broker" who "negotiates" the loan. The "broker" acts as a go-between. He investigates the worth of the borrower, and if he finds him satisfactory, he prepares the papers and submits them to the lender. In addition, he guarantees the loan. On the strength of the broker's guarantee, the lender makes the loan. He receives the rate of interest which is permissible by law. But the loan he has made includes the fee or brokerage which the borrower must pay the broker. For example, a loan of $100 is negotiated by a broker for the borrower. The borrower executes a note for $100 bearing interest at the legal rate and the lender actually lends $100 But the borrower only receives $70, because he must pay out of the $100 loaned, $30 to the broker as his fee.

Let us examine the example to see what has happened. Suppose the loan is repayable in ten monthly installments Each month the borrower pays $10 plus interest for the outstanding balance. Over the period of ten months, he shall pay $4.58 as interest. But including his brokerage fee, the cost of borrowing $70 (for that is the amount he actually received) is $34.58. Under the provisions of the Uniform Small Loan Act, he would have received the total amount of $100 and the complete cost of the loan on the same ten months' installment basis would have been $19.25.

In presenting this example, the committee has assumed that all steps of the loan have been legal. In its investigations, your committee has discovered grave violations of the law principally having to do with the identity of the broker and lender. Some cases were found, in which a wife acted as the lender and collected the interest, while the husband acted as the broker and collected the brokerage fee. Other cases were found where dummy companies were incorporated and were given fictitious functions, in order that the semblance of separate entity might be preserved. Your committee has found, however, that on the whole the licensed operators under the supervision of the Commissioner of Corporations have operated their business with due observance of the law On the other hand, your committee has found a profusion of technicalities and so-called red tape which have tied the hands of the commissioner and have prevented reform, even though obviously needed.

Disregarding, however, the abuse of the law in the mechanical or structural aspect of the problem, your committee, nevertheless, finds a positive need for reformation. In the example hereinabove quoted, all charges made can probably be justified. The lender takes no more than he is permitted to take under the law The broker, on

the other hand, renders services for which he may justifiably exact the charge he makes. It is the combination of the two which results in inequality to the borrower The system requires a double overhead; office force, records, books and personnel for the lender and a similar organization for the borrower. Why is such duplication necessary? Because the legislation relating to small loans has been nearsighted, inadequate and insufficient

Our conclusions have been reached after a long and deliberate study. It is not our purpose to detail our findings in this report, but the basis thereof may be readily disclosed by a reference to the cases which your committee has examined The facts discovered, although astounding, are not unusual. One after another, at the hearings conducted by your committee, actual borrowers, substantial working people, came before us, and testified that they had gone to brokers' offices and executed notes varying in principal amounts from $75 to $80, which were payable in either three or four equal monthly installments, and had actually received only $45 or $50 in return therefor, which amount represented everything of value they had received. Others testified that through a similar process they had received $100, but executed notes for amounts as high as $150 as evidence thereof The amount, in excess of the net sum received by the borrower, was justified by the lenders, in most cases, as being necessary expense for brokerage, insurance, interest and so on, but the fact remains that such cost, even though its justification be accepted as authentic in every respect, is exhorbitant and imposes upon the borrower a great burden.

Many of the borrowers testified that throughout the transaction they had known only one party, the broker, and had never had contact with the lender. They had never fully comprehended the presence of two separate entities, the lender and the broker. In their conception the broker had loaned the money; he was making the collections; it was he who was receiving the money which represented the cost of the loan. Nevertheless they paid that cost and reserved any question of its propriety.

If your committee had not actually interrogated these borrowers, and observed *their station in life and apparent intelligence, it would have been difficult to believe* that such a great body of citizenry permitted itself to be exploited and to continue to be tolerant of a system which permits such excessive cost of relief made necessary by circumstances usually beyond the borrower's control The conclusion is inevitable *that the force of necessity placed those people in a position in which they willingly* entered such unconscionable contracts rather than face the continued oppression of want

CONCLUSIONS.

From the great volume of evidence accumulated by your committee, certain deductions are inevitable and the deductions are in consonance with all other data, facts and evidence which your committee had available during its study of this problem and which, because of the lack of space, can not be set forth here Your committee has endeavored to resolve the evidence that it might clearly, dispassionately and without bias present its conclusions and frame its recommendations. Our conclusions follow:

1. That in Certain Types of Loans, the Spirit as Well as the Purpose of the Usury Law Is Evaded.

In making this conclusion, the committee does not refer to those cases in which the Usury Law is violated. Although such cases exist in alarming proportions, this *committee does not propose to deal with such violations except to take cognizance* of their existence and to acknowledge that such violations are an outgrowth of the present inadequate law. Rather is the committee concerned with the plan of operation most generally in use, which plan is essentially legal but which, nevertheless *has for its purpose the circumvention of the Usury Law. Basically the Usury Law* was designed to reduce the price of loans made to indigent borrowers, and our observations disclose that in this purpose the Usury Law has wholly failed.

2. There Is a Need of Regulating and Limiting of the Cost of Small Loans.

In coming to this conclusion, we are again concerned with the difference between "productive" and "consumptive" loans The difference has been disclosed already. We have also already stated that the small loan is nearly always "consumptive" The merchant may desire to expand, and for such expansion he seeks a loan from a bank. If the cost of the loan proves exhorbitant, he may refuse to make it. Thereby he deprives himself of the contemplated expansion, but there is no element of compulsion, forcing him to borrow the money. Only his ambitions are concerned. A manufacturer may want money for increasing his raw material. If the loan costs too much, he will decide to rely more on trade credit or upon open market buying. Again there is nothing that makes the borrowing of money imperative. How different, however, is the small loan borrower. His wife is sick, she must have medical attention and he must have money to get it. Cost is no barrier, rate is no obstacle. He must have the money. The interest, the cost of the loan may be a burden, it may be oppressive, but his wife's health makes necessary that sacrifice Another may be out of work, he has no income, his children are hungry. He will soon go back to work, but his need is present; he must have money now

The fact that in the future the price he pays for the loan will burden him does not overcome the immediate needs of his family. He must have the money.

Another factor of importance is the comparative ignorance of the class which borrows money in small amounts. Laborers, people with small wages, people who work with their hands, who have not had the advantage of school education or of business experience. Gullible, credulous and trustful, yet possessed of a pride that prevents close scrutiny of the money transaction, lest their ignorance be disclosed. They submit more readily to oppression than to humility.

Needless to say that there are many who are ready to take advantage of the borrowers' misfortune and ignorance and to tie upon his shoulders the merciless burden of debt Too often the misery of the borrower is increased by the loan he sought to lighten it. Too often the crisis which the small borrower faced is magnified and increased by the money lenders' greed.

The problem concerns the weak, the oppressed, the untutored It concerns the children of the race, the class which humanity must protect, the class which humanity must guard, lest it become prey to human wolves.

Money lending to this class is one method of its exploitation. Hence such lending must be controlled and regulated.

3. Rates Provided and Fixed by the Usury Law Are Inadequate.

This conclusion is based upon findings of your committee, which have been fully disclosed in the general discussion of the subject. Suffice it to say at this point your committee is convinced that small loans can not possibly be made at the rate of 10 per cent per annum. Reasonable consideration is basis enough for this conclusion. Suppose a person comes to a borrower for a loan of $50, which will be repaid in three monthly installments. The lender must interview the borrower, take his written application, investigate his credit standing, verify his residence, verify his occupation and execute the loan papers Thereafter, he must supervise the loan, collect the payments, and take the risk of total loss. For all this the Usury Law fixes a compensation of 84 cents.

Obviously the compensation is ridiculously inadequate

4. Availability of Money in Small Amounts Is Necessary. Small Loan Business Supplies a Prevalent Need of the People.

The money lenders who make small loans supply a need which, without them, would not be filled. Banks require collateral, which the small borrower seldom has Moreover, banks do not favor the small-loan type of business, because the cost of making such loans is not consonant with the established plan of bank operation Industrial lenders (whose rates are also higher than the rates fixed by the Usury Law) require cosigners, sureties or guarantors, who are seldom available to the necessitous borrower There is no other institution where money may be borrowed. Yet the worker, the man with small capital, is just as much subject to the vicissitudes of life as is the man with broader activity, and sometimes he requires financial assistance He should be able then to obtain such loan at a reasonable cost and with the minimum of trouble.

5. Brokerage Plan of Operation, Although Essentially Lawful, Is Cumbersome, Wasteful and Expensive.

We have touched upon the brokerage plan of operation in the general discussion of the conditions discovered by your committee. In that discussion, we showed that the brokerage plan of operation duplicates overhead cost, makes necessary increased operating expense, and, in short, greatly increases the cost of the loan to the borrower. It should be added, however, that a sane, sensible view of the situation can lead to but one conclusion: that the brokerage plan is a mere delusion, that it has been devised to accomplish circuitously that which sensible legislation should allow to be done directly. By perpetuating the brokerage plan of operation, the Legislature in effect makes it impossible for the lender to loan money directly. By sanctioning the brokerage plan, the Legislature admits the necessity of a higher cost for small loans. But by the same token, by the very sanction of the plan, the Legislature increases such cost and makes the burden of the borrower heavier and more difficult, and makes effective regulation of the small-loan business virtually impossible.

Why not sensibly, and in step with modern legislation, face the issues of the problem and make provisions which research, science and experience have shown to be sound?

6. Uniform Small Loans Act Provides a Fair and Satisfactory Plan of Operation of the Small Loan Business.

The Uniform Small Loans Act has been adopted in 28 States of the Union. It has been in existence for 19 years and, in that time, has been adequately tested by experience. With surprising uniformity the States, which have adopted the Uniform Small Loans Act, have reported the results as being highly satisfactory and as having overcome the evils attendant upon the small-loan business. Space prohibits the quoting of some of the reports given by supervisory officers in other

States. Suffice it to say, therefore, that such reports have been without exception favorable to the Uniform Small Loans Act

The Uniform Small Loans Act is the result of scientific research conducted by the Russell Sage Foundation, a remedial organization seeking reform in the small loan business. That research sought to establish the cost of making small loans, the supervision thereof, the loss ratio and the volume of delinquency. Such factors having been determined, it was next sought to establish a rate which would be fair to the borrower and which would, nevertheless, permit the doing of business at a profit to the lenders. The rate fixed after careful analysis was 3½ per cent per month on loans under $300, and 2 per cent on loans above that amount but under $500, which rate includes all charges.

Your committee believes that the rate meets the requirements of California and is fair both to the borrower and to the lender. The computations of the supervisory officer of the State of Illinois, in which State the said rate has been in force for many years, have shown that the profit of the licensed lenders for the year 1933 was 8 1/5 per cent on their invested capital An exhaustive report by the State Corporation Commission of the State of Virginia published in 1932 found that the earnings and profits of operators under the Uniform Small Loans Act were fair, just and reasonable on capital invested. Such returns can hardly be called unusual or high. Other reports show a similar normal return and justify the conclusion of fairness.

Money, in the final analysis, is a commodity. Its use by others than the owner must be compensated and that compensation must be fair. No person objects to paying a fair price for the use of a horse, or a vacuum cleaner or a typewriter. The same principle should govern the use of money, which differs from other commodities in one respect only, and that is its exchangeability. This quality makes money desirable more often than other types of personal property, but it remains, nevertheless, a specie of commercial article capable of being hired or rented and such renting or hiring is controlled by the same factors which control hiring generally, i. e., assurance to the lender of safe return of the commodity plus a fair consideration for its use. In the light of the evidence herewith submitted, your committee believes the rate recommended herein to be fair.

7. Adoption of Uniform Small Loans Act Would Lower Cost of Small Loans in California.

In making the following comparison, your committee has chosen the rates of high grade companies doing business under the brokerage plan in California. Other operators have higher rates, but comparison of the Uniform Act with the unusually high rate offices would be misleading. Accordingly, your committee chose those lenders who maintain a fair policy and whose capital investment makes possible an equitable rate for the customer.

Cost $100 for ten months, present plan	$32 40
Cost $100 for ten months at 3½ per cent plan	19 25
Cost $ 50 for three months, present plan	16 33
Cost $ 50 for three months, 3½ per cent plan	3 50
Cost $300 for one year, present plan	98 40
Cost $300 for one year, 3½ per cent plan	67 23
Cost $150 for six months, present plan	36 30
Cost $150 for six months, 3½ per cent plan	15 75
Cost $100 for one month, present plan	25 83
Cost $100 for one month, 3½ per cent plan	3 50

Many similar examples could be set out but the foregoing amply illustrate the point In certain types of loans, for example, the automobile loans, the cost to the borrower is generally much higher than the examples above cited, because of added insurance costs. Under the Uniform Small Loans Act, all such charges are included in the fixed rate.

8. Lenders Should Be Required to Possess Basic Capital.

Your committee has found that the majority of the violations of law and the highest rates prevailed among the operators with small capital. Your committee believes that protection of the borrower demands that those who engage in the business of lending money should be financially secure and able to carry on their business with a sufficient reserve to meet emergency conditions and permit a normal net return without exacting excessive charges. Inadequate capital leads to abuses of the borrower, to increased rates, to oppressive collection methods and to undesirable business methods generally. Moreover the lender with a small capital is more inclined to disregard regulation and flout the law since he has no substantial investment under it. Your committee believes that any person seeking a license should be required to have no less than $25,000 capital for investment as a condition precedent to the obtaining of a license as a small loan lender.

9. Commissioner of Corporations Should Possess Right to Refuse to Grant a License Where the Community for Which License is Sought Already has Adequate Loan Service.

Your committee has found that indiscriminate licensing of lenders leads to grave abuses. Extreme competition leads to objectionable advertising, to irritable "sales" methods and to lowering of business ethics and unnecessary duplication of overhead. The committee does not recommend monopoly by any means, but it does urge that some restraint be put on the number of lenders who may be licensed in a given community, so that a high character of business activity may be uniformly maintained. Moreover your committee believes that the commissioner should be authorized to license only those who after investigation are found to possess integrity, experience and general fitness and who command the respect and confidence of the community. The unprincipled, unethical and unscrupulous operator may be prevented from coming into a community only if the commissioner, who shall be responsible for the issuance of licenses, shall have the right to refuse a license to such person or corporation whom investigation shows to be undesirable.

10. Opponents of Uniform Small Loans Act Are Mainly Those Who Desire to Lend Money at Higher Rates Than Prescribed by the Act.

In its investigations, your committee has been impressed with the fact that the majority of the opponents of the Uniform Small Loans Act are the very persons whose activity, in the opinion of the committee, should be curbed. Many reasons are conjured up why the remedial act should not be adopted, but divested of verbiage, sham and camouflage, the basic reason is uniformly a desire to continue the present system of gouging the unfortunate. Ponderous arguments are made in which the constitutional right to contract without interference is urged as a reason for avoiding small loan regulation. A hue and cry for liberty is raised, but the liberty demanded is the freedom to oppress, to pillage and exploit. Your committee is thinking of another kind of liberty—the liberty of the wage earner from oppressive debt, liberty from slavery imposed by the loan shark, liberty from the bonds of usury. We are thinking of the factory worker, the mill hand, the seamstress, the office clerk. We are thinking of their welfare, their happiness and their relief. And because we hope for fair play, justice and equity for those people we make the following

RECOMMENDATION

Your committee believes that the principles of the Uniform Small Loan Act may be embraced within the present Personal Property Brokers Act by appropriate amendment. The class created by the Legislature in 1909 and designated as personal property brokers, which classification has been perpetuated, embraces all persons who lend money on the security of personal property (including assignments or sale of wages) the possession of which remains with someone other than the lender. Such classification was predicated upon a basic division of all loans into secured and unsecured classes. In the field of secured loans as distinct from the unsecured loans regulations should be devoted to making the security most useful both to borrower and to lender, but under regulations which will prevent either from imposing on the other. The principal subdivision of secured loans is that which distinguishes between loans secured by real estate and loans secured by personal property. In the sense that personal property is used as security, it is distinguished from real property by being movable, destructible, difficult to record as to property rights therein, susceptible of abuse as to rights of third persons, and not subject to a period of redemption after foreclosure. These differences make personal property less valuable as security both to borrower and to lender; special regulations are required to overcome these difficulties. Borrowers on personal property are subject to temptations in respect to its treatment after a lien is created, and lenders are tempted to abuses after default. This type of security and the fact that its possession is left with the borrower present problems of regulation peculiar to the class. Not only these basic differences in fact, but also a generation of commercial enterprise which has developed under the 1909 personal property broker's classification have made the line of demarcation definite in and peculiar to the State of California.

Regulation of that class is necessary in varying degress. Obviously those personal property brokers who engage in the business of making loans in large amounts deal with borrowers whose loans, as a rule, are "productive," and who are economically better able to protect themselves against exploitation and unfair practice. On the other hand, those personal property brokers who make loans in small amounts deal with a class of persons whose loans are "consumptive" and who usually borrow because necessity and stress of circumstances require the loan. Your committee has given careful consideration to the differences that mark these classes of borrowers; it has considered the line of demarcation between that class which most needs the protective influence of regulation and the remaining class which requires less regulation. After careful study the division has been made as between the borrower of amounts less than $500 and borrowers of greater amounts. Such division is based upon a careful evaluation of factual data. Your committee has examined tabulations indicating the volume of loans secured by personal property which the lender does not take into his possession, and indicating the amounts thereof as well as the type, circumstances, and social and economic position of the borrower. These records have shown that a great majority of the loans under $500 may be

classed as "consumptive" and that they are made to necessitous borrowers. The records further show that the loan over $500 is seldom made for "consumptive" purposes. In other words, that class of borrower who is driven by necessity to the borrowing of money and who, therefore, is most subject to exploitation rarely borrows more than $500, and conversely, that the class of persons who borrow more than $500 are seldom forced to borrow by the same degree of necessity.

The division is by no means exact. Undoubtedly the two classes graduate one into the other and to some extent overlap. The classification of human interests does not permit clear division, and accordingly your committee divided the class at the point where statistical data indicated a natural division.

Your committee is mindful of the fact that different divisions have been made by other jurisdictions, that is, that the boundary lines of such classes have been fixed at points different from those recommended by your committee. But California statistics indicate different circumstances caused by various factors. Previous legislation and classification such as the Personal Property Brokers Act of 1909 as thereafter amended, the Usury Law of 1918, the prevalence of the brokerage plan of operation, and the court decisions relating thereto have created conditions which are peculiar to California and which differ substantially from other jurisdictions. An outstanding example is the use of automobiles as security for loans which custom probably accounts for the fact that the average size of the necessitous loan is apparently higher in California than in other States.

Your committee has prepared a draft of the Personal Property Brokers Act incorporating therein the amendments which your committee considers necessary These amendments are based upon the provisions of the Uniform Small Loan Act, which has been found to be effective in about 26 States of the United States. These provisions have been carefully drafted to conform to the peculiarly delicate legal requirements of California The material substance of the present Personal Property Brokers Act has been incorporated into the recommended act although many of the sections had to be rewritten in order to effect correlation between all parts of the act.

Your committee believes that through the amendment of the Personal Property Brokers Act adequate protection may be assured the borrower, fairness may be established for all parties, and the interests of the community may be protected and preserved.

PAWNBROKERS

Foreword.

Probably the oldest method of lending money is that which today characterizes the method of the pawnbrokers Essentially, that method is the pledge system under which some chattel is given into the possession of the lender to secure the repayment of the loan. It is a simple method, easy to understand, easy to transact. Hence, it is a favored method among a vast army of people who prefer it over other plans because of its simplicity, convenience and quickness. In popular conception the pawnshop is regarded as an oasis for the profligate, the fair weather fellow, the gambler, who resort to the relief that a pawnbroker affords, when the wheels of fortune are idle. These classes are real, and in some degree should be considered when a study is made of a loan system But they are overwhelmingly surpassed in importance, however, by a far greater class, one whose interests reach deeper and for whom the law should have greater concern. That class is the strata of society whose wealth is measured by the clothes its people wear, plus a few objects of personal adornment and perhaps a shotgun, camera or suitcase. Inhabitants of tenements, furnished apartments and rooming houses, these people acquire little which might indicate stability or permanence. They are like the nomads of another age, who no longer need to carry tents, for our system of housing has made available a more convenient substitute. In most cases, the ease of movement from place to place is a potential factor only, but that factor is all important from the standpoint of the lender, who looks for stability and permanence in a borrower as a safeguard of his loan.

Pawnbrokering is an ancient business Its development might be traced with a great deal of interest Its growth is woven into the history of Nations, into the lives of people long forgotten. Its influence on past generations, its use and benefits in other ages might be readily disclosed But such dissertation would serve no purpose in this report, except to establish the fact that that business is an important factor in the lives of many present day people, and that it probably will continue to be important so long as human nature and human institutions retain their present characteristics.

One factor must be touched upon for the purpose of this treatise, to wit: the popular conception of a pawnbroker and the odium that often attaches to his business. The three balls of the pawnshop have been the butt of ridicule, taunts, and criticism, some of which have been justified, but most of which are undeserved. These deprecations are manifestations of prejudice, sometimes hate, but most often they are the result of a resistance to the performance of the conditions of a bargain. Let us remember that the pawnbroker does business with that class of society which is the least informed, the least educated To that class economics, the cost

of business operation, the theory of fair profit mean nothing. To the pawnshop customer the rudiments of the transaction alone are apparent. He knows that he relinquished the possession of an overcoat in order to secure a $5 loan. He had nothing else on which to borrow. If during the course of that loan the weather becomes cold, he needs the overcoat, he regrets his bargain, blames the pawnbroker for the circumstance, and roundly curses him. And in that seemingly ridiculous example is the basis of much of the popular dislike for the "Uncle" of our side streets who is regarded alternately as a savior and a devil.

We are by no means to be understood as attempting to absolve pawnbrokers from all blame. We are mindful of the abuses which have prevailed in the business in the past; we are aware of the fact that supervision of the business is not only advisable but necessary. We know that the naivete of the customer, his ignorance, his poverty have been used as means of oppression. We know that pawnbrokers have often conspired with thieves and pickpockets and have utilized their apparently legal pawnbrokering establishments as a screen for nefarious business. But we also know that in the general run of affairs, and as a result of regulation, supervision, and restriction, these vices are today the exception and not the rule, and though the pawnbroker's activities of another day may have justified severe criticism, today the popular stigma is not wholly justified.

PAWNBROKERS A NECESSITY.

We have already indicated in previous discussions of the general subject that the small loan is a necessity. Stated briefly, the small loan is as fully justified as the large loan. The basic reasons are the same: some purpose, some necessity, some desire is made possible of achievement through the temporary acquisition and use of a small amount of money not otherwise available. We have pointed out the difference between the "productive" loans and "consumptive" loans (discussion of personal property brokers), and we there stated that necessity played a greater part in relation to the small loan than it did in relation to the large or "productive" loan. The small loan is a means of reducing human misery, of relieving anguish and anxiety. It is a means which may be utilized by distressed people for the solution of vexing problems, the existence of which retards their well being and progress. The fact that the same agency, the small loan, may be used as a means of oppression, seems to us to be no argument against the right of existence of the small loan business, but merely an argument for the necessity of regulation

Categorically, we may say that below that class which may qualify for a personal loan, there is another class which may qualify only for pawnbroker loans. As already indicated, the domestic situation of that class is usually insecure, movement is easy, the abode is usually temporary. The economic position of such individual is similarly temporary. He goes from job to job, he does work of little importance; his identity means little to the type of work he follows. In short, his position today, his place of employment, his residence, his very identity may be obliterated tomorrow by the shifting sands of human affairs.

Obviously, the element of "character" which is so important to the maker of "personal" loans is totally lacking, since the basic requisite thereof is permanency and stability.

What safe means, other than the pawnshop, is there of supplying the requirements of this class for a loan? The only certainty, the only assurance that may be had of the subject's reappearance is to hold some article, some property which the subject desires sufficiently to return and claim it. To say that the business of the pawnbroker is not a desirable business is tantamount to saying that the class of people above characterized should not be allowed the privilege of borrowing money.

There is no substantial reason for such premise. The fact that a man is indigent, that he is poor, that he may be irresponsible does not make him a slave, nor does it deprive him of the fundamental right to share with his more fortunate brother those privileges which freedom and democratic government make possible.

The business of pawnbrokering, therefore, is a means of satisfying an existing need, a means which sane government should not destroy, but in its wisdom should perpetuate, with proper safeguards, however, against oppression, exploitation and dishonesty. The duty of government is no smaller in relation to the lowly than it is to the mighty, the needs of the one class speak as eloquently as do those of another, and it is the duty of the Legislature to give ear thereto.

One other class of borrower must be mentioned as depending on the pawnbroker for relief, which class is different from that above described That class is made up of individuals whose property consists solely of personal property of the jewelry type Modern society has within it a type of person who owns no real estate, automobile or similar property, who nevertheless is possessed of valuable jewelry, furs and the like. These people can borrow only from a pawnbroker, unless by virtue of their job, they may qualify for a salary or character loan. A personal property lender will not lend on the security of jewelry; he can not take a mortgage thereon, nor can he assure himself of safety in any manner except by taking possession thereof Then he becomes a pawnbroker and must be guided by the rules governing such business. For this class of borrower, again the pawnbroker is indispensable.

REGULATION OF PAWNBROKERS GENERALLY.

Pawnshops are operated under the widest variety of statutes, generally providing for regulation by municipal authorities. A number of reasons exist for such provisions, but mainly, the statutes are an outgrowth of the necessity of police supervision for the purpose of controlling traffic in stolen goods. Moreover, the pawnshop is a characteristic of congested districts, of cities where the concentration of people is the greatest and, consequently, police supervision is the most effective Moreover, in the estimation of your committee, such regulation is advisable, for the reason that the pawnshop transactions are too variable, too broad in scope to permit specific regulation The ramifications and diversity of the business require a more intimate regulation, such as only the police systems make possible. Furthermore, any other governmental supervision would be a duplication, since police supervision, for reasons already mentioned, would necessarily continue nevertheless.

As a general rule, the loan laws of the various States recognize the circumstances which are peculiar to the pawnbrokers, as differentiated from personal lenders, credit unions and the like, and have made possible the operation of their business by special legislation relating thereto. These laws take into account the fact that the man who borrows on the security of a watch or camera is different from the man who borrows on the strength of his job, his domestic stability or his automobile. They take into account the fact that the pawnbroker makes little loans, the type which the other classes can not make. In short, the pawnbrokers generally have been a subject of special classification based upon those factors which we presented in our foreword to this dissertation.

REGULATION OF PAWNBROKERS IN CALIFORNIA.

In California, there is no "Pawnbrokers' Act" such as may be found in other States. Nevertheless, pawnbrokers are regulated, which regulations may be found in the Penal Code, and which we set forth herein. They follow:

"SEC. 338. Every person who carries on the business of a pawnbroker, by receiving goods in pledge for loans at any rate of interest above the rate of 10 per cent per annum, except by authority of a license, is guilty of a misdemeanor

SEC 339. Every person who carries on the business of a pawnbroker or who purchases gold bars, gold quartz or gold bullion or mineral containing gold, who fails at the time of the transaction to enter in a register kept by him for that purpose, in the English language, the date, duration, amount and rate of interest of every loan made by him, or an accurate description of the property pledged, or estimated value of the property purchased, or the name and residence of the pledgor or seller, or to deliver to the pledgor or seller a written copy of such entry, or to keep an account in writing of all sales made by him, is guilty of a misdemeanor. (Amendment approved 1909, Stats. 1909, p. 367.)

SEC. 340. Every pawnbroker who charges or receives interest at the rate of more than 3 per cent per month on loans of $300 and less and more than 2 per cent per month on loans in excess of said sum or who by charging commissions, discount, storage, or other charge, or by compounding increases, or attempts to increase such interest or charge, is guilty of a misdemeanor; provided, however, that a minimum charge of 50 cents may be made in any case where the monthly charge allowed by this act would amount to less than 50 cents.

SEC. 341. Every pawnbroker must retain in his possession every article pledged to him, excepting clothing, wearing apparel, furs, trunks and suitcases, or property of similar character, for a period of one year after the last date fixed by contract for redemption, but such excepted property above set forth must be kept for a period of six months after the last date fixed by contract for redemption. The pledgor or his assigns shall have the right of redemption at any time during said one year period. Should such article not be redeemed within respective periods, the pawnbroker shall thereby acquire all the right, title and interest of the pledgor therein, to hold and dispose of as his own property Every pawnbroker violating the provisions of this section shall be deemed guilty of a misdemeanor. (Amendment approved May 6, 1929; Stats. 1929, p. 432.)

SEC. 342. Every pawnbroker who wilfully refuses to disclose to the pledgor or his agent the name of the purchaser and the price received by him for any article received by him in pledge and subsequently sold, or who, after deducting from the proceeds of any sale of the amount of the loan and interest due, thereon, and 4 per cent on the loan for expenses of sale, refuses, on demand, to pay the balance to the pledgor or his agent, is guilty of a misdemeanor."

We have already indicated our conviction that the police regulation, made possible by the foregoing provisions as supplemented by municipal ordinances, is advisable. Accordingly, we need not again dwell on that feature here. We are, however, concerned with that provision which deals with the rates chargeable by the pawnbrokers, i.e., section 340, Penal Code.

It will be noted that that section provides penalties which may be imposed under certain circumstances, i.e., the charging of a rate of interest in excess of that specified in the section. To that extent, it may be said that the section has set a rate. But it must be borne in mind that the section is prohibitory in character, and not permissive. Whereupon depends a very important legislative point

At another point in this report, your committee has mentioned the effect of the Usury Law on existing laws pertaining to the money lending business. In connection with our report on the Industrial Loan Act, we state our conclusion that the interest provisions of that act were repealed by the Usury Law, enacted by the people through initiative in 1918. We based our conclusions on the holding of the Supreme Court in *Beneficial* vs. *Haight* 215, California 506, and *in re Washer* 200, California 598. These cases definitely establish the proposition that the Usury Law of 1918 fixed the rate of interest for all business of money lending, and, because the enactment was an initiative measure, the Legislature could not fix any higher rate of interest. We are convinced that the pawnbrokering business was no exception to that proposition, and during the continued existence of the Usury Law, the pawnbrokers were governed by it.

That situation, however, has been altered by the adoption by the people on November 6, 1934, of a constitutional amendment being section 22, of Article XX of the Constitution of California, which, in effect, repealed the provisions of the Usury Law under discussion here. By virtue of that amendment, the pawnbrokers, like personal property brokers, industrial loan lenders and others are exempt from the maximum interest rate therein fixed, and the Legislature has the right to regulate their rates of charges.

It is at this point that the nature of section 340 of the Penal Code becomes important. Be it recalled that that section is prohibitory and not permissive. Such being the case, it was not repealed by the Usury Law, but remained coexistent with it. On the one hand, section 340, Penal Code, specified that the lending of money by a pawnbroker at a rate of interest in excess of three per cent on loans of $300 or less, and two per cent on loans over that amount, was a misdemeanor. On the other hand, the Usury Law permitted a rate of one per cent per month, and provided for punishment for violations of its terms. In spite of the fact that these two provisions legislated for the same subject matter, they were not antipathetic or inconsistent. It was merely that the Usury Law went farther than did the Penal Code provision. Your committee has, therefore, concluded that since these statutes were coexistent, after the repeal of the Usury Law, the Penal Code provision remained and is now effective.

In this connection, however, your committee wishes to point out an important factor which will require the attention of the Legislature in order that proper regulation of pawnbrokers may be possible, and an abuse of the law prevented. It will be recalled that section 22 of Article XX of the Constitution, to which reference has been made above, specifies in effect that the interest rate is fixed at seven per cent per annum, or ten per cent per annum by contract. Moreover, the exaction of fees, bonuses, commissions, discounts or other consideration is forbidden, but from this prohibition the pawnbrokers, as well as other named classes, are exempted. The result, therefore, is that pawnbrokers have the right to exact "Commissions, fees, bonuses, discounts and other consideration" in addition to interest, and unless a restriction is enacted the amount of such charges shall be unlimited. Section 340 of the Penal Code as it now stands gives no relief because it mentions interest only. If it is permitted to stand in its present form, the pawnbrokers will be able to exact interest at the rate of ten per cent per annum, and in addition will be allowed to exact charges, the amount of which would be unlimited.

Your committee, therefore, shall recommend that section 340 of the Penal Code be amended to include in its restrictions all discounts, fees, bonuses, commissions and other consideration, the gross amount of which shall not exceed the rate of charges fixed in that section. The exact form of the recommended amendment will appear in the formal recommendation your committee will make at the end of this dissertation on pawnbrokers.

INTEREST RATE JUSTIFIED.

We have dwelt at some length upon the nature of the business done by pawnbrokers, and we have pointed out the fact that such business is characterized by loans so small that no other business will make them. We have also dwelt upon the subject of overhead expense and cost of business maintenance in our discussion of personal property brokers. Without repeating our findings, we wish to call attention to the obvious fact that the proportionate cost of making a loan by the pawnbroker is much higher than the cost of making a larger loan of the type secured by real estate or bankable security although it is not as high as the cost of making loans as a personal property broker due to the fact that a pawnbroker takes possession of the security as a result of which his cost of loan supervision is less. There is first to be considered the fixed cost of the loan from the overhead standpoint, rent, wages of clerks, taxes, license fees and the like. This cost may be deemed constant. Next there must be considered the cost of registering each loan, reporting it to the police, keeping records thereof. In addition, there is the cost of storage and safe-keeping of articles and valuables which are deposited as security. Finally there is the supervision of the loan, i. e., collection costs, costs of foreclosure of forfeited merchandise, and the consequent cost of liquidation thereof.

Now we may well conceive that a lower interest rate might suffice if the amount of the loans made were larger. We are impressed, however, with the fact that by

far the greater majority of the loans made are in very small amounts. The $2 loan is not uncommon The $5 and $10 loans predominate. The interest earning on such loans, even at 3 per cent per month, is so small that profit therefrom is impossible to expect. Without a permissive charge in excess of such interest rate, the pawnbroker could not make such loans.

Why should he make such loans? Because, as already indicated, there is a need for them We have already shown that people of a certain class have no other means of obtaining loans. But those people often face emergencies, and their desire to meet those emergencies is no less acute than the anxiety of a merchant to pay a bank loan. Moreover, that class of people embraces those who, if thwarted, will resort to drastic means to relieve their anxiety and anguish Who can say how many robberies, thefts and burglaries have been avoided by the willingness of some pawnbroker to lend money on questionable security? Social conditions should not tolerate such circumstances which permit an individual to be reduced to such dire want that he resorts to violence to obtain relief, but until we have reached that millenium in which we have corrected many deficiencies of our present system, we must take the facts as we find them, and legislate accordingly.

And so your committee believes that the wisdom of experience has shown the way to a solution of the problem, that solution being the legislative sanction of the present rate fixed by section 340 of the Penal Code, which has already been discussed in detail Under this section the pawnbroker is entitled to charge interest at the rate of 3 per cent per month on loans under $300, but when the interest chargeable at that rate falls under 50 cents per month, he may charge 50 cents, nevertheless. In other words, for any loan under $60 the pawnbroker may charge a rate of 50 cents per month. For any loan over that amount, but under $300 he may not charge over 3 per cent per month. For loans over $300 he may charge at the rate of 2 per cent per month.

This rate compares favorably with the rates charged and permitted in other States. Moreover, your committee has considered the cost of operation borne by the pawnbrokers, and has concluded that the rate is not disproportionate or unfair The cost statistics of such loans are complicated and highly variable, and nothing would be subserved by setting forth such findings in this report. Rather would we premise our conclusions on the common-sense view of the charges permitted, i. e., that 50 cents per month for a loan of $1 to $60 is not unfair in view of the work, detail, supervision and risk attendant upon said loan.

REGULATION EFFICIENT.

Your committee has found a high degree of efficiency in the regulation of pawnbrokers by the police. Needless to say, conditions in some municipalities are better than in others, but on the whole, we have found a rather uniform supervision which is strict and relentless. Moreover, we have found that in the majority of instances, the pawnbrokers willingly complied with such restrictions. We readily recommend that no change be made in the manner of supervision.

RECOMMENDATION.

In view of the foregoing findings and the conclusions we have voiced on the various points, your committee recommends that no change be made in the present law governing pawnbrokers, except the amendment of section 340 of the Penal Code, and your committee recommends that said section be amended to read as follows:

> "Every pawnbroker who charges or receives interest, fees, bonus, commissions, discount, or other consideration, the aggregate of which exceeds the rate of 3 per cent per month on loans of $300 and less, and the rate of 2 per cent per month on loans in excess of said sum, or who by charging commissions, discount, storage or other charge, or by compounding increases or attempts to increase such charges, is guilty of a misdemeanor; provided, however, that a minimum charge of 50 cents may be made in any case where the monthly charge allowed by this act would amount to less than 50 cents"

INDUSTRIAL LOAN COMPANIES.

Distinct from both the personal finance companies and the pawnbrokers, yet often confused with the former, are those concerns which lend money on another kind of security: the guarantee of two responsible people that the borrower's note will be repaid Each guarantor is a comaker and is liable personally for the entire amount of the loan These loans are called "comaker loans."

Another name given this type of operation is "The Morris Plan," which name results from the name of the purported originator of the plan of operation. When the plan was first inaugurated, it met with many difficult legal problems, because the laws of the various States were framed before anyone had conceived the idea of the small loan business. The laws existent in various States were predicated upon the notion that all loans would be made on tangible security, and the maximum interest allowed in the banking and usury statutes was far less than the rate on which the Morris Plan depended In New York and a few other States, the promoters of the plan were able to secure the passage of amendments to existing usury laws, under which amendments the plan was feasible. But in many other States, the Morris Plan has been installed without special legislation, with the result that it is operated

on a rather uncertain legal basis In California this type of business has been made possible by the "Industrial Loan Act," Statutes of 1917, page 658, and subsequently amended, but although special legislation has been effected, because of other circumstances, the industrial loan companies using the Morris Plan are today operating on a questionable basis. This factor will be discussed more fully hereafter.

INDUSTRIAL LOAN PLAN.

The basis of the "plan" is the sale to the borrower of an "investment certificate." Thus if the borrower desires a loan of $400, he is required to buy eight $50 "investment certificates," the purchase price of which he agrees to pay in installments of $8 per week, under which arrangement the full "purchase price" will be paid in 50 weeks. The "purchaser" (borrower) is not required to pay interest on the unpaid balance of the "purchase price" of the "investment certificates" which he has agreed to purchase nor does he get possession thereof. These "investment certificates" are deposited by the purchaser as collateral for the loan he obtains, which loan is for a period of one year and bears interest at the rate of 6 per cent, which interest is collected in advance. It should be noted that the "purchase price" of the "investment certificates" shall have been paid in full two weeks before the loan made to the "purchaser" thereof shall fall due, which fact insures to the lender payment in full of the obligation Immediately the "purchase price" of the "investment certificates" has been paid in the manner above indicated, the "purchaser" is given the privilege of paying his loan therewith. Needless to say as a general rule, to which exception is rare, the borrower pays his loan by applying the "investment certificates" thereon. Indeed, such action in most cases is a pro forma ritual.

The characteristic of the loan is the fiction of "investment certificate sale" The prospective borrower desires to borrow money; he does not care to buy "investment certificates" But he enters the agreement to do so because by entering it he may procure the loan he desires. The plan is tantamount to the lender saying: "I desire security for any loan I make you. Since you have none, I will sell you such security on the installment plan, and thus you will have the security I require for deposit with me."

Obviously the device is a circuitous system, the purpose of which is to disguise the actual return the lender receives on the loan made. It makes possible the fiction widely used by industrial loan companies that they lend money at 6 per cent, whereas a short investigation of the plan proves that nothing of the sort is done. To clearly consider the circumstances, one must bear in mind that the borrower has been required to enter into two transactions with the company instead of one. He desires to borrow money, and his desire is granted. He is loaned the desired amount at 6 per cent per year, which is collected in advance, and in addition he is required to pay a fee of $2 for every $50 borrowed to cover "expenses" of the loan. As a further condition of the loan, he has been required to buy "investment certificates" for the purported purpose of depositing such "investment certificates" with the lender as security. This gesture is a fiction only. The "certificates" have no value, except as the same is created by the installments paid in by the "purchaser" (borrower). Why not apply the installments paid by the borrower directly to the loan instead of using them as payments on the "certificates"?

The reason is manifest. If the installments were used to pay the loan, the amount thereof would continuously decrease and the lending company could charge interest only on the decreased amount. But by using the "set-up" described above, the industrial loan companies are enabled to charge interest on the full amount of the loan during the entire period of the loan. For example, a loan of $400 is made for one year. The "certificates" securing the loan are payable in installments of $8 per week. When they are paid up in full, they will be taken by the company as payment of the loan At the end of the forty-eighth week, for example, the borrower has paid in $384 and is still paying interest on the full amount of $400 and continues to pay such interest for the full year Moreover, such interest is in addition to a charge for "expenses" at the rate of $2 for each $50 borrowed.

Further evidence of the fact that such certificates are not considered security is borne out by the fact that they are not relied upon, but the borrower is required to produce two reliable cosigners or comakers of the note he executes, each comaker being liable for the full amount of the loan.

The plan gives its disciples a decided competitive advantage, in that it enables the industrial loan company to advertise that it makes loans at 6 per cent. whereas lending companies operating under a direct plan of lending can not do so The borrower, therefore, is attracted to the industrial loan company But when he gets through with the plan there propounded, he has paid considerably in excess of the advertised rate, because under the plan already described a much greater rate has been exacted in a disguised form

By virtue of the legislation in California and legal interpretation thereof, the industrial loan companies, in the estimation of your committee, are doing business under a statute which was probably repealed by the Usury Act in so far as that statute permits a rate higher than the rate fixed by the Usury Act. As already pointed out, the industrial loan plan has been devised and is used to enable the

collection of interest, charges and fees at a rate higher than 12 per cent per annum. It will be recalled that the statute permitting such companies to operate in California was passed in 1917. In 1918, the Usury Law of California was passed by the people.

In *Beneficial* vs. *Haight*, 215 Cal. 506, the Supreme Court of this State, having before it the Personal Property Brokers' Act of 1909 as amended in 1931, said:

> "Lying at the base of this inquiry is the effect of the Usury Law upon the Brokers' Act of 1909 as amended in 1911. This is so because sections 2 and 3 of the act of 1931, above quoted, are substantially reenactments of sections 2 and 3 of the act of 1909 and differ only in the rate that may be charged and the number of parties that will be affected thereby. The question in reality is settled by our holding in, *In re Washer*, 200 Cal. 598. We there plainly held that the Usury Law established the maximum rate of interest for all loans, whether secured or unsecured, and this, too, regardless of the amount or the nature of the security. It is impossible for the *Washer Case* to stand and at the same time to permit an arbitrary charge by a certain group of personal property brokers of a greater amount."

In the case of *Blodgett* vs. *Rheinschild*, 56 C. A. 728, it was said:

> "As a general rule, any benefit or advantage exacted by the lender from the borrower, whatever be its name or form, which, added to the interest taken or reserved, would yield to the lender a greater profit upon his loan than is allowed by law is deemed usury." (39 Cyc. 971.)

Your committee can conceive of a situation in which a borrower is actually interested in buying "investment certificates" of a company such as here discussed and using those certificates as security for a loan. But your committee is convinced that, in actual practice, such a situation arises very seldom. The usual circumstance is such as already disclosed; the borrower, to obtain the money, consents to buy the company's "investment certificates" and such sale is made for the sole purpose of enabling the company to exact the interest rate and charges permitted by the statute. Since such authorized emoluments aggregate more than the Usury Law of 1918 permitted, by virtue of the cases above cited, that portion of the Industrial Loan Act which permitted the charges to be made, in the opinion of your committee, has been repealed.

The investigations of your committee have disclosed that the business done by the industrial loan companies in the State was generally done in a businesslike manner. However, your committee has found that these companies have taken advantage of the situation above described and have indulged in advertising and promotional schemes, which are subject to criticism and which have not been in accord with the ethics which these companies usually pretend to follow. During a period in the latter part of 1933 and the beginning of 1934, industrial loan companies in the vicinity of Los Angeles circularized employers or representatives of employer corporations with letters containing arguments in favor of the industrial loan type of operation and attacking other small loan agencies. These letters were predicated upon the wording of the statute above described and the misstatement of fact was obscured by clever reference to the statute. The gesture was one calculated to increase the business of these companies by undermining the integrity or reputation of competitors doing a direct loan business. In the estimation of your committee the situation was one in which the pot called the kettle black.

One other factor which should be borne in mind with reference to these companies is that their average loan is much higher than that usually made by the personal loan companies. The exact figures are not available but it may be safely stated that the loan average of a majority of the industrial loan companies approximates $450; while the loan average of the average personal loan company does not exceed $125. Loans are made by the industrial loan companies in amounts as high as $750 or $1,000, and not unusually as high as $5,000. Such loans, at the interest rate allowed by the statute, bring a handsome return. In our report on the personal loan companies, we stated that small loans required an interest rate greater than that fixed by the usury statute. However, we definitely stated that by "small loans" we meant loans under $500. A similar interest rate on larger loans would not be justified. Under the Industrial Loan Act, no exception is made, and the higher loans carry the same rate of interest and charges as do the small loans, with the result that inequality and unfairness sometimes result.

It is regrettable that the industrial loan companies are built upon a statute, the form of which is not favored by your committee. We would much more readily recommend a statute more direct in its nature and without a potential subterfuge included within its provisions. However, your committee is mindful of the fact that large investment has been made in these companies in this and in other States and that an arbitrary abolition of the plan would impose hardship on investors and borrowers alike. Moreover, your committee feels that other phases of the small loan business need reform more urgently, as already indicated in this report, and believes that the less pressing problems may be solved gradually. In other words, your committee believes that a reform of the entire loan situation is not a problem for one Legislature, but is a progressive problem which should be dealt with over a period of

time. In the meantime it is advisable that the existing uncertainty of the law be resolved so far as it is possible to do so. Since the adoption by the people of section 22 of Article XX of the California Constitution, the Legislature has the right to pass such legislation as it may believe appropriate without being limited in its jurisdiction, as it was formerly limited by the Usury Law, which limitation existed at the time the Industrial Loan Act was amended in 1933. Accordingly, the Legislature may remove the existing doubt relating to the Industrial Loan Act by repassing the portion thereof which by virtue of its conflict with the Usury Law was probably repealed by it. Therefore, your committee, in view of the reasons and the evidence set forth herein, makes the following:

RECOMMENDATION.

That section 4 of the Industrial Loan Act (Statutes 1917, page 658), as subsequently amended, which fixed the rate and charges permissible to the persons licensed hereunder, be reenacted in its present form, i.e., as amended by Statutes of 1933, Chapter 132, approved April 20, 1933, and being in words and figures as follows:

SEC. 4. Every corporation under the provision of this act shall have power, subject to the supervision and control of the Corporation Commissioner of the State of California:

First—To loan money on personal security, or otherwise, and to deduct interest therefor in advance at the rate of 6 per cent per annum, or less, and, in addition, to receive and to require uniform weekly or monthly installments on its certificates of investment, purchased by the borrower simultaneously with the said loan transaction or otherwise, and pledged with the corporation as security for the said loan, with or without an allowance of interest on such installments.

Second—To sell or negotiate choses in action for the payment of money at any time, either fixed or uncertain, and to receive payments therefor in installments or otherwise, with or without an allowance of interest upon such installments. Nothing herein contained shall be construed to authorize corporations hereunder to receive deposits or to issue certificates of deposit. The issuance of choses in action herein authorized shall be approved as to form by the Commissioner of Corporations and shall bear the indorsement on the face of the instrument "This is not a certificate of deposit."

Third—To charge for a loan, made pursuant to this section, $2, or less for every $50, or fraction thereof loaned, for expenses, including any examination or investigation of the character and circumstances of the borrower, and the drawing and taking acknowledgments of any papers, or other expenses incurred in making the loan. No charge shall be collected unless a loan shall have been made.

Fourth—To establish offices, or places of business within the county in which its principal place of business is located, but not elsewhere.

Fifth—To purchase, sell or discount choses in action, secured or unsecured, chattel mortgages or conditional sales contracts, which shall have a maturity within two years from the date of said purchase and such purchase, sale or discount shall not be construed to be either a loan or an investment of funds as such terms are used and defined under the provisions of this act.

In addition to powers herein enumerated, every corporation, under the provisions of this act, shall have the general powers conferred upon corporations by Chapter III, Title I, Part IV, Division I, of the Civil Code, except as herein otherwise provided.

CREDIT UNIONS.

A discussion of the small loan business necessitates a brief mention of credit unions. The argument has often been advanced that credit unions may fill the need that today is satisfied by the small loan agencies heretofore discussed. The casual observer who has not had experience with small loan agencies and has not studied the subject is apt to conclude that since the law has made provision for cooperative organizations calculated to help the financially distressed, such institutions should fill the need and there remains no necessity to consider the agencies which now conduct the business of money lending.

Theoretically, the point has some basis, but from a practical viewpoint it is not sound. In spite of careful and sometimes elaborate legislative sanction and sponsorship in this and other States, credit unions have not fulfilled the expectations of their proponents nor have they filled the needs for which they were constituted. The reasons for such failure are various, and your committee believes that an analysis thereof is desirable not only because the efficacy of credit unions may thus be disclosed, but also that the philosophy of the small loan business may be rounded out in this report.

By way of preface, from the viewpoint of those who foster the credit union in this country, no reason exists why it should not function as it was originally intended to function. It is the practical working out of the plan which has failed and has prevented the general success of credit unions.

The fundamental purpose of credit unions may be summarized as an effort to promote savings among its members and to provide credit for them. The credit unions seek to make available the savings of some members for loans to other members. In that respect credit unions resemble mutual savings institutions, except that credit unions specialize in the small personal loan as distinguished from bank or real estate loans.

The credit union was intended to be cooperative in every sense; it proceeds upon the ideals of community welfare through the reciprocal effort of the members of each community.

But in spite of those idealistic purposes, credit unions have not accomplished that which the proponents hoped for and in spite of paternalistic legislation they have been only partially successful. It may be said in a general way that credit unions have been successful in instances where efficient management has been available but such management has rarely been found due to the fact that the margin of profit does not permit the necessary expenditure for high-grade personnel. The expert, trained mind is not content with the limited return available from a credit union. For that reason, as well as others, the success of credit unions in the many States in which they have been authorized has been mediocre.

HISTORY.

The first law relating to credit unions in the United States was passed in Massachusetts in 1909 Since that time similar laws have been passed in 37 States. There are two general types of credit unions, the open membership type and the employees credit unions. As the name implies, the open membership type is made up of people without a close bond of unity, as differentiated from unions whose members are all employees of one factory, one church, one racial group or one close knit community. As a result, the open membership type of credit union, having no industrial or social unity among its members, is confronted by problems which are comparable to those of an institution operated for profit. This fact is, of course, reflected in the cost of their operations. As a result, this type has not been successful and probably never will be. Careful investigation by supervisory officers of the State of New York resulted in the recommendation that the open membership type of credit union be abolished.

In this connection your committee vouchsafes the observation that the fundamental theory of the open membership union is based on a faulty premise. Such a union is predicated upon the theory that a group of people without a united interest may collectively save enough to make possible loans to those among them who may need financial assistance. The basic idea is thrift first and financial relief next The people at large are urged to invest their money with the credit union Such investment is encouraged as promoting thrift. But how is that investment used by the credit union? By lending on a class of loans known to be the most hazardous of all. We have shown the hazards that await the lender of small personal loans. We have shown that the business requires constant supervision, business acumen and an experience which is possessed by few. Yet the open membership credit union is organized, men of limited experience are put in charge, given a limited salary, and with such a background a complex and risky business is undertaken. It is with difficulty that the business may overcome this initial handicap.

Evans Clark in his book "Financing the Consumer" says:

> "Cohesiveness and cooperation set the credit union apart from all other agencies of mass finance Both qualities make for the maximum of service at the lowest possible cost. The ideal credit union is one whose members are closely associated in their daily lives, workers in the same shop, or firm, employees in the same government experiment, members of the same lodge, parish or labor union group. The better the members of credit unions know each other the less are the cost and risk of making loans, and the greater the incentive for unselfish service in the cause."

The stockholders of an open credit union have no interest in the corporation other than that of personal benefit which is usually placed ahead of the interests of other stockholders. In the open credit union no more altruistic spirit can be expected and the inevitable result follows—each member looks out for himself and gleans for himself the greatest possible advantage, even at a sacrifice of the welfare of other members.

The success of a credit union is based upon cooperation. Without cooperation it is doomed. Mere association in a credit union is not sufficient to inspire such cooperation There must be some additional factor, a spirit of brotherhood induced by some kindred interest such as a fraternity, church, lodge, or common employment, or there may be a geographic or racial unity or homogeny. Without such homogeny, competitive and selfish motives prevail and destroy the purpose of the credit union.

It may be said, therefore, that in those instances where the credit union depends on such cooperation as may be had from the rank and file of people who are strangers to each other and who have no reason for kindly concern for each other's interests, it is doomed to failure. American institutions perpetuate the principle of individualism whereas the credit union is based upon collectivism. The ideals

and principles of the American people presuppose the right of self aggrandisement, whereas the cooperative institutions such as credit unions are based on the subjection of the individual good to the needs of the group. Your committee believes that such a spirit, such sacrifice of self interest is possible only where some common bond strongly impels the participants toward a common objective.

Your committee does not hesitate to recommend that the "open credit union" be discouraged for the same reasons that any unsound investment enterprise should be curbed. The fact that the credit union adopts the cooperative structure and limits its possible profit does not alter the fact that it may be a medium through which well meaning but inexperienced people lose their savings. It is our conclusion, therefore, that credit unions should be confined to the "closed" type, which may be otherwise classified as the "employees credit union."

EMPLOYEES CREDIT UNIONS.

As already indicated, the second class of credit unions should be classified as "closed membership" credit unions. Since, however, they are most often created and organized among employees, that designation has been chosen. Be it understood, however, that in this classification are included all credit unions with a limited or closed membership, that is, those which are restricted to a particular group having a common bond of employment or association. These credit unions are essentially democratic agencies of self help. They are organized, perpetuated and officered by the members of the specific group represented. Their activity becomes a factor of the organizers' routine existence; the enthusiasm of the organization permeates the employment and the union and the institution in which it is organized become related and their interests intertwined.

It is probably this interrelationship which has made possible the unions' success. In many instances the work of the officers of the union is carried on at the employer's expense and on company time. Employers encourage such activity on the theory that it promotes cohesiveness and homogeny among the employees. Even though such patronage may not be had, still the unions' activity is carried on as a subsidiary of the employer company. The motives, therefore, are those which motivate loyalty to the institution and credit extension is but secondary in importance.

Your committee is concerned with the philosophic or social values of these organizations to the extent that these organizations may affect the commercial enterprises which your committee was appointed to investigate. In other words, your committee seeks to answer the question, "Does the credit union offer a solution to the small loan problem which is better than the recommended legislation?"

We have already partially answered this question. To be of general good, the credit union theory would have to be feasible on a general scale and be available to the people as a whole instead of to isolated or limited groups. We have already shown that the theory is unworkable in that manner. We are, therefore, constrained to limit the above question as follows: "May the limited membership credit union be expected to fulfill the functions of a commercial small loan service which is general in character?"

The question is answered in the asking. Obviously the limitation of membership would necessitate the organization of countless unions before the general demand could be even approximately satisfied. Every place of employment, every rural district, every association of professional men would have to organize a credit union before the facilities of such unions could become general in character. By "general" we mean available to everybody. It is the governmental function to make privileges universally available, and if any small portion of the population is omitted the functions of government have not been fulfilled.

The inescapable conclusion is that the credit union may not be depended on to supply the demand now supplied by the commercial agencies which your committee has reviewed in this report.

There are reasons other than the foregoing why the credit union will not and can not supplant the commercial agencies. These reasons we have already categorized as "psychological." They are factors that result from the vagaries of human nature, from pride, from avarice, from selfishness, from suspicion, and from fear. To obtain a loan a member of a credit union must apply to the officers thereof. If the union is run efficiently he must disclose minutely his circumstances, his domestic situation, the reasons for his financial distress. To whom does he disclose these facts? To his fellow workers, to his associates, his neighbors? It is unnecessary to state that he will refrain from so doing if he can. Much rather will he go to an independent agency and pay any kind of price for the loan than to tell his domestic difficulties to those before whom he desires to maintain a wholesome appearance.

Again, the borrower may fear that his condition may be deemed his own fault and being conveyed to the employer will cause his dismissal. He knows the employer has interested himself in the union. He knows that its officers are "close" to the employer. He distrusts them; he fears politics; he refuses to disclose his personal affairs. Again he is relegated to a commercial agency if he is to get relief.

Suppose he does apply, however, and his circumstances are such that his loan must be denied. What will be his reaction? He has paid his tithe to the credit

union for months, he has been told that the credit union will help him in distress. Distress comes and the loan is refused. May he be expected to harbor a kindly feeling toward the credit union? On the other hand, may the union be blamed for refusing to make a hazardous loan? It has to look out for the collective good instead of the individual. Its purpose is efficiency, not charity. Suppose, again, that the union officers in good spirit interest themselves in the affairs of a coworker who has applied for a loan but whose economic circumstances indicate poor management or carelessness. Will their advice be taken in good grace or will the subject resent their interference? Probably the latter, for all of us believe that we may run our affairs better than any other persons.

Favoritism, politics, dissension, suspicion, these are the heritage of the credit union along with the virtues that it possesses. The result is that the credit union will often succeed, often fail. It will never become an institution noted for constancy or can it be expected to give universally even relief. It is by no means a panacea. It has its place, and when it works, its functions are good. It is not broad enough to cope with those variegated problems which beset the small-loan business It is not, it can not be a substitute for the commercial small-loan agencies

GENERAL CONCLUSION.

Your committee submits this report as the result of its labors since the 1933 session of the Legislature. Your committee believes that it has been well informed and that the conclusions drawn from such information are sound. By no means, however, do we believe that we have exhausted the subject. Volumes might be written about small loans and the problems surrounding the business of making them. We have tried to digest the subject that we might well inform this Honorable Legislature of the true facts. In this endeavor we have been greatly assisted by many persons upon whom we have called for information and explanation. We have listened to borrowers and we have listened to the members of the small-loan industry. We have interviewed representatives of welfare agencies whose endeavors take them among the people who borrow in small amounts, and we have interviewed law enforcement officers who have dealt with the small-loan problem We have studied theory and we have studied practice. We have tempered the claims of the lender by a study of the needs of the public. And from this endeavor, study and consideration we have resolved the foregoing report which now is

Respectfully submitted.

EDWARD CRAIG, Chairman.
MELVYN I. CRONIN, Member.
CHARLES W. LYON, Member.
Interim Committee.

Adjournment.

At twelve o'clock and forty-five minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Monday, March 25, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, March 25, 1935.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard Morgan Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosen-

thal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—76.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. McBride, its further reading was dispensed with.

Leaves of Absence.

On motion of Mr. Patterson, Mr. Clark was granted leave of absence for this day.

On motion of Mr. Dawson, Mr. Brennan was granted leave of absence for this day.

On motion of Mr. Corwin, Mr Phillips was granted leave of absence for this day.

Privilege of Floor of Assembly Extended.

On request of Mr. Latham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. J. Homer Hough of Alhambra.

On request of Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. John W. Biller of Pasadena.

On request of Mr. Riley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. O. W. Fisher of Long Beach.

On request of Mr. Martin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Bruce Reagan of Pasadena.

On request of the Alameda County delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. Thomas Caldecott, supervisor, fourth district, Alameda County, and Mr. Samuel H. Thompson, director of charities of Alameda.

On request of Mr. Chatters, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Charles W. Cleary of San Francisco

On request of Mr. Scudder, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. A. J. Quinn, Jr., Mr. T. N. Waymire and Mr. Ronald Howard of San Anselmo and Larkspur.

On request of Mr Patterson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Fred McCargar, secretary of the California Rodeo.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Belle Haven City Post No 472, American Legion, commending Assemblyman Fred C. Peterson and his committee for the excellent work performed by them in investigating the activities of the building and loan companies of this State.

From Mary M. Beekman, opposing any discrimination as to meetings held in our public schools, and protesting any abrogation of the right of free speech.

From California Civic Federation, protesting against taxes that will force the motion picture industry out of our State

From Apartment Association of Los Angeles, protesting inequitable taxation upon the motion picture industry.

From Southern California Retail Grocers Association, favoring taxation of chain stores.

From Federated Trades Council of Sacramento, opposing Senate Bill No 323 and Assembly Bill No 807

From the Imperial County Farm Bureau, opposing transfer of the personal property tax on motor vehicles from the counties to the State.

From the Imperial County Farm Bureau, opposing Senator Fletcher's bill to permit fair associations to bond their districts.

From the Imperial County Farm Bureau, opposing legislation that would prevent county hospitals from accepting paid patients

From the Republican Study Club of Los Angeles, favoring passage of Assembly Bills Nos. 984, 985, 986 and 987.

From the Republican Study Club of Los Angeles, indorsing Assembly Bill No. 20

From Long Beach Architectural Club, opposing passage of Assembly Bill No. 679.

From the American Institute of Mining and Metallurgical Engineers of San Francisco, opposing passage of Senate Bill No. 242.

From the city clerk of Laguna Beach, California, favoring bills authorizing the issuance and sale of revenue bonds for certain kinds of public improvements.

From the American Chemical Society, opposing passage of Assembly Bill No. 1943.

From Mrs. Cora Vance Collins of Muskogee, Oklahoma, favoring Assembly Bill No. 1300 and Senate Bill No. 89, and opposing the passage of Bills Nos. 152 and 184.

From Exchange Club of Los Angeles, protesting any discrimination against the motion picture industry.

From Guaranty Building and Loan Depositors Investors Protective Association of Southern California, urging passage of Senate Bill No. 38; favoring an act to authorize suit against the State and its officials for embezzlement or any other acts committed against the people, and/or waive the statutes of limitations; also an act to convert the Guarantee Capital Building and Loan Association into strictly mutual building and loan associations to take effect on September 1, 1935.

From Long Beach Architectural Club, relative to the Field Bill and to school construction; also opposing Assembly Bill No. 697.

Communications.

The following communications were received, and ordered printed in the Journal:

By Chief Clerk:

VETERANS' HOME P. O., NAPA COUNTY, CALIFORNIA,
March 22, 1935.

The Assembly, California State Legislature,
Sacramento, California.

GENTLEMEN: Permit me to express, in behalf of the board of directors, officers, members and employees of the Veterans' Home of California, our grateful appreciation for the loud speaking system which was recently replaced in the Assembly Chamber.

Please know that this loud speaking system will be used to a very great advantage by this institution and will contribute a very great deal to the contentment and pleasure of the members of the home.

Most respectfully and sincerely.

NELSON M. HOLDERMAN, Colonel-Commandant.

Mr. Arthur A. Ohnimus,
Chief Clerk of the Assembly of the California Legislature,
Sacramento, California.

DEAR MR OHNIMUS: If you have the opportunity, will you kindly extend to the members of the Assembly the heartfelt appreciation of everyone associated with the newspaper, "Labor," for the generous resolution adopted by the Assembly on March 7th?

It is gratifying to know that the men and women entrusted with the task of drafting laws for a great commonwealth are willing and anxious to give proper weight to the views of those who toil.

With best wishes,

Sincerely,

EDWARD KEATING, Manager.

By Mr. Wright:

Resolution Unanimously Adopted by California Real Estate Association Directors at Their One Hundred Fifty-first Session, Vallejo, March 23, 1935.

WHEREAS, The State Legislature has before it two bills proposing to extend until February 1, 1937, the moratorium upon the enforcement of mortgages and deeds of trust on real property and the contracts of purchase and sale thereon; and

WHEREAS, One bill affects such instruments and transactions made now and even hereafter made up to the effective date of the proposed act thus affecting these transactions made under modern conditions and values with full knowledge of past years of depression; and

WHEREAS, One bill proposes that no receiver shall be appointed by any court for any property subject to a mortgage or deed of trust, thus depriving all lenders of protection through the equitable remedy of receivership no matter how impaired their security, thus encouraging racketeers and inviting further racketeering of income producing properties; and

WHEREAS, One bill authorizes the court to relieve the borrower of payment of interest, which payment is the lender's only inducement to lend his money; and

WHEREAS, In the opinion of this board the necessity which justifies previous legislation of this character no longer exists except in a few cases disproportionate in number to loans heretofore made and hereafter desired to be made; and

WHEREAS, The threat of renewed moratoriums has discouraged and will further discourage the making of loans and the financing of real estate transactions which in turn will retard home building and the construction industry generally; and

WHEREAS, A revival of employment is largely dependent upon an early revival of the construction industry; now, therefore, be it

Resolved by its board of directors, assembled at Vallejo, March 23, 1935, That the California Real Estate Association urge the members of the State Legislature to give serious thought to the inevitable and harmful consequences of an extension of the moratorium in its effects upon the general public and that it consider the general public and the lenders as well as borrowers; but if in its wisdom the Legislature does enact such legislation, that it include the following:

(1) That such extension be made not to apply to loans and transactions made after January 31, 1935;

(2) That it does not destroy the legitimate protection of the lender by prohibiting a receiver in just and equitable cases according to the discretion of the court; and

(3) That it protect the lender in his receipt of interest which is his only motive in lending.

Delegates were in attendance at the above meeting from the following cities: San Francisco, Los Angeles, Oakland, San Jose, Sacramento, Richmond, Berkeley, Fresno, Modesto, Stockton, Vallejo, Martinez, Pittsburg, Redwood City, Santa Cruz and Beverly Hills.

CALIFORNIA REAL ESTATE ASSOCIATION HEADQUARTERS,
Hotel Senator, Sacramento, California.

CHARLES W BROCK, President
GLENN D. WILLAMAN, State Secretary.
AMOS BOMBERGER, Modesto, Chairman.
HENRY C. WITTE, Redwood City.
OSCAR O. REED, Fresno
W. T. RICHARDSON, Los Angeles.
D. D. WATSON, Oakland.
Committee on Resolutions.

ASSISTANT CLERK OLIVER READING.

Reports of Standing Committees.

The following reports of standing committee were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1935

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1883—An act to amend section 472a of the Political Code, relating to the defense of State officers and employees;

Also: Assembly Bill No. 2179—An act to amend sections 2482 and 2484 of the Civil Code, relating to limited partnerships;

Also: Assembly Bill No. 485—An act to add section 3900a to the Political Code, relating to taxation, including tax delinquencies, tax penalties and costs, and declaring the urgency thereof, to take effect immediately;

Also: Assembly Bill No. 2118—An act to provide for the raising of public revenue by imposing a tax upon the receipt of gross income, to be known as the "Property Relief and Gross Income Tax Law," providing for the collection and enforcement of the tax, authorizing and directing the State Board of Equalization to receive and collect the tax imposed hereunder, prescribing penalties for failure to pay the tax imposed hereby, prescribing penalties for violation of the provisions of this act, and making an appropriation for the enforcement hereof;

Also: Assembly Bill No. 840—An act to amend an act entitled "An act to authorize irrigation districts to cooperate and contract with the United States under the provisions of the Federal Reclamation Laws for a water supply, or the construction, operation or maintenance of works, including drainage works, or for the assumption by the district of indebtedness to the United States on account of district lands; and to provide the manner and method of payments to the United States under such contract, and for the apportionment of assessments, and the levy thereof, upon the lands of the district to secure revenue for such payments, and to provide for the judicial revenue and determination of the validity of the proceedings in connection with such contract, and to provide for construction of works by the district; to provide for the borrowing or procuring of money from the United States or any agency thereof and the entering into contracts and/or the issuance of bonds, warrants or other evidence of indebtedness for the repayment thereof, approved May 5, 1917, as amended, by amending the title thereof and amending sections 1 and 11 thereof;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1664—An act to amend an act entitled an act to create a reclamation district to be called "Reclamation District No. 1660," and providing for the control and management thereof;

Also: Assembly Bill No. 1348—An act to amend section 690 10 of the Political Code, relating to rights in and upon swamp, overflowed, marsh, tide and submerged lands;

Also: Assembly Bill No. 1552—An act to establish a State Board of Qualifying Certificate Examiners in the Fundamental Sciences underlying the practice of the healing arts, to provide for its organization and powers, to provide that certification by such board be a prerequisite to eligibility for examination for a license to practice the healing arts and to define healing arts;

Also: Assembly Bill No. 1204—An act to amend sections 2, 4 and 26 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations,'" approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities; and declaring the measure an urgency measure within the meaning of section 1 of Article IV of the Constitution and providing accordingly for the act to take effect immediately;

Also: Assembly Bill No. 1206—An act to add a new part to Division II of the School Code to be known as Part VII, relating to the formation, government, support, control, functions, maintenance, and administration of unified school districts

created from school districts not coterminous and not having governing boards of identical personnel;
And reports that the same have been correctly engrossed

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1539—An act to amend sections 23 and 24 of, and to add section 18b to, that certain act entitled, "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights, to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to leasing of State lands, for the purpose of taking minerals from, and the leasing for the prospecting for, or extraction, mining, capture or acquisition of oil, gas and other hydrocarbon substances on, in, within or from lands belonging to this State or over which this State has or claims or asserts any jurisdiction;

Also: Assembly Bill No. 1651—An act to amend the Vehicle Code by amending sections 618, 621, 623, 625, 633, 634, 635, 637, 639, 640, and 670; to renumber section 663 to be section 664; to repeal Chapter 4 of Division X embracing sections 645 to 658 inclusive, sections 661, 662 and 677; to add sections 623 5, 638, 677, a new Chapter 4 to Division X, embracing sections 645 to 656 inclusive, 660, 661, 662 and 663 and a new section to be numbered 692 relating to vehicles,
And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 13—An act to amend section 73a of the Code of Civil Procedure, relating to superior courts;

Also: Assembly Bill No. 14—An act to amend section 4312 of the Political Code, relating to the place of offices of certain county officers;

Also: Assembly Bill No. 31—An act to regulate the hours of service in public and private employment during the emergency declared to exist;

Also: Assembly Bill No. 45—An act limiting the hours of labor of persons employed as personal or domestic servants and providing penalties for the violation of the provisions of this act;

Also: Assembly Bill No. 56—An act to amend section 3.42 of, and to add section 3.43 to, the School Code, relating to required instruction in the schools;

Also: Assembly Bill No. 93—An act to amend section 69 of the Civil Code, relating to marriage licenses;

Also: Assembly Bill No 232—An act to amend section 2 93 of the School Code, relating to the qualifications of county, city and district superintendents of schools and deputy and assistant county, city and district superintendents of schools

Also: Assembly Bill No. 259—An act to add a new section to the Civil Code, to be numbered 453 14, relating to mortgage insurance companies; declaring the urgency thereof and providing that this act shall take effect immediately;
And reports that the same have been correctly engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 270—An act to amend sections 366, 366a and 366b of the Political Code, relating to the Department of Institutions;

Also Assembly Bill No. 598—An act to provide for the revision of the Constitution of this State, including the election of delegates to the convention, the proceedings, powers, duties, and matters incidental to the convention, the submission of the revised Constitution to the people and matters incidental thereto, and making an appropriation therefor,

Also Assembly Bill No. 643—An act to amend section 320 of the Civil Code, relating to elections of corporation directors;

Also: Assembly Bill No 788—An act to amend section 653c1 of the Penal Code, relative to the thirty-hour week on public works whether the work is done under contract or otherwise, providing penalties for violation of its provisions and declaring the urgency thereof;

Also: Assembly Bill No 851—An act to add a new chapter to Part III of Division IV of the School Code to be known as Chapter IV, relating to sinking

funds in school districts for the replacement, reconstruction and/or alteration of buildings;

Also: Assembly Bill No. 865—An act to add section 793.5 to and to amend section 797 of the Fish and Game Code, relating to abalone;

Also: Assembly Bill No. 1082—An act to amend section 1065 of the Fish and Game Code, relating to the taking of sardines for commercial purposes;

And reports that the same have been correctly engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1129—An act amending section 3897 of the Political Code, relating to the procedure for the sale of property deeded to the State in payment of delinquent taxes, if not otherwise disposed of under section 3897a or section 3897b of the Political Code, declaring the urgency thereof, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 1277—An act to add a new section to the Political Code to be numbered 3454½, relating to reclamation districts and requiring that in all actions against a reclamation district or any person sued by reason of his connection therewith the board of trustees must be made parties defendant;

Also: Assembly Bill No 1370—An act to amend an act entitled "An act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such districts," approved March 20, 1903, as amended, by amending the title and sections 37 and 40 thereof, and adding a new section to be designated section 97, to authorize the borrowing or procuring of money by drainage districts from the United States or any agency thereof, and declaring the urgency thereof;

Also: Assembly Bill No. 1533—An act to amend section 871 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to the assessment, levy and collection of taxes;

Also: Assembly Bill No. 1565—An act to amend section 5 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property and providing for permits to retailers, providing for the revenue, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for the violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933, relating to exemptions on certain personal property;

Also: Assembly Bill No. 1599—An act to amend sections 226 and 227 and to repeal section 227a of the Civil Code, relating to adoption;

And reports that the same have been correctly engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1628—An act to amend the Fish and Game Code by adding thereto a new section to be numbered 1064.5, relating to fish reduction plants;

Also: Assembly Bill No. 1682—An act relating to the investment of funds in the State treasury;

Also: Assembly Bill No. 1695—An act to amend section 10 of an act entitled "An act to authorize and control the deposits in banks of moneys belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, relating to the deposit of money belonging to or in the custody of the State;

Also: Assembly Bill No. 1698—An act to add a new section to the Political Code to be numbered 696, relating to a Fact Finding Bureau in the Department of Finance;

Also: Assembly Bill No. 1735—An act to add a new section to the Political Code, to be numbered 689a, relating to use of the State's teletype system;

Also: Assembly Bill No. 1738—An act to add section 443 to the Political Code, relating to fingerprint records of officers and employees of the State and providing for the enforcement of the provisions thereof;

Also: Assembly Bill No. 1789—An act amending section 4120 of the Political Code, relating to the examination of books and accounts in the office of the county treasurer;

And reports that the same have been correctly engrossed

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 950—An act to amend section 1060 of the Fish and Game Code, and to add thereto section 481.5, relating to fish and game;

Also. Assembly Bill No. 532—An act to amend sections 578, 587, 860, 1201, 1240, 1501, 1515, 1540 and 1630 of the Probate Code and to add new sections thereto to be numbered 588, 1201.5 and 1516, relating to estates of decedents and estates of persons under guardianship;

Also: Assembly Bill No. 55—An act to provide for the operation and maintenance of storage garages for state-owned vehicles, the pooling of vehicles in general use, the placement of the State seal on each vehicle and providing that unofficial use of state-owned vehicles shall constitute a misdemeanor;

And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 44—An act to prohibit until February 1, 1936, sales under certain mortgages and deeds of trust, and the forfeiture of the interest of the purchaser under certain contracts of purchase, for default in the payment of the principal sum of obligations secured thereby or contracted to be paid thereunder, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale or forfeiture made in violation of the act, to prescribe the time within which an action to avoid the same may be brought, to postpone sales for default in payment of installments due between effective date of act and February 1, 1936, to authorize waiver hereof, to prevent actions against guarantors' obligations the enforcement of the security for which is affected by the act, and to declare the urgency hereof—and reports that the same has been correctly re-re-engrossed.

WATERS, Chairman

The above reported bill ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 42—Relative to memorializing the President and Congress to enact appropriate legislation to establish a social credit system in the United States by providing a currency based on actual assets—and reports that the same has been correctly engrossed.

WATERS, Chairman.

Assembly Joint Resolution No. 42 ordered on file for adoption.

Request to Print Report in Journal.

Mr. Peterson requested that the report of the Select Committee of the Assembly for the Investigation of the Building and Loan Situation be printed in the Journal.

Request granted.

ASSEMBLY, FIFTY-FIRST SESSION,
March 25, 1935.

Hon Edward Craig, Speaker of the Assembly, California Legislature,
State Capitol, Sacramento, California

MY DEAR MR SPEAKER: Attached herewith you will find my report on building and loan association conditions in California.

Respectfully,

FREDERICK PETERSON, Chairman.

Minority Report on Building and Loan Association Conditions in California.

MR. SPEAKER AND MEMBERS OF THE ASSEMBLY: Following the adoption of a resolution I introduced in the Assembly on January 9, 1935, a committee of five members was appointed to investigate the building and loan association situation in California. I was appointed chairman of the committee, and my colleagues were Assemblymen Dawson, McBride, Utt and Welsh.

The resolution provided for the committee to make the investigation as rapidly as possible, reporting back to the Assembly soon after the 30-day constitutional recess.

This course was followed to the letter. The investigating committee held eight complaint hearings in seven cities, followed by 22 hearings in which building and

loan association officials, brokers dealing in pass books and investment certificates and Federal and State officials were called before the committee.

The time allowed for this probe into the scandalous building and loan association situation was insufficient, of course. The committee was able to skim the surface of some of the more perfidious operations, however, as well as to hear the heart-rending testimony of hundreds of persons almost destitute through their investments in various building and loan associations.

I now find that I am compelled to submit a minority report to the Assembly. My resolution was adopted for the purpose of supplying the Assembly with an accurate picture of the entire building and loan association situation in California as it exists today, together with recommendations to remedy or correct the conditions if possible. The resolution was not adopted to "whitewash" certain building and loan association officials who, through mismanagement, caused great suffering to the depositors.

With this brief outline, I would like to give you a picture of the entire situation as I saw it. The other members of the committee had the same opportunity and did listen to the same testimony upon which I base this minority report

But before going any further, however, I wish to point out emphatically that the complaints received by the Investigating Committee were not directed against mutual associations—associations still remaining in the building and loan business.

In practically every instance the complaints were directed against stock organizations—particularly those owned by holding companies or affiliated with companies dealing in pass book and investment certificate securities. Furthermore, out of the 176 domestic building and loan associations operating within the State, the committee found that complaints were centered around only 26 of them.

Complaint hearings were the first order of business taken up by the Investigating Committee. Starting in Sacramento, such hearings were held in Oakland, San Jose, San Francisco, Los Angeles, San Diego and Fresno

All persons with grievances of any nature against the building and loan associations were urged to present the facts to the committee under oath

Many of the cases presented before the committee were pathetic. Stories of life savings being slashed from 50 to 75 per cent by those compelled to sell their pass books or investment certificates were astounding!

Old folks, entirely dependent upon the money deposited in building and loan associations, had suddenly found themselves utterly destitute. Although holding savings pass books with deposits ranging from a few hundred to many thousands of dollars, these old folks—many of them widows—were unable to draw even a modest distress payment to meet their actual needs.

Then came the stories about the pass book rackets—rackets actually sponsored by the building and loan associations themselves, in many instances, through their holding or affiliated companies.

Many of the depositors, unable to raise money in any other way, were told by building and loan association officials how they could raise immediate cash on their savings. Through brokers, or through holding or affiliated or subsidiary companies, the pass books or investment certificates of these unfortunate people—purchased for 100 cents on the dollar—were slashed to 30 cents, 35 cents up to 50 cents on the dollar!

Thousands of the depositors had to sell their holdings immediately, of course. Many of them were destitute; they could not obtain even the smallest distress payments from the building and loan associations. It was perfectly natural that they should sell out for a few cents on the dollar to purchase the necessities of life.

But the most sordid story about the pass book rackets was the methods used in many instances to coerce the depositors into selling their holdings.

Brokers secured lists of the depositors in one way or another. During the limited time the investigating committee had to study the situation, at least one case was uncovered where the brokers had secured the list directly from the building and loan association.

Anyway, when the lists were in the possession of brokers dealing in pass books, the depositors would be approached personally, would receive telephone calls, circular letters or postcards—each of which offered to buy the savings accounts at a few cents on the dollar.

Many times the status of the building and loan association would be actually misrepresented. In all cases, the depositor would be advised, either directly or by inference, that it would be far better to take a 50 or 60 per cent loss at the time than to take a chance on losing much more in the future.

These high-pressure methods used on depositors of building and loan associations naturally threw a number of them into a panic, and they would hasten to sell their holdings at a tremendous loss.

Borrowers from building and loan associations were also heard at these complaint hearings held by the Investigating Committee, although these complainants were in the minority.

All through the hearings ran a continuous story of grievances by depositors against the associations for alleged bad business deals. That is to say, bad deals from the standpoint of the depositor who was anxiously awaiting the moment when he could at least obtain a modest distress payment from the associations.

Likewise, criticism was directed against the activities of brokers dealing in pass book and investment certificate securities, as well as holding, subsidiary or affiliated companies dealing in such securities. The general complaint, however, was the fact that depositors had not been able to obtain distress payments.

Therefore, after the last complaint hearing had been held in San Diego on February 1st, the Investigating Committee began calling in officials of the various associations against which complaints had been filed. Brokers were also included in this last phase of the investigation, which the committee started in the State Building, Los Angeles.

From the very beginning of this questioning of association officials a large number of unethical practices were brought to light. The so-called "bad business deals" of complainants were in many instances exactly as the depositors had pictured them.

Strange loans, preposterously high for the value of the property involved, were continually bobbing up during the course of the investigation. In tracing these down, the committee would occasionally secure a reluctant admission from officials of the associations that bad business judgment was used in a surprisingly large number of instances.

I would not be able to make this report brief if I were to go into all of these so-called unethical deals, nor would the theme be improved by doing so.

But I would like to give you the details, briefly, of an outstandingly peculiar building and loan association transaction. This one is typical of the way depositors have been bilked during recent years by rank mismanagement on the part of certain association officials.

The Commonwealth Building and Loan Association of Long Beach had loaned $400,000 on a piece of property known as the "Wise Building" of that city. The real property of the Wise Company was held by a holding company organized for that purpose.

In addition to the $400,000 loaned by the Commonwealth, the Wise Company owed a further $100,000 to the Security First National Bank of Los Angeles. The bank began to press the Wise concern for the loan after the depression started, so the Commonwealth kindly turned over to the holding company of the Wise Company three unencumbered pieces of income-bearing property, so the Security First National could be given a first trust deed in satisfaction of its loan.

This deal was, in fact, an increased loan of approximately $100,000 by the Commonwealth Building and Loan Association on an office building upon which the association already had a loan of $400,000. Understand that this second loan was made in 1932 after the depression had greatly decreased the value of real property, and the first loan was already "sour."

At the time the second loan of $100,000 was made, the Commonwealth Building and Loan Association was "on notice." While the depositors were not allowed to draw their money at the time they called for it, the Commonwealth went right ahead and threw away another $100,000 of their funds. All the Commonwealth received in return was second paper of dubious value and three pieces of nonincome property of very dubious value.

The suspicious part of this deal involving depositors' money was the fact that certain officials of the Commonwealth Building and Loan Association and officials of the holding company of the Wise concern were very closely related.

Then to top off the generosity of the Commonwealth officials, an agreement was made with the Wise Company's holding organization whereby the $500,000 indebtedness could be paid off with $550,000 par value of investment certificates and portions of the property were to be released from the trust deed as payments were made. About this time the price of those certificates on the market was approximately 40 cents on the dollar. In effect, not only was the loan to be paid off at 40 cents or less on the dollar, but the security was to be progressively diminished as these payments were made. This transaction had the full approval of the State Building and Loan Commissioner at that time.[1]

Moving up into northern California again on February 15, the Investigating Committee first called in several brokers from San Jose, Oakland and San Francisco to a hearing in the State Building. The purpose of securing testimony from these brokers was to learn how the market value of building and loan association pass books and certificates were determined, how much commission was received by the brokers, how the list of depositors were obtained and other valuable data.

While it is my firm belief that there are several honest brokers dealing in building and loan association securities today, I believe it would be to the best interests of all concerned if such securities could be kept off the open market. This could undoubtedly be accomplished if distress payments were to be resumed immediately. Very few depositors would then be compelled to have their savings slashed through being forced to dispose of them on the open market.

Following our hearings in San Francisco, the Investigating Committee next moved to San Jose for three days on February 18th, 19th and 20th.

The outstanding event of the San Jose hearings was the taking over of the San Jose-Pacific Building and Loan Association by the State Building and Loan Commissioner. In his statement, Commissioner Drapeau indicated that the testimony brought out by the Investigating Committee was sufficient to justify such action.

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[1] Commonwealth Building and Loan Association transcript dated Monday, Feb 11th

[2] "Admissions of officers of the San Jose-Pacific Building and Loan Association before Chairman Frederick Peterson and the Assembly Committee have convinced me that this association is engaged in unsafe business practices, as defined in the Building and Loan Code," said Commissioner Drapeau's statement. "For that, and other reasons set forth in the statute, I have taken over the association and appointed a custodian."

[3] In the case of the San Jose-Pacific, the committee refused to take testimony under oath from R. G. (Gregory) Hamilton, president of the association, because such testimony would have granted to him immunity from possible criminal action.

Here again the committee discovered another instance of the evils arising from holding companies of building and loan associations. Closely interwoven with the affairs of the San Jose-Pacific Building and Loan Association were the affairs of several holding and affiliated companies, notably the R. G. Hamilton and Co., the San Jose-Pacific Company, Limited, and the Empire Trading Corporation.

I am frankly of the opinion that one of the greatest evils of the present building and loan association situation is that of an association being owned by a holding company. Next comes the practice of an association having affiliated or subsidiary companies through which it can carry on deals not legal for the association itself to handle. These deals pertain chiefly to dealing in association securities, although there are several other practices carried on by such holding, affiliated or subsidiary companies not in the best interests of the depositors.

Here is one fact that was brought out repeatedly during all the hearings throughout the State: Officials of the various affiliated or subsidiary companies were chiefly "dummies." This was an admitted fact in some instances; in others the committee brought out admittances from the officials that they did not know what was going on in the corporations of which they were officers. It can readily be understood that such corporations, practically operated by one man, could carry on transactions actually against the interests of the depositors.

Returning to San Francisco after the San Jose hearings, officials of the largest association in the State were called before the Investigating Committee.

The Pacific States Savings and Loan Company, with assets around $90,000,000, had had more complaints filed against it than any other association in California.

But the questioning of officials of the Pacific States was quite different than officials of any other association in California. Since this company had competent observers attending every meeting held by the Investigating Committee all over the State, the Pacific States officials knew all the questions and all of the answers!

Several startling facts were brought out during the interrogation of Robert S. Odell, president of the Pacific States. One interesting fact was that the Pacific States seems to have gone entirely out of the building and loan business; its chief interest today is apparently hotel, land and farming business.

During the recent years, the Pacific States Savings and Loan Company has come into possession of the Clift Hotel, Plaza Hotel and the Alexander Hamilton Hotel, as well as other large office buildings in San Francisco. These were secured by trading small homes and apartment houses in most instances.

I have steadily maintained that foreclosed property, such as these small dwellings and apartments, should have been liquidated for cash instead of being traded into large hotels and office buildings. This would have provided some cash for distress payments to depositors.

[4] As an example of my contention, let us take, for instance, the Claus Spreckles Building transaction of the Pacific States.

To acquire this Claus Spreckles Building, 44 small properties consisting mainly of small apartment houses and bungalow terraces were traded in on the deal. Although these small properties were unencumbered they were traded in on a building with a $696,500 mortgage hanging over it.

[5] Mr Odell said that the Pacific States had not assumed the mortgage, but he frankly admitted his company would lose the equity in the property if the interest payments were not met.

[6] In order to acquire the Clift Hotel, the Pacific States traded in 179 small properties, consisting mainly of small dwellings and buildings.

I have merely cited these transactions in my report to indicate how far away from the original building and loan association business some of the associations have strayed.

[7] "Window dressing" of financial statements was frankly admitted by Robert G. Odell while he was on the witness stand before the investigating committee. While he explained the legality of the practice, I firmly believe that the benefits of such a transaction can easily be defeated, and I question the advisability of trying to "fool the public."

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[2] Page 78, Vol 2, San Jose transcript.
[3] Page 137 Vol 2, San Jose transcript
[4] Page 129, Vol 2, San Francisco transcript
[5] Page 130 Vol 2, San Francisco transcript
[6] Exhibit 24e; page 116, Vol 2, San Francisco transcript.
[7] Pages 80-84, Vol 2, San Francisco transcript

[8]The committee had received a detailed complaint against the Pacific States Savings and Loan Company to the effect that a sworn financial statement, sent to depositors on December 30, 1931, contained $1,363,582.77 more cash on hand than another financial statement filed with the State Building and Loan Comissioner the following day.

Briefly, Mr. Odell explained to the committee, it has been the practice of the Pacific States to borrow a million or so from banks on the interest due date, have it on hand for a sworn financial statement to be sent to depositors, or to be published in the newspapers, and then return it to the banks the following day.

Mr. Odell said the purpose of such "window dressing" of financial statements was to satisfy people that they could get their interest in cash. He pointed out that such "window dressing" of financial statements was to maintain public confidence.

But personally I question the value of this theory. Both of the reports are available to depositors, since they receive one, and a provision of the building and loan laws requires that the commissioner exhibit the other. And if the average depositor should care to check up on the published report by requesting the commissioner's office for the statement filed with the State, it seems to me that his confidence in the Pacific States would be destroyed in a hurry. That is, unless Mr. Odell happened to be around to explain the discrepancies between the two financial statements.

Another peculiar practice of the Pacific States Savings and Loan Company for a period of time was the rental of buildings for branch offices on a 99-year lease.

Through a real estate agent, the Pacific States would have a building erected for its branch office and would sign a lease for 99 years. In one instance, the rental of the property was $700 a month.

[9]Mr. Odell admitted that on one occasion that Pacific States had to take a loss of $50,000 in order to get out from under a 99-year lease, and in other instances the company had to acquire the property in order to cancel the long-term leases at a high rental.

Following the completion of the Pacific States Savings and Loan testimony, the committee returned to Sacramento for the second half of the legislative session

I wish to emphasize in this report that I do not have any desire to "crucify" any building and loan association or official. In fact, I do not wish to work any hardship on the various building and loan associations, but I do want to protect the depositors in every way possible.

Since the investigation started, I have personally received hundreds of pathetic letters from old folks, widows—persons who had deposited their last penny in the various associations. And it is this tremendous mass of inarticulate depositors, which we must think of in adopting remedial legislation.

These folks who are steadily being forced to sell their pass books and investment certificates at a fraction of their cost—they are the ones who are watching the action taken by the California Legislature this session.

Under the existing building and loan laws, it seems to have been the practice to attempt to rehabilitate the various building and loan associations regardless of how such rehabilitation affects the depositors. This may have been the proper course to follow from one viewpoint, but I believe the depositor's interest should always come first.

I firmly believe that we can protect the interests of all concerned in the building and loan associations to the best advantage by adopting the recommendations I am making in this report.

RECOMMENDATIONS.

Immediate Resumption of Distress Payments—

Payment of not less than $30 a month in cases of distress should be resumed immediately by all associations.

Extension of Moratorium—

With certain reservations, I would favor the extension of the Moratorium Act of March 10, 1933, until June 1, 1937.

Here are the reservations, briefly:

Associations taking advantage of the moratorium extension, indicating they are unable to live up to their contractual obligations, shall be taken over by the State for reorganization.

Investment certificates shall be accepted at face value for property of an association only from original investors on the association records as of March 10, 1933. Otherwise, cash shall be the only consideration in the sale of association property.

When an association is permitted to pay less than the contracted rate of interest, the difference between the amount paid and the contract rate shall be credited to the investor's account until paid.

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[8] Exhibit 18-b, page 5

[9] Page 13, Vol 3, San Francisco transcript

The State shall have the power to withdraw protection from an association under the Moratorium Act at any time the State deems the association able to meet its contractual obligations.

Abolition of Pass Book System of Deposits—

I recommend that in the future no building and loan association be permitted to use pass books, or documents which resemble pass books, to receive deposits.

During the years before the depression, the building and loan associations encouraged people to believe that funds deposited and entered in "pass books" actually were "deposits" instead of "investments." By newspaper advertising, by radio and by word of mouth, investors were given to understand that funds deposited and entered in "pass books" were secured in exactly the same manner as funds deposited in savings accounts of banks.

But now, since the difficulties of the various building and loan associations, the "pass book" holders are told: "Why, you didn't deposit money with us, you made an investment."

I have used the term "deposit" throughout my report because fully 90 per cent of all pass book holders today still believe what they were told in the halcyon years.

Limitation of Loans—

An association should be allowed to lend its funds only on the security of first liens upon homes, or combination home and business property within 50 miles of its home office. Not more than $20,000 should be permitted to be loaned on the security of a first lien upon any such property; except that not more than 15 per cent of the assets of an association could be permitted to be loaned on other improved real estate without regard to the 50-mile limit if secured by first liens.

Reorganization of All But Mutual Associations—

In view of the fact that the committee's investigation has proved that the greatest evil in the building and loan association situation today is through guarantee capital stock, I recommend that all such associations be reorganized upon a mutual basis within two years. At the same time all provisions of law authorizing issue of guarantee stock by building and loan associations should be repealed.

Conversion Into Federal Savings and Loan Associations—

I would recommend that any building and loan association be permitted to convert into a Federal savings and loan association upon a vote of 51 per cent of its shareholders, or to secure Federal deposit insurance and to take any steps necessary for that purpose.

Interim Committee to Recodify Building and Loan Laws—

I recommend the appointment of a Joint Interim Committee to investigate building and loan association conditions further, particularly the effect of legislation adopted at this session of Legislature. This committee should have full power and authority to carry on an intensive investigation and study of the associations.

The Joint Interim Committee should study not only the building and loan association situation in California, but also the operation of the laws of other States as well.

During the interim between this Legislature's adjournment and the 1937 session, the committee would be able to make a comprehensive study of the entire subject and prepare a complete building and loan code for the consideration of the Legislature.

Emergency Building and Loan Commission—

In view of the foregoing recommendations and the additional work heaped on the State Building and Loan Commissioner's office, I would recommend the creation of a commission, consisting of three members, to be known as the "Emergency Building and Loan Commission."

This commission would act as an appeal board and have final jurisdiction in all matters affecting building and loan associations in California. The emergency commission should also be charged with carrying out the provisions of the Moratorium Extension Act, as well as the reorganization of all associations on a mutual basis. The commission should be appointed by the Governor to serve at his pleasure.

The need for this commission is obvious. The State Building and Loan Commissioner, actively supervising a business in California which represents approximately $400,000,000, has all he can do with the ordinary work of his office. Should my recommendations be accepted and made into law, additional duties would be heaped on the commissioner's shoulders, and it would be utterly impossible for any one man to be responsible for such a tremendous load.

In closing this report, I would like to express my sincere appreciation to four branches of the State government, which aided the building and loan investigation in many ways.

Attorney General U. S. Webb kindly assigned E B. Power, Assistant Attorney General, to work with the committee during the latter part of the investigation. With a background of more than 30 years service with the State, Mr. Power supplied the committee with many intelligent suggestions about procedure, as well as lending valuable assistance in the examination of witnesses and other duties.

I particularly want to commend the Legislative Counsel, Mr. Fred Wood, for his kindness in assigning his able deputy, Mr. Harold B. Haas, to the committee as counsel. Mr. Haas worked night and day during a major portion of the investigation, and his services were extremely valuable in both the preparation and conduct of the various hearings.

I also wish to thank State Building and Loan Commissioner, Louis C. Drapeau, for his cooperation during the entire investigation, as well as the Corporation Commissioner, Edwin C. Daugherty.

Respectfully submitted.

FREDERICK PETERSON.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 22, 1935.

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 637—An act to add section 21a to the Juvenile Court Law, relating to the prevention of juvenile delinquency through public councils or committees;

Also: Assembly Bill No. 1468—An act to add sections 8a to 8e, and 8p to 8u, inclusive, to the Juvenile Court Law, relating to forestry camps for wards of the juvenile court.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary

Assembly Bills Nos. 637 and 1468 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 22, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 725—An act ceding to the United States of America certain tide and submerged lands of the State of California upon certain trusts and conditions.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 725 read first time, and referred to Committee on Commerce and Navigation.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Richie:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend sections 125, 1881, and 1973 of the Code of Civil Procedure, relating to breach of promise and alienation of affections suits.

Referred to Committee on Introduction of Bills.

By Mr. Minard:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to ratify and approve an interstate compact to conserve oil and gas, signed at Dallas, Texas, February 16, 1935, and declaring the urgency hereof.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1935.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend sections 125, 1881 and 1973 of the Code of Civil Procedure, relating to breach of promise and alienation of affections suits.

CUNNINGHAM, Chairman

Also:

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to ratify and approve an interstate compact to conserve oil and gas, signed at Dallas, Texas, February 16, 1935, and declaring the urgency hereof.

CUNNINGHAM, Chairman.

Reports of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the reports.

The question being on the adoption of the reports.

The roll was called, and the reports adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Corwin, Cottrell, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—65.

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

By Mr. Richie: Assembly Bill No. 2391—An act to amend sections 125, 1881 and 1973 of the Code of Civil Procedure, relating to breach of promise and alienation of affections suits.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Minard: Assembly Bill No. 2392—An act to ratify and approve an interstate compact to conserve oil and gas, signed at Dallas, Texas, February 16, 1935, and declaring the urgency hereof.

Bill read first time, and referred to Committee on Oil Industries.

By Messrs. Stream and Nielsen: Assembly Joint Resolution No. 45—Relative to memorializing the President and the Congress to enact the required legislation for complete and adequate antiaircraft equipment and personnel as defensive measures for the Pacific Coast.

Introduced.

Request for Unanimous Consent.

Mr. Stream asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 45, at this time, without reference to printer, committee or file, and that same be considered re-engrossed

Consideration of Assembly Joint Resolution No. 45.

Assembly Joint Resolution No. 45—Relative to memorializing the President and the Congress to enact the required legislation for complete and adequate antiaircraft equipment and personnel as defensive measures for the Pacific Coast.

Assembly Joint Resolution No. 45 read.

Mr Stream moved the adoption of Assembly Joint Resolution No 45.

The question being on the adoption of Assembly Joint Resolution No. 45.

The roll was called, and Assembly Joint Resolution No. 45 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Flint, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Peterson, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Welsh, Williamson, and Mr. Speaker—55.

NOES—Geyer, Pelletier, and Wagner—3

Title read and approved.

Assembly Joint Resolution No 45 ordered transmitted to the Senate.

Assembly Joint Resolution No. 45.

Relative to memorializing the President and the Congress to enact the required legislation for complete and adequate antiaircraft equipment and personnel as defensive measures for the Pacific Coast.

WHEREAS, During recent times there has been a great deal of public interest and discussion in regard to the inadequacy of aircraft and personnel defense on the Pacific Coast; and

WHEREAS, As a result of such discussion and study on the part of representative organizations of the State of California, and military authorities, it seems clear that there is very apparent weakness in the antiaircraft defense and personnel of the Pacific Coast; and

WHEREAS, Investigations made and information compiled by Joseph G. McComb Post No. 46 of the American Legion conclusively demonstrates the inadequacy of the antiaircraft defense on the Pacific Coast; and

WHEREAS, California has only one antiaircraft detachment with a complement of 24 officers and 323 men to cover and protect the entire length of the California coast line; and

WHEREAS, At some forts on the Pacific Coast there are only eight fixed antiaircraft guns, and in other instances only two such guns; and

WHEREAS, The War Department of the United States has recommended that the minimum number of antiaircraft units, in time of peace, should total ten complete regiments; and

WHEREAS, Antiaircraft equipment and personnel are essential as defense measures for the Pacific Coast and form one arm of the military services which can not possibly be construed as anything but purely defensive in nature; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the President and the Congress of the United States are respectfully urged to enact the legislation required for complete antiaircraft equipment and personnel on the Pacific Coast; and be it further

Resolved, That the Governor of the State of California is hereby requested to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and member of the House of Representatives from California in the Congress of the United States, and that such Senators and members from California are hereby respectfully urged to support such legislation.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced:

By Mr. Lyon: Assembly Joint Resolution No 46—Relative to memorializing the President of the United States and Congress in connection with transpacific air mail service.

Introduced.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 46, at this time, without reference to printer, committee, or file, and that same be considered engrossed.

Consideration of Assembly Joint Resolution No. 46.

Assembly Joint Resolution No. 46—Relative to memorializing the President of the United States and Congress in connection with transpacific air mail service.

Assembly Joint Resolution No. 46 read.

Mr. Lyon moved the adoption of Assembly Joint Resolution No. 46.

The question being on the adoption of Assembly Joint Resolution No. 46.

The roll was called, and Assembly Joint Resolution No. 46 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Cassidy, Chatters, Corwin, Cottrell, Cronin, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Heisinger, Hornblower, Johnson, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr Speaker—58.

NOES—Gilbert, Hawkins, Hunt, Jones, Lore, and Rosenthal—6

Title read and approved.

Assembly Joint Resolution No. 46 ordered transmitted to the Senate.

Assembly Joint Resolution No. 46.

Relative to memorializing the President of the United States and Congress in connection with transpacific air mail service.

WHEREAS, Various aviation groups in the United States are actively engaged in a study of the need for and the requirements of a transpacific airplane service; and

WHEREAS, It appears that such a service soon will be established through the enterprise and pioneering spirit of the American aviation industry; and

WHEREAS, The success of such a worthwhile undertaking will depend to some extent upon Federal contracts for carrying mail to and from continental United States and other localities in and bordering upon the Pacific Ocean; and

WHEREAS, It is understood that the Post Office Department is at present considering the early establishment of an air mail service across the Pacific; now, therefore, be it

Resolved, That the Assembly of the State of California, the Senate concurring, Does herewith respectfully urge the President of the United States, the United States Senators and the members of the House of Representatives from California, to approve and recommend the establishment of such transpacific air mail service, together with such appropriations and other legislative action by the National Congress as may be necessary to accomplish the purposes herein set forth; and be it further

Resolved, That a copy of this resolution be sent to the President of the United States, the Vice President of the United States, Senators Johnson and McAdoo, and the members of the National House of Representatives from California.

Motion to Print Report.

Mr. Peterson moved that the Chief Clerk instruct the State Printer to print 500 copies of the Minority Report on Building and Loan Association Conditions in California.

Motion carried.

Second Reading of Assembly Bills.

Assembly Bill No. 1394—An act amending section 14, of an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 17, of the printed bill, strike out the word "ten", and insert the word "twenty".

Amendment No. 2.

On page 2, strike out lines 4, 5, 6, and 7, and insert in lieu thereof the following: "correctly computed, that it is justly and legally due and payable and that funds are available for its payment. He may when he deems it necessary require any".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 834—An act relating to and imposing limitations on expenditures by counties, cities and counties, districts and other political subdivisions, under authority of section 20 of Article XI of the Constitution of the State.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2, of the printed bill, strike out the word "and", following the word 'heretofore", and insert in lieu thereof the word "or".

Amendment No. 2.

On page 1 of the printed bill, strike out all that portion of line 15 following the word "Equalization", strike out lines 16 to 26, both inclusive, and insert in lieu thereof the following: ", provided, however, that if any county, city and county, municipality, district or other political subdivision of this State does not in any fiscal year increase, or has not in each of the fiscal years ended since December 31, 1933, increased, its expenditures by five per centum over the expenditures of the preceding year, it may in the first fiscal year thereafter expend an amount equal to the expenditures of said preceding fiscal year plus ten per centum and in the second fiscal year thereafter expend an amount equal to the expenditures of said preceding fiscal year plus fifteen per centum.

No amount expended in excess of the amount which may be expended without obtaining special authorization in the manner above described shall become a part of the base for determining the maximum permissible expenditure for any subsequent year unless the State Board of Equalization, in its order authorizing the expenditure of an amount in excess of the limitation herein imposed, shall otherwise specifically provide."

Amendment No. 3.

On page 2 of the printed bill, strike out lines 10 and 11, and insert in lieu thereof the following,

"SEC. 3. The tax levying authority or the governing body of any county, city and county, municipality, district or other political subdivision of this State may apply to the State Board of Equalization for permission to exceed in any year the limitations on expenditures imposed by this act. The application shall be in writing and must be filed with the board at least thirty days before the date fixed for the determination of the tax rate of such county, city and county, municipality, district or other political subdivision for the year for which permission to exceed the limitations on expenditures is requested. The board shall meet to consider such application and shall grant a hearing thereon if requested by such tax levying authority or governing body. In acting upon any such application the board shall give due weight to changes in population, economic conditions, and such other factors or circumstances as may influence or affect the need for increased governmental expenditures. Within twenty days after filing any such application, the board shall approve or disapprove such application either in whole or in part and shall immediately send notice thereof to the tax levying or governing body making such application.

SEC. 4. Section 3714 (b) of the Political Code which became effective August 7, 1933, is hereby repealed"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 488—An act to add a new section to the Insurance Code of the State of California, to be numbered 12629, relating to the rehabilitation, readjustment or reorganization of mortgage insurance companies or of all or of any part of the business, properties and assets of such companies, or of the rehabilitation, readjustment or reorganization of mortgage participation trusts and mortgage participation certificates and of the rights or interests of any or all of the investors and creditors of, and persons interested in, such companies or trusts; providing for the kinds of securities issuable in connection therewith and exempting such securities from the provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies, banks, banking institutions and trust companies and officers of the State of California to consent to a plan, as defined in said section, to exchange mortgage participation certificates, shares of stock, bonds, notes, debentures or other rights or claims for securities issued pursuant to such plan and to continue to hold as legal investment any securities so received.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 121—An act to be known as the Rehabilitation Act, declaring the policy of the State of California in relieving hardship and destitution caused by unemployment one of rehabilitation by cooperative self help, production for consumption and exchange of labor for surplus commodities; prescribing duties of State Relief Administrator hereunder; providing funds for administration of relief hereunder; directing cooperative activity be noncompetitive; fixing status of cooperative institutions and their members; fixing title to property hereunder; declaring this act an emergency measure; providing for its constitutional construction; repealing conflicting laws.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 3 of the printed bill, strike out lines 46 to 51, inclusive, and insert in lieu thereof the following:

"SEC. 11. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of section 1 of Article IV of the Constitution, and shall therefore take effect immediately.

The facts constituting the necessity are as follows: Because of hardship and destitution caused by unemployment due to a world-wide economic depression, citizens of this State are unable to provide for the common necessities of life and are unable to care for themselves and families, while at the same time surplus commodities have been allowed to waste. This condition has endangered the public peace, health and safety. This act, by making possible a system of cooperative self help, will alleviate the existing conditions and should therefore go into effect immediately."

Amendment No. 2.

On pages 2 and 3 of the printed bill, strike out section 5 inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1122—An act to accept the provisions of an act of the Congress of the United States effective June 6, 1933, entitled "An act to provide for the establishment of a National employment system

and for cooperation with the States in the promotion of such system, and for other purposes."

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, immediately following line 6, insert the following: "Sec. 4. For the purpose of cooperating with the United States Employment Service in bringing about uniformity in the names of State employment agencies, the Division of State Employment Agencies may be called, "California Employment Service" and the Chief of the Division of State Employment Agencies may be called "Director of the California Employment Service." "

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 618—An act to provide for the regulation and licensing of greyhound racing and race meetings, and to permit wagering on the results thereof; to create the California Greyhound Racing Board for the regulation, licensing and supervision of greyhound racing and wagering thereon; to provide penalties for the violation of the provisions of this act.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 8 of the printed bill, after line 3, add the following: "Sec. 38. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portion of this act. The Legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 308—An act to amend section 330a of the Penal Code, relating to the possession or control of gambling devices.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, after the word "control,", insert the following: "either as owner, lessee, agent, employee, mortgagee, or otherwise, or who permits to be placed, maintained or kept, in any room, space, inclosure or building owned, leased or occupied by him, or under his management or control,".

Amendment No. 2.

On page 1, line 21, of the printed bill, after the word "control,", insert the following: "either as owner, lessee, agent, employee, mortgagee, or otherwise, or who permits to be placed, maintained or kept, in any room, space, inclosure or building owned, leased or occupied by him, or under his management or control,".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 1812—An act relating to horse racing and amending the provisions of certain acts relating thereto.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act to amend section 16 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing."

Amendment No. 2.

On page 1, line 1, of the printed bill, after "SECTION 1", insert the following:

"Section 16 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 16. No license or excise tax or fee in excess of one hundred dollars ($100) for each racing day, except as provided in this act, shall be assessed or collected from any licensee by the State or by any town, district, city, township, village or any other body having the power to assess or collect a tax, license or fee; and no tax, license or fee shall be assessed or collected from any district agricultural association or any county fair conducting horse race meetings, except when such meetings are conducted by a private person, firm or corporation."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 489—An act to add a new section to the Civil Code of the State of California, to be numbered section 453.15, relating to the rehabilitation, readjustment or reorganization of mortgage insurance companies or of all or of any part of the business, properties and assets of such companies, or of the rehabilitation, readjustment or reorganization of mortgage participation trusts and mortgage participation certificates and of the rights or interests of any or all of the investors and creditors of, and persons interested in, such companies or trusts; providing for the kinds of securities issuable in connection therewith and exempting such securities from the provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies, banks, banking institutions and trust companies and officers of the State of California to consent to a plan, as defined in said section, to exchange mortgage participation certificates, shares of stock, bonds, notes, debentures or other rights or claims for securities issued pursuant to such plan and to continue to hold as legal investment any securities so received.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee.

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, strike out "543.15", and insert in lieu thereof the following "453.15".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 451—An act to add section 303 to the Penal Code, relating to alcoholic beverages.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 10, of the printed bill, after the word "shall", strike out the following "work a forfeiture of the on-sale license issued under the State Liquor Control Act, and shall".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 679—An act to repeal section 363n, of the Political Code, relating to State contracts for architectural services.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 875—An act to amend sections 9, 23, and 24 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to industrial accidents.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 49, of the printed bill, strike out the figures "$12 50", and insert in lieu thereof the figures "$7.50".

Amendment No. 2.

On page 2, line 51, of the printed bill, strike out the figures "$12 50", and insert in lieu thereof the figures "$7.50".

Amendment No. 3.

On page 2, line 52, of the printed bill, strike out the figures "$12 50", and insert in lieu thereof the figures "$7 50".

Amendment No. 4.

On page 7 of the printed bill, strike out lines 31, 32, 33, 34, 35 and 36, down to and including the word "issue".

Amendment No. 5.

On page 8 of the printed bill, strike out all of lines 49, 50 and 51.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 959—An act to amend section 59 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to referees of the Industrial Accident Commission.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out everything in lines 15 to 26, inclusive, and everything on page 2 from line 1 through line 5; and insert in lieu thereof the following:

"(b) The commission may appoint one or more referees in any proceeding, as it may deem necessary or advisable, and may refer matters arising out of the same proceeding to different referees. It may also, in its discretion, appoint general referees who shall hold office during the pleasure of the commission. Any referee appointed by the commission shall have such powers, jurisdiction and authority as is granted under the law, by the order of appointment and by the rules of the commission, and shall receive such salary or compensation for his services as may be

fixed by the commission; provided, however, that the salaries of all general referees whose service as such exceeds two years shall be uniform and equal."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2168—An act for the preservation of certain lands in the State of California for agriculture purposes and fixing penalties for violation of the provisions thereof.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the printed bill, insert after "SECTION 1.", the following: "When, in any dredging operation used in any mining industry or business, the ground or earth from which ore is extracted is displaced or moved from its natural position, such ground or earth shall be so replaced that any rocks or stones lifted or moved by such dredging operation shall be first replaced and such ground or earth replaced on top thereof to completely cover such rocks or stones to a depth that is usual or natural according to the natural depth of the top soil or earth in the particular locality. Such replacement of rocks or stone and ground or earth shall be so made that the natural contour of the particular locality shall be preserved.

SEC. 2. Violation of this act is a misdemeanor and every owner, manager, or other person causing any violation hereof shall be punished by not less than six months imprisonment and by a fine of not less than $500."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2386—An act to add Chapter 8 to Division VI of the Agricultural Code, relating to the marketing of milk and other dairy products.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 15, of the printed bill, after the word "products", strike out the comma and the words "except to".

Amendment No. 2.

On page 2, line 16, of the printed bill, strike out the word "charity", and the comma.

Amendment No. 3.

On page 2, line 16, of the printed bill, strike out the period, and in lieu thereof insert the following: "provided the giving of milk or dairy products to bona fide charities is not prohibited."

Amendment No. 4.

On page 2, line 30, of the printed bill, strike out the words "in the", and strike out all of line 31, and insert in lieu thereof the words: "after making allowance for difference, if any, in the cost of such milk, cream or dairy products and the actual cost of transportation of such milk, cream or dairy products from the point of processing or manufacture."

Amendment No. 5.

On page 2, line 35, of the printed bill, strike out the comma and the words "or the offering of", and insert in lieu thereof a period.

Amendment No. 6.

On page 2 of the printed bill, strike out all of line 36, and strike out all of line 37.

Amendment No. 7.

On page 2, line 39, of the printed bill, strike out the word "going", and insert in lieu thereof the word "prevailing".

Amendment No. 8.

On page 2, line 44, of the printed bill, after the word "quality", insert the following "or the payment to any producer of a lower price than is being paid to producers of sixty-five per cent of the milk, of like grade and quality used, in the same marketing area".

Amendment No. 9.

On page 3, line 2, of the printed bill, strike out the words "for the purposes of", and strike out all of line 3, and insert in lieu thereof the following: "provided that nothing in this subsection shall prohibit the right of a retail store to meet any legal price made by any competitor."

Amendment No. 10.

On page 3 of the printed bill, strike out all of line 10, and insert in lieu thereof the word "director".

Amendment No. 11.

On page 3, line 18, of the printed bill, after the word "license", insert the words "or who is not registered".

Amendment No. 12.

On page 3, line 32, of the printed bill, strike out the words "obtained a license from", and insert in lieu thereof the words "registered with".

Amendment No. 13.

On page 3, line 33, of the printed bill, after the word "licenses", insert the words "and registration".

Amendment No. 14.

On page 3, line 35, of the printed bill, strike out the words "of California".

Amendment No. 15.

On page 3, line 37, of the printed bill, after the word "licenses", insert the words "and registrations".

Amendment No. 16.

On page 3, line 41, of the printed bill, after the word "licenses", insert the words "and registrations".

Amendment No. 17.

On page 3, line 50, of the printed bill, after the word "licenses", insert the words "and registrations".

Amendment No. 18.

On page 4, line 2, of the printed bill, after the word "licensee", insert the words "or producer".

Amendment No. 19.

On page 4, line 6, of the printed bill, after the word "may", insert a comma, and the words "after due hearing", and a comma

Amendment No. 20.

On page 4 of the printed bill, strike out all of lines 22 and 23.

Amendment No. 21.

On page 4, line 24, of the printed bill, strike out "(f)", and insert in lieu thereof "(e)".

Amendment No. 22.

On page 4, line 42, of the printed bill, strike out the words "and in the event he shall deem it".

Amendment No. 23.

On page 4, line 43, of the printed bill, strike out the words "necessary, he", and insert in lieu thereof the words "the director"

Amendment No. 24.

On page 4, line 49, of the printed bill, after the period, insert a new sentence reading as follows. "The person complained of shall, at least three days prior to the date fixed for said hearing, serve upon the complaining party and file with the director a verified answer to all the allegations contained in said complaint."

Amendment No. 25.

On page 5, line 12, of the printed bill, after the word "State", insert a comma, and the words "in and for the county wherein such contempt occurs", and a comma.

Amendment No. 26.

On page 5, line 12, of the printed bill, strike out the period, and insert in lieu thereof the following "in accordance with section 353 Political Code".

Amendment No. 27.

On page 5 of the printed bill, after Section 1299 10, insert a new section reading as follows:

"1299 11 Any act of the director pursuant to the provisions of this chapter may be reviewed by any court of competent jurisdiction."

Amendment No. 28.

On page 5, line 13, of the printed bill, strike out "1299.11", and insert in lieu thereof "1299.12".

Amendment No. 29.

On page 5, line 14, of the printed bill, strike out "one thou-", and in line 15, strike out the word "sand", and insert in lieu thereof the words "five hundred".

Amendment No. 30.

On page 5, line 16, of the printed bill, strike out the words "one year", and in lieu thereof insert the words "six months".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 419—An act to amend section 3658a of the Political Code, relating to assessments by reference to maps.

Bill read second time, and ordered on file for third reading.

Withdrawal of Bills.

By order of the Speaker, the following bills were withdrawn from the file, and re-referred to committees as follows:

Assembly Bill No. 1539 re-referred to Committee on Governmental Revenues and Expenditures.

Assembly Bill No. 1206 re-referred to Committee on Education.

Assembly Bill No. 1651 re-referred to Committee on Motor Vehicles.

Assembly Bill No. 598 re-referred to Committee on Constitutional Amendments.

Assembly Bill No. 865 re-referred to Committee on Fish and Game.

Assembly Bill No. 1082 re-referred to Committee on Fish and Game.

Assembly Bill No. 1628 re-referred to Committee on Fish and Game.

Assembly Bill No 1599 re-referred to Committee on Judiciary.

Assembly Bill No. 2118 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 485 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1565 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1129 re-referred to Committee on Revenue and Taxation.

Assembly Bill No 1204 re-referred to Committee on Corporations.

Assembly Bill No 1552 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 270 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No 1348 re-referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 840 re-referred to Committee on Irrigation.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1935

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1034—An act to amend sections 3817b, 3817d, 3817f, 3817g and 3817h of, and to add sections 3817c3 and 3817i2 to, the Political Code, relating

to taxation, including tax delinquencies, tax penalties and costs, tax redemption for tax sales and declaring the urgency thereof, to take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

RILEY, Chairman

The above reported bill ordered on file for second reading.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

By Mr. Williamson: Assembly Constitutional Amendment No. 71—Proposed amendment to Article VI, section 19 of the Constitution, relative to the power of the court.

Introduced, and referred to Committee on Constitutional Amendments.

By Messrs. Crowley and McCarthy: Assembly Joint Resolution No. 47—Relative to memorializing Congress to incorporate in the Federal Employment Relief Act a provision allowing use of a portion of the funds for construction of State hospitals for the insane and State prisons.

Introduced, and referred to Committee on Federal Relations.

Recess.

At twelve o'clock m., on motion of Mr. Lyon, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

Reassembled.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Governmental Revenues and Expenditures.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1935.

MR SPEAKER: Your Committee on Governmental Revenues and Expenditures, to which was referred Assembly Bill No. 2173—An act relating to the escheat to the State of California unclaimed moneys deposited with public utilities, and providing for the collection, use and disposition thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, as amended, and be re-referred to Committee on Ways and Means

JONES, Chairman

The above reported bill ordered on file for third reading

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 25, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 24—An act to promote the safety of travelers and employees on trains by limiting the number of cars in a train, and prescribing penalties for violation thereof;

Also: Senate Bill No. 233—An act repealing section 365e½ of the Political Code and section 133 of the Streets and Highways Code, relating to the California Highway Commission;

Also: Senate Bill No. 686—An act relating to the redemption and sale of property sold to a county treasurer, as trustee of a reclamation district or of the bond fund, or to a reclamation district for delinquent assessments and installments thereof;

Also: Senate Bill No. 261—An act to amend section 1241 of the Code of Civil Procedure, relating to the taking of property under proceedings in eminent domain.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary

Senate Bill No. 24 read first time, and referred to Committee on Labor and Capital.

Senate Bill No. 233 read first time, and referred to Committee on Roads and Highways.

Senate Bill No. 686 read first time, and referred to Committee on Irrigation.

Senate Bill No. 261 read first time, and referred to Committee on Judiciary.

Recess.

At one o'clock and forty minutes p. m., on motion of Mr. Anderson, the Assembly was declared at recess for the purpose of hearing the A Capella Choir of the San Jose State Teachers College.

Reassembled.

At one o'clock and fifty minutes p. m., the Assembly reconvened. Speaker Craig in the chair.

Third Reading of Assembly Bills.

Assembly Bill No. 1862—An act to add two new sections to the Political Code to be numbered 359c and 359d, to provide for vacations of officers and employees of the State of California, with pay, and empowering the State Personnel Board to promulgate rules and regulations governing the same, in so far as applicable to such members of the civil service, and to repeal a certain act therein specified.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1862 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—65.

NOES—Pelletier and Robertson—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1863—An act to add a new section to the Political Code to be numbered 359e, to provide for leave of absence with pay to officers and employees of the State of California, when ill, and to empower the State Personnel Board to promulgate rules and regulations governing the same in so far as applicable to members of the civil service and to empower appointing powers of such officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1863 passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—63.

NOES—Cassidy, Meehan, Pelletier, Robertson, Wagner, and Welsh—6.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 578—An act relating to revenue and taxation, providing for an excise tax on the sale of all oleomargarine containing any fat or oil ingredient other than any one or more of the following: oleo oil, oleo stock, oleo stearine from cattle, neutral lard from hogs, sheep fat, cottonseed oil, peanut oil, corn oil, soya bean oil or milk fat; providing a penalty for a violation of the provisions thereof and declaring that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 578 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Ralph W, Field, Frazier, Fulcher, Garibaldi, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peyser, Redwine, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—53.

NOES—Boyle, Donihue, Fisher, Flint, Geyer, Gilbert, Johnson, Jones, Laughlin, Lore, McCarthy, Meehan, Pelletier, Reaves, Richie, Riley, Rosenthal, and Welsh—18.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1130—An act to amend section 3444 of the Political Code, to empower the Division of State Lands to promulgate rules and regulations governing the use of certain State lands and the enforcement of such rules and regulations.

Re-reference of Assembly Bill No. 1130.

Assembly Bill No. 1130 ordered re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1884—An act to amend section 13 and to add a new section to be numbered 13a to "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle, and providing that this act shall take effect immediately," approved May 15, 1933, relating to the disposition and control of moneys received under said act.

Re-reference of Assembly Bill No. 1884.

Assembly Bill No 1884 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 425—An act to amend "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, by amending sections 10 and 15b thereof and adding a new section thereto to be numbered 15c, relating to the publication of ordinances and the issuance of refunding bonds.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Breed:

Amendment No. 1.

On page 2 of the printed bill, strike out lines 10 and 11, and insert in lieu thereof the following: "seven days in some newspaper of general circulation printed or published or circulated in such district".

Amendment No. 2.

On page 3, line 52, of the printed bill, insert a period after the word "years", and strike out the following: "; provided, further,".

Amendment No. 3.

On page 4 of the printed bill, strike out lines 1 to 6, inclusive.

Amendment No. 4.

On page 4, line 9, of the printed bill, insert a period after the word "district", and strike out the following: ", provided, however,".

Amendment No. 5.

On page 4 of the printed bill, strike out lines 10 and 11.

Amendments adopted.

Request for Unanimous Consent.

Mr. Breed asked for, and was granted, unanimous consent to take up Assembly Bill No. 425, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 425, as Amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 425, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Cassidy, Chatters, Corwin, Cronin, Cunningham, Dawson, DeLap, Desmond, Donahue, Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Request for Use of Assembly Chamber.

Mr. Lyon requested, and was granted, the use of the Assembly Chamber for the Committee on Judiciary, for the purpose of holding a public meeting this evening, March 25, 1935, at eight o'clock p.m.

Certificate from Secretary of State.

The Chief Clerk read the following certificate of the duly elected member of the Assembly of the fifty-first session of the Legislature of the State of California:

STATE OF CALIFORNIA, DEPARTMENT OF STATE.

I, Frank C. Jordan, Secretary of State of the State of California, do hereby certify that on the nineteenth day of March, 1935, at the special election held in the eleventh assembly district of the State of California,

Charles M. Weber

was elected to the office of member of the Assembly, eleventh assembly district, as appears from the official returns of said election and statement thereof on file in my office.

Witness my hand and official seal this twenty-fifth day of March, 1935.

[SEAL] FRANK C. JORDAN, Secretary of State.

Member Sworn In.

The Speaker directed the Sergeant-at-Arms to escort Hon. Charles M. Weber to the bar of the Assembly.

Oath of Office Administered.

Mr. Charles M. Weber appeared before the bar of the Assembly, and took and subscribed to the following oath of office, administered by Hon. Edward Craig, Speaker of the Assembly:

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of California, and that I will faithfully discharge the duties of member of the Assembly to the best of my ability

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1968—An act to amend section 752 of "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the election of officers in cities of the fifth class; and declaring the urgency of this act and providing that it shall take effect immediately.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—66.

NOES—O'Donnell—1.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1968 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin,

Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—70

NOES—O'Donnell—1

Title read and approved.

Bill ordered transmitted to the Senate.

Motion to Withdraw Assembly Bill No. 326.

Mr. Gilmore moved, seconded by Mr. Peterson, that Assembly Bill No. 326 be withdrawn from Committee on Public Morals, and placed on file for second reading.

The question being on the motion by Mr. Gilmore that Assembly Bill No. 326 be withdrawn from Committee on Public Morals, and placed on file for second reading.

Demand for Previous Question.

Messrs. Waters, Flint, Welsh, Pelletier, and Morgan demanded the previous question.

The question being put. Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion by Mr. Gilmore that Assembly Bill No. 326 be withdrawn from Committee on Public Morals and placed on file for second reading.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Gilmore moved a call of the House.

Motion carried.

Time, four o'clock and thirty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—76.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1935.

MR SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1702—An act to amend section 788 of the Agricultural Code, relating to

containers—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading.

On Oil Industries.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1935.

MR SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 686—An act to amend an act entitled "An act to protect the natural resources of water, petroleum and gas from damage, waste and destruction; relating to the creation of a division in the Department of Natural Resources for the prevention of such damage, waste and destruction; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings, creating a fund for the purpose of the act, providing for assessment of charges to be paid by operators and providing for the collection thereof; providing for bonds required of drillers of oil and gas wells; and making an appropriation for the purpose of this act," approved June 10, 1915, as amended, by adding thereto section 18a, relating to the drilling, redrilling, deepening, use and disuse of wells including subsurface directional surveys thereof and the straightening, correction, use or disuse of slanting wells—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

McBRIDE, Chairman

The above reported bill ordered on file for second reading

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 703—An act to establish the California State Reformatory under the management and control of the State Board of Prison Directors; to provide for purchase or acquirement of farm lands by unconditional gift or use of lands owned by the State therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor;

Also: Assembly Bill No. 679—An act to repeal section 363n, of the Political Code, relating to State contracts for architectural services;

Also: Assembly Bill No. 1554—An act to amend sections 1, 2, 3, 4, 6, 7, 8 and 14 of "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely county peace officers as defined in the act, and to provide certain benefits for their dependents and empowering county boards of supervisors to levy a special tax," approved May 5, 1931, relating to the composition of the retirement board; time of meeting; manner of transacting business; the duties of said board and time for annual report; computation of time for retirement privilege; interest rate on contributions and deposits; time for payments; refund of sums in excess of sum necessary for prior service credit, and revising the arrangement of certain portions of said act;

And reports that the same have been correctly engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Lyon:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1935.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to be known and cited as the Yacht and Ship Brokers Act, to define yacht and ship brokers and salesmen; to provide for the regulation, supervision and licens-

ing thereof, to create the office of Yacht and Ship Brokers Commissioner, and to provide for the enforcement of said act and penalties for the violation thereof.

Referred to Committee on Introduction of Bills.

Withdrawal of Assembly Bills Nos. 703 and 1554.

By order of the Speaker, Assembly Bill No. 703 was withdrawn from the file, and re-referred to Committee on Ways and Means.

By order of the Speaker, Assembly Bill No. 1554 was withdrawn from the file, and re-referred to Committee on County Government.

Motion to Set Special Order for Assembly Bill No. 950.

Mr. Fisher moved that the consideration of Assembly Bill No 950 be made a special order for Wednesday, March 27, 1935, at two o'clock p.m.

The question being on the motion by Mr. Fisher.

Request for Roll Call.

On request of Messrs. Hornblower, Dawson, and Fisher, the Speaker ordered a roll call taken on the motion by Mr. Fisher to set Assembly Bill No. 950 as a special order.

The roll was called, and the motion was carried by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Chatters, Corwin, Crowley, Cunningham, Donahue, Field, Fisher, Flint, Fulcher, Geyer, Hawkins, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Martin, Mayo, Miller, Morgan, Patterson, Redwine, Richie, Riley, Robertson, Scudder, Utt, Voigt, Wagner, Walker, Wallace, and Mr. Speaker—38

NOES—Andreas, Dawson, DeLap, Frazier, Garibaldi, Glover, Hornblower, Lyon, Maloney, McMurray, Meehan, Minard, O'Donnell, Reaves, Thorp, and Weber—16.

Special Order Set for Assembly Bill No. 950.

The consideration of Assembly Bill No. 950 was made a special order for Wednesday, March 27, 1935, at two o'clock p.m.

Motion to Print.

Mr. Boyle moved that the Chief Clerk instruct the State Printer to print 1000 additional copies of Assembly Bill No. 1.

Motion carried.

Motion to Strike Assembly Bill No. 541 from File.

Mr. Rosenthal moved that Assembly Bill No. 541 be stricken from the file.

Motion carried.

Motion to Re-refer Assembly Bills Nos. 738 and 741.

Mr. Redwine moved that Assembly Bills Nos 738 and 741 be withdrawn from Committee on Motor Vehicles, and ordered re-referred to Committee on Municipal Corporations.

The question being on re-referring Assembly Bills Nos. 738 and 741 to Committee on Municipal Corporations

Motion carried.

Assembly Bills Nos 738 and 741 ordered re-referred to Committee on Municipal Corporations.

Motion to Re-refer Assembly Bill No. 1366.

Mr. Riley moved that Assembly Bill No. 1366 be withdrawn from Committee on Judiciary, and ordered re-referred to Committee on Building and Construction.

The question being on re-referring Assembly Bill No. 1366 to Committee on Building and Construction.

Motion carried.

Assembly Bill No. 1366 ordered re-referred to Committee on Building and Construction.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1655—An act to amend the Vehicle Code by amending sections 134 and 776; by adding sections 131, 136 and 681, relating to vehicles.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 1655 passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—68.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1498—An act to add a new section to be numbered section 17½ to an act entitled "An act providing for the incorporation of public utility districts in unincorporated territories, authorizing such districts to incur bonded indebtedness for the purpose of construction of work in the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, as amended, relating to elections.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr Chatters.

Amendment No. 1.

In line 3 of the title of the printed bill, strike out "territories", and insert in lieu thereof the following: "territory".

Amendment No. 2.

In line 5 of the title of the printed bill, strike out "construction of work in", and insert in lieu thereof the following: "the construction of works and".

Amendment No. 3.

On page 1, line 2, of the printed bill, strike out "and", and insert in lieu thereof a comma

Amendment No. 4.

On page 1 of the printed bill, strike out line 4, and insert in lieu thereof the following: "Sec. 17½. The board of directors of any public utility district".

Amendment No. 5.

On page 1, line 5, of the printed bill, strike out the comma.

Amendments adopted.

Request for Unanimous Consent.

Mr Chatters asked for, and was granted, unanimous consent to take up Assembly Bill No. 1498, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1498, as Amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1498, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Heisinger, Hornblower, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peyser, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr Speaker—65.

NOES—Hunt, Jones, Reaves, and Richie—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 1653—An act to amend the Vehicle Code by amending sections 320, 488, and 489, relating to vehicles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1653 passed by the following vote:

AYES—Anderson Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—72.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 1652—An act to amend the Vehicle Code by amending sections 195, 196, 197, 198, and 380, relating to vehicles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1652 passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1497—An act to amend section 6 of an act entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department and to assess and collect taxes, from time to time, for such purpose, and to create a board of fire commissioners," approved March 4, 1881, as amended, relating to the conduct of elections.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Chatters.

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 3 to 10, inclusive, and insert in lieu thereof the following

"SEC. 6 The board of fire commissioners must appoint one inspector, one judge and one clerk to conduct elections, which elections must be held in all respects as nearly as practicable in conformity with the general election laws. However, no new registers shall be required, nor shall legal ballot paper be required; and the polls may be opened at one o'clock p.m. and closed at six o'clock p.m. on the day appointed for any election."

Amendment adopted.

Request for Unanimous Consent.

Mr. Chatters asked for, and was granted, unanimous consent to take up Assembly Bill No. 1497, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1497, as Amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1497, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gayer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the House Dispensed With.

At five o'clock and five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Gilmore

The roll of absentees was called, and the motion by Mr. Gilmore, that Assembly Bill No. 326 be withdrawn from the Committee on Public Morals, and placed on file for second reading was lost by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Cronin, Crowley, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Frazier, Gilmore, Hawkins, Hornblower, Hunt, Jones, Kallam, Lore, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, O'Donnell, Patterson, Peterson, Peyser, Reaves, Richie, Robertson, Thorp, Turner, Wagner, Weber, Welsh, and Williamson—40.

NOES—Anderson, Breed, Chatters, Corwin, Cottrell, Cunningham, DeLap, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Heisinger, Johnson, Latham, Laughlin, Martin, Miller, Minard, Morgan, Nielsen, Pelletier, Redwine, Riley, Rosenthal, Scudder, Stream, Utt, Voigt, Walker, Wallace, Waters, Wright, and Mr. Speaker—37.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER SACRAMENTO, March 25, 1935

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 629—An act to amend The California Districts Securities Commission Act by amending section 11 thereof, relating to the levy of annual assessments by irrigation districts, and declaring the urgency thereof.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 629 ordered to enrollment.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1935

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to be known and cited as the Yacht and Ship Broker's Act, to define yacht and ship brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create the office of Yacht and Ship Brokers Commissioner; and to provide for the enforcement of said act and penalties for the violation thereof

CUNNINGHAM, Chairman.

Report of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, DeLap, Desmond, Dimmhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—73

NOES—None

Introduction and Reference of Bills—(Resumed).

The following bill was introduced, and referred as indicated:

By Mr. Lyon: Assembly Bill No. 2392—An act to be known and cited as the Yacht and Ship Broker's Act, to define yacht and ship brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create the office of Yacht and Ship Brokers Commissioner; and to provide for the enforcement of said act and penalties for the violation thereof

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 25, 1935

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 260—An act to amend sections 2.870, 2.871, 2.872, 2.885, 2.887, 2.890, 2.911, 2.917, 2.940, 2.941, 2.1055, 2.1090, 2.1152 and 2.1199 of the School Code of the State of California, to amend and renumber section 2.990 thereof to be section 2.991, and to add thereto section 2.781, relating to election of school governing boards;

Also: Senate Bill No 762—An act granting to the city of Pacific Grove the title to certain portions of the water front of said city together with certain submerged lands in the bay of Monterey contiguous thereto;
Also: Senate Bill No. 892—An act to amend section 1989 of the Code of Civil Procedure, relating to witnesses.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary

Senate Bill No. 260 read first time, and referred to Committee on Education.

Senate Bill No. 762 read first time, and referred to Committee on Commerce and Navigation

Senate Bill No. 892 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, March 25, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 51—An act to amend section 441 of the Political Code, relating to rates of interest on registered warrants;
Also: Senate Bill No. 129—An act to amend section 1208 of the Political Code, relating to illiterate or helpless voters;
Also: Senate Bill No 158—An act to amend section 105 of the Code of Civil Procedure, relating to justices of the peace;
Also: Senate Bill No. 159—An act to amend sections 117d and 117p of the Code of Civil Procedure, relating to small claims courts;
Also: Senate Bill No 426—An act to amend sections 1030, 1038, and 1043 of the Agricultural Code, relating to fertilizing materials

J A BEEK, Secretary of Senate
By CARL A SHIPKEY, Assistant Secretary.

Senate Bill No. 51 read first time, and referred to Committee on Revenue and Taxation.

Senate Bill No. 129 read first time, and referred to Committee on Elections.

Senate Bills Nos 158 and 159 read first time, and referred to Committee on Judiciary.

Senate Bill No. 426 read first time, and referred to Committee on Live Stock and Dairies

Also:

SENATE CHAMBER, SACRAMENTO, March 25, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 681—An act confirming and validating the consolidation of irrigation districts.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 681 read first time, and referred to Committee on Irrigation.

Request for Use of Assembly Chamber.

Mr. Cronin requested that the Assembly grant the use of the Assembly Chamber to the Committee on Medical and Dental Laws immediately upon adjournment

Request granted.

Adjournment.

At five o'clock and twelve minutes p.m, on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a m, Tuesday, March 26, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, March 26, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

Quorum present.

Prayer.

Prayer was offered by Rev. Father Cornelius O'Connor of the Cathedral of the Blessed Sacrament.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Frazier, its further reading was dispensed with.

Leave of Absence.

On motion of Mr. Dawson, Mr. Brennan was granted leave of absence for this day.

Privilege of Floor of Assembly Extended.

On request of Mr. Phillips, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Daisy Sevier Wing of Banning, State Parliamentarian of the Federation of Women's Clubs, and Mrs. C. H. Preston of Roseville, State Chairman of Law Observance of the Federation of Women's Clubs.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Bernice Wood, Citizenship instructor, Modesto High School, and the following members of her Americanization class: Miss Marie Haggerty, Miss Esther Alway, Mrs. Pepi Gochwend, Mrs. Adel Vernazza, Mrs. Louise Baldwin, Joe Dias, Mrs. M. Dias, Joe Pimentel and Mrs. Mattas and two daughters.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sheriff Grat M. Hogan and Undersheriff Harvey B. Wright of Modesto.

On request of Mr. Glover, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. W. P. Mahood of Huntington Park and Mrs. Eva W. Snodgrass of Lynwood.

On request of Mr. Williamson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Rev. Albert Whelan, S. J., Dean of Studies, University of San Francisco.

On request of Mr. Gilmore, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Roy B. Thompson and Miss Grace Thompson of Sacramento.

On request of Mr. Latham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Frank Orr of Wilmar.

On request of Mr. Chatters, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Dan L. Beebe of Oroville, past president of the California Newspaper Publishers Association.

On request of Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. M. G. Jorgenson of Los Angeles, Mr. W. F. Smith of Pasadena and Amelia F. Johnson of Los Angeles.

On request of San Francisco delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. John J. Crowley.

On request of Mr. Phillips, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Fred A. Clark of Riverside, manager of the Riverside Citrus Association

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Oil Producers Sales Agency of California, relative to Senate Joint Resolution No. 7.

From city of Compton, recommending the passage of Senate Bill No. 535, and opposing enactment of Assembly Bill No 1054.

From E. M. O'Donnell, opposing all existing vagrancy laws.

From Robert Dominguez, favoring passage of Senate Bill No. 24 and Assembly Bill No. 17.

Communications.

The following communications were received, and ordered printed in the Journal:

By the Chief Clerk.

FEDERAL HOME LOAN BANK BOARD.
WASHINGTON, March 22, 1935

Clerk of the House of Representatives, State Capitol,
Sacramento, California.

MY DEAR MR CLERK: Herewith certified copy of a recent resolution of the Federal Home Loan Bank Board. This resolution was adopted pursuant to frequent inquiries from legislative offices as to the desirability of such legislation. In a number of the States, bills for such legislation are pending and have not yet been enacted.

Would it be asking too much of you to request that you get this resolution in the hands of any committee which may be considering such a bill.

I realize that this may make it necessary for you to examine the file of pending bills, but the board is quite anxious that its views be known to the legislators, and I know of no other way to get the information before them.

If you find it possible to do this, we will all be highly appreciative.

Very truly yours,

JAMES R FRAZER, Associate General Counsel.

(Enclosure)

Be it resolved by the Federal Home Loan Bank Board, That it is deemed desirable that legislation be enacted in all of the States to provide that all shares issued by any Federal savings and loan association duly chartered by and under the supervision of the Federal Home Loan Bank Board, which shares are insured by

the Federal Savings and Loan Insurance Corporation, shall be legal investments for trust funds of every kind and nature

I hereby certify that the above is a true and correct copy of a resolution adopted by the Federal Home Loan Bank Board on March 4, 1935.

R. L. NAGLE, Secretary

[SEAL]

Also:

THE AMERICAN LEGISLATORS' ASSOCIATION
CHICAGO, ILLINOIS, March 20, 1935.

MILK CONTROL LEGISLATION.

The recent decision of the United States Supreme Court in the case of Seelig vs. Baldwin has increased the importance of the attached bulletin. In this case the court unanimously agreed that New York State had no authority to interfere with interstate commerce through milk control laws which attempted to fix prices dealers must pay producers outside of New York's borders for milk sold within the State.

This brief analysis of the 15 State milk control laws should be of interest to legislators and State officials in those States in which this type of legislation is now being considered. Copies of these laws may be secured by writing to the various State milk control boards and commissions.

HENRY W TOLL.

The above communication ordered referred to Committee on Live Stock and Dairies.

ASSISTANT CLERK COOLIDGE READING.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1213—An act to amend section 10½ of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the regulation of the practice of optometry;

Also: Assembly Bill No. 1215—An act to amend section 11 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the regulation of the practice of optometry;

Also: Assembly Bill No 1618—An act to amend an act entitled, "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, so as to classify, license and regulate the business of personal property brokers, and to prescribe, fix, limit and regulate their charges and interest rates; and to authorize and regulate assignments of wages, salaries, commissions or earnings, earned or to be earned, when given to a personal property broker as security for a loan of, or as consideration for the payment of, $300 or less; and to repeal all acts and portions of acts inconsistent herewith; and declaring this measure an urgency measure within the meaning of section 1 of Article IV of the Constitution, and providing accordingly for the act to take effect immediately;

And reports that the same have been correctly engrossed

WATERS, Chairman

The above reported bills ordered on file for third reading

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1935.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred Assembly Bill No. 653—An act to amend section 1 of an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, relating to county relief of indigents, declaring the urgency thereof and providing that this act shall take effect immediately;

Also: Assembly Bill No. 1665—An act providing for employment and old age pensions;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

ANDERSON, Vice Chairman.

The above reported bills ordered on file for second reading.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1935.

MR SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 60—A resolution to propose to the people of the State of California amendments to Article XI of the Constitution of said State by adding sections 4 and 7¼ thereto, relating to the consolidation of counties—has had the same under consideration and respectfully reports the same back without recommendation, as amended

LATHAM, Chairman.

Assembly Constitutional Amendment No. 60 ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 58—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 8 of Article XI thereof, relating to the preparation and adoption of charters by cities and cities and counties—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

LATHAM, Chairman.

Assembly Constitutional Amendment No. 58 ordered on file for adoption.

Resolution.

The following resolution was offered:

By Mr. Flint:

Assembly Resolution.

WHEREAS, There has been furnished to this body the report of the Railroad Commission, published in the Journal of March 8, 1935, which report purports to include dues, donations, subscriptions and contributions of public utility corporations for all purposes during 1934; and

WHEREAS, The report of a majority of these utilities does not include contributions and expenditures for the purpose of influencing elections or the defeat or election of candidates for public office; and

WHEREAS, A noteworthy example of this failure to make a full report in accordance with the demand of the Assembly is the Los Angeles Gas and Electric Corporation, which in its endeavor at a special election on September 27, 1934, to secure a 40-year franchise to use the streets of Los Angeles, is reliably reported to have expended vast sums of money; and

WHEREAS, This corporation is today engaged in an election campaign for April 2d, next to secure a similar franchise, the previous effort having been overwhelmingly defeated; and

WHEREAS, The present campaign of this corporation is ostensibly managed by a so-called municipal affairs committee, the expenditures of which are of such a nature and volume as to indicate that the Los Angeles Gas and Electric Corporation is endeavoring to deceive the electorate in devious ways; and therefore be it

Resolved, That the State Railroad Commission be requested to at once secure and transmit to the Assembly a full and complete report from the Los Angeles Gas and Electric Corporation of its contributions and expenditures, directly and indirectly, for political purposes in 1934, and also a like report for the present campaign in Los Angeles to secure a 35-year franchise at an election to be held on April 2, 1935; and

Resolved, further, That this resolution be transmitted forthwith by the Chief Clerk of the Assembly to the president of the Los Angeles Gas and Electric Corporation with the demand that such reports be also supplied to the Assembly before April 1, 1935.

Resolution read.

Floor Amendments.

During reading of the resolution, the following amendments were submitted by Mr. Latham:

Amendment No. 1.

On page 1 of the resolution, after the fifth paragraph, insert the following paragraph:

"WHEREAS, The bureau of power and light and the department of water and power of the city of Los Angeles, acting through a so-called Municipal Light and

Power Defense League and other so-called leagues and committees are actively opposing the aforesaid corporation in its efforts to comply with an order of court to secure a new gas franchise before July 1, 1935, and large amounts of money are being expended in connection with such opposition, for extensive bill boards, circulars and newspaper dodgers of such nature and volume as to indicate that the said bureau of light and power and the said department of water and power of the city of Los Angeles and the said Municipal Light and Power Defense League are expending large sums of money in violation of the law which prohibits the expenditure of any money by said bureau of light and power for political purposes; and

WHEREAS, Said bureau of light and power has coerced its employees to contribute a percentage of their salaries in order to furnish additional funds to carry on the aforesaid political campaign; and

WHEREAS, The said bureau of light and power carry on said campaign in a secretive way and are endeavoring to deceive the electorate in devious ways; and".

Amendment No. 2.

On page 1, paragraph 6, of the resolution, in the fourth line of said paragraph, after the word "corporation", strike out the words "of its contributions and expenditures," and insert in lieu thereof the following: "and the bureau of light and power and the department of water and power of the city of Los Angeles of their respective contributions and expenditures,".

Amendment No. 3.

On page 2, paragraph 7, of the resolution, at the third line of said paragraph, after the word "Corporation", insert the following "and the president of the department of water and power of the city of Los Angeles".

Amendments read.

The question being on the adoption of the amendments.

Point of Order.

Mr. Boyle arose to the following point of order: Stating that the amendments were not germane to the resolution.

Ruling by Speaker.

The Speaker ruled the point of order not well taken.

Motion.

Mr. McCarthy moved that the resolution and the whole subject matter be referred to Committee on Public Utilities.

Motion carried.

√ Resolution.

The following resolution was offered:

By Messrs. Field, Riley, and Cottrell:

Assembly Resolution.

WHEREAS, It is reported that a boast was made by Nathan J. Elliott before the Senate Motor Vehicles Committee; and

WHEREAS, Said Nathan J. Elliott is reported to have stated "I hold in my hands the entire Southern California delegation and can say whether a bill is to be passed or defeated and it will take $33,000 to do it"; and

WHEREAS, Such a charge reflects upon the integrity of the members of the Legislature; now, therefore, be it

Resolved, by the Assembly of the State of California, That a Committee of Three members be appointed by the Speaker of the Assembly to investigate the reported charges made before the Senate Motor Vehicles Committee and to investigate the reported statements of said Nathan J. Elliott; and be it further

Resolved, That such committee is authorized to do any and all things necessary to investigate the matters herein referred to and to subpena all witnesses necessary for a proper investigation of all the facts connected with such charges and statements, and in this connection to subpena all records and books necessary for the proper conduct of such investigation; and be it further

Resolved, That there is hereby appropriated the sum of $500, or so much thereof as may be necessary, from the contingent fund of the Assembly, for the necessary expenses of the Investigating Committee.

The committee is authorized to conduct such investigation immediately upon the appointment thereof and to report back to the Assembly all facts discovered or findings made in the course of such investigation

Resolution read.

Mr. Field moved the adoption of the resolution.

The question being on the adoption of the resolution.

Motion to Refer.

Mr. Rosenthal moved, seconded by Mr. Williamson, that the resolution be referred to Committee on Ways and Means.

The question being on the motion to refer the resolution to Committee on Ways and Means.

Motion to Refer Withdrawn.

Mr. Rosenthal withdrew his motion.

The question being on the adoption of the resolution submitted by Messrs. Field, Riley, and Cottrell.

Demand for Previous Question.

Messrs. Lore, Pelletier, Flint, Voigt, and Cunningham demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of the resolution by Messrs. Field, Riley, and Cottrell.

The roll was called, and the resolution was adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—73.

NOES—DeLap, Donnelly, Heisinger, Robertson, and Rosenthal—5.

Explanations of Vote.

I intended voting "aye" on the Field resolution. I was testing out the voting machine and the record was cleared before I had a chance to vote "aye."

JAMES J. McBRIDE.

Also:

I am in favor of this resolution, but I am opposed to spending $500 of the taxpayers' money to investigate some alleged statements of one individual who can easily be subpenaed at Sacramento as well as witnesses to the whole conversation at which time the alleged statement was made.

BEN ROSENTHAL.

Also:

We believe the appropriation of $500 for this purpose is a waste of the people's money because the lobbyists at which the resolution is directed could be called before the Legislature to make their statements which could be proved or disproved.

The people will have faith in us because of our recorded actions rather than what certain lobbyists may say about us.

S. L. HEISINGER.
HUGH P. DONNELLY.

Motion to Continue Special Order for Assembly Constitutional Amendment No. 65.

Mr. Williamson moved that the special order for the consideration of Assembly Constitutional Amendment No. 65 be continued to Tuesday, April 2, 1935, at eleven o'clock a m.

Motion carried.

Second Reading of Assembly Bills.

Assembly Bill No. 1034—An act to amend sections 3817b, 3817d, 3817f, 3817g and 3817h of, and to add sections 3817c3 and 3817i2 to, the Political Code, relating to taxation, including tax delinquencies, tax penalties and costs, tax redemption for tax sales and declaring the urgency thereof, to take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 7, of the printed bill, strike out "1935", and insert in lieu thereof the following: "1936".

Amendment No. 2.

On page 2, line 2, of the printed bill, after "redemption", strike out the period, and insert in lieu thereof the following: ", except that interest upon taxes for the fiscal year 1934–1935 shall be computed from July 1, 1935, to the time of such redemption, and that interest upon taxes for the fiscal year 1935–1936 shall be computed from July 1, 1936."

Amendment No. 3.

On page 2, line 11, of the printed bill, after "years", insert the following: "1934–1935,".

Amendment No. 4.

On page 2, line 22, of the printed bill, strike out "1935", and insert in lieu thereof the following: "1936".

Amendment No. 5.

On page 2, line 35, of the printed bill, after the period, insert the following: "The provisions of this section shall not allow the payment in ten installments of taxes for the fiscal year 1934–1935 or subsequent years."

Amendment No. 6.

On page 5, line 12, of the printed bill, after "interest", insert the following: "thereon".

Amendment No. 7.

On page 5, line 34, of the printed bill, after "interest", insert the following: "thereon".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2173—An act relating to the escheat to the State of California unclaimed moneys deposited with public utilities, and providing for the collection, use and disposition thereof.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 2, of the printed bill, after the word "utility", insert "subject to regulation and control by the Railroad Commission".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1702—An act to amend section 788 of the Agricultural Code, relating to containers.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the printed bill, after "SECTION 1.", insert the following: "Section 788 of the Agricultural Code is hereby amended to read as follows:

788. It is unlawful to prepare, deliver for shipment, load, ship, transport, or sell a deceptive pack, bulk lot, bulk load, load, arrangement or display of fresh or dried fruits, nuts or vegetables, or to mislabel any container or the label or lining of any container, or the wrapper of any fruits, nuts or vegetables, or any fruit, nut or vegetable, or any placard used in connection therewith having reference to such fresh or dried fruits, nuts or vegetables. The repeated use of any container or subcontainer of fruits, nuts or vegetables, bearing any markings or any designations of brand, quality or grade is unlawful unless all such markings which do not properly and accurately apply to the products repacked or replaced therein, are first completely removed, erased or obliterated. Nothing in this chapter shall be construed to conflict with any California or Federal laws or regulations regarding net weight or other markings on containers or subcontainers. Unless otherwise provided, whenever any fruits, nuts or vegetables are packed in layers, there shall be approximately the same numerical count in each layer throughout a container or subcontainer having straight sides. All fruits, nuts and vegetables, when packed, must be so tightly packed that they will not move in the container.

It is unlawful to sell, purchase, or use any container or subcontainer of fruits, nuts, or vegetables which bears a trade mark or trade name unless such trade mark or trade name is obliterated or effaced, except where the purchaser or user is entitled to use such trade mark or trade name."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 686—An act to amend an act entitled "An act to protect the natural resources of water, petroleum and gas from damage, waste and destruction; relating to the creation of a division in the Department of Natural Resources for the prevention of such damage, waste and destruction; providing for the appointment of a State Oil and Gas Supervisor, prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purpose of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; providing for bonds required of drillers of oil and gas wells; and making an appropriation for the purpose of this act, approved June 10, 1915, as amended, by adding thereto section 18a, relating to slanting wells.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 3, line 14, of the printed bill, after the word "as", strike out the following: "would place, or has", and insert in lieu thereof the following: "to have".

Amendment No. 2.

On page 3, line 17, of the printed bill, after the word "land", strike out the following: "upon which such well is being drilled, redrilled or", and insert in lieu thereof the following: "which embraces the surface location of the well,".

Amendment No. 3.

On page 3, line 18, of the printed bill, strike out the following words: "deepened, and", and insert in lieu thereof the word "or".

Amendment No. 4.

On page 3, line 18, of the printed bill, after the word "within", insert the following: "or from".

Amendment No. 5.

On page 3, line 19, of the printed bill, after the words "drill the well", insert the following: "or produce oil or gas".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Third Reading of Assembly Bills.

Assembly Bill No. 1194—An act amending the title and section 31 of and to that certain statute entitled "Improvement Act of 1911," approved April 7, 1911, as amended, relating to public improvements and the repair and reconstruction of portions of improved streets, avenues, lanes, alleys, courts or places, bulkheads, retaining walls or other works for the protection of the same and to the payment of the costs thereof and establishing a procedure for the same.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lyon:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 31,", and insert in lieu thereof the following: "sections 31, 32 and 33,".

Amendment No. 2.

On page 1, lines 1 and 2 of the title of the printed bill, strike out "and to that certain statute entitled", and insert in lieu thereof the following: "the".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1, 2 and 3, and insert in lieu thereof the following:

"SECTION 1. The title of the Improvement Act of 1911 is hereby amended to read as follows:".

Amendment No. 4.

On page 1, line 16, of the printed bill, after "courts", insert the following: ", sidewalks".

Amendment No. 5.

On page 1, line 21, of the printed bill, strike out "," approved April 7, 1911, Statutes 1911, page 730".

Amendment No. 6.

On page 2 of the printed bill, strike out lines 1 and 2, and insert in lieu thereof the following:

"SEC. 2. Section 31 of the Improvement Act of 1911".

Amendment No. 7.

On page 2, line 4, of the printed bill, strike out the following: "or occupants".

Amendment No. 8.

On page 2, line 8, of the printed bill, strike out "in".

Amendment No. 9.

On page 2, line 18, of the printed bill, strike out "etc.", and insert in lieu thereof the following: "retaining walls or other works".

Amendment No. 10.

On page 2, line 19, of the printed bill, strike out the following: "or occupant".

Amendment No. 11.

On page 2, line 24, of the printed bill, strike out "etc.", and insert in lieu thereof the following: "retaining walls or other works".

Amendment No. 12.

On page 2, line 27, of the printed bill, after "such", insert the following: "sidewalk, curb, or park or parking strip, bulkheads, retaining walls or".

Amendment No. 13.

On page 2 of the printed bill, strike out lines 28 to 52, inclusive; strike out all of pages 3, 4 and 5 of the printed bill, and insert in lieu thereof the following: "of streets to notify the owner or person in possession of the property fronting on that portion of such sidewalk, curb, or park or parking strip, bulkheads, retaining walls or other works so out of repair, that it constitutes a public nuisance and to repair the same.

Such notice to repair may be given by delivering a written notice personally to the owner or to the person in possession of the property facing upon the sidewalk, curb, or park or parking strip, bulkheads, retaining walls or other works so out of repair, or by mailing a postal card, postage prepaid, to the person in possession of such property, and/or to the owner thereof at his last known address as the same appears on the last equalized assessment rolls of such city, or city and county, or to the name and address of the person owning such property as shown in the records of the office of the city clerk. Said postal card shall contain a notice to repair said sidewalk, curb, or park or parking strip, bulkheads, retaining walls or other works so out of repair, and the superintendent of streets shall, immediately upon the mailing of said notice, cause a copy thereof printed on a card of not less than eight inches by ten inches in size, to be posted in a conspicuous place on said property.

Such notice shall particularly specify what work is required to be done, and how the same is to be done, and what materials shall be used in said repair and shall further specify: that if said repair is not commenced within three days after notice is given as aforesaid, and diligently and without interruption prosecuted to completion, the superintendent of streets shall make such repair, and the cost of the same shall be a lien on such property. If said repair is not commenced and prosecuted to completion with due diligence, as required by said notice, the superintendent shall forthwith repair said sidewalk, curb, or park or parking strip, bulkheads, retaining walls or other works.

That upon the completion of such repair, the superintendent of streets shall cause notice of the cost of such repair to be given in the same manner hereinabove specified for the giving of notice to repair, and which notice shall specify the day, hour and place when the legislative body of such city, or city and county will hear and pass upon a report by the superintendent of streets of the cost of such repair, together with any objections or protests, if any, which may be raised by any property owner liable to be assessed for the cost of the abating of said nuisance and any other interested persons. Upon the completion of such repair, the superintendent of streets shall prepare and file with the legislative body a report specifying the repairs which have been made, the cost of the same, a description of the real property in front of which said repairs have been made and the assessment against each lot, piece or parcel of land proposed to be levied to pay the cost thereof.

Upon the day and hour fixed for hearing said report, the legislative body shall hear and pass upon the same, together with any objections or protests, if any, which may be raised by any of the property owners liable to the assessed for the work of abating said nuisance and any other interested persons, and thereupon said legislative body may make such revision, correction or modifications in the report as it may deem just, after which, by motion or resolution, said report as submitted, or in the event any revisions, corrections or modifications have been ordered made by said legislative body, then said report as revised, corrected or modified, shall be confirmed. Said legislative body may adjourn said hearings from time to time. The decisions of the legislative body on all protests and objections which may be made, shall be final and conclusive."

Amendment No. 14.

"SEC. 2. Section 32 of the Improvement Act of 1911 is hereby amended to read as follows:

Sec. 32. The cost of such repair may be assessed by the legislative body against the parcel of property fronting upon the sidewalk, curb, or park or parking strip, bulkheads, retaining walls or other works upon which such repair was made, and such cost so assessed, if not paid within five days after its confirmation by the legislative body shall constitute a special assessment against said parcel of property, and shall be a lien on said property for the amount thereof which lien shall continue until said assessment and all interest thereon are paid, or until it is discharged of record. The superintendent of streets shall file in the office of the county recorder of the county in which such city is located, a certificate substantially in the following form, to wit:

Notice of Lien.

Pursuant to the authority vested in me by the Improvement Act of 1911, I did, on the _____ day of _____, 19___, cause the sidewalk, curb, or park or parking strip, bulkheads, retaining walls or other works (as the case may be) in front of the real property hereinafter described, to be repaired and improved, and the legislative body of said city, (or city and county) did, on the _____ day of _____, 19___, by resolution No. _____ assess the cost of such repair upon the real property hereinafter described, and the same has not been paid nor any part thereof, and the said city (or city and county), does hereby claim a lien on said real property in the sum of $_____, and the same shall be a lien upon said real property until the said sum, with interest at the rate of six per cent per annum, from the said _____ day of _____, 19___, (insert date of confirmation of assessment) has been paid in full and discharged of record.

The real property hereinbefore mentioned, and upon which a lien is claimed, is that certain piece or parcel of land lying and being in the (name of city, or city and county) the county of _____, State of _____, and particularly described as follows, to wit:

(Description of property)

Dated this _____ day of _____, 19__.

_____
Superintendent of Streets.

From and after the date of the recording of said notice of lien, all persons shall be deemed to have had notice of the contents thereof. The statute of limitation shall not run against the right of the city to enforce the payment of said lien.

SEC. 3. Section 33 of the Improvement Act of 1911 is hereby amended to read as follows:

Sec. 33. As an alternative method of collection of the amount of said lien, the legislative body, after confirmation of report of said superintendent of streets, may order said notice of lien hereinabove provided for to be turned over to the assessor and the tax collector of such city, or city and county, whereupon it shall be the duty of said officers to add the amount of the assessment to the next regular bill for taxes levied against the said lot or parcel of land for municipal purposes; and where the amount of taxes is assessed by the county assessor, the amount of said lien shall be added by the county assessor to such assessment; and where the taxes are collected by the county tax collector, the amount of said assessment, together with the amount of said lien, shall be collected by the county tax collector, and thereafter said amount shall be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and interest and to the same procedure under foreclosure and sale in case of delinquency as provided for ordinary municipal taxes. All laws applicable to the levy, collection and enforcement of city taxes and county taxes are hereby made applicable to such special assessment taxes.

Sections 31, 32 and 33 of this act shall be deemed to apply only to maintenance and repair proceedings and shall not be used for the construction of new improvements. The "Special Assessment Investigation, Limitation and Majority Protest Act of 1931" shall not be deemed to apply to proceedings taken under sections 31, 32 and 33 of this act."

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1531—An act to amend section 3491 of the Political Code, relating to reclamation districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1531 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Wallace, Waters, Williamson, Wright, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 55—An act to provide for the operation and maintenance of storage garages for state-owned vehicles, the pooling of vehicles in general use, the placement of the State seal on each vehicle and providing that unofficial use of state-owned vehicles shall constitute a misdemeanor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 55 refused passage by the following vote:

AYES—Anderson, Clark, Corwin, Cottrell, Crowley, Cunningham, Donihue, Evans, Herbert J., Field, Fisher, Heisinger, Johnson, Kallam, Latham, Martin, Miller, Minard, Morgan, Nielsen, O'Donnell, Phillips, Rosenthal, Scudder, Thorp, Utt, Walker, Wright, and Mr. Speaker—28.

NOES—Andreas, Boyle, Cassidy, Chatters, Cronin, DeLap, Desmond, Donnelly, Evans, Ralph W., Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Laughlin, Lore, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Peterson, Reaves, Richie, Riley, Robertson, Stream, Voigt, Wagner, Wallace, Waters, Weber, and Williamson—41.

Recess.

At twelve o'clock and ten minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until two o'clock p.m., of this day.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1935.

MR SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 47—An act to amend section 10 of an act entitled "An act to provide for the formation, management and dissolution of county fire protection districts composed of lands within one or more counties and annexations to such districts; to set forth the powers of such districts and to provide for levying and collecting taxes on property in such districts to defray the expenses thereof," approved June 12, 1931, relating to taxes of county fire protection districts;

Also: Senate Bill No. 450—An act to amend section 4030 of the Political Code, relating to vacancies in county boards of supervisors,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

DELAP, Chairman.

The above reported bills ordered on file for second reading.

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1935.

MR. SPEAKER. Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 990—An act to amend section 13 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," as amended, relating to revocation or suspension of licenses—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

CRONIN, Chairman.

The above reported bill ordered on file for second reading.

On Conservation.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1935.

MR. SPEAKER: Your Committee on Conservation, to which was referred Assembly Bill No. 1084—An act relating to water conservation and check dams in the Salinas River Valley and the tributaries thereof, and an appropriation for the same;

Also: Assembly Bill No. 1608—An act to amend sections 1, 4, 5, 10, 12, 13 and 15 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," as approved May 25, 1921, as amended, relating to the issuance, transfer, terms of, and rights under prospecting permits, leases, and sales of State mineral lands;
Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

REDWINE, Chairman.

The above reported bills ordered on file for second reading.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1935.

MR SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No 366—An act to amend section 4041.11 of the Political Code, relating to powers and duties of boards of supervisors;

Also: Assembly Bill No. 698—An act to amend section 11 of the Inheritance Tax Act, to require that county auditor's warrants be drawn for the payment of refunds;

Also: Assembly Bill No. 699—An act to add a new section to the Penal Code, to be numbered 1375, prescribing the manner in which counties shall pay the State for expense of insane and inebriates;

Also: Assembly Bill No. 1264—An act to add a new section to the Political Code of the State of California, to be numbered 3719, authorizing the temporary borrowing of money by counties and school districts upon the credit of revenue in course of collection, and the issuing of tax anticipation notes or warrants as evidence of such indebtedness;

Also Assembly Bill No 1631—An act to provide for the registration of bonds and interest coupons unpaid for want of funds and the preference and payment thereof in the order of such registration, when funds are available;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

DELAP, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 2135—An act to amend an act entitled "An act to authorize the counties of the State of California to establish retirement systems for their employees," approved May 20, 1919 (Statutes 1919, page 782), by amending sections 1 and 6 thereof, to redefine the words "regular interest," to provide for refund of deceased member's funds without administration or probate and to authorize the board of retirement to limit the amount of excess contributions a member may deposit—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DELAP, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1935.

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2034—An act to amend sections 1 and 2 of an act entitled "An act prohibiting employers of labor from coercing employees in the purchase of things of value, and prescribing a penalty for the violation of the provisions hereof," approved April 26, 1917 (Stats. 1917, Chap. 141), relative to requiring employees to patronize any person or firm in the purchase of any thing of value, or service, and relative to the penalty therefor;

Also: Assembly Bill No 2035—An act to add a new section to the Civil Code, to be numbered section 2005, relative to the basis of figuring wages for a portion of a month;

Also: Assembly Bill No. 2172—An act to provide for the appointment of defenders of persons accused of crime and authorizing the appointment of counsel therefor, and to provide for the compensation of such appointed counsel;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

LYON, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1100—An act to add section 43a to the Civil Code, relating to causes of action based upon alienation of affection and breach of promise—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LYON, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER. Your Committee on Judiciary, to which was referred Senate Bill No. 330—An act to add sections 762, 763 and 764 to, and to repeal sections 789, 790 and 791 of, the Probate Code, relating to sales of property—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LYON, Chairman.

The above reported bill ordered on file for second reading.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 25, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day receded from Senate amendments to Assembly Bill No. 37—An act relating to the operation of motor vehicles used in unemployment cooperative relief work, and declaring the urgency thereof and that this act shall go into immediate effect..

J. A. BEEK Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary

Assembly Bill No. 37 ordered to enrollment.

Withdrawal of Assembly Bills Nos. 1618, 1215 and 1213.

By order of the Speaker, Assembly Bill No. 1618 was withdrawn from the file, and re-referred to Committee on Financial Institutions.

By order of the Speaker, Assembly Bills Nos. 1215 and 1213 were withdrawn from the file, and re-referred to Committee on Medical and Dental Laws.

Introduction and Reference of Bills.

The following bill was introduced and referred as indicated:

By Messrs. Donihue, Meehan, Heisinger, Anderson, Pelletier, Geyer, Reaves, Patterson, and Rosenthal: Assembly Concurrent Resolution No. 29—Relative to inviting Senator Huey P. Long to address a joint meeting of the Assembly and Senate of the State of California.

Introduced, and referred to Committee on Rules.

Third Reading of Senate Bills.

Senate Concurrent Resolution No. 10—Resolved, by the Senate of the State of California, the Assembly concurring, That the following be, and the same are hereby adopted as the Joint Rules of the Senate and Assembly of the State of California for the fifty-first session of the Legislature.

Senate Concurrent Resolution No. 10 read.

Floor Amendment.

During reading of Senate Concurrent Resolution No. 10, the following amendment was submitted by Mr. Wallace:

Amendment No. 1.

To Rule 20, on page 7, of the Joint Rules, as amended in Assembly March 15th, strike out lines 3 to 9, both numbers included, and insert in lieu thereof a new paragraph as follows:

"The Secretary of the Senate and the Chief Clerk of the Assembly are hereby authorized and directed between sessions to order and distribute for the members stationery and legislative publications for which there is a demand, and, subject to the rules of their respective houses, to approve the bills covering such orders."

Amendment adopted.

Request for Unanimous Consent.

Mr. Wallace asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 10, as amended, at this time, without reference to reprint or file.

Further Floor Amendment.

During reading of Senate Concurrent Resolution No. 10, the following amendment was submitted by Mr. Jones:

Amendment No. 1.

On page 12, line 25, of the resolution, as amended in Assembly March 15, 1935, after the word "*adjournment*", *strike out the period, and insert the following*: "provided that the resolution of notice of intention to adjourn shall not be construed as the resolution of adjournment sine die".

Amendment adopted.

Request for Unanimous Consent.

Mr. Wallace asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 10, as amended, at this time, without reference to reprint or file.

Consideration of Senate Concurrent Resolution No. 10, as Amended.

Senate Concurrent Resolution No. 10—Resolved, by the Senate of the State of California, the Assembly concurring, That the following be, and the same are hereby adopted as the Joint Rules of the Senate and Assembly of the State of California for the fifty-first session of the Legislature.

Senate Concurrent Resolution No. 10, as amended, read.

Mr. Wallace moved the adoption of Senate Concurrent Resolution No. 10, as amended.

The question being on the adoption of Senate Concurrent Resolution No. 10, as amended.

The roll was called, and Senate Concurrent Resolution No. 10, as amended, adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—71.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 10, as amended, ordered transmitted to the Senate.

Senate Concurrent Resolution No. 10.

Resolved by the Senate of the State of California, the Assembly concurring, That the following be, and the same are hereby adopted as the Joint Rules of the Senate and Assembly of the State of California for the fifty-first session of the Legislature.

Joint Rules of Senate and Assembly.

COMMITTEES AND COMMITTEE MEETINGS.

Standing Committees.

1. Subject to the right of either house to appoint additional committees, the following standing committees shall be appointed in the Senate and Assembly, the number of members and the manner of selection shall be determined by the rules of each house:

(1) Agriculture.
(2) Banking.
(3) Building and Loan Associations.
(4) Commerce and Navigation.
(5) Conservation.
(6) Constitutional Amendments.
(7) County Government.
(8) Drainage, Swamp and Overflowed Lands.
(9) Education.
(10) Elections.
(11) Federal Relations.
(12) Finance in the Senate and Ways and Means in the Assembly.
(13) Fish and Game.
(14) Hospitals and Asylums.
(15) Insurance.
(16) Irrigation.
(17) Judiciary.
(18) Labor and Capital.
(19) Military Affairs.
(20) Mines and Mining.
(21) Municipal Corporations.
(22) Oil Industries.
(23) Prisons and Reformatories.
(24) Public Health and Quarantine.
(25) Public Utilities.
(26) Revenue and Taxation.
(27) Roads and Highways.
(28) Rules.

Joint Committee.

2. A joint standing Committee on Joint Rules of Senate and Assembly shall be appointed to consist of the members of the Rules Committee of each house.

Joint Meeting of Committees.

3. Whenever any bill has been referred by the Senate to one of its committees, and the same or a like bill has been referred by the Assembly to one of its committees, the chairmen of the respective committees, when in their judgment the interests of legislation or the expedition of business will be better served thereby, shall arrange for a joint meeting of their committees for the consideration of such bill.

BILLS AND RESOLUTIONS.

Scope of the Word "Bill."

4. Whenever the word "bill" is used in these rules it shall include constitutional amendments, joint and concurrent resolutions.

Joint and Concurrent Resolutions.

5. Joint resolutions are those which relate to matters connected with the Federal government. All other resolutions relating to matters to be treated by both houses of the Legislature are concurrent resolutions.

Resolutions Treated as Bills.

6. Joint resolutions, concurrent resolutions and constitutional amendments shall be treated in all respects as bills; except that they shall be read but one time in each house and that they shall not be deemed bills within the meaning of section 2 of Article IV of the Constitution, and shall not be referred to the Committee on Introduction of Bills, and shall not require a vote to authorize their introduction. As in the case of bills, they shall be engrossed in the house in which they originate before being voted upon.

PREPARATION AND INTRODUCTION OF BILLS.

Title of Bill.

7. The title of every bill introduced shall convey an accurate idea of the contents of the bill and shall be indicative of the scope of the act and the object to be accomplished. In amending a code section, the mere reference to the section by number shall not be deemed sufficient.

Division of Bill Into Sections.

8. Bills amending more than one section of existing laws shall contain a separate section for each section amended.

Bills which are not amendatory of existing laws shall be divided into short sections, where this can be done without destroying the sense of any particular section, to the end that future amendments may be made without the necessity of setting forth and repeating sections of unnecessary length.

Restrictions as to Amendments.

9. A substitute or amendment must relate to the same subject as the original bill, resolution or constitutional amendment under consideration. It shall be the duty of the Legislative Counsel to note all bills upon the third reading files of the Senate and Assembly to determine whether or not such bills have been amended, and if so, whether or not a bill which has been amended affects the same subject matter as that expressed in the title of the original bill. In the event that it does not, he shall immediately notify the Secretary of the Senate in writing if the bill be upon the third reading file of the Senate, or the Chief Clerk of the Assembly if the bill be upon the third reading file of the Assembly, and shall state wherein this rule has been violated.

Changes in Existing Law to Be Marked by Author.

10. In case of a bill amending a code section or a general law, any new matter shall be underlined and any matter to be omitted shall have a single horizontal line through the center. When printed the new matter shall be printed in italics and the matter to be omitted shall be printed in canceled or "strikeout" type.

Indorsement of Date of Introduction.

11. Bills introduced in either house shall be indorsed with the date of introduction.

PRINTING AND DISTRIBUTION OF BILLS.

Manner of Printing Bills, etc.

12. The State Printer shall observe the following directions in printing all bills, constitutional amendments, joint and concurrent resolutions:

(a) The body of such bills and resolutions shall be printed in solid unspaced form so that the same type shall be used both before and after enrollment.

(b) All titles of bills, resolutions, etc., shall be set in italics, statute form, and the length of the lines used in the titles shall not exceed that of the body of the bill.

(c) The lines of all printed bills shall be numbered by page and not by sections, and amendments shall be identified by reference to title, page and line only; provided, however, that concurrent resolutions approving city or county or city and county charters or amendments thereto may be set in smaller type and without line numbers.

(d) Enrolled bills may be inclosed in stock cover.

Printing of Amendments.

13 All bills amended by either house shall be immediately reprinted; in the case new matter is added by the amendment such new matter shall be printed in italics in the printed bill, and in the case of matter being omitted, the matter to be omitted shall be printed in type bearing a horizontal line through the center and commonly known as "strikeout" type. When a bill is amended in either house, the first or previous markings shall be omitted. When a bill amendatory of a code section or general law is engrossed, all figures or symbols shall be removed.

In the case of an amendment to a skeleton bill, which amendment actually sets up, for the first time, the wording of the bill, this rule shall not apply, but the use of italics and strikeout type shall be as in an original bill

Distribution of Legislative Publications.

14. All requests for mailing or distribution of bills, resolutions, histories, etc., shall be filed with the Secretary of the Senate or Chief Clerk of the Assembly, who shall compile the same with the elimination of duplication as a general mailing list. Each member of the Senate and Assembly shall be permitted to submit a list of ten libraries, chambers of commerce or individuals who shall be placed upon such general mailing list. The Secretary of the Senate and Chief Clerk of the Assembly shall order sufficient number of bills, constitutional amendments, joint and concurrent resolutions, histories, etc., to supply this list, together with such number as may be necessary to supply members and legislative officers, accredited newspaper representatives, law libraries, Legislative Counsel, Attorney General, and one copy

to each State elective officer or board, together with such requests for individual bills as may be filed with either of the houses of the Legislature or the Legislative Bill Room. It shall be the duty of the Secretary of the Senate or the Chief Clerk of the Assembly, when it shall appear that there is an insufficient number of any particular legislative publication on hand to supply public demand, to immediately order a reprint of such publication in a number sufficient to meet such demand as may reasonably be anticipated. Except as hereinabove provided, no complete list of bills, resolutions, etc., shall be delivered except upon payment therefore of the sum of $35, which amount after deducting the cost of handling and mailing, shall be by the State Printer remitted one-half each to the Secretary of the Senate and the Chief Clerk of the Assembly for credit to legislative printing. Except in the event of unusual demand, as hereinabove provided for, the total number of each bill, constitutional amendment, joint or concurrent resolution to be printed, shall be not more than 2500.

Distribution of Bills After Constitutional Recess.

15. Following the recess, new bills introduced shall be forwarded to the public libraries and law libraries only, and one copy each of amended bills as may be requested. Weekly Histories shall be distributed generally, following the recess, upon such schedule as the Secretary of the Senate and Chief Clerk of the Assembly may designate.

Journals shall not be distributed to the entire mailing list, but only to elective State officers, libraries and such persons as may specially request copies of the Journal covering the proceedings of a certain day or covering specific legislative action.

OTHER LEGISLATIVE PRINTING.

Printing of the Daily Journal.

16. The State Printer shall print one thousand copies of the Journal of each day's proceedings of each house; at the end of the session he shall also print a sufficient number of copies, properly paged after being corrected and indexed by the Secretary of the Senate and Chief Clerk of the Assembly, to bind in book form as the Journal of the respective houses of the Legislature as required by law.

What Shall Be Printed in the Journal.

17. The following shall always be printed in the Journal of each house:

(a) Messages from the Governor and messages from the other house, and the titles of all bills, joint and concurrent resolutions and constitutional amendments when introduced in, offered to, or acted upon by the house, and the title and text of joint and concurrent resolutions and constitutional amendments when adopted by the house: provided, that in the case of a concurrent resolution approving the adoption of a charter or charter amendments of any kind, the text of such charter or charter amendments need not be printed in the Journal.

(b) Every vote taken in the house, and a statement of the contents of each petition, memorial or paper presented to the house.

(c) A true and accurate account of the proceedings of the house, when not acting as a Committee of the Whole.

Printing of the Daily File.

18 A daily file of bills ready for consideration shall be printed each day for each house, and copies of the file of each house shall be distributed each day to all of the members of both houses.

Printing of History.

19. Each house shall cause to be printed on Monday of each week, during the session, a complete History of all bills, joint or concurrent resolutions and constitutional amendments originating in or acted upon by the respective houses

Such History shall show the action taken upon each measure up to and including the legislative day preceding its issuance.

For each legislative day intervening there shall be printed a Supplementary History showing the action taken upon any measure since the issuance of the complete History. A regular form shall be prescribed and no other form shall be used.

Immediately following the adjournment for the constitutional recess the History shall be compiled and printed to date of recess.

Authority for Printing Orders.

20 The Superintendent of State Printing shall not print for use of either house any matter other than provided by law or by these rules, except upon a written order signed by the Secretary of the Senate or the Chief Clerk of the Assembly. The Secretary of the Senate and the Chief Clerk of the Assembly may also, when necessity requires it, order certain matter printed in advance of the regular order, by the issuance of a rush order.

It shall be the duty of the Supervisor of Documents to see that a supply of legislative publications for which there is a demand shall not be exhausted between sessions.

RECORD OF BILLS.

Secretary and Chief Clerk to Keep Register.

21. The Secretary of the Senate and the Chief Clerk of the Assembly shall keep a register, in which shall be recorded every action taken by the Senate and Assembly on every bill, concurrent or joint resolution or constitutional amendment.

Secretary and Chief Clerk Shall Indorse Bills.

22. The Secretary of the Senate and the Chief Clerk of the Assembly shall indorse on every original bill a statement of any action taken by the Senate and Assembly.

ACTION IN ONE HOUSE ON BILL TRANSMITTED FROM THE OTHER.

Bills Read and Referred to Committee.

23. When a Senate bill has been received by the Assembly or an Assembly bill by the Senate, with a message announcing that the same has passed the Senate or Assembly, such bill shall be read the first time by the Secretary or the Chief Clerk and referred to a standing committee by the Presiding Officer, unless otherwise ordered by the house.

After a Bill Has Been Passed by the Senate or Assembly.

24. When a bill (if it be a Senate bill) has been received from the Senate by the Assembly, after its passage, or (if it be an Assembly bill) has been received from the Assembly by the Senate after its passage, it shall be taken up by the Senate or Assembly, as the case may be, under the regular order of business ("Senate messages" or "Assembly messages"), read the first time, unless otherwise ordered by the house, and shall then be assigned to the proper committee, unless otherwise ordered, who shall act upon the same as soon as practicable, and report the same back to the Senate or Assembly forthwith, and the chairman of each committee is charged with observance of this rule.

Special File.

25. On the second day after the close of the recess provided for in section 2, Article IV of the Constitution, the Senate and Assembly shall each adopt and provide a special file upon which shall be placed: In the Senate, only Assembly bills that have passed the Assembly, and in the Assembly, only Senate bills that have passed the Senate. Such special file shall be taken up at two o'clock p.m. of each day in the Assembly and at two o'clock and thirty minutes p.m. of each day in the Senate and be considered at least one hour and a half after being so taken up unless its consideration shall be completed in a lesser period of time. This rule shall not be suspended in either house except by a three-fourths vote of such house.

REPORTS FROM ONE HOUSE TO THE OTHER AS TO ACTION ON BILL.

Bill or Resolution in One House, Rejected in the Other, Requires Notice.

26. When a bill or resolution which shall have passed one house is rejected by the other, notice thereof shall be given immediately to the house in which the same shall have passed.

Each House to Transmit Papers.

27. Each house shall transmit to the other papers on which any bill or resolution shall be founded.

Notices to be in Writing Under Proper Signatures.

28. Notice of the action of either house to the other shall be in writing and under the signature of the Secretary of the Senate or the Chief Clerk of the House from which such notice is to be conveyed.

Secretary, Chief Clerk, etc., to Dispatch Messages.

29. Messages shall be sent to the other house by an officer or attache to be designated by the Secretary, if it be a Senate message, or by the Chief Clerk, if it be an Assembly message.

Messages to be Delivered to Secretary, Chief Clerk, etc.

30. When a message shall be sent from either house to the other, it shall be delivered to the Secretary of the Senate or one of his assistants, if it be directed to the Senate, or the Chief Clerk of the Assembly, or one of his assistants, if it be directed to the Assembly, and a receipt taken from the officer to whom such message is delivered.

PASSAGE AND ENROLLING OF BILLS.

Passage of Bills Taking Effect Immediately.

31. Each house shall act in the usual course upon all bills that may be made to take effect immediately, under the provisions of section 1, Article IV of the Constitution.

Passage of Urgency Provisions in Bills.

32. Upon the third reading of an act which is an urgency measure within the meaning of section 1, Article IV of the State Constitution, the presiding officer shall direct that the section of said act setting forth the facts constituting the necessity for such urgency (which shall be known as the urgency section) be then read and put to vote. The question shall be thus stated: "Shall this section, setting forth the urgency features of this bill, be passed?" If upon such final vote two-thirds of all the members elected to the house in which the vote is being taken shall not vote in the affirmative, no further action shall be taken on the bill; but, in case an identical bill without such an emergency clause be again introduced into such house, such bill shall be placed on file without reference to any committee.

Passage of Bills Preceding Final Adjournment.

33. No Senate bill shall be passed by the Senate and no Assembly bill shall be passed by the Assembly within seven days of the intended time set for adjournment sine die of the two houses of the Legislature in the resolution of notice of intention to adjourn, unless permission to vote on such bill shall be granted by a three-fourths vote of the house of its origin after being recommended by the presiding officer thereof.

Enrollment of Bill After Passage.

34. After a bill shall have passed both houses, it shall be duly enrolled after being carefully compared, by the Engrossing and Enrolling Clerk and committee of the house in which it originated, with the engrossed bill, as passed in the two houses. It shall then receive the signatures provided for in Joint Rule 35, and be presented to the Governor of the State.

Enrolling Committee to Present Bills to Governor.

35. After a bill shall have been thus passed in each house, it shall be presented by the Engrossing and Enrolling Committee of the house in which it originated to the Governor of the State for his approval (it being first indorsed by the presiding officers of the two houses, and by the Secretary of the Senate and the Chief Clerk of the Assembly). The said committee shall report the day of presentation to the Governor, which time shall be carefully entered on the Journal of the house in which the bill originated.

AMENDMENTS AND CONFERENCES.

Amendments to Amended Bills Must Be Attached.

36. Whenever a bill or resolution which shall have been passed in one house shall be amended to the other, it shall immediately be reprinted as amended by the house making such amendment or amendments. Such amendment or amendments shall be attached to the bill or resolution so amended, and indorsed "adopted," and such amendment or amendments, if concurred in by the house in which such bill or resolution originated, shall be indorsed "concurred in," and such indorsement shall be signed by the Secretary or Assistant Secretary of the Senate, or the Chief Clerk or Assistant Clerk of the Assembly, as the case may be; provided, however, that an amendment to the title of a bill adopted after the passage of such bill shall not necessitate reprinting, but such amendment must be concurred in by the house in which such bill originated.

To Concur or Refuse to Concur in Amendments.

37. In case the Senate amend and pass an Assembly bill, or the Assembly amend and pass a Senate bill, the Senate (if it be a Senate bill) or the Assembly (if it be an Assembly bill) must either "concur" or "refuse to concur" in the amendments. If the Senate concur (if it be a Senate bill), or the Assembly concur (if it be an Assembly bill), the Secretary or Chief Clerk shall notify the house making the amendments and the bill shall be ordered to enrollment.

When Senate or Assembly Refuse to Concur.

38. If the Senate refuse to concur (if it be a Senate bill), or the Assembly refuse to concur (if it be an Assembly bill), the Secretary or the Chief Clerk shall notify the house making the amendments of such refusal, and ask that they recede from their amendments. If they refuse to recede, the presiding officer shall appoint a committee of three (3) on conference and the Secretary or the Chief Clerk shall immediately notify the other house of the action taken and request the appointment of a like committee. Two of the members comprising such committee from each house shall be selected from those voting with the majority on the point about which the difference has arisen, and the other member from each house of such committee shall be selected from the minority, in the event there is a minority vote. The first Senator named on the Free Conference Committee shall act as chairman of the committee from the Senate, and the first Assemblyman named on such committee shall act as chairman of the committee from the House, and the chairman thus selected shall arrange the time and place of all meetings and prepare or direct the preparation of reports. The Committee on Free Conference shall report to both the Senate and Assembly.

Committee on Free Conference.

39. In every case of an amendment of a bill agreed to in one house and dissented from in the other, if either house shall request a conference and appoint a committee to confer, the other house shall appoint a like committee; and such committee shall meet at a convenient hour, to be agreed upon by the respective chairmen of the committees.

Report of Committee on Free Conference.

40. The report of the Committee on Free Conference shall not be subject to amendment, and if either house refuse to adopt such report the conferees may be discharged and other conferees appointed.

It shall require the affirmative vote of not less than four of the members constituting the committee to agree upon a report. No member who has served on a Committee on Free Conference shall be appointed a member of another Committee on Free Conference on the same bill.

When Conference Committee Report Is in Order.

41. The presentation of the report of a Committee on Free Conference shall always be in order, except when the Journal is being read or a question of order or a motion to adjourn is pending, or during roll call, and, when received, the question of proceeding to the consideration of the report, if raised, shall be immediately passed upon, and shall be determined without debate.

Miscellaneous Provisions.

42. The Committee on Joint Rules shall be empowered to compile a list of suggestions as to the form of bills and resolutions prepared for introduction into the Legislature.

Press Rules.

43. A person desiring recognition by the Senate or Assembly as a newspaper correspondent shall make application in writing to the President of the Senate or Speaker of the Assembly.

(a) The applicant shall state in writing the name of the newspaper or newspapers he represents and that he is not engaged and will not become engaged as a lobbyist for any person, copartnership, corporation or interest and that he is not and will not become the agent or representative of any person, copartnership, organization or corporation in advocating or attempting to defeat any measure pending in either branch of the Legislature, that he is not employed in any executive, administrative or legislative department of the State government and will not become so employed while accepting the privileges of a press representative.

(b) It shall be the duty of the President of the Senate and the Speaker of the Assembly to assign one or more rooms for the exclusive use of correspondents during the legislative session, which room shall be known as the press room. The press room shall be under the control of the Superintendent of the Capitol Building and Grounds; provided, that all rules and regulations shall be approved by the President of the Senate and Speaker of the Assembly.

Adjournment.

44. Adjournment for the constitutional recess and adjournment sine die shall be made only by concurrent resolution; and the resolution for adjournment sine die shall be passed by both houses at least 14 days before the date of such intended adjournment.

Joint Address to Governor.

45 When the Senate and Assembly shall judge it proper to make a joint address to the Governor, it shall be presented to him in his audience chamber by the President of the Senate in the presence of the Speaker of the Assembly and a select committee of six members from each house appointed by the respective presiding officers.

Dispensing With Joint Rules.

46. No joint rule shall be dispensed with except by a vote of two-thirds of each house; and Joint Rules 27 and 35 can be dispensed with only in the manner provided for in said Joint Rules. If either house shall violate a joint rule a question of order may be raised in the other house and decided in the same manner as in the case of the violation of the rules of such house; and if it shall be decided that the Joint Rules have been violated, the bill involving such violations shall be returned to the house in which it originated, without further action. Or, at the option of such house, the President or Speaker may direct the Secretary or the Chief Clerk to mark the section or sections in conflict with the rules as nonconcurred in or negatived.

Appointment of Select Committee.

The Speaker announced the appointment of the following members: Messrs. Field, Riley and Cottrell, to carry out the provisions of the resolution introduced by them to investigate certain lobbying activities.

Announcement of Appointment to Committees.

The Speaker announced the appointment of Mr. Charles M. Weber to all committees to which the late Mr. Eicke had been appointed.

Motion to Re-refer Assembly Bill No. 1730.

Mr. Scudder moved that Assembly Bill No. 1730 be withdrawn from the Committee on Public Morals, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Assembly Bill No. 1730 to the Committee on Judiciary.

Motion carried.

Assembly Bill No. 1730 ordered re-referred to Committee on Judiciary.

Withdrawal of Senate Joint Resolution No. 2.

By order of the Speaker, Senate Joint Resolution No. 2 was withdrawn from the file, and re-referred to Committee on Federal Relations.

Withdrawal of Assembly Bill No. 2036.

By order of the Speaker, Assembly Bill No. 2036 was withdrawn from the file, and re-referred to Committee on Governmental Efficiency and Economy.

Third Reading of Assembly Bills.

Assembly Bill No. 828—An act to amend an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution with municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, as amended, by amending section 23 thereof, relating to priority of liens and bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 828 passed by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves Redwine,

Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—69.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1093—An act amending section 2 of an act entitled "An act to authorize and empower boards of supervisors to levy a tax for advertising, exploiting, promoting and aiding measures designed to preserve, aid or develop the agricultural, horticultural, viticultural and water resources and advantages of their several counties," approved April 17, 1929, relating to the period of time said act shall be in force and effect.

Bill read third time.

Demand for Previous Question.

Messrs. Morgan, Cunningham, Riley, Geyer and Evans, Herbert J., demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1093 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—69.
NOES—Flint, Glover, Hawkins, McCarthy, Reaves, Rosenthal, and Wagner—7.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1739—An act to add section 670a to the Political Code, relating to the refund of penalties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1739 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—69.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 497—An act to amend section 457 of the Agricultural Code, relating to testing of milk, cream or products thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 497 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—69.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 498—An act to amend section 453 of the Agricultural Code, relating to milk inspection.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 498 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Waters, Weber, Williamson, and Wright—64.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2136—An act relating to the relief of debtors and guarantors, and permitting postponement of foreclosures and sales under mortgages, deeds of trust, or contracts of purchase of real property, or postponement of forfeitures and terminations under such contracts of purchase, declaring the urgency thereof, and providing that it shall take effect immediately.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Donihue:

Amendment No. 1.

On page 3, line 17, of the printed bill, strike out "In no event shall the court order the pay-", and all of lines 18 to 21, inclusive, and in line 22, the following: "the contract between the parties."

Amendment No. 2.

On page 3, line 43, of the printed bill, strike out "In", and all of lines 44 to 48, inclusive, and in line 49, the following: "tract between the parties."

Amendment No. 3.

On page 4, line 21, of the printed bill, strike out "In no event shall the court order the", and all of lines 22 to 25, inclusive, and in line 26, all of the following: "under the contract between the parties."

Amendments adopted.

Request for Unanimous Consent.

Mr. Jones asked for, and was granted, unanimous consent to take up Assembly Bill No. 2136, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 2136, as amended, read third time.

Further Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Corwin:

Amendment No. 1.

On page 6 of the printed bill, as amended, between lines 37 and 38, insert the following.

"SEC. 18. During the period of time herein stated no sale on execution or by direction of court in an action for the recovery of a debt shall be made of the dwelling house in which the owner resides or of the land upon which it is situated and which is necessary for the convenient use of the dwelling house, or of land used by the owner in farming or ranch operations conducted by him or under his immediate supervision, or of any interest therein."

Amendment No. 2.

On page 6, line 38, of the printed bill, as amended, strike out "18", and insert in lieu thereof the following: "19".

Amendments adopted.

Bill read third time.

Further Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Latham:

Amendment No. 1.

On page 5, line 31, section 9, of the printed bill, strike out "February 1, 1935", and insert in lieu thereof the following: "July 1, 1933".

Amendment adopted.

Motion to Set Special Order for Assembly Bill No. 2136, as Amended.

Mr. Lyon moved that further consideration of Assembly Bill No. 2136, as amended, and all matter pending thereto, be made a special order for Wednesday, March 27, 1935, at eleven o'clock a.m.

The question being on the motion by Mr. Lyon.

Motion carried.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 121—An act to be known as the Rehabilitation Act, declaring the policy of the State of California in relieving hardship and destitution caused by unemployment one of rehabilitation by cooperative self-help, production for consumption and exchange of labor for surplus commodities; prescribing duties of State Relief Administrator hereunder; providing funds for administration of relief hereunder; directing cooperative activity be noncompetitive; fixing status of cooperative institutions and their members; fixing title to property hereunder; declaring this act an emergency measure; providing for its constitutional construction; repealing conflicting laws;

Also: Assembly Bill No. 308—An act to amend section 330a of the Penal Code, relating to the possession or control of gambling devices;

Also: Assembly Bill No. 451—An act to add section 303 to the Penal Code, relating to alcoholic beverages;

Also: Assembly Bill No. 618—An act to provide for the regulation and licensing of greyhound racing and race meetings, and to permit wagering on the results thereof; to create the California Greyhound Racing Board for the regulation, licensing and supervision of greyhound racing and wagering thereon; to provide penalties for the violation of the provisions of this act;

Also: Assembly Bill No. 834—An act relating to and imposing limitations on expenditures by counties, cities and counties, districts and other political subdivisions, under authority of section 20 of Article XI of the Constitution of the State;

Also: Assembly Bill No. 959—An act to amend section 59 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to referees of the Industrial Accident Commission;

Also: Assembly Bill No. 1122—An act to accept the provisions of an act of the Congress of the United States effective June 6, 1933, entitled "An act to provide for the establishment of a National Employment System and for cooperation with the States in the promotion of such system, and for other purposes";

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1394—An act amending section 14, of an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended;

Also: Assembly Bill No. 1812—An act to amend section 16 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing;

Also: Assembly Bill No. 2168—An act for the preservation of certain lands in the State of California for agriculture purposes, and fixing penalties for violation of the provisions thereof;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Withdrawal of Bills.

By order of the Speaker, the following Assembly bills were withdrawn from the file, and referred to committees as follows:

Assembly Bill No. 834 referred to Committee on Municipal Corporations.

Assembly Bill No 121 referred to Committee on Unemployment.

Assembly Bill No. 1812 referred to Committee on Public Morals.

Assembly Bill No. 2168 referred to Committee on Agriculture.

Adjournment.

At four o'clock and five minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Wednesday, March 27, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, March 27, 1935

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—80.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Evans, Herbert J., its further reading was dispensed with.

Privilege of Floor of Assembly Extended.

On request of Mr. Cassidy, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following: Class of the Livermore Union High School, Mr. A. F. Isensee, principal; and Mrs. Ethel Reith Mason, U. S. history teacher, chaperones; Vesta Conniff, Simone Desrivaux, Helen Droesbeck, Alice Flynn, Beverly Gray, Evelyn Hansen, Theodora Jackson, John Hurley, Margaret Lowarch, Maureen O'Connor, Mildred Peterson, Barbara Ravekes, Mary Regan, Rita Sherman, Helen Young and Arline Moger, students.

On request of Mr. Peyser, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the Sarah Dix Hamlin School of San Francisco as follows: Mrs. Edward B. Stanwood, principal; Miss Winifred Goode, teacher; and Miss Marian Foote, Miss Helen Huckins, Miss Kathleen Kennedy, Miss Barbara Wolff, Miss Katherine Woods, Miss Patricia Bosqui and Miss Elizabeth Tuppers.

On request of Mr. Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. William H. Hudson, principal of the Tracy Union High School, California Scholarship Federation, Miss M. Hawley, adviser; Mrs E. Duffy, dean of girls, and the following pupils: Barbara Blincoe, Mildred Cardwell, Marjorie Crouch, Robert Krohn, Janet Lehman, Evelyn Lindeman, Edward Ludwig, Vera Marraccini, Lloyd Miller, Eleanor Moran, Violet Peterson, Virginia Pinkert, Marita Reece, Nancy Rossiter, Jack Summers, Shirley Summers, Kate Weston, Claire Hewitson, George Gischel, Charles Pearson, and Owen Wright.

On request of San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Judge I. L. Harris, Judge of Superior Court of San Francisco; Mr. Gerald Kenney, Public Defender of City and County of San Francisco; Mr. August Faulkner, Deputy District Attorney of San Francisco; Mr. William Jones, Assistant Probation Officer of San Francisco.

On request of Mr. Lyon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Don Pleasant of San Bernardino.

On request of Mr. Morgan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Alfred A. Newton of Venice.

On request of Mr. McBride, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Ward Daniels of Fillmore.

On request of Mr. Waters, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sue Brobst, Honorary President, Business Women's Legislative Council of California; Alberta Gude Lynch, President; and Gertrude J. George, Financial Secretary and Director.

On request of Mr. O'Donnell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to California Scholarship Federation of the Orland Joint Union High School, Orland, as follows: Mr. J. A. Russell, C. S F adviser; Dorothy Hiller, Elsie Christian, Arnold Petersen, E. Thode, Albert Wickland, Charles Manners, Margaret Croghan, Ruth Birch, Dorothy Erickson, Evelyn Wicklan, Delorris Erickson, Wanda Putzge, Ruth Stone, Helen Baker, Elinor Borgeson, Vivian Snell, Della Bautsch, Marie Nock, Edith Allen, and Duaine Schrumpf.

On request of Mr. Lore, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. W. R. Graham, Junior Vice Commander of Department of California United Veterans of the Republic, of Alhambra.

On request of Mr. Peterson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. C. C. Spalding and son, Mr. Chas. C. Spalding and Miss Dorothy Jessup of Sunnyvale, Santa Clara County.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From the Rhode Island Textile Association, opposing importations of textile fabrics.

From Republican Women's Study Club, favoring passage of Assembly Bills Nos 4, 105, 107, 108 and 110, and opposing the repeal of the Criminal Syndicalism Law.

From the League for Independent Political Action, relative to the price of butter.

From Iva May Zabka, favoring a noncollective bill by which it is the only sure means of stopping people from using drugs and liquors.

ASSISTANT CLERK COOLIDGE READING.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Federal Relations.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1935.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 43—Relative to memorializing Congress to furnish aid in the construction of check dams in the Salinas River Valley—has had the

same under consideration, and respectfully reports the same back, and recommends that it be adopted.

TURNER, Chairman.

Assembly Joint Resolution No. 43 ordered to engrossment, and on file for adoption.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1935.

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 457—An act to amend sections 3, 4, 5, 8, 10, 12, 15, 18, 19, 20-I and 21 of an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, Statutes 1911, page 730, as amended, relating to an alternative procedure for the doing of work under said act by receiving contributions of labor, materials or equipment from the United States Government or other governmental agencies—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.
Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1802—An act providing for the acquisition, purchase, construction, reconstruction, improvement, betterment, extension, operation, and maintenance of revenue-producing undertakings by any municipality of this State, authorizing and regulating the issuance of revenue bonds for financing such undertakings; and providing for the payment of such bonds and the rights of holders thereof, and declaring the urgency hereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WRIGHT, Chairman

The above reported bill ordered on file for second reading.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1935

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 489—An act to add a new section to the Civil Code of the State of California, to be numbered section 453 15, relating to the rehabilitation, readjustment or reorganization of mortgage insurance companies or of all or any part of the business, properties and assets of such companies, and to the revision, modification or termination of mortgage participation trusts, mortgage participation certificates and policies of mortgage insurance and to the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of, and persons interested in, such companies or trusts; providing for the kinds of securities issuable in connection therewith and exempting such securities from the provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies, banks, banking institutions and trust companies and officers of the State of California to consent to a plan, as defined in said section, to exchange mortgage participation certificates, shares of stock, bonds, notes, debentures or other rights or claims for securities issued pursuant to such plan and to continue to hold as legal investment any securities so received—and reports that the same has been correctly re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.
Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2386—An act to add Chapter 8 to Division VI of the Agricultural Code, relating to the marketing of milk and other dairy products;

Also: Assembly Bill No. 875—An act to amend sections 9, 23 and 24 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to industrial accidents;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1935.

MR. SPEAKER: Your Committee on Rules submits the following amendment to the Standing Rules of the Assembly:

To Rule 44, at the end of the first paragraph, add a new sentence as follows: "No amendment shall be in order which adds or deletes the name of a member as an author or co-author, or which changes the original number of the bill."

And respectfully recommends that it be adopted.

WALLACE, Chairman.

Report of Committee on Rules ordered on file for adoption.

Request to Print Report in Journal.

Mr. Utt requested that the report of the Select Committee of the Assembly for the Investigation of the Building and Loan Situation be read, and printed in the Journal.

Request granted.

Preliminary Report of the Select Committee of the Assembly Investigating the Building and Loan Association Situation in California.

ASSEMBLY CHAMBER, March 27, 1935.

Hon. Edward Craig, Speaker, and Members of the Assembly.

Pursuant to the resolution adopted by the Assembly on January 9, 1935, your committee herewith submits to the Assembly the following report on the building and loan situation in the State of California:

Your committee duly organized and held public hearings in the important cities throughout the State. The procedure was, first, to have complainants appear before the committee so that it would have a basis upon which to further its investigation. Questionnaires, calling for sworn data with reference to the financial condition and ownership and control of all building and loan associations in the State of California, were sent out and upon receipt of the answers by your committee were tabulated and used as one of the bases for questioning the officers and directors of the various companies involved. In addition to this information, the committee had the fullest cooperation of Hon. Louis C. Drapeau, the State Building and Loan Commissioner, who furnished us with all information at his disposal, thus enabling the committee to function more efficiently.

The time in which the committee had to conduct such an important investigation was very limited as it had only the 30-day recess period in which to perform its duties. When it is considered that over 300 witnesses personally appeared before the committee and gave testimony; that hundreds of pieces of documentary evidence were filed with it; that numerous financial statements of the companies and their affiliates and subsidiaries were analyzed, it will be apparent to the Assembly that at this date it is impossible to go into as much detail in our findings and recommendations as your committee would like, but it is the intention of the members of the committee, signing this report, as soon as possible, to file a supplemental report covering, in detail, the facts revealed by the investigation and the action it deems necessary for this body to take to aright the present existing conditions within the building and loan companies and which are not covered by the pending legislation involved in Assembly Bill No. 1300.

Your committee believes that in order to arrive at a proper understanding of the conditions which confront the building and loan associations in the State of California today, it is necessary to be conversant with the history of building and loan associations in the State generally.

HISTORY OF CALIFORNIA ASSOCIATIONS.

Prior to 1907 all building and loan associations in the State of California were of the pure mutual type, and membership shares were the only type of security permitted to be issued. A feature common to all of these associations was that since they were primarily organized to promote the building of homes, practically all the loans made by them were necessarily long term, amortized, nonliquid loans. Mem-

bers or shareholders of a pure mutual association are, in effect, partners, and receive only such rate of return as the association actually earns, and are permitted to withdraw only when the association has disposable funds.

Following the disastrous crash of three mutual type associations in the bay district, by amendment adopted in 1907, associations were, for the first time, authorized to issue investment certificates and a nonwithdrawable capital stock called guarantee capital stock. The rights of investment certificate holders to withdraw were defined by statute as identical to those pertaining to shareholders, no preference being accorded to certificate holders over shareholders as to withdrawal. However, by amendment in 1911, investment certificate holders were accorded a priority, and this relative status between investment certificates and shares has ever since been continued in our law.

Owing to the various statutory changes, there are in California three distinct types of associations, i.e., (1) the pure mutual association which issues only membership shares; (2) the pure guarantee stock type of association which issues only guarantee stock and investment certificates; and (3) the so-called hybrid association having a guarantee capital stock but which issues both shares and investment certificates.

Between 1907 and 1930 the associations in the State generally, operated successfully without loss to investors, save in the case of the Guaranty Building and Loan Association of Hollywood, where the losses were due to the peculations of the manager of the institution, rather than to any apparent defects in the capital structure of the association. However, after the first two years of the present continuing economic depression, nearly all the building and loan associations of the State found themselves with rapidly mounting real estate inventories, due to default on the part of borrowers and foreclosures consequent thereto. This rapidly mounting real estate inventory, coupled with the decreasing real estate values and diminished income, resulted in many cases of impairment of the guaranteed capital of the particular association, and it was only then that the inherent defects of the guarantee capital stock type of association became apparent.

While many critics are inclined to trace all the troubles of building and loan associations to the mere fact that a majority of the associations in the State have guarantee capital stock, it is clear that their problems have not arisen solely by reason of this fact. The deeper underlying cause of the difficulty has been that the guarantee stock type of association had issued investment certificates bearing a fixed and inflexible interest rate. Before the depression, most associations were paying 6 per cent on their money, and their outstanding investment certificates called for a definite rate of interest, regardless of the condition of the money market and regardless of the actual earnings and ability of the association to pay. This feature has unquestionably been one of the fundamental causes of the difficulties in which building and loan associations find themselves today in California. It is, of course, well known that savings banks have the power to adjust the interest rate paid on their deposits and, as is also well known, the savings bank rate during the depression has been continuously decreased from a high point of 4½ per cent to the present generally prevailing rate of 2½ per cent. The pure mutual building and loan association labors under no such difficulty, as it is only required to pay its members a yield based on the actual earnings of the association, and this is unquestionably one of the outstanding reasons why the pure mutual type of association has not gotten into the serious difficulties that the guarantee stock type of association has.

All building and loan associations invest most of their funds in long term, noncallable loans, repayable in small monthly installments. By their very nature, associations are not liquid, and building and loan investments are not and can not be demand deposits. Associations are designed to afford to small investors the opportunity of investing their funds under conditions which will result in a larger return to them than is paid by a bank to its depositors, and associations are able to pay such higher rates chiefly because a comparatively small amount of their funds is required to be retained in reserves, and because their investments are usually made in long term amortized loans in improved real estate which, though less liquid than short term loans, command a higher rate of return. However, it is clear that the associations in this State prior to the crash, were guilty of leading many of their investors to believe that they were making demand deposits rather than investments, and this has unquestionably been one of the chief grounds for complaint now that associations, because of their huge real estate portfolios and many withdrawal demands made upon them, have been unable to meet all withdrawal demands.

While Assembly Bill No. 1300 as now amended, affords a quick means of correcting the outstanding abuses that have developed under the Emergency Act in respect of certificate deals and nonpayment of distress withdrawals, and will provide a permanent and feasible solution of the building and loan difficulties through its reorganization provisions, certain permanent reforms will be later essential. It will be either necessary to forbid the creation of any new guarantee stock type of association, or it will certainly be necessary to provide that investment certificates with a fixed, inflexible rate of interest, may not hereafter be issued. The rate of return on investments must bear some scientific relationship to the earnings of the institution and to the going money market.

The depression has resulted in freezing up most of the associations in the State. There are several fundamental causes for this condition. In the first place, borrowers have defaulted on their loan contracts to an enormous extent. This has resulted in converting what were formerly good income producing loans into real estate which is extremely costly to carry, and which can not be disposed of for cash, owing to the present prostrate condition of the real estate market.

In the second place, associations have been unable to attract any new funds, except of an inconsequential amount, in the last three years There can be no question but that the associations of the State are loaded up with real estate and other slow assets. These assets are not disposable because of the condition of the market, and instead of producing sufficient net return to pay the interest rate to investors, in many cases are an actual cost to the associations, especially if they are kept in proper condition and true depreciation is taken and taxes paid. It is believed that rehabilitation and reorganization of many associations, with proper segregation of assets, is the only feasible and permanent solution of the situation, giving due recognition to the frozen condition of the associations, the decrease of real estate values, the lack of an existing healthy real estate market, and the fact that many associations have been compelled to cease functioning as true building and loan associations

Assembly Bill No 1300, which is an emergency measure, is designed to effect this program and, at the same time, correct various abuses It will permit associations to reorganize, will enable them to take advantage of Federal aids, and pending reorganization and rehabilitation, will clothe the commissioner with plenary powers to correct abuses which existed in some cases during the Emergency Act.

PRESENT CONDITIONS DETRIMENTAL TO INVESTORS IN BUILDING AND LOAN.

Your committee feels that under the existing emergency law, which was enacted by the Legislature in 1933, certain very detrimental aspects have developed within building and loan association activities.

"Investment Certificate Deals."

The first and foremost of these evils is the dealing in certificates by certain building and loan associations whereby those associations have been scaling down their liabilities in a greater degree than the corresponding reduction of their assets. The manner in which this is done is quite simple and consists only of accepting their investment certificates, either from borrowers or from purchasers of property, at less than their face value The effect of this policy has been to deprive investment certificate holders, who have been forced to liquidate their holdings, of a portion of their capital investment. It has also resulted in a depreciated real estate market within the State, by reason of the fact that the associations, in their endeavor to liquidate their real estate holdings, have placed property on the market at a price based upon investment certificate values, which is less than the corresponding cash market.

Another effect of "investment certificate deals" has been, as a result of scaling down of liabilities at a greater rate than the scaling down of assets, the building of a value into the guarantee capital stock of the association involved, which, in the opinion of your committee, is inequitable, so long as certain investment certificate holders are deprived of a portion of their capital investment through forced liquidation for less than 100 cents on the dollar

Still another result of "investment certificate deals" is one which works for the benefit of those certificate holders who are not forced to liquidate. That is, by remaining as investors and through the benefits accruing to the association from the certificate deals, the liabilities are brought into line with the assets so that the investment certificate holders, who retain their certificates, are secured 100 cents on the dollar on their investment.

Your committee does not intend, by the foregoing comments on "investment certificate deals", to condemn such deals but merely desires to point out evils which may have resulted from the uncontrolled dealing in certificates by certain associations. Your committee is firmly convinced that the best interests of the building and loan business has been served by allowing such deals to be made even though it has resulted in hardships for some. It bases its conclusion upon the theory that the greatest good to the greatest number should be the controlling factor in these transactions, and it is your committee's firm opinion that more good than harm has resulted from these deals.

Your committee believes that strict supervision of these deals, which will be afforded by Assembly Bill No. 1300, as amended, will result in the eradication of the evils and the retention of the benefits to be derived from such "investment certificate deals."

Suspension of Withdrawals.

The second major objection to the existing emergency act has been the suspension of withdrawals by the building and loan associations without due consideration of the rights of investors. Here again, many associations have availed themselves of the provisions of the 1933 emergency legislation without due regard to equity and justice. Some associations within the State have made a sincere effort to comply with the spirit of the emergency legislation, which permitted payment of limited

amounts to persons actually in distress. Others have used the distress payments provisions of the emergency act in a coercive manner, either (1) to force the withdrawal of withdrawal notices or, (2) to force the investor to exchange his investment certificate for a certificate of different type and usually calling for interest at a lower rate. Your committee can not condemn too strongly the actions of those associations indulging in this practice, and is firmly of the opinion that this one abuse of privilege, granted during an emergency period, has caused the bringing into disrepute the building and loan business generally, more than has any other single factor.

Assembly Bill No. 1300, as amended, grants to the Building and Loan Commissioner effective means to control this kind of activity on the part of certain building and loan associations and makes mandatory upon associations the payment of moneys to investors actually in distress in amounts up to $60 per month, and in addition thereto, gives to those associations certain statutory safeguards with reference to liability to investors having withdrawal notices on file, which, in the opinion of your committee, is necessary.

PRESENT LACK OF REORGANIZATION AND FEDERAL CONFORMITY PROVISIONS.

Under the existing Building and Loan Law, as amended March 10, 1933, there is no provision whereby an association may reorganize to meet existing economic conditions or whereby an association, not now eligible for participation in Federal aid, may secure that aid through reorganization and conformity to Federal requirements, and thus become eligible. Assembly Bill No. 1300, as amended, and as will be seen from the further analysis accompanying this report, sets up the machinery whereby both of these objectives may be accomplished.

PRESENT LACK OF PROTECTION TO INVESTORS.

Under the existing Building and Loan Law the powers of the Building and Loan Commissioner are restricted and whatever jurisdiction has been exercised over the dealings of the associations with reference to the matters which have herein been discussed have resulted, either through cooperation with the association or as a result of coercion on the part of the commissioner, rather than from a right established by law. Assembly Bill No. 1300, as amended, broadens the power of the commissioner to an extent which will permit the commissioner, under the law, to do those things which he has been doing in the past only by sufferance. Your committee feels that the best interests of the investors in building and loan associations can only be served by granting to the Building and Loan Commissioner the power to regulate and control the activities of the associations taking advantage of the emergency legislation. Your committee feels that much of the situation which now confronts the building and loan business in this State would never have been, had the commissioner had the plenary power with which he is clothed by Assembly Bill No. 1300, as amended.

As expressed in the earlier part of this report, your committee feels that more time is essential to the formulation of an intelligent, comprehensive report covering all the aspects of the building and loan situation in California, especially with regard to such controversial matters as holding and subsidiary companies, and the ultimate disposition of those problems. Your committee also feels that in undertaking the responsibility of this investigation, in fairness to the Assembly and to the people who would be affected by our investigation, but one approach to the problem was open. By this we mean that the majority of the members of the committee at least considered the committee only as a fact-finding body having for its purpose the disclosing of facts upon which to base intelligent and effective remedial legislation. It has been the intention of the majority members of the committee to approach the investigation from a calm, unbiased viewpoint and not with the intention of "hanging" any particular association, associations, or individual or individuals. Neither would your committee propose to "whitewash" any association or associations, or individual or individuals, and your committee believes that a scrutiny of the transcript of the hearings will show conclusively that this course was adopted.

Your committee feels that in this preliminary report it is not necessary to comment upon specific items of evidence presented to the committee in hearing but rather that any such excerpts from testimony should be included in the committee's final report. Your committee likewise deplores the fact that an apparent breach in its ranks has unnecessarily burdened the Assembly with two separate reports and the members of your committee subscribing to this report are of the opinion that a careful analysis of the viewpoints herein expressed will reveal no glaringly divergent ideas or opinions amongst the entire committee.

Unfortunately, certain statements with reference to the committee have been made, the most obnoxious of which was to the effect that but one member of the committee was looking after the interests of depositors. Nothing could be further from the truth and our viewpoint is supported by the amount of work the committee members have devoted to the task of amending Assembly Bill No. 1300 to conform to what your committee believes to be the best interests of depositors. In this connection we may add that one of the most vociferous opponents of Assembly Bill No. 1300, prior to its amendment, expressed himself to the members of this committee as being

deeply grateful to them for the interest which they showed in the welfare of the depositors of building and loan associations and with their obvious purpose of forcing from the stockholders of building and loan associations the rights and protections granted to the investors by the amendments to Assembly Bill No. 1300.

Your committee feels it has amply justified its appointment. From its investigation and deliberation upon the subject matter of the investigation and from the study of all the evidence introduced before it, your committee has reached the conclusion that the extension of the existing emergency period, as initially proposed, would be extremely prejudicial to the welfare of the investors in building and loan associations, and from its conclusions, so drawn, the amendments to Assembly Bill No. 1300 were developed.

Your committee urgently recommends to every member of the Assembly a careful study of its analysis of Assembly Bill No. 1300, as amended, which accompanies this report, and recommends the immediate passage of this important urgency measure.

Your committee is deeply grateful for the cooperation it received from the office of the Attorney General and also from the Legislative Counsel Bureau, and it wishes to express its sincere appreciation to Mr E. B. Power, Assistant Attorney General and Mr. Harold B. Haas, Deputy Legislative Counsel, for their loyalty and perseverance and the extremely valuable assistance rendered by them to this committee.

Respectfully submitted.

KENNETT B. DAWSON.
J. J. McBRIDE.
JAMES B. UTT.
RALPH L. WELSH.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1935.

MR SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 189—An act to add a new section to the School Code to be numbered 4.182, relating to the insuring under the Workmen's Compensation Insurance and Safety Act and/or the Workmen's Compensation Insurance and Safety Act of 1917 of persons employed by county superintendents of schools to supervise instruction in the public schools;

Also: Assembly Bill No. 854—An act to amend section 334 of the Insurance Code, relating to materiality of concealments and representations;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MINARD, Chairman.

The above reported bills ordered on file for second reading.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1935.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 2118—An act to provide for the raising of public revenue by imposing a tax upon the receipt of gross income, to be known as the "Property Relief and Gross Income Tax Law," providing for the collection and enforcement of the tax, authorizing and directing the State Board of Equalization to receive and collect the tax imposed hereunder, prescribing penalties for failure to pay the tax imposed hereby, prescribing penalties for violation of the provisions of this act, and making an appropriation for the enforcement hereof;

Also: Assembly Bill No. 2156—An act to amend sections 3678, ------ and to repeal sections 3738, ------ of the Political Code and to add to said code sections numbered 3817½, ------ relating to the collection of taxes and providing for the collection of delinquent taxes and unsecured taxes by the tax collector;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

RILEY, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 239—An act to amend the title and sections 4, 4a, 5, and 23 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the rates thereof and the extension thereof to companies, other than insurance companies, specified in section 14 of Article XIII of the Constitution of this State;

Also: Assembly Bill No. 1901—An act relating to real estate transactions and imposing a tax thereon and providing for the enforcement and collection of the tax, this act to take effect immediately;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

RILEY, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 154—An act to amend the title and sections 8, 14, 32 and 33 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the extension of the provisions of said act to the companies taxable hereunder and their franchises, other than insurance companies and their franchises, specified in section 14 of Article XIII of the Constitution of this State;

Also: Assembly Bill No. 155—An act to amend the title and sections 4, 4a, 5, 8, 10, 11, 12, 13, 15, 16, 18, 19, 20, 21, 23, 24, 25, 26, 27, 29, 30, 31 and 35 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the extension of the provisions of said act to the companies taxable hereunder and their franchises, other than insurance companies and their franchises, specified in section 14 of Article XIII of the Constitution of this State;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

RILEY, Chairman

The above reported bills ordered on file for second reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 26, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 45—An act to amend section 2051 of the Code of Civil Procedure, relating to the impeachment of witnesses convicted of certain misdemeanors;

Also: Senate Bill No. 235—An act to amend sections 2 and 3 of "An act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the provisions of the Public Utilities Act and the Railroad Commission of the State of California," approved April 25, 1913;

Also: Senate Bill No. 770—An act to amend sections 1, 2, 3, 4, 6, and 19 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to the regulation of credit unions;

Also: Senate Bill No. 790—An act to amend the Vehicle Code by amending sections 37, 38, 66, 67, and 73; by repealing section 44; by adding sections 44, 73.5 and 76, relating to vehicles.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary

Senate Bill No. 45 read first time, and referred to Committee on Crime Problems.

Senate Bill No. 235 read first time, and referred to Committee on Public Utilities.

Senate Bill No. 770 read first time, and referred to Committee on Financial Institutions.

Senate Bill No. 790 read first time, and referred to Committee on Motor Vehicles.

Also:

SENATE CHAMBER, SACRAMENTO, March 26, 1935.

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1640—An act to amend section 3866 and to repeal section 3871 of the Political Code, relating to settlements between county treasurers and the State;

Also: Assembly Bill No. 1693—An act to add section 2.1 to an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where

an admission fee is charged, and limiting such boxing contests to twelve rounds; to create an athletic commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," relating to the State Athletic Commission;

Also: Assembly Bill No. 1779—An act to amend section 462 of the Political Code, relating to unclaimed money of the State;

Also Assembly Bill No. 1793—An act to add section 690 11 to the Political Code, relating to fees;

Also: Assembly Bill No. 1991—An act to repeal section 658a of the Political Code and to add section 658.5 thereto, relating to refunds of fees paid to the State.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1640, 1693, 1779, 1793 and 1991 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 26, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1970—An act authorizing the creation of a personnel system, merit system or civil service system; the creation of the office of personnel director; the appointment of a civil service commission; the delegation of certain authority to said personnel officer or commission in municipalities within this State; and prohibiting certain political activities and providing penalties for the violation of said provisions—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 1970 ordered on unfinished business file

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Labor and Capital.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1935.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Senate Bill No. 24—An act to promote the safety of travelers and employees on trains by limiting the number of cars in a train, and prescribing penalties for violation thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BURNS, Chairman.

The above reported bill ordered on file for second reading.

On Commerce and Navigation.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1935.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 2387—An act to amend section 1 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the city of Long Beach upon certain trusts and conditions," approved April 28, 1925, relating to the use of such tidelands and submerged lands—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MALONEY, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 731—An act to amend section 10 of an act entitled "An act providing for the formation, government and operation of harbor districts, the calling and conducting of elections in such districts of harbor commissioners, defining their powers and duties, and providing for the issuance and disposal of bonds of such harbor districts, and providing for the assessment, levy and collection of taxes for the payment of such bonds and for the ordinary annual expenses of such harbor districts," approved June 10, 1931, relating to the government of such districts—

has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MALONEY, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 1164—An act to provide for improvement of rivers, bank protection and clearing flood channels, in cooperation with county, State or Federal relief agencies, political subdivisions, districts, corporations or individuals, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended, and be re-referred to Committee on Ways and Means.

MALONEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 527—An act to provide for the creation, organization and government of port districts in one or more counties; to enumerate the powers thereof; to authorize the incurring of indebtedness, the borrowing of money and the issuance of bonds, and other evidences of indebtedness of such district and to provide for the mortgaging, pledging, or hypothecating of property of such districts and the issuance of revenue notes, certificates or warrants payable solely and exclusively from the revenues to be realized from a particular utility or property acquired or to be acquired with the proceeds of such obligations; to provide for the levy and collection of taxes by such districts and the allocation, mortgage, pledge, or hypothecation of the revenues of such districts or any property of such districts; to authorize port districts to enter into agreement with the State of California or any political subdivisions therein or with the United States of America; and to authorize port districts to do and perform all acts and things necessary or appropriate to carry out the purposes of this act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MALONEY, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 65—An act granting certain tide and submerged lands of the State of California to the city of San Buenaventura, upon certain trusts and conditions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MALONEY, Chairman

The above reported bill ordered on file for second reading.

Motion to Set Special Order for Senate Bill No. 24.

Mr. Hunt moved that the consideration of Senate Bill No. 24 be made a special order for Friday, March 29, 1935, at eleven o'clock a.m.

The question being on the motion by Mr. Hunt.

Motion carried.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. McBride:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend the Vehicle Code by adding thereto section 777.5, relating to support of the Department of Motor Vehicles.

Referred to Committee on Introduction of Bills.

By Mr. Williamson:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1935

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to provide for the compilation, printing, binding, publishing, and distribution of a Legislative Manual and State Blue Book, or Roster, repealing all conflicting acts and making an appropriation to carry out the provisions hereof.

Referred to Committee on Introduction of Bills.

By Mr. Field:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to create the California Rural Rehabilitation Authority, to provide for its organization, define its powers and duties and to make an appropriation in aid of its operation.

Referred to Committee on Introduction of Bills.

By Mr. Heisinger:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add section 4041.16 to the Political Code, relating to the powers of the boards of supervisors.

Referred to Committee on Introduction of Bills.

By Mr. Cronin:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act adding to the Civil Code of the State of California a new section to be known as section 3321, relating to the rights of parties to a contract when performance is prevented by a cause other than an act of a party.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1935.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend the Vehicle Code by adding thereto section 777.5, relating to support of the Department of Motor Vehicles.

CUNNINGHAM, Chairman.

Also:

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it The title of said bill is as follows.

An act to provide for the compilation, printing, binding, publishing, and distribution of a Legislative Manual and State Blue Book, or Roster, repealing all conflicting acts and making an appropriation to carry out the provisions hereof.

CUNNINGHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to create the California Rural Rehabilitation Authority, to provide for its organization, define its powers and duties, and to make an appropriation in aid of its operation.

CUNNINGHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to add section 4041.16 to the Political Code, relating to the powers of the boards of supervisors.

CUNNINGHAM, Chairman.

Also:

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act adding to the Civil Code of the State of California a new section to be known as section 3321, relating to the rights of parties to a contract when performance is prevented by a cause other than an act of a party.

CUNNINGHAM, Chairman.

Reports of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the reports of Committee on Introduction of Bills.

The question being on the adoption of the reports of Committee on Introduction of Bills.

The roll was called, and the reports of Committee on Introduction of Bills adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Johnson, Jones, Latham, Laughlin, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Scudder, Stream, Utt, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—64.

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

By Mr. McBride: Assembly Bill No. 2394—An act to amend the Vehicle Code by adding thereto section 777.5, relating to support of the Department of Motor Vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Williamson: Assembly Bill No. 2395—An act to provide for the compilation, printing, binding, publishing, and distribution of a Legislative Manual and State Blue Book, or Roster, repealing all conflicting acts and making an appropriation to carry out the provisions hereof.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Field: Assembly Bill No. 2396—An act to create the California Rural Rehabilitation Authority, to provide for its organization, define its powers and duties and to make an appropriation in aid of its operation.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Heisinger: Assembly Bill No. 2397—An act to add section 4041.16 to the Political Code, relating to the powers of the boards of supervisors.

Bill read first time, and referred to Committee on County Government.

By Mr. Cronin: Assembly Bill No. 2398—An act adding to the Civil Code of the State of California a new section to be known as section

3321, relating to the rights of parties to a contract when performance is prevented by a cause other than an act of a party.

Bill read first time, and referred to Committee on Judiciary.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1935.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 848—An act to amend section 2.60 of the School Code, relating to the correction and relocation of boundaries of school districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

CHATTERS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No 299—An act to repeal Article IV of Chapter VII of Part I of Division II of the School Code and to add to said Chapter VII of Part I of Division II thereof a new article to be known as Article IV, both relating to the annexation of elementary school districts not in any high school district, to high school districts;

Also: Assembly Bill No. 523—An act to add Article XI to Chapter I of Part I of Division II of the School Code, relating to district elections;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

CHATTERS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 406—An act to add a new article to Chapter I of Part I of Division I of the School Code to be known as Article VII, embracing section 1.45, relating to the participation of pupils in public exhibitions;

Also: Assembly Bill No. 910—An act to amend section 5.500 of the School Code, relating to terms of employment;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

CHATTERS, Chairman.

The above reported bills ordered on file for second reading.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 26, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1694—An act to amend section 352 of the Political Code, relating to State officers and employees—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary

The above reported bill ordered on unfinished business file.

Motion to Print Report.

Mr. Cronin moved that the Chief Clerk instruct the State Printer to print 750 copies of the Report of the Interim Committee for the Investigation of Small Loans, as printed in the Journal of Friday, March 22, 1935, page 41.

Motion carried.

Motion to Withdraw Assembly Bill No. 293.

Mr. Patterson moved that Assembly Bill No. 293 be withdrawn from Committee on Crime Problems, and be placed on file for second reading.

The question being on the motion to withdraw Assembly Bill No. 293.

The roll was called, and the motion that Assembly Bill No. 293 be withdrawn from Committee on Crime Problems and placed on file for second reading lost by the following vote:

AYES—Anderson, Brennan, Burns, Cassidy, Clark, Donihue, Donnelly, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, Mayo, McCarthy, McMurray, Meehan, Morgan, O'Donnell, Patterson, Pelletier, Richie, Turner, Wagner, Wallace, Weber, and Williamson—31.

NOES—Andreas, Boyle, Breed, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Johnson, Latham, Lyon, Maloney, Martin, McBride, Miller, Minard, Nielsen, Peyser, Phillips, Reaves, Redwine, Robertson, Scudder, Stream, Thorp, Utt, Walker, Waters, Welsh, Wright, and Mr. Speaker—41.

Second Reading of Assembly Bills.

Assembly Constitutional Amendment No. 60—A resolution to propose to the people of the State of California amendments to Article XI of the Constitution of said State by adding sections 4 and 7¼ thereto, relating to the consolidation of counties.

Committee Amendments.

During reading of Assembly Constitutional Amendment No. 60, the following amendments were submitted by the committee:

Amendment No. 1.

Insert "Johnson" after name "Cunningham", to read "Cunningham and Johnson".

Amendment No. 1-a.

In the last line of the title of the printed measure, strike out the period, and insert in lieu thereof the following: ", cities and counties, and cities."

Amendment No. 2.

On page 1, line 9, of the printed measure, after "Sec. 4.", insert the following: "The Legislature, by general and uniform laws, may provide for the consolidation of two or more contiguous counties, other than chartered counties, by the majority vote of the electors of each county involved who vote on the proposition, so that such counties may merge and consolidate into one government with one set of officers.

Laws heretofore passed not in conflict herewith are hereby ratified accordingly."

Amendment No. 3.

On page 1, line 10, of the printed measure, after "more", insert the following: "contiguous".

Amendment No. 4.

On page 2, line 1, of the printed measure, strike out "qualified", and insert in lieu thereof the following: "registered".

Amendment No. 5.

On page 2, line 2, of the printed measure, strike out "computed as provided in said section 7½,".

Amendment No. 6.

On page 2, line 6, of the printed measure, strike out "qualified electors in this", and insert in lieu thereof the following: "registered electors in his".

Amendment No. 7.

On page 2, line 21, of the printed measure, after "involved", insert the following: "who vote on the proposition".

Amendment No. 8.

On page 2 of the printed measure, make lines 24 and 25 a continuation of the paragraph now ending in line 23, and in line 25, after "shall", insert the following: "apply to and".

Amendment No. 9.

On page 2 of the printed measure, after line 25, insert the following:

"Any city and county may similarly join with any contiguous county or city and county, or city, or counties or cities and counties, or cities, or any combination

thereof, whether chartered or not, to frame a charter as a consolidated city and county, the provisions of sections 8 and 8½ of this article to control instead of section 7½ as above provided for the consolidation of two or more counties, and the clerk and governing body of any city to act for the city as above provided for the county clerk and board of supervisors to act for a county.

Any two or more contiguous cities, whether within the boundaries of the same county or not, and whether chartered or not, may similarly join to frame a charter for their own government as a consolidated city, the provisions of sections 8 and 8½ of this article to control instead of section 7½ as above provided for the consolidation of two or more counties, and the clerks and governing bodies of the cities to act in place of the county clerks and boards of supervisors."

Amendments adopted.

Assembly Constitutional Amendment No. 60 ordered to reprint, engrossment, and on file for adoption.

Assembly Constitutional Amendment No. 58—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 8 of Article XI thereof, relating to the preparation and adoption of charters by cities and cities and counties.

Committee Amendments.

During reading of Assembly Constitutional Amendment No. 58, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 12, of the printed bill, strike out the word "and", before the words "new charter".

Amendment No. 2.

On page 2, line 50, of the printed bill, insert after the word "a", the word "proposed".

Amendments adopted.

Assembly Constitutional Amendment No. 58 ordered to reprint, engrossment, and on file for adoption.

Assembly Bill No. 653—An act to amend section 1 of an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, relating to county relief of indigents, declaring the urgency thereof and providing that this act shall take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the title of the printed bill, after the word "indigents,", insert the following: "unemployed persons, and persons likely to become indigent,".

Amendment No. 2.

On page 1, line 5, of the printed bill, after the word "all", insert the following: "unemployed persons,".

Amendment No. 3.

On page 1, line 5, of the printed bill, after the words "indigent persons", insert the following: ", persons likely to become indigent,".

Amendment No. 4.

On page 1, line 6, of the printed bill, after the words "when such", insert the following: "unemployed persons, able-bodied".

Amendment No. 5.

On page 1, line 6, of the printed bill, after the words "indigent persons", insert the following: ", and persons likely to become indigent, when such persons".

Amendment No. 6.

On page 1, line 8, of the printed bill, after the words "that such", strike out the word "indigents", and insert in lieu thereof the word "persons".

Amendment No. 7.

On page 1, line 12, of the printed bill, after the words "for such", strike out the word "indigents", and insert in lieu thereof the following: "unemployed persons, indigents,".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1665—An act providing for employment and old age pensions.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, in the title, strike out all of the line after the word "for", and insert in lieu thereof the following: "unemployment insurance."

Amendment No. 2.

On page 1 of the printed bill, strike out all of line 1 after "Section 1.", and all of lines 2 to 29, inclusive, and insert in lieu thereof the following:

"There is hereby created in the Department of Industrial Relations a division to be known as the Social Insurance Division, which shall be in charge of a commissioner who shall be known as the Social Insurance Commissioner, by whom the provisions of this act shall be administered. He shall be appointed by the Governor solely on the ground of experience and fitness, and shall hold office for four years and must have resided in this State for a period of five years next preceding his appointment. He shall devote his whole time to the duties of his office and shall receive a salary of ------ dollars per year, which shall be paid at the times and in the manner that the salaries of other State officers are paid.

SEC. 2. The commissioner may appoint a deputy, at a salary of ------ dollars per annum, and a secretary, and from time to time such clerks and other employees, permanent or temporary, as may be required for the proper administration of this act.

SEC. 3. The central office of the commissioner shall be at Sacramento and he shall maintain a regional office at San Francisco, one at Los Angeles, and one at Fresno. From time to time, as the effective administration of this act requires, regional offices shall be established at other places in the State by the commissioner with the approval of the Governor.

SEC. 4. In addition to the other duties prescribed by this act, the commissioner shall:

1. Cooperate with educational institutions and local organizations generally, for the purpose of providing generally in certain areas, or for any class of unemployed persons:

(a) Physical and industrial training with a view to maintaining or increasing their industrial fitness, skill and efficiency, or enlarging their knowledge of the industry in which they would normally seek employment; or

(b) Training and instruction in some occupation or trade; or

(c) Employment in any work in view of their capacity, training and experience, with a view to rehabilitate them for regular employment.

2. Collect information concerning employers requiring workers, and workers seeking employment, and make the same available at the State employment offices.

3. Report to the Governor in January of each year the activities of his office.

4. On the opening day of each session of the Legislature, file with the Speaker of the Assembly and the President of the Senate, a condensed report of his activities during the preceding biennium, and his recommendations for needed legislation.

5. Make and publish necessary regulations in conformity with the provisions of this act to carry out the purposes hereof.

SEC. 5. Subject to the provisions of this act, all persons of the age of 16 years and upwards who are engaged in any of the employments specified in Schedule A hereof, not being in employment specified as excepted employments in Schedule B hereof, shall be insured against unemployment in the manner hereinafter provided.

Schedule A (a) Employment in California under any contract of service, written or oral, express or implied, whether the employed person is paid by the employer or by some other person, and whether under one or more employers, and

whether paid by time or by the piece, or partly by time and partly by the piece, or otherwise.

(b) Employment outside of California, or partly outside of California, for the purpose of some particular work for an employer having a place of business, or residing in California; subject, however, to conditions, modifications or exceptions prescribed by regulations of the commissioner.

Schedule B. Excepted Employment. (a) Employment in agriculture, horticulture and forestry.

(b) Employment in fishing.

(c) Employment in lumbering and logging.

(d) Employment in transportation, by water or by air, and stevedoring.

(e) Employment in banking, mortgage, loan, trust, insurance or other financial business.

(f) Employment in domestic service.

(g) Employment as a professional nurse.

(h) Employment as a teacher, whether engaged in schools of any class or in a private capacity.

(i) Employment as a member of any police force.

(j) Employment in the service of the State or of the county, or of any municipal corporation, pursuant to any of the provisions of a Civil Service Act or ordinance.

(k) Employment otherwise and by way of manual labor at a rate of remuneration exceeding in value one thousand five hundred dollars per year.

(l) Employment of a casual nature otherwise than for the purposes of the employer's trade or business.

(m) Employment specified in a special order of the commissioner as being of such a nature as is ordinarily adopted as subsidiary employment only and not as a principal means of livelihood.

SEC. 6. Any employed person who proves that he is either:

(a) In receipt of any pension or income of the annual value of _____ dollars or upwards which does not depend upon his personal exertions; or

(b) A person who is employed in an occupation which is seasonal and does not ordinarily extend over more than _____ weeks in any year and who is not ordinarily employed in any other occupation which is insurable employment; or

(c) A person who habitually works for less than the ordinary working day;

Shall be entitled to a certificate exempting him from liability to contribute under this act and while holding such certificate, shall not be insured hereunder.

SEC. 7. The funds required for providing unemployment benefit and for any other payments which under this act are to be paid out of the unemployment insurance fund established hereby, shall be derived partly from appropriations made by the Legislature, partly from contributions by employed persons, and partly from contributions by employers of those persons.

SEC. 8. Except where regulations made by the commissioner under the authority hereof prescribe otherwise, the employer shall, in the first instance, pay both the contribution payable by himself and the contribution on behalf of the employed person, and subject to such regulations shall be entitled to recover from the employed person by deduction from his wages or otherwise the amount of the contributions so paid for the latter.

SEC. 9. Contributions shall be paid by means of revenue stamps hereinafter referred to as unemployment insurance stamps affixed to or impressed upon books or cards hereinafter referred to as unemployment books or unemployment cards, respectively, and the preparation, issue and use of such stamps shall be regulated by orders published by the commissioner.

Subject to the provisions hereof every employed person and his employer shall be liable each to a weekly contribution of sixty cents.

SEC. 10. Every person who, being insured under this act, is unemployed, and in whose case the conditions prescribed herein, hereinafter referred to as statutory conditions, are fulfilled shall be entitled, subject to the provisions hereof to receive payments to be referred to as unemployment benefit, at weekly or other prescribed intervals in such amounts as are authorized by Schedule D hereunder, so long as the statutory conditions continue to be fulfilled, and so long as he is not disqualified for benefits under this act.

Schedule D. Each single person shall receive, per day one dollar and fifty cents; per week ten dollars.

Each married person with a dependent spouse shall receive, per day two dollars and twenty-five cents; per week fifteen dollars; and, in addition, for each of two dependent minor children, three dollars per week, and for each dependent minor child in excess of two, per week two dollars.

Each married person whose spouse is employed, shall receive per day one dollar and fifty cents, per week ten dollars.

SEC. 11. Subject to the provisions hereinafter contained, the statutory conditions for receipt of unemployment benefit by a person insured under this act are:

First, That contributions for not less than fifty full weeks have been paid for him while employed in insurable employment during a period not exceeding two years preceding the date on which a claim for benefit is made;

Second, That he has made application for unemployment benefit in the manner prescribed, and proves that since the date of the application he has been continuously unemployed; and

Third, That he is capable of and available for work, but unable to obtain suitable employment.

In estimating the two-year period prescribed in the first statutory condition above, there shall be excluded any period of incapacity for work by reason of some specific disease or bodily or mental disability, and any period of employment specified in Schedule B, in section 5 hereof, but in no case to exceed altogether more than four calendar years.

In construing the expression "continuously unemployed" in the second statutory condition hereof, any three days of unemployment, whether consecutive or not, with a period of _____ consecutive days, shall be treated as a continuous period of unemployment.

An applicant shall not be deemed to have failed to fulfill the third statutory condition set out above because he has refused—

(a) An offer of employment arising in consequence of a stoppage of work due to a trade dispute; or

(b) An offer of employment at wages lower or on conditions less favorable than those that he might reasonably have expected to obtain in view of the wages and conditions which he habitually obtained in his usual occupation, or would have obtained had he continued to be so employed; or

(c) An offer of employment in his usual occupation, at wages lower or on conditions less favorable than those observed by agreement between employers and employees, or, failing any such agreement, than those recognized by good employers.

No insured employee shall be disqualified to receive insurance benefits because of refusal to accept employment if by acceptance thereof he would lose the right (1) to become a member of, or (2) to continue to be a member and to observe the lawful rules of, or (3) to refrain to become a member of any association, organization or union of workers.

Though the employment of an applicant has terminated, he can not be deemed to be unemployed during any period for which he continues to receive wages by way of compensation for loss of or substantially equivalent to the remuneration he would have received if his employment had continued; or, on any day for which he receives remuneration unless for an occupation which would ordinarily be followed by him in addition to his usual employment and outside the ordinary working hours of that employment, or, on any day which is recognized as a holiday in the business at which he is employed, or, on any day of any calendar week during which he works for a number of days, or a number of shifts, which constitutes a full week's work for his grade or class or shift at the place of his employment.

SEC. 12. An insured employee is disqualified for receiving unemployment benefit—

(a) If he is in receipt of an old age pension; or

(b) If he has been discharged from his employment by reason of his own misconduct, or if he voluntarily leaves his employment without just cause; or

(c) If he is an inmate of an institution supported wholly or partly out of public funds; or

(d) If he has neglected to avail himself of an opportunity of suitable employment; or

(e) If he has, without good cause, refused or failed to follow reasonable directions given to him by a public employment office with a view to finding suitable employment; or

(f) If he has refused to accept a situation or to apply for such situation after he has had notice from an employment office of an actual or imminent vacancy.

SEC. 13. An insured employee, as to whom the conditions herein prescribed are fulfilled, shall be entitled to receive in a benefit year benefit for periods not exceeding in the aggregate _____ days of continuous employment, and for an additional day for every contribution paid for him during the preceding insurance year, provided that not less than _____ contributions have been paid for him during the whole insurance period, and provided that in no case shall such additional days continue the benefit rates of the insured beyond his benefit year.

SEC. 14. As used in this act, the expression "benefit year" means the period of twelve months immediately following proof by an applicant that the first statutory condition set out in section 11 hereof is fulfilled in his case, and every subsequent period of twelve months commencing on the date on which such applicant on a new application proves such fulfillment for the first time after the termination of his last preceding benefit year.

SEC. 15. Unless otherwise provided herein, every assignment of, or charge on, and every agreement to assign or charge on the benefits conferred by this act, is void.

SEC. 16. To carry out the purposes of this act, the commissioner may appoint inspectors, any one of whom shall have authority—

(1) To enter at all reasonable times any premises or place, other than a private dwelling house not being a work shop, where he has reasonable grounds for supposing that any employee is employed;

(2) To make such inquiry as may be necessary to ascertain whether the provisions of this act are complied with in such place,

(3) To examine, respecting employment, any person whom he finds in such place whom he has reasonable cause to believe to be an employee;

(4) To perform such other duties as may be required by regulations published by the commissioner.

Every inspector shall be provided with a certificate of his appointment which he shall exhibit when requested to the occupant of any premises to which he seeks admission.

Any person who wilfully delays or obstructs an inspector in the exercise of any power herein conferred, or refuses to furnish information or to produce books, cards, wage sheets, records of wages, or other documents for the examination of the inspector, or conceals or prevents or attempts to conceal or prevent any person from appearing before or being examined by an inspector, shall be liable on conviction thereof to a fine not exceeding _____ dollars

SEC. 17. The commissioner shall appoint a Chief Insurance Officer who shall keep his office at the central office in Sacramento and an Assistant Insurance Officer at each regional office as and when established.

Every claim for benefit shall be forthwith submitted to the Insurance Officer of the region in which it originates.

Each claim shall be considered by the Insurance Officer in the order in which it is presented and with all possible dispatch The Insurance Officer may allow or disallow the claim. If he disallows the claim he shall immediately refer it together with a statement of the reasons for his action to the commissioner who, calling to his assistance the Chief Insurance Officer and the Assistant Insurance Officer at the central office, shall consider and decide upon the reference.

The deputy commissioner may act for the commissioner and a written memorandum of the decision shall be filed in the commissioner's office and a copy thereof communicated to the claimant.

If the commissioner disallows the claim the claimant may have a hearing de novo in the superior court of the county in which he resides. The matter may be presented to the superior court informally on a form to be prepared by the commissioner and to be furnished to the claimant on request. The Judicial Council shall make regulations prescribing the procedure governing such hearings, limiting the time within which such a hearing may be requested, and providing for expediting the hearing and determination, and for notice to the commissioner.

SEC. 18. There is hereby created in the office of the State Treasurer a fund to be known as "The unemployment insurance fund" in which shall be deposited all revenue received from the sale of unemployment insurance stamps and any money which may be appropriated from time to time by the Legislature in accordance with the provisions of section 7 hereof.

Moneys may be withdrawn from the fund hereby created by means of a check signed by the commissioner or his deputy and the Chief Insurance Officer to pay claims for unemployment benefits and for no other purpose.

Amendment No. 3.

Strike out all of page 2 of the printed bill.

Amendment No. 4.

Strike out all of page 3 of the printed bill.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 990—An act to amend section 13 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," as amended, relating to revocation or suspension of licenses.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1084—An act relating to water conservation and check dams in the Salinas River Valley and the tributaries thereof, and an appropriation for the same.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "and", and insert in lieu thereof the following: ", power development".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out "and", and insert in lieu thereof the following: "making".

Amendment No. 3.

On page 1, line 3 of the title of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "declaring the urgency of this act and providing that it shall take effect immediately."

Amendment No. 4.

On page 1, line 1, of the printed bill, after "SECTION 1.", insert the following: "There is hereby appropriated out of any money in the State treasury not otherwise appropriated the sum of fifty thousand dollars, or so much thereof as may be necessary, to be expended by the Division of Water Resources in the Department of Public Works for a cost survey of soil erosion prevention, water conservation, reforestation, and power development in the watershed of the Salinas River and its tributaries.

SEC. 2. The results of such survey shall be made available to the Public Works Administration of the Federal Government, and to any other interested Federal officer or agency connected with the construction of public works.

SEC. 3. This act is hereby declared an urgency measure necessary for the immediate preservation of public peace, health and safety within the meaning of section 1 of Article IV of the Constitution. The facts constituting such necessity are as follows:

Certain tests have already been made at an expenditure of approximately eight thousand dollars which indicate the need and desirability of an extensive water conservation project in Salinas Valley. The Federal Government will not act upon this project unless a cost survey of the project is prepared and presented. In order to take advantage of an opportunity to provide for an increase in employment and a lasting benefit to the State, it is highly desirable that this survey be made as soon as possible and consequently it is necessary that this act take effect immediately."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1608—An act to amend sections 1, 4, 5, 10, 12, 13 and 15 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," as approved May 25, 1921, as amended, relating to the issuance, transfer, terms of, and rights under prospecting permits, leases, and sales of State mineral lands.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, strike out all of lines 21 to 27, inclusive, and insert the following: "eligible to citizenship under the laws of the United States and are

citizens of any country, dependency, colony or province, the laws, customs and regulations of which permit grant of similar or like privileges to citizens of the United States, or (b) to any corporation ninety per cent or more of the stock of which is owned by citizens of the United States or by citizens of any such country, dependency, colony or province whose citizens are eligible to citizenship under the laws of the United States, a prospecting permit, as hereinafter described; provided, however, that the Surveyor General is hereby authorized to issue such a prospecting permit to any alien person entitled thereto by virtue of any treaty between the United States and the nation or country of which such alien person is a citizen or subject. Such prospecting permit shall give the exclusive right, for a period not exceeding two".

Amendment No. 2.

On page 8, line 15, of the printed bill, change the first "or", to read "of".

Amendment No. 3.

On page 8, line 35, of the printed bill, italicize the letter "A."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 366—An act to amend section 4041.11 of the Political Code, relating to powers and duties of boards of supervisors.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 698—An act to amend section 11 of the Inheritance Tax Act, to require that county auditor's warrants be drawn for the payment of refunds.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 699—An act to add a new section to the Penal Code, to be numbered 1375, prescribing the manner in which counties shall pay the State for expense of insane and inebriates.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1264—An act to add a new section to the Political Code of the State of California, to be numbered 3719, authorizing the temporary borrowing of money by counties and school districts upon the credit of revenue in course of collection, and the issuing of tax anticipation notes or warrants as evidence of such indebtedness.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1631—An act to provide for the registration of bonds and interest coupons unpaid for want of funds and the preference and payment thereof in the order of such registration, when funds are available.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2135—An act to amend an act entitled "An act to authorize the counties of the State of California to establish retirement systems for their employees," approved May 20, 1919 (Statutes 1919, page 782), by amending sections 1 and 6 thereof, to redefine the words "regular interest," to provide for refund of deceased member's funds without administration or probate and to authorize the board of retirement to limit the amount of excess contributions a member may deposit.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2034—An act to amend sections 1 and 2 of an act entitled "An act prohibiting employers of labor from coercing

employees in the purchase of things of value, and prescribing a penalty for the violation of the provisions hereof," approved April 26, 1917 (Stats. 1917, Chap. 141), relative to requiring employees to patronize any person or firm in the purchase of anything of value, or service, and relative to the penalty therefor.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the title of the printed bill, after "2", add "and the title".

Amendment No. 2.

On page 1, line 6, of the title of the printed bill, after "employees", insert "and applicants for employment".

Amendment No. 3.

On page 1, line 7, of the title of the printed bill, strike out the following: ", or service,".

Amendment No. 3-a.

On page 1, line 1, of the printed bill, strike out the second "Section 1.", and insert in lieu thereof "The title".

Amendment No. 4.

On page 1, between lines 2 and 3, of the printed bill, insert the following:

"An act prohibiting the compelling, coercing or requiring of employees and applicants for employment to purchase things of value, directly or indirectly, and prescribing a penalty for the violation thereof.

SEC. 2. Section 1 of the act cited in the title hereof is hereby amended to read as follows:".

Amendment No. 5.

On page 1, line 7, of the printed bill, strike out the following: ", induce".

Amendment No. 6.

On page 1, line 7, of the printed bill, after "require", insert ", directly or indirectly,".

Amendment No. 7.

On page 1, line 7, of the printed bill, after "employee", insert ", or applicant for employment,".

Amendment No. 8.

On page 1, lines 9 and 10, of the printed bill, strike out "or of any thing or service whatsoever".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2035—An act to add a new section to the Civil Code, to be numbered section 2005, relative to the basis of figuring wages for a portion of a month.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the title of the printed bill, after the word "month", insert "and a portion of a week".

Amendment No. 2.

On page 1, lines 3 to 9, inclusive, of the printed bill, strike out all of these lines, and insert in lieu thereof the following:

"2005. In figuring wages for a portion of a week or a portion of a month the custom in the particular establishment shall govern in the absence of a written agreement to the contrary."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2172—An act to provide for the appointment of defenders of persons accused of crime and authorizing the appointment of counsel therefor, and to provide for the compensation of such appointed counsel.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to add section 987a to the Penal Code, relating to the compensation of counsel appointed to defend persons charged with crime."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 9, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 987a is hereby added to the Penal Code, to read as follows:

987a. When counsel is assigned in the superior court to defend a person who is charged therein with crime and who desires but who is unable to employ counsel, the court or a judge thereof may make a reasonable allowance of compensation to such counsel, which allowance shall be a county charge and shall be paid out of the general fund of the county upon the order of the court or a judge thereof. In no case shall such compensation exceed the following amounts:

(1) Fifty dollars, when the defendant is charged with murder; (2) Twenty-five dollars, when the defendant is charged with any other crime and is actually tried either before a jury or before the court without a jury; (3) Fifteen dollars, when the defendant is charged with any crime other than murder and enters a plea of guilty without trial either before a jury or the court. The provisions of this section shall apply to the superior court in and for any county or city and county in which the board of supervisors has provided by ordinance that the compensation for such counsel shall be a county charge payable from the general fund of the county, but no provision of this section shall apply in any county or city and county in which a public defender is elected or appointed."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1100—An act to add section 43a to the Civil Code, relating to causes of action based upon alienation of affection and breach of promise.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out line 1 of the title, and insert in lieu thereof the following: "An act to amend sections 49 and 1624 of, add sections 43a, 1590, and 1606.5 to, and repeal section 3319 of the Civil Code, relating to causes".

Amendment No. 2.

On page 1, lines 3 and 4, of the printed bill, strike out "court in the State of California shall have jurisdiction over the following causes of action", and insert in lieu thereof the following: "cause of action arises for".

Amendment No. 3.

On page 1, line 6, of the printed bill, insert after "promise", the following: "to marry".

Amendment No. 4.

On page 1 of the printed bill, immediately following line 7, insert the following:

"SEC. 2. Section 1590 is hereby added to the Civil Code to read as follows:

1590 A proposal of marriage is an offer which can be accepted only by marriage, and any purported acceptance thereof by any other means is void.

SEC 3. Section 1606 5 is hereby added to the Civil Code to read as follows:

1606.5. The promise by the offeree is insufficient consideration to accept an offer of marriage and mutual promises to marry do not constitute a contract.

SEC. 4. Section 49 of the Civil Code is hereby amended to read as follows:

49. The rights of personal relations forbid:

1. The abduction or enticement of a child from a parent, or from a guardian entitled to its custody.
2. The seduction of a wife, daughter, orphan sister, or servant.
3. Any injury to a servant which affects his ability to serve his master.

SEC. 5. Section 1624 of the Civil Code is hereby amended to read as follows:

1624. The following contracts are invalid, unless the same, or some note or memorandum thereof, is in writing and subscribed by the party to be charged or by his agent:

1. An agreement that by its terms is not to be performed within a year from the making thereof;
2. A special promise to answer for the debt, default, or miscarriage of another, except in the cases provided for in section 2794;
3. An agreement made upon consideration of marriage;
4. An agreement for the leasing for a longer period than one year, or for the sale of real property, or of an interest therein; and such agreement, if made by an agent of the party sought to be charged, is invalid, unless the authority of the agent is in writing, subscribed by the party sought to be charged;
5. An agreement authorizing or employing an agent or broker to purchase or sell real estate for compensation or a commission;
6. An agreement which by its terms is not to be performed during the lifetime of the promisor, or an agreement to devise or bequeath any property, or to make any provision for any person by will.

SEC. 6. Section 3319 of the Civil Code is hereby repealed."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 330—An act to add sections 762, 763 and 764 to, and to repeal sections 789, 790 and 791 of, the Probate Code, relating to sales of property.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 47—An act to amend section 10 of an act entitled "An act to provide for the formation, management and dissolution of county fire protection districts composed of lands within one or more counties and annexation to such districts; to set forth the powers of such districts and to provide for the levying and collecting taxes on property in such districts to defray the expenses thereof," approved June 12, 1931, relating to taxes of county fire protection districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 450—An act to amend section 4030 of the Political Code, relating to a vacancy in the board of supervisors of a county.

Bill read second time, and ordered on file for third reading.

Special Order.

The hour of eleven o'clock a.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Further Consideration of Assembly Bill No. 2136, as Amended.

Assembly Bill No. 2136—An act relating to the relief of debtors and guarantors, and permitting postponement of foreclosures and sales under mortgages, deeds of trust, or contracts of purchase of real property, or postponement of forfeitures and terminations under such contracts of purchase, declaring the urgency thereof, and providing that it shall take effect immediately.

Bill read third time.

The question being on the amendment submitted by Mr. Latham.

Request for Roll Call.

On request of Messrs. Jones, Turner and Hunt, the Speaker ordered a roll call taken on the amendment submitted by Mr. Latham.

The roll was called, and the amendment submitted by Mr. Latham refused adoption by the following vote:

AYES—Corwin, Cottrell, Cunningham, DeLap, Evans, Herbert J., Field, Fisher, Kallam, Latham, Lyon, Martin, Miller, Minard, Phillips, Redwine, Scudder, Thorp, Utt, Walker, Wallace, and Wright—21.

NOES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Cronin, Crowley, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, McBride, McCarthy, McMurray, Meehan, Morgan, Nielsen, Patterson, Pelletier, Peterson, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Turner, Voigt, Wagner, Waters, Weber, Welsh, Williamson, and Mr. Speaker—54.

Assembly Bill No. 2136, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Utt:

Amendment No. 1.

On page 2, line 27, of the printed bill, as amended, after "real property,", insert the following: ", or upon chattels attached to real property,".

Amendment No. 2.

On page 2, line 28, of the printed bill, as amended, after "real property", insert the following: ", or upon chattels attached to real property,".

Amendment No. 3.

On page 2, line 30, of the printed bill, as amended, after "real property", insert the following: ", or upon chattels attached to real property,".

Amendment No. 4.

On page 2, line 32, of the printed bill, as amended, after "such", strike out "real".

Amendment No. 5.

On page 3, line 29, of the printed bill, as amended, after "real property,", insert the following: ", or upon chattels attached to real property".

Amendment No. 6.

On page 4, line 4, of the printed bill, as amended, after "property", insert the following: ", or upon chattels attached to real property,".

Amendment No. 7.

On page 4, line 32, of the printed bill, as amended, strike out "that".

Amendment No. 8.

On page 5, line 15, of the printed bill, as amended, after "real property", insert the following: ", or upon chattels attached to real property,".

Amendment No. 9.

On page 5, line 23, of the printed bill, as amended, after "real property", insert the following: ", or upon chattels attached to real property,".

Amendment No. 10.

On page 5, line 30, of the printed bill, as amended, after "real property", insert the following: ", or upon chattels attached to real property,".

Amendment No. 11.

On page 5 of the printed bill, as amended, between lines 46 and 47, insert the following:

"(c) As used in this act, the term "chattels attached to real property", or similar designation, includes anything which is deemed affixed or attached to land, or as forming part of the land, but for the execution of the mortgage or of an agreement for the severance of the thing from the land."

Amendment No. 12.

On page 6, line 6, of the printed bill, as amended, after "real property", insert the following: ", or upon chattels attached to real property,".

Amendment No. 13.

On page 6, line 47, of the printed bill, as amended, after "real property", insert the following: "or upon chattels attached to real property,".

Amendments adopted.

Request for Unanimous Consent.

Mr. Jones asked for, and was granted, unanimous consent to take up Assembly Bill No. 2136, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 2136, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Riley:

Amendment No. 1.

On page 6 of the printed bill, as amended, between lines 32 and 33, insert the following:

"SEC. 17. Within thirty days after the effective date of this act, the Judicial Council of California shall prepare suitable forms for all pleadings and papers necessary to commence and prosecute the court proceedings authorized in this act. The Judicial Council shall make such forms available to all county clerks.

Any person desiring to file any pleading or paper in a proceeding commenced or to be commenced under this act may apply to the county clerk for such forms. Such person may fill out and file such forms or, at his request, the county clerk shall fill them out for him. The county clerk shall make no charge for the filling out or filing of any such pleading or paper.

When such pleading or paper has been filed, the county clerk shall notify the superior court (or in a county having more than one department of the superior court, shall notify the department of such court which customarily handles law and motion matters) of the filing of such pleading or paper.

In any hearing with relation to which any paper or pleading has been filed pursuant to this section, the superior court shall do whatever it considers just and equitable to determine the issues raised by such pleading or paper and to protect the interests of the person in whose behalf such pleading or paper was filed.

Nothing contained in this section shall affect the right of any person to be represented by counsel in any proceedings had pursuant to this act."

Amendment No. 2.

On page 6, line 33, of the printed bill, as amended, strike out "17.", and insert in lieu thereof the following: "18."

Amendment No. 3.

On page 6, line 38, of the printed bill, as amended, strike out "18.", and insert in lieu thereof the following: "19."

The question being on the adoption of the amendments submitted by Mr. Riley.

Request for Roll Call.

On request of Messrs. Riley, Field, and Hunt, the Speaker ordered a roll call taken on the adoption of the amendments by Mr. Riley.

The roll was called, and the amendments were adopted by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Corwin, Cottrell, Donihue, Donnelly, Evans, Herbert J., Field, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Kallam, Lore, Martin, McBride, McMurray, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Reaves, Richie, Riley, Rosenthal, Stream, Utt, Wagner, Walker, Welsh, and Mr. Speaker—42.

NOES—Anderson, Breed, Brennan, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Fisher, Flint, Johnson, Laughlin, Maloney, Mayo, McCarthy, Meehan, Minard, O'Donnell, Redwine, Robertson, Scudder, Thorp, Turner, Voigt, Wallace, Waters, Weber, and Williamson—29.

Request for Unanimous Consent.

Mr. Jones asked for, and was granted, unanimous consent to take up Assembly Bill No. 2136, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 2136, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Jones:

Amendment No. 1.

On page 3, line 31, of the printed bill, as amended, strike out "January", and insert in lieu thereof the following: "February".

Amendment No. 2.

On page 4, line 27, of the printed bill, as amended, strike out "sand", and insert in lieu thereof the following: "said".

Amendment No. 3.

On page 4, line 46, of the printed bill, as amended, strike out "3", and insert in lieu thereof the following: "2".

Amendment No. 4.

On page 6 of the printed bill, as amended, strike out lines 10 to 13, inclusive, and insert in lieu thereof a period.

Amendments adopted.

Request for Unanimous Consent.

Mr. Jones asked for, and was granted, unanimous consent to take up Assembly Bill No. 2136, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Motion to Continue Special Order for Assembly Bill 2136, as Amended.

Mr. Lyon moved that the special order for the consideration of Assembly Bill No. 2136, as amended, and all matter pending thereto be continued to one o'clock and thirty minutes p.m. of this day.

Motion carried.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1935.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 234—An act creating a commission for the coordination of State and local governments, defining its powers and duties, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 465—An act to amend section 675 of the Political Code, referring to the general powers of the Director of Finance—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 993—An act to provide a procedure for the consolidation of counties, and cities and counties—has had the same under con-

sideration, and respectfully reports the same back without recommendation, as amended.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1620—An act making an appropriation for the establishment of a free employment agency in the city of Oakland—has had the same under consideration, and respectfully reports the same back without recommendation, to be re-referred to Committee on Ways and Means.

FIELD, Chairman.

Assembly Bill No. 1620 ordered re-referred to Committee on Ways and Means.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1935

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 442—An act to repeal sections 1270, 1271, 1271.5 and 1272 of the Fish and Game Code, and to add thereto a new section 1270, relating to deer—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FISHER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 96—An act to add section 429.5 to the Fish and Game Code, relating to fishing licenses;

Also: Assembly Bill No. 238—An act to add section 791.6 to the Fish and Game Code, relating to crabs;

Also: Assembly Bill No. 2028—An act to amend section 1310 of the Fish and Game Code and to add thereto section 1340.6, relating to bear;

Also: Assembly Bill No. 1763—An act to amend sections 669, 702, 703, 709, 711 and 712 of the Fish and Game Code, relating to black bass, crappie, calico bass and sun fish;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

FISHER, Chairman.

The above reported bills ordered on file for second reading.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, March 27, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 696—An act to add section 530a to the Penal Code, relating to false statements to procure relief, and declaring the urgency hereof.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary

Senate Bill No. 696 read first time.

Request for Unanimous Consent.

Mr. Anderson asked for, and was granted, unanimous consent to take up Senate Bill No. 696, at this time, without reference to printer, committee or file.

Consideration of Senate Bill No. 696.
Case of Urgency.

Senate Bill No. 696—An act to add section 530a to the Penal Code, relating to false statements to procure relief, and declaring the urgency hereof.

The following resolution was offered:

By Mr. Anderson:

Resolved, That Senate Bill No. 696 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Mr. Anderson moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—70.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 696.

Second Reading of Senate Bill No. 696.

Senate Bill No. 696—An act to add section 530a to the Penal Code, relating to false statements to procure relief, and declaring the urgency hereof.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—69.

NOES—None.

Third Reading of Senate Bill No. 696.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 696 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Geyer,

Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1935

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 646—An act to amend section 13 of the Motor Vehicle Fuel License Tax Act, relating to expenditure of money allocated to counties and cities and counties—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 294—An act to amend section 403 of the Vehicle Code, relating to liability for injuries of guests—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

Withdrawal of Assembly Bill No. 2386.

By order of the Speaker, Assembly Bill No. 2386 was withdrawn from the file, and re-referred to Committee on Live Stock and Dairies.

Recess.

At twelve o'clock and five minutes p m., on motion of Mr. Lyon, the Assembly was declared at recess until one o'clock and thirty minutes p.m., of this day.

Reassembled.

At one o'clock and thirty minutes p.m , the Assembly reconvened. Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Labor and Capital.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1935.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 182—An act to amend the title and section 1 of "An act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman or other agent of any such employer to violate the provisions of this act." approved March 22, 1911,

relating to the employment of females—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BURNS, Chairman.

The above reported bill ordered on file for second reading.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

By Messrs. Redwine and Martin: Assembly Constitutional Amendment No. 72—Proposed amendment to the Constitution, by adding section 8a to Article IX thereof, relating to subversive activities in public educational institutions in this State.

Introduced, and referred to Committee on Constitutional Amendments.

By Messrs. Redwine and Martin: Assembly Constitutional Amendment No. 73—Proposed amendment to the Constitution, by amending section 9 of Article IX thereof, relating to the Board of Regents of the University of California.

Introduced, and referred to Committee on Constitutional Amendments.

Special Order.

The hour of one o'clock and thirty minutes p.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

Further Consideration of Assembly Bill No. 2136, as Amended.

Assembly Bill No. 2136, as amended, read third time.

Motion to Set Special Order for Assembly Bill No. 2136, as Amended, and Assembly Bill No. 44.

Mr. Phillips moved that further consideration of Assembly Bill No. 2136, as amended, and amendments pending, and Assembly Bill No. 44 be made a special order for Wednesday, April 10, 1935.

The question being on the motion for special order.

Motion to Re-refer Assembly Bill No. 2136, as Amended, and Assembly Bill No. 44.

Mr. Minard moved that Assembly Bill No. 2136, as amended, and Assembly Bill No. 44 be re-referred to Committee on Financial Institutions.

Ruling by Speaker.

The Speaker ruled that according to Rule 31, the motion by Mr. Minard was out of order.

The question being on the motion by Mr. Phillips to set special order.

Motion to Set Special Order.

Mr. Phillips withdrew his motion.

Motion to Appoint Select Committee.

Mr. Lyon moved that a Select Committee of Five be appointed to consider Assembly Bills Nos. 2136 and 44, and all amendments pertaining thereto, and report back to the Assembly.

The question being on the motion by Mr. Lyon.

Motion carried.

Appointment of Select Committee.

The Speaker announced the appointment of the following members: Messrs. Lyon, Jones, Peyser, Rosenthal, and Frazier, as such Select Committee of Five, to carry out the provisions of the motion by Mr. Lyon.

Special Order.

The hour of two o'clock p.m. having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 950.

Assembly Bill No. 950—An act to amend section 1060 of the Fish and Game Code, and to add thereto sections 481 5 and 1064.5, relating to fish and game.

Bill read third time.

The question being on the passage of the bill.

Demand for Previous Question.

Messrs. Voigt, Pelletier, Meehan, Morgan, and Evans, Herbert J., demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 950 refused passage by the following vote:

AYES—Anderson, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Donihue, Field, Fisher, Johnson, Kallam, Latham, Martin, Mayo, Miller, Nielsen, Patterson, Phillips, Redwine, Riley, Turner, Utt, Wagner, Walker, Wright, and Mr. Speaker—28.

NOES—Andreas, Boyle, Brennan, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, Lyon, Maloney, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, O'Donnell, Pelletier, Peterson, Peyser, Reaves, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, Voigt, Wallace, Waters, Weber, and Welsh—49.

Explanation of Vote on Assembly Bill No. 950.

I intended to vote for this bill but I have received telegrams from poultry and dairy constituents who urge me to vote "No."

No proof of depletion of the fish has been shown, therefore, even though I favor conservation of fish and game. I see no immediate need for this bill, and I believe its passage would raise the cost of dairy and poultry feeds, therefore I am voting "No."

S. L. HEISINGER.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1194—An act amending the title and sections 31, 32 and 33, of the "Improvement Act of 1911," approved April 7, 1911, as amended, relating to public improvements and the repair and reconstruction of portions of improved streets, avenues, lanes, alleys, courts or places, bulkheads, retaining walls or other works for the protection of the same and to the payment of the costs thereof and establishing a procedure for the same;

Also: Assembly Bill No. 2173—An act relating to the escheat to the State of California unclaimed moneys deposited with public utilities, and providing for the collection, use and disposition thereof;

And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 366—An act to amend section 4041.11 of the Political Code, relating to powers and duties of boards of supervisors;

Also: Assembly Bill No. 698—An act to amend section 11 of the Inheritance Tax Act, to require that county auditor's warrants be drawn for the payment of refunds;

Also: Assembly Bill No. 699—An act to add a new section to the Penal Code, to be numbered 1375, prescribing the manner in which counties shall pay the State for expense of insane and inebriates;

Also: Assembly Bill No. 1264—An act to add a new section to the Political Code of the State of California, to be numbered 3719, authorizing the temporary borrowing of money by counties and school districts upon the credit of revenue in course of collection, and the issuing of tax anticipation notes or warrants as evidence of such indebtedness;

Also: Assembly Bill No. 1631—An act to provide for the registration of bonds and interest coupons unpaid for want of funds and the preference and payment thereof in the order of such registration, when funds are available;

Also: Assembly Bill No. 1702—An act to amend section 788 of the Agricultural Code, relating to containers;

Also: Assembly Bill No. 1034—An act to amend sections 3817b, 3817d, 3817f, 3817g and 3817h of, and to add sections 3817c3 and 3817i2 to, the Political Code, relating to taxation, including tax delinquencies, tax penalties and costs, tax redemption for tax sales and declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 43—Relative to memorializing Congress to furnish aid in the construction of check dams in the Salinas River Valley—and reports that the same has been correctly engrossed.

WATERS, Chairman.

Assembly Joint Resolution No. 43 ordered on file for adoption.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1935.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1650—An act to amend sections 480, 481, 482, 483, 503, 505, 736, 737, 738 and 743 of the Vehicle Code, to repeal sections 502 and 739 of said code and to add sections 500, 501, 502, 506, 739, 743.5 and 743.6 to said code, relating to accidents involving motor vehicles, the duty of drivers of such vehicles to stop, render aid and give certain information, defining the crime of negligent homicide and prescribing penalties therefor, also relating to persons driving motor vehicles while under the influence of liquor or narcotic drugs, to the stealing or unlawful taking of motor vehicles, and the reckless driving of such vehicles, to the taking of persons arrested before magistrates, and the duties of arresting officers in connection with said persons, to the procedure to be followed where the person arrested is either taken before a magistrate or is given a notice to appear in court, to changes of venue in prosecutions for violations of said code, and to the procedure to be followed upon the arrest of all persons violating said code—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1784—An act to add section 675.5 to the Vehicle Code, relating to glass—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

On Oil Industries.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1935.

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 2392—An act to ratify and approve an interstate compact to conserve

oil and gas, signed at Dallas, Texas, February 16, 1935, and declaring the urgency hereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

McBRIDE, Chairman.

The above reported bill ordered on file for second reading.

On Labor and Capital.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1935.

MR SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 792—An act to prohibit child labor—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

BURNS, Chairman.

The above reported bill ordered on file for second reading.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1935.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 766—An act to add Chapter 9, embracing sections 725 to 734, inclusive, to Division IV of the Agricultural Code, relating to dairies and dairy products;

Also: Assembly Bill No. 1323—An act to regulate the sale, purchase, transportation and marketing of poultry and to provide a penalty for the violation thereof; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

THORP, Chairman.

The above reported bills ordered on file for second reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 27, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 388—An act amending section 2 of an act entitled "An act to authorize and empower boards of supervisors to levy a tax for advertising, exploiting, promoting and aiding measures designed to preserve, aid or develop the agricultural, horticultural, viticultural and water resources and advantages of their several counties," approved April 17, 1929, relating to the period of time said act shall be in force and effect.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary

Senate Bill No. 388 read first time, and referred to Committee on County Government.

Also:

SENATE CHAMBER, SACRAMENTO, March 27, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 657—An act to amend sections 41c and 42 of the California Irrigation District Act, relating to the payment of irrigation district assessments;

Also: Assembly Bill No. 759—An act to amend section 47a of the California Irrigation District Act by adding thereto a provision authorizing payment of current assessments upon partial redemption.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 657 and 759 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 27, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 45—Relative to memorializing the President and the Congress to enact the required legislation for complete and ade-

quate anti-aircraft equipment and personnel as defensive measures for the Pacific coast.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Joint Resolution No. 45 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 27, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 261—An act making an appropriation for the contingent expenses of the Assembly at its fifty-first session, and declaring that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 261 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 27, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1120—An act to amend sections 1, 3, 9, 12a, 15, 19 and 20a, to amend and renumber section 20b to be section 20k and to add sections 3a, 3b, 3c, 3d, 3e, 3f, 3g, 3h, 3i, 9a, 9b, 9c, 12b, 20b, 20c, 20d, 20e, 20f, 20g, 20h, 20i, and 20j to the California Real Estate Act, relating to the creation of the Real Estate Board and prescribing the powers and duties thereof, to the regulation and licensing of real estate brokers and salesmen, and to the inspection and regulation of subdivisions,

Also Assembly Bill No. 2033—An act to amend the title and sections 2, 4 and 5 of an act entitled "An act regulating the payment of wages earned in seasonal labor and prescribing the powers and duties of the Commissioner of the Bureau of Labor Statistics, in relation thereto." approved May 28, 1913 (Statutes 1913, Chapter 198), relative to disputes regarding seasonal labor, and the application of the State Wage Law thereto;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1120 and 2033 ordered on unfinished business file.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2118—An act in furtherance of the purposes and to facilitate the operation of Article XXV of the Constitution of the State of California, the "Property Relief and Gross Income Tax Law," providing for the collection and enforcement thereof, authorizing and directing the State Board of Equalization to receive and collect the tax imposed thereunder, prescribing such penalties for failure to pay the tax imposed thereby, prescribing penalties for violation of the provisions of this act, and making an appropriation for the enforcement hereof.

Floor Amendments.

During second reading of the bill, the following amendments were submitted by Mr. Latham:

Amendment No. 1.

On page 1, line 8, of the printed bill, as amended, strike out "form", and insert in lieu thereof the following: "firm".

Amendment No. 2.

On page 2, line 41, of the printed bill, as amended, strike out "two and one-half per cent.", and insert in lieu thereof the following: "three per cent. The tax imposed by this section shall be collected by the taxpayer from the consumer in so far as the same can be done and in such manner as may be provided by the rules and regulations of the board."

Amendment No. 3.

On page 3 of the printed bill, as amended, between lines 46 and 47, insert the following:

"SEC. 18a. Gross income from sales of food stuffs. As used in this section, "foodstuffs" shall mean only the following:

Domestic meats, poultry and fish, other than shell fish;

Milk and cream, including canned milk and evaporated milk, butter, eggs and domestic cheese;

Fruits and vegetables, whether fresh, canned or dried, except imported fruits or vegetables;

Bread in loaf form;

Coffee and tea, including cereal substitutes therefor;

Flour, meal and cereals sold for household purposes;

Sugar, syrups, salt, pepper, yeast and lard including animal fat and vegetable substitutes therefor.

It is the intention that this exemption shall apply to these primary and essential foodstuffs as the words used are commonly understood.

The exemption of the articles of food herein enumerated is upon the condition that the retailer shall keep accurate and separate records of the exempted articles in such form and detail as may be prescribed by the board, and in any event in such manner that accurate reports may be separately made covering the sale of such conditionally exempted articles and in such form as may be accurately and conveniently checked by the representatives of the board.

Unless records are kept in such manner as will accurately disclose separate accounting of sales of taxable and nontaxable merchandise the conditional exemptions herein made shall not be allowed, and it shall be the duty of the board to assess a tax upon the total gross sales, and if records are not kept showing total gross sales it shall be the duty of the board to assess a tax upon an estimation of such sales upon the best information obtainable."

Amendment No. 4.

On page 3, line 47, of the printed bill, as amended, strike out "taxed", and insert in lieu thereof the following: "subject to taxation".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 341—An act to amend sections 21.1, 53, 54, 63, 64, 93, 105, 133, 133.1, 135d and 139 of the Bank Act.

Floor Amendments.

During second reading of the bill, the following amendments were submitted by Mr. Williamson:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the following: "93,".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out the following: "133.1".

Amendment No. 3.

On page 2, line 31, of the printed bill, strike out the word "five", and insert in lieu thereof the following: "seven".

Amendment No. 4.

On page 6 of the printed bill, strike out all of lines 11, 12, 13, 14, 15, 16 and 17.

Amendment No. 5.

On page 6, line 18, of the printed bill, after the word "Sec.", strike out the numeral "9", and insert in lieu thereof the following: "8".

Amendment No. 6.

On page 6, line 42, of the printed bill, following the period, insert the following: "The holders of such preferred stock shall not be held individually responsible as such holders for any debts, contracts, or engagements of such association, and shall not be liable for assessments to restore impairments in the capital of such association as now provided by law with reference to holders of common stock."

Amendment No. 7.

On page 6, line 50, of the printed bill, after the word "Sec.", strike out the numeral "10", and insert in lieu thereof the following: "9".

Amendment No. 8.

On page 8, line 19, of the printed bill, after the word "Sec.", strike out the numeral "11", and insert in lieu thereof the following: "10".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Motion to Print.

Mr. Latham moved that the Chief Clerk instruct the State Printer to print 1000 additional copies of Assembly Bill No. 2118.

Motion carried.

Withdrawal of Assembly Bills Nos. 1702 and 2173.

By order of the Speaker, Assembly Bill No. 1702 was withdrawn from the file, and re-referred to Committee on Agriculture.

By order of the Speaker, Assembly Bill No. 2173 was withdrawn from the file, and re-referred to Committee on Ways and Means.

Adjournment.

At four o'clock and twenty minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Thursday, March 28, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, March 28, 1935.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Weber, Welsh, Williamson, Wright, and Mr. Speaker—78.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Frazier, its further reading was dispensed with.

Leaves of Absence.

On motion of Mr. Cunningham, Mr. Waters was granted leave of absence for this day.

On motion of Mr. Wright, Mr. Latham was granted leave of absence for the balance of this legislative day.

On motion of Mr. Cronin, Mr. Peyser was granted leave of absence for this day.

On motion of Mr. Evans, Herbert J., Mr. Lyon was granted leave of absence for the balance of this legislative day.

Privilege of Floor of Assembly Extended.

On request of Mr. Breed, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Donald Watson and Mr. M. S. Pennington of San Francisco.

On request of Messrs. Maloney, Brennan and Hornblower, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Mary Treacy.

On request of Mr. Voigt, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Rev. Charles Philipps.

On request of Messrs. Gilmore and McMurray, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. James S. Quigley and Mr. and Mrs. Joseph McCarthy of San Francisco.

On request of Mr. Heisinger, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to representatives of Fresno County Farm Bureau. Messrs. M. S. Meeker, President; C. Sam Johnson, J. B. Long, J. J. Bolitho, S. T. Drake, S. P. Gregory, D. A. Gordon, P H. Hobbs, A S Tabler, L. E Harris, Albert Danielsen, D. C Krehbiel, F. I. Sherrill, Harry Parker, and Kenneth J. Dresser.

On request of Mr. Peterson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Pansy J. Abbott, Eleanor Freeman, and Mr. Henry Hall.

On request of Mr. Redwine, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Willson Pierce, Jr

On request of Mr. Glover, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. F. C. Hemphed, Director of Union High Schools of Compton.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. George W. Fink of Crows Landing.

On request of Mr. Williamson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the boxing team of the Washington State College: Messrs. Al Pechuls, Bert Johnson, Ray Petrogallo, Royce Nagle, George Bican, and Chandler Pickering.

ASSISTANT CLERK OLIVER READING.

Reports of Standing Committees.

The following report of standing committee was received and read:

On Aviation and Aircraft.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1935.

MR. SPEAKER: Your Committee on Aviation and Aircraft, to which was referred Assembly Bill No. 434—An act approving, validating and confirming leases or letting of lands or of any interest therein for airport purposes by governmental agencies of this State—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MORGAN, Chairman.

The above reported bill ordered on file for second reading.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

By Mr. Wagner: Assembly Constitutional Amendment No. 74—Proposed amendment to Article XI of the Constitution, by amending sections 1 and 3 and repealing sections 7 and 8a, and subsections 5 and 6 of section 8½, of Article XI thereof, relating to county districts.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Mayo: Assembly Concurrent Resolution No. 30—Relative to experimental winter feeding of deer.

Introduced.

Request for Unanimous Consent.

Mr. Mayo asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 30, at this time, without reference to printer, committee or file, and that same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 30.

Assembly Concurrent Resolution No. 30—Relative to experimental winter feeding of deer.

Assembly Concurrent Resolution No. 30 read.

Mr. Mayo moved the adoption of Assembly Concurrent Resolution No. 30.

The question being on the adoption of Assembly Concurrent Resolution No. 30.

The roll was called, and Assembly Concurrent Resolution No. 30 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Morgan, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Weber, Welsh, Williamson, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 30 ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 30.

Relative to experimental winter feeding of deer.

WHEREAS, In certain portions of the State the deer are unable to find sufficient food during the winter months in which there is a heavy fall of snow; and

WHEREAS, The starvation of deer during the winter months presents a serious problem from the standpoint of the female deer and the potential increase by fawning; and

WHEREAS, It is desirable and necessary that the deer in California be given every protection to avoid any possible future extermination; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Fish and Game Commission of the Department of Natural Resources be and it is hereby requested to experiment, during the winter seasons of 1935–1936 and 1936–1937, on the winter feeding of deer in the heavy snow areas of the counties of Modoc, El Dorado, Mariposa, and _____; and be it further

Resolved, That, after the commission has made such experiment, it shall report the results thereof and the advisability and practicability of the future winter feeding of deer where needed throughout the State to the fifty-second session of the Legislature; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the members of the Fish and Game Commission.

Motion to Approve Journals.

Mr Lyon moved that the Journals of Monday, March 18, 1935; Tuesday, March 19, 1935; Wednesday, March 20, 1935; Thursday, March 21, 1935; and Friday, March 22, 1935, be approved, as corrected by the Minute Clerk

Motion carried.

Unfinished Business.

Consideration of Senate Amendment to Assembly Bill No. 1970.

Assembly Bill No. 1970—An act authorizing the creation of a personnel system, merit system, or civil service system; the creation of the office of Personnel Director; the appointment of a Civil Service Commission; the delegation of certain authority to said personnel officer or commission in municipalities within this State; and prohibiting certain political activities and providing penalties for the violation of said provisions.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1970?

Amendment No. 1.

In line 2 of the title of the printed bill, as amended, before the semicolon, insert the following: "in cities".

The roll was called, and Senate amendment to Assembly Bill No. 1970 was concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Herbert J, Fisher, Flint, Frazier, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Martin, Mayo, McBride, McMurray, Meehan, Miller, Morgan, Patterson, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Thorp, Turner, Utt, Walker, Wallace, Weber, Welsh, Williamson, and Mr. Speaker—56.

NOES—None

Assembly Bill No. 1970 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 1694.

Assembly Bill No. 1694—An act to amend section 352 of the Political Code, relating to State officers and employees.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1694?

Amendment No. 1.

On page 1, line 9, of the printed bill, strike out the word "has", and insert in lieu thereof the following: "and expenses have".

The roll was called, and Senate amendment to Assembly Bill No. 1694 was concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Fisher, Frazier, Garibaldi, Geyer, Glover, Hawkins, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Martin, Mayo, McBride, McMurray, Meehan, Miller, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Thorp, Turner, Voigt, Walker, Wallace, Weber, Welsh, Williamson, and Mr. Speaker—57

NOES—None.

Assembly Bill No. 1694 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 2033.

Assembly Bill No. 2033—An act to amend the title and sections 2, 4 and 5 of an act entitled "An act regulating the payment of wages earned in seasonal labor and prescribing the powers and duties of the Commissioner of the Bureau of Labor Statistics, in relation thereto," approved May 28, 1913 (Stats. 1913, Chap. 198), relative to disputes regarding seasonal labor, and the application of the State Wage Law thereto.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2033?

Amendment No. 1.

On page 2, line 33, of the printed bill, strike out the word "or", and insert in lieu thereof the word "of"

The roll was called, and Senate amendment to Assembly Bill No. 2033 was concurred in by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Martin, McBride, McMurray, Meehan, Miller, Morgan, Patterson, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Weber, Welsh, Williamson, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 2033 ordered to enrollment.

Second Reading of Assembly Bills.

Assembly Bill No. 457—An act to amend sections 3, 4, 5, 8, 10, 12, 15, 18, 19, 20i, and 21 of an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, Statutes 1911, page 730, as amended, relating to an alternative procedure for the doing of work under said act by receiving contributions of labor, materials or equipment from the United States Government or other governmental agencies.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 1 to 17 of the title, and in line 18 of the title of the printed bill, strike out "amended", and insert in lieu thereof the following: "An act to amend sections 10 and 17 of, and to add sections 3a, 5a, 18a and 21a to, the Improvement Act of 1911".

Amendment No. 1-a.

On page 1, line 21 of the title of the printed bill, strike out the period, and insert in lieu thereof the following: ", declaring the urgency thereof and providing that this act shall take effect immediately."

Amendment No. 2.

On page 1, line 1, of the printed bill, after the period, insert the following: "Section 3a is hereby added to the act cited in the title hereof, to read as follows:

SEC. 3a. As an alternative procedure for the doing of work authorized under this act, the city council may pass a resolution of intention to do such work containing a provision that the work shall be done if any local, State or National agency or authority accepts the proposed work as a project for which a contribution of labor, or labor and any portion of materials supplies or equipment will be made by such agency or authority. Under such alternative procedure the work to be done by the contractor shall consist of furnishing any or all of the materials, supplies or equipment necessary for the construction of the improvement. When such alternative procedure is adopted, the resolution of intention shall so state and shall recite what contribution is to be made and by whom. The resolution of intention shall also state what work shall be done by the contractor. In all other particulars, the resolution of intention shall be the same as any resolution of intention adopted pursuant to the provisions of section 3 of this act.

SEC. 2. Section 5a is hereby added to said act, to read as follows:

Sec. 5a. If any contribution of labor, or labor and any portion of materials, supplies or equipment is to be made by any local, State or National agency or authority all notices required herein shall so state and shall recite what contribution is to be made.

SEC. 3. Section 10 of said act is hereby amended to read as follows:

Sec. 10. Before the awarding of any contract by the city council for doing any work or for furnishing materials, supplies and equipment or any portion thereof, authorized by this act, the city council shall pass a resolution ordering the work. Notice shall be posted conspicuously for five days on or near the council chamber door of said council inviting sealed proposals or bids for doing the work ordered, or for furnishing materials, supplies and equipment or any portion thereof. Notice inviting such proposals, and referring to the specifications on file, shall be published twice in a daily, semiweekly, or weekly newspaper published and circulated in said city, designated by the council for that purpose, and in case there is no newspaper published in said city, then it shall only be posted as hereinbefore provided. The time fixed for the opening of the bids shall be not less than ten days from the time of the first publication or posting of said notice.

All proposals or bids offered shall be accompanied by a check payable to the city certified by a responsible bank, for an amount which shall not be less than ten per cent of the aggregate of the proposal, or by a bond for the said amount and so payable, signed by the bidder and two sureties, who shall justify, before any officer competent to administer an oath, in double the said amount, and over and above all statutory exemptions. Said proposals or bids shall be delivered to the clerk of the said city council, and said council shall in open session publicly open, examine and declare the same; provided, however, that no proposal or bid shall be considered unless accompanied by said check or bond satisfactory to the council.

The city council may reject any and all proposals or bids should it deem this for the public good, and also the bid of any party who has been delinquent or unfaithful in any former contract with the municipality, and shall reject all proposals or bids other than the lowest regular proposal or bid of any responsible bidder, and may award the contract for said work or improvement to the lowest responsible bidder at the prices named in his bid.

If the bids are rejected or no bids are received the city council may within six months thereafter readvertise for proposals or bids for the performance of the work as in the first instance, without further proceedings, and thereafter proceed in the manner in this section provided, and shall thereupon return to the proper parties the respective checks and bonds corresponding to the bid so rejected.

But the checks accompanying such accepted proposals or bids shall be held by the city clerk of said city until the contract for doing said work, as hereinafter provided, has been entered into, either by said lowest bidder or by the owners of

three-fourths part of the frontage, whereupon said certified check shall be returned to said bidder. But if said bidder fails, neglects or refuses to enter into the contract to perform said work or improvement, as hereinafter provided, then the certified check accompanying his bid and the amount therein mentioned, shall be declared to be forfeited to said city and shall be collected by it and paid into the general fund, and any bond forfeited may be prosecuted, and the amount due thereon collected and paid into said fund.

If any local, State or National agency or authority contributes the labor, or labor and any portion of the materials, supplies or equipment necessary for the construction of any improvement authorized under this act, the contract shall be for only those items which are not contributed by any such agency or authority. If proposals or bids are invited only for the furnishing of materials, supplies and equipment or any portion thereof not furnished by such agency or authority, the notice shall contain a statement to the effect that the legislative body may cancel the order for any undelivered materials, supplies or equipment by giving the successful bidder twenty-four hours notice of said cancellation, in which event the successful bidder will be entitled to compensation for only so much of the material, supplies and equipment as has been used prior to the giving of such notice of cancellation at the prescribed unit rates stated in the contract, and that the contractor shall agree to accept the return of any and all materials and supplies not used prior to the giving of such notice.

SEC. 4. Section 17 of said act is hereby amended to read as follows:

Sec 17 Before being entitled to a contract, the bidder to whom the award was made, or the owners who have elected to take the contract, must advance to the superintendent of streets, for payment by him, the cost of publication of the notices, resolutions, orders and matters required under the proceedings prescribed in this act, and of such other notices as may be deemed requisite by the city council, together with all other incidental expenses incurred up to the time of entering into the contract. And in case the work is abandoned by the city before work is actually started or before any materials, supplies or equipment have been furnished or used, the incidental expenses incurred previous to such abandonment shall be paid out of the city treasury, but such expenses for which the city is liable and which shall have been paid thereby may be charged as incidental expenses against the district benefited in any new proceeding had or taken for an improvement which shall include substantially the same thing or things to be done as those included in the abandoned proceedings.

SEC. 5. Section 18a is hereby added to said act, to read as follows:

Sec. 18a. If a contribution of labor or of labor and any portion of materials, supplies or equipment is to be made by any local, State or National agency or authority, the contract shall contain a provision that the legislative body may cancel the order for any undelivered materials, supplies or equipment by giving the contractor twenty-four hours' notice of said cancellation, and require the contractor to accept the return of the unused materials and supplies, in which event the contractor will be entitled to compensation for only so much of the materials, supplies and equipment as has been used prior to the giving of such notice. The contract shall also contain a provision that no materials, supplies or equipment shall be delivered until a delivery permit signed by the superintendent of streets has been received by said contractor, and provided that if the city receives a contribution of labor or of labor and any portion of materials, supplies or equipment from any local, State or National agency or authority, the superintendent of streets is authorized in his official capacity to include in the contract for doing the work a provision that the contractor shall comply with each approved Code of Fair Competition to which he is subject pursuant to the requirements of the National Industrial Recovery Act and all rules and regulations and orders made thereunder.

SEC. 6. Section 21a is hereby added to said act, to read as follows:

Sec. 21a Whenever the resolution of intention declares that a contribution of labor or of labor and any portion of materials, supplies or equipment for the proposed work will be made by any local, State or National agency or authority, an assessment shall be made to cover the sum due for furnishing the materials, supplies or equipment as specified in said contract (including all incidental expenses). In all other particulars the assessment shall be made in conformity with the provisions of sections 20i and 21 of this act; provided, however, that if all of the work described in said resolution of intention is not completed because the agency or authority ceases to furnish the labor provided for in the resolution of intention, for a period of ninety days, the street superintendent shall notify the city council of such cessation in writing Said city council may by resolution declare the contract terminated and order the superintendent of streets to make the assessment to cover the portions of work completed and incidental expenses incurred, in accordance with the benefits to be received by each of the several lots, portions of lots or subdivisions of land in said district, pursuant to the provisions of said sections 20i and 21.

SEC. 7. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution of the State of California, and shall go into effect immediately.

The following is a statement of the facts constituting such necessity:

The public peace, health and safety require the immediate construction of sanitary sewers, storm drains, streets, highways and other public improvements, and public funds are not available to defray the entire cost and expense of such improvements. Legislation is necessary to authorize the contribution of labor, materials, supplies and equipment or any of them, by governmental agencies and to permit the levy of assessments against the property directly benefited by such improvements to defray the remaining cost and expense thereof. Federal funds are now available for such purpose. Therefore this bill, providing for the levy of assessments to pay a portion of such cost and expense, is urgently necessary and shall go into effect immediately."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1802—An act providing for the acquisition, purchase, construction, reconstruction, improvement, betterment, extension, operation, and maintenance of revenue-producing undertakings by any municipality of this State; authorizing and regulating the issuance of revenue bonds for financing such undertakings; and providing for the payment of such bonds and the rights of holders thereof, and declaring the urgency hereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, the title of the act is hereby amended to read as follows:

"An act providing for the acquisition, purchase, construction, reconstruction, improvement, betterment, extension, operation, and maintenance of revenue-producing undertakings by an municipality of this State; authorizing and regulating the issuance of revenue bonds for financing such undertakings; and providing for the payment of such bonds and the rights of holders thereof; and declaring the urgency of this act and providing that it shall take effect immediately."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 21, inclusive; on page 2, strike out lines 1 to 52, inclusive; on page 3, strike out lines 1 to 52, inclusive; on page 4, strike out lines 1 to 52, inclusive; on page 5, strike out lines 1 to 52, inclusive; on page 6, strike out lines 1 to 51, inclusive; on page 7, strike out lines 1 to 9, inclusive, and insert in lieu thereof the following:

SECTION 1. This act may be cited as "The Revenue Bond Act of 1935."

SEC. 2. Whenever used in this act, unless a different meaning clearly appears from the context:

(a) The term "undertaking" shall mean any one or combination of two or more of the following: water, gas, or electric, heat, light or power works, plants and systems, together with all parts thereof and appurtenances thereto including, but not limited to, supply, transmission and distribution systems, reservoirs, dams, works and generating plants.

(b) The term "municipality" shall include any city and county, city, town, political subdivision, municipal corporation, public corporation improvement authority and public district organized under the laws of this State.

(c) The term "governing body" shall include bodies and boards, by whatsoever names they may be known, having charge of the finances of a municipality.

SEC. 3. It is hereby declared to be the policy of this State that any municipality acquiring, purchasing, constructing, reconstructing, improving, bettering or extending an undertaking pursuant to this act, shall manage such undertaking in the most efficient manner consistent with sound economy and public advantage to the end that the services of the undertaking shall be furnished to consumers at the lowest possible cost. No municipality shall operate such undertaking primarily for gain or profit or as a source of revenue to the municipality, but shall operate such undertaking for the use and benefit of the consumers served by such undertaking and for

the promotion of the welfare and for the improvement of the health and safety of the inhabitants of the municipality.

SEC. 4. In addition to the powers which it may now have, any municipality shall have power under this act. (a) to construct, acquire by gift purchase, or the exercise of the right of eminent domain, reconstruct, improve, better or extend any undertaking, within or without the municipality, or partially within or partially without the municipality, including any and all franchises and maps, records, and personal property used and useful in connection with such undertaking and to acquire by gift, purchase, or the exercise of the right of eminent domain, lands or rights in land or water rights in connection therewith, (b) to operate and maintain any undertaking for its own use or for the use and benefit of its inhabitants and also to operate and maintain such undertaking for the use and benefit of persons, firms, and corporations (including municipal corporations and inhabitants thereof) whose residences or places of business are (or which are) located outside the territorial boundaries of such municipality but within the State, (c) to issue its bonds to finance in whole or in part the cost of the acquisition, purchase, construction, reconstruction, improvement, betterment or extension of any undertaking, (d) to prescribe and collect rates, fees, charges for the services, facilities and commodities furnished by such undertaking, and (e) to pledge to the punctual payment of said bonds and interest thereon an amount of the revenues of such undertaking (including improvements, betterments, or extensions thereto thereafter constructed or acquired) or of any part of such undertaking, sufficient to pay said bonds and interest as the same shall become due and to create and maintain reasonable reserves therefor. Such amount may consist of all or any part or portion of such revenue The governing body of the municipality in determining such cost may include all costs and estimated costs of the issuance of said bonds, all engineering, inspection, fiscal and legal expenses, and interest which it is estimated will accrue during the construction period and for six months thereafter on money borrowed or which it is estimated will be borrowed pursuant to this act.

SEC. 5. The construction, acquisition, reconstruction, improvement, betterment or extension of any undertaking may be authorized under this act and bonds may be authorized to be issued under this act to provide funds for such purpose or purposes by resolution or resolutions of the governing body which may be adopted at the same meeting at which they are introduced by a majority of all the members thereof then in office and shall take effect immediately upon adoption Said bonds shall bear interest at such rate or rates not exceeding five per centum per annum, payable semiannually, may be in one or more series, may bear such date or dates, may mature at such time or times not exceeding forty years from their respective dates, may be payable in such medium of payment, at such place or places, may carry such registration privileges, may be subject to such terms of redemption, may be executed in such manner, may contain such terms, covenants and conditions, and may be in such form, either coupon or registered, as such resolution or subsequent resolutions may provide. Said bonds shall be sold at not less than par. Said bonds may be sold at private sale to the United States of America or any agency, instrumentality or corporation thereof. Unless sold to the United States of America or any agency, instrumentality or corporation thereof, said bonds shall be sold at public sale after notice of such sale published once at least five days prior to such sale in a newspaper circulating in the municipality and in a financial newspaper published in the city of New York, or the city of Chicago, Illinois, or the City and County of San Francisco, or the city of Los Angeles, California. Pending the preparation of the definitive bonds, interim receipts or certificates in such form and with such provisions as the governing body may determine may be issued to the purchaser or purchasers of bonds sold pursuant to this act. Said bonds and interim receipts or certificates shall be fully negotiable within the meaning of and for all the purposes of Title XV of the Civil Code of California.

SEC. 6. Any resolution or resolutions authorizing the issuance of bonds under this act may contain covenants as to (a) the purpose or purposes to which the proceeds of sale of said bonds may be applied and the use and disposition thereof, (b) the use and disposition of the revenue of the undertaking for which said bonds are to be issued, including the creation and maintenance of reserves, (c) the transfer from the general funds of the municipality to the account or accounts of the undertaking an amount equal to the cost of furnishing such municipality or any of its departments, boards or agencies with the services, facilities and commodities of said undertaking, (d) the issuance of other or additional bonds payable from the revenue of said undertaking, (e) the operation and maintenance of such undertaking, (f) the insurance to be carried thereon and the use and disposition of insurance moneys, (g) books of account and the inspection and audit thereof, and (h) the terms and conditions upon which the holders of said bonds or any proportion of them or any trustee therefor shall be entitled to the appointment of a receiver by the superior court, which court shall have jurisdiction in such proceedings, and which receiver may enter and take possession of said undertaking, operate and maintain the same, prescribe rates, fees, or charges,

and collect, receive and apply all revenue thereafter arising therefrom in the same manner as the municipality itself might do. The provisions of this act and any such resolution or resolutions shall be a contract with the holder or holders of said bonds, and the duties of the municipality and of its governing body and officers under this act and any such resolution or resolutions shall be enforceable by any bondholder, by mandamus or other appropriate suit, action or proceeding in any court of competent jurisdiction

SEC. 7. Said bonds bearing the signatures of officers in office on the date of the signing thereof shall be valid and binding obligations, notwithstanding that before the delivery, thereof and payment therefor any or all the persons whose signatures appear thereon shall have ceased to be officers of the municipality issuing the same. The validity of said bonds shall not be dependent on nor affected by the validity or regularity of any proceedings relating to the acquisition, purchase, construction, reconstruction, improvement, betterment, or extension of the undertaking for which said bonds are issued. The resolution authorizing said bonds may provide that the bonds shall contain a recital that they are issued pursuant to this act, which recital shall be conclusive evidence of their validity and of the regularity of their issuance

SEC. 8. All bonds of the same issue shall, subject to the prior and superior rights of outstanding bonds, claims or obligations, have a prior and paramount lien on the revenue of the undertaking, for which said bonds have been issued, over and ahead of all bonds of any issue payable from said revenue which may be subsequently issued and over and ahead of any claims or obligations of any nature against said revenue subsequently arising or subsequently incurred. All bonds of the same issue shall be equally and ratably secured without priority by reason of number, date of bonds, of sale, of execution, or of delivery, by a lien on said revenue in accordance with the provisions of this act and the resolution or resolutions authorizing said bonds.

SEC. 9. No holder or holders of any bonds issued under this act shall ever have the right to compel any exercise of the taxing power of the municipality to pay said bonds or the interest thereon. Each bond issued under this act shall recite in substance that said bond, including interest thereon, is payable from the revenue pledged to the payment thereof, and that said bond does not constitute a debt of the municipality within the meaning of any constitutional or statutory limitation

SEC. 10. The governing body of a municipality issuing bonds pursuant to this act shall prescribe and collect reasonable rates, fees or charges for the services, facilities and commodities of such undertaking, and shall revise such rates, fees or charges from time to time whenever necessary so that such undertaking shall be and always remain self-supporting. The rates, fees or charges prescribed shall be such as will produce revenue at least sufficient (a) to pay when due all bonds and interest thereon, for the payment of which such revenue is or shall have been pledged, charged or otherwise encumbered, including reserves therefor, and (b) to provide for all expenses of operation and maintenance of such undertaking, including reserves therefor.

SEC. 11. Any municipality issuing bonds pursuant to this act for the acquisition, purchase, construction, reconstruction, improvement, betterment or extension of any undertaking shall have the right to appropriate, apply or expend the revenue of such undertaking for the following purposes: (a) To pay when due all bonds and interest thereon, for the payment of which such revenue is or shall have been pledged, charged or otherwise encumbered, including reserves therefor, (b) to provide for all expenses of operation and maintenance of such undertaking, including reserves therefor, (c) to pay and discharge notes, bonds or other obligations and interest thereon, not issued under this act for the payment of which the revenue of such undertaking is or shall have been pledged, charged or encumbered, (d) to pay and discharge notes, bonds or other obligations and interest thereon, which do not constitute a lien, charge or encumbrance on the revenue of such undertaking, which shall have been issued for the purpose of financing the acquisition, purchase, construction, reconstruction, improvement, betterment or extension of such undertaking, and (e) to provide a reserve for betterments to such undertaking. Unless and until adequate provision has been made for the foregoing purposes, no municipality shall have the right to transfer the revenue of such undertaking to its general funds.

SEC. 12. So long as a municipality shall own any undertaking the property and revenue of such undertaking shall be exempt from all State, county and municipal taxation. Bonds and the income therefrom issued pursuant to this act shall be exempt from all State, county and municipal taxation except inheritance, transfer and estate taxes.

SEC. 13. It shall not be necessary for any municipality proceeding under this act to obtain any certificate of convenience or necessity, franchise, license, permit, or other authorization from any bureau, board, commission or other like instrumentality of the State in order to acquire, construct, purchase, reconstruct, improve, better, extend, maintain and operate an undertaking but the powers and duties of the State Board of Health shall continue as heretofore.

SEC. 14. The Railroad Commission of the State of California shall have no jurisdiction over the municipality in the management and control of the undertaking, nor over the regulation of the rates, fees, or charges, or otherwise.

SEC. 15. The powers conferred by this act shall be in addition and supplemental and cumulative to the powers conferred by any other general, special or local law. The undertaking may be acquired, purchased, constructed, reconstructed, improved, bettered, and extended, and bonds may be issued under this act for said purposes, notwithstanding that any general, special or local law may provide for the acquisition, purchase, construction, reconstruction, improvement, betterment, and extension of a like undertaking, or the issuance of bonds for like purposes, and without regard to the requirements, restrictions, limitations or other provisions contained in any other general, special or local law, including, but not limited to, any requirement for the approval by the voters of any municipality. In so far as the provisions of this act are inconsistent with the provisions of any other general, special, or local law, the provisions of this act shall be controlling.

SEC. 16. The provisions of this act shall apply to any department or agency of a city functioning as a separate entity and having control of its own finances.

SEC. 17. It is hereby declared that the sections, clauses, sentences and parts of this act are severable, are not matters of mutual essential inducement and any of them may be exscinded by any court of competent jurisdiction if this act would otherwise be unconstitutional or ineffective; it is the intention hereof to confer upon every municipality the whole or any part of the powers in this act provided for, and if any one or more sections, clauses, sentences and parts of this act shall for any reason be questioned in any court of competent jurisdiction, and shall be adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remaining provisions thereof, but shall be confined in its operation to the specific provision or provisions so held unconstitutional or invalid, and the inapplicability or invalidity of any section, clause, sentence or part of this act in any one or more instances shall not be taken to affect or prejudice in any way its applicability or validity in any other instance.

SEC. 18. Except in pursuance to any contract or agreement theretofore entered into by any municipality, no municipality shall borrow any money or deliver any bonds pursuant to this act to the purchaser or purchasers thereof after June 30, 1937.

SEC. 19. This act is hereby declared to be an emergency measure for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution of the State of California, and shall go into effect immediately. The following is a statement of the facts constituting such urgency:

Unemployment has produced an alarming economic condition and caused great hardship and suffering in the State of California. The adoption of the act will enable municipalities of the State of California to finance the construction of revenue producing municipal improvements which otherwise can not be financed at this time. This development and construction will furnish employment to many persons now idle, and make them self-supporting while at the same time nothing will be added to the tax burden of the State."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 189—An act to add a new section to the School Code to be numbered 4.182, relating to the insuring under the Workmen's Compensation Insurance and Safety Act and/or the Workmen's Compensation, Insurance and Safety Act of 1917, of persons employed by county superintendents of schools to supervise instruction in the public schools.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 854—An act to amend section 334 of the Insurance Code, relating to materiality of concealments and representations.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2156—An act to amend sections 3678 _____ and to repeal sections 3738 _____ of the Political Code and to add to said code sections numbered 3817j, _____, relating to the collection of taxes and providing for the collection of delinquent taxes and unsecured taxes by the tax collector.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

Strike out all of page 1 of the printed bill, and insert in lieu thereof the following:

"An act to amend sections 3678, 3681a, 3747a, 3756, 3760, 3764, 3766, 3771, 3771a, 3772, 3776, 3785, 3788, 3789, 3797, 3799, 3804b, 3808, 3809, 3816, 3817, 3817f, 3817g, 3817h, 3818, and 3822 and to repeal sections 3738, 3739, 3781, 3791, 3792, 3793, 3794, 3795, 3796, 3800 and 3815 of the Political Code and to add to said code sections numbered 3816a, 3817j and 3832, relating to the collection of taxes and providing for the collection of delinquent taxes and unsecured taxes by the tax collector.

The people of the State of California do enact as follows:

SECTION 1. Section 3678 of the Political Code is hereby amended to read as follows:

3678. To assist the assessor in the performance of his duties, the tax collector must transmit to him, on or before the tenth day after the first Monday in March of each year, statements, or copies of certificates, of all properties from which tax liens have been removed by redemption, cancellation or otherwise.

SEC. 2. Section 3681a of said code is hereby amended to read as follows:

3681a. When it is found that the collection of a delinquent tax can not be enforced by reason of an error in the assessment of real estate or any subsequent step thereto in the levy, collection, publication or sale of the property to the State for delinquent taxes, the tax collector will certify the facts in the case to the board of supervisors, who will order the clerk of the board to give notice by publication and by registered mail to the party or parties to whom the property was last assessed, to appear and show cause why such property should not be reassessed.

Said date of hearing must be set for a day which will permit of twenty-one days notice to the delinquent owner The notice must also be printed once a week for three (3) weeks in a newspaper of general circulation in the county This published notice may cover any parcels which are subject to the same action

Every assessment of property made under the provisions of sections 3627 and 3628 of the Political Code, which is or may hereafter be adjudged to be invalid by reason of indefinite description or any illegality, invalidity, or irregularity declared or existing in the assessment of such property, or in any of the acts thereafter performed in the levy and collection or advertisement in connection therewith from the assessment thereof to and including the deed of the property so assessed to the State of California on account of unpaid taxes due thereon, shall be remade and the property reassessed and equalized for each year for which such assessment is invalid as aforesaid and such reassessment and equalization shall be made by the same officers and boards at the same time or times as are prescribed by law for the assessment and equalization of property of the same classes or kinds as the property which is hereby required to be reassessed. The assessment and equalized assessment of such property shall be entered on the several assessment rolls or books in the same manner that assessments of such property are or were required by law to be entered for the year or years for which such assessment shall be made and there are hereby levied for State, county and other purposes the same rates of taxation for each of such respective years as were levied upon such property for each of said years for said purposes. Upon the reassessment being made the same shall be deemed to be in force as if it were correctly made in the beginning.

There shall be no limitation or limitations as to the time in which actions for the collection of taxes levied under this section may be commenced and all the provisions of law now or hereafter provided in respect to assessments, equalization, levy, and collection of taxes shall, where applicable, apply to reassessments, equalization, and relevies and collection of taxes made under the provisions of this section.

SEC. 3. Sections 3738 and 3739 of said code are hereby repealed

SEC. 4. Section 3747a of said code is hereby amended to read as follows:

3747a. At any time after taxes are due and before any payment thereof, but in no case after the date when the last installment of taxes becomes delinquent as provided for under section 3756 of this code, any person, firm or corporation, claiming a fee or an interest under a contract to purchase in any lot, piece, parcel or fractional part of land, which does not have a separate valuation on the assessment roll, may have such lot, piece, parcel or fractional part segregated and separately valued on said roll, in the manner hereinafter set forth.

Each applicant for said segregation and separate valuation must first pay to the officer then having custody of the assessment roll the full amount of the taxes, including penalties, levied against all of the personal property secured by the real property described in the original assessment, if any. The officer receiving the application for said segregation shall forthwith submit a description

of said lot, piece, parcel or fractional part of land, together with the proposed segregations, to the assessor, who must place a separate valuation upon each of the proposed segregations. The aggregate amount of assessed valuation of the parcels so segregated shall remain the same as before such segregation. The assessor must transmit such valuations to the officer then having custody of the assessment roll, who shall cause the description of the property together with separate valuations, to be entered on the assessment roll. Thereafter, taxes including proportionate accrued penalties, if any, on such lot, piece, parcel or fractional part may be paid separately from the whole assessment in the manner provided by section 3747 of this code; provided, that no lot, piece, parcel or fractional part of land so owned or claimed by applicant shall be divided under this section.

The officer to whom application for segregation and separate valuation is made, must require from the applicant an affidavit of interest and shall charge and collect a fee of fifty cents for each lot, piece, parcel or fractional part separately valued and assessed and shall deposit all fees so collected in the county treasury

SEC. 5. Section 3756 of said code is hereby amended to read as follows:

3756 On the fifth day of December of each year, at five o'clock p.m., all taxes then unpaid, except the last installment of real property taxes, are delinquent, and thereafter the tax collector must collect, for the use of the county, or city and county, an additional eight per cent thereon; provided, that if they be not paid before the twentieth day in April next succeeding, at five o'clock p.m., he shall collect an additional three per cent thereon On the twentieth day of April each year, at five o'clock p m, all the unpaid portion of the remaining one-half of the taxes on real property is delinquent, and thereafter the tax collector must collect, for the use of the county, or city and county, an additional three per cent thereon; provided, that the entire tax on any real property may be paid at the time the first installment, as above provided, is due and payable, and provided further, that the taxes on all personal property unsecured by real property shall be due and payable immediately upon the receipt, by the tax collector, of successive portions of the assessment book, or copies thereof, or reports or statements of assessments, transmitted to him pursuant to section 3832 of this code; provided, however, that if the fifth day of December or the twentieth day of April falls on Saturday all taxes then unpaid shall become delinquent at twelve o'clock m, on either date; provided further, that after the approval and ratification of any amendment to the Constitution of this State granting authority to the Legislature thereof to provide for the payment of all taxes in installments, all taxes levied on personal property secured by real property shall be payable in the same installments, at the same times and in the same maner and in case of delinquency shall bear the same penalties, as taxes on real property and the notice provided for in section 3746 of this code shall conform hereto.

SEC 6 Section 3760 of said code is hereby amended to read as follows:

3760 In the list so delivered must be set down in numerical or alphabetical order all matters and things contained in the assessment book relating to delinquent persons or property; provided, that only the delinquent portion or portions of tax or taxes, penalty and costs shall be set down

SEC. 7. Section 3764 of said code is hereby amended to read as follows:

3764. The word "taxes," wherever used in this section, includes all taxes and assessment and annual installments of assessments charged on the tax roll.

(1) The tax collector must make an affidavit, indorsed on the delinquent list, that the taxes not marked "Paid" have not been paid and on or before the eighth day in June of each year, the tax collector shall publish the delinquent list, which must contain the names of persons and a description of the property delinquent, and an amount equal to the total amount of all taxes, penalties and costs due, which are a lien thereon Whenever any property appears in this list which was sold to the State five years or more previous to the date fixed herein for the sale to be had under the provisions of section 3771a of this code, there shall appear immediately following the description of such property a notice, which notice shall be in substance, and may be in form, as follows:

"To be sold at public auction _____ 19__.

See Sale No _____ in addenda to this list"

(2) In addition to the publication prescribed in subdivision one of this section, there shall be appended thereto a notice of sale, and a list of all property which was sold to the State five years or more previous to the date fixed herein for the sale to be had under the provisions of section 3771a of this code, on which the taxes remain unpaid, or which has not been redeemed or the sale of which has not been canceled or upon which a postponement of sale at auction has not been had or a conditional payment has not been made pursuant to law, and to which property the State would otherwise be entitled to a deed thereof after the lapse of five years from the date of said previous sale. Such notice shall state the day and hour and the place of sale, which sale must be had not less than twenty-one or more than twenty-eight days from the time of the first publication, and the place shall be in the tax collector's office, and shall contain a description of the property to be sold and the least amount which will be accepted as a bid thereon, which amount shall be the

amount of all taxes, penalties and costs for which the property was sold to the State at said sale. The properties enumerated shall each be preceded by a sale number, such sale numbers running in regular sequence. Said notice herein provided for shall be in substance, and may be in form, as follows:

"Addenda to delinquent tax list.

Notice of sale of property at public auction for delinquent taxes of 19___ and prior years.

In pursuance of law, public notice is hereby given that the several parcels and lots of property hereinafter described, which were sold to the State, pursuant to law, for delinquent taxes of and for the year 19___ and other prior fiscal years indicated, will be offered for sale at public sale to the highest bidder, for cash, in lawful money of the United States, by the undersigned tax collector, at his office, unless, before the acceptance of a bid therefor, redemption thereof shall be made or a postponement of said sale thereof at auction shall be made or a conditional payment on account thereof shall be made pursuant to law.

Information on redemption, postponement or conditional payment will be furnished by the undersigned.

Said sale will commence on the _____ day of _____ 19___, at ___ o'clock __m. and will continue from day to day thereafter if additional time is required for completion thereof.

No bid for any property will be accepted for less than the amount of all taxes, penalties and costs due thereon, for the nonpayment of which said property was sold to the State five years or more before the date fixed herein for this sale to be held; said minimum amounts are set forth opposite the description of each of said properties.

The successful bidder, to be entitled to a deed to the property purchased, must, within thirty days, pay, by redemption, in addition to the price paid pursuant to his bid at such sale, all further unpaid taxes of every description assessed against the property, together with all taxes that are a lien against the property, for each year since the sale thereof to the State, with penalties, specified in section 3817 of this code, on the taxes of the first and said succeeding years.

After a bid has been made and accepted at such sale, the right of redemption (except by the purchaser) shall cease.

Dated this _____ day of _____, 19__.

_____

Tax Collector of _____ County, State of California.

The properties to be sold and the subject of this notice are situated in the county of _____, State of California, and are particularly described as follows, to wit:

No._____ (description of property_____

_____)

Assessed to _____.

Least acceptable bid_____$_____."

The tax collector must forward to the Surveyor General of the State a copy of the first publication of the delinquent list and of the addenda thereto immediately following said publication

SEC. 8 Section 3766 of said code is hereby amended to read as follows:

3766. The publication must be made once in some newspaper of general circulation published in the county, and must be paid for at the county rate for advertising as fixed by the board of supervisors. In addition to such publication there shall be published once a week for two successive weeks immediately thereafter in the same paper a conspicuous notice directing attention to the publication of such list, specifying the paper, its place of publication and the date of issue in which such delinquent list appeared. If there be no newspaper of general circulation published in the county then said list must be posted in three public places in each of the townships in the county.

SEC. 9 Section 3771 of said code is hereby amended to read as follows:

3771. On the day and hour fixed for the sale in the publication of the delinquent tax list and the accompanying notice of sale, all property upon which the taxes and assessments of all kinds, penalties and costs have not been fully paid, except as provided in section 3814 of this code, shall, by operation of law and the declaration of the tax collector, be sold to the State, and said tax collector shall make, in appropriate columns on the delinquent list, opposite each parcel of land to be sold, an entry, "Sold to the State," the date of sale, and the total amount for which such parcel of land was sold, and he shall be credited with the amount thereof in his settlement, made pursuant to sections 3797, 3798 and 3799; provided, that on the day of sale the owner or person in possession of any property offered for sale for taxes due thereon may pay the taxes, penalties, and costs due; provided, further, that no suit shall be brought against the owner or person in possession of said property to recover any taxes, assessments, penalties, or costs if said property is real property.

SEC. 10. Section 3771a of said code is hereby amended to read as follows:

3771a. (1) On the day and hour fixed for the sale in accordance with subdivision two of section 3764 of this code, all property which has not been redeemed from the sale to the State or the sale of which to the State has not been canceled, or the sale of which at auction has not been postponed or on account of which a conditional payment has not been made, pursuant to law, shall be sold by the tax collector at public auction to the highest bidder for cash in lawful money of the United States; but no bid shall be accepted at such sale for a sum less than the amount of all taxes, penalties and costs due as shown in the advertised list; provided, however, that all lands sold by the State for which the full purchase price has not been paid shall be deeded to the State.

(2) After such bid has been made and accepted, the right of redemption shall cease, except as to the purchaser, who shall have thirty days within which to make redemption, as provided in section 3785b of this code. If not so redeemed, or if no sale is had under the provisions of this section, then said property shall be deeded to the State as provided in section 3785 of this code; provided, that when any property is to be sold at public auction as provided in this section, the tax collector shall, within five days after the first publication of said delinquent list, mail a copy of said list or publication, postage thereon prepaid and registered, to the party to whom the land was last assessed next before such sale, at his last known address, said notice to be mailed at least twenty-one days before the date of sale or in lieu of mailing the entire printed list said tax collector may mail to the party to whom the land was last assessed next before the sale at his last known post-office address, postage thereon prepaid and registered, a printed notice of such sale, which notice shall be in substance, and may be in form, as follows.

"Notice of Tax Sale.

In pursuance of law, notice is hereby given that all properties which were sold to the State for delinquent taxes of and for the year 19__, on which the taxes remain unpaid, will be offered for sale at public auction to the highest bidder, by the undersigned tax collector, at his office. Said sale will commence on the _____ day of _____, 19__, at _____ o'clock __m., and continue from day to day thereafter if additional time is required for completion thereof.

The property described below was assessed to _____ for the year 19__ and will be included in said sale unless, before the acceptance of a bid therefor, redemption thereof shall be made or a postponement of said sale thereof shall be had or a conditional payment on account thereof shall be made, pursuant to law.

Information on redemption, postponement or conditional payment will be furnished by the undersigned.

_____
Tax Collector

County of_____
State of California.

Description of property_____;

_____"

(3) The money received hereunder shall be distributed as provided in section 3816 of this code. The charge for advertising shall be at the rate fixed by the board of supervisors for other advertising in said county.

SEC. 11. Section 3772 of said code is hereby amended to read as follows:

3772. Immediately upon completion of the sale provided for in section 3771, the tax collector must, by mail or express, transmit to the Controller a statement or report, in such form as the Controller may desire, showing in detail each sale wherein the State became such purchaser.

SEC. 12. Section 3776 of said Code is hereby amended to read as follows:

3776. Wherever by any other section of this code, provision is made for the cancellation of a certificate of tax sale, the tax sale itself may be canceled for like reasons by the same board or officer mentioned in said sections; and whenever any sale is so canceled, the auditor shall be notified thereof and shall enter the fact and date of such cancellation upon the margin of the delinquent list opposite the description of the property involved.

SEC. 13. Section 3781 of said code is hereby repealed.

SEC. 14. Section 3785 of said code is hereby amended to read as follows:

3785. If the property is not redeemed or the making of a deed therefor is not postponed, pursuant to law, within five years from the date of the sale to the State, the tax collector, or his successor in office, must make the State a deed of the property. Said deed shall be in substance and may be in form, as follows:

"This indenture, made the _____ day of _____, 19__, between _____, tax collector of the county of _____, State of California, first party, and the State of California, second party, witnesseth:

That whereas the real property hereinafter described was duly assessed for taxation in the year 19__ to _____ (stating name as on assessment roll) and was thereafter on the _____ day of _____, 19__, duly sold to the State of California by _____, tax collector of said county of _____, for nonpayment of delinquent

taxes which had been legally levied in said year 19__, and were a lien on said real property, the total amount for which the same was sold being $_____.

And whereas the period of five years has elapsed since said sale and no person has redeemed the said property and the making of a deed to the said property has not been postponed, pursuant to law

Now, therefore, the said first party in consideration of the premises and in pursuance of the statute in such case made and provided, does hereby grant to the said second party that certain real property in the county of _____, State of California, more particularly described as follows, to wit _____.

In witness whereof, said first party has hereunto set his hand the day and year first above written.

_____
Tax Collector of the
County of_____"

No other matters need be recited in the said deed than those provided for in the above form, whether the sale is made before or after this act takes effect No charge shall be made by the tax collector for the making of any such deed, and the acknowledgment of all such deeds shall be taken by the county clerk free of charge. All such deeds shall be recorded in the office of the county recorder of the county wherein the property sold is situated, and said recorder shall make no charge therefor; provided, that in counties where the county recorders are paid no salaries, but fees only, such recorders shall receive for filing, recording and indexing each deed, the sum of seventy-five cents, payable out of the county treasury in the same manner that other claims are paid. The State Controller shall provide uniform blank deeds, upon which all conveyances to the State under the provisions of this section shall be made. All such deeds, after being duly recorded, as herein provided, shall be forwarded by the county recorder to the Controller The Controller shall record such deeds at length in a book to be provided for that purpose, in which book a marginal space shall be left to show the subsequent disposition of the property by the State; provided, however, that when State lands have been sold to the State upon which the full purchase price has not been paid, the deeds to the State, after being duly recorded, as herein provided, shall be forwarded by the county recorder to the Surveyor General and remain on file in his office, and the State shall dispose of such lands in the manner provided in section 3788; provided, however, that in all cases where land has been heretofore sold for delinquent taxes to purchasers other than the State of California, the deed therefor must have been made within the time allowed under the provisions of that certain act entitled "An act to amend section 3785 of the Political Code of the State of California, relating to the issuance of tax deeds," approved March 23, 1907, and unless the deed has been so made, the purchaser shall be deemed to have relinquished all his rights under such sale.

SEC 15. Section 3788 of said code is hereby amended to read as follows:

3788. When State lands, upon which the full purchase price has not been paid, have been sold to the State for delinquent taxes, and the deed therefor to the State provided for in section 3785 of this code has been forwarded to and filed with the Surveyor General, the said lands shall again become subject to entry and sale, in the same manner, and subject to the same conditions, as apply to other State lands of like character, except that the former possessors or owners of the land thus deeded to the State, their heirs or assigns, shall be preferred purchasers thereof for the period of six months after the deeds are filed with the Surveyor General, as prescribed in this section; during which said period of six months no application by any person other than said former possessors, or owners, their heirs or assigns, shall be filed; provided, that the former possessors or owners of said land thus deeded to the State, their heirs or assigns, shall have the right to be restored to their former estate and title (at any time either during said period of six months above referred to, or afterwards, and before application for said land is made and filed with the Surveyor General by any other person) upon paying to the county tax collector of the county wherein the said land is situated the total amount necessary to redeem said land completely, as provided in section 3817 of this code, and also all unpaid interest up to the first day of January, as hereinafter provided, which said money so paid into the treasury shall be distributed in the manner prescribed in section 3816; provided, that the money received for twenty per cent of the purchase money and accruing interest, together with the principal, in case of full payment on the lands, shall be distributed by the Surveyor General, in the manner now provided by law for such distribution If such former owner or possessor, his heirs or assigns desires to avail himself of the privileges hereof, he shall file with the Surveyor General the receipt of the county tax collector, showing the payment of said amount necessary to redeem, together with all unpaid interest up to the first day of January following the date when he shall make the said payment to the said county tax collector, and thereupon the Surveyor General shall give to such person a certificate signed and sealed by him, but which need not be acknowledged, showing full payment of all such sums, which said receipt of the Surveyor General shall be recorded by said persons in the county

recorder's office of the county wherein the said lands are situated, and the said receipt, when so recorded, shall have the same effect as a deed of reconveyance of the interest conveyed by such deed, and the said former owner or possessor, his heirs or assigns, shall thereby be restored to all his rights in the said lands, and his certificate of purchase shall be in full force and effect as effectually as though no sale had been made; but the Surveyor General shall not receive or file any application or make a sale of any lands thus deeded to the State, except upon the previous payment, in addition to the price of said lands as compared with the price fixed for other State lands of like character, by the person or persons proposing to file the application and make the purchase, of said amount necessary to redeem and the Surveyor General's authority for filing said application, if said lands are otherwise subject to sale, shall be the production by said applicant of the county tax collector's receipts showing full payment of said amount necessary to redeem as herein specified. If an application for the land is not presented to the Surveyor General's office by the party, or his agent, who paid said amount necessary to redeem within a period of fifteen days after the payment thereof, the land shall be subject to sale to the first person presenting his application for said land to the Surveyor General's office, accompanied by a certified copy of the tax collector's estimate and receipt, showing full payment of said amount necessary to redeem, as herein specified. An estimate of the amount necessary to redeem, as herein specified, must be made by the county tax collector of the county wherein the land is situated, upon the written request for same by the Surveyor General, and without cost to the State. Said county tax collector's estimate shall be computed as provided in section 3817 of this code. The money thus paid into the treasury shall be distributed in the manner prescribed in section 3816; provided, that the moneys received for twenty per cent of the purchase money and accruing interest, together with the principal, in case of full payment on the lands, shall be distributed by the Surveyor General, in the manner now provided by law for such distribution. Nothing in this section contained shall apply to land situated within the exterior boundaries of a military, Indian or forest reservation created by authority of the United States, or of a National forest, National park or National monument, or within the exterior boundaries of lands withdrawn from public entry for forest purposes.

SEC. 16. Section 3789 of said code is hereby amended to read as follows:

3789. The assessment book or delinquent list, or copy thereof, certified by the county tax collector, showing unpaid taxes against any person or property, is prima facie evidence of the assessment, the property assessed, the delinquency, the amount of taxes due and unpaid, and that all the forms of law in relation to the assessment and levy of such taxes have been complied with.

SEC. 17. Sections 3791, 3792, 3793, 3794, 3795 and 3796 of said code are hereby repealed.

SEC. 18. Section 3797 of said code is hereby amended to read as follows:

3797. The tax collector must, as soon as practicable after the last business day in June of each year, attend at the office of the auditor with the delinquent list, with all items collected marked "Paid" thereon.

SEC. 19. Section 3799 of said code is hereby amended to read as follows:

3799. The auditor must then foot up the amount of taxes unpaid, credit the tax collector with the amount in his current tax account, have a final settlement with him, and require from him an immediate payment of all moneys received, not previously paid into the county treasury, for or on account of taxes, penalties, costs, interest, and excess, double, erroneous and other incidental collections. The delinquent list, together with the assessment book, must remain in the custody of the tax collector. The auditor, in his delinquent tax account, must charge the tax collector with the uncollected balance of taxes on the delinquent list.

SEC. 20. Section 3800 of said code is hereby repealed.

SEC. 21. Section 3804b of said code is hereby amended to read as follows:

3804b. Where real property shall hereafter be assessed by the assessors of two or more counties for the same year the owner thereof may file an action in the superior court of one of said counties against the conflicting claimants and discharge the obligation by paying the largest amount of taxes assessed and levied on said land by any of said counties into court and compel said counties to interplead and litigate their several claims among themselves in accordance with section 386 of the Code of Civil Procedure. Where real property has heretofore been assessed by the assessors of two or more counties for the same year and the owner thereof has paid all of the taxes on one of such assessments, upon proof of the payment of such taxes on one of such assessments for any year, by the production of a tax receipt or certificate of the tax collector of the county in which such payment has been made, the board of supervisors of any other county claiming the right to assess and tax such real property, shall thereupon enter an order upon its minutes directing the auditor to cancel such double assessment of such property by an entry on the margin of the assessment book, as also upon the delinquent list, should such double assessment be carried therein. If the property assessed under such double assessment has been sold to the State and a certificate of sale or deed therefor has been issued to the State, the order of the board shall further direct the recorder to cancel such erroneous certificate and deed so issued except where the State has disposed of the property thereby conveyed

SEC. 22. Section 3808 of said code is hereby amended to read as follows:

3808. If any person remove from one county to another, after being assessed on personal property, possession of, claim to, or right to the possession of land, or taxable improvements located on land exempt from taxation, the tax collector of the county in which he was assessed may employ an attorney to sue for and collect the same in the tax collector's name.

SEC. 23. Section 3809 of said code is hereby amended to read as follows:

3809. On the trial a copy of the assessment, certified by the tax collector of the county where the same was made, with the affidavit of the tax collector thereto attached, that the tax has not been paid, describing it as on the assessment book or delinquent list, is primary evidence that such tax and the per centum are due, and entitles him to judgment, unless the defendant proves that the tax was paid.

SEC. 24. Section 3815 of said code is hereby repealed.

SEC. 25. Section 3816 of said code is hereby amended to read as follows:

3816. The word "taxes", wherever used in this section, includes all taxes and assessments and annual installments of assessments charged on the tax roll.

Whenever property sold to the State, pursuant to the provisions of this chapter, shall be redeemed or purchased from the State, as further in this chapter provided, the moneys received on account of such redemption or purchase shall be apportioned and distributed in the order of the following numbered paragraphs, to the fund or funds indicated in each such paragraph as fully as possible before apportioning and distributing to any fund or funds indicated in any following paragraph or paragraphs.

First: Amounts received to reimburse the county for the cost of publication and other expenses, to the general fund of the county

Second: Amounts collected under section 3770, to the fund therein specified.

Third: Taxes, to the funds for which they were originally levied each year, to each fund its proportion.

Fourth: Penalties for delinquency, to the same funds and in the same proportion as are the taxes upon which such penalties are computed

Fifth: Interest and/or redemption penalties computed as required in section 3817 and collected under that or any other section, to the same funds and in the same proportion as are the taxes upon which such interest and/or redemption penalties are computed.

Sixth: Any further amount, to the general fund of the county, provided that, where any portion of the taxes so collected is for account of and to be paid over to the State, such a part of such excess shall be paid to the State as its tax is of the total tax to which such excess applies.

All amounts forfeited by bidders for failure to complete purchases shall be paid in to the general fund of the county.

The county treasurer and the county auditor shall each keep an accurate account of any and all moneys received in pursuance of this section, and shall at the time the treasurer is required to settle with the State, in pursuance of sections 3865, 3866, and 3868, make a detailed report, verified by their affidavit, of the taxes and other amounts collected for each year, to the Controller of State, in such form as the Controller may desire. The State's portion of such collections shall be paid into the State treasury to the credit of the tax land fund.

SEC. 26 A new section is hereby added to said code to be numbered 3816a and to read as follows

3816a. All moneys received by the county treasurer and/or the county tax collector in accordance with the provisions of section 3817a of this code shall be distributed in the manner prescribed in section 3816 of this code for taxes, delinquency penalties, costs and redemption penalties.

All moneys received by the county treasurer and/or the county tax collector in accordance with the provisions of sections 3817b, 3817b2 3817c 3817c2 and 3817i of this code shall be distributed in the manner prescribed in section 3816 of this code for taxes and redemption penalties: provided, that amounts received on account of taxes shall be so distributed and applied on account of the oldest unpaid taxes.

SEC 27. Section 3817 of said code is hereby amended to read as follows:

3817. The word "taxes", wherever used in this section, includes all taxes and assessments and annual installments of assessments charged on the tax roll.

In all cases where real estate has been sold, or may hereafter be sold to the State for delinquent taxes and the State has not disposed of the same, the person whose estate has been or may hereafter be sold, his heirs, executors, administrators or other successors in interest shall, at any time after the same has been sold to the State and before the State shall have disposed of the same, have the right to redeem such real estate by paying to the county tax collector of the county wherein the real estate may be situated, the amount of taxes, penalties for delinquency, and costs due thereon at the time of such sale, and also all taxes that were a lien upon said real property at the time said taxes became delinquent; and also all unpaid taxes of every description assessed against the property together with all taxes that are a lien against the property for each year since the sale, as shown on the delinquent assessment rolls for other than the then current year; or, if not so assessed, then upon the value of the property as assessed in the year nearest the time of such redemption, at the rate or rates of taxes fixed for each year not assessed and at the rate or rates of taxes last fixed if such redemption is made after the time when liens

for taxes attach and before the fixing of the rate or rates of taxes, and also all costs and expenses of such redemption, and penalties as follows, to wit:

One per cent per calendar month or fraction thereof, if redeemed within five years beginning July 1st of the year of sale; if not redeemed within five years beginning July 1st of the year of sale, one per cent per calendar month or fraction thereof for a period of five years and at the rate of one-half of one per cent per calendar month or fraction thereof thereafter, to the time of redemption. The penalty shall be computed beginning July 1st of the year of sale, upon the amount of taxes delinquent at the time of sale, and upon the amount of each year's taxes in like manner, beginning the first day of July of the year when the property would have been sold for taxes, if there had been no previous sale.

The county tax collector shall, on the application of the person desiring to redeem, make an estimate of the amount to be paid, and upon the payment thereof to him shall issue his receipted certificate in triplicate therefor, specifying the several amounts thereof; one copy of such certificate shall be delivered to the redemptioner, one shall remain on file in the office of the tax collector and one shall be delivered to the county auditor who shall make a record thereof and shall transmit such certificate to the State Controller.

Upon consummation of the redemption and the delivery of the receipts aforesaid, the tax collector shall make a note of such redemption and the date thereof on the margin of the delinquent list opposite the description of the land and shall report the same to the assessor and to the recorder, and the recorder shall, without payment of fee, note on the margin of the record of the certificate of sale, or deed, if issued, the fact of such redemption, the date thereof, and by whom redeemed, which certificate of sale, or deed, shall become null and void, and all right, title and interest acquired by virtue of the tax sale, shall cease and determine.

The county tax collector shall settle for the moneys so received as for other moneys received by him.

The State Controller shall, upon request of the tax collector, issue a receipt which may be recorded in the recorder's office of the county in which said real estate is situated, in the book of deeds, and the record thereof shall have the same effect as that of a deed of reconveyance of the interest conveyed by such deed or certificate of sale.

This act shall also apply to State lands sold by the State when the full amount of the purchase price has not been paid to the State therefor, after the deed to the State, provided for in section 3785 has been filed with the Surveyor General; provided, however, that one of the receipts showing the redemption of such land shall be delivered to the Surveyor General who shall issue his receipt to the redemptioner; and provided further, that no certificate of redemption shall be issued by the county tax collector until he has first ascertained from the Surveyor General that the land has not been disposed of by the State.

SEC. 28. Section 3817f of said code is hereby amended to read as follows:

3817f. Any person, his heirs, executors, administrators or other successors in interest, who has made or who shall make a payment or payments on account of delinquent taxes in accordance with the provisions of section 3817a of this code and who, in addition, has elected or shall elect to pay the delinquent taxes on the same property in installments in accordance with the provisions of section 3817c or 3817c2, as the case may be, of this code, shall receive credit, on the amount of taxes payable in installments, for the total amount, without interest thereon, previously paid to the county treasurer in accordance with the provisions of section 3817a. At the time an installment payment is made on or next following the date this act takes effect and before the computation of interest then to be paid, such credit shall be applied on and deducted from the amount of taxes of which an installment is then payable. Such credit shall be in addition to and not a substitute for the payment of the whole or any part of such installment then payable.

SEC. 29. Section 3817g of said code is hereby amended to read as follows:

3817g. Any person, his heirs, executors, administrators or other successors in interest, who elected, on or before April 20, 1934, to pay delinquent taxes in installments in accordance with the provisions of section 3817c of this code and who failed to pay the taxes for the fiscal year 1933–1934 as in said section required, on or before said date, and who elects to pay the delinquent taxes on the same property in installments in accordance with the provisions of section 3817c2 of this code shall receive credit, on the amount of delinquent taxes payable in installments under said section 3817c2, for the total amount, without interest thereon, previously paid to the county treasurer in accordance with the provisions of section 3817c. At the time of so electing to pay in installments under section 3817c2 and before the computation of interest then to be paid, such credit shall be applied on and deducted from the amount of taxes of which an installment is then payable. Such credit shall be in addition to and not a substitute for the payment of the whole or any part of such installment then payable.

SEC. 30. Section 3817h of said code is hereby amended to read as follows:

3817h. If the person electing to pay such delinquent taxes in installments, in accordance with the provisions of section 3817c or 3817c2, his heirs, executors,

administrators or other successors in interest, has failed or shall fail to make any of the payments, of installments or of current taxes, therein required therefor on or before the dates therein fixed at the time the first payment was made and if the State has not disposed of the property and redemption thereof is made in accordance with the provisions of section 3817 or 3817b2 of this code within five years after April 20th of the fiscal year within which such failure to pay occurred but not later than April 20, 1944, there shall be credited, on the amount to be paid for such redemption in accordance with the provisions of said section 3817 or 3817b2, the amounts previously paid to the county treasurer and/or to the county tax collector in accordance with the provisions of said section 3817c or 3817c2, on account of delinquent taxes, for the nonpayment of which said property was sold to the State, and for interest thereon.

SEC. 31. A new section is hereby added to said code, to be numbered 3817j and to read as follows:

3817j. If and when section 3817 of this code shall be amended to provide for redemption by and through payment to the county tax collector, payments theretofore required, by sections 3817c, 3817c2 and 3817i, to be made to the county treasurer *shall thereafter be made to the county tax collector, with like effect in all* respects.

SEC. 32. Section 3818 of said code is hereby amended to read as follows

3818. In all cases where a lot, piece, or parcel of land contained in any assessment has been sold or may hereafter be sold for delinquent taxes to the State, and the State has not disposed of the same, a partial redemption may be made, separately from the whole assessment, of any such lot, piece or parcel of land as follows:

If such lot, piece or parcel of land has a separate valuation on the assessment roll, such partial redemption shall be made in the manner following: in the estimate provided for in section 3817 of this code, the tax collector shall estimate the amount of State and county taxes due on such lot, piece or parcel of land, together with a proper proportion of the taxes due on personal property under such assessment, and of the taxes due each school, road, lesser or other taxation district; and such redemption shall be made in the manner provided for in section 3817

If such lot, piece or parcel of land does not have a separate valuation on the assessment roll, the tax collector shall submit the description of the fractional part of the lot, piece or parcel of real property upon which redemption is requested, to the county assessor, who must place a valuation thereon The tax collector must then estimate the amount of taxes due on such lot, piece or parcel of land according to such relative or proportionate value and the taxes due on any improvements on the portion sought to be so redeemed, together with a relative proportion of the taxes due on personal property under such assessment, and of the taxes due each school, road, lesser or other taxation district; whereupon such redemption shall be made in the manner provided for in section 3817; provided, that no lot, piece or parcel of land owned, or claimed under contract by the person so redeeming shall be divided for the purpose of such redemption A partial redemption may be made in like manner, separately from the whole assessment, of an undivided interest in *any real property, if such property has a separate valuation on the assessment roll* the tax collector estimating the amount of taxes due on such undivided interest according to the proportion which such interest in said property bears to the whole assessment The recorder shall note, on the margin of the record of the certificate of sale a description of the property or undivided interest redeemed under this section, and shall specifically set forth the several amounts of taxes paid upon such redemption.

SEC 33 Section 3822 of said code is hereby amended to read as follows

3822. The sale must be at public auction, and of a sufficient amount of the property to pay the taxes, delinquency penalty and costs

The sale must be made after one week's notice of the time and place thereof, given by publication in a newspaper of the county, or by posting in three public places.

For seizing or selling personal property for taxes, the assessor may charge in each case the sum of three dollars and the costs of advertising the same if said personal property is advertised and in addition thereto the same mileage and keeper's fees as are allowed by law to the sheriff of the county when seizing and keeping property, subject to execution, under attachment.

On payment of the price bid for any property sold, the delivery thereof, with a bill of sale, vests the title thereto in the purchaser

All excess of the proceeds of any such sale over the taxes, delinquency penalty and costs must be returned to the owner of the property sold, and until claimed, must be deposited in the county treasury, subject to the order of the owner, heirs or assigns.

The unsold portion of any property may be left at the place of sale at the risk of the owner

SEC 34 A new section is hereby added to said code, to be numbered 3832 and to read as follows:

3832 The tax collector shall have and is hereby given the powers granted to the assessor by this chapter and shall perform the duties required by this chapter to be performed by the assessor, provided that, in any county in which the compensation of the assessor consists wholly or partly of fees for his services under this chapter, this section shall take effect on the day following the expiration of the term for which he was last elected or appointed.

In every county in which such powers and duties are so transferred from the assessor to the tax collector, the assessor shall complete and transmit to the auditor, at least monthly, successive portions of the assessment book, or copies thereof, or reports or statements, in such form and manner as the auditor may require, containing assessments, not previously so reported, of property to which this chapter relates.

The auditor shall immediately compute and enter the taxes thereon, or satisfy himself that the computations and entries thereon of such taxes, if made by the assessor, are correct and shall forthwith transmit and certify such portions of the assessment book, or such copies, reports or statements to the tax collector and shall charge him with the amount of taxes thereon The tax collector shall proceed at once to collect such taxes

Nothing in this section shall be construed to prohibit the equalization each year of the assessments on such property in the manner now or hereafter provided by law"

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 239—An act to amend the title and sections 4, 4a, 5, and 23 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the rates thereof and the extension thereof to companies, other than insurance companies, specified in section 14 of Article XIII of the Constitution of this State.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, strike out "rates thereof and the", also strike out lines 4, 5 and 6 of the title, and insert in lieu thereof the following: "extension of the provisions of said act to the companies taxable hereunder and their franchises, other than insurance companies and their franchises, specified in section 14 of Article XIII of the Constitution of this State, and to provide that this act shall take effect immediately."

Amendment No. 1-a.

On page 1, line 5, of the printed bill, strike out "other than", and strike out lines 6 and 7

Amendment No. 2.

On page 1, line 10, of the printed bill, after "4", insert the following. "(1)"

Amendment No. 3.

On page 1, line 11, of the printed bill, after "State", insert the following. ", taxable under the provisions of section 16 of Article XIII of the Constitution of this State.".

Amendment No. 3-a.

On page 1, line 19, of the printed bill, before "Each", insert the following: "(2)".

Amendment No. 4.

On page 2, line 1, of the printed bill, strike out "three", and insert in lieu thereof the following: "four".

Amendment No. 5.

On page 2 of the printed bill, strike out lines 22 to 26, inclusive, and insert in lieu thereof the following.

"(3) With the exception of financial corporations, every corporation doing business within the limits of this State and not expressly exempted from taxation by the provisions of the Constitution of this State or by this act, shall annually pay to the State, for the privilege of exercising its franchises within this State, a tax according to or measured by its net income, to be computed, in the manner hereinafter provided, at the rate of four per centum upon the basis of its net income for the next preceding fiscal or calendar year. In any event, each such corporation shall pay annually to the State, for the said privilege, a minimum tax of twenty-five dollars."

Amendment No. 6.

On page 2, line 27, of the printed bill, before "Any", insert the following "(4)".

Amendment No. 7.

On page 2 of the printed bill, strike out lines 34 to 47, inclusive, and insert in lieu thereof the following: "shall not be considered a corporation doing business in this State for the purposes of this act.

(5) Every corporation not otherwise taxed in pursuance of this section and not expressly exempted by the provisions of this act or the Constitution of this State shall pay annually to the State a tax of twenty-five dollars

(6) In any event any corporation organized for religious, charitable, social, cemetery, scientific, educational, recreational, literary, fraternal or civic purposes, if its organization or activities are not designed for, and do not result in financial or pecuniary gain or profit to the stockholders or members thereof, shall not be taxed under this act."

Amendment No. 8.

On page 2, line 48, of the printed bill, before "Taxes", insert the following "(7)".

Amendment No. 9.

On page 2, line 49, of the printed bill, strike out "after the close".

Amendment No. 10.

On page 2 of the printed bill, strike out lines 51 and 52, and on page 3, strike out lines 1 to 15, inclusive, and insert in lieu thereof the following:

"(8) The provisions of this subdivision, and of all other amendments to this act enacted during the year 1935, shall apply to taxable years beginning after December 31, 1934. Provided, however, that the tax for taxable years beginning prior to January 1, 1935, and ending during the calendar year 1935, shall be adjusted in accordance with the provisions of subdivision (d) of section 12 of this act. Any tax, for a taxable year specified in this subdivision, in addition to that disclosed by the return, made necessary solely by amendments to this act, shall accrue on January 1, 1935, and shall be due and payable within ten days from the date of notice and demand from the commissioner, or on or before the fifteenth day of the ninth month following the close of the income year, as defined in section 11 of this act, whichever is later. If not so paid, interest shall be added thereto pursuant to the provisions of subdivision (c) of section 24 of this act. Such tax shall not be considered a deficiency assessment within the meaning of section 25 of this act."

Amendment No. 11.

On page 3 of the printed bill, strike out lines 16 and 17, and in line 18, strike out "tion", and insert in lieu thereof the following "Whenever any tax is paid under this act, and by reason of amendments to this act, such payment exceeds the amount properly payable, such excess".

Amendment No. 12.

On page 3, line 19, of the printed bill, strike out "Any tax in addition to that paid", and strike out lines 20, 21 and 22

Amendment No. 13.

On page 3 of the printed bill, strike out lines 29 and 30, and insert in lieu thereof the following: "State, of every corporation taxable under subdivision (3) of section 4 of this act, for".

Amendment No. 14.

On page 3, line 37, of the printed bill, strike out "six", and insert in lieu thereof the following: "eight".

Amendment No. 15.

On page 3, line 39, of the printed bill, strike out "corporations", and insert in lieu thereof the following: "every corporation taxable under subdivision (3) of section 4 of this act,".

Amendment No. 16.

On page 3, line 42, of the printed bill, strike out "two", and insert in lieu thereof the following: "four".

Amendment No. 17.

On page 4, line 18, of the printed bill, strike out "financial".

Amendment No. 18.

On page 4 of the printed bill, strike out lines 23 to 27, inclusive, and insert in lieu thereof the following: "and other than those expressly exempted from the tax by the provisions of this act or the Constitution of the State of California.

The term "bank," as hereinafter used, shall include National banking associations.

The term "doing business," as herein used, means actively engaging in any transaction for the purpose of financial or pecuniary gain or profit."

Amendment No. 19.

On page 4, line 31, of the printed bill, strike out "taxable", and insert in lieu thereof the following "income"

Amendment No. 20.

On page 4 of the printed bill, strike out line 33, and insert in lieu thereof the following: "banking association, every other bank, and every financial corpo-".

Amendment No. 21.

On page 4 of the printed bill, strike out lines 38, 39 and 40, and insert in lieu thereof the following: "ot corporations of the classes referred to in subdivision (3) of section 4 of this act, which is required to be paid to the State as a franchise tax according to or measured by net income except that the first installment of the tax on financial corporations shall not be less than the minimum of twenty-five dollars"

Amendment No. 22.

On page 4, line 44, of the printed bill, strike out "such other corporations", and insert in lieu thereof the following "corporations of the classes referred to in subdivision (3) ot section 4 of this act,".

Amendment No. 23.

On page 4, line 46, of the printed bill, strike out "4 (a)", and insert in lieu thereof the following: "4a".

Amendment No. 24.

On page 4, line 48, of the printed bill, strike out "taxable", and insert in lieu thereof the following: "income".

Amendment No. 25.

On page 5, line 2, of the printed bill strike out "other corporations", and insert in lieu thereof the following. "corporations of the classes referred to in subdivision (3) of section 4 of this act".

Amendment No. 26.

On page 5, line 6, of the printed bill strike out "six", and insert in lieu thereof the following "eight"

Amendment No. 27.

On page 5, line 11, of the printed bill, strike out "other than banks and financial corporations,", and insert in lieu thereof the following. "of the classes referred to in subdivision (3) of section 4 of this act.".

Amendment No. 28.

On page 5, line 15, of the printed bill, strike out "taxable", and insert in lieu thereof the following "income".

Amendment No. 29.

On page 5, line 18, of the printed bill, strike out "taxable", and insert in lieu thereof the following: "income".

Amendment No. 30.

On page 5 of the printed bill, following line 45, insert the following:

"SEC. 6. If any provision of this act, or the application thereof to any person or circumstances, is held invalid, the remainder of the act, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

SEC. 7. This act, inasmuch as it provides for tax levies for the usual current expenses of the State, shall, under the provisions of section 1 of Article IV of the Constitution, take effect immediately."

Amendment No. 31.

On page 2, line 50, of the printed bill, after the period, add the following "Taxes under this section shall be in lieu of all ad valorem taxes and assessments of every kind and nature from and after the first Monday in March, 1935, upon all franchises of the corporations, companies and/or individuals taxable hereunder, including both general corporate and special franchises; provided that nothing herein shall be construed to release any corporation mentioned herein from the payment of any amount agreed to be paid or required by law to be paid for any special privilege or franchise granted by any political subdivision or municipality of this State."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1901—An act relating to real estate transactions and imposing a tax thereon and providing for the enforcement and collection of the tax, this act to take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of lines 1 to 12, inclusive, and insert in lieu thereof the following:

"SECTION 1. There shall be levied, collected and paid for in respect of each deed, instrument or writing by which the title to any real property shall be granted, assigned, transferred or otherwise conveyed to or vested in a purchaser or purchasers or in any other person or persons by his, her or their direction, a tax computed at the rate of one per cent of the value of the consideration paid or received, exclusive of the amount of any bona fide lien or encumbrance existing thereon before the sale and remaining thereon after the sale and exclusive of the amount of any encumbrance placed thereon at the time of sale or in the same transaction to pay, discharge or release any bona fide lien or encumbrance existing thereon before the sale. This tax shall not apply to any deed, instrument or writing, (a) given to secure a debt, (b) given in consideration of the release of any bona fide mortgage or trust deed or other lien existing at the time of the passage of this act, except as to any consideration paid in addition to the release of the obligation secured thereby, (c) given as a gift or for which no consideration in money or money's worth is paid or received, (d) given pursuant to an agreement entered into prior to the date this tax becomes effective, when the sale price was agreed upon in such agreement or placed in escrow prior to the date this tax becomes effective, nor (e) to any deed, instrument or writing in respect to which under the Constitution and the laws of the United States or under the Constitution of this State, it is not competent for the State to impose such taxes."

Amendment No. 2.

On page 2 of the printed bill, strike out all of lines 13 to 20, inclusive, and insert in lieu thereof the following:

"(a) Makes, signs or issues any deed, instrument or writing without the full amount of taxes thereon being duly paid shall be guilty of a misdemeanor and shall be liable to the State of California for three times the amount of any taxes required to be paid; and (b) whoever makes use of any adhesive stamp to denote any tax imposed by this act without canceling or obliterating such stamp as prescribed herein or hereunder, shall be guilty of a misdemeanor."

Amendment No. 3.

On page 2 of the printed bill, strike out all of lines 24 to 42, inclusive.

Amendment No. 4.

On page 2, line 43, of the printed bill, strike out the numeral "9", and insert in lieu thereof the following. "6".

Amendment No. 5.

On page 2, line 48, of the printed bill, strike out the period, and insert in lieu thereof the following: ", taxes levied hereunder shall become effective thirty days from and after the effect date of this act."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 154—An act to amend the title and sections 8, 14, 32 and 33 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the extension of the provisions of said act to the companies and their franchises, other than insurance companies and their franchises, specified in section 14 of Article XIII of the Constitution of this State.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended in Assembly March 14, 1935, strike out lines 8 to 20, both inclusive, and insert in lieu thereof the following.

"SEC. 8. In computing "net income" the following deductions shall be allowed:".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 155—An act to amend the title and sections 4, 4a, 5, 8, 10, 11, 12, 13, 15, 16, 18, 19, 20, 21, 23, 24, 25, 26, 27, 29, 30, 31 and 35 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the extension of the provisions of said act to the companies and their franchises, other than insurance companies and their franchises, specified in section 14 of Article XIII of the Constitution of this State

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 31, of the printed bill, as amended, after "social,", insert the following: "cemetery,".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2387—An act to amend section 1 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the city of Long Beach upon certain trusts and conditions, approved April 28, 1925, relating to the use of such tidelands and submerged lands.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 731—An act to amend section 10 of an act entitled "An act providing for the formation, government and operation of harbor districts, the calling and conducting of elections in such districts of harbor commissioners, defining their powers and duties, and providing for the issuance and disposal of bonds of such harbor districts, and providing for the assessment, levy and collection of taxes for the payment of such bonds and for the ordinary annual expenses of such harbor districts." approved June 10, 1931, relating to the government of such districts

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1164—An act to provide for improvement of rivers, bank protection and clearing flood channels, in cooperation with county, State or Federal relief agencies, political subdivisions, districts, corporations or individuals, and making an appropriation therefor.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

Amend the printed bill to read as follows:

"An act to provide for improvement of rivers, bank protection and clearing flood channels, in cooperation with county, State or Federal relief agencies, political subdivisions, districts, corporations or individuals, and making an appropriation therefor.

The people of the State of California do enact as follows:

SECTION 1. There is hereby appropriated out of any money in the State treasury not otherwise appropriated the sum of $20,000 to be expended by the State Department of Public Works for the improvement of rivers, bank protection, and clearing flood channels throughout the State.

SEC 2. All work to be paid for out of this appropriation shall be executed by the Division of Water Resources of the State Department of Public Works, and shall be done in cooperation with county, State or Federal relief agencies, political subdivisions, districts, corporations or individuals, and said cooperation may be in the form of contributions of labor, money, materials, supplies, services, or the use of equipment or facilities; provided, however, that no portion of the money herein appropriated shall be expended for lands or rights of way.

SEC. 3. The Department of Public Works is hereby authorized to accept and use for the purposes hereinabove stated, contributions from any source, of money, services or other things necessary or desirable in the prosecution of the work to be done, and to accept from any source grants of permission, easement, or rights of way relating thereto."

Amendment adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 527—An act to provide for the creation, organization and government of port districts in one or more counties; to enumerate the powers thereof; to authorize the incurring of indebtedness, the borrowing of money and the issuance of bonds, and other evidences of indebtedness of such district and to provide for the mortgaging, pledging, or hypothecating of property of such districts and the issuance of revenue notes, certificates or warrants payable solely and exclusively from the revenues to be realized from a particular utility or property acquired or to be acquired with the proceeds of such obligations; to provide for the levy and collection of taxes by such districts and the allocation, mortgage, pledge, or hypothecation of the revenues of such districts or any property of such districts; to authorize port districts to enter into agreement with the State of California or any political subdivisions therein or with the United States of America; and to authorize port districts to do and perform all acts and things necessary or appropriate to carry out the purposes of this act.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, after "of", insert the following: "river".

Amendment No. 2.

On page 1, line 14 of the title of the printed bill, after the word "authorize", insert the following: "river".

Amendment No. 3.

On page 1, line 17 of the title of the printed bill, after the word "authorize", insert the following: "river".

Amendment No. 4.

On page 1, line 2, of the printed bill, strike out "'The Port District County Act'", and insert in lieu thereof the following, "'The River Port District Act.'"

Amendment No. 5.

On page 1, line 3, of the printed bill, after the word "A", insert the following: "river".

Amendment No. 6.

On page 1, line 6, of the printed bill, strike out the comma, and insert in lieu thereof the following: "contiguous to a navigable river or to any channel connected with a navigable river,".

Amendment No. 7.

On page 1, line 8, of the printed bill, after "district", insert the following: ", and provided that no territory situate in a county in which there is located a duly organized and existing port district under the provisions of the Port District Act shall be included in such river port district".

Amendment No. 8.

On page 3, line 17, of the printed bill, after the word "selecting", insert the following: "such".

Amendment No. 9.

On page 3, line 18, of the printed bill, strike out the period, and insert in lieu thereof the following: "except the auditor."

Amendment No. 10.

On page 4, line 8, of the printed bill, after "facilities,", insert the following: "cold storage facilities,".

Amendment No. 11.

On page 5, line 20, of the printed bill, strike out "accommodations", and insert in lieu thereof the following: "accommodation".

Amendment No. 12.

On page 5, line 48, of the printed bill, strike out "once", and insert in lieu thereof the following: "five days".

Amendment No. 13.

On page 6, lines 40 and 41, of the printed bill, strike out "Provided, however, in", and insert in lieu thereof the following: "In".

Amendment No. 14.

On page 6 of the printed bill, strike out all of lines 7, 8 and 9, and insert in lieu thereof the following: "day of June of the following year."

Amendment No. 15.

On page 9 of the printed bill, after line 19, insert the following:

"SEC. 23. Wherever in this act reference is made to "port district" it shall mean "river port district."

Amendment No. 16.

On page 9, line 20, of the printed bill, strike out "23", and insert in lieu thereof the following: "24".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 65—An act granting certain tide and submerged lands of the State of California to the city of San Buenaventura, upon certain trusts and conditions.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, add a new subsection (e) to read as follows:

"(e) There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas, in said land, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from said land."

Amendment No. 2.

On page 2, line 8, of the printed bill, strike out the word "directors", and insert the word "electors".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 848—An act to amend section 2.60 of the School Code, relating to the correction and relocation of boundaries of school districts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 299—An act to repeal Article IV of Chapter VII of Part I of Division II of the School Code and to add to said Chapter

VII of Part I of Division II thereof a new article to be known as Article IV, both relating to the annexation of elementary school districts not in any high school district, to high school districts.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 14, of the printed bill, after the word "districts", insert the following: "or portions of elementary school districts".

Amendment No. 2.

On page 1, line 18, of the printed bill, strike out the word "districts", and insert in lieu thereof the following: "district, or portion of an elementary school district".

Amendment No. 3.

On page 1, line 18, of the printed bill, after the word "a", insert the word "contiguous".

Amendment No. 4.

On page 1, line 20, of the printed bill, after the word "district", insert the following: "or portion of an elementary school district".

Amendment No. 5.

On page 1 of the printed bill, beginning in line 22, strike out the following: "in the high schools of which during the preceding", and strike out all of lines 23 and 24, and on page 2, strike out all of lines 1 to 6, inclusive, and insert in lieu thereof the following: "in the same or in an adjoining county, or counties, the high".

Amendment No. 6.

On page 2, line 7, of the printed bill, after the word "school", insert the words "or high schools".

Amendment No. 7.

On page 2, line 7, of the printed bill, strike out the following: "is nearest the population center of", and insert in lieu thereof the following: "are most convenient to the high school pupils residing in".

Amendment No. 8.

On page 2, line 8, of the printed bill, after the word "district", insert the following "or portion of an elementary school district".

Amendment No. 9.

On page 2, line 11, of the printed bill, after the word "a", insert the word "contiguous".

Amendment No. 10.

On page 2, line 12, of the printed bill, after the word "district", insert the following: "or portion of an elementary school district"

Amendment No. 11.

On page 2, line 14, of the printed bill, strike out the following 'The provisions of sections", and insert in lieu thereof the following:

"2.503. Whenever it appears to a county superintendent of schools that an elementary school district or portion of an elementary school district under his jurisdiction should be annexed under the provisions of this article to a high school district under the jurisdiction of another county superintendent of schools, the elementary school district, or portion of an elementary school district shall be annexed to such high school district by concurrent action of the boards of supervisors of the counties represented by the two county superintendents of schools acting upon the joint recommendation of the two county superintendents of schools.

2.504. The provisions of sections".

Amendment No. 12.

On page 2, line 15, of the printed bill, strike out "such annexation", and insert in lieu thereof the following: "all annexations made under the provisions of this article.

2.505. An elementary school district or portion of an elementary school district annexed to a high school district under the provisions of this article shall not be liable for any of the bonded indebtedness of the high school district incurred prior to

the annexation of the elementary school district or portion of elementary school district to the high school district."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 523—An act to add Article XI to Chapter I of Part I of Division II of the School Code, relating to district elections.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, after the word "election", insert the following: "called by the governing board of a school district".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 406—An act to add a new article to Chapter I of Part I of Division I of the School Code to be known as Article VII, embracing section 1.45, relating to the participation of pupils in public exhibitions

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of lines 5 to 24, inclusive, and on page 2, strike out all of lines 1 to 4, inclusive, and insert in lieu thereof the following:

"1.45. It shall be unlawful for any member of a board of education, board of school trustees, superintendent of schools, principal or teacher employed in any elementary or secondary school supported in whole or in part by the funds of this State to order, direct, request or permit any teacher, pupil or student in any such school, while participating in the activities of any band or orchestra conducted and maintained under and as a part of the curriculum of such school, to perform or participate in any parade, ceremony, exhibition or program sponsored by any club, society or other organization of a civic, fraternal or religious nature for the furtherance of any private profit or gain.

Nothing in this section shall be construed to apply to participation or performance in the ceremonies or activities in celebration of any National or State holiday, any patriotic or educational undertaking, or in connection with any festival or affair on a day customarily set aside for the celebration or commemoration of an event of local history, importance or significance of a public nature; provided, that such festival or affair is not conducted for the furtherance of private profit or gain.

Each such board of education, board of school trustees, or superintendent of schools is hereby authorized and empowered to make and enforce rules necessary to carry out the provisions of this section."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 910—An act to amend section 5.500 of the School Code, relating to terms of employment.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the number "5.500", and insert in lieu thereof the number "5.501".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out all of line 2, and insert in lieu thereof the following: "the employment of persons in positions requiring certification qualifications in school districts having an average daily attendance of less than 850."

Amendment No. 3.

On page 1, line 1, of the printed bill, strike out the number "5.500", and insert in lieu thereof the number "5.501".

Amendment No. 4.

On page 1 of the printed bill, strike out all of lines 3 to 16, inclusive, and insert in lieu thereof the following:

"5.01. Every employee of a school district having an average daily attendance of less than eight hundred fifty, who is employed in a position or positions requiring certification qualifications, after having been so employed for one school year, shall, if his service in the district is not then terminated, be deemed to be employed for the next succeeding two school years, and at the end of such period, if his service in the district is not then terminated, he shall be deemed to be reemployed for the next succeeding three school years. Thereafter, such employee shall, at the end of the period for which he has been reemployed, if his service in the district is not then terminated, be deemed to be reemployed for a period of three consecutive school years.

In determining the period for which any employee of a school district now in the service of a school district and coming within the provisions of this section shall be deemed reemployed, if reemployed after this section takes effect, the number of school years for which such employee has been continuously employed in the district immediately prior to his reemployment after this section takes effect, shall be counted as employment in such district under the provisions of this section.

Nothing in this section shall be construed as affecting any permanent employee of a school district having an average daily attendance of less than eight hundred fifty, who is classified as such at the time this section takes effect."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 234—An act creating a commission for the coordination of State and local governments, defining its powers and duties, and making an appropriation therefor.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 15, of the printed bill, after "appointed", insert the following: ", for a term of two years,".

Amendment No. 2.

On page 1, line 18, of the printed bill, strike out the period, and insert the following ", for a term of two years."

Amendment No. 3.

On page 2 of the printed bill, between lines 8 and 9, insert the following:

"SEC. 5. The commission must meet within ninety days after the effective date of this act, and thereafter at least once every three months. Special meetings may be called by the Governor."

Amendment No. 4.

On page 2, line 9, of the printed bill, strike out "5", and insert in lieu thereof the following: "6".

Amendment No. 5.

On page 2, line 13, of the printed bill, strike out "6", and insert in lieu thereof the following: "7".

Amendment No. 6.

On page 2, line 18, of the printed bill, strike out "7", and insert in lieu thereof the following: "8".

Amendment No. 7.

On page 2, line 22, of the printed bill, strike out "8", and insert in lieu thereof the following: "9".

Amendment No. 8.

On page 2, line 27, of the printed bill, strike out "9", and insert in lieu thereof the following: "10".

Amendment No. 9.

On page 2, line 29, of the printed bill, after "$", insert the following: "15,000".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 465—An act to amend section 675 of the Political Code, referring to the general powers of the Director of Finance.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of the title, and insert in lieu thereof the following:

"An act to amend subsections numbers 3 and 5, and to add two new subsections to be numbered 10 and 11 to section 675 of the Political Code, empowering the Director of Finance to execute grants to real property belonging to the State to the United States of America, to withdraw from sale public lands of the State, and to enter into agreements with littoral owners or others to compensate the State on account of taking of oil, gas, hydrocarbons or other minerals from the lands of the State"

Amendment No. 2.

"SECTION 1. General powers of director The Director of Finance shall have power:

3. Sale or exchange of personal property. To authorize, with the consent of the State department, board, commission, or other officer concerned, the sale or exchange of any personal property, including oil, gas, natural gasoline and surplus water, which belongs to the State if, in the judgment of the director, such sale or exchange will be for the best interests of the State."

Amendment No. 3.

"SEC 2 Subsection 5 of section 675 of the Political Code is hereby amended to read as follows:

5. Execute grants to real property. To execute grants to real property belonging to the State of California in the name of, and upon behalf of, the State of California whenever the sale or exchange of such real property is authorized or contemplated by law, if no other agency of the State is specifically directed and empowered to execute such grants; to execute grants to any real property belonging to the State of California in the name of and upon behalf of the State of California, with the consent of the State agency, if any, concerned, to the United States of America, in exchange for lands of the latter, or for such other considerations, as may appear to the Director of Finance to be to the best interests of the State; any real property acquired by the State of California by exchange pursuant to the provisions of this subsection shall be subject to the laws governing real property of the class to which such acquired real property belongs."

Amendment No. 4.

"SEC. 3. A new subsection is hereby added to section 675 of the Political Code to be numbered "10" and to read as follows:

10. Withdrawal from sale of public lands. To withdraw from sale any and all of the public lands belonging to the State of California, by executive order, with the approval of the Governor, and by like procedure, to return any or all of any such lands so withdrawn for the purpose of sale or other disposition in accordance with law."

Amendment No. 5.

"SEC. 4. A new subsection is hereby added to section 675 of the Political Code, to be numbered "11" and to read as follows:

11. Agreements to compensate State for minerals. To enter into agreements in the name of and upon behalf of the State, with owners, or those authorized by such owners, of lands adjacent, riparian or littoral to lands of the State to compensate the State on account of the taking of oil, gas or other hydrocarbons from lands of the State by drainage; to enter into agreements in the name of and upon behalf of the State of California, with owners, or those authorized by such owners, of lands adjacent, riparian or littoral to lands of the State to authorize the taking of oil, gas or other hydrocarbons from lands of the State by means of wells drilled upon

such adjacent, riparian or littoral lands into lands of the State; upon failure to negotiate an agreement authorized by this subsection which in his opinion will properly protect the interests of the State, to authorize in the name of and upon behalf of the State the taking of any oil, gas, hydrocarbons or other minerals by lease or easement from the lands of the State in such manner, upon such terms, and for such considerations as may appear to him to be to the best interests of the State."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 993—An act to provide a procedure for the consolidation of counties, cities and counties.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the comma, and insert in lieu thereof a period.

Amendment No. 2.

Strike out line 2 of the title of the printed bill.

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 to 8, inclusive, and insert in lieu thereof the following:

"SECTION 1. Two or more contiguous counties, not chartered, may merge and consolidate into one government, with one set of officers, in accordance with the provisions of this act.

SEC. 2. Proceedings for such consolidation may be initiated by uniform ordinance adopted by the board of supervisors of each county involved, by a three-fifths vote of all the members of each such board; or may be initiated by a petition signed by at least fifteen per centum of the qualified electors of each county involved, computed on the basis of all the votes cast in such county for candidates for Governor in the last general election for Governor.

SEC. 3. Such uniform ordinances and any such petition shall specify the counties to be joined and the proposed name of the consolidated county.

SEC. 4. Upon the passage or repeal of any such uniform ordinance, the county clerk shall notify the board of supervisors of the county involved which has the largest population according to the last Federal Census.

SEC. 5. Each part of any such petition shall be filed in the office of the clerk of the county in which the signatures on that part were secured, and it shall be the duty of the clerk to examine the same within thirty days, to determine the validity and sufficiency of the signatures thereon. Any number of parts may be filed in any county.

SEC. 6. Each such clerk, when he finds that the petition has been signed by the requisite number of qualified electors in his county, shall present the parts he has examined, with his certificate, to the board of supervisors of the county involved which has the largest population according to the last Federal Census.

SEC. 7. Such uniform ordinances may be passed at any time, and may be repealed at any time prior to the adoption of such an ordinance by every county involved. Such petitions may be circulated at any time, but all parts must be filed within one hundred and twenty days after the date of the earliest signature on any part which is filed.

SEC. 8. If such ordinances are passed by the supervisors of every county involved, and are in effect, or if such petition is properly signed by a sufficient number of qualified electors in every such county, as certified by said clerks, said board of supervisors shall by resolution fix a day, not less than sixty nor more than ninety days after the effective date of the uniform ordinance last passed, or after the presentation of the last certificate of any such county clerk, upon which a special election shall be held in each of the counties involved, to determine whether or not the consolidation shall be effected.

SEC. 9. Written notice of said resolution fixing the date of the elections shall be given to the board of supervisors of each other county involved, and it shall be the duty of the board of supervisors of each county involved to call said special election on the date fixed, and to perform all duties in connection therewith in the manner required by law in other elections.

SEC. 10. The proposition on the ballot at said special elections shall read substantially as follows: "Shall the counties of (here naming the counties involved) consolidate under the name of the county of (here giving the proposed name), with

one government and one set of officers?", and to the right of said proposition shall be four half-inch squares in a block, the upper left one having within it the word "Yes", and the lower left one the word "No", the squares to the right remaining blank for the voter to stamp his cross opposite said words, as he chooses to vote.

SEC. 11. The elections on said proposition shall be conducted, and the votes canvassed, in the manner required by law in other elections An abstract of the vote shall be transmitted by the clerk of each county involved to the board of supervisors which fixed the date of the elections, which board shall promptly notify the board of supervisors of each county involved, and the Secretary of State, of the results of the elections.

SEC. 12. If a majority of the voters of any county involved vote against the proposed consolidation, no consolidation shall result, and new proceedings under this act may not be again begun in any of the counties involved until after one year from the date of the elections on the proposition to consolidate.

SEC 13. If a majority of the voters of every county involved vote in favor of the proposed consolidation, the said counties shall be merged and consolidated under one government as of the date of the filing with the Secretary of State of the results of the elections.

SEC. 14. The consolidated county shall have the name designated on the ballot proposition, and shall have the classification of that county which was merged which had the largest population according to the last Federal Census, until said classification is changed by the Legislature.

SEC. 15. The board of supervisors of the consolidated county shall consist of the members of the boards of supervisors of all of the merged counties, until the election and qualification, at the general election after the merger and consolidation, of five supervisors who shall be elected as provided by law from five supervisorial districts embracing the whole of the consolidated county. Said districts shall be established by the board by a two-thirds vote of the members, as soon as practicable after the merger and consolidation, and before the said general election, and shall be as nearly equal in population as may be. At the first regular meeting of the board after said general election, the five members shall classify themselves by lot, three of them to serve terms of three years, and two of them to serve terms of two years. Thereafter said members shall be elected for terms of four years, as provided by law.

SEC. 16. The elective officers, other than supervisors and township officers, of the merged county with the largest population shall be the officers of the consolidated county, until the election and qualification of their successors in accordance with law. The elective officers other than supervisors and township officers of the other merged county or counties shall be special deputies in the respective offices of the consolidated county, until the end of the terms for which they were elected. Such officers and special deputies shall receive the compensation fixed by law or by ordinance for their former positions, until otherwise provided by law or by ordinance.

SEC. 17. The various townships and districts of the merged counties shall continue as established at the time of the consolidation with the same officers, if any, until changed in accordance with law.

SEC. 18. The superior courts of the merged counties shall constitute the superior court of the consolidated county, and shall continue to function with the same judges, officers, and seats, as departments of the superior court of the consolidated county, until other provision is made by law.

SEC. 19. The ordinances of the merged counties shall continue in effect as the ordinances of the consolidated county, until changed by the board of supervisors. When such ordinances of the merged counties are in conflict or are inconsistent, they shall respectively apply only to the territory to which they formerly applied.

SEC. 20. The county seat of the merged county with the largest population shall be the county seat of the consolidated county, until changed in accordance with law. Branch offices may be maintained at the discretion of the board of supervisors, however, and a branch office of the county clerk shall be maintained in connection with each department of the superior court not sitting at the county seat.

SEC. 21. The property, real and personal, and the records, papers, accounts, assets, rights, and powers of the merged counties are transferred to the consolidated county upon the merger and consolidation. Thereafter full control over the same, in accordance with law, shall be in the board of supervisors and other officers of the consolidated county.

SEC. 22. No property within any of the merged counties shall ever be taxed to pay any portion of any indebtedness of any other merged county contracted prior to or existing at the date of the merger and consolidation. For the purpose of levying and collecting such taxes, such merged counties shall be regarded as special tax districts of the consolidated county.

SEC. 23. It is the intent of the Legislature that this act shall provide a simple and practical means for contiguous counties to merge and consolidate under one

government, with one set of officers, and this act shall be liberally interpreted accordingly."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 442—An act to repeal sections 1270, 1271, 1271.5 and 1272 of the Fish and Game Code, and to add thereto a new section 1270, relating to deer.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of the title of the act after the word "to", and insert in lieu thereof the following: "amend section 1270 of the Fish and Game Code and to repeal sections 1271, 1271.5 and 1272, relating to deer."

Amendment No. 2.

On page 1 of the printed bill, strike out all of lines 1 to 4, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 1270 of the Fish and Game Code is hereby amended to read as follows:

1270. In districts 2, 2½, 3, and that portion of district 4 lying north of the northern boundaries of Santa Barbara and Ventura counties, and west of the western boundary of district 1, deer may be taken between August 15th and September 15th; elsewhere in the State deer may be taken between September 15th and October 15th.

SEC. 2. Sections 1271, 1271.5 and 1272 of the Fish and Game Code are hereby repealed."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 96—An act to add section 429.5 to the Fish and Game Code, relating to fishing licenses.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 238—An act to add section 791.6 to the Fish and Game Code, relating to crabs.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2028—An act to amend section 1310 of the Fish and Game Code and to add thereto section 1340.6, relating to bear.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1763—An act to amend sections 669, 702, 703, 709, 711 and 712 of the Fish and Game Code, relating to black bass, crappie, calico bass and sunfish.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 646—An act to amend section 13 of the Motor Vehicle Fuel License Tax Act, relating to expenditures of money allocated to counties and cities and counties.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to add sections 195.5 and 1623.5 to the Streets and Highways Code, relating to expenditure of money allocated to counties, cities, and cities and counties."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 27, inclusive, on page 2, strike out lines 1 to 52, inclusive; on page 3, strike out lines 1 to 51, inclusive; on page 4, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following:

"SECTION 1. A new section, to be numbered 195.5, is added to the Streets and Highways Code, to read as follows.

195.5 When the department delegates the expenditure of such money none of it shall be used for the construction or improvement of any highway or street if the contract for such construction or improvement calls for or permits the use of any patented or proprietary paving or material or any paving or material for the use of which a royalty is to be paid.

SEC. 2. Section 1623.5 is hereby added to the Streets and Highways Code, to read as follows:

1623.5. None of the amounts paid to the counties shall be used for the construction or improvement of any highway or street if the contract for such construction or improvement calls for or permits the use of any patented or proprietary paving or material or any paving or material for the use of which a royalty is to be paid."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 294—An act to amend section 403 of the Vehicle Code, relating to liability for injuries of guests.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 182—An act to amend the title and section 1 of "An act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, relating to the employment of females.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 1", and insert in lieu thereof the following: "sections 1 and 3a".

Amendment No. 2.

On page 2, line 35, of the printed bill, after "hospitals", and before the comma, insert the following: "nor nurses in sanitoriums where the sick are treated exclusively by prayer in the practice of religion."

Amendment No. 3.

On page 2 of the printed bill, after the period in line 39, insert the following: "the provisions of this section shall not apply to females who direct and are responsible for the work of others."

Amendment No. 4.

On page 2 of the printed bill, immediately following line 39, insert the following:

"SEC. 3. Section 3a of said act is hereby amended to read as follows:

Sec. 3a. Every employer subject to the provisions of this act shall keep, in the English language, an accurate record showing the names and actual hours worked of all female employees, which record shall be accessible at all reasonable hours to the Chief of the Division of Labor Statistics and Law Enforcement of the Department of Industrial Relations, his deputies and agents."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1650—An act to amend sections 480, 481, 482, 483, 503, 505, 736, 737, 738 and 743 of the Vehicle Code, to repeal sections 502 and 739 of said code and to add sections 500, 501, 502, 506, 739, 743.5 and 743.6 to said code, relating to accidents involving motor vehicles, the duty of drivers of such vehicles to stop, render aid and give certain information, defining the crime of negligent homicide and prescribing penalties therefor, also relating to persons driving motor vehicles while under the influence of liquor or narcotic drugs, to the stealing or unlawful taking of motor vehicles, and the reckless driving of such vehicles, to the taking of persons arrested before magistrates, and the duties of arresting officers in connection with said persons, to the procedure to be followed where the person arrested is either taken before a magistrate or is given a notice to appear in court, to changes of venue in prosecutions for violations of said code, and to the procedure to be followed upon the arrest of all persons violating said code.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 12, of the printed bill, insert after "one", the following "year"

Amendment No. 2.

On page 2, lines 21 and 22, of the printed bill, strike out the words "and the names of all passengers, not exceeding five, in such vehicle".

Amendment No. 3.

On page 2, line 25, of the printed bill, after "with", insert the following: 'or shall give such information and exhibit such license to any traffic or police officer at the scene of the accident".

Amendment No. 4.

On page 5 of the printed bill, after line 35, insert the following:

"(d) Section 670e, relating to a failure or refusal of the driver of a vehicle to stop and submit to a brake test which is punishable as a misdemeanor.

(e) Section 709c, relating to refusal to submit vehicle and load to a weighing which is punishable as a misdemeanor."

Amendment No. 5.

On page 6, line 26, of the printed bill, after "committed", insert the following: "or before a magistrate in the township in which the offense is alleged to have been committed".

Amendment No. 6.

On page 7, line 30, of the printed bill, after "made", insert a comma and the following: "or, upon demand of the person arrested, before a magistrate in the township in which the offense is alleged to have been committed."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1784—An act to add section 675.5 to the Vehicle Code, relating to glass

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of lines 3 to 10, both inclusive, and insert in lieu thereof the following

"SEC. 675 5. Safety Glass Required. On and after January 1, 1936, except as hereinafter otherwise provided, no person shall sell any new motor vehicle nor shall any new motor vehicle be registered thereafter, nor shall any person operate any motor vehicle sold as a new motor vehicle in this State after January 1, 1936, unless such motor vehicle is equipped with safety glass wherever glass is used in partitions, doors, windows, or windshields"

Amendment No. 2.

On page 1, line 26, of the printed bill, strike out the word "Division", and insert in lieu thereof the following: "Department".

Amendment No. 3.

On page 2 of the printed bill, strike out all of lines 1 to 15, both inclusive, and insert in lieu thereof the following. "glass as defined in this section and shall not register any new motor vehicle after January 1, 1936, unless such motor vehicle is equipped with an approved type of safety glass.

5 On and after January 1, 1936, every application for the original registration of a new motor vehicle sold in this State shall be accompanied by an affidavit of the transfer of the vehicle indicating the type of glass used in the partitions, doors, windows, and windshields thereof

6 In case of the violation of the provisions of this section"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2392—An act to ratify and approve an interstate compact to conserve oil and gas, signed at Dallas, Texas, February 16, 1935, and declaring the urgency hereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 792—An act to prohibit child labor.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 7, of the printed bill, strike out the period, and insert in lieu thereof the following: ', provided, however, that children under the age of sixteen shall be permitted to sell newspapers and periodicals on the street during the morning and evening"

Amendment No. 2.

On page 1 of the printed bill, strike out lines 15 to 24, inclusive

Amendment No. 3.

On page 1 of the printed bill, strike out lines 25 to 27, inclusive; and on page 2, strike out lines 1 to 2, inclusive, and insert in lieu thereof the following

"SEC 3 This act shall be administered by the State Department of Industrial Relations"

Amendment No. 4.

On page 2, line 3, of the printed bill, strike out "5", and insert in lieu thereof the following: "4".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 766—An act to add Chapter 9, embracing sections 725 to 734, inclusive, to Division IV of the Agricultural Code, relating to dairies and dairy products.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 25, of the printed bill, strike out the numerals "87", and insert in lieu thereof the numerals "88"

Amendment No. 2.

On page 2, line 33, of the printed bill, strike out the numerals "87", and insert in lieu thereof the numerals "88".

Amendment No. 3.

On page 2, line 48, of the printed bill, following the numerals "731", add "a".

Amendment No. 4.

On page 3, line 1, of the printed bill, following the word "of", insert the word "ten".

Amendment No. 5.

On page 3, lines 4 and 5, of the printed bill, strike out the words "January, April, July and October", and insert in lieu thereof the following: "March, June, September and December."

Amendment No. 6.

On page 3 of the printed bill, following line 7, add the following:

"(b) Persons in charge of cutting, wrapping, or packaging butter, or supervisors thereof who shall be responsible for the grading of butter shall obtain and hold a butter grader's license. Application for such license shall be made to the department which shall examine each applicant as to his qualifications and knowledge of butter grades and of the law applicable to him The fee for a butter grader's license shall be one dollar ($1) and must accompany the application. All such licenses expire on the thirty-first day of December and may be renewed by payment of a renewal fee of one dollar ($1)."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1323—An act to regulate the sale, purchase, transportation and marketing of poultry and to provide a penalty for the violation thereof.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

Strike out all of the printed bill after the enacting clause, and insert in lieu thereof the following:

"SECTION 1. The provisions of this act shall apply to the sale, purchase, or marketing of poultry in any county of this State and to the transportation of poultry in, through, or between any county or counties of this State.

SEC. 2. (a) The term "dealer" as used in this act shall be construed and understood to mean any person, firm or corporation or association operating as poultry retailer, poultry wholesaler, butcher, slaughterer, poultry packer, poultry buyer or poultry commission merchant.

(b) The term "poultry" as used in this act, shall be construed to mean chickens, ducks, geese, turkeys and all other fowls or birds used for food or production purposes.

(c) The term "place of business" shall include any place or building in which or at which the business of a poultry dealer is conducted. Any group of buildings used as an integral part of one business shall be considered as one place of business.

(d) The term "person" as used in this act where not otherwise stated, shall be understood to include any individual, firm, corporation, partnership or association.

(e) The term "transportation" as used in this act, shall include each and every type and method of conveyance from one point to another within the State.

SEC. 3. Any dealer, transportation company, or person receiving, transporting, or handling any poultry for resale or for transportation, shall make and retain such record as may be necessary, or shall at all times be otherwise prepared to show and prove the origin, ownership and/or right of possession of said poultry, and the name and address of the seller or shipper of same.

SEC. 4. All peace officers, sheriffs or deputy sheriffs, members or officers of the California Highway Patrol and traffic officers shall have authority to arrest, without warrant, any person or persons found moving poultry in any manner other than as provided by the terms of this act.

SEC. 5. Any person who shall, by any act, whether of commission or omission, violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and, upon conviction thereof shall be punished by a fine not exceeding one hundred ($100) dollars, or by imprisonment not exceeding six months in the county jail, or by both such fine and imprisonment."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Unfinished Business.

Consideration of Senate Amendments to Assembly Bill No. 1120.

Assembly Bill No. 1120—An act to amend sections 1, 3, 9, 12a, 15, 19, 20a and 20b and to add sections 3a, 3b, 3c, 3d, 3e, 3f, 3g, 3h, 3i, 9a, 9c, 12b, 20b, 20c, 20d, 20e, 20f, 20g, 20h, 20i, 20j and 20k to the California Real Estate Act, relating to the creation of the Real Estate Board and prescribing the powers and duties thereof, to the regulation and licensing of real estate brokers and salesmen, and to the inspection and regulation of subdivisions.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1120?

Amendment No. 1.

In line 1 of the title of the printed bill, as amended, strike out "20a and 20b", and insert in lieu thereof the following: "and 20a, to amend and renumber section 20b to be section 20k,".

Amendment No. 2.

In line 2 of the title of the printed bill, as amended, after "9a," insert the following: "9b,".

Amendment No. 3.

In line 3 of the title of the printed bill, as amended, strike out "20j and 20k", and insert in lieu thereof the following: "and 20j".

Amendment No. 4.

On page 9, line 36, of the printed bill, as amended, strike out ", as it now exists,".

Amendment No. 5.

On page 9, line 36, of the printed bill, as amended, insert after "hereby", the following: "renumbered to be section 20k and".

The roll was called, and Senate amendments to Assembly Bill No. 1120 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Herbert J., Evans, Ralph W., Fisher, Frazier, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Martin, Mayo, McMurray, Meehan, Miller, Patterson, Pelletier, Peyser,

Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Weber, Welsh, Williamson, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 1120 ordered to enrollment.

Third Reading of Assembly Bills.

Assembly Joint Resolution No. 42—Relative to memorializing the President and Congress to enact appropriate legislation to establish a social credit system in the United States by providing for the establishment of a National municipal currency.

Assembly Joint Resolution No 42 read.

Mr. Voigt moved the adoption of Assembly Joint Resolution No. 42.

The question being on the adoption of Assembly Joint Resolution No. 42.

The roll was called, and Assembly Joint Resolution No. 42 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Clark, Cottrell, Cronin, Crowley, DeLap, Donihue, Evans, Ralph W., Flint, Frazier, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Reaves, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Weber, and Welsh—41.

NOES—Chatters, Cunningham, Dawson, Donnelly, Evans, Herbert J., Fulcher, Johnson, Kallam, Latham, Lyon, Martin, Mayo, Phillips, Redwine, Richie, Utt, Walker, Wallace, and Mr. Speaker—19

Title read and approved.

Assembly Joint Resolution No. 42 ordered transmitted to the Senate.

Assembly Joint Resolution No. 42.

Relative to memorializing the President and Congress to enact appropriate legislation to establish a social credit system in the United States by providing a currency based on actual assets

WHEREAS, There exists, not only in our own State of California, but also in every State of this great Nation, a condition of unemployment which is depriving millions of our citizens of an opportunity to engage in productive effort; and

WHEREAS, There exists not only in our own State of California, but also in every State in this Nation, a condition of unemployment, destitution and industrial and commercial stagnation, involving the loss of more than forty billion dollars annually; and

WHEREAS, This condition is inimical to the physical, moral and social welfare of the people, and strikes at the very foundation of our democracy by destroying the faith of the people in the institutions of representative government; and

WHEREAS, This state of affairs is directly traceable to the failure of our monetary system with its inherent inflexibility, to keep pace with the expanding energies of an advancing civilization, particularly when the control of money and credit had passed into the hands of private monopoly, and had become the means of exploitation; and

WHEREAS, It is the acknowledged duty of our government to provide a medium of exchange, adequate to the full utilization of our National productive capacity, and the control of that medium must be entirely subject to the authority delegated by the people to the Federal Government as provided in the Constitution, and

WHEREAS, Our unlimited resources and highly developed facilities of production are ample to provide universal abundant prosperity and economic security for all of our people, if means were provided to release the dormant energies now held in bondage by a debt burden unparalleled in all human history; and

WHEREAS, To continue borrowing is to continue the trend toward complete economic slavery, and final control of all the means of wealth production by a corporate feudality controlled by a few, and the inevitable destruction of a form of government conceived in liberty and dedicated to the proposition that all men have equal rights to the pursuits of happiness; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the President and the Congress of the United States be hereby respectfully urged to enact appropriate legislation to establish a social credit system in the United States whereby the bonds of States, counties and municipalities may be deposited with the United States Government, and currency issued thereon without interest,

on the same terms as was formerly accorded to privately owned National banks Such bonds to be redeemed in twenty equal annual installments, payable at the rate of five per cent a year, and as they mature the currency issued would be returned to the government and the bonds canceled. This would provide a flexible currency, solidly backed by the growing wealth of the country, and adequate funds would thus be made available without usury, to restore our people to productive activity, rescue our States, counties and municipalities from bankruptcy, and inaugurate a new era of prosperity.

Resolved, That the Governor of the State of California be hereby requested to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and member of the House of Representatives from California in the Congress of the United States, and that such Senators and members of the House of Representatives from California be hereby respectfully urged to support such legislation.

Second Reading of Senate Bills.

Senate Bill No. 24—An act limiting the number of cars in a train, and prescribing penalties for violation thereof.

Bill read second time, and ordered on file for third reading.

Message from the Governor.

The following message from the Governor was received and read

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, March 7, 1935

To the Honorable Members of the Assembly, State of California.

Senate Bill No. 2—An act making an appropriation for a State exhibit at the California Pacific International Exposition, declaring the urgency thereof, and providing that this act shall take effect immediately.

In my opinion said Senate Bill No. 2 constitutes an emergency bill within the meaning of that term as used in section 34 of Article IV of the Constitution of the State of California, and the consideration of which should not await final enactment of the Budget Bill.

I, therefore, recommend the consideration of this bill as such an emergency measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 2—An act making an appropriation for a State exhibit at the California Pacific International Exposition, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Frazier, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Weber, Welsh, Williamson, and Mr. Speaker—64.

NOES—None.

Bill read third time.

Further consideration of Senate Bill No. 2 deferred

Third Reading of Assembly Bills—(Resumed).

Assembly Joint Resolution No. 43—Relative to memorializing Congress to furnish aid in the construction of check dams in the Salinas River Valley.

Assembly Joint Resolution No. 43 read.

Mr. Patterson moved the adoption of Assembly Joint Resolution No. 43.

The question being on the adoption of Assembly Joint Resolution No. 43.

The roll was called, and Assembly Joint Resolution No. 43 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Voigt, Wagner, Wallace, Weber, Welsh, Williamson, and Mr. Speaker—65

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 43 ordered transmitted to the Senate.

Assembly Joint Resolution No. 43.

Relative to memorializing Congress to furnish aid in the construction of check dams in the Salinas River Valley.

WHEREAS, The water level of the Salinas Valley is rapidly declining and the salt water is beginning to encroach inwardly from the ocean; and

WHEREAS, The cost of power is making it almost prohibitive for agricultural pursuits in the Salinas Valley, due to the low water level; and

WHEREAS, Erosion is taking place and the soils are rapidly being put in danger because of the lack of proper soil and water protection; and

WHEREAS, The people of Salinas Valley are aware of this and are desirous of having the Federal government remedy these defects to save the Salinas Valley for future generations to conduct agricultural pursuits and to continue to increase the inhabitation of the Salinas Valley; and

WHEREAS, The water for domestic use may soon be jeopardized if the population of the Salinas Valley increases; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Congress of the United States be urged to provide a Federal government survey and plan for the construction of check dams and a soil erosion prevention project, and be it further

Resolved, That the Congress be urged to take action in this regard immediately so that the water and soils of the Salinas Valley may be preserved for future generations that may inhabit the Salinas Valley; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby instructed forthwith to transmit copies of this resolution to the President of the United States, and to the President of the Senate, the Speaker of the House of Representatives, and to each of the Senators and Representatives from California in the Congress of the United States.

Assembly Bill No. 1775—An act to amend section 3663b of the Political Code, relating to the Board of Equalization.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1775 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson,

Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Weber, Welsh, Williamson, Wright, and Mr. Speaker—73

NOES—None.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 1775.

Mr. Utt gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 1775 was this day passed.

Special Order.

The hour of eleven o'clock a.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 1300.

Assembly Bill No. 1300—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplementary thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, as amended, by amending sections numbered 4.01 relating to guarantee stock, 6.02 relating to withdrawals, 6.07 relating to investment certificates and shares, 8.09 relating to interest and dividends, 9.02 relating to investments and 9.04 relating to purchases, sales, transfers and pledges of loans; postponing the effective date of the amendment of section 6.02 of said act as set forth in section 5a of Chapter 431 of the Statutes of 1933; adding to said act new sections to be numbered 8.10 relating to rate of return on shares and investment certificates, 9.18 relating to insurance, loans, advances of credit and purchases of obligations pursuant to the National Housing Act, 10.03a relating to reserve or surplus accounts, 10.09 relating to reports, statements and analyses by the Building and Loan Commissioner and 12.11 relating to conversion of a building and loan association into a Federal savings and loan association and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and ceme-

tery associations to vote for or approve such conversion, to exchange shares, stock, investment certificates or other rights or claims for shares issued by such Federal savings and loan association, and to continue to hold as a legal investment any shares so received; adding a new article to be numbered XVI to said act relating to the rehabilitation, readjustment or reorganization of one or more building and loan associations of the classes specified in such Article XVI, or of all or of any part of the business, properties and assets of such association or associations, or the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of and other persons interested in such association or associations, providing for the kinds of securities issuable in connection therewith and exempting such securities from certain provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Article XVI, to exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received; and declaring the urgency of this act and providing that it shall take effect immediately.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Evans, Ralph W.:

Amendment No. 1.

On page 17, line 7, of the printed bill, after the word "rehabilitation", insert the words "readjustment, liquidation, consolidation, merger or reorganization."

Amendment No. 2.

On page 17, line 35, of the printed bill, after the word "reorganization", insert the words: "liquidation, consolidation or merger."

Amendment No. 3.

On page 17, line 39, of the printed bill, after the word "reorganization", insert the words "or liquidation".

Amendment No. 4.

On page 18, line 13, of the printed bill, after the word "associations", add "or (3) by the holders of ten per cent in amount of the outstanding shares or by the holders of ten per cent in amount of the outstanding investment certificates"

Amendment No. 5.

On page 18, line 17, of the printed bill, strike out the word "if" at the end of the line.

Amendment No. 6.

On page 18, line 18, of the printed bill, strike out the words "proposed or approved by the commissioner".

Amendment No. 7.

On page 18, line 34, of the printed bill, after the word "plan", insert the following: "and such other information as the court may deem necessary or proper."

Amendment No. 8.

Insert a new section after section 16.10 to be numbered section 16.11 and to read as follows:

"Inspection of Associations Records. The stock records, the register of shareholders, the register of investment certificate holders, the books of account and minutes of proceedings of the stockholders and of the directors of every association shall be open to inspection upon the written demand of any stockholder, shareholder or investment certificate holder for a purpose reasonably related to his interest.

Such inspection may be made in person or by agent or attorney and includes the right to make lists and extracts."

Amendment No. 9.

On page 7 of the printed bill, beginning on line 38 strike out all matter beginning with the words "any association", and the entire balance of section 6 07 to and including line 13 on page 9, and in lieu thereof insert the following:

"Every association shall accept its own outstanding investment certificates at their full value in partial or full payment of loans and every association not issuing investment certificates and having none outstanding shall accept its own outstanding shares at their full value in partial or full payment of loans and any association may at its option, with the prior approval of the commissioner and subject to such rules and regulations as he may from time to time prescribe, but no association shall be obligated to, accept its own outstanding investment certificates or shares in partial or full payment for property sold by such association."

Amendment No. 10.

On page 9 of the printed bill, strike out the lines 16 to 52, inclusive.

Amendment No. 11.

On page 10 of the printed bill, strike out the lines 1 to 52, inclusive.

Amendment No. 12.

On page 11 of the printed bill, strike out the lines 1 to 37, inclusive

Motion.

Mr. McCarthy moved that all nonmembers be excluded from the floor

Substitute Motion.

Mr Turner moved, as a substitute motion, that relatives be excepted.

Motion for Committee of the Whole.

Mr. Patterson moved, seconded by Mr Cottrell, that the Assembly resolve itself into a Committee of the Whole for the purpose of considering Assembly Bill No. 1300

Motion.

Mr Welsh moved that the substitute motion be tabled

Motion carried

Motion.

Mr. Morgan moved that the motion and substitute motion be tabled.

Motion carried.

Motion.

Mr. Evans, Ralph W., moved that his amendments be considered in groups.

Motion carried.

Amendment No. 1.

On page 17, line 7, of the printed bill, after the word "rehabilitation", insert the words: "readjustment, liquidation, consolidation, merger or reorganization"

Amendment No. 2.

On page 17, line 35, of the printed bill, after the word "reorganization", insert the words: "liquidation, consolidation or merger"

Amendment No. 3.

On page 17, line 39, of the printed bill, after the word "reorganization", insert the words "or liquidation".

The question being on the adoption of Amendments Nos. 1, 2 and 3.

Request for Roll Call.

On request of Messrs. Geyer, Turner, and Flint, the Speaker ordered a roll call taken on Amendments Nos 1, 2 and 3

The roll was called, and Amendments Nos 1, 2 and 3 were adopted by the following vote

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donahue,

Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Welsh, Williamson, Wright, and Mr. Speaker—66.

NOES—Johnson, Kallam, and Weber—3

Request for Unanimous Consent.

Mr. Scudder asked for, and was granted, unanimous consent to take up Assembly Bill No. 1300, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No 1300, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Evans, Ralph W :

Amendment No. 4.

On page 18, line 13, of the printed bill, after the word "associations", add, "or (3) by the holders of ten per cent in amount of the outstanding shares or by the holders of ten per cent in amount of the outstanding investment certificates."

The question being on the adoption of Amendment No. 4, by Mr. Evans, Ralph W.

Request for Roll Call.

On request of Messrs. McCarthy, Geyer, and Clark, the Speaker ordered a roll call taken on Amendment No 4, submitted by Mr. Evans, Ralph W

The roll was called, and Amendment No. 4 was refused adoption by the following vote:

AYES—Burns, Cassidy, Clark, Crowley, Donahue, Evans, Ralph W., Geyer, Gilbert, Glover, Hawkins, Heisinger, Laughlin, Lore, McCarthy, Meehan, O'Donnell, Patterson, Pelletier, Reaves, Rosenthal, Turner, Wagner, and Wallace—23.

NOES—Anderson, Andreas, Boyle, Breed, Brennan, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Morgan, Nielsen, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Weber, Welsh, Williamson, Wright, and Mr Speaker—49

Further consideration of Assembly Bill No 1300, as amended, deferred until two o'clock p.m., this day.

Further Consideration of Senate Bill No. 2.

Senate Bill No. 2—An act making an appropriation for a State exhibit at the California Pacific International Exposition, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Robertson:

Amendment No. 1.

On page 1, line 7, of the printed bill, as amended, strike out " "Fair and exposition fund"", and insert in lieu thereof the following: "balance of any moneys remaining in the "Fair and exposition fund" on June 30, 1934, after the deductions have been made, as provided in section 13 of Chapter 769, Statutes of 1933,".

Amendment adopted.

Request for Unanimous Consent.

Mr. Stream asked for, and was granted, unanimous consent to take up Senate Bill No. 2, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 2, as Amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 2, as amended, finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Wallace, Weber, Welsh, Williamson, Wright, and Mr. Speaker—61.

NOES—Wagner—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1935.

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No 2243—An act relating to fair trade practices, creating a Fair Trade Bureau in the office of the Commissioner of Corporations, providing for a judicial hearing and determination of questions arising hereunder and for the enforcement of the provisions hereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LYON, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 227—An act prohibiting the use of certain canes, except by blind persons, and providing protection against accidents to such persons, and providing penalties for violation thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LYON, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 289—An act validating the formation and existence of certain harbor districts and all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by such districts and authorizing the levy and collection of taxes sufficient to pay the principal and interest thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LYON, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No 188—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any municipal water district, and directing the levy and collection of a tax sufficient to pay the principal and interest thereof;

Also: Senate Bill No 189—An act to validate the organization and existence of municipal water districts

Also: Senate Bill No. 190—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold by any water conservation district and directing the levy and collection of a tax sufficient to pay the principal and interest thereof;

Also: Senate Bill No. 191—An act to validate the organization and existence of water conservation districts;

Also: Senate Bill No. 193—An act to validate bonds, including refunding bonds, of reclamation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest of such bonds;

Also: Senate Bill No. 194—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any acquisition and improvement district, and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof, and declaring the urgency thereof;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LYON, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 195—An act to validate bonds, including refunding bonds, of irrigation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest of such bonds;

Also: Senate Bill No. 196—An act to validate the organization and existence of acquisition and improvement districts and declaring the urgency thereof;

Also: Senate Bill No. 197—An act to legalize bonds heretofore issued and sold or to be issued and sold by bridge and highway districts;

Also: Senate Bill No. 198—An act to validate the organization and existence of county water districts;

Also: Senate Bill No. 199—An act confirming and validating the formation or organization and existence of irrigation districts, and declaring the urgency thereof;

Also: Senate Bill No. 200—An act to legalize bonds heretofore issued and sold or to be issued and sold by port districts where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such port districts voting upon the question of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such bonds,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LYON, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 181—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness and providing for a levy of taxes to pay the principal and interest of such bonds;

Also: Senate Bill No. 182—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by counties or cities and counties where authority for such issuance has already been given by a vote of not less than two-thirds of the qualified electors of such counties or cities and counties voting upon the proposition of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such bonds;

Also: Senate Bill No. 183—An act to validate bonds of flood control districts, including refunding bonds, and all proceedings relative thereto and to provide for the levy and collection of taxes to pay the principal and interest of such bonds;

Also: Senate Bill No. 184—An act to validate proceedings for the annexation of territory to, incorporation in, and inclusion thereof, within municipal corporations;

Also: Senate Bill No. 185—An act to validate bonds of municipal improvement districts, and providing for the levy of a tax to pay the same;

Also: Senate Bill No. 186—An act to validate bonds, including refunding bonds, of sanitary districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest of such bonds;

has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LYON, Chairman.

The above reported bills ordered on file for second reading

Also:

MR SPEAKER. Your Committee on Judiciary, to which was referred Senate Bill No. 201—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any county water district, providing for the application of the proceeds of sale of such bonds and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof;

Also Senate Bill No 202—An act to legalize revenue bonds heretofore issued or sold or to be issued and sold by port districts, and providing for a levy of taxes to pay the principal and interest of such bonds;

Also: Senate Bill No 892—An act to amend section 1989 of the Code of Civil Procedure, relating to witnesses,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LYON, Chairman

The above reported bills ordered on file for second reading.

Also

MR SPEAKER Your Committee on Judiciary, to which was referred Senate Bill No 28—An act to amend section 1881 of the Code of Civil Procedure, relating to privileged communications,

Also: Assembly Bill No 176—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class, and providing for the levy of a tax to pay the same;

Also Assembly Bill No 177—An act to confirm and validate the boundaries of school districts, high school districts and junior college districts of every kind and class and declaring the urgency thereof;

Also: Assembly Bill No. 178—An act to legalize refunding bonds heretofore issued and sold, or to be issued and sold, by counties or cities and counties where authority for such issuance has already been given by a vote of not less than two-thirds of the qualified electors of such counties or cities and counties voting upon the proposition of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such refunding bonds;

Also: Assembly Bill No 179—An act to validate the organization and existence of school districts, high school districts and junior college districts of every kind and class;

Also: Assembly Bill No 180—An act to legalize refunding bonds heretofore issued or sold or to be issued and sold by municipalities, and providing for a levy of taxes to pay the principal and interest of such bonds;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

LYON, Chairman

The above reported bills ordered on file for second reading.

On Irrigation.

ASSEMBLY CHAMBER SACRAMENTO, March 28, 1935.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Senate Bill No. 255—An act to add a new section to be numbered 844, to the Civil Code, relating to actions for the declaration of rights of persons associated in the use of ditches, flumes, pipe lines or conduits for the conveyance of water;

Also Senate Bill No 681—An act confirming and validating the consolidation of irrigation districts,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

FRAZIER, Chairman.

The above reported bills ordered on file for second reading.

On Prisons and Reformatories.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1935.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 787—An act to amend section 1168 of the Penal Code, relating to sentences, imprisonments and paroles of prisoners—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

MARTIN, Chairman.

The above reported bill ordered on file for second reading.

On Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1935.

MR. SPEAKER: Your Committee on Corporations, to which was referred Assembly Bill No. 1204—An act to amend sections 2, 4 and 26 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations,'" approved May 18, 1917, as amended, relating to the Division of Corporations the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities; and declaring the measure an urgency measure within the meaning of section 1 of Article IV of the Constitution and providing accordingly for the act to take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BREED, Chairman.

The above reported bill ordered on file for second reading

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1935

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1129—An act amending section 3897 of the Political Code, relating to the procedure for the sale of property deeded to the State in payment of delinquent taxes, if not otherwise disposed of under section 3897a or section 3897b of the Political Code, declaring the urgency thereof, and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1935

MR SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 542—An act to amend sections 4225 and 4225a of the Political Code, both relating to the powers and duties of county health officers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

DELAP, Chairman.

The above reported bill ordered on file for second reading.
Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 620—An act to amend section 4307 of the Political Code, relating to county charges;

Also: Assembly Bill No. 2285—An act to amend section 1626 of the Streets and Highways Code, relating to relief to special assessment districts;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

DELAP, Chairman.

The above reported bills ordered on file for second reading.

On Irrigation.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1935

MR. SPEAKER Your Committee on Irrigation, to which was referred Assembly Bill No. 842—An act validating certificates of sale and deeds based thereon issued by irrigation districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

On Crime Problems.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1935

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 147—An act to add two new sections to the Penal Code, to be numbered 200 and 201, establishing the public offense of unlawfully causing death through operation of a motor vehicle and providing penalties therefor—has had the

same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

MILLER, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 1519—An act to amend section 271 of the Penal Code of the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MILLER, Chairman.

The above reported bill ordered on file for second reading.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 37—An act relating to the operation of motor vehicles used in unemployment cooperative relief work, and declaring the urgency thereof and that this act shall go into immediate effect;

Also: Assembly Bill No. 629—An act to amend section 11 of the California Districts Securities Commission Act, relating to the levy of annual assessments by irrigation districts, providing that said section shall remain in effect until November 1, 1937, and declaring this act an emergency measure enacted under the police power;

Also Assembly Bill No. 637—An act to add section 21a to the Juvenile Court Law, relating to the prevention of juvenile delinquency through public councils or committees;

Also: Assembly Bill No 1468—An act to add sections 8a to 8e, and 8p to 8u, inclusive, to the Juvenile Court Law, relating to forestry camps for wards of the juvenile court;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-eighth day of March, 1935, at eleven o'clock and thirty minutes a.m.

WATERS, Chairman.

Request to Print Speech in Journal.

Mr Anderson requested that the speech of Mr. Voigt, relative to Assembly Joint Resolution No. 42, be printed in the Journal.

Motion carried.

Mr. Speaker and Members of the Assembly.

Public obligations in the State of California now approximate $3,305,000,000, almost one-half the total assessed valuation.

Add to this the amount of debt secured by mortgages, trust deeds, bonds and notes which is conservatively estimated at $20,000,000,000 and we have a grand total of $23,500,000,000 debt in this State alone.

In general the same is true of the 47 other States in the Union. The picture thus presented shows clearly the utter hopelessness of the situation, for it is perfectly obvious that no progress can be made against the obstacle of an increasing debt burden.

The necessity of organic reform in our monetary system as a solution to the problem is clearly understood by the progressive leaders in both of the two great political parties, and by all students of history and economics

The situation we are in is designated in social science as a "recurrent phenomena" in human history.

The original Solon, Archon of the ancient Republic of Athens, in 594 B.C. was confronted with the same problem that we now face Measures were enacted similar to the one here advocated. Attica was released from its debt burden, its people restored to productive activity and the example of Solon has perpetuated his name for more than 2500 years.

The same situation developed in the ancient Roman Republic in 494 B.C., in 390 B.C and in 376 B.C. Licinius proposed the Licinian rogations which were enacted by Camillus in 367 B.C to dispose of the debt burden.

The insurrections and revolutions which took place during the time of Marius were occasioned by the development of an unbearable debt burden

At one time 6000 of the followers of Spartacus were crucified The Appian Way, 140 miles long, was lined with crosses, and on each cross a bleeding victim to usury.

In 800 A.D. Charlemagne liberated all serfs who had become enslaved by debt, and so we find throughout all history that the development of a debt burden eventually results in slavery, unless the burden can be liquidated.

And today we have arrived at a position where it is impossible to liquidate the debt burden except by organic changes which will provide a new foundation for our monetary system.

When money becomes abstract, when a circulating medium loses its touch with values, its destructive power is almost unlimited. As an example let me point out that in 1920 the National wealth was estimated at $488,000,000,000, in 1932 it was estimated at $247,000,000,000 This great Nation worked for 12 years creating utility values, and suffered a net loss of $241,000,000,000 Our moratorium measures are simply a means to postpone the day of reckoning until a reduction is made in this manifest absurdity between utility values and money values

This is not a partisan matter; no problem can be solved by appeal to passion or prejudice. There must be a presentation of facts and statistics and historic precedents and these evolve their own logic which determines the merits of the proposition offered.

Its constitutionality can not be questioned. It is but a humane modification of the National banking system now in operation. When the measure is finally drafted in all its details, the outlines of the National banking law with the abuses left out, will be taken as a model for the new measure If the Government has the constitutional authority to allow the owners of United States bonds to deposit them with the treasury as security for currency, it unquestionably has the authority to accord parity to bonds of political subdivisions representing a first lien on real and tangible values.

The value of the bond depends upon the wealth-producing and productive energy of the people. The value of the earth itself depends upon the use which mankind makes of it.

We have in this State 1,250,000 persons dependent on public funds for a bare existence. Three hundred thousand heads of families willing and able to work, desperately anxious to regain economic security are condemned to the curse of idleness, in the midst of all the possibilities for universal abundant prosperity

No claim is made that this measure is a panacea for all our ills; other fundamental changes are necessary to restore a reciprocal balance between production and distribution, but this measure points the way and offers a solution of the debt problem, and I ask for it your favorable support.

ERNEST O. VOIGT.

Third Reading of Assembly Bills.

Assembly Bill No. 1698—An act to add a new section to the Political Code to be numbered 696, relating to a Fact Finding Bureau in the Department of Finance.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lyon:

Amendment No. 1.

On page 2, line 18, of the printed bill, as amended, after "mission", insert a comma and the following: "agency".

Amendment No. 2.

On page 2, line 19, of the printed bill, as amended, after "heads", insert the following: "or other responsible officers".

Amendment No. 3.

On page 2, line 24, of the printed bill, as amended, strike out "government", and insert in lieu thereof the following: "governmental".

Amendment No. 4.

On page 2, line 27, of the printed bill, as amended, strike out "office", and insert in lieu thereof the following: "officer".

Amendment No. 5.

On page 2, line 32, of the printed bill, as amended, strike out the second "may", and insert in lieu thereof the following: "shall".

Amendment No. 6.

On page 2, line 36, of the printed bill, as amended, after "departments", and before the comma, insert the following: "and other responsible officers".

Amendment No. 7.

On page 2, line 43, of the printed bill, as amended, after "heads", insert the following "or other responsible officers".

Amendments adopted.

Bill read third time, ordered to reprint, re-engrossment, and third reading.

Recess.

At twelve o'clock and ten minutes p.m., on motion of Mr Lyon, the Assembly was declared at recess until two o'clock p.m., of this day.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Further Consideration of Assembly Bill No. 1300, As Amended.

Assembly Bill No. 1300, as amended, read third time.

Motion.

Mr. Evans, Ralph W., moved that the further consideration of his amendments be deferred until after consideration of the amendment submitted by Mr. Heisinger.

Substitute Motion.

Mr. Utt moved that the Assembly vote upon the amendments in the order in which they were submitted

Request for Roll Call.

On request of Messrs Turner, Dawson and Pelletier, the Speaker ordered a roll call taken on the motion by Mr. Utt, that the amendments be acted upon in the order submitted.

The roll was called, and the motion was lost by the following vote:

AYES—Andreas, Breed, Cassidy, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Frazier, Fulcher, Garibaldi, Johnson, Kallam, Martin, McBride, Phillips, Riley, Robertson, Stream, Utt, Walker, Wallace, Williamson, and Mr. Speaker—25.

NOES—Boyle, Clark, Desmond, Donahue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, Maloney, McCarthy, McMurray, Miller, Morgan, O'Donnell, Pelletier, Reaves, Richie, Rosenthal, Scudder, Thorp, Turner, Voigt, Wagner, and Wright—32.

The question being on the motion by Mr Evans, Ralph W., that further consideration of his amendments be deferred until after consideration of the amendment submitted by Mr Heisinger.

Motion carried.

Assembly Bill No 1300, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Heisinger:

Amendment No. 1.

On page 18, line 13, of the printed bill, after the word "associations", add: "or (3) by the holders of 20 per cent in amount of the outstanding shares or by the holders of 20 per cent in amount of the outstanding investment certificates."

Resolution.

The following resolution was offered:

By Mr. Mayo:

Assembly Resolution.

WHEREAS, Assembly Bill No. 1300 is now being considered on third reading in the Assembly, and during the consideration of which numerous conflicting and controversial amendments are being proposed thereto; and

WHEREAS, It is impossible for the Assembly as such to adequately consider all of these conflicting and controversial amendments; now, therefore, be it

Resolved, That further consideration on Assembly Bill No. 1300 by the Assembly be suspended at this time, and that the bill be referred to a Special Committee consisting of Assemblymen Scudder, Evans, Ralph W, Peterson, Anderson, and Phillips, which committee shall consider Assembly Bill No. 1300 and the various amendments which have been proposed to it and report back to the Assembly thereon, together with such recommendations in connection therewith as shall be deemed advisable.

Motion to Print Report.

Mr. McCarthy moved that pages 1 to 78 of the report of a Building and Loan Investigating Committee be read, and ordered printed in the Journal.

Substitute Motion.

Mr. Welsh moved, as a substitute motion, that the resolution by Mr. Mayo and the motion by Mr. McCarthy be laid on the table.

Request for Roll Call.

On request of Messrs. O'Donnell, Field, and Morgan, the Speaker ordered a roll call taken on the motion by Mr. Welsh that the motion and resolution be laid on the table.

The roll was called, and the motion to lay on the table was lost by the following vote:

AYES—Andreas, Cottrell, Cunningham, Dawson, DeLap, Donihue, Field, Fisher, Frazier, Fulcher, Garibaldi, Johnson, Kallam, Martin, McBride, Miller, Morgan, Redwine, Richie, Riley, Robertson, Scudder, Stream, Utt, Voigt, Walker, Weber, Welsh, Williamson, Wright, and Mr. Speaker—31.

NOES—Anderson, Boyle, Brennan, Burns, Cassidy, Clark, Corwin, Cronin, Crowley, Desmond, Donnelly, Evans, Ralph W, Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, Maloney, Mayo, McCarthy, Meehan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips Reaves, Rosenthal, Thorp, Turner, Wagner, and Wallace—40

The question being on the motion by Mr. McCarthy that pages 1 to 78 of the report of the Building and Loan Investigating Committee be read, and ordered printed in the Journal.

Request for Roll Call.

On request of Messrs. Wright, Geyer, and Martin, the Speaker ordered a roll call taken on the motion by Mr. McCarthy.

The roll was called, and the motion lost by the following vote:

AYES—Boyle, Cassidy, Clark, Corwin, Crowley, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Laughlin, Lore, McCarthy, Meehan, Patterson, Pelletier, Peterson, Phillips, Reaves, Rosenthal, Turner, Voigt, Wagner, and Wallace—27.

NOES—Anderson, Andreas, Brennan, Burns, Chatters, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Hunt, Johnson, Jones, Kallam, Maloney, Martin, Mayo, McMurray, Miller, Morgan, Nielsen, Redwine, Richie, Riley, Robertson, Scudder, Stream, Utt, Walker, Weber, Welsh, Williamson, Wright, and Mr. Speaker—43

The question being on the adoption of the resolution submitted by Mr. Mayo.

Demand for Previous Question.

Messrs. Desmond, Donnelly, Flint, Morgan, and Mayo demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained

Resolution read.

Mr. Mayo moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution refused adoption by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Clark, Corwin, Cunningham, DeLap, Desmond, Donnelly, Evans, Ralph W., Flint, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, Mayo, McCarthy, McMurray, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Richie, Rosenthal, Thorp, and Turner—33.

NOES—Brennan, Cassidy, Chatters, Cottrell, Cronin, Crowley, Dawson, Donihue, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Hornblower, Johnson, Kallam, Maloney, Martin, McBride, Meehan, Miller, Morgan, Redwine, Riley, Robertson, Scudder, Stream, Utt, Voigt, Wagner, Walker, Wallace, Weber, Welsh, Williamson, Wright, and Mr. Speaker—40.

Further Consideration of Assembly Bill No. 1300, as Amended.

Assembly Bill No. 1300 read third time.

The question being on the amendment submitted by Mr. Heisinger.

Request for Roll Call.

On request of Messrs. Jones, Evans, Ralph W., and Flint, the Speaker ordered a roll call taken on the amendment submitted by Mr. Heisinger.

The roll was called, and the amendment adopted by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Frazier, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hunt, Jones, Laughlin, Lore, Mayo, McCarthy, McMurray, Meehan, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Richie, Riley, Stream, Thorp, Turner, Voigt, Wagner, Wallace, Weber, and Welsh—44.

NOES—Anderson, Breed, Brennan, Cottrell, Dawson, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Hornblower, Johnson, Kallam, Maloney, Martin, McBride, Miller, Morgan, Nielsen, Redwine, Robertson, Scudder, Utt, Walker, Williamson, Wright, and Mr Speaker—27.

Request for Unanimous Consent.

Mr. Scudder asked for, and was granted, unanimous consent to take up Assembly Bill No. 1300, at this time, without reference to reprint or file, and that the same be considered engrossed

Assembly Bill No. 1300, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Evans, Ralph W.:

Amendment No. 5.

On page 18, line 17, of the printed bill, strike out the word "if", at the end of the line.

Amendment No. 6.

On page 18, line 18, of the printed bill, strike out the words "proposed or approved by the commissioner".

Amendments adopted.

Request for Unanimous Consent.

Mr. Scudder asked for, and was granted, unanimous consent to take up Assembly Bill No. 1300, as amended, at this time, without reference to reprint or file, and that the same be considered re-engrossed.

Assembly Bill No. 1300, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr Evans, Ralph W.:

Amendment No. 7.

On page 18, line 34, of the printed bill, after the word "plan", insert the following "and such other information as the court may deem necessary or proper"

Amendment adopted.

Request for Unanimous Consent.

Mr. Scudder asked for, and was granted, unanimous consent to take up Assembly Bill No. 1300, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No 1300, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Evans, Ralph W.:

Amendment No. 8.

Insert a new section after section 16 10 to be numbered section 16 11 and to read as follows

"Inspection of Associations Records. The stock records, the register of shareholders, the register of investment certificate holders, the books of account and minutes of proceedings of the stockholders and of the directors of every association shall be open to inspection upon the written demand of any stockholder, shareholder or investment certificate holder for a purpose reasonably related to his interest. Such inspection may be made in person or by agent or attorney and includes the right to make lists and extracts."

The question being on the adoption of Amendment No 8, submitted by Mr. Evans, Ralph W.

Request for Roll Call.

On request of Messrs. Welsh, Wagner, and Utt, the Speaker ordered a roll call taken on Amendment No. 8, submitted by Mr. Evans, Ralph W.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr Evans, Ralph W., moved a call of the House

Motion carried.

Time, three o'clock and forty-five minutes p m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Weber, Welsh, Williamson, Wright, and Mr Speaker—70

The Chief Clerk announced the absentees

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.
Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1935

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1881—An act to add a new section, section 563d, to the Penal Code, prohibiting false rumors regarding corporations;

Also: Assembly Bill No. 2365—An act requiring licenses for the operation, maintenance, opening or establishment of chain stores, prescribing the license and filing fees to be paid therefor, and the powers and duties of the State Board of Equalization in connection therewith, defining chain stores, and prescribing penalties for the violation thereof;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended, and be re-referred to Committee on Revenue and Taxation.

LYON, Chairman.

The above reported bills ordered on file for second reading

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 131—An act to add section 2924d to the Civil Code and sections 726a and 726b to the Code of Civil Procedure, relating to deficiency judgments and declaring the urgency thereof;

Also: Assembly Bill No. 716—An act to amend section 6 of, and to add section 24 to, the act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act," approved May 15, 1933, relating to outdoor advertising;

Also: Assembly Bill No. 905—An act to amend section 1020 of the Probate Code, relating to necessary procedure in issuing decrees of distribution;

Also: Assembly Bill No. 979—An act to be known as the Professional Engineers Act to regulate the practice of the profession of engineering and register professional engineers, to provide for the revocation of such registration and the restoration thereof, to make certain acts misdemeanors, and to provide penalties therefor;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LYON, Chairman

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1337—An act to amend section 4300g of the Political Code, relating to witness fees—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LYON, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER. Your Committee on Judiciary, to which was referred Assembly Bill No. 579—An act to amend section 1153 of the Probate Code, relating to publication of reports of the finances of the estate of decedents by the public administrator;

Also: Assembly Bill No. 583—An act to amend section 1144 of the Probate Code, relating to the disposition of the property of the estate of any decendent of the value of one hundred dollars or less;

Also: Assembly Bill No. 697—An act to amend section 422 of the Probate Code, relating to the right of certain persons to appointment as administrator;

Also: Assembly Bill No. 2047—An act to amend section 1197 of the Code of Civil Procedure, relative to executions in mechanics' lien actions;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LYON, Chairman

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 942—An act to amend section 423 of the Probate Code of the State of California, relating to nomination of administrators;

Also: Assembly Bill No. 1074—An act to amend section 3617 of the Political Code, relating to the definition of terms for purposes of taxation;

Also: Assembly Bill No. 2129—An act amending section 111 of the Penal Code, relating to expense of trial of convicts;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

LYON, Chairman.

The above reported bills ordered on file for second reading.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1935

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 60—A resolution to propose to the people of the State of California amendments to Article XI of the Constitution of said State by adding sections 4 and 7½ thereto, relating to the consolidation of counties, cities and counties, and cities—and reports that the same has been correctly engrossed

WATERS, Chairman.

Assembly Constitutional Amendment No 60 ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 96—An act to add section 429.5 to the Fish and Game Code, relating to fishing licenses;

Also: Assembly Bill No. 189—An act to add a new section to the School Code to be numbered 4.182, relating to the insuring under the Workmen's Compensation Insurance and Safety Act and/or the Workmen's Compensation Insurance and Safety Act of 1917 of persons employed by county superintendents of schools to supervise instruction in the public schools;

Also: Assembly Bill No. 238—An act to add section 791.6 to the Fish and Game Code, relating to crabs;

Also: Assembly Bill No. 294—An act to amend section 403 of the Vehicle Code, relating to liability for injuries of guests,

Also. Assembly Bill No. 653—An act to amend section 1 of an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, relating to county relief of indigents, unemployed persons, and persons likely to become indigent, declaring the urgency thereof and providing that this act shall take effect immediately;

Also: Assembly Bill No. 731—An act to amend section 10 of an act entitled "An act providing for the formation, government and operation of harbor districts, the calling and conducting of elections in such districts of harbor commissioners, defining their powers and duties, and providing for the issuance and disposal of bonds of such harbor districts, and providing for the assessment, levy and collection of taxes for the payment of such bonds and for the ordinary annual expenses of such harbor districts," approved June 10, 1931, relating to the government of such districts;

Also: Assembly Bill No. 848—An act to amend section 2.60 of the School Code, relating to the correction and relocation of boundaries of school districts;
And reports that the same have been correctly engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 854—An act to amend section 334 of the Insurance Code, relating to materiality of concealments and representations;

Also Assembly Bill No. 1084—An act relating to water conservation, power development check dams in the Salinas River Valley making the tributaries thereof, and an appropriation for the same, declaring the urgency of this act and providing that it shall take effect immediately;

Also: Assembly Bill No. 1100—An act to amend sections 49 and 1624 of, add sections 43a, 1590, and 1606.5 to, and repeal section 3319 of the Civil Code, relating to causes of action based upon alienation of affection and breach of promise;

Also: Assembly Bill No 2028—An act to amend section 1310 of the Fish and Game Code and to add thereto section 1340.6, relating to bear;

Also: Assembly Bill No. 2034—An act to amend sections 1 and 2 and the title of an act entitled "An act prohibiting employers of labor from coercing employees in the purchase of things of value, and prescribing a penalty for the violation of the provisions hereof," approved April 26, 1917 (Stats. 1917, Chap. 141), relative to requiring employees and applicants for employment to patronize any person or firm in the purchase of any thing of value, and relative to the penalty therefor;

Also: Assembly Bill No. 2035—An act to add a new section to the Civil Code, to be numbered section 2005, relative to the basis of figuring wages for a portion of a month and a portion of a week;

Also: Assembly Bill No. 2172—An act to add section 987a to the Penal Code, relating to the compensation of counsel appointed to defend persons charged with crime;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2387—An act to amend section 1 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the city of Long Beach upon certain trusts and conditions," approved April 28, 1925, relating to the use of such tidelands and submerged lands;

Also: Assembly Bill No. 2392—An act to ratify and approve an interstate compact to conserve oil and gas, signed at Dallas, Texas, February 16, 1935, and declaring the urgency hereof;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 341—An act to amend sections 21.1, 53, 54, 63, 64, 105, 133, 135d and 139 of the Bank Act, and to add two new sections thereto to be numbered 16d and 51.1—and reports that the same has been correctly re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Withdrawal of Assembly Constitutional Amendment No. 60.

By order of the Speaker, Assembly Constitutional Amendment No. 60 was withdrawn from the file, and re-referred to Committee on Constitutional Amendments.

Withdrawal of Assembly Bills Nos. 1084 and 1100.

By order of the Speaker, Assembly Bill No. 1084 was withdrawn from the file and referred to Committee on Conservation.

By order of the Speaker, Assembly Bill No. 1100 was withdrawn from the file and referred to Committee on Judiciary.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1533—An act to amend section 871 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to the assessment, levy and collection of taxes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1533 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Nielsen, O'Donnell, Pelletier, Phillips, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Wagner, Walker, Wallace, Weber, Welsh, Williamson, Wright, and Mr. Speaker—61.

NOES—Voigt—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Special Order Set.

On motion of Mr. Hunt, the consideration of Senate Bill No. 24 was made a special order for Monday, April 1, 1935, at two o'clock p.m.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 45—An act limiting the hours of labor of persons employed as personal or domestic servants and providing penalties for the violation of the provisions of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 45 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Fisher, Flint, Garibaldi, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Scudder, Stream, Turner, Voigt, Wagner, Walker, Wallace, Welsh, Williamson, and Mr. Speaker—56

NOES—Brennan, DeLap, Field, Frazier, Fulcher, Geyer, Gilbert, Minard, Redwine, and Weber—10.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 45.

Mr. Redwine gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 45 was this day passed.

Assembly Bill No. 788—An act to amend section 653e1 of the Penal Code, relative to the thirty-hour week on public works whether the work is done under contract or otherwise, providing penalties for violation of its provisions and declaring the urgency thereof.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, Patter-

son, Pelletier, Peterson, Phillips, Reaves, Robertson, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Weber, Welsh, Williamson, and Mr. Speaker—61.
NOES—Field, and Redwine—2

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 788 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Wagner, Walker, Wallace, Weber, Welsh, Williamson, Wright, and Mr. Speaker—64.
NOES—Evans, Herbert J., Field, and Voigt—3.

Title read and approved.

Bill ordered transmitted to the Senate

Explanations of Vote.

MR. SPEAKER: I was so anxious to vote "No" on No. 65, that I voted "No" on No. 64 by mistake. I wish to go on record as being in favor of Assembly Bill No. 788, and it was my intention to vote "Aye" on that bill.

ERNEST O. VOIGT, Assemblyman Sixty-first District.

Also:

March 28, 1935

As chairman of the Assembly Committee to Investigate Lobbyists I was in attendance at the Senate committee hearing investigating the activities of Nathan J. Elliott. I was recalled to the Assembly Chamber on a call of the house and did not hear the explanation of Assembly Bill No. 788 and confused it with another bill upon which I intended to vote "No." I intended to vote "Aye" on Assembly Bill No. 788 and also on the urgency clause to the same bill.

Therefore I am recorded as voting "No" on Assembly Bill No. 788 when I intended to vote "Aye."

DON FIELD

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1738—An act to add section 443 to the Political Code, relating to fingerprint records of officers and employees of the State and providing for the enforcement of the provisions thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1738 refused passage by the following vote:

AYES—Breed, Chatters, Corwin, Field, Miller, Nielsen, Phillips, Redwine, Scudder, Thorp, Utt, Walker, and Wright—13.
NOES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Richie, Riley, Robertson, Stream, Turner, Voigt, Wagner, Wallace, Weber, Welsh, Williamson, and Mr. Speaker—58

Further Proceedings Under Call of the House Dispensed With.

At four o'clock and thirty-five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Evans, Ralph W.

The roll of absentees was called, and amendment No. 8 by Mr. Evans, Ralph W., was refused adoption by the following vote:

AYES—Andreas, Boyle, Brennan, Burns, Cassidy, Clark, Crowley, Desmond, Donihue, Donnelly, Flint, Geyer, Gilbert, Glover, Heisinger, Hunt, Jones, Laughlin, Lore,

McCarthy, McMurray, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Richie, Turner, Voigt, Wagner, and Wallace—31.

NOES—Anderson, Breed, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Johnson, Kallam, Maloney, Martin, Mayo, McBride, Meehan, Miller, Mmard, Morgan, Nielsen, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Webel, Welsh, Williamson, Wright, and Mr. Speaker—43

Notice of Reconsideration of Amendment No. 8 to Assembly Bill No. 1300.

Mr. Evans, Ralph W., gave notice that on the next legislative day he would move to reconsider the vote whereby Amendment No. 8 to Assembly Bill No. 1300 was refused adoption.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 28, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No 7—Relative to memorializing the President and Congress to favorably consider and submit to the States an amendment to the Constitution enabling Congress to grant Federal suffrage to residents of the District of Columbia.

J A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary

Assembly Joint Resolution No. 7 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 28, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 524—An act to amend sections 821 and 827 of the Agricultural Code, relating to apples; to declare the urgency hereof and to provide that this act take effect immediately.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 28, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 49—An act to amend section 10 of "An act to provide for the indicating of the net quantity of foodstuffs and stuffs intended to be used or prepared for use as food for human beings, and medicine, and other commodities when sold or offered or exposed for sale in containers and providing for the indicating of quantity in the sale of commodities in respect to which there exists a definite trade custom, and providing penalties for the violation thereof," approved May 24, 1913, relating to false or raised bottoms of containers;

Also Senate Bill No. 468—An act to amend the title and to add a new section numbered 18a to the State Medical Practice Act, approved June 2, 1913, as amended, relating to remedies for violations;

Also: Senate Bill No 522—An act to add a new section to the Probate Code of the State of California, to be known as section 1028, relating to the ratable, partial, and final distribution of estates of deceased persons;

Also: Senate Bill No. 556—An act to amend section 6.2 of the School Code, relating to powers of boards of school trustees and city boards of education;

Also: Senate Bill No 843—An act to amend section 1238 of the Civil Code, relating to the property from which a homestead may be selected.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 49 read first time, and referred to Committee on Public Health and Quarantine.

Senate Bill No 468 read first time, and referred to Committee on Medical and Dental Laws.

Senate Bill No. 522 read first time, and referred to Committee on Judiciary.

Senate Bill No. 556 read first time, and referred to Committee on Education.

Senate Bill No. 843 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, March 28, 1935.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 694—An act to add section 690.5 to the Code of Civil Procedure, relating to exemption from attachment, garnishment, and execution of moneys paid to persons receiving relief, and declaring the urgency hereof.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No 694 read first time, and referred to Committee on Unemployment.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced, and referred as indicated:

By Mr Wallace (by request). Assembly Constitutional Amendment No. 75—Proposed amendment to the Constitution, by adding a new article thereto to be numbered XIII, and by repealing section 12 of Article XI and Article XIII, relating to taxation.

Introduced, and referred to Committee on Constitutional Amendments.

Adjournment.

At four o'clock and forty-five minutes p.m., on motion of Mr. Cottrell, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Friday, March 29, 1935.

CHARLES H ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, March 29, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Weber, Welsh, Wright, and Mr. Speaker—72.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Nielsen, its further reading was dispensed with.

Leaves of Absence.

On motion of Mr. Gilbert, Mr Rosenthal was granted leave of absence for this day.

On motion of Mr. Wright, Mr. Latham was granted leave of absence absence for this day.

On motion of Mr Cunningham, Mr Waters was granted leave of absence for this day.

On motion of Mr. Flint, Mr. Hawkins was granted leave of absence for this day.

On motion of Mr. Evans, Herbert J., Mr. Lyon was granted leave of absence for this day.

On motion of Mr. Cronin, Messrs. Peyser, Williamson, and Gilmore were granted leave of absence for this day.

Privilege of Floor of Assembly Extended.

On request of Mr. Anderson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the principal, teacher and pupils of the Jefferson Union Elementary School, Santa Clara, as follows: Mr. Lawrence C. Curtis, principal; Elda E. Lindsay, teacher; Mrs. L. C. Curtis, A. M. White, Wesley Nesbit, Victor Rodriquez, Kiyomi Loi, Harold Nunn, Atanacio Menacho, Donald Clark, August Azzerelo, John Kasano, Koji Tsurasaki, Alfred Okubo, Martha Maseba, Utaka Uyemura, Susumo Inouye, Tom Okubo, James Campbell, Kenneth Gardner, James Nakano, Masushi Hayano, Clara Kasano, Jeannette Manha, Viola Vlahoovich, Betty Kinney, Tony Cabral, Joe Dias, Joe Fernandez, Tuneko Yasutaki, Mujiko Murakami, Shizuye Kanemoto, Mae Chikuma, Isaku Konoshima, Matsuyi Sawabi, George Mendoza, Joan Niskyima and Midori Shinto.

On request of Mr. Donihue, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. George E. Shelden, president of State Societies of California; Mr. Avery C. Moore and Capt. W. B. Bunker, vice president, Acorn Club of Oakland.

On request of Mr. Field, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr Burton N. Arnds, president of Sparkletts Drinking Water Corporation.

On request of Los Angeles delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. A. R. Clifton, county superintendent of schools, Los Angeles County.

On request of San Francisco delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Bill Flynn, 135-pound class, University of San Francisco.

On request of Mr. Cunningham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Ethel M. Waters, daughter of Assemblyman Waters; Miss Alice De Ryeke, Miss Mary Elizabeth Marsh, Miss Cora E. Sherger, and Miss

Mary Elizabeth Johnson, all students attending the University of California at Berkeley.

On request of Mr. Brennan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Ted Clack and Mr. Walter Green.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal.

By Mr. Speaker:

From E M O'Donnell, favoring passage of Assembly Bill No. 791.

From Los Angeles Lions Club, protesting against any form of special or discriminatory taxation against motion picture industry or any other manufactors

From Beverly Hills Lions Club, protesting against any form of special or discriminatory taxation against motion picture industry or any other manufactors.

From Hollywood Lions Club, protesting against any form of special taxation discriminatory to the motion picture industry or any other manufactors.

From Santa Ana Chamber of Commerce, urging enactment of a bill amending section 844 of the Fish and Game Code

Communication.

The following communication was received, and ordered printed in the Journal.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1935.

MR. SPEAKER: Pursuant to your instructions, the following named person has filed his credentials and is duly recognized as representative of the newspaper set opposite his name:

Oroville Mercury-Register—Dan Beebe, Editor

ARTHUR A. OHNIMUS, Chief Clerk.

ASSISTANT CLERK OLIVER READING.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 58—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 8 of Article XI thereof, relating to the preparation and adoption of charters by cities and cities and counties—and reports that the same has been correctly engrossed.

WATERS, Chairman.

Assembly Constitutional Amendment No. 58 ordered on file for adoption

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 686—An act to amend an act entitled "An act to protect the natural resources of water, petroleum and gas from damage, waste and destruction; relating to the creation of a division in the Department of Natural Resources for the prevention of such damage, waste and destruction; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports, permitting and authorizing agreements in the interests of conservation; providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California, providing procedure for arbitration of departmental rulings; creating a fund for the purpose of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; providing for bonds required of drillers of oil and gas wells; and making an appropriation for the purpose of this

act, approved June 10, 1915, as amended, by adding thereto section 18a, relating to the drilling, redrilling, deepening, use and disuse of wells including subsurface directional surveys thereof and the straightening, correction, use or disuse of slanting wells;

Also: Assembly Bill No. 2118—An act to provide for the raising of public revenue by imposing a tax upon the receipt of gross income, to be known as the "Property Relief and Gross Income Tax Law," providing for the collection and enforcement of the tax, authorizing and directing the State Board of Equalization to receive and collect the tax imposed hereunder, prescribing penalties for failure to pay the tax imposed hereby, prescribing penalties for violation of the provisions of this act, and making an appropriation for the enforcement hereof;

And reports that the same have been correctly re-engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1608—An act to amend sections 1, 4, 5, 10, 12, 13 and 15 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," as approved May 25, 1921, as amended, relating to the issuance, transfer, terms of, and rights under prospecting permits, leases, and sales of State mineral lands;

Also: Assembly Bill No. 1665—An act providing for unemployment insurance;

Also: Assembly Bill No. 2135—An act to amend an act entitled "An act to authorize the counties of the State of California to establish retirement systems for their employees," approved May 20, 1919 (Statutes 1919, page 782), by amending sections 1 and 6 thereof, to redefine the words "regular interest," to provide for refund of deceased member's funds without administration or probate and to authorize the board of retirement to limit the amount of excess contributions a member may deposit;

Also: Assembly Bill No. 65—An act granting certain tide and submerged lands of the State of California to the city of San Buenaventura, upon certain trusts and conditions;

Also: Assembly Bill No. 182—An act to amend the title and sections 1 and 3a of "An act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, relating to the employment of females;

And reports that the same have been correctly engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 406—An act to add a new article to Chapter I of Part I of Division I of the School Code to be known as Article VII, embracing section 1.45, relating to the participation of pupils in public exhibitions;

Also: Assembly Bill No. 523—An act to add Article XI to Chapter I of Part I of Division II of the School Code, relating to district elections;

Also: Assembly Bill No. 1164—An act to provide for improvement of rivers, bank protection and clearing flood channels, in cooperation with county, State or Federal relief agencies, political subdivisions, districts, corporations or individuals, and making an appropriation therefor,

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

On Attaches.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1935.

MR. SPEAKER: Your Committee on Attaches respectfully begs to submit the following resolution:

Resolved, That the following named persons be stricken from the list of Assembly attaches, and their names be stricken from the pay roll of the Assembly, to take effect on completion of work:

	Per day (Sundays excepted)
March 25, 1935	
Mary Flynn, Stenographer	$5 00
March 30, 1935	
Harry R. Jackson, Assistant Enrollment Clerk	5 00

UTT, Chairman Attache Committee.

Report and resolution read.

Mr. Utt moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Phillips, Reaves, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Voigt, Wallace, Weber, Welsh, Wright, and Mr. Speaker—58.

NOES—None.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr Wagner.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to regulate the conduct of pounds, prescribing the duties of persons in charge thereof or employed thereat, and regulating the disposition of animals impounded or sheltered therein.

Referred to Committee on Introduction of Bills.

By Mr. Reaves:

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 1460 of the Probate Code, relating to guardians of insane or incompetent persons.

Referred to Committee on Introduction of Bills.

Second Reading of Assembly Bills.

Assembly Bill No. 434—An act approving, validating and confirming leases or letting of lands or of any interest therein for airport purposes by governmental agencies of this State.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 2243—An act relating to fair trade practices, including a requirement that the contract between a manufacturer or producer and his dealer, distributor or agent may not be canceled without cause, providing for a hearing and judicial determination of the rights of the parties in such cases, and for the enforcement of the provisions of the act.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out all of line 1 of the title after "practices," and the balance of the title, except the last four lines, and insert in lieu thereof the following: "providing for the issuances of licenses to persons engaged in various branches of the automotive business, creating an Automotive Fair Trade Bureau in the Department of Professional and Vocational Standards, providing".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out "commis-", at the end of line 1, and all of lines 2 to 14, inclusive, and insert in lieu thereof the following: "Director of the Department of Professional and Vocational Standards, who is hereinafter called the director. There is hereby created in the Department of Professional and Vocational Standards a division to be known as the Automotive Fair Trade Bureau. The director, with the approval of the Governor, shall appoint a deputy to be in charge of such bureau and shall fix his salary, and may appoint such assistants and engage such clerical help as may be necessary to carry out the purposes of this act. Such deputy shall be known as the Chief of the Automotive Fair Trade Bureau and shall act under the supervision of the director, who shall be invested with all the powers conferred by this act upon the director.

SEC. 2. There is hereby conferred upon the director authority to supervise all of the hereinafter described forms of trade except such portions thereof as may be under the exclusive jurisdiction and control of a Federal agency, and to make and enforce such regulations as will secure fair competition in that part of the commerce of the States and prevent unfair trade practices therein."

Amendment No. 3.

On page 2, line 16, of the printed bill, as amended, strike out "without cause", and insert in lieu thereof the following: "in whole or in part without good cause shown".

Amendment No. 4.

On page 2, between lines 23 and 24, of the printed bill, as amended, insert the following:

"SEC. 5. The license fees hereinafter prescribed shall be payable on the first day of September, 1935, and on the first day of September in each and every year thereafter, and any person engaged in any business hereinafter described who engages in any such business after the first day of November of any year without a license as herein provided and any person who conspires with another person to violate any of the provisions of this act is guilty of a misdemeanor and shall be punished accordingly.

SEC. 6. No person engaged in any business by which under this act a license is required, can maintain any action in any court in this State for any claim arising out of the conduct of such business unless he alleges and proves that he was a licensee in good standing at the time when the cause of action arose.

SEC. 7 The word "person" as used in this act means an individual, firm, copartnership, corporation, association, or other organization, or any combination of any thereof, engaged in any automotive business hereinafter described, and any reference to "commerce" hereinafter is to be taken as referring to the part of commerce for which licenses are required hereunder, unless the context requires a different interpretation Every person who engages in any such business is required to obtain a license therefor as herein prescribed. To obtain a license under this act the applicant shall submit, on such forms as the director shall prescribe, and in accordance with such rules and regulations as may be promulgated by the director, an application in writing containing the statement that the applicant desires the issuance of a license under the terms of this act, and such information as the director in carrying out the provisions hereof may properly require, including the names of partners, if the applicant be a partnership, and the names of the officers of the corporation, if the applicant be a corporation. No license shall be issued until the director is satisfied, upon evidence presented and recorded, that the applicant has never been refused a license under this act, and that he never has had a license revoked for reasons that should preclude the granting of a license, and that the applicant is of such character and integrity as to justify the belief that he will conduct his business in accordance with fair trade methods hereby sought to be encouraged and secured. No license shall be refused, however, by the director without affording the applicant an opportunity within thirty days after receipt of his application to be heard and to produce evidence in support of his application.

SEC. 8. The fees received under this act shall be deposited in the Automotive Fair Trade Bureau fund, which is hereby created in the State treasury. All moneys in said fund are hereby appropriated to carry out the provisions of this act.

SEC. 9. The application and license heretofore referred to shall be renewed each year on the terms and at the time herein prescribed. Each applicant shall forward to the director with his application in each year, if he be an automobile dealer, twenty-five dollars, if he be a tractor dealer, twenty-five dollars; if he be an automobile manufacturer doing business directly or indirectly through dealers and agents, one hundred dollars; if he be a motor truck dealer, twenty-five dollars; if he be a manufacturer of motor trucks, one hundred dollars; if he be a dealer in tractor drawn industrial and farm equipment, twenty-five dollars; if he be a manufacturer of such equipment, one hundred dollars. Failure of a licensee to renew his license within the period heretofore set forth in section 5 of this act, which shall be in addition to any other penalties herein prescribed, shall subject such licensee to a penalty equal to one hundred per cent (100%) of the fee for renewal of said license The director shall in no case waive the penalty herein imposed."

Amendment No. 5.

On page 2, line 24, of the printed bill, as amended, strike out "SEC. 5. The commissioner", and insert in lieu thereof the following: "SEC. 10. The director".

Amendment No. 6.

On page 2, line 27, of the printed bill, as amended, strike out the word "commerce", and insert in lieu thereof the following: "the part of commerce herein described".

Amendment No. 7.

On page 2 of the printed bill, as amended, at the end of line 27, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 8.

On page 2, line 31, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 9.

On page 2, line 40, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 10.

On page 2, line 45, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 11.

On page 2, line 48, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 12.

On page 2 of the printed bill, as amended, at the end of line 48, strike out "com-", and at the beginning of line 49, strike out "missioner", and insert in lieu thereof the following: "director".

Amendment No. 13.

On page 3, line 6, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 14.

On page 3, line 11, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 15.

On page 3, line 12, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 16.

On page 3, line 20, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 17.

On page 3, line 27, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 18.

On page 3, line 28, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 19.

On page 3, line 35, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director"

Amendment No. 20.

On page 3, line 38, of the printed bill, as amended, strike out at the end of line 38 "com-", and "missioner", from the beginning of line 39, and insert in lieu thereof the following: "director".

Amendment No. 21.

On page 3, line 49, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 22.

On page 3, line 49, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 23.

On page 4, line 3, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following. "director".

Amendment No. 24.

On page 4, line 4, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 25.

On page 4, line 5, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 26.

On page 4, line 9, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 27.

On page 4, line 10, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 28.

On page 4, line 11, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 29.

On page 4 of the printed bill, as amended, at the end of line 14, strike out "com-", and "missioner", in line 15, and insert in lieu thereof the following: "director".

Amendment No. 30.

On page 4, line 19, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 31.

On page 4, line 21, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 32.

On page 4, line 23, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 33.

On page 4, line 26, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 34.

On page 4, line 34, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 35.

On page 4, line 38, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 36.

On page 4, line 39, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 37.

On page 4, line 41, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 38.

On page 4, line 46, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 39.

On page 4, line 47, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 40.

On page 5, line 17, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director"

Amendment No. 41.

On page 5 of the printed bill, as amended, strike out at the end of line 21 "comms-", and "sioner", from the beginning of line 22, and insert in lieu thereof the following: "director".

Amendment No. 42.

On page 5, line 23, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 43.

On page 5, line 28, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 44.

On page 5, line 35, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 45.

On page 5, line 38, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 46.

On page 5, line 47, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 47.

On page 5, line 51, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following "director".

Amendment No. 48.

On page 6, line 3, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director"

Amendment No. 49.

On page 6, line 10, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following. "director".

Amendment No. 50.

On page 6, line 11, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 51.

On page 6, line 18, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 52.

On page 6, line 19, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 53.

On page 6, line 20, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 54.

On page 6 of the printed bill, as amended, at the end of line 22, strike out "commis-", and "sionner", at the beginning of line 23, and insert in lieu thereof the following. "director".

Amendment No. 55.

On page 6, line 23, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following. "director".

Amendment No. 56.

On page 6 of the printed bill, as amended, at the end of line 37, strike out "com-", and "missioner", at the beginning of line 38, and insert in lieu thereof the following: "director".

Amendment No. 57.

On page 6, line 44, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 58.

On page 7, line 8, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 59.

On page 7, line 19, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "director".

Amendment No. 60.

On page 7, line 31, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following "director".

Amendment No. 61.

On page 7 of the printed bill, as amended, at the end of line 32, strike out "commis-", and "sioner", in the beginning of line 33, and insert in lieu thereof the following: "director".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 787—An act to amend section 1168 of the Penal Code, relating to sentences, imprisonments and paroles of prisoners.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 19, of the printed bill, place in italics the following words: "by a public hearing".

Amendment No. 2.

On page 1, line 23, of the printed bill, place in italics the following words: "by a public hearing".

Amendment No. 3.

On page 2, line 2, of the printed bill, place in italics the following words: "by a public hearing".

Amendment No. 4.

On page 2, line 9, of the printed bill, strike out the words "after a public hearing".

Amendment No. 5.

On page 2, line 16, of the printed bill, strike out the word "public".

Amendment No. 6.

On page 2, line 19, of the printed bill, strike out the word "public".

Amendment No. 7.

On page 5, line 4, of the printed bill, place in italics the following words: "in a public hearing".

Amendment No. 8.

On page 5, line 27, of the printed bill, strike out the word "public".

Amendment No. 9.

On page 5, line 29, of the printed bill, strike out the word "public".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1204—An act to amend sections 2 and 26 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations,'" approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision

of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 3, line 39, of the printed bill, following the word "provided", strike out the comma.

Amendment No. 2.

On page 3, line 41, of the printed bill, following the word "in", strike out the word "conection", and insert in lieu thereof the word "connection".

Amendment No. 3.

On page 5, line 28, of the printed bill, following the word "this", strike out the word "section", and insert in lieu thereof the word "Sec."

Amendment No. 4.

On page 6, line 8, of the printed bill, following the word "warrants", strike out the comma.

Amendment No. 5.

On page 8, line 23, of the printed bill, following the word "conditions", and before the word "at", insert a comma.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1129—An act amending section 3897 of the Political Code, relating to the procedure for the sale of property deeded to the State in payment of delinquent taxes, if not otherwise disposed of under section 3897a or section 3897b of the Political Code, declaring the urgency thereof, and providing that this act shall take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 12, of the printed bill, after the period, strike out: "In addition to such publication or posting a copy of the notice shall be conspicuously posted on the land itself."

Amendment No. 2.

On page 2, line 14, of the printed bill, after "such publication", strike out "And posting."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 542—An act to amend sections 4225 and 4225a of the Political Code, both relating to the powers and duties of county health officers.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, between lines 39 and 40, insert the following:

"The provisions of this section shall not apply to any county, or portion thereof, or any incorporated city or town, or chartered city included within any local health district organized in pursuance of the provisions of Chapter 571 of the Statutes of 1917."

Amendment No. 2.

On page 2, between lines 39 and 40, of the printed bill, insert the following: "The provisions of this section shall not apply to cities of the first and one-half class."

Amendment No. 3.

On page 3 of the printed bill, after line 30, insert the following: "The provisions of this section shall not apply to cities of the first and one-half class."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 620—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2285—An act to amend section 1626 of the Streets and Highways Code, relating to relief to special assessment districts.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 842—An act validating certificates of sale and deeds based thereon issued by irrigation districts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 147—An act to add two new sections to the Penal Code, to be numbered 200 and 201, establishing the public offense of unlawfully causing death through operation of a motor vehicle and providing penalties therefor.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 10, of the printed bill, strike out "two years", and insert in lieu thereof "one year".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 14, 15, 16 and 17, inclusive, and insert in lieu thereof the following: "dict of guilty rendered under this section, the jury may recommend the punishment, but the court shall not be bound by said recommendation."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1519—An act to amend section 271 of the Penal Code of the State of California.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 6, of the printed bill, strike out the word "wholly".

Amendment No. 2.

On page 1, line 7, of the printed bill, after the word "prison", insert the following: "for not more than two years or in the county jail for".

Amendment No. 3.

On page 1, line 8, of the printed bill, strike out "seven years", and insert in lieu thereof "one year".

Amendment No. 4.

On page 1, line 9, of the printed bill, strike out "five", and insert in lieu thereof "two".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1881—An act to add a new section, section 563d, to the Penal Code, prohibiting false rumors regarding corporations.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act requiring individuals, as in said act defined, to obtain a certificate from the Commissioner of Corporations prior to soliciting, receiving or collecting contributions, fees or funds from security owners or holders for the purpose of protecting, enforcing or representing the rights of such security owners or holders; authorizing the Commissioner of Corporations to regulate and supervise the solicitation, collection and application of such funds; and providing for the enforcement of said act and penalties for the violation thereof; and declaring the measure an urgency measure within the meaning of section 1 Article IV of the Constitution and providing accordingly for the act to take effect immediately."

Amendment No. 2.

On page 1 of the printed bill, strike out all of lines 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13, and insert in lieu thereof the following:

"SECTION 1. Unless the context otherwise indicates, words used in this act shall have the same meaning as defined in section 2 of the Corporate Securities Act, as amended; provided, however, that the term "security" as used in this act shall also include shares, stock and investment certificates as defined in the Building and Loan Association Act. As used in this act, the word "individual" includes every natural person, domestic and foreign private corporations, nonprofit corporations, unincorporated associations, companies, partnerships of every kind, syndicates, joint stock companies, trustees, protective committees, depositors' leagues and other similar organizations howsoever described, but shall not be deemed to include (a) any licensed practicing attorney rendering or performing services in connection with the practice of law; (b) any person holding a certificate as a broker or investment counsel then in effect issued by the commissioner, rendering or performing services as such; nor (c) any holder of a permit then in effect, granted by the commissioner under the Corporate Securities Act, as amended, permitting the issue of certificates of deposit.

SEC. 2. No individual, as in this act defined, shall, within this State, solicit, receive or collect any contributions, fees or funds, or compensation of any kind, or solicit any subscription or contract to pay the same, from any owner or holder of securities, for the purpose of protecting, enforcing or representing the rights of such security owners or holders evidenced by such security, until such individual has first applied for and secured from the commissioner a certificate then in effect authorizing such individual so to do. To secure such certificate, the applicant shall make and file in the office of the commissioner an application therefor in writing, verified by or in behalf of the applicant. In such application the applicant shall set forth, in addition to such other information as may be required by the commissioner:

(1) The name and address of the applicant and the name and address of each of its directors, managing officers and agents, if any;

(2) A succinct statement of facts showing that the applicant and its directors, managing officers and agents, if any, have a good business reputation;

(3) The particular securities and the name of the company issuing the same, in respect of which the individual proposes to solicit contributions, fees or funds from the holders thereof;

(4) A statement of the character and extent of services proposed to be rendered by the individual, together with a prima facie showing of the necessity therefor, and a statement of the total amount of contributions which it is estimated are to be solicited.

For filing such application the applicant shall pay the commissioner a fee of twenty-five (25) dollars, and all such fees charged and collected by the commissioner shall be handled and disposed of as in sections 26 and 28 of the Corporate

Securities Act provided, and are hereby specifically appropriated to be used by the commissioner in carrying out the provisions of this act.

SEC. 3. The commissioner shall examine such application and shall make such further investigation of the applicant and its proposed program, affairs and personnel as he shall deem advisable. If from such examination the commissioner shall be satisfied:

(a) That the applicant and its directors, officers and agents, if any, are of good business reputation;

(b) That applicant's proposed program is not unfair, unjust or inequitable and is undertaken in good faith, and that it intends to fairly and honestly transact its business, and that the commissions to be paid by applicant to its agents, solicitors or representatives, if any, for contributions solicited are not unreasonably large;

(c) That neither applicant nor its directors, officers or agents, if any, have engaged or are about to engage in any fraudulent transaction, he shall issue such certificate; otherwise he shall refuse the same and deny the application and notify the applicant of his decision.

Any such certificate may contain such terms and conditions as the commissioner may in said certificate provide, including, without limiting the foregoing, (a) a restriction as to the amount of commissions or any other allowance to be paid to solicitors, agents or representatives of such applicant in soliciting contributions from security holders, and (b) a requirement that such applicant file with the commissioner, at such times as required by him, a verified statement of its receipts and disbursements, and of the results accomplished by such disbursements, in such detail as the commissioner shall prescribe.

The commissioner shall have power to revoke any such certificate if after hearing upon notice he shall find the existence of any of the grounds hereinabove enumerated for the denial of the application for such a certificate.

SEC. 4. The commissioner shall have the power to establish such rules and regulations as may be reasonable or necessary to carry out the purposes and provisions of this act. All papers, documents, reports and other writings filed with the commissioner under this act shall be open to public inspection; provided, that if, in his judgment, the public welfare demands that any portion of such information be not made public, he may, in his discretion, withhold such information from public inspection for such time as in his judgment is necessary. The commissioner may at any time give, issue, or make public any information, facts or data in his possession concerning any company or individual, as in this act defined, if in his judgment the giving, issuing, or publishing of the same will be of public interest or advantage or will tend to prevent fraud or injury to the public.

SEC. 5. The commissioner, whenever he has reason to believe, from evidence satisfactory to him, that any individual has violated or is about to violate any of the provisions of this act, may order such individual to desist and to refrain from the violation or threatened violation of this act. If, after such an order is made, a request for a hearing is filed in writing and no hearing is held within sixty (60) days thereafter, such order shall be deemed to have been rescinded.

SEC. 6. Whenever the commissioner shall believe, from evidence satisfactory to him, that any individual has violated or is about to violate any of the provisions of this act or any certificate, demand or requirement, or any part, provision or condition thereof, he may bring an action in the name of the people of the State of California in the superior court of the State of California against such individual to enjoin such individual from continuing such violation or engaging therein, or doing any act or acts in furtherance thereof. In such action an order or judgment may be entered awarding such preliminary or final injunction as may be proper.

SEC. 7. Every individual who knowingly violates any provision of this act, or any rules or regulations of the commissioner made pursuant hereto, or any conditions of any certificate issued hereunder, shall be guilty of a public offense and shall be punished by imprisonment in the State prison for a term not exceeding five (5) years, or in a county jail not exceeding two (2) years, or by a fine not exceeding five thousand (5,000) dollars, or by both such fine and imprisonment. Every individual who solicits, receives or collects any contributions, fees or funds, or compensation of any kind, or contracts for the payment of the same, in violation of this act or of any of the terms or conditions of any certificate issued by the commissioner hereunder, shall be jointly and severally civilly liable for the return of the full amount of such contribution, fee or fund so collected, together with reasonable attorney's fees.

SEC. 8. Every order, decision, certificate or other official act of the commissioner made pursuant to this act, shall be subject to review, in accordance with the provisions of Chapter I of Title I of Part III of the Code of Civil Procedure. Upon such review, the burden of proof shall lie upon the appellant, and the court shall receive and consider any pertinent evidence, whether oral or documentary, concerning the action of the commissioner under review, but shall be limited to a consideration and determination of the question whether there has been an abuse of discretion on the part of the commissioner in making such order, decision, or certificate, or other official act.

SEC. 9. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution of the State of California, and as such it shall take effect immediately The following is a statement of the facts constituting such necessity:

As a consequence of depressed business conditions throughout the State of California and elsewhere, various groups of unscrupulous operators are seeking to take advantage of security owners and holders through the solicitation and collection of funds for the asserted purpose of investigating the condition, management and operation of companies, all upon the false representation that affirmative and effective steps will be taken to protect, save or recover the investment of the security owners and holders. Such unregulated solicitation and collection of funds in many cases results in no investigation or action on behalf of security owners and holders and inures solely to the personal financial benefit of the originator of the plan and to the solicitors in the form of excessive commissions There exists the necessity for effective and orderly regulation and supervision by the commissioner of such activity and exploitation growing out of present conditions, so as to afford protection to legitimate groups of security owners and holders who seek to assert their rights as such and at the same time to protect companies from the depredations of those who seek funds solely for themselves, under the guise of advancing the interests of the security owners and holders.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2365—An act requiring licenses for the operation, maintenance, opening or establishment of chain stores, prescribing the license and filing fees to be paid therefor, and the powers and duties of the State Board of Equalization in connection therewith, defining chain stores, and prescribing penalties for the violation thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title thereof, and insert in lieu thereof the following:

"An act requiring licenses for the operation, maintenance or establishment of stores in this State, prescribing the license and filing fees to be paid therefor; providing for penalties for the violation of this act, providing for the enforcement of this act."

Amendment No. 2.

On page 1 of the printed bill, strike out all of lines 1 to 26, inclusive, and on page 2, strike out all of lines 1 to 44, inclusive, and insert in lieu thereof, the following:

"SECTION 1. (a) The term "person" when used in this act shall include individuals, partnerships, trusts, association, joint stock companies, corporations and firms however organized or whatever be the plan of operation.

(b) "Board" means the State Board of Equalization.

(c) The term "store" as used in this act, shall be construed to mean and include any store or stores, or any mercantile establishment or establishments which are owned, operated, maintained, or controlled by the same person, in which goods, wares or merchandise of any kind are sold, either at retail or wholesale; provided, however, the term "store" shall not apply to any office or warehouse maintained by a manufacturer in the distribution of its merchandise if no orders therefor are taken and no sales thereof are made in the premises of such office or warehouse

SEC. 2. From and after the first day of _____, 193__, it shall be unlawful for any person to operate, maintain, open or establish any store in this State without first having obtained a license so to do from the board as hereinafter provided.

SEC 3. Any person desiring to operate, maintain, open, or establish a store in this State shall apply to the board for a license so to do The application for a license shall be made on a form prescribed and furnished by the board, and shall set forth the name of the owner, manager, trustee, lessee, receiver or other person desiring such license, the name of such store, the location thereof and such other facts as the board may require

If the applicant desires to operate, maintain, open or establish more than one such store he shall make a separate application for a license to operate, maintain, open or establish each such store, but the respective stores for which the applicant

desires to secure licenses may all be listed on one application blank, and such application blank shall be deemed to be a separate application for each such store.

Each such application shall be accompanied by a filing fee of fifty cents and by a license fee as prescribed in section __ of this act

SEC. 4. As soon as practicable after the receipt of such application the board shall carefully examine such application to ascertain whether it is in the proper form and contains the necessary and requisite information If, upon examination, the board shall find that any such application is not in proper form and does not contain the necessary and requisite information, he shall return such application for correction.

If an application is found to be satisfactory, and if the filing and license fees, as herein prescribed, shall have been paid, the board shall issue to the applicant a license for each store for which an application for a license shall have been made.

Each licensee shall display the license so issued in a conspicuous place in the store for which such license is issued.

SEC 5. All licenses shall be so issued as to expire on the thirty-first day of December of each calendar year On or before the first day of January of each year, every person having a license, shall apply to the board for a renewal license for the calendar year next ensuing. All applications for renewal licenses shall be made on forms which shall be prescribed and furnished by the board.

No license shall lapse prior to the thirty-first day of January of the year next following the year for which such license was issued, but if, by such thirty-first day of January, an application for a renewal license has not been made, the board shall notify such delinquent license holder thereof, by registered mail, and if application is not made for and a renewal license issued on or before the last day of February, next ensuing, the former license shall lapse and become null and void.

Each such application for a renewal license shall be accompanied by a filing fee of fifty cents and by the license fee as prescribed in section 6 of this act.

SEC 6. Every person opening, establishing, operating or maintaining one or more stores within this State, under the same general management, supervision or ownership, shall pay the license fees hereinafter prescribed, for the privilege of opening, establishing, operating or maintaining such stores.

The license fee herein prescribed shall be paid annually, and shall be in addition to the filing fee prescribed in sections 3 and 5 of this act.

Store number one—two (2) dollars, store number two (2), four (4) dollars, store number three (3)—eight (8) dollars, store number four (4)—sixteen (16) dollars, store number five (5)—thirty-two (32) dollars, store number six (6)—sixty-four (64) dollars, store number seven (7)—one hundred twenty-eight (128) dollars, store number eight (8)—two hundred fifty-six (256) dollars, store number nine (9)—five hundred and twelve (512) dollars, store number ten (10), and each and every store above that number—one thousand (1000) dollars, for each such store.

SEC 7. Each and every license issued prior to the first day of July of any year, shall be charged for at the full rate, and each and every license issued on or after the first day of July of any year, shall be charged for at one-half of the full rate as prescribed in section 6 of this act.

SEC 8 The provisions of this act shall be construed to apply to every person, firm, corporation, association or copartnership, either domestic or foreign, which is controlled or held with others by a majority stock ownership or ultimately controlled or directed by one management or association of ultimate management.

SEC. 9. Any person, firm, corporation, copartnership or association who shall violate any of the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not less than two hundred dollars and each and every day that such violation shall continue, shall constitute a separate and distinct offense.

SEC. 10. The board shall administer and enforce the collection of the filing and licensing fees imposed by this act. It may make and establish such rules not inconsistent with this act as it deems necessary to enforce its provisions. It shall prepare forms or applications and licenses as provided herein

SEC. 11 All moneys collected under this act by the board shall be transmitted forthwith to the State Treasurer to be deposited in the State treasury to the credit of the general fund.

SEC 12 At any time within two years after the delinquency of any license fee the board may bring an action in a court of competent jurisdiction in the name of the people of the State of California to collect the amount delinquent together with interest thereon at one per cent per month from the date such fee was due The Attorney General must prosecute such action and the provisions of the Code of Civil Procedure relating to service and summons, pleadings, proofs, trials and appeals are applicable to the proceedings herein provided for. In such action a writ of attachment may issue and no bond or affidavit previous to the issuing of said attachment is required

SEC 13 If any section, subsection, sentence, clause or phrase of this act be for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portions of this act, and the Legislature hereby declares that it

would have passed this act and each and every other section, subsection, sentence clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases of this act be declared unconstitutional"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 131—An act to add section 726a to the Code of Civil Procedure, relating to deficiency judgments.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 12, of the printed bill, as amended, strike out "if exercised at any time".

Amendment No. 2.

On page 1, line 13, of the printed bill, as amended, strike out "act", and insert in lieu thereof the following: "section".

Amendment No. 3.

On page 2, line 2, of the printed bill, as amended, strike out "the Code of Civil Procedure", and insert in lieu thereof the following: "this code".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 716—An act to amend section 6 of, and to add section 24 to, the act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or town; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act," approved May 15, 1933, relating to outdoor advertising.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, strike out lines 43 to 51, inclusive, and insert in lieu thereof the following:

"(a) For each advertising sign, twenty-five cents ($0.25);

(b) For each advertising structure, one dollar ($1.00), provided, that any advertising structure having an advertising surface of less than four (4) square feet, exclusive of supports, shall be classified hereunder as an advertising sign."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 905—An act to amend section 1020 of the Probate Code, relating to necessary procedure in issuing decrees of distribution.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

In line 1 of the title of the printed bill, strike out "1020", and insert in lieu thereof the following: "1020 5".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "1020", and insert in lieu thereof the following: "1020 5".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 3 to 9, inclusive, and in line 10, strike out "persons entitled thereto.", and insert in lieu thereof the following: "1020.5."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 979—An act to be known as the Professional Engineers Act to regulate the practice of the profession of engineering and register professional engineers, to provide for the revocation of such registration and the restoration thereof, to make certain acts misdemeanors, and to provide penalties therefor.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act regulating the practice of engineering; providing for the creation and establishment of a State board of registration for professional engineers; granting certain powers to and prescribing the duties of said board; providing for the examination and registration of professional engineers, and providing penalties for the violation of this act; and repealing an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929"

Amendment No. 2.

On page 1, line 1, of the printed bill, after "SECTION 1", insert the following: "This act may be known and cited as the "Professional Engineers' Act."

SEC 2. In order to safeguard life, health, property and public welfare, any person practicing, or offering to practice engineering in this State, including all persons practicing engineering for the State, county, city, city and county, or any district, political subdivision or municipal corporation, shall hereafter be required to submit evidence that he is qualified so to practice, and shall be registered as a professional engineer, as hereinafter provided, and from and after January 1, 1936, it shall be unlawful for any person to practice or offer to practice as an engineer, or to represent himself as an engineer, or use the title engineer, with or without a descriptive qualifying adjective, unless such person has been duly registered or specifically exempted as required by the provisions of this act.

SEC 3-a. The term "engineer" as used in this act shall mean a person, who by reason of his knowledge of mathematics, the physical sciences and principles of engineering, acquired by technical education and training and practical experience is qualified to investigate, report on, design and/or construct engineering projects, works, machines, equipment, or processes.

SEC 3-b. The term "professional engineer" as used in this act shall mean any person who practices engineering as herein defined.

SEC. 3-c The term "practice of engineering" as used in this act shall mean any professional service or services, such as consultation, investigation, reports, valuation, planning, designing or responsible supervision of construction or operation, in connection with any public or private utilities, structures, buildings, machines, equipment, processes, works, projects, mineral deposits, or geology, when such professional service or services require the application of engineering principles, knowledge and data.

SEC. 3-d. The term "engineering" as used in this act shall include civil, mining, electrical, mechanical and chemical engineering, in all their many specialized branches, which deals with any or all of the following studies and/or activities; the economics of, the use and design of, materials of construction and the determi-

nation of their physical qualities; the supervision of the construction of engineering structures; the investigation of the laws, phenomena, and forces of nature; appraisals, valuations and investigations; in connection with any or all the following subjects: irrigation, drainage, water power, water supply, flood control, inland waterways, harbors, municipal improvements, railroads, highways, tunnels, airports and airways, purification of water, sewerage, refuse disposal, foundations, framed and homogeneous structures, buildings, bridges, mechanical and electrical structures, apparatus and machinery, transmission and application of power, turbines, internal combustion engines, steam engines and other mechanical structures, mineral and petroleum deposits and products and their development, reduction plants, mills, refineries, pipe lines, processes, regional planning and geodetic, municipal and topographic surveying. The execution as a contractor of work designed by a professional engineer or the supervision of the construction of such work as foreman or superintendent for such contractor, or the manual operation of engines and like machinery, shall not be deemed the practice of engineering within the meaning of this act.

SEC. 3-e. The phrase "responsible charge of work" shall mean the control and direction of the investigation, design, and construction of works, involving some feature of engineering, and requiring initiative, skill, and independent judgment.

SEC 4 No person shall use the title "structural engineer" unless he is a registered professional engineer in this State and, furthermore, unless he has been found qualified as such structural engineer according to the rules and regulations established therefor by the State Board of Registration for Professional Engineers. Application for permission to use the title "structural engineer" shall be made to the board and shall be accompanied by a fee of ten dollars ($10); said fee to be retained by the board. Anyone who violates the provisions of this section is guilty of a misdemeanor

SEC. 5. There is hereby created a State Board of Registration for Professional Engineers, hereinafter called the "board," consisting of five (5) members, and, except as hereinafter provided, one shall be a civil engineer, one a mechanical engineer, one an electrical engineer, one a mining engineer, and one a chemical engineer, to be appointed by the Governor within sixty (60) days after the date upon which this act becomes effective. Except as herein provided, the term of office of such members shall be five (5) years and they shall hold office until the appointment and qualification of their successors. The terms of the members of the first board shall expire as follows: One member, January 15, 1936; one member, January 15, 1937; one member, January 15, 1938; one member, January 15, 1939; one member, January 15, 1940. The three members of the State Board of Registration for Civil Engineers in office when this act becomes effective, shall be appointed members of the board herein created. The terms of said three members shall expire as follows: one member, upon the date when all members of the State Board of Registration for Professional Engineers have been appointed and qualified; one member, January 15, 1938; one member, January 15, 1939, and in the same order as their appointment to the Civil Engineers' Board. The member whose term expires January 15, 1938, shall be considered as a mechanical engineer, and the member whose term expires January 15, 1939, shall be considered a civil engineer. Vacancies occurring under the provisions of this section shall be filled by appointment for the unexpired term. The Governor may remove any member of the board for misconduct, incompetency, or neglect of duty Each member of the board shall be a citizen of the United States and an engineer of at least twelve (12) years active experience and of good standing in his profession and shall be at least thirty (30) years of age, and shall have been a resident of this State for at least five (5) years immediately preceding his appointment. Each member of said board, except the members first appointed hereunder, shall be registered as a professional engineer under this act Each member of the board shall receive twenty-five dollars ($25) per day for the time actually spent in traveling to and from and in attending sessions of the board and its committees, and each member shall receive all necessary expenses incident to the performance of his duties under this act.

SEC. 6. Each member of the board shall receive a certificate of appointment from the Governor, and before beginning his term of office he shall file with the Secretary of State an oath of office. Each member of the board first created shall receive a certificate of registration from the board without payment of fees. Any member may administer oaths and may take testimony and proofs concerning all matters within the board's jurisdiction. The board shall adopt and have an official seal which shall be affixed to all certificates of registration granted

SEC. 7. The board shall hold a meeting within thirty (30) days after its members are first appointed, and shall organize by electing one of its members as president, and one as vice president, and shall within sixty (60) days after its first meeting adopt rules and by-laws not inconsistent with law, needed to govern its action. Thereafter said board shall hold at least two (2) regular meetings each year and shall elect annually from its members a president and a vice president. The board shall appoint a secretary, who may or may not be a member of the board, and who shall hold office during its pleasure, and shall fix a salary for such position not to exceed three thousand six hundred dollars ($3,600) per year. Examinations

hereinafter provided for shall be given by the board as often as it deems necessary. Special meetings shall be held at such times as the by-laws of the board shall provide. Notice of all meetings shall be given in such manner as the by-laws shall provide. A majority of the board shall constitute a quorum.

SEC. 8. For the proper administration of this act, the State Board of Registration for Civil Engineers, as constituted on the effective date of this act, shall succeed to and become vested with all the powers, duties, purposes, responsibilities, and jurisdiction of the State Board of Registration for Professional Engineers, and shall so serve until the board herein created shall have organized as provided in section 7. All equipment, files, records and funds now in possession of, or credited to the State Board of Registration for Civil Engineers, are hereby transferred to, and become the property of the State Board of Registration for Professional Engineers.

The State Board of Professional Engineers shall, upon organization, as provided in section 7 hereof, succeed to and be vested with all powers, duties and responsibilities imposed upon the State Board of Registration for Civil Engineers by any act of the State Legislature.

SEC. 9. The secretary of the board shall receive and transmit all moneys derived from the operation of this act to the Department of Professional Standards. The said department shall account for all moneys received from the secretary, and shall at the end of each month, report to the State Controller such moneys and shall pay them to the State Treasurer, who shall keep such moneys in a separate fund to be known as the "Professional engineer's fund" which said fund is hereby created. Said fund shall be expended in accordance with law for the payment of all actual and necessary expenses incurred in carrying out the provisions hereof. The secretary of the board shall give a surety bond satisfactory to the board conditioned upon the faithful performance of his duties. The premium on said bond shall be paid from the fund of the board hereinbefore mentioned.

SEC. 10. The State Department of Professional and Vocational Standards is hereby vested with all the duties, powers, responsibilities and jurisdiction of the State Board of Registration for Professional Engineers; provided, however, that said board shall retain the functions of setting standards, holding meetings, issuing certificates, passing upon the qualifications of applicants, conducting investigations, issuing citations, holding hearings for the revocation of certificates and imposing penalties as hereinafter proposed and described, and the decisions of said board with respect thereto shall not be subject to review by the Director of the Department of Professional and Vocational Standards. Except as to said powers, duties, and functions so expressly reserved to said board, the Director of the Department of Professional and Vocational Standards shall have full authority to employ all employees necessary to properly administer the work of the board in accordance with Civil Service regulations, and upon recommendation of said board, with the approval of the Director of the Department of Finance, the Director of the Department of Professional and Vocational Standards shall employ investigators and attorneys to assist said board in prosecuting violations of this act. All moneys collected by the Department of Professional and Vocational Standards for and on behalf of the activities of the Board of Registration for Professional Engineers shall be remitted to the State Treasurer in accordance with law and credited to the "Professional engineer's fund," herein created. With the approval of the Director of the Department of Finance a charge not exceeding the amount of the available balance in the "Professional engineer's fund" may be levied by the Director of the Department of Professional and Vocational Standards in advance against said fund to cover the aforesaid board's pro rata share of the estimated administration expenses of the Department of Professional and Vocational Standards; provided, however, that none of the moneys in said fund shall be used to pay the general expenses of any other board in the department. Upon proper presentation of claims by said department to the State Controller, the latter shall draw his warrant or warrants against said fund to cover such estimated administration expenses.

SEC. 11. The secretary shall keep a complete record of all applications for registration and the board's action thereon and shall prepare annually a roster showing the names, address and certificate number of all registered professional engineers; a copy of such roster to be filed with the Secretary of State, a copy to be filed with the recorder of each county in the State, and a copy to be furnished to each professional engineer registered under the provisions of this act. Copies of such roster shall be available on application to the secretary at such price per copy as may be fixed by the board. The board shall within thirty (30) days prior to the meeting of the regular session of the Legislature submit to the Governor a full and true report of its transactions during the preceding biennium including a complete statement of the receipts and expenditures of the board during the period, attested to by the president and secretary of the board. A copy of said report shall be filed with the Secretary of State. All records shall be public records.

SEC. 12. At any time on or before December 31, 1935, upon application made to the board on its prescribed form, and accompanied with a fee of fifteen dollars ($15) to be retained by the board, the secretary shall issue a certificate of registration, as provided by section sixteen (16), to any professional engineer who shall submit to the board evidence under oath that he is at least twenty-five years of age, of good character, and has been a resident of the State of California for at least one (1) year immediately preceding the date of his application and has practiced pro-

fessional engineering, as a professional business, for at least six (6) years preceding the date of his application, and during that period has had responsible charge of engineering work as principal or assistant for at least one (1) year; provided, however, that this section shall not apply to a professional engineer whose experience has been in the civil engineering branch of professional engineering. Graduation from an engineering school or college, approved by the board shall count as four (4) years of practice and each year of study completed without graduation in an engineering school or college, approved by the board, shall count as one-half year of practice. After December 31, 1935, the board shall issue certificates of registration only as prescribed in section 16 hereof

SEC 13 Nothing in this act herein contained shall invalidate an unsuspended, unrevoked or unexpired certificate of a civil engineer registered under provisions of an "Act regulating the practice of civil engineering," approved June 14, 1929 Civil engineers certificates which expire June 30, 1936, for failure to pay the annual renewal fee, may be reinstated within one year, as provided in section 18 hereof. The holders of such certificates shall, by virtue of registration as civil engineers, become vested with all the privileges accorded registered professional engineers, and shall be issued a certificate as a professional engineer, without application or the payment of an additional fee

SEC 14 Application for examination for registration as a professional engineer shall be made to the board on its prescribed form, accompanied with a fee of fifteen dollars ($15), said fee to be retained by the board The application shall contain satisfactory evidence under oath that applicant

(a) Is at least twenty-five (25) years of age,

(b) Is of good character, and

(c) Has been engaged in the practice of professional engineering for at least six (6) years, and during that period had responsible charge of engineering work as a subordinate to a professional engineer for at least one (1) year. Graduation from an engineering school or college, approved by the board shall count as four (4) years of practice and each year of study completed without graduation in an engineering school or college, approved by the board, shall count as one-half year of practice.

SEC. 15 Examinations for registration shall be held at regular or special meetings of the board, at such times and at such places within the State as the board shall determine. The examination shall be conducted by at least two (2) members of the board, or its representatives. The scope of examinations and the methods of procedure shall be prescribed by the board. In determining the qualifications of an applicant for registration, a majority vote of the board shall be required. A candidate failing on examination may, after an interval of not less than one (1) year be examined again.

SEC. 16 (a) Any applicant who has passed the examination prescribed by the board, shall, upon payment of an additional fee of ten dollars ($10), the amount to be retained by the board, have issued to him a certificate of registration, signed by the president and the secretary of the board under the seal of the board, authorizing him to practice as a professional engineer, as defined herein. Such certificate shall show the branch of engineering in which the recipient is especially qualified.

(b) A new certificate of registration to replace any certificate, lost, destroyed, or mutilated, may be issued subject to the rules and regulations of the board. A charge of one dollar ($1) shall be made for such reissue.

SEC. 17. The board may, upon application therefor, and the payment of a fee of ten dollars ($10), to be retained by the board, issue a certificate of registration as a professional engineer to any person who holds a certificate of qualification or registration issued to him by proper authority of the National Council of State Boards of Engineering Examiners, or of the National Bureau of Engineering Registration, or of any State or Territory or possession of the United States, or any country, provided that the requirements for the registration of professional engineers under which said certificate of qualification or registration was issued do not conflict with the provisions of this act and are of a standard not lower than that specified in section 14 of this act.

SEC 18. (a) Any certificate issued under the provisions of this act shall remain in effect until the thirtieth (30th) day of June following the date of issuance.

(b) Every professional engineer registered under this act who desires to continue the practice of his profession beyond the thirtieth (30th) day of June following the date of issuance of his original certificate shall on or before the thirtieth (30th) day of June of each year pay to the secretary of the board a fee of five dollars ($5) to be retained by the board, for which fee a renewal certificate of registration for the current year shall be issued Certificates of registration which have expired for failure to pay renewal fee may be reinstated within one year under rules and regulations prescribed by the board, provided that after the thirtieth day of June of each year the application for reinstatement of an expired certificate of registration must be accompanied by one ($1) dollar for each calendar month or fraction thereof applicant is delinquent after June 30th, until the amount aggregates the sum of five ($5) dollars as a penalty for delinquency, in addition to the annual

renewal fee of five ($5) dollars. An unsuspended, unrevoked or unexpired certificate and indorsement of registry, made as provided in this act, shall be presumptive evidence in all courts and places that the person named therein is legally registered.

SEC. 19. Each registrant hereunder may, upon registration, obtain a seal of the design authorized by the board, bearing the registrant's name, number of certificate, and the legend "registered professional engineer." Plans, specifications, plats, reports and other documents issued by a registrant may be stamped with the said seal during the life of the registrant's certificate, but it shall be unlawful for anyone to stamp or seal any plans, specifications, plats, reports, or other documents with said seal after the certificate of the registrant named thereon has expired or has been suspended or revoked, unless said certificate shall have been renewed or reissued.

SEC. 20 Nothing in this act shall be construed as prohibiting a professional engineer from practicing or offering to practice his profession through the medium of, or as an employee of a partnership or a corporation organized for the purpose of practicing engineering, provided the plans, specifications and reports of such partnership or corporation be signed and be stamped with the seal of each registered professional engineer in specific and responsible charge of the preparation of the same. The same exemptions shall apply to partnerships and corporations as apply to individuals under this act; provided, however, that nothing in this act shall be construed as requiring registration for the purpose of practicing or offering to practice professional engineering, by an individual, firm, partnership or corporation on or in connection with property owned or leased by said individual, firm, partnership or corporation, unless the same involves the public health or safety or the health and safety of employees of said individual, firm, partnership or corporation; provided, however, no one shall represent himself as, or use the title of professional engineer, or any other title whereby such person could be considered as practicing or offering to practice professional engineering in any of its branches, unless he is qualified by registration under this act.

SEC. 21. (a) It shall be the duty of the board to inquire into the identity of any person not registered as provided in this act and practicing as or claiming to be a professional engineer. The board shall have the power to receive and investigate complaints against registered professional engineers, and to make findings, and shall have the power by a four-fifths (4/5) vote to reprove, privately or publicly, any professional engineer registered hereunder, or to suspend for a period not to exceed two years, or to revoke the certificate of any professional engineer registered hereunder who has been convicted of a felony or who has not a good character, or who has been found guilty by the board of any deceit, misrepresentation, violation of contract, fraud or gross incompetency in his practice, or guilty of any fraud or deceit in obtaining his certificate, or violation of any provisions of this act

(b) Proceedings for reproval, or for the suspension or revocation of certificate of registration shall be begun by filing with the secretary of the board written charges against the accused. Such charges shall be in detail, and sworn to under oath by the complainant. or such proceedings may be initiated by the board on its motion without the filing or presentation of any complaint. The board shall designate a time and place for a hearing and shall notify the accused of this action and furnish him a copy of all charges, either by personal service or by registered United States mail, at least thirty (30) days prior to the date of hearing. The accused shall have the right to appear personally or by counsel to cross-examine witnesses or to produce witnesses in his defense. The board shall have the power to compel the attendance of witnesses, and the production of necessary papers and documents.

The board may reissue a certificate of registration to any person whose certificate has been revoked; provided, four (4) or more members of the board vote in favor of such reissue for reasons the board may deem sufficient.

SEC. 16 The following shall be exempt from the provisions of this act:

(a) Officers and employees of the United States of America practicing solely as such officers or employees.

(b) A subordinate to an engineer registered under this act or a subordinate to an engineer exempted under this act, provided the work of said subordinate does not include direct responsible charge of design or supervision.

(c) Any architect certified in this State under the provisions of any act to regulate the practice of architecture, in so far as he practices architecture, and when the engineering work of said architect is in connection with his practice of architecture

(d) Any person not a resident of the State of California, qualified as a professional engineer, offering to practice but not practicing engineering in this State who does not have or maintain a regular place of business in this State.

(e) Any person practicing engineering in this State who does not maintain a regular place of business in this State and who does not practice for more than sixty days in any one calendar year, providing that such person shall be qualified as a professional engineer and shall, before engaging in such practice, notify the board in writing of his intention so to do, stating in said notice the approximate

date when he intends to commence such practice and the approximate length of time he expects to continue in such practice. In which event the secretary of the board, after having determined that the applicant is qualified, and after the payment by the applicant of a fee of ten dollars ($10) is hereby empowered to issue a temporary license to practice for a period of not to exceed sixty (60) days.

SEC. 23. (a) Any person, who is not legally authorized to practice professional engineering in this State according to the provisions of this act and shall so practice, or offer to practice, except he be exempt under this act, and any person presenting or attempting to file as his own the certificate of registration of another, or who shall give false evidence of any kind to the board, or to any member thereof, in obtaining a certificate of registration, or who shall falsely impersonate or use the seal of any other practitioner, of like or different name, or who shall use an expired or revoked certificate of registration, or who, being a registered professional engineer, aids or abets any person in the violation of any provision of this act, shall be deemed guilty of a misdemeanor and shall for each such offense of which he is convicted be punished by a fine of not more than five hundred dollars ($500) or by imprisonment not to exceed three months, or by both fine and imprisonment.

(b) It shall be the duty of the respective officers charged with the enforcement of laws and ordinances to prosecute all persons charged with the violation of any of the provisions of this act. It shall be the duty of the secretary and/or investigators of the board, under the direction of the board, to aid such officers in the enforcement of this act. The investigators, not exceeding two in number, of the Board of Registration for Professional Engineers, shall have all powers and authority of a peace officer of the State of California.

SEC. 24. Whenever the term "registered civil engineer" is used or referred to in any of the laws or statutes it shall be intended to refer to, mean and include professional engineers, and said term shall be construed to give professional engineers all the rights, duties, powers or liabilities covered by such law or statute.

SEC. 25. An act entitled "An act to regulate the practice of civil engineering," approved June 14, 1929, is hereby repealed."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1337—An act to amend section 4300g of the Political Code, relating to witness fees.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 20, of the printed bill, strike out the words "when testifying".

Amendment No. 2.

On page 1, line 19, of the printed bill, after the word "attendance,", insert the following: "when legally required to attend or in the event the witness attends voluntarily and is called to testify".

Amendments adopted.

Bill read second time.

Floor Amendments.

During second reading of the bill, the following amendments were submitted by Mr. Phillips:

Amendment No. 1.

On page 1, line 26, of the printed bill, strike out "cases only", and insert in lieu thereof the following: "or criminal cases".

Amendment No. 2.

On page 1, line 27, of the printed bill, strike out "cases only", and insert in lieu thereof the following: "or criminal cases".

Amendment No. 3.

On page 1, line 28, of the printed bill, strike out "in going", and insert in lieu thereof the following: "one way".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 579—An act to amend section 1153 of the Probate Code, relating to publication of reports of the finances of the estate of decedents by the public administrator.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 583—An act to amend section 1144 of the Probate Code, relating to the disposition of the property of the estate of any decedent of the value of one hundred dollars or less.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 697—An act to amend section 422 of the Probate Code, relating to the right of certain persons to appoint as administrator.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 2047—An act to amend section 1197 of the Code of Civil Procedure, relative to executions in mechanics' lien actions.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 942—An act to amend section 423 of the Probate Code of the State of California, relating to nomination of administrators.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 3 to 15, inclusive, and insert in lieu thereof the following:

"423. Administration may be granted to one or more competent persons, although not otherwise entitled to the same at the written request of the person entitled, filed in court. A parent, child, brother or sister of the decedent entitled to succeed to some portion or all of the estate, when otherwise not entitled to letters, may request the appointment of a child, parent, brother or sister of the decedent. If the person making the request is a child, parent, brother or sister of the decedent, the nominee shall have priority next after those in the class of the person making the request; otherwise the court, in its discretion, may appoint either such nominee or a person of a class subsequent in rank to that of the person making the request; but other persons of the class of the person making the request shall have priority over such nominee"

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1074—An act to amend section 3617 of the Political Code, relating to the definition of terms for purposes of taxation.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 26, of the printed bill, immediately following the word "land," add "including telephone, telegraph and power lines, conduits and pipe lines".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2129—An act amending section 111 of the Penal Code, relating to expense of trial of convicts.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, after the figures "111", insert the following: "Whenever a trial is had of any person under any of the provisions of sections 105 or 106 of this code, whenever a hearing is had on the return of a writ of habeas corpus prosecuted by or on behalf of any convict in the State prison, whenever a convict in the State prison is tried for any crime committed therein, and whenever a trial or hearing is had on the question of the insanity of any convict, the county clerk of the county where such trial or hearing is had must make out a statement of all the costs incurred by the county for the investigation, and preparation of the trial, and actual trial of such case, or of the hearing on the return of such writ, and all guarding and keeping of such convict while away from the prison, the transportation of the convict to and from the prison, the costs of appeal, and of the execution of the sentence of such convict, exclusive of the cost of any report or statement required by section 1192a of the Penal Code, properly certified to by a judge of the superior court of such county, which statement must be sent to the State Board of Prison Directors for their approval, and after such approval, said board must cause the amount of such costs to be paid out of the money appropriated for the support of the State prison, to the county treasury of the county where such trial or hearing was had.

Amendment adopted.

Bill read second time, ordered to reprint, engrossment and third reading.

Second Reading of Senate Bills.

Senate Bill No. 227—An act prohibiting the use of white canes, except by blind persons, and providing protection against accidents to such persons, and providing penalties for violation thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 289—An act validating the formation and existence of certain harbor districts and all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by such districts and authorizing the levy and collection of taxes sufficient to pay the principal and interest thereof.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 25, of the printed bill, following the words "such acts", strike out the words "and acts".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 188—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any municipal water district, and directing the levy and collection of a tax sufficient to pay the principal and interest thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 189—An act to validate the organization and existence of municipal water districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 190—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold by any water

conservation district and directing the levy and collection of a tax sufficient to pay the principal and interest thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 191—An act to validate the organization and existence of water conservation districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 193—An act to validate bonds, including refunding bonds, or reclamation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest of such bonds.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 194—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any acquisition and improvement district, and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof, and declaring the urgency thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 195—An act to validate bonds, including refunding bonds, of irrigation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest of such bonds.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 196—An act to validate the organization and existence of acquisition and improvement districts and declaring the urgency thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 197—An act to legalize bonds heretofore issued and sold or to be issued and sold by bridge and highway districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 198—An act to validate the organization and existence of county water districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 199—An act confirming and validating the formation or organization and existence of irrigation districts, and declaring the urgency thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 200—An act to legalize bonds heretofore issued and sold or to be issued and sold by port districts where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such port districts voting upon the question of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such bonds.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 182—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by counties or cities and counties where authority for such issuance has already been given by a vote of not less

than two-thirds of the qualified electors of such counties or cities and counties voting upon the proposition of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such bonds.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 183—An act to validate bonds of flood control districts, including refunding bonds, and all proceedings relative thereto and to provide for the levy and collection of taxes to pay the principal and interest of such bonds.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 181—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness and providing for a levy of taxes to pay the principal and interest of such bonds.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 184—An act to validate proceedings for the annexation of territory to, incorporation in, and inclusion thereof, within municipal corporations.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 185—An act to validate bonds of municipal improvement districts, and providing for the levy of a tax to pay the same.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 186—An act to validate bonds, including refunding bonds, of sanitary districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest of such bonds.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 202—An act to legalize revenue bonds heretofore issued or sold or to be issued and sold by port districts, and providing for a levy of taxes to pay the principal and interest of such bonds.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 892—An act to amend section 1989 of the Code of Civil Procedure, relating to witnesses.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 201—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any county water district, providing for the application of the proceeds of sale of such bonds and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 28—An act to amend section 1881 of the Code of Civil Procedure, relating to privileged communications.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 176—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class, and providing for the levy of a tax to pay the same.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 177—An act to confirm and validate the boundaries of school districts, high school districts and junior college districts of every kind and class and declaring the urgency thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 178—An act to legalize refunding bonds heretofore issued and sold, or to be issued and sold, by counties or cities and counties where authority for such issuance has already been given by a vote of not less than two-thirds of the qualified electors of such counties or cities and counties voting upon the proposition of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such refunding bonds.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 179—An act to validate the organization and existence of school districts, high school districts and junior college districts of every kind and class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 180—An act to legalize refunding bonds heretofore issued or sold or to be issued and sold by municipalities, and providing for a levy of taxes to pay the principal and interest of such bonds.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 255—An act to add a new section to be numbered 844, to the Civil Code, relating to actions for the declaration of rights of persons associated in the use of ditches, flumes, pipe lines or conduits for the conveyance of water.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 681—An act confirming and validating the consolidation of irrigation districts.

Bill read second time, and ordered on file for third reading.

Motion to Reconsider Amendment No. 8 to Assembly Bill No. 1300 Continued.

Mr. Evans, Ralph W., moved that the consideration of his motion to reconsider the vote whereby Amendment No. 8 to Assembly Bill No. 1300, submitted by him, was refused adoption, be continued until the next legislative day.

Motion carried.

Special Order Set for Assembly Bill No. 1300.

On motion of Messrs. Evans, Ralph W., and Scudder, the further consideration of Assembly Bill No. 1300, as amended, and all matter pertaining thereto was made a special order for Monday, April 1, 1935, at eleven o'clock and thirty minutes a.m.

Motion to Reconsider Assembly Bill No. 45 Continued.

Mr. Redwine moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 45 was passed, be continued until the next legislative day.

Motion carried.

Motion to Reconsider Assembly Bill No. 1775 Continued.

Mr. Utt moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1775 was passed, be continued until the next legislative day.

Motion carried.

Third Reading of Assembly Bills.

Assembly Bill No. 608—An act limiting the hours of labor of female domestic employees and providing a penalty for its violation.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Richie:

Amendment No. 1.

On page 1, line 1, of the printed bill, strike out the word "female".

Amendment No. 2.

On page 1, line 6, of the printed bill, strike out the word "female".

Amendment No. 3.

On page 1, line 12, of the printed bill, after the word "follow", insert the words "his or".

Amendment No. 4.

On page 1, line 17, of the printed bill, strike out the word "female".

Amendment No. 5.

On page 1, line 22, of the printed bill, strike out the word "female".

Amendment No. 6.

After "Sec. 4" of the printed bill, add a new section to be numbered Section 5, to read as follows:

"Sec. 5. The provisions of this act shall not apply to registered nurses, nor to so-called "practical" nurses when such persons are employed temporarily and their duties confined solely to the work of nursing the sick."

Amendment No. 7.

On page 2, line 7, of the printed bill, strike out "5", and insert in lieu thereof "6".

Amendments adopted.

Request for Unanimous Consent.

Mr. Richie asked for unanimous consent to take up Assembly Bill No. 608, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Objection to Unanimous Consent.

Mr. Phillips objected to unanimous consent.

Motion to Suspend Rules.

Mr. Jones moved that the rules be suspended for purpose of considering, at this time, Assembly Bill No. 608, as amended.

Mr. Jones withdrew his motion.

Assembly Bill No. 608 read third time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1735—An act to add a new section to the Political Code, to be numbered 689a, relating to use of the State's teletype system.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1735 passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Phillips, Reaves, Redwine, Riley, Robertson, Scudder, Thorp, Turner, Utt, Wagner, Walker, Weber, Welsh, Wright, and Mr. Speaker—60.

NOES—Burns, Patterson, Pelletier, Peterson, Richie, Stream, Voigt, and Wallace—8.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 1735.

Mr. Phillips gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1735 was this day passed.

Assembly Bill No. 1682—An act to amend sections 671 and 672 of the Political Code, relating to the investment of funds in the State treasury by the Director of Finance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1682 passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Garibaldi, Geyer, Gilbert, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Wagner, Walker, Weber, Welsh, Wright, and Mr. Speaker—65.

NOES—Peterson and Voigt—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1134—An act to amend section 2 and section 3 of an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof," and repealing an act entitled "An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications, fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office, approved March 20, 1905," approved May 31, 1917, as amended, relating to its organization and defining its powers and duties.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Cottrell:

Amendment No. 1.

On page 1, line 5, of the title of the printed bill, strike out the quotation marks

Amendment No. 2.

On page 1 of the printed bill, in the third from the last line of the title, insert quotation marks after "office.".

Amendment No. 3.

On page 1 of the printed bill, in the next to the last line of the title, strike out "its", and insert in lieu thereof the following: "the".

Amendment No. 4.

On page 1 of the printed bill, in the last line of the title, after "ization", insert the following: "of said Bureau".

Amendment No. 5.

On page 1, line 4, of the printed bill, strike out "(4)".

Amendment No. 6.

On page 1, line 5, of the printed bill, strike out the semicolon and "and within ten days after this act", and strike out lines 6 to 8, inclusive, and insert in lieu thereof a comma and the following: "and three members appointed by the Governor, one of".

Amendment No. 7.

On page 1, line 10, of the printed bill, strike out "and one to be", and insert in lieu thereof the following: "one a".

Amendment No. 8.

On page 1, line 11, of the printed bill, strike out "to be".

Amendment No. 9.

On page 2, line 6, of the printed bill, strike out "assessment takes effect shall expire as follows:", and strike out lines 7 to 13, inclusive, and in line 14, strike out "15, 1935.", and insert in lieu thereof the following: "section as amended takes effect shall not be affected thereby."

Amendment No. 10.

On page 2, line 19, of the printed bill, strike out "within ten days after its appointment to take", and insert in lieu thereof the following: "to exercise".

Amendment No. 11.

On page 2, line 20, of the printed bill, strike out "to meet," and insert in lieu thereof the following: "and to".

Amendment No. 12.

On page 2, line 28, of the printed bill, strike out the second comma.

Amendments adopted.

Bill read third time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1883—An act to amend section 472a of the Political Code, relating to the defense of State officers and employees.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Cottrell:

Amendment No. 1.

On page 1, line 18, of the printed bill, as amended, strike out "office", and insert in lieu thereof the following: "officer".

Amendment adopted.

Request for Unanimous Consent.

Mr. Cottrell asked for, and was granted, unanimous consent to take up Assembly Bill No. 1883, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1883, as Amended.

Assembly Bill No. 1883, as amended, read third time.

The question being on the passage of the bill.

The roll was called.

Motion for Call of the House.

Pending the announcement of the vote, Mr. Cottrell moved a call of the House.

Motion lost.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1883, as amended, refused passage by the following vote:

AYES—Anderson, Breed, Cassidy, Chatters, Corwin, Cottrell, Cunningham, DeLap, Evans, Herbert J., Field, Fisher, Frazier, Garibaldi, Johnson, Kallam, Maloney, Martin, Mayo, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Phillips, Reaves, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Welsh, Wright, and Mr. Speaker—37

NOES—Andreas, Boyle, Brennan, Clark, Crowley, Dawson, Donahue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, McCarthy, McMurray, Pelletier, Richie, Voigt, Wagner and Weber—26

Notice of Reconsideration of Assembly Bill No. 1883.

Mr. Cottrell gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1883 was this day refused passage.

Assembly Bill No. 998—An act to amend sections 4 765, 4 920, and 4 950 of the School Code, relating to computation of average daily attendance in elementary and secondary schools and junior colleges.

Bill read third time

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Boyle:

Amendment No. 1.

On page 1, line 23, of the printed bill, strike out "the", before "junior", and insert in lieu thereof the following: "a".

Amendment No. 2.

On page 1, line 25, of the printed bill, after "Education.", insert the following: "No pupil shall be credited, for purposes of apportionment, with more than fifteen hours of attendance during any one calendar week."

Amendments adopted.

Request for Unanimous Consent.

Mr. Boyle asked for, and was granted, unanimous consent to take up Assembly Bill No. 998, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 998, as Amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 998, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Scudder,

Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Welsh, Wright, and Mr Speaker—63.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 56—An act to amend section 3.42 of, and to add section 3.43 to the School Code, relating to required instruction in the schools.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 56 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Richie, Riley, Robertson, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Weber, Welsh, Wright, and Mr. Speaker—66.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 232—An act to amend section 2.93 of the School Code, relating to superintendents of schools.

Bill read third time.

Demand for Previous Question.

Messrs. Hunt, Flint, Wright, Morgan and Stream demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 232 passed by the following vote:

AYES—Andreas, Boyle, Brennan, Chatters, Clark, Cronin, Cunningham Dawson, Donahue, Evans, Herbert J., Flint, Geyer, Gilbert, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Morgan, Patterson, Pelletier, Peterson, Reaves, Richie, Riley, Scudder, Stream, Turner, Voigt, Wallace, Weber, Welsh and Wright—42
NOES—Breed, Cassidy, Corwin, Cottrell, Crowley, DeLap, Desmond, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Kallam, Mayo, Minard, Nielsen, O'Donnell, Phillips, Thorp, Wagner, Walker, and Mr. Speaker—23.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 851—An act to add a new chapter to Part III of Division IV of the School Code to be known as Chapter IV, relating to sinking funds in school districts for the replacement, reconstruction and/or alteration of buildings.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Desmond:

Amendment No. 1.

On page 1, line 4, of the title of the printed bill, as amended, strike out "and/"

Amendment No. 2.

On page 1, line 9, of the printed bill, as amended, strike out "and/".

Amendment No. 3.

On page 2, line 3, of the printed bill, as amended, after the word "district", insert a comma and the following: "or any part thereof,".

Amendment No. 4.

On page 2, line 4, of the printed bill, as amended, strike out the comma and the following: "all accrued interest", and insert in lieu thereof the following: "in accordance with law, all interest accruing thereon".

Amendment No. 5.

On page 2, line 4, of the printed bill, as amended, after the word "credited", insert the following: "by the county treasurer".

Amendment No. 6.

On page 2, line 8, of the printed bill, as amended, strike out "and/".

Amendment No. 7.

On page 2, line 10, of the printed bill, as amended, strike out the following: "If at any time the governing board of a", and strike out all of lines 11 to 15, inclusive, and insert in lieu thereof the following: "The sinking fund of a school district may be discontinued at any time by the governing board of such district, and when discontinued the moneys therein shall be credited by the county treasurer to such other funds of the district as the said governing board shall direct."

Amendments adopted.

Bill read third time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1664—An act to amend an act entitled an act to create a reclamation district to be called "Reclamation District No. 1660." and providing for the control and management thereof.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Frazier:

Amendment No. 1.

On page 1, line 1, of the title of the printed bill, as amended, strike out "an act entitled an", and insert in lieu thereof the following: "section 2 of an act entitled "An".

Amendment No. 2.

On page 1, line 3, of the title of the printed bill, as amended, strike out the period and insert in lieu thereof a comma and quotation marks, and the following: "approved June 1, 1915, relating to the management and control of said district."

Amendment No. 3.

On page 1, line 6, of the printed bill, as amended, before "The", insert the following: "Sec. 2."

Amendment No. 4.

On page 1, line 13, of the printed bill, as amended, strike out the semicolon and "an", and insert in lieu thereof a period and the following: "An".

Amendment No. 5.

On page 1, lines 18 and 19, of the printed bill, as amended, strike out "That said", and insert in lieu thereof the following: "Said".

Amendments adopted.

Bill read third time, ordered to reprint, engrossment, and third reading.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 45—Relative to memorializing the President and the Congress to enact the required legislation for complete and adequate anti-aircraft equipment and personnel as defensive measures for the Pacific Coast—and reports that the same has been correctly enrolled, and presented the same to the Governor on this twenty-ninth day of March, 1935, at eleven o'clock and thirty minutes a.m.

WATERS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 261—An act making an appropriation for the contingent expenses of the Assembly at its fifty-first session, and declaring that this act shall take effect immediately,

Also, Assembly Bill No. 657—An act to amend sections 41c and 42 of the California Irrigation District Act, relating to the payment of irrigation district assessments;

Also: Assembly Bill No 1640—An act to amend section 3866 and to repeal section 3871 of the Political Code, relating to settlements between county treasurers and the State;

Also: Assembly Bill No. 1693—An act to add section 2 1 to an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to twelve rounds, to create an athletic commission empowered to license such contests and the participants therein, to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," relating to the State Athletic Commission;

Also: Assembly Bill No. 1779—An act to amend section 462 of the Political Code, relating to unclaimed money of the State;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-ninth day of March, 1935, at eleven o'clock and thirty minutes a m.

WATERS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1793—An act to add section 690 11 to the Political Code, relating to fees;

Also: Assembly Bill No. 1991—An act to repeal section 658a of the Political Code and to add section 658.5 thereto, relating to refunds of fees paid to the State, And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-ninth day of March, 1935, at eleven o'clock and thirty minutes a.m.

WATERS, Chairman.

On Financial Institutions.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1935.

MR. SPEAKER: Your Committee on Financial Institutions, to which was referred Assembly Bill No. 2383—An act to prohibit and declare void certain contracts, conditions, agreements and understandings in connection with the sale or contract to sell motor vehicles by manufacturers or distributors thereof, and prohibiting the giving or payment of any thing or service of value by any manufacturer or distributor of motor vehicles to any one engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles, and the acceptance or receipt thereof by any such person when competition in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles may be lessened or eliminated, or a monopoly created or tended to be created, and prohibiting from doing business in this State any one engaged

in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles who so accepts or receives any thing or service of value from any manufacturer or distributor of motor vehicles, and prescribing penalties, forfeitures, and recoveries for the violation thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, as amended.

UTT, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Financial Institutions, to which was referred Assembly Bill No 1618—An act to amend an act entitled, "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, so as to classify, license and regulate the business of personal property brokers, and to prescribe, fix, limit and regulate their charges and interest rates; and to authorize and regulate assignments of wages, salaries, commissions or earnings, earned or to be earned, when given to a personal property broker as security for a loan of, or as consideration for the payment of, $300 or less; and to repeal all acts and portions of acts inconsistent herewith; and declaring this measure an urgency measure within the meaning of section 1 of Article IV of the Constitution, and providing accordingly for the act to take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

UTT, Chairman.

The above reported bill ordered on file for second reading.

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1935.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred Assembly Bill No 621—An act to amend sections 2240 and 2255 of the Political Code, relating to the clothing, transportation, dental work, eye care, operations and hospitalization of pupils enrolled in the California School for the Deaf and the California School for the Blind—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BRENNAN, Chairman

The above reported bill ordered on file for second reading.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1935.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 1205—An act to add a new part to Division II of the School Code to be known as Part VI, relating to the formation, government, support, control, functions, maintenance, and administration of unified school districts created from elementary and high school districts, and of elementary, high school and junior college districts having coterminous boundaries and governing boards of identical personnel—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

CHATTERS, Chairman.

The above reported bill ordered on file for second reading.

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1935.

MR SPEAKER: Your Committee on Social Service and Welfare, to which was referred Assembly Bill No. 1270—A bill to add a new section to the act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933 relating to the sale of personal property of such persons upon their death—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BRENNAN, Chairman.

The above reported bill ordered on file for second reading.

Introduction and Reference of Bills.

The following bill was introduced, and referred as indicated:

By Mr. Anderson: Assembly Constitutional Amendment No. 76—Proposed amendment to Article IX, section 9, of the Constitution, relative to a board of higher education.

Introduced, and referred to Committee on Constitutional Amendments.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Brennan:

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1935.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 1514 of the Civil Code, relating to rights of parties to contract in the event of prevention of performance thereof by cause other than an act of a party.

Referred to Committee on Introduction of Bills.

By Mr. Donnelly:

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1935.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add a new section to be numbered 30 5 to the General Cemetery Act, relating to reincorporation of cemetery associations, and prescribing the procedure therefor.

Referred to Committee on Introduction of Bills.

Withdrawal of Bills.

By order of the Speaker, the following Assembly bills were withdrawn from the file, and ordered re-referred to the following committees:

Assembly Bill No. 653 re-referred to Committee on Social Service and Welfare.

Assembly Bill No. 686 re-referred to Committee on Oil Industries.

Assembly Bill No. 1608 re-referred to Committee on Conservation.

Assembly Bill No 2118 re-referred to Committee on Revenue and Taxation.

Assembly Bill No 406 re-referred to Committee on Education.

Assembly Bill No. 1164 re-referred to Committee on Ways and Means.

Motion to Re-refer Assembly Bill No. 1665.

Mr. Martin moved that Assembly Bill No 1665 be withdrawn from Committee on Social Service and Welfare, and ordered re-referred to Committee on Unemployment.

The question being on re-referring Assembly Bill No. 1665 to Committee on Unemployment.

Motion carried.

Assembly Bill No. 1665 ordered re-referred to Committee on Unemployment.

Motion to Re-refer Assembly Bill No. 1122.

Mr. Field moved that Assembly Bill No. 1122 be withdrawn from Committee on Unemployment, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 1122 to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 1122 ordered re-referred to Committee on Ways and Means.

Adjournment.

At twelve o'clock and twenty minutes p.m., on motion of Mr. Cottrell, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Monday, April 1, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, April 1, 1935.

At eleven o'clock a.m, pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—80.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Evans, Herbert J., its further reading was dispensed with.

Privilege of the Floor of Assembly Extended.

On request of Mr. Frazier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the instructor and pupils, senior class in social, economic and political problems, of the Yuba City Union High School, as follows: Mr. H. M McPherson, instructor; Lowell Carter, Earl Marshall, Forrest Hammons, Wilson Barbar, Nelson Murdock, Bert Price, Byron Woodhead, Wilson Coats, Carrol Zwarg, Norman Souza, Robert Johnson, John Landis, Alfred

Nelson, Charles Gibson, Vincint Anderson, Anna Stewart, Mildred Knutson, Margery Hayes, Wilma Jones, Ruth Miller, Sophia Pappas, Dorthey Nevens, Anita Toal, Beth Pickton, Grace Thomas, Gale Gambsy, Katharine Loomis, Mary Lou Grenagle, Dorthey Halfhill, June Ruff, Barbar Purcell and Dolly King, pupils.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. E. K. Finney, chairman of Stanislaus County Board of Supervisors; Mr. W. H. Brink, former chairman, and Mr. Jay W. Ridberg, superintendent, Stanislaus County Hospital.

On request of Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Judge J. Russell Morton and William E. Fox, attorney at law.

On request of Mr. Fisher, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Doris Miller of Oakland.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. M. J. Bonn, professor of economics at University of London, and Mr. Lincoln Hutchinsen of Berkeley.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Frank H. Dobson, favoring passage of Assembly Bill No. 542.

From the Los Angeles County Federation of Women's Clubs, opposing the levying any excise or income tax on the moving picture industry.

From the Young Women's Republican Study Club of Los Angeles, favoring passage of Assembly Bill No. 20.

From the West Los Angeles Lions Club, protesting any form of special or discriminatory taxation of the motion picture industry or any other manufacturers

From West Hollywood Lions Club, protesting against any form of special or discriminatory taxation of the motion picture industry or any other manufacturers.

From the Women's Republican Federation of Los Angeles, favoring passage of Assembly Bills Nos. 4, 13, 14, 106, 107, 108, 109 and 110.

From Civil and Structural Engineers Association of Long Beach.

From Ray Louden, opposing taxation of chain stores.

From Miss M. Vandenberg, opposing taxation of chain stores.

From E. B. Osborn and Carl W. Muller, opposing passage of Assembly Bill No. 162.

Communications.

The following communications were received, and ordered printed in the Journal:

By Mr. McMurray:

673 LEXINGTON AVENUE, March 23, 1935.

DEAR MR. MCMURRAY: Thank you for sending such a nice message in regard to my campaign. It was kind of you, and the other members of the Assembly, especially the San Joaquin Valley delegation, to want me to have the opportunity of filling Mr. Eicke's unexpired term.

I appreciate your interest and wish you would convey my thanks to these friends.

I am disappointed, but we all know that "All things work together for good to those who love the Lord," and I know something else will turn up for me to do.

Sincerely,

FLORENCE EICKE.

By Mr. Speaker:

LOS ANGELES, CALIFORNIA, March 30, 1935.

Fred Desch, Assistant Chief Clerk, Assembly.

Will you kindly advise Assembly Committee on Hospitals and Asylums that I respectfully urge their support of Assembly Bill No. 954 to be presented next Monday, as it defines indigents and outlines details for admission to county hospitals, thereby relieving private hospitals of most acute and unpleasant problem. Many thanks.

JOSEPH SCOTT

By Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1935

MR SPEAKER. Pursuant to your instructions, the following named persons have filed their credentials and are duly recognized as representatives of the newspapers set opposite their respective names:

California Public Record—Stanley Abel.

Mining and Industrial News—George B Ackerman.

ARTHUR A. OHNIMUS, Chief Clerk

Assistant Clerk Coolidge Reading.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1935.

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No 147—An act to add two new sections to the Penal Code, to be numbered 200 and 201, establishing the public offense of unlawfully causing death through operation of a motor vehicle and providing penalties therefor,

Also: Assembly Bill No 442—An act to amend section 1270 of the Fish and Game Code and to repeal sections 1271, 1271.5 and 1272, relating to deer,

Also. Assembly Bill No 457—An act to amend sections 10 and 17 of, and to add sections 3a, 5a, 18a and 21a to, the Improvement Act of 1911, relating to an alternative procedure for the doing of work under said act by receiving contributions of labor, materials or equipment from the United States Government or other governmental agencies, declaring the urgency thereof and providing that this act shall take effect immediately;

Also. Assembly Bill No. 542—An act to amend sections 4225 and 4225a of the Political Code, both relating to the powers and duties of county health officers,

Also Assembly Bill No 716—An act to amend section 6 of, and to add section 24 to the act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns, to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act," approved May 15, 1933, relating to outdoor advertising;

Also: Assembly Bill No. 792—An act to prohibit child labor;

And reports that the same have been correctly engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 842—An act validating certificates of sale and deeds based thereon issued by irrigation districts;

Also: Assembly Bill No 905—An act to amend section 1020.5 of the Probate Code, relating to necessary procedure in issuing decrees of distribution;

Also. Assembly Bill No 910—An act to amend section 5.501 of the School Code, relating to the employment of persons in positions requiring certification qualifications in school districts having an average daily attendance of less than 850;

Also: Assembly Bill No. 993—An act to provide a procedure for the consolidation of counties;

Also: Assembly Bill No. 1074—An act to amend section 3617 of the Political Code, relating to the definition of terms for purposes of taxation;

Also: Assembly Bill No. 1323—An act to regulate the sale, purchase, transportation and marketing of poultry and to provide a penalty for the violation thereof;

Also: Assembly Bill No. 1650—An act to amend sections 480, 481, 482, 483, 503, 505, 736, 737, 738 and 743 of the Vehicle Code, to repeal sections 502 and 739 of said code and to add sections 500, 501, 502, 506, 739, 743.5 and 743.6 to said code, relating to accidents involving motor vehicles, the duty of drivers of such vehicles to stop, render aid and give certain information, defining the crime of negligent homicide and prescribing penalties therefor, also relating to persons driving motor vehicles while under the influence of liquor or narcotic drugs, to the stealing or unlawful taking of motor vehicles, and the reckless driving of such vehicles, to the taking of persons arrested before magistrates, and the duties of arresting officers in connection with said persons, to the procedure to be followed where the person arrested is either taken before a magistrate or is given a notice to appear in court, to changes of venue in prosecutions for violations of said code, and to the procedure to be followed upon the arrest of all persons violating said code;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1784—An act to add section 675.5 to the Vehicle Code, relating to glass;

Also: Assembly Bill No. 2047—An act to amend section 1197 of the Code of Civil Procedure, relative to executions in mechanics' lien actions;

Also: Assembly Bill No. 2285—An act to amend section 1626 of the Streets and Highways Code, relating to relief to special assessment districts;

Also: Assembly Bill No. 1802—An act providing for the acquisition, purchase, construction, reconstruction, improvement, betterment, extension, operation, and maintenance of revenue-producing undertakings by any municipality of this State, authorizing and regulating the issuance of revenue bonds for financing such undertakings, and providing for the payment of such bonds and the rights of holders thereof; and declaring the urgency of this act and providing that it shall take effect immediately;

Also: Assembly Bill No. 942—An act to amend section 423 of the Probate Code of the State of California, relating to nomination of administrators;

Also: Assembly Bill No. 2129—An act amending section 111 of the Penal Code, relating to expense of trial of convicts;

Also: Assembly Bill No. 239—An act to amend the title and sections 4, 4a, 5, and 23 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the extension of the provisions of said act to the companies taxable hereunder and their franchises, other than insurance companies and their franchises, specified in section 14 of Article XIII of the Constitution of this State, and to provide that this act shall take effect immediately;

And reports that the same have been correctly engrossed

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 234—An act creating a commission for the coordination of State and local governments, defining its powers and duties, and making an appropriation therefor;

Also: Assembly Bill No. 299—An act to repeal Article IV of Chapter VII of Part I of Division II of the School Code and to add to said Chapter VII of Part I of Division II thereof a new article to be known as Article IV, both relating to the annexation of elementary school districts not in any high school district, to high school districts;

Also: Assembly Bill No. 434—An act approving, validating and confirming leases or letting of lands or of any interest therein for airport purposes by governmental agencies of this State;

Also: Assembly Bill No. 465—An act to amend subsections numbers 3 and 5, and to add two new subsections to be numbered 10 and 11 to section 675 of the Political Code, empowering the Director of Finance to execute grants to real property belonging to the State to the United States of America, to withdraw from sale public lands of the State, and to enter into agreements with littoral owners or others to compensate the State on account of taking of oil, gas, hydrocarbons or other minerals from the lands of the State;

Also: Assembly Bill No. 527—An act to provide for the creation, organization and government of river port districts in one or more counties, to enumerate the

powers thereof; to authorize the incurring of indebtedness, the borrowing of money and the issuance of bonds, and other evidences of indebtedness of such district and to provide for the mortgaging, pledging, or hypothecating of property of such districts and the issuance of revenue notes, certificates or warrants payable solely and exclusively from the revenues to be realized from a particular utility or property acquired or to be acquired with the proceeds of such obligations; to provide for the levy and collection of taxes by such districts and the allocation, mortgage, pledge, or hypothecation of the revenues of such districts or any property of such districts, to authorize river port districts to enter into agreement with the State of California or any political subdivisions therein or with the United States of America; and to authorize river port districts to do and perform all acts and things necessary or appropriate to carry out the purposes of this act,

And reports that the same have been correctly engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading

Also:

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 579—An act to amend section 1153 of the Probate Code, relating to publication of reports of the finances of the estate of decedents by the public administrator;

Also: Assembly Bill No 583—An act to amend section 1144 of the Probate Code, relating to the disposition of the property of the estate of any decedent of the value of one hundred dollars or less;

Also. Assembly Bill No 620—An act to amend section 4307 of the Political Code, relating to county charges;

Also: Assembly Bill No 646—An act to add sections 195 5 and 1623 5 to, the Streets and Highways Code, relating to expenditure of money allocated to counties, cities, and cities and counties;

Also Assembly Bill No. 697—An act to amend section 422 of the Probate Code, relating to the right of certain persons to appointment as administrator,

Also: Assembly Bill No 766—An act to add Chapter 9, embracing sections 725 to 734, inclusive, to Division IV of the Agricultural Code, relating to dairies and dairy products,

Also: Assembly Bill No 1763—An act to amend sections 669, 702, 703, 709, 711 and 712 of the Fish and Game Code, relating to black bass, crappie, calico bass and sun fish;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading

Also:

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 851—An act to add a new chapter to Part III of Division IV of the School Code to be known as Chapter IV, relating to sinking funds in school districts for the replacement, reconstruction or alteration of buildings;

Also: Assembly Bill No. 1204—An act to amend sections 2, 4 and 26 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations,' " approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities; and declaring the measure an urgency measure within the meaning of section 1 of Article IV of the Constitution and providing accordingly for the act to take effect immediately;

Also: Assembly Bill No. 1664—An act to amend section 2 of an act entitled "An act to create a reclamation district to be called "Reclamation District No. 1660," and providing for the control and management thereof, approved June 1, 1915, relating to the management and control of said district;

And reports that the same have been correctly re-engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 154—An act to amend the title and sections 8, 14, 32 and 33 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation

taxes, including the extension of the provisions of said act to the companies taxable hereunder and their franchises, other than insurance companies and their franchises, specified in section 14 of Article XIII of the Constitution of this State;

Also: Assembly Bill No. 1698—An act to add a new section to the Political Code to be numbered 696, relating to a Fact Finding Bureau in the Department of Finance;

Also: Assembly Bill No. 155—An act to amend the title and sections 4, 4a, 5, 8, 10, 11, 12, 13, 15, 16, 18, 19, 20, 21, 23, 24, 25, 26, 27, 29, 30, 31 and 35 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the extension of the provisions of said act to the companies taxable hereunder and their franchises, other than insurance companies and their franchises, specified in section 14 of Article XIII of the Constitution of this State;

Also: Assembly Bill No 608—An act limiting the hours of labor of female domestic employees and providing a penalty for its violation;

Also: Assembly Bill No. 1129—An act amending section 3897 of the Political Code, relating to the procedure for the sale of property deeded to the State in payment of delinquent taxes, if not otherwise disposed of under section 3897a or section 3897b of the Political Code, declaring the urgency thereof, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 1134—An act to amend section 2 and section 3 of an act entitled, "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled "An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications, fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office," approved March 20, 1905," approved May 31, 1917, as amended, relating to the organization of said bureau and defining its powers and duties;

And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

On Public Health and Quarantine.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1935.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 58—An act to add a new section to the Agricultural Code, to be numbered 318, relating to meat inspection—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

KALLAM, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 2316—An act to add section 374c to the Penal Code, relating to plumbing fixtures and installations—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

KALLAM, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 946—An act to amend sections 3, 4, 5, 7, 9, 10, 12, and 17 of an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by the electors November 7, 1922, relating to the Board of Chiropractic Examiners and the practice of chiropractic—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

KALLAM, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 59—An act to add section 5.5 to an act entitled "An act

to provide for the formation, powers, government, operation, and dissolution of garbage disposal districts to facilitate the disposal of garbage and other refuse matter, and annexation thereto, and to provide for the assessment, levy, collection and disbursement of taxes therein," approved April 20, 1927, relating to contracts for collection and disposal of garbage—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

KALLAM, Chairman.

The above reported bill ordered on file for second reading.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1935.

MR SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 947—An act to amend Chapter 763, Statutes of 1929, approved June 10, 1929, as amended by Chapter 401, Statutes of 1931, approved May 25, 1931, and as amended by Chapter 10, Statutes of 1933, approved January 26, 1933, entitled and known and cited as "California Toll Bridge Authority Act" by amending the title thereof and by amending sections 2, 6½, 9, 11, 14, 16, 20 and 22¼, and by adding thereto new sections numbered 4½, 5½, 5¾, 8½, 8¾, 9½, 9¾, 12½, 13¾, 16½ and 16½, relating to and prescribing additional duties, powers and limitations regarding the construction and financing of toll bridges; and providing for the acquisition, construction, financing and operation of transportation facilities thereof and thereto; and providing that this act become effective immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

STREAM, Chairman.

The above reported bill ordered on file for second reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, March 28, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 21—An act to regulate the production and distribution of serums, vaccines, bacterial cultures, and viruses, to provide for the licensing of persons manufacturing, preparing, and distributing the same, and to provide penalties for the violation of the provisions of this act;

Also: Senate Bill No. 32—An act to amend section 1310 of the Fish and Game Code, relating to fur-bearing mammals,

Also: Senate Bill No. 92—An act to add section 6145 to the Fish and Game Code, relating to trout;

Also: Senate Bill No. 173—An act to amend section 652 of the Fish and Game Code, relating to salmon;

Also: Senate Bill No. 215—An act to add section 1219.5 to the Agricultural Code, relating to annual reports of nonprofit cooperative marketing associations.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 21 read first time, and referred to Committee on Public Health and Quarantine.

Senate Bills Nos. 32, 92 and 173 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 215 read first time, and referred to Committee on Agriculture.

Also:

SENATE CHAMBER, SACRAMENTO, March 28, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 290—An act to amend an act of the Legislature of the State of California entitled "An act providing for the formation, government and operation of harbor districts for the improvement or development of harbors, the calling and conducting of elections in such districts, the issuance and disposal of the bonds thereof, and the assessment and levy of taxes for the payment of such bonds, principal and interest, and for the ordinary expenses of such districts," approved April 20, 1927, as amended, by adding a new section thereto to be numbered section 21, relating to the expenditure of the proceeds of harbor district bonds by the United States of America or any department, officer or agency thereof, and validating expenditures of such bond funds and work by the United States of America or any department, officer or agency thereof;

Also Senate Bill No 429—An act to amend section 1341 of the Fish and Game Code, relating to rabbits;

Also: Senate Bill No. 537—An act to add section 1354 to the Fish and Game Code, relating to the taking of frogs for educational and scientific purposes;

Also: Senate Bill No. 538—An act to amend sections 650.5, 661, 1064, 1151 and 1414 of the Fish and Game Code, relating to fish and game.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary

Senate Bill No. 290 read first time, and referred to Committee on Commerce and Navigation.

Senate Bills Nos 429, 537 and 538 read first time, and referred to Committee on Fish and Game.

Also:

SENATE CHAMBER, SACRAMENTO, March 28, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 2—An act making an appropriation for a State exhibit at the California Pacific International Exposition, declaring the urgency thereof, and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1935.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it The title of said bill is as follows:

An act to regulate the conduct of pounds, prescribing the duties of persons in charge thereof or employed thereat, and regulating the disposition of animals impounded or sheltered therein

CUNNINGHAM, Chairman

Also:

MR. SPEAKER Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it The title of said bill is as follows:

An act to add a new section to be numbered 30.5 to the General Cemetery Act, relating to reincorporation of cemetery associations, and prescribing the procedure therefor.

CUNNINGHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 1514 of the Civil Code, relating to rights of parties to contract in the event of prevention of performance thereof by a cause other than an act of a party.

CUNNINGHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 1460 of the Probate Code, relating to guardians of insane or incompetent persons.

CUNNINGHAM, Chairman.

Reports of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the reports.

The question being on the adoption of the reports.

The roll was called, and the reports adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Glover, Hawkins,

Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Wagner, Walker, Wallace, Weber, Welsh, Williamson, and Mr. Speaker—61.

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced and referred as indicated:

By Mr. Brennan. Assembly Bill No. 2399—An act to amend section 1514 of the Civil Code, relating to rights of parties to contract in the event of prevention of performance thereof by a cause other than an act of a party.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Donnelly: Assembly Bill No. 2400—An act to add a new section to be numbered 30.5 to the General Cemetery Act, relating to reincorporation of cemetery associations, and prescribing the proceedure therefor.

Bill read first time, and referred to Committee on Corporations.

By Mr. Wagner (by request): Assembly Bill No. 2401—An act to regulate the conduct of pounds, prescribing the duties of persons in charge thereof or employed thereat, and regulating the disposition of animals impounded or sheltered therein

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Mr. Reaves: Assembly Bill No. 2402—An act to amend section 1460 of the Probate Code, relating to guardians of insane or incompetent persons.

Bill read first time, and referred to Committee on Judiciary.

Resolution.

The following resolution was offered:

By Mr. Martin:

Assembly Resolution.

Be It Resolved by the Assembly of the State of California, That the use of the Assembly Chamber shall not be extended for purposes of holding public meetings during such hours as would interfere with the proper conduct of legislative sessions or duly authorized committee meetings of the Assembly; and, be it further

Resolved, That such use shall not be extended as would interfere with members of the Assembly in possession of their seats, desks, papers or interrupt in the studying of measures, or in the carrying on of official correspondence.

FRANK G. MARTIN.

Resolution read.

Mr. Martin moved the adoption of the resolution.

The question being on the adoption of the resolution.

Resolution adopted.

Second Reading of Assembly Bills.

Assembly Bill No. 2383—An act to prohibit and declare void certain contracts, conditions, agreements and understandings in connection with the sale or contract to sell motor vehicles by manufacturers or distributors thereof, and prohibiting the giving or payment of any thing or service of value by any manufacturer or distributor of motor vehicles to any one engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts,

chattel mortgages or leases on motor vehicles, and the acceptance or receipt thereof by any such person when competition in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles may be lessened or eliminated, or a monopoly created or tended to be created, and prohibiting from doing business in this State any one engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles who so accepts or receives any thing or service of value from any manufacturer or distributor of motor vehicles, and prescribing penalties, forfeitures, and recoveries for the violation thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 4 of the printed bill, strike out lines 24, 25, 26, 27, and the word "imprisonment" in line 28, and insert in lieu thereof the following: "misdemeanor and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars ($500) or be imprisoned in a county jail not exceeding six months, or by both such fine and imprisonment."

Amendment No. 2.

On page 1, line 4 of the title of the printed bill, after the word "or", insert the following: "wholesale".

Amendment No. 3.

On page 1, line 6 of the title of the printed bill, after the word "or", insert the following: "wholesale".

Amendment No. 4.

On page 1, line 19 of the title of the printed bill, after the words "manufacturer or", insert the following: "wholesale".

Amendment No. 5.

On page 1, line 2, of the printed bill, after the words "manufacturer or", insert the following: "wholesale".

Amendment No. 6.

On page 2, line 21, of the printed bill, after the word "vehicles", strike out the following: ", whether patented or unpatented,".

Amendment No. 7.

On page 3, line 11, of the printed bill, after the hyphenated word "tribution", strike out the following: "only of motor vehicles whether patented or unpatented," and insert in lieu thereof the following: "of motor vehicles".

Amendment No. 8.

On page 3, line 29, of the printed bill, strike out the following: "only".

Amendment No. 9.

On page 5, line 6, of the printed bill, after the word "buy", insert the following: "(c) The term "wholesale distribution" as used in this act shall mean the sale or distribution of motor vehicles or any interest therein by the manufacturer thereof, or by any person directly or indirectly owned by such manufacturer."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1618—An act to amend the Personal Property Broker's Act, relating to the classification and regulation of the business of personal property brokers, including the fixing and regulation of their charges and interest, and to repeal all acts and parts of acts inconsistent herewith.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out the title, and insert in lieu thereof the following:

"An act to classify, license and regulate the business of personal property brokers, and to prescribe, fix, limit and regulate their charges and interest rates; to authorize and regulate assignments of wages, salaries, commissions or earnings, earned or to be earned, when given to a personal property broker as security for a loan of, or as consideration for the payment of, $300 or less; to repeal all acts and portions of acts inconsistent herewith; and declaring this measure an urgency measure within the meaning of section 1 of Article IV of the Constitution, and providing accordingly for the act to take effect immediately."

Amendment No. 2.

On page 3, line 34, of the printed bill, as amended, insert after the words "to be operated", the words "as an annual license fee."

Amendment No. 3.

On page 7, line 42, of the printed bill, as amended, strike out "of", and insert in lieu thereof the following: "or".

Amendment No. 4.

On page 12, line 37, of the printed bill, as amended, after the words "of this act", insert the following: "; and the act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, is hereby specifically repealed."

Amendment No. 5.

On page 13, line 11, of the printed bill, as amended, strike out "clauses", and insert in lieu thereof the following: "classes".

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 621—An act to amend sections 2240 and 2255 of the Political Code, relating to the clothing, transportation, dental work, eye care, operations and hospitalization of pupils enrolled in the California School for the Deaf and the California School for the Blind.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, after the word "unable", insert the following: "either himself or from the estate of such child".

Amendment No. 2.

On page 1, line 7, of the printed bill, strike out the following. "when the parent or guardian".

Amendment No. 3.

On page 1, line 7, of the printed bill, after the word "unable", insert the following: "either himself or from the estate of such child".

Amendment No. 4.

On page 1, line 11, of the printed bill, strike out the words "testify to such inability before a judge of", and insert in lieu thereof the following: "apply for a certificate to that effect to".

Amendment No. 5.

On page 1, line 13, of the printed bill, strike out the word "judge", and insert in lieu thereof the word "court".

Amendment No. 6.

On page 1, line 14, of the printed bill, after the word "guardian", insert the following "either himself or from the estate of such child".

Amendment No. 7.

On page 1, line 16, of the printed bill, after the word "unable", insert the following. "either himself or from the estate of such child".

Amendment No. 8.

On page 1, line 19, of the printed bill, strike out the word "he", and insert in lieu thereof the following: "the court".

Amendment No. 9.

On page 1, line 20, of the printed bill, after the word "may", insert the word "also".

Amendment No. 10.

On page 2, line 10, of the printed bill, strike out the following: "on behalf of the parent or guardian".

Amendment No. 11.

On page 2, line 11, of the printed bill, after the word "guardian", insert the following: "either himself or from the estate of such child as the court may determine".

Amendment No. 12.

On page 2, line 15, of the printed bill, after the word "guardian", insert the following: "personally or from the estate of such child".

Amendment No. 13.

On page 2, line 18, of the printed bill, after the word "Education", insert the following: "either personally or from the estate of such child".

Amendment No. 14.

On page 2, line 39, of the printed bill, after the word "unable", insert the following: "either himself or from the estate of the child".

Amendment No. 15.

On page 3, line 2, of the printed bill, strike out the word "education".

Amendment No. 16.

On page 3, line 15, of the printed bill, after the word "unable", insert the following: "either himself or from the estate of such child".

Amendment No. 17.

On page 3, line 18, of the printed bill, strike out the following: "when the parent or guardian".

Amendment No. 18.

On page 3, line 18, of the printed bill, after the word 'unable", insert the following: "either himself or from the estate of such child".

Amendment No. 19.

On page 3, line 22, of the printed bill, strike out the following: "testify to such inability before a judge of", and insert in lieu thereof the following: "apply for a certificate to that effect to".

Amendment No. 20.

On page 3, line 24, of the printed bill, strike out the word "judge", and insert in lieu thereof the word "court".

Amendment No. 21.

On page 3, line 25, of the printed bill, after the word "guardian", insert the following: "either himself or from the estate of such child".

Amendment No. 22.

On page 3, line 27, of the printed bill, after the word "unable", insert the following: "either himself or from the estate of such child".

Amendment No. 23.

On page 3, line 30, of the printed bill, strike out the word "he", and insert in lieu thereof the words "the court".

Amendment No. 24.

On page 3, line 31, of the printed bill, after the word "may", insert the word "also".

Amendment No. 25.

On page 3, line 46, of the printed bill, strike out the following "on behalf of the parent or guardian".

Amendment No. 26.

On page 3, line 47, of the printed bill, after the word "guardian", insert the following: "either himself or from the estate of such child, as the court may determine".

Amendment No. 27.

On page 3, line 51, of the printed bill, after the word "guardian", insert the following: "personally or from the estate of such child".

Amendment No. 28.

On page 4, line 3, of the printed bill, after the word "Education", insert the following: "either personally or from the estate of such child".

Amendment No. 29.

On page 4, line 23, of the printed bill, after the word "unable", insert the following: "either himself or from the estate of the child".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1205—An act to add a new part to Division II of the School Code to be known as Part VI, relating to the formation, government, support, control and administration of unified school districts created from elementary and high school districts, and of elementary, high school and junior college districts having coterminous boundaries and governing boards of identical personnel.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 3, line 6, of the printed bill, as amended, strike out the first word "of", and insert in lieu thereof the word "or".

Amendment No. 2.

On page 4, line 26, of the printed bill, as amended, strike out the following: "first day of May next", and strike out all of line 27, and insert in lieu thereof the following: "day prescribed by law for the commencement of the terms of members of governing boards of elementary school districts."

Amendment No. 3.

On page 5, line 18, of the printed bill, as amended, strike out the word "a", and insert in lieu thereof the word "the".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1270—A bill to add a new section to the act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, relating to the sale of personal property of such persons upon their death.

Bill read second time, ordered to engrossment, and third reading.

Unfinished Business.

Assembly Bill No. 1775—An act to amend section 3663b of the Political Code, relating to the Board of Equalization.

Reconsideration of Assembly Bill No. 1775 Waived.

Mr. Utt waived his notice to reconsider the vote whereby Assembly Bill No. 1775 was passed.

Assembly Bill No. 1775 ordered transmitted to the Senate.

Assembly Bill No. 1735—An act to add a new section to the Political Code, to be numbered 689a, relating to use of the State's teletype system.

Motion to Reconsider Assembly Bill No. 1735 Continued.

Mr. Phillips moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1735 was passed, be continued until the next legislative day.

Motion carried.

Assembly Bill No. 1883—An act to amend section 472a of the Political Code, relating to the defense of State officers and employees.

Reconsideration of Assembly Bill No. 1883.

In compliance with his notice given on a previous day, Mr. Cottrell moved that the vote whereby Assembly Bill No. 1883 was refused passage be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Weber, Welsh, Williamson, Wright, and Mr Speaker—65.

NOES—Flint—1.

Explanation of Vote.

MR. SPEAKER: Through misunderstanding, I voted against Cottrell's request for reconsideration. I pressed the wrong button.

Change this, please, from "No" to "Aye."

GENE FLINT.

Third Reading of Assembly Bills.

Assembly Bill No. 1194—An act amending the title and section 31 of and to that certain statute entitled "Improvement Act of 1911," approved April 7, 1911, as amended, relating to public improvements and the repair and reconstruction of portions of improved streets, avenues, lanes, alleys, courts or places, bulkheads, retaining walls or other works for the protection of the same and to the payment of the costs thereof and establishing a procedure for the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1194 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Weber, Welsh, Wright, and Mr. Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Consideration of Special Order.

The hour of eleven o'clock and thirty minutes a.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Assembly Bill No. 1300—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following. to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, as amended, by amending sections numbered 4.01 relating to guarantee stock, 6 02 relating to withdrawals, 6 07 relating to investment certificates and shares, 8 09 relating to interest and dividends, 9.02 relating to investments and 9.04 relating to purchases, sales, transfers and pledges of loans; postponing the effective date of the amendment of section 6 02 of said act as set forth in section 5a of Chapter 431 of the Statutes of 1933; adding to said act new sections to be numbered 8.10 relating to rate of return on shares and investment certificates, 9.18 relating to insurance, loans, advances of credit and purchases of obligations pursuant to the National Housing Act, 10.03a relating to reserve or surplus accounts, 10.09 relating to reports, statements and analyses by the Building and Loan Commissioner and 12.11 relating to conversion of a building and loan association into a Federal savings and loan association and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to vote for or approve such conversion, to exchange shares, stock, investment certificates or other rights or claims for shares issued by such Federal savings and loan association, and to continue to hold as a legal investment any shares so received; adding a new article to be numbered XVI to said act relating to the rehabilitation, readjustment or reorganization of one or more building and loan associations of the classes specified in such Article XVI, or of all or of any part of the business, properties and assets of such association or associations, or the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of and other persons interested in such association or associations, providing for the kinds of securities issuable in connection therewith and exempting such securities from certain provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Article XVI, to exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such

plan and to continue to hold as a legal investment any securities so received; and declaring the urgency of this act and providing that it shall take effect immediately.

Reconsideration of Amendment No. 8 to Assembly Bill No. 1300 Waived.

Mr Evans, Ralph W., waived his notice to reconsider the vote whereby Amendment No. 8 to Assembly Bill No. 1300 was refused adoption.

Request for Unanimous Consent.

Mr. Scudder asked for, and was granted, unanimous consent to take up Assembly Bill No. 1300, as amended, at this time, without reference to reprint, or file, and that same be considered re-engrossed.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Evans, Ralph W.:

Amendment No. 9.

On page 7 of the printed bill, beginning in line 38, strike out all matter beginning with the words "any association", and the entire balance of section 6.07, to and including line 13 on page 9, and in lieu thereof insert the following:

"Every association shall accept its own outstanding investment certificates at their full value in partial or full payment of loans and every association not issuing investment certificates and having none outstanding shall accept its own outstanding shares at their full value in partial or full payment of loans and any association may at its option, with the prior approval of the commissioner and subject to such rules and regulations as he may from time to time prescribe, but no association shall be obligated to, accept its own outstanding investment certificates or shares in partial or full payment for property sold by such association."

Amendment to Amendment No. 9.

Add: "The provisions of this section shall apply to any association, regardless of whether or not it is on notice or on a pro rata basis, and regardless of the nonpayment of any or all matured withdrawal claims, but shall not apply to any association the property, business and assets of which shall be in the possession of the commissioner."

Further action deferred.

Recess.

At twelve o'clock and ten minutes p.m., on motion of Mr. Voigt, the Assembly was declared at recess until two o'clock p.m., of this day.

Reassembled.

At one o'clock and forty-five minutes p.m., the Assembly reconvened. Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1935.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1651—An act to amend the Vehicle Code by amending sections 618, 621, 623, 625, 633, 634, 635, 637, 639, 640, and 670; to renumber section 663 to be section 664; to repeal Chapter 4 of Division X embracing sections 645 to 658 inclusive, sections 661, 662 and 667; to add sections 623.5, 677, a new Chapter 4 to Division X, embracing sections 645 to 656 inclusive, 660, 661, 662, and 663 and a new section to be numbered 692, relating to vehicles—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1055—An act to amend section 401 of the Vehicle Code, relating to tort

liability of drivers of police, fire and other emergency vehicles maintained by governmental bodies—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2048—An act to amend the title and section 1 of an act entitled "An act prohibiting the issuance as payment for wages of any evidence of indebtedness unless the same is negotiable and payable without discount, and providing that the same must be payable upon demand," approved March 1, 1911 (Stats. 1911, Chap. 92), as amended, providing that evidences of indebtedness for wages must be payable upon demand—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LYON, Chairman.

The above reported bill ordered on file for second reading.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Minard:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend sections 737j and 737bbb of the Political Code, relating to salaries of superior court judges.

Referred to Committee on Introduction of Bills.

Further Consideration of Assembly Bill No. 1300, as Amended.

The question being on the adoption of Amendment No. 9, and the amendment to Amendment No. 9, submitted by Mr. Evans, Ralph W.

Request for Roll Call.

On request of Messrs. Welsh, Utt and Clark, the Speaker ordered a roll call taken on the amendment submitted by Mr. Evans, Ralph W.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Brennan, Burns, Cassidy, Clark, Donihue, Evans, Ralph W., Geyer, Gilbert, Glover, Hawkins, Heisinger, McCarthy, Meehan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, and Waters—23.

NOES—Anderson, Andreas, Boyle, Breed, Chatters, Corwin, Cottrell, Cunningham, Dawson, DeLap, Donnelly, Fisher, Flint, Fulcher, Garibaldi, Gilmore, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, Miller, Minard, Morgan, Nielsen, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Weber, Welsh, Williamson, Wright, and Mr. Speaker—47.

Further action on Assembly Bill No. 1300, as amended, deferred.

Consideration of Special Order.

The hour of two o'clock p.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Senate Bill No. 24—An act limiting the number of cars in a train, and prescribing penalties for violation thereof.

Bill read third time.

Demand for Previous Question.

Messrs. Turner, Heisinger, Flint, Geyer, and Laughlin demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 24 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, Mayo, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Richie, Rosenthal, Thorp, Turner, Voigt, Wagner, Waters, Weber, Welsh, and Williamson—55.

NOES—Breed, Chatters, Corwin, Field, Frazier, Garibaldi, Kallam, Latham, Lyon, Martin, McBride, Minard, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Utt, Walker, Wallace, Wright, and Mr. Speaker—24.

Title read and approved.

Bill ordered transmitted to the Senate.

Explanation of Vote by Mr. Heisinger.

I believe that to limit the number of cars in a train would assist and expedite the movement of freight and in my opinion, move the perishable products of California into the markets in less time, thereby reaching better markets with less refrigeration charges.

I believe shorter freight trains would bring more business to the railroads and would not raise freight charges, but would decrease wear, tear and damage to railroad rolling stock which might actually reduce the cost of transportation to the railroads.

The Democratic platform declared for a train limit.

Therefore, I am voting for this bill

Further Consideration of Assembly Bill No. 1300, as Amended.

Request for Unanimous Consent.

Mr. Scudder asked for, and was granted, unanimous consent to take up Assembly Bill No. 1300, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 1300, as amended, read third time.

Further Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Evans, Ralph W.:

Amendment No. 10.

On page 9 of the printed bill, strike out lines 16 to 52, inclusive.

Amendment No. 11.

On page 10 of the printed bill, strike out lines 1 to 52, inclusive.

Amendment No. 12.

On page 11 of the printed bill, strike out lines 1 to 37, inclusive.

The question being on the adoption of the amendments:

Request for Roll Call.

On request of Messrs. Utt, Welsh and Clark, the Speaker ordered a roll call taken on the amendments submitted by Mr. Evans, Ralph W.

The roll was called, and the amendments submitted by Mr. Evans, Ralph W., were refused adoption by the following vote:

AYES—Brennan, Burns, Clark, Crowley, Desmond, Donihue, Donnelly, Evans, Ralph W., Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Laughlin, Lore,

McCarthy, McMurray, Meehan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Turner, Voigt, Wagner, and Waters—28

NOES—Anderson, Andreas, Boyle, Breed, Chatters, Corwin, Cottrell, Cunningham, Dawson, DeLap, Field, Fisher, Fulcher, Hornblower, Johnson, Kallam, Latham, Lyon, Martin, McBride, Miller, Minard, Morgan, Peyser, Phillips, Redwine, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Weber, Welsh, Williamson, and Mr. Speaker—37.

Assembly Bill No 1300, as amended, read third time.

Further Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Turner:

Amendment No. 1.

On page 6 of the printed bill, strike out all of lines 9 to 35, inclusive.

Amendment refused adoption.

Assembly Bill No. 1300, as amended, read third time.

Further Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Brennan:

Amendment No. 1.

Insert a new section after section 16.10 to be numbered 16.11 and to read as follows:

"Inspection of Association Records. Any stockholder, shareholder, or investment certificate holder of a building and loan association may petition the court for an order directing such building and loan association to permit him, or his agent, to inspect the stock records, the register of shareholders, the register of certificate holders, the books of account, files, and minutes of proceedings of the stockholders and of the directors of such association and to make lists and extracts therefrom and the court, upon being satisfied that the purpose of the petitioner is reasonably related to his interest, shall make such order upon such terms and conditions as the court may deem proper under the circumstances and if the court deems it necessary for the protection of all interests involved it may place in such order limitations and restrictions upon the use of the information acquired by the inspection ordered and any violation of such limitations or restrictions may, in the discretion of the court, be adjudged to have been committed in contempt of court and punished accordingly."

Special Order Set for Assembly Bill No. 1300, as Amended.

On motion of Mr. Lyon, the further consideration of Assembly Bill No. 1300, as amended, and all matter pertaining thereto was made a special order for Tuesday, April 2, 1935, at eleven o'clock a.m.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Public Health and Quarantine.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1935.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1803—An act to amend section 10 of an act entitled "An act to revise an act entitled 'An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling, or repairing upholstered furniture; and creating the upholstered furniture inspection fund,' approved May 9, 1927," approved June 1, 1929, relating to the manufacture, sale, labeling and inspection of second-hand upholstered furniture—has had the same under consideration, and respectfully reports the same back, without recommendation, as amended.

KALLAM, Chairman.

The above reported bill ordered on file for second reading.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1935

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1702—An act to amend section 788 of the Agricultural Code, relating to

containers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 952—An act to amend Chapter 6 of Division VI of the Agricultural Code, relating to produce dealers and to provide for a bond for produce dealers;

Also: Assembly Bill No. 1077—An act to amend section 951 of Article 3 of Chapter 5 of Division V of the Agricultural Code, relating to one variety cotton district, and declaring that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

PHILLIPS, Chairman

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1481—An act providing for the incorporation of a horticultural protection district authorizing such district to levy and collect taxes to carry on its operation and provide for the powers, management and government of such district and imposing certain duties and functions in connection with such district upon certain county officials—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1935

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1270—A bill to add a new section to the act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, relating to the sale of personal property of such persons upon their death;

Also: Assembly Bill No. 1881—An act requiring individuals, as in said act defined, to obtain a certificate from the Commissioner of Corporations prior to soliciting, receiving or collecting contributions, fees or funds from security owners or holders for the purpose of protecting, enforcing or representing the rights of such security owners or holders; authorizing the Commissioner of Corporations to regulate and supervise the solicitation, collection and application of such funds; and providing for the enforcement of said act and penalties for the violation thereof; and declaring the measure an urgency measure within the meaning of section 1 Article IV of the Constitution and providing accordingly for the act to take effect immediately;

Also: Assembly Bill No. 2156—An act to amend sections 3678, 3681a, 3747a, 3756, 3760, 3764, 3766, 3771, 3771a, 3772, 3776, 3785, 3788, 3789, 3797, 3799, 3804b, 3808, 3809, 3816, 3817, 3817f, 3817g, 3817h, 3818, and 3822 and to repeal sections 3738, 3739, 3781, 3791, 3792, 3793, 3794, 3795, 3796, 3800 and 3815 of the Political Code and to add to said code sections numbered 3816a, 3817j and 3832, relating to the collection of taxes and providing for the collection of delinquent taxes and unsecured taxes by the tax collector;

Also: Assembly Bill No. 2365—An act requiring licenses for the operation, maintenance or establishment of stores in this State, prescribing the license and filing fees to be paid therefor; providing for penalties for the violation of this act, providing for the enforcement of this act;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No 341—An act to amend sections 21.1, 53, 54, 63, 64, 93, 105, 133, 133.1, 135d and 139 of the Bank Act.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Lyon:

Amendment No. 1.

On page 2, line 23, of the printed bill, as amended, strike out the word "seven", and insert in lieu thereof the following: "ten".

Amendment adopted.

Bill read third time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 189—An act to add a new section to the School Code to be numbered 4.182, relating to the insuring under the Workmen's Compensation Insurance and Safety Act and/or the Workmen's Compensation, Insurance and Safety Act of 1917, of persons employed by county superintendents of schools to supervise instruction in the public schools.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Patterson:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 2 to 6, inclusive, of the title, and insert in lieu thereof the following: "4.191, relating to the insuring under the Workmen's Compensation Laws of this State, of persons employed by county superintendents of schools to supervise or to give instruction in the public schools."

Amendment No. 2.

On page 1, line 2, of the printed bill, strike out "4.182", and insert in lieu thereof the following: "4.191".

Amendment No. 3.

On page 1, line 3, of the printed bill, strike out "4.182", and insert in lieu thereof the following: "4.191".

Amendment No. 4.

On page 1 of the printed bill, strike out all of lines 4, 5, and 6, and insert in lieu thereof the following: "Workmen's Compensation Laws of this State, any person employed by a county superintendent of".

Amendment No. 5.

On page 1, line 12, of the printed bill, after "elementary", insert the following: "school".

Amendments adopted.

Bill read third time, ordered to reprint, re-engrossment, and third reading.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1935

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend sections 737j and 737bbb of the Political Code, relating to salaries of superior court judges

CUNNINGHAM, Chairman

Report of the Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Clark, Corwin, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W.,

Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—70.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced, and referred as indicated:

By Mr. Minard: Assembly Bill No 2403—An act to amend sections 737j and 737bbb of the Political Code, relating to salaries of superior court judges.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Resolutions.

The following resolutions were offered:

By Mr. Williamson:

WHEREAS, The following telegram was received:

"March 28, 1935.

Hon. Raymond D Williamson, State Legislature
Announce candidacy Joseph Lee Feigenbaum, born today.
Regards.

JOE;"

and

WHEREAS, Said telegram advises us that former Assemblyman and Mrs. B. Joseph Feigenbaum have been blessed with a son; now, therefore, be it

Resolved, That the Assembly and the members thereof extend to Mrs. Feigenbaum our well wishes and felicitations; to the proud father, former Assemblyman Joe Feigenbaum, our congratulations, and to the son our hope that he is as good a man as his father.

Resolution read.

Mr. Williamson moved the adoption of the resolution.

The question being on the adoption of the resolution.

Resolution adopted.

Also:

By Mr. Williamson:

The San Francisco delegation extends congratulations and many happy returns of the day to Hon. Matthew Brady, district attorney of San Francisco, on this, his birthday.

RAY WILLIAMSON.

Motion to Reconsider Assembly Bill No. 45 Continued.

Mr. Redwine moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 45 was passed, be continued until the next legislative day.

Motion carried.

Withdrawal of Bills.

By order of the Speaker, the following Assembly bills were withdrawn from the file, and ordered re-referred to the following committees:

Assembly Bill No. 457 re-referred to Committee on Municipal Corporations.

Assembly Bill No. 1802 re-referred to Committee on Municipal Corporations.

Assembly Bill No. 2156 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 910 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 234 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No 465 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 993 re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 646 re-referred to Committee on Motor Vehicles.

Assembly Bill No. 792 re-referred to Committee on Labor and Capital.

Assembly Bill No. 1881 re-referred to Committee on Judiciary.

Assembly Bill No. 2365 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 716 re-referred to Committee on Judiciary.

Assembly Bill No. 905 re-referred to Committee on Judiciary.

Assembly Bill No. 1264 re-referred to Committee on County Government.

Assembly Bill No. 96 re-referred to Committee on Fish and Game.

Assembly Bill No. 436 re-referred to Committee on Judiciary.

Motion to Re-refer Senate Bill No. 49.

Mr. Kallam moved that Senate Bill No. 49 be withdrawn from Committee on Public Health and Quarantine, and ordered re-referred to Committee on Agriculture.

The question being on re-referring Senate Bill No. 49 to Committee on Agriculture.

Motion carried.

Senate Bill No. 49 ordered re-referred to Committee on Agriculture

Adjournment.

At four o'clock and twenty minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Tuesday, April 2, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY

ASSEMBLY CHAMBER,

SACRAMENTO, Tuesday, April 2, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves,

Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—80.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Evans, Herbert J., its further reading was dispensed with.

Privilege of Floor of Assembly Extended.

On request of Mr. Burns, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. C. W. Travis and son, Charles, Jr

On request of Mr. Lore, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. J. C. Campbell of San Fernando.

On request of Mr. Clark, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. William G. Paschall of Long Beach.

On request of Mr. Donihue, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. A. R. Tichenor of Oakland.

On request of Mr. Cunningham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Tom May, president, May Company of Los Angeles, and Mr. William A. Holt, vice president of Bullocks of Los Angeles.

On request of Messrs. Waters and Cunningham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. Charles A. Reagan, secretary of Public Health League of California, and Dr. Joseph Wiley of Los Angeles.

On request of Mr. Waters, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Frank J. Buckley, first vice president, Sunday Morning Breakfast Club, and realtor and appraiser of Los Angeles.

On request of Mr. Breed, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. Walter Taylor and Dr. J. Elliott Dunn of Oakland.

On request of Mr. Peyser, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. Leon Moser.

On request of Mr. Redwine, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. O J. Schlicht of Hollywood

On request of Mr. McMurray, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Jim Smyth, Miss Marie McMurray, Mrs. George Ryder, Dr. R. L. Blake, and James E Power.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr R. S. Manuel, Dr John V. Oulliber, Dr. Harry Bernard, Mr. Victor S. Bragia, presi-

dent, Board of Fire Commissioners of San Francisco, and Dr. Cowan of Los Angeles.

On request of Mr. Robertson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. Harry Rigdon Hancock, president, Southern California Dental Society.

On request of Mr. Evans, Herbert J., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. James P. Bowers of Monrovia.

On request of Mr. Wright, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. Leslie Murphy of Whittier.

On request of Mr. Glover, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. Garland L. Dummit.

On request of Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. Russell W. Force.

On request of Mr. Lyon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. J. Franklin Cook and Mr. and Mrs. Cliff Renman of Los Angeles.

On request of Mr. Voigt, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. Roy L. Anderson.

On request of Mr. Andreas, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. L. W. Ayers and Dr. Robert White of San Bernardino.

On request of Mr. Phillips, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. F. L. Housholder of Riverside.

On request of Mr. Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. Leo Rosenthal of Long Beach and Dr. Maurice Smith of Los Angeles.

On request of Mr. Brennan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. William B. Ryder, Jr. of San Francisco.

On request of Mr. McBride, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. Charles E. Stuart of Ventura, winner of first prize, International Radio Relay Contest.

On request of Mr. Peyser, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. Kenneth Nesbitt.

On request of Mr. Hawkins, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Marion Dunlap.

On request of Mr. Anderson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. C. O. McBean of Los Angeles.

On request of Mr. Boyle, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. Douglas Strange of Los Angeles.

On request of Mr. Evans, Ralph W., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr.

Sanford M. Moose, past president, San Francisco District Dental Society.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. and Mrs. M. Thayer Rhodes and Miss Narcisa Rhodes.

On request of Mr. Williamson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. C. Harold Caulfield of San Francisco.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended Dr. L. A. Daum.

On request of Mr. Geyer, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. W. C. Harris of Gardena.

On request of Mr. Morgan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. H. Otto Apt of Santa Monica.

On request of Mr. O'Donnell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the pupils of the senior high school class from Holy Rosary Academy, Woodland, as follows: Mary Arabolad, Beatrice Brolin, Peggy Johnston, Erma Morelli, Eloise Stephens, Sylvia Santom, Yvonne Manning, Odelia Lammers and Margaret Johnston.

On request of Mr. Scudder, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Prof. Ernest Close, and the following students of the Luther Burbank College of Commerce, Santa Rosa: Mason Albertson, Corrine Allvenn, Betty Bately, John Barbier, Marjorie Barnett, Nelson Bonar, Margaret Bossa, Iona Bowers, Hazel Bradshaw, Joe Brown, Ruth Carlson, Pearl Christian, Marguerite Clothier, Alice Comerford, Bernice Cook, Rena Crayne, Dorothy Daniels, Louis Daniels, Frank Eckman, Inga Ficon, Kay Foster, Dorothy Fredericksen, Muriel Garner, Harriet Goddard, Doris Gokey, Lorene Gonzalves, Hazel Groves, Jean Harper, Margaret Hess, Jovita Hicks, Louise Hinsvark, Jayne Hixson, Eileen Hurlbert, Lloyd Jenson, Ida Jockim, Clarence Lau, Alice Lounibus, Helen Martin, Dorothy Miller, Ernest Olsen, Alice Panella, Josephine Panella, Alberta Penry, Alice Peters, Frances Purdy, Don Richardsen, Agnes Roney, Natalie Rose, Henry Roth, Frances Schurman, Antone Schaefer, Lela Shafer, Lorraine Stevens, Dorothy Stitt, Mae Sullivan, Anne Swift, Lucille Tsarnas, Clarence Wigh, Mabel Wolff, Francis Yost, Kathryn Imwalle, Olga Poli, and John Hunt.

On request of Mr. Nielsen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the teachers and students of the Sacramento High School, Sacramento, as follows: Ruth Holliday, teacher of public speaking, and Joanne Zowhilich, Dan Cameron, Carolyn Fowler, Ethel Waltzer, Don Loamer, Dorothy Monroe, Ruth Morgan, Phyllis Roberts, Myrtle Matranga, Karl Pope, Hugh Knapp, Bert Booth, William Mertsching, Elden Wall, Robert Thiele, Donald Yobe, Harold Brayton, Arlin Stockberger, Clyde Noe, Donald Moore, Frank Alexander, Mitchell Prouty, and Bob Blair, students.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From the Manhattan Beach Lions Club, protesting any form of special or discriminatory taxation of the motion picture industry or any other manufacturers.

From the San Pedro Lions Club, protesting any form of special or discriminatory taxation of the motion picture industry or any other manufacturers.

From the California Republicans, urging enactment of suitable laws to place truck freight carriers under the jurisdiction of the State Railroad Commission.

From Robert Dominguez, opposing the adoption of Assembly Constitutional Amendment No. 65.

From the Tri-Valley Grange No. 534, opposing enactment of Senate Bill No. 305 and Assembly Bills Nos. 945 and 1361.

From the Business Men's Association of Santa Ana, opposing exemption of food stuffs, etc., from the present sales tax.

ASSISTANT CLERK COOLIDGE READING.

Communication.

The following communication was received, and ordered printed in the Journal:

THE AMERICAN LEGION, DEPARTMENT OF CALIFORNIA.
SAN FRANCISCO, April 1, 1935.

Hon Edward Craig, Speaker, State Assembly, Speakers Room, State Capitol, Sacramento, California

DEAR TED: A meeting of the Department Executive Committee is to be held in the city of Sacramento the thirteenth and fourteenth of this month. We will be very happy to receive you at either the Saturday evening or Sunday morning session. The meeting will be held in the headquarters of Sacramento Post No. 61, 718 I Street. If it is possible for you to be present, may we hope for a few words from you?

We will be glad to welcome all Legionnaire members of the Senate or Legionnaire members of the Assembly

Cordially and sincerely,

JAMES K. FISK, Department Adjutant

Reports of Standing Committees.

The following reports of standing committee were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1935

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 787—An act to amend section 1168 of the Penal Code, relating to sentences, imprisonments and paroles of prisoners;

Also: Assembly Bill No. 1337—An act to amend section 4300g of the Political Code, relating to witness fees;

Also: Assembly Bill No. 1519—An act to amend section 271 of the Penal Code of the State of California;

And reports that the same have been correctly engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 131—An act to add section 2924d to the Civil Code and sections 726a and 726b to the Code of Civil Procedure, relating to deficiency judgments and declaring the urgency thereof;

Also. Assembly Bill No. 1901—An act relating to real estate transactions and imposing a tax thereon and providing for the enforcement and collection of the tax, this act to take effect immediately;
And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 7—Relative to memorializing the President and Congress to favorably consider and submit to the States an amendment to the Constitution enabling Congress to grant Federal suffrage to residents of the District of Columbia—and reports that the same has been correctly enrolled, and presented the same to the Governor on this first day of April, 1935, at four o'clock and thirty minutes p.m.

WATERS, Chairman.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 524—An act to amend sections 821 and 827 of the Agricultural Code, relating to apples; to declare the urgency hereof and to provide that this act take effect immediately;

Also: Assembly Bill No. 759—An act to amend section 47a of the California Irrigation District Act by adding thereto a provision authorizing payment of current assessments upon partial redemption;

Also. Assembly Bill No. 1120—An act to amend sections 1, 3, 9, 12a, 15, 19, and 20a, to amend and renumber section 20b to be section 20k, and to add sections 3a, 3b, 3c, 3d, 3e, 3f, 3g, 3h, 3i, 9a, 9b, 9c, 12b, 20b, 20c, 20d, 20e, 20f, 20g, 20h, 20i, and 20j to the California Real Estate Act, relating to the creation of the Real Estate Board and prescribing the powers and duties thereof, to the regulation and licensing of real estate brokers and salesmen, and to the inspection and regulation of subdivisions;

Also: Assembly Bill No. 1694—An act to amend section 352 of the Political Code, relating to State officers and employees;

Also: Assembly Bill No. 1970—An act authorizing the creation of a personnel system, merit system or civil service system in cities; the creation of the office of personnel director, the appointment of a civil service commission, the delegation of certain authority to said personnel officer or commission in municipalities within this State; and prohibiting certain political activities and providing penalties for the violation of said provisions;

Also: Assembly Bill No. 2033—An act to amend the title and sections 2, 4 and 5 of an act entitled "An act regulating the payment of wages earned in seasonal labor and prescribing the powers and duties of the Commissioner of the Bureau of Labor Statistics, in relation thereto," approved May 28, 1913 (Statutes 1913, Chapter 198), relative to disputes regarding seasonal labor, and the application of the State Wage Law thereto;
And reports that the same have been correctly enrolled, and presented the same to the Governor on this first day of April, 1935, at four o'clock and thirty minutes p.m.

WATERS, Chairman.

Senate Messages.

The following messages from the Senate were taken up and read.

SENATE CHAMBER, SACRAMENTO, April 1, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 129—An act to add a new section to the Code of Civil Procedure to be numbered 2056, relating to motions to strike an answer.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 129 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 1, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 384—An act to add section 133 to the Civil Code, relating to entry of final judgment in divorce cases;

Also: Senate Bill No. 529—An act to add three new sections to the Civil Code to be numbered 1426d¼, 1426d½ and 1426d¾, relating to discovery locations and to discovery shafts on lode and placer mining locations;

Also: Senate Bill No. 820—An act to amend sections 2 and 13 of the State Medical Practice Act, relating to taxes and registration fees, and to reciprocity certificates.

J. A. BEEK, Secretary of Senate.
By CARL A SHIPKEY, Assistant Secretary.

Senate Bill No. 384 read first time, and referred to Committee on Judiciary.

Senate Bill No. 529 read first time, and referred to Committee on Mines and Mining.

Senate Bill No. 820 read first time, and referred to Committee on Medical and Dental Laws.

Special Order Set for Assembly Bill No. 990.

On motion of Mr. Cronin, the consideration of Assembly Bill No. 990 was made a special order for Tuesday, April 2, 1935, at two o'clock and thirty minutes p.m.

Communication.

The following communication was received and read:

STOCKTON CHAMBER OF COMMERCE,
STOCKTON, CALIFORNIA, March 30, 1935.

The Honorable Members of the Assembly,
California State Legislature,
Sacramento, California.

DEAR SIRS: This is a cordial invitation to the members of the Assembly to be the guests of the city and port of Stockton for a personal inspection of our port, terminal facilities and deep water channel on Saturday, April 20th.

Details covering this invitation will be given to your body by Assemblymen Thorp and Weber.

We sincerely trust that your body will accept this invitation to personally inspect the world's newest and fastest growing seaport.

Your sincerely,

CITY OF STOCKTON,
CON J FRANKE, Mayor.
STOCKTON PORT COMMISSION,
PAUL E WESTON, Chairman.
STOCKTON CHAMBER OF COMMERCE,
WARREN H. ATHERTON, President.

Second Reading of Assembly Bills.

Assembly Bill No. 58—An act to add a new section to the Agricultural Code, to be numbered 318, relating to meat inspection.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 2316—An act to add section 374c to the Penal Code, relating to plumbing fixtures and installations.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, after the word "installations", strike out the period, and insert in lieu thereof the following: "in public schools."

Amendment No. 2.

On page 1, line 4, of the printed bill, after the word "arrangement", insert the following: "in any public school building".

Amendment No. 3.

On page 1, line 10, of the printed bill, after the word "installed", insert the following: "in any public school building".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 946—An act to amend sections 3, 4, 5, 7, 9, 10, 12, and 17 of an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by the electors November 7, 1922, relating to the Board of Chiropractic Examiners and the practice of chiropractic.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "7.".

Amendment No. 2.

On page 2 of the printed bill, after line 17, insert the following:

"(c) To investigate and approve legally chartered chiropractic schools or colleges that comply with the requirements of this act, as amended. Nothing in this act as amended shall prohibit the board from considering the quality of the course of instruction outlined in section 5 hereof or withdrawing approval after the same has been granted. If any school or college is disapproved by the board, or if an approval given is withdrawn by the board, such school or college may commence an action in the superior court against the board to compel it to approve the school or college or to admit an applicant therefrom to examination or for any other appropriate relief, such action to be in the nature of a proceeding in review.

Schools or colleges so approved shall have the right to receive unclaimed dead bodies for the purposes of instruction and study under the same conditions that such dead human bodies are obtained by other institutions for scientific purposes."

Amendment No. 3.

On page 2, line 18, of the printed bill, strike out "(c)", and insert in lieu thereof the following: "(d)".

Amendment No. 4.

On page 2, line 20, of the printed bill, strike out "(d)", and insert in lieu thereof the following: "(e)".

Amendment No. 5.

On page 2, line 23, of the printed bill, strike out "(e)", and insert in lieu thereof the following "(f)".

Amendment No. 6.

On page 2, line 30, of the printed bill, strike out "(f)", and insert in lieu thereof the following: "(g)".

Amendment No. 7.

On page 2, line 35, of the printed bill, strike out "(g)", and insert in lieu thereof the following: "(h)".

Amendment No. 8.

On page 3, line 25, of the printed bill, strike out "50", and insert in lieu thereof the following: "100".

Amendment No. 9.

On page 3 of the printed bill, strike out all of line 27, and insert in lieu thereof the following "X-ray diagnosis----------100".

Amendment No. 10.

On page 3, line 31, of the printed bill, strike out "200", and insert in lieu thereof the following: "100".

Amendment No. 11.

On page 3 of the printed bill, strike out lines 46 to 52, inclusive.

Amendment No. 12.

On page 4 of the printed bill, strike out lines 1 to 13, inclusive.

Amendment No. 13.

On page 4, line 14, of the printed bill, strike out "5", and insert in lieu thereof the following: "4".

Amendment No. 14.

On page 5, line 26, of the printed bill, after "grounds", insert the following: "of unprofessional conduct Unprofessional conduct is hereby defined to be:".

Amendment No. 15.

On page 5, line 22, of the printed bill, strike out "6", and insert in lieu thereof the following: "5".

Amendment No. 16.

On page 5, line 32, of the printed bill, after "State", insert a comma and the following: "upon grounds of moral turpitude,".

Amendment No. 17.

On page 5, line 40, of the printed bill, after "Advertising", insert the following: "or conducting".

Amendment No. 18.

On page 5, line 43, of the printed bill, strike out "medicine", and insert in lieu thereof the following: "drugs".

Amendment No. 19.

On page 6, line 44, of the printed bill, strike out "7", and insert in lieu thereof the following: "6".

Amendment No. 20.

On page 6, line 49, of the printed bill, after "fee", strike out "of", and insert in lieu thereof the following: "to be set annually by the board at".

Amendment No. 21.

On page 7, line 15, of the printed bill, strike out "or", and insert in lieu thereof the following: "for".

Amendment No. 22.

On page 7, line 17, of the printed bill, strike out "8", and insert in lieu thereof the following: "7".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 59—An act to add section 5.5 to an act entitled "An act to provide for the formation, powers, government, operation, and dissolution of garbage disposal districts to facilitate the disposal of garbage and other refuse matter, and annexation thereto, and to provide for the assessment, levy, collection and disbursement of taxes therein," approved April 20, 1927, relating to contracts for collection and disposal of garbage

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 947—An act to amend Chapter 763, Statutes of 1929, approved June 10, 1929, as amended by Chapter 401, Statutes of 1931, approved May 25, 1931, and as amended by Chapter 10, Statutes of 1933, approved January 26, 1933, entitled and known and cited as "California Toll Bridge Authority Act," by amending the title thereof and by amending sections 2, 9, 11, 14, 16, 20 and 22½, and by adding thereto new sections numbered 4½, 5½, 5¾, 8½, 8¾, 9½, 9¾, 12½, 13¾, 16¼ and 16½, relating to and prescribing additional duties, powers and limitations regarding the construction and financing of toll bridges; and providing for the acquisition, construction, financing and operation of transportation facilities thereof and thereto; and providing that this act become effective immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 10, line 38, of the printed bill, as amended March 13th, strike out the period after the word "dedicated", and insert in lieu thereof a comma and the following, "except as to real estate, personal property, franchises, rights, privileges or easements actively used by or necessary for the operation of a common carrier by railroad other than those used primarily by such railroad for the transportation of persons or property by interurban operation to and from an area within fifty miles from either end of such toll bridge or bridges. And except for such prior railroad use".

Amendment No. 2.

On page 12, line 7, of the printed bill, as amended March 13th, strike out the period after the word "dedicated", and insert in lieu thereof a comma and the following: "except as to real estate, personal property, franchises, rights, privileges or easements actively used by or necessary for the operation of a common carrier by railroad other than those used primarily by such railroad for the transportation of persons or property by interurban operation to and from an area within fifty miles from either end of such toll bridge or bridges. And except for such prior railroad use".

Amendment No. 3.

On page 9 of the printed bill, as amended March 13th, strike out lines 25 to 29, inclusive, and insert in lieu thereof the following "thereon No part of such transportation facilities shall be constructed or operated by the Toll Bridge Authority, or by any person, firm, association or corporation, public or private, within any county, city, or city and county, unless and until the route thereof within such county, city or city and county shall have been approved by the board of supervisors, city council or other legislative body thereof, anything in this act to the contrary notwithstanding The Director of the Department of Public Works".

Amendment No. 4.

On page 18, line 16, of the printed bill, as amended March 13th, after the words "Sec. 16¼", insert the following: "Every contract or permit which the California Toll Bridge Authority enters into with or grants to any person or firm, or group of persons, or private, public or municipal corporation, or any district or political subdivision, for the transportation of persons or property by such person or firm, or group of persons, or private, public or municipal corporation, or district or political subdivision over any toll bridge or bridges, or other toll highway crossing, or over the additional or coordinating transportation facilities of any toll bridge or bridges, or other toll highway crossing, shall contain a provision that no privilege or contract rights acquired by such person, firm, group of persons, private, public or municipal corporation, district or political subdivision, with regard to the transport of persons or property over any such toll bridge or with regard to additional or coordinating transportation facilities, as defined by section 5¾ of this act, shall be an element of value in any subsequent condemnation proceeding against any such person, firm, group of persons, private, public or municipal corporation, district or political subdivision. No privilege, permit or contract right acquired by any such person, firm, group of persons, private, public or municipal corporation, district or political subdivision, with regard to the transport of persons or property over any such toll bridge or bridges or other toll highway crossing or with regard to use of or passage over any additional or coordinating transportation facilities, as defined by section 5¾ of this act, shall constitute an element of value in any condemnation proceeding."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1651—An act to amend the Vehicle Code by amending sections 618, 621, 623, 625, 633, 634, 635, 637, 639, 640, and 670; to renumber section 663 to be section 664; to repeal Chapter 4 of Division X embracing sections 645 to 658 inclusive, sections 661, 662 and 677; to add sections 623.5, 638, a new Chapter 4 to Division X, embracing sections 645 to 656 inclusive, 660, 661, 662, and 663, relating to vehicles.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 7 and 8 of the title of the printed bill, as amended, strike out "and 663 and a new section to be numbered 692", and insert in lieu thereof the following: "663 and 692".

Amendment No. 2.

On page 2 of the printed bill, as amended, strike out lines 28 to 31, inclusive, and insert in lieu thereof the following: "standard candlepower and the voltage at any socket of light source as required in sections 621 and 625 shall not be less than eighty-five per cent of the design voltage of the battery supplying the current to such light source."

Amendment No. 3.

On page 5 of the printed bill, as amended, strike out lines 12 and 13, and insert in lieu thereof the following: "may be equipped with identification lamps, clearance lamps, illuminated termini sign or any said lamps which shall not project any glaring light."

Amendment No. 4.

On page 5 of the printed bill, as amended, strike out lines 15 to 21, inclusive, and insert in lieu thereof the following: "common carrier motor vehicle, shall not be equipped with an illuminated identification sign upon the front thereof which exceeds twenty-four inches in length or eight inches in width or which is lighted by other than a diffused white light which does not project any glaring light."

Amendment No. 5.

On page 11, line 2, of the printed bill, as amended, after "vehicle", insert the following: "and in no event shall the main bright portion of the beam be higher than forty-two inches at a distance of seventy-five feet ahead of the vehicle".

Amendment No. 6.

On page 11, line 37, of the printed bill, as amended, strike out the period, and insert in lieu thereof a comma and the following: "to read as follows:

664. Driver Must Stop and Submit to Inspection or Test of Lamps. Whenever the driver of a vehicle is directed by a member of the California Highway Patrol to stop and submit such lamps upon said vehicle to an inspection or test under the conditions stated in the last preceding section it shall be the duty of such driver to stop and submit to such inspection or test and a failure or refusal so to do is a misdemeanor."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1055—An act to amend section 401 of the Vehicle Code, relating to tort liability of drivers of police, fire and other emergency vehicles maintained by governmental bodies.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of lines 3 to 15, both inclusive, and insert in lieu thereof the following:

"401. Nonliability of Public Officers and Employees in Operating Vehicles Upon Emergency Calls

(a) No officer, member or employee of any police or fire department maintained by the State, any political subdivision thereof, any municipal corporation or any district shall be liable for civil damages on account of personal injury to or death of any person or damage to property resulting from the operation of a motor vehicle, owned by said State, political subdivision, municipal corporation, or district in the line of duty while responding to but not upon returning from a fire alarm or an emergency police call.

(b) Said exemption shall apply with respect to the operation by a police or traffic officer of a motor vehicle owned by such officer or publicly owned when operated in line of duty in the immediate pursuit of an actual or suspected violator of the law.

(c) Said exemption shall also apply with respect to the operation of a publicly owned ambulance when responding to an emergency call and upon returning with a person requiring emergency treatment.

(d) The exemptions granted by this section to certain public officers and employees shall not relieve the State or any political subdivision thereof or any municipal corporation, or any district from any liability imposed by section 400."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2048—An act to amend the title and section 1 of an act entitled "An act prohibiting the issuance as payment for wages of any evidence of indebtedness unless the same is negotiable and payable without discount, and providing that the same must be payable upon demand," approved March 1, 1911 (Stats. 1911, Chap. 92), as amended, providing that evidences of indebtedness for wages must be payable upon demand.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after the figure "1", insert "and 2".

Amendment No. 2.

On page 1, line 8 of the title of the printed bill, after "demand", insert "and providing penalties for violation of the provisions thereof".

Amendment No. 3.

On page 1, line 7, of the printed bill, strike out the word "provision", and insert in lieu thereof the word "provisions".

Amendment No. 4.

On page 2 of the printed bill, at the end of the bill, add the following:

"SEC. 3. Section 2 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 2. Any person, firm, association or corporation, or agent or officer thereof, who shall violate any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not exceeding five hundred dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment A prosecution under this act may be brought at either the place where the alleged illegal order, check, memorandum or other acknowledgment of wage indebtedness was issued or at the place where same was dishonored, if made payable at such latter place."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1803—An act to amend section 10 of an act entitled "An act to revise an act entitled 'An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling, or repairing upholstered furniture; and creating the upholstered furniture inspection fund,' approved May 9, 1927," approved June 1, 1929, relating to the manufacture, sale, labeling and inspection of secondhand upholstered furniture.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, after "Sec. 10", insert the following. "No article of upholstered furniture that is infested with vermin shall be sold, offered or exposed for sale, delivered, rented, leased, consigned, or otherwise disposed of commercially until same shall have been sterilized by a process approved by the State Board of Health, which board is invested with the power to make regulations covering the processes and methods used in sterilization."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1702—An act to amend section 788 of the Agricultural Code, relating to containers.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 952—An act to amend Chapter 6 of Division VI of the Agricultural Code, relating to produce dealers and to provide for a bond for produce dealers.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, in line 1 of the title, strike out "Chapter 6 of Division VI", and insert in lieu thereof the following: "section 1261".

Amendment No. 2.

On page 1 of the printed bill, lines 1 and 2 of the title, strike out ", and to provide for a bond for produce dealers".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 and 2, and insert in lieu thereof the following:

"SECTION 1. Section 1261 of the Agricultural Code is hereby amended to read as follows:

1261. As used in this act:

(a) The term "person" includes any individual, firm, association, partnership or corporation.

(b) The term "producer" means any person engaged in the business of growing or producing any farm product.

(c) "Farm products" shall include all agricultural, horticultural, viticultural and vegetable products of the soil, poultry and poultry products, live stock and live stock products, honey and cut flowers, but shall not include timber and timber products, milk and milk products, hay, field grains, dried beans, and seeds

(d) The term "consignor" includes any person who ships or delivers to any commission merchant or dealer any farm products for handling, sale or resale.

(e) The term "commission merchant" means any person who shall receive on consignment or solicit from the producer thereof any farm product for sale on commission on behalf of such producer, or who shall accept any farm product in trust from the producer thereof for the purpose of resale, or who shall sell or offer for sale on commission any farm product, or who shall in any way handle for the account of or as an agent of the producer thereof any farm product, or any person who receives farm products from producers by or under an agreement whereby the market price of said product is set, or to be set, at a time subsequent to the day such farm products are received.

(f) The term "dealer" means any person other than a commission merchant who for the purpose of resale at wholesale obtains from the producer thereof possession or control of any farm product except by payment to the producer, at the time of obtaining such possession or control, of the full agreed price of such commodity in lawful money of the United States; provided, that any person licensed as a slaughterer under the provisions of Article 3 of Chapter I of Division III of this code shall not be required to obtain a license as a dealer under this chapter.

(g) The term "broker" means any person engaged in the business of soliciting or negotiating the sale of any farm product.

(h) The term "agent" means any person who, on behalf of any commission merchant, or dealer, or broker receives, contracts for or solicits any farm product from a producer thereof or who negotiates the consignment or purchase of any farm product on behalf of any commission merchant, dealer or broker.
(i) The term "director" means State Director of Agriculture."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1077—An act to amend section 951 of Article III of Chapter 5 of Division V of the Agricultural Code, relating to one variety cotton district, and declaring that this act shall take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 6, of the printed bill, strike out the word "districts", and insert in lieu thereof the word "district".

Amendment No. 2.

On page 1, line 7, of the printed bill, after the figure "5", strike out the word and figure "and 6".

Amendment No. 3.

On page 1, line 19, of the printed bill, strike out the word "districts", and insert in lieu thereof the word "district"; also in said line, after the figure "5", strike out the word and figure "and 6".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1481—An act providing for the incorporation of a horticultural protection district authorizing such district to levy and collect taxes to carry on its operation and provide for the powers, management and government of such district and imposing certain duties and functions in connection with such district upon certain county officials.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "incorporation of a horticultural pro-".

Amendment No. 2.

On page 1 of the printed bill, strike out all of lines 2 to 6, inclusive, of the title, and insert in lieu thereof the following: "organization and government of horticultural protection districts for the purpose of protecting horticultural products and the vines, trees and shrubs whereon the same are grown against diseases, insects and pests; defining the powers of such districts and authorizing any such district to eradicate, remove or prevent the spread of any disease, insect or pest injurious to the horticultural product which such district is organized to protect; to provide for the levying and collection of taxes to pay the costs and expenses of administering such districts and carrying on their operations; defining the duties and powers of county agricultural commissioners, and other county officers in connection with such districts, to provide for including lands within and excluding lands from any such district, and to provide a method of dissolving such districts."

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 to 24, inclusive, and all of pages 2, 3, 4, and 5 of the printed bill, and insert in lieu thereof the following:

"SECTION 1. Horticultural protection districts may be organized and established by the board of supervisors of any county in this State, as herein expressly provided, and may exercise the powers herein expressly granted, or necessarily implied.

SEC. 2. In order to propose the organization of a horticultural protection district, a petition shall be presented to the board of supervisors of the county wherein the lands included within said proposed district are situated. Such petition may consist of any number of separate instruments. Such petition must be signed by not less than fifty owners of lands within the proposed district which lands are devoted in whole or in part to the growing of the horticultural products which it is proposed to protect by the organization of said district. Such petition shall set forth and particularly describe either by metes and bounds or by legal subdivisions, all lands included within the proposed district. The lands included within any such district need not be contiguous. The petition shall set forth a name of the proposed district which name must contain the name of the horticultural product sought to be protected through the organization of such district. The petitioners must accompany the petition with a good and sufficient bond, to be approved by said board of supervisors, in the amount of the probable cost of organizing such district, conditioned that the obligors will pay all costs and expense incurred in case the organization of the district is not effected. The petition shall be presented to and filed with the board of supervisors at a regular meeting, and that board shall immediately refer the same to the agricultural commissioner of the county for his report and recommendation as to whether or not conditions of disease or other physical danger to the trees, vines or plants producing the particular horticultural product sought to be protected, warrant the board of supervisors in proceeding with the organization of such district. The agricultural commissioner must file his report and recommendation in writing with the board of supervisors within fifteen days after the matter is referred to him. If the agricultural commissioner recommends that the proceedings for the organization of a district be carried on, the board of supervisors shall thereupon immediately refer the petition to the county assessor who shall examine the same by reference to the last equalized assessment roll of the county, and shall within fifteen days after receiving the petition, return the petition to the board of supervisors with his certificate attached thereto certifying whether or not it appears from said assessment roll that fifty or more signers of said petition are owners of lands included in said district devoted in whole or in part to the growing of the horticultural product intended to be protected by such district. The certificate of the assessor shall be conclusive as to the sufficiency of the signatures on said petition.

SEC. 3. At its meeting at which said certificate is received from the assessor, or at its next meeting, regular or special, thereafter, the board of supervisors shall fix a time and place for hearing said petition, which time shall be not less than twenty days nor more than forty days from the date of such order, and shall give notice of such hearing by publication of the time and place thereof with a general statement of the purpose of said proposed district, together with a description of the lands included within the proposed district as described in the petition, and the name of the horticultural product proposed to be protected thereby, once a week for two successive weeks immediately prior to the date fixed for such hearing, in a newspaper of general circulation printed and published in the county wherein said district is situated. Such newspaper shall be selected and designated by order of the board of supervisors as the newspaper most likely to give notice to the persons interested in the industry of producing the horticultural product specified in said petition. On said hearing, the board of supervisors shall hear all persons who appear, and shall make such changes in the lands proposed to be included in said district as the board of supervisors may determine to be advisable, and shall thereupon determine and describe the lands to be included therein. Said board of supervisors shall not modify the lands to be included in said district so as to exclude therefrom any lands devoted in whole or in part to the growing of the horticultural product proposed to be benefited by the formation of such district. Any person who owns lands in the county devoted in whole or in part to the growing of said horticultural product, may, upon his application, and in the discretion of the board of supervisors, have such lands included within such district. The board of supervisors must, at said hearing, hear all competent and relevant testimony, in support of said petition, and in opposition thereto, and must determine whether or not said petition complies with the requirements of this act. The determination of the board of supervisors shall be entered upon the minutes of said board. No defect in the contents of the petition, or in the title to or form of the notice or signature shall vitiate any proceedings thereon, provided such petition have a sufficient number of qualified signatures attached thereto

SEC. 4. Upon determining the sufficiency of said petition and the lands to be included within said proposed district, the board of supervisors shall then, at said meeting, call an election within said proposed district to determine whether such proposed district shall, or shall not be organized. For the purpose of holding said election, the board of supervisors shall divide said proposed district into convenient precincts, and fix a polling place in each of said precincts. The board of supervisors shall fix the hours during which said election shall be held, and shall appoint an inspector, a judge, and two clerks for each of the precincts to conduct said election. The inspector, judge and clerks of election for each precinct shall constitute the

board of election for such precinct. The inspector shall be chairman of the election board in each precinct, and may administer all oaths required in the progress of the election. Any member of the board of election may administer and certify oaths required to be administered during the progress of the election. If the board of election, or any member thereof, fails to appear at the opening of the polls on the morning of the election, the electors of the precinct present at that hour may appoint a board or supply the place of the absent member thereof. The election must be held within fifty days from the date of the order calling the same. Such election shall be called by publication of notice thereof in a newspaper of general circulation printed and published within the county in which said proposed district is situated, once a week for three successive weeks previous to such election, and by posting notice thereof in one public place in each of the precincts not less than fifteen days prior to said election. Such published and posted notices shall each designate the name of said proposed district, and designate the respective election precincts and the polling place in each of the same, and the election officers, and the date of the election, and the hours during which the polls will be kept open; provided, that the polls in each precinct must be opened not later than eight o'clock a.m. and kept open at least until four o'clock p.m.

The board of supervisors shall require the clerk of said board to furnish ballots and necessary supplies for said election. No particular form of ballot shall be required except that the same shall contain the words: "Shall _____ Protection District be organized under the provisions of the Horticultural Protection District Act?

Yes.

No."

The ballots shall have printed thereon instructions that the voter shall write or print or stamp a cross after the words that indicate his choice, together with the number of votes he is entitled to cast as hereinafter provided.

Said election, and all other elections held under the provisions of this act, shall be conducted in accordance with the general election laws of this State so far as applicable, and except as herein otherwise provided. The election officer in delivering to each voter his ballot shall ascertain from the register hereinafter provided for, and write upon the ballot, the number of votes the holder of the ballot is entitled to cast, and, in canvassing the returns, shall see to it that the number of votes cast does not exceed the number of votes such voter was entitled to cast, but, if there is an excess, the ballot shall not be disregarded or invalidated, but only the number which the voter was entitled to cast shall be counted.

Immediately, at the close of said election the election officers in each precinct shall publicly count the votes cast at the election and shall certify the returns of said election to the board of supervisors of the county.

No person shall be entitled to vote at any election held under the provisions of this act, unless he is the owner of land included in the district on which said land there is planted or growing the particular horticultural product sought to be protected by the organization of the district. Each and every owner of land included in said district on which said land there is planted or growing the said horticultural product, shall be entitled to vote in person or by proxy at any election held under the provisions of this act, and shall have the right to cast at any such election, one vote for each such acre of land owned by him on which there is planted or growing said horticultural product. An owner of such planted land within the district comprising less than one acre shall be entitled to one vote. In calculating the number of acres owned by any voter, any fraction of an acre in excess of the integral number owned by him shall be disregarded. Whenever it becomes necessary under this act to determine the acreage on land irregularly or unevenly planted to the given product, or planted in border, the trees, shrubs or vines producing the product as planted on such land shall be counted. At the time of, and as a part of his report to the board of supervisors on the petition for the organization of any horticultural protection district under the provisions of this act, the agricultural commissioner of the county wherein said proposed district is situated shall certify in writing to the board of supervisors, the average number of vines, trees or shrubs growing the horticultural product sought to be protected by such district, which are customarily planted on one acre of land in his county. For all purposes of voting and taxation as herein provided, said number so certified shall be conclusive, and the number of acres comprised in any parcel irregularly or unevenly planted, or in any border planting shall be conclusively determined by dividing the number of trees therein by the number so certified by the agricultural commissioner. All persons, firms and corporations owning lands as hereinbefore described and included in said district shall be entitled to vote at any election held under the provisions of this act. Where land is owned by two or more persons, the votes for such land shall be divided in accordance with the interest of each owner at any such election. Where a corporation or partnership appears as the owner of any land included in the district, the vote of such corporation or partnership at any election held under the

provisions of this act shall be cast by any person holding a proxy from such corporation or partnership. Executors, administrators, special administrators, guardians and trustees may cast the votes of the estates or lands represented by them at any election held under the provisions of this act upon filing with the board of election, a certified copy of their letters testamentary or of administration or guardianship or of appointment as trustee. No person shall vote by proxy at any such election unless authority to cast such vote shall be evidenced by an instrument in writing duly acknowledged and certified in the same manner as a grant of real property, and filed with the board of election. No vote representing any land shall be cast at any election held hereunder in any precinct other than the precinct within which the land represented by such vote is situated.

Every person, firm and corporation desiring to vote at any election held under the provisions of this act must be registered as such voter with the agricultural commissioner of the county within which the district is situated not less than twenty days prior to any such election. Such registration may be made by the voter in person or by any person for the voter. Such registration shall be made upon oath on forms provided for that purpose by the agricultural commissioner, and in each instance shall specify the number of acres of land owned by the registrant included in the district and planted to the horticultural product protected or sought to be protected by said district, the precinct of the district wherein such land is situated, the location of such land by government or other subdivision, and the number of votes claimed by such registrant. Such claim shall not be conslusive as to the number of votes to which the registrant is entitled. The agricultural commissioner shall, for each election held hereunder, investigate each and every registration, and shall determine the number of votes which each person, firm or corporation registered with him shall be entitled to cast at such election. Not less than five days before the date of any election held under the provisions of this act, the agricultural commissioner shall prepare a complete register of all persons, firms and corporations registered with him as herein provided, and entitled to vote at such election, and shall therein specify the precinct in which each such person, firm or corporation may vote, and the number of votes which each such person, firm or corporation may cast at such election. The register so prepared shall be final and conclusive as to qualification to vote and number of votes allowed, and no person, firm or corporation shall cast any ballot at any election held under the provisions of this act, except as authorized by the said register and one copy of such register shall be provided for and at each precinct at each election held under the provisions of this act For the election upon the question of organizing a district hereunder, the board of supervisors shall require the agricultural commissioner to prepare the register in the manner herein specified.

SEC. 5. The said board of supervisors shall, on the first Monday following the election upon the question of the organization of the proposed district, meet, and canvass the returns of such election, and, if, upon such canvass, it determines that a majority of the votes cast at such election are in favor of the organization of the proposed district, then the board of supervisors shall, by order entered upon its minutes, declare the district duly organized under the name theretofore designated Such order must particularly describe the territory included in said district so that all lands included in said district may be known therefrom, and a copy of said order duly certified by the clerk of the board of supervisors, must be forthwith filed for record in the office of the county recorder of the county wherein the district is situated.

SEC. 6. If such district is declared to be organized, the board of supervisors shall, at the meeting at which said order declaring the district to be organized is made, appoint a board of five directors to administer the affairs of the district No person shall, at any time, be eligible to hold the office of director of any such district unless he is a citizen of the United States and of the State of California, an owner, either individually or as a joint tenant of, or is a member of a partnership which owns, or is an officer of a corporation which owns lands within the district devoted in whole or in part to the growing of the horticultural product which the district is organized to protect Each director so appointed shall, in the manner provided by law, give such official bond for the faithful performance of his duties as shall be fixed by the board of supervisors, and shall subscribe the oath of office, and such bonds and oaths shall be filed with the county clerk of the county in which said district is situated. From and after the filing for record of the order declaring it organized and the appointment and qualifying of its board of directors, the organization of the district shall be complete.

SEC. 7. Any horticultural protection district organized as herein provided shall have power:

(1) To have perpetual succession;

(2) To sue and be sued in all actions and proceedings in all courts and tribunals of competent jurisdiction;

(3) To adopt a seal and alter it at pleasure;

(4) To take by grant, purchase, gift, devise, lease or otherwise, and to hold, use and enjoy, and to lease, or otherwise dispose of, real and personal property of every

kind and description within or without the district necessary to the full and convenient exercise of its powers;

(5) To cause taxes to be levied as herein provided, for the purpose of paying any obligation of the district, and to accomplish the purposes of the district in the manner herein provided;

(6) To make contracts, and to employ except as otherwise provided herein, all persons, firms and corporations necessary to carry out the purposes and the powers of the district, and at such salary, wage or other compensation as the board of directors shall determine;

(7) To eradicate, remove or prevent the spread of any disease, insect or other pest injurious to the horticultural product of the trees or vines on which it is grown, for the protection of which horticultural product the district is organized;

(8) To enter into or upon any land included in the district for the purpose of inspecting the vines, trees and fruits growing thereon;

(9) To commence and prosecute appropriate actions to have it adjudged that any tree, shrub or vine in the district infested with disease, insects or pests injurious to the product which the district is formed to protect, is a public nuisance, and to have it decreed that such nuisance be abated.

SEC. 8. The general control and management of each horticultural protection district shall be vested in a board of directors of five members. The members of the board of directors of each district shall each receive such salary as shall be fixed by the board of supervisors of the county in which the district is situated, and such salary shall not be increased during the term of office of such director. Directors shall also be reimbursed for actual and necessary traveling expenses incurred by them in and about the performance of any duties required by the board of directors to be performed by them for the district. All claims presented by any director shall be subject to the approval of three other members of the board of directors.

SEC. 9. The term of office of the directors shall be four years, except those first appointed as aforesaid upon the organization of the district. Said appointees shall, immediately upon their appointment, classify themselves by lot so that the terms of three of them shall expire on the first day of May following the first biennial election of the district and the terms of the other two shall expire on the first day of May following the second biennial election of the district.

In the event of a vacancy in the board of directors either by resignation, death or otherwise, the vacancy shall be filled by appointment by the board of supervisors and the person so appointed shall hold office for the remainder of the term of his predecessor. The board of directors of each horticultural protection district organized hereunder shall have power to appoint and to fix the compensation of a secretary of the district who shall keep all records and perform such other duties as are ordered by the board of directors.

SEC. 10. Except as herein otherwise provided, all acts of the board of directors shall be by resolution and a majority of the board of directors must concur in the adoption thereof

SEC. 11. The powers conferred upon any horticultural protection district and its board of directors by the provisions of this act shall be cumulative to other disease, pest or insect control statutes, and shall not be construed to be in lieu of any such other disease, insect or pest control statutes, and no act of any such district or of any of its directors, agents or employees shall operate to deprive or hinder the duly appointed or designated State, county or Federal authorities in conducting any operation for the eradication or control or prevention of any disease, insect or pest in the district.

SEC. 12. The agricultural commissioner of the county in which any horticultural protection district organized hereunder is situated, shall, without fee or charge, supervise and direct in accordance with the best known accepted methods as determined by the board of directors, all inspection, eradication, fumigation and other activities undertaken by such district The agricultural commissioner shall employ any and all assistants required in and about any such work, and the district shall bear and pay all expense incurred in and about such work

SEC. 13. In every county wherein any horticultural protection district has been organized and exists under the provisions of this act, the county assessor in making the annual assessment of property in each and every year after the organization of such district, must assess and enter as a separate item on the assessment roll for each parcel of real property included in such district, the value, as improvements thereon, of all trees, vines or shrubs of the horticultural product protected by such district, growing thereon. Such assessment shall be upon an acreage basis and the number of acres in the case of irregular or border planting, shall be determined conclusively by the assessor by counting such trees and dividing the total number by the number per acre of average planting certified as hereinbefore provided, by the county agricultural commissioner. Upon completing the assessment roll of the county in each year, the assessor shall separately compute and certify to the board of supervisors, the total assessed value, as shown by said assessment roll, of all such trees, vines or shrubs so assessed in each horticultural protection district situated in the county.

SEC 14. The board of directors of each horticultural protection district organized hereunder must, on or before the first Monday in July of each year, prepare and file with the board of supervisors of the county within which such district is situated

a budget setting forth all estimated expenditures of the district for the fiscal year commencing on the first day of such month of July. A copy of said budget shall also at the same time be filed with the auditor of the county. The board of supervisors of each county wherein is situated a horticultural protection district organized under the provisions of this act, must annually, at the time of levying other county taxes, levy a tax upon all the trees, vines or shrubs of the variety of horticultural product protected by said district and planted or growing in said district as assessed by the assessor under the provisions of this act. The board of supervisors must determine the rate of such tax by deducting ten per cent for anticipated delinquencies from the total assessed value of such trees, vines or shrubs included in the district as it appears on the assessment roll of the county, and dividing the sum reported by the district board of directors as required to be raised, by the remainder of such total assessed value; provided, that if a fraction of a cent occur on a valuation of one hundred dollars, it shall be taken as a full cent.

SEC. 15. The tax so levied shall be computed and entered upon the assessment roll by the county auditor, and if the supervisors fail to levy the tax as provided in the foregoing section, then the auditor must do so. Such tax shall be collected at the same time, and in the same manner as general county taxes, and when collected shall be paid into the county treasury for the use of said district.

SEC. 16. The provisions of the Political Code of this State, prescribing the manner of levying and collecting taxes and the duties of the several county officers with respect thereto, are, so far as they are applicable and not in conflict with the specific provisions of this act, hereby adopted and made a part hereof. Said officers shall be liable upon their several official bonds for the faithful discharge of the duties imposed upon them by this act.

SEC. 17. The treasury of the county wherein any horticultural protection district is located shall be the repository of all the moneys of such district. The county treasurer shall receive and receipt for all such moneys, and place the same to the credit of the district. He shall be responsible upon his official bond for the safe keeping and disbursement, in the manner herein provided, of all moneys of any such district so held by him. The county treasurer shall pay out the moneys of the district only upon warrants of the county auditor drawn upon the order of the board of directors of the district signed by the president of said board and attested by the secretary. The county treasurer shall report in writing on the first day of July, October, January and March of each year, to the board of directors of each horticultural protection district in his county, the amount of money he then holds for such district, the amount of receipts since his last report, and the amounts paid out; and each such report shall be verified and filed with the secretary of the district to whom it is addressed.

SEC. 18. In each horticultural protection district organized under the provisions of this act, a biennial election shall be held on the first Monday in April of each odd numbered year, and the board of directors of such district shall, for the purpose of holding such election, divide the district into convenient precincts, establish the polling place in each precinct, and appoint the same number of election officers for each precinct as for the election upon the question of organizing the district. The board of directors of the district shall cause notice of such election to be published once a week for three successive weeks in a newspaper of general circulation printed and published in the county wherein the district is situated, and by causing such notice to be posted in a public place in each of the precincts not less than fifteen days before the date of such election. At said election, a sufficient number of directors shall be elected to fill the places of those directors whose terms expire the first day of May immediately following said election. Any person eligible for the office of director, and desiring to be a candidate for election to such office must file a written notice with the secretary of the district declaring his candidacy, at least fifteen days before the said election. The names of all persons who have filed such declaration shall appear on the ballot, together with instructions to the voters to vote for the number of directors who are to be elected at such election, and the persons up to the number of directors to be elected who receive the highest number of votes shall be declared elected. The register for each such election shall be prepared by the agricultural commissioner of the county in the manner hereinbefore provided. The returns of each such election shall be reported by the boards of election to the board of directors of the district who shall meet on the Monday following such election and canvass said returns. The persons declared elected shall take the oath of office and file their official bonds with the county clerk of the county on or before the first day of May following such election, and shall take office at noon of that day. The persons, firms and corporations entitled to vote at such biennial elections and the number of votes each shall be entitled to cast shall be determined in the same manner as for the election upon the organization of the district.

SEC. 19. Upon the written petition of any owner of land in the county wherein the district is situated, devoted to the growing of the horticultural product protected by such district, filed with the board of directors of any horticultural protection district, such land may, by order of such board of directors be included within the said district. A certified copy of each order of the board of directors so including additional lands within the district shall be filed for record by the secretary of the district in the office of the county recorder of the county immediately upon its passage by the board of directors, and each such order shall particularly describe each parcel of land so included in the district.

Whenever all trees, vines or shrubs of the particular horticultural product protected by a horticultural protection district have been completely removed from any parcel of land included in said district, the owner of such parcel of land may file with the board of directors a verified petition particularly describing said parcel of land, and setting forth the fact of the removal therefrom of such trees, vines or shrubs. Thereupon, the board of directors shall cause an investigation of said parcel of land to be made, and, if the board finds the allegations of said petition to be true, then it shall by order entered upon its minutes, and upon the payment of such landowner of all taxes whether delinquent or otherwise then levied upon such parcel of land for the district, exclude said parcel of land from the district. A certified copy of such order particularly describing said parcel of land, shall be immediately filed for record in the office of the county recorder of the county wherein such district is situated.

SEC. 20. The board of directors of each horticultural protection district organized under the provisions of this act shall hold a regular meeting at least once each month at such time and place in the district as shall be appointed by resolution of such board; and the board of directors of each such district shall prescribe the rules and regulations for the conduct of its meetings and for calling and giving notice of special meetings of such board.

SEC. 21. Whenever a petition approved by the agricultural commissioner of the county in which any horticultural protection district is located and signed by not less than fifty landowners residing within said district who are engaged in the growing of the particular horticultural product protected by the district praying for the dissolution of the district is presented to and filed with the board of directors of the district, the said board of directors shall submit the question of the dissolution of said district to the qualified voters of the said district at the next biennial election of the said district; provided, however, the board of directors shall not be required to accept a petition for the dissolution of the district within ten days preceding any biennial election of such district. If, at said election, sixty per cent of the votes cast thereat are in favor of the dissolution of the district, then the directors of said district must, within sixty days thereafter, file for record in the office of the county recorder of the county a certified copy of an order declaring said district to be dissolved, and cease all activities, and shall proceed immediately to wind up the affairs of the district. At the expiration of ninety days after said election, the board of directors shall deliver all property and assets in their possession belonging to said district to the agricultural commissioner of the county to be held and used by him as in his judgment shall be for the best interests of the product formerly protected by the district. Any funds which may be in the hands of the county treasurer to the credit of the district or to which the district may thereafter become entitled shall be transferred to the credit of the county in which said district is located and shall be expended by the board of supervisors for the benefit of the product formerly protected. All claims and accounts against said district which have not been settled by the board of directors within ninety days after the election authorizing the dissolution of the district shall be presented to the board of supervisors of the county in which said district was located and shall be passed and approved by them in the same manner as county claims and shall be paid out of the funds of the dissolved district. In the event there are insufficient funds to discharge all claims and accounts, then the board of supervisors shall, at the time of levying the next general county taxes, make a levy upon the property of said dissolved district sufficient in amount to discharge all outstanding claims and accounts against said district.

SEC. 22. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the act. The Legislature hereby declares it would have passed this act, and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more of the sections, subsections, sentences or phrases be declared unconstitutional."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Unfinished Business.

Assembly Bill No. 45—An act limiting the hours of labor of persons employed as personal or domestic servants and providing penalties for the violation of the provisions of this act.

Reconsideration of Assembly Bill No. 45.

In compliance with his notice given on a previous day, Mr. Redwine moved that the vote whereby Assembly Bill No. 45 was passed be reconsidered

The roll was called, and the same was reconsidered by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Frazier, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Pelletier, Peterson, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—65.

NOES—None.

Third Reading of Assembly Bills.

Assembly Bill No. 45—An act limiting the hours of labor of persons employed as personal or domestic servants and providing penalties for the violation of the provisions of this act.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Redwine:

Amendment No. 1.

On page 1, line 1, of the printed bill, as amended, after "No", insert the following: "female".

Amendment No. 2.

On page 1, line 9, of the printed bill, as amended, after "any", insert the following: "female".

Amendment No. 3.

On page 1 of the printed bill, as amended, after line 19, insert the following: "SEC. 4. This act shall in no way affect any person employed exclusively in the care or management of children."

Amendment No. 4.

On page 1, line 7, of the printed bill, as amended, strike out "ten hours during any one day and in no event to exceed".

Amendments adopted.

Request for Unanimous Consent.

Mr Meehan asked for, and was granted, unanimous consent to take up Assembly Bill No. 45, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 45, as Amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 45, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Frazier, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Pelletier, Peterson, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—64

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Motion to Re-refer Assembly Bill No. 1182.

Mr. Chatters moved that Assembly Bill No. 1182 be withdrawn from Committee on Revenue and Taxation, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 1182 to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 1182 ordered re-referred to Committee on Ways and Means.

Motion to Reconsider Assembly Bill No. 1735 Continued.

Mr. Phillips moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1735 was passed, be continued until the next legislative day.

Motion carried.

Third Reading of Assembly Bills.

Assembly Constitutional Amendment No. 58—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 8 of Article XI thereof, relating to the preparation and adoption of charters by cities and cities and counties.

Assembly Constitutional Amendment No. 58 read.

Mr. Johnson moved the adoption of Assembly Constitutional Amendment No. 58.

The question being on the adoption of Assembly Constitutional Amendment No. 58.

The roll was called, and Assembly Constitutional Amendment No. 58 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J, Evans, Ralph W., Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—66.

NOES—None.

Title read and approved.

Assembly Constitutional Amendment No. 58 ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 58.

A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 8 of Article XI thereof, relating to the preparation and adoption of charters by cities and cities and counties.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its fifty-first regular session commencing on the seventh day of January, 1935, two-thirds of the members elected to each of the two houses voting in favor therefor, hereby proposes to the people of the State of California that section 8 of Article XI of the Constitution of the State of California be amended to read as follows:

Sec. 8. (a) Any city or city and county containing a population of more than 3500 inhabitants, as ascertained by the last preceding census taken under the authority of the Congress of the United States or of the Legislature of California, may frame a charter for its own government, consistent with and subject to this Constitution; and any city, or city and county having adopted a charter may adopt a new one. Any such charter may be framed by a board of fifteen freeholders chosen by the electors of such city at any general or special election, but no person shall be

eligible as a candidate for such board unless he shall have been, for the five years next preceding, an elector of said city. An election for choosing freeholders may be called by a two-thirds vote of the legislative body of such city, and on presentation of a petition signed by not less than 15 per cent of the registered electors of such city, the legislative body shall call such election at any time not less than thirty nor more than sixty days from date of the filing of the petition. Any such petition shall be verified by the authority having charge of the registration records of such city, or city and county and the expenses of such verification shall be provided by the legislative body thereof.

(b) Candidates for the office of freeholders shall be nominated either in such manner as may be provided for the nomination of officers of the municipal government or by petition, substantially in the same manner as may be provided by general laws for the nomination by petition of electors of candidates for public offices to voted for at general elections.

(c) At such election the electors shall vote first on the question "Shall a board of freeholders be elected to form a proposed new charter?" and secondly for the candidates of the office of freeholder. If the first question receives a majority of votes of the qualified voters voting thereon at such election, the 15 candidates for the office of freeholder receiving the highest number of votes shall forthwith organize as a board of freeholders, but if the first question receives less than a majority of the votes of the qualified voters voting thereon at such election no board of freeholders shall be deemed to have been elected.

(d) The board of freeholders shall, within one (1) year after the result of the election is declared, prepare and propose a charter for the government of such city. The charter so prepared shall be signed by a majority of the board of freeholders and filed in the office of the clerk of the legislative body of said city. The legislative body of said city shall, within fifteen (15) days after such filing, cause such charter to be published once in the official newspaper of said city and each edition thereof, during the day of publication (or in case there be no such official newspaper, in a newspaper of general circulation within such city and all the editions thereof issued during the day of publication) and in any city or city and county with over 50,000 population shall cause copies of such charter to be printed in convenient pamphlet form and in type of not less than ten point and shall cause copies thereof to be mailed to each of the qualified electors of such city, and shall, until the day fixed for the election upon such charter, advertise in one or more newspapers of general circulation in said city a notice that copies thereof may be had upon application therefor.

(e) Such charter shall be submitted to the electors of such city at a date to be fixed by the board of freeholders, before such filing and designated on such charter, either at a special election held not less than 60 days from the completion of the publication of such charter as above provided, or at the general election next following the expiration of said 60 days.

(f) As an alternative the legislative body of any such city or city and county, on its own motion may frame or cause to be framed, a proposed new charter and submit the proposal for the adoption thereof to the electors at either a special election called for that purpose or at any general or special election. Any charter so submitted shall be advertised in the same manner as herein provided for the advertisement of a charter proposed by a board of freeholders, and the election thereon held at a date to be fixed by the legislative body of such city or city and county, not less than 40 nor more than 60 days after the completion of the advertising in the official paper.

(g) If a majority of the qualified voters voting thereon at such general or special election shall vote in favor of such proposed charter, it shall be deemed to be ratified, and shall be submitted to the Legislature, if then in session, or at the next regular or special session of the Legislature. The Legislature shall by concurrent resolution approve or reject such charter as a whole, without power of alteration or amendment; and if approved by a majority of the members elected to each house it shall become the organic law of such city, or city and county and supersede any existing charter and all laws inconsistent therewith. One copy of the charter so ratified and approved shall be filed with the Secretary of State, one with the recorder in the county in which such city is located, and one in the archives of the city; and thereafter the courts shall take judicial notice of the provisions of such charter.

(h) The charter of any city, or city and county may be amended by proposals therefor submitted by the legislative body of the city on its own motion or on petition signed by 15 per cent of the registered electors, or both. Such proposals shall be submitted to the electors at either a special election called for that purpose or at any general or special election. Petitions for the submission of any amendment shall be filed with the legislative body of the city, or city and county not less than 60 days prior to the general election next preceding a regular session of the Legislature. The signatures on such petitions shall be verified by the authority having charge of the registration records of such city, or city and county, and the expenses of such verification shall be provided by the legislative body thereof. If such petitions have

a sufficient number of signatures the legislative body of the city, or city and county shall so submit the amendment or amendments so proposed to the electors. Amendments proposed by the legislative body and amendments proposed by petition of the electors may be submitted at the same election. The amendments so submitted shall be advertised in the same manner as herein provided for the advertisement of a proposed charter, and the election thereon, held at a date to be fixed by the legislative body of such city, not less than 40, and not more than 60, days after the completion of the advertising in the official paper.

(i) If a majority of the qualified voters voting on any such amendment vote in favor thereof, it shall be deemed ratified, and shall be submitted to the Legislature if then in session, or at the regular or special session next following such election, and approved or rejected without power of alteration in the same manner as herein provided for the approval or rejection of a charter.

(j) In submitting any such charter or amendment separate propositions, whether alternative or conflicting, or one included within the other, may be submitted at the same time to be voted on by the electors separately, and, as between those so related, if more than one receive a majority of the votes, the proposition receiving the largest number of votes shall control as to all matters in conflict. It shall be competent in any charter framed under the authority of this section to provide that the municipality governed thereunder may make and enforce all laws and regulations in respect to municipal affairs, subject only to the restrictions and limitations provided in their several charters and in respect to other matters they shall be subject to general laws. It shall be competent in any charter to provide for the division of the city, or city and county governed thereby, into boroughs or districts, and to provide that each such borough or district may exercise such general or special municipal powers, and to be administered in such manner, as may be provided for each such borough or district in the charter of the city, or city and county.

(k) The percentages of the registered electors herein required for the election of freeholders or the submission of amendments to charters shall be calculated upon the total vote cast in the city or city and county at the last preceding general State election; and the qualified electors shall be those whose names appear upon the registration records of the same or preceding year. The election laws of such city, or city and county shall, so far as applicable, govern all elections held under the authority of this section.

Assembly Bill No. 574—An act to add sections 3246a and 3246b, and to amend sections 3244, 3245 and 3246 of the Political Code and to amend section 3247 as added by Chapter 85, Statutes of 1887, renumbering said section to be section 3246c, all relating to hours and wages of labor.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Pelletier:

Amendment No. 1.

On page 1, line 19, of the printed bill, after "employer", insert the following: "the prevailing wage rate in that locality for such labor for the day's or week's work, plus".

Amendment No. 2.

On page 2, line 36, of the printed bill after "employer", insert the following: "the prevailing wage rate in this State for such labor for the day's or week's work, plus".

Amendment No. 3.

On page 3, line 2, of the printed bill, before "labor", insert the following: "such".

Amendment No. 4.

On page 3, line 5, of the printed bill, after "person", insert the following: "so".

Amendment No. 5.

On page 3, line 7, of the printed bill, after "employer", insert the following: "the prevailing wage rate in that locality for such labor for the day's or week's work, plus".

Amendment No. 6.

On page 3, line 17, of the printed bill, before "employment", insert the following: "such".

Amendment No. 7.

On page 3, line 21, of the printed bill, after "person", insert the following: "so".

Amendment No. 8.

On page 3, line 22, of the printed bill, after "employer", insert the following: "the prevailing wage rate in that locality for such labor for a week's work, plus".

Amendment No. 9.

On page 3, line 34, of the printed bill, strike out "/or".

Amendment No. 10.

On page 3, line 44, of the printed bill, after "paid", and before the semicolon, insert a comma and the following: "in addition to the regular prevailing wage for such labor in that locality".

Amendments adopted.

Request for Unanimous Consent.

Mr. Pelletier asked for, and was granted, unanimous consent to take up Assembly Bill No. 574, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 574, as Amended.

Assembly Bill No. 574, as amended, read third time.

Further consideration deferred.

Motion to Continue Special Order for Assembly Constitutional Amendment No. 65.

Mr. Williamson moved that the special order for the consideration of Assembly Constitutional Amendment No. 65 be continued to Tuesday, April 9, 1935, at eleven o'clock a m.

Motion carried.

Consideration of Special Order.

The hour of eleven o'clock a.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Assembly Bill No. 1300—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, as amended, by amending sections numbered 4.01 relating to guarantee

stock, 6.02 relating to withdrawals, 6.07 relating to investment certificates and shares, 8.09 relating to interest and dividends, 9.02 relating to investments and 9.04 relating to purchases, sales, transfers and pledges of loans; postponing the effective date of the amendment of section 6.02 of said act as set forth in section 5a of Chapter 431 of the Statutes of 1933; adding to said act new sections to be numbered 8.10 relating to rate of return on shares and investment certificates, 9.18 relating to insurance, loans, advances of credit and purchases of obligations pursuant to the National Housing Act, 10.03a relating to reserve or surplus accounts, 10 09 relating to reports, statements and analyses by the Building and Loan Commissioner and 12.11 relating to conversion of a building and loan association into a Federal savings and loan association and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to vote for or approve such conversion, to exchange shares, stock, investment certificates or other rights or claims for shares issued by such Federal savings and loan association, and to continue to hold as a legal investment any shares so received; adding a new article to be numbered XVI to said act relating to the rehabilitation, readjustment or reorganization of one or more building and loan associations of the classes specified in such Article XVI, or of all or of any part of the business, properties and assets of such association or associations, or the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of and other persons interested in such association or associations, providing for the kinds of securities issuable in connection therewith and exempting such securities from certain provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Article XVI, to exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received; and declaring the urgency of this act and providing that it shall take effect immediately.

Further Consideration of Assembly Bill No. 1300, as Amended.

The question being on the adoption of the amendment submitted by Mr. Brennan.

Assembly Bill No. 1300, as amended, read third time.

Further Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Brennan:

Amendment No. 1.

Insert a new section after section 1610, to be numbered "1611", and to read as follows:

"Inspection of Association Records. Any stockholder, shareholder, or investment certificate holder of a building and loan association may petition the court for an order directing such building and loan association to permit him, or his agent, to inspect the stock records, the register of shareholders, the register of certificate holders, the books of account, files, and minutes of proceedings of the stockholders and of the directors of such association and to make lists and extracts therefrom and the court, upon being satisfied (upon sworn testimony or affidavit and upon such notice to any such association as the court may direct) that the purpose of the petitioner is reasonably related to his interest, shall make such order (after notice) upon such terms and conditions as to the court may deem proper under the circumstances and if the court deems it necessary for the protection of all interests involved

it may place in such order limitations and restrictions upon the use of the information acquired by the inspection ordered and any violation of such limitations or restrictions may, in the discretion of the court, be adjudged to have been committed in contempt of court and punished accordingly."

Amendment adopted.

Request for Unanimous Consent.

Mr. Scudder asked for, and was granted, unanimous consent to take up Assembly Bill No. 1300, as amended, at this time, without reference to reprint, or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1300, as Amended.

Assembly Bill No. 1300, as amended, read third time.

Further Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Anderson:

Amendment No. 1.

On page 24, line 1, of the printed bill, insert the following new article:

"SEC. 14. A new section is hereby added to said act, as amended, to be numbered 6.09 and to read as follows:

Sec. 6.09. Delay in Paying After Thirty Days. Irrespective of any other provision of law in this act or elsewhere, whenever an association shall have been on notice or on a pro rata basis for a period of thirty days, the commissioner may in his discretion forthwith or at any time thereafter take possession of the property, business and assets of such association and retain such possession until its affairs be finally liquidated in the manner provided by law for the liquidation of associations by him, or until such association shall have been reorganized as elsewhere in this act provided, or until such association may otherwise be allowed to resume business upon such conditions as may be approved by the commissioner. The right of the commissioner to take possession under this section is not exclusive, but is additional to his right to take possession under each and every other provision of this act. This section shall be in effect only during the emergency period, which term is hereby defined to mean the period commencing with the effective date of this section 6.09, and ending February 1, 1937."

Amendment No. 2.

On page 24, line 1, of the printed bill, strike out "Sec. 14.", and insert in lieu thereof: "Sec. 15."

Amendment No. 3.

On page 24, line 25, of the printed bill, strike out "Sec. 15.", and insert in lieu thereof: "Sec. 16."

Amendment No. 4.

On page 24, line 31, of the printed bill, strike out "Sec. 16.", and insert in lieu thereof: "Sec. 17."

Amendment No. 5.

In line 5 of page 2 of the title of the printed bill, after the word "numbered", insert the following: "6.09 relating to delay in paying after thirty days,".

Amendments adopted.

Request for Unanimous Consent.

Mr. Scudder asked for unanimous consent to take up Assembly Bill No. 1300, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Objection to Unanimous Consent.

Mr. Evans, Ralph W., objected to unanimous consent.

Motion.

Mr. Williamson moved, seconded by Mr. Scudder, that the rules be suspended for purpose of considering Assembly Bill No. 1300, as amended.

The question being on the motion to suspend the rules.

Request for Roll Call.

On request of Messrs Donnelly, Brennan and Heisinger, the Speaker ordered a roll call taken on the motion to suspend the rules.

The roll was called, and the motion was carried by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Crowley, Dawson, DeLap, Donihue, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Walker, Wallace, Welsh, Williamson, Wright, and Mr. Speaker—54.

NOES—Brennan, Clark, Cunningham, Desmond, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Hawkins, Heisinger, Laughlin, Lore, McCarthy, O'Donnell, Patterson, Pelletier, Rosenthal, Turner, Wagner, Waters, and Weber—22.

Assembly Bill No. 1300, as amended, read third time.

Further Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Brennan:

Amendment No. 1.

On page 4, line 11, of the printed bill, after the semicolon, insert the following: "provided, that no officer, agent, salesman or employee of an association shall receive as salary, bonus or fees, either directly or indirectly, from any association, subsidiary or affiliate company, a total sum of more than three thousand dollars a year; provided further, that any association, not on notice or on a pro rata basis, and which has paid all interest to its certificate and shareholders at the rate of interest originally contracted for, may upon application to the commissioner, and with his approval, pay to any officer, agent, salesman or employee, such sum as salary, bonus or fees as the commissioner may approve; ".

The question being on the adoption of the amendment submitted by Mr. Brennan.

Request for Roll Call.

On request of Messrs. Welsh, Utt, and Heisinger, the Speaker ordered a roll call taken on the adoption of the amendment.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Brennan, Burns, Cassidy, Clark, Donihue, Donnelly, Evans, Ralph W., Fisher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, Mayo, McCarthy, Meehan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Riley, Rosenthal, Stream, Turner, Voigt, Wagner, Wallace, and Weber—34.

NOES—Anderson, Andreas, Boyle, Breed, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Evans, Herbert J., Field, Flint, Fulcher, Gilmore, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Peyser, Phillips, Redwine, Robertson, Scudder, Thorp, Utt, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—43.

Assembly Bill No. 1300, as amended, read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

Motion.

Mr. Evans, Ralph W., moved that Assembly Bill No. 1300, as amended, be sent to reprint.

The question being on the motion that Assembly Bill No. 1300, as amended, be sent to reprint.

Request for Roll Call.

On request of Messrs. Flint, Fulcher and Utt, the Speaker ordered a roll call taken on the motion to reprint Assembly Bill No. 1300, as amended.

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Brennan, Cassidy, Clark, Cronin, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, Mayo, McCarthy, McMur-

ray, Meehan, O'Donnell, Pelletier, Peyser, Phillips, Reaves, Rosenthal, Turner, Voigt, Wagner, Waters, and Weber—38.

NOES—Andreas, Boyle, Breed, Burns, Chatters, Corwin, Cottrell, Dawson, DeLap, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, McBride, Miller, Minard, Morgan, Nielsen, Patterson, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Welsh, Williamson, Wright, and Mr. Speaker—41

Recess.

At twelve o'clock and twenty minutes p.m., on motion of Mr. Voigt, the Assembly was declared at recess until two o'clock p.m., of this day.

Reassembled.

At two o'clock p.m., the Assembly reconvened Speaker Craig in the chair.

Announcement by the Speaker.

Due to the fact that Mr Joseph P. Gilmore refuses to act as chairman of the *Committee on Manufactures I hereby appoint Leon M. Donihue chairman* of said committee.

EDWARD CRAIG, Speaker

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1935.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1182—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and to provide for the disposition of the revenues therefrom, and to provide that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman

The above reported bill ordered on file for third reading.

Motion to Set Special Order for Assembly Bill No. 1182.

Mr. Chatters moved that the consideration of Assembly Bill No. 1182 be made a special order for Wednesday, April 3, 1935, at eleven o'clock a.m.,

The question being on the motion by Mr. Chatters.

Motion carried.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1935

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 69—An act to amend section 117 of the Code of Civil Procedure, and to add thereto a new section to be numbered 117c¼, relating to small claims courts;

Also: Assembly Bill No. 99—An act to add a new section to the Code of Civil Procedure to be known as section 1872 thereof, relating to and providing for requiring persons bringing actions for damages for personal injuries to submit to an examination of their persons;

Also: Assembly Bill No. 819—An act to amend sections 2167, 2167a, 2169, 2172 and 2175 of, to repeal sections 2168, 2170, 2171 and 2185c of, and to add new sections numbered 2168, 2171 and 2185c to the Political Code, relating to persons mentally disordered or otherwise incompetent;

Also: Assembly Bill No. 1056—An act to amend section 200 of the Code of Civil Procedure, relating to exemptions from jury duty;

Also: Assembly Bill No. 1755—An act to amend sections 1466, 1467, 1468 and 1469 of the Penal Code, and to repeal sections 1468a and 1470 of the Penal Code, all relating to appeals to the superior court in criminal cases;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LYON, Chairman.

The above reported bills ordered on file for second reading.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1935.

MR SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 614—An act to amend section 1680 of the Streets and Highways Code, relating to extending county aid to cities—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

STREAM, Chairman.

The above reported bill ordered on file for second reading.

On Exhibitions and Fairs.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1935.

MR. SPEAKER: Your Committee on Exhibitions and Fairs, to which was referred Assembly Bill No. 1192—An act to add section 95 to the Agricultural Code, relating to and providing for the exhibition of live stock in southern California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FULCHER, Chairman.

The above reported bill ordered on file for second reading.

On Crime Problems.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1935.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 128—An act to amend section 487 of the Penal Code, relating to grand theft—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MILLER, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1126—An act to amend an act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties, and to repeal all acts or parts of acts in conflict with this act," approved May 15, 1933, relating to regulation of outdoor advertising;

Also: Assembly Bill No. 1260—An act to amend section 1140 of the Probate Code, relating to the duties of the public administrator and providing for the management, control, rental and sale by the public administrator of properties of indigent or other aliens returned to their native lands by or at the request of counties;

Also: Assembly Bill No. 1720—An act to determine what is a fair income on investments of public utilities in California;

Also: Assembly Bill No. 1921—An act to amend section 1461 of the Probate Code, relating to guardians of insane or incompetent persons;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LYON, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 669—An act to add section 3817½ to the Political Code, relating to taxation—has had the same under consideration, and respectfully reports the same back

without recommendation, and that it be re-referred to Committee on Revenue and Taxation.

LYON, Chairman.

Assembly Bill No. 669 ordered re-referred to Committee on Revenue and Taxation.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1141—An act to add section 11a to and to amend section 23 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts;

Also: Assembly Bill No. 1314—An act to amend sections 1a, 3, 4, 9b, 10a, 10b, 11a, 11b, c, d, e, and 12 of, and to add new sections 11f and g to an act entitled "An act to regulate land surveying and to define the duties of and to license land surveyors, to provide for the revocation of such licenses and the restoration thereof, to make certain acts misdemeanors and to provide penalties therefor, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 16, 1907," approved May 24, 1933,

Also: Assembly Bill No. 1360—An act to add sections 54a and 54b to the Civil Code, relating to the right of privacy of persons, and to provide a method by which such right of privacy may be enforced,

Also: Assembly Bill No. 1756—An act to add four new sections, to be numbered 1000a, 1000b, 1000c and 1000d to Chapter III of Title XIV of Part II of the Code of Civil Procedure, relating to admissions;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

LYON, Chairman.

The above reported bills ordered on file for second reading.

On Elections.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1935.

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 1896—An act to add a new section to the Political Code, to be numbered section 1143, relating to boards of election—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

DAWSON, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 286—An act to amend section 10 of an act entitled "An act to provide for and regulate municipal elections in the cities of the fifth and sixth class," approved May 27, 1919, relating to registrations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DAWSON, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 490—An act to amend section 1357 of the Political Code, relating to absent voters—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DAWSON, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 1150—An act to amend section 4 of an act entitled "An act to permit the consolidation of elections and to provide a procedure therefor"—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DAWSON, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1935.

MR SPEAKER Your Committee on Judiciary, to which was referred Senate Bill No. 377—An act to validate the organization and existence of regional park districts; Also Senate Bill No. 685—An act to add section 274d to the Code of Civil Procedure, relating to phonographic reporters and declaring the urgency of this act; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

LYON, Chairman.

The above reported bills ordered on file for second reading.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1935.

MR SPEAKER: Your Committee on Roads and Highways, to which was referred Senate Bill No. 107—An act delegating to the California Highway Commission power and authority during times when the Legislature of the State of California is not in session to accept on behalf of the State of California grants of rights of way for State roads through military reservations from the government of the United States made by the Secretary of War to the State of California or any political subdivision thereof, and declaring the effect of such acceptance—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

STREAM, Chairman.

The above reported bill ordered on file for second reading.

On Conservation.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1935.

MR. SPEAKER. Your Committee on Conservation, to which was referred Senate Bill No 1—An act to amend section 6 of an act entitled "An act to provide for the formation, organization and government of storm-water districts, for the purpose of protecting the land therein from damage from storm water and from the waters of any innavigable stream, watercourse, canyon or wash, for the construction of the necessary works of protection by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

REDWINE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Conservation, to which was referred Senate Bill No 1016—An act validating the formation, organization and existence of districts formed under the "Orange County Water District Act," approved June 14, 1933—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

REDWINE, Chairman.

The above reported bill ordered on file for second reading.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Desmond:

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add section 2181c to the Political Code, relating to moneys of insane or feeble-minded persons committed to State hospitals and homes for feeble-minded.

Referred to Committee on Introduction of Bills.

Introduction and Reference of Bills.

The following bill was introduced, and referred as indicated:

By Mr. Patterson: Assembly Joint Resolution No. 48—Relative to memorializing the President and the Congress of the United States to enact the Frazier-Lempke Farm Refinance Bill (S. 212 and H. R. 2066).

Introduced, and referred to Committee on Federal Relations.

Withdrawal of Assembly Bills Nos. 787 and 131.

By order of the Speaker, Assembly Bill No. 787 was withdrawn from the file, and referred to Committee on Prisons and Reformatories.

By order of the Speaker, Assembly Bill No. 131 was withdrawn from the file, and referred to Committee on Judiciary.

Motion to Re-refer Assembly Bill No. 1074.

Mr. Fisher moved that Assembly Bill No. 1074 be withdrawn from file, and re-referred to Committee on Judiciary.

Motion carried.

Motion to Strike Assembly Bill No. 1789 from File.

Mr. Crowley moved that Assembly Bill No. 1789 be stricken from the file.

Motion carried.

Third Reading of Assembly Bills.

Assembly Bill No. 142—An act to amend section 32 of the Penal Code, relating to the definition of an accessory.

Committee Amendments.

During third reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 11, of the printed bill, strike out the comma, and insert in lieu thereof "or".

Amendment No. 2.

On page 1, line 12, of the printed bill, after the word "arrested", strike out the first comma, and insert in lieu thereof the following: "for such felony, or".

Amendment No. 3.

On page 1, line 12, of the printed bill, after the word "convicted", and before the second comma, insert the following: "thereof".

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 6—An act to amend section 1, of an act entitled "An act to create a fund to be known as the State highway general fund and providing for expenditures therefrom." approved June 5, 1931, relating to expenditures from said fund.

Bill read third time

Committee Amendments.

During third reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out the title, and insert in lieu thereof the following:

"An act to add section 181.5 to the Streets and Highways Code, relating to expenditures of State highway funds."

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 1 to 21, inclusive, and insert in lieu thereof the following.

"SECTION 1. Section 181.5 is hereby added to the Streets and Highways Code, to read as follows:

181.5. Any and".

Amendment No. 3.

On page 1, line 25, of the printed bill, as amended, after "section", insert the following: "or section 181".

Amendment No. 4.

On page 2, lines 3 and 4, of the printed bill, as amended, strike out "of Public Works".

Amendment No. 5.

On page 2, line 6, of the printed bill, as amended, after the period, insert the following: "Such allocation and expenditure of Federal emergency funds shall be made in such measure and under such conditions as completely meet with Federal requirements."

Amendments adopted.

Bill read, ordered to reprint, engrossment, and third reading.

Special Order Set for Assembly Bill No. 1300, as Amended.

On motion of Mr. Scudder, the consideration of Assembly Bill No. 1300, as amended, was made a special order for Wednesday, April 3, 1935, at two o'clock and thirty minutes p.m.

Motion to Rush Printing.

Mr. Scudder moved that the Chief Clerk instruct the State Printer to rush printing of Assembly Bill No. 1300, as amended.

Motion carried.

Special Order Set for Assembly Bill No. 574.

On motion of Mr Hunt, the consideration of Assembly Bill No. 574 was made a special order for Thursday, April 4, 1935, at eleven o'clock a.m.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1695—An act to amend section 10 of an act entitled "An act to authorize and control the deposits in banks of moneys belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, relating to the deposit of money belonging to or in the custody of the State.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Latham.

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out "deposits in banks of moneys", and insert in lieu thereof the following: "deposit in banks of money".

Amendment No. 2.

On page 1, line 5, of the printed bill, as amended, strike out "such".

Amendments adopted.

Request for Unanimous Consent.

Mr. Latham asked for, and was granted, unanimous consent to take up Assembly Bill No. 1695, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1695, as Amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1695, as amended, passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J, Fisher, Frazier, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—63.

NOES—Hunt and Voigt—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Senate Bills.

Senate Bill No. 681—An act confirming and validating the consolidation of irrigation districts.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—70.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 681 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J, Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—72.

NOES—None.

Amendment to Title.

During reading of the title, the following amendment was submitted by Mr. DeLap:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "and declaring the urgency thereof, the act to take effect immediately."

Amendment adopted.

Title, as amended, read and approved by unanimous consent

Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 31—An act to regulate the hours of service in public and private employment during the emergency declared to exist.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 31 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Clark, Cronin, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Nielsen, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Voigt, Wagner, Wallace, Waters, Weber, Wilhamson, Wright, and Mr. Speaker—60.

NOES—Corwin, Field, Frazier Garibaldi, Minard, Morgan, Walker, and Welsh—8.

Title read and approved.

Notice of Reconsideration.

Mr. Johnson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 31 was this day passed

Assembly Bill No 851—An act to add a new chapter to Part III of Division IV of the School Code to be known as Chapter IV, relating to sinking funds in school districts for the replacement, reconstruction and/or alteration of buildings.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 851 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Garibaldi Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Robertson, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—74

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Consideration of Special Order.

The hour of two o'clock and thirty minutes p.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Assembly Bill No 990—An act to amend section 13 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," as amended, relating to revocation or suspension of licenses.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Cronin:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out lines 13, 14, and 15, and insert in lieu thereof the following: "superior manner; advertising definite or fixed prices for professional service; the use of advertising containing as a part'.

Amendment No. 2.

On page 2, line 18, of the printed bill, as amended, strike out the words "advertising solicitors or free publicity press agents", and insert in lieu thereof the following: "solicitors".

Amendments read.

Request for Roll Call.

On request of Messrs. Hornblower, Utt and Dawson, the Speaker ordered a roll call taken on the motion to amend Assembly Bill No. 990.

The roll was called, and the amendments were adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None.

Request for Unanimous Consent.

Mr. Cronin asked for unanimous consent to take up Assembly Bill No. 990, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Objection to Unanimous Consent.

Mr. Geyer objected to granting unanimous consent.

Motion.

Mr. Cronin moved that the rules be suspended for purpose of considering Assembly Bill No. 990, as amended.

Motion carried.

Assembly Bill No. 990, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 990, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—76.

NOES—Chatters, Heisinger, and Mayo—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1203—An act to add two sections to the Bank Act numbered 67.1 and 80.1, relating to loans of the character prescribed

by section 13b of the Federal Reserve Act or by section 5d of the Reconstruction Finance Corporation Act

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1203 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham DeLap, Donihue, Donnelly, Evans, Herbert J., Flint, Frazier, Fulcher, Garibaldi, Geyer, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1699—An act to amend section 351 of, and to add section 351a to, the Political Code, relating to officers of departments of the State government.

Bill read third time

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1699 passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 643—An act to amend section 320 of the Civil Code, relating to elections of corporation directors

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 643 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson Wright, and Mr. Speaker—68

NOES—Thorp—1.

Title read and approved.

Notice of Reconsideration of Assembly Bill No 643.

Mr. Corwin gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 643 was this day passed.

Assembly Bill No. 2179—An act to amend sections 2482 and 2484 of the Civil Code, relating to limited partnerships.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2179 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 13—An act to amend section 73a, of the Code of Civil Procedure, relating to superior courts

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 13 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—73.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 14—An act to amend section 4312 of the Political Code, relating to the place of offices of certain county officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 14 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 532—An act to amend sections 423, 578, 587, 860, 1201, 1240, 1501, 1515, 1540 and 1630 of the Probate Code and to add

new sections thereto to be numbered 588, 1201a and 1516, relating to estates of decedents and estates of persons under guardianship.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Redwine:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, strike out the numerals "1201.5".

Amendment No. 2.

On page 2 of the printed bill, commencing in line 33, strike out the words "in which the property or some part thereof is situated,".

Amendment No. 3.

On page 4 of the printed bill, strike out all of lines 13 to 26, inclusive.

Amendment No. 4.

On page 4, line 27, of the printed bill, strike out "Sec. 12", and insert in lieu thereof "Sec. 11".

Amendments adopted.

Request for Unanimous Consent.

Mr. Redwine asked for, and was granted, unanimous consent to take up Assembly Bill No. 532, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 532, as Amended.

Assembly Bill No. 532, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 532, as amended, passed by the following vote:

AYES—Anderson, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Redwine, Richie, Riley, Robertson, Stream, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1370—An act to amend an act entitled "An act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such districts," approved March 20, 1903, as amended, by amending the title and sections 37 and 40 thereof, and adding a new section to be designated section 97 to authorize the borrowing or procuring of money by drainage districts from the United States or any agency thereof, and declaring the urgency thereof.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Stream, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—63.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1370 passed by the following vote:

AYES—Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Geyer, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Redwine, Stream, Voigt, Walker, Waters, Weber, Welsh, Williamson, and Mr. Speaker—54.

NOES—Field, Glover, Latham, Riley, Robertson, Wallace, and Wright—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Senate Bills—(Resumed).

Senate Bill No 257—An act to amend sections 4120 and 4121 of the Political Code of the State of California, relating to the books, accounts and vouchers in the office of county treasurers and the examination of the books and records and the counting of the money in said office.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 257 finally passed by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1664—An act to amend an act entitled an act to create a reclamation district to be called "Reclamation District No. 1660," and providing for the control and management thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1664 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Chatters, Clark, Corwin, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J.,

Evans, Ralph W., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1128—An act relating to the sale of property sold to a county treasurer, as trustee of a reclamation district or of the bond fund, or to a reclamation district for delinquent assessments and installments thereof, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—70

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1128 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cronin, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright and Mr Speaker—69

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1976—An act to amend section 29 of "The California Irrigation District Act," approved March 31, 1897, as amended, relating to the purpose for which property may be held by said district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1976 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson,

Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Motion to Set Special Order on Assembly Bill No. 833.

Mr. Anderson moved that the consideration of Assembly Bill No 833 be made a special order for Thursday, April 4, 1935, at two o'clock and thirty minutes p.m.

Motion carried.

Special Order Set for Assembly Bill No. 174.

On motion of Mr. Minard, the consideration of Assembly Bill No. 174 was made a special order for Thursday, April 4, 1935, at two o'clock and thirty-one minutes p.m.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1594—An act to amend section 2 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to petition for incorporation.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lore:

Amendment No. 1.

On page 1, line 11, of the printed bill, as amended, after "State.", insert the following: "or".

Amendment No. 2.

On page 1, line 12, of the printed bill, as amended, insert a comma after "thereof".

Amendment No. 3.

On page 1, line 14, of the printed bill, as amended, strike out "and".

Amendment No. 4.

On page 1, line 17, of the printed bill, as amended, strike out "that", and after "owner", insert the following: ", given by the Director of Finance in the case of the State, or the governing body in the case of a county, city and county, or municipal corporation,".

Amendments adopted.

Request for Unanimous Consent.

Mr. Lore asked for, and was granted, unanimous consent to take up Assembly Bill No. 1594, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed

Third Reading of Assembly Bill No. 1594, as Amended.

Assembly Bill No. 1594, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1594, as amended, refused passage by the following vote:

AYES—Andreas, Boyle, Clark, Cunningham, Evans, Herbert J., Evans, Ralph W., Field, Flint, Geyer, Gilbert, Hawkins, Hunt, Jones, Latham, Laughlin, Lore, Lyon, Martin, McCarthy, McMurray, Miller, Pelletier, Reaves, Redwine, Richie, Rosenthal, Voigt, Wagner, Waters, Welsh, Wright, and Mr Speaker—32

NOES—Anderson, Breed, Brennan, Cassidy, Chatters, Corwin, Cottrell, Crowley, Dawson, DeLap, Desmond, Dinkue, Donnelly, Frazier, Fulcher, Garibaldi, Glover, Hornblower, Johnson, Kallam, Maloney, Mayo, Meehan, Minard, Morgan, Nielsen, O'Donnell, Peterson, Peyser, Phillips, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Wallace, Weber, and Williamson—41

Notice of Reconsideration of Assembly Bill No. 1594.

Mr. Cunningham gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1594 was this day refused passage.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 618—An act to provide for the regulation and licensing of greyhound racing and race meetings, and to permit wagering on the results thereof; to create the California Greyhound Racing Board for the regulation, licensing and supervision of greyhound racing and wagering thereon; to provide penalties for the violation of the provisions of this act.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Kallam.

Amendment No. 1.

On page 4, line 31, of the printed bill, as amended, following the word "paid", strike out the remainder of said line, and strike out all of line 32 and in line 33, the words "of the chairman of the board", and insert in lieu thereof a comma and the following, "upon certification of the chairman of the board, and in accordance with law"

Amendment No. 2.

On page 6, line 42, of the printed bill, as amended, strike out the words "Treasurer of", and strike out all of line 43.

Amendment No. 3.

On page 7, line 16, of the printed bill, as amended, strike out the word "immediately", and strike out all of lines 17, 18, 19 and 20, and insert in lieu thereof the following: "monthly and credited to a special fund hereby created to be known as the greyhound racing fund. The sum of twenty thousand dollars annually or so much thereof as may be necessary is hereby appropriated out of said fund to be expended by the board in accordance with the provisions of law in carrying out the provisions of this act. The balance of the moneys remaining in said fund shall be annually transferred to the general fund in reimbursement of moneys appropriated from the general fund in carrying out the provisions of the Old Age Security Act of the State of California."

Amendments adopted.

Bill read, ordered to reprint, engrossment, and third reading.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1935.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 400—An act to amend section 4293 of the Political Code, relating to the disposition of county and township officers' fee records—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DELAP, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on County Government, to which was referred Senate Bill No. 1059—An act to add section 4080a to the Political Code, relating to tenure of certain public officers, declaring the urgency thereof and providing that

this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

DELAP, Chairman

The above reported bill ordered on file for second reading.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1935

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1618—An act to classify, license and regulate the business of personal property brokers, and to prescribe, fix, limit and regulate their charges and interest rates; to authorize and regulate assignments of wages, salaries, commissions or earnings, earned or to be earned, when given to a personal property broker as security for a loan of, or as consideration for the payment of, $300 or less; to repeal all acts and portions or acts inconsistent herewith, and declaring this measure an urgency measure within the meaning of section 1 of Article IV of the Constitution, and providing accordingly for the act to take effect immediately—and reports that the same has been correctly re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No 58—An act to add a new section to the Agricultural Code, to be numbered 318, relating to meat inspection;

Also: Assembly Bill No. 59—An act to add section 5 5 to an act entitled "An act to provide for the formation, powers, government, operation, and dissolution of garbage disposal districts to facilitate the disposal of garbage and other refuse matter, and annexation thereto, and to provide for the assessment, levy, collection and disbursement of taxes therein," approved April 20, 1927, relating to contracts for collection and disposal of garbage;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading

On Elections.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1935

MR SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 1573—An act to amend section 1197a of the Political Code, for the purpose of making certain the payment of adequate compensation to persons soliciting signatures to initiative, referendum, and recall petitions, requiring the filing of bonds by the proponents of such petitions to insure the payment of such compensation—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

DAWSON, Chairman

The above reported bill ordered on file for second reading.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1935

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1259—An act to amend sections 1 and 2 of and to add a new section to "An act to provide for the creation of a board of parole commissioners for each county in this State, for the paroling of prisoners confined in county jails, and authorizing and empowering such boards to make rules and regulations in relation thereto," approved March 25, 1909, as amended, relating to the authorization of the board of county parole commissioners to parole aliens who consent to return or to be returned to their native country and further providing that when such aliens are indigent the county may pay the expenses of the transportation of such alien to his native country and that such expenses shall be a legal charge upon the county and providing for a method of guaranteeing the actual return of such aliens

Also: Assembly Bill No. 1255—An act to amend section 2167b of the Political Code, known as the Psychopathic Parole Act, to authorize counties to recover cost of care of persons mentally disordered;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

DELAP, Chairman

The above reported bills ordered on file for second reading.

On Aviation and Aircraft.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1935.

MR SPEAKER: Your Committee on Aviation and Aircraft, to which was referred Assembly Bill No. 248—An act to amend sections 3051, 3051a and 3052 of the Civil Code, relating to liens on aircraft and other personal property—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MORGAN, Chairman.

The above reported bill ordered on file for second reading.

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1935.

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to add section 2181c to the Political Code, relating to moneys of insane or feeble-minded persons committed to State hospitals and homes for feeble-minded.

CUNNINGHAM, Chairman.

Report of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—68.

NOES—None.

Introduction and Reference of Bills.

The following bill was introduced, and referred as indicated:

By Mr. Desmond: Assembly Bill No. 2404—An act to add section 2181c to the Political Code, relating to moneys of insane or feeble-minded persons committed to State hospitals and homes for feeble-minded.

Bill read first time, and referred to Committee on Judiciary.

Resolution.

The following resolution was offered:

By Mr. Riley:

Assembly Resolution.

WHEREAS, An unprecedented amount of mail is being received by members of the Assembly which needs immediate attention, therefore, be it

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the contingent fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the sum of $2,000, said amount being for the purchase of postage stamps to be used by members of the Assembly for official mail, and, be it further

Resolved, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding $2,000 in the aggregate, as shall be necessary for the use of the members of the Assembly for official mail; and be it further

Resolved, That the amount of stamps requisitioned by any one member of the Assembly for official mail shall not exceed the sum of $25

Resolution read.

Mr. Riley moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J. Evans, Ralph W. Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Voigt, Wagner, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—72

NOES—Thorp—1.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No 1784—An act to add section 675 5 to the Vehicle Code, relating to glass.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Hornblower:

Amendment No. 1.

On page 2 of the printed bill, as amended in the Assembly March 28th, strike out all of lines 35 to 40, both inclusive.

Amendment adopted.

Bill read, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1394—An act amending section 14, of an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr Desmond.

Amendment No. 1.

On page 1 of the printed bill, as amended, in the last line of the title, strike out "as amended", and insert in lieu thereof a comma and the following: "relating to officers".

Amendment No. 2.

On page 1, line 1, of the printed bill, as amended, strike out "an act entitled "An act to pro-", and strike out all of lines 2 to 5, inclusive, and in line 6, strike out "*principal and interest thereon,*" ", and insert in lieu thereof the following: "the act cited in the title hereof".

Amendment No. 3.

On page 1, line 8, of the printed bill, as amended, strike out "Accountant Treasurer. Attorney."

Amendment No. 4.

On page 2, line 11, of the printed bill, as amended, strike out the first "of", and insert in lieu thereof the following: "or".

Amendment No. 5.

On page 1, line 9, of the printed bill, as amended, strike out the word "audition", and add in lieu thereof the word "auditing".

Amendments adopted.

Bill read, ordered to reprint, engrossment, and third reading.

Third Reading of Senate Bill—(Resumed).

Senate Bill No. 316—An act to amend an act entitled "An act to provide for the organization and government of drainage districts, for

the drainage of agricultural lands other than swamp and overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such districts," approved March 20, 1903, as amended, relating to the funds of such districts and taxes therefor.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. McBride:

Amendment No. 1.

On page 1, line 12, of the printed bill, strike out "to keep said district on a cash basis", and insert in lieu thereof the following: "for necessary expenditures during the next succeeding fiscal year, prior to the time when the first installment of taxes for such succeeding fiscal year shall be collected and apportioned, and also to include in any year a sum to be placed in a sinking fund to pay the principal of bonds outstanding".

Amendment No. 2.

On page 1, line 17, of the printed bill, strike out "; provided, however, that in"; also strike out lines 18 and 19, and insert in lieu thereof a period.

Amendments adopted.

Bill read, ordered to reprint, and third reading.

Adjournment.

At four o'clock and thirty-five minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Wednesday, April 3, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, April 3, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh Williamson, Wright, and Mr. Speaker—79.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Nielsen, its further reading was dispensed with.

Leave of Absence.

On motion of Mr. Corwin, Mr. Phillips was granted leave of absence for this day.

Privilege of Floor of Assembly Extended.

On request of San Francisco and Alameda delegations, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Supervisor Cliff Wixson of Alameda County, former member of Assembly.

On request of Mr. McCarthy, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Byron F. Story.

On request of Mr. Nielsen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the teacher and pupils of the Sutter Junior High School, Sacramento, Mrs. Florence Phillips, teacher, and George Borchers, Leslie Blomquist, Mary Barberian, Dorothy Banks, Joan Chaney, Doris Dodge, Donald Detwiler, Helen Downing, Walter Dosch, Joseph Friedenthal, Evelyn Hillgrove, Harry Hadley, Alan Harvie, Harry Fong, William Lavelle, Lawrence Manuian, Robert Mabutt, Wayne Mains, Dolly Miller, Albert Smith, Geraldine Struck, Richard Wallace, Dorothy Wheat and Elmer Williams, pupils.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Stanley C. Jones of Modesto.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Oil Producers Sales Agency of California, opposing additional taxation.

From board of supervisors of the County of Los Angeles, opposing passage of pending legislation removing county highways from the control of county governments.

From Supervisor Roger Jessup of Los Angeles, opposing passage of pending legislation removing county highways from the control of county governments

From board of supervisors of Orange County, opposing the further inclusion of county or local highways in the State highway system of California

From board of supervisors of San Francisco, memorializing the Senate, Assembly, and the Governor to return the water front to this city and county.

From the iron, steel and allied industries, opposing further handicaps being imposed on the railroads of California

From Sacramento Council No 140, United Commercial Travelers of America, opposing the diversion of the gasoline tax fund.

From Orange County Coast Association, urging the enactment of a bill amending section 844 of the Fish and Game Code of the State of California.

From the California Progressives of Los Angeles, favoring a change in the law so that people who still hold property and are out of work and in need of the necessities of life may be employed as workers under the County Council of Permanent Rehabilitation

From Townsend Old Age Pension Club No 1 of the city of Orange, requesting and memorializing Congress to enact old age pension plan.

From Calumpit Camp No. 26, United Spanish War Veterans of Santa Ana, favoring legislation placing all foreign periodicals distributed in this State under the observance of agencies qualified to enlighten our people concerning the contents of the same.

ASSISTANT CLERK OLIVER READING.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 189—An act to add a new section to the School Code to be numbered 4.191, relating to the insuring under the Workmen's Compensation Laws of this State, of persons employed by county superintendents of schools to supervise or to give instruction in the public schools;

Also: Assembly Bill No. 1205—An act to add a new part to Division II of the School Code to be known as Part VI, relating to the formation, government, support, control, functions, maintenance, and administration of unified school districts created from elementary and high school districts, and of elementary, high school and junior college districts having coterminous boundaries and governing boards of identical personnel;

And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1935.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 541—An act to amend section 9 of an act entitled "An act for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WRIGHT, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 457—An act to amend sections 10 and 17 of, and to add sections 3a, 5a, 18a and 21a to, the Improvement Act of 1911, relating to an alternative procedure for the doing of work under said act by receiving contributions of labor, materials or equipment from the United States Government or other governmental agencies, declaring the urgency thereof and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WRIGHT, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 2174—An act to confirm, ratify and make valid ordinances heretofore passed by the city council or the people of any incorporated city creating a civil service commission and placing employees of the city under control of said civil service commission—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WRIGHT, Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER. Your Committee on Municipal Corporations, to which was referred Assembly Bill No 906—An act confirming the formation, organization and existence of municipal utility districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WRIGHT, Chairman

The above reported bill ordered on file for second reading.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1935.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 485—An act to add section 3900a to the Political Code, relating to taxation, including tax delinquencies, tax penalties and costs, and declaring the urgency thereof, to take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 123—An act to levy a tax on natural resources severed from the earth and waters of the State of California;

Also: Assembly Bill No. 1246—An act to amend section 3663a of the Political Code, relating to the assessment of property by the State Board of Equalization;

Also: Assembly Bill No. 1249—An act to amend section 3663b of the Political Code, relating to the assessment of property by the State Board of Equalization;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

RILEY, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1527—An act to amend section 3627 of the Political Code, relating to the method of appraisement for the purposes of taxation;

Also: Assembly Bill No. 1796—An act relating to the distribution of motion picture films, providing for the regulation thereof, and levying a tax upon motion picture films;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

RILEY, Chairman.

The above reported bills ordered on file for second reading.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1935.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 794—An act to amend sections 5.802, 5.804, 5.890, 5.894, 5.900, 5.901, 5.904, 5.910, 5.911, 5.921, 5.962, 5.970, 5.971, 5.972, 5.980, 5.990, 5.993, 5.1003, 5.1004, 5.1009, 5.1023, 5.1030, 5.1031, 5.1032, 5.1040, 5.1041, 5.1047, 5.1048, 5.1060, 5.1061, 5.1062, 5.1080 and 5.1083 of the School Code; to amend the titles of Chapter III, of Articles IV and VII of Chapter III, of Chapter VI, of Articles II and III of Chapter VI, all of Part IV of Division V of said code; to repeal sections 5.1042 to 5.1046, both inclusive, of said code and to repeal Article IV of Chapter VI of Part IV of Division V of said code; to add six new sections to said code to be numbered 5.971, 5.972, 5.981, 5.1004½, 5.1010 and 5.1111 and to add to Chapter V of Part IV of Division V of said code a new article to be known as Article VIII; to add to Chapter V of Part IV of Division V of said code a new article to be known as Article V; and to add to Chapter VI of Part IV of Division V of said code a new article to be known as Article IIIA, all relating to the payment of retirement salaries and retirement annuities to persons serving the State, counties and school districts in positions having to do with the superintending, administration and supervision in colleges, schools, and classes maintained by the State and/or the school districts thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

CHATTERS, Chairman.

The above reported bill ordered on file for second reading.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1935.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 2049—An act relating to and providing for the levy and collection of a tax upon sales of tangible personal property and making provision for the administration thereof and prescribing penalties for violations of its provisions,

the act to take effect immediately—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1935.

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 738—An act to amend section 13 of "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to expenditures of funds;

Also: Assembly Bill No. 741—An act to amend section 159 of the California Vehicle Act approved May 30, 1923, as amended, relating to the motor vehicle fund and the disposition of moneys placed therein;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WRIGHT, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 818—An act to amend an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended, by amending section 28 thereof, relating to exclusion of territory—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

On Crime Problems.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1935.

MR SPEAKER: Your Committee on Crime Problems, to which was referred Senate Bill No. 45—An act to amend section 2051 of the Code of Civil Procedure, relating to the impeachment of witnesses convicted of certain misdemeanors—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MILLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 1063—An act to amend section 182 of the Penal Code, relating to criminal conspiracy—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MILLER, Chairman.

The above reported bill ordered on file for second reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 2, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Constitutional Amendment No. 21—A resolution to propose

to the people of the State of California, an amendment to the Constitution of said State by adding to Article X thereof, a new section to be numbered 7, relating to an institution for women.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Constitutional Amendment No. 21 read first time, and referred to Committee on Constitutional Amendments.

Also:

SENATE CHAMBER, SACRAMENTO, April 2, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 836—An act to amend sections 1202a, 1572, 1576, and 1586, of the Penal Code, relating to the State prisons;

Also: Senate Bill No. 854—An act to amend sections 1261 and 1263 of the Agricultural Code, relating to produce dealers;

Also: Senate Bill No. 26—An act to add section 615.1 to the Fish and Game Code, relating to fish in districts 3 and 3A;

Also: Senate Bill No. 106—An act to amend sections 798.6 and 801 of the Fish and Game Code, relating to abalones;

Also: Senate Bill No. 234—An act to amend section 330.24 of the Civil Code, relating to mutual water companies.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 836 read first time, and referred to Committee on Prisons and Reformatories.

Senate Bill No. 854 read first time, and referred to Committee on Agriculture.

Senate Bills Nos 26 and 106 read first time, and referred to Committee on Fish and Game.

Senate Bill No 234 read first time, and referred to Committee on Irrigation.

Also:

SENATE CHAMBER, SACRAMENTO, April 2, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 55—An act to add sections 676 1, 676 2, 676.3, 676 4, 676.5 and 676.6 to the Vehicle Code, relating to safety glass on motor vehicles;

Also Senate Bill No 763—An act to remove the debris and snags from the Sacramento River between Chico Landing and the head of navigation near Red Bluff, to provide a survey for the work required, to provide for the furnishing of necessary funds therefor by the Federal Emergency Administration of Public Works, and to provide for the conduct of the necessary work by the State Emergency Relief Administration;

Also: Senate Bill No 765—An act to amend section 397 of the Penal Code, relating to the sale of intoxicating liquors;

Also: Senate Bill No. 834—An act to add section 17 to an act entitled "An act to amend the title and sections 1, 7, and 12 of, to repeal section 15 of, and to establish an institution for the confinement, care and reformation of women misdemeanants, and women convicted of a felony the punishment for which is less than death; to provide for its maintenance, conduct and government, and to make an appropriation therefor, approved May 9, 1929, relating to the California Institution for Women";

Also Senate Bill No 835—An act to add section 1168a to the Penal Code relating to the California Institution for Women.

J. A. BEEK, Secretary of Senate
By CARL A SHIPKEY, Assistant Secretary

Senate Bill No. 55 read first time, and referred to Committee on Motor Vehicles.

Senate Bill No. 763 read first time, and referred to Committee on Commerce and Navigation.

Senate Bill No. 765 read first time, and referred to Committee on Public Morals.

Senate Bills Nos 834 and 835 read first time, and referred to Committee on Prisons and Reformatories.

Also:

SENATE CHAMBER, SACRAMENTO, April 2, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 588—An act providing for the exemption from taxation of personal property brought within the State of California exclusively for purposes of use, display or exhibition at expositions, fairs, carnivals or public exhibits of literary, scientific, educational, religious or artistic works, and for claim of exemption;

Also: Senate Bill No. 704—An act to provide for the development of electric power by irrigation districts and providing for the acquisition, construction, maintenance and operation of electric power plants and providing for the levying of assessments and the collection of funds, for the issuance and sale of bonds, and providing for the control and distribution of electric energy;

Also: Senate Bill No. 705—An act to extend to irrigation districts organized and existing under the California Irrigation District Act, the power and privilege to develop hydroelectrical power and to acquire equipment, including stand-by plants, for development and distribution of electrical energy and creating of irrigation district power districts to be managed, operated and controlled under the provisions of the California Irrigation District Act;

Also: Senate Bill No. 706—An act to amend the California Irrigation District Act by adding a new section thereto, to be known as section 15½, authorizing irrigation districts, heretofore or hereafter organized, and existing under and by virtue of the provisions of the California Irrigation District Act, or any act amendatory thereof or supplemental thereto, to develop and distribute electrical power or energy by the use of any waters under the control of such district and by contract to acquire and maintain any necessary equipment therefor and to provide for the management of such operations and the financing thereof

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 588 read first time, and referred to Committee on Revenue and Taxation.

Senate Bills Nos. 704, 705 and 706 read first time, and referred to Committee on Irrigation.

Resolution.

The following resolution was offered:

By Mr. McCarthy:

WHEREAS, There exists a surplus under the control of the California Olympiad Commission of over one million dollars; and

WHEREAS, These moneys have been tendered to the State of California; and

WHEREAS, It appears that such moneys as offered to the State of California by the California Olympiad Commission have never been received; and

WHEREAS, An act authorizing the acceptance of such moneys by the State of California was passed as Chapter 366, Statutes of 1933, by the Legislature and signed by the Governor of this State; now, therefore, be it

Resolved by the Assembly of the State of California, That the Controller and Attorney General are hereby requested and directed to investigate and report to the Legislature of the State of California as to the reasons why such funds have never been received as authorized by Chapter 366, Statutes of 1933; and be it further

Resolved, That the Controller and Attorney General ascertain what action or actions is or are necessary for the attainment of these funds and report their findings and recommendations to the Legislature of the State of California.

Resolution read.

The question being on the adoption of the resolution

Resolution adopted.

Second Reading of Assembly Bills.

Assembly Bill No. 69—An act to amend section 117 of the Code of Civil Procedure, and to add thereto a new section to be numbered 117c½, relating to small claims courts.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 99—An act to add a new section to the Code of Civil Procedure to be known as section 1872 thereof, relating to and

providing for requiring persons bringing actions for damages for personal injuries to submit to an examination of their persons.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 819—An act to amend sections 2167, 2167a, 2169, 2172 and 2175 of, to repeal sections 2168, 2170, 2171 and 2185c of, and to add new sections numbered 2168, 2171 and 2185c to the Political Code, relating to persons mentally disordered or otherwise incompetent.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1056—An act to amend section 200 of the Code of Civil Procedure, relating to exemptions from jury duty.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1755—An act to amend sections 1466, 1467, 1468 and 1469 of the Penal Code, and to repeal sections 1468a and 1470 of the Penal Code, all relating to appeals to the superior court in criminal cases.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 614—An act to amend section 1680 of the Streets and Highways Code, relating to extending county aid to cities.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1192—An act to add section 95 to the Agricultural Code, relating to and providing for the exhibition of live stock in southern California.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "add section 95 to", and insert in lieu thereof the following: "amend section 80 of".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out "and providing", and insert in lieu thereof the following: "agricultural districts and including provision".

Amendment No. 3.

On page 1, line 1, of the printed bill, strike out "95 is hereby added to", and insert in lieu thereof the following: "80 of the".

Amendment No. 4.

On page 1, line 2, of the printed bill, after "Code", insert the following: "is hereby amended".

Amendment No. 5.

On page 1 of the printed bill, strike out lines 3 to 16, inclusive, and insert in lieu thereof the following:

"80. The several counties of this State constitute agricultural districts numbered as follows:

District 1	The county of Alameda.
District 1a.	The City and County of San Francisco and the county of San Mateo.
District 2.	The county of San Joaquin.
District 3	The county of Butte.
District 4.	The counties of Sonoma and Marin.
District 5.	The county of Santa Clara.
District 6.	All that portion of Los Angeles County not included in agricultural district number forty-eight.
District 7.	The county of Monterey
District 8.	The county of El Dorado
District 9.	The county of Humboldt.
District 10.	The county of Siskiyou
District 11.	The counties of Plumas and Sierra. A fair shall be held in each county of this district alternately.

District 12. The counties of Lake and Mendocino.
District 13. The counties of Sutter and Yuba
District 14. The county of Santa Cruz
District 15. The county of Kern
District 16. The county of San Luis Obispo.
District 17. The county of Nevada.
District 18 The counties of Mono, Inyo, and Alpine.
District 19 All that portion of Santa Barbara County lying east of Gaviota and south of the Santa Ynez Mountains
District 20. The county of Placer.
District 21. The counties of Fresno and Madera
District 22. The county of San Diego
District 23. The county of Contra Costa.
District 24. The counties of Tulare and Kings.
District 25. The county of Napa.
District 26. The county of Amador.
District 27. The county of Shasta
District 28 The county of San Bernardino.
District 29. The county of Tuolumne.
District 30. The county of Tehama
District 31. The county of Ventura.
District 32. The county of Orange.
District 33. The county of San Benito.
District 34. The county of Modoc.
District 35 The counties of Merced and Mariposa.
District 36. The county of Solano.
District 37 All that portion of Santa Barbara County not included in agricultural district number nineteen.
District 38. The county of Stanislaus.
District 39 The county of Calaveras
District 40. The county of Yolo.
District 41. The county of Del Norte
District 42. The county of Glenn.
District 43. The county of Lassen.
District 44. The county of Colusa.
District 45. The county of Imperial.
District 46. The county of Riverside.
District 47. The county of Trinity.
District 48. All that portion of Los Angeles County described as follows:

Beginning at the intersection of Atlantic Avenue and Willow Street in Long Beach, thence west to Main Street; thence north along the west line of Main Street to Vernon Avenue; thence west along the north line of Vernon Avenue to Crenshaw Boulevard; thence north along the west line of Crenshaw Boulevard to the north line of Wilshire Boulevard; thence west along the north line of Wilshire Boulevard to Rossmore; thence north along the west line of Rossmore to the north line of Beverly Boulevard; thence east along the north line of Beverly Boulevard, existing or projected to the east line of Atlantic Avenue, thence south on Atlantic Avenue to point of beginning."

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 128—An act to amend section 487 of the Penal Code, relating to grand theft.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 12, of the printed bill, after the word "or", strike out "twenty-five", and insert in lieu thereof the following: "one hundred".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1126—An act to amend an act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the

erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act," approved May 15, 1933, relating to regulation of outdoor advertising.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the title of the printed bill, after "amend", insert the following: "sections 3, 6, and 8 of".

Amendment No. 2.

On page 1, line 1, of the printed bill, after the period, add the following: "Section 3 of this act cited in the title hereof is hereby amended to read as follows:

On page 1, line 1 of the title of the printed bill, after "amend", insert the follow-

Sec. 3. License Fee. No person shall engage in or carry on the business or occupation of outdoor advertising without first having paid a license fee of ten dollars a year, payable annually in advance on the first day of July of each year to the director or his authorized agent as hereinafter provided. Any such person engaging in or carrying on such business or occupation in more than one office or place of business in California other than the home office or place of business shall pay such license fee separately for each such place of business or office. Each such license shall remain in force for the term of one year from and after said first day of July, and may be renewed annually. All licenses issued on or after said first day of July shall expire on the thirtieth day of June following the date of issue. Fees for licenses issued after the first day of July of each year shall be apportioned and collected on the basis of one-twelfth of the fee for each month or part thereof remaining in the fiscal year.

SEC. 2. Section 6 of said act is hereby amended to read as follows:

Sec. 6. Application for Permit. Every person desiring a permit to place and/or maintain any advertising structure or sign shall file with the director or with his authorized agent in the county within which the advertising structure or sign is to be placed an application therefor on a blank to be furnished by said director or by said agent. Such application shall set forth the name and address of the applicant and shall contain a general description of the property upon which it is proposed to erect and/or maintain the advertising structure or sign for which a permit is sought and a diagram indicating the location of such proposed advertising structure or sign on such property, in such a manner that said property and the location of said proposed advertising structure or sign may be readily ascertained and identified

If the application is for a permit to place and/or maintain a sign such application shall contain a description of such sign including the material, the size and the subject thereof and the proposed manner of placing the same.

If the application is for a permit to place and/or maintain an advertising structure such application shall be accompanied by construction plans thereof; provided, however, that in case the applicant has theretofore filed with the director certified copies of standard specifications used by the applicant in the constructing and erecting of advertising structures then such application may refer to such standard specifications in lieu of being accompanied by such construction plans.

The applicant for any permit shall offer evidence that the owner or other person in control or possession of the property upon which such location is situated has consented to the placing and/or maintenance of such advertising structure or sign.

If the applicant for such permit is engaged in the business or occupation of outdoor advertising, the application for permit shall contain the number of the license issued by the director

If such application is in full compliance with the provisions of this act and if such advertising structure or sign will not be in violation of any law or ordinance, the director or his authorized agent shall, within ten (10) days after the filing of such application and upon payment by applicant of the fee hereinafter specified, issue a permit to place and/or maintain such advertising structure or sign for the remainder of the calendar year in which such permit is issued. An advertiser or sign painter who paints any sign or advertising on any building, wall, fence or similar structure already existent, it shall not be necessary to await the issuance

of a permit as relating to structures. Such advertiser or sign painter shall be permitted to paint such signs or advertising after having secured permission from the owner of the premises as required under the provisions of this act. Upon completion of such signs or advertising, the advertiser or sign painter shall affix the required key letters and numbers (same to be two inches in height) to each sign or structure In addition to this, the key letters and corresponding numbers must be recorded on the application blank provided by the State, same to be forwarded to the Director of Public Works together with a fee of one dollar. Issuance of a permit for the placing and/or maintenance of an advertising structure shall include the right to change the advertising structure shall include the right to change the advertising display or copy thereon without obtaining any additional permit for the remainder of the calendar year in which such permit is issued and without the payment of any additional permit fee. Permits shall be renewed on the first day of January ot each year upon application and the payment of fees as herein provided and shall expire on the thirty-first day of December of said year.

The annual permit fees provided herein shall be as follows

(a) For each sign—one dollar;

(b) One cent per square foot of space designed for advertising matter, but not less than fifty cents for each structure.

SEC. 3. Section 8 of said act is hereby amended to read as follows:

Sec. 8. Permits and Key Letters. Each permit provided for in this act shall carry an identification number and shall entitle the holder to place and/or maintain the advertising structure or sign described in said permit Each such permit shall bear a seal, the design for which shall be selected by the Director of Public Works and shall be signed by the Director of Public Works. If the permit is issued by a deputy or assistant of the director, the signature of the director may be subscribed by facsimile Each such permit shall bear on the face or the back thereof a statement that it is granted pursuant to the provisions of this act and it shall enumerate the penalties provided herein for any violation of the provisions under which such permit is granted

No person shall place or maintain any advertising structure or sign unless there be marked, painted or printed thereon a key letter in the manner and of the character and size specified by the director, together with the date on which the structure or sign is erected. Each key letter shall be followed by consecutive numbers, starting with number one, and continue such numbering for each and every sign or structure. Each sign or structure must bear the imprint and State license number of the advertiser or sign painter. The director shall annually issue such key letter numbers in consecutive order.

Application for renewal of annual permits, shall be made at least thirty days prior to the expiration of such permit, and it shall not be necessary to repaint such key letters and numbers each year, as long as there is no lapse in the renewal of the permit. If such permit fee is not paid by the last day of the calendar year, the permit shall be void, and it will be necessary to obtain a new permit together with a new key letter. The key letter numbers shall be reassigned each year at the time of the issue of the permits.

The erection or maintenance of any advertising structure or sign without having painted thereon a key letter pursuant to this act shall be prima facie evidence that such advertising structure or sign has been placed and is being maintained in violation of the provisions of this act"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1260—An act to amend section 1140 of the Probate Code, relating to the duties of the public administrator and providing for the management, control, rental and sale by the public administrator of properties of indigent or other aliens returned to their native lands by or at the request of counties.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the printed bill, immediately after the word and numeral "SECTION 1.", insert the following: "Section 1140 of the Probate Code of the State of California is hereby amended to read as follows:

1140. (1) The public administrator of each county must take immediate charge of the property within his county of persons who have died, when no executor or administrator has been appointed, and in consequence thereof the property, or any

part thereof, is being wasted, uncared for, or lost; and of all estates ordered into his hands by the court. He shall apply for letters of administration upon the estates of decedents who have no known heirs, when the superior court of his county has jurisdiction thereof, and may apply for such letters upon any other estate which he is entitled to administer.

(2) He shall also upon request of the board of supervisors take charge of the property within his county of alien indigents who are returned or are being returned by the county to their native land, and shall exercise any and all powers granted or given to him in respect thereto by such alien indigents. No greater charge shall be made for his services respecting such property of such alien indigents than the actual cost of such services. The obligation of his official bond shall inure to the benefit of every such alien indigent."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1720—An act to determine what is a fair income on investments of public utilities in California.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, strike out all matter following the first three words, and insert in lieu thereof the following: "amend sections 13 and 47 of an act entitled "An act to provide for the organization of the Railroad Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund,' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," and designated in the act so entitled as the "Public Utilities Act," approved April 23, 1915, as amended, relating to the determination of a reasonable return upon the value and the valuation of public utility property including computation of charges by public utilities and the valuation of public utility property."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 13 of the Public Utilities Act is hereby amended to read as follows:

Sec. 13. (a) All charges made, demanded or received by any public utility, or by any two or more public utilities, for any product or commodity furnished or to be furnished or any service rendered shall be just and reasonable, and the aggregate of such charges by or for the account of any public utility shall not exceed the amount required to provide a reasonable return, or profit, upon the value of the property used and useful in furnishing such product or commodity or in rendering such service. Every unjust or unreasonable charge made, demanded or received for such product or commodity or service is hereby prohibited and declared unlawful.

(b) Every public utility shall furnish, provide and maintain such service, instrumentalities, equipment and facilities as shall promote the safety, health, comfort and convenience of its patrons, employees and the public, and as shall be in all respects adequate, efficient, just and reasonable.

(c) All rules and regulations made by a public utility affecting or pertaining to its charges or service to the public shall be just and reasonable.

SEC. 2 Section 47 of the Public Utilities Act is hereby amended to read as follows.

Sec. 47. (a) The commission shall have power to ascertain and determine for each purpose specified in this act, the value of the property of every public utility in this State and every fact and element of value which in its judgment may or does have any bearing on such value; provided, that in ascertaining and determining the value of the property in establishing the charges specified in section 13 of this act, the ultimate and controlling facts and elements of value shall be limited to the market value of the land at the time of the inquiry, the severance damages actually paid in acquiring the land, if any, the actual cost of acquiring franchises, the estimated cost of reproducing the structures and other physical property as of a reasonable estimated construction period immediately preceding the time of the inquiry

subject to the physical condition of the right of way existing at the time of the actual construction of the property, the existing depreciation in the property, necessary working capital, and the value of the property as a going concern Said valuation shall be based upon an inventory of the property, and it shall be the duty of the commission to so ascertain and determine the value of the property in every proceeding before it wherein the justice and reasonableness of a majority of such charges or of the revenue from such charges of any public utility in any rate zone or territory or common service locality in this State are an issue, and in all such cases, the burden of proof and of preparing and filing such inventory with the commission shall be upon the public utility The commission shall have power to make revaluations from time to time and to so ascertain and determine the value of all additions, betterments, extensions and new construction to the property of every public utility

(b) 1 Any county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district or any other public corporation, each of which is hereinafter in this section at times referred to as the political subdivision, may, at any time, file with the commission either a petition, hereinafter in this section at times referred to as a petition of the first class, setting forth the intention of the political subdivision to acquire under eminent domain proceedings, or otherwise, the lands, property and rights of any character whatsoever of any public utility, or any part or portion thereof, or a petition, hereinafter in this section at times referred to as a petition of the second class, setting forth the intention of the political subdivision to initiate such proceedings as may be required under the law governing the political subdivision for the purpose of submitting to the voters of the political subdivision a proposition to acquire under eminent domain proceedings, or otherwise, the lands, property and rights of any character whatsoever of any public utility, or any part or portion thereof.

2. Each such petition shall contain the name of the political subdivision appearing as petitioner therein, a description of the lands, property and rights, or of the part or portion thereof, which the political subdivision intends to acquire, and the names and addresses of all owners and claimants thereof, including each trustee and mortgagee under each deed of trust and mortgage, if known, or a statement that they are unknown. The petition shall pray that the commission fix the just compensation which shall be paid by the political subdivision, under the law, for said lands, property and rights, or said part or portion thereof. The petition shall be signed in the name of the political subdivision and verified by the chairman or other presiding officer or by the secretary or clerk of the legislative or other governing body of the political subdivision. At the time the petition is filed, the petitioner shall also file with the commission additional copies thereof equivalent in number to three more than the number of owners and claimants named in the petition.

3. Upon the filing of the petition, the commission shall make its order, specifying the nature of the proceeding, containing a general description of the lands, property and rights, or the part or portion thereof which petitioner desires to acquire by condemnation, or otherwise, and directing the owners and claimants named in the petition, who shall also be named in said order, to appear before the commission at a time and place specified in the order, to show cause, if any they have, why the commission should not proceed to hear the petition and to fix the just compensation to be paid for said lands, property and rights, or said part or portion thereof. The order shall direct the secretary of the commission to serve or cause to be served upon each said owner and claimant a copy of said order, certified under the seal of the commission, to which shall be attached a true and correct copy of the petition Service shall be made in accordance with the provisions of the Code of Civil Procedure of the State of California; provided, that service may also be made by depositing a copy of said order to show cause, certified under the seal of the commission, with a true and correct copy of the petition attached thereto, in the United States mail, enclosed in a sealed envelope, registered, with postage prepaid, addressed to any owner or claimant at the address specified in the petition. If any owner or claimant named in the petition resides out of the State, or has departed from the State, or can not, after due diligence, be found within the State, or conceals himself to avoid service, or is a corporation having no managing or business agent, cashier or secretary or other officer upon whom summons may be served, who, after due diligence, can not be found within the State, and the fact appears by affidavit to the satisfaction of the commission, and it also appears by such affidavit or by the petition that a cause of action exists against the owner or claimant on whom the service is to be made or that he is a necessary or proper party to the proceeding, the commission shall make its order that the service be made on such owner or claimant by publication of the commission's said order to show cause. Said order of the commission shall direct that the publication be made in a newspaper to be designated by the commission as likely to give notice to the person to be served, and for such time as the commission may find to be reasonable, at least once a week; but publication against an owner or claimant residing out of the State, or absent there-

from shall be not less than two months. If the address of any owner or claimant, as stated in the petition, is out of the State, the secretary of the commission shall, within fifteen days after the making and filing of said order to show cause, deposit or cause to be deposited a copy of said order to show cause, certified under the seal of the commission, with a true and correct copy of the petition attached thereto, in the United States mail, enclosed in a sealed envelope, registered, with postage prepaid, addressed to such owner or claimant at the address specified in the petition. When publication is ordered, personal service of a copy of the order to show cause and of the petition out of the State is equivalent to publication and deposit in the United States mail. Within ten days prior to the time set for the first hearing on the petition, which time shall be not less than thirty days after the filing of the petition, the secretary of the commission shall serve or cause to be served upon the petitioner a written notice of such hearing, specifying the time and place at which such hearing will be held In all respects not in this paragraph otherwise specified, service and the proof of service shall be made as provided by the Code of Civil Procedure of the State of California Upon the completion of service upon the petitioner or upon any owner or claimant named in the petition, the commission shall have full and complete jurisdiction over such petitioner, owner or claimant, with full and complete jurisdiction, in so far as such petitioner, owner or claimant, is concerned, to make each finding hereinafter referred to The failure to make service upon any person alleging that he is an owner or claimant but not named in the petition shall in no way affect the jurisdiction of the commission over owners and claimants on whom service has been made as in this paragraph provided

4. At the time and place specified in said order to show cause, or at such other time and place as, for good cause, may be otherwise ordered by the commission, the commission shall proceed to a hearing on the petition At such times and in such amounts as may be directed by the commission, the political subdivision must pay to the commission all extra costs as determined by the commission, which extra costs the commission may incur to comply with the requirements of section 47 (b) of this act, and if such amounts are not paid by the political subdivision as directed by the commission, the commission may suspend further proceedings on the petition. Evidence may be presented by the political subdivision, by each owner or claimant named in the petition, and by the commission. The commission shall have power, at any time subsequent to the filing of the petition, and prior to making and filing its finding as to just compensation, to authorize the amendment of the petition by altering or modifying the description of said lands, property and rights, or said part or portion thereof, or by adding to or deducting from said lands, property and rights, or said part or portion thereof, and in each other respect including each jurisdictional allegation. When the proceeding has been submitted, the commission shall make and file its written finding fixing, in a single sum, the just compensation to be paid by the political subdivision for said lands, property and rights, or said part or portion thereof; provided, that if the commission finds that severance damages should be paid, the just compensation for such damages shall be found and stated separately. Said just compensation shall be fixed by the commission as of the day on which the petition was filed with the commission

5 Within twenty days after the commission has made and filed its finding, the owner of said lands, property and rights, or of said part or portion thereof, may file with the legislative or other governing body of the political subdivision a written stipulation consenting and agreeing to accept the just compensation fixed by the commission. Upon the filing of such written stipulation, the political subdivision must proceed with all due diligence to provide the necessary funds under the law governing the providing of such funds, for paying the just compensation fixed by the commission. Whenever the just compensation has been tendered by the political subdivision, a deed of grant, bargain and sale conveying the owner's right, title and interest in and to said lands, property and rights, or said part or portion thereof, to the political subdivision, shall be executed and delivered by the owner, and the other claimants who have any right, title or interest in the property shall execute appropriate instruments of conveyance or release, conveying or releasing to the political subdivision their respective rights, titles and interests therein. If said deed or said instruments of conveyance or release are not executed and delivered within sixty days after said tender has been made, the political subdivision may commence an action in a court of competent jurisdiction or proceed otherwise in the manner and for the purpose or purposes specified in the next paragraph of this section.

6. In the case of a petition of the first class, if the owner does not file said stipulation within said twenty days, the political subdivision, within sixty days after the commission has made and filed its said finding, must commence an action in a court of competent jurisdiction in a manner in accordance with the provisions of law, to take under eminent domain proceedings said lands, property and rights, or said part or portion thereof. In the case of a petition of the second class, if the owner does not file said stipulation within said twenty days, the political subdivision,

within sixty days after the commission has made and filed its said finding, must initiate proceedings for the purpose of submitting to its voters a proposition to acquire under eminent domain proceedings said lands, property and rights, or said part or portion thereof. The political subdivision shall not be required, in either case, to delay for more than twenty days after the commission has made and filed its finding, before commencing said further proceedings. In the case of a petition of the second class, if the voters of the political subdivision shall thereafter, as provided by the law governing said political subdivision, vote in favor of any proposition to acquire under eminent domain proceedings, or otherwise, said lands, property and rights, or said part or portion thereof, the political subdivision shall, within sixty days after its voters have so voted in favor of such acquisition, commence an action in a court of competent jurisdiction in a manner in accordance with the provisions of law, to take under eminent domain proceedings said lands, property and rights, or said part or portion thereof, unless the owner shall have filed with the political subdivision a written stipulation consenting and agreeing to accept the just compensation fixed by the commission.

7. If the political subdivision, in a petition of the first class, fails to file said action in a court of competent jurisdiction within said period of sixty days after the commission has made and filed its said finding, or if the political subdivision, in a petition of the second class, fails to proceed diligently to submit said proposition to its voters or fails, if its voters have voted in favor of the acquisition of said lands, property and rights, or of said part or portion thereof, to file said action in a court of competent jurisdiction within sixty days after the voters have voted in favor of said acquisition, the owner of such lands, property and rights, or of said part or portion thereof, may file with the commission a verified petition in writing setting forth said fact, which petition may also set forth in detail the expenditures which the owner has necessarily incurred in the proceeding before the commission. The commission shall thereupon cause written notice of not less than ten days, with a true and correct copy of the owner's said petition attached thereto, to be served upon the political subdivision, to appear before the commission at a time and place specified in the notice, to show cause why an order should not be made by the commission (1) finding that the political subdivision has failed to pursue diligently its rights herein conferred, (2) determining that said finding as to just compensation shall no longer be of any force or effect, and (3) determining the reasonable expenditures necessarily incurred by the owner which, in the opinion of the commission, should be assessed against the political subdivision. If the commission shall determine that the political subdivision, in case of a petition of the first class, has failed to commence said action in a court of competent jurisdiction within said period of sixty days after the commission has made and filed its said finding of just compensation, or that the political subdivision, in case of a petition of the second class, has failed to proceed diligently to submit said proposition to its voters or has failed, after its voters have voted in favor of the acquisition of said lands, property or rights, or said part or portion thereof, to file said action in a court of competent jurisdiction within said sixty days after the voters have voted in favor of said acquisition, the commission shall make and file its order declaring that said finding shall no longer be of any force or effect, and make its finding as to the reasonable expenditures necessarily incurred by the owner in the proceeding before the commission, which the commission may find should be assessed against the political subdivision. The political subdivision shall thereupon be liable to the owner in the amount thus found by the commission and the owner may thereupon maintain an action against the political subdivision for said amount in any court of competent jurisdiction.

8. The finding of the commission fixing the just compensation to be paid by the political subdivision for said lands, property and rights, or said part or portion thereof, shall be final and shall not be subject to modification, alteration, reversal or review by any court of this State. The court in which the political subdivision shall have commenced its action, subsequent to the making and filing by the commission of its finding as to just compensation, as hereinbefore specified, if said court shall first decide that the political subdivision has the right and power under the law to take said lands, property and rights, or said part or portion thereof, shall enter a judgment in favor of the complainant in said action, as provided by law, fixing as the just compensation which shall be paid for the taking of said lands, property and rights, or said part or portion thereof, the just compensation fixed by the commission. The judgment may include therein the allowance of such costs between the parties as is provided for in the law of eminent domain of this State. The judgment of said court in so far as it refers to the just compensation to be paid for said lands, property and rights, or said part or portion thereof, shall be final and shall not be subject to modification, alteration, reversal or review by any court except as hereinafter in section 47 (b) of this act specified. The judgment of said court shall include a provision, in substance, that said judgment is subject to modification by reason of such increase or decrease in

the just compensation to be paid as may thereafter be certified to said court by the commission, as hereinafter in section 47 (b) of this act provided

9. At any time within thirty days subsequent to the entry of said judgment of said court, the owner of said lands, property and rights, or said part or portion thereof, may file with the commission a verified petition in writing, alleging that by reason of expenditures made by the owner subsequent to the date of the filing of the original petition with the commission, for the purpose of preserving or improving said lands, property and rights, or said part or portion thereof, or by reason of other acts and occurrences subsequent to said date, the just compensation theretofore fixed by the commission should be increased and praying that the commission make its finding increasing said just compensation. At any time within thirty days subsequent to the entry of said judgment of said court, the political subdivision may file with the commission a verified petition in writing, alleging that by reason of loss or destruction of said lands, property and rights, or said part or portion thereof, or a part thereof, or by reason of depreciation or deterioration thereof or by reason of other acts and occurrences, subsequent to the date of the filing of the original petition with the commission, the just compensation theretofore fixed by the commission should be decreased and praying that the commission make its finding decreasing said just compensation. The commission shall, in each instance, cause a copy of said petition or petitions to be served upon each party, other than the petitioner, who was named as the political subdivision, owner or claimant in the original proceeding before the commission, together with a written notice specifying the time and place of hearing on said petition or petitions, which time shall be within forty-five days after the entry of said judgment by said court, and shall cause written notice of the time and place of said hearing to be served upon each petitioner in said petition or petitions. If both such petitions are filed, the commission shall have the power to consolidate said petitions for hearing and decision. After a hearing, the commission shall make and file its finding fixing, as of the date on which such finding is made and filed, the extent to which the just compensation theretofore fixed should be increased or decreased by reason of the matters alleged in said petition or petitions. If the claim is made that the just compensation theretofore fixed by the commission should be increased by reason of expenditures made by the owner subsequent to the date of the filing of the original petition with the commission for the purpose of preserving or improving said lands, property and rights, or said part or portion thereof, the commission may increase said just compensation, by reason of such expenditures, only to the extent to which the commission shall determine that such expenditures were beneficial to said lands, property and rights, or said part or portion thereof, and reasonably and prudently made. The finding of the commission fixing the extent to which the just compensation theretofore fixed should be thus increased or decreased shall be final and shall not be subject to modification, alteration, reversal or review by any court of this State. The commission shall thereupon transmit to said court its finding, certified under the seal of the commission, fixing the extent to which the just compensation theretofore fixed by the commission shall be increased or decreased. Said court shall thereupon modify its judgment so as to conform with said finding of the commission. The judgment of said court, as thus modified, in so far as it refers to the just compensation to be paid for said lands, property and rights, or said part or portion thereof, shall be final and shall not be subject to modification, alteration, reversal or review by any court. The filing of either or both the petitions in this paragraph specified shall not act as a stay of the judgment in condemnation, but upon the payment of the just compensation fixed in the original judgment of condemnation the plaintiff in the action in said court shall be entitled to immediate possession of said lands, property and rights, or of said part or portion thereof.

10. The provisions of this act with reference to rehearing and review shall be applicable to the findings of the commission made and filed under the provisions of section 47 (b) of this act. Petitions for rehearing must be filed within twenty days from the date of making and filing the finding as to which a rehearing is desired. If a finding of the commission made and filed under the provisions of section 47 (b) of this act is set aside by the Supreme Court of the State of California, the matter shall be referred back to the commission for further action in the proceeding before the commission, and the commission shall have the right, in taking further action, to consider the entire testimony theretofore taken in the proceeding before the commission as well as such further testimony, if any, as may be presented in connection with such further action. Should a writ of review be obtained from the Supreme Court of the State of California, the time within which the political subdivision must file an action in a court of competent jurisdiction or submit said proposition to its voters shall be extended to not more than sixty days beyond the final decision of the Supreme Court upon said writ of review.

11. The procedure provided in section 47 (b) of this act shall be considered as alternative and cumulative and not exclusive and the political subdivision shall continue to have the right to pursue any other procedure now or hereafter estab-

lished providing for the acquisition under eminent domain proceedings of the lands, property and rights, or any part or portion thereof, of any public utility, and section 47 (b) of this act shall not be construed as repealing any law of this State providing for such eminent domain proceedings. Section 47 (b) of this act shall not affect pending actions or proceedings, but the same may be prosecuted and defended with the same effect as though section 47 (b) had not been amended."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1921—An act to amend section 1461 of the Probate Code, relating to guardians of insane or incompetent persons.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out "by the court and", and in line 6, strike out "shall cause", and insert in lieu thereof the following: "and issue".

Amendment No. 2.

On page 1, line 6, of the printed bill, strike out "and a copy of said petition to be", and in line 7, strike out "given to the", and insert in lieu thereof the following: "directed to said"

Amendment No. 3.

On page 1, line 7, of the printed bill, strike out "notifying", and in line 8, strike out "him of", and insert in lieu thereof the following: "setting forth".

Amendment No. 4.

On page 1, line 8, of the printed bill, strike out the comma and "not less than", and insert in lieu thereof the following: "so fixed by him; which said citation shall be personally served on the alleged insane or incompetent person in the same manner as provided by law for service of summons at least".

Amendment No. 5.

On page 1, line 9, of the printed bill, strike out "so appointed", and insert in lieu thereof the following: "of hearing".

Amendment No. 6.

On page 1, line 10, of the printed bill, after the comma after "hearing", insert the following: "and if not able to attend by reason of physical inability, such inability must be evidenced by the affidavit and certificate of a duly licensed physician or surgeon, or other duly licensed medical practitioner,".

Amendment No. 7.

On page 1, line 10, of the printed bill, strike out "he", and insert in lieu thereof the following: "such alleged insane or incompetent person".

Amendment No. 8.

On page 1, line 11, of the printed bill, strike out "and", and insert in lieu thereof the following: "in which case".

Amendment No. 9.

On page 1, line 13 of the printed bill, strike out 'thereof, is produced", and insert in lieu thereof the following "of such State hospital".

Amendment No. 10.

On page 1, line 14, of the printed bill, strike out 'the hearing, which certificate".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1141—An act to add section 11a to and to amend section 23 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and

appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, between "in", and "city", strike out "the", and insert in lieu thereof the following: "a".

Amendment No. 2.

On page 1, lines 6 and 7, of the printed bill, strike out "provided for otherwise", and insert in lieu thereof the following: "otherwise provided".

Amendment No. 3.

On page 1, line 14, of the printed bill, strike out "twenty-five", and insert in lieu thereof the following: "fifty".

Amendment No. 4.

On page 1, line 17, after "Two", insert the following: "court".

Amendment No. 5.

On page 1 of the printed bill, between lines 18 and 19, insert the following "One deputy clerk, who shall receive one hundred seventy-five dollars per month;".

Amendment No. 6.

On page 2, line 16, of the printed bill, after "within", insert the following: "which".

Amendment No. 7.

On page 2, line 20, of the printed bill, after "judge", insert the following. "or justice".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1314—An act to amend sections 1a, 3, 4, 9b, 10a, 10b, 11a, 11b, c, d, e, and 12 of, and to add new sections 11f and g, to an act entitled "An act to regulate land surveying and to define the duties of and to license land surveyors, to provide for the revocation of such licenses and the restoration thereof, to make certain acts misdemeanors and to provide penalties therefor, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 16, 1907," approved May 24, 1933.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 9, of the printed bill, after "establishment", insert the following: "or reestablishment".

Amendment No. 2.

On page 1, line 19, of the printed bill, strike out "or other matter".

Amendment No. 3.

On page 5, lines 16 and 17, of the printed bill, strike out "sur-veyor", and insert in lieu thereof the following: "recorder".

Amendment No. 4.

On page 5, line 18, of the printed bill, strike out "and".

Amendment No. 5.

On page 6, line 30, of the printed bill, strike out "surveyor", and insert in lieu thereof the following: "recorder".

Amendment No. 6.

On page 6, line 36, of the printed bill, strike out "surveyor", and insert in lieu thereof the following: "recorder".

Amendment No. 7.

On page 6, line 38, of the printed bill, strike out "and transmit it to the county recorder".

Amendment No. 8.

On page 6, line 43, of the printed bill, strike out "surveyor", and insert in lieu thereof the following: "recorder".

Amendment No. 9.

On page 6, line 45, strike out "transmitted", and insert in lieu thereof the following: "presented".

Amendment No. 10.

On page 6, lines 49 and 50, strike out "the owner of the particular land surveyed, by the name of the surveyor making the survey, and by name of".

Amendment No. 11.

On page 7, line 18, of the printed bill, strike out "adjourning", and insert in lieu thereof the following: "adjoining".

Amendment No. 12.

On page 7, line 29, of the printed bill, after "permanently", insert the following: "and visibly".

Amendment No. 13.

On page 7, line 32, of the printed bill, before the period after "be", insert the following "or if such monument be set by a public officer it shall be marked with his official title"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1360—An act to add sections 54a and 54b to the Civil Code, relating to the right of privacy of persons, and to provide a method by which such right of privacy may be enforced.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out "that uses", and insert in lieu thereof the following: "shall not use".

Amendment No. 2.

On page 1, line 7, of the printed bill, strike out ", is guilty of a misdemeanor".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1756—An act to add four new sections, to be numbered 1000a, 1000b, 1000c and 1000d to Chapter III of Title XIV of Part II of the Code of Civil Procedure, relating to admissions.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the comma and the figures "1000b", and the comma, and insert in lieu thereof the word and figures "and 1000b".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out the following: "1000c and 1000d".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 18 to 27, inclusive, and on page 2, lines 1 to 18, inclusive.

Amendment No. 4.

On page 1, line 19, of the printed bill, strike out "1000d", and insert in lieu thereof "1000b".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1896—An act to add a new section to the Political Code, to be numbered section 1143, relating to boards of election.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1150—An act to amend section 4 of an act entitled "An act to permit the consolidation of elections and to provide a procedure therefor."

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 490—An act to amend section 1357 of the Political Code, relating to absent voters.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 286—An act to amend section 10 of an act entitled "An act to provide for and regulate municipal elections in the cities of the fifth and sixth class," approved May 27, 1919, relating to registrations.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 400—An act to amend section 4293 of the Political Code, relating to the disposition of county and township officers' fee records.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1573—An act to amend section 1197a of the Political Code, for the purpose of making certain the payment of adequate compensation to persons soliciting signatures to initiative, referendum, and recall petitions, requiring the filing of bonds by the proponents of such petitions to insure the payment of such compensation.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 6 of the title of the printed bill, after the word "compensation", insert "and providing penalties for violation of the provisions thereof".

Amendment No. 2.

On page 1, line 3, of the printed bill, after "1197a.", add the following: "It shall be the duty of the proponents of any initiative measure relating to the Constitution or the laws of the State of California, prior to circulating any petition for signatures thereon, to submit a draft of such petition to the Attorney General with a request that he prepare a title, and summary of the chief purposes and points of said proposed measure. Such title and summary shall forthwith be prepared in the manner provided for the preparation of ballot titles in paragraph 3 of section 1197 of the Political Code. Said title and summary shall not exceed one hundred words in all.

It shall be the duty of the proponents of any initiative, referendum or recall measure or petition authorized or provided for by the Constitution or laws of this State regulating the initiative, referendum or recall, prior to circulating any such measure or petition for signatures thereon, to file in the office of the Secretary of

State an affidavit executed by the person having charge or control of the circulation of or obtaining signatures to such measure or petition, stating the place of residence of such person, giving the street and number, if any, and whether or not such signatures are to be solicited by persons acting voluntarily and without compensation, or whether such signatures are to be solicited by paid solicitors, either in whole or in part. If the signatures are to be solicited by paid solicitors, either in whole or in part, it shall be the duty of the said person having charge or control of the circulation of or obtaining signatures to such measure or petition to at the same time file with the said Secretary of State a good and sufficient bond, to be approved by the said Secretary of State, in the penal sum of five thousand dollars, payable to the State of California, inuring to the benefit of any and all persons who may be employed to circulate such petition or measure and who do not receive the wages or compensation agreed upon for such services and providing that such persons shall have the right to sue thereon in their own names, or through an assignee, in the court having jurisdiction over the amount claimed in the complaint at the place where the services or some of them were performed or where the defendants in such action, or any of them, reside, which in the case of a corporation shall be the principal place of business of such corporation in this State. The Secretary of State shall, upon request, furnish a certified copy of such affidavit or bond, or both, to any public officer or body and, upon payment of a fee of one dollar, to any individual in the State.

Any person, firm, association or corporation, or agent or officer thereof in the case of a firm, association or corporation, who has charge or control of the circulation of or obtaining signatures to such measure or petition and who fails to file such affidavit and bond, if a bond is required hereunder, with the Secretary of State prior to circulating such measure or petition for signatures thereon, is guilty of a misdemeanor, punishable by a fine of not exceeding five hundred dollars or by imprisonment for not exceeding six months, or by both."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1259—An act to amend sections 1 and 2 of and to add a new section to "An act to provide for the creation of a board of parole commissioners for each county in this State, for the paroling of prisoners confined in county jails, and authorizing and empowering such boards to make rules and regulations in relation thereto," approved March 25, 1909, as amended, relating to the authorization of the board of county parole commissioners to parole aliens who consent to return or to be returned to their native country and further providing that when such aliens are indigent the county may pay the expenses of the transportation of such alien to his native country and that such expenses shall be a legal charge upon the county and providing for a method of guaranteeing the actual return of such aliens.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the entire title of said bill, and insert in lieu thereof the following:

"An act to amend the title of and add a new section to 'An act to provide for the creation of a board of parole commissioners for each county in this State, for the paroling of prisoners confined in county jails, and authorizing and empowering such boards to make rules and regulations in relation thereto', approved March 25, 1909, as amended, relating to the unconditional release by the county board of parole commissioners of alien prisoners who consent to return or to be returned to their native country and providing for the payment of the expenses of such return by counties."

Amendment No. 2.

On page 1, line 1, of the printed bill, immediately after the words "Section 1", insert the following:

"The title of 'An act to provide for the creation of a board of parole commissioners for each county in this State, for the paroling of prisoners confined in county jails, and authorizing and empowering such boards to make rules and regu-

lations in relation thereto", approved March 25, 1909, as amended, is hereby amended to read as follows:

An act to provide for the creation of a board of parole commissioners for each county in this State, for the paroling of prisoners confined in any jail within the county, for the unconditional release and return to their native land of alien prisoners so confined, and authorizing and empowering such boards to make rules and regulations in relation to such paroles and releases

SEC 2. A new section is hereby added to the said act named in the title hereof which said section is designated as section 3 and shall read as follows:

"Sec. 3. Said board of parole commissioners shall also have the power to make and establish written rules and regulations for the unconditional release of and may unconditionally release any such prisoner who is an alien and who voluntarily consents to return or to be returned to his native land and who actually returns or is returned thereto. The necessary expenses of the transportation of such alien prisoner and officers or attendants in charge of such prisoner, may be paid by the county, upon order of the board of supervisors authorizing or ratifying the return of the prisoner at the expense of the county. Whenever the board of parole commissioners designate deputies to serve for them as temporary commissioners in considering applications for parole of prisoners such temporary commissioners or deputies may also exercise all the powers herein granted relative to the unconditional release of alien prisoners."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1255—An act to amend section 2167b of the Political Code, known as the Psychopathic Parole Act, to authorize counties to recover cost of care of persons mentally disordered.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 47, of the printed bill, between the word "home", and the word "subject", insert the following: "whether a private or public institution".

Amendment No. 2.

On page 2, lines 49 and 50, of the printed bill, strike out the words: "reasonable cost in a sum to be fixed by the court at the time of the commitment", and insert in lieu thereof the following: "expense of such care".

Amendment No. 3.

On page 3, line 15, of the printed bill, between the word "which", and the word "court", insert the following: "the".

Amendment No. 4.

On page 3, line 16, of the printed bill, between the word "and", and the word "said", insert the following: "where the patient is not cared for in a county institution".

Amendment No. 5.

On page 3, line 21, of the printed bill, between the word "patient", and the words "shall accrue", insert the following: "or such care in a sum or rate per day or per month fixed by the board of supervisors where such patient is cared for by the county in a county institution."

Amendment No. 6.

On page 3, line 23, of the printed bill, between the word and semicolon "support;" and the word "provided", insert the following: "provided further, that each county shall receive from the State of California the sum of three dollars per week for each such person cared for by it within or without a county institution but if the county collects or receives from the patient, or his relatives, or his or their estates, and the State of California more than the said county's claim or charge for such patient's care, then and in that event the county shall refund to the State all such sums so collected or received in excess of the county's claim or charge, but not exceeding the total amount of such subsidy received by the county from the State for such patient;".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 248—An act to amend sections 3051, 3051a and 3052 of the Civil Code, relating to liens on aircraft and other personal property.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 3 of the printed bill, beginning with line 16, strike out from the words "vehicle or aircraft", and insert the word "automobile", and strike out everything from line 18 to line 40, and insert in lieu thereof the following: "tion certificate, and also through the Division of Motor Vehicles, by registered letter, providing, however, in the case of aircraft, licensed, registered or identified by the United States Department of Commerce, such notice of proposed sale shall in like manner be given to the United States Department of Commerce; and in the case of automobiles, the Division of Motor Vehicles shall in like manner immediately notify said legal owner and said proposed owner of said proposed sale, but failure on the part of said division to give such notice shall not affect the validity of any such sale of said automobile; and providing, further that within twenty days after sale, the legal owner may redeem any such automobile or aircraft so sold to satisfy said lien upon the payment of the amount thereof, all costs and expenses of said sale, together with interest on said sum at the rate of twelve per cent per annum from the due date thereof or the date when the same were advanced until the repayment. The proceeds of the sale must be applied to the discharge of the lien and the cost of keeping and selling the property; the remainder, if any, must be paid over to the legal owner thereof;".

Amendment No. 2.

On page 2 of the printed bill, beginning with line 39, strike out from the words "or the State of California".

On page 2 of the printed bill, beginning with line 46, strike out all the words "and the Aviation Division of the Department of Motor Vehicles Public Works".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 377—An act to validate the organization and existence of regional park districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 685—An act to amend section 274c of the Code of Civil Procedure, relating to phonographic reporters, and declaring the urgency of this act.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 11, of the printed bill, strike out "274d", and insert in lieu thereof the following: "274c".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 107—An act delegating to the California Highway Commission power and authority during times when the Legislature of the State of California is not in session to accept on behalf of the State of California grants of rights of way for State roads through military reservations from the government of the United States made by the Secretary of War to the State of California or any political subdivision thereof, and declaring the effect of such acceptance.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "act", insert the following: "to add sections 76, 77, 78 and 79 to the Streets and Highways Code,".

Amendment No. 2.

On page 1 of the printed bill, strike out line 1, and in line 2, strike out "Highway", and insert in lieu thereof the following:

"SECTION 1. Section 76 is hereby added to the Streets and Highways Code, to read as follows:

76. There is hereby delegated to the".

Amendment No. 3.

On page 1, line 8, of the printed bill, strike out "roads or bridge", and insert in lieu thereof the following: "highways or a district bridge or State bridge".

Amendment No. 4.

On page 1 of the printed bill, strike out line 11, and insert in lieu thereof the following:

"SEC. 2. Section 77 is hereby added to the Streets and Highways Code, to read as follows:

77. Whenever the commission".

Amendment No. 5.

On page 1, line 13, of the printed bill, strike out "roads", and insert in lieu thereof the following: "highways".

Amendment No. 6.

On page 2, line 9, of the printed bill, strike out "roads", and insert in lieu thereof the following "highways".

Amendment No. 7.

On page 2, line 10, of the printed bill, strike out "roads", and insert in lieu thereof the following: "highways".

Amendment No. 8.

On page 2, line 19, of the printed bill, strike out "roads", and insert in lieu thereof the following: "highways".

Amendment No. 9.

On page 2, line 24, of the printed bill, strike out "roads", and insert in lieu thereof the following: "highways".

Amendment No. 10.

On page 2, line 29, of the printed bill, after "3", insert the following:

"Section 78 is hereby added to the Streets and Highways Code, to read as follows:

78."

Amendment No. 11.

On page 2, line 30, of the printed bill, strike out "Highway".

Amendment No. 12.

On page 2, of the printed bill, strike out line 33, and insert in lieu thereof the following: "the State highway system".

Amendment No. 13.

On page 2 of the printed bill, strike out line 34, and in line 35, strike out "way", and insert in lieu thereof the following:

"SEC. 4. Section 79 is hereby added to the Streets and Highways Code, to read as follows:

79. This delegation of power to the".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 1—An act to amend section 6 of an act entitled "An act to provide for the formation, organization and government of storm-water districts, for the purpose of protecting the land therein from damage from storm water and from the waters of any innavigable

stream, watercourse, canyon or wash, for the construction of the necessary works of protection by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements." approved March 13, 1909.

Bill read second time, and ordered on file for third reading.

Senate Bill No 1016—An act validating the formation, organization and existence of districts formed under the "Orange County Water District Act," approved June 14, 1933.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out "districts formed under", and insert after "District", a comma and quotation marks.

Amendment No. 2.

Strike out the last line of the title of the printed bill, and insert in lieu thereof the following: "and the election of its directors"

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 to 19, inclusive, of the printed bill, and insert in lieu thereof the following.

"SECTION 1. The formation, organization, and existence of the Orange County Water District, as established by Chapter 924 of the Statutes of 1933, is hereby confirmed and validated, and the election of the first board of directors of said district is also hereby confirmed and validated, notwithstanding any informalities in the conduct of said election"

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 1059—An act to add section 4030a to the Political Code, relating to tenure of certain public officers, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 818—An act to amend an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended, by amending section 28 thereof, relating to exclusion of territory.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 3 of the printed bill, between lines 22 and 23, insert the following:

"In addition to the foregoing provisions relating to the exclusion of lands from a district, the provisions hereinafter set out shall be applicable in all cases where a county water district has never acquired or contracted to acquire or taken proceedings to acquire title to or an interest in water, water rights, water works, irrigation system dams, canals, reservoirs, canal franchises or property of a similar nature used

or intended for use in furnishing water to the inhabitants of the district or for irrigation of lands within the district."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1527—An act to amend section 3617 and 3627 of the Political Code, relating to the method of appraisement for the purposes of taxation.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 3627", and insert in lieu thereof the following: "sections 3617 and 3627".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 3, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 3617 of the Political Code is hereby amended to read as follows:

3617. Whenever the terms mentioned in this section are employed in this title, they are employed in the sense hereafter affixed to them

First—The term "property" includes money, notes, debentures, shares of capital stock, bonds, solvent credits, deeds of trust, mortgages, and any legal or equitable interest therein, dues, franchises, and all other matters and things, real, personal, and mixed, capable of private ownership.

Second—The term "real estate" includes:

1. The possession of, claim to, ownership of, or right to the possession of land.

2. All mines, minerals, and quarries in and under the land, all timber belonging to individuals or corporations, growing or being on the lands of the United States, and all rights and privileges appertaining thereto.

3. A mortgage, deed of trust, contract or other obligation by which a debt is secured, when land in this State is pledged as security for the payment and discharge thereof, shall, for the purpose of assessment and taxation, be deemed and treated as an interest in the land so pledged.

4. Improvements.

Third—The term "improvements" includes:

1. All buildings, structures, fixtures, fences, and improvements erected upon or affixed to the land, except telephone and telegraph lines.

2. All fruit, nut bearing, or ornamental trees and vines, not of natural growth, except date palms under eight years of age, fruit and nut bearing trees under four years of age, grape vines under three years of age and all immature forest trees which have been planted on lands not previously bearing merchantable timber, or planted, or of natural growth, upon lands from which original growth timber stand to the extent of seventy per cent of all trees over sixteen inches in diameter have been removed; provided, that forest trees or timber shall be considered mature for the purpose of this section at such time, after forty years from the time of planting or removal of the original timber as above provided, as a board consisting of a representative from the State Board of Forestry, a representative from the State Board of Equalization and the county assessor of the county in which the timber is located, shall by a majority thereof so determine.

3. Alfalfa, after the first year's planting

Fourth—The term "personal property" includes everything which is the subject of ownership not included within the meaning of the term "real estate" or "improvements."

Fifth—The term "value" and "full cash value" mean the amount at which the property would be taken in payment of a just debt from a solvent debtor except that the full cash value of real estate shall be ascertained by capitalizing the annual net average warranted earning power thereof at a capitalization rate equal to the prevailing mortgage interest rate for loans on such property plus one per centum. In determining the "actual value" of notes, debentures, shares of capital stock, bonds, solvent credits, deeds of trust, mortgages, and any legal or equitable interest therein, the assessor shall not take into account the existence of any custom or common method, if any, of assessing any other class or classes of property at less than the full cash value thereof.

Sixth—The terms "credits," and "solvent credits" mean those solvent debts, including contracts for the sale of personal property whereby title is vested in the vendor until payment of the purchase price specified in the contracts, not secured by mortgage or trust deed, owing to the persons, firm, corporation, or association

assessed. The term "debt" means those unsecured liabilities owing by the person, firm, corporation, or association assessed to bona fide residents of this State, or firms, associations or corporations doing business therein; but credits, claims, debts, and demands due, owing or accruing for or on account of money deposited with savings and loan corporations or with building and loan associations, the principal place of business of which is located in this State, shall, for the purpose of taxation be deemed and treated as an interest in the property of such corporation, and shall not be assessed to the creditor or owner thereof

Seventh—The term "situs" for notes, debentures, shares of capital stock, bonds, solvent credits, deeds of trust, mortgages, and any legal or equitable interest therein, for the purpose of taxation under the provisions of this code, shall be the domicile of the owner or claimant thereof, regardless of the physical presence of instruments evidencing the same, provided, that any notes, debentures, deeds of trust, mortgages, solvent credits and any legal or equitable interest therein, not otherwise exempt under the laws of this State, owing to a person, association, copartnership or corporation, having its domicile outside of this State but arising out of business transacted in California, regardless of the place where such notes, debentures, solvent credits, deeds of trust, mortgages and any legal or equitable interest therein are payable and of the physical presence of instruments evidencing such indebtedness, shall have their situs at the place of business within this State where such notes, debentures, solvent credits, deeds of trust, mortgages and any legal or equitable interest therein are managed or controlled

Eighth—The term "capitalizing" the warranted earning power means dividing the annual net average warranted earning power of the property assessed by the capitalization rate, and multiplying the result by one hundred

In determining the annual net average warranted earning power of the property, the assessor may take into consideration the property's net earnings for a period of three years next preceding the date of assessment thereof; but if the property to be assessed has not during said three-year period or any part thereof yielded any income, or has yielded only a nominal income, or if the property during said three-year period or any part thereof has yielded, or at the time of the assessment is yielding, its utility direct to the owner, then it may be assessed with relation to the average warranted earning power of property of like character and similarly situated. In case the property is improved in such a manner as to make it suitable for special purposes only and where therefore no comparable properties are available for income comparison, and provided that such property is occupied by the owners, then the appraisement cost may be taken into consideration in determining the warranted earning power of the property, consideration being given to both the physical and economic depreciation (obsolescence) of such property. Items which do not add to the property's usefulness or earning power shall not be included in the appraisal Due consideration in all cases shall be given to the demand for and the supply of the assessed property, and to the probable absorption rate of the type of property assessed

For the purpose of assessment of any real estate subject to taxation, the assessor may require a verified statement of all gross income and expenses incident to the operation thereof for a term not to exceed three years immediately prior to the assessment. Failure of the taxpayer to furnish the assessor with such statement or statements, when required by the assessor so to do, shall enjoin such taxpayer or other affected by the assessment from contesting the amount thereof.

SEC 2 Section 3627 of the Political Code is hereby amended to read as follows:

3627. All taxable property must be assessed at its full cash value, except that all notes, debentures, shares of capital stock, bonds, solvent credits, deeds of trust, mortgages, and any legal or equitable interest therein of the classes taxable under the provisions of section 16 of Article XIII of the Constitution of this State, shall be assessed at their actual value as the same is defined in section 3617 of this code and except, further, that all real estate shall be assessed as hereinafter in this section provided In determining the actual value of shares of capital stock there shall be deducted the actual value of property located in or having its situs in this State of the corporation by which such shares of capital stock are issued. Cultivated and uncultivated land of the same quality and similarly situated shall be assessed at the same value.

Except as hereinafter in this section otherwise provided, real estate shall be assessed by capitalizing the annual net average warranted earning power thereof as provided by subdivision fifth of section 3617 of this code; provided, however, that if such property consists of unused tracts or vacant subdivided and platted lots, in any incorporated village, town or city, and outside of the congested district thereof, the full cash value thereof must be ascertained with relation to the average warranted earning power of unplatted and unsubdivided land of similar character and similarly situated, due consideration being given to the demand for and the supply of such property, and to the probable absorption rate of the type of property assessed."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Motion to Rush Printing.

Mr. Latham moved that the Chief Clerk instruct the State Printer to rush printing of 3000 copies of Assembly Bill No. 1527, as amended.

Motion to Reconsider Assembly Bill No. 1735 Continued.

Mr. Garibaldi moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1735 was passed be continued until the next legislative day.

Motion carried.

Motion to Reconsider Assembly Bill No. 643 Continued.

Mr. Corwin moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 643 was passed be continued until the next legislative day.

Motion carried.

Reconsideration of Assembly Bill No. 1594 Waived.

Mr. Cunningham waived his notice to reconsider the vote whereby Assembly Bill No. 1594 was refused passage.

Third Reading of Assembly Bills.

Assembly Bill No. 608—An act limiting the hours of labor of female domestic employees and providing a penalty for its violation.

Bill read third time

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Johnson:

Amendment No. 1.

On page 2, line 12, of the printed bill, as amended, strike out everything beginning with the words "The Commissioner", to and including the word "act", in line 17.

Amendment adopted.

Request for Unanimous Consent.

Mr. Richie asked for, and was granted, unanimous consent to take up Assembly Bill No. 608, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 608, as Amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 608, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Clark, Cronin, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Nielsen, O'Donnell, Pelletier, Reaves, Richie, Riley, Rosenthal, Scudder, Stream, Turner, Voigt, Wagner, Walker, Wallace, Waters, Williamson, and Mr. Speaker—52.

NOES—Breed, Chatters, Corwin, Cottrell, Dawson, DeLap, Field, Fisher, Frazier, Fulcher, Johnson, Mayo, Minard, Morgan, Peyser, Redwine, Robertson, Thorp, Utt, Weber, and Wright—21.

Amendment to Title.

During reading of the title, the following amendment was submitted by Mr. Richie:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the word "female".

Amendment adopted.

Title as amended, read and approved by unanimous consent.

Bill ordered transmitted to the Senate.

Explanation of Vote on Assembly Bill No. 608.

I could not reach my desk to vote on Assembly Bill No. 608. I am for the bill, and wish to go on record as in favor of this just measure.

ELLIS E. PATTERSON.

Resolution.

The following resolution was offered:

By Mr. Cottrell:

Assembly Resolution.

WHEREAS, The United States Government and particularly the Naval Department in furtherance of its aeronautical program has spent vast sums of money amounting to millions of dollars in the construction of dirigibles and dirigible bases; and

WHEREAS, The expenditure and construction of dirigibles to date has proven extremely costly in money and more particularly in the loss of human lives; and

WHEREAS, Only the remarkable coolness, bravery, and splendid discipline on the part of the crew in the recent Macon disaster prevented a great loss in life and aroused public indignation; and

WHEREAS, The vast expenditures and investments to date should not be wasted or further money spent foolishly without any precaution; and

WHEREAS, There is a danger that the people of the United States may lose faith unjustly in dirigibles with repeated and continued disasters; and

WHEREAS, It is necessary that the United States definitely establish a lighter-than-air policy for the future; and

WHEREAS, The experienced crews are now being scattered to all parts of the United States in other lines of work and thus forgetting their lighter-than-air experience; now, therefore, be it

Resolved, That this Assembly petition the President of the United States, the Congress of the United States and the Naval authorities of the United States Navy to immediately investigate the feasibility and practicability of dirigibles, preserve the lessons of the recent Macon disaster and capitalize upon the experiences gained in that major disaster in order that a definite policy with respect to dirigibles and dirigible bases now existing may be established upon a basis of experience

The question being on the adoption of the resolution.

Resolution read.

Resolution adopted.

Consideration of Special Order.

The hour of eleven o'clock a.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Third Reading of Assembly Bill No. 1182.

Assembly Bill No. 1182—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and to provide for the disposition of the revenues therefrom, and to provide that this act shall take effect immediately.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Turner:

Amendment No. 1.

On page 1, strike out lines 1 and 2 of the printed bill, as amended, and insert in lieu thereof the following:

"SECTION 1. For the purposes of this act and unless otherwise required by the context:

1. The word "board" means the State Board of Equalization.

2. The word "taxpayer" includes any individual or fiduciary subject to the tax imposed by this act.

3. The word "fiduciary" means guardian, trustee, executor, administrator, receiver, conservator, or any person, whether individual or corporate, acting in any fiduciary capacity for any person, estate or trust.

4. The word "person" includes individuals, fiduciaries, partnerships and corporations.

5. The word "corporation" includes joint stock companies or associations and insurance companies.

6. The words "taxable year" mean the calendar year, or the fiscal year ending during such calendar year, upon the basis of which the net income is computed under this act. "Taxable year" includes, in the case of a return made for a fractional part of a year under the provisions of this act or under regulations prescribed by the State Board of Equalization, the period for which such return is made.

7. The words "fiscal year" mean an accounting period of twelve months ending on the last day of any month other than December.

8. The words "paid or incurred" and "paid or accrued" shall be construed according to the method of accounting upon the basis of which the net income is computed under this act.

9. The word "resident" includes every natural person domiciled in the State of California and every other natural person who maintains a permanent place of abode within this State or spends in the aggregate more than seven months of the taxable year within this State. The word "nonresident" includes every natural person other than a resident.

10. The words "foreign country" mean any jurisdiction other than one embraced within the United States. The words "United States" when used in a geographical sense, include the State, the Territories of Alaska and Hawaii, the District of Columbia and the possessions of the United States.

11. The words "trade or business" include the performance of the functions of a public office.

SEC. 2. There shall be levied, collected and paid for each taxable year upon all the net income of every resident of this State and upon the net income of every nonresident which is derived from sources within this State, taxes in the following amounts and at the following rates upon the amount of net income in excess of credits against net income provided in section 7:

Upon a taxable net income not in excess of one thousand dollars, two per centum of such taxable net income.

Twenty dollars upon taxable net incomes of one thousand dollars; and upon taxable net incomes in excess of one thousand dollars and not in excess of two thousand dollars, three per centum in addition of such excess

Fifty dollars upon taxable net incomes of two thousand dollars; and upon taxable net incomes in excess of two thousand dollars and not in excess of three thousand dollars, four per centum in addition of such excess.

Ninety dollars upon taxable net incomes of three thousand dollars; and upon taxable net incomes in excess of three thousand dollars and not in excess of four thousand dollars, five per centum in addition of such excess.

One hundred forty dollars upon taxable net incomes of four thousand dollars; and upon taxable net incomes in excess of four thousand dollars and not in excess of five thousand dollars, six per centum in addition of such excess.

Two hundred dollars upon taxable net incomes of five thousand dollars; and upon taxable net incomes in excess of five thousand dollars and not in excess of six thousand dollars, seven per centum in addition of such excess.

Two hundred seventy dollars upon taxable net incomes of six thousand dollars, and upon taxable net incomes in excess of six thousand dollars and not in excess of seven thousand dollars, eight per centum in addition of such excess.

Three hundred fifty dollars upon taxable net incomes of seven thousand dollars; and upon taxable net incomes in excess of seven thousand dollars and not in excess of eight thousand dollars, nine per centum in addition of such excess.

Four hundred forty dollars upon taxable net incomes of eight thousand dollars; and upon taxable net incomes in excess of eight thousand dollars and not in excess of nine thousand dollars, ten per centum in addition of such excess.

Five hundred forty dollars upon taxable net incomes of nine thousand dollars; and upon taxable net incomes in excess of nine thousand dollars and not in excess of twelve thousand dollars, twelve per centum in addition of such excess

Nine hundred dollars upon taxable net incomes of twelve thousand dollars; and upon taxable net incomes in excess of twelve thousand and not in excess of fifteen thousand dollars, fourteen per centum in addition of such excess

One thousand three hundred twenty dollars upon taxable net incomes of fifteen thousand dollars; and upon taxable net incomes in excess of fifteen thousand dollars and not in excess of twenty thousand dollars, sixteen per centum in addition of such excess.

Two thousand one hundred twenty dollars upon taxable net incomes of twenty thousand dollars; and upon taxable net incomes in excess of twenty thousand dollars and not in excess of thirty thousand dollars, eighteen per centum in addition of such excess

Three thousand nine hundred twenty dollars upon taxable net incomes of thirty thousand dollars; and upon taxable net incomes in excess of thirty thousand dollars and not in excess of fifty thousand dollars, twenty per centum in addition of such excess.

Seven thousand nine hundred twenty dollars upon taxable net incomes of fifty thousand dollars; and upon taxable net incomes in excess of fifty thousand dollars and not in excess of one hundred thousand dollars, twenty-two per centum in addition of such excess.

Eighteen thousand nine hundred twenty dollars upon taxable net incomes of one hundred thousand dollars; and upon taxable net incomes in excess of one hundred thousand dollars and not in excess of two hundred thousand dollars, twenty-three per centum in addition of such excess

Forty-one thousand nine hundred twenty dollars upon taxable net incomes of two hundred thousand dollars; and upon taxable net incomes in excess of two hundred thousand dollars and not in excess of five hundred thousand dollars, twenty-four per centum in addition of such excess.

One hundred thirteen thousand nine hundred twenty dollars upon taxable net incomes of five hundred thousand dollars, and upon taxable net incomes in excess of five hundred thousand dollars, twenty-five per centum of such excess.

SEC 3. The words "net income" mean the gross income computed under section 4 of this act less the deductions allowed by section 5 of this act.

SEC. 4. (a) Gross income includes gains, profits, and income derived from salaries, wages, or compensation for personal service, of whatever kind and in whatever form paid, or from professions, vocations, trades, businesses, commerce, or sales, or dealings in property, whether real or personal, growing out of the ownership or use of or interest in such property; also from interest, rent, dividends, securities, or the transaction of any business carried on for gain or profit, or gains or profits and income derived from any source whatever.

(b) The following items shall not be included in gross income and shall be exempt from taxation under this act:

(1) Items excluded from gross income under subdivisions (1), (2), (3), (5), and (6) of subsection (b) of section 22 of the Federal Revenue Act of 1934, which subdivisions are hereby referred to and incorporated with the same force and effect as though fully set forth herein.

(2) Income which this State is prohibited from taxing under the Constitution or laws of the United States of America or under the Constitution of this State

(c) Whenever in the opinion of the board the use of inventories is necessary in order clearly to determine the income of any taxpayer, inventories shall be taken by such taxpayer upon such basis as the board may prescribe as conforming as nearly as may be to the best accounting practice in the trade or business and as most clearly reflecting the income.

(d) In the case of a sale or other disposition of property, the gain or loss shall be computed as provided in sections 111, 112 and 113 of said Revenue Act of 1934 which sections are hereby referred to and incorporated with the same force and effect as though fully set forth herein; provided, however, that for the purposes of this act, the word "commissioner" in said sections shall be deemed to mean "board" and the words "with the approval of the secretary" in said sections shall be deemed omitted.

(e) In the case of sales or exchanges of capital assets, the gain or loss shall be taken into account in computing net income in the manner provided in section 117 of said Revenue Act of 1934 which section and the sections of said Revenue Act of 1934 referred to therein are hereby referred to and incorporated with the same force and effect as though fully set forth herein.

(f) In the case of taxpayers other than residents the gross income includes only the gross income from sources within this State Gross income from sources within and without this State shall be allocated and apportioned under rules and regulations to be prescribed by the board.

SEC. 5 In computing net income there shall be allowed as deductions:

(a) The deductions allowed by subsections a, g, l and q of section 23 of said Revenue Act of 1934, which subsections and the sections referred to therein are hereby referred to and incorporated with the same force and effect as though fully set forth herein

(b) That portion of the total interest paid or accrued within the taxable year on indebtedness that the total taxable income of the taxpayer bears to the total income of the taxpayer from all sources: provided however, that no deduction shall be allowed or taken for interest paid or accrued within the taxable year on indebtedness incurred or continued to purchase or carry obligations, the interest upon which is wholly exempt from taxes imposed by this act.

(c) Taxes or licenses paid or accrued during the taxable year, other than taxes paid to the State under this act, and other than taxes on or according to or meas-

ured by income or profits paid or accrued within the taxable year imposed by the authority of (1) the Government of the United States or any foreign country, (2) any State, Territory, county, city and county, school district, municipality or other taxing subdivision of any State or Territory, and other than taxes assessed against local benefits of a kind tending to increase the value of the property assessed, but this shall not exclude the allowance as a deduction of so much of said taxes assessed against local benefits as is properly allocable to maintenance or interest charges

(d) Losses sustained during the taxable year and not compensated for by insurance or otherwise;

1. If incurred in trade or business; or

2. If incurred in any transaction entered into for profit, though not connected with the trade or business; or

3. Of property not connected with the trade or business, if the loss arises from fires, storms, shipwreck, or other casualty, or from theft

The basis for determining the amount of deduction for losses sustained, to be allowed under this subsection shall be the adjusted basis provided in section 4 of this act for determining the loss from the sale or other disposition of property

(e) In the case of any loss claimed to have been sustained from any sale or other disposition of shares of stock or securities where it appears that, within a period beginning thirty days before the date of such sale or disposition and ending thirty days after such date, the taxpayer has acquired (by purchase or by an exchange upon which the entire amount of gain or loss was recognized by law) or has entered into a contract or option so to acquire, substantially identical stock or securities, then no deduction for the loss shall be allowed If the amount of stock or securities acquired (or covered by the contract or option to acquire) is less than the amount of stock or securities sold or otherwise disposed of, then the particular shares of stock or securities the loss from the sale or other disposition of which is not deductible shall be determined under rules and regulations prescribed by the board.

If the amount of stock or securities acquired (or covered by the contract or option to acquire) is not less than the amount of stock or securities sold or otherwise disposed of, then the particular shares of stock or securities the acquisition of which (or the contract or option to acquire which) resulted in the nondeductibility of the loss shall be determined under the rules and regulations prescribed by the board

(f) Losses from sales or exchanges or capital assets shall be allowed only to the extent provided in subdivision (d) of section 117 of the said Revenue Act of 1934 which subdivision is hereby referred to and incorporated with the same force and effect as though fully set forth herein.

(g) Debts ascertained to be worthless and charged off within the taxable year (or in the discretion of the board a reasonable addition to a reserve for bad debts) and when satisfied that a debt is recoverable only in part, the board may allow such debt, in an amount not in excess of the part charged off within the taxable year, as a deduction.

(h) In the case of mines, oil and gas wells, other natural deposits, and timber, a reasonable allowance for depletion and for depreciation of improvements, according to the peculiar conditions in each case; such reasonable allowance in all cases to be made under rules and regulations to be prescribed by the board In any case in which it is ascertained as a result of operations or of development work that the recoverable units are greater or less than the prior estimate thereof, then such prior estimate (but not the basis for depletion) shall be revised and the allowance under this subsection for subsequent taxable years shall be based upon such revised estimate. In the case of leases the deductions shall be equitably apportioned between the lessor and the lessee. In the case of property held by one person for life with remainder to another person, the deduction shall be computed as if the life tenant were the absolute owner of the property and shall be allowed to the life tenant In the case of property held in trust the allowable deduction shall be apportioned between the income beneficiaries and the trustee in accordance with the pertinent provisions of the instrument creating the trust, or, in the absence of such provisions, on the basis of the trust income allocable to each The percentage of depletion allowable under this subsection shall be computed in accordance with the provisions of subdivisions (3) and (4) of subsection (b) of section 114 of said Revenue Act of 1934 which subdivisions and the sections of said Revenue Act referred to therein are hereby referred to and incorporated with the same force and effect as though fully set forth herein.

(i) The basis upon which depletion, exhaustion, wear and tear, and obsolescence are to be allowed in respect of any property shall be as provided in section 114 of said Revenue Act of 1934 which section and all sections of said Revenue Act referred to therein are hereby referred to and incorporated with the same force and effect as though fully set forth herein; provided, however, that the word "commissioner" in said sections shall be deemed to mean "board" and the words "with the approval of the secretary" shall be deemed omitted

(j) In the case of an individual, contributions or gifts made within the taxable year to or for the use of:

(1) The United States, any State, Territory or any political subdivision thereof, or the District of Columbia, for exclusively public purposes;

(2) A corporation, or trust, or community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation;

(3) The special fund for vocational rehabilitation authorized by section 12 of the World War Veterans' Act, 1924;

(4) Posts or organizations of war veterans, or auxiliary units or societies of any such posts or organizations, if such posts, organizations, units, or societies are organized in the United States or any of its possessions, and if no part of their net earning inures to the benefit of any private shareholder or individual; or

(5) A fraternal society, order, or association; operating under the lodge system, but only if such contributions or gifts are to be used exclusively for religious, charitable, scientific, literary or educational purposes, or for the prevention of cruelty to children or animals, to an amount which in all the above cases combined does not exceed fifteen per centum of the taxpayer's net income as computed without the benefit of this subsection. Such contributions or gifts shall be allowed as deductions only if verified under rules and regulations prescribed by the board. In the case of an individual if in the taxable year and in each of the ten preceding taxable years the amount of the above contributions or gifts plus the amount of income, war profits, or excess profits taxes paid during such year in respect of preceding taxable years, exceeds ninety per centum of the taxpayer's net income for each such year, as computed without the benefit of this subsection then the fifteen per centum limit imposed herein shall not be applicable In the case of a taxpayer other than a resident the deductions under this subsection shall be allowed only as to contributions or gifts made to corporations or associations incorporated by or organized under the laws of this State or to the vocational rehabilitation fund above mentioned or to this State or any political subdivision thereof for exclusively public purposes.

(k) In the case of any taxpayer the deductions permitted by subsection (a) of section 23 of said Revenue Act of 1934 and referred to and incorporated by subsection (a) of this section of this act, shall not be allowed if, and to the extent that they are connected with the production of income not taxable under this act, and proper apportionment and allocation of such deductions with respect to taxable and nontaxable income shall be determined under rules and regulations to be prescribed by the board.

(l) In the case of a taxpayer other than a resident the deductions allowed by this section shall unless otherwise provided in this section be allowed only if and to the extent that they are connected with the income arising from sources within this State and taxable under this act to a nonresident taxpayer, and the proper apportionment and allocation of the deductions with respect to sources of income within and without the State shall be determined under rules and regulations to be prescribed by the board

SEC 6 In computing net income no deduction shall in any case be allowed in respect of items referred to in subsections (a) and (b) of section 24 of said Revenue Act of 1934 which subsections are hereby referred to and incorporated with the same force and effect as though fully set forth herein

(a) The obligor of a covenant bond shall not be allowed a deduction for the payment of the tax imposed by this act, or any other tax paid pursuant to the tax-free covenant clause, nor shall such tax be included in the gross income of the obligee

SEC 7. There shall be allowed for the purposes of the taxes herein provided the following credits against net income:

(a) In the case of a single person, a personal exemption of one thousand dollars; or in the case of the head of a family or a married person living with husband or wife, a personal exemption of two thousand five hundred dollars.

A husband and wife living together shall receive but one personal exemption. The amount of such personal exemption shall be two thousand five hundred dollars If such husband and wife make separate returns, the personal exemption may be taken by either or divided between them

(b) Four hundred dollars for each person (other than husband or wife) dependent upon and receiving his chief support from the taxpayer if such dependent person is under eighteen years of age or is incapable of self-support because mentally or physically defective.

(c) If the status of the taxpayer, in so far as it affects the personal exemption or credit for dependents, changes during the taxable year, the personal exemption and credit shall be apportioned, under rules and regulations prescribed by the board, in accordance with the number of months before and after such change. For the purpose of such apportionment a fractional part of a month shall be disregarded unless it amounts to more than half a month in which case it shall be considered as a month.

SEC 8. The net income shall be computed upon the basis of the taxpayer's annual accounting period (fiscal year or calendar year, as the case may be) in accordance with the method of accounting regularly employed in keeping the books of such taxpayer; but if no such method of accounting has been so employed, or if the method employed does not clearly reflect the income, the computation shall be made in accordance with such method as in the opinion of the board does clearly reflect the income. If the taxpayer's annual accounting period is other than a fiscal year as defined in section 1 or if the taxpayer has no annual accounting period or does not keep books, the net income shall be computed on the basis of the calendar year.

SEC. 9. The amount of all items of gross income shall be included in the gross income for the taxable year in which received by the taxpayer, unless, under the methods of accounting permitted under section 8 of this act, any such amounts are to be properly accounted for as of a different period. In the case of the death of the taxpayer there shall be included in computing net income for the taxable period in which falls the date of his death, amounts accrued up to the date of his death if not otherwise properly includable in respect of such period or a prior period.

SEC. 10. The deductions and credits provided for in this act shall be taken for the taxable year in which "paid or accrued" or paid or incurred, dependent upon the method of accounting upon the basis of which the net income is computed, unless in order clearly to reflect the income the deductions or credits should be taken as of a different period. In the case of the death of a taxpayer there shall be allowed as deductions and credits for the taxable period in which falls the date of his death, amounts accrued up to the date of his death of not otherwise properly allowable in respect of such period or a prior period.

SEC. 11. (a) Under regulations prescribed by the board a person who regularly sells or otherwise disposes of personal property on the installment plan may return as income therefrom in any taxable year that proportion of the installment payments actually received in that year which the gross profit realized or to be realized where payment is completed, bears to the total contract price.

(b) In the case (1) of a casual sale or other casual disposition of personal property (other than property of a kind which would properly be included in the inventory of taxpayer if on hand at the close of the taxable year), for a price exceeding one thousand dollars, or (2) of a sale or other disposition of real property, if in either case the initial payments do not exceed thirty per centum of the selling price, the income may, under regulations prescribed by the board be returned on the basis and in the manner prescribed by this section. As used in this section the term "initial payment" means the payments received in cash or property other than evidence of indebtedness of the purchaser during the taxable period in which the sale or other disposition is made.

(c) If a taxpayer entitled to the benefits of subsection (a) of this section elects for any taxable year to report his net income on the installment basis, then in computing his income for the year of change or any subsequent year, amounts actually received during any such year on account of sales or other dispositions of property made in any prior year shall not be excluded.

(d) If any installment obligation is satisfied at other than its face value or distributed, transmitted, sold or otherwise disposed of, gain or loss shall result to the extent of the difference between the basis of the obligation and (1) in the case of satisfaction at other than face value or a sale or exchange—the amount realized, or (2) in case of a distribution, transmission, or disposition otherwise than by sale or exchange—the fair market value of the obligation at the time of such distribution, transmission or disposition. Any gain or loss so resulting shall be considered as resulting from the sale or exchange of the property in respect of which the installment obligation was received. The basis of the obligation shall be the excess of the face value of the obligation over an amount equal to the income which would be returnable were the obligation satisfied in full. This subsection shall not apply to the transmission at death of installment obligations if there is filed with the board, at such time as it may by regulation prescribe, a bond in such amount and with such sureties as it may deem necessary, conditioned upon the return as income, by the person receiving any payment on such obligations, of the same proportion of such payment as would be returnable as income by the decedent if he had lived and had received such payment.

SEC. 12. In any case of two or more organizations, trades or businesses (whether or not incorporated, whether or not organized in this State, and whether or not affiliated) owned or controlled directly or indirectly by the same interests, the board is authorized to distribute, apportion, or allocate gross income or deductions between or among such organizations, trades, or businesses, if said board determines that such distribution, apportionment, or allocation is necessary in order to prevent evasion of taxes or clearly to reflect the income of any such organization, trades, or businesses.

SEC. 13. If a taxpayer changes his accounting period from fiscal year to calendar year, from calendar year to fiscal year, or from one fiscal year to another, the net income shall, with the approval of the board, be computed on the basis of such new accounting period subject to the provisions of section 14 of this act.

SEC. 14. (a) If a taxpayer, with the approval of the board, changes the basis of computing net income from fiscal year to calendar year a separate return shall be made for the period between the close of the last fiscal year for which return was made and the following December 31. If the change is from calendar year to the fiscal year, a separate return shall be made for the period between the close of the last calendar year for which return was made and the date designated as the close of the fiscal year. If the change is from one fiscal year to another fiscal year a separate return shall be made for the period between the close of the former fiscal year and the date designated as the close of the new fiscal year.

(b) Where a separate return is made under subsection (a) of this section on account of a change in the accounting period, and in all other cases where separate return is required or permitted, by regulations prescribed by the board, to be made for a fractional part of a year, then the income shall be computed on the basis of the period for which separate return is made.

(c) If a separate return is made under subsection (a) of this section, on account of a change in the accounting period, the net income, computed on the basis of the period for which separate return is made, shall be placed on an annual basis by multiplying the amount thereof by twelve and dividing by the number of months included in the period for which the separate return is made. The tax shall be such part of the tax computed on such annual basis as the number of months in such period is of twelve months.

(d) The board shall by regulations prescribe the method of applying the provisions of subsections (b) and (c) (relating to computing income on the basis of a short period and placing such income on an annual basis) to cases where the taxpayer makes a separate return under subsection (a) on account of a change in the accounting period, and it appears that for the period for which the return is so made he has received.

(e) In the case of a return made for a fractional part of a year, except a return made under subsection (a), on account of a change in the accounting period, the personal exemption and the credit for dependents shall be reduced respectively to amounts which bear the same ratio to the full credits provided as the number of months in the period for which return is made bears to twelve months.

SEC. 15. The taxes imposed by this act shall apply to the income of estates or of any kind of property held in trust including the income referred to in subdivisions (1), (2), (3) and (4) of subsection (a) of section 161 of said Revenue Act of 1934 which subdivisions are hereby referred to and incorporated with the same force and effect as though fully set forth herein.

The tax shall be computed upon the net income of the estate or trust, and shall be paid by the fiduciary except as provided in sections 166 and 167 of said Revenue Act of 1934 which are hereby referred to and incorporated with the same force and effect as though fully set forth herein.

For the purposes of this section the word "settlor" shall mean and include every creator of a trust and every decedent and where in this section the settlor is spoken of as a resident or a nonresident the same shall be taken to include a decedent who upon his or her death is a resident or a nonresident as the case may be.

The taxable income of the estate or trust shall include the following:

(1) The income from real property and tangible personal property located and from business transacted in this State.

(2) The income from intangible property with a situs in this State.

(3) The income from real property and tangible personal property located outside this State and the income from intangible property with a situs outside this State in the following cases:

(a) Where the beneficiary and the fiduciary and the settlor are all residents of this State.

(b) Where the beneficiary and the fiduciary are residents of this State regardless of the residence of the settlor.

(c) Where the beneficiary and the settlor are residents of this State regardless of the residence of the fiduciary.

(d) Where the beneficiary is a resident of this State regardless of the residence of the fiduciary and the settlor.

(e) Where the fiduciary is a resident of this State regardless of the residence of the beneficiary and the settlor.

(f) Where the settlor is a resident of this State regardless of the residence of the beneficiary and the fiduciary.

(g) Where the fiduciary and the settlor are residents of this State regardless of the residence of the beneficiary.

Where the taxability of income under this section depends on the residence of the fiduciary and there are two or more fiduciaries for the estate or trust, the income taxable under this section shall be apportioned according to the number of fiduciaries resident in this State, such apportionment being determined according to rules and regulations prescribed by the board.

Where the taxability of income under this section depends on the residence of the beneficiary and there are two or more beneficiaries for the estate or trust, the income taxable under this section shall be apportioned according to the number of beneficiaries resident in this State, such apportionment being determined according to rules and regulations prescribed by the board.

SEC. 16. The net income of the estate or trust shall be computed in the same manner and on the same basis as in the case of an individual taxpayer except that

(a) There shall be allowed as a deduction (in lieu of the deductions authorized by subdivision (j) of section 5 of this act) any part of the gross income, without limitation, which pursuant to the terms of the will or deed creating the trust, is during the taxable year paid or permanently set aside for the purposes and in the manner specified in subdivision (j) of section 5, or is to be used exclusively for religious, charitable, literary, scientific, or educational purposes, or for the prevention of cruelty to children or animals, or for the establishment, acquisition, maintenance or operation of a public cemetery not for profit;

(b) There shall be allowed as an additional deduction in computing the net income of the estate or trust, the amount of income of the estate or trust for its taxable year which is distributed currently by the fiduciary to the beneficiaries, and the amount of income collected by a guardian of an infant which is to be held or distributed as the court may direct; but the amount so allowed as a deduction shall be included in computing the net income of the beneficiaries whether distributed or not. Any amount allowed as a deduction under this paragraph shall not be allowed as a deduction under paragraph (c) of this section in the same or any succeeding taxable year. In the case of the income of a beneficiary not a resident derived through such an estate or trust, such income shall be taxable only to the extent provided in subdivision (f) of section 4 of this act.

(c) *In the case of income received by estates of deceased persons during the* period of administration or settlement of the estate, and in the case of income which, in the discretion of the fiduciary, may be either distributed to the beneficiary or accumulated, there shall be allowed as an additional deduction in computing the net income of the estate or trust the amount of income of the estate or trust for its taxable year, which is properly paid or credited during such year to any legatee, heir, or beneficiary, but the amount so allowed as a deduction shall be included in computing the net income of the legatee, heir, or beneficiary. In such cases the income of the legatee, heir, or beneficiary not a resident shall be taxable only to the extent provided in subdivision (f) of section 4 of this act

SEC 17. For the purpose of the taxes herein imposed the estate or trust shall be allowed the same personal exemption as is allowed to a single person under subsection (a) of section 7 of this act.

SEC. 18. Where the taxable year of a beneficiary is different from that of the estate or trust, the amount which he is required under section 16, to include in computing his net income shall be based upon the income of the estate or trust for any taxable year of the estate or trust (whether beginning on, before or after January 1, 1934) ending within his taxable year

SEC. 19. A trust created by an employer as a part of a stock bonus, pension, or profit-sharing plan for the exclusive benefit of some or all of his employees, to which contributions are made by such employer, or employees, or both, for the purpose of distributing to such employees the earnings and principal of the fund accumulated by the trust in accordance with such plan, shall not be taxable under section 15 of this act, but the amount actually distributed or made available to any distributee shall be taxable to him in the year in which so distributed or made available to the extent that it exceeds the amounts paid in by him.

SEC. 20 Trusts referred to in section 166 of said Revenue Act of 1934 shall be taxable in the manner provided in said section 166 which is hereby referred to and incorporated with the same force and effect as though fully set forth herein.

SEC. 21. Trusts referred to in section 167 of said Revenue Act of 1934 shall be taxable in the manner provided in said section 167 which is hereby referred to and incorporated with the same force and effect as though fully set forth herein

SEC. 22. Individuals carrying on business in partnership shall be liable for income tax only in their individual capacity and there shall be included in computing the net income of each partner his distributive share, whether distributed or not, of the net income of the partnership for the taxable year. The net income of the partnership shall be computed in the same manner and on the same basis as in the case of an individual.

SEC. 23. Every partnership shall make a return for each taxable year stating specifically the items of its gross income and the deductions allowed by this title, and shall include in the return the names and addresses of the individuals who would be entitled to share in the net income if distributed and the amount of the distributive share of each individual. The return shall be sworn to by any one of the partners.

If the taxable year of a partner is different from that of the partnership, the distributive share of the net income of the partner for his taxable year shall be based upon the net income of the partnership for any taxable year of the partnership (whether beginning on, before, or after January 1, 1934) ending within the taxable year of the partner.

SEC. 24. Every person taxable under this act, having a net income during the taxable year of one thousand dollars or over, if single, or if married and not living with husband or wife, or having a net income for the taxable year of two thousand five hundred dollars or over, if married and living with husband or wife; or having a gross income during the taxable year of five thousand dollars or over, regardless of the amount of his net income; shall make a return under oath, stating specifically the items of his gross income and the deductions and exemptions allowed by this act.

If a husband and wife living together have an aggregate net income of the taxable year of two thousand five hundred dollars or over or an aggregate gross income of five thousand dollars or over, each shall make such a return unless the income of each is included in a single joint return in which case the tax shall be computed on the aggregate income.

SEC. 25. If the taxpayer is unable to make his own return, the return shall be made by a duly authorized agent or by the guardian or other person charged with the care of the person or property of such taxpayer.

SEC. 26. (a) Every fiduciary (except a receiver appointed by authority of law in possession of part only of the property of an individual) shall make under oath a return for and of the following individuals, estates, or trusts for which he acts, stating specifically the items of gross income thereof and the deductions and credits allowed by this act

(1) Every individual having a net income for the taxable year of one thousand dollars or over, if single, or if married and not living with husband or wife;

(2) Every individual having a net income for the taxable year of two thousand five hundred dollars or over if married and living with husband or wife;

(3) Every individual having a gross income for the taxable year of five thousand dollars or over, regardless of the amount of his net income;

(4) Every estate or trust the net income of which for the taxable year is five thousand dollars or over, regardless of the amount of the net income.

(b) Under such regulations as the board may prescribe a return made by one of two or more joint fiduciaries and filed in the office of the board shall be sufficient compliance with the above requirement. Such fiduciary shall make oath (1) that he has sufficient knowledge of the affairs of the individual estate or trust for which the return is made, to enable him to make the return, and (2) that the return is, to the best of his knowledge and belief, true and correct.

(c) Any fiduciary required to make a return under this act shall be subject to all the provisions of law which apply to individuals.

SEC. 27. Every individual, partnership, corporation, joint stock company or association or insurance company, being a resident or having a place of business in this State, in whatever capacity acting, including lessees or mortgagors or real or personal property fiduciaries, employers and all officers and employees of the State or of any political subdivision of the State, having the control, receipt, custody, disposal or payment of interest (other than interest coupons payable to bearer), rent, salaries, wages, premiums, annuities, compensations, remunerations, emoluments or other fixed or determinable annual or periodical gains, profits and income, amounting to one thousand dollars or over, paid or payable during any year to any taxpayer, shall make complete return thereof under oath, to the board, under such regulations and in such form and manner and to such extent as may be prescribed by it.

The board whenever it deems it necessary to insure compliance with the provisions of this act, may under rules and regulations prescribed by it, require any individual, partnership, corporation, joint stock company or association or insurance company, including lessees or mortgagors and employees of the State or of any political subdivision of the State having control, receipt, custody, disposal or payment of interest (other than interest coupons payable to bearer), rent, salaries, wages, premiums, annuities, compensation, remunerations, emoluments or other fixed or determinable annual or periodical gains, profits and income paid or payable to any taxpayer, to deduct and withhold the tax due from such taxpayer and make return thereof and pay the tax to the board.

SEC. 28. Returns shall be in such form as the board may from time to time prescribe and shall be filed with the board, at its main office or at any branch office which it may establish, by each person taxable hereunder, within two months and fifteen days after the close of his taxable year. In case of sickness, absence or other disability, or whenever in its judgment good cause exists, the board may allow further time not exceeding ninety days, for filing returns. There shall be annexed to the return the affidavit of affirmation of the taxpayer making the return, to the effect that the statements contained therein are true. The board shall cause to be prepared blank forms for the said returns and shall cause them to be distributed throughout the State and to be furnished upon application, but failure to receive

or secure the form shall not relieve any taxpayer from the obligation of making any return herein required.

SEC. 29. If the board shall be of the opinion that any taxpayer has failed to file a return, or to include in a return filed, either intentionally or through error, items of taxable income, it may require from such taxpayer a return, or a supplementary return, under oath, in such form as it shall prescribe, of all the items of income which the taxpayer received during the year for which the return is made, whether or not taxable under the provisions of this act. If from a supplementary return, or otherwise, the board finds that any items of income, taxable under this act, have been omitted from the original return it may require the items so omitted to be disclosed to it, under oath of the taxpayer, and to be added to the original return. Such supplementary return and the correction of the original return shall not relieve the taxpayer from any of the penalties to which he may be liable under any provision of this act. The board may proceed under the provisions of section 32 of this act whether or not it requires a return or a supplementary return under this section.

SEC. 30. One-half the amount of the tax disclosed by the return shall be due and payable on or before the fifteenth day of the third month following the close of the taxable year, and the balance of the tax shall be due and payable on or before the fifteenth day of the ninth month following the close of the taxable year.

If the board shall allow an extension of time for filing any return hereunder, there shall be a corresponding extension of time for the payment of the first installment of the amount of tax disclosed by such return, but there shall be added to and remitted with such tax interest thereon at the rate of one-half of one per cent per month or each fraction of a month from and after the date when the tax would otherwise have been due and payable.

The tax may be paid with uncertified check, payable to the State Treasurer, during such time and under such regulations as the board shall prescribe, but if a check so received is not paid by the bank on which it is drawn, the taxpayer by whom such check is tendered shall remain liable for the payment of the tax and for all legal penalties, the same as if such check had not been tendered.

SEC. 31. As soon as practicable after the return is filed, the board shall examine it and compute the tax, and the amount so computed by the board shall be the tax. If the tax found due shall be greater than the amount theretofore paid, the excess shall be paid to the board within thirty days after notice of the amount shall be mailed by the board.

If the return is made in good faith and the understatement of the tax is not due to any fault of the taxpayer, there shall be no penalty or additional tax added because of such understatement, but interest shall be added to the amount of the deficiency at the rate of one per cent for each month or fraction of a month.

If the understatement is due to negligence on the part of the taxpayer, but without intent to defraud, there shall be added to the amount of the deficiency five per cent thereof, and in addition, interest at the rate of one per cent per month or fraction of a month.

If the understatement is fraudulent, with intent to evade the tax, the tax on the additional income discovered to be taxable shall be increased by fifty per cent and an additional one per cent per month or fraction of a month shall be added.

The interest provided for in this section shall in all cases be computed from the date the tax was originally due to the date of payment.

If the amount of tax found due as computed shall be less than the amount theretofore paid, the excess shall be credited on any taxes then due from the taxpayer under this act, and the board shall certify to the State Board of Control the balance thereof, and if approved by that board the same shall be refunded to the taxpayer.

SEC. 32 If the board discovers from the examination of the return or otherwise that the income of any taxpayer, or any portion thereof, has not been assessed, it may, at any time within three years after the time when the return was due, assess the same and give notice to the taxpayer of such assessment, and such taxpayer shall thereupon have an opportunity, within sixty days, to confer with the board as to the proposed assessment. The limitation of three years to the assessment of such tax or additional tax shall not apply to the assessment of additional taxes upon fraudulent returns. After the expiration of sixty days from such notification the board shall assess the income of such taxpayer or any portion thereof which it believes has not theretofore been assessed and shall give notice to the taxpayer so assessed, of the amount of the tax and interest and penalties if any, and the amount thereof shall be due and payable within thirty days from the date of such notice. The provisions of this act with respect to revision and appeal shall apply to a tax so assessed No additional tax amounting to less than one dollar shall be assessed.

SEC. 33. At any time within three years after the delinquency of any tax, or any installment thereof, the Controller of the State may bring an action in a court of competent jurisdiction in the county of Sacramento in the name of the people of the State of California to collect the amount delinquent, together with penalties, and such action shall be tried in the county of Sacramento unless the court, with the consent of the Attorney General, order a change of place of trial. The Attorney General must prosecute such action, and the provisions of the Code

of Civil Procedure, relating to service of summons, pleadings, proofs, trials, and appeals are applicable to the proceedings, herein provided for. In such action a writ of attachment may be issued, and no bond or affidavit previous to the issuing of said attachment is required. In such action a certificate by the board showing the delinquency shall be prima facie evidence of the levy of the tax of the delinquency and of compliance by the board with all the provisions of this act in relation to the computation and levy of the tax.

At any time within which an action can be brought to collect any delinquent tax as provided in the preceding paragraph, the Controller may collect the tax, together with penalties and interest, in the following manner: The Controller shall seize any property, real, or personal owned by the taxpayer against whom the tax is assessed, and thereafter sell at public auction such property so seized, or a sufficient portion thereof, to pay the tax due hereunder, together with any interest, and any penalty or penalties imposed thereby for such delinquency, and any and all costs that may have been incurred on account of such seizure and sale. Notice of such intended sale and the time and place thereof shall be given to such delinquent taxpayer and to all persons appearing of record to have an interest in such property, in writing at least ten days before the date set for such sale by enclosing such notice in an envelope addressed to said taxpayer at its last known place of business in this State if any, and, in the case of any person appearing of record to have an interest in such property, addressed to such person at the last known place of residence if any, and depositing the same in the United States mail, postage prepaid, and by publication for at least ten days before the date set for such sale in a newspaper of general circulation published in the county or city and county in which the property seized is to be sold; provided, however, that if there be no newspaper of general circulation in such county or city and county, then by the posting of such notice in three public places in such county or city and county for said ten-day period. The said notice shall contain a description of the property to be sold, together with a statement of the amount of taxes, interest, penalties and costs, the name of the taxpayer, and the further statement that, unless such taxes, interest, penalties and costs are paid on or before the time fixed in said notice for such sale, said property, or so much thereof as may be necessary, will be sold in accordance with law and said notice

At any such sale, the property shall be sold by said Controller or his duly authorized agent in accordance with law and said notice, and the Controller shall deliver to the purchaser a bill of sale for the personal property, and a deed for any real property so sold, and such bill of sale or deed shall vest title in the purchaser. The unsold portion of any property so seized may be left at the place of sale at the risk of said taxpayer. If, upon any such sale, the moneys so received shall exceed the amount of all taxes, interest, penalties and costs, due the State from such taxpayer, any such excess shall be returned to the taxpayer and a receipt therefor obtained; provided, however, that if any person having an interest in or lien upon the property has filed with the Controller prior to any such sale notice of such interest or lien the Controller shall withhold any such excess pending the determination of the rights of the respective parties thereto by a court of competent jurisdiction. If, for any reason, the receipt of such taxpayer shall not be available, the Controller shall deposit such excess moneys with the State Treasurer, as trustee for such owner, subject to the order of such taxpayer, or its successor through reorganization, merger, or consolidation, or its stockholders upon dissolution.

It is expressly provided that the foregoing remedies of the State shall be cumulative and that no action taken by the Controller shall be or be construed to be an election on the part of the State or any of its officers to pursue any remedy hereunder to the exclusion of any other remedy for which provision is made in this act.

SEC. 34. At any time after the computation of the tax by the board, the board may record in the recorder's office of any county a notice of lien specifying the amount of the tax and the name of the taxpayer liable for the same. From the time of filing any such notice the amount of the tax specified in such notice together with any penalties for delinquency in the payment thereof thereafter attaching, shall have the force and effect of a judgment lien against the taxpayer named in such notice of lien. Such lien may be released by filing for record in the office of the county recorder of a release thereof executed by the board upon payment of the tax, interest, and penalties or upon receipt by the board of security sufficient to secure payment thereof, but no such release shall be deemed a waiver of any tax, interest or penalty levied or assessed under this act and due and payable or to become due and payable by such taxpayer.

SEC 35. Upon notice of the board that any person is acting in a fiduciary capacity, such fiduciary shall assume the powers, rights, duties, and privileges of the taxpayer in respect of any tax imposed by this act (except as otherwise specifically provided and except that the tax shall be collected from the estate of the taxpayer), until notice is given that the fiduciary capacity has terminated.

Notice under this section shall be given in accordance with rules and regulations prescribed by the board No final account of a fiduciary shall be allowed by the probate court unless such account shows and the judge of said court finds, that all taxes imposed by the provisions of this act upon said fiduciary, which have

become payable, have been paid, and that all taxes which may become due are secured by bond, deposit or otherwise. The certificate of the board and the receipt for the amount of the tax therein certified shall be conclusive as to the payment of the tax, to the extent of said certificate.

For the purpose of facilitating the settlement and distribution of estates held by fiduciaries, the board, with the approval of the Attorney General, may on behalf of the State agree upon the amount of taxes at any time due or to become due from such fiduciaries under the provisions of this act, and payment in accordance with such agreement shall be full satisfaction of the taxes to which the agreement relates.

SEC. 36. If any taxpayer, without intent to evade any tax imposed by this act, fail to file a return of income or pay a tax, if one is due, at the time required by or under the provisions of this act, but shall voluntarily file a correct return of income and pay the tax due within sixty days thereafter, there shall be added to the tax an additional amount equal to five per cent thereof, but such additional amount shall in no case be less than one dollar an additional one per cent for each month or fraction of a month during which the tax remains unpaid.

If any taxpayer fails voluntarily to file a return of income or to pay a tax if one is due within sixty days of the time required by or under the provisions of this act, the tax shall be increased by twenty-five per cent and shall be further increased by one per cent for each month or fraction of a month from the time the tax was originally due to the date of payment.

Any person who, without fraudulent intent, fails to pay any tax or to make, render, sign or verify any return, or to supply any information, within the time required by or under the provisions of this act, shall be liable to a penalty of not more than one thousand dollars, to be recovered by the Attorney General in the name of the people, by action in any court of competent jurisdiction.

Any person or any officer or employee of any corporation, or member or employee or any partnership, who, with intent to evade any requirement of this act or any lawful requirement of the board thereunder shall fail to pay any tax or to make, sign or verify any return or to supply any information required by or under the provisions of this act, or who, with like intent, shall make, render, sign, or verify any false or fraudulent information, shall be liable to a penalty of not more than one thousand dollars, to be recovered by the Attorney General in the name of the people, by action in any court of competent jurisdiction, and shall also be guilty of a misdemeanor and shall, upon conviction, be fined not to exceed one thousand dollars or be imprisoned not to exceed one year, or both, at the discretion of the court.

The Attorney General shall have the power with the consent of the board, to compromise any penalty for which he is authorized to bring action under this section. The penalties provided by such section shall be additional to all other penalties in this act provided.

The certificate of the board to the effect that a tax has not been paid, that a return has not been filed or that information has not been supplied, as required by or under the provisions of this act, shall be prima facie evidence that such tax has not been paid, that such return has not been filed or that such information has not been supplied

If any taxpayer, who has failed to file a return or has filed an incorrect or insufficient return and has been notified by the board of his delinquency, refuses or neglects within twenty days after such notice to file a proper return, or files a fraudulent return, the board shall determine the income of such taxpayer according to its best information and belief and assess the same at one and one-half the amount so determined.

SEC. 37. A taxpayer after paying the tax assessed against him under this act may apply to the board for revision of the tax assessed against him, at any time within three years from the time of the filing of the return or from the date of the notice of the assessment of any additional tax. The board shall grant a hearing thereon and if, upon such hearing, it shall determine that the tax is excessive or incorrect, it shall resettle the same according to the law and the facts and adjust the computation of tax accordingly. The board shall notify the taxpayer of its determination and shall certify to the State Board of Control the amount if any collected in excess of what was legally due, from whom it was collected, or by whom paid and if approved by that board the same shall be credited to any taxes then due from the taxpayer under this act and the balance shall be refunded to the taxpayer.

Interest shall be allowed and paid upon any overpayment of any tax, if the overpayment was not made because of an error or mistake on the part of the taxpayer, at the rate of six per centum per annum as follows: (1) In the case of credit, from the date of the overpayment to the date of the allowance of the credit. Any interest allowed on any credit shall first be credited on any taxes due from the taxpayer under this act; (2) In the case of a refund, from the date of the overpayment to a date preceding the date of the refund warrant by not more than thirty days, such date to be determined by the board.

Any refund or any portion thereof which is erroneously made, and any credit or any portion thereof which is erroneously allowed, may be recovered, together with interest at the rate of six per centum per annum from the date the refund was made or the credit allowed, in an action brought by the Controller of the State in a court of competent jurisdiction in the county of Sacramento in the name of the people of the State of California, and such actions shall be tried in the county of Sacramento unless the court with the consent of the Attorney General order a change of place of trial. The Attorney General must prosecute such action, and the provisions of the Code of Civil Procedure, relating to service of summons, pleadings, proofs, trials, and appeals are applicable to the proceedings herein provided for.

In the event that a tax has been illegally levied against a taxpayer the board shall certify such fact to the State Board of Control and said board shall authorize the cancellations of the tax upon the records of the board.

If the taxpayer has failed, without good cause, to file a return within the time prescribed by law, or has filed a fraudulent return or, having filed an incorrect return, has failed, after notice, to file a proper return, the board shall not reduce the tax below one and one-half the amount for which the taxpayer is found to be properly assessed.

SEC 38. The determination of the board upon any application made by a taxpayer for revision of any tax, may be reviewed in any court of competent jurisdiction by a complaint filed by the taxpayer against the board in the county of Sacramento, within sixty days after the notice by the board of its determination, given as provided in section 32 of this act. Thereupon, appropriate proceedings shall be had and the relief, if any, to which the taxpayer may be found entitled may be granted and any taxes, interest or penalties paid, found by the court to be in excess of those legally assessed shall be ordered refunded to the taxpayer, with interest from time of payment.

SEC 39. The board for the purpose of ascertaining the correctness of any return or for the purpose of making an estimate of the taxable income of any taxpayer, shall have power to examine or cause to be examined by any agent or representative designated by it for that purpose, any books, papers, records or memoranda, bearing upon the matters required to be included in the return, and may require the attendance of the taxpayer or of any other person having knowledge in the premises, and may take testimony and require proof material for its information, with power to administer oath to such person or persons.

SEC. 40. It shall be unlawful for any member of the board or the State Controller or any person having an administrative duty under this act to divulge any information concerning the business affairs of persons reporting hereunder; provided, however, that the Governor may authorize examination of such returns by other State officers, in which event the information obtained shall not be made public; provided further, that such returns may be examined, with the consent of the Governor, by tax officers of another State or the Federal Government, if a reciprocal arrangement exists.

SEC 41. The board may from time to time make such rules and regulations, not inconsistent with this act, as it may deem necessary to enforce its provisions.

SEC. 42 All moneys and remittances received by the board in pursuance of the provisions of this act shall be transmitted daily to the State Treasurer, and copies of the schedules covering such transmittals shall be furnished at the same time to the State Controller.

SEC 43 If the board finds that a taxpayer designs quickly to depart from this State or to remove his property therefrom, or to conceal himself or his property therein, or to do any other act tending to prejudice or to render wholly or partly ineffectual proceedings to collect the tax for the taxable year then last past or the taxable year then current unless such proceedings be brought without delay, the board shall declare the taxable period for such taxpayer immediately terminated and shall cause notice of such finding and declaration to be given the taxpayer, together with a demand for immediate payment of the tax for the taxable period so declared terminated and of the tax for the preceding taxable year or so much of such tax as is unpaid, whether or not the time otherwise allowed by law for filing the return and paying the tax has expired; and such taxes shall thereupon become immediately due and payable In any proceeding in court brought to enforce payment of taxes made due and payable by virtue of the provisions of this section the finding of the board, made as herein provided, whether made after notice to the taxpayer or not, shall be for all purposes presumptive evidence of the taxpayer's design.

SEC 44 It shall be unlawful for any person to agree or contract directly or indirectly to pay or assume or bear the burden of any tax payable by any taxpayer under the provisions of this act. Any such contract or agreement shall be null and void and shall not be enforced or given effect by any court.

SEC. 45. This act shall be known as the "Personal Income Tax Act of 1935."

SEC. 46. If any section, subsection, clause, sentence or phrase of this act which is reasonable separable from the remaining portions of this act is for any reason held to be unconstitutional, such decision shall not affect the remaining por-

tions of this act. The Legislature hereby declares that it would have passed the remaining portions of this act irrespective of the fact that any such section, subsection, clause, sentence or phrase of this act be declared unconstitutional.

SEC. 47. This act, inasmuch as it provides for a tax levy for the usual current expenses of the State, shall, under the provisions of section 1 of Article IV of the Constitution, take effect immediately.

The taxes imposed by this act shall apply to the net income of persons taxable hereunder received or accrued on and after January 1, 1935."

Amendment No. 2.

On page 6, of the printed bill, as amended, strike out lines 46 to 51; also strike out all of pages 7 to 30, inclusive.

Motion.

Mr. Desmond moved that the Assembly resolve itself in Committee of the Whole for the purpose of considering Assembly Bill No. 1182.

Motion temporarily withdrawn.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1300—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations, and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, as amended, by amending sections numbered 4.01 relating to guarantee stock, 6.02 relating to withdrawals, 6.07 relating to investment certificates and shares, 8.09 relating to interest and dividends, 9.02 relating to investments and 9.04 relating to purchases, sales, transfers and pledges of loans; postponing the effective date of the amendment of section 6.02 of said act as set forth in section 5a of Chapter 431 of the Statutes of 1933; adding to said act new sections to be numbered 6.09 relating to delay in paying after thirty days, 8.10 relating to rate of return on shares and investment certificates, 9.18 relating to insurance, loans, advances of credit and purchases of obligations pursuant to the National Housing Act, 10.03a relating to reserve or surplus accounts, 10.09 relating to reports, statements and analyses by the Building and Loan Commissioner and 12.11 relating to conversion of a building and loan association into a Federal savings and loan association and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to vote for or approve such conversion, to exchange shares, stock, investment certificates or other rights or claims for shares issued by such Federal savings and loan association, and to continue to hold as a legal investment any shares so received; adding a new article to be numbered XVI to said act relating to the rehabilitation, readjustment or reorganization of one or more building and loan associations of the classes specified in such Article XVI, or of all or of any part of the business, properties and assets of such association or associations, or the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of and other persons interested in such association or associations, providing for the kinds of securities issuable in connection therewith and exempting such securities from certain provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Article XVI, to exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received;

and declaring the urgency of this act and providing that it shall take effect immediately—and reports that the same has been correctly re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

On Labor and Capital.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1935.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 2023—An act to amend the title and sections 1, 2 and 3 of, and to add a new section, to be numbered section 4, to an act entitled "An act to provide for a day of rest from labor," approved February 27, 1893 (Stats. 1893, Chap. 41), relative to the scope of the act, providing for the enforcement of the act by the Chief of the Division of Labor Statistics and Law Enforcement and providing penalties for violation of the provisions thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BURNS, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 1926—An act to amend section 1 of an act entitled "An act to secure native-born and naturalized citizens of the United States the exclusive right to be employed in any department of the State, county, city and county and city government in this State, except in certain schools, to validate certain acts, and to repeal all acts in conflict herewith," approved May 19, 1915, relating to the employment of aliens—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

BURNS, Chairman

The above reported bill ordered on file for second reading.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1935.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No 1617—An act to add section 602 to the Streets and Highways Code, establishing a secondary State highway—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

STREAM, Chairman.

The above reported bill ordered on file for second reading.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1935.

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 2205—An act to add section 599.5 to the Vehicle Code, relating to unlawful displays on vehicles—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

HORNBLOWER, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 141—An act to amend section 73 of the California Vehicle Act, relating to revocation or suspension of licenses;

Also: Assembly Bill No. 1760—An act to amend section 210 of the Vehicle Code, relating to nonresidents;

Also: Assembly Bill No. 2299—An act to add section 428 5 to the Vehicle Code, relating to the sale of vehicles by a lienholder;

Also: Assembly Bill No. 2302—An act to amend section 439 of the Vehicle Code, relating to reports of vehicles known to have been unlawfully stored;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

HORNBLOWER, Chairman.

The above reported bills ordered on file for second reading.

On Commerce and Navigation.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1935.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 1387—An act to empower and direct the Director of Finance to locate and establish by agreement or action to quiet title, the boundary between tide and submerged lands and littoral lands, in Orange County, California, to empower the grantee of any such tide and submerged lands to locate and establish such boundary, and to make an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended and be re-referred to Committee on Ways and Means.

MALONEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 1487—An act to establish the line of ordinary high tide in and for a part of Newport Bay in the city of Newport Beach, Orange County, California, and to establish and declare that the land adjacent to said line was upland on and prior to May 25, 1919, and was not tidelands or submerged lands on said date, but was situated above the line of mean high tide of the Pacific Ocean on said date—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MALONEY, Chairman

The above reported bill ordered on file for second reading.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Heisinger:

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add new sections to the School Code, to be numbered 3.462 and 3.463 relating to evening high schools

Referred to Committee on Introduction of Bills.

Recess.

At twelve o'clock m., on motion of Mr. Lyon, the Assembly was declared at recess until two o'clock p.m., of this day.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Motion.

Mr. Chatters moved that further consideration of Assembly Bill No. 1182 be continued until after consideration of the special order.

Motion carried.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1877—An act to add a new section to the School Code to be numbered 6.53, relating to the duties, powers and liability of governing boards of school districts and members thereof in connection with school district buildings.

Bill read third time.

Demand for Previous Question.

Messrs. Cottrell, Boyle, Lyon, Martin, and Cunningham demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1877 was refused passage by the following vote:

AYES—Chatters, Crowley, DeLap, Desmond, Donnelly, Field, Garibaldi, Heisinger, Latham, Lyon, Mayo, McBride, Miller, Minard, Morgan, O'Donnell, Redwine, Robertson, Scudder, Thorp, Utt, Voigt, and Wright—23

NOES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cronin, Cunningham, Dawson, Donahue, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, Martin, McMurray, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Riley, Rosenthal, Stream, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr Speaker—50.

Notice of Reconsideration of Assembly Bill No. 1877.

Mr. Latham gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 1877 was this day refused passage.

Consideration of Special Order.

The hour of two o'clock and thirty minutes p.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Third Reading of Assembly Bill No. 1300, as Amended.

Assembly Bill No. 1300—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, as amended, by amending sections numbered 4.01 relating to guarantee stock, 6.02 relating to withdrawals, 6.07 relating to investment certificates and shares, 8.09 relating to interest and dividends, 9.02 relating to investments and 9.04 relating to purchases, sales, transfers and pledges of loans; postponing the effective date of the amendment of section 6.02 of said act as set forth in section 5a of Chapter 431 of the Statutes of 1933; adding to said act new sections to be numbered 8.10 relating to rate of return on shares and investment certificates, 9.18 relating to insurance, loans, advances

of credit and purchases of obligations pursuant to the National Housing Act, 10.03a relating to reserve or surplus accounts, 10.09 relating to reports, statements and analyses by the Building and Loan Commissioner and 12.11 relating to conversion of a building and loan association into a Federal Savings and Loan Association and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to vote for or approve such conversion, to exchange shares, stock, investment certificates or other rights or claims for shares issued by such Federal Savings and Loan Association, and to continue to hold as a legal investment any shares so received; adding a new article to be numbered XVI to said act relating to the rehabilitation, readjustment or reorganization of one or more building and loan associations of the classes specified in such Article XVI, or of all or of any part of the business, properties and assets of such association or associations, or the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of and other persons interested in such association or associations, providing for the kinds of securities issuable in connection therewith and exempting such securities from certain provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Article XVI, to exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received; and declaring the urgency of this act and providing that it shall take effect immediately.

Bill read third time.

Urgency clause read.

The question being: Shall this section setting forth the urgency features of this bill, be passed?

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. O'Donnell:

Amendment No. 1.

On page 2, line 22 of the title of the printed bill, as amended, after "readjustment", insert the following: 'liquidation, consolidation, merger".

Amendment No. 2.

On page 6, line 48, of the printed bill, as amended, strike out "act", and insert in lieu thereof the following: "section".

Amendment No. 3.

On page 6, line 50, of the printed bill, as amended, strike out "the withdrawal and other rights of the holders", and insert in lieu thereof a period, and also strike out all of lines 51 and 52 on said page, and on page 7, strike out lines 1 and 2.

Amendment No. 4.

On page 7, line 5, of the printed bill, as amended, strike out "February 1, 1937", and insert in lieu thereof the following: "January 1, 1936".

Amendment No. 5.

On page 7, lines 6 and 7, of the printed bill, as amended, strike out "February 1, 1937", and insert in lieu thereof the following: "January 1, 1936".

Amendment No. 6.

On page 9, line 11, of the printed bill, as amended, strike out "February 1, 1937", and insert in lieu thereof the following: "January 1, 1936".

Amendment No. 7.

On page 9, line 13, of the printed bill, as amended, strike out "February 1, 1937", and insert in lieu thereof the following: "January 1, 1936".

Amendment No. 8.

On page 11, line 17, of the printed bill, as amended, strike out "February 1, 1937", and insert in lieu thereof the following: "January 1, 1936".

Amendment No. 9.

On page 11, lines 18 and 19, of the printed bill, as amended, strike out "February 1, 1937", and insert in lieu thereof the following: "January 1, 1936".

Amendment No. 10.

On page 15, line 16, of the printed bill, as amended, strike out "This section 10.09 shall expire at the end of the", and also strike out all of lines 17 to 21, inclusive, of said page.

Amendment No. 11.

On page 24, line 41, of the printed bill, as amended, strike out "This section shall be in effect", and also strike out all of lines 42 to 44, inclusive, on said page

Motion.

Mr. Welsh moved that the amendments be voted on separately.

Motion carried.

Assembly Bill No. 1300, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. O'Donnell:

Amendment No. 1.

On page 2, line 22 of the title of the printed bill, as amended, insert after "readjustment", the following: ", liquidation, consolidation, merger"

Amendment adopted.

Request for Unanimous Consent.

Mr. Scudder asked for, and was granted, unanimous consent to take up Assembly Bill No. 1300, as amended, at this time, without reference to reprint, or file, and that same be considered re-engrossed.

Assembly Bill No. 1300, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. O'Donnell:

Amendment No. 2.

On page 6, line 48, of the printed bill, as amended, strike out "act", and insert in lieu thereof the following: "section".

Amendment adopted.

Request for Unanimous Consent.

Mr. Scudder asked for, and was granted, unanimous consent to take up Assembly Bill No. 1300, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 1300, as amended, read third time.

Withdrawal of Amendment No. 3.

Mr. O'Donnell withdrew Amendment No. 3.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. O'Donnell:

Amendment No. 4.

On page 7, line 5, of the printed bill, as amended, strike out "February 1, 1937", and insert in lieu thereof the following: "January 1, 1936".

Request for Roll Call.

On request of Messrs. Heisinger, Evans, Ralph W., and Lore, the Speaker ordered a roll call taken on the adoption of Amendment No. 4 by Mr. O'Donnell.

The roll was called, and Amendment No. 4 refused adoption by the following vote:

AYES—Brennan, Burns, Cassidy, Clark, Crowley, Donihue, Donnelly, Evans, Ralph W., Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, Mayo, McCarthy, McMurray, Meehan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Thorp, Turner, Voigt, Wagner, Wallace, and Weber—35.

NOES—Anderson, Andreas, Boyle, Breed, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Field, Fisher, Frazier, Fulcher, Gilmore, Johnson, Kallam, Latham, Lyon, Martin, McBride, Miller, Minard, Morgan, Peterson, Redwine, Riley, Robertson, Scudder, Stream, Utt, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—38.

Withdrawal of Amendments Nos. 5, 6, 7, 8 and 9.

Mr. O'Donnell withdrew Amendments Nos. 5, 6, 7, 8 and 9.

Assembly Bill No. 1300, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. O'Donnell:

Amendment No. 10.

On page 15, line 16, of the printed bill, as amended, strike out "This section 10.09 shall expire at the end of the", and also strike out all of lines 17 to 21, inclusive, on said page.

Request for Roll Call.

On request of Messrs. Heisinger, Morgan and Brennan, the Speaker ordered a roll call taken on the adoption of Amendment No. 10.

The roll was called, and Amendment No. 10 was adopted by the following vote:

AYES—Anderson, Boyle, Brennan, Burns, Cassidy, Clark, Crowley, Desmond, Donnelly, Evans, Ralph W., Flint, Geyer, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, Mayo, McCarthy, McMurray, Meehan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Riley, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Wallace, and Weber—39.

NOES—Andreas, Breed, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donihue, Field, Fisher, Fulcher, Garibaldi, Gilmore, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, McBride, Miller, Minard, Morgan, Redwine, Robertson, Scudder, Utt, Walker, Welsh, Williamson, Wright, and Mr. Speaker—35.

Request for Unanimous Consent.

Mr. Scudder asked for, and was granted, unanimous consent to take up Assembly Bill No. 1300, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 1300, as amended, read third time

Withdrawal of Amendment No 11.

Mr. O'Donnell withdrew Amendment No. 11.

Assembly Bill No. 1300, as amended, read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Field,

Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Utt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—61.

NOES—Brennan, Cassidy, Donihue, Evans, Ralph W., Gilbert, Hawkins, Heisinger, McCarthy, Pelletier, Rosenthal, Turner, Voigt Wagner, and Weber—14.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1300, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donnelly, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Peyser, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—64.

NOES—Brennan, Cassidy, Donihue, Evans, Ralph W., Gilbert, Hawkins, McCarthy, Pelletier, Richie, Rosenthal, Voigt, and Wagner—12.

Title read and approved.

Bill ordered transmitted to the Senate.

Special Order Set for Assembly Bill No. 1182.

Mr Chatters moved to continue further consideration of Assembly Bill No. 1182 as a special order for Thursday, April 4, 1935, at ten o'clock and thirty minutes a.m.

Motion carried.

Request for Use of Assembly Chamber.

Mr. Garibaldi requested the use of the Assembly Chamber upon adjournment this day for the purpose of holding a committee meeting

Request granted

Motion to Reconsider Assembly Bill No. 31 Continued.

Mr. Johnson moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 31 was passed be continued until the next legislative day.

Motion carried.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1935

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it The title of said bill is as follows:

An act to add new sections to the School Code, to be numbered 3 462 and 3 463, relating to evening high schools

CUNNINGHAM, Chairman.

Report of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue,

Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, and Mr. Speaker—70.

NOES—None.

Introduction and Reference of Bills.

The following bill was introduced, and referred as indicated:

By Mr. Heisinger: Assembly Bill No. 2405—An act to add new sections to the School Code, to be numbered 3.462 and 3.463, relating to evening high schools.

Bill read first time, and referred to Committee on Education.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1935.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 429—An act to provide that school authorities of certain public and private schools shall be equipped to render first medical aid to injured children and students;

Also: Assembly Bill No. 450—An act to amend sections 4.320, 4.321 and 4.322 and repeal sections 4.323 to 4.334, both inclusive, of the School Code, all relating to school warrants registered for want of funds;

Also: Assembly Bill No. 961—An act to amend sections 5.400, 5.402, 5.403, 5.408, 5.420, 5.500, 5.502, 5.503, 5.510, 5.520, 5.521, 5.640, 5.680, 5.690, 5.691, 5.710, 5.711 and 5.712 of the School Code, relating to tenure, and to add four new sections to the School Code, to be numbered 5.409, 5 505, 5.506, 5.666 and 5 667, all relating to the employment, classification, dismissal and resignation of persons employed in school districts in positions requiring certification qualifications;

Also: Assembly Bill No. 962—An act to amend the School Code by amending sections 5 650, 5.651, 5.652, 5 653, 5.654, 5.661, and by repealing sections 5 655, 5.656, 5.657, 5 658, 5.659, 5.660, 5.662, 5.663;

Also: Assembly Bill No. 988—An act to amend section 5 161 of the School Code, relating to high school certificates;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

CHATTERS, Chairman

The above reported bills ordered on file for second reading.

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1935.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 1212—An act to amend section 7 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a board of optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the regulation of the practice of optometry;

Also: Assembly Bill No. 1213—An act to amend section 10½ of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a board of optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the regulation of the practice of optometry;

Also: Assembly Bill No. 1215—An act to amend section 11 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a board of optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the regulation of the practice of optometry;

Also: Assembly Bill No. 992—An act to amend section 11 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the definition of dentistry;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

CRONIN, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 188—An act to add section 654 to the Penal Code, relating to advertising food, drink, drug, or cosmetic products by radio broadcasting and providing penalties for violation thereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

CRONIN, Chairman.

The above reported bill ordered on file for second reading.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1935

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 69—An act to amend section 117 of the Code of Civil Procedure, and to add thereto a new section to be numbered 117c½, relating to small claims courts;

Also: Assembly Bill No. 99—An act to add a new section to the Code of Civil Procedure to be known as section 1872 thereof, relating to and providing for requiring persons bringing actions for damages for personal injuries to submit to an examination of their persons;

Also: Assembly Bill No. 286—An act to amend section 10 of an act entitled "An act to provide for and regulate municipal elections in the cities of the fifth and sixth class," approved May 27, 1919, relating to registrations;

Also: Assembly Bill No. 400—An act to amend section 4293 of the Political Code, relating to the disposition of county and township officers' fee records;

Also: Assembly Bill No. 490—An act to amend section 1357 of the Political Code, relating to absent voters;

Also: Assembly Bill No. 614—An act to amend section 1680 of the Streets and Highways Code, relating to extending county aid to cities;

Also: Assembly Bill No. 621—An act to amend sections 2240 and 2255 of the Political Code, relating to the clothing, transportation, dental work, eye care, operations and hospitalization of pupils enrolled in the California School for the Deaf and the California School for the Blind;

Also: Assembly Bill No. 946—An act to amend sections 3, 4, 5, 9, 10, 12, and 17 of an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by the electors November 7, 1922, relating to the Board of Chiropractic Examiners and the practice of chiropractic;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 952—An act to amend section 1261 of the Agricultural Code, relating to produce dealers;

Also: Assembly Bill No. 1055—An act to amend section 401 of the Vehicle Code, relating to tort liability of drivers of police, fire and other emergency vehicles maintained by governmental bodies;

Also: Assembly Bill No. 1056—An act to amend section 200 of the Code of Civil Procedure, relating to exemptions from jury duty;

Also: Assembly Bill No. 1077—An act to amend section 951 of Article 3 of Chapter 5 of Division V of the Agricultural Code, relating to one variety cotton district, and declaring that this act shall take effect immediately;

Also: Assembly Bill No. 1150—An act to amend section 4 of an act entitled "An act to permit the consolidation of elections and to provide a procedure therefor.";

Also: Assembly Bill No. 1755—An act to amend sections 1466, 1467, 1468 and 1469 of the Penal Code, and to repeal sections 1468a and 1470 of the Penal Code, all relating to appeals to the superior court in criminal cases;

Also: Assembly Bill No. 1896—An act to add a new section to the Political Code, to be numbered section 1143, relating to boards of election;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 142—An act to amend section 32 of the Penal Code, relating to the definition of an accessory;

Also: Assembly Bill No. 1784—An act to add section 675 5 to the Vehicle Code, relating to glass,

And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 341—An act to amend sections 21 1, 53, 54, 63, 64, 105, 133, 135d and 139 of the Bank Act, and to add two new sections thereto to be numbered 16d and 51.1—and reports that the same has been correctly re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 3, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 345—An act to amend section 3480d of the Political Code, relating to crediting on calls of installment of assessments made by reclamation districts amounts of outstanding bonds exchanged in refunding proceedings, or otherwise canceled, and to the redemption of property sold to reclamation districts for delinquent assessments and installments thereof, and to the sale by county treasurers of land sold for delinquent assessments and installments thereof, and containing a provision declaring this act to be an emergency measure, stating the facts constituting such emergency and providing this act shall take effect immediately.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 345 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 72—An act to amend sections 5.1, 5 2, 5 20, 5.21, 5.23, 5 25, 5.26, 5.27, 5.40, 5.44, 5.60, 5.61, 5.62, 5 63, 5.70, 5.80, 5 84, 5 86, 5 87, 5.88, 5 89, 5.90, 5.91, 5.92, 5.93, 5.94, 5.100, 5.101, 5.102, 5.103, 5.104, 5 105, 5 110 and 5.112 of the School Code, and to repeal Article II of Chapter I of Part I of Division V thereof, embracing section 5.10, all relating to the organization, government, and control of State teachers colleges;

Also: Senate Bill No. 452—An act to amend section 135 of the Vehicle Code, relating to the California Highway Patrol;

Also: Senate Bill No. 488—An act to amend the Code of Civil Procedure by adding a new section thereto to be numbered 954a, relating to abandonment and withdrawal of appeals;

Also: Senate Bill No. 490—An act to amend section 1029 of the Penal Code, relating to trial of a judge of the superior court,

Also: Senate Bill No 570—An act to repeal an act entitled "An act to create a State Advisory Commission on Indian Affairs, to prescribe its membership and its powers and duties," approved May 26, 1933.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 72 read first time, and referred to Committee on Teachers Colleges.

Senate Bill No. 452 read first time, and referred to Committee on Motor Vehicles.

Senate Bills Nos. 488 and 490 read first time, and referred to Committee on Judiciary.

Senate Bill No. 570 read first time, and referred to Committee on Federal Relations.

Withdrawal of Assembly Bills Nos. 946, 952 and 1077.

By order of the Speaker, Assembly Bill No. 946 was withdrawn from the file, and referred to Committee on Public Health and Quarantine.

By order of the Speaker, Assembly Bill No. 952 was withdrawn from the file, and referred to Committee on Agriculture.

By order of the Speaker, Assembly Bill No. 1077 was withdrawn from the file, and referred to Committee on Agriculture.

Adjournment.

At four o'clock and fifteen minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Thursday, April 4, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, April 4, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Rosenthal, its further reading was dispensed with.

Leave of Absence.

On motion of Mr. Cronin, Mr. Brennan was granted leave of absence for this day.

Privilege of Floor of Assembly Extended.

On request of Mr. Wright, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Whittier College

Men's Glee Club; Dr. Frederick Vance Evans, director; Joe Gaudio, John Cogswell, Dean Krebs, and Bob Cole, first tenors; Hugh B. Springer, Harley McClure, Thurlo Ashton, Bruce Giffen, and Marshall Clark, second tenors; Gerald Bruce, Tom Coffin, Ross Jacobs, George Chisler, and Judson Wray, baritones; Ralph Groves, Gordon Gray, Charles Sanders, and Edward Keasbey, Jr., bass; Bob Olsen, accompanist; Quaker Revellers—Quartette: Joe Gaudio, first tenor; Harley McClure, second tenor; Gerald Bruce, baritone, and Ralph Grove, bass; officers: Harley McClure, president; Gerald Bruce, vice president; Hugh B. Springer, secretary and publicity; Bruce Giffen, treasurer, and Gordon Gray, manager.

On request of Alameda delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. J. V. Chloupek, Mrs. Earle Burpee, Mrs. H. C. Usinger, Mrs. W. D. Meracle, and Mrs. H. L. Moulthrop, representing Alameda County Federation of Women's Clubs.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Gerald Whitaker, Mrs. Carter Norris, Mrs. Ray F. Love, Mrs. J. C. Bacon, Mrs. F. C. King, Mrs. H. J. Lederer, and Mrs. F. J. Lyman of the Northbrae Woman's Club of Berkeley.

On request of Mr. Nielsen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following teachers and eighth grade pupils of the Stanford Junior High School: Miss Johnson, teacher; and Roy Bachman, Ivy Lee Barksdale, Roger Barr, Klyne Beaumont, Philma Belehamber, Patricia Bond, Johanne Booth, Mildred Bowling, Virginia Browning, Norman Clayton, Leo Crosta, George Dains, Charlotte Evans, Lloyd Faulkner, Winona Fassett, Robert Ford, Edna Earp, Barbara Gilstrap, Ora Gipe, Gloria Glotzback, Doris Hansen, Marjorie Harris, Alleene Hepling, John Hessinger, Harley Hill, June Howard, Charles Hull, Vivian James, Stanley Jamison, Grace Jenkins, Genevieve Lish, Helen Manolis, Earl Martin, Jean Morrison, Phyllis Meacham, Charles Murray, Norman Nelson, Harry Shott, Nancy Walker, and Eleanor Wear, pupils.

On request of Mr. Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sheila M. Bryan, president, Household Employees Association of Los Angeles.

On request of Mr. O'Donnell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Edward H. Farr, principal, Woodland High School, and Mr. L. E. Wraith of Woodland.

On request of Mr. McCarthy, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Clarence W. Horn.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Xen Ferguson of Modesto and Mr. C. A. Talbot of Turlock.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From the National Sojourners of San Diego, favoring passage of Senate Bill No. 444.

From the Philanthropy and Civic Club of Los Angeles, opposing unfair legislation on the motion picture companies.

From the Ocean Park Business Men's Association, opposing the proposed Sand Beach legislation.

From Ocean Park and Santa Monica business men's associations, opposing passage of Assembly Bill No. 1054.

ASSISTANT CLERK OLIVER READING.

Communication.

The following communication was received, and ordered printed in the Journal:

By Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1935.

MR. SPEAKER: Pursuant to your instructions, the following named person has filed his credentials and is duly recognized as representative of the newspaper set opposite his name:

The Westlake Post—Joe Longfeather.

ARTHUR A. OHNIMUS, Chief Clerk.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 819—An act to amend sections 2167, 2167a, 2169, 2172 and 2175 of, to repeal sections 2168, 2170, 2171 and 2185c of, and to add new sections numbered 2168, 2171 and 2185c to the Political Code, relating to persons mentally disordered or otherwise incompetent,

Also: Assembly Bill No. 1803—An act to amend section 10 of an act entitled "An act to revise an act entitled 'An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling, or repairing upholstered furniture; and creating the upholstered furniture inspection fund,' approved May 9, 1927," approved June 1, 1929, relating to the manufacture, sale, labeling and inspection of second-hand upholstered furniture;

Also: Assembly Bill No. 2048—An act to amend the title and section 1 and 2 of an act entitled "An act prohibiting the issuance as payment for wages of any evidence of indebtedness unless the same is negotiable and payable without discount, and providing that the same must be payable upon demand," approved March 1, 1911 (Stats. 1911, Chap. 92), as amended, providing that evidences of indebtedness for wages must be payable upon demand and providing penalties for violation of the provisions thereof;

Also: Assembly Bill No. 2316—An act to add section 374c to the Penal Code, relating to plumbing fixtures and installations in public schools;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 979—An act regulating the practice of engineering; providing for the creation and establishment of a State Board of Registration for Professional Engineers, granting certain powers to and prescribing the duties of said board; providing for the examination and registration of professional engineers, and providing penalties for the violation of this act; and repealing an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929;

Also: Assembly Bill No. 1481—An act providing for the organization and government of horticultural protection districts for the purpose of protecting horticultural products and the vines, trees and shrubs whereon the same are grown

against diseases, insects and pests; defining the powers of such districts and authorizing any such district to eradicate, remove or prevent the spread of any disease, insect or pest injurious to the horticultural product which such district is organized to protect; to provide for the levying and collection of taxes to pay the costs and expenses of administering such districts and carrying on their operations; defining the duties and powers of county agricultural commissioners, and other county officers in connection with such districts; to provide for including lands within and excluding lands from any such district, and to provide a method of dissolving such districts;

Also: Assembly Bill No. 1527—An act to amend section 3617 and 3627 of the Political Code, relating to the method of appraisement for the purposes of taxation;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 6—An act to add section 181.5 to the Streets and Highways Code, relating to expenditures of State highway funds;

Also. Assembly Bill No. 618—An act to provide for the regulation and licensing of greyhound racing and race meetings, and to permit wagering on the results thereof; to create the California Greyhound Racing Board for the regulation, licensing and supervision of greyhound racing and wagering thereon; to provide penalties for the violation of the provisions of this act;

Also: Assembly Bill No. 947—An act to amend Chapter 763, Statutes of 1929, approved June 10, 1929, as amended by Chapter 401, Statutes of 1931, approved May 25, 1931, and as amended by Chapter 10, Statutes of 1933, approved January 26, 1933, entitled and known and cited as "California Toll Bridge Authority Act" by amending the title thereof and by amending sections 2, 6¼, 9, 11, 14, 16, 20 and 22½, and by adding thereto new sections numbered 4½, 5¼, 5¾, 8½, 8¾, 9½, 9¾, 12½, 13¾, 16¼ and 16½, relating to and prescribing additional duties, powers and limitations regarding the construction and financing of toll bridges; and providing for the acquisition, construction, financing and operation of transportation facilities thereof and thereto and providing that this act become effective immediately;

Also: Assembly Bill No. 2243—An act relating to fair trade practices, providing for the issuances of licenses to persons engaged in various branches of the automotive business, creating an Automotive Fair Trade Bureau in the Department of Professional and Vocational Standards, providing for a judicial hearing and determination of questions arising hereunder and for the enforcement of the provisions hereof;

And reports that the same have been correctly re-engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1935.

MR. SPEAKER. Your Committee on Roads and Highways, to which was referred Senate Bill No. 101—An act to amend section 3 of an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, relating to expenditure of State highway funds within cities, declaring the urgency hereof, and to provide that this act take effect immediately—has had the same under consideration, and respectfullly reports the same back, and recommends that it do pass

STREAM, Chairman.

The above reported bill ordered on file for second reading.

Senate Messages.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, April 2, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day considered Assembly amendments to Senate Concurrent Resolution No. 10—*Resolved by the Senate of the State of California, the Assembly concurring*, That the following be, and the same are hereby adopted as the Joint Rules of the Senate and Assembly of the State of California for the fifty-first session of the Legislature—and concurred in Assembly Amendments Nos. 1, 2, 3, 4 and 7 adopted March 15, 1935, and No. 1 (Wallace) adopted March 26, 1935; and respectfully refused to concur in Assembly Amendments Nos 5. 6 and 8, adopted March 15, 1935, and No. 1

(Jones) adopted March 26, 1935; and requests that your honorable body recede from said Amendments Nos. 5, 6 and 8 of March 15, 1935, and Amendment No. 1 (Jones) of March 26, 1935.

J. A. BEEK, Secretary of Senate.

Ordered on unfinished business file.

Second Reading of Assembly Bills.

Assembly Bill No. 541—An act to amend section 9 of an act entitled "An act for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 457—An act to amend sections 3, 4, 5, 8, 10, 12, 15, 18, 19, 20-I, and 21 of an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, Statutes 1911, page 730, as amended, relating to an alternative procedure for the doing of work under said act by receiving contributions of labor, materials or equipment from the United States Government or other governmental agencies.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2174—An act to confirm, ratify and make valid ordinances heretofore passed by the city council or the people of any incorporated city creating a civil service commission and placing employees of the city under control of said civil service commission.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 906—An act confirming the formation, organization and existence of municipal utility districts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 485—An act to amend sections 3817b, 3817d, 3817f, 3817g and 3817h of, and to add sections 3817c3 and 3817i2 to, the Political Code, relating to taxation, including tax delinquencies, tax penalties and costs, tax redemption for tax sales and declaring the urgency thereof, to take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4 of the title of the printed bill, as amended, strike out "tax delinquencies, tax", and insert in lieu thereof the following: "motor vehicle fuel license tax delinquencies,".

Amendment No. 2.

On page 1, line 5 of the title of the printed bill, as amended, after "costs," insert the following: "payment thereof in installments,".

Amendment No. 3.

On page 10, lines 42 and 43, of the printed bill, as amended, strike out "and/or interest", and insert in lieu thereof the following: ", interest, or both".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 123—An act to levy a tax on natural resources severed from the earth and waters of the State of California.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, strike out all matter following the words "An act to", and insert in lieu thereof the following: "preserve the natural resources of the State of California which may be severed from the earth or from the waters thereof, and to levy a tax upon such natural resources upon their severance from the soil or from the waters, and to levy a tax upon the manufacturers of such natural resources."

Amendment No. 2.

On page 2, line 1, of the printed bill, after the word "petroleum", strike out all matter to line 4, and insert in lieu thereof the following: "one per cent of the selling price upon the first one thousand barrels per month from each well, two per cent of the selling price on the next one thousand barrels per month per well, three per cent of the selling price upon the next one thousand barrels per month per well, four per cent of the selling price upon the next one thousand barrels per month per well, and five per cent of the selling price upon all petroleum over four thousand barrels per month per well."

Amendment No. 3.

On page 2, line 4, of the printed bill, after the word "feet", strike out the period and insert comma and the following: "and one cent additional upon each thousand feet per well per month until the tax is five cents per thousand feet per month after which all additional gas per well per month shall be taxed at five cents per thousand feet."

Amendment No. 4.

On page 2, line 8, of the printed bill, strike out the figure "2.50", and insert in lieu thereof the figure "5.00".

Amendment No. 5.

On page 2 of the printed bill, between lines 11 and 12, insert the following: "(F) On the manufacture within the State of all products made from petroleum upon which no tax has been paid under the provisions of this act, ten per cent of the wholesale market value of said products as of the time of their first manufacture."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1246—An act to amend section 3663a of the Political Code, relating to the assessment of property by the State Board of Equalization.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 7, of the printed bill, strike out the period, and add the following: "; provided, however, that in the case of property situated within the limits of any city having an assessment date other than the first Monday in March, the

board shall also assess such property at its actual value on the assessment date of such city."

Amendment No. 2.

On page 1 of the printed bill, strike out all of that portion of line 25 following the word "board", and in line 26, strike out "Monday in April of each year;".

Amendment No. 3.

On page 2, line 12, of the printed bill, strike out the words "on or before".

Amendment No. 4.

On page 2, line 13, of the printed bill, strike out "the first Monday in June,", and insert in lieu thereof, "at such times and".

Amendment No. 5.

On page 2 of the printed bill, strike out all that portion of line 15 following the word "value".

Amendment No. 6.

On page 2 of the printed bill, between lines 20 and 21, insert the following:

"The board shall complete the assessment of all property required to be assessed by it as of the first Monday in March of any year, on or before the first Monday in August of said year. Between the first Monday in August and the third Monday in August of each year, the assessments made by the board shall be open for inspection by all persons interested. At any time prior to the third Monday in August the owner of any property assessed by the board, or the one to whom it is assessed may be heard by the board upon a petition for reassessment

Immediately after the third Monday in August the board shall transmit to the auditor of each county and city and county an assessment roll showing the assessments made by the board upon all property located in such county or city and county and in each district, and city in such county or city and county.

The board shall also immediately transmit to the auditor or other chief accounting officer of each city the assessment date of which is the first Monday in March an assessment roll showing the assessments made by the board upon all property located in such city and in each district in such city.

In the case of property situated within the limits of any city having an assessment date other than the first Monday in March, the board, upon the completion of the assessment of such property as of such other assessment date, shall give notice to those to whom it is assessed either by mail, in the manner prescribed by section 1013 of the Code of Civil Procedure, or by publication in a newspaper of general circulation published in the municipality where such property is located, that the assessment of such property as of such other assessment date has been completed and the time when, and place where, those to whom such property is assessed may be heard on a petition by them for reassessment of such property. Immediately after the time specified in such notice the board shall transmit to the auditor or other chief accounting officer of such municipality an assessment roll showing the assessment made by the board upon all property located in such city.

All such property shall be subject to taxation to the same extent and in the same manner as other property.

In the event that any property required to be assessed by the board escapes assessment for any year, such property when discovered shall immediately be assessed by the board, and a statement of the value of such property shall be transmitted by the board to the officer of the county, city and county, or city required by law to assess property escaping assessment The property so assessed by the board and returned to such officer shall thereupon be entered upon the assessment roll of such county, city and county, or city and shall be subject to the same taxes and assessment levies with the same penalties added thereto as if such property had been assessed by such officer."

Amendment No. 7.

On page 1 of the printed bill, in the last line of the title, insert, following the word "Equalization", the following: "and to provide that this act shall take effect immediately."

Amendment No. 8.

On page 2, line 24, of the printed bill, after the period, add the following:

"SEC. 2. This act, inasmuch as it provides for a tax levy for the usual current expenses of the State, shall, under the provisions of section 1, Article IV of the Constitution, take effect immediately."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1249—An act to amend section 3663b of the Political Code, relating to the assessment of property by the State Board of Equalization.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of lines 3 to 27, both inclusive, and strike out all of page 2 of said bill, and insert in lieu thereof the following:

"The board shall have the power to equalize the assessments made by it pursuant to section 3663a of this code, of property located in any city where property is not assessed for city purposes by the assessor of the county in which such city is located, with the assessed value of other property therein. Such equalized value shall be set forth upon the assessment roll transmitted by the board to the auditor or other chief accounting officer of such city pursuant to section 3663a of this code. Immediately following the close of the period for equalizing assessments of property in each city where property is not assessed for city purposes by the assessor of the county in which such city is located, it shall be the duty of the city auditor or other chief accounting officer of such city to notify the State Board of Equalization of the total assessed value of property assessed by the city assessor, after equalization by the city equalization body. In case the board is not so notified of such assessed values in any such city the board need not equalize the assessments made by it of property in such city with such assessed values."

Amendment No. 2.

On page 1 of the printed bill, in the last line of the title, insert, following the word "Equalization", the following: "and to provide that this act shall take effect immediately."

Amendment No. 3.

On page 2, line 29, of the printed bill, add the following:

"SEC. 2. This act, inasmuch as it provides for a tax levy for the usual current expenses of the State, shall, under the provisions of section 1, Article IX of the Constitution, take effect immediately."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1796—An act relating to the distribution of motion picture films, providing for the regulation thereof, and levying a tax upon motion picture films.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "distribution", and insert in lieu thereof the following: "manufacture, sale, distribution and exhibition".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 2 and 3 of the title, and insert in lieu thereof the following: "imposing a tax upon moving picture films and providing for the collection thereof."

Amendment No. 3.

On page 1 of the printed bill, strike out line 1, and insert in lieu thereof the following:

"SECTION 1. This act shall be known and may be cited as the "Film Tax Act."

SEC. 2. As used in this act, unless the context otherwise requires:

"Person" includes corporation, firm, trustee or association; and the singular includes the plural.

"Commissioner" means the franchise tax commissioner;

"Moving picture film" or "film" means any print of a motion picture film intended for commercial exhibition. The term includes "sound" and "silent" films.

SEC. 3. There is hereby levied and assessed an excise tax of one-half cent a foot on all moving picture film manufactured, sold, distributed, or exhibited in this State. The payment of this tax shall be evidenced by affixing adhesive stamps to each reel of film or otherwise evidencing payment thereof, in the manner herein provided.

SEC. 4. This tax shall be paid, in the manner herein provided, in all cases of sale, lease, rental, or distribution in any manner of moving picture film within this State:

(a) By manufacturers, if the films are manufactured within this State;

(b) By importers, if the films are those coming from another State or foreign country, providing that the tax shall not apply until such moving picture films cease to be articles of interstate commerce in the hands of such importers; and

(c) By exhibitors, if the films are not previously stamped by the manufacturer or importer.

SEC. 5. Where moving picture films are manufactured within this State, the manufacturer thereof shall properly stamp each reel of film before such films are taken or removed from the place where they are manufactured, or before such films are consigned, sold, or transferred to any person within the State for any purpose

SEC. 6 In the case of moving picture films manufactured in another State or foreign country, any person in this State in possession of such moving picture films shall properly stamp them, if not already properly stamped, within twenty-four hours after such films cease to be articles of interstate commerce.

SEC. 7. In the case of all moving picture films in the possession of retailers, distributing agencies, leasing agencies, or film exchanges, such persons shall properly stamp each reel of moving picture film within twenty-four hours after receipt thereof if such film is not already properly stamped.

SEC 8. In the case of moving picture films in the possession of any person other than those mentioned above, if no tax has been paid thereon, such person shall purchase stamps in the proper amount and place them on each such reel of film before exhibiting or disposing thereof. For this purpose such person may purchase stamps from any distributor of moving picture films.

SEC. 9. When the stamps have been affixed to any reel of moving picture film, and properly canceled, or payment of the tax otherwise evidenced, as herein provided, no further or other stamp shall be required under the provisions of this act, regardless of how often such film may be sold, resold, transferred, or exhibited within this State

SEC 10 Any person placing stamps on reels of moving picture film shall, at the same time, cancel said stamps by writing or printing across the face of the stamp the date of cancellation and the initials of the person, firm, or corporations canceling the same, or in such other manner as may be provided by the rules of the commissioner.

SEC 11. The tax herein levied and assessed shall be paid by purchasing from the commissioner stamps of such design and denomination as said commissioner shall prescribe. The commissioner may provide for the use of meters or other mechanical devices approved by him for the purpose of the stamping or printing upon reels of moving picture film of evidence of the payment of this tax. The commissioner is hereby directed and empowered to enforce the provisions of this act and to make all necessary rules and regulations not inconsistent with the provisions of this act The commissioner shall design and provide for the issuance of adhesive stamps to be used for the purpose of paying the tax herein imposed and shall make provision for the sale of such stamps in such places and at such times as may be necessary.

SEC. 12. The commissioner may from time to time provide for the issuance of stamps of a new design and forbid the use of stamps of any other design. In order to effect such change the commissioner shall publish notice thereof once a week for six weeks preceding the time of taking effect of such change in one or more daily newspapers published in each city of first class, one and one-half class, second class, and second and one-fourth class

SEC 13 With each order for stamps the person applying therefor shall send sufficient money to pay the cost of such stamps.

SEC. 14. Any person lawfully in possession of spoiled or unused stamps may surrender the same to the commissioner, together with a verified statement setting forth how, when, and from whom the same were acquired, and such other information as the commissioner may require. The commissioner may redeem the same, either by exchanging therefor stamps of a new issue or refunding the face value thereof. Such stamps together with such statement shall be transmitted by the commissioner to the State Treasurer, who shall thereupon allow the commissioner proper credit therefor.

SEC. 15. Except as provided in section 14 all moneys received by the commissioner under the provisions of this act shall be promptly transmitted by him to the State Treasurer for deposit in the general fund

SEC 16. All persons engaged in the business of manufacturing, selling, or distributing moving picture films within this State shall furnish quarterly reports, upon forms provided by the commissioner, of all moving picture films sold or distributed within this State. Such reports shall set forth the names and addresses of the persons receiving such films, the amount of the taxes paid thereon by the person reporting, and such other information as the commissioner may require.

SEC. 17. The commissioner, may, at any time within three years after such report is due, examine the books and records of any person required to make such report, and such books and papers shall at all times be subject to his inspection, or that of his representative, during regular business hours.

SEC. 18. It is unlawful to refuse to permit the commissioner or any of his representatives to make such inspection as provided in section 17, or to fail to keep such books of accounts as may be prescribed by the commissioner, or to fail to preserve such books for such period as the same shall be open to the inspection of the commissioner, or to alter, cancel, or obliterate entries therein for the purpose of falsifying the true facts.

SEC. 19. It is unlawful for any person to have in his possession, except in the manner herein provided, any moving picture film which is not stamped as provided herein. It is unlawful for any person knowingly to purchase, use, or exhibit moving picture films upon which the tax provided for in this act has not been paid. Any person, and the officers of any corporation, violating the provisions of this section shall be punishable by a fine of not less than one hundred dollars nor more than five hundred dollars, or both imprisonment in the city jail not less than ten days nor more than six months, or by both such fine and imprisonment.

SEC. 20. Any person who sells, leases, or distributes moving picture film without paying the tax or without having the duly canceled stamp attached to each reel of such film shall be guilty of a misdemeanor and shall be subject to the fine and penalty provided in the last preceding section. The sale, leasing, or distribution of each reel of moving picture film upon which the tax has not been paid or which does not have the duly canceled stamp or other evidence of payment of the tax affixed thereto is a separate and distinct offense.

SEC. 21. Any person who knowingly removes or alters any cancellation mark on any stamp, or who uses or has in his possession any restored, altered, forged, or counterfeit stamp, or who removes any stamp affixed pursuant to the requirements of this act, is punishable by a fine of not less than one thousand dollars or by imprisonment in the State prison for not less than one year, or both.

SEC. 22. Violation of any of the provisions of this act for which no other penalty is provided, or violation of any lawful rule or regulation promulgated by the commissioner, as provided herein, is a misdemeanor, punishable by a fine of not less than twenty-five dollars nor more than one thousand dollars, or by imprisonment in the county jail not to exceed six months, or both.

SEC. 23. The sum of twenty-five thousand dollars, or so much thereof as may be necessary, is hereby appropriated for the use of the commissioner in the enforcement and administration of this act.

SEC. 24. If any provision of this act or the application thereof to any person or circumstance is held invalid the application of such provisions to other persons or circumstances shall not be affected thereby."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2049—An act relating to and providing for the levy and collection of a tax upon sales of tangible personal property and making provision for the administration thereof and prescribing penalties for violations of its provisions, the act to take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 3 to 7, inclusive, and insert in lieu thereof the following:

"SEC. 2. The following words, terms and phrases when used in this act have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(a) "Person" includes any individual, firm, copartnership, joint adventure, association, corporation, estate, trust, business trust, receiver, syndicate or any other group or combination acting as a unit, and the plural as well as the singular number.

(b) "Sale" means any transfer, exchange or barter, conditional or otherwise, in any manner or by any means whatsoever, of tangible personal property, for a consideration, and includes the furnishing, preparing or serving for a consideration of any tangible personal property consumed on the premises of the person furnishing,

preparing or serving such tangible personal property. A transaction whereby the possession of property is transferred but the seller retains the title as security for the payment of the price shall be deemed a sale.

(c) A "retail sale" or "sale at retail" means a sale to a consumer or to any person for any purpose other than for resale in the form of tangible personal property.

(d) "Business" includes any activity engaged in by any person or caused to be engaged in by him with the object of gain, benefit or advantage, either direct or indirect.

(e) "Vendor" means the person by whom the transfer effected or license given by a sale is or is to be made or given; and in case two or more persons shall be engaged in business in the same retail establishment under a single trade name in which all collections on account of sales by each are made, such persons shall constitute a single vendor for the purpose of this act.

When, in the opinion of the board it is necessary for the efficient administration of this act to regard any salesmen, representatives, peddlers or canvassers as the agents of the dealers, distributors, supervisors or employers under whom they operate or from whom they obtain the tangible personal property sold by them, irrespective of whether they are making sales on their own behalf or on behalf of such dealers, distributors, supervisors or employers, the board may so regard them and may regard the dealers, distributors, supervisors or employers as vendors for purposes of this act.

(f) "Consumer" means the person to whom the transfer effected or license given by a sale is or is to be made or given, or to whom the admission is granted.

(g) "Price" means the aggregate value in money of any thing or things paid or delivered, or promised to be paid or delivered by a consumer to a vendor in the consummation and complete performance of a retail sale without any deduction therefrom on account of the cost of the property sold, cost of materials used, labor or service cost, interest or discount paid, or any other expense whatsoever. The tax collected by the vendor from the consumer under the provisions of this act shall not be considered as a part of the price, but shall be considered as a tax collection for the benefit of the State, and, except for the discount authorized in section 14 of this act, no persons other than the State shall derive any benefit from the collection or payment of such tax.

(h) "Retail establishment" means any premises in which the business of selling tangible personal property is conducted or in or from which any retail sales are made

(i) "Tangible personal property" means personal property which may be seen, weighed, measured, felt, touched, or is in any other manner perceptible to the senses

(j) "Board" means the State Board of Equalization.

SEC 3 For the purpose of providing revenue with which to meet the needs of the State in the existing economic crisis, for the use of the general fund of the State, for the purpose of securing a thorough and efficient system of public schools throughout the State, and for the purpose of affording revenues, in addition to those from other sources, permitted under constitutional limitations, and for the purpose of reimbursing the State for the expense of administering this act, an excise tax is hereby levied on each retail sale in this State of tangible personal property occurring during the period beginning on the first day of_____1935, and ending on the_____ day of_____, _____, with the exceptions hereinafter mentioned and described, as follows:

One cent, if the price is more than 5c and not more than 50c;
Two cents, if the price is more than 50c and not more than 84c;
Three cents, if the price is more than 84c and not more than $1.17;
Four cents, if the price is more than $1.17 and not more than $1.50;
Five cents, if the price is more than $1.50 and not more than $1.84;
Six cents, if the price is more than $1.84 and not more than $2.17;

and thereafter one cent additional shall be added within each dollar of sale after seventeen cents, fifty cents, and eighty-four cents.

If the price is not more than five cents, no tax shall be imposed.

The taxes hereby imposed shall apply and be collected when the sale is made, regardless of the time when the price is paid or delivered.

In the case of a sale as herein defined made during said period, the price of which as herein defined consists in whole or in part of rentals for the use of the thing transferred, the taxes hereby imposed shall, as regards such rentals, be measured by the installments thereof falling due within said period only.

SEC. 4. There are hereby specifically exempted from the provisions of this act and from the computation of the amount of tax levied, assessed or payable under this act the following.

(a) Sales of tangible personal property which this State is prohibited from taxing under the Constitution or laws of the United States of America or under the Constitution of this State.

(b) The sale, furnishing, or service of gas, electricity, and water, when delivered to consumers through mains, lines, or pipes.

(c) The sale of gold bullion or gold concentrates or gold precipitates by the producer or refiner thereof.

(d) Sales of tangible personal property used for the performance of a contract on public works executed prior to the effective date of this act.

SEC. 5. There is hereby specifically exempted from the provisions of this act and from the computation of the amount of tax levied, assessed or payable under this act, sales or distributions of motor vehicle fuel in this State subject to the tax imposed thereon under the provisions of the "Motor Vehicle Fuel License Tax Act," and not subject to refund.

The tax by this act imposed upon those sales of motor vehicle fuel which are subject to tax and refund under the "Motor Vehicle Fuel Tax License Act" shall be collected by the State Controller by way of deduction from refunds otherwise allowable under said act. The amount of such deductions, he shall transfer from the motor vehicle fuel fund to the retail sales tax fund

This section is hereby declared to be separable and distinct from all other portions of this act, and shall not be deemed a consideration or inducement for the enactment of the whole or any portion of this act. If this section be for any reason declared invalid, the remainder of this act shall remain in full force and effect and shall be as completely operative as though this section had not been included herein.

SEC. 6. As used in this section governmental agency means the State, any county, city and county, city or district thereof.

A governmental agency may apply to the board for refund of the amount of tax imposed hereunder and paid upon sales to it of foodstuffs used for free distribution to the poor and needy.

Such refunds may be obtained only in the following amounts and manner and only under the following conditions:

(a) On forms furnished by the board, the governmental agency shall report to the board, within ninety days from the date or dates of purchase, the total amount or amounts, valued in money, expended, directly or indirectly, for foodstuffs used for free distribution to the poor and needy.

(b) On said forms the governmental agency shall separately list the persons making the sales to it, or to its order, together with the dates of the sales, the total amounts so expended by the governmental agency, and the total amounts of tax imposed by this act and paid thereon by said governmental agency.

(c) The governmental agency must prove to the satisfaction of the board that the tax provided for by this act has been paid upon such sales.

If the board is satisfied that the foregoing conditions and requirements have been complied with, it shall certify the amount of the refund payable to the governmental agency to the State Board of Control. Upon approval by the State Board of Control, the State Controller shall draw his warrant on the sales tax fund in the amount specified, payable to the governmental agency, and the State Treasurer shall pay the same.

SEC. 7 For the purpose of the proper administration of this act and to prevent the evasion of the tax hereby levied, it shall be presumed that all sales made in this State during the period defined in section 3 hereof are subject to the tax hereby levied until the contrary is established.

SEC. 8. Excepting as provided in section 10 of this act, the tax hereby imposed shall be paid by the consumer to the vendor in every instance, and it shall be the duty of each vendor to collect from the consumer the full and exact amount of the tax payable in respect of each taxable sale, and to evidence the payment of the tax in each case by canceling prepaid tax receipts, equal in face value to the amount thereof, in the manner and at the times provided in this section, to wit:

(a) If the price is, at or prior to the delivery of possession of the thing sold, to the consumer, paid in currency passed from hand to hand by the consumer or his agent to the vendor or his agent, the vendor or his agent shall

1. Collect the tax with and at the same time as the price

2. Immediately cancel in the presence of the buyer by immediately tearing into two parts a prepaid tax receipt or receipts of the proper face value, deliver one part of each such canceled prepaid tax receipt to the consumer or his agent, and retain the other part thereof.

(b) If the price is otherwise paid or to be paid, the vendor or his agent shall, at or prior to the delivery of possession of the thing sold, to the consumer, cancel or cause to be canceled by tearing into two parts prepaid tax receipts equal in face value to the amount of the tax imposed by this act. Thereupon and thereby the amount of the tax with respect to such sale, payment of which to the State is evidenced by such cancellation, shall become a legal charge in favor of the vendor and against the consumer, which shall in every case be collected by the vendor, as herein provided, in addition to the price; and at or immediately after such collection, the vendor shall deliver one part of each such canceled prepaid tax receipt to the consumer and retain the other part thereof.

SEC. 9 Prepaid tax receipts required by this act shall be issued by the board in such denominations as the board may deem necessary. They shall be printed on durable paper, be of different design and distinctly different coloring for each of such denominations represented thereby.

SEC. 10. The board shall design and procure the prepaid tax receipts herein provided for. The board shall enforce and administer the provisions of this act. It shall have power to adopt and promulgate such rules and regulations as it may deem necessary to carry out the provisions of this act, and without prejudice

to the generality of the powers of the board by virtue of the foregoing provisions, the board may:

(a) Prescribe the form and manner of canceling prepaid tax receipts consistent with the provisions of this act.

(b) Authorize a vendor to prepay the tax levied by this act upon sales of things produced or distributed by such vendor, and waive the collection of the tax from the consumer in the manner otherwise provided in this act; but no such authority shall be granted or exercised excepting upon application to the board and unless the board shall, after hearing, advance notice of which must be given by the board to all vendors in the same general classification as the applicant, find that the conditions of the applicant's business are such as to render impracticable the collection of the tax in the manner otherwise provided by this act and upon the applicant furnishing a bond payable to the State of California in such amount as the board may determine to be sufficient to secure the prepayment of the taxes levied by this act in the manner desired, with surety to the satisfaction of the State Controller, with whom such bond shall be filed; nor shall the authority so granted be exercised nor the vendor or vendors actually selling such products be exempted from the other provisions of this act by virtue thereof unless the person to whom such authority is granted shall print plainly upon the product sold or offered for sale, a statement to the effect that the tax levied by this act has been paid in advance.

(c) Upon written request of a vendor, authorize the use of mechanical devices or meters approved by it, in lieu of prepaid tax receipts, for the purpose of establishing the accountability for the tax collected and providing a tax receipt to consumers.

SEC. 11. In the event prepaid purchases are returned to the vendor by the consumer after the tax imposed by this act has been collected or charged to the account of the consumer, the vendor shall be entitled to reimbursement of the amount of the tax so collected or charged by him, either through the cancellation of prepaid tax receipts paid for by the consumer, or through the canceling of prepaid tax receipts paid for by the vendor and charged to the account of the consumer, in the manner herein provided. Upon receipt of a sworn statement by the vendor as to the gross amount of such refunds, during the period covered by such sworn statement, which period shall not be longer than sixty days, the board shall issue to the vendor an official credit memorandum equal to the net amount paid by the vendor for such canceled prepaid tax receipts. Such memorandum shall be accepted by any county treasurer, or by any agent of the board at full face value, from the vendor to whom it is issued, in the purchase of prepaid tax receipts under the provisions of section 12 of this act.

SEC. 12. The board shall be responsible for the custody and distribution of the prepaid tax receipts provided for herein. It may appoint agents for the sale of prepaid tax receipts at such places in the State as it may deem expedient, fix their compensation, payable from any appropriation made for the purpose of administering the provisions of this act, and require of each agent such bond or other security as it may deem necessary. It shall deliver to each county treasurer such number and denomination of prepaid tax receipts as in its judgment may be required for sale in each county or city and county, pursuant to this act, and may prescribe such regulations and forms of receipts and reports as it may deem necessary and advisable for the transaction of the business of selling such prepaid tax receipts.

SEC. 13. Each county treasurer shall pay, on the first business day of each week, to the board all moneys arising from the sale of prepaid tax receipts by him during the preceding week. At the same time each county treasurer shall transmit a report showing all sales, the name of purchasers, and the aggregate face value purchased by each.

Each such county treasurer shall retain for the use of the general fund of the county or city and county, an amount equal to one-tenth of one per centum of the proceeds of such sales. All the powers and duties hereby imposed upon the county treasurer shall be deemed and considered to be within the scope of his office as county treasurer for all purposes.

The agents appointed by the board for the sale of prepaid tax receipts shall transmit all moneys received by them at such times and in such manner as the board may direct.

SEC. 14. The board, its agents, and the several county treasurers shall sell prepaid tax receipts only to licensed vendors. All such prepaid tax receipts shall be sold and accounted for at a discount of not to exceed three per centum of the face value thereof, as a commission for handling and canceling such prepaid tax receipts. The board shall by regulation, fix within the limitations herein prescribed the rate of discount applicable to the sale of prepaid tax receipts to such classes of licensed vendors as it may establish.

SEC. 15. The county treasurers shall redeem and pay for any unused or spoiled tax receipts at the net value thereof on written verified request made by any licensed vendor, his administrators, executors, successors or assigns. Such payments shall be made from current collections. Each county treasurer shall be entitled to deduct from the amount transmitted by him to the board any amounts

so paid by him, upon the delivery to the board of such unused or spoiled tax receipts accompanied by the written verified request provided for herein.

SEC. 16. Within five days after the issuance of his license, it shall be the duty of each such licensed vendor to purchase and have on hand at all times prepaid tax receipts in suitable denominations and in amount sufficient to supply the normal requirements of his business. A licensed vendor shall procure prepaid tax receipts only from the board, or its agents authorized to sell such receipts, or the treasurer of the county in which he is licensed.

SEC. 17. After July 1, 1935, no person shall engage in making retail sales as herein defined, as a business, without having a license therefor, excepting that in the case of the dissolution of a partnership by death, the surviving partner or partners may operate under the license of the partnership for a period of sixty days, and the heirs or legal representatives of deceased persons, and receivers and trustees in bankruptcy, appointed by any competent authority, may operate under the license of the person so succeeded in possession by such heir, representative, receiver, or trustee in bankruptcy; and excepting further that two or more persons constituting a single "vendor" as defined by section 2 of this act may operate a single retail establishment under one license, and in such case neither the retirement of one or more such persons from business in such establishment, nor the entrance of one or more thereinto, under an existing arrangement, shall affect the license or require the issuance of a new license.

SEC. 18. Every person desiring to engage in or transact business as a vendor of tangible personal property within this State shall file with the board an application for a permit or permits. Every application for such a permit shall be made upon a form prescribed by the board and shall set forth the name under which the applicant transacts or intends to transact business, the location of his place or places of business, and such other information as the board may require. The application shall be signed by the owner if a natural person; in the case of an association or partnership, by a member or partner thereof; in the case of a corporation, by an executive officer thereof or some person specifically authorized by the corporation to sign the application, to which shall be attached the written evidence of his authority. Any person who engages in the business of selling tangible personal property at retail in this State without a permit or permits or after a permit has been suspended, and the officers of any corporation which shall so sell, shall be guilty of a misdemeanor.

SEC. 19. At the time of making such application, the applicant shall pay to the board a permit fee of one dollar for each permit, and the applicant must have a permit for each place of business.

SEC. 20. Upon the payment of the permit fee or fees herein required, the board shall grant and issue to each applicant a permit for each place of business within the State. A permit is not assignable and shall be valid only for the person in whose name it is issued and for the transaction of business at the place designated therein. It shall at all times be conspicuously displayed at the place for which issued.

SEC. 21. Permits issued under the provisions of this act shall be valid and effective without further payment of fees until suspended or revoked by the board.

The board shall charge a fee of one dollar for the renewal of issuance of a permit to a retailer whose permit has been previously suspended or revoked.

SEC. 22. Whenever the holder of a permit fails to comply with any of the provisions of this act or any rules or regulations of the board prescribed and adopted under this act, the board upon hearing after giving ten days' notice in writing of the time and place of the hearing to show cause why his permit should not be revoked, may revoke or suspend the permit.

SEC. 23. Each vendor shall keep such records of sales together with invoices, bills of lading, retained parts of canceled prepaid tax receipts, and such other pertinent documents, in such form as the board may by regulation require. Such records and other documents shall be open at any time during business hours to the inspection of the board and shall be preserved for a period of three years, unless the board shall in writing consent to their destruction within that period, or by order require that they be kept longer.

SEC. 24. In case any vendor fails to collect the tax herein imposed, or, having collected the tax, fails to cancel the prepaid tax receipts in the manner prescribed by this act and by the regulations of the board, he shall be personally liable for such amount as he failed to collect or for the amount of the prepaid tax receipts which he failed to cancel. In such case the board shall have power to make an assessment against such vendor based upon any information within its possession or that may come into its possession. If any part of the deficiency for which such assessment is imposed is due to negligence or intentional disregard of this act or authorized rules and regulations thereunder, a penalty of five per cent of the amount of such assessment shall be added. If any part of the deficiency for which such assessment is imposed is due to fraud or an intent to evade the tax, a penalty of twenty-five per cent of the amount of such assessment shall be added. The board shall give to the vendor written notice of such assessment. Such notice may be

served upon the vendor personally or by mail; if by mail, service shall be made in the manner prescribed by section 1013 of the Code of Civil Procedure and addressed to the vendor at his address as the same appears in the records of the board. The vendor shall have the right to petition for reassessment of any such tax found, determined and declared by the board pursuant to and in accordance with the provisions of this section.

SEC. 25. Any vendor against whom an assessment is made by the board under the provisions of section 24 hereof may petition for a reassessment thereof within fifteen days after service upon the vendor of notice thereof. If a petition for reassessment is not filed within said fifteen day period the amount of the assessment becomes final at the expiration thereof.

If a petition for reassessment is filed within said fifteen day period the board shall reconsider the assessment, and if the vendor has so requested in his petition, shall grant said vendor an oral hearing and shall give the vendor ten days' notice of the time and place thereof. The board shall have power to continue the hearing from time to time as may be necessary.

The order or decision of the board upon a petition for reassessment shall become final sixty days after service upon the vendor of notice thereof unless the retailer brings a proceeding for the review thereof under the provisions of section 38 hereof.

Any notice required by this section shall be served personally or by mail in the same manner as prescribed for service of notice by the provisions of section 24 hereof.

SEC. 26. Except in the case of a fraudulent return, or neglect or refusal to make a return, every notice of additional tax proposed to be assessed hereunder shall be mailed to the vendor within three years after the return was filed.

SEC. 27. All assessments made by the board under the provisions of section 24 hereof shall become due and payable at the time they become final and if not paid when due and payable there shall be added thereto a penalty of five per cent of the amount of the tax and interest on the amount of the tax at the rate of one per cent per month, or fraction thereof, from that date until the date of payment.

SEC. 28. The board shall report to the Controller every assessment made under this act, and he shall keep a record thereof.

SEC. 29. In any case in which any tax, interest or penalty imposed under this act is not paid when due the board may file for record in the recorder's office of any county a notice of lien specifying the amount of the tax, interest or penalty due and the name of the vendor liable for the same. From the time of filing any such notice the amount of the tax specified in such notice shall have the force and effect of the lien of a judgment against the vendor named in said notice of lien for the amount specified in such notice. Such lien may be released by filing for record in the office of the county recorder of a release thereof executed by the board upon payment of the tax, interest and penalties or upon receipt by the board of security sufficient to secure payment thereof, but no such release shall be deemed a waiver of any tax, interest or penalty levied or assessed under this act and due and payable or to become due and payable by such vendor.

In the event that any vendor is delinquent in the payment of the tax herein provided for the board may give notice of the amount of such delinquency by registered mail to all persons having in their possession, or under their control, any credits or other personal property belonging to such vendor, or owing any debts to such vendor at the time of receipt by them of such notice and thereafter any person so notified shall neither transfer nor make any other disposition of such credits, other personal property, or debits until the board shall have consented to a transfer or disposition, or until twenty days shall have elapsed from and after the receipt of such notice. All persons so notified must, within five days after receipt of such notice, advise the board of any and all such credits, other personal property or debts, in their possession, under their control or owing by them, as the case may be.

At any time within two years after any vendor is delinquent in the payment of the tax herein provided for, the board may proceed forthwith to collect the tax due from the vendor in the following manner: The board shall seize any property, real or personal, subject to the lien of said tax, and thereafter sell at public auction such property so seized, or a sufficient portion thereof, to pay the tax due hereunder, together with any interest or penalties imposed hereby for such delinquency, and any and all costs that may have been incurred on account of such seizure and sale. Notice of such intended sale and the time and place thereof, shall be given to such delinquent vendor and to all persons appearing of record to have an interest in such property in writing at least ten days before the date set for such sale by enclosing such notice in an envelope addressed to such vendor at his last known residence or place of business in this State if any, and in the case of any person appearing of record to have an interest in such property addressed to each person at the last known place of residence, if any, and depositing the same in the United States mail, postage prepaid, and by publication for at least ten days before the date set for such sale in a newspaper of general circulation published in the county or city and county in which the property seized is to be sold; provided, that if there be no newspaper of general circulation in such county or city and county, then by the posting of such notice in three public places in such county or city and county ten days prior to the date set for such sale. The said notice shall contain a description of the property to be sold, together with a statement of the amount of the taxes,

interest, penalties and costs, the name of the vendor, and the further statement that unless such taxes, interest and penalties and costs are paid on or before the time fixed in said notice for such sale, said property, or so much thereof as may be necessary, will be sold in accordance with law and said notice.

At any such sale, the property shall be sold by the board in accordance with law and said notice, and the board shall deliver to the purchaser a bill of sale for the personal property, and a deed for any real property so sold, and such bill of sale or deed shall vest the interest or title of the vendor in the purchaser. The unsold portion of any property so seized may be left at the place of sale at the risk of the vendor. If, upon any such sale, the moneys so received shall exceed the amount of all taxes, interest, penalties and costs due the State from such vendor, any such excess shall be returned to the vendor, and his receipt therefor obtained; provided, however, that if any person having an interest or lien upon the property has filed with the board prior to any such sale notice of such interest or lien the board shall withhold any such excess pending a determination of the rights of the respective parties thereto by a court of competent jurisdiction. If, for any reason, the receipt of such vendor shall not be available, the board shall deposit such excess moneys with the State Treasurer, as trustee for such owner, subject to the order of such vendor, his heirs, successors or assigns.

It is expressly provided that the foregoing remedies of the State shall be cumulative and that no action taken by the board or Attorney General shall be construed to be an election on the part of the State or any of its officers to pursue any remedy hereunder to the exclusion of any other remedy for which provisions is made in this act

SEC. 30. At any time within three years after the delinquency of any tax, the board may bring an action in a court of competent jurisdiction in the name of the people of the State of California to collect the amount delinquent, together with penalties. The Attorney General must prosecute such action, and the provisions of the Code of Civil Procedure relating to service of summons, pleading, proofs, trials and appeals are applicable to the proceedings herein provided for. In such action a writ of attachment may issue, and no bond or affidavit previous to the issuing of said attachment is required. In such action a certificate by the board showing the delinquency shall be prima facie evidence of the levy of the tax, of the delinquency and of compliance by the board with all provisions of this act in relation to the computation and levy of the tax.

SEC. 31. No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against this State or against any officer thereof to prevent or enjoin under this act the collection of any tax sought to be collected; but after payment of any such tax under protest, duly verified and setting forth the grounds of objection to the legality of such tax, the vendor paying such tax may bring an action against the State Treasurer in a court of competent jurisdiction in the county of Sacramento for the recovery of the tax so paid under protest. No such action may be instituted more than sixty days after the tax becomes due and payable, and failure to bring suit within said sixty days shall constitute waiver of any and all demands against this State on account of alleged overpayment of taxes hereunder. No grounds of illegality of the tax shall be considered by the court other than those set forth in the protest filed at the time of the payment of the tax

If in any such action judgment is rendered for the plaintiff, the amount of the judgment shall first be credited on any taxes due from the plaintiff under this act, and the balance of the judgment shall be refunded to the plaintiff In any such judgment, interest shall be allowed at the rate of six per cent per annum upon the amount of tax found to have been illegally collected from the date of payment of such tax to the date of allowance of credit on account of such judgment or to a date preceding the date of the refund warrant by not more than thirty days, such date to be determined by the Controller.

In no case shall any judgment be rendered in favor of the plaintiff in any action brought against the State Treasurer to recover any tax paid hereunder, when such action is brought by or in the name of an assignee of the vendor paying said tax, or by any person other than the vendor who has paid such tax

SEC. 32 Whoever falsely or fraudulently makes, forges, alters, or counterfeits any prepaid tax receipt prescribed by the board under the provisions of this act, or knowingly and wilfully utters, publishes, passes, or tenders as true, any such false, altered, forged or counterfeited receipt shall be imprisoned in the State prison for a term of not less than one year or more than ten years

SEC 33. Whoever being a vendor, as defined in this act, fails, neglects, or refuses to collect the full and exact tax as required by this act, or fails, neglects, or refuses to comply with the provisions of this act and the rules and regulations of the board with respect to the cancellation of prepaid tax receipts, or excepting as expressly authorized pursuant to this act, refunds, remits or rebates to a consumer, either directly or indirectly and by whatsoever means, all or any part of the tax levied by this act, or makes in any form of advertising, verbal or otherwise, any statements which might infer that he is absorbing the tax or paying the tax for the consumer by an adjustment of prices, or at a price including the tax, or in any other manner whatsoever shall be deemed guilty of a misdemeanor and upon conviction thereof shall be

fined not less than twenty-five dollars nor more than one hundred dollars, and upon conviction for a second or other subsequent offense, shall, if a corporation, be fined not less than one hundred dollars nor more than five hundred dollars, or if an individual or a member of a partnership, firm or association, be fined not less than twenty-five dollars nor more than one hundred dollars, or imprisoned in the county jail, not more than sixty days, or both.

SEC. 34. Whoever violates any provision of this act or any lawful rule or regulation promulgated by the board under authority of this act for the violation of which no penalty is otherwise expressly provided by law, shall be fined not less than twenty-five dollars nor more than one hundred dollars.

SEC. 35. It shall be unlawful for the board, or any person having an administrative duty under this act to divulge or to make known in any manner whatever, the business affairs, operations, or information obtained by an investigation of records and equipment of any vendor visited or examined in the discharge of official duty, or the amount or source of income, profits, losses, expenditures or any particular thereof, set forth or disclosed in any return, or to permit any return or any copy thereof or any book containing any abstract or particulars thereof to be seen or examined by any person except as provided by law; provided, however, that the Governor may authorize examination of such returns by other State officers, by tax officers of another State, or the Federal Government, if a reciprocal arrangement exists, and any other persons the Governor may so authorize.

Any violations of the provisions of this section shall be a misdemeanor and be punished by a fine not exceeding one thousand dollars, or by imprisonment not exceeding one year, or both, at the discretion of the court.

SEC. 36. Any vendor failing or refusing to furnish any return hereby required to be made, or failing or refusing to furnish a supplemental return or other data required by the board, or rendering a false or fraudulent return, shall be guilty of a misdemeanor and subject to a fine of not exceeding five hundred dollars for each such offense.

SEC. 37. Any person required to make, render, sign or verify any report as aforesaid, who makes any false or fraudulent return, with intent to defeat or evade the assessment required by law to be made, shall be guilty of a misdemeanor, and shall for each such offense be fined not less than three hundred dollars and not more than five thousand dollars or be imprisoned not exceeding one year in the county jail or be subject to both said fine and imprisonment in the discretion of the court.

SEC. 38. Every order, decision or other official act of the board shall be subject to review in accordance with the provisions of Chapter I, Title I of Part III of the Code of Civil Procedure if the proceeding is brought within sixty days after service of notice of such order, decision or other official act. Upon such review the court shall be limited to a consideration and determination of the question whether there has been an abuse of discretion on the part of the board in making such order, decision or other official act. The person petitioning for a review of any order, decision or other official act of the board shall pay the cost of the preparation of any transcript or transcripts of the records or proceedings of the board that the board may be required to furnish in the proceeding instituted by the vendor under the provisions of this section.

SEC. 39. All fees, taxes, interest and penalties imposed under this act must be paid to the board in the form of remittances payable to the Treasurer of the State of California, and said board shall transmit such payments daily to the State Treasurer to be deposited in the State treasury to the credit of the "Retail sales tax fund," which fund is hereby created.

SEC. 40. For expenditure by the board in carrying out the provisions of this act there is hereby appropriated a sum of money equal to _____ dollars plus _____ per cent, or so much thereof as may be necessary, of all other moneys deposited in the retail sales tax fund; said _____ dollars being payable out of moneys in the general fund not otherwise appropriated being payable out of the retail sales tax fund; provided, that, out of said two per cent of said other moneys deposited in the retail sales tax fund and on or before June 30, 1937, the sum of _____ dollars shall be returned into the general fund.

For expenditure by the Controller in carrying out the provisions of this act there is hereby appropriated out of the retail sales tax fund the sum of _____ dollars or so much thereof as may be necessary.

The balance of the moneys in the retail sales tax fund shall, upon order of the State Controller, be drawn therefrom for the purpose of refunding to the taxpayers hereunder or be transferred to the general fund of the State.

SEC. 41. If any section, subsection, clause, sentence or phrase of this act which is reasonably separable from the remaining portions of this act is for any reason held to be unconstitutional, such decision shall not affect the remaining portions of this act. The Legislature hereby declares that it would have passed the remaining portions of this act irrespective of the fact that any such section, subsection, clause, sentence or phrase of this act be declared unconstitutional.

SEC 42. This act, inasmuch as it provides for a tax levy for the usual current expenses of the State, shall, under the provisions of section 1 of Article IV of the Constitution, take effect immediately."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 738—An act to amend section 13 of "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to expenditures of funds.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 39, of the printed bill, after the period, insert the following: "Not over three per cent of the moneys in such fund shall be expended for illumination."

Amendment No. 2.

On page 2, line 42, of the printed bill, strike out "illumination".

Amendment No. 3.

On page 2, line 46, of the printed bill, strike out "illumination".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 741—An act to amend section 159 of the California Vehicle Act, approved May 30, 1923, as amended, relating to the motor vehicle fund and the disposition of moneys placed therein.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 16, of the printed bill, strike out "illumination", and insert in lieu thereof the following: "illumination".

Amendment No. 2.

On page 2, line 18, of the printed bill, strike out the semicolon, and insert in lieu thereof a period and the following: "Not over three per cent of such moneys shall be expended for illumination, and then, only in unincorporated territory."

Amendment No. 3.

On page 2, line 21, of the printed bill, strike out "illumination".

Amendment No. 4.

On page 2, line 25, of the printed bill, strike out "illumination"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1063—An act to amend section 182 of the Penal Code, relating to criminal conspiracy.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 794—An act to amend sections 5 900, 5.904, 5.970, 5 980, 5.990, 5.993, 5.1003, 5.1004, 5.1030, 5.1031, 5.1032, 5.1060, 5.1080, and 5 1083 of the School Code, to amend the titles of Chapter III, of Articles IV and VII of Chapter III, of Chapter VI, of Articles II and III of Chapter VI, all of Part IV of Division V of said code; to add two new sections to said code to be numbered 5.971 and 5 972, and to add to Chapter V of Part IV of Division V of said code a new article to be known as Article VIII; to add to Chapter V of Part IV of Division V of said code a new article to be known as Article V; and to add to Chapter VI of Part IV of Division V of said code a new article to be known as Article IIIA, all relating to the payment of retirement salaries and retirement annuities to teachers employed in the public schools of this State.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out the following: "5.971, 5.972,".

Amendment No. 2.

On page 1, line 6 of the title of the printed bill, as amended, after the Roman numeral "IV", insert a comma, and the Roman numeral "V".

Amendment No. 3.

On page 1, line 7 of the title of the printed bill, as amended, strike out the word "and", and insert in lieu thereof a comma.

Amendment No. 4.

On page 1, line 7 of the title of the printed bill, as amended, after the second Roman numeral "III", insert the following: "and V".

Amendment No. 5.

On page 1, line 13 of the title of the printed bill, as amended, strike out the number "597.1", and insert in lieu thereof the number "5 971".

Amendment No. 6.

On page 1, line 14 of the title of the printed bill, as amended, strike out the first Roman numeral "V", and insert in lieu thereof the Roman numeral "III".

Amendment No. 7.

On page 1, line 19 of the title of the printed bill, as amended, strike out the following: "IIIA", and insert in lieu thereof the Roman numeral "IV".

Amendment No. 8.

On page 1, line 24 of the title of the printed bill, as amended, after the word "with", insert the following: "teaching or other employment in, and/or".

Amendment No. 9.

On page 1, line 25 of the title of the printed bill, as amended, strike out the word "in", and insert in lieu thereof the word "of,".

Amendment No. 10.

On page 2, line 31, of the printed bill, as amended, after the word "a", insert the word "legally".

Amendment No. 11.

On page 2, line 31, of the printed bill, as amended, beginning in said line 31, strike out the following: "or partly as such teacher in public day or evening schools".

Amendment No. 12.

On page 2, line 34, of the printed bill, as amended, strike out the word "librarians", and insert in lieu thereof the word "librarian".

Amendment No. 13.

On page 2, line 44, of the printed bill, as amended, strike out the number "5.984", and insert in lieu thereof the number "5.894".

Amendment No. 14.

On page 3, line 10, of the printed bill, as amended, strike out the word "the", and insert in lieu thereof the word "this".

Amendment No. 15.

On page 3, line 13, of the printed bill, as amended, strike out the word "all", and insert in lieu thereof the following "administrator or".

Amendment No. 16.

On page 3, line 49, of the printed bill, as amended, after the period insert the following: "All retirement salaries granted under this article prior to the adoption of this section shall be adjusted to conform with the terms of this section, subject to the provisions of Chapter VI of this part."

Amendment No. 17.

On page 4, line 7, of the printed bill, as amended, after the comma insert the following: "or under the provisions of Chapter 694, Statutes of 1913, and acts amendatory thereof, or under the provisions of this part,".

Amendment No. 18.

On page 4, line 13, of the printed bill, as amended, after the word "have", insert the word "heretofore".

Amendment No. 19.

On page 4, line 15, of the printed bill, as amended, after the first comma insert the following: "or under the provisions of Chapter 694, Statutes of 1913, and acts amendatory thereof, or under the provisions of this part,"

Amendment No. 20.

On page 4, line 24, of the printed bill, as amended, strike out the word "qualified", and insert in lieu thereof the word "qualifies"

Amendment No. 21.

On page 4, line 40, of the printed bill, as amended, after the word "fund", insert the following. "and public school teachers' annuity deposit fund".

Amendment No. 22.

On page 4, line 42, of the printed bill, as amended, strike out the word "desirable", and insert in lieu thereof the word "advisable".

Amendment No. 23.

On page 4, line 48, of the printed bill, as amended, after the comma, insert the following: "and the contributions by school districts and other employing agencies to the public school teachers' permanent fund,".

Amendment No. 24.

On page 4, line 50, of the printed bill, as amended, strike out the word "such", and insert in lieu thereof the word "teachers' ".

Amendment No. 25.

On page 5, line 38, of the printed bill, as amended, after the comma, insert the following: "the amount contributed by each such person being twenty-four dollars per year,".

Amendment No. 26.

On page 6, line 2, of the printed bill, as amended, strike out the word "provisions", and insert in lieu thereof the word "burdens".

Amendment No. 27.

On page 6, line 4, of the printed bill, as amended, strike out the figure "8", and insert in lieu thereof the figure "8a".

Amendment No. 28.

On page 6, line 45, of the printed bill, as amended, after the word "securities", insert a comma.

Amendment No. 29.

On page 8, line 7, of the printed bill, as amended, beginning in said line 7, strike out the following: "from the teachers' salaries".

Amendment No. 30.

On page 8, line 30, of the printed bill, as amended, strike out the word "teacher", and insert in lieu thereof the word "person".

Amendment No. 31.

On page 8, line 32, of the printed bill, as amended, after the word "for", insert the following: 'such period of time as such person is subject to the burdens of this part, but for".

Amendment No. 32.

On page 8, line 41, of the printed bill, as amended, after the word "paid", insert the following: "semiannually by warrant of the district or other employing agency".

Amendment No. 33.

On page 9, line 25, of the printed bill, as amended, strike out the following: "8e", and insert in lieu thereof the following: "11e".

Amendment No. 34.

On page 9 of the printed bill, as amended, strike out all of lines 29 to 42, inclusive, and insert in lieu thereof the following.

"5.1060. The amounts which persons otherwise eligible to the benefits of this part are required to pay to secure the benefits of this part are as follows:

No person heretofore retired under the provisions of Chapter 166, Statutes of 1895, and acts amendatory thereof, or under the provisions of Chapter 694, Statutes of 1913, and acts amendatory thereof, or under the provisions of this part for other than physical or mental incapacity shall be eligible to receive the benefits of this part who has not paid into the public school teachers' permanent fund or partly into said fund and partly into the public school teachers' annuity and retirement fund maintained under the provisions of Chapter 166, Statutes of 1895, and acts amendatory thereof, an amount equal to twenty-four dollars for each year of service up to and including the thirtieth year.

No person heretofore retired on account of physical or mental incapacity under the provisions of any one of the laws hereinbefore referred to shall be entitled to the benefits of this part who has not paid into the fund or funds hereinbefore referred to an amount equal to twenty-four dollars per year for each year of service credited to such person at the time of his retirement.

No person hereafter eligible to retire under the provisions of Article III of Chapter III of this part shall be eligible to receive the benefits of this part who shall not have paid into the fund or funds herein referred to an amount equal to twenty-four dollars for each year of service, but not less than thirty years.

No person hereafter eligible to retire under the provisions of Article IV of Chapter III of this part shall be entitled to the benefits of this part who shall not have paid into the fund or funds herein referred to an amount equal to twenty-four dollars for each year of service credited to such person at the time of his retirement."

Amendment No. 35.

On page 9, line 51, of the printed bill, as amended, after the word "physical", insert the following: "or mental".

Amendment No. 36.

On page 10, line 4, of the printed bill, as amended, strike out the word "for".

Amendment No. 37.

On page 10, line 7, of the printed bill, as amended, after the word "month", insert a comma and the following: "or in the case of persons retired on account of physical or mental incapacity, the sum of four dollars per month,".

Amendment No. 38.

On page 10, line 8, of the printed bill, as amended, strike out the word "teachers'", and insert in lieu thereof the word 'person's"

Amendment No. 39.

On page 10, line 13, of the printed bill, as amended, strike out the following: "the teacher", and insert in lieu thereof the following: "such person".

Amendment No. 40.

On page 10, line 52, of the printed bill, as amended, after said line 52, insert the following:

"SEC. 18a. The title of Article V of Chapter III of Part IV of Division V of the School Code is hereby amended to read as follows:

Article V—Persons Retired Prior to Taking Effect of 1935 Amendments."

Amendment No. 41.

On page 12, line 18, of the printed bill, as amended, strike out the word "Schools", and insert in lieu thereof the following: "Public Instruction".

Amendment No. 42.

On page 12, line 24, of the printed bill, as amended, strike out the word "and".

Amendment No. 43.

On page 13, line 40, of the printed bill, as amended, strike out the word "permanent", and insert in lieu thereof the words "annuity deposit".

Amendment No. 44.

On page 13, line 44, of the printed bill, as amended, strike out the word "permanent", and insert in lieu thereof the words 'annuity deposit".

Amendment No. 45.

On page 13, line 49, of the printed bill, as amended, strike out the following: "IIIA", and insert in lieu thereof the roman numeral "IV".

Amendment No. 46.

On page 14, line 1, of the printed bill, as amended, strike out the following: "IIIA", and insert in lieu thereof the roman numeral "IV".

Amendment No. 47.

On page 14, line 11, of the printed bill, as amended, after the word "part", insert a comma and the following: "and by each person otherwise becoming subject to the burdens of this part on or after July 1, 1935".

Amendment No 48.

On page 14, line 47, of the printed bill, as amended, after the word "fund", insert the following: "and the contributions to the public school teachers' permanent fund"

Amendment No. 49.

On page 15, line 14, of the printed bill, as amended, strike out the word "persons", and insert in lieu thereof the word "person".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2023—An act to amend the title and sections 1, 2 and 3 of, and to add a new section, to be numbered section 4, to an act entitled "An act to provide for a day of rest from labor," approved February 27, 1893 (Stats. 1893, Chap. 41), relative to the scope of the act, providing for the enforcement of the act by the Chief of the Division of Labor Statistics and Law Enforcement and providing penalties for violation of the provisions thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1926—An act to amend section 1 of an act entitled "An act to secure native-born and naturalized citizens of the United States the exclusive right to be employed in any department of the State, county, city and county and city government in this State, except in certain schools, to validate certain acts, and to repeal all acts in conflict herewith," approved May 19, 1915, relating to the employment of aliens.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 11 of the title of the printed bill, after "amend", insert the following: "the title and".

Amendment No. 2.

On page 1, line 1, of the printed bill, after the period, insert the following: "The title of the act cited in the title hereof is hereby amended to read as follows:

An act to secure to native born and naturalized citizens of the United States the exclusive right to be employed in any department of the State, county, city and county and city government in this State, except in certain schools and city governments, to validate certain acts, and to repeal all acts in conflict herewith

SEC. 2. Section 1 of said act is hereby amended to read as follows:

Section 1. No person except a native-born or naturalized citizen of the United States shall be employed in any department of the State, county, city and county or city government in this State; provided, however, that the prohibitions of this act shall not apply (a) to the employment of any person who has declared his intention to become a citizen of the United States, and such person is to be employed as a member of the faculty or teaching force in public schools of this State, nor in schools supported in whole or in part by the State, nor as an employee, official, or officer of any department of any city government, nor to the employment of any native-born woman of the United States who has married a foreigner, (b) to any member of the faculty or teaching force of any college or university supported in whole or in part by the State; (c) to any specialist or expert temporarily employed by any department of the State or any county, city and county, or city, and engaged in special investigation; (d) in an emergency when it is necessary to protect life, health or property against fire, flood or other calamity arising from natural causes."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1617—An act to add section 602 to the Streets and Highways Code, establishing a secondary State highway.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following.

"An act to provide for the conservation, development and maintenance of the scenic value along State highways and important county highways, and declaring the urgency hereof"

Amendment No. 2.

On page 1 of the printed bill, strike out all of lines 1 to 7, inclusive, and insert in lieu thereof the following:

"SECTION 1. As used in this act, "department" means the State Department of Public Works

SEC. 2. The department is hereby authorized and directed to conserve, develop and maintain the scenic value and natural features along State highways and to provide for roadside scenic planning and the coordination of such plans with local, State and Federal plans.

SEC. 3. The department with reference to State highways, and any county with reference to its important highways, may receive and accept in the name of the people of the State, by gift, devise, grant or other conveyance, real property or any interest therein to be used for the conservation, development and maintenance of the scenic value of the highways of the State, and may purchase or condemn, in the name of the people of the State, such real property or interest therein, including easements, as may be necessary and proper to carry out the purposes of this act.

If a county is financially unable to purchase or condemn such property or interest therein, the State may do so.

SEC 4. The department or a county may, as provided in this act, acquire for scenic purposes, strips of real property or interest therein, at least one hundred feet and not more than three hundred feet in width on each side of the center line of any State highway, National forest system highway, or county highway. If the State, county, or United States already has a right of way for highway purposes, only the balance of the scenic strip outside such right of way need be acquired.

SEC 5. The director of the department shall prepare and submit to the California Highway Commission within six months after the effective date of this act, a plan for roadside scenic conservation, development and maintenance, setting forth the policies and general program for a four-year period. He shall list the projects for acquisition in the order of their importance and make all surveys and plans necessary to carry out the provisions of this act.

SEC. 6 All expenditures by the department for any purpose authorized in this act shall be made from the State highway fund out of money available for use on the particular classification of highway in the particular county group, such money to be allotted by the California Highway Commission on recommendation of the director of the department.

Any expenditure by any county for any purpose authorized in this act may be made from the county general road fund, the county general fund, or the district fund of the road district or districts benefited.

SEC. 7. This act shall not apply to streets or highways within incorporated cities, nor to lands belonging to the United States, nor to localities where the cost of acquisition would be prohibitive because of improvements or developments in place.

SEC 8. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the State constitution and as such shall take effect immediately.

The following is a statement of the facts constituting such urgency: Large sums of money are being appropriated by the Federal Government for immediate construction of highways in this State. It is the policy of the Federal Government, especially in regions like the National forests where natural scenery values are greatest, to conserve, develop and maintain natural scenery on roadside strips much wider than now permitted by the laws of this State. Roads being constructed on Federal reserves, such as the National forests, cross many parcels of private lands. The narrow right of way now being acquired by the State and counties over these private lands provide an irresistible incentive for the land owners to establish along this narrow strip all manner of enterprises, many of which are of no public service value but are highly objectionable from a scenic viewpoint. Important highways like the Sierra Way are being constructed primarily for scenic and recreational use. Unless adequate and uniform control of roadside scenery can be assured, the real purpose of such highways will be destroyed and the Federal Government will hesitate to proceed with the construction."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2205—An act to add section 599.5 to the Vehicle Code, relating to unlawful displays on vehicles.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 141—An act to amend section 73 of the California Vehicle Act, relating to revocation or suspension of licenses.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of line 1 of the title after the word "to", and all of line 2 of the title, and insert in lieu thereof the following: "add section 411.5 to the Vehicle Code, relating to suspension and revocation of licenses."

Amendment No. 2.

On page 1 of the printed bill, strike out all of line 1 following the period after the figure "1"; all of lines 2 to 28, both inclusive, and all of pages 2, 3 and 4 of the printed bill, and insert in lieu thereof the following: "Section 411.5 is hereby added to the Vehicle Code, to read as follows:

411.5. Any person whose operator's or chauffeur's license or certificate of registration have been suspended, or are about to be suspended or shall become subject to suspension under the provisions of this chapter, may relieve himself from the effect of such judgment as hereinbefore prescribed in this chapter by filing with the department an affidavit stating that at the time of the accident upon which such judgment has been rendered he was insured, that the insurer is liable to pay such judgment, and the reason, if known, why such insurance company has not paid such judgment. He shall also file the original policy of insurance or a certified copy thereof, and such other documents as the department may require to show that the loss, injury or damage for which such judgment was rendered, was covered by such policy of insurance.

If the department is satisfied from such papers that such insurer was authorized to issue such policy of insurance in the State of California at the time of issuing such policy and that such insurer is liable to pay such judgment, at least to the extent and for the amounts hereinbefore provided in this chapter, the department shall not suspend such license or licenses and such certificate or certificates, or if already suspended, shall reinstate them."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1760—An act to amend section 210 of the Vehicle Code, relating to nonresidents.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following

"An act to amend sections 146 and 216 of the Vehicle Code, relating to the registration of vehicles of nonresidents"

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 24, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 146 of the Vehicle Code is hereby amended to read as follows:

146 Application for Registration of Vehicle Previously Registered Outside This State (a) Upon application for registration of a vehicle previously registered outside this State, the application shall also contain such information relative to its previous registration as may reasonably be required by the department, including the date of any original registration, if known; and, except as provided in subdivision (b) of this section, the applicant shall surrender to the department all license plates, seals, certificates or other evidence of foreign registration as may be in his possession or under his control.

(b) No nonresident entering this State and subject to registration under the provisions of subdivision (b) of section 216, shall be required to surrender the evidences of foreign registration mentioned in subdivision (a) of this section.

SEC. 2. Section 216 of the Vehicle Code is hereby amended to read as follows:

216. Nonresidents Conducting Business in This State. Every nonresident, including any foreign corporation, carrying on business within this State and owning and regularly operating in such business any vehicle of a type subject to registration hereunder shall register each such vehicle and pay the same fees therefor as is required with reference to like vehicles owned by residents of this State.

(b) Any nonresident owner or agent gainfully employed in this State shall be considered a resident of this State, and subject to all of the requirements of this code in the same manner as a bona fide resident of this State."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2299—An act to add section 428.5 to the Vehicle Code, relating to the sale of vehicles by a lienholder.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 6 to 9, inclusive, and insert in lieu thereof the following: "ment, the lienholder may sell such vehicle at public sale, upon the giving of notice as provided in this section. At least ten days before the sale, the lienholder shall notify the legal owner, the registered owner, and the department by registered mail of the time and place of the sale. At least ten days before the sale, the lienholder shall also post a notice of the sale in a conspicuous place on the premises where the vehicle is stored, giving the date of the sale and a description of the vehicle, including the make, model, type, and license number," and the engine number"

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2302—An act to amend section 439 of the Vehicle Code, relating to reports of vehicles known to have been unlawfully stored.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 12 to 15, inclusive, and insert in lieu thereof the following: "such fact to the department by receipted mail and the department shall at once notify the legal owner as of record."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1387—An act to empower and direct the Director of Finance to locate and establish by agreement or action to quiet title, the boundary between tide and submerged lands and littoral lands, in Orange County, California, to empower the grantee of any such tide and submerged lands to locate and establish such boundary, and to make an appropriation therefor.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of section 1, and insert in lieu thereof the following:

"SECTION 1. The Director of Finance is hereby empowered and directed to locate the ordinary high watermark, which is the boundary between tide and submerged lands on the oceanward side thereof and the lands held in private ownership littoral thereto, in Orange County, California, so that such boundary, which is the ordinary high watermark, shall coincide with such boundary as marked by nature upon the shore at the time the State of California was admitted to the Union, with appropriate correction for any subsequent change of such boundary resulting from natural causes."

Amendment No. 2.

Strike the word "procedure" in line 20 of section 4 of the printed bill, and substitute in lieu thereof the word "method".

Amendment No. 3.

Strike the period after the word "outlined", in line 22 of section 4 of the printed bill, and substitute in lieu thereof a semicolon, and add to section 4 the following: "and where in any grant or grants of such tide and submerged lands or tide or submerged lands, by act of the Legislature of the State of California, to any municipality or other grantee, the said boundary is described as the "mean high tide line" or other similar designation, such designation is synonymous with and means the "ordinary high watermark"."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1487—An act to establish a line of ordinary high tide in and for a part of Newport Bay in the city of Newport Beach, Orange County, California, and to establish and declare that the land adjacent to said line was upland on and prior to May 25, 1919, and was not tidelands or submerged lands on said date, but was situated above the line of mean high tide of the Pacific Ocean on said date.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 429—An act to provide that school authorities of certain public and private schools shall be equipped to render first medical aid to injured children and students.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, after "the", insert the following: "teachers,".

Amendment No. 2.

On page 1, line 5, of the printed bill, strike out the comma at the end of said line, and insert the following: "are conducted on field trips."

Amendment No. 3.

On page 1 of the printed bill, strike out lines 6 and 7, and in line 8, strike out "mountain"

Amendment No. 4.

On page 1, line 9, of the printed bill, strike out "having custody of", and insert in lieu thereof the following: "when so conducting such".

Amendment No. 5.

On page 1, line 10, of the printed bill, strike out "as hereinbefore provided,".

Amendment No. 6.

On page 1, line 21, of the printed bill, strike out the period at the end of said line, insert in lieu thereof a semicolon and the following: "provided that antivenom medicine need only be included in such package when the field trip is in a known snake infested area."

Amendment No. 7.

On page 1, line 22, of the printed bill, after "failure of", insert the following: "the authorities in charge of any school to equip such school as herein provided or".

Amendment No. 8.

On page 1, line 23, of the printed bill, strike out "any public or private school," and insert in lieu thereof the following: "such school to comply with this act".

Amendment No. 9.

On page 1, line 24, of the printed bill, strike out "to comply with the provisions of this act."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 450—An act to amend sections 4.320, 4.321 and 4.322 and repeal sections 4.323 to 4.334, both inclusive, of the School Code, all relating to school warrants registered for want of funds.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of the title, and insert in lieu thereof the following:

"An act to repeal Article V of Chapter I of Part III of Division IV, embracing sections 4.320 to 4.334, inclusive, of the School Code, and to repeal Article VI of Chapter I of Part III of Division IV, embracing sections 4.340 to 4.353 of the School Code, and to enact in lieu thereof a new article to be numbered V, embracing sections 4.320 to 4.332, inclusive, all relating to payments from district funds."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 and 2, and insert in lieu thereof the following:

"SECTION 1. Article V of Chapter I of Part III of Division IV, embracing sections 4.320 to 4.334, inclusive, of the School Code is hereby repealed.

SEC. 2. Article VI of Chapter I of Part III of Division IV, embracing sections 4.340 to 4.353, inclusive, of the School Code, is hereby repealed.

SEC. 3. A new article, to be numbered V, is hereby added to Chapter I of Part III of Division IV of the School Code to read as follows:

Article V. Payments from District Funds

4.320 Payments from school district funds shall be authorized only by the governing board of a school district unless provision is specifically made elsewhere in this code for other means of withdrawals from funds.

4.321. Payments from school district funds shall be made by warrant, based upon the requisition of the governing board of the district. The requisition form shall be prescribed by the county superintendent of schools and approved by the State Superintendent of Public Instruction. Said forms shall be printed and furnished to the school districts by the board of supervisors of the county.

4.322. The requisition must be signed by at least two members of the board of trustees or by the official or officials authorized to sign requisitions by the board of education. The county superintendent shall examine the requisition and shall approve and sign the requisition; provided, in his judgment the payment is a just and legal claim against the funds of the district. The requisition when so signed and approved and when allowed and signed by the county auditor shall constitute a warrant on the treasury.

4.323. Requisitions must be approved by the county superintendent of schools and allowed by the county auditor in the order in which they are received.

4.324. Each requisition must specify the purpose for which it is drawn and the fund from which it is to be paid.

4.325. Each requisition drawn for personal service shall state the monthly, daily or hourly rate and specify the time for which such service is due.

4.326. Each requisition drawn against the funds of the district except for personal service shall be accompanied by an itemized bill showing the separate items and the price of each, in payment of which the requisition is drawn.

4.327. When the auditor allows any requisition which has a bill attached, he shall give the bill the same number that he gives the warrant and shall detach and file the bill.

4.328. It is the duty of the auditor of each county, or city and county, to keep open to the inspection of the public the records of the financial operation of each school district in his county.

4.329. The county superintendent of schools, after examining and approving any requisition, shall transmit the same directly to the county auditor who, after allowing such requisition, shall transmit the same to the county superintendent of schools who shall thereupon transmit the same to the governing board of the school district, which shall deliver said requisition to the claimant or to his order."

Amendment No. 3.

On page 1, line 3, of the printed bill, strike out the number "4.320", and insert in lieu thereof the number "4.330".

Amendment No. 4.

On page 1, line 12, of the printed bill, strike out the word "six", and insert in lieu thereof the word "five".

Amendment No. 5.

On page 1 of the printed bill, strike out lines 18, 19 and 20, and insert in lieu thereof the number "4.331".

Amendment No. 6.

On page 2 of the printed bill, strike out lines 10, 11 and 12, and insert in lieu thereof the number "4.332".

Amendment No. 7.

On page 2 of the printed bill, strike out lines 28 and 29.

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 961—An act to amend sections 5.400, 5.402, 5.403, 5.408, 5.420, 5.500, 5.502, 5.510, 5.520, 5.521, 5.640, 5.680, 5.690, 5.691, 5.710, 5.711 and 5.712 of the School Code, relating to tenure, and to add four new sections to the School Code, to be numbered 5.409, 5.505, 5.506, 5.666 and 5.667, all relating to the employment, classification, dismissal and resignation of persons employed in school districts in positions requiring certification qualifications.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 12, of the printed bill, strike out the word "person", and insert in lieu thereof the following: "certificated employee not under permanent tenure".

Amendment No. 2.

On page 1, line 13, of the printed bill, strike out the word "fifteen", and insert in lieu thereof the word "twenty".

Amendment No. 3.

On page 2 of the printed bill, strike out line 22, and insert in lieu thereof the following: "teachers having permanent classification, employed in any school district, also teachers, whether or not having permanent classification, employed in districts having an average daily attendance of less than eight hundred fifty pupils, and teachers employed".

Amendment No. 4.

On page 2, line 27, of the printed bill, following the period, insert the following "No such exchange shall be made without the consent of the teacher to be exchanged."

Amendment No. 5.

On page 2, line 48, of the printed bill, strike out the words "such district", and insert in lieu thereof the following: "the district in which such teacher is employed immediately prior to acceptance of such exchange position".

Amendment No. 6.

On page 4 of the printed bill, strike out lines 5 to 16, inclusive, and insert in lieu thereof the following:

"A probationary employee who, in any one school year, has served for at least seventy-five per cent of the number of days the regular schools of the district in which such employee is employed are maintained shall be deemed to have served a complete school year; provided that in case of evening schools, seventy-five per cent of the number of days such evening schools of the district are in session shall be deemed a complete school year."

Amendment No. 7.

On page 5, line 5, of the printed bill, strike out the following: "substitute, temporary or exchange".

Amendment No. 8.

On page 5, line 20, of the printed bill, strike out the word "four", and insert in lieu thereof the word "three".

Amendment No. 9.

On page 5, line 22, of the printed bill, strike out the word "four", and insert in lieu thereof the word "three".

Amendment No. 10.

On page 5, line 24, of the printed bill, strike out the word "four", and insert in lieu thereof the word "three".

Amendment No. 11.

On page 5, line 27, of the printed bill, strike out the word "four", and insert in lieu thereof the word "three".

Amendment No. 12.

On page 6, line 9, of the printed bill, after the word "serves", insert "or has served".

Amendment No. 13.

On page 6, line 26, of the printed bill, after the word "classification", insert the following: ", including time served as probationary employees,".

Amendment No. 14.

On page 6, line 49, of the printed bill, strike out the word "teacher", and insert in lieu thereof the word "employee".

Amendment No. 15.

On page 7, line 16, of the printed bill, strike out the word "four", and insert in lieu thereof the word "three".

Amendment No. 16.

On page 7, line 29, of the printed bill, strike out the word "permanent".

Amendment No. 17.

On page 7, line 31, of the printed bill, after the word "employed", insert the following: "; provided, however, that no permanent employee may be dismissed under the provisions of this section while a probationary employee is retained or employed to render a service which such permanent employee is certificated and competent to render".

Amendment No. 18.

On page 7, line 39, of the printed bill, strike out the word "permanent".

Amendment No. 19.

On page 7, line 44, of the printed bill, strike out the word "qualified", and insert in lieu thereof the word "competent".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 962—An act to amend the School Code by amending sections 5.650, 5.651, 5.652, 5.653, 5.654, 5.661, and by repealing sections 5.655, 5.656, 5.657, 5.658, 5.659, 5.660, 5.662, 5.663.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, strike out the period, and insert in lieu thereof the following: ", all relating to the employment and dismissal of persons employed in school districts in positions requiring certification qualifications."

Amendment No. 2.

On page 2, line 9, of the printed bill, after the word "vote", insert a comma.

Amendment No. 3.

On page 2 of the printed bill, strike out lines 26 to 31, inclusive, and insert in lieu thereof the following: "thirty day period".

Amendment No. 4.

On page 3, line 7, of the printed bill, strike out the word "commission", and all of lines 8 to 14, inclusive, and insert in lieu thereof the following: "or con-".

Amendment No. 5.

On page 4, lines 28 and 29, of the printed bill, strike out the following: "not more than".

Amendment No. 6.

On page 4 of the printed bill, strike out line 33, and insert in lieu thereof the following: "tions, and in sympathy with the merit system for employing teachers."

Amendment No. 7.

On page 5, line 2, of the printed bill, after the word "and", insert the following: "the referees and either party".

Amendment No. 8.

On page 5, line 23, of the printed bill, after the word "evidence", insert a comma.

Amendment No. 9.

On page 5 of the printed bill, strike out lines 47 and 51, inclusive, and insert in lieu thereof the following:

"No testimony shall be given or evidence introduced relating to matters which occurred more than three years prior to the date of the filing of such complaint This shall not be construed to prevent the introduction in evidence of records regularly kept by the governing board concerning the employee, but no judgment permitting the dismissal or suspension of any employee shall be made or entered based on charges or evidence of any nature relating to matters occurring more than three years prior to the filing of such complaint."

Amendment No. 10.

On page 6, line 11, of the printed bill, after the period, insert the following:

"Should the cause be incompetency due to physical or mental disability, in lieu of dismissal the board, at its option, may require the employee to take a leave of absence for only such period as may be necessary for rehabilitation from such incompetency, such leave of absence not to exceed two years; in which event such

employee shall be entitled to the benefits provided or authorized by this code to employees of school districts absent from their duties on account of sickness."

Amendment No. 11.

On page 6 of the printed bill, strike out lines 38 to 44, inclusive, and insert in lieu thereof the following: "for immoral conduct or conviction of a felony or crime involving moral turpitude".

Amendment No. 12.

On page 6, line 52, of the printed bill, after the word "reinstate", insert the following: "upon appeal."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 988—An act to amend section 5.161 of the School Code, relating to high school certificates.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, after the word "county", change the period to a comma, and add the following: "provided that all high school certificates granted prior to August 1, 1935, shall be valid for teaching in all grades of the elementary school, and when legally renewed shall continue to be valid for such teaching."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1212—An act to amend section 7 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the regulation of the practice of optometry.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1213—An act to amend section 10½ of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the regulation of the practice of optometry.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1215—An act to amend section 11 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the regulation of the practice of optometry.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 992—An act to amend section 11 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the definition of dentistry.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 188—An act to add section 654d to the Penal Code, relating to advertising food, drink, drug or cosmetic products by radio broadcasting and providing penalties for violation thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, amend the title after the word "drug", insert "devices."

Amendment No. 2.

On page 1 of the printed bill, beginning in line 21, insert section 2 to read as follows: "No radio broadcast licensee or other agency or medium for the dissemination of advertising shall be deemed to have violated the provision of this act by reason of dissemination of any false advertisement but the liability shall rest upon the manufacturer, packer, distributor or seller who caused dissemination of such advertisement."

Amendment No. 3.

On page 1, line 7, of the printed bill, after the word "drug", insert "devices."

Amendment No. 4.

On page 1, line 7, of the printed bill, after the word "cosmetics", strike out the following: "which is known to him to be false and which is made or disseminated with the intention of misleading."

Amendment No. 5.

On page 1, line 5, of the printed bill, after the word "network", strike out the word "and", and insert in lieu thereof "any".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Second Reading of Senate Bill.

Senate Bill No. 45—An act to amend section 2051 of the Code of Civil Procedure, relating to the impeachment of witnesses convicted of certain misdemeanors.

Bill read second time, and ordered on file for third reading.

Unfinished Business.

Reconsideration of Assembly Bill No. 31.

In compliance with his notice given on a previous day, Mr. Johnson moved that the vote whereby Assembly Bill No. 31 was passed be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Waters, Williamson, Wright, and Mr. Speaker—62.

NOES—None.

Request for Unanimous Consent.

Mr. Patterson asked for, and was granted, unanimous consent to take up Assembly Bill No. 31, at this time, without reference to file.

Third Reading of Assembly Bill No. 31.

Assembly Bill No. 31—An act to regulate the hours of service in public and private employment during the emergency declared to exist.

Bill read third time.

Motion.

Mr. Cottrell moved, seconded by Mr. Lyon, that Assembly Bill No. 31 be re-referred to Committee on Labor and Capital.

The question being on the motion to re-refer Assembly Bill No. 31 to Committee on Labor and Capital.

Substitute Motion for Special Order.

Mr. Mayo moved, as a substitute motion, that Assembly Bill No. 31 be made a special order for this day, April 4, 1935, at ten o'clock and thirty minutes a m.

Mr. Mayo withdrew his motion.

The question being on the motion to re-refer Assembly Bill No. 31 to Committee on Labor and Capital.

Mr. Cottrell withdrew his motion.

Assembly Bill No. 31 read third time.

Point of Order.

Mr. Lyon arose to the following point of order: Stating that the special order set had precedence over all other matter.

Ruling by the Speaker.

The Speaker ruled the point of order well taken.

Consideration of Special Order.

The hour of ten o'clock and thirty minutes a.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Assembly Bill No. 1182—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and to provide for the disposition of the revenues therefrom, and to provide that this act shall take effect immediately.

The question being on the adoption of the amendments submitted by Mr. Turner:

Motion.

Mr. Desmond moved that the Assembly resolve itself in Committee of the Whole for the purpose of considering Assembly Bill No. 1182, and amendments pending.

Motion carried.

In Committee of the Whole.

Speaker Craig in the chair

Assembly Bill No. 1182 and proposed amendments considered.

Mr. Cottrell moved that the committee do now rise, and report back to the Assembly.

Motion carried.

In Assembly.

Speaker Craig in the chair.

Report of the Committee of the Whole.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1935.

GENTLEMEN: Your Committee of the Whole, which has had under consideration Assembly Bill No. 1182—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and to provide for the disposition of the revenues therefrom, and to provide that this act shall take effect immediately—does now respectfully report the same back

CRAIG, Chairman.

Recess.

At twelve o'clock m., on motion of Mr. Cottrell, the Assembly was declared at recess until two o'clock p.m., of this day.

Reassembled.

At two o'clock p.m., the Assembly reconvened.
Speaker Craig in the chair.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:
By Mr. Morgan:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:
An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to sessions of the superior court.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1935.

MR SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 756—An act to amend section 696 of the Fish and Game Code, relating to the protection of fish;
Also: Assembly Bill No. 2336—An act to amend section 1293 of the Fish and Game Code, relating to destructive mammals;
Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

FISHER, Chairman.

The above reported bills ordered on file for second reading.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1935.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 2036—An act to add section 526a to the Political Code, relating to State printing—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FIELD, Chairman.

The above reported bill ordered on file for second reading.
Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 509—An act providing for State planning and a State Planning Board, prescribing the powers, duties and jurisdiction thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1935.

MR SPEAKER Your Committee on Judiciary, to which was referred Assembly Bill No. 393—An act to amend sections 2171, 2172, 2173, 2174, 2175a, 2177, 2185c,

2186, and 2188 of the Political Code, relating to insane persons, and to add a new section thereto to be numbered 2189a;

Also: Assembly Bill No. 764—An act to amend section 818 and to repeal sections 819 and 820 of the Penal Code, relating to the issuance of warrants;

Also: Assembly Bill No. 1486—An act authorizing a suit against the State of California to quiet title against it to certain real property in the city of Newport Beach, California;

Also: Assembly Bill No. 2385—An act to add section 96a to the Penal Code, relating to jurors;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LYON, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 64—An act to amend sections 1206 and 1207 of the Code of Civil Procedure, relating to preferred claims for work or personal services;

Also: Assembly Bill No 336—An act to amend sections 396, 396a, 399, 539, 540, 542, 581, 594, 618, 629, 650, 659a, 667a, 689, 953a, 978a, 980, 983, 983a, 988a, 988b, 988c, 988h, 989, 990, 1005 and 1010 of the Code of Civil Procedure, and to add section 655 thereto, all relating to civil actions;

Also: Assembly Bill No. 1837—An act to amend sections 269 and 271 of the Code of Civil Procedure, relating to the appointment, duties and compensation of phonographic reporters;

Also: Assembly Bill No. 1546—An act to add section 4 to an act entitled "An act limiting the liability of supervisors, city trustees, city councils, boards of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances," approved June 13, 1923, relating to the liability of counties, municipalities and school districts;

Also: Assembly Bill No. 2039—An act to add a new section to the Civil Code, to be numbered section 1972, relative to transportation expenses and return transportation expenses for workers brought into or sent out of the State to render personal services.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

LYON, Chairman

The above reported bills ordered on file for second reading.

On Irrigation.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1935.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 655—An act to amend section 15b of the California Irrigation District Act, relating to the duties and powers of boards of directors and providing for the use of water for any beneficial purposes;

Also: Assembly Bill No. 840—An act to amend an act entitled "An act to authorize irrigation districts to cooperate and contract with the United States under the provisions of the Federal reclamation laws for a water supply, or the construction, operation or maintenance of works, including drainage works, or for the assumption by the district of indebtedness to the United States on account of district lands; and to provide the manner and method of payments to the United States under such contract, and for the apportionment of assessments, and the levy thereof, upon the lands of the district to secure revenue for such payments, and to provide for the judicial revenue and determination of the validity of the proceedings in connection with such contract, and to provide for construction of works by the district; to provide for the borrowing or procuring of money from the United States or any agency thereof and the entering into contracts, and/or the issuance of bonds, warrants or other evidence of indebtedness for the repayment thereof, approved May 5, 1917, as amended, by amending the title thereof and amending sections 1 and 11 thereof;

Also: Assembly Bill No. 1771—An act to repeal section 109a of "The California Irrigation District Act," approved March 31, 1897, relating to name of irrigation districts;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

FRAZIER, Chairman.

The above reported bills ordered on file for second reading.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1935.

MR SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1554—An act to amend sections 1, 2, 3, 4, 6, 7, 8 and 14 of "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 5, 1931, relating to the composition of the retirement board; time of meeting; manner of transacting business; the duties of said board and time for annual report; computation of time for retirement privilege; interest rate on contributions and deposits, time for payments; refund of sums in excess of sum necessary for prior service credit, and revising the arrangement of certain portions of said act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

DELAP, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 2029—An act to amend section 4041.7 of the Political Code, defining the powers of the board of supervisors;

Also: Assembly Bill No. 1264—An act to add a new section to the Political Code of the State of California, to be numbered 3719, authorizing the temporary borrowing of money by counties and school districts upon the credit of revenue in course of collection, and the issuing of tax anticipation notes or warrants as evidence of such indebtedness;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

DELAP, Chairman.

The above reported bills ordered on file for second reading.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1935.

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1269—An act authorizing and empowering any county, city and county, or city in the State of California to donate, convey, and grant to the State of California, or to district agricultural associations thereof, any real property owned, held and used by it for fair ground and exposition purposes, or which it may hereafter acquire, hold and use for such purposes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1935.

MR SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1377—An act to provide for the custody and disposition of money and other property belonging to inmates of county institutions;

Also: Assembly Bill No. 568—An act to amend section 4305 of the Political Code, relating to the salary fund of counties;

Also: Assembly Bill No. 2232—An act to amend section 4295 of the Political Code, relating to official without fees;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

DELAP, Chairman.

The above reported bills ordered on file for second reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 3, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 639—An act to amend section 69 of the Civil Code, relating to applications for and issuance of licenses to marry;

Also: Assembly Bill No. 654—An act to add a new section numbered 1559 to the Probate Code of the State of California, relating to the guardianship of estates;

Also: Assembly Bill No. 1645—An act to require governmental units to furnish reports to the State Department of Finance concerning bonds and bonded indebtedness;

Also. Assembly Bill No. 1995—An act to amend section 779 of the Political Code, relating to publication of court reports;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 639, 654, 1645 and 1995 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1992—An act to add section 675.1 to the Political Code, and to repeal section 675b thereof, relating to the approval of salaries by the Department of Finance;

Also: Assembly Bill No. 1993—An act to amend section 675a of the Political Code, relating to approval of contracts by the Department of Finance;

Also: Assembly Bill No. 1994—An act to repeal section 686a of the Political Code and to add section 686.5 thereto, relating to accountants in the Department of Finance.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 34—An act to amend section 4300d of the Political Code by adding thereto a provision specifying the mileage to be charged by constables and marshals in counties of the third class in the service of any writ, order or paper, excepting a warrant of arrest;

Also: Assembly Bill No. 113—An act to amend section 1822bb of the Code of Civil Procedure, relating to the management, control, and disposal of estates of missing persons;

Also: Assembly Bill No. 130—An act to amend section 2021 of the Code of Civil Procedure, relating to depositions;

Also: Assembly Bill No. 753—An act to amend section 4 of "An act to regulate the construction of buildings in the State of California, in respect to resistance to horizontal forces, providing penalties for the violation thereof and providing that this act become effective immediately" approved May 26, 1933, relating to the application of said act.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 34, 113, 130 and 753 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 38—Relative to memorializing the President and Congress to enact House Joint Resolution No. 143, introduced January 30, 1935, authorizing the awarding of distinguished service medals to Tony Siminoff, Oliver F. Rominger, and Robert E. Beck, veterans of the Philippine Insurrection;

Also: Assembly Joint Resolution No. 46—Relative to memorializing the President of the United States and Congress in connection with transpacific air mail service.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary

Assembly Joint Resolutions Nos. 38 and 46 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 617—An act to amend section 1168 of the Penal Code and to add thereto sections 969c and 1158a, relating to crimes committed with a deadly weapon;

Also: Senate Bill No. 619—An act to add section 3a to an act entitled "An act to authorize and regulate the employment of prisoners in the State prisons of this State and to provide for the disposition of the products of their skill and labor," approved February 23, 1911, relating to prison-made goods;

Also: Senate Bill No. 771—An act to add section 5a to "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931, relating to the employment of apprentices.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bills Nos. 617 and 619 read first time, and referred to Committee on Prisons and Reformatories.

Senate Bill No. 771 read first time, and referred to Committee on Labor and Capital.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 584—An act to add a new section to the Political Code to be known as section 3663d, relating to the assessment of property by the State Board of Equalization and the allocation of the assessed value of such property to the various taxing jurisdictions of the State;

Also: Senate Bill No. 585—An act to amend section 3663b of the Political Code, relating to the assessment of property by the State Board of Equalization;

Also: Senate Bill No. 586—An act to amend section 3663a of the Political Code, relating to the assessment of property by the State Board of Equalization;

Also: Senate Bill No. 587—An act to repeal sections 3664, 3664a, 3664d of the Political Code and other acts inconsistent with section 14 of Article XIII of the Constitution of the State of California, to amend sections 3664b and 3664b-1 of the Political Code, all relating to the carrying into effect of the provisions of section 14 of Article XIII of the Constitution of the State of California.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary

Senate Bills Nos. 584, 585, 586 and 587 read first time, and referred to Committee on Revenue and Taxation.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 886—An act to add two new sections to the School Code to be numbered 6.223 and 6.224, relating to the sale of property of a school district, declaring the urgency thereof, and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 886 read first time, and referred to Committee on Education.

Also:

SENATE CHAMBER, SACRAMENTO, April 3, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 58—An act to add section 3653.5 to the Political Code, relating to county assessor;

Also: Senate Bill No. 133—An act to add section 3.401 to the School Code, relating to tuition fees of students in junior colleges;

Also: Senate Bill No. 797—An act to add a new section to the School Code to be numbered 6.53, relating to the duties, powers and liability of governing boards of school districts and members thereof in connection with school district buildings;

Also: Senate Bill No. 798—An act to amend section 2 of an act entitled "An act relating to the safety of design and construction of public school buildings, providing for regulation, inspection and supervision of the construction, reconstruction or alteration of or addition to public school buildings, and for the inspection of existing school buildings, defining the powers and duties of the State Division of Architecture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act, to take effect immediately," approved April 10, 1933, relating to the powers and duties of the State Division of Architecture in connection with the erection, reconstruction, alteration of, or addition to school buildings.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 58 read first time, and referred to Committee on County Government.

Senate Bills Nos. 133, 797 and 798 read first time, and referred to Committee on Education.

Special Order Set for Assembly Bill No. 574.

Mr. Hunt moved to continue further consideration of Assembly Bill No. 574 as a special order for Wednesday, April 10, 1935, at eleven o'clock a.m.

Motion carried.

Withdrawal of Assembly Bills.

By order of the Speaker, the following bills were stricken from the file, and ordered re-referred to committees:

Assembly Bill No. 2243 re-referred to Committee on Judiciary.

Assembly Bill No. 979 re-referred to Committee on Judiciary.

Assembly Bill No. 2316 re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1803 re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1527 re-referred to Committee on Revenue and Taxation.

Motion to Re-refer Assembly Bill No. 2392.

Mr. Minard moved that Assembly Bill No 2392 be stricken from the file, and be re-referred to Committee on Oil Industries.

Motion carried.

Assembly Bill No. 2392 ordered re-referred to Committee on Oil Industries.

Motion.

Mr. Anderson moved that the Assembly resolve itself in Committee of the Whole for the purpose of considering Assembly Bill No. 1182, and amendments pending.

Motion carried.

In Committee of the Whole.

Speaker Craig in the chair.

Assembly Bill No. 1182 and proposed amendments considered.

Mr. Lyon moved that the committee do now rise and report back to the Assembly.

Motion carried.

In Assembly.

Speaker Craig in the chair.

Report of the Committee of the Whole.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1935

GENTLEMEN: Your Committee of the Whole, which has had under consideration Assembly Bill No. 1182—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and to provide for the disposition of the revenues therefrom, and to provide that this act shall take effect immediately—does now respectfully report the same back

CRAIG, Chairman.

Special Order Set for Assembly Bill No. 1182, and Amendments Pending.

Mr. Lyon moved to continue further consideration of Assembly Bill No. 1182, and amendments pending, as a special order for Monday, April 8, 1935, at two o'clock p.m.

Motion carried.

Special Order Set for Assembly Bill No. 833.

On motion of Mr. Anderson, the consideration of Assembly Bill No. 833 was made a special order for Monday, April 8, 1935, at eleven o'clock and thirty minutes a.m.

Special Order Set for Assembly Bill No. 174.

On motion of Mr. Minard, the consideration of Assembly Bill No. 174 was made a special order for Monday, April 8, 1935, at eleven o'clock and thirty-one minutes a.m.

Motion to Reconsider Assembly Bill No. 1735 Continued.

Mr. Phillips moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1735 was passed, be continued until the next legislative day.

Motion carried.

Motion to Reconsider Assembly Bill No. 643 Continued.

Mr. Corwin moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 643 was passed, be continued until the next legislative day.

Motion carried.

Reconsideration of Assembly Bill No. 1877 Waived.

Mr. Latham waived his notice to reconsider the vote whereby Assembly Bill No. 1877 was refused passage

Third Reading of Assembly Bills.

Assembly Bill No. 174—An act to amend the title of Part I of Division V of the School Code, and to amend sections 5.1 and 5.2 thereof, relating to State colleges.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Minard:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out the word "and", following the number "5.1", and insert in lieu thereof a comma.

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, after the number "5.2", insert a comma, and the numbers and words "5.10, 5.61 and 5.101".

Amendment No. 3.

On page 1, line 22, of the printed bill, strike out all after the word "respectively"; strike out all of lines 23, 24, 25, 26 and 27, and insert in lieu thereof the following: "San Jose State College, Chico State College, San Diego State College, San Francisco State College, Santa Barbara State College, Fresno State College and Humboldt State College."

Amendment No. 4.

In line 27 of the printed bill, after the period after the word "College", insert new sections as follows:

"SEC. 4 Section 5.10 of the School Code is hereby amended to read as follows:

5.10. The primary function of the State colleges is the training of teachers, and there shall be no extension of the curriculum of any State college which will carry it into any other field of higher education; provided, that as a secondary function courses in liberal arts may be given, but such courses shall be only such as are appropriate as courses of instruction for students intending to enter the teaching profession.

SEC. 5. Section 5.61 of the School Code is hereby amended to read as follows:

5.61. Students shall be admitted to the State colleges in accordance with the rules and regulations of the State Board of Education as provided in this article; provided, that no applicant or student shall be required as a condition to admission or attendance to make a declaration that it is his intention to become a teacher or any declaration to like effect.

SEC. 6. Section 5.101 of the School Code is hereby amended to read as follows:

5.101. The determination of the time and standards for graduation from the State colleges; provided, that no student who is not a candidate for a teaching credential shall be required as a condition to graduation or otherwise to enroll in more than six units of pedagogy."

Amendments adopted.

Bill read, ordered to reprint, engrossment, and third reading.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 128—An act to amend section 487 of the Penal Code, relating to grand theft;

Also: Assembly Bill No. 541—An act to amend section 9 of an act entitled "An act for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911;

Also: Assembly Bill No. 818—An act to amend an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended, by amending section 28 thereof, relating to exclusion of territory;

Also: Assembly Bill No. 906—An act confirming the formation, organization and existence of municipal utility districts;

Also: Assembly Bill No. 1063—An act to amend section 182 of the Penal Code, relating to criminal conspiracy;

Also: Assembly Bill No. 1126—An act to amend sections 3, 6, and 8 of an act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act," approved May 15, 1933, relating to regulation of outdoor advertising;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1141—An act to add section 11a to and to amend section 23 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts;

Also: Assembly Bill No. 1212—An act to amend section 7 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a board of optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the regulation of the practice of optometry;

Also: Assembly Bill No. 1255—An act to amend section 2167b of the Political Code, known as the Psychopathic Parole Act, to authorize counties to recover cost of care of persons mentally disordered;

Also: Assembly Bill No. 1259—An act to amend the title of and add a new section to "An act to provide for the creation of a board of parole commissioners for each county in this State, for the paroling of prisoners confined in county jails, and authorizing and empowering such boards to make rules and regulations in relation thereto," approved March 25, 1909, as amended, relating to the unconditional release by the county board of parole commissioners of alien prisoners who consent to return or to be returned to their native country and providing for the payment of the expenses of such return by counties;

Also: Assembly Bill No. 1260—An act to amend section 1140 of the Probate Code, relating to the duties of the public administrator and providing for the management, control, rental and sale by the public administrator of properties of indigent or other aliens returned to their native lands by or at the request of counties;

Also: Assembly Bill No. 1360—An act to add sections 54a and 54b to the Civil Code, relating to the right of privacy of persons, and to provide a method by which such right of privacy may be enforced.

And reports that the same have been correctly engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1487—An act to establish the line of ordinary high tide in and for a part of Newport Bay in the city of Newport Beach, Orange County, California, and to establish and declare that the land adjacent to said line was upland on and prior to May 25, 1919, and was not tidelands or submerged lands on said date, but was situated above the line of mean high tide of the Pacific Ocean on said date;

Also: Assembly Bill No. 1573—An act to amend section 1197a of the Political Code, for the purpose of making certain the payment of adequate compensation to persons soliciting signatures to initiative, referendum, and recall petitions, requiring the filing of bonds by the proponents of such petitions to insure the payment of such compensation and providing penalties for violation of the provisions thereof;

Also: Assembly Bill No. 1756—An act to add four new sections, to be numbered 1000a and 1000b to Chapter III of Title XIV of Part II of the Code of Civil Procedure, relating to admissions;

Also: Assembly Bill No. 2023—An act to amend the title and sections 1, 2 and 3 of, and to add a new section, to be numbered section 4, to an act entitled "An act

to provide for a day of rest from labor," approved February 27, 1893 (Stats 1893, Chap. 41), relative to the scope of the act, providing for the enforcement of the act by the Chief of the Division of Labor Statistics and Law Enforcement and providing penalties for violation of the provisions thereof;

Also Assembly Bill No. 2174—An act to confirm, ratify and make valid ordinances heretofore passed by the city council or the people of any incorporated city creating a civil service commission and placing employees of the city under control of said civil service commission;

Also: Assembly Bill No. 2205—An act to add section 599.5 to the Vehicle Code, relating to unlawful displays on vehicles;

And reports that the same have been correctly engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

On Mines and Mining.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1935.

MR SPEAKER: Your Committee on Mines and Mining, to which was referred Assembly Bill No. 1749—An act to prohibit the pollution of streams in the State of California by filling said streams with debris from mining operations and dredging operations—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

MAYO, Chairman.

The above reported bill ordered on file for second reading.

On Public Health and Quarantine.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1935.

MR SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1561—An act to amend sections 2 and 9 of an act entitled "An act to revise an act entitled 'An act defining mattresses; regulating the making, remaking, and sale thereof; prohibiting the use of unsanitary and unhealthy materials therein; requiring that materials used shall be accurately described, and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled; and making the violation of any of the provisions of this act a misdemeanor, and repealing legislation inconsistent with this act,' approved June 7, 1915, as amended," approved May 31, 1929, relating to secondhand mattress material—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

KALLAM, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1562—An act to amend sections 2, 9, and 10 of an act entitled "An act to revise an act entitled 'An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling, or repairing upholstered furniture; and creating the upholstered furniture inspection fund,' approved May 9, 1927," approved June 1, 1929, relating to secondhand upholstery—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

KALLAM, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1282—An act to amend the title and to amend sections 2, 3, 4, 6, 12 and 19 of, and to add new sections 4a and 6a to an act entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, as amended, relating to the adulteration, mislabeling, misbranding, advertising and sale of drugs and devices and to the powers of the State Board of Public Health in relation thereto—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

KALLAM, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 195—An act to amend section 305 of the Agricultural Code, relating to meat inspection—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

KALLAM, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 863—An act to amend the title and sections 1, 2, 3, 4, 5, 6, 7, and 8 of an act entitled "An act to provide for the proper sanitary condition of factories and workshops, and the preservation of the health of employees," approved February 6, 1889 (Stats. 1889, Chap. 5), as amended, relative to the sanitation, lighting and ventilation of factories, workshops and other places of employment, providing for the enforcement thereof by the Chief of the Division of Labor Statistics and Law Enforcement and providing penalties for the violation thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

KALLAM, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2243—An act relating to fair trade practices, providing for the issuances of licenses to persons engaged in various branches of the automotive business, creating an Automotive Fair Trade Bureau in the Department of Professional and Vocational Standards, providing for a judicial hearing and determination of questions arising hereunder and for the enforcement of the provisions hereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LYON, Chairman.

The above reported bill ordered on file for second reading.

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1935.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to sessions of the superior court.

CUNNINGHAM, Chairman.

Report of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, DeLap, Desmond, Domihue, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Weber, Wright, and Mr. Speaker—67.

NOES—None.

Introduction and Reference of Bills.

The following bill was introduced, and referred as indicated

By Mr. Morgan. Assembly Bill No. 2406—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to sessions of the superior court

Bill read first time, and referred to Committee on Judiciary

Request to Use Assembly Chamber.

By Mr. Phillips:

The Committee on Agriculture plans to hold its hearing tonight (on the pro-rate bills) in its regular room, 432. However, it is possible more people may attend the hearing than the room will hold.

In such case, I ask permission now, on behalf of the committee, to move the hearing to the Assembly Chamber

PHILLIPS.

Request granted.

Resolutions.

The following resolutions were offered:

By Mr. Walker:

Resolution.

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred fifty dollars ($150), said amount being for the payment of postage, telegraphing, expressage, and incidental expenses of the Chief Clerk's office

Resolution read, and ordered referred to Committee on Contingent Expenses.

Also:

Resolution.

Resolved, That the Controller be and is hereby authorized and directed to draw his warrants on the contingent fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

The Sacramento Bee (rental radio broadcast)	$23 50
Department of Finance (pro rate telephone service, February and March)	56 64
The C. C. Langevin Co. (rental Western Electric Public Address System, March 4 to April 3, 1935)	160 00
Virginia Crossan (illuminating memorials)	15 00
Cascade Towel Supply Co	59 19
Bureau of Purchases	207 36

Resolution read, and ordered referred to Committee on Contingent Expenses.

Motion to Re-refer Assembly Bill No. 2190.

Mr. Lyon moved that Assembly Bill No. 2190 be withdrawn from Committee on Public Morals, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Assembly Bill No. 2190 to Committee on Judiciary.

Motion carried.

Assembly Bill No. 2190 ordered re-referred to Committee on Judiciary.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced, and referred as indicated:

By Mr. Breed: Assembly Joint Resolution No 49—Relative to memorializing the United States Forest Service to undertake the laying out of ski trails in the snow region of the National forests between Placerville and Auburn highways.

Introduced, and referred to Committee on Federal Relations.

Withdrawal of Bills.

By order of the Speaker, the following Assembly bills were withdrawn from the file, and ordered re-referred to the following committees:

Assembly Bill No. 1126 re-referred to Committee on Judiciary.

Assembly Bill No. 1260 re-referred to Committee on Judiciary.

Assembly Bill No. 1573 re-referred to Committee on Elections.

Assembly Bill No. 1259 re-referred to Committee on County Government.

Assembly Bill No. 1255 re-referred to Committee on County Government.

Assembly Bill No. 818 re-referred to Committee on Municipal Corporations.

Request for Use of Assembly Chamber.

Mr. Riley requested the use of the Assembly Chamber Tuesday, April 9, 1935, for the purpose of holding a committee meeting

Request granted.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1935.

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2190—An act to amend the "Corporate Securities Act," approved May 18, 1917, relating to tipster sheets, sales on the phone, and residence of agents—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LYON, Chairman.

The above reported bill ordered on file for second reading.

Adjournment.

At four o'clock and fifteen minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Friday, April 5, 1935.

CHARLES H. ERB, Minute Clerk.

In Assembly.

ASSEMBLY CHAMBER,

SACRAMENTO, Friday, April 5, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—74

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. McBride, its further reading was dispensed with.

Leaves of Absence.

On motion of Mr. Boyle, Messrs. Hunt and Jones were granted leave of absence for this day.

On motion of Mr. Dawson, Mr. Williamson was granted leave of absence for this day.

On motion of Mr. Minard, Mr. DeLap was granted leave of absence for this day.

On motion of Mr. O'Donnell, Mr. Cottrell was granted leave of absence for this day.

On motion of Mr. Andreas, Mr. Welsh was granted leave of absence for this day.

On motion of Mr. Cronin, Mr. Peyser was granted leave of absence for the balance of this legislative day.

Privilege of Floor of Assembly Extended.

On request of Mr. Cassidy, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Joseph August of Oakland.

On request of Mr. Donihue, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Laura Barnes of Oakland.

On request of Mr Cronin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Robert S. Peiser of San Francisco.

On request of Mr Burns, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Messrs. George M. McBrice, J. E. Gries, George Lindley, Joe Souzer, W. B. Gries, Joe Hindley, Elmo Ambrossino and R. S Feenaty, of Ferndale, Humboldt County.

On request of Mr. Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following students, teachers, and members of the adult education classes conducted under the Lodi Union High School (classes in English and

Citizenship): Anneta B Morrison and Edith M Brown, teachers, Joseph Martin, Mrs Agnes Martin, Mrs. Mollie Hemitz, Julius Reinert, Mrs. Amelia Reinert, Mrs. Emelia Meidinger, Henry Batch, Fred Geist, Henry Allenberger, Daniel Ruhl, William Schaffer, Edith Brown, Mrs. Mary Blackstone, John Schlotthauer, Samuel Herchkorn, Martin Blehm, Fred Neuhardt, John Heon, John Koenig, Mrs. John Koenig, Mrs. Sophia Schauer, Mrs. Martha Dickhoff, Steve Warnygora, Mrs. Olga Warnygora, Mrs. Dora Cooper and Mitsunobu Nakata.

On request of Mr. Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the principal, teachers and pupils of the Victor School, San Joaquin County, Mrs Ruth F. Declusin, principal, and Dorothy Fairchilds, Marjorie Frey, Esther Geigle, Shizuye Sasaki, Virginia Schmiedt, Irene Weigum, Pearl Wilburn, Levi Geohring, Gerald Marden and Frank Pope, seventh grade pupils; and Leona Bechthold, Marjorie Billigmeier, Emma Geohring, Clara Jack, Florence Marden, Lena Weidrich, Billie Bechthold, Otto Flaig, George Furouka, Reuben Geohring, Benjamin Motz, Neil Preszler, Edward Schaeffer and June Marrs, eighth grade pupils.

On request of Mr. Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. William Preszler, Mr Adolph Bechthold, Mr and Mrs. William Bechthold, Mr. David Weigum and Mr. P J Geohring

On request of Mr. Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the principal and pupils of the Bruella School, Acampo, San Joaquin County, as follows: Anne K Granlees, principal; Betty Lou Schwarz, Nadine Sims, Myrtle Fujitani, Lois Bitterman, Phyllis Hausen, Wanda Dargitz, Robert Cox, Mitsuo Kirui, Pius Yanagi, Ruben Vossler, Carnegie Ouye, George Nakamura, Joe Kurata, John Kirscheumann, Jack Schwarze, Shegito Furukawa, Harry Nakamura, John McKindley, Leslie Steele, Hatsuye Nishima, Martha Squires, Francis Gribaudo, Gertrude Stickel, Helen Neu, Bill Corell, Robert Votaw, Leroy Brown, Madelyn Asquith, Floyd Potter, Barbara Rambo, Helen Corell, Ruth Schimke, Esther Reich, Norine Clasen, Shizuko Kuramoto, Lilly Kuramoto, Mary Kurata, Mary Gribando, Jack Rubke, and Tsuyoshi Shimadi, pupils; and John Biliardi, driver

On request of Alameda Delegation the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. F C. Hutchinson, Janet Pierpont Rogers, Mrs. W. H. Stephenson, Mrs. L. B Lundborg, Mrs. Mortimer Smith, Mrs. A. G. Mott, and Harriett Eliel.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Orange County Fruit Exchange, petitioning the Legislature to extend every effort toward having hourly relief wages placed below those actually paid by the majority of employers in each locality.

From California State Sheriffs Association, opposing passage of Senate Bill No. 933, and also opposing a new State police organization.

From Civic Leaders Club of Los Angeles City and County, opposing the Sand Beach Route, and favoring a Speedway Route, east of the Ocean Front.

From Civic Leaders Club of Los Angeles City and County, favoring passage of Senate Bill No. 535, and opposing passage of Assembly Bill No. 1054.

Communication.

The following communication was received, and ordered printed in the Journal:

By Mr. Evans, Herbert J.:

POMONA, CALIFORNIA, April 2, 1935.

Assemblyman H J Evans,
Hotel Lenhart, Sacramento, California.

DEAR MR EVANS: The proposed tax on cigarettes would in our opinion not be beneficial to the State of California

Probably there is a misconception regarding this matter, for while the Federal Government finds it easy to collect such a tax, we believe that the State would have great difficulty in doing so—particularly on packages mailed in. Hence, a tax would drive the business from the local retailers to outside mail order houses.

Furthermore, an additional tax on the cigarette would undoubtedly be discrimination against a commodity which now bears its full share, particularly when that commodity is so generally used

We are still of the opinion that the general sales tax is to be preferred, rather than taxation of this type and we would appreciate your giving this matter consideration

Very truly yours,

PROGRESS-BULLETIN,
By A. T RICHARDSON.

ASSISTANT CLERK COOLIDGE READING.

Reports of Standing Committees.

The following reports of standing committees were received and read.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1144—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following To define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees, to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes, to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising, to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his associates and employees, to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations, and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent therewith," approved May 5, 1931, as amended, by amending sections numbered 6.02 relating to withdrawals, 9 4 relating to purchases sales and pledges of loans, and 13 16 relating to powers of commissioner upon liquidation, repealing section 6 07 relating to acceptance of investment certificates or shares in payment for loans or property; adding to said act new sections to be numbered 9 18 relating to insurance, loans, advances of credit and purchases of obligations pursuant to the National Housing Act, 10 03a relating to reserve or surplus accounts, 10 09 relating to reports, statements and analyses by the Building and Loan Commissioner and 12 11 relating to conversion of a building and loan association into a Federal savings and loan association and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to vote for or approve such conversion, to exchange shares, stock, investment certificates or other rights or claims for shares issued by such Federal savings and loan association, and to continue to hold as a legal investment any shares so received; adding a new article to be numbered XVI to said act relating to the conservation and reorganization of one or more building and loan associations of the classes specified in such Article XVI, or of all or of any part of the business, properties and assets of such association or associations, or the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of and other persons interested

in such association or associations, providing for the kinds of securities issuable in connection therewith and exempting such securities from certain provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Article XVI, to exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received; and declaring the urgency of this act and providing that it shall take effect immediately—and reports that the same has been correctly engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1394—An act amending section 14, of an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, relating to officers;

Also: Assembly Bill No. 1651—An act to amend the Vehicle Code by amending sections 618, 621, 623, 625, 633, 634, 635, 637, 639, 640, and 670; to renumber section 663 to be section 664; to repeal Chapter 4 of Division X embracing sections 645 to 658 inclusive, sections 661, 662 and 6777; to add sections 623 5, 638, 677, a new Chapter 4 to Division X, embracing sections 645 to 656 inclusive, 660, 661, 662, 663 and 692, relating to vehicles;

And reports that the same have been correctly re-engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

On Military Affairs.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1935.

MR SPEAKER: Your Committee on Military Affairs, to which was referred Assembly Bill No 710—An act to establish a Military Code, thereby revising and consolidating the law relating to the armed forces and Militia of the State and relating to military and veterans' affairs, aid and welfare, institutions, and buildings and to repeal certain acts and parts of acts therein specified—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BOYLE, Chairman.

The above reported bill ordered on file for second reading

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 4, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 92—An act to amend section 814 of the Agricultural Code, relating to lettuce;

Also Assembly Bill No. 185—An act to amend section 4300c of the Political Code, relating to recording fees;

Also: Assembly Bill No. 482—An act to amend section 810 5 of the Agricultural Code, relating to asparagus;

Also: Assembly Bill No 695—An act to amend section 784 of the Probate Code, relating to confirmation of sales of real property by executors and administrators;

Also: Assembly Bill No 1634—An act to repeal sections 378, 378a, 378b, 378c, 378d, 378e, 378f, 378g of the Political Code, relating to the Bureau of Commerce.

J A BEEK, Secretary of Senate
By CARL A SHIPKEY, Assistant Secretary.

Assembly Bills Nos 92, 185, 482, 695 and 1634 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1935

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1786—An act to amend section 2 of an act entitled, "An act providing for the establishment and administration of industrial farms or industrial road camps in the counties of the State and the commitment thereto and discipline of persons charged with or convicted of public offenses,"

approved June 3, 1921, relating to the charge for maintaining persons on industrial farms and industrial road camps.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 1786 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1935.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 913, as amended—An act to amend section 662 of the Political Code, relating to the payment of fees to private persons, firms and corporations, declaring the urgency thereof, and providing that it shall take effect immediately.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 913 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 314—An act to amend sections 3817b, 3817d, 3817f, 3817g and 3817h of, and to add sections 3817c3 and 3817i2 to, the Political Code, relating to taxation, including tax delinquencies, tax penalties and costs, tax redemption for tax sales, and declaring the urgency thereof, to take effect immediately;

Also, Senate Bill No. 353—An act to establish legislative standards in relation to the rehabilitation of agriculture and the regulation of producers, packers, distributors, shippers, marketers, handlers, processors and others dealing in agricultural, viticultural and horticultural products and of any competing commodity or product thereof; to recognize, make effective and provide for the enforcement in this State of marketing agreements and licenses issued or prescribed by the Secretary of Agriculture of the United States under the National Agricultural Adjustment Act, being Public Act No. 10 of the Seventy-third Congress of the United States; to provide for the issuance, administration and enforcement of State marketing agreements and State licenses in connection therewith; to prescribe the powers, duties and jurisdiction of the State Director of Agriculture in relation thereto; to provide that said State and Federal marketing agreements and licenses shall be and establish standards of fair competition in this State; to suspend all antitrust and unfair competition laws of this State in conflict herewith and therewith; to prescribe remedies, rights, duties and penalties with respect to violations hereof and thereof; to provide ways, means and moneys for the administration and enforcement of said State and Federal marketing agreements and licenses; to declare the existence of a State and National agricultural emergency and the urgency of this act and that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 314 read first time, and referred to Committee on Revenue and Taxation.

Senate Bill No. 353 read first time, and referred to Committee on Agriculture.

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 821—An act to amend section 605 of the Probate Code, relating to appointment of appraisers.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 821 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 334—An act to amend sections 1068, 1085, 1103, 1108, 1162, 1269a, 1272a, 1274a, 1280, 1822a and 1822bb of the Code of Civil Procedure, relating to special proceedings;

Also: Assembly Bill No. 335—An act to amend sections 105, 112 and 165 of the Code of Civil Procedure, relating to courts of justice;

Also Assembly Bill No. 425—An act to amend "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, by amending sections 5 relating to the division of election precincts 10 relating to the publication of ordinances, 12 relating to the investment of surplus moneys, 15b relating to the bonds of the district and their use as security, and adding a new section thereto to be numbered 15c, relating to the issuance of refunding bonds;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary

Assembly Bills Nos. 334, 335 and 425 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, April 4, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 578—An act relating to revenue and taxation, providing for an excise tax on the sale of all oleomargarine containing any fat or oil ingredient other than any one or more of the following: oleo oil, oleo stock, oleo stearine from cattle, neutral lard from hogs, sheep fat, cottonseed oil, peanut oil, corn oil, soya bean oil or milk fat; providing a penalty for a violation of the provisions thereof;

Also: Assembly Bill No. 1700—An act to amend sections 656 and 663 of the Political Code, relating to the Divisions of Service and Supply of the Department of Finance;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary

Assembly Bills Nos. 578 and 1700 ordered on unfinished business file.

Motion to Approve Journals.

Mr. Lyon moved that the Journals of Monday, March 25, 1935; Tuesday, March 26, 1935; Wednesday, March 27, 1935; Thursday, March 28, 1935; and Friday, March 29, 1935, be approved as corrected by the Minute Clerk.

Motion carried.

Second Reading of Assembly Bills.

Assembly Bill No. 756—An act to amend section 696 of the Fish and Game Code, relating to the protection of fish.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to amend section 865 of the Fish and Game Code, relating to nets, and declaring the urgency hereof."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 6, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 865 of the Fish and Game Code is hereby amended to read as follows:

865. It is unlawful to use any net except a gill net or a trammel net to take shad or such striped bass as may be incidentally caught in accordance with law. Such nets may be used to take shad and such striped bass as may be incidentally caught in accordance with law only as follows:

(1) They may be used in District 12B, excluding all sloughs except Broad Slough, between February 15th and May 15th

(2) They may be used in District 12C, excluding all sloughs.
(3) They may not be used between sunrise Saturday and sunset of the following Sunday.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution and shall therefore take effect immediately.

The facts constituting such necessity are as follows: There are many destitute fishermen who will be enabled to relieve their condition through the use of the nets herein permitted. Since the season on shad will soon close, it is necessary that this act take immediate effect in order that it may benefit such destitute fishermen."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2336—An act to amend section 1293 of the Fish and Game Code, relating to destructive mammals.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 14, of the printed bill, after "done", insert a comma and the following: "and the owner or tenant makes an affidavit to that effect and files the same with the commission in the manner and form prescribed by the commission".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2036—An act to add section 526a to the Political Code, relating to State printing.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out "may print and", and insert in lieu thereof the following: ", by and through the State Printer, may print and may".

Amendment No. 2.

On page 1 of the printed bill, strike out line 4 and insert in lieu thereof the following: "with any county, city and county, district, city or other governmental unit for the sale of applica-"

Amendment No. 3.

On page 1 of the printed bill, strike out line 6, and insert in lieu thereof the following: "between such county, city and county, district, city or other governmental unit and the State, relating to State aid administered by the Department of Social Welfare.

The Department of Finance, by and through the State Printer shall print a sufficient number of all necessary applications and other forms required for candidates for election to all State offices. Such forms shall be delivered to the Secretary of State for distribution without charge to all such candidates applying therefor."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 509—An act providing for State planning and a State Planning Board, prescribing the powers, duties and jurisdiction thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 393—An act to amend sections 2171, 2172, 2173, 2174, 2175a, 2177, 2185c, 2186, and 2188 of the Political Code, relating to insane persons, and to add a new section thereto to be numbered 2189a.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 764—An act to amend section 818 and to repeal sections 819 and 820 of the Penal Code, relating to the issuance of warrants.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1486—An act authorizing a suit against the State of California to quiet title against it to certain real property in the city of Newport Beach, California.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 2385—An act to add section 652 to the Penal Code, relating to jurors.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 64—An act to amend sections 1206 and 1207 of the Code of Civil Procedure, relating to preferred claims for work or personal services.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 30, of the printed bill, after the period, add the following: "An appeal lies from any judgment under this section, such appeal to be taken in the manner provided for appeals from the court in which such proceeding is had."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 336—An act to amend sections 396, 396a, 399, 539, 540, 542, 581, 594, 618, 629, 650, 659a, 667a, 689, 953a, 978a, 980, 983, 983a, 988a, 988b, 988c, 988h, 989, 990, 1005 and 1010 of the Code of Civil Procedure, and to add section 655 thereto, all relating to civil actions.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 7, of the printed bill, after "complaint", insert "or petition".

Amendment No. 2.

On page 2, line 27, of the printed bill, after "trial", and before the comma, insert "or hearing".

Amendment No. 3.

On page 2, line 48, of the printed bill, strike out "there of", and insert in lieu thereof the following "thereof".

Amendment No. 4.

On page 3, line 18, of the printed bill, strike out "proceedings", and insert in lieu thereof the following: "proceeding".

Amendment No. 5.

On page 6, line 8, of the printed bill, after the word "county", add the words "or counties"

Amendment No. 6.

On page 9, line 2, of the printed bill, after "record", insert the following: "of such party".

Amendment No. 7.

On page 9 of the printed bill, between lines 49 and 50, and immediately under the signature line, insert the following: "Clerk (if signed by clerk)".

Amendment No. 8.

On page 10, line 3, of the printed bill, after the comma, insert the following: "he".

Amendment No. 9.

On page 20, line 34, of the printed bill, after "every", insert the following: "full".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1837—An act to amend sections 269 and 271 of the Code of Civil Procedure, relating to the appointment, duties and compensation of phonographic reporters.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 2, of the printed bill, strike out the word "or".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1546—An act to add section 4 to an act entitled "An act limiting the liability of supervisors, city trustees, city councils, boards of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances," approved June 13, 1923, relating to the liability of counties, municipalities and school districts.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 6, of the printed bill, after the comma following the word "accident", strike out the remainder of said line; strike out all of line 7, and all of line 8 up to and including the comma following the word "accident"

Amendment No. 2.

On page 1, line 9, of the printed bill, after the word "property", add the words "of any one person".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 2039—An act to add a new section to the Civil Code, to be numbered section 1972, relative to transportation expenses and return transportation expenses for workers brought into or sent out of the State to render personal services.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 8 and 9, of the printed bill, strike out the following: ", or assisting in bringing him in or assisting in sending him out,".

Amendment No. 2.

On page 1, line 11, of the printed bill, strike out the word "where", and insert in lieu thereof the word "when".

Amendment No. 3.

On page 1, line 12, of the printed bill, after the word "year", add the following: ", or when the employee quits his employment or is discharged for cause".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 655—An act to amend section 15b of the California Irrigation District Act, relating to the duties and powers of boards of directors.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 840—An act to amend an act entitled "An act to authorize irrigation districts to cooperate and contract with the United States under the provisions of the Federal reclamation laws for a water supply, or the construction, operation or maintenance of works, including drainage works, or for the assumption by the district of indebtedness to the United States on account of district lands; and to provide the manner and method of payments to the United States under such contract, and for the apportionment of assessments, and the levy thereof, upon the lands of the district to secure revenue for such payments, and to provide for the judicial revenue and determination of the validity of the proceedings in connection with such contract, and to provide for the construction of works by the district; to provide for the borrowing or procuring of money from the United States or any agency thereof and the entering into contracts, and/or the issuance of bonds, warrants or other evidence of indebtedness for the repayment thereof, approved May 5, 1917, as amended, by amending the title thereof and amending sections 1 and 11 thereof, and declaring the urgency thereof

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 1771—An act to repeal section 109a of "The California Irrigation District Act," approved March 31, 1897, relating to name of irrigation districts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1554—An act to amend "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 5, 1931, relating to retirement and pensions.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, as amended, following line 14, and before line 15, insert the following:

"SEC. 2. Section 2 of said act is hereby amended to read as follows:"

Amendment No. 2.

On page 5, lines 8 and 9, of the printed bill as amended strike out the words "president, a treasurer and secretary."

Amendment No. 3.

On page 4, line 1, of the printed bill, as amended, after the word "persons", strike out the words "entitled thereto", and insert in lieu thereof the following "who having elected to come under the provisions of this act"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2029—An act to amend section 4041.7 of the Political Code, defining the powers of the board of supervisors.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the printed bill, after the words "SECTION 1.", insert the following: "Section 4041.7 of the Political Code is hereby amended to read as follows:

4041.7. (1) Under such limitations and restrictions, as are prescribed by law, and in addition to jurisdiction and powers otherwise conferred, the board of supervisors, in their respective counties, shall have the jurisdiction and powers to acquire and take by purchase, condemnation or otherwise land for the uses and purposes of public roads, highways, boulevards, turnpikes and other public ways, and to lay out, maintain, control, construct, repair, and manage public roads, boulevards, highways, turnpikes and other public ways, and to incur a bonded indebtedness for any such purposes; provided, that no such indebtedness shall be incurred for any of such purposes until after the question of the issue of bonds therefor shall have been submitted to the qualified electors of the county, at the next general election or at a special election called for that purpose, and two-thirds of the electors of the county voting at such election shall have voted in favor of issuing such bonds, said election to be called and held and said bonds if authorized, to be issued, sold and made payable in the manner and form prescribed by section 4088 of this code. Said board shall also have power to make and enforce rules and regulations for the protection, management control and use of such public boulevards, roads, highways, turnpikes and other public ways. Such board shall also have power to expend from the general fund of the county such moneys as may be necessary to pay the whole or any part of the cost of the improvement of any street, highway, lane, alley, court, or other public place within any incorporated city of the county, wherever any real property of the county used for public purposes is included within the assessment district formed to pay for any such improvement not exceeding the amount, however, which, but for such public ownership and use, would be properly chargeable to and assessed against such real property under the provisions of the law governing such work or improvement, provided, no liability shall be created against the county in connection with any such work or improvement unless the board shall, by resolution, determine and declare the amount to be so expended and direct that such sum be set apart and reserved out of any moneys in the general fund available for such purpose, to be used exclusively for paying the cost of such work or improvement.

(2) To construct, operate, manage or maintain summer bridges or ferries under such rules and regulations and at such times and places as they may deem necessary; such bridges or ferries to be paid for out of the county general fund.

(3) To levy a special road fund tax, not to exceed two (2) mills on the one dollar of assessed valuation, on all the property in such counties outside of any incorporated city or town. Such tax shall be in addition to all taxes otherwise provided for, and the fund so created shall be expended for the construction and maintenance of the main public roads or county highways in the several road districts, in proportion to the amount collected from such districts; provided, that in addition to the tax men-

tioned in this subdivision the board of supervisors shall have the power and it shall be their duty, upon the petition of a majority of the property owners of any road district, to levy a special road fund tax not to exceed two mills on the one dollar of assessed valuation on all the property in such road district, to be expended in the maintenance of the public roads of such district.

(4) To enact ordinances and regulations for the construction, alteration, repair and control of all public roads and highways in the county, unless otherwise provided by law.

(5) To enforce, by ordinance, within the limits of their counties all such regulations concerning the size of wagons and vehicles of all kinds to be used on the roads or highways, and the width of tires on the same, as are not in conflict with general laws.

(6) To purchase or redeem at a discount bonds of any special assessment district for the payment of which special assessments (levied wholly or partly in accordance with the assessed value of lands) have been or are to be levied, the proceeds of which bonds are or have been used exclusively for the acquisition of rights of way, or easements or for the construction, maintenance, improvement, or repair of roads, streets, highways, bridges or culverts within said county, city and county, or any incorporated city thereof and also to pay any portion of the principal or interest of, or to transfer such amount as the board deems proper to the interest and sinking fund for the discharge and payment of, any of said bonds. Said bonds may be redeemed or purchased at not to exceed eighty per cent of the face value of the unpaid principal and interest of said bonds. When such bonds have been purchased or redeemed the board may at any time in its discretion cancel or retire them.

The expenditures herein authorized may be made from the general fund of said county, or from any moneys received by said county under the provisions of that certain act of the Legislature known as the Motor Vehicle Fuel License Tax Act, or the California Vehicle Act, as said statutes are amended or shall hereafter be amended, or from any other statutory source providing for the disposition of motor vehicle fuel license taxes or motor vehicle registration license fees. Provided, however, that when any purchase authorized herein is made from funds received pursuant to the provisions of the Motor Vehicle Fuel License Tax Act or the California Vehicle Act, or any other statute which may provide for the disposition of motor vehicle fuel license taxes or motor vehicle registration license fees, the proceeds received from any bonds purchased therefrom shall upon receipt be deposited in a special fund and expended by said board of supervisors exclusively for any of the purposes for which the funds derived under any of those acts may be used. Provided further, that the expenditure of the funds herein permitted to be made shall be authorized by resolution, adopted by a four-fifths vote of the members of the board of supervisors determining that the bonds which are to be purchased were issued to acquire rights of way, or easements, or to construct, maintain, improve or repair streets, roads, highways, bridges or culverts of general county use, and not of a purely local use."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1264—An act to add a new section to the Political Code of the State of California, to be numbered 3719, authorizing the temporary borrowing of money by counties and school districts upon the credit of revenue in course of collection, and the issuing of tax anticipation notes or warrants as evidence of such indebtedness.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, after the word "counties", insert: ", cities".

Amendment No. 2.

On page 1, line 5, of the printed bill, after the word "county", insert: ", any city".

Amendment No. 3.

On page 1, line 12, of the printed bill, after the comma following the word "county", insert: "and the legislative body of such city on the recommendation of the auditor and treasurer of such city,".

Amendment No. 4.

On page 1, line 13, of the printed bill, after "county", insert the following: ", city".

Amendment No. 5.

On page 1, line 16, of the printed bill, after "county", insert: ", city".

Amendment No. 6.

On page 1, line 22, of the printed bill, after "supervisors", insert: ", or by a four-fifths vote of all members of the legislative body of such city,".

Amendment No. 7.

On page 2, line 1, of the printed bill, after "county", insert: "or for such city".

Amendment No. 8.

On page 2, line 4, of the printed bill, after "supervisors", insert: ", or legislative body of such city,".

Amendment No. 9.

On page 2, line 5, of the printed bill, after the comma following the word "county", insert: "or within the city as the case may be,".

Amendment No. 10.

On page 2, line 9, of the printed bill, after the word "county", insert: ", city".

Amendment No. 11.

On page 2, line 15, of the printed bill, after the word "county", insert: ", or on behalf of such city by its mayor, countersigned by the auditor and treasurer of such city".

Amendment No. 12.

On page 2, line 34, of the printed bill, after "supervisors", insert: ", the legislative body of each city,".

Amendment No. 13.

On page 2, line 36, of the printed bill, after the word "county", insert: ", city".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1269—An act authorizing and empowering any county, city and county, or city in the State of California to donate, convey, and grant to the State of California, or to district agricultural associations thereof, any real property owned, held and used by it for fair ground and exposition purposes, or which it may hereafter acquire, hold and use for such purposes

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 10, of the printed bill, strike out the period, and insert a comma and the following: "upon such terms and conditions as such county, city and county, or city, and such district agricultural association may agree"

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1377—An act to provide for the custody and disposition of money and other property belonging to inmates of county institutions

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 568—An act to amend section 4305 of the Political Code, relating to the salary fund of counties.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2232—An act to amend section 4295 of the Political Code, relating to official without fees.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1749—An act to prohibit the pollution of streams in the State of California by filling said streams with debris from mining operations and dredging operations

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the printed bill, after "SECTION 1", insert the following: "No person or persons shall deposit in any river, creek, or stream of water within the State of California, or in the bed of such river, creek, or stream, any tailings, debris or other refuse resulting from the conduct of any mining by dredging operations, or place such tailings, debris or other refuse in such a position that the same may be carried into or by such river, creek, or stream, if thereby such tailings, debris or other refuse will, by such river, creek, or stream, be carried down to or be deposited in, upon or against any reservoir, lake, pond, dam or ditch, used for the storage, collection or distribution of water."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 1561—An act to amend sections 2 and 9 of an act entitled "An act to revise an act entitled 'An act defining mattresses; regulating the making, remaking, and sale thereof; prohibiting the use of unsanitary and unhealthy materials therein; requiring that materials used shall be accurately described, and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled; and making the violation of any of the provisions of this act a misdemeanor, and repealing legislation inconsistent with this act,' approved June 7, 1915, as amended," approved May 31, 1929, relating to secondhand mattress material.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee.

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to amend sections 3, 3a, 3b, 10, 13, 17, and 18 of an act entitled "An act defining mattresses; regulating the making, remaking, and sale thereof; prohibiting the use of unsanitary and unhealthy materials therein, requiring that materials used shall be accurately described, and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled, and making the violation of any of the provisions of this act a misdemeanor, and repealing legislation inconsistent with this act," approved June 7, 1915, and to add thereto a new section to be numbered section 21 all relating to the administration of said act by the Bureau of Furniture and Bedding Inspection and the powers and duties of the officers thereof."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 18, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 3 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 3. No person or corporation, by himself, or his agents, servants, or employees, shall directly or indirectly at wholesale or retail, or otherwise, sell, offer or expose for sale, repair or renovate, deliver, rent or consign, or have in his possession with intent to sell, offer or expose, repair, renovate, deliver, rent or consign, any mattress that shall not be plainly and indelibly stamped or printed thereon, or upon a muslin or linen tag, not smaller than three inches square, securely sewed to the covering thereof a statement, in the English language, setting forth the kind or kinds of materials used in filling the said mattress, and whether the materials are in whole or in part, new or old, or secondhand or shoddy, and the name and address of the vendor or manufacturer, which name may be stamped or written on the tag by either the factory or the vendor, together with the serial number of the manu-

factured, which serial number shall be assigned by the Bureau of Furniture and Bedding Inspection of the Department of Professional and Vocational Standards, also the quantity of such materials used, expressed in terms of avoirdupois weight; also size of same, expressed in linear measure, clearly indicating the length and breadth thereof, also percentage of each material used Sizes of comforters may be stated in terms of cutsize measurements"

Amendment No. 3.

On page 2 of the printed bill, strike out lines 1 to 21, inclusive, and insert in lieu thereof the following

"SEC. 2 Section 3a of the act cited in the title hereof is hereby amended to read as follows

Sec 3a. Every person, firm or corporation manufacturing or selling at wholesale any of the above articles shall obtain annually from the Bureau of Furniture and Bedding Inspection, a license for which the annual fee shall be thirty dollars Each and every branch house shall likewise be amenable to this license provision

Every person, firm or corporation renovating, making over or sterilizing any of the above articles, unless licensed under the preceding paragraph of this section shall obtain annually from the Bureau of Furniture and Bedding Inspection a license for which the annual fee shall be twenty dollars. Each and every branch house shall likewise be amenable to this license provision Every person, firm or corporation selling or offering for sale at retail any of the above articles, unless licensed under one of the preceding paragraphs of this section shall obtain annually from the Bureau of Furniture and Bedding Inspection, a license for which the annual fee shall be five dollars Each and every branch house shall likewise be amenable to this license provision

SEC 3. Section 3b of the act cited in the title hereof is hereby amended to read as follows.

Sec. 3b All moneys collected under the provisions of this act shall be credited to the Bureau of Furniture and Bedding Inspection fund to be expended in accordance with law in carrying out the provisions of this act The Chief of the Bureau of Furniture and Bedding Inspection may from time to time withdraw from said sum the sum of fifteen hundred dollars to be used as a revolving fund to carry out the provisions of this act Such sums as may be withdrawn shall be accounted for at the end of each fiscal year by vouchers and itemized statements thereof

SEC 4 Section 10 of the act cited in the title hereof is hereby amended to read as follows:

Sec 10. The wording of labels necessary to carry out the provisions of this act shall be approved by the Chief of the Bureau of Furniture and Bedding Inspection.

SEC 5 Section 13 of the act cited in the title hereof is hereby amended to read as follows:

Sec 13 The right to condemn, seize or destroy any mattress which is found in violation of this act shall be vested in the Bureau of Furniture and Bedding Inspection

SEC 6 Section 17 of the act cited in the title hereof is hereby amended to read as follows

Sec 17. The enforcement of the provisions of this act shall be under the supervision of the Chief of the Bureau of Furniture and Bedding Inspection

SEC 7 Section 18 of the act cited in the title hereof is hereby amended to read as follows.

Sec 18. The Chief of the Bureau of Furniture and Bedding Inspection, or any deputy or inspector authorized by him, shall have access to any premises where mattresses are made, remade, sterilized or renovated, sold or exposed for sale or handled commercially in any way and shall have access to any premises or records of parties selling or offering for sale any secondhand or used mattresses or materials which may be used in filling mattresses

SEC 8 A new section is hereby added to the act cited in the title hereof to be numbered section 21 and to read as follows:

Sec 21. The Director of the Department of Professional and Vocational Standards and the Chief of the Bureau of Furniture and Bedding Inspection are authorized and empowered to confer with and to advise such boards or representatives as the furniture and mattress industry of this State shall select to represent such industries"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1562—An act to amend sections 2, 9 and 10 of an act entitled "An act to revise an act entitled 'An act to regulate the

manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling, or repairing upholstered furniture; and creating the upholstered furniture inspection fund,' approved May 9, 1927,'' approved June 1, 1929, relating to secondhand upholstery.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee.

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to amend sections 1, 2, 5, 6, 7, 8, 9 and 14 of an act entitled "An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling or repairing upholstered furniture; and creating the upholstered furniture inspection fund," approved May 9, 1927, relating to the administration thereof by the Bureau of Furniture and Bedding Inspection of the Department of Professional and Vocational Standards."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 22, inclusive, and insert in lieu thereof the following.

"SECTION 1. Section 1 of the act cited in the title hereof is hereby amended to read as follows:

Section 1. No person shall, at wholesale, or retail, or otherwise, directly or indirectly, make, sell, offer or expose for sale, deliver, rent, consign, lease or otherwise dispose of commercially, or have in his possession with such intent, any article of new upholstered furniture, including pillows or cushions belonging to or forming part thereof, for use in any household or place of abode, or which can be used by human beings, that is made of any new material which is hidden or concealed by fabric or any other covering, unless such article is plainly and indelibly stamped or tagged with a tag prescribed and approved by the Bureau of Furniture and Bedding Inspection of the Department of Professional and Vocational Standards, which bureau is hereby created, where it may be conveniently examined, which tag shall be securely attached to the article at the factory setting forth in the English language the name of the vendor, which name may be stamped or written on the tag by either the factory or the vendor, together with the serial number of the manufacturer, which serial number shall be assigned by the Bureau of Furniture and Bedding Inspection, together with a statement that the concealed materials are in whole new materials, with the words as a heading on the tag "All new material," setting forth the filling contents, grades, and percentages of material so used; provided, that nothing in this act shall apply to pillows as defined by section 402f of the Penal Code; and provided also, that nothing in this act shall apply to mattresses as defined by an act approved June 7, 1915, as amended, Chapter 641, Statutes 1915."

Amendment No. 3.

On page 2 of the printed bill, strike out all of lines 1 to 30, inclusive, and insert in lieu thereof the following:

"SEC. 2. Section 2 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 2. No person shall, at wholesale, or retail or otherwise, directly or indirectly, make, sell, offer or expose for sale, deliver, rent, consign, lease or otherwise dispose of commercially, or have in his possession with such intent, any article of new upholstered furniture, including pillows or cushions belonging to or forming part thereof, that contains in whole or in part any used or secondhand materials, cast-off clothing, rags, jute, used burlap, sweepings, shoddy, used webbing, refuse or damaged material, or any material previously used for any purpose whatsoever that is hidden or concealed by fabric or any other covering unless such article is plainly and indelibly stamped or tagged with a tag prescribed and approved by the Bureau of Furniture and Bedding Inspection, where it may be conveniently examined, which tag shall be securely attached to the article at the factory, setting forth in the English language the name of the vendor, which name may be stamped or written on the tag by either the factory or the vendor, together with the serial number of the manufacturer, which serial number shall be assigned by the Bureau of Furniture and Bedding Inspection, and setting forth description of the kind or kinds of used or secondhand materials concealed therein, together with the percentage of each, with the words as a heading on the tag "Secondhand material" and a statement that said used or secondhand materials have been sterilized in accordance with the requirements of the State Board of Health.

SEC. 3. Section 5 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 5. The Chief of the Bureau of Furniture and Bedding Inspection shall have the authority to approve or adopt standard designations for labeling and grading of materials under this act, and these standard designations will be enforced by all inspectors and deputies of the Bureau of Furniture and Bedding Inspection.

SEC. 4. Section 6 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 6. Every person, firm or corporation manufacturing or selling at wholesale upholstered furniture shall obtain annually from the Bureau of Furniture and Bedding Inspection a license for which the annual fee shall be thirty dollars. Each and every branch house shall likewise be amenable to this license provision.

Every person, firm or corporation repairing upholstered furniture, unless licensed under the preceding paragraph of this section, shall obtain annually from the Bureau of Furniture and Bedding Inspection a license for which the annual fee shall be twenty dollars. Each and every branch house shall likewise be amenable to this license provision

Every person, firm or corporation selling or offering for sale at retail any upholstered furniture, unless licensed under one of the preceding paragraphs of this section, shall obtain annually from the Bureau of Furniture and Bedding Inspection a license for which the annual fee shall be five dollars. Each and every branch house shall likewise be amenable to this license provision.

SEC. 5. Section 7 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 7. All moneys collected under the provisions of this act shall be credited to the Bureau of Furniture and Bedding Inspection fund, which fund is hereby created, to be expended in accordance with law, in carrying out the provisions of this act The Chief of the Bureau of Furniture and Bedding Inspection may from time to time withdraw from such fund the sum of fifteen hundred dollars to be used as a revolving fund to carry out the provisions of this act. The sums so withdrawn shall be accounted for at the end of each fiscal year by vouchers and itemized statements showing disbursements thereof.

SEC 6. Section 8 of the act cited in the title hereof is hereby amended to read as follows

Sec 8. The Chief of the Bureau of Furniture and Bedding Inspection or any deputy or inspector authorized by him, shall have access to any premises, or to any records held by any person containing any information pertaining to the article or material in question

SEC 7. Section 9 of the act cited in the title hereof is hereby amended to read as follows:

Sec 9. Statements as headings required under sections 1, 2 and 3 of this act shall be in the following forms: "All new material" twenty-four point condensed Gothic type, on white linen; "Owner's own material" twenty-four point condensed Gothic type, on green linen; "Secondhand material" twenty-four point condensed Gothic type, on red linen The form and wording of labels or deviation therefrom shall be discretionary with the Chief of the Bureau of Furniture and Bedding Inspection.

SEC 8 Section 14 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 14. The enforcement of the provisions of this act shall be under the supervision of the Chief of the Bureau of Furniture and Bedding Inspection."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1282—An act to amend the title and to amend sections 2, 3, 4, 6, 12 and 19 of, and to add new sections 4a and 6a to an act entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, as amended, relating to the adulteration, mislabeling, misbranding, advertising and sale of drugs and devices and to the powers of the State Board of Public Health in relation thereto.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, strike out line 45, and insert in lieu thereof the following: "and dangerous or injurious to health, except materials and products in the forms used as economic poisons in accordance with the provisions of the Agricultural Code."

Amendment adopted

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No 195—An act to amend section 305 of the Agricultural Code, relating to meat inspection.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 863—An act to amend the title and sections 1, 2, 3, 4, 5, 6, 7 and 8 of an act entitled "An act to provide for the proper sanitary condition of factories and workshops, and the preservation of the health of employees," approved February 6, 1889 (Stats 1889, Chap. 5), as amended, relative to the sanitation, lighting and ventilation of factories, workshops and other places of employment, providing for the enforcement thereof by the Chief of the Division of Labor Statistics and Law Enforcement and providing penalties for the violation thereof

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 8, of the printed bill, strike out the words "and heated".

Amendment adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 2243—An act relating to fair trade practices, including a requirement that the contract between a manufacturer or producer and his dealer, distributor or agent may not be canceled without cause, providing for a hearing and judicial determination of the rights of the parties in such cases, and for the enforcement of the provisions of the act

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee

Amendment No. 1.

On page 3, line 48, of the printed bill, as amended, after the semicolon, insert the following: "if he be a tractor manufacturer, one hundred dollars,".

Amendment No. 2.

On page 4, line 2, of the printed bill, as amended, after the period, insert the following: "No dealer or manufacturer shall pay more than one license fee per year though he deal in or manufacture respectively more than one of the classes of products specified heretofore in this section"

Amendment No. 3.

On page 5, line 33, of the printed bill, as amended, strike out "6", and insert in lieu thereof the following "11"

Amendment No. 4.

On page 6, line 7, of the printed bill, as amended, strike out "7", and insert in lieu thereof the following "12".

Amendment No. 5.

On page 6, line 15, of the printed bill, as amended, strike out "8", and insert in lieu thereof the following: "13"

Amendment No. 6.

On page 6 line 15 of the printed bill, as amended strike out "director", and insert in lieu thereof the following, "commission"

Amendment No. 7.

On page 7, line 7 of the printed bill, as amended strike out "9", and insert in lieu thereof the following "14"

Amendment No. 8.

On page 7 line 14 of the printed bill as amended strike out "10", and insert in lieu thereof the following "15"

Amendment No. 9.

On page 7, line 42 of the printed bill as amended, strike out "11", and insert in lieu thereof the following "16"

Amendment No. 10.

On page 8 line 28 of the printed bill as amended strike out "12", and insert in lieu thereof the following "17

Amendment No. 11.

On page 9 line 12 of the printed bill as amended, strike out "13", and insert in lieu thereof the following "18

Amendment No. 12.

On page 9 line 26 of the printed bill as amended, strike out "14" and insert in lieu thereof the following "19"

Amendment No. 13.

On page 9 line 34 of the printed bill, as amended, strike out "15", and insert in lieu thereof the following "20

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No 2190—An act to amend the "Corporate Securities Act," approved May 18, 1917, relating to tipster sheets, sales on the phone, and residence of agents.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "amend", insert the following "section 6 of, and to add a new section to be numbered section 17 5 to"

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out "tipster sheets, sales on the phone,", also strike out line 3, and insert in lieu thereof the following "requirements for certificates, fraudulent intrastate transactions and providing penalties for violation thereof

Amendment No. 3.

On page 1 of the printed bill, after line 1, insert the following "Section 6 of the act cited in the title hereof is hereby amended to read as follows

Sec. 6 No person or company shall act as an agent or broker until such person or company shall have first applied for and secured from the commissioner a certificate, then in effect, authorizing such person or company so to do Every such certificate shall expire on the thirty-first day of December next after its issuance, unless sooner suspended or revoked To secure such certificate, the applicant shall make and file in the office of the commissioner an application therefor in writing, verified by or in behalf of the applicant In such application, the applicant shall set forth, in addition to such other information as may be required by the commissioner:

1. The name and address of the applicant, and if it be a corporation, association, or joint stock company, the name and address of each of its managing officers and agents, and, if it be a partnership, the name and address of each of the partners,

2. A succinct statement of facts showing that the applicant, and its managing officers and agents, if it be a corporation, or members, if it be a partnership, have a good business reputation;

3. If the applicant is a broker, the general plan and character of the business of the applicant;

4. That the applicant has been a resident of this State for at least one year next preceding the date of application.

At the time of filing an application for a broker's certificate, the applicant shall file and thereafter maintain with the Commissioner of Corporations a good and sufficient bond in the aggregate penal sum of five thousand dollars, payable to the people of the State of California, for the use and benefit of interested persons, executed by said applicant and by sufficient surety or sureties, and to be approved by the Commissioner of Corporations. The total aggregate liability on said bond shall be limited to the payment of five thousand dollars. Said bond shall be conditioned upon the strict compliance with the provisions of this act, and the honest and faithful application of all funds received and the faithful and honest performance of all obligations and undertakings in the purchase or sale of securities, by said broker, his agents and employees.

Said bond shall remain in force and effect until the surety is released from liability by said commissioner, or until said bond is canceled by the surety. The surety may cancel said bond and be relieved of further liability thereunder by delivering thirty days' written notice to the commissioner. Such cancelation shall not affect any liability incurred or accrued thereunder prior to the termination of said thirty-day period. Any person who sustains an injury covered by such bond, may in addition to any other remedy that he may have, bring an action in his own name upon said bond for the recovery of any damages sustained by him; provided, however, that no such action may be brought after the expiration of two years from and after the time when the act or default complained of may have occurred. Upon such action being commenced the Commissioner of Corporations may in his discretion, require the filing of a new bond, and immediately upon the recovery in any action on such bond, such broker shall file a new bond, and upon failure to file the same within ten days in either case such failure shall constitute sufficient grounds for the suspension or revocation of such broker's certificate.

For filing such application, the applicant shall pay a fee as hereinafter provided If the applicant is a corporation or association organized under the laws of any other State, Territory, or government, it shall file with its application a copy of its articles of incorporation or association, together with a certificate executed by the proper officer of such State, Territory, or government not more than thirty days before the filing of such application, showing that such applicant is authorized to transact business in such State, Territory, or government, and also in such form as the commissioner may prescribe, its written instrument, irrevocably appointing the commissioner and his successor in office its true and lawful attorney upon whom all process in any action or proceeding against it, arising out of or founded upon the fraud of such applicant in the sale of securities within this State, or in any action upon any bond provided by this section, may be served, with the same effect as if said corporation or association were organized or created under the laws of this State and had been lawfully served with process therein.

SEC. 2. A new section is hereby added to the act cited in the title hereof to be numbered 17.5 and to read as follows:

Sec. 17.5. (a) It shall be unlawful for any person in the sale of any securities by the use of any means or instruments of transportation or communication in intrastate commerce or by the use of the mails, directly or indirectly,

(1) To employ any device, scheme, or artifice to defraud, or

(2) To obtain money or property by means of any untrue statement of a material fact or any omission to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, or

(3) To engage in any transaction, practice, or course of business which operates or would operate as a fraud or deceit upon the purchaser.

(b) It shall be unlawful for any person, by the use of any means or instruments of transportation or communication in intrastate commerce or by the use of the mails, to publish, give publicity to, or circulate any notice, circular, advertisement, newspaper, article, letter, investment service, or communication which, though not purporting to offer a security for sale, describes such security for a consideration received or to be received, directly or indirectly, from an issuer, underwriter, or dealer, without fully disclosing the receipt, whether past or prospective, of such consideration and the amount thereof.

Any person who violates the provisions of this section, is guilty of a public offense and shall be punished by imprisonment in the State prison not exceeding five years, or in a county jail not exceeding two years, or by a fine not exceeding five thousand dollars, or by both such fine and imprisonment.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 101—An act to amend section 3 of an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditures of funds for the construction, maintenance and improvement of State highways." approved May 26, 1927, relating to expenditure of State highway funds within cities, declaring the urgency hereof, and to provide that this act take effect immediately.

Bill read second time, and ordered on file for third reading.

Unfinished Business.

Reconsideration of Assembly Bill No. 1735.

In compliance with his notice given on a previous day, Mr. Phillips moved that the vote whereby Assembly Bill No 1735 was passed be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Anderson, Boyle, Breed, Burns, Cassidy, Chatters, Corwin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Wagner, Walker, Weber, Wright, and Mr. Speaker—57.

NOES—None.

Request for Unanimous Consent.

Mr. Phillips asked for, and was granted, unanimous consent to take up Assembly Bill No. 1735, at this time, without reference to printer or file.

Assembly Bill No 1735—An act to add a new section to the Political Code, to be numbered 689a, relating to use of the State's teletype system.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Phillips:

Amendment No. 1.

On page 1, line 21, of the printed bill, as amended March 21st, beginning with the comma, strike out the comma, and insert in place thereof a period, and strike out the remainder of line 21, beginning with the words "as may relate", and strike out lines 22, 23, 24, 25 and 26.

Amendment No. 2.

In line 19 of the printed bill, strike out the word "public" where it appears in two places, and in each place insert in lieu thereof the word "official".

Amendments adopted.

Bill read third time, ordered to reprint, engrossment, and third reading.

Reconsideration of Assembly Bill No. 643.

In compliance with his notice given on a previous day, Mr. Corwin moved that the vote whereby Assembly Bill No. 643 was passed be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, Cunningham, Dawson, Desmond, Domhue, Donnelly, Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Gever, Glover, Hawkins, Heisinger, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Utt, Wagner, Walker, Waters, Weber, and Mr. Speaker—58

NOES—None

Assembly Bill No. 643—An act to amend section 320 of the Civil Code, relating to elections of corporation directors.

Assembly Bill No. 643 ordered on file for third reading.

Consideration of Senate Amendments to Assembly Bill No. 639.

Assembly Bill No. 639—An act to amend section 69 of the Civil Code, relating to applications for and issuance of licenses to marry.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 639?

Amendment No. 1.

On page 1, line 11, of the printed bill, strike out "must", and insert in lieu thereof the following "may"

Amendment No. 2.

On page 1, line 12, of the printed bill, strike out "who", and insert in lieu thereof the following: "is"

Amendment No. 3.

On page 1, line 14, of the printed bill, strike out "is

Amendment No. 4.

On page 1, line 15, of the printed bill, strike out "no license must", and insert in lieu thereof the following: "and no license may".

Amendment No. 5.

On page 1, line 20, of the printed bill, strike out "must", and insert in lieu thereof the following: "may".

The roll was called, and Senate amendments to Assembly Bill No. 639 were concurred in by the following vote.

AYES—Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cunningham, Dawson, Desmond, Domhue, Donnelly, Evans, Ralph W., Fisher, Fulcher, Gever, Gilbert, Glover, Hawkins, Heisinger, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Mayo, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Thorp, Utt, Wagner, Walker, Waters, Weber, and Mr. Speaker—51

NOES—None.

Assembly Bill No. 639 ordered to enrollment

Consideration of Senate Amendments to Assembly Bill No. 654.

Assembly Bill No. 654—An act to amend section 1502 of the Probate Code of the State of California, relating to the guardianship of estates.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 654?

Amendment No. 1.

In the title of the printed bill, strike out the numerals "1558", and substitute in lieu thereof the numerals "1559".

Amendment No. 2.

On page 1, line 15, of the printed bill, strike out the numerals "1558", and insert in lieu thereof the numerals "1559".

Amendment No. 3.

On page 1, line 17, of the printed bill, strike out the numerals "1558", and insert in lieu thereof the numerals "1559".

The roll was called, and Senate amendments to Assembly Bill No. 654 were concurred in by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cunningham, Dawson, Desmond, Domhue, Donnelly, Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Thorp, Utt, Wagner, Walker, Waters, Weber, and Mr. Speaker—52.

NOES—None.

Assembly Bill No. 654 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1995.

Assembly Bill No 1995—An act to amend section 779 of the Political Code, relating to publication of court reports.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1995?

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out the word "six", and insert in lieu thereof the word "three".

The roll was called, and Senate amendment to Assembly Bill No. 1995 was concurred in by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cunningham, Dawson, Desmond, Domhue, Donnelly, Evans, Ralph W, Field, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Utt, Waters, and Mr. Speaker—51

NOES—None.

Assembly Bill No. 1995 ordered to enrollment.

Third Reading of Assembly Bills.

Assembly Bill No. 1698—An act to add a new section to the Political Code to be numbered 696, relating to a fact finding bureau in the Department of Finance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1698 passed by the following vote

AYES—Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, Cunningham, Dawson, Desmond, Domhue, Field, Fisher, Garibaldi, Gilmore, Glover, Hawkins, Heisinger, Johnson, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Peterson, Phillips, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Utt, Wagner, Walker, Waters, Weber, and Wright—48.

NOES—Evans, Ralph W., Geyer, Gilbert, Lore, Reaves, Robertson, Wallace, and Mr Speaker—8.

Title read and approved.

Bill ordered transmitted to the Senate.

Motion.

Mr Morgan moved that the Assembly recess for the purpose of hearing from National Commander Volney P. Mooney, Jr, of the Disabled War Veterans, and others.

Motion carried.

Recess.

At ten o'clock and forty minutes a.m., on motion of Mr. Morgan, the Assembly was declared at recess until eleven o'clock and five minutes a.m. of this day.

Reassembled.

At eleven o'clock and five minutes a.m., the Assembly reconvened. Speaker Craig in the chair.

Third Reading of Asssembly Bills—(Resumed).

Assembly Bill No. 819—An act to amend sections 2167, 2167a, 2169, 2172 and 2175 of, to repeal sections 2168, 2170, 2171 and 2185c of, and to add new sections numbered 2168, 2171 and 2185c to the Political Code, relating to persons mentally disordered or otherwise incompetent.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lyon:

Amendment No. 1.

On page 1, line 4, of the printed bill, after the third "county," insert the following: "or in a receiving hospital situate therein,".

Amendment No. 2.

On page 1, line 10, of the printed bill, after "quarters", insert the following: "and their furnishings".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 11 and 12, and insert in lieu thereof the following: "subject to the approval".

Amendment No. 4.

On page 2, line 1, of the printed bill, strike out "Any", and insert in lieu thereof the following: "The".

Amendment No. 5.

On page 2 of the printed bill, strike out lines 4 to 7, inclusive, and insert in lieu thereof the following: "showing that the persons named therein hold an unrevoked physician and surgeon certificate to practice in California, and when".

Amendment No. 6.

On page 2, line 43, of the printed bill, strike out "prescribed by the Department of Institutions", and insert in lieu thereof the following: "which the Department of Institutions shall prepare and distribute to all superior courts, county clerks and magistrates in the State".

Amendment No. 7.

On page 3 of the printed bill, strike out lines 13 to 17, inclusive, and insert in lieu thereof the following: "avoided if consistent with the circumstances of the case. The judge may order the method of trans-".

Amendment No. 8.

On page 3, line 27, of the printed bill, strike out the last word in the line, and insert in lieu thereof the following: "holds an unrevoked physician and surgeon certificate to practice".

Amendment No. 9.

On page 3, line 28, of the printed bill, strike out "licensed to practice medicine".

Amendment No. 10.

On page 3, lines 30 and 31, of the printed bill, strike out "any court commissioner appointed for that purpose or to".

Amendment No. 11.

On page 3, line 32, of the printed bill, strike out "court commissioner or".

Amendment No. 12.

On page 3, line 37, of the printed bill, strike out "court commissioner or".

Amendment No. 13.

On page 4, line 3, of the printed bill, strike out "a patient", and insert in lieu thereof "patients".

Amendment No. 14.

On page 4, line 22, of the printed bill, strike out "prescribed", and insert in lieu thereof the following: "to be prepared and furnished".

Amendment No. 15.

On page 5 of the printed bill, strike out line 1, and insert in lieu thereof the following. "and demand shall be made upon forms to be prescribed and furnished by the Depart-".

Amendment No. 16.

On page 6, line 32, of the printed bill, strike out "prescribed", and insert in lieu thereof the following. "prepare and furnish to all superior courts and county clerks of the State,".

Amendment No. 17.

On page 6, line 49, of the printed bill, strike out ", or city and county,".

Amendment No. 18.

On page 7, line 17, of the printed bill, strike out "person committed", and insert in lieu thereof the following. "patient"

Amendment No. 19.

On page 8, line 50, of the printed bill, strike out "prescribed", and insert in lieu thereof the following. "to be prepared and furnished".

Amendment No. 20.

On page 9, line 30, of the printed bill, strike out "prescribed", and insert in lieu thereof the following: "to be prescribed and furnished".

Amendment No. 21.

On page 10, line 3, of the printed bill, after "hospital", strike out "to", and insert in lieu thereof the following: "with".

Amendments adopted.

Bill read, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 259—An act to add a new section to the Civil Code, to be numbered 453.14, relating to mortgage insurance companies; declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Urgency clause read.

The question being, Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Andreas, Brennan, Burns, Chatters, Clark, Corwin, Cronin, Crowley, Dawson, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Hornblower, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Weber, Wright, and Mr. Speaker—60.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 259 passed by the following vote:

AYES—Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Hornblower, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson,

Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Voigt, Wagner, Walker, Waters, Weber, Wright, and Mr. Speaker—59

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 488—An act to add a new section to the Insurance Code of the State of California, to be numbered 12629, relating to the rehabilitation, readjustment or reorganization of mortgage insurance companies or of all or of any part of the business, properties and assets of such companies, or of the rehabilitation, readjustment or reorganization of mortgage participation trusts and mortgage participation certificates and of the rights or interests of any or all of the investors and creditors of, and persons interested in, such companies or trusts; providing for the kinds of securities issuable in connection therewith and exempting such securities from the provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies, banks, banking institutions and trust companies and officers of the State of California to consent to a plan, as defined in said section, to exchange mortgage participation certificates, shares of stock, bonds, notes, debentures or other rights or claims for securities issued pursuant to such plan and to continue to hold as legal investment any securities so received

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 488 passed by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cronin, Crowley, Dawson, Desmond, Domhue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Fulcher, Garibaldi, Gever, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Utt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—57.

NOES—Robertson—1.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 489—An act to add a new section to the Civil Code of the State of California, to be numbered section 453 15, relating to the rehabilitation, readjustment or reorganization of mortgage insurance companies or of all or of any part of the business, properties and assets of such companies, or of the rehabilitation, readjustment or reorganization of mortgage participation trusts and mortgage participation certificates and of the rights or interests of any or all of the investors and creditors of, and persons interested in, such companies or trusts; providing for the kinds of securities issuable in connection therewith and exempting such securities from the provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies, banks, banking institutions and trust companies and officers of the State of California to consent to a plan, as defined in said section, to exchange mortgage participation certificates, shares of stock, bonds, notes, debentures or

other rights or claims for securities issued pursuant to such plan and to continue to hold as legal investment any securities so received.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 489 passed by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cronin, Crowley, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilmore, Hawkins, Heisinger, Hornblower, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Utt, Wagnet, Walker, Waters, Wright, and Mr. Speaker—52.

NOES—Reaves—1.

Title read and approved.

Bill ordered transmitted to the Senate

Motion to Re-refer Assembly Bill No. 618.

Mr. Kallam moved that Assembly Bill No. 618 be withdrawn from Committee on Public Morals, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No 618 to Committee on Ways and Means.

Motion carried.

Assembly Bill No 618 ordered re-referred to Committee on Ways and Means.

Motion to Re-refer Senate Bill No. 235.

Mr. Evans, Herbert J, moved that Senate Bill No. 235 be withdrawn from Committee on Public Utilities, and ordered re-referred to Committee on Irrigation

The question being on re-referring Senate Bill No. 235 to Committee on Irrigation.

Motion carried

Senate Bill No. 235 ordered re-referred to Committee on Irrigation.

Motion to Preprint.

Mr. Lyon moved that the Chief Clerk instruct the State Printer to print 500 copies of the proposed Assembly Bill No 2136.

Motion carried.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 875—An act to amend sections 9, 23, and 24 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to industrial accidents.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 875 passed by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder,

Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, and Mr. Speaker—61.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1034—An act to amend sections 3817b, 3817d, 3817f, 3817g and 3817h of, and to add sections 3817c3 and 3817i2 to, the Political Code, relating to taxation, including tax delinquencies, tax penalties and costs, tax redemption for tax sales and declaring the urgency thereof, to take effect immediately.

Bill read third time.
Urgency clause read.
The question being: Shall this section, setting forth the urgency features of this bill, be passed?
The roll was called, and the urgency clause adopted by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Cunningham, Dawson, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—65.
NOES—None.

Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1034 passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Ralph W., Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, O'Donnell, Patterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—61.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1277—An act to add a new section to the Political Code to be numbered 3454½, relating to reclamation districts and requiring that in all actions against a reclamation district or any person sued by reason of his connection therewith the board of trustees must be made parties defendant.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Frazier:

Amendment No. 1.

On page 1, line 12, of the printed bill, after "have", insert the following: "original".

Amendment adopted.

Request for Unanimous Consent.

Mr. Frazier asked for, and was granted, unanimous consent to take up Assembly Bill No. 1277, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1277, as amended, passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Cronin, Crowley, Cunningham, Dawson, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Johnson, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Weber, Wright, and Mr. Speaker—58.

NOES—Meehan—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 365—An act to amend section 423 of the Agricultural Code, relating to live stock on highways

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 365 passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, Donihue, Donnelly, Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Walker, Waters, Weber, Wright, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 844—An act to add a new section to the California Irrigation District Act to be designated section 31a, referring to and providing for an alternative form of irrigation district bonds and for the procedure for the issuance of the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 844 passed by the following vote:

AYES—Andreas, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, Donihue, Donnelly, Field, Flint, Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2306—An act to amend sections 630 and 630.5 of the Probate Code, relating to estates under $5,000.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Johnson

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "630.5", and insert in lieu thereof the following: "631".

Amendment No. 2.

On page 1, line 3, of the printed bill, strike out "the", and insert in lieu thereof the following: "a".

Amendment No. 3.

On page 1, line 5, of the printed bill, strike out "or", and insert in lieu thereof the following: "of ".

Amendment No. 4.

On page 1, line 14, of the printed bill, after 'probate,", insert the following: "money due his estate under the terms of any insurance policy,".

Amendment No. 5.

On page 1, line 16, of the printed bill, strike out "decendent's", and insert in lieu thereof the following: "decedent's ".

Amendment No. 6.

On page 1, line 27, of the printed bill, after 'employer,", insert the following: "insurance company,".

Amendment No. 7.

On page 2, line 3 of the printed bill, after "employer,", insert the following: "insurance company,".

Amendment No. 8.

On page 2 of the printed bill, strike out lines 7 to 19, inclusive, and insert in lieu thereof the following:

"SEC. 2 Section 631 of the Probate Code is hereby amended to read as follows:

631. The receipt of such affiant or affiants shall constitute sufficient acquittance therefor and shall fully discharge such bank, receiver, liquidator, trustee, company, corporation, association, employer or personal representative from any further liability with reference thereto, without the necessity of inquiring into the truth of any of the facts stated in the affidavit, except that such personal representative of an estate in probate shall first present said affidavit to the judge of the superior court in which the estate is being probated and the judge shall direct him to pay to said affiant or affiants, upon distribution, the sum to which such deceased heir or legatee is entitled under the will or the laws of succession. But such payment or transfer shall not preclude administration when necessary to enforce payment of the decedent's debts."

Amendments adopted.

Request for Unanimous Consent.

Mr. Johnson asked for, and was granted, unanimous consent to take up Assembly Bill No. 2306, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 2306, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Walker, Waters, Weber, Wright, and Mr. Speaker—64

NOES—Robertson and Wallace—2

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 698—An act to amend section 11 of the Inheritance Tax Act, to require that county auditor's warrants be drawn for the payment of refunds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 698 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, Desmond, Donahue Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, and Mr. Speaker—64

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate

Assembly Bill No. 699—An act to add a new section to the Penal Code, to be numbered 1375, prescribing the manner in which counties shall pay the State for expense of insane and inebriates

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 699 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns Cassidy, Chatters, Corwin, Cronin, Crowley, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo McBride, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker Wallace, Waters, Weber, and Mr Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 1631—An act to provide for the registration of bonds and interest coupons unpaid for want of funds and the preference and payment thereof in the order of such registration, when funds are available.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 1631 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Corwin, Cronin, Cunningham, Dawson, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Weber, Wright, and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 2135—An act to amend an act entitled "An act to authorize the counties of the State of California to establish retirement systems for their employees," approved May 20, 1919 (Statutes 1919, page 782), by amending sections 1 and 6 thereof, to redefine the words "regular interest," to provide for refund of deceased member's funds without administration or probate and to authorize the board of retirement to limit the amount of excess contributions a member may deposit.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Field:

Amendment No. 1.

In the title of the printed bill, strike out lines 5 to 9, inclusive, and insert in lieu thereof the following: "thereof, relating to county employee retirement systems."

Amendment No. 2.

On page 2 of the printed bill, strike out line 22, and insert in lieu thereof the following, without paragraphing: "(1), and the liabilities incurred in connection therewith paid".

Amendment No. 3.

On page 3, line 20, of the printed bill, after "paid", insert the following: "in".

Amendments adopted.

Request for Unanimous Consent.

Mr. Field asked for, and was granted, unanimous consent to take up Assembly Bill No. 2135, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2135, as amended, passed by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Chatters, Corwin, Cronin, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Weber, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2034—An act to amend sections 1 and 2 of an act entitled "An act prohibiting employers of labor from coercing employees in the purchase of things of value, and prescribing a penalty for the violation of the provisions hereof," approved April 26, 1917, (Stats. 1917, Chap. 141), relative to requiring employees to patronize any person or firm in the purchase of anything of value, or service, and relative to the penalty therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2034 passed by the following vote:

AYES—Anderson, Boyle, Breed, Burns, Cassidy, Chatters, Corwin, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo,

McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2035—An act to add a new section to the Civil Code, to be numbered section 2005, relative to the basis of figuring wages for a portion of a month.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2035 passed by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Corwin, Cronin, Dawson, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—61

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1784—An act to add section 675.5 to the Vehicle Code, relating to glass.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Hornblower:

Amendment No. 1.

On page 1, line 17, of the printed bill, as amended, strike out "act", and insert in lieu thereof the following: "section".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out line 18, and insert in lieu thereof the following: "motor vehicle, other than a motor truck, of less than eight passenger".

Amendment No. 3.

On page 1, line 22, of the printed bill, as amended, strike out "private passenger".

Amendment No. 4.

On page 1, line 23, of the printed bill, as amended, strike out "farm".

Amendments adopted.

Bill read, ordered to reprint, engrossment, and third reading.

Motion to Re-refer Assembly Bill No. 737.

Mr. Cunningham moved that Assembly Bill No. 737 be stricken from the file, and ordered re-referred to Committee on Education.

The question being on re-referring Assembly Bill No. 737 to Committee on Education.

Motion carried.

Assembly Bill No. 737 ordered re-referred to Committee on Education.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Public Utilities.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1935

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No 944—An act regulating the use of public highways by motor vehicles operated thereon for the transportation of property for compensation; conferring powers upon the Railroad Commission with respect thereto; providing penalties for the violations of this act and repealing all acts inconsistent with the provisions of this act;

Also: Assembly Bill No. 1031—An act to amend sections 13 (a) and 47 (a) of an act entitled "An act to provide for the organization of the Railroad Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund,' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," and designated in the act so entitled as the "Public Utilities Act," approved April 23, 1915, as amended;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended

DAWSON, Vice Chairman.

The above reported bills ordered on file for second reading

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1935

MR SPEAKER Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No 2386—An act to amend Chapter 8 of Division VI of the Agricultural Code, relating to marketing of milk and other dairy products—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

THORP, Chairman

The above reported bill ordered on file for second reading.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1935

MR SPEAKER Your Committee on Insurance, to which was referred Assembly Bill No 1919—An act to amend section 6 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to presumptions in respect to injuries to employees—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

MINARD, Chairman

The above reported bill ordered on file for second reading

Also

ASSEMBLY CHAMBER SACRAMENTO April 5 1935

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No 416—An act to amend section 9 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to compensation provided under said act—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

MINARD, Chairman

The above reported bill ordered on file for second reading

Also:

MR SPEAKER Your Committee on Insurance, to which was referred Assembly Bill No 1688—An act to amend section 12 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to average earnings—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

MINARD, Chairman

The above reported bill ordered on file for second reading

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1935.

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No 827—An act to validate the organization and bonds of municipal improvement districts formed under the Municipal Improvement District Act of 1927 and providing for the levy of special assessment taxes to pay said bonds—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, as amended.

WRIGHT, Chairman

The above reported bill ordered on file for second reading

Also

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No 427—An act authorizing the legislative body of a municipality to vacate, abandon and close any public street, highway, road, boulevard, avenue, alley, way, lane or place or any part thereof, either to the whole extent of the public right therein or to any partial extent, and prescribing a procedure therefor—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No 834—An act relating to and imposing limitations on expenditures by counties, cities and counties, districts and other political subdivisions, under authority of section 20 of Article XI of the Constitution of the State—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

Also

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No 662—An act to provide for the refunding of bonds issued under the "Improvement Bond Act of 1915" and for extension of liens and assessments and the collection and enforcement of such assessments and the payment of said bonds—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1935.

MR SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No 495—An act to amend sections 460, 504, 585, and 621 of the Agricultural Code, relating to dairy products—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

THORP, Chairman.

The above reported bill ordered on file for second reading

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1935

MR SPEAKER: Your Committee on Education, to which was referred Assembly Bill No 1201—An act to add section 2455a to the School Code, relating to severance of joint schools—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

CHATTERS, Chairman.

The above reported bill ordered on file for second reading

Also:

MR SPEAKER: Your Committee on Education, to which was referred Assembly Bill No 821—An act to amend section 605 of the Probate Code, relating to appointment of appraisers;

Also: Assembly Bill No. 1186—An act to add a new section to the School Code to be numbered 3.764, relating to courses of study in elementary schools;
Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

CHATTERS, Chairman.

The above reported bill ordered on file for second reading.

On Public Utilities.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1935.

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 206—An act to amend section 1 of Chapter 339 of the Statutes of 1933, entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to the construction of certain words and phrases used in said act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

EVANS, HERBERT J., Chairman.

The above reported bills ordered on file for second reading.

On Building and Construction.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1935.

MR. SPEAKER: Your Committee on Building and Construction, to which was referred Assembly Bill No. 730—An act to amend section 1 of an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931 (Stats. 1931, Chap. 397), relative to the definition of public contract work and payment of the prevailing rate therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

PEYSER, Chairman.

The above reported bill ordered on file for second reading.
Also:

MR. SPEAKER: Your Committee on Building and Construction, to which was referred Assembly Bill No. 1833—An act to amend an act entitled "An act to regulate the construction of buildings in the State of California, in respect to resistance to horizontal forces, providing penalties for the violation thereof and providing that this act become effective immediately," approved May 26, 1933, relating to construction of buildings—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

PEYSER, Chairman.

The above reported bill ordered on file for second reading.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1935.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 952—An act to amend section 1261 of the Agricultural Code, relating to produce dealers—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1935

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 823—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved

March 18, 1883, as amended, by amending section 862 thereof, relating to and adding to the powers of sixth class cities;

Also: Assembly Bill No. 824—An act to authorize sanitary and sanitation districts, cities and towns to acquire and construct works for the collection, treatment, purification and disposal of sewage, by issuing bonds payable solely from the revenues of such works, and to collect revenues, rates or charges for the use of such works;

Also: Assembly Bill No. 825—An act to provide for the formation of sewer districts within counties, cities and counties and municipalities for the acquisition or construction of sanitary sewage works or improvements, for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition, construction, maintenance and operation of such improvements; Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WRIGHT, Chairman.

The above reported bills ordered on file for second reading.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1935.

MR SPEAKER Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1658—An act to amend sections 468, 474, 515, 516, 713 and 714 of, and to add a new section to be numbered 692 to, the Vehicle Code, relating to highways, bridges and structures thereon, and the regulation of speeds and weight of vehicles—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1650—An act to amend the Vehicle Code by repealing sections 414 and 415; by adding sections 414, 415, and 416, relating to vehicles—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1935.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1165—An act to amend an act entitled, "An act providing an additional and/or alternative method for financing the acquirement, construction, development, improvement, reconstruction, extension and repair of waterworks systems by any political subdivision or public agency of the State authorized by law to own and operate such waterworks systems by the issuance and sale to the United States Government or any agency of said Government of revenue bonds payable solely out of the revenue derived or to be derived therefrom; providing for the operation of such systems in case of deficiencies in revenues, providing for a statutory lien on works acquired, constructed, improved, reconstructed, extended or repaired under the provisions of this act; providing for the use of the power of eminent domain by political subdivisions or public agency proceeding under this act; defining the terms political subdivisions and public agencies as included herein, and providing a time for the expiration of said act," approved May 27, 1933, by amending sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 14 thereof; adding a new section thereto to be numbered section 14½, and repealing section 16 thereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1236—An act to amend an act entitled "An act to authorize municipal corporations to issue bonds, for the purpose of investing the proceeds arising from the sale thereof, in other bonds issued for public improvements," approved April 26, 1909, by amending sections 1 and 3 thereof, relating to bonds

to be purchased and the use of the funds—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Municipal Corporations, to which was referred Assembly Bill No 668—An act to provide for the refunding of the bonded *indebtedness of special improvement districts, the bonds of which are payable from* special assessments levied wholly or partly in accordance with the assessed value of lands and for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts and the cancellation of unpaid taxes and assessments of such districts, and for the levy of assessments and reassessments to pay such refunding bonds and to enforce the liens of such assessments and reassessments, and to provide for contributions of public funds to assist in such refunding or the payment of refunding bonds, and for proceedings to test the validity of such refunding and assessment or reassessment proceedings and the use of the bankrupt laws of the United States of America in any refunding—has had the same under consideration, and respectfully reports the same back without recommendation, as *amended.*

WRIGHT, Chairman

The above reported bill ordered on file for second reading.

Also.

MR. SPEAKER. Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 667—An act to provide for the refunding of bonds issued under an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition or construction of such improvements," approved April 20, 1915, and bonds issued under the Municipal Improvement District Act of 1927, and providing procedure therefor—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

WRIGHT, Chairman

The above reported bill ordered on file for second reading.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1935

MR SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Senate Bill No. 426—An act to amend sections 1030, 1038, and 1043 of the Agricultural Code, relating to fertilizing material—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

THORP, Chairman.

The above reported bill ordered on file for second reading.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1935

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No 188—An act to add section 654 to the Penal Code, relating to advertising food, drink, drug, devices or cosmetic products by radio broadcasting and providing penalties for violation thereof,

Also: Assembly Bill No. 195—An act to amend section 305 of the Agricultural Code, relating to meat inspection.

Also: Assembly Bill No. 429—An act to provide that school authorities of certain public and private schools shall be equipped to render first medical aid to injured children and students;

Also: Assembly Bill No. 450—An act to repeal Article V of Chapter I of Part III of Division IV, embracing sections 4.320 to 4 334, inclusive, of the School Code, and to repeal Article VI of Chapter I of Part III of Division IV, embracing sections 4.340 to 4 353 of the School Code, and to enact in lieu thereof a new article to be numbered V, embracing sections 4 320 to 4 332, inclusive, all relating to payments *from district funds*;

Also. Assembly Bill No 568—An act to amend section 4305 of the Political Code, relating to the salary fund of counties,

Also Assembly Bill No 764—An act to amend section 818 and to repeal sections 819 and 820 of the Penal Code, relating to the issuance of warrants;

Also. Assembly Bill No 988—An act to amend section 5 161 of the School Code, relating to high school certificates,

Also: Assembly Bill No. 1192—An act to amend section 80 of the Agricultural Code, relating to agricultural districts and including provision for the exhibition of live stock in southern California,
And reports that the same have been correctly engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1249—An act to amend section 3663b of the Political Code, relating to the assessment of property by the State Board of Equalization and to provide that this act shall take effect immediately;

Also: Assembly Bill No. 1377—An act to provide for the custody and disposition of money and other property belonging to inmates of county institutions,

Also: Assembly Bill No. 1720—An act to amend sections 13 and 47 of an act entitled "An act to provide for the organization of the Railroad Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund,' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," and designated in the act so entitled as the "Public Utilities Act," approved April 23, 1915, as amended, relating to the determination of a reasonable return upon the value and the valuation of public utility property including computation of charges by public utilities and the valuation of public utility property,

Also: Assembly Bill No. 1921—An act to amend section 1461 of the Probate Code, relating to guardians of insane or incompetent persons;
And reports that the same have been correctly engrossed

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No 248—An act to amend sections 3051, 3051a and 3052 of the Civil Code, relating to liens on aircraft and other personal property;

Also: Assembly Bill No 485—An act to add section 3900a to the Political Code, relating to taxation, including motor vehicle fuel license tax delinquencies, penalties and costs, payment thereof in installments and declaring the urgency thereof, to take effect immediately;
And reports that the same have been correctly re-engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Senate Messages—(Resumed).

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 5, 1935.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 645—An act to amend section 403c of the Civil Code, relating to corporations

J. A. BEEK, Secretary of Senate
By CARL A SHIPKEY, Assistant Secretary

Assembly Bill No 645 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 5, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 399—An act relating to the liability of irrigation districts, their officers and employees.

J A BEEK, Secretary of Senate
By CARL A SHIPKEY, Assistant Secretary.

Senate Bill No 399 read first time, and referred to Committee on Irrigation.

Request to Print Address in Journal.

Mr. Utt requested that the address of National Commander Volney P. Mooney, Jr., of the Disabled War Veterans, be printed in the Journal.

Motion carried.

Withdrawal of Bills.

By order of the Speaker, the following Assembly Bills were withdrawn from the file, and ordered re-referred to the following committees:

Assembly Bill No. 1720 re-referred to Committee on Judiciary.

Assembly Bill No. 1921 re-referred to Committee on Judiciary.

Assembly Bill No. 1249 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 429 re-referred to Committee on Education.

Assembly Bill No. 450 re-referred to Committee on Education.

Assembly Bill No. 988 re-referred to Committee on Education.

Assembly Bill No. 188 re-referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1144 re-referred to Committee on Building and Loan Associations.

Adjournment.

At twelve o'clock and thirty minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m , Monday, April 8, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, April 8, 1935.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Nielsen, its further reading was dispensed with.

Leave of Absence.

On motion of Mr. Gilmore, Mr. Frazier was granted leave of absence for this day.

Privilege of Floor of Assembly Extended.

On request of Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Josephine G. Seaman of La Jolla and Mrs. Franklin Pierce Wray of Davis.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Robert Dominguez, favoring the enactment of bills which would furnish relief to the various assessment districts which burden has previously been borne by the taxpayers.

From the Playground and Recreation Departments of the City of Los Angeles, urging the passage of Assembly Bills Nos. 554 and 555.

From Independent Milk Producers Association, urging legislation for the protection of the milk industry.

From Kristine Schlutter, favoring enactment of chain store taxation.

From Los Angeles County Medical Association, opposing passage of Assembly Bills Nos. 1927 and 1928.

From Hollywood Women's Joint Committee on Legislation, protesting the imposition of a State income tax.

From L. E. Lampton, favoring a separate commission to administer flood control matters in Los Angeles County Flood Control District.

From Newport Harbor Realty Board, declaring its unqualified support of Governor Merriam's unification of highway bills: Senate Bill No. 323 and Assembly Bill No. 807.

From Knights of Columbus of Oakland, California, opposing passage of Assembly Bill No. 1607 and Senate Bills Nos. 709 and 380.

From Harbor District Apartment House of San Pedro, favoring passage of Senate Bill No. 535, and opposing passage of Assembly Bill No. 1054.

From employees of California Hardware Company, opposing taxation of motion picture producing industry.

From the employees of M. A. Newmark and Company, opposing taxation of the motion picture industry.

From the employees of Otto K. Olesen Illuminating Company, Limited, opposing taxation of the motion picture industry.

From the employees of J. W. Robinson Company, opposing taxation of the motion picture industry.

From the employees of the Ambassador Hotel of Los Angeles, opposing taxation of the motion picture industry.

Communications.

The following communications were received, and ordered printed in the Journal:

THE STATE OF COLORADO, DEPARTMENT OF STATE.
DENVER, March 28, 1935.

Hon. Edward Craig, Speaker of House of Representatives, Sacramento, California.

DEAR SIR: We are enclosing herewith a copy of Senate Joint Resolution No. 10 adopted by our State Legislature with the respectful request that a similar resolution be enacted by the Legislature of your State

Respectfully yours,

JAMES H. CARR, Secretary of State.
W. E. ALEXANDER, Chief Clerk.

Senate Joint Resolution No. 10.

By Senators Affolter and Knous.

Be it Resolved by the Senate and the House of Representatives of the Thirtieth General Assembly of the State of Colorado, That:

1. There is hereby established the Colorado Commission on Interstate Cooperation, whose function it shall be to perfect the participation of this State in the Council of State Governments, for the purpose of establishing and maintaining governmental machinery to facilitate communication, negotiation, understanding and cooperation

between the State of Colorado and the other States of the Union, both regionally and nationally.

2. The said commission shall be composed of fifteen members, namely:

The five members of the Committee on Interstate Cooperation of the Senate, President Talbot, Senators Knous, Affolter, Hill and Elliott heretofore appointed by the American Legislators Association;

The five members of the Committee on Interstate Cooperation of the House of Representatives, Representatives Smith, England, Hallen, Constantine and Strain, heretofore appointed by the American Legislators Association,

Five officials of the State named by the Governor.

3. The commission shall report to the Governor and to the Legislature on the first day of each regular legislative session, and at such other times as it deems proper. The commission shall meet and select a chairman and a secretary. The members of the commission shall serve without compensation. Meetings shall be called at the request of the Governor and the chairman of said commission.

4. The said committees of the Senate and of the House of Representatives, hereby or heretofore established, shall be standing committees, and their members shall be designated as are the members of other standing committees. These committees shall function during the regular sessions of the Legislature, and also during the interim periods between such sessions, their members shall serve until their successors are designated; and they shall constitute the Colorado Councils of the American Legislators Association.

5. The Secretary of State of Colorado shall forthwith communicate the text of *this measure to the Governor and to the Legislature of each of the other States of* the Union, with the respectful request that each Legislature shall enact a measure similar to this resolution, thus establishing a similar commission with like duties and powers, and thus joining with this State in the common cause of reducing the burdens which are imposed upon our citizens by governmental confusion, competition and conflict.

RAY H. TALBOT, President of Senate.
M. J. WALSH, Secretary of Senate.
MOSES E. SMITH, Speaker of House of Representatives.
JOHN T. DOYLE, Chief Clerk.

ASSISTANT CLERK COOLIDGE READING.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1314—An act to amend sections 1a, 3, 4, 9b, 10a, 10b, 11a, 11b, 11c, 11d, 11e, and 12 of, and to add new sections 11f and 11g to an act entitled "An act to regulate land surveying and to define the duties of and to license land surveyors, to provide for the revocation of such licenses and the restoration thereof, to make certain acts misdemeanors and to provide penalties therefor, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 16, 1907," approved May 24, 1933;

Also: Assembly Bill No. 1387—An act to empower and direct the Director of Finance to locate and establish by agreement or action to quiet title, the boundary between tide and submerged lands and littoral lands, in Orange County, California, to empower the grantee of any such tide and submerged lands to locate and establish such boundary, and to make an appropriation therefor;

Also: Assembly Bill No. 1486—An act authorizing a suit against the State of California to quiet title against it to certain real property in the city of Newport Beach, California;

Also: Assembly Bill No. 1546—An act to add section 4 to an act entitled "An act limiting the liability of supervisors, city trustees, city councils, boards of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances," approved June 13, 1923, relating to the liability of counties, municipalities and school districts;

Also: Assembly Bill No. 1561—An act to amend sections 3, 3a, 3b, 10, 13, 17, and 18 of an act entitled "An act defining mattresses; regulating the making, remaking, and sale thereof; prohibiting the use of unsanitary and unhealthy materials therein; *requiring that materials used shall be accurately described, and the percentage of* materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled; and making the violation of any of the provisions of this act a misdemeanor, and repealing legislation inconsistent with this act," approved June 7, 1915, and to add thereto a new section to be numbered section 21, all relating to the

administration of said act by the Bureau of Furniture and Bedding Inspection and the powers and duties of the officers thereof;
And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1562—An act to amend sections 1, 2, 5, 6, 7, 8, 9 and 14 of an act entitled "An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling or repairing upholstered furniture, and creating the upholstered furniture inspection fund," approved May 9, 1927, relating to the administration thereof by the Bureau of Furniture and Bedding Inspection of the Department of Professional and Vocational Standards;

Also: Assembly Bill No. 1617—An act to provide for the conservation, development and maintenance of the scenic value along State highways and important county highways, and declaring the urgency hereof;

Also: Assembly Bill No. 1749—An act to prohibit the pollution of streams in the State of California by filling said streams with debris from mining operations and dredging operations;

Also: Assembly Bill No. 1760—An act to amend sections 146 and 216 of the Vehicle Code, relating to the registration of vehicles of nonresidents;

Also: Assembly Bill No. 1771—An act to repeal section 109a of "The California Irrigation District Act," approved March 31, 1897, relating to name of irrigation districts;

Also: Assembly Bill No. 1796—An act relating to the manufacture, sale, distribution and exhibition of motion picture films, imposing a tax upon moving picture films and providing for the collection thereof;

Also: Assembly Bill No. 1837—An act to amend sections 269 and 271 of the Code of Civil Procedure, relating to the appointment, duties and compensation of phonographic reporters;
And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1926—An act to amend the title and section 1 of an act entitled "An act to secure native-born and naturalized citizens of the United States the exclusive right to be employed in any department of the State, county, city and county and city government in this State, except in certain schools, to validate certain acts, and to repeal all acts in conflict herewith," approved May 19, 1915, relating to the employment of aliens;

Also: Assembly Bill No. 2039—An act to add a new section to the Civil Code, to be numbered section 1972, relative to transportation expenses and return transportation expenses for workers brought into or sent out of the State to render personal services;

Also: Assembly Bill No. 2049—An act relating to and providing for the levy and collection of a tax upon sales of tangible personal property and making provision for the administration thereof and prescribing penalties for violations of its provisions, the act to take effect immediately;

Also: Assembly Bill No. 2190—An act to amend section 6 of, and to add a new section to be numbered section 17.5 to the "Corporate Securities Act," approved May 18, 1917, relating to requirements for certificates; fraudulent intrastate transactions and providing penalties for violation thereof;

Also: Assembly Bill No. 2299—An act to add section 428.5 to the Vehicle Code, relating to the sale of vehicles by a lienholder;

Also: Assembly Bill No. 2232—An act to amend section 4295 of the Political Code, relating to official without fees;

Also: Assembly Bill No. 2302—An act to amend section 439 of the Vehicle Code, relating to reports of vehicles known to have been unlawfully stored;

Also: Assembly Bill No. 2336—An act to amend section 1293 of the Fish and Game Code, relating to destructive mammals;
And reports that the same have been correctly engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2385—An act to add section 96a to the Penal Code, relating to jurors;

Also: Assembly Bill No. 2383—An act to prohibit and declare void certain contracts, conditions, agreements and understandings in connection with the sale or contract to sell motor vehicles by manufacturers or wholesale distributors thereof, and prohibiting the giving or payment of any thing or service of value by any manufacturer or wholesale distributor of motor vehicles to any one engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles, and the acceptance or receipt thereof by any such person when competition in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles may be lessened or eliminated, or a monopoly created or tended to be created, and prohibiting from doing business in this State any one engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles who so accepts or receives any thing or service of value from any manufacturer or wholesale distributor of motor vehicles, and prescribing penalties, forfeitures, and recoveries for the violation thereof;

And reports that the same have been correctly engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 64—An act to amend sections 1206 and 1207 of the Code of Civil Procedure, relating to preferred claims for work or personal services;

Also: Assembly Bill No. 123—An act to preserve the natural resources of the State of California which may be severed from the earth or from the waters thereof, and to levy a tax upon such natural resources upon their severance from the soil or from the waters, and to levy a tax upon the manufacturers of such natural resources;

Also: Assembly Bill No. 141—An act to add section 411.5 to the Vehicle Code, relating to suspension and revocation of licenses;

Also: Assembly Bill No. 336—An act to amend sections 396, 396a, 399, 539, 540, 542, 581, 594, 618, 629, 650, 659a, 667a, 689, 953a, 978a, 980, 983, 983a, 988a, 988b, 988c, 988h, 989, 990, 1005 and 1010 of the Code of Civil Procedure, and to add section 655 thereto, all relating to civil actions;

Also: Assembly Bill No. 738—An act to amend section 13 of "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to expenditures of funds;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your committee on Engrossment and Enrollment has examined Assembly Bill No. 741—An act to amend section 159 of the California Vehicle Act approved May 30, 1923, as amended, relating to the motor vehicle fund and the disposition of moneys placed therein;

Also: Assembly Bill No. 756—An act to amend section 865 of the Fish and Game Code, relating to nets, and declaring the urgency hereof;

Also: Assembly Bill No. 863—An act to amend the title and sections 1, 2, 3, 4, 5, 6, 7, and 8 of an act entitled "An act to provide for the proper sanitary condition of factories and workshops, and the preservation of the health of employees," approved February 6, 1889 (Stats. 1889, Chap. 5), as amended, relative to the sanitation, lighting and ventilation of factories, workshops and other places of employment, providing for the enforcement thereof by the Chief of the Division of Labor Statistics and Law Enforcement and providing penalties for the violation thereof;

Also: Assembly Bill No. 962—An act to amend the School Code by amending sections 5.650, 5.651, 5.652, 5.653, 5.654, 5 661, and by repealing sections 5.655, 5 656, 5 657, 5.658, 5 659, 5.660, 5 662, 5.663, all relating to the employment and dismissal of persons employed in school districts in positions requiring certification qualifications;

Also: Assembly Bill No. 1269—An act authorizing and empowering any county, city and county, or city in the State of California to donate, convey, and grant

to the State of California, or to district agricultural associations thereof, any real property owned, held and used by it for fair ground and exposition purposes, or which it may hereafter acquire, hold and use for such purposes;

Also Assembly Bill No 1282—An act to amend the title and to amend sections 2, 3, 4, 6, 12 and 19 of, and to add new sections 4a and 6a to an act entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, as amended, relating to the adulteration, mislabeling, misbranding, advertising and sale of drugs and devices and to the powers of the State Board of Public Health in relation thereto,

And reports that the same have been correctly engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 174—An act to amend the title of Part I of Division V of the School Code, and to amend sections 5.1, 5 2, 5.10, 5.61 and 5 101 thereof, relating to State colleges;

Also: Assembly Bill No. 794—An act to amend sections 5.802, 5 804, 5.890, 5.894, 5 900, 5.901, 5 904, 5 910, 5.911, 5 921, 5 962, 5.970, 5.980, 5 990, 5 993, 5.1003, 5.1004, 5.1009, 5.1023, 5 1030, 5.1031, 5.1032, 5.1040, 5 1041, 5.1047, 5.1048, 5 1060, 5.1061, 5 1062, 5 1080 and 5.1083 of the School Code; to amend the titles of Chapter III, of Articles IV, V and VII of Chapter III, of Chapter VI, of Articles II, III and V of Chapter VI, all of Part IV of Division V of said code; to repeal sections 5 1042 to 5 1046, both inclusive, of said code and to repeal Article IV of Chapter VI of Part IV of Division V of said code; to add six new sections to said code to be numbered 5 971, 5.972, 5.981, 5.1004½, 5 1010 and 5.1111 and to add Chapter III of Part IV of Division V of said code a new article to be known as Article VIII; to add to Chapter V of Part IV of Division V of said code a new article to be known as Article V; and to add to Chapter VI of Part IV of Division V of said code a new article to be known as Article IV, all relating to the payment of retirement salaries and retirement annuities to persons serving the State, counties and school districts in positions having to do with teaching or other employment in, and/or the superintending, administration and supervision of colleges, schools, and classes maintained by the State and/or the school districts thereof;

Also Assembly Bill No. 819—An act to amend sections 2167, 2167a, 2169, 2172 and 2175 of, to repeal sections 2168, 2170, 2171 and 2185c of, and to add new sections numbered 2168, 2171 and 2185c to the Political Code, relating to persons mentally disordered or otherwise incompetent;

Also: Assembly Bill No. 961—An act to amend sections 5.400, 5.402, 5 403, 5.408, 5 420, 5 500, 5.502, 5.503, 5 510, 5.520, 5 521, 5 640, 5.680, 5.690, 5.691, 5.710, 5.711 and 5.712 of the School Code, relating to tenure, and to add four new sections to the School Code, to be numbered 5.409, 5 505, 5 506, 5.666 and 5 667, all relating to the employment, classification, dismissal and resignation of persons employed in school districts in positions requiring certification qualifications;

Also, Assembly Bill No. 1264—An act to add a new section to the Political Code of the State of California, to be numbered 3719, authorizing the temporary borrowing of money by counties, cities and school districts upon the credit of revenue in course of collection, and the issuing of tax anticipation notes or warrants as evidence of such indebtedness;

And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your committee on Engrossment and Enrollment has examined Assembly Bill No 1554—An act to amend sections 1, 2, 3, 4, 6, 7, 8 and 14 of "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 5, 1931, relating to the composition of the retirement board; time of meeting; manner of transacting business, the duties of said board and time for annual report; computation of time for retirement privilege; interest rate on contributions and deposits; time for payments; refund of sums in excess of sum necessary for prior service credit, and revising the arrangement of certain portions of said act;

Also: Assembly Bill No 1735—An act to add a new section to the Political Code, to be numbered 689a, relating to use of the State's teletype system;

Also Assembly Bill No 2036—An act to add section 526a to the Political Code, relating to State printing;
And reports that the same have been correctly re-engrossed

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your committee on Engrossment and Enrollment has examined Assembly Bill No. 2243—An act relating to fair trade practices, providing for the issuances of licenses to persons engaged in various branches of the automotive business, creating an automotive fair trade bureau in the Department of Professional and Vocational Standards, providing for a judicial hearing and determination of questions arising hereunder and for the enforcement of the provisions hereof;

Also. Assembly Bill No. 1784—An act to add section 675.5 to the Vehicle Code, relating to glass;
And reports that the same have been correctly re-re-engrossed

WATERS, Chairman

The above reported bills ordered on file for third reading.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1935.

MR SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 972—An act to amend section 791 of the Agricultural Code, relating to apricots;

Also. Assembly Bill No. 973—An act to amend section 803 of the Agricultural Code, relating to peaches;

Also Assembly Bill No. 975—An act to amend section 804 of the Agricultural Code, relating to pears;

Also: Assembly Bill No 976—An act to amend section 806 of the Agricultural Code, relating to plums and fresh prunes,
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended

PHILLIPS, Chairman

The above reported bills ordered on file for second reading.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1935.

MR SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No 2265—An act to add section 660 6 to the Fish and Game Code, relating to salmon—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

FISHER, Chairman

The above reported bill ordered on file for second reading

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1935.

MR SPEAKER. Your Committee on Agriculture to which was referred Senate Bill No 353—An act to establish legislative standards in relation to the rehabilitation of agriculture and the regulation of producers, packers, distributors, shippers, marketers, handlers, processors and others dealing in agricultural, viticultural and horticultural products and of any competing commodity or product thereof; to recognize, make effective and provide for the enforcement in this State of marketing agreements and licenses issued or prescribed by the Secretary of Agriculture of the United States under the National Agricultural Adjustment Act, being Public Act No. 10 of the Seventy-third Congress of the United States; to provide for the issuance, administration and enforcement of State marketing agreements and State licenses in connection therewith; to prescribe the powers, duties and jurisdiction of the State Director of Agriculture in relation thereto, to provide that said State and Federal marketing agreements and licenses shall be and establish standards of fair competition in this State, to suspend all antitrust and unfair competition laws of this State in conflict herewith and therewith; to prescribe remedies, rights, duties and penalties with respect to violations hereof and thereof, to provide ways, means and moneys for the administration and enforcement of said State and Federal marketing agreements and licenses; to declare the existence of a State and National agricultural emergency and the urgency of this act and that this act shall take effect immediately—has had

the same under consideration, and respectfully reports the same back without recommendation, as amended.

PHILLIPS, Chairman

The above reported bill ordered on file for second reading.

On Contingent Expenses.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1935.

MR SPEAKER: Your Committee on Contingent Expenses, to which was referred the following two resolutions introduced by Mr. Walker:

Resolved, That the Controller be and is hereby authorized and directed to draw his warrants on the contingent fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

The Sacramento Bee (rental radio broadcast)	$23 50
Department of Finance (pro rata telephone service, February and March)	36 64
The C. C. Langevin Co. (rental Western Electric Public Address System, March 4 to April 3, 1935)	160 00
Virginia Crossan (illuminating memorials)	15 00
Cascade Towel Supply Co.	59 19
Bureau of Purchases	207 36

Also:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of Arthur A. Ohnimus Chief Clerk, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred fifty dollars ($150), said amount being for the payment of postage, telegraphing, expressing, and incidental expenses of the Chief Clerk's Office Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted.

WALKER, Chairman

Report of Committee on Contingent Expenses read.

Mr. Walker moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reeves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Vogt, Wagner, Walker, Waters, Welsh, Wright, and Mr. Speaker—65.

NOES—None.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Patterson:

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1935

MR SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to establish a State Board of Industrial Relations, to provide for the selection of members thereof and setting forth their powers and duties; to provide for the establishment of county industrial relations boards by the State Board of Industrial Relations, to provide for the selection of members of county industrial relations boards and to set forth their powers and duties

Referred to Committee on Introduction of Bills.

Second Reading of Assembly Bills.

Assembly Bill No 710—An act to establish a Military Code, thereby revising and consolidating the law relating to the armed forces and militia of the State and relating to military and veterans' affairs, and

and welfare, institutions, and buildings and to repeal certain acts and parts of acts therein specified.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 944—An act regulating the use of public highways by motor vehicles operated thereon for the transportation of property for compensation; conferring powers upon the Railroad Commission with respect thereto; providing penalties for the violations of this act and repealing all acts inconsistent with the provisions of this act.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 16 to 22, inclusive, and insert in lieu thereof the following:

"(f) The term "carrier" when used in this act means every corporation or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever engaged in the transportation of property for compensation or hire as a business over any public highway in any city in this State having a population of fifty thousand or more by means of a motor vehicle or vehicles.

SEC. 2. The Railroad Commission shall appoint a person to be known as truck commissioner at a salary to be fixed by said commission, to hold office at the pleasure of said commission, whose duty it shall be to supervise the administration and enforcement of this act.

SEC. 3. No carrier shall engage in the business of the transportation of property for compensation by motor vehicle over any public highway in any city of this State having a population of fifty thousand or more, except in accordance with the provisions of this act which the Legislature hereby declares to be enacted under the power of the State to regulate the use of the public highways.

SEC. 4. Except as hereinafter provided, no carrier shall engage in the business of transportation of property for compensation by motor vehicle over any public highway in any city in this State having a population of fifty thousand or more without having first obtained from the Railroad Commission a permit authorizing such operation Any carrier desiring a permit to operate hereunder shall file a petition therefor with the Railroad Commission. Such petition shall set forth the name and address of the applicant; the names and addresses of its officers, if any; full information concerning the financial condition and physical properties of the applicant; and such other information necessary to the enforcement of this act, as the Railroad Commission may, by order require. Upon compliance with this act a permit shall be issued by the commission, but no such permit shall be granted to a foreign corporation. Any operating permit for a period of one year shall lapse and terminate.

SEC. 5. The Railroad Commission shall, in granting permits under the provisions of this act, require the carrier to procure, and continue in effect during the life of the permit, adequate protection, as required in section 6 hereof, against liability imposed by law upon such carrier for the payment of damages for personal bodily injuries (including death resulting therefrom) in the amount of not less than five thousand dollars on account of bodily injuries to, or death of, one person; and protection against a total liability of such carrier on account of bodily injuries to, or death of, more than one person, as a result of any one accident, in the amount of not less than ten thousand dollars; and protection in an amount of not less than five thousand dollars for one accident resulting in damage or destruction of property whether the property of one, or more than one claimant.

SEC. 6. The protection required under section 5 shall be evidenced by the deposit with the Railroad Commission, covering each vehicle used or to be used under the permit applied for, of a policy of public liability and property damage insurance, issued by a company licensed to write such insurance in the State of California; or a bond of a surety company licensed to write surety bonds in the State of California; or of a personal bond, with such sureties as the Railroad Commission shall find adequate to guarantee the protection prescribed in section 5 hereof; or it shall be evidenced by a trust fund in the amount of fifteen thousand dollars, to be held in trust by some institution or person acceptable to the Railroad Commission; or by a combination of any or of all of said methods in such manner that the aggregate of the protection or funds available therefor shall equal the principal sum of not less than fifteen thousand dollars, and such carrier shall have the option of the method to be used in obtaining such protection, and may change from one method to another, from time to time, with the consent of the Railroad Commission.

SEC 7. The protection against liability as outlined in section 5 hereof must be continued in effect during the life of the permit, and the policy of insurance, surety bond or personal bond shall not be cancelable on not less than ten (10) days written notice to the Railroad Commission. The Railroad Commission shall have the power to establish such rules and regulations as may be necessary to carry out the provisions of sections 5 to 7 inclusive.

SEC. 8. Each carrier shall display on each vehicle operated by it a distinctive license plate in the form to be prescribed by the Railroad Commission.

SEC. 9. A fee of three dollars ($3 00) shall be paid to the Railroad Commission for filing each application for an operating permit. Each permitee shall also pay to the Railroad Commission on or before the first day of January of each year, a fee of one dollar ($1.00) for the registration of his permit. All moneys collected by the Railroad Commission under this act shall be deposited at least once each month into the State treasury, to the credit of the general fund, and a detailed statement thereof shall be transmitted to the State Controller.

SEC. 10. The Railroad Commission shall, from time to time, establish or approve minimum rates (and such rules and regulations as may be necessary to the application thereof) for the transportation of property and for accessorial services performed by carriers hereunder and in establishing or approving such rates shall take into account the cost and value of all services performed. It shall be unlawful for any carrier hereunder to charge or collect a lesser rate than the minimum rate so established.

SEC. 11. If any carrier hereunder desires to perform any transportation or accessorial service at a lesser rate than the minimum rates so established, the Railroad Commission shall, upon finding that the proposed rate is reasonable and consistent with the public interest, authorize such rates less than the minimum rates established in accordance with the provisions of section 10 hereof.

SEC. 12 It shall be unlawful for any carrier or his agent, servant or employee, directly or indirectly, to offer, remit or give to any person, directly or indirectly, any such commission or consideration as an inducement to secure the transportation of any such property.

SEC. 13. In all respects in which the Railroad Commission has power and authority under the Constitution of this State or this act, applications and complaints may be made and filed with the Railroad Commission, process issued, hearings held, opinions, orders and decisions made and filed, petitions for rehearing filed and acted upon, and petitions for writs of review or mandate filed with the Supreme Court of this State, considered and disposed of by said court, in regard to the matters provided for in this act, in the same manner, under the same conditions and subject to the same limitations and with the same effect specified in the Public Utilities Act, so far as applicable

SEC. 14. Any person or any director, officer, agent or employee of a corporation who shall violate any of the provisions of this act or of any operating permit issued hereunder to any carrier, or any order, rule or regulation of said commission, shall be guilty of a misdemeanor and, upon conviction thereof, be fined not more than five hundred dollars or imprisoned in the county jail for not more than three months, or both. The operating permit, if any, shall, at the discretion of said commission, be subject to cancellation for such violation, and said commission shall thereupon require the removal from such vehicle operated thereunder of any distinctive symbols or license plates herein provided for, which may have been issued therefor.

SEC. 15. Any person or corporation who violates or fails to comply with any provision of this act, or who fails, omits or neglects to obey, observe or comply with any order, decision, rule, direction or requirement or any part or provision thereof, of the commission, is subject to a penalty of not more than five hundred dollars for each offense.

SEC. 16. Every violation of the provisions of this act or of any order, decision, decree, rule, direction, demand or requirement of the commission, or any part or portion thereof by any corporation or person is a separate and distinct offense, and in case of a continuing violation each day's continuance thereof shall be and be deemed to be a separate and distinct offense

SEC. 17. In construing and enforcing the provisions of this act relating to penalties, the act, omission or failure of any officer, agent or employee of any person or corporation, acting within the scope of his official duties or employment, shall in every case be and be deemed to be the act, omission or failure of the employing person or corporation.

SEC. 18. Actions to recover penalties under this act shall be brought in the name of the people of the State of California, in the superior court of the county, or city and county, in which the cause or some part thereof arose, or in which the corporation complained of, if any, has its principal place of business, or in which the person, if any, complained of, resides. Such action shall be commenced and prosecuted to final judgment by the attorney of the commission. In any such action, all penalties incurred up to the time of commencing the same may be sued for and recovered In all such actions, the procedure and rules of evidence shall be the same as in ordinary civil actions. All penalties recovered by the State in any such action, together with the costs thereof, shall be paid into the State treasury to the credit of the general fund Any such action may be compromised or discontinued on application of the commission upon such terms as the court may approve and order.

SEC 19 All penalties accruing under this act shall be cumulative of each other, and a suit for the recovery of one penalty shall not be a bar to or affect the recovery of any other penalty or forfeiture or be a bar to any criminal prosecution against any person or corporation, or any officer, director, agent or employee thereof, or any other corporation or person or be a bar to the exercise by the commission of its power to punish for contempt.

SEC 20 The use of the public highways in any city in this State having a population of fifty thousand or more for the transportation of property for compensation is a business affected with a public interest and it is hereby declared that the purpose of this act is to preserve for the public the full benefit and use of public highways consistent with the needs of commerce without unnecessary congestion or wear and tear upon such highways; to secure to the people just and reasonable rates for transportation by carriers operating upon such highways, to secure full and unrestricted flow of traffic by motor carriers over such highways which will adequately meet reasonable public demands by providing for the regulation of rates of all transportation agencies so that adequate and dependable service by all necessary transportation agencies shall be maintained and the full use of the highways preserved to the public; and, as far as practicable, to correlate the services and rates of all transportation agencies in the State so that the highways may serve the best interests of the people

SEC 21. If any section, sentence, clause or part of this act, is for any reason held to be unconstitutional such decision shall not affect the remaining portions of this act The Legislature hereby declares that it would have passed this act, and each section, sentence clause, or part thereof, except as hereinbefore specifically provided, irrespective of the fact that one or more sections, sentences, clauses or parts be declared unconstitutional

SEC 22 Neither this act nor any provision hereof shall apply to or be construed as a regulation of commerce with foreign Nations or among the several States, except in so far as the same may be permitted under the provisions of the Constitution and the acts of Congress of the United States

SEC. 23. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SEC 24. This act shall be known as the "Highway Carriers' Act""

Amendment No. 2.

Strike out pages 2, 3, 4, 5, 6, 7 and 8 of the printed bill

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1031—An act to amend section 13 (a) and 47 (a) of an act entitled "An act to provide for the organization of the Railroad Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund,' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," and designated in the act so entitled as the "Public Utilities Act," approved April 23, 1915, as amended.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee

Amendment No. 1.

On page 1 of the printed bill, in the last line of the title, strike out the period following the word "amended", insert a comma in lieu thereof, and add the following words: "relating to the determination of a reasonable return upon the value and to the valuation of public utility property."

Amendment No. 2.

On page 2 of the printed bill, following the last paragraph and line, add the following:

"(b) 1. Any county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district or any other

public corporation, each of which is hereinafter in this section at times referred to as the political subdivision, may, at any time, file with the commission either a petition, hereinafter in this section at times referred to as a petition of the first class, setting forth the intention of the political subdivision to acquire under eminent domain proceedings, or otherwise, the lands, property and rights of any character whatsoever of any public utility, or any part or portion thereof, or a petition, hereinafter in this section at times referred to as a petition of the second class, setting forth the intention of the political subdivision to initiate such proceedings as may be required under the law governing the political subdivision for the purpose of submitting to the voters of the political subdivision a proposition to acquire under eminent domain proceedings, or otherwise, the lands, property and rights of any character whatsoever of any public utility, or any part or portion thereof

2. Each such petition shall contain the name of the political subdivision appearing as petitioner therein, a description of the lands, property and rights, or of the part or portion thereof, which the political subdivision intends to acquire, and the names and addresses of all owners and claimants thereof, including each trustee and mortgagee under each deed of trust and mortgage, if known, or a statement that they are unknown The petition shall pray that the commission fix the just compensation which shall be paid by the political subdivision, under the law, for said lands, property and rights, or said part or portion thereof. The petition shall be signed in the name of the political subdivision and verified by the chairman or other presiding officer or by the secretary or clerk of the legislative or other governing body of the political subdivision At the time the petition is filed, the petitioner shall also file with the commission additional copies thereof equivalent in number to three more than the number of owners and claimants named in the petition.

3 Upon the filing of the petition, the commission shall make its order, specifying the nature of the proceeding, containing a general description of the lands, property and rights, or the part or portion thereof which petitioner desires to acquire by condemnation, or otherwise, and directing the owners and claimants named in the petition, who shall also be named in said order, to appear before the commission at a time and place specified in the order to show cause, if any they have, why the commission should not proceed to hear the petition and to fix the just compensation to be paid for said lands, property and rights, or said part or portion thereof The order shall direct the secretary of the commission to serve or cause to be served upon each said owner and claimant a copy of said order, certified under the seal of the commission to which shall be attached a true and correct copy of the petition Service shall be made in accordance with the provisions of the Code of Civil Procedure of the State of California, provided, that service may also be made by depositing a copy of said order to show cause, certified under the seal of the commission, with a true and correct copy of the petition attached thereto, in the United States mail, enclosed in a sealed envelope, registered, with postage prepaid, addressed to any owner or claimant at the address specified in the petition If any owner or claimant named in the petition resides out of the State, or has departed from the State, or can not, after due diligence, be found within the State or conceals himself to avoid service, or is a corporation having no managing or business agent, cashier or secretary or other officer upon whom summons may be served, who, after due diligence, can not be found within the State, and the fact appears by affidavit to the satisfaction of the commission, and it also appears by such affidavit or by the petition that a cause of action exists against the owner or claimant on whom the service is to be made or that he is a necessary or proper party to the proceeding, the commission shall make its order that the service be made on such owner or claimant by publication of the commission's said order to show cause Said order of the commission shall direct that the publication be made in a newspaper to be designated by the commission as likely to give notice to the person to be served, and for such time as the commission may find to be reasonable, at least once a week, but publication against an owner or claimant residing out of the State, or absent therefrom shall be not less than two months. If the address of any owner or claimant, as stated in the petition, is out of the State, the secretary of the commission shall within fifteen days after the making and filing of said order to show cause, deposit or cause to be deposited a copy of said order to show cause, certified under the seal of the commission, with a true and correct copy of the petition attached thereto, in the United States mail, enclosed in a sealed envelope, registered, with postage prepaid, addressed to such owner or claimant at the address specified in the petition When publication is ordered, personal service of a copy of the order to show cause and of the petition out of the State is equivalent to publication and deposit in the United States mail. Within ten days prior to the time set for the first hearing on the petition, which time shall be not less than thirty days after the filing of the petition, the secretary of the commission shall serve or cause to be served upon the petitioner a written notice of such hearing specifying the time and place at which such hearing will be held In all respects not in this paragraph otherwise specified, service and the proof of service shall be made as provided by the Code of Civil Procedure of the State of California. Upon the completion of service upon the petitioner or upon any owner or claimant named in the petition, the commission shall have full and complete jurisdiction over such

petitioner, owner or claimant, with full and complete jurisdiction, in so far as such petitioner, owner or claimant, is concerned, to make each finding hereinafter referred to. The failure to make service upon any person alleging that he is an owner or claimant but not named in the petition shall in no way affect the jurisdiction of the commission over owners and claimants on whom service has been made as in this paragraph provided.

4. At the time and place specified in said order to show cause, or at such other time and place as, for good cause, may be otherwise ordered by the commission, the commission shall proceed to a hearing on the petition. At such times and in such amounts as may be directed by the commission, the political subdivision must pay to the commission all extra costs as determined by the commission, which extra costs the commission may incur to comply with the requirements of section 47 (b) of this act, and if such amounts are not paid by the political subdivision as directed by the commission, the commission may suspend further proceedings on the petition. Evidence may be presented by the political subdivision, by each owner or claimant named in the petition, and by the commission. The commission shall have power, at any time subsequent to the filing of the petition, and prior to making and filing its findings as to just compensation, to authorize the amendment of the petition by altering or modifying the description of said lands, property and rights, or said part or portion thereof, or by adding to or deducting from said lands, property and rights, or said part or portion thereof, and in each other respect including each jurisdictional allegation. When the proceeding has been submitted, the commission shall make and file its written finding fixing, in a single sum, the just compensation to be paid by the political subdivision for said lands, property and rights, or said part or portion thereof, provided, that if the commission finds that severance damages should be paid, the just compensation for such damages shall be found and stated separately. Said just compensation shall be fixed by the commission as of the day on which the petition was filed with the commission

5. Within twenty days after the commission has made and filed its finding, the owner of said lands, property and rights, or of said part or portion thereof, may file with the legislative or other governing body of the political subdivision a written stipulation consenting and agreeing to accept the just compensation fixed by the commission. Upon the filing of such written stipulation, the political subdivision must proceed with all due diligence to provide the necessary funds under the law governing the providing of such funds, for paying the just compensation fixed by the commission. Whenever the just compensation has been tendered by the political subdivision, a deed of grant, bargain and sale conveying the owner's right, title and interest in and to said lands, property and rights, or said part or portion thereof, to the political subdivision, shall be executed and delivered by the owner, and the other claimants who have any right, title or interest in the property shall execute appropriate instruments of conveyance or release, conveying or releasing to the political subdivision their respective rights, titles and interest therein. If said deed or said instruments of conveyance or release are not executed and delivered within sixty days after said tender has been made, the political subdivision may commence an action in a court of competent jurisdiction or proceed otherwise in the manner and for the purpose or purposes specified in the next paragraph of this section

6. In the case of a petition of the first class, if the owner does not file said stipulation within said twenty days, the political subdivision within sixty days after the commission has made and filed its said finding, must commence an action in a court of competent jurisdiction in a manner in accordance with the provisions of law, to take under eminent domain proceedings said lands, property and rights, or said part or portion thereof. In the case of a petition of the second class, if the owner does not file said stipulation within said twenty days, the political subdivision, within sixty days after the commission has made and filed its said finding, must initiate proceedings for the purpose of submitting to its voters a proposition to acquire under eminent domain proceedings said lands, property and rights, or said part or portion thereof. The political subdivision shall not be required, in either case, to delay for more than twenty days after the commission has made and filed its finding, before commencing said further proceedings. In the case of a petition of the second class, if the voters of the political subdivision shall thereafter, as provided by the law governing said political subdivision, vote in favor of any proposition to acquire under eminent domain proceedings, or otherwise, said lands, property and rights, or said part or portion thereof, the political subdivision shall, within sixty days after its voters have so voted in favor of such acquisition, commence an action in a court of competent jurisdiction in a manner in accordance with the provisions of law, to take under eminent domain proceedings said lands, property and rights, or said part or portion thereof, unless the owner shall have filed with the political subdivision a written stipulation consenting and agreeing to accept the just compensation fixed by the commission

7. If the political subdivision, in a petition of the first class, fails to file said action in a court of competent jurisdiction within said period of sixty days after the commission has made and filed its said finding, or if the political subdivision, in a petition of the second class, fails to proceed diligently to submit said proposition to its voters or fails, if its voters have voted in favor of the acquisition of said lands, property and rights, or of said part or portion thereof, to file said action in a court of competent jurisdiction within sixty days after the voters have voted in favor of said acquisition,

the owner of such lands, property and rights, or of said part or portion thereof, may file with the commission a verified petition in writing setting forth said fact, which petition may also set forth in detail the expenditures which the owner has necessarily incurred in the proceeding before the commission. The commission shall thereupon cause written notice of not less than ten days, with a true and correct copy of the owner's said petition attached thereto, to be served upon the political subdivision, to appear before the commission at a time and place specified in the notice, to show cause why an order should not be made by the commission (1) finding that the political subdivision has failed to pursue diligently its rights herein conferred, (2) determining that said finding as to just compensation shall no longer be of any force or effect, and (3) determining the reasonable expenditures necessarily incurred by the owner which, in the opinion of the commission, should be assessed against the political subdivision. If the commission shall determine that the political subdivision, in case of a petition of the first class, has failed to commence said action in a court of competent jurisdiction within said period of sixty days after the commission has made and filed its said finding of just compensation, or that the political subdivision, in case of a petition of the second class, has failed to proceed diligently to submit said proposition to its voters or has failed, after its voters have voted in favor of the acquisition of said lands, property or rights, or said part or portion thereof, to file said action in a court of competent jurisdiction within said sixty days after the voters have voted in favor of said acquisition, the commission shall make and file its order declaring that said finding shall no longer be of any force or effect, and make its finding as to the reasonable expenditures necessarily incurred by the owner in the proceeding before the commission, which the commission may find should be assessed against the political subdivision. The political subdivision shall thereupon be liable to the owner in the amount thus found by the commission and the owner may thereupon maintain an action against the political subdivision for said amount in any court of competent jurisdiction.

8. The finding of the commission fixing the just compensation to be paid by the political subdivision for said lands, property and rights, or said part or portion thereof, shall be final and shall not be subject to modification, alteration, reversal or review by any court of this State. The court in which the political subdivision shall have commenced its action, subsequent to the making and filing by the commission of its finding as to just compensation, as hereinbefore specified, if said court shall first decide that the political subdivision has the right and power under the law to take said lands, property and rights, or said part or portion thereof, shall enter a judgment in favor of the complainant in said action, as provided by law, fixing as the just compensation which shall be paid for the taking of said lands, property and rights, or said part or portion thereof, the just compensation fixed by the commission. The judgment may include therein the allowance of such costs between the parties as is provided for in the law of eminent domain of this State. The judgment of said court in so far as it refers to the just compensation to be paid for said lands, property and rights, or said part or portion thereof, shall be final and shall not be subject to modification, alteration, reversal or review by any court except as hereinafter in section forty-seven (b) of this act specified. The judgment of said court shall include a provision, in substance, that said judgment is subject to modification by reason of such increase or decrease in the just compensation to be paid as may thereafter be certified to said court by the commission, as hereinafter in section forty-seven (b) of this act provided

9. At any time within thirty days subsequent to the entry of said judgment of said court, the owner of said lands, property and rights, or said part or portion thereof, may file with the commission a verified petition in writing, alleging that by reason of expenditures made by the owner subsequent to the date of the filing of the original petition with the commission, for the purpose of preserving or improving said lands, property and rights, or said part or portion thereof, or by reason of other acts and occurrences subsequent to said date, the just compensation theretofore fixed by the commission should be increased and praying that the commission make its finding increasing said just compensation At any time within thirty days subsequent to the entry of said judgment of said court, the political subdivision may file with the commission a verified petition in writing, alleging that by reason of loss or destruction of said lands, property and rights, or said part or portion thereof, or a part thereof, or by reason of depreciation or deterioration thereof or by reason of other acts and occurrences, subsequent to the date of the filing of the original petition with the commission, the just compensation theretofore fixed by the commission should be decreased and praying that the commission make its finding decreasing said just compensation. The commission shall, in each instance, cause a copy of said petition or petitions to be served upon each party, other than the petitioner, who was named as the political subdivision, owner or claimant in the original proceeding before the commission, together with a written notice specifying the time and place of hearing on said petition or petitions, which time shall be within forty-five days after the entry of said judgment by said court, and shall cause written notice of the time and place of said hearing to be served upon each petitioner in said petition or petitions. If both such petitions are filed, the commission shall have the power to consolidate said petitions for hearing and decision. After a hearing, the commission shall make and file its finding fixing, as of the date on which such finding is made and filed, the extent to which the just compensation theretofore fixed

should be increased or decreased by reason of the matters alleged in said petition or petitions. If the claim is made that the just compensation theretofore fixed by the commission should be increased by reason of expenditures made by the owner subsequent to the date of the filing of the original petition with the commission for the purpose of preserving or improving said lands, property and rights, or said part or portion thereof, the commission may increase said just compensation, by reason of such expenditures, only to the extent to which the commission shall determine that such expenditures were beneficial to said lands, property and rights, or said part or portion thereof, and reasonably and prudently made. The finding of the commission fixing the extent to which the just compensation theretofore fixed should be thus increased or decreased shall be final and shall not be subject to modification, alteration, reversal or review by any court of this State. The commission shall thereupon transmit to said court its finding, certified under the seal of the commission, fixing the extent to which the just compensation theretofore fixed by the commission shall be increased or decreased Said court shall thereupon modify its judgment so as to conform with said finding of the commission. The judgment of said court, as thus modified, in so far as it refers to the just compensation to be paid for said lands, property and rights, or said part or portion thereof, shall be final and shall not be subject to modification, alteration, reversal or review by any court. The filing of either or both the petitions in this paragraph specified shall not act as a stay of the judgment in condemnation, but upon the payment of the just compensation fixed in the original judgment of condemnation the plaintiff in the action in said court shall be entitled to immediate possession of said lands, property and rights, or of said part or portion thereof.

10 The provisions of this act with reference to rehearing and review shall be applicable to the findings of the commission made and filed under the provisions of section 47 (b) of this act Petitions for rehearing must be filed within twenty days from the date of making and filing the finding as to which a rehearing is desired. If a finding of the commission made and filed under the provisions of section 47 (b) of this act is set aside by the Supreme Court of the State of California, the matter shall be referred back to the commission for further action in the proceeding before the commission, and the commission shall have the right, in taking further action, to consider the entire testimony theretofore taken in the proceeding before the commission as well as such further testimony, if any, as may be presented in connection with such further action Should a writ of review be obtained from the Supreme Court of the State of California, the time within which the political subdivision must file an action in a court of competent jurisdiction or submit said proposition to its voters shall be extended to not more than sixty days beyond the final decision of the Supreme Court upon said writ of review

11 The procedure provided in section 47 (b) of this act shall be considered as alternative and cumulative and not exclusive and the political subdivision shall continue to have the right to pursue any other procedure now or hereafter established providing for the acquisition under eminent domain proceedings of the lands, property and rights, or any part or portion thereof, of any public utility, and section 47 (b) of this act shall not be construed as repealing any law of this State providing for such eminent domain proceedings Section 47 (b) of this act shall not affect pending actions or proceedings, but the same may be prosecuted and defended with the same effect as though section 47 (b) had not been amended. (Amended Statutes 1917, Chapter 176, page 261)"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 2386—An act to add Chapter 8 to Division VI of the Agricultural Code, relating to the marketing of milk and other dairy products.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee·

Amendment No. 1.

On page 1 of the printed bill, as amended, after line 13, insert the following: "'Dairy products" means buttermilk, ice cream, ice-milk, bottled milk drinks sold under a trade name, modified milk, acidophilus milk and skim milk"

Amendment No. 2.

On page 1, line 18, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following "as said products are herein defined."

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out all of lines 4 to 11, inclusive

Amendment No. 4.

On page 2, line 12, of the printed bill, as amended, strike out "(b)", and insert in lieu thereof "(a)".

Amendment No. 5.

On page 2, line 15, of the printed bill, as amended, strike out "(c)", and insert in lieu thereof "(b)".

Amendment No. 6.

On page 2, line 19, of the printed bill, as amended, strike out "(d)", and insert in lieu thereof "(c)"

Amendment No. 7.

On page 2, line 22, of the printed bill, as amended, strike out "(e)", and insert in lieu thereof "(d)".

Amendment No. 8.

On page 2 line 24, of the printed bill, as amended, strike out "(f)", and insert in lieu thereof "(e)".

Amendment No. 9.

On page 2, line 37, of the printed bill, as amended, strike out "(g)", and insert in lieu thereof "(f)".

Amendment No. 10.

On page 2, line 43, of the printed bill, as amended, strike out "(h)", and insert in lieu thereof "(g)".

Amendment No. 11.

On page 2, line 43, of the printed bill, as amended, after the word "of", insert the following: 'milk, cream, dairy products or".

Amendment No. 12.

On page 2, line 46, of the printed bill, as amended, after the word "or", insert the following, "any person who buys as a'.

Amendment No. 13.

On page 2, line 47, of the printed bill, as amended, strike out "(i)", and insert in lieu thereof "(h)"

Amendment No. 14.

On page 2, line 50, of the printed bill, as amended, after the word "to", insert "all other".

Amendment No. 15.

On page 2, line 50, of the printed bill, as amended, strike out the words "of sixty-five per cent".

Amendment No. 16.

On page 2, line 52, of the printed bill, as amended, after the word "ing", insert the words "or sales".

Amendment No. 17.

On page 3, line 4, of the printed bill, as amended, strike out "(j)", and insert in lieu thereof "(i)".

Amendment No. 18.

On page 3, line 8, of the printed bill, as amended, strike out "(k)", and insert in lieu thereof "(j)".

Amendment No. 19.

On page 3, line 9, of the printed bill, as amended, strike out the word "section", and insert in lieu thereof "subsection"

Amendment No. 20.

On page 3, line 12, of the printed bill, as amended, insert the following: "For the purposes of this subsection the term "cost" is hereby defined as the price paid for such milk, cream or dairy products."

Amendment No. 21.

On page 3, line 13, of the printed bill, as amended, strike out "(l)", and insert in lieu thereof "(k)".

Amendment No. 22.

On page 3 of the printed bill, as amended, strike out all of lines 21 to 24, inclusive, and insert in lieu thereof the following:

"(l) Any sale by any distributor of milk or cream in glass bottles to any retail store without making and collecting a charge for said bottles, which charge shall not be less than one cent per bottle Upon the return of said bottles to the distributor a refund of the charge, herein provided, may be made to said retail store."

Amendment No. 23.

On page 3, line 25, of the printed bill, as amended, strike out "(n)", and insert in lieu thereof "(m)".

Amendment No. 24.

On page 3, line 41, of the printed bill, as amended, after the word "cream", insert the following: "to any distributor or manufacturer, as herein defined,".

Amendment No. 25.

On page 4, line 20, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "or when he is satisfied that any distributor or manufacturer has failed to make payment to any producer for milk purchased at the price, upon the terms, and on the date agreed to between such distributor or manufacturer and such producer."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1919—An act to amend section 6 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to presumptions in respect to injuries to employees.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

In line 1 of the title of the printed bill, strike out "section", and insert in lieu thereof the following: "sections 3 and".

Amendment No. 2.

In line 2 of the title of the printed bill, after "relating to", insert the following: "definitions and".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 to 3, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 3 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 3. The following terms as used in this act shall, unless a different meaning is plainly required by the context, be construed as follows:

(1) The term "commission" means the Industrial Accident Commission of the State of California as created under the provisions of Chapter 176 of the Laws of 1913.

(2) The term "commissioner" means one of the members of the commission.

(3) The term "compensation" means compensation under this act and includes every benefit or payment conferred by sections 6 to 31, inclusive, of this act upon an injured employee, or in the event of his death, upon his dependents, without regard to negligence.

(4) The term "injury" as used in this act, shall include any injury or disease arising out of the employment including all hernia cases and injuries to artificial members. In case of aggravation of any disease existing prior to such injury, compensation shall be allowed only for such proportion of the disability due to the aggravation of such prior disease as may reasonably be attributed to the injury.

(5) The term "damages" means the recovery allowed in an action at law as contrasted with compensation under this act.

(6) The term "person" includes an individual, firm, voluntary association, or a public, quasi public or private corporation.

(7) The term "insurance carrier" includes the State Compensation Insurance Fund and any private company, corporation, mutual association, reciprocal or interinsurance exchange authorized under the laws of this State to insure employers against liability for compensation under this act and any employer to whom a certificate of consent to self-insure has been issued

(8) Whenever in this act the singular is used, the plural shall be included; where the masculine gender is used, the feminine and neuter shall be included.

SEC. 2. Section 6 of said act is hereby amended to read as follows:"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 416—An act to amend section 9 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to compensation provided under said Act.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 5, of the printed bill, after the word "commission", strike out the period, and insert in lieu thereof a comma and the following: "nor to those cases where the employee has been sent for treatment and care to a hospital which is essentially a teaching hospital where the attending staff is limited to members of the faculty of the medical school to which such teaching hospital is attached."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1688—An act to amend section 12 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to average earnings.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 52, of the printed bill, following the word "sustained.", add the following.

"Any period during which the employee has been physically disabled by reason of illness or injury or has been precluded from employment by strike or lockout shall be excluded entirely from consideration in computing the average weekly earnings both as to the number of weeks involved and as to the amount of the earnings.

(4) If the injured employee be a beginner or apprentice who has not been gainfully employed prior to the employment in which he is injured and does not come within the provisions of the above subsections (1), (2) or (3), then his weekly earnings shall be deemed within the limits fixed to be the weekly sum that he probably would have been able to earn in the occupation in which he was employed at the time of the injury if he had not been injured."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 827—An act to validate the organization and bonds of municipal improvement districts formed under the Municipal Improvement District Act of 1927 and providing for the levy of special assessment taxes to pay said bonds.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, preceding the words "as amended", insert the words "as approved or,".

Amendment No. 2.

On page 1, line 14, of the printed bill, strike out the words "The Municipal Improvement District Act of 1927", and insert in lieu thereof the words "said act".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 427—An act authorizing the legislative body of a municipality to vacate, abandon and close any public street, highway, road, boulevard, avenue, alley, way, lane or place, or any part thereof, either to the whole extent of the public right therein or to any partial extent, and prescribing a procedure therefor.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 23, of the printed bill, strike out the period following the word "California", and insert in lieu thereof the following "but does not include any State highway or any part of any State highway."

Amendment No. 2.

On page 2, line 41, of the printed bill, strike out "other resolutions", and insert in lieu thereof the following: "one resolution".

Amendment No. 3.

On page 3, line 2, of the printed bill, strike out the figure "2", and insert in lieu thereof the following: "3".

Amendment No. 4.

On page 5, line 52, of the printed bill, after the period following the word "hearing", insert the following: "Said clerk shall mail a notice of such filing to each owner of real property included within the report at his last known address as same appears on the tax rolls of said city or on file in the office of the city clerk or to both said addresses if they are not the same, containing a designation by street number, or some other description, of the property proposed to be assessed or damages awarded, sufficient to enable the owner to identify the same, and the amount proposed to be assessed thereon and the amount of the award, if any, proposed to be paid. The clerk upon the completion of the mailing of said notices, shall file with the legislative body an affidavit setting forth the time and manner of compliance with the above requirement for mailing such notices. The mailing of such notices shall not be essential to obtaining jurisdiction by the legislative body, and the failure so to do shall not affect in any manner the validity of any proceedings taken hereunder. Said notices shall require all persons interested to file with said clerk their objections, if any, to the confirmation of the report, prior to the date set for the confirmation of said report which date shall be stated in said notices and be at least thirty (30) days from and after the date of mailing such notices."

Amendment No. 5.

On page 7, line 22, of the printed bill, strike out "within the assessment district", and insert in lieu thereof the following "included within the assessment roll".

Amendment No. 6.

On page 7 of the printed bill, following line 51, insert the following new paragraph:

"The owner of any property assessed, who is entitled to compensation under the award made by the report, may, at any time after such assessment becomes payable, and before the sale of said property for nonpayment thereof, as hereinafter provided, demand of the street superintendent that such assessment, or any number of such assessments, be offset against the amount to which he is entitled under said report. Thereupon, if said amount is equal to or greater than such assessments, including any penalties and costs due thereon, the assessments shall be marked "Paid by offset"; and if the amount is less than the assessments, and any penalties and costs due thereon, the person demanding such offset shall at the same time pay the difference to the street superintendent in money and the assessments on such payment, shall be marked "Paid," the entry showing what part thereof is paid by offset and what part in money. As a condition of the offset, such person must execute to the city and deliver to the street superintendent a receipt for the offset against such assessments, penalties and costs, which said receipt shall be filed by the street superintendent in his office."

Amendment No. 7.

On page 11, lines 36 and 37, of the printed bill, strike out, "final completion of the improvement", and insert in lieu thereof the following: "recording of the diagram and assessment, and thereafter all persons shall be barred from any such action or any defense of invalidity of the assessment"

Amendment No. 8.

On page 12 of the printed bill, following line 39, insert the following:
"This act shall in no wise affect any other acts on the same subject, or apply to proceedings had thereunder, but is intended to and does provide an alternate system of proceedings to accomplish the purposes expressed in the title hereof."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 834—An act relating to and imposing limitations on expenditures by counties, cities and counties, districts and other political subdivisions, under authority of section 20 of Article XI of the Constitution of the State.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 26, of the printed bill, as amended in the Assembly March 25, 1935, strike out the comma before the word "provided", and in lieu thereof insert a semicolon.

Amendment No. 2.

On page 2, line 33, of the printed bill, as amended in the Assembly March 25, 1935, after the words "writing and", insert the following ", except in the case of emergencies subsequently arising."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 662—An act to provide for the refunding of bonds issued under the "Improvement Bond Act of 1915" and for the extension of liens and assessments for the collection and enforcement of such assessments and the payment of said bonds.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, following the word "for", insert the words "the levy of reassessments and the"; in line 3 of the title of the printed bill, following the word "liens", strike out the word "and", and insert in lieu thereof the word "of"; and in line 4 of the title of the printed bill, following the word "assessments", insert the words "and reassessments".

Amendment No. 2.

On page 1, line 4, of the printed bill, following the words "for the", insert the words "extension of the liens of assessments and the".

Also, on page 1, line 5, following the word "assessments", insert the words "and reassessments".

On the same page, line 8, following the word "Whenever", insert the word "any".

On the same page, line 15, strike out the word "agreement", and insert in lieu thereof the words "contract or contracts".

On the same page, line 16, strike out the words "in such agree-", and insert in lieu thereof the word "therein".

On the same page, line 17, strike out the letters "ment".

Also, on the same page, line 17, following the word "such", insert the word "outstanding", and in the same line following the word "bonds", insert the words "and coupons".

Also, on the same page, line 22, following the word "contract", insert the words "or contracts".

Also, on the same page, line 23, following the word "contract", insert the words "or contracts".

Amendment No. 3.

On page 2, line 1, of the printed bill, following the word "the", insert the word "outstanding", and in the same line, following the word "bonds", insert the words "due and unpaid interest coupons".

On the same page, line 1, strike out all the language following the period; also strike out all of line 2, and that part of line 3 down to and including the period, and in lieu thereof insert the following: "In the event that owners of seventy-five per cent or more of the principal amount of the outstanding bonds of any issue join in said contract or contracts, the city is authorized to proceed under this act to refund all of the bonds of said issue. The city may at any time prior to the actual issuance and exchange of the refunding bonds make additional contracts with any owner or owners of bonds for the surrender and exchange of bonds which are not agreed to be surrendered under the prior contracts. Not later than the time at which the refunding bonds are actually issued in exchange for the outstanding bonds, provision must be made for the payment or retirement of all bonds which are not agreed to be surrendered and exchanged under the contracts made; provided, however, that if proceedings have been taken under the Federal Bankruptcy Act as the same now exists or as it may be hereafter amended and an order or decree has been made providing for readjustment of the outstanding bonded debt, the city is authorized to issue refunding bonds to nonconsenting bondholders in accordance with the order or decree made."

Also, on the same page, following line 8, insert the words "or contracts".

On the same page, line 10, following the word "and", insert the language "seventy-five per cent or more of".

On the same page, line 14, strike out the word "number." and insert in lieu thereof the word "total", and in the same line, strike out the words "and total indebtedness".

On the same page, strike out all of line 15, and in line 16, strike out the words "interest coupons", and insert in lieu thereof the following: "of the outstanding bonds of the issue to be refunded, the numbers of such bonds, and the amounts of the due and unpaid interest coupons thereof."

On the same page, line 17, strike out the words "due and"

On the same page, line 19, strike out the word "thereon", and insert in lieu thereof the words "on any unpaid installments thereof".

On the same page, line 27, strike out the word "thereon", and insert in lieu thereof the words "coupons thereof".

On the same page, line 32, strike out the word "refund", and insert in lieu thereof the word "refunding".

On the same page, line 37, strike out the word "it", and insert in lieu thereof the words "its property".

On the same page, strike out all of line 42 following the period, strike out all of line 43, and strike out in line 44, the word "the", and insert in lieu thereof the word "The"; also in line 44, strike out the language "such unmatured install-".

On the same page, line 45, strike out the language "ments of", and in said line 45 strike out the letters "unma-".

On the same page, line 46, strike out the language "tured installments of".

On the same page, line 47, strike out all the words following the word "thereon".

On the same page, strike out all of lines 48, 49, 50 and 51, and in line 52, strike out all the language preceding the semicolon.

Amendment No. 4.

On page 3, line 1, of the printed bill, strike out the words "unmatured installments".

On page 3, line 2, strike out the word "of", and in the same line following the word "by", insert the word "written".

On the same page, line 3, strike out the words "to exercise such right", and in line 4, strike out the words "or rights", and also strike out the words "passage of the resolution".

On the same page, line 5, strike out the word "hereinafter", and insert in lieu thereof the word "hearing"; also in line 5, following the word "provided", insert the words "in section 5 hereof"; also in said line 5, strike out all of the words following the word "provided".

On the same page, line 6, strike out all of the words preceding the period, and insert in lieu thereof the following "to continue to pay assessments as provided by the proceedings and statute under which the outstanding bonds were issued".

On the same page, line 7, strike out the words "the unmatured", and insert in lieu thereof the word "said".

On the same page, line 8, strike out the words "installments of", and also strike out the words "as the same mature".

On the same page, line 13, following the word "assessments", insert the following: ", or the amounts of proposed reassessments".

On the same page, line 14, following the word "land", insert the words "to be".

On the same page, line 19, strike out all of the language following the word "any".

On the same page, line 20, strike out the words "the same as to", and insert in lieu thereof the words "reassessments upon"; also in the same line, strike out the words "as they shall".

On the same page, line 21, strike out the words "deem just".

On the same page, line 22, strike out the words "the amount then delinquent", and in line 23, strike out the words "against the same;", and insert in lieu thereof the following: "the total unpaid assessment, with interest and penalties thereon, if any (which shall be the amount assessed unless the bondholders have agreed to a reduction thereof)".

On the same page, line 38, strike out the word "assessment", and insert in lieu thereof the word "reassessment".

Also, on the same page, following line 39, insert the following: "be recorded in the office of the superintendent of streets and shall thereupon".

On the same page, line 51, strike out the word "assessments", and insert in lieu thereof the word "reassessments".

Amendment No. 5.

On page 4, lines 1 and 2, strike out the word "assessment", and insert in lieu thereof the word "reassessment".

On the same page, line 5, strike out the word "assessments", and insert in lieu thereof the word "reassessments".

On the same page, line 6, strike out the word "assessment", and insert in lieu thereof the word "reassessment".

On the same page, line 7, strike out the word "assessments", and insert in lieu thereof the word "reassessments and the interest thereon".

On the same page, line 9, following the word "interest", insert the words "as the original assessments" and in the same line following the word "and" insert the following: ", except as expressly otherwise provided in this act, all of the provisions of sections 11 to 19, both inclusive, of the "Improvement Bond Act of 1915" shall apply to the refunding bonds issued hereunder and to the reassessments which are security for such bonds."; in the same line, strike out the words "the obligation", and strike out all of lines 10 to 32, both inclusive.

On the same page, line 33, strike out the word "assessment", and insert in lieu thereof the word "reassessment", and in the same line, strike out the words "confirmed it", and insert in lieu thereof the words "recorded any reassessment therein".

On the same page, line 36, strike out the word "assessments", and insert in lieu thereof the word "reassessments".

On the same page, line 37, following the word "issued", insert the following: ", and such unpaid reassessments shall bear interest from such date of recording at the rate or rates stated in the refunding bonds; provided that such rate or rates shall not exceed the rate of interest on the outstanding bonds and at least the first two maturing interest coupons on the refunding bonds shall be at a lower rate than the rate of interest on such outstanding bonds."

On the same page, line 38, strike out the word "confirmation", and insert in lieu thereof the word "recording".

On the same page, line 42, following the language "clerk," insert the words "the seal of the city affixed thereto".

On the same page, line 44, following the word "bondholders", insert the following: "; provided, however, the last maturity of any refunding bonds shall not exceed nineteen years from the second day of July next succeeding ten months after the date of said bonds."

Amendment No. 6.

On page 5, line 17, strike out the word "assessments", and insert in lieu thereof the word "reassessments".

On page 5, line 27, following the figures "19____", insert the following: "to the _____ day of _____, 19____".

On page 5, lines 27 and 28, strike out "all as is hereinafter specified, and", and insert in lieu thereof the following: "and thereafter at the rate of _____ per cent (_____%) per annum, payable semiannually on the second days of January and July of each year upon presentation of the proper interest coupons therefor, both principal and interest payable".

On the same page, line 36, strike out the word "assessments", and insert in lieu thereof the word "reassessments".

On the same page, strike out all of lines 39 to 43, inclusive.

On the same page, line 45, following the word "maturity", insert the words "or within ten days thereafter".

On the same page, line 48, following the word "not", insert the word "so", and in the same line strike out the words "at maturity".

Amendment No. 7.

On page 6, line 7, of the printed bill, following the word "the", insert the following: "mayor (or other chief executive) and the".

On the same page, line 25, strike out the word "for", and insert in lieu thereof the word "of".

On the same page, following the period in line 32, insert the following language: "All moneys in the redemption fund upon the date the statement of the city auditor

is approved by the legislative body shall be paid to the holders of outstanding bonds and coupons entitled thereto at or prior to the delivery of the refunding bonds. If the city has appropriated money to assist in the refunding, such money shall be paid to the holders of outstanding bonds in accordance with the contract with said bondholders, and the city is authorized and empowered to appropriate moneys from any available fund to assist in such refunding, and wherever the improvement is a street, bridge or highway improvement the county in which the city lies is authorized and empowered to appropriate moneys from any available fund to assist in such refunding. All moneys appropriated by the city or county to assist in such refunding shall be credited upon the reassessment and shall reduce each of the reassessments therein and shall be prorated among the respective parcels reassessed in accordance with the amounts assessed against each of said parcels in the original assessment."

On the same page, line 37, strike out the language following the word "city", and insert in lieu thereof the following: "shall purchase or call bonds as herein provided. The city treasurer shall, by notice published once not less than thirty days prior to the date designated in some financial journal having a national circulation, invite sealed proposals for the sale of any of said refunding bonds to the city, which notice shall state the amount available for the purchase of such bonds and shall specify the time and place when proposals will be opened. The city treasurer shall also, at least ten days prior to the date so designated, mail a copy of such invitation for sealed proposals to any bondholder who has theretofore in writing requested such notice. Such proposals shall be opened in public at the time and place specified in said notice. The legislative body in its discretion may reject any or all of such proposals. If no proposals are received at a price of less than par and accrued interest, or if an insufficient amount of bonds are tendered at less than par and accrued interest to exhaust, as nearly as possible, the moneys available for purchase of bonds, the treasurer shall set aside a sum sufficient to pay the principal and accrued interest to the next interest payment date of the bonds to be called for redemption and shall proceed to call for redemption, in numerical order, at par and accrued interest to the next interest payment date such outstanding bonds as can be retired from said funds. Notice of such redemption shall be given by publication once in a financial journal having a National circulation, unless the holders of the bonds to be called in writing waive such notice, the date of said publication to be not less than thirty days prior to the date so fixed for redemption, and interest on said bonds so called shall cease upon the redemption date. All refunding bonds so purchased or redeemed pursuant to call shall be cancelled by the treasurer."

On the same page, strike out all of lines 38 to 52, inclusive.

Amendment No. 8.

On page 7 of the printed bill, strike out all of lines 1 to 8, inclusive, and strike out all of line 9, down to and including the period

On the same page, line 10, strike out the words "All bonds purchased or", and strike out all of line 11.

Amendment No. 9.

On page 8 of the printed bill, strike out all of lines 18 to 21, inclusive, and insert in lieu thereof the following: "upon which the city is validly subject to the liability imposed under sections 12 and 16 of the 'Improvement Bond Act of 1915.'"

Amendment No. 10.

On page 9, line 17, of the printed bill, strike out the word "proper", and insert in lieu thereof the word "property".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 495—An act to amend sections 460, 504, and 621 of the Agricultural Code, relating to dairy products

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1201—An act to add section 2.455a to the School Code, relating to severance of joint schools

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the number "2.455a", and insert in lieu thereof the number "2.391".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out the number "2 455a", and insert in lieu thereof the number "2 391".

Amendment No. 3.

On page 1 of the printed bill, strike out all of lines 3 to 13, inclusive, and insert in lieu thereof the following:

"2.391. Whenever, by reason of any action taken in accordance with law, territory is, or has been heretofore, removed from a high school district, and the high school district is or has been thereby separated into two or more noncontiguous parts, the validity of such high school district shall not be deemed to be, or have been, affected by the withdrawal of such territory, and the rights, powers, duties, responsibilities and jurisdiction of the high school district shall be deemed not to be, or have been affected by reason of the separation of the high school district into two or more noncontiguous parts."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 821—An act to amend sections 2 440a, 2.441a and 3.260 of the School Code of the State of California.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "3.260", insert the following: ", 3.263".

Amendment No. 2.

On page 2, line 6, of the printed bill, strike out "fifteen", and insert in lieu thereof the following: "nine".

Amendment No. 3.

On page 2, line 25, of the printed bill, strike out the period, and insert in lieu thereof the following: "; provided, however, that in no event shall the charge agreed upon be less than the actual cost to the high school district for the education of the pupils permitted to attend such junior high school in accordance with this section."

Amendment No. 4.

On page 2 of the printed bill, after line 25, insert the following:

"SEC. 4. Section 3 263 of the School Code is hereby amended to read as follows:

3 263. A board of education or board of school trustees shall not pay to any high school board for educating the pupils residing in the elementary school district and attending the junior high school, a tuition charge less than the average net cost per pupil for educating pupils in the first three years of the junior high school in the high school district."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1186—An act to add a new section to the School Code to be numbered 3.764, relating to courses of study in elementary schools.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the following: "a new section", and insert in lieu thereof the following. "two new sections"

Amendment No. 2.

On page 1 of the title of the printed bill, strike out all of line 2, and insert in lieu thereof the following: "2.807 and 5.533, relating to liability for the death of, or injury to, pupils enrolled in the public schools."

Amendment No. 3.

On page 1, line 2, of the printed bill, strike out the following "3 764", and insert in lieu thereof the following: "2 807".

Amendment No. 4.

On page 1, line 3, of the printed bill, strike out all of line 3, and insert in lieu thereof the following:

"2.807. No member of the governing board of a school district shall be held personally liable for the death of, or injury to, any pupil enrolled in any school of the district, resulting from the participation of such pupil in any classroom or other activity to which he has been lawfully assigned as a pupil in such school.

SEC. 2. A new section is hereby added to the School Code to be numbered 5 533, and to read as follows:

5.533. No superintendent, principal, teacher or other employee of a school district employed in a position requiring certification qualifications shall be held personally liable for the death of, or injury to, any pupil enrolled in any school of the district, resulting from the participation of such pupil in any classroom or other activity to which he has been lawfully assigned as a pupil in such school."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 206—An act to amend section 1 of Chapter 339 of the Statutes of 1933 entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to the construction of certain words and phrases used in said act.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 12, of the printed bill, after the word "all", strike out the word "person", and insert in lieu thereof the word "persons"

Amendment No. 2.

On page 1, line 21, of the printed bill, strike out the word "thirty", and insert in lieu thereof the word "fifty."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 730—An act to amend section 1 of an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931 (Stats. 1931, Chap. 397), relative to the definition of public contract work and payment of the prevailing rate therefor.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1833—An act to amend an act entitled "An act to regulate the construction of buildings in the State of California, in respect to resistance to horizontal forces, providing penalties for the violation thereof and providing that this act become effective immediately," approved May 26, 1933, relating to construction of buildings.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee·

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "an act entitled", and insert in lieu thereof the following: "section 1 of".

Amendment No. 2.

On page 1, line 3, of the printed bill, after "Section 1.", insert the following: "Every building of any character, and every part thereof which is hereafter constructed in any part of the State of California, including every incorporated city, incorporated city and county, and county except such buildings as are hereinafter expressly excepted from the operation of this act, shall be designed and constructed to resist and withstand horizontal forces from any direction of not less than either two per cent of the total vertical design load or fifteen pounds per square foot wind pressure on the vertical projection of the exposed surface, the horizontal force used to be the one that produces the greatest stresses in the building."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 952—An act to amend Chapter 6 of Division VI of the Agricultural Code, relating to produce dealers and to provide for a bond for produce dealers.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 2, of the printed bill, as amended, strike out "farm products from producers", and insert in lieu thereof the following: "from the producer any farm product".

Amendment No. 2.

On page 2, line 3, of the printed bill, as amended, strike out "market".

Amendment No. 3.

On page 2, lines 4 and 5, of the printed bill, as amended, strike out "day such farm products are received", and insert in lieu thereof the following: "time of receiving possession".

Amendments adopted

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 823—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal corporation," approved March 18, 1883, as amended, by amending section 862 thereof, relating to and adding to the powers of sixth class cities.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, following the word "The", strike out the word "city", and in the same line, following the words "said city", insert the words "or town".

Amendment No. 2.

On page 1, line 17, of the printed bill, following the word "bonds", insert the words "to provide funds".

Amendment No. 3.

On page 2, line 37, of the printed bill, following the word "bonds", insert the words "to provide funds".

Amendment No. 4.

On page 6 of the printed bill, following line 3, insert this paragraph:

"20. To apply any available funds to provide employment for the destitute or needy unemployed residents of the city."

Amendment No. 5.

On page 6, line 4, of the printed bill, strike out the figures "20", and insert in lieu thereof the figures "21."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 824—An act to authorize sanitary and sanitation districts, cities and towns to acquire and construct works for the collection, treatment, purification and disposal of sewage, by issuing bonds payable solely from the revenues of such works, and to collect revenues, rates or charges for the use of such works.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 20, of the printed bill, strike out the words "incurring a bonded debt", and insert in lieu thereof the words "issuing bonds".

Amendment No. 2.

On page 2, line 3, of the printed bill, strike out the words "indebtedness is", and insert in lieu thereof the words "bonds are".

On the same page, line 4, strike out the word "incurred", and insert in lieu thereof the word "issued".

On the same page, line 5, strike out the word "indebtedness", and insert in lieu thereof the word "bonds".

On the same page, line 6, strike out the word "incurred", and insert in lieu thereof the word "issued".

On the same page, line 7, strike out the word "indebtedness", and insert in lieu thereof the word "bonds".

On the same page, line 10, strike out the word "incurring", and insert in lieu thereof the word "issuing".

On the same page, line 11, strike out the word "indebtedness", and insert in lieu thereof the word "bonds".

On the same page, following the period in line 19, insert the following: "Said ordinance or resolution shall also contain the proposed rates or charges to be established for the use of said works or property."

On the same page, line 39, strike out the word "incurring", and insert in lieu thereof the word "issuing".

On the same page, line 39, strike out the letters "indebt-", and in line 40, strike out the letters "edness", and insert in lieu thereof the word "bonds".

On the same page, line 40, strike out the word "that".

Amendment No. 3.

On page 3, line 9, of the printed bill, strike out the word "five", and insert in lieu thereof the word "three".

On the same page, line 19, strike out the words "by the executive", and insert in lieu thereof the words "in the name".

Also, on the same page, line 20, following the language "district,", insert the following: "by the chief executive thereof,".

On the same page, line 23, strike out the words "also signed by the".

On the same page, strike out all of line 24, and in line 25, strike out the words "and shall be".

On the same page, line 26, following the word "district", insert the words "or by such other officer thereof as the legislative body shall by resolution adopted by a two-thirds vote of all of its members authorize and designate for that purpose".

On the same page, line 28, strike out the words "treasurer by his", and insert in lieu thereof the words "officers who signed the bonds by their".

On the same page, line 29, strike out the word "signature", and insert in lieu thereof the word "signatures".

On the same page, line 36, strike out the word "their", and insert in lieu thereof the words "the interest", and in the same line, following the word "coupons", insert the word "thereof".

Amendment No. 4.

On page 4, line 14, of the printed bill, strike out all of the line following the words "such works", and in line 15, strike out the following: "herein provided,".

On the same page, line 19, following the word "work", insert the following: ', but in such event all materials and supplies purchased for such works shall be purchased in the same manner that other materials and supplies of like amounts are purchased by such city, town or district".

On the same page, line 20, following the word "rates", insert the words "for the use of or".

On the same page, line 20, strike out the letters "proj-", and in line 21, strike out the letters "ect", and insert in lieu thereof the word "works".

On the same page, line 24, strike out the word "project", and insert in lieu thereof the word "works".

On the same page, line 27, strike out the word "revenues", and insert in lieu thereof the words "a fund".

On the same page, line 28, strike out the words "which revenues", and insert in lieu thereof the words "and the revenues each year to provide such contingent fund", and in the same line, strike out the word "annually".

On the same page, following line 34, insert the words "to fix and".

On the same page, line 35, following the word "for", insert the words "the use of or for".

On the same page, line 36, strike out the word "project", and insert in lieu thereof the word "works", and in the same line, strike out the word "for".

On the same page, line 36, strike out the letters "fore-", and in line 37, strike out the letters "going", and insert in lieu thereof the words "funds required for the purposes described in this section".

On the same page, line 41, strike out the word "project", and insert in lieu thereof the word "works".

On the same page, line 46, strike out the word "project", and insert in lieu thereof the word "works".

Amendment No. 5.

On page 5, line 6, of the printed bill, following the word "pay", strike out the word "the", and insert in lieu thereof the word "all".

In the same line, strike out the word "of", and following the word "and", strike out the word "the".

Also in the same line, following the word "interest", strike out the words "on the", and insert in lieu thereof the following: "(except interest for the first two years which is actually paid from the proceeds of the sale of the bonds)".

On the same page, line 7, strike out the words "bonds matured", and insert in lieu thereof the words "coming due".

On the same page, strike out lines 8 to 14, inclusive, and insert in lieu thereof the following: ", the rates fixed for the next year shall be sufficient to provide for the payment of any such principal and interest past due and unpaid, in addition to all other sums required to be raised for such year."

On the same page, line 21, strike out the word "project", and insert in lieu thereof the word "works".

On the same page, line 24, following the word "of", insert the words "any of".

On the same page, strike out line 25, and in line 26, strike out the following: "the entire issue then outstanding".

On the same page, line 34, strike out the word "project", and insert in lieu thereof the word "works".

On the same page, line 38, strike out the word "project", and insert in lieu thereof the word "works".

On the same page, line 40, strike out the word "No", and in lieu thereof insert the following: "Until both principal and interest of the bonds are fully paid no".

On the same page, line 42, following the word "thereof", insert the following: "or to the United States of America, the State of California, or to any municipality, public corporation or political subdivision whatsoever, and for the use of or service rendered by such system or works the United States of America, the State of California and all municipalities, public corporations and political subdivisions shall pay rates or charges the same as any other persons using or served by such system or works".

On the same page, line 43, strike out the words "any such", and in lieu thereof insert the word "the".

In the same line, following the word "district", insert the words "operating the system or works".

On the same page, line 45, following the word "monthly", insert a comma, and in the same line, following the word "rendered", insert a comma.

Amendment No. 6.

On page 6, line 14, of the printed bill, strike out the period, and insert in lieu thereof the following: "; but no purchaser or encumbrancer for value shall be deemed to have notice or knowledge thereof until the treasurer or other officer whose duty it is to collect the rate or charge files a list of unpaid rates or charges with the county recorder, stating the amount of any rate or charge unpaid, a description of the property upon which the same is a lien, and the name of the city or district to which the same is payable."

On the same page, line 37, strike out the word "or", and insert in lieu thereof the word "of".

Amendment No. 7.

On page 7, lines 25 and 26, strike out the words "twenty per cent", and in line 26, following the words "holders of", insert the following: "any of the".

Amendment No. 8.

On page 8, line 3, of the printed bill, following the word "whenever", insert the words "any of".

In the same line, strike out the words "twenty per cent or more", and insert in lieu thereof the word "any".

On the same page, line 11, strike out the word "said", and insert in lieu thereof the words "holders of".

On the same page, line 12, strike out the word "bondholders", and insert in lieu thereof the following "principal of the outstanding bonds".

Amendment No. 9.

On page 9, line 38, of the printed bill, following the words "and the", insert the words "original bonds and the".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 825—An act to provide for the formation of sewer districts within counties, cities and counties and municipalities for the acquisition or construction of sanitary sewage works or improvements, for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition, construction, maintenance and operation of such improvements.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, following line 1, insert the word "of".

Amendment No. 2.

On page 2, line 27, of the printed bill, strike out the words "incurring indebtedness by the issuance of", and insert in lieu thereof the word "issuing".

On the same page, line 36, following the word "district", insert the following: ", and (7) a list of the proposed rates or charges to be established for the use of said sewage system, work or improvement".

Amendment No. 3.

On page 4, line 4, of the printed bill, strike out the words "incurring a debt by the issuance of", and insert in lieu thereof the word "issuing".

On the same page, line 8, strike out the words "indebtedness is", and insert in lieu thereof the words "bonds are".

On the same page, line 9, strike out the word "incurred", and insert in lieu thereof the word "issued".

On the same page, line 11, strike out the word "indebtedness", and insert in lieu thereof the word "bonds", and in the same line strike out the word "incurred", and insert in lieu thereof the word "issued".

On the same page, line 12, following the words "paid on", strike out the word "the", and insert in lieu thereof the word "such".

On the same page, line 12, strike out the words "issued to represent", and in line 13, strike out the words "such indebtedness".

On the same page, line 24, following the word "bonds", insert the following: ", and shall contain a list of the rates or charges proposed to be established for the use of said system, work or improvement".

On the same page, line 42, strike out the word "incurring", and insert in lieu thereof the word "issuing".

On the same page, lines 42 and 43, strike out the words "bonded indebtedness", and insert in lieu thereof the word "bonds".

Amendment No. 4.

On page 5, line 6, of the printed bill, strike out the word "five", and insert in lieu thereof the word "three".

On the same page, line 51, strike out the word "providing", and insert in lieu thereof the word "provided".

Amendment No. 5.

On page 6, line 10, of the printed bill, strike out the words "or for furnishing labor or".

On page 6, line 11, strike out the words "material therefor as herein provided".

On the same page, line 15, following the word "work", insert the following: ", but in such event all materials and supplies purchased for such work or improvement shall be purchased in the same manner that other materials and supplies of like amounts are purchased by such county, city and county or municipality".

On the same page, line 24, strike out the word "revenues", and insert in lieu thereof the words "a fund".

On the same page, line 25, strike out the words "which revenues", and insert in lieu thereof the following: "and the revenues each year to provide such contingent fund".

On the same page, line 25, strike out the word "annually".

On the same page, line 32, following the word "bond", insert the words 'to fix and", and in the same line, following the word "for", insert the words "the use of or for".

On the same page, line 34, strike out the words "for the foregoing", and insert in lieu thereof the words "funds required for the purposes described in this section".

Amendment No. 6.

On page 7, line 4, of the printed bill, following the word "pay", strike out the word "the", and following the word "principal", strike out the word "of", and following the word "and", strike out the word "the", and following the word "interest", strike out the words "on the".

On the same page, line 5, strike out the words "bonds maturing", and insert in lieu thereof the following: "coming due".

On the same page strike out all of lines 6 to 12, both inclusive, and insert in lieu thereof the following: "the rates fixed for the next year shall be sufficient to provide for the payment of any such principal and interest past due and unpaid, in addition to all other sums required to be raised for such year."

On the same page, line 23, following the word "of", insert the words "any of".

In the same line, strike out "representing in the aggre-", and strike out all of line 24, and in line 25, strike out the word "outstanding".

On the same page, line 39, strike out the word "No", and insert in lieu thereof the words "Until both principal and interest of the bonds are fully paid no".

On the same page, line 41, following the word "thereof", insert the following: ", or to the United States of America, the State of California, or to any municipality, public corporation or political subdivision whatsoever, and for the use of and service rendered by such sewage system, work or improvement the United States of America, the State of California and all municipal and public corporations shall pay rates or charges the same as any other person using or served by such system, work or improvement".

Amendment No. 7.

On page 8, line 19, following the word "due", insert the following: ", but no purchaser or encumbrancer for value shall be deemed to have notice or knowledge thereof until the treasurer or other officer whose duty it is to collect the rate or charge files a list of unpaid rates or charges with the county recorder, stating the amount of each rate or charge, a description of the property upon which the same is a lien and the name of the county, city and county or municipality to which the same is payable."

On page 9, line 33, strike out the word "twenty", and in line 34, strike out the words "per cent of the holders", and insert in lieu thereof the words "any holder".

On the same page, line 34, strike out the word "bonds", and insert in lieu thereof the words "any bond".

Amendment No. 8.

On page 10, line 14, of the printed bill, strike out the words "holders or owners of twenty per cent", and insert in lieu thereof the words "owner or holder of one".

On the same page, line 15, strike out the word "they", and insert in lieu thereof the word "he".

On the same page, line 16, strike out the word "their", and insert in lieu thereof the word "his".

On the same page, line 23, strike out the word "said", and insert in lieu thereof the following: "the holders of".

On the same page, line 23, following the word "sent", insert the following: "or more of the principal".

On the same page, line 23, strike out the word "bondholders", and insert in lieu thereof the words "outstanding bonds".

Amendment No. 9.

On page 12, line 2, of the printed bill, preceding the word "additional", insert the words "original bonds and the".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1658—An act to amend sections 468, 474, 515, 516, 713 and 714 of, and to add a new section to be numbered 692 to, the Vehicle Code, relating to highways, bridges and structures thereon, and the regulation of speeds and weight of vehicles.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out the figures "692", and insert in lieu thereof "693".

Amendment No. 2.

On page 3, line 9, of the printed bill, strike out the word "ten", and insert in lieu thereof the word "six".

Amendment No. 3.

On page 3 of the printed bill, strike out the comma at the end of line 32, and in line 33, strike out "structure, tube or tunnel", and insert in lieu thereof "or structure".

Amendment No. 4.

On page 4, line 1, of the printed bill, strike out "692", and insert in lieu thereof "693".

Amendment No. 5.

On page 4, line 3, of the printed bill, strike out "692", and insert in lieu thereof "693".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1656—An act to amend the Vehicle Code by repealing sections 414 and 415; by adding sections 414, 415, and 416, relating to vehicles.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to amend the Vehicle Code by adding thereto section 416, relating to vehicles."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 26, inclusive, and strike out all of pages 2 and 3, and insert in lieu thereof the following.

"SECTION 1. Section 416 is hereby added to the Vehicle Code to read as follows.

416. Installment Payments of Civil Judgments. (a) The department shall not suspend a license or registration of a motor vehicle and shall restore any suspended license or registration following nonpayment of a final judgment when the judgment debtor gives proof of financial responsibility for future damages and when the trial court in which such judgment was rendered orders the payment of such judgment in

installments and while the payment of any said installment is not in default. Whenever the trial court orders the payment of a judgment in installments as provided in this section such court shall forward a certified copy of such order to the department.

(b) A judgment debtor upon five days' notice to the judgment creditor may apply to the trial court in which the judgment was obtained for the privilege of paying such judgment in installments and the court in its discretion and without prejudice to any other legal remedies which the judgment creditor may have may so order fixing the amounts and times of payment of the installments.

(c) In the event that it is made to appear to the court that the judgment debtor has failed to pay any installment as permitted by the order of the court, then the court shall give notice of such default to the department and the department shall forthwith suspend the license and registration certificates and registration plates of the judgment debtor until said judgment is satisfied as provided in this act"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1165—An act to amend an act entitled "An act providing an additional and/or alternative method for financing the acquirement, construction, development, improvement, reconstruction, extension and repair of water works systems by any political subdivision or public agency of the State authorized by law to own and operate such water works systems by the issuance and sale to the United States Government or any agency of said Government of revenue bonds payable solely out of the revenue derived or to be derived therefrom; providing for the operation of such systems in case of deficiencies in revenues, providing for a statutory lien on works acquired, constructed, improved, reconstructed, extended or repaired under the provisions of this act; providing for the use of the power of eminent domain by political subdivisions or public agency proceeding under this act; defining the terms political subdivisions and public agencies as included herein, and providing a time for the expiration of said act," approved May 27, 1933, by amending sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 14 thereof; adding a new section thereto to be numbered section 14½, and repealing section 16 thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following: "An act providing an additional and/or alternative method for financing the acquirement, construction, development, improvement, reconstruction, extension and repair of public utilities by any political subdivision or public agency of the State authorized by law to own and operate such public utilities systems by the issuance and sale of revenue bonds payable solely out of the revenue derived or to be derived therefrom; providing for the operation of such systems in case of deficiencies in revenues, providing for a statutory lien on works acquired, constructed, improved, reconstructed, extended or repaired under the provisions of this act; providing for the use of the power of eminent domain by political subdivisions or public agency proceeding under this act; defining the terms political subdivisions and public agencies as included herein," approved May 27, 1933, by amending sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 14 thereof; adding a new section thereto to be numbered section 14½, and repealing section 16 thereof."

Amendment No. 2.

On page 2, line 40, of the printed bill, after the "," following the word "county", add the following: "or the governing board or body of any department or agency of any such city or city and county having charge and control of the operation of any such public utility."

Amendment No. 3.

On page 2, line 48, of the printed bill, after the word "determine", strike out the remainder of the line, and in line 49, the words "struct a waterworks system", and

insert in lieu thereof the words: "that the public interest or necessity demands that such political subdivision or public agency acquire, construct, complete, extend or repair".

Amendment No. 4.

On page 3, line 20, of the printed bill, strike out the words "which pledge", and insert in lieu thereof the word "and".

Amendment No. 5.

On page 3, line 20, of the printed bill, strike out the word "definitely".

Amendment No. 6.

On page 3, line 20, of the printed bill, following the word "the", add the word "estimated".

Amendment No. 7.

On page 3, line 21, of the printed bill, strike out the words "which shall be".

Amendment No. 8.

On page 4, line 37, of the printed bill, strike out all of said line, and also lines 38, 39, 40, 41, 42, 43, and in line 44, the words "State agency", and insert in lieu thereof the following: "Said bonds may be sold at private sale to the United States of America or any agency, instrumentality or corporation thereof either in one block, or from time to time as funds are needed for the acquisition or construction of such public utility. Unless sold to the United States of America or any agency, instrumentality or corporation thereof, said bonds shall be sold at public sale after notice of such sale shall have been published once at least five days prior to such sale in a newspaper circulated in such political subdivision or public agency and in a financial newspaper published in the city of New York, or the city of Chicago, Illinois, or the City and County of San Francisco, or the city of Los Angeles, California. Pending the preparation of the definitive bonds, interim receipts or certificates in such form and with such provisions as the governing body may determine may be issued to the purchaser or purchasers of bonds sold pursuant to this act. In conducting negotiations for a loan".

Amendment No. 9.

On page 4, line 48, of the printed bill, strike out the words "by the", also line 49, and in line 50, the words "California or agency thereof".

Amendment No. 10.

On page 5, lines 14 and 15, of the printed bill, strike out the words "treasurer and".

Amendment No. 11.

On page 5, line 15, of the printed bill, following the word "secretary", add the words "or clerk".

Amendment No. 12.

On page 5, line 40, of the printed bill, strike out the word "the", preceding the word "constitutional", and insert in lieu thereof the word "any".

Amendment No. 13.

On page 5, line 47, of the printed bill, strike out the word "prove", and insert in lieu thereof the word "provide".

Amendment No. 14.

On page 5, line 47, of the printed bill, strike out the words "of the indebtedness represented thereby".

Amendment No. 15.

On page 5, line 48, of the printed bill, strike out the words "whole thereof", and insert in lieu thereof the words "indebtedness represented thereby".

Amendment No. 16.

On page 5, line 48, of the printed bill, strike out the words "at a time and place", and insert in lieu thereof the words "each year at times and places".

Amendment No. 17.

On page 6, line 9, of the printed bill, following the period after the word "issuance", strike out the remainder of the line; also lines 10 and 11, and insert in lieu thereof the following: "It shall be a condition and a matter of contract, that any bonds issued hereunder and the interest".

Amendment No. 18.

On page 6 of the printed bill, strike out lines 17 and 18, and in line 19 the following words "of the district political subdivision", and insert in lieu thereof the following: "public utility acquired or constructed or completed or extended or repaired from the proceeds of said bonds, and in no event shall any real or personal property, other than the operating property or physical works of the public utility,

acquired, constructed, completed, extended or repaired from the proceeds of the sale of said bonds".

Amendment No. 19.

On page 6, line 30, of the printed bill, after the word "utility", insert "or portion thereof".

Amendment No. 20.

On page 6, line 35, of the printed bill, after the word "utility", add the words "or portion thereof".

Amendment No. 21.

On page 7, line 37, of the printed bill, after the word "Procedure", add the following: "or the Constitution".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1236—An act to amend an act entitled "An act to authorize municipal corporations to issue bonds, for the purpose of investing the proceeds arising from the sale thereof, in other bonds issued for public improvements," approved April 26, 1909, by amending sections 1 and 3 thereof, relating to bonds to be purchased and the use of the funds.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 5 of the title of the printed bill, following the word "amending", insert the words "the title and" and in the same line, following the figure "1", insert the following: ", 2", and in line 6 of said title following the word "funds", insert the following: ", and declaring the urgency of this act".

Amendment No. 2.

On page 1, line 1, of the printed bill, following "SECTION 1.", insert the following "The title of the act designated in the title hereof is hereby amended to read as follows:

An act to authorize municipal corporations to issue bonds for the purpose of investing the proceeds arising from the sale thereof in other bonds issued for public improvements and the investment in such bonds for the purpose of facilitating public improvements or limiting the pyramiding of special district taxes and assessments.

SEC. 2."

Amendment No. 3.

On page 1, line 12, of the printed bill, following the period, insert the following: "It is the intent of this act that investments of such fund shall be for the purpose of aiding and facilitating the making of needed public improvements in the municipality or for the purpose of limiting or preventing such pyramiding of district taxes or assessments as might lessen or impair the general tax revenues of the municipality from any district or districts.

SEC. 3. Section 2 of said act is hereby amended to read as follows:

Sec. 2. The bonds authorized to be issued under the provisions of this act shall be issued in the manner provided for in an act entitled "An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements, and regulating the acquisition, construction and completion thereof," in effect February 25, 1901, and amendments thereto; provided that the ordinance calling the election therein provided for need not contain any statement as to the estimated cost of the proposed public improvement. Such bonds, when issued, shall be redeemed and paid as provided in said act.

SEC. 4. Section 3 of said act is hereby amended to read as follows:

Sec. 3. It shall be the duty of the legislative branch of every town, city or municipal corporation availing itself of this act to keep the funds arising from the sale of bonds issued under this act separate and distinct from all municipal funds and to invest and reinvest the same in bonds issued by said municipality, or bonds issued for street, sewer, drainage or any other improvements within said municipality, and to collect the principal of and interest on said bonds and credit the same to said fund. Said municipality may sell, at the discretion of its legislative body, any of said bonds purchased by it; provided that said bonds shall not be sold at a price less than the price paid therefor. The purchase price of any bonds so sold together with the accrued interest thereon shall be placed in said general improvement fund and may be reinvested in bonds as aforesaid. During the time the

municipality owns any district bonds payable from taxes or assessments levied wholly or partially in accordance with the assessed value of the land within the district the legislative body may, in its discretion, which may be exercised each year, omit from the amount of the annual tax or assessment to be levied for the payment of principal and interest of such bonds any sum for the payment of principal and interest past due and unpaid because of delinquencies, and may limit or omit any sum for anticipated delinquencies. The tax or assessment shall be levied in accordance with the statute under which the bonds purchased were issued, but the total amount of any annual levy may be limited as provided herein."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 668—An act to provide for the refunding of the bonded indebtedness of special improvement districts, the bonds of which are payable from special assessments levied wholly or partly in accordance with the assessed value of lands and for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts and the cancellation of unpaid taxes and assessments of such districts, and for the levy of assessments and reassessments to pay such refunding bonds and to enforce the liens of such assessments and reassessments, and to provide for contributions of public funds to assist in such refunding or the payment of refunding bonds, and for proceedings to test the validity of such refunding and assessment or reassessment proceedings and the use of the bankrupt laws of the United States of America in any refunding.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 14, of the printed bill, following the word "negotiate", insert the words "and contract".

Amendment No. 2.

On page 2, line 14, of the printed bill, following the word "total", insert the word "maximum".

On the same page, line 28, following the word "the", insert the word "principal"; and in the same line, strike out the word "principal", and insert in lieu thereof the words "the bonds to be refunded"; in the same line, following the word "and", insert the words "the amount of"; and in the same line, following the word "interest", insert the words "due and".

On the same page, following line 34, insert the words "however, that".

On the same page, line 35, of the printed bill, strike out the word "amount", and insert in lieu thereof the words "total sum"; also in the same line, strike out the words "to be"; also, following line 35, insert the following: "plus any public contributions made to assist in such refunding".

On the same page, line 36, following the word "principal", insert the words "of the bonds to be refunded"; in the same line, strike out the word "actually", and insert in lieu thereof the words "as stated in said resolution"

On the same page, strike out lines 37 to 41, both inclusive.

On the same page, line 42, strike out the words "notice of such refunding", and insert in lieu thereof the word "resolution".

Also, in line 43, strike out the words and figures "six (6)", and insert in lieu thereof the words and figures "two (2)".

On the same page, line 50, strike out the word "notice", and insert in lieu thereof the words "resolution headed 'Notice of Refunding and Reassessment' ".

Amendment No. 3.

On page 3, line 5, of the printed bill, strike out the word "The".

Also, strike out all of line 6, and all of line 7 down to and including the period.

On the same page, line 8, strike out the word "notice", and insert in lieu thereof the word "resolution".

On the same page, line 16, following the word "clerk", strike out the word "and", and insert in lieu thereof the following: ". No error, failure or mistake in the mailing of such notices or any of them and no failure of any owner or person

interested in any land within the district to receive such mailed notice shall in any way affect the validity of the proceedings hereunder and the clerk's affidavit of mailing shall be conclusive evidence that all notices have been mailed as required by this act."

On the same page, strike out all of line 17, and that part of line 18 down to and including the period.

On the same page, strike out all of line 20 following the period, and also all of lines 21 to 52, both inclusive.

Amendment No. 4.

On page 4 of the printed bill, strike out lines 1 to 49, both inclusive, and in line 50, strike out the following words "the clerk.", and insert in lieu thereof the following: "after such resolution has been adopted or at any time prior thereto any owner of land within the district and subject to assessment for payment of the principal and interest of the outstanding bonds may file his consent in writing to the refunding and reassessment upon substantially the terms stated in said resolution."

Amendment No. 5.

On page 5, line 12, of the printed bill, following the word "value", insert the following: "(as said value is shown on the last equalized assessment roll upon which the ad valorem assessments would be based)".

On the same page, line 18, following the period, insert the following: "After such determination has been made the legislative body may by resolution entered upon the minutes order the refunding and reassessment as proposed in the resolution of intention. The date of the first publication of the resolution of intention, the date of the posting of the copies of such resolution and of mailing of copies of such resolution, shall be at least fifteen (15) days prior to the adoption of the resolution ordering the refunding and reassessment."

On the same page, line 45, strike out the word "consent", and insert in lieu thereof the word "permission".

Also, on the same page, line 48, strike out the word "consent", and insert in lieu thereof the word "permission".

Amendment No. 6.

On page 6, line 34, of the printed bill, following the word "amounts", insert the following: "(including such interest and penalties as go into such fund)".

Amendment No. 7.

On page 7, line 10, of the printed bill, following the word "sum", insert the following: "(including interest and penalties, if any)".

On the same page, line 11, strike out the words "a tax or", and insert in lieu thereof the word "an".

Also, on the same page, line 15, strike out the words "a tax or", and insert in lieu thereof the word "an".

Also, on the same page, line 22, following the word "assessments", insert the following: "(including any penalties and interest)", and in the same line following the word "paid", insert the following: "into the interest and sinking fund".

On the same page, line 38, following the word "land", insert the word "assessed".

Amendment No. 8.

On page 8, line 13, strike out the following: ", is described in general terms as follows:", and insert in lieu thereof the following: "was made pursuant to_____(ordinance or resolution) of intention No. _____(if numbered) adopted_____, 19___, and reference is hereby made to such_____(ordinance or resolution) of intention for a description of the_____(acquisition or improvement or acquisition and improvement)".

On the same page, strike out lines 14 to 17, both inclusive.

On the same page, line 52, following the word "the", insert the word "following".

Amendment No. 9.

On page 9, line 1, of the printed bill, strike out all of the language in said line, following the word "rates)", and insert in lieu thereof a period; also, on page 9, strike out all of lines 2, 3 and 4.

On the same page, line 43, following the word "whatsoever", insert the words "not theretofore waived".

Amendment No. 10.

On page 11 of the printed bill, following line 17, insert the following: "in the refunding and".

On the same page, line 49, strike out the words "for ten days", and insert in lieu thereof the word "twice".

Also, on page 12, line 1, of the printed bill, strike out the word "three", and insert in lieu thereof the word "two"; and on page 12, line 12, following the word "rate", insert the words "or rates".

Also, on page 13, line 29, strike out the word "sixty", and insert in lieu thereof the word "ninety"; and on page 13 of the printed bill, strike out lines 44 to 51, inclusive, and strike out the word "said" in line 43.

Amendment No. 11.

On page 14 of the printed bill, strike out lines 1 to 33, inclusive, and in line 34, strike out the words "thereupon the", and insert in lieu thereof the following: "The legislative body shall issue refunding bonds in the total principal sum of the assessments unpaid as shown on said list and shall pass a resolution determining the amount of such unpaid assessments. The".

On the same page, strike out all of lines 38 to 52, inclusive, and strike out all of line 37 following the period.

Amendment No. 12.

On page 15, line 13, of the printed bill, strike out the article "a", and insert in lieu thereof the word "such"; and in the same line 13, strike out the words "at differ-", and on the same page, line 14, strike out the letters "ent" which precede the word "rates", and in line 14, following the word "rates", strike out the words "if so ordered,", and insert in lieu thereof the following: "as may be determined by the legislative body, but".

Also in the same line 14, following the word "annum", insert a comma

On the same page 15, line 20, following the word "which", strike out the word "has".

Also, on the same page, line 26, strike out the words "and from", and insert in lieu thereof the following: ". From".

Amendment No. 13.

On page 16, line 1, of the printed bill, following the figures "19___", insert the following: "to the _____ day of _____, 19___", and in the same line, following the word "annum," insert the following: "and thereafter at the rate of _____ per cent per annum".

On the same page, line 18, following the word "maturity", insert the words ", or within ten days thereafter,".

Also, on the same page, line 21, following the word "maturity", insert the words ", or within ten days thereafter,".

Also, on the same page, line 32, following the word "by", insert the word "the".

Amendment No. 14.

On page 17, line 3, following the word "proceedings", insert the following. ", and the seal of the city or of the board of supervisors of the county shall be affixed thereto".

On the same page, line 7, strike out the word "semiannual", and insert in lieu thereof the word "interest"; and in the same line, following the comma, insert the words "payable semiannually on January 2d and July 2d".

On the same page, line 8, strike out the words "of which", and insert in lieu thereof the word "coupon".

Also, on the same page, line 9, strike out all of the language in said line following the word "next", and strike out all of line 10 down to and including the words "coming due and", and insert in lieu of said language so stricken, the following: "succeeding the first four months after the date of the bonds and".

Also, on the same page, line 13, following the word "rate", insert the words "or rates".

On the same page, line 27, following the word "moneys", insert the following: "in the interest and sinking fund at the time the refunding assessment is levied and all moneys".

Also, on the same page, line 44, following the word "cellation", insert the following: ", and such acts may include, but shall not be limited to, the purchase of all or any part of the bonds of nonconsenting holders with funds appropriated by the legislative body or furnished by any person, corporation, political subdivision or municipal corporation, and the deposit of moneys in the interest and sinking fund for the payment of principal and interest of bonds of nonconsenting holders and the issuance of refunding bonds to the person, corporation, political subdivision or municipal corporation providing such fund or moneys"

Also, on page 17, line 44, following the word "bonds," insert the words "said legislative body".

Amendment No. 15.

On page 18, line 19, of the printed bill, following the words "principal of", insert the words "the refunding".

On the same page, line 24, strike out all of the language following the word "some", and insert in lieu thereof the following. "financial journal of National circulation at least thirty days prior to the date proposals are to be opened, and at least fifteen days prior to the date fixed for the opening of proposals the Treasurer shall mail a copy of such notice to any bondholder who has in writing requested to be notified of proposals to purchase such bonds"

On the same page, line 25, strike out the period, and all words preceding said period.

On the same page, line 29, strike out the words "by the treasurer".

Also, in the same line, following the word "The", strike out the word "treasurer", and insert in lieu thereof the words "legislative body"

On the same page, line 32, strike the word "treasurer", and insert in lieu thereof the words "legislative body".

On the same page, line 34, strike out the word "treasurer", and insert in lieu thereof the words "legislative body".

On the same page, line 36, strike out the language following the period, and insert in lieu thereof the following: "If no bonds are offered for sale at a price less than the par value thereof, or if the bonds offered at a price of less than the par value are insufficient to exhaust the sum available for the purchase of bonds"

On the same page, line 37, strike out the word "he"

On the same page, line 38, strike out the words "or by lot", and in the same line strike out the words "two publications", and insert in lieu thereof the words "one publication".

On the same page, strike out all of the language in line 39, and insert in lieu thereof the following: "financial journal of National circulation".

On the same page, line 40, strike out the following: "county of which he is treasurer".

On the same page, line 41, following the period, insert the following: "Said publication shall be at least thirty days prior to the date of the next succeeding interest payment on the bonds, and said publication need not be made if the holders of the bonds to be called in writing waive publication of such notice."

On the same page, line 45, strike out the words "and if such", and insert in lieu thereof the words "on any", and in the same line, following the word "bond", insert the following: "so called, and if such bond".

On the same page, line 49, following the word "cancelled", insert the words "by the treasurer".

Amendment No. 16.

On page 19, line 1, of the printed bill, strike out the words "and determined by", and insert in lieu thereof the words "with the clerk of"

Also, on the same page, line 11, following the word "of", insert the word "refunding"

On the same page, line 22, strike out the word "such", and in the same line following the word "recordation", insert the following: "of the assessment as provided in section 12 thereof".

Amendment No. 17.

On page 20, line 31, of the printed bill, strike out the line, and insert in lieu thereof the figures "24"

Also, on the same page, line 37, following the word "rate", insert the words "or rates".

Amendment No. 18.

On page 21, line 4, of the printed bill, strike out the word "order", and insert in lieu thereof the word "resolution".

Also, on the same page, line 6, following the word "which", insert the words "the refunding".

Amendment No. 19.

On page 22, line 2, of the printed bill, following the word "of", insert the words "purchase or call for".

On the same page, line 48, strike out the following: "or county, as the case may be,".

On the same page, line 50, strike out the following: "or county, as the case may be,".

Amendment No. 20.

On page 23, line 28, of the printed bill, strike out the figure "3", and insert in lieu thereof the figure "4".

Also, on the same page, following line 40, insert the following: "In the event that the district lies partly in unincorporated territory of the county and partly within one or more municipalities or lies within two or more municipalities, a certified copy of the resolution determining the amounts of the assessments remaining unpaid upon the security of which the refunding bonds are issued shall be filed in the office of the auditor of the county in which the assessment district lies, and no copy thereof shall be filed in the office of the city auditor, and for any such proceeding in which the lands assessed lie in more than one jurisdiction the auditor of the county in which the assessment district lies shall perform the duties imposed upon an auditor under this act and the tax collector of such county shall perform the duties imposed upon a tax collector under this act In case the lands assessed lie in more than one jurisdiction, in the event of the delinquency in the payment of any assessment levied hereunder and a sale to the State therefor, the county shall be deemed the real purchaser of all parcels sold which lie within unincorporated territory of the county and the city shall be deemed the real purchaser of all parcels sold

which lie within the boundaries of the city, and each such city or county must make payment for the lands of which it is deemed the real purchaser, and if there are no available funds in the treasury with which to make such payment the legislative body of such city or county must, at the time of fixing the annual tax rate and levying the taxes to be collected for general municipal or county purposes, as the case may be, levy a special tax upon the taxable property in such city or county, as the case may be, for the purpose of paying for the lands purchased or to be purchased at such tax sales, but not to exceed for each district the bonds of which are refunded ten cents on each one hundred dollars of assessable value in such city or county, as the case may be. Such special tax shall be in addition to all other taxes levied for municipal or county purposes and shall be computed, entered and collected in the same manner and by the same persons and at the same time and with the same penalties and interest as are other taxes of the city or county, as the case may be.

As to all lands of which any city or county is deemed the real purchaser under the provisions of this section, such city or county and all of the officials thereof shall have all of the rights, powers, duties and obligations granted, authorized or imposed by this act."

Amendment No. 21.

On page 24, line 36, of the printed bill, strike out the word "conducted", and insert in lieu thereof the word "adjourned".

Amendment No. 22.

On page 26, line 29, of the printed bill, following the word "Such", insert the words "refunding shall be had and the".

Also, on page 26, line 30, strike out the word "foregoing", and on page 26, line 31, strike out the word "except".

Also, on page 26, line 47, following the word "assessments", insert the following: ", including interest and penalties,".

Amendment No. 23.

On page 27, line 6, of the printed bill, following the word "assessments", insert the following: ", including interest and penalties, if any,".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 667—An act to provide for the refunding of bonds issued under an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition or construction of such improvements," approved April 20, 1915, and bonds issued under the Municipal Improvement District Act of 1927, and providing procedure therefor.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 19, of the printed bill, following the word "bonds", insert the following: ", the proposed maturities of such bonds, (which shall not exceed forty years from the date of issuance of such bonds)".

Amendment No. 2.

On page 2 of the printed bill, strike out all of lines 3 and 4, and insert in lieu thereof the following "an act entitled 'An act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof' which became a law February 25, 1901, except as otherwise expressly provided in this act. If two-thirds of the qualified electors in such district voting at such election vote in favor of the refunding bonds, the legislative body shall be authorized and empowered to issue refunding bonds of such district payable out of the funds of such district to be provided as in this act prescribed"

Amendment No. 3.

On page 2, line 12, of the printed bill, following the figure "4", strike out all of said line 12, and strike out all of lines 13 to 17, both inclusive, and in lieu thereof

insert the following: "In the event the bonds to be refunded are issued under said act approved in 1915, the legislative body of such city shall, at the time of fixing the general tax levy and in the manner for such general tax levy provided, levy and collect a tax each year upon the taxable property in such district sufficient to pay the interest on such refunding bonds for that year and such portion of the principal thereof as is to become due before the time for making the next general tax levy; provided, however, that if the maturity of the indebtedness created by the issue of such refunding bonds be made to begin more than one year after the date of such issue, such tax shall be levied and collected, at the time and in the manner aforesaid, each year sufficient to pay the interest on such indebtedness as it falls due, and also to constitute a sinking fund for the payment of the principal thereof on or before maturity. Such tax shall be in addition to all other taxes levied for municipal purposes and when collected shall be paid into the treasury of such city and be used for the payment of the principal and interest of such refunding bonds and for no other purpose. The principal and interest of such refunding bonds shall be paid by the treasurer of such city in the manner provided by law for the payment of principal and interest of bonds of such city. In the event that the bonds refunded were issued under the Municipal Improvement District Act of 1927 the tax shall be levied and collected as hereinbefore provided but shall be levied only upon the taxable land in such district.

SEC. 5. This act shall in nowise affect any other acts or acts now existing or which may hereafter be passed covering the same subject matter or applied to any proceedings thereunder, but is intended to and does provide an alternative system for the refunding of bonds, and, when in the discretion of any legislative body proceedings are commenced under this act the provisions of this act only shall apply thereto.

It is the intent of this act to provide relief for taxing and assessment districts by permitting the refunding of bonds thereof and, through an extension of the maturities of such bonds, to decrease the annual tax or assessment burden

This act and all of its provisions shall be liberally construed to the end that the purposes hereof may be made effective. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this act. The Legislature hereby declares that it would have passed this act irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases thereof be declared unconstitutional."

Amendments adopted

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 426—An act to amend sections 1030, 1038, and 1043 of the Agricultural Code, relating to fertilizing materials

Bill read second time, and ordered on file for third reading.

Unfinished Business.

Consideration of Senate Amendments to Assembly Bill No. 913.

Assembly Bill No. 913—An act to amend section 662 of the Political Code, relating to the payment of fees to private persons, firms or corporations.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 913?

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, strike out "Contracts for Recovery of Money or Property."

Amendment No. 2.

On page 1, line 13, of the printed bill, as amended, strike out "Payment for Recovery."

Amendment No. 3.

On page 1, line 23, of the printed bill, as amended, strike out "said", and insert in lieu thereof the following: "any".

Amendment No. 4.

On page 2, line 13, of the printed bill, as amended, strike out "thus be avoided", and insert in lieu thereof the following: "be avoided if this act goes into immediate effect."

The roll was called, and Senate amendments to Assembly Bill No. 913 were concurred in by the following vote.

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—62.
NOES—None.

Assembly Bill No. 913 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 334.

Assembly Bill No. 334—An act to amend sections 1068, 1085, 1103, 1108, 1162, 1269a, 1272a, 1274a, 1280, 1822a and 1822bb of the Code of Civil Procedure, relating to special proceedings.

The question being put: Shall the Assembly concur in the following Senate Amendments to Assembly Bill No. 334?

Amendment No. 1.

On page 2, line 9, of the printed bill, strike out "section 1161", and insert in lieu thereof the following: "sections 1161 and 1161a".

Amendment No. 2.

On page 3, line 44, of the printed bill, after "tration" insert the word "pursuant".

Amendment No. 3.

On page 3 line 47, of the printed bill, strike out "act", and insert in lieu thereof the following: "title".

The roll was called, and Senate amendments to Assembly Bill No. 334 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—59.
NOES—None.

Assembly Bill No. 334 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 335.

Assembly Bill No. 335—An act to amend sections 105, 112 and 165 of the Code of Civil Procedure, relating to courts of justice.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 335?

Amendment No. 1.

On page 1, line 16, of the printed bill, after "justice", insert "or judge"

The roll was called, and Senate amendment to Assembly Bill No. 335 was concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Ralph W., Field, Flint, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelle-

tier, Phillips, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Voigt, Walker, Waters, Welsh, Williamson, and Mr. Speaker—60
NOES—None.

Assembly Bill No. 335 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 425.

Assembly Bill No. 425—An act to amend "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, by amending sections 10 and 15b thereof and adding a new section thereto to be numbered 15e, relating to the publication of ordinances and the issuance of refunding bonds

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 425?

Amendment No. 1.

On page 1, line 9 of the title of the printed bill, strike out the following. "the issuance of revenue bonds and".

The roll was called, and Senate amendment to Assembly Bill No. 425 was concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—65.
NOES—None.

Assembly Bill No. 425 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 1700.

Assembly Bill No. 1700—An act to amend section 663 of the Political Code, relating to the State Board of Control.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1700?

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out ", relating to the", and all of lines 3 and 4 of said title, and insert in lieu thereof the following: "to abolish the Division of Service and Supply in the Department of Finance and to provide for the membership of the State Board of Control as a result thereof."

The roll was called, and Senate amendment to Assembly Bill No. 1700 was concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Redwine, Riley, Scudder, Stream, Thorp, Turner, Utt, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—59.
NOES—None.

Assembly Bill No. 1700 ordered to enrollment.

Special Order.

The hour of eleven o'clock and thirty minutes a.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 833.

Assembly Bill No. 833—An act to create and establish a State system of regional colleges, providing for their formation, government, curricula and control.

Bill read third time.

Further action deferred until after recess

Recess.

At twelve o'clock m. on motion of Mr. Lyon, the Assembly was declared at recess until two o'clock p.m.. of this day.

Reassembled.

At two o'clock p.m , the Assembly reconvened.

Speaker Craig in the chair.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 8, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 681—An act confirming and validating the consolidation of irrigation districts, and declaring the urgency thereof, the act to take effect immediately.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 8, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 319—An act to amend sections 1026 and 1026a of the Penal Code, relating to procedure in the trial and release of the criminally insane;

Also: Senate Bill No. 320—An act to amend section 11 of and to add a new section to be numbered section 12 to an act entitled "An act to define the boundary, provide for the care, strengthening and repairing of levees, and the payment of the indebtedness of Levee District Number One of Sutter County," approved March 20, 1874, relating to the compensation and powers of officers of said district;

Also. Senate Bill No. 814—An act to amend section 5.190 of the School Code, relating to health and development certificates;

Also: Senate Bill No. 1058—An act to confirm, legalize, ratify, and validate the position of certain elected officers of counties.

J. A. BEEK. Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No 319 read first time, and referred to Committee on Judiciary.

Senate Bill No. 320 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Senate Bill No. 814 read first time, and referred to Committee on Medical and Dental Laws.

Senate Bill No. 1058 read first time, and referred to Committee on County Government.

Also:

SENATE CHAMBER, SACRAMENTO, April 8, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 174—An act to amend section 730 of the Fish and Game Code, relating to fish;

Also: Senate Bill No. 654—An act to add a new article to Chapter I of Part III of Division IV of the School Code to be known as Article III, relating to school district elections for the expenditure of school district funds;

Also: Senate Bill No. 299—An act to amend sections 4, 9, 10 and 14 of the act entitled "An act to provide for the incorporation and organization and management of municipal water districts and to provide for the acquisition and construction by said districts of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved May 1, 1911, relating to municipal water districts and the officers thereof and further defining the powers and duties of each thereof;

Also. Senate Bill No. 878—An act to regulate grubstake contracts and prospecting agreements and to provide for the recording of the same.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 174 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 654 read first time, and referred to Committee on Education.

Senate Bill No. 299 read first time. and referred to Committee on Municipal Corporations.

Senate Bill No. 878 read first time, and referred to Committee on Mines and Mining.

Further Consideration of Assembly Bill No. 833.

Assembly Bill No. 833 read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Latham:

Amendment No. 1.

On page 2 of the printed bill, between lines 30 and 31, insert the following:

"SEC. 10. Each of the junior colleges now existing or hereafter established in this State is hereby constituted a State college to be designated by the name of the city in or nearest which its principal buildings are situate. Each such college shall include a college of letters and science, vocational courses and such other educational functions as may be assigned to it by the Director of Education with the approval of the State Board of Education."

Amendment No. 2.

On page 2, line 31. of the printed bill, strike out "10", and insert in lieu thereof the following: "11".

Amendment No. 3.

On page 2, line 36, of the printed bill, strike out "11", and insert in lieu thereof the following· "12".

Amendment No. 4.

On page 2, line 38. of the printed bill, strike out "12", and insert in lieu thereof the following. "13".

Amendment No. 5.

On page 2, line 43, of the printed bill, strike out "13", and insert in lieu thereof the following· "14".

Amendment No. 6.

On page 2 of the printed bill, after line 48, add the following·

"SEC. 14. Each State college constituted or created by the provisions of this act shall be supported, maintained and financed in the same manner in all respects as a junior college is supported, maintained and financed and all property within a radius of fifty miles of the principal buildings of the college shall be subject to taxation therefor in the same manner in every respect as now provided for taxation of property in respect to the support, maintenance or financing of a junior college."

Request to Consider Amendments Separately.

Mr. Latham requested that the amendments be considered and voted upon separately.

Request granted.

Consideration of Amendments Nos. 1, 2, 3, 4 and 5.

Amendment No. 1.

On page 2 of the printed bill, between lines 30 and 31, insert the following:

"SEC. 10. Each of the junior colleges now existing or hereafter established in this State is hereby constituted a State college to be designated by the name of the city in or nearest which its principal buildings are situate. Each such college shall include a college of letters and science, vocational courses and such other educational functions as may be assigned to it by the Director of Education with the approval of the State Board of Education."

Amendment No. 2.

On page 2, line 31, of the printed bill, strike out "10", and insert in lieu thereof the following: "11".

Amendment No. 3.

On page 2, line 36, of the printed bill, strike out "11", and insert in lieu thereof the following. "12".

Amendment No. 4.

On page 2, line 38, of the printed bill, strike out "12", and insert in lieu thereof the following: "13".

Amendment No. 5.

On page 2, line 43, of the printed bill, strike out "13", and insert in lieu thereof the following: "14".

Request for Roll Call.

On request of Messrs. Stream, Boyle, and Heisinger, the Speaker ordered a roll call taken on Amendments Nos. 1, 2, 3, 4 and 5, submitted by Mr. Latham.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Latham, Scudder, and Wagner—3.

NOES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—66.

Assembly Bill No. 833 read third time.

Consideration of Amendment No. 6.

During third reading of the bill, the following amendment was submitted by Mr. Latham.

Amendment No. 6.

On page 2 of the printed bill, after line 48, add the following:

"SEC 14. *Each State college constituted or created by the provisions of this* act shall be supported, maintained and financed in the same manner in all respects as a junior college is supported, maintained and financed and all property within a radius of fifty miles of the principal buildings of the college shall be subject to taxation therefor in the same manner in every respect as now provided for taxation of property in respect to the support, maintenance or financing of a junior college."

Request for Roll Call.

On request of Messrs. Robertson, Neilsen, and Anderson, the Speaker ordered a roll call taken on Amendment No. 6, submitted by Mr. Latham

The roll was called, and the amendment refused adoption by the following vote:

AYES—Breed, Field, Glover, Johnson, Jones, Latham, Redwine, Scudder, and Wagner—9

NOES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson,

Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—59.

Bill read third time.

The question being on the passage of the bill

Demand for Previous Question.

Messrs. Brennan, Voigt, Pelletier, Utt, and Donnelly demanded the previous question.

The question being put. Shall the main question be now put?

Request for Roll Call.

On request of Messrs. Hornblower, Dawson, and Minard, the Speaker ordered a roll call taken on the demand for previous question.

The roll was called, and the demand for previous question lost by the following vote:

AYES—Anderson, DeLap, Desmond, Donahue, Evans, Herbert J., Evans, Ralph W., Field, Flint, Heisinger, Lore, Lyon, McCarthy, Miller, Morgan, Nielsen, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Weber, and Welsh—31.

NOES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, Donnelly, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Maloney, Martin, Mayo, McMurray, Meehan, Minard, O'Donnell, Peterson, Rosenthal, Scudder, Stream, Turner, Waters, Williamson, Wright, and Mr Speaker—42.

Point of Order.

Mr. Chatters arose to the following point of order: Stating that the special order set had precedence over all other matter.

Ruling by the Speaker.

The Speaker ruled the point of order well taken.

Motion to Defer Special Order.

Mr. Jones moved that the consideration of the special order be deferred until the disposition of Assembly Bill No. 833.

Motion carried.

Third Reading of Assembly Bill No. 833.

Assembly Bill No. 833 read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 833 was refused passage by the following vote:

AYES—Anderson, Burns, Chatters, Desmond, Donahue, Evans, Ralph W., Flint, Garibaldi, Geyer, Gilbert, Glover, Heisinger, Jones, Laughlin, Lore, McCarthy, Minard, Nielsen, Patterson, Pelletier, Phillips, Reaves, Richie, Rosenthal, Stream, Turner, Voigt, Wagner, Wallace, and Weber—30

NOES—Andreas, Boyle, Breed, Brennan, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donnelly, Field, Fisher, Fulcher, Gilmore, Hawkins, Hornblower, Hunt, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Morgan, O'Donnell, Peterson, Peyser, Redwine, Riley, Thorp, Utt, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—46

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1935

MR. SPEAKER: Your committee on Municipal Corporations, to which was referred Assembly Bill No. 663—An act to amend an act entitled "An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce

the liens of such assessments, reassessments to provide for the proceedings to test the validity of such refunding and reassessment, and to provide for contributions of public funds to assist in such refunding," approved June 5, 1933, by amending section 15 thereof relating to the issuance of refunding bonds, and declaring the urgency of said act—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your committee on Municipal Corporations, to which was referred Assembly Bill No. 665—An act to amend an act entitled "An act authorizing the common council, board of trustees, or other governing body of any incorporated city or town other than cities of the first class to refund its indebtedness, to issue bonds therefore, and to provide for the payment of the same," approved March 9, 1897, by amending section 1 thereof relating to refunding bonds and to the use of Federal courts in municipal bankruptcy or refunding proceedings—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1935.

MR SPEAKER. Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it The title of said bill is as follows:

An act to establish a State Board of Industrial Relations, to provide for the selection of members thereof and setting forth their powers and duties; to provide for the establishment of county industrial relations boards by the State Board of Industrial Relations, to provide for the selection of members of county industrial relations boards and to set forth their powers and duties.

CUNNINGHAM, Chairman.

Report of Committee on Introduction of Bills read.

Mr Cunningham moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—68

NOES—None.

Introduction and Reference of Bills.

The following bill was introduced, and referred as indicated:

By Mr. Patterson: Assembly Bill No. 2407—An act to establish a State Board of Industrial Relations, to provide for the selection of members thereof and setting forth their powers and duties; to provide for the establishment of county industrial relations boards by the State Board of Industrial Relations, to provide for the selection of members of county industrial relations boards and to set forth their powers and duties.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Third Reading of Assembly Bills.

Assembly Bill No. 341—An act to amend sections 21 1, 53, 54, 63, 64, 93, 105, 133, 133 1, 135d and 139 of the Bank Act.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Lyon:

Amendment No. 1.

On page 2, line 30, of the printed bill, strike out the word "seven", and insert in lieu thereof the word "ten".

Amendment adopted.

Bill read, ordered to reprint, re-re-re-engrossment, and third reading.

Assembly Bill No. 1270—A bill to add a new section to the act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, relating to the sale of personal property of such persons upon their death.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lyon:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "A bill to add a new section to the act entitled", and insert in lieu thereof the following: "An act to add section 9½ to".

Amendment No. 2.

On page 1 of the printed bill, strike out line 2, and in line 3, strike out "gents," approved June 5, 1933," and insert in lieu thereof the following: "cited in the title hereof,".

Amendment No. 3.

On page 1, line 7, of the printed bill, after "property of", insert the following: "a total of".

Amendment No. 4.

On page 1, line 13, of the printed bill, strike out the semicolon and "provided, however, that if", and insert a period and the following: "If".

Amendment No. 5.

On page 1, line 16, of the printed bill, strike out "or city and county".

Amendment No. 6.

On page 1, line 18, of the printed bill, strike out "or city and county".

Amendment No. 7.

On page 1, line 20, of the printed bill, strike out "or city and county", and after "of", insert the following. "the".

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 36—An act to amend sections 1261 and 1262 of the Agricultural Code, relating to produce dealers.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Desmond:

Amendment No. 1.

Strike out the entire title as it appears in the printed bill, and insert in lieu thereof the following:

"An act to amend the Agricultural Code by adding to Division VI thereof a new chapter to be numbered 8 and to include sections 1299 to 1300.6, inclusive, defining and pertaining to processors of farm products and the licensing thereof."

Amendment No. 2.

Strike out all of page 1 of the printed bill, and all of page 2, and insert in lieu thereof the following:

"SECTION 1. The Agricultural Code is hereby amended by adding to Division VI thereof a new chapter to be numbered 8 and to include sections 1299 to 1300.6, inclusive, and to read as follows:

Chapter 8. Processors of Farm Products.

1299. As used in this chapter:

(a) The term "person" includes any individual, firm, association, partnership or corporation.

(b) The term "producer" designates any person engaged in the business of growing or producing any farm product.

(c) The term "farm products" includes all agricultural, horticultural, viticultural and vegetable products of the soil, but shall not include timber and timber products, milk and milk products, hay, field grains, dried beans, and seeds.

(d) The term "processor" means any person who buys, or otherwise takes title to or possession of farm products from the producer thereof for the purpose of processing or manufacturing the same or selling, reselling or redelivering the same in dried, canned, extracted, fermented, distilled, or other preserved form, and shall include (1) any person or exchange conducting such business, and (2) any person or exchange buying farm products from the producer thereof and reselling them to any person or exchange conducting such business.

(e) The term "agent" designates any person who on behalf of any processor contracts for or solicits any farm product from a producer thereof, or who negotiates the purchase of any farm product on behalf of any processor.

(f) The term "director" designates the State Director of Agriculture.

1300. This chapter does not apply to or include:

(a) Any cooperative organization, operating under and by virtue of the laws of this State or of any other State or the District of Columbia or the United States or the agents of such organizations in the performance of their duties as such except as to that portion of the activities of such organization, or agent, as involves the handling or dealing in the farm products of nonmembers of such organization;

(b) Any person or exchange dealing in live stock and operating at a public live stock market and subject to and operating under a bond required by the United States to secure the performance of their obligations.

1300.1. No person shall act as a processor or agent without having obtained a license as provided in this chapter. Every person, acting as a processor, or intending to so act, shall file an application with the director for a license to so act, and such application shall be accompanied by a license fee of twenty-five dollars.

Every person acting as an agent, or intending to so act, shall file an application with the director for a license to so act, and such application shall be accompanied by a license fee of one dollar.

Such application shall in each case state:

(a) The full name of the applicant.

(b) If the applicant be a firm, exchange, association or corporation the full name of each member of the firm, or the names of the officers of the exchange, association or corporation;

(c) The principal business address of the applicant in the State of California; and

(d) The name or names of the person or persons authorized to receive and accept service of summons for the applicant.

Upon the filing of such application and the payment of such fee the director shall issue to such applicant a license entitling the applicant to conduct the business of processor or act as agent within the State of California for a year from the date thereof, or until the same shall have been revoked in the manner and upon the grounds hereinafter specified; provided, however, that the director may refuse to issue a license to any applicant who has, prior to the filing of the application herein provided for, been engaged in the business of processor, produce broker, dealer, or commission merchant, and who, during the conduct of such business has failed to comply with a valid and final order made and entered against such applicant by the director.

Fraud or misrepresentation in making any application shall ipso facto work a revocation or refusal of any license granted or to be granted thereunder. Previous violation by the applicant of any of the provisions of this chapter shall be good and sufficient ground for denial of a license.

1300.2. The director may publish in pamphlet form as often as he thinks necessary a list of all licensed processors, together with all necessary rules and regulations concerning the enforcement of this chapter. Each licensed processor shall post his license, or a copy thereof, in his office or salesroom in plain view of the public. Each agent shall show his license upon the request of any interested person. All license fees collected under the provisions of this act shall be paid into the State treasury monthly and shall be credited to the Department of Agriculture fund and expended in carrying out the provisions of this chapter.

1300.3. The director, upon the verified complaint of any interested party, shall investigate, examine, or inspect any transaction involving the failure of the processor to make payment for farm products within the time specified for such payment in the contract of sale and purchase between the producer and the processor, and in accordance with the terms of said contract; provided, however, that the director

shall have no jurisdiction to act upon any such complaint if the substance of such complaint is included in any dispute that has been submitted to, or settled by, arbitration in accordance with the provisions of a written contract or if such processor within ten (10) days after notice by the director of the filing of such verified complaint has submitted such dispute to arbitration in accordance with the terms of such written contract; provided however that the director shall have jurisdiction over any such complaint or dispute if the processor has failed to perform in accordance with any arbitration award made in accordance with the terms of such written contract. If the director has jurisdiction to entertain the complaint and is unable to effect a settlement satisfactory to him and to both parties to the controversy, he shall cause a copy of such complaint, together with a notice of the time and place of hearing of such complaint to be served personally or by mail upon the processor against whom the complaint is filed. Such service shall be made at least ten (10) days before the hearing, which hearing shall be held in the city or town which, in the judgment of the director, shall be most convenient to the producer and the processor. At the time and place appointed for such hearing the director, or his agent, shall hear the parties to such complaint and shall enter in the office of the director at Sacramento an order either dismissing such complaint or ordering the processor to make payment in accordance with the provisions of the contract, specifying the fact established on such hearing. A copy of such order shall be furnished to the respective parties to the controversy. At such hearing the director or his duly appointed agent shall have full authority to administer oaths, and take testimony; to issue subpenas requiring the attendance of witnesses before him, together with such books, memoranda, papers, and other documents, articles or instruments as may be pertinent to the controversy as set forth in the complaint, to compel the disclosure by such witnesses of all facts known to them relative to the controversy, and all parties disobeying the orders or subpenas of said director or his duly authorized agent shall be guilty of contempt and shall be certified to the superior court of the State for punishment for such contempt.

1300.4. The director may revoke, suspend, or refuse, any license, as the case may require, in the event any processor fails to make payment in accordance with the order of the director, or his duly authorized agent, entered in the office of the director at Sacramento in accordance with the provisions of this chapter, within five (5) days after notice of the entry of such order, unless within such period appropriate action shall have been taken by the processor to obtain a review of such order in accordance with the provisions of the following section 1300.5.

1300.5. Any party affected by any order of the director, or his duly authorized agent, entered in the office of the director at Sacramento in accordance with the provisions of this chapter, or any act of the director either referring to the granting of, or the refusal to grant, or to renew, any license, or either referring to the revocation or suspension of any license granted under the provisions of this chapter, within five (5) days after notice of the entry of any such order, or notice of the taking of any such action, may apply to the District Court of Appeal of the Third Appellate District of this State for a writ of certiorari or review for the purpose of having the lawfulness of such order or such action inquired into and determined. The provisions of the Code of Civil Procedure of this State referring to writs of certiorari or review shall, so far as applicable and not in conflict with this act, apply to the proceedings under the provisions of this section. Pending final determination of such review, in the case of the revocation or suspension of the license of any person licensed hereunder such license shall be deemed in full force and effect until the expiration of the license period, and in the case of the refusal to grant or renew any license such processor shall be entitled to conduct his business as if such license had been granted or renewed

1300.6. Any person is guilty of a misdemeanor and is punishable by a fine of not more than one thousand dollars ($1,000), or by imprisonment in the county jail for not more than one (1) year, or by both fine and imprisonment, who assumes or attempts to act as a processor or agent without a license, or who fails to comply in every respect with this chapter Criminal prosecutions arising by virtue of any of the provisions of this chapter may be commenced and tried in either the county where the products were received by the processor, or within the county in which the principal place of business of such processor is located, or within the county in which the violation of this chapter occurred."

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 65—An act granting certain tide and submerged lands of the State of California to the city of San Buenaventura, upon certain trusts and conditions.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. McBride:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out lines 31 to 35, inclusive, and insert in lieu thereof the following:

"(e) That the said city shall not, upon said land, prospect for, nor remove therefrom, any oil, gas or other hydrocarbon substances, nor shall it suffer or permit the removal of same.

(f) That in the event drilling for oil, gas, or other hydrocarbon substances, shall take place upon land other than that herein granted, and so located that like drilling shall be reasonably requisite for the proper protection of the land hereby granted from drainage by such wells, then the State of California, for itself and for all persons authorized by it, expressly reserves the right to enter upon the said land for the purpose of drilling thereon such well or wells as shall be reasonably requisite for the proper protection of said land from drainage, and may produce and save oil, gas, or other hydrocarbon substances, from such well or wells, free from any claim of the said city."

Amendment adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Third Reading of Senate Bills.

Senate Bill No. 107—An act delegating to the California Highway Commission power and authority during times when the Legislature of the State of California is not in session to accept on behalf of the State of California grants of rights of way for State roads through military reservations from the government of the United States made by the Secretary of War to the State of California or any political subdivision thereof, and declaring the effect of such acceptance.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Scudder:

Amendment No. 1.

On page 1, lines 11 and 12, of the printed bill, as amended, strike out the words "highways or a district bridge or State bridge", and insert in lieu thereof the words "roads or bridges".

Amendment No. 2.

On page 1, line 19, of the printed bill, as amended, strike out the word "highways", and insert in lieu thereof the word "roads".

Amendment No. 3.

On page 1, line 20, of the printed bill, as amended, strike out the words and figures "1 of this act", and insert in lieu thereof the following: "76."

Amendment No. 4.

On page 2, line 16, of the printed bill, as amended, strike out the word "Highways", and insert in lieu thereof the word "roads".

Amendment No. 5.

On page 2, line 26, of the printed bill, as amended, strike out the word "Highways", and insert in lieu thereof the word "roads".

Amendment No. 6.

On page 2, line 31, of the printed bill, as amended, strike out the word "Highways", and insert in lieu thereof the word "roads".

Amendment No. 7.

On page 2, lines 42 and 43, of the printed bill, as amended, strike out the words "the State highway system", and insert in lieu thereof the following: "the system of public highways of the State".

Amendments adopted.

Bill read, ordered to reprint, and on file for third reading.

Senate Bill No. 685—An act to amend section 274c of the Code of Civil Procedure, relating to phonographic reporters, and declaring the urgency of this act.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Cronin:

Amendment No. 1.

On page 1, line 3, of the printed bill, after the word section, strike out the following: "274d", and insert in lieu thereof the following: "274c".

Amendment adopted.

Bill read, ordered to reprint, and on file for third reading.

Motion.

Mr. Williamson moved that Assembly Constitutional Amendment No. 65 be stricken from the special order file, and placed on the third reading file.

Motion carried.

Special Order Set for Assembly Bill No. 1182.

Mr. Chatters moved to continue further consideration of Assembly Bill No. 1182 as a special order for Tuesday, April 9, 1935, at eleven o'clock a.m.

Motion carried.

Special Order Set for Assembly Bill No. 174.

On motion of Mr. Minard, the consideration of Assembly Bill No. 174 was made a special order for Tuesday, April 9, 1935, at ten o'clock and thirty minutes a m.

Withdrawal of Bills.

By order of the Speaker, the following Assembly bills were withdrawn from the file, and ordered re-referred to the following committees:

Assembly Bill No. 123 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1796 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 2049 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 738 re-referred to Committee on Municipal Corporations

Assembly Bill No. 741 re-referred to Committee on Municipal Corporations.

Assembly Bill No. 1926 re-referred to Committee on Labor and Capital.

Assembly Bill No. 1387 re-referred to Committee on Ways and Means.

Assembly Bill No. 961 re-referred to Committee on Education.

Assembly Bill No. 962 re-referred to Committee on Education.

Assembly Bill No. 756 re-referred to Committee on Fish and Game.

Assembly Bill No. 2336 re-referred to Committee on Fish and Game.

Assembly Bill No 1264 re-referred to Committee on County Government.

Assembly Bill No 1729 re-referred to Committee on Mines and Mining.

Assembly Bill No. 1561 re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1562 re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1282 re-referred to Committee on Public Health and Quarantine

Assembly Bill No. 2243 re-referred to Committee on Judiciary.

Assembly Bill No. 2190 re-referred to Committee on Judiciary.

Assembly Bill No. 794 re-referred to Committee on Ways and Means.

Motion to Print Reports.

Mr. Hornblower moved that the Chief Clerk instruct the State Printer to print 500 additional copies each of the minority and the majority reports of the Building and Loan Association Investigation Committee.

Motion carried.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2174—An act to confirm, ratify and make valid ordinances heretofore passed by the city council or the people of any incorporated city creating a civil service commission and placing employees of the city under control of said civil service commission.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2174 passed by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Corwin, Cronin, Crowley, Cunningham, Desmond, Donahue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Utt, Wagner, Walker, Wallace, Weber, Welsh, Williamson, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Adjournment.

At four o'clock and fifteen minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Tuesday, April 9, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, April 9, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—79

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr Lyon, its further reading was dispensed with.

Leave of Absence.

On motion of Mr Garibaldi, Mr. Frazier was granted leave of absence for this day.

Privilege of Floor of Assembly Extended.

On request of Mr. Nielsen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the teacher and pupils of the Social Studies Class, Stanford Junior High School, Sacramento, as follows: Mrs. Lena B. Everett, teacher, and Pauline Bigham, Arlene Burks, Tyler Burch, Jose Caleca, Forrest Catlett, Walter Costa, Barbara Dunn, Gerald Ferrari, Eugene Gilbert, Evelyn Giorgi, Billy Goode, Charles Green, Dorothy Hayes, Joyce Fink, Rilda Howard, Ralph Holmes, Julian Kimbrell, Orvil Linder, La Veda Jonas, William Lloyd, Jule Maddox, Keith Manhart, Richard McCarroll, Dorothy McDonald, Jean Munro, Tommy Myers, Lulietta Nicotra, Mary Navarre, Mary Ann Parenti, James Retallu, Frank Riola, William Sodarlund, Betty Samuelson, Peter Viratox, Wilbur Willis, Isabelle Williamson and Betty Lou Lewis, pupils.

On request of Mr. Gilbert, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Benjamin Harrison Noid of Sacramento.

On request of Mr Breed, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Ralph L. Phelps, Jr., of San Francisco

On request of Mr. Meehan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. E. J. Vautier of Sausalito.

On request of Mr. Nielsen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the teacher and pupils of the Sutter Junior High School, Sacramento, as follows: Lottiellen Johnson, teacher-counselor, and Laddie Richardson, Virginia Barringer, Doris Kilvein, Ben Olenslager, Robert Blake, Mary Devine, Jean Roller, Elizabeth Williams, Edna Partington, Kathryn Madsen, Jennie Day, Robaline Jenne, Catherine Marvelli, Geneva Turnell, Bar-

bara Berndt, Frances Marie Valerio, Alice Waite, Marie Kapandrites, Teresha Legatos, Lucille Kaupp, Barbara Manning, Ferne McElroy, Bernadean Newton, Marjory Blyth, Bettie Hodges and Olga Mae Wingate, pupils.

On request of Mr O'Donnell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the principal and students of the Williams High School, Williams, as follows: Stanley J. Lightly, principal, and Fred Storz, Le Roy Schaad, Elwood Sites, Ashley Sanders, Moore Stoval, Theodore Dunn, Ellwin Franke, Dann Rathbun, Seymour Vann, William Keegan, John Gobel, George Idle, Norma Duncan, Ramona Duncan, Agnes Keberlein, Dorothy Morris, Isadore Berliner, Helen Nissen, Joan Abel, Virginia Watson, Annette Fanch, Gail Linton, Bethel Fouch, Ruth Meyers, Shirley Locke, Elizabeth Moore, Lars Wooddell, Yoline Wallace, Owena Keegan, Edward Rathburn and Victor La Grande, students of the class of American Government.

On request of Mr. O'Donnell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Agnes B. Ailman, Chairman of Education of Williams Woman's Club.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Clara Lewis IsBell, opposing taxation of the motion picture industry.

From the Redondo Lions Club, opposing taxation of the motion picture industry and manufacturers.

From employees of Levy-Abrams Co of Los Angeles, opposing passage of Assembly Bills Nos. 1153 and 1659, or any taxation of the motion picture industry.

From District Staff Headquarters Twelfth Naval District, stating that Commander John E. Pond (retired) and Lieutenant Commanders Stewart F. Bryant and E. E. Scranton, U. S. Navy (retired), opposing legislation regarding fisheries have not been authorized to represent the department.

From the La Canada Thursday Club, opposing taxation of the motion picture industry.

From the South West Branch Los Angeles Realty Board, opposing Assembly Bill No. 1375.

From Frank Le Meur, favoring enactment into law a chain store tax measure.

From the city council of the city of Fullerton, favoring the enactment of a bill amending section 844 of the Fish and Game Code, and for the closing to fishing by lampara and purse seine nets along certain areas along the coastline of Orange County.

From Long Beach Realty Board, Inc., favoring support of Governor Merriam's unification of highway bills, Senate Bill No. 323 and Assembly Bill No. 807.

From the Sacramento Diocesan Council, National Council of Catholic Women, favoring passage of Assembly Bills Nos. 392, 551, 550 and 2019 and opposing Senate Bills Nos. 380, 709, 371 and 496, also Assembly Bills Nos. 1607 and 1037

ASSISTANT CLERK OLIVER READING.

Communication.

The following communication was received, and ordered printed in the Journal.

By Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1935

MR. SPEAKER: Pursuant to your instructions, the following named person has filed his credentials and is duly recognized as representative of the newspaper set opposite his name:

San Francisco Chronicle—William A. Fitzgerald

ARTHUR A. OHNIMUS, Chief Clerk

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No 38—Relative to memorializing the President and Congress to enact House Joint Resolution No. 143, introduced January 30, 1935, authorizing the awarding of distinguished service medals to Tony Siminoff, Oliver F. Rominger, and Robert E Beck, veterans of the Philippine Insurrection;

Also. Assembly Joint Resolution No 46—Relative to memorializing the President of the United States and Congress in connection with transpacific air mail service;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighth day of April, 1935, at four o'clock and thirty minutes p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 34—An act to amend section 4300d of the Political Code by adding thereto a provision specifying the mileage to be charged by constables and marshals in counties of the third class in the service of any writ, order or paper, excepting a warrant of arrest;

Also: Assembly Bill No. 92—An act to amend section 814 of the Agricultural Code, relating to lettuce;

Also: Assembly Bill No 113—An act to amend section 1822bb of the Code of Civil Procedure, relating to the management, control, and disposal of estates of missing persons;

Also: Assembly Bill No. 129—An act to add a new section to the Code of Civil Procedure to be numbered 2056, relating to motions to strike an answer;

Also: Assembly Bill No. 130—An act to amend section 2021 of the Code of Civil Procedure, relating to depositions;

Also. Assembly Bill No. 185—An act to amend section 4300c of the Political Code, relating to recording fees;

Also. Assembly Bill No. 482—An act to amend section 810 5 of the Agricultural Code, relating to asparagus,

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighth day of April, 1935, at four o'clock and thirty minutes p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 639—An act to amend section 69 of the Civil Code, relating to applications for and issuance of licenses to marry;

Also: Assembly Bill No. 645—An act to amend section 403c of the Civil Code, relating to corporations;

Also: Assembly Bill No. 654—An act to add a new section numbered 1559 to the Probate Code of the State of California, relating to the guardianship of estates;

Also: Assembly Bill No 695—An act to amend section 784 of the Probate Code, relating to confirmation of sales of real property by executors and administrators;

Also: Assembly Bill No. 753—An act to amend section 4 of "An act to regulate the construction of buildings in the State of California, in respect to resistance to horizontal forces, providing penalties for the violation thereof and providing that this act become effective immediately," approved May 26, 1933, relating to the application of said act;

Also: Assembly Bill No. 1634—An act to repeal sections 378, 378a, 378b, 378c, 378d, 378e, 378f, 378g of the Political Code, relating to the Bureau of Commerce;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighth day of April, 1935, at four o'clock and thirty minutes p.m.

WATERS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1786—An act to amend section 2 of an act entitled, "An act providing for the establishment and administration of industrial farms or industrial road camps in the counties of the State and the commitment thereto and discipline of persons charged with or convicted of public offenses," approved June 3, 1921,

relating to the charge for maintaining persons on industrial farms and industrial road camps;

Also: Assembly Bill No. 1992—An act to add section 675 1 to the Political Code, and to repeal section 675b thereof, relating to the approval of salaries by the Department of Finance;

Also: Assembly Bill No. 1993—An act to amend section 675a of the Political Code, relating to approval of contracts by the Department of Finance;

Also: Assembly Bill No. 1994—An act to repeal section 686a of the Political Code and to add section 686.5 thereto, relating to accountants in the Department of Finance;

Also: Assembly Bill No. 1995—An act to amend section 779 of the Political Code, relating to publication of court reports;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighth day of April, 1935, at four o'clock and thirty minutes p m.

WATERS, Chairman.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1935

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 60—A resolution to propose to the people of the State of California amendments to Article XI of the Constitution of said State by adding sections 4 and 7½ thereto, relating to the consolidation of counties, cities and counties, and cities—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

LATHAM, Chairman.

Assembly Constitutional Amendment No. 60 ordered on file for adoption.

On Conservation.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1935.

MR SPEAKER: Your Committee on Conservation, to which was referred Assembly Bill No. 1084—An act relating to water conservation, power development check dams in the Salinas River Valley making the tributaries thereof, and an appropriation for the same, declaring the urgency of this act and providing that it shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

REDWINE, Chairman.

The above reported bill ordered on file for second reading.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1935.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to section 22 of Article XII of the Constitution of the State of California, relating to the Public Utilities Commission—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LATHAM, Chairman.

Assembly Constitutional Amendment No. 25 ordered on file for adoption.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1935

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 2030—An act to amend sections 1426, 1427 and 1428 of the Streets and Highways Code, relating to expenditures by boards of supervisors of moneys received by the counties from the motor vehicle fund or from moneys received by the county for vehicle registration license fees and authorizing contributions to ad valorem special assessment proceedings, or the purchase of bonds issued in any ad valorem acquisition or improvement district—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

STREAM, Chairman.

The above reported bill ordered on file for second reading.

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1935

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred Assembly Bill No. 183—An act repealing sections 367a, 367b, and 367c of the Political Code, renumbering sections 367d to 367g, inclusive, thereof, to be sections 367q to 367t, inclusive, and adding sections 367a to 367p thereto, relating to the Department of Social Welfare;

Also: Assembly Bill No. 767—An act to amend sections 2, 2½, 3, 4, 10, 13, 14 and 21 and to repeal sections 5 and 9 of the Old Age Security Act of the State of California, relating to aid to the aged;

Also: Assembly Bill No. 287—An act to amend section 4041.16 of the Political Code, relating to county care of indigents;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

BRENNAN, Chairman.

The above reported bills ordered on file for second reading.

On Elections.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1935.

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 1573—An act to amend section 1197a of the Political Code, for the purpose of making certain the payment of adequate compensation to persons soliciting signatures to initiative, referendum, and recall petitions, requiring the filing of bonds by the proponents of such petitions to insure the payment of such compensation and providing penalties for violation of the provisions thereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

DAWSON, Chairman.

The above reported bill ordered on file for second reading.

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1935.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred Assembly Bill No. 1261—An act to amend the title of and sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 of an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, as amended, relating to the limitation of aid and relief to aliens and to their return to their native country, providing the expenses of such return to be a county charge, providing for the management, rental, sale and control of property of aliens so returned, providing for the actual return of such aliens to their native country, relating to payments and reimbursement by indigents and kindred to the counties and to the manner and method of collecting the same and relating to the eligibility of persons for aid and relief—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

BRENNAN, Chairman

The above reported bill ordered on file for second reading.

On Public Charities and Corrections.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1935.

MR. SPEAKER: Your Committee on Public Charities and Corrections, to which was referred Assembly Bill No. 616—An act to provide for the establishment, government, and maintenance of an institution or farm for the confinement, cure, care and rehabilitation of certain drug addicts and to provide for the admission and commitment of such addicts—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

VOIGT, Vice Chairman

The above reported bill ordered on file for second reading.

On Banking.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1935.

MR. SPEAKER: Your Committee on Banking, to which was referred Assembly Bill No. 624—An act to amend section 61 of the Bank Act, making flood control bonds legal for savings bank investments—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WILLIAMSON, Chairman.

The above reported bill ordered on file for second reading.

On Elections.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1935.

MR. SPEAKER: Your Committee on Elections, to which was referred Senate Bill No. 129—An act to amend section 1208 of the Political Code, relating to illiterate or helpless voters—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

DAWSON, Chairman.

The above reported bill ordered on file for second reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 8, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 563—An act to amend sections 691, 694, 695, 696, 697, and 865 of the Fish and Game Code and to add section 697.5 thereto, and to repeal section 691.6 thereof, relating to fishing;

Also: Assembly Bill No. 734—An act to validate the organization and incorporation of municipal corporations;

Also. Assembly Bill No. 1682—An act relating to the investment of funds in the State treasury;

Also: Assembly Bill No. 1862—An act to add two new sections to the Political Code to be numbered 359c and 359d, to provide for vacations of officers and employees of the State of California, with pay, and empowering the State Personnel Board to promulgate rules and regulations governing the same, in so far as applicable to such members of the civil service, and to repeal a certain act therein specified.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 563, 734, 1682, and 1862 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 8, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1863—An act to add a new section to the Political Code to be numbered 359e, to provide for leave of absence with pay to officers and employees of the State of California, when ill, and to empower the State Personnel Board to promulgate rules and regulations governing the same in so far as applicable to members of the civil service, and to empower appointing powers of such officers and employees to promulgate rules and regulations governing the same, in so far as applicable to officers and employees not members of the civil service.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 1863 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 8, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 12—Relative to reports of the proceedings of the annual convention of the Veterans of Foreign Wars of the United States, Department of California;

Also: Senate Joint Resolution No. 13—Relative to memorializing the President and the Congress of the United States to adopt legislation to adjust SERA relief wages to establish employment agencies with lists of those eligible to seek private employment and take from relief rolls those who fail to accept reasonable offers of private employment.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Concurrent Resolution No. 12 read first time, and referred to Committee on Soldiers and Sailors Affairs

Senate Joint Resolution No. 13 read first time, and referred to Committee on Federal Relations.

Also:

SENATE CHAMBER, SACRAMENTO, April 8, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 472—An act to amend the Insurance Code by amend-

ing Article 14 of Chapter 1 of Part 2 of Division 1 thereof, relating to proceedings against insolvent insurers;

Also: Senate Bill No 908—An act to amend sections 286, 1072, 10200, and 10271 of the Insurance Code, relating to insurance principles, practice and matters incidental thereto;

Also, as a case of urgency: Senate Bill No. 552—An act to amend section 4220 and add sections 4220a and 4220b of the Political Code, relating to duties of county surveyors, declaring the urgency thereof and providing the same shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bills Nos 472 and 908 read first time, and referred to Committee on Insurance.

Senate Bill No 552 read first time, and referred to Committee on County Government.

Motion to Re-refer Assembly Bill No. 168.

Mr. Richie moved that Assembly Bill No 168 be withdrawn from Committee on County Government, and ordered re-referred to Committee on Municipal Corporations.

The question being on re-referring Assembly Bill No. 168 to Committee on Municipal Corporations.

Motion carried.

Assembly Bill No 168 ordered re-referred to Committee on Municipal Corporations.

Motion to Re-refer Assembly Bill No. 1323.

Mr Nielsen moved that Assembly Bill No. 1323 be stricken from the file, and be re-referred to Committee on Live Stock and Dairies.

The question being on re-referring Assembly Bill No. 1323 to Committee on Live Stock and Dairies.

Motion carried

Assembly Bill No. 1323 ordered re-referred to Committee on Live Stock and Dairies.

Second Reading of Assembly Bills.

Assembly Bill No. 972—An act to amend section 791 of the Agricultural Code, relating to apricots.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 7, of the printed bill, after the word "With", insert the word "the".

Amendment No. 2.

On page 2, line 16, of the printed bill, strike out the word "number", and insert in lieu thereof the word "numbers".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 973—An act to amend section 803 of the Agricultural Code, relating to peaches.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 19, of the printed bill, after the word "variety", insert a comma.

Amendment No. 2.

On page 2, line 10, of the printed bill, after the number "1," insert "1A,".

Amendment No. 3.

On page 2, line 10, of the printed bill, after the number "18," insert "18A,".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 975—An act to amend section 804 of the Agricultural Code, relating to pears.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 3, line 2, of the printed bill, after the number "17," insert "18,".

Amendment No. 2.

On page 3, line 2, of the printed bill, after the number "20", insert ", 26".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 976—An act to amend section 806 of the Agricultural Code, relating to plums and fresh prunes.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 7, of the printed bill, after the number "17," insert "18A,".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2265—An act to add section 660.6 to the Fish and Game Code, relating to salmon.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 663—An act to amend an act entitled "An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments, reassessments, to provide for the proceedings to test the validity of such refunding and reassessment, and to provide for contributions of public funds to assist in such refunding," approved June 5, 1933, by amending section 15 thereof

relating to the issuance of refunding bonds, and declaring the urgency of said act.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 14 of the title of the printed bill, following the comma, insert the following: "and adding a new section thereto to be numbered section 33 relating to the refunding of bonds payable from taxes,".

Amendment No. 2.

On page 2, line 26, of the printed bill, strike out all of said line following the figure "2."; strike out all of lines 27 to 52, inclusive, on the same page; and on page 3, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following: "There is hereby added to said act to be numbered section 33 and to read as follows:

'Sec. 33. Special improvement districts bonds which are payable from taxes levied upon the property or upon the taxable property in the improvement district may refund under this act. Proceedings for refunding such bonds shall be the same as proceedings for refunding other bonds under this act and in computing the reassessment under section 5 hereof the portion of the taxes levied upon lands in the district and paid into the interest and sinking fund for the payment of principle and interest of the bonds to be refunded shall be added to the total principle sum of the proposed reassessment and the total of such two sums shall be the sum to be apportioned as to assessment. From the amount assessed against each lot, piece or parcel of land in the district there shall be deducted any tax levied on such land, piece or parcel of land and paid into the interest and sinking fund for the payment of principal and interest of the bonds to be refunded.'"

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 665—An act to amend an act entitled "An act authorizing the common council, board of trustees, or other governing body of any incorporated city or town other than cities of the first class to refund its indebtedness, to issue bonds therefor, and to provide for the payment of the same," approved March 9, 1897, by amending section 1 thereof, relating to refunding bonds and to the use of Federal courts in municipal bankruptcy or refunding proceedings.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, amend the title by inserting in line 1 thereof, before the word "entitled", the word "originally".

Amendment No. 2.

On page 1 of the printed bill, amend the title by inserting in line 6 thereof, after the figures "1897." the words "and the title of which was amended by act approved May 26, 1933, to read as follows "An act authorizing the common council, board of trustees, or other governing body of any incorporated city or town other than cities of the first class to refund indebtedness thereof, or of any department, board or agency thereof, and to issue bonds therefor and to provide for the payment of the same" "

Amendment No. 3.

On page 1, line 6 of the title of the printed bill, strike out the word and figure "section 1", and insert in lieu thereof the words and figures "sections 1, 2, and 3".

Amendment No. 4.

On page 1 of the printed bill, strike out all of line 3 following the figure "1.", and strike out all of lines 4 to 22, both inclusive, strike out all of the language on page 2, and all of the language on page 3, and insert in lieu thereof the following language:

"The common council, board of trustees, or other governing body of any incorporated city or town other than cities of the first class in this State,

(a) Having an outstanding indebtedness evidenced by bonds, warrants, notes or other evidences of indebtedness, or by judgment or judgments, or

(b) Of which any department, board or special fund shall have an outstanding indebtedness evidenced by bonds, warrants, notes or other evidences of indebtedness, which indebtedness of such department, board or special fund shall have been created for a purpose or purposes for which bonds of said city or town could have been authorized and issued pursuant to law,

is empowered, by a two-thirds vote of its number, to fund or refund the said indebtedness at or before maturity and to issue bonds of such city or town therefor in denominations of not less than one hundred dollars nor more than one thousand dollars each, and having not more than forty years to run, and bearing a rate of interest not exceeding six per centum (6%) per annum, payable semiannually; provided, that the rate of interest during the entire term of said bonds need not be the same, but different rates may be fixed for one or more interest payments thereon. Such bonds shall be of the character known as "serial," not less than one-fortieth of the principal being payable each year, together with the interest due on all sums unpaid; provided, however, that the governing body may in its discretion fix a date for the earliest maturity of the principal of such bonds not more than three years from the date of the issue thereof. Such bonds shall be payable in such money and at such place or places as permitted by section 13¼ of Article XI of the Constitution of the State of California. Said bonds may be sold in the manner provided by such city council or other governing body, to the highest bidder therefor, at such price that the interest rate paid by the city will not exceed six per centum (6%) per annum, or may be exchanged for the outstanding evidences of indebtedness as hereinafter provided. The proceeds of any such sale for cash shall be placed in the treasury of such city or town to the credit of the "funding fund," and shall be applied only to refunding the indebtedness for which said bonds are issued; provided, however, that any proceeds of such refunding bonds remaining after such indebtedness has been paid shall be deposited in the fund established for the payment of principal and interest on said refunding bonds and shall be used only for the purpose of paying such principal or interest as the same shall mature

For the payment of the refunding bonds issued hereunder the legislative body of the municipality shall at the time of fixing the general tax levy and in the manner for such general tax levy provided, levy and collect annually, each year until said bonds are paid, or until there shall be a sum in the treasury of said municipality set apart for that purpose to meet all sums coming due for principal and interest on such bonds, a tax sufficient to pay the annual interest on such bonds and also such part of the principal thereof as shall become due before the time the proceeds of the next general tax levy will be available for payment thereof; provided, however, that if the maturity of the indebtedness created by the issue of refunding bonds be made to begin more than one year after the date of the issuance of such bonds, such tax shall be levied and collected at the time and in the manner aforesaid annually each year sufficient to pay the interest on such indebtedness as it falls due and also to constitute a sinking fund for the payment of the principal thereof on or before maturity. The taxes herein required to be levied and collected shall be in addition to all other taxes for municipal purposes and shall be collected at the time and in the same manner as other municipal taxes are collected and be used for no other purpose than the payment of said bonds and accrued interest thereof.

Where such indebtedness is evidenced by warrants or by judgment or judgments obtained for indebtedness or liability incurred by any such incorporated city or town exceeding the income and revenue provided for the year in which such indebtedness or liability was incurred, within the meaning of section 18 of Article XI of the Constitution, or where such indebtedness is the indebtedness of any such department, board or special fund, and has been incurred without the submission to the qualified electors of said city or town of the proposition of incurring such indebtedness, and without the assent of two-thirds of the qualified electors voting at an election held for that purpose, bonds to fund or refund the same shall not be issued unless authorized by the assent of such number of the qualified electors of such incorporated city or town voting at an election to be called and held for that purpose, as may be required by the Constitution of this State. The election shall be called and held in the manner provided for in an act entitled "An act authorizing the incurring of indebtedness by cities, town and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof," in effect February 25, 1901, and amendments thereto, and the ordinance calling the election shall recite the object and purposes for which such bonded indebtedness is proposed to be incurred, whenever it is proposed to refund any outstanding bonded indebtedness of any city or town upon such terms as would permit any number of the refunding bonds to mature more than forty years from the time the original indebtedness was incurred, the proposition of refunding such indebtedness must be submitted qualified electors of such city or town at an election held for that purpose and the assent of two-thirds of the qualified electors voting at such election shall be necessary to authorize the issuance of the refunding bonds,

Such election shall be called and held in the manner hereinbefore provided for other elections under this act. The proceeds arising from the sale of such bonds shall be applied by the treasurer to the satisfaction of such judgment or judgments, or to the refunding of the indebtedness for which said bonds were issued, or such bonds may be exchanged at the par value thereof, for evidences of indebtedness at the par value thereof, to be refunded thereby, or if such bonds are issued in whole or in part to refund before maturity an indebtedness evidenced by bonds, notes or other evidences of indebtedness, which according to their terms are subject to call or payment before maturity at a price in excess of par, then such bonds may be exchanged at not less than the par value thereof for such bonds, notes or other evidences so subject to call or payment before maturity, at the price specified therein for such payment before maturity, and in any event subject to adjustment of accrued interest to the date of exchange.

Any city or town authorized to refund its indebtedness under the provisions of this act is authorized to file a petition under any bankruptcy law of the United States now or hereafter enacted, and, if in such bankruptcy proceeding the refunding of the city or town indebtedness is authorized, to proceed under the provisions of this act to refund the indebtedness of such city or town.

SEC. 2. Section 2 of said act is hereby amended to read as follows:

Sec. 2. Whenever sufficient money is in the funding fund, in the hands of the treasurer, to redeem one or more of any outstanding past due bonds, warrants, judgments, notes or other evidences of indebtedness or to redeem one or more of the outstanding bonds, warrants, notes or other evidences of indebtedness which are subject to call or payment before maturity, proposed to be funded or refunded, he shall publish once a week for two weeks in some newspaper of general circulation published in such city or town, if there be any, a notice to the effect that he is prepared to pay such bond or bonds, warrant or warrants, judgment or judgments, note or notes or other evidence or evidences of indebtedness, (giving the number or numbers, if any, thereof) and if the same are not presented for redemption within thirty days after the first publication of such notice, the interest on such bonds, warrants, judgments, notes or other evidences of indebtedness will cease. He shall, at the same time, deposit in the post office a copy of such notice, inclosed in a sealed envelope, with the postage prepaid thereon, addressed to the registered owner or owners of any such bond, warrant, judgment, note or other evidence of indebtedness, as may have been registered pursuant to provisions therein contained, or to any provision of law, whose address appears upon any record thereof kept in the treasurer's office. If such bond or bonds, warrant or warrants, judgment or judgments, note or notes or other evidence or evidences of indebtedness are not presented within the time specified in such notice, the interest thereon shall then cease and the amount due be set aside for the payment of the sum whenever presented. Provided, however, that if any bonds are authorized for the purpose of funding or refunding before maturity any obligations which by their terms are subject to call and payment before maturity, and which specify the manner in which the same shall be so called and paid, then, in lieu of following the provisions of this section, such call and payment of such obligations shall be in accordance with such provisions thereof.

Whenever such outstanding bonds, warrants, judgments, notes or other evidences of indebtedness are surrendered and paid, the treasurer shall proceed to cancel the same by indorsing on the face thereof the amount for which they are received, the word "canceled" and the date of cancellation. He shall also keep a record of such bonds, warrants, judgments, notes or other evidences of indebtedness, so redeemed, and shall make a report of the same to the council or other governing body of such city or town, or if any of such obligations were issued by, or on account of, or against, any department, board or special fund, then he shall make such report to the department, board, commission or officer by which or by whom the same may have been issued, or against which or whom the same may have been rendered, at least once a month, accompanying the same with the bonds, warrants, judgments or other evidences of indebtedness, which have been taken up and canceled.

SEC 3. Section 3 of said act is hereby amended to read as follows:

Sec. 3. All moneys which remain in said funding fund after all outstanding bonds, warrants, judgments, notes or other evidences of indebtedness, as were proposed to be refunded have been taken up and canceled, shall be deposited in the fund established for the payment of interest on said refunding bonds and shall be used only for the purpose of paying such principal or interest as the same shall mature"

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 353—An act to establish legislative standards in relation to the rehabilitation of agriculture and the regulation of producers, packers, distributors, shippers, marketers, handlers, processors and

others dealing in agriculture, vitacultural and horticultural products and of any competing commodity or product thereof; to recognize, make effective and provide for the enforcement in this State of marketing agreements and licenses issued or prescribed by the Secretary of Agriculture of the United States under the National Agricultural Adjustment Act, being Public Act No. 10 of the Seventy-third Congress of the United States; to provide for the issuance, administration and enforcement of State marketing agreements and State licenses in connection therewith; to prescribe the powers, duties and jurisdiction of the State Director of Agriculture in relation thereto; to provide that said State and Federal marketing agreements and licenses shall be and establish standards of fair competition in this State; to suspend all antitrust and unfair competition laws of this State in conflict herewith and therewith; to prescribe remedies, rights, duties and penalties with respect to violations hereof and thereof; to provide ways, means and moneys for the administration and enforcement of said State and Federal marketing agreements and licenses; to declare the existence of a State and National agricultural emergency and the urgency of this act and that this act shall take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 20 of the title of the printed bill, as twice amended, after the word and semicolon "therewith;", insert the following: "to repeal Chapter 1029 of the Statutes of 1933;".

Amendment No. 2.

On page 2, line 37, of the printed bill, as twice amended, after the word "thereof", strike out the comma, and all of the remainder of line 37; also strike out all of line 38, and in line 39 strike out."ment Act,".

Amendment No. 3.

On page 3 of the printed bill, as twice amended, strike out all of lines 16 to 19, inclusive, and insert in lieu thereof the following:

"(4) To provide for equal opportunities to all growers and producers in the available markets."

Amendment No. 4.

On page 3, line 47, of the printed bill, as twice amended, after the word "damages", insert a comma.

Amendment No. 5.

On page 3, line 48, of the printed bill, as twice amended, after the word "firms", insert a comma.

Amendment No. 6.

On page 3, line 49, of the printed bill, as twice amended, after the word "them", insert a comma.

Amendment No. 7.

On page 4, line 13, of the printed bill, as twice amended, after the word "and", insert the word "the".

Amendment No. 8.

On page 4 of the printed bill, as twice amended, strike out lines 18 to 22, inclusive, and insert in lieu thereof the following. "utilization by the State Director of Agriculture of the services of such State and local officers and employees as the State Director of Agriculture may find necessary to effectuate the purposes of this act."

Amendment No. 9.

On page 4, line 24, of the printed bill, as twice amended, strike out the words "Federal marketing", and in line 25, strike out the words "agreement or".

Amendment No. 10.

On page 4, line 31, of the printed bill, as twice amended, strike out the words "Federal marketing agreement", and in line 32, strike out the word "or".

Amendment No. 11.

On page 4, line 34, of the printed bill, as twice amended, strike out the words "by any person signatory to such agreement or", and strike out all of line 35.

Amendment No. 12.

On page 4, line 38, of the printed bill, as twice amended, strike out the word "such".

Amendment No. 13.

On page 4, line 39, of the printed bill, as twice amended, strike out the words "State marketing agreement or".

Amendment No. 14.

On page 5 of the printed bill, as twice amended, strike out all of lines 5 to 7, inclusive, and insert in lieu thereof the following: "modity or product thereof, but no marketing agreement adopted under this subdivision shall be subject to the penalties or provisions of this act unless and until approved by the State Director of Agriculture under, subject to and in the manner prescribed in subdivision 2 of this section."

Amendment No. 15.

On page 5 of the printed bill, as twice amended, strike out all of line 8, and in line 9, strike out "ture", and insert in lieu thereof the following: "(2) For the State Director of Agriculture, and it shall be his duty,".

Amendment No. 16.

On page 5, line 31, of the printed bill, as twice amended, strike out the word "approved", and insert in lieu thereof "assented to"

Amendment No. 17.

On page 5, line 34, of the printed bill, as twice amended, after the word "product", strike out the comma and insert in lieu thereof the word "or".

Amendment No. 18.

On page 5, line 41, of the printed bill, as twice amended, strike out the words "such", and "said".

Amendment No. 19.

On page 5, line 43, of the printed bill, as twice amended, after the word "exists", strike out the word "and", and insert in lieu thereof a comma.

Amendment No. 20.

On page 5, line 45, of the printed bill, as twice amended, after the word "and", insert the words 'further provides'.

Amendment No. 21.

On page 6, line 10, of the printed bill, as twice amended, strike out "where:", and insert in lieu thereof 'provided that "

Amendment No. 22.

On page 6, line 17 of the printed bill, as twice amended, strike out the word "Such", and strike out all of lines 18 to 20, inclusive.

Amendment No. 23.

On page 6 line 25, of the printed bill, as twice amended, strike out the words "such", and "said".

Amendment No. 24.

On page 6, line 27, of the printed bill, as twice amended, strike out the word "and", and insert in lieu thereof a comma

Amendment No. 25.

On page 6, line 30, of the printed bill, as twice amended, after the word "serve" insert a comma, and after the word 'and", insert the words "further provides".

Amendment No. 26.

On page 6 of the printed bill, as twice amended, after line 40, insert the following paragraph:

"Such license may be issued in accordance with regulations to be prescribed by the Director of Agriculture, as to a blanket license or upon application by persons subject thereto."

Amendment No. 27.

On page 6, line 41, of the printed bill, as twice amended, strike out the figure "3."

Amendment No. 28.

On page 7 of the printed bill, as twice amended, strike out all of lines 3 to 34, inclusive, and insert in lieu thereof the following:

"No marketing agreement shall be approved by the State Director of Agriculture under subdivision 2 of this section nor shall any license be issued by said director under said subdivision save where such marketing agreement or license conforms

with and, except as hereinafter provided, contains only like terms, provisions, methods and procedure as the corresponding Federal marketing agreement or license then in existence, but all provisions other than section 17 hereof relating to such State marketing agreements or licenses shall without express incorporation therein be applicable thereto and a part thereof and every such State marketing agreement or State license shall contain such provisions as may be necessary or required to make such marketing agreement or license applicable to transactions within this State and any such State marketing agreement or license may contain provisions authorized by section 17 hereof

In the event of the amendment of any Federal marketing agreement or license, the director shall within five days after receipt by him of written notice from the administrative authority under such marketing agreement or license of the amendment thereof, call a hearing to be held within fifteen days after receipt of said notice to consider the marketing agreement or license as amended, and within five days after conclusion of such hearing if in his discretion he believes the Federal marketing agreement or license as amended will tend to carry out the purposes of this act he shall issue a license applicable to intrastate transactions, having the same terms, provisions, method and procedure; or after like approval, in writing as required for original adoption of a State marketing agreement he shall enter into a State marketing agreement applicable to intrastate transactions having the same terms, provisions, method and procedure; otherwise he shall cancel such State marketing agreement or license relating to the same product, commodity, trade or industry. It is the intention of this act that there shall be no conflict between the terms or procedure of any Federal marketing agreement or license and a marketing agreement or license issued by the director hereunder"

Amendment No. 29.

On page 7, line 35, of the printed bill, as twice amended, strike out the parentheses and figure "(4)".

Amendment No. 30.

On page 7, line 41, of the printed bill, as twice amended, after the word "and", insert the word "thereupon".

Amendment No. 31.

On page 7, line 43, of the printed bill, as twice amended, strike out the parentheses and figure "(5)".

Amendment No. 32.

On page 8 of the printed bill, as twice amended, strike out all of lines 6 to 19, inclusive, and insert in lieu thereof the following: "tion, to any officer or agent thereof. The complying with these provisions shall constitute due and sufficient notice to all persons affected by such rule or order. A rule of the board, committee, or administrative authority under any State marketing agreement or State license, when duly posted and filed as provided in this section, shall have the force and effect of law. The director shall upon request mail to any person affected by any general rule or regulation a copy of same and may charge a reasonable fee for such purpose"

Amendment No. 33.

On page 8, line 23, of the printed bill, as twice amended, after the word "license", insert a comma.

Amendment No. 34.

On page 8, line 25, of the printed bill, as twice amended, after the word "subject", insert a comma.

Amendment No. 35.

On page 8, line 39, of the printed bill, as twice amended, strike out the following: "All fines and", and strike out all of lines 40 to 43, inclusive.

Amendment No. 36.

On page 8, line 45, of the printed bill, as twice amended, following the word "by", where it first appears, insert the words "or under".

Amendment No. 37.

On page 9, lines 22 and 23, of the printed bill, as twice amended, strike out the word "prescribed", and insert in lieu thereof the word "defined".

Amendment No. 38.

On page 9, line 29, of the printed bill, as twice amended, strike out the word "such", and after the word "violations", add a period; and in line 30, strike out the word and period "aforesaid"

Amendment No. 39.

On page 10, line 3, of the printed bill, as twice amended, strike out the period, and insert in lieu thereof the following words "for violation of such license or any provision hereof."

Amendment No. 40.

On page 10 of the printed bill, as twice amended, strike out all of lines 34 to 37, inclusive, and insert in lieu thereof the following. "Every such person shall furnish to the State Director of Agriculture or his duly authorized representatives, as he or they may request, such information as may be required under the provisions of such marketing agreement or license."

Amendment No. 41.

On page 10, line 42, of the printed bill, as twice amended, following the word and period "license.", add the following sentence: "Such inspection shall be in accordance with the provisions of such marketing agreement or license."

Amendment No. 42.

On page 11, line 20, of the printed bill, as twice amended, after the word "the", insert the word "National".

Amendment No. 43.

On page 11, line 23, of the printed bill, as twice amended, strike out the words "prescribed, and said", and insert in lieu thereof the following: "or thereunder prescribed, and said State".

Amendment No. 44.

On page 11, line 47, of the printed bill, as twice amended, strike out "$------", and insert in lieu thereof the sum "$10.00".

Amendment No. 45.

On page 12, line 26, of the printed bill, as twice amended, after the word and comma "license,", add the following: "and, when assented to in writing by persons controlling more than sixty-seven per cent in volume for the preceding season of the total volume of business done within and from this State in the particular agricultural product or commodity or by the particular trade or industry subject to the provisions of such marketing agreement, shall so provide therefor,".

Amendment No. 46.

On page 12 of the printed bill, as twice amended, strike out all of lines 28 to 30, inclusive, and insert in lieu thereof the following: "tably and proportionably upon all persons affected thereby. Such".

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

Unfinished Business.

Consideration of Senate Amendments to Assembly Bill No. 1645.

Assembly Bill No. 1645—An act to require governmental units to furnish reports to the State Department of Finance concerning bonds and bonded indebtedness.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1645?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "government", and insert in lieu thereof the following: "governmental".

Amendment No. 2.

On page 2 of the printed bill, as amended, strike out lines 13 to 16, inclusive, and insert in lieu thereof the following:

"SEC. 7. The county auditor in the case of a county or any district or other unit the financial records of which are kept by said auditor, or the officer, or board, responsible for the keeping of such records in the case of any city, district, or other unit the financial records of which are not kept by the county auditor, shall be responsible for the making of such reports, and shall be subject to removal from office for failure or neglect to comply with the provisions of this act."

The roll was called, and Senate amendments to Assembly Bill No. 1645 were concurred in by the following vote:

AYES—Anderson, Boyle, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J. Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser,

Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Waters, Williamson, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 1645 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 578.

Assembly Bill No. 578—An act relating to revenue and taxation, providing for an excise tax on the sale of all oleomargarine containing any fat or oil ingredient other than any one or more of the following: oleo oil, oleo stock, oleo stearine from cattle, neutral lard from hogs, sheep fat, cottonseed oil, peanut oil, corn oil, soya bean oil or milk fat; providing a penalty for a violation of the provisions thereof and declaring that this act shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 578?

Amendment No. 1.

On page 1, lines 5 and 6 of the title of the printed bill, as amended, after the words "corn oil", strike out the comma, and strike out the words "soya bean oil".

Amendment No. 2.

On page 2, line 4, of the printed bill, as amended, after the words "corn oil", strike out the comma, and strike out the words "Soya bean oil".

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Garibaldi moved a call of the House.

Motion carried.

Time, ten o'clock and forty minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, Welsh, Wright, and Mr. Speaker—69.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1935

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1332—An act to add section 3306a to the Civil Code, relating to breach of contract to deliver a quitclaim deed;

Also: Assembly Bill No. 2404—An act to add section 2181c to the Political Code, relating to moneys of insane or feeble-minded persons committed to State hospitals and homes for feeble-minded;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LYON, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 131—An act to add section 2924d to the Civil Code and sections 726a and 726b to the Code of Civil Procedure, relating to deficiency judgments and declaring the urgency thereof;

Also: Assembly Bill No. 1100—An act to amend sections 49 and 1624 of, add sections 43a, 1590, and 1606.5 to, and repeal section 3319 of the Civil Code, relating to causes of action based upon alienation of affection and breach of promise;

Also: Assembly Bill No. 1111—An act to provide for the formation, government, operation and dissolution of library districts;

Also: Assembly Bill No. 2003—An act to add section 654 to the Code of Civil Procedure, relating to the method of appeal in civil actions;

Also: Assembly Bill No. 2137—An act to provide for pro tem judges of the courts of the State of California and providing for compensation therefor, for the purpose of assisting the trial and appellate courts of the State of California in the expedition of its business and to appoint judges pro tem from among the practicing lawyers of the State of California to sit as judges pro tem and to receive compensation therefor;

Also: Assembly Bill No. 2391—An act to amend sections 125, 1881, and 1973 of the Code of Civil Procedure, relating to breach of promise and alienation of affections suits;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LYON, Chairman

The above reported bills ordered on file for second reading.

Special Order.

The hour of ten o'clock and thirty minutes a.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 174.

Assembly Bill No 174—An act to amend the title of Part I of Division V of the School Code, and to amend sections 5.1 and 5.2 thereof, relating to State colleges.

Bill read third time.

Further Proceedings Under Call of the House Dispensed With.

At eleven o'clock and twelve minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Garibaldi.

The roll of absentees was called, and Senate amendments to Assembly Bill No. 578 were concurred in by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fulcher, Garibaldi, Geyer, Hornblower, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Morgan, Nielsen, O'Donnell, Patterson, Phillips, Redwine, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—49.

NOES—Cassidy, Clark, Dawson, Donahue, Fisher, Flint, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Lore, McCarthy, Meehan, Minard, Pelletier, Peterson, Peyser, Reaves, Richie, Riley, Rosenthal, Voigt, Wagner, and Welsh—27

Assembly Bill No. 578 ordered to enrollment.

Further Consideration of Assembly Bill No. 174.

Assembly Bill No. 174 read third time

Demand for Previous Question.

Messrs. Cunningham, Stream, Morgan, Flint, and Welsh demanded the previous question.

The question being put: Shall the main question be now put?

Motion.

Mr Hornblower moved that the demand for the previous question be laid on the table.

Motion lost.

Demand for Previous Question Withdrawn.

Mr. Cunningham withdrew his demand for previous question.

Assembly Bill No. 174 read third time.

Demand for Previous Question.

Messrs. Cunningham, Welsh, Pelletier, Stream, and Andreas demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

Third Reading of Assembly Bill No. 174.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 174 was passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, and Mr. Speaker—68.

NOES—Breed, Corwin, Cronin, Fisher, Johnson, McMurray, Meehan, Peyser, Williamson, and Wright—10

Title read and approved.

Bill ordered transmitted to the Senate.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Unemployment.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1935

MR. SPEAKER: Your Committee on Unemployment, to which was referred Assembly Bill No. 121—An act, to be known as the Rehabilitation Act, declaring the policy of the State of California in relieving hardship and destitution caused by unemployment one of rehabilitation by cooperative self-help, production for consumption and exchange of labor for surplus commodities; prescribing duties of State Relief Administrator hereunder; providing funds for administration of relief hereunder; directing cooperative activity be noncompetitive; fixing status of cooperative institutions and their members; fixing title to property hereunder; declaring this act an emergency measure; providing for its constitutional construction; repealing conflicting laws—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

ANDERSON, Chairman.

The above reported bill ordered on file for second reading

Also:

MR. SPEAKER: Your Committee on Unemployment, to which was referred Assembly Bill No. 322—An act to amend "An act to establish free employment bureaus under the control and management of the Commissioner of the Bureau of Labor Statistics, and making an appropriation therefor," approved May 17, 1915, by adding section 2a thereto, relating to free employment bureaus—has had the

same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

ANDERSON, Chairman.

The above reported bill ordered on file for second reading

On Conservation.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1935.

MR SPEAKER: Your Committee on Conservation, to which was referred Assembly Bill No. 1054—An act to add section 3a to and to amend sections 3, 4, 5, 6, 7, 8, 10, 14, 15, 16, 17, 18, and 19 of the "Los Angeles County Flood Control Act," relating to the government and control of the district and the powers and duties of the board of directors thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

REDWINE, Chairman.

The above reported bill ordered on file for second reading

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1935.

MR SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 215—An act to add section 1219.5 to the Agricultural Code, relating to annual reports of nonprofit cooperative marketing associations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading

On Unemployment.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1935.

MR SPEAKER: Your Committee on Unemployment, to which was referred Senate Bill No. 694—An act to add section 690.5 to the Code of Civil Procedure, relating to exemption from attachment, garnishment, and execution of moneys paid to persons receiving relief, and declaring the urgency hereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

ANDERSON, Chairman.

The above reported bill ordered on file for second reading

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1935.

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 386—An act to amend section 472a of the Code of Civil Procedure, relating to demurrers;

Also Assembly Bill No. 387—An act to amend sections 1031 and 1032 of the Code of Civil Procedure, relating to costs.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended

LYONS, Chairman

The above reported bills ordered on file for second reading

Third Reading of Assembly Bills.

Assembly Bill No. 819—An act to amend sections 2167, 2167a, 2169, 2172 and 2175 of, to repeal sections 2168, 2170, 2171 and 2185c of, and to add new sections numbered 2168, 2171 and 2185c to the Political Code, relating to persons mentally disordered or otherwise incompetent

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lyon:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, as amended, strike out "2171 and 2185c", and insert in lieu thereof the following: "2168.1, 2168.2, 2168.3, 2168.4, 2168.5, 2168.6, 2168.7, 2168.8, 2171, 2185.1, 2185.2, 2185.3, 2185.4, 2185.5, 2185.6 and 2185.7".

Amendment No. 2.

On page 1, line 11, of the printed bill, as amended, after "rushings", insert the following: "shall be".

Amendment No. 3.

On page 2, line 29, of the printed bill, as amended, strike out "a new section 2168 is", and insert in lieu thereof the following: "new sections to be numbered 2168. 2168.1, 2168.2, 2168.3, 2168.4, 2168.5, 2168.6, 2168.7 and 2168.8 are".

Amendment No. 4.

On page 2, line 31, of the printed bill, as amended, strike out "1."

Amendment No. 5.

On page 3, line 3, of the printed bill, as amended, strike out "2.", and insert in lieu thereof the following: "2168.1."

Amendment No. 6.

On page 3, lines 34 and 35, of the printed bill, as amended, strike out "by subdivision 1 of this section", and insert in lieu thereof the following: "in section 2168 of this code".

Amendment No. 7.

On page 3, line 37, of the printed bill, as amended, strike out "or".

Amendment No. 8.

On page 4, line 14, of the printed bill, as amended, strike out "3.", and insert in lieu thereof the following: "2168.2."

Amendment No. 9.

On page 4, line 24, of the printed bill, as amended, strike out "4.", and insert in lieu thereof the following: "2168.3."

Amendment No. 10.

On page 4, line 38, of the printed bill, as amended, strike out "5.", and insert in lieu thereof the following: "2168.4."

Amendment No. 11.

On page 4, line 44, of the printed bill, as amended, strike out "6.", and insert in lieu thereof the following: "2168.5."

Amendment No. 12.

On page 4, line 48, of the printed bill, as amended, strike out "7.", and insert in lieu thereof the following: "2168.6."

Amendment No. 13.

On page 5, line 35, of the printed bill, as amended, strike out "8. If a demand for a hearing has been made", and insert in lieu thereof the following: "2168.7. If a demand for a hearing has been made as provided in section 2168.6 of this code,".

Amendment No. 14.

On page 5, line 51, of the printed bill, as amended, strike out "9.", and insert in lieu thereof the following: "2168.8."

Amendment No. 15.

On page 7, line 50, of the printed bill, as amended, strike out "a new section 2185c is", and insert in lieu thereof the following: "new sections to be numbered 2185.1, 2185.2, 2185.3, 2185.4, 2185.5, 2185.6, and 2185.7 to follow section 2185b are".

Amendment No. 16.

On page 8, line 1, of the printed bill, as amended, strike out "2185c. (1)", and insert in lieu thereof the following: "2185.1."

Amendment No. 17.

On page 8, line 11, of the printed bill, as amended, strike out "2.", and insert in lieu thereof the following. "2185.2."

Amendment No. 18.

On page 8, line 31, of the printed bill, as amended, strike out "3.", and insert in lieu thereof the following: "2185.3."

Amendment No. 19.

On page 8, line 41, of the printed bill, as amended, strike out "4."

Amendment No. 20.

On page 9, line 3, of the printed bill, as amended, strike out "5."

Amendment No. 21.

On page 9, line 9, of the printed bill, as amended, strike out "6."

Amendment No. 22.

On page 9, line 14, of the printed bill, as amended, strike out "7.", and insert in lieu thereof the following: "2185.4."

Amendment No. 23.

On page 9, lines 30 and 31, of the printed bill, as amended, strike out "If no demand for a hearing is made within the prescribed time the court, if satisfied with the", and insert in lieu thereof the following: "2185.5. If no demand for a hearing is made within the time prescribed in section 2185.4, the court, if satisfied with the".

Amendment No. 24.

On page 10, line 14, of the printed bill, as amended, strike out "8. If a demand for a hearing has been made, the court shall", and insert in lieu thereof the following: "2185.6. If a demand for a hearing has been made as provided in section 2185.4 of this code, the court shall".

Amendment No. 25.

On page 10, line 29, of the printed bill, as amended, strike out "9."

Amendment No. 26.

On page 10, line 33, of the printed bill, as amended, strike out "10", and insert in lieu thereof the following: "2185.7."

Amendments adopted.

Bill read, ordered to reprint, re-re-engrossment, and third reading.

Assembly Bill No. 1215—An act to amend section 11 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the regulation of the practice of optometry.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lyon:

Amendment No. 1.

On page 1, line 6, of the printed bill, as amended, strike out the semicolon, and insert in lieu thereof a colon.

Amendment No. 2.

On page 2, line 3, of the printed bill, as amended, strike out the semicolon, and "provided, however, that", and insert in lieu thereof a parenthesis as follows: "(".

Amendment No. 3.

On page 2, line 7, of the printed bill, as amended, after "client", insert a parenthesis as follows ")".

Amendment No. 4.

On page 2, line 13, of the printed bill, as amended, strike out the period

Amendment No. 5.

On page 2 of the printed bill, as amended, strike out lines 21 and 22, and insert in lieu thereof the following: "4. For sending a solicitor from house to house or for soliciting from house to house."

Amendment No. 6.

On page 2, line 26, of the printed bill, as amended, strike out "When the holder uses", and insert in lieu thereof the following: "For using".

Amendment No. 7.

On page 2, line 29, of the printed bill, as amended, strike out "holds", and insert in lieu thereof the following: "holding".

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading

Motion to Re-refer Assembly Bill No. 1212.

Mr. Lyon moved that Assembly Bill No. 1212 be withdrawn from Committee on Medical and Dental Laws, and ordered re-referred to Committee on Ways and Means

The question being on re-referring Assembly Bill No. 1212 to Committee on Medical and Dental Laws

Motion carried.

Assembly Bill No. 1212 ordered re-referred to Committee on Medical and Dental Laws.

Recess.

At twelve o'clock m., on motion of Mr. Lyon, the Assembly was declared at recess until two o'clock p m., of this day.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1935

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No 618—An act to provide for the regulation and licensing of greyhound racing and race meetings, and to permit wagering on the results thereof; to create the California Greyhound Racing Board for the regulation, licensing and supervision of greyhound racing and wagering thereon; to provide penalties for the violation of the provisions of this act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1704—An act making an appropriation to pay the claim of ------ against the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1122—An act to accept the provisions of an act of the Congress of the United States effective June 6, 1933, entitled "An act to provide for the establishment of a National Employment System and for cooperation with the States in the promotion of such system, and for other purposes"—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 15—An act relating to a county consolidation commission, to study and report on the subject of consolidation of counties and of county functions in this State, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

COTTRELL, Chairman

The above reported bill ordered on file for second reading.

On Public Health and Quarantine.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1935

MR SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No 564—An act to amend an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, relating to habit-forming, nar-

cotic and other dangerous drugs—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

KALLAM, Chairman

The above reported bill ordered on file for second reading.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No 1394—An act amending section 14 of an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1394 passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Chatters, Corwin, Cottrell, Crowley, Cunningham, Dawson, Desmond, Evans, Ralph W, Flint, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Johnson, Jones, Lore, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, Peyser, Reaves, Robertson, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, and Mr. Speaker—46.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate

Assembly Bill No. 142—An act to amend section 32 of the Penal Code, relating to the definition of an accessory.

Bill read third time.

Demand for Previous Question.

Messrs. Latham, Riley, Wright, Geyer, and Laughlin demanded the previous question

The question being put. Shall the main question be now put?

Substitute Motion.

Mr. Welsh moved, as a substitute motion, that Assembly Bill No. 142 be laid on the table.

Request for Roll Call.

On request of Messrs. Minard, Cottrell, and Fisher, the Speaker ordered a roll call taken on the motion by Mr Welsh to lay Assembly Bill No. 142 on the table.

The roll was called, and the motion lost by the following vote.

AYES—Boyle, Brennan, Clark, Cronin, Crowley, Dawson, Donahue, Donnelly, Evans, Ralph W., Fulcher, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, McCarthy, McMurray, Patterson, Pelletier, Peyser, Reaves, Riley, Thorp, Turner, Wagner, Weber, Welsh, and Williamson—33

NOES—Anderson, Breed, Chatters, Corwin, Cottrell, Cunningham, DeLap, Fisher, Flint, Garibaldi, Hawkins, Johnson, Kallam, Latham, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, O'Donnell, Peterson, Phillips, Richie, Robertson, Rosenthal, Stream, Utt, Voigt, Walker, Wallace, Waters, Wright, and Mr. Speaker—36

The question being put· Shall the main question be now put?

Demand for previous question sustained.

Third Reading of Assembly Bill No. 142.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 142 was refused passage by the following vote:

AYES—Breed, Chatters, Corwin, Cottrell, DeLap, Donnelly, Fisher, Fulcher, Garibaldi, Heisinger, Johnson, Kallam, Latham, Martin, Mayo, Miller, Minard, Morgan, O'Donnell, Phillips, Robertson, Scudder, Thorp, Utt, Walker, Wright, and Mr. Speaker—27

NOES—Anderson, Boyle, Brennan, Burns, Cassidy, Clark, Cronin, Crowley, Dawson, Desmond, Donihue, Evans, Ralph W. Flint, Gever, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Laughlin, Lore, Lyon, Maloney, McCarthy, McMurray, Meehan, Patterson, Pelletier, Peyser, Reaves, Richie, Riley, Rosenthal, Stream, Voigt, Wagner, Wallace, Waters, Weber, and Welsh—42.

Notice of Reconsideration of Assembly Bill No. 142.

Mr. Cottrell gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 142 was this day refused passage.

Special Order.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 1182.

Assembly Bill No. 1182—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and to provide for the disposition of the revenues therefrom, and to provide that this act shall take effect immediately.

Bill read third time.

The question being on the adoption of the amendments submitted by Mr. Turner.

Motion.

Mr. Turner moved that the Assembly resolve itself in Committee of the Whole for the purpose of considering Assembly Bill No. 1182, and amendments pending.

Motion carried.

In Committee of the Whole.

Speaker Craig in the chair.

Assembly Bill No. 1182 and proposed amendments considered.

Mr. Turner moved that the committee do now rise and report back to the Assembly.

Motion carried.

In Assembly

Speaker Craig in the chair.

Report of the Committee of the Whole.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1935.

GENTLEMEN: Your Committee of the Whole, which has had under consideration Assembly Bill No. 1182 and amendments pending, does now respectfully report the same back.

CRAIG, Chairman

Further Consideration of Assembly Bill No. 1182.

The question being on the adoption of the amendments submitted by Mr. Turner.

Motion.

Mr. Lyon moved that further consideration of Assembly Bill No 1182, and the amendments pending, be made a special order for Wednesday, April 10, 1935, at ten o'clock and thirty minutes a.m.

Motion carried.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1935

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 834—An act relating to and imposing limitations on expenditures by counties, cities and counties, districts and other political subdivisions, under authority of section 20 of Article XI of the Constitution of the State;

Also: Assembly Bill No. 952—An act to amend section 1261 of the Agricultural Code, relating to produce dealers;

And reports that the same have been correctly re-engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 206—An act to amend section 1 of Chapter 339 of the Statutes of 1933, entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to the construction of certain words and phrases used in said act;

Also: Assembly Bill No. 416—An act to amend section 9 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to compensation provided under said act;

Also: Assembly Bill No 710—An act to establish a Military Code, thereby revising and consolidating the law relating to the armed forces and militia of the State and relating to military and veterans' affairs, aid and welfare, institutions, and buildings and to repeal certain acts and parts of acts therein specified;

Also. Assembly Bill No. 730—An act to amend section 1 of an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931 (Stats. 1931, Chap. 397), relative to the definition of public contract work and payment of the prevailing rate therefor;

Also: Assembly Bill No. 821—An act to amend sections 2 440a, 2 441a, 3 260 and 3 263 of the School Code of the State of California;

Also: Assembly Bill No. 827—An act to validate the organization and bonds of municipal improvement districts formed under the Municipal Improvement District Act of 1927 and providing for the levy of special assessment taxes to pay said bonds;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1186—An act to add two new sections to the School Code to be numbered 2 807 and 5.533, relating to liability for the death of, or injury to, pupils enrolled in the public schools;

Also Assembly Bill No 1201—An act to add section 2 391 to the School Code, relating to severance of joint schools;

Also Assembly Bill No. 1833—An act to amend section 1 of "An act to regulate the construction of buildings in the State of California, in respect to resistance to horizontal forces, providing penalties for the violation thereof and providing that this act become effective immediately," approved May 26, 1933, relating to construction of buildings;

Also: Assembly Bill No. 1919—An act to amend sections 3 and 6 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to definitions and presumptions in respect to injuries to employees;

Also: Assembly Bill No 2029—An act to amend section 4041.7 of the Political Code, defining the powers of the board of supervisors;

Also Assembly Bill No. 2265—An act to add section 660 6 to the Fish and Game Code, relating to salmon;
And reports that the same have been correctly engrossed

WATERS, Chairman

The above reported bills ordered on file for third reading.

On Exhibitions and Fairs.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1935.

MR SPEAKER: Your Committee on Exhibitions and Fairs, to which was referred Assembly Bill No. 1780—An act to amend sections 86 and 92 of the Agricultural Code, relating to agricultural fairs—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

FULCHER, Chairman.

The above reported bill ordered on file for second reading.

On Oil Industries.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1935.

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 686—An act to amend an act entitled "An act to protect the natural resources of water, petroleum and gas from damage, waste and destruction; relating to the creation of a division in the Department of Natural Resources for the prevention of such damage, waste and destruction; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purpose of the act, providing for assessment of charges to be paid by operators and providing for the collection thereof, providing for bonds required of drillers of oil and gas wells; and making an appropriation for the purpose of this act, approved June 10, 1915, as amended, by adding thereto section 18a, relating to the drilling, redrilling, deepening, use and disuse of wells including subsurface directional surveys thereof and the straightening, correction, use or disuse of slanting wells—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

McBRIDE, Chairman.

The above reported bill ordered on file for second reading.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1935.

MR SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No 1263—An act to add a new section to the Political Code of the State of California, to be numbered 4041 27, authorizing boards of supervisors to provide for the creation and operation of a system of insurance and pensions for the benefit of physicians and nurses employed in county institutions, to procure group insurance for the benefit of such employees, and to provide for the payment of premiums therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

DELAP, Chairman

The above reported bill ordered on file for second reading.
Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No 567—An act to amend sections 3817f and 3817g of the Political Code, relating to amount to be credited, on redemption of property from sale for delinquent taxes, for prior payments on account;

Also: Assembly Bill No 1138—An act to amend section 3804 of the Political Code, to prescribe place of filing claim for refund of taxes, penalties or costs, and to validate the filing of such claims heretofore filed;

Also: Assembly Bill No. 1255—An act to amend section 2167b of the Political Code, known as the Psychopathic Parole Act, to authorize counties to recover cost of care of persons mentally disordered;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

DELAP, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1475—An act relating to the powers and duties of building inspectors of cities, cities and counties, or counties—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

DELAP, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on County Government, to which was referred Senate Bill No 739—An act to amend section 4300a of the Political Code, relating to fees—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DELAP, Chairman.

The above reported bill ordered on file for second reading.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 992—An act to amend section 11 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the definition of dentistry.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr Cronin:

Amendment No. 1.

On page 2, lines 7 and 8, of the printed bill, as amended, strike out the semicolon and "provided, however,", and insert in lieu thereof a comma and the following: "but".

Amendment No. 2.

On page 2, line 11, of the printed bill, as amended, strike out the period and "The", and insert in lieu thereof a comma and the following "and the".

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading

Assembly Bill No. 731—An act to amend section 10 of an act entitled "An act providing for the formation, government and operation of harbor districts, the calling and conducting of elections in such districts of harbor commissioners, defining their powers and duties, and providing for the issuance and disposal of bonds of such harbor districts, and providing for the assessment, levy and collection of taxes for the payment of such bonds and for the ordinary annual expenses of such harbor districts." approved June 10, 1931, relating to the government of such districts.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Peterson:

Amendment No. 1.

On page 2, line 30, of the printed bill, after the period, insert the following: "The terms of office of commissioners in office at the time this section, as amended, goes into effect, are hereby shortened to permit the holding of office of their successors as herein provided"

Amendment adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Withdrawal of Bills.

By order of the Speaker, the following Assembly bills were withdrawn from the file, and ordered re-referred to the following committees:

Assembly Bill No. 2029 re-referred to Committee on County Government.

Assembly Bill No. 1919 re-referred to Committee on Insurance.

Assembly Bill No. 416 re-referred to Committee on Insurance

Assembly Bill No. 834 re-referred to Committee on Municipal Corporations.

Assembly Bill No. 821 re-referred to Committee on Education.

Assembly Bill No. 1186 re-referred to Committee on Education.

Assembly Bill No. 1833 re-referred to Committee on Building and Construction.

Assembly Bill No. 952 re-referred to Committee on Agriculture

Motion to Re-refer Assembly Bill No. 1617.

Mr. Mayo moved that Assembly Bill No. 1617 be stricken from the file, and ordered re-referred to Committee on Roads and Highways.

The question being on re-referring Assembly Bill No. 1617 to Committee on Roads and Highways.

Motion carried.

Assembly Bill No. 1617 ordered re-referred to Committee on Roads and Highways.

Adjournment.

At four o'clock and five minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Wednesday, April 10, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,

SACRAMENTO, Wednesday, April 10, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—80.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Gilbert, its further reading was dispensed with

Privilege of Floor of Assembly Extended.

On request of Mr. Clark, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. M. E. Hinshaw, member of Assembly of 1911.

On request of Mr. Anderson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Mike Rosenberg of Los Angeles.

On request of Mr. Nielsen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the principal and students of the Sutter Junior High School, 8B class, studying American government, as follows: Mr. B. W. Painter, principal, and Mabel Cox, Evelyn Savoie, Donald Yee, Harold Yee, Mary Alice Broady, Willard Bierly, William Bierly, Patti Holcomb, Harriet Dunn, Byron Burns, Lawrence Jones, Billy Berriesford, Tom Brent, Martha Holverstott, Gordon McCloud, Lois Mary Starkey, Phyllis Johnson, Dorothy Paxson, Gertrude Carll, Pat Dwyer, Mary Drysdale, Fred Rainey, Edith Cottongin, Faith Ross, Harvie Bingham, Virgil Comstock, Wilburn Winneker, Nina Blazic, Lorraine Wyatt, Mary Hubbard, Dorothy Driemeyer, Yvonne Voltilini, Jean Langley, Dorothy Ann Jones, Tommy Johnson, Audrian McMaster, Loretta Nichols, Dorothy Ann Jones, Robert Jones, Albert O'Malley, Paul Yorgan, Mary Bedrosian, Lois Rieff, Betty Ann Venter, Rose Virga, Hazel Cole, Bert Brugger, Edward Hauser, Carl Seeley, John Thomas, Mildred Feinberg, Betty Keema, Joyce Kirkpatrick, Robert Dodds, Constance Economy, Edward Stack and Robert Stark, students.

On request of Mr. Gilbert, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. H. Plaggenburg, Mr. Perry E Seely, president, Southern California Civic League; Mr. Marcus Tibbetts, vice president, Southern California Civic League; Mr. Harry Newman, Mrs. Earl Lewis, Mrs. Grace Noah and Mrs. Cora Dahn Dawn.

On request of Mr. Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the principal, teacher and pupils of the seventh grade, Houston School, Acampo, San Joaquin County, as follows: Mrs. Lundquist, principal; Miss Fiske, teacher, and Marjorie Schmidt, Rosalie Cooper, Martha Beisel, Dorothy Badgely, Sadako Tahara, Masae Tahara, Lorene Powell, Esther Keller, Rachel Keller, June Imada, Kiyoshi Sakakuchi, Verlin Schnell, Mary Tanaka, Clyde Clifton, Clara Kuwabara, Robert Hansen, Fred Nakagawa, Minoru Nishikawa, Toshio Yamashito, Joe Kadama, George Sasaki, Virda Taylor, Janice Holt, Maxine Howery, Lacia Litchfield, Kenneth Thompson, Delbert Irion, King Matsuhiro, Dean Holt, Jamie Funamura, Meryl Irey, Gladys Makashima, May Ouye, Henry Okamoto, John Okamoto, Nellie Iwamiya, Bessie Oune, Lloyd Nies, Ernest Schmierer, Arthur Schaffer, Bob Mason, Elmer Mason and Carroll Irey, pupils.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From the employees of Luigi Tinti, opposing taxation of the motion picture industry.

From the Movie Welfare Protection Association, opposing taxation of the motion picture industry.

From the tenants of the Eads Apartments of Los Angeles, opposing taxation of the motion picture industry.

From the tenants of the Arlington Apartments of Los Angeles, opposing taxation of the motion picture industry.

From the employees of Brieleys, Inc, of Hollywood, opposing the taxation of the motion picture industry.

From the employees of Barber Steamship Lines, opposing the taxation of the motion picture industry.

From Mrs. LeRoy Carlisle Williams and others, opposing the taxation of the motion picture industry.

From Mrs. Grantland S. Long and others, opposing the taxation of the motion picture industry.

From the employees of Southern California Floral Industries, Inc., opposing taxation of the motion picture industry.

From the employees of The Fluor Corp., Ltd, opposing taxation of the motion picture industry.

From the employees of Hollywood Rapid Dry Curler Co, Yates Manufacturing Co, opposing taxation of the motion picture industry.

From J. A. Barber and others of Los Angeles, opposing taxation of the motion picture industry.

From the employees of Outer Harbor Dock and Wharf Co of San Pedro, opposing taxation of the motion picture industry.

From the employees of the Union Oil Co. of Los Angeles, opposing taxation of the motion picture industry.

From the employees of the Oakley Paint Manufacturing Co. of Los Angeles, opposing the taxation of the motion picture industry.

From M. Soto and others, opposing the taxation of the motion picture industry.

From the employees of Bullock's of Los Angeles, opposing taxation of the motion picture industry.

From the employees of the Vitachrome, Inc, of Los Angeles, opposing taxation of the motion picture industry.

From the employees of Owen Illinois Pacific Coast Co. of Vernon, opposing taxation of the motion picture industry.

From R. R. Sherar and others of Los Angeles, opposing the taxation of the motion picture industry.

From Mrs. R. A. DeHart and others of Los Angeles, opposing the taxation of the motion picture industry.

From Fred Agger and others of Glendale, opposing the taxation of the motion picture industry.

From the Friday Morning Club of Los Angeles, opposing the taxation of the motion picture industry.

From G. H. Mosher, protesting passage of Bill No 574, relative to a 30-hour week.

From the Huntington Beach Business Mens Association, opposing all proposed changes, transfers, etc., dealing with county highway system.

From the Santa Ana Real Estate Board, opposing harmful legislation affecting borrowers and lenders.

From Ruth M. Dye of Watsonville, opposing the passage of Assembly Bill No. 954.

From the U. S. Department of Labor, approving Assembly Bills Nos. 1 and 86, and Senate Bills Nos. 30 and 66.

ASSISTANT CLERK OLIVER READING.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Exhibitions and Fairs.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1935.

MR SPEAKER: Your Committee on Exhibitions and Fairs, to which was referred Assembly Bill No 1226—An act adding a new section to the Political Code numbered 4056e, authorizing boards of supervisors to temporarily close any public highways, roads, streets, avenues, alleys, lanes, or places necessary for exposition purposes;

Also Assembly Bill No. 1227—An act relating to the holding of the San Francisco Bay Bridge Exposition in the City and County of San Francisco, in the State of California, providing for the issuance and sale of State bonds to be known as "San Francisco Bay Bridge Exposition bonds," providing for the payment and retirement of said bonds, providing for and creating a fund for the carrying out of the purposes of this act, authorizing the expenditures of moneys in said fund for such purpose, creating a commission to be known as the "San Francisco Bay Bridge Exposition Commission," creating an interest and sinking fund for the payment of interest on said bonds, and the redemption of the same, and making an appropriation therefor;

Also: Assembly Bill No. 1228—An act providing for the acquisition of lands for, and the construction, maintenance and operation of a building at the San Francisco Bay Bridge Exposition to be held in the City and County of San Francisco, State of California, providing for the exhibition of products, resources of and other matters pertaining to the State of California at said San Francisco Bay Bridge Exposition, creating the San Francisco Bay Bridge Exposition, defining its purposes and duties and making an appropriation therefor;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

FULCHER, Chairman.

The above reported bills ordered on file for second reading.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1935.

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 913—An act to amend section 662 of the Political Code, relating to the payment of fees to private persons, firms and corporations, declaring the urgency thereof, and providing that it shall take effect immediately—and reports that the same has been correctly enrolled, and presented the same to the Governor on this ninth day of April, 1935, at four o'clock and thirty minutes p.m.

WATERS, Chairman.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1935

MR SPEAKER: Your Committee on Insurance, to which was referred Senate Bill No. 472—An act to amend the Insurance Code by amending Article 14 of Chapter 1 of Part 2 of Division 1 thereof, relating to proceedings against insolvent insurers;

Also: Senate Bill No. 908—An act to amend sections 286, 1072, 10200, and 10271 of the Insurance Code, relating to insurance principles, practice and matters incidental thereto,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MINARD, Chairman.

The above reported bills ordered on file for second reading.

On Federal Relations.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1935.

MR. SPEAKER. Your Committee on Federal Relations, to which was referred Senate Bill No 570—An act to repeal an act entitled "An act to create a State Advisory Commission on Indian Affairs, to prescribe its membership and its powers and duties," adopted May 26, 1933—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

TURNER, Chairman.

The above reported bill ordered on file for second reading.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1935

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1236—An act to amend an act entitled "An act to authorize municipal corporations to issue bonds, for the purpose of investing the proceeds arising from the sale thereof, in other bonds issued for public improvements," approved April 26, 1909, by amending the title and sections 1, 2 and 3 thereof, relating to bonds to be purchased and the use of the funds, and declaring the urgency of this act;

Also: Assembly Bill No. 2386—An act to add Chapter 8 to Division VI of the Agricultural Code, relating to the marketing of milk and other dairy products;
And reports that the same have been correctly re-engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 823—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 18, 1883, as amended, by amending section 862 thereof, relating to and adding to the powers of sixth class cities;

Also: Assembly Bill No. 1656—An act to amend the Vehicle Code by adding thereto section 416, relating to vehicles;

Also: Assembly Bill No. 1658—An act to amend sections 468, 474, 515, 516, 713 and 714 of, and to add a new section to be numbered 693 to, the Vehicle Code, relating to highways, bridges and structures thereon, and the regulation of speeds and weight of vehicles;
And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Motion to Re-refer Senate Bill No. 701.

Mr. DeLap moved that Senate Bill No. 701 be withdrawn from Committee on County Government, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Senate Bill No. 701 to Committee on Judiciary.

Motion carried.

Senate Bill No. 701 ordered re-referred to Committee on Judiciary.

Second Reading of Assembly Bills.

Assembly Constitutional Amendment No 25—A resolution to propose to the people of the State of California an amendment to section 22 of Article XII of the Constitution of the State of California, relating to the Public Utilities Commission.

Committee Amendments.

During reading of Assembly Constitutional Amendment No. 25, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 12, of the printed measure, strike out "The State shall be divided into five", and strike out all of lines 13 to 27, inclusive; and on page 2, strike out all of lines 1 to 12, inclusive, and insert in lieu thereof the following:

"The commission shall be appointed by the Governor from the State at large; provided, that the Legislature, in its discretion, may divide the State into districts for the purpose of such appointments, said districts to be as nearly equal in population as practicable; and provided further, that the three commissioners in office at the time this section takes effect shall serve out the term for which they were elected, and that two additional commissioners shall be appointed by the Governor immediately after the adoption of this section, to hold office during the same term.

Upon the expiration of said term, the term of office of each commissioner thereafter shall be six years, except the commissioners first appointed hereunder after such expiration, one of whom shall be appointed to hold office until January 1, 1917, two until January 1, 1919, and two until January 1, 1921"

Amendment No. 2.

On page 2, line 31, of the printed measure, strike out "elected", and insert in lieu thereof the following: "appointed".

Amendment No. 3.

On page 2, line 32, of the printed measure, strike out "elected", and insert in lieu thereof the following: "appointed".

Amendment No. 4.

On page 2, line 42, strike out "Each", and insert in lieu thereof the following: "All of said commissioners shall be qualified electors of this State, and each".

Amendment No. 5.

On page 2, line 49, of the printed measure, strike out "elected or".

Amendments adopted.

Assembly Constitutional Amendment No. 25 ordered to reprint, engrossment, and on file for adoption.

Assembly Constitutional Amendment No. 60—A resolution to propose to the people of the State of California amendments to Article XI of the Constitution of said State by adding sections 4 and 7¼ thereto, relating to the consolidation of counties.

Committee Amendment.

During reading of Assembly Constitutional Amendment No. 60, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, lines 23 and 24, of the printed measure, as amended, strike out "proportional".

Amendment adopted.

Assembly Constitutional Amendment No. 60 ordered to reprint, re-engrossment, and on file for adoption

Assembly Bill No. 618—An act to provide for the regulation and licensing of greyhound racing and race meetings, and to permit wagering on the results thereof; to create the California Greyhound Racing Board for the regulation, licensing and supervision of greyhound racing and wagering thereon; to provide penalties for the violation of the provisions of this act.

Bill read second time, ordered to re-re-engrossment, and third reading.

Assembly Bill No 1084—An act relating to water conservation and check dams in the Salinas River Valley and the tributaries thereof, and an appropriation for the same.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "relating to water conservation, power devel-".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 2 to 6, inclusive, of the title, and insert in lieu thereof the following: "providing for completion of investigation and report by Division of Water Resources, Department of Public Works on flood control, hydroelectric development and conservation and utilization of water supply of Salinas River Basin"

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out lines 4 to 22, inclusive, and all of page 2, and insert in lieu thereof the following: "sary, to be expended under

the direction of the Division of Water Resources of the Department of Public Works for completion of investigation and report embodying a plan or plans for flood control, conservation and utilization of the water supply of Salinas River Basin for agricultural, industrial, domestic and hydroelectric power purposes.

SEC. 2. Certain preliminary tests and studies have already been made by the State and Monterey County at an expenditure of approximately twelve thousand dollars, which indicate the need and desirability of an extensive water conservation project in the Salinas Valley. The Federal Government will not act upon nor aid this project unless a cost survey is made and plans of the project prepared and presented. In order to take advantage of an opportunity to provide for an increase in employment and a lasting benefit to the State, it is highly desirable that this be done as soon as possible."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 2030—An act to amend sections 1426, 1427 and 1428 of the Streets and Highways Code, relating to expenditures by boards of supervisors of moneys received by the counties from the motor vehicle fund or from moneys received by the county for vehicle registration license fees and authorizing contributions to ad valorem special assessment proceedings, or the purchase of bonds issued in any ad valorem acquisition or improvement district.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "1426, 1427 and 1428", and insert in lieu thereof the following: "1625.5 and 1626".

Amendment No. 2.

On page 1, line 7 of the title of the printed bill, after the word "purchase", insert a comma and the following words: "cancellation and retirement".

Amendment No. 3.

On page 1, line 1, of the printed bill, after the period, insert the following: "Section 1625.5 of the Streets and Highways Code is hereby amended to read as follows:

1625.5. With reference to bonds of the county, or of any city therein, the board of supervisors may expend any portion of the money, received by the county from the motor vehicle fund, for the payment of any portion of the principal or interest of, or for the purchase or redemption at a discount of, or for transfer to the interest and sinking fund for the discharge and payment of bonds, the proceeds of which have been used for the acquisition of rights of way or easements for, or for the construction, maintenance, improvement or repair of, highways, bridges or culverts within such county or any city therein. When such bonds have been purchased or redeemed the board may at any time in its discretion cancel or retire them.

SEC. 2. Section 1626 of the Streets and Highways Code is hereby amended to read as follows:

1626. In accordance with the provisions of sections 1627 and 1628, the boards of supervisors in their respective counties may purchase or redeem at a discount, and may at any time in their discretion cancel or retire, bonds of any special assessment district, for the payment of which special assessments, levied wholly or partly in accordance with the assessed value of lands, have been or are to be levied, if the proceeds of such bonds are or have been used exclusively for the acquisition of rights of way or easements for, or for the construction, maintenance, improvement or repair of highways, bridges or culverts within such county or any city therein. The board may also pay any portion of the principal or interest of, or transfer such amount as the board deems proper to the interest and sinking fund for the discharge and payment of, any of such bonds. Such bonds may be redeemed or purchased at not to exceed eighty per cent of the face value of the unpaid principal and interest of such bonds."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 183—An act repealing sections 367a, 367b, and 367c of the Political Code, renumbering sections 367d to 367g, inclusive, thereof, to be sections 367q to 367t, inclusive, and adding sections 367a to 367p thereto, relating to the Department of Social Welfare.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 47, of the printed bill, after the word "have", and before the word "qualifications", insert the word "the".

Amendment No. 2.

On page 2, line 47, of the printed bill, strike out the word "as", and substitute the word "of".

Amendment No. 3.

On page 2, line 47, of the printed bill, after the word "administrator", and before the word "but", insert the following: "which come from actual experience with the administration of social service problems. He shall also have had practical training in social case work, either in a school of social work or as the result of at least five years' experience in a recognized social welfare agency."

Amendment No. 4.

On page 2, line 47, of the printed bill, strike out the word "but", and insert in lieu thereof the words "the director".

Amendment No. 5.

On page 3, line 10, of the printed bill, after the word "board", insert "and subject to State civil service".

Amendment No. 6.

On page 3, lines 27, 28, and 29, of the printed bill, strike out that portion of section 14 commencing with the word "may", in line 27, through the word "he", in line 29.

Amendment No. 7.

On page 4 of the printed bill, beginning at line 32, insert the following:

"SEC. 19. Nothing contained in this act shall be deemed to amend, modify or revoke any provision of the act entitled "An act to provide aid for needy blind persons, not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, making appropriation therefor and prescribing penalties for the violation of the provisions of the act," approved May 28, 1929, and revised June 15, 1931, and if any conflict shall exist between the provisions herein contained and said act for aid to needy blind persons, the provisions of the act to provide aid to needy blind as above entitled shall govern."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 767—An act to amend sections 2, 2½, 3, 4, 10, 13, 14, and 21 and to repeal sections 5 and 9 of the Old Age Security Act of the State of California, relating to aid to the aged.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "14", insert a comma and the following: "18½".

Amendment No. 2.

On page 1, line 24, of the printed bill, after "wife", strike out the comma and the following. "parent".

Amendment No. 3.

On page 2, line 21, of the printed bill, strike out "citizen", and insert in lieu thereof the following: "person".

Amendment No. 4.

On page 3 of the printed bill, strike out lines 4 and 5, and insert in lieu thereof the following: "any person the assessed value of whose real property, as assessed by the assessor of the county or city and county, or, if married, the assessed value of the combined real property of the husband and wife, as assessed by the assessor of the county or city and county,".

Amendment No. 5.

On page 3, line 9, of the printed bill, after "property", strike out the comma and the following: "at the time such person makes application for aid,".

Amendment No. 6.

On page 3 of the printed bill, between lines 10 and 11, insert the following: "Aid granted to any person under the provisions of this act shall constitute a debt of such person, to the amount of such aid, to the State of California and the county or city and county participating in the granting of such aid. Recovery may be had upon such debt out of any property of the recipient not exempt from execution.

Aid granted to any person owning real property shall be a lien upon his interest therein as security for reimbursement to the State and county of the amount of aid paid to such person, and, in the event of the discontinuance of said aid, or, upon the death of such person, the board of supervisors may take such legal action as may be necessary to recover the amount of aid paid to such person. The board of supervisors may cause a notice of the granting of aid to any person to be recorded in the office of the county recorder of any county in which real property of the person receiving aid is situated, and from the time of the filing thereof such notice shall be constructive notice of such lien to all persons."

Amendment No. 7.

On page 3, line 23, of the printed bill, after "returned", insert a comma and the following: "in equal proportions,".

Amendment No. 8.

On page 3 of the printed bill, strike out lines 24 and 25, and insert in lieu thereof the following: "California and the county or city and county participating in the granting of such aid and be recoverable as a debt due proportionately to such State and county."

Amendment No. 9.

On page 4, line 26, of the printed bill, after "granted", insert the following "under this act".

Amendment No. 10.

On page 4 of the printed bill, between lines 40 and 41, insert the following:

"SEC. 8 Section 18¼ of the act cited in the title hereof is hereby amended to read as follows:

18¼. Any recipient of aid hereunder who removes from one county to another county or city and county in this State shall be entitled to aid under the provisions of this act, after a one year residence, in the county or city and county to which such person has so removed, provided, an agreement in writing has been entered into by and between the two counties concerned approving such removal, and thereupon the county of first residence of such person shall continue his aid for one year and until the aforesaid residence has been established by him in the second county or city and county, and in the event the said two counties do not agree upon such removal and payment of aid, then the matter shall be submitted to the State Department of Social Welfare for final determination."

Amendment No. 11.

On page 4, line 41, of the printed bill, strike out "8", and insert in lieu thereof the following: "9".

Amendment No. 12.

On page 4, line 52, of the printed bill, strike out "Sec 9.", and insert in lieu thereof the following: "Sec. 10"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 287—An act to amend section 4041.16 of the Political Code, relating to county care of indigents

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 17, of the printed bill, after the word "dependent", strike out the word "citizens", and insert in lieu thereof the following "persons in cases of unusual difficulty or which require treatment or the use of facilities not immediately available in the county and".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1573—An act to amend section 1197a of the Political Code, for the purpose of making certain the payment of adequate compensation to persons soliciting signatures to initiative, referendum, and recall petitions, requiring the filing of bonds by the proponents of such petitions to insure the payment of such compensation.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 18, of the printed bill, after the word "State", insert a comma and the following: "or, if the measure or petition be one relating to a city or county office or ordinance then in the office of the city or county clerk or other officer authorized by law to receive such measure or petition when completed,".

Amendment No. 2.

On page 2, line 9, of the printed bill, after the word "State", insert a comma and the following "or with the said city or county clerk or other officer, as the case may be,".

Amendment No. 3.

On page 2, line 14, of the printed bill, after the word "services", insert the following "within five days after the signatures obtained by said persons shall have been certified by the city or county clerk"

Amendment No. 4.

On page 2, line 21, of the printed bill, after the word "State", change the period to a semicolon, and add the following: "provided that if the measure or petition be one relating to a city or county office or ordinance, then such bond need be in the penal sum of only one thousand dollars"

Amendment No. 5.

On page 2, line 22, of the printed bill, after the word "State", insert a comma and the following: "or the said city or county clerk or other officer, as the case may be,".

Amendment No. 6.

On page 2, lines 30 and 31, of the printed bill, strike out the words "with the Secretary of State".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No 1261—An act to amend the title of and sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 of an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, as amended, relating to the limitation of aid and relief to aliens and to their return to their native country, providing the expenses of such return to be a county charge, providing for the management, rental, sale and control of property of aliens so returned, providing for the actual return of such aliens to their native country, relating to pay-

ments and reimbursement by indigents and kindred to the counties and to the manner and method of collecting the same and relating to the eligibility of persons for aid and relief

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, amend the title to read as follows: "An act to amend the title of and sections 1, 2, 3, 4, 5, 7, 8 and 9 and to add sections 14 and 15 to an act entitled 'An act to provide for the aid and relief of indigents', approved June 5, 1933, as amended, relating to the aid and relief of indigents and for the recovery of reimbursement for their care."

Amendment No. 2.

On page 1, line 1, of the printed bill, immediately after the word and figure "Section 1.", insert the following: "The title of the act cited in the title of this bill is hereby amended to read as follows: "An act to provide for the aid and relief of indigents and for the recovery of reimbursement for their care."

SEC. 2. Section 1 of the act cited in the title hereof is hereby amended to read as follows:

"The word 'county' as used in this act includes city and county. Every county shall aid and relieve all able-bodied indigent persons and those indigents incapacitated by age, disease or accident, when such indigent persons are residents of the county, and are not supported and relieved by their relatives or friends or by public or private institutions. Work may be required of any able-bodied indigent as a condition of relief. Such work shall be created for the purpose of keeping the indigent from idleness and assisting in his rehabilitation and the preservation of his self-respect.

SEC. 3. Section 2 of the act cited in the title hereof is hereby amended to read as follows:

"If any indigent has living within this State a spouse, parent or adult child, and such kindred or any of them, or any group of them have sufficient financial ability to support said indigent, such indigent shall not be eligible for aid under this act, except such emergency aid as may be extended hereunder pending a determination of responsibility for his support. Upon failure of such kindred to support the indigent, the county may extend aid and such kindred in the order above named and to the extent of such ability shall reimburse the county for support of such indigent by paying to such county in case of care in county institutions the sums per month or per day fixed by the board of supervisors for such aid and in case of other aid or relief the amount thereof. The itemized account or accounts of such aid or relief kept by the county or an itemized statement of such account or accounts certified to be true and correct by the accountant, auditor or bookkeeper in charge of or actually assisting in keeping the same, shall be prima facie evidence of the truth and correctness of the amount or amounts thereof, and such certified statement shall be admissible in evidence without preliminary or introductory proof. In any case where such kindred are unable to pay the entire charge for such support, they shall reimburse the county to the extent of their ability

"The board of supervisors shall, in the case of aid or relief given in county institutions, fix a charge therefor, which said charge shall be the measure of reimbursement to the county by indigents and their kindred."

SEC. 4. Section 3 of the act cited in the title hereof is hereby amended to read as follows:

"Upon failure on the part of the kindred referred to in section 2 hereof to perform their duty to support the indigent, the county may continue to give such emergency aid and thereafter or from time to time compel reimbursement from such kindred for such care, aid or relief previously extended or may proceed in accordance with other provisions of this act to procure court orders requiring said kindred to pay to the county monthly sums in advance."

SEC. 5. Section 4 of the act cited in the title hereof is hereby amended to read as follows:

"Such proceedings shall be begun by filing in the superior court in the name of the county a petition verified in the manner of a complaint praying that the responsibility and liability of the named kindred be ascertained, and that an order be made accordingly. The provisions of Titles I to IX, inclusive, of Part II of the Code of Civil Procedure shall apply to the proceedings in such action and the court shall therein determine the liability, if any, of each of the kindred for such support. The court shall, in such action, ascertain the financial ability of the defendants and each of them, and unless it finds that a defendant is unable to pay any sum for support, either because of lack of sufficient financial ability or because such payment would result in the probability of said defendant becoming at some

future time a public charge, the court shall order each defenant to pay to the county or city and county a proper proportion, if any, of his liability for the support of the indigent. In no case where any one or more of the kindred has or have sufficient financial ability to support the indigent shall a relative beyond him or them in the order named in section 2 be ordered to pay any portion of the support. The order of the court shall specify that a given sum shall be payable monthly in advance to the board of supervisors or its designated social agency for the entire or partial maintenance of the defendant's indigent relative in accordance with the defendant's financial ability. The county shall have the right to collect the entire sum or sums ordered to be paid, but if it subsequently develops that the sum or sums so ordered paid and collected exceed the sum or sums fixed by the board of supervisors as reimbursement in the event the indigent is cared for in county institutions or the actual amount of aid in the event other aid or relief is extended, the county shall refund to said person or kindred such excess so collected or paid, or his or their proportionate share of such overpayment."

SEC. 6. Section 5 of the act cited in the title hereof is hereby amended to read as follows.

"In any case where a person ordered by it to make such payments fails so to do, the court may by order require him to show cause for such failure and may otherwise enforce its order to make such payments by such order or orders as in its discretion it from time to time deems necessary, and such order or orders may be modified, altered or revoked at the discretion of the court. Execution may issue for such payment or payments upon the order and at the discretion of said court, upon affidavit proving to the satisfaction of the court that any such payment or payments are due and have not been made and the county may purchase at any sale held pursuant to such execution by bidding an amount not in excess of the amount due it thereunder.

"Upon such affidavit heretofore mentioned being made, an abstract of said order, showing the items and the total amount then due and unpaid, may be issued by the clerk upon the order and at the discretion of the court.

"Said abstract of such order may be filed with the recorder of any county and from such filing the order becomes a lien in the amount stated as due and unpaid therein, upon all the real property of the person so ordered to pay, located within the county where filed and owned by him at the time or which said person so ordered to pay may afterwards and before the lien expires, acquire.

"Such lien shall continue for five years from the due date of each of the respective monthly amounts or items so ordered to be paid and which collectively make up the total amount stated in the abstract and the amount of such lien shall automatically diminish as to each such monthly amount or item at the termination of five years from the due date of each said monthly amount or item; provided, however, that said lien shall cease if previously satisfied or otherwise discharged.

"The order may be satisfied by satisfaction executed and recorded by the board of supervisors, the superintendent or other chief executive officer of the department of the county administering this act or the attorney for the county. An order may be satisfied in part and in such case the lien continues as to the portion unsatisfied.

"The abstract above mentioned shall contain the following: Title of the court and cause and number of the proceeding; date of rendition of the order and date of entry thereof, if entered; names of the debtor and creditor under such order; the monthly amounts or items and total amount due and unpaid therein; and where entered in the judgment book, minutes or other records, if entered."

SEC. 7. Section 7 of the act cited in the title hereof is hereby amended to read as follows.

"In any case where a person for the support of whom public moneys have been expended has or thereafter acquires property, the county shall have a claim against such person or his estate if he be deceased, for the recovery of the amount of the aid and relief so extended. The fact that such person was not eligible to receive such aid shall not constitute a defense to any action upon such a claim, and in any complaint filed therein it shall not be necessary to allege facts showing such eligibility. In case of care in county institutions the amount of such claim shall be determined in accordance with the charge therefor fixed by the board of supervisors and in other cases it shall be the amount of aid or relief extended. The itemized account or accounts of such aid or relief kept by the county or an itemized statement of such account or accounts certified to be true and correct by the accountant, auditor or bookkeeper in charge of or actually assisting in keeping the same, shall be prima facie evidence of the truth and correctness of the amount or amounts thereof, and such certified statement shall be admissible in evidence without preliminary or introductory proof. In a proper case therefor the district attorney shall apply to the proper court for the appointment of a guardian of the person or estate, or both, of the indigent. The support out of public funds of such indigent shall be deemed a ground for sale or encumbering of his property under the provisions of section 1530 of the Probate Code.

"No fee shall be charged by any public officer for the filing of any such petition or for any official act done or necessary in the course thereof, except that a county employee acting as such a guardian shall be entitled to such costs therefor as will reimburse him in full for moneys advanced by him in such guardianship.

"Where a county officer or employee is appointed and acts as such a guardian, the board of supervisors may by resolution order that expenses necessary in the conduct of the guardianship and any necessary premiums on the bond of the guardian shall be advanced by the county to such guardian, and such expenses shall be a charge against the county, but the county shall be reimbursed out of any funds or property of the estate of the ward. The county may file claims in the estates of deceased indigents or estates of their deceased responsible kindred for aid given and such claims shall be paid prior to the payment of any other debts or charges against the estate except expenses of administration, funeral expenses, and expenses of last illness. Where aid is given by the county during the last illness, the claim of the county therefor shall be paid in the same order of priority as other expenses of last illness are paid. Actions upon any claims of the county so filed may be maintained against executors and administrators in all cases in which the same might have been maintained against their respective testators or intestates. Such claims of the county need not be filed within the time limited in the notice to creditors of the estate, but may be filed at any time prior to distribution thereof; provided, however, that, if any such claim is not filed within the time limited in the notice to creditors and the executor or administrator has prior to such filing and without knowledge of the county's claim, already paid claims of a lower class in the order of preference, the said executor or administrator, or the sureties on his bond or the creditors so paid, shall not be liable to the county for any damage arising from the payment or receipt of such funds."

SEC. 8. Section 8 of the act cited in the title hereof is hereby amended to read as follows:

"From the proceeds of a sale or encumbrance of the property of such ward, or from such funds as may be collected from the property of the ward, there shall be paid to the county the expense of the support of the ward prior to collection, together with the subsequent expense of such support."

SEC. 9. Section 9 of the act cited in the title hereof is hereby amended to read as follows:

"(a) If there be in the hands of any officer of said county, or if there be surrendered to any officer of said county, upon the death of any indigent, any personal property of less than twenty-five dollars in value, belonging to said person, the board of supervisors of said county may by resolution order such property to be sold, and if the proceeds thereof do not exceed the sum of twenty-five dollars, they shall be applied to the payment of the claim of said county, or city and county, against the said person; provided, however, that if the value of such property or the proceeds received from its sale exceeds the sum of twenty-five dollars, or exceeds the indebtedness due to the county or city and county, such property or the proceeds of the sale thereof in excess of twenty-five dollars or in excess of the amount of the claims of the county or city and county, shall be delivered to the public administrator of such county or city and county or other legal representative of deceased for administration.

"(b) The board of supervisors may require, as a condition to the grant or continuation of aid to an indigent, that such indigent grant or transfer to the county in payment of aid previously given, such property or interest in property as the indigent may have, or such portion thereof or estate therein as the board may specify, and such grant or transfer shall vest title in the county as county property and not as security.

"(c) As a condition to the grant or continuation of aid to an indigent, the board of supervisors may also require security for the repayment of aid previously extended and for future advancements of aid, and may do all things and expend all sums necessary for the protection and preservation of such security and the collection of the payment or payments secured thereby. Any sums expended for the protection or preservation of the property upon which said security exists shall automatically be added to and become a portion of the amount secured."

SEC. 10. A new section is hereby added to the act cited in the title hereof, which said section is designated as section 14 and shall read as follows:

"Every person who wilfully and with intent to deceive, falsely represents any fact or facts to be true which are not true, for the purpose of obtaining, receiving or continuing to receive aid or relief under this act, whether the same be work relief or otherwise, or who willfully and with intent to deceive withholds or fails to disclose any fact or facts rendering him ineligible for aid hereunder for the purpose of obtaining, receiving or continuing to receive aid or relief under this act, whether the same be work relief or otherwise, is guilty of a misdemeanor."

SEC. 11. A new section is hereby added to the act cited in the title hereof, which said section is designated as section 15 and shall read as follows:

"Every offense herein declared to be a misdemeanor is punishable by imprisonment in the county jail not exceeding six months or by fine not exceeding five hundred dollars or by both such fine and imprisonment."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 616—An act to provide for the establishment, government, and maintenance of an institution or farm for the confinement, cure, care and rehabilitation of certain drug addicts and to provide for the admission and commitment of such addicts.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act making an appropriation for construction and equipment of new buildings at the State Narcotic Hospital"

Amendment No. 2.

On page 1, line 1, of the printed bill, after the period, insert the following: "The sum of seventy-five thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the State treasury, not otherwise appropriated for construction and equipment of new buildings at the State Narcotic Hospital to give female addict patients the benefit of treatment and rehabilitation there"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 624—An act to amend section 61 of the Bank Act, making flood control bonds legal for savings bank investments.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 6, of the printed bill, strike out the words "flood control", and insert in lieu thereof the following: "Los Angeles County Flood Control District".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1332—An act to add section 3306a to the Civil Code, relating to breach of contract to deliver a quitclaim deed.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2404—An act to add section 2181c to the Political Code, relating to moneys of insane or feeble-minded persons committed to State hospitals and homes for feeble-minded.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 131—An act to add section 726a to the Code of Civil Procedure, relating to deficiency judgments

Bill read second time.

Floor Amendment.

During second reading of the bill, the following amendment was submitted by Mr. Peyser:

Amendment No. 1.

On page 1 of the printed bill, strike out "Mr Peyser," and insert in lieu thereof the following "Messrs Peyser, Meehan, Hornblower and Heisinger".

Request for Roll Call.

On request of Messrs. Lyon, Jones and Wallace, the Speaker ordered a roll call taken on the amendment by Mr. Peyser to Assembly Bill No. 131.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Boyle, Cassidy, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Lore, Maloney, Martin, McMurray, Meehan, O'Donnell, Peyser, Reaves, Stream, Wagner, and Waters—22

NOES—Andreas, Breed, Brennan, Burns, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donahue, Donnelly, Field, Fisher, Flint, Frazier, Fulcher, Gilmore, Johnson, Kallam, Latham, Laughlin, Lyon, Mayo, McBride, Miller, Minard, Morgan, Nielsen, Pelletier, Phillips, Redwine, Riche, Robertson, Rosenthal, Thorp, Utt, Walker, Wallace, Welsh, Wright, and Mr. Speaker—42

Assembly Bill No. 131 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 1100—An act to add section 43a to the Civil Code, relating to causes of action based upon alienation of affection and breach of promise.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, as amended, strike out "and 1606 5", and insert in lieu thereof the following "1606 5, and 1624 5".

Amendment No. 2.

On page 1, line 5 of the title of the printed bill, as amended, insert after "upon", the following "criminal conversation, seduction."

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out lines 7 and 8, and insert in lieu thereof the following:

"2 Criminal conversation;
3 Seduction of an adult person."

Amendment No. 4.

On page 1, line 12, of the printed bill, as amended, strike out "marriage", and insert in lieu thereof the following: "the offeree's promise to marry when such mutual promises are evidenced by a written agreement signed by both parties and acknowledged in the manner required for the recording deeds of conveyance".

Amendment No. 5.

On page 1, line 18, of the printed bill, as amended, after "contract", insert the following: ", unless evidenced by a written agreement signed by the parties and acknowledged in the manner required for the recording of deeds of conveyance".

Amendment No. 6.

On page 2 of the printed bill, as amended, strike out lines 3 and 4, and insert in lieu thereof the following:

"2 The seduction of a minor person"

Amendment No. 7.

On page 2 of the printed bill, as amended, between lines 30 and 31, insert the following

"SEC 6. Section 1624.5 is hereby added to the Civil Code to read as follows:

1624.5. A contract to marry is invalid unless it is in writing, subscribed by both parties thereto, and acknowledged in the same manner as is required for the recording of deeds of conveyance"

Amendment No. 8.

On page 2, line 31, of the printed bill, as amended, strike out "6", and insert in lieu thereof the following: "7".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1111—An act to provide for the formation, government, operation and dissolution of library districts.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the printed bill, after the period, insert the following: "This act shall be known and may be cited as the Library District Act of 1935.

SEC. 2. A library district may be organized, as provided in this act; may establish, equip and maintain a public library for the dissemination of a knowledge of the arts, sciences and general literature; and may exercise the powers in this act granted or necessarily implied.

SEC 3. A library district may include incorporated or unincorporated territory, or both, in any one or more counties, so long as the territory of the district consists of contiguous parcels and the territory of no city is divided.

SEC. 4. Whenever the formation of a library district is desired, a petition which may consist of any number of instruments, may be presented at a regular meeting of the board of supervisors of the county in which is located the largest proportionate value of the lands within the proposed district as shown by the last equalized county assessment roll. That board of supervisors is hereinafter referred to as the supervising board of supervisors. Such petition shall be signed by registered voters residing within the proposed library district equal in number to at least five per cent of the number of votes cast in the territory comprising the proposed district at the last preceding general State election at which a Governor was elected.

SEC. 5. The provisions of sections 103, 104, 105, 106, and 107 of Chapter 1, Division I of the District Organization Act shall govern and control the proceedings for the filing and hearing of the petition.

SEC. 6. The provisions of Chapter II, Division I of the District Organization Act shall govern and control the proceedings for final hearing of the petition and the formation of the district.

SEC. 7. On the filing of written protests by registered voters residing in the proposed district equal in number to those required to petition for the formation of a district under this act, the proceeding for formation of the district shall be terminated as provided in sections 159 and 160 of the District Organization Act.

SEC. 8. Within thirty days after the filing with the Secretary of State of the resolution declaring the organization of the district, a board of three library trustees shall be appointed for the district. The board shall consist of one trustee to be appointed from each unit, in the case of any unincorporated territory by the board of supervisors and in the case of a city by the governing body thereof

If a board thus appointed would consist of more than three members then the supervising board of supervisors shall appoint three library trustees from the district at large.

If the board thus appointed consists of less than three members, then the supervising board of supervisors shall appoint from the district at large enough additional members to make a board of three trustees.

As used in this section, "unit" means all unincorporated territory in the district which lies in a single county and also means each city in the district.

SEC 9. A vacancy in the board of library trustees shall be filled for the unexpired term by appointment of the supervising board of supervisors. Each library trustee shall hold office until his successor is elected and qualified

SEC. 10. The governing board of the district shall be called "The board of library trustees of _____ library district" (inserting the name of the particular district). The trustees shall hold office for the term of three years beginning on the second day of the calendar year next succeeding their appointment or election The first board of library trustees appointed in a district shall at their first meeting so classify themselves by lot that their terms shall end one on the second day of the second calendar year next succeeding his appointment, one at the end of one year thereafter and one at the end of two years thereafter.

SEC. 11 An election must be held annually in each library district for the election of one library trustee who shall hold office for three years beginning on the second day of the calendar year next succeeding his election This election shall be known as the general district election and shall be held in the district on the same day as the State general election in the even-numbered years and in the odd-numbered years on the first Tuesday after the first Monday in November.

SEC. 12. To be qualified to vote at any library district election a person must be a resident of the library district, a qualified elector of the county, and must be registered in the district in which the election is held at least thirty days before the election.

SEC 13 At its first meeting called after the original appointment of the board, and annually thereafter at its first meeting called after the second day of the calendar year, the board shall organize by electing one of its number president, and

another one of its number secretary. They shall serve as such for one year or until their successors are elected and qualified. The board shall cause a proper record of its proceedings to be kept, and at the first meeting of the board of trustees of any library district, formed under the provisions of this act, it must immediately cause to be made out and filed with the State Librarian at Sacramento a certificate showing that such library district has been established, with the date thereof, the names of the trustees, and the officers of the board chosen for the current fiscal year.

SEC. 14. The board of library trustees shall meet at least once a month, at such time and place as it may fix by resolution. Special meetings may be called at any time by two trustees, by written notices served upon each member at least twelve hours before the time specified for the meeting. Two members shall constitute a quorum for the transaction of business.

SEC. 15. The board of library trustees is authorized and empowered, and it shall be its duty:

(a) To make and enforce all rules, regulations and by-laws necessary for the administration, government and protection of the libraries under its management, and all property belonging thereto

(b) To administer any trust declared or created for such libraries, and received by gift, devise, or bequest, and hold in trust or otherwise, property situated in this State or elsewhere, and where not otherwise provided, dispose of the same for the benefit of such libraries.

(c) To prescribe the duties and powers of the librarian, secretary and other officers and employees of any such library; to determine the number of and appoint all such officers and employees, and fix their compensation, which said officers and employees shall hold their offices and positions at the pleasure of the board.

(d) To purchase necessary books, journals, publications and other personal property.

(e) To purchase such real property, and erect or rent and equip, such building or buildings, room or rooms, as in its judgment may be necessary properly to carry out the provisions of this act.

(f) To require the Secretary of State and other State officials to furnish such libraries with copies of any and all reports, laws, and other publications of the State not otherwise disposed of by law.

(g) To borrow books from, lend books to, and exchange the same with other libraries, and to allow nonresidents of the district to borrow books upon such conditions as the board may prescribe

(h) To borrow money, give security therefor, purchase on contract and to do and perform any and all other acts and things necessary or proper to carry out the provisions of this act; provided, however, no tax levy shall ever be made for any purpose above the maximum permitted by this act

(i) To file, through its secretary, on or before the last day of the month of July of each year, a report with the State Librarian at Sacramento giving the condition of its library or libraries and the number of volumes contained therein on the thirtieth day of June preceding.

(j) To designate the hours during which the library or libraries shall be open for the use of the public, but all public libraries established under the provisions of this act shall be open for the use of the public during every day in the year.

SEC. 16. Annually, at least fifteen days before the first day of the month in which county taxes are levied, the board of library trustees of each library district shall furnish to the board of supervisors of the county in which the district or any part thereof is situated, an estimate in writing of the amount of money necessary for all purposes required under the provisions of this act during the next ensuing fiscal year. Thereupon it shall be the duty of each board of supervisors in which any part of the district is situated to levy a special tax upon all taxable property of the county lying within the district sufficient in amount to maintain the district. The tax shall in no case exceed the rate of fifteen cents on each one hundred dollars of the assessed valuation of all taxable property within the district, but it may be in addition to all other taxes allowed by law to be levied upon such property. The tax shall be computed, entered upon the tax rolls and collected in the same manner as county taxes are computed, entered and collected. All moneys so collected shall be paid into the county treasury to the credit of the particular library district fund and shall be paid out on the order of the district board, signed by the president and secretary thereof.

SEC. 17. If the district embraces territory lying in more than one county, the amount estimated shall be ratably apportioned among the several counties in the district in proportion to the exact value of the property in the several counties included within said district as shown upon the last equalized assessment rolls of those counties, and the estimates apportioned to the several counties shall be rendered to their respective boards of supervisors and the tax shall be levied and collected by the officials of those counties upon the property of the district lying therein.

SEC 18 All money acquired by gift, devise, bequest, or otherwise, for the purposes of the library, shall be paid into the county treasury to the credit of the

library fund of the district, subject only to the order of the library trustees of said district. If payment into the treasury is inconsistent with the terms or conditions of any such gift, devise, or bequest, the board of library trustees shall provide for the safety and preservation of the same, and the application thereof to the use of the library, in accordance with the terms and conditions of such gift, devise or bequest.

SEC. 19. Upon the receipt by the county auditor of an order of the library trustees of the district, he shall issue his warrant upon the county treasurer for the amount stated in such order When any such warrant is presented to the treasurer for payment and the same is not paid for want of funds, the treasurer must endorse thereon "Not paid for want of funds" with the date of presentation and sign his name thereto, and from that time the warrant shall bear interest at the rate of six per cent per annum until the warrant is paid or until funds are available for the payment of the same and the county treasurer gives notice to the warrant holder that funds are available for such payment. The giving of such notice shall be deemed complete upon the deposit thereof in the United States mail in a sealed envelope addressed to the warrant holder at the address of the latter given by him at the time of presentation of the warrant to the treasurer, with postage thereon fully prepaid and registered.

SEC. 20. Every library established under the provisions of this act shall be forever free to the inhabitants and nonresident taxpayers of the library district, subject always to such rules, regulations, and by-laws as may be made by the board of library trustees, and for violation of them a person may be fined or excluded from the privileges of the library

SEC. 21. The board of library trustees and the boards of trustees of neighboring library districts, or the governing bodies of neighboring cities, or boards of supervisors of counties in which public libraries are situated, may contract to lend the books of libraries created under this act to residents of such counties or neighboring cities or library districts, upon a reasonable compensation to be paid by such counties, neighboring cities, or library districts

SEC. 22. The title to all property acquired for the purposes of such libraries, when not inconsistent with the terms of its acquisition, or not otherwise designated, shall vest in the district in which such libraries are or are to be situated. Every library district must be designated by the name and style of _____ library district (using the name of the district) of _____ county (using the name of the county or counties in which said district is situated). In that name the trustees may sue and be sued, and may hold and convey property for the use and benefit of such district. A number must not be used as a part of the designation of any library district.

SEC 23. The provisions of Chapters I and II of Division II of the District Organization Act relating to notices and elections shall govern and control this act.

SEC 24 The board of trustees of any library district may, when in their judgment it is deemed advisable, and must, upon a petition of fifty or more taxpayers and residents of said library district, call an election and submit to the electors of the district, the proposition of whether the bonds of the district will be issued and sold for the purpose of raising money for the purchase of suitable lots, of procuring plans and specifications and of erecting a suitable building, of furnishing and equipping the same and of fencing and ornamenting the grounds, for the accommodation of the public library, or for any or all of the said purposes, or for any or all of the purposes of this act, for liquidating any indebtedness incurred for said purposes, and for refunding any outstanding valid indebtedness, evidenced by bonds or warrants of the district

SEC 25 Such bond election shall be called and conducted and the results thereof canvassed, returned and declared in the manner provided in Chapter II of Division II of the District Organization Act.

SEC 26. In addition to the information required in section 232 of the District Organization Act, in the resolution calling a bond election the board of trustees shall set forth the amount and denomination of the bonds, the rate of interest and the number of years the whole or any part of the bonds are to run.

SEC. 27. Voting must be by ballot (without reference to the general election law in regard to form of ballot, or manner of voting), except that the words to appear on the ballot shall be "Bonds—Yes," and "Bonds—No," and except further, that persons voting at such bond election shall put a cross (×) upon their ballots, with pencil or ink, after the words "Bonds—Yes," or "Bonds—No" (as the case may be), to indicate whether they have voted for or against the issuance of the bonds.

SEC. 28. Upon the canvass of the returns, if it appears that two-thirds of the votes cast at the election were cast in favor of issuing such bonds, then the board of library trustees shall cause an entry of such fact to be made upon its minutes and shall certify to the supervising board of supervisors all the proceedings had in the premises. Thereupon said board of supervisors shall issue the bonds of said district, to the number and amount provided in such proceedings, payable out of the building fund of said district, naming the same. The money for the redemption

of said bonds and the payment of interest thereon shall be raised by taxation upon the taxable property in said district.

The total amount of bonds so issued shall not exceed five per cent of the taxable property of the district, as shown by the last equalized assessment roll of the county or counties in which the district is situated.

SEC. 29. The supervising board of supervisors by an order entered upon its minutes shall prescribe the form of said bonds and of the interest coupons attached thereto, and must fix the time when the whole or any part of the principal of said bonds shall be payable, which shall not be more than forty years from the date thereof.

SEC. 30. The bonds must not bear a greater amount of interest than six per cent, to be payable annually or semiannually. The bonds must be sold in the manner prescribed by the board of supervisors, but for not less than par, and the proceeds of the sale thereof must be deposited in the county treasury to the credit of the building fund of the library district, and be drawn out for the purposes aforesaid as other library moneys are drawn out.

SEC 31. The board of supervisors of each county in which any part of the district is situated, at the time of making the levy of taxes for county purposes, must levy a tax for that year upon the taxable property in such district, at the equalized assessed value thereof for that year, for the interest and redemption of said bonds. Such tax must not be less than sufficient to pay the interest of said bonds for that year, and such portion of the principal as is to become due during such year In any event such tax must be high enough to raise, annually, for the first half of the term said bonds are to run, a sufficient sum to pay the interest thereon, and during the balance of the term, high enough to pay such annual interest and to pay, annually, a proportion of the principal of said bonds equal to a sum produced by taking the whole amount of the bonds outstanding and dividing it by the number of years said bonds then have to run.

SEC. 32. All moneys so levied, when collected, shall be paid into the county treasury to the credit of the said library district, and be used for the payment of principal and interest on said bonds, and for no other purpose. The principal and interest on the bonds shall be paid by the county treasurer, upon the warrant of the county auditor, out of the fund provided therefor. It shall be the duty of the county auditor to cancel and file with the county treasurer the bonds and coupons as rapidly as they are paid.

SEC. 33. Whenever any bonds issued under the provisions of this act remain unsold for the period of six months after having been offered for sale in the manner prescribed by the supervising board of supervisors, the board of trustees of the library district for or on account of which the bonds were issued, or of any library district composed wholly or partly of territory which, at the time of holding the election authorizing the issuance of such bonds, was embraced within the district for or on account of which such bonds were issued, may petition the supervising board of supervisors to cause such unsold bonds to be withdrawn from the market and canceled

SEC. 34. Upon receiving such petition, signed by a majority of the members of the board of trustees, the supervising board of supervisors shall fix a time for hearing the same, which shall be not more than thirty days thereafter, and shall cause a notice, stating the time and place of hearing, and the object of the petition in general terms, to be published as provided in this act.

SEC. 35. At the time and place designated in the notice for hearing said petition, or at any subsequent time to which the hearing may be postponed, the supervising board of supervisors shall hear any reasons that may be submitted for or against the granting of the petition, and if they shall deem it for the best interests of the library district named in the petition that such unsold bonds be canceled, they shall make and enter an order in the minutes of their proceedings that said unsold bonds be canceled, and thereupon said bonds, and the vote by which they were authorized to be issued, shall cease to be of any validity whatever.

SEC. 36. Territory may be annexed to or excluded from a library district organized under this act in the manner provided in Division III of the District Organization Act, upon petition signed by the same number of qualified petitioners required for signature on the petition for organization of the district under this act.

SEC. 37. Two or more districts organized under this act may be consolidated in the manner provided in Chapter I of Division IV of the District Organization Act.

SEC. 38. A library district organized under this act may be dissolved in the manner provided in Chapter II of Division IV of the District Organization Act.

SEC. 39. No library district including territory in more than one county shall be organized under this act without the concurrent consent by resolution of each board of supervisors involved, as well as the consent of the governing body of each city to be included."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2003—An act to add section 654 to the Code of Civil Procedure, relating to the method of appeal in civil actions.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 3, of the printed bill, after the word "appeal", insert the following: "to a District Court of Appeal or the Supreme Court".

Amendment No. 2.

On page 1, line 11, of the printed bill, strike out "and/or", and insert in lieu thereof the following: "or".

Amendment No. 3.

On page 1 of the printed bill, at the beginning of line 14, after "ords", insert the following: "of the county or city and county".

Amendment No. 4.

On page 1, line 15, of the printed bill, strike out "Appellate Court", and insert in lieu thereof the following: "appellate court".

Amendment No. 5.

On page 1, line 17, of the printed bill, strike out "Appellate Court", and insert in lieu thereof the following: "appellate court".

Amendment No. 6.

On page 1, line 27, of the printed bill, strike out "Appellate Court", and insert in lieu thereof the following "appellate court".

Amendment No. 7.

On page 1, line 28, of the printed bill, strike out "and/or", and insert in lieu thereof the following. "or".

Amendment No. 8.

On page 2, line 1, of the printed bill, at the end thereof, strike out "of", and insert in lieu thereof the following "or".

Amendment No. 9.

On page 2, line 3, of the printed bill, strike out "Appellate Court", and insert in lieu thereof the following: "appellate court".

Amendment No. 10.

On page 2, line 6, of the printed bill, strike out "Appellate Court", and insert in lieu thereof the following: "appellate court".

Amendment No. 11.

On page 2, line 10, of the printed bill, strike out "Appellate Court", and insert in lieu thereof the following. "appellate court".

Amendment No. 12.

On page 2 of the printed bill, strike out lines 11, 12 and 13, and insert in lieu thereof the following:

"(c) Every brief shall be printed in conformity with the rules of the Supreme Court, provided, however, that if the party litigant be unable to pay the cost of printing his brief, he shall make and file an affidavit in the appellate court setting forth that fact and the court shall make an order permitting him to file a typewritten brief"

Amendment No. 13.

On page 2, line 18, of the printed bill, strike out "Appellate Court", and insert in lieu thereof the following: "appellate court".

Amendment No. 14.

On page 2, line 20, of the printed bill, strike out "Appellate", and insert in lieu thereof the following "appellate".

Amendment No. 15.

On page 2 of the printed bill, strike out line 21, and insert in lieu thereof the following: "court requesting permission to make oral argument, or upon order of the court"

Amendment No. 16.

On page 2, line 31, of the printed bill, strike out "Appellate", and insert in lieu thereof the following: "appellate".

Amendment No. 17.

On page 2, line 32, of the printed bill, strike out "Court", and insert in lieu thereof the following: "court".

Amendment No. 18.

On page 2 of the printed bill, after line 37, insert the following

"(j) The appellant or respondent shall print in his brief or a supplement thereto all or the portion of the pleadings and evidence upon which he relies.

(k) The term appellate court as used herein means a District Court of Appeal or the Supreme Court as now constituted and provided in the Constitution of the State of California or as may be hereafter provided and constituted."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 2137—An act to provide for pro tem judges of the courts of the State of California and providing for compensation therefor, for the purpose of assisting the trial and appellate courts of the State of California in the expedition of its business and to appoint judges pro tem from among the practicing lawyers of the State of California to sit as judges pro tem and to receive compensation therefor.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of line 1 of the title, after "pro", and all of lines 2 to 7, inclusive, of the title, and insert in lieu thereof the following: "tempore judges of trial courts and for compensation therefor to expedite the business of such courts"

Amendment No. 2.

On page 1, line 1, of the printed bill, after the period, insert the following: "The presiding judge of every superior court and the presiding judge of a municipal court may designate attorneys who have been licensed to practice before the Supreme Court of this State for at least ten years to sit as judges pro tempore for such time as may be necessary to bring the calendars of the court into such a condition that when a cause is at issue it may be brought to trial within ten days thereafter

SEC 2 Each judge pro tempore so designated shall receive as compensation the sum of twenty-five dollars per day for each day when he is actually presiding in the trial of a case, to be paid by the county in which said judge is sitting.

SEC 3. A judge pro tempore shall have the same powers and authority with respect to the dispatch of the court's business in the trial of cases as a duly elected judge.

SEC. 4 This act shall take effect upon adoption of an amendment to the Constitution allowing designation and compensation of judges pro tempore as provided herein."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2391—An act to amend sections 125, 1881, and 1973 of the Code of Civil Procedure, relating to breach of promise and alienation of affections suits.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "125,", insert the following: "374, 375,"

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, after "1973 of", insert the following ", and to add sections 341 5 and 1973.5 to".

Amendment No. 3.

On page 1, line 2 of the title of the printed bill, after "to", insert the following: "criminal conversation,".

Amendment No. 4.

On page 1, line 3, of the printed bill, strike out "criminal conversation,".

Amendment No. 5.

On page 1, line 4, of the printed bill, insert after "tion", the following: "or breach of contract to marry,"

Amendment No. 6.

On page 1 of the printed bill, between lines 10 and 11, insert the following:

"SEC. 2. Section 341.5 is hereby added to the Code of Civil Procedure to read as follows:

341.5. Within sixty days

1. An action upon any cause of action arising before the effective date of this section from criminal conversation, seduction, alienation of affections or breach of promise of marriage must be commenced within sixty days after the effective date of this section, but this provision does not revive an action the time for the commencement of which has expired prior to the effective date hereof.

2. An action arising after the effective date of this section from breach of contract to marry must be commenced within sixty days after the breach of such contract

SEC. 3. Section 374 of the Code of Civil Procedure is hereby amended to read as follows:

374. An unmarried minor person may prosecute, as plaintiff, an action for such person's own seduction, and may recover therein such damages, pecuniary or exemplary, as are assessed for such seduction

SEC. 4. Section 375 of the Code of Civil Procedure is hereby amended to read as follows:

375. A father, or, in the case of his death or desertion of his family, the mother, may prosecute as plaintiff for the seduction of the minor child, and the guardian for the seduction of the minor ward, though the child or the ward be not living with or in the service of the plaintiff at the time of the seduction or afterwards, and there be no loss of service"

Amendment No. 7.

On page 1, line 11, of the printed bill, strike out "2", and insert in lieu thereof the following: "5"

Amendment No. 8.

On page 1, line 27, of the printed bill, strike out ", or", and insert in lieu thereof a period

Amendment No. 9.

On page 2 of the printed bill, strike out lines 1 to 4, inclusive.

Amendment No. 10.

On page 3, line 1, of the printed bill, strike out "3" and insert in lieu thereof the following: "6".

Amendment No. 11.

On page 3 of the printed bill, immediately following line 27, insert the following:

"SEC. 7. Section 1973.5 is hereby added to the Code of Civil Procedure, to read as follows:

1973.5. A contract to marry is invalid unless it is in writing, subscribed by the parties thereto, and acknowledged in the manner required for the recording of deeds of conveyance. Evidence, therefore, of the agreement, can not be received without the writing or secondary evidence of its contents."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 121—An act, to be known as the Rehabilitation Act, declaring the policy of the State of California in relieving hardship and destitution caused by unemployment one of rehabilitation by cooperative self-help, production for consumption and exchange of labor for surplus commodities; prescribing duties of State Relief Administrator hereunder; providing funds for administration of relief hereunder, directing cooperative activity be noncompetitive; fixing status of cooperative institutions and their members; fixing title to property hereunder; declaring this act an emergency measure; providing for its constitutional construction; repealing conflicting laws

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 322—An act to amend "An act to establish free employment bureaus under the control and management of the Commissioner of the Bureau of Labor Statistics, and making an appropriation therefor," approved May 17, 1915, by adding section 2a thereto, relating to free employment bureaus.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out the period, and insert in lieu thereof the following: "established under this act."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1054—An act to add section 3a to and to amend sections 3, 4, 5, 6, 7, 8, 10, 14, 15, 16, 17, 18, and 19 of the "Los Angeles County Flood Control Act," relating to the government and control of the district and the powers and duties of the board of directors thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 13 to 25, inclusive, and insert in lieu thereof the following

"The board shall create the offices of chief engineer and general manager, of counsel, of controller, and of treasurer, and shall appoint such officers and prescribe their duties and fix their compensation, which said officers shall hold office during the pleasure of said board The treasurer of the district shall be custodian of all money of the said district and shall receive and disperse said money in accordance with the provisions of this act and such regulations not in conflict with this act as may be prescribed by the board of directors. The treasurer may deposit funds of said district in banks in the manner provided by law for the deposit of moneys of a municipality or other public or municipal corporation"

Amendment No. 2.

On page 2, lines 6 and 7, of the printed bill, as amended, strike out "general, manager, of chief engineer, of counsel and of controller,", and insert in lieu thereof the following, "chief engineer and general manager, of counsel, of controller and of treasurer,".

Amendment No. 3.

On page 2, line 8, of the printed bill as amended, after the period insert the following "The board may require bonds of any officer, agent or employe of the district for the faithful performance of his duties and may fix the amount of such bonds, the premiums on such bonds to be paid by the district"

Amendment No. 4.

On page 2, line 22, of the printed bill, as amended, before "collected", insert the following: "or may from time to time be".

Amendment No. 5.

On page 2 of the printed bill, as amended, strike out lines 34 to 52, inclusive, and lines 1 to 16, inclusive, on page 3, and insert in lieu thereof the following:

"In accordance with the above requirements and not less than thirty days prior to the time an office on the board is to be filled, the nominating committee hereinafter provided for shall nominate three persons for each office to be filled. Such nominations shall be made in writing and shall be transmitted by the said nominating committee to the board of supervisors of Los Angeles County who shall, within not less than ten days nor more than thirty days after receipt thereof, appoint one of the persons so nominated to each office to be filled on the board of directors. Within sixty days after this amendment becomes effective, the nominating committee shall nominate fifteen persons, three from each supervisorial district as aforesaid, and transmit said nominations to said board of supervisors who shall, within not less than ten days nor more than thirty days after receipt thereof, appoint five of the persons so nominated, one from each supervisorial district as aforesaid, to

constitute the first board of directors hereunder. The board of supervisors may, by a four-fifths vote, reject the nominations for the office of director from any supervisorial district, in which event the nominating committee shall nominate three other persons and shall transmit the nominations to the board of supervisors who shall appoint one of the three persons so nominated to the office to be filled on said board of directors, as aforesaid. Petitions proposing a candidate for director from a supervisorial district, signed by not less than fifty nor more than one hundred qualified electors and property owners of such district, may be submitted to said nominating committee for its consideration.

The Governor shall, within ten days after this amendment becomes effective, appoint for the Los Angeles County Flood Control District a nominating committee of five members, one to be appointed from that portion of each of the supervisorial districts of Los Angeles County lying within the flood control district. The members of the nominating committee shall hold office during the term for which the Governor appointing them was elected. Clerical assistance for said nominating committee shall be provided by the flood control district

Vacancies on the board of directors shall be filled in the same manner and subject to the same requirements as herein provided for the appointment of said board, provided, that whenever a vacancy occurs from any cause other than expiration of term of office, the nominations of said nominating committee shall be made and transmitted to said board of supervisors within sixty days after such vacancy occurs Any appointment to fill an unexpired term shall be for the balance thereof."

Amendment No. 6.

On page 3 of the printed bill, as amended, between lines 34 and 35, insert the following:

"Each director shall receive an attendance fee of ten dollars per meeting attended, not exceeding fifty dollars in any calendar month In addition, each member shall receive necessary traveling expenses when traveling on official business of the flood control district."

Amendment No. 7.

On page 4 of the printed bill, as amended, strike out lines 3 and 4, and insert in lieu thereof the following:

"The said comprehensive plan shall include a map showing the general extent and location of the main drainage channels, the width of rights of way necessary along such channels for the installation and maintenance of proper flood control and conservation works and structures thereon, general location of dams, reservoirs, conduits and other structures and appurtenances necessary for floor control and conservation purposes, and spreading grounds, which plan shall be referred to the board of consultants for recommendation After such modification, if any, as is deemed".

Amendment No. 8.

On page 4, line 6, of the printed bill, as amended, after "shall be", insert the following: "provisionally".

Amendment No. 9.

On page 4, line 7, of the printed bill, as amended, strike out "printed and copies thereof", and insert in lieu thereof the following: "published in a form which includes the aforesaid information and a resume of the engineering and hydrological data upon which the plan and recommendations were based Copies of the report shall be".

Amendment No. 10.

On page 4, line 15, of the printed bill, as amended, after the period, insert the following: "When the map showing the general location and extent of the main drainage channels and rights of way necessary therefor has been finally adopted by the board of directors, a certified copy thereof shall be transmitted to the board of supervisors of the county of Los Angeles, and to the legislative bodies of each incorporated municipality in the district within which one or more main drainage channels occur. When officially approved by said board of supervisors and said legislative bodies it shall become a part of the official plan of said county and of each said municipality so adopting it"

Amendment No. 11.

On page 4, line 16, of the printed bill, as amended, after "adopted", insert the following "by said board of directors of the district".

Amendment No. 12.

On page 4, line 17, of the printed bill, as amended, after "nance", insert a comma and the following "investigation exploration and research."

Amendment No. 13.

On page 5, line 15, of the printed bill, as amended, after "four-fifths of said board", insert the following. "and to the chief engineer and general manager".

Amendment No. 14.

On page 7, line 33, of the printed bill, as amended, after "of the", strike out "county of Los Angeles to the credit of".

Amendment No. 15.

On page 7 of the printed bill, as amended, strike out lines 33 to 36, inclusive, and insert in lieu thereof the following: "bonds shall be placed in the treasury of the flood control district, and said district bond fund shall be".

Amendment No. 16.

On page 7, line 40, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: ", but if any funds shall have been advanced or expenditures or obligations incurred by the district in the preliminary investigation, research or exploration of any project for the prosecution of which a bond issue subsequently shall be approved, the proceeds of the sale of any bonds so authorized may be devoted to the reimbursement, to the extent of said advances, expenditures or obligations, of any fund or funds of the district from which such advances or expenditures have been made or obligations incurred."

Amendment No. 17.

On page 7, line 41, of the printed bill, as amended, after "district", insert the following: "bond".

Amendment No. 18.

On page 8 of the printed bill, as amended, strike out lines 6 and 7, and insert in lieu thereof the following: "into the treasury of the district to be used for the payment of the".

Amendment No. 19.

On page 8, line 10, of the printed bill, as amended, strike out "the county treasurer of said Los Angeles County", and insert in lieu thereof the following: "the treasurer of said district".

Amendment No. 20.

On page 8, line 12, of the printed bill, as amended, strike out "of said county".

Amendment No. 21.

On page 8, line 40, of the printed bill, as amended, strike out "county treasury to the credit of the said district", and insert in lieu thereof the following: "district treasury".

Amendment No. 22.

On page 8, line 43, of the printed bill, as amended, after the period, insert the following: "In consideration of services rendered hereunder, the county of Los Angeles shall annually be entitled to deduct and withhold an amount not exceeding one per cent on the first twenty-five thousand dollars collected hereunder, and one-fourth of one per cent of any amount in excess of twenty-five thousand dollars collected hereunder."

Amendment No. 23.

On page 9, line 48, of the printed bill, as amended, after "specifications", insert the following: ", or plans and specifications duly modified or revised,".

Amendment No. 24.

On page 9, line 50, of the printed bill, as amended, strike out "shall", and insert in lieu thereof the following: "may".

Amendment No. 25.

On page 10, line 4 of the printed bill, as amended, after the period insert the following: "If the legislative body of any municipality shall refuse or neglect to approve the said plans and specifications within thirty days, as aforesaid, and if, in the opinion of the board of directors of the district, the doing of that portion of the proposed work which, by said plans and specifications, is proposed to be located within the limits of said municipality, is necessary for the public purposes and objects of the entire project, the board of directors shall adopt a resolution determining that fact and cause an application to be made to the superior court for an adjudication of the terms and conditions upon which the district shall be entitled to proceed with said portion of said project without let or hindrance by said municipality or its officers, agents or employees. The superior court shall have jurisdiction to make such adjudication, and it shall be its duty to make such adjudication at the earliest practicable time after the making of such application. The rules regulating the proceedings on such application shall be, so nearly as practicable, the same as in other civil proceedings in said court."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 386—An act to amend section 472a of the Code of Civil Procedure, relating to demurrers.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 7, of the printed bill, after the word "meritorious.", strike out the following: "A demurrer may, at the option of the party demurring, have annexed thereto, such points and authorities and argument as may be desired".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 387—An act to amend sections 1031 and 1032 of the Code of Civil Procedure, relating to costs.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 4, of the printed bill, strike out the following "for less than $300".

Amendment No. 2.

On page 2, line 2, of the printed bill, after the word "one", insert the following: "which could have been rendered by municipal or inferior court within the same county, or city and county".

Amendment No. 3.

On page 2, line 22, of the printed bill, strike out the following. "for less than $300".

Amendment No. 4.

On page 2, line 19, of the printed bill, after the word "one", insert the following. "which could have been rendered by municipal or inferior court within the county, or city and county, in which the judgment is entered."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1704—An act making an appropriation to pay the claim of _____ against the State of California.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the following. "pay the claim of", and strike out all of line 2 of the title of the printed bill, and insert in lieu thereof the following. "meet a deficiency in the appropriation for support of the Bureau of Criminal Identification and Investigation, declaring the urgency thereof, and providing that this act shall take effect immediately"

Amendment No. 2.

On page 1, line 1, of the printed bill, after the period, insert the following "The sum of forty-two thousand dollars ($42,000) is hereby appropriated out of any moneys in the State treasury not otherwise appropriated to meet a deficiency in the appropriation for support of the Bureau of Criminal Identification and Investigation for the eighty-fifth and eighty-sixth fiscal years

SEC 2. This act, inasmuch as it provides an appropriation for the usual current expenses of the State, under the provisions of section 1 of Article IV of the Constitution, shall take effect immediately."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1122—An act to accept the provisions of an act of the Congress of the United States effective June 6, 1933, entitled "An act to provide for the establishment of a National employment system and for cooperation with the States in the promotion of such system, and for other purposes."

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 15—An act relating to a county consolidation commission, to study and report on the subject of consolidation of counties and of county functions in this State, and making an appropriation therefor.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 14, of the printed bill, strike out "Two", and insert in lieu thereof the following: "One county supervisor, one county auditor, three".

Amendment No. 2.

On page 1, line 15, of the printed bill, strike out "the University of California, one member", and strike out lines 16 to 19, inclusive, and in line 20, strike out "Technology", and insert in lieu thereof the following: "each of two universities in this State".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 564—An act to amend an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, relating to habit-forming, narcotic and other dangerous drugs.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after the word "amend", insert the following: "sections 5, 6, 7, 7a and 8f and to repeal sections 8, 8a, 8b, 8c, 8d, 8e, 8g and 8½ of".

Amendment No. 2.

On page 1, line 1, of the printed bill, after the period, insert the following: "Section 5 of the act cited in the title hereof is hereby amended to read as follows

SEC. 5 Wholesale dealers and pharmacists shall affix or cause to be affixed to every bottle box, parcel or other enclosure of an original package containing any of the articles named in schedule "A" or the additions thereto, or any of the articles named in section 9 of this act or in section 1 of an act entitled "An act to regulate the sale, possession, distribution and use of habit-forming, narcotic and other dangerous drugs and substances, and providing penalties for the violation thereof," approved May 4, 1929,' a suitable label, or brand, with the word "poison" but they are hereby exempted from the registration of the sale of such articles when sold at wholesale to a registered pharmacist, physician, dentist or veterinary surgeon duly licensed to practice in the State; provided, that the provisions of this act shall not apply to the sale of such upon the prescriptions of practicing physicians, dentists or veterinary surgeons who are duly licensed to practice in this State.

SEC. 2. Section 6 of said act is hereby amended to read as follows:

SEC 6 It is hereby made the duty of the district attorney of the county wherein any violation of this act is committed, to conduct all actions and prosecutions for the same; provided, that actions and prosecutions under the provisions of this act relating to the labeling, sale or use of poisons shall be made at the request of the Board of Pharmacy. The board may employ special counsel to assist the district attorney in such actions and prosecutions, but the compensation for such special counsel shall be paid only from funds derived from fines collected in prosecutions under the provisions of this act relating to poisons.

No attorney employed as special counsel under the provisions of this section shall receive as compensation therefor any sum in excess of three thousand five hundred dollars in any one year.

SEC 3. Section 7 of said act is hereby amended to read as follows:

Sec. 7. Any person violating any of the provisions of this act, except those for which a penalty is otherwise in this act specifically provided, shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine in a sum not less than thirty dollars, nor more than five hundred dollars, or by imprisonment for not less than thirty days, and not more than one hundred eighty days, or by both such fine and imprisonment. All moneys, forfeited bail or fines received under the operation of this act shall be sent without delay by the magistrate receiving same, seventy-five per cent to the State Treasurer to be deposited in the State treasury and twenty-five per cent to the city treasurer of the city, if incorporated, otherwise to the county treasurer of the county in which the prosecution is conducted

SEC 4. Section 7a of said act is hereby amended to read as follows:

Sec. 7a It shall be the duty of all judges and magistrates collecting fines or forfeitures under this act to keep a record of said fines or forfeitures, and, upon the imposition of any such fine or forfeiture, to immediately transmit a copy of the record thereof to the county clerk of the particular county. It shall be the duty of the county clerk to keep a record of the fines and forfeitures imposed under this act in his county.

Whenever an imprisonment has been imposed for a violation of this act, and before the termination of the sentence thereof, the defendant is released by the vacation of the sentence of imprisonment and the imposition of a fine or forfeiture in lieu thereof, said lieu fine or forfeiture shall be recorded and accounted for in the same manner as though it had been imposed in the first instance.

It shall be the duty of the county clerk of each county to transmit to the State Treasurer an annual report of the fines and forfeitures collected during the calendar year within his county. Said report must be rendered before the fifteenth day of January of the following year

It shall be the duty of the State Treasurer to check the report of each county clerk with the transmittals of fines and forfeitures from the judges and magistrates, and whenever it is apparent that fines or forfeitures have not been transmitted, it shall be the duty of the State Treasurer to bring suit to enforce the collection or transmittal thereof, or both

The official bond of any judge or magistrate shall be liable for his failure to transmit the fines or forfeitures imposed by him under the provisions of this act

The records kept by any judge, magistrate or county clerk, under the provisions of this section, shall be open to the public for inspection, and may be checked by the State Treasurer, the Attorney General, the district attorney of the particular county, or the State Board of Pharmacy.

SEC 5 Section 8f of said act is hereby amended to read as follows

Sec 8f. For the purpose of this act the terms veterinarian, dentist, pharmacist shall be deemed to mean and shall refer only to persons who hold valid, unrevoked certificates to practice their respective professions in this State, issued by their respective examining boards in California The term "physician," or "duly licensed physician," or "physician duly licensed to practice in this State," or "duly licensed physician licensed to practice and prescribe medicine in this State," or "practitioner of medicine," or "licensed physician," shall be deemed to mean and refer only to persons holding a valid and unrevoked physician's and surgeon's certificate, or certificate to practice medicine and surgery, issued by the Board of Medical Examiners or the Board of Osteopathic Examiners of the State of California or under the terms or provisions of any preceding Medical Practice Act of the State of California.

SEC 6. Sections 8, 8a, 8b, 8c, 8d, 8e, 8g and 8½ of said act are hereby repealed"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1780—An act to amend section 92 of the Agricultural Code, relating to agricultural fairs.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "sections", and insert in lieu thereof the following: "section".

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, as amended, strike out "and 92".

Amendment No. 3.

Strike out all of page 2 of the printed bill, as amended.

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 686—An act to amend an act entitled "An act to protect the natural resources of water, petroleum and gas from damage, waste and destruction; relating to the creation of a division in the Department of Natural Resources for the prevention of such damage, waste and destruction, providing for the appointment of a State Oil and Gas Supervisor, prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purpose of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; providing for bonds required of drillers of oil and gas wells; and making an appropriation for the purpose of this act, approved June 10, 1915, as amended, by adding thereto section 18a, relating to slanting wells.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 25, of the printed bill, after the word "time", strike out the following: "as required by the supervisor", and insert in lieu thereof a comma.

Amendment No. 2.

On page 2, line 27, of the printed bill, strike out the following: "may be", and insert in lieu thereof the following: "will show".

Amendment No. 3.

On page 2, line 28, of the printed bill, strike out the entire line.

Amendment No. 4.

On page 2, line 29, of the printed bill, strike out the following: "the supervisor to ascertain".

Amendment No. 5.

On page 2, line 38, of the printed bill, after the following "or upon or", insert the following: "within".

Amendment No. 6.

On page 2, line 39, of the printed bill, after the word "to", insert the following: "drill the well".

Amendments adopted.

Bill read second time, ordered to reprint, re-re-engrossment, and third reading.

Assembly Bill No. 1263—An act to add a new section to the Political Code of the State of California, to be numbered 4041.27, authorizing boards of supervisors to provide for the creation and operation of a system of insurance and pensions for the benefit of physicians and nurses employed in county institutions, to procure group insurance for

the benefit of such employees, and to provide for the payment of premiums therefor.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out line 5 of the title and insert in lieu thereof the following: "physicians, nurses and other persons employed in county institutions and in county health departments, to".

Amendment No. 2.

On page 1, line 6, of the printed bill, strike out the two words "and nurses", and insert in lieu thereof a comma and the words "nurses and any or all other persons".

Amendment No. 3.

On page 1, line 7, of the printed bill, following the word "institutions", insert the words "or county health departments."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 567—An act to amend sections 3817f and 3817g of the Political Code, relating to amount to be credited, on redemption of property from sale for delinquent taxes, for prior payments on account.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1138—An act to amend section 3804 of the Political Code, to prescribe place of filing claim for refund of taxes, penalties or costs, and to validate the filing of such claims heretofore filed.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1255—An act to amend section 2167b of the Political Code, known as the Psychopathic Parole Act, to authorize counties to recover cost of care of persons mentally disordered.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 1475—An act relating to the powers and duties of building inspectors of cities, cities and counties, or counties.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out "building permit", and insert in lieu thereof the following: "permit to construct a building".

Amendment No. 2.

On page 1 of the printed bill, at the end of line 17, insert the following: "Anything to the contrary notwithstanding, no provision of this act shall be construed to extend or to enlarge the scope of any of the provisions of the acts cited in section 1 hereof and no provision of this act shall be construed to make mandatory the employment of an architect or an engineer except in such specific cases as are now or shall hereafter be provided for by law."

Amendment No. 3.

On page 1, line 23, of the printed bill, strike out "person", and insert in lieu thereof the following: "building inspector".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 129—An act to amend section 1208 of the Political Code, relating to illiterate or helpless voters.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 215—An act to add section 1219.5 to the Agricultural Code, relating to annual reports of nonprofit cooperative marketing associations.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 694—An act to add section 690.5 to the Code of Civil Procedure, relating to exemption from attachment, garnishment, and execution of moneys paid to persons receiving relief, and declaring the urgency hereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 739—An act to amend section 4300a of the Political Code, relating to fees.

Bill read second time, and ordered on file for third reading.

Third Reading of Assembly Bills.

Assembly Bill No. 451—An act to add section 303 to the Penal Code, relating to alcoholic beverages.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 451 passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Donihue, Donnelly, Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Waters, Weber, Welsh, Williamson, and Mr Speaker—56.

NOES—Evans, Herbert J, Gilmore, and Hornblower—3

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 1861—An act to amend section 694da of the Political Code, relating to the State Agricultural Society contingent fund

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1861 passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, Mayo, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Waters, Weber, Welsh, Williamson, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No 6—An act to amend section 1, of an act entitled "An act to create a fund to be known as the State highway general

fund and providing for expenditures therefrom," approved June 5, 1931, relating to expenditures from said fund.

Bill read third time.

Point of Order.

Mr Chatters arose to the following point of order: Stating that the special order set had precedence over all other matter

Ruling by the Speaker.

The Speaker ruled the point of order well taken.

Special Order.

The hour of ten o'clock and thirty minutes a m., having arrived, the special order heretofore set for this hour was taken up for considera tion.

Consideration of Assembly Bill No. 1182.

Assembly Bill No. 1182—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and to provide for the disposition of the revenues therefrom, and to provide that this act shall take effect immediately.

Bill read third time.

The question being on the adoption of the amendments submitted by Mr. Turner.

Recess.

At twelve o'clock m., on motion of Mr. Lyon, the Assembly was declared at recess until two o'clock p m., of this day.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 578—An act relating to revenue and taxation, providing for an excise tax on the sale of all oleomargarine containing any fat or oil ingredient other than any one or more of the following: oleo oil, oleo stock, oleo stearine from cattle, neutral lard from hogs, sheep fat, cottonseed oil, peanut oil, corn oil or milk fat; providing a penalty for a violation of the provisions thereof—and reports that the same has been correctly enrolled, and presented the same to the Governor on this tenth day of April, 1935, at eleven o'clock and thirty minutes a.m

WATERS, Chairman

On Crime Problems.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1935.

MR SPEAKER Your Committee on Crime Problems, to which was referred Assembly Bill No. 2390—An act to add a new section to the Penal Code to be numbered 210, relating to kidnaping—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MILLER, Chairman

The above reported bill ordered on file for second reading

On Labor and Capital.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1935.

MR. SPEAKER Your Committee on Labor and Capital, to which was referred Assembly Bill No 71—An act providing that any person, firm, association, or corporation, agent, superintendent or manager thereof, employing special agents, detectives or so-called spotters, before disciplining or discharging any employee upon a report by such special agent, detective or so-called spotters, give notice and accord a hearing to such employee upon his request therefor, and providing for the punish-

ment for the violation thereof, and repealing an act entitled "An act providing that any public service corporation, agent, superintendent, or manager thereof, employing special agents, detectives, or so-called spotters shall, before disciplining or discharging any employee upon a report by such special agent, detective, or so-called spotters give notice and accord a hearing to such employee upon his request therefor, and providing for the punishment for the violation thereof," approved April 14, 1915, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BURNS, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 403—An act to amend "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for *registering or filing application for help or employment, prohibiting the dividing of* fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding section 11b thereto and repealing section 11½ thereof, relating to the fees of private employment agencies—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BURNS, Chairman.

The above reported bill ordered on file for second reading.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1935.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 1752—An act to amend sections 5 500, 5 680, and 5 681 of the School Code, relating to teachers' tenure—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

CHATTERS, Chairman

The above reported bill ordered on file for second reading.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1935.

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 2300—An act to amend section 503 of the Vehicle Code, relating to the theft and unlawful taking of a motor vehicle—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1935

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 359—An act to amend sections 156, 158, 159, 160, 161, 164 and 370 of the Vehicle Code, relating to registration of vehicles—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1935.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 2118—An act to provide for the raising of public revenue by imposing a tax upon the receipt of gross income, to be known as the "Property Relief and Gross Income Tax Law," providing for the collection and enforcement of the tax, authorizing and directing the State Board of Equalization to receive and collect the tax imposed hereunder, prescribing penalties for failure to pay the tax imposed hereby, prescribing penalties for violation of the provisions of this act, and

making an appropriation for the enforcement hereof—has had the same under consideration, and respectfully reports the same back without recommendation.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1935.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No 450—An act to repeal Article V of Chapter I of Part III of Division IV, embracing sections 4.320 to 4 334, inclusive, of the School Code, and to repeal Article VI of Chapter I of Part III of Division IV, embracing sections 4 340 to 4 353 of the School Code, and to enact in lieu thereof a new article to be numbered V, embracing sections 4.320 to 4 332, inclusive, all relating to payments from district funds;

Also, Assembly Bill No. 1751—An act to amend section 4 923 of the School Code, relating to computation of pupils' attendance;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

CHATTERS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Education, to which was referred Assembly Bill No 1483—An act to amend section 5.750 of the School Code, relating to absence from service of certificated employees on account of illness;

Also: Assembly Bill No. 2043—An act to amend section 5.722 of the School Code, *relating to resignations, dismissals and leaves of absence of certificated employees*; Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

CHATTERS, Chairman.

The above reported bills ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1935.

MR. SPEAKER *Your Committee on Judiciary, to which was referred Senate Bill* No. 701—An act to amend subdivision 19 of section 4237 of the Political Code, relating to grand jurors and trial jurors fees and mileage—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LYON, Chairman.

The above reported bill ordered on file for second reading.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, April 10, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 8, 1935, adopted Senate Concurrent Resolution No 24—Approving an amendment to the charter of the city of Alameda, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special election held therein on the twelfth day of March, 1935.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Request for Unanimous Consent.

Mr. Wagner asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No 24, at this time, without reference to file.

Consideration of Senate Concurrent Resolution No. 24.

Senate Concurrent Resolution No. 24—Relative to approving an amendment to the charter of the city of Alameda, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special election held therein on the twelfth day of March, 1935

Senate Concurrent Resolution No. 24 read.

Mr. Wagner moved the adoption of Senate Concurrent Resolution No. 24.

The question being on the adoption of Senate Concurrent Resolution No. 24.

The roll was called, and Senate Concurrent Resolution No 24 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Chatters, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Fisher, Frazier, Fulcher, Geyer, Gilbert, Glover, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 24 ordered transmitted to the Senate.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 9, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 521—An act to provide a method for improving public streets, avenues, lanes, alleys, courts and places within municipalities of the sixth class, and for levying and collecting assessments upon property to pay for such improvements, and declaring the urgency hereof, to take effect immediately, and repealing an act approved May 25, 1933, relating to the same subject;

Also: Assembly Bill No. 642—An act to provide for the formation of districts within municipalities for the acquisition, construction or extension of water works, water systems or water distribution systems; for the issuance, sale and payment of bonds of such districts to meet the cost of such water works, water systems or water distribution systems; and for the acquisition, construction or extension of such water works, water systems or water distribution systems;

Also: Assembly Bill No. 656—An act to validate bonds, including refunding bonds, of irrigation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Assembly Bill No. 1235—An act to add to the Probate Code a new section, to be numbered 1068, relating to the discharge of executors and administrators and the termination of probate proceedings

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 9, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 208—An act to prohibit under certain conditions, sales under certain chattel mortgages, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale made in violation of the act, to prescribe the time within which an action to avoid such a sale may be brought, and to declare the urgency thereof, and to provide that this act take effect immediately

Also: Assembly Bill No. 1730—An act to add section 670.5 to the Political Code, relating to the refund of penalties;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

The above reported bills ordered to unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, April 9, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 143—An act to amend section 737aa of the Political Code, relating to salaries of judges;

Also: Senate Bill No. 212—An act to establish an Insurance Code, thereby consolidating and revising the law relating to insurance principles, practice and business

and matters incidental thereto, and to repeal certain acts and parts of acts specified herein;

Also, Senate Bill No. 210—An act to amend sections 1150 and 1151 of the Insurance Code, relating to purchasing, holding and conveying of real estate by insurers;

Also, Senate Bill No. 318—An act to amend section 11 of the State Contract Act, relating to qualification of bidders

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bills Nos. 143 and 318 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bills Nos. 212 and 210 read first time, and referred to Committee on Insurance.

Also:

SENATE CHAMBER, SACRAMENTO, April 9, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 276—An act authorizing certain cities, cities and counties, and boards or departments thereof, in issuing revenue bonds or other evidences of indebtedness, payable solely from revenues, or from any other special fund, to issue the same as negotiable instruments, to provide for certain signatures thereto by facsimile, for making the same payable at places outside the State of California, and for the registration thereof;

Also: Senate Bill No. 610—An act to add section 1203c to the Penal Code, relating to filing of reports by probation officers with the State Board of Prison Directors;

Also: Senate Bill No. 153—An act to amend section 5 of an act entitled "An act to regulate motor boats of less than fifteen gross tons capacity, operating in California waters and carrying passengers for hire and providing a penalty for violation thereof," approved June 19, 1931, relating to boats unequipped with propelling machinery.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 276 read first time, and referred to Committee on Municipal Corporations

Senate Bill No. 610 read first time, and referred to Committee on County Government.

Senate Bill No. 153 read first time, and referred to Committee on Commerce and Navigation.

Withdrawal of Assembly Bills Nos. 2386, 823 and 195.

By order of the Speaker, Assembly Bill No 2386 was withdrawn from the file, and referred to Committee on Live Stock and Dairies.

By order of the Speaker, Assembly Bill No 823 was withdrawn from the file, and referred to Committee on Municipal Corporations.

By order of the Speaker, Assembly Bill No 195 was withdrawn from the file, and referred to Committee on Municipal Corporations

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Oil Industries.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1935.

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No 2392—An act to ratify and approve an interstate compact to conserve oil and gas, signed at Dallas, Texas, February 16, 1935, and declaring the urgency hereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

McBRIDE, Chairman.

The above reported bill ordered on file for second reading.

On Commerce and Navigation.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1935.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Senate Bill No 762—An act granting to the city of Pacific Grove the title to certain portions of the water front of said city together with certain submerged lands in the bay of Monterey contiguous thereto;

Also: Senate Bill No. 725—An act ceding to the United States of America certain tide and submerged lands of the State of California upon certain trusts and conditions;

Also: Senate Bill No. 763—An act to remove the debris and snags from the Sacramento River between Chico Landing and the head of navigation near Red Bluff, to provide a survey for the work required, and to provide for the conduct of the necessary work by the State Emergency Relief Administration;

Also: Senate Bill No. 290—An act to amend an act of the Legislature of the State of California entitled "An act providing for the formation, government and operation of harbor districts for the improvement or development of harbors, the calling and conducting of elections in such districts, the issuance and disposal of the bonds thereof, and the assessment and levy of taxes for the payment of such bonds, principal and interest, and for the ordinary expenses of such districts," approved April 20, 1927, as amended, by adding a new section thereto to be numbered section 21, relating to the expenditure of the proceeds of harbor district bonds by the United States of America or any department, officer or agency thereof, and validating expenditures of such bond funds and work by the United States of America or any department, officer or agency thereof;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MALONEY, Chairman

The above reported bills ordered on file for second reading.

Resolution.

The following resolution was offered.

By Mr. Evans, Ralph W.:

Assembly Resolution.

WHEREAS, The Special Committee appointed pursuant to resolution adopted by the Assembly January 9, 1935, to make a special study and investigation of the building and loan situation in California has made a preliminary report but not its final report, and

WHEREAS, Further report on this situation is immediately and vitally needed by the Legislature for the due consideration of legislation that may be needed on this subject, particularly in view of the fact that Assembly Bill No. 1300 which has passed the Assembly has been set for hearing before the Senate committee on Monday, April 15, 1935; now, therefore, be it

Resolved, That said committee of the Assembly be and it is hereby requested to present and file its final report with this Assembly on or before April 15, 1935, and at the same time to file with the Secretary of State a full and complete transcript of all of the hearings and proceedings had by and before the committee.

Resolution read.

Mr Evans, Ralph W, moved the adoption of the resolution

The question being on the adoption of the resolution submitted by Mr. Evans, Ralph W.

Motion.

Mr. Latham moved that the resolution submitted by Mr. Evans, Ralph W, be referred to Committee on Rules.

Request for Roll Call.

On request of Messrs. Morgan, Evans, Ralph W., and McCarthy, the Speaker ordered a roll call taken on the motion to refer the resolution by Mr. Evans, Ralph W., to Committee on Rules.

The roll was called, and the motion lost by the following vote:

AYES—Andreas, Breed, Dawson, DeLap, Field, Garibaldi, Latham, Lyon, Maloney, Martin, McBride, Miller, Minard, Morgan, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Wallace, Welsh, Wright, and Mr Speaker—25

NOES—Anderson, Boyle, Burns, Clark, Cronin, Crowley, Desmond, Donahue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Gever, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Laughlin Lore, Mayo, McCarthy, O'Donnell, Pat-

terson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, Waters, and Weber—36.

The question being on the adoption of the resolution submitted by Mr. Evans, Ralph W.

Request for Roll Call.

On request of Messrs. Evans, Ralph W., Flint and McCarthy, the Speaker ordered a roll call taken on the adoption of the resolution submitted by Mr. Evans, Ralph W.

The roll was called, and the resolution was refused adoption by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Clark, Crowley, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, McCarthy, Meehan, Miller, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Thorp, Turner, Voigt, Wagner, Waters, and Weber—35.

NOES—Andreas, Breed, Brennan, Chatters, Corwin, Cottrell, Cronin, Dawson, DeLap, Field, Fisher, Frazier, Garibaldi, Gilmore, Johnson, Latham, Lyon, Maloney, Martin, Mayo, McBride, Minard, Morgan, Redwine, Riley, Robertson, Scudder, Stream, Utt, Walker, Wallace, Welsh, Williamson, Wright, and Mr. Speaker—35.

Recess.

At two o'clock and thirty minutes p.m., on motion of Mr. Nielsen, the Assembly was declared at recess for the purpose of hearing from Mrs. A. C. Carlson, National president of the Ladies Auxiliary of the American Legion, and Mrs. Carrie Baade, State president of the Ladies Auxiliary of the American Legion.

Reassembled.

At two o'clock and thirty-five minutes p.m., the Assembly reconvened. Speaker Craig in the chair.

Further Consideration of Assembly Bill No. 1182.

Bill read third time.

The question being on the adoption of the amendments submitted by Mr. Turner.

Demand for Previous Question.

Messrs. Wright, Riley, Stream, Latham and Phillips demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

Request for Roll Call.

On request of Messrs. Lyon, Redwine and Hunt, the Speaker ordered a roll call taken on the adoption of the amendments submitted by Mr. Turner.

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Anderson, Boyle, Cassidy, Clark, Crowley, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, McCarthy, Meehan, O'Donnell, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, and Wagner—27.

NOES—Andreas, Breed, Brennan, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Johnson, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—48.

Explanation of Vote.

The proponent of this bill tells you that the proposed Turner amendment soaks the poor as well as the rich, and pleads for a lesser tax. This amendment provides

if I had a net income of $3,500, because of an exemption of $2,500, would tax me $20 It also does not touch my tax-exempt securities.

This proposed tax is only a little over one-half of 1 per cent of the net income on this first item.

Let us examine the consistency of those who will go on record against this amendment. The other day some of them voted to retain a sales tax of 1 cent on the purchase of a 15-cent meal which amounts to over 6 per cent on a purchaser who had no property or other exemptions. Surely those who vote for a small income tax and a high sales tax are the ones who soak the poor.

I believe the income tax is the fairest tax ever proposed. Therefore, I will vote for it.

S. L. HEISINGER.

Third Reading of Assembly Bill No. 1182.

Assembly Bill No. 1182 read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr Anderson·

Amendment No. 1.

On page 1 of the printed bill, as amended March 14, 1935, strike out lines 1 and 2, both inclusive, and strike out all the remainder of said bill, and insert in lieu thereof the following:

"SECTION 1. For the purposes of this act and unless otherwise required by the context:

1. The word "board" means the Bank and Corporation Franchise Tax Commissioner.

2. The word "taxpayer" includes any individual or fiduciary subject to the tax imposed by this act.

3. The word "fiduciary" means guardian, trustee, executor, administrator, receiver, conservator, or any person, whether individual or corporate, acting in any fiduciary capacity for any person, estate or trust

4 The word "person" includes individuals, fiduciaries, partnerships and corporations

5. The word "corporation' includes joint stock companies or associations and insurance companies

6 The words "taxable year" mean the calendar year, or the fiscal year ending during such calendar year, upon the basis of which the net income is computed under this act "Taxable year" includes, in the case of a return made for a fractional part of a year under the provisions of this act or under regulations prescribed by the State Board of Equalization, the period for which such return is made.

7. The words "fiscal year" mean an accounting period of twelve months ending on the last day of any month other than December

8. The words "paid or incurred' and "paid or accrued" shall be construed according to the method of accounting upon the basis of which the net income is computed under this act

9. The word "resident" includes every natural person domiciled in the State of California and every other natural person who maintains a permanent place of abode within this State or spends in the aggregate more than seven months of the taxable year within this State The word "nonresident" includes every natural person other than a resident.

10 The words 'foreign country" mean any jurisdiction other than one embraced within the United States. The words "United States" when used in a geographical sense, include the State, the Territories of Alaska and Hawaii, the District of Columbia and the possessions of the United States.

11 The words "trade or business" include the performance of the functions of a public office.

SEC 2 There shall be levied, collected and paid for each taxable year upon all the net income of every resident of this State and upon the net income of every nonresident which is derived from sources within this State, taxes in the following amounts and at the following rates upon the amount of net income in excess of credits against net income provided in section 7

Upon a taxable net income not in excess of two thousand dollars, one per centum of such taxable net income.

Twenty dollars upon taxable net incomes of two thousand dollars; and upon taxable net incomes in excess of two thousand dollars and not in excess of four thousand dollars, two per centum in addition of such excess.

Sixty dollars upon taxable net incomes of four thousand dollars; and upon taxable net incomes in excess of four thousand dollars and not in excess of six thousand dollars, three per centum in addition of such excess.

One hundred twenty dollars upon taxable net incomes of six thousand dollars; and upon taxable net incomes in excess of six thousand dollars and not in excess of eight thousand dollars, four per centum in addition of such excess.

Two hundred dollars upon taxable net incomes of eight thousand dollars; and upon taxable net incomes in excess of eight thousand dollars and not in excess of ten thousand dollars, six per centum in addition of such excess.

Three hundred twenty dollars upon taxable net incomes of ten thousand dollars; and upon taxable net incomes in excess of ten thousand dollars and not in excess of twenty-five thousand dollars, eight per centum in addition of such excess.

One thousand five hundred twenty dollars upon taxable net incomes of twenty-five thousand dollars; and upon taxable net incomes in excess of twenty-five thousand dollars and not in excess of fifty thousand dollars, ten per centum in addition of such excess.

Four thousand twenty dollars upon taxable net incomes of fifty thousand dollars; and upon taxable net incomes in excess of fifty thousand dollars and not in excess of seventy-five thousand dollars, twelve per centum in addition of such excess.

Seven thousand twenty dollars upon taxable net incomes of seventy-five thousand dollars; and upon taxable net incomes in excess of seventy-five thousand dollars and not in excess of one hundred thousand dollars, thirteen per centum in addition of such excess.

Ten thousand two hundred seventy dollars upon taxable net incomes of one hundred thousand dollars, and upon taxable net incomes in excess of one hundred thousand dollars and not in excess of two hundred fifty thousand dollars, fourteen per centum in addition of such excess.

Thirty-one thousand two hundred seventy dollars upon taxable net incomes of two hundred fifty thousand dollars; and upon taxable net incomes in excess of two hundred fifty thousand dollars, fifteen per centum of such excess.

SEC. 3 The words "net income" mean the gross income computed under section 4 of this act less the deductions allowed by section 5 of this act.

SEC. 4 (a) Gross income includes gains, profits, and income derived from salaries, wages, or compensation for personal service, of whatever kind and in whatever form paid, or from professions, vocations, trades, businesses, commerce, or sales, or dealings in property, whether real or personal, growing out of the ownership or use of or interest in such property; also from interest, rent, dividends, securities, or the transaction of any business carried on for gain or profit, or gains or profits and income derived from any source whatever

(b) The following items shall not be included in gross income and shall be exempt from taxation under this act:

(1) Items excluded from gross income under subdivisions (1), (2), (3), (5), and (6) of subsection (b) of section 22 of the Federal Revenue Act of 1934, which subdivisions are hereby referred to and incorporated with the same force and effect as though fully set forth herein.

(2) Income which this State is prohibited from taxing under the Constitution or laws of the United States of America or under the Constitution of this State.

(c) Whenever in the opinion of the board the use of inventories is necessary in order clearly to determine the income of any taxpayer, inventories shall be taken by such taxpayer upon such basis as the board may prescribe as conforming as nearly as may be to the best accounting practice in the trade or business and as most clearly reflecting the income.

(d) In the case of a sale or other disposition of property, the gain or loss shall be computed as provided in sections 111, 112 and 113 of said Revenue Act of 1934 which sections are hereby referred to and incorporated with the same force and effect as though fully set forth herein; provided, however, that for the purposes of this act, the word "commissioner" in said sections shall be deemed to mean "board" and the words "with the approval of the secretary" in said sections shall be deemed omitted.

(e) In the case of sales or exchanges of capital assets, the gain or loss shall be taken into account in computing net income in the manner provided in section 117 of said Revenue Act of 1934 which section and the sections of said Revenue Act of 1934 referred to therein are hereby referred to and incorporated with the same force and effect as though fully set forth herein.

(f) In the case of taxpayers other than residents the gross income includes only the gross income from sources within this State. Gross income from sources within and without this State shall be allocated and apportioned under rules and regulations to be prescribed by the board.

SEC 5. In computing net income there shall be allowed as deductions:

(a) The deductions allowed by subsections a, g, l and q of section 23 of said Revenue Act of 1934, which subsections and the sections referred to therein are hereby referred to and incorporated with the same force and effect as though fully set forth herein.

(b) That portion of the total interest paid or accrued within the taxable year on indebtedness that the total taxable income of the taxpayer bears to the total

income of the taxpayer from all sources: provided, however, that no deduction shall be allowed or taken for interest paid or accrued within the taxable year on indebtedness incurred or continued to purchase or carry obligations, the interest upon which is wholly exempt from taxes imposed by this act

(c) Taxes or licenses paid or accrued during the taxable year, other than taxes paid to the State under this act, and other than taxes on or according to or measured by income or profits paid or accrued within the taxable year imposed by the authority of (1) the government of the United States or any foreign country, (2) any State, Territory, county, city and county, school district, municipality or other taxing subdivision of any State or Territory, and other than taxes assessed against local benefits of a kind tending to increase the value of the property assessed, but this shall not exclude the allowance as a deduction of so much of said taxes assessed against local benefits as is properly allocable to maintenance or interest charges.

(d) Losses sustained during the taxable year and not compensated for by insurance or otherwise;

1 If incurred in trade or business; or

2. If incurred in any transaction entered into for profit, though not connected with the trade or business; or

3. Of property not connected with the trade or business, if the loss arises from fires, storms, shipwreck, or other casualty, or from theft.

The basis for determining the amount of deduction for losses sustained, to be allowed under this subsection shall be the adjusted basis provided in section 4 of this act for determining the loss from the sale or other disposition of property.

(e) In the case of any loss claimed to have been sustained from any sale or other disposition of shares of stock or securities where it appears that, within a period beginning thirty days before the date of such sale or disposition and ending 30 days after such date, the taxpayer has acquired (by purchase or by an exchange upon which the entire amount of gain or loss was recognized by law) or has entered into a contract or option so to acquire, substantially identical stock or securities, then no deduction for the loss shall be allowed. If the amount of stock or securities acquired (or covered by the contract or option to acquire) is less than the amount of stock or securities sold or otherwise disposed of, then the particular shares of stock or securities the loss from the sale or other disposition of which is not deductible shall be determined under rules and regulations prescribed by the board.

If the amount of stock or securities acquired (or covered by the contract or option to acquire) is not less than the amount of stock or securities sold or otherwise disposed of, then the particular shares of stock or securities the acquisition of which (or the contract or option to acquire which) resulted in the nondeductibility of the loss shall be determined under the rules and regulations prescribed by the board

(f) Losses from sales or exchanges or capital assets shall be allowed only to the extent provided in subdivision (d) of section 117 of the said Revenue Act of 1934 which subdivision is hereby referred to and incorporated with the same force and effect as though fully set forth herein.

(g) Debts ascertained to be worthless and charged off within the taxable year (or in the discretion of the board a reasonable addition to a reserve for bad debts) and when satisfied that a debt is recoverable only in part, the board may allow such debt, in an amount not in excess of the part charged off within the taxable year, as a deduction

(h) In the case of mines, oil and gas wells, other natural deposits, and timber, a reasonable allowance for depletion and for depreciation of improvements, according to the peculiar conditions in each case; such reasonable allowance in all cases to be made under rules and regulations to be prescribed by the board. In any case in which it is ascertained as a result of operations or of development work that the recoverable units are greater or less than the prior estimate thereof, then such prior estimate (but not the basis for depletion) shall be revised and the allowance under this subsection for subsequent taxable years shall be based upon such revised estimate. In the case of leases the deductions shall be equitably apportioned between the lessor and the lessee. In the case of property held by one person for life with remainder to another person, the deduction shall be computed as if the life tenant were the absolute owner of the property and shall be allowed to the life tenant. In the case of property held in trust the allowable deduction shall be apportioned between the income beneficiaries and the trustee in accordance with the pertinent provisions of the instrument creating the trust, or, in the absence of such provisions, on the basis of the trust income allocable to each. The percentage of depletion allowable under this subsection shall be computed in accordance with the provisions of subdivisions (3) and (4) of subsection (b) of section 114 of said Revenue Act of 1934 which subdivisions and the sections of said Revenue Act referred to therein are hereby referred to and incorporated with the same force and effect as though fully set forth herein.

(i) The basis upon which depletion, exhaustion, wear and tear, and obsolescence are to be allowed in respect of any property shall be as provided in section 114 of said Revenue Act of 1934 which section and all sections of said Revenue Act referred to therein are hereby referred to and incorporated with the same force and

effect as though fully set forth herein; provided, however, that the word "commissioner" in said sections shall be deemed to mean "board" and the words "with the approval of the secretary" shall be deemed omitted

(j) In the case of an individual, contributions or gifts made within the taxable year to or for the use of.

(1) The United States, any State, Territory or any political subdivision thereof or the District of Columbia, for exclusively public purposes,

(2) A corporation, or trust, or community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation;

(3) The special fund for vocational rehabilitation authorized by section 12 of the World War Veterans' Act, 1924;

(4) Posts or organizations of war veterans, or auxiliary units or societies of any such posts or organizations, if such posts, organizations, units, or societies are organized in the United States or any of its possessions, and if no part of their net earning inures to the benefit of any private shareholder or individual; or

(5) A fraternal society, order, or association; operating under the lodge system, but only if such contributions or gifts are to be used exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals; to an amount which in all the above cases combined does not exceed fifteen per centum of the taxpayer's net income as computed without the benefit of this subsection. Such contributions or gifts shall be allowed as deductions only if verified under rules and regulations prescribed by the board. In the case of an individual if in the taxable year and in each of the ten preceding taxable years the amount of the above contributions or gifts plus the amount of income, war profits, or excess profits taxes paid during such year in respect of preceding taxable years, exceeds ninety per centum of the taxpayer's net income for each such year, as computed without the benefit of this subsection then the fifteen per centum limit imposed herein shall not be applicable. In the case of a taxpayer other than a resident the deductions under this subsection shall be allowed only as to contributions or gifts made to corporations or associations incorporated by or organized under the laws of this State or to the vocational rehabilitation fund above mentioned or to this State or any political subdivision thereof for exclusively public purposes.

(k) In the case of any taxpayer the deductions permitted by subsection (a) of section 23 of said Revenue Act of 1934 and referred to and incorporated by subsection (a) of this section of this act, shall not be allowed if, and to the extent that they are connected with the production of income not taxable under this act, and proper apportionment and allocation of such deductions with respect to taxable and nontaxable income shall be determined under rules and regulations to be prescribed by the board.

(l) In the case of a taxpayer other than a resident the deductions allowed by this section shall unless otherwise provided in this section be allowed only if and to the extent that they are connected with the income arising from sources within this State and taxable under this act to a nonresident taxpayer, and the proper apportionment and allocation of the deductions with respect to sources of income within and without the State shall be determined under rules and regulations to be prescribed by the board.

SEC. 6. In computing net income no deduction shall in any case be allowed in respect of items referred to in subsections (a) and (b) of section 24 of said Revenue Act of 1934 which subsections are hereby referred to and incorporated with the same force and effect as though fully set forth herein

(a) The obligor of a covenant bond shall not be allowed a deduction for the payment of the tax imposed by this act, or any other tax paid pursuant to the tax-free covenant clause, nor shall such tax be included in the gross income of the obligee.

SEC. 7. There shall be allowed for the purposes of the taxes herein provided the following credits against net income:

(a) In the case of a single person, a personal exemption of one thousand dollars, or in the case of the head of a family or a married person living with husband or wife, a personal exemption of two thousand five hundred dollars.

A husband and wife living together shall receive but one personal exemption The amount of such personal exemption shall be two thousand five hundred dollars. If such husband and wife make separate returns, the personal exemption may be taken by either or divided between them.

(b) Four hundred dollars for each person (other than husband or wife) dependent upon and receiving his chief support from the taxpayer if such dependent person is under eighteen years of age or is incapable of self-support because mentally or physically defective.

(c) If the status of the taxpayer, in so far as it affects the personal exemption or credit for dependents, changes during the taxable year, the personal exemption and credit shall be apportioned, under rules and regulations prescribed by the board, in accordance with the number of months before and after such change. For the

purpose of such apportionment a fractional part of a month shall be disregarded unless it amounts to more than half a month in which case it shall be considered as a month

SEC 8 The net income shall be computed upon the basis of the taxpayer's annual accounting period (fiscal year or calendar year, as the case may be) in accordance with the method of accounting regularly employed in keeping the books of such taxpayer; but if no such method of accounting has been so employed, or if the method employed does not clearly reflect the income, the computation shall be made in accordance with such method as in the opinion of the board does clearly reflect the income If the taxpayer's annual accounting period is other than a fiscal year as defined in section 1 or if the taxpayer has no annual accounting period or does not keep books, the net income shall be computed on the basis of the calendar year

SEC. 9 The amount of all items of gross income shall be included in the gross income for the taxable year in which received by the taxpayer, unless, under the methods of accounting permitted under section 8 of this act, any such amounts are to be properly accounted for as of a different period. In the case of the death of the taxpayer there shall be included in computing net income for the taxable period in which falls the date of his death, amounts accrued up to the date of his death if not otherwise properly includible in respect of such period or a prior period.

SEC 10 The deductions and credits provided for in this act shall be taken for the taxable year in which "paid or accrued" or paid or incurred, dependent upon the method of accounting upon the basis of which the net income is computed, unless in order clearly to reflect the income the deductions or credits should be taken as of a different period In the case of the death of a taxpayer there shall be allowed as deductions and credits for the taxable period in which falls the date of his death, amounts accrued up to the date of his death if not otherwise properly allowable in respect of such period or a prior period

SEC. 11. (a) Under regulations prescribed by the board a person who regularly sells or otherwise disposes of personal property on the installment plan may return as income therefrom in any taxable year that proportion of the installment payments actually received in that year which the gross profit realized or to be realized when payment is completed bears to the total contract price.

(b) In the case (1) of a casual sale or other casual disposition of personal property (other than property of a kind which would properly be included in the inventory of the taxpayer if on hand at the close of the taxable year), for a price exceeding one thousand dollars, or (2) of a sale or other disposition of real property, if in either case the initial payments do not exceed thirty per centum of the selling price, the income may, under regulations prescribed by the board be returned on the basis and in the manner prescribed by this section As used in this section the term "initial payment" means the payments received in cash or property other than evidence of indebtedness of the purchaser during the taxable period in which the sale or other disposition is made

(c) If a taxpayer entitled to the benefits of subsection (a) of this section elects for any taxable year to report his net income on the installment basis, then in computing his income for the year of change or any subsequent year, amounts actually received during any such year on account of sales or other dispositions of property made in any prior year shall not be excluded.

(d) If any installment obligation is satisfied at other than its face value or distributed, transmitted, sold or otherwise disposed of, gain or loss shall result to the extent of the difference between the basis of the obligation and (1) in the case of satisfaction at other than face value or a sale or exchange—the amount realized, or (2) in case of a distribution, transmission, or disposition otherwise than by sale or exchange—the fair market value of the obligation at the time of such distribution, transmission or disposition. Any gain or loss so resulting shall be considered as resulting from the sale or exchange of the property in respect of which the installment obligation was received The basis of the obligation shall be the excess of the face value of the obligation over an amount equal to the income which would be returnable were the obligation satisfied in full This subsection shall not apply to the transmission at death of installment obligations if there is filed with the board, at such time as it may by regulation prescribe, a bond in such amount and with such sureties as it may deem necessary conditioned upon the return as income, by the person receiving any payment on such obligations, of the same proportion of such payment as would be returnable as income by the decedent if he had lived and had received such payment.

SEC 12. In any case of two or more organizations, trades or businesses (whether or not incorporated, whether or not organized in this State, and whether or not affiliated) owned or controlled directly or indirectly by the same interests, the board is authorized to distribute, apportion, or allocate gross income or deductions between or among such organizations, trades, or businesses, if said board determines that such distribution, apportionment, or allocation is necessary in order to prevent evasion of taxes or clearly to reflect the income of any such organization, trades, or businesses.

SEC. 13. If a taxpayer changes his accounting period from fiscal year to calendar year, from calendar year to fiscal year, or from one fiscal year to another, the net income shall, with the approval of the board, be computed on the basis of such new accounting period subject to the provisions of section 14 of this act

SEC 14. (a) If a taxpayer, with the approval of the board, changes the basis of computing net income from fiscal year to calendar year a separate return shall be made for the period between the close of the last fiscal year for which return was made and the following December 31 If the change is from calendar year to the fiscal year, a separate return shall be made for the period between the close of the last calendar year for which return was made and the date designated as the close of the fiscal year. If the change is from one fiscal year to another fiscal year a separate return shall be made for the period between the close of the former fiscal year and the date designated as the close of the new fiscal year.

(b) Where a separate return is made under subsection (a) of this section on account of a change in the accounting period, and in all other cases where separate return is required or permitted, by regulations prescribed by the board, to be made for a fractional part of a year, then the income shall be computed on the basis of the period for which separate return is made

(c) If a separate return is made under subsection (a) of this section, on account of a change in the accounting period, the net income, computed on the basis of the period for which separate return is made, shall be placed on an annual basis by multiplying the amount thereof by twelve and dividing by the number of months included in the period for which the separate return is made The tax shall be such part of the tax computed on such annual basis as the number of months in such period is of twelve months

(d) The board shall by regulations prescribe the method of applying the provisions of subsections (b) and (c) (relating to computing income on the basis of a short period and placing such income on an annual basis) to cases where the taxpayer makes a separate return under subsection (a) on account of a change in the accounting period, and it appears that for the period for which the return is so made he has received.

(e) In the case of a return made for a fractional part of a year, except a return made under subsection (a), on account of a change in the accounting period, the personal exemption and the credit for dependents shall be reduced respectively to amounts which bear the same ratio to the full credits provided as the number of months in the period for which return is made bears to twelve months.

SEC. 15. The taxes imposed by this act shall apply to the income of estates or of any kind of property held in trust including the income referred to in subdivisions (1), (2), (3) and (4) of subsection (a) of section 161 of said Revenue Act of 1934 which subdivisions are hereby referred to and incorporated with the same force and effect as though fully set forth herein

The tax shall be computed upon the net income of the estate or trust, and shall be paid by the fiduciary except as provided in sections 166 and 167 of said Revenue Act of 1934 which are hereby referred to and incorporated with the same force and effect as though fully set forth herein.

For the purposes of this section the word "settlor" shall mean and include every creator of a trust and every decedent and where in this section the settlor is spoken of as a resident or a nonresident the same shall be taken to include a decedent who upon his or her death is a resident or a nonresident as the case may be

The taxable income of the estate or trust shall include the following:

(1) The income from real property and tangible personal property located and from business transacted in this State.

(2) The income from intangible property with a situs in this State.

(3) The income from real property and tangible personal property located outside this State and the income from intangible property with a situs outside this State in the following cases:

(a) Where the beneficiary and the fiduciary and the settlor are all residents of this State.

(b) Where the beneficiary and the fiduciary are residents of this State regardless of the residence of the settlor.

(c) Where the beneficiary and the settlor are residents of this State regardless of the residence of the fiduciary

(d) Where the beneficiary is a resident of this State regardless of the residence of the fiduciary and the settlor.

(e) Where the fiduciary is a resident of this State regardless of the residence of the beneficiary and the settlor.

(f) Where the settlor is a resident of this State regardless of the residence of the beneficiary and the fiduciary

(g) Where the fiduciary and the settlor are residents of this State regardless of the residence of the beneficiary.

Where the taxability of income under this section depends on the residence of the fiduciary and there are two or more fiduciaries for the estate or trust, the income taxable under this section shall be apportioned according to the number of fiduciaries

resident in this State, such apportionment being determined according to rules and regulations prescribed by the board.

Where the taxability of income under this section depends on the residence of the beneficiary and there are two or more beneficiaries for the estate or trust, the income taxable under this section shall be apportioned according to the number of beneficiaries resident in this State, such apportionment being determined according to rules and regulations prescribed by the board.

SEC. 16. The net income of the estate or trust shall be computed in the same manner and on the same basis as in the case of an individual taxpayer except that

(a) There shall be allowed as a deduction (in lieu of the deductions authorized by subdivision (j) of section 5 of this act) any part of the gross income, without limitation, which pursuant to the terms of the will or deed creating the trust, is during the taxable year paid or permanently set aside for the purposes and in the manner specified in subdivision (j) of section 5, or is to be used exclusively for religious, charitable, literary, scientific, or educational purposes, or for the prevention of cruelty to children or animals, or for the establishment, acquisition, maintenance or operation of a public cemetery not for profit;

(b) There shall be allowed as an additional deduction in computing the net income of the estate or trust, the amount of income of the estate or trust for its taxable year which is distributed currently by the fiduciary to the beneficiaries, and the amount of income collected by a guardian of an infant which is to be held or distributed as the court may direct; but the amount so allowed as a deduction shall be included in computing the net income of the beneficiaries whether distributed or not. Any amount allowed as a deduction under this paragraph shall not be allowed as a deduction under paragraph (c) of this section in the same or any succeeding taxable year. In the case of the income of a beneficiary not a resident derived through such an estate or trust, such income shall be taxable only to the extent provided in subdivision (f) of section 4 of this act.

(c) In the case of income received by estates of deceased persons during the period of administration or settlement of the estate, and in the case of income which, in the discretion of the fiduciary, may be either distributed to the beneficiary or accumulated, there shall be allowed as an additional deduction in computing the net income of the estate or trust the amount of income of the estate or trust for its taxable year, which is properly paid or credited during such year to any legatee, heir, or beneficiary, but the amount so allowed as a deduction shall be included in computing the net income of the legatee, heir, or beneficiary. In such cases the income of the legatee, heir, or beneficiary not a resident shall be taxable only to the extent provided in subdivision (f) of section 4 of this act.

SEC. 17. For the purpose of the taxes herein imposed the estate or trust shall be allowed the same personal exemption as is allowed to a single person under subsection (a) of section 7 of this act.

SEC. 18. Where the taxable year of a beneficiary is different from that of the estate or trust, the amount which he is required under section 16, to include in computing his net income shall be based upon the income of the estate or trust for any taxable year of the estate or trust (whether beginning on, before or after January 1, 1934), ending within his taxable year.

SEC. 19. A trust created by an employer as a part of a stock bonus, pension, or profit-sharing plan for the exclusive benefit of some or all of his employees, to which contributions are made by such employer, or employees, or both, for the purpose of distributing to such employees the earnings and principal of the fund accumulated by the trust in accordance with such plan, shall not be taxable under section 15 of this act, but the amount actually distributed or made available to any distributee shall be taxable to him in the year in which so distributed or made available to the extent that it exceeds the amounts paid in by him.

SEC. 20. Trusts referred to in section 166 of said Revenue Act of 1934 shall be taxable in the manner provided in said section 166 which is hereby referred to and incorporated with the same force and effect as though fully set forth herein.

SEC. 21. Trusts referred to in section 167 of said Revenue Act of 1934 shall be taxable in the manner provided in said section 167 which is hereby referred to and incorporated with the same force and effect as though fully set forth herein.

SEC. 22. Individuals carrying on business in partnership shall be liable for income tax only in their individual capacity and there shall be included in computing the net income of each partner his distributive share, whether distributed or not, of the net income of the partnership for the taxable year. The net income of the partnership shall be computed in the same manner and on the same basis as in the case of an individual.

SEC. 23. Every partnership shall make a return for each taxable year stating specifically the items of its gross income and the deductions allowed by this title, and shall include in the return the names and addresses of the individuals who would be entitled to share in the net income if distributed and the amount of the distributive share of each individual. The return shall be sworn to by any one of the partners.

If the taxable year of a partner is different from that of the partnership, the distributive share of the net income of the partner for his taxable year shall be based

upon the net income of the partnership for any taxable year of the partnership (whether beginning on, before, or after January 1, 1934), ending within the taxable year of the partner.

SEC 24. Every person taxable under this act, having a net income during the taxable year of one thousand dollars or over, if single, or if married and not living with husband or wife, or having a net income for the taxable year of two thousand five hundred dollars or over, if married, and living with husband or wife; or having a gross income during the taxable year of five thousand dollars or over, regardless of the amount of his net income, shall make a return under oath, stating specifically the items of his gross income and the deductions and exemptions allowed by this act.

If a husband and wife living together have an aggregate net income of the taxable year of two thousand five hundred dollars or over or an aggregate gross income of five thousand dollars or over, each shall make such a return unless the income of each is included in a single joint return in which case the tax shall be computed on the aggregate income

SEC 25. If the taxpayer is unable to make his own return, the return shall be made by a duly authorized agent or by the guardian or other person charged with the care of the person or property of such taxpayer.

SEC. 26 (a) Every fiduciary (except a receiver appointed by authority of law in possession of part only of the property of an individual) shall make under oath a return for and of the following individuals, estates, or trusts for which he acts, stating specifically the items of gross income thereof and the deductions and credits allowed by this act.

(1) Every individual having a net income for the taxable year of one thousand dollars or over, if single, or if married and not living with husband or wife;

(2) Every individual having a net income for the taxable year of two thousand five hundred dollars or over, if married, and living with husband or wife,

(3) Every individual having a gross income for the taxable year of five thousand dollars or over, regardless of the amount of his net income;

(4) Every estate or trust the net income of which for the taxable year is five thousand dollars or over, regardless of the amount of the net income.

(b) Under such regulations as the board may prescribe a return made by one of two or more joint fiduciaries and filed in the office of the board shall be sufficient compliance with the above requirement Such fiduciary shall make oath (1) that he has sufficient knowledge of the affairs of the individual estate or trust for which the return is made, to enable him to make the return, and (2) that the return is, to the best of his knowledge and belief, true and correct.

(c) Any fiduciary required to make a return under this act shall be subject to all the provisions of law which apply to individuals.

SEC 27. Every individual, partnership, corporation, joint stock company or association or insurance company, being a resident or having a place of business in this State, in whatever capacity acting, including lessees or mortgagors or real or personal property fiduciaries, employers and all officers and employees of the State or of any political subdivision of the State, having the control, receipt, custody, disposal or payment of interest (other than interest coupons payable to bearer), rent, salaries, wages, premiums, annuities, compensations, remunerations, emoluments or other fixed or determinable annual or periodical gains, profits and income, amounting to one thousand dollars or over, paid or payable during any year to any taxpayer, shall make complete return thereof under oath, to the board, under such regulations and in such form and manner and to such extent as may be prescribed by it.

The board whenever it deems it necessary to insure compliance with the provisions of this act, may under rules and regulations prescribed by it, require any individual, partnership, corporation, joint stock company or association or insurance company, including lessees or mortgagors and employees of the State or of any political subdivision of the State having control, receipt, custody, disposal or payment of interest (other than interest coupons payable to bearer), rent, salaries, wages, premiums, annuities, compensation, remunerations, emoluments or other fixed or determinable annual or periodical gains, profits and income paid or payable to any taxpayer, to deduct and withhold the tax due from such taxpayer and make return thereof and pay the tax to the board.

SEC. 28. Returns shall be in such form as the board may from time to time prescribe and shall be filed with the board, at its main office or at any branch office which it may establish, by each person taxable hereunder, within two months and fifteen days after the close of his taxable year. In case of sickness, absence or other disability, or whenever in its judgment good cause exists, the board may allow further time not exceeding ninety days, for filing returns There shall be annexed to the return the affidavit of affirmation of the taxpayer making the return, to the effect that the statements contained therein are true. The board shall cause to be prepared blank forms for the said returns and shall cause them to be distributed throughout the State and to be furnished upon application, but failure to receive or secure the form shall not relieve any taxpayer from the obligation of making any return herein required.

SEC. 29. If the board shall be of the opinion that any taxpayer has failed to file a return, or to include in a return filed, either intentionally or through error, items

of taxable income, it may require from such taxpayer a return, or a supplementary return, under oath, in such form as it shall prescribe, of all the items of income which the taxpayer received during the year for which the return is made, whether or not taxable under the provisions of this act. If from a supplementary return, or otherwise, the board finds that any items of income, taxable under this act, have been omitted from the original return it may require the items so omitted to be disclosed to it, under oath of the taxpayer, and to be added to the original return. Such supplementary return and the correction of the original return shall not relieve the taxpayer from any of the penalties to which he may be liable under any provision of this act. The board may proceed under the provisions of section 32 of this act whether or not it requires a return or a supplementary return under this section.

SEC. 30. One-half the amount of the tax disclosed by the return shall be due and payable on or before the fifteenth day of the third month following the close of the taxable year, and the balance of the tax shall be due and payable on or before the fifteenth day of the ninth month following the close of the taxable year.

If the board shall allow an extension of time for filing any return hereunder, there shall be a corresponding extension of time for the payment of the first installment of the amount of tax disclosed by such return, but there shall be added to and remitted with such tax interest thereon at the rate of one-half of one per cent per month or each fraction of a month from and after the date when the tax would otherwise have been due and payable.

The tax may be paid with uncertified check, payable to the State Treasurer, during such time and under such regulations as the board shall prescribe, but if a check so received is not paid by the bank on which it is drawn, the taxpayer by whom such check is tendered shall remain liable for the payment of the tax and for all legal penalties, the same as if such check had not been tendered

SEC. 31. As soon as practicable after the return is filed, the board shall examine it and compute the tax, and the amount so computed by the board shall be the tax. If the tax found due shall be greater than the amount theretofore paid, the excess shall be paid to the board within thirty days after notice of the amount shall be mailed by the board.

If the return is made in good faith and the understatement of the tax is not due to any fault of the taxpayer, there shall be no penalty or additional tax added because of such understatement, but interest shall be added to the amount of the deficiency at the rate of one per cent for each month or fraction of a month

If the understatement is due to negligence on the part of the taxpayer, but without intent to defraud, there shall be added to the amount of the deficiency five per cent thereof, and in addition, interest at the rate of one per cent per month or fraction of a month.

If the understatement is fraudulent, with intent to evade the tax, the tax on the additional income discovered to be taxable shall be increased by fifty per cent and an additional one per cent per month or fraction of a month shall be added

The interest provided for in this section shall in all cases be computed from the date the tax was originally due to the date of payment

If the amount of tax found due as computed shall be less than the amount theretofore paid, the excess shall be credited on any taxes then due from the taxpayer under this act, and the board shall certify to the State Board of Control the balance thereof, and if approved by that board the same shall be refunded to the taxpayer.

SEC. 32. If the board discovers from the examination of the return or otherwise that the income of any taxpayer, or any portion thereof, has not been assessed, it may, at any time within three years after the time when the return was due, assess the same and give notice to the taxpayer of such assessment, and such taxpayer shall thereupon have an opportunity, within sixty days, to confer with the board as to the proposed assessment The limitation of three years to the assessment of such tax or additional tax shall not apply to the assessment of additional taxes upon fraudulent returns After the expiration of sixty days from such notification the board shall assess the income of such taxpayer or any portion thereof which it believes has not theretofore been assessed and shall give notice to the taxpayer so assessed, of the amount of the tax and interest and penalties if any, and the amount thereof shall be due and payable within thirty days from the date of such notice The provisions of this act with respect to revision and appeal shall apply to a tax so assessed No additional tax amounting to less than one dollar shall be assessed

SEC 33 At any time within three years after the delinquency of any tax, or any installment thereof, the Controller of the State may bring an action in a court of competent jurisdiction in the county of Sacramento in the name of the people of the State of California to collect the amount delinquent, together with penalties, and such action shall be tried in the county of Sacramento unless the court, with the consent of the Attorney General, order a change of place of trial The Attorney General must prosecute such action, and the provisions of the Code of Civil Procedure relating to service of summons, pleadings, proofs, trials, and appeals are applicable to the proceedings, herein provided for In such action a writ of attachment may be issued, and no bond or affidavit previous to the issuing of said attachment is required In such action a certificate by the board showing the delinquency

shall be prima facie evidence of the levy of the tax of the delinquency and of compliance by the board with all the provisions of this act in relation to the computation and levy of the tax.

At any time within which an action can be brought to collect any delinquent tax as provided in the preceding paragraph, the Controller may collect the tax, together with penalties and interest, in the following manner: The Controller shall seize any property, real, or personal owned by the taxpayer against whom the tax is assessed, and thereafter sell at public auction such property so seized, or a sufficient portion thereof, to pay the tax due hereunder, together with any interest, and any penalty or penalties imposed thereby for such delinquency, and any and all costs that may have been incurred on account of such seizure and sale. Notice of such intended sale and the time and place thereof shall be given to such delinquent taxpayer and to all persons appearing of record to have an interest in such property, in writing at least ten days before the date set for such sale by enclosing such notice in an envelope addressed to said taxpayer at its last known place of business in this State if any, and, in the case of any person appearing of record to have an interest in such property, addressed to such person at the last known place of residence if any, and depositing the same in the United States mail, postage prepaid, and by publication for at least ten days before the date set for such sale in a newspaper of general circulation published in the county or city and county in which the property seized is to be sold; provided, however, that if there be no newspaper of general circulation in such county or city and county, then by the posting of such notice in three public places in such county or city and county for said ten-day period. The said notice shall contain a description of the property to be sold, together with a statement of the amount of taxes, interest, penalties and costs, the name of the taxpayer, and the further statement that, unless such taxes, interest, penalties and costs are paid on or before the time fixed in said notice for such sale, said property, or so much *thereof as may be necessary, will be sold in accordance with law and said notice.*

At any such sale, the property shall be sold by said Controller or his duly authorized agent in accordance with law and said notice, and the Controller shall deliver to the purchaser a bill of sale for the personal property, and a deed for any real property so sold, and such bill of sale or deed shall vest title in the purchaser. The unsold portion of any property so seized may be left at the place of sale at the risk of said taxpayer. If, upon any such sale, the moneys so received shall exceed the amount of all taxes, interest, penalties and costs, due the State from such taxpayer, any such excess shall be returned to the taxpayer and a receipt therefor obtained, *provided, however, that if any person having an interest in or lien upon the property* has filed with the Controller prior to any such sale notice of such interest or lien the Controller shall withhold any such excess pending the determination of the rights of the respective parties thereto by a court of competent jurisdiction. If, for any reason, the receipt of such taxpayer shall not be available, the Controller shall deposit such excess moneys with the State Treasurer, as trustee for such owner, subject to the order of such taxpayer, or its successor through reorganization, merger, or consolidation, or its stockholders upon dissolution.

It is expressly provided that the foregoing remedies of the State shall be cumulative *and that no action taken by the Controller shall be or be construed to be an* election on the part of the State or any of its officers to pursue any remedy hereunder to the exclusion of any other remedy for which provision is made in this act.

SEC. 34. At any time after the computation of the tax by the board, the board may record in the recorder's office of any county a notice of lien specifying the amount of the tax and the name of the taxpayer liable for the same. From the time of filing any such notice the amount of the tax specified in such notice together with any penalties for delinquency in the payment thereof thereafter attaching, shall have the force and effect of a judgment lien against the taxpayer named in such notice of lien. Such lien may be released by filing for record in the office of the county recorder of a release thereof executed by the board upon payment of the tax, interest, and penalties or upon receipt by the board of security sufficient to secure payment thereof, but no such release shall be deemed a waiver of any tax, interest or penalty levied or assessed under this act and due and payable or to become due and payable by such taxpayer.

SEC. 35. Upon notice of the board that any person is acting in a fiduciary capacity, such fiduciary shall assume the powers, rights, duties, and privileges of the taxpayer in respect of any tax imposed by this act (except as otherwise specifically provided and except that the tax shall be collected from the estate of the taxpayer), until notice is given that the fiduciary capacity has terminated.

Notice under this section shall be given in accordance with rules and regulations prescribed by the board. No final account of a fiduciary shall be allowed by the probate court unless such account shows and the judge of said court finds that all taxes imposed by the provisions of this act upon said fiduciary, which have become payable, have been paid, and that all taxes which may become due are secured by bond, deposit or otherwise. The certificate of the board and the receipt for the amount of the tax therein certified shall be conclusive as to the payment of the tax, to the extent of said certificate.

For the purpose of facilitating the settlement and distribution of estates held by fiduciaries, the board, with the approval of the Attorney General, may on behalf of the State agree upon the amount of taxes at any time due or to become due from such fiduciaries under the provisions of this act, and payment in accordance with such agreement shall be full satisfaction of the taxes to which the agreement relates

SEC 36. If any taxpayer, without intent to evade any tax imposed by this act, fail to file a return of income or pay a tax, if one is due, at the time required by or under the provisions of this act, but shall voluntarily file a correct return of income and pay the tax due within sixty days thereafter, there shall be added to the tax an additional amount equal to five per cent thereof, but such additional amount shall in no case be less than one dollar an additional one per cent for each month or fraction of a month during which the tax remains unpaid

If any taxpayer fails voluntarily to file a return of income or to pay a tax if one is due within sixty days of the time required by or under the provisions of this act, the tax shall be increased by twenty-five per cent and shall be further increased by one per cent for each month or fraction of a month from the time the tax was originally due to the date of payment.

Any person who, without fraudulent intent, fails to pay any tax or to make, render, sign or verify any return, or to supply any information, within the time required by or under the provisions of this act, shall be liable to a penalty of not more than one thousand dollars, to be recovered by the Attorney General in the name of the people, by action in any court of competent jurisdiction.

Any person or any officer or employee of any corporation, or member or employee or any partnership, who, with intent to evade any requirement of this act or any lawful requirement of the board thereunder shall fail to pay any tax or to make, sign or verify any return or to supply any information required by or under the provisions of this act, or who, with like intent, shall make, render, sign, or verify any false or fraudulent information, shall be liable to a penalty of not more than one thousand dollars, to be recovered by the Attorney General in the name of the people, by action in any court of competent jurisdiction, and shall also be guilty of a misdemeanor and shall, upon conviction, be fined not to exceed one thousand dollars or be imprisoned not to exceed one year, or both, at the discretion of the court

The Attorney General shall have the power with the consent of the board, to compromise any penalty for which he is authorized to bring action under this section The penalties provided by such section shall be additional to all other penalties in this act provided

The certificate of the board to the effect that a tax has not been paid, that a return has not been filed or that information has not been supplied, as required by or under the provisions of this act, shall be prima facie evidence that such tax has not been paid, that such return has not been filed or that such information has not been supplied.

If any taxpayer, who has failed to file a return or has filed an incorrect or insufficient return and has been notified by the board of his delinquency, refuses or neglects within twenty days after such notice to file a proper return, or files a fraudulent return, the board shall determine the income of such taxpayer according to its best information and belief and assess the same at one and one-half the amount so determined

SEC 37. A taxpayer after paying the tax assessed against him under this act may apply to the board for revision of the tax assessed against him, at any time within three years from the time of the filing of the return or from the date of the notice of the assessment of any additional tax. The board shall grant a hearing thereon and if, upon such hearing, it shall determine that the tax is excessive or incorrect, it shall resettle the same according to the law and the facts and adjust the computation of tax accordingly. The board shall notify the taxpayer of its determination and shall certify to the State Board of Control the amount it any collected in excess of what was legally due, from whom it was collected, or by whom paid and if approved by that board the same shall be credited to any taxes then due from the taxpayer under this act and the balance shall be refunded to the taxpayer

Interest shall be allowed and paid upon any overpayment of any tax, if the overpayment was not made because of an error or mistake on the part of the taxpayer, at the rate of six per centum per annum as follows: (1) In the case of credit, from the date of the overpayment to the date of the allowance of the credit. Any interest allowed on any credit shall first be credited on any taxes due from the taxpayer under this act; (2) In the case of a refund, from the date of the overpayment to a date preceding the date of the refund warrant by not more than thirty days, such date to be determined by the board

Any refund or any portion thereof which is erroneously made, and any credit or any portion thereof which is erroneously allowed, may be recovered, together with interest at the rate of six per centum per annum from the date the refund was made or the credit allowed, in an action brought by the Controller of the State in a court of competent jurisdiction in the county of Sacramento in the name of the people of the State of California, and such actions shall be tried in the county of Sacramento unless the court with the consent of the Attorney General order a change of place of trial The Attorney General must prosecute such action, and the provisions of the

Code of Civil Procedure, relating to service of summons, pleadings, proofs, trials, and appeals are applicable to the proceedings herein provided for.

In the event that a tax has been illegally levied against a taxpayer the board shall certify such fact to the State Board of Control and said board shall authorize the cancellations of the tax upon the records of the board.

If the taxpayer has failed, without good cause, to file a return within the time prescribed by law, or has filed a fraudulent return or, having filed an incorrect return, has failed, after notice, to file a proper return, the board shall not reduce the tax below one and one-half the amount for which the taxpayer is found to be properly assessed.

SEC 38. The determination of the board upon any application made by a taxpayer for revision of any tax, may be reviewed in any court of competent jurisdiction by a complaint filed by the taxpayer against the board in the county of Sacramento, within sixty days after the notice by the board of its determination, given as provided in section 32 of this act Thereupon, appropriate proceedings shall be had and the relief, if any, to which the taxpayer may be found entitled may be granted and any taxes, interest or penalties paid, found by the court to be in excess of those legally assessed shall be ordered refunded to the taxpayer, with interest from time of payment

SEC 39. The board for the purpose of ascertaining the correctness of any return or for the purpose of making an estimate of the taxable income of any taxpayer, shall have power to examine or cause to be examined by any agent or representative designated by it for that purpose, any books, papers, records or memoranda, bearing upon the matters required to be included in the return, and may require the attendance of the taxpayer or of any other person having knowledge in the premises, and may take testimony and require proof material for its information, with power to administer oath to such person or persons

SEC. 40 It shall be unlawful for any member of the board or the State Controller or any person having an administrative duty under this act to divulge any information concerning the business affairs of persons reporting hereunder; provided, however, that the Governor may authorize examination of such returns by other State officers, in which event the information obtained shall not be made public, *provided further, that such returns may be examined, with the consent of the* Governor, by tax officers of another State or the Federal Government, if a reciprocal arrangement exists.

SEC. 41. The board may from time to time make such rules and regulations, not inconsistent with this act, as it may deem necessary to enforce its provisions.

SEC 42. All moneys and remittances received by the board in pursuance of the provisions of this act shall be transmitted daily to the State Treasurer, and copies *of the schedules covering such transmittals shall be furnished at the same time to* the State Controller

All moneys and remittances so received and so transmitted shall be deposited, after clearance of remittances, in the State treasury and credited to the "Income tax fund," which fund is hereby created. Moneys in said fund shall upon the order of the State Controller, be transferred into the general fund of the State, or drawn therefrom for the purpose of refunding to taxpayers hereunder.

SEC. 43 *If the board finds that a taxpayer designs quickly to depart from this* State or to remove his property therefrom, or to conceal himself or his property therein, or to do any other act tending to prejudice or to render wholly or partly ineffectual proceedings to collect the tax for the taxable year then last past or the taxable year then current unless such proceedings be brought without delay, the board shall declare the taxable period for such taxpayer immediately terminated and shall cause notice of such finding and declaration to be given the taxpayer, together *with a demand for immediate payment of the tax for the taxable period so declared* terminated and of the tax for the preceding taxable year or so much of such tax as is unpaid, whether or not the time otherwise allowed by law for filing the return and paying the tax has expired; and such taxes shall thereupon become immediately due and payable In any proceeding in court brought to enforce payment of taxes made due and payable by virtue of the provisions of this section the finding of the board, made as herein provided, whether made after notice to the taxpayer or not, *shall be for all purposes presumptive evidence of the taxpayer's design.*

SEC. 44 It shall be unlawful for any person to agree or contract directly or indirectly to pay or assume or bear the burden of any tax payable by any taxpayer under the provisions of this act. Any such contract or agreement shall be null and void and shall not be enforced or given effect by any court.

SEC. 45 This act shall be known as the "Personal Income Tax Act of 1935"

SEC 46 If any section, subsection, clause, sentence or phrase of this act which is reasonable *separable from the remaining portions of this act is for any reason* held to be unconstitutional such decision shall not affect the remaining portions of this act The Legislature hereby declares that it would have passed the remaining portions of this act irrespective of the fact that any such section, subsection, clause sentence or phrase of this act be declared unconstitutional

SEC 47 This act, inasmuch as it provides for a tax levy for the usual current expenses of the State, shall under the provisions of section 1 of Article IV of the Constitution, take effect immediately.

The taxes imposed by this act shall apply to the net income of persons taxable hereunder received or accrued on and after January 1, 1935."

The question being on the adoption of the amendments submitted by Messrs. Anderson and Desmond

Request for Roll Call.

On request of Messrs Jones, Cottrell and Chatters, the Speaker ordered a roll call taken on the amendments submitted by Messrs. Anderson and Desmond

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Anderson moved a call of the House.

Motion carried.

Time, three o'clock and fifty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—74

The Chief Clerk announced the absentees

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Reports of Standing Committees—(Resumed).

On Commerce and Navigation.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1935.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 428—An act to add sections 1611 to 1617, inclusive, to the Political Code, relating to the State Board of Recreational Harbor Commissioners for Mission Bay, and to repeal certain acts in conflict herewith—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MALONEY, Chairman.

The above reported bill ordered on file for second reading.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1935

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 667—An act to provide for the refunding of bonds issued under an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition or construction of such improvements," approved April 20, 1915, and bonds issued under the Municipal Improvement District Act of 1927, and providing procedure therefor—and reports that the same has been correctly re-engrossed.

WATERS, Chairman

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 341—An act to amend sections 21.1, 53, 54, 63, 64, 105, 133, 135d and 139 of the Bank Act, and to add two new sections thereto to be numbered 16d and 51 1—and reports that the same has been correctly re-re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 36—An act to amend the Agricultural Code by adding to Division VI thereof a new chapter to be numbered 8 and to include sections 1299 to 1300 6 inclusive, defining and pertaining to processors of farm products and the licensing thereof;

Also: Assembly Bill No 65—An act granting certain tide and submerged lands of the State of California to the city of San Buenaventura, upon certain trusts and conditions;

Also. Assembly Bill No. 663—An act to amend an act entitled "An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments, reassessments, to provide for the proceedings to test the validity of such refunding and reassessment, and to provide for contributions of public funds to assist in such refunding," approved June 5, 1933, by amending section 15 thereof relating to the issuance of refunding bonds, and adding a new section thereto to be numbered section 33 relating to the refunding of bonds payable from taxes, and declaring the urgency of said act;

Also Assembly Bill No 665—An act to amend an act originally entitled "An act authorizing the common council, board of trustees, or other governing body of any incorporated city or town other than cities of the first class to refund its indebtedness, to issue bonds therefor, and to provide for the payment of the same," approved March 9, 1897, and the title of which was amended by act approved May 26, 1933, to read as follows "An act authorizing the common council, board of trustees, or other governing body of any incorporated city or town other than cities of the first class to refund indebtedness thereof, or of any department, board or agency thereof, and to issue bonds therefor and to provide for the payment of the same," by amending sections 1, 2, and 3 thereof relating to refunding bonds and to the use of Federal courts in municipal bankruptcy or refunding proceedings,

And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 567—An act to amend sections 3817f and 3817g of the Political Code, relating to amount to be credited, on redemption of property from sale for delinquent taxes, for prior payments on account;

Also: Assembly Bill No. 944—An act regulating the use of public highways by motor vehicles operated thereon for the transportation of property for compensation; conferring powers upon the Railroad Commission with respect thereto; providing penalties for the violations of this act and repealing all acts inconsistent with the provisions of this act;

Also: Assembly Bill No. 1031—An act to amend sections 13 (a) and 47 (a) of an act entitled "An act to provide for the organization of the Railroad Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund,' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," and designated in the act so entitled as the "Public Utilities Act," approved April 23, 1915, as amended, relating to the determination of a reasonable return upon the value and to the valuation of public utility property;

Also: Assembly Bill No. 1138—An act to amend section 3804 of the Political Code, to prescribe place of filing claim for refund of taxes, penalties or costs, and to validate the filing of such claims heretofore filed;

Also: Assembly Bill No 1332—An act to add section 3306a to the Civil Code, relating to breach of contract to deliver a quitclaim deed.

Also: Assembly Bill No. 1688—An act to amend section 12 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to average earnings;

Also: Assembly Bill No 2404—An act to add section 2181c to the Political Code, relating to moneys of insane or feeble-minded persons committed to State hospitals and homes for feeble-minded;

And reports that the same have been correctly engrossed

WATERS, Chairman

The above reported bills ordered on file for third reading.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1935

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1285—An act to amend section 788 of the Fish and Game Code, relating to the crab season in California;

Also: Assembly Bill No. 2294—An act to repeal sections 327, 330, 331, 332, 333, 334 and 335 of the Fish and Game Code, relating to game refuges;

Also: Assembly Bill No. 756—An act to amend section 865 of the Fish and Game Code, relating to nets, and declaring the urgency hereof;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

FISHER, Chairman

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No. 173—An act to amend section 652 of the Fish and Game Code, relating to salmon;

Also: Senate Bill No. 32—An act to amend section 1310 of the Fish and Game Code, relating to fur-bearing mammals;

Also: Senate Bill No. 537—An act to add section 1354 to the Fish and Game Code, relating to the taking of frogs for educational and scientific purposes;

Also: Senate Bill No. 429—An act to amend section 1341 of the Fish and Game Code, relating to rabbits;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

FISHER, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1330—An act to amend sections 990, 991, and 993, of Article 1, Chapter 5, Part 2, of the Fish and Game Code;

Also: Assembly Bill No. 2336—An act to amend section 1293 of the Fish and Game Code, relating to destructive mammals;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended

FISHER, Chairman

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 672—An act to amend sections 89 and 90 of the Fish and Game Code, relating to fish and game districts;

Also: Assembly Bill No. 1826—An act relating to the supervision, regulation and restricting of commercial fishing in the waters under the jurisdiction of the State of California;

Also: Assembly Bill No 2077—An act to amend the Fish and Game Code;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

FISHER, Chairman

The above reported bills ordered on file for second reading

Also:

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No 26—An act to add section 615 1 to the Fish and Game Code, relating

to fish in districts 3 and 3A—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

FISHER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Fish and Game, to which was referred Assembly Bill No 1287—An act to amend section 790 of the Fish and Game Code, relating to the preservation of crabs and crab meat;

Also: Assembly Bill No. 790—An act to amend sections 652, 655, 656 and 665 of the Fish and Game Code, relating to salmon,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended

FISHER, Chairman

The above reported bills ordered on file for second reading

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1935.

MR SPEAKER Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 897—An act to amend section 487(a) of the Agricultural Code of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

THORP, Chairman

The above reported bill ordered on file for second reading

Also:

MR SPEAKER Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No 496—An act to amend section 692 of the Agricultural Code, relating to places where milk or milk products are handled or kept for sale;

Also Assembly Bill No 1135—An act to add Chapter 9 to Division IV of the Agricultural Code, relating to the production and marketing of milk and other dairy products;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

THORP, Chairman.

The above reported bills ordered on file for second reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 10, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 306—An act to amend section 1111 of the Code of Civil Procedure, relating to contest of elections;

Also: Senate Bill No. 720—An act to amend the Vehicle Code by amending sections 223, 225, 226, 306 and 308; by repealing sections 292, 293, and 304; by adding sections 292, 298, and 304, relating to vehicles.

J. A. BEEK, Secretary of Senate

Senate Bill No 306 read first time, and referred to Committee on Elections

Senate Bill No. 720 read first time, and referred to Committee on Motor Vehicles.

Motion to Expunge Record.

Mr Utt moved that the vote taken on the report and resolution of the Committee on Attaches be expunged from the record

Motion carried unanimously.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Attaches.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1935

MR SPEAKER: Your Committee on Attaches respectfully begs to report that it has carefully considered the applications for the various positions and desires to submit the following resolution:

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same:

	Per day (Sundays excepted)
Commencing April 2, 1935—	
Dan McFeeley, Assistant Journal Clerk	$5 00
Commencing April 8, 1935—	
Chris Nelson, Assistant History Clerk	5 00

Resolved further, That the following named persons be stricken from the list of Assembly attaches, and their names be stricken from the pay roll of the Assembly to take effect on completion of the work:

April 6, 1935—

Allan Spencer, Assistant History Clerk $5 00

Resolved further, That the office of Postmistress be on a seven day per week basis.

JAMES B. UTT, Chairman.

Report and resolution read.

Mr. Utt moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Andreas, Brennan, Cassidy, Chatters, Clark, Cottrell, Crowley, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Martin, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—57.

NOES—None.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1935.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 2382—An act to regulate the practice of pest control; to create the State Pest Control Board; to provide for the registration and licensing of persons engaged in such practice, and for the protection of the public in the practice of pest control—has had the same under consideration, and respectfully reports the same back without recommendation, as amended, and that it be re-referred to Committee on Building and Construction.

PHILLIPS, Chairman

The above reported bill ordered on file for second reading

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, April 10, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: I am returning herewith Assembly Bill No. 1793, without my approval, for the reason that, in my opinion, it constitutes an appropriation bill within the meaning of section 34 of Article IV of the Constitution.

That section provides in part:

"Until the Budget Bill has been finally enacted, neither house shall place upon final passage any other appropriation bill, except emergency bills recommended by the Governor."

An examination of the Journals does not show that a letter was obtained before this bill was put upon final passage

I am therefore vetoing Assembly Bill No. 1793

Respectfully submitted

FRANK F. MERRIAM, Governor of California

Assembly Bill No. 1793 ordered on unfinished business file.

Further Proceedings Under Call of the House Dispensed With.

At four o'clock and forty minutes p m. further proceedings under the call of the House were dispensed with, on motion of Mr. Chatters.

The roll of absentees was called, and the amendments to Assembly Bill No. 1182, submitted by Messrs. Anderson and Desmond, were refused adoption by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Clark, Crowley, Desmond, Donahue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, Mayo, McCarthy, McMurray, Meehan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, and Welsh—34.

NOES—Andreas, Breed, Brennan, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, McBride, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—46.

Special Order Set for Assembly Bill No. 1182.

On motion of Mr. Chatters, the consideration of Assembly Bill No. 1182 was made a special order for Thursday, April 11, 1935, at ten o'clock and thirty minutes a.m.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, April 10, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 329—An act regulating the use of public highways for commercial purposes by certain motor vehicles operated thereon for the transportation of property for compensation; preventing discriminations between various forms of transportation; creating the office of Truck Commissioner; conferring powers upon the Railroad Commission with respect to the transportation of property for compensation by said motor vehicles; providing penalties for the violation of this act, and repealing all acts inconsistent with the provisions of this act.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 329 read first time, and referred to Committee on Public Utilities.

Motion to Re-refer Assembly Bill No. 1314.

Mr. Cunningham moved that Assembly Bill No. 1314 be withdrawn from Committee on Judiciary, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 1314 to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 1314 ordered re-referred to Committee on Ways and Means.

Motion to Re-refer Assembly Bill No. 273.

Mr. Heisinger moved that Assembly Bill No. 273 be withdrawn from Committee on Public Utilities, and ordered re-referred to Committee on Motor Vehicles.

The question being on re-referring Assembly Bill No. 273 to Committee on Motor Vehicles.

Motion carried.

Assembly Bill No. 273 ordered re-referred to Committee on Motor Vehicles.

Motion to Re-refer Assembly Bill No. 1735.

Mr. Garibaldi moved that Assembly Bill No. 1735 be withdrawn from Committee on Governmental Efficiency and Economy, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 1735 to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 1735 ordered re-referred to Committee on Ways and Means.

Special Order Set for Assembly Bill No. 574.

On motion of Mr. Hunt, the consideration of Assembly Bill No. 574 was made a special order for Thursday, April 11, 1935, at two o'clock p.m.

Motion to Reconsider Assembly Bill No. 142 Continued.

Mr. Cottrell moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 142 was refused passage be continued until the next legislative day.

Motion carried.

Withdrawal of Bills.

By order of the Speaker, the following Assembly bills were withdrawn from the file, and ordered re-referred to the following committees:

Assembly Bill No. 944 re-referred to Committee on Public Utilities.

Assembly Bill No. 1031 re-referred to Committee on Public Utilities.

Assembly Bill No. 1688 re-referred to Committee on Insurance.

Assembly Bill No. 667 re-referred to Committee on Municipal Corporations.

Assembly Bill No. 663 re-referred to Committee on Municipal Corporations.

Assembly Bill No. 665 re-referred to Committee on Municipal Corporations.

Adjournment.

At four o'clock and fifty minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Thursday, April 11, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, April 11, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Peterson, its further reading was dispensed with.

Leave of Absence.

On motion of Mr. Clark, Mr. Voigt was granted leave of absence for this day.

Privilege of Floor of Assembly Extended.

On request of Mr. Donihue, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Joseph W. August of Oakland.

On request of Mr. Latham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Carl A. Peterson.

On request of Messrs. Geyer and Cunningham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Julian Beck and Mr. Robert H. Presley, officers of the Probationary Teachers Organization of Los Angeles, and Miss Edna Monsette of Los Angeles.

On request of Messrs. Morgan and Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Messrs. Newall Kimball, Arnold Statz, Walter Goebel, and Carl Dittmar, members of Los Angeles baseball team.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the principal and students of the Walnut Grove School of Walnut Grove, Sacramento County, as follows. Mrs. U. Woodbury, principal; Carmen Martin, Lillian Galli, Bernice Burchell, Carmel Mosher, Juana Sundell, Bernice Adams, Everett Campbell, William Hutchenson, Loyal Mealer, John Chickenoff, Raymond Duarte and Bill Moore, pupils, accompanied by Mrs. Wesley Burchell and Mrs. Norbet Mosher.

On request of Mr Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the principal, teachers, patrons, and pupils of the Elder Creek School, Sacramento County, as follows: Mrs. Thelma Johnson, principal; Mrs. Anna Jespersen and Mrs. Helen Penny, teachers; Mrs. C. Feil, Mrs. K. Hodge, Mrs. A. Anderson, Mrs. Scott, Mr. and Mrs. S. Kiino and Mr. Nakamura, patrons, and Betty Costa, Albert Lazzarini, John Scott, Maso Sunahara, Emil Thomas, Julia Thomas, Georgina Schmitt, John Schmitt, Nancy Randone, Helen Weiderhold, Helen Leesha, Lucille Ciavarella, William Simmonds, Kenneth Hodge, Herbert Ciavarella, Yoshiye Nakamura, Toshi Kiino, Max Owen, Dolly Owen, Eugene Langdon, Doris Anderson, Vera Enos, Peter Persic, Colin Wick, Mary Bruscia, Frank Ogden, John Sunahara, Sylvia Papais, Stanley Feil, Grace Hirabara, Barbara Hodge, Norma Feil, Ellis Hodge, Clifford Allen, Arthur Hines, Oscar Bruscia, Joe Bruscia, George Hunt, LaVerne Carlson, Billy Carlson, Sumiye Nakamura, Evelyn Mahoney, Shunki Kido, Hazime Kido, Fred Tanigawa and Jack Mahoney, pupils.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From the Federated Tax Reduction Leagues of Los Angeles, opposing the passage of Assembly Bill No 1054

From Los Angeles County Peace Officers' Association, asking legislation regulating parking of motor vehicles.

From the San Pedro Tax Reduction League, opposing taxation of the motion picture industry.

From A. G Bartlett, Inc., opposing the passage of Assembly Bills Nos 1475 and 2316; also opposing the passage of the 6-hour working day or the 30-hour week

From A. G. Bartlett, Inc., opposing the passage of Senate Bill No. 857; and protesting issuing so-called revenue bonds for any purpose without first submitting the proposal to the qualified voters.

From A G Bartlett, Inc., opposing the passage of Assembly Bill No. 954, and opposing the taxation of the motion picture industry; also the passage of any bill designed to license and tax inequitably chain store or any other business or industry

From A. L. Matten and others, opposing taxation of the motion picture industry.

Communication.

The following communication was received, and ordered printed in the Journal:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1935.

MR. SPEAKER: Pursuant to your instructions, the following named person has filed his credentials, and is duly recognized as a representative of the newspaper set opposite his name:

Public Welfare News—Glen Leet.

ARTHUR A OHNIMUS, Chief Clerk.

ASSISTANT CLERK COOLIDGE READING.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1935

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 287—An act to amend section 4041.16 of the Political Code, relating to county care of indigents;

Also: Assembly Bill No. 322—An act to amend "An act to establish free employment bureaus under the control and management of the Commissioner of the Bureau

of Labor Statistics, and making an appropriation therefor," approved May 17, 1915, by adding section 2a thereto, relating to free employment bureaus;

Also: Assembly Bill No. 387—An act to amend sections 1031 and 1032 of the Code of Civil Procedure, relating to costs;

Also: Assembly Bill No. 427—An act authorizing the legislative body of a municipality to vacate, abandon and close any public street, highway, road, boulevard, avenue, alley, way, lane or place, or any part thereof, either to the whole extent of the public right therein or to any partial extent, and prescribing a procedure therefor;

Also: Assembly Bill No. 616—An act making an appropriation for construction and equipment of new buildings at the State Narcotic Hospital;

Also: Assembly Bill No. 825—An act to provide for the formation of sewer districts within counties, cities and counties and municipalities for the acquisition or construction of sanitary sewage works or improvements, for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition, construction, maintenance and operation of such improvements;

Also: Assembly Bill No. 972—An act to amend section 791 of the Agricultural Code, relating to apricots;

And reports that the same have been correctly engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 973—An act to amend section 803 of the Agricultural Code, relating to peaches;

Also: Assembly Bill No. 975—An act to amend section 804 of the Agricultural Code, relating to pears;

Also: Assembly Bill No. 976—An act to amend section 806 of the Agricultural Code, relating to plums and fresh prunes;

Also: Assembly Bill No. 1246—An act to amend section 3663a of the Political Code, relating to the assessment of property by the State Board of Equalization and to provide that this act shall take effect immediately;

And reports that the same have been correctly engrossed

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 731—An act to amend section 10 of an act entitled "An act providing for the formation, government and operation of harbor districts, the calling and conducting of elections in such districts of harbor commissioners, defining their powers and duties, and providing for the issuance and disposal of bonds of such harbor districts, and providing for the assessment, levy and collection of taxes for the payment of such bonds and for the ordinary annual expenses of such harbor districts,' approved June 10, 1931, relating to the government of such districts;

Also: Assembly Bill No. 992—An act to amend section 11 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the definition of dentistry;

Also: Assembly Bill No. 1215—An act to amend section 11 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the regulation of the practice of optometry;

Also: Assembly Bill No. 1270—An act to add section 9½ to "An act to provide for the aid and relief of indigents," approved June 5, 1933, relating to the sale of personal property of such persons upon their death;

And reports that the same have been correctly re-engrossed

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 819—An act to amend sections 2167, 2167a, 2169, 2172 and 2175 of, to repeal sections 2168, 2170, 2171 and 2185c of, and to add new sections numbered 2168, 2168.1, 2168.2, 2168.3, 2168.4, 2168.5, 2168.6, 2168.7, 2168.8, 2171, 2185.1, 2185.2, 2185.3, 2185.4, 2185.5, 2185.6 and 2185.7 to the Political Code, relat-

ing to persons mentally disordered or otherwise incompetent—and reports that the same has been correctly re-re-engrossed

WATERS, Chairman.

The above reported bill ordered on file for third reading.

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1935

MR SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No 1307—An act to license, regulate and control the manufacture, transportation, sale, purchase, possession and disposition of alcoholic beverages, to make an appropriation for the enforcement of this act, and to prescribe penalties for the violation of this act;

Also Assembly Bill No. 1823—An act to provide for the creation and management of lotteries in the State of California and legalizing lottery transactions;

Also Assembly Bill No 2142—An act to amend section 13 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof, to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a Constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the appropriation of the State's share of commissions;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

GARIBALDI, Chairman

The above reported bills ordered on file for second reading.

Second Reading of Assembly Bills.

Assembly Bill No 1226—An act adding a new section to the Political Code numbered _____ authorizing boards of supervisors to temporarily close any public highways, roads, streets, avenues, alleys, lanes, or places necessary for exposition purposes.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, at the beginning of line 2 insert the figures "4056e" and after the word "temporarily", insert the following "grant the use, possession, management and control of public parks and of public highway roads, streets, avenues, alleys, or places for certain exposition or fair purposes and temporarily to", and in line 4 of the title, after the word "for", insert the word "such".

Amendment No. 2.

On page 1, line 1, of the printed bill, after the words "SECTION 1", insert the following: "A new section to be known as section 4056e thereof, is hereby added to the Political Code to read as follows:

4056e The boards of supervisors of the several counties shall have power to grant the temporary use, possession, management and control of any public park or any part thereof and of any parts of the public highways, roads, streets, avenues, alleys, or places necessary for exposition purposes to any person, firm or corporation operating, managing and controlling any exposition or fair in aid of which the granting of public moneys or other things of value has been authorized by the Constitution or laws of this State or the laws of the United States of America upon such terms and conditions and for such periods of time as the board of supervisors may determine, such use, possession, management and control to terminate not later than one year after the closing of such exposition or fair, and shall have power to close for a like temporary period for such exposition purposes any parts of such public highways, roads, streets, avenues, alleys or places".

Amendment No. 3.

On page 1, line 2 of the title of the printed bill, at the beginning of line 2, insert the figures "4056e".

Amendment No. 4.

On page 1, line 2 of the title of the printed bill, after the word "temporarily", insert the following: "grant the use, possession, management and control of public parks and of public highway roads, streets avenues, alleys or places for certain exposition or fair purposes and temporarily to".

Amendment No. 5.

On page 1, line 4 of the title of the printed bill, after the word "for", insert the word "such"

Amendment No. 6.

On page 1 of the printed bill, after the word and figure "SECTION 1", add the following: "A new section to be known as section 4056e thereof, is hereby added to the Political Code to read as follows:

4056e. The boards of supervisors of the several counties shall have power to grant the temporary use, possession, management and control of any public park or any part thereof and of any parts of the public highways, roads, streets, avenues, alleys, or places necessary for exposition purposes to any person, firm or corporation operating, managing and controlling any exposition or fair in and of which the granting of public moneys or other things of value has been authorized by the Constitution or laws of this State or the laws of the United States of America upon such terms and conditions and for such periods of time as the board of supervisors may determine, such use, possession, management and control to terminate not later than one year after the closing of such exposition or fair, and shall have power to close for a like temporary period for such exposition purposes any parts of such public highways, roads, streets, avenues, alleys or places".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1227—An act relating to the holding of the San Francisco Bay Bridge Exposition in the City and County of San Francisco, in the State of California, providing for the issuance and sale of State bonds to be known as "San Francisco Bay Bridge Exposition bonds," providing for the payment and retirement of said bonds, providing for and creating a fund for the carrying out of the purposes of this act, authorizing the expenditures of moneys in said fund for such purpose, creating a commission to be known as the "San Francisco Bay Bridge Exposition Commission," creating an interest and sinking fund for the payment of interest on said bonds, and the redemption of the same, and making an appropriation therefor.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the printed bill, after the word and figure "SECTION 1", add the following: "For the purpose of this act there is hereby created a commission to be known as the "San Francisco Bay Exposition Commission" which shall consist of five members to be appointed by the Governor of the State within one year after the ratification of this act by vote of the electors of the State, who shall hold office until all of the business and affairs of said commission shall have been fully completed and settled. All vacancies in said commission shall be filled by appointment of the Governor. Said commission shall have the powers and duties hereinafter provided, and for the purpose of carrying out the provisions of this act, the State of California shall incur an indebtedness in the manner provided by this act, in the sum of five million dollars. Three members of said commission shall constitute a quorum for the transaction of business. Said commission shall adopt a seal having thereon the words "San Francisco Bay Exposition Commission of the State of California," and shall file with the State Controller and State Treasurer a certificate of the imprint of such seal and all signatures of persons authorized by said commission to sign contracts, claims and other documents on behalf of said commission. For convenience, the said commission hereinabove created may, in this act, be referred to as "the commission."

SEC. 2. Immediately upon the taking effect of this act the State Treasurer shall prepare five thousand suitable bonds of the State of California negotiable in form and payable to the bearer and expressing on their face the obligation of the State of California to pay in lawful money of the United States the principal amount thereof at the respective dates of maturity hereinafter specified or at the time fixed for the retirement thereof, as hereinafter provided, together with interest as hereinafter provided for, in the denomination of one thousand dollars each. Said bonds shall be known and designated as "California San Francisco Bay Exposition bonds" and shall be numbered consecutively from one to five thousand, inclusive, and shall

bear date the second day of January, 1936. Said bonds, as originally prepared, shall not contain a statement of the interest to be paid, but appropriate blanks shall be left upon the face of each of said bonds for the insertion of the rate of interest to be paid as hereinafter provided for. The total issue of such bonds shall not exceed the principal sum of five million dollars. Said bonds, and interest thereon, shall be payable in lawful money of the United States at the office of the State Treasurer at the time and in the manner following, to wit: The first one hundred twenty-five of said bonds shall be due and payable on the second day of January, 1939, and one hundred twenty-five of said bonds in consecutive numerical order shall be due and payable on the second day of January of each and every year thereafter until and including the second day of January, 1978, provided, however, that said bonds may be paid and redeemed prior to the said dates of maturity upon call by the State Treasurer in the manner hereinafter more particularly set forth.

Interest accruing on all of said bonds that shall be sold shall be payable at the office of the State Treasurer on the second of January and on the second day of July of each and every year after the sale of the same. The interest on all bonds issued and sold shall cease on the day of their maturity or retirement and the said bonds so issued and sold shall, on or after the day of their maturity or retirement, be paid, as herein provided, and shall thereupon be canceled by the State Treasurer. All bonds remaining unsold shall, at the date of the maturity thereof, be canceled and destroyed by the State Treasurer. All bonds issued pursuant to the provisions of this act shall be issued by the Governor of the State, countersigned by the State Controller and indorsed by the State Treasurer. Each of said bonds shall have the seal of this State impressed thereon. The said bonds signed, countersigned, indorsed and sealed as herein provided when sold, shall be and constitute a valid and binding obligation upon the State of California, though the rate of interest shall be inserted upon the face of said bonds, or any of them, as hereinafter authorized and provided, at a date or dates after said bonds shall be so signed, countersigned, indorsed and sealed; and in case any officer whose signature or countersignature or indorsement appears on any such bonds or coupons thereof issued hereunder, shall cease to be such officer before the delivery of such bonds to the purchaser thereof, such signature or countersignature or indorsement appearing either on the bonds or the coupons, or on both, shall, nevertheless, be valid and sufficient for all purposes the same as if such officer had remained in office until the delivery of such bonds, and the lithographed signature upon the coupons of the person who is State Treasurer at the date of such bonds shall be valid, although the bonds themselves may be indorsed by a different person who is Treasurer at the time of the delivery of such bonds.

SEC. 3. Attached to each of said bonds, there shall be an interest coupon for each semiannual payment of interest thereon, negotiable in form and payable to bearer, and expressing the obligation of the State of California to pay the amount of the semiannual payment of interest in lawful money of the United States at the time of maturity thereof, but subject, however, to cancellation upon the retirement of the bond to which it is attached prior to maturity as hereinafter provided. Said interest coupons shall be consecutively numbered in the chronological order of their time of payment and shall bear the lithographed signature of the State Treasurer. No interest shall be paid on any of said bonds for such time as may intervene between the date of said bond and the day of sale thereof, except to the extent to which accrued interest shall have been paid to the State at the time of such sale by the purchaser of said bond.

SEC. 4. Said San Francisco Bay Exposition Commission shall from time to time, so long as the bonds herein authorized, or any of them, remain unsold, determine when the same, or any part thereof, shall be sold, the number to be sold, and the interest rate thereon, which rate shall be fixed by the said commission according to the then prevailing market conditions, but shall at no time exceed six per cent per annum, and the determination of said commission as to the rate of interest, shall be conclusive as to the then prevailing market condition. When requested by said commission the State Treasurer shall prepare such number of bonds as may be requested, inserting upon the face of each of said bonds such interest rate as said commission has determined and authorized and when so prepared, said bonds shall be sold and delivered as in this act provided. In the event that any bonds prepared as herein provided can not in the judgment of said commission be sold at the time fixed for the sale thereof or thereafter, said commission may withdraw said bonds from sale and direct the State Treasurer to cancel and destroy the same and may at said time or thereafter at its option direct the preparation and sale, as herein provided, of the same or a different number of bonds, but not to exceed in all the amount herein authorized, and at the same or a different rate of interest, but not to exceed six per cent per annum, and it shall be the duty of the State Treasurer to obey any and all directions of said commission as herein authorized to cancel and destroy bonds and prepare and sell new bonds. In the event that bonds in addition to those directed in section 2 of this act originally to be prepared must be prepared in order to fulfill the provisions of the sentence immediately preceding this, such bonds and the coupons thereof shall be signed, countersigned, and indorsed in the same manner as provided for the original bonds in section 2 hereof.

SEC. 5. When the bonds authorized by this act to be issued shall have been signed, countersigned, indorsed and sealed, as in this act provided, the State

Treasurer shall from time to time sell such number thereof as the said commission may direct, to the highest bidder for cash. The commission shall from time to time issue such direction to sell such bonds as in the opinion of a majority of said commission shall be deemed necessary or expedient; and the proceeds from the sale of any and all such bonds shall be deposited in the State treasury to the credit of the California San Francisco Bay Exposition fund.

The State Treasurer shall not accept any bid which is less than the par value of the bond or bonds bid for and to the amount of the accepted bid there shall be added in each case as a part of the purchase price to be paid by the bidder the amount of interest which shall have accrued on the bond or bonds bid for between the date of purchaser's payment for said bond or bonds and the last preceding interest maturity date. Each bid shall be in writing and signed by the bidder and sealed and shall be deposited with the State Treasurer not later than the last business day preceding the date of sale. Each bid shall be accompanied by a deposit with the State Treasurer either in cash or by certified check on a responsible bank within the State of California to the order of the State of California of a sum equal to one-tenth of the amount of the par value of the bond or lot of bonds bid for. Such deposit of each unsuccessful bidder shall be returned to him immediately upon the rejection of his bid and such deposit of the successful bidder shall immediately upon acceptance of his bid become and be the property of the State of California and be placed in the State treasury to the credit of said California San Francisco Bay Exposition fund, and shall be credited to the successful bidder upon the purchase price of the bond or bonds paid for in case such price is paid in full by him within the time hereinafter prescribed. At the time of sale the State Treasurer shall open said bids and accept the bid of the highest bidder for cash, save and except that no bid shall be accepted which shall be lower in amount than the par value of the bonds bid for and that the State Treasurer shall reject all bids if instructed so to do by the said commission. The purchase price of the bonds sold shall be payable within ten days after the acceptance of the bid therefor, and if not so paid, the successful bidder shall have no right in or to said bonds or by reason of said bid or to the recovery of said deposit accompanying said bid or to any allowance or credit by reason of such deposit unless it shall appear that the bonds would not be validly issued if delivered to the purchaser in the form and manner proposed. In case the purchase price is not so paid, the bonds so sold but not paid for shall be resold by the State Treasurer upon notice as herein provided in case of original sale. Bonds sold shall be delivered to the purchaser immediately upon and not before the payment of the purchase price therefor. Before delivering any of said bonds, the State Treasurer shall detach therefrom all interest coupons which have matured before the date of the payment of the purchase price therefor. The State Treasurer may by public announcement at the time and place fixed by him for said sale continue such sale to such time and place as he may at the time of said continuance designate. When a sale is continued no notice thereof need be given other than the public announcement of such continuance by the State Treasurer as just hereinbefore provided. The State Treasurer shall give notice of the time and place of sale by publication in one newspaper published in the City and County of San Francisco, and in one newspaper published in the city of Los Angeles, once a week for two weeks next preceding the date fixed for said sale.

Immediately upon the receipt of the purchase price from each sale of said bonds, the State Treasurer shall pay in to the State treasury to the credit of the California San Francisco Bay Exposition fund the amount received as such purchase price, except such amount as may have been paid as accrued interest on said bonds.

Each and every amount that shall have been paid in any sale of the bonds herein authorized as accrued interest on the bonds sold shall be, by the State Treasurer, immediately after such sale, paid into the treasury of the State and placed in the fund hereinafter mentioned, to be known as the "interest and sinking fund of the California San Francisco Bay Exposition bonds".

SEC. 6. There is hereby appropriated from the general fund in the State treasury such sum annually as will provide in said interest and sinking fund of the California San Francisco Bay Exposition bonds, the amount necessary to pay the principal of and interest on bonds issued and sold pursuant to provisions of this act as said principal and interest become due and payable. There shall be collected each year and in the same manner and at the same time as other State revenue is collected such sum in addition to the ordinary revenues of the State as shall provide in said interest and sinking fund of the California San Francisco Bay Exposition bonds, the amount required to pay the principal and interest on said bonds maturing in said year, and it is hereby made the duty of all officers charged by law with any duty in regard to the collection of said revenue to do and perform each and every act which shall be necessary to collect such additional sum. There is hereby created in the State treasury a fund to be known and designated as the "Interest and sinking fund of the California San Francisco Bay Exposition bonds". The State Treasurer shall on the first day of July, 1936, and on the first day of each January and the first day of each July thereafter transfer from the general fund of the State treasury to said interest and sinking fund of the California San Francisco Bay Exposition bonds such an amount of money as shall provide in said interest and sinking fund of the California San Francisco Bay Exposition bonds the amount required to pay the

interest maturing at the next interest payment date on the amount of said bonds sold and outstanding, and shall likewise on the first day of January of the year 1939 and the first day of January of each year thereafter in which any of said bonds sold and outstanding mature, transfer from the general fund of the State treasury to said interest and sinking fund of the California San Francisco Bay Exposition bonds such an amount of money as will provide in said interest and sinking fund of the California San Francisco Bay Exposition bonds the amount required to pay the principal of such bonds sold and outstanding as mature in such year.

SEC. 7. The principal and interest of all of said bonds which may be sold shall be paid at the time the same become due from said interest and sinking fund of the California San Francisco Bay Exposition bonds, and the faith of the State of California is hereby pledged for the payment in full of the principal and interest of said bonds so sold as the same mature. Both principal and interest of the bonds or coupons so maturing shall be so paid upon presentation thereof to the State Treasurer on or after the day of the maturity or retirement of the same, and the State Treasurer is hereby authorized and required to make such payment. Warrants for such payment shall be duly drawn by the State Controller upon the request of the State Treasurer.

SEC. 8. All moneys remaining on hand in the California San Francisco Bay Exposition fund after the accomplishment of the purposes of this act, shall be transferred and paid into the interest and sinking fund of the California San Francisco Bay Exposition bonds. All moneys accruing to the State of California under and by virtue of any contracts, agreements or arrangements made by said San Francisco Bay Exposition Commission, or under the provisions of this act, shall be paid into said interest and sinking fund of the California San Francisco Bay Exposition bonds. Whenever there shall be in the interest and sinking fund of the California San Francisco Bay Exposition bonds a sum of money amounting to one hundred thousand dollars or more over and above the amount required for the payment of the annual interest accruing prior to or on the second day of January next ensuing and for the payment of principal upon bonds maturing prior to or on the second day of January next ensuing, the State Treasurer shall advertise in one newspaper published in the City and County of San Francisco, and in one newspaper published in the city of Los Angeles, once a week for two weeks for sealed proposals for the redemption of said bonds, and ten days from the time of the expiration of the period of such publication, the said State Treasurer shall open said sealed proposals and the said Treasurer shall pay and liquidate, so far as the funds then on hand and not needed for the payment of interest or required for the payment of principal on bonds maturing as aforesaid, shall extend, such bonds presented under said proposals as shall have the lowest value proposed; provided, however, that in the event proposals made for the redemption of bonds at the same price exceed the number of bonds which may be redeemed with the funds on hand as above provided, then the payment of said funds on hand shall be made on the bonds according to the number of their issue and the bid or bids accepted accordingly; provided further, however, that said State Treasurer shall reject all bids for the redemption of said bonds for more than the par value thereof and accrued interest thereon.

In the event that bids for the redemption of said bonds are not received or accepted sufficient for the expenditure of said funds on hand, as hereinabove provided, in the liquidation thereof, then the said State Treasurer shall retire and call said bonds at the par value thereof and accrued interest thereon, by lot, the number of said bonds to be so retired and called shall be the number which said fund then on hand may liquidate at par value and accrued interest. After selecting said bonds to be so retired by lot as aforesaid, the said Treasurer shall give notice thereof, listing the bonds so called by number, by publication in one newspaper published in the City and County of San Francisco and in one newspaper published in the city of Los Angeles once a week for two weeks. After the expiration of said period of publication said bonds so called by said State Treasurer shall no longer bear interest and shall be redeemable and paid upon presentation thereof to the State Treasurer, together with the interest accruing to said termination of said period of publication.

Owners and holders of bonds may register the same with the said State Treasurer, giving the name and address of such owner or holder and in the event that such bonds are so registered, then upon the call of said bonds as hereinabove provided by said State Treasurer, he shall notify such registered owners or holders of the fact of such call by mailing a copy of the notice to such owner or holder at least one week prior to the termination of said period of publication.

SEC. 9. The sum of two thousand dollars is hereby appropriate to pay the expenses that may be incurred by the State Treasurer in the printing, lithographing and selling of said bonds. Said amount shall be paid out of the general fund of the State treasury on the State Controller's warrants duly drawn for that purpose.

SEC. 10. The purpose of this act is to provide funds for use in connection with the holding and staging of the San Francisco Bay Exposition to commemorate the completion of the San Francisco-Oakland, and the Golden Gate bridges over San Francisco Bay in the years 1937-1938 and thereafter during each year or years or parts thereof, as the commission may determine; to provide facilities for the same; to encourage and assist the participation therein by governments, persons, corporations and agencies from all parts of the world; to establish a commission to repre-

sent the State of California in the carrying out of this purpose and to cooperate to the fullest extent therein with such governments, persons, corporations and agencies, and to engage in such activities as may be necessary or desirable to make the holding of said San Francisco Bay Exposition a success. The commission is hereby authorized and empowered to expend the moneys deposited in the California San Francisco Bay Exposition fund for the purpose of carrying out any and all of the above purposes.

SEC. 11. For the purpose of performing the duties imposed by law upon the commission it shall have the power and authority to elect its own officers and to appoint and employ a secretary, executive officers, and such other assistants or persons as it may deem necessary, and fix their compensations. All of the officers and employees so appointed shall hold office at the pleasure of the commission, and all salaries of employees shall be payable out of the California San Francisco Bay Exposition fund, upon proper warrants drawn therefor as hereinafter specified. The said commission shall serve without compensation but shall receive their actual traveling expenses. The commission shall have full and complete power and authority to carry out the provisions of this act, and the particular enumeration herein of the powers and duties of said commission shall not be construed to be a limitation or restriction of the full and complete power and authority of the commission.

SEC. 12. Said commission shall have power to make and execute all contracts and agreements necessary to the business of said commission or to carry out the purposes of this act. All contracts, made by said commission, shall be executed in triplicate, signed by the president thereof and executed under the seal of said commission, and one copy thereof shall be immediately filed with the State Controller. No contract or agreement shall be made by said commission unless the parties thereto shall waive therein all claims and recourse against the State of California for loss or damage of person or property arising from, growing out of, or in any way connected with or incident to such contract or agreement, and all contracts or agreements made by said commission in violation of this provision for waiver, shall be void.

SEC. 13. The said commission, through the president or such other officer as it shall authorize, shall audit all claims or demands for moneys expended by it, or for the expenditures of money which they have authorized in writing, and shall certify such claims and demands to the State Controller who shall thereupon draw his warrants therefor upon the State treasury payable out of said California San Francisco Bay Exposition fund, and the State Treasurer shall pay the same.

SEC. 14. For the purpose of carrying into effect the provisions and purposes of this act, the commission shall have power to make and enter into such contracts and agreements with the corporation hereinafter in this section referred to as it shall deem necessary or advisable, and shall by contract with said corporation provide for the payment to the State of California out of the net revenues arising from the holding of such exposition, until there shall have been paid to the State of California an amount sufficient to pay and retire all bonds issued under the provisions of this act, an amount bearing the same proportion to the total amount of said net revenues as the total contributions of the State of California to the exposition shall bear to the sum total of all contributions from all sources to said exposition, including as contributions, all funds secured by said corporation by the issuance of stock or bonds thereof. The corporation above referred to and contemplated by this act is San Francisco Bay Exposition, a nonprofit corporation organized under the laws of this State on the twenty-fourth day of July, 1934, for the purpose of conducting, managing, supervising and assuming responsibility for the holding of said San Francisco Bay Exposition and all activities in connection therewith. Said corporation may be referred to in this act as the San Francisco Bay Exposition Corporation. It is contemplated by this act that the San Francisco Bay Exposition Corporation will assume responsibility for the holding and staging of the San Francisco Bay Exposition in California. The commission shall cooperate to the fullest extent with the San Francisco Bay Exposition Corporation to the end that all moneys in the California San Francisco Bay Exposition fund shall be expended to the best possible advantage in assisting toward the carrying out of the above purposes in full and complete harmony with the plans of the San Francisco Bay Exposition Corporation.

SEC. 15. The contract, or contracts, if any, entered into by the commission with the San Francisco Exposition Corporation shall be construed to include a provision, whether specifically written therein or not, giving to the commission and its authorized representatives the authority to examine the books, records, contracts, accounts and vouchers kept by the said San Francisco Exposition Corporation at all reasonable times.

SEC. 16. The commission shall ask and demand that in the expenditure of any fund in connection or conjunction with the fund herein described, proper books of account shall be kept and maintained and an appropriate accounting system shall be had, and that such records and books shall be maintained and kept within the City and County of San Francisco as will enable a person of ordinary understanding from the inspection thereof, to determine the source and amount of all income and moneys received and the exact purpose in detail for which expenditures are made or moneys paid. Said books of account shall be open for inspection by any authorized representative of the commission.

SEC. 17. The State of California shall not in any manner or under any circumstances be liable for any of the acts, doings or proceedings of any person, association or corporation with whom the commission shall act, cooperate, or join to carry out the purposes of this act, nor for the services, salary, labor or wages of any officers, agents, servants or employees of such person, association or corporation, nor for any debts, liabilities or expenses of any kind whatsoever of such person, association or corporation; provided, however, that the commission may, in its discretion, employ the same persons, servants, agents or officers that may be employed by such person, association or corporation with which the commission shall act, cooperate and join to carry out the purposes of this act, and contribute to pay the whole or any part of their compensation.

SEC. 18. No member of the commission, or employees thereunder, or any officers thereof, shall be personally liable for any debts or obligations, or liability that may be created or incurred by the commission or by the State of California, acting by or through the commission. Neither the commission nor any member thereof shall be liable in damages for the negligence, default or wrongful act of any of the agents, servants or employees of the commission.

SEC. 19. The commission may execute contracts, hold property, and sue in its own name as San Francisco Bay Exposition Commission of the State of California. The provisions of an act entitled "An act to authorize suits against the State, and regulating the procedure therein," approved February 28, 1893, shall not apply to any claim or contract made by the commission or for negligence of the commissioners.

SEC. 20. The commission shall, on the first day of December of each year, file with the State Controller a financial statement under the seal of said commission, and verified by the members thereof, which statement shall show in detail the disposition of all moneys expended by it and to whom the same were paid, all expenditures contracted by it, all amounts paid thereon, and the balance due, if any, and shall file with such financial statement a report of all proceedings of the commission, the work accomplished by it, and plans proposed and the status of all matters under or in connection with the work of the commission and its funds. Upon completion of all work by the commission, it shall render a full, complete and final report, and file the same with the State Controller.

SEC. 21. All claims and demands arising under or in consequence of any contract or agreement made by the commission, and all expenditures authorized by it, shall be exempt from the provisions of section 669 of the Political Code.

SEC. 22. Indebtedness incurred and warrants issued by the commission shall be payable only from the California San Francisco Bay Exposition fund, and shall never be or become general indebtedness of the State of California; provided, however, that this section shall not apply to the indebtedness represented by bonds or interest coupons issued under this act.

SEC. 23. This act shall be known and may be cited as the "California San Francisco Bay Exposition Bond Act of 1935."

SEC. 24. This act shall take effect upon the adoption by the people of the State of California of an amendment to the Constitution of the State of California approving, adopting, legalizing, ratifying, validating and making finally and completely effective this act."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1228—An act providing for the acquisition of lands for, and the construction, maintenance and operation of a building at the San Francisco Bay Bridge Exposition to be held in the City and County of San Francisco, State of California, providing for the exhibition of products, resources of and other matters pertaining to the State of California at said San Francisco Bay Bridge Exposition, creating the San Francisco Bay Bridge Exposition, defining its purposes and duties and making an appropriation therefor.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the printed bill, after the word and figure "SECTION 1", add the following: "The San Francisco Bay Exposition Commission is hereby created to consist of five members, to be appointed by the Governor, one of whom shall be selected from the membership of the board of directors of the State Agricultural Society and another one from the membership of the State Board of Agriculture

Each member, within thirty days after his appointment, shall execute an official bond to the State of California in the penal sum of ten thousand dollars conditioned upon the faithful performance of his duties, the premium thereof to be paid from the fund hereinafter appropriated. The members of said commission shall serve without compensation, but shall receive their actual traveling expenses incurred in the performance of their duties hereunder. The Governor shall designate the chairman of the commission and shall fill vacancies occurring for any cause in the membership thereof.

SEC. 2. The commission shall have power, and is hereby authorized to construct, operate and maintain a building at the San Francisco Bay Exposition to be held in the City and County of San Francisco, State of California in 1938, and thereafter so long as said exposition shall continue, and to acquire all lands necessary therefor, said building to be known as the "California State Building," to acquire, collect, transport and maintain exhibits of the resources and products of the State of California, and exhibits, matters and things in any wise pertaining to the State of California, including matters of an educational, scientific or historical nature, said exhibits, and other matters and things, to be kept and maintained in said building. Said commission shall have power to employ and fix the compensation of a secretary and such other assistants or persons, as it may deem necessary to carry out and perform the duties hereby imposed upon it.

The commission shall have the exclusive charge and control of the expenditure of all moneys appropriated by the State of California for the purposes hereof, and shall have power to make and execute all contracts and agreements necessary to carry out the purposes of this act. All contracts made by said commission shall be executed in triplicate, signed by the chairman thereof, and one copy thereof shall be immediately filed with the State Controller. The said commission, through the chairman, shall audit all claims or demands for moneys expended by it, or for the expenditures of money which they have authorized in writing, and shall certify such claims and demands to the State Controller, who shall thereupon draw his warrants therefor upon the State Treasurer payable out of moneys appropriated by the State of California for the purposes hereof and the State Treasurer shall pay the same.

SEC. 3. The commission shall have power to insure all persons, employees or assistants under its control and all property, real, mixed and personal under its control against such risks and hazards as are incident to the work conducted by the commission and may pay the cost of such insurance out of the money appropriated for the use of the commission.

SEC. 4. Out of any money in the State treasury not otherwise appropriated, the sum of five hundred thousand dollars is hereby appropriated to be expended by the commission in carrying out the provisions of this act, including the acquisition of lands for and the construction, operation and maintenance of said "California State Building," and the acquisition, collection, transportation and maintenance of said exhibits therein at the San Francisco Bay Exposition to be held in the City and County of San Francisco, State of California, as aforesaid. All expenditures hereunder shall be exempt from the provisions of section 669 of the Political Code."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2390—An act to add a new section to the Penal Code to be numbered 210, relating to kidnaping.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 27, of the printed bill, after the word "not", strike out the words "less than five years nor".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 71—An act providing that any person, firm, association, or corporation, agent, superintendent or manager thereof, employing special agents, detectives or so-called spotters, before disciplining or discharging any employee upon a report by such special agent, detective or so-called spotters, give notice and accord a hearing

to such employee upon his request therefor, and providing for the punishment for the violation thereof, and repealing an act entitled "An act providing that any public service corporation, agent, superintendent, or manager thereof, employing special agents, detectives, or so-called spotters shall, before disciplining or discharging any employee upon a report by such special agent, detective, or so-called spotters, give notice and accord a hearing to such employee upon his request therefor, and providing for the punishment for the violation thereof," approved April 14, 1915, as amended.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 403—An act to amend "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding section 11b thereto and repealing section 11½ thereof, relating to the fees of private employment agencies.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1752—An act to amend sections 5.500, 5.680, and 5.681 of the School Code, relating to teachers' tenure.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "5.680, and 5.681."

Amendment No. 2.

On page 1, line 12, of the printed bill, after the comma, strike out the word "teachers", and in lieu thereof insert the words "permanent employees."

Amendment No. 3.

On page 1 of the printed bill, strike out lines 16 to 30, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2300—An act to amend section 503 of the Vehicle Code, relating to the theft and unlawful taking of a motor vehicle.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 20, of the printed bill, after "holder", insert the following: "or legal owner".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 359—An act to amend sections 156, 158, 159, 160, 161, 164 and 370 of the Vehicle Code, relating to registration of vehicles.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "sections 156, 158, 159, 160, 161, 164 and 370", and insert in lieu thereof the following: "section 372".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "156", and insert in lieu thereof the following: "372".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 3 to 25, inclusive, and strike out all of pages 2 and 3.

Amendment No. 4.

On page 3 of the printed bill, after line 5, insert the following:

"372. Weight Fees for Commercial Vehicles. (a) In addition to the registration fee specified in section 370, there shall be paid fees for the registration of every vehicle of a type subject to registration designed, used or maintained for the transportation of persons for hire, compensation or profit or designed, used or maintained primarily for the transportation of property as set forth in this section.

(b) Any electric vehicle designed, used or maintained as described in subdivision (a) hereof shall pay fees for registration according to the following schedule:

Unladen weight	*Fee*
(1) Less than 6000 pounds	$50.00
(2) 6000 pounds or more but less than 10,000 pounds	70.00
(3) 10,000 pounds or more	90.00

(c) Any vehicle designed, used or maintained as described in subdivision (a) hereof propelled by an engine designed to use fuel the distribution of which is subject to the Motor Vehicle Fuel License Tax Act when equipped wholly with pneumatic tires shall pay fees for registration according to the following schedule:

Weight	*Fee*
(1) When unladen, 3000 pounds or more, but less than 6000 pounds	$ 8.00
(2) When unladen, 6000 pounds or more but less than 10,000 pounds and limited hereunder to a gross weight of vehicle and load of not exceeding 22,000 pounds	40.00
(3) When unladen, 10,000 pounds or more and limited hereunder to a gross weight of vehicle and load of not exceeding 22,000 pounds	50.00
(4) When unladen, 6000 pounds or more and entitled hereunder to a gross weight of vehicle and load in excess of 22,000 pounds	70.00

(d) Any vehicle designed, used or maintained as described in subdivision (a) hereof propelled by an engine designed to use fuel the distribution of which is not subject to the Motor Vehicle Fuel License Tax Act when equipped wholly with pneumatic tires shall pay fees for registration according to the following schedule:

Weight	*Fee*
(1) When unladen, 3000 pounds or more, but less than 6000 pounds	$10.00
(2) When unladen, 6000 pounds or more but less than 10,000 pounds and limited hereunder to a gross weight of vehicle and load of not exceeding 22,000 pounds	50.00
(3) When unladen, 10,000 pounds or more and limited hereunder to a gross weight of vehicle and load of not exceeding 22,000 pounds	70.00
(4) When unladen, 6000 pounds or more and entitled hereunder to a gross weight of vehicle and load in excess of 22,000 pounds	100.00

(e) Any vehicle designed, used or maintained as described in subdivision (a) hereof other than an electric vehicle when not equipped wholly with pneumatic tires shall pay fees for registration amounting to twice the fees imposed upon other vehicles having corresponding weights as specified in subdivisions (c) and (d) hereof.

(f) If the tax provided for by the "Motor Vehicle Fuel License Tax Act" is held unconstitutional by the Supreme Court of the State of California or by the Supreme Court of the United States, then beginning with the first year next succeeding the date upon which such decision becomes final there shall be paid upon and for the registration and reregistration of every motor vehicle with the department, in addition to any other fees imposed by law, a registration fee of five dollars for every electric motor vehicle and for every other motor vehicle a fee amounting to the sum of forty cents for each horsepower or major fraction thereof of such motor vehicle and a proportionate amount thereof for the registration of such vehicle for a period of less than one year. The horsepower of any motor vehicle, except electric or steam driven motor vehicles, shall be determined by the formula commonly known as that of the Association of Licensed Automobile Manufacturers (A.L.A.M.) being as follows: Square the diameter of the cylinder in inches, multiply by the number of cylinders,

and divide by two and five-tenths, provided, that for the purposes hereof the horsepower of any steam driven motor vehicle shall be the horsepower rating fixed and advertised by the manufacturer thereof. In the event that the registration fees for electric motor vehicles and fees based on horsepower as hereinabove specified shall be collected, all such fees shall be paid into the motor vehicle fund of the State of California, and shall be distributed and used for such purposes as may be provided by law for the distribution and use of such motor vehicle fund; and provided, further, that in the event the provisions of this section, relative to registration fees, based upon horsepower rating, shall become effective the provisions of sections 370, 371 and subdivision (b) of 372 of this code shall be deemed to be superseded."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2118—An act in furtherance of the purposes and to facilitate the operation of Article XXV of the Constitution of the State of California, the "Property Relief and Gross Income Tax Law," providing for the collection and enforcement thereof, authorizing and directing the State Board of Equalization to receive and collect the tax imposed thereunder, prescribing such penalties for failure to pay the tax imposed thereby, prescribing penalties for violation of the provisions of this act, and making an appropriation for the enforcement hereof.

Bill read second time, ordered to re-re-engrossment, and third reading

Assembly Bill No. 450—An act to amend sections 4.320, 4.321 and 4.322 and repeal sections 4.323 to 4.334, both inclusive, of the School Code, all relating to school warrants registered for want of funds.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 1751—An act to amend section 4.923 of the School Code, relating to computation of pupils' attendance.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1483—An act to amend section 5.750 of the School Code, relating to absence from service of certificated employees on account of illness.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out line 5, and insert in lieu thereof the following: "illness or other physical or mental disability for a period of five school months or less, during the school year, the amount".

Amendment No. 2.

On page 1, line 9, of the printed bill, strike out the period, and insert in lieu thereof the following: "but in no case shall the amount deducted reduce the salary due said teacher to an amount less than one-third of the regular salary due him for such period or periods".

Amendment No. 3.

On page 1 line 14 of the printed bill, after "-ness," insert the following: "or other physical or mental disability".

Amendment No. 4.

On page 1, line 17, of the printed bill, strike out the period, and insert in lieu thereof the following: "; provided, however, that the governing board, by rules and regulations, may provide that no person shall receive pay for more than two

separate five-month periods within two consecutive school years for the same illness or disability".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2392—An act to ratify and approve an interstate compact to conserve oil and gas, signed at Dallas, Texas, February 16, 1935, and declaring the urgency hereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 4, line 39, of the printed bill, after the word "California", insert the following words: "with consent of the Senate".

Amendment No. 2.

On page 4 of the printed bill, strike out lines 44 to 52, inclusive, and on page 5, strike out lines 1 to 4, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 428—An act to add sections 1611 to 1617, inclusive, to the Political Code, relating to the State Board of Recreational Harbor Commissioners for Mission Bay, and to repeal certain acts in conflict herewith.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1285—An act to amend section 788 of the Fish and Game Code, relating to the crab season in California

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2294—An act to repeal sections 327, 330, 331, 332, 333, 334 and 335 of the Fish and Game Code, relating to game refuges.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 756—An act to amend section 696 of the Fish and Game Code, relating to the protection of fish.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 1330—An act to amend sections 990, 991, and 993, of Article 1, Chapter 5, Part 2, of the Fish and Game Code.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, as amended, strike out ", of Article 1, Chapter 5, Part 2,".

Amendment No. 2.

On page 1, line 1, of the printed bill, as amended, strike out "of Article 1, Chapter 5, Part 2".

Amendment No. 3.

On page 1, line 12, of the printed bill, as amended, strike out the semicolon and "provided,", and in line 13, strike out "however, that captains", and insert in lieu thereof a period and the following: "Captains".

Amendment No. 4.

On page 1 of the printed bill, as amended, strike out line 17, and insert in lieu thereof the following: "SEC. 2 Section 991 of the".

Amendment No. 5.

On page 2 of the printed bill, as amended, strike out line 18 and insert in lieu thereof the following: "SEC. 3. Section 993 of the Fish

Amendment No. 6.

On page 2 of the printed bill, as amended, strike out lines 26 to 28, inclusive, and insert in lieu thereof the following: "Chapter 4, Part 2, Division IV of this code."

Amendment No. 7.

On page 1, line 4, of the printed bill, as amended, after the word "operating", insert the following: "within the State or out from the State,"

Amendment No. 8.

On page 2, line 6, of the printed bill, as amended, after the word "fish", delete "in the fresh state."

Amendment No. 9.

On page 2, line 8, of the printed bill, as amended, after the word "licensed", insert the words "and authorized."

Amendment No. 10.

On page 2, line 9, of the printed bill, as amended, after the word "license", insert the words "and permit."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No 2336—An act to amend section 1293 of the Fish and Game Code, relating to destructive mammals.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 6, of the printed bill, after the word "may", insert the following: "obtain an annual permit to".

Amendment No. 2.

On page 1, line 6, of the printed bill, after the word "mammals", strike out the period, and add the following: "by making an affidavit setting forth the damage done or which may be expected to be done in the light of past experience and present contributing factors in a manner which shall be satisfactory evidence of probable damage and filing same with the Fish and Game Commission".

Amendment No. 3.

On page 1, line 10, of the printed bill, strike out all of the line after "done,", and strike out lines 11 and 12, and add the following: "and the owner or tenant shall report any killings under his permit to the said commission which may revoke said permit for violation thereof."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No 672—An act to amend sections 89 and 90 of the Fish and Game Code, relating to fish and game districts.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to add section 496 to the Fish and Game Code, relating to commercial fishing in district twenty."

Amendment No. 2.

On page 1 of the printed bill, after "Section 1", insert the following: "Section 496 is hereby added to the Fish and Game Code to read as follows:

496. The provisions of this code restricting the taking of fish, mollusks, and crustaceans for profit, in district twenty, by the use of nets, or otherwise, shall not apply to the hereinafter described portion of said district. All fish, mollusks, and crustaceans in such portion may be taken at any time with nets and other tackle and may be sold.

The provisions of this section apply to that portion of district twenty consisting of the coast line and the State waters beginning at Long Point on the eastern coast, thence following the coast line in a southerly direction around the south end of the island, thence following the meanderings of the coast line westerly and northerly to a line extending southwest magnetically from the southerly headland of Little Harbor."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1826—An act relating to the supervision, regulation and restricting of commercial fishing in the waters under the jurisdiction of the State of California.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "act", insert the following: "to amend section 926 of the Fish and Game Code,".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 3, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 926 of the Fish and Game Code is hereby amended to read as follows:

926. In district 19A, purse seines and round haul nets not exceeding three hundred fifty fathoms in length on cork line, and not exceeding thirty-five fathoms in depth may be used to take bonita and mackerel at any time."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2077—An act to amend the Fish and Game Code.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "amend", insert "section 1065 of", and in the same line, after "Code", insert ", relating to sardines".

Amendment No. 2.

On page 1, line 1, of the printed bill, after "SECTION 1.", insert the following: "Section 1065 of the Fish and Game Code is hereby amended to read as follows:

1065. Sardines may be taken for use in a reduction plant, or by a packer, only in accordance with the provisions of this article, as follows: In districts four, four and three-quarters, eighteen, nineteen, twenty-A, and twenty-one between November 1st and March 31st; elsewhere in the State, except in district twenty, between August 1st and February 15th. This section does not prohibit the taking of sardines for the purpose of salting, curing, smoking or drying or for the purpose of packing in cans commonly known as quarter-pound or square cans less than ten ounces in net weight; provided, that in a ten-ounce can, fish of a size of not less than eight fish to the can may be used, and there shall be added to the commonly known quarter-pound can not less than one ounce of olive oil or a

commercial salad oil, and a proportionately larger amount of such oil to the larger sizes of cans."

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1287—An act to amend section 790 of the Fish and Game Code, relating to the preservation of crabs and crab meat.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out the word "the", and insert in lieu thereof the following: "than".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 790—An act to amend sections 652, 655, 656 and 665 of the Fish and Game Code, relating to salmon.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, after "day", insert the following "for hook and line fishing, and 2 per day when taken with spear".

Amendment No. 2.

On page 1, line 11, of the printed bill, after "day", insert the following: "for hook and line fishing, and 2 per day when taken with spear".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 897—An act to amend section 487 (a) of the Agricultural Code of California.

Bill read second time, ordered to re-engrossment, and third reading

Assembly Bill No. 496—An act to amend section 692 of the Agricultural Code, relating to places where milk or milk products are handled or kept for sale.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, as amended in Assembly March 18, 1935, strike out the words "store, salesroom," and insert in lieu thereof the following: "store or salesroom, excepting a store or salesroom where milk or milk products are sold at retail in final packaged form,".

Amendment adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1135—An act to add Chapter 9 to Division IV of the Agricultural Code, relating to the production and marketing of milk and other dairy products.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "9", and insert in lieu thereof the following "10".

Amendment No. 2.

On page 1, lines 2 and 3 of the title of the printed bill, strike out "milk and other", and insert in lieu thereof the following: "manufactured".

Amendment No. 3.

On page 1, line 2, of the printed bill, strike out "9", and insert in lieu thereof the following. "10".

Amendment No. 4.

On page 1 of the printed bill, strike out line 4, and insert in lieu thereof the following: "Chapter 9. Production and marketing of manufactured".

Amendment No. 5.

On page 1 of the printed bill, after line 6, insert the following:

"740. For the purposes of this chapter, "dairy products" includes dairy products enumerated in this code, and excludes market milk and market cream.

741 The adequate and orderly production and distribution of manufactured dairy products is a matter impressed with a public interest and the provisions of this chapter are designed and intended to effectuate the policy of providing for such orderly production and distribution at prices equitable to producers, processors, manufacturers, retailers and consumers, in order to promote the welfare of the people of the State.

743. In order to carry out the policy of this chapter, the director is empowered to enter into marketing agreements with manufacturers, processors, producers, associations of producers, distributors, and retailers of manufactured dairy products for any dairy product.

744. Sixty-five per cent of the persons engaged in, and such persons as represent sixty-five per cent of the volume of, production, manufacture or distribution of a dairy product, in any marketing area, may make application to formulate a marketing agreement.

If the director determines that the application is properly made and that the area involved is such that a control plan is feasible, the director shall authorize such applicants to formulate a marketing agreement.

745. Such marketing agreement shall contain such provisions as may be necessary to carry out the policy of this chapter, and may include provisions:

1. For the appointment of local control boards with such powers as are specified in the agreement.

2. For the raising of funds, derived equitably from all producers, distributors and manufacturers participating in any marketing agreement, for the purposes of and to be used to the extent specified in the marketing agreement. From such assessments, there shall be paid to the director such sum, as may be necessary to defray the expenses incurred by the director in carrying out the provisions of this article.

3. For the establishment of price levels and margins, and the fixing of prices to be paid producers, and the fixing of resale prices, in such manner as the agreement may provide.

4 For the establishment of a code of fair practices.

5. For sales stimulation and educational activities

746 Upon the signing of such marketing agreement by such persons as is provided for in section 744, the agreement shall be forwarded to the director. Upon receipt of such agreement, the director shall determine if the agreement has been signed by the proper number of persons and is in accordance with the provisions and purposes of this article If it is determined that it is in such accordance, the director shall make an order establishing the marketing agreement, whereupon such an agreement shall become effective. If the director determines that the agreement is not in such accordance, he shall reject it without prejudice to the formulation of a new agreement. Such agreement, when effective, may be modified in such manner as may be provided in such marketing agreement. After taking effect, the provisions of such agreement shall establish the standard of conduct for all persons engaged in any occupation or business regulated by such agreement.

747. The director shall license all persons subject to the terms of a marketing agreement. No person shall engage in any occupation or business regulated by a marketing agreement unless he holds a license. Any license so issued may be revoked by the director, after notice and opportunity to be heard, for a violation of any provision of such agreement. In addition to any other penalty, every person violating any provision of a marketing agreement is liable for a civil penalty of one hundred dollars for each day's violation.

748 All money received by the director pursuant to the provisions of this chapter shall be placed in State treasury to the credit of the Department of Agriculture fund.

749. Any marketing agreement entered into pursuant to this chapter shall be revoked upon the application of fifty-one per cent or more of persons and production eligible to participate in the initiation of such agreement pursuant to section 744.

750 In any civil or criminal action or proceeding for violation of any of the following statutes, proof that the act complained of was done in compliance with the provisions of a marketing agreement to which the defendant was a party shall be a complete defense to such action or proceeding. Such statutes are "An act to define trust and to provide for criminal penalties and civil damages, and punishment of corporations, persons, firms, and associations, a person connected with them and to promote free competition in commerce and all classes of business in this State," approved March 23, 1907.

"An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, *providing for actions to enjoin unfair competition and discrimination and to recover* damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913

"An act to protect trade-mark owners, distributors and public against injurious and uneconomic practices in the distribution of articles of standard quality under a distinguished trade-mark, brand or name," approved May 8, 1931

750.5. The director may confer, enter into agreements, or otherwise arrange with the constituted authorities of California and other States and of the Agricultural Adjustment Administration, or other agencies, of the United States with respect to plans relating to the marketing or dairy products, within this State or as between this State and other States or the United States, and may effectuate and enforce such plans."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 2382—An act to regulate the practice of pest control; to create the State Pest Control Board; to provide for the registration and licensing of persons engaged in such practice, and for the protection of the public in the practice of pest control.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after the word "of", insert the following: "structural".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out the word "State", and insert in lieu thereof the following: "Structural".

Amendment No. 3.

On page 1, line 4 of the title of the printed bill, before the word "pest", insert the following: "structural".

Amendment No. 4.

On page 1, line 1, of the printed bill, after the quotation marks before the word "pest", insert the following: "structural".

Amendment No. 5.

On page 1, line 4, of the printed bill, after the comma following the word "vermin", strike out the following. "germs,".

Amendment No. 6.

On page 1, line 5, of the printed bill, after the word "other" strike out the remainder of the line, and insert in lieu thereof the following: "pests which infest households or damage structures."

Amendment No. 7.

On page 1, line 6, of the printed bill, strike out the word "State", and insert in lieu thereof the following. "Structural".

Amendment No. 8.

On page 1, line 7, of the printed bill, after the word "of", insert the following: "structural".

Amendment No. 9.

On page 1, line 8, of the printed bill, after the word "corporation", strike out the word "or", and after the word "association", strike out the period, and insert the following: "copartnership, individual, or any combination of any thereof."

Amendment No. 10.

On page 1, line 12, of the printed bill, after the word "engaged", insert the following. "only".

Amendment No. 11.

On page 1, line 12, of the printed bill, after the word "in", insert the following: "agricultural".

Amendment No. 12.

On page 1 of the printed bill, between lines 16 and 17, insert the following: "(d) Governmental agencies."

Amendment No. 13.

On page 1, line 17, of the printed bill, strike out all of lines 17, 18, 19 and 20, and insert in lieu thereof the following:

"SEC. 3. A Structural Pest Control Board is hereby created in the Department of Professional and Vocational Standards, which board shall, subject to such jurisdiction as is conferred upon the director of said department by an act creating the Department of Professional and Vocational Standards, administer the affairs of said board."

Amendment No. 14.

On page 1, line 24, of the printed bill, after the word "of", insert the following: "structural".

Amendment No. 15.

On page 1, line 25, of the printed bill, after the word "contractor", strike out the following: "or architect".

Amendment No. 16.

On page 1, line 26, of the printed bill, after the word "a", strike out "practical entomologist.", and insert in lieu thereof the following: "licensed structural engineer."

Amendment No. 17.

On page 2 of the printed bill, strike out all of section 5, lines 1 to 8, and insert in lieu thereof the following:

"SEC. 5. The members of said board shall be appointed by the Governor within thirty days after this act becomes effective. One member shall be appointed for a term which will expire on January 15, 1936; one member whose term will expire on January 15, 1937; two members whose terms will expire on January 15, 1938; and one member whose term will expire on January 15, 1939. Thereafter, appointments shall be for a term of four years, subject to removal by the Governor for incompetency, misconduct or neglect of duty. Vacancies shall be filled by the Governor for the unexpired term from the class in which said vacancy occurs."

Amendment No. 18.

On page 2, line 11, of the printed bill, after the word "a", insert the following: "board or committee".

Amendment No. 19.

On page 2, line 16, of the printed bill, strike out "chairman and a vice chairman, each to", and insert in lieu thereof the following: "president who shall".

Amendment No. 20.

On page 2, line 17, of the printed bill, after the word "meet", strike out the remainder of the line, and all of lines 18, 19 and 20, and insert in lieu thereof the following: "annually during the month of July. The said board shall have power to adopt and enforce reasonable rules and regulations relating to the practice of structural pest control and to the administration of this act."

Amendment No. 21.

On page 2, line 22, of the printed bill, strike out the word "chairman", and insert in lieu thereof the following: "president".

Amendment No. 22.

On page 2, line 24, of the printed bill, after the words "The board", strike out the remainder of line 24, and all of lines 25, 26 and 27, and insert in lieu thereof the following: "shall appoint a registrar of structural pest control operators, and fix his compensation and prescribe his duties. The registrar shall be the executive officer and secretary of the board."

Amendment No. 23.

On page 2, line 30, of the printed bill, after the word "of", strike out the following: "a deputy registrar and".

Amendment No. 24.

On page 2, line 39, of the printed bill, before the word "pest", insert the following: "structural".

Amendment No. 25.

On page 2, line 41, of the printed bill, after the word "building", strike out the following: ", agricultural".

Amendment No. 26.

On page 2, line 44, of the printed bill, strike out "in the practice of", and insert in lieu thereof the following: "or to hold one's self out as engaging in the practice of structural".

Amendment No. 27.

On page 2, line 44, of the printed bill, after the word "solicit", insert the following: "structural".

Amendment No. 28.

On page 2, line 45, of the printed bill, after the word "practices", insert the following: "structural".

Amendment No. 29.

On page 2 of the printed bill, at the end of line 46, insert the following: "Advertising in any form is hereby restricted to the name in which said license is issued and the class or classes of structural pest control for which said licensee has qualified."

Amendment No. 30.

On page 2, line 48, of the printed bill, after the word "a", strike out "registered voter within", and insert in lieu thereof the following: "resident of".

Amendment No. 31.

On page 2, line 51, of the printed bill, strike out the words "profession of", and insert in lieu thereof the following: "vocation of structural".

Amendment No. 32.

On page 3, line 1, of the printed bill, strike out the word "profession", and insert in lieu thereof the following: "vocation".

Amendment No. 33.

On page 3, line 2, of the printed bill, after the word "practice", insert the following: "structural".

Amendment No. 34.

On page 3, line 3, of the printed bill, strike out all of the line after the word "control", and all of line 4 down to and including the word "annually."

Amendment No. 35.

On page 3, line 6, of the printed bill, after the word "State.", insert the following: "The board may by rule or regulation designate, prescribe, define and/or classify into divisions or branches the structural pest control business and may issue separate licenses for each class or division of said business, and any person to whom a license has been issued authorizing the practice of any branch or division thereof is hereby restricted to operations authorized under said license."

Amendment No. 36.

On page 3, line 7, of the printed bill, strike out all of lines 7, 8, 9, 10 and 11, and insert in lieu thereof the following:

"SEC. 14. Each application for a license shall be accompanied by a fee of twenty-five dollars, which fee is to be retained by the board. Every structural pest control operator engaged in or conducting the business of structural pest control or any classes, branches or divisions thereof, in this State, at a fixed place or establishment on the effective date of this act shall register as such with the said board prior to the first day of October, 1935, and shall thereupon be entitled to and receive a license to continue said business without further examination. Such licenses shall be renewed annually on or before July 1st, in the same manner as all other licenses issued under section 15 hereof. Upon failure to comply with this requirement by October 1, 1935, such structural pest control operator must obtain a license in the manner and upon the conditions prescribed in section 13 of this act."

Amendment No. 37.

On page 3, line 12, of the printed bill, strike out all of lines 12, 13 and 14, and insert in lieu thereof the following:

"SEC 15. Every licensed structural pest control operator shall pay, annually, a fee for the renewal of his or its license in the amount of twenty-five dollars The board shall mail on or before the first day of June of each year to each such licensed

structural pest control operator, addressed to him at his last known address, a notice that his renewal fee is due and payable and that if such fee is not paid by the thirtieth day of June, a penalty of twenty-five dollars will be added to the renewal fee, and in no case shall said penalty or additional fee upon account of such delinquency be waived. Upon the receipt of such fees, the board shall cause the renewal certificate to be issued. If such delinquency extends beyond six months after June 30th of any year, the license may not be reinstated, but such structural pest control operator may be required to obtain a new license in accordance with the provisions of section 13 of this act."

Amendment No. 38.

On page 3, line 15, of the printed bill, strike out all of lines 15, 16, 17, 18 and 19, and insert in lieu thereof the following:

"SEC. 16. The board may upon its own motion, and shall upon the verified complaint in writing of any person, investigate the actions of any structural pest control operator within this State and shall have power in the manner hereinafter provided, and after hearing, to temporarily suspend or permanently revoke a license issued under the provisions of this act if the holder, while a licensee or applicant hereunder, is guilty of or commits any one or more of the following acts or omissions

(1) Wilful departure from or disregard of plans or specifications in any material respect, and prejudicial to another without consent of the owner or his duly authorized representative, and without the consent of the person entitled to have the particular construction project or operation completed in accordance with such plans and specifications;

(2) Wilful and deliberate disregard and violation of the building laws of the State, or of any political subdivision thereof, or of the safety laws or labor laws of the State;

(3) Misrepresentation of a material fact by applicant in obtaining a license;

(4) Failure in a material respect on the part of a licensee to complete any operation or construction repairs for the price stated in the contract for such operation or construction repairs or in any modification of such contract;

(5) Aiding or abetting an unlicensed person to evade the provisions of this act or knowingly combining or conspiring with an unlicensed person, or allowing one's license to be used by an unlicensed person, or acting as agent or partner or associate, or otherwise, of an unlicensed person with the intent to evade the provisions of this act. The word person as used herein shall be deemed to apply to an individual, firm, partnership, copartnership, corporation, association or other organization or any combination of any thereof;

(6) Failure in any material respect to comply with the provisions of this act;

(7) The doing of any wilful or fraudulent act by the licensee as a structural pest control operator in consequence of which another is substantially injured;

(8) The wilful or negligent handling or use of any poisonous exterminating agent without due respect to public safety;

(9) Wilful fraud and misrepresentation, after inspection, by any person engaged in structural pest control work of any type of infestation found in property or structures;

(10) Fraudulent impersonation of any State, county or city inspector or official;

(11) Wilful and deliberate disregard and violation of fumigation or extermination laws of the State or of any political subdivision thereof;".

Amendment No. 38-a.

On page 3 of the printed bill, strike out all of lines 20, 21, 22, 23, 24 and 25, and insert in lieu thereof the following:

"SEC 17 Proceedings for the suspension or revocation of a license shall begin by filing with the board written charges against the accused; such charges shall be in detail, and sworn to under oath by the complainant. Upon the filing with the board of a verified complaint charging a licensee with the commission within two years prior to the date of filing of such complaint, of any act which is cause for suspension or revocation of license, the board or its secretary must forthwith issue a citation directing the licensee, within ten days after service of the citation upon him, to appear by filing with the board his verified answer to the complaint, showing cause, if any he has, why his license should not be suspended or revoked. Service of the citation upon the licensee shall be fully effected by mailing a true copy thereof, together with a true copy of the complaint, by United States registered mail in a sealed envelope with postage fully prepaid thereon, addressed to the licensee at his latest address of record in the board's office. Service of said citation shall be complete at the time of said deposit subject to the provisions of section 1013 of the Code of Civil Procedure of this State. Failure of the licensee to answer may be deemed an admission by him of the commission of the act or acts charged in the complaint and his license shall thereupon be suspended forthwith pending any hearing of the cause which the board at its discretion may order; provided that the board shall have power, in the event of such failure to answer, to suspend or revoke the license without further evidence than the verified complaint in the case.

Upon the filing of the answer, the board shall fix a time and place for the hearing and give the licensee and the complainant not less than five days' notice thereof. The notice may be served by depositing by registered mail in the United States mail a true copy of the notice inclosed in a sealed envelope with postage thereon fully prepaid, and addressed to the licensee and to the complainant, respectively, at his last known address. With the notice to the complainant there shall be attached or inclosed a copy of the answer. The licensee shall have the right to appear personally or by counsel, to cross-examine witnesses or to produce witnesses in his defense. The board shall have the power to compel the attendance of witnesses, and the production of necessary papers and documents.

Upon the hearing, the board shall hear all relevant and competent evidence material to the issues and shall have power to continue the hearing from time to time as in its judgment may be necessary or proper. After the hearing is concluded and the matter submitted, the board shall, within twenty days after such submission, render its decision in writing, suspending or revoking the license or dismissing the complaint, with a brief statement of its reasons therefor. It shall give to the complainant and the licensee, or their respective attorneys, notice of the decision, by mail, in the same manner as prescribed herein for the giving of notice of hearing.

Any citation, notice, or other process or any paper or document provided by this section to be served on any party may be personally served as provided in section 1011 of the Code of Civil Procedure with the same effect as if served by mail as in this act provided.

SEC. 18. Every person engaged in the practice of structural pest control shall maintain a permanent office or place of business, plainly identified by a permanent sign bearing the name under which such business is conducted. The certificate shall be posted in a conspicuous place in the place of business of the licensee."

Amendment No. 39.

On page 3, line 26, of the printed bill, strike out the figure "18", and insert in lieu thereof the figure "19".

Amendment No. 40.

On page 3, line 29, of the printed bill, immediately preceding the word "Pest", insert the following: "Structural".

Amendment No. 41.

On page 3, line 34, of the printed bill, strike out the figure "19", and insert in lieu thereof the figure "20".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2043—An act to amend section 5.722 of the School Code, relating to resignations, dismissals and leaves of absence of certificated employees.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the printed bill, strike out the following. "Paragraph 4 of section", and insert in lieu thereof the following: "Section".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 3 to 15, inclusive, and insert in lieu thereof the following:

"5 722. The governing board of any school district, of any type or class, including junior college districts, shall have the power, subject to the provisions of this section, to grant any employee of the district employed in a position requiring certification qualifications, a leave of absence for not to exceed one year for the purpose of permitting study or travel by said employee which will benefit the schools and pupils of the district.

No leave of absence shall be granted to any employee under this section who has not rendered service to the district for at least seven consecutive years preceding the granting of such leave, of which period at least one year shall have been so served after this act shall have taken effect, and not more than one such leave of absence shall be granted in each seven-year period. The governing board granting said leave of absence shall have the power, subject to the rules and regulations of the State Board of Education, to prescribe the standard of service which shall

entitle the employee to such leave of absence. Said leave of absence shall not be considered as a break in the continuity of service toward retirement under this code except that such leave of absence shall not be counted as a year of service toward retirement under this code.

Every employee granted a leave of absence under the provisions of this section may be required to perform such services and may receive such compensation during such leave as the governing board of the district, with the approval of the county superintendent of schools, and the employee may agree upon in writing, but such compensation shall be the difference between the salary of the employee on leave and the salary of an employee holding a substitute contract assigned to the school in which such leave of absence occurs.

Such compensation as may be granted by the governing board to said employee on leave shall be paid in two equal annual installments during the first two years of service rendered in the employ of said governing board following the return of the employee from said leave of absence, or, at the option of the employee on leave, such compensation shall be paid each school month during the time such leave is in effect, in which event the employee shall furnish a bond or other security satisfactory to the governing board, in the amount to be paid such employee during such leave of absence, guaranteeing repayment to such governing board of such amount so paid, during such leave in the event such employee does not return to the service of district from which such leave was granted.

At the expiration of the leave of absence of said employee, he shall, unless he otherwise agrees, be reinstated in the position held by him at the time of the granting of the leave of absence."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 472—An act to amend the Insurance Code by amending Article 14 of Chapter 1 of Part 2 of Division 1 thereof, relating to proceedings against insolvent insurers

Bill read second time, and ordered on file for third reading.

Senate Bill No 908—An act to amend sections _____ of the Insurance Code, to add new sections thereto, and to repeal certain sections thereof, relating to insurance principles, practice and matters incidental thereto.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 570—An act to repeal an act entitled "An act to create a State Advisory Commission on Indian Affairs, to prescribe its membership and its powers and duties," adopted May 26, 1933.

Bill read second time, and ordered on file for third reading.

Senate Bill No 701—An act to amend subdivision 19 of section 4237 of the Political Code, relating to grand jurors and trial jurors fees and mileage.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "amend subdivision 19 of section 4237 of", and insert in lieu thereof the following: "add section 4237.9 to".

Amendment No. 2.

On page 1 of the printed bill, as amended, at the end of the last line of the title, before the period, insert the following: "in counties of the eighth class".

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out lines 1 to 3, inclusive and insert in lieu thereof the following:

"SECTION 1. Section 4237.9 is hereby added to the Political Code, to read as follows:

4237.9. In counties of the eighth class jurors shall receive the following fees and mileage, notwithstanding any other provision of law: For attending as a grand juror, for each".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 762—An act granting to the city of Pacific Grove the title to certain portions of the water front of said city together with certain submerged lands in the bay of Monterey contiguous thereto.

Bill read second time, and ordered on file for third reading.

Senate Bill No 725—An act ceding to the United States of America certain tide and submerged lands of the State of California upon certain trusts and conditions.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 763—An act to remove the debris and snags from the Sacramento River between Chico Landing and the head of navigation near Red Bluff, to provide a survey for the work required, and to provide for the conduct of the necessary work by the State Emergency Relief Administration.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 290—An act to amend an act of the Legislature of the State of California entitled "An act providing for the formation, government and operation of harbor districts for the improvement or development of harbors, the calling and conducting of elections in such districts, the issuance and disposal of the bonds thereof, and the assessment and levy of taxes for the payment of such bonds, principal and interest, and for the ordinary expenses of such districts," approved April 20, 1927, as amended, by adding a new section thereto to be numbered section 21, relating to the expenditure of the proceeds of harbor district bonds by the United States of America or any department, officer or agency thereof, and validating expenditures of such bond funds and work by the United States of America or any department, officer or agency thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 173—An act to amend section 652 of the Fish and Game Code, relating to salmon.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 32—An act to amend section 1310 of the Fish and Game Code, relating to fur-bearing mammals.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 537—An act to add section 1354 to the Fish and Game Code, relating to the taking of frogs for educational and scientific purposes.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 429—An act to amend section 1341 of the Fish and Game Code, relating to rabbits.

Bill read second time, and ordered on file for third reading.

Senate Bill No 26—An act to add section 615.1 to the Fish and Game Code, relating to fish in Districts 3 and 3A.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 8, of the printed bill, as amended March 28, 1935, strike out "December 31", and insert in lieu thereof "February 1".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Unfinished Business.

Consideration of Senate Amendments to Assembly Bill No. 208.

Assembly Bill No. 208—An act to prohibit until January 1, 1937, sales under certain chattel mortgages for default in the payment of the principal sum, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale made in violation of the act, to prescribe the time within which an action to avoid such a sale may be brought, and to declare the urgency thereof, and to provide that this act take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 208?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the words "until January 1, 1937", and insert in lieu thereof the following: "under certain conditions".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out the words "for default in the payment of the prin-".

Amendment No. 3.

On page 1, line 3 of the title of the printed bill, strike out the words "cipal sum".

Amendment No. 4.

On page 1 of the printed bill, strike out all of lines 1 to 9, inclusive, and insert in lieu thereof the following:

"SECTION 1. No sale shall be made under any final decree of foreclosure or any power of sale contained in any chattel mortgage heretofore executed upon any personal property located in and used in connection with the operation of any building located upon real property, sale of which real property under any mortgage or deed of trust is postponed by the filing of a petition and the recording of notice thereof under Chapter 7 of Statutes of 1935, until on or after such date as a sale of such real property is lawfully held under such mortgage or deed of trust."

Amendment No. 5.

On page 1 of the printed bill, commencing in line 14, strike out the words 'between the date upon which this act takes effect and the first day of January, 1937, such time is hereby extended so as not to expire until March 1, 1937", and substitute in lieu thereof the following: "when any sale under power of sale contained in such chattel mortgage or under any decree of foreclosure is postponed by virtue of the provisions of this act, such time is hereby extended to and including September 1, 1935".

Amendment No. 6.

On page 1 of the printed bill, following line 21 thereof, insert the following:

"SEC. 4. This act shall remain in effect only until September 1, 1935".

Amendment No. 7.

On page 2, line 1, of the printed bill, strike out the numeral "4", and insert in lieu thereof "5".

The roll was called, and Senate amendments to Assembly Bill No. 208 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Minard, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rob-

ertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—67.
NOES—None.

Assembly Bill No. 208 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1789.

Assembly Bill No. 1739—An act to add section 670a to the Political Code, relating to the refund of penalties.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1739?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "670a", and insert in lieu thereof the following: "670.5".

Amendment No. 2.

On page 1, line 1, of the printed bill, as amended, strike out "670a", and insert in lieu thereof the following: "670.5".

Amendment No. 3.

On page 1, line 3, of the printed bill, as amended, strike out the following: "670a. The", and insert in lieu thereof the following: "670.5. Unless otherwise provided by law, the".

Amendment No. 4.

On page 1, line 3, of the printed bill, as amended, strike out "670a", and insert in lieu thereof the following: "670.5".

The roll was called, and Senate amendments to Assembly Bill No. 1739 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Minard, Patterson, Pelletier, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—65.
NOES—None.

Assembly Bill No. 1739 ordered to enrollment.

Consideration of Governor's Veto to Assembly Bill No. 1793.

Assembly Bill No. 1793—An act to add section 690.11 to the Political Code, relating to fees.

Consideration of Governor's veto.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.
NOES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—63.

Special Order.

The hour of ten o'clock and thirty minutes a.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 1182.

Assembly Bill No. 1182—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and to

provide for the disposition of the revenues therefrom, and to provide that this act shall take effect immediately.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Jones:

Amendment No. 1.

On page 11, line 38, of the printed bill, as amended, strike out "one-third", and insert in lieu thereof the following: "one-half".

Demand for Previous Question.

Messrs. Wright, Cunningham, Riley, Morgan, and McBride demanded the previous question.

The question being put: Shall the main question be now put?

Request for Roll Call.

On request of Messrs. Jones, Hunt, and Flint, the Speaker ordered a roll call taken on the demand for the previous question.

The roll was called, and the demand for the previous question sustained by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donohue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Glover, Heisinger, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Martin, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Pelletier, Peyser, Phillips, Redwine, Riche, Riley, Robertson, Scudder, Stream, Turner, Utt, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—55.

NOES—Boyle, Burns, Crowley, Evans, Ralph W., Geyer, Hawkins, Hunt, Jones, Maloney, Mayo, Patterson, Rosenthal, Thorp, and Wagner—14

The question being on the adoption of the amendment submitted by Mr. Jones.

Request for Roll Call.

On request of Messrs. Latham, Wright, and Riley, the Speaker ordered a roll call taken on the amendment submitted by Mr. Jones.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Clark, Crowley, Donohue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, McMurray, Meehan, O'Donnell, Patterson, Pelletier, Reaves, Riche, Rosenthal, Turner, Wagner, and Welsh—29.

NOES—Andreas, Breed, Brennan, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—48

Assembly Bill No. 1182 read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Jones:

Amendment No. 1.

On page 6 of the printed bill, as amended in Assembly March 14, 1935, strike out all of lines 48 and 49.

Amendment No. 2.

On page 6, line 50, of the printed bill, as amended, strike out "The words 'State board' ", and insert in lieu thereof "The word 'board' ".

Amendment No. 3.

On page 8, lines 14 and 26, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 4.

On page 9, line 17, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 5.

On page 11, line 25, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 6.

On page 14, lines 22, 24, 25 and 36, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 7.

On page 14, lines 24 and 40, of the printed bill, as amended, strike out "his", and insert in lieu thereof "its".

Amendment No. 8.

On page 14, lines 25, 37 and 41, of the printed bill, as amended, strike out "he", and insert in lieu thereof "it".

Amendment No. 9.

On page 15, lines 7, 12 and 16, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 10.

On page 15, line 12, of the printed bill, as amended, strike out "his", and insert in lieu thereof "its".

Amendment No. 11.

On page 15, lines 25, 35, 37 and 46, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 12.

On page 16, lines 14 and 39, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 13.

On page 17, lines 17, 23 and 38, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 14.

On page 18, line 1, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 15.

On page 18, lines 16, 26, 27 and 34, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 16.

On page 18, lines 19, 21 and 35, of the printed bill, as amended, strike out "he", and insert in lieu thereof "it".

Amendment No. 17.

On page 18, lines 38 and 44, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 18.

On page 19, lines 3, 7, 12 and 18, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 19.

On page 19, line 8, of the printed bill, as amended, strike out "he", and insert in lieu thereof "it".

Amendment No. 20.

On page 19, lines 22, 24, 37 and 40, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 21.

On page 19 of the printed bill, as amended, strike out all of lines 42, 43, 44, 45, 46, 47, 48, 49, 50, 51 and 52, and insert in lieu thereof the following: "After consideration of the protest and the evidence in relation thereto in the event of such oral hearing, the board's action upon the protest shall be final upon the expiration of thirty days from the date when the board mails to the taxpayer notice of its action."

Amendment No. 22.

On page 20 of the printed bill, as amended, strike out all of lines 1, 2, 3, 4, and 5.

Amendment No. 23.

On page 20, line 7, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 24.

On page 20, line 21, of the printed bill, as amended, strike out "commissioner or of said".

Amendment No. 25.

On page 20, line 41, of the printed bill, as amended, strike out "commissioner, or State", and strike out "as".

Amendment No. 26.

On page 20, line 42, of the printed bill, as amended, strike out "the case may be,".

Amendment No. 27.

On page 20, line 44, of the printed bill, as amended, strike out "commissioner or said".

Amendment No. 28.

On page 20, line 48, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 29.

On page 21, lines 5 and 7, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 30.

On page 21, line 10, of the printed bill, as amended, strike out "commissioner's", and insert in lieu thereof "board's".

Amendment No. 31.

On page 21 of the printed bill, as amended, strike out all of line 11 beginning with "unless", and strike out all of lines 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24.

Amendment No. 32.

On page 21, lines 42 and 52, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 33.

On page 21, line 46, of the printed bill, as amended, strike out "Franchise Tax Counsel".

Amendment No. 34.

On page 21, line 47, of the printed bill, as amended, strike out "or the".

Amendment No. 35.

On page 21, line 52, of the printed bill, as amended, strike out "his", and insert in lieu thereof "its".

Amendment No. 36.

On page 22, line 14, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 37.

On page 22 of the printed bill, as amended, strike out all of line 15 beginning with "; and", and strike out all of lines 16, 17, 18, 19 and 20

Amendment No. 38.

On page 22, lines 23 and 30, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 39.

On page 22, line 28, of the printed bill, as amended, strike out "commissioner's", and insert in lieu thereof "board's".

Amendment No. 40.

On page 22 of the printed bill, as amended, strike out all of line 31 beginning with ", provided", and strike out all of lines 32 and 33

Amendment No. 41.

On page 22, lines 41 and 45, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 42.

On page 22, line 48, of the printed bill, as amended, strike out "Franchise Tax Counsel or the".

Amendment No. 43.

On page 23, lines 1, 5, 8 and 11, of the printed bill, as amended, strike out "State".

Amendment No. 44.

On page 23, line 2, of the printed bill, as amended, strike out "of any appeal from the action of the commissioner".

Amendment No. 45.

On page 23, line 34, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 46.

On page 24, line 14, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 47.

On page 24, line 16, of the printed bill, as amended, strike out "him", and insert in lieu thereof "it".

Amendment No. 48.

On page 24, line 36, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 49.

On page 25, line 25, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 50.

On page 25, lines 33 and 38, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 51.

On page 26, lines 1, 7, 26, 30, 40 and 47, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 52.

On page 26, line 1, of the printed bill, as amended, strike out "his", and insert in lieu thereof "its".

Amendment No. 53.

On page 26, line 7, of the printed bill, as amended, strike out "him", and insert in lieu thereof "it".

Amendment No. 54.

On page 26, line 33, of the printed bill, as amended, strike out "Franchise Tax".

Amendment No. 55.

On page 26, line 34, of the printed bill, as amended, strike out "Counsel or the".

Amendment No. 56.

On page 26, line 42, of the printed bill, as amended, strike out "commissioner and the State".

Amendment No. 57.

On page 27, line 8, of the printed bill, as amended, strike out "the Franchise Tax Counsel or".

Amendment No. 58.

On page 27, lines 14, 27 and 31, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 59.

On page 27, line 20, of the printed bill, as amended, strike out 'the Franchise Tax".

Amendment No. 60.

On page 27, line 21, of the printed bill, as amended, strike out 'Counsel or".

Amendment No. 61.

On page 27, lines 38 and 47, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 62.

On page 28, lines 18, 19, 24, 35, 39, 44, 45 and 48, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 63.

On page 28, line 28, of the printed bill, as amended, strike out "him", and insert in lieu thereof "it".

Amendment No. 64.

On page 28, line 37, of the printed bill, as amended, strike out "he", and insert in lieu thereof "it".

Amendment No. 65.

On page 29, lines 1, 3, 11, 24 and 29, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 66.

On page 29, line 3, of the printed bill, as amended, strike out "he", and insert in lieu thereof "it".

Amendment No. 67.

On page 29 of the printed bill, as amended, between lines 43 and 44, insert the following:

"SEC. 29½. Every order, decision or other official act of the board, shall be subject to review if such proceeding is brought within thirty days after a rendering of such order, decision or other official act in accordance with the provisions of Chapter I of Title I of Part III of the Code of Civil Procedure. Upon such review the court shall be limited to a consideration of the question whether there has been an abuse of discretion on the part of the board in making such order, decision or other official act, or not."

The question being on the amendments submitted by Mr. Jones.

Request for Roll Call.

On request of Messrs. Jones, Hunt and Turner, the Speaker ordered a roll call taken on the amendments submitted by Mr. Jones.

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Anderson, Boyle, Clark, Crowley, Evans, Ralph W., Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Kallam, Laughlin, Lore, McBride, Meehan, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Wagner, and Welsh—27

NOES—Andreas, Breed, Brennan, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Gilmore, Hornblower, Johnson, Latham, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Minard, Morgan, Nielsen, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—48.

Assembly Bill No. 1182 read third time

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Williamson:

Amendment No. 1.

On page 11, line 38, of the printed bill, as amended, strike out "one-third", and insert in lieu thereof the following: "one-fourth".

The question being on the amendment submitted by Mr. Williamson

Request for Roll Call.

On request of Messrs. Williamson, Cottrell and Redwine, the Speaker ordered a roll call taken on the amendment submitted by Mr. Williamson.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Andreas, Breed, Field, Kallam, Latham, McMurray, O'Donnell, Peterson, Redwine, Robertson, and Williamson—11.

NOES—Anderson, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Phillips, Reaves, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—64.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, April 2, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California

GREETINGS: Assembly Bill No. 1182—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and to provide for the disposition of the revenues therefrom, and to provide that this act shall take effect immediately.

In my opinion said Assembly Bill No. 1182 constitutes an emergency bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No 1182 read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Chatters:

Amendment No. 1.

On page 6, line 48, of the printed bill, as amended, strike out "means the Bank and Corpo-"; also strike out line 49, and insert in lieu thereof the following: "as used in this act and the word "commissioner" as used in the "Revenue Act of 1934," when any part of that act is incorporated herein by reference, mean the Bank and Corporation Franchise Tax Commissioner."

Amendment No. 2.

On page 7, line 21, of the printed bill, as amended, strike out "State".

Amendment No. 3.

On page 7 of the printed bill, as amended, strike out lines 24 to 45, and insert in lieu thereof the following.

"'Taxable year" includes, in the case of a return made for a fractional part of a year under the provisions of this act or under regulations prescribed by the commissioner, the period for which such return is made.

(j) The words "fiscal year" mean an accounting period of twelve months ending on the last day of any month other than December.

(k) The words "paid or incurred" and "paid or accrued" shall be construed according to the method of accounting upon the basis of which the net income is computed under this act

(l) The word "resident" includes every natural person domiciled in the State of California and every other natural person who maintains a permanent place of abode within this State or spends in the aggregate more than six months of the taxable year within this State. The word "nonresident" includes every natural person other than a resident."

Amendment No. 4.

On page 7 of the printed bill, as amended, strike out lines 51 and 52, and on page 8, strike out lines 1 to 10, inclusive, and insert in lieu thereof the following:

"(n) The words "Revenue Act of 1934" mean the act of Congress of the United States, approved May 10, 1934, and known and cited as the "Revenue Act of 1934"."

Amendment No. 5.

On page 8 of the printed bill, as amended, strike out lines 12 and 13, and insert in lieu thereof the following:

"(a) Every person taxable under this act".

Amendment No. 6.

On page 8, line 16, of the printed bill, as amended, strike out "'State'", and strike out the quotation marks after "income"

Amendment No. 7.

On page 8, line 22, of the printed bill, as amended, strike out "'State'", and strike out the quotation marks after "income."

Amendment No. 8.

On page 8 of the printed bill, as amended, strike out lines 23 to 29, inclusive

Amendment No. 9.

On page 8, line 30, of the printed bill, as amended, strike out "(c)", and insert in lieu thereof the following: "(b)".

Amendment No. 10.

On page 8, line 31, of the printed bill, as amended, strike out "'State'", and strike out the quotation marks after "income"

Amendment No. 11.

On page 8, line 37, of the printed bill, as amended, strike out "(d)", and insert in lieu thereof the following: "(c)".

Amendment No. 12.

On page 8, line 41, of the printed bill, as amended, strike out "(e)", and insert in lieu thereof the following: "(d)".

Amendment No. 13.

On page 8, line 44, of the printed bill, as amended, strike out "'State'", and strike out the quotation marks after "income".

Amendment No. 14.

On page 8, line 45, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: ", provided, however, the income of an estate or trust with respect to which the tax is imposed upon the estate or trust shall not be so included when distributed to the beneficiary"

Amendment No. 14-a.

On page 9, line 1, of the printed bill, as amended, strike out "'State", and strike out the quotation marks after "income"

Amendment No. 14-b.

On page 9, line 4, of the printed bill, as amended, strike out "'State", and strike out the quotation marks after "income".

Amendment No. 14-c.

On page 9, line 8, of the printed bill, as amended, strike out "'State", and in line 9, strike out the quotation marks after "income".

Amendment No. 14-d.

On page 9, line 10, of the printed bill, as amended, strike out "'State", and strike out the quotation marks after "income".

Amendment No. 14-e.

On page 9 of the printed bill, as amended, strike out line 14, and insert in lieu thereof the following: "net income".

Amendment No. 14-f.

On page 9 of the printed bill, as amended, strike out lines 15 and 16.

Amendment No. 15.

On page 9 of the printed bill, as amended, strike out lines 28 to 52, inclusive; also, on page 10, strike out lines 1 to 18, inclusive, and insert in lieu thereof the following:

"SEC. 5. Imposition of Tax on Residents and Nonresidents

(a) There shall be levied, collected and paid for each taxable year upon the entire net income of every resident of this State and upon the net income of every nonresident which is derived from sources within this State, a normal tax upon such net income in excess of credits against net income provided in section 8 at the rate of one-third of the four per centum rate provided in section 11 of the "Revenue Act of 1934"

(b) There shall be levied, collected, and paid for each taxable year a surtax upon the entire surtax net income of every resident of this State and upon the surtax net income of every nonresident which is derived from sources within this State computed at one-third of the rates provided in subsection (b) of section 12 of the Revenue Act of 1934, which subsection is hereby referred to and incorporated with the same force and effect as though fully set forth herein.

As used in this section the term "surtax net income" means the amount of the net income in excess of credits against net income provided in section 10

SEC 6. Net Income.

The words "net income" mean the gross income computed under section 7 of this act less the deductions allowed by section 8 of this act.

SEC. 7. Gross Income.

(a) Gross income includes gains, profits, and income derived from salaries, wages, or compensation for personal service, of whatever kind and in whatever form paid, or from professions, vocations, trades, businesses, commerce, or sales, or dealings in property, whether real or personal growing out of the ownership or use of or interest in such property; also from interest, rent, dividends, securities, or the transaction of any business carried on for gain or profit, or gains or profits and income derived from

any source whatever, and includes any salary, wages or compensation of any officer or employee of this State, or any political subdivision, district or municipality thereof

(b) The following items shall not be included in gross income and shall be exempt from taxation under this act:

(1) Amounts received under a life insurance contract paid by reason of the death of the insured, whether in a single sum or otherwise (but if such amounts are held by the insurer under an agreement to pay interest thereon, the interest payments shall be included in gross income);

(2) Amounts received (other than amounts paid by reason of the death of the insured and interest payments on such amounts and other than amounts received as annuities) under a life insurance or endowment contract, but if such amounts (when added to amounts received before the taxable year under such contract) exceed the aggregate premiums or consideration paid (whether or not paid during the taxable year) then the excess shall be included in gross income. Amounts received as an annuity under an annuity or endowment contract shall be included in gross income; except that there shall be excluded from gross income the excess of the amount received in the taxable year over an amount equal to three per centum of the aggregate premiums or consideration paid for such annuity (whether or not paid during such year), until the aggregate amount excluded from gross income under this title or prior Income Tax Laws in respect of such annuity equals the aggregate premiums or consideration paid for such annuity. In the case of a transfer for a valuable consideration, by assignment or otherwise, of a life insurance, endowment, or annuity contract, or any interest therein, only the actual value of such consideration and the amount of the premiums and other sums subsequently paid by the transferee shall be exempt from taxation under paragraph (1) of this paragraph;

(3) The value of property acquired by gift, bequest, devise, or inheritance (but the income from such property shall be included in gross income);

(4) Amounts received, through accident or health insurance or under Workmen's Compensation Acts, as compensation for personal injuries or sickness, plus the amount of any damages received whether by suit or agreement on account of such injuries or sickness;

(5) The rental value of a dwelling house and appurtenances thereof furnished to a minister of the Gospel as part of his compensation;

(6) Income which this State is prohibited from taxing under the Constitution or Laws of the United States of America or under the Constitution of this State.

(c) Whenever in the opinion of the commissioner the use of inventories is necessary in order clearly to determine the income of any taxpayer, inventories shall be taken by such taxpayer upon such basis as the commissioner may prescribe as conforming as nearly as may be to the best accounting practice in the trade or business and as most clearly reflecting the income.

(d) In the case of a sale or other disposition of property, the gain or loss shall be computed as provided in sections 111, 112, and 113 of the Revenue Act of 1934, which sections and the sections referred to therein are hereby referred to and incorporated with the same force and effect as though fully set forth herein; provided, however, that the words "with the approval of the Secretary" in said sections shall be deemed omitted.

(e) In the case of sales or exchanges of capital assets, the gain or loss shall be taken into account in computing net income in the manner provided in section 117 of the Revenue Act of 1934 which section and the sections of the Reveue Act of 1934 referred to therein are hereby referred to and incorporated with the same force and effect as though fully set forth herein.

(f) In the case of taxpayers other than residents the gross income includes only the gross income from sources within this State. Gross income from sources within and without this State shall be allocated and apportioned under rules and regulations to be prescribed by the commissioner.

SEC. 8. Deductions from Gross Income. In computing net income there shall be allowed as deductions:

(a) All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal services actually rendered; traveling expenses (including the entire amount expended for meals and lodging) while away from home in the pursuit of a trade or business; and rentals or other payments required to be made as a condition to the continued use or possession, for purposes of the trade or business, of property to which the taxpayer has not taken or is not taking title or in which he has no equity.

In the case of any taxpayer the deductions permitted by this subsection shall not be allowed or taken for interest if, and to the extent tha they are connected with the production of income not taxable under this act, and proper apportionment and allocation of such deductions with respect to taxable and nontaxable income shall be determined under rules and regulations to be prescribed by the commissioner.

(b) That portion of the total interest paid or accrued within the taxable year on indebtedness that the total taxable income of the taxpayer bears to the total income of the taxpayer from all sources; provided, however, that no deduction shall be allowed or taken for interest paid or accrued within the taxable year on indebtedness incurred or continued to purchase or carry obligations, the interest upon which is wholly exempt from taxes imposed by this act.

(c) Taxes or licenses paid or accrued during the taxable year, other than taxes paid to the State under this act, and other than taxes on or according to or measured by income or profits paid or accrued within the taxable year imposed by the authority of (1) the Government of the United States or any foreign country, (2) any State, Territory, county, city and county, school district, municipality or other taxing subdivision of any State or Territory, and other than taxes assessed against local benefits of a kind tending to increase the value of the property assessed, but this shall not exclude the allowance as a deduction of so much of said taxes assessed against local benefits as is properly allocable to maintenance or interest charges.

(d) Losses sustained during the taxable year and not compensated for by insurance or otherwise:

1. If incurred in trade or business; or

2. If incurred in any transaction entered into for profit, though not connected with the trade or business, or

3. Of property not connected with the trade or business, if the loss arises from fires, storms, shipwreck, or other casualty, or from theft.

The basis for determining the amount of deduction for losses sustained, to be allowed under this subsection shall be the adjusted basis provided in section 7 of this act for determining the loss from the sale or other disposition of property.

(e) Losses from wagering transactions shall be allowed only to the extent of the gains from such transactions.

(f) Debts ascertained to be worthless and charged off within the taxable year (or in the discretion of the commissioner a reasonable addition to a reserve for bad debts) and when satisfied that a debt is recoverable only in part, the commissioner may allow such debt, in an amount not in excess of the part charged off within the taxable year, as a deduction.

(g) In the case of any loss claimed to have been sustained from any sale or other disposition of shares of stock or securities where it appears that, within a period beginning thirty days before the date of such sale or disposition and ending thirty days after such date, the taxpayer has acquired (by purchase or by an exchange upon which the entire amount of gain or loss was recognized by law) or has entered into a contract or option so to acquire, substantially identical stock or securities, then no deduction for the loss shall be allowed. If the amount of stock or securities acquired (or covered by the contract or option to acquire) is less than the amount of stock or securities sold or otherwise disposed of, then the particular shares of stock or securities the loss from the sale or other disposition of which is not deductible shall be determined under rules and regulations prescribed by the commissioner.

If the amount of stock or securities acquired (or covered by the contract or option to acquire) is not less than the amount of stock or securities sold or otherwise disposed of, then the particular shares of stock or securities the acquisition of which (or the contract or option to acquire which) resulted in the nondeductibility of the loss shall be determined under the rules and regulations prescribed by the commissioner.

(h) Losses from sales or exchanges of capital assets shall be allowed only to the extent provided in subsection (d) of section 117 of the Revenue Act of 1934 which subsection is hereby referred to and incorporated with the same force and effect as though fully set forth herein.

(i) A reasonable allowance for the exhaustion, wear and tear of property used in the trade or business, including a reasonable allowance for obsolescence. In the case of property held by one person for life with remainder to another person, the deduction shall be computed as if the life tenant were the absolute owner of the property and shall be allowed to the life tenant. In the case of property held in trust the allowable deduction shall be apportioned between the income beneficiaries and the trustee in accordance with the pertinent provisions of the instrument creating the trust, or, in the absence of such provisions, on the basis of the trust income allocable to each.

(j) In the case of mines, oil and gas wells, other natural deposits, and timber, a reasonable allowance for depletion and for depreciation of improvements, according to the peculiar conditions in each case; such reasonable allowance in all cases to be made under rules and regulations to be prescribed by the commissioner. In any case in which it is ascertained as a result of operations or of development work that the recoverable units are greater or less than the prior estimate thereof, then such prior estimate (but not the basis for depletion) shall be revised and the allowance under this subsection for subsequent taxable years shall be based upon such revised estimate. In the case of leases the deductions shall be equitably apportioned between the lessor and the lessee. In the case of property held by one person for life with remainder to another person, the deduction shall be computed as if the life tenant were the absolute owner of the property and shall be allowed to the life tenant. In the case of property held in trust the allowable deduction shall be apportioned between the income beneficiaries and the trustee in accordance with the pertinent provisions of the instrument creating the trust or, in the absence of such provisions, on the basis of the trust income allocable to each. The percentage of depletion allowable under this subsection shall be computed in accordance with the provisions of subdivisions (3) and (4) of subsection (b) of section 114 of

the Revenue Act of 1934 which subdivisions and the sections of said Revenue Act referred to therein are hereby referred to and incorporated with the same force and effect as though fully set forth herein.

(k) The basis upon which depletion, exhaustion, wear and tear, and obsolescence are to be allowed in respect of any property shall be as provided in section 114 of the Revenue Act of 1934 which section and all sections of said revenue act referred to therein are hereby referred to and incorporated with the same force and effect as though fully set forth herein, provided, however, that the words "with the approval of the secretary" shall be deemed omitted

(l) In the case of an individual, contributions or gifts made within the taxable year to or for the use of:

(1) The United States, any State, Territory or any political subdivision thereof, or the District of Columbia, for exclusively public purposes;

(2) A corporation, or trust, or community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation;

(3) The special fund for vocation rehabilitation authorized by section 12 of the World War Veterans' Act, 1924;

(4) Posts or organizations of war veterans, or auxiliary units or societies of any such posts or organizations, if such posts, organizations, units, or societies are organized in the United States or any of its possessions, and if no part of their net earnings inures to the benefit of any private shareholder or individual; or

(5) A fraternal society, order, or association; operating under the lodge system, but only if such contributions or gifts are to be used exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals; to an amount which in all the above cases combined does not exceed fifteen per centum of the taxpayer's net income as computed without the benefit of this subsection. Such contributions or gifts shall be allowed as deductions only if verified under rules and regulations prescribed by the commissioner. In the case of an individual if in the taxable year and in each of the ten preceding taxable years the amount of the contributions or gifts described in subsection 8 (l) plus the amount of income, war profits, or excess profits taxes paid during such year in respect of preceding taxable years, exceeds ninety per centum of the taxpayer's net income for each such year, as computed without the benefit of subsection 8 (l) then the fifteen per centum limit imposed herein shall not be applicable.

In the case of a taxpayer other than a resident the deductions under this subdivision shall be allowed only as to contributions or gifts made to corporations or associations incorporated by or organized under the laws of this State or to the vocational rehabilitation fund above mentioned or to this State or any political subdivision thereof for exclusively public purposes

(m) An employer establishing or maintaining a pension trust to provide for the payment of reasonable pensions to his employees (if such trust is exempt from tax under subdivision (f) of section 12, relating to trusts created for the exclusive benefit of employees) shall be allowed as a deduction (in addition to the contributions to such trust during the taxable year to cover the pension liability accruing during the year, allowed as a deduction under subsection (a) of this section) a reasonable amount transferred or paid into such trust during the taxable year in excess of such contributions, but only if such amount (1) has not theretofore been allowable as a deduction, and (2) is apportioned in equal parts over a period of ten consecutive years beginning with the year in which the transfer or payment is made.

(n) In the case of a taxpayer other than a resident the deductions allowed by this section shall unless otherwise provided in this section be allowed only if and to the extent that they are connected with the income arising from sources within this State and taxable under this act to a nonresident taxpayer, and the proper apportionment and allocation of the deductions with respect to sources of income within and without the State shall be determined under rules and regulations to be prescribed by the commissioner.

SEC. 9 Items Not Deductible.

(a) In computing net income no deduction shall in any case be allowed in respect of—

(1) Personal, living, or family expenses;

(2) Any amount paid out for new buildings or for permanent improvements or betterments made to increase the value of any property or estate;

(3) Any amount expended in restoring property or in making good the exhaustion thereof for which an allowance is or has been made;

(4) Premiums paid on any life insurance policy covering the life of any officer or employee, or of any person financially interested in any trade or business carried on by the taxpayer, when the taxpayer is directly or indirectly a beneficiary under such policy;

(5) Any amount otherwise allowable as a deduction which is allocable to one or more classes of income other than interest (whether or not any amount of income

of that class or classes is received or accrued) wholly exempt from the taxes imposed by this act; or

(6) Loss from sales or exchanges of property, directly or indirectly, (A) between members of a family, or (B) except in the case of distributions in liquidation, between an individual and a corporation in which such individual owns, directly or indirectly, more than fifty per centum in value of the outstanding stock. For the purpose of this paragraph— (C) an individual shall be considered as owning the stock owned, directly or indirectly, by his family; and (D) the family of an individual shall include only his brothers and sisters (whether by the whole or half blood), spouse, ancestors, and lineal descendants

(b) Amounts paid under the laws of any State, Territory, District of Columbia, possession of the United States, or foreign country as income to the holder of a life or terminable interest acquired by gift, bequest, or inheritance shall not be reduced or diminished by any deduction for shrinkage (by whatever name called) in the value of such interest due to the lapse of time, nor by any deduction allowed by this act (except the deductions provided for in subsections (i) and (j) of section 8) for the purpose of computing the net income of an estate or trust but not allowed under the laws of such State, Territory, District of Columbia, possession of the United States, or foreign country for the purpose of computing the income to which such holder is entitled.

(c) The obligor of a covenant bond shall not be allowed a deduction for the payment of the tax imposed by this act, or any other tax paid pursuant to the tax-free covenant clause, nor shall such tax be included in the gross income of the obligee."

Amendment No. 16.

On page 10 of the printed bill, as amended, strike out lines 19 and 20, and insert in lieu thereof the following:

"Sec. 10. Credits of Individual Against Net Income."

Amendment No. 17.

On page 10, line 21, of the printed bill, as amended, strike out "Credits", and insert in lieu thereof the following: "Credit".

Amendment No. 18.

On page 10 of the printed bill, as amended, strike out lines 23 and 24, and insert in lieu thereof the following: "following credit against the net income:".

Amendment No. 19.

On page 10, line 25, of the printed bill, as amended, strike out "(2)", and insert in lieu thereof the following: "(1)".

Amendment No. 20.

On page 10, line 27, of the printed bill, as amended, strike out "'State'", and strike out the quotation marks after "income."

Amendment No. 21.

On page 10, line 28, of the printed bill, as amended, strike out "(3)", and insert in lieu thereof the following: "(2)"

Amendment No. 22.

On page 10, line 33, of the printed bill, as amended, strike out "the determination of "State net income,"", and insert in lieu thereof the following: "gross income,".

Amendment No. 23.

On page 10, line 40, of the printed bill, as amended, strike out "producers", and insert in lieu thereof the following: "producing factors".

Amendment No. 24.

On page 10, line 46, of the printed bill, as amended, after "allowed", insert the following: "by section 8".

Amendment No. 25.

On page 10, line 50, of the printed bill as amended, strike out "'State", and strike out the quotation marks after "income".

Amendment No. 26.

On page 10, line 51, of the printed bill, as amended, strike out "State"; also strike out the quotation marks after "income".

Amendment No. 27.

On page 10, line 52, of the printed bill, as amended, strike out "'State", and strike out the quotation marks after "income".

Amendment No. 28.

On page 11, lines 4 and 5, of the printed bill, as amended, strike out "Every resident and nonresident taxable under this act", and insert in lieu thereof the following: "There".

Amendment No. 29.

On page 11, line 7, of the printed bill, as amended, strike out "State"; also strike out the quotation marks after "income".

Amendment No. 29-a.

On page 11 of the printed bill, as amended, strike out lines 30 to 42, inclusive, and insert in lieu thereof the following:

"Sec. 11. Installment Basis. (a) Under regulations prescribed by the commissioner a person who regularly sells or otherwise disposes of personal property on the installment plan may return as income therefrom in any taxable year that proportion of the installment payments actually received in that year which the gross profit realized or to be realized when payment is completed, bears to the total contract price

(b) In the case (1) of a casual sale or other casual disposition of personal property (other than property of a kind which would properly be included in the inventory of the taxpayer if on hand at the close of the taxable year), for a price exceeding one thousand dollars, or (2) of a sale or other disposition of real property, if in either case the initial payments do not exceed thirty per centum of the selling price, the income may, under regulations prescribed by the commissioner be returned on the basis and in the manner prescribed by this section. As used in this section the term "initial payment" means the payments received in cash or property other than evidence of indebtedness of the purchaser during the taxable period in which the sale or other disposition is made

(c) If a taxpayer entitled to the benefits of subsection (a) of this section elects for any taxable year to report his net income on the installment basis, then in computing his income for the year of change or any subsequent year, amounts actually received during any such year on account of sales or other dispositions of property made in any prior year shall not be excluded.

(d) If an installment obligation is satisfied at other than its face value or distributed, transmitted, sold or otherwise disposed of, gain or loss shall result to the extent of the difference between the basis of the obligation and (1) in the case of satisfaction at other than face value or a sale or exchange—the amount realized, or (2) in case of a distribution, transmission, or disposition otherwise than by sale or exchange—the fair market value of the obligation at the time of such distribution, transmission or disposition. Any gain or loss so resulting shall be considered as resulting from the sale or exchange of the property in respect of which the installment obligation was received. The basis of the obligation shall be the excess of the face value of the obligation over an amount equal to the income which would be returnable were the obligation satisfied in full. This subsection shall not apply to the transmission at death of installment obligations if there is filed with the commissioner at such time as he may by regulation prescribe, a bond in such amount and with such sureties as he may deem necessary, conditioned upon the return as income, by the person receiving any payment on such obligations, of the same proportion of such payment as would be returnable as income by the decedent if he had lived and had received such payment."

Amendment No. 30.

On page 11, line 43, of the printed bill, as amended, strike out "8", and insert in lieu thereof the following: "12".

Amendment No. 31.

On page 12, line 9, of the printed bill, as amended, strike out " "taxable".

Amendment No. 32.

On page 12, line 10, of the printed bill, as amended, after "income", strike out the quotation marks.

Amendment No. 33.

On page 12 of the printed bill, as amended, between lines 12 and 13, insert the following:

"For the purposes of this section the word "settlor" shall mean and include every creator of a trust and every decedent and where in this section the settlor is spoken of as a resident or a nonresident the same shall be taken to include a decedent who upon his or her death is a resident or a nonresident as the case may be.

The taxable income of the estate or trust shall include the following:

(1) The income from real property and tangible personal property located and from business transacted in this State

(2) The income from intangible property with a situs in this State.

(3) The income from real property and tangible personal property located outside this State and the income from intangible property with a situs outside this State in the following cases:

(a) Where the beneficiary and the fiduciary and the settlor are all residents of this State.

(b) Where the beneficiary and the fiduciary are residents of this State regardless of the residence of the settlor.

(c) Where the beneficiary and the settlor are residents of this State regardless of the residence of the fiduciary.

(d) Where the beneficiary is a resident of this State regardless of the residence of the fiduciary and the settlor.

(e) Where the fiduciary is a resident of this State regardless of the residence of the benficiary and the settlor.

(f) Where the settlor is a resident of this State regardless of the residence of the beneficiary and the fiduciary.

(g) Where the fiduciary and the settlor are residents of this State regardless of the residence of the beneficiary.

Where the taxability of income under this section depends on the residence of the fiduciary and there are two or more fiduciaries for the estate or trust, the income taxable under this section shall be apportioned according to the number of fiduciaries resident in this State, such apportionment being determined according to rules and regulations prescribed by the commissioner.

Where the taxability of income under this section depends on the residence of the beneficiary and there are two or more beneficiaries for the estate or trust, the income taxable under this section shall be apportioned according to the number of beneficiaries resident in this State, such apportionment being determined according to rules and regulations prescribed by the commissioner."

Amendment No. 34.

On page 12, line 13, of the printed bill, as amended, strike out "'"State", and after "income", strike out the quotation marks.

Amendment No. 35.

On page 12, line 18, of the printed bill, as amended, strike out "section 23 (o) of the "Revenue Act of 1934"'", and insert in lieu thereof the following: "subsection (*l*) of section 8".

Amendment No. 36

On page 12, lines 22 and 23, of the printed bill, as amended, strike out "section 23 (o) of the "Revenue Act of 1934,"'" and insert in lieu thereof the following: "subsection (*l*) of section 8".

Amendment No. 37.

On page 12, line 29, of the printed bill, as amended, strike out "'"State", and strike out the quotation marks after "income".

Amendment No. 38.

On page 12, line 35, of the printed bill, as amended strike out "'"State", and strike out the quotation marks after "income".

Amendment No. 39.

On page 12, line 39, of the printed bill, as amended, strike out the semicolon and insert in lieu thereof the following: ". In the case of the income of a beneficiary not a resident derived through such an estate or trust, such income shall be taxable only to the extent provided in subsection (f) of section 7 of this act."

Amendment No. 40.

On page 12, line 45, of the printed bill, as amended, strike out "'"State", and strike out the quotation marks after "income".

Amendment No. 41.

On page 12 of the printed bill, as amended, strike out lines 50 and 51, and insert in lieu thereof the following: "net income of the legatee, heir or beneficiary. In such cases the income of the legatee, heir, or beneficiary not a resident shall be taxable only to the extent provided in subsection (f) of section 7 of this act.

(d) Credits Against Net Income."

Amendment No. 42.

On page 13, line 3, of the printed bill, as amended, strike out "6 (b) (1), and," and insert in lieu thereof the following: "10 (b) (1)."

Amendment No. 43.

On page 13 of the printed bill, as amended, strike out lines 4 to 18, inclusive.

Amendment No. 44.

On page 13, line 22, of the printed bill, as amended, strike out "'"State", and strike out the quotation marks after "income".

Amendment No. 45.

On page 13, line 35, of the printed bill, as amended, strike out "Such distributees shall for the purpose of", and strike out lines 36 to 39, inclusive

Amendment No. 46.

On page 13, line 48, of the printed bill, as amended, strike out "'"State", and strike out the quotation marks after "income".

Amendment No. 47.

On page 14, lines 11 and 12, of the printed bill, as amended, strike out "section 23 (o) of the "Revenue Act of 1934," ", and insert in lieu thereof the following: "subsection (*l*) of section 8,".

Amendment No. 47-a.

On page 14, line 14, of the printed bill, as amended, strike out " "State", and strike out the quotation marks after "income".

Amendment No. 48.

On page 14, line 21, of the printed bill, as amended, strike out "9", and insert in lieu thereof the following: "13".

Amendment No. 49.

On page 14, line 45, of the printed bill, as amended, strike out "10", and insert in lieu thereof the following: "14".

Amendment No. 50.

On page 15, line 21, of the printed bill, as amended, strike out "11", and insert in lieu thereof the following: "15".

Amendment No. 51.

On page 16, line 6, of the printed bill, as amended, strike out "15", and insert in lieu thereof the following: "19".

Amendment No. 52.

On page 16, line 44, of the printed bill, as amended, strike out "15", and insert in lieu thereof the following: "19".

Amendment No. 53.

On page 16, line 50, of the printed bill, as amended, strike out "9", and insert in lieu thereof the following: "13".

Amendment No. 54.

On page 17, line 9, of the printed bill, as amended, strike out "12", and insert in lieu thereof the following: "16".

Amendment No. 54-a.

On page 17, line 19, of the printed bill, as amended, strike out "(i)", and insert in lieu thereof the following: "(j)".

Amendment No. 54-b.

On page 18 of the printed bill, as amended, between lines 15 and 16, insert the following: "(d). The amount of all items of gross income shall be included in the gross income for the taxable year in which received by the taxpayer, unless, under the methods of accounting permitted under section 16 of this act, any such amounts are to be properly accounted for as of a different period. In the case of the death of the taxpayer there shall be included in computing net income for the taxable period in which falls the date of his death, amounts accrued up to the date of his death if not otherwise properly includible in respect of such period or a prior period.

(e) The deductions and credits provided for in this act shall be taken for the taxable year in which "paid or accrued" or paid or incurred, dependent upon the method of accounting upon the basis of which the net income is computed, unless in order clearly to reflect the income the deductions or credits should be taken as of a different period. In the case of the death of a taxpayer there shall be allowed as deductions and credits for the taxable period in which falls the date of his death, amounts accrued up to the date of his death if not otherwise properly allowable in respect of such period or a prior period."

Amendment No. 55.

On page 18, line 16, of the printed bill, as amended, strike out "13", and insert in lieu thereof the following: "17".

Amendment No. 56.

On page 18, line 35, of the printed bill, as amended, strike out "15", and insert in lieu thereof the following: "19".

Amendment No. 57.

On page 18, line 37, of the printed bill, as amended, strike out "14", and insert in lieu thereof the following: "18".

Amendment No. 58.

On page 19, line 21, of the printed bill, as amended, strike out "15", and insert in lieu thereof the following: "19".

Amendment No. 58-a.

On page 20, line 13, of the printed bill, as amended, strike out "14", and insert in lieu thereof the following: "18".

Amendment No. 59.

On page 20, line 40, of the printed bill, as amended, strike out "16", and insert in lieu thereof the following: "20".

Amendment No. 60.

On page 22, line 3, of the printed bill, as amended, strike out "17", and insert in lieu thereof the following: "21".

Amendment No. 61.

On page 22, line 11, of the printed bill, as amended, strike out "15", and insert in lieu thereof the following: "19".

Amendment No. 61-a.

On page 22, line 22, of the printed bill, as amended, strike out "16", and insert in lieu thereof the following: "20".

Amendment No. 62.

On page 23, line 16, of the printed bill, as amended, strike out "18", and insert in lieu thereof the following: "22".

Amendment No. 63.

On page 23, line 22, of the printed bill, as amended, strike out " "State", and strike out the quotation marks after "income".

Amendment No. 64.

On page 23 of the printed bill, as amended, strike out lines 25 to 30, inclusive.

Amendment No. 65.

On page 23, line 31, of the printed bill, as amended, strike out "(d)", and insert in lieu thereof the following: "(c)".

Amendment No. 66.

On page 23, line 36, of the printed bill, as amended, strike out "(e)", and insert in lieu thereof the following: "(d)".

Amendment No. 67.

On page 23, line 40, of the printed bill, as amended, strike out " "State".

Amendment No. 68.

On page 23, line 41, of the printed bill, as amended, strike out the quotation marks after "income".

Amendment No. 69.

On page 23, line 44, of the printed bill, as amended, strike out "(f)", and insert in lieu thereof the following: "(e)".

Amendment No. 70.

On page 23, line 45, of the printed bill, as amended, strike out " "State".

Amendment No. 71.

On page 23, line 46, of the printed bill, as amended, strike out the quotation marks after "income".

Amendment No. 72.

On page 23, line 47, of the printed bill, as amended, strike out " "State"," and strike out the quotation marks after "income".

Amendment No. 73.

On page 23, line 48, of the printed bill, as amended, strike out " "State", and strike out the quotation marks after "income"

Amendment No. 74.

On page 23, line 51, of the printed bill, as amended, strike out "19", and insert in lieu thereof the following: "23".

Amendment No. 75.

On page 24 of the printed bill, as amended, between lines 30 and 31, insert the following:

"The commissioner, whenever he deems it necessary to insure compliance with the provisions of this act, may under rules and regulations prescribed by him, require any individual, partnership, corporation, joint stock company or association or insurance company, including lessees or mortgagors and employees of the State or of any political subdivision of the State having control, receipt, custody, disposal or payment of interest (other than interest coupons payable to bearer), rent, salaries, wages, premiums, annuities, compensation, remunerations, emoluments or other fixed or determinable annual or periodical gains, profits and income paid or payable to any taxpayer, to deduct and withhold the tax due from such taxpayer and make return thereof and pay the tax to the commissioner."

Amendment No. 76.

On page 24, line 31, of the printed bill, as amended, strike out "20", and insert in lieu thereof the following: "24".

Amendment No. 77.

On page 24, line 45, of the printed bill, as amended, strike out "21", and insert in lieu thereof the following. "25".

Amendment No. 78.

On page 25, line 27, of the printed bill, as amended, strike out "22", and insert in lieu thereof the following. "26".

Amendment No. 79.

On page 25 of the printed bill, as amended, between lines 43 and 44, insert the following:

"(c) Upon notice to the commissioner that any person is acting in a fiduciary capacity, such fiduciary shall assume the powers, rights, duties, and privileges of the taxpayers in respect to any tax imposed by this act (except as otherwise specifically provided and except that the tax shall be collected from the estate of the taxpayer), until notice is given that the fiduciary capacity has terminated. Notice under this section shall be given in accordance with rules and regulations prescribed by the commissioner."

Amendment No. 80.

On page 25, line 44, of the printed bill, as amended, strike out "23", and insert in lieu thereof the following: "27".

Amendment No. 81.

On page 25 of the printed bill, as amended, strike out lines 50 and 51, and strike out lines 1 to 29, inclusive, on page 26, and insert in lieu thereof the following:

"SEC. 28. Enforcement of Tax.—In any case in which any tax or any portion or installment thereof, interest or penalty imposed under this act is not paid when due, the commissioner shall file in the office of the county clerk of Sacramento County, or any other county, a certificate specifying the amount of the tax, penalty and interest due, the name and last known address of the taxpayer liable for the same, that the commissioner has complied with all the provisions of this act in relation to the computation and levy of the tax and a request that judgment be entered against the taxpayer in the amount of the tax, penalty and interest set forth in the certificate. The county clerk immediately upon the filing of such certificate shall enter a judgment for the people of the State of California against the taxpayer in the amount of the tax, penalty and interest set forth in the certificate The judgment may be filed by the county clerk in a loose-leaf book entitled "Personal Income Tax Judgments."

An abstract of such judgment or a copy thereof shall be recorded with the county recorder of any county and from the time of such recording, the amount of the taxes, penalty and interest therein set forth shall constitute a lien upon all property of the taxpayer in such county, owned by him or which he may afterwards and before the lien expires acquire, which lien shall have the force, effect and priority of a judgment lien. Execution shall issue upon such a judgment upon request of the commissioner in the same manner as execution may issue upon other judgments, and sales shall be held under such execution as prescribed in the Code of Civil Procedure. In all proceedings under this section the commissioner shall be authorized to act on behalf of the people of the State of California."

Amendment No. 82.

On page 26, line 51, of the printed bill, as amended, strike out "25", and insert in lieu thereof the following: "29".

Amendment No. 83.

On page 27, line 3, of the printed bill, as amended, strike out "26", and insert in lieu thereof the following "30".

Amendment No. 84.

On page 27, line 37, of the printed bill, as amended, strike out "27", and insert in lieu thereof the following: "31".

Amendment No. 85.

On page 28 of the printed bill, as amended, strike out line 18, and insert in lieu thereof the following. "SEC. 32. Commissioner to Administer This Act.—".

Amendment No. 86.

On page 28, line 20, of the printed bill, as amended, strike out "shall divide the State", and strike out lines 21, 22 and 23, and insert in lieu thereof the following: "may divide the State into a reasonable number of districts, in each of which a branch office or offices may be maintained during all or such part of the time as may be necessary. In the establishment of such districts and offices due consideration shall be given by the commissioner to the matter of economy of administration and service to the taxpayers."

Amendment No. 87.

On page 29, line 8, of the printed bill, as amended, strike out "29", and insert in lieu thereof the following: "33".

Amendment No. 88.

On page 29, line 44, of the printed bill, as amended, strike out "30", and insert in lieu thereof the following: "34".

Amendment No. 89.

On page 30, line 3, of the printed bill, as amended, strike out "31", and insert in lieu thereof the following "35".

Amendment No. 90.

On page 30 of the printed bill, as amended, strike out lines 4 to 20, inclusive, and insert in lieu thereof the following:

"This act, inasmuch as it provides for a tax levy for the usual current expenses of the State, shall, under the provisions of section 1 of Article IV of the Constitution, take effect immediately, and shall apply to the net income of persons taxable hereunder received or accrued on and after January 1, 1935."

Amendments adopted.

Request for Unanimous Consent.

Mr. Chatters asked for, and was granted, unanimous consent to take up Assembly Bill No. 1182, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1182.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1182 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—70.

NOES—Flint, Glover, Kallam, Martin, and Robertson—5.

Title read and approved

Bill ordered transmitted to the Senate.

Explanation of Vote.

At the time of the roll call on the final passage of Assembly Bill No. 1182, it was necessary for me to be present in the Senate Chamber

Had I been present in the Assembly I would have voted "Aye" on the final passage of Assembly Bill No. 1182.

EARL D. DESMOND.

Explanation of Vote.

MR. SPEAKER: Mr. Chatters yesterday, during the discussion of this bill, Assembly Bill No. 1182, and without provocation, took occasion to personally assail my legislative work and to question my record as being for the interests of the common people.

The record that I have made and am making and his record, I think should be the determining factors.

On this bill his record shows three votes as being what the rich people desire, and only one that the poor people desire.

On the other hand, I claim four votes for the interests of the common people, from the fact that I have voted for three amendments which would have raised more money from those who are able to bear their just share of the burden of government, and by finally voting for the bill.

S. L. HEISINGER.

Explanation of Vote.

My vote against Assembly Bill No. 1182 was a protest, against a refusal to increase the rates. I believe a larger percentage of the budget should be raised by income tax.

A. FRANKLIN GLOVER

Explanation of Vote.

I voted for the passage of Assembly Bill No 1182, there being no other alternative, after having made a vigorous attempt to amend the same to increase the returns of an income tax that would be more equitable and in line with the theory that "Taxes from new sources should be distributed so that all shall bear some portion of the burden, but those best able to pay should carry a greater portion of the load"

BEN ROSENTHAL

Explanation of Vote.

I believe in an income tax and I voted for Assembly Bill No. 1182 because I had no alternative. Taxes should be placed upon those best able to pay.

JOHN B. PELLETIER

Explanation of Vote.

SACRAMENTO, CALIFORNIA, April 11, 1935.

Hon Edward Craig,
Speaker, State Assembly,
Capitol, Sacramento, California

DEAR MR. SPEAKER: I respectfully request permission to print the following in the Assembly Journal in explanation of my vote on Assembly Bill No. 1182:

I voted against Assembly Bill No. 1182 because: It is unduly burdensome; duplicates Federal tax; bears heaviest, relatively, on small incomes; many rich will evade it; tends to drive productive capital out of California, prevent investments, at time when State needs more productive enterprises, heavier pay rolls; will lose the State more than it produces.

FRANK G. MARTIN.

Explanation of Vote.

I voted for the passage of Assembly Bill No. 1182, there being no other alternative, after having made a vigorous attempt to amend the same to increase the returns of an income tax that would be more equitable and in line with the theory that, to quote the Governor, "Taxes from new sources should be distributed so that all shall bear some portion of the burden, but those best able to pay should carry a greater portion of the load."

H DEWEY ANDERSON

Explanation of Vote.

Although I have repeatedly stated my objections to a State income tax, and that, in my opinion, such a tax would be detrimental to the interests of this State, I voted for Assembly Bill No. 1182 for the reason that, due to the present financial condition of the State, such a tax was necessary to raise sufficient revenue for the operation of the various departments of our government and care of our unemployed.

KENT H. REDWINE.

Explanation of Vote.

I am opposed to all of Governor Merriam's tax program, and do not consider the present bill, as presented, a fair income tax program.

GENE FLINT.

Explanation of Vote.

I voted in favor of this bill only after all efforts to pass a higher income tax had failed. I personally have fought for and favor an income tax imposing higher rates upon those best able to bear the cost of government.

AUGUSTUS F. HAWKINS.

Explanation of Vote.

I voted for Assembly Bill No. 1182 by the control voting button, but my vote failed to record.

CHARLES J. WAGNER.

Third Reading of Assembly Bills.

Assembly Bill No. 2383—An act to prohibit and declare void certain contracts, conditions, agreements and understandings in connection with the sale or contract to sell motor vehicles by manufacturers or distributors thereof, and prohibiting the giving or payment of any thing or service of value by any manufacturer or distributor of motor vehicles to any one engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles, and the acceptance or receipt thereof by any such person when competition in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles may be lessened or eliminated, or a monopoly created or tended to be created, and pro-

hibiting from doing business in this State any one engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles who so accepts or receives any thing or service of value from any manufacturer or distributor of motor vehicles, and prescribing penalties, forfeitures, and recoveries for the violation thereof.

Bill read third time.

Committee Amendments.

During third reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, as amended, strike out "whether patented or".

Amendment No. 2.

On page 1, line 5, of the printed bill, as amended, strike out "unpatented,".

Amendment No. 3.

On page 3 of the printed bill, as amended, strike out lines 9 to 44, inclusive, and insert in lieu thereof the following:

"SEC. 4. It shall be unlawful for any person who is engaged directly or indirectly in the manufacture or wholesale distribution of motor vehicles to pay or give or to contract to pay or give any subsidy to any person, other than an automobile dealer or automobile distributor, who is engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles sold at retail within this State or to discriminate in favor of or against any person, other than an automobile dealer or automobile distributor, engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles sold at retail within this State, if the effect of any such subsidy or discrimination may be to lessen or eliminate competition or to create or tend to create a monopoly in the person or class of persons who receive such subsidy or who are benefited by such discrimination.

SEC. 5. It shall be unlawful for any person other than an automobile dealer or automobile distributor who is engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles sold at retail within this State to accept or receive or contract or agree to accept or receive either directly or indirectly any subsidy or the benefit resulting from any discrimination as set forth in section 4 of this act from any person engaged directly or indirectly in the manufacture or wholesale distribution of motor vehicles if the effect of the acceptance or receipt of any such subsidy or benefit may be to lessen or eliminate competition or to create or tend to create a monopoly in the person or class of persons who receives such subsidy or who are thus benefited by such discrimination.

SEC. 6. It shall be unlawful for any person other than an automobile dealer or automobile distributor who hereinafter so accepts or receives either directly or indirectly any subsidy or the benefit resulting from any discrimination as set forth in section 5 of this act or hereafter so contracts either directly or indirectly to receive any such subsidy or benefit to thereafter finance or attempt to finance the purchase or sale of any motor vehicle or buy or attempt to buy any conditional sales contract, chattel mortgages or leases on motor vehicles sold at retail in this State."

Amendment No. 4.

On page 4, line 17, of the printed bill, as amended, after "act,", strike out the first "any".

Amendment No. 5.

On page 4, line 50, of the printed bill, as amended, strike out "to".

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1213—An act to amend section 10½ of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the regulation of the practice of optometry.

Bill read third time.

Committee Amendments.

During third reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, as amended, strike out the semicolon and "or", and insert in lieu thereof a period.

Amendment No. 2.

On page 1, line 8, of the printed bill, as amended, strike out the semicolon and "or", and insert in lieu thereof a period.

Amendment No. 3.

On page 1, line 10, of the printed bill, as amended, strike out the semicolon and "or", and insert in lieu thereof a period

Amendment No. 4.

On page 1, line 14, of the printed bill, as amended, strike out the semicolon and "or", and insert in lieu thereof a period.

Amendment No. 5.

On page 1, line 15, of the printed bill, as amended, strike out the semicolon and "or", and insert in lieu thereof a period.

Amendment No. 6.

On page 1, line 18, of the printed bill, as amended, strike out the semicolon and "or", and insert in lieu thereof a period.

Amendment No. 7.

On page 1, line 21, of the printed bill, as amended, strike out the semicolon and "or", and insert in lieu thereof a period.

Amendment No. 8.

On page 2, line 36, of the printed bill, as amended, strike out "the Optometry Act of the State of California", and insert in lieu thereof the following: "this act".

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1935.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 188—An act to add section 654 to the Penal Code, relating to advertising food, drink, drug, devices or cosmetic products by radio broadcasting and providing penalties for violation thereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

CRONIN, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 1022—An act to amend an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

CRONIN, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 1765—An act to establish standards for the granting and use of professional degrees in the learned professions and providing penalties for the violation hereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

CRONIN, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2139—An act to amend section 281 of the Code of Civil Procedure, relating to attorneys and counselors at law;

Also: Assembly Bill No 2399—An act to amend section 1514 of the Civil Code, relating to rights of parties to contract in the event of prevention of performance thereof by a cause other than an act of a party;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

LYON, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 261—An act to amend section 1241 of the Code of Civil Procedure, relating to the taking of property under proceedings in eminent domain—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LYON, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 455—An act to amend section 1305 of the Penal Code, to require certain entries in court minutes relating to bail,

Also: Assembly Bill No. 1279—An act to amend section 3366 of the Political Code, relating to license taxes;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LYON, Chairman.

The above reported bills ordered on file for second reading.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1935.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 2080—An act to provide for the acquisition of the Muir Wood Toll Road by the State, and the inclusion thereof in the State highway system, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

STREAM, Chairman.

The above reported bill ordered on file for second reading.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1935.

MR SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1155—An act to amend section 48 of the Fish and Game Code, by providing for the disposition of fines and forfeitures resulting from the enforcement by counties or county officers or employees of provisions of law relating to the illegal use or possession of nets—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DELAP, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1254—An act to amend section 2175a of the Political Code, to authorize counties to recover cost of care of harmless insane—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

DELAP, Chairman.

The above reported bill ordered on file for second reading.

On Public Health and Quarantine.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1935.

MR SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 21—An act to regulate the production and distribution of serums, vaccines, bacterial cultures, and viruses, to provide for the licensing of persons manufacturing, preparing, and distributing the same, and to provide penalties for the violation of the provisions of this act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

KALLAM, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1347—An act to amend section 372 of the Political Code, relating to the members of the State Board of Public Health—has had the same under consideration, and respectfully reports the same back, with amendments, to be returned to committee.

KALLAM, Chairman

The above reported bill ordered on file for second reading.

Withdrawal of Bills.

By order of the Speaker, the following Assembly bills were withdrawn from the file, and ordered re-referred to the following committees:

Assembly Bill No. 1246 re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 427 re-referred to Committee on Municipal Corporations.

Assembly Bill No. 825 re-referred to Committee on Municipal Corporations.

Assembly Bill No. 616 re-referred to Committee on Public Charities and Corrections.

Motion to Re-refer Senate Bill No. 353.

Mr. Phillips moved that Senate Bill No. 353 be withdrawn from file, and ordered re-referred to Committee on Agriculture.

The question being on re-referring Senate Bill No. 353 to Committee on Agriculture.

Motion carried.

Senate Bill No. 353 ordered re-referred to Committee on Agriculture.

Request for Use of Assembly Chamber.

Mr. Phillips requested the use of the Assembly Chamber Thursday evening, April 11, 1935, for the purpose of holding a committee meeting.

Request granted.

Request for Use of Assembly Chamber.

Mr. Lyon requested the use of the Assembly Chamber Wednesday, April 17, 1935, for the purpose of holding a committee meeting.

Request granted.

Recess.

At twelve o'clock m., on motion of Mr. Lyon, the Assembly was declared at recess until two o'clock p.m., of this day.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Resolution.

The following resolution was offered:

By Mr. Jones:

Assembly Resolution.

WHEREAS, The State of California is the owner of at least seven extensive pools of oil and gas beneath the tide of lands of this State; and

WHEREAS, Such deposits constitute a source of great wealth to the people of the State and it being imperative that a just and fair means of exploiting the said deposits be found to the end that the State may receive a maximum revenue, therefrom, without discrimination or favoritism; now, therefore, be it

Resolved by the Assembly of the State of California, That the Committee on Governmental Revenues and Expenditures is hereby authorized and empowered to make a full and complete investigation into the matter above referred to; and

Resolved, That the committee is hereby authorized to do any and all things necessary to make a full and complete investigation of the matters herein referred to, and is hereby authorized and empowered to require the production of books, agreements, documents and papers of every kind; to issue subpenas and to compel the attendance of witnesses, and the production of testimony. Each of the members of said committee is hereby authorized to administer oaths, and all of the provisions of Article VIII of Chapter II, Title I, Part III of the Political Code, relative to the attendance and assembly of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution. The committee is authorized to any time prior to adjournment sine die report back to the Assembly with recommendations; and be it further

Resolved, That the sum of $1,000 or so much thereof as may be necessary, and the same is hereby appropriated for the purpose of defraying the expenses of the committee and of said investigation and for the employment of such clerical and other assistance as may be necessary to fully carry out its functions, said sum to be paid from the contingent fund of the Assembly and the State Controller is hereby authorized and directed to draw his warrant in favor of the person entitled thereto for such expenditures as may be certified to him from time to time by the chairman of said committee, and the State Treasurer is hereby authorized and directed to pay the claim.

Resolution read.

Floor Amendment.

During reading of the resolution, the following amendment was submitted by Mr. Frazier:

Amendment No. 1.

In paragraph 3, strike out the words "the Committee on Governmental Revenue and Expenditures", and insert in lieu thereof "a Committee of Five members of the Assembly to be appointed by the Speaker of the Assembly."

Amendment adopted.

Request for Unanimous Consent.

Mr. Jones asked for, and was granted, unanimous consent to take up his resolution at this time, without reference to printer, committee or file, and that same be considered engrossed.

Consideration of Resolution by Mr. Jones, as Amended.

Resolution, as amended, read.

Mr. Jones moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gever, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, McBride, McCarthy, McMurray, Meeban, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Turner, Wagner, Walker, Wallace, Waters, Weber, Welsh, and Mr. Speaker—65

NOES—Mayo, Redwine, Thorp, and Utt—4.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 31—An act to regulate the hours of service in public and private employment during the emergency declared to exist.

Bill read third time

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Patterson:

Amendment No. 1.

On page 2, lines 1 and 2, of the printed bill, as amended, strike out "whose hours of service are fixed by law or (c)".

Amendment No. 2.

On page 2 of the printed bill, as amended, strike out lines 6 to 12, inclusive, and insert in lieu thereof the following:

"SEC. 4. The provisions of this act shall be, and remain, in force at and for the time or times the Governor shall declare by proclamation that the emergency referred to in section 1 exists."

Amendment No. 3.

On page 2 of the printed bill, as amended, immediately following line 12, insert the following:

"SEC. 5. The power vested in the Governor under the provisions of this act may be exercised for the purpose of enabling this State to harmonize its legislation with any legislation enacted by the Congress of the United States on the subject of hours of service and at the same time permit this State to independently legislate on this subject in the exercise of its power as a State.

SEC. 6. It is hereby declared to be the purpose of this act to spread employment and it shall not be construed or enforced so as in any manner to effect a reduction in wages or salaries and any compliance with this act which results in such reduction is to be declared to be a violation of the provisions of this act

SEC. 7. If any section, subsection, sentence, clause, phrase or word of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed each section, subsection, sentence, clause, phrase and word of this act, irrespective of the fact that one or more or other sections, subsections, sentences, clauses, phrases or words are declared unconstitutional."

The question being on the amendments submitted by Mr. Patterson.

Demand for Previous Question.

Messrs. Lore, Heisinger, Hunt, Pelletier and Flint demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the amendments submitted by Mr. Patterson.

Request for Roll Call.

On request of Messrs. Lyon, Anderson and Kallam, the Speaker ordered a roll call taken on the amendments submitted by Mr. Patterson.

The question being on the amendments submitted by Mr. Patterson.

AYES—Anderson, Boyle, Burns, Cassidy, Clark, Donihue, Evans, Ralph W. Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Laughlin, Lore, Maloney, Meehan, Patterson, Pelletier, Reaves, Rosenthal, Turner, Wagner, and Williamson—28

NOES—Andreas, Breed, Brennan, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Johnson, Latham, Lyon, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—45.

Motion to Re-refer Assembly Bill No. 31.

Mr. Lyon moved, seconded by Mr. Latham, that Assembly Bill No. 31 be re-referred to Committee on Judiciary.

Motion lost.

Motion to Re-refer Assembly Bill No. 31.

Mr. Turner moved that Assembly Bill No. 31 be re-referred to Committee on Labor and Capital.

Motion lost.

Assembly Bill No. 31 passed on file.

Special Order.

The hour of two o'clock p m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 574.

Assembly Bill No. 574—An act to add sections 3246a and 3246b, and to amend sections 3244, 3245 and 3246 of the Political Code and to amend section 3247 as added by Chapter 85, Statutes of 1887, renumbering said section to be section 3246c, all relating to hours and wages of labor.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Phillips:

Amendment No. 1.

On page 3 of the printed bill, strike out lines 11 to 27, inclusive.

Special Order Set for Assembly Bill No, 574.

On motion of Mr. Pelletier, the consideration of Assembly Bill No. 574, and amendment submitted by Mr. Phillips, was made a special order for Wednesday, April 17, 1935, at two o'clock p.m.

Motion to Reconsider Assembly Bill No. 142 Continued.

Mr. Cottrell moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 142 was refused passage be continued until the next legislative day.

Motion carried.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No 341—An act to amend sections 21.1, 53, 54, 63, 64, 93, 105, 133, 133.1, 135d and 139 of the Bank Act.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 341 passed by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donnelly, Fisher, Flint, Frazier, Fulcher, Glover, Hawkins, Heisinger, Hornblower, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, and Mr. Speaker—57

NOES—Donahue, Evans, Ralph W., Geyer, Gilbert, Hunt, and O'Donnell—6.

Title read and approved.

Bill ordered transmitted to the Senate.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 15—An act relating to a county consolidation commission, to study and report on the subject of consolidation of counties and of county functions in this State, and making an appropriation therefor;

Also: Assembly Bill No. 71—An act providing that any person, firm, association, or corporation, agent, superintendent or manager thereof, employing special agents, detectives or so-called spotters, before disciplining or discharging any employee upon a report by such special agent, detective or so-called spotters, give notice and accord a hearing to such employee upon his request therefor, and providing for the punishment for the violation thereof, and repealing an act entitled "An act providing that any public service corporation, agent, superintendent, or manager thereof, employing special agents, detectives, or so-called spotters shall, before disciplining or discharging any employee upon a report by such special agent, detective, or so-called spotters, give notice and accord a hearing to such employee upon his request therefor, and providing for the punishment for the violation thereof," approved April 14, 1915, as amended,

Also: Assembly Bill No. 386—An act to amend section 472a of the Code of Civil Procedure, relating to demurrers;

Also: Assembly Bill No. 403—An act to amend "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding section 11b thereto and repealing section 11½ thereof, relating to the fees of private employment agencies;

Also: Assembly Bill No. 428—An act to add sections 1611 to 1617, inclusive, to the Political Code, relating to the State Board of Recreational Harbor Commissioners for Mission Bay, and to repeal certain acts in conflict herewith,

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 564—An act to amend sections 5, 6, 7, 7a and 8f and to repeal sections 8, 8a, 8b, 8c, 8d, 8e, 8g and 8½ of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, relating to habit forming, narcotic and other dangerous drugs;

Also: Assembly Bill No. 624—An act to amend section 61 of the Bank Act, making flood control bonds legal for savings bank investments;

Also: Assembly Bill No. 824—An act to authorize sanitary and sanitation districts, cities and towns to acquire and construct works for the collection, treatment, purification and disposal of sewage, by issuing bonds payable solely from the revenues of such works, and to collect revenues, rates or charges for the use of such works;

Also: Assembly Bill No 1285—An act to amend section 788 of the Fish and Game Code, relating to the crab season in California;

Also: Assembly Bill No. 1751—An act to amend section 4.923 of the School Code, relating to computation of pupils' attendance;

Also: Assembly Bill No 1263—An act to add a new section to the Political Code of the State of California, to be numbered 4041.27, authorizing boards of supervisors to provide for the creation and operation of a system of insurance and pensions for the benefit of physicians, nurses and other persons employed in county institutions and in county health departments, to procure group insurance for the benefit of such employees, and to provide for the payment of premiums therefor;

Also: Assembly Bill No. 1475—An act relating to the powers and duties of building inspectors of cities, cities and counties, or counties;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1704—An act making an appropriation to meet a deficiency in the appropriation for support of the Bureau of Criminal Identification and Investigation, declaring the urgency thereof, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 2003—An act to add section 654 to the Code of Civil Procedure, relating to the method of appeal in civil actions;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 60—A resolution to propose to the people of the State of California amendments to Article XI of the Constitution of said State by adding sections 4 and 7½ thereto, relating to the consolidation of counties, cities and counties, and cities—and reports that the same has been correctly re-engrossed.

WATERS, Chairman.

Assembly Constitutional Amendment No. 60 ordered on file for adoption.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1084—An act providing for completion of investigation and report by Division of Water Resources, Department of Public Works on flood control, hydro-electric development and conservation and utilization of water supply of Salinas River Basin;

Also: Assembly Bill No 1573—An act to amend section 1197a of the Political Code, for the purpose of making certain the payment of adequate compensation to persons soliciting signatures to initiative, referendum, and recall petitions, requiring the filing of bonds by the proponents of such petitions to insure the payment of such compensation and providing penalties for violation of the provisions thereof;

Also: Assembly Bill No. 1780—An act to amend section 86 of the Agricultural Code, relating to agricultural fairs;

And reports that the same have been correctly re-engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No 25—A resolution to propose to the people of the State of California an amendment to section 22 of Article XII of the Constitution of the State of California, relating to the Public Utilities Commission—and reports that the same has been correctly engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 686—An act to amend an act entitled "An act to protect the natural resources of water, petroleum and gas from damage, waste and destruction; relating to the creation of a division in the Department of Natural Resources for the prevention of such damage, waste and destruction; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees, providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purpose of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; providing for bonds required of drillers of oil and gas wells, and making an appropriation for the purpose of this act, approved June 10, 1915, as amended, by adding thereto section 18a, relating to the drilling, redrilling, deepening, use and disuse of wells including subsurface

directional surveys thereof and the straightening, correction, use or disuse of slanting wells—and reports that the same has been correctly re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1935

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1657—An act to amend the Vehicle Code by amending sections 253, 257, 267, 268, 269, 270, 272, 273, 314, 315, 316, and 338; by repealing sections 350, 351, 352, 353, and 354; by adding sections 254, 271.5, 350, 351, 352, 353, and 354, relating to vehicles—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HORNBLOWER, Chairman

The above reported bill ordered on file for second reading.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1935

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1849—An act to create the Public Relations Commission; to prescribe the powers, duties, functions, and purposes thereof; to abolish certain public welfare agencies; and to repeal all acts or portions of acts in conflict therewith—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

FIELD, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1747—An act to add section 3a to "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 26, 1913, relating to codification and compilation of county and city ordinances and resolutions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 465—An act to amend subsections numbers 3 and 5, and to add two new subsections to be numbered 10 and 11 to section 675 of the Political Code, empowering the Director of Finance to execute grants to real property belonging to the State to the United States of America, to withdraw from sale public lands of the State, and to enter into agreements with littoral owners or others to compensate the State on account of taking of oil, gas, hydrocarbons or other minerals from the lands of the State—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 682—An act to provide for a Legislative-Executive Advisory Committee and the creation of a secretariat therefor, prescribing the powers and duties of such advisory committee and its secretariat, and making an appropriation for the support thereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended, and be re-referred to the Committee on Ways and Means.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 257—An act to establish a bureau for the blind in the Department of Institutions, providing for the administration thereof,

making appropriations therefor, and repealing certain acts in conflict herewith—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 234—An act creating a commission for the coordination of State and local governments, defining its powers and duties, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back without recommendation, and be re-referred to the Committee on Ways and Means.

FIELD, Chairman

Assembly Bill No. 234 ordered re-referred to Committee on Ways and Means.

Also:

MR SPEAKER. Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 100—An act relating to the lease and sale of Napa State Farm—has had the same under consideration, and respectfully reports the same back, and recommends that same do pass, as amended, and be re-referred to the Committee on Ways and Means.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

On Commerce and Navigation.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1935.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No 1185—An act authorizing the Board of State Harbor Commissioners to make application for the privilege of establishing, maintaining and operating a foreign trade zone on the property under the jurisdiction and control of said board on the water front of San Francisco, and to establish, maintain and operate such zone, pursuant to the act of Congress of June 18, 1934, Chapter 590—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

MALONEY, Chairman.

The above reported bill ordered on file for second reading.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1935.

MR. SPEAKER. Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 143—An act to amend section 737aa of the Political Code, relating to salaries of judges—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

FIELD, Chairman.

Senate Bill No. 143 ordered re-referred to Committee on Ways and Means.

Also:

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 93—An act to amend section 7 of the "California Nautical School Act," approved June 3, 1929, as amended, relating to the payment by pupils enrolled in the California Nautical School of fees and other charges and the disposition thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended, to be re-referred to Committee on Ways and Means.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 11, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 761—An act to amend section 3.42 of, and to add sections 3.43 and 3.44 to, the School Code, relating to required instruction in the schools;

Also: Senate Bill No. 577—An act to amend section 3780 of the Political Code, relating to the redemption of property sold to the State for delinquent taxes and limiting the same to a period of three years from and after the date of the deed to the State pursuant to section 3785 of the Political Code.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 761 read first time, and referred to Committee on Education.

Senate Bill No. 577 read first time, and referred to Committee on Governmental Revenues and Expenditures.

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 719—An act to amend the Vehicle Code by amending sections 142, 147, 150, 151, 159, 160, 161, 165, 184, 186, 205, 206, 207, 211, 215, 239, 252, 375, 376, 378, 382, and 383; by adding section 234, relating to vehicles;

Also: Senate Bill No. 284—An act to amend section 1197 of the Political Code, relating to election ballots;

Also: Senate Bill No. 467—An act to amend sections 2.411, 2.418 and 2.419 of the School Code, relating to disincorporation of high school districts;

Also: Senate Bill No. 53—An act to amend section 6.90a of the School Code, relating to junior college buildings.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 719 read first time, and referred to Committee on Motor Vehicles.

Senate Bill No. 284 read first time, and referred to Committee on Elections.

Senate Bills Nos. 467 and 53 read first time, and referred to Committee on Education.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2023—An act to amend the title and sections 1, 2 and 3 of, and to add a new section, to be numbered section 4, to an act entitled "An act to provide for a day of rest from labor," approved February 27, 1893 (Stats 1893, Chap 41), relative to the scope of the act, providing for the enforcement of the act by the Chief of the Division of Labor Statistics and Law Enforcement and providing penalties for violation of the provisions thereof.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Anderson:

Amendment No. 1.

On page 1, line 11, of the printed bill, after the word "one", insert the word "full".

Amendment No. 2.

On page 2, between lines 3 and 4, of the printed bill, add a new paragraph reading as follows:

"Nothing in this act shall be deemed to apply to employees engaged in interstate commerce, nor to employees engaged in stock or poultry raising or in the harvesting, curing, canning, drying or packing of any variety of perishable fruit, fish or vege-

table during such periods as may be necessary to harvest, cure, can, dry or pack said fruit, fish or vegetable in order to keep the same from spoiling, nor to the operation of the irrigation or drainage system of any irrigation or reclamation district."

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1519—An act to amend section 271 of the Penal Code of the State of California

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Miss Miller:

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, as amended, strike out "of the State of California", and insert in lieu thereof the following: "relating to desertion of children".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out line 1, and in line 2 strike out "of California", and insert in lieu thereof the following:

"SECTION 1. Section 271 of the Penal Code"

Amendment No. 3.

On page 1, line 3, of the printed bill, as amended, strike out "Sec."

Amendment No. 4.

On page 1, line 9, of the printed bill, as amended, strike out "years", and insert in lieu thereof the following: "year".

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 2172—An act to provide for the appointment of defenders of persons accused of crime and authorizing the appointment of counsel therefor, and to provide for the compensation of such appointed counsel.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Walker:

Amendment No. 1.

On page 1 of the printed bill, as amended, at the end of line 14, strike out "the court or", and strike out all of lines 15 to 19, inclusive, and insert in lieu thereof the following: "such counsel shall receive a reasonable compensation, the amount of which shall be left to the discretion of the supervisors, to be paid out of the general fund of the county upon the order of the court or a judge thereof."

Amendment No. 2.

On page 2 of the printed bill, as amended, strike out all of lines 1 to 11, inclusive, and line 12 to and including "of", and insert in lieu thereof the following "Nothing in".

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 819—An act to amend sections 2167, 2167a, 2169, 2172 and 2175 of, to repeal sections 2168, 2170, 2171 and 2185c of, and to add new sections numbered 2168, 2171 and 2185c to the Political Code, relating to persons mentally disordered or otherwise incompetent.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lyon:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out lines 46 and 47, also in line 48, strike out "in the State.", and insert in lieu thereof the following: "forms prescribed by the Department of Institutions."

Amendment No. 2.

On page 4, lines 23 and 24, of the printed bill, as amended, strike out "to be prepared and furnished", and insert in lieu thereof the following: "prescribed".

Amendment No. 3.

On page 5 of the printed bill, as amended, strike out lines 2, 3 and 4, and insert in lieu thereof the following: "and demand shall be made upon forms prescribed by the Department of Institutions. The certified medical examiners".

Amendment No. 4.

On page 6, line 31, of the printed bill, as amended, strike out "prepare and"; also strike out line 32, and insert in lieu thereof the following: "prescribe".

Amendment No. 5.

On page 8, line 41, of the printed bill, as amended, strike out "to be prepared and furnished", and insert in lieu thereof the following: "prescribed".

Amendment No. 6.

On page 9, lines 21 and 22, of the printed bill, as amended, strike out "to be prescribed and furnished", and insert in lieu thereof the following: "prescribed".

Amendments adopted.

Bill read, ordered to reprint, re-re-re-engrossment, and third reading.

Assembly Bill No. 1269—An act authorizing and empowering any county, city and county, or city in the State of California to donate, convey, and grant to the State of California, or to district agricultural associations thereof, any real property owned, held and used by it for fair ground and exposition purposes, or which it may hereafter acquire, hold and use for such purposes.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Lyon:

Amendment No. 1.

On page 1, line 12, of the printed bill, as amended, after "association", insert the following: "or the State, as the case may be.".

Amendment adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 527—An act to provide for the creation, organization and government of port districts in one or more counties; to enumerate the powers thereof; to authorize the incurring of indebtedness, the borrowing of money and the issuance of bonds, and other evidences of indebtedness of such district and to provide for the mortgaging, pledging, or hypothecating of property of such districts and the issuance of revenue notes, certificates or warrants payable solely and exclusively from the revenues to be realized from a particular utility or property acquired or to be acquired with the proceeds of such obligations; to provide for the levy and collection of taxes by such districts and the allocation, mortgage, pledge, or hypothecation of the revenues of such districts or any property of such districts; to authorize port districts to enter into agreement with the State of California or any political subdivisions therein or with the United

States of America; and to authorize port districts to do and perform all acts and things necessary or appropriate to carry out the purposes of this act.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Nielsen:

Amendment No. 1.

On page 2, line 6, of the printed bill, as amended, after the period, insert the following: "No territory situated within the boundaries of any port or harbor district organized or designated and existing under the provisions of any city charter shall be included in such river port district."

Amendment No. 2.

On page 2, line 49, of the printed bill, as amended, strike out "city", and insert in lieu thereof the following: "municipality in which is located the largest proportion in value of the land".

Amendment No. 3.

On page 3, line 44, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: ", but shall be entitled to necessary traveling expenses incurred in the performance of their duties."

Amendment adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Resolution.

The following resolution was offered:

By Mr. Fisher:

Assembly Resolution.

WHEREAS, It has been represented to this Assembly by the Hallesint Association of America and the Italian Chamber of Commerce of the East Bay, that there is now in operation on a successful plan in the Kingdom of Italy, a plan for the creation of and the distribution of working capital for industrial and commercial purposes through principles successfully and profitably employed by insurance of general application; and

WHEREAS, Such a plan of capital insurance or insurance of resources would require the creation of a Department of Capital Insurance in the State of California; and

The authorization of an issue of a series of bonds of progressively increasing value and of the utmost negotiability; such bonds to be sold to the public in succeeding issues; and

Such funds obtained through the sale of the bonds would be used to finance diversified industries of the State; the State accepting industrial securities in return for financial assistance and retaining such securities and their yield in a common capital fund to serve as a guarantee for the issue of other bonds; and

WHEREAS, The Department of Capital Insurance would be authorized to place the profits of the common capital fund at the disposal of the State to cover State budget expenses; and

WHEREAS, This Assembly is desirous of obtaining further information concerning the plan and its operation in providing capital insurance or insurance of resources in the State of California for the benefit of business and industry; now, therefore, be it

Resolved by this Assembly, That the Speaker be and he is hereby authorized, empowered and directed to appoint a committee of not less than three members of this Assembly to make an investigation of the plan and principles involved in capital insurance or insurance of resources and to make a written report concerning the same to the fifty-second session of this Legislature; and, be it further

Resolved, That said committee shall have the power and authority to call upon the Commissioner of Insurance, the Commissioner of Corporations and the Director of Finance, of the State of California, for advice and information during the course of its investigations; and that said committee shall not have the power or authority to incur expenses or any indebtedness of any nature whatsoever.

Resolution read, and ordered referred to Committee on Insurance.

Withdrawal of Bills.

By order of the Speaker, the following Assembly bills were withdrawn from the file, and ordered re-referred to the following committees:

Assembly Constitutional Amendment No. 25 re-referred to Committee on Constitutional Amendments.

Assembly Bill No. 824 re-referred to Committee on Municipal Corporations.

Assembly Bill No. 1573 re-referred to Committee on Elections.

Assembly Bill No. 2003 re-referred to Committee on Judiciary.

Assembly Bill No 15 re-referred to Committee on Ways and Means.

Assembly Bill No. 564 re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1475 re-referred to Committee on County Government.

Assembly Bill No 1235 re-referred to Committee on Ways and Means.

Adjournment.

At four o'clock and twenty minutes p m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Friday, April 12, 1935.

CHARLES H ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, April 12, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J, Evans, Ralph W, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—74

Quorum present.

Prayer.

Prayer was offered by Rev Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Frazier, its further reading was dispensed with.

Leaves of Absence.

On motion of Mr. Robertson, Mr Anderson was granted leave of absence for this day.

On motion of Mr. Williamson, Mr. Cronin was granted leave of absence for this day.

On motion of Mr. Wright, Mr. Latham was granted leave of absence for this day.

On motion of Mr. Wagner, Mr. Voigt was granted leave of absence for this day.

On motion of Mr Burns, Mr Scudder was granted leave of absence for this day.

On motion of Mr Crowley, Mr. O'Donnell was granted leave of absence for this day.

On motion of Mr. Lore, Mr. Pelletier was granted leave of absence for the balance of this legislative day.

Privilege of Floor of Assembly Extended.

On request of Mr. Fisher, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr and Mrs. B. A. Ahlport of Los Angeles.

On request of Mr. Nielsen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lottiellen Johnson, teacher of the Sutter Junior High School, and the following pupils: Marvin Riley, Raymond Ulm, and Sophia Joseph.

On request of Mr. Nielsen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. M. A. Becker, teacher of the eighth grade, Granite Grammar School, Folsom, and the following pupils: William Buchanan, Robert Bennett, Robert Gail Keefe, Fred Tracy, Arthur Tracy, Melvin Glenn, John Runkle, Wiletta Taylor, Phyllis LaSalles, Alwin Casella, Kenneth Kipp, Charles Townsend, William Rumsey, Majorie Needles, Peggy Gage, Franklin Jewell, Ernest Chambers, Walter Huff, Leslie Dean, Howard Wilson, Leonard Chappell, Jean Mackay, Evelyn Maderos, Patricia Swingle, Vera Morton, May Teceira, A. J. Gwin, Lillian Relvas, Mary Stevens, Donald Pierce, Barbara Castro, Edart Frates, Arla Kyburz, and Roberta Richmond

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From the employees of Sunshine Curtains, Inc., of Los Angeles, opposing taxation of the motion picture industry

From Mrs. Rose L. Nordlinger and others, opposing taxation of the motion picture industry.

From James M. Wolf and others, opposing taxation of the motion picture industry

From Miss P. Calipaugh and others, opposing taxation of the motion picture industry

From Mrs. Grace G. Hatch and others, opposing taxation of the motion picture industry.

From Southern California Restaurant Association, opposing passage of Assembly Bill No. 574.

From Ira Breffle of Florida, relative to the moving of the motion picture industry from California.

Communications.

The following communications were received, and ordered printed in the Journal:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1935.

MR. SPEAKER: Pursuant to your instructions, the following named person has filed her credentials, and is duly recognized as a representative of the newspaper set opposite her name:

Los Angeles Examiner—Lavinia Graham Timmons.

ARTHUR A. OHNIMUS, Chief Clerk.

(COPY.)

Letter from U. S. Webb, Attorney General.

STATE OF CALIFORNIA, LEGAL DEPARTMENT.

STATE LIBRARY AND COURTS BUILDING, SACRAMENTO, March 26, 1935

Hon. S. L. Heisinger, Assembly Chamber, Sacramento, California.

MY DEAR MR. HEISINGER: Your letter of the eighteenth instant relative to Assembly Bill No. 947 presents the following three questions:

1. "Will the bill compel the authority to grant franchises or privileges to all railroads that enter Oakland, or San Francisco, under the same conditions and rights?"

2. "Will the Railroad Commission be directed to fix rates as well as rules and regulations?"

3. "Will the rates for rail transportation and motor transportation be the same or not?"

Further excerpts from his letter are as follows:

1. "The bill will not compel the Toll Bridge Authority to grant franchises or privileges to all railroads that enter Oakland or San Francisco under the same conditions and rights."

"The power to grant the privilege is thus given, but the power to refuse the privilege is not denied."

2. "It seems clear that the Railroad Commission will have full jurisdiction to fix the rates for transportation by the carrier of persons or property over the toll bridge, and such carriers will be subject to the rules and regulations prescribed by the commission. The rates referred to, however, must not be confused with toll charges. The Toll Bridge Authority will be required to fix the toll charges for carriage of passengers by rail or bus; likewise, the Toll Bridge Authority will prescribe the toll charges for trucks and passenger vehicles. The toll charges applied to the carriage of persons or property by common carrier, whether bus or railroad, will be in addition to the rates fixed by the Railroad Commission."

3. "The bill does not assume to prescribe that the rates shall be the same and a definite answer can not be given"——

The letter from the Attorney General indicates that the bill is so drawn that it is even hard for him to actually inform us what will happen should it be enacted.

However, he does say that the Toll Bridge Authority will fix the tolls, and that those tolls may not be the same. We may assume that such tolls may be discriminatory, or in other words, the Southern Pacific may pay a toll of 2½ cents each for its passengers while the auto passengers may be ten times as much.

He says that rates shall be fixed by the Railroad Commission. Therefore, we may assume that even though the people may build the trackage and rolling stock for the Southern Pacific Company, the rates may be so high as to rob the people while the company might be making millions and the auto public would be paying for the bridge.

It seems strange to me that such a complicated bill should be here on the floor for final passage when even the Attorney General of this State can not tell us what might happen in case of its enactment.

S. L. HEISINGER.

ASSISTANT CLERK COOLIDGE READING.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1935

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2077—An act to amend section 1065 of the Fish and Game Code, relating to sardines:

Also, Assembly Bill No 2137—An act to provide for pro tempore judges of trial courts and for compensation therefor to expedite the business of such courts,

Also: Assembly Bill No. 2294—An act to repeal sections 327, 330, 331, 332, 333, 334 and 335 of the Fish and Game Code, relating to game refuges,

Also: Assembly Bill No 2300—An act to amend section 503 of the Vehicle Code, relating to the theft and unlawful taking of a motor vehicle,

Also: Assembly Bill No. 2391—An act to amend sections 125, 374, 375, 1881, and 1973 of, and to add sections 341.5 and 1973.5 to the Code of Civil Procedure, relating to criminal conversation, breach of promise and alienation of affections suits;

Also: Assembly Bill No. 2390—An act to add a new section to the Penal Code to be numbered 210, relating to kidnaping;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 767—An act to amend sections 2, 2¼ 3, 4, 10, 13 14, 18¼ and 21 and to repeal sections 5 and 9 of the Old Age Security Act of the State of California, relating to aid to the aged,

Also: Assembly Bill No. 1111—An act to provide for the formation, government, operation and dissolution of library districts;

Also: Assembly Bill No 1483—An act to amend section 5 750 of the School Code, relating to absence from service of certificated employees on account of illness;

Also: Assembly Bill No. 1287—An act to amend section 790 of the Fish and Game Code, relating to the preservation of crabs and crab meat,

Also: Assembly Bill No. 1752—An act to amend sections 5 500 of the School Code, relating to teachers' tenure;

Also: Assembly Bill No. 1826—An act to amend section 926 of the Fish and Game Code, relating to the supervision, regulation and restricting of commercial fishing in the waters under the jurisdiction of the State of California,

Also: Assembly Bill No. 2030—An act to amend sections 1625 5 and 1626 of the Streets and Highways Code, relating to expenditures by boards of supervisors of moneys received by the counties from the motor vehicle fund or from moneys received by the county for vehicle registration license fees and authorizing contributions to ad valorem special assessment proceedings, or the purchase, cancellation and retirement of bonds issued in any ad valorem acquisition or improvement district;

Also: Assembly Bill No. 2043—An act to amend section 5 722 of the School Code, relating to resignations, dismissals and leaves of absence of certificated employees;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No 496—An act to amend section 692 of the Agricultural Code, relating to places where milk or milk products are handled or kept for sale;

Also: Assembly Bill No. 1054—An act to add section 3a to and to amend sections 3, 4, 5, 6, 7, 8, 10, 14, 15, 16, 17, 18, and 19 of the "Los Angeles County Flood Control Act," relating to the government and control of the district and the powers and duties of the board of directors thereof;

Also: Assembly Bill No. 2336—An act to amend section 1293 of the Fish and Game Code, relating to destructive mammals,

And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2383—An act to prohibit and declare void certain contracts conditions, agreements and understandings in connection with the sale or contract to sell motor vehicles by manufacturers or wholesale distributors thereof, and prohibiting the giving or payment of any thing or service of value by any manufacturer or wholesale distributor of motor vehicles to any one engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles, and the acceptance or receipt thereof by any such person when competition in the business of financing

the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles may be lessened or eliminated, or a monopoly created or tended to be created, and prohibiting from doing business in this State any one engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles who so accepts or receives any thing or service of value from any manufacturer or wholesale distributor of motor vehicles, and prescribing penalties, forfeitures, and recoveries for the violation thereof—and reports that the same has been correctly re-engrossed.

WATERS, Chairman

The above reported bill ordered on file for third reading.

On State Grounds and Parks.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1935.

MR. SPEAKER: Your Committee on State Grounds and Parks, to which was referred Assembly Bill No. 78—An act granting to the city of Sacramento certain lands lying within the city of Sacramento—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DONNELLY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on State Grounds and Parks, to which was referred Assembly Bill No. 1344—An act providing for the creation, management, maintenance and improvement of the California Desert Park—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

DONNELLY, Chairman

The above reported bill ordered on file for second reading.

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO April 12, 1935

MR SPEAKER. Your Committee on Social Service and Welfare, to which was referred Assembly Bill No 603—An act to amend section 4223 of the Political Code relating to admission to county hospitals—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BRENNAN, Chairman

The above reported bill ordered on file for second reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 11, 1935.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 33—An act to amend section 4300b of the Political Code of the State of California by adding thereto a provision fixing a fee to be charged by sheriffs for arresting prisoners and bringing them into court or jail,

Also Assembly Bill No. 139—An act to amend sections 165 and 166 of the Civil Code, relating to inventories of the separate property owned by a husband or wife, and making the filing of such inventory notice and prima facie evidence of title,

Also: Assembly Bill No. 346—An act to amend section 1208 of the Code of Civil Procedure, relating to liens upon animals;

Also: Assembly Bill No. 956—An act to amend an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, by amending sections 5 and 15 thereof, relating to special assessment bonds.

J. A. BEEK, Secretary of Senate.

Assembly Bills Nos. 33, 139, 346 and 956 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 354—An act to amend sections 1061, 1064, 1065, 1066, 1071 and 1073 of the Agricultural Code, relating to economic poisons;

Also Assembly Bill No 1059—An act to amend section 377 of the Code of Civil Procedure, relating to the maintenance of actions for damages against persons responsible for the death of another;

Also: Assembly Bill No. 1722—An act to amend section 1408 of the Penal Code, relating to the order for delivery of property to the owner

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 354 read first time, and referred to Committee on Agriculture.

Assembly Bills Nos. 1059 and 1722 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1935

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 171—An act to amend section 478 of the Agricultural Code, relating to cream;

Also: Senate Bill No 593—An act to amend sections 3897 and 3898 of the Political Code, and to repeal section 3774 of the Political Code, relating to lands sold for delinquent taxes;

Also: Senate Bill No 131—An act to amend section 683 of the Civil Code, relating to joint tenancy

J. A BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 171 read first time and referred to Committee on Live Stock and Dairies.

Senate Bill No. 593 read first time, and referred to Committee on Governmental Revenues and Expenditures.

Senate Bill No. 131 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, April 11 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 594—An act to amend section 3817d of the Political Code, relating to the sale of property for delinquent taxes to the State, and the sale of tax deeded property by the State, providing that no sale at public auction be made of unredeemed property in certain years and requiring the same to be deeded to the State; providing that no sale of property except property sold to the State for delinquent taxes in the year 1935, or prior thereto, be made prior to July 1st, 1936; providing that property sold to the State for delinquent taxes in 1925 or prior thereto, and deeded to the State pursuant to section 3785 of the Political Code shall be subject to sale pursuant to section 3897 of the Political Code; providing that the provisions of this section further postponing the time when sale or resale at auction to the public may be made shall not apply to property deeded pursuant to sale for delinquent taxes and assessments to any taxing agency defined in section 3897d of the Political Code; and providing for the substance and form of notices under subdivisions 1 and 2 of section 3764 of the Political Code;

Also: Assembly Bill No. 1679—An act to amend section 1207 of the Penal Code, relating to entry of judgment;

Also: Assembly Bill No 480—An act to amend section 1554 of the Probate Code, relating to accounts of guardians of insane persons

J A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No 594 read first time, and referred to Committee on Governmental Revenues and Expenditures.

Assembly Bills Nos 1679 and 480 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 11, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 25—Relative to the appointment of a Joint Legislative Committee to Study Pending Revenue and Taxation Measures.

J A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Concurrent Resolution No 25 read first time, and referred to Committee on Revenue and Taxation.

Motion to Approve Journals.

Mr. Lyon moved that the Journals of Monday, April 1, 1935; Tuesday, April 2, 1935; Wednesday, April 3, 1935; Thursday, April 4, 1935; and Friday, April 5, 1935, be approved as corrected by the Minute Clerk.

Motion carried.

Second Reading of Assembly Bills.

Assembly Bill No 1307—An act to license, regulate and control the manufacture, transportation, sale, purchase, possession and disposition of alcoholic beverages; to make an appropriation for the enforcement of this act; and to prescribe penalties for the violation of this act.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2, of the printed bill, as introduced January 25, 1935, after the word "Beverage", insert the word "Control".

Amendment No. 2.

On page 1, line 6, of the printed bill, as introduced January 25, 1935, strike out ", pat-".

Amendment No. 3.

On page 1, line 7, of the printed bill, as introduced January 25, 1935, strike out "ented or not,".

Amendment No. 4.

On page 2, line 28, of the printed bill, as introduced January 25, 1935, after the words "to sell", add the following "The transfer of title to alcoholic beverages unaccompanied by a transfer of possession of such beverages shall not be deemed a sale of such beverages"

Amendment No. 5.

On page 2, line 30, of the printed bill, as introduced January 25, 1935, strike out the word "alcoholic".

Amendment No. 6.

On page 2, line 30, of the printed bill, as introduced January 25, 1935, after the word "beverages", insert the following "of an alcoholic content in excess of three and two-tenths per cent by weight".

Amendment No. 7.

On page 3, line 29, of the printed bill, as introduced January 25, 1935, strike out "$125", and insert in lieu thereof "$25".

Amendment No. 8.

On page 3 of the printed bill, as introduced January 25, 1935, strike out all of line 32

Amendment No. 9.

On page 3, line 33, of the printed bill, as introduced January 25, 1935, strike out the numeral "16", and insert in lieu thereof "15".

Amendment No. 10.

On page 3, line 34, of the printed bill, as introduced January 25, 1935, strike out the numeral "17", and insert in lieu thereof "16".

Amendment No. 11.

On page 3, line 35, of the printed bill, as introduced January 25, 1935, strike out the numeral "18", and insert in lieu thereof "17".

Amendment No. 12.

On page 3, line 37, of the printed bill, as introduced January 25, 1935, strike out the numeral "19", and insert in lieu thereof "18".

Amendment No. 13.

On page 3, line 39, of the printed bill, as introduced January 25, 1935, strike out the numeral "20", and insert in lieu thereof "19".

Amendment No. 14.

On page 4, line 6, of the printed bill, as introduced January 25, 1935 after the word "beverage", insert a semicolon.

Amendment No. 15.

On page 4, line 33, of the printed bill, as introduced January 25, 1935, strike out the word "and", and insert in lieu thereof a period.

Amendment No. 16.

On page 4 of the printed bill, as introduced January 25, 1935, strike out lines 34 and 35.

Amendment No. 17.

On page 4, lines 37 and 38, of the printed bill, as introduced January 25, 1935, strike out "(and in quantities of five gallons or over)".

Amendment No. 18.

On page 4 of the printed bill, as introduced January 25, 1935, strike out lines 41 to 48, both inclusive.

Amendment No. 19.

On page 4, line 49, of the printed bill, as introduced January 25, 1935, strike out "ɹ", and insert in lieu thereof "i".

Amendment No. 20.

On page 4, line 51, of the printed bill, as introduced January 25, 1935, strike out the period, and insert in lieu thereof the following: "; provided that an on-sale beer tavern license only authorizes the sale of beer containing not more than three and two-tenths per cent of alcohol by weight."

Amendment No. 21.

On page 5 of the printed bill, as introduced January 25, 1935, strike out lines 28 to 32, both inclusive, and in lieu thereof insert the following: "only as may be permitted by the board, upon payment of a transfer fee of five dollars

Whenever a license issued under this act is lost or destroyed the board shall issue a duplicate license upon payment of a fee of five dollars.

SEC. 9. All retailer's on-sale licenses shall be issued on a calendar year basis and shall automatically expire on the last day of December of the year for which issued. All other licenses issued under this act shall be issued on the basis of a fiscal year commencing July 1st and ending June 30th, and shall automatically expire on the last day of June of the year for which issued.

All licenses issued under the provisions of the State Liquor Control Act, Chapter 658, Statutes of 1933, which authorize the sale of liquor specified in the licenses for consumption on the premises shall automatically expire at midnight on December 31, 1935.

All other licenses issued under said act shall automatically expire at midnight of the day on which this act becomes effective. That proportion of the annual fee for any license so expiring on the effective date of this act which the number of full calendar months remaining in the year 1935 after the effective date of this act bears to the total number of months in the year 1935, shall be allowed as a credit against the fee for any comparable license issued under this act during 1935"

Amendment No. 22.

On page 6, line 15, of the printed bill, as introduced January 25, 1935, strike out the words "and all of its officers", and insert in lieu thereof the following: ", the president, treasurer, and any other officer who is in any way responsible for the management or direction of the activities, affairs and policies of the corporation".

Amendment No. 23.

On page 6, line 32, of the printed bill, as introduced January 25, 1935, after the word "by", insert the following: "Chapter 734, Statutes of 1917, the same being".

Amendment No. 24.

On page 7, line 9, of the printed bill, as introduced January 25, 1935, after the word "No", insert the word "other".

Amendment No. 25.

On page 7 of the printed bill, as introduced January 25, 1935, strike out all that portion of line 9, following the words "No license".

Amendment No. 26.

On page 7, lines 12 and 13, of the printed bill, as introduced January 25, 1935, strike out the words "a license other than a medicinal alcohol", and insert in lieu thereof "any other".

Amendment No. 27.

On page 7 of the printed bill, as introduced January 25, 1935, between lines 15 and 16, insert the following:

"Industrial alcohol licenses shall be issued only to persons to whom, and for premises for which, either a distilled spirits manufacturer's, importer's or wholesaler's license has been issued."

Amendment No. 28.

On page 13, line 42, of the printed bill, as introduced January 25, 1935, strike out the word "or", following the word "obligation", and insert in lieu thereof the word "of".

Amendment No. 29.

On page 13 of the printed bill, as introduced January 25, 1935, strike out lines 15 to 20, both inclusive, and insert in lieu thereof the following:

"SEC. 40 Every person who sells, serves or otherwise disposes of any alcoholic beverage over or at any public bar or in any public barroom, for consumption on the premises, and every person who sells any draught beer containing more than three and two-tenths per cent of alcohol by weight shall be guilty of a misdemeanor."

Amendment No. 30.

On page 13, line 30, of the printed bill, as introduced January 25, 1935, strike out the word "month", following the word "six", and insert in lieu thereof the word "months".

Amendment No. 31.

On page 13 of the printed bill, as introduced January 25, 1935, strike out lines 45 to 51, both inclusive, and insert in lieu thereof the following:

"It shall be unlawful for any licensee to have upon any premises for which licenses have been issued to such licensee any alcoholic beverages other than the alcoholic beverages which such licensee is authorized to sell at such premises under the license or licenses issued therefor.

It shall be presumed that all alcoholic beverages found or located upon premises for which licenses have been issued belong to the person or persons to whom such licenses were issued.

Every person violating the provisions of this section shall be guilty of a misdemeanor. The board or its representatives may either seize and summarily destroy or may seize and sell at public auction any alcoholic beverages found upon any premises in violation of this section."

Amendment No. 32.

On page 14 of the printed bill, as introduced January 25, 1935, strike out lines 1 to 7, both inclusive, and insert in lieu thereof the following:

"SEC 44. Every person who employs or uses the services of minors in or on that portion of any premises which are used for the sale and service of alcoholic beverages for consumption on the premises shall be guilty of a misdemeanor."

Amendment No. 33.

On page 14, line 16, of the printed bill, as introduced January 25, 1935, after the word "person.", add the following: "Any person violating the provisions of *this section shall be guilty of a misdemeanor.*"

Amendment No. 34.

On page 14, lines 42 and 43, of the printed bill, as introduced January 25, 1935, strike out the words "engaged in the business of selling or serving alcoholic beverages".

Amendment No. 35.

On page 14, lines 47 and 48, of the printed bill, as introduced January 25, 1935, strike out ", engaged in the business of selling or serving alcoholic beverages".

Amendment No. 36.

On page 15 of the printed bill, as introduced January 25, 1935, strike out lines 27 to 52, both inclusive, and insert in lieu thereof the following:

"SEC. 56. The following acts and sections, together with all amendments thereof and all acts supplementary thereto, are hereby repealed

Year	Chapter	Page	Year	Chapter	Page
1855	188	240	1895	156	161
1858	232	193	1903	240	319
1860	223	186	1905	26	20
1871–72	188	231	1905	123	126
1873–74	13	12	1907	104	127
1873–74	27	27	1909	413	722
1873–74	198	297	1911	351	599
1873–74	300	434	1915	21	20
1873–74	345	509	1921	80	79
1875–76	473	691	1925	89	221
1880	83	80	1933	51	340
1889	241	352	1933	149	598
1891	87	91	1933	658	1697

Penal Code Sections.

63b 397b 397c
397 680

Political Code Sections.

3381
3383

School Code Sections.

3.80
3.81"

Amendment No. 37.

On page 16 of the printed bill, as introduced January 25, 1935, strike out lines 1 to 21, both inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1823—An act to provide for the creation and management of lotteries in the State of California and legalizing lottery transactions.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the printed bill, after "SECTION 1.", insert the following: "The purpose of this act is to carry out the provisions of section 26 of Article IV of the Constitution of California for the purpose of raising money to provide for the welfare of the under-privileged people in the State of California, by providing funds for the relief of aged persons, for the construction, maintenance and improvement of institutions, hospitals, and asylums for the wards of the State, and for the purpose of relieving those persons within the State to whom this act provides no benefit from the necessary and concomitant burden of taxation which otherwise would be imposed upon them.

SEC. 2. There is hereby created the "California Lottery Board", hereinafter called the board, to consist of five members, to be appointed by the Governor. The term of office of the members of the board shall be five years, except that of the members first appointed the appointments shall be so made that the terms of the members shall expire at the end of one, two, three, four and five years, in the order designated by the Governor at the time of appointment. Subsequent appointees shall be appointed for the term of five years. The members of the board shall receive no compensation, but shall be allowed their necessary traveling and other expenses incurred in the performance of their official duties. The members first appointed shall be appointed within sixty days after this act takes effect.

SEC 3 As soon as practicable after its appointment, the board shall meet and organize and shall devise a system for the conducting of a lottery known as "the California old age pension lottery". The purpose of this lottery is to carry out the purposes expressed in section 1 of this act, and the board is hereby authorized and empowered to do whatever in its judgment may be necessary to effectuate those purposes, subject to the provisions contained in this act

SEC 4 All lottery tickets sold within the State of California shall be sold by persons who otherwise would receive unemployment relief from local, State or Federal authorities. Lottery tickets sold outside of the State may be sold in such manner as the board may prescribe, but no commission or other consideration in excess of ten per cent of the value of the tickets sold shall be paid for the sale thereof.

SEC. 5. All tickets, circulars, instructions, and other printed matter necessary for the advertisement and distribution of lottery tickets shall be printed by the State of California by the State Printer, under contract between such State Printer and the board, approved by the Department of Finance.

SEC. 6. No person shall print, or otherwise manufacture, or have in his possession, any lottery ticket not printed by the State Printer, pursuant to a contract with the board. Any person violating the provisions of this section is guilty of a felony and punishable by imprisonment in the State prison for not exceeding five years or by a fine of not exceeding five thousand dollars, or by both such fine and imprisonment.

SEC 7. All moneys received by the board, pursuant to the provisions of this act, shall be paid into the "California lottery fund", which fund is hereby created. Out of this fund shall first be paid the expenses of administration of this act, to be fixed by the State Board of Control, not to exceed ten per cent, and the balance of said moneys shall be used for the payment of the State's contributions under the Old Age Security Act, and the remainder, if any there be, shall be expended in the construction, maintenance, and improvement of State hospitals, institutions and asylums, in such manner as the Governor, with the advice of the Director of the Department of Institutions, and the Director of the Department of Social Welfare may determine. Provided that any balance left over shall be deposited in the general fund of the State of California.

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2142—An act to amend section 13 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the appropriation of the State's share of commissions.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, after line 2, insert the following:

"SEC. 13. All fees, commissions and other moneys received by the board shall be paid into the State treasury immediately upon receipt of the same and credited to a special fund hereby created to be known as the "Fair and exposition fund." All such moneys, to the amount of twenty thousand dollars annually, are hereby appropriated, to be used to defray the expenses of the board and to pay the salaries and expenses of the officers and employees provided for herein. The balance of all moneys in said fund are hereby annually appropriated for the benefit of State institutions or State hospitals for the insane, apportioned by the Director of Institutions, for construction and maintenance, or for the care of patients."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 188—An act to add section 654d to the Penal Code, relating to advertising food, drink, drug, or cosmetic products by radio broadcasting and providing penalties for violation thereof.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, after the word "any", insert the following: "False statements for the purpose of inducing directly or indirectly the purchase of foods, drinks, drugs, devices or cosmetic products."

Amendment adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1022—An act to amend an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out line 1 of the title, and insert in lieu thereof the following: "An act to add section 17 to an act entitled "An act to insure the better".

Amendment No. 2.

On page 1, line 1, of the printed bill, insert the following:

"SECTION 1. Section 17 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 17. This act may be known and cited as the "Dental Practice Act."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1765—An act to establish standards for the granting and use of professional degrees in the learned professions and providing penalties for the violation hereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof, the following:

"An act to amend sections 649, 649a, 651a, 651b, 651c, and 651d of the Civil Code, relating to colleges and seminaries of learning."

Amendment No. 2.

On page 1, line 1, of the printed bill, insert the following:

"SECTION 1. Section 649 of the Civil Code is hereby amended to read as follows:

649. Any number of persons who may desire to establish a college or seminary of learning may incorporate themselves as provided in this part, except that in lieu of the requirements of section 290, the articles of incorporation shall contain.

1. The name of the corporation.

2 The purpose for which it is organized.

3. The place where the college or seminary is to be conducted.

4. Trustees The number of its trustees, which shall not be fewer than five nor more than thirty, and the names and residences of the trustees. The term for which the trustees named and their successors are to hold office may also be stated. If it is desired that the trustees, or any portion of them, shall belong to any organization, society, or church, such limitation shall be stated.

5. Capital stock. If said corporation is to have capital stock, the amount of its capital stock and the number of shares into which it is divided, and the amount actually subscribed and by whom.

6. If said corporation is organized for the purpose among others of conferring academic or professional degrees, diplomas or certificates there shall be no dividend paying capital stock but the articles shall state the description and value of the real and personal property of such corporation used exclusively for the purposes of education which must not be less than fifty thousand dollars ($50,000) in the case of any college or seminary of learning conferring degrees, diplomas or certificates.

SEC. 2. Section 649a of the Civil Code is hereby amended to read as follows:

649a. If the proposed articles of incorporation of any college or seminary of learning provide for the conferring of academic or professional degrees, diplomas or certificates, the Secretary of the State shall ascertain whether the conditions stated in the articles have been complied with and shall not file such articles until he is satisfied that such conditions have been complied with.

SEC. 3. Section 651a of the Civil Code is hereby amended to read as follows:

651a. No person, firm, association or corporation, other than a corporation incorporated under the provisions of this title, shall have power to confer academic or professional degrees, diplomas or certificates. This provision shall not apply to any university, college or seminary of learning which has been chartered under existing laws as an educational institution with the power to confer degrees, or to any university, college or seminary of learning which has heretofore been given, or whose trustees have heretofore been given, the right to exercise corporate powers and privileges by special legislative act.

SEC. 4. Section 651b of the Civil Code is hereby amended to read as follows:

651b Every corporation incorporated under the provisions of this title, and every school, college or seminary of learning chartered under existing laws, or created under special legislative act, as an educational institution with the power to confer any professional degree, diploma or certificate, shall file annually with the Superintendent of Public Instruction a verified report showing the number of students of said corporation, together with the names and addresses of said students, the courses of study offered by said corporation, the names and addresses of the teachers employed by said corporation, the subjects taught by them, the degrees, diplomas or certificates, if any, granted by said corporation, and to whom granted, the curricula upon the basis of which such degrees, diplomas or certificates were granted and any other information concerning the educational work or activities of said corporation that may be required by said Superintendent of Public Instruction.

SEC. 5 Section 651c of the Civil Code is hereby amended to read as follows:
651c. It shall be the duty of the Attorney General, in case he has notice of a failure of any such corporation to comply with the provisions of this title, or of any fraudulent practice by any such corporation, or by any firm, person or association in connection with the granting of degrees, diplomas or certificates, or of any abuse, misuse or violation of the articles of incorporation, to take steps by bill in equity or otherwise to dissolve such corporation or to restrain and enjoin such fraudulent practices, abuse, misuse or violation or to punish any person guilty of fraudulent practices.

SEC. 6. Section 651d of the Civil Code is hereby amended to read as follows:
651d Any person or persons, firm, association or corporation who shall confer any academic or professional degree, diploma or certificate in violation of section 651a of this code or shall offer by advertisement or otherwise to confer such degree, diploma or certificate or shall fail to file the annual report referred to in section 651b of this code shall be guilty of a misdemeanor."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 2139—An act to amend section 281 of the Code of Civil Procedure, relating to attorneys and counsellors at law.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, after the period after the word "court", add the following: "The superior court of the county in which the contempt is committed shall have original jurisdiction of proceedings under this section"

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2399—An act to amend section 1514 of the Civil Code, relating to rights of parties to contract in the event of prevention of performance thereof by a cause other than an act of a party.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 11, of the printed bill, after the letters "ance", strike out the words "toward full performance".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 455—An act to amend section 1305 of the Penal Code, to require certain entries in court minutes relating to bail.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, amend the title, by adding thereto, at line 2 thereof, after the word "bail", the following: ", and to amend sections 1281a and 1310 of the Penal Code, and to add thereto a new section to be designated 1280c, authorizing the court, judge or magistrate to inquire into the financial condition of a corporation offering a bond as bail and to approve or reject said bond."

Amendment No. 2.

At the end of the printed bill, after line 19, thereof, add the following:

"SEC. 2. A new section is hereby added to the Penal Code, to be numbered 1280c, and to read as follows:

Sec. 1280c. Any court, judge, magistrate, officer, board or other person to whom a bond or undertaking of a corporation is offered as bail in a criminal action or proceeding, may require said corporation to justify on such bond or undertaking and to submit on said justification proof of all matters specified upon justification for a corporate surety as prescribed in section 1057a of the Code of Civil Procedure, and in addition said court, judge, magistrate, officer, board or other person to whom said bail bond is offered for approval may inquire into the financial condition of said corporation offering said bail bond, and may take evidence upon the financial condition of said corporation, and may in its discretion approve said corporate bond as bail, or, if in the opinion of said court, judge, magistrate, officer, board or other person, the said corporation is financially unsound or in any respect insufficient, it may revoke or disapprove said bond notwithstanding the provisions of section 1057a of the Code of Civil Procedure or evidence that the said corporation may hold an unrevoked certificate of authority to do business as such corporate surety, issued by the Insurance Commissioner of the State or by other authority empowered to examine into and issue such authorization.

"SEC. 3 Section 1281a of the Penal Code is hereby amended to read as follows:

Sec. 1281a. A judge of any municipal court within the county, wherein a cause is pending against any person charged with a felony, may justify and approve bail in the said cause in the same manner as prescribed by section 1280c hereof, and may execute an order for the release of the defendant which shall authorize the discharge of the defendant by any officer having said defendant in custody.

SEC 4. Section 1310 of the Penal Code is hereby amended to read as follows:

Sec 1310 The court to which the committing magistrate returns the depositions, or in which an indictment, information, or appeal is pending, or to which a judgment on appeal is remitted to be carried into effect, may, by an order entered upon its minutes, direct the arrest of the defendant and his commitment to the officer to whose custody he was committed at the time of giving bail, and his detention until legally discharged, in the following cases:

1. When, by reason of his failure to appear, he has incurred a forfeiture of his bail, or of money deposited instead thereof

2. When it satisfactorily appears to the court that his bail, or either of them, are dead or insufficient, or have removed from the State.

3. When it satisfactorily appears to the court that the corporation which executed the bond or undertaking as bail is financially unsound or irresponsible The court may require said corporation which executed the bond or undertaking as bail to justify before it in the manner prescribed by section 1280c hereof, at any time after the said bond is accepted.

4. Upon an indictment being found or information filed in the cases provided in section 985."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1279—An act to amend section 3366 of the Political Code, relating to license taxes.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, after line 2, add the following.

"3366. Boards of supervisors of the counties of the State, and the legislative bodies of the incorporated cities and towns therein, shall, in the exercise of their police powers, and for the purpose of regulation, as herein provided, and not otherwise, have power to license all and every kind of business not prohibited by law, and transacted and carried on within the limits of their respective jurisdictions, and all shows, exhibitions and lawful games carried on therein, to fix the rates of license tax upon the same, and to provide for the collection of the same by suit or otherwise; provided, that every honorably discharged or honorably released soldier, sailor, or marine of the United States or Confederate States who has served in the Civil War, any Indian war, the Spanish-American War, any Philippine insurrection or in the Chinese Relief Expedition, or in the World War of 1914 and years following, who is physically unable to obtain a livelihood by manual labor, and who shall be a qualified elector of the State of California, shall have the right to distribute

circulars, and to hawk, peddle, and vend any goods, wares or merchandise, except spirituous, malt, vinous or other intoxicating liquor, without payment of any license tax or fee whatsoever, whether municipal, county or State, and the board of supervisors or legislative body shall issue to such soldier or marine, without cost, a license therefor; provided, however, no license can be collected or any penalty for the nonpayment thereof enforced against any commercial traveler whose business is limited to the goods, wares, and merchandise sold or dealt in this State at wholesale.

This section shall not be deemed to repeal any act vesting municipal corporations with power to license for revenue purposes; provided, however, no license tax for revenue shall be imposed upon or against any person, firm, or corporation engaged in the business of selling or delivering goods, wares, or merchandise at wholesale, or upon any instrumentality used in connection with such business"

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2080—An act to provide for the acquisition of the Muir Wood Toll Road by the State, and the inclusion thereof in the State highway system, and making an appropriation therefor.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, lines 4 and 5, of the printed bill, strike out "from_____ to _____.", and insert in lieu thereof the following: "from its junction with the Marin County Panorama Highway near Mill Valley, leading thence to the Muir Woods National Monument, and from thence down Frank Valley to its junction with the State highway near Muir Beach, Marin County, California."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment and third reading.

Assembly Bill No. 1155—An act to amend section 48 of the Fish and Game Code, by providing for the disposition of fines and forfeitures resulting from the enforcement by counties or county officers or employees of provisions of law relating to the illegal use or possession of nets.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1254—An act to amend section 2175a of the Political Code, to authorize counties to recover cost of care of harmless insane.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 14, of the printed bill, at the end of the sentence, strike out the period and add the following: "at the rate of three dollars per week for each such person cared for by the county within or without a county institution"

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1347—An act to amend section 372 of the Political Code, relating to the members of the State Board of Public Health.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 3 to 5, inclusive, and insert in lieu thereof the following:

"372. A department of the government of the State of California, to be known as the Department of Public Health, is hereby created. The department shall be under the control of a State Board of Public Health, which board is hereby created, to be composed of eight members, consisting of the Director of Public Health, appointed and holding office as hereinafter prescribed, and seven members, each appointed by the Governor. The director and six of the other members of the board shall be duly licensed and practicing physicians of this State. The other member shall be a duly licensed and practicing dentist of this State. Each of the members, other than the Director of Public Health, shall receive his actual necessary traveling expenses incurred in the discharge of his duties. The Director of Public Health shall be executive officer of the board. Except as herein provided, the term of office of members of the board, other than the director, shall be four years and they shall hold office until the appointment and qualification of their successors. The terms of such member of the board in office when this amendment takes effect shall expire as follows: One member, September 15, 1931; two members, January 15, 1932; one member, January 15, 1933; two members, January 15, 1934. Such terms shall expire in the same relative order as to such members as the terms for which they hold office before this amendment takes effect, except that members whose terms would have expired on the same day shall determine their relative order by lot. The terms commencing September 15, 1931, shall expire January 15, 1935. The term of the dentist appointed shall expire on January 15, 1939. Vacancies occurring under the provisions of this section shall be filled by appointment for the unexpired term."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1657—An act to amend the Vehicle Code by amending sections 253, 257, 267, 268, 269, 270, 272, 273, 314, 315, 316, and 338; by repealing sections 350, 351, 352, 353, and 354; by adding sections 254, 271.5, 350, 351, 352, 353, and 354, relating to vehicles.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 4 of the printed bill, as amended in the Assembly March 20, 1935, strike out all of line 30, and insert in lieu thereof the following: "accidents within a period of twelve consecutive months."

Amendment No. 2.

On page 7 of the printed bill, strike out all of line 36, and insert in lieu thereof the following: "353 Release from Liability. Any".

Amendment No. 3.

On page 8, line 1, of the printed bill, strike out the words "Release from Liability.", and insert in lieu thereof the following: "When License to be Canceled."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No 1849—An act to create the Public Relations Commission; to prescribe the powers, duties, functions, and purposes thereof; to abolish certain public welfare agencies; and to repeal all acts or portions of acts in conflict therewith.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, strike out "and".

Amendment No. 2.

On page 1, line 4 of the title of the printed bill, insert after "therewith", the following "; and to make an appropriation therefor".

Amendment No. 3.

On page 1, line 14, of the printed bill, strike out "director", and insert in lieu thereof the following: "commissioner".

Amendment No. 4.

On page 1, line 22, of the printed bill, strike out "can", and insert in lieu thereof the following: "shall".

Amendment No. 5.

On page 2, lines 1 and 2, of the printed bill, strike out "The Board of Charities and Corrections,"

Amendment No. 6.

On page 2, lines 3 and 4, of the printed bill, strike out "Division of Immigration and Housing of the Department of Social Relations; the Division of", and insert in lieu thereof the following: "Divisions of Labor Statistics and Law Enforcement, State Employment Agencies, Immigration and Housing, and".

Amendment No. 7.

On page 2, line 12, of the printed bill, insert after "State.", the following: "All acts or portions of acts defining, creating, prescribing the powers or duties of, providing for the compensation for officers, deputies, or employees of, or providing for the organization or maintenance of any such departments, commissions, divisions, boards, offices, or agencies, or otherwise in conflict with this act, are hereby repealed"

Amendment No. 8.

On page 2, line 14, of the printed bill, insert a comma after "commissions".

Amendment No. 9.

On page 2, line 15, of the printed bill, strike out "other".

Amendment No. 10.

On page 2 of the printed bill, insert between lines 24 and 25, the following: "to coordinate, increase or decrease the personnel of, and regulate and supervise the activities of all county hospitals, public health nurses, county industrial farms or road camps, and county advisory boards for supervision of State aid to the aged;".

Amendment No. 11.

On page 2, line 28, of the printed bill, insert a comma after "ister"

Amendment No. 12.

On page 2, line 47, of the printed bill, insert after "act", the following: ", all such moneys to be kept on deposit in the State treasury. The commission shall take over and administer all funds heretofore belonging to or administered by any department, commission, division, board, office, or agency abolished by this act".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1747—An act to add section 3a to "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 26, 1913, relating to codification and compilation of county and city ordinances and resolutions.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 465—An act to amend section 675 of the Political Code, referring to the general powers of the Director of Finance.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "subsections 3 and 5"; also strike out line 2, and in line 3 strike out "numbered 10 and 11 to".

Amendment No. 2.

On page 1, line 4 of the title of the printed bill, as amended, strike out "empowering", and insert in lieu thereof the following: "relating to the powers of".

Amendment No. 3.

On page 1, line 5 of the title of the printed bill, as amended, strike out "to execute grants to real"; and strike out lines 6 to 13, inclusive, and insert in lieu thereof the following: "in respect to public lands."

Amendment No. 4.

On page 1 of the printed bill, as amended, strike out lines 1 to 15, inclusive, and on page 2, strike out lines 1 to 44, inclusive, and insert in lieu thereof the following.

"SECTION 1. Section 675 of the Political Code is hereby amended to read as follows:

675. The Director of Finance shall have power:

1. To let, with the consent of the State department, board, commission, or officer concerned, for a period of not to exceed five years, any property, real or personal, which belongs to the State, except where such letting is expressly prohibited by law, if in the judgment of the director such letting will be for the best interests of the State.

2. To hire or lease, upon the written request of the State department, board, commission or officer concerned, any property, real or personal, if in the judgment of the director such hiring or leasing will be for the best interests of the State.

3. To authorize, with the consent of the State department, board, commission, or other officer concerned, the sale or exchange of any personal property, including oil, gas, natural gasoline and surplus water, which belongs to the State if, in the judgment of the director, such sale or exchange will be for the best interests of the State.

4. To acquire title to real property in the name of the State of California whenever the acquisition of such property is authorized or contemplated by law, if no other agency of the State is specifically directed and empowered to acquire such title.

5. To execute grants to real property belonging to the State of California in the name of, and upon behalf of, the State of California whenever the sale or exchange of such real property is authorized or contemplated by law, if no other agency of the State is specifically directed and empowered to execute such grants; to execute grants to any real property belonging to the State of California in the name of and upon behalf of the State of California, with the consent of the State agency, if any, concerned, to the United States of America, in exchange for lands of the latter, or for such other considerations as may appear to the Director of Finance to be to the best interests of the State; any real property acquired by the State of California by exchange pursuant to the provisions of this subsection shall be subject to the laws governing real property of the class to which such acquired real property belongs.

6. To render such advisory, investigational or other similar service to any city, county, city and county, district or any other political subdivision of the State, as may be deemed expedient by the director, said service to be rendered only upon such terms and conditions as may be satisfactory to the Director of Finance.

7. To institute, in the name of the State of California, condemnation proceedings for the acquiring of any land authorized by law to be obtained for any State department, board, commission or institution, except land to be acquired by the Department of Public Works for highway uses and purposes, and to proceed if necessary to condemn under the terms of the Code of Civil Procedure relating to such proceedings, if no other agency of the State is specifically directed and empowered to institute such proceedings.

8. To grant and convey in the name of the State of California, with the approval of the department concerned, easements and rights of way over and across real property belonging to the State except real property used for highway rights of way, for such purposes and upon such consideration and subject to such conditions, limitations, restrictions and reservations as in his judgment may be to the interest of the State.

9. To grant and convey by deed or otherwise to abutting property owners all right, title and interest of the State of California, in and to abandoned river channels.

10. To withdraw from sale any and all of the public lands belonging to the State of California, by executive order, with the approval of the Governor, and by like

procedure, to return any or all of any such lands so withdrawn for the purpose of sale or other disposition in accordance with law.

11. To enter into agreements in the name of and upon behalf of the State, with owners, or those authorized by such owners, of lands adjacent, riparian or littoral to lands of the State to compensate the State on account of the taking of oil, gas or other hydrocarbons from lands of the State by drainage, to enter into agreements in the name of and upon behalf of the State with owners, or those authorized by such owners, of lands adjacent, riparian, or littoral to lands of the State, to authorize the taking of oil, gas, or other hydrocarbons from lands of the State by means of wells drilled upon such adjacent, riparian or littoral lands into lands of the State.

Upon failure to negotiate an agreement authorized by this subsection which in the opinion of the director will properly protect the interests of the State, notwithstanding legal restrictions or limitations to the contrary, to authorize in the name of and upon behalf of the State the taking of any oil, gas, hydrocarbons, or other minerals by lease or easement from the lands of the State in such manner, upon such terms, and for such considerations as may appear to him to be to the best interests of the State"

Amendments adopted

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 682—An act to provide for a Legislative-Executive Advisory Committee and the creation of a secretariat therefor, prescribing the powers and duties of such advisory committee and its secretariat, and making an appropriation for the support thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 23, of the printed bill, strike out "at the State", and insert in lieu thereof the following: "annually at least once at the State".

Amendment No. 2.

On page 1, lines 24 and 25, of the printed bill, strike out "every third month after the final adjournment of each regular session of the Legislature", and insert in lieu thereof the following: ", once at Los Angeles, and once at San Francisco".

Amendment No. 3.

On page 2, line 4, of the printed bill, after the word "be", insert the following: "as the committee may determine. Any citizen may call to the attention of said Advisory Committee any matter of public interest coming within the scope of the committee's functions or purposes. Upon order of the chairman any subcommittee consisting of one Senator, one Assemblyman and one of the members who is a member of the Governor's Council may hold hearings in any part of the State, and any member of the committee may, upon request of the chairman or the committee or a subcommittee, make special investigations in relation to any matter in which the committee may be concerned.

SEC. 4. The Legislative-Executive Advisory Committee shall have power to investigate any matters within the scope of legislative regulation or control, and the committee or any member thereof shall have the power to subpena witnesses, administer oaths, take testimony and make findings of fact in connection therewith. The committee may, in cooperation with the Legislative Counsel, cause appropriate bills and constitutional amendments to be drafted for submission to the Legislature.

SEC. 5. It shall be the duty of the Legislative-Executive Advisory Committee to formulate a tentative legislative program in advance of the convening of each biennial or special session of the Legislature, to the end that the work of the Legislature may be facilitated and expedited.

The Advisory Committee shall also invite legislators and other persons contemplating the introduction of bills to submit such measures to the committee prior to the convening of the Legislature, for consideration and advice as to public policy, and so that the committee may inform itself as to the problems involved in such proposed legislation and the facts relating thereto.

SEC. 6. The Legislative-Executive Advisory Committee shall have the power, either as a body or by subcommittees or such individual members as may be designated by the committee, to visit any State institutions, departments, or other agencies, to inquire into their operation, to ascertain their respective needs and the economies, if any, which can be instituted without injuriously reducing their efficiency, to inspect and call for any of their books, papers, or accounts, to require such special reports as may be deemed necessary, and to hear any representations

that the managing or other officials of such institutions, departments, or other agencies may desire to present.

SEC. 7. Every officer of the State and of any subdivision thereof must, upon request of the committee, make such studies of the functions of his office as may be required by the committee, and shall report the same to said committee; and it shall be the duty of said committee to ascertain where simplifications of methods and procedures can be effected and economies in operation and consolidations attained, and to report the same to the Legislature

SEC. 8. It shall be the duty of the Legislative-Executive Advisory Committee to inquire into, or cause to be inquired into, the social and economic conditions of the State and its subdivisions, to seek to find solutions for any problems involving the general welfare of the State and the communities thereof, and to prepare and propose such remedial legislation as may be deemed appropriate to public needs.

SEC. 9. Said Advisory Committee shall keep full records of all of its proceedings, findings of fact, and recommendations, and shall submit a report thereof to the Legislature within ten days after the beginning of each regular session. It may also cause summaries of reports on important matters to be mailed to legislators at any time Copies of such summaries may, on application, be furnished to representatives of the press

SEC. 10. It shall be the duty of the Legislative-Executive Advisory Committee, during the constitutional recess, to receive and consider, and to investigate and obtain information in relation to, any bill referred to it by any standing committee of the Legislature, and it shall also consider and secure information regarding such matters as may be submitted to it by the Governor, reporting specifically to the Legislature in relation to all matters submitted to it.

SEC. 11. In making reports to the Legislature or its committees, the Legislative-Executive Advisory Committee may report unanimously, or by majority and minority, and its legislative members shall be free to advocate or oppose in their respective houses any measure proposed or finding made by said committee. Its ministrations shall be solely advisory and informative in all respects, and designed to facilitate and not in any manner, or to any extent, to supersede any of the powers or functions of the Legislature or of any member thereof.

SEC 12. Said committee shall, upon his request, confer with and advise the Governor on all matters of public policy involved in bills referred to him for approval and may, upon its own motion, proffer its advice and counsel by correspondence or at such time and place as may be arranged with the Governor.

SEC. 13 A majority of the members of said committee, or of any subcommittee thereof, shall constitute a quorum for the transaction of business and the committee may make such rules and by-laws as it may deem necessary for its business

SEC. 14 The committee may allow such witness fees as are allowed by superior courts, but public officials in receipt of salaries shall be allowed only their actual and necessary traveling expenses while in attendance upon the committee.

SEC 15. Vacancies occurring in the senatorial membership of the Legislative-Executive Advisory Committee shall be filled by appointment by the President pro tempore of the Senate from its membership, unless it be that office which is vacated, in which event, the vacancy shall be filled by appointment by the Lieutenant Governor Vacancies in the Assembly membership of the committee shall be filled by appointment by the Speaker of the Assembly unless it be the office of Speaker which is vacated, in which event the vacancy shall be filled by appointment by the remaining members on the committee from the Assembly, from the membership of the Assembly.

SEC 16 The Legislative-Executive Advisory Committee shall establish and maintain at the State Capitol a secretarial office, to be under the immediate control of a secretary to be elected by the committee, and to perform such duties under the general supervision of the committee as the committee shall assign to it The secretary shall be a trained economist or research worker and shall hold a confidential position to the committee, and shall hold office at the pleasure of said committee. The secretary shall employ, subject to the civil service laws, such clerks and stenographers as may be necessary, and he may employ, subject to the approval of the committee, one or more trained economists or research workers to be assistant secretaries. The salaries of the secretarial staff shall be fixed from time to time by said Advisory Committee The secretarial office is designed to be the chief fact-finding and advisory agency of said committee.

SEC. 17. Whenever this act or any part or section thereof is interpreted by a court it shall be liberally construed by such court with the purpose of facilitating informed and well advised legislation.

SEC 18. If it is finally determined by the courts that membership on the Legislative-Executive Advisory Committee is an office which may not be held or accepted by a Senator or member of Assembly, said committee shall become a Standing Interim Legislative Committee, and shall consist solely of the legislative members provided in this act, and it shall have the powers of a legislative committee and the powers and duties herein provided.

SEC. 19 Out of any moneys in the State treasury not otherwise appropriated, there is hereby appropriated the sum of ten thousand dollars ($10,000) for the

support of the Legislative-Executive Advisory Committee, to be expended in accordance with law."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 257—An act to establish a Bureau for the Blind in the Department of Institutions, providing for the administration thereof, making appropriations therefor, and repealing certain acts in conflict herewith.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 29, of the printed bill, after "resident", insert the following: "industrial work shop".

Amendment No. 2.

On page 2, line 38, of the printed bill, strike out "ten", and insert in lieu thereof the following: "one".

Amendment No. 3.

On page 2, line 42, of the printed bill, after the period after "applicant", insert the following: "Any blind person who has become blind in another State may be entitled to aid under the provisions of this act if such a person is at least sixteen years of age and has been a resident of the State for a period of ten years immediately preceding the filing of his application No applicant shall be entitled to receive aid who has, residing in the State, spouse, parent, adult child, grandparent or adult grandchild pecuniarily able to support said applicant"

Amendment No. 4.

On page 3, line 16, of the printed bill, after "a", insert the following "blind man as".

Amendment No. 5.

On page 4, line 21, of the printed bill, after the period after "blind", insert the following: "Three members of the board shall be qualified blind persons."

Amendment No. 6.

On page 10, line 8, of the printed bill, after "his", insert the following: "sworn".

Amendment No. 7.

On page 10, line 15, of the printed bill, after the comma after "him", insert the following: "sworn to by a notary."

Amendment No. 7-A.

On page 10, line 34, of the printed bill, after "his", insert the following "sworn".

Amendment No. 8.

On page 10, line 34, of the printed bill, strike out "an", and insert in lieu thereof the following: "a sworn"

Amendment No. 9.

On page 11, line 42, of the printed bill, strike out "has been a", and strike out all of line 43, and in line 44, strike out "preceding the filing of his application,", and insert in lieu thereof the following: "is entitled to aid and has the residential qualifications as provided in this act,".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 100—An act relating to the lease and sale of Napa State Farm.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, in the title of the printed bill, strike out "relating to the lease and sale", and insert in lieu thereof the following: "making an appropriation for the support".

Amendment No. 2.

On page 1, in the title of the printed bill, after "Farm" strike out the period, and insert the following: ", to take effect immediately."

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following:

"SECTION 1. The sum of one hundred thirty-one thousand three hundred eighty-seven dollars and fifty cents is hereby appropriated, without regard to fiscal years, to be expended in accordance with law by the Director of Finance for the support and maintenance of the Napa State Farm.

The moneys thus appropriated are appropriated out of and payable out of the following moneys and funds in the following amounts:

(a) Six thousand three hundred eighty-seven dollars and fifty cents out of the fish and game fund in reimbursement for water furnished the State Game Farm at Yountville.

(b) The balance out of the moneys heretofore appropriated to the Napa State Farm revolving fund created by an act entitled "An act creating the Napa State Farm revolving fund and making an appropriation therefor; providing for the expenditure and replenishment thereof, and providing for the disposition of any accrued surplus over and above such appropriation, declaring the urgency thereof and providing that this act shall take effect immediately," approved May 31, 1929.

SEC. 2 This act, being an appropriation for the usual current expenses of the State, shall take effect immediately."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1185—An act authorizing the Board of State Harbor Commissioners to make application for the privilege of establishing, maintaining and operating a foreign trade zone on the property under the jurisdiction and control of said board on the waterfront of San Francisco, and to establish, maintain and operate such zone, pursuant to the Act of Congress of June 18, 1934, Chapter 590.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, strike out "the property", and insert in lieu thereof the following: "property now or which may hereafter be".

Amendment No. 2.

On page 1, line 4 of the title of the printed bill, strike out "on the", and in line 5, strike out "waterfront", and insert in lieu thereof the following: "in the City and County".

Amendment No. 3.

On page 1, line 7 of the title of the printed bill, strike out "Chapter 590.", and insert in lieu thereof the following: "(48 U. S. Statutes at Large, Chapter 590)."

Amendment No. 4.

On page 1, line 4, of the printed bill, strike out "Chapter 590," and insert in lieu thereof the following: "entitled "An act to provide for the establishment, operation, and maintenance of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes," (48 U.S. Stats. at Large, Chapter 590), in accordance with the terms of said act, and any amendments thereof,".

Amendment No. 5.

On page 1, line 6, of the printed bill, strike out "in", appearing at the end of said line, and strike out line 7, and insert in lieu thereof the following: "on property now, or which may hereafter be,".

Amendment No. 6.

On page 1, line 9, of the printed bill, strike out the comma after "Commissioners", and insert in lieu thereof the following: "in the City and County of San Francisco,".

Amendment No. 7.

On page 1, lines 12 and 13, of the printed bill, strike out ", is further authorized and empowered".

Amendment No. 8.

On page 1, line 14, of the printed bill, strike out "to", and insert in lieu thereof the following: "pursuant to the terms of the aforementioned act of Congress, is further authorized and empowered to establish,".

Amendment No. 9.

On page 1, line 16, of the printed bill, strike out "and subject", and insert in lieu thereof the following: ", and any amendments thereto, and subject to the restrictions thereof, and".

Amendment No. 10.

On page 1, line 17, of the printed bill, after "thereof," insert the following: "and for the period of time that may be prescribed by the board established by said act of Congress to carry out the provisions of said act,".

Amendment No. 11.

On page 1, line 18, of the printed bill, strike out "or", and insert in lieu thereof the following: "and".

Amendment No. 12.

On page 1, line 20, of the printed bill, strike out the period, and insert in lieu thereof the following: "by a grantee of such privilege, or required or permitted under the rules and regulations made pursuant to said act.

SEC. 3. In addition to the amounts which may be collected by the Board of State Harbor Commissioners for the purposes specified in Part III, Title VI, Chapter I, Article IX of the Political Code of California, there shall be assessed and collected by said board, such amounts for facilities, appurtenances and services furnished in connection with such foreign-trade zone, as may be necessary to carry out the provisions of this act.

SEC. 4. If any section, subsection, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional, such judgment shall not affect the validity of the remaining portions of this act The Legislature hereby declares that it would have passed each section, subsection, sentence, clause and word of this act irrespective of the fact that one or more other sections, subsections, sentences, clauses, phrases or words are declared unconstitutional "

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 261—An act to amend section 1241 of the Code of Civil Procedure, relating to the taking of property by the State under proceedings in eminent domain.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 7, of the printed bill, as amended, after "district", insert the following: ", of a public utility district,".

Amendment No. 2.

On page 1, line 14, of the printed bill, as amended, after "irrigation", insert the following: ", public utility,".

Amendment No. 3.

On page 2, line 4, of the printed bill, as amended, after "irrigation", insert the following: ", public utility,".

Amendment No. 4.

On page 2, line 14, of the printed bill, as amended, after "irrigation district", insert the following ", a public utility district,".

Amendment No. 5.

On page 2, line 24, of the printed bill, as amended, after "tion district," insert the following: ", a public utility district,".

Amendment No. 6.

On page 2, line 27, of the printed bill, as amended, after "irrigation district," insert the following. ", a public utility district,".

Amendment No. 7.

On page 2, line 40, of the printed bill, as amended, after "irrigation district," insert the following. ", a public utility district,".

Amendment No. 8.

On page 2, line 47, of the printed bill, as amended, after "trict," insert the following: ", a public utility district,".

Amendment No. 9.

On page 2, line 51, of the printed bill, as amended, after "irrigation districts", insert the following: ", public utility districts,".

Amendment No. 10.

On page 3, line 3, of the printed bill, as amended, after "irrigation district," insert the following: "or public utility district.".

Amendment No. 11.

On page 3, line 5, of the printed bill, as amended, after "irrigation district," insert the following: "or public utility district,".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 21—An act to regulate the production and distribution of serums, vaccines, bacterial cultures, and viruses, to provide for the licensing of persons manufacturing, preparing, and distributing the same, and to provide penalties for the violation of the provisions of this act.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, as amended, after the word "produced", insert the following: "in laboratories".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No 93—An act to amend section 7 of the "California Nautical School Act," approved June 3, 1929, as amended, relating to the payment by pupils enrolled in the California Nautical School of fees and other charges and the disposition thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 13, of the printed bill, as amended, strike out the words "collected and forwarded to the treasurer and", and strike out all of lines 14 and 15, and insert in lieu thereof the following: "remitted to the treasurer to the credit of the general fund in augmentation of the current appropriation for the support of the school. No refund".

Amendment No. 2.

On page 1, line 18, of the printed bill, as amended, strike out the word "whatsoever", and insert in lieu thereof the following: "except upon approval of the executive member of the board and the Department of Finance".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Third Reading of Assembly Bills.

Assembly Bill No. 731—An act to amend section 10 of an act entitled "An act providing for the formation, government and operation of harbor districts, the calling and conducting of elections in such districts of harbor commissioners, defining their powers and duties, and providing for the issuance and disposal of bonds of such harbor districts, and providing for the assessment, levy and collection of taxes

for the payment of such bonds and for the ordinary annual expenses of such harbor districts," approved June 10, 1931, relating to the government of such districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 731 passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hunt, Johnson, Lore, Lyon, Maloney, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Reaves, Redwine, Richie, Robertson, Stream, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—54

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 65—An act granting certain tide and submerged lands of the State of California to the city of San Buenaventura, upon certain trusts and conditions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 65 passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Clark, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Geyer, Gilmore, Glover, Heisinger, Hunt, Johnson, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Peyser, Phillips, Reaves, Richie, Robertson, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 848—An act to amend section 2.60 of the School Code, relating to the correction and relocation of boundaries of school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 848 passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Minard, Morgan, Nielsen, Patterson, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Robertson, Stream, Thorp, Utt, Wagner, Walker, Waters, Weber, Welsh, Williamson, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 442—An act to repeal sections 1270, 1271, 1271.5 and 1272 of the Fish and Game Code, and to add thereto a new section 1270, relating to deer.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 442 passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Cassidy, Clark, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hunt, Johnson, Kallam, Laughlin, Lyon, Maloney, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Robertson, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—56.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 2028—An act to amend section 1310 of the Fish and Game Code and to add thereto section 1340 6, relating to bear.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2028 passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hunt, Johnson, Kallam, Laughlin, Lore, Lyon, Maloney, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, Patterson, Peyser, Phillips, Reaves, Redwine, Robertson, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1763—An act to amend sections 669, 702, 703, 709, 711 and 712 of the Fish and Game Code, relating to black bass, crappie, calico bass and sun fish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1763 passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hunt, Johnson, Kallam, Laughlin, Lore, Lyon, Maloney, Mayo, McCarthy, McMurray, Miller, Morgan, Nielsen, Patterson, Peyser, Phillips, Reaves, Redwine, Richie, Robertson, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 620—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Desmond:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 14 and 15, and insert in lieu thereof the following: "the Vehicle Code."

Amendment adopted.

Request for Unanimous Consent.

Mr. Desmond asked for, and was granted, unanimous consent to take up Assembly Bill No. 620, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 620, as Amended.

Assembly Bill No. 620, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 620, as amended, passed by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Clark, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hunt, Johnson, Kallam, Laughlin, Lore, Maloney, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Redwine, Richie, Robertson, Stream, Thorp, Utt, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—52.

NOES—Wallace—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2285—An act to amend section 1626 of the Streets and Highways Code, relating to relief to special assessment districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2285 passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Crowley, Cunningham, Dawson, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hunt, Johnson, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Peterson, Phillips, Reaves, Redwine, Richie, Robertson, Rosenthal, Stream, Thorp, Utt, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 579—An act to amend section 1153 of the Probate Code, relating to publication of reports of the finances of the estate of decedents by the puble administrator.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Desmond:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out "estate", and insert in lieu thereof the following: "estates".

Amendment No. 2.

On page 1, line 8, of the printed bill, strike out "such", and insert in lieu thereof the following: "each".

Amendment No. 3.

On page 1, line 9, of the printed bill, strike out "such", and insert in lieu thereof the following: "each".

Amendment No. 4.

On page 1, line 11, of the printed bill, strike out "such" in both instances, and insert in lieu of each the following: "each".

Amendment No. 5.

On page 1, line 18, of the printed bill, strike out "such", and insert in lieu thereof the following: "each".

Amendments adopted.

Request for Unanimous Consent.

Mr. Desmond asked for, and was granted, unanimous consent to take up Assembly Bill No. 579, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 579, as Amended.

Assembly Bill No. 579, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 579, as amended, passed by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Cassidy, Clark, Cottrell, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Nielsen, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Utt, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—57.

NOES—Wallace—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 583—An act to amend section 1144 of the Probate Code, relating to the disposition of the property of the estate of any decedent of the value of one hundred dollars or less.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Desmond:

Amendment No. 1.

On page 1 of the printed bill, in the last line of the title, strike out "one", and insert in lieu thereof the following: "two".

Amendment adopted.

Request for Unanimous Consent.

Mr. Desmond asked for, and was granted, unanimous consent to take up Assembly Bill No. 583, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 583, as Amended.

Assembly Bill No. 583, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 583 passed by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Clark, Cottrell, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Mayo, McCarthy, McMurray, Meehan, Miller, Nielsen, Patterson, Peterson, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Stream, Thorp, Utt, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—56.

NOES—Wallace—1

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2047—An act to amend section 1197 of the Code of Civil Procedure, relating to executions in mechanics' lien actions.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Dawson.

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out "effect", and insert in lieu thereof the following: "affect".

Amendment adopted.

Request for Unanimous Consent.

Mr. Dawson asked for, and was granted, unanimous consent to take up Assembly Bill No. 2047, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2047, as Amended.

Assembly Bill No. 2047, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2047, as amended, passed by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Redwine, Riley, Robertson, Rosenthal, Thorp, Utt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—56.
NOES—Fulcher—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 942—An act to amend section 423 of the Probate Code of the State of California, relating to nomination of administrators.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 942 passed by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hunt, Johnson, Jones, Kallam, Lore, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Thorp, Utt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—58.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2129—An act amending section 111 of the Penal Code, relating to expense of trial of convicts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2129 passed by the following vote:

AYES—Andreas, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Garibaldi, Gilmore, Glover, Hawkins, Hei-

singer, Hunt, Johnson, Jones, Kallam, Lore, Lyon, Maloney, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Reaves, Redwine, Riley, Robertson, Thorp, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—55.

NOES—None

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 309—An act to amend section 110 of the Penal Code, relating to transporting arms into a State prison.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Maloney:

Amendment No. 1.

On page 1, line 10, of the printed bill, after the word "punishable", strike out the word "death", and insert in lieu thereof the words "life imprisonment without parole".

The question being on the adoption of the amendment submitted by Mr. Maloney.

Request for Roll Call.

On request of Messrs. Maloney, Heisinger and Jones, the Speaker ordered a roll call taken on the amendments submitted by Mr. Maloney.

The roll was called, and the amendments adopted by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Cottrell, Crowley, Dawson, Donihue, Donnelly, Evans, Ralph W., Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Kallam, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Nielsen, Patterson, Richie, Rosenthal, Wagner, Wallace, Weber, and Mr. Speaker—35.

NOES—Brennan, Chatters, Clark, Corwin, Cunningham, DeLap, Desmond, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Hornblower, Johnson, Mayo, Miller, Minard, Morgan, Peterson, Phillips, Reaves, Redwine, Robertson, Stream, Thorp, Walker, Waters, and Wright—30.

Request for Unanimous Consent.

Mr. Kallam asked for, and was granted, unanimous consent to take up Assembly Bill No. 309, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 309, as Amended.

Assembly Bill No. 309, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 309, as amended, passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Chatters, Corwin, Cottrell, Cunningham, Evans, Ralph W., Field, Fisher, Frazier, Garibaldi, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, Miller, Nielsen, Phillips, Redwine, Riley, Robertson, Rosenthal, Stream, Thorp, Utt, Wagner, Walker, Wright, and Mr. Speaker—41.

NOES—Cassidy, Clark, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Fulcher, Geyer, Hornblower, Lore, McCarthy, McMurray, Meehan, Minard, Morgan, Peterson, Reaves, Richie, Wallace, Waters, Welsh, and Williamson—25.

Title read and approved

Notice of Reconsideration of Assembly Bill No. 309.

Mr. Johnson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 309 was this day passed.

Explanation of Vote by Mr. Donnelly.

I voted against Assembly Bill No. 309 by mistake. I had previously voted for amendments to the bill, which had carried I had been called to telephone and returned just in time to vote In my haste I pressed the wrong side of voting device and did not have time to correct my vote.

Assembly Bill No. 2383—An act to prohibit and declare void certain contracts, conditions, agreements and understandings in connection with the sale or contract to sell motor vehicles by manufacturers or distributors thereof, and prohibiting the giving or payment of any thing or service of value by any manufacturer or distributor of motor vehicles to any one engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles, and the acceptance or receipt thereof by any such person when competition in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles may be lessened or eliminated, or a monopoly created or tended to be created, and prohibiting from doing business in this State any one engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles who so accepts or receives any thing or service of value from any manufacturer or distributor of motor vehicles, and prescribing penalties, forfeitures, and recoveries for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2383 passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Peterson, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Thorp, Utt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—60.

NOES—Hornblower—1.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 2383.

Mr. Hornblower gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2383 was this day passed.

Assembly Bill No. 621—An act to amend sections 2240 and 2255 of the Political Code, relating to the clothing, transportation, dental work, eye care, operations and hospitalization of pupils enrolled in the California School for the Deaf and the California School for the Blind.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 621 passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt,

Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—62.
NOES—Heisinger and Kallam—2.

Title read and approved.
Bill ordered transmitted to the Senate.

Third Reading of Senate Bills.

Senate Bill No. 188—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any municipal water district, and directing the levy and collection of a tax sufficient to pay the principal and interest thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 188 finally passed by the following vote:

AYES—Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Peterson, Phillips, Reaves, Richie, Robertson, Stream, Thorp, Turner, Utt, Wagner, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—54.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 189—An act to validate the organization and existence of municipal water districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 189 finally passed by the following vote:

AYES—Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Minard, Morgan, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Wagner, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—55.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 190—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold by any water conservation district and directing the levy and collection of a tax sufficient to pay the principal and interest thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 190 finally passed by the following vote:

AYES—Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Peterson, Phillips, Reaves,

Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Wagner, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—58.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 191—An act to validate the organization and existence of water conservation districts.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 191 finally passed by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—58.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 193—An act to validate bonds, including refunding bonds, or reclamation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest of such bonds.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 193 finally passed by the following vote:

AYES—Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Wagner, Waters, Welsh, Williamson, Wright, and Mr. Speaker—54.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 194—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any acquisition and improvement district, and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof, and declaring the urgency thereof.
Bill read third time.
Urgency clause read.
The question being: Shall this section, setting forth the urgency features of this bill, be passed?
The roll was called.

Motion to Expunge Record.

Mr. Welsh moved that the vote taken on the urgency clause to Senate Bill No. 194 be expunged from the record, and the action rescinded.
Motion carried.
The question being on the adoption of urgency clause.

The roll was called, and the urgency clause was adopted by the following vote.

AYES—Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—58
NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 194 finally passed by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Wagner, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—60
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 195—An act to validate bonds, including refunding bonds, of irrigation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest of such bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 195 finally passed by the following vote:

AYES—Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Wagner, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—60.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 196—An act to validate the organization and existence of acquisition and improvement districts and declaring the urgency thereof.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lyon, Maloney, Martin, Mayo, McCarthy, McMur-

ray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Reaves, Redwine, Riley, Robertson, Stream, Thorp, Turner, Wagner, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—57.
NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 196 finally passed by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Redwine, Richie, Riley, Robertson, Stream, Turner, Wagner, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—58.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 197—An act to legalize bonds heretofore issued and sold or to be issued and sold by bridge and highway districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 197 finally passed by the following vote:

AYES—Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Reaves, Redwine, Riley, Robertson, Stream, Thorp, Wagner, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—55.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 198—An act to validate the organization and existence of county water districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 198 finally passed by the following vote:

AYES—Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Wagner, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—57.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 199—An act confirming and validating the formation or organization and existence of irrigation districts, and declaring the urgency thereof.

Bill read third time.

Urgency clause read.

The question being · Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Reaves, Redwine, Riley, Robertson, Stream, Thorp, Wagner, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—59.
NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 199 finally passed by the following vote:

AYES—Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Reaves, Redwine, Riley, Robertson, Stream, Thorp, Wagner, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—57.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 200—An act to legalize bonds heretofore issued and sold or to be issued and sold by port districts where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such port districts voting upon the question of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 200 finally passed by the following vote:

AYES—Boyle, Breed, Burns, Cassidy Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W, Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Utt, Wagner, Walker, Waters, Weber, Welsh, Williamson, and Mr. Speaker—59.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 182—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by counties or cities and counties where authority for such issuance has already been given by a vote of not less than two-thirds of the qualified electors of such counties or cities and counties voting upon the proposition of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 182 finally passed by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Utt, Wagner, Waters, Weber, Welsh, Williamson, and Mr Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Senate Bill No. 183—An act to validate bonds of flood control districts, including refunding bonds, and all proceedings relative thereto and to provide for the levy and collection of taxes to pay the principal and interest of such bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 183 finally passed by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Chatters, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Reaves, Redwine, Riley, Robertson, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Welsh, Williamson, and Mr. Speaker—57.

NOES—None

Title read and approved

Bill ordered transmitted to the Senate.

Senate Bill No. 181—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness and providing for a levy of taxes to pay the principal and interest of such bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 181 finally passed by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Reaves, Riley, Robertson, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 184—An act to validate proceedings for the annexation of territory to, incorporation in, and inclusion thereof, within municipal corporations

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 184 finally passed by the following vote:

AYES—Boyle, Burns, Cassidy, Chatters, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Reaves, Redwine, Riley, Robertson, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—56.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 185—An act to validate bonds of municipal improvement districts, and providing for the levy of a tax to pay the same.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 185 finally passed by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Martin, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Reaves, Richie, Riley, Robertson, Stream, Thorp, Utt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—51.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 186—An act to validate bonds, including refunding bonds, of sanitary districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest of such bonds.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 186 finally passed by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Utt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—57.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 202—An act to legalize revenue bonds heretofore issued or sold or to be issued and sold by port districts, and providing for a levy of taxes to pay the principal and interest of such bonds.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 202 finally passed by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Crowley, Dawson, Desmond, Donihue, Evans, Herbert J., Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin,

Lore, Maloney, Martin, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Reaves, Richie, Riley, Stream, Thorp, Utt, Wagner, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—51.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 201—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any county water district, providing for the application of the proceeds of sale of such bonds and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 201 finally passed by the following vote:

AYES—Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gever, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Reaves, Richie, Riley, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—53.
NOES—None

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 176—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class, and providing for the levy of a tax to pay the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 176 finally passed by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J, Field, Fisher, Frazier, Fulcher, Garibaldi, Gever, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Reaves, Redwine, Richie, Stream, Thorp, Turner, Utt, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—56.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 177—An act to confirm and validate the boundaries of school districts, high school districts and junior college districts of every kind and class and declaring the urgency thereof.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Clark, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt,

Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Reaves, Redwine, Richie, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—59.

NOES—None

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 177 finally passed by the following vote:

AYES—Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J, Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Reaves, Redwine, Richie, Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 178—An act to legalize refunding bonds heretofore issued and sold, or to be issued and sold, by counties or cities and counties where authority for such issuance has already been given by a vote of not less than two-thirds of the qualified electors of such counties or cities and counties voting upon the proposition of incurring such indebtedness, and providing for a levy of taxes to pay the principal and interest of such refunding bonds.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No 178 finally passed by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Reaves, Redwine, Richie, Robertson, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—58

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 179—An act to validate the organization and existence of school districts, high school districts and junior college districts of every kind and class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 179 finally passed by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Clark, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Peterson, Phillips, Reaves, Richie, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 180—An act to legalize refunding bonds heretofore issued or sold or to be issued and sold by municipalities, and providing for a levy of taxes to pay the principal and interest of such bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 180 finally passed by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Chatters, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Reaves, Richie, Robertson, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr Speaker—57

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 289—An act validating the formation and existence of certain harbor districts and all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by such districts and authorizing the levy and collection of taxes sufficient to pay the principal and interest thereof.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No 289 finally passed by the following vote·

AYES—Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Peterson, Phillips, Redwine, Richie, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1016—An act validating the formation, organization and existence of districts formed under the "Orange County Water District Act," approved June 14, 1933.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1016 finally passed by the following vote:

AYES—Burns, Cassidy, Chatters, Clark, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Peterson, Phillips, Redwine, Richie, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1—An act to amend section 6 of an act entitled "An act to provide for the formation, organization and government of storm

water districts, for the purpose of protecting the land therein from damage from storm water and from the waters of any innavigable stream, watercourse, canyon or wash, for the construction of the necessary works of protection by said district, and for the levying of taxes and assessments to pay for the cost of constructing, repairing and maintaining such improvements," approved March 13, 1909.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1 finally passed by the following vote:

AYES—Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Reaves, Redwine, Richie, Robertson, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 377—An act to validate the organization and existence of regional park districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 377 finally passed by the following vote:

AYES—Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Reaves, Redwine, Richie, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, and Wright—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 906—An act confirming the formation, organization and existence of municipal utility districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 906 passed by the following vote:

AYES—Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—59

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 227—An act prohibiting the use of white canes, except by blind persons, and providing protection against accidents to such persons, and providing penalties for violation thereof.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Crowley:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out "and".

Amendment No. 2.

On page 1, line 4 of the title of the printed bill, strike out "thereof", and insert in lieu thereof the following: "hereof".

Amendment No. 3.

On page 1, line 2, of the printed bill, strike out "the".

Amendment No. 4.

On page 1, line 9, of the printed bill, strike out the comma after "stick".

Amendments adopted.

Request for Unanimous Consent.

Mr. Crowley asked for, and was granted, unanimous consent to take up Senate Bill No. 227, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 227, as Amended.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 227 finally passed by the following vote:

AYES—Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Wagner, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1070—An act to amend an act entitled "An act relating to the redemption of property sold to irrigation districts for delinquent assessments, and declaring the urgency thereof," approved September 20, 1934, by amending sections 1 and 3 of said act to validate redemptions heretofore made, and declaring the urgency thereof.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson,

Rosenthal, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—64.
NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1070 finally passed by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—71.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 57—An act to amend section 26 of the California Irrigation District Act, approved March 31, 1897, relating to directors of irrigation districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 57 finally passed by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Phillips, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—58.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 450—An act to amend section 4030 of the Political Code, relating to a vacancy in the board of supervisors of a county.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 450 finally passed by the following vote.

AYES—Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—58.
NOES—Johnson and Wallace—2

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 282—An act to amend section 16x24 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 282 finally passed by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Richie, Riley, Robertson, Thorp, Turner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—60.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 23—An act to amend section 4041.17 of the Political Code, relating to the acquisition of real property by boards of supervisors.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 23 finally passed by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Reaves, Richie, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—61.
NOES—Redwine—1.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 519—An act to repeal "An act to regulate the business of selling live stock at public auction and requiring live stock auctioneers to obtain a license and to execute a bond to the State of California, and providing penalties for violation of this act, and repealing acts in conflict herewith," approved June 1, 1921.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 519 finally passed by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Chatters, Cottrell, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—56.
NOES—Jones and Wallace—2.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 129—An act to amend section 1208 of the Political Code, relating to illiterate or helpless voters.
Bill read third time.
The question being on the passage of the bill.

The roll was called, an Senate Bill No. 129 finally passed by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Phillips, Reaves, Redwine, Riley, Rosenthal, Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—62

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 570—An act to repeal an act entitled "An act to create a State Advisory Commission on Indian Affairs, to prescribe its membership and its powers and duties," adopted May 26, 1933.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 570 finally passed by the following vote:

AYES—Boyle, Breed, Cassidy, Chatters, Clark, Corwin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Reaves, Redwine, Riley, Stream, Thorp, Turner, Utt, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—53.

NOES—Lore and Robertson—2

Title read and approved.

Notice of Reconsideration of Senate Bill No. 570.

Mr. Nielsen gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 570 was this day passed.

Senate Bill No. 293—An act to amend section 98 of the California Irrigation District Act and to repeal sections 99, 99½, 106, 107 and 108 of said act, all relating to the cancellation and destruction of unissued or unsold bonds and coupons of irrigation districts.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Patterson, Phillips, Redwine, Riley, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—57

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 293 finally passed by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field,

Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Redwine, Riley, Robertson, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Senate Bill No. 330—An act to add sections 762, 763 and 764 to, and to repeal sections 789, 790 and 791 of the Probate Code, relating to sales of property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 330 finally passed by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1481—An act providing for the incorporation of a horticultural protection district authorizing such district to levy and collect taxes to carry on its operation and provide for the powers, management and government of such district and imposing certain duties and functions in connection with such district upon certain county officials.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1481 passed by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, Cunningham, Dawson, DeLap, Donihue, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Johnson, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Phillips, Reaves, Redwine, Richie, Riley, Stream, Thorp, Utt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—54.

NOES—Hunt, McCarthy, and Wallace—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2387—An act to amend section 1 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the city of Long Beach upon certain trusts and conditions," approved April 28, 1925, relating to the use of such tidelands and submerged lands.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2387 passed by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Clark, Corwin, Crowley, Cunningham, Dawson, Domhue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 1784—An act to add section 675 5 to the Vehicle Code, relating to glass.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1784 passed by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Heisinger, Hornblower, Hunt, Johnson, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, and Mr. Speaker—61.

NOES—Fisher, Gilmore, and Wright—3.

Title read and approved

Notice of Reconsideration of Assembly Bill No. 1784.

Mr. Fisher gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1784 was this day passed.

Assembly Bill No 1056—An act to amend section 200 of the Code of Civil Procedure, relating to exemptions from jury duty.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lyon:

Amendment No. 1.

On page 2, line 6, of the printed bill, strike out "or," at the end of said line.

Amendment No. 2.

On page 2, line 14, of the printed bill, strike out the period, and insert in lieu thereof a semicolon and the following: "or."

Amendment No. 3.

On page 2 of the printed bill, after line 14, add the following:

"14. A practitioner who treats the sick by prayer in the practice of the religion of any well recognized church or denomination, or a reader whose duty is to conduct regular religious services of such church or denomination."

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 614—An act to amend section 1680 of the Streets and Highways Code, relating to extending county aid to cities.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Cunningham:

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out "Sec."

Amendment No. 2.

On page 1, line 14, of the printed bill, strike out "intersects", and insert in lieu thereof the following: "intersect".

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1360—An act to add sections 54a and 54b to the Civil Code, relating to the right of privacy of persons, and to provide a method by which such right of privacy may be enforced.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Cunningham:

Amendment No. 1.

On page 1, line 7, of the printed bill, as amended, insert a comma after "minor".

Amendment No. 2.

On page 1, line 20, of the printed bill, as amended, strike out "last", and insert in lieu thereof the following: "preceding"

Amendment No. 3.

On page 1, line 21, of the printed bill, as amended, strike out "But nothing", and insert in lieu thereof the following "Nothing".

Amendment No. 4.

On page 1, line 22, of the printed bill, as amended, strike out "act shall be construed as", and insert in lieu thereof the following: "section or section 54a shall be construed".

Amendment No. 5.

On page 1, line 24, of the printed bill, as amended, strike out "specimens", and insert in lieu thereof the following: "any specimen".

Amendment No. 6.

On page 1, line 25, of the printed bill, as amended, strike out "the same", and insert a comma and the following: "as to any specimen, the exhibition".

Amendment No. 7.

On page 2, line 1, of the printed bill, as amended, strike out "act shall be so construed as", and insert in lieu thereof the following: "section or section 54a shall be construed".

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 541—An act to amend section 9 of an act entitled "An act for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Cassidy:

Amendment No. 1.

On page 1 of the printed bill, in the last line of the title, strike out the period, and insert a comma and the following "relating to city owned bonds"

Amendment adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No 69—An act to amend section 117 of the Code of Civil Procedure, and to add thereto a new section to be numbered 117c½, relating to small claims courts.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Chatters:

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out "coure", and insert in lieu thereof the following: "court".

Amendment No. 2.

On page 1, line 14, of the printed bill, strike out "suit", and insert in lieu thereof the following "action".

Amendment No. 3.

On page 1, line 15, of the printed bill, after the first word "in", insert a comma.

Amendment No. 4.

On page 1, line 24, of the printed bill, strike out the comma at the end of the line.

Amendment No. 5.

On page 2, line 2, of the printed bill, strike out "cause", and insert in lieu thereof the following: "action".

Amendment No. 6.

On page 2, line 3, of the printed bill, strike out "preceding", and insert in lieu thereof the following: "prior to".

Amendment No. 7.

On page 2, line 5, of the printed bill, after "the", insert the following: "copy of the"

Amendment No. 8.

On page 2, line 8, of the printed bill, after "which", insert the following: "new order".

Amendment No. 9.

On page 2, line 11, of the printed bill, strike out "cause", and insert in lieu thereof the following: "action".

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1935

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1100—An act to amend sections 49 and 1624 of, add sections 43a, 1590, and 1606.5 and 1624.5 to, and repeal section 3319 of the Civil Code, relating to causes of action based upon criminal conversation, seduction, alienation of affection and breach of promise—and reports that the same has been correctely re-engrossed.

WATERS, Chairman

The above reported bill ordered on file for third reading.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1935.

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1157—An act appropriating moneys to the "Judges' retirement fund" in pursuance of Article VI, section 26 of the Constitution—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1965—An act relating to a legislative research committee, to encourage and utilize research by public and private agencies for legislative purposes—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

FIELD, Chairman.

The above reported bill ordered on file for second reading.

On Financial Institutions.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1935.

MR. SPEAKER: Your Committee on Financial Institutions, to which was referred Assembly Bill No. 291—An act to add a new chapter to Title XIV of Part IV of Division III of the Civil Code to be known as Chapter III-A thereof, in relation to trust receipts and pledges of personal property unaccompanied by possession in the pledges and to make uniform the law relating thereto and to amend section 2988 of the Civil Code relative to the lien of the pledgee—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

UTT, Chairman.

The above reported bill ordered on file for second reading.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1935.

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1919—An act to amend section 6 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to presumptions in respect to injuries to employees—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MINARD, Chairman.

The above reported bill ordered on file for second reading.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1935.

MR. SPEAKER. Your Committee on Education, to which was referred Assembly Bill No. 873—An act to amend section 6.30 of the School Code, relating to bids for contracts;

Also: Assembly Bill No. 539—An act to repeal section 2.801 of the School Code, relating to the liability of school districts for injury to persons or property;

Also: Assembly Bill No. 1186—An act to add two new sections to the School Code to be numbered 2.807 and 5.533, relating to liability for the death of, or injury to, pupils enrolled in the public schools;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

CHATTERS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 961—An act to amend sections 5.400, 5.402, 5.403, 5.408, 5.420, 5.500, 5.502, 5.503, 5.510, 5.520, 5.521, 5.640, 5.680, 5.690, 5.691, 5.710, 5.711 and 5.712 of the School Code, relating to tenure, and to add four new sections to the School Code, to be numbered 5.409, 5.505, 5.506, 5.666 and 5.667, all relating to the employment, classification, dismissal and resignation of persons employed in school districts in positions requiring certification qualifications—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

CHATTERS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 556—An act to amend section 6.2 of the School Code, relating to powers of boards of school trustees and city boards of education—has had the same under

consideration, and respectfully reports the same back, and recommends that it do pass.

CHATTERS, Chairman.

The above reported bill ordered on file for second reading.

On Public Utilities.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1935.

MR SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No 545—An act to amend section 17 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

EVANS, HERBERT J., Chairman.

The above reported bill ordered on file for second reading.

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1935.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No 900—An act providing for an investigation and report on the subject of gross receipts taxes for the State of California and for any or all of its governmental units, making an appropriation therefor, and declaring this act to be an urgency measure to go into immediate effect—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

WALLACE, Chairman.

Assembly Bill No. 900 ordered re-referred to Committee on Ways and Means.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1935.

MR SPEAKER Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 2122—An act to postpone proceedings by the holder or owner of any bond to enforce the lien arising out of the levy of any special assessment or special assessment tax, or arising out of the issuance of any special assessment bond, or ad valorem district bonds or direct assessment district bonds, levied or issued to pay the cost of the improvement or acquisition of property for public purposes, declaring the urgency thereof, and providing that it shall take effect immediately—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Municipal Corporations, to which was referred Assembly Bill No 1606—An act to amend the "Sewer Revenue Bond Act," approved May 15, 1933, relating to acquisition and operation of sewerage disposal works—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 834—An act relating to and imposing limitations on expenditures by counties, cities and counties, districts and other political subdivisions, under authority of section 20 of Article XI of the Constitution of the State—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 663—An act to amend an act entitled "An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments, reassessments, to provide for the proceedings to test the validity of such refunding and reassessment, and to provide for contributions of public funds to assist in such refunding," approved June 5, 1933, by amending section 15 thereof relating to the issuance of refunding bonds, and adding a new section thereto to be numbered section 33 relating to the refunding of bonds payable from taxes, and declaring the urgency of said act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 665—An act to amend an act originally entitled "An act authorizing the common council, board of trustees, or other governing body of any incorporated city or town other than cities of the first class to refund its indebtedness, to issue bonds therefor, and to provide for the payment of the same," approved March 9, 1897, and the title of which was amended by act approved May 26, 1933, to read as follows: "An act authorizing the common council, board of trustees, or other governing body of any incorporated city or town other than cities of the first class to refund indebtedness thereof, or of any department, board or agency thereof, and to issue bonds therefor and to provide for the payment of the same," by amending sections 1, 2, and 3 thereof relating to refunding bonds and to the use of Federal courts in municipal bankruptcy or refunding proceedings—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WRIGHT, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 667—An act to provide for the refunding of bonds issued under an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition or construction of such improvements," approved April 20, 1915, and bonds issued under the Municipal Improvement District Act of 1927, and providing procedure therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WRIGHT, Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1236—An act to amend an act entitled "An act to authorize municipal corporations to issue bonds, for the purpose of investing the proceeds arising from the sale thereof, in other bonds issued for public improvements," approved April 26, 1909, by amending the title and sections 1, 2 and 3 thereof, relating to bonds to be purchased and the use of the funds, and declaring the urgency of this act—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 576—An act to repeal section 924 of the Political Code;

Also: Assembly Bill No 720—An act to amend section 1058 of the Code of Civil Procedure, relating to the giving of bonds or undertakings in civil actions or proceedings by the State or counties or officers thereof;

Also: Assembly Bill No 877—An act to amend section 662 of the Code of Civil Procedure, relating to motions for new trial;

Also: Assembly Bill No. 1100—An act to amend sections 49 and 1624 of, add sections 43a, 1590, and 1606.5 and 1624.5 to, and repeal section 3319 of the Civil Code, relating to causes of action based upon criminal conversation, seduction, alienation of affection and breach of promise;

Also. Assembly Bill No. 1260—An act to amend section 1140 of the Probate Code, relating to the duties of the public administrator and providing for the management, control, rental and sale by the public administrator of properties of indigent or other aliens returned to their native lands by or at the request of counties;

Also· Assembly Bill No. 2391—An act to amend sections 125, 374, 375, 1881, and 1973 of, and to add sections 341.5 and 1973.5 to the Code of Civil Procedure, relating to criminal conversation, breach of promise and alienation of affections suits,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LYON, Chairman

The above reported bills ordered on file for second reading.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1935.

MR SPEAKER: Your Committee on Insurance, to which was referred Senate Bill No. 210—An act to amend sections 1150 and 1151 of the Insurance Code, relating to purchasing, holding and conveying of real estate by insurers;

Also: Senate Bill No. 212—An act to establish an Insurance Code, thereby consolidating and revising the law relating to insurance principles, practice and business and matters incidental thereto, and to repeal certain acts and parts of acts specified herein;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MINARD, Chairman.

The above reported bills ordered on file for second reading.

On Public Utilities.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1935.

MR. SPEAKER. Your Committee on Public Utilities, to which was referred Assembly Bill No. 1060—An act to add section 2a to the Public Utilities Act, relating to toll bridges, whether publicly or privately owned, declaring the owners thereof to be public utilities in respect thereto and placing the same under the jurisdiction, supervision and regulation of the Railroad Commission—has had the same under consideration, and respectfully reports the same back with recommendation, do pass as amended.

EVANS, HERBERT J., Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 944—An act regulating the use of public highways by motor vehicles operated thereon for the transportation of property for compensation; conferring powers upon the Railroad Commission with respect thereto; providing penalties for the violations of this act and repealing all acts inconsistent with the provisions of this act—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

EVANS, HERBERT J., Chairman.

The above reported bill ordered on file for second reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 11, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 359—An act to amend section 2 of an act entitled "An act to levy an excise tax and to regulate the manufacture, distribution and sale of certain beverages; to provide for the licensing of the manufacture, distribution and sale; to prescribe penalties for the violation of this act and to provide

that this act shall take effect immediately," and to provide that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 359 read first time, and referred to Committee on Public Morals.

Also:

SENATE CHAMBER, SACRAMENTO, April 12, 1935.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 30—Relative to experimental winter feeding of deer.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Concurrent Resolution No. 30 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 12, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1699—An act to amend section 351 of, and to add section 351a to, the Political Code, relating to officers of departments of the State government;

Also: Assembly Bill No. 884—An act to add a new section to the Penal Code, to be numbered section 593b, relating to climbing upon poles, towers and other structures supporting wires or cables, transmitting electric energy;

Also. Assembly Bill No. 1695—An act to amend section 10 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, relating to the deposit of money belonging to or in the custody of the State;

Also: Assembly Bill No. 1976—An act to amend section 29 of "The California Irrigation District Act," approved March 31, 1897, as amended, relating to the purpose for which property may be held by said district, and providing for the sale or lease of same.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 12, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1019—An act to add a new section, to be numbered 13, to "An act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such boards; and to authorize such boards to appoint county foresters; and to prescribe the duties and fix the compensation of county forester, and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, lawns, shrubs and flowers, with relation to fire, diseases, pests, or any other dangers, of any nature, to the safety and encouragement of such growths," approved April 28, 1909, relating to ornamental trees and shrubs and to boards of forestry;

Also: Senate Bill No. 155—An act to amend section 10 of the State Medical Practice Act, approved June 2, 1913, as amended, relating to courses of study required of applicants for certification under said act;

Also: Senate Bill No. 29—An act to amend section 1151 of the Fish and Game Code, relating to hunting and fishing at night.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 1019 read first time, and referred to Committee on County Government

Senate Bill No. 155 read first time, and referred to Committee on Medical and Dental Laws.

Senate Bill No. 29 read first time, and referred to Committee on Fish and Game.

Also:

SENATE CHAMBER, SACRAMENTO, April 12, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 434—An act to amend section 400 of the Fish and Game Code, relating to licenses;

Also: Senate Bill No. 1079—An act to validate all proceedings for the formation of improvement districts within irrigation districts and all assessments heretofore made in any such improvement districts, to validate all warrants heretofore issued or to be issued, payable from the assessments levied in such improvement districts; and authorizing and directing the collection of the assessments in such improvement districts sufficient to pay the principal and interest of said warrants; validating and confirming all acts and proceedings of the board of directors of any irrigation district in connection with the acquisition and creation of improvement districts within irrigation districts, and the acquisition, construction, operation, maintenance and repair of improvements therein;

Also: Senate Bill No. 37—An act providing for the creation, organization, and government of joint districts composed of two or more counties of the State of California for the purpose of maintaining joint county road camps and providing that persons confined in the county jail of any such county under a final judgment of imprisonment rendered in a criminal action or proceeding may be required to perform labor on the public work or public highways in any of such counties

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 434 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 1079 read first time, and referred to Committee on Irrigation.

Senate Bill No. 37 read first time, and referred to Committee on County Government.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Wright:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add a new section to the Code of Civil Procedure to be numbered 349¾, relating to the limitation of the time within which actions, for trespass, use or occupancy of real property by oil or gas wells, and for damages by reason thereof, and for the conversion or for the taking or removing of oil, gas or other liquid or fluids by means of any such well, may be commenced, and defining oil and gas for the purposes of this act.

Referred to Committee on Introduction of Bills.

Withdrawal of Bills.

By order of the Speaker, the following bills were withdrawn from the file, and referred to committees as follows:

Assembly Bill No. 2030 re-referred to Committee on Roads and Highways.

Assembly Bill No. 1100 re-referred to Committee on Judiciary.

Assembly Bill No. 1111 re-referred to Committee on Judiciary.

Assembly Bill No. 2137 re-referred to Committee on Judiciary.

Assembly Bill No. 2391 re-referred to Committee on Judiciary.

Assembly Bill No. 1483 re-referred to Committee on Education.

Assembly Bill No. 2336 re-referred to Committee on Fish and Game.

Assembly Bill No. 1826 re-referred to Committee on Fish and Game.

Assembly Bill No. 2077 re-referred to Committee on Fish and Game.

Assembly Bill No. 2043 re-referred to Committee on Education.

Motion to Reconsider Assembly Bill No. 142 Continued.

Mr. Cottrell moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 142 was refused passage be continued until the next legislative day.

Motion carried.

Adjournment.

At one o'clock and ten minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Monday, April 15, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, April 15, 1935

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Peterson, its further reading was dispensed with

Leaves of Absence.

On motion of Mr. Redwine, Mr. Field was granted leave of absence for this day.

On motion of Mr Hawkins, Mr. Andreas was granted leave of absence for this day.

On motion of Mr. Nielsen, Mr. Thorp was granted leave of absence for this day.

Privilege of Floor of Assembly Extended.

On request of Messrs. Lyon and Cunningham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Jane A. Maxwell and Mrs. Charlotte Flick of Los Angeles.

On request of Mr. Chatters, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. C. A. Black of Lindsay.

On request of Mr. Morgan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Forrest D. Macomber and Mr. and Mrs. Arthur Alyn Jones of Santa Monica.

On request of Mr. Stream, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Harry L. Olmstead, ex-secretary, Chula Vista Chamber of Commerce.

On request of Mr. Cassidy, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the instructor and students of the San Leandro High School, as follows: Mr. Egbert M. Polley, instructor; Don Edwards, George Davis, Ansel Dotters and Leonard Brizzolara, students.

On request of Mr. McBride, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. L. N. Diedrich, Miss Alice May Carroll, Doris Lagomarsino, Pauline Welsh, Mrs. J. A. Lagomarsino and Mrs Mary Hearne of Ventura.

On request of Mr. Riley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to his son, Burke Riley, and Corporal Robert Dickey, both of Long Beach.

On request of Mr. Martin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Al S. Myers, City Business Manager of Sierra Madre, and Mr. R Lees, City Councilman of Sierra Madre.

On request of Mr. Waters, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Frederick H. Mulford, Lydia Vane, Anna M. Wheeler and Meryl E Leavitt.

On request of Mr. Waters, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Emma Kennay, Grand Regent Catholic Daughters of America, Court Holy Name, Los Angeles.

On request of Mr. Cunningham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Herman Paine of Santa Monica.

On request of Mr. Waters, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Laughlin E. Waters and Mary E. Waters.

On request of Mr. Voigt, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Gertrude Marton.

On request of Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Barbara Young of Sacramento.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the teacher and pupils of the eighth grade civics class, Fairview School, Modesto, Adelia Jones, teacher, and Sergio Solari, Alfred Sargenti, Richard Sargenti, Minnie Sargenti, Carol Stalker, Burnell McKee, Jennie Overholtzer, Marion Clay, and Adelia A. Jones, pupils.

On request of Mr. Phillips, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Mary Malone of Riverside, State President of United Association of Cosmetologists.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From the employees of the Los Angeles Soap Co, opposing taxation of the motion picture industry

From A. W. Ramsay and others, opposing the taxation of the motion picture industry.

From the employees of the Los Angeles Steamship Association, opposing the taxation of the motion picture industry

From the employees of I. Magnin & Co, opposing taxation of the motion picture industry.

From the employees of the Matson Navigation Company, opposing taxation of the motion picture industry.

From the employees of the Pacific Steamship Lines, Ltd., opposing taxation of the motion picture industry.

From the Municipal League of Los Angeles, opposing the appointment of John C. Porter to the position of Civil Service Commissioner.

From Cora F. Baker, favoring the appointment of John C. Porter.

From the Magnetic Signal Co., opposing the 30-hour week.

From Racor Pacific Frog and Switch Company, opposing the 30-hour week

From the employees of the Union Ice Co., opposing the 30-hour week.

From the Building and Safety Commissioners of Los Angeles, relative to Assembly Bill No. 1475.

From the City Council of Whittier, Los Angeles, favoring the passage of Senate Bill No. 535, and opposing the passage of Assembly Bill No. 1054.

From A. C. Eklund, favoring the construction of a central armory between the cities of Santa Ana and Anaheim, Orange County.

Communication.

The following communication was received, and ordered printed in the Journal:

By Chief Clerk:

WOODHILLS RANCH, CUPERTINO,
SANTA CLARA COUNTY, CALIFORNIA, April 12, 1935

DEAR MR OHNIMUS: The memorial to my dear husband was most beautiful, and it was received by me with much gratitude. Will you accept my thanks for sending it, and convey to the Assembly and Senate a message of deep appreciation of their beautiful tribute to Fremont Older?

Faithfully yours,

CORA OLDER.

ASSISTANT CLERK OLIVER READING.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 455—An act to amend section 1305 of the Penal Code, to require certain entries in court minutes relating to bail, and to amend sections 1281a and 1310 of the Penal Code, and to add thereto a new section to be designated 1280c, authorizing the court, judge or magistrate to inquire into the financial condition of a corporation offering a bond as bail and to approve or reject said bond;

Also: Assembly Bill No. 682—An act to provide for a Legislative-Executive Advisory Committee and the creation of a secretariat therefor, prescribing the powers and duties of such advisory committee and its secretariat, and making an appropriation for the support thereof;

Also: Assembly Bill No. 1261—An act to amend the title of and sections 1, 2, 3, 4, 5, 7, 8 and 9 and to add sections 14 and 15 to an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, as amended, relating to the aid and relief of indigents and for the recovery of reimbursement for their care.

Also: Assembly Bill No. 1765—An act to amend sections 649, 649a, 651a, 651b, 651c, and 651d of the Civil Code, relating to colleges and seminaries of learning;

Also: Assembly Bill No. 2080—An act to provide for the acquisition of the Muir Wood Toll Road by the State, and the inclusion thereof in the State highway system, and making an appropriation therefor;

Also: Assembly Bill No. 2139—An act to amend section 281 of the Code of Civil Procedure, relating to attorneys and counsellors at law;
And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2142—An act to amend section 13 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the appropriation of the State's share of commissions;

Also: Assembly Bill No. 2382—An act to regulate the practice of structural pest control; to create the Structural Pest Control Board; to provide for the registration and licensing of persons engaged in such practice, and for the protection of the public in the practice of structural pest control;

Also: Assembly Bill No. 2399—An act to amend section 1514 of the Civil Code, relating to rights of parties to contract in the event of prevention of performance thereof by a cause other than an act of a party;

Also: Assembly Bill No. 100—An act making an appropriation for the support of Napa State Farm, to take effect immediately.

Also: Assembly Bill No. 1185—An act authorizing the Board of State Harbor Commissioners to make application for the privilege of establishing, maintaining and operating a foreign trade zone on property now or which may hereafter be under the jurisdiction and control of said board in the City and County of San Francisco, and to establish, maintain and operate such zone, pursuant to the act of Congress of June 18, 1934 (48 U. S. Statutes at Large, Chapter 590);

Also: Assembly Bill No. 1307—An act to license, regulate and control the manufacture, transportation, sale, purchase, possession and disposition of alcoholic beverages; to make an appropriation for the enforcement of this act; and to prescribe penalties for the violation of this act;
And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 183—An act repealing sections 367a, 367b, and 367c of the Political Code, renumbering sections 367d to 367g, inclusive, thereof, to be sections 367q to 367t, inclusive, and adding sections 367a to 367p thereto, relating to the Department of Social Welfare;

Also: Assembly Bill No. 359—An act to amend section 372 of the Vehicle Code, relating to registration of vehicles;

Also: Assembly Bill No. 393—An act to amend sections 2171, 2172, 2173, 2174, 2175a, 2177, 2185c, 2186, and 2188 of the Political Code, relating to insane persons, and to add a new section thereto to be numbered 2189a;

Also Assembly Bill No 672—An act to add section 496 to the Fish and Game Code, relating to commercial fishing in District 20;

Also Assembly Bill No. 790—An act to amend sections 652, 655, 656 and 665 of the Fish and Game Code, relating to salmon;

Also: Assembly Bill No. 1022—An act to add section 17 to an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915;

Also: Assembly Bill No. 1135—An act to add Chapter 10 to Division IV of the Agricultural Code, relating to the production and marketing of manufactured dairy products;

Also: Assembly Bill No. 1155—An act to amend section 48 of the Fish and Game Code, by providing for the disposition of fines and forfeitures resulting from the enforcement by counties or county officers or employees of provisions of law relating to the illegal use or possession of nets;
And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1165—An act providing an additional and/or alternative method for financing the acquirement, construction, development, improvement, reconstruction, extension and repair of public utilities by any political subdivision or public agency of the State authorized by law to own and operate such public utilities systems by the issuance and sale of revenue bonds payable solely out of the revenue derived or to be derived therefrom; providing for the operation of such systems in case of deficiencies in revenues, providing for a statutory lien on works acquired, constructed, improved, reconstructed, extended or repaired under the provisions of this act; providing for the use of the power of eminent domain by political subdivisions or public agency proceeding under this act; defining the terms political subdivisions and public agencies as included herein, approved May 27, 1933, by amending sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 14 thereof; adding a new section thereto to be numbered section 14½, and repealing section 16 thereof;

Also: Assembly Bill No. 1226—An act adding a new section to the Political Code numbered 4056e, authorizing boards of supervisors to temporarily grant the use, possession, management and control of public parks and of public highway roads, streets, avenues, alleys, or places for certain exposition or fair purposes and temporarily to close any public highways, roads, streets, avenues, alleys, lanes, or places necessary for such exposition purposes;

Also: Assembly Bill No. 1227—An act relating to the holding of the San Francisco Bay Bridge Exposition in the City and County of San Francisco, in the State of California, providing for the issuance and sale of State bonds to be known as "San Francisco Bay Bridge Exposition bonds," providing for the payment and retirement of said bonds, providing for and creating a fund for the carrying out of the purposes of this act, authorizing the expenditures of moneys in said fund for such purpose, creating a commission to be known as the "San Francisco Bay Bridge Exposition Commission," creating an interest and sinking fund for the payment of interest on said bonds, and the redemption of the same, and making an appropriation therefor;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1228—An act providing for the acquisition of lands for, and the construction, maintenance and operation of a building at the San Francisco Bay Bridge Exposition to be held in the City and County of San Francisco, State of California, providing for the exhibition of products, resources of and other matters pertaining to the State of California at said San Francisco Bay Bridge Exposition, creating the San Francisco Bay Bridge Exposition, defining its purposes and duties and making an appropriation therefor;

Also: Assembly Bill No. 1254—An act to amend section 2175a of the Political Code, to authorize counties to recover cost of care of harmless insane;

Also: Assembly Bill No. 1279—An act to amend section 3366 of the Political Code, relating to license taxes;

Also: Assembly Bill No. 1347—An act to amend section 372 of the Political Code, relating to the members of the State Board of Public Health;

Also: Assembly Bill No. 1747—An act to add section 3a to "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 26, 1913, relating to codification and compilation of county and city ordinances and resolutions;

Also: Assembly Bill No. 1823—An act to provide for the creation and management of lotteries in the State of California and legalizing lottery transactions;

Also: Assembly Bill No. 1849—An act to create the Public Relations Commission; to prescribe the powers, duties, functions, and purposes thereof; to abolish certain public welfare agencies; to repeal all acts or portions of acts in conflict therewith; and to make an appropriation therefor;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 527—An act to provide for the creation, organization and government of river port districts in one or more counties, to enumerate the powers thereof; to authorize the incurring of indebtedness, the borrowing of money and the issuance

of bonds, and other evidences of indebtedness of such district and to provide for the mortgaging, pledging, or hypothecating of property of such districts and the issuance of revenue notes, certificates or warrants payable solely and exclusively from the revenues to be realized from a particular utility or property acquired or to be acquired with the proceeds of such obligations; to provide for the levy and collection of taxes by such districts and the allocation, mortgage, pledge, or hypothecation of the revenues of such districts or any property of such districts; to authorize river port districts to enter into agreement with the State of California or any political subdivisions therein or with the United States of America; and to authorize river port districts to do and perform all acts and things necessary or appropriate to carry out the purposes of this act;

Also: Assembly Bill No. 662—An act to provide for the refunding of bonds issued under the "Improvement Bond Act of 1915" and for the levy of reassessments and the extension of liens of assessments and the collection and enforcement of such assessments and reassessments and the payment of said bonds;

Also: Assembly Bill No. 668—An act to provide for the refunding of the bonded indebtedness of special improvement districts, the bonds of which are payable from special assessments levied wholly or partly in accordance with the assessed value of lands and for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts and the cancellation of unpaid taxes and assessments of such district, and for the levy of assessments and reassessments to pay such refunding bonds and to enforce the liens of such assessments and reassessments, and to provide for contributions of public funds to assist in such refunding or the payment of refunding bonds, and for proceedings to test the validity of such refunding and assesssment or reassessment proceedings and the use of the bankrupt laws of the United States of America in any refunding;

Also: Assembly Bill No. 1213—An act to amend section 10½ of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the regulation of the practice of optometry;

And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1269—An act authorizing and empowering any county, city and county, or city in the State of California to donate, convey, and grant to the State of California, or to district agricultural associations thereof, any real property owned, held and used by it for fair ground and exposition purposes, or which it may hereafter acquire, hold and use for such purposes;

Also: Assembly Bill No. 1330—An act to amend sections 990, 991, and 993 of the Fish and Game Code;

Also: Assembly Bill No. 1519—An act to amend section 271 of the Penal Code, relating to desertion of children;

Also: Assembly Bill No. 2023—An act to amend the title and sections 1, 2 and 3 of, and to add a new section, to be numbered section 4, to an act entitled "An act to provide for a day of rest from labor," approved February 27, 1893 (Stats. 1893, Chap. 41), relative to the scope of the act, providing for the enforcement of the act by the Chief of the Division of Labor Statistics and Law Enforcement and providing penalties for violation of the provisions thereof;

Also: Assembly Bill No. 2172—An act to add section 987a to the Penal Code, relating to the compensation of counsel appointed to defend persons charged with crime;

Also: Assembly Bill No. 2392—An act to ratify and approve an interstate compact to conserve oil and gas, signed at Dallas, Texas, February 16, 1935, and declaring the urgency hereof;

And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 541—An act to amend section 9 of an act entitled "An act for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, relating to city owned bonds;

Also: Assembly Bill No. 614—An act to amend section 1680 of the Streets and Highways Code, relating to extending county aid to cities;

Also: Assembly Bill No. 1056—An act to amend section 200 of the Code of Civil Procedure, relating to exemptions from jury duty;

Also: Assembly Bill No. 1360—An act to add sections 54a and 54b to the Civil Code, relating to the right of privacy of persons, and to provide a method by which such right of privacy may be enforced;

Also: Assembly Bill No. 1657—An act to amend the Vehicle Code by amending sections 253, 257, 267, 268, 269, 270, 272, 273, 314, 315, 316, and 338; by repealing sections 350, 351, 352, 353, and 354; by adding sections 254, 271.5, 350, 351, 352, 353, and 354, relating to vehicles;

Also: Assembly Bill No. 69—An act to amend section 117 of the Code of Civil Procedure, and to add thereto a new section to be numbered 117c½, relating to small claims courts;

Also: Assembly Bill No. 188—An act to add section 654d to the Penal Code, relating to advertising food, drink, drug, devices or cosmetic products by radio broadcasting and providing penalties for violation thereof;

And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 819—An act to amend sections 2167, 2167a, 2169, 2172 and 2175 of, to repeal sections 2168, 2170, 2171 and 2185c of, and to add new sections numbered 2168, and 2168.1, 2168.2, 2168.3, 2168.4, 2168.5, 2168.6, 2168.7, 2168.8, 2171, 2185.1, 2185.2, 2185.3, 2185.4, 2185.5, 2185.6 and 2185.7 to the Political Code, relating to persons mentally disordered or otherwise incompetent—and reports that the same has been correctly re-re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

On Direct Legislation.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1935

MR. SPEAKER: Your Committee on Direct Legislation, to which was referred Assembly Bill No. 68—An act to add section 15a to an act entitled "An act to provide for the recall of elective officers of incorporated cities and towns, and to repeal Chapter 32, Statutes of 1911, extra session, entitled an act to provide for the recall of elective officers of incorporated cities and towns, approved January 2, 1912," approved May 8, 1931, relating to recall of elective officers of incorporated cities—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HEISINGER, Chairman.

The above reported bill ordered on file for second reading.

On Soldiers and Sailors Affairs.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1935.

MR SPEAKER: Your Committee on Soldiers and Sailors Affairs, to which was referred Assembly Bill No. 1830—An act relating to the extension of veterans' rights for loan grants on homes and farms—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

PETERSON, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Soldiers and Sailors Affairs, to which was referred Assembly Bill No. 1368—An act making an appropriation for the construction of an armory in the city of San Pedro, Los Angeles County, California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, as amended, and be re-referred to Committee on Ways and Means.

PETERSON, Chairman.

The above reported bill ordered on file for second reading.

On Prisons and Reformatories.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1935.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 2351—An act providing for the establishment of a camp or system of camps to be maintained in connection with the State prisons—has had

the same under consideration, and respectfully reports the same back without recommendation, as amended.

MARTIN, Chairman

The above reported bill ordered on file for second reading.

On Soldiers and Sailors Affairs.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1935.

MR SPEAKER: Your Committee on Soldiers and Sailors Affairs, to which was referred Assembly Concurrent Resolution No. 12—Relative to the issuance of a proclamation by the Governor declaring the second week of October of each year as "Old Glory Week"—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

PETERSON, Chairman.

Assembly Concurrent Resolution No. 12 ordered to engrossment, and on file for adoption.

Also:

MR. SPEAKER: Your Committee on Soldiers and Sailors Affairs, to which was referred Senate Concurrent Resolution No. 12—Relative to reports of the proceedings of the annual convention of the Veterans of Foreign Wars of the United States, Department of California—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted

PETERSON, Chairman.

Senate Concurrent Resolution No. 12 ordered on file for adoption.

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1935.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it The title of said bill is as follows:

An act to add a new section to the Code of Civil Procedure to be numbered 349¾, relating to the limitation of the time within which actions for trespass, use or occupancy of real property by oil or gas wells, and for damages by reason thereof, and for the conversion or for the taking or removing of oil, gas or other liquid or fluids by means of any such well, may be commenced, and defining oil and gas for the purposes of this act.

CUNNINGHAM, Chairman.

Report of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report was adopted by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J, Evans, Ralph W., Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Voigt, Wagner, Walker, Waters, Wright, and Mr. Speaker—62.

NOES—None.

Introduction and Reference of Bills.

The following bill was introduced, and referred as indicated:

By Mr. Wright: Assembly Bill No. 2408—An act to add a new section to the Code of Civil Procedure to be numbered 349¾, relating to the limitation of the time within which actions for trespass, use or occupancy of real property by oil or gas wells, and for damages by reason thereof, and for the conversion or for the taking or removing of oil, gas or other liquid or fluids by means of any such well, may be commenced, and defining oil and gas for the purposes of this act.

Bill read first time, and referred to Committee on Oil Industries.

Appointment of Select Committee.

The Speaker announced the appointment of Messrs. Jones, Frazier, Minard, Phillips, and Rosenthal to carry out the provisions of the resolution by Mr. Jones, adopted by the Assembly Thursday, April 11, 1935.

Second Reading of Assembly Bills.

Assembly Bill No. 78—An act granting to the city of Sacramento certain lands lying within the city of Sacramento.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 1344—An act providing for the creation, management, maintenance and improvement of the California Desert Park.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, strike out "creation, management, maintenance and improvement of the California Desert Park", and insert in lieu thereof the following. "grant of certain lands to the United States of America for the creation of a National park or monument".

Amendment No. 2.

On page 1, line 8, of the printed bill, insert after "land", the following: ", including sections therein now held by the State of California as school lands,".

Amendment No. 3.

On page 2, line 14, of the printed bill, strike out lines 15 to 51, inclusive, and insert in lieu thereof the following. "granted unto the United States of America for the establishment of a National park or monument.

SEC. 2. This act shall take effect from and after acceptance by the United States of America of the grant herein made, thereby forever releasing the State of California from further cost of maintaining said lands, the same to be held for all time by the United States of America for public use, resort and recreation, and imposing on the United States of America the cost of maintaining the same as a National park or monument; provided, however, that the grant hereby made shall not affect vested rights and interests of third persons; and provided further, that the State of California shall retain a concurrent jurisdiction with the United States of America in and over lands so acquired so far that civil processes in all cases, and such criminal processes as may issue under the authority of the State of California against any person charged with the commission of any crime without or within said jurisdiction, may be executed thereon in like manner as if this grant had not been made; and provided further, that the State of California shall retain a concurrent jurisdiction to license or tax persons and corporations and their property and transactions on such lands."

Amendment No. 4.

On page 3, line 1, of the printed bill, strike out "6", and insert in lieu thereof the following: "3".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 603—An act to amend section 4223 of the Political Code, relating to admission to county hospitals.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 9 and 10, of the printed bill, strike out the comma and "regardless of the length of her residence in the county,".

Amendment No. 2.

On page 1, line 11, of the printed bill, strike out the period at the end of said line, and insert in lieu thereof the following: "and the cost of her maintenance and care shall be paid by and be a proper charge against the county of her residence."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1157—An act appropriating moneys to the "Judges' retirement fund" in pursuance of Article VI, section 26 of the Constitution.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the first line of the title, after "An act", and strike out lines 2 and 3 of the title, and insert in lieu thereof the following: "creating a special fund to be known as the "Judges' retirement fund," providing for disbursements therefrom, and to make appropriations therefor."

Amendment No. 2.

On page 1 of the printed bill, strike out all of line 1, after "SECTION 1.", and all of lines 2 to 11, inclusive, and insert in lieu thereof the following: "A fund is hereby created to be known as the judges' retirement fund and all retirement allowances payable by law to justices and judges shall be paid out of said fund. Said fund shall consist of all cash, securities or other assets paid into it in accordance with the provisions of this act.

SEC. 2. From and after the effective date of this act the State Controller shall at the end of each month ascertain the aggregate amount of the annual salaries of all the Justices of the Supreme Court and of the District Courts of Appeal and all judges of the superior courts in counties in which the provisions of section 26 of Article VI of the Constitution shall have been adopted as applicable to such judge or judges, and out of the moneys in the State treasury not otherwise appropriated there shall be paid monthly into the said judges' retirement fund a sum equal to two and one-half per centum of one-twelfth of said aggregate amount of salaries, and the State Controller shall thereupon transfer said required sum from the general fund of the State to the said judges' retirement fund.

SEC. 3. From and after the effective date of this act the State Controller shall at the end of each month deduct two and one-half per centum from the monthly salary of each Justice of the Supreme Court and of the District Courts of Appeal and of the portion paid by the State of the monthly salary of each judge of the superior court in counties in which the provisions of said section 26 shall have been adopted as applicable to the judge or judges of the superior court thereof, and shall cause the same to be paid into the judges' retirement fund.

SEC. 4. From and after the effective date of this act the auditor of each county in which the provisions of said section 26 have been adopted as applicable to the judge or judges of the superior court thereof shall deduct two and one-half per centum from the portion paid by such county of the month salary of each such judge, and cause the same to be paid into the judges' retirement fund.

SEC. 5. Should any justice or judge of any of the said courts die, resign or cease to be a justice or judge of any of the said courts prior to the time he shall have been retired as provided by law, the amount of his accumulated contribution shall be paid to him or to his estate.

SEC. 6. The Governor of the State, the State Treasurer and the State Controller acting jointly shall have authority to invest the moneys contained in said judges' retirement fund in securities of the United States and the State of California subject to the restriction that no investment shall be made except upon the approval of the Director of the Department of Finance.

SEC. 7. The State Treasurer shall be the custodian of the judges' retirement fund. From and after the effective date of this act the State Controller shall at the end of each month ascertain the written notices of voluntary retirement and the written certificates of involuntary retirement which shall have been filed with the Secretary of State as required by law and shall cause warrants to be drawn upon the State treasury in favor of each retired justice or judge for the amount of the retirement allowance to which he shall be entitled.

SEC. 8. All expenses of administration of this act shall be a charge on the general fund of the State"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 291—An act to add a new title to Part IV of Division III of the Civil Code of the State of California to be known as Title XVII thereof, relating to trust receipts and to make the law of trust receipts in the State of California uniform with the law of other States.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 3, line 50, of the printed bill, strike out the word "or", and insert in lieu thereof the word "of".

Amendment No. 2.

On page 4, line 2, of the printed bill, after the semicolon, insert the following: "or (c) the entruster gives new value in reliance upon the transfer by the trustee to such entruster of a security interest in goods or documents in possession of the trustee and the possession of which is retained by the trustee;".

Amendment No. 3.

On page 4, line 4, of the printed bill, after the letter "(b)", insert the following: "or (c)".

Amendment No. 4.

On page 5, line 22, of the printed bill, after the word "contract", insert the following: "and with reference to goods, documents and instruments in trustee's possession for a security interest in which entruster thereafter gives new value to trustee".

Amendment No. 5.

On page 7, line 2, of the printed bill, after the word "retains", strike out the word "instruments", and the remainder of line 2, and all of lines 3 to 6, inclusive, and insert in lieu thereof the following: "goods, documents or instruments, the thirty days shall be reckoned, in the case of goods or documents from the time that the entruster gives new value under the transaction and in the case of instruments from the time such instruments are actually shown to the entruster or the entruster gives new value, whichever is prior."

Amendment No. 6.

On page 7, line 11, of the printed bill, after the figure "(3)", strike out the remainder of line 11, all of lines 12 to 15, inclusive, and the letter "(b)", in line 16.

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1965—An act relating to a legislative research committee, to encourage and utilize research by public and private agencies for legislative purposes.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, strike out the period, and insert in lieu thereof the following: ", defining its powers and duties, and making an appropriation therefor."

Amendment No. 2.

On page 1 of the printed bill, between lines 6 and 7, insert the following:

"Any commission, committee or other body created by act of the Legislature for the purpose of coordination of State and Federal governments may be called upon by the committee to act in an advisory capacity, and when so acting, the

recommendation of such committee or other body on all matters considered shall be included in the report of the committee."

Amendment No. 3.

On page 2, line 2, of the printed bill, after the period, insert the following: "It shall be the duty of the Legislative Counsel to draft such proposed legislation as the committee intends to submit to the Legislature, and to serve as legal counsel to the committee."

Amendment No. 4.

On page 2, line 3, of the printed bill, after "employ", insert the following: "the Bureau of Public Administration of the University of California to conduct specific or general research as directed, or the committee may".

Amendment No. 5.

On page 2, line 5, of the printed bill, after the period, insert the following: "All expenditures made by the committee shall be audited annually by the Division of Budgets and Accounts of the Department of Finance and this division shall furnish the Legislature a copy of such audits."

Amendment No. 6.

On page 2 of the printed bill, strike out lines 24 to 28, inclusive, and insert in lieu thereof the following

"SEC. 8. Vacancies occurring at any time in the membership of the committee shall be filled by immediate appointment. The presiding officer, respectively, of the Assembly and the Senate shall fill vacancies from the membership of their respective bodies.

SEC. 9. There is hereby appropriated out of any money in the State treasury, not otherwise appropriated, the sum of fifty thousand dollars to be expended by the committee in accordance with law in carrying out the provisions of this act."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1919—An act to amend section 6 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to presumptions in respect to injuries to employees.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 3 of the printed bill, strike out all of lines 28, 29, 30 and 31, inclusive.

Amendment adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 873—An act to amend section 6.30 of the School Code, relating to bids for contracts.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the following: "amend section 6.30 of", and insert in lieu thereof the following: "add a new section to".

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, after the word "Code", insert the following: "to be numbered 6.37".

Amendment No. 3.

On page 1, in the title of the printed bill, strike out all of line 2, and insert in lieu thereof the following: "information concerning bidders on work to be done for school districts."

Amendment No. 4.

On page 1 of the printed bill, strike out all of lines 1 to 13, inclusive, and insert in lieu thereof the following

"SECTION 1. A new section is hereby added to the School Code to be numbered 6.37, and to read as follows:

6.37. The governing board of any school district, within its discretion, before furnishing any person proposing to bid on duly advertised work to be done for the district with plans and specifications for the proposed work, may require from any such person answers to questions contained in a standard form of questionnaire and financial statement including a complete statement of the person's experience in performing public work of the nature of the proposed work and a statement of his ability to finance the same.

Whenever the governing board of the school district is not satisfied with the sufficiency of the answers contained in such questionnaire and financial statement, it may refuse to furnish such person with plans and specifications on any such duly advertised public work, and the bid of any person to whom plans and specifications have not been issued must be disregarded.

The word "person" as used in this section shall include individuals, copartnerships, associations, corporations or joint stock companies and their representatives, trustees, or receivers appointed by any court of competent jurisdiction."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 539—An act to repeal section 2.801 of the School Code, relating to the liability of school districts for injury to persons or property.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the word "repeal", and insert in lieu thereof the word "amend".

Amendment No. 2.

On page 1 of the printed bill, strike out all of line 2, and insert in lieu thereof the following: "amended to read as follows:

2.801. Boards of school trustees, high school boards, junior college boards and boards of education are liable as such in the name of the district for any judgment against the district on account of injury to person or property arising because of the negligence of the district, or its officers or employees. The liability of any school district imposed by this section is limited to the amount of five thousand dollars for the death of or injury to or damage to any one person in any one accident and is limited to the sum of one thousand dollars for damage to property of any one person arising out of any one accident."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1186—An act to add a new section to the School Code to be numbered 3.764, relating to courses of study in elementary schools.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 8, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "unless negligence on the part of such member of said governing board is the proximate cause of such injury or death."

Amendment No. 2.

On page 1, line 17, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "unless negligence on the part of such employee is the proximate cause of such injury or death."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 961—An act to amend sections 5.400, 5.402, 5.403, 5.408, 5.420, 5.500, 5.502, 5.510, 5.520, 5.521, 5.640, 5.680, 5.690, 5.691, 5.710, 5.711 and 5.712 of the School Code, relating to tenure, and to add four new sections to the School Code, to be numbered 5.409, 5.505, 5.506, 5.666 and 5.667, all relating to the employment, classification, dismissal and resignation of persons employed in school districts in positions requiring certification qualifications.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 5, line 23, of the printed bill, after the word 'code", insert the following: ", or as substitute employees, as provided for in section 5.520 of this code."

Amendment No. 2.

On page 7 of the printed bill, strike out line 8, and insert in lieu thereof the following: "be served after the".

Amendment No. 3.

On page 7, line 9, of the printed bill after the word "consolidation", insert the following: ", by any probationary employee who has been serving in a district of less than eight hundred fifty average daily attendance."

Amendments adopted.

Bill read second time, ordered to reprint, re-re-engrossment, and third reading.

Assembly Bill No. 545—An act to amend section 17 of an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "amend section 17 of", and insert in lieu thereof the following: "add a new section to be numbered 17.5 to".

Amendment No. 2.

On page 1, line 13 of the title of the printed bill, strike out the period, and insert in lieu thereof the following: ", relating to cases in which common carriers may grant free or reduced rates, and providing that this act shall take effect immediately"

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 to 17, inclusive, and strike out all of pages 2, 3, 4 and 5, and insert in lieu thereof the following:

"SECTION 1. A new section to be numbered 17.5 is hereby added to the act cited in the title hereof, to read as follows.

Sec 17.5. Every common carrier subject to the provisions of this act may transport free or at reduced rates contractors and their employees engaged in carrying out contracts with the United States, this State, or any county or municipal government in this State, and materials or supplies for use in carrying out such contracts, in each case to the extent only that such free or reduced rate transportation is provided for in the specifications upon which the contract is based and in the contract itself.

SEC. 2. This act is hereby declared to be an urgency measure, necessary for the immediate preservation of the public peace, health, and safety within the meaning of section 1 of Article IV of the Constitution, and shall therefore take effect immediately. The facts constituting such necessity are as follows:

Under the terms of an act of Congress, many millions of dollars will be available within a very short time for the construction and improvement of highways and the elimination of grade crossings, for the purpose of relieving unemployment. This State will receive a considerable sum as its share of the Federal appropriations. The materials will have to be transported for the purpose of doing such work and in many cases the common carriers of this State are willing to transport such materials free or at reduced rates but under the present law are prohibited from doing so. It is imperative that as much of the money allocated to this State by the Federal Government be used for the employment of citizens as possible, and this act will permit additional sums thereof to be made available for the relief of unemployment. It is therefore imperative that this act take effect immediately."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2122—An act to postpone proceedings by the holder or owner of any bond to enforce the lien arising out of the levy of any special assessment or special assessment tax, or arising out of the issuance of any special assessment bond, or ad valorem district bonds or direct assessment district bonds, levied or issued to pay the cost of the improvement or acquisition of property for public purposes, declaring the urgency thereof, and providing that it shall take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, strike out "by the holder or owner of any bond to enforce the lien", and insert in lieu thereof the following: "*to enforce the lien, or any guaranty in connection therewith,*".

Amendment No. 2.

On page 1 of the printed bill, strike out line 11, and insert in lieu thereof the following:

"This act shall not be deemed to authorize any such proceeding in any case where such proceeding would not be authorized if this act had not been adopted After the expiration of thirty days from the date this act takes effect, this act shall not prohibit the commencement of any proceeding in any case where any interest upon the amount secured by such lien, or assessment, or upon such bond, is delinquent at the time such proceeding is commenced

SEC. 2. Except as provided in this section, the provisions of section 1 of this act shall apply to all special assessments, special assessment taxes, special assessment bonds, ad valorem district bonds, or direct assessment district bonds, issued or levied to pay the cost of the construction of any public improvement or the acquisition of any property for public use, where the cost of such construction is payable in whole or in part by special assessments; or through special assessment taxes upon lands, or through taxes upon all property in a specified district, regardless of the particular statute under which any proceedings are taken and regardless of whether the assessment or tax is upon specific land or upon land wholly or partially according to the assessed value of such land, or upon all the land in a specified district, and shall apply to all liens arising out of such assessment, taxes, or bonds.

The provisions of section 1 of this act shall not apply to:

(a) Any flood control, irrigation, reclamation, sanitary, sanitation or other district organized or incorporated under the laws of the State of California, where *such district constitutes a State agency* or a public or municipal corporation.

(b) Any bond issued or to be issued to provide money with which to construct or acquire any public utility, or for the acquisition, construction, or completion or extension of such public utility.

(c) Any assessment levied for the maintenance or operation of any improvement.

SEC. 3. The period of time within which any proceeding or action shall be taken or filed to foreclose or enforce such lien, assessment, tax, or bond, or to enforce a guaranty specified in section 6 of this act, is hereby extended for such period of time as such foreclosure or enforcement is prohibited according to the provisions of this act. The periods of time prescribed by sections 581, 581a, 581b, and 583 of the Code of Civil Procedure are hereby extended in the case of any such proceeding affected by this act, for the period of time during which the foreclosure or enforcement is prohibited by this act

SEC. 4. This act shall not prohibit the continuation of any proceedings taken or instituted prior to the date this act takes effect, if the commencement of any such proceeding after the date this act takes effect would not be prohibited pursuant to the provisions of section 1 of this act, or if the property prior to the date this act takes effect, is sold for the delinquency on, or a judgment is entered foreclosing the lien of, such bond, assessment, or tax.

SEC. 5. Anything to the contrary in any other statute notwithstanding, during the period of the economic emergency defined herein, the officer charged with the duty of receiving payment on account of any such bond or assessment is, until the end of that period, authorized to accept the payment of any interest, and penalties for delinquencies in the payment thereof, on such bond or assessment without the payment of any installment of principal due or past due thereon, unless he receives notice, pursuant to any statute, that an action or proceeding has been commenced to enforce such lien.

SEC. 6. No suit or action shall be brought against the guarantor upon any guaranty of payment of all or a portion of any such assessment, tax, or bond, or of any instrument issued and secured by any such assessment, tax, or bond, during the economic emergency defined herein in any case where a proceeding to enforce the lien of the assessment, tax, or bond, is prohibited by this act.

SEC 7. The period from the date this act takes effect until _____ is hereby found by the Legislature to be a period of great economic emergency, necessitating the extension of the special relief and protection contained in this act

SEC. 8. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of section 1, of Article IV of the Constitution, and shall therefore take effect immediately. The following is a statement of the facts constituting such urgency

The peace, safety and welfare of citizens of this State are dependent upon immediate relief from the payment of principal or installments thereof due upon such assessments, taxes, and bonds, by reason of the fact that the present economic crisis has made the owners of property upon which such lien falls unable to pay the principal due thereon The property, as a result of the depression, has neither a reasonable existing sale value, nor does it at present furnish satisfactory or realizable security for raising funds for the payment of these bonds. If these persons lose their homes as a result of proceedings arising out of the nonpayment of these sums, the burden of their support and maintenance will have to be assumed by the State or by local taxation, to the great injury of the State or local government of this State It is therefore necessary that the temporary relief given by this act be immediately extended and this act should therefore take effect immediately."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1606—An act to amend the "Sewer Revenue Bond Act," approved May 15, 1933, relating to acquisition and operation of sewerage disposal works.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, strike out "the "Sewer Revenue Bond Act," approved May 15, 1933," and insert in lieu thereof the following: "section 8 of and to add section 8a to the Sewer Revenue Bond Act,"

Amendment No. 2.

On page 1, line 1, of the printed bill, insert after 'SECTION 1.", the following: "Section 8 of the Sewer Revenue Bond Act is hereby amended to read as follows:

Sec. 8. The governing body of the city, county or district, as the case may be, shall have power, and it shall be its duty, to establish just and equitable rates or

charges for the use and maintenance of such works, to be paid by the person, firm or corporation leasing or occupying the building or premises served thereby or that in any way uses or is served by such works, and may change and readjust such rates or charges from time to time. Such rates or charges shall be sufficient in each year for the payment of the proper and reasonable expenses of operation, repair, replacements and maintenance of the works, and for payment of the sums required to be paid into the sinking fund as hereinafter mentioned No such rates or charges shall be established until after a public hearing, at which all the users of the works and owners of property served or to be served thereby and others interested shall have opportunity to be heard concerning the proposed rates or charges. After introduction of the ordinance, resolution or order fixing such rate or charges, and before the same is finally enacted, notice of such hearing, setting forth the proposed schedule of such rates or charges shall be given by one publication in a newspaper published in such city, county or district, if there be such a newspaper, but otherwise in a newspaper having general circulation therein, at least ten days before the date fixed in such notice for the hearing, which may be adjourned from time to time. After such hearing the ordinance, resolution or order establishing rates or charges, either as originally introduced or as modified and amended, shall be passed and put into effect A copy of the schedule of such rates and charges so established shall be kept on file in the office of the clerk or secretary of such city, county or district, and shall be open to inspection by all persons interested. The rates or charges so established for any class of users or property served may be extended to cover any additional premises thereafter served which fall within the same class, without the necessity of any hearing or notice Any change or readjustment of such rates or charges may be made in the same manner as such rates or charges were originally established as hereinabove provided. All such rates or charges if not paid when due shall constitute a lien upon the premises served by such works. (If any service rate or charge so established shall not be paid within thirty days after the same is due, the amount thereof, together with a penalty of ten per cent may be recovered by a civil action brought in the name of the city, county or district, as the case may be)

The governing body may establish variable rates and charges for different classes of users, or for different parts of the city, county, or district, where sewage works or portions thereof have been previously installed and financed under other laws or methods, so that such variable rates or charges may be most equitable and just to all concerned: provided such rates or charges may only be imposed and collected from the users of such works or portion thereof as are actually constructed with money derived from the sale of such revenue bonds; provided further, however, that if the users of any works or portion thereof previously acquired and financed by other methods, receive any additional benefits from the construction or operation of the works or portion thereof subsequently constructed or acquired from the proceeds of revenue bonds, then and in that case, the governing body shall be empowered to impose reasonable rates or charges on the works previously acquired, but only sufficient to cover the value of such additional benefits.

SEC. 2. Section 8a is hereby added to the Sewer Revenue Bond Act to read as follows:

Sec 8a. All rates and charges for service from such sewage system, work or improvement and all penalties thereon shall constitute a lien upon the premises served by such sewage system, work or improvement (except that no such lien shall be created against any publicly owned property) and such lien shall continue until the rate or charge and all penalties thereon are fully paid or the property sold therefor. Such lien shall attach on the date the rate or charge is due, but no purchaser or encumbrancer for value shall be deemed to have notice or knowledge thereof until the treasurer or other officer whose duty it is to collect the rate or charge files a list of unpaid rates or charges with the county recorder, stating the amount of each rate or charge, a description of the property upon which the same is a lien and the name of the county, city and county or municipality to which the same is payable If the rate or charge is not paid when due, on the first day of each calendar month thereafter a penalty of twenty-five per cent of the amount of the delinquent rate or charge shall be added thereto. The following remedies are established for the collection of said rates or charges and the penalties thereon: First, an action may be brought in the name of the county, city and county or municipality in any court which has jurisdiction, against the person or persons who occupied the property when the service was rendered, for the collection of the amount of the delinquent rate or charge and all penalties thereon. In such action a reasonable attorney's fee shall be awarded the plaintiff Second, an action may be brought in the name of the county, city and county or municipality in any court of competent jurisdiction to foreclose the lien of the rate or charge and all penalties thereon. In such action a reasonable attorney's fee shall be awarded plaintiff. Third, on June 2d and December 2d of each year (or if said date falls upon a Sunday or a holiday, then on the next business day thereafter), the county, city and county or municipality treasurer may sell all parcels of property on which the rates or charges have been delinquent for a period of sixty days, at public sale to the person who offers to purchase the least quantity thereof and pay therefor all due and unpaid rates or charges and penalties thereon and fifty cents for the cost of publishing notice of sale. Notice of such sale shall be given by two publications thereof, stating the time and place of

sale, description of property to be sold and the amount which will be required to purchase same. If no person offers to purchase a parcel it shall be struck off to the county, city and county or municipality. The treasurer shall make and keep in his office a record of all parcels sold, showing date of sale, name of purchaser, description of property sold, and sale price. Redemption from the treasurer's sale or from foreclosure sale may be made within one year from date thereof. In case of redemption the purchaser shall be entitled to interest at the rate of two per cent a month. After the expiration of the period of redemption from the treasurer's sale the treasurer shall make a deed of the property sold to the purchaser. Such deed shall be conclusive evidence of the regularity of the sale and shall vest title in the purchaser free and clear of all encumbrances except taxes and assessments. Any action, suit or proceeding asserting the invalidity of the sale must be begun before the expiration of the period of redemption, and after the deed issues no defense that the sale is invalid may be asserted. Fourth, the legislative body may provide that the rate or charge for sewage service shall be collected with the charge or charges for any other utility service rendered by the county, city and county or municipality and all such charges shall be itemized, billed upon the same bill and collected as one item, and in case of nonpayment of the sewage rate or charge, within thirty days after delinquency thereof the city official or officials shall cut off the water, electric or other utility service billed on the same bill as the sewage charge, and said service shall not be restored until all delinquent sewage charges and all penalties thereon are fully paid. Fifth, the legislative body of the county, city and county or municipality may establish additional remedies for collecting and enforcing rates or charges for sewage service and may change the remedies established by it from time to time in order to facilitate the collection of such rates.

The remedies for collecting and enforcing rates and charges herein set out are cumulative and may be pursued alternately or any thereof may be used consecutively when the legislative body so determines. If any one of said remedies is or may be invalid, all valid remedies shall remain effectual. Until the principal and interest of the bonds are fully paid any holder of any bond outstanding at any time may compel the use of any or all of the remedies herein provided. The Legislature may prescribe additional remedies for the prompt and efficient collection of said rates."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 834—An act relating to and imposing limitations on expenditures by counties, cities and counties, districts and other political subdivisions, under authority of section 20 of Article XI of the Constitution of the State.

Bill read second time, ordered to re-re-engrossment, and third reading.

Assembly Bill No. 663—An act to amend an act entitled "An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments, reassessments, to provide for the proceedings to test the validity of such refunding and reassessment, and to provide for contributions of public funds to assist in such refunding," approved June 5, 1933, by amending section 15 thereof relating to the issuance of refunding bonds, and declaring the urgency of said act.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, following the word "amend", insert the following: "the title and section 15 and to add section 33 to".

In line 13 of the title of the printed bill, as amended, strike out the words "by amending section".

In line 14 of the printed bill, as amended, strike out the words and figures "15 thereof"; also strike out the words "issuance of", and in the same line, strike out "bonds,".

Strike out all of lines 15, 16, 17 and 18, and in lieu thereof insert the following: "of bonds payable from taxes or from special assessments levied wholly or partly in accordance with the assessed value of lands."

Amendment No. 2.

On page 1, line 1, of the printed bill, as amended, following the figure "1 ", insert the following "The title of the act designated in the title hereof is hereby amended to read as follows:

An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from taxes or from special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments or reassessments for the payment of such refunding bonds, to enforce the liens of such assessments or reassessments, to provide for proceedings to test the validity of such refunding and reassessment, to provide for contributions of public funds to assist in such refunding, and to provide for the use of federal bankruptcy courts therein.

SEC 2 "

Amendment No. 3.

On page 2, line 27, of the printed bill, as amended, following the word "interest", insert the word "of".

On the same page, line 31, strike out the figure "2", and insert in lieu thereof the figure "3".

Amendment No. 4.

On page 3, line 11, of the printed bill, as amended, strike out the word "There", and insert in lieu thereof the words "A new section".

On the same page, line 15, strike out the word "refund", and insert in lieu thereof the words "be refunded".

On the same page, line 18, strike out the figure "5", and insert in lieu thereof the figure "6".

On the same page, line 21, strike out the word "principle", and insert in lieu thereof the word "principal".

On the same page, line 22, strike out the word "principle", and insert in lieu thereof the word "principal".

On the same page, line 24, strike out the word "to", and insert in lieu thereof the word "an".

On the same page, line 26, strike out the first word "land", and insert in lieu thereof the word "lot".

Amendments adopted.

Bill read second time, ordered to reprint, re-re-engrossment, and third reading.

Assembly Bill No. 665—An act to amend an act entitled "An act authorizing the common council, board of trustees, or other governing body of any incorporated city or town other than cities of the first class to refund its indebtedness, to issue bonds therefor, and to provide for the payment of the same," approved March 9, 1897, by amending section 1 thereof, relating to refunding bonds and to the use of Federal courts in municipal bankruptcy or refunding proceedings.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 4, line 26, of the printed bill, as amended, following the word "city", insert the following language: ", computed on the sale price,".

Amendment No. 2.

On page 5, line 28, of the printed bill, as amended, strike out the word "town", and insert in lieu thereof the word "towns".

On the same page, line 33, strike out ", when-", and insert in lieu thereof the following: ". When-".

On the same page, line 39, following the letters "mitted", insert the words "to the".

Amendment No. 3.

On page 6, line 44, of the printed bill, as amended, strike out the word "sum", and insert in lieu thereof the word "same".

Amendment No. 4.

On page 7, line 22, of the printed bill, as amended, strike out the word "as", and insert in lieu thereof the word "which".

On the same page, line 24, following the word "of", insert the words "principal and".

Amendments adopted.

Bill read second time, ordered to reprint, re-re-engrossment, and third reading.

Assembly Bill No. 667—An act to provide for the refunding of bonds issued under an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition or construction of such improvements," approved April 20, 1915, and bonds issued under the Municipal Improvement District Act of 1927, and providing procedure therefor.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 17, of the printed bill, as amended, following the word "prescribed", insert the following: ", and to fix, by resolution or ordinance, the form, denominations, signatures, date of issuance, and dates of maturities of said bonds, and to pass all resolutions or ordinances and do all acts necessary or convenient to carry out any refunding under this act".

Amendment adopted.

Bill read second time, ordered to reprint, re-re-engrossment, and third reading.

Assembly Bill No. 1236—An act to amend an act entitled "An act to authorize municipal corporations to issue bonds, for the purpose of investing the proceeds arising from the sale thereof, in other bonds issued for public improvements," approved April 26, 1909, by amending sections 1 and 3 thereof, relating to bonds to be purchased and use of the funds.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, in the title of the printed bill, as amended, strike out the language ", and declaring the urgency of this act".

Amendment adopted.

Bill read second time, ordered to reprint, re-re-engrossment, and third reading.

Assembly Bill No. 576—An act to repeal section 924 of the Political Code.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 720—An act to amend section 1058 of the Code of Civil Procedure, relating to the giving of bonds or undertakings in civil actions or proceedings by the State or counties or officers thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 877—An act to amend section 662 of the Code of Civil Procedure, relating to motions for new trial.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1100—An act to add section 43a to the Civil Code, relating to causes of action based upon alienation of affection and breach of promise.

Bill read second time, ordered to re-re-engrossment, and third reading.

Assembly Bill No. 1260—An act to amend section 1140 of the Probate Code, relating to the duties of the public administrator and providing for the management, control, rental and sale by the public administrator of properties of indigent or other aliens returned to their native lands by or at the request of counties.

Bill read second time, ordered to re-engrossment, and third reading

Assembly Bill No. 2391—An act to amend sections 125, 374, 375, 1881, and 1973 of, and to add sections 341 5 and 1973.5 to the Code of Civil Procedure, relating to criminal conversation breach of promise and alienation of affections suits.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 1060—An act to add section 2a to the Public Utilities Act, relating to toll bridges, whether publicly or privately owned, declaring the owners thereof to be public utilities in respect thereto and placing the same under the jurisdiction, supervision and regulation of the Railroad Commission.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 9, of the printed bill, strike out the period, and insert in lieu thereof the following: ", but does not include the California Toll Bridge Authority."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 944—An act regulating the use of public highways by motor vehicles operated thereon for the transportation of property for compensation; conferring powers upon the Railroad Commission with respect thereto; providing penalties for the violations of this act and repealing all acts inconsistent with the provisions of this act.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, immediately following the enacting clause, and immediately preceding line 1 on said page, insert the following:

"Preamble

The use of the public highways for the transportation of property for compensation is a business affected with a public interest and it is hereby declared that the purpose of this act is to preserve for the public the full benefit and use of public highways consistent with the needs of commerce without unnecessary congestion or wear and tear upon such highways, to secure to the people just and reasonable rates for transportation by carriers operating upon such highways; to secure full and unrestricted flow of traffic by motor carriers over such highways which will adequately meet reasonable public demands by providing for the regulation of rates of all transportation agencies so that adequate and dependable service by all necessary transportation agencies shall be maintained and the full use of the highways preserved to the public."

Amendment No. 2.

On page 8, lines 5 and 6, of the printed bill, as amended, strike out the following: "having a population of fifty thousand or more".

Amendment No. 3.

On page 8 of the printed bill, as amended, strike out lines 8 to 12, inclusive.

Amendment No. 4.

On page 8, line 13, of the printed bill, as amended, strike out "3", and insert in lieu thereof the following: "2".

Amendment No. 5.

On page 8, lines 15 and 16, of the printed bill, as amended, strike out the following: "having a population of fifty thousand or more".

Amendment No. 6.

On page 8, line 20, of the printed bill, as amended, strike out "4", and insert in lieu thereof the following: '3".

Amendment No. 7.

On page 8, lines 23 and 24, of the printed bill, as amended, strike out the following: "having a population of fifty thousand or more".

Amendment No. 8.

On page 8, line 37, of the printed bill, as amended, strike out "5", and insert in lieu thereof the following: "4".

Amendment No. 9.

On page 9, line 1, of the printed bill, as amended, strike out "6", and insert in lieu thereof the following: "5".

Amendment No. 10.

On page 9, line 20, of the printed bill, as amended, strike out "7", and insert in lieu thereof the following: "6".

Amendment No. 11.

On page 9, line 28, of the printed bill, as amended, strike out "8", and insert in lieu thereof the following: "7".

Amendment No. 12.

On page 9, line 31, of the printed bill, as amended, strike out "9", and insert in lieu thereof the following: "8".

Amendment No. 13.

On page 9 of the printed bill, as amended, strike out lines 40 to 48, inclusive, and insert in lieu thereof the following:

"SEC. 9. The Railroad Commission shall, upon complaint or upon its own initiative without complaint, establish or approve just, reasonable, and nondiscriminatory rates, or the maximum or minimum or maximum and minimum rates to be charged by any carrier other than a highway common carrier, now subject to the jurisdiction of said commission under Chapter 213 of the Laws of 1917, and as amended, for the transportation of property and for accessorial service performed by said carrier.

In establishing or approving such rates the commission shall take into account and give due and reasonable consideration to the cost of all of the transportation services performed, including length of haul, any additional transportation service performed, or to be performed, or of any accessorial service and the value of the commodity transported and the value of the facility reasonably necessary to perform such transportation service

It shall be unlawful for any carrier to charge or collect any lesser, greater, or different rate than the rates established by the commission under this section.

The commission shall make such rules and regulations as may be necessary to the application of the rates established or approved under the provisions of this act"

Amendment No. 14.

On page 9, line 49, of the printed bill, as amended, strike out "11", and insert in lieu thereof the following: "10".

Amendment No. 15.

On page 10, line 5, of the printed bill, as amended, strike out "12", and insert in lieu thereof the following: "11".

Amendment No. 16.

On page 10, line 10, of the printed bill, as amended, strike out "13", and insert in lieu thereof the following: "12".

Amendment No. 17.

On page 10, line 22, of the printed bill, as amended, strike out "14", and insert in lieu thereof the following: "13".

Amendment No. 18.

On page 10, line 35, of the printed bill, as amended, strike out "15", and insert in lieu thereof the following: "14".

Amendment No. 19.

On page 10, line 41, of the printed bill, as amended, strike out "16", and insert in lieu thereof the following: "15".

Amendment No. 20.

On page 10, line 47, of the printed bill, as amended, strike out "17", and insert in lieu thereof the following: "16".

Amendment No. 21.

On page 11, line 1, of the printed bill, as amended, strike out "18", and insert in lieu thereof the following: "17".

Amendment No. 22.

On page 11, line 18, of the printed bill, as amended, strike out "19", and insert in lieu thereof the following: "18".

Amendment No. 23.

On page 11 of the printed bill, as amended, strike out lines 26 to 43, inclusive.

Amendment No. 24.

On page 11, line 44, of the printed bill, as amended, strike out "21", and insert in lieu thereof the following: "19".

Amendment No. 25.

On page 11, line 51, of the printed bill, as amended, strike out "22", and insert in lieu thereof the following: "20".

Amendment No. 26.

On page 12, line 4, of the printed bill, as amended, strike out "23", and insert in lieu thereof the following: "21".

Amendment No. 27.

On page 12, line 6, of the printed bill, as amended, strike out "24", and insert in lieu thereof the following: "22".

Amendment No. 28.

On page 12, line 6, of the printed bill, as amended, strike out "Highway", and insert in lieu thereof the following: "City".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 556—An act to amend section 6.2 of the School Code, relating to powers of boards of school trustees and city boards of education.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 210—An act to amend section 415 of the Civil Code, relating to purchasing and holding of real estate by insurance companies.

Bill read second time, and ordered on file for third reading.

Request for Unanimous Consent.

Mr. Minard asked for, and was granted, unanimous consent to take up Senate Bill No. 212 at this time, without reference to file.

Consideration of Senate Bill No. 212.

Senate Bill No. 212—An act to establish an Insurance Code, thereby consolidating and revising the law, relating to insurance principles,

practice and business and matters incidental thereto, and to repeal certain acts and parts of acts specified herein.

Case of Urgency.

The following resolution was offered:

By Mr. Minard:

Resolved, That Senate Bill No 212 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Mr. Minard moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—65.

NOES—None.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, March 28, 1935.

To the Honorable Members of the Assembly, Sacramento, California.

Senate Bill No. 212—An act to establish an Insurance Code, thereby consolidating and revising the laws relating to insurance principles, practice and business, and matters incidental thereto, and to repeal certain acts and parts of acts as specified herein, is before me with request for consideration before the enactment of the budget

In my opinion said Senate Bill No 212 constitutes an emergency bill within the meaning of that term as used in section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await final enactment of the Budget Bill.

I therefore recommend the consideration of Senate Bill No. 212 as such an emergency measure.

Respectfully submitted

FRANK F. MERRIAM, Governor of California.

Third Reading of Senate Bill No. 212.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 212 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Voigt, Wagner, Walker, Wallace, Waters, Williamson, and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Motion to Re-refer Assembly Bill No. 1747.

Mr. Martin moved that Assembly Bill No 1747 be withdrawn from the Committee on Governmental Efficiency and Economy, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 1747 to the Committee on Ways and Means.

Motion carried.

Assembly Bill No. 1747 ordered re-referred to Committee on Ways and Means.

Unfinished Business.

Reconsideration of Assembly Bill No. 2383 Waived.

Mr. Hornblower waived his notice to reconsider the vote whereby Assembly Bill No. 2383 was passed.

Assembly Bill No. 2383 ordered transmitted to the Senate.

Reconsideration of Assembly Bill No. 309.

Assembly Bill No. 309—An act to amend section 110 of the Penal Code, relating to transporting arms into a State prison.

In compliance with his notice given on a previous day, Mr. Johnson moved that the vote whereby Assembly Bill No. 309 was passed, be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Voigt, Wagner, Walker, Wallace, Waters, Welsh, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 309 ordered on file for third reading.

Reconsideration of Assembly Bill No. 1784.

Assembly Bill No. 1784—An act to add section 675.5 to the Vehicle Code, relating to glass.

In compliance with his notice given on a previous day, Mr. Fisher moved that the vote whereby Assembly Bill No. 1784 was passed, be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Burns, Cunningham, Fisher, Gilmore, Heisinger, Johnson, Miller, Phillips, Reaves, Riley, and Williamson—11.

NOES—Anderson, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Richie, Robertson, Stream, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, and Mr. Speaker—55.

Assembly Bill No. 1784 ordered transmitted to the Senate.

Motion to Reconsider Assembly Bill No. 570 Continued.

Mr. Nielsen moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No 570 was passed be continued until the next legislative day.

Motion carried.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read.

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1935.

MR SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 1781—An act to amend sections 1, 2, 3, 5, 6, 9, 10, 11, 14, 16, 17, 18, 19 and 20 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to twelve rounds; to create an athletic commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," approved by electors November 4, 1924, relating to boxing and wrestling contests and the powers of the State Athletic Commission—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

GARIBALDI, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1935.

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 456—An act to amend sections 830, 834 and 1533 of the Probate Code, relating to the borrowing of money by executors, administrators and guardians and the execution by them of mortgages, deeds of trust and pledges to secure the same and the limitation upon recovery on deficiency judgments in such cases;

Also: Assembly Bill No. 882—An act to amend section 338 of the Code of Civil Procedure, relating to limitation of actions;

Also: Assembly Bill No. 1156—An act to amend section 683 of the Civil Code, relating to joint tenancies;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

LYON, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 33—An act to amend section 674 and 675 of the Code of Civil Procedure, relating to the filing and recording of abstracts and satisfactions of judgments in the office of the county recorder—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LYON, Chairman.

The above reported bill ordered on file for second reading.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1935.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 429—An act to provide that school authorities of certain public and private schools shall be equipped to render first medical aid to injured children and students—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

CHATTERS, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1935

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No 1111—An act to provide for the formation, government, operation and dissolution of library districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

LYON, Chairman.

The above reported bill ordered on file for second reading.

Withdrawal of Bills.

By order of the Speaker, the following bills were withdrawn from the file, and referred to committees as follows:

Assembly Bill No. 662 ordered re-referred to Committee on Municipal Corporations.

Assembly Bill No. 1165 ordered re-referred to Committee on Municipal Corporations.

Assembly Bill No. 668 ordered re-referred to Committee on Municipal Corporations.

Assembly Bill No. 1261 ordered re-referred to Committee on Social Service and Welfare.

Assembly Bill No. 1226 ordered re-referred to Committee on Exhibitions and Fairs.

Assembly Bill No. 1227 ordered re-referred to Committee on Exhibitions and Fairs.

Assembly Bill No. 1228 ordered re-referred to Committee on Exhibitions and Fairs.

Assembly Bill No. 359 ordered re-referred to Committee on Motor Vehicles.

Assembly Bill No 1330 ordered re-referred to Committee on Fish and Game.

Assembly Bill No. 672 ordered re-referred to Committee on Fish and Game.

Assembly Bill No 2382 ordered re-referred to Committee on Building and Construction.

Assembly Bill No. 1370 ordered re-referred to Committee on Public Morals.

Assembly Bill No. 1823 ordered re-referred to Committee on Public Morals.

Assembly Bill No. 2142 ordered re-referred to Committee on Public Morals.

Assembly Bill No. 188 ordered re-referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1022 ordered re-referred to Committee on Medical and Dental Laws.

Assembly Bill No 1765 ordered re-referred to Committee on Medical and Dental Laws.

Assembly Bill No. 455 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 1279 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 1347 ordered re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1849 ordered re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 682 ordered re-referred to Committee on Ways and Means.

Assembly Bill No 100 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 1185 ordered re-referred to Committee on Commerce and Navigation.

Recess.

At twelve o'clock m., on motion of Mr. Lyon, the Assembly was declared at recess until two o'clock p.m. of this day.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Third Reading of Assembly Bills.

Assembly Bill No. 6—An act to amend section 1 of an act entitled "An act to create a fund to be known as the State highway general fund and providing for expenditures therefrom," approved June 5, 1931, relating to expenditures from said fund.

Bill read third time.

Demand for Previous Question.

Messrs. Turner, Geyer, Reaves, Stream and Morgan demanded the previous question.

The question being put: Shall the main question be now put?

Request for Roll Call.

On request of Messrs. Latham, Frazier and Dawson, the Speaker ordered a roll call taken on the demand for previous question.

The roll was called, and the demand for previous question sustained by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Laughlin, Lore, Lyon, Martin, McBride, McCarthy, Meehan, Miller, Morgan, Nielsen, O'Donnell, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, and Mr. Speaker—59.

NOES—Dawson, Hornblower, Jones, Latham, Maloney, Minard, Patterson, and Wright—8.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Martin moved a call of the House.

Motion carried.

Time, three o'clock and three minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—73.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 366—An act to amend section 4041.11 of the Political Code, relating to powers and duties of boards of supervisors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 366 passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 189—An act to add a new section to the School Code to be numbered 4.182, relating to the insuring under the Workmen's Compensation Insurance and Safety Act and/or the Workmen's Compensation Insurance and Safety Act of 1917, of persons employed by county superintendents of schools to supervise instruction in the public schools.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 189 passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Richie, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 523—An act to add Article XI to Chapter I of Part I of Division II of the School Code, relating to district elections

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 523 passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Redwine,

Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—67.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 238—An act to add section 791.6 to the Fish and Game Code, relating to crabs.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 238 passed by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—66.
NOES—Brennan—1.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 294—An act to amend section 403 of the Vehicle Code, relating to liability for injuries of guests.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 294 refused passage by the following vote:

AYES—Brennan, Cassidy, Clark, Cronin, Crowley, Cunningham, Dawson, Evans, Ralph W., Fisher, Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Laughlin, Lore, McCarthy, McMurray, Meehan, Patterson, Pelletier, Reaves, Richie, Riley, Robertson, Rosenthal, Turner, Voigt, Wallace, Waters, Weber, and Williamson—37
NOES—Anderson, Boyle, Breed, Burns, Chatters, Corwin, Cottrell, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Frazier, Fulcher, Garibaldi, Gilmore, Johnson, Latham, Lyon, Maloney, Martin, McBride, Miller, Minard, Morgan, Nielsen, Peterson, Phillips, Redwine, Scudder, Stream, Utt, Wagner, Walker, Welsh, Wright, and Mr. Speaker—37

Notice of Reconsideration of Assembly Bill No. 294.

Mr. Clark gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 294 was this day refused passage.

Further Proceedings Under Call of the House Dispensed With.

At three o'clock and forty minutes p m., further proceedings under the call of the House were dispensed with, on motion of Mr. Martin.
The roll of absentees was called, and Assembly Bill No. 6 was refused passage by the following vote:

AYES—Boyle, Brennan, Clark, Corwin, Cunningham, Evans, Herbert J., Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Hunt, Jones, Latham, Laughlin, Lore, Lyon, Martin, McBride, McCarthy, Miller, Morgan, Pelletier, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Utt, Voigt, Walker, Wallace, Waters, Welsh, Wright, and Mr Speaker—38.
NOES—Anderson, Breed, Burns, Cassidy, Chatters, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Heisinger, Hornblower, Johnson, Kallam, Maloney, McMurray, Meehan, Minard, Nielsen, O'Donnell, Patterson, Peterson, Peyser, Phillips, Robertson, Scudder, Turner, Wagner, Weber, and Williamson—38.

Notice of Reconsideration of Assembly Bill No. 6.

Mr. Jones gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 6 was this day refused passage.

Motion to Re-refer Assembly Bill No. 36.

Mr. Desmond moved that Assembly Bill No. 36 be withdrawn from Committee on Agriculture, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 36 to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 36 ordered re-referred to Committee on Ways and Means.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1650—An act to amend sections 480, 481, 482, 483, 503, 505, 736, 737, 738 and 743 of the Vehicle Code, to repeal sections 502 and 739 of said code and to add sections 500, 501, 502, 506, 739, 743.5 and 743.6 to said code, relating to accidents involving motor vehicles, the duty of drivers of such vehicles to stop, render aid and give certain information, defining the crime of negligent homicide and prescribing penalties therefor, also relating to persons driving motor vehicles while under the influence of liquor or narcotic drugs, to the stealing or unlawful taking of motor vehicles, and the reckless driving of such vehicles, to the taking of persons arrested before magistrates, and the duties of arresting officers in connection with said persons, to the procedure to be followed where the person arrested is either taken before a magistrate or is given a notice to appear in court, to changes of venue in prosecutions for violations of said code, and to the procedure to be followed upon the arrest of all persons violating said code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1650 passed by the following vote:

AYES—Anderson, Boyle, Breed, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—67.

NOES—Brennan—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 766—An act to add Chapter 9, embracing sections 725 to 734, inclusive, to Division IV of the Agricultural Code, relating to dairies and dairy products.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 766 passed by the following vote:

AYES—Anderson, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Frazier, Fulcher, Garibaldi,

Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Motion to Reconsider Assembly Bill No. 142 Continued.

Mr. Cottrell moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 142 was refused passage be continued until the next legislative day.

Motion carried.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1935.

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1165—An act providing an additional and/or alternative method for financing the acquirement, construction, development, improvement, reconstruction, extension and repair of public utilities by any political subdivision or public agency of the State authorized by law to own and operate such public utilities systems by the issuance and sale of revenue bonds payable solely out of the revenue derived or to be derived therefrom; providing for the operation of such systems in case of deficiencies in revenues, providing for a statutory lien on works acquired, constructed, improved, reconstructed, extended or repaired under the provisions of this act; providing for the use of the power of eminent domain by political subdivisions or public agency proceeding under this act; defining the terms political subdivisions and public agencies as included herein, approved May 27, 1933, by amending sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 14 thereof; adding a new section thereto to be numbered section 14½, and repealing section 16 thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 662—An act to provide for the refunding of bonds issued under the "Improvement Bond Act of 1915" and for the levy of reassessments and the extension of liens of assessments and the collection and enforcement of such assessments and reassessments and the payment of said bonds—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 668—An act to provide for the refunding of the bonded indebtedness of special improvement districts, the bonds of which are payable from special assessments levied wholly or partly in accordance with the assessed value of lands and for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts and the cancellation of unpaid taxes and assessments of such districts, and for the levy of assessments and reassessments to pay such refunding bonds and to enforce the liens of such assessments and reassessments, and to provide for contributions of public funds to assist in such refunding or the payment of refunding bonds, and for proceedings to test the validity of such refunding and assessment or reassessment proceedings and the use of the bankrupt laws of the United States of America in any refunding—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WRIGHT, Chairman

The above reported bill ordered on file for second reading.

On Military Affairs.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1935.

MR. SPEAKER: Your Committee on Military Affairs, to which was referred Assembly Bill No. 84—An act to create the Commemoration Commission to succeed to the Spanish War Commemoration Commission; to prescribe the powers, duties, functions, and purposes thereof; to provide for the cooperation of State and local agencies and political subdivisions therewith; to make an appropriation, and to provide for the repayment thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BOYLE, Chairman

The above reported bill ordered on file for second reading.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1935

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 525—An act to add sections 285, 285.1, 285.2, 285.3, and 285.4 to the Agricultural Code, relating to brands to be used on apiary equipment—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 512—An act to amend section 274 of the Agricultural Code, relating to bee diseases—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1242—An act to add Chapter 2a to Division V of the Agricultural Code, to consist of sections 840, 841, 841.1, 842, 842.1, 842.2, 842.3, 842.4, 842.5, 843, 843.1, 843.2, 843.3, 844, 845, 845.1, and 845.2, inclusive, relating to the standardization of, and standards for, honey—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Hawkins:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1935.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add sections 1217.5 and 1243.5 to the Penal Code, relating to capital punishment.

Referred to Committee on Introduction of Bills.

Also:

By Mr. Frazier:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows.

An act to be known as the Home Loan Revenue Bond Act and to provide for State aid in the financing of the construction of homes for citizens; to aid in the financial and business recovery of the State and to promote legitimate building and construction; providing for the creation of a Home Loan Authority and Bond Financing Committee and for the issuance of revenue bonds by the authority and for the application of such funds in the financing of the building of homes.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1935

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to add sections 1217.5 and 1243.5 to the Penal Code, relating to capital punishment

CUNNINGHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to be known as the Home Loan Revenue Bond Act and to provide for State aid in the financing of the construction of homes for citizens; to aid in the financial and business recovery of the State and to promote legitimate building and construction, providing for the creation of a Home Loan Authority and Bond Financing Committee and for the issuance of revenue bonds by the authority and for the application of such funds in the financing of the building of homes

CUNNINGHAM, Chairman

Reports of Committee on Introduction of Bills read

Mr Cunningham moved the adoption of the reports

The question being on the adoption of the reports.

The roll was called, and the reports adopted by the following vote:

AYES—Anderson, Brennan, Burns, Cassidy, Chatters, Clark, Colwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—70.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated

By Mr. Lyon: Assembly Constitutional Amendment No. 77—Proposed amendment to Article I, section 14, of the Constitution, relative to rights of private property.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Lyon: Assembly Constitutional Amendment No. 78—Proposed amendment to Article XVI of the Constitution by adding new section 10 thereto, relative to validating the act of the Legislature of the State of California providing for the issuance of bonds to the amount of $10,000,000 for the purpose of providing funds to be used and disbursed for the purpose of the Pacific Exposition and San Francisco Bay Bridge Exposition to be held in California

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Hawkins: Assembly Bill No. 2409—An act to add sections 1217.5 and 1243.5 to the Penal Code, relating to capital punishment

Bill read first time, and referred to Committee on Judiciary

By Mr. Frazier: Assembly Bill No. 2410—An act to be known as the Home Loan Revenue Bond Act and to provide for State aid in the

financing of the construction of homes for citizens; to aid in the financial and business recovery of the State and to promote legitimate building and construction; providing for the creation of a Home Loan Authority and Bond Financing Committee and for the issuance of revenue bonds by the authority and for the application of such funds in the financing of the building of homes.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1935.

MR. SPEAKER: Your Committee on Rules, to which was referred consideration of receding from the following Assembly amendments to Senate Concurrent Resolution No. 10:

Amendment No. 1.

(a) In Rule 20, page 6, line 48, strike out the words "Secretary of the Senate and the ", and in line 49, strike out the words "Chief Clerk of the Assembly", and insert in lieu thereof the following "Supervisor of Documents".

(b) In Rule 20, page 6, line 51, after the word "sessions", strike out the comma, and insert in lieu thereof a period, and strike out the following words in that line. "and they are hereby authorized", and strike out all of line 52 on that page, and strike out all of lines 1 and 2 on page 7

Amendment No. 2.

(a) In Rule 33, page 9, line 22, after the word "the", and before the word "time", insert the following: "intended."

(b) In Rule 33, page 9, line 23, after the word 'Legislature", and before the word "unless", insert the following "In the resolution of notice of intention to adjourn"

Amendment No. 3.

(a) In Rule 44, page 12, line 19, strike out the words "for adjournment', and insert therein the following "of notice of intention to adjourn"

(b) In Rule 44, page 12, line 20, after the word "such", and before the word "adjourn-", insert the word "intended'

Amendment No. 4.

On page 12, line 25, of the resolution, as amended in Assembly March 15, 1935, after the word "adjournment", strike out the period, and insert the following: 'provided that the resolution of notice of intention to adjourn shall not be construed as the resolution of adjournment sine die".

Has had the same under consideration, and respectfully reports the same back, and recommends that the Assembly refuse to recede from its amendments.

WALLACE, Chairman

Mr. Wallace asked that the Assembly refuse to recede from its amendments to Senate Concurrent Resolution No. 10.

The question being put: "Shall the Assembly recede from its amendments to Senate Concurrent Resolution No. 10?"

The roll was called, and the Assembly refused to recede by the following vote:

AYES—Wright—1.

NOES—Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr Speaker—67

Appointment of Committee on Free Conference.

The Speaker appointed Messrs. Wallace, Jones and Lyon, as a Committee on Free Conference, to meet with a like committee from the Senate to consider Assembly amendments to Senate Concurrent Resolution No. 10.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1935.

MR. SPEAKER. Your Committee on Rules, to which was referred an amendment to Standing Rule No. 44, printed in the Assembly Journal of March 27, 1935, and reading as follows:

To Rule 44, at the end of the first paragraph, add a new sentence as follows: "No amendment shall be in order which adds or deletes the name of a member as an author or co-author, or which changes the original number of the bill."

Has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted

WALLACE, Chairman.

Report of the Committee on Rules read.

Mr. Wallace moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—67.

NOES—Anderson, Cassidy, and Reaves—3.

Resolutions.

The following resolutions were offered:

By Mr. Patterson:

Assembly Resolution.

WHEREAS, The use of the electrical roll call system in the Assembly Chamber has resulted in a material saving of time to the Assembly sufficient to justify the purchase and permanent installation of an electrical roll call device; now, therefore, be it

Resolved by the Assembly of the State of California, That the sum of $19,800, or so much thereof as may be necessary, be appropriated out of the contingent fund of the Assembly to Frank N. Killam, Chief of the Bureau of Buildings and Grounds, to be expended by him for the purchase and installation of an electrical roll call system in the Assembly Chamber, and to be completed prior to January 1, 1937; and, be it further

Resolved, That the said Frank N. Killam is hereby instructed and authorized to prepare plans and specifications for such an electrical roll call system to be submitted to the Assembly committee and approved by them; and he is further authorized and instructed to call for bids for the installation of such electrical roll call system after the approval of said plans and specifications, such bids to be submitted by him to the committee for final approval; and, be it further

Resolved, That the Controller is hereby directed to draw his warrant on the contingent fund of the Assembly in favor of Frank N. Killam in the sum of $19,800 or as much thereof as may be necessary to carry out the provisions of this resolution; and, be it further

Resolved, That the said Frank N. Killam is hereby directed to file proper support vouchers for all moneys received and expended under the terms of this resolution; and, be it further

Resolved, That the State Controller is hereby directed to set aside the sum of $19,800 from the contingent fund expense money of the Assembly for the payment

of such bills as may be incurred under and by virtue of the terms of this resolution, the same to be set up as a special account on the Controller's books.

Resolution read, and ordered referred to Committee on Rules.

Also:

By Messrs. Meehan and Cassidy:

Assembly Resolution.

WHEREAS, The members of this Assembly have learned with profound sorrow and regret of the death of Honorable John J. McDonald, of Oakland; and

WHEREAS, The Honorable John J. McDonald has long been recognized as a distinguished leader of the legal profession; and

WHEREAS, His rich scholarship, his sound knowledge of the law, and his exemplary conduct have long combined to make him an outstanding public citizen; now, therefore, be it

Resolved, That this Assembly hereby records its sense of profound grief and loss at the passing of this esteemed member of the legal profession; and be it further

Resolved, That when this Assembly adjourns at the close of this legislative day, it does so out of respect to the memory of the late John J. McDonald; and be it further

Resolved, That this resolution be spread upon the pages of the Journal, and a copy be sent to the bereaved relatives of the deceased

Resolution read, and adopted unanimously.

Adjournment.

At four o'clock and fifteen minutes p.m., on motion of Messrs. Meehan and Cassidy, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Tuesday, April 16, 1935, out of respect to the memory of the late John J. McDonald of Oakland

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,

SACRAMENTO, Tuesday, April 16, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—78.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Nielsen, its further reading was dispensed with.

Leaves of Absence.

On motion of Mr. Redwine, Mr. Field was granted leave of absence for this day.

On motion of Mr. Hawkins, Mr. Andreas was granted leave of absence for this day.

Privilege of Floor of Assembly Extended.

On request of Mr. Flint, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. John Evans of Los Angeles.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Messrs. Richard E. Ray of Berkeley, Robert Bond of Berkeley, and Carlton Cross of Berkeley.

On request of Mr. Donihue, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. W. N. Dirks.

On request of Mr. Breed, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Bertha Wisser of Oakland.

On request of Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Grace M. Briggs, teacher of designing, Los Angeles.

On request of Mr. Meehan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Emmett Hopkins of Oakland.

On request of Mr. Anderson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Frank Glasson of Los Altos.

On request of Mr. Robertson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. B. W. Upson of Carpinteria.

On request of Mr. Breed, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Walter J. Taylor of Inglewood.

On request of Mr. Phillips, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Warren B Pinney, Jr., of Palm Springs, Mr. John Wesley Ervin and Mr. Carl Park of Banning.

On request of Mr Walker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. R. A. Walker of Long Beach, Miss Marjorie Walker, Long Beach, and Mr. and Mrs. Paul Walker of Pomona.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the history teacher and students of the Oakdale Union High School, Oakdale, California. History Club as follows: Miss Emma Enos, history teacher, and Henrietta Shepherd, Don Shaw, Louise Blake, Emma Thrasher, Harg Braues, Jack Thompson, Marie Walstrum, Daisy Kingston, Marion Mackedon, Clarence Dillwood, Sylvester Miller, Beth Wallis, Dorothy Hastings, Glenn Staley, Marie Hartley, Polly Parsons, Barbara Charlesworth, Hazel Stude, Phyllis Cazier, Lula Crane, Nellie Consoli, Dorothy Redding, Paul Lewis, Hanley Turpen, Eleanor Pearson, Elizabeth

Holmes, Roberta Carico, Helen Williams, Edith Stude, and Estelle Mahan, students.

On request of Mr. Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. J. H. Burton, Miss Margaret Miller, L. M. Drury, instructor, Raymond Miller, trustee, and the following students of the Linden Union High School, Linden, California: Allan Fairbanks, Earl Walsh, Lino Martini, Ruth Miller, June Bartlem, Eleanor Pambranco, Amelia Dasso, Elda Fillipine, Jean Doscher, Jacklyn Burton, and Barbara Hawkins.

On request of Mr. Fulcher, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr Daryl C. Fulcher.

On request of Mr. Fisher, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Fred B. Wiley and Mrs. Bertha Wisser of Oakland.

On request of Mr. Nielsen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the teacher and pupils of the Stanford Junior High School, Sacramento, as follows: Miss Johnson, teacher, and Eleanor Wear, Grace Jenkins, Doris Hansen, Charlotte Evans, Lloyd Faulkner, Earl Martin, Stanton Jamison, Phyllis Meacham, Marjorie Harris, and Charles Hull, pupils.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From United Cooperatives of Orange County, favoring the repeal of the Criminal Syndicalism Law.

From Walter J. Streeton, opposing passage of a 30-hour week bill.

From M Alyea, favoring a 30-hour week

By Mr. Lyon:

From Robt. Dominguez favoring passage of Assembly Bill No. 1192.

ASSISTANT CLERK OLIVER READING.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 334—An act to amend sections 1068, 1085, 1103, 1108, 1162, 1269a, 1272a, 1274a, 1280, 1822a and 1822bb of the Code of Civil Procedure, relating to special proceedings;

Also: Assembly Bill No. 335—An act to amend sections 105, 112 and 165 of the Code of Civil Procedure, relating to courts of justice;

Also: Assembly Bill No. 425—An act to amend "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, by amending sections 5 relating to the division of election precincts, 10 relating to the publication of ordinances, 12 relating to the investment of surplus moneys, 15b relating to the bonds of the district and their use as security, and adding a new section thereto, to be numbered 15c, relating to the issuance of refunding bonds;

Also: Assembly Bill No. 521—An act to provide a method for improving public streets, avenues, lanes, alleys, courts and places within municipalities of the sixth class, and for levying and collecting assessments upon property to pay for such improvements, and declaring the urgency hereof, to take effect immediately, and repealing an act approved May 25, 1933, relating to the same subject;

Also: Assembly Bill No. 563—An act to amend sections 691, 694, 695, 696, 697, and 865 of the Fish and Game Code and to add section 697.5 thereto, and to repeal section 691.6 thereof, relating to fishing;
And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of April, 1935, at four o'clock and thirty minutes p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 642—An act to provide for the formation of districts within municipalities for the acquisition, construction or extension of water works, water systems or water distribution systems; for the issuance, sale and payment of bonds of such districts to meet the cost of such water works, water systems or water distribution systems; and for the acquisition, construction or extension of such water works, water systems or water distribution systems.

Also: Assembly Bill No. 656—An act to validate bonds, including refunding bonds, of irrigation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Assembly Bill No. 734—An act to validate the organization and incorporation of municipal corporations;

Also: Assembly Bill No. 1235—An act to add to the Probate Code a new section, to be numbered 1068, relating to the discharge of executors and administrators and the termination of probate proceedings;

Also: Assembly Bill No. 1645—An act to require governmental units to furnish reports to the State Department of Finance concerning bonds and bonded indebtedness;

Also: Assembly Bill No. 1682—An act relating to the investment of funds in the State treasury;

Also: Assembly Bill No. 1700—An act to amend sections 656 and 663 of the Political Code, to abolish the Division of Service and Supply in the Department of Finance and to provide for the membership of the State Board of Control as a result thereof;
And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of April, 1935, at four o'clock and thirty minutes p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1862—An act to add two new sections to the Political Code to be numbered 359c and 359d, to provide for vacations of officers and employees of the State of California, with pay, and empowering the State Personnel Board to promulgate rules and regulations governing the same, in so far as applicable to such members of the civil service, and to repeal a certain act therein specified;

Also: Assembly Bill No. 1863—An act to add a new section to the Political Code to be numbered 359e, to provide for leave of absence with pay to officers and employees of the State of California, when ill, and to empower the State Personnel Board to promulgate rules and regulations governing the same in so far as applicable to members of the civil service, and to empower appointing powers of such officers and employees to promulgate rules and regulations governing the same, in so far as applicable to officers and employees not members of the civil service;
And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of April, 1935, at four o'clock and thirty minutes p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 12—Relative to the issuance of a proclamation by the Governor declaring the second week of October of each year as "Old Glory Week"—and reports that the same has been correctly engrossed.

WATERS, Chairman.

Assembly Concurrent Resolution No. 12 ordered on file for adoption.

Also:

MR. SPEAKER: Your committee on Engrossment and Enrollment has examined Assembly Bill No. 78—An act granting to the city of Sacramento certain lands lying within the city of Sacramento,

Also: Assembly Bill No. 257—An act to establish a Bureau for the Blind in the Department of Institutions, providing for the administration thereof, making appropriations therefor, and repealing certain acts in conflict herewith;

Also: Assembly Bill No. 576—An act to repeal section 924 of the Political Code;

Also: Assembly Bill No 720—An act to amend section 1058 of the Code of Civil Procedure, relating to the giving of bonds or undertakings in civil actions or proceedings by the State or counties or officers thereof;

Also: Assembly Bill No. 877—An act to amend section 662 of the Code of Civil Procedure, relating to motions for new trial;

And reports that the same have been correctly engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your committee on Engrossment and Enrollment has examined Assembly Bill No. 465—An act to amend section 675 of the Political Code, relating to the powers of the Director of Finance in respect to public lands—and reports that the same has been correctly re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1935.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 36—An act to amend the Agricultural Code by adding to Division VI thereof a new chapter to be numbered 8 and to include sections 1299 to 1300.6 inclusive, defining and pertaining to processors of farm products and the licensing thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1935.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1617—An act to provide for the conservation, development and maintenance of the scenic value along State highways and important county highways, and declaring the urgency hereof;

Also: Assembly Bill No. 2030—An act to amend sections 1625.5 and 1626 of the Streets and Highways Code, relating to expenditures by boards of supervisors of moneys received by the counties from the motor vehicle fund or from moneys received by the county for vehicle registration license fees and authorizing contributions to ad valorem special assessment proceedings, or the purchase, cancellation and retirement of bonds issued in any ad valorem acquisition or improvement district; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended

STREAM, Chairman.

The above reported bills ordered on file for second reading.

Introduction and Reference of Bills.

The following bill was introduced, and referred as indicated:

By Mr. Waters: Assembly Joint Resolution No. 50—Relative to memorializing the President and the Congress to enact H. R. 5359, which provides for the creation of a National Civil Academy.

Introduced.

Request for Unanimous Consent.

Mr. Waters asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 50, at this time, without reference to print, committee or file, and that same be considered engrossed.

Consideration of Assembly Joint Resolution No. 50.

Assembly Joint Resolution No. 50—Relative to memorializing the President and the Congress to enact H. R. 5359, which provides for the creation of a National Civil Academy.

Assembly Joint Resolution No. 50 read.

Mr. Waters moved the adoption of Assembly Joint Resolution No. 50.

The question being on the adoption of Assembly Joint Resolution No 50.

The roll was called, and Assembly Joint Resolution No. 50 adopted by the following vote:

AYES—Anderson, Breed, Brennan, Cassidy, Clark, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donihue, Evans, Herbert J., Fisher, Flint, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Riley, Scudder, Stream, Turner, Voigt, Wagner, Wallace, Waters, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Assembly Joint Resolution No 50 ordered transmitted to the Senate.

Assembly Joint Resolution No. 50.

Relative to memorializing the President and the Congress to enact H. R. 5359, which provides for the creation of a National Civil Academy.

WHEREAS, Scientific training for public responsibility is a recognized necessity in the efficient administration of public affairs; and

WHEREAS, Parliamentary government needs men and women with technical education and broad experience in political science and sociology to efficiently administer the complex problems which a self-governing agency is more and more called upon to execute in behalf of the citizens of the United States; and

WHEREAS, There has been introduced in the House of Representatives a bill known as H. R. 5359 which proposes to create a National Civil Academy to train qualified young men and women in all branches of public service through a School of Public Administration maintained by the Federal Government in conformity with a plan promulgated by the Midtown Association of Los Angeles to secure a professionalized public service personnel; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the President and the Congress of the United States are respectfully urged to enact legislation proposed by H R 5359; and be it further

Resolved, That the Governor of the State of California is hereby requested to transmit copies of this resolution to the President and the Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and member of the House of Representatives from California in the Congress of the United States and that such Senators and members from California are hereby respectfully urged to support such legislation.

Second Reading of Assembly Bills.

Assembly Bill No. 68—An act to add section 15a to an act entitled "An act to provide for the recall of elective officers of incorporated cities and towns, and to repeal Chapter 32, Statutes of 1911, extra session, entitled 'An act to provide for the recall of elective officers of incorporated cities and towns, approved January 2, 1912'," approved May 8, 1931, relating to recall of elective officers of incorporated cities.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, after the word "election", insert the following: "during the same term".

Amendment No. 2.

On page 1, line 5, of the printed bill, strike out the words: "for the same term of office", and insert a period after the word "recalled".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1830—An act relating to the extension of veterans' rights for loan grants on homes and farms.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "act", insert the following: "to amend sections 803, 804, 810, 813, 814 and 815 of the Military Code".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 and 2, and insert in lieu thereof the following:

"SECTION 1. Section 803 of the Military Code is hereby amended to read as follows:

803. No veteran who has taken advantage of the benefits provided by the provisions of Chapter II of this division may take advantage of the opportunities offered under this chapter. If a veteran who files an application under this act has taken advantage of the benefits provided by Chapter IV of this division, the amount expended on his account under the provisions of this chapter shall be deducted from the amount for which his application hereunder is approved and the board shall not expend hereunder on his account more than the balance remaining after such deduction.

SEC. 2. Section 804 of the Military Code is hereby amended to read as follows:

804. No veteran shall receive the benefits hereof who, in the case of the purchase of a farm would thereby become the holder of real estate exceeding in value twelve thousand five hundred dollars or who in case of the purchase of a home would thereby become the holder of real estate exceeding in value seven thousand five hundred dollars.

SEC. 3. Section 810 of the Military Code is hereby amended to read as follows:

810. The board shall prescribe and determine the qualifications of all veterans. Any person deeming himself a veteran and desiring to benefit hereunder, shall submit to the board information, in such form as the board prescribes, which will enable the board to determine his eligibility and qualifications. The board may make further inquiries and investigations in order to determine such eligibility and qualifications. Veterans who are otherwise qualified and who were wounded or disabled as a result of their service shall be given preference in the benefits conferred by this chapter. The board shall determine, in each case, whether or not the veteran was wounded or disabled as a result of service. Preference shall be given to veterans who have resided in this State for a period of ten years or more immediately preceding the filing of application for the benefits provided by this chapter. But no veteran who has received a bonus from another State or government except the Government of the United States is eligible to receive the benefits provided by this chapter.

SEC. 4. Section 813 of the Military Code is hereby amended to read as follows:

813. The board may purchase such farm or home from the owner thereof upon the terms agreed if:

(a) The board is satisfied of the desirability of the property submitted.

(b) The veteran has agreed with the board actually to reside on the property within sixty days from the date of purchase by the board.

(c) The purchase price of the property does not exceed the sum of twelve thousand five hundred dollars in the case of a farm, or five thousand dollars in the case of a home.

SEC. 5. Section 814 of the Military Code is hereby amended to read as follows:

814. The board may acquire in any manner for sale to a veteran a home in this State, the value of which does not exceed the sum of seven thousand five hundred dollars or a farm the value of which does not exceed the sum of twelve thousand five hundred dollars.

SEC. 6. Section 815 of the Military Code is hereby amended to read as follows:

815. The cost of a home to the board shall not exceed the sum of five thousand dollars, and a veteran purchasing the home may advance not to exceed two thousand five hundred dollars on the purchase price of the home so that the total purchase price thereof does not exceed seven thousand five hundred dollars. The cost of a farm to the board shall not exceed the sum of seven thousand five hundred dollars and the veteran purchasing said farm may and is hereby given the right to advance a sum of money not exceeding the sum of five thousand dollars on the purchase price of said farm so that the total purchase price of said farm does not exceed the sum of twelve thousand five hundred dollars."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1368—An act making an appropriation for the construction of an armory in the city of San Pedro, Los Angeles County, California.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the printed bill, strike out the words "twenty-five thousand", and insert in lieu thereof the following. "thirty-five thousand".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2351—An act providing for the establishment of a camp or system of camps to be maintained in connection with the State prisons.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 1 to 3 of the title of the printed bill, strike out "providing for the establishment of a camp or system of camps to be maintained in connection with the State prisons", and insert in lieu thereof the following. "authorizing the use of convict labor in the State parks, forests, game preserves, and National forests or parks in the State of California; providing for the compensation of such convict labor and for the payment thereof to their dependents; providing for forfeiture of such compensation; providing the manner of payment of such compensation to paroled, released or discharged convicts; authorizing the allowance of extra good time credits to such convicts; and providing penalties for interference with such convict labor."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 8, inclusive, and insert in lieu thereof the following:

"SECTION 1. The Department of Natural Resources of the State of California and the divisions thereof, may employ or cause to be employed convicts confined in the State prisons in the protection of watersheds, the construction of fire breaks, trails and forest roads, the elimination of fire hazards, the construction, improvement and maintenance of forest and park roads not in the existing State or county highway system, in fencing, maintenance and improvement of fish and game preserves and in all similar types of work necessary for the protection, development and improvement of the forests, State parks and State fish and game preserves. The Department of Natural Resources is hereby authorized to enter into cooperative agreements with the officials and departments in charge of the National forests and parks in the State of California to employ said convicts in similar work in the forests and parks under Federal jurisdiction.

SEC. 2. Upon requisition of the Department of Natural Resources, the State Board of Prison Directors shall send, to the place and at the time designated, the number of convicts requisitioned, or such number thereof as are, in the judgment of the wardens, available. The State Board of Prison Directors shall be charged with all the expenses of constructing and maintaining the forestry camps, including the expenses of transportation from the prison to the camp, clothing, food, medicine, medical attendance, toilet articles, tools and appliances for the performance of such labor and the cost of reward for capturing escapes from the forestry camps, which reward is hereby fixed at the sum of two hundred dollars for the capture and return of each escaped prisoner and which shall be payable to any individual or peace officer.

SEC 3. The Department of Natural Resources, and the divisions thereof, shall designate and supervise all work done under the provisions of this act. The State Board of Prison Directors shall provide, supervise, and maintain the necessary camps and commissariat and shall have full jurisdiction at all times over the discipline and control of the convicts employed in said work.

SEC. 4. The State Board of Prison Directors is hereby empowered and directed to adopt a special rule applicable solely to convicts employed as herein authorized and contemplated, whereby convicts so employed shall be granted additional good time credits in addition to any other compensation which may be provided, con-

ditioned upon their loyal obedience and efficient cooperation with the State in the protection, development, and improvement of the natural resources of the State and in the maintenance of discipline and good conduct in the camps; but such additional good time credits shall not exceed one day for each two calendar days that the convict is absent from the prison.

SEC. 5. Whenever any funds are available for the purpose, either from the moneys appropriated for the work of the Department of Natural Resources or for the support and operation of the State prisons or from moneys appropriated for the specific purpose by the Legislature, the State Board of Prison Directors is authorized and directed to pay all convicts employed as herein authorized a sum not to exceed _____ cents per day for the number of days which such convict shall actually perform labor in the improvement, protection and development of the natural resources of the State. When such system of compensation is adopted, the State Board of Prison Directors may adopt rules providing

(a) For the prorating of the cost of reward for capturing escapes from these camps among the convicts in the camp;

(b) For the payment of two-thirds of the sums so earned to the dependents of the convict or convicts who are in need and are obtaining State aid or, if the dependents of the convict or convicts are not obtaining State aid, then to such dependents as the convict or convicts may direct;

(c) For retaining the remaining sum after the aforesaid payments have been made until the convict shall have completed his term of parole or earned his release from prison; or in case said convict shall not have obtained work or employment at the time of his release on parole and there shall be a balance of money to his credit the said balance shall be paid to the convict in a sum not greater than fifty dollars per month until such convict shall obtain employment;

(d) For retaining a reasonable amount of such balance due to convicts released on parole for the purpose of insuring the good behavior of such convict while on parole and transportation to the place of confinement in case of the violation of the term of his parole;

(e) For furnishing to convicts released or discharged from a prison certain portions or amounts of any sum due them from earnings in these camps either for the purposes of business, transportation to any place of employment, or such purposes as the board shall deem proper and necessary.

When any convict shall wilfully violate the terms of his employment or the rules of the camp or of the terms of his parole, the Board of Prison Directors may, in its discretion, determine what portion of all moneys earned by the convict shall be forfeited by the said convict and such forfeiture shall be deposited in a fund to be used for educational and recreational purposes at the forestry camps as the same shall be established and shall be expended under the direction of the State Board of Prison Directors.

SEC. 6. Any person, who, without authority, interferes with or in any way interrupts the work of any convict employed pursuant to this act and any person, not authorized by law, who gives or attempts to give to any State prison convict so employed any opium, cocaine or other narcotics, or any intoxicating liquors of any kind whatever, or firearms, weapons or explosives of any kind is guilty of a felony and upon conviction thereof shall be punished by imprisonment in the State prison for a term of not less than one year nor more than five years and shall be disqualified from holding any State office or position in the employ of this State. Any person who interferes with the discipline or good conduct of any convict employed pursuant to this act, while such convict is in the confines or limits of the State prison forestry camps is guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment in the county jail for a term not more than six months or by a fine of not more than two hundred dollars or by both such fine and imprisonment. Any peace officer or any officer or guard of any State prison or any superintendent of such work, having in charge the convicts employed upon such forestry work, may arrest without a warrant any person violating any provisions of this act."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1781—An act to amend sections 1, 2, 3, 5, 6, 9, 10, 11, 14, 16, 17, 18, 19, and 20 of an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to twelve rounds; to create an athletic commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur

boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing and wrestling contests," approved by electors November 4, 1924, relating to boxing and wrestling contests and the powers of the State Athletic Commission.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "5, 6, 9, 10, 11, 14, 16, 17, 18,"; also strike out line 2, and insert in lieu thereof the following: "4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, of and to add new sections to be numbered 17, 18, 19, 20, 21 and 22 to an act entitled "An act to authorize boxing".

Amendment No. 2.

On page 1, line 1, of the printed bill, after "SECTION 1.", insert the following: "Section 1 of the act cited in the title hereof is hereby amended to read as follows:

Section 1. There is hereby created and established a board, which shall be known as the State Athletic Commission of California. The commission shall consist of three members to be appointed by the Governor of the State within fifteen days after this act takes effect, who shall hold office for terms to expire on January 1, 1926, January 1, 1927, and January 1, 1928, respectively. Their successors shall be appointed for full terms of four years and a vacancy occurring in the office of a member of such commission, otherwise than by expiration of term, shall be filled in like manner as an appointment for a full term, for an unexpired term. Two members of the commission, with the secretary, shall constitute a quorum for the exercise of the powers or authority conferred upon it; and the concurrence of at least two commissioners shall be necessary to render a choice or decisions by the commission. The commission shall maintain a general office for the transaction of its business in the city of Sacramento, and branch offices in the City and County of San Francisco and the city of Los Angeles. The commission may hold meetings at any place other than the place in which the general office is located when the convenience of the commissioners so requires. The members of the commission shall, at their first meeting after their appointment, elect one of their number chairman of the commission, and annually thereafter, and shall adopt a seal for the commission and may make such rules for the administration of their office, not inconsistent herewith, as they may deem expedient; and they may hereafter amend or abrogate such rules. The members of the commission shall receive no compensation for their services except actual traveling and other expenses incurred by them in the performance of their official duties.

SEC. 2. Section 2 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 2. The commission shall appoint, and for cause remove, a secretary to the commission, and he shall hold office for four years, unless sooner removed for cause by the commission, whose duty it shall be to keep a full and true record of all its proceedings, preserve at its general office all its books, documents and papers, prepare for service such notices and other papers as may be required of him by the commission and to perform such other duties as the commission may prescribe; and he may, under the direction of the commission, issue subpenas for the attendance of witnesses before the commission with the same effect as if they were issued in an action in the superior court, and may, under direction of the commission, administer oaths, in all matters appertaining to the duties of his office or connected with the administration of the affairs of the commission. Disobedience of such a subpena and false swearing before such secretary shall be attended by the same consequences and be subject to the same penalties as if such disobedience or false swearing occurred in an action in the superior court. The secretary of the commission shall be entitled to receive an annual salary of three thousand six hundred dollars. The necessary traveling expenses and other necessary expenses of the secretary and the members of the commission, and the salary of the secretary, shall be paid monthly by the State Treasurer on the warrant of the State Controller and the certificate of the chairman of the commission out of the money appropriated to be used therefor. The commission shall appoint such clerical employees and inspectors as may be actually necessary and fix their salaries which shall be paid in like manner as the salaries of other employees of the commission out of the money hereby appropriated. The State Athletic Commission shall have authority to join the National Boxing Association and the National Wrestling Association and pay the initiation fees and dues as specified by the National Boxing Association

and the National Wrestling Association. The commission shall also have authority to send a delegate or delegates to National Boxing Association and National Wrestling Association conventions and pay the necessary traveling expenses of such delegate or delegates. The State Athletic Commission shall reserve the privilege of withdrawing from membership in either the National Boxing Association or the National Wrestling Association at the pleasure of the commission.

All boxing contests, sparring or wrestling matches or exhibitions may be held in any building, stadium, outside arena or other place for which the commission in its discretion may issue a license. Where such match or contest is authorized to be held in State or government owned armory the provisions of the military law in respect thereto must be complied with.

The commission shall biennially make to the Legislature a full report of its proceedings for the biennium ending with the thirty-first day of the preceding December and may submit, with such report, such recommendations pertaining to its affairs as it shall deem desirable.

SEC. 3. Section 3 of said act is hereby amended to read as follows:

Sec. 3. Boxing contests, sparring and wrestling matches or exhibitions for prizes or purses, or where an admission fee is received, are hereby allowed except on Sundays, and May 30th, and November 11th. The commission shall have and hereby is vested with the sole direction, management, control and jurisdiction over all such boxing contests, sparring and wrestling matches or exhibitions to be conducted, held or given within the State of California, and no such boxing contests, sparring or wrestling match or exhibition shall be conducted, held or given within the State except in accordance with the provisions of this act.

The commission may, in its discretion, issue, and at its pleasure revoke, a license to conduct, hold, or give boxing, and wrestling contests, matches and exhibitions, where an admission fee is received, to any person who has been a citizen, and resident of California for three years and of the county for one year prior to the issuance of such license and to any club, or organization with a bona fide membership of at least fifty members, who are citizens and residents of California for three years prior to the issuance of such license, or a corporation, incorporated under the laws of this State for profit, which holds a lease of a term of at least one year of the premises in which such match, contest, or exhibition is to be held, except that where such match, contest or exhibition is to be given in an armory or civic auditorium the lease thereof need not be for such term. Every license shall be subject to such rules and regulations, and amendments thereof, as the commission may prescribe. The application for a license, as herein provided for, shall be in writing, and shall be addressed to the commission, and shall be verified by the applicant or by some officer of the club, corporation organization or association on whose behalf the application may be made. It shall contain a recital of such facts as, under the provisions hereof, will show the applicant entitled to receive a license and, in addition thereto, such other facts and recitals as the commission may by rule require to be shown. Such application shall be accompanied by an annual fee, which shall be twenty-five dollars in cities of not more than five thousand inhabitants; forty dollars in cities of not more than fifty thousand inhabitants; fifty dollars in cities of not more than seventy-five thousand inhabitants; and seventy-five dollars in all cities of the State having a population of over seventy-five thousand and not to exceed one hundred fifty thousand inhabitants; and one hundred dollars in all cities of this State having a population of one hundred fifty thousand or more inhabitants. Before any such permit or license is granted to any individual, club, corporation, organization or association, which shall have filed its application as herein provided, such applicant must file a bond of two thousand dollars with good and sufficient surety company authorized to do business in this State with the commission, conditioned for the faithful performance by said individual club, corporation, organization or association of the provisions of this act and the payment of any taxes or fines herein imposed.

Every individual, club, corporation, organization or association which shall have filed its application as herein provided must furnish a surety bond to the State Athletic Commission of California in the full amount of the seating capacity of the house, arena, club or park where contests are to be held, such amount to be figured at the prices to be charged.

This surety company bond is to be conditioned for the payment to the State Athletic Commission of a sum equivalent to the total sale of tickets in any of the following events, viz: (1) in the event of a failure to hold said contest upon the date advertised unless the same is thereafter held at a postponed date with the consent of the commission, (2) in the event of a failure to hold said contest at any subsequent date fixed by the commission for the holding thereof. Said sum to be payable within fifteen days after default to insure reimbursement to the purchasers of tickets for such contest; provided, however, that the reimbursement to ticket holders be first ordered by the commission. Every individual, club, corporation, organization or association conducting boxing contests or wrestling matches must furnish a surety company bond to the State Athletic Commission for seventy per cent of the capacity of the house figured as above. This bond is to protect the boxers, wrestlers and referee, exclusively.

In case of default in such performance, the commission may impose upon the delinquent a penalty in the sum of not more than one thousand dollars for each

offense, which may be recovered by the Attorney General in the name of the people of the State of California in the same manner as other penalties are recovered by law; any amount so recovered shall be paid to the State Athletic Commission and to be paid by said commission into the State treasury.

The commission is hereby given the sole control, authority and jurisdiction over all licenses to any and all persons who participate in such boxing, sparring or wrestling matches, contests or exhibitions, as hereinafter provided.

SEC. 4. Section 4 of said act is hereby amended to read as follows:

Sec. 4. All individuals, clubs, corporations, organizations, associations, physicians, referees, timekeepers, professional boxers, professional wrestlers, their managers, director of bouts, matchmakers, announcers, seconds, ushers, ticket sellers and ticket collectors shall be licensed by the commission, and no such individual, club, corporation, organization, association or person shall be permitted to participate, either directly or indirectly, in any such boxing, sparring or wrestling match, contest or exhibition, or the holding thereof, unless such club, corporation, organization, association or person shall have first procured a license from the commission. It is not necessary that the owner of a club who acts as matchmaker shall hold a matchmaker's license. For the purposes of this act a professional boxer or professional wrestler is deemed to be one who competes for a money prize or purse or teaches or pursues or assists in the practice of boxing or wrestling as a means of obtaining a livelihood or pecuniary gain, and any boxing or sparring contest conforming to the rules, regulations, and requirements of this act shall be deemed to be a boxing contest and not a prize fight.

SEC. 5. Section 5 of said act is hereby amended to read as follows:

Sec. 5. Any individual, club, corporation, organization, or association which may conduct, hold or give, or participate in, any sham or fake boxing contest or wrestling match or exhibition shall be subject to a fine of not less than one hundred dollars nor more than five hundred dollars and shall thereby forfeit its license issued in accordance with the provisions of this act, which shall thereupon be, by the commission, canceled and declared void; and it shall not thereafter be entitled to receive another such, or any license pursuant to the provisions of this act; nor shall any such license be issued to any individual, club, corporation, organization or association, which has among its members any member who belonged to a club, corporation, organization or association which had its license revoked

SEC. 6. Section 6 of said act is hereby amended to read as follows

Sec 6. Any contestant who shall, in the judgment of the commission, regardless of decision of the referee, participate in any sham or fake boxing contest or wrestling match or exhibition shall be penalized in the following manner: For the first offense he shall be restrained for a period of six months, such period to begin immediately after the occurrence of such offense, from participating in any boxing contest or wrestling match or exhibition to be held or given by any club, corporation, organization, or association duly licensed individual to give or hold such contests, matches or exhibitions. For a second offense he shall be restrained from appearing in any boxing or wrestling contest or exhibition for a period of not less than two years from the date of such occurrence with a maximum penalty to be decided by the commission. In all cases of sham, fake or collusive matches or contests the purse or purses of the offending participant or participants shall be forfeited to the State Athletic Commission fund.

SEC. 7. Section 7 of said act is hereby amended to read as follows:

Sec. 7. (a) Every individual, club, corporation, organization or association which may hold or exercise any of the privileges conferred by this act shall, within seventy-two hours after the termination of every contest, match or exhibition for which an admission fee is charged and received, furnish to the commission a box office statement and a written report, duly verified by one of its officers, showing the number of tickets sold and the number of unsold tickets for such contest, match or exhibition and the amount of the gross receipts or proceeds thereof, and such other matters as the commission may prescribe, and shall also within the said time pay to the commission a tax of five per centum of its total gross receipts, exclusive of any Federal taxes paid thereon, from the sale of tickets of admission to such boxing contest or wrestling match or exhibition, which tax shall be paid by the commission into the State treasury.

(b) All tickets of admission to any such boxing contest, sparring or wrestling match, contest or exhibition shall have printed plainly upon the face thereof the date of the show and the purchase price of same and shall have a coupon attached which must be given to the patron upon entering the house, arena, club or park, and no such tickets shall be sold for more than such price as printed thereon.

No tickets shall be redeemed after the boxing or wrestling contest has taken place.

(c) All unused and unsold tickets for any boxing contest, or wrestling match, contest, or exhibition, must be given by the promoter or some officer of the club, corporation, organization, or association to the State Inspector in charge of the commission's interest at the boxing or wrestling show within one hour after the last contest has terminated at said show.

(d) The total complimentary tickets or passes for any boxing contest, or exhibition, or any wrestling contest, or exhibition, shall not exceed two per cent of the

total seating capacity of the premises in which the boxing contest, or wrestling contest, or exhibition, is held, unless special permission is granted by the commission. All such complimentary tickets or passes must have printed thereon the regular price of said tickets, and when such complimentary tickets or passes are issued in excess of said amount the two per cent of the seating capacity of the premises the State Athletic Commission shall receive the five per cent tax thereon, and the main event boxers, or wrestlers, who are performing on a percentage basis shall count all such complimentary tickets and passes same as paid admissions, and the boxer or wrestler shall be paid his allotted percentage thereof.

(e) No tax shall be levied or collected under the provisions of this act in respect to any admissions of a boxing contest or wrestling match or exhibition wherein all the proceeds or net earnings of which inure exclusively to the benefit of any post of the American Legion or any other duly recognized organization of veterans of any war of the United States and not to the benefit of any individual member thereof

SEC. 8. Section 8 of said act is hereby amended to read as follows:

Sec. 8. Whenever any such individual, club, corporation, organization or association shall fail to make a report of any contest, match or exhibition at the time prescribed by this act or whenever such report is unsatisfactory to the commission or at any other time the secretary of the commission may examine or cause to be examined the books and records of such individual, club, corporation, organization or association, and subpena and examine under oath its officers and other persons as witnesses for the purpose of determining the total amount of its gross receipts for any contest, match or exhibition and the amount of tax due pursuant to the provisions of this act, which tax he may upon and as the result of such examination fix and determine. In case of the default in the payment of any tax so ascertained to be due, together with the expenses incurred in making such examination, for a period of thirty days after notice to such delinquent individual, club, corporation, organization or association of the amount at which the same may be fixed by the commission, such delinquent shall, ipso facto, forfeit its license and shall be thereby disqualified from receiving any new license or any renewal of license; and it shall, in addition, forfeit to the people of the State of California the sum of five hundred dollars, which may be recovered by the Attorney General in the name of the people of the State of California, in the same manner as other penalties are by law recovered.

SEC. 9. Section 9 of said act is hereby amended to read as follows:

Sec. 9 The commission shall appoint official representatives designated as "inspectors," each of whom shall receive from the commission a card, authorizing him to act as such inspector whenever the commission may designate him to act An inspector or inspectors of the commission shall be present at all contests, exhibitions and matches and see that the rules are strictly observed, and also be present at the counting up of the gross receipts of all such contests, matches or exhibitions, and shall immediately mail to the commission the official box office statement or report received from the promoter, officers of the club, corporation, organization or association.

SEC 10 Section 10 of said act is hereby amended to read as follows

Sec. 10. (a) No boxing contest or sparring match or exhibition shall be of more than twelve rounds in length, such rounds to be not more than three minutes each, and there shall be one minute rest between each round, except as the referee may otherwise order in case of foul or other emergency; and no boxer shall be allowed to participate in more than twelve rounds within twelve consecutive hours. The commission may in respect to any bout or in respect to any class of contestants limit the number of rounds of a bout within the maximum of twelve rounds. At each boxing contest or sparring match or exhibition there shall be in attendance a duly licensed referee, appointed by the commission, who shall direct and control the same. Before starting such contest the referee shall ascertain from each contestant the name of his chief second, and shall hold such chief second responsible for the conduct of his assistant seconds during the progress of the contest. The referee shall have power in his discretion to declare forfeited any prize, remuneration or purse, or any part thereof, belonging to the contestants or one of them, or any part of the gate receipts for which said contestants are competing, if in his judgment such contestant or contestants are not honestly competing The referee must stop the contest or match when either of the contestants shows a marked superiority or is apparently outclassed, but the referee shall, at the termination of all boxing contests or sparring matches or exhibitions render his decision. Each contestant shall wear, during such contest, gloves weighing not less than five ounces, if such contestant weighs in ring attire one hundred forty-seven pounds or less, and gloves of not less than six ounces if such contestant weighs more than one hundred forty-seven pounds.

(b) The provisions of this section shall apply to a wrestling match, contest or exhibition except that the commission shall by rule and regulation prescribe the length or duration of such contest, match or exhibition, the manner in which the contestants shall engage in such contest, match or exhibition and such further safeguards and conditions as shall insure fair, sportsmanlike and scientific wrestling contests, matches or exhibitions.

(c) Any participant in a wrestling contest, match or exhibition who inflicts a rabbit punch or punches with either or both hands on another participant, or who kicks or knees another participant, or deliberately throws a participant out of the ring, shall be penalized for the first offense by being restrained for a period of thirty days, such period to begin immediately after the occurrence of such offense, from participating in any wrestling match, contest or exhibition to be held or given by any individual, club, corporation, organization or association duly licensed to give or hold such matches, contests or exhibitions; for a second offense he shall be similarly restrained for a period not to exceed one year; and for a third offense he shall be totally disqualified from further admission or participation in any wrestling match, contest or exhibition held or given by any individual, club, corporation, organization or association duly licensed to give or hold such matches, contests or exhibitions in this State.

SEC. 11. Section 11 of said act is hereby amended to read as follows:

Sec. 11. (a) All buildings or structures used or intended to be used for holding or giving such boxing contests, sparring or wrestling matches or exhibitions shall be properly ventilated and provided with fire exits and fire escapes, and in all manner conform to the laws, ordinances and regulations pertaining to buildings in the city or town where situated. A duly licensed individual, club, corporation, organization or association may, by permission of the commission, temporarily hold boxing or wrestling contests or exhibitions in a location within the same city other than the building or arena for which the license was granted.

(b) It shall be the duty of every individual, club, corporation, organization or association holding a license to conduct boxing contests, sparring or wrestling matches or exhibitions at its own expense, to have in attendance at every boxing contest, sparring or wrestling match or exhibition, a licensed physician who has had not less than three years' medical practice, whose duty it shall be to observe the physical condition of the boxers and wrestlers, and advise the referee with regard thereto, and within one hour before contestants enter the ring to certify in writing over his signature, as to the contestants' physical condition to engage in such contest or exhibition and a report of said medical examinations shall be filed with the commission not later than twenty-four hours after the termination of a contest or exhibition.

(c) Each duly licensed club, corporation, organization or association shall have a matchmaker whose duty it shall be to contract for the services of boxers and wrestlers, see that such contracts are properly signed, that the boxers are evenly matched as to ability and weight, and in all respects be held responsible for the observance of all sections of this act and the rules of this commission to the end that matches conducted under the license of his club shall be to the best interests of the performers, the public and the commission.

(d) No professional contestant under the age of eighteen years nor over the age 38 years shall be permitted to participate in any such boxing contest, sparring match or exhibition. Burden of proof of contestant's age shall rest with contestant and the matchmaker.

(e) No person shall be admitted to a boxing contest, sparring or wrestling match or exhibition under the age of sixteen years, unless accompanied by his parent or guardian.

(f) No individual, club, corporation, organization, or association nor any member, stockholder or matchmaker thereof having been granted a license to conduct boxing contests, sparring or wrestling matches or exhibitions by the commission shall have, either directly or indirectly, any financial interest in a boxer or wrestler or in the management of a boxer or wrestler.

(g) Every such individual, club, corporation, organization or association and the officers thereof, and any such physician, matchmaker, referee, timekeeper, boxer, wrestler, manager, director of bouts, second or person who shall wilfully and knowingly conduct, give or participate in any sham or collusive boxing contest, sparring or wrestling match or exhibition, shall be totally disqualified from participation in any further boxing contest, sparring or wrestling match or exhibition held under the terms of this act.

(h) Each person who is an applicant for a license shall, before a license is issued by the commission, and annually thereafter during the life of such license, pay to the commission, a license fee as follows: Physicians, five dollars; referees, twenty-five dollars; timekeepers, five dollars; professional boxers, five dollars; professional wrestlers, five dollars; managers, twenty-five dollars; announcers, five dollars; seconds, five dollars; matchmakers, five dollars; directors of bouts, one dollar; ushers, one dollar; ticket sellers, one dollar, and ticket collectors one dollar. Such licenses may be revoked by the commission upon such cause as the commission shall deem sufficient.

(i) No contestant shall be paid for services before a contest, match or exhibition, and should it be determined by the referee or the commission that such contestant did not give an honest exhibition of his skill, such services shall not be paid for.

(j) No boxing contest, match or exhibition shall be allowed in which the difference in weight of the respective contestants weighing up to one hundred and

twenty-six pounds shall exceed eight pounds; and for contestants weighing between one hundred and twenty-six pounds and one hundred and forty-seven pounds the difference shall not exceed ten pounds, and for contestants weighing between one hundred and forty-seven pounds and one hundred and sixty pounds the weight difference shall not exceed twelve pounds and for contestants weighing between one hundred and sixty pounds and one hundred and seventy-five pounds the weight difference shall not exceed fourteen pounds. This provision shall not apply to boxers who weigh over one hundred and seventy-five pounds

SEC. 12. Section 12 of said act is hereby amended to read as follows:

Sec. 12. Any individual, club, corporation, organization, association or person who directly or indirectly holds any such boxing contest, sparring or wrestling match or exhibition except where all contestants are amateurs and no admission fee is charged to witness same, without first having procured a license as hereinbefore prescribed shall be guilty of a misdemeanor.

SEC. 13. Section 14 of said act is hereby amended to read as follows:

Sec. 14. (a) The commission shall have, and hereby is vested with, the sole direction, management, and control of and jurisdiction over all amateur boxing contests, sparring matches and exhibitions to be conducted in accordance with the provisions of section 412 of the Penal Code, wherein an admission fee is charged and received to witness said amateur boxing contests, sparring matches and exhibitions, and same are subject to the provisions of this act

(b) Any amateur boxing contests, sparring or wrestling matches or exhibitions which are conducted by any school, college, or university within any building or upon any ground owned or occupied by said school, college or university, within the State of California, shall not be subject to the provisions of this act, requiring payment of the five per cent tax of gross gate receipts as herein provided, even though an admission fee is charged However, the term "school, college, university" does not include a school, gymnasium or other institution where the principal purpose is to provide instruction in boxing, wrestling or other athletics or the training of boxers, wrestlers or other athletes.

(c) Owners of gymnasiums and training camps which charge more than ten cents per person admission to witness boxers or wrestlers train for future bouts or matches shall quarterly pay to the State Athletic Commission a tax of one per centum of its total gross receipts, exclusive of any Federal taxes paid thereon, from the sale of tickets of admission to witness the training of boxers and wrestlers, which tax shall be paid by the commission into the State treasury The fee for obtaining a permit from the State Athletic Commission for owners of gymnasiums or training camps for boxers or wrestlers shall be one dollar annually and said amount shall be paid to the Secretary of the State Athletic Commission who shall on receipt of said fee issue an annual permit.

SEC. 14. Section 15 of said act is hereby amended to read as follows:

Sec. 15. All money receipts of the commission shall be paid over to the State Treasurer, before the tenth of the month succeeding receipt of such receipts. All such moneys to the amount of fifty thousand dollars annually are hereby appropriated to be used to defray the expenses of the commission and to pay the salaries of the officers and employees provided for herein. All moneys remaining in the State treasury from the money receipts paid under the provisions of this act shall be, and are hereby appropriated for the purpose of maintaining such homes for the care of veterans of any war of the United States as may be existing at the time this act becomes effective, or that may be established by the laws of this State. Such moneys to be apportioned as the Legislature of the State of California may direct.

SEC. 15. Section 16 of said act is hereby amended to read as follows:

Sec. 16. Mixed shows shall be prohibited under the terms of this act. A mixed show is defined as one in which boxing or wrestling contests, matches or exhibitions are held in conjunction with vaudeville shows, dances or entertainments of any sort.

SEC. 16. A new section to be numbered section 17 is hereby added to said act to read as follows:

Sec. 17. The commission shall have authority to impose and collect fines levied upon clubs, managers, matchmakers, boxers, seconds, wrestlers or any person holding a license from this commission or connected with boxing or wrestling contests or exhibitions, for violation of the act governing boxing and wrestling in this State or for violation of any rule made by the commission for the administration of their office. Such fines may be withheld by the commission from the receipts of the club or purse or salary of such license holders of persons against whom the fines may be levied.

SEC. 17. A new section to be numbered section 18 is hereby added to said act to read as follows:

Sec. 18. The secretary of the commission is authorized and empowered to issue licenses and do such other acts as may be authorized under rules and regulations to be established by the commission.

SEC. 18. A new section to be numbered section 19 is hereby added to said act to read as follows:

Sec. 19. All licenses issued by the commission shall expire on December 31st of the year in which such license is issued.

SEC. 19. A new section to be numbered section 20 is hereby added to said act to read as follows:

Sec. 20. In cases of urgency the commission may take a telegraphic vote on any matter, such telegrams to be forwarded to the general office of the commission in Sacramento; a telegraphic vote must be unanimous to render a choice, decision or order valid.

SEC. 20. A new section to be numbered section 21 is hereby added to said act to read as follows:

Sec. 21. (a) Applications for licenses for permit to conduct boxing contests, sparring or wrestling matches or exhibitions must be on file with the secretary for a period of at least ten days before such application can be voted on by the commission. On receipt of such application it shall be the duty of the secretary to notify each commissioner of such application in substance and effect thereof. Each application for a wrestling or boxing permit must contain an affidavit giving the name and address of every individual directly or indirectly interested in the club or promotion either financially or otherwise.

(b) When any individual, club, corporation, organization, or association holding a license to conduct boxing, sparring, or wrestling matches or exhibitions shall fail to conduct a contest or exhibition for a period of sixty consecutive days, such license shall be ipso facto canceled, and a new application filed with the commission in the event that another permit is desired, which application the commission may approve or disapprove.

SEC. 21. A new section to be numbered section 22 is hereby added to said act to read as follows:

Sec. 22. Any individual, club, corporation, organization, association or person who violates any of the provisions of this act, for which a penalty is not herein expressly prescribed, shall be guilty of a misdemeanor, and shall be fined not less than one hundred dollars or more than five hundred dollars."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 456—An act to amend sections 830, 834 and 1533 of the Probate Code, relating to the borrowing of money by executors, administrators and guardians and the execution by them of mortgages, deeds of trust and pledges to secure the same and the limitation upon recovery on deficiency judgments in such cases.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 19, of the printed bill, following the word "lien", insert the following: "or may authorize in a proper case the execution of an extension agreement".

Amendment No. 2.

On page 1, line 22, of the printed bill, following the word "estate", insert the following: "to borrow money in order to improve, utilize, operate or preserve such property jointly with the other coowner or coowners, or in order".

Amendment No. 3.

On page 2, line 2, of the printed bill, following the word "money", insert the following: "required for such purposes".

Amendment No. 4.

On page 2 of the printed bill, commencing in line 6, strike out the following: "required for a sum or sums not exceeding in the aggregate the amount then secured by such pledge, lien, mortgage or deed of trust already subsisting and remaining unpaid", and insert in lieu thereof the following: "necessary".

Amendment No. 5.

On page 3, line 12, of the printed bill, following the word "ward", insert the following: "to borrow money in order to improve, utilize, operate or preserve the same jointly with the other coowner or coowners or in order".

Amendment No. 6.

On page 3, line 15, of the printed bill, strike out the words "borrow the money and".

Amendment No. 7.

On page 3, line 19, of the printed bill, strike out the word "that", and insert in lieu thereof the following: "such".

Amendment No. 8.

On page 3, line 20, of the printed bill, strike out the word "purpose", and insert in lieu thereof the following: "purposes".

Amendment No. 9.

On page 3, line 25, of the printed bill, following the word "any", insert the following: "such".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 882—An act to amend section 338 of the Code of Civil Procedure, relating to limitation of actions.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 14, of the printed bill, strike out the period, and insert in lieu thereof the following: "; provided, however, that this amendment shall not be applicable to or any wise prejudice or affect any action heretofore commenced or now pending in any of the courts of this State."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1156—An act to amend section 683 of the Civil Code, relating to joint tenancies.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 7, of the printed bill, strike out the period, and insert in lieu thereof the following: "Provided, that the creation of a joint tenancy in a bank deposit shall be regulated by the provisions of the Bank Act."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 429—An act to provide that school authorities of certain public and private schools shall be equipped to render first medical aid to injured children and students.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, as amended, strike out the period, at the end of the line, and insert in lieu thereof a comma and the following: "and providing a penalty for violation thereof."

Amendment No. 2.

On page 1, line 1, of the printed bill, as amended, after "SECTION 1.", strike out "Every public and private school located in"; also strike out lines 2 to 12, inclusive, and insert in lieu thereof the following: "It shall be the duty of the board of education, board of school trustees, superintendent of schools, or principal in whom is vested the administration or supervision of any public or private school in the

State of California to equip such school with a package or first aid kit containing the articles hereinafter mentioned, whenever any pupils or students of such school are conducted or taken on field trips under the supervision or direction of any teacher in, or employee or agent of, such school. It shall be the duty of said teacher, agent or employee to have said package or first aid kit in his possession, or immediately available, while conducting such field trip."

Amendment No. 3.

On page 1, line 13, of the printed bill, as amended, after "package", insert the following: "or first aid kit".

Amendment No. 4.

On page 1 of the printed bill, as amended, strike out lines 14 to 16, inclusive, and insert in lieu thereof the following: "articles and such other equipment as the school officials herein charged with the duty of maintaining it may consider useful or necessary for the purposes of this act:".

Amendment No. 5.

On page 1, line 21, of the printed bill, as amended, strike out ", and proper"; also strike out line 22; and on page 2 of the printed bill, as amended, strike out lines 1 and 2, and insert in lieu thereof a period and the following: "Whenever such a field trip is conducted into an area or district which is commonly known to be infested by poisonous snakes, such package or first aid kit must include some form of anti-venom medicine intended to counteract the effects of poisonous snake bites."

Amendment No. 6.

On page 2, line 3, of the printed bill, as amended, after "SEC. 3.", strike out "The failure of the authorities in charge of any"; also strike out lines 4 to 8, inclusive, and insert in lieu thereof the following: "Any member of any such board of education or board of school trustees, any superintendent of schools, principal, teacher or agent who wilfully violates the provisions of this act shall be guilty of a misdemeanor"

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1111—An act to provide for the formation, government, operation and dissolution of library districts.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 1165—An act to amend an act entitled "An act providing an additional and/or alternative method for financing the acquirement, construction, development, improvement, reconstruction, extension and repair of water works systems by any political subdivision or public agency of the State authorized by law to own and operate such water works systems by the issuance and sale to the United States Government or any agency of said government of revenue bonds payable solely out of the revenue derived or to be derived therefrom; providing for the operation of such systems in case of deficiencies in revenues, providing for a statutory lien on works acquired, constructed, improved, reconstructed, extended or repaired under the provisions of this act; providing for the use of the power of eminent domain by political subdivisions or public agency proceeding under this act; defining the terms political subdivisions and public agencies as included herein, and providing a time for the expiration of said act," approved May 27, 1933, by amending sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 14 thereof; adding a new section thereto to be numbered section 14½, and repealing section 16 thereof.

Floor Amendments.

During second reading of the bill, the following amendments were submitted by Mr. Nielsen:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out everything except "An act", and strike out lines 2 to 10, inclusive, of said title, and on page 2, strike out lines 1 to 17, inclusive, of said title, and insert in lieu thereof the following: "to amend the title and sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, and 16 of, and to add section 14½ to, an act entitled "An act providing an additional and/or alternative method for financing the acquirement, construction, development, improvement, reconstruction, extension and repair of water works systems by any political subdivision or public agency of the State authorized by law to own and operate such water works systems by the issuance and sale to the United States Government or any agency of said government of revenue bonds payable solely out of the revenue derived or to be derived therefrom; providing for the operation of such systems in case of deficiencies in revenues, providing for a statutory lien on works acquired, constructed, improved, reconstructed, extended or repaired under the provisions of this act; providing for the use of the power of eminent domain by political subdivisions or public agency proceeding under this act; defining the terms political subdivisions and public agencies as included herein, and providing a time for the expiration of said act," approved May 27, 1933, relating to publicly owned public utilities."

Amendment No. 2.

On page 6, line 41, of the printed bill, as amended, strike out "provided", and insert in lieu thereof the following: "provide".

Amendment No. 3.

On page 8, line 34, of the printed bill, as amended, after "VII", strike out the comma, and insert in lieu thereof the following: "of Part III".

Amendment No. 4.

On page 9, line 45, of the printed bill, as amended, after "Sec.", strike out "14.", and insert in lieu thereof the following: "12"

Amendment No. 5.

On page 10, line 40, of the printed bill, as amended, after "Sec.", strike out "15." and insert in lieu thereof the following: "13"

Amendment No. 6.

On page 11, line 12, of the printed bill, as amended, after "Sec.", strike out "16.", and insert in lieu thereof the following: "14"

Amendment No. 7.

On page 11 of the printed bill, as amended, strike out line 13, and insert in lieu thereof the following "amended to read as follows:

SEC. 16. This act shall be known and may be cited as the Public Utility System Act of 1933.

Sec. 15. The title of the act cited in the title hereof is hereby amended to read as follows:

"An act providing an additional or alternative method for financing the acquirement, construction, development, improvement, reconstruction, extension and repair of public utilities by any political subdivision or public agency of the State authorized by law to own and operate such public utilities systems by the issuance and sale of revenue bonds payable solely out of the revenue derived or to be derived therefrom; providing for the operation of such systems in case of deficiencies in revenues; providing for a statutory lien on works acquired, constructed, developed, improved, reconstructed, extended or repaired under the provisions of this act; providing for the use of the power of eminent domain by political subdivisions or public agencies proceeding under this act; and defining the terms political subdivisions and public agencies as included herein."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 662—An act to provide for the refunding of bonds issued under the "Improvement Bond Act of 1915" and for the extension of liens and assessments and the collection and enforcement of such assessments and the payment of said bonds.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 15, of the printed bill, as amended, strike out the word "required", and insert in lieu thereof the word "require".

Amendment No. 2.

On page 2, line 8, of the printed bill, as amended, following the word "bonds", insert the words "and the"; and on the same page, line 42, strike out the word "and".

Amendment No. 3.

On page 3, line 26, of the printed bill, as amended, following the word "thereon", insert the words "as provided by the proceedings and statute under which the outstanding bonds were issued", and on the same page, line 31, strike out the following: "however,".

Amendment No. 4.

On page 6, line 18, of the printed bill, as amended, strike out the word "assessments"; and on the same page, line 24, strike out the word "the", and insert in lieu thereof the word "that"; and on the same page, line 40, following the word "resolution", insert the following: "(or ordinance)".

Amendment No. 5.

On page 7 of the printed bill, as amended, following the figure "8.", insert the following: "The legislative body shall provide for the issuance of said bonds."

Amendment No. 6.

On page 10, line 33, of the printed bill, as amended, strike out the word "thereon", and insert in lieu thereof the word "therein".

Amendments adopted.

Bill read second time, ordered to reprint, re-re-engrossment, and third reading.

Assembly Bill No. 668—An act to provide for the refunding of the bonded indebtedness of special improvement districts, the bonds of which are payable from special assessments levied wholly or partly in accordance with the assessed value of lands and for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts and the cancellation of unpaid taxes and assessments of such districts, and for the levy of assessments and reassessments to pay such refunding bonds and to enforce the liens of such assessments and reassessments, and to provide for contributions of public funds to assist in such refunding or the payment of refunding bonds, and for proceedings to test the validity of such refunding and assessment or reassessment proceedings and the use of the bankrupt laws of the United States of America in any refunding.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 5, line 14, of the printed bill, as amended, strike out the word "after", and insert in lieu thereof the word "After".

Amendment No. 2.

On page 9, line 41, of the printed bill, as amended, strike out the "."; and in the same line, following the close of the parenthesis, insert the following "------."

Amendment No. 3.

On page 15, line 26, of the printed bill, as amended, following the period, strike out all of the language in said line, and strike out all of line 27.

Amendment No. 4.

On page 16, line 16, of the printed bill, as amended, strike out the word "from", and insert in lieu thereof the following: ". From".

Amendment No. 5.

On page 17, line 13, of the printed bill, as amended, following the word "not", insert the word "so", and in the same line, following the word "presented", strike out the words "at maturity"; also on the same page, line 26, following the word "executive", strike out the word "of", and insert in lieu thereof the word "if".

Amendment No. 6.

On page 18, line 4, of the printed bill, as amended, strike out the word "the", and insert in lieu thereof the following: ". The".

Amendment No. 7.

On page 19, line 26, of the printed bill, as amended, following the word "principal", insert the word "of"; and in the same line, following the word "refunding", strike out the word "of".

Amendments adopted.

Bill read second time, ordered to reprint, re-re-engrossment, and third reading.

Assembly Bill No. 84—An act to create the Commemoration Commission to succeed to the Spanish War Commemoration Commission; to prescribe the powers, duties, functions, and purposes thereof; to provide for the cooperation of State and local agencies and political subdivisions thereof; to make an appropriation, and to provide for the repayment thereof.

Floor Amendments.

During second reading of the bill, the following amendments were submitted by Mr. Lyon:

Amendment No. 1.

On page 1, lines 22 and 23, of the printed bill, strike out "the chairman and".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 24 and 25, and insert in lieu thereof the following: "four-year terms, except three commissioners from each district who shall serve for two years."

Amendment No. 3.

On page 2 of the printed bill, strike out lines 1 to 3, inclusive, and insert in lieu thereof the following: "Thereafter, such commissioners, or their successors, shall be appointed for terms of four years. The".

Amendment No. 4.

On page 2, line 5, of the printed bill, strike out "appointed commissioners and", and insert in lieu thereof the following: "an appointed commissioner or".

Amendment No. 5.

On page 2, line 8, of the printed bill, insert after "but", the following: ", when funds are obtained from any source other than from an appropriation of State moneys,".

Amendment No. 6.

On page 2, line 9, of the printed bill, strike out ". shall be reimbursed", and insert in lieu thereof the following: "and the authorized agents of the commission, shall be reimbursed from such funds".

Amendment No. 7.

On page 2, line 11, of the printed bill, strike out "as commissioner".

Amendment No. 8.

On page 2 of the printed bill, between lines 40 and 41, insert the following:

"The Commemoration Commission is hereby authorized to sponsor and supervise the organization and operation of Self-help Artists' Cooperative Aid Projects to be financed through the State Emergency Relief Administration, or other State or Federal relief agency."

Amendment No. 9.

On page 3, line 42, of the printed bill, strike out "this", and insert in lieu thereof the following: "the commemoration".

Amendment No. 10.

On page 3, line 46, of the printed bill, insert after "contact officer", the following: "of the Commemoration Commission".

Amendment No. 11.

On page 3, line 47, of the printed bill, insert after "officer", the following: "of the Commemoration Commission".

Amendment No. 12.

On page 4 of the printed bill, strike out lines 22 to 31, inclusive

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 525—An act to add sections 285, 285.1, 285.2, 285.3, and 285.4, to the Agricultural Code, relating to brands to be used on apiary equipment.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 512—An act to amend section 274 of the Agricultural Code, relating to bee diseases.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee.

Amendment No. 1.

On page 1, line 11, of the printed bill, after the comma, insert the following "except that the certificate accompanying bees arriving prior to April 1st of any year from those States having severe winters will satisfy the time requirement if it certifies that inspection was made on or after October 15th of the previous year,".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1242—An act to add Chapter 2a to Division V of the Agricultural Code, to consist of sections 840, 841, 841.1, 842, 842.1, 842.2, 842.3, 842.4, 842.5, 843, 843.1, 843.2, 843.3, 844, 845, 845.1, and 845.2, inclusive, relating to the standardization of, and standards for, honey

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 35, of the printed bill, after the word "is", in said line, insert the following: "not less than".

Amendment No. 2.

On page 2, line 46, of the printed bill, between the word "plants", and the following comma in said line, insert the following: "or insects".

Amendment No. 3.

On page 2 of the printed bill, after line 50, insert the following:

"(q) "Foreign honey" means any honey not produced within the State of California."

Amendment No. 4.

On page 3, line 1, of the printed bill, strike out "(q)", and insert in lieu thereof "(r)".

Amendment No. 5.

On page 6, lines 47 and 48, of the printed bill, strike out "(1) U. S. Fancy; (2) U. S. No. 1; and (3) U. S. No. 2.", and insert in lieu thereof the following: "(1) California Fancy; (2) California No. 1; and (3) California No. 2."

Amendment No. 6.

On page 6, line 49, of the printed bill, strike out "U. S.", and insert in lieu thereof "California".

Amendment No. 7.

On page 7, line 3, of the printed bill, strike out ", smooth and fine in texture".

Amendment No. 8.

On page 7, line 6, of the printed bill, strike out "U. S.", and insert in lieu thereof "California".

Amendment No. 9.

On page 7, line 11, of the printed bill, strike out the following: "and at least of medium to fine texture".

Amendment No. 10.

On page 7, line 16, of the printed bill, strike out "U. S.", and insert in lieu thereof "California".

Amendment No. 11.

On page 7, lines 19 to 21, inclusive, of the printed bill, strike out the following: ": Provided, if the United States Department of Agriculture shall adopt any other standards for such extracted honey, compliance with such standards shall be lawful".

Amendment No. 12.

On page 7 of the printed bill, after line 51, insert the following:
"Glass bottle to hold 8 ozs. avoirdupois of honey.
Glass bottle to hold 5 ozs. avoirdupois of honey."

Amendment No. 13.

On page 8, line 9, of the printed bill, strike out "Any person using", and all of lines 10 to 15, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 33—An act to amend sections 674 and 675 of the Code of Civil Procedure, relating to the filing and recording of abstracts and satisfactions of judgments in the office of the county recorder.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 13, of the printed bill, following the word "creditor", insert the following: "or assignee of record".

Amendment No. 2.

On page 2, line 13, of the printed bill, strike out the word "his".

Amendment No. 3.

On page 2, line 13, of the printed bill, following the word "endorsement", insert the following: "by judgment creditor or assignee of record"

Amendment No. 4.

On page 2, line 28, of the printed bill, strike out the words "may be".

Amendment No. 5.

On page 2, line 30, of the printed bill, following the word "property", insert the following: "may be recorded".

Amendment No. 6.

On page 2, line 30, of the printed bill, strike out the word "by".

Amendment No. 7.

On page 2, line 30, of the printed bill, following the word "entry", insert the following: "thereof may be made".

Amendment No. 8.

On page 2, line 32, of the printed bill, following the word "assignee", insert the following: "of record".

Amendment No. 9.

On page 2, line 34, of the printed bill, strike out the period, and insert in lieu thereof the following: "who must certify to same as provided in section 2938 of the Civil Code for satisfaction of a mortgage."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Unfinished Business.

Reconsideration of Assembly Bill No. 142.

Assembly Bill No. 142—An act to amend section 32 of the Penal Code, relating to the definition of an accessory.

In compliance with his notice given on a previous day, Mr. Cottrell moved that the vote whereby Assembly Bill No. 142 was refused passage be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donnelly, Evans, Herbert J., Fisher, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, Miller, Minard, Morgan, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, and Mr. Speaker—56.

NOES—Gilbert—1.

Assembly Bill No 142 ordered on file for third reading.

Reconsideration of Assembly Bill No. 294.

Assembly Bill No. 294—An act to amend section 403 of the Vehicle Code, relating to liability for injuries of guests.

In compliance with his notice given on a previous day, Mr. Clark moved that the vote whereby Assembly Bill No. 294 was refused passage be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Donihue, Donnelly, Evans, Herbert J., Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, and Mr. Speaker—62.

NOES—DeLap, Frazier, Latham, and Scudder—4.

Assembly Bill No. 294 ordered on file for third reading.

Reconsideration of Assembly Bill No. 570 Waived.

Mr. Nielsen waived his notice to reconsider the vote whereby Assembly Bill No. 570 was passed.

Assembly Bill No. 570 ordered transmitted to the Senate.

Motion to Reconsider Assembly Bill No. 6 Continued.

Mr. Jones moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 6 was refused passage be continued until the next legislative day.

Motion carried.

Request for Unanimous Consent.

Mr. Cunningham asked for, and was granted, unanimous consent to take up Assembly Bill No 509 at this time, without reference to file, and that same be considered engrossed.

Consideration of Assembly Bill No. 509.

Assembly Bill No. 509—An act providing for State planning and a State Planning Board, prescribing the powers, duties and jurisdiction thereof.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Cunningham:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, before "prescribing", insert the following: "and".

Amendment No. 2.

On page 1, line 19, of the printed bill, as amended, after "Board", insert the following: "to consist of the Director of Finance, the Director of Public Works, and the Director of Natural Resources, all ex officio, and".

Amendment No. 3.

On page 1, line 21, of the printed bill, as amended, strike out "not be paid but may receive compensation", and insert in lieu thereof the following: "receive no compensation other than".

Amendment No. 4.

On page 1, line 23, of the printed bill, as amended, insert a comma after "executive", and after "board".

Amendment No. 5.

On page 2, line 7, of the printed bill, as amended, strike out "terms", and insert in lieu thereof the following: "term".

Amendment No. 6.

On page 2, line 9, of the printed bill, as amended, after "that", insert the following: "of".

Amendment No. 7.

On page 2, line 10, of the printed bill, as amended, strike out "shall determine by lot", and insert in lieu thereof the following: "the Governor shall designate".

Amendment No. 8.

On page 3, lines 5 and 6, of the printed bill, as amended, strike out "emergency fund"

Motion.

Mr. Jones moved that the amendments be taken up separately.

Motion carried.

Consideration of Amendments Nos. 1, 3, 4, 5, 6 and 8.

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, before "prescribing", insert the following: "and".

Amendment No. 3.

On page 1, line 21, of the printed bill, as amended, strike out "not be paid but may receive compensation", and insert in lieu thereof the following: "receive no compensation other than".

Amendment No. 4.

On page 1, line 23, of the printed bill, as amended, insert a comma after "executive", and after "board".

Amendment No. 5.

On page 2, line 7, of the printed bill, as amended, strike out "terms", and insert in lieu thereof the following "term".

Amendment No. 6.

On page 2, line 9, of the printed bill, as amended, after "that", insert the following: "of".

Amendment No. 8.

On page 3, lines 5 and 6, of the printed bill, as amended, strike out "emergency fund".

Amendments Nos. 1, 3, 4, 5, 6 and 8 adopted.

Request for Unanimous Consent.

Mr. Cunningham asked for, and was granted, unanimous consent to take up Assembly Bill No. 509, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed

Assembly Bill No. 509, as amended, read third time.

Consideration of Amendments Nos. 2 and 7.

During third reading of the bill, the following amendments were submitted by Mr. Cunningham:

Amendment No. 2.

On page 1, line 19, of the printed bill, as amended, after "Board", insert the following: "to consist of the Director of Finance, the Director of Public Works, and the Director of Natural Resources, all ex officio, and".

Amendment No. 7.

On page 2, line 10, of the printed bill, as amended, strike out "shall determine by lot", and insert in lieu thereof the following: "the Governor shall designate".

Request for Roll Call.

On request of Messrs. Jones, Latham and Flint, the Speaker ordered a roll call taken on Amendments Nos. 2 and 7, submitted by Mr. Cunningham.

The roll was called, and Amendments Nos. 2 and 7 were adopted by the following vote:

AYES—Boyle, Breed, Brennan, Chatters, Colwin, Cottrell Cronin, Cunningham, Dawson, DeLap, Donnelly, Evans, Herbert J., Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Heisinger, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Peterson, Phillips, Redwine, Riley, Scudder, Stream, Thorp, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—47.

NOES—Anderson, Burns, Cassidy, Donihue, Flint, Gilbert, Glover, Hawkins, Jones, Laughlin, Lore, Pelletier, Reaves, Richie, Robertson, Rosenthal, Voigt, and Wagner—18.

Request for Unanimous Consent.

Mr. Cunningham asked for, and was granted, unanimous consent to take up Assembly Bill No. 509, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Further Consideration of Assembly Bill No. 509, as Amended.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA. GOVERNOR'S OFFICE.
SACRAMENTO, April 15, 1935

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 509—An act providing for State planning and a State Planning Board, prescribing the powers, duties and jurisdiction thereof.

In my opinion said Assembly Bill No. 509 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the budget bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F MERRIAM, Governor of California.

Assembly Bill No. 509, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Jones:

Amendment No. 1.

On page 3, line 4, of the printed bill, after the word "natural", strike out "comma", and insert in lieu thereof "and".

Amendment No. 2.

On page 3, line 4, of the printed bill, strike out "and social".

Amendments adopted.

Request for Unanimous Consent.

Mr. Cunningham asked for, and was granted, unanimous consent to take up Assembly Bill No. 509, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 509, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Anderson:

Amendment No. 1.

On page 3, line 7, of the printed bill, after the word "gift", add the following: "from the Federal Government".

Request for Roll Call.

On request of Messrs. Heisinger, Dawson and Brennan, the Speaker ordered a roll call taken on the amendment submitted by Mr. Anderson.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Anderson, Boyle, Cassidy, Clark, Crowley, Donihue, Flint, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Laughlin, Lore, McMurray, Patterson, Pelletier, Peyser, Reaves, Richie, Rosenthal, and Wagner—24

NOES—Breed, Brennan, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donnelly, Evans, Herbert J., Fisher, Frazier, Garibaldi, Geyer, Gilmore, Hornblower, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, Nielsen, Peterson, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Voigt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr Speaker—46

Request for Unanimous Consent.

Mr Cunningham asked for, and was granted, unanimous consent to take up Assembly Bill No. 509, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed

Third Reading of Assembly Bill No. 509, as Amended.

Assembly Bill No. 509, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 509, as amended, passed by the following vote:

AYES—Anderson, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donnelly, Evans, Herbert J., Fisher, Frazier, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—64.

NOES—Boyle, Burns, Donihue, Flint, Gilbert, and McCarthy—6.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills.

Assembly Bill No 2172—An act to provide for the appointment of defenders of persons accused of crime and authorizing the appointment of counsel therefor, and to provide for the compensation of such appointed counsel.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2172 passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 154—An act to amend the title and sections 8, 14, 32 and 33 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the extension of the provisions of said act to the companies and their franchises, other than insurance companies and their franchises, specified in section 14 of Article XIII of the Constitution of this State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 154 passed by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J, Fisher, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, and Mr. Speaker—65.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 155—An act to amend the title and sections 4, 4a, 5, 8, 10, 11, 12, 13, 15, 16, 18, 19, 20, 21, 23, 24, 25, 26, 27, 29, 30, 31 and 35 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the extension of the provisions of said act to the companies and their franchises, other than insurance companies and their franchises, specified in section 14 of Article XIII of the Constitution of this State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 155 passed by the following vote:

AYES—Anderson, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley,

Robertson, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—65.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 434—An act approving, validating and confirming leases or letting of lands or of any interest therein for airport purposes by governmental agencies of this State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 434 passed by the following vote:

AYES—Anderson, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—63.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 542—An act to amend sections 4225 and 4225a of the Political Code, both relating to the powers and duties of county health officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 542 passed by the following vote:

AYES—Anderson, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—68.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1519—An act to amend section 271 of the Penal Code of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1519 passed by the following vote:

AYES—Anderson, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Donihue, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Martin, McCarthy, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Walker, Waters, Weber, Wright, and Mr. Speaker—57.

NOES—Brennan, Dawson, DeLap, Donnelly, Hornblower, Johnson, Maloney, Meehan, and Williamson—9.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1337—An act to amend section 4300g of the Political Code, relating to witness fees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1337 passed by the following vote:

AYES—Anderson, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1618—An act to amend the Personal Property Broker's Act, relating to the classification and regulation of the business of personal property brokers, including the fixing and regulation of their charges and interest, and to repeal all acts and parts of acts inconsistent herewith.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Cronin:

Amendment No. 1.

On page 11 of the printed bill, as amended, after line 28, insert a new paragraph as follows:

"(b) The commissioner may, whenever in his opinion any personal property broker is violating or is about to violate any provision of this act or any rule or regulation made pursuant to the authority of this act, order such personal property broker in writing to desist and refrain from such violation."

Amendment No. 2.

On page 11, line 29, of the printed bill, as amended, strike out "(b)", and in lieu thereof insert the following: "(c)".

Amendment No. 3.

On page 12 of the printed bill, as amended, strike out lines 11 to 29, inclusive.

Amendments adopted.

Request for Unanimous Consent.

Mr. Cronin asked for, and was granted, unanimous consent to take up Assembly Bill No. 1618, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 1618, as amended, read third time.

Floor Amendments.

During reading of the bill, the following amendments were submitted by Messrs. Evans, Ralph W., and McCarthy

Amendment No. 1.

On page 4 of the printed bill, as amended, strike out lines 11 to 15, inclusive,

Amendment No. 2.

On page 4, lines 25 and 26, of the printed bill, as amended, strike out "under the provisions of this act", and insert in lieu thereof the following: "arising out of or pertaining to or in connection with the conduct of the business of a personal property broker".

Amendment No. 3.

On page 4, line 38, of the printed bill, as amended, strike out "(1)".

Amendment No. 4.

On page 4, line 45, of the printed bill, as amended, strike out ", and (2) that allowing such applicant to", and also strike out all of lines 46 to 50, inclusive, and insert in lieu thereof the following: ", he".

Amendment No. 5.

On page 5, line 22, of the printed bill, as amended, strike out "(a)".

Amendment No. 6.

On page 5 of the printed bill, as amended, strike out lines 28 to 32, inclusive.

Amendment No. 7.

On page 5, line 39, of the printed bill, as amended, strike out the period at the end of said line, and insert in lieu thereof a comma and the following: "and the payment of an annual license fee of two hundred dollars ($200) shall be made for each separate license."

Amendment No. 8.

On page 5, line 52, of the printed bill, as amended, strike out "(which", and insert in lieu thereof the following: ", as interest, which may equal but may not exceed 1% per month on the unpaid principal balances, and a sum as 'service charge" which may equal, but may not exceed three per cent of the sum of money loaned. Such service charge may not be charged for any renewal or extension of the original loan. Such interest and "service charge" herein referred to as "charges" ".

Amendment No. 9.

On page 6 of the printed bill, as amended, strike out lines 6 to 8, inclusive, and insert in lieu thereof the following. "No. 79. No".

Amendment No. 10.

On page 8 of the printed bill, as amended, between lines 47 and 48, insert the following:

"(6) Make any loan in connection with which said licensee knows or has reasonable cause to believe a fee, commission or other compensation is paid or is promised to be paid by the borrower or at his expense to any third party for services rendered in procuring said loan. Any loan made in violation of this subdivision shall be void, and the licensee shall have no right to collect or receive any principal, interest or charges whatsoever thereon "

Further consideration of Assembly Bill No. 1618, and amendments, deferred until two o'clock p.m. of this day.

Assembly Bill No. 257—An act to establish a Bureau for the Blind in the Department of Institutions, providing for the administration thereof, making appropriations therefor, and repealing certain acts in conflict herewith.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Lyon.

Amendment No. 1.

On page 2, line 30, of the printed bill, as amended, strike out the words "industrial work shop comma".

Amendment adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Elections.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1935.

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 1782—An act to amend section 1257a of the Political Code, relating to the elections and the canvass and counting of the ballots cast at elections—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

DAWSON, Chairman.

The above reported bill ordered on file for second reading.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1935.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 32—A resolution to propose to the people of the State of California that the Constitution of said State be amended by adding to Article XI thereof a new section to be numbered 8b authorizing the city of Los Angeles to amend its charter in certain particulars—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

LATHAM, Chairman.

Assembly Constitutional Amendment No 32 ordered on file for adoption.

Also:

MR SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No 3—A resolution to propose to the people of the State of California an amendment to section 7½a of Article XI of the Constitution of the State of California, relating to local government—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

LATHAM, Chairman.

Assembly Constitutional Amendment No. 3 ordered to engrossment.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 33—A resolution to propose to the people of the State of California that the Constitution of said State be amended by adding to Article XI thereof a new section to be numbered 18a providing for the issuance of bonds by the county of Los Angeles in an amount not to exceed five million dollars for the purpose of providing a fund to be used and disbursed for the Pacific Exposition to be held in California—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

LATHAM, Chairman.

Assembly Constitutional Amendment No. 33 ordered to engrossment.

Also:

MR SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 24—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 26 of Article IV thereof, relating to a State lottery—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LATHAM, Chairman.

Assembly Constitutional Amendment No. 24 ordered on file for adoption.

On Exhibitions and Fairs.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1935.

MR. SPEAKER: Your Committee on Exhibitions and Fairs, to which was referred Assembly Bill No. 754—An act to make an appropriation for the Sixth District Agricultural Association for the purpose of constructing buildings and appurtenances

thereto—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

FULCHER, Chairman.

The above reported bill ordered on file for second reading.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1935.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 77—A resolution to propose to the people of the State of California an amendment to section 14 of Article I of the Constitution of said State, relating to the rights of private property—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

LATHAM, Chairman.

Assembly Constitutional Amendment No 77 ordered to engrossment.

Also:

MR. SPEAKER. Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 78—A resolution to propose to the people of the State of California that the Constitution of said State be amended by adding to Article XVI thereof a new section to be numbered 10, validating the act of the Legislature of the State of California providing for the issuance of bonds to the amount of ten million dollars for the purpose of providing funds to be used and disbursed for the purpose of the Pacific Exposition and San Francisco Bay Exposition to be held in California—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

LATHAM, Chairman.

Assembly Constitutional Amendment No. 78 ordered to engrossment.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article X thereof, a new section to be numbered 7, relating to an institution for women—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

LATHAM, Chairman.

Senate Constitutional Amendment No. 21 ordered on file for adoption.

On Exhibitions and Fairs.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1935.

MR SPEAKER: Your Committee on Exhibitions and Fairs, to which was referred Assembly Bill No. 1741—An act to add section 91.6 to the Agricultural Code, relating to the Sixth District Agricultural Association—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FULCHER, Chairman.

The above reported bill ordered on file for second reading.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1935.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1735—An act to add a new section to the Political Code, to be numbered 689a, relating to use of the State's teletype system—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 112—An act to amend section 105 of the Code of Civil Procedure, relating to justices' courts;

Also: Assembly Bill No. 205—An act to amend section 702 of the Code of Civil Procedure, relating to redemption interest;

Also: Assembly Bill No. 437—An act to amend section 112 of the Code of Civil Procedure, relating to the jurisdiction of justices' courts;

Also. Assembly Bill No. 610—An act amending section 1463 of the Penal Code, relating to the disposition of fines collected in municipal courts;

Also Assembly Bill No. 826—An act to add a new section to the Code of Civil Procedure to be numbered 336a and to amend section 337 thereof, relating to the periods prescribed for the commencement of actions;

Also Assembly Bill No. 1921—An act to amend section 1461 of the Probate Code, relating to guardians of insane or incompetent persons,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

LYON, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1309—An act to regulate the location, construction, occupancy and operation of hat cleaning and blocking establishments, or agencies thereof, and private schools and colleges of hat cleaning and blocking; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement; and providing penalties for violations;

Also: Assembly Bill No. 2248—An act to amend section 242 of the Code of Civil Procedure, relating to grand juries;

Also: Assembly Bill No 2250—An act to amend sections 799, 894, 925, 927 and 928 of, to add sections 896 and 932 to, and to repeal section 895 of the Penal Code, relating to limitation of time and grand juries;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LYON, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1189—An act to amend sections 274c, 437c, 594, 632, 973 and 1033 of the Code of Civil Procedure, and to add sections 35 and 982a thereto, relating to civil actions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LYON, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1920—An act to amend section 2 of the Inheritance Tax Act, relating to computation of tax, including deduction of expenses of administration;

Also: Assembly Bill No. 2050—An act amending section 1428 of the Penal Code, relating to keeping of minutes;

Also: Assembly Bill No. 2051—An act amending section 1461a of the Penal Code, relating to municipal court procedure;

Also: Assembly Bill No 2052—An act amending section 1428a, relating to minute books of municipal courts;

Also: Assembly Bill No. 2406—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to sessions of the superior court;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LYON, Chairman.

The above reported bills ordered on file for second reading.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1260—An act to amend section 1140 of the Probate Code, relating to the duties of the Public Administrator and providing for the management, control, rental and sale by the Public Administrator of properties of indigent or other aliens returned to their native lands by or at the request of counties.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lyon:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "amend section 1140 of", and insert in lieu thereof the following: "add section 1140.5 to".

Amendment No. 2.

On page 1, line 1, of the printed bill, as amended, strike out everything except "SECTION 1.", and strike out all of lines 2 to 12, inclusive, and insert in lieu thereof the following: "Section 1140.5 is hereby added to the Probate Code, to read as follows:".

Amendment No. 3.

On page 1, line 13, of the printed bill, as amended, strike out "(2) He shall also", and insert in lieu thereof the following: "1140.5 The public administrator of each county shall".

Amendments adopted.

Bill read second time, ordered to reprint, re-re-engrossment, and third reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 15, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 758—An act to amend an "Act granting certain tidelands and submerged lands of the State of California to the City and County of San Francisco for development and use as a public airport, regulating the management, use, lease and control thereof, authorizing the reclamation and certain improvements of said lands and the construction and maintenance of a bridge or causeway connecting said lands with Yerba Buena Island." (Chap. 912, Stats 1933), to add a new section to be numbered section 4 permitting the temporary use of said lands for exposition purposes.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 758 read first time, and referred to Committee on Commerce and Navigation.

Also:

SENATE CHAMBER, SACRAMENTO, April 15, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 161—An act to amend sections 421 and 811 of the Fish and Game Code, relating to cockle clams;

Also: Senate Bill No. 149—An act to amend section 1250 of the Fish and Game Code, relating to fully protected mammals,

Also: Senate Bill No. 422—An act to add section 432.5 to the Fish and Game Code, relating to licenses;

Also: Senate Bill No. 1014—An act to add section 1412.5 to the Fish and Game Code, relating to the cost of keeping persons imprisoned for violating any provision of said code.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bills Nos. 161, 149, 422 and 1014 read first time, and referred to Committee on Fish and Game.

Motion to Re-refer Assembly Bill No. 767.

Mr. Hornblower moved that Assembly Bill No. 767 be withdrawn from Committee on Social Service and Welfare, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 767 to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 767 ordered re-referred to Committee on Ways and Means.

Withdrawal of Assembly Bill No. 465.

By order of the Speaker, Assembly Bill No. 465 was withdrawn from the file, and re-referred to Committee on Governmental Efficiency and Economy.

Recess.

At twelve o'clock m., on motion of Mr. Lyon, the Assembly was declared at recess until two o'clock p.m. of this day.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Further Consideration of Assembly Bill No. 1618.

The question being on the amendments submitted by Messrs. Evans, Ralph W., and McCarthy to Assembly Bill No. 1618.

Motion.

Mr. McCarthy moved that the Assembly vote on the amendments separately.

Motion carried.

Assembly Bill No. 1618 read third time.

Consideration of Amendment No. 1.

During third reading of the bill, the following amendment was submitted by Messrs. Evans, Ralph W., and McCarthy:

Amendment No. 1.

On page 4 of the printed bill, as amended, strike out lines 11 to 15, inclusive.

Request for Roll Call.

On request of Messrs. Lyon, Flint, and Geyer, the Speaker ordered a roll call taken on Amendment No. 1, submitted by Messrs. Evans, Ralph W., and McCarthy.

The roll was called, and Amendment No. 1 was adopted by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Clark, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Johnson, Kallam, Laughlin, Lore, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Richie, Rosenthal, Stream, Voigt, Wagner, Wallace, Waters, Williamson, and Wright—45.

NOES—Boyle, Corwin, Cottrell, Cronin, Evans, Herbert J., Garibaldi, Hornblower, Hunt, Lyon, Martin, McBride, Morgan, Phillips, Redwine, Riley, Robertson, Scudder, Turner, Utt, Walker, Weber, Welsh, and Mr. Speaker—23.

Request for Unanimous Consent.

Mr. Cronin asked for, and was granted, unanimous consent to take up Assembly Bill No. 1618, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 1618, as amended, read third time.

Consideration of Amendment No. 2.

During third reading of the bill, the following amendment was submitted by Messrs. Evans, Ralph W., and McCarthy:

Amendment No. 2.

On page 4, lines 25 and 26, of the printed bill, as amended, strike out "under the provisions of this act", and insert in lieu thereof the following: "arising out of or pertaining to or in connection with the conduct of the business of a personal property broker".

Request for Roll Call.

On request of Messrs. Evans, Ralph W., Lore and Johnson, the Speaker ordered a roll call taken on Amendment No. 2, submitted by Messrs. Evans, Ralph W., and McCarthy.

The roll was called, and Amendment No. 2 was adopted by the following vote:

AYES—*Anderson, Boyle, Brennan, Burns, Cassidy,* Clark, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, *Johnson, Jones, Kallam, Laughlin, Lore, Mayo,* McCarthy, *McMurray,* Meehan, Minard, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Robertson, Rosenthal, Scudder, Thorp, Turner, Voigt, Wagner, Wallace, Waters, and Weber—51.

NOES—Corwin, Cronin, Evans, Herbert J., Garibaldi, Latham, Lyon, Maloney, Martin, McBride, Miller, Morgan, Redwine, Riley, Stream, Walker, Wright, and Mr. Speaker—17.

Request for Unanimous Consent.

Mr. Cronin asked for, and was granted, unanimous consent to take up Assembly Bill No. 1618, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 1618, as amended, read third time.

Consideration of Amendments Nos. 3 and 4.

During third reading of the bill, the following amendments were submitted by Messrs. Evans, Ralph W., and McCarthy:

Amendment No. 3.

On page 4, line 38, of the printed bill, as amended, strike out "(1)".

Amendment No. 4.

On page 4, line 45, of the printed bill, as amended, strike out ". and (2) that allowing such applicant to", and also strike out all of lines 46 to 50, inclusive, and insert in lieu thereof the following: ", he".

Request for Roll Call.

On request of Messrs. Evans, Ralph W., Clark and Reaves, the Speaker ordered a roll call taken on Amendments Nos. 3 and 4, submitted by Messrs. Evans, Ralph W., and McCarthy.

The roll was called, and Amendments Nos. 3 and 4 were adopted by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Laughlin, Lore, Mayo, McCarthy, McMurray, Meehan, Minard, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Richie, Rosenthal, Wagner, Wallace, Waters, Weber, and Wright—44.

NOES—Boyle, Corwin, Cronin, Evans, Herbert J., Garibaldi, Hunt, Jones, Kallam, Latham, Lyon, Maloney, Martin, McBride, Miller, Morgan, Phillips, Redwine, Riley, Robertson, Stream, Turner, Utt, Walker, Welsh, and Mr. Speaker—25.

Request for Unanimous Consent.

Mr. Cronin asked for, and was granted, unanimous consent to take up Assembly Bill No. 1618, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 1618, as amended, read third time.

Consideration of Amendments Nos. 5 and 6.

During third reading of the bill, the following amendments were submitted by Messrs. Evans, Ralph W., and McCarthy:

Amendment No. 5.

On page 5, line 22, of the printed bill, as amended, strike out "(a)".

Amendment No. 6.

On page 5 of the printed bill, as amended, strike out lines 28 to 32, inclusive.

Amendments Nos. 5 and 6 adopted.

Request for Unanimous Consent.

Mr. Cronin asked for, and was granted, unanimous consent to take up Assembly Bill No. 1618, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 1618, as amended, read third time.

Consideration of Amendment No. 7.

During third reading of the bill, the following amendment was submitted by Messrs. Evans, Ralph W., and McCarthy:

Amendment No. 7.

On page 5, line 39, of the printed bill, as amended, strike out the period at the end of said line, and insert in lieu thereof a comma and the following: "and the payment of an annual license fee of two hundred dollars ($200) shall be made for each separate license."

Amendment No 7 adopted.

Request for Unanimous Consent.

Mr. Cronin asked for, and was granted, unanimous consent to take up Assembly Bill No. 1618, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 1618, as amended, read third time.

Consideration of Amendments Nos. 8 and 9.

During third reading of the bill, the following amendments were submitted by Messrs. Evans, Ralph W., and McCarthy:

Amendment No. 8.

On page 5, line 52, of the printed bill, as amended, strike out "(which", and insert in lieu thereof the following: ", as interest, which may equal but may not exceed one per cent per month on the unpaid principal balances, and a sum as "service charge" which may equal, but may not exceed three per cent of the sum of money loaned. Such service charge may not be charged for any renewal or extension of the original loan. Such interest and "service charge" herein referred to as "charges" ".

Amendment No. 9.

On page 6 of the printed bill, as amended, strike out lines 6 to 8, inclusive, and insert in lieu thereof the following: "No. 79. No".

Special Order Set for Assembly Bill No. 1618, as Amended.

On motion of Mr. Lyon, the further consideration of Assembly Bill No. 1618, and amendments pending, was made a special order for Wednesday, April 17, 1935, at eleven o'clock a.m.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 291—An act to add a new chapter to Title XIV of Part IV of Division Third of the Civil Code to be known as Chapter III-A thereof, in relation to trust receipts and pledges of personal property unaccompanied by possession in the pledges and to make uniform the law relating thereto and to amend section 2988 of the Civil Code relative to the lien of the pledgee;

Also: Assembly Bill No. 1186—An act to add two new sections to the School Code to be numbered 2.807 and 5.533, relating to liability for the death of, or injury to, pupils enrolled in the public schools;

Also Assembly Bill No. 1919—An act to amend sections 3 and 6 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to definitions and presumptions in respect to injuries to employees;
And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 663—An act to amend the title and section 15 and to add section 33 to an act entitled "An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments, reassessments, to provide for the proceedings to test the validity of such refunding and reassessment, and to provide for contributions of public funds to assist in such refunding," approved June 5, 1933, relating to the refunding of bonds payable from taxes or from special assessments levied wholly or partly in accordance with the assessed value of lands;

Also: Assembly Bill No. 667—An act to provide for the refunding of bonds issued under an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition or construction of such improvements," approved April 20, 1915, and bonds issued under the Municipal Improvement District Act of 1927, and providing procedure therefor;

Also: Assembly Bill No. 961—An act to amend sections 5.400, 5.402, 5.403, 5.408, 5.420, 5.500, 5.502, 5.503, 5.510, 5.520, 5.521, 5.640, 5.680, 5.690, 5.691, 5.710, 5.711 and 5.712 of the School Code, relating to tenure, and to add four new sections to the School Code, to be numbered 5.409, 5.505, 5.506, 5.666 and 5.667, all relating to the employment, classification, dismissal and resignation of persons employed in school districts in positions requiring certification qualifications;

Also: Assembly Bill No. 1236—An act to amend an act entitled "An act to authorize municipal corporations to issue bonds, for the purpose of investing the proceeds arising from the sale thereof, in other bonds issued for public improvements," approved April 26, 1909, by amending the title and sections 1, 2 and 3 thereof, relating to bonds to be purchased and the use of the funds;
And reports that the same have been correctly re-re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 33—A resolution to propose to the people of the State of California that the Constitution of said State be amended by adding to Article XI thereof a new section to be numbered 18a providing for the issuance of bonds by the county of Los Angeles in an amount not to exceed five million dollars for the purpose of providing a fund to be used and disbursed for the Pacific Exposition to be held in California;

Also: Assembly Constitutional Amendment No. 77—A resolution to propose to the people of the State of California an amendment to section 14 of Article I of the Constitution of said State, relating to the rights of private property;

Also: Assembly Constitutional Amendment No. 78—A resolution to propose to the people of the State of California that the Constitution of said State be amended by adding to Article XVI thereof a new section to be numbered 10, validating the act of the Legislature of the State of California providing for the issuance of bonds to the amount of ten million dollars for the purpose of providing funds to be used and disbursed for the purpose of the Pacific Exposition and San Francisco Bay Exposition to be held in California;
And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 525—An act to add sections 285, 285.1, 285.2, 285.3, and 285.4 to the Agricultural Code, relating to brands to be used on apiary equipment;

Also. Assembly Bill No. 539—An act to amend section 2.801 of the School Code, relating to the liability of school districts for injury to persons or property;

Also: Assembly Bill No. 603—An act to amend section 4223 of the Political Code, relating to admission to county hospitals,

Also: Assembly Bill No. 873—An act to add a new section to the School Code to be numbered 6.37, relating to information concerning bidders on work to be done for school districts;

Also: Assembly Bill No. 1060—An act to add section 2a to the Public Utilities Act, relating to toll bridges, whether publicly or privately owned, declaring the owners thereof to be public utilities in respect thereto and placing the same under the jurisdiction, supervision and regulation of the Railroad Commission;

Also: Assembly Bill No. 1157—An act creating a special fund to be known as the "Judges' retirement fund," providing for disbursements therefrom, and to make appropriations therefor;

Also: Assembly Bill No. 1344—An act providing for the grant of certain lands to the United States of America for the creation of a National park or monument;

Also: Assembly Bill No. 1606—An act to amend section 8 of and to add section 8a to the Sewer Revenue Bond Act, relating to acquisition and operation of sewerage disposal works;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1965—An act relating to a legislative research committee, to encourage and utilize research by public and private agencies for legislative purposes, defining its powers and duties, and making an appropriation therefor;

Also: Assembly Bill No. 2122—An act to postpone proceedings to enforce the lien, or any guaranty in connection therewith, arising out of the levy of any special assessment or special assessment tax, or arising out of the issuance of any special assessment bond, or ad valorem district bonds or direct assessment district bonds, levied or issued to pay the cost of the improvement or acquisition of property for public purposes, declaring the urgency thereof, and providing that it shall take effect immediately;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1935

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1264—An act to add a new section to the Political Code of the State of California, to be numbered 3719, authorizing the temporary borrowing of money by counties and school districts upon the credit of revenue in course of collection, and the issuing of tax anticipation notes or warrants as evidence of such indebtedness—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

DELAP, Chairman.

The above reported bill ordered on file for second reading.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1935.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Concurrent Resolution No. 25—Relative to the appointment of a joint legislative committee to study pending revenue and taxation measures—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

RILEY, Chairman.

Senate Concurrent Resolution No. 25 ordered on file for adoption.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly Amendments to Senate Bill No. 1070—An act to amend an act entitled "An act relating to the redemption of property sold to irriga-

tion districts for delinquent assessments, and declaring the urgency thereof," approved September 20, 1934, by amending sections 1 and 3 of said act and to validate redemptions heretofore made, and declaring the urgency thereof;

Also: Senate Bill No 227—An act prohibiting the use of certain canes, except by blind persons, providing protection against accidents to such persons, and providing penalties for violation hereof;

Also: Senate Bill No 289—An act validating the formation and existence of certain harbor districts and all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by such districts and authorizing the levy and collection of taxes sufficient to pay the principal and interest thereof;

Also: Senate Bill No. 1016—An act validating the formation, organization and existence of the "Orange County Water District," and the election of its directors.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 15, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 26—Approving certain amendments to the charter of the city of Porterville, county of Tulare, State of California, voted for and ratified by the qualified electors of the said city of Porterville at a special municipal election held therein for that purpose on the fifth day of February, 1935;

Also: Senate Concurrent Resolution No. 27—Relative to reports of the Department Encampment of the Grand Army of the Republic

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Request for Unanimous Consent.

Mr. Chatters asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 26, at this time, without reference to committee or file.

Consideration of Senate Concurrent Resolution No. 26.

Senate Concurrent Resolution No. 26—Approving certain amendments to the charter of the city of Porterville, county of Tulare, State of California, voted for and ratified by the qualified electors of the said city of Porterville at a special municipal election held therein for that purpose on the fifth day of February, 1935.

Senate Concurrent Resolution No. 26 read.

Mr. Chatters moved the adoption of Senate Concurrent Resolution No. 26.

The question being on the adoption of Senate Concurrent Resolution No. 26.

The roll was called, and Senate Concurrent Resolution No. 26 adopted by the following vote:

AYES—Anderson, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donahue, Donnelly, Evans, Ralph W., Fisher, Fulcher, Geyer, Gilbert, Gilmore, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—60.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 27 read first time, and referred to Committee on Rules.

Also:

SENATE CHAMBER, SACRAMENTO, April 15, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 14—Relative to memorializing and

petitioning the President and the Congress of the United States to include the Central Valley Project in the National program of work relief.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Request for Unanimous Consent.

Mr. Turner asked for, and was granted, unanimous consent to take up Senate Joint Resolution No 14, at this time, without reference to reprint, committee or file.

Consideration of Senate Joint Resolution No. 14.

Senate Joint Resolution No. 14—Relative to memorializing and petitioning the President and the Congress of the United States to include the Central Valley Project in the National program of work relief.

Senate Joint Resolution No. 14 read.

Floor Amendment.

During reading of Senate Joint Resolution No. 14, the following amendment was submitted by Mr. Chatters:

Amendment No. 1.

On page 3, line 2, of the printed resolution, strike out the word "revision", and insert in lieu thereof the word "provision".

Amendment adopted

Request for Unanimous Consent.

Mr. Turner asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 14, as amended, at this time, without reference to reprint, committee or file.

Senate Joint Resolution No 14, as amended, read.

Mr. Turner moved the adoption of Senate Joint Resolution No. 14.

The question being on the adoption of Senate Joint Resolution No. 14.

The roll was called, and Senate Joint Resolution No. 14 adopted by the following vote:

AYES—Anderson, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 14 ordered transmitted to the Senate.

Senate Joint Resolution No. 14.

Relative to memorializing and petitioning the President and the Congress of the United States to include the Central Valley Project in the National program of work relief.

WHEREAS, California has one of the gravest unemployment problems in the United States, due to the fact that the State has become the haven of unemployed from every section of the country; and

WHEREAS, One of the most constructive methods of coping with the unemployment problem is the building of useful and necessary public works which will confer permanent and lasting benefits as well as afford immediate work relief; and

WHEREAS, California is in urgent need of the development, conservation and stabilization of its water resources to prevent the abandonment of thousands of farms and homes, and to avert tremendous financial losses; and

WHEREAS, The State of California has prepared a comprehensive coordinated plan for the progressive economic development of the water resources of the State, carefully formulated over a period of 14 years, which provides for the control of floods

and salinity encroachment, the improvement of navigation the conservation and stabilization of water supplies for municipal, irrigation, industrial and mining uses, and for the generation of electric power; and

WHEREAS, The Legislature of the State of California in 1933 passed the Central Valley Project Act which was signed by the Governor and was thereafter approved by vote of the people of the State at a special election held on December 19, 1933; and

WHEREAS, The said Central Valley Project Act created the Water Project Authority of the State of California, to execute and administer the Central Valley Project, which project is designated as the first step in the comprehensive plan for the Great Central Valley of California; and

WHEREAS, Said Central Valley Project has been investigated and approved by thirteen agencies of the Federal Government and has been recommended for Federal financing; and

WHEREAS, Said project has further been recommended by the President's Committee on Water Flow and by the National Resources Board as one of the country's foremost projects for a National program of public works; and

WHEREAS, There is now pending before the Federal Emergency Administration of Public Works an application by the Water Project Authority for a grant and loan of funds to construct said project; and

WHEREAS, The House of Representatives has passed H. R. 6732, authorizing the improvement of the Sacramento River in accordance with the plan as set forth in House of Representatives' Document numbered 35, Seventy-third Congress, which recommends a Federal contribution of $12,000,000 to the cost of the Kennett Dam of the Central Valley Project; and

WHEREAS, The said project will be self-liquidating under Public Works Administration financing, and the cost thereof will be returned with interest to the Federal Government from revenues obtained by the sale of water and power; and

WHEREAS, Said project is ready for immediate construction when funds are made available for such purpose; and

WHEREAS, The consummation of the said project will enable 50,000 American people to sustain themselves by their present means of livelihood, and will prevent their being thrown into the ranks of the unemployed, and further will stop the reversion to desert of one-half million acres of highly developed and settled lands valued at $100,000,000; and

WHEREAS, A greater degree of flood protection in the Sacramento Valley is highly desirable as evidenced by the recent floods on the Sacramento River and its tributaries; and

WHEREAS, The construction of said project will give employment to thousands of workers, now unemployed, not only in California but throughout the Nation, thereby relieving unemployment in many branches of industry, particularly in the heavy manufacturing industries in the East and Middle West; and

WHEREAS, Congress has appropriated $4,880,000,000 for work relief, with the approval of the President of the United States, a large portion of which is intended for projects of the nature of the Central Valley Project; and

WHEREAS, The public interest, welfare, convenience and necessity require immediate revision for adequate financing of said Central Valley Project; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the State of California, through its Legislature, recommends the Central Valley Project to the President and to the Congress of the United States as of first and prime importance to the State of California, and respectfully requests that adequate funds be made available from the work-relief appropriation for immediate construction of the project, thereby conferring lasting benefits upon the people of the State of California and affording substantial unemployment relief now vitally necessary, all in a manner conforming admirably with the splendid program initiated by the President of the United States to speed National recovery; and be it further

Resolved, That the Governor is requested to transmit copies of this resolution to the President and to the Vice President of the United States, the Speaker of the House of Representatives, and to the Senators and Representatives of the State of California in the Congress.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1063—An act to amend section 182 of the Penal Code, relating to criminal conspiracy.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Redwine:

Amendment No. 1.

On page 1 of the printed bill, between lines 23 and 24, insert the following paragraph:

"When they conspire to violate any city or county or city and county ordinance, they shall be punishable in the same manner and to the same extent as are provided for a violation of the said ordinance."

Amendment No. 2.

On page 2, lines 3 and 4, of the printed bill, strike out "the superior court of".

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 239—An act to amend the title and sections 4; 4a, 5, and 23 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the rates thereof and the extension thereof to companies, other than insurance companies, specified in section 14 of Article XIII of the Constitution of this State.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Latham:

Amendment No. 1.

On page 3, line 9, of the printed bill, as amended, after the period, strike out "Taxes under this"; also strike out lines 10 to 18, inclusive.

Amendment adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Withdrawal of Bills.

By order of the Speaker, the following bills were withdrawn from the file, and referred to committees as follows:

Assembly Bill No. 1157 ordered re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1965 ordered re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 873 ordered re-referred to Committee on Education.

Assembly Bill No. 539 ordered re-referred to Committee on Education

Assembly Bill No. 1186 ordered re-referred to Committee on Education.

Assembly Bill No. 2122 ordered re-referred to Committee on Municipal Corporations.

Assembly Bill No. 1606 ordered re-referred to Committee on Municipal Corporations.

Assembly Bill No. 1236 ordered re-referred to Committee on Municipal Corporations.

Motion to Re-refer Assembly Bill No. 2080.

Mr. Scudder moved that Assembly Bill No. 2080 be withdrawn from Committee on Roads and Highways, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 2080 to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 2080 ordered re-referred to Committee on Ways and Means.

Motion to Re-refer Assembly Bill No. 1084.

Mr. Patterson moved that Assembly Bill No. 1084 be withdrawn from the Committee on Conservation, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 1084 to the Committee on Ways and Means.

Motion carried.

Assembly Bill No. 1084 ordered re-referred to Committee on Ways and Means.

Motion to Re-refer Assembly Bill No. 407.

Mr. Lyon moved that Assembly Bill No. 407 be withdrawn from Committee on Public Utilities, and ordered re-referred to Committee on Motor Vehicles.

The question being on re-referring Assembly Bill No. 407 to Committee on Motor Vehicles.

Motion carried.

Assembly Bill No. 407 ordered re-referred to Committee on Motor Vehicles.

Adjournment.

At four o'clock and twenty minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a m , Wednesday, April 17, 1935.

CHARLES H. ERB, Minute Clerk

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, April 17, 1935.

At ten o'clock a.m , pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Delap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—79.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Evans, Herbert J., its further reading was dispensed with.

Leave of Absence.

On motion of Mr. Clark, Mr. Andreas was granted leave of absence for this day.

Privilege of Floor of Assembly Extended.

On request of Mr. Voigt, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. M. Tellefson, city attorney of Culver City.

On request of Mr. Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. John E. Wright.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Harry Rosenberg.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Messrs. J. W. Parker and Jack Murphy.

On request of Mr. Voigt, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Frank H. Dobson, mayor of Culver City, and Messrs. John F. Lehman and Philip Stephen.

On request of Mr Fulcher, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Big Valley Joint Union High School, Adin, Calif., as follows: Earl Bassett, Gene Nash, Cedric Gould, and Dary Fulcher.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the principal and students of the Freeport School, Sacramento: Mrs. Pearl Brazil, principal, and Francis Brazil, Bill Sweeney, Jack Russi, Pearl Brazil, Tomoko Imagawa, Sophie Baumann, Genevieve Ames, Mrs. Esther Ames, and Nelda Baker, students.

On request of Mr Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Newel Perry.

On request of Mr. Gilbert, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Beverly Whitlow of Woodland.

On request of Mr. Glover, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Ina Sams of South Gate.

On request of Mr Redwine, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs Arthur Caldwell.

On request of Mr. Evans, Herbert J., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Ira A. Lee, former Assemblyman.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the teachers and pupils of the eighth grade of the Empire Union Grammar School, as follows: Robert A. Hill, principal; Isabel Hughes, Myra Hughes, Orpha Atkinson, Cleo Beery and Josephine Overton, teachers; Pauline Adams, Roy Christian, Glen Davisson, Ruth DeSeelhorst, Emily Garvey, Melva Goodman, Lois Gray, Opal Harms, Robert Jamison, Henry Kiyoi, Vivian Macedo, Grant Metcalf, Gregory Metcalf, Esther Nelson, Ruth

Odell, Betty Ramsey, Keith Scott, Blanche Shively, Pauline Western, Vernon Widick, Dolores Braden, Wesley Bauche, Jerry Crooks, Pauline Flora, Horace Fritz, Evelyn Garst, Ben Gerran, William Irwin, Peter Miller, Beulah Smithcamp, Roy Ebie, David Smith, Evelyn Everett, and Carl Wilmerth, pupils; and Messrs. A. J. Frick and J. W. Shirk, bus drivers.

On request of Mr. Hornblower, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Messrs Andrew Gallagher and John Ratto, supervisors of San Francisco

On request of Mr Cunningham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Edith Burns, Armin Janeves and Marian Farr of Los Angeles.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Lynn M. Barrett, Mrs. E. G. Staehling, Miss Narcisa Rhodes, Messrs. Wyman Hicks, Edward Howden, Paul Chown, John Gray and Jonathan Sauer.

On request of Mr Nielsen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the teacher and pupils of the seventh grade, Granite Grammar School, Folsom, as follows: Lora F. Moore, teacher; and Clyde Cain, Bob Crowle, George Manasco, Clarence McKiernan, Frank Price, Danny Russel, John Souza, Clifford Whiteside, James Woods, Idabel Buchanan, Patricia Chaffin, Juanita Fields, Beatrice Morton, Doris White, Jack Castro, Junior Duncan, Charles McKiernan, Bud Needles, James Richmond, Alvin Teceira, Steve Wales, Duane Williams, Norma Braden, Doris Carter, Barbara Farshon, Margaret Gillander and Beatrice Ohela, pupils.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs A L Warren, principal, Washington School, of Turlock.

On request of Mr. Dawson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Brother Edmund of Sacred Heart College, San Francisco, and the senior class of Sacred Heart College, consisting of D. Barry, E Cafferata, T. Slattery, J Quinn, F. Ehrman, J. Gannon, E Olcease, J. Lacey, J. Lynch, W O'Rourke, T. Carmody and W. Lynch.

On request of the San Francisco delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the board of directors of the Tavern Owners Association of California as follows: Messrs. L. Kilgannon, J. Sheehan, R. Crespo, E. Fields, D. Farrell, J. Herlihy, William Tregag, William McGreevy, William Varley and former Assemblyman Jack Hayes of San Francisco.

On request of Mr. Martin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Louise Ward Watkins, president of the Friday Morning Club of Los Angeles.

On request of Mr. Dawson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. J. P. Hayes.

On request of Mr. Latham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Don Tyler

On request of Mr. Corwin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. and Mrs L. W. Ayers of San Bernardino.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Rose Thompson, Mrs. Bess Garlock and Mrs Hazel Jones of Modesto.

On request of Mr Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the trustee, principal and pupils of the Washington School, Turlock, eighth grade, as follows: Signe Anderson, Fern Lindskoog, Ann Whitaker, Bonnie Peterson, Julia Baba, Alta Ellis, Tom Sheehan, Jim Burke, Everett Wehe, and Richard Ferriera, pupils, and Albert Peterson, trustee; and Lillian Warren, principal.

ASSISTANT CLERK COOLIDGE READING.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to section 7½a of Article XI of the Constitution of the State of California, relating to local government—and reports that the same has been correctly engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 545—An act to add a new section to be numbered 17.5 to an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, relating to cases in which common carriers may grant free or reduced rates, and providing that this act shall take effect immediately—and reports that the same has been correctly engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 944—An act regulating the use of public highways by motor vehicles operated thereon for the transportation of property for compensation; conferring powers upon the Railroad Commission with respect thereto; providing penalties for the violations of this act and repealing all acts inconsistent with the provisions of this act—and reports that the same has been correctly re-engrossed

WATERS, Chairman.

The above reported bill ordered on file for third reading.

On Federal Relations.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1935.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 22—Relative to Pacific Exposition—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

TURNER, Chairman.

Assembly Joint Resolution No. 22 ordered to engrossment

Also:

MR SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 23—Relative to the Pacific Exposition—has had the

same under consideration, and respectfully reports the same back, and recommends that it be adopted.

TURNER, Chairman

Assembly Joint Resolution No. 23 ordered to engrossment.

Also:

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 28—Relative to memorializing the Senate of the United States to conduct an investigation of vigilantism in California and throughout the United States—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

TURNER, Chairman.

Assembly Joint Resolution No. 28 ordered to engrossment.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 609—An act to amend section 669 of the Penal Code, relating to terms of imprisonment;

Also: Senate Bill No. 4—An act to amend sections 2, 3, and 6 of an act entitled "An act authorizing municipal corporations to discontinue the use of land for park purposes when the fee thereof is vested in the municipal corporation and authorizing the sale or other disposition of such lands," approved May 12, 1927, relating to the conveyance, exchange, sale or other disposition of lands;

Also: Senate Bill No. 356—An act to amend sections 1, 3, 4 and 5 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, and to add a new section thereto numbered 9a;

Also: Senate Bill No. 358—An act to amend sections 1, 3, 4 and 10 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within the State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933, and to add a new section to said act numbered 9a.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 609 read first time, and referred to Committee on Judiciary.

Senate Bill No. 4 read first time, and referred to Committee on Municipal Corporations.

Senate Bills Nos. 356 and 358 read first time, and referred to Committee on Governmental Efficiency and Economy.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 269—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment;

Also: Senate Bill No. 96—An act to amend sections 1081, 1082, 1083, 1085, 1087, 1088, 1089, 1090, and 1091 of, and to add sections 1081.1, 1083.1, 1083.3 and 1083.5 to the Agricultural Code, relating to commercial feeding stuffs;

Also: Senate Bill No. 291—An act to add section 311.5 to the Agricultural Code, relating to persons handling meat

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 269 read first time, and referred to Committee on Judiciary.

Senate Bill No. 96 read first time, and referred to Committee on Agriculture

Senate Bill No. 291 read first time, and referred to Committee on Public Health and Quarantine.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1935

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2174—An act to confirm, ratify and make valid ordinances heretofore passed by the city council or the people of any incorporated city creating a civil service commission and placing employees of the city under control of said civil service commission;

Also, Assembly Bill No 229—An act to amend sections 3366 and 4041 14 and to repeal section 3384 of the Political Code, relating to the licensing of businesses by the counties;

Also, Assembly Bill No 242—An act to add a new section to be numbered section 28a to an act entitled "An act to provide for work in and upon public streets, avenues lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, relating to assessments and bonds;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos 2174, 229 and 242 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, April 16, 1935

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 1064—An act authorizing municipalities to afford special assessment relief by the appropriation of money for the reduction of special assessments and the payments on bonds issued to represent such assessments, and by the payment of any portion of the principal or interest of, or by the purchase or redemption at a discount of, or by the transfer to the interest and sinking fund for the discharge and payment of bonds, the proceeds of which have been used for the acquisition of rights of way or easements for, or for the construction, maintenance, improvement or repair of streets, bridges and culverts within such cities, and providing a method for the making of such appropriations—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary

Assembly Bill No. 1064 ordered on unfinished business file.

Introduction and Reference of Bills.

The following bill was introduced, and referred as indicated:

By Mr. Williamson: Assembly Joint Resolution No 51—Relative to memorializing the President and the Congress to enact legislation (H R. 2772) declaring Admission Day a holiday for all officers and employees of the United States whose headquarters are in California.

Introduced, and referred to Committee on Federal Relations.

Resolution.

The following resolution was offered:

By Mr. Heisinger:

Assembly Resolution.

WHEREAS, The San Francisco Bay Bridge now under construction is of importance to the entire State of California, and particularly to the northern part of this State; and

WHEREAS, The welfare of the people of the State requires that the fares and tolls to be charged for the use of such bridge shall be reasonable; and

WHEREAS, There are conflicting reports in circulation relative to the future use of the bridge, and it is rumored that a large part of that use may be turned over to certain monopolistic interests; and

WHEREAS, A letter from the Attorney General, printed in the Journal of April 12th, page 3, reveals that such a monopoly is possible under the provisions of Assembly Bill No. 947; and

WHEREAS, The Assembly has not sufficient information of the provisions of this bill and their possible effect to vote upon such an important matter; now, therefore, be it

Resolved, That the Speaker of the Assembly appoint a committee of five members of the Assembly; and be it further

Resolved, That such committee shall make an immediate investigation into all matters pertaining to the San Francisco Bay Bridge, including such matters as integral costs, proposed operations, proposed rates and tolls, proposed terminals whether for all railroads or for one particular railroad, and any and all other things which should be explained to the Assembly before a vote is taken upon Assembly Bill No. 947; and be it further

Resolved, That such committee is vested with full power to do any and all things necessary to make such investigation, and in this regard to subpena witnesses and require the production of books and papers; and be it further

Resolved, That such committee shall make its report to the Assembly within two weeks from the date of this investigation; and be it further

Resolved, That there is hereby appropriated the sum of three hundred dollars, or as much thereof as may be necessary, from the Assembly contingent fund to defray any expense connected with the investigation and the report.

Motion to Lay on the Table.

Mr Hornblower moved that the resolution be laid on the table.

Request for Roll Call.

On request of Messrs. Heisinger, Wagner, and Brennan, the Speaker ordered a roll call taken on the motion to lay the resolution by Mr Heisinger on the table.

The roll was called, and the motion to lay on the table carried by the following vote:

AYES—Breed, Brennan, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Evans, Herbert J., Fisher, Fulcher, Garibaldi, Gilmore, Glover, Hornblower, Johnson, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Minard, Morgan, Nielsen, Peyser, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Welsh, Williamson, Wright, and Mr. Speaker—41.

NOES—Anderson, Burns, Clark, Crowley, Desmond, Donihue, Donnelly, Evans, Ralph W., Geyer, Gilbert, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, McCarthy, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Richie, Rosenthal, Turner, Voigt, and Wagner—27.

Motion to Withdraw Assembly Bill No. 122.

Mr. Hunt moved that Assembly Bill No. 122 be withdrawn from Committee on Revenue and Taxation, and placed on file.

Demand for Previous Question.

Messrs. Morgan, Fisher, Brennan, Dawson, and DeLap demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion by Mr. Hunt to withdraw Assembly Bill No. 122 from Committee on Revenue and Taxation.

Request for Roll Call.

On request of Messrs. Flint, Hunt and Jones, the Speaker ordered a roll call taken on the motion of Mr. Hunt to withdraw Assembly Bill No. 122 from Committee on Revenue and Taxation.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Boyle, Brennan, Burns, Cassidy, Clark, Cronin, Crowley, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam,

Laughlin, Lore, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, O'Donnell, Patterson, Pelletier, Reaves, Turner, Voigt, Wagner, Welsh, and Williamson—43.

NOES—Breed, Corwin, Cottrell, Cunningham, DeLap, Evans, Herbert J., Fisher, Fulcher, Johnson, Latham, Lyon, Maloney, Martin, Minard, Nielsen, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Walker, Waters, Wright, and Mr. Speaker—25.

Assembly Bill No. 122 ordered withdrawn from Committee on Revenue and Taxation, and on file for second reading.

Second Reading of Assembly Bills.

Assembly Constitutional Amendment No. 32—A resolution to propose to the people of the State of California that the Constitution of said State be amended by adding to Article XI thereof a new section to be numbered 8b authorizing the city of Los Angeles to amend its charter in certain particulars.

Committee Amendment.

During reading of Assembly Constitutional Amendment No. 32, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 14, of the printed bill, insert after the word "January", "22nd".

Amendment adopted.

Assembly Constitutional Amendment No. 32 read, ordered to reprint, engrossment, and on file for adoption.

Assembly Constitutional Amendment No 24—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 26 of Article IV thereof, relating to a State lottery.

Committee Amendment.

During reading of Assembly Constitutional Amendment No. 24, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 1 to 26, inclusive, and on page 2, strike out lines 1 to 7, inclusive, and insert in lieu thereof the following:

"*Resolved by the Assembly, the Senate concurring,* That the Legislature of the State of California at its regular session commencing on the seventh day of January, 1935, two-thirds of the members elected to each of the two houses of the said Legislature voting in favor thereof, hereby proposes to the people of the State of California, that the Constitution of said State be amended by amending section 26 of Article IV thereof to read as follows:

Sec. 26. The Legislature shall have no power to authorize lotteries or gift enterprises for any purpose and shall pass laws to prohibit the sale in this State of lottery or gift enterprise tickets or tickets in any scheme in the nature of a lottery, except as follows: The Legislature may provide for the creation of a lottery, under the control of a Lottery Commission to consist of five members to be appointed by the Governor and to serve for such terms as the Legislature may prescribe, but such terms shall not exceed five years. The board so created is hereby empowered to devise and operate a lottery upon such terms and conditions as it deems suitable, subject to the control of the Legislature in every respect. The funds derived to the State through such lottery shall be used for the purpose of providing pensions for the aged, for the construction, maintenance and repair of State institutions, hospitals, and asylums and in such other manner as the Legislature may prescribe by law. The foregoing provisions of this section shall be self-executing, until such time as the Legislature, pursuant to this section has otherwise provided for the carrying into effect of this section.

The Legislature shall pass laws to prohibit the fictitious buying and selling of the shares of the capital stock of corporations in any stock board, stock exchange or stock market under the control of any corporation or association. All contracts for the purchase or sale of shares of the capital stock of any corporation or association without any intention on the part of one party to deliver and of the other party to receive the shares, and contemplating merely the payment of difference between the contract and market prices on divers days, shall be void, and neither

party to any such contract shall be entitled to recover any damages for failure to perform the same, or any money paid thereon, in any court of this State."

Amendment adopted.

Assembly Constitutional Amendment No. 24 read, ordered to reprint, engrossment, and on file for adoption.

Assembly Bill No. 36—An act to amend sections 1261 and 1262 of the Agricultural Code, relating to produce dealers.

Bill read second time, ordered to re-re-engrossment, and third reading.

Assembly Bill No. 1617—An act to add section 602 to the Streets and Highways Code, establishing a secondary State highway.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 8, of the printed bill, as amended, after "directed", insert the following: "to prevent fire hazard to adjoining property,".

Amendment No. 2.

On page 2 of the printed bill, as amended, strike out lines 13 to 20, inclusive.

Amendment No. 3.

On page 2, line 21, of the printed bill, as amended, strike out "6", and insert in lieu thereof the following. "5".

Amendment No. 4.

On page 2, line 31, of the printed bill, as amended, strike out "7", and insert in lieu thereof the following: "6".

Amendment No. 5.

On page 2 of the printed bill, as amended, strike out lines 36 to 51, inclusive; also on page 3, strike out lines 1 to 9, inclusive

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 2030—An act to amend sections 1426, 1427 and 1428 of the Streets and Highways Code, relating to expenditures by boards of supervisors of moneys received by the counties from the motor vehicle fund or from moneys received by the county for vehicle registration license fees and authorizing contributions to ad valorem special assessment proceedings, or the purchase of bonds issued in any ad valorem acquisition or improvement district.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 4 of the title of the printed bill, as amended, after "vehicle", insert the following: "fuel".

Amendment adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1782—An act to amend section 1257a of the Political Code, relating to the elections and the canvass and counting of the ballots cast at elections.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 1257a", and insert in lieu thereof the following: "sections 1142 and 1257a".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "1257a", and insert in lieu thereof the following: "1142".

Amendment No. 3.

On page 1, line 3, of the printed bill, strike out "Sec. 1257a.", and insert in lieu thereof the following.

"1142 (a) At each general election, and at each election, where other provisions are not made by law or charter, the election officers appointed for each precinct shall constitute a board of election for such precinct. Such board shall consist of one inspector, two judges and three clerks; provided, that in any precinct in which the total registration does not exceed one hundred electors or at any special election for selection of a board of freeholders or at which propositions, not exceeding four in number, are presented to the electors (including proposals for issuance of bonds, for annexation of territory and adoption or amendment of a charter), or at any special election where other provisions as to election officers is not made by law, the board shall consist of one inspector, one judge and two clerks. Each of such officers shall be a registered, qualified elector of the precinct for which he is appointed and in which he acts and shall serve only in such precinct; provided, that in the case of consolidated election precincts the election officers appointed therefor and who act therein shall be registered qualified electors of one of the precincts of which such consolidated precinct is composed; and provided further, that in the event a sufficient number of qualified persons have not applied for the position of election officer as hereinafter provided to constitute such board, then in that event each of such officers shall be a registered, qualified elector of the precinct for which he is appointed and in which he acts, or a registered, qualified elector of a precinct adjoining the precinct for which he is appointed and in which he acts.

(b) The board of supervisors, or other board having charge or control of elections in each of the counties, and cities and counties, must, not less than thirty days prior to an election issue its order appointing the members of the several boards of election and designate the polling places unless otherwise provided herein or by law.

(c) If the election officers for any precinct have not been appointed or can not serve, or the polling place therein, has not been designated by the twentieth day prior to any election, the county clerk or registrar of voters shall immediately appoint the election officers for that precinct, or designate the polling place therein, as the case may require and said officer shall have power to excuse electors appointed from serving whenever he is satisfied any such elector ought to be excused, and to substitute new appointees in all cases when any elector appointed shall be excused or found disqualified or deemed incompetent down to a time when said officer shall send a final or amended list of such election officers to the inspector, for the precinct, which list shall be the final order of appointment for such precinct; such appointments shall be in the form prescribed in subdivision (f) of this section, and in addition shall have at the head thereof the words in capitals "Amended and final precinct list of election officers"

The county clerk or registrar of voters shall require inspectors of election who have been appointed to take the oath of office before any officer qualified to take oaths and return said oath of office to county clerk or registrar of voters at least fifteen days before the day of election, and if such inspector shall refuse or fail to so take such oath of office said officer shall substitute and appoint an inspector and cause to be administered such oath of office to such newly appointed inspector

There shall be no fee or charge for administering an oath to an election officer

Said oath shall be substantially in the following form:

State of California,)
County of _____) ss.

I do solemnly swear (or affirm, as the case may be), that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of _____ on the board of election for _____ precinct according to the best of my ability

Subscribed and sworn to before me this _____ day of _____, 19___

_____

(Name and designation of official before whom taken.)

(d) Any elector who has filed an application for the position of an election officer as herein provided, who, having been regularly appointed as an election officer, shall without lawful excuse fail to act as such, shall be guilty of a misdemeanor punishable by a fine not to exceed one hundred dollars or by imprisonment in the county jail not to exceed thirty days or by both such fine and imprisonment. Any elector serving as an election officer at any election, shall, on the day of such election, be entitled to absent himself from any service or employment in which he, or she, is then engaged or employed; and such elector shall not, because of so absenting himself, or herself, be liable to any penalty, nor shall any deduction be made on account of such absence, from his or her usual salary or wages, nor shall such elector be suspended or discharged from any service or employment because of so absenting himself or herself. In appointing election officers preference shall so far as possible be given to any elector otherwise qualified, who has passed a civil service examination involving a test for a clerical position, or who has previously rendered satisfactory service as an election officer if otherwise qualified. Any elector may file an application for the position of an election officer on blanks prepared by the officer in charge of registration, which shall be substantially as follows:

APPLICATION TO SERVE AS ELECTION OFFICER.

State of California,)
County of_____) ss.

My name in full is_____
My actual residence is_____
My age is_____; my occupation is_____
I am employed at _____ (give place of employment).

I am not, and have not been, within the last ninety days, employed in any capacity, other than that of election officer or as a clerk engaged in the registration of voters, by the State, county, city and county, or incorporated city or town in which I now reside.

I have _____ acted as an election officer at an election _____. (If applicant has previously acted as an election officer state the time and place when so acting and the nature of the office held, otherwise insert the word "not" after the word "have.")

I have _____ passed a civil service examination _____. (If applicant has previously passed such examination state the time and place thereof and the position for which it was held, otherwise insert the word "not" after the word "have.")

My experience in clerical work has been as follows. (State briefly.)

For further information, I would refer to the following:

_____

(Names and addresses of two or three well known citizens of the community, who are acquainted with the qualifications of applicant; to be filled out if applicant is not, through previous service or otherwise, already known to the appointing board.)

I am now registered as an elector in this county (or city and county).

I can read and write the English language and all of the matter written in the foregoing answers is in my own handwriting.

_____
Signature of applicant.

Subscribed and sworn to before me this _____ day of _____ 19____.

_____
(Name and designation of official before whom taken).

All such applications must be sworn to and the county clerk or registrar of voters shall take such oath without charge.

(e) No person shall be eligible to act as an officer of election who is not actually a resident of the precinct in which he, or she, acts and a registered and a qualified elector thereof, except as provided in subdivision (a) hereof, or who has, within ninety days preceding such election, been employed in any capacity, other than that of an election officer, or as a clerk engaged in the registering of electors, by the State, county, city and county, or incorporated city and town in which he resides.

(f) Upon filing a list of the names and addresses of those who have been appointed election officers the county clerk or registrar of voters shall immediately mail or deliver to each elector appointed a notice that he, or she, has been appointed, stating therein the position to which he or she has been assigned, and the penalty for failure to serve, also such other matter as the county clerk or registrar of voters may determine. He shall also publish the list of the names of the election officers appointed and the polling places designated for each election precinct in any daily or weekly newspaper of general circulation published in the county, or city and county where the election is to be held, for two issues, the last publication to be at least one week before the day such election is to be held. He shall also mail or deliver to each person appointed as inspector for any precinct immediately after such appointment a notice of the electors appointed to serve as election officers in that precinct. Said notice shall be substantially in the following form:

Office of the county clerk (or registrar of voters).
County of _____.

NOTICE TO ELECTION OFFICERS.

To _____, inspector for _____ precinct

The polling place for the _____ precinct at the election to be held on _____ the _____ day of _____ is _____ and the board of election for said precinct is composed of the following electors:

Position	Name	Address
_____	_____	_____
_____	_____	_____
_____	_____	_____

You, as inspector, must, before the polls are opened, see that each of these persons have taken the oath required by law and that no person is permitted to act as election officer unless he or she has taken such oath and is registered as an elector thereof and is not and has not been employed in any capacity, other than that of election officer, or as clerk engaged in the registering of electors, within ninety days of the election, by the State, county or city and county or by the incorporated city and town in which he, or she resides. If any of these persons is not qualified to act or in case any of them do not appear at the opening of the polls, the inspector shall appoint in his or her place one who is qualified who shall take the required oath of office which will be found set forth in the tally list.

_____
County Clerk (or other official).

(g) On the day of election and before entering upon the performance of their duties, each of the election officers shall take an oath, same as prescribed in subdivision (c) hereof, before said inspector, or in case he is not present, before any other of themselves, each of whom is for this purpose authorized to administer an oath. Such oaths shall be taken and subscribed upon a form which shall be provided for that purpose in the tally list for that precinct

(h) No person shall be eligible to act as a member of any election board who can not read and write the English language, nor shall any person be appointed an election officer or act as such who is not at the time in every respect qualified to act as such election officer, except as hereinbefore provided, nor shall any elector so appointed serve as such until he has taken the oath required. The inspector, judges and clerks upon each board of election shall distribute the extra duties devolving upon such board of election, in addition to their own duties in such a manner as they themselves shall deem most advantageous, and such extra duties assigned to the several officers or clerks of boards of election by other sections of this code shall be performed by the members of each board as the said duties have been distributed in accordance with this provision

Not more than two members of any board of election shall be absent from the polling place at any one time Such board of election shall canvass the votes for such precinct, and all of said board must be present at the closing of the polls. Except as otherwise provided herein, the members of said board shall relieve each other in the duties of canvassing the ballots, which may be conducted by at least four members of the board; provided, that there shall always be two members simultaneously keeping the tally sheets, and always two members looking at the vote on the ballot from which one of said two members is reading; and provided further, that the final certificate shall be signed by a majority of the whole.

In precincts where the board of election consists of six members, the board may divide itself into two groups of not less than three members each, for the purpose of canvassing the ballots In such case, the provisions of this section relating to the number of members required to simultaneously keep the tally sheets and to look at the vote on the ballot shall not apply.

(i) In any city and county having a registrar of voters all preliminary or other lists of electors qualified to act as election officers and all appointments of election officers shall be made by said registrar of voters and he shall have power to excuse electors appointed from serving whenever he is satisfied any such elector ought to be excused, and to substitute new appointees in all cases when any elector appointed shall be excused or found disqualified or deemed incompetent down to a time when said registrar of voters shall send a final or amended list of such election officers to the inspector, for the precinct, which list shall be the registrar's final order of appointment for such precinct; such appointments shall be in the form prescribed in subdivision (f) of this section, and in addition shall have at the head thereof the words in capitals "Final precinct list of election officers."

In a city and county having such a registrar of voters he may require inspectors of election who have been appointed to take the oath of office at the office of said registrar of voters at least ten days before the day of election, and if such inspector shall refuse or fail to so take such oath of office said registrar may substitute and appoint an inspector and administer such oath of office to such newly appointed inspector. In a city and county the publication of the list of election officers referred to in this section, may, in the discretion of the registrar of voters, be made only once.

Section 1257a of the Political Code is hereby amended to read as follows:

1257a Except as otherwise provided in section 1142 of this code, the election officers shall not constitute themselves into separate squads in an attempt to conduct

more than one count of the ballots at the same time; nor shall such election officers make any tally of votes in any other manner than is provided in section 1258 of this code, nor in any other place than in the tally books provided for that purpose. As each ballot is read, at least one election officer besides the officer reading or calling such ballot shall sit beside such officer so reading or calling and keep watch of each vote thereon, to help keep a check on any possible illegal vote or on any error or omission on the part of the officer reading or calling such ballot. The provisions of this section and of section 1252 and 1258 of this code must be furnished to each election officer by the county clerk or registrar of voters and must be posted in a conspicuous place on the booth or place where such election precinct is located as a portion of the matter to be contained on the cards provided for in section 1210 of the Political Code."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 754—An act to make an appropriation for the Sixth District Agricultural Association for the purpose of constructing buildings and appurtenances thereto.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "for the Sixth District Agri-", and strike out all of lines 2 and 3 of the title, and insert in lieu thereof the following: "from unemployment relief money for construction work by agricultural districts."

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "Out of any money in the State treasury not", and strike out all of line 2, and insert in lieu thereof the following: "Out of any money in the State treasury now or hereafter made available by law for construction of public works for or in behalf of unemployment relief, there is hereby appropriated two million dollars, one million for the".

Amendment No. 3.

On page 1, lines 3 and 4, of the printed bill, strike out "the sum of six hundred fifty thousand dollars".

Amendment No. 4.

On page 1, line 8, of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "one million for agricultural district 1A to become available when there has been deeded to agricultural district 1A by public or private corporations or agencies, other than the State, a site or sites suitable for the construction of buildings and appurtenances thereto for displays and fair purposes."

Amendment No. 5.

On page 1, line 9, of the printed bill, strike out "said association", and insert in lieu thereof the following: "either of said associations".

Amendment No. 6.

On page 1, line 10, of the printed bill, after "available", insert the following: "to it".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1741—An act to add section 91.6 to the Agricultural Code, relating to the Sixth District Agricultural Association.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "to add section 91.6 to the Agricultural Code,".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 and 2, and in line 3, strike out "91.6.", and insert in lieu thereof the following: "SECTION 1.".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 205—An act to amend section 702 of the Code of Civil Procedure, relating to redemption interest.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 6, of the printed bill, strike out "one-half", and insert in lieu thereof the following: "two-thirds of one".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 437—An act to amend section 112 of the Code of Civil Procedure, relating to the jurisdiction of justices' courts.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out "Sec."

Amendment No. 2.

On page 1, line 5, of the printed bill, after "A", insert the following: "in counties having a population of nine hundred thousand or over".

Amendment No. 2-a.

On page 1, line 10, of the printed bill, strike out "the title or possession of real estate or".

Amendment No. 3.

On page 1, line 15, of the printed bill, strike out the semicolon at the end of the line, and insert in lieu thereof the following: ", and in such proceedings any competent evidence may be given and any question properly involved therein may be determined,".

Amendment No. 3-a.

On page 2, line 19, of the printed bill, strike out "artesans", and insert "artisans".

Amendment No. 3-b.

On page 2, line 23, of the printed bill, immediately before "justice's", insert "Class A".

Amendment No. 3-c.

On page 2, line 27, of the printed bill, immediately before "justice's", insert "Class A".

Amendment No. 3-d.

On page 2, lines 36 and 37, of the printed bill, strike out "who are", and insert in lieu thereof the following "where".

Amendment No. 4.

On page 2 of the printed bill, after line 50, insert the following:

"2. Justices' courts of Class A in counties having a population of less than nine hundred thousand shall have original jurisdiction:

(a) In all cases at law in which the demand, exclusive of interest, or the value of the property in controversy, amounts to one thousand dollars or less, except cases at law which involve the title or possession of real estate or the legality of any tax, impost, assessment, toll or municipal fine;

(b) In all proceedings in forcible entry or forcible or unlawful detainer where the rental value is one hundred dollars or less per month, and where the whole amount of damages claimed is one thousand dollars or less, and in such proceedings

any competent evidence may be given, and any question properly involved therein may be determined;

(c) In all actions to enforce and foreclose liens on personal property where the amount of such liens is one thousand dollars or less;

(d) In cases in equity, when pleaded as defensive matter in any case at law of which they have jurisdiction;

(e) To charge the interest of a debtor partner with payment of the unsatisfied amount of any judgment rendered by such court in the manner provided in section 2422 of the Civil Code, or any amendment thereof, and in such cases to appoint a receiver and to make any order or perform any act mentioned or authorized in said section; in proceedings under section 689 of this code, or any amendment thereof, to determine title to personal property, seized in an action pending in, or upon execution issued by, such court; to appoint receivers in the cases mentioned in section 547a of this code, or any amendment thereof, and to make all orders and perform all acts mentioned in said section in connection with such cases."

Amendment No. 5.

On page 3, line 1, of the printed bill, strike out "2.", and insert in lieu thereof the following: "3."

Amendment No. 6.

On page 3, line 9, of the printed bill, strike out "seventy-five", and insert in lieu thereof the following: "one hundred".

Amendment No. 7.

On page 3, line 11, of the printed bill, strike out the semicolon at the end of the line, and insert in lieu thereof the following: ", and in such proceedings any competent evidence may be given and any question properly involved therein may be determined;".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1735—An act to add a new section to the Political Code, to be numbered 689a, relating to use of the State's teletype system.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, strike out "Except where a State agency pays for its own tele-", and in line 4, strike out "type installation, service or equipment, the", and insert in lieu thereof the following: "The".

Amendment No. 2.

On page 1, line 6, of the printed bill, as amended, after the word "commission", insert the following: "or any city or county, or any city and county, or other public agency".

Amendment No. 3.

On page 1, line 19, of the printed bill, as amended, strike out "and for such of the"; also strike out lines 20 and 21, and insert in lieu thereof the following: "and the official business of any city or county, or city and county, or other public agency.

Nothing in this section shall be construed to prohibit the use of the State's teletype system by any other State or public agency thereof when connection is made to the State's teletype system at or within the boundaries of this State and when the messages transmitted relate to the enforcement of the criminal laws."

Amendment No. 4.

On page 1, line 8, of the printed bill, as amended, strike out the word "Said", and insert in lieu thereof the following: "In the case of State agencies, said".

Amendments adopted.

Bill read second time, ordered to reprint, re-re-engrossment, and third reading.

Assembly Bill No. 112—An act to amend section 105 of the Code of Civil Procedure, relating to justices' courts.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 105", and insert in lieu thereof the following: "sections 104 and 159a".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "105", and insert in lieu thereof the following: "104".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 3 to 20, inclusive, and insert in lieu thereof the following:

"104. A justices' court may be held at any place selected by the justice holding the same, in the township, city or town for which he is elected or appointed. A justices' court of Class A may also hold sessions at any other place in the same county, in a city, town or judicial township having a population of less than thirty thousand, at which sessions of the superior court are held.

Whenever in the opinion of the justice of a justices' court of Class A the public interests so justify or require, one or more sessions of said justices' court, to be known as extra sessions thereof, may be held, in addition to and at the same time as the regular sessions held by such justice, at any place in the county at which sessions of said court are authorized to be held.

Such justice may request, or the chairman of the Judicial Council may assign, any other qualified justice of the peace, or judge of a police or any city court in the same county, to attend and hold a session of such justices' court of Class A at any place so authorized. The judge or justice so requested or assigned while so holding such session shall have all the powers and jurisdiction vested in such court, and the judgments, orders and proceedings of such session shall be effectual as the judgments, orders and decrees of such court. The justice or judge so requested or assigned to attend shall, while so holding court or acting as a justice of the peace therein (if his regular compensation as a justice or judge is less), receive the same compensation as the justice of the peace of the justices' court of Class A which he is attending.

The board of supervisors of the county shall provide a suitable place for the holding of such extra sessions of said justices' court

The extra compensation of the justice of the peace or judge sitting in said court pursuant to such request or assignment, and the necessary expenses of the judge or justice and of the clerk, or deputy clerk, and one court reporter, attending and holding such session, in going to, returning from, and attending upon the business of such court, shall be a charge against the treasury of the county and be paid out of the general fund thereof.

SEC. 2. Section 159a of the Code of Civil Procedure is hereby amended to read as follows:

159a. No person shall be eligible to the office of justice of the peace, of a justices' court of Class A, unless he shall have been admitted to practice before the Supreme Court of this State, for a period of at least five years, and shall have had not less than five years actual practice of law in this State; provided that the provisions of this section shall not apply to an incumbent, or to the election of an incumbent in such judicial position."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 610—An act amending section 1463 of the Penal Code, relating to the disposition of fines collected in municipal courts.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 6, of the printed bill, strike out the word "of", and insert in lieu thereof the following: "by".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 826—An act to add a new section to the Code of Civil Procedure to be numbered 336a and to amend section 337 thereof, relating to the periods prescribed for the commencement of actions.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out "eight", and in lieu thereof insert "six".

Amendment No. 2.

On page 1, line 5, of the printed bill, after the comma following the word "Corporations", insert the following: "or upon any coupons issued with such bonds, notes or debentures,".

Amendment No. 3.

On page 1, line 5, of the printed bill, after the comma following the word "Corporations", insert the following: "or upon any coupons issued with such bonds, notes or debentures,".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1921—An act to amend section 1461 of the Probate Code, relating to guardians of insane or incompetent persons.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, as amended, strike out "and", and insert in lieu thereof the following, "by the court"

Amendment No. 2.

On page 1, line 21, of the printed bill, as amended, strike out "hospitals", and insert in lieu thereof the following: "hospital".

Amendment No. 3.

On page 1, line 22, of the printed bill, as amended, after "attend", insert a comma

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1309—An act to regulate the location, construction, occupancy and operation of hat cleaning and blocking establishments, or agencies thereof, and private schools and colleges of hat cleaning and blocking; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement; and providing penalties for violations

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the printed bill, after "SECTION 1.", insert the following: "As used in this act unless otherwise apparent from the context

(a) "Person" includes any individual, firm, association or corporation.

(b) "Hat renovating establishment" means any premises, building, room, shop, store, establishment, or other instrumentality, or any unit or department of the

foregoing, equipped for performing the service of cleaning, or dry cleaning by local application, or blocking or finishing hats or headgear of any description.

(c) "Agency" means any premises, building, room, shop, store, establishment, or other instrumentality, or any unit or department of the foregoing, upon, in or through which is conducted, maintained or operated a service outlet or inlet for a hat renovating establishment The foregoing defined term includes, but not by way of limitation, establishments commonly known to the trade as pick-up shops or secondhand clothing shops, or both.

(d) "Private school or college of hat renovating" means any establishment wherein individuals are instructed concerning the operations or processes, or both, employed in cleaning, or dry cleaning by local application, or blocking or finishing hats or headgear of any description, with or without a charge or fee of any nature for said instruction, including exchange of services for instruction

(e) "Clothes cleaning establishment" and "cleaning and dyeing establishment" means any premises, building, room or other instrumentality, equipped to perform the services of dry cleaning by immersion and agitation, or by immersion only, in volatile commercially moisture-free solvents. The foregoing defined terms include, but not by way of limitation, establishments commonly known to the trade as cleaning plants.

(f) "Cleaning and dyeing shop or store" and "spotting, sponging or pressing establishment," or both, means any premises, building, room, shop, store, establishment, or other instrumentality (other than a clothes cleaning establishment or a cleaning and dyeing establishment), equipped for performing the service of spotting, sponging, or dry cleaning by local application, pressing or otherwise finishing clothing, wearing apparel, feathers, furs, fabrics or other textiles. The foregoing defined terms include, but not by way of limitation, establishments commonly known to the trade as press shops or furriers, or both

(g) "Service outlet" means any premises, building, room, shop, store, establishment, or other instrumentality, whereon, wherein or whereby the service of cleaning, or dry cleaning by local application, or blocking or finishing hats or headgear of any description is sold, or offered for sale, directly to the public.

(h) "Service inlet" means any premises, building, room, shop, store, establishment or other instrumentality, whereon, wherein or whereby hats or headgear of any description are received or collected for the service of cleaning, or dry cleaning by local application, or by blocking or finishing

(i) "Instrumentality" includes, but not by way of limitation, all vehicles (except as hereinafter specially exempted), or other means of locomotion employed in the collection of hats or headgear of any description for the service of cleaning, or dry cleaning by local application or blocking or finishing, or the delivery, or both, of said hats or headgear of any description after said service of cleaning, or dry cleaning by local application, blocking or finishing has been performed

(j) "Hat renovator" means any person who cleans, or dry cleans by local application, blocks or finishes hats or headgear of any description, manually, or by and through the use of a mechanical appliance.

(k) "Hat" is defined as a head covering, generally but without limitation, with a crown and a brim.

(l) "Headgear" means any head covering, generally but without limitation, to be worn directly on the head

(m) "Cleaning" means the process of freeing from grease, dirt, spots, stains or discolorations by and through the means of a cleaning medium applied manually, or by and through the use of a mechanical appliance

(n) "Dry cleaning" means the process of freeing from grease, dirt, spots, stains or discolorations by and through the medium of a volatile commercially moisture-free solvent applied manually, or by and through the use of a mechanical appliance

(o) "Blocking" means restoring to original shape or contour, manually, or by and through the use of a mechanical appliance.

(p) "Finishing" means bleaching, ironing, curling, flanging, or trimming manually, or by and through the use of a mechanical appliance.

(q) "Volatile commercially moisture-free solvent" includes, but not by way of limitation, solvents of the petroleum distillate type, coal tar distillate type, and the chlorinated hydrocarbon type.

(r) "Volatile and inflammable product" means any liquid, viscous, powdered, solid product or substance having the capacity to evaporate, and during such evaporation generate and emit a gas or vapor propagative of flame or fire, or explosive in nature, or any other product or substance propagative of flame, fire or explosion incident to evaporation

(s) "Approved" means authoritative sanction

(t) "Malpractice" or "unprofessional conduct" means violation of any of the provisions of the Temporary Code of Fair Competition for the Cleaning and Dyeing Industry of the State of California, as certified by the Commissioner of Corporations of the State of California on the fifteenth day of September, 1933, designated as File No. 27-SF, Receipt No. SF-27, relating to labor, wages, working hours, costs, marketing, trade practices or competitive practices, where the said provisions may be construed to apply to the conduct, maintenance or operation of a hat renovating establishment, or any agency thereof, or a private school or college of hat renovating;

or the violation of any of the provisions relating to labor, wages, working hours, costs, marketing, trade practices or competitive practices of any act that may be enacted by the Legislature of the State of California, that may likewise be construed

(u) "Fire nuisance" means any thing or any act which in any manner increases the hazard or menace of fire, or which may become the cause of an increase of the hazard or menace or fire to a greater degree than that customarily recognized as normal by those in the public service of fire prevention, suppression or extinguishment, or which may obstruct, delay or hinder, or which may become the cause of obstruction, delay or hindrance to preventing, suppressing or extinguishment of fire

SEC. 2. In order to safeguard life or property, any person engaged in the occupation, or who desires to engage in the occupation of hat renovating, or that of conducting a private school or college of hat renovating in this State shall hereafter be required to submit evidence that he possesses a competent knowledge of such occupation and the fire preventive measures relating to conducting such occupation. And that he has the character, ability and fitness to maintain and conduct such occupation without in any manner unduly increasing the public fire menace or otherwise jeopardizing the public welfare

The State Fire Marshal is hereby authorized and directed to make a thorough investigation and examination as to the knowledge, character, ability and fitness of any such person to maintain and conduct such occupation before such person be registered and licensed, unless such person shall be specifically hereinafter exempted. The State Fire Marshal is hereby directed to formulate such rules, orders and regulations as may be necessary to promote fire prevention in such occupation and to carry out the provisions of this act.

It shall be the duty of the State Fire Marshal, and he is hereby authorized and directed to appoint such employees as are necessary to carry out the provisions of this act, and prescribe consistent with the provisions therein, their duties

SEC 3. It shall be unlawful for any person to:

(a) Conduct, maintain or operate a hat renovating establishment, or any agency thereof, or a private school or college of hat renovating, without first making application to and obtaining from the State Fire Marshal a certificate of registration and license so to do. All persons who at the time of the approval of the act recited in the title hereof and for a period of one year prior thereto have conducted, maintained and operated a hat renovating establishment, or a private school or college of hat renovating in the State of California as an owner, or part owner, and who at the time of the approval of this act have not retired from such occupation shall, upon application and payment of the fee hereinafter set forth, if such application and payment is made on or before ninety days after the date this act becomes effective be granted without investigation and examination a certificate of registration and a license to conduct, maintain and operate a hat renovating establishment, or private school or college of hat renovating.

(b) Conduct, maintain or operate a hat renovating establishment, or any unit or department of a cleaning and dyeing shop or store, or of a spotting, sponging or pressing establishment, or clothes cleaning establishment, or cleaning and dyeing establishment equipped for performing the service of cleaning, or dry cleaning by local application, or blocking or finishing hats or headgear of any description, or any agency of the foregoing, unless there be in charge thereof, a registered hat renovator.

(c) Conduct, maintain or operate a private school or college of hat renovating unless the owner, manager and instructors thereof are registered hat renovators.

(d) Conduct, maintain or operate a service outlet or inlet in connection with a private school or college of hat renovating.

(e) Keep, store or use in or upon the premises of a hat renovating establishment, or any agency thereof, private school or college of hat renovating, in excess of one gallon in the aggregate of volatile commercially moisture-free solvents of the petroleum distillate type or coal tar distillate type, except as provided in section 5 hereof Said solvents in excess of one pint shall be kept or stored in containers approved by the State Fire Marshal.

(f) Keep, store or use in or upon the premises of a hat renovating establishment, or any agency thereof, or of a private school or college of hat renovating in excess of eight pounds in the aggregate of viscous, powdered or solid volatile and inflammable products or substances, and said products or substances in excess of one pound shall be kept or stored in approved safety containers.

(g) Aid or abet the owner, manager or operator of a hat renovating establishment, or of any agency thereof, or the owner, manager or instructors of a private school or college of hat renovating, in the violation of any of the provisions of this act.

(h) Maintain, permit or allow a fire nuisance to exist upon any property or premises owned, leased or occupied by such person as a hat renovating establishment, or any agency thereof, or as a private school or college of hat renovating, after notice in writing by the State Fire Marshal to remove, discontinue or abate the same The State Fire Marshal is hereby empowered and directed to abate any fire nuisance existing upon said property or premises pending a hearing upon said nuisance Cost of said abatement is assessable upon said person.

Any person who violates any of the provisions of this act shall be guilty of a misdemeanor.

SEC. 4 In the case of a fire nuisance it shall be the duty of the State Fire Marshal to submit to the district attorney evidence that a fire nuisance exists It shall then be the duty of the district attorney to prosecute in the superior court any person who maintains, permits or allows a fire nuisance to exist after notice in writing from the State Fire Marshal to remove, discontinue or abate the same.

SEC 5. Each person shall be deemed guilty of a separate offense for each and every day during any portion of which any violation of any provision of this act is committed, continued or permitted to exist by such person. It is the duty of the district attorney to prosecute all persons guilty of such violation by continuous prosecutions until such violation is discontinued or abated.

SEC. 6. A detailed report shall be made to the State Fire Marshal by the owner, operator or manager of a hat renovating establishment, or any agency thereof, or of a private school or college of hat renovating, of every fire or explosion occurring upon the premises thereof, within twenty-four hours after such fire or explosion, on blanks provided for such purpose.

SEC. 7 For the period from the date this act becomes effective to the thirtieth day of June, 1936, and annually thereafter not later than the first day of July in each succeeding year, every person conducting, maintaining or operating a hat renovating establishment, or any agency thereof, or a private school or college of hat renovating, shall apply to the State Fire Marshal for a license in writing, upon blanks prepared by the State Fire Marshal. Said applications must be accompanied by the fee hereinafter specified.

SEC. 8 Any person who desires to engage in the occupation of hat renovating, or of conducting a private school or college of hat renovating, unless specifically exempted in section 3 hereof, shall prior to engaging therein apply to the State Fire Marshal for the investigation and examination recited in section 2 hereof, prerequisite to the issuance of a certificate of registration and license, upon blanks prepared by the State Fire Marshal. Said applications shall contain proof of the particular requisites for registration and license provided for in this act, which shall be verified under oath, when required by the State Fire Marshal. Said applications must be accompanied with the fee specified hereinafter.

SEC 9. The annual license fee for: (a) Each shop, store, establishment, or other instrumentality equipped to perform the service of hat renovating, shall be six dollars, due and payable not later than the first day of July each year

(b) Each agency shall be six dollars, due and payable not later than the first day of July of each year. Ownership of agencies must be verified under oath, when required by the State Fire Marshal

(c) A private school or college of hat renovating shall be two hundred and fifty dollars, due and payable not later than the first day of July of each year.

SEC 10 If the license fee for a shop, store, establishment, or other instrumentality, or any agency thereof, is not paid when due and payable, the following penalties shall obtain: (a) if not paid within thirty days from and after the date it is due and payable a penalty of fifty cents shall be added to said fee; (b) if not paid within sixty days from and after said date a penalty of one dollar and fifty cents shall be added to said fee; (c) if not paid within ninety days from and after said date a penalty of three dollars shall be added to said fee.

SEC. 11. If the license fee for a private school or college of hat renovating is not paid when due and payable the following penalties shall obtain: If not paid within thirty days from and after the date it is due and payable a penalty of twenty dollars shall be added to said fee; if not paid within sixty days from and after said date a penalty of sixty dollars shall be added to said fee; if not paid within ninety days from and after said date a penalty of one hundred and twenty-five dollars shall be added to said fee.

SEC. 12. The foregoing fees shall cover a license period from the first day of July in any year to the thirtieth day of June in the following year, or for such portion of said period as said shop, store, establishment, or other instrumentality, or any agency of the foregoing, or school or college, is conducted, maintained or operated during said period, regardless of the date of the payment of the said fee.

SEC. 13. License fee shall not apply to vehicles operated as an instrumentality when said vehicles are wholly owned by proprietors of hat renovating establishments, or any agency thereof, and operated by a regular salaried employee thereof under a contract terminable on not less than four months' notice Written evidence of ownership and employee contracts shall be filed with the State Fire Marshal.

SEC. 14. Advertising the service of hat renovating in any manner shall be prima facie evidence that the premises, room, shop, store, establishment, or instrumentality in or upon which the advertisement appears is a service outlet.

SEC 15. The application fee for investigation and examination shall be twenty dollars, which shall accompany such application. The fee shall be retained by the board.

SEC. 16. Applicants passing investigation and examination shall be issued a certificate of registration and license for a period coincident with said investigation and examination upon the further payment of the stated license fee. Applicants failing to pass successfully said investigation and examination are eligible for reinvestigation

and reexamination after ninety days, upon reapplication and payment of the said application fee.

Applications must be filed at, and all license fees and any accruing penalties, and all application fees must be paid at the office of the State Fire Marshal. It shall not be incumbent upon the State Fire Marshal to issue notifications of any nature in regard thereto.

All moneys derived from this act shall be paid into the State treasury and credited to a fund known as the State Fire Marshal's fund

SEC. 17 Certificates of registration must be submitted for inspection upon request of the State Fire Marshal, or of a deputy or assistant State Fire Marshal. Licenses must be posted in a conspicuous location in each shop, store, establishment, instrumentality, or school or college. Change of location or ownership of a shop, store, establishment, instrumentality, or school or college must be reported to the office of the State Fire Marshal in writing within forty-eight hours thereafter by the instant owner.

SEC 18 Duplicate certificates of registration and licenses will be issued upon a sworn statement covering the loss or destruction thereof, upon the payment of a fee of one dollar for said issuance.

SEC. 19 The State Fire Marshal may refuse to issue, renew, or may suspend or revoke any certificates of registration or license for any of the following:

(a) Obtaining or attempting to obtain a certificate of registration by fraudulent misrepresentations;

(b) Malpractice or unprofessional conduct;

(c) The violation of any of the provisions of this act

The State Fire Marshal shall not refuse to issue or renew any license as required by the provision of section 4 hereof, or suspend or revoke any license issued, except upon five days' notice in writing to the interested person. Said notice shall contain a brief statement of the reasons for the contemplated action of the State Fire Marshal and designate a proper time and place for the hearing of all interested parties before any final action is taken

Due notice within the provisions of this section shall be deemed to have been given when the State Fire Marshal or agent shall deposit in a United States post office a copy of the notice as hereinabove provided, addressed to the last known address of the person applying for such certificate of registration or license, or to whom such certificate of registration or license has been issued.

The decision of the State Fire Marshal shall be subject to review in accordance with the provisions of Chapter I, of Title I, of Part III, of the Code of Civil Procedure.

SEC. 20 Any room or place used as an office, showroom, workroom or storeroom of a hat renovating establishment, or any agency thereof, or of a private school or college of hat renovating, shall be completely separated from any room or place used for cooking, eating or sleeping, or for any other function of domestic life by a partition or partitions, with all openings therein equipped with doors or glazed sash or both. It shall be unlawful for any person to cook, eat, sleep or engage in any of the other functions of domestic life in any room or place used as an office, showroom, workroom, or storeroom of a hat renovating establishment, or any agency thereof, or of a private school or college of hat renovating.

SEC. 21. Every office, workroom, storeroom, room or place in which any of the processes of hat renovating are performed, including the yards, courts, passages or other areas in or upon the premises of a hat renovating establishment, or any agency thereof, or of a private school or college of hat renovating, shall at all times be kept in good repair, free from any accumulation of dirt or debris that may cause a fire nuisance, and in an orderly and clean condition as to floors, machinery, apparatus and utensils.

SEC. 22. (a) Every such office, workroom, storeroom or other room or place shall be adequately lighted, and ventilated. The State Fire Marshal is hereby empowered and directed to exact such lighting and ventilation as shall comply with the accepted standards for industrial plants.

(b) Any drying room, cabinet or other appliance used for the purpose of drying or deodorizing in a hat renovating establishment, or agency thereof, or in a private school or college of hat renovating, shall be located, constructed or installed, ventilated and operated in a manner approved by the State Fire Marshal.

SEC. 23. Gasoline, in excess of one gallon, for use in automotive vehicles, or for other approved purposes, may be kept and stored underground on the premises of a hat renovating establishment, or any agency thereof, or of a private school or college of hat renovating, on written approval of the State Fire Marshal.

Every person conducting, maintaining or operating a hat renovating establishment, or any agency thereof, or a private school or college of hat renovating shall, upon statements prepared by the State Fire Marshal, state the capacity of each and every tank or other container, either above ground or underground, used for the storage of volatile and inflammable products or substances. Said statements shall be filed at the office of the State Fire Marshal every thirty days with a report of all volatile and inflammable products or substances purchased and delivered on said premises.

SEC 24 The operation, structural integrity, condition, and placement of all machines, apparatus, appliances, or other devices for use in a hat renovating establishment, or agency thereof, or in a private school or college of hat renovating, in any way connected with a volatile and inflammable product or substance, as defined in this act, or for use with a volatile commercially moisture-free solvent, where such machines, apparatus, appliances, or other devices in the opinion of the State Fire Marshal may be used or be converted for use with a liquid volatile and inflammable product or substance, shall be approved by the State Fire Marshal. All present installations not meeting with the approval of the State Fire Marshal as to type, construction, condition or placement, shall be immediately removed, remodeled, reconditioned or relocated

SEC 25 Stores whose major business is selling merchandise, and which are not engaged in hat renovating as an occupation for compensatory gain, and who perform any of the processes of hat renovating only in order to renovate hats soiled or stained in transit from the manufacturers thereof, or which have become shopworn, soiled or stained, shall not be subject to the provisions of this act.

SEC. 26. Cleaning plants, press shops, or instrumentalities being conducted, maintained, operated and licensed under any other act in which the State Fire Marshal is designated as the enforcing office, in or upon which none of the acts or processes of the cleaning, or dry cleaning by local application, or blocking or finishing hats or headgear of any description are conducted, maintained or carried on, are not subject to the provisions of this act.

All powers and duties given by this act to the State Fire Marshal or the Department of Industrial Relations shall be administered by the State Fire Marshal

SEC 27. The State Fire Marshal, deputies and assistants are hereby empowered and directed to enter and inspect any premises, building, room, shop, store, establishment, or other instrumentality whereon or wherein the occupation of hat renovating is conducted, maintained or carried on, or the premises or building of any agency thereof, or the premises or building of a private school or college of hat renovating, in the performance of their duties in carrying out the provisions of this act, during customary business hours, or at any time the said occupation is being carried on It shall be unlawful for any owner, lessee, manager, or operator of a hat renovating establishment, or agency thereof, or a private school or college of hat renovating, to refuse said officers the right to enter and inspect said premises or building at the times and for the purposes aforesaid

SEC 28. This act shall repeal all acts inconsistent herewith, and in particular those provisions of Chapter 425 of Statutes of 1931, and all amendments thereto in so far as that act relates to hat cleaning and blocking

SEC. 29 If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portion of this act. The Legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2248—An act to amend section 242 of the Code of Civil Procedure, relating to grand juries.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 7, of the printed bill, strike out "in".

Amendment No. 2.

On page 1, line 17, of the printed bill, between "the" and "ballots", insert the following: "first nineteen".

Amendment No. 3.

On page 1 of the printed bill, immediately following the end of line 17, insert the following: "the persons whose names are on the remaining ballots,".

Amendment No. 4.

On page 1, line 24, of the printed bill, strike out "act", and insert in lieu thereof the following: "code".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2250—An act to amend sections 799, 894, 925, 927 and 928 of, to add sections 896 and 932 to, and to repeal section 895 of the Penal Code, relating to limitation of time and grand juries.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 20, of the printed bill, strike out "of persons drawn"; also strike out lines 21 and 22, and in line 23, strike out "accept", and insert in lieu thereof a comma and the following: "and after the court has excused any persons found by the court to be not duly qualified to act as a juror, all persons drawn to act as a ground juror or an alternate thereof must be accepted".

Amendment No. 2.

On page 2 of the printed bill, strike out lines 6 to 8, inclusive, and insert in lieu thereof the following: "ings of the grand jury, or discharged, the judge in charge of the grand jury may in his discretion appoint anyone of the three alternate grand jurors to perform the duties of said absent or discharged grand juror during the period of such absence or until excused from such duties by said judge."

Amendment No. 3.

On page 2, line 40, of the printed bill, strike out "may", and insert in lieu thereof the following: "must".

Amendment No. 4.

On page 2, line 48, of the printed bill, strike out "may", and insert in lieu thereof the following: "must".

Amendment No. 5.

On page 2 of the printed bill, strike out lines 50 and 51, and in line 52, strike out "to appoint legal counsel", and insert in lieu thereof the following: "The judge in charge of the grand jury may at the request of said grand jury appoint and fix the compensation of special legal counsel, technical experts, investigators, and process servers whose duty it shall be".

Amendment No. 6.

On page 3, line 1, of the printed bill, after the period after "duties", insert the following: "Such special legal counsel shall have the power to appear at all times before the grand jury upon their request during the period of employment of such legal counsel."

Amendment No. 7.

On page 3, line 2, of the printed bill, after "investigators", insert a comma and the following: "process servers".

Amendment No. 8.

On page 3 of the printed bill, strike out lines 3 and 4, and insert in lieu thereof the following: "their compensation and all other necessary expenses and charges of the grand jury shall be a".

Amendment No. 9.

On page 3, line 10, of the printed bill, after "counsel", insert the following: "within ten (10) days after receipt of said request".

Amendment No. 10.

On page 3, line 15, of the printed bill, after "employ", insert the following: "within ten (10) days of the receipt of said request".

Amendment No. 11.

On page 4, line 37, of the printed bill, at the end of said line, insert the following: "Except in the case of an indictment, every act or decision or request done or made by a majority of the grand jurors shall be regarded as the act, decision or request of the grand jury."

Amendment No. 12.

On page 4, line 44, of the printed bill, after the period after "fellow-jurors", insert the following: "Upon receiving an accusation or accusations in writing, duly verified by the oath of some person, setting forth facts showing or tending to show that a grand juror has violated his oath of office or the obligations imposed upon him by section 926 of this code, or that he has in some other manner demonstrated his unfitness to further act as a grand juror or that he is otherwise unqualified to act as a grand juror, a judge in charge of a grand jury may in his discretion issue an order requiring the accused to appear and show cause why he should not be discharged from the grand jury. A copy of the order and of the supporting accusation or accusations shall be served upon the accused not less than five nor

more than ten days from the time set for said hearing by said order. The said judge shall upon the day appointed proceed to investigate the charge or charges, and must hear any answer which the accused grand juror may make to the same, and may examine witnesses for or against him, for which an adjournment may be had from time to time if necessary. The matter having been heard to the satisfaction of the court, the court may issue its order dismissing said accusations or discharging said grand juror from further grand jury service, and any such order shall be and is final and not appealable. The accusations, together with the order to show cause and the testimony of the witnesses shall be filed in all cases with the judge in charge of the grand jury and held by him until the matter is finally disposed of, and thereupon such disposition thereof shall be made as to the said judge shall seem meet and proper. The hearing on said order to show cause shall not be held in open court, but in strict privacy, and all persons not officers of the court or parties or witnesses to the action shall be excluded by the bailiff. In any such proceeding the court may, in the exercise of a sound discretion, during the examination of a witness or of the accused grand juror, exclude any and all other persons."

Amendment No. 13.

On page 4 of the printed bill, between lines 47 and 48, insert the following:

"SEC. 7. Section 928 of the Penal Code is hereby amended to read as follows:

928. It shall be the duty of the grand jury first impaneled in odd numbered years to make a careful and complete examination of the books, records and accounts of all the officers of the county, and of every city board of education within the county, and especially those pertaining to the revenue, and report as to the facts they have found, with such recommendations as they may deem proper and fit.

It shall be the duty of every grand jury first impaneled in even numbered years to investigate and report upon the needs of all county officers in its county, including increase or decrease in salaries, number of officers, deputies or employees, the abolition or creation of offices and the equipment for, or the method or system of performing the duties of, the several offices and it shall cause a copy of such report to be transmitted to each member of the Legislature representing the county in which it has been impaneled before the commencement of the regular session of the Legislature in odd numbered years.

It shall be the duty of the grand jury, when making an examination of the books, records and accounts of all the officers of the county and when investigating and reporting upon the needs of all county officers in its county, to include an examination and report upon all the books, records, and accounts of all the officers of such county which are kept in their ex officio capacity, as incumbents or officers of any special legislative district or other district created by or under the laws of the State of California, in their respective counties.

The judge, on impanelment of the grand jury shall charge them especially as to their duties under this section."

Amendment No. 14.

On page 4, line 48, of the printed bill, strike out "7", and insert in lieu thereof the following: "8".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1189—An act to amend sections 274c, 437c, 594, 632, 973 and 1033 of the Code of Civil Procedure, and to add sections 35 and 982a thereto, relating to civil actions

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out line 1 of the title, and insert in lieu thereof the following:

"An act to amend sections 116, 116b, 274c, 437c, 477, 594, 632, 639, 652, 655, 664, 667a, 668, 670, 675, 973, 1033, 1052, 1134 and 1135".

Amendment No. 2.

On page 1, line 7, of the printed bill, strike out "and", at the end of the line and strike out all of line 8, and insert in lieu thereof the following: ", practice and procedure applicable to the prosecution of civil actions, the entry and".

Amendment No. 2-a.

On page 1, line 9, of the printed bill, after "in", insert the following: ", and the method and mode of appeal from,".

Amendment No. 3.

On page 1, line 10, of the printed bill, strike out "the prosecution and main-", and strike out all of line 11, and insert in lieu thereof the following: "in".

Amendment No. 4.

On page 1, between lines 12 and 13, of the printed bill, insert the following:

"SEC. 2. Section 116 of the Code of Civil Procedure is hereby amended to read as follows

116. Every justice in a justices' court of Class B must keep a book, denominated a "docket," in which he must enter:

1. The title of every action or proceeding

2. The object of the action or proceeding; and if a sum of money be claimed, the amount thereof.

3 The date of the summons, and the time of its return; and if an order to arrest the defendant be made, or a writ of attachment be issued, a statement of the fact.

4. The time when the parties, or either of them, appear, or their nonappearance, if default be made; a minute of the pleadings and motions; if in writing, referring to them; if not in writing, a concise statement of the material parts of the pleading.

5. Every adjournment of continuance, stating on whose application and to what time

6 The demand for a trial by jury, when the same is made, and by whom made, the order for the jury, and the time appointed for the return of the jury and for the trial.

7 The names of the jurors who appear and are sworn, and the names of all witnesses sworn, and at whose request

8 The verdict of the jury, and when received; if the jury disagree and are discharged, the fact of such disagreement and discharge.

9 The judgment of the court, specifying the costs included and the time when rendered.

10. The issuing of the execution, when issued and to whom, the renewals thereof, if any, and when made, and a statement of any money paid to the justice, when and by whom.

11. The receipt of a notice of appeal, if any be given, and of the appeal bond, if any be filed.

SEC. 3. Section 116b of the Code of Civil Procedure is hereby amended to read as follows:

116b. A justice in a justices' court of Class B must keep an alphabetical index in his docket, in which must be entered the names of the parties to each judgment, with a reference to the page of entry. The names of the plaintiffs must be entered in the index, in the alphabetical order of the first letter of the family name"

Amendment No. 5.

On page 1, line 13, of the printed bill, strike out "2", and insert in lieu thereof the following: "5."

Amendment No. 6.

On page 2, line 15, of the printed bill, strike out "3", and insert in lieu thereof the following: "6."

Amendment No. 7.

On page 3 of the printed bill, between lines 10 and 11, insert the following:

"SEC. 7. Section 477 of the Code of Civil Procedure is hereby amended to read as follows

477. Except as otherwise expressly provided, the provisional remedies, deposit in court, injunction and receivers, may not be had in justices' courts of Class B."

Amendment No. 8.

On page 3, line 11, of the printed bill, strike out "4", and insert in lieu thereof the following: "8."

Amendment No. 9.

On page 3, line 13, of the printed bill, strike out "and municipal courts", and insert in lieu thereof the following: ", municipal courts and justices' courts of Class A.".

Amendment No. 10.

On page 3, line 22, of the printed bill, after "courts", insert "of Class B".

Amendment No. 11.

On page 3 of the printed bill, after line 51, and immediately beneath the signature line, insert the following: "Clerk (if signed by clerk)."

Amendment No. 12.

On page 4, line 30, of the printed bill, strike out "5.", and insert in lieu thereof the following: "9."

Amendment No. 13.

On page 5 of the printed bill, between lines 3 and 4, insert the following:

"SEC. 10. Section 639 of the Code of Civil Procedure is hereby amended to read as follows.

639. Except in justices' courts of Class B, when the parties do not consent, the court may, upon the application of either, or of its own motion, direct a reference in the following cases:

1. When the trial of an issue of fact requires the examination of a long account on either side; in which case the referees may be directed to hear and decide the whole issue, or report upon any specific question of fact involved therein;

2 When the taking of an account is necessary for the information of the court before judgment, or for carrying a judgment or order into effect;

3 When a question of fact, other than upon the pleadings, arises upon motion or otherwise, in any stage of the action;

4. When it is necessary for the information of the court in a special proceeding

SEC. 11. Section 652 of the Code of Civil Procedure is hereby amended to read as follows:

652. 1. If the judge in any case, in the superior court, refuses to allow a bill of exceptions or to certify a transcript in accordance with the facts, the party desiring the bill settled or the transcript certified may apply by petition to the Supreme Court, or the District Court of Appeal, to prove the same; the application may be made in the mode and manner, and under such regulations as may be prescribed, and the bill, when proven, must be certified by the chief justice or the presiding justice as correct, and filed with the clerk of the court in which the action was tried, and when so filed it has the same force and effect as if settled by the judge who tried the cause.

2 If the judge or justice, in any case in a municipal court or justices' court of Class A, refuses to settle a bill of exceptions, or to certify to a transcript, in accordance with the facts, the party aggrieved by such refusal may apply by petition to the superior court to prove the same, or any changes, corrections or additions therein or thereto necessary to make it accord with the facts. The application may be made and acted upon in such mode and manner and under such regulations as may be prescribed by rules adopted for that purpose The bill, when proved, or the transcript, when prepared, or such changes, corrections or alterations, when proved, must be certified by the judge of the superior court by whom said application is determined, and filed with the clerk of the superior court, and when so filed, shall have the same force and effect as if settled and certified by the judge or justice who tried the cause.

SEC 11a. Section 655 of the Code of Civil Procedure is hereby amended to read as follows:

655. The provisions of this article do not apply to justices' courts of Class B

SEC. 12. Section 664 of the Code of Civil Procedure is hereby amended to read as follows:

664. When trial by jury has been had, judgment must be entered by the clerk, in conformity to the verdict, within twenty-four hours after the rendition of the verdict (provided that in justices' courts of Class B such judgment shall be entered in the docket at once), unless the court order the case to be reserved for argument or further consideration, or grant a stay of proceedings. When a motion for judgment notwithstanding the verdict is pending, entry of judgment in conformity to the verdict shall be automatically stayed until the court has rendered its decision upon the motion. If the trial, in a superior or municipal court or justices' court of Class A, has been had by the court, judgment must be entered by the clerk, in conformity to the decision of the court, immediately upon the filing of such decision; in justices' courts of Class B, judgment must be entered within thirty days after the submission of the cause. In no case is a judgment effectual for any purpose until entered.

SEC 13 Section 667a of the Code of Civil Procedure is hereby amended to read as follows:

667a. In justices' courts of Class B, notice of the rendition of judgment must be given to the parties to the action in writing signed by the justice. Where any of the parties are represented by an attorney, notice shall be given to the attorney. Said notice shall be served by mail or personally, and shall be substantially in the form of the abstract of judgment required in section 674 of this code. When served by mail the justice of the peace, or the clerk where there is a clerk, shall deposit copies thereof, in sealed envelopes, in the post office, not later than five days after the rendition of the judgment, addressed to each of the persons on whom notice is to be served at their place of residence, or place of business if on an attorney, and the postage prepaid thereon. When served personally said notice shall be served within five days after the rendition of the judgment. Entry of the date of mailing shall be made in the docket.

SEC. 14. Section 668 of the Code of Civil Procedure is hereby amended to read as follows.

668. The clerk of the superior court must keep, with the records of the court, a book called the "Judgment book," in which judgments must be entered. In the municipal court and in justices' courts of Class A, the clerk, within the time specified in this code, shall enter all civil judgments of such court in the minute book of such court, and shall certify to a copy thereof, and file said copy in the files of the action, and shall subscribe a condensed statement of the judgment, with the date of entry thereof, on the appropriate page in the register of actions.

In justices' courts of Class B judgments shall, within the time specified in this code, be entered in the docket.

SEC. 15 Section 670 of the Code of Civil Procedure is hereby amended to read as follows:

670 In superior courts, municipal courts and justices' courts of Class A, immediately after entering the judgment, the clerk must attach together and file the following papers, which constitute the judgment roll:

1. In case the complaint is not answered by any defendant, the summons, with the affidavit or proof of service; the complaint with a memorandum indorsed thereon that the default of the defendant in not answering was entered, and a copy of the judgment; if defendant has appeared by demurrer, and such demurrer has been overruled, then notice of the overruling thereof served on defendant's attorney, together with proof of such service; and in case the service so made is by publication, the affidavit for publication of summons, and the order directing the publication of summons;

2. In all other cases, the pleadings, all orders striking out any pleading in whole or in part, a copy of the verdict of the jury, or finding of the court or referee, and a copy of any order made on demurrer, or relating to a change of parties, and a copy of the judgment; if there are two or more defendants in the action, and any one of them has allowed judgment to pass against him by default, the summons, with proof of its service, on such defendant, and if the service on such defaulting defendant be by publication, then the affidavit for publication, and the order directing the publication of the summons.

SEC. 16. Section 675 of the Code of Civil Procedure is hereby amended to read as follows:

675. Satisfaction of a judgment may be entered upon an execution returned satisfied, or upon an acknowledgment of satisfaction filed with the clerk or with the justice, if there be no clerk, which may recite payment of the judgment in full or the acceptance by the judgment creditor of any lesser sum in full satisfaction thereof, made in the manner of an acknowledgment of a conveyance of real property, by the judgment creditor, or by his indorsement on the face, or on the margin of the record of the judgment, or by the attorney, unless a revocation of his authority is filed. Whenever a judgment is satisfied in fact, otherwise than upon an execution, the party or attorney must give such acknowledgment, or make such indorsement, and, upon motion, the court may compel it, or may order the entry of satisfaction to be made without it.

In the superior court such entry shall be made in the clerk's docket; in municipal courts and justices' courts of Class A, in the register of actions, in justices' courts of Class B, in the justices' docket."

Amendment No. 14.

On page 5, line 4, of the printed bill, strike out "6.", and insert the following: "17."

Amendment No. 15.

On page 5 of the printed bill, strike out lines 10 to 13, inclusive, and in line 14, strike out "justices' courts of Class A."

Amendment No. 16.

On page 5, line 17, of the printed bill, strike out the period, and insert in lieu thereof the following: ", the words "municipal court" or "municipal courts" in sections 974 to 982, inclusive, being held to include "justices' court of Class A" and "justices' courts of Class A", respectively."

Amendment No. 17.

On page 5, line 18, of the printed bill, strike out "8", and insert "18."

Amendment No. 18.

On page 5 of the printed bill, strike out lines 20 to 22, inclusive, and in line 23, strike out "2.", and insert: "1033."

Amendment No. 19.

On page 5, line 24, of the printed bill, strike out "of Class A".

Amendment No. 20.

On page 5 of the printed bill, after line 48, add the following:

"SEC. 19. Section 1052 of the Code of Civil Procedure is hereby amended to read as follows:

1052. The clerks of the superior and municipal courts and of the justices' courts of Class A must keep among the records of the court a register of actions. He must enter therein the title of the action, with brief notes under it, from time to time, of all papers filed and proceedings had therein

SEC. 20. Section 1134 of the Code of Civil Procedure is hereby amended to read as follows:

1134 In courts other than justices' courts of Class B, the statement must be filed with the clerk of the court in which the judgment is to be entered, who must indorse upon it, and enter a judgment of such court for the amount confessed, with ten dollars costs. The statement and affidavit, with the judgment indorsed, thereupon becomes the judgment roll.

SEC 21 Section 1135 of the Code of Civil Procedure is hereby amended to read as follows:

1135 In a justice's court of Class B, where the court has authority to enter the judgment, the statement may be filed with the justice, or with the clerk if there be a clerk, who must thereupon enter in the docket a judgment of the court for the amount confessed, with three dollars costs. If a transcript of such judgment be filed with the county clerk, a copy of the statement must be filed with it."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1920—An act to amend section 2 of the Inheritance Tax Act, relating to computation of tax, including deduction of expenses of administration.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 2050—An act amending section 1428 of the Penal Code, relating to keeping of minutes.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 2051—An act amending section 1461a of the Penal Code, relating to municipal court procedure.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 2052—An act amending section 1428a, relating to minute books of municipal courts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2406—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to sessions of the superior court.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1264—An act to add a new section to the Political Code of the State of California, to be numbered 3719, authorizing the temporary borrowing of money by counties and school districts upon the credit of revenue in course of collection, and the issuing of tax anticipation notes or warrants as evidence of such indebtedness.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 2, lines 24 and 25, of the printed bill, as amended April 5th, strike out the following: "to the person, firm or corporation loaning the same".

Amendment adopted.

Bill read second time, ordered to reprint, re-re-engrossment, and third reading.

Third Reading of Senate Bills.

Senate Concurrent Resolution No. 25—Relative to the appointment of a joint legislative committee to study pending revenue and taxation measures.

Senate Concurrent Resolution No. 25 read.

Point of Order.

Mr McCarthy arose to the following point of order: Stating that the special order set had precedence over all other matter.

Ruling by the Speaker.

The Speaker ruled the point of order well taken.

Special Order.

The hour of eleven o'clock a.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 1618, as Amended.

Assembly Bill No. 1618—An act to amend the Personal Property Broker's Act, relating to the classification and regulation of the business of personal property brokers, including the fixing and regulation of their charges and interest, and to repeal all acts and parts of acts inconsistent herewith.

Request for Unanimous Consent.

Mr. Cronin asked for, and was granted, unanimous consent to take up Assembly Bill No. 1618, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 1618, as amended, read third time.

Consideration of Amendments Nos. 8 and 9.

During third reading of the bill, the following amendments were submitted by Messrs. Evans, Ralph W., and McCarthy:

Amendment No. 8.

On page 5, line 52, of the printed bill, as amended, strike out "(which", and insert in lieu thereof the following: ", as interest, which may equal but may not exceed one per cent per month on the unpaid principal balances, and a sum as "service charge" which may be equal, but may not exceed three per cent of the sum of money loaned. Such service charge may not be charged for any renewal or extension of the original loan. Such interest and "service charge" herein referred to as "charges" ".

Amendment No. 9.

On page 6 of the printed bill, as amended, strike out lines 6 to 8, inclusive, and insert in lieu thereof the following: "No. 79. No"

The question being on the adoption of Amendments Nos 8 and 9.

Motion to Defer Special Order.

Mr. Lyon moved that the special order be deferred until Wednesday, April 24, 1935, at eleven o'clock a.m.

Request for Roll Call.

On request of Messrs. Flint, Lyon and McCarthy, the Speaker ordered a roll call taken on the motion by Mr. Lyon to defer the special order.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Cronin moved a call of the House.

Motion carried.

Time. Eleven o'clock and forty minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Martin, McBride, McCarthy, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—70

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under the Call of the House by Unanimous Consent.

Third Reading of Assembly Bills.

Assembly Constitutional Amendment No 33—A resolution to propose to the people of the State of California that the Constitution of said State be amended by adding to Article XI thereof a new section to be numbered 18a providing for the issuance of bonds by the county of Los Angeles in an amount not to exceed five million dollars for the purpose of providing a fund to be used and disbursed for the Pacific Exposition be held in California.

Assembly Constitutional Amendment No. 33 read.

Mr. Lyon moved the adoption of Assembly Constitutional Amendment No. 33.

The question being on the adoption of Assembly Constitutional Amendment No. 33.

The roll was called, and Assembly Constitutional Amendment No. 33 adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Fisher, Fulcher, Garibaldi, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, and Mr. Speaker—62

NOES—Geyer, McCarthy, and Reaves—3.

Title read and approved.

Assembly Constitutional Amendment No. 33 ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 33.

A resolution to propose to the people of the State of California that the Constitution of said State be amended by adding to Article XI thereof a new section to be numbered 18a providing for the issuance of bonds by the county of Los Angeles in an amount not to exceed $5 000,000 for the purpose of providing a fund to be used and disbursed for the Pacific Exposition to be held in California.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its regular session commencing on the seventh day of January, 1935, two-thirds of the members elected to each of the two houses of such Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of said State be amended by adding to Article XI thereof a new section to be numbered section 18a and to read as follows:

SEC. 18a. Anything in this Constitution to the contrary notwithstanding, the county of Los Angeles may, upon the assent of two-thirds of the qualified electors thereof voting at an election to be held for that purpose, incur a bonded indebtedness

of not to exceed $5,000,000 and the legislative authority of said county of Los Angeles shall issue bonds therefor and grant and turn over to the Pacific Exposition, a corporation duly organized under the laws of the State of California, January 22, 1935, the proceeds of said bonds under such terms and conditions as said legislative authority may determine, the same to be used and disbursed by said exposition company for the purpose of an exposition to be held in the county of Los Angeles to commemorate the completion of Boulder Dam and the power and water developments and projects thereof; said bonds, so issued, to be of such form and to be redeemable, registered and converted in such manner and amounts, and at such times not later than forty years from the date of their issue, as the legislative authority of said county of Los Angeles shall determine; the interest on said bonds not to exceed 6 per centum per annum and said bonds to be exempt from all taxes for State, county and municipal purposes, and to be sold for not less than par at such times and places, and in such manner, as shall be determined by such legislative authority; the proceeds of said bonds when sold to be payable immediately upon such terms or conditions as such legislative body may determine, to said exposition company upon demands of said exposition company without the necessity of the approval of such demands by other authority than said legislative authority of Los Angeles County, the same to be used and disbursed by said exposition company for the purposes of such exposition under the direction and control of such exposition company; and the legislative authority of said county of Los Angeles is hereby empowered and directed to levy a special tax on all taxable property in said county, each year after the issue of said bonds, to raise an amount to pay the interest on said bonds as the same become due, and to create a sinking fund to pay the principal thereof when the same shall become due.

Assembly Constitutional Amendment No. 77—Proposed amendment to Article I, section 14, of the Constitution, relative to rights of private property.

Assembly Constitutional Amendment No. 77 read.

Mr Lyon moved the adoption of Assembly Constitutional Amendment No. 77.

The question being on the adoption of Assembly Constitutional Amendment No. 77.

The roll was called, and Assembly Constitutional Amendment No. 77 adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Fisher, Flint, Fulcher, Garibaldi, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Stream, Thorp, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—61.

NOES—Crowley and Geyer—2.

Title read and approved.

Assembly Constitutional Amendment No. 77 ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 77.

A resolution to propose to the people of the State of California an amendment to section 14 of Article I of the Constitution of said State, relating to the rights of private property.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its fifty-first regular session, commencing on the seventh day of January, 1935, two-thirds of all the members elected to each of the two houses voting in favor thereof, hereby proposes to the people of the State of California that section 14 of Article I of the Constitution be amended to read as follows:

SEC 14. Private property shall not be taken or damaged for public use without just compensation having first been made to, or paid into court for, the owner, and no right of way shall be appropriated to the use of any corporation, except a municipal corporation or a county or the State until full compensation therefor be first made in money or ascertained and paid into court for the owner, irrespective of any benefits from any improvement proposed by such corporation, which compensation shall be ascertained by a jury, unless a jury be waived, as in other civil cases in a court of record, as shall be prescribed by law; provided, that in an action in eminent domain brought by the State, or a county, or a municipal corporation, or

a drainage, irrigation, levee, or reclamation district, or corporation operating, managing and controlling any exposition or fair in aid of which the granting of public moneys or other things of value have been authorized by the Constitution or laws of this State, the aforesaid State or political subdivision thereof or district or corporation may take immediate possession and use of any right of way or property required for a public use whether the fee thereof or an easement therefor be sought upon first commencing eminent domain proceedings according to law in a court of competent jurisdiction and thereupon giving such security in the way of money deposited as the court in which such proceedings are pending may direct, and in such amounts as the court may determine to be reasonably adequate to secure to the owner of the property sought to be taken immediate payment of just compensation for such taking and any damage incident thereto, including damages sustained by reason of an adjudication that there is no necessity for taking the property, as soon as the same can be ascertained according to law. The court may, upon motion of any party to said eminent domain proceedings, after such notice to the other parties as the court may prescribe, alter the amount of such security so required in such proceedings. The taking of private property for a railroad run by steam or electric power for logging or lumbering purposes shall be deemed a taking for a public use, and any person, firm, company or corporation taking private property under the law of eminent domain for such purposes shall thereupon and thereby become a common carrier.

Assembly Constitutional Amendment No. 78—Proposed amendment to Article XVI of the Constitution by adding a new section 10 thereto, relative to validating the act of the Legislature of the State of California providing for the issuance of bonds to the amount of $10,000,000 for the purpose of providing funds to be used and disbursed for the purpose of the Pacific Exposition and San Francisco Bay Bridge Exposition to be held in California.

Assembly Constitutional Amendment No. 78 read.

Mr. Lyon moved the adoption of Assembly Constitutional Amendment No. 78.

The question being on the adoption of Assembly Constitutional Amendment No. 78.

The roll was called, and Assembly Constitutional Amendment No. 78 adopted by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—69.

NOES—Geyer, Glover, McCarthy, Reaves, and Stream—5.

Title read and approved.

Assembly Constitutional Amendment No. 78 ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 78.

A resolution to propose to the people of the State of California that the Constitution of said State be amended by adding to Article XVI thereof a new section to be numbered 10, validating the act of the Legislature of the State of California providing for the issuance of bonds to the amount of $10,000,000 for the purpose of providing funds to be used and disbursed for the purpose of the Pacific Exposition and San Francisco Bay Exposition to be held in California.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its regular session commencing on the seventh day of January, 1935, two-thirds of the members elected to each of the two houses of said Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of said State be amended by adding to Article XVI thereof a new section to be numbered section 10 and to read as follows:

SEC. 10. The issuance and sale of ten thousand bonds of the State of California in the denomination of $1,000 each, and the use and disposition of the proceeds of the sale of said bonds, all as provided in the California Exposition Bond Act of 1935, as passed by the Senate and Assembly at the fifty-first session of the Legislature and approved by the Governor, authorizing the issuance and sale of State bonds in the sum of $10,000,000 for the purpose of providing a fund to be used and disbursed for the purpose of the Pacific Exposition to be held in California to commemorate the completion of Boulder Dam and the power and water developments and projects thereof, and a fund to be used and disbursed for the purpose of providing a fund to be used for the purpose of San Francisco Bay Exposition to commemorate the completion of the San Francisco-Oakland Bay Bridge, is hereby authorized and directed and the said California Exposition Bond Act of 1935 is hereby approved, adopted, legalized, ratified, validated and made fully and completely effective. All provisions of this section shall be self-executing and shall not require any legislative action in furtherance thereof, but this shall not prevent such legislative action. Nothing in this Constitution contained shall be a limitation upon the provisions of this section.

Assembly Bill No. 756—An act to amend section 696 of the Fish and Game Code, relating to the protection of fish.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—70.

NOES—None.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 756 passed by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1204—An act to amend sections 2 and 26 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations,'" approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of com-

panies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities.

Bill read third time.

Urgency clause read

The question being, Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—69.

NOES—Reaves—1.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1204 passed by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the House Dispensed With.

At twelve o'clock and ten minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Lyon.

The roll of absentees was called, and the motion to defer the special order for consideration of Assembly Bill No. 1618, and amendments pending, was carried by the following vote:

AYES—Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilmore, Heisinger, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Morgan, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—54.

NOES—Anderson, Burns, Crowley, Donihue, Evans, Ralph W., Geyer, Gilbert, Glover, Hawkins, Johnson, Lore, McCarthy, Meehan, Minard, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Voigt, Wagner, and Wallace—23.

Recess.

At twelve o'clock and fifteen minutes p.m., on the motion of Mr. Lyon, the Assembly was declared at recess until two o'clock p.m. of this day.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Motion to Reconsider Assembly Bill No. 6 Continued.

Mr. Jones moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 6 was refused passage be continued until the next legislative day.

Motion carried.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Exhibitions and Fairs.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1935.

MR. SPEAKER: Your Committee on Exhibitions and Fairs, to which was referred Assembly Bill No. 1228—An act providing for the acquisition of lands for, and the construction, maintenance and operation of a building at the San Francisco Bay Bridge Exposition to be held in the City and County of San Francisco, State of California, providing for the exhibition of products, resources of and other matters pertaining to the State of California at said San Francisco Bay Bridge Exposition, creating the San Francisco Bay Bridge Exposition, defining its purposes and duties and making an appropriation therefor;

Also: Assembly Bill No. 605—An act providing for the acquisition of lands for, and the construction, maintenance and operation of a building at the Pacific Exposition to be held in the county of Los Angeles, State of California, providing for the exhibiting of products, resources of and other matters pertaining to the State of California at said Pacific Exposition, creating the California Pacific Exposition Commission and defining its powers and duties, and making an appropriation therefor; Has had the same under consideration, and respectfully reports the same back without recommendation, and be re-referred to Committee on Ways and Means.

TICKLE, Chairman.

Assembly Bill No. 1228 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 605 ordered on file for second reading.

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1935

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 1037—An act to safeguard the public health by regulating the use of X-rays on living persons in the State of California—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

CRONIN, Chairman.

The above reported bill ordered on file for second reading.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1935.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1062—An act to amend section 3714 of the Political Code, relating to the preparation and adoption of annual budgets by county boards of supervisors and providing for the publication thereof;

Also: Assembly Bill No. 613—An act to amend an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933 (Statutes 1933, page 642), by adding thereto a new section to be numbered 14, exempting certain funds from the provisions of said act;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

DELAP, Chairman.

The above reported bills ordered on file for second reading.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1935.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 338—An act to add section 731a to the Code of Civil Procedure, relating to the use of the injunction in industrial or commercial zones—has had the

same under consideration, and respectfully reports the same back, and recommends that it do pass.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No 659—An act to amend section 76a of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property within municipalities, and upon property and rights of way owned by municipalities, or of which a municipality has possession and the rights of way under the provisions of section 14 of Article I of the Constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and provide for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, relating to the foreclosure of bonds—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WRIGHT, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No 1792—An act validating the purchase of bonds by municipalities under the Improvement Act of 1911 and the Improvement Act of 1915 from the proceeds of the delinquent street assessment fund provided for in said act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1935.

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 61—An act to amend section 2 of an act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act," approved May 15, 1933, relating to exemptions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LYON, Chairman.

The above reported bill ordered on file for second reading.

On Exhibitions and Fairs.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1935.

MR. SPEAKER: Your Committee on Exhibitions and Fairs, to which was referred Assembly Bill No. 607—An act relating to the holding of the Pacific Exposition in California, providing for the issuance and sale of State bonds to be known as "California Pacific Exposition bonds," providing for the payment and retirement of said bonds, providing for and creating a fund for the carrying out of the purposes of this act, authorizing the expenditure of moneys in said fund for such purposes, creating a commission to be known as the "Pacific Exposition Commission," creating an interest and sinking fund for the payment of interest on said bonds and the redemption of the same, and making appropriation therefor, making an appropriation of $2,000 for the expense of printing, lithographing and selling said bonds, designating the name by which this act shall be known and fixing the time at which this act shall be and become effective—has had the same under consideration, and respect-

fully reports the same back without recommendation, as amended, and be re-referred to Committee on Ways and Means.

FULCHER, Chairman.

The above reported bill ordered on file for second reading.

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1935.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 1009—An act to amend section 9 of "An act defining clinics and dispensaries, providing for the operation, conduct, maintenance, examination and regulation thereof, requiring permits therefor, providing for the issuance and revocation of such permits by the State Board of Public Health, fixing the amount of and providing for the collection and disposition of annual fees for such permits, creating the clinic and dispensary fund, prescribing the powers and duties of the State Board of Public Health and of the Director of Public Health in reference to such clinics and dispensaries, and prescribing penalties for the violation of the provisions of this act," approved June 5, 1933, relating to annual fee for permits—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

CRONIN, Chairman.

The above reported bill ordered on file for second reading.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1935

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 439—An act to amend section 1251 of the School Code, relating to the qualifications of county supervisors of attendance;

Also: Assembly Bill No. 2026—An act to direct the State departments, and particularly the Superintendent of Education to stress the significance of tolerance as a basic American principle, defining the meaning of tolerance, providing for the inclusion of instruction of tolerance in the public school system, providing a pledge of tolerance, and providing penalties for violations of said pledge;

Also: Assembly Bill No. 2275—An act to add section 343 to the School Code, relating to compulsory instruction;

Also: Assembly Bill No. 406—An act to add a new article to Chapter I of Part I of Division I of the School Code to be known as Article VII, embracing section 145, relating to the participation of pupils in public exhibitions;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

CHATTERS, Chairman.

The above reported bills ordered on file for second reading.

On Commerce and Navigation.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1935.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 197—An act granting in trust to the City and County of San Francisco the interest of the State in and to, and the control and management of the harbor of San Francisco, as described in the act; providing for the disposition of revenues derived from the operation of said harbor; providing for the sale of bonds authorized but not sold; providing for the payment of interest on bonds, and for the redemption of bonds; fixing the terms and conditions of the grant; providing for the issuance of a proclamation by the Governor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MALONEY, Chairman

The above reported bill ordered on file for second reading.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1935.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1565—An act to amend section 5 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property and providing for permits to retailers, providing for the revenue, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for the violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933, relating to exemptions on

certain personal property—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 2156—An act to amend sections 3678, 3681a, 3747a, 3756, 3760, 3764, 3766, 3771, 3771a, 3772, 3776, 3785, 3788, 3789, 3797, 3799, 3804b, 3808, 3809, 3816, 3817, 3817f, 3817g, 3817h, 3818, and 3822 and to repeal sections 3738, 3739, 3781, 3791, 3792, 3793, 3794, 3795, 3796, 3800 and 3815 of the Political Code and to add to said code sections numbered 3816a, 3817j and 3832, relating to the collection of taxes and providing for the collection of delinquent taxes and unsecured taxes by the tax collector;

Also: Assembly Bill No. 822—An act to amend section 3714 of the Political Code, relating to budgets and taxes;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended

RILEY, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1271—An act imposing an excise tax on the storage, use or other consumption in this State of tangible personal property, providing for the registration of retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof and providing that this act shall take effect immediately;

Also: Assembly Bill No. 1273—An act to amend the title and sections 2, 9, 15, 17, 18, 20, 21, 22, 23, 24, 26, 27, 30 and 33 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933; to repeal section 19 of said act; to add sections 9½ and 19 to said act; all relating to the taxation of the privilege of selling, renting or leasing tangible personal property; and to provide that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

RILEY, Chairman

The above reported bills ordered on file for second reading.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1935.

MR. SPEAKER. Your Committee on Fish and Game, to which was referred Assembly Bill No. 865—An act to add section 793.5 to and to amend section 797 of the Fish and Game Code, relating to abalone—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FISHER, Chairman.

The above reported bill ordered on file for second reading.

Also

MR SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1825—An act relating to and regulating the subject of fishing within the jurisdiction of the State of California;

Also: Assembly Bill No. 2078—An act to amend the Fish and Game Code;

Also: Assembly Bill No. 2358—An act to amend the Fish and Game Code, relating to fish and game,

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended

FISHER, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 2336—An act to amend section 1293 of the Fish and Game Code, relating to destructive mammals—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FISHER, Chairman.

The above reported bill ordered on file for second reading

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1935.

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 187—An act to validate the organization and existence of municipal improvement districts;

Also: Senate Bill No. 276—An act authorizing certain cities, cities and counties, and boards or departments thereof, in issuing revenue bonds or other evidences of indebtedness, payable solely from revenues, or from any other special fund, to issue the same as negotiable instruments, to provide for certain signatures thereto by facsimile, for making the same payable at places outside the State of California, and for the registration thereof;

Also: Senate Bill No. 299—An act to amend sections 4, 9, 10 and 14 of the act entitled "An act to provide for the incorporation and organization and management of municipal water districts and to provide for the acquisition and construction by said districts of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved May 1, 1911, relating to municipal water districts and the officers thereof and further defining the powers and duties of each thereof;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

WRIGHT, Chairman.

The above reported bills ordered on file for second reading.

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1935.

MR SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Senate Bill No. 468—An act to amend the title and to add a new section numbered 18a to the State Medical Practice Act, approved June 2, 1913, as amended, relating to remedies for violations—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

CRONIN, Chairman

The above reported bill ordered on file for second reading.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1935.

MR. SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 467—An act to amend sections 2.411, 2.418 and 2.419 of the School Code, relating to disincorporation of high school districts—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

CHATTERS, Chairman.

The above reported bill ordered on file for second reading.

On Commerce and Navigation.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1935.

MR SPEAKER: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 758—An act to amend an "Act granting certain tide lands and submerged lands of the State of California to the City and County of San Francisco for development and use as a public airport, regulating the management, use, lease and control thereof, authorizing the reclamation and certain improvements of said lands and the construction and maintenance of a bridge or causeway connecting said lands with Yerba Buena Island." (Chap. 912, Stats. 1933), to add a new section to be numbered section 4 permitting the temporary use of said lands for exposition purposes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MALONEY, Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Commerce and Navigation, to which was referred Senate Bill No 153—An act to amend section 5 of an act entitled "An act to regulate motor boats of less than 15 gross tons capacity operating in California waters and carrying passengers for hire and providing a penalty for violation thereof," approved January 19, 1931, relating to boats unequipped with propelling machinery—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

MALONEY, Chairman.

The above reported bill ordered on file for second reading.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1935

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 51—An act to amend section 441 of the Political Code, relating to rates of interest on registered warrants;

Also: Senate Bill No. 430—An act to amend sections 3727 and 3728 of the Political Code, relating to the entering of values and acreages in the assessment book and the preparation of duplicate statistical statements of assessments;

Also: Senate Bill No 588—An act providing for the exemption from taxation of personal property brought within the State of California exclusively for purposes of use, display or exhibition at expositions, fairs, carnivals or public exhibits of literary, scientific, educational, religious or artistic works, and for claim of exemption;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

RILEY, Chairman.

The above reported bills ordered on file for second reading.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1935

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No 106—An act to amend sections 798.6 and 801 of the Fish and Game Code, relating to abalones;

Also: Senate Bill No. 174—An act to amend section 730 of the Fish and Game Code, relating to fish;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

FISHER, Chairman

The above reported bills ordered on file for second reading.

On Federal Relations.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1935

MR. SPEAKER Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 49—Relative to memorializing the United States Forest Service to undertake the laying out of ski trails in the snow region of the National forests between Placerville and Auburn highways—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted

TURNER, Chairman.

Assembly Joint Resolution No. 49 ordered to engrossment.

Senate Messages.

The following messages from the Senate were taken up and read.

SENATE CHAMBER, SACRAMENTO, April 17, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1077—An act to amend section 21 of the "California Water Storage District Act," relating to property sold for delinquent assessments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No 1077 read first time, and referred to Committee on Irrigation.

Also:

SENATE CHAMBER, SACRAMENTO, April 17, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 601—An act to amend section 1704 of the Streets and Highways Code, relating to county highways;

Also: Assembly Bill No. 658—An act to amend sections 45 and 47 of the California Irrigation District Act and to repeal section 46 of said act, all relating to certificates of sale and redemption therefrom, and the issuance of deeds.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 17, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1721—An act to amend sections 859 and 860 of the Penal Code, relating to the examination of a case before a magistrate, and to add section 859a of the Penal Code, relating to a plea of guilty to the complaint before a magistrate—and respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 1721 ordered on unfinished business file.

Third Reading of Assembly Bills.

Assembly Bill No. 819—An act to amend sections 2167, 2167a, 2169, 2172 and 2175 of, to repeal sections 2168, 2170, 2171 and 2185c of, and to add new sections numbered 2168, 2171 and 2185c to the Political Code, relating to persons mentally disordered or otherwise incompetent

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lyon:

Amendment No. 1.

On page 4 of the printed bill, as amended, strike out lines 42 to 52, inclusive.

Amendment No. 2.

On page 5 of the printed bill, as amended, strike out lines 1 to 7, inclusive, and insert in lieu thereof the following:

"2168 6. The judge of the superior court, upon receipt of the report of the medical examiners, when such report recommends care and treatment in a State hospital, shall serve or cause to be served upon the person alleged mentally disordered, notice that an adjudication of mental disorder has been made and that an order of commitment to a State hospital shall be issued within two days of such notice unless the person alleged to be mentally disordered, or anyone in his behalf, file with the county clerk a demand for a hearing and examination before the court Such notice and demand shall be made upon forms to be prescribed and furnished by the Department of Institutions to all superior courts and county clerks If no demand for a hearing".

Amendments adopted.

Bill read, ordered to reprint, re-re-re-re-engrossment, and third reading.

Assembly Bill No. 1138—An act to amend section 3804 of the Political Code, to prescribe place of filing claim for refund of taxes, penalties or costs, and to validate the filing of such claims heretofore filed.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Cunningham:

Amendment No. 1.

On page 1 of the printed bill, in the last line of the title, following the word "filed", add the following: "and to add to said code a new section to be numbered 3804.1, to provide for refunding certain payments on account of delinquent taxes"

Amendment No. 2.

On page 2 of the printed bill, following line 33, add the following:

"SEC. 2. A new section is hereby added to said code, to be numbered 3804.1 and to read as follows:

3804.1. When any person elected to pay delinquent taxes in installments in accordance with the provisions of section 3817c of this code and did make a payment or payments thereunder on or before April 20, 1934, but failed to pay, on or before said date, the taxes levied and assessed against the property for the fiscal year 1933-34 as required in said section and the property was redeemed under section 3817 of this code after said date and before credit for such installment payment or payments might be had under any provisions of this code, the amount previously paid to the county treasurer under said section 3817c may, by order of the board of supervisors, be refunded by the county treasurer to the person who made such installment payment or payments, or to his guardian, executor or administrator.

No order for such refund under this section shall be made except upon a claim therefor, verified by the person making such installment payment or payments, or by his guardian, executor or administrator and filed, with the board of supervisors or with the county auditor, within three years after the date of the last of such installment payments sought to be refunded.

Such refund shall be made from the general fund or from a fund of appropriate title to be used for refunds of tax moneys. In either case, sufficient moneys to pay each claim shall be transferred into such fund from the funds into which such payment or payments was or were distributed when collected

All such payments not claimed under the provisions of this section within the time allowed therefor may be transferred to the general fund of the county upon an order to that effect by the board of supervisors"

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Request for Unanimous Consent.

Mr. Breed asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 49, at this time, without reference to print, or file, and that same be considered engrossed.

Consideration of Assembly Joint Resolution No. 49.

Assembly Joint Resolution No 49—Relative to memorializing the United States Forest Service to undertake the laying out of ski trails in the snow region of the National forests between Placerville and Auburn highways.

Assembly Joint Resolution No. 49 read.

Mr. Breed moved the adoption of Assembly Joint Resolution No. 49.

The question being on the adoption of Assembly Joint Resolution No. 49.

The roll was called, and Assembly Joint Resolution No 49 adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Domhue, Donnelly, Evans, Herbert J, Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner.

Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—69.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 49 ordered transmitted to the Senate.

Assembly Joint Resolution No. 49.

Relative to memorializing the United States Forest Service to undertake the laying out of ski trails in the snow region of the National forests between Placerville and Auburn highways.

WHEREAS, Winter sport activities have been rapidly developing in the higher mountain regions of California, thereby contributing to both the recreational and economic development of this State; and

WHEREAS, The construction of a system of ski trails and ski huts is necessary to the adequate development of winter sports, and to secure access to the higher mountain regions in winter; and

WHEREAS, Such a trail system would facilitate the making of snow surveys for the purpose of determining the probable seasonal run-off, a determination which is vital to the irrigation and power interests of this State; and

WHEREAS, A summit trail and connecting laterals have been scouted and cabin locations selected by various interested organizations in that portion of the Sierra Nevada Mountains lying between the Placerville Highway and the Auburn Highway; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the United States Forest Service be and it is hereby urged and requested to undertake the laying out of a program for the construction of a system of ski trails in the snow regions of the National forests, and that during the summer of 1935 such ski trail and hut system be actually constructed, at least in the area between the Placerville and Auburn highways, such system to consist of a crest trail, together with connecting trails to each skiing center in the area involved, each trail to be adequately marked, signed, cleared and equipped with necessary shelter huts; and be it further

Resolved, That His Excellency, the Governor of the State of California, be requested to forward a copy of this resolution to the United States Regional Forester for the State of California.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 122—An act to amend sections 5 and 7 of the Retail Sales Tax Act of 1933, relating to the rate of tax and exemptions, including refunds.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Hunt:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 19, 20, 21 and 22, and insert in lieu thereof the following:

"(e) The gross receipts from the sale of the following personal property:

(1) Food products for human consumption.

"Food products" as used herein includes cereals and cereal products, milk and milk products, oleomargarine, meat and meat products, fish and fish products except shellfish, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spice and salt, sugar and sugar products other than candy and confectionery, coffee and coffee substitutes, tea, cocoa and cocoa products other than candy and confectionery. "Food products" does not include spirituous, malt or vinous liquors, soft drinks, sodas or beverages such as are ordinarily dispensed at bars and soda fountains or in connection therewith, other than coffee, tea and cocoa, nor does the term "food products" include any food in prepared form served by restaurants, cafes, cafeterias or other establishments of like nature."

Amendment adopted.

Bill read, ordered to reprint, engrossment, and third reading.

Withdrawal of Bills.

By order of the Speaker, the following Assembly Bills were withdrawn from the file, and ordered re-referred to the following committees:

Assembly Bill No. 545 ordered re-referred to Committee on Public Works.

Assembly Bill No. 944 ordered re-referred to Committee on Public Works.

Assembly Bill No. 1254 ordered re-referred to Committee on Ways and Means.

Motion to Re-refer Assembly Bill No. 1067.

Mr. Welsh moved that Assembly Bill No. 1067 be withdrawn from Committee on Judiciary, and ordered re-referred to Committee on Municipal Corporations.

The question being on re-referring Assembly Bill No. 1067 to Committee on Municipal Corporations.

Motion carried.

Assembly Bill No. 1067 ordered re-referred to Committee on Municipal Corporations.

Consideration of Senate Concurrent Resolution No. 25.

Senate Concurrent Resolution No. 25—Relative to the appointment of a Joint Legislative Committee to study pending revenue and taxation measures.

Senate Concurrent Resolution No. 25 read.

Demand for Previous Question.

Messrs. Hunt, Flint, Morgan, Fisher and Redwine demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of Senate Concurrent Resolution No. 25.

Mr. Riley moved the adoption of Senate Concurrent Resolution No. 25.

The question being on the adoption of Senate Concurrent Resolution No. 25.

The roll was called.

Motion to Expunge Record.

Mr. Desmond moved that the vote taken on Senate Concurrent Resolution No. 25 be expunged from the record, and the action rescinded.

Motion carried.

The question being on the adoption of Senate Concurrent Resolution No. 25.

The roll was called, and Senate Concurrent Resolution No 25 adopted by the following vote:

AYES—Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Fisher, Frazier, Gilmore, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—48.

NOES—Anderson, Boyle, Clark, Flint, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, McCarthy, McMurray, Meehan, Patterson, Pelletier, Reaves, Richie, Rosenthal, Voigt, and Wagner—23.

Title read and approved.

Senate Concurrent Resolution No. 25 ordered transmitted to the Senate.

Senate Concurrent Resolution No. 25.

Relative to the appointment of a Joint Legislative Committee to Study Pending Revenue and Taxation Measures.

Resolved by the Senate of the State of California, the Assembly thereof concurring, That a joint committee of fourteen members be appointed, seven of whom to be appointed by the President of the Senate, and seven by the Speaker of the Assembly, to confer on pending revenue and taxation measures; and be it further

Resolved, That such joint committee study all pending revenue and taxation measures for the purpose of advising the Senate and Assembly and the various standing committees thereof.

Special Order.

The hour of two o'clock p.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 574.

Assembly Bill No. 574—An act to add sections 3246a and 3246b, and to amend sections 3244, 3245 and 3246 of the Political Code and to amend section 3247 as added by Chapter 85, Statutes of 1887, renumbering said section to be section 3246c, all relating to hours and wages of labor.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr Phillips:

Amendment No. 1.

On page 3 of the printed bill, strike out lines 11 to 27, inclusive.

Request for Roll Call.

On request of Messrs. Lore, Turner, and Reaves, the Speaker ordered a roll call taken on the amendment submitted by Mr. Phillips.

The roll was called, and the amendment was adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Heisinger, Hornblower, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—57.

NOES—Clark, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Hunt, Johnson, Jones, Laughlin, Lore, McCarthy, Meehan, Pelletier, Reaves, Richie, Rosenthal, Voigt, and Wagner—20.

Request for Unanimous Consent.

Mr. Pelletier asked for, and was granted, unanimous consent to take up Assembly Bill No. 574, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 574, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Phillips:

Amendment No. 1.

On page 1, line 7, of the printed bill, strike out the words "three thousand two hundred"; and in line 8, strike out the words "and forty-six b".

Amendment No. 2.

On page 2, line 4, of the printed bill, strike out the words "Except as provided in section 3246b,", and change the initial letter of the following word "seven" to a capital "S".

Amendment No. 3.

On page 3, line 32, of the printed bill, following the comma, and prior to the word "three", insert the word "and".

Amendment No. 4.

On page 3, line 33, of the printed bill, strike out the comma and the words "and three thousand two hundred and", and in line 34, strike out the words "forty-six b".

Amendment No. 5.

On page 2, line 25, of the printed bill, strike out the word "hospital".

Motion.

Mr. Jones moved that the amendments submitted by Mr. Phillips be voted upon separately.

Motion carried.

Consideration of Amendments Nos. 1, 2, 3 and 4.

The question being on the adoption of amendments Nos. 1, 2, 3 and 4.

Amendment No. 1.

On page 1, line 7, of the printed bill, strike out the words "three thousand two hundred", and in line 8, strike out the words "and forty-six b".

Amendment No. 2.

On page 2, line 41, of the printed bill, strike out the words "Except as provided in section 3246b,", and change the initial letter of the following word "seven", to a capital "S".

Amendment No. 3.

On page 3, line 32, of the printed bill, following the comma, and prior to the word "three", insert the word "and".

Amendment No. 4.

On page 3, line 33, of the printed bill, strike out the comma and the words "and three thousand two hundred and", and in line 34, strike out the words "forty-six b".

Amendments Nos. 1, 2, 3 and 4 adopted.

Request for Unanimous Consent.

Mr. Pelletier asked for, and was granted, unanimous consent to take up Assembly Bill No. 574, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 574, as amended, read third time.

Consideration of Amendment No. 5.

During third reading of the bill, the following amendment was submitted by Mr. Phillips:

Amendment No. 5.

On page 2, line 45, of the printed bill, strike out the word "hospital".

Request for Roll Call.

On request of Messrs. Reaves, Flint and Morgan, the Speaker ordered a roll call taken on Amendment No. 5 submitted by Mr. Phillips.

The roll was called, and the amendment was adopted by the following vote:

AYES—Breed, Brennan, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Fisher, Frazier, Garibaldi, Gilmore, Hornblower, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—44.

NOES—Anderson, Boyle, Burns, Cassidy, Clark, Donahue, Evans, Ralph W., Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Laughlin, Lore, McCarthy, Meehan, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, and Waters—30.

Request for Unanimous Consent.

Mr. Pelletier asked for, and was granted, unanimous consent to take up Assembly Bill No 574, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 574, as amended, read third time

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Pelletier:

Amendment No. 1.

On page 2, line 45, of the printed bill, insert after the word "hospital", the following words: "(except as provided by section 3246b of the Political Code)".

Amendment adopted.

Request for Unanimous Consent.

Mr. Pelletier asked for, and was granted, unanimous consent to take up Assembly Bill No. 574, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 574, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Hornblower:

Amendment No. 1.

On page 1, line 9, of the printed bill, after the word "code", strike out the period, and insert a comma and the following: "provided, however, that nothing in this act shall affect those employed in the fishing industry."

Request for Roll Call.

On request of Messrs. Heisinger, Lore and Hornblower, the Speaker ordered a roll call taken on the amendment submitted by Mr. Hornblower.

The roll was called, and the amendment was adopted by the following vote:

AYES—Breed, Brennan, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Evans, Herbert J., Fisher, Fulcher, Gilmore, Heisinger, Hornblower, Kallam, Latham, Lore, Lyon, Maloney, McBride, McMurray, Miller, Morgan, Nielsen, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Walker, Wallace, Weber, Wright, and Mr. Speaker—42.

NOES—Anderson, Boyle, Burns, Cassidy, Desmond, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Hunt, Johnson, Jones, Laughlin, Martin, Mayo, Meehan, Minard, Patterson, Reaves, Rosenthal, Voigt, and Wagner—25.

Request for Unanimous Consent.

Mr. Pelletier asked for, and was granted, unanimous consent to take up Assembly Bill No. 574, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 574, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Gilmore:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "and 3246b", and insert in lieu thereof a comma and the following: "3246b and 3246d".

Amendment No. 2.

On page 3 of the printed bill, as amended, immediately following line 46, insert the following:

"SEC. 7. A new section to be numbered 3246d is hereby added to the Political Code, to read as follows:

3246d. Any person employed in the transportation of persons or property, or both, shall be exempt from the provisions of sections 3245, 3246 and 3246a of the Political Code."

Request for Roll Call.

On request of Messrs. Jones, Lore and Reaves, the Speaker ordered a roll call taken on the adoption of the amendments submitted by Mr. Gilmore.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Gilmore moved a call of the House.

Motion lost.

The roll was called, and the amendments submitted by Mr. Gilmore were refused adoption by the following vote:

AYES—Brennan, Chatters, Cottrell, Cronin, Dawson, Donnelly, Fisher, Frazier, Garibaldi, Gilmore, Kallam, Latham, Lyon, McBride, Morgan, Nielsen, Peterson, Peyser, Redwine, Riley, Robertson, Scudder, Stream, Utt, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—30

NOES—Anderson, Boyle, Breed, Burns, Cassidy, Clark, Corwin, Crowley, Cunningham, DeLap, Desmond, Donihue, Evans, Ralph W., Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, Martin, Meehan, Miller, Minard, O'Donnell, Patterson, Phillips, Reaves, Richie, Rosenthal, Voigt, Wagner, and Waters—40.

Assembly Bill No. 574, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Scudder:

Amendment No. 1.

On page 3 of the printed bill, as amended, immediately following line 46, insert the following:

"SEC. 7. This act shall become effective when the Congress of the United States shall have passed tariff laws the rates of which shall represent the difference between foreign and American labor."

Request for Roll Call.

On request of Messrs. Jones, Geyer and Reaves, the Speaker ordered a roll call taken on the amendment submitted by Mr. Scudder.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Breed, DeLap, Donnelly, Frazier, Fulcher, Heisinger, Hornblower, McBride, Miller, Minard, Morgan, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Wright, and Mr. Speaker—22

NOES—Anderson, Boyle, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Desmond, Donihue, Evans, Ralph W., Fisher, Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, Meehan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Rosenthal, Voigt, Wagner, Weber, and Williamson—44.

Assembly Bill No 574, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Phillips:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the letter "s" of the word "Sections", and also strike out "and 3246b".

Amendment adopted.

Assembly Bill No. 574, as amended, read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 574, as amended, refused passage by the following vote:

AYES—Anderson, Boyle, Burns, Clark, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Laughlin, Lore,

Maloney, McCarthy, Patterson, Pelletier, Reaves, Richie, Rosenthal, Voigt, and Wagner—26

NOES—Breed, Brennan, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Fisher, Frazier, Fulcher, Garibaldi, Heisinger, Johnson, Kallam, Latham, Lyon, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp Utt, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—47.

Explanation of Vote.

We believe a shorter day would bring about more employment and I favor any *legitimate method to accomplish such a purpose, but this bill without similar Federal* action, would put our factories and industries at a disadvantage with other States, which might work a misfortune on our workers as well as our industries.

Therefore, we shall vote "No."

S. L. HEISINGER
HENRY P. MEEHAN.
ERNEST C. CROWLEY.

Explanation of Vote.

The fact that Congress has not enacted legislation establishing the 30-hour week would mean that if Assembly Bill No. 574 is enacted into law, labor and business in California will be very definitely penalized by its discriminatory provisions California industry can not compete with industry in other States which would not be so penalized Such a measure as this will defeat its own purpose and will increase unemployment in California. I favor a 30-hour week law, National in its scope and objective.

KENNETT B. DAWSON,
Assemblyman, Twenty-second District.

Resolution.

The following resolution was offered:

By Messrs. Williamson, McMurray, Meehan, Crowley, Morgan, Phillips, and Miss Miller:

Assembly Resolution.

WHEREAS, The practice among Christians of setting apart the hours from twelve to three on Good Friday for devotion having obtained so largely in California, that it would seem but right not only to favor such hallowed practice, but also to give opportunity to all who desire to recall during these hours the mystery which Christians celebrate; be it

Resolved, That it is the sense of the Assembly of the State of California, that adjournment be taken at twelve o'clock on Friday, April 19, 1935, to enable all who wish to participate in the exercises which mark these hours so notable in the world's history.

Resolution read, and adopted unanimously.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Attaches.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1935.

MR. SPEAKER: Your Committee on Attaches respectfully begs to report that it has carefully considered the applications for the various positions and desires to submit the following resolution:

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same

	Per day (Sundays excepted)
Commencing April 12, 1935—	
Irene Huddleson, Stenographer	$5 00
Commencing April 15, 1935—	
Ruth Tate, Stenographer	5 00
James Mulligan, Page	2 50
William Latham, Page	2 50
Hutton Theller, Page	2 50
Francis Lore, Page	2 50
Bob Boyle, Page	2 50
Teddie Craig, Page	2 50
Daniel Anderson, Page	2 50
John Gever, Page	2 50
Marvin Riley, Page	2 50

Resolved further, That the following named persons be stricken from the list of Assembly attaches and their names be stricken from the pay roll of the Assembly to take effect on completion of the work:

April 16, 1935—

William Latham, Page	$2 50
Hutton Theller, Page	2 50
Francis Lore, Page	2 50
Bob Boyle, Page	2 50
Teddie Craig, Page	2 50
Daniel Anderson, Page	2 50
John Geyer, Page	2 50
Marvin Riley, Page	2 50

April 20, 1935—

Irene Hiddleson, Stenographer	5 00
Ruth Tate, Stenographer	5 00

Resolved further, That commencing April 14th the pay of Arthur Engler, Assistant Sergeant-at-Arms, will be on a basis of seven (7) days per week.

UTT, Chairman.

Report and resolution of Committee on Attaches read.

Mr. Utt moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Anderson, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Ralph W., Fisher, Gever, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Riley, Rosenthal, Scudder, Stream, Thorp, Utt, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—55.

NOES—None.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1935

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 33—An act to amend section 4300b of the Political Code of the State of California by adding thereto a provision fixing a fee to be charged by sheriffs for arresting prisoners and bringing them into court or jail;

Also: Assembly Bill No 139—An act to amend sections 165 and 166 of the Civil Code, relating to inventories of the separate property owned by a husband or wife, and making the filing of such inventory notice and prima facie evidence of title;

Also: Assembly Bill No. 208—An act to prohibit under certain conditions, sales under certain chattel mortgages, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale made in violation of the act, to prescribe the time within which an action to avoid such a sale may be brought, and to declare the urgency thereof, and to provide that this act take effect immediately;

Also: Assembly Bill No 346—An act to amend section 1208 of the Code of Civil Procedure, relating to liens upon animals,

Also: Assembly Bill No. 480—An act to amend section 1554 of the Political Code, relating to accounts of guardians of insane persons;

Also, Assembly Bill No. 884—An act to add a new section to the Penal Code, to be numbered section 593b, relating to climbing upon poles, towers and other structures supporting wires or cables, transmitting electric energy;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this seventeenth day of April, 1935, at four o'clock and thirty minutes p m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 956—An act to amend an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, by amending sections 5 and 15 thereof, relating to special assessment bonds;

Also: Assembly Bill No 1059—An act to amend section 377 of the Code of Civil Procedure, relating to the maintenance of actions for damages against persons responsible for the death of another;

Also: Assembly Bill No. 1695—An act to amend section 10 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, relating to the deposit of money belonging to or in the custody of the State;

Also: Assembly Bill No. 1679—An act to amend section 1207 of the Penal Code, relating to entry of judgment;

Also: Assembly Bill No. 1699—An act to amend section 351 of, and to add section 351a to, the Political Code, relating to officers of departments of the State government;

Also: Assembly Bill No. 1722—An act to amend section 1408 of the Penal Code, relating to the order for delivery of property to the owner;

Also: Assembly Bill No. 1739—An act to add section 670.5 to the Political Code, relating to the refund of penalties;

Also: Assembly Bill No 1976—An act to amend section 29 of "The California Irrigation District Act," approved March 31, 1897, as amended, relating to the purpose for which property may be held by said district, and providing for the sale or lease of same;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this seventeenth day of April, 1935, at four o'clock and thirty minutes p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 30—Relative to experimental winter feeding of deer—and reports that the same has been correctly enrolled, and presented the same to the Governor on this seventeenth day of April, 1935, at four o'clock and thirty minutes p m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 68—An act to add section 15a to an act entitled "An act to provide for the recall of elective officers of incorporated cities and towns, and to repeal Chapter 32, Statutes of 1911, extra session, entitled an act to provide for the recall of elective officers of incorporated cities and towns, approved January 2, 1912," approved May 8, 1931, relating to recall of elective officers of incorporated cities;

Also: Assembly Bill No 456—An act to amend sections 830, 834 and 1533 of the Probate Code, relating to the borrowing of money by executors, administrators and guardians and the execution by them of mortgages, deeds of trust and pledges to secure the same and the limitation upon recovery on deficiency judgments in such cases;

Also: Assembly Bill No. 512—An act to amend section 274 of the Agricultural Code, relating to bee diseases;

Also: Assembly Bill No. 882—An act to amend section 338 of the Code of Civil Procedure, relating to limitation of actions;

Also: Assembly Bill No. 1156—An act to amend section 683 of the Civil Code, relating to joint tenancies;

Also: Assembly Bill No. 1368—An act making an appropriation for the construction of an armory in the city of San Pedro, Los Angeles County, California;

Also: Assembly Bill No 1830—An act to amend sections 803, 804, 810, 813, 814 and 815 of the Military Code, relating to the extension of veterans' rights for loan grants on homes and farms;

Also: Assembly Bill No. 1920—An act to amend section 2 of the Inheritance Tax Act, relating to computation of tax, including deduction of expenses of administration;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 2050—An act amending section 1428 of the Penal Code, relating to keeping of minutes;

Also: Assembly Bill No. 2051—An act amending section 1461a of the Penal Code, relating to municipal court procedure;

Also: Assembly Bill No. 2052—An act amending section 1428a, relating to minute books of municipal courts;

Also Assembly Bill No. 2351—An act authorizing the use of convict labor in the State parks, forests, game preserves, and National forests or parks in the State of California; providing for the compensation of such convict labor and for the payment thereof to their dependents; providing for forfeiture of such compensation; providing the manner of payment of such compensation to paroled, released or discharged convicts, authorizing the allowance of extra good time credits to such convicts; and providing penalties for interference with such convict labor;

Also Assembly Bill No 2406—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to sessions of the superior court;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 22—Relative to Pacific Exposition;

Also: Assembly Joint Resolution No 23—Relative to the Pacific Exposition;

Also: Assembly Joint Resolution No. 28—Relative to memorializing the Senate of the United States to conduct an investigation of vigilantism in California and throughout the United States;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

Assembly Joint Resolutions Nos. 22, 23 and 28 ordered on file for adoption.

Also.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 429—An act to provide that school authorities of certain public and private schools shall be equipped to render first medical aid to injured children and students, and providing a penalty for violation thereof;

Also: Assembly Bill No. 1063—An act to amend section 182 of the Penal Code, relating to criminal conspiracy,

And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1935.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Senate Bill No 719—An act to amend the Vehicle Code by amending sections 142, 147, 150, 151, 159, 160, 161, 165, 184, 186, 205, 206, 207, 211, 215, 239, 252, 375, 376, 378, 382, and 383; by adding section 234, relating to vehicles—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 2012—An act to amend the Vehicle Code—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1935

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 127—An act to add sections 139 1, 139 2, 139 3, 139 4, 139 5, 139 6, and 139 7 to the Agricultural Code, relating to the registration of fruit trees—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1935.

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 790—An act to amend the Vehicle Code by amending sections 37, 38, 66, 67, and 73; by repealing section 44; by adding sections 44, 73.5 and 76, relating to vehicles—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 720—An act to amend the Vehicle Code by amending sections 223, 225, 226, 306 and 308, by repealing sections 292, 293, and 304; by adding sections 292, 298, and 304, relating to vehicles—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

HORNBLOWER, Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1654—An act to amend sections 459, 465 and 471 of, and to add a new section to be numbered 466 to, the Vehicle Code, relating to highways and the regulation thereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1289—An act to amend the Vehicle Code, relating to motor vehicles—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No 1274—An act to add section 168 to the Vehicle Code, relating to registration of vehicles and to add section 384 to the Vehicle Code, relating to registration and license fees—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading

On Labor and Capital.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1935.

MR SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 792—An act to prohibit child labor;

Also: Assembly Bill No. 328—An act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad adequately to man their gas, gas-electric, diesel, or diesel-electric cars and locomotives;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

BURNS, Chairman.

The above reported bills ordered on file for second reading.

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1935.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 188—An act to add section 654 to the Penal Code, relating to advertising food, drink, drug, devices or cosmetic products by radio broadcasting and providing penalties for violation thereof—has had the same under

consideration, and respectfully reports the same back without recommendation, as amended.

CRONIN, Chairman.

The above reported bill ordered on file for second reading.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1565—An act to amend section 5 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property and providing for permits to retailers, providing for the revenue, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for the violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933, relating to exemptions on certain personal property.

Floor Amendments.

During second reading of the bill, the following amendments were submitted by Mr. Peyser:

Amendment No. 1.

On page 2, line 5, of the printed bill, after the word "butter", strike out the comma, and insert in lieu thereof "and substitutes therefor,".

Amendment No. 2.

On page 2, line 15, of the printed bill, after the period, insert the following: "This exemption shall not apply to prepared food or foods served in restaurants, cafes, clubs, hotels, or cafeterias"

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1192—An act to add section 95 to the Agricultural Code, relating to and providing for the exhibition of live stock in southern California

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Lyon:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out lines 50 to 52, inclusive, and also strike out all of page 3, and insert in lieu thereof the following

"Beginning at the intersection of Atlantic Avenue and Willow Street in Long Beach; thence West to Main Street; thence North along West line of Main Street to Slauson Avenue; thence West along the South line of Slauson Avenue to La Brea Blvd; thence North along West line of La Brea Blvd. to North line of Exposition Blvd.; thence East along North line of Exposition Blvd.; to West line of Crenshaw Blvd; thence South along the West line of Crenshaw Blvd. to South line of Vernon Avenue; thence East along South line of Vernon Avenue to Main Street; thence North along the West line of Main Street to the North line of Washington Blvd.; thence East along the North line of Washington Blvd. to Atlantic Avenue, thence South along the East line of Atlantic Avenue to point of beginning."

Amendment adopted.

Bill read, ordered to reprint, re-re-engrossment, and third reading.

Assembly Bill No. 1883—An act to amend section 472a of the Political Code, relating to the defense of State officers and employees.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Cottrell:

Amendment No. 1.

On page 1, line 19, of the printed bill, as amended, following the word "officially", insert a semicolon and the following: "provided, however, that such department may recover from such officer or employee the amount of any judgment, cost or expenses paid out by it under the provisions of this section".

Amendment adopted.

Bill read, ordered to reprint, re-re-engrossment, and third reading.

Withdrawal of Bills.

By order of the Speaker, the following bills were withdrawn from the file, and referred to committees as follows:

Assembly Bill No. 1830 ordered re-referred to Committee on Soldiers and Sailors Affairs.

Assembly Bill No. 1368 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 2351 ordered re-referred to Committee on Prisons and Reformatories.

Adjournment.

At four o'clock and fifty-five minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Thursday, April 18, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, April 18, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr Speaker—76

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Thorp, its further reading was dispensed with.

Leaves of Absence.

On motion of Mr. Latham, Mr. Wright was granted leave of absence for this day.

On motion of Mr. Redwine, Mr. Field was granted leave of absence for this day.

On motion of Mr. Clark, Mr. Andreas was granted leave of absence for this day.

On motion of Mr. Lyon, Mr. Evans, Herbert J., was granted leave of absence for this day.

Privilege of Floor of Assembly Extended.

On request of Mr. Boyle, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Alberta Brackneux and Mrs. Maude Erickson.

On request of Mr. Anderson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. D. J. Sedgewick, Gladys Jasper, Teresa Zarovich, Mrs. Grace Sedgewick and Mr. E. H. Kelly.

On request of Mr. Weber, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr Clarence Diffenderfer, Scoutmaster; Mr H. L Turpin, Round Table, and the following Scouts: Art Iwata, senior patrol leader; Frank Guitterez, Frank Silva, Frank Ponso, Yitch Yonemura, Sam Ruvkun, Serhio Pasco, Gilbert Arce, Louis Turner and Joe Sanchez.

On request of Mr. Phillips, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Prof. V. O. Knudsen of the University of California at Los Angeles.

On request of Mr. McBride, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. N. Hearne, Jr., of Ventura.

On request of Mr Breed, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Messrs. Claud McPhee, Donald Alber and Elwood Lorimer

On request of Mr. Redwine, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. D. Brandon Bernstein, attorney of Los Angeles.

On request of Mr. Flint, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. E. J. Nagle.

On request of Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Marguerite Grunewald, teacher, Pasadena; and Miss Imelda Brooks, teacher, Broad Oaks School, Pasadena.

On request of Mr. Cunningham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. John George Miller of Venice.

On request of Mr. Glover, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. William W. Jones, principal of Linwood Junior High School, and Mrs. William W. Jones.

On request of Mr. Chatters, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Walter M. Smith, principal of the Exeter Union High School, Exeter, and Mr. B. H. Grisemer, principal of Porterville Union High School.

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Garden Grove Union High School, Orange County, Mr. D. S Jordan, instructor, John Futcher, Taher Nuro, Nick Vuicich, Masaru Kosaka, Gorwan Miller, Willard Boothe, Susunin Tanaka, Sam Bragg, Laurence Craig, and Roy Kobyashi.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. H. E. Winterstein, principal and teacher of the seventh and eighth grades, Enterprise Elementary School, Sacramento County, and the following members of the seventh and eighth grades: Marion Lavond, Matsuye Nakao, Shizuko Hiraga, Isano Mukai, Lena Mallegni, Harry Hirakawa, Jack Taniguchi, Clifford Schulze, Walter Schulze, Opal Whipple, Joe Nakao, Frank Asada, Helen Tomono, Masami Mitsuyoshi, Albert Mallegni, Hisashi Kawanishi, Akira Sasaki, Tom Ito, Anton Pavich, Irene Gianotti, Eleanor Roemer, Takashi Senda, Yasuko Hamataka, Masumi Tamura, Takeko Yabumoto, and Katie Hamataka.

On request of Mr. Anderson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the Cupertino Union School June graduating class, under the direction of Mr. D. J. Sedgwick, principal, and Gladys Jasper, class teacher, as follows: Dan Bielovich, Ruth Bishop, Paul Blanco, Thelma Breeding, Irene Cano, Frances Chivaro, Bob Danielson, Pete Gachina, Welco Gasich, Jack Gorden, Don Hartman, Fern Jensen, Amy Jugum, Norman Keesling, Helen Kifer, Dolores Krieg, Joseph Lepetich, Doris Lopez, Dragutine Lopin, Ronald Maas, Dorothy McArthur, Evelyn Mello, Clara Micca, Robert Mogg, Anna Jane Nelson, Yoshio Ozawa, John Petrie, Wilma Jean Pickings, Elinor Rich, Jack Sarrazin, Frank Solis, Nevada Ugar, Barbara Vortman, Harry Whiteman, Floyd Ziegler, Betty Davis, and Ester Nitske, and Gladys Jasper, teacher; Teresa Zarevich, teacher; Ivan Zarevich, Mrs. D. J. Sedgwick, Darrell S. Sedgwick, and Caroln L. Sedgwick.

On request of Mr. O'Donnell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following principal, sponsor and pupils of the Hamilton Union High School, Hamilton City, California: Mrs. E M Barkley, principal; Miss E. W. Hook, sponsor, and Harold Beck, Alfonso Rose, Wayne Cornelius, August Winter, Galen Schaffert, Arnold Maas, Eddie Seyoc, Gordon Weems, Ruth Sullivan, Ethelyn Stuart, Hazel Day, Mary Quinn, Grace Hayman, Wilma Wilson, Virginia Gunn, Russel Marfield, Bob Edwards, George Siemens, Mark Winter, Wilfie Porter, Theron Cornelius, Margurite Coats, Lena Winter, Barbara Duncan, Lorna Bender, Gloria Warren, Katherine Frack, Edna Ferry, and Velma Perozzi, pupils.

On request of Mr. Weber, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Troop 3, Boy Scouts, Stockton, Mr. Art Guns, scoutmaster, and the following scouts: Cecil Brooks, Clifford Wictorin, Chapman Fletcher, Howard Carpenter, George Herrero, Bill Biddick, Jack Herrero, Bob Clark, Victor Simpson, Eugene Weinstein, Bill Johnson, J. LeRoy Johnson, Laurence Chapman, Richard Dick, Bob Amend, and John Giambastiani

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From San Pedro Realty Board, declaring its unqualified support of Senate Bill No. 323 and Assembly Bill No. 807.

From Knights of Columbus, Pasadena Council No. 1174, opposing Senate Bills Nos. 709 and 380 and Assembly Bill No. 1607.

From employees of the Anaconda Wire and Cable Company of California, opposing taxation of the motion picture industry of California.

ASSISTANT CLERK COOLIDGE READING.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 84—An act to create the Commemoration Commission to succeed to the Spanish War Commemoration Commission; to prescribe the powers, duties, functions, and purposes thereof; to provide for the cooperation of State and local agencies and political subdivisions therewith; to make an appropriation, and to provide for the repayment thereof;

Also: Assembly Bill No. 1242—An act to add Chapter 2.a to Division V of the Agricultural Code, to consist of sections 840, 841, 841.1, 842, 842.1, 842.2, 842.3, 842.4, 842.5, 843, 843.1, 843.2, 843.3, 844, 845, 845.1, and 845.2, inclusive, relating to the standardization of, and standards for, honey;

And reports that the same have been correctly engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 257—An act to establish a Bureau for the Blind in the Department of Institutions, providing for the administration thereof, making appropriations therefor, and repealing certain acts in conflict herewith;

Also Assembly Bill No. 1260—An act to add section 1140.5 to the Probate Code, relating to the duties of the public administrator and providing for the management, control, rental and sale by the public administrator of properties of indigent or other aliens returned to their native lands by or at the request of counties;

And reports that the same have been correctly re-engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 665—An act to amend an act originally entitled "An act authorizing the common council, board of trustees, or other governing body of any incorporated city or town other than cities of the first class to refund its indebtedness, to issue bonds therefor, and to provide for the payment of the same," approved March 9, 1897, and the title of which was amended by act approved May 26, 1933, to read as follows: "An act authorizing the common council, board of trustees, or other governing body of any incorporated city or town other than cities of the first class to refund indebtedness thereof, or of any department, board or agency thereof, and to issue bonds therefor and to provide for the payment of the same," by amending sections 1, 2, and 3 thereof, relating to refunding bonds and to the use of Federal courts in municipal bankruptcy or refunding proceedings—and reports that the same has been correctly re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

On Soldiers and Sailors Affairs.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1935.

MR SPEAKER: Your Committee on Soldiers and Sailors Affairs, to which was referred Assembly Bill No. 506—An act to provide for farm and home aid to

resident citizens of this State, defining the powers and duties of the Veterans' Welfare Board in respect thereto, and making an appropriation—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

PETERSON, Chairman.

The above reported bill ordered on file for second reading.

On Mines and Mining.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1935.

MR. SPEAKER: Your Committee on Mines and Mining, to which was referred Senate Bill No. 529—An act to add three new sections to the Civil Code to be numbered 1426d½, 1426d¾ and 1426d⅞, relating to discovery locations and to discovery shafts on lode and placer mining locations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MAYO, Chairman.

The above reported bill ordered on file for second reading.

Second Reading of Assembly Bills.

Assembly Bill No. 605—An act providing for the acquisition of lands for, and the construction, maintenance and operation of a building at the Pacific Exposition to be held in the county of Los Angeles, State of California, providing for the exhibiting of products, resources of and other matters pertaining to the State of California at said Pacific Exposition, creating the California Pacific Exposition Commission and defining its powers and duties, and making an appropriation therefor.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1037—An act to safeguard the public health by regulating the use of X-rays on living persons in the State of California.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to safeguard the public health, to regulate the diagnosis and treatment of human ailments by means of X-rays and the use, ownership and possession of X-ray appliances for said purposes; providing for the licensing of persons operating X-ray appliances and laboratories, declaring the treatment of human ailments by means of X-rays to constitute the practice of medicine; prescribing penalties for violation of the act; declaring the possession, maintenance or operation of X-ray appliances in violation of the provisions of the act to constitute a public nuisance, and otherwise providing for the enforcement of the act."

Amendment No. 2.

On page 1 of the printed bill, beginning with line 1, strike out the balance of the bill, and insert in lieu thereof the following:

"SECTION 1. (a) As used in this act:

(1) "X-rays" mean those rays produced by the application of high voltage electrical currents to the terminals of X-ray tubes, or those wave lengths of the electromagnetic spectrum between 0.01 and 7.0 Angstrom units in length.

(2) "Roentgenology" means the art and science of the diagnosis and treatment of human beings by means of X-rays, including the art and science of making radiographs and all steps pertaining thereto, and the art and science of roentgenoscopy of human beings.

(3) "Technical radiographer" means a person specially skilled or trained in the production of radiographs of living human beings, who has practiced radiography, and owned and conducted an X-ray laboratory in the State of California prior to the first of January, 1935.

(4) "Radiograph" means the composite shadows produced upon sensitive films or plates by X-rays which have traversed tissues lying between the source of the X-rays and the sensitive film or plate.

(5) "X-ray device" means any device used or maintained to be used for the production of X-rays.

(6) "X-ray laboratory" means any laboratory or other place where radiographs are taken or X-rays are produced as a technical aid to or for the purpose of diagnosing, examining or treating human beings by persons licensed by law so to do.

(7) "Permit" means a permit issued under the provisions of section 3 of this act.

(8) "Board" means State Board of Health.

(9) "Person" means any individual, partnership or association.

(b) The following terms are hereby declared to be synonymous.

Roentgenogram = Radiograph.

X-rays = Roentgen-rays.

(c) As used in this act the masculine shall include the feminine and neuter, and the singular shall include the plural, and the plural the singular.

(d) Two forms of permits shall be issued by said board under the seal thereof, and signed by the president and secretary; first, an unlimited permit, authorizing the holder thereof to diagnose and treat human ailments by means of X-rays or radiographs, and to own, possess, maintain or operate X-ray devices or X-ray laboratories for any other purpose; and second, a limited permit, authorizing the holder thereof to own, possess, maintain and operate X-ray devices or X-ray laboratory for the taking of radiographs. No permit shall be issued until the applicant has filed a written application, stating his name, address, qualifications and statement where the apparatus will be used.

SEC. 2. (a) It shall be unlawful for any person to own, possess, maintain or operate any X-ray device, or X-ray laboratory, or any appliance or modality connected with or attached to an X-ray machine, except when such device and all devices at or in such laboratory are operated exclusively by or under the direct supervision of a person holding an unrevoked and unexpired permit issued pursuant to the provisions of this act for and covering the premises commonly and habitually occupied by the holder of such permit; provided, however, that nothing herein contained shall be construed to prohibit the ownership, possession, maintenance or operation of X-ray devices used only as an incident to the lawful diagnosis or lawful treatment of persons by duly licensed physicians and surgeons, osteopaths, drugless practitioners, or dentists, by means other than X-rays or X-ray devices. Nothing herein contained shall prohibit the ownership, possession and maintenance of any X-ray device of X-ray laboratory by any bona fide hospital, if the operation of such X-ray device or laboratory is under the direct supervision of a physician and surgeon holding a permit issued pursuant to the provisions of this act, except that any hospital not located in a city, city and county or town having a population of thirty thousand or more, may operate such X-ray device or laboratory as ordered by a duly licensed physician and surgeon. Nothing herein contained shall prevent the ownership of X-ray devices and equipment by any person or corporation.

(b) It shall be unlawful for any person to diagnose human ailments by means of X-rays or radiographs unless such person shall be the holder of a valid and unrevoked certificate issued under the State Medical Practice Act, entitling such person so to do; providing, however, that nothing herein contained shall prohibit a duly licensed dentist from diagnosing ailments of the teeth and jaws by means of radiographs, or those with permits from rendering technical descriptions of the shadows visible in roentgenograms to those licensed by law to diagnose ailments and treat the sick.

(c) It shall be unlawful for any person to treat human beings or their ailments by means of X-rays, unless he shall be the holder of an unrevoked and unexpired unlimited permit issued pursuant to the provisions of this act, and also hold a valid and unrevoked physician's and surgeon's or drugless practitioner's certificate issued under the State Medical Practice Act; provided, however, that it shall not be deemed unlawful for the holder of an unrevoked and unlimited permit issued under this act, and a valid and unrevoked certificate issued under the State Dental Practice Act, to treat ailments of the teeth and jaws by means of X-rays.

SEC. 3. (a) Any person holding a valid and unrevoked license under the State Medical Practice Act to practice as a physician and surgeon, or drugless practitioner or holding a valid and unrevoked license issued by the Board of Osteopathic Examiners of the State of California pursuant to the provisions of the State Medical Practice Act, or holding a license to practice dentistry under the laws of this State, upon application and filing proof of such licensure with the committee, created under the provisions of this act, shall have issued to him by said committee, an unlimited permit, which shall entitle him to supervise the operation of X-ray devices used subject to the provisions of subdivisions (b) and (c) of section 2 of this act, for the examination, diagnosis and treatment of human ailments by means of X-rays; provided, however, that for a period of not to exceed six months after the date this act goes into effect, the committee shall, under such general rules and regulations as the board may prescribe, issue a limited permit, upon application, to a person who has practiced radiography and owned and conducted an X-ray laboratory prior to January 1, 1935, either directly or through the agency of a corporation of which such person was a member or stockholder on January 1, 1935.

(b) Every application for a permit provided for in this act shall be accompanied by a fee of twenty-five dollars ($25) of which fifteen dollars shall be refunded in the event the application be denied.

(c) Every permit granted by the board under the provisions of this act shall expire on the thirtieth day of June of the year next following the date of its issuance, but may be renewed from year to year thereafter by the holder thereof upon payment to the secretary of the board, of a fee of five dollars for each renewal.

(d) Every permit issued by the board shall be automatically revoked upon the revocation or suspension of the license of the holder thereof to practice as a physician and surgeon, osteopath or dentist, as the case may be; and shall be subject to revocation or suspension by the board for the causes specified in section 5 of this act

SEC 4. The board shall appoint three examiners known as the X-ray Qualifying Committee, who shall be empowered to determine the qualifications of applicants for permits under this act, to issue permits to qualified applicants and to administer the rules and regulations established by the board pursuant to the provisions of this act and to aid and assist the board in administering the same. The board in its discretion may delegate to such committee any or all of the powers conferred upon the board by the provisions of this act, to do or perform any duty under this act or exercise any power conferred on the board thereby through the agency of such committee. Each member of said committee shall be a duly licensed physician and surgeon, who shall have had either two years special postgraduate training in roentgenology, or who shall furnish proof satisfactory to the board that he has been specializing in roentgenology in some State or Territory in the United States for a period of five years. Members thereof shall serve for a period of one year, and without compensation, except that they shall be entitled to receive all traveling, hotel and other expenses reasonably incurred by them in the course of their official duties or in the performance of any duty or the exercise of any power delegated to it by the board.

SEC. 5. If a holder of any permit issued under this act shall violate or attempt to violate, directly or indirectly, or shall assist in or abet the violation of, or shall conspire to violate any of the provisions of this act, or shall publish or cause to be published any advertisement in reference to the taking of radiographs, the diagnosis, examination or treatment of any human being by means of X-rays or radiographs, which is intended or has a tendency to deceive the public or impose upon credulous or ignorant persons, or shall be guilty of gross ignorance or inefficiency, or shall divide with any person who does not hold a permit issued under the provisions of this act any fee or compensation received for any service performed in whole or in part by the use or operation of any X-ray device, the board may revoke or suspend his permit; provided, however, that the making of any legitimate financial agreement between the holder of an unlimited permit, issued under the provisions of this act, and a hospital or institution that owned, operated and maintained an X-ray laboratory on January 1, 1935, shall not be construed as a violation of this provision. Proceedings to revoke or suspend any permit issued under this act shall be taken in accordance with the provisions of this section. All complaints must be in writing, verified by some party familiar with the facts therein charged, and three copies thereof must be filed with the secretary of the board Upon receiving the complaint the board shall, if it deem the complaint sufficient, make an order setting the same for hearing at a specified time and place, and the secretary shall cause a copy of the order and of the complaint to be served upon the accused at least ten days before the day appointed in the order for the hearing The accused must appear at the time appointed in the order and answer the charges and make his defense to the same, unless for sufficient cause the board assigns another day for that purpose. If the accused fails to appear, the board may proceed, and determine the accusation in his absence. If the accused plead guilty or refuse to answer the charges, or upon the hearing thereof the board shall find said charges or any of them, to be true, it may proceed to render a judgment revoking or suspending his permit issued under this act.

SEC. 6. (a) Any person who shall violate any of the provisions of subdivisions (a), (b), or (c) of section 2 of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by fine in the sum not exceeding five hundred dollars or by imprisonment for a term not exceeding twelve months, or by both such fine and imprisonment.

(b) The possession, maintenance or operation of an X-ray device or X-ray laboratory in violation of section 2, subdivision (a), of this act is hereby declared to be a public nuisance and shall be subject to abatement by injunction in the manner prescribed in section 731 of the Code of Civil Procedure.

SEC 7. Whenever the board shall have reason to believe that any person has been or is violating any of the provisions of subdivisions (a), (b) or (c) of section 2 of this act, it shall issue and serve upon such person a complaint, stating its charges in that respect and containing a notice of hearing upon a day and at a place therein fixed, at least fifteen days after the service of said complaint. The person so complained of shall have the right to appear in person or by counsel at the place and time so fixed and show cause why an order should not be entered by

the board requiring such person to cease and desist from the violation of the law so charged in the complaint. If he shall fail to appear, the proceedings may continue in his absence. The testimony in any such proceeding shall be reduced to writing and filed in the office of the secretary of the board. If, upon such hearing, the board shall be of the opinion that such person has been or is violating any of the provisions of subdivisions (a), (b) or (c) of section 2, it shall make a report in writing in which it shall state its findings as to the facts, and shall issue and cause to be served upon such person an order requiring such person to cease and desist from such violation. If such person fails or neglects to observe such order of the board while the same is in effect, it shall be the duty of the Attorney General upon the request of the board to file an action in the name of the people of the State of California, in the superior court in the county in which such violation is or shall have been found by the board to have taken place, for the enforcement of the board's order by injunction. There shall be attached to the complaint in such action a transcript of the entire record in the proceeding, including all testimony taken and the report and order of the board. Except as otherwise provided herein, the procedure to be followed in such action shall be the same as in other civil actions. The findings of the board shall be prima facie evidence of the facts therein set forth. The court shall have power to affirm, modify or set aside the order of the board. If either party shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such additional evidence is material and shall show to the satisfaction of the court that there were reasonable grounds for the failure to adduce such evidence in the proceeding before the board, the court may order such additional evidence to be taken. The judgment and decree of the court shall be final, except that the same shall be subject to review on appeal as in the case of other civil actions. The proceedings in the court shall be given precedence over other cases pending therein and shall be in every way expedited.

The provisions of this section shall not in any manner limit or qualify the provisions of section 6 of this act. No order to cease and desist, or injunction issued in pursuance of this section shall be a defense to any action or prosecution commenced or prosecuted under the provisions of section 6 of this act. Neither the making of an order to cease and desist by the board under the provisions of this act, nor the granting of an injunction to enforce the same, shall be a condition precedent to any prosecution, action or other proceeding instituted under the provisions of section 6.

SEC. 8. In all proceedings taken by the board in accordance with the provisions of sections 5 or 7 of this act, the board and the accused may have the benefit of counsel, and the board shall have the power to administer oaths. The attendance of witnesses in all such proceedings may be compelled by subpena issued by the secretary of the board under its seal. All subpenas shall be served in accordance with the provisions of the statutes of this State as to the service of subpenas generally, and the provisions of the statutes of this State are hereby made applicable to subpenas provided for herein. Upon the secretary certifying to the fact of refusal of any person to observe a subpena, to the superior court of the county in which the service was had, said court shall thereupon proceed to hear said matter in accordance with the statutes of this State then in force as to contempt for disobedience of process of this court, and should said court find that the subpena has been regularly served and that the party so served has wilfully disobeyed the same, it shall proceed to impose such penalty as provided for in cases of contempt of court. In all proceedings taken by the board under the provisions of sections 5 or 7 of this act, depositions of witnesses may be taken the same as in civil cases, and all of the provisions of the statutes of this State then in force as to the taking of depositions are hereby made applicable to the taking of depositions under this act. The board shall have power in proper cases to authorize the payment of fees and traveling expenses of necessary witnesses required to appear before the board and actually examined in proceedings properly before it. Complaints and orders of the board under the provisions of sections 5 or 7 of this act may be served in the manner prescribed by the Code of Civil Procedure for the service of summons, or by registering and mailing a copy thereof addressed to such person upon whom service is to be made, at his last known residence, office or place of business. The return post office receipt for said complaint or order registered and mailed as aforesaid shall be proof of the service of the same.

SEC. 9. The board is authorized to prosecute all persons guilty of violation of the provisions of this act. It shall have the power to employ legal counsel for such purpose, and may also employ inspectors, special agents and investigators and such clerical assistance as it may deem necessary to carry into effect the provisions of this act.

SEC. 10. All fees collected in pursuance of the provisions of section 3 of this act, and all fines and penalties imposed and collected for violations of this act shall be reported at the beginning of each month for the preceding month and at the same time the entire amount of such collections shall be paid into the State treasury and shall be credited to a fund to be known as the Roentgenology Act enforcement fund which fund is hereby created. Such fund shall be for the uses of the board and

out of it shall be paid all salaries and other expenses necessarily incurred in carrying out the provisions of this act.

SEC. 11. Nothing herein shall be construed as prohibiting the owning and displaying by commercial dealers of X-ray machines or apparatus, and the offering of same for sale Nothing herein shall be construed as forbidding the use of X-ray apparatus or of X-rays in industry or experimental research if such uses do not involve the application of the X-rays to the living human body, which is specifically forbidden; provided, however, that nothing herein contained shall be construed to prohibit dealers of X-ray machines from making radiographs of living human beings for bona fide demonstration purposes if no consideration is exacted.

SEC 12. If any section, paragraph, sentence, clause or phrase or the application of any such section, paragraph, sentence, clause or phrase to any person or circumstance shall be held invalid, the remainder of this act or the application of such section, paragraph, sentence, clause or phrase to person or circumstance other than those to which it is held invalid, shall not be affected thereby."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1062—An act to amend section 3714 of the Political Code, relating to the preparation and adoption of annual budgets by county boards of supervisors and providing for the publication thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 613—An act to amend an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within this State and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933 (Statutes 1933, page 642), by adding thereto a new section to be numbered 14, exempting certain funds from the provisions of said act.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 338—An act to add section 731a to the Code of Civil Procedure, relating to the use of the injunction in industrial or commercial zones.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 659—An act to amend section 76a of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property within municipalities, and upon property and rights of way owned by municipalities, or of which a municipality has possession and the rights of way under the provisions of section 14 of Article I of the Constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and provide for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, relating to the foreclosure of bonds.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the word "section", and insert in lieu thereof the words and figures "sections 76 and".

Amendment No. 2.

On page 1 of the printed bill, in the last line of the title of the bill, following the word "bonds", strike out the period, and insert the words and period "and to the treasurer's list of bonds upon which payments have not been made."

Amendment No. 3.

On page 6 of the printed bill, following line 13, add the following:

"SEC. 2. Section 76 of said act is hereby amended to read as follows:

Sec. 76. It shall be the duty of the city treasurer one (1) month prior to the date it is provided by ordinance or charter of the municipality that taxes are due, or in case taxes are collected by the county for the city on or before the fourth Monday in September of each year, to certify to the city tax collector or in case the city taxes are collected by the county, to the county tax collector, a list of the properties within said city upon which any payment either of principal or of interest has not been paid when due upon any bond issued under part three of this act; in each such list sent to the county tax collector, the descriptions must be those shown upon the assessment maps of the county assessor for the then current year. The tax collector shall cause to be pasted or attached to or stamped or printed upon the tax bill or tax receipt a notice which shall in substance be as follows.

"Notice of Delinquency.

There is a street improvement bond chargeable against this property, payment upon which is delinquent, which must be paid to the city treasurer without delay to avoid foreclosure."

In case the county collects city taxes the notice herein provided to be attached to or pasted to the tax bill or tax receipt shall, if the county tax collector so requires, be prepared by the city treasurer and shall be forwarded to the county tax collector on or before the dates herein provided for forwarding said list and the city treasurer shall, if the county tax collector so requires, stamp or attach said notices to the tax bill or receipt."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1792—An act validating the purchase of bonds by municipalities under the Improvement Act of 1911 and the Improvement Act of 1915 from the proceeds of the delinquent street assessment fund provided for in said act.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the printed bill, after "purchases", add the following: "heretofore made".

Amendment No. 2.

On page 1, line 1, of the printed bill, after "towns", add the following: "of bonds issued".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 61—An act to amend section 2 of an act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure

or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act," approved May 15, 1933, relating to exemptions.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 11, of the printed bill, strike out all of section 2, subdivision (d) 3, and substitute therefor the following. "To advertise the business conducted or services rendered or the goods produced or sold upon the property upon which such advertising structure or sign is placed; provided further, that all advertising structures or signs permitted under this subdivision (d) shall comply with the provisions of sections 9, 11, 12, 14 and 15"

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 607—An act relating to the holding of the Pacific Exposition in California, providing for the issuance and sale of State bonds to be known as "California Pacific Exposition bonds," providing for the payment and retirement of said bonds, providing for and creating a fund for the carrying out of the purposes of this act, authorizing the expenditure of moneys in said fund for such purposes, creating a commission to be known as the "Pacific Exposition Commission," creating an interest and sinking fund for the payment of interest on said bonds and the redemption of the same, and making appropriation therefor, making an appropriation of $2,000 for the expense of printing, lithographing and selling said bonds, designating the name by which this act shall be known and fixing the time at which this act shall be and become effective.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following

"An act relating to the holding of the Pacific Exposition and the San Francisco Bay Exposition in California, providing for the issuance and sale of State bonds to be known as "California Exposition bonds," providing for the payment and retirement of said bonds, providing for and creating funds for the carrying out of the purposes of this act, authorizing the expenditure of moneys in said funds for such purposes, creating two commissions, one to be known as the "Pacific Exposition Commission" and the other to be known as "San Francisco Bay Exposition Commission," creating an interest and sinking fund for the payment of interest on said bonds and the redemption of the same, and making appropriation therefor, making an appropriation of two thousand dollars for the expense of printing, lithographing and selling said bonds, designating the name by which this act shall be known and fixing the time at which this act shall be and become effective."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 13, inclusive; also strike out all of pages 2 to 11, inclusive, and insert in lieu thereof the following

"SECTION 1. For the purpose of this act there is hereby created two commissions, one to be known as the "Pacific Exposition Commission" and the other to be known as "San Francisco Bay Exposition Commission," each of which shall consist of five members to be appointed by the Governor of the State within one year after the ratification of this act by vote of the electors of the State, who shall hold office until all of the business and affairs of said commissions, respectively, shall have been fully completed and settled. All vacancies in said commissions shall be filled by appointment of the Governor. Said commissions shall have the powers and duties hereinafter provided, and for the purpose of carrying out the provisions of this act, the State of California shall incur an indebtedness, in the manner provided by this act, in the sum of ten million dollars. Three members of each commission

respectively shall constitute a quorum for the transaction of business. Said Pacific Exposition Commission shall adopt a seal having thereon the words "Pacific Exposition Commission of the State of California," and shall file with the State Controller and State Treasurer a certificate of the imprint of such seal and all signatures of persons authorized by said commission to sign contracts, claims and other documents on behalf of said commission. Said San Francisco Bay Exposition Commission shall adopt a seal having thereon the words "San Francisco Bay Exposition Commission of the State of California" and shall file with the State Controller and State Treasurer a certificate of the imprint of such seal and all signatures of persons authorized by said commission to sign contracts, claims and other documents on behalf of said commission

SEC 2 Immediately upon the taking effect of this act the State Treasurer shall prepare ten thousand suitable bonds of the State of California negotiable in form and payable to the bearer and expressing on their face the obligation of the State of California to pay in lawful money of the United States the principal amount thereof at the respective dates of maturity hereinafter specified or at the time fixed for the retirement thereof, as hereinafter provided, together with interest as hereinafter provided for, in the denomination of one thousand dollars each. Said bonds shall be known and designated as "California Exposition bonds" and shall be numbered consecutively from one to ten thousand inclusive and shall bear date the second day of January or the second day of July, whichever is later, next preceding their issue. Said bonds, as originally prepared, shall not contain a statement of the interest to be paid, but appropriate blanks shall be left upon the face of each of said bonds for the insertion of the rate of interest to be paid as hereinafter provided for The total issue of such bonds shall not exceed the principal sum of ten million dollars. Said bonds, and interest thereon, shall be payable in lawful money of the United States at the office of the State Treasurer at the time and in the manner following, to wit: The first two hundred fifty of said bonds shall be due and payable on the second day of January, 1939, and two hundred fifty of said bonds in consecutive numerical order shall be due and payable on the second day of January of each and every year thereafter until and including the second day of January, 1978; provided, however, that said bonds may be paid and redeemed prior to the said dates of maturity upon call by the State Treasurer in the manner hereinafter more particularly set forth.

Interest accruing on all of said bonds that shall be sold shall be payable at the office of the State Treasurer on the second of January and on the second day of July of each and every year after the sale of the same. The interest on all bonds issued and sold shall cease on the day of their maturity or retirement and the said bonds so issued and sold shall, on or after the day of their maturity or retirement, be paid, as herein provided, and shall thereupon be canceled by the State Treasurer All bonds remaining unsold shall, at the date of the maturity thereof, be canceled and destroyed by the State Treasurer. All bonds issued pursuant to the provisions of this act shall be issued by the Governor of the State, countersigned by the State Controller and endorsed by the State Treasurer. Each of said bonds shall have the seal of this State impressed thereon. The said bonds signed, countersigned, indorsed and sealed as herein provided when sold, shall be and constitute a valid and binding obligation upon the State of California, though the rate of interest shall be inserted upon the face of said bonds, or any of them, as hereinafter authorized and provided, at a date or dates after said bonds shall be so signed, countersigned, indorsed and sealed, and in case any officer whose signature or countersignature or indorsement appears on any such bonds or coupons thereof issued hereunder, shall cease to be such officer before the delivery of such bonds to the purchaser thereof, such signature or countersignature or indorsement appearing either on the bonds or the coupons, or on both, shall, nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until the delivery of such bonds; and the lithographed signature upon the coupons of the person who is State Treasurer at the date of such bonds shall be valid, although the bonds themselves may be indorsed by a different person who is Treasurer at the time of the delivery of such bonds.

SEC. 3. Attached to each of said bonds, there shall be an interest coupon for each semiannual payment of interest thereon, negotiable in form and payable to bearer, and expressing the obligation of the State of California to pay the amount of the semiannual payment of interest in lawful money of the United States at the time of maturity thereof, but subject, however, to cancellation upon the retirement of the bond to which it is attached prior to maturity, as hereinafter provided. Said interest coupons shall be consecutively numbered in the chronological order of their time of payment and shall bear the lithographed signature of the State Treasurer. No interest shall be paid on any of said bonds for such time as may intervene between the date of said bond and the day of sale thereof, except to the extent to which accrued interest shall have been paid to the State at the time of such sale by the purchaser of said bond

SEC. 4. The State Treasurer shall allocate one-half of said bonds to each commission and each of said commissions shall have authority to provide for the sale of said bonds as herein provided, and shall have the authority to expend the funds

arising from the sale of the bonds so allocated to each, but neither of said commissions shall have any authority or control over the funds arising from the sale of bonds allocated to the other commission. Each commission shall from time to time, so long as the bonds herein authorized and allocated to it, or any of them, remain unsold, determine when the same, or any part thereof, shall be sold, the number to be sold, and the interest rate thereon, which rate shall be fixed by each said commission according to the then prevailing market conditions, but shall, at no time, exceed six per cent per annum, and the determination of each commission as to the rate of interest, shall be conclusive as to the then prevailing market condition. When requested by said commissions, respectively, the State Treasurer shall prepare such number of bonds as may be requested, inserting upon the face of each of said bonds such interest rate as said commission has determined and authorized and when so prepared, said bonds shall be sold and delivered as in this act provided. In the event that any bonds prepared as herein provided can not in the judgment of the commission requesting the same, be sold at the time fixed for the sale thereof or thereafter, said commission may withdraw said bonds from sale and direct the State Treasurer to cancel and destroy the same and may at said time or thereafter at its option direct the preparation and sale, as herein provided, of the same or a different number of bonds, but not to exceed in all the amount herein authorized, and at the same or a different rate of interest, but not to exceed six per cent per annum, and it shall be the duty of the State Treasurer to obey any and all directions of each commission (as to bonds allocated to it) as herein authorized to cancel and destroy bonds and prepare and sell new bonds. In the event that bonds in addition to those directed in section 2 of this act originally to be prepared must be prepared in order to fulfill the provisions of the sentence immediately preceding this, such bonds and the coupons thereof shall be signed, countersigned, and indorsed in the same manner as provided for the original bonds in section 2 hereof

SEC. 5. When the bonds authorized by this act to be issued shall have been signed, countersigned, indorsed and sealed, as in this act provided, the State Treasurer shall from time to time sell such number thereof as the said commissions, respectively, may direct, to the highest bidder for cash. Each commission shall from time to time (as to bonds allocated to it) issue such direction to sell such bonds as in the opinion of a majority of each commission, respectively, shall be deemed necessary or expedient. The proceeds from the sale of any and all such bonds allocated to Pacific Exposition Commission shall be deposited in the State treasury to the credit of the Pacific Exposition fund and the proceeds from the sale of any and all such bonds allocated to San Francisco Bay Exposition Commission shall be deposited in the State treasury to the credit of the San Francisco Bay Exposition fund.

The State Treasurer shall not accept any bid which is less than the par value of the bond or bonds bid for and to the amount of the accepted bid there shall be added in each case as a part of the purchase price to be paid by the bidder the amount of interest which shall have accrued on the bond or bonds bid for between the date of purchaser's payment for said bond or bonds and the last preceding interest maturity date. Each bid shall be in writing and signed by the bidder and sealed and shall be deposited with the State Treasurer not later than the last business day preceding the date of sale. Each bid shall be accompanied by a deposit with the State Treasurer either in cash or by certified check on a responsible bank within the State of California to the order of the State of California of a sum equal to one-tenth of the amount of the par value of the bond or lot of bonds bid for. Such deposit of each unsuccessful bidder shall be returned to him immediately upon the rejection of his bid and such deposit of the successful bidder shall immediately upon acceptance of his bid become and be the property of the State of California and be placed in the State treasury to the credit of the Pacific Exposition fund, or the San Francisco Bay Exposition fund, as the case may be, and shall be credited to the successful bidder upon the purchase price of the bond or bonds paid for in case such price is paid in full by him within the time hereinafter prescribed. At the time of sale the State Treasurer shall open said bids and accept the bid of the highest bidder for cash, save and except that no bid shall be accepted which shall be lower in amount than the par value of the bonds bid for and that the State Treasurer shall reject all bids if instructed so to do by the commission authorizing the sale. The purchase price of the bonds sold shall be payable within ten days after the acceptance of the bid therefor, and if not so paid, the successful bidder shall have no right in or to said bonds or by reason of said bid or to the recovery of said deposit accompanying said bid or to any allowance or credit by reason of such deposit unless it shall appear that the bonds would not be validly issued if delivered to the purchaser in the form and manner proposed. In case the purchase price is not so paid, the bonds so sold but not paid for shall be resold by the State Treasurer upon notice as herein provided in case of original sale. Bonds sold shall be delivered to the purchaser immediately upon and not before the payment of the purchase price therefor. Before delivering any of said bonds, the State Treasurer shall detach therefrom all interest coupons which have matured before the date of the payment of the purchase price therefor. The State Treasurer may by public announcement at the time and place fixed by him for said sale continue such sale to such time and place as he may at

the time of said continuance designate When a sale is continued no notice thereof need be given other than the public announcement of such continuance by the State Treasurer as just hereinbefore provided. The State Treasurer shall give notice of the time and place of sale by publication in one newspaper published in the City and County of San Francisco, and in one newspaper published in the city of Los Angeles, once a week for two weeks next preceding the date fixed for said sale. Immediately upon the receipt of the purchase price from each sale of said bonds the State Treasurer shall pay the amount received as such purchase price, except such amount as may have been paid as accrued interest on said bonds, to the credit of the proper fund as hereinabove provided.

Each and every amount that shall have been paid in any sale of the bonds herein authorized as accrued interest on the bonds sold shall be, by the State Treasurer, *immediately after such sale, paid into the treasury of the State and placed in the* fund hereinafter mentioned, to be known as the "Interest and sinking fund of the California Exposition bonds"

SEC 6 There is hereby appropriated from the general fund in the State treasury such sum annually as will provide in said interest and sinking fund of the California Exposition bonds, the amount necessary to pay the principal of and interest on bonds issued and sold pursuant to provisions of this act as said principal and interest become due and payable. There shall be collected each year and in the same manner and at the same time as other State revenue is collected, such sum in addition to the ordinary revenues of the State as shall provide in said interest and sinking fund of the California Exposition bonds the *amount required to pay the principal and interest on said bonds maturing in said* year, and it is hereby made the duty of all officers charged by law with any duty in regard to the collection of said revenue to do and perform each and every act which shall be necessary to collect such additional sum There is hereby created in the State treasury a fund to be known and designated as the "Interest and sinking fund of the California Exposition bonds" The State Treasurer shall on the first day of July, 1936, and on the first day of each January and the first day of each July thereafter transfer from the general fund of the State treasury to said interest and sinking fund of the California Exposition bonds such an amount of money as shall provide in said interest and sinking fund of the California Exposition bonds the amount required to pay the interest maturing at the next interest payment date on the amount of said bonds sold and outstanding, and shall likewise on the first day of January of the year 1939 and the first day of January of each year thereafter in which any of said bonds sold and outstanding mature, transfer from the general fund of the State treasury to said interest and sinking fund of the California Exposition bonds such an amount of money as will provide in said interest and sinking fund of the California Exposition bonds the amount required to pay the principal of such bonds sold and outstanding as mature in such year.

SEC 7 The principal and interest of all of said bonds which may be sold shall be paid at the time the same become due from said interest and sinking fund of the California Exposition bonds, and the faith of the State of California is hereby pledged for the payment in full of the principal and interest of said bonds so sold as the same mature Both principal and interest of the bonds or coupons so maturing shall be so paid upon presentation thereof to the State Treasurer on or after the day of the maturity or retirement of the same, and the State Treasurer is hereby authorized and required to make such payment. Warrants for such payment shall be *duly drawn by the State Controller upon the request of the State Treasurer*

SEC. 8. All moneys remaining on hand in the Pacific Exposition fund and the San Francisco Bay Exposition fund, respectively, after the accomplishment of the purposes of this act, shall be transferred and paid into the interest and sinking fund of the California Exposition bonds All moneys accruing to the State of California under and by virtue of any contracts, agreements or arrangements made by said commissions, or either of them, or under the provisions of this act, shall be paid into said interest and sinking fund of the California Exposition bonds. Whenever there shall be in the interest and sinking fund of the California Exposition bonds a sum of money amounting to one hundred thousand dollars or more over and above the amount required for the payment of the annual interest accru*ing prior to or on the second day of January next ensuing and for the payment* of principal upon bonds maturing prior to or on the second day of January next ensuing, the State Treasurer shall advertise in one newspaper published in the City and County of San Francisco, and in one newspaper published in the city of Los Angeles, once a week for two weeks for sealed proposals for the redemption of said bonds, and ten days from the time of the expiration of the period of such publication, the said State Treasurer shall open said sealed proposals and the said Treasurer shall pay and liquidate, so far as the funds then on hand and not needed for the payment of interest or required for the payment of principal on bonds maturing as aforesaid, shall extend, such bonds presented under said proposals as shall have the lowest value proposed, provided, however, that in the event *proposals made for the redemption of bonds at the same price* exceed the

number of bonds which may be redeemed with the funds on hand as above provided, then the payment of said funds on hand shall be made on the bonds according to the number of their issue and the bid or bids accepted accordingly; provided further, however, that said State Treasurer shall reject all bids for the redemption of said bonds for more than the par value thereof and accrued interest thereon.

In the event that bids for the redemption of said bonds are not received or accepted sufficient for the expenditure of said funds on hand, as hereinabove provided, in the liquidation thereof, then the said State Treasurer shall retire and call said bonds at the par value thereof and accrued interest thereon, by lot, the number of said bonds to be so retired and called shall be the number which said fund then on hand may liquidate at par value and accrued interest. After selecting said bonds to be so retired by lot as aforesaid, the said Treasurer shall give notice thereof, listing the bonds so called by number, by publication in one newspaper published in the City and County of San Francisco and in one newspaper published in the city of Los Angeles once a week for two weeks. After the expiration of said period of publication said bonds so called by said State Treasurer shall no longer bear interest and shall be redeemable and paid upon presentation thereof to the State Treasurer, together with the interest accruing to said termination of said period of publication.

Owners and holders of bonds may register the same with the said State Treasurer, giving the name and address of such owner or holder and in the event that such bonds are so registered, then upon the call of said bonds as hereinabove provided by said State Treasurer, he shall notify such registered owners or holders of the fact of such call by mailing a copy of the notice to such owner or holder at least one week prior to the termination of said period of publication.

SEC. 9. The sum of two thousand dollars is hereby appropriated to pay the expenses that may be incurred by the State Treasurer in the printing, lithographing and selling of said bonds. Said amount shall be paid out of the general fund of the State treasury on the State Controller's warrants duly drawn for that purpose.

SEC. 10. The purpose of this act is to provide funds for use in connection with the holding and staging of the Pacific Exposition to commemorate the completion of Boulder Dam and the power and water developments and projects thereof in the county of Los Angeles in the years 1937–1938, and thereafter during each year or years, or parts thereof, as the Pacific Exposition Commission may determine, to provide facilities for the same; to encourage and assist the participation therein by governments, persons, corporations and agencies from all parts of the world; to establish Pacific Exposition Commission to represent the State of California in the carrying out of this purpose and to cooperate to the fullest extent therein with such governments, persons, corporations and agencies, and to engage in such activities as may be necessary or desirable to make the holding of said Pacific Exposition a success; and to provide funds for use in connection with the holding and staging of the San Francisco Bay Exposition to commemorate the completion of the San Francisco-Oakland Bay Bridge in the City and County of San Francisco and county of Alameda in the year 1938; to provide facilities for the same; to encourage and assist the participation therein by governments, persons, corporations and agencies from all parts of the world; to establish San Francisco Bay Exposition Commission to represent the State of California in the carrying out of this purpose and to cooperate to the fullest extent therein with such governments, persons, corporations and agencies, and to engage in such activities as may be necessary or desirable to make the holding of said San Francisco Bay Exposition a success. The Pacific Exposition Commission is hereby authorized and empowered to expend the moneys deposited in the Pacific Exposition fund for the purpose of carrying out any and all of the above purposes in respect to said Pacific Exposition and the San Francisco Bay Exposition Commission is hereby authorized and empowered to expend the moneys deposited in the San Francisco Bay Exposition fund for the purpose of carrying out any and all of the above purposes relating to San Francisco Bay Exposition.

SEC. 11. For the purpose of performing the duties imposed by law upon said commissions, each shall have the power and authority to elect its own officers and to appoint and employ a secretary, executive officers and such other assistants or persons as it may deem necessary and fix their compensations. All of the officers and employees so appointed shall hold office at the pleasure of the commission appointing or employing them and all salaries of officers and employees shall be payable out of the fund under the control of the commission appointing them upon proper warrants drawn therefor as hereinafter specified. The members of said commissions shall serve without compensation but shall receive their actual traveling expenses. Each commission shall have full and complete power and authority to carry out the provisions of this act applicable to it and the particular enumeration herein of the powers and duties of said commissions, respectively, shall not be construed to be a limitation or restriction of the full and complete power and authority of said commissions.

SEC. 12. Each commission shall have power to make and execute all contracts and agreements necessary to the business of said commission or to carry out the purposes of this act, applicable to such commission All contracts made by said respective commissions shall be executed in triplicate, signed by the president thereof and executed under the seal of said commission, and one copy thereof shall be immediately filed with the State Controller. No contract or agreement shall be made by either commission unless the parties thereto shall waive therein all claims and recourse against the State of California for loss or damage to person or property arising from, growing out of, or in any way connected with or incident to such contract or agreement, and all contracts or agreements made by either commission in violation of this provision for waiver, shall be void.

SEC. 13. Each commission, through the president or such other officer as it shall authorize, shall audit all claims or demands for moneys expended by it, or for the expenditures of money which it shall have authorized in writing, and shall certify such claims and demands to the State Controller who shall thereupon draw his warrants therefor upon the State treasury payable out of the fund under the control of such commission, and the State Treasurer shall pay the same.

SEC. 14. For the purpose of carrying into effect the provisions and purposes of this act, Pacific Exposition Commission shall have power to make and enter into such contracts and agreements with the corporation hereinafter in this section referred to as it shall deem necessary or advisable, and shall by contract with said corporation provide for the payment to the State of California out of the net revenues arising from the holding of such exposition, until there shall have been paid to the State of California an amount sufficient to pay and retire all bonds issued under the provisions of this act, an amount bearing the same proportion to the total amount of said net revenues as the total contributions of the State of California to the exposition shall bear to the sum total of all contributions from all sources to said exposition, including as contributions, all funds secured by said corporation by the issuance of stock or bonds thereof. The corporation above referred to and contemplated by this act is Pacific Exposition, a nonprofit corporation organized under the laws of this State on the twenty-second day of January, 1935, for the purpose of conducting, managing, supervising and assuming responsibility for the holding of said Pacific Exposition and all activities in connection therewith. Said corporation may be referred to in this act as the Pacific Exposition Corporation. It is contemplated by this act that the Pacific Exposition Corporation will assume responsibility for the holding and staging of the Pacific Exposition in California. The Pacific Exposition Commission shall cooperate to the fullest extent with the Pacific Exposition Corporation to the end that all moneys in the Pacific Exposition fund shall be expended to the best possible advantage in assisting toward the carrying out of the above purposes in full and complete harmony with the plans of the Pacific Exposition Corporation.

SEC. 15. The contract, or contracts, if any, entered into by Pacific Exposition Commission with the Pacific Exposition Corporation shall be construed to include a provision, whether specifically written therein or not, giving to the commission and its authorized representatives the authority to examine the books, records, contracts, accounts and vouchers kept by the said Pacific Exposition Corporation at all reasonable times

SEC 16. The Pacific Exposition Commission shall ask and demand that in the expenditure of any fund in connection or conjunction with the Pacific Exposition fund herein described, proper books of account shall be kept and maintained and an appropriate accounting system shall be had, and that such records and books shall be maintained and kept within the county of Los Angeles as will enable a person of ordinary understanding, from the inspection thereof, to determine the source and amount of all income and moneys received and the exact purpose in detail for which expenditures are made or moneys paid. Said books of account shall be open for inspection by any authorized representative of said commission.

SEC. 17. For the purpose of carrying into effect the provisions and purposes of this act, San Francisco Bay Exposition shall have power to make and enter into such contracts and agreements with the corporation hereinafter in this section referred to as it shall deem necessary or advisable, and shall by contract with said corporation provide for the payment to the State of California out of the net revenues arising from the holding of such exposition, until there shall have been paid to the State of California an amount sufficient to pay and retire all bonds issued under the provisions of this act, an amount bearing the same proportion to the total amount of said net revenues as the total contributions of the State of California to the exposition shall bear to the sum total of all contributions from all sources to said exposition, including as contributions, all funds secured by said corporation by the issuance of stock or bonds thereof. The corporation above referred to and contemplated by this act is San Francisco Bay, a corporation organized under the laws of this State on the twenty-fourth day of July, 1934, for the purpose of conducting, managing, supervising and assuming responsibility for the holding of said San Francisco Bay Exposition and all activities in connection therewith. Said corporation may be referred to in this act as the San Francisco Bay Exposition Corporation. It is contemplated by this act that the San Francisco Bay Exposition Corporation shall assume liability for the holding and staging of the San Francisco Bay Exposition in

California The San Francisco Bay Exposition Commission shall cooperate to the fullest extent with the San Francisco Bay Exposition Corporation to the end that all moneys in the San Francisco Bay Exposition fund shall be expended to the best possible advantage in assisting toward the carrying out of the above purposes in full and complete harmony with the plans of the San Francisco Bay Exposition Corporation

SEC. 18. The contract or contracts, if any, entered into by the San Francisco Bay Exposition Commission with the San Francisco Bay Exposition Corporation shall be construed to include a provision, whether specifically written therein or not, giving to the commission and its authorized representatives the authority to examine the books, records, contracts, accounts and vouchers kept by the said Pacific Exposition Corporation at all reasonable times.

SEC 19. The San Francisco Bay Exposition Commission shall ask and demand that in the expenditure of any fund in connection or conjunction with the San Francisco Bay Exposition fund herein described, proper books of account shall be kept and furnished and an appropriate accounting system shall be had and that such records and books shall be maintained and kept within the City and County of San Francisco, as will enable a person of ordinary understanding, from the inspection thereof, to determine the source and amount of all income and moneys received and the exact purpose in detail for which expenditures are made or moneys paid. Said books of account shall be open for inspection by any authorized representative of said commission.

SEC. 20. The State of California shall not in any manner or under any circumstances be liable for any of the acts, doings or proceedings of any person, association or corporation with whom the commissions, respectively, shall act, cooperate, or join to carry out the purposes of this act, nor for the services, salary, labor or wages of any officers, agents, servants or employees of such person, association or corporation, nor for any debts, liabilities or expenses of any kind whatsoever of such person, association or corporation; provided, however, that each commission may, in its discretion, employ the same persons, servants, agents or officers that may be employed by such person, association or corporation with which said commission shall act, cooperate and join to carry out the purposes of this act, and contribute to pay the whole or any part of their compensation.

SEC. 21. No member of either commission, or employee thereunder, or any officers thereof, shall be personally liable for any debts or obligations, or liability that may be created or incurred by either commission or by the State of California, acting by or through either commission Neither of said commissions, respectively, nor any member thereof shall be liable in damages for the negligence, default or wrongful act of any of the agents, servants or employees of said commissions, respectively.

SEC. 22. The Pacific Exposition Commission may execute contracts, hold property, and sue in its own name as Pacific Exposition Commission of the State of California, and the San Francisco Bay Exposition Commission may execute the contracts, hold property and sue in its own name as San Francisco Bay Exposition Commission of the State of California. The provisions of an act entitled "An act to authorize suits against the State, and regulating the procedure therein," approved February 28, 1893, shall not apply to any claim or contract made by either commission or for negligence of the commissioners.

SEC. 23. Each commission shall, on the first day of December of each year, file with the State Controller a financial statement under the seal of said commission, and verified by the members thereof, which statement shall show in detail the disposition of all moneys expended by it and to whom the same were paid, all expenditures contracted by it, all amounts paid thereon, and the balance due, if any, and shall file with such financial statement a report of all proceedings of said commission, the work accomplished by it, and plans proposed and the status of all matters under or in connection with the work of the commission and its funds. Upon completion of all work by each commission, respectively, it shall render a full, complete and final report, and file the same with the State Controller.

SEC. 24. All claims and demands arising under or in consequence of any contract or agreement made by said commissions, respectively, and all expenditures authorized by each, respectively, shall be exempt from the provisions of section 669 of the Political Code.

SEC 25 Indebtedness incurred and warrants issued by Pacific Exposition Commission shall be payable only from the Pacific Exposition fund, and indebtedness incurred and warrants issued by San Francisco Bay Exposition Commission shall be payable only from the San Francisco Bay Exposition fund Such indebtedness shall never be or become general indebtedness of the State of California; provided, however, that this section shall not apply to the indebtedness represented by bonds or interest coupons issued under this act.

SEC 26. This act shall be known and may be cited as the "California Exposition Bond Act of 1935."

SEC 27. This act shall take effect upon the adoption by the people of the State of California of an amendment to the Constitution of the State of California approv-

ing, adopting, legalizing, ratifying, validating and making finally and completely effective this act"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1009—An act to amend section 9 of "An act defining clinics and dispensaries, providing for the operation, conduct, maintenance, examination and regulation thereof, requiring permits therefor, providing for the issuance and revocation of such permits by the State Board of Public Health, fixing the amount of and providing for the collection and disposition of annual fees for such permits, creating the clinic and dispensary fund, prescribing the powers and duties of the State Board of Public Health and of the Director of Public Health in reference to such clinics and dispensaries, and prescribing penalties for the violation of the provisions of this act," approved June 5, 1933, relating to annual fee for permits.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 439—An act to amend section 1 251 of the School Code, relating to the qualifications of county supervisors of attendance.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the following: "amend section 1 251 of", and insert in lieu thereof the following: "add a new section to".

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, after the word "Code", insert the following: "to be numbered 6 492".

Amendment No. 3.

On page 1, in the title of the printed bill, strike out all of line 2, and insert in lieu thereof the following: "the payment by school districts of subscriptions to periodicals."

Amendment No. 4.

On page 1 of the printed bill, strike out all of lines 1 to 10, inclusive, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the School Code to be numbered 6.492, and to read as follows:

6.492. The governing board of a school district may pay in advance for subscriptions to newspapers, magazines and other periodicals for the district and the schools thereof when such action will result in a decrease in the cost to the district of such periodicals"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2026—An act to direct the State departments, and particularly the Superintendent of Education to stress the significance of tolerance as a basic American principle, defining the meaning of tolerance, providing for the inclusion of instruction of tolerance in the public school system, providing a pledge of tolerance, and providing penalties for violations of said pledge.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out all of the line after "act"; and all of lines 2 to 7, inclusive, and insert in lieu thereof the following: "requiring public officials to exercise tolerance in their dealings with the public and prescribing instruction in the public schools as to the necessity of tolerance under the constitutional guarantees of equal privileges and immunities and equal protection of the laws and declaring a denial of such guarantees to be a misdemeanor"

Amendment No. 2.

On page 1, line 1, of the printed bill, after "SECTION 1.", insert the following: "It shall be the duty of every public official and employee in the service of the State or of any political subdivision thereof to practice and display patience, self-control, fairness, courtesy, and understanding in his relations with the public *and to avoid bigotry, prejudice, or discrimination*

Charges may be filed against any official or employee for failing in this duty, and upon proof thereof said official or employee shall be cautioned by the head of the department, and, if the circumstances warrant, shall be dismissed from public service.

SEC. 2. It is the duty of the Superintendent of Public Instruction to prescribe the manner of instruction in which the aims and purposes of tolerance shall be inculcated in all educational institutions under his supervision to the end that there may be created an understanding

1, of human relationships and an appreciation of good character and good intent;

2, of the significance of tolerance as a basic American principle;

3, of the vital merit of the pledge of tolerance hereinafter provided;

4, of the value of teaching tolerance by precept, example and periodic observance.

SEC. 3 It shall be the duty of the superintendent of schools of every county, city and county, or city, of every board of education, board of school trustees, or high school board, to enforce instruction in the principles hereby declared in connection with the course of instruction in the Constitution of the United States required by Article IV, Chapter I, Part V, Division III of the School Code

SEC 4. Every person engaged in welfare work and every law enforcement officer in this State shall subscribe to the following pledge

As a loyal citizen of California, with faith in the divine wisdom of God, who brought men from all parts of the earth to dwell together in peace under the protection of the laws, I solemnly pledge that I will judge my fellow men by their good character and good intent, and as tolerance is a basic American principle, I will strive to elevate human relationships by the fullest observance of the constitutional rights of all persons of any race, color or creed, in order to promote the public welfare.

SEC. 5. Tolerance is embraced within the guarantees of the Constitution which assures to all persons the equal protection of the laws and to all citizens equal privileges and immunities under the laws Any person who denies, or who combines with any other or others to deny to any person the equal protection of the laws or equal privileges and immunities under the laws is guilty of a misdemeanor"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2275—An act to add section 3.43 to the School Code, relating to compulsory instruction.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "3.43 to", and insert in lieu thereof the following: "3 45 to Article I, Chapter IV, Part I, Division III, of".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "3 43 is hereby added to", and insert in lieu thereof the following. "3.45 is hereby added to Article I, Chapter IV, Part I, Division III, of".

Amendment No. 3.

On page 1, line 3, of the printed bill, strike out "3.43.", and insert in lieu thereof the following:

"3.45. In all classes above the seventh grade in elementary schools and in all classes in junior high schools and high schools there must be read to the pupils thereof once during each school term the following: the first two paragraphs of the Declaration of Independence; the Preamble of the Constitution of the United States; and the first ten amendments to the Constitution of the United States.

It shall be the duty of the principal of each school in this State to enforce the provisions of this section."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 406—An act to add a new article to Chapter 1 of Part I of Division I of the School Code to be known as Article VII, embracing section 1.45, relating to the participation of pupils in public exhibitions.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out lines 7 to 31, inclusive, and insert in lieu thereof the following:

"1.45. No band, orchestra, or other instrumental musical ensemble composed of pupils, students, or inmates of any school, junior college, college, university or institution shall be detailed, ordered, authorized or permitted to render any service as musicians at any time or place other than as part of and in connection with any function of such school, junior college, college, university or institution, the intent and purpose being to avoid and prevent the persons hereinbefore enumerated from and in any and every possible way competing, or directly or indirectly interfering with, avoiding or making unnecessary the employment or professional civilian musicians on occasions when such employment would otherwise be possible.

Nothing in this section shall be construed to apply in communities where the services of professional civilian musicians are not obtainable, nor to participation or performance in the ceremonies or activities of any educational undertaking, or those of the patriotic holidays, February 12th (Lincoln's Birthday), February 22d (Washington's Birthday), May 30th (Memorial Day), July 4th (Independence Day), September 9th (Admission Day), and November 11th (Armistice Day).

Each board of education, board of school trustees, or superintendent of schools is hereby authorized and empowered to make and enforce rules necessary to carry out the provisions of this section."

Amendment adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 197—An act granting in trust to the City and County of San Francisco the interest of the State in and to, and the control and management of the harbor of San Francisco, as described in the act; providing for the disposition of revenues derived from the operation of said harbor; providing for the sale of bonds authorized but not sold; providing for the payment of interest on bonds, and for the redemption of bonds; fixing the terms and conditions of the grant; providing for the issuance of a proclamation by the Governor.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, amend the title by striking out the word "Governor", and the period following said word, in the last line of the title, and inserting in lieu thereof the following

"Governor, providing for the continuation in service of employees and entitling them to the benefits of civil service provisions of the charter of the City and County of San Francisco, providing that the members of the State Board of Harbor Commissioners shall be continued in office as members of the board, commission or public officers vested with the management of said harbor until their respective terms as members of the State Board of Harbor Commissioners shall expire"

Amendment No. 2.

On page 1, line 9, of the printed bill, amend section 1 of said bill by striking out all of the description set forth therein beginning with the word "Commencing", in line 9, and ending with the word "commencement" in line 42 on page 3 of said bill, and inserting in lieu thereof the following:

"Commencing at the point where the easterly line of the Presidio Reservation intersects the water line front, as established by the Board of State Tideland Commissioners, thence easterly along said water line front to the center of Webster Street; thence southerly along the center of Webster Street to the center of Lewis Street; thence easterly along the center of Lewis Street to the center of Polk Street; thence southerly along the center of Polk Street to the center of Tonquin Street; thence easterly *along the center of Tonquin Street to the center of* Larkin Street; thence southerly along the center of Larkin Street to the center of Jefferson Street; thence easterly along the center of Jefferson Street to the center of Powell Street; thence southerly along the center of Powell Street to the center of Beach Street; thence easterly along the center of Beach Street to the center of Grant Avenue, formerly Dupont Street, thence southerly along the center of Grant Avenue to the center of North Point Street; thence easterly along the center of North Point Street to the center of Kearny Street; thence southerly along the center of Kearny Street to the center of Francisco Street; thence easterly along the center of Francisco Street to the center of Montgomery Street; thence southerly along the center of Montgomery Street to the center of Chestnut Street; thence easterly along the center of Chestnut Street to the center of Sansome Street; thence southerly along the center of Sansome Street to the center of Lombard Street; thence easterly along the center of Lombard Street to the center of Battery Street; thence southerly along the center of Battery Street to the center of Greenwich Street; thence easterly along the center of Greenwich Street to the southwesterly line of The Embarcadero, thence southeasterly along said line of The Embarcadero to the center of Front Street; thence southerly along the center of Front Street to the center of Vallejo Street; thence easterly along the center of Vallejo Street to the center of Davis Street; thence southerly along the center of Davis Street to the center of Pacific Street; thence easterly along the center of Pacific Street to the westerly line of The Embarcadero, formerly East Street; thence southerly along the westerly line of The Embarcadero, formerly East Street, to the center of Folsom Street; thence westerly along the center of Folsom Street to the center of Steuart Street; thence southerly along the center of Steuart Street to the center of Harrison Street; thence southerly on a direct line with said Steuart Street two hundred fifty-three feet nine inches, to the center of a street the name of which is not on the map; thence at right angles westerly along the center of said street to the center of Spear Street; thence southerly along the center of Spear Street to the center of Bryant Street; thence westerly along the center of Bryant Street to the center of Beale Street, thence southerly along the center of Beale Street to the center of Brannan Street; thence westerly along the center of Brannan Street to the center of First Street; thence southerly along the center of First Street to the center of Townsend Street; thence westerly along the center of Townsend Street five hundred fifty feet, to the center of a street the name of which is not on the map, now called Gale Street; thence at right angles southerly along the center of said street to the center of King Street, thence westerly along the center of King Street to the center of Second Street; thence southerly along the center of Second Street to the center of Berry Street; thence westerly along the center of Berry Street to the center of Third Street; thence southerly along the center of Third Street to the northerly line of Channel Street; thence westerly along the last mentioned line to the easterly line of Fifth Street; thence southerly along said last mentioned line to the southerly line of said Channel Street; thence easterly along said last mentioned line to the center of Third Street, formerly Kentucky Street; thence southerly along the center of Third Street, formerly Kentucky Street, to the center of Fourth Street; thence along the center of Fourth Street to the center of Louisiana Street; thence southerly along the center of Louisiana Street to the center of El Dorado Street; thence westerly along the center of El Dorado Street to the center of Illinois Street; thence southerly along the center of Illinois Street to the center of Eighteenth Street, formerly Solano Street; thence easterly along the center of Eighteenth Street, formerly Solano Street, to the water front line established by the Board of State Tideland Commissioners, thence southerly along said last mentioned line to the northerly line of Tulare Street; thence westerly along the northerly line of Tulare Street to the westerly line of Indiana Street; thence northerly along the westerly line of Indiana Street 405 feet to the northeasterly corner of the property conveyed to the State of California by The California Pacific Title and Insurance Co. by deed dated May 12, 1919, and recorded in Book 1125 of

deeds, page 374, official records of the City and County of San Francisco; thence along the northerly and westerly boundary lines of the property so conveyed, in a general westerly direction to its intersection with the northerly line of Tulare Street as it existed prior to its closing by the board of supervisors of San Francisco on March 25, 1919; thence westerly along said line of Tulare Street to the center line of Texas Street; thence southerly along the center line of Texas Street and of Texas Street as it existed prior to its closing by the board of supervisors of San Francisco on January 2, 1915, to the southerly line of Islais Street as it existed prior to a closing of the westerly portion thereof by the board of supervisors of San Francisco on March 25, 1919; thence easterly along the southerly line of Islais Street to the center of Water Front Street; thence southerly along the center of Water Front Street to the center of India Street; thence westerly, southerly and easterly along the center of said India Street to the center of Water Front Street; thence southerly along the center of Water Front Street to the center of China Street; thence westerly along the center of China Street to the center of Custer Avenue, formerly Third Avenue; thence southerly along the center of Custer Avenue, formerly Third Avenue, to the northerly line of the property of the California Dry Dock Company, thence easterly along said last mentioned line to the water front established by the Board of State Tideland Commissioners, thence southerly along and around said Dry Dock Company's land to the southeasterly corner thereof, thence westerly along the line of said land to the center of Water Front Street; thence southerly along the center of Water Front Street to the center of Shafter Avenue, formerly Nineteenth Avenue; thence westerly along the center of Shafter Avenue, formerly Nineteenth Avenue to the center of Dock Street, thence southerly along the line of Dock Street to the center of Wallace Avenue, formerly Twenty-third avenue, thence westerly along the center of Wallace Avenue, formerly Twenty-third Avenue to the center of Hawes Street, formerly H Street; thence southerly along the center of Hawes Street, formerly H Street, to the center of Yosemite Avenue, formerly Twenty-fourth Avenue; thence easterly along the center of Yosemite Avenue, formerly Twenty-fourth Avenue, to the center of Water Front Street; thence southerly along the center of said Water Front Street to the southern boundary of the City and County of San Francisco; thence along the southerly, easterly and northerly boundary lines of said city and county to a point due north of the place of commencement and thence south to the place of commencement—to be forever held by the said city and county and by its successors, in trust, for the uses and purposes and upon the conditions in this act contained.

Amendment No. 3.

On page 8, line 45, of the printed bill, amend section 8 by inserting after the word "thereto", the following: "including all tracks, marine railways, railroads and railroad equipment and supplies and operative properties,".

Amendment No. 4.

On page 11, line 22, of the printed bill, amend section 12 by striking out the figures "12", after the word "SEC.", and inserting in lieu thereof the figures "14".

Amendment No. 5.

Amend said printed bill by adding thereto a new section to be numbered section 12, and to read as follows:

"SEC. 12. All persons employed in the operating service of the Board of State Harbor Commissioners at the time this act shall go into effect, and who shall have been employed for at least one year prior to the date when this act goes into effect, shall be continued in their respective positions and shall be deemed appointed to said positions, under, and entitled to all the benefits of the civil service provisions of the charter of the City and County of San Francisco; provided, however, that no person who is not a citizen of the United States shall be continued in or appointed to his position; and, provided that all persons, now employed in the operating service of said Board of State Harbor Commissioners, who claim the benefit of this act and who now reside outside the limits of said City and County of San Francisco, shall be allowed a reasonable time, not exceeding one year, to become residents of said City and County of San Francisco."

Amendment No. 6.

Amend said printed bill by adding thereto a new section to be numbered section 13, and to read as follows.

"SEC. 13. For the purpose of controlling the orderly conduct of the affairs of the State Board of Harbor Commissioners and to the end that there may be no interruption in the conduct of the affairs of said State Board of Harbor Commissioners or of the control of the properties under its jurisdiction, the mayor of the City and County of San Francisco, upon this act becoming effective, shall, pursuant to the authority vested in him by section 48 of the charter of said city and county, appoint as members of the harbor commission of the City and County of San Francisco the three persons who shall, at said date, be the duly appointed, qualified and acting members of said State Board of Harbor Commissioners. Said persons so appointed shall hold their said offices for one, two and three years, respectively, and

said persons shall, by lot, determine their respective terms of office Upon the expiration of the respective terms of each of said persons the mayor shall appoint a qualified person to fill said vacancy in the manner provided by the charter of the City and County of San Francisco"

Amendment No. 7.

Amend said printed bill by adding thereto a new section to be numbered section 15, and to read as follows:

"SEC. 15 If any section, subsection, clause, sentence or phrase of this act which is reasonably separable from the remaining portions of this act is for any reason held to be unconstitutional, such decision shall not affect the remaining portions of this act. The Legislature hereby declares that it would have passed the remaining portions of this act irrespective of the fact that any such section, subsection, clause, sentence or phrase of this act be declared unconstitutional"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2156—An act to amend sections 3678 ------ and to repeal sections 3738 ------ of the Political Code and to add to said code sections numbered 3817j, ------, relating to the collection of taxes and providing for the collection of delinquent taxes and unsecured taxes by the tax collector.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

Strike out the last three lines of the title of the printed bill, as amended, and insert in lieu thereof the following: "lection of taxes"

Amendment No. 2.

On page 2, line 10, of the printed bill, as amended, strike out "(3)".

Amendment No. 3.

On page 15, line 51, of the printed bill, as amended, strike out "and/".

Amendment No. 4.

On page 18, line 52, of the printed bill, as amended, strike out "8317b2", and insert in lieu thereof the following: "3817b2".

Amendment No. 5.

On page 19, line 1, of the printed bill, as amended, strike out "and/".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 822—An act to amend section 3714 of the Political Code, relating to budgets and taxes.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out "Sec."; and on page 2, line 46, after the words "of the", insert the word "current".

Amendment No. 2.

On page 4, line 18, of the printed bill, following the word "school", change the word "fund", to "funds".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1271—An act imposing an excise tax on the storage, use or other consumption in this State of tangible personal property, providing for the registration of retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof and providing that this act shall take effect immediately.

Bill read second time, ordered to re-re-re-engrossment, and third reading.

Assembly Bill No. 1273—An act to amend the title and sections 2, 9, 15, 17, 18, 20, 21, 22, 23, 24, 26, 27, 30 and 33 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933; to repeal sections 7 and 19 of said act; to add sections 7 and 19 to said act; all relating to the taxation of the privilege of selling tangible personal property; and to provide that this act shall take effect immediately.

Bill read second time, ordered to re-re-engrossment, and third reading.

Assembly Bill No 865—An act relating to fish and game

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, as amended, strike out "to add section 793 5 to and".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 1 to 8, inclusive, and in line 9, strike out "SEC. 2", and insert in lieu thereof the following "SECTION 1".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No 1825—An act relating to and regulating the subject of fishing within the jurisdiction of the State of California.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "act", insert the following: "to add section 929 to the Fish and Game Code,".

Amendment No. 2.

On page 1, line 1, of the printed bill, after "SECTION 1.", insert the following: "Section 929 is hereby added to the Fish and Game Code to read as follows:

929. Whenever a purse net has been pursed while legally set, and has drifted by force of current, tide or wind into waters in which the use of a purse net is prohibited, the presence of the purse net in such waters is not a violation of this code.

Fish contained in such a net may be retained by the person using the net and may be removed from the prohibited territory into which the net has drifted."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2078—An act to amend the Fish and Game Code.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "the Fish and Game Code", and insert in lieu thereof the following: "sections 422 and 423, and to repeal sections 424 and 425 of the Fish and Game Code, relating to licenses".

Amendment No. 2.

On page 1, line 1, of the printed bill, after "SECTION 1.", insert the following: "Section 422 of the Fish and Game Code is hereby amended to read as follows:

422. Licenses granting the privilege to take game birds or mammals, or to take fish for purposes other than profit, shall be issued and delivered upon application in writing, by the commission or by any person appointed and authorized by the commission.

SEC. 2. Section 423 of the Fish and Game Code is hereby amended to read as follows:

423. The commission shall prepare suitable licenses of the following classes. Class A, "Hunting license"; Class B, "Sporting fishing license." All persons to whom such licenses are furnished by the commission for distribution, shall account to the commission for the same on the first day of each month.

SEC. 3. Sections 424 and 425 of the Fish and Game Code are hereby repealed."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2358—An act to amend the Fish and Game Code, relating to fish and game.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, strike out "the Fish and Game Code, relating to fish and game", and insert in lieu thereof the following: "section 925 of the Fish and Game Code, and to repeal sections 923 and 924 thereof, relating to nets".

Amendment No. 2.

On page 1, line 1, of the printed bill, after "SECTION 1.", insert the following: "Sections 923 and 924 of the Fish and Game Code are hereby repealed.

SEC. 2. Section 925 of the Fish and Game Code is hereby amended to read as follows:

925. In district 17, excepting that portion lying easterly and southerly of a straight line drawn from Point Santa Cruz to Point Pinos, and in districts 18 and 19, purse and round haul nets may be used."

Amendments adopted.

Bill read second time, ordered to re-re-engrossment, and third reading.

Assembly Bill No. 2336—An act to amend section 1293 of the Fish and Game Code, relating to destructive mammals.

Bill read second time, ordered to re-re-engrossment, and third reading.

Assembly Bill No. 2012—An act to amend the Vehicle Code.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the period, and insert in lieu thereof the following: "by adding a new section to be numbered 135.5, relating to investigation of accidents."

Amendment No. 2.

On page 1, line 1, of the printed bill, after the period, insert the following: "A new section is hereby added to the Vehicle Code to be numbered 135.5 to read as follows:

135.5. All members of the California Highway Patrol shall have the power to investigate accidents resulting in personal injuries or death and to gather evidence for the purpose of prosecuting the person or persons guilty of any violation of the law contributing to the happening of such accident. All information obtained from such investigations shall be held as confidential until it has been used in a criminal prosecution."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 127—An act to add sections 139.1, 139.2, 139.3, 139.4, 139.5, 139.6, and 139.7 to the Agricultural Code, relating to the registration of fruit trees.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out "and 139.7", and insert in lieu thereof "139.7, and 139.8".

Amendment No. 2.

On page 1 of the printed bill, strike out all of line 4 and insert in lieu thereof the following: "fruit trees including nut bearing trees, of three or more acres of a single variety, shall register the".

Amendment No. 3.

On page 1, line 8, of the printed bill, after the period, add the words "Varieties not known shall be registered as "unknown varieties." "

Amendment No. 4.

On page 1, line 13, of the printed bill, after the word "reduction", insert the words "in acreage".

Amendment No. 5.

On page 1, line 14, of the printed bill, strike out the word "production", and insert in lieu thereof the word "acreage".

Amendment No. 6.

On page 1, line 18, of the printed bill, strike out the word "of", and insert in lieu thereof the words "in which there are".

Amendment No. 7.

On page 1, line 19, of the printed bill, strike out the words "an order", and insert in lieu thereof the words "a registration certificate".

Amendment No. 8.

On page 1, line 21, of the printed bill, strike out the word "order", and insert in lieu thereof the word "certificate".

Amendment No. 9.

On page 2 of the printed bill, strike out all of line 7, and insert in lieu thereof the following: "orchards and for granting registration certificates for new plantings. The commissioner shall immediately upon the passage of this act proceed to inform growers of fruit and nut bearing trees regarding its provisions and shall facilitate the reporting of acreage by telephone, mail or other means."

Amendment No. 10.

On page 2 of the printed bill, strike out all of lines 13 to 21, inclusive.

Amendment No. 11.

On page 2 of the printed bill, following line 21, add the following:

"139.7. The provisions of the foregoing sections, 139.1 to 139.6 inclusive, shall not apply to governmental experimental orchards owned, operated, or maintained by any university, college or school, or State or Federal agricultural experiment station."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1654—An act to amend sections 459 and 471 of, and to add a new section to be numbered 466 to, the Vehicle Code, relating to highways and the regulation thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out lines 22 to 30, inclusive, and insert in lieu thereof the following: "place and maintain, or cause to be placed and maintained, with respect to highways outside of cities and under its jurisdiction, appropriate signs and signals as required hereunder, and may respectively place and maintain, or cause to be placed and maintained, such appropriate signs and signals as may be authorized hereunder, or as may be necessary properly to indicate and to carry out the provisions of this code, or to direct or warn traffic upon the highways."

Amendment No. 2.

On page 2, line 36, of the printed bill, as amended, strike out the word "All", and strike out all of lines 37 to 46, inclusive, and insert in lieu thereof the following:

"*(c) All signs and signals erected in accordance with the provisions of this code* shall be deemed official traffic signs and signals."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1289—An act to amend the Vehicle Code, relating to motor vehicles.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "the Vehicle Code", and insert in lieu thereof the following "section 372 of the Vehicle Code, and to add thereto section 776 1".

Amendment No. 2.

On page 1, line 1, of the printed bill, after "SECTION 1.", insert the following: "Section 372 of the Vehicle Code is hereby amended to read as follows:

372. Weight Fees for Commercial Vehicles. (a) In addition to the registration fee specified in section 370, there shall be paid fees for the registration of every vehicle of a type subject to registration designed, used or maintained for the transportation of persons for hire, compensation or profit or designed, used or maintained primarily for the transportation of property as set forth in this section.

(b) Any electric vehicle designed, used or maintained as described in subdivision (a) hereof shall pay fees for registration according to the following schedule:

Unladen weight	*Fee*
(1) Less than 6000 pounds	$50 00
(2) 6000 pounds or more but less than 10,000 pounds	70 00
(3) 10,000 pounds or more	90 00

(c) Any vehicle designed, used or maintained as described in subdivision (a) hereof other than an electric vehicle shall pay fees for registration according to the following schedule:

(1) Commercial vehicles and trailers which are equipped with not more than two axles, and semitrailers which are equipped with not more than one axle, provided that no commercial vehicle whose unladen weight is less than two thousand pounds, shall be required to pay any fee and no trailer or semitrailer weighing less than seven hundred fifty pounds shall be required to pay any fee.

Unladen Weight		
From	*To*	*Fee*
750 lbs.	2999 lbs.	$5 00
3000	3999	8 00
4000	4999	16 00
5000	5999	26 00
6000	6999	38 00
7000	7999	52 00
8000	8999	68 00
9000	9999	84 00
10,000 and over		84 00

(2) Commercial vehicles and trailers which are equipped with not less than three axles, and semitrailers which are equipped with not less than two axles.

Unladen Weight		
From	*To*	*Fee*
Under 5000 lbs.		$24 00
5000	5999	39 00
6000	6999	57 00
7000	7999	78 00
8000	8999	102 00
9000	9999	125 00
10,000 and over		125 00

(3) When vehicles as described in subdivision (a) hereof other than electric vehicles are operated exclusively within incorporated cities or towns or towns where no portion of a public highway outside of the corporate limits of said cities or towns is traversed in said operation shall pay fees for registration in an amount equal to sixty-six and two-thirds (66⅔%) per cent of schedule set forth in items (1) and (2) of this subdivision; provided, however, that the minimum registration fee shall in any event not be less than five ($5) dollars. License plates of a distinctive character shall be issued on payment of the fee indicating such operation.

(e) If the tax provided for by the "Motor Vehicle Fuel License Tax Act" is held unconstitutional by the Supreme Court of the State of California or by the Supreme Court of the United States, then beginning with the first year next succeeding the date upon which such decision becomes final there shall be paid upon and for the registration and re-registration of every motor vehicle with the department, in addition to any other fees imposed by law, a registration fee of five dollars for every electric motor vehicle and for every other motor vehicle a fee amounting to the sum of forty cents for each horsepower or major fraction thereof of such motor vehicle and a proportionate amount thereof for the registration of such vehicle for a period of less than one year. The horsepower of any motor vehicle, except electric or steam driven motor vehicle, shall be determined by the formula commonly known as that of the Association of Licensed Automobile Manufacturers (A.L.A.M.) being as follows: Square the diameter of the cylinder in inches, multiply by the number of cylinders, and divide by two and five-tenths; provided, that for the purposes hereof the horsepower of any steam driven motor vehicle shall be the horsepower rating fixed and advertised by the manufacturer thereof. In the event that the registration fees for electric motor vehicles and fees based on horsepower as hereinabove specified shall be collected, all such fees shall be paid into the motor vehicle fund of the State of California, and shall be distributed and used for such purposes as may be provided by law for the distribution and use of such motor vehicle fund; and provided, further, that in the event the provisions of this section, relative to registration fees, based upon horsepower rating, shall become effective the provisions of section 370, 371 and subdivision (b) of 372 of this code shall be deemed to be superseded.

SEC. 2. Section 776 1 is hereby added to the Vehicle Code to read as follows:

776 1. Appropriation for General Funds (a) There is hereby appropriated out of such motor vehicle fund during each year a sum which shall be equal to thirty per cent of the amount received from the imposition and collection of the fees provided in section 372, subdivision (c), during each registration year, to the general funds of the State to pay interest and redemption charges on bonds heretofore issued by the State of California for State highway construction.

(b) Any portion of the amount received during each year from the imposition and collection of the fees provided in section 372, subdivision (c) remaining in the

motor vehicle fund after appropriating the sums provided in subdivision (a) of this section, shall be available for distribution in accordance with the provisions of section 777."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1274—An act to add section 168 to the Vehicle Code, relating to registration of vehicles and to add section 384 to the Vehicle Code, relating to registration and license fees.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, after the comma, insert the words "or used or maintained primarily for the transportation of property".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 and 2 of the title, and insert in lieu thereof the following: "An act to add section 384 to the".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 2 to 21, inclusive, and insert in lieu thereof the following: "a new section 384, to read as follows:

384. Credit for Fees Paid. Whenever any registered vehicle for which fees have been paid under section 372 is destroyed or withdrawn from service before the expiration of such registration the owner may surrender the registration certificate and license plates previously issued for such vehicle to the department and make application for the registration of another vehicle which is subject to the fees specified in section 372. In such event and upon a proper showing of the facts the department upon determining the fees payable hereunder shall allow as credit thereon the amount of the fee paid under section 372 for the unexpired portion of the previous registration but in addition to fees otherwise payable hereunder less any such credit shall charge and collect an additional fee of two dollars for issuance of such new registration."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 792—An act to prohibit child labor.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 328—An act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad adequately to man their gas, gas-electric, diesel, or diesel-electric cars and locomotives.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 188—An act to add section 654d to the Penal Code, relating to advertising food, drink, drug, or cosmetic products by radio broadcasting and providing penalties for violation thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, change the capital "F" in the word "False", to a small "f".

Amendment No. 2.

On page 1, line 8, of the printed bill, after the word "products", strike out the remainder of line 8, including line 9, and in line 10, strike out "or cosmetic".

Amendments adopted.

Bill read second time, ordered to reprint, re-re-engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 187—An act to validate the organization and existence of municipal improvement districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 276—An act authorizing cities, cities and counties, and boards or departments thereof, in issuing revenue bonds or other evidences of indebtedness, payable solely from revenues, or from any other special fund, to issue the same as negotiable instruments, to provide for certain signatures thereto by facsimile, for making the same payable at places outside the State of California, and for the registration thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 299—An act to amend sections 4, 9, 10 and 14 of the act entitled "An act to provide for the incorporation and organization and management of municipal water districts and to provide for the acquisition and construction by said districts of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved May 1, 1911, relating to municipal water districts and the officers thereof and further defining the powers and duties of each thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No 468—An act to amend the title and to add a new section numbered 18a to the State Medical Practice Act, approved June 2, 1913, as amended, relating to remedies for violations.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 2, of the printed bill, after the word "Examiners", insert the following: "or the State Board of Osteopathic Examiners".

Amendment adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 467—An act to amend sections 2.411, 2.418 and 2.419 of the School Code, relating to disincorporation of high school districts.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out the word "twice."

Amendment adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 758—An act to amend an "Act granting certain tidelands and submerged lands of the State of California to the City and County of San Francisco for development and use as a public airport, regulating the management, use, lease and control thereof, authorizing the reclamation and certain improvements of said lands and the construction and maintenance of a bridge or causeway connecting said lands with Yerba Buena Island," (Chap. 912, Stats. 1933), to add a new section to be numbered section 4, permitting the temporary use of said lands for exposition purposes.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 8 of the title of the printed bill, strike out "(Chap. 912, Stats. 1933)", and insert in lieu thereof the following, "approved June 13, 1933".

Amendment No. 2.

On page 1, in the last line of the title of the printed bill, strike out "temporary".

Amendment No. 3.

On page 1, lines 1 and 2, of the printed bill, strike out "Chapter 912, Statutes 1933", and insert in lieu thereof the following: "the act cited in the title hereof, to be numbered section 4 and to read".

Amendment No. 4.

On page 1, line 6, of the printed bill, strike out "corporation", and insert in lieu thereof the following: "corporations".

Amendments adopted

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 153—An act to amend section 5 of an act entitled "An act to regulate motor boats of less than 15 gross tons capacity operating in California waters and carrying passengers for hire and providing a penalty for violation thereof," approved January 19, 1931, relating to boats unequipped with propelling machinery.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 51—An act to amend section 441 of the Political Code, relating to rates of interest on registered warrants.

Bill read second time, and ordered on file for third reading.

Senate Bill No 430—An act to amend sections 3727 and 3728 of the Political Code, relating to the entering of values and acreages in the assessment book and the preparation of duplicate statistical statements of assessments.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 588—An act providing for the exemption from taxation of personal property brought within the State of California exclusively for purposes of use, display or exhibition at expositions, fairs, carnivals or public exhibits of literary, scientific, educational, religious or artistic works, and for claim of exemption.

Bill read second time, and ordered on file for third reading.

Senate Bill No 106—An act to amend sections 798 6 and 801 of the Fish and Game Code, relating to abalones.

Bill read second time, and ordered on file for third reading.

Senate Bill No 174—An act to amend section 730 of the Fish and Game Code, relating to fish.

Bill read second time, and ordered on file for third reading.

Senate Bill No 719—An act to amend the Vehicle Code by amending sections 141, 142, 145, 147, 150, 151, 157, 159, 160, 161, 165, 184, 186, 205, 206, 207, 211, 215, 239, 252, 375, 376, 382, and 383; by adding section 234, relating to vehicles.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 3, line 16, of the printed bill, as amended in the Senate April 8, strike out the word and figures "January 31", and insert in lieu thereof the following: "February 5".

Amendment No. 2.

On page 7, line 41, of the printed bill, after the word "February", strike out the the figure "1", and insert in lieu thereof the figure "4".

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 790—An act to amend the Vehicle Code by amending sections 37, 38, 39, 66, 67 and 73; by repealing section 44; by adding sections 44, 73.5 and 76, relating to vehicles.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 720—An act to amend the Vehicle Code by amending sections 223, 225, 226, and 296; by repealing sections 292, 293, and 304; by adding sections 292, 298, and 304, relating to vehicles.

Bill read second time, and ordered on file for third reading.

Unfinished Business.

Motion to Reconsider Assembly Bill No. 6 Continued.

Mr Jones moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 6 was refused passage be continued until the next legislative day.

Motion carried.

Consideration of Senate Amendments to Assembly Bill No. 2174.

Assembly Bill No. 2174—An act to confirm, ratify and make valid ordinances heretofore passed by the city council or the people of any incorporated city creating a civil service commission and placing employees of the city under control of said civil service commission.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2174?

Amendment No. 1.

On page 1, line 1, of the printed bill, strike out "commission", and insert in lieu thereof the following: "commissions".

Amendment No. 2.

On page 1, line 8, of the printed bill, strike out "as", after the word "been".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 11 and 12.

The roll was called, and Senate amendments to Assembly Bill No. 2174 were concurred in by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Fisher, Flint,

Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hunt, Johnson, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Weber, Williamson, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 2174 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 229.

Assembly Bill No 229—An act to amend sections 3366 and 4041.14 and to repeal section 3384 of the Political Code, relating to the licensing of businesses by the counties.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 229?

Amendment No. 1.

On page 2 of the printed bill, strike out all of line 4 after "license", and all of line 5, and insert in lieu thereof the following: "individuals acting as hawkers, itinerant peddlers or itinerant vendors"

Amendment No. 2.

On page 2 of the printed bill, strike out all of line 35 after "license", and all of line 36, and insert in lieu thereof the following. "individuals acting as hawkers, itinerant peddlers or itinerant vendors"

The roll was called, and Senate amendments to Assembly Bill No. 229 were concurred in by the following vote:

AYES—Anderson, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Crown, Crowley, Cunningham, DeLap, Donahue, Donnelly, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hunt, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Waters, Weber, Williamson, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 229 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 242.

Assembly Bill No. 242—An act to add a new section to be numbered section 28a to an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, relating to assessments and bonds.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 242?

Amendment No. 1.

On page 2, between lines 18 and 19, of the printed bill, as amended, insert the following:

"Such reassessment need not be in any prescribed form but shall refer to the original assessment filed, giving the date of filing of said original assessment, and

shall state that it was made pursuant to the order of the city council of the municipality and shall be accompanied by a diagram showing the lots to be reassessed and their relation to the work. Such diagram may be the original assessment diagram if it otherwise conforms to the provisions of this section"

Amendment No. 2.

On page 2, line 33, of the printed bill, as amended, strike out "assessment diagram and the report", and insert in lieu thereof the following. "reassessment and diagram".

Amendment No. 3.

On page 2, line 45, of the printed bill, as amended, after "ment", insert the following: "and diagram, in his office,".

Amendment No. 4.

On page 3, line 6, of the printed bill, as amended, strike out the last word "and", and insert in lieu thereof the following: "in".

Amendment No. 5.

On page 3, line 25, of the printed bill, as amended, strike out "reassessment", and insert in lieu thereof "assessment"; also in said line 25, strike out "assessment", and insert in lieu thereof the following: "reassessment".

The roll was called, and Senate amendments to Assembly Bill No. 242 were concurred in by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hunt, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McCarthy, McMurray, Miller, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Waters, Weber, Williamson, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 242 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1064.

Assembly Bill No. 1064—An act authorizing municipalities to afford special assessment relief by the appropriation of money for the reduction of special assessments and the payments on bonds issued to represent such assesments, and by the payment of any portion of the principal or interest of, or by the purchase or redemption at a discount of, or by the transfer to the interest and sinking fund for the discharge and payment of bonds, the proceeds of which have been used for the acquisition of rights of way or easements for, or for the construction, maintenance, improvement or repair of streets, bridges and culverts within such cities, and providing a method for the making of such appropriations.

The question being put. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1064?

Amendment No. 1.

On page 1, line 16, of the printed bill, after the comma following the word "therefor", strike out the remainder of said line 16, and strike out all of lines 17 and 18.

Amendment No. 2.

On page 2 of the printed bill, strike out all of line 1, and strike out the first word "for", and the comma in line 2

Amendment No. 3.

On page 2, line 2, of the printed bill, strike out "such purpose", and insert in lieu thereof the following: "the purposes of this act".

The roll was called, and Senate amendments to Assembly Bill No. 1064 were concurred in by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Donihue, Donnelly, Fisher, Flint,

Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Waters, Weber, Welsh, Williamson, and Mr. Speaker—64.

NOES—None.

Assembly Bill No 1064 ordered to enrollment.

Third Reading of Assembly Bills.

Assembly Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to section 7½a of Article XI of the Constitution of the State of California, relating to local government.

Assembly Constitutional Amendment No. 3 read.

Mr. Peterson moved the adoption of Assembly Constitutional Amendment No. 3.

The question being on the adoption of Assembly Constitutional Amendment No. 3.

The roll was called, and Assembly Constitutional Amendment No. 3 adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Heisinger, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Morgan, Nielsen, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Waters, Weber, Welsh, Williamson, and Mr. Speaker—58.

NOES—Meehan—1.

Title read and approved.

Assembly Constitutional Amendment No. 3 ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 3.

A resolution to propose to the people of the State of California an amendment to section 7½a of Article XI of the Constitution of the State of California, relating to local government

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its fifty-first regular session commencing on the seventh day of January, 1935, two-thirds of the members elected to each of the two houses voting in favor thereof, hereby proposes to the people of the State of California that section 7½a of Article XI of the Constitution of the State of California be amended to read as follows.

Sec. 7½a. Any county having within its territorial boundaries one or more incorporated cities or towns, may frame a charter for a consolidated city and county government, by causing a board of fifteen freeholders, who have been for at least five years qualified electors of the county, to be elected by the qualified electors of said county, at a special election. Said board of freeholders may be so elected in pursuance of an ordinance adopted by the vote of three-fifths of all of the members of the board of supervisors of such county, declaring that public interest requires the election of such board of freeholders for the purpose of preparing and proposing a charter for a consolidated city and county, with or without a system of boroughs, with combined powers of a city and a county, as in this Constitution provided for city and county government, or in pursuance of a petition of qualified electors of said county as hereinafter provided; which said petition must state the name and address of a person or persons to whom notice of the insufficiency of the petition shall be sent in the event that the petition shall not have the required number of signatures of the qualified electors signed thereto. Such petition, signed by 15 per centum of the qualified electors of said county, computed upon the total number of votes cast therein for all candidates for Governor at the last preceding general election at which a Governor was elected, praying for the election of a board of 15 freeholders to prepare and propose a charter for a consolidated city and county government, with or without a system of boroughs, with combined powers of a city and a county, as in this Constitution provided, may be filed in the office of the county clerk It shall be the duty of the said county clerk, within 20 days after the filing of said petition, to examine the same, and to ascertain from the record of the registration of the electors of the

county, whether said petition is signed by the requisite number of qualified electors If required by said clerk, the board of supervisors shall authorize him to employ persons to assist him in the work of examining such petition, and the board shall provide for their compensation Upon the completion of such examination, said clerk shall forthwith attach to said petition his certificate, properly dated, showing the results of his examination, and if, by said certificate, it shall appear that said petition is signed by the requisite number of qualified electors said clerk shall immediately present said petition to the board of supervisors, if it be in session, otherwise at its next regular meeting after the date of such certificate If it appear by said certificate that said petition has not the required number of signatures of the qualified electors signed thereto, the said clerk shall so notify the person or persons whose name or names are mentioned therein, to whom the notification of the insufficiency of the petition shall be sent Whereupon the petitioners shall have 30 days from and after the date of receiving the notice of insufficiency from the clerk, to present and file additional signatures. Upon the receipt of the additional signatures, the clerk shall proceed forthwith to examine the petition of additional signatures, so that such examination shall be completed within 10 days from the date of his receiving same If it appear that the number of additional signatures added to those who have not been legally rejected upon the original petition, shall total the requisite number of qualified electors necessary as provided in this section, the clerk shall forthwith attach to said petition his certificate, properly dated, showing that said petition has been signed by the requisite number of qualified electors, and said clerk shall immediately present said petition to the board of supervisors if it be in session, otherwise at the next regular meeting after the date of such certificate. Upon the adoption of such ordinance, or the presentation of such petition, said board of supervisors shall order the holding of a special election for the purpose of electing such board of freeholders, which said special election shall be held not less than 40 days nor more than 90 days after the adoption of the ordinance aforesaid or the presentation of said petition to said board of supervisors Candidates for election as members of said board of freeholders shall be nominated by petition, substantially in the same manner as may be provided by general law for the nomination, by petition of electors, of candidates for county offices, to be voted at general elections. The election shall be conducted and the ballots canvassed and result declared substantially as are other elections for county officers, except that there shall be only one election and the 15 persons receiving the highest vote shall be declared the duly elected board of freeholders All ties shall be broken by lot

It shall be the duty of said board of freeholders within 180 days after the result of such election shall have been declared by the board of supervisors, to prepare and propose a charter for a consolidated city and county government, and it may prescribe the existing boundary lines of the county as the territorial limits of said proposed city and county, and propose the formation of all of the incorporated cities and towns and all of the unincorporated territory within the county into a consolidated city and county government to be governed by said charter, and to have combined powers of a city and a county, as provided in this Constitution for consolidated city and county government Or said board of freeholders may propose, in the alternative, that a lesser area than that of the whole county, to consist of those incorporated cities and towns hereinafter required to be designated and named by the board of freeholders as necessary and essential to effect consolidation, also those incorporated cities and towns, which as hereinafter provided, may by a majority vote of the qualified electors voting thereon separately, vote in favor of such consolidation, together with any unincorporated territory within the county proposed to be added, may be formed into a consolidated city and county government, to be governed by said charter, and to have combined powers of a city and a county as provided in this Constitution for consolidated city and county government.

When such proposal is submitted in the alternative, the board of freeholders must designate and name as necessary and essential to effect city and county consolidation, all of the incorporated cities within the county having a population of 150,000 inhabitants or over, as ascertained by the last preceding census taken under the authority of the Congress of the United States, and no consolidation shall be effected unless, as hereinafter provided, a majority of the qualified electors, voting separately thereon in each of said designated and named incorporated cities vote in favor of such proposal.

The charter proposed shall be signed by the members of the board of freeholders, or a majority of them, and be filed, one copy in the office of the county recorder, one in the office of the county clerk, and certified copies thereof duly attested by the president and secretary of the board of freeholders shall be filed in the clerk's office of each incorporated city and town in the county. The board of freeholders shall thereupon take a recess until called together by the board of supervisors as hereinafter provided Thereupon the board of supervisors shall cause said proposed charter to be published in at least two daily newspapers of general circulation published, printed and circulated in the county, for at least six consecutive times, and shall also cause said proposed charter to be published for at least three con-

secutive times in a daily newspaper of general circulation, printed, published and circulated in each of the incorporated cities and towns within the county, and if there be no daily newspaper printed, published and circulated in any of such incorporated cities and towns then, once in a weekly newspaper published, printed and circulated therein; provided, however, if there be no daily or weekly newspaper published, printed and circulated in any of such incorporated cities or towns, then said publication shall be made by posting in three public places in each of said incorporated cities or towns having no such newspaper, for at least three days. All of such publication shall be completed within fifty days of the filing of the proposed charter with the county clerk. The board of supervisors shall cause to be printed in pamphlet form, at least as many copies of such proposed charter, plus an additional 15 per cent, as there are registered electors in the county. The county clerk shall forthwith deliver to the clerk of the legislative body of each and every incorporated city or town within the county, a number of the printed copies of the proposed charter, equal at least to the number of registered electors residing in any such incorporated city or town. The county clerk shall thereupon give notice, by advertising in one and not more than two daily newspapers of general circulation published, printed and circulated in the county, and if there be a newspaper published, printed and circulated in any of such incorporated cities and towns, in one such newspaper of each said city or town, that copies of the proposed charter can be had at his office or at the office of the several city or town clerks, designating them, upon application. Upon the completion of the publication of the proposed charter as above required, and not later than 15 days thereafter, the board of supervisors must pass an ordinance or resolution calling a separate election in each of the incorporated cities and towns within the county, for submitting the proposal for consolidation to the electors thereof Each incorporated city or town shall be considered one separate district, and the proposal for such consolidation shall be submitted separately to the electors thereof, as hereinafter provided. The date of such election shall be fixed in the resolution or ordinance adopted by the board of supervisors, which date shall not be less than 40 days nor more than 90 days from the date of the passage of such resolution or ordinance calling the election for the submission of said proposal. The separate elections held in the several cities and towns must all be held on the same day. The resolution or ordinance calling such elections shall be published for five successive days in one daily newspaper of general circulation published, printed and circulated in the county, so that the last publication shall have been completed at least five days before the date of the election. The resolution or ordinance calling such elections, shall also be published for three successive days in one daily newspaper of general circulation, published, printed and circulated in each of the incorporated cities and towns, and if there be no daily newspaper published, printed and circulated in any of such incorporated cities and towns, then twice in a weekly newspaper; provided, however, that if there be no daily or weekly newspaper published, printed and circulated in any such incorporated city or town, such publication may be made by posting in three public places in said incorporated city or town for at least three days before the date of election.

The board of supervisors must appoint election officers in the same manner and give notice of such appointment by publication, as provided by the general law for the appointment of election officers at general elections; provided, however, that the board of supervisors shall not appoint more than four election officers to each election precinct; and provided further, that the number of precincts in each city or town comprising an election district shall not be less than the number of precincts used at the last general election. In all other respects, every such election shall be held and conducted, the returns canvassed and the result thereof declared by the board of supervisors in the same manner as provided by law for general elections.

The proposal to be submitted to the electors of each of said incorporated cities and towns shall be substantially as follows: "Shall the (herein designate by name the incorporated city or town) join with the other incorporated cities and towns within the county of (herein insert name of county) together with the unincorporated territory within the said county, and form and establish a consolidated city and county (herein insert whether it is proposed to have a system of boroughs) to be known as the city and county of (herein insert the name proposed) to be governed by the charter proposed by the board of freeholders, which charter has been filed in the office of the county clerk and duly published, said charter to take effect on (herein insert date mentioned in charter when city and county consolidation shall take effect)?" If the board of freeholders have proposed an alternative proposition, the ballot shall, in addition to the above proposal, state substantially that if said principal proposal does not receive a majority vote of the electors, voting thereon, in all of the incorporated cities and towns within the county, but receives a majority vote of the electors, voting thereon in each of the incorporated cities within the county (naming them) which have been designated and named as the cities necessary and essential in which a favorable vote must be had to effect consolidation of an area less than the whole of the county, then the proposition of the formation and establishment of a district into a consolidated city and county, which district shall

include said named incorporated cities, also other contiguous incorporated cities and towns in which a favorable vote was had upon the proposition, and certain unincorporated territory (which district shall be the area described in the proposed amended charter), shall be thereafter submitted to the qualified electors of such district for their approval. Also there must be stated in such proposal such reference to taxation and bonded indebtedness and the liability therefor as is provided in the proposed charter.

If after the canvass of the votes and the declaration of the result by the board of supervisors, it appear that a majority of the electors in each of the incorporated cities and towns in the county, voting separately thereon at said election, have voted in favor of said proposal, the board of supervisors shall so certify such fact to the board of freeholders and set a day for the reconvening of said board of freeholders which day shall not be later than ten days after the certification by the board of supervisors. The board of freeholders shall enter the certificate of the board of supervisors in its minutes and shall have no power to change or alter in any manner any of the provisions of the charter as heretofore prepared and published. It shall thereupon adjourn.

Whereupon the said proposed charter shall be submitted by said board of supervisors to the qualified electors of the whole of said county at a special election to be held not less than 30 nor more than 60 days after the adjournment of the board of freeholders, or if there be a general election held within 90 days after the adjournment of the said board of freeholders then at such general election.

If a majority of the qualified electors voting thereon in the county, at such special or general election, shall vote in favor of such proposed charter, it shall be deemed to be ratified, and shall be forthwith submitted to the Legislature, if it be in session otherwise at its next regular or special session, for its approval or rejection as a whole, without power of alteration or amendment. Such approval may be by concurrent resolution, and if approved by a majority vote of the members elected to each house, such charter shall become the charter of such consolidated city and county and shall become the organic law thereof relative to matters therein provided, and shall supersede any existing municipal charter of the cities within the county and all amendments thereof, and shall supersede all laws inconsistent with such charter relative to matters provided in such charter.

If it appear, after a canvass of the votes by the board of supervisors, that the proposal has not received a favorable vote in all of the incorporated cities and towns within the county, and the proposal submitted shall have provided in the alternative that a lesser territory than that of the whole not less than the incorporated cities designated and set forth in the proposal as necessary and essential to effect consolidation, may form and establish a consolidated city and county government, and a majority of the electors in each of the said incorporated cities designated as necessary and essential to effect consolidation have voted in favor of such proposal, the board of supervisors shall so certify the fact to the board of freeholders, and also certify all other incorporated cities or towns in which a majority of the electors have voted in favor of such proposal. The board of freeholders shall, within fifteen days thereafter, reconvene and meet upon a day to be fixed by the board of supervisors and shall proceed to rearrange and define the boundaries for the proposed new city and county, including therein all of the incorporated cities certified by the board of supervisors, in which a majority of the electors have voted in favor thereof, and which by the terms of the proposal were designated as necessary and essential to effect consolidation. The board of freeholders must also include in the boundaries for the new proposed city and county any incorporated city or town having a population of less than ten thousand inhabitants, as ascertained by the last preceding census taken under the authority of the Congress of the United States, which if such new proposed city and county is formed, would be surrounded by such area proposed to be formed into a city and county, or which is contiguous thereto and not contiguous to the largest area of the remainder of the original county from which the proposed city and county proposes to separate, notwithstanding that the result of the election in any such incorporated city or town as shown by the canvass of the votes of the board of supervisors, was unfavorable thereto. The board of freeholders may also include in the boundaries of the proposed new city and county, other incorporated cities or towns, not designated and named as necessary and essential to effect consolidation, but in each of which a majority of the electors have voted in favor of such proposal, together with such unincorporated territory within the county as it may desire, the whole to form one compact area, no part of which shall be disconnected from the remainder thereof.

No amendment or changes in the provisions or sections of the proposed charter as originally prepared, published and filed in the office of the county clerk, shall be made by the board of freeholders at its second session, except as herein provided. The board of freeholders at its second session shall have power to change the territorial limits or boundaries in such charter as hereinbefore provided. It shall also have power to change the number, by reduction thereof, of boroughs and of the councilmanic or supervisorial districts and the number of councilmen or supervisors to be elected, and to rearrange and number said districts to conform to the area

to be formed into a city and county, except that boroughs previously established by the charter, if their territory is within the area of the proposed city and county shall not be changed. It may also provide a lesser salary to be paid to any officer of the proposed city and county, if such salary is stated and fixed by the original proposed charter, and it may correct any mistake or clerical or typographical errors.

The board of freeholders shall complete its labors, as above required, within 10 days after the date fixed by the board of supervisors for its second meeting unless given an additional 10 days' time by said board of supervisors. Within said 10 days and not later than 20 days, if such time has been extended, the members of the board of freeholders, or a majority thereof, shall sign the proposed charter as amended, and file one copy thereof in the county recorder's office and two copies in the county clerk's office, one of which copies shall thereafter be filed by the county clerk, in the archives of the new city and county government, when the charter shall have been approved by the Legislature.

The provisions of section 2 of this article, and also those provisions of section 3 of this article which refer to the passing of any county line within five miles of the exterior boundary of a city or town in which a county seat of any county proposed to be divided is situated, shall not apply to the formation of such consolidated cities and counties, nor to the formation of new counties or of any city and county as herein specified under any of the provisions of this section.

Within 10 days after the filing of the proposed charter, as amended by the board of freeholders, with the county clerk, the whole area of the proposed new city and county shall, by resolution of the board of supervisors, be created into a district, for the purpose of submitting the proposed charter, as amended, to the electors thereof, for their approval. The question of the adoption of the proposed charter as amended, shall be submitted to the electors of the whole of the area proposed to be formed into a consolidated city and county as one proposal.

The board of supervisors shall forthwith, and not later than 20 days from the date of the resolution creating said district, pass an ordinance or resolution calling an election in the whole county, for the purpose of submitting the question of the consent of the electors of the whole county to the separation, of the district proposed in the charter, from the original county, and for the purpose of submitting the question of the adoption of the proposed charter to the electors residing within the district created, or the proposed territory described in the charter as amended, as the territorial boundaries of the proposed new city and county.

Both propositions or proposals shall be submitted at one election, as hereinafter provided. The date of such election shall be fixed in the resolution or ordinance calling such election, which date shall not be less than 20 days nor more than 60 days from the date of the passage of the resolution or ordinance calling such election.

The resolution or ordinance calling such election shall be published for five consecutive days in not less than two daily newspapers, if there be two, if not, in one daily newspaper of general circulation published, printed and circulated in the county; or if there be no such daily newspapers, then twice in at least one weekly newspaper published, printed and circulated in the county. Such resolution or ordinance shall also be published for a like time in at least one daily newspaper of general circulation published, printed and circulated within the area or territory proposed to be formed into a consolidated city and county.

The amended sections of the charter shall also be published for three consecutive days in at least one daily newspaper published, printed and circulated in the county, and if there be no daily newspaper published, printed and circulated in the county, then twice in a weekly newspaper published, printed and circulated in the county. Such amended sections of the charter shall likewise be published in at least one daily newspaper published, printed and circulated within the area or district proposed to be formed into a city and county, and if there be no such daily newspaper thence twice in a weekly newspaper published, printed and circulated in such area.

The board of supervisors must appoint election officers in the same manner, and give notice of such appointment by publication, as provided by the general law for the appointment of election officers at general elections, except that no more than four election officers shall be appointed to each election precinct. In all other respects, every such election shall be conducted, the returns canvassed and the result declared by the board of supervisors in the same manner as provided by law for general elections.

The proposal to be submitted to the electors of the whole of the county and the proposals to be submitted to the electors of the district or area described in the charter as the territorial boundaries of the proposed new city and county, shall be as follows:

In the county outside of the district or area described in the charter as the territorial boundaries of the new consolidated city and county, the only proposal to be submitted to the electors thereof shall be substantially as follows:

"Shall the incorporated cities and towns (herein name them) and the unincorporated territory (if any) (herein describe the unincorporated territory) be permitted to separate from (herein name the county) and establish a consolidated city and county to be known as (herein insert name of new county) the separation to take

effect on (herein name date fixed in the proposed charter for the taking effect of the new city and county government)?"

In the district created by the resolution of the board of supervisors, which shall be the area described in the amended proposed charter, the same proposal as above shall be submitted to the electors, and also shall be submitted separately the question of the establishing of the area into a new consolidated city and county and the approval and ratification of such charter, substantially in the following form: "Shall the (herein describe the territory as described in the proposed amended charter) consolidate and be formed and established into a city and county government to be known as (herein state name of city and county) (herein state whether there shall be a system of boroughs) and shall the charter prepared, published and filed in the office of the county clerk on (herein state the date upon which the amended charter as to boundaries was filed) be adopted as the charter of the consolidated city and county, to take effect (herein state date mentioned in the charter when the consolidation shall take effect)?" Also may be stated in this proposal such reference to taxation and bonded indebtedness and the liability therefor as provided in the proposed charter.

Upon consent to the separation of such district being given by a majority of the qualified electors, voting thereon, at such election, in the whole of the county, and upon the approval and ratification of such charter by a majority of the qualified electors voting thereon in the district or area which is to be formed into a consolidated city and county, and by the approval of said charter by the Legislature, as hereinbefore provided in this section for the submission of the charter to the Legislature when the whole of the county is to be formed into a consolidated city and county, said charter shall be deemed adopted, and upon the date fixed in said charter such district shall be and become one consolidated city and county, and the charter shall become the organic law thereof relative to matters therein provided, and shall supersede any existing municipal charter of the cities consolidated by it, and shall likewise supersede all laws inconsistent with such charter relative to matters provided in such charter.

It shall be competent, in any charter, or amendment thereof, framed under the authority given by this section to provide in addition to those provisions allowable by the Constitution and laws of the State as follows:

1. For the merging and consolidating the cities and county into one municipal government with one set of officers; for the establishment of a borough system of government for the whole or any part of the territory of said city and county, by which one or more districts may be created therein, which districts may be known as boroughs and shall exercise such municipal powers as may be granted by such charter, and for the organization, constitution, regulation, government and jurisdiction of such boroughs, which organization, constitution, regulation, government and jurisdiction may provide for rural districts, with different powers and organization, constitution, regulation, government and jurisdiction from other boroughs; provided, that in the event of such establishment or creation of a borough or boroughs, as hereinabove permitted, the boundaries thereof shall never afterwards be changed or altered, nor shall the governmental rights, powers or jurisdiction of any such borough or boroughs be thereafter limited, extended, modified or taken away, unless and until the borough or boroughs affected by such proposed change or alteration of boundaries, or by the proposed limitation, extension, modification or taking away of governmental rights, powers or jurisdiction, as the case may be, shall each have consented thereto, by the vote of a majority of the electors in each and every such borough voting at an election or elections called and held for such purpose in each of the boroughs so affected.

2. For the consolidation and merging of school and high school and union high school districts into one or more school, high school and union high school district within the city and county, to be governed by one board of education and one school superintendent, and may provide separate organization, constitution, regulation, government and jurisdiction and powers for rural school districts, if any are established.

3. For the constitution, regulation, government and jurisdiction of police courts, and for the manner in which, the times at which, and the terms for which the judges of such courts shall be elected or appointed, and for the qualifications and compensation of said judges and of their clerks and attaches; and for the establishment, constitution, regulation, government and jurisdiction of municipal courts with such civil and criminal jurisdiction as by law may be conferred upon inferior courts; and for the manner in which, the time at which, and the terms for which the judges of such courts shall be elected or appointed, and for the qualifications and compensation of said judges and of their clerks and attaches; provided, such municipal courts shall never be deprived of the jurisdiction given inferior courts created by general law; provided, that in any city and county, when such municipal court has been established, there shall be no other court inferior to the superior court; and pending actions, trials, and all pending business of inferior courts within the territory of such city or city and county, upon the establishment of any such municipal court, shall be and become pending in such municipal court, and all records of such inferior court shall thereupon be and become the records of such municipal court

4. For the manner in which, the times at which, and the terms for which the members of the board of education or boards shall be elected or appointed, for the qualifications, compensation and removal, and for the number which shall constitute any one of such boards.

5. For the manner in which, the times at which, and the terms for which the members of the board or boards of police commissioners shall be elected or appointed; and for the constitution, regulation, compensation, and government of such boards and of the municipal police force.

6. For the manner in which and the times at which any municipal election, or borough election shall be held and the result thereof determined; and for manner in which, the times at which, and the terms for which the members of all boards of election shall be elected or appointed, and for the constitution, regulation, compensation and government of such boards, and of their clerks and attaches, and for all expenses incident to the holding of any election.

It shall be competent in any charter framed in accordance with the provisions of this section, for any consolidated city and county, and plenary authority is hereby granted, subject only to the restrictions of this article, to provide therein or by amendment thereto, for the powers and duties of all county, city and county, municipal and borough officers; for the manner in which, the method by which, and the terms for which the several county, city and county, municipal and borough officers, except judges of the superior court, shall be elected or appointed, and for their recall and removal, and for their compensation, and for the number of deputies, clerks and other employees that each shall have, and for the powers and duties, compensation, method of appointment, qualifications, tenure of office and removal of such deputies, clerks and other employees.

7. It shall be competent in any charter, or amendment thereto, framed in accordance with the provisions of this section, to provide that the city and county may make and enforce all laws and regulations, and exercise all rights and powers in respect to municipal affairs and municipal officers, and shall have all powers and rights appropriate to a county, city, and city and county subject only to the restrictions and limitations provided in such charter.

Any charter framed under the provisions of this section, which charter provides for the formation of the whole territory of the county into a consolidated city and county, may provide for the termination of the tenure of office of all county officers elected after the adoption of such charter by the electors of such county and prior to the approval of such charter by the Legislature.

8. No property in any city or town or territory hereinafter consolidated into a city and county shall be taxed for the payment of any indebtedness outstanding at the time the charter takes effect and for the payment of which indebtedness the property in such city or town or territory was not, prior to the taking effect of such charter, subject to such taxation, unless there shall have been submitted to the qualified electors of such city or town or territory, at the separate election submitting the proposal in the first instance to join, the proposition regarding the assumption of such indebtedness as hereinbefore set forth and the same shall have been approved by a majority of such electors voting thereon.

In all cases of consolidation of two or more incorporated cities and towns, or of one or more incorporated cities or towns with unincorporated territory, into a city and county, assumption of existing bonded indebtedness by such city or town or by such unincorporated territory or by either of the cities and towns so consolidating may be made by a majority of the qualified electors voting thereon in the territory or city or town which shall assume an existing bonded indebtedness, and the provisions of section 18 of this article shall not be a prohibition thereof.

Every city and county which shall be formed, under the provisions of this section, of territory which shall have been taken from the original county, shall be liable for a just proportion of the debts and liabilities and be entitled to a just proportion of the property and assets of such county existing at the time of such separation.

If the population in the territory formed into a city and county, by separation from the original county, is equal to or greater in number than two-thirds of the population of the whole of the original county at the time of the formation of such city and county, the city and county so formed and separating itself from the original county, shall be entitled to the original records and books of the original county, upon supplying to the original county certified copies of all records, documents and books properly bound and indexed, which affects or may affect the property of the remaining portion of the original county, or which it may in the future have occasion to refer to; and such certified copies so furnished and certified by the county clerk if the copies are issued from his office, and by the recorder if issued from his office, or by any other officer of the county if they be copies of records in his office, shall be competent evidence in any court proceeding or action which may thereafter be commenced.

The Legislature of the State may enact such general laws as may be necessary to carry out the provisions of subdivision 8 of this section

If by the formation of a city and county, under the provisions of this section, any territory whether incorporated or unincorporated is separated from the original county, and by such separation, any of the elective officers of the original county, have by reason of such separation ceased to be residents or electors of the original

county, such elective officers shall continue to serve, and be charged with all of the powers and duties of the office to which they were elected, until the expiration of the term for which they were elected, and their salaries shall be paid, by both the new city and county and the remaining portion of the original county, in proportion and in the ratio as the population of each bears to the whole population of the original county.

If under the provisions of this section, any city and county is formed which does not include the whole of the original county, and by reason of the separation of the territory comprising the new city and county, any incorporated city or town or any unincorporated territory is separated from the largest area of the remainder of the county, by reason of its exterior boundary not being contiguous thereto, the Legislature shall provide for the transfer of such portion or portions to an adjoining county or counties whose exterior boundary or boundaries may be contiguous thereto, or it may transfer such portion or portions to the new consolidated city and county; provided, however, if there be formed and established under the provisions of this section, a consolidated city and county government of a lesser area than that of the whole county, and there be any incorporated city having a population of 40,000 inhabitants or over, within the county, as ascertained by the last preceding census taken under the authority of the Congress of the United States, which is not included therein, or if by the formation and establishment of any lesser area than that of the whole county into a consolidated city and county, any such incorporated city having such population is separated and detached from the largest area of the remainder of the original county, by reason of its exterior boundaries not being contiguous thereto, then such incorporated city, together with all other incorporated cities or towns or unincorporated territory in such original county, which if said new city and county is formed and established would likewise be so separated and detached, and which are contiguous to each other and form one compact area, may organize and establish a consolidated city and county government for the whole of such detached territory under the provisions of section 8 of this article, by adopting a freeholders' charter in accordance with the provisions of said section, and to have all of the powers conferred by said section; except, that for the purpose of the election of the members of the board of freeholders, and the organization and establishment of such consolidated city and county government, the whole of such detached area proposed to be formed into such consolidated city and county, shall be treated and considered as a city, within the meaning of section 8 of this article; and except that all elections thereunder and all proceedings for the adoption of such charter shall be initiated and conducted by the governing body of the incorporated city having the largest population in such detached area. Such charter may be submitted to the electors within the area of the detached territory, for their approval, at any time subsequent to the adoption of the charter prepared by the freeholders elected by the electors of the whole of the original county, but the same shall not be ratified by the Legislature of this State, until after the ratification by the Legislature of the charter adopted in the first instance, which provided for the formation of a lesser territory than that of the whole county into a consolidated city and county government.

If under the provisions of this section any city and county is formed, which does not include the whole of the area of the original county from which it is permitted to separate, and any remainder of the county is not transferred to another county as in this section provided, but is to continue as a county, the Governor of the State shall designate and assign, from among the judges of the superior court of the original county in office at the time of the taking effect of the new city and county government, as many judges as the ratio of the population contained in the area formed by the new city and county bears to the population of the whole of the original county at the time of the approval of the charter by the Legislature, and the judges so assigned shall be and become the judges of the superior court of the new city and county, to hold office during the term for which each of them shall have been elected.

Upon the approval by the Legislature of any charter framed under the provisions of this section, which charter provides for the separation of any new city and county from the original county, the board of supervisors of the original county, shall, at the time and in the manner set forth in such charter so approved, pass an ordinance calling an election in the area which is consolidated into a city and county, for the purpose of nominating and electing the first officers thereunder. Said board of supervisors shall canvass the votes and declare the result of such election. The county clerk or other officer having charge of registration of electors shall furnish to the district or city and county so consolidated, the voting list and precinct registers of all the electors residing in the area of the territory wherein the election is to be held.

The provisions of this Constitution applicable to cities, and cities and counties, and also applicable to counties, so far as not inconsistent or prohibited to cities or cities and counties, except in the method of procedure of calling elections for the election of freeholders and the submission of the question of the formation of a consolidated city and county, shall be applicable to such consolidated city and county.

Any charter framed under the provisions of this section may be amended as provided in section 8 of Article XI of this Constitution.

Nothing in this section shall be construed to repeal or alter in any way the provisions of section 8½ of Article XI of this Constitution, providing a different method and procedure for the formation of cities and counties, wherein the initiative is taken by a city or city and county. Nor shall the provisions of this section apply to any consolidated city and county, organized as such at the time this section takes effect; nor shall the provisions of this section apply to any county, which at the time this section takes effect, had adopted a freeholders' charter, and was organized and operating under such freeholders' charter. The Legislature shall enact such general or special laws as may be necessary to carry out the provisions of this section, and such general or special laws as may be necessary to effect city and county consolidation hereunder, or as may be necessary to provide for any period after such consolidation, by reason of the separation from the original county of such consolidated city and county, or to provide for the government of the remainder of the original county from which separation was had.

Assembly Joint Resolution No. 22—Relative to Pacific Exposition.

Assembly Joint Resolution No. 22 read.

Mr. Lyon moved the adoption of Assembly Joint Resolution No. 22.

The question being on the adoption of Assembly Joint Resolution No. 22.

The roll was called, and Assembly Joint Resolution No. 22 adopted by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Weber, Welsh, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 22 ordered transmitted to the Senate.

Assembly Joint Resolution No. 22.

Relative to Pacific Exposition.

WHEREAS, Pacific Exposition, an international exposition, is to be held in the county of Los Angeles, State of California, during 1937-1938, and thereafter, for the purpose of commemorating the completion of Boulder Dam, and the power and water developments and projects thereof; be it therefore

Resolved by the Senate and Assembly of the State of California, That we, the representatives of the people of the State of California, do hereby respectfully request the President of the United States and the Congress of the United States to cause an invitation to be extended to the peoples of the world to participate in said exposition; be it further

Resolved, That copies of this resolution be transmitted by the Secretary of State to the President of the United States, to the Congress of the United States and to each of the Senators and Representatives of the State of California in Congress.

Assembly Joint Resolution No. 23—Relative to the Pacific Exposition.

Assembly Joint Resolution No. 23 read.

Mr. Lyon moved the adoption of Assembly Joint Resolution No. 23.

The question being on the adoption of Assembly Joint Resolution No. 23.

The roll was called, and Assembly Joint Resolution No. 23 adopted by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Wagner, Walker, Waters, Weber, Welsh, Williamson, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 23 ordered transmitted to the Senate.

Assembly Joint Resolution No. 23.

Relative to the Pacific Exposition.

WHEREAS, In 1937-1938 and thereafter, an exposition to commemorate the completion of Boulder Dam and the power and water developments and projects thereof, will be held in the county of Los Angeles, State of California; and

WHEREAS, It is the desire of the people of the State of California to issue a special invitation to the States particularly interested and affected by the completion of said dam and the power and water developments thereof; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, That the Legislature of the State of California invites Arizona, Colorado, New Mexico, Nevada, Utah and Wyoming to unite with the people of this State in the commemoration of the completion of Boulder Dam and the power and water developments and projects thereof; and be it further

Resolved, That copies of this resolution be forwarded by the Secretary of State to the Governors of the said States.

Assembly Bill No 854—An act to amend section 334 of the Insurance Code, relating to materiality of concealments and representations.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 854 passed by the following vote:

AYES—Anderson, Boyle, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donahue, Donnelly, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Wallace, Weber, Welsh, Williamson, and Mr. Speaker—61.

NOES—Fisher, Johnson, Meehan, and Minard—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 182—An act to amend the title and section 1 of "An act limiting the hours of labor of females employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, relating to the employment of females.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr Wagner:

Amendment No. 1.

On page 2, line 42, of the printed bill, as amended, insert after "others", the following: "; and, in determining such exempted females, the following basis shall be used:

(1) If there are no more than four employees in an office, there shall not be any such exempt female;

(2) If there are more than four employees in an office, there may be one such exempt female directing the work of every ten such office employees, or major fraction thereof".

Amendment adopted.

Request for Unanimous Consent.

Mr. Wagner asked for, and was granted, unanimous consent to take up Assembly Bill No. 182, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 182, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Martin:

Amendment No. 1.

On page 2, line 42, of the printed bill, as amended, strike out the first word "and", and substitute the word "or".

Amendment No. 2.

On page 2, line 42, of the printed bill, as amended, strike out the period after "others", and add "or who manage a business or hold secretarial or executive positions".

Request for Roll Call.

On request of Messrs. Flint, Voigt, and McCarthy, the Speaker ordered a roll call taken on the amendments submitted by Mr. Martin.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Breed, Cunningham, Fisher, Heisinger, Latham, Martin, Miller, Phillips, Redwine, Robertson, Utt, Walker, and Mr. Speaker—13.

NOES—Anderson, Boyle, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Wallace, Weber, Welsh, and Williamson—56.

Assembly Bill No. 182, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Peyser:

Amendment No. 1.

On page 2, line 45, of the printed bill, as amended, after the word "employer", insert "except in professional offices".

Request for Roll Call.

On request of Messrs Welsh, Dawson, and Geyer, the Speaker ordered a roll call taken on the amendment submitted by Mr. Peyser.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Boyle, Breed, Fisher, Martin, Peyser, and Robertson—6.

NOES—Anderson, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Weber, Welsh, Williamson, and Mr. Speaker—60.

Assembly Bill No. 182, as amended, read third time.

The question being on the passage of the bill.

The roll was called.

Motion to Expunge Record.

Mr. Gilmore moved that the vote taken on Assembly Bill No. 182, as amended, be expunged from the record, and the action rescinded.

Motion carried.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 182, as amended, passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—74.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Explanation of Vote.

Just prior to the taking up of Assembly Bill No. 182 I was called to the Senate where I was in consultation about some pending measures. When I returned to the Assembly the vote on this bill had been taken and so I could not be recorded. Had I been here I would have voted "Aye" on the bill as presented.

MELVIN I. CRONIN.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, April 2, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 618—An act to provide for the regulation and licensing of greyhound racing and race meetings, and to permit wagering on the results thereof; to create the California Greyhound Racing Board for the regulation, licensing and supervision of greyhound racing and wagering thereon; to provide penalties for the violation of the provisions of this act.

In my opinion said Assembly Bill No. 618, constitutes an emergency bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 618—An act to provide for the regulation and licensing of greyhound racing and race meetings, and to permit wagering on the results thereof; to create the California Greyhound Racing Board for the regulation, licensing and supervision of greyhound racing and wagering thereon; to provide penalties for the violation of the provisions of this act.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Hornblower:

Amendment No. 1.

On page 2, line 13, of the printed bill, as amended, between "ditions", and "under", insert the following "consistent with the provisions of this act".

Amendment No. 2.

On page 2, line 36, of the printed bill, as amended, strike out the period at the end of the line, and insert in lieu thereof a semicolon and the following: "provided,

that all stewards and judges shall have been bona fide residents of the State for a period of two years next preceding the issuance of such license."

Amendment No. 3.

On page 4, line 36, of the printed bill, as amended, strike out "appoint", and insert in lieu thereof the following: "hire".

Amendment No. 4.

On page 4, line 38, of the printed bill, as amended, after "fix", insert the following: "and pay".

Amendment No. 5.

On page 4, line 41, of the printed bill, as amended, strike out "a general", and insert in lieu thereof the following: "one".

Amendment No. 6.

On page 4, line 43, strike out "general".

Amendment No. 7.

On page 4, line 45, of the printed bill, as amended, strike out the period at the end of the line, and insert in lieu thereof a comma and the following: "but the board shall not maintain any branch offices and shall hold its meetings in State office buildings."

Amendment No. 8.

On page 5, lines 15 and 16, of the printed bill, as amended, strike out "or desirable for the purposes of", and insert in lieu thereof the following: "which shall be consistent with".

Amendment No. 9.

On page 6, line 10, of the printed bill, as amended, after "days", insert the following: "for a period of one year from the first Monday after the first Sunday in January".

Amendment No. 10.

On page 7 of the printed bill, as amended, strike out lines 40 and 41, and insert in lieu thereof the following "which shall total said pool but said board shall not compel the installation of any particular totalizator. Such".

Motion.

Mr. Hornblower moved that the amendments be voted on separately. Motion carried.

Consideration of Amendment No. 1.

On page 2, line 13, of the printed bill, as amended, between "ditions", and "under", insert the following: "consistent with the provisions of this act".

Amendment No. 1 adopted.

Request for Unanimous Consent.

Mr. Kallam asked for, and was granted, unanimous consent to take up Assembly Bill No. 618, as amended, at this time, without reference to print or file, and that same be considered engrossed.

Assembly Bill No. 618, as amended, read third time.

Consideration of Amendment No. 2.

During third reading of the bill, the following amendment was submitted by Mr. Hornblower:

Amendment No. 2.

On page 2, line 36, of the printed bill, as amended, strike out the period, at the end of the line, and insert in lieu thereof a semicolon and the following: "provided, that all stewards and judges shall have been bona fide residents of the State for a period of two years next preceding the issuance of such license."

Amendment No. 2 adopted.

Request for Unanimous Consent.

Mr. Kallam asked for, and was granted, unanimous consent to take up Assembly Bill No. 618, as amended, at this time, without reference to reprint or file, and that same be considered re-re-engrossed.

Assembly Bill No. 618, as amended, read third time.

Further consideration of Assembly Bill No 618, as amended, deferred.

Request for Unanimous Consent.

Mr. Williamson asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No 51 at this time, without reference to file, and that same be considered engrossed.

Assembly Joint Resolution No. 51—Relative to memorializing the President and the Congress to enact legislation (H. R. 2772) declaring Admission Day a holiday for all officers and employees of the United States whose headquarters are in California.

Assembly Joint Resolution No. 51 read.

Mr. Williamson moved the adoption of Assembly Joint Resolution No. 51.

The question being on the adoption of Assembly Joint Resolution No. 51.

The roll was called, and Assembly Joint Resolution No. 51 adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Love, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, and Mr. Speaker—70

NOES—None.

Title read and approved.

Assembly Joint Resolution No 51 ordered transmitted to the Senate.

Assembly Joint Resolution No. 51.

Relative to memorializing the President and the Congress to enact legislation (H. R. 2772) declaring Admission Day a holiday for all officers and employees of the United States whose headquarters are in California.

WHEREAS, The ninth day of September is the day when all persons residing in California celebrate the admission of the "Golden State" into the Union; and

WHEREAS, This day of celebration is one of great sentiment to the people of the State of California; and

WHEREAS, The ninth day of September of each year is an official holiday for all public employees of the State of California and political subdivisions thereof; and

WHEREAS, Many organizations, together with the Native Sons of the Golden West, have sponsored the plan to allow officers and employees of the United States whose headquarters are in California to celebrate and honor the Admission Day of California; and

WHEREAS, On January 3, 1935, there was introduced by Mr. Englebright, of California, a bill known as H R. 2772, which proposes to declare the ninth day of September of each year, which is the date California was admitted to the Union, a legal holiday for all officers and employees of the United States whose headquarters are in the State of California; now, therefore, be it

Resolved that the Assembly and the Senate of the State of California, jointly, Respectfully urge the President and the Congress of the United States to enact H R 2772, which proposes to provide a legal holiday for Federal employees; and be it further

Resolved, That the Governor of the State of California is hereby requested to transmit copies of this resolution to the President and the Vice President of the United States, and to the Speaker of the House of Representatives and to each Senator and member of the House of Representatives from California in the Congress of the United States, and that such Senators and members from California are hereby respectfully urged to support such legislation.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1935.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 204—An act to be known as the State Economy Act, providing for a program of useful public works, enjoyable by all citizens alike, to absorb unemployment and abolish charity; providing the means for financing such public works program and for State expenses without the necessity of further bond issues; providing an adequate and equitable auxiliary medium of exchange, regulating the volume and stabilizing the value thereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

NIELSEN, Vice Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 66—An act to create a board, designated as California Surplus and Waste Products Authority, for the purpose of preventing waste and conserving and preserving and causing to be utilized all surplus products of the soil of the State, defining their duties and powers, fixing their compensation, and appropriating funds necessary for their operation—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

NIELSEN, Vice Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No 202—An act to be known as the Cooperative Industries Act, setting up machinery for the creation and regulation of cooperative industrial corporations and their financing, defining policy and declaring the existence of an economic emergency requiring the enactment of this legislation—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

NIELSEN, Vice Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No 1516—An act providing for the adoption or compilation, publication, use and disposal of textbooks and supplementary textbooks in the schools of the State of California and appropriating the sum of $10,000 to create a supplemental textbook fund, providing that this fund shall be a revolving fund—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

NIELSEN, Vice Chairman.

The above reported bill ordered on file for second reading.

On Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1935.

MR. SPEAKER: Your Committee on Corporations, to which was referred Assembly Bill No. 2102—An act providing for the formation of nonprofit membership corporations to be known as electric membership corporations for the purpose of promoting and encouraging the fullest possible use of electric energy in the State by making electric energy available to the inhabitants of the State at the lowest cost consistent with sound economy and prudent management of the business of such corporations; providing for the rights, powers and duties of such corporations; authorizing and regulating the issuance of revenue obligations by such corporations; and providing for the payment of such obligations and the rights of the holders thereof; and declaring the urgency thereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

BREED, Chairman.

The above reported bill ordered on file for second reading.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1935

MR SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 673—An act to add section 1681 to the Insurance Code, relating to insurance of property in which an agent, broker or solicitor has an interest;

Also: Assembly Bill No. 1882—An act to amend section 629b of the Political Code, relating to life insurance;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

MINARD, Chairman.

The above reported bills ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 728—An act to amend sections 1239, 1249 and to repeal section 1246 of the Code of Civil Procedure, relating to eminent domain;

Also: Assembly Bill No. 1821—An act relating to writs of habeas corpus and amending certain code sections with relation thereto;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LYON, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2409—An act to add sections 1217.5 and 1243.5 to the Penal Code, relating to capital punishment—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

LYON, Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1298—An act to amend section 1238 of the Code of Civil Procedure, relating to the exercise of the right of eminent domain—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LYON, Chairman

The above reported bill ordered on file for second reading.

On Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1935

MR SPEAKER: Your Committee on Corporations, to which was referred Assembly Bill No. 474—An act to amend section 2 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof, and creating a State Corporation Department and the office of Commissioner of Corporations," approved May 18, 1917, as amended, relating to brokers and investment counsel—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BREED, Chairman.

The above reported bill ordered on file for second reading.

On Irrigation.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1935

MR. SPEAKER: Your Committee on Irrigation, to which was referred Senate Bill No. 234—An act to amend section 330.24 of the Civil Code, relating to mutual water companies;

Also: Senate Bill No. 235—An act to amend sections 2 and 3 of "An act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the provisions of the Public Utilities Act and the Railroad Commission of the State of California," approved April 23, 1913;

Also: Senate Bill No. 686—An act relating to the redemption and sale of property sold to a county treasurer, as trustee of a reclamation district or of the bond fund, or to a reclamation district for delinquent assessments and installments thereof;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

FRAZIER, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Irrigation, to which was referred Senate Bill No. 399—An act relating to the liability of irrigation districts, their officers and employees—*has had the same under consideration, and respectfully reports the same* back without recommendation, as amended.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 239—An act to amend the title and sections 4, 4a, 5, and 23 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the extension of the provisions of said act to the companies taxable hereunder and their franchises, other than insurance companies and their franchises, specified in section 14 of Article XIII of the Constitution of this State, and to provide that this act shall take effect immediately—and reports that the same has been correctly re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Request for Permission to Introduce a Bill.

The following request for permission to introduce a bill was presented:

By Mr. DeLap:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the county of Contra Costa, State of California.

Referred to Committee on Introduction of Bills.

Withdrawal of Assembly Bill No. 257.

By order of the Speaker, Assembly Bill No. 257 was withdrawn from the file, and referred to Committee on Governmental Efficiency and Economy.

Recess.

At twelve o'clock and ten minutes p m., on the motion of Mr. Lyon, the Assembly was declared at recess until two o'clock p.m of this day.

Reassembled.

At two o'clock p m., the Assembly reconvened.

Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1935.

MR. SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 1385—An act relating to and providing for the regulation and licensing of pari-mutuel wagering, and repealing all acts and parts of acts inconsistent there-

with—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

GARIBALDI, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 1816—An act to amend the Liquor Control Act of 1933—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

GARIBALDI, Chairman.

The above reported bill ordered on file for second reading.

Third Reading of Assembly Bills—(Resumed).

Further Consideration of Assembly Bill No. 618, as Amended.

Assembly Bill No. 618, as amended, read third time.

Consideration of Amendments Nos. 3, 4, 5, 6, 7, 8, 9 and 10.

During third reading of the bill, the following amendments were submitted by Mr Hornblower:

Amendment No. 3.

On page 4, line 36, of the printed bill, as amended, strike out "appoint", and insert in lieu thereof the following: "hire".

Amendment No. 4.

On page 4, line 38, of the printed bill, as amended, after "fix", insert the following: "and pay".

Amendment No. 5.

On page 4, line 41, of the printed bill, as amended, strike out "a general", and insert in lieu thereof the following: "one".

Amendment No. 6.

On page 4, line 43, of the printed bill, as amended, strike out "general".

Amendment No. 7.

On page 4, line 45, of the printed bill, as amended, strike out the period at the end of the line, and insert in lieu thereof a comma and the following: "but the board shall not maintain any branch offices and shall hold its meetings in State office buildings".

Amendment No. 8.

On page 5, lines 15 and 16, of the printed bill, as amended, strike out "or desirable for the purposes of", and insert in lieu thereof the following: "which shall be consistent with".

Amendment No. 9.

On page 6, line 10, of the printed bill, as amended, after "days", insert the following: "for a period of one year from the first Monday after the first Sunday in January".

Amendment No. 10.

On page 7 of the printed bill, as amended, strike out lines 40 and 41, and insert in lieu thereof the following: "which shall total said pool but said board shall not compel the installation of any particular totalisator. Such".

Amendments Nos. 3, 4, 5, 6, 7, 8, 9 and 10 adopted.

Request for Unanimous Consent.

Mr Kallam asked for, and was granted, unanimous consent to take up Assembly Bill No. 618, as amended, at this time, without reference to reprint or file, and that same be considered re-re-engrossed.

Assembly Bill No 618, as amended, read third time

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Hornblower

Amendment No. 1.

On page 6, line 20, of the printed bill, after the word "application", strike out the period, and insert a comma and the following: "provided that the said applicant is a citizen of the United States or if the applicant be a corporation, or association, and a majority of its stockholders or members shall be citizens of the United States."

Amendment adopted.

Request for Unanimous Consent.

Mr. Kallam asked for, and was granted, unanimous consent to take up Assembly Bill No. 618, as amended, at this time, without reference to reprint or file, and that same be considered re-re-engrossed.

Assembly Bill No. 618, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Anderson:

Amendment No. 1.

On page 6, line 29, of the printed bill, as amended, following the word "length", insert the following: "No license shall be issued in any county until a majority of the electors in such county shall have voted affirmatively upon the proposition: "Shall dog racing be permitted in the county of _____ (name of county)?" Such proposition may be placed upon the ballot by the board of supervisors at any general or special election held throughout the county."

Request for Roll Call.

On request of Messrs. Johnson, Kallam and Anderson, the Speaker ordered a roll call taken on the amendment submitted by Mr. Anderson.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Anderson moved a call of the House.

Motion carried.

Time, two o'clock and thirty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Boyle, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—67.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Unfinished Business.

Consideration of Senate Amendment to Assembly Bill No. 1721.

Assembly Bill No. 1721—An act to amend sections 859 and 860 of the Penal Code, relating to the examination of a case before a magistrate,

and to add section 859a of the Penal Code, relating to a plea of guilty to the complaint before a magistrate.

The question being put. Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1721?

Amendment No. 1.

On page 1, line 8, of the printed bill, strike out "such court", and insert in lieu thereof the following: "the court in which such complaint is on file"

The roll was called, and Senate amendment to Assembly Bill No. 1721 was concurred in by the following vote:

AYES—Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr Speaker—62.
NOES—None.

Assembly Bill No. 1721 ordered to enrollment.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No 2406—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to sessions of the superior court.

Bill read third time

The question being on the passage of the bill

The roll was called, and Assembly Bill No 2406 passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie Riley, Robertson Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—71
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 842—An act validating certificates of sale and deeds based thereon issued by irrigation districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 842 passed by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W, Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr Speaker—63
NOES—None.

Title read and approved

Bill ordered transmitted to the Senate

Motion to Re-refer Assembly Bill No. 147.

Mr. Stream moved that Assembly Bill No. 147 be re-referred to Committee on Crime Problems.

The question being on re-referring Assembly Bill No. 147 to Committee on Crime Problems.

Motion carried.

Assembly Bill No. 147 ordered re-referred to Committee on Crime Problems.

Assembly Bill No. 1270—A bill to add a new section to the act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, relating to the sale of personal property of such persons upon their death.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1270 passed by the following vote:

AYES—Anderson, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Miller, Minard, Morgan, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Waters, Weber, Welsh, Williamson, and Mr. Speaker—60

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 58—An act to add a new section to the Agricultural Code, to be numbered 318, relating to meat inspection.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Gilmore:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "declaring the urgency hereof, to take effect immediately."

Amendment No. 2.

On page 1 of the printed bill, after line 10, insert the following:

"SEC 2 This act is hereby declared to be an urgency measure necessary for the immediate preservation of public peace, health and safety within the meaning of section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows

On account of the rising price of meat and meat products during a period of depression, there is a tendency on the part of unscrupulous dealers in meat and meat products to color inferior and unwholesome meat and meat products in order to conceal the impurities thereof. This practice is rapidly spreading and will undoubtedly increase greatly with the coming of the summer season. Consequently, in order to safeguard the public health it is necessary that this act take immediate effect."

Amendment No. 3.

On page 1, line 3, of the printed bill, strike out "and", and insert in lieu thereof the following: "or".

Amendment No. 4.

On page 1, line 4, of the printed bill, strike out "and", and insert in lieu thereof the following: "or"

Amendment No. 5.

On page 1, line 7, of the printed bill, strike out "and", and insert in lieu thereof the following: "or".

Amendments adopted.

Further Proceedings Under Call of the House Dispensed With.

At three o'clock p m., further proceedings under the call of the House were dispensed with, on motion of Mr Anderson.

The roll of absentees was called, and the amendments submitted by Mr. Anderson to Assembly Bill No 618 were adopted by the following vote:

AYES—Anderson, Breed, Chatters, Clark, Corwin, Cottrell, Donahue, Donnelly, Evans, Ralph W, Flint, Geyer, Gilbert, Glover, Heisinger, Hunt, Johnson, Latham, Laughlin, Lore, Martin, Mayo, McCarthy, Miller, Minard, Morgan, Patterson, Pelletier, Phillips, Reaves, Richie, Riley, Stream, Wagner, Wallace, Waters, and Mr Speaker—36

NOES—Boyle, Brennan, Cassidy, Cronin, Crowley, Dawson, DeLap, Desmond, Frazier, Fulcher, Garibaldi, Gilmore, Hawkins, Hornblower, Jones, Kallam, Lyon, Maloney, McBride, McMurray, Meehan, Nielsen, Peterson, Peyser, Redwine, Robertson, Thorp, Voigt, Walker, Weber, Welsh, and Williamson—32

Request for Unanimous Consent.

Mr. Kallam asked for, and was granted, unanimous consent to take up Assembly Bill No 618, as amended, at this time, without reference to reprint or file, and that same be considered re-re-engrossed.

Assembly Bill No. 618, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 618 passed by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Cassidy, Cronin, Crowley, Dawson, Desmond, Donahue, Donnelly, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Kallam, Lore, Lyon, Maloney, Mayo, Meehan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Rosenthal, Scudder, Thorp, Turner, Voigt, Wagner, Weber, Welsh, and Williamson—46.

NOES—Chatters, Clark, Corwin, Cottrell, DeLap, Evans, Ralph W, Heisinger, Johnson, Latham, Laughlin, Martin, McCarthy, Miller, Minard, Morgan, Phillips, Redwine, Riley, Robertson, Walker, Wallace, Waters, and Mr. Speaker—23.

Title read.

Amendment to Title.

During reading of the title, the following amendment was submitted by Mr. Kallam:

Amendment No. 1.

On page 1, line 6 of the title of the printed bill, as amended, strike out the period, and insert in lieu thereof a semicolon and the following "and to make an appropriation therefor".

Amendment adopted.

Title read, as amended, and approved

Bill ordered transmitted to the Senate.

Further Consideration of Assembly Bill No. 58, as Amended.

Request for Unanimous Consent.

Mr. Gilmore asked for, and was granted, unanimous consent to take up Assembly Bill No. 58, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 58, as Amended.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, DeLap, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Geyer, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lyon, Maloney, Martin, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—61.

NOES—Desmond, Heisinger, Lore, Mayo, and O'Donnell—5.

Assembly Bill No. 58, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 58 passed by the following vote:

AYES—Boyle, Breed, Brennan, Clark, Corwin, Cottrell, Cronin, Cunningham, DeLap, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Frazier, Geyer, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lyon, Maloney, Martin, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—56.

NOES—Burns, Cassidy, Desmond, Fulcher, Gilbert, Heisinger, Lore, Mayo, O'Donnell, and Robertson—10.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1213—An act to amend section 10½ of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the regulation of the practice of optometry.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Jones:

Amendment No. 1.

On page 2 of the printed bill, strike out lines 32 to 36, inclusive.

The question being on the adoption of the amendment submitted by Mr. Jones.

Request for Roll Call.

On request of Messrs. Lyon, Jones and Flint, the Speaker ordered a roll call taken on the amendment submitted by Mr. Jones.

The roll was called and the amendment was adopted by the following vote:

AYES—Anderson, Brennan, Cassidy, Chatters, Clark, Corwin, Dawson, Donihue, Donnelly, Geyer, Hawkins, Heisinger, Hornblower, Jones, Laughlin, Lore, Maloney, Mayo, McCarthy, McMurray, Meehan, Miller, O'Donnell, Patterson, Pelletier, Reaves, Richie, Robertson, Thorp, Turner, Voigt, and Wagner—32.

NOES—Boyle, Burns, Cottrell, Cronin, Cunningham, DeLap, Desmond, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Gilmore, Hunt, Johnson, Latham, Lyon, Martin, Minard, Morgan, Peyser, Phillips, Redwine, Riley, Scudder, Stream, Utt, Walker, Wallace, Waters, and Mr. Speaker—31

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 1213, as amended, at this time, without reference to reprint or file, and that same be considered re-re-engrossed.

Further consideration of Assembly Bill No. 1213, as amended, deferred.

Assembly Bill No. 1215—An act to amend section 11 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act." approved June 16, 1913, relating to the regulation of the practice of optometry.

Bill read third time.

Demand for Previous Question.

Messrs. Morgan, Heisinger, Geyer, Cunningham, and Brennan demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained

Bill read third time.

The question being on the passage of the bill.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Lyon moved a call of the House.

Motion carried.

Time, four o'clock and twenty minutes p m.

The Speaker directed the Sergeant-at-Arms to close the doors

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names.

Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, DeLap, Desmond, Donahue, Donnelly, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Robertson, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, and Mr. Speaker—64.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Further Proceedings Under the Call of the House by Unanimous Consent.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 107—An act delegating to the California Highway Commission power and authority during times when the Legislature of the State of California is not in session to accept on behalf of the State of California grants of rights of way for State roads through military reservations from the Government of the United States made by the Secretary of War to the State of California or any political subdivision thereof, and declaring the effect of such acceptance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 107 finally passed by the following vote:

AYES—Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, DeLap, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Gilmore Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Robertson, Scudder, Thorp, Utt, Wagner, Walker, Weber, Welsh, Williamson, and Mr. Speaker—51.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1059—An act to add section 4030a to the Political Code, relating to tenure of certain public officers, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—66.
NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1059 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Frazier, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Phillips, Reaves, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, and Mr. Speaker—64.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the House Dispensed With.

At four o'clock and thirty-five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Lyon.

The roll of absentees was called, and Assembly Bill No. 1215 was passed by the following vote:

AYES—Boyle, Breed, Burns, Clark, Corwin, Cottrell, Cronin, Cunningham, DeLap, Desmond, Evans, Ralph W., Fisher, Flint, Frazier, Gilmore, Glover, Hawkins, Hunt, Johnson, Jones, Lyon, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Nielsen, Patterson, Peyser, Redwine, Richie, Riley, Stream, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, and Mr. Speaker—42.

NOES—Anderson, Brennan, Cassidy, Chatters, Crowley, Dawson, Donihue, Donnelly, Fulcher, Geyer, Gilbert, Heisinger, Hornblower, Kallam, Latham, Laughlin, Lore, Maloney, Mayo, Minard, Morgan, O'Donnell, Pelletier, Phillips, Reaves, Robertson, Scudder, Thorp, Turner, Voigt, and Williamson—31.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 1215.

Mr. Mayo gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1215 was this day passed.

Motion to Withdraw Assembly Bill No. 1074 from Committee.

Mr. Fisher moved, seconded by Mr. Robertson, that Assembly Bill No. 1074 be withdrawn from Committee on Judiciary, and placed on file for second reading.

The question being on the motion to withdraw Assembly Bill No. 1074 from Committee on Judiciary, and placed on file.

Demand for Previous Question.

Messrs. Morgan, Flint, Lore, Anderson and Welsh demanded the previous question.

The question being put. Shall the main question be now put?

Demand for previous question sustained.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, and Weber—52.

NOES—Breed, Brennan, Cunningham, Dawson, DeLap, Frazier, Garibaldi, Latham, Lyon, Maloney, Minard, Robertson, Scudder, Utt, Welsh, Williamson, and Mr. Speaker—17.

Assembly Bill No. 1074 ordered on file for second reading.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1935

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the county of Contra Costa, State of California.

CUNNINGHAM, Chairman.

Report of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—65.

NOES—None.

Introduction and Reference of Bills.

The following bill was introduced, and referred as indicated:

By Mr. DeLap:

Assembly Bill No. 2411—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the county of Contra Costa, State of California.

Bill read first time, and referred to Committee on Judiciary.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1935

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 205—An act to amend section 702 of the Code of Civil Procedure, relating to redemption interest;

Also Assembly Bill No 328—An act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad adequately to man their gas, gas-electric, diesel, or diesel-electric cars and locomotives;

Also: Assembly Bill No. 338—An act to add section 731a to the Code of Civil Procedure, relating to the use of the injunction in industrial or commercial zones;

Also: Assembly Bill No 437—An act to amend section 112 of the Code of Civil Procedure, relating to the jurisdiction of justices' courts;

Also: Assembly Bill No 605—An act providing for the acquisition of lands for, and the construction, maintenance and operation of a building at the Pacific Exposition to be held in the county of Los Angeles, State of California, providing for the exhibiting of products, resources of and other matters pertaining to the State of California at said Pacific Exposition, creating the California Pacific Exposition Commission and defining its powers and duties, and making an appropriation therefor;

Also: Assembly Bill No 613—An act to amend an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933 (Statutes 1933, page 642), by adding thereto a new section to be numbered 14, exempting certain funds from the provisions of said act;

Also: Assembly Bill No. 754—An act to make an appropriation from unemployment relief money for construction work by agricultural districts;

And reports that the same have been correctly engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1009—An act to amend section 9 of "An act defining clinics and dispensaries, providing for the operation, conduct, maintenance, examination and regulation thereof, requiring permits therefor, providing for the issuance and revocation of such permits by the State Board of Public Health, fixing the amount of and providing for the collection and disposition of annual fees for such permits, creating the clinic and dispensary fund, prescribing the powers and duties of the State Board of Public Health and of the Director of Public Health in reference to such clinics and dispensaries, and prescribing penalties for the violation of the provisions of this act," approved June 5, 1933, relating to annual fee for permits,

Also: Assembly Bill No. 1062—An act to amend section 3714 of the Political Code, relating to the preparation and adoption of annual budgets by county boards of supervisors and providing for the publication thereof,

Also: Assembly Bill No. 1781—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, of and to add new sections to be numbered 17, 18, 19, 20, 21 and 22 to an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to twelve rounds; to create an athletic commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests,"

approved by electors November 4, 1924, relating to boxing and wrestling contests and the powers of the State Athletic Commission;
And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1192—An act to amend section 80 of to the Agricultural Code, relating to agricultural districts and including provision for the exhibition of live stock in southern California—and reports that the same has been correctly re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 662—An act to provide for the refunding of bonds issued under the "Improvement Bond Act of 1915" and for the levy of reassessments and the extension of liens of assessments and the collection and enforcement of such assessments and reassessments and the payment of said bonds.

Also, Assembly Bill No. 1264—An act to add a new section to the Political Code of the State of California, to be numbered 3719, authorizing the temporary borrowing of money by counties, cities and school districts upon the credit of revenue in course of collection, and the issuing of tax anticipation notes or warrants as evidence of such indebtedness;
And reports that the same have been correctly re-re-engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1935.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No 510—An act to amend section 143 of the Agricultural Code, pertaining to abandoned orchards—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 925—An act to amend section 830.5 of the Agricultural Code, relating to transportation of fruits, nuts, and vegetables—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 917—An act making an appropriation for the support and maintenance of highway inspection stations by the State Department of Agriculture—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

PHILLIPS, Chairman.

Assembly Bill No. 917 ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 924—An act to amend sections 781, 783, 784, 785, 787, 788, and 822 and to add sections 784.1, 784.2, 784.3, 784.4, 784 5 and 784 6 to the Agricultural Code, relating to fruits, nuts and vegetables—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1480—An act to add new sections to the Agricultural Code, to be numbered 1148, 1149 and 1150, relating to disease—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading.

On Civil Service.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1935.

MR SPEAKER: Your Committee on Civil Service, to which was referred Assembly Bill No. 410—An act to amend section 14a of the State Civil Service Act, relating to the abolition or discontinuance of positions—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

NIELSEN, Chairman

The above reported bill ordered on file for second reading.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1935.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1475—An act relating to the powers and duties of building inspectors of cities, cities and counties, or counties—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

DELAP, Chairman.

The above reported bill ordered on file for second reading.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1935

MR. SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 49—An act to amend section 10 of "An act to provide for the indicating of the net quantity of foodstuffs and stuffs intended to be used or prepared for use as food for human beings, and medicine, and other commodities when sold or offered or exposed for sale in containers and providing for the indicating of quantity in the sale of commodities in respect to which there exists a definite trade custom, and providing penalties for the violation thereof," approved May 24, 1913, relating to false or raised bottoms of containers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

PHILLIPS, Chairman

The above reported bill ordered on file for second reading.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1935

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Senate Bill No. 171—An act to amend section 478 of the Agricultural Code, relating to cream—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

THORP, Chairman.

The above reported bill ordered on file for second reading.

Withdrawal of Assembly Bills Nos. 1781, 754 and 605.

By order of the Speaker, Assembly Bill No. 1781 was withdrawn from the file, and referred to Committee on Public Morals.

By order of the Speaker, Assembly Bill No. 754 was withdrawn from the file, and referred to Committee on Ways and Means.

By order of the Speaker, Assembly Bill No. 605 was withdrawn from the file, and referred to Committee on Ways and Means.

Adjournment.

At five o'clock and twenty-five minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Friday, April 19, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, April 19, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Welsh, and Mr. Speaker—68

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Redwine, its further reading was dispensed with.

Leaves of Absence.

On motion of Mr. Lyon, Mr. Evans, Herbert J., was granted leave of absence for this day.

On motion of Mr. Nielsen, Mr. Voigt was granted leave of absence for this day.

On motion of Mr. Redwine, Mr. Field was granted leave of absence for this day.

On motion of Mr Lore, Mr. Pelletier was granted leave of absence for balance of this day.

On motion of Mr. Jones, Mr. Hunt was granted leave of absence for balance of this day.

On motion of Mr. Clark, Messrs. Andreas and Hawkins were granted leave of absence for this day.

On motion of Mr. Corwin, Mr. Phillips was granted leave of absence for this day.

On motion of Mr. Peyser, Mr. Weber was granted leave of absence for this day.

On motion of Mr. Latham, Mr. Wright was granted leave of absence for this day.

On motion of Mr. O'Donnell, Mr Cottrell was granted leave of absence for this day.

On motion of Mr Cronin, Mr. Williamson was granted leave of absence for this day.

Privilege of Floor of Assembly Extended.

On request of Mr. Cassidy, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Stillman Magee of Oakland.

On request of Mr. DeLap, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Christine and Tony DeLap, wife and son of Mr. DeLap.

On request of Mr. Burns, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Margaret Burns, daughter of Mr. Burns.

On request of Mr. Lore, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to his sons, Francis and Eugene, and his daughter, Virginia

On request of Messrs. Dawson and McMurray, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Bertha Chance and Mr. Walter J. Schmit of San Francisco.

On request of Mr. Clark, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. Albert E. Hurwith of Long Beach.

On request of Mr. Gilbert, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Roy Whitlow, Miss Gael Whitlow, and Mrs. Wilbur F. Gilbert.

On request of Mr. Heisinger, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Heisinger, Mrs. L. C. Unger, L. C. Unger, Teddy Unger, and Vern Unger.

On request of Mr. McMurray, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Harry Hansell, principal, Continuation High School, San Francisco, and Mrs. Hansell and daughters, Carol and Louise.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker.

From Eugene P. Clark of Los Angeles, urging support of Assembly Bill No. 954, and opposing passage of Assembly Bill No. 1475.

From Santa Barbara Council No. 1684, Knights of Columbus, opposing Assembly Bill No. 1607, and Senate Bills Nos. 709 and 380.

From Amalgamated Clothing Workers of America, Local No. 278, Los Angeles, urging the passage of Assembly Bill No. 66

From Miss Nell Minick of 1040½ S. Ardmore Ave., Los Angeles, opposing Assembly Bills Nos. 2, 13, 20, 41, 3, 2017, 53, 42, 90, 221, 222, 454, 1614, 105, 106, 107, 108, 109, 110, and 1615.

ASSISTANT CLERK OLIVER READING.

Reports of Standing Committee.

The following reports of standing committee were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1935

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 24—A resolution to propose to the people

of the State of California an amendment to the Constitution of said State by amending section 26 of Article IV thereof, relating to a State lottery;

Also: Assembly Constitutional Amendment No. 32—A resolution to propose to the people of the State of California that the Constitution of said State be amended by adding to Article XI thereof a new section to be numbered 8b authorizing the city of Los Angeles to amend its charter in certain particulars;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 122—An act to amend sections 5 and 7 of the Retail Sales Tax Act of 1933, relating to the rate of tax and exemptions, including refunds;

Also: Assembly Bill No. 610—An act amending section 1463 of the Penal Code, relating to the disposition of fines collected in municipal courts;

Also: Assembly Bill No 826—An act to add a new section to the Code of Civil Procedure to be numbered 336a and to amend section 337 thereof, relating to the periods prescribed for the commencement of actions;

Also: Assembly Bill No. 1309—An act to regulate the location, construction, occupancy and operation of hat cleaning and blocking establishments, or agencies thereof, and private schools and colleges of hat cleaning and blocking; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement; and providing penalties for violations;

Also: Assembly Bill No. 1782—An act to amend sections 1142 and 1257a of the Political Code, relating to the elections and the canvass and counting of the ballots cast at elections;

Also: Assembly Bill No. 2248—An act to amend section 242 of the Code of Civil Procedure, relating to grand juries;

Also: Assembly Bill No 2250—An act to amend sections 799, 894, 925, 927 and 928 of, to add sections 896 and 932 to, and to repeal section 895 of the Penal Code, relating to limitation of time and grand juries;

And reports that the same have been correctly engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 112—An act to amend sections 104 and 159a of the Code of Civil Procedure, relating to justices' courts;

Also: Assembly Bill No. 1165—An act to amend the title and sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, and 16 of, and to add section 14½ to, an act entitled "An act providing an additional and/or alternative method for financing the acquirement, construction, development, improvement, reconstruction, extension and repair of waterworks systems by any political subdivision or public agency of the State authorized by law to own and operate such waterworks systems by the issuance and sale to the United States Government or any agency of said government of revenue bonds payable solely out of the revenue derived or to be derived therefrom; providing for the operation of such systems in case of deficiencies in revenues, providing for a statutory lien on works acquired, constructed, improved, reconstructed, extended or repaired under the provisions of this act; providing for the use of the power of eminent domain by political subdivisions or public agency proceeding under this act; defining the terms political subdivisions and public agencies as included herein, and providing a time for the expiration of said act," approved May 27, 1933, relating to publicly-owned public utilities;

And reports that the same have been correctly re-engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1565—An act to amend section 5 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property and providing for permits to retailers, providing for the revenue, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for the violations of the provisions hereof, and pro-

viding this act shall take effect immediately," approved July 31, 1933, relating to exemptions on certain personal property,

Also: Assembly Bill No. 1617—An act to provide for the conservation, development and maintenance of the scenic value along State highways and important county highways, and declaring the urgency hereof;

Also: Assembly Bill No. 1741—An act relating to the Sixth District Agricultural Association;

Also: Assembly Bill No. 2030—An act to amend sections 1625.5 and 1626 of the Streets and Highways Code, relating to expenditures by boards of supervisors of moneys received by the counties from the motor vehicle fuel fund or from moneys received by the county for vehicle registration license fees and authorizing contributions to ad valorem special assessment proceedings, or the purchase, cancellation and retirement of bonds issued in any ad valorem acquisition or improvement district;

Also: Assembly Bill No. 1921—An act to amend section 1461 of the Probate Code, relating to guardians of insane or incompetent persons;

Also: Assembly Bill No. 1883—An act to amend section 472a of the Political Code, relating to the defense of State officers and employees;

And reports that the same have been correctly re-engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 668—An act to provide for the refunding of the bonded indebtedness of special improvement districts, the bonds of which are payable from special assessments levied wholly or partly in accordance with the assessed value of lands and for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts and the cancellation of unpaid taxes and assessments of such districts, and for the levy of assessments and reassessments to pay such refunding bonds and to enforce the liens of such assessments and reassessments, and to provide for contributions of public funds to assist in such refunding or the payment of refunding bonds, and for proceedings to test the validity of such refunding and assessment or reassessment proceedings and the use of the bankrupt laws of the United States of America in any refunding;

Also: Assembly Bill No. 1618—An act to classify, license and regulate the business of personal property brokers, and to prescribe, fix, limit and regulate their charges and interest rates; to authorize and regulate assignments of wages, salaries, commissions or earnings, earned or to be earned, when given to a personal property broker as security for a loan of, or as consideration for the payment of, three hundred dollars or less; to repeal all acts and portions of acts inconsistent herewith; and declaring this measure an urgency measure within the meaning of section 1 of Article IV of the Constitution, and providing accordingly for the act to take effect immediately;

Also: Assembly Bill No. 1735—An act to add a new section to the Political Code, to be numbered 689a, relating to use of the State's teletype system;

And reports that the same have been correctly re-re-engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 819—An act to amend sections 2167, 2167a, 2169, 2172 and 2175 of, to repeal sections 2168, 2170, 2171 and 2185c of, and to add new sections numbered 2168, 2168.1, 2168.2, 2168.3, 2168.4, 2168.5, 2168.6, 2168.7, 2168.8, 2171, 2185.1, 2185.2, 2185.3, 2185.4, 2185.5, 2185.6 and 2185.7 to the Political Code, relating to persons mentally disordered or otherwise incompetent—and reports that the same has been correctly re-re-re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 18, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 49—Relative to memorializing the

United States Forest Service to undertake the laying out of ski trails in the snow region of the National forests between Placerville and Auburn highways

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Joint Resolution No. 49 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1935

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1548—An act to remit to holders of certificates of purchase of State lands one-half of any penalty which has accrued on account of failure of any such purchaser to pay interest when due, in consideration of the payment by any such purchaser, on or before December 31, 1935, to the State of California, of any sums due the State on account of interest, plus the remaining one-half of any accrued penalties.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 1548 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 1743—An act to amend the Palo Verde Irrigation District Act, approved June 21, 1923, as amended, by amending section 28o of said act, as amended, relating to redemptions and leasing of property, and by adding to said act, as amended, new sections to be numbered and providing as follows, to wit: Section 28¼o, relating to disposal of tax-deeded and tax-delinquent lands; section 65, relating to proceedings in bankruptcy; section 66, relating to contracts with the United States or any agency thereof under an act approved May 5, 1917, as amended, and validating such contracts; section 67, validating bonds of the district; section 68, validating rehabilitation plans; and section 69, incorporating in the district lands which were formerly public lands; and declaring the legislative intent as to unconstitutionality;

Also: Assembly Bill No. 486—An act requiring the treasurer of any municipality, county, or city and county to maintain a record of the names and addresses of holders of ad valorem special assessment district bonds when so directed by the legislative body of said municipality, county, or city and county;

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1743 and 486 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, April 18, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 18—An act relating to tare allowances on fruit, grain, and wool sold in bags;

Also: Senate Bill No. 589—An act to add section 2540a to Civil Code, relating to contract of minors for life, health and accident insurance and annuity contracts;

Also: Senate Bill No 112—An act to amend sections 2, 13 and 17 of the Orange County Water District Act, approved June 14, 1933, relating to powers and duties of the board of directors, the establishment of an office therefor and declaring and limiting their powers as to the district budget and the levy of assessments;

Also: Senate Bill No. 895—An act to add Chapter 10a, comprising sections 11400 to 11407, to Part 2 of Division 2 of the Insurance Code, relating to life, disability, and life and disability insurance by, and the organization of, firemen's, policemen's or peace officers' benefit and relief associations.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 18 read first time, and referred to Committee on Agriculture.

Senate Bill No. 589 read first time, and referred to Committee on Judiciary.

Senate Bill No. 112 read first time, and referred to Committee on Conservation.

Senate Bill No. 895 read first time, and referred to Committee on Insurance.

Introduction and Reference of Bills.

The following bill was introduced:

By Mr. Morgan: Assembly Concurrent Resolution No. 31—Relative to approving an amendment to the charter of the city of Santa Monica, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the thirtieth day of March, 1935.

Introduced.

Request for Unanimous Consent.

Mr. Morgan asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No 31, at this time, without reference to print, committee or file, and that same be considered engrossed.

Assembly Concurrent Resolution No. 31—Relative to approving an amendment to the charter of the city of Santa Monica, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the thirtieth day of March, 1935.

Assembly Concurrent Resolution No. 31 read.

Mr Morgan moved the adoption of Assembly Concurrent Resolution No. 31.

The question being on the adoption of Assembly Concurrent Resolution No. 31

The roll was called, and Assembly Concurrent Resolution No 31 adopted by the following vote:

AYES—Anderson, Boyle, Breed, Burns, Cassidy, Chatters, Corwin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Glover, Heisinger, Johnson, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peyser, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Utt, Wagner, Walker, Wallace, and Mr Speaker—49.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 31 ordered transmitted to the Senate.

Second Reading of Assembly Bills.

Assembly Bill No 506—An act to provide for farm and home aid to resident citizens of this State, defining the powers and duties of the Veterans' Welfare Board in respect thereto, and making an appropriation

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "farm and".

Amendment No. 2.

On page 1, lines 3 and 4 of the title of the printed bill, strike out "making an appropriation", and insert in lieu thereof the following: "providing for the financing of such aid including the issuance of revenue bonds for the purpose".

Amendment No. 3.

On page 1, line 2, of the printed bill, strike out "Farm and Home", and insert in lieu thereof the following: "Home Loan and".

Amendment No. 4.

On page 1 of the printed bill, strike out lines 7 to 26, inclusive; also strike out all of pages 2 and 3, and insert in lieu thereof the following:

"SEC. 3. The object of this act is to provide residents of this State the opportunity to acquire homes and to refinance loans upon their homes. The administration of this act is vested in the Division of Veterans' Welfare of the State Department of Military and Veterans' Affairs, acting through a bureau of said division to be known as the Home Loan and Purchase Bureau, and referred to hereinafter as the bureau. The bureau shall be in charge of a chief who shall be appointed by the Veterans' Welfare Board and receive such compensation as the board shall fix. The board shall have power to appoint, prescribe the duties and fix the compensation of such assistants, agents, experts and other employees as may be necessary for the administration of the affairs of the bureau.

SEC. 4. Sections 5 to 13 hereof are designated the home purchase provisions, and sections 14 to 16 are designated the home loan provisions of this act.

SEC. 5. The bureau may acquire in any manner for sale to a resident a home of a value not exceeding five thousand dollars, if the acquisition thereof does not result in the resident becoming a holder of real estate exceeding in value the sum of seven thousand five hundred dollars.

SEC. 6. Any qualified resident may select the home he desires, and shall submit his selection to the bureau in such form as may be prescribed by the bureau. If satisfied as to the desirability of the property submitted and that the resident will actually reside upon the property commencing within sixty days from the date of purchase by the bureau, and that the purchase price will not exceed the sum of five thousand dollars, the bureau may purchase the property from the owner thereof upon such terms as may by them be agreed. The bureau shall enter into a contract for the sale of the property to the resident who has applied thereto.

SEC. 7. The bureau shall fix the selling price of the property by adding to the purchase price thereof, or to the value of the property as determined by the bureau in case acquisition is made in a manner other than by purchase, all expenses incurred and to be incurred by the bureau in relation thereto inclusive of interest, administration, appraisals, examination of title, other incidental expenses and such sum as is deemed necessary to meet unforeseen contingencies. The purchaser shall make an initial payment of at least five per cent of the amount of the selling price. The balance of the selling price may be amortized over a period to be fixed by the bureau not exceeding forty years inclusive of interest at the rate of five per cent per annum. The purchaser shall have the right at any time to pay any or all unpaid installments, and the bureau may for good cause postpone from time to time the payment of the whole or any part of any installment.

SEC. 8. The contract shall provide that the purchaser shall maintain the home as his place of residence and keep in good order and repair all buildings, fences and other improvements. He shall also insure the property or such portion thereof as the bureau may designate and keep it insured against fire and other hazards as the bureau may require, such insurance policies to be payable to the bureau and to the purchaser as their interests may appear.

SEC. 9. If the purchaser fails or neglects to pay, satisfy, and discharge, at maturity all taxes and assessments, and all other charges and assessments, which shall be a lien upon the property, or any part thereof, and all taxes and assessments levied or assessed upon the interest of the contract of purchase, or to keep the buildings and other improvements insured, or to keep in good order and repair all buildings and other improvements, then the bureau may do or cause to be done or pay or cause to be paid all things or sums which should have been done or paid by the purchaser, and shall add the sum so expended to the purchase price of the property.

SEC. 10. The bureau may permit the transfer of the right, title and interest of the purchaser upon such terms and conditions as the bureau may require, but no property purchased under the provisions of this act shall by operation of law or otherwise be transferred or encumbered or put to any other use than that of the residence of the purchaser, without the written consent of the bureau, until the purchaser has fully complied with all of the provisions of the contract of purchase.

SEC. 11. In the event of the failure of a purchaser to comply with any of the terms of his contract, the bureau may cancel the contract, whereupon all payments theretofore made shall be deemed to be rental paid for occupancy. The failure of the bureau to exercise any option to cancel shall not be deemed a waiver of the right to cancel upon the occurrence of any other default.

SEC. 12. The bureau may in the contract of purchase provide that in the event of default and forfeiture and subsequent sale of the property by the bureau, it may pay to the purchaser the net gain realized by such subsequent sale. The bureau shall be the sole judge of such net gain.

SEC. 13. The bureau may insure and keep insured against fire and other hazards any buildings, fences, other improvements or crops, or any of them, situate upon any property which is under the control of the bureau; and may lease or let such property upon such terms as it may deem proper.

SEC. 14. As used in the home loan provisions of this act—

(a) "Home" means a dwelling used or designed for the use of not more than four families, occupied by the owner thereof as a home and having a value not in excess of twenty thousand dollars.

(b) "Home mortgage" means a mortgage or deed of trust which is a first lien on real estate improved as a home

SEC. 15. For the purpose of financing or refinancing a home the bureau may lend to the owner thereof, upon the security of a home mortgage thereon, not in excess of eighty per cent of the value of the home and upon such terms and conditions, consistent with the provisions hereof, as the bureau shall prescribe. Payment of the principal and interest upon any such loan may be amortized over a period to be fixed by the bureau not exceeding fifteen years. Interest on any such loan shall be at a rate fixed by the bureau not exceeding five per cent per annum.

SEC 16. The bureau may at any time grant an extension of time to the borrower for the payment of any installment due as the board may consider proper under the circumstances.

SEC 17. The provisions of sections 8, 9, 10, 11 and 12 hereof relating to the powers of the bureau and the duties of the purchaser under the home purchase provisions of this act are hereby reenacted, so far as they are applicable, to the home loan provisions hereof.

SEC. 18. Power is hereby conferred upon the bureau to do all things necessary, not inconsistent with law, incidental to the authority hereby conferred upon it to carry out the purpose and intent of this act.

SEC 19. For the purpose of creating a fund to be known as the citizens home loan fund for carrying out the provisions hereof, Veterans' Welfare Finance Committee, created by the Veterans Welfare Bond Act, approved June 5, 1933, is hereby authorized and empowered to create a debt or debts in the manner hereinafter provided, but not to exceed in the aggregate one hundred million dollars. The proceeds of the sale of all bonds issued under the authorization hereof, including any sums paid as accrued interest thereon, and all sums received in payment of principal or interest from borrowers under the provisions hereof, shall be paid into the fund hereby created, and contracts executed by said borrowers in favor of the bureau, in accordance with the provisions hereof, shall constitute assets of such fund

SEC. 20. The proceeds of the sale of the bonds issued hereunder may be used, so far as is necessary, to pay the expense that may be incurred in preparing, advertising, issuing and selling said bonds and in administering and directing the expenditure of the money hereby appropriated.

SEC 21. Whenever the said Veterans' Welfare Finance Committee shall have determined that a bond issue under this act is necessary or desirable to carry into effect the purposes of this act, it shall adopt a resolution to that effect. The said resolution shall authorize and direct the State Treasurer to prepare the requisite number of suitable bonds and shall specify:

1. The aggregate number, aggregate par value, and the date of issuance of the bonds to be issued.

2. The date or dates of maturity of the bonds to be issued and the number and numerical sequence of the bonds maturing at each date of maturity.

3 The annual rate of interest which the bonds to be issued shall bear, not to exceed five per cent per annum

4. The number, numerical sequence, amounts or amounts and dates of maturity of the interest coupons to be attached to said bonds.

5. Technical form and language of the bonds to be issued and of the interest coupons to be attached thereto. All such bonds so authorized shall be issued in the name of the bureau and shall contain a recital on the face thereof that the payment or redemption of said bond and the payment of the interest thereon is secured by direct and exclusive charge and lien upon the fund hereby created and upon the revenues of the bureau under the provisions of this act.

6. The denominations in which such bonds shall be issued.

SEC. 22. The authority conferred upon and the duties imposed upon the Veterans' Welfare Finance Committee with respect to bonds issued under the Veterans Welfare Bond Act, approved June 5, 1933, by sections 2, 3, 4, 7, 8, 9, 10 and 11 of said act, so far as they are applicable to the provisions hereof, are hereby conferred and imposed upon the said Veterans' Welfare Finance Committee, in respect to bonds to be issued to carry out the provisions hereof. And the Director of Finance, State Controller and the State Treasurer are hereby directed and empowered to perform such duties and do such acts in relation to the fund hereby created and the bonds hereby authorized so far as applicable to the provisions hereof, as they are directed and empowered to do and perform by said Veterans Welfare Bond Act of 1933.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 204—An act to be known as the State Economy Act, providing for a program of useful public works, enjoyable by all

citizens alike, to absorb unemployment and abolish charity; providing the means for financing such public works program and for State expenses without the necessity of further bond issues; providing an adequate and equitable auxiliary medium of exchange, regulating the volume and stabilizing the value thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 1 to 23, inclusive.

Amendment No. 2.

On page 2 of the printed bill, strike out the first 16 lines.

Amendment No. 3.

On page 3 of the printed bill, strike out lines 45 to 52, inclusive; and on page 4, strike out lines 1 to 5, inclusive

Amendment No. 4.

On page 4, line 6, of the printed bill, strike out "7", and insert in lieu thereof the following: "5".

Amendment No. 5.

On page 4, line 36, of the printed bill, strike out "(a)".

Amendment No. 6.

On page 4 of the printed bill, strike out lines 46 to 50, inclusive; and on page 5, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following:

"SEC. 8. This act is known and may be cited as the "State Economy Act." "

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 202—An act to be known as the Cooperative Industries Act, setting up machinery for the creation and regulation of cooperative industrial corporations and their financing, defining policy and declaring the existence of an economic emergency requiring the enactment of this legislation.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of lines 1 to 26, inclusive.

Amendment No. 2.

On page 2, line 11, of the printed bill, strike out "not".

Amendment No. 3.

On page 2, lines 13 and 14, of the printed bill, strike out "State Corporation Department", and insert in lieu thereof the following: "Division of Corporations".

Amendment No. 4.

On page 4, line 38, of the printed bill, strike out "if", and insert in lieu thereof the following: "of".

Amendment No. 5.

On page 5, line 3, of the printed bill, strike out "handled", and insert in lieu thereof the following: "executed".

Amendment No. 6.

On page 5, line 24, of the printed bill, strike out "commissioners", and insert in lieu thereof the following "supervisors".

Amendment No. 7.

On page 5, line 27, of the printed bill, strike out "and", and insert in lieu thereof the following: "an".

Amendment No. 8.

On page 6, line 22, of the printed bill, strike out "painful", and insert in lieu thereof the following: "gainful".

Amendment No. 9.

On page 6, line 45, of the printed bill, strike out "clarity", and insert in lieu thereof the following: "charity".

Amendment No. 10.

On page 6, line 50, of the printed bill, strike out "(a)".

Amendment No. 11.

On page 7 of the printed bill, strike out lines 8 to 11, inclusive, and insert in lieu thereof the following:

"SEC. 11. This act is known and may be cited as the "Cooperative Industries Act." "

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 66—An act to create a board, designated as California Surplus and Waste Products Authority, for the purpose of preventing waste and conserving and preserving and causing to be utilized all surplus products of the soil of the State, defining their duties and powers, fixing their compensation, and appropriating funds necessary for their operation.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 11, of the printed bill, strike out "They shall be", and strike out all of line 12.

Amendment No. 2.

On page 2 of the printed bill, strike out lines 21 to 28, inclusive, and insert in lieu thereof the following:

"SEC. 5. The members of the board shall be elected at the next state-wide election following the effective date of this act. Three members of the board shall be elected for terms of two years, and four members shall be elected for terms of four years. At the expiration of such terms of those elected at the first state-wide election held after the effective date of this act, all members of the board shall thereafter be elected to hold office for terms of four years. Members of the board shall be elected from districts and only one member shall be elected from each district.

For the purpose of electing such members of the board the State is hereby divided into seven districts, as follaws:

(a) District 1 to consist of congressional districts one to three, inclusive;
(b) District 2 to consist of congressional districts four to six, inclusive;
(c) District 3 to consist of congressional districts seven to nine, inclusive;
(d) District 4 to consist of congressional districts ten to twelve, inclusive;
(e) District 5 to consist of congressional districts thirteen to fifteen, inclusive;
(f) District 6 to consist of congressional districts sixteen to eighteen, inclusive;
(g) District 7 to consist of congressional districts nineteen and twenty.

Until such time as there can be members elected, the Governor shall appoint members of the board to hold office until the regular members of the board can be elected and qualified"

Amendment No. 3.

On page 2 of the printed bill, strike out lines 41 to 50, inclusive, and insert in lieu thereof the following:

"SEC. 8. The California Surplus and Waste Products Authority is hereby authorized to issue and sell revenue bonds to the extent of twenty-five million dollars to provide a working capital to carry out the provisions of this act. Such bonds shall be self-liquidating and secured as to the redemption thereof and the interest by the net receipts resulting from the operations of the board under the provisions of this act The board shall prescribe the terms and conditions of such bonds and is also authorized to issue and sell such revenue bonds for the payment of interest during such period as is necessary to put this act into operation and until sufficient revenue can be derived from operations under the terms of this act to pay such interest, but in no event may such bonds be issued and sold to pay such interest for longer than a period of two years from the effective date of this act.

All revenue bonds authorized under the terms of this act shall be issued and sold by the board from time to time and in such amount as may be deemed necessary in the judgment of the board to provide sufficient funds to put the provisions of this act into operation. The board shall determine the form, conditions and denominations of all such bonds, and shall determine the dates which the bonds so to be sold shall bear and the interest rate thereon, which shall not exceed six per cent per annum Such bonds shall be issued in coupon form with interest payable at such times as may be determined by the board, and shall mature at such times and in such amounts as the board may prescribe. The board may provide for the retirement of such bonds at any time prior to their maturity, and in such manner and upon payment of such premiums as may be fixed and determined in the proceedings providing for the issuance of such bonds and referred to therein. All such bonds shall be signed by the president of the board and countersigned by the Governor, whose signature may be made facsimile. All interest coupons shall bear the facsimile signature of the president of the board.

The board may contract loans and borrow money through the sale of bonds of the same character as those herein authorized from the United States or any of its departments, agencies or instrumentalities, upon such conditions and terms as may be agreeed to, and such bonds shall be subject to all the provisions of this act except that such bonds need not be first offered at public sale pursuant to advertisement. All other bonds shall be sold only at public sale pursuant to advertisement in the manner prescribed by the board.

SEC. 9. All moneys received by the board from any source, including the sale of bonds issued hereunder, shall be deposited in the State treasury to the credit of the surplus and waste products fund, which fund is hereby created; and all disbursements by the board under the provisions of this act shall be made from such fund. All moneys deposited in said fund are hereby appropriated to carry out the provisions of this act and to defray all expenses hereunder. The sum of ten thousand dollars shall be deposited to the credit of the surplus and waste products fund from any moneys in the State treasury not otherwise appropriated, which shall be repaid when bonds authorized under the provisions of this act have been sold and the sum of thirty thousand dollars has been realized from the sale thereof and deposited in the surplus and waste products fund.

SEC. 9a. The president of the board shall receive an annual salary of eight thousand dollars and every other member of the board shall receive an annual salary of six thousand dollars All salaries shall be payable monthly; and all members of the board shall also receive actual and necessary traveling expenses. While in office, all members of the board shall give their entire time and attention to the business of the board, and shall not engage in any other business."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1516—An act providing for the adoption or compilation, publication, use and disposal of textbooks and supplementary textbooks in the schools of the State of California and appropriating the sum of $10,000 to create a supplemental textbook fund, providing that this fund shall be a revolving fund.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "providing for the adoption or compilation, publication,"; and strike out all of lines 2 to 6, inclusive, of the title, and insert in lieu thereof the following: "to amend sections 6.240, 6.251, 6.252, 6 260, 6.262, 6.263, 6.264, 6.265, 6.270, 6.274, 6.275, 6.291, 6.292, 6.294, 6.295, 6.296, 6.300, 6.301, 6.305, 6.307, 6.320, 6.322, 6 330, 6.332, 6.340, 6.341 of the School Code and to repeal Article VI of Chapter III of Part II of Division VI thereof, relating to supplementary textbooks."

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "The provisions of Chapter III of this act", and on page 1 strike out all of lines 2 to 25, inclusive

Amendment No. 3.

Strike out all of pages 2 to 7, inclusive, of the printed bill, and insert in lieu thereof the following: "Section 6.240 of the School Code is hereby amended to read as follows:

6.240. It shall be the duty of any board of education, school board, board of trustees, official, officer or any other person elected or appointed to carry out the provisions of the laws of the State of California, relating to the public schools of said State and vested with the power of designating textbooks or supplementary textbooks to be used in the said public schools, in so designating such textbooks or supplementary textbooks, unless otherwise provided by general law, to give preference to any textbook or supplementary textbook on any given subject of public instruction which is entirely written, compiled, printed and published in the State of California, to the exclusion of any such textbook or supplementary textbook entirely or partly written, compiled, printed and published outside of the State of California, provided, it shall appear to them that such textbook or supplementary textbook so as aforesaid produced in the State of California, shall be of superior or equal educational merit to, and can be procured at the same or less cost than any such textbook or supplementary textbook, so as aforesaid, entirely or partly written, compiled, printed and published outside of the State of California.

SEC 2 Section 6 251 of the School Code is hereby amended to read as follows:

6.251. Boards of school trustees and city boards of education shall have power, and it shall be their duty to enforce in schools the use of textbooks and supplementary textbooks prescribed and adopted by the proper authority.

SEC 3. Section 6.252 of the School Code is hereby amended to read as follows:

6.252. Boards of school trustees and city boards of education shall have power, and it shall be their duty to make a report, whenever required, directly to the superintendent of public instruction, of the textbooks and supplementary textbooks used in their schools.

SEC. 4. Section 6 260 of the School Code is hereby amended to read as follows:

6.260. The State Board of Education shall adopt and may cause to be published by the Superintendent of State Printing one or more textbooks, supplementary textbooks and teachers' manuals, as it may deem necessary, in each of the studies prescribed for the elementary schools of this State, or it shall adopt and may cause to be published by the Superintendent of State Printing two or more textbooks, supplementary textbooks and teachers' manuals, as it may deem necessary, in each of the studies prescribed for the elementary schools of this State, wherein any book to supplement the basic text is used The studies above mentioned shall not include morals and manners and art, for each of which a teachers' manual may be adopted Nothing in this section shall be construed as requiring the State Board of Education to adopt more than one textbook, supplementary textbook or teachers' manual in any subject where one such textbook, supplementary textbook or manual would be sufficient to cover the needs in the subject prescribed; provided, further, that nothing in this section shall be construed as prohibiting district boards of school trustees, city boards of education, and county libraries from ordering and purchasing such supplementary textbooks as may be required

The term elementary schools as used in this chapter includes all public schools excepting junior high schools in which instruction is given in the first to the eighth grades inclusive, or in any one or more of such grades.

SEC. 5. Section 6 262 of the School Code is hereby amended to read as follows.

6.262. The cost of publishing such textbooks, supplementary textbooks and teachers' manuals shall be paid out of the State school book fund.

SEC. 6. Section 6.263 of the School Code is hereby amended to read as follows:

6 263. The State Curriculum Commission shall recommend to the State Board of Education, specifications for textbooks and supplementary textbooks for uniform use in the schools of the State so that the textbooks and supplementary textbooks adopted shall conform to the minimum standard for courses of study adopted as provided by this code.

SEC. 7. Section 6.264 of the School Code is hereby amended to read as follows:

6 264. The State Curriculum Commission shall also have power to study the textbooks and supplementary textbooks submitted to the State Board of Education for adoption and make recommendations thereon to the State Board of Education. The State Curriculum Commission must give preference to California produced books of equal or superior merit. The State Curriculum Commission may, without at the time furnishing vouchers and itemized statements, draw from the State school book fund a sum not to exceed ten thousand dollars. The sum or sums so drawn shall be used as a revolving fund for the purpose of having manuscripts of proposed textbooks and supplementary textbooks prepared.

SEC. 8. Section 6.265 of the School Code is hereby amended to read as follows:

6.265. The State Board of Education must give the State Curriculum Commission a public hearing before making any adoption of textbooks or supplementary textbooks for use in the elementary schools of the State.

SEC. 9. Section 6.270 of the School Code is hereby amended to read as follows:

6 270. The State Board of Education shall have power and it shall be its duty to compile in whole, or in part, and to manufacture such textbooks and or supplementary textbooks as are now in use; to compile, or cause to be compiled and manufacture such other additional textbooks or books as it may deem necessary or proper for use in the elementary schools of the State, as provided by this code; to purchase books when necessary, or lease plates, maps, engravings, or copyright matter for use in manufacturing such textbooks and supplementary textbooks; contract for,

or lease copyrights for use in compiling, printing, or publishing such books, to provide for the payment of royalties or for the leasing of plates or making the whole or any part of a book, and to do any or all things that may be necessary for the purpose of procuring a uniform series of textbooks and or supplementary textbooks for use in the elementary day and evening schools of this State. The board shall cause to be printed by the State Printer all supplementary textbooks that can be printed by him as cheaply as similar books can be purchased and delivered at Sacramento.

SEC. 10. Section 6.274 of the School Code is hereby amended to read as follows:

6.274 The State Board of Education, before purchasing textbooks or supplementary textbooks from any source other than the Superintendent of State Printing must file with the Department of Finance a statement showing (1) the price which will be paid for the books; (2) the cause preventing its production by the Superintendent of State Printing; (3) evidence that will support the fact that the publisher actually refuses to lease copyright matter, if such refusal is assigned as a cause preventing the production of the book by the State Printer; (4) the particular advantages of the textbook or supplementary textbook proposed to be purchased as compared generally with other textbooks or supplementary textbooks on the same subject.

SEC. 11. Section 6.275 of the School Code is hereby amended to read as follows:

6.275 Whenever the State Board of Education files a statement such as is described in the last section, the Superintendent of State Printing may also file with the Department of Finance a statement showing the names of textbooks and supplementary textbooks which he is able to publish, the cost of publishing the same, the names of their authors, and, if they have been published previously, the names of their publishers.

SEC. 12. Section 6.291 of the School Code is hereby amended to read as follows:

6.291. The said price, to which has been added fifteen per cent of the cost price to cover overhead expense of distribution and depreciation, shall be deemed to be the whole cost of publication of such book at Sacramento.

SEC. 13. Section 6.292 of the School Code is hereby amended to read as follows:

6.292. The State Board of Education may provide for the sale at not less than cost price of State textbooks or supplementary textbooks to private schools, individuals, or dealers under such rules and regulations as may be adopted by said Board of Education. All supplementary textbooks adopted and published under the provisions of this chapter shall be purchased by the school district requiring them from the State at the cost price thereof; and all supplementary textbooks adopted by the State Board of Education, but not published under the provisions of this chapter may be purchased by the school district requiring them directly from the publisher. If the school district purchases such supplemental textbooks direct from the publisher it shall make a report of such purchase to the Superintendent of Public Instruction, giving the name of the book, the names of the author and publisher, and the purchase price thereof.

SEC. 14. Section 6.294 of the School Code is hereby amended to read as follows:

6.294. All orders for textbooks and supplementary textbooks shall be forwarded to the Superintendent of Public Instruction on blanks furnished by him. He shall investigate such orders and make necessary changes and forward the same to the person in charge of the warehouse and shipment of books with definite orders for shipment.

SEC. 15. Section 6.295 of the School Code is hereby amended to read as follows:

6.295. On receiving orders from the Superintendent of Public Instruction for textbooks, or supplementary textbooks the person in charge of the warehouse and shipment of books shall forward by freight, express or mail, as directed by the Superintendent of Public Instruction, to the nearest freight depot, express or post office, in the name of the clerk of the school district or the city superintendent of schools in cities or cities and counties, the number of books called for in said order.

SEC. 16. Section 6.296 of the School Code is hereby amended to read as follows:

6.296. The Superintendent of Public Instruction shall keep an accurate account of the amount of money received from the sale of textbooks and supplementary textbooks for each month and report to the Controller on or before the fifth of the succeeding month, the number of books sold, or distributed, and the amount of money collected therefor, and shall pay such money into the treasury to the credit of the "School textbook fund."

SEC. 17. Section 6.300 of the School Code is hereby amended to read as follows:

6.300. Whenever any one or more of the State textbooks or supplementary textbooks shall have been compiled or purchased, published and adopted, the Superintendent of Public Instruction, on the order of the State Board of Education shall issue an order to all county, city, city and county school superintendents by sending notices by registered mail to said superintendents who in turn shall notify the secretaries of all boards of education in the cities, and the clerk of the board of school trustees and the teacher or principal in each school district, requiring the uniform use of such book, in the grades of the elementary day and evening schools for which they have been adopted.

SEC. 18. Section 6.301 of the School Code is hereby amended to read as follows:

6.301. When such order for the uniform use of a textbook or supplementary textbook has thus been given and published, the same shall remain in force and effect for a term of not less than four nor more than eight years.

SEC. 19. Section 6 305 of the School Code is hereby amended to read as follows:

6.305. Any teacher, or city, county, city and county, superintendent of schools or any board of education refusing or neglecting to use said series of State textbooks or supplementary textbooks at the time required by the provisions of this article, shall be guilty of a misdemeanor, and upon proof thereof of such refusal or neglect, shall be subject to a fine not exceeding one hundred dollars for each offense.

SEC. 20 Section 6.307 of the School Code is hereby amended to read as follows:

6 307. If any city or school district refuses or neglects to use the books that may be prescribed, or use any other textbook except as hereinafter provided, in any of the prescribed studies, the Superintendent of Public Instruction must withhold from such city, town or school district twenty-five per cent of all State school moneys to which it may be entitled until it complies. Any moneys so withheld must be apportioned by the superintendent at the next annual apportionment in the same manner as other school moneys in the treasury. Nothing in this section shall be construed as prohibiting the use of any supplementary textbook not adopted by the State Board of Education when such supplementary textbook is used in addition to such textbooks or supplementary textbooks as may be adopted by the State Board of Education as provided in this code.

SEC 21. Section 6 320 of the School Code is hereby amended to read as follows:

6 320. The president or principal of any State institution, in which instruction is given in the elementary branches, may order such State textbooks and supplementary textbooks as may be used to advantage, for use in said institution, on blanks supplied by the Superintendent of Public Instruction.

SEC. 22. Section 6.322 of the School Code is hereby amended to read as follows:

6.322. Such textbooks shall be delivered free of cost to such institution on the order of the Superintendent of Public Instruction, in the usual method of shipment. Such institutions shall pay to the State to be credited to the free textbook fund, the cost price of any supplementary textbooks which have been ordered and delivered for use therein.

SEC. 23. Section 6.330 of the School Code is hereby amended to read as follows:

6 330. Upon closing a term of school each teacher or principal shall prepare upon requisition blanks furnished by the Superintendent of Public Instruction, an order for the number of State textbooks and supplementary textbooks estimated to be required for use in the school under his charge at the opening of the ensuing term.

SEC. 24. Section 6 332 of the School Code is hereby amended to read as follows:

6 332. In ordering free textbooks and supplementary textbooks any teacher may order one copy of any series of books for use on the teacher's desk, if not supplied with such book, which copy shall be sent by the Superintendent of Public Instruction free of cost with other school books

SEC 25. Section 6 340 of the School Code is hereby amended to read as follows:

6.340 The State Board of Education may provide for the disposition of such textbooks and supplementary textbooks as are no longer in a fit condition to be used for purposes of instruction.

SEC. 26. Section 6.341 of the School Code is hereby amended to read as follows:

6.341. Whenever in the judgment of the State Board of Education it would be practicable to sell such old textbooks or supplementary textbooks for use in the manufacture of paper pulp or similar substances, the highest price obtainable shall be secured therefor, and the money so obtained deposited in the State school book fund.

SEC 27. Article VI of Chapter III of Part II of Division VI of the School Code is hereby repealed."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2102—An act providing for the formation of nonprofit membership corporations to be known as Electric Membership Corporations for the purpose of promoting and encouraging the fullest possible use of electric energy in the State by making electric energy available to the inhabitants of the State at the lowest cost consistent with sound economy and prudent management of the business of such corporations; providing for the rights, powers and duties of such cor-

porations; authorizing and regulating the issuance of revenue obligations by such corporations; and providing for the payment of such obligations and the rights of the holders thereof; and declaring the urgency thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act providing for the formation of nonprofit membership corporations to be known as electric membership corporations; authorizing such corporations to sell and distribute energy to the inhabitants of the State at the lowest cost consistent with sound economy and the prudent management of the business of such corporations; authorizing such corporations to construct or otherwise acquire, own, operate, maintain, extend and improve works, plants and systems for the production, transmission or distribution of energy; authorizing such corporation to exercise the right of eminent domain and otherwise providing for the rights, powers and duties of such corporations; authorizing and regulating the issuance of revenue obligations by such corporations and providing for the payment of such obligations and the rights of the holders thereof; and providing that this act shall take immediate effect"

Amendment No. 2.

Strike out all of sections 1 to 23, inclusive, and insert in lieu thereof the following:

"SECTION 1. This act may be known and referred to as the "Electric Membership Corporation Act".

SEC 2 Three or more natural persons may, by executing, filing and recording a certificate as hereinafter provided, form a corporation, not organized for pecuniary profit, for the purpose of promoting and encouraging the fullest possible use of energy in the State by making energy available to inhabitants of the State at the lowest cost consistent with sound economy and prudent management of the business of such corporations.

SEC 3 The following terms whenever used or referred to in this act, shall have the following meanings, unless a different meaning clearly appears from the context:

(a) "Corporation" shall mean a corporation formed under this act.

(b) "Municipality" shall mean any county, city or town of this State

(c) "Person" or "inhabitant" shall mean and include natural persons, firms, associations, corporations, business trusts, partnerships and bodies politic.

(d) "Energy" shall mean and include any and all energy no matter how or where generated or produced

(e) "System" shall mean and include any plant, works, system, facilities, or properties, or parts thereof together with all appurtenances thereto, used or useful in the generation, production, transmission or distribution of energy.

(f) "Bonds" shall mean and include negotiable bonds, interim certificates or receipts, notes, debentures and all other evidences of indebtedness either issued or the payment thereof assumed by a corporation.

(g) "Law" shall mean any act or statute, general, special or local of this State.

(h) "Federal agency" shall mean and include the United States of America, the President of the United States of America, the Federal Emergency Administrator of Public Works and any and all other authorities, agencies, and instrumentalities of the United States of America, heretofore or hereafter created

(i) "Acquire" shall mean and include construct, acquire by purchase, lease, devise, gift or the exercise of the right of eminent domain, or other mode of acquisition.

(j) "Improve" shall mean and include construct, reconstruct, improve, replace, extend, enlarge, alter, better and repair

(k) "Board" shall mean the board of directors of a corporation formed under this act.

(l) "Member" shall mean and include each natural person signing the certificate of incorporation of a corporation and each person admitted to membership therein pursuant to law or its by-laws.

(m) "Service" shall mean the sale or other disposition of energy at the lowest cost consistent with sound economy and the prudent management of the business of a corporation

SEC. 4. The certificate of incorporation shall be entitled and indorsed "Certificate of Incorporation of ------ Electric Membership Corporation" (the blank space being filled in with the name of the corporation) and shall state

(a) The name of the corporation, which name shall be such as to distinguish it from any other corporation

(b) A reasonable description of the limits of the territory in which its operations are principally to be conducted.

(c) The location of its principal office and the post-office address thereof.

(d) The maximum number of directors, not less than three.

(e) The names and post-office addresses of the directors who are to manage the affairs of the corporation for the first year of its existence, or until their successors are chosen.

(f) The period, if any, limited for the duration of the corporation. If the duration of the corporation is to be perpetual, this fact should be stated.

(g) The terms and conditions upon which persons shall be admitted to membership in the corporation.

(h) The certificate of incorporation may also contain any provision not contrary to law which the incorporators may choose to insert for the regulation of its business and for the conduct of the affairs of the corporation; and any provisions creating, defining, limiting or regulating the powers of the corporation, its directors and members.

SEC. 5. The natural persons executing the certificate of incorporation shall be residents of the territory in which the operations of the corporation are principally to be conducted who are desirous of using services to be furnished by the corporation. The certificate of incorporation shall be acknowledged by the subscribers before an officer authorized by the laws of this State to take acknowledgments of deeds. When so acknowledged, the certificate may be filed in the office of the Secretary of State who shall forthwith prepare a certified copy or copies thereof and forward one to the county clerk of each county in which a portion of the territory of the corporation is located, who shall forthwith file such certified copy or copies in their respective offices. As soon as the certificate has been filed in the office of the Secretary of State, the proposed corporation described in the certificate so filed, under its designated name, shall be and constitute a body corporate.

SEC. 6. Each corporation formed hereunder is declared to be an essential governmental function of this State for the general welfare, preservation, conservation, protection and distribution of natural resources and shall have a board of directors which board shall constitute the governing body of the corporation. The directors of the corporation, other than those named in its certificate of incorporation, shall be elected annually by the members entitled to vote therefor. The directors must be members and shall not be entitled to compensation for their services as directors but shall be entitled to reimbursement for expenses incurred by them in the performance of their duties. The board shall elect annually from its own number a president and a secretary.

SEC. 7. The board shall have power to do all things necessary or convenient in conducting the business of a corporation, including but not limited to:

(a) The power to adopt and amend by-laws for the management and regulation of the affairs of the corporation. The by-laws of a corporation may make provisions, not inconsistent with law or its certificate of incorporation, regulating the admission, withdrawal, suspension or expulsion of members; the transfer of memberships, the fees and dues of members and the termination of memberships on nonpayment of dues or otherwise; the number, times and manner of choosing, qualification, terms of office, official designations, powers, duties and compensation of its officers; defining a vacancy in the board or in any office or the manner of filling it; the number of members, not less than a majority, to constitute a quorum at meetings, the date of the annual meeting and the giving of notice thereof and the holding of special meetings and the giving of notice thereof; the terms and conditions upon which the corporation is to render service to its members, the disposition of the revenues and receipts of the corporation; regular and special meetings of the board and the giving of notice thereof. The by-laws shall further provide that a majority vote of membership is required for the issuance of revenue bonds.

(b) To appoint agents and employees and to fix their compensation and the compensation of the officers of the corporation. The compensation, fees, or commissions paid shall not, either or indirectly, be greater than that paid in like Federal, State or municipally owned utilities.

(c) To execute all instruments

(d) To delegate to one or more of the directors or to the officers, agents and employees of a corporation such powers and duties as it may deem proper

(e) To make its own rules and regulations as to its precedure.

SEC. 8 A corporation may issue to its members certificates of membership and each member shall be entitled to only one vote at the meetings of the members of corporation.

SEC. 9. The corporate purpose of each corporation formed hereunder shall be to render service to its members only and no person shall become or remain a member unless such person shall use energy supplied by such corporation and shall have complied with the terms and conditions in respect to membership contained in the by-laws of such corporation.

SEC. 10 Each corporation formed under this act is hereby vested with all power necessary or requisite for the accomplishment of its corporate purpose, and no

enumeration of particular powers hereby granted shall be construed to impair any general grant of power herein contained, nor to limit any such grant to a power or powers of the same class or classes as those so enumerated

SEC 11. A corporation created under the provisions of this act shall have power to do any and all acts or things necessary or convenient for carrying out the purpose for which it was formed, including, but not limited to:

(a) To sue and be sued.

(b) To have a seal and alter the same at pleasure.

(c) To acquire, hold and dispose of property, real and personal, tangible and intangible, or interests therein and to pay therefor in cash or on credit, and to secure and procure payment of all or any part of the purchase price thereof on such terms and conditions as the board shall determine.

(d) To acquire, own, operate, maintain and improve a system or systems

(e) To pledge all or any part of its revenues or mortgage or otherwise encumber all or any part of its property for the purpose of securing the payment of the principal of and interest on any of its obligations.

(f) To construct works across or along any street or public highway, or over any lands which are now or may be the property of this State or any political subdivision thereof without obtaining any franchise or other permit therefor. The corporation shall, however, restore any such street or highway to its former condition or state as near as may be and shall not use the same in a manner to impair unnecessarily its usefulness.

(g) To accept gifts or grants of property, real or personal, from any person, municipality or Federal agency and to accept voluntary and uncompensated services

(h) To make any and all contracts necessary or convenient for the full exercise of the powers in this act granted, including, but not limited to, contracts with any person, Federal agency or municipality for the purchase or sale of energy and/or the acquisition of all or any part of any system, and in connection with any such contract to stipulate and agree to such covenants, terms and conditions as the board may deem appropriate, including covenants, terms and conditions with respect to the resale rates, financial and accounting methods, services, operation and maintenance practice and the manner of disposing of the revenues of the system operated and maintained by the corporation.

(i) To sell, lease, mortgage or otherwise encumber or dispose of all or any part of its property, as hereinafter provided

(j) To contract debts, borrow money and to issue or assume the payment of obligations.

(k) To levy and collect reasonable fees, rents, tolls and other charges for service rendered.

(l) To exercise the right of eminent domain in accordance with the procedure provided under the general laws or under the Public Utilities Act of the State of California; provided, however, that the taking by a corporation of any public utility, franchises, rights or property, real or personal, devoted or dedicated to a public use shall be deemed as a taking for a more necessary public use and; provided, further, that the board of a corporation may by resolution declare that the public necessity and convenience requires that the corporation shall take such property and said resolution certified by the secretary of said board shall be accepted in all eminent domain proceedings as conclusive evidence on such issue or as to any similar issue or question irrespective of the provisions of the general laws on eminent domain in this State.

(m) To perform any and all of the foregoing acts and to do any and all of the foregoing things under, through or by means of its own officers, agents and employees, or by contracts with any person, Federal agency or municipality.

SEC. 12. No corporation may sell, mortgage, lease or otherwise encumber or dispose of any of its property other than (a) property which, in the judgment of the board, is neither necessary nor useful in operating and maintaining the corporation's system and which in any one year shall not exceed ten per centum in value of the value of all the property unless by the votes of at least a majority of its members and (b) the consent of the holders of seventy-five per centum in amount of the bonds of such corporation then outstanding is obtained.

SEC. 13. A corporation formed hereunder shall have power and is hereby authorized, from time to time, to issue its obligations in anticipation of its revenues for any corporate purpose. Said obligations may be authorized by resolution or resolutions of the board, and may bear such date or dates, mature at such time or times, not exceeding forty years from their respective dates, bear interest at such rate or rates not exceeding six per centum per annum, payable semiannually, be in such denominations, be in such form, either coupon or registered, carry such registration privileges, be executed in such manner, be payable in such medium of payment, at such place or places, and be subject to such terms of redemption, not exceeding par and accrued interest, as such resolution or resolutions may provide. Such obligations may be sold in such manner and upon such terms as the board may determine at not less than par and accrued interest. Any provision of law to the contrary nothwithstanding, any obligations and the interest coupons appertaining thereto, if any issued pursuant to this act shall possess all of the qualities of negotiable instruments. Pending the preparation or execution of definite bonds, interim

receipts or certificates or temporary bonds may be delivered to the purchaser of said bonds.

All bonds issued by such corporations shall be legal investments for all trust funds, and for the funds of all insurance companies, banks, both commercial and savings and trust companies, and for the State school funds, and whenever any moneys or funds may by law now, or hereafter, enacted be invested in bonds of cities, cities and counties, counties or school districts, in the State of California, such moneys or funds may be invested in the bonds of the said corporations and whenever bonds of cities, cities and counties, counties, or school districts may by any law now, or hereafter, enacted be issued as security for the performance of any act or as security for the deposit of public funds of the State or of any county, city and county, municipality, or other public corporation or political subdivision in any State or National bank or banks, bonds of the said districts may be so used, if certified to by the Superintendent of Banks.

Bonds of such corporations, to the same extent as bonds of any other municipality, shall be legal for use by any State or National bank or banks in the State as security for public deposits, both active and inactive, in accordance with the provisions of that certain act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county or municipality within the State, and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, and any act or acts amendatory thereof.

Bonds of such corporations shall in the same manner be legal for use by any State or National bank or banks in the State as security for deposits of State funds, both active and inactive, in accordance with the provisions of that certain act entitled, "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, and any act or acts amendatory thereof (as added by Stats. 1927, p. 134).

SEC. 14. In connection with the issuance of any obligations, a corporation may make such convenants or agreements and do any and all such acts and things as may be necessary or convenient or desirable in order to secure its obligations or which, in the absolute discretion of the board tend to make the obligations more marketable, notwithstanding that such covenants, agreements, acts and things may constitute a limitation on the exercise of the powers herein granted.

SEC. 15. A corporation shall have power out of any funds available therefor to purchase any obligations issued by it at a price not exceeding the principal amount thereof and accrued interest thereon. All obligations so purchased shall be canceled.

SEC. 16. Any two or more corporations created under the provisions of this act may enter into an agreement for the consolidation of such corporations. Such agreement shall set forth the terms and conditions of the consolidation, the name of the proposed consolidated corporation, the number of its directors, not less than three, the time of the annual meeting and election and the names of at least three persons to be directors until the first annual meeting. If such agreement is approved by a majority of the members of each corporation, the directors named in the agreement shall subscribe and acknowledge a certificate conforming substantially to the original certificates of incorporation, except that it shall be entitled and endorsed "Certificate of consolidation of ------" (the blank space being filled in with the names of the corporations being consolidated) and shall state:

(1) The names of the corporations being consolidated.

(2) The name of the consolidated corporation.

(3) The other items required or permitted to be stated in an original certificate of incorporation.

Such certificate of consolidation and a certified copy or copies thereof shall be filed in the same places as an original certificate of incorporation and thereupon the proposed consolidated corporation, under its designated name, shall be and constitute a body corporate with all the powers of a corporation as originally formed hereunder.

SEC. 17. Any corporation, as originally formed hereunder, or a corporation resulting from the consolidation of two or more corporations, may extend its territory by filing in the office of the officer charged with the duty of recording deeds of the county in which such new territory is located a certificate subscribed and acknowledged in the same manner as an original certificate of incorporation hereunder by the president or a vice president and the secretary or an assistant secretary of the corporation, which shall set forth:

(a) The name of the corporation.

(b) A reasonable description of the limits of the new territory.

(c) That the corporation is ready and able to extend forthwith its system into such new territory to the extent that it may economically do so.

In the event that such new territory includes part of the territory of another corporation or corporations, then such certificate shall contain a statement to the effect that such other corporation or corporations have been requested in writing to construct the extensions which the corporation wishing to extend its territory is ready and able to construct and that such other corporation or corporations are not ready and able to do so. Unless such other corporation or corporations shall commence construction of such extensions within thirty days after being requested so to do, this shall be conclusive evidence as to the fact that such other corporation or corporations are not

ready and able to construct such extensions. Construction of such extensions begun by such other corporation or corporations within said thirty-day period must be continued with reasonable diligence.

SEC 18. A corporation formed hereunder shall have power to charge reasonable fees, rents, tolls, prices and other charges for service rendered which shall be sufficient at all times to pay all operating and maintenance expenses necessary or desirable for the prudent conduct and operation of its business and the principal of and interest on such obligations as the corporation may have issued or assumed in the performance of the purpose for which it was formed and the revenues and receipts of a corporation shall first be devoted to such operating and maintenance expenses and to the payment of such principal of and interest and thereafter to such reserves for improvement, new construction, depreciation and contingencies as the board may from time to time prescribe. Revenues and receipts not needed for these purposes shall be returned to the members, either in cash or in payment of past due or current charges for energy, as the board may decide, (1) in proportion to the gross operating revenues received from each, or (2) such return may be made by way of a general rate reduction to members, if the board so elects.

SEC 19. Any corporation created hereunder may be dissolved by filing in the office of the Secretary of State a certificate which shall be entitled and endorsed "Certificate of dissolution of_____" (the blank space being filled in with the name of the corporation) and shall state:

(a) Name of the corporation and, if such corporation is a corporation resulting from a consolidation as herein provided, the names of the original corporations.

(b) The date of filing of the certificate of incorporation in the office of Secretary of State and, if such corporation is a corporation resulting from a consolidation as herein provided, the dates on which the certificates of incorporation of the original corporations were filed in the office of Secretary of State.

(c) That the corporation elects to dissolve.

(d) The name and post office address of each of its directors, and the name, title and post office address of each of its officers.

Such certificate shall be subscribed and acknowledged in the same manner as an original certificate of incorporation by the president or a vice president and the secretary or an assistant secretary, who shall make and annex an affidavit stating that they have been authorized to execute and file such certificate by the votes cast in person or by proxy by a majority of the members of the corporation entitled to vote.

A certificate of dissolution and a certified copy or copies thereof shall be filed in the same places as an original certificate of incorporation and thereupon the corporation shall be deemed to be dissolved.

Such corporation shall continue for the purpose of paying, satisfying and discharging any existing liabilities or obligations and collecting or liquidating its assets and doing all other acts required to adjust and wind up its business and affairs, and may sue and be sued in its corporate name. Any assets remaining after all liabilities or obligations of the corporation have been satisfied or discharged shall pass to and become the property of the State.

SEC 20 A corporation created hereunder may amend its certificate or incorporation to change its corporate name, to increase or reduce the number of its directors or change any other provision therein, provided, however, that no corporation shall amend its certificate of incorporation to embody therein any purpose, power or provision which would not be authorized if its original certificate including such additional or changed purpose, power or provsion were offered for filing at the time a certificate under this section is offered. Such amendment may be accomplished by filing a certificate which shall be entitled and endorsed "Certificate of amendment of certificate of incorporation of_____Electric Membership Corporation" and state:

(1) The name of the corporation, and if it has been changed, the name under which it was originally incorporated

(2) The date of filing the certificate of incorporation in each public office where filed.

(3) The purposes, powers or provisions, if any, to be amended or eliminated and the purposes, powers or provisions, if any to be added or substituted. Such certificates shall be subscribed in the same manner as an original certificate of incorporation hereunder by the president or a vice president and by the secretary or an assistant secretary, who shall make and annex an affidavit stating that they have been authorized to execute and file such certificate by the votes cast in person or by proxy, by a majority of the members of the corporation entitled to vote. Such certificate shall be filed in the same places as an original certificate of incorporation and thereupon the amendment shall be deemed to have been effected.

SEC. 21. This act is to be liberally construed and the enumeration of any object, purpose, power, manner, method or thing shall not be deemed to exclude like or similar objects, purposes, powers, manners, methods or things.

SEC. 22. If any provision of this act, or the application of such provision to any person, body, or circumstance, shall be held invalid, the remainder of this act, or the application of such provision to persons, bodies, or circumstances, other than those as to which it is held invalid, shall not be affected thereby.

SEC 23. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution of the State of California and shall go into effect immediately

The following is a statement of the facts constituting such necessity: Unemployment has produced an alarming economic condition in the State of California. The adoption of a series of acts, of which this is one, for the promotion of rural electrification and the furnishing of energy at low cost will enable the construction of extensive works, plants and systems throughout the State for the generation, transmission and distribution of energy to be readily and easily financed, which otherwise cannot be financed at this time. The development and construction of such works, plants and systems will furnish employment to many persons now idle, make them self-supporting, and bring about a greater utilization of the resources of the State. It is advisable in the interests of the public welfare that the program contemplated by these acts be initiated forthwith."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 673—An act to add section 1681 to the Insurance Code, relating to insurance of property in which an agent, broker or solicitor has an interest.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee.

Amendment No. 1.

On page 1, line 7, of the printed bill, after the period in said line, add the following. "The term "loaning agency" as used herein does not include a licensed real estate broker whose principal business is that of selling real estate or of writing insurance or both."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1882—An act to amend section 629b of the Political Code, relating to life insurance.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "629b of the Political", and insert in lieu thereof the following: "10203 of the Insurance".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, after "to", insert the following: "group".

Amendment No. 3.

On page 1, line 1, of the printed bill, after the period, insert the following: "Section 10203 of the Insurance Code is hereby amended to read as follows:

10203. Life insurance conforming to all the following conditions is another form of group life insurance:

(a) Covering the members of any of the following:

(1) Any labor union.

(2) The National Guard.

(3) Any association of governmental or public employees, or of employees of one or more employers.

(b) Written under a policy issued to such union or association.

(c) The premium on the policy to be paid jointly by the union or association and the members thereof.

(d) Insuring only members of such union who are actively engaged in the same occupation or members of such association.

(e) Insuring for amounts of insurance based upon some plan which will preclude individual selection.

(f) Insuring for the benefit of persons other than the union or association or its officials.

(g) When a premium is to be paid by the union or association jointly with its members and the benefits are offered to all eligible members, insuring not less than seventy-five per cent of such members In such case, when members apply and pay for additional amounts of insurance a smaller percentage of members may be insured for such additional amounts of insurance."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 728—An act to amend sections 1239, 1249 and to repeal section 1246 of the Code of Civil Procedure, relating to eminent domain.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out line 1 of the title, and insert in lieu thereof the following: "An act to amend sections 1239, 1246, and 1249 ",

Amendment No. 2.

On page 2 of the printed bill, between lines 23 and 24, insert the following:

"SEC. 2. Section 1246 of the Code of Civil Procedure is amended to read as follows:

1246 All persons in occupation of, or having or claiming an interest in any of the property described in the complaint, or in the damages for the taking thereof, though not named, may appear, plead, and defend, each in respect to his own property or interest, or that claimed by him, in the manner provided by and subject to the provisions of section 387 of this code."

Amendment No. 3.

On page 2, line 24, of the printed bill, strike out "Sec. 2", and insert in lieu thereof "Sec. 3".

Amendment No. 4.

On page 3 of the printed bill, strike out lines 4 and 5.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1821—An act relating to writs of habeas corpus and amending certain code sections with relation thereto.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, strike out "relating to writs of habeas corpus and amending certain sections with relation thereto", and insert in lieu thereof the following "to add section 1473a to the Penal Code, relating to writs of habeas corpus".

Amendment No. 2.

On page 1, line 1, of the printed bill, after "SECTION 1", insert the following: "Section 1473a is hereby added to the Penal Code to read as follows:

1473a. A writ of habeas corpus may be procured by every person who has been convicted through the pretense of a trial which in truth is but used as a means of depriving a defendent of liberty through a deliberate deception of court and jury by the presentation of testimony known to be perjured."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 2409—An act to add sections 1271 5 and 1243.5 to the Penal Code, relating to capital punishment.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1298—An act to amend section 1238 of the Code of Civil Procedure, relating to the exercise of the right of eminent domain.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 4, line 22, of the printed bill, after the word "of", strike out the following words: "birds, mammals or".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 474—An act to amend section 2 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of Commissioner of Corporations," approved May 18, 1917, as amended, relating to brokers and investment counsel.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after the word "amend", eliminate the words "section 2", and insert the following: "sections 2, 23, 24 and 26 and to repeal section 9".

Amendment No. 2.

On page 3, line 14, of the printed bill, following the word "public", strike out the following: ", except that".

Amendment No. 3.

On page 3 of the printed bill, strike out all of line 15, and the following words in line 16: "sel shall not be considered the acts of a broker; provided", and insert in lieu thereof the following: ". Provided".

Amendment No. 4.

On page 3 of the printed bill, eliminate the following lines: 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36 and 37.

Amendment No. 5.

Add a new section to the printed bill as follows:

"SEC. 2. Section 9 of the act cited in the title hereof is hereby repealed."

Amendment No. 6.

Add a new section to the printed bill as follows:

"SEC. 3. Section 23 of the act cited in the title hereof is hereby amended to read as follows.

Sec. 23. The commissioner shall at all times have the power to administer oaths and to make an examination or investigation of the business and the books, records, accounts and other papers pertaining thereto, of any company, broker or agent theretofore permitted or authorized by him to sell securities, or to make dividends, to create debts, to divide, withdraw, or pay to the stockholders or any of them, any part of its capital stock, or to increase or reduce its capital stock; or of any company, broker, agent, or any other person who the commission has reason to believe has violated or is about to violate any of the provisions of this act. In making any such examination or investigation the commissioner may, for a reasonable time, not exceeding thirty days, take possession of the books, records, accounts and other papers pertaining to the business of any company, broker, agent or investment counsel and place a keeper in exclusive charge and custody of the same

in the office or place where the same are usually kept During such possession and custody it shall be unlawful for any person to remove or attempt to remove any of the said books, records, accounts and other papers, or any part thereof, except in compliance with a court order or written consent of the commissioner, provided, however, that the officers, employees, partners, directors and stockholders shall have the right to inspect and examine the same and that employees shall be permitted to make entries therein reflecting current operations or transactions Such power shall not be terminated by the suspension or revocation of any permit, order or certificate theretofore issued by him.

In any examination, audit or investigation made or hearing conducted by him, he shall have the power to take the testimony of any witness and to issue subpenas, requiring the attendance upon such examination, audit, investigation or hearing in any part of the State of witnesses, and the production of books, documents, and other things under their control, and in any such case to take or cause to be taken the deposition of any witness residing within or without this State, the commissioner may pay out of the appropriation for the support of his office to any witness subpenaed by him the necessary and reasonable traveling expenses of such witness from his place of residence to the place of hearing or investigation and return and a per diem of two dollars for each day that such witness is in attendance at or en route to and from such place of hearing or investigation in obedience to such subpena.

All the provisions of Chapter II of Title III of Part IV of the Code of Civil Procedure, relating to the means of production of evidence out of court, shall be applicable to any examination, investigation, or hearing under this act. No person shall be excused from testifying or from producing any book, document, or other thing under his control upon any such examination, audit, investigation, or hearing upon the ground that his testimony, or the book, document or other thing required of him, may tend to incriminate him, or may have a tendency to subject him to punishment for a felony, or to a penalty or forfeiture; but no person shall be prosecuted, punished or subjected to any penalty or forfeiture for or on account of any act, transaction, matter, or thing concerning which he shall have been so compelled to testify under oath, provided, that no person so testifying shall be exempt from prosecution or punishment for perjury if committed by him in his testimony. The authority to make or conduct any such examination, audit, investigation or hearing, including the authority to administer oaths, and to subpena witnesses and take their testimony, may be delegated by the commissioner to any deputy or investigator appointed by him for that purpose. Such appointment shall be made by an instrument in writing, signed by the commissioner under his official seal, and upon such examination, audit, investigation or hearing, the same shall be produced by such deputy or investigator at any time upon demand thereof.

Amendment No. 7.

Add a new section to the printed bill as follows.

"SEC. 4. Section 26 of the act cited in the title hereof is hereby amended to read as follows.

Sec. 26 The commissioner shall charge and collect the following fees:

1. For filing an original or supplemental application for a permit to issue securities, ten dollars, plus—

One-twentieth of one per cent of the amount of any excess of the aggregate value of the securities sought to be issued over twenty thousand dollars and not exceeding fifty thousand dollars,

One twenty-fifth of one per cent of such amount in excess of fifty thousand dollars and not exceeding one hundred thousand dollars;

One-fiftieth of one per cent of such amount in excess of one hundred thousand dollars and not exceeding five hundred thousand dollars, and

One one-hundredth of one per cent of such amount in excess of five hundred thousand dollars.

For the purpose of determining the above fees:

(a) The value of such securities shall be deemed to be their par or face value unless the consideration for such securities is in excess of such par or face value, in which case the value will be deemed to be the amount of the consideration so received.

(b) Where the securities proposed to be issued have no nominal or par value, the value of such securities shall be deemed to be the price at which the company proposes to sell or issue the same, or the value, as alleged in the application, or the actual value, as determined by the commissioner, of the consideration (if other than money) to be received in exchange therefor; provided, however, until a new value shall have been established, that each share of no par value stock proposed to be issued shall be deemed to have a value equal to the value which has been established by previous sales for money or other property of other shares of the same class

(c) Interim or voting trust certificates shall be deemed to have a value equal to the aggregate value of the securities to be represented by said interim or voting trust certificates.

(d) Rights, warrants or other certificates evidencing stockholders' rights to purchase additional securities shall be deemed to have a value equal to the difference

between the selling price of the securities represented by such rights, warrants or other certificates and the market value of the securities so represented at the date of filing of application.

(e) Where an application is made to issue securities containing a provision entitling the holder or holders thereof to convert or exchange the same for a different class of securities, the value of the securities to be so issued shall be deemed to be an amount equal to twice the amount of the consideration to be received for the securities containing the conversion or exchange provision.

2. For acting as escrow holder for securities as herein provided, ten dollars for each twelve month period, payable in advance.

3. For filing any application for a broker's certificate, twenty-five dollars.

Provided, however, that if after a certificate shall have been issued to any broker operating as a partnership there shall be a change of interest affecting less than twenty-five per cent (25%) of the whole interest therein, no new application need be made, but there shall be filed with the commissioner, accompanied by payment of a fee of ten dollars ($10), written notice of such change, stating the names and addresses of the partners and their respective interests, and any other information which may be required by the commissioner, together with evidence satisfactory to the commissioner that the bond theretofore filed by such broker is and will be maintained in good standing notwithstanding such change. The commissioner may in his discretion require a new application, in which event the procedure and fee shall be the same as upon an original application for a broker's certificate. If the commissioner shall approve such change without a new application, the certificate theretofore issued and in force and any agents' license theretofore issued to agents of such partnership and then in force, shall continue in full force and effect.

4. For filing any application for an agent's certificate, five dollars.

5 For an examination, audit, or investigation, the actual amount of the salary or other compensation paid to the person or persons making the examination, audit or investigation plus the actual amount of expenses, reasonably incurred in the performance of such work.

6. For copies of papers and records not required to be certified or otherwise authenticated by the commissioner, ten cents for each folio.

7. For certified copies of official documents, orders and other papers filed in his office; for making and mailing copies of process served upon him under the provisions of section 24 of this act, and for transcript on appeal, fifteen cents for each folio and one dollar for each certificate under seal affixed thereto.

8. For certificate of service and mailing of process served upon the commissioner under the provisions of section 24 of this act, two dollars

9. For filing any application for an amendment to an existing permit to issue securities, or for a permit to negotiate for the sale of securities or requesting the written consent of the commissioner to a proposed instrument amending, supplementing or abrogating any portion of any mortgage, deed of trust, indenture or other instrument under which bonds, debentures or other evidences of indebtedness are issued or secured, ten dollars.

No fees shall be charged or collected for copies of papers, records, or official documents furnished to public officers for use in their official capacity or for the reports of the commissioner in the ordinary course of distribution; but the commissioner may fix a reasonable charge for the publications issued under his authority.

All fees charged and collected under this section shall be paid at least once each week, accompanied by a detailed statement thereof, into the treasury of the State to the credit of a fund to be known as the "Corporation Commission fund," which fund is hereby created."

Amendment No. 8.

Add a new section to the printed bill as follows

"SEC. 5. The title of the act cited in the title hereof is hereby amended to read as follows:

An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof, and creating a State Corporation Department and the office of "Commissioner of Corporations," approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, and sales of securities, and the prevention of fraud in the sale of securities."

Amendment No. 9.

Add a new section to the printed bill as follows:

"SEC. 6. Section 24 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 24. In any action or proceeding commenced or prosecuted in this State against any corporation or association which shall have appointed the commissioner its attorney, as provided in section 3 of this act, and in any action or proceeding commenced or prosecuted in this State, arising out of or founded upon the fraud of any corporation or association which shall have appointed the commissioner its attorney, as provided in section 6 of this act, service of process may be made upon the commissioner In any such case, the commissioner shall forthwith forward by mail, postage prepaid, to the person designated by such corporation or association

by an instrument in writing duly executed by it and filed with the commissioner, at the address stated in such instrument, or, if no such designation has been made, to the secretary of such corporation or association at its last known post office address, a copy of such process; whereupon, and upon the payment of the fee herein provided for, service of such process upon such company shall be deemed to be complete and to be personal service upon such corporation or association, with the same effect as if said corporation or association were organized or incorporated under the laws of this State and had been lawfully served with process therein. The certificate of the commissioner, under his official seal, of such service, shall be competent and sufficient proof thereof."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1385—An act relating to and providing for the regulation and licensing of pari mutuel wagering, and repealing all acts and parts of acts inconsistent therewith.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "act", insert the following: "to amend section 4 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions", approved June 5, 1933,".

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, strike out "and providing for the regulation and"; also strike out all of lines 2 and 3 of said title and insert in lieu thereof the following: "the payment of a portion of purse to breeder."

Amendment No. 3.

On page 1, line 1, of the printed bill, immediately following the period after "1", insert the following: "Section 4 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 4 It is hereby declared that since the purpose of this act is the encouragement of agriculture and the breeding of horses in the State of California, that three per cent of the first money of every purse won by an animal bred in the State of California shall be paid to the breeder of such animal. Every licensee shall run at least two races each racing day which shall be limited to horses foaled in California. If sufficient competition can not be had in any such race as originally written then, in that event the licensee shall write and run a substitute race which shall also be limited to horses foaled in California.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1816—An act to amend the Liquor Control Act of 1933

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "the Liquor Control Act of 1933", and insert in lieu thereof the following: "sections 19 and 20 of the "State Liquor Control Act", approved June 3, 1933, relating to licenses"

Amendment No. 2.

On page 1, line 1, of the printed bill, after the period after "1", insert the following: "Section 19 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 19. The board may upon its own motion or upon the verified complaint in writing of any person, investigate the action of any licensee hereunder and as hereinafter provided in sections 20, 21, 22, 23, 24 and 25, shall have power to temporarily suspend or permanently revoke a license hereunder for any one of the following acts or omissions:

(a) Misrepresentation of a material fact by the applicant in obtaining a license hereunder; or

(b) If the licensee violates or causes or permits to be violated any of the provisions of this act or any of the applicable rules or regulations of the board, or

(c) If the licensee commits any act which would be sufficient ground for the denial of an application for a license hereunder.

SEC. 2 Section 20 of said act is amended to read as follows:

Sec. 20. The board, either upon its own motion or upon the filing with the board of a verified complaint charging the licensee with the commission within one year prior to the date of filing such complaint of any act which is cause for suspension or revocation of a license, the board must forthwith issue a citation directing the licensee within ten days after service of the citation upon him to appear by filing with the board his verified answer to the complaint showing cause, if any he has, why his license should not be suspended or revoked. Service of the citation upon the licensee shall be fully effected by mailing a true copy thereof together with a true copy of the complaint by United States registered mail in a sealed envelope with postage fully prepaid thereon addressed to the licensee at his latest address of record in the office of the board. Service of the citation shall be completed at the time of such deposit subject to the provisions of section 1013 of the Code of Civil Procedure of this State. Failure of the licensee to answer shall be deemed an admission by him of the commission of the act or acts charged in the complaint and thereupon the board shall have power forthwith to suspend or revoke the license."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 510—An act to amend section 143 of the Agricultural Code, pertaining to abandoned orchards.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 925—An act to amend section 830.5 of the Agricultural Code, relating to transportation of fruits, nuts, and vegetables.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of lines 4 to 13, inclusive, and insert in lieu thereof the following: "commodities referred to in section 830, which fail to meet the requirements of this chapter and are intended for commercial by-products or live stock feeding purposes, without first having secured a permit from the commissioner. It is unlawful to move, transport or deliver commodities referred to in section 830, which fail to meet the requirements of this chapter, for the purpose of grading, packing or reconditioning, from one packing plant to another, without first having secured a permit from the commissioner.

It is unlawful to sell, offer for transportation or delivery commodities referred to in section 830, which fail to meet the requirements of this chapter, and are intended for commercial by-products or live stock feeding purposes, to any person required to have a permit under the provisions of this section unless such person has such permit. It is unlawful to sell, offer for transportation or delivery, such commodities to any person unless the seller keeps an accurate record of all such transactions on such form and available to the commissioner at such time as the commissioner of the county may require."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 924—An act to amend sections 781, 783, 784, 785, 787, 788, and 822 and to add sections 784.1, 784.2, 784.3, 784.4, 784.5 and 784.6 to the Agricultural Code, relating to fruits, nuts and vegetables.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of lines 20 to 24, inclusive, and insert in lieu thereof the following: "tive when the outer or exposed surface is composed of products whose size is not an accurate representation of the variation of size of the products in the entire container, even though the fruits, nuts or vegetables in the container are virtually uniform in size or comply with the specific commodity size variation requirements of this chapter."

Amendment No. 2.

On page 2 of the printed bill, strike out all of lines 17 to 19, inclusive, and insert in lieu thereof the following: "cessed, preserved or manufactured from fruits, nuts or vegetables, except fresh citrus fruit juices, with or without".

Amendment No. 3.

On page 3, line 44, of the printed bill, strike out the word "park", and insert in lieu thereof the word "pack".

Amendment No. 4.

On page 4, line 11, of the printed bill, after the period in said line, add the following sentence:

"It is unlawful to sell, purchase, or use any container or subcontainer of fruits, nuts, or vegetables which bears a trade mark or trade name unless such trade mark or trade name is obliterated or effaced, except where the purchaser or user is entitled to use such trade mark or trade name."

Amendment No. 5.

On page 4 of the printed bill, between lines 27 and 28, insert the following:

"784.6. It is unlawful to pack any dried fruits, or mixtures of dried fruits, with nuts, glazed fruits or confections in a fancy pack if the exposed portion does not consist of the same kinds or mixtures of dried fruits, nuts, glazed fruits or confections as in the unexposed portion of the contents of the container, unless the container is conspicuously marked on the top thereof with a label accurately describing the kinds of such dried fruits or nuts contained in the unexposed portions.

SEC. 10. Section 784.7 is hereby added to said act to read as follows:".

Amendment No. 6.

On page 4, line 28, of the printed bill, strike out the number "784.6.", and insert in lieu thereof "784.7."

Amendment No. 7.

On page 4, line 33, of the printed bill, strike out "Sec. 10.", and insert in lieu thereof "Sec. 11."

Amendment No. 8.

On page 5, line 7, of the printed bill, strike out the word "grower", and insert in lieu thereof the word "owner".

Amendment No. 9.

On page 5, line 11, of the printed bill, strike out "Sec. 11.", and insert in lieu thereof "Sec. 12."

Amendment No. 10.

On page 5, line 25, of the printed bill, strike out "Sec. 12.", and insert in lieu thereof "Sec. 13."

Amendment No. 11.

On page 5, line 48, of the printed bill, strike out "Sec. 13.", and insert in lieu thereof "Sec. 14."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1480—An act to add new sections to the Agricultural Code, to be numbered 1148, 1149 and 1150, relating to disease.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the words "add new sections to the Agricultural Code, to be", and insert in lieu thereof the words "amend sections 137 and 140 of the Agricultural Code,".

Amendment No. 2.

On page 1 of the printed bill, strike out all of line 2 in the title, and insert in lieu thereof the following: "relating to pest control and abatement."

Amendment No. 3.

On page 1 of the printed bill, strike out all of lines 1 to 28, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 137 of the Agricultural Code is hereby amended to read as follows:

137. The expense of such abatement shall be a county charge payable out of the general fund of the county. The entire amount thereof shall be a lien on the property from which said nuisance has been removed or abated in pursuance of this chapter. Said lien shall take precedence over and be paramount to all encumbrances upon said property, excepting only the lien of taxes, if a copy of said notice to abate nuisance shall have been recorded and a copy thereof served upon or mailed to the holder of any such encumbrance in the manner hereinbefore provided. Notice of such lien shall be recorded within thirty days after the date of payment out of the general fund of the county of the last item of expense of such abatement.

Where the notice to abate said nuisance shall have been served upon the users of water from an irrigation canal or ditch not subject to the control of any district or political subdivision, the amount of such expense shall be a lien upon each parcel of property in an amount proportionate to the acreage served by the water from such canals or ditches.

SEC. 2. Section 140 of the Agricultural Code is hereby amended to read as follows:

140. The provisions of this chapter shall not be construed to conflict with any other act or acts providing for the extermination or control of ground squirrels or other animal pests; but when any proceedings are commenced under this chapter, the provisions of this chapter and no other law shall apply to such proceedings."

Amendment No. 4.

On page 2 of the printed bill, strike out all of lines 1 to 22, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 410—An act to amend section 14a of the State Civil Service Act, relating to the abolition or discontinuance of positions.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, strike out lines 48 to 51, inclusive, and insert in lieu thereof the following:

"In making lay offs of employees of the State Printing Plant and employees of the Belt Line Railroad who are employed on a per diem basis, those lowest in seniority as per diem employees shall be laid off first, and when such per diem employees are reemployed those with the highest seniority at the time of lay off shall be first reemployed."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1475—An act relating to the powers and duties of building inspectors of cities, cities and counties, or counties.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 1 to 26, inclusive, and on page 2, strike out lines 1 to 9, inclusive, and insert in lieu thereof the following:

"SECTION 1. The word "building inspector" as used in this act shall mean a person or persons designated as the authority to check and approve plans and issue or grant a permit for the construction of a building or buildings within any city, city and county, or county.

SEC. 2. The building inspector may require that any person submitting plans, designs, or drawings for the construction of a building furnish satisfactory evidence that the person furnishing such plans, designs, or drawings for the construction of a building, is authorized to practice under the provisions of an act entitled "An act to regulate the practice of architecture," approved May 23, 1901, or "An act regulating the practice of civil engineering," approved June 14, 1929, or that such person is exempt under the provisions of said acts. Anything to the contrary notwithstanding, no provision of this act shall be construed to extend or to enlarge the scope of any of the provisions of the acts cited herein and no provision of this act shall be construed to make mandatory the employment of an architect or an engineer except in such specific cases as are now or shall hereafter be provided for by law.

SEC 3. When any building inspector has knowledge that any plans, designs, or drawings submitted as a basis for the issuance of a permit for the construction of a new building have been prepared or submitted in violation of the acts cited in section 2 hereof, he shall refuse to accept for checking or approval any such plan, design, or drawing, provided, however, that the name or seal on said plans, designs, or drawings of a person holding a valid and unrevoked certificate as an architect or engineer as provided in said acts shall be deemed to be prima facie evidence of compliance with said acts."

Amendment adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1074—An act to amend section 3617 of the Political Code, relating to the definition of terms for purposes of taxation.

Bill read second time, ordered to third reading.

Second Reading of Senate Bills.

Senate Bill No. 529—An act to add three new sections to the Civil Code to be numbered 1426d¼, 1426d½ and 1426d¾, relating to discovery locations and to discovery shafts on lode and placer mining locations.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 7, of the printed bill, as amended, strike out "shall".

Amendment No. 2.

On page 1, line 9, of the printed bill, as amended, strike out "three feet", and insert in lieu thereof the following: "eighteen inches".

Amendment No. 3.

On page 1, line 14, of the printed bill, as amended, after "exposing", insert the following: "the".

Amendment No. 4.

On page 2, line 18, of the printed bill, as amended, after "posting of", insert the following: "notice of".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 234—An act to amend section 330.24 of the Civil Code, relating to mutual water companies.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 235—An act to amend sections 2 and 3 of "An act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission

with reference thereto, and defining the conditions under which such water companies become subject to the provisions of the Public Utilities Act and the Railroad Commission of the State of California," approved April 25, 1913.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 686—An act relating to the redemption and sale of property sold to a county treasurer, as trustee of a reclamation district or of the bond fund, or to a reclamation district for delinquent assessments and installments thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 399—An act relating to the liability of irrigation districts, their officers and employees.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out line 1

Amendment No. 2.

On page 1, line 7, of the printed bill, after the comma after the word "board", insert the following: "and no officer or agent of any irrigation district shall be liable for the negligent act or omission of any agent or employee appointed or hired by him,".

Amendment No. 3.

On page 1, line 8, of the printed bill, after the word "employment", insert a comma and the following: "or excepting when such agent or employee appoints or hires said subemployee or subagent,".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading

Senate Bill No. 49—An act to amend section 10 of "An act to provide for the indicating of the net quantity of foodstuffs and stuffs intended to be used or prepared for use as food for human beings, and medicine, and other commodities when sold or offered or exposed for sale in containers and providing for the indicating of quantity in the sale of commodities in respect to which there exists a definite trade custom, and providing penalties for the violation thereof," approved May 24, 1913, relating to false or raised bottoms of containers.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all matter subsequent to line 2 thereof, and insert in lieu thereof the following:

"SEC 10 The term container used in this act is hereby defined to be any receptacle or carton into which a commodity is packed, or any wrappings with which any commodity is wrapped or put for sale, or to be offered or exposed for sale. No containers, boxes, or baskets wherein food products or other commodities are packed shall have a false bottom, or be so constructed as to facilitate the perpetration of deception or fraud. No boxes or baskets wherein food products are packed shall have a false or raised bottom."

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 171—An act to amend section 478 of the Agricultural Code, relating to cream.

Bill read second time, and ordered on file for third reading.

Unfinished Business.

Motion to Reconsider Assembly Bill No. 6 Continued.

Mr. Jones moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 6 was refused passage be continued until the next legislative day.

Motion carried.

Motion to Reconsider Assembly Bill No. 1215 Continued.

Mr Mayo moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1215 was passed be continued until the next legislative day.

Motion carried.

Third Reading of Assembly Bills.

Assembly Bill No. 1205—An act to add a new part to Division II of the School Code to be known as Part VI, relating to the formation, government, support, control and administration of unified school districts created from elementary and high school districts, and of elementary, high school and junior college districts having coterminous boundaries and governing boards of identical personnel.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1205 passed by the following vote:

AYES—Anderson, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Heisinger, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1213—An act to amend section 10½ of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act." approved June 16, 1913, relating to the regulation of the practice of optometry.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1213 passed by the following vote:

AYES—Anderson, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peyser, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Wagner, Wallace, Waters, and Mr Speaker—54.

NOES—Reaves—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 59—An act to add section 5.5 to an act entitled "An act to provide for the formation, powers, government, operation, and dissolution of garbage disposal districts to facilitate the disposal of garbage and other refuse matter, and annexation thereto, and to provide for the assessment, levy, collection and disbursement of taxes therein," approved April 20, 1927, relating to contracts for collection and disposal of garbage.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 59 passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Wallace, Waters, Welsh, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 59.

Mr. Cronin gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 59 was this day passed.

Assembly Bill No. 1055—An act to amend section 401 of the Vehicle Code, relating to tort liability of drivers of police, fire and other emergency vehicles maintained by governmental bodies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1055 passed by the following vote:

AYES—Anderson, Boyle, Brennan, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Flint, Fulcher, Geyer, Gilmore, Glover, Heisinger, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Peyser, Reaves, Redwine, Riley, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Welsh, and Mr. Speaker—48.

NOES—Cassidy, Fisher, Garibaldi, and Rosenthal—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2048—An act to amend the title and section 1 of an act entitled "An act prohibiting the issuance as payment for wages of any evidence of indebtedness unless the same is negotiable and payable without discount, and providing that the same must be payable upon demand," approved March 1, 1911 (Stats. 1911, Chap. 92), as amended, providing that evidences of indebtedness for wages must be payable upon demand.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2048 passed by the following vote:

AYES—Anderson, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Miller,

Minard, Morgan, Nielsen, Patterson, Peterson, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Welsh, and Mr. Speaker—57.
NOES—Reaves—1.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 2048.

Mr. Reaves gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2048 was this day passed.

Assembly Bill No. 1702—An act to amend section 788 of the Agricultural Code, relating to containers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1702 passed by the following vote:

AYES—Anderson, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Fisher, Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Wagner, Walker, Waters, Welsh, and Mr. Speaker—52.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1755—An act to amend sections 1466, 1467, 1468 and 1469 of the Penal Code, and to repeal sections 1468a and 1470 of the Penal Code, all relating to appeals to the superior court in criminal cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1755 passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Frazier, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Johnson, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Peterson, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Welsh, and Mr. Speaker—55.
NOES—Crowley, Fulcher, and Jones—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 614—An act to amend section 1680 of the Streets and Highways Code, relating to extending county aid to cities.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 614 passed by the following vote:

AYES—Anderson, Boyle, Brennan, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Johnson, Latham, Laughlin, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Reaves, Redwine, Richie, Riley, Robert-

son, Rosenthal, Scudder, Stream, Thorp, Wagner, Walker, Wallace, Waters, Welsh, and Mr. Speaker—53.
NOES—Jones and Lore—2

Title read and approved
Bill ordered transmitted to the Senate.

Assembly Bill No. 1360—An act to add sections 54a and 54b to the Civil Code, relating to the right of privacy of persons, and to provide a method by which such right of privacy may be enforced.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1360 passed by the following vote:

AYES—Boyle, Breed, Brennan, Chatters, Corwin, Crouin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Reaves, Redwine, Richie, Riley, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Welsh, and Mr. Speaker—53
NOES—Anderson, Gilbert, Jones, and Robertson—4.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 1360.

Mr. Chatters gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1360 was this day passed.

Assembly Bill No. 1756—An act to add four new sections, to be numbered 1000a, 1000b, 1000c and 1000d to Chapter III of Title XIV of Part II of the Code of Civil Procedure, relating to admissions.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Johnson:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "four", and insert in lieu thereof the following: "two".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, as amended, after "1000B", insert a comma.

Amendment No. 3.

On page 1, line 7, of the printed bill, as amended, strike out "to".

Amendment No. 4.

On page 1, line 14, of the printed bill, as amended, strike out the semicolon, and insert in lieu thereof a comma.

Amendment No. 5.

On page 2, line 28, of the printed bill, as amended, strike out the semicolon and "provided, however, that it", and insert in lieu thereof a period and the following: "If".

Amendments adopted.

Request for Unanimous Consent.

Mr. Johnson asked for, and was granted, unanimous consent to take up Assembly Bill No. 1756, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 1756, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1756, as amended, passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Fulcher, Garibaldi, Geyer, Glover, Heisinger, Hornblower, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Reaves, Richie, Riley, Scudder, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, and Mr. Speaker—52.
NOES—Redwine and Welsh—2.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1150—An act to amend section 4 of an act entitled "An act to permit the consolidation of elections and to provide a procedure therefor."

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Johnson:

Amendment No. 1.

On page 1 of the printed bill, in the last line of the title, strike out the period, and insert in lieu thereof a comma and the following: "approved June 11, 1913, relating to canvassing returns."

Amendment No. 2.

On page 1, lines 10 and 11, of the printed bill, strike out the semicolon and "and provided further, that in", and insert in lieu thereof a period and the following: "In".

Amendment No. 3.

On page 1, line 13, of the printed bill, after "subdivision", insert the following: "with an election held in the county or counties in which such city, district, or other political subdivision is situated, the governing body of such city, district, or other political subdivision".

Amendments adopted.

Request for Unanimous Consent.

Mr. Johnson asked for, and was granted, unanimous consent to take up Assembly Bill No. 1150, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 1150, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1150, as amended, passed by the following vote:

AYES—Anderson, Boyle, Breed, Burns, Cassidy, Clark, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Welsh, and Mr. Speaker—58.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Third Reading of Senate Bills.

Senate Bill No. 32—An act to amend section 1310 of the Fish and Game Code, relating to fur-bearing mammals.

Bill read third time.

Committee Amendments.

During third reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, before "relating", insert the following: "and to add thereto section 1340.6,".

Amendment No. 2.

On page 1, line 3, of the printed bill, strike out "black bear,".

Amendment No. 3.

On page 1, line 4, of the printed bill, strike out "brown bear,".

Amendment No. 4.

On page 1 of the printed bill, after line 6, insert the following:

"SEC. 2. Section 1340.6 is hereby added to the Fish and Game Code to read as follows:

1340.6. Bear may be taken between November 1st and December 31st. Not more than two bears may be taken during the open season. Bear may be taken only with firearms and with bow and arrow."

Amendments adopted.

Bill read, ordered to reprint, and on file for third reading.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 819—An act to amend sections 2167, 2167a, 2169, 2172 and 2175 of, to repeal sections 2168, 2170, 2171 and 2185c of, and to add new sections numbered 2168, 2171 and 2185c to the Political Code, relating to persons mentally disordered or otherwise incompetent.

Committee Amendments.

During third reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 5, line 13, of the printed bill, as amended, strike out "and furnished".

Amendment No. 2.

On page 10, line 38, of the printed bill, as amended, strike out "this section", and insert in lieu thereof the following: "Sections 2185.1 to 2185.7, inclusive".

Amendments adopted.

Bill read, ordered to reprint, re-re-re-re-engrossment, and third reading.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1935.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1243—An act to amend sections 828 and 829 of the Agricultural Code, relating to fruits, nuts and vegetables—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

O'DONNELL, Vice Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 920—An act to amend sections 1261, 1263, 1265, 1267, 1268 of and to add a new section to be numbered 1268.5 to the Agricultural Code, relating to produce dealers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

O'DONNELL, Vice Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture to which was referred Assembly Bill No. 2005—An act to amend the Agricultural Code by adding to Division VI thereof a new chapter numbered 8, embracing sections 1299 to 1299 6, inclusive, relating to the licensing and regulation of traveling merchants and providing penalties for the violation thereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

O'DONNELL, Vice Chairman.

The above reported bill ordered on file for second reading.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1935.

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 2368—An act to add sections 73 and 74 to an act entitled "An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to retirement of members of the California Highway Patrol—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 273—An act requiring the licensing of certain vehicles used for the transportation of persons or property in this State, defining such vehicles, providing for the imposition, collection, and distribution of license taxes for the privilege of operating such vehicles in this State, making appropriations for the purposes of this act, prescribing penalties for the violation of this act, and providing that this act take effect immediately—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1935.

MR SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No 896—An act to amend sections 479, 508, 510, 581, 585, 590, 591, 593, 632, and 673 of the Agricultural Code, relating to dairies and dairy products—has had the same under consideration, and respectfully reports the same back, without recommendation, as amended

THORP, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 2386—An act to add Chapter 8 to Division VI of the Agricultural Code, relating to the marketing of milk and other dairy products—has had the same under consideration, and respectfully reports the same back, without recommendation, as amended.

THORP, Chairman.

The above reported bill ordered on file for second reading.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1935.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 55—An act to add sections 676.1, 676 2, 676.3, 676 4, 676.5 and 676.6 to the Vehicle Code, relating to safety glass on motor vehicles—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1935.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 354—An act to amend sections 1061, 1064, 1065, 1066, 1071 and 1073 of the Agricultural Code, relating to economic poisons—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

O'DONNELL, Vice Chairman.

The above reported bill ordered on file for second reading.

On Financial Institutions.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1935.

MR. SPEAKER: Your Committee on Financial Institutions, to which was referred Senate Bill No. 770—An act to amend sections 1, 2, 3, 4, 6, and 19 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to the regulation of credit unions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

UTT, Chairman.

The above reported bill ordered on file for second reading.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1935.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 1382—An act to amend section 5 682 of the School Code, relating to tenure of position for teachers;

Also: Assembly Bill 962—An act to amend the School Code by amending sections 5 650, 5.651, 5.652, 5.653, 5 654, 5.661, and by repealing sections 5.655, 5 656, 5 657, 5.658, 5.659, 5.660, 5.662, 5.663, all relating to the employment and dismissal of persons employed in school districts in positions requiring certification qualifications;

Has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

CHATTERS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 793—An act to amend section 5.900 of the School Code, relating to the retirement of public school teachers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

CHATTERS, Chairman.

The above reported bill ordered on file for second reading.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Garibaldi.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making an appropriation to pay the claim of R. S. Jay against the State of California.

Referred to Committee on Introduction of Bills.

Also:

By Mr. McCarthy:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to authorize the State Treasurer to accept, on behalf of the State of California, the sum of $1,000,000, together with any interest that may be due thereon, and other sums from the California Olympiad Commission, or any committee thereof, for the benefit of State hospitals and inmates thereof.

Referred to Committee on Introduction of Bills.

Also:

By Mr. Maloney.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1935.

MR SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 959 of the Political Code, relating to official bonds

Referred to Committee on Introduction of Bills.

Also:

By Mr. Turner:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to provide for the regulation and licensing of establishments for wagering or betting upon the results of horse races; to provide penalties for the violation of the provisions of this act and making an appropriation for the enforcement thereof.

Referred to Committee on Introduction of Bills.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 19, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 731—An act to amend section 10 of an act entitled "An act providing for the formation, government and operation of harbor districts, the calling and conducting of elections in such districts of harbor commissioners, defining their powers and duties, and providing for the issuance and disposal of bonds of such harbor districts, and providing for the assessment, levy and collection of taxes for the payment of such bonds and for the ordinary annual expenses of such harbor districts," approved June 10, 1931, relating to the government of such districts.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 585—An act to amend sections 8, 10, 40, 42, 47, 75 and 108 of an act entitled "An act to provide for the creation, establishment and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to the State Employees' Retirement System—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By CARL A SHIPKEY, Assistant Secretary.

Assembly Bill No. 585 ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 936—An act to repeal section 2610 of the Political Code as added by Chapter 992 of the fiftieth session of the Legislature and to add a new section to the Political Code to be numbered section 2610a, relating to a Board of State Harbor Commissioners for the Bay of San Diego.

J. A. BEEK, Secretary of Senate
By CARL A SHIPKEY, Assistant Secretary.

Senate Bill No. 936 read first time, and referred to Committee on Commerce and Navigation.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on April 17, 1935, adopted Senate Concurrent Resolution No. 29—Relative to reports of

the annual convention of the Disabled American Veterans of the World War of the Department of California.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Senate Concurrent Resolution No. 29 read first time, and referred to Committee on Rules.

Also:

SENATE CHAMBER, SACRAMENTO, April 19, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on April 16, 1935, adopted Senate Concurrent Resolution No. 28—Approving certain amendments to the charter of the city of Bakersfield, county of Kern, State of California, voted for and ratified by the electors of said city of Bakersfield at a special election held therein on the nineteenth day of March, 1935.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Request for Unanimous Consent.

Mr. Turner asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 28, at this time, without reference to committee or file.

Consideration of Senate Concurrent Resolution No. 28.

Senate Concurrent Resolution No. 28—Approving certain amendments to the charter of the city of Bakersfield, county of Kern, State of California, voted for and ratified by the electors of said city of Bakersfield at a special election held therein on the nineteenth day of March, 1935.

Senate Concurrent Resolution No. 28 read.

Mr. Turner moved the adoption of Senate Concurrent Resolution No. 28.

The question being on the adoption of Senate Concurrent Resolution No. 28.

The roll was called, and Senate Concurrent Resolution No. 28 adopted by the following vote:

AYES—Anderson, Brennan, Burns, Cassidy, Chatters, Clark, Cronin, Crowley, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Heisinger, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Miller, Minard, Morgan, Nielsen, O'Donnell, Peterson, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 28 ordered transmitted to the Senate.

Report of Standing Committee—(Resumed).

The following report of standing committee was received and read:

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1935.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 915—An act to amend "An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission; prescribing the powers, duties and authority of said commission and the members thereof; providing for the institution of proration programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purposes of said act and providing for the collection thereof; and making an appropriation therefor," approved June 5, 1933, by amending sections 2, 5, 8, 9, 10, 11, 16, 18,

20, 21, 22, 23 and 24 and adding the new sections numbered 17 5, 19.3, 22 5 and 25.5 —has had the same under consideration, and respectfully reports the same back without recommendation, as amended

O'DONNELL, Vice Chairman.

Request for Unanimous Consent.

Mr. Desmond asked for, and was granted, unanimous consent to take up Assembly Bill No. 915, at this time, for the purpose of amending.

Second Reading of Assembly Bill No. 915.

Assembly Bill No. 915—An act to amend "An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission; prescribing the powers, duties and authority of said commission and the members thereof; providing for the institution of proration programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purposes of said act and providing for the collection thereof; and making an appropriation therefor," approved June 5, 1933, by amending sections 2, 5, 8, 9, 10, 11, 16, 18, 20, 21, 22, 23 and 24 and adding the new sections numbered 17.5, 19.3, 22.5 and 25.5.

Floor Amendments.

During second reading of the bill, the following amendments were submitted by Mr. Desmond:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "amend", insert the following: "sections 1 to 25 inclusive of, and add new sections to be numbered 18 1, 19.1, 22.5, 25.1, 27 and 28 to, and to repeal section 26 of an act entitled".

Amendment No. 2.

On page 1, line 13 of the title of the printed bill, as amended, strike out "; and making an appropria-", also strike out lines 14 to 19, inclusive, and insert in lieu thereof a comma and the following, "approved June 5, 1933, relating to serving agricultural wealth, prevention of economic waste and providing for the Agricultural Prorate Commission."

Amendment No. 3.

On page 1, line 1, of the printed bill, as amended, strike out "section 2 of the act mentioned in the title is", and strike out lines 2 to 8, inclusive; also strike out pages 2 to 12, inclusive, and insert in lieu thereof the following: "Section 1 of the act cited in the title hereof is hereby amended to read as follows:

Section 1. The unreasonable waste of agricultural wealth occasioned by the harvesting, preparation for market and delivery to market of greater quantities of agricultural commodities than are reasonably necessary to supply the demands of the market is opposed to the public interest and the difficulty inherent in any attempt by individuals to correlate within a reasonable degree the supply of any agricultural commodity to current consumptive demands is creating chaotic economic conditions in certain agricultural areas of the State of such severity as to imperil the ability of agricultural producers to contribute in appropriate amounts to the support of ordinary governmental and educational functions, thus tending to increase and increasing the tax burdens of other citizens for the same purposes In the interest of the public welfare and general prosperity of the State, the unnecessary and unreasonable waste of agricultural wealth, hereinafter referred to as "agricultural waste," involved in the harvesting or preparation for and delivery to market of agricultural commodities for which there exists only a limited consumer demand should be eliminated while at the same time preserving to all agricultural producers an equality of opportunity in the available markets

SEC. 2. Section 2 of said act is hereby amended to read as follows:

Sec. 2. As used in this act:

(a) The term "person" includes any individual, firm, association or corporation

(b) The terms "agricultural waste"—in addition to their ordinary meaning—shall include economic waste, and waste incident to the harvesting and/or preparation for and delivery to market of agricultural commodities in excess of reasonable market demands.

(c) The terms "product" or "commodity" mean any horticultural, viticultural, or vegetable product of the soil, live stock, milk and poultry and its products.

(d) The terms "proration zone" or "zone" mean any district or districts with respect to which a program of market proration is proposed to be or has been instituted.

(e) The term "commission" means the Agricultural Prorate Commission unless otherwise indicated by the context.

(f) The term "producer" means any person engaged in the business of growing or producing any agricultural product.

(g) The term "distributor" means any person, other than a retailer, who acquires and distributes any product at wholesale or retail

(h) The term "retailer" means any person engaged in the business of making sales at retail.

(i) The term "handler" means any person receiving agricultural commodities from the producer for the purpose of marketing the same

(j) The phrase "primary channel of trade" shall mean that transaction in which the producer or his cooperative marketing association loses physical possession of the commodity.

(k) The term "producing factor" means the unit of one acre.

(l) The term "owner" means the person in possession of agricultural commodities and originally entitled to dispose of the same for marketing purposes

(m) The term "proration" means the uniform percentage of their total production which all producers may harvest and prepare for market and/or market.

(n) The term "dealer" means any distributor or retailer.

(o) The term "processor" means any person who buys, or otherwise takes title to or possession of, farm products from the producer thereof for the purpose of processing or manufacturing the same or selling, reselling or redelivering the same in dried, canned, extracted, fermented, distilled, or other preserved form, and shall include (1) any person or exchange conducting such business and (2) any person or exchange buying farm products from the producer thereof the reselling them to any person or exchange conducting such business.

(p) The term "production" means those agricultural commodities which qualify for marketing and sale to the consuming public under existing State and Federal standardization and other laws.

(q) The singular includes the plural.

SEC. 3. Section 3 of said act is hereby amended to read as follows:

Sec. 3. The Agricultural Prorate Commission, consisting of nine members is hereby created. The members shall be appointed by the Governor Four of the members of said commission shall be engaged at the time of their appointment in the production of agricultural commodities, and representation shall be given to the vegetable, dairying, citrus and deciduous fruit industries. Three of said members shall be neither producers nor handlers of agricultural commodities but shall be appointed, two to represent consumers generally and one to represent consumers of agricultural commodities. One member shall be an experienced commercial handler of agricultural products and one shall be an experienced cooperative marketing handler of agricultural products Their terms of office shall be four years and they shall hold office until the appointment and qualification of their successors, except that the terms of office of the members first appointed shall expire as follows: Two members, January 1, 1934, two members, January 1, 1935, two members, January 1, 1936, and three members, January 1, 1937 The members at their first meeting shall determine by lot the relative order in which their terms expire. Vacancies shall be filled by appointment for the unexpired term.

All such appointments shall be by and with the consent of the Senate, but shall be valid to all intents and purposes, subject, however, to the consent of the Senate at its next regular session, and until such time, the persons so appointed shall have as full and ample authority as though confirmed by the Senate. In case the Senate, during its session, fails to act or refuses its consent to any such appointment, the Governor may, after adjournment of the Senate, appoint some other person, which appointment shall be valid to all intents and purposes, subject, however, to the consent of the Senate at its next regular session, and until such time, the person or persons so appointed shall have as full authority and power as though confirmed by the Senate

SEC. 4. Section 4 of said act is hereby amended to read as follows:

Sec 4 Within thirty days after notice of his appointment each member shall qualify by taking the oath of office and filing the same with the Secretary of State in accordance with law Within five days after all of said members shall have qualified they shall organize and elect a president from among their number. The commission shall appoint a secretary and such other personnel as may be necessary to carry out its duties, and may remove them at its pleasure and may prescribe their duties and compensation The members of said commission shall receive no compensation but shall be reimbursed only for their traveling expenses necessarily incurred in the performance of their duties hereunder

SEC 5 Section 5 of said act is hereby amended to read as follows

Sec 5 The office of the commission shall be in the city of Sacramento and it may meet at such times and in such places as may be expedient and necessary for

the proper performance of its duties, provided, however, said commission shall meet at least once each month and the failure of any member to attend three consecutive meetings shall be just cause for his removal from said commission. At all meetings of the commission a majority of the commission shall constitute a quorum. The commission shall have a seal, bearing the following inscription: "Agricultural Prorate Commission." The seal shall be affixed to all orders of the commission, to authentications of copies of records and to such other instruments as the commission shall direct. All courts shall take judicial notice of said seal

SEC. 6. Section 6 of said act is hereby amended to read as follows:

Sec. 6. The said commission shall constitute a body corporate and body politic for the purpose of exercising the powers and performing the acts herein mentioned, and shall have power to sue and be sued. For the purpose of carrying out the provisions of this act, the commission is authorized to adopt such necessary rules and regulations as it may from time to time deem advisable. The conduct of any hearing, inquiry or investigation which the commission has power to undertake or hold shall be held before a majority of the commission and the commission shall have no authority to delegate any of its power to its secretary. Each member of the commission and the secretary thereof, in the conduct of any such hearing, inquiry or investigation shall have power to administer oaths, and issue subpenas for the attendance of witnesses and the production of papers, books, maps, accounts, documents and testimony in any inquiry, investigation or hearing ordered or undertaken by the commission in any part of the State. The superior court of the county or city and county in which any such inquiry, investigation or hearing may be held shall have power to compel the attendance of witnesses and to require the disclosure by such witnesses of all facts known to them relative to the matters under investigation, and the production of papers, maps, books, accounts, documents and testimony as required by any subpenas issued by the commission. All parties disobeying the orders or subpenas issued under the authority of said commission shall be guilty of contempt and shall be certified to any superior court of the State, which court shall punish such contempt.

SEC. 7. Section 7 of said act is hereby amended to read as follows:

Sec. 7. A full and accurate record of business or acts performed or of testimony taken by the commission or any member or members thereof or by its secretary in pursuance of the provisions of this act shall be kept and be placed on file in the office of said commission, which records shall at all times be open to anyone affected by a prorate program.

SEC. 8. Section 8 of said act is hereby amended to read as follows:

Sec 8. Agricultural marketing proration program may be based either upon a producing zone or upon a market zone, the basis to be specified in the petition therefor. A program for the prorated marketing of a variety or kind of agricultural commodity may be initiated by presenting a petition therefor to the commission. Such petition shall indicate whether it is proposed that such program be instituted by an order of the commission or by an election by qualified producers.

The said petition shall, among other things contain:

(1) A legal description of the district or districts comprising the zone upon which the proposed marketing program is to be based, together with a map thereof.

(2) A general statement of facts showing the necessity for the institution of a prorated marketing program

(3) If such petition propose an election by qualified producers, the signatures of not less than fifty qualified producers of said kind or variety of agricultural commodity within the proposed producing zone or supplying the proposed market zone, as the case may be, shall be sufficient. If such petition propose that a program be instituted by order of the commission, the signatures of not less than two-thirds of the qualified producers of said kind or variety of agricultural commodity and of the owners of not less than two-thirds of the producing factors within the proposed producing zone or supplying the proposed market zone, as the case may be, shall be required. Wilful misrepresentation of any fact in signing such petition shall be unlawful.

There shall also be filed with said petition a good and sufficient undertaking to be approved by the commission, in double the amount of the probable cost of conducting the hearing of the petition by the commission, conditioned that the sureties will pay all such costs in case the petition be denied.

The signatures to said petition may be either in person or by duly authorized agent or representative. Any cooperative or any other agricultural marketing agency may sign such petition if specifically authorized by the producers for whom such cooperative or agricultural marketing agency purports to sign.

Each producer shall be entitled to sign for each producing factor which he may be expected to utilize for production purposes during the ensuing season or year.

Certificates of county agricultural commissioners as to the number of producers, acres or other producing factors engaged in the production of any variety or kind of commodity in their respective counties shall be prima facie evidence of the facts therein stated.

SEC. 9. Section 9 of said act is hereby amended to read as follows:

Sec. 9. Upon the presentation of a petition for the establishment, annexation or termination of a prorate program, the commission shall hold a hearing at some central point located within the district described in said petition and proposed to be

established as a proration marketing zone. The names and address of all producers claimed by petitioners as being producers shall be filed and opened to public inspection by any interested party not less than twenty days prior to the hearing in the county clerk's office in each county or portion thereof in the proposed zone. Notice of such hearing shall be given at least ten (10) days prior thereto by publication in a newspaper of general circulation printed and published in each county affected and by posting in at least ten (10) conspicuous places in said district. In case the proposed proration zone includes more than one district the required notice shall be given in each district and the commission shall hold hearings in each of said districts. At said hearings the commission shall receive and hear the evidence offered by the petitioners in support of the petition and by any interested person in opposition thereto.

All evidence and exhibits and all facts and data used directly or indirectly by the commission, or introduced at a hearing, shall within a reasonable time after being so used or so introduced be available at a central point within each county of the affected area to all interested parties

Said hearings may be adjourned from time to time and from place to place as the circumstances may require. A transcript of the proceedings at all such hearings shall be made by the commission and shall be opened to inspection by any interested party.

If no paper published in such district, then said notice shall be published in such paper as is published in the county and has general circulation in such district

SEC. 10. Section 10 of said act is hereby amended to read as follows:

Sec. 10. If upon such hearing it shall be found by the commission actually to exist:

(1) That the petition, which shall also include any counterpart supplements thereto which may have been filed with the commission during or prior to the hearing, is signed in person or by authorized representatives by the required number of producers and by the owners of the required number of producing factors; and

(2) That the economic stability of the agricultural industry concerned is being or is about to be imperiled by prevailing market conditions; and

(3) That agricultural waste is occurring or is about to occur; and

(4) That the institution of a program of prorated marketing will conserve the agricultural wealth of the State and will prevent threatened economic waste; and

(5) That the institution of a proration program as proposed in the petition will advance the public welfare without injustice to any producer, and

(6) That the proposed program may be instituted and conducted without permitting unreasonable profits to the producers and that the commodity named in the petition can not be marketed at a reasonable profit otherwise than by means of such a program; and

(7) That the proposed zone of proration includes all of the territory within this State reasonably necessary to render the proposed program feasible, it shall make written findings to that effect. If in the case of any petition it shall appear to the commission that the inclusion of territory additional to that described in the petition is necessary to the feasibility of the proposed program, it shall postpone further proceedings until notice shall have been given to the producers within such additional territory in the manner provided for in section 8 hereof. Thereafter said petition may be amended to include such additional territory and the commission may complete said hearing and make findings in the manner hereinbefore provided. If the commission shall find against the existence of any of the facts required to be present under this section, it shall deny the petition.

SEC. 11. Section 11 of said act is hereby amended to read as follows:

Sec. 11. If it shall be alleged in said petition that it is signed by two-thirds or more of the producers of the commodity named in the petition within or serving the zone described, and by the owners of two-thirds or more of the producing factors within or serving said zone, proof shall be required in support of such allegation and the commission shall make a finding with respect thereto. If it shall find such allegation to be the fact, and shall find to exist all of the other facts specified in section 10 of this act, the commission shall forthwith make an order declaring the proposed program instituted and specifying the zone in which the program shall be effective.

SEC. 12. Section 12 of said act is hereby amended to read as follows:

Sec. 12. If said petition shall have proposed an election in the proposed zone, and the commission shall find to exist all of the facts specified in section 10 hereof, thereupon it shall order an election to be held in the proposed original or modified zone. Said election shall be by secret ballot and the question to be voted upon shall appear upon the ballot substantially as follows:

Shall the producers of area producing the agricultural product form a prorate zone in said area	Yes	
	No	

At any such election, the polling places shall be located in each of the regular county precincts, any part of which are included in proposed zone affected. At least twenty (20) days before any election called the commission shall cause to be posted in three (3) public places in each election precinct notice of the time and place of holding the election and also post in the office of the county clerk of each county in which any part of the proposed zone affected is located a general notice specifying the polling places of each precinct.

SEC. 13. Section 13 of said act is hereby amended to read as follows:

Sec. 13. At such elections only producers of the commodity named in the petition shall be entitled to vote, and each producer shall be entitled to one vote for the first fifty producing factors or any fractional portion thereof and one vote for each additional fifty factors or any fractional portions thereof which it is determined in the manner hereinafter specified he may be expected to utilize for production purposes in the ensuing season. Providing, however, that in production zones for live stock, poultry and dairy products, the petition may establish the producing factors. At the time of posting notices of election, the agricultural commissioners of each county shall be notified thereof, and it shall be the duty of such agricultural commissioners to prepare lists of producers entitled to vote in each precinct in their respective counties, which list shall be filed in the office of the county clerks of their respective county at least five (5) days prior to the day of election Such lists shall also show the producing factors belonging to or controlled by each producer used in the production of the commodity as to which a proration program is proposed. Said agricultural commissioners shall at the same time notify by mail all producers whose names appear on such lists of the number of votes to which they are entitled. No irregularity in the mailing of such notices, and no failure on the part of the producer to receive such notice shall affect the validity of the subsequent election.

SEC. 14. Section 14 of said act is hereby amended to read as follows:

Sec. 14. Any producer whose name does not appear on the proper list and any producer claiming an erroneous allotment of producing factors may make application to the agricultural commissioner to be placed on said list, or to be credited with the proper number of producing factors, as the case may be, and upon substantiating his claim, is entitled to have the error corrected. In the event any such producer shall be dissatisfied with the final action of the agricultural commissioner in that regard, he may appeal to the commission whose finding shall be final. Producers may vote producing factors only in the precincts where they are listed. Corporations and firms shall have their voting rights similarly determined Votes of producers may be cast either in person or by duly authorized representatives, which shall include marketing agencies

SEC 15. Section 15 of said act is hereby amended to read as follows:

Sec. 15. At least five (5) days prior to the day fixed for the election, the board of supervisors of each county in which any part of the district or districts affected is situated shall appoint for each precinct from among those entitled to vote at the election, one inspector and two judges, who shall constitute a board of election for such precinct. If the board fail to appoint a board of election, or the members appointed do not attend at the opening of the polls on the morning of the election, the voters of the precinct present at that hour may appoint the board, or supply the place of an absent member thereof The polls shall be kept open for the reception of votes from ten o'clock a m. until six o'clock p m. when the same must be closed. The election board shall, before the opening of the polls post in a conspicuous place thereat a list of all persons entitled to vote in said precinct at said election, together with the producing factors of such persons The ballots used at the election shall be provided by the commission and one of the clerks of election shall deliver one of them to each person qualified to cast a vote At the close of the polls the board of elections shall at once proceed to canvass the votes and declare the result and shall forward its certificates of such result, together with all ballots used and all documents and papers used at such election, to the clerk of the board of supervisors of the county in which the precinct is located A copy of said certificate certified by said clerk of the board of supervisors shall be by him forwarded to the commission.

SEC. 16. Section 16 of said act is hereby amended to read as follows:

Sec 16. On the second Monday succeeding such election, the commission shall proceed to canvass the votes cast thereat and if upon such canvass it appears that two-thirds or more of the producers in the proposed zone voting at such election, and the owners of two-thirds of the producing factors in the proposed zone whose owners voted at such election, as shown by the lists prepared by the agricultural commissioner, voted in favor of the institution of a proration program, the commission shall declare such a program instituted In any order instituting a proration program, whether on petition or after election, the commission shall define the zone affected, and shall designate it by some title indicative of the commodity concerned.

SEC. 17. Section 17 of the said act is hereby amended to read as follows:

Sec. 17. Any order of the commission instituting a proration program and any other order of the commission substantially affecting the rights of any interested party may be reviewed by any court of competent jurisdiction. Any such action

must be commenced within thirty days after the effective date of the order complained of or within thirty days after the injurious effect complained of.

SEC. 18. Section 18 of the said act is hereby amended to read as follows:

Sec. 18. In the event of the institution of a proration program in a marketing zone, it shall be the duty of the commission to forthwith select a Proration Program Committee of five producers and two handlers operating within the zone; provided, that any marketing agency controlling more than one-fifth of the production within the zone of the commodity subject to the program shall be entitled to name such proportion of the producer members of said committee as it controls of the production except that no such marketing agency shall be entitled to name more than three of the producer members of said program committee; provided further, that in the case of commodities, the bulk of which is processed before consumption, one of the producer members of said Program Committee shall be a processor. It shall be the duty of such committee to determine the method, manner and extent of prorating. Such prorating program may be altered or modified from time to time by such committee but the original program and any alteration or modification thereof must be approved by the commission before it shall be made effective. Before approving any program or any alteration or modification thereof, the commission shall hold a hearing in the zone and must find that the same is reasonably calculated to maintain the existence of the facts specified in section 10 hereof. The members of such Program Committee shall not be entitled to compensation. The producer members of said Program Committee shall be chosen by the commission from a group of fifteen nominees who are to be nominated at open grower meetings. For the purpose of such nominations each producer shall be entitled to one vote only. The commission in the selection of the Program Committee, shall take cognizance of and, in so far as possible, give representation upon such committee to the various geographical areas or districts coming under the proration program. No producer member of the Program Committee shall be a handler or processor or an employee of or in any manner connected with a handler or a processor, except that in the case of commodities, the bulk of which is processed before consumption, one of the producer members of said Program Committee shall be a processor; in the event that the commission shall be of the opinion that a committee of seven will not afford adequate representation to all of the factors in the industry concerned, it may appoint a program committee of six producers and three handlers provided said producers are selected from the list of nominees selected by the growers as provided for herein. The members of such Program Committee shall not be entitled to compensation but may be reimbursed their actual and necessary traveling expenses.

Upon request of petitioners for the institution of a program or a Program Committee therefor, the commission shall also appoint in the same manner as the Program Committee was appointed an alternate for each member of the committee. Such alternate shall be entitled to sit as a regular member of the committee in case the member for whom he is an alternate fails for any reason to attend any meeting of the committee.

Vacancies on the Program Committee occasioned by the death or resignation of any member, or by removal for cause by the commission, or by a member ceasing to qualify as a producer or handler of the commodity concerned, shall be filled in the same manner as the original appointments were made.

The Program Committee shall appoint an agent, approved by the commission, who shall administer the proration program on behalf of the commission.

Pending action by the commission on the approval of any such agent, he shall act as such and shall appoint such deputy agents and other assistants as may be necessary to properly direct the program. Such agent shall appoint such deputy agents and other assistants as may be necessary to direct the program.

SEC. 19. A new section to be numbered 18 1 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 18 1. The marketing program to be made effective in any proration zone shall be approved by the commission after hearing of the petition or after hearing upon any such program proposed by the Program Committee appointed for said zone by the commission. Such proration program may be altered or modified from time to time by such Program Committee with the approval of the commission but before any such alteration or modification shall be approved by the commission, it shall hold a hearing in the zone. Before approving any program or any alteration or modification thereof, the commission must find that the same is reasonably calculated to maintain the existence of the facts specified in section 10 hereof and may modify any program submitted to make it conform to this requirement.

SEC. 20. Section 19 of said act is hereby amended to read as follows:

Sec. 19. In the event that a Program Committee shall fail within a reasonable time to present to the commission a prorating program or shall present a program which is not consistent with the conditions specified in paragraph ten of this act, the commission shall initiate a proper program or shall modify the program presented, as the case may be, in conformity with the provisions of section 10. If at any time during the operation of any proration program, it shall appear probable to the commission that the program being carried out has ceased to be in conformity

with the provisions of section 10 hereof, it shall be the duty of the commission, after hearing, to so modify such program as to obtain the conditions required by said section 10.

SEC. 21. A new section to be numbered 19.1 is hereby added to the act cited in the title, to read as follows:

Sec. 19.1. In any marketing program approved by the commission, a Program Committee shall be empowered to determine the method, manner and extent of proration and the movement of the prorated commodity from harvest into a primary channel of distribution. Proration may be periodic or seasonal in character and may be based upon actual production, whether in storage or otherwise, or upon estimated production. In estimating production a Program Committee shall give consideration, among other factors, to the normal production of the various producing units. The Program Committee, for the purpose of minimizing the effect of existing surpluses upon market conditions, shall be empowered in any or all of the following particulars:

(a) To establish and maintain surplus pools which shall be authorized to receive from each producer from time to time his surplus of the prorated commodity and market the same for the account of the producer when it can be advantageously disposed of either in its original or some converted state. In operating any such surplus pool, a Program Committee may fix grading, packing, and servicing charges to be assessed against such commodities received by the pool and requiring such handling. The Program Committee shall handle all commodities received by a surplus pool and account for the same on a pooled basis. Each producer delivering his surplus to a pool shall be credited for his proportionate share of the surplus to a pool shall be credited for his proportionate share of the surplus so delivered.

(b) To create, establish or otherwise obtain and operate facilities for the grading, packing, servicing, processing, preparing for market and disposal of such surplus in such manner as to maintain stability in the markets and to sell such surplus and/or any of its derived products.

(c) To appoint and empower subcommittees in the separated producing areas within the zone to facilitate the carrying out of the purposes of this act.

(d) To collaborate and cooperate with agencies or organizations with similar purposes, whether of this State, other States or of the United States, in the formulation and execution of a common marketing program; provided, that in proper cases the commission may require such collaboration and cooperation.

(e) To minimize an existing surplus through the enforcement of applicable existing standardization or other laws of this State, and of the United States, enacted to protect the consuming public from fraud or deception.

The cost of the exercise of such powers as are herein granted to the Program Committee shall be a part of the cost of the operation of the program and shall be obtained through fees in the same manner as other costs of the program.

SEC. 22. Section 20 of said act is hereby amended to read as follows:

Sec. 20. After any prorating program has been formulated and has been approved by the commission, the agent for the zone shall assume the administration of the program and any subsequent modification thereof and the issuance of proration certificates thereunder. Such certificates shall be divided into primary and secondary certificates. Each producer shall be entitled to one primary certificate which shall indicate the quantities of the commodity, for which the program has been instituted which the producer named in such certificate shall be entitled to harvest or otherwise prepare for market and delivery into the primary channels of trade. Said primary certificates shall also indicate from time to time the number of secondary certificates theretofore issued under it. Secondary certificates shall be numbered consecutively and shall be used to control the time and volume of harvesting or other preparation for disposal. Such secondary certificates shall accompany all deliveries of the prorated commodity by producers into a primary trade channel, provided that in the case of commodities which are normally concentrated for preparation for market, secondary certificates may authorize harvesting of the entire crop for the purpose of delivery to a concentration point and subsequent marketing control. Such certificates shall be negotiable between producers.

In the operation of any program, cooperative and other market agencies entitled to the possession of agricultural commodities for marketing purposes may be authorized to receive certificates for producers represented by them and to represent their respective producers when proration is applied to the commodity while in the possession of such agencies.

SEC. 23. Section 21 of said act is hereby amended to read as follows:

Sec. 21. The agent under each zone program shall collect for each certificate issued to the producers, a reasonable and proportional fee to be fixed by the Program Committee so calculated as to produce the expenses of the administration of the program, the costs of the institution of the program, and a proper proportion of the cost of the maintenance of the commission which shall be fifteen per cent of the fees collected for certificates, by the agent of the zone unless the commission determines that a lesser percentage will provide sufficient revenue for its maintenance.

All such fees shall be remitted weekly by the agent of the zone to the commission and shall be paid monthly by the commission into the State treasury to the credit of the "Agricultural Prorate Commission fund" which fund is hereby created. All

moneys credited to such fund shall be used only for the purpose of defraying the expenses of the organization, administering and enforcing the program under which they were collected and to the extent herein prescribed for the support of the commission.

SEC. 24. Section 22 of said act is hereby amended to read as follows:

Sec. 22. The commission shall have power to establish such rules and regulations consistent with this act as may be necessary to carry out the purposes thereof, and through its duly authorized representatives and agents shall have access, solely for the purpose of investigating possible violations of any program, to the records of producers, dealers, distributors, private and public property transportation agencies and handlers of a commodity as to which a proration program has been instituted, and shall have at all times free and unimpeded access to all buildings, yards, warehouses, storage and transportations, or other, facility or place in which any commodity under a proration program is kept, stored, handled or transported. All information obtained by the commission shall be confidential and shall not be disclosed except when required in a judicial proceeding.

SEC. 25. A new section to be numbered 22.5 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 22.5. It shall be a misdemeanor for:

(1) Any person to wilfully render or furnish a false or fraudulent report, statement or record required under this act;

(2) Any person to or deliver into a primary trade channel without proper authority any commodity upon which a proration program shall have been instituted.

(3) Any handler, dealer or carrier to receive or have in his possession, within this State, without proper authority any commodity upon which a proration program has been instituted.

(4) Any person to aid or abet in the commission of any of the acts specified in this section, and each infraction shall constitute a separate and distinct offense.

SEC. 26. Section 23 of said act is hereby amended to read as follows:

Sec. 23. After the institution of any proration program, such program shall continue to remain in effect unless there shall be filed with the commission an application for its termination signed by not less than forty per cent of the producers and by the owners of forty per cent of the producing factors of the industry within the zone in which the program is effective. Such petition shall be accompanied by a good and sufficient undertaking in an amount equal to the probable cost of conducting said hearing. A hearing must be held upon the petition to determine the sufficiency of the signatures thereto, which hearing must be held within thirty days after the presentation of the petition. If upon such hearing, it shall be established that the petition to terminate is sufficiently signed, the commission shall terminate the program

The commission may at any time initiate an investigation on its own motion to determine whether or not the facts specified in section 10 hereof continue to exist Upon a finding that any one or more of the prerequisite facts no longer exist, the commission shall terminate said program. In no case shall any program on a seasonal crop be terminated except at the end of its marketing season

SEC 27 Section 24 of said act is hereby amended to read as follows

Sec 24. Any person who shall market, handle or transport any commodity in violation of any provision of an original or modified proration program approved and made effective by the commission may be enjoined by the commission in an action brought in the superior court for the county in which the violation is alleged to be occurring. There may be enjoined in the same proceeding any number of defendants alleged to be violating the same program, although their properties and interests may be situated in several counties and their actual violations of the program may be separate and distinct. In any action for injunction brought hereunder, the procedure shall be governed by the provisions of Chapter 3, Title VII, Part II of the Code of Civil Procedure of the State of California.

SEC 28. Section 25 of said act is hereby amended to read as follows:

Sec. 25. Any person who violates any provision of a proration program approved and made effective by the commission shall be liable civilly in an amount not to exceed a sum of five hundred dollars for each and every violation to be recovered by the commission in any court of competent jurisdiction. All sums recovered under this section shall be deposited in the State treasury to the credit of "Agricultural Prorate Commission fund."

SEC. 29. A new section to be numbered 25 1 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 25.1. Any other area or areas within the State of California producing the same kind or variety of agricultural commodity as a proration zone already established under this act, and competing with such proration zone, may be annexed to such already established proration zone in the following manner·

A petition similar in form and content to that prescribed in section 8 of this act, and describing the area or areas proposed to be annexed, signed by not less than two-thirds of the producers of said commodity in petitioning area or areas and by the owners of not less than two-thirds of the producing factors in said area

or areas, may be filed with the commission The secretary of the commission shall forthwith inform the program committee of the zone to which it is proposed to annex the new area or areas and the committee shall within ten days advise the commission if it disapproves of the petition A failure to disapprove shall be regarded as approval In case the petition is disapproved, no further proceedings shall be had. In case the committee shall approve the petition, notice of hearing the petition shall be given by the commission in the area or areas proposed to be annexed in the manner provided in section 9 of this act. If it shall appear from evidence produced at such hearing that the petition, together with any supplements thereto, was sufficiently signed and that the inclusion of area or areas described in the petition is necessary to make the marketing program effective, the commission shall so find and make an order including the new area or areas in the original proration zone When an additional area or areas are added to a proration zone the existing Program Committee shall function until the end of the current marketing season, at which time a new committee shall be appointed to represent the entire area as provided for in section 18 of this act.

SEC. 30 Section 26 of said act is hereby repealed.

SEC. 31. A new section to be numbered section 27 is hereby added to the act cited in the title hereof, to read as follows:

SEC. 27. This act and the provisions of this section shall be effective to and until September 1, 1937.

SEC. 32 A new section to be numbered section 28 is hereby added to the act cited in the title hereof, to read as follows:

SEC. 28. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this act. The Legislature hereby declares that it would have passed each provision of this act irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases, as provisions hereof, be declared unconstitutional.

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Withdrawal of Bills.

By order of the Speaker, the following bills were withdrawn from the file, and referred to committees as follows:

Assembly Constitutional Amendment No. 24 ordered re-referred to Committee on Constitutional Amendments.

Assembly Bill No. 1782 ordered re-referred to Committee on Elections.

Assembly Bill No 1735 ordered re-referred to Committee on Ways and Means.

Assembly Bill No 1309 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 2248 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 2250 ordered re-referred to Committee on Judiciary.

Adjournment.

At twelve o'clock m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Monday, April 22, 1935.

CHARLES H. ERB, Minute Clerk

IN ASSEMBLY.

ASSEMBLY CHAMBER,

SACRAMENTO, Monday, April 22, 1935.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Evans, Herbert J., its further reading was dispensed with.

Leave of Absence.

On motion of Mr. Hawkins, Mr. Andreas was granted leave of absence for this day.

Privilege of Floor of Assembly Extended.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. W. Coburn Cook, city attorney of Turlock, and Gale Cook.

On request of Mr Brennan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Messrs. Frank Hopkins, Vincent Lawson, Charles Batzer, Harold Fitzgerald, George Cash, and Mr. Schneider of St. Ignatius.

On request of Mr. Cunningham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. and Mrs. H. L. Taylor of Los Gatos.

On request of Mr. Redwine, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Charles R. Baird of Los Angeles.

On request of Mr. Minard, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Percy C. Church.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From the American Legion of San Francisco, commending Committee on Judiciary and those members of the Assembly who supported the Legion program, and also favoring the passage of Assembly Bills Nos. 105, 106, 107, 108, 109 and 2194.

From Mrs. H. F. Burback, favoring a chain store tax measure.

From the California Real Estate Association, urging the members of the Legislature to cooperate in balancing the budget.

Communication.

The following communication was received, and ordered printed in the Journal:

By Chief Clerk:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1935.

MR. SPEAKER: Pursuant to your instructions, the following named person has filed his credentials and is duly recognized as representative of the newspaper set opposite his name:

Sacramento Bee—Arthur V. Buel.

ARTHUR A. OHNIMUS, Chief Clerk.

ASSISTANT CLERK OLIVER READING.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 61—An act to amend section 2 of an act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act, to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act," approved May 15, 1933, relating to exemptions;

Also: Assembly Bill No. 66—An act to create a board, designated as California Surplus and Waste Products Authority, for the purpose of preventing waste and conserving and preserving and causing to be utilized all surplus products of the soil of the State, defining their duties and powers, fixing their compensation, and appropriating funds necessary for their operation;

Also: Assembly Bill No. 127—An act to add sections 139.1, 139.2, 139.3, 139.4, 139.5, 139.6, 139.7, and 139.8 to the Agricultural Code, relating to the registration of fruit trees;

Also: Assembly Bill No. 197—An act granting in trust to the City and County of San Francisco the interest of the State in and to, and the control and management of the harbor of San Francisco, as described in the act; providing for the disposition of revenues derived from the operation of said harbor; providing for the sale of bonds authorized but not sold; providing for the payment of interest on bonds, and for the redemption of bonds; fixing the terms and conditions of the grant; providing for the issuance of a proclamation by the Governor; providing for the continuation in service of employees and entitling them to the benefits of civil service provisions of the charter of the City and County of San Francisco; providing that the members of the State Board of Harbor Commissioners shall be continued in office as members of the board, commission or public officers vested with the management of said harbor until their respective terms as members of the State Board of Harbor Commissioners shall expire;

And reports that the same have been correctly engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 202—An act to be known as the Cooperative Industries Act, setting up machinery for the creation and regulation of cooperative industrial corporations and their financing, defining policy and declaring the existence of an economic emergency requiring the enactment of this legislation;

Also: Assembly Bill No. 204—An act to be known as the State Economy Act providing for a program of useful public works, enjoyable by all citizens alike, to absorb unemployment and abolish charity; providing the means for financing such public works program and for State expenses without the necessity of further bond issues; providing an adequate and equitable auxiliary medium of exchange, regulating the volume and stabilizing the value thereof;

Also: Assembly Bill No. 410—An act to amend section 14a of the State Civil Service Act, relating to the abolition or discontinuance of positions;

Also: Assembly Bill No. 439—An act to add a new section to the School Code to be numbered 6.492, relating to the payment by school districts of subscriptions to periodicals;

Also: Assembly Bill No. 506—An act to provide for home aid to resident citizens of this State, defining the powers and duties of the Veterans' Welfare Board in respect thereto, and providing for the financing of such aid including the issuance of revenue bonds for the purpose;

Also: Assembly Bill No. 510—An act to amend section 143 of the Agricultural Code, pertaining to abandoned orchards,

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 607—An act relating to the holding of the Pacific Exposition and the San Francisco Bay Exposition in California, providing for the issuance and sale of State bonds to be known as "California Exposition bonds," providing for the payment and retirement of said bonds, providing for and creating funds for the carrying out of the purposes of this act, authorizing the expenditure of moneys in said funds for such purposes, creating two commissions, one to be known as the "Pacific Exposition Commission" and the other to be known as "San Francisco Bay Exposition Commission," creating an interest and sinking fund for the payment of interest on said bonds and the redemption of the same, and making appropriation therefor, making an appropriation of $2,000 for the expense of printing, lithographing and selling said bonds, designating the name by which this act shall be known and fixing the time at which this act shall be and become effective;

Also: Assembly Bill No. 659—An act to amend sections 76 and 76a of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property within municipalities, and upon property and rights of way owned by municipalities, or of which a municipality has possession and the rights of way under the provisions of section 14 of Article I of the Constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and provide for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, relating to the foreclosure of bonds and to the treasurer's list of bonds upon which payments have not been made;

Also: Assembly Bill No. 673—An act to add section 1681 to the Insurance Code, relating to insurance of property in which an agent, broker or solicitor has an interest;

Also: Assembly Bill No. 728—An act to amend sections 1239, 1246, and 1249 of the Code of Civil Procedure, relating to eminent domain;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 822—An act to amend section 3714 of the Political Code, relating to budgets and taxes;

Also: Assembly Bill No. 924—An act to amend sections 781, 783, 784, 785, 787, 788, and 822 and to add sections 784.1, 784.2, 784.3, 784.4, 784.5 and 784.6 to the Agricultural Code, relating to fruits, nuts and vegetables;

Also: Assembly Bill No. 925—An act to amend section 830.5 of the Agricultural Code, relating to transportation of fruits, nuts, and vegetables;

Also: Assembly Bill No. 1037—An act to safeguard the public health, to regulate the diagnosis and treatment of human ailments by means of X-rays and the use, ownership and possession of X-ray appliances for said purposes; providing for the licensing of persons operating X-ray appliances and laboratories, declaring the treatment of human ailments by means of X-rays to constitute the practice of medicine; prescribing penalties for violation of the act; declaring the possession, maintenance or operation of X-ray appliances in violation of the provisions of the act to constitute a public nuisance, and otherwise providing for the enforcement of the act;

Also: Assembly Bill No. 1189—An act to amend sections 116, 116b, 274c, 437c, 477, 594, 632, 639, 652, 655, 664, 667a, 668, 670, 675, 973, 1033, 1052, 1134 and 1135 of the Code of Civil Procedure, and to add sections 35 and 982a thereto, relating to civil actions;

Also Assembly Bill No 1274—An act to add section 384 to the Vehicle Code, relating to registration and license fees;
And reports that the same have been correctly engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1289—An act to amend section 372 of the Vehicle Code, and to add thereto section 776.1, relating to motor vehicles;

Also: Assembly Bill No. 1298—An act to amend section 1238 of the Code of Civil Procedure, relating to the exercise of the right of eminent domain;

Also: Assembly Bill No. 1385—An act to amend section 4 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the payment of a portion of purse to breeder;

Also: Assembly Bill No. 1480—An act to amend sections 137 and 140 of the Agricultural Code, relating to pest control and abatement.

Also: Assembly Bill No. 1516—An act to amend sections 6.240, 6 251, 6 252, 6 260, 6 262, 6.263, 6.264, 6.265, 6.270, 6 274, 6 275, 6.291, 6.292, 6.294, 6.295, 6 296, 6 300, 6 301, 6 305, 6.307, 6 320, 6.322, 6.330, 6.332, 6 340, 6.341 of the School Code and to repeal Article VI of Chapter III of Part II of Division VI thereof, relating to supplementary textbooks;
And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1792—An act validating the purchase of bonds by municipalities under the Improvement Act of 1911 and the Improvement Act of 1915 from the proceeds of the delinquent street assessment fund provided for in said act;

Also: Assembly Bill No. 1821—An act to add section 1473a to the Penal Code, relating to writs of habeas corpus;

Also: Assembly Bill No 1825—An act to add section 929 to the Fish and Game Code, relating to and regulating the subject of fishing within the jurisdiction of the State of California;

Also: Assembly Bill No. 1882—An act to amend section 10203 of the Insurance Code, relating to group life insurance;

Also: Assembly Bill No 2012—An act to amend the Vehicle Code by adding a new section to be numbered 135 5, relating to investigation of accidents;

Also: Assembly Bill No. 2026—An act requiring public officials to exercise tolerance in their dealings with the public and prescribing instruction in the public schools as to the necessity of tolerance under the constitutional guarantees of equal privileges and immunities and equal protection of the laws and declaring a denial of such guarantees to be a misdemeanor;

Also: Assembly Bill No. 2078—An act to amend sections 422 and 423, and to repeal sections 424 and 425 of the Fish and Game Code, relating to licenses;
And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2275—An act to add section 3 45 to Article I, Chapter IV, Part I, Division III, of the School Code, relating to compulsory instruction;

Also: Assembly Bill No 2358—An act to amend section 925 of the Fish and Game Code, and to repeal sections 923 and 924 thereof, relating to nets;

Also: Assembly Bill No 2409—An act to add sections 1217.5 and 1243.5 to the Penal Code, relating to capital punishment;
And reports that the same have been correctly engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also.

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 188—An act to add section 654d to the Penal Code, relating to advertising food, drink, drug, devices or cosmetic products by radio broadcasting and providing penalties for violation thereof—and reports that the same has been correctly re-re-engrossed.

WATERS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 406—An act to add a new article to Chapter I of Part I of Division I of the School Code to be known as Article VII, embracing section 1.45, relating to the participation of pupils in public exhibitions;

Also: Assembly Bill No. 865—An act to amend section 797 of the Fish and Game Code, relating to abalone;

Also: Assembly Bill No. 1138—An act to amend section 3804 of the Political Code, to prescribe place of filing claim for refund of taxes, penalties or costs, and to validate the filing of such claims heretofore filed and to add to said code a new section to be numbered 3804.1, to provide for refunding certain payments on account of delinquent taxes;

Also: Assembly Bill No. 1654—An act to amend sections 459, 465 and 471 of, and to add a new section to be numbered 466 to, the Vehicle Code, relating to highways and the regulation thereof;

Also: Assembly Bill No. 2156—An act to amend sections 3678, 3681a, 3747a, 3756, 3760, 3764, 3766, 3771, 3771a, 3772, 3776, 3785, 3788, 3789, 3797, 3799, 3804b, 3808, 3809, 3816, 3817, 3817f, 3817g, 3817h, 3818, and 3822 and to repeal sections 3738, 3739, 3781, 3791, 3792, 3793, 3794, 3795, 3796, 3800 and 3815 of the Political Code and to add to said code sections numbered 3816a, 3817j and 3832, relating to the collection of taxes;

Also: Assembly Bill No. 1475—An act relating to the powers and duties of building inspectors of cities, cities and counties, or counties;

And reports that the same have been correctly re-engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 915—An act to amend sections 1 to 25 inclusive of, and add new sections to be numbered 18.1, 19.1, 22.5, 25.1, 27 and 28 to, and to repeal section 26 of an act entitled "An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission; prescribing the powers, duties and authority of said commission and the members thereof; providing for the institution of proration programs with respect to agricultural crops, providing for the enforcement of such programs, providing penalties for violation of such programs; providing for the creation of funds for the purposes of said act and providing for the collection thereof, approved June 5, 1933, relating to serving agricultural wealth, prevention of economic waste and providing for the Agricultural Prorate Commission—and reports that the same has been correctly re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 819—An act to amend sections 2167, 2167a, 2169, 2172 and 2175 of, to repeal sections 2168, 2170, 2171 and 2185c of, and to add new sections numbered 2168, 2168.1, 2168.2, 2168.3, 2168.4, 2168.5, 2168.6, 2168.7, 2168.8, 2171, 2185.1, 2185.2, 2185.3, 2185.4, 2185.5, 2185.6 and 2185.7 to the Political Code, relating to persons mentally disordered or otherwise incompetent—and reports that the same has been correctly re-re-re-re-re-engrossed.

WATERS, Chairman

The above reported bill ordered on file for third reading.

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1935

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to authorize the State Treasurer to accept, on behalf of the State of California, the sum of $1,000,000, together with any interest that may be due thereon, and other sums from the California Olympiad Commission, or any committee thereof, for the benefit of State hospitals and inmates thereof.

CUNNINGHAM, Chairman.

Also:

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to provide for the regulation and licensing of establishments for wagering or betting upon the results of horse races; to provide penalties for the violation of the provisions of this act and making an appropriation for the enforcement thereof.

CUNNINGHAM, Chairman.

Also:

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act making an appropriation to pay the claim of R. S. Jay against the State of California.

CUNNINGHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 959 of the Political Code, relating to official bonds.

CUNNINGHAM, Chairman.

Reports of the Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the reports.

The question being on the adoption of the reports.

The roll was called, and the reports adopted by the following vote:

AYES—Anderson, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Colwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Walker, Waters, Welsh, Wright, and Mr Speaker—64.

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

By Mr. Turner: Assembly Bill No. 2412—An act to provide for the regulation and licensing of establishments for wagering or betting upon the results of horse races; to provide penalties for the violation of the provisions of this act and making an appropriation for the enforcement thereof.

Bill read first time, and referred to Committee on Public Morals.

By Mr. Maloney: Assembly Bill No. 2413—An act to amend section 959 of the Political Code, relating to official bonds.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Garibaldi: Assembly Bill No. 2414—An act making an appropriation to pay the claim of R. S. Jay against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. McCarthy: Assembly Bill No. 2415—An act to authorize the State Treasurer to accept, on behalf of the State of California, the sum of $1,000,000, together with any interest that may be due thereon, and other sums from the California Olympiad Commission, or any committee thereof, for the benefit of State hospitals and inmates thereof.

Bill read first time, and referred to Committee on Ways and Means.

Appointment of Select Committee.

The Speaker announced the appointment of Messrs. Riley, Cottrell, Hunt, Robertson, Scudder, Turner and Williamson to carry out the provision of Senate Concurrent Resolution No. 25.

Second Reading of Assembly Bills.

Assembly Bill No. 1243—An act to amend sections 828 and 829 of the Agricultural Code, relating to fruits, nuts and vegetables.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of lines 23 to 25, inclusive, and insert in lieu thereof the following: "on top; five and three-eighths inches in width, and ten and one-half inches in length on the bottom; and three and five-sixteenths inches in depth, all inside measurements."

Amendment No. 2.

On page 2, between lines 30 and 31, of the printed bill, insert the following line: "18A Standard fruit box 5 11½ 18".

Amendment No. 3.

On page 4, line 29, of the printed bill, strike out the word "at", in said line, and insert in lieu thereof "on".

Amendment No. 4.

On page 4, line 35, of the printed bill, after the number "1," in said line, insert "1A," and in the same line, after the number "18," insert "18A,".

Amendment No. 5.

On page 4, line 37, of the printed bill, after the number "17," in said line, insert "18," and in the same line, after the number "20" insert ", 26".

Amendment No. 6.

On page 4, line 43, of the printed bill, after the number "17," in said line, insert "18A,".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 920—An act to amend section 1261 of the Agricultural Code, relating to produce dealers.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended in Assembly March 11, 1935, immediately before "1265", insert "1264,".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, as amended in Assembly March 11, 1935, immediately following "1268", insert ", 1269, 1273".

Amendment No. 3.

On page 3 of the printed bill, as amended in Assembly March 11, 1935, between lines 48 and 49, insert the following:

"SEC. 3. Section 1264 of the Agricultural Code is hereby amended to read as follows:

1264. The director may publish in pamphlet form as often as he thinks necessary a list of all licensed commission merchants, dealers, brokers and agents together with all necessary rules and regulations concerning the enforcement of this chapter. Each licensed commission merchant, dealer, broker or agent shall post his license or a copy thereof in his office or salesroom in plain view of the public. All license fees collected under the provisions of this chapter shall be paid into the State treasury monthly and shall be credited to the Department of Agriculture fund and expended in carrying out the provisions of this chapter"

Amendment No. 4.

On page 3, line 49, of the printed bill, as amended in Assembly March 11, 1935, strike out "3", and insert in lieu thereof "4".

Amendment No. 5.

On page 5, line 3, of the printed bill, as amended in Assembly March 11, 1935, strike out "4", and insert in lieu thereof "5".

Amendment No. 6.

On page 5, line 3, of the printed bill, as amended in Assembly March 11, 1935, strike out "5", and insert in lieu thereof "6".

Amendment No. 7.

On page 5, line 50, of the printed bill, as amended in Assembly March 11, 1935, strike out "6", and insert in lieu thereof "7".

Amendment No. 8.

On page 6 of the printed bill, as amended in Assembly March 11, 1935, immediately following line 28, add the following:

"SEC. 8 Section 1269 of the Agricultural Code is hereby amended to read as follows

1269. The director may refuse to grant a license and may revoke or suspend any license, as the case may require, when he is satisfied of the existence of any of the following facts

(a) That fraudulent charges or returns have been made by the applicant, or licensee, for the handling, sale or storage of, or for rendering of any service in connection with the handling, sale or storage of any farm products.

(b) That the applicant, or licensee, has failed or refused to render a true account of sales, or to make a settlement thereon, or to pay for farm products received, within the time and in the manner required by this chapter.

(c) That the applicant, or licensee, has made any false statement as to the condition, quality or quantity of farm products received, handled, sold or stored by him

(d) That the applicant, or licensee, directly or indirectly, has purchased for his, or its own account farm products received by him upon consignment without prior authority from consignor together with price fixed by consignor or without promptly notifying the consignor of such purchase. This shall not prevent any commission merchant from taking to account of sales, in order to close the day's business, miscellaneous lots or parcels of farm products remaining unsold, if such commission merchant shall forthwith enter such transaction on his account of sales.

(e) That the applicant, or licensee, has intentionally made any false or misleading statement as to the conditions of the market for any farm products

(f) That the applicant, or licensee, has made fictitious sales or has been guilty of collusion to defraud the producer.

(g) That a commission merchant to whom any consignment is made has reconsigned such consignment to another commission merchant for the purpose of receiving, collecting, or charging by such means more than one commission for making the sale therefor for the consignor, unless by consent of such consignor.

(h) That the licensee was intentionally guilty of fraud or deception in the procurement of such license.

(i) That the licensee or applicant has failed or refused to file with the director a schedule of his charges for services in connection with produce handled on account of or as an agent of another; that the applicant, or licensee has indulged in any unfair practice.

Previous violation by the applicant or by any person connected with him or it of any of the provisions of this chapter shall be good and sufficient ground for denial of a license.

SEC. 9. Section 1273 of the Agricultural Code is hereby amended to read as follows:

1273. (1) Any person is guilty of a misdemeanor and is punishable by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than one year or by both who assumes or attempts to act as a commission merchant, dealer, broker or agent without a license, or who, being a commission merchant:

(a) Imposes false charges for handling or services in connection with farm products.

(b) Fails to account promptly, correctly, fully and properly and to make settlement therefor as herein provided.

(c) Intentionally makes false or misleading statement or statements as to market conditions.

(d) Makes fictitious sales or is guilty of collusion to defraud the producer.

(e) Directly or indirectly purchases for his own account, goods received by him upon consignment without prior authority from the consignor, or fails promptly to notify the consignor of such purchases, if any, on his own account. This clause does not prevent any commission merchant from taking to account of sales, in order to close the day's business, miscellaneous lots or parcels of farm products remaining unsold, if such commission merchant forthwith enters such transaction on his account of sales.

(f) Intentionally makes fales statement or statements as to the grade, condition, markings, quality or quantity of goods shipped or packed in any manner.

(g) Fails to comply in every respect herewith

(2) Civil suits and criminal prosecutions arising by virtue of any of the provisions of this chapter may be commenced and tried in either the county where the products were received by the commission merchant, dealer, broker or agent, or within the county in which the principal place of business of such commission merchant, dealer, broker or agent is located, or within the county in which the violation of this chapter occurred."

Amendment No. 9.

On page 1, line 4 of the title of the printed bill, strike out "produce dealers", and insert in lieu thereof the following "persons licensed to deal in farm products".

Amendment No. 10.

On page 2 of the printed bill, between lines 22 and 23, insert the following:

"SEC. 2. Section 1263 of the Agricultural Code is hereby amended to read as follows:".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 2005—An act to amend the Agricultural Code by adding to Division VI thereof a new chapter numbered 8, embracing sections 1299 to 1299.6, inclusive, relating to the licensing and regulation of traveling merchants and providing penalties for the violation thereof

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 10, of the printed bill, after the word "sale", insert the words "as a peddler, to any person other than a consumer".

Amendment No. 2.

On page 1, line 12, of the printed bill, strike out the word "perish", and in line 13, strike out "able foodstuffs", and insert in lieu thereof the words "agricultural product of the soil".

Amendment No. 3.

On page 1, line 15, of the printed bill, after the word "premises", strike out the comma and the words "except produce", and insert in lieu thereof a period.

Amendment No. 4.

On page 1 of the printed bill, strike out lines 16 to 25, inclusive.

Amendment No. 5.

On page 2 of the printed bill, strike out lines 1 to 5, inclusive.

Amendment No. 6.

On page 2, line 6, of the printed bill, strike out the term "1299.2", and insert in lieu thereof the term "1299.1".

Amendment No. 7.

On page 2, line 8, of the printed bill, strike out the words "two hundred and fifty dollars ($250.00)", and insert in lieu thereof the words "one hundred dollars ($100.00)".

Amendment No. 8.

On page 2, line 15, of the printed bill, after said line 15, insert the following:

"1299.2. The director may refuse to grant a license and may revoke or suspend any license, as the case may require, when he is satisfied of the existence of any of the following facts:

(a) That fraudulent charges or returns have been made by the applicant, or licensee, for the handling, sale or storage of, or for rendering of any service in connection with the handling, sale or storage of any farm products.

(b) That the applicant, or licensee, has failed or refused to render a true account of sales, or to make a settlement thereon, or to pay for farm products received, within the time and in the manner required by chapter 6 of this code.

(c) That the applicant, or licensee, has made any false statement as to the condition, quality or quantity of farm products received, handled, sold or stored by him.

(d) That the applicant, or licensee, has intentionally made any false or misleading statement as to the conditions of the market for any farm products.

(e) That the applicant, or licensee, has made fictitious sales or has been guilty of collusion to defraud the producer.

(f) That the licensee was intentionally guilty of fraud or deception in the procurement of such license."

Amendment No. 9.

On page 2, line 37, of the printed bill, strike out the words "sections 1312 and", and insert in lieu thereof the word "section".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2368—An act to add sections 73 and 74 to an act entitled "An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to retirement of members of the California Highway Patrol.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "add sections 73 and 74", and insert in lieu thereof the following: "amend sections 5, 13, 65, 78, 83, 85, 86, 100, 101 and 109 of, and to add sections 28a, 65a, 65b, 65c, 65d, 83a, 85a, 100a and 100b".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 24, inclusive, and on page 2, strike out lines 1 to 13, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 5 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 5. "Member" shall mean any person included in the membership of the retirement system set forth in sections 26, 27, 28 and 28a, and not excluded in sections 29 to 40, inclusive, of this act;

SEC. 2. Section 13 of said act is hereby amended to read as follows:

Sec. 13. "Compensation earnable" by a member shall mean the average monthly compensation as determined by the board upon the basis of the average time put in by members in the same group or class of employment and at the same rate of pay, it being assumed that during any absence said member was in the position held by him at the beginning of the absence and that prior to entering State service he was in the position first held by him in such service, but such "compensation earnable" shall not exceed four hundred sixteen dollars and sixty-six cents per month.

SEC. 3. A new section is hereby added to said act to be numbered section 28a and to read as follows:

Sec. 28a. Persons who are members of the California Highway Patrol become and remain members of the retirement system in the same manner as in the case of other eligible State officers or employees, except that when any such person is disabled or killed by injury or illness arising out of and in the course of such duties, such person, in respect to such disability or death, is deemed a member of the retirement system while in State service prior to the completion of the six months of service referred to in section 27, to the same extent as if such six months of service was completed prior to such disability or death.

"Member of the California Highway Patrol," for the purpose of the retirement system includes persons employed in the Motor Vehicle Department whose principal duties consist of active law enforcement service and excludes such persons whose principal duties are those of a telephone operator, clerk, stenographer, machinist, mechanic, or otherwise clearly not falling within the scope of active law enforcement service, even though such person is subject to occasional call, or is occasionally called upon, to perform duties within the scope of active law enforcement service.

SEC. 4. Section 65 of said act is hereby amended to read as follows

Sec. 65. The normal rates of contribution of members, other than members of the California Highway Patrol, shall be based on sex and age at the nearest birthday at the time of entrance into the retirement system. The normal rates of contribution shall be such as will provide an average annuity at age sixty-five equal to one one-hundred-fortieth of the final compensation of members, according to the tables adopted by the board, for each year of service rendered after entering the system.

SEC. 5. A new section to be numbered section 65a is hereby added to said act to read as follows:

Sec. 65a. The normal rates of contribution of each member, who is also a member of the California Highway Patrol, shall be based on his age at July 1, 1935, or at his later entrance into the retirement system, and his age when he became a member of the said patrol, both ages being taken to the next lower completed quarter year. The age at entrance into the California Highway Patrol shall be determined by deducting the total State service in said patrol credited to the member at July 1, 1935, from his age at that date. The normal rates of contribution of each such member who became a member of the said patrol at or below age forty-five shall be such as, on the average for such member, if his service on full salary be uninterrupted and when accumulated with regular interest, added to the equal accumulated contributions of the State and applied according to the tables adopted by the board, will provide a retirement allowance upon retirement for service at the age of sixty years, or upon completion of twenty years of service at an age higher than sixty years, equal to one-half of his final compensation, less that part of the retirement allowance set forth in section 83a, which is to be provided by contributions of the State on account of service rendered prior to January 1, 1932, if such member affirmatively exercises the option in section 65d; otherwise, less a pension calculated in the same manner as the pension in section 83a, but on the basis of service rendered by him in the California Highway Patrol prior to July 1, 1935. If such member entered the said patrol at an age greater than forty-five years, then his normal rate of contribution shall be such as will provide an average annuity at age sixty-five equal to one-eightieth of his final compensation, according to tables adopted by the board, for each year of service after July 1, 1935, or after entrance into the retirement system if he affirmatively exercises the option in section 65d.

SEC 6. A new section is hereby added to said act to be numbered section 65b and to read as follows.

Sec. 65b. If a member ceases to be a member of the California Highway Patrol and continues to be a member of the retirement system in a different employment status, or if the reverse be true, then the accumulated contributions standing to his credit or redeposited by him shall remain in his individual account, and the rate of his contribution thereafter shall be the normal rate provided in section 65c for persons in his new group or class of employment and at his age when he first became a member, subject to section 76 hereof in the event he did not redeposit accumulated contributions withdrawn from the system.

SEC 8. A new section to be numbered 65c is hereby added to said act to read as follows:

Sec 65c The actual amount of annuity receivable by any member upon retirement shall be the actuarial equivalent of his accumulated contributions, as provided in section 81. Until revised as a result of the actuarial valuation provided for in section 51, the rate of contribution of each member shall be that percentage of his compensation shown in the following tables according to age and sex at the time of entry into the retirement system.

(a) For members other than members of Highway Patrol:

Age at entry into system	Percentage of contribution, male	Percentage of contribution, female
16	2 62	2.77
17	2.63	2.79
18	2.64	2.81
19	2.66	2.84
20	2.68	2.88
21	2.70	2.92
22	2.73	2.97
23	2.77	3.02
24	2 81	3.08
25	2 85	3.14
26	2 89	3.20
27	2.93	3.26
28	2 98	3.33
29	3 03	3.40
30	3.09	3 47
31	3.14	3.54
32	3 20	3.61
33	3.26	3.69
34	3 32	3.77
35	3 39	3 85
36	3.46	3 94
37	3.53	4.02
38	3 60	4 11
39	3 68	4.20
40	3 75	4 29
41	3 83	4 38
42	3 91	4.48
43	3 99	4 57
44	4 08	4.67
45	4 17	4 77
46	4 26	4 87
47	4 35	4 98
48	4 44	5.08
49	4.53	5 19
50	4 63	5.30
51	4 73	5.41
52	4 83	5.52
53	4 93	5 64
54	5 04	5.75
55	5.14	5 87
56	5 25	5.99
57	5 36	6 11
58	5 47	6 24
59	5 58	6.36
60	5 69	6 49
61	5 80	6 62
62	5 92	6 75
63	6 04	6 89
64	6 16	7 02

(b) For members who are also members of the Highway Patrol:

RATES OF CONTRIBUTION FOR MEMBERS OF CALIFORNIA HIGHWAY PATROL

Age at July 1, 1935, or later entrance into Retirement System	Age at entrance into service																											
	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45 and over
20	2 93																									
21	2 98	3 06																								
22	3 04	3 12	3 20																							
23	3 10	3 18	3 26	3 35																						
24	3 16	3 24	3 32	3 41	3 51																					
25	3 22	3 30	3 38	3 47	3 57	3 68																				
26	3 28	3 36	3 45	3 54	3 64	3 75	3 86																			
27	3 34	3 42	3 52	3 61	3 71	3 82	3 93	4 05																		
28	3 41	3 49	3 59	3 68	3 78	3 89	4 01	4 13	4 26																	
29	3 47	3 56	3 66	3 75	3 86	3 97	4 09	4 21	4 34	4 48																
30	3 54	3 63	3 73	3 83	3 94	4 05	4 17	4 29	4 43	4 57	4 73															
31	3 61	3 70	3 80	3 91	4 01	4 13	4 25	4 38	4 52	4 66	4 82	4 98														
32	3 68	3 77	3 87	3 98	4 09	4 21	4 33	4 47	4 61	4 75	4 91	5 08	5 26													
33	3 75	3 85	3 95	4 06	4 17	4 29	4 42	4 55	4 70	4 84	5 01	5 18	5 36	5 57												
34	3 83	3 93	4 03	4 14	4 25	4 37	4 51	4 64	4 79	4 94	5 11	5 28	5 47	5 68	5 89											
35	3 91	4 01	4 11	4 22	4 34	4 46	4 60	4 74	4 88	5 04	5 21	5 38	5 58	5 79	6 01	6 25										
36	3 98	4 09	4 19	4 31	4 43	4 55	4 69	4 83	4 98	5 14	5 31	5 49	5 69	5 90	6 13	6 37	6 64									
37	4 06	4 17	4 27	4 39	4 51	4 64	4 78	4 92	5 08	5 24	5 41	5 60	5 80	6 01	6 25	6 49	6 77	7 06								
38	4 14	4 25	4 36	4 48	4 60	4 73	4 87	5 02	5 18	5 34	5 52	5 71	5 91	6 13	6 37	6 62	6 90	7 20	7 53							
39	4 22	4 33	4 44	4 56	4 69	4 82	4 96	5 12	5 28	5 44	5 63	5 82	6 03	6 25	6 49	6 75	7 03	7 34	7 67	8 04						
40	4 30	4 41	4 53	4 65	4 78	4 91	5 06	5 22	5 38	5 55	5 74	5 93	6 15	6 37	6 62	6 88	7 17	7 48	7 82	8 20	8 61					
41	4 38	4 49	4 62	4 74	4 87	5 01	5 16	5 32	5 48	5 66	5 85	6 05	6 27	6 49	6 75	7 01	7 31	7 63	7 97	8 36	8 77	8 31				
42	4 47	4 58	4 71	4 83	4 97	5 11	5 26	5 42	5 59	5 77	5 96	6 17	6 39	6 62	6 88	7 15	7 45	7 78	8 13	8 52	8 94	8 47	8 02			
43	4 56	4 67	4 80	4 92	5 06	5 21	5 36	5 52	5 70	5 88	6 07	6 29	6 51	6 75	7 01	7 29	7 59	7 93	8 28	8 68	9 11	8 64	8 18	7 73	7 29	6 87
44	4 64	4 76	4 89	5 02	5 16	5 31	5 46	5 63	5 81	5 99	6 19	6 41	6 63	6 88	7 14	7 43	7 74	8 08	8 44	8 85	9 28	8 81	8 34	7 88	7 43	7 01
45	4 73	4 85	4 98	5 12	5 26	5 41	5 56	5 74	5 92	6 11	6 31	6 53	6 76	7 01	7 28	7 57	7 89	8 23	8 60	9 02	9 46	8 98	8 50	8 03	7 58	7 15
46	4 82	4 94	5 07	5 21	5 36	5 51	5 67	5 85	6 03	6 22	6 43	6 65	6 89	7 14	7 42	7 71	8 04	8 38	8 76	9 19	9 65	9 15	8 66	8 19	7 73	7 29
47	4 91	5 04	5 17	5 31	5 46	5 61	5 78	5 96	6 14	6 34	6 55	6 78	7 02	7 28	7 56	7 86	8 19	8 54	8 93	9 36	9 83	9 32	8 83	8 35	7 88	7 43
48	5 00	5 14	5 27	5 41	5 56	5 72	5 89	6 07	6 26	6 46	6 67	6 91	7 15	7 42	7 70	8 01	8 34	8 71	9 10	9 54	10 01	9 50	9 00	8 51	8 03	7 57
49	5 10	5 23	5 37	5 51	5 67	5 83	6 00	6 18	6 38	6 58	6 80	7 04	7 28	7 56	7 84	8 16	8 50	8 87	9 27	9 72	10 20	9 68	9 17	8 67	8 19	7 72
50	5 20	5 33	5 47	5 61	5 77	5 94	6 11	6 30	6 50	6 70	6 93	7 17	7 42	7 70	7 99	8 31	8 66	9 04	9 45	9 90	10 39	9 86	9 34	8 84	8 35	7 87
51	5 29	5 43	5 57	5 72	5 88	6 05	6 23	6 42	6 62	6 83	7 06	7 30	7 56	7 84	8 14	8 47	8 82	9 21	9 63	10 08	10 59	10 05	9 52	9 01	8 51	8 02
52	5 39	5 53	5 67	5 83	5 99	6 16	6 34	6 54	6 74	6 96	7 19	7 44	7 70	7 99	8 29	8 63	8 98	9 38	9 81	10 27	10 79	10 24	9 70	9 18	8 67	8 17
53	5 49	5 63	5 78	5 94	6 10	6 27	6 46	6 66	6 86	7 09	7 32	7 58	7 84	8 14	8 45	8 79	9 15	9 55	9 99	10 46	10 99	10 43	9 88	9 35	8 83	8 33
54	5 59	5 73	5 89	6 05	6 21	6 39	6 58	6 78	6 99	7 22	7 45	7 72	7 99	8 29	8 61	8 95	9 32	9 73	10 17	10 65	11 19	10 62	10 06	9 52	9 00	8 49
55	5 70	5 84	6 00	6 16	6 32	6 51	6 70	6 90	7 12	7 35	7 59	7 86	8 14	8 44	8 77	9 11	9 49	9 91	10 36	10 85	11 39	10 81	10 25	9 70	9 17	8 65
56	5 80	5 95	6 11	6 27	6 44	6 63	6 82	7 03	7 25	7 48	7 73	8 00	8 29	8 59	8 93	9 28	9 66	10 09	10 55	11 05	11 60	11 01	10 44	9 88	9 34	8 82
57	5 91	6 06	6 22	6 38	6 56	6 75	6 94	7 16	7 38	7 62	7 87	8 14	8 44	8 75	9 09	9 45	9 84	10 27	10 74	11 25	11 81	11 22	10 63	10 06	9 51	8 99
58	6 01	6 17	6 33	6 50	6 68	6 87	7 07	7 29	7 52	7 76	8 02	8 29	8 59	8 91	9 25	9 62	10 02	10 46	10 93	11 45	12 02	11 42	10 83	10 25	9 69	9 16
59	6 12	6 28	6 44	6 62	6 80	7 00	7 20	7 42	7 66	7 90	8 17	8 44	8 75	9 07	9 42	9 79	10 20	10 65	11 13	11 66	12 24	11 63	11 03	10 44	9 87	9 33
60	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	11 84	11 23	10 63	10 05	9 50
61	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	11 44	10 83	10 24	9 67
62	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	11 03	10 43	9 85
63	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	10 62	10 03
64	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	10 22

SEC. 8. A new section is hereby added to said act to be numbered section 65d and to read as follows:

Sec 65d. The rates of contribution shown in the section 65c for members of the California Highway Patrol shall apply on and after July 1, 1935. Each of such members, however, shall have the option of contributing a sum sufficient to make the amount of the accumulated contributions standing to his credit on that date the same as such amount would have been had he been contributing at the rate, from and after the effective date of his membership in the retirement system, which would have applied to him at such effective date if said rates for the Highway Patrol had been then in effect. If such option is affirmatively exercised, then the rate of contribution for such member on and after July 1, 1935, shall be based on his age at such effective date and his age at the date of entrance into the Highway Patrol

SEC. 9. Section 78 of said act is hereby amended to read as follows:

Sec. 78 From and after January 1, 1933, until January 1, 1937, every member shall be retired on the first day of the calendar month next succeeding that in which he attains the age of seventy-five years. On or after January 1, 1937, every member who is also a member of the California Highway Patrol, and who at that time has attained the age of sixty-five years shall be retired forthwith, and thereafter every such member must be retired on the first day of the calendar month next succeeding that in which he attains the age of sixty-five years. On or after January 1, 1937, every other member who at that time has attained the age of seventy years shall be retired forthwith, and thereafter every such other member must be retired on the first day of the calendar month next succeeding that in which he attains the age of seventy years

SEC. 10. Section 83 of said act is hereby amended to read as follows:

Sec. 83 An additional pension for members other than members of the California Highway Patrol, purchased by the contributions of the State Such additional pension shall be equal to one-seventieth of the average annual compensation earnable by him during the three years ending December 31, 1931, multiplied by the number of years of prior service credited to him, except that if a member retires before attaining the age of sixty-five years, the additional pension shall be reduced to that amount which the value of the pension computed as provided in this paragraph as deferred to age sixty-five, will purchase at the actual age of retirement

SEC 11 A new section is hereby added to said act to be numbered section 83a and to read as follows.

Sec 83a. An additional pension for members who are also members of the California Highway Patrol, purchased by contributions of the State Such additional pension shall be the same percentage of his final compensation, regardless of his age at retirement, for each year of service rendered by him in the California Highway Patrol, prior to January 1, 1932 as the contributions of the member and the State are calculated to provide upon retirement for service at sixty years of age or upon completion of twenty years of service at an age higher than sixty years or upon retirement with less than twenty years of service at age sixty-five, for each year of service after said date.

SEC. 12 Section 85 of said act is hereby amended to read as follows:

Sec 85 Any member who is also a member of the California Highway Patrol shall be retired for disability regardless of age or amount of service, if incapacitated for the performance of duty as the result of an injury or disease arising out of and in the course of his employment Incapacity for performance of duty shall be determined by the board of administration, but the Industrial Accident Commission shall determine, in the same manner as for all other State employees, whether such incapacity is the result of injury or disease arising out of and in the course of employment. Any such member incapacitated for the performance of duty by reason of a cause not included in the immediately preceding sentence, and any other member so incapacitated, regardless of the cause, shall be retired regardless of age but only after ten years of service to the State

SEC. 13 A new section is hereby added to said act to be numbered section 85a and to read as follows:

Sec 85a. Subject to the requirements as to service and cause of disability stated in section 85 and upon the application of a member or upon the application of the head of the office or department in which such member is or was last employed, or any other person on behalf of such member, while such member is in State service, within four months after such member's discontinuance of State service, or while such member continuously, from the date of discontinuance of State service to the time of the application or motion, is physically or mentally incapacitated to perform his duties, may apply for, or the board upon its own motion may order, a medical examination to determine the existence of such incapacity. Upon the receipt of such application, the board shall order such medical examination If the medical examination shows to the satisfaction of the board, that the member is permanently incapacitated physically or mentally for the performance of his duties in the State service, the board shall forthwith retire the member for disability. The board shall secure such medical service and advice as is necessary to carry out the purpose of this

section and of sections 90 to 94, inclusive, of this act, and shall pay for such medical services and advice such compensation as the board deems reasonable.

SEC. 14. Section 86 of said act is hereby amended to read as follows:

Sec. 86. Upon retirement for disability, a member who is not a member of the California Highway Patrol and who has attained the age of sixty years shall receive a service retirement allowance as provided in sections 81 to 83a, inclusive, of this act. Upon retirement of a member, who is also a member of the said Highway Patrol, for disability resulting from injury or disease arising out of and in the course of employment, such member shall receive a retirement allowance of fifty per centum of his final compensation or, if he qualified as to age and service for service retirement under section 79, then such member shall receive a service retirement allowance as provided in sections 81 to 83, both inclusive The allowance shall be provided by the contributions of the member and of the State in the same manner but not in the same amounts as is set forth in sections 87 and 88 for other disability retirement Every other member retired for disability shall receive a retirement allowance which shall consist of:

SEC 15. Section 100 of said act is hereby amended to read as follows:

Sec. 100. Upon the death before retirement of a member while in the State service, or within four months after the discontinuance of State service, or while physically or mentally incapacitated for the performance of his duty, if such incapacity has been continuous from discontinuance of State service, the retirement system shall be liable for a death benefit, which, is an amount is due under clause (3) next following, and if there is a surviving wife or surviving children, shall be paid in monthly installments and to the surviving wife and children as prescribed therein, otherwise such death benefit shall be paid to his estate, or to such person having an insurable interest in his life as he has nominated by written designation duly executed and filed with the Retirement Board. Such death benefit shall consist of:

(1) His accumulated contributions, and in addition thereto,

(2) An amount, provided from contributions by the State, which shall be equal to one-twelfth of the annual compensation earnable by the deceased during the twelve months immediately preceding his death, multiplied by the number of completed years of service under the system, but not to exceed fifty per centum of such compensation

If such member is a member of the California Highway Patrol and if, as determined by the Department of Industrial Relations in the same manner as for all other State employees, death shall be the result of injury or disease arising out of and in the course of employment, then in addition to the amounts set forth in clauses (1) and (2), there shall be paid

(3) An amount sufficient, when added to the amounts provided in the next preceding paragraphs (1) and (2), to provide, when applied according to tables adopted by the board, a monthly death benefit allowance, equal to one-half of the compensation earnable by such member during the five years immediately preceding his death, to be paid to the surviving wife to whom said member was married prior to sustaining the said injury, to continue as long as she shall live or until her remarriage; or if there is no widow, or if the widow dies before all children of such deceased member attain the age of eighteen years, then to his child or children under said age collectively, to continue until every child dies or attains said age: If payment of the allowance is stopped because of remarriage of the widow or attainment of the age of eighteen years by a child, before the sum of the monthly payment made equals the sum of the amounts provided in the next preceding clauses (1) and (2), then an amount equal to the difference between said sums shall be paid in one amount to the remarried widow, or if there is no widow, to the surviving children of the deceased member, share and share alike.

SEC 16 A new section is hereby added to said act to be numbered 100a and to read as follows:

Sec 100a. A person, while a member or after retirement, shall have the right to revoke the nomination of a beneficiary made by him under the retirement system, and to nominate a beneficiary in lieu thereof, all by written designation duly executed and filed with the Retirement Board, provided that this right shall not extend to beneficiaries nominated under options 2, 3, and 4 in sections 97, 98 and 99 of this act, nor shall it extend to dependents designated as beneficiaries by this act to receive benefits payable on account of death or disability arising out of and in the course of employment.

SEC. 17. A new section is hereby added to said act to be numbered 100b and to read as follows:

Sec. 100b. The Board of Administration, in the event that the whereabouts of the nominated beneficiary can not be determined, or in the event that the nominated beneficiary be the estate of the deceased person, may pay to the undertaker who conducted the funeral in its discretion all or a portion of the amount payable under this section 100, but not to exceed the funeral expenses of such deceased person as evidenced by the sworn itemized statement of the undertaker and by such other documents as the board may require. Said payment shall be full and complete discharge and acquittance of the amount payable under this section up to the amount so paid, anything in this act to the contrary notwithstanding.

SEC. 18. Section 101 of said act is hereby amended to read as follows:

Sec. 101. No modification of the benefits provided in other sections of this act shall be made on account of any amounts payable to a beneficiary as defined herein under the Workmen's Compensation Insurance and Safety Laws of the State of California. For the purposes of said laws and of this retirement act, acts performed in public police and not private capacity by members of the California Highway Patrol in preserving the peace, preventing injury to life and property, suppressing crime or disorder, and apprehending criminals shall be considered within their employment notwithstanding any provision in State law to the contrary. Members of the said patrol, however, shall be subject to the sections of said compensation law providing disability indemnity, only if the disability arising out of and in the course of employment shall be temporary. No disability indemnity shall be paid to or on account of members of the California Highway Patrol, for time after the date of retirement under the provisions of this act.

SEC. 19. Section 109 of said act is hereby amended to read as follows:

Sec. 109. In addition to such payments from the general fund, there shall be paid monthly, from and after the date this act takes effect, into the State employees' retirement fund out of the motor vehicle fund a sum equal to eight and forty one-hundredths per centum of the total compensation paid from said fund to members of the retirement system who also are members of the California Highway Patrol and out of said motor vehicle fund and every other fund directly controlled by the State, out of which the compensation of members is paid, a sum equal to three and twenty-five one-hundredths per centum of the total compensation paid members, other than members of the said highway patrol, of the retirement system from the said fund. All such payments, whether heretofore or hereafter made are hereby validated and confirmed. The board of administration shall certify to the State Controller at the end of each month the total amount of compensation paid such members of the retirement system from each such fund and the State Controller shall thereupon transfer the percentages as specified in this section, of said total amount from each such fund, respectively, to the "State employees' retirement fund." If any member of the said highway patrol shall affirmatively exercise the option in section 65d, the Controller shall transfer into the said retirement fund from the motor vehicle fund upon certification by the board of administration of the total compensation received by said member for service as a member of the retirement system rendered prior to July 1, 1935, three and ninety one-hundredths per centum of said total compensation."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 273—An act requiring the licensing of certain vehicles used for the transportation of persons or property in this State, defining such vehicles, providing for the imposition, collection, and distribution of license taxes for the privilege of operating such vehicles in this State, making appropriations for the purposes of this act, prescribing penalties for the violation of this act, and providing that this act shall take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "requiring the licensing", and insert in lieu thereof the following: "to amend section 372 of the Vehicle Code, relating to registration".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out the comma, and insert a period, and strike out all of lines 3 to 8, inclusive, of the title.

Amendment No. 3.

On page 1, line 1, of the printed bill, strike out "as used in this act: (a) the term "vehicle",".

Amendment No. 4.

On page 1 of the printed bill, strike out lines 2 to 22, inclusive, and strike out all of pages 2 to 14.

Amendment No. 5.

On page 14 of the printed bill, after line 9, insert the following "Section 372 of the Vehicle Code is hereby amended to read as follows

372. Weight Fees for Commercial Vehicles (a) In addition to the registration fee specified in section 370, there shall be paid fees for the registration of every vehicle of a type subject to registration designed, used or maintained for the transportation of persons for hire, compensation or profit or designed, used or maintained primarily for the transportation of property as set forth in this section.

(b) Any electric vehicle designed, used or maintained as described in subdivision (a) hereof shall pay fees for registration according to the following schedule:

Unladen weight	Fee
(1) Less than 6000 pounds	$50 00
(2) 6000 pounds or more but less than 10,000 pounds	$70 00
(3) 10,000 pounds or more	$90 00

(c) Any vehicle designed, used or maintained as described in subdivision (a) hereof propelled by an engine designed to use fuel the distribution of which is subject to the Motor Vehicle Fuel License Tax Act when equipped wholly with pneumatic tires shall pay fees for registration according to the following schedule:

Weight	Fee
(1) When unladen, 3000 pounds or more, but less than 6000 pounds	$8 00
(2) When unladen, 6000 pounds or more but less than 10,000 pounds and limited hereunder to a gross weight or vehicle and load of not exceeding 22,000 pounds	$40 00
(3) When unladen, 10,000 pounds or more and limited hereunder to a gross weight of vehicle and load of not exceeding 22 000 pounds	$50 00
(4) When unladen, 6000 pounds or more and entitled hereunder to a gross weight of vehicle and load in excess of 22,000 pounds	$70 00

(d) Any vehicle designed, used or maintained as described in subdivision (a) hereof propelled by an engine designed to use fuel the distribution of which is not subject to the Motor Vehicle Fuel License Tax Act when equipped wholly with pneumatic tires shall pay fees for registration according to the following schedule:

Weight	Fee
(1) When unladen, 3000 pounds or more, but less than 6000 pounds	$25 00
(2) When unladen, 6000 pounds or more, but less than 10,000 pounds and limited hereunder to a gross weight of vehicle and load of not exceeding 22,000 pounds	$65 00
(3) When unladen, 10,000 pounds or more and limited hereunder to a gross weight of vehicle and load of not exceeding 22,000 pounds	$85 00
(4) When unladen, 6000 pounds or more and entitled hereunder to a gross weight of vehicle and load in excess of 22,000 pounds	$125 00

(e) Any vehicle designed, used or maintained as described in subdivision (a) hereof other than an electric vehicle when not equipped wholly with pneumatic tires shall pay fees for registration amounting to twice the fees imposed upon other vehicles having corresponding weights as specified in subdivisions (c) and (d) hereof.

(f) If the tax provided for by the "Motor Vehicle Fuel License Tax Act" is held unconstitutional by the Supreme Court of the State of California or by the Supreme Court of the United States, then beginning with the first year next succeeding the date upon which such decision becomes final there shall be paid upon and for the registration and reregistration of every motor vehicle with the department, in addition to any other fees imposed by law, a registration fee of five dollars for every electric motor vehicle and for every other motor vehicle a fee amounting to the sum of forty cents for each horsepower or major fraction thereof of such motor vehicle and a proportionate amount thereof for the registration of such vehicle for a period of less than one year The horsepower of any motor vehicle, except electric or steam driven motor vehicles, shall be determined by the formula commonly known as that of the Association of Licensed Automobile Manufacturers (A. L. A M.) being as follows: Square the diameter of the cylinder in inches, multiply by the number of cylinders, and divide by two and five-tenths; provided, that for the purposes hereof the horsepower of any steam driven motor vehicle shall be the horsepower rating fixed and advertised by the manufacturer thereof. In the event that the registration fees for electric motor vehicles and fees based on horsepower as hereinabove specified shall be collected, all such fees shall be paid into the motor vehicle fund of the State of California, and shall be distributed and used for such purposes as may be provided by law for the distribution and use of such motor vehicle fund; and provided, further, that in the event the provisions of this section, relative to registration fees, based upon horsepower rating, shall become effective the provisions of sections 370, 371 and subdivision (b) of 372 of this code shall be deemed to be superseded.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 896—An act to amend sections 479, 508, 510, 581, 585, 590, 591, 593, 632, and 673 of the Agricultural Code, relating to dairies and dairy products.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of lines 25, 26 and 27, and insert in lieu thereof the following:

"(b) When produced on dairies where more than three cows in full lactation or freshening within four months of each other are kept and milked, market milk, cream and skim milk when sold to the retail trade for consumption off the premises where produced shall be contained in standard milk bottles which have been".

Amendment No. 2.

On page 4 of the printed bill, strike out all of lines 2 to 11, inclusive, and insert in lieu thereof the following: "bulk to distributors, the word "raw" or "pasteurized," as the case may be, and the name and address of the producer or original bottler shall at all times appear plainly and in a conspicuous place on, or be securely attached to, every cap, bottle, can or other container.

Ungraded market milk shall be labeled with the words, "Market milk." Graded market milk shall be labeled with the name of the grade. All labels required by this section shall be in capital letters not less than one-eighth inch in height and one-sixteenth inch in width."

Amendment No. 3.

On page 4 of the printed bill, strike out all of lines 22 to 39, inclusive, and insert in lieu thereof the following:

"No false, misleading, or deceptive name, picture, symbol, mark, word or other representation shall appear on any milk bottle, bottle cap, can or other container, nor on any advertisement for market milk. A label or advertisement of market milk shall be deemed to be false, misleading or deceptive if in any particular it is untrue, or by ambiguity or inference creates a misleading or deceptive impression regarding the production, handling, processing, quality, composition, merits, or value of such market milk."

Amendment No. 4.

On page 6, line 37, of the printed bill, strike out the words "of prices", and insert in lieu thereof the words "of differential in prices for each grade or class of milk and cream".

Amendment No. 5.

On page 6, line 38, of the printed bill, following the word "such", insert the word "differential".

Amendment No. 6.

On page 6, line 39, of the printed bill, following the word "aforesaid", insert the word "differential".

Amendment No. 7.

On page 6, line 42, of the printed bill, strike out the words "schedule of prices", and insert in lieu thereof the words "the schedule of such differential prices".

Amendment No. 8.

On page 7 of the printed bill, strike out all of lines 7 to 23, inclusive, and insert in lieu thereof the following:

"It is unlawful for any person, without the written consent provided for in section 671, except the registrant of the brand and the members of any association which is the registrant, to use or fill with milk or any product of milk, any container, cabinet or other dairy equipment, so marked or distinguished as aforesaid, of which a description shall have been filed and published, or to erase, obliterate, cover up or conceal such name, mark or device, or to sell, buy, give, take or otherwise traffic in such containers, cabinets or other dairy equipment."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2386—An act to add Chapter 8 to Division VI of the Agricultural Code, relating to the marketing of milk and other dairy products.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 12, of the printed bill, as amended April 8, 1935, strike out the following: "and "milk products" ".

Amendment No. 2.

On page 2, line 10, of the printed bill, as amended April 8, 1935, after the word "of", insert the following: "market".

Amendment No. 3.

On page 2, line 33, of the printed bill, as amended April 8, 1935, after the word "consumers", insert the following: "who purchase milk under like conditions of service".

Amendment No. 4.

On page 2, line 47, of the printed bill, as amended April 8, 1935, after the word "grade", insert the following: "sold under like conditions of service".

Amendment No. 5.

On page 2, line 49, of the printed bill, as amended April 8, 1935, strike out the following: "milk, cream, dairy".

Amendment No. 6.

On page 2, line 50, of the printed bill, as amended April 8, 1935, strike out the following words: "products or".

Amendment No. 7.

On page 3, line 6, of the printed bill, as amended April 8, 1935, commencing with the word "or", strike out the balance of the line, and all of line 7, and all of line 8 to and including the word "used,".

Amendment No. 8.

On page 3, line 12, of the printed bill, as amended April 8, 1935, after the period, insert the following: "The payment by distributors or manufacturers in any marketing or sales area of a lower price to any producer than is then being paid by distributors or manufacturers for fifty-one per cent of all milk used in such marketing or sales area for similar purposes."

Amendment No. 9.

On page 3, line 17, of the printed bill, as amended April 8, 1935, strike out the words "by retail stores".

Amendment No. 10.

On page 3, line 19, of the printed bill, as amended April 8, 1935, strike out the words "right of a".

Amendment No. 11.

On page 3, line 20, of the printed bill, as amended April 8, 1935, strike out the following words "retail store to meet", and insert in lieu thereof the following: "meeting of".

Amendment No. 12.

On page 3, line 23, of the printed bill, as amended April 8, 1935, strike out the period, and insert in lieu thereof the following: "at seller's place of business plus any cost of delivery "

Amendment No. 13.

On page 3, line 38, of the printed bill, as amended April 8, 1935, strike out the word "said", and insert in lieu thereof the word "similar".

Amendment No. 14.

On page 4, line 18, of the printed bill, as amended April 8, 1935, strike out the word "five", and insert in lieu thereof the word "three".

Amendment No. 15.

On page 4, line 20, of the printed bill, as amended April 8, 1935, after the words "the director", strike out the period, and insert the following: "; provided that no registration fee shall be paid by producers milking less than ten cows daily."

Amendment No. 16.

On page 4, line 29, of the printed bill, as amended April 8, 1935, strike out the word "five", and insert in lieu thereof the word "three".

Amendment No. 17.

On page 4, line 40, of the printed bill, as amended April 8, 1935, strike out the period, and insert in lieu thereof the following: "; provided that in the event of

an appeal from a decision or order of the director revoking a license such order shall not be effective until final judgment on the appeal"

Amendment No. 18.

On page 3 of the printed bill, as amended April 8, 1935, between lines 16 and 17, insert the following.

"(j) The payment by a distributor or manufacturer to any producer at a price less than the average prevailing cost of production of milk of like quality to the producer in the area as determined by the director

(k) The sale by any distributor who produces his own milk or who produces his own milk and acquires other milk for distribution at a price less than the average prevailing cost of production and distribution in the area as determined by the director."

Amendment No. 19.

On page 3, line 17, of the printed bill, as amended April 8, 1935, strike out "(j)", and insert in lieu thereof the following: "(l)".

Amendment No. 20.

On page 3, line 24, of the printed bill, as amended April 8, 1935, strike out "(k)", and insert in lieu thereof the following. "(m)".

Amendment No. 21.

On page 3, line 34, of the printed bill, as amended April 8, 1935, strike out "(l)", and insert in lieu thereof the following: "(n)".

Amendment No. 22.

On page 3, line 40, of the printed bill, as amended April 8, 1935, strike out "(m)", and insert in lieu thereof the following. "(o)".

Amendment No. 23.

On page 4, line 8. of the printed bill, as amended April 8, 1935, after the period, insert the following: "Provided, however, the licensing and registration provisions of this act shall have no application to a producer who produces and sells manufacturing milk solely for manufacturing purposes or who is a party to a marketing agreement entered into between producers or between producers and processors under existing Federal or State laws which permit such agreements."

Amendments adopted.

Bill read second time, ordered to reprint, re-re-engrossment, and third reading.

Assembly Bill No. 1382—An act to amend section 5.682 of the School Code, relating to tenure of position for teachers.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 7 and 8, of the printed bill, strike out the following: "as in the case of permanent employees".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 11 to 19, inclusive, and insert in lieu thereof the following: "pupils thereof".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 962—An act to amend the School Code by amending sections 5.650, 5.651, 5.652, 5.653, 5.654, 5 661, and by repealing sections 5.655, 5.656, 5.657, 5.658, 5.659, 5.660, 5.662, 5.663.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 9, of the printed bill, strike out the following: ", mental or moral", and insert in lieu thereof the following: "or mental".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 16 to 21, inclusive.

Amendment No. 3.

On page 3 of the printed bill, strike out lines 24 to 27, inclusive.

Amendment No. 4.

On page 3 of the printed bill, in line 44, strike out lines 43 to 46, inclusive, and insert in lieu thereof the following: "set the matter for trial. Such".

Amendment No. 5.

On page 5, line 44, of the printed bill, strike out the word "metal", and insert in lieu thereof the word "mental".

Amendment No. 6.

On page 5, line 45, of the printed bill, strike out the following: "board, at its option," and insert in lieu thereof the following "judgment".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 793—An act to amend section 5 900 of the School Code, relating to the retirement of public school teachers.

Bill read second time, ordered to re-engrossment, and third reading

Second Reading of Senate Bills.

Senate Bill No 55—An act to add section 676 5 to the Vehicle Code, relating to safety glass on automobiles

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "sections 676.1, 676 2, 676 3, 676.4", and in line 2 of the title, strike out "676.5 and 676 6", and insert in lieu thereof the following: "section 675.5".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out all of lines 1 to 4, inclusive, and insert in lieu thereof the following:

"SECTION 1 Section 675.5 is hereby added to the Vehicle Code to read as follows ".

Amendment No. 3.

On page 1, line 5, of the printed bill, as amended, strike out "676 1", and insert in lieu thereof the following: "676 5".

Amendment No. 4.

On page 1, line 6, of the printed bill, as amended, strike out ", except as otherwise provided in section", and in line 7, strike out the following: "676 3,".

Amendment No. 5.

On page 1, line 13, of the printed bill, as amended, strike out "676.2. Safety Glass Defined.", and insert in lieu thereof the following: "(2)".

Amendment No. 6.

On page 1 of the printed bill, as amended, strike out all of lines 19 to 21, inclusive, and on page 2, strike out all of lines 1 to 7, inclusive, and insert in lieu thereof the following: "(3) The depart".

Amendment No. 7.

On page 2 of the printed bill, as amended, strike out all of lines 10 to 15, inclusive, and insert in lieu thereof the following: "requirements for safety glass as defined in this section and shall not register any new motor vehicle after January 1, 1936, unless such motor vehicle is equipped with such approved type of safety glass.

(4) On and after January 1, 1936, every application".

Amendment No. 8.

On page 2 of the printed bill, as amended, strike out all of lines 19 to 27, inclusive, and insert in lieu thereof the following: "tions, doors, windows and windshields thereof."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 354—An act to amend sections 1065 and 1071 of the Agricultural Code, relating to economic poisons.

Bill read second time, and ordered on file for third reading

Senate Bill No. 770—An act to amend sections 1, 2, 3, 4, 6, and 19 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to the regulation of credit unions.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 3 to 26, inclusive, and on page 2, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following

"SECTION 1. A credit union is a cooperative corporation, organized for the two fold purpose of promoting thrift among its members and creating a source of credit for them at legal rates of interest for provident purposes.

Corporations may be incorporated under and by virtue of this act in the same manner as corporations under and by virtue of title one of part four, division one of the Civil Code of the State of California, including any amendment or revision thereof, or any sections hereafter enacted in lieu thereof, except as otherwise herein provided. The articles of incorporation shall set forth the following:

1. The name of the corporation, which shall include the words "credit union."

2. If the corporation be formed without authorized shares of stock, the number of authorized members or memberships."

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Motion to Approve Journals.

Mr. Lyon moved that the Journals of Monday, April 8, 1935; Tuesday, April 9, 1935; Wednesday, April 10, 1935; Thursday, April 11, 1935, and Friday, April 12, 1935, be approved as corrected by the Minute Clerk.

Motion carried.

Unfinished Business.

Motion to Reconsider Assembly Bill No. 6 Continued.

Mr. Jones moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 6 was refused passage, be continued until the next legislative day.

Motion carried.

Reconsideration of Assembly Bill No. 1215.

Assembly Bill No. 1215—An act to amend section 11 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the regulation of the practice of optometry.

In compliance with his notice given on a previous day, Mr. Mayo moved that the vote whereby Assembly Bill No. 1215 was passed be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Anderson, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Dawson, Donihue, Donnelly, Fulcher, Garibaldi, Geyer, Gilbert, Heisinger, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Welsh, Wright, and Mr. Speaker—43.

NOES—Boyle, Corwin, Cronin, Cunningham, DeLap, Desmond, Evans, Ralph W., Field, Fisher, Flint, Hawkins, Johnson, Jones, Lyon, Miller, Morgan, Peyser, Richie, Robertson, Utt, Walker, Wallace, Waters, and Weber—24.

Assembly Bill No. 1215 ordered on file for third reading.

Consideration of Senate Amendment to Assembly Bill No. 1743.

Assembly Bill No. 1743—An act to amend the Palo Verde Irrigation District Act, approved June 21, 1923, as amended, by adding to said act, as amended, new sections to be numbered and providing as follows, to wit: Section 28¼o, relating to disposal of tax-deeded and tax-delinquent lands; section 65, relating to proceedings in bankruptcy; section 66, relating to contract with the United States or any agency thereof under an act approved May 5, 1917, as amended, and validating such contracts; section 67, validating bonds of the district; and section 68, validating rehabilitation plans; and declaring the legislative intent as to unconstitutionality.

The question being put: "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1743?"

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, as amended, after "amended," insert the following: "relating to redemptions and leasing of property,".

The roll was called, and Senate amendment to Assembly Bill No. 1743 was concurred in by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 1743 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 486.

Assembly Bill No. 486—An act requiring the treasurer of each municipality, county, and city and county to maintain a record of the names and addresses of holders of ad valorem special assessment district bonds.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 486?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the word "each", and insert in lieu thereof the word "any".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out the first word "and", and insert in lieu thereof the word "or".

Amendment No. 3.

On page 1, line 4 of the title of the printed bill, after the word "bonds", strike out the period, and insert the following: "when so directed by the legislative body of *said municipality, county, or city and county.*"

Amendment No. 4.

On page 1. line 2, of the printed bill, strike out the period after the letters "pality", and insert in lieu thereof a comma.

Amendment No. 5.

On page 1, line 2, of the printed bill, after the word "directs", insert a comma

Amendment No. 6.

On page 1. line 2, of the printed bill, change the word "The", to "the".

The roll was called, and Senate amendments to Assembly Bill No. 486 were concurred in by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 486 ordered to enrollment.

Reconsideration of Assembly Bill No. 59 Waived.

Mr. Cronin waived his notice to reconsider the vote whereby Assembly Bill No. 59 was passed.

Assembly Bill No 59 ordered transmitted to the Senate.

Motion to Reconsider Assembly Bill No. 2048 Continued.

Mr. Reaves moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2048 was passed be continued until the next legislative day.

Motion carried

Motion to Reconsider Assembly Bill No. 1360 Continued.

Mr Chatters moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1360 was passed be continued until the next legislative day.

Motion carried.

Third Reading of Assembly Bills.

Assembly Constitutional Amendment No. 32—A resolution to propose to the people of the State of California that the Constitution of said State be amended by adding to Article XI thereof a new section to be numbered 8b authorizing the city of Los Angeles to amend its charter in certain particulars.

Assembly Constitutional Amendment No 32 read.

Mr. Lyon moved the adoption of Assembly Constitutional Amendment No. 32.

The question being on the adoption of Assembly Constitutional Amendment No 32.

The roll was called, and Assembly Constitutional Amendment No. 32 adopted by the following vote.

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J. Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves,

Redwine, Richie, Riley, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Wright, and Mr. Speaker—68.

NOES—None.

Title read and approved.

Assembly Constitutional Amendment No 32 ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 32.

A resolution to propose to the people of the State of California that the Constitution of said State be amended by adding to Article XI thereof a new section to be numbered 8b authorizing the city of Los Angeles to amend its charter in certain particulars.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its regular session commencing on the seventh day of January, 1935, two-thirds of the members elected to each of the two houses of such Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of said State be amended by adding to Article XI thereof a new section to be numbered 8b and to read as follows:

Sec. 8b. The charter of the city of Los Angeles may be amended in addition to the method and the times provided in section 8 of Article XI of the Constitution in the following particulars:

(a) Granting to Pacific Exposition, a corporation organized under the laws of the State of California, January 22, 1935, the exclusive possession and use, together with the management and control for the purpose of holding and staging an exposition commemorating the completion of the Boulder Dam and the power and water developments and projects thereof, of any lands held by the board of education of the city of Los Angeles, and of any lands held by the city of Los Angeles, including public parks and playgrounds, under such terms and conditions as said board of education or the legislative authority of said city, respectively, may determine, such possession and use and management and control to terminate not later than one year after the closing of such exposition.

(b) Authorizing the legislative authority of the city of Los Angeles to temporarily close streets in the city of Los Angeles for such exposition purposes and granting to said Pacific Exposition the exclusive possession and use, together with the management and control of said streets for said exposition purposes, such possession and use, also management and control of said streets, to terminate not later than one year after the closing of such exposition

Proposals to amend the charter of the city of Los Angeles in the foregoing particulars may be submitted by the legislative authority of said city to the electors of said city at any general or special election (and a special election may be called therefor) held in said city, after the publication of such proposals in a newspaper of general circulation in said city for such time as shall be determined by said legislative authority. Upon the ratification of any such proposed amandment by a majority of the electors of said city voting at such election on such proposed amendment, said proposed amendment receiving such majority vote, shall become operative immediately as an amendment to said charter, without the necessity of approval thereof by the Legislature

Assembly Concurrent Resolution No. 12—Relative to the issuance of a proclamation by the Governor declaring the second week of October of each year as "Old Glory Week."

Assembly Concurrent Resolution No. 12 read.

Mr. Lyon moved the adoption of Assembly Concurrent Resolution No. 12.

The question being on the adoption of Assembly Concurrent Resolution No. 12.

The roll was called.

Motion to Expunge Record.

Mr. Robertson moved that the vote taken on Assembly Concurrent Resolution No. 12 be expunged from the record, and the action rescinded.

Motion carried.

The question being on the adoption of Assembly Concurrent Resolution No. 12.

The roll was called, and Assembly Concurrent Resolution No. 12 adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Peterson, Peyser, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Wright, and Mr. Speaker—63.

NOES—Evans, Ralph W., Lore, Pelletier, Reaves, Richie, and Rosenthal—6.

Motion to Expunge Record.

Mr. Geyer moved that the vote taken on Assembly Concurrent Resolution No. 12 be expunged from the record, and the action rescinded.

Motion lost.

Title read and approved.

Assembly Concurrent Resolution No. 12 ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 12.

Relative to the issuance of a proclamation by the Governor declaring the second week of October of each year as "Old Glory Week."

WHEREAS, An honorable and patriotic duty rests upon every person enjoying the privileges and freedom of our United States to do honor and reverence to the flag—the symbol of our protection and liberty; and

WHEREAS, It is the custom of citizens, schools, patriotic and civic organizations to observe by appropriate ceremonies such reverence and honor; and

WHEREAS, From the retreat at Valley Forge to the battlefields of Gettysburg and Argonne that symbol of liberty and justice has waved—"Old Glory" by name; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Governor of the State of California is authorized and directed to issue a proclamation declaring the second week of October of each year as "Old Glory Week" and to call upon the officials of the government and the principals of all schools to display the flag of the United States on all government buildings during this week of public observance; and be it further

Resolved, That all other civic and patriotic organizations be respectfully requested to mark such observance as is fitting and proper to the occasion

Motion to Re-refer Assembly Joint Resolution No. 28.

Mr. Richie moved that Assembly Joint Resolution No. 28 be withdrawn from file, and ordered re-referred to Committee on Federal Relations.

The question being on re-referring Assembly Joint Resolution No. 28 to Committee on Federal Relations

Motion carried.

Assembly Joint Resolution No. 28 ordered re-referred to Committee on Federal Relations.

Unfinished Business—(Resumed).

Consideration of Senate Amendments to Assembly Bill No. 585.

Assembly Bill No. 585—An act to amend sections 8, 10, 42, 47 and 108 of an act entitled "An act to provide for the creation, establishment and adjustment with other such systems, of a retirement system for employees of the State of California and make an appropriation therefor," approved June 9, 1931, relating to the State Employees' Retirement System.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 585?

Amendment No. 1.

On page 2, line 2, of the printed bill, as amended, after "Board", insert a comma.

Amendment No. 2.

On page 2, line 30, of the printed bill, as amended, strike out "at", and insert in lieu thereof the following: "in".

Amendment No. 3.

On page 2, line 42, of the printed bill, as amended, after "retirement", insert a comma.

The roll was called, and Senate amendments to Assembly Bill No. 585 were concurred in by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, and Mr. Speaker—69.
NOES—None.

Assembly Bill No. 585 ordered to enrollment.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1129—An act amending section 3897 of the Political Code, relating to the procedure for the sale of property deeded to the State in payment of delinquent taxes, if not otherwise disposed of under section 3897a or section 3897b of the Political Code, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—71.
NOES—None

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1129 passed by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, and Mr. Speaker—67.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 697—An act to amend section 422 of the Probate Code, relating to the right of certain persons to appointment as administrator.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 697 passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—69

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1883—An act to amend section 472a of the Political Code, relating to the defense of State officers and employees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1883 passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Building and Construction.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1935

MR. SPEAKER: Your Committee on Building and Construction, to which was referred Assembly Bill No. 1835—An act to amend an act entitled "An act relating to the safety of design and construction of public school buildings, providing for regulation, inspection and supervision of the construction, reconstruction or alteration of or addition to public school buildings, and for the inspection of existing school buildings, defining the powers and duties of the State Division of Agriculture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act, to take effect immediately," approved April 10, 1933, relating to the regulation and inspection of the construction of public school buildings—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

PEYSER, Chairman.

The above reported bill ordered on file for second reading.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 43—An act to add a new section to the Penal Code to be numbered 496bb, relating to buying, receiving, concealing or

withholding stolen property, and prescribing penalties for violation of the provisions thereof.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Cottrell:

Amendment No. 1.

On page 1, line 10, of the printed bill, after the word "collecting", insert the following: "used or secondhand".

Amendment No. 2.

On page 1, line 13, of the printed bill, strike out the words "and who fails to make"; and also strike out all of lines 14 and 15, and the following words in line 16: "him has the legal right so to do", and insert in lieu thereof the following: "under such circumstances as should cause such person, agent, employee or representative to make reasonable inquiry to ascertain that the person from whom such property was bought or received had the legal right to so sell or deliver it, without making such reasonable inquiry".

Amendment No. 3.

On page 1, line 22, of the printed bill, strike out the word "and", and insert in lieu thereof a comma.

Amendment No. 4.

On page 2, line 1, of the printed bill, after the comma, insert the following: "and that the defendant bought, received, obtained, concealed or withheld such property under such circumstances as should have caused him to make reasonable inquiry to ascertain that the person from whom he bought, received, or obtained such property had the legal right to sell or deliver it to him,".

Amendment No. 5.

On page 2, line 3, of the printed bill, strike out the word "diligent", and insert in lieu thereof the following: "such reasonable".

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Recess.

At twelve o'clock m., on motion of Mr. Lyon, the Assembly was declared at recess until two o'clock p m. of this day.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1056—An act to amend section 200 of the Code of Civil Procedure, relating to exemptions from jury duty.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1056 passed by the following vote:

AYES—Breed, Brennan, Burns, Chatters, Clark, Corwin, Cunningham, DeLap, Donahue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Hunt, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Waters, Welsh, Wright, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 239—An act to amend the title and sections 4, 4a, 5, and 23 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the rates thereof and the extension thereof to companies, other than insurance companies, specified in section 14 of Article XIII of the Constitution of this State.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Clark:

Amendment No. 1.

On page 2, line 7, of the printed bill, as amended, strike out "four", and insert in lieu thereof the following: "six".

Amendment No. 2.

On page 2, line 17, of the printed bill, as amended, strike out "four", and insert in lieu thereof the following "six".

Amendment No. 3.

On page 3, line 39, of the printed bill, as amended, strike out "four", and insert in lieu thereof the following: "six".

The question being on the adoption of the amendments to Assembly Bill No. 239, submitted by Mr. Clark.

Request for Roll Call.

On request of Messrs Jones, Lyon, and Clark, the Speaker ordered a roll call taken on the amendments submitted by Mr. Clark.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Jones moved a call of the House.

Motion carried.

Time, two o'clock and twenty minutes p m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—68

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 121—An act, to be known as the Rehabilitation Act, declaring the policy of the State of California in relieving hardship and destitution caused by unemployment one of rehabilitation by cooperative self-help, production for consumption and exchange of labor for surplus commodities; prescribing duties of State Relief Administrator hereunder; providing funds for administration of relief hereunder; directing cooperative activity be noncompetitive; fixing

status of cooperative institutions and their members; fixing title to property hereunder; declaring this act an emergency measure; providing for its constitutional construction; repealing conflicting laws.

Bill read third time

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Boyle:

Amendment No. 1.

On page 1, line 1, of the printed bill, as amended, after "the", insert the following: "Self-help Cooperative".

Amendment No. 2.

On page 1, line 6, of the printed bill, as amended, strike out "unemployed citizens", and insert in lieu thereof the following: "industrially displaced inhabitants".

Amendment No. 3.

On page 1, line 6, of the printed bill, as amended, strike out "aid in a"; also strike out lines 7 to 9, inclusive, and in line 10, strike out "ods", and insert in lieu thereof the following: "encouraging the sound development of producer and consumer cooperative organizations supervised, managed, directed and controlled by the members thereof, in order that they may become self-supporting and independent of public or private aid."

Amendment No. 4.

On page 2, line 5, of the printed bill, as amended, after "Administrator", insert the following: "under guidance of the State Relief Commission".

Amendment No. 5.

On page 2, line 7, of the printed bill, as amended, after "hereof", insert the following: "and so that Federal and State assistance to self-help cooperatives may be coordinated and the maximum benefits of Federal aid obtained".

Amendment No. 6.

On page 2 of the printed bill, as amended, strike out lines 8 to 42, inclusive, and insert in lieu thereof the following: "addition to other powers and duties prescribed by law, the administrator shall be authorized:

A. To cause exchange depots to be established wherever necessary throughout the State of California, wherein commodities and articles produced by cooperative groups operating under the provisions of this act may be disposed of or exchanged, and to provide methods which shall facilitate such exchange or disposal.

B. To encourage by education the formation of self-help producer and consumer cooperatives; to aid and assist them in every way possible as far as possible by educational methods to correlate their functions; to encourage in the interest of production efficiency the reorganization of present self-help groups along occupational lines; to stimulate their growth and extend their efforts in such diversified channels as will permit and encourage the production, consumption and exchange of the widest practical range of necessary commodities.

C. To purchase, lease or otherwise acquire in the name of the State of California land, factories, plants, machinery, facilities, tools, equipment and materials necessary or proper in carrying out the letter and spirit of this act;

D. To lend or grant funds for the purchase, lease or acquisition of land, factories, plants, machinery, equipment, tools, facilities and materials and for nonpersonal items of administrative expense, or to lend or grant the use of fixed and working capital goods purchased, leased or acquired as specified in C above, or grant title thereto to eligible cooperatives; to require that funds or property purchased with State grants be held by the cooperatives to the use and benefit of the State of California; to require the accounting according to prescribed form for the use of funds and property loaned or granted while title to such funds or property remains in the State of California or while such funds or property are held to the use and benefit of the State; to establish standards of maximum production costs and minimum production volume for each enterprise financed by grant or loan and to aid and assist the cooperatives in every way to attain such standards; to revoke grants to cooperatives in whole or in part, and repossess property and goods to which title is held by the State of California in event of failure to carry out the conditions of such grant or loan or failure to meet the standards established for cooperative enterprise, or to appoint a conservator whose duty would be to protect such property and goods against loss when in his opinion such protection is necessary to the preservation of the public funds or capital made available to a cooperative enterprise. Wherever possible, aid to cooperatives shall be extended in the form of loans repayable in goods or services as the administrator shall specify, such goods and services to be valued at current prices in commercial markets.

E To provide technical personnel to aid, assist and supervise cooperative activities hereunder.

F. To purchase or otherwise acquire consumable commodities for the purpose of advancing subsistence capital to eligible cooperatives to the extent he deems necessary.

G. The administrator may sell or distribute goods accepted in repayment of loans to State, county, municipal or other government units or tax-supported institutions and agencies, and such units, institutions and agencies are hereby authorized to purchase or accept grants of such goods; or he may distribute such goods to unemployment or indigent relief cases.

H. To make all necessary rules and regulations governing grants and loans hereinunder in accordance with the principles of mutual aid and voluntary action of members and so as to develop as far as possible the initiative of the cooperatives themselves.

I. To appoint necessary subordinates and to fix their compensation.

J. To do any and all other acts necessary or proper in carrying out the letter or spirit of this act in furthering the policy of rehabilitation herein set forth."

Amendment No. 7.

On page 3, line 11, of the printed bill, as amended, strike out "6", and insert in lieu thereof the following: "5".

Amendment No. 8.

On page 3 of the printed bill, as amended, strike out lines 20 to 27, inclusive, and insert in lieu thereof the following:

"SEC. 6. The following qualifications are necessary to enable any organization to apply for aid under this act:

A It shall be incorporated under the nonprofit corporation laws of the State of California; provided, however, that the administrator may make exceptions in his discretion in the case of nonprofit, voluntary unincorporated associations.

B. Its membership shall be made up of persons, a substantial proportion of whom have been on relief, eligible to relief, or prospectively eligible if it were not for their membership in the organization.

C. Its articles of incorporation and by-laws shall contain such other provisions as, in the opinion of the State Relief Administrator, are necessary or advisable to insure the cooperative character of the organization

D. In the case of a producer cooperative, the experience and skills of its members shall be appropriate to the projected enterprise."

Amendment No. 9.

On page 3, line 28, of the printed bill, as amended, strike out "8", and insert in lieu thereof the following: "7".

Amendment No. 10.

On page 3, line 29, of the printed bill, as amended, after "the", insert the following: "relief".

Amendment No. 11.

On page 3 of the printed bill, as amended, strike out line 30, and in line 31, strike out "management", and insert in lieu thereof the following: "as a self-help cooperative eligible to loan or grant under the provisions of this act and subject to his supervision".

Amendment No. 12.

On page 3, line 32, of the printed bill, as amended, strike out "or", and insert in lieu thereof the following: "and".

Amendment No. 13.

On page 3 of the printed bill, as amended, strike out line 35, and in line 36, strike out "ating under the provisions of this act and no", and insert in lieu thereof the following:

"Sec. 8. No".

Amendment No. 14.

On page 3, line 39, of the printed bill, as amended, strike out 'The administrator may com-", also strike out lines 40 and 41.

Amendment No. 15.

On page 3, line 42, of the printed bill, as amended, strike out "10", and insert in lieu thereof the following: "9".

Amendment No. 16.

On page 3, lines 43 and 44, of the printed bill, as amended, strike out "and remain".

Amendment No. 17.

On page 3, line 45, of the printed bill, as amended, after "direction", insert the following: "or otherwise disposed of in accordance with the provisions of section 4 of this act".

Amendment No. 18.

On page 4, line 1, of the printed bill, as amended, strike out "11", and insert in lieu thereof the following: "10".

Amendment No. 19.

On page 4 of the printed bill, as amended, strike out lines 9 to 11, inclusive, and insert in lieu thereof the following: "unable to care for themselves and their families and can find the common necessities of life only by seeking public charity; meanwhile, their morale and productive efficiency have been seriously affected and impaired, and are further threatened. This".

Amendment No. 20.

On page 4 of the printed bill, as amended, strike out line 13, and insert in lieu thereof the following: "This act, by aiding and encouraging a system of cooperative self-help production for consumption,".

Amendment No. 21.

On page 4, line 16, of the printed bill, as amended, strike out "12", and insert in lieu thereof the following: "11".

Amendment No. 22.

On page 4, line 24, of the printed bill, as amended, strike out "13", and insert in lieu thereof the following: "12".

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Special Order Set for Assembly Bill No. 121.

On motion of Mr. Boyle, the consideration of Assembly Bill No. 121 was made a special order for Wednesday, April 24th, at two o'clock p.m.

Assembly Bill No. 1141—An act to add section 11a to and to amend section 23 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Robertson:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 6 and 7, and insert in lieu thereof the following: "of the United States shall be constituted,".

Amendment No. 2.

On page 1, line 9, of the printed bill, as amended, strike out the semicolon after "follows", and insert in lieu thereof a comma and the following: "except as otherwise specifically provided in this act for cities of a particular class;".

Amendments adopted.

Request for Unanimous Consent.

Mr. Robertson asked for, and was granted, unanimous consent to take up Assembly Bill No. 1141, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1141, as Amended.

Assembly Bill No. 1141, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1141, as amended, passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly,

Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—68.

NOES—Meehan—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1896—An act to add a new section to the Political Code, to be numbered section 1143, relating to boards of election.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1896 passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Wallace, Waters, Weber, Welsh, Wright, and Mr Speaker—69.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 490—An act to amend section 1357 of the Political Code, relating to absent voters.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 490 passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 286—An act to amend section 10 of an act entitled "An act to provide for and regulate municipal elections in the cities of the fifth and sixth class," approved May 27, 1919, relating to registrations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 286 passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie,

Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—67.
NOES—Glover and Jones—2.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 400—An act to amend section 4293 of the Political Code, relating to the disposition of county and township officers' fee records.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 400 passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—69.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 457—An act to amend sections 3, 4, 5, 8, 10, 12, 15, 18, 19, 20-I, and 21 of an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, statutes 1911, page 730, as amended, relating to an alternative procedure for the doing of work under said act by receiving contributions of labor, materials or equipment from the United States Government or other governmental agencies.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley,

Robertson, Scudder, Stream, Thorp, Turner, Voigt, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—66.
NOES—Geyer and Wagner—2.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 457 passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—68.
NOES—Geyer, Glover, and Wagner—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the House Dispensed With.

At two o'clock and forty-five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Jones.

The roll of absentees was called, and the amendments to Assembly Bill No. 239 submitted by Mr. Clark were refused adoption by the following vote:

AYES—Anderson, Boyle, Brennan, Burns, Cassidy, Clark, Crowley, Donihue, Evans, Ralph W., Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, McCarthy, McMurray, Meehan, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, and Welsh—32.
NOES—Breed, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donnelly, Field, Fisher, Frazier, Fulcher, Gilmore, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—44

Assembly Bill No 239 read third time

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Clark:

Amendment No. 1.

On page 3, lines 33 and 34, of the printed bill, as amended, strike out "; provided, however, that said rate of tax shall not exceed eight per centum".

Amendment No. 2.

On page 5, line 4, of the printed bill, as amended, after "commissioner", strike out the rest of the line, and strike out all of lines 5 and 6, and in line 10, strike out "financial corporation".

The question being on the adoption of the amendments to Assembly Bill No. 239 submitted by Mr. Clark.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Clark.

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Clark, Donihue, Evans, Ralph W., Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, McCarthy, Patterson, Pelletier, Reaves, Richie, Riley, Rosenthal, Turner, Voigt, Wagner, and Welsh—29.
NOES—Breed, Brennan, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Field, Fisher, Frazier, Garibaldi, Gilmore,

Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Peyser, Phillips, Redwine, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—46.

Motion to Expunge Record.

Mr. Riley moved that the vote taken on amendments to Assembly Bill No. 239 submitted by Mr. Clark, be expunged from the record, and the action rescinded.

Motion lost.

Assembly Bill No. 239 read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Jones:

Amendment No. 1.

On page 2, line 7, of the printed bill, as amended, strike out "four", and insert in lieu thereof the following: "five".

Amendment No. 2.

On page 2, line 17, of the printed bill, as amended, strike out "four", and insert in lieu thereof the following: "five".

Amendment No. 3.

On page 3, line 39, of the printed bill, as amended, strike out "four", and insert in lieu thereof the following: "five".

The question being on the adoption of the amendments to Assembly Bill No. 239 submitted by Mr. Jones.

Request for Roll Call.

On request of Messrs. Jones, Wagner and Turner, the Speaker ordered a roll call taken on the amendments submitted by Mr. Jones

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Anderson, Burns, Cassidy, Clark, Crowley, Donihue, Evans, Ralph W., Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, McCarthy, Meehan, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, and Welsh—29.

NOES—Breed, Brennan, Chatters, Colwin, Cottrell, Cronin, Dawson, DeLap, Donnelly, Field, Fisher, Frazier, Fulcher, Gilmore, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—43

Assembly Bill No. 239 read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Williamson:

Amendment No. 1.

On page 3, line 34, of the printed bill, strike out the word "eight", and insert in lieu thereof the word "nine".

Amendment adopted.

Request for Unanimous Consent.

Mr. Latham asked for, and was granted, unanimous consent to take up Assembly Bill No. 239, as amended, at this time, without reference to reprint or file, and that same be considered re-re-engrossed.

Third Reading of Assembly Bill No. 239, as Amended.

Assembly Bill No. 239, as amended, read third time.

The question being on the passage of the bill.

The roll was called

Motion to Expunge Record.

Mr. Rosenthal moved that the vote taken on Assembly Bill No 239, as amended, be expunged from the record, and the action rescinded.

Motion lost.

Motion to Expunge Record.

Mr. Maloney moved that the vote taken on Assembly Bill No. 239, as amended, be expunged from the record, and the action rescinded.

Motion carried.

The question being on the passage of Assembly Bill No. 239, as amended.

The roll was called, and Assembly Bill No. 239, as amended, passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—76.

NOES—None

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 239, as amended.

Mr. Rosenthal gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 239 was this day passed.

Reconsideration of Assembly Bill No. 239, as Amended, Waived.

Mr. Rosenthal waived his notice to reconsider the vote whereby Assembly Bill No. 239, as amended, was passed.

Explanation of Vote.

Explanation of my vote on Assembly Bill No. 239.

The bill was not drawn to equalize taxes of the banks and corporations. In other words, the banker was protected and not taxed enough.

GENE FLINT.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 485—An act to add section 3900a to the Political Code, relating to taxation, including motor vehicle fuel license tax delinquencies, penalties and costs, payment thereof in installments and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—63.

NOES—Glover, Jones, Reaves, Rosenthal, Voigt, and Wagner—6.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 485 passed by the following vote:

AYES—Boyle, Breed, Brennan, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—64.

NOES—Reaves—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2205—An act to add section 599.5 to the Vehicle Code, relating to unlawful displays on vehicles.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Utt:

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out "those".

Amendment No. 2.

On page 1, line 6, of the printed bill, strike out "forestry service, and", and insert in lieu thereof the following: "a forestry service, or".

Amendment No. 3.

On page 1, line 8, of the printed bill, strike out "the before mentioned", and insert in lieu thereof the following: "any such fire".

Amendments adopted.

Request for Unanimous Consent.

Mr. Utt asked for, and was granted, unanimous consent to take up Assembly Bill No. 2205, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2205, as Amended.

Assembly Bill No. 2205, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2205, as amended, passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 141—An act to amend section 73 of the California Vehicle Act, relating to revocation or suspension of licenses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 141 passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, and Mr. Speaker—65

NOES—Fisher, and Welsh—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1760—An act to amend section 210 of the Vehicle Code, relating to nonresidents.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1760 passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hawkins, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—63.

NOES—Flint, Geyer, Gilbert, Glover, Heisinger, McCarthy, Reaves, Richie, Rosenthal, and Voigt—10.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2299—An act to add section 428.5 to the Vehicle Code, relating to the sale of vehicles by a lienholder.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2299 passed by the following vote:

AYES—Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Riley, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—59.

NOES—Flint, Geyer, Redwine, Robertson, and Welsh—5.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2302—An act to amend section 439 of the Vehicle Code, relating to reports of vehicles known to have been unlawfully stored.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 2302 passed by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly,

Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—67.

NOES—None.

Title read.

Amendment to the Title.

During the reading of the title, the following amendment was submitted by Mr. Peyser:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out "vehicles known to have been unlawfully stored", and insert in lieu thereof the following: "stored vehicles".

Amendment adopted.

Title, as amended, read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 1487—An act to establish the line of ordinary high tide in and for a part of Newport Bay in the city of Newport Beach, Orange County, California, and to establish and declare that the land adjacent to said line was upland on and prior to May 25, 1919, and was not tidelands or submerged lands on said date, but was situated above the line of mean high tide of the Pacific Ocean on said date

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1487 passed by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced:

By Miss Miller: Assembly Concurrent Resolution No. 32—Relative to approving amendment to the charter of the city of Pasadena.

Introduced.

Request for Unanimous Consent.

Miss Miller asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 32, at this time, without reference to printer, committee or file, and that same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 32.

Assembly Concurrent Resolution No. 32—Relative to approving amendment to the charter of the city of Pasadena.

Assembly Concurrent Resolution No. 32 read.

Miss Miller moved the adoption of Assembly Concurrent Resolution No. 32.

The question being on the adoption of Assembly Concurrent Resolution No. 32.

The roll was called, and Assembly Concurrent Resolution No. 32 adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Domihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—69.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 32 ordered transmitted to the Senate.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 22, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 64—An act to amend section 3818 of the Political Code, relating to segregation of property on the assessment rolls;

Also: Senate Bill No. 122—An act to amend sections 156, 159, and 160 of the Vehicle Code, relating to registration of vehicles.

Also: Senate Bill No. 361—An act to add a new section to the Code of Civil Procedure, to be numbered 675b, relating to the discharge of a bankrupt from judgment;

Also: Senate Bill No. 1080—An act to add section 798.7 to the Fish and Game Code, relating to abalones.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 64 read first time, and referred to Committee on Revenue and Taxation.

Senate Bill No. 122 read first time, and referred to Committee on Motor Vehicle.

Senate Bill No. 361 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1080 read first time, and referred to Committee on Fish and Game.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending section 18 of Article XI thereof, relating to the incurring of indebtedness by political subdivisions.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Constitutional Amendment No. 15 read first time, and referred to Committee on Constitutional Amendments.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 824—An act to amend sections 4041.8 and 4041.18 of the Political Code, relating to jurisdiction and powers of boards of supervisors;

Also: Senate Bill No. 825—An act to amend the title and section 1 of an act entitled "An act to enable counties to purchase, lease, obtain, hold, improve and maintain land for the uses and purposes of public parks and boulevards," approved May 31, 1929, relating to public boulevards;

Also: Senate Bill No. 826—An act to amend sections 363a, 363s and 363bb of the Political Code, relating to the Department of Public Works;

Also: Senate Bill No. 827—An act to amend section 2620 of the Political Code, relating to the width of highways.

J. A. BEEK, Secretary of Senate.

Senate Bills Nos. 824, 825, 826 and 827 read first time, and referred to Committee on Roads and Highways.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 12—Relative to memorializing the President and the Congress of the United States to enact H R. 4688 which proposes to aid in the rehabilitation of employable blind persons in the United States and urging the Committee on Labor of the House of Representatives to expedite consideration favorable to said bill.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Joint Resolution No. 12 read first time, and referred to Committee on Federal Relations.

Resolution.

The following resolution was offered:

By Mr. Morgan:

Resolution.

WHEREAS, The city of Stockton on Saturday last entertained the entire membership of the State Legislature on a tour of inspection of the port of Stockton, together with its docks and warehouse facilities; and

WHEREAS, All wives and families of said members were included in this generous hospitality, together with all employees and attaches of the Legislature; and

WHEREAS, The city of Stockton through its officers and its Chamber of Commerce provided a special train, a chartered boat, a sumptuous meal, and a varied program of entertainment and activity for the entertainment of its guests; now, therefore, be it

Resolved, That this Assembly hereby records its grateful appreciation and thanks for this generous hospitality; and be it further

Resolved, That this Assembly hereby congratulates the city of Stockton on its civic pride and sturdy courage in the promotion and development of this great and worthy enterprise; and be it further

Resolved, That these resolutions be printed in the Journal, and copies sent to the city manager of Stockton and the Stockton Chamber of Commerce and to the director of the port of Stockton.

Resolution read, and adopted unanimously.

Request for Permission to Introduce a Bill

The following request for permission to introduce bill was presented:

By Mr. Welsh:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1935

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to regulate the caravaning of motor vehicles upon the public highways of this State; defining the term "caravaning" and providing for the licensing of motor vehicles in caravan and imposing penalties for violation thereof.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1935.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to regulate the caravaning of motor vehicles upon the public highways of this State, defining the term "caravaning" and providing for the licensing of motor vehicles in caravan and imposing penalties for violation thereof.

CUNNINGHAM, Chairman.

Report of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Love, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Redwine, Richie, Robertson, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, and Mr. Speaker—66.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced, and referred as indicated:

By Mr Welsh: Assembly Bill No. 2416—An act to regulate the caravaning of motor vehicles upon the public highways of this State, defining the term "caravaning" and providing for the licensing of motor vehicles in caravan and imposing penalties for violation thereof.

Bill read first time, and referred to Committee on Motor Vehicles.

Withdrawal of Bills.

By order of the Speaker, the following bills were withdrawn from the file, and referred to committees as follows:

Assembly Bill No. 1037 ordered re-referred to Committee on Medical and Dental Laws.

Assembly Bill No. 659 ordered re-referred to Committee on Municipal Corporations.

Assembly Bill No. 607 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 439 ordered re-referred to Committee on Education.

Assembly Bill No. 2026 ordered re-referred to Committee on Education.

Assembly Bill No. 2275 ordered re-referred to Committee on Education.

Assembly Bill No. 406 ordered re-referred to Committee on Education.

Assembly Bill No. 2156 ordered re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 822 ordered re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1825 ordered re-referred to Committee on Fish and Game.

Assembly Bill No. 2078 ordered re-referred to Committee on Fish and Game.

Assembly Bill No. 2358 ordered re-referred to Committee on Fish and Game.

Assembly Bill No. 2012 ordered re-referred to Committee on Motor Vehicles.

Assembly Bill No. 1654 ordered re-referred to Committee on Motor Vehicles.

Assembly Bill No. 1289 ordered re-referred to Committee on Motor Vehicles.

Assembly Bill No. 188 ordered re-referred to Committee on Medical and Dental Laws.

Assembly Bill No. 204 ordered re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 202 ordered re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 66 ordered re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1516 ordered re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 273 ordered re-referred to Committee on Insurance.

Assembly Bill No. 1882 ordered re-referred to Committee on Insurance.

Assembly Bill No. 728 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 1821 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 1385 ordered re-referred to Committee on Public Morals.

Assembly Bill No. 925 ordered re-referred to Committee on Agriculture.

Assembly Bill No. 924 ordered re-referred to Committee on Agriculture.

Assembly Bill No. 1480 ordered re-referred to Committee on Agriculture.

Assembly Bill No. 410 ordered re-referred to Committee on Civil Service.

Assembly Bill No. 1475 ordered re-referred to Committee on County Government.

Assembly Bill No. 915 ordered re-referred to Committee on Agriculture.

Adjournment.

At four o'clock and thirty-five minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Tuesday, April 23, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, April 23, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—80.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. McBride, its further reading was dispensed with.

Statement by Speaker Craig.

Miss Miller and Gentlemen of the Assembly.

It is with a great deal of pleasure that I open the Assembly today with the aid of this beautiful orange wood gavel made from the wood of one of our Brea orange trees. It was made in the shops by the students of the Brea-Olinda Union High School

This gavel along with the beautiful desk set and clock was presented to me at a banquet given in my honor, during the recess, at Brea. I want to assure you that these tokens of esteem instill in me the feeling that our people really are interested in we who are in public office and I hope this gavel shall be used only in the passage of progressive, intelligent and fair legislation.

EDWARD CRAIG, Speaker of the Assembly.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From J. C. W. Hinshaw, opposing revenue bond and corollary bills

From the Republican Study Club of Los Angeles, indorsing bills and measures before the Legislature with regard to a broad mortgage moratorium.

From Commemoration Commission, favoring the appointment of a liaison officer by the Americanism chairman.

From Jessie A. Calhoun and others, opposing taxation of the motion picture industry.

From Sacramento Council Cavaliers, regarding Communism in our school system.

From M. Childe, favoring passage of Assembly Bill No. 791.

Communication.

The following communication was received, and ordered printed in the Journal:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1935.

MR. SPEAKER: Pursuant to your instructions, the following named person has filed his credentials, and is duly recognized as a representative of the newspaper set opposite his name:

Huntington Park Signal—Robert Shanahan.

ARTHUR A. OHNIMUS, Chief Clerk.

ASSISTANT CLERK COOLIDGE READING.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 474—An act to amend sections 2, 23, 24 and 26 and to repeal section 9 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of Commissioner of Corporations," approved May 18, 1917, as amended, relating to brokers and investment counsel;

Also: Assembly Bill No. 1816—An act to amend sections 19 and 20 of the "State Liquor Control Act," approved June 3, 1933, relating to licenses;

Also: Assembly Bill No. 2102—An act providing for the formation of nonprofit membership corporations to be known as electric membership corporations; authorizing such corporations to sell and distribute energy to the inhabitants of the State at the lowest cost consistent with sound economy and the prudent management of the business of such corporations; authorizing such corporations to construct or otherwise acquire, own, operate, maintain, extend and improve works, plants and systems for the production, transmission or distribution of energy; authorizing such corporation to exercise the right of eminent domain and otherwise providing for the rights, powers and duties of such corporations; authorizing and regulating the issuance of revenue obligations by such corporations and providing for the payment of such obligations and the rights of the holders thereof; and providing that this act shall take immediate effect;

And reports that the same have been correctly engrossed

WATERS, Chairman

The above reported bills ordered on file for third reading.

On Elections.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1935.

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 2143—An act to add a new section to be numbered section 24a to the act known as the "Direct Primary Law," relating to the personnel of committees—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

DAWSON, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Elections, to which was referred Senate Bill No. 284—An act to amend section 1197 of the Political Code, relating to election ballots—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DAWSON, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 285—An act to amend section 1361 of the Political Code, relating to counting boards to canvass absent voter ballots in counties having a population of one million persons or more—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

DAWSON, Chairman

The above reported bill ordered on file for second reading.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1935.

MR SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 37—An act providing for the creation, organization, and government of joint districts composed of two or more counties of the State of California for the purpose of maintaining joint county road camps and providing that persons confined in the county jail of any such county under a final judgment of imprisonment rendered in a criminal action or proceeding may be required to perform labor on the

public work or public highways in any of such counties—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

DELAP, Chairman

The above reported bill ordered on file for second reading.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1935

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 43—A resolution to propose to the people of the State of California, an amendment to Article XIII of the Constitution of the State, by amending section 7 thereof, relating to the payment of taxes in installments—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

LATHAM, Chairman.

Assembly Constitutional Amendment No. 43, ordered to engrossment.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 24—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 26 of Article IV thereof, relating to a State lottery—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LATHAM, Chairman

Assembly Constitutional Amendment No. 24 ordered on file for adoption.

Also:

MR SPEAKER. Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 12—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 6 of Article VI thereof, relating to the superior courts—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

LATHAM, Chairman.

Assembly Constitutional Amendment No 12 ordered on file for adoption

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 74—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending sections 1 and 3 and repealing sections 7 and 8a, and subsections 5 and 6 of section 8½, of Article XI thereof, relating to county districts—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LATHAM, Chairman.

Assembly Constitutional Amendment No 74 ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 39—A resolution to propose to the people of the State of California, an amendment to Article IV of the Constitution of the State, by amending section 31 thereof, relating to paying the principal and interest on bonds issued by city, county, city and county, district or other political subdivision whose funds are in the custody of the treasurer of any city, county, or city and county—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

LATHAM, Chairman.

Assembly Constitutional Amendment No. 39 ordered to engrossment.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No 42—A resolution to propose to

the people of the State of California, an amendment to Article XIII of the Constitution of the State, by amending section 9a thereof, relating to computation, refunding and collection of excess and deficiency taxes on unsecured real property—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

LATHAM, Chairman.

Assembly Constitutional Amendment No. 42 ordered to engrossment.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 22, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 31—Approving an amendment to the charter of the city of Santa Monica, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the thirtieth day of March, 1935.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Concurrent Resolution No. 31 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1652—An act to amend the Vehicle Code by amending sections 195, 196, 197, 198, and 380, relating to vehicles;

Also. Assembly Bill No. 1653—An act to amend the Vehicle Code by amending sections 320 and 488, relating to vehicles and records to be kept by the Department of Motor Vehicles;

Also: Assembly Bill No 1655—An act to amend the Vehicle Code by amending section 134, by adding sections 131, 136, and 681, relating to vehicles,

Also: Assembly Bill No 2387—An act to amend section 1 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the city of Long Beach upon certain trusts and conditions," approved April 28, 1925, relating to the use of such tidelands and submerged lands

J. A. BEEK, Secretary of Senate
By CARL A SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1652, 1653, 1655 and 2387 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 22, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 566—An act to provide means for making applicable to judges of the superior courts the provisions of section 26 of Article VI of the Constitution of this State, relating to the method of selecting judges

J. A. BEEK, Secretary of Senate
By CARL A SHIPKEY, Assistant Secretary.

Senate Bill No. 566 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1935

MR SPEAKER I am directed to inform your honorable body that the Senate on April 17, 1935, passed Senate Bill No 406—An act to amend section 610 of the Fish and Game Code, relating to trout and whitefish

J A. BEEK, Secretary of Senate
By CARL A SHIPKEY, Assistant Secretary.

Senate Bill No. 406 read first time, and referred to Committee on Fish and Game.

Second Reading of Assembly Bills.

Assembly Bill No. 1835—An act to amend an act entitled "An act relating to the safety of design and construction of public school buildings, providing for regulation, inspection and supervision of the construction, reconstruction or alteration of or addition to public school

buildings, and for the inspection of existing school buildings, defining the powers and duties of the State Division of Architecture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act, to take effect immediately," approved April 10, 1933, relating to the regulation and inspection of the construction of public school buildings.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

Strike out line 1 of the printed bill; also strike out lines 2 and 3, and insert in lieu thereof the following.

SECTION 1. The act cited in the title hereof is hereby revised to read as follows:

Section 1. The Director of the Department of Public Works is hereby authorized and directed to create a Bureau of Schoolhouse Engineering within the Division of Architecture of the said department, the said bureau to succeed to that work heretofore delegated to the Division of Architecture under this original act, and to the personnel at present or heretofore employed by the said division exclusively for or because of such work. The State Architect, with the written approval of the said director, shall immediately appoint a Chief Engineer of the said bureau, who shall be the executive officer thereof, and who shall select, organize, and direct the necessary personnel of the bureau, all subject to the State civil service provisions; provided, that the said Chief Engineer shall be a duly qualified structural engineer in and of the State of California.

SEC. 2. The Bureau of Schoolhouse Engineering of the Division of Architecture is hereby vested with full power and authority to carry out the provisions of this act, under the police power of the State to protect life and property, and shall make from time to time such rules and regulations as may be proper and necessary thereto, subject to the provisions of sections 4 and 5 hereof. The bureau shall review, and approve or disapprove the plans and specifications for, and shall supervise to its satisfaction the construction of, all new school buildings, or if the estimated cost exceed one thousand dollars, the alteration of or addition to any existing school building, and no such new construction, reconstruction, or additional construction shall be begun or continued without the approval and consent of the said bureau Provided, that the authority herein conveyed shall be with respect to the structural features only of such work, and shall not be applicable to repairs not altering or affecting the structural elements of the building; provided also, that the bureau shall approve plans and specifications for any reconstruction of, or addition to any existing building, when such plans and specifications, considered alone, comply with the basic requirements fixed by the said bureau, and when such reconstruction or addition does not diminish or impair the structural safety of the existing building or portion thereof, but such approval shall be understood to apply solely to the described reconstruction or addition, unless specifically stated otherwise

SEC. 3. The term "school building" as used herein means and includes any building used or designed to be used for elementary, secondary school, or junior college purposes, or owned by the State, or by any county, city and county, or other political subdivision, or by any school or junior college district of any kind within the State.

SEC. 4. There is hereby created a Board of Review of the Bureau of Schoolhouse Engineering, which board shall possess all necessary power, and whose duty it shall be, to determine all matters of reasonable fact not otherwise established or accepted by the art and science of structural engineering as such may relate to the technical or structural requirements and rulings of the said bureau. The said board shall consist of five members, one of whom shall be the president of the Structural Engineer's Association of California, one shall be alternately the president of the Northern or Southern California Chapter of the American Institute of Architects, one shall be the Chief of the Division of Schoolhouse Planning, one shall be an architect who is also a structural engineer, and one shall be a structural engineer, both in and of the State of California The two last-mentioned members, with the written approval of the Director of the Department of Public Works, shall be appointed by the State Architect, who shall also notify the ex officio members of their appointment; provided, that if any such ex officio member is unavailable to serve on the board, the appointment shall go to the next officer in line in that organization who is available and otherwise qualified for such service The two members to be appointed by the said State Architect shall be appointed for a period of not to exceed two years, and such as to provide that the continuity of the board personnel will at all times be the maximum obtainable The State Architect shall make the necessary appointments and notifications to the board membership within thirty days of the date of passage of this act, and the board shall convene within fifteen days after such notification, and upon a date to be set by the State Architect. At such first meeting the board shall elect its officers, adopt rules of procedure, and transact any

proper business presented for its consideration. Thereafter the board shall convene upon the call of the State Architect, as may in his judgment be necessary; provided, that the board or any member thereof may request of the State Architect that it be convened to perform its obligations under this act. At any called meeting of the board, which shall be not less than four days after notice thereof is given, any two members shall constitute a quorum for the transaction of routine business, but the affirmative vote of three members present shall be required for the passage of any ruling or resolution. The board members shall be reimbursed for their reasonable actual expenses in attending any called meeting of the board, from the fund hereafter defined in section 7 hereof, but shall receive no compensation for their services.

SEC. 5. It shall be the duty of the Bureau of Schoolhouse Engineering promptly to prepare such rulings, not previously established or adopted, as may be necessary to express definitely the position and requirements of the said bureau with respect to any established or new forms of construction or construction materials, and to submit such rulings, through the State Architect, to the Board of Review for its comment or approval, without which last no such ruling shall be valid or of any effect. It shall also be the duty of the bureau, upon receipt of a formal application, accompanied by supporting data or arguments, for a new ruling or an amendment of an existing ruling regarding any construction material or type of construction, to transmit promptly such application and exhibits, together with the bureau's proposed ruling or arguments, if any, to the State Architect for submission to the Board of Review for its decision thereon. Provided, however, that the said board shall have the power to initiate rulings and hearings in connection therewith at any called meeting of the board, as may in its judgment be necessary. All decisions of the board, within the limits of the jurisdiction herein set forth, shall be binding upon the Bureau of Schoolhouse Engineering and any other parties at interest, except as recourse may be had to competent courts of law.

SEC. 6. The Bureau of Schoolhouse Engineering is hereby directed to cooperate and coordinate its activities with those of the Division of Schoolhouse Planning, as may promote the public interest and convenience without undue expense to the said bureau. If and when the legally authorized activities of the Division of Schoolhouse Planning require or may advantageously employ a structural engineer, the duly qualified officers or employees of the Bureau of Schoolhouse Engineering may, by mutual agreement of these two offices, act in such capacity.

SEC. 7. All district boards of trustees, city boards of education, and all other appropriate school authorities, before proceeding with any applicable work under section 3 hereof, shall submit the plans and specifications therefor to the Bureau of Schoolhouse Engineering for approval, and are hereby authorized and directed to pay the fees hereinafter prescribed, to the said bureau. A separate application for such approval, said application to be in duplicate and of the required form, shall be submitted to the bureau for each individual building to be constructed, reconstructed, or added to, and shall be accompanied by the plans therefor, and full, complete, and accurate specifications, the structural design computations, and estimates of cost, all to comply fully with the requirements therefor prescribed by the said bureau. All such plans, specifications, and estimates shall be prepared by a certified architect holding a valid license under the State act regulating the practice of architecture, or by a structural engineer holding a valid certificate to use the title "structural engineer" under the law regulating the practice of civil engineering, and the supervision of the described work of construction, reconstruction, alteration, or addition shall be under the responsible charge of such architect or structural engineer.

SEC. 8. The application for approval, as specified in section 7 hereof, shall also be accompanied by a filing fee based on the estimated cost of the building, exclusive of furniture, and according to the following schedule: For the first two hundred fifty thousand dollars of such cost, a fee of one-half of one per cent thereof; for all cost in excess of such sum, a fee in the amount as above plus one-fourth of one per cent of such excess; provided, that the minimum fee in any case shall be fifty dollars. Should the actual cost exceed the estimated cost by more than ten per cent, an additional fee of one-half of one per cent of such excess cost shall be promptly paid to the Bureau of Schoolhouse Engineering. All such fees shall be paid into the State treasury, and shall be credited to the Bureau of Schoolhouse Engineering public building fund, which fund is hereby created and made available without regard to fiscal years, for the use of the Bureau of Schoolhouse Engineering, subject to the approval of the Department of Finance, in carrying out the provisions of this act.

SEC. 9. The Bureau of Schoolhouse Engineering is hereby authorized and directed to make such inspection of such school buildings and of such work of construction, reconstruction, alteration or addition as in its judgment may be necessary or proper for the enforcement of the provisions of this act; provided also that the school district, county, city, city and county or other political subdivision under whose jurisdiction any school building is constructed, reconstructed, altered or added to, shall provide for and require competent, adequate and continuous inspection during such construction, by an inspector satisfactory to the architect or structural engineer and the bureau, and under the direction of and responsible to the architect and/or structural engineer.

SEC 10 From time to time, as the work of construction, reconstruction, alteration or addition progresses, and at such intervals as the Bureau of Schoolhouse Engineering shall require, the certified architect or structural engineer in charge of the work, and the inspector on the work, and the contractor shall each make to the bureau a report, duly verified by him, upon a form or forms prescribed by the bureau, showing of his own personal knowledge, that the work during the period covered by the report has been performed and materials used and installed, in every particular, in accordance with the duly approved plans and specifications therefor, setting forth therein such detailed statements of fact as shall be required by the bureau.

SEC. 11 No contract for the construction, reconstruction or alteration of or addition to any school building, made or executed by the district board of trustees, city board of education or other public board, body or officer otherwise vested with authority to make or execute such a contract, shall be valid, nor shall any public moneys be paid for any work done under such a contract, or for any labor or materials furnished in constructing, reconstructing, altering, or adding to such building, unless such plans, specifications, estimates, and construction comply in every particular with the applicable provisions of this act and the applicable requirements of the bureau, nor unless approval thereof in writing has first been obtained from the said bureau.

SEC. 12. Upon request of the board of trustees of any school district or at least ten per cent of the parents having pupils enrolled in said school district as certified to by the county superintendent of schools, the Bureau of Schoolhouse Engineering shall make an examination and report on the structural condition of any public school building, subject to the payment of the actual expenses incurred therefor by said bureau; provided, that payment of such expenses may be waived by the bureau on the joint recommendation of the State Superintendent of Public Instruction and the Department of Finance, when it appears to these authorities that the financial condition of the school district, in which such public school building is located, will not permit the payment of such expenses.

SEC. 13 Any person who violates any of the provisions of this act, or makes any false statement in any verified report or affidavit required herein, is guilty of a felony."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Unfinished Business.

Motion to Reconsider Assembly Bill No. 2048 Continued.

Mr. Reaves moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2048 was passed, be continued until the next legislative day.

Motion carried.

Third Reading of Assembly Bills.

Assembly Bill No. 1192—An act to add section 95 to the Agricultural Code, relating to and providing for the exhibition of live stock in southern California.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1192 refused passage by the following vote:

AYES—Andreas, Clark, Cunningham, Evans, Herbert J., Field, Geyer, Glover, Hawkins, Latham, Lore, Lyon, Martin, Miller, Morgan, Pelletier, Redwine, Riley, Rosenthal, Utt, Wallace, Waters, Wright, and Mr. Speaker—23.

NOES—Anderson, Brennan, Cassidy, Corwin, Cottrell, Dawson, DeLap, Domhue, Donnelly, Evans, Ralph W., Fisher, Frazier, Garibaldi, Gilmore, Heisinger, Hunt, Maloney, McBride, McCarthy, Meehan, Minard, Nielsen, O'Donnell, Patterson, Peterson, Peyser, Reaves, Richie, Robertson, Scudder, Thorp, Wagner, and Weber—33.

Notice of Reconsideration of Assembly Bill No. 1192.

Mr. Rosenthal gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1192 was this day refused passage.

Assembly Bill No. 31—An act to regulate the hours of service in public and private employment during the emergency declared to exist.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Patterson:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 13 to 17, inclusive.

Amendment No. 2.

On page 1, line 22, of the printed bill, as amended, strike out ", except," and insert in lieu thereof a period.

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out lines 23 to 26, inclusive

Amendment No. 4.

On page 2 of the printed bill, as amended, strike out lines 1 to 3, inclusive

Amendment No. 5.

On page 2 of the printed bill, as amended, strike out lines 6 to 12, inclusive, and insert in lieu thereof the following:

"SEC. 4 This act shall take effect only upon the condition that similar legislation is enacted by the Federal Government, in which event, at the time that such similar Federal legislation becomes effective, this act shall thereupon become effective."

Amendments adopted.

Request for Unanimous Consent.

Mr. Patterson asked for, and was granted, unanimous consent to take up Assembly Bill No. 31, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 31, as amended, read, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 2036—An act to add section 526a to the Political Code, relating to State printing.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2036 refused passage by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Clark, Cottrell, Crowley, Cunningham, Donahue, Evans, Ralph W., Fisher, Geyer, Gilbert, Glover, Laughlin, Lore, McCarthy, Meehan, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Robertson, Rosenthal, Scudder, Thorp, Turner, Voigt, Wagner, Waters, Weber, and Welsh—35

NOES—Andreas, Brennan, Chatters, Corwin, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Frazier, Fulcher, Garibaldi, Gilmore, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Minard, Morgan, Peyser, Phillips, Redwine, Richie, Riley, Stream, Utt, Walker, Wallace, Williamson, Wright, and Mr. Speaker—40.

Notice of Reconsideration of Assembly Bill No. 2036.

Mr. Heisinger gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2036 was this day refused passage.

Unfinished Business—(Resumed).

Reconsideration of Assembly Bill No. 6.

Assembly Bill No. 6—An act to amend section 1, of an act entitled "An act to create a fund to be known as the State highway general fund and providing for expenditures therefrom," approved June 5, 1931, relating to expenditures from said fund.

In compliance with his notice given on a previous day, Mr Jones moved that the vote whereby Assembly Bill No 6 was refused passage be reconsidered

The roll was called, and the same was reconsidered by the following vote·

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J. Evans, Ralph W. Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—71.

NOES—None.

Assembly Bill No. 6 ordered on file for third reading.

Reconsideration of Assembly Bill No. 1360.

Assembly Bill No 1360—An act to add sections 54a and 54b to the Civil Code, relating to the right of privacy of persons, and to provide a method by which such right of privacy may be enforced.

In compliance with his notice given on a previous day, Mr. Chatters moved that the vote whereby Assembly Bill No. 1360 was passed, be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J. Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—69.

NOES—None.

Request for Unanimous Consent.

Mr. Chatters asked for, and was granted, unanimous consent to take up Assembly Bill No. 1360, at this time, without reference to file.

Assembly Bill No. 1360 read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Chatters:

Amendment No. 1.

On page 2, line 12, of the printed bill, as amended, strike out the period, insert a semicolon, and add the following, "or from using the name, portrait or picture of any person or persons after they have filed their declaration of candidacy for any public office in this State or in any political subdivision thereof."

Amendment adopted.

Request for Unanimous Consent.

Mr. Cunningham asked for, and was granted, unanimous consent to take up Assembly Bill No. 1360, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1360, as Amended.

Assembly Bill No. 1360, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1360, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—69.
NOES—Robertson—1.

Title read and approved.
Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 764—An act to amend section 818 and to repeal sections 819 and 820 of the Penal Code, relating to the issuance of warrants.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 764 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—69.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1486—An act authorizing a suit against the State of California to quiet title against it to certain real property in the city of Newport Beach, California.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Utt:

Amendment No. 1.

On page 1 line 1 of the title of the printed bill, strike out "a".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 3, inclusive, and in line 4, strike out "said corporations, are", and insert in lieu thereof the following:
"SECTION 1. Any person or corporation, municipal or private, owning or claiming any interest in or to the real property hereinafter described is".

Amendments adopted.

Request for Unanimous Consent.

Mr. Utt asked for, and was granted, unanimous consent to take up Assembly Bill No. 1486, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1486, as Amended.

Assembly Bill No. 1486, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1486, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Glover, Heisinger, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—63.

NOES—Evans, Ralph W.—1.

Title read and approved.

Notice of Reconsideration.

Mr. McCarthy gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1486 was this day passed.

Assembly Bill No. 2385—An act to add section 652 to the Penal Code, relating to jurors.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Burns:

Amendment No. 1.

On page 1, in the title of the printed bill, strike out the period, and insert in lieu thereof the following: "and court officers and employees exploiting their participation in a trial."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert in lieu thereof the following: "96a. Every per-".

Amendments adopted.

Request for Unanimous Consent.

Mr. Burns asked for, and was granted, unanimous consent to take up Assembly Bill No. 2385, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2385, as Amended.

Assembly Bill No. 2385, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2385, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Clark, Corwin, Cottrell, Crowley, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, McMurray, Meehan, Minard, Nielsen, O'Donnell, Patterson, Peyser, Phillips, Reaves, Redwine, Robertson, Scudder, Stream, Thorp, Turner, Utt, Wagner, Wallace, Welsh, Williamson, Wright, and Mr. Speaker—53.

NOES—Brennan, Cunningham, Dawson, Flint, Geyer, Gilbert, Martin, McCarthy, Morgan, Pelletier, Richie, Rosenthal, Waters, and Weber—14.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 2385.

Mr. Richie gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2385 was this day passed.

Assembly Bill No. 64—An act to amend sections 1206 and 1207 of the Code of Civil Procedure, relating to preferred claims for work or personal services.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 64 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 336—An act to amend sections 396, 396a, 399, 539, 540, 542, 581, 594, 618, 629, 650, 659a, 667a, 689, 953a, 978a, 980, 983, 983a, 988a, 988b, 988c, 988h, 989, 990, 1005 and 1010 of the Code of Civil Procedure, and to add section 655 thereto, all relating to civil actions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 336 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1837—An act to amend sections 269 and 271 of the Code of Civil Procedure, relating to the appointment, duties and compensation of phonographic reporters.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1837 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Laughlin, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Scudder,

Stream, Turner, Utt, Wagner, Waters, Weber, Welsh, Williamson, and Mr. Speaker—60.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1546—An act to add section 4 to an act entitled "An act limiting the liability of supervisors, city trustees, city councils, boards of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances," approved June 13, 1923, relating to the liability of counties, municipalities and school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1546 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Corwin, Cottrell, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Geyer, Glover, Hawkins, Heisinger, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Martin, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Weber, Welsh, Williamson, Wright, and Mr. Speaker—52
NOES—Brennan, Cassidy, Cronin, Crowley, Dawson, Evans, Ralph W., Hunt, Johnson, Maloney, McMurray, Peyser, Richie, Wagner, and Wallace—14.

Title read and approved.
Bill ordered transmitted to the Senate.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 49—Relative to memorializing the United States Forest Service to undertake the laying out of ski trails in the snow region of the National forests between Placerville and Auburn highways—and reports that the same has been correctly enrolled, and presented the same to the Governor on this twenty-third day of April, 1935, at ten o'clock a.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 229—An act to amend sections 3366 and 4041.14 and to repeal section 3384 of the Political Code, relating to the licensing of businesses by the counties;

Also: Assembly Bill No. 242—An act to add a new section to be numbered section 28a to an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, relating to assessments and bonds;

Also: Assembly Bill No. 601—An act to amend section 1704 of the Streets and Highways Code, relating to county highways;

Also: Assembly Bill No. 658—An act to amend sections 45 and 47 of the California Irrigation District Act and to repeal section 46 of said act, all relating to certificates of sale and redemption therefrom, and the issuance of deeds,

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-third day of April, 1935, at ten o'clock a.m.

WATERS, Chairman.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 731—An act to amend section 10 of an act entitled "An act providing for the formation, government and operation of harbor districts, the calling and conducting of elections in such districts of harbor commissioners, defining their powers and duties, and providing for the issuance and disposal of bonds of such harbor districts, and providing for the assessment, levy and collection of taxes for the payment of such bonds and for the ordinary annual expenses of such harbor districts," approved June 10, 1931, relating to the government of such districts,

Also: Assembly Bill No 1064—An act authorizing municipalities to afford special assessment relief by the appropriation of money for the reduction of special assessments and the payments on bonds issued to represent such assessments, and by the payment of any portion of the principal or interest of, or by the purchase or redemption at a discount of, or by the transfer to the interest and sinking fund for the discharge and payment of bonds, the proceeds of which have been used for the acquisition of rights of way or easements for, or for the construction, maintenance, improvement or repair of streets, bridges and culverts within such cities, and providing a method for the making of such appropriations;

Also: Assembly Bill No. 1548—An act to remit to holders of certificates of purchase of State lands one-half of any penalty which has accrued on account of failure of any such purchaser to pay interest when due, in consideration of the payment by any such purchaser, on or before December 31, 1935, to the State of California, of any sums due the State on account of interest, plus the remaining one-half of any accrued penalties;

Also: Assembly Bill No. 1721—An act to amend sections 859 and 860 of the Penal Code, relating to the examination of a case before a magistrate, and to add section 859a of the Penal Code, relating to a plea of guilty to the complaint before a magistrate;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-third day of April, 1935, at ten o'clock a.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2174—An act to confirm, ratify and make valid ordinances heretofore passed by the city council or the people of any incorporated city creating a civil service commission and placing employees of the city under control of said civil service commission—and reports that the same has been correctly enrolled, and presented the same to the Governor on this twenty-third day of April, 1935, at ten o'clock a m

WATERS, Chairman

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1935.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2080—An act to provide for the acquisition of the Muir Wood Toll Road by the State, and the inclusion thereof in the State Highway system, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

On Conservation.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1935

MR. SPEAKER: Your Committee on Conservation, to which was referred Assembly Bill No. 312—An act to amend section 2 of an act entitled "An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith," approved May 23, 1923, relating to the duties of the State Fire Marshal—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

REDWINE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Conservation, to which was referred Assembly Bill No. 955—An act to amend the title and sections 1 and 24, and to add section 8a to the "Storm-water District Act of 1909," approved March 13, 1909, as amended, relating to the formation of districts for the purpose of controlling soil erosion and protecting the lands in such district from damage by storm-water or other waters—

has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

REDWINE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Conservation, to which was referred Assembly Bill No. 1608—An act to amend sections 1, 4, 5, 10, 12, 13 and 15 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals, to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith: providing for an appropriation to defray the cost of administering this act," as approved May 25, 1921, as amended, relating to the issuance, transfer, terms of, and rights under prospecting permits, leases, and sales of State mineral lands—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

REDWINE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Conservation, to which was referred Assembly Bill No. 95—An act making an appropriation for the control and conservation of flood waters in San Diego County—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, to be re-referred to Committee on Ways and Means.

REDWINE, Chairman.

Assembly Bill No. 95 ordered re-referred to Committee on Ways and Means.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1935.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 265—An act to add section 364k to the Political Code, relating to the Division of the Deaf in the Department of Industrial Relations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended, to be re-referred to Committee on Ways and Means.

FIELD, Chairman

The above reported bill ordered on file for second reading.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1935.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 682—An act to provide for a Legislative-Executive Advisory Committee and the creation of a secretariat therefor, prescribing the powers and duties of such advisory committee and its secretariat, and making an appropriation for the support thereof—has had the same under consideration, and respectfully reports the same back, without recommendation, and it be re-referred to Committee on Governmental Efficiency and Economy.

COTTRELL, Chairman.

Assembly Bill No. 682 ordered re-referred to Committee on Governmental Efficiency and Economy.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 234—An act creating a commission for the coordination of State and local governments, defining its powers and duties, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, without recommendation, and it be re-referred to Committee on Governmental Efficiency and Economy.

COTTRELL, Chairman

Assembly Bill No. 234 ordered re-referred to Committee on Governmental Efficiency and Economy.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 390—An act to amend section 15a of and to add section 25 to an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, relating to vital statistics;

Also: Assembly Bill No. 1724—An act relating to the solicitation of law business and the settlement of personal injury claims and contingent attorney's fees;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LYON, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 131—An act to amend section 683 of the Civil Code, relating to joint tenancy;

Also: Senate Bill No. 366—An act to renumber section 532a of the Penal Code, as added by Chapter 70 of the Statutes of 1913, to be section 532c of said code, relating to giving lots on the drawing of numbers;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

LYON, Chairman.

The above reported bills ordered on file for second reading.

On Conservation.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1935.

MR. SPEAKER: Your Committee on Conservation, to which was referred Senate Bill No. 139—An act to provide for the burning of the brush and debris on a watershed for experimental purposes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

REDWINE, Chairman.

The above reported bill ordered on file for second reading.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1935.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Senate Bill No. 233—An act repealing section 365e½ of the Political Code and section 133 of the Streets and Highways Code, relating to the California Highway Commission—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

STREAM, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 159—An act to amend sections 117d and 117p of the Code of Civil Procedure, relating to small claims courts;

Also: Senate Bill No. 319—An act to amend sections 1026 and 1026a of the Penal Code, relating to procedure in the trial and release of the criminally insane;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LYON, Chairman.

The above reported bills ordered on file for second reading.

Motion to Re-refer Assembly Bill No. 1865.

Mr. Reeves moved that Assembly Bill No. 1865 be withdrawn from Committee on Revenue and Taxation, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Assembly Bill No. 1865 to Committee on Judiciary.

Motion carried.

Assembly Bill No 1865 ordered re-referred to Committee on Judiciary.

Withdrawal of Assembly Bills Nos. 2102 and 1816.

By order of the Speaker, Assembly Bill No. 2102 was withdrawn from the file, and referred to Committee on Corporations.

By order of the Speaker, Assembly Bill No. 1816 was withdrawn from the file, and referred to Committee on Public Morals.

Recess.

At twelve o'clock and fifteen minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until two o'clock p.m. of this day.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 23, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 32—Relative to approving amendment to the charter of the city of Pasadena.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Concurrent Resolution No. 32 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 107—An act to add sections 76, 77, 78 and 79 to the Streets and Highways Code, delegating to the California Highway Commission power and authority during times when the Legislature of the State of California is not in session to accept on behalf of the State of California grants of rights of way for State roads through Military reservations from the Government of the United States made by the Secretary of War to the State of California or any political subdivision thereof, and declaring the effect of such acceptance.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 332—An act to amend section 1 of an act entitled "An act relating to the doing of public work by day's labor or force account, except emergency and maintenance work and work costing less than ten thousand dollars; requiring the State Highway Engineer, State Engineer, the State Architect, county engineers, county surveyors, city and county engineers, county highway engineers, road commissioners, city engineers, commissioners of public works, superintendents of streets, harbor engineers, flood control engineers and the engineers of any reclamation, irrigation or other districts, political subdivisions or agencies of the State directing, supervising or superintending such work, or in charge of the engineering for or in connection therewith, to keep the costs, prepare and file plans, specifications and estimates of cost, and, upon completion, prepare and file certificates of cost thereof; and providing for the keeping of such plans, specifications and certificates as public records," approved June 21, 1923, relating to the doing of public work by day's labor or force account;

Also: Senate Bill No. 127—An act to regulate the conduct of election campaigns, to provide penalties for corrupt practices defined therein, to repeal an act entitled "An act to regulate the conduct of election campaigns, and repealing an act entitled 'An act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,' approved February 23, 1893," approved March 19, 1907, and to repeal an act entitled "An act providing for publicity of contributions and expenditures made for the purpose of influencing electors for or against any proposition voted upon throughout the State and providing penalties for violation of the provisions hereof," approved May 31, 1921;

Also: Senate Bill No. 418—An act to add a new section to the Political Code to be numbered 3663c, relating to the correction of errors by the State Board of Equalization in assessments made by said board.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 332 read first time, and referred to Committee on Roads and Highways.

Senate Bill No. 127 read first time, and referred to Committee on Elections.

Senate Bill No. 418 read first time, and referred to Committee on Revenue and Taxation.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, April 19, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: I am returning herewith, Assembly Bill No. 1994, without my approval.

Owing to an omission, the authors and others interested in the measure have requested the bill be vetoed, and I am complying with such suggestion.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 1994 ordered on unfinished business file.

Resolution.

The following resolution was offered:

By Mr. Patterson:

Assembly Resolution.

WHEREAS, It is essential, in view of the existing economic condition of the country, that a limitation of hours of labor be established; and

WHEREAS, It is essential, in order to avoid unduly penalizing California manufactures, business and industry that such legislation be National in scope; and

WHEREAS, It is also essential that legislation be enacted in this State to provide for proper cooperation with the United States Government in any such legislation; and

WHEREAS, The Legislature of this State will adjourn within a short period of time; now, therefore, be it

Resolved, That the Assembly of the State of California respectfully urges that the Congress of the United States enact the Black-Cownery Bill providing for the restriction of hours of labor to 30 hours a week at the earliest possible moment in order that the Legislature of the State of California may cooperate with the United States Government in enforcing such legislation; and be it further

Resolved, That the Governor is hereby respectfully requested to transmit copies of this resolution to the United States Secretary of Labor, the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives and the Senators and Representatives of this State to the United States Congress.

Resolution read and adopted.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 655—An act to amend section 15b of the California Irrigation District Act, relating to the duties and powers of boards of directors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 655 passed by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1377—An act to provide for the custody and disposition of money and other property belonging to inmates of county institutions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1377 passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Dawson, DeLap, Desmond, Donihue, Evans, Ralph W., Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 568—An act to amend section 4305 of the Political Code, relating to the salary fund of counties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 568 passed by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Ralph W., Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 2232—An act to amend section 4295 of the Political Code, relating to official without fees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2232 passed by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Ralph W., Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 863—An act to amend the title and sections 1, 2, 3, 4, 5, 6, 7 and 8 of an act entitled "An act to provide for the proper sanitary condition of factories and workshops, and the preservation of the health of employees," approved February 6, 1889 (Stats. 1889, Chap. 5), as amended, relative to the sanitation, lighting and ventilation of factories, workshops and other places of employment, providing for the enforcement thereof by the Chief of the Division of Labor Statistics and Law Enforcement and providing penalties for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 863 passed by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Thorp, Turner, Voigt, Wagner, Walker, Weber, Welsh, Williamson, Wright, and Mr. Speaker—62

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 827—An act to validate the organization and bonds of municipal improvement districts formed under the Municipal Improvement District Act of 1927 and providing for the levy of special assessment taxes to pay said bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 827 passed by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—64.

NOES—Evans, Ralph W., and McCarthy—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 495—An act to amend sections 460, 504, and 621 of the Agricultural Code, relating to dairy products.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 495 passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1201—An act to add section 2.455a to the School Code, relating to severance of joint schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1201 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—66.

NOES—Evans, Ralph W.—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 206—An act to amend section 1 of Chapter 339 of the Statutes of 1933 entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to the construction of certain words and phrases used in said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 206 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1554—An act to amend "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 5, 1931, relating to retirement and pensions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1554 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 730—An act to amend section 1 of an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931 (Stats. 1931, Chap. 397), relative to the definition of public contract work and payment of the prevailing rate therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 730 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—69.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1658—An act to amend sections 468, 474, 515, 516, 713 and 714 of, and to add a new section to be numbered 692 to, the

Vehicle Code, relating to highways, bridges and structures thereon, and the regulation of speeds and weight of vehicles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1658 passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Ralph W., Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Utt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1656—An act to amend the Vehicle Code by repealing sections 414 and 415; by adding sections 414, 415, and 416, relating to vehicles.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1656 passed by the following vote:

AYES—Andreas, Boyle, Brennan, Cassidy, Chatters, Clark, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Ralph W., Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—64

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 972—An act to amend section 791 of the Agricultural Code, relating to apricots

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lore:

Amendment No. 1.

On page 1, line 17, of the printed bill, as amended, strike out "Apricots", and insert in lieu thereof the following: "Packed apricots".

Amendment No. 2.

On page 1, line 20, of the printed bill, as amended, after "of", insert the following "packed".

Amendment No. 3.

On page 2, line 8, of the printed bill, as amended, strike out "lugs of loose or", and insert in lieu thereof the following: "containers of".

The question being on the adoption of the amendments to Assembly Bill No. 972, submitted by Mr. Lore.

Request for Roll Call.

On request of Messrs. Lore, Crowley and Pelletier, the Speaker ordered a roll call taken on the amendments submitted by Mr. Lore.

The roll was called, and the amendments were refused adoption by the following vote.

AYES—Andreas, Cassidy, Clark, Dawson, Desmond, Donihue, Flint, Geyer, Gilbert, Glover, Hawkins, Hunt, Johnson, Latham, Laughlin, Lore, Patterson, Pelletier, Reaves, Richie, Riley, Rosenthal, Turner, Utt, Wagner, Wallace, and Wright—27.

NOES—Boyle, Brennan, Crowley, Cunningham, DeLap, Donnelly, Frazier, Fulcher, Garibaldi, Heisinger, Hornblower, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Peyser, Phillips, Redwine, Robertson, Stream, Thorp, Walker, Weber, Williamson, and Mr. Speaker—31.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 972 passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Crowley, Cunningham, Dawson, DeLap, Donnelly, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Laughlin, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—54.

NOES—Desmond, Donihue, Flint, Glover, Latham, Lore, Pelletier, Reaves, and Richie—9.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 973—An act to amend section 803 of the Agricultural Code, relating to peaches.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 973 passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Crowley, Cunningham, Dawson, DeLap, Donnelly, Geyer, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller Minard, Morgan, Nielsen, Patterson, Peterson, Peyser, Phillips, Redwine, Robertson, Thorp, Turner, Utt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—49.

NOES—Donihue, Flint, Glover, Lore, Pelletier, Reaves, and Richie—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 975—An act to amend section 804 of the Agricultural Code, relating to pears.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Desmond:

Amendment No. 1.

On page 2 of the printed bill, strike out all of lines 4 to 11, inclusive, and insert in lieu thereof the following:

"Packed pears shall not vary in size between the fruits, in any one container, more than three-eighths of an inch in diameter, when measured through the widest portion of cross section."

The question being on the amendment to Assembly Bill No. 975 submitted by Mr. Desmond.

Request for Roll Call.

On request of Messrs. Crowley, Desmond and Johnson, the Speaker ordered a roll call taken on the amendment submitted by Mr. Desmond.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Crowley moved a call of the House.

Motion carried.

Time, three o'clock and twelve minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Boyle, Brennan, Cassidy, Chatters, Clark, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Flint, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Voigt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—55.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the house.

Proceedings Under Call of the House by Unanimous Consent.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 976—An act to amend section 806 of the Agricultural Code, relating to plums and fresh prunes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 976 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donnelly, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—62.

NOES—Donihue and Flint—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 624—An act to amend section 61 of the Bank Act, making flood control bonds legal for savings bank investments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 624 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Cunningham, Dawson, DeLap, Donihue, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Riley, Robertson, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1332—An act to add section 3306a to the Civil Code, relating to breach of contract to deliver a quitclaim deed.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1332 passed by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2404—An act to add section 2181c to the Political Code, relating to moneys of insane or feeble-minded persons committed to State hospitals and homes for feeble-minded.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2404 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 322—An act to amend "An act to establish free employment bureaus under the control and management of the Commissioner of the Bureau of Labor Statistics, and making an appropriation therefor," approved May 17, 1915, by adding section 2a thereto, relating to free employment bureaus.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 322 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Dawson, DeLap, Donihue, Donnelly, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Explanation of Vote.

I was called to the phone on official business from my county when the Assembly voted on Assembly Bill No. 322, by Jones.

Had I been there, I would have voted for the bill.

HENRY P. MEEHAN.

Assembly Bill No. 386—An act to amend section 472a of the Code of Civil Procedure, relating to demurrers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 386 passed by the following vote.

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Williamson, and Mr. Speaker—69

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Further Proceedings Under Call of the House Dispensed With.

At three o'clock and twenty-five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Crowley.

The roll of absentees was called, and the amendment to Assembly Bill No. 975 submitted by Mr. Desmond was refused adoption by the following vote:

AYES—Anderson, Andreas, Boyle, Cassidy, Clark, Cottrell, Cunningham, Desmond, Donahue, Donnelly, Evans, Ralph W., Flint, Fulcher, Garibaldi, Geyer, Glover, Johnson, Kallam, Latham, Laughlin, Mayo, McCarthy, Meehan, Miller, Morgan, O'Donnell, Pelletier, Peterson, Peyser, Reaves, Riley, Robertson, Thorp, Wallace, Waters, and Wright—36.

NOES—Breed, Brennan, Burns, Chatters, Corwin, Crowley, Dawson, DeLap, Field, Frazier, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Jones, Lore, Lyon, Maloney, Martin, McBride, McMurray, Minard, Nielsen, Patterson, Phillips, Redwine, Richie, Rosenthal, Stream, Turner, Utt, Voigt, Wagner, Walker, Weber, Welsh, Williamson, and Mr. Speaker—39

Third Reading of Assembly Bill No. 975.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 975 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donnelly, Field, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Wallace, Weber, Welsh, Williamson, Wright, and Mr. Speaker—66.

NOES—Desmond, Donahue, Flint, and Richie—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 387—An act to amend sections 1031 and 1032 of the Code of Civil Procedure, relating to costs.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 387 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Dawson, DeLap, Donihue, Donnelly, Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—69.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Introduction and Reference of Bills.

The following bill was introduced:

By Mr. Riley: Assembly Concurrent Resolution No. 33—Approving five certain amendments to the charter of the city of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fifth day of April, 1935.

Introduced.

Request for Unanimous Consent.

Mr. Riley asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 33 at this time, without reference to printer, committee or file, and that same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 33.

Assembly Concurrent Resolution No. 33—Approving five certain amendments to the charter of the city of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fifth day of April, 1935.

Assembly Concurrent Resolution No. 33 read.

Mr. Riley moved the adoption of Assembly Concurrent Resolution No. 33.

The question being on the adoption of Assembly Concurrent Resolution No. 33.

The roll was called, and Assembly Concurrent Resolution No. 33 adopted by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Field, Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—68.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 33 ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2265—An act to add section 660.6 to the Fish and Game Code, relating to salmon.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2265 passed by the following vote.

AYES—Anderson, Andreas, Cassidy, Chatters, Clark, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Field, Flint, Frazier, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1901—An act relating to real estate transactions and imposing a tax thereon and providing for the enforcement and collection of the tax, this act to take effect immediately.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lyon:

Amendment No. 1.

On page 1, line 13, of the printed bill, strike out the word "There", and insert in lieu thereof the following: "Commencing on the thirtieth day after the effective date of this act, there".

Amendment No. 2.

On page 1, line 14, of the printed bill, after the word "for", insert the word "and".

Amendment No. 3.

On page 1, line 15, of the printed bill, following the word "property", insert the following: "situated in the State of California".

Amendment No. 4.

On page 2, line 6, of the printed bill, following the word "act", insert the following: "or created more than one year prior to the execution of such deed".

Amendment No. 5.

On page 2, line 48, of the printed bill, strike out "(a) Makes", and substitute in lieu thereof the following: "Sec. 5. Whoever makes".

Amendment No. 6.

On page 2, line 52, of the printed bill, strike out the following: "(b)".

Amendment No. 7.

On page 3 of the printed bill, strike out all of line 4.

Amendment No. 8.

On page 3, line 27, of the printed bill, strike out the numeral "10", and insert in lieu thereof the numeral "7".

Amendment No. 9.

On page 3 of the printed bill, commencing in line 29, strike out the following: "taxes levied hereunder shall become effective thirty days from and after the effective date of this act".

Amendments adopted.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 1901, as amended, at this time, without reference to reprint or file, and that same be considered re-re-engrossed.

Assembly Bill No. 1901, as amended, read third time.

Motion to Defer Assembly Bill No. 1901.

Mr. O'Donnell moved that further consideration of Assembly Bill No. 1901, as amended, be deferred until after the Committee on Tax Measures reports to the Assembly.

The question being on the motion to defer further consideration of Assembly Bill No. 1901, as amended.

Demand for Previous Question.

Messrs. Morgan, Cunningham, Robertson. Redwine, and O'Donnell demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion to defer further consideration of Assembly Bill No 1901, as amended.

Request for Roll Call.

On request of Messrs O'Donnell, Robertson, and Lyon, the Speaker ordered a roll call taken on the motion by Mr. O'Donnell to defer further consideration of Assembly Bill No. 1901, as amended.

The roll was called.

Motion for Call of the House.

Pending the announcement of the vote, Mr. Lyon moved a call of the House.

Motion lost.

The roll was called, and the motion to defer further consideration of Assembly Bill No 1901, as amended, was carried by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Clark, Cronin, Crowley, Desmond, Donihue, Donnelly, Field, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Martin, Mayo, McCarthy, McMurray, Meehan, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Richie, Rosenthal, Thorp, Turner, Voigt, Welsh, and Williamson—38

NOES—Breed, Brennan, Chatters, Corwin, Cottrell, Cunningham, Dawson, DeLap, Evans, Ralph W., Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Kallam, Latham, Lyon, Maloney, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Redwine, Riley, Robertson, Scudder, Stream, Utt, Wagner, Walker, Wallace, Waters, Wright, and Mr Speaker—36.

Motion to Re-refer Assembly Bill No. 1901.

Mr. Lyon moved that Assembly Bill No. 1901 be withdrawn from the file, and ordered re-referred to Committee on Revenue and Taxation.

The question being on re-referring Assembly Bill No. 1901 to the Committee on Revenue and Taxation.

Motion carried.

Assembly Bill No. 1901 ordered re-referred to Committee on Revenue and Taxation.

Motion to Withdraw Assembly Bill No. 1028 from Committee.

Mr. O'Donnell moved that Assembly Bill No. 1028 be withdrawn from Committee on Revenue and Taxation, and placed on file.

The question being on the motion by Mr. O'Donnell to withdraw Assembly Bill No. 1028 from Committee on Revenue and Taxation.

Request for Roll Call.

On request of Messrs Flint, O'Donnell, and Lore, the Speaker ordered a roll call taken on the motion to withdraw Assembly Bill No. 1028 from Committee on Revenue and Taxation.

The roll was called.

Motion for Call of the House.

Pending the announcement of the vote, Mr. DeLap moved a call of the House.

Motion lost.

The roll was called, and the motion to withdraw Assembly Bill No. 1028 was carried by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Ralph W, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, Walker, Waters, and Welsh—52.

NOES—Breed, Brennan, Dawson, DeLap, Field, Fisher, Frazier, Kallam, Lyon, Mayo, Peyser, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Wallace, Weber, Wright, and Mr. Speaker—22.

Assembly Bill No. 1028 ordered on file.

Request for Permission to Introduce Bill.

The following request for permission to introduce bill was presented:

By Mr. Craig:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 844 of the Fish and Game Code, relating to nets.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1935.

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 844 of the Fish and Game Code, relating to nets.

CUNNINGHAM, Chairman.

Report of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—73.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced, and referred as indicated

By Mr. Craig: Assembly Bill No. 2417—An act to amend section 844 of the Fish and Game Code, relating to nets.

Bill read first time, and referred to Committee on Fish and Game.

Motion to Withdraw Assembly Bill No. 1029.

Mr. Waters moved, seconded by Mr. Voigt, that Assembly Bill No. 1029 be withdrawn from Committee on Revenue and Taxation, and placed on file.

The question being on the motion to withdraw Assembly Bill No. 1029 from Committee on Revenue and Taxation.

Motion carried.

Assembly Bill No. 1029 ordered on file.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 39—A resolution to propose to the people of the State of California, an amendment to Article IV of the Constitution of the State, by amending section 31 thereof, relating to paying the principal and interest on bonds issued by city, county, city and county, district or other political subdivision whose funds are in the custody of the treasurer of any city, county, or city and county;

Also: Assembly Constitutional Amendment No 42—A resolution to propose to the people of the State of California, an amendment to Article XIII of the Constitution of the State, by amending section 9a thereof, relating to computation, refunding and collection of excess and deficiency taxes on unsecured real property;

Also: Assembly Constitutional Amendment No. 43—A resolution to propose to the people of the State of California, an amendment to Article XIII of the Constitution of the State, by amending section 7 thereof, relating to the payment of taxes in installments;

And reports that the same have been correctly engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 896—An act to amend sections 479, 508, 510, 581, 585, 590, 591, 593, 632, and 673 of the Agricultural Code, relating to dairies and dairy products;

Also: Assembly Bill No. 1382—An act to amend section 5.682 of the School Code, relating to tenure of position for teachers;

And reports that the same have been correctly engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1935.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 406—An act to add a new article to Chapter I of Part I of Division I of the School Code to be known as Article VII, embracing section 1.45, relating to the participation of pupils in public exhibitions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

CHATTERS, Chairman.

The above reported bill ordered on file for second reading.

On Conservation.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1935.

MR. SPEAKER: Your Committee on Conservation, to which was referred Assembly Bill No. 2111—An act making an appropriation for flood control work on the Pajaro River in Santa Cruz and Monterey counties—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended, and be re-referred to Committee on Ways and Means.

REDWINE, Chairman.

The above reported bill ordered on file for second reading.

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1935.

MR SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Senate Bill No 499—An act to add a new section, to be numbered 14a, to an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the enforcement of said act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

CRONIN, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 1037—An act to safeguard the public health, to regulate the diagnosis and treatment of human ailments by means of X-rays and the use, ownership and possession of X-ray appliances for said purposes; providing for the licensing of persons operating X-ray appliances and laboratories, declaring the treatment of human ailments by means of X-rays to constitute the practice of medicine; prescribing penalties for violation of the act; declaring the possession, maintenance or operation of X-ray appliances in violation of the provisions of the act to constitute a public nuisance, and otherwise providing for the enforcement of the act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

CRONIN, Chairman.

The above reported bill ordered on file for second reading.

On Building and Construction.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1935.

MR. SPEAKER: Your Committee on Building and Construction, to which was referred Assembly Bill No. 2382—An act to regulate the practice of structural pest control; to create the Structural Pest Control Board; to provide for the registration and licensing of persons engaged in such practice, and for the protection of the public in the practice of structural pest control—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

PEYSER, Chairman.

The above reported bill ordered on file for second reading

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 197—An act granting in trust to the City and County of San Francisco the interest of the State in and to, and the control and management of the harbor of San Francisco, as described in the act; providing for the disposition of revenues derived from the operation of said harbor; providing for the sale of bonds authorized but not sold; providing for the payment of interest on bonds, and for the redemption of bonds; fixing the terms and conditions of the grant; providing for the issuance of a proclamation by the Governor.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Maloney:

Amendment No. 1.

On page 6, line 33, of the printed bill, as amended, after the word "contained", insert a period, and strike out the remainder of line 33, and all of lines 34 and 35.

Amendment adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 2118—An act in furtherance of the purposes and to facilitate the operation of Article XXV of the Constitution of the State of California, the "Property Relief and Gross Income Tax Law," providing for the collection and enforcement thereof, authorizing and

directing the State Board of Equalization to receive and collect the tax imposed thereunder, prescribing such penalties for failure to pay the tax imposed thereby, prescribing penalties for violation of the provisions of this act, and making an appropriation for the enforcement hereof.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Latham:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out the title, and insert in lieu thereof the following:

"An act imposing an excise tax measured by gross receipts, providing for the registration of taxpayers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, repealing the Retail Sales Tax Act of 1933, and providing this act shall take effect immediately."

Amendment No. 2.

Strike out all of the printed bill, as amended, following the enacting clause, and insert in lieu thereof the following:

"SECTION 1. This act shall be known and may be cited as the "Gross Receipts Tax Act of 1935"

SEC. 2. The following words, terms and phrases when used in this act have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(a) "Person" includes any individual, firm, copartnership, joint adventure, association, corporation, estate, trust, business trust, receiver, syndicate and this State, any county, city and county, municipality, district or other political subdivision thereof, or any other group or combination acting as a unit, and the plural as well as the singular number.

(b) "Resident" includes every natural person domiciled in this State or who maintains a permanent place of abode within this State or who spends in the aggregate more than seven months of any year within this State, and includes every domestic corporation, and every foreign corporation, copartnership, estate, trust, business trust, receiver or any other group or combination acting as a unit, whose head office or principal place of business is in this State, and includes this State and any county, city and county, municipality, district or other political subdivision thereof.

(c) "Gross receipts" includes money, compensation for personal services, anything of value, including credits, received in exchange for property, rents, dividends, interest, gifts and every other thing of value received by any person without any deduction for the cost of property sold, the cost of materials used, labor costs, interest or discount paid or any other expense or loss whatsoever; provided, however, that "gross receipts" shall not include the value of property received to the extent received in exchange for money, cash discounts allowed and taken on sales, the sale price of property returned by customers when the full sale price thereof is refunded either by cash or credit, money or property assigned for the benefit of creditors, or transferred to trustees upon the creation of a trust, the receipts of capital by a corporation, copartnership, firm or joint adventure upon the original sale of the stock of such corporation, copartnership, firm or joint adventure, or contributions to capital by the members of any other organization.

(d) "Fiduciary" means guardian, trustee, executor, administrator, receiver, conservator, or any person, whether individual or corporate, acting in any fiduciary capacity for any person, estate or trust.

(e) "Received" includes accrued.

(f) "Board" means the State Board of Equalization.

SEC. 3. An excise tax is hereby levied upon every resident of this State measured by the entire gross receipts of such resident, except as hereinafter provided, and upon every nonresident measured by the gross receipts of such nonresident, derived from sources within this State, at the rate of one per cent of such gross receipts received on or after July 1, 1935.

SEC. 4. The following gross receipts shall not be included in the measure of the excise tax imposed by this act:

(a) Donations received by churches, hospitals, community chests, the American Red Cross and other organizations engaged primarily in relieving poverty and distress.

(b) Any grants or donations from any governmental agency received by widows, orphans, physically or mentally handicapped persons, the aged and unemployed

(c) Taxes, fines, assessments, license fees and gifts received by the State or any county, city and county, municipality, district or other political subdivision thereof.

(d) Gross receipts from the transfer of tangible property located outside this State at the time of transfer and gross receipts from the performance of personal services wholly outside this State.

(e) The amount of any money received as a loan and gross receipts received in repayment of the principal of any loan, including deposits and withdrawals thereof.

(f) Amounts received on the sale of stocks, bonds, promissory notes and other evidences of indebtedness to the extent the gross receipts represent a return to the seller of the cost to him of such stocks, bonds, promissory notes or other evidences of indebtedness.

(g) Gross receipts received by way of descent, bequest or devise.

(h) Gross receipts accruing prior to July 1, 1935.

(i) Gross receipts which this State is prohibited from taxing by the Constitution of this State or the Constitution of the United States.

SEC 5. Gross receipts from sources within and without this State shall be allocated and apportioned under rules and regulations to be prescribed by the board.

SEC 6. In any case of two or more organizations, trades or businesses (whether or not incorporated, whether or not organized in this State, and whether or not affiliated) owned or controlled directly or indirectly by the same interests, the board is authorized to distribute, apportion or allocate gross receipts between or among such organizations, trades or businesses if the board determines that such distribution, apportionment or allocation is necessary in order to prevent the evasion of taxes or clearly to reflect the gross receipts of such organizations, trades or businesses.

SEC. 7. Gross receipts received by an agent on behalf of his principal shall be included in the gross receipts of the principal, without any deduction of any commission, wage, salary, fee or other remuneration paid by the principal to the agent or deducted by the agent from such gross receipts. The commission, wage, salary, fee or other remuneration received by the agent shall be included in the gross receipts of the agent.

SEC. 8. The gross receipts of estates or trusts shall include the following:

(a) The gross receipts from real property and tangible personal property located and from business transacted in this State.

(b) The gross receipts from intangible property with a situs in this State.

(c) The gross receipts from real property and tangible personal property located outside this State and the gross receipts from intangible property with a situs outside this State in the following cases:

(1) Where the beneficiary and the fiduciary and the settlor are all residents of this State.

(2) Where the beneficiary and the fiduciary are residents of this State regardless of the residence of the settlor.

(3) Where the beneficiary and the settlor are residents of this State regardless of the residence of the fiduciary.

(4) Where the beneficiary is a resident of this State regardless of the residence of the fiduciary and the settlor.

(5) Where the fiduciary is a resident of this State regardless of the residence of the beneficiary and the settlor.

(6) Where the settlor is a resident of this State regardless of the residence of the beneficiary and the fiduciary.

(7) Where the fiduciary and the settlor are residents of this State regardless of the residence of the beneficiary.

(d) Where under this section the inclusion of gross receipts in the measure of the tax imposed by this act depends upon the residence of the fiduciary and there are two or more fiduciaries for the estate or trust, the gross receipts shall be apportioned according to the number of fiduciaries resident in this State, such apportionment being determined according to rules and regulations prescribed by the board.

(e) Where under this section the inclusion of gross receipts in the measure of the tax imposed by this act depends upon the residence of the beneficiary and there are two or more beneficiaries for the estate or trust, the gross receipts shall be apportioned according to the number of beneficiaries resident in this State, such apportionment being determined according to rules and regulations prescribed by the board.

SEC. 9 Whenever in the opinion of the board the use of inventories is necessary in order clearly to determine the gross receipts of any person, inventories shall be taken by such person upon such basis as the board may prescribe as conforming as nearly as may be to the best accounting practice in the trade or business and as most clearly reflecting the gross receipts.

SEC. 10. Every person subject to the provisions of this act shall within thirty days after becoming subject to the provisions hereof register as a taxpayer under this act with the board, which registration may be made by letter giving the name, age, place of residence, occupation, business or profession of the person so registering. If such taxpayer is, at the time of his registration, an employer of any person or persons, he shall also give the number of persons in his employ and the aggregate amount of wage or salary paid to such employees monthly, and such taxpayer shall also supply such other information as may be reasonably necessary for the purpose of registering taxpayers.

SEC. 11 The tax levied hereunder shall be due and payable in quarterly installments on or before the fifteenth day of the month next succeeding each quarterly period, the first of such quarterly periods being the period commencing on the first day of July, 1935, and ending on the thirtieth day of September, 1935. The taxpayer shall on or before the fifteenth day of the month following the close of the first quarterly period as above defined, and on or before the fifteenth day of the month following each subsequent quarterly period of three months, make a return for the preceding quarterly period in such form as may be prescribed by the board showing the gross receipts of the taxpayer, the amount of the tax for the period covered by such return and such information as the board may deem necessary for the proper administration of this act. The taxpayer shall deliver the return together with a remittance of the amount of the tax due to the office of the board. The board, if it deems it necessary in order to insure the payment of the tax imposed by this act, may require returns and payment of the tax to be made for other than quarterly periods. Returns shall be signed by the taxpayer or his duly authorized agent but need not be verified by oath.

In case one per cent of the gross receipts of any person for any quarterly period is one dollar or less there shall be no tax measured by such gross receipts for such quarterly period, but a return of all gross receipts for such quarterly period must nevertheless be made.

SEC. 12. Returns may be made by guardians for their wards, parents for their children and husbands for their wives under rules and regulations prescribed by the board.

SEC. 13. Every employer is hereby required to make report showing the names and addresses of every person in his employ who receives a wage or salary and the amount of such wage or salary, together with the frequency of payment. This report shall accompany the return of the employer as to his own gross receipts. Every employer is hereby required to deduct from any wage or salary the tax at the rate of one per cent on all salaries or wages due any employee who draws a wage or salary because of such employment in excess of thirty-three dollars and thirty-three cents per month. The employer so deducting the tax on the wage or salary of such employee shall furnish the employee with a receipt for the amount so deducted and such employer shall include in his own return the fact of such deduction and collection and shall make proper remittance thereof as required by section 11 of this act. The employee from whose income such deduction is made when making his own return shall show the name and address of the employer who has deducted the tax from his wage or salary and the date of such deduction and shall have the right to take credit upon his own tax liability for such deduction or deductions.

All persons in whatever capacity acting having the control, receipt, custody, disposal or payment of any gross receipts from sources within this State of any nonresident shall deduct and withhold from such gross receipts a tax equal to one per cent thereof Any persons so deducting the tax on the gross receipts of such nonresident shall furnish the nonresident with a receipt for the amount so deducted and such person shall include in his own return the fact of such deduction and collection and shall make proper remittance as required by section 11 of this act. The nonresident from whose gross receipts such deduction is made, when making his own return, shall show the name and address of the person who has deducted the tax from his gross receipts and the date of such deduction and shall have the right to take credit upon his own tax liability for such deduction or deductions.

The board, whenever it deems it necessary to insure compliance with this act, may under rules and regulations prescribed by it require any person having control, receipt, custody, disposal or payment of any gross receipts of any taxpayer to deduct and withhold a tax of one per cent of such gross receipts and make return thereof and pay the tax to the board

SEC 14. The board for good cause may extend for not to exceed thirty days the time for making any return required under the provisions of this act If the board shall allow an extension of time for filing any return hereunder, there shall be a corresponding extension of time for the payment of the amount of tax disclosed by such return, but there shall be added to and remitted with such tax, if paid within the period for which the extension was granted, interest on the amount of the tax at the rate of one-half of one per cent per month, or fraction thereof If the tax is not paid within the period for which the extension was granted, interest shall be added to the tax at the rate of one per cent per month, or fraction thereof from the date on which the tax would have been due and payable if the extension had not been granted until the date of payment.

SEC. 15. Any taxpayer failing to pay any tax, except taxes determined by the board under the provisions of sections 16 and 17 hereof, within the time required by this act shall pay in addition to the tax a penalty of ten per cent thereof, plus interest at the rate of one per cent a month, or fraction thereof, from the date at which the tax became due and payable until the date of payment.

SEC 16 If the board is not satisfied with the return and payment of tax made by any taxpayer, it is hereby authorized and empowered to make an additional assessment of tax due from such taxpayer based upon the facts contained in the return or upon any information within its possession or that shall come into its

possession All additional assessments shall bear interest at the rate of one per cent per month, or fraction thereof, from the fifteenth day after the close of the period or periods, as the case may be, for which the additional assessment is imposed until the date of payment. If any part of the deficiency for which the additional assessment is imposed is due to negligence or intentional disregard of the act or authorized rules and regulations, a penalty of ten per cent of the amount of the additional assessment shall be added, plus interest as above provided. If any part of the deficiency for which the additional assessment is imposed is due to fraud or an intent to evade the tax, a penalty of twenty-five per cent of the amount of the additional assessment shall be added, plus interest as above provided. The board shall give to the taxpayer written notice of such additional assessment. Such notice may be served upon the taxpayer personally or by mail; if by mail, service shall be made in the manner prescribed by section 1013 of the Code of Civil Procedure and addressed to the taxpayer at his address as the same appears in the records of the board.

SEC. 17. If a taxpayer neglects or refuses to make a return as required by this act, the board shall make an estimate based upon any information in its possession or that may come into its possession, of the amount of the gross receipts of the taxpayer for the period or periods in respect to which he failed to make a return, and upon the basis of said estimated amount compute and assess the tax payable by the taxpayer, adding to the sum thus arrived at a penalty equal to ten per cent thereof. All such assessments shall bear interest at the rate of one per cent per month, or fraction thereof, from the fifteenth day after the close of the period or periods, as the case may be for which such assessments are imposed until the date of payment. If the neglect or refusal of a taxpayer to file a return as required by this act was due to fraud or an intent to evade the tax, there shall be added to the tax a penalty equal to twenty-five per cent thereof in addition to the ten per cent penalty as above provided. Promptly thereafter the board shall give to the taxpayer written notice of such estimate, tax and penalty, the notice to be served personally or by mail in the same manner as prescribed for service of notice by the provisions of section 16 hereof. But the taxpayer shall have the right to petition for reassessment of any such tax found, determined and declared by the board pursuant to and in accordance with the provisions of this section

SEC 18 Any taxpayer against whom an assessment is made by the board under the provisions of section 16 or 17 hereof may petition for a reassessment thereof within fifteen days after service upon the taxpayer of notice thereof. If a petition for reassessment is not filed within said fifteen day period, the amount of the assessment becomes final at the expiration thereof

If a petition for reassessment is filed within said fifteen day period the board shall reconsider the assessment, and if the taxpayer has so requested in his petition, shall grant said taxpayer an oral hearing and shall give the taxpayer ten days' notice of the time and place thereof. The board shall have power to continue the hearing from time to time as may be necessary.

The order or decision of the board upon a petition for reassessment shall become final sixty days after service upon the taxpayer of notice thereof unless the taxpayer within such period brings a proceeding for the review thereof in a court of competent jurisdiction.

All assessments made by the board under the provisions of sections 16 and 17 hereof shall become due and payable at the time they become final and if not paid when due and payable there shall be added thereto a penalty of ten per cent of the amount of the tax and interest on the amount of the tax at the rate of one per cent per month, or fraction thereof, from that date until the date of payment

Any notice required by this section shall be served personally or by mail in the same manner as prescribed for service of notice by the provisions of section 16 hereof.

SEC 19 Except in the case of a fraudulent return, or neglect or refusal to make a return, every notice of additional tax proposed to be assessed hereunder shall be mailed to the taxpayer within three years after the return was filed

SEC 20. The board shall not be precluded from assessing taxes due from any taxpayer for any period by reason of any previous assessment against the taxpayer for the same period

SEC. 21. All taxes not paid to the board by the taxpayer on the date when the same become due and payable shall bear interest at the rate of one per cent per month, or fraction thereof, from and after such date until paid.

SEC. 22 If the board believes that the collection of any tax or assessment imposed by this act will be jeopardized by delay, it shall immediately levy a jeopardy assessment for the tax, interest and penalty provided herein. The amount so assessed shall be immediately due and payable Promptly after the levy of the assessment, the board shall give to the taxpayer written notice of such assessment, the notice to be served personally or by mail in the same manner as prescribed for service of notice by the provisions of section 16 hereof. If the amount of the tax, interest and penalty specified in the jeopardy assessment is not paid within ten days after the service upon the taxpayer of notice of the assessment the delinquency penalty and interest provided in section 15 hereof shall attach to the amount of the tax specified therein.

SEC 23 Upon notice to the board that any person is acting in a fiduciary capacity, such fiduciary shall assume the powers, rights, duties, and privileges of the taxpayer in respect of any tax imposed by this act (except as otherwise specifically provided and except that the tax shall be collected from the estate of the taxpayer), until notice is given that the fiduciary capacity has terminated

Notice under this section shall be given in accordance with rules and regulations prescribed by the board No final account of a fiduciary shall be allowed by any court unless such account shows and the court finds, that all taxes imposed by the provisions of this act upon said fiduciary, which have become payable, have been paid, and that all taxes which may become due are secured by bond, deposit or otherwise. The certificate of the board and the receipt for the amount of the tax therein certified shall be conclusive as to the payment of the tax, to the extent of said certificate.

For the purpose of facilitating the settlement and distribution of estates held by fiduciaries, the board, with the approval of the Attorney General, may on behalf of the State agree upon the amount of taxes at any time due or to become due from such fiduciaries under the provisions of this act, and payment in accordance with such agreement shall be full satisfaction of the taxes to which the agreement relates.

SEC. 24. If fraud or evasion on the part of a taxpayer is discovered by the board, it shall determine the amount by which the State has been defrauded, shall add to the amount so determined a penalty equal to twenty-five per cent thereof, and shall assess the same against the taxpayer. All such assessments shall bear interest at the rate of one per cent per month or fraction thereof, from the fifteenth day after the close of the period or periods, as the case may be, for which the amount should have been paid The amount so assessed shall be immediately due and payable and if not paid within ten days after the service upon the taxpayer of notice of the assessment the delinquency penalty and interest provided in section 15 hereof shall attach to the amount of the tax specified therein.

SEC 25. The board shall report to the State Controller every assessment made under this act, and he shall keep a record thereof.

SEC. 26. If the board determines that any tax, penalty or interest has been paid more than once, or has been erroneously or illegally collected or computed, the board shall certify to the State Board of Control the amount collected in excess of what was legally due, from whom it was collected, or by whom paid, and if approved by that board the same shall be credited on any taxes then due from the taxpayer under this act and the balance shall be refunded to the taxpayer, but no such credit or refund shall be allowed after three years from the date of overpayment.

Any refund or any portion thereof which is erroneously made, and any credit or any portion thereof which is erroneously allowed, may be recovered, together with interest at the rate of six per centum per annum from the date the refund was made or the credit allowed, in an action brought by the board in a court of competent jurisdiction in the county of Sacramento in the name of the people of the State of California, and such actions shall be tried in the county of Sacramento unless the court with the consent of the Attorney General orders a change of place of trial. The Attorney General must prosecute such action, and the provisions of the Code of Civil Procedure, relating to service of summons, pleadings, proofs, trials, and appeals are applicable to the proceedings herein provided for.

SEC. 27. No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against this State or against any officer thereof to prevent or enjoin under this act the collection of any tax sought to be collected; but after payment of any such tax under protest, duly verified and setting forth the grounds of objection to the legality of such tax, the taxpayer paying such tax may bring an action against the State Treasurer in a court of competent jurisdiction in the county of Sacramento for the recovery of tax so paid under protest. No such action may be instituted more than sixty days after the tax becomes due and payable, and failure to bring suit within said sixty days shall constitute waiver of any and all demands against this State on account of alleged overpayment of taxes hereunder. No grounds of illegality of the tax shall be considered by the court other than those set forth in the protest filed at the time of the payment of the tax.

If in any such action judgment is rendered for the plaintiff, the amount of the judgment shall first be credited on any taxes due from the plaintiff under this act, and the balance of the judgment shall be refunded to the plaintiff. In any such judgment, interest shall be allowed at the rate of six per cent per annum upon the amount of tax found to have been illegally collected from the date of payment of such tax to the date of allowance of credit on account of such judgment or to a date preceding the date of the refund warrant by not more than thirty days, such date to be determined by the board.

In no case shall any judgment be rendered in favor of the plaintiff in any action brought against the State Treasurer to recover any tax paid hereunder, when such action is brought by or in the name of an assignee of the taxpayer paying said tax.

SEC 28 The board, whenever it deems it necessary to insure compliance with the provisions of this act, may require any person subject to the tax imposed here-

under to deposit with it such security as the board may determine. The same may be sold by the board at public sale if it becomes necessary so to do in order to recover any tax, interest or penalty due Notice of such sale may be served upon the person who deposited such securities personally or by mail; if by mail, service shall be made in the manner prescribed by section 1013 of the Code of Civil Procedure and addressed to the person at his address as the same appears in the records of the board. Upon any such sale, the surplus, if any, above the amounts due under this act shall be returned to the person who deposited the security.

SEC. 29. In any case in which any tax, interest or penalty imposed under this act is not paid when due the board may file in the office of the county clerk of Sacramento County, or any other county, a certificate specifying the amount of the tax, interest and penalty due, the name and last known address of the taxpayer liable for the same, that the board has complied with all the provisions of this act in relation to the computation and levy of the tax and a request that judgment be entered against the taxpayer in the amount of the tax, interest and penalty set forth in the certificate. The county clerk immediately upon the filing of such certificate shall enter a judgment for the people of the State of California against the taxpayer in the amount of the tax, interest and penalty set forth in the certificate. The judgment may be filed by the county clerk in a loose-leaf book entitled "Special Judgments for State Gross Receipts Tax."

An abstract of such judgment or a copy thereof may be recorded with the county recorder of any county and from the time of such recording, the amount of the taxes, interest and penalty therein set forth shall constitute a lien upon all the real property of the taxpayer in such county, owned by him or which he may afterwards and before the lien expires acquire, which lien shall have the force, effect and priority of a judgment lien. Execution shall issue upon such a judgment upon request of the board in the same manner as execution may issue upon other judgments and sales shall be held under such execution as prescribed in the Code of Civil Procedure. In all proceedings under this section the board shall be authorized to act on behalf of the people of the State of California.

In the event that any taxpayer is delinquent in the payment of the tax herein provided for, the board may give notice of the amount of such delinquency by registered mail to all persons having in their possession, or under their control, any credits or other personal property belonging to such taxpayer, or owing any debts to such taxpayer at the time of receipt by them of such notice and thereafter any person so notified shall neither transfer nor make any other disposition of such credits, other personal property, or debts until the board shall have consented to a transfer or disposition, or until twenty days shall have elapsed from and after the receipt of such notice. All persons so notified must, within five days after receipt of such notice, advise the board of any and all such credits, other personal property or debts, in their possession, under their control or owing by them, as the case may be.

At any time within three years after any taxpayer is delinquent in the payment of the tax herein provided for, the board may proceed forthwith to collect the tax due from the taxpayer in the following manner: The board shall seize any property, real or personal, of the taxpayer not exempt from execution under the provisions of section 690 of the Code of Civil Procedure, and thereafter sell at public auction such property so seized, or a sufficient portion thereof, to pay the tax due hereunder, together with any interest or penalties imposed hereby for such delinquency, and any and all costs that may have been incurred on account of such seizure and sale. Notice of such intended sale and the time and place thereof, shall be given to such delinquent taxpayer in writing at least ten days before the date set for such sale by inclosing such notice in an envelope addressed to such taxpayer at his last known residence or place of business in this State, if any, and depositing the same in the United States mail, postage prepaid, and by publication for at least ten days before the date set for such sale in a newspaper of general circulation published in the county or city and county in which the property seized is to be sold; provided, that if there be no newspaper of general circulation in such county or city and county, then by the posting of such notice in three public places in such county or city and county ten days prior to the date set for such sale. The said notice shall contain a description of the property to be sold, together with a statement of the amount of the taxes, interest, penalties and costs, the name of the taxpayer, and the further statement that unless such taxes, interest and penalties and costs are paid on or before the time fixed in said notice for such sale, said property, or so much thereof as may be necessary, will be sold in accordance with law and said notice.

At any such sale, the property shall be sold by the board in accordance with law and said notice, and the board shall deliver to the purchaser a bill of sale for the personal property, and a deed for any real property so sold, and such bill of sale or deed shall vest the interest or title of the taxpayer in the purchaser. The unsold portion of any property so seized may be left at the place of sale at the risk of the taxpayer. If upon any such sale, the moneys so received shall exceed the amount of all taxes, interest, penalties and costs due the State from such taxpayer, any

such excess shall be returned to the taxpayer, and his receipt therefor obtained, provided, however, that if any person having an interest or lien upon the property has filed with the board prior to any such sale notice of such interest or lien the board shall withhold any such excess pending a determination of the rights of the respective parties thereto by a court of competent jurisdiction. If, for any reason, the receipt of such taxpayer shall not be available, the board shall deposit such excess moneys with the State Treasurer, as trustee for such owner, subject to the order of such taxpayer, his heirs, successors or assigns

It is expressly provided that the foregoing remedies of the State shall be cumulative and that no action taken by the board or Attorney General shall be construed to be an election on the part of the State or any of its officers to pursue any remedy hereunder to the exclusion of any other remedy for which provision is made in this act.

SEC. 30. At any time within three years after the delinquency of any tax, the board may bring an action in a court of competent jurisdiction in the name of the people of the State of California to collect the amount delinquent, together with interest and penalties The Attorney General must prosecute such action, and the provisions of the Code of Civil Procedure relating to service of summons, pleadings, proofs, trials and appeals are applicable to the proceedings herein provided for. In such action a writ of attachment may issue, and no bond or affidavit previous to the issuing of said attachment is required. In such action a certificate by the board showing the delinquency shall be prima facie evidence of the levy of the tax, of the delinquency and of compliance by the board with all provisions of this act in relation to the computation and levy of the tax.

SEC. 31. The board for the purpose of ascertaining the correctness of any return or for the purpose of making an estimate of the gross receipts of any person, shall have power to examine, or cause to be examined by any agent or representative designated by it for that purpose, any books, papers, records, or memoranda bearing on the matters required to be included in the return and may require the attendance before it of any person and may take testimony and require proof of materials for its information with power to administer oath to such person or persons.

SEC. 32. The board is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe, adopt and enforce rules and regulations relating to the administration and enforcement of the provisions of this act and to employ such accountants, auditors, investigators, assistants and clerks as may be determined to be necessary for the efficient administration of this act.

SEC. 33. It shall be unlawful for any member of the board or the State Controller or any person having an administrative duty under this act to divulge any information concerning the business affairs of persons reporting hereunder or to permit any return or copy thereof or any book containing any abstract or particulars thereof to be seen or examined by any person except as provided by law; provided, however, that the Governor may authorize examination of such returns by other State officers, in which event the information obtained shall not be made public; provided, further, that such returns may be examined, with the consent of the Governor, by tax officers of another State or the Federal Government, if a reciprocal arrangement exists, and any other persons the Governor may so authorize.

Any person violating the provisions of this section shall be guilty of a misdemeanor, and may be punished by a fine of not more than one thousand dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment.

SEC. 34. All moneys and remittances received by the board in pursuance of the provisions of this act shall be transmitted daily to the State Treasurer, and copies of the schedules covering such transmittals shall be furnished at the same time to the State Controller.

All moneys and remittances so received and so transmitted shall be deposited, after clearance of remittances, in the State treasury and credited to the "Gross receipts tax fund", which fund is hereby created.

For expenditure by the board in carrying out the provisions of this act there is hereby appropriated a sum of money equal to one hundred thousand dollars and two per cent, or so much thereof as may be necessary, of all other moneys deposited in the gross receipts tax fund; said one hundred thousand dollars being payable out of moneys in the general fund not otherwise appropriated, the remainder of the moneys hereby appropriated being payable out of the gross receipts tax fund; provided, that, out of said two per cent of said other moneys deposited in the gross receipts tax fund on or before June 30, 1937, the sum of one hundred thousand dollars shall be returned into the general fund. For expenditure by the State Controller in carrying out the provisions of this act there is hereby appropriated out of the gross receipts tax fund the sum of one hundred thousand dollars or so much thereof as may be necessary, and for expenditure by the State Treasurer in carrying out the provisions of this act there is hereby appropriated out of the gross receipts tax fund the sum of sixty-five thousand dollars or so much thereof as may be necessary. The balance of the moneys in the gross receipts tax fund

shall, upon order of the State Controller, be drawn therefrom for the purpose of making refunds hereunder or be transferred to the general fund of the State

SEC. 35 Any taxpayer failing or refusing to furnish any return herein required to be made or failing or refusing to furnish a supplemental return or other data required by the board shall be guilty of a misdemeanor, and shall for each such offense be punished by a fine of not more than five hundred dollars.

Any person herein required to make, render, sign or verify any return or to furnish any data and who makes any false or fraudulent return or furnishes any false or fraudulent data, with intent to defeat or evade any tax or assessment, shall be guilty of a misdemeanor and shall for each such offense be punished by a fine of not less than three hundred dollars and not more than five thousand dollars or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment.

SEC. 36. Any violation of the provisions of this act shall be a misdemeanor and, unless another punishment is specifically provided for, shall be punished by a fine of not more than five hundred dollars or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment.

SEC. 37. The Retail Sales Tax Act of 1933 (Chapter 1020, Statutes of 1933) shall remain in full force and effect until July 1, 1935, after which date said act shall no longer be of any force and effect; provided, however, that any taxes imposed by said act prior to said date shall remain fully collectible, and the provisions of said act relating to the payment and collecting of such taxes, including penalties and interest thereon, shall remain in effect until such taxes are paid.

SEC. 38 If any section, subsection, clause, sentence or phrase of this act which is reasonably separable from the remaining portions of this act is for any reason held to be unconstitutional, such decision shall not affect the remaining portions of this act. The Legislature hereby declares that it would have passed the remaining portions of this act irrespective of the fact that any such section, subsection, clause, sentence or phrase of this act be declared unconstitutional.

SEC. 39. This act, inasmuch as it provides for a tax levy for the usual current expenses of the State, shall, under the provisions of section 1 of Article IV of the Constitution, take effect immediately."

Amendments adopted.

Bill read, ordered to reprint, re-re-engrossment, and third reading.

Assembly Bill No. 819—An act to amend sections 2167, 2167a, 2169, 2172 and 2175 of, to repeal sections 2168, 2170, 2171 and 2185c of, and to add new sections numbered 2168, 2171 and 2185c to the Political Code, relating to persons mentally disordered or otherwise incompetent.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Lyon:

Amendment No. 1.

On page 9 of the printed bill, as amended, strike out lines 1 to 17, inclusive, and insert in lieu thereof the following:

"2185.4. The judge of the superior court upon receipt of the report of the medical examiners, when such report recommends care and treatment in a State hospital shall serve or cause to be served upon the person alleged to be a dipsomaniac or an inebriate or to have lost the power of self control, notice that an order of commitment to a State hospital shall be issued within two days of such notice unless the person examined, or anyone in his behalf file with the county clerk a demand for a hearing and examination before the court. Such notice and demand shall be upon forms prescribed by the Department of Institutions to all superior courts, county clerks and magistrates."

Amendment adopted.

Bill read, ordered to reprint, re-re-re-re-re-re-engrossment, and third reading.

Assembly Bill No. 1009—An act to amend section 9 of "An act defining clinics and dispensaries, providing for the operation, conduct, maintenance, examination and regulation thereof, requiring permits therefor, providing for the issuance and revocation of such permits by the State Board of Public Health, fixing the amount of and providing for the

collection and disposition of annual fees for such permits, creating the clinic and dispensary fund, prescribing the powers and duties of the State Board of Public Health and of the Director of Public Health in reference to such clinics and dispensaries, and prescribing penalties for the violation of the provisions of this act," approved June 5, 1933, relating to annual fee for permits.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Nielsen:

Amendment No. 1.

On page 1, line 17, of the printed bill, strike out the comma following the word "dollars", and strike out the following words: "no part of which shall be returnable".

Amendment adopted

Bill read, ordered to reprint, re-engrossment, and third reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 23, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 462—An act to amend section 809 of the Agricultural Code, relating to walnuts;

Also: Assembly Bill No. 974—An act to amend section 794 of the Agricultural Code, relating to cherries.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

The above reported bills ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 23, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 51—Relative to memorializing the President and the Congress to enact legislation (H. R. 2772) declaring Admission Day a holiday for all officers and employees of the United States whose headquarters are in California.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Joint Resolution No. 51 ordered to enrollment.

Notice of Reconsideration of Assembly Bills Nos. 1028 and 1029.

Mr. Utt gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bills Nos 1028 and 1029 were withdrawn from committee.

Withdrawal of Assembly Bill No. 896.

By order of the Speaker, Assembly Bill No. 896 was withdrawn from the file and referred to Committee on Drainage, Swamp and Overflowed Lands.

Adjournment.

At four o'clock and thirty-five minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Wednesday, April 24, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, April 24, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—80.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Peterson, its further reading was dispensed with.

Privilege of the Floor of Assembly Extended.

On request of Mr. Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the teacher and pupils of the Woods School, Woodbridge: Mrs. Erma B. Reese, teacher, and the following pupils of the eighth grade: Geraldine Lange, Tamiyo Fujinaka, Esther Batch, Lena Giorgi, Bonnie Welsh, Enid Welsh, Mary McMahon, Misao Oshima, Andrew Papageorge, Harold Lange, Vernon Koenig, Francis Bender and Frank Jacinto, and Mrs. Mabel Richey, teacher, and the following pupils of the seventh grade: Laura Savio, Ross May, Bernice Jacinto, Jane Englehorn, Patty Hanson, Irene Manna, Mary Bigotta, Elsie McQueen, Elvera Giorgi, Marie Wagenmann, Matsuto Mikami, Oliver Lee and Lois Williams

On request of Mr. Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Leroy Nichols, district superintendent; and Evan Borst, head, history department of the Lodi Union High School, Lodi, and the following pupils: Nathaniel Morton, Jane Keller, Jane Hargis, Lewis Bridge, Rolane Thumlert, Sylvester Burgstahler, Barbara Collins, Dorothy Robinson, Kenneth E. Hunting, James Posey, Edwin Gholz, Elizabeth La Valley, Virginia Allington, Rose Melcher, Anne Melcher, Gerald Smart, Edna Schmidt, Dorothy Shipman, Dorothy Godfrey, Luella Engel, Kathryn Hoffman, Jim Bainbridge, Dale Rathbun, Delford Seeman, Marvin Klemm, Lupe Rivera, Cynthia Zimbelmann, Mary Windsor, Peggy Cellini, Virgil Swett, John Young, Shirley Mudge, Jules Perrin, Jr., Gertrude Scott, Edna Koeneke, Elizabeth Lind, Esther Bischel, Mary Louise Pfeifle, Marie Rush, Margaret Featherston, Elenor Comartin, Ann Tanereto,

Grace Baldwin, Patricia Mason, Carolyn Neer, Adolph Lerza, Corinne McCullum, Mary Louise Englehorn, Charlotte Dugdale, Marjorie Field, Bernice Hieb, Alda Pfeifle, Walter Howen, Irwin Erickson, Edna Kirchhof, Virginia Polenske, Nerine Weis, Vera Neuharth, George Kuehl, Marshall Damon, Claude Fore, Ole Mettler, Vernon Forde, Ernest Troutner, Stanley Bartels, Gordon Gray, Herschel Mason, Paul Burson, Del Mintun, Jim Board, Robert Thumlert, Belford Wiedenich, Ervin Pokert, Masao Matsumoto, George Takiuchi, Leonard Frey, Wesley Dunton, Clarence Macdonald, Bill Jones and Bill Hunter.

On request of Mr. Nielsen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the teacher and pupils of the Washington School, Perkins, Mildred Walker, teacher, and the following pupils: Judy Hashimura, James Warnke, Yula Kelperis, Loverta Hirota, Fusaye Uda, May Morikawa, Grace Yamamoto, Ruth Uyeno, Tomiko Wakabayashi, Ted Lee, Henry Makishima, Masuo Hayashi, Noboru Matsui, Tetsuo Okamoto, George Fujii, Tetsuo Okai, Phillip Nagasawa and Ralph Krapan.

On request of Mr. Heisinger, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. A. M. Drew of Fresno, former member of Assembly.

On request of Mr. Cunningham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Stephen Cunningham, City Councilman of Los Angeles.

On request of Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Harold P. Huls, City Attorney of Pasadena.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sisters Mary Stephen and Mary Daniel of the Dominican Convent, San Rafael, and Anita Bulotti, Katherine Casassa and Muriel Cain

On request of Mr Walker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Byron S. Lamson.

On request of Mr. O'Donnell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the principal and pupils of the Williams Union Grammar School, Joe Michell, principal, and the following pupils of the eighth grade civics class: Glen Manor, Grover Gillett, Clifford Wakefield, Edward West, Billy Thomas, Page Commons, Lloyd Landrus, Jack Turnley, Garnett Vann, Carol Higgins, Alice Bradshaw, Norma Chatfield, Alice Clayton, Frances Dutil, Julia Egbert, Marie Hunt, Mary Merithew, Mildred Nordyke, Norma Rice, Shirley Silva, True Thompson, Marjorie Hildreth, and P. G. Northey.

On request of Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. John Peter Buwalda of Pasadena.

On request of Mr. Peyser, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. A R. Morrow and former Senator Victor Canepa

On request of Mr. Waters, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Dick Marion, animator for Mickey Mouse

On request of Mr. Gilbert, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Paul H. Bruns of Los Angeles.

On request of Mr O'Donnell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr Peter Motto of Woodland.

On request of Mr Flint, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs Elizabeth D McConnell.

On request of Mr Geyer, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Fred J. George of Southern California Bird Breeders Association.

On request of Mr Cunningham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Byron F. Story of Los Angeles.

On request of Mr Scudder, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr Archie F. O'Leary of Sebastopol.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Haines Gridley of Auburn.

On request of San Francisco delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Bennie Horne, wife of the new correspondent for San Francisco News.

Presentation of Petition.

The following petition was presented, and ordered printed in the Journal:

By Mr. Speaker:

From Los Angeles Legal Secretaries' Association, urging laws defining Communism.

Communication.

The following communication was received, and ordered printed in the Journal:

ST. PATRICK'S DAY CONVENTION.
SAN FRANCISCO, April 12, 1935

Hon. Thomas A. Maloney,
Capitol Building,
Sacramento, California.

DEAR SIR: The officers and delegates to the 1935 St. Patrick's Day Convention extend to you and the members of the Assembly their sincere thanks for your efforts in connection with the celebration held at the Capitol Building in honor of this St Patrick's Day.

We assure you of our deep appreciation and with kind regards and best wishes, we remain

Very gratefully yours,

EDWARD M. O'REILLY, Secretary.
JAMES CUMMINS, President.

ASSISTANT CLERK COOLIDGE READING.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2005—An act to amend the Agricultural Code by adding to Division VI thereof a new chapter numbered 8, embracing sections 1299 to 1299.6,

inclusive, relating to the licensing and regulation of traveling merchants and providing penalties for the violation thereof—and reports that the same has been correctly engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 43—An act to add a new section to the Penal Code to be numbered 496bb, relating to buying, receiving, concealing or withholding stolen property, and prescribing penalties for violation of the provisions thereof;

Also: Assembly Bill No. 121—An act, to be known as the Rehabilitation Act, declaring the policy of the State of California in relieving hardship and destitution caused by unemployment one of rehabilitation by cooperative self-help, production for consumption and exchange of labor for surplus commodities, prescribing duties of State Relief Administrator hereunder, providing funds for administration of relief hereunder; directing cooperative activity be noncompetitive; fixing status of cooperative institutions and their members; fixing title to property hereunder; declaring this act an emergency measure; providing for its constitutional construction; repealing conflicting laws,

Also: Assembly Bill No. 920—An act to amend sections 1261, 1263, 1264, 1265, 1267, 1268, 1269, 1273, of and to add a new section to be numbered 1268.5 to the Agricultural Code, relating to persons licensed to deal in farm products;

Also: Assembly Bill No. 962—An act to amend the School Code by amending sections 5.650, 5.651, 5.652, 5.653, 5.654, 5.661, and by repealing sections 5.655, 5.656, 5.657, 5.658, 5.659, 5.660, 5.662, 5.663, all relating to the employment and dismissal of persons employed in school districts in positions requiring certification qualifications;

And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2386—An act to add Chapter 8 to Division VI of the Agricultural Code, relating to the marketing of milk and other dairy products—and reports that the same has been correctly re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

On Unemployment.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1935

MR. SPEAKER: Your Committee on Unemployment, to which was referred Assembly Bill No. 1665—An act providing for unemployment insurance—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

ANDERSON, Chairman.

The above reported bill ordered on file for second reading.

Introduction and Reference of Bills.

The following bill was introduced:

By Mr. Fisher: Assembly Concurrent Resolution No. 34—Relative to reports of the Department Encampment of the Grand Army of the Republic.

Introduced.

Request for Unanimous Consent.

Mr. Fisher asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 34, at this time, without reference to printer, committee or file, and that same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 34.

Assembly Concurrent Resolution No. 34—Relative to reports of the Department Encampment of the Grand Army of the Republic

Assembly Concurrent Resolution No 34 read.

Mr. Fisher moved the adoption of Assembly Concurrent Resolution No. 34.

The question being on the adoption of Assembly Concurrent Resolution No. 34.

The roll was called, and Assembly Concurrent Resolution No. 34 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Chatters, Clark, Corwin, Cunningham, Dawson, DeLap, Donahue, Evans, Herbert J., Fisher, Flint, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Martin, Meehan, Miller, Patterson, Pelletier, Peterson, Reaves, Redwine, Richie, Robertson, Scudder, Stream, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, and Mr. Speaker—45

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 34 ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 34.

Relative to reports of the Department Encampment of the Grand Army of the Republic.

Resolved, by the Assembly of the State of California, the Senate thereof concurring. That there shall be printed as a public document not to exceed 250 copies of the sixty-seventh and sixty-eighth session of the department encampment of the Grand Army of the Republic for the respective years 1935 and 1936, together with illustrations, copies of general orders of the department, and of the official rolls, 125 copies for use of the Assembly and 125 copies for use of the Senate. The costs shall not exceed the sum of $400 payable from the legislative printing appropriation.

Second Reading of Assembly Bills.

Assembly Constitutional Amendment No. 12—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 6 of Article VI thereof, relating to the superior courts.

Committee Amendment.

During reading of Assembly Constitutional Amendment No 12, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed measure, strike out lines 14 to 17, inclusive, and insert in lieu thereof the following: "this State except as follows: The Legislature shall provide by law for the consolidation of superior courts in two or more counties, the boundaries of which are contiguous, but no such consolidation shall be effective unless a majority of the electors of each county involved who vote on the proposition of consolidation vote in favor thereof. The".

Amendment adopted.

Assembly Constitutional Amendment No. 12 read, ordered to reprint, engrossment, and on file for adoption.

Assembly Constitutional Amendment No. 74—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending sections 1 and 3 and repealing sections 7 and 8a, and subsections 5 and 6 of section 8½, of Article XI thereof, relating to county districts

Committee Amendments.

During reading of Assembly Constitutional Amendment No. 74, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 2, of the printed measure, after "Calaveras,", insert the following: "Mariposa,".

Amendment No. 2.

On page 2, line 6, of the printed measure, after "Fresno,", insert the following: "Kings,".

Amendment No. 3.

On page 2, line 43, of the printed measure, strike out the period, and insert in lieu thereof the following: "as provided by section 7½ of this article."

Amendment No. 4.

On page 3, line 7, of the printed measure, strike out "Every", and insert in lieu thereof the following: "No".

Amendment No. 5.

On page 3, line 10, of the printed measure, strike out "from", and insert in lieu thereof the following: "of".

Amendment No. 6.

On page 3, line 11, of the printed measure, strike out "taken.", and insert in lieu thereof the following: "composed, but each such county shall continue to be subject to such debts and liabilities, and the taxes and assessments for the payment of such debts and liabilities shall be levied and collected by the officers of the county district as if there had been no consolidation as provided in section 1.

The expenses of each county district shall be apportioned by the board of supervisors to the various counties consolidated in the district in accordance with such plan, and subject to such appeal, as may be provided by general law, and taxes and assessments shall be levied and collected in each county accordingly, to meet the share of the expenses apportioned to that county. If no plan is provided by general law, the apportionment shall be according to population, as determined by the last Federal census. A majority of the electors of each of the counties in a county district voting in favor of the proposition at any election, may vote to consolidate with the other counties in the county district to discontinue such apportionment of expenses, and to constitute a single taxing and assessment area."

Amendments adopted.

Assembly Constitutional Amendment No. 74 read, ordered to reprint, engrossment, and on file for adoption.

Assembly Bill No. 2143—An act to add a new section to be numbered section 24a to the act known as the "Direct Primary Law," relating to the personnel of committees.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 24a is hereby added to the Direct Primary Law to read as follows:

Sec. 24a. Each male delegate to the State convention shall appoint at least two women as members of the State Central Committee, and each female delegate shall appoint at least two men as members of such committee."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 285—An act to amend section 1361 of the Political Code, relating to counting boards to canvass absent voter ballots in counties having a population of one million persons or more.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2080—An act to provide for the acquisition of the Muir Wood Toll Road by the State, and the inclusion thereof in the State highway system, and making an appropriation therefor.

Bill read second time, ordered to re-engrossment, and third reading

Assembly Bill No. 312—An act to amend section 2 of an act entitled "An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith," approved May 23, 1923, relating to the duties of the State Fire Marshal.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 955—An act to amend the title and sections 1 and 24, and to add section 8a to the "Storm-water District Act of 1909," approved March 13, 1909, as amended, relating to the formation of districts for the purpose of controlling soil erosion and protecting the lands in such district from damage by storm-water or other waters.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1608—An act to amend sections 1, 4, 5, 10, 12, 13 and 15 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," as approved May 25, 1921, as amended, relating to the issuance, transfer, terms of, and rights under prospecting permits, leases, and sales of State mineral lands.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 265—An act to add section 364k to the Political Code, relating to the Division of the Deaf in the Department of Industrial Relations.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, strike out the period, insert a comma, and the following: "and making an appropriation therefor"

Amendment No. 2.

On page 1, line 6, of the printed bill, strike out "a deaf person who is", and insert in lieu thereof the following: "known as the Commissioner of the Deaf and shall be".

Amendment No. 3.

On page 1, line 7, of the printed bill, strike out "other".

Amendment No. 4.

On page 1, line 8, of the printed bill, strike out "in use", and insert in lieu thereof the following: "used".

Amendment No. 5.

On page 1, line 8, of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "and shall have been a resident of this State for a period of at least five years immediately preceding his appointment. The commissioner shall receive a salary of two thousand five hundred dollars per annum"

Amendment No. 6.

On page 1 of the printed bill, immediately following line 25, insert the following:
"SEC. 2. Out of any moneys in the State treasury not otherwise appropriated, the sum of twenty thousand dollars is hereby appropriated, to be expended in accordance with law for the support and maintenance of the Division of the Deaf and for carrying out the provisions and purposes hereof."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 390—An act to amend section 15a of and to add section 25 to an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, relating to vital statistics.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section", and insert in lieu thereof the following "sections 15b and".

Amendment No. 2.

On page 2, lines 13 and 14, of the printed bill, strike out "to no person other than the child, foster parent, natural parent or".

Amendment No. 3.

On page 2 of the printed bill, between lines 15 and 16, insert the following:
"SEC. 2 A new section to be numbered 15b is hereby added to said act, to read as follows:
Sec 15b. Whenever a child becomes legitimate by the subsequent marriage of its parents an affidavit of such fact may be filed by such parents with the State Registrar of Vital Statistics upon a form provided for that purpose. This shall be filed with the original record of birth which shall remain as a part of the records of the State Bureau of Vital Statistics Upon receipt by the State Registrar of Vital Statistics of such affidavit, a certificate of birth shall be filed bearing the name of the child as shown in the affidavit, the names of the parents of such child, the age of the parents, sex, date of birth and place of birth. Such birth certificate shall supplant any birth certificate previously issued for said child and shall be the only birth certificate open to public inspection. In respect to form and nature of contents, it shall be identical with a birth certificate issued to parents for the birth of a legitimate child All records and information specified in this section, other than the birth certificate to be issued hereunder, shall be available upon the order of a court of record."

Amendment No. 4.

On page 2, line 16, of the printed bill, strike out "2", and insert in lieu thereof the following: "3".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1724—An act relating to the solicitation of law business and the settlement of personal injury claims and contingent attorney's fees.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 2 and 3 of the title, and insert in lieu thereof the following: "payment of compensation therefor, and providing a penalty for violation of the provisions hereof."

Amendment No. 2.

On page 1, line 1, of the printed bill, after "SECTION 1.", insert the following. "No attorney at law shall, through any runner, agent or person who is employed by him, solicit a person to employ such attorney to present a claim for damages for personal injuries or for death, or to prosecute an action to enforce such a claim, and no attorney at law shall directly or indirectly pay or promise to pay any person any money, fee or commission in consideration of the employment of such attorney by a person having a claim for personal injuries or for death, or in consideration of soliciting or procuring one who has been injured or his heirs or assigns to employ such attorney to present such claim or to prosecute an action for the enforcement thereof.

SEC 2. It shall be unlawful for any person not an attorney at law to solicit for money, fee or commission, in any manner whatsoever, any demand or claim for personal injuries or for death for the purpose of having an action brought thereon or to solicit from any attorney any compensation of any kind whether it be in the form of salary, fee, commission or otherwise, for turning any such case over to any such attorney or for procuring or influencing the employment of such attorney in any case Nothing in this act shall be construed to prevent any bona fide labor or benevolent organization or any member thereof from advising or securing advice from any member of such organization in regard to his rights

SEC. 3. (a) Any person who violates any of the provisions hereof is guilty of a misdemeanor, and is punishable accordingly

SEC 4 (a) Any statement secured from an injured person at any time within thirty days after injuries were sustained by him, for use in the trial of any action for damages for injuries sustained by such person or for the death of such person, or to force the settlement of a claim for damages, is presumably fraudulent

SEC 5 Any contract of release executed by an injured person within thirty days after his injury is voidable at the option of such injured party within said thirty days, unless the same shall have been approved by a court of competent jurisdiction

SEC 6 Any contingent contract entered into between an attorney and an injured person within thirty days after the injury is voidable at the option of such injured person within thirty days after his said injury, unless said contract be approved by a court of competent jurisdiction."

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 406—An act to add a new article to Chapter I of Part I of Division I of the School Code to be known as Article VII, embracing section 1 45, relating to the participation of pupils in public exhibitions.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

Strike out everything set out on page 2 of the printed bill, as amended April 18, 1935, from lines 10 to 35, and insert in lieu thereof the following:

"1 45. It shall be unlawful for any member of a board of education, board of school trustees, superintendent, principal, teacher or other person employed in or charged with the administration of any elementary school, secondary school, or any penal or reformatory institution, supported in whole or in part by the funds of this State to order, direct, request or permit any teacher, pupil, student or inmate in any such school or institution, while participating in the activities of any band or orchestra conducted and maintained under and as a part of the curriculum or program of such school or institution to perform or participate in any parade, ceremony, exhibition or program sponsored by any club, society or other organization of a civic, fraternal or religious nature for the furtherance of any private profit or gain.

Nothing in this section shall be construed to apply to participation or performance in the ceremonies or activities in celebration of any National or State holiday, any

patriotic or educational undertaking, or in connection with any festival or affair on a day customarily set aside for the celebration or commemoration of an event of local history, importance or significance of a public nature; provided, that such festival or affair is not conducted for the furtherance of private profit or gain.

Each such board of education, board of school trustees, superintendent or other person charged with the administration of any such school or institution is hereby authorized and empowered to make and enforce rules necessary to carry out the provisions of this section."

Amendment adopted.

Bill read second time, ordered to reprint, re-re-engrossment, and third reading.

Assembly Bill No. 2111—An act making an appropriation for flood control work on the Pajaro River in Santa Cruz and Monterey counties.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

Strike out the title of the printed bill, and insert in lieu thereof the following:

"An act making an appropriation to be expended by and under the direction of the Department of Public Works for the purpose of rectifying, improving and protecting the channel of the Pajaro River, and providing flood protection for adjacent lands, in Santa Cruz and Monterey counties."

Amendment No. 2.

Strike out lines 1 to 14, inclusive, of the printed bill, and insert in lieu thereof the following:

"SECTION 1. The sum of ten thousand dollars is hereby appropriated out of any moneys in the State treasury not otherwise appropriated, to be expended in accordance with law by the Department of Public Works for the purpose of rectifying, improving and protecting the channel of the Pajaro River and providing flood protection for the adjacent lands.

SEC. 2. The moneys hereby appropriated shall become available for the purpose of this act only in the event, and at the times any sums are contributed by local interests for the same purpose, and only in amounts equal to the sums so contributed.

SEC. 3. The sum herein appropriated or so much thereof as may become available by reasons of contributions made by local interests as hereinbefore provided, together with all contributed funds, shall be deposited in the State treasury in the Pajaro River flood control fund, which fund was created by Chapter 524, Statutes of 1929, and money shall be drawn from said fund only for the purposes herein stated and upon claims of the Department of Public Works, in the manner provided by law; provided, however, that no portion of the Pajaro River flood control fund shall be expended for lands or rights-of-way.

SEC. 4. The Department of Public Works is hereby authorized to accept and use for the purposes hereinabove stated contributions from any source, of money in excess of the amounts herein required to be contributed, labor, materials, supplies, services, the use of equipment and facilities, and other things necessary or desirable in the prosecution of the work to be done, and to accept from any source grants of permission, easements, or rights-of-way relating thereto."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1037—An act to safeguard the public health, to regulate the diagnosis and treatment of human ailments by means of X-rays and the use, ownership and possession of X-ray appliances for said purposes; providing for the licensing of persons operating X-ray appliances and laboratories, declaring the treatment of human ailments by means of X-rays to constitute the practice of medicine; prescribing penalties for violation of the act; declaring the possession, maintenance or operation of X-ray appliances in violation of the provisions of the act to constitute a public nuisance, and otherwise providing for the enforcement of the act.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 9, line 18, of the printed bill, as amended in the Assembly on April 18, 1935, after the word "devices", insert the following: "or the taking of spinographs by duly licensed practitioners of chiropractic".

Amendment adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No 2382—An act to regulate the practice of structural pest control; to create the Structural Pest Control Board; to provide for the registration and licensing of persons engaged in such practice, and for the protection of the public in the practice of structural pest control.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 33, of the printed bill as amended, after "meeting", insert the following: ", provided that no member shall receive in the aggregate more than one hundred dollars for such attendance during any one calendar year,".

Amendment No. 2.

On page 3, line 42, of the printed bill, as amended, after "into", insert the following: "two".

Amendment No. 3.

On page 1, line 20, of the printed bill, as amended, strike out the period, and insert in lieu thereof a comma and the following: "State or Federal officials or authorized representatives of any educational or other State agency engaged in research or study of pest control."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 284—An act to amend section 1197 of the Political Code, relating to election ballots.

Bill read second time, and ordered on file for third reading

Senate Bill No. 37—An act providing for the creation, organization, and government of joint districts composed of two or more counties of the State of California for the purpose of maintaining joint county road camps and providing that persons confined in the county jail of any such county under a final judgment of imprisonment rendered in a criminal action or proceeding may be required to perform labor on the public work or public highways in any such counties.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, as amended, strike out "of the State of California", and insert in lieu thereof the following: ", and of districts composed of a single county,".

Amendment No. 2.

On page 6 of the printed bill, as amended, strike out line 25, and in line 26, strike out "and/or counties", and insert in lieu thereof the following: "The board of supervisors of such county or the boards of supervisors of such counties".

Amendment No. 3.

On page 6, line 28, of the printed bill, as amended, after "welfare", insert the following: "and".

Amendment No. 4.

On page 6, line 34, of the printed bill, as amended, strike out "and/or", and insert in lieu thereof the following: "or".

Amendment No. 5.

On page 6, line 35, of the printed bill, as amended, strike out "and/or", and insert in lieu thereof the following: "or".

Amendment No. 6.

On page 6, line 41, of the printed bill, as amended, after "camp", insert the following: "or camps".

Amendment No. 7.

On page 6, line 43, of the printed bill, as amended, after "camp", insert the following: "or camps".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 131—An act to amend section 683 of the Civil Code, relating to joint tenancy.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 8, of the printed bill, following the comma, insert the following: "or from a husband and wife when holding title as community property or otherwise to themselves or to themselves and others".

Amendment No. 2.

On page 1, line 10, of the printed bill, following the period, insert the following: "A joint tenancy in personal property may be created by a written transfer, instrument or agreement. Provisions of this section shall not restrict the creation of a joint tenancy in a bank deposit as provided for in the Bank Act."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 366—An act to renumber section 532a of the Penal Code, as added by Chapter 70 of the Statutes of 1913, to be section 532c of said code, relating to giving lots on the drawing of numbers.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out the period, and insert in lieu thereof the following: ", to read as follows:

532c. Any person, firm, corporation or copartnership who knowingly and designedly offers or gives with winning numbers at any drawing of numbers or with tickets of admission to places of public assemblage, any lot or parcel of real property and charges or collects fees in connection with the transfer thereof, is guilty of a misdemeanor"

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No 139—An act to provide for the burning of the brush and debris on a watershed for experimental purposes.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 233—An act repealing section 365e½ of the Political Code and section 133 of the Streets and Highways Code, relating to the California Highway Commission.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 159—An act to amend sections 117d and 117p of the Code of Civil Procedure, relating to small claims courts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 319—An act to amend sections 1026 and 1026a of the Penal Code, relating to procedure in the trial and release of the criminally insane.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 499—An act to add a new section, to be numbered 14a, to an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the enforcement of said act.

Bill read second time, and ordered on file for third reading.

Unfinished Business.

Motion to Reconsider Assembly Bill No. 2048 Continued.

Mr. Reaves moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2048 was passed, be continued until the next legislative day.

Motion carried.

Motion to Reconsider Assembly Bill No. 1192 Continued.

Mr. Rosenthal moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1192 was refused passage, be continued until the next legislative day.

Motion carried.

Motion to Reconsider Assembly Bill No. 2385 Continued.

Mr. Richie moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2385 was passed, be continued until the next legislative day.

Motion carried.

Reconsideration of Withdrawal of Assembly Bill No. 1028 Waived.

Mr. Utt waived his notice to reconsider the vote whereby Assembly Bill No. 1028 was withdrawn from committee.

Assembly Bill No. 1028 ordered on file for second reading.

Reconsideration of Withdrawal of Assembly Bill No. 1029 Waived.

Mr. Utt waived his notice to reconsider the vote whereby Assembly Bill No. 1029 was withdrawn from committee.

Assembly Bill No. 1029 ordered on file for second reading.

Motion to Reconsider Assembly Bill No. 1486 Continued.

Mr. McCarthy moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1486 was passed, be continued until the next legislative day.

Motion carried.

Third Reading of Assembly Bills.

Assembly Bill No. 128—An act to amend section 487 of the Penal Code, relating to grand theft.

Bill read third time.

Demand for Previous Question.

Messrs. Lore, Voigt, Welsh, Flint and Reaves demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Utt moved a call of the House.

Motion carried.

Time, ten o'clock and fifty minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donnelly, Evans, Herbert J., Evans, Ralph W., Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—68.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 248—An act to amend sections 3051, 3051a and 3052 of the Civil Code, relating to liens on aircraft and other personal property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 248 passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Scudder, Stream, Thorp, Turner, Voigt, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, April 23, 1935.

To the Honorable Members of the Assembly, State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 710—An act to establish a Military Code, thereby revising and consolidating the law relating to the armed forces and Militia of the State and relating to military and veterans' affairs, aid and welfare, institutions, and buildings and to repeal certain acts and parts of acts therein specified.

In my opinion said Assembly Bill No. 710 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefor authorize the consideration of this bill as such a measure.

Respectfully submitted,

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 710—An act to establish a Military Code, thereby revising and consolidating the law relating to the armed forces and Militia of the State and relating to military and veterans' affairs, aid and welfare, institutions, and buildings and to repeal certain acts and parts of acts therein specified.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 710 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 643—An act to amend section 320 of the Civil Code, relating to elections of corporation directors.

Bill read third time.

Re-reference of Assembly Bill No. 643.

Assembly Bill No. 643 ordered re-referred to Committee on Corporations.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1665—An act providing for unemployment insurance.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 3, line 19, of the printed bill, as amended, strike out "_____", and insert in lieu thereof the following: "$5,000".

Amendment No. 2.

On page 3, line 23, of the printed bill, as amended, strike out "_____", and insert in lieu thereof the following: "$3,500".

Amendment No. 3.

On page 4 of the printed bill, as amended, strike out line 22 after "(a)", and all of lines 23 to 52, inclusive, and insert in lieu thereof the following. "Casual workers employed for less than a continuous period of one month, or thirty full working days of not less than six hours each.

(b) Any part time worker who habitually works for less than four hours per day.

(c) Any minor who is employed under a permit issued by a board of education.

(d) Any person working for a number of different employers in the same day, such as gardeners, but such a person may arrange with any or all of his employers to share in the employers' contribution and pay his own share, and thus become entitled to the benefits under this act.

(e) Any person employed by a company, firm, corporation, individual, or any corporate body, a board of education, the State, a city, a municipality, or any political subdivision thereof, which has established unemployment insurance systems, the benefits of which to the employee are equal to, or in excess of the benefits under this State act shall be exempt from paying contributions into the State fund. The employer or employers employing such person shall also not be compelled to pay into the fund under this act. Such insurance plans, however, shall be subject to the written approval of the commissioner, the Governor, and the State Treasurer, in order that the proper interests of the employees be protected

(f) In the event that an employee working for such a body as in clause (e) of this section should change his employment to a company subject to the State contributions for its employees and itself, the period of employment by such excepted body shall be allowed as though they had contributed to the State fund, and they shall become entitled to the benefits of the State act.

(g) Any person employed on any public unemployment relief project either State or Federal.

(h) Domestic servants, except where employed for business purposes."

Amendment No. 4.

On page 5 of the printed bill, as amended, strike out lines 1 to 8, inclusive.

Amendment No. 5.

On page 5, line 15, of the printed bill, as amended, after the period, insert the following: "The State by suitable appropriation shall make payments into the fund so that its participation shall represent one-third of the total."

Amendment No. 6.

On page 6, line 4, of the printed bill, as amended, strike out "fifty", and insert in lieu thereof the following. "thirty".

Amendment No. 7.

On page 6, line 7, of the printed bill, as amended, strike out the semicolon, and insert a comma and the following: "if he was a legal resident of the State at the time of engaging in such employment. A person not a legal resident of the State at the time of becoming employed under the provisions of this act shall be required to make continuous contributions for a period of two years."

Amendment No. 8.

On page 6, line 21, of the printed bill, as amended, strike out "three", and insert in lieu thereof the following: "seven".

Amendment No. 9.

On page 6, line 24, of the printed bill, as amended, after the period, insert the following: "In the event of the death of the head of a family who has contributed to the fund for a period of one year or more, his widow shall receive ten dollars per week, and three dollars per week for each dependent minor child up to two, and two dollars per week for each dependent minor child in excess of two."

Amendment No. 10.

On page 7 of the printed bill, as amended, strike out line 23 after "13.", and lines 24 to 32, inclusive, and insert in lieu thereof the following.

"An insured person, as to whom the conditions herein prescribed are fulfilled, on becoming unemployed, shall immediately register at the nearest office established under this act. In the event that private employment can not be found for such person within seven days he (or she) shall be assigned to work on public projects conducted for the relief of unemployment, by the State, or any county, city, city and county, or by any agency of the United States, or of the State or any political subdivision thereof.

In making such assignments, due consideration shall be given to the person's physical condition, previous occupation and the like.

Persons subject to the provisions of this act shall only be assigned to work on such public works as do not compete with then existing private industrial projects, nor take the place of projects that can be properly financed by other public funds.

Materials and equipment required for such projects shall be furnished by the political subdivision receiving the benefits of such respective project."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Motion to Rush Printing of Assembly Bill No. 1665.

Mr. Martin moved that the Chief Clerk instruct the State Printer to rush printing of Assembly Bill No. 1665, as amended.

Motion carried.

Third Reading of Assembly Bills—(Resumed).

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, April 22, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 1704—An act making an appropriation to meet a deficiency in the appropriation for support of the Bureau of Criminal Identification and Investigation, declaring the urgency thereof, and providing that this act shall take effect immediately.

In my opinion said Assembly Bill No. 1704 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 1704—An act making an appropriation to meet a deficiency in the appropriation for support of the Bureau of Criminal Identification and Investigation, and provding that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1704 passed by the following vote:

AYES—Andreas, Boyle, Breed, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Hawkins, Heisinger, Hunt, Johnson, Jones, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, Welsh, Wright, and Mr. Speaker—63.

NOES—None.

Title read.

Amendment to Title.

During reading of the title, the following amendment was submitted by Mr. Cottrell:

Amendment No. 1.

On page 1, lines 5 and 6 of the title of the printed bill, as amended, strike out "declaring the urgency thereof,".

Amendment adopted.

Title, as amended, read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1263—An act to add a new section to the Political Code of the State of California, to be numbered 4041.27, authorizing

boards of supervisors to provide for the creation and operation of a system of insurance and pensions for the benefit of physicians and nurses employed in county institutions, to procure group insurance for the benefit of such employees, and to provide for the payment of premiums therefor.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1263 passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Turner, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 567—An act to amend sections 3817f and 3817g of the Political Code, relating to amount to be credited, on redemption of property from sale for delinquent taxes, for prior payments on account.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 567 passed by the following vote:

AYES—Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Corwin, Crowley, Cunningham, Dawson, Desmond, Evans, Herbert J., Fisher, Frazier, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—60.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2300—An act to amend section 503 of the Vehicle Code, relating to the theft and unlawful taking of a motor vehicle.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2300 passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Scudder, Stream, Turner, Voigt, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—62.

NOES—Flint, Geyer, Redwine, and Welsh—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1751—An act to amend section 4.923 of the School Code, relating to computation of pupils' attendance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1751 passed by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—69.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 428—An act to add sections 1611 to 1617, inclusive, to the Political Code, relating to the State Board of Recreational Harbor Commissioners for Mission Bay, and to repeal certain acts in conflict herewith.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Wallace:

Amendment No. 1.

On page 1, line 9, of the printed bill, strike out "but they shall be reimbursed for"; also strike out all of lines 10, 11, 12 and 13, and in line 14, strike out "any one fiscal year".

Amendment No. 2.

On page 2, line 4, of the printed bill, strike out ", and fix their fees and compensa-"; also strike out line 5, and in line 6, strike out "harbor improvement fund".

Amendments adopted.

Request for Unanimous Consent.

Mr. Wallace asked for, and was granted, unanimous consent to take up Assembly Bill No. 428, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 428, as Amended.

Assembly Bill No. 428, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 428 passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Rosenthal, Scudder, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Williamson, and Mr. Speaker—59.

NOES—Burns, Clark, Martin, McBride, Peterson, Riley, and Stream—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the House Dispensed With.

At eleven o'clock and twenty minutes a. m., further proceedings under the call of the House were dispensed with, on motion of Mr. Utt.

The roll of absentees was called, and Assembly Bill No. 128 was refused passage by the following vote:

AYES—Andreas, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Donihue, Evans, Herbert J., Fisher, Flint, Frazier, Fulcher, Garibaldi, Heisinger, Latham, Lyon, Martin, Mayo, McBride, Meehan, Miller, Minard, Nielsen, O'Donnell, Peyser, Phillips, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—39.

NOES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Dawson, DeLap, Desmond, Donnelly, Evans, Ralph W., Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, McCarthy, McMurray, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, Weber, and Williamson—37.

Notice of Reconsideration of Assembly Bill No. 128.

Mr. Utt gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 128 was this day refused passage.

Special Order.

The hour of eleven o'clock a.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 1618.

Assembly Bill No. 1618—An act to classify, license and regulate the business of personal property brokers, and to prescribe, fix, limit and regulate their charges and interest rates; to authorize and regulate assignments of wages, salaries, commissions or earnings, earned or to be earned, when given to a personal property broker as security for a loan of, or as consideration for the payment of, $300 or less; to repeal all acts and portions of acts inconsistent herewith; and declaring this measure an urgency measure within the meaning of section 1 of Article IV of the Constitution, and providing accordingly for the act to take effect immediately.

Motion.

Mr. Cronin moved that the Assembly resolve itself into Committee of the Whole for the purpose of considering Assembly Bill No. 1618.

Motion carried.

In Committee of the Whole.

Speaker Craig in the chair.

Assembly Bill No. 1618 considered.

Mr. Lyon moved that the committee do now rise, and report back to the Assembly.

Motion carried.

In Assembly.

Speaker Craig in the chair.

Report of the Committee of the Whole.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1935.

GENTLEMEN: Your Committee of the Whole, which has had under consideration Assembly Bill No. 1618—An act to classify, license and regulate the business of personal property brokers, and to prescribe, fix, limit and regulate their charges and interest rates; to authorize and regulate assignments of wages, salaries, commissions or earnings, earned or to be earned, when given to a personal property broker as security for a loan of, or as consideration for the payment of, $300 or less; to repeal all acts and portions of acts inconsistent herewith; and declaring this measure an urgency measure within the meaning of section 1 of Article IV of the Constitution, and providing accordingly for the act to take effect immediately—does now respectfully report the same back.

CRAIG, Chairman.

Announcement by the Speaker.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA,
GOVERNOR'S OFFICE, SACRAMENTO.

Honorable Members of the Assembly,
State of California, Sacramento, California.

In this way may I cordially invite the members of the Assembly and their wives to a legislative dinner at the Elks Club, Sacramento, Tuesday evening, seven o'clock, April 30, 1935.

Hon. Joseph Maloney, Sergeant-at-Arms of the Assembly, will call upon each Assemblyman for his acceptance.

Informal.

Cordially yours,

FRANK F. MERRIAM, Governor of California.

April 23, 1935.

Motion to Re-refer Assembly Bill No. 1405.

Mr. Peyser moved that Assembly Bill No. 1405 be withdrawn from Committee on Judiciary, and ordered re-referred to Committee on Revenue and Taxation.

The question being on re-referring Assembly Bill No 1405 to Committee on Revenue and Taxation.

Motion carried.

Assembly Bill No. 1405 ordered re-referred to Committee on Revenue and Taxation.

Request for Use of Assembly Chamber.

Mr. Phillips requested the use of the Assembly Chamber for the purpose of holding a meeting of the Committee on Agriculture on Thursday evening, April 25, 1935

Request granted.

Request for Use of Assembly Chamber.

Mr. Latham requested the use of the Assembly Chamber for the purpose of holding a committee meeting of the Committee on Constitutional Amendments, Monday evening, April 29, 1935.

Request granted.

Recess.

At twelve o'clock and five minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until two o'clock p.m. of this day.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1935

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No 2183—An act to amend the "Inheritance Tax Act," approved June 3, 1921, relating to inheritance taxes—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

RILEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER. Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 223—An act to amend section 3649 of the Political Code, relating to the assessment and taxation of property escaping assessment between the first Monday in March and the first Monday in July;

Also: Assembly Bill No. 750—An act to impose a tax on the transfer of shares or certificates of stock, certificates of rights to stock, or certificates of deposits of stock, or bonds, and to provide for the collection thereof, to take effect immediately; Has had the same under consideration, and respectfully reports the same back without recommendation, as amended

RILEY, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 2365—An act requiring licenses for the operation, maintenance or establishment of stores in this State, prescribing the license and filing fees to be paid therefor; providing for penalties for the violation of this act, providing for the enforcement of this act;

Also Assembly Bill No. 669—An act to add section 3817½ to the Political Code, relating to taxation;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended

RILEY, Chairman.

The above reported bills ordered on file for second reading.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1935.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No 825—An act to provide for the formation of sewer districts within counties, cities and counties and municipalities for the acquisition or construction of sanitary sewage works or improvements, for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition, construction, maintenance and operation of such improvements;

Also: Assembly Bill No 1102—An act to add section 4452a to the Political Code, relating to responsibility of municipal corporations.

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WRIGHT, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No 951—An act relating to the securing of Federal aid in connection with the funding or refunding of outstanding bonds and/or assessments of assessment districts in the State of California;

Also: Assembly Bill No. 1677—An act to add section 8a to an act entitled "An act to provide for the formation, management and dissolution of county water works districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county water works district bonds and the payment thereof," approved June 13, 1913, relating to refunding bonds;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

WRIGHT, Chairman

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 427—An act authorizing the legislative body of a municipality to vacate, abandon and close any public street, highway, road, boulevard, avenue, alley, way, lane or place, or any part thereof, either to the whole extent of the public right therein or to any partial extent, and prescribing a procedure therefor;

Also: Assembly Bill No 823—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 18, 1883, as amended, by amending section 862 thereof, relating to and adding to the powers of sixth class cities;

Also: Assembly Bill No. 845—An act to amend the title and sections 1, 2, 3, 4, 5, 6, 7, 9, 10, 15, 16, 17, 20, 22 and 24½ and to repeal section 3½ of an act entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department and to assess and collect taxes, from time to time, for such purpose, and to create a board of fire commissioners," approved March 4, 1881, as amended, relating to fire departments in unincorporated towns and villages;

Also: Assembly Bill No. 1236—An act to amend an act entitled "An act to authorize municipal corporations to issue bonds, for the purpose of investing the proceeds arising from the sale thereof, in other bonds issued for public improvements," approved April 26, 1909, by amending the title and sections 1, 2 and 3 thereof, relating to bonds to be purchased and the use of the funds;

Also: Assembly Bill No 1526—An act to amend an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 17, 1911, by adding thereto a new section to be numbered 18½;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended

WRIGHT, Chairman.

The above reported bills ordered on file for second reading.

On Labor and Capital.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1935.

MR SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 1795—An act to amend sections 1, 3½, 4 and 5 of "An act to be known as the Child Labor Law and regulating the employment, hours, kinds and conditions of labor of children; providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 19, 1919, as amended—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

BURNS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Labor and Capital, to which was referred Senate Bill No. 771—An act to add section 5a to "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931, relating to the employment of apprentices—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

BURNS, Chairman.

The above reported bill ordered on file for second reading:

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1935.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1614—An act to amend section 135 of the Vehicle Code, relating to the California Highway Patrol;

Also: Assembly Bill No. 1499—An act to amend the Vehicle Code, relating to vehicles;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

HORNBLOWER, Chairman.

The above reported bills ordered on file for second reading.

Senate Messages.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, April 24, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 33—Relative to approving five certain amendments to the charter of the city of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fifth day of April, 1935.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Concurrent Resolution No. 33 ordered to enrollment.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

By Mr. Clark: Assembly Constitutional Amendment No. 79—Proposed amendment to Article I of the Constitution by adding a new section to be numbered 14¼ thereto, relative to the taking of property by eminent domain for the purpose of developing natural resources belonging to the State.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Welsh: Assembly Joint Resolution No. 52—Relative to regulation of the production of crude petroleum.

Introduced.

Request for Unanimous Consent.

Mr. Welsh asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 52, at this time, without reference to printer, committee or file, and that same be considered engrossed.

Consideration of Assembly Joint Resolution No. 52.

Assembly Joint Resolution No. 52—Relative to regulation of the production of crude petroleum.

Assembly Joint Resolution No. 52 read.

Mr. Welsh moved the adoption of Assembly Joint Resolution No. 52.

The question being on the adoption of Assembly Joint Resolution No. 52.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Welsh moved a call of the House.

Motion carried.

Time, two o'clock and twelve minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Clark, Cronin, Crowley, Dawson, Desmond, Donnelly, Field, Fulcher, Geyer, Glover, Heisinger, Hunt, Jones, Kallam, Latham, Lore, Lyon, McCarthy, McMurray, Meehan, Patterson, Pelletier, Reaves, Richie, Robertson, Turner, Voigt, Wagner, Weber, Welsh, Wright, and Mr. Speaker—38.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Further Proceedings Under Call of the House Dispensed With.

At two o'clock and fourteen minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Welsh.

The roll of absentees was called, and Assembly Joint Resolution No. 52 was adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallom, Latham, Laughlin, Lore, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr Speaker—66.

NOES—None.

Title read and approved.

Assembly Joint Resolution No 52 ordered transmitted to the Senate.

Assembly Joint Resolution No. 52.

Relative to regulation of the production of crude petroleum.

WHEREAS, The past history of the sovereign State of California is replete with illustrations of its earnest endeavor to jealously guard the States' rights prerogatives granted under the Constitution of the United States; and

WHEREAS, There is continuing evidence of a desire on the part of some officials in Washington to compel a surrender of these rights in whole or in part; and

WHEREAS, The oil and gas conservation statutes of this State have been rigidly enforced to prevent physical waste in the production of crude petroleum or natural gas, and to protect the underlying strata that hold these natural resource reserves; and

WHEREAS, There is now pending before the Congress of the United States a bill, generally known as the "Thomas Bill," which has for its purpose the attempted regulation of the production of crude petroleum with the several oil-producing States; and

WHEREAS, The objective of the main portion of this bill is contrary to the principles of our dual form of government in that it provides for an attempted invasion of the sovereign powers of California, and would permit Federal encroachment upon the exclusive power of this State to control the production of its natural resources; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That Senators and Representatives in Congress from this State, be urged to use their utmost endeavor to defeat the passage of this proposed measure and other measures of a similar nature; and be it further

Resolved, That the Governor of the State of California be requested to transmit a copy of this resolution to the members of the California delegation in Congress, to the presiding officers of the Senate and House of Representatives, and to the chairman of the Committee on Mines and Mining of the United States Senate, and to the chairman of the Committee on Interstate and Foreign Commerce of the House of Representatives.

Motion.

Mr. Lyon moved that the Assembly resolve itself into Committee of the Whole for the purpose of considering Assembly Bill No. 1618.

Motion carried.

In Committee of the Whole.

Speaker Craig in the chair.

Assembly Bill No. 1618 considered.

Mr. Latham moved that the committee do now rise, and report back to the Assembly.

Motion carried.

In Assembly.

Speaker Craig in the Chair.

Report of Committee of the Whole.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1935.

GENTLEMEN: Your Committee of the Whole, which has had under consideration Assembly Bill No. 1618—An act to classify, license and regulate the business of personal property brokers, and to prescribe, fix, limit and regulate their charges and interest rates; to authorize and regulate assignments of wages, salaries, commissions or earnings, earned or to be earned, when given to a personal property broker as security for a loan of, or as consideration for the payment of, $300 or less; to repeal all acts and portions of acts inconsistent herewith; and declaring this measure an urgency measure within the meaning of section 1 of Article IV of the Constitution, and providing accordingly for the act to take effect immediately—does now respectfully report the same back.

CRAIG, Chairman.

Special Order Set for Assembly Bill No. 1618.

On motion of Mr. Lyon, the further consideration of Assembly Bill No. 1618, and amendments, were made a special order for Thursday, April 25, 1935, at eleven o'clock a.m.

Special Order.

The hour of two o'clock p.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 121.

Assembly Bill No. 121—An act, to be known as the Rehabilitation Act, declaring the policy of the State of California in relieving hardship and destitution caused by unemployment one of rehabilitation by cooperative self-help, production for consumption and exchange of labor for surplus commodities; prescribing duties of State Relief Administrator hereunder; providing funds for administration of relief hereunder; directing cooperative activity be noncompetitive; fixing status of cooperative institutions and their members; fixing title to property hereunder; declaring this act an emergency measure; providing for its constitutional construction; repealing conflicting laws.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Reaves.

Amendment No. 1.

On page 3, line 11, of the printed bill, as amended, strike out the period after the word "disposal", and insert in lieu thereof a comma and the following: "including methods for the use of credits, credit vouchers, scrips, points, units and similar arrangements".

Amendment No. 2.

On page 3, line 12, of the printed bill, as amended, after the word "education", insert the words: "and otherwise".

Amendment No. 4.

On page 3, line 14, of the printed bill, as amended, after the word "educational", insert the words: "and others".

Amendment No. 5.

On page 3, line 20, of the printed bill, as amended, after the word "of", strike out the word "necessary".

Amendment No. 6.

On page 4, line 43, of the printed bill, as amended, strike out the word "apply", and insert in lieu thereof the word "qualify".

Amendment No. 7.

On page 4, line 44, of the printed bill, as amended, after the word "nonprofit", insert the words: "or cooperative association".

Amendment No. 8.

On page 5, line 9, of the printed bill, as amended, after the word "the", insert the word "State".

Amendments adopted.

Request for Unanimous Consent.

Mr. Boyle asked for, and was granted, unanimous consent to take up Assembly Bill No. 121, as amended, at this time, without reference to reprint or file, and that same be considered re-re-re-engrossed.

Assembly Bill No. 121, as amended, read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—74.

NOES—None.

Assembly Bill No. 121, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Jones:

Amendment No. 1.

On page 6, line 8, of the printed bill, after the word "repealed", insert the following: "Nothing in this act shall be construed as appropriating any sum of money for the purposes of carrying out this act."

Amendment adopted.

Request for Unanimous Consent.

Mr. Boyle asked for, and was granted, unanimous consent to take up Assembly Bill No. 121, as amended, at this time, without reference to reprint or file, and that same be considered re-re-re-engrossed.

Third Reading of Assembly Bill No. 121, as Amended.

Assembly Bill No. 121, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 121, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—76.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Explanation of Vote.

I intended voting in favor of this bill, but was called on long distance telephone at the time the vote was recorded.

JAMES J. McBRIDE.

Motion to Re-refer Assembly Bill No. 1165.

Mr. DeLap moved that Assembly Bill No. 1165 be withdrawn from the file, and ordered re-referred to Committee on Municipal Corporations.

The question being on re-referring Assembly Bill No. 1165 to the Committee on Municipal Corporations.

Demand for Previous Question.

Messrs. Heisinger, Pelletier, Flint, Morgan, and Boyle demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on re-referring Assembly Bill No. 1165 to the Committee on Municipal Corporations.

Request for Roll Call.

On request of Messrs. Turner, Nielsen, and Mayo, the Speaker ordered a roll call taken on the motion by Mr. DeLap to re-refer Assembly Bill No. 1165 to Committee on Municipal Corporations.

The roll was called, and the motion to re-refer lost by the following vote:

AYES—Breed, Brennan, Corwin, Cottrell, Cronin, Dawson, DeLap, Field, Frazier, Fulcher, Garibaldi, Glover, Hornblower, Kallam, Latham, Lyon, Maloney, Martin, McMurray, Minard, Morgan, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Utt, Walker, Wallace, Weber, Welsh, Wright, and Mr. Speaker—35.

NOES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hunt, Johnson, Jones, Laughlin, Lore, Mayo, McBride, McCarthy, Meehan, Miller, Nielsen, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, and Waters—40.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Attaches.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1935.

MR. SPEAKER: Your Committee on Attaches respectfully begs to report that it has carefully considered the applications for the various positions and desires to submit the following resolution.

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same.

Commencing April 22, 1935	*Per day (Sundays excepted)*
Ruth Tate, Stenographer	$5 00
Johnnie Redwine, Page	2 50
Jimmie Utt, Page	2 50

Resolved further, That the following named persons be stricken from the list of Assembly attaches, and their names be stricken from the pay roll of the Assembly to take effect on completion of the work:

Commencing April 23, 1935—	
Johnnie Redwine, Page	$2 50
Jimmie Utt, Page	2 50

JAMES B. UTT, Chairman.

Report and resolution of Committee on Attaches read.

Mr. Utt moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donnelly, Field, Fisher, Flint, Fulcher, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Scudder, Stream, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—58.

NOES—None.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 422—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LYON, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 269—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment—has had the same under consideration, and respecttully reports the same back, and recommends that it do pass as amended.

LYON, Chairman.

The above reported bill ordered on file for second reading.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1935.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 911—An act to amend section 610 of the Fish and Game Code, relating to trout and whitefish;

Also: Assembly Bill No. 1027—An act to amend sections 535 and 536 of the Fish and Game Code, and to repeal sections 536.5, 536.6, 536.7, 536 8, and 536.9, relating to fish screens;

Also: Assembly Bill No. 1692—An act relating to the manufacturing of fish meal and fish oil;

Also: Assembly Bill No. 2330—An act to amend the "Fish and Game Code," approved April 11, 1933, relating to fish and game and other wild life;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

FISHER, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 50—An act to amend section 653 of the Fish and Game Code, relating to spearing salmon;

Also: Assembly Bill No. 362—An act to amend section 429 of the Fish and Game Code, relating to license fees;

Also: Assembly Bill No. 678—An act to amend section 1203.6 of the Fish and Game Code, relating to pheasants;

Also: Assembly Bill No. 2092—An act to amend section 493.5 of the Fish and Game Code, and to add thereto section 741.5, relating to fish;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

FISHER, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1082—An act to amend section 1065 of the Fish and Game Code, relating to the taking of sardines for commercial purposes;

Also: Assembly Bill No. 1330—An act to amend sections 990, 991, and 993 of the Fish and Game Code;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

FISHER, Chairman.

The above reported bills ordered on file for second reading.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1935.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 2252—An act to amend sections _____ of the School Code, relating to employment of teachers—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

CHATTERS, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 934—An act to amend section 5.63 of the School Code, relating to admission of nonresident students;

Also: Assembly Bill No. 935—An act to amend section 5.350 of the School Code, relating to fees for credentials and certificates;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

CHATTERS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 53—An act to amend section 6.90a of the School Code, relating to junior college buildings;

Also: Senate Bill No. 260—An act to amend sections 2.870, 2.871, 2.872, 2.885, 2.887, 2.890, 2.911, 2.917, 2.940, 2.941, 2.1055, 2.1090, 2.1152 and 2.1199 of the School Code of the State of California, to amend and renumber section 2.990 thereof to be section 2.991, and to add thereto section 2.781, relating to election of school governing boards;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

CHATTERS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 988—An act to amend section 5.161 of the School Code, relating to high school certificates;

Also: Assembly Bill No. 1753—An act to amend sections 2.876, 2.877, 2.878, 2.885, 2.890, 2.891, and to repeal 2.868 of the School Code, relating to the election or appointment of boards;

Also: Assembly Bill No. 2042—An act to amend sections 5.500, 5.680 and 5.681 of the School Code, relating to teachers;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

CHATTERS, Chairman.

The above reported bills ordered on file for second reading.

On Commerce and Navigation.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1935.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 540—An act granting certain submerged lands and tidelands of the State of California to the city of Oakland, including the management, use and control thereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

MALONEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 150—An act granting to the City and County of San Francisco certain lands of the State of California located in the City and County of San Francisco upon certain trusts and conditions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MALONEY, Chairman.

The above reported bill ordered on file for second reading.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 285—An act to amend section 1361 of the Political Code, relating to counting boards to canvass absent voter ballots in counties having a population of one million persons or more;

Also: Assembly Bill No. 955—An act to amend the title and sections 1 and 24, and to add section 8a to the "Storm-water District Act of 1909," approved March 13, 1909, as amended, relating to the formation of districts for the purpose of controlling soil erosion and protecting the lands in such district from damage by storm-water or other waters;

Also: Assembly Bill No. 1835—An act to amend an act entitled "An act relating to the safety of design and construction of public school buildings, providing for regulation, inspection and supervision of the construction, reconstruction or alteration of or addition to public school buildings, and for the inspection of existing school buildings, defining the powers and duties of the State Division of Agriculture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act, to take effect immediately," approved April 10, 1933, relating to the regulation and inspection of the construction of public school buildings;

Also: Assembly Bill No. 2368—An act to amend sections 5, 13, 65, 78, 83, 85, 86, 100, 101 and 109 of, and to add sections 28a, 65a, 65b, 65c, 65d, 83a, 85a, 100a and 100b to an act entitled "An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to retirement of members of the California Highway Patrol;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 31—An act to regulate the hours of service in public and private employment during the emergency declared to exist—and reports that the same has been correctly re-engrossed

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2118—An act imposing an excise tax measured by gross receipts, providing for the registration of taxpayers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, repealing the Retail Sales Tax Act of 1933, and providing this act shall take effect immediately—and reports that the same has been correctly re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 24, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 361—An act to amend the division heading of Division V of the Agricultural Code, relating to standardization;

Also: Assembly Bill No. 364—An act to amend section 1036 of the Agricultural Code, relating to fertilizing materials;

Also: Assembly Bill No. 367—An act to amend section 104 of the Agricultural Code, relating to quarantine.

J. A BEEK, Secretary of Senate.

Assembly Bills Nos. 361, 364 and 367 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 990—An act to amend section 13 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," as amended, relating to revocation or suspension of licenses.

J. A BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 990 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 24, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 1300—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, as amended, by amending sections numbered 4.01 relating to guarantee stock, 6.02 relating to withdrawals, 6.07 relating to investment certificates and shares, 8 09 relating to interest and dividends, 9 02 relating to investments and 9 04 relating to purchases, sales, transfers and pledges of loans, 15.16 relating to borrowers' mutual building and loan associations; postponing the effective date of the amendment of section 6 02 of said act as set forth in section 5a of Chapter 431 of the Statutes of 1933; adding to said act new sections to be numbered 6 09 relating to delay in paying, 8 10 relating to rate of return on shares and investment certificates, 9 18 relating to insurance, loans, advances of credit and purchases of obligations pursuant to the National Housing Act, 10.03a relating to reserve or surplus accounts, 10.09 relating to reports, statements and analyses by the Building and Loan Commissioner and 12 11 relating to conversion of a building and loan association into a Federal savings and loan association and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to vote for or approve such conversion, to exchange shares, stock, investment certificates or other rights or claims for shares issued by such Federal savings and loan association, and to continue to hold as a legal investment any shares so received; adding a new article to be numbered XVI to said act relating to the rehabilitation, readjustment, consolidation, merger or reorganization of one or more building and loan associations of the classes specified in such Article XVI, or of all or of any part of the business, properties and assets of such association or associations, or the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of and other persons interested in such association or associations, providing for the kinds of securities issuable in connection therewith and exempting such securities from certain provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Article XVI, to exchange shares, stock investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received;

and declaring the urgency of this act and providing that it shall take effect immediately—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary

Assembly Bill No. 1300 ordered on unfinished business file.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 287—An act to amend section 4041.16 of the Political Code, relating to county care of indigents.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Fulcher:

Amendment No. 1.

On page 1, line 22, of the printed bill, as amended, strike out "persons, firms and cor-", and in line 23, strike out "porations maintaining and operating hospitals", and insert in lieu thereof the following: "any hospital maintained and operated by any county or by the State, or by any State college, university, or other institution supported in whole or in part by taxation, or by any persons, firms, or corporations, in the county or city and county."

Amendment No. 2.

On page 2, line 7, of the printed bill, as amended, strike out "To", and insert in lieu thereof the following: "To provide for transporting needy sick and dependent and partially dependent persons to and from hospitals to which they shall be sent by authority of the board, and to".

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Withdrawal of Bills.

By order of the Speaker, the following bills were withdrawn from the file, and referred to committees as follows:

Assembly Bill No. 2005 ordered re-referred to Committee on Agriculture.

Assembly Bill No. 2368 ordered re-referred to Committee on Motor Vehicles.

Assembly Bill No. 2386 ordered re-referred to Committee on Live Stock and Dairies.

Assembly Bill No. 1835 ordered re-referred to Committee on Building and Construction.

Assembly Bill No. 506 ordered re-referred to Committee on Ways and Means.

Adjournment.

At four o'clock and fifty-five minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Thursday, April 25, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, April 25, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—80.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. McBride, its further reading was dispensed with.

Privilege of Floor of Assembly Extended.

On request of Mr. Scudder, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to teachers, pupils and parents of the Larkspur Grammar School as follows: Mrs. A. Monaghan, Mrs Vannoy, and Mrs. Cummins, parents; Mr. A. C. Wheeler, Wayne Simpson and Niel N. Cummins, teachers, and Brammie Gorter, Sophie Gorter, Keith Monaghan, Eugene Byrnes, Norma Abbott, Bill Weaver Avis Barker, Dorothy Glenn, Pat Cunningham, Barbara Hislop, Robert Vannoy, Robert Longley, David McDougall, Fay Holden, Juanita White, Lois Tracy, Bud Richardson, Katherine Gardiner, Jack Baglietto, Gladys Durkee, Beverly Muller, Jack Menke, Al Fleming, George Heierle, Harold Olson, Ruth Schneider, Maxine Grolla and Robert Mahood, pupils.

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to former Congresswoman Hon. Mrs. Mae Nolan, widow of Hon. John I. Nolan, and Mrs. Dennis Jordan.

On request of Mr. Andreas, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Nelson A. Gray of Upland.

On request of Mr. McBride, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Messrs. Jack Miller and H. W. McCoy of Ventura.

On request of Mr. Wright, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. C. J. S. Williamson.

On request of Mr. Clark, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. James K. Reid.

On request of Mr Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to William N. Grabier of Turlock.

On request of Mr. Glover, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Herbert C. Legg, chairman Los Angeles County Board of Supervisors.

On request of Mr. Cunningham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. C. J. S. Williamson of Los Angeles.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From the National Association of Women Lawyers of Los Angeles, opposing any compromise with the banks and title companies on the Moratorium Bill and in favor of a two-year extension during which time taxes and insurance should be paid and the court to determine how much interest the property is able to carry.

From the Utopian Society of Los Angeles, opposing the passage of Assembly Bills Nos. 105, 106, 107 and 109.

From the employees of the Chas R. McCormick Lumber Co of Delaware, and Chas. R. McCormick Lumber Co of Los Angeles and McCormick Steamship Co. of Los Angeles, opposing taxation of the motion picture industry.

Reports of Standing Committees.

The following reports of standing committees were received and read.

ASSISTANT CLERK OLIVER READING.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 273—An act to amend section 372 of the Vehicle Code, relating to registration of certain vehicles used for the transportation of persons or property in this State;

Also: Assembly Bill No. 1243—An act to amend sections 828 and 829 of the Agricultural Code, relating to fruits, nuts and vegetables;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1009—An act to amend section 9 of "An act defining clinics and dispensaries, providing for the operation, conduct, maintenance, examination and regulation thereof, requiring permits therefor, providing for the issuance and revocation of such permits by the State Board of Public Health, fixing the amount of and providing for the collection and disposition of annual fees for such permits, creating the clinic and dispensary fund, prescribing the powers and duties of the State Board of Public Health and of the Director of Public Health in reference to such clinics and dispensaries, and prescribing penalties for the violation of the provisions of this act," approved June 5, 1933, relating to annual fee for permits—and reports that the same has been correctly re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1935.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Senate Bill No. 256—An act to amend sections 251, 304, 307, 323, 348, 364, 374, 463 and 465 of the Streets and Highways Code, relating to State highways—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

STREAM, Chairman

The above reported bill ordered on file for second reading.

Second Reading of Assembly Bills.

Assembly Bill No. 2183—An act to amend the "Inheritance Tax Act," approved June 3, 1921, relating to inheritance taxes.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "amend the "Inheritance Tax Act," approved June 3," also strike out line 2, and insert in lieu thereof the following: "be known as the "Inheritance Tax Act of 1935," to establish a tax on gifts, legacies, inheritances, bequests, devises, successions, transfers, joint tenancies and insurance, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under any act hereby repealed, to provide penalties for failure to comply with the provisions of this act; and to repeal Chapter 821 of the laws of the session of the Legislature of California of 1921, approved June 3, 1921, known as the "Inheritance Tax Act," and all amendments thereto, and to repeal all acts and parts of acts in conflict with this act, and providing this act shall take effect immediately."

Amendment No. 2.

On page 1, line 1, of the printed bill, after "SECTION 1.", insert the following.

"(1) This act shall be known as the "Inheritance Tax Act of 1935."

(2) The words "estate" and "property" as used in this act shall be taken to mean the real and personal property or interest therein of the testator, intestate, grantor, bargainor, vendor, donor, joint tenant or insured, passing or transferred to individual legatees, devisees, heirs, next of kin, grantees, donees, vendees, successors, survivors or beneficiaries, and shall include all intangible personal property of resident decedents within or without the State or subject to the jurisdiction thereof, and all stock of California corporations, and Federal corporations or National banks with their principal places of business in California, and all other intangible personal property in California belonging to the estate of a deceased nonresident of the United States; provided, that for the purpose of this act upon the death of the husband at least one-half of the community property is taxable under the provisions of this act and all of the community property passing to anyone other than the wife; provided, further, that when the husband by testamentary disposition of the community property forces the surviving wife to elect whether to take under his will or by operation of law, the property not exceeding in value one-half of the community property, which the wife takes under the said will in lieu of the one-half of the community property belonging to her, shall not be taxable under the provisions of this act, the provisions of this proviso shall also extend to those estates now in probate and in which the orders fixing tax have not become final judgments as provided by this act; provided, further, the one-half of the community property which belongs to the surviving spouse, and, in case of the death of the wife, the community interest which goes to her husband under the provisions of section 201 of the Probate Code in the absence of her testamentary disposition thereof to another or others, or which passes to him under her will, shall not be subject to the provisions of this act; provided, further, that for the purposes of this act, intangible personal property, wherever situated, heretofore or hereafter acquired while domiciled elsewhere, which would not have been the separate property of either husband or wife if acquired while domiciled in this State shall be deemed to be community property, provided, further, that in case of a transfer of community property from one spouse to the other within the meaning of any subdivision of section 2 of this act, one-half of the community property so transferred to the wife and all thereof transferred to the husband, shall not be subject to the provisions of this act; and provided, further, that the presumption that property acquired by either husband or wife after marriage is community property, shall not obtain for the purpose of this act as against any claim by the State for the tax hereby imposed; but the burden of proving such property to be community property shall rest upon the person claiming the same to be community property.

(3) The word "transfer" as used in this act shall be taken to include the passing of property or any interest therein, in possession or enjoyment, present or future, by inheritance, descent, devise, succession, bequest, homestead, family allowance or exempt property orders in probate, survivorship, grant, deed, bargain, sale, gift, advancement or insurance in the manner herein described.

(4) The word "decedent" as used in this act shall include the testator, intestate, grantor, bargainor, vendor, donor, joint tenant or insured

(5) The words "county treasurer" and "inheritance tax appraiser," as used in this act, shall be taken to mean the treasurer or the inheritance tax appraiser of

the county of the superior court having jurisdiction as provided in section 15 of this act.

SEC. 2. A tax shall be and is hereby imposed upon the transfer of any property, real or personal, or of any interest therein or income therefrom, in trust or otherwise, to persons, institutions or corporations, not hereinafter exempted, to be paid to the treasurer of the proper county, as hereinafter directed, for the use of the State, said taxes to be upon the market value of such property at the date of death of the decedent and at the rates hereinafter prescribed and only upon the excess over the exemptions hereinafter granted in the following cases:

(1) When the transfer is by will or by the intestate or homestead laws of this State, from any person dying seized or possessed of the property while a resident of the State, or by any order of court setting apart property and/or making and granting extra or family allowances pursuant to the provisions of the Probate Code.

(2) When the transfer is by will or intestate or homestead laws of property within this State and the decedent was a nonresident of the State at the time of his death, or by any order of court setting apart property and/or making and granting extra or family allowances pursuant to the provisions of the Probate Code.

(3) When the transfer is of property made by a resident or by a nonresident, when such nonresident's property is within this State, by deed, grant, bargain, sale, assignment or gift, made without valuable and adequate consideration (i. e, a consideration equal in money or in money's worth to the full value of the property transferred):

(a) In contemplation of the death of the grantor, vendor, assignor or donor, or,

(b) Intended to take effect in possession or enjoyment at or after such death, or in which a life income or interest is reserved by the grantor, either expressly or impliedly, or by the grantee promising to make payments to or care for the grantor.

(c) As an advancement

(d) By a revocable trust created before or after the taking effect of this act.

When such person, institution or corporation becomes beneficially entitled in possession or expectancy to any property or the income therefrom by any such transfer, whether made before or after the passage of this act.

In all transfers inter vivos the value of the property transferred shall be taken as of the date of death of the transferor and with the rates and exemptions then in effect

(4) The words "contemplation of death," as used in this act, shall be taken to include that expectancy of death which actuates the mind of a person on the execution of his will, and in nowise shall said words be limited and restricted to that expectancy of death which actuates the mind of a person making a gift causa mortis; and it is hereby declared to be the intent and purpose of this act to tax any and all transfers which are made in lieu of or to avoid the passing of property transferred by testate or intestate laws.

(5) Whenever property, real or personal, is held in the joint names of two or more persons, or is deposited in banks or other institutions or depositaries in the joint names of two or more persons and payable to either or the survivor, upon the death of one of such persons, the right of the surviving joint tenant or joint tenants, person or persons to the immediate ownership or possession and enjoyment of such property shall be deemed a transfer taxable under the provisions of this act in the same manner as though the whole property to which such transfer relates belonged absolutely to the deceased joint tenant or joint depositor and had been devised or bequeathed to the surviving joint tenant or joint tenants, person or persons, by such deceased joint tenant or joint depositor by will, excepting therefrom such part thereof as may be proved by the surviving joint tenant or joint tenants to have originally belonged to him or them and never to have belonged to the decedent.

(6) Whenever any person or corporation shall be given a power of appointment by virtue of any disposition of property made before or after the passage of this act, such gift of power of appointment shall, under the provisions of this act, be deemed a taxable transfer made from the donor of said power to the donee thereof at the date of the donor's death; provided that where the donor of a power of appointment dies prior to the taking effect of this amendment and the power is exercised thereafter the exercise of said power of appointment shall be deemed a transfer taxable as provided in subdivision 6 of section 2 of the Inheritance Tax Act of 1921 as amended in 1929

(7) Whenever a decedent appoints or names one or more executors or trustees, and makes a bequest or devise of property to them in lieu of commissions or allowances, which otherwise would be liable to said tax, or appoints them his residuary legatees or devisees, and said bequest, devise or residuary legacies or devices exceeds the executor's commission provided in section 901 of the Probate Code, or a reasonable compensation to be fixed by the court for the trustee, such excess over and above the exemptions herein provided for shall be liable to said tax.

(8) Where any property shall, after the passage of this act, be transferred subject to any charge, estate or interest, determinable by the death of any person, or at any period ascertainable only by reference to death, the increase accruing to any person or corporation upon the extinction or determination of such charge, estate or interest shall be deemed a transfer of property taxable under the provisions of this act in the same manner as though the person or corporation beneficially entitled thereto

had then acquired such increase from the person from whom the title to their respective estates or interests is derived.

(9) The proceeds of all life or accident insurance policies payable on account of the death of the insured shall be subject to the tax herein imposed, as follows:

(a) The proceeds of all such policies now in force or hereafter issued payable to the estate, executor or administrator or personal representative of the insured.

(b) The proceeds of all such policies hereafter issued payable to named beneficiaries.

(c) The proceeds of all such policies now in force payable to named beneficiaries in which the insured has the right to change the beneficiary or under which he has cash surrender right

(10) When more than one transfer within the meaning of any of the preceding subdivisions of this section has been made, either before or after the passage of this act, by a decedent to one person, the tax shall be imposed upon the aggregate market value of all of the property so transferred to such person in the same manner and to the same extent as if all of the property so transferred were actually transferred by one transfer made at the date of the transferor's death and with the value, rates and exemptions as of that date.

(11) In determining the market value of the property transferred, the following deductions, if obligations of the decedent or his estate and paid by the estate or transferee, and no others, shall be made from the appraised value thereof:

(a) Debts of decedent owing at the date of death;

(b) Expenses of funeral and last illness;

(c) All State, county, and municipal taxes and assessments which are a lien against said property and due and payable at the date of death;

(d) The ordinary expenses of administration, including the ordinary fees allowed executors and administrators and the ordinary fees of their attorneys under the provisions of sections 901 and 910 of the Probate Code of California, computed on the value of the estate at the date of decedent's death;

(e) The amount due or paid the government of the United States as a Federal inheritance or estate tax; provided, however, that the amount of such tax allowable herein as a deduction shall be limited to a computation thereof (commencing at the primary rates) made by the acting State Inheritance Tax Appraiser upon his own valuations of that portion of such property only, the transfer of which is taxable under the provisions of this act, by applying to such valuations the exemptions and rates of the Federal inheritance or estate tax in force at the date of decedent's death.

(f) This subdivision (11) is intended as a limitation on deductions, and it is not its purpose to allow as a deduction anything that does not actually reduce the amount of the inheritance or transfer.

(12) Where the tax imposed by this act is of a lesser amount than the maximum credit of the Federal estate tax allowed by the Federal Estate Tax Law because of said tax herein imposed, then the tax provided for by this act shall be increased so that the amount of tax due this State shall be the maximum amount of the credit allowed under said Federal Estate Tax Law. Said additional tax shall be paid out of the same funds as any other ordinary charge against the estate

Where no tax is imposed by this act because of the exemptions herein, or for any other reason, and a tax is due the United States under the Federal Estate Tax Law, then a tax shall be due this State equal to the maximum amount of the credit allowed under said Federal Estate Tax Law.

Should the amount of tax in this act increased by this section be afterwards found to be more than the maximum credit allowed under the Federal Estate Tax Law, then any excess over and above the said maximum credit shall be refunded as is provided in subdivision 4 of section 11 of this act. Said application for refund must be made within six months after said maximum credit has been determined by the Federal Government.

SEC. 3. Such taxes shall be and remain a lien upon the property passed or transferred until paid; provided, however, that where property is sold under and in accordance with the provisions of the Probate Code the lien herein provided for shall be released from the property so sold and shall attach to the proceeds of such sale, and the person to whom the property passes or is transferred, except as herein in this section provided, and all administrators, executors and trustees of every estate so transferred or passed, shall be liable for any and all such taxes until the same shall have been paid as hereinafter directed. The provisions of the Code of Civil Procedure relative to the limitation of time of enforcing a civil remedy shall not apply to any proceeding or action taken to levy, appraise, assess, determine or enforce the collection of any tax or penalty prescribed by this act, provided, that unless sued for within five years after they are due and legally demandable, such taxes or any taxes accruing under any act hereby repealed, shall cease to be a lien as against any bona fide purchaser of said property.

SEC. 4. When the property or any beneficial interest therein so passed or transferred exceeds in value the exemption hereinafter specified and shall not exceed in value twenty-five thousand dollars, the tax hereby imposed shall be.

(1) Where the person or persons entitled to any beneficial interest in such property shall be the husband, wife, lineal ancestor, lineal issue of the decedent or any child adopted as such in conformity with the laws of this State, or any child to whom such decedent for not less than ten years prior to such transfer stood in the mutually acknowledged relation of a parent (provided, however, such relationship began at or before the child's fifteenth birthday, and was continuous for said ten years thereafter), or any lineal issue of such adopted or mutually acknowledged child, at the rate of two per centum of the clear value of such interest in such property

(2) Where the person or persons entitled to any beneficial interest in such property shall be the brother or sister or a descendant of a brother or sister of a decedent, a wife or widow of a son, or the husband of a daughter of the decedent, at the rate of five per centum of the clear value of such interest in such property.

(3) Where the person or persons entitled to any beneficial interest in such property shall be the brother or sister of the father or mother or a descendant of a brother or sister of the father or mother of the decedent, at the rate of six per centum of the clear value of such interest in such property.

(4) Where the person or persons entitled to any beneficial interest in such property shall be in any other degree of collateral consanguinity than is hereinbefore stated or shall be a stranger in blood to the decedent, or shall be a body politic or corporate, at the rate of seven per centum of the clear value of such interest in such property.

(5) If a legatee under a will renounces the legacy, or any part thereof, or agrees that the estate, or any part thereof, shall be distributed otherwise than as provided in the will, in consideration of the withdrawal of a contest to the will, or for any other reason, the inheritance tax shall nevertheless be computed in accordance with the terms of the will admitted to probate.

SEC. 5. (1) When the market value of such property or interest passed or transferred to any of the persons mentioned in subdivision 1 of section 4 exceeds twenty-five thousand dollars, the rates of tax upon such excess shall be as follows:

(a) Upon all in excess of twenty-five thousand dollars and up to fifty thousand dollars, four per centum of such excess.

(b) Upon all in excess of fifty thousand dollars and up to one hundred thousand dollars, four per centum of such excess.

(c) Upon all in excess of one hundred thousand dollars and up to two hundred thousand dollars, seven per centum of such excess.

(d) Upon all in excess of two hundred thousand dollars and up to five hundred thousand dollars, nine per centum of such excess.

(e) Upon all in excess of five hundred thousand dollars, ten per centum of such excess.

(2) When the market value of such property or interest passed or transferred to any of the persons mentioned in subdivision two of section 4 exceeds twenty-five thousand dollars, the rates of tax upon such excess shall be as follows:

(a) Upon all in excess of twenty-five thousand dollars and up to fifty thousand dollars, seven per centum of such excess.

(b) Upon all in excess of fifty thousand dollars and up to one hundred thousand dollars, ten per centum of such excess.

(c) Upon all in excess of one hundred thousand dollars, twelve per centum of such excess.

(3) When the market value of such property or interest passed or transferred to any of the persons mentioned in subdivision three of section 4 exceeds twenty-five thousand dollars, the rates of tax upon such excess shall be as follows:

(a) Upon all in excess of twenty-five thousand dollars and up to fifty thousand dollars, nine per centum of such excess.

(b) Upon all in excess of fifty thousand dollars and up to one hundred thousand dollars, twelve per centum of such excess.

(c) Upon all in excess of one hundred thousand dollars, twelve per centum of such excess.

(4) When the market value of such property or interest passed or transferred to any of the persons mentioned in subdivision four of section 4 exceeds twenty-five thousand dollars, the rates of tax upon such excess shall be as follows:

(a) Upon all in excess of twenty-five thousand dollars and up to fifty thousand dollars, ten per centum of such excess

(b) Upon all in excess of fifty thousand dollars, twelve per centum of such excess.

SEC. 6 The following exemptions from the tax are hereby allowed:

(1) (a) All proceeds of any Federal war risk insurance policy of any veteran of the World War which is payable or which may become payable to the estate of such veteran shall be exempt.

(b) All property transferred to societies, corporations and institutions now or hereafter exempted by law from taxation, or to any public corporation, or to any society, corporation, institution, or association of persons engaged in or devoted to any charitable, benevolent, educational, public, or other like work (pecuniary profit not being its object or purpose); or to any person, society, corporation, institution, or association of persons in trust for or to be devoted to any charitable, benevolent,

educational, or public purpose, by reason whereof any such person or corporation shall become beneficially entitled in possession or expectancy, to any such property or to the income thereof, shall be exempt; provided, however, that such society, corporation, institution or association be organized or existing under the laws of this State or that the property transferred be limited for use within this State; provided further, that if such society, corporation, institution or association be organized or existing under the laws of a Territory or State of the United States (other than California) or of a foreign state or country, all property transferred to such society, corporation, institution or association shall be exempt if at the date of decedent's death the said State or Territory or foreign state or country under the laws of which such society, corporation, institution or association was organized or existing did not impose a legacy or succession tax or a death tax of any character in respect of property transferred to such a society, corporation, institution or association organized or existing under the laws of this State, or if at the date of decedent's death the laws of the State or Territory or foreign state or country under which such society, corporation, institution or association was organized or existing contained a reciprocal provision under which transfers to such a society, corporation, institution or association organized or existing under the laws of another State or Territory or foreign state or country where exempted from legacy or succession taxes or death taxes of every character providing said other State or Territory or foreign state or country allowed a similar exemption to such a society, corporation, institution or association organized or existing under the laws of another State or Territory or foreign state or country.

(2) (a) Property of the clear value of twenty-four thousand dollars, transferred to the wife, and of twelve thousand dollars transferred to a minor child of the decedent, and of five thousand dollars transferred to each of the other persons described in the first subdivision of section 4 shall be exempt.

(b) All property transferred by a decedent to any person described in the first subdivision of section 4, providing the same was transferred to such decedent not more than five years prior to his death by another decedent of the class described in the first subdivision of section 4 and a tax paid thereon to the State of California, shall be exempt; provided that the value of said property shall be taken as of the date of death of the first decedent, and provided further, that this subdivision shall not apply to a tax paid under the provisions of subdivision 12 of section 2 hereof.

(3) Property of the clear value of two thousand dollars transferred to each of the persons described in the second subdivision of section 4 shall be exempt.

(4) Property of the clear value of five hundred dollars, transferred to each of the persons described in the third subdivision of section 4 shall be exempt

(5) Property of the clear value of fifty dollars transferred to each of the persons and corporations described in the fourth subdivision of section 4 shall be exempt.

(6) In computing the tax upon transfers subject to tax under the provisions of this act, the exemptions in this section allowed shall be deducted from the aggregate amount of property transferred, and the transfer of the remainder of the property after making such deduction shall be taxed at the rates at which it would have been taxed had no exemption whatever been allowed

(7) The tax imposed by this act in respect of intangible personal property shall not be payable if the decedent is a resident of a foreign state or country which at the time of his death imposed a legacy, succession or death tax in respect of intangible personal property within said foreign state or country of residents of said foreign state or country, but did not impose a legacy or succession tax or a death tax of any character in respect of intangible personal property within said foreign state or country of residents of this State, or if the laws of the foreign state or country of residence of the decedent at the time of his death contained a reciprocal provision under which nonresidents were exempted from legacy or succession taxes or death taxes of every character in respect of intangible personal property providing the foreign state or country of residence of such nonresidents allowed a similar exemption to residents of the foreign state or country of residence of such decedent.

SEC. 7. (1) All taxes imposed by this act, unless otherwise herein provided for, shall be due and payable at the date of death of the decedent, and if the same are paid within eighteen months, no interest shall be charged and collected thereon, but if not so paid, interest at the rate of ten per centum per annum shall be charged and collected from the time said tax accrued; provided that if said tax is paid within six months from the accruing thereof and there is no tax under subdivision 12 of section 2 hereof, a discount of five per centum shall be allowed and deducted from said tax; provided, further, that all payments made after the expiration of said eighteen months shall be applied first to the payment of interest on said tax to the date of payment and the balance, if any, on the tax And in all cases where the executors, administrators or trustees do not pay such tax within eighteen months from the death of the decedent, they shall be required to give a bond for the payment of such tax, together with interest.

(2) The penalty of ten per cent per annum imposed by subdivision (1) of this section for the nonpayment of said tax, shall not be charged in cases where, in the judgment of the court, by reason of claims made upon the estate, necessary litigation, or other unavoidable cause of delay, the estate of any decedent, or a part thereof, can not be settled at the end of eighteen months from the death of the

decedent; but in such cases seven per cent per annum shall be charged upon the said tax from the expiration of said eighteen months until the cause of such delay is removed, after which ten per cent interest per annum shall again be charged until the tax is paid; but litigation to defeat the payment of the tax shall not be considered necessary litigation.

SEC. 8. (1) When any grant, gift, legacy, devise or succession upon which a tax is imposed by section 2 of this act shall be an estate, income, or interest for a term of years, or for life, or determinable upon any future or contingent event, or shall be a remainder, reversion, or other expectancy, real or personal, the entire property or fund by which such estate, income, or interest is supported, or of which it is a part, shall be appraised immediately after the death of the decedent, and the market value thereof determined, in the manner provided in section 16 or 17 of this act, and the tax prescribed by this act shall be immediately due and payable to the treasurer of the proper county, and together with the interest thereon, shall be and remain a lien on said property until the same is paid.

(2) In estimating the value of any estate or interest in property, to the beneficial enjoyment or possession whereof there are persons or corporations presently entitled thereto, no allowance shall be made on account of any contingent incumbrance thereon, nor on account of any contingency upon the happening of which the estate or property or some part thereof or interest therein might be abridged, defeated or diminished; provided, however, that in the event of such incumbrance taking effect as an actual burden upon the interest of the beneficiary, or in the event of the abridgment, defeat or diminution of said estate or property or interest therein as aforesaid, a return shall be made to the person properly entitled thereto of a proportionate amount of such tax on account of the incumbrance when taking effect, or so much as will reduce the same to the amount which would have been assessed on account of the actual duration or extent of the estate or interest enjoyed. Such return of tax shall be made in the manner provided by subdivision 4 of section 11 hereof upon order of the court having jurisdiction. Said application for return of tax must be made within six months of the happening of said contingency.

(3) When property is transferred in trust or otherwise, whereby any person becomes entitled to an estate or interest for life or years therein and any other person to the remainder over, the executor or trustee shall pay the entire tax on all interests therein out of the corpus of the property transferred, and no part thereof shall be charged against the interest of or collected from the beneficiaries thereof.

(4) When property is transferred in trust or otherwise, and the rights, interest or estates of the transferees are dependent upon contingencies or conditions whereby they may be wholly or in part created, defeated, extended, or abridged, a tax shall be imposed upon said transfer at the highest rate which, on the happening of any of the said contingencies or conditions, would be possible under the provisions of this act, and such tax so imposed shall be due and payable forthwith by the executors or trustees out of the corpus of the property transferred and shall not be charged against the interest of or collected from the beneficiaries thereof; provided, however, that on the happening of any contingency whereby the said property, or any part thereof, is transferred to a person or corporation exempt from taxation under the provisions of this act, or to any person taxable at a rate less than the rate imposed and paid, the executors or trustees shall be entitled to a return of that part of the tax imposed and paid represented by the difference between the amount paid and the amount actually payable under the provisions of this act, and the amount returned shall go into and form a part of the corpus of the property transferred; such return of overpayment shall be made in the manner provided by subdivision 4 of section 11 of this act, upon motion made in the court having jurisdiction within six months after the happening of said contingency; provided, that the person or persons or body politic or corporate beneficially interested in the property chargeable with said tax or the trustees thereof may elect not to pay the same until such person or persons, or body politic or corporate beneficially interested in such property shall come into the actual possession or enjoyment thereof, and in that case such person or persons or body politic or corporate or trustees shall execute a bond to the people of the State of California in a penalty of the amount of said tax plus interest thereon for five years at the rate of seven per cent per annum with such sureties as the said superior court may approve, conditioned for the payment of said tax or any lesser tax which may become payable on the happening of said contingency, and interest thereon at the rate of seven per cent per annum commencing at the expiration of eighteen months from the death of the decedent at such time or period as they or their representatives may come into the actual possession or enjoyment of such property, and conditioned further, that if said bond be not renewed and the returns made as herein provided, the amount of said tax and interest thereon shall immediately become due and payable. Said bond shall be filed in the office of the county clerk of the proper county and a certified copy thereof shall be immediately transmitted to the State Controller; provided further, that such person or persons or body politic or corporate, or trustees, shall enter into such security within a period of ninety days after the entry of the order or the decree fixing the inheritance tax charged against such transfer, or within such period thereafter as the court may in its discretion permit, and shall make a full and verified return of such property to said court and file the same in the office of the county clerk within one year from

the date of such order or decree fixing tax, and at such times thereafter as the court on the application of the State Controller may require, and renew such security every five years after the date of the approval thereof by filing a new bond with such sureties as said superior court may approve, and transmitting a certified copy of said renewal bond to the State Controller. The penalty of each renewal bond shall be increased by five years interest at the rate of seven per cent per annum on the unpaid tax. Upon the approval of said bond as herein provided, said tax shall cease to be a lien upon the property so transferred. If such security shall not be renewed before the expiration of each five year period, said bond shall immediately become due and payable and if the same be not paid forthwith, the Attorney General shall file an action in the name of the people of the State on the relation of the Controller, to recover the same and the penalties thereunder and no demand for payment shall be necessary before the institution of such suit. Whenever it shall be made to appear to the satisfaction of the court that any surety on such bond or undertaking has for any reason become insufficient, the court may on motion of the State Controller, after such notice to such person or persons, body politic or corporate, or trustees as the court may require, order the giving of a new undertaking with sufficient sureties in lieu of such insufficient undertaking. In case such new undertaking so required shall not be given within the time required by such order, or in case the sureties thereon fail to justify thereon when required, all rights obtained by the filing of such original undertaking, or subsequent undertaking, shall cease and the amount of said tax and interest thereon shall immediately become due and payable.

(5) Notwithstanding any provisions hereof whereby final determination of taxability of the transfer of property or interests therein or income therefrom, is or may be deferred until the happening of certain contingencies or conditions, the State Controller may compromise, adjust and settle with the administrator, executor or trustee having charge of the estate or property in question, the taxability of the transfer of such property and of each and every interest therein, including the income therefrom, whether such interests be absolute or qualified, perpetual or limited, present or future, vested or contingent, or otherwise.

The Inheritance Tax Appraiser, determining the inheritance tax payable, shall prepare a report in accordance with such settlement and if and when said report is confirmed by an order of the superior court having jurisdiction said order shall be a final determination of the matters covered thereby and the payment of said tax as fixed by said order shall be a complete discharge to such administrator, executor, or trustee with respect to such taxes.

(6) Estates in expectancy which are contingent or defeasible and in which proceedings for the determination of the tax have not been taken or where the taxation thereof has been held in abeyance, shall be appraised at their full, undiminished value when the persons entitled thereto shall come into the beneficial enjoyment or possession thereof, without diminution for or on account of any valuation theretofore made of the particular estates for purposes of taxation, upon which said estates in expectancy may have been limited.

(7) Where an estate or interest can be divested by the act or omission of the legatee or devisee it shall be taxed as if there were no possibility of such divesting.

(8) The value of every future, or contingent or limited estate, income or interest, shall, for the purposes of this act be determined by the rule, methods and standards of mortality and of value that are set forth in the actuaries' combined experience tables of mortality for ascertaining the value of policies of life insurance and annuities and for the determination of the liabilities of life insurance companies, save that the rate of interest to be assessed in computing the present value of all future interests and contingencies shall be five (5) per cent per annum For the purposes of this act, in determining the present value of such estate, income or interest, other than an annuity in a fixed amount, the yearly income or the annual value of the use or income of such estate or interest shall be five per cent of the appraised value of the property upon which said estate or interest is based. The Insurance Commissioner shall without a fee on the application of any superior court or of any inheritance tax appraiser determine the value of any future or contingent estate, income or interest therein limited, contingent, dependent or determinable upon the life or lives of persons in being, upon the facts contained in any such appraiser's application or other facts to him submitted by said appraiser or said court and certify the same in duplicate to such court or appraiser, and his certificate thereof shall be conclusive evidence that the method of computation therein is correct. When an annuity or a life estate is terminated by the death of the annuitant or life tenant, and the tax upon such interest has not been fixed and determined, the value of said interest for the purpose of taxation under this act shall be the amount of the annuity or income actually paid or payable to the annuitant or life tenant during the period for which such annuitant or life tenant was entitled to the annuity or was in possession of the life estate.

SEC. 9. (1) Any administrator, executor or trustee having in charge or trust any legacy or property for distribution, subject to the said tax, shall deduct the tax therefrom, or if the legacy or property be not money he shall collect the tax thereon, upon the market value thereof from the legatee or person entitled to such property, and he shall not deliver or be compelled to deliver, any specific legacy or property subject to tax to any person until he shall have collected the tax thereon; and when-

ever any such legacy shall be charged upon or payable out of real estate the executor, administrator, or trustee shall collect said tax from the distributee thereof, and the same shall remain a charge on such real estate until paid; if, however, such legacy be given in money to any person for a limited period, the executor, administrator, or trustee shall retain the tax upon the whole amount; but if it be not in money he shall make application to the superior court to make an apportionment, if the case require it, of the sum to be paid into his hands by such legatees, and for such further order relative thereto as the case may require.

(2) All executors, administrators, and trustees shall have full power to sell so much of the property of the decedent as will enable them to pay said tax, in the same manner as they may be enabled by law to do for the payment of debts of the estate, and may be compelled by order of court to make such sale, and the amount of said tax shall be paid as hereinafter directed

(3) Every sum of money retained by an executor, administrator or trustee, or paid into his hands for any tax on property, shall be paid by him within thirty days thereafter, to the treasurer of the county in which the probate proceedings are pending

SEC. 10. Upon the payment to any county treasurer of any tax due under this act, such treasurer shall issue a receipt therefor, in triplicate, one copy of which he shall deliver to the person paying said tax, and the original and one copy thereof he shall immediately send to the State Controller, whose duty it shall be to charge the treasurer so receiving the tax with the amount thereof, and said Controller shall retain one of said receipts and the other he shall countersign and seal with the seal of his office, and immediately transmit to the clerk of the court fixing such tax. And an executor, administrator, or trustee shall not be entitled to credits in his accounts, nor be discharged from liability for such tax, nor shall said estate be distributed, unless a receipt so sealed and countersigned by the Controller, or a copy thereof, certified by him, shall have been filed with the court. Any person shall, upon payment to the county treasurer of the sum of fifty cents, be entitled to a duplicate, or copy, of any receipt that may have been given by said treasurer for the payment of any tax under this act.

SEC. 11. (1) If any debts shall be proved against the estate of a decedent after the payment of any legacy or distributive share thereof, from which any such tax has been deducted or upon which it has been paid by the person entitled to such legacy or distributive share, and such person is required by order of the superior court having jurisdiction on notice to the State Controller, to refund the amount of such debts or any part thereof, an equitable proportion of the tax shall be repaid to him by the executor, administrator or trustee, if the tax has not been paid to the county treasurer; or if such tax has been paid to such county treasurer, such officer shall refund out of any inheritance tax moneys in his hands or custody such equitable proportion of the tax and credit himself with the same in the account required to be rendered by him under this act.

(2) Where it shall be proved to the satisfaction of the superior court that deductions for debts were allowed upon the appraisal, since proved to have been erroneously allowed, it shall be lawful for such superior court to enter an order assessing the tax upon the amount wrongfully and erroneously deducted and if debts are established against the estate after the order fixing inheritance tax is made the order may on petition after notice to the State Controller be modified equitably.

(3) If, after the payment of any tax in pursuance of an order fixing such tax, made by the superior court having jurisdiction, such order be modified or reversed by the superior court having jurisdiction by any of the methods provided in the Code of Civil Procedure and commenced within the time allowed by law, or be modified or reversed on an appeal taken therefrom within the time allowed by law, on due notice to the State Controller, the county treasurer shall refund to the executor, administrator, trustee, person or persons by whom such tax was paid, the amount of any moneys paid or deposited on account of such tax in excess of the amount of tax fixed by the order modified or reversed, out of any inheritance tax moneys in his hands or custody, and credit himself with the same in the account required to be rendered by him to the Controller on his semiannual settlement; but no application for such refund shall be made after one year from such reversal or modification, unless an appeal shall be taken therefrom, in which case no such application shall be made after one year from the final determination on such appeal, and the representatives of the estate, legatees, devisees, or distributees entitled to any refund under this section shall not be entitled to any interest upon such refund, and no judgment for such refund shall bear interest until said judgment shall have become final in the highest court to which the matter is carried and until refund is refused upon demand after such final judgment and then only from the date of such refusal. The State Controller shall deduct from the fees allowed by this act to the county treasurer the amount theretofore allowed him upon such overpayment

(4) When any amount of said tax shall have been erroneously paid, the superior court having jurisdiction, on application after notice to the State Controller, and on satisfactory proof to it, shall by order, direct the county auditor to draw his warrants upon the county treasurer in favor of the executor, administrator, trustee,

person or persons who have paid any such tax in error in the amount of such tax so erroneously paid, provided, that all applications for such repayment of such tax so erroneously paid shall be made within one year of the date of the entry of the order fixing tax or of the decree of final distribution of the estate. Such refund shall be made by said treasurer out of any inheritance tax moneys in his hands or custody and he shall credit himself with the same in the account required to be rendered by him to the Controller on semiannual settlement; and the State Controller shall deduct from the fees allowed by this act to the county treasurer the amount theretofore allowed him upon such erroneous payment.

SEC. 12. (1) Whenever the State Controller shall have reasonable cause to believe that a tax is due under the provisions of this act, upon any transfer of any property, and that any person, firm, institution, company, association or corporation has possession, custody, or control of any books, accounts, papers or documents relating to or evidencing such transfer, the State Controller or inheritance tax attorney or any assistant inheritance tax attorney of the inheritance tax department, is hereby authorized and empowered to inspect the books, records, accounts, papers and documents of any such person, firm, institution, company, association or corporation, including the stock transfer book of any corporation and to administer oaths to and examine any such person or any officer or agent of such firm, institution, company, association or corporation, for the purpose of acquiring any information deemed necessary or desirable by said State Controller or such inheritance tax attorney or assistant inheritance tax attorneys, for the proper enforcement of this act, and for the collection of the full amount of tax which may be due the State hereunder. Any and all information and records acquired by said State Controller or said inheritance tax attorney or assistant inheritance tax attorneys shall be deemed and held by said State Controller and said inheritance tax attorney and assistant inheritance tax attorneys and each of them, as confidential, and shall not be divulged, disclosed or made known by them or any of them except in so far as may be necessary for the enforcement of the provisions of this act. Any Controller or ex-Controller, or inheritance tax attorney or ex-inheritance tax attorney, or assistant inheritance tax attorney or ex-assistant inheritance tax attorney, who shall divulge, disclose or make known any information acquired by such inspection and examination aforesaid, except in so far as the same may be necessary for the enforcement of the provisions of this act, shall be guilty of a felony, and upon conviction thereof shall be imprisoned in the State prison for not more than five years.

(2) An officer or agent of any firm, institution, company, association or corporation having or keeping an office within this State, who has in his custody or under his control any book, record, account, paper or document of such firm, institution, company, association or corporation, and any person having in his custody or under his control such book, record, account, paper or document who refuses to give to the State Controller, or said inheritance tax attorney, or any of said assistant inheritance tax attorneys lawfully demanding as provided in this section, during office hours to inspect or take a copy of the same or any part thereof, for the purposes hereinabove provided, a reasonable opportunity so to do, shall be liable to a penalty of not less than one thousand dollars nor more than twenty thousand dollars and in addition thereto shall be liable for the amount of the taxes, interest and penalties due under this act on such transfer, and the said penalties and liabilities for the violation of this section may be enforced in an action brought by the State Controller in any court of competent jurisdiction.

SEC. 13. (1) No corporation organized or existing under the laws of this State, shall transfer on its books or issue a new certificate for any share or shares of its capital stock belonging to or standing in the name of a decedent or in trust for a decedent or belonging to or standing in the joint names of a decedent and one or more persons, without the written consent of the State Controller or person by him in writing authorized to issue such consent.

(2) No safe deposit company, trust company, corporation, bank, or other institution, person or persons engaged in the business of renting safe deposit boxes or other receptacles of similar character shall rent any such box or receptacle without first requiring all persons given access thereto to agree in writing to notify such safe depositary, bailee, or lessor, from whom such box or receptacle is rented of the death of any person having the right of access thereto, before seeking access to such box or receptacle after the death of such person; and all persons having the right of access to any such safe deposit box or receptacle upon the death of any other person having access thereto, before seeking access to such box or receptacle must notify such safe depositary, bailee, or lessor, from whom such box or receptacle is rented, of the death of such person; and it shall be unlawful for any safe deposit company, trust company, corporation, bank or other institution, person or persons having in possession or under control, custody or partial custody any safe deposit box or similar receptacle, to permit access thereto by any one after the death of any person who at the time of his death had the right or privilege of access thereto either as principal, deputy, agent or covenant without the consent of the State Controller or such person by him in writing authorized to issue such consent.

(3) No safe deposit company, trust company, corporation, bank or other institution, person or persons having in possession or under control or custody or under partial control or partial custody securities, deposits, assets or property belonging to or standing in the name of a decedent who was a resident or nonresident, or belonging to, or standing in the joint names of such a decedent and one or more persons, including the shares of the capital stock of or other interest in, the safe deposit company, trust company, corporation, bank, or other institution making the delivery or transfer herein provided, shall deliver or transfer the same to the executors, administrators or legal representatives, agents, deputies, attorneys, trustees, legatees, heirs, successors in interest of said decedent or to any other person or persons, or to the survivor or survivors when held in the joint names of a decedent and one or more persons, or upon their order or request, without retaining a sufficient portion or amount thereof to pay any tax and interest which may thereafter be assessed thereon under this act and unless notice of the time and place of such delivery or transfer be served upon the State Controller and county treasurer at least ten days prior to said delivery or transfer; provided, that the State Controller, or person by him in writing authorized so to do, may consent in writing to said delivery or transfer, and such consent shall relieve said safe deposit company, trust company, corporation, bank or other institution, person or persons from the obligation hereunder to give such notice or to retain any portion of said securities, deposits or other assets in their possession or control And it shall be lawful for the State Controller or county treasurer, personally or by representatives, to examine said securities, deposits or assets at the time of said delivery or otherwise.

(4) Failure to comply with the provisions of this section shall render such safe deposit company, trust company, corporation, bank or other institution, person or persons, liable to a penalty of not more than twenty thousand dollars, and in addition thereto said safe deposit company, trust company, corporation, bank or other institution, person or persons shall be liable for the amount of the taxes, interest and penalties due under this act on said securities, deposits or other assets above mentioned, and said penalties and liabilities of said safe deposit company, corporation, bank or other institution, person or persons for the violation of this section may be enforced in an action brought by the State Controller in any court of competent jurisdiction.

SEC 14. The State Controller shall appoint, and may at his pleasure remove, one or more persons in each county of the State to act as inheritance tax appraisers therein Every such inheritance tax appraiser (in addition to any fees paid him as appraiser under section 609 of the Probate Code) shall be paid for his services out of the inheritance tax moneys in the hands of the treasurer of the county, in which he may be acting, a reasonable compensation, to be fixed by the superior court of said county, or a judge thereof, and, together with said compensation, said appraiser shall be allowed his actual and necessary traveling and other incidental expenses, and the fees paid such witnesses as he shall subpoena before him, said expenses and fees to be allowed by said superior court or a judge thereof; provided, that any claim for any such service or expenditure, must before payment, first receive the approval of the State Controller. Any such appraiser who shall take any fee or reward, other than such as may be allowed him by law, from any executor, administrator, trustee, legatee, next of kin, or heir of any decedent, or from any other person liable to pay said tax or any portion thereof, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than two hundred fifty dollars nor more than five hundred dollars, or be imprisoned in the county jail ninety days or both, and in addition thereto the court shall dismiss him from such service.

SEC 15 The superior court in the county in which is situate the real property of a decedent, who was not a resident of the State, or if there be no real property, then in the county in which any of the personal property of such nonresident is situate, or in the county of which the decedent was a resident at the time of his death, shall have jurisdiction to hear and determine all questions in relation to the tax arising under the provisions of this act, the court first acquiring jurisdiction hereunder shall retain the same to the exclusion of every other, provided, that the superior court having acquired jurisdiction in probate of the estate of a decedent shall hear and determine in said probate proceedings all questions in relation to any tax arising under the provisions of this act (a) Upon property passing in said probate proceedings (b) Upon any other property transferred, within the meaning of subdivision 3 of section 2 or any other provisions of this act, to any person, institution or corporation taking any property under and by virtue of said probate proceedings.

SEC 16 (1) When any superior court having jurisdiction in probate of the estate of any decedent or a judge of such court, shall, in accordance with section 605 of the Probate Code appoint the appraiser or appraisers in said section provided for, said superior court or judge thereof shall also at the same time designate and appoint an Inheritance Tax Appraiser (unless such designation and appointment be previously made) to ascertain and report to said superior court the amount of inheritance tax due upon any property passing in said probate proceeding, or a lien

thereon, or upon any other property transferred within the meaning of section 2 of this act, or under any other provision of this act, to any person, institution, or corporation taking property under and by virtue of said probate proceedings, together with such other or additional information as shall assist said court in the determination of said tax. Thereupon said Inheritance Tax Appraiser shall have all the powers of a referee of said superior court, and shall have jurisdiction to require the attendance before him of the executor or administrator of said estate or any person interested therein, or any other person whom he may have reason to believe possesses knowledge of the estate of said decedent, or knowledge of any property transferred by said decedent within the meaning of this act, or knowledge of any facts that will aid said appraiser or the court in the determination of said tax. For the purpose of compelling the attendance of such person or persons before him, and for the purpose of appraising any property or interest subject to, or liable for any inheritance tax hereunder, and for the purpose of determining the amount of tax due thereon, the said inheritance tax appraiser is hereby authorized to issue subpenas compelling the attendance of witnesses before him Any person or persons who shall be served with a subpena, issued by said inheritance tax appraiser, to appear and testify or to produce books and papers, and who shall refuse and neglect to appear and testify or to produce books and papers relevant to such appraisement, as commanded in such subpena, shall be guilty of a contempt of court. And he may examine and take the evidence of such witnesses, or of such executor or administrator, or other person under oath concerning such property and the value thereof and concerning the property or the estate of such decedent subject to probate, and concerning any transfer made by such decedent within the meaning of this act. Upon the completion of his inheritance tax appraisement in any probate proceeding, the inheritance tax appraiser shall make a report in writing to the superior court of the clear market value of the several interests in the estate of the decedent, and shall report the amount of inheritance, or transfer tax chargeable against, or a lien upon such interests, acquired by virtue of said probate proceedings or by any transfer within the meaning of this act, to any person, institution or corporation acquiring any property by virtue of said probate proceedings together with such other facts as may advise the court in regard thereto, or which the court may require, and may return to said superior court such depositions as he may have had reduced to writing, exhibits, or other testimony or information taken before him, or submitted to him.

(2) Upon the filing of said report said appraiser shall mail a copy thereof to the State Controller and the clerk of said superior court shall on said day or the next succeeding judicial day give notice of such filing to all persons interested in such proceedings by causing notice to be posted at the courthouse in the county where the court is held, and in addition thereto shall mail to the State Controller and to all persons chargeable with any tax in said report who have appeared in such proceeding, a copy of said notice At any time after the expiration of ten days thereafter, if no objection to said report be filed, the said superior court or a judge thereof, or a court commissioner of a county, or city and county, having a population of nine hundred thousand inhabitants or more, may, without further notice, give and make its order confirming said report and fixing the tax in accordance therewith. At any time prior to the making of said order, any person interested in said proceeding (including the State Controller) may file objections in writing to said report Thereupon the clerk of the said superior court shall fix a time, not less than ten days thereafter, for the hearing thereof, and shall give notice of said hearing by posting a notice thereof at the courthouse in the county where the court is held and by forthwith mailing a copy of such objections and of such notice to the State Controller, county treasurer and Inheritance Tax Appraiser. Upon the hearing of said objections, said court, may make such order as to it may seem meet and proper in the premises, provided, that for the purpose of said hearing the report of the Inheritance Tax Appraiser shall be presumed to be correct and it shall be the duty of the objector or objectors to proceed in support of said objection or objections.

(3) If, upon examination of the executor or administrator of said estate or other persons familiar with the affairs of such decedent, or from other information before him, it shall appear to the Inherent Tax Appraiser that there is no inheritance tax due out of said estate or a lien upon any property or interest therein, said appraiser may so certify to the superior court, and at any time thereafter, if no objection to said certificate shall have been filed, said superior court or a judge thereof may, without further notice, make an order or decree that there are no inheritance taxes due out of said estate, or upon any interest therein or may make such different order as may to it seem meet in the premises. Such order, and orders fixing tax, shall be conclusive only as to such property as may have been returned in the inventory or inventory and appraisement in said probate proceedings, or included in transfers disclosed to the Inheritance Tax Appraiser before making his report or issuing said certificate.

(4) In estates where the decedent leaves no one to take the estate, under the laws of this State, no report or certificate shall be filed by the Inheritance Tax Appraiser appointed by the court in said estate and no order fixing inheritance tax, or decreeing that there are no inheritance taxes due out of said estate, shall be made

by said court If said estate is distributed to the State of California and thereafter a petition is filed in the superior court of the county of Sacramento showing petitioner's claim or right to the property distributed to the State, or the proceeds thereof, said superior court shall appoint an Inheritance Tax Appraiser in said county of Sacramento to report to said superior court the amount of inheritance tax due in said matter. All proceedings thereafter shall be in compliance with the provisions of this section. No deductions shall be allowed in said proceeding.

SEC 17 (1) If it shall appear to the superior court upon petition of the State Controller that any transfer has been made within the meaning of this act, and the taxability thereof, and the liability for such tax and the amount thereof have not been determined, and that no proceedings are pending in any court in this State wherein the taxability of such transfer and the liability therefor, and the amount thereof may be determined, said court shall issue a citation ordering and directing the persons who may appear liable therefor or be known to own the property transferred or any part thereof or any interest therein, to appear before said court or before an Inheritance Tax Appraiser to be designated by said order at a time and place in said order named, not less than ten days nor more than one year from the date of such order, to be examined, under oath by said court, or by said appraiser as the case may be, concerning said transfer and all facts connected therewith, and concerning the property transferred and the character and value thereof If said person or persons shall be directed to appear before said appraiser said appraiser shall, at the time and place in said order named, or at such time and place to which said appraiser may adjourn said hearing, proceed to examine said person or persons and such witnesses as said appraiser may subpena before him, and for the purpose of said hearing, and for the purpose of ascertaining any facts concerning the taxability of said transfer or any taxes due on account of such transfer, said appraiser shall have the powers of a referee of said court, and is hereby authorized to issue subpenas compelling the attendance of witnesses before him, and to administer oath, and to take the evidence of such witnesses under oath concerning such property and the value thereof and concerning such transfer. Said appraiser shall report to said court his findings and conclusions in relation to said transfer and said tax, and may return to said court any depositions, exhibits or other testimony or information taken before him or exhibited to him The procedure subsequent to the filing of said report shall conform to subdivision (2) of section 16 of this act.

Except as herein otherwise provided, the service of such citation and the time, manner and proof thereof, and the hearing and determination thereon, and the hearing and determination upon the facts returned in such report, and the enforcement of the determination or decree shall conform to the provisions of chapter twenty-two, division three of the Probate Code, and the clerk of the court shall, upon the request of the State Controller, furnish, without fee, one or more transcripts of such decree, and the same shall be docketed and filed by the county clerk of any county in the State, without fee, in the same manner and with the same effect as provided by section 674 of the Code of Civil Procedure for filing a transcript of an original docket.

The superior court may hear the said cause upon the relation of the parties and the testimony of witnesses, and evidence produced in open court, and, if the court shall find that said property is not subject to any tax, as herein provided, the court shall by order, so determine; but if it shall appear that said property, or any part thereof, is subject to any such tax the same shall be appraised and taxed as in other cases

(2) Verified petitions may be filed by any interested party with the superior court alleging and admitting that a transfer within the meaning of this act has been made and the taxability thereof and the liability for such tax and the amount thereof have not been determined, and that no proceedings are pending in any court in this State wherein the taxability of such transfer and the liability therefor and the amount thereof, may be determined, and that the petitioner desires such determination and desires to pay said tax, if any be due Upon the filing of such petition the superior court or a judge thereof shall by order designate and appoint an inheritance Tax Appraiser to ascertain and report to said court the amount of the inheritance tax, if any, due by said petitioner on account of such transfer, and shall fix a time and place, not less than ten days thereafter, for the hearing of said matter before said inheritance tax appraiser, a copy of which petition and order shall be forthwith mailed to the State Controller, and shall refer said petition and said matter to said inheritance tax appraiser who shall have all the powers of a referee of said court, including the powers prescribed in subdivision (1) of section 16 of this act. The procedure subsequent to said reference to said appraiser shall conform to the provisions of subdivisions (1) and (2) of section 16 of this act

In the event that final judgment is rendered in said proceeding, ascertaining and determining that no inheritance tax is due on account of said transfer or that the amount of the tax to which said transfer is liable, is less than twenty dollars the court shall, in addition to the amount of the tax, if any, include in such judgment and assess against the petitioner reasonable compensation for said Inheritance Tax Appraiser not exceeding the sum of ten dollars, and the necessary traveling and incidental expenses of said appraiser.

(3) Actions may be brought against the State by an interested person for the purpose of quieting the title to any property against the lien or claim of lien of any tax or taxes under this act, or for the purpose of having it determined that any property is not subject to any lien for taxes nor chargeable with any tax under this act. No such action shall be maintained where any proceedings are pending in any court in this State wherein the taxability of such transfer and the liability therefor and the amount thereof may be determined. All parties interested in said transfer and in the taxability thereof shall be made parties thereto and any interested person who refuses to join as plaintiff therein may be made a defendant. Summons for the State in said action shall be served upon the State Controller.

At any time after issue is joined in such action the court, on its own motion, or upon the motion of any interested party, may by order appoint and designate an Inheritance Tax Appraiser to hear said matter and report to the court thereon and shall in such order fix a time and place for the hearing of said matter before said Inheritance Tax Appraiser, and direct notice of such time and place to be given in such manner as the court shall deem proper and shall refer said matter to said Inheritance Tax Appraiser who shall have all of the power of a referee of said court, including the powers prescribed in subdivision (1) of section 16 of this act. The procedure subsequent to said reference to said appraiser shall conform to the provisions of subdivision (1) and (2) of section 16 of this act.

Should the court determine that the property described in the complaint is subject to the lien of said tax and that said property has been transferred within the meaning of this act, the court shall award affirmative relief to the State in said action, and judgment shall be rendered therein in favor of the State, ascertaining and determining the amount of said tax, and the person or persons liable therefor, and the property chargeable therewith or subject to lien therefor, and shall assess against such person or persons reasonable compensation for said Inheritance Tax Appraiser and his necessary traveling and incidental expenses.

(4) Actions under this section shall be commenced in the superior court of the county in which is situated any part of any real property against which any lien is sought to be enforced, or to which title is sought to be quieted against any lien, or claim of lien; but if in said action no lien against real property is sought to be enforced, the action shall be brought in the superior court of the county which has or which had jurisdiction of the administration of the estate of the decedent mentioned herein.

(5) No fee shall be charged said State Controller by any public officer in this State for the filing or recording of any petition, lis pendens, decree or order, or for the taking of oaths or acknowledgments in any proceeding taken under this act; nor shall any undertaking be required from or costs charged against the State Controller or the State of California in any such proceeding.

SEC. 18. The orders, decrees and judgments fixing tax or determining that no tax is due, mentioned in this act, shall have the force and effect of judgments in civil actions. Except as otherwise herein provided, the provisions of the Code of Civil Procedure relative to judgments, new trials, appeals, attachments and execution of judgments, so far as applicable, shall govern all proceedings taken under this act. Nothing in this section shall preclude the State from relief herein provided for, which may be inconsistent with the provisions of the Code of Civil Procedure.

SEC. 19. The treasurer of each county shall collect all taxes and moneys that may be due and payable under this act and pay the same to the State Treasurer (excepting such moneys as he may pay out from time to time pursuant to the provisions of this act) and the State Treasurer shall give him a receipt therefor; of which collection and payment he shall make a report under oath, to the Controller, between the first and fifteenth days of May and December of each year, stating for what estate paid, and in such form and containing such particulars as the Controller may prescribe; and for all such taxes collected by him and not paid to the State Treasurer by the first day of June and January of each year he shall pay interest at the rate of ten per centum per annum.

SEC. 20. The treasurer of each county shall be allowed to retain, on all taxes paid and accounted for by him each year under this act, in addition to his salary or fees now allowed by law, three per centum of the first fifty thousand dollars so paid and accounted for by him, one and one-half per centum on the next fifty thousand dollars so paid and accounted for by him, and one per centum on all additional sums so paid and accounted for by him; provided, that no county treasurer of a county of the first class, or a county of the second class or a county of the third class shall be entitled to retain to his own use more than the sum of five hundred dollars out of the inheritance taxes paid on account of any transfer or transfers made by or resulting from the death of any one decedent; provided, that the county treasurer of a county of all other classes shall not be entitled to retain to his own use more than the sum of two hundred dollars out of the inheritance taxes paid on account of any transfer or transfers made by or resulting from the death of any one decedent; provided, that no portion of the moneys paid on account of inheritance taxes in any one case in excess of the sum entitling

the treasurer of a county of the first class, of a county of the second class and a county of the third class to retain five hundred dollars and entitling the treasurer of a county of all other classes to retain two hundred dollars for his own use shall be considered in computing his commissions in succeeding cases; and provided, further, that in counties of the first class the treasurer shall be entitled to retain as commissions not exceeding twelve thousand dollars out of the total inheritance taxes accounted for by him in any one year; that in counties of the second class the treasurer shall be entitled to retain as commissions not exceeding twelve thousand dollars out of the total inheritance taxes accounted for by him in any one year, that in counties of the third class the treasurer shall be entitled to retain as commissions not exceeding eight thousand dollars out of the total inheritance taxes accounted for by him in any one year; and that in counties of all other classes the treasurer shall be entitled to retain as commissions not exceeding five thousand dollars out of the total inheritance taxes accounted for by him in any one year.

SEC. 21. The State Controller, whenever he shall be cited as a party in any proceeding or action to determine any tax under this act provided, or whenever he shall deem it necessary for the better enforcement of this act to make any special employment to secure evidence of evasion of said tax, or to commence or appear in any proceeding or action to determine any tax hereunder may by and with the consent and approval of the Attorney General, make such special employment or designate and employ counsel or attorneys in or out of this State to represent him on behalf of the State, and, by and with such consent of the Attorney General, he is hereby authorized to incur the necessary expense for such employment and any reasonable and necessary expense incident thereto. And the county treasurer is hereby authorized and directed to pay out of any funds which may be in his hands on account of this tax, on presentation of a sworn itemized account and on certificate of the State Controller and Attorney General, all expenses incurred as in this section above provided, but no expense for such special employment or legal services, up to and including the entry of the order of the court fixing the tax and the same becoming final, shall exceed ten per centum of the tax and penalties collected; provided, that all reasonable and necessary expenses incurred, in any legal action or proceeding in any court of this State or on any appeal therefrom, other than attorney's fees, including expenses of serving processes and printing and preparing of necessary legal papers, may be allowed and paid in the manner above provided, even though no tax be recovered in such action or proceeding, and the limitations herein made shall not apply thereto.

SEC. 22. All taxes levied and collected under this act shall be paid into the State treasury to the credit of the general fund.

SEC. 23. Every officer who fails or refuses, to perform within a reasonable time, any and every duty required by the provisions of this act, or who fails or refuses to make and deliver within a reasonable time any statement or record required by this act, shall forfeit to the State of California the sum of one thousand dollars, to be recovered in an action brought by the Attorney General in the name of the people of the State on the relation of the Controller.

SEC. 24. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

SEC 25. An act entitled "An act to be known as the 'Inheritance Tax Act,' to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under an act hereby repealed; and to repeal Chapter 589 of the laws of the session of the Legislature of California of 1917, approved May 23, 1917, known as the 'Inheritance Tax Act,' and to repeal all acts and parts of acts in conflict with this act," approved June 3, 1921 and all amendments thereto, and all acts and parts of acts in conflict with this act are hereby expressly repealed; provided, however, that such repeal shall in nowise affect any suit, prosecution or proceeding pending at the time this act shall take effect, or any right which the State of California may have at the time of the taking effect of this act, to claim a tax upon any property under the provisions of the act or acts hereby repealed, for which no proceeding has been commenced; and where no proceeding has been commenced, to collect any tax arising under any act hereby repealed the procedure to collect such tax shall conform to the provisions hereof; nor shall such repeal affect any appeal, right of appeal in any suit pending, or orders fixing tax, existing in this State at the time of the taking effect of this act.

SEC. 26 This act inasmuch as it provides for tax levies for the usual current expenses of the State, shall, under the provisions of section 1 of Article IV of the Constitution, take effect immediately."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1614—An act to amend section 135 of the Vehicle Code, relating to the California Highway Patrol.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 24 and 25, of the printed bill, strike out "for the purpose of enforcing the provisions of this code or of any other law".

Amendment No. 2.

On page 2, line 1, of the printed bill, after the word "code", and before the comma, insert the following: "and of any and all other acts respecting the use or operation of vehicles upon public highways".

Amendment No. 3.

On page 2, line 4, of the printed bill, strike out the word "hot".

Amendment No. 4.

On page 2, line 7, of the printed bill, change the comma to a period, and also strike out all of lines 8, 9, 10, 11, and 12.

Amendment No. 5.

On page 2, line 28, of the printed bill, strike out "(c)", and insert in lieu thereof "(e)".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1499—An act to amend the Vehicle Code, relating to vehicles.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "amend", and insert in lieu thereof the following: "add section 620.5 to".

Amendment No. 2.

On page 1, line 1, of the printed bill, after "Section 1", insert the following: "Section 620.5 is hereby added to the Vehicle Code to read as follows:

620.5. On and after January 1, 1937, every motor vehicle operated at the times specified in section 618 must be equipped with reflectors capable of throwing a light across and at least forty feet beyond the edge of the highway and at least four hundred feet along the highway in the direction in which the vehicle is proceeding. The plating of the reflector must be such that it will not deteriorate or tarnish but be of such quality that it can be cleaned at any time without the necessity of or application of any special formula.

Any person who violates the provisions of this section is guilty of a misdemeanor, punishable by a fine of not less than twenty-five dollars, or more than one hundred dollars, or by imprisonment for not less than ten days nor more than forty days, or by both."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 223—An act to amend section 3649 of the Political Code, relating to the assessment and taxation of property escaping

assessment between the first Monday in March and the first Monday in July.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 2 to 4, inclusive, of the title, and insert in lieu thereof the following. "to taxation."

Amendment No. 2.

On page 1, line 1, of the printed bill, before "Section 3649", insert the following: "Section 1."

Amendment No. 3.

On page 1 of the printed bill, after line 2, insert the following:

"3649. In the event of the failure or neglect of any person to return to the assessor for taxation any property between the first Monday in March and the first Monday in July of any year, such property when discovered by the assessor to have escaped taxation for such year, if such property is in the ownership or under the control of the same person who owned or controlled it on the first Monday in March, shall be assessed and entry thereof immediately made upon the assessment roll.

Any property discovered by the assessor to have escaped assessment for the last preceding year, if such property is in the ownership or under the control of the same person who owned or controlled it for such preceding year, shall be assessed for such year upon the current assessment roll and such entry shall bear the wording "escaped assessment for the year 19__".

Taxes on all personal property not secured by real estate shall become delinquent on the first day in September, regardless of whether or not the property was discovered and assessed prior to or after said date, and thereupon a penalty equal to eight per cent shall attach to the tax so levied.

Nothing in this section shall be construed as an interference to the assessor in carrying out the provisions of section 3821 of the Political Code.

The authority of the assessor to seize and sell personal property for nonpayment of taxes mentioned in this section, for any year, shall be extended to a period of not more than two years from the date upon which the lien for such taxes attached for such year.

Property taxable under the provisions of section 3627a of the Political Code is not subject to the provisions of this section."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 750—An act to impose a tax on the transfer of shares or certificates of stock, certificates of rights to stock, or certificates of deposits of stock, or bonds, and to provide for the collection thereof, to take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 26, of the printed bill, strike out the words "two" and "one".

Amendment No. 2.

On page 2, line 27, of the printed bill, strike out the word "half", and insert in lieu thereof the word "one".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2365—An act requiring licenses for the operation, maintenance or establishment of stores in this State, prescribing the license and filing fees to be paid therefor; providing for penalties for the violation of this act, providing for the enforcement of this act.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 4, line 32, of the printed bill, as amended, strike out all of lines 32 to 41, inclusive, and insert in lieu thereof the following:

"Store number one—one (1) dollar, store number two (2)—two (2) dollars, store number three (3)—four (4) dollars, store number four (4)—eight (8) dollars, store number five (5)—sixteen (16) dollars, store number six (6)—thirty-two (32) dollars, store number seven (7)—sixty-four (64) dollars, store number eight (8)—one hundred twenty-eight (128) dollars, store number nine (9)—two hundred fifty-six (256) dollars, store number ten (10)—five hundred (500) dollars, and each and every store above this number—five hundred (500) dollars, for each such store."

Amendment No. 2.

On page 3, line 18, of the printed bill, following the word "warehouse", insert the following:

"The provisions of this act shall not apply to establishments or facilities maintained as part of the transportation facilities of common carriers primarily for the furnishing of meals and other commodities to their passengers and employees."

Amendment No. 3.

On page 3, line 13, of the printed bill, strike out the second comma and the word "either".

Amendment No. 4.

On page 3, line 14, of the printed bill, strike out the words "or wholesale".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 669—An act to add section 3817½ of the Political Code, relating to taxation.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "declaring the urgency hereof and providing that this act shall take immediate effect"

Amendment No. 2.

On page 1, line 4, of the printed bill, after "taxes", insert the following: "prior to the first day of December, 1935,".

Amendment No. 3.

On page 1 of the printed bill, after line 19, add the following:

"SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of section 1 of Article IV of the Constitution of the State of California, and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

Due to the existence of the present economic depression, many taxpayers have been unable to pay their taxes or to redeem their property from sale to the State for delinquency. By permitting redemption as provided for herein, many taxpayers will be enabled to redeem their property and the same will be restored to the tax rolls to add revenue for maintenance of local government."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1795—An act to amend sections 1, 3½, 4 and 5 of "An act to be known as the Child Labor Law and regulating the employment, hours, kinds and conditions of labor of children; providing for the administration and enforcement of the provisions of this act by the

Commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 19, 1919, as amended.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, after the period, insert the following:

"No minor under the age of eighteen years shall be employed, permitted or suffered to work in or in connection with any mercantile establishment, manufacturing establishment, mechanical establishment, workshop, office, laundry, place of amusement, restaurant, hotel, apartment house, or in the distribution or transmission of merchandise or messages, or in any other place of labor at any time except as may be otherwise provided herein or in an act entitled "An act to enforce the educational rights of children and providing penalties for violation of the act," as now in force or as may be hereafter amended, or in an act entitled "An act to require certain high school districts to provide part-time educational opportunities in civic and vocational subjects for persons under eighteen years of age, who are not in attendance upon full-time day schools, and part-time educational opportunities in citizenship for persons under twenty-one years of age who can not adequately speak, read or write the English language; to enforce attendance upon such part-time classes where established, and providing penalties for violation of the provisions of this act"

Work shall be deemed to be done for a manufacturing establishment within the meaning of this act, whenever it is done at any place upon the work of a manufacturing establishment, or upon any of the materials entering into the products of a manufacturing establishment, whether under contract or arrangement with any person in charge of or connected with a manufacturing establishment directly or indirectly through the instrumentality of one or more contractors or other third persons.

SEC. 2. Section 3½ of the act mentioned in the title hereof amended to read as follows:

Sec. 3½. No boy under eighteen years of age, nor girl under twenty-one years of age, shall be employed, permitted or suffered to work at any time in or in connection with the street occupation of peddling, bootblacking, the sale or distribution of newspapers, magazines, periodicals or circulars nor in any other occupation pursued in any street or public place; provided, however, that nothing in this section shall be construed to apply to cities whose population is less than twenty-three thousand, according to the last Federal Census.

SEC 3. Section 4 of the act mentioned in the title hereof is hereby amended to read as follows

Sec. 4 No minor under the age of eighteen years shall be employed, permitted or suffered to work in any capacity at any of the following occupations or in any of the following positions, to wit: (1) Adjusting any belt to any machinery, or sewing or lacing machine belts in any workshop or factory, or oiling, wiping or cleaning machinery, or assisting therein, or operating or assisting in operating any of the following machines (a) Circular or band saws; (b) wood shapers; (c) wood jointers; (d) planers; (e) sandpaper or wood-polishing machinery; (f) wood-turning or boring machinery, (g) picker machines or machines used in picking wool, cotton, hair or any other material; (h) carding machines; (i) paper-lace machines; (j) leather-burnishing machines, (k) printing presses of all kinds; (l) boring or drill presses; (m) stamping machines used in sheet metal and tinware or in paper and leather manufacturing, or in washer and nut factories; (n) metal or paper-cutting machines; (o) corner-staying machines in paper box factories; (p) corrugating rolls, such as are used in corrugated paper, roofing or washboard factories; (q) steam boilers; (r) dough brakes or cracker machinery of any description; (s) wire or iron straightening or drawing machinery, (t) rolling mill machinery; (u) power punches or shears, (v) washing, grinding or mixing machinery; (w) calendar rolls in paper and rubber manufacturing; (x) laundering machinery; or in proximity to any hazardous or unguarded belts, machinery or gearing; or (2) upon any railroad, whether steam, electric or hydraulic; or (3) upon any vessel or boat engaged in navigation or commerce within the jurisdiction of this State; or (4) in, about, or in connection with any processes in which dangerous or poisonous acids are used; or (5) in the manufacture or packing of paints, colors, white or red lead or (6) in soldering; or (7) in occupations causing dust in injurious quantities; or (8) in the manufacture or use of dangerous or poisonous dyes, or (9) in the manufacture or preparation of compositions with dangerous or poisonous gases; or (10) in the manufacture or use of compositions of lye in which the quantity thereof is injurious to health, or (11) on scaffolding, or (12) in heavy work in the building trades; or (13) in any tunnel or excavation, or (14) in, about, or in connection with any mine, coal breaker, coke oven, or quarry; or (15) in assorting, manufacturing or packing tobacco; or (16) in operat-

ing any automobile, motor car or truck; or (17) in a bowling alley; or (18) in a pool or billiard room; or (19) in any other occupation dangerous to the life or limb, or injurious to the health or morals of such child; provided, however, that the provisions of this section shall not apply to the courses of training in vocational or manual training schools or in State institutions

The Bureau of Labor Statistics may, from time to time, after a hearing duly had, determine whether or not any particular trade, process of manufacture or occupation, in which the employment of children under the age of eighteen years is not already forbidden by law, or any particular method of carrying on such trade, process of manufacture or occupation, is sufficiently dangerous to the lives or limbs or injurious to the health or morals of children under eighteen years of age to justify their exclusion therefrom. No child under eighteen years of age shall be employed, permitted or suffered to work in any occupation thus determined to be dangerous or injurious to such children. There shall be a right of appeal to the superior court from any such determination

SEC 4 A new section is hereby added to the act mentioned in the title hereof to be numbered section 5 and to read as follows:

SEC. 5. (a) The working day for minors employed in professional work up to and including eight years of age shall end at six p.m The term professional work as used herein shall include work in the production of motion pictures, dramas and plays

(b) Minors under eighteen years of age and over eight shall not work in professional work after ten p.m , except as otherwise provided in this section.

(c) Under no conditions may a minor under eighteen years of age work in professional work after twelve midnight.

(d) Minors over eight and under eighteen who are employed in such professional work after six p.m. shall not be permitted to attend regular school on the days so employed, but shall be privately taught by a tutor in accordance with the provisions of section 1.144 of the School Code.

(e) Dramas and plays and the production of motion picture plays, as such terms are used herein, shall include participation in sponsored radio programs, and no radio program shall be allowed to interfere with the school work of such minor so employed unless a tutor is provided in accordance with the provisions of section 1 144—Part II of the School Code

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 427—An act authorizing the legislative body of a municipality to vacate, abandon and close any public street, highway, road, boulevard, avenue, alley, way, lane or place, or any part thereof, either to the whole extent of the public right therein or to any partial extent, and prescribing a procedure therefor.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, as amended, after "lane", insert a comma and the following: "court".

Amendment No. 2.

On page 1, line 8, of the printed bill, as amended, after "lanes", insert a comma and the following: "courts".

Amendment No. 3.

On page 1, line 17, of the printed bill, as amended, after "street,", insert the following: "highway, road, boulevard,".

Amendment No. 4.

On page 2, line 25, of the printed bill, as amended, strike out "of".

Amendment No. 5.

On page 2, lines 47 and 48, of the printed bill, as amended, strike out "highways, roads, boulevards, avenues, lanes or places,".

Amendment No. 6.

On page 12 of the printed bill, as amended, strike out line 46, and insert in lieu thereof the following: "2. The terms "municipality" or "city" include every incor-".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 823—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 18, 1883, as amended, by amending section 862 thereof, relating to and adding to the powers of sixth class cities.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, strike out the words "or town".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out all of lines 18 to 23, inclusive, and in line 17, strike out ", and to issue", and insert in lieu thereof a period.

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out all of lines 1 to 6, inclusive; on the same page, line 39, following the word "sewers", strike out the comma and insert in lieu thereof a period; on the same page, strike out all of lines 40 to 52, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 845—An act to amend the title and sections 1, 2, 3, 4, 5, 6, 7, 9, 10, 15, 16, 17, 20, 22 and 24½ and to repeal section 3½ of an act entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department and to assess and collect taxes, from time to time, for such purpose, and to create a board of fire commissioners," approved March 4, 1881, as amended, relating to fire departments in unincorporated towns and villages.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 48, of the printed bill, after the comma after "incurred," insert the following: "or of the ensuing year thereafter".

Amendment No. 2.

On page 2, line 49, of the printed bill, strike out "such year", and insert in lieu thereof the following: "either such current year or such ensuing year".

Amendment No. 3.

On page 3, line 16, of the printed bill, strike out "Election", and insert in lieu thereof the following: "Elections".

Amendment No. 4.

On page 4, line 10, of the printed bill, strike out "election laws", and insert in lieu thereof the following: "laws governing elections in cities of the sixth class, so far as the same may be applicable, and except as herein otherwise provided".

Amendment No. 5.

On page 4, line 14, of the printed bill, strike out "the" at the end of said line, and insert in lieu thereof the following: "such".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1236—An act to amend an act entitled "An act to authorize municipal corporations to issue bonds, for the purpose of investing the proceeds arising from the sale thereof, in other bonds issued for public improvements," approved April 26, 1909, by amending the title and sections 1, 2 and 3 thereof, relating to bonds to be purchased and the use of the funds.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 15, of the printed bill, as amended, following the comma, insert the following: "or any district therein,".

Amendment No. 2.

On page 2 of the printed bill, as amended, following line 18, insert the following: "If the bonds are to be issued to provide funds for the purchase of outstanding bonds, the ordinance calling the election shall briefly and generally state what bonds are to be purchased or acquired, the total principal amount thereof and the maximum purchase price proposed to be paid therefor, and the maximum purchase price so stated shall not be exceeded in the purchase of such bonds. The bonds issued under this act may be sold at not less than the par value thereof or may be exchanged at their par value for the outstanding bonds; provided the outstanding bonds are taken in such exchange at a price not exceeding the maximum purchase price stated in the ordinance calling the election"

On page 2, line 20, of the printed bill, as amended, following the word "act", insert the following: "of 1901, and the taxes for the payment thereof shall be levied as provided in said act".

On page 2, line 31, of the printed bill, as amended, following the word "fund", insert the following: "; provided, however, that if the bonds are issued to provide funds for the purchase of certain outstanding bonds, they may be used only for that purpose, and all of said funds not so used and all sums received in payment of principal or interest of the bonds acquired by the city or received from the sale of any thereof (if such bonds are sold by the city as hereinafter provided) shall be used for the payment of the principal and interest of the bonds issued pursuant to this act".

On page 2, line 48, of the printed bill, as amended, strike out the word "purchased", and insert in lieu thereof the word "acquired".

Amendments adopted.

Bill read second time, ordered to reprint, re-re-re-engrossment, and third reading.

Assembly Bill No. 1526—An act to amend an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 17, 1911, by adding thereto a new section to be numbered 18½.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "amend an act entitled "An act to provide for work"; also strike out lines 2 to 11, inclusive, and insert in lieu thereof the following: "add a new section to be numbered 18.5 to the "Improvement Act of 1911" approved April 7, 1911, relating to contributions of moneys or materials, declaring the urgency thereof and providing that this act shall take effect immediately"

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "An act entitled "An act to provide for work in"; also strike out lines 2 to 16, inclusive, of the printed bill, and insert in lieu thereof the following: "A new section to be numbered 18.5 is hereby added to the act cited in the title hereof to read as follows:

Sec. 18.5. Should any fiscal agent of the United States Government contribute any moneys or materials to be used in the construction of any work provided for in this act, the requirements of the agency contributing such moneys or materials may be incorporated in the contract.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of section 1 of Article IV of the Constitution of the State of California, and shall go into effect immediately

The following is a statement of facts constituting such necessity: the public peace, health and safety require the construction of streets, avenues, lanes, alleys, courts, places, sidewalks, rights of way and other public improvements, and such public funds are not available to defray the entire cost and expense of such improvements Legislation is necessary to authorize the contribution of moneys, materials, supplies or equipment, or any of them, by governmental agencies Federal funds are now available for such purpose. Therefore, this bill providing for contributions of moneys or materials to pay a portion of such cost and expense is urgently necessary and shall go into effect immediately"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 825—An act to provide for the formation of sewer districts within counties, cities and counties and municipalities for the acquisition or construction of sanitary sewage works or improvements, for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition, construction, maintenance and operation of such improvements.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended in the title, strike out the language "to meet the cost of such improvements, and", and insert in lieu thereof a comma.

In the last line of the title of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: ", and for the fixing, collecting and application of revenues, rates and charges for the use of the sewage works or improvements."

On page 1, line 5, of the printed bill, as amended, strike out the word "and", and insert in lieu thereof the word "or".

On page 1, line 10, of the printed bill, as amended, following the period, insert the following: "All or any part of said system, work or improvement may lie outside the boundaries of the district or of the city in which any district may be formed under this act."

Amendment No. 2.

On page 2, line 36, of the printed bill, as amended, strike out the word "proposed", and insert in lieu thereof the word "estimated".

On page 2, line 37, of the printed bill, as amended, following the word "charges", insert the word "proposed"

On page 2, line 37, of the printed bill, as amended, following the word "the", insert the following: "different classes of users or property for the".

On page 2, line 45, of the printed bill, as amended, following the word "municipality," insert the word "county".

Amendment No. 3.

On page 4, line 28, of the printed bill, as amended, following the word "bonds", insert the following: "(including rates or charges for the use thereof)".

On page 4, line 29, of the printed bill, as amended, following the word "for", insert the following: "the different classes of users or property for".

On page 4, line 39, of the printed bill, as amended, strike out the word "twice", and insert in lieu thereof the words "once a week for two weeks".

On page 4, line 47, of the printed bill, as amended, following the word "voting", strike out the words "at such"; and in line 48, strike out the word "election", and insert in lieu thereof the words "on the propostion".

Amendment No. 4.

On page 6, line 29, of the printed bill, as amended, following the word "be", insert the words "payable monthly and shall be".

On page 6, line 46, of the printed bill, as amended, strike out the word "funds", and insert in lieu thereof the words "the sums".

On page 6, line 49, of the printed bill, as amended, following the word "shall", insert the following: "determine whether the system, work or improvement shall be operated upon a calendar, operating or fiscal year basis, and the dates of the beginning and ending of the same, and shall provide that the gross annual revenues be set aside monthly, or at such other period as it may determine and fix in said ordinance, into separate and special funds as".

On page 6, line 49, of the printed bill, as amended, strike out all of the language, following the word "shall", and strike out all of lines 50 and 51.

On page 6, line 52, of the printed bill, as amended, following the word "gross", insert the word "annual".

Amendment No. 5.

On page 7, line 1, of the printed bill, as amended, strike out the word "all", and insert in lieu thereof the words "the reasonable yearly".

On page 7, line 3, of the printed bill, as amended, following the word "necessary", insert the words "that year".

On page 7, line 3, of the printed bill, as amended, following the word "system", insert the following: ", work".

On page 7, line 4, of the printed bill, as amended, strike out the word "project", and insert in lieu thereof the word "improvement".

On page 7, line 10, of the printed bill, as amended, strike out the following: "Out of the remaining gross revenues", and strike out all of lines 11 to 18, inclusive, and insert in lieu thereof the following: "The remaining gross revenues shall go into a fund to be designated "Contingent fund" and such fund shall constitute a reserve to be used when necessary to pay principal or interest of bonds or to pay any necessary reasonable expense of maintenance. In the event that the gross revenues of any calendar, operating or fiscal year, after the expenses of administration, operation and maintenance for the year are paid, shall be insufficient to pay the portion of the principal of bonds and interest (except interest for the first two years which is actually paid from the proceeds of the sale of the bonds) of bonds which must be provided for in such calendar, operating or fiscal year,".

Amendment No. 6.

On page 8, line 5, of the printed bill, as amended, following the word "to", insert the words "any premises of".

On page 8, line 6, of the printed bill, as amended, following the word "municipality", insert the words "operating the same"; and in the same line, following the word "agency", insert the word "thereof".

On page 8, of the printed bill, as amended, following line 14, insert the words "premises of".

On page 8, line 15, of the printed bill, as amended, following the word "municipality", insert the words "operating the system, work or improvement".

On page 8, line 42, of the printed bill, as amended, strike out all of the language following the word "attach", strike out all of line 43, and in line 44, strike out the words "to have notice or knowledge thereof until", and insert in lieu thereof the word "when".

On page 8, line 45, of the printed bill, as amended, strike out the word "files", and insert in lieu thereof the word "records".

On page 8, line 48, of the printed bill, as amended, following the word "lien", insert the following: ", the name of the owner thereof".

On page 8, following line 49, of the printed bill, as amended, insert the following: "A list of all rates or charges which have been delinquent three months or more shall be recorded at least every three months, but no delay or informality in recording same shall invalidate the lien of any unpaid rate or charge."

Amendment No. 7.

On page 9, line 4, of the printed bill, as amended, following the word "municipality", insert the words "which operates the system, work or improvement".

On page 9, line 10, of the printed bill, as amended, following the word "municipality", insert the words "which operates the system, work or improvement".

On page 9, line 16, of the printed bill, as amended, following the word "the", insert the words "treasurer of the"; and following the word "municipality", insert the words "which operates the system, work or improvement".

On page 9, line 17, of the printed bill, as amended, strike out the word "treasurer".

On page 9, line 18, of the printed bill, as amended, strike out the words "sixty days", and insert in lieu thereof the words "more than six months".

On page 9, line 21, of the printed bill, as amended, following the word "charges", insert the words "which have been recorded".

On page 9, line 23, of the printed bill, as amended, following the word "thereof", insert the words "in some newspaper published in the county, city and county or municipality, of which the treasurer is an officer, at least twenty days before the date of sale".

On page 9, line 26, of the printed bill, as amended, following the word "off", insert the words "by the treasurer".

On page 9, line 33, of the printed bill, as amended, following the word "month", insert the words "from the date of sale".

On page 9, line 42, of the printed bill, as amended, following the period, insert the following: "At least thirty days before any action to foreclose the lien of any rate or charge is brought, and at least thirty days before any sale of property is made by the treasurer, he shall cause notice of the proposed action to foreclose on any parcel or to sell any parcel to be sent by registered mail to the owner of the property on which the unpaid rate or charge is a lien. No defect or informality in such notice shall invalidate the foreclosure or sale; provided the notice is placed in the mail, postage prepaid, addressed to the owner of the property at his usual business or residence address."

Amendment No. 8.

On page 10, line 4, of the printed bill, as amended, strike out the word "charge", and insert in lieu thereof the word "change".

Amendment No. 9.

On page 11, line 33, of the printed bill, as amended, following the period, insert the following: "Whenever a sewage system, work or improvement is acquired or constructed for any district formed under the provisions of this act, all buildings within said district which are inhabited or used by human beings and which are not more than one hundred feet distant from the nearest portion of said sewage system, work or improvement, shall be connected with said sewage system, work or improvement within ninety days after the completion thereof, and the legislative body having control of such system, work or improvement shall declare the further maintenance or use of cesspools or other local means of sewage disposal by such buildings in such district to be a public nuisance and shall require such buildings to be connected with such sewage system, work or improvement within said ninety days. All rates and charges established for the use of or for services furnished by any sewage system, work or improvement constructed hereunder to any property in the district to be served thereby, shall be reasonable"

Amendment No. 10.

On page 12, line 39, of the printed bill, as amended, following the word "owners", insert the following: "(exclusive of any county, city and county, municipality or public corporation holding or owning any of said bonds)".

On page 12, line 39, of the printed bill, as amended, following the word "cent", insert the words "or more of the principal amount".

On page 12, line 43, of the printed bill, as amended, following the word "cent", insert the words "or more".

Amendment No. 11.

On page 13, line 15, of the printed bill, as amended, strike out all of the language preceding the period.

On page 13, line 30, of the printed bill, as amended, following the period, insert the following: "All bonds so purchased shall be immediately canceled by the treasurer."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1102—An act to add section 4452a to the Political Code, relating to responsibility of municipal corporations

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 3 and 4, of the printed bill, strike out "Municipal Corporations Responsible for Personal Injury."

Amendment No. 2.

On page 1, line 5, of the printed bill, strike out "to", and insert in lieu thereof the following: "or death of".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 951—An act relating to the securing of Federal aid in connection with the funding or refunding of outstanding bonds and/or assessments of assessment districts in the State of California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1677—An act to add section 8a to an act entitled "An act to provide for the formation, management and dissolution of county water works districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county water works district bonds and the payment thereof," approved June 13, 1913, relating to refunding bonds.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 422—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, between lines 1 and 2 of the title, insert the following: "and to add sections 690.1 to 690.4, inclusive, 690.6 to 690.23, inclusive, and 690.50, thereto,".

Amendment No. 2.

On page 1, line 3, of the printed bill, strike out "following property", and insert in lieu thereof the following: "property mentioned in the following sections".

Amendment No. 3.

On page 1, line 4, of the printed bill, strike out "herein", and insert in lieu thereof the following: "therein".

Amendment No. 4.

On page 1 of the printed bill, between lines 4 and 5, insert the following:

"SEC. 2. Section 690.1 is hereby added to the Code of Civil Procedure, to read as follows:".

Amendment No. 5.

On page 1, line 5, of the printed bill, strike out "1.", and insert in lieu thereof the following: "690.1."

Amendment No. 6.

On page 1, line 6, of the printed bill, strike out the semicolon, and insert in lieu thereof a period.

Amendment No. 7.

On page 1 of the printed bill, between lines 6 and 7, insert the following:

"SEC. 3. Section 690.2 is hereby added to the Code of Civil Procedure, to read as follows:".

Amendment No. 8.

On page 1, line 7, of the printed bill, strike out "2.", and insert in lieu thereof the following: "690.2."

Amendment No. 9.

On page 1, line 8, of the printed bill, after "one", insert the following: "refrigerator, washing machine,".

Amendment No. 10.

On page 1, line 16, of the printed bill, strike out "one piano, one shotgun and one rifle;", and insert in lieu thereof the following: "one radio, one piano, one shotgun and one rifle."

Amendment No. 11.

On page 1 of the printed bill, between lines 16 and 17, insert the following:
"SEC. 4. Section 690 3 is hereby added to the Code of Civil Procedure, to read as follows:".

Amendment No. 12.

On page 1, line 17, of the printed bill, strike out "3.", and insert in lieu thereof the following: "690.3."

Amendment No. 13.

On page 1, line 27, of the printed bill, strike out the semicolon, and insert in lieu thereof a period.

Amendment No. 14.

On page 2 of the printed bill, before line 1, insert the following:
"SEC. 5. Section 690 4 is hereby added to the Code of Civil Procedure, to read as follows:".

Amendment No. 15.

On page 2, line 1, of the printed bill, strike out "4.", and insert in lieu thereof the following: "690.4."

Amendment No. 16.

On page 2, line 3, of the printed bill, after the semicolon, insert the following: "the tools and instruments of an optometrist;".

Amendment No. 17.

On page 2, line 13, of the printed bill, after "also", insert the following: "the typewriter of a stenographer, and".

Amendment No. 18.

On page 2, line 18, of the printed bill, strike out the semicolon, and insert in lieu thereof a period.

Amendment No. 19.

On page 2 of the printed bill, between lines 18 and 19, insert the following:
"SEC. 6. Section 690.6 is hereby added to the Code of Civil Procedure, to read as follows:".

Amendment No. 20.

On page 2, line 19, of the printed bill, strike out "5", and insert in lieu thereof the following: "690.6."

Amendment No. 21.

On page 2, line 28, of the printed bill, strike out the semicolon, and insert in lieu thereof a period.

Amendment No. 22.

On page 2 of the printed bill, between lines 28 and 29, insert the following:
"SEC. 7. Section 690.7 is hereby added to the Code of Civil Procedure, to read as follows:".

Amendment No. 23.

On page 2, line 29, of the printed bill, strike out "6.", and insert in lieu thereof the following: "690.7."

Amendment No. 24.

On page 2, line 37, of the printed bill, strike out the semicolon, and insert in lieu thereof a period.

Amendment No. 25.

On page 2, between lines 37 and 38, of the printed bill, insert the following:
"SEC. 8. Section 690.8 is hereby added to the Code of Civil Procedure, to read as follows:".

Amendment No. 26.

On page 2, line 38, of the printed bill, strike out "7", and insert in lieu thereof the following: "690.8."

Amendment No. 27.

On page 2, line 40, of the printed bill, strike out the semicolon, and insert in lieu thereof a period.

Amendment No. 28.

On page 2 of the printed bill, between lines 40 and 41, insert the following
"SEC. 9. Section 690.9 is hereby added to the Code of Civil Procedure, to read as follows:".

Amendment No. 29.

On page 2, line 41, of the printed bill, strike out "8.", and insert in lieu thereof the following: "690.9."

Amendment No. 30.

On page 2, line 41, of the printed bill, strike out the semicolon, and insert in lieu thereof a period.

Amendment No. 31.

On page 2 of the printed bill, between lines 41 and 42, insert the following:
"SEC. 10. Section 690.10 is hereby added to the Code of Civil Procedure, to read as follows:".

Amendment No. 32.

On page 2, line 42, of the printed bill, strike out "9.", and insert in lieu thereof the following: "690.10."

Amendment No. 33.

On page 2, line 45, of the printed bill, strike out the semicolon, and insert in lieu thereof a period.

Amendment No. 34.

On page 2 of the printed bill, between lines 45 and 46, insert the following:
"SEC. 11. Section 690.11 is hereby added to the Code of Civil Procedure, to read as follows:".

Amendment No. 35.

On page 2, line 46, of the printed bill, strike out "10.", and insert in lieu thereof the following: "690.11."

Amendment No. 36.

On page 3, line 9, of the printed bill, strike out the semicolon, and insert in lieu thereof a period.

Amendment No. 37.

On page 3 of the printed bill, between lines 9 and 10, insert the following.
"SEC. 12. Section 690.12 is hereby added to the Code of Civil Procedure, to read read as follows:".

Amendment No. 38.

On page 3, line 10, of the printed bill, strike out "11.", and insert in lieu thereof the following: "690 12."

Amendment No. 39.

On page 3, line 13, of the printed bill, strike out the semicolon, and insert in lieu thereof a period.

Amendment No. 40.

On page 3 of the printed bill, between lines 13 and 14, insert the following:
"SEC. 13. Section 690.13 is hereby added to the Code of Civil Procedure, to read as follows:".

Amendment No. 41.

On page 3, line 14, of the printed bill, strike out "12", and insert in lieu thereof the following: "690.13."

Amendment No. 42.

On page 3, line 15, of the printed bill, strike out the semicolon, and insert in lieu thereof a period.

Amendment No. 43.

On page 3 of the printed bill, between lines 15 and 16, insert the following:
"SEC. 14. Section 690.14 is hereby added to the Code of Civil Procedure, to read as follows:".

Amendment No. 44.

On page 3, line 16, of the printed bill, strike out "13.", and insert in lieu thereof the following: "690.14."

Amendment No. 45.

On page 3, line 20, of the printed bill, strike out the semicolon, and insert in lieu thereof a period.

Amendment No. 46.

On page 3 of the printed bill, between lines 20 and 21, insert the following:
"SEC. 15. Section 690.15 is hereby added to the Code of Civil Procedure, to read as follows:".

Amendment No. 47.

On page 3, line 21, of the printed bill, strike out "14.", and insert in lieu thereof the following: "690.15."

Amendment No. 48.

On page 3, line 23, of the printed bill, strike out the semicolon and insert in lieu thereof a period.

Amendment No. 49.

On page 3 of the printed bill, between lines 23 and 24, insert the following:
"SEC. 16. Section 690 16 is hereby added to the Code of Civil Procedure, to read as follows:".

Amendment No. 50.

On page 3, line 24, of the printed bill, strike out "15.", and insert in lieu thereof the following: "690.16."

Amendment No. 51.

On page 3, line 35, of the printed bill, strike out the semicolon, and insert in lieu thereof a period.

Amendment No. 52.

On page 3 of the printed bill, between lines 35 and 36, insert the following:
"SEC. 17. Section 690.17 is hereby added to the Code of Civil Procedure, to read as follows:".

Amendment No. 53.

On page 3, line 36, of the printed bill, strike out "16.", and insert in lieu thereof the following: "690.17."

Amendment No. 54.

On page 3, line 41, of the printed bill, strike out the semicolon, and insert in lieu thereof a period.

Amendment No. 55.

On page 3 of the printed bill, between lines 41 and 42, insert the following:
"SEC 18. Section 690 18 is hereby added to the Code of Civil Procedure, to read as follows:"

Amendment No. 56.

On page 3, line 42, of the printed bill, strike out "17.", and insert in lieu thereof the following: "690.18."

Amendment No. 57.

On page 3, line 49, of the printed bill, strike out the semicolon, and insert in lieu thereof a period.

Amendment No. 58.

On page 3 of the printed bill, between lines 49 and 50, insert the following:
"SEC. 19. Section 690.19 is hereby added to the Code of Civil Procedure, to read as follows:".

Amendment No. 59.

On page 3, line 50, of the printed bill, strike out "18.", and insert in lieu thereof the following: "690.19."

Amendment No. 60.

On page 4, line 5, of the printed bill, after the semicolon, insert the following: "but where the beneficiary contracts in writing to pay the funeral expenses of the insured, there is no exemption as to the debt so incurred."

Amendment No. 61.

On page 4 of the printed bill, between lines 5 and 6, insert the following:
"SEC. 20. Section 690.20 is hereby added to the Code of Civil Procedure, to read as follows:".

Amendment No. 62.

On page 4, line 6, of the printed bill, strike out "19.", and insert in lieu thereof the following: "690.20."

Amendment No. 63.

On page 4, line 17, of the printed bill, strike out the semicolon, and insert in lieu thereof a period.

Amendment No. 64.

On page 4 of the printed bill, between lines 17 and 18, insert the following:
"SEC. 21. Section 690.21 is hereby added to the Code of Civil Procedure, to read as follows:".

Amendment No. 65.

On page 4, line 18, of the printed bill, strike out "20.", and insert in lieu thereof the following: "690.21."

Amendment No. 66.

On page 4, line 19, of the printed bill, strike out the semicolon, and insert in lieu thereof a period.

Amendment No. 67.

On page 4 of the printed bill, between lines 19 and 20, insert the following:
"SEC. 22. Section 690 22 is hereby added to the Code of Civil Procedure, to read as follows:".

Amendment No. 68.

On page 4, line 20, of the printed bill, strike out "21.", and insert in lieu thereof the following: "690.22"

Amendment No. 69.

On page 4 of the printed bill, between lines 25 and 26, insert the following: "SEC. 23. Section 690.23 is hereby added to the Code of Civil Procedure, to read as follows.".

Amendment No. 70.

On page 4, line 26, of the printed bill, strike out "22.", and insert in lieu thereof the following: "690.23"

Amendment No. 71.

On page 4 of the printed bill, between lines 32 and 33, insert the following: "SEC. 24. Section 690.50 is hereby added to the Code of Civil Procedure, to read as follows.".

Amendment No. 72.

On page 4, line 33, of the printed bill, before "No", insert the following: "690.50."

Amendment No. 73.

On page 4, line 34, of the printed bill, strike out "this section", and insert in lieu thereof the following: "the foregoing sections".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1082—An act pertaining to hours of labor in the commercial fishing industry.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 12 to 16, inclusive, and insert in lieu thereof the following: "a size of not less than eight fish to the can may be used. During such".

Amendment adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1330—An act to amend sections 990, 991, and 993, of Article 1, Chapter 5, Part 2, of the Fish and Game Code.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, as amended, strike out "within the State or out from the State,".

Amendment No. 2.

On page 2 of the printed bill, as amended, strike out lines 3 to 13, inclusive, and insert in lieu thereof the following "cant will comply with the provisions of this code during the effective term of the license issued pursuant to the application."

Amendments adopted.

Bill read second time, ordered to reprint, re-re-engrossment, and third reading.

Assembly Bill No. 50—An act to amend section 653 of the Fish and Game Code, relating to spearing salmon.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 362—An act to amend section 429 of the Fish and Game Code, relating to license fees.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 678—An act to amend section 1203.6 of the Fish and Game Code, relating to pheasants

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2092—An act to amend section 493 5 of the Fish and Game Code, and to add thereto section 741.5, relating to fish.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 911—An act to amend section 610 of the Fish and Game Code, relating to trout and whitefish.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "610", and insert in lieu thereof the following: "611".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "610", and insert in lieu thereof the following: "611".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 3 to 10, inclusive, and insert in lieu thereof the following:

"611. Golden trout may be taken in all districts, except in districts 1 and 4½, from July 1st to September 30th. Not more than twenty golden trout, nor more than ten pounds of golden trout and one golden trout may be taken in any day."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1027—An act to amend sections 535 and 536 of the Fish and Game Code, and to repeal sections 536.5, 536.6, 536.7, 536.8, and 536 9, relating to fish screens.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "amend sections 535 and 536 of", and insert in lieu thereof the following: "add section 520.6 to".

Amendment No. 2.

On page 1, lines 2 and 3 of the title of the printed bill, strike out "and to repeal sections 536.5, 536 6, 536 7, 536 8, and 536.9".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 to 27, inclusive, and insert in lieu thereof the following.

"SECTION 1. Section 520 6 is hereby added to the Fish and Game Code to read as follows

520.6. Whenever a permit to appropriate water from any stream in this State is issued by the Division of Water Resources of the Department of Public Works, pursuant to the provisions of Chapter 586, Statutes of 1913, as amended, a copy of said permit shall be filed by the permittee with the commission. When the commission deems that the construction of a fishway over any dam or that the installation of a fish screen in any conduit to be constructed under such permit is necessary for the preservation and protection of fish, and that construction and operation of such fishway or fish screen is practicable, it shall set a date for a hearing, which hearing shall be held within ten days after filing of such permit with the commission At such hearing the permittee shall be entitled to introduce

evidence to show that construction of such fishway or installation of such fish screen is not necessary or is not practicable, taking into consideration the height of the dam and the amount of water available or other pertinent facts. If, after such hearing, the commission finds that the construction of such fishway or fish screen is necessary and practicable it shall, within five days after such hearing, notify the applicant to that effect. After notice from the commission that a fishway or fish screen is required, it shall be unlawful to commence or further prosecute the construction of any such dam or such conduit, without first obtaining the written approval by the commission of the design for such a fishway or fish screen"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1692—An act relating to the manufacturing of fish meal and fish oil.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "relating to the manufacturing of fish meal and fish oil", and insert in lieu thereof the following: "to amend sections 1060 and 1073 of the Fish and Game Code, and to add thereto section 1076.5, relating to fishery products".

Amendment No. 2.

On page 1, line 1, of the printed bill, after "SECTION 1.", insert the following: "Section 1060 of the Fish and Game Code is hereby amended to read as follows:

1060. As used in this article:

(a) "Reduction plant" means any plant used in the reduction of fish into fish flour, fish meal, fish guano, fish scrap, fertilizer, fish oil or other fishery products or by-products.

(b) "Packer" means any person canning fish or preserving fish by the common methods of drying, salting, pickling or smoking.

(c) "Fish offal" means the heads, viscera, and other parts of fish taken off in preparing for canning or preserving, and whole fish unfit for human consumption because of deterioration.

(d) "Fish guano" means the fishery product resulting from the reduction of fish offal.

(e) "Fish meal" is the fishery product resulting from the reduction of whole fresh fish.

SEC. 2. Section 1073 is hereby amended to read as follows:

1073. Each packer and each person operating a reduction plant shall, on or before the fifth day of each calendar month, file with the commission a written report, under oath, on such form as may be prescribed by the commission, containing a statement of the amount of fish received at each of his plants during the preceding calendar month. The report must also state the amount of fish packed and the number and size of the containers of fish, fishery products and by-products packed, produced or reduced at each plant during said preceding calendar month. The report shall also indicate the amount of fish guano and fish meal produced during the preceding calendar month, the names and addresses of the purchasers and the amount purchased by each.

SEC. 3. Section 1076.5 is hereby added to the Fish and Game Code as reads as follows:

1076.5. All containers of fish guano or fish meal shall be legibly marked to indicate the character of the contents, and all such containers which bear no mark or are mismarked shall be seized by the commission and sold at public sale. The proceeds from all such sales shall be paid into the State treasury to the credit of the fish and game preservation fund."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2330—An act to amend the "Fish and Game Code," approved April 11, 1933, relating to fish and game and other wild life.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "amend", insert the following: "sections 62 and 93 of".

Amendment No. 2.

On page 1 of the printed bill, as amended, after the period, insert the following: "Section 62 of the Fish and Game Code is hereby amended to read as follows.

62. District 1 The following shall constitute Fish and Game District 1: Those portions of the following counties not included in other districts. Trinity, Shasta, Tehama, Plumas, Butte, Sierra, Sutter, Yuba, Nevada, Sacramento, Calaveras, Tuolumne, Mariposa, Madera, Tulare; those portions of San Joaquin County lying east and north of the east bank of San Joaquin River and not included in districts 3 and 12B; those portions of Stanislaus and Merced counties lying east of the west bank of the San Joaquin River, those portions of Fresno County lying east of the west bank of Fresno Slough, Fish Slough and Summit Lake, not included in district 1K; those portions of Kings County east of the main power line of the San Joaquin Light and Power Company, crossing the north line of Kings County, in section 4, township eighteen south, range nineteen east, and crossing the south line of said county on the section line between sections thirty-three and thirty-four, township twenty-four south, range nineteen east; those portions of Kern County lying east of the west bank of Bull Slough and the west and south banks of Buena Vista Lake to the southeast corner of the lake and lying north of a line extending from this point directly east and intersecting the Tejon State Highway and lying east of said State highway from the above mentioned point of intersection to where the said State highway crosses the northern boundary line of Los Angeles County, not included in other districts.

SEC. 2. Section 93 of the Fish and Game Code is hereby amended to read as follows:

93 District 23. The following shall constitute Fish and Game District 23: The counties of Placer, El Dorado, Alpine and Amador."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2252—An act to amend sections _____ of the School Code, relating to employment of teachers.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the word "sections", and insert in lieu thereof the following "section 5 773".

Amendment No. 2.

On page 1 of the printed bill, strike out all of line 2 of the title, and insert in lieu thereof the following: "to employees of school districts other than persons employed in positions requiring certification qualifications."

Amendment No. 3.

On page 1, line 1, of the printed bill, after the period, insert the following: "Section 5 773 of the School Code is hereby amended to read as follows:

5.773. In any school district situated within or partly within the boundaries of a chartered city having the population of a city of the first class or a city of the first and one-half class, the janitors and other employees of such school district not employed in positions requiring certification qualifications shall be employed in the same manner and under the same conditions as teachers are employed by such district and when so employed shall be removed only for cause and after charges have been filed and heard by the Board of Education.

All such employees who have been in the service of any such school district continuously for a period of one school year prior to July 1, 1935, shall be deemed to have been so employed.

The Board of Education shall have full power to make and enforce all necessary rules and regulations to carry out the provisions of this section."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 934—An act to amend section 5.63 of the School Code, relating to admission of nonresident students.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 935—An act to amend section 5.350 of the School Code, relating to fees for credentials and certificates.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 988—An act to amend section 5.161 of the School Code, relating to high school certificates.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 7, of the printed bill, strike out the word "five", and insert in lieu thereof the word "six".

Amendment No. 2.

On page 1, line 9, of the printed bill, strike out the period, and substitute therefor a comma, and add the following: "and provided further, that special certificates limited to specified subjects shall be valid for teaching such subjects in any grade of the elementary and secondary schools".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1753—An act to amend sections 2.876, 2.877, 2.878, 2.885, 2.890, 2.891, and to repeal 2.868 of the School Code, relating to the election or appointment of boards.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of line 3 of the title, and insert in lieu thereof the following: "school district elections."

Amendment No. 2.

On page 1, line 12, of the printed bill, strike out the following: "elections held under this article", and insert in lieu thereof the following: "all school district elections, except where otherwise provided".

Amendment No. 3.

On page 1, line 19, of the printed bill, after the period, insert the following: "Except where otherwise specifically provided by law, whenever any elementary school district comprises a precinct for the purpose of holding a high school district election or junior college district election, and such elementary district had during the preceding school year an average daily attendance of less than five hundred, the polls of such precinct shall not be opened before nine o'clock a.m., nor closed before five o'clock p.m., and must be kept open for not less than four hours."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2042—An act to amend sections 5.500, 5.680 and 5.681 of the School Code, relating to teachers.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "sections 5.500, 5.680 and 5.681", and insert in lieu thereof the following: "section 5.682".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 27, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 5.682 of the School Code is hereby amended to read as follows:

5.682. Anything in section 5.681 of this code to the contrary notwithstanding, governing boards of school districts having an average daily attendance of eight hundred fifty or more pupils shall have power and it shall be their duty to dismiss probationary employees for cause only. The determination of the board as to the sufficiency of the cause for dismissal shall be conclusive, but such cause must relate solely to the welfare of the schools and the pupils thereof.

Nothing contained in this section shall be construed to repeal or in any manner affect the provisions of section 5.680 of this code."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 549—An act granting certain submerged lands and tidelands of the State of California to the city of Oakland, including the management, use and control thereof.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 8 to 18, inclusive, and insert in lieu thereof the following: "Bounded on the north by the line of ordinary low tide of May 4, 1852; on the south by the southern boundary line of said city of Oakland; on the west by the projection southerly of the eastern line of Webster Street as the same now exists; on the east by the north arm of the estuary of San Antonio."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 150—An act granting to the City and County of San Francisco certain lands of the State of California located in the City and County of San Francisco upon certain trusts and conditions.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1028—An act for the raising of revenue to meet the expenditures of this State, not otherwise provided for, pursuant to the provisions of the first paragraph of section 15 of Article XIII of the Constitution, and adding section 3664a2 to the Political Code, relating to the taxation of operators of pipe lines used in the transportation of oil between points in this State, except common carriers, including tax delinquencies, tax penalties and costs, tax liens, remedies for unauthorized taxation, and defining the duties of operators of pipe lines, and prescribing penalties for violations of the act, and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1029—An act for the raising of revenue to meet the expenditures of this State not otherwise provided for, pursuant

to the provisions of the first paragraph of section 15 of Article XIII of the Constitution, and adding section 3664a3 to the Political Code, relating to the taxation of operators of pipe lines used in the transportation of gas between points in this State, except common carriers, including tax delinquencies, tax penalties and costs, tax liens, remedies for unauthorized taxation, and defining the duties of operators of such pipe lines, and prescribing penalties for violations of the act, and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered to engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 771—An act to add section 5a to "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931, relating to the employment of apprentices.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, as amended, after the period, insert the following: "In addition to being properly indentured such apprentices must be over eighteen years of age and under twenty-five years of age and a wage rate in each craft for such apprentices and the ratio of such apprentices in each craft to journeymen employed on a particular public works job must be set forth by the awarding body or officer in the call for bids for the contract and in the contract in conformity with the general prevailing custom or practice in the locality in which the work is performed. Such wage rate and ratio must also be maintained when the public officer or body does the work directly rather than by means of contract"

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 6 to 11, inclusive.

Amendment No. 3.

On page 1, line 1 of the title of the printed bill, as amended, strike out "section 5a", and insert in lieu thereof the following: "sections 5a and 7".

Amendment No. 4.

On page 1 of the printed bill, as amended, in the third from the last line of the title, before "contract", insert the following: "the"

Amendment No. 5.

On page 1 of the printed bill, as amended, after line 11, insert the following
"SEC. 2. Section 7 is hereby added to said act, to read as follows:
Sec. 7. This act may be cited and amended as the Wage Rate Act of 1931."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 269—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "amend section 690 of", and insert in lieu thereof the following: "add sections 690.30 and 690.40 to".

Amendment No. 2.

On page 1, lines 1 and 2, of the printed bill, as amended, strike out "690 of the Code of Civil Procedure is hereby amended", and insert in lieu thereof the following: "690.30 is hereby added to the Code of Civil Procedure,".

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out lines 3 to 27, inclusive, and strike out all of pages 2, 3, and 4, and insert in lieu thereof the following:

"690.30. One motor vehicle of a value not exceeding two hundred dollars is exempt from execution or attachment, except from execution issued upon a judgment recovered for its price, or upon a judgment of foreclosure of a mortgage or other lien thereon

SEC. 2 Section 690.40 is hereby added to the Code of Civil Procedure, to read as follows:

690.40. The instruments and chest of a chiropractor, necessary to the practice of his profession, with his professional library and necessary office furniture, are exempt from execution or attachment, except that no such article or species of property is exempt from execution issued upon a judgment recovered for its price, or upon a judgment of foreclosure of a mortgage or other lien thereon."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No 53—An act to amend section 6.90a of the School Code, relating to junior college buildings.

Bill read second time, and ordered on file for third reading.

Senate Bill No 260—An act to amend sections 2 870, 2 871, 2.872, 2.885, 2 887, 2.890, 2 911, 2 917, 2 940, 2 941, 9.990, 2 1055, 2 1090, 2.1152, and 2 1199 of the School Code of the State of California, relating to election of school trustees, etc.

Bill read second time, and ordered on file for third reading.

Unfinished Business.

Motion to Reconsider Assembly Bill No. 2048 Continued.

Mr. Reaves moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2048 was passed, be continued until the next legislative day.

Motion carried.

Motion to Reconsider Assembly Bill No. 1192 Continued.

Mr. Rosenthal moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1192 was refused passage be continued until the next legislative day.

Motion carried.

Motion to Reconsider Assembly Bill No. 1486 Continued.

Mr McCarthy moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1486 was passed be continued until the next legislative day.

Motion carried.

Motion to Reconsider Assembly Bill No. 128 Continued.

Mr. Utt moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No 128 was refused passage be continued until the next legislative day.

Motion carried.

Motion to Withdraw Assembly Bill No. 1825.

Mr. Hunt moved that Assembly Bill No. 1825 be withdrawn from Committee on Fish and Game, and ordered on file.

The question being on the motion by Mr. Hunt to withdrawing Assembly Bill No. 1825 from Committee on Fish and Game and place on file.

Demand for Previous Question.

Messrs Cottrell, Fisher, Fulcher, Cunningham and Boyle demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained

The question being on the motion by Mr Hunt to withdraw Assembly Bill No. 1825 from Committee on Fish and Game, and place on file.

The Speaker ordered a roll call taken on the motion by Mr. Hunt to withdraw Assembly Bill No 1825 from committee.

The roll was called, and the motion by Mr. Hunt carried by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Cassidy, Clark, Cunningham, Dawson, Donihue, Donnelly, Flint, Garibaldi, Gever, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Richie, Rosenthal, Turner, Voigt, Waters, Weber, and Williamson—42.

NOES—Breed, Chatters, Corwin, Cottrell, Crowley, DeLap, Evans, Herbert J., Fisher, Fulcher, Johnson, Kallam, Latham, Martin, Minard, Peterson, Redwine, Riley, Robertson, Scudder, Thorp, Utt, Wagner, Walker, Wallace, Wright, and Mr. Speaker—26.

Recess.

At ten o'clock and forty-five minutes a.m., by order of the Speaker, the Assembly was declared at recess to hear an address from Archie Clausen of Lodi, State Commander of California, American Legion.

Reassembled.

At ten o'clock and fifty-five minutes a.m. the Assembly reconvened. Speaker Craig in the chair.

Unfinished Business—(Resumed).

Consideration of Senate Amendment to Assembly Bill No. 1300.

Assembly Bill No. 1300—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their

accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal title sixteen of part four of division one of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, as amended, by amending sections numbered 4 01 relating to guarantee stock, 6.02 relating to withdrawals, 6.07 relating to investment certificates and shares, 8.09 relating to interest and dividends, 9.02 relating to investments and 9.04 relating to purchases, sales, transfers and pledges of loans; postponing the effective date of the amendment of section 6.02 of said act as set forth in section 5a of Chapter 431 of the Statutes of 1933; adding to said act new sections to be numbered 8.10 relating to rate of return on shares and investment certificates, 9.18 relating to insurance, loans, advances of credit and purchases of obligations pursuant to the National Housing Act, 10 03a relating to reserve or surplus accounts, 10.09 relating to reports, statements and analyses by the Building and Loan Commissioner and 12.11 relating to conversion of a building and loan association into a Federal savings and loan association and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to vote for or approve such conversion, to exchange shares, stock, investment certificates or other rights or claims for shares issued by such Federal savings and loan association, and to continue to hold as a legal investment any shares so received; adding a new article to be numbered XVI to said act relating to the rehabilitation, readjustment or reorganization of one or more building and loan associations of the classes specified in such Article XVI, or of all or of any part of the business, properties and assets of such association or associations, or the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of and other persons interested in such association or associations, providing for the kinds of securities issuable in connection therewith and exempting such securities from certain provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Article XVI, to exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received; and declaring the urgency of this act and providing that it shall take effect immediately.

Motion to Defer Action.

Mr. McCarthy moved that the Assembly defer action on the concurrence of Senate amendments to Assembly Bill No. 1300.

The question being on the motion by Mr. McCarthy to defer action on the concurrence of Senate amendments to Assembly Bill No. 1300.

Point of Order.

Mr. McCarthy arose to the following point of order: Stating that the special order had precedence over all other matter.

The Speaker ruled the point of order well taken.

Special Order.

The hour of eleven o'clock a.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Further Consideration of Assembly Bill No. 1618.

Assembly Bill No. 1618—An act to amend the Personal Property Broker's Act, relating to the classification and regulation of the business of personal property brokers, including the fixing and regulation of their charges and interest, and to repeal all acts and parts of acts inconsistent herewith.

Request for Unanimous Consent.

Mr. Cronin asked for, and was granted, unanimous consent to take up Assembly Bill No. 1618, as amended, at this time, without reference to reprint, and that same be considered re-re-re-engrossed.

Assembly Bill No. 1618, as amended, read third time.

Consideration of Amendments Nos. 8 and 9.

During third reading of the bill, the following amendments were submitted by Messrs. Evans, Ralph W., and McCarthy:

Amendment No. 8.

On page 5, line 52, of the printed bill, as amended, strike out "(which", and insert in lieu thereof the following: ", as interest, which may equal but may not exceed one per cent per month on the unpaid principal balances, and a sum as "service charge" which may be equal, but may not exceed three per cent of the sum of money loaned. Such service charge may not be charged for any renewal or extension of the original loan. Such interest and "service charge" herein referred to as "charges" ".

Amendment No. 9.

On page 6 of the printed bill, as amended, strike out lines 6 to 8, inclusive, and insert in lieu thereof the following: "No. 79. No".

The question being on the adoption of Amendments Nos. 8 and 9.

Demand for Previous Question.

Messrs. Fisher, Morgan, Geyer, Stream and DeLap demanded the previous question.

The question being put: Shall the main question be now put?

Motion to Expunge Record.

Mr. Hornblower moved that the vote taken on the previous question, be expunged from the record, and the action rescinded.

Motion carried.

The Speaker ordered a roll call taken on the adoption of Amendments Nos. 8 and 9 to Assembly Bill No. 1618 submitted by Messrs. McCarthy and Evans, Ralph W.

Further Consideration of Assembly Bill No. 1618, as Amended, Deferred.

On motion of Mr. Lyon, further consideration of Assembly Bill No. 1618 was deferred until two o'clock p.m. this day.

Reports of Standing Committees—(Resumed).

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 106—An act to add section 3.54 to and to amend section 6 750 of the

School Code, relating to activities of a seditious nature in connection with the public school system;

Also: Assembly Bill No. 107—An act to add sections 39, 39a, and 39b to the Penal Code, relating to advocating the overthrow of government by force, violence or other unlawful means;

Also: Assembly Bill No. 108—An act to add section 8a to an "Act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905." approved May 31, 1917, relating to the duties of sheriffs, marshals, and chiefs of police in relation to activities of a seditious nature;

Also: Assembly Bill No. 487—An act to amend section 692 of the Code of Civil Procedure, relating to sales of property under execution or under power contained in a deed of trust;

Also: Assembly Bill No. 904—An act to amend section 600 of the Probate Code, relating to inventory and appraisement of estates;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LYON, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1038—An act to add a new section to the Political Code of the State of California to be numbered 3810, relating to judicial review of assessments and taxes alleged to be illegal or erroneous and providing procedure for such review;

Also: Assembly Bill No. 1774—An act to amend the Real Estate Brokers License Act;

Also Assembly Bill No. 1870—An act to amend section 4 of an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, relating to injunctions;

Also: Assembly Bill No. 1916—An act to amend section 537 of the Code of Civil Procedure, relating to attachments;

Also: Assembly Bill No. 2208—An act requiring marine architects to be certified as such, setting out qualifications, rules and regulations therefor,

Also: Assembly Bill No. 2308—An act to amend section 170 of the Civil Code, relating to husband and wife;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LYON, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 167—An act to add section 2924d to the Civil Code, relating to redemption after sale under mortgage or deed of trust—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LYON, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 716—An act to amend section 6 of, and to add section 24 to the act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located, to pro-

vide for penalties; and to repeal all acts or parts of acts in conflict with this act," approved May 15, 1933, relating to outdoor advertising;

Also: Assembly Bill No. 768—An act to amend section 11 of an act entitled "An act prescribing the terms upon which licenses or certificates of registration may be issued to practitioners of barbering, creating the State Board of Barber Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved May 31, 1927;

Also: Assembly Bill No. 1126—An act to amend sections 3, 6, and 8 of an act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act," approved May 15, 1933, relating to regulation of outdoor advertising;

Also: Assembly Bill No. 1364—An act authorizing the State Franchise Tax Commissioner to destroy certain tax returns;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LYON, Chairman.

The above reported bills ordered on file for second reading.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1935.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 1483—An act to amend section 5.750 of the School Code, relating to absence from service of certificated employees on account of illness—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

CHATTERS, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1860—An act to declare a moratorium on the collection of judgments rendered in proceedings pursuant to the provisions of sections 25 to 36f, both inclusive, of the Water Commission Act for unpaid costs or for unpaid assessments taxed as costs in such judgments, suspending the accrual of interest upon such judgments during the period of such moratorium, and extending the statute of limitations upon any such judgment;

Also: Assembly Bill No. 1865—An act to add a new section to the general laws imposing a tax on billboards and outdoor advertising;

Also: Assembly Bill No. 2411—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the county of Contra Costa, State of California;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LYON, Chairman.

The above reported bills ordered on file for second reading.

On Crime Problems.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1935.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 1464—An act to amend section 182 of the Penal Code, relating to punishment for criminal conspiracy—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MILLER, Chairman.

The above reported bill ordered on file for second reading.

On Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1935.

MR. SPEAKER: Your Committee on Corporations, to which was referred Assembly Bill No. 538—An act to amend section 341 of, and to add section 341a to, the Civil

Code, relating to powers of corporations—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

BREED, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Corporations, to which was referred Assembly Bill No. 2400—An act to add a new section to be numbered 30.5 to the General Cemetery Act, relating to reincorporation of cemetery associations, and prescribing the procedure therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BREED, Chairman.

The above reported bill ordered on file for second reading.

On Prisons and Reformatories.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1935.

MR SPEAKER: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 713—An act to amend section 1 of an act entitled "An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation of prisoners recreation and educational fund; providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith," approved June 9, 1923, as amended, relating to convict labor;

Also: Assembly Bill No. 2351—An act authorizing the use of convict labor in the State parks, forests, game preserves, and National forests or parks in the State of California; providing for the compensation of such convict labor and for the payment thereof to their dependents; providing for forfeiture of such compensation; providing the manner of payment of such compensation to paroled, released or discharged convicts; authorizing the allowance of extra good time credits to such convicts; and providing penalties for interference with such convict labor;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MARTIN, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Prisons and Reformatories, to which was referred Senate Bill No. 834—An act to amend the title and sections 1, 7, and 12 of, to repeal section 15 of, and to add section 17 to an act entitled "An act to establish an institution for the confinement, care and reformation of women misdemeanants, and women convicted of a felony the punishment for which is less than death; to provide for its maintenance, conduct and government, and to make an appropriation therefor, approved May 9, 1929, relating to the California Institution for Women";

Also: Senate Bill No. 835—An act to add section 1168a to the Penal Code, relating to the California Institution for Women;

Also: Senate Bill No. 836—An act to amend sections 1202a, 1572, 1576, and 1586, of the Penal Code, relating to the State prisons,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MARTIN, Chairman.

The above reported bills ordered on file for second reading.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1935.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No 1967—An act to add a new section to be numbered 14a to the 'District Investigation Act of 1933," approved June 10, 1933—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

DELAP, Chairman.

The above reported bill ordered on file for second reading.

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1935

MR. SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 2412—An act to provide for the regulation and licensing of establishments for wagering or betting upon the results of horse races; to provide penalties for the violation of the provisions of this act and making an appropriation for the enforcement thereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

GARIBALDI, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 1823—An act to provide for the creation and management of lotteries in the State of California and legalizing lottery transactions—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

GARIBALDI, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 1385—An act to amend section 4 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the payment of a portion of purse to breeder—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

GARIBALDI, Chairman

The above reported bill ordered on file for second reading.

On Public Health and Quarantine.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1935.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1562—An act to amend sections 1, 2, 5, 6, 7, 8, 9 and 14 of an act entitled "An act to regulate the manufacture and sale of upholstered furniture, providing for the labeling of the same, providing for the licensing of persons manufacturing, selling or repairing upholstered furniture; and creating the upholstered furniture inspection fund," approved May 9, 1927, relating to the administration thereof by the Bureau of Furniture and Bedding Inspection of the Department of Professional and Vocational Standards—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

KALLAM, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1561—An act to amend sections 3, 3a, 3b, 10, 13, 17, and 18 of an act entitled "An act defining mattresses; regulating the making, remaking, and sale thereof; prohibiting the use of unsanitary and unhealthy materials therein; requiring that materials used shall be accurately described, and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled; and making the violation of any of the provisions of this act a misdemeanor, and repealing legislation inconsistent with this act," approved June 7, 1915, and to add thereto a new section to be numbered section 21, all relating to the administration of said act by the Bureau of Furniture and Bedding Inspection and the powers and duties of the officers thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

KALLAM, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 674—An act prescribing the terms upon which certificates of registration of inspectors and/or sanitary officers as "registered sanitarians" shall be issued; prescribing a course and minimum amount of schooling or training to be possessed by applicants therefor after one (1) year from date of approval of this act; authorizing the State Board of Public Health to certify approved schools, conduct examinations and issue "registered sanitarian" certificates; prescribing the powers and duties of the State board; prescribing conditions under which the title "registered sanitarian" or the placing of the initials "R. S." may be used after the names of certificate holders; providing penalties for violations hereof; and grounds for the suspension, cancellation, denial or revocation of such certificates of registration—has had the same under consideration, and respectfully reports the same back without recommendation.

KALLAM, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1267—An act to amend the title and to add two new sections, to be numbered 2a and 2b, to an act entitled "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the health of persons by whom the materials from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors, and providing for the punishment of the same," approved March 6, 1909, relating to the use of sealed containers and providing for the sterilization of used bottles, receptacles and containers used for foods, drugs and liquors—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

KALLAM, Chairman.

The above reported bill ordered on file for second reading.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1935

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1340—An act authorizing the Governor to execute a compact with the State of Nevada, for the purpose of promoting comity and good will between California and Nevada with reference to the Boulder Canyon Project, and of adjusting matters pertaining to the proposed taxation of property located in Nevada and owned by the State of California or any political subdivision thereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1362—An act to amend section 3669e of the Political Code of the State of California, relating to powers of State Board of Equalization—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FIELD, Chairman

The above reported bill ordered on file for second reading

Also:

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 627—An act to provide for the retirement with retirement allowance, of Justices of the Supreme Court and of the District Courts of Appeal, and of judges of the superior courts in counties in which the provisions of section 26 of Article VI of the Constitution shall be adopted as applicable to such judge or judges—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

FIELD, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No 2403—An act to amend sections 737j and 737bbb of the Political Code, relating to salaries of superior court judges—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass and be re-referred to the Committee on Ways and Means.

FIELD, Chairman.

Assembly Bill No. 2403 ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1001—An act to authorize the Division of Water Resources of the Department of Public Works to gather and correlate information and data pertinent to an annual forecast of seasonal water crop, including the making of snow surveys, and to cooperate with other agencies in such work, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back without recommendation, to be re-referred to the Committee on Ways and Means

FIELD, Chairman.

Assembly Bill No. 1001 ordered re-referred to Committee on Ways and Means.

Also:

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 248—An act to amend section 1030 of the Political Code, relating to office hours—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FIELD, Chairman

The above reported bill ordered on file for second reading.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 106—An act to add section 3.54 to and to amend section 6.750 of the School Code, relating to activities of a seditious nature in connection with the public school system.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 6, of the printed bill, after the word "advocate", strike out the following: "or teach the advocacy of", and insert in lieu thereof the following: "the".

Amendment No. 2.

On page 2, line 7, of the printed bill, after the word "means", strike out "or such use by any individual, society"; and strike out all of lines 8, 9 and 10, and in line 11, strike out the following: "controversial character".

Amendment No. 4.

On page 2 of the printed bill, strike out lines 24 to 34, inclusive, and insert in lieu thereof the following:

"39b. Any book, pamphlet, document or paper of any kind wherein or whereon appear any words, signs or symbols advocating or suggesting the overthrow of the government of the United States or of any State or Territory of the United States or of any political subdivision thereof, by force, violence or other unlawful means, is a public nuisance and shall be summarily destroyed upon order of any judge or justice of any court of record of this State.

Any person who, with intent to advocate (or suggest) the overthrow of the government of the United States or of any State or Territory of the United States or of any political subdivision thereof, has in his possession or transports from any point within this State to another point within this State, any such book, pamphlet, document or paper, is guilty of a felony."

Amendment No. 5.

On page 2 of the printed bill, after line 40, add the following:

"SEC. 5. Nothing in this act shall be construed to repeal or modify any of the provisions of the act entitled "An act defining criminal syndicalism and sabotage, prescribing certain acts and methods in connection therewith and in pursuance thereof and providing penalties and punishments therefor," approved April 30, 1919."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 107—An act to add sections 39, 39a, and 39b to the Penal Code, relating to advocating the overthrow of government by force, violence or other unlawful means.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 13, of the printed bill, after the word "government", insert the following: "with intent to further such advocacy".

Amendment No. 2.

On page 1, line 20, of the printed bill, after the word "assembly", appearing first therein, insert the following: "and with intent to further such purposes".

Amendment No. 3.

On page 2, line 3, of the printed bill, strike out "in any public or private school"; also strike out all of lines 4 and 5, and insert in lieu thereof the following: "the necessity, desirability, duty or propriety of overthrowing the government."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 108—An act to add section 8a to an "Act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905," approved May 31, 1917, relating to the duties of sheriffs, marshals, and chiefs of police in relation to activities of a seditious nature.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 12, of the printed bill, strike out "weekly"

Amendment No. 2.

On page 1, line 13, of the printed bill, after the period, insert the following: "Such reports shall be furnished to the bureau at such times, not less frequently than once each month, as the bureau shall prescribe."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Recess.

At twelve o'clock and five minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until two o'clock p.m., of this day.

Reassembled.

At two o'clock p.m., the Assembly reconvened.
Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1935.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1405—An act to amend section 3746 of the Political Code, relating to times for payment of taxes—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1405—An act to amend section 3746 of the Political Code, relating to times for payment of taxes.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 3746 of", and insert in lieu thereof the following "sections 3611, 3612, 3613, 3614, 3628, 3629, 3633, 3649, 3652, 3653, 3655, 3663a, 3663b, 3664b-4, 3670, 3672, 3693, 3696, 3713, 3714, 3728, 3732, 3737, 3746, 3758, and 3831 of, to add section 3746a to, and to repeal section 3756 of".

Amendment No. 2.

On page 1, line 1, of the printed bill, after "Section 1", insert the following: "Section 3611 of the Political Code is hereby amended to read as follows:

3611. 1. All buildings and so much of the real property upon which they are situated as may be required for the convenient use and occupation of said buildings, when the same are used solely and exclusively for religious worship shall be free from taxation, provided, that no building so used which may be rented for religious purposes and rent received by the owner therefor, shall be exempt from taxation.

2. Any person, institution or association, claiming property to be exempt from taxation under this section, or on whose behalf a claim for exemption is made, shall make a return thereof to the assessor annually, the same as property is listed for taxation, and shall accompany the same by an affidavit in the form prescribed by the State Board of Equalization which shall show that the building is used solely and exclusively for religious worship; that the described portion of the real property claimed as exempt is required for the convenient use and occupation of such building; that the same is not rented for religious purposes and rent received by the owner thereof, and in addition shall give such other information and answer such other questions as may be required in said form of affidavit so prescribed by said State Board of Equalization.

3. Failure on the part of any person, institution or association, claiming such exemption, or on whose behalf such exemption is claimed, to make said affidavit required in the form prescribed by said State Board of Equalization between the first Monday in March and the first Monday in June of each year and/or to give therein all information and answer all questions required thereby shall be deemed a waiver of such exemption by such person, institution or association by whom or on whose behalf such exemption is claimed.

SEC. 2. Section 3612 of the Political Code is hereby amended to read as follows:

3612. 1. The State Board of Equalization shall prescribe all procedure, affidavits and forms required to carry into effect the tax exemption on property specified in section 1¼ of Article XIII of the Constitution.

2. Every person entitled to or applying for the exemption from taxation specified in said provision of the Constitution shall appear before the assessor or deputy assessor and shall give all information required and answer all questions contained

in the forms and affidavit prescribed by said board, and thereupon shall subscribe and swear to the same before such assessor or deputy. Any false statement made or sworn to in such affidavit shall constitute and be punishable as perjury.

3. Any assessor may, in his discretion, require other or additional proof of the facts stated by such affiant before allowing the exemption claimed. Failure upon the part of any person entitled to such exemption to make affidavit or furnish evidence as required by this section between the first Monday in March and the first Monday in June of each year shall be deemed and treated as a waiver of such exemption by such person.

4. The following are recognized as wars within the intent and meaning of said section of the Constitution:

(a) Revolutionary War, April 19, 1775–January 14, 1784;
(b) Second War with England, June 18, 1812–February 17, 1815;
(c) Black Hawk War, April 6, 1832–August 2, 1832;
(d) War with Mexico, April 24, 1846–May 30, 1848;
(e) Civil War, April 18, 1861–August 20, 1866;
(f) War with Spain, April 21, 1898—April 11, 1899.
(g) War in Philippines, April 11, 1899–July 4, 1902;
(h) Campaign against the Rogue River, Yakima, Nez Perce and Snake Indians in Oregon and Washington, 1855–1856;
(i) Campaign against the Indians in southern Oregon and Idaho and northern part of California and Nevada, 1865–1868;
(j) Campaign against the Cheyennes, Arapahoes, Kiowas, and Comanches, in Kansas, Colorado and Indian Territory, 1867, 1868 and 1869;
(k) Modoc War, 1872 and 1873;
(l) Campaign against the Apaches of Arizona 1873.
(m) Campaign against the Kiowas, Comanches and Cheyennes, in Kansas, Colorado, Texas, Indian Territory and New Mexico, 1874 and 1875;
(n) Campaign against the Northern Cheyennes and Sioux, 1876 and 1877.
(o) Nez Perce War, 1877;
(p) Bannock War, 1878;
(q) Campaign against the Northern Cheyennes, 1878 and 1879;
(r) Campaign against the Ute Indians in Colorado and Utah, September, 1879, to November, 1880.
(s) Campaign against the Apache Indians in Arizona, 1885 and 1886;
(t) Campaign against the Sioux Indians in South Dakota, November, 1890, to January, 1891;
(u) War with Germany–Austria, April 6, 1917, to and including November 11, 1918.

SEC. 3. Section 3613 of the Political Code is hereby amended to read as follows:

3613. 1. Any educational institution of collegiate grade, within the State of California, not conducted for profit, shall hold exempt from taxation its buildings and equipment, its grounds within which its buildings are located, not exceeding one hundred acres in area, its securities and income used exclusively for the purposes of education.

2. An educational institution of collegiate grade is deemed and defined to be an institution incorporated as a college or seminary of learning under the laws of this State, which requires for regular admission the completion of a four-year high school course or its equivalent, and confers upon its graduates at least one academic or professional degree, based upon a course of at least four years in liberal arts and sciences, or upon a course of at least three years in professional studies, including law, theology, education, medicine, dentistry, engineering, veterinary medicine, pharmacy, architecture, fine arts, commerce or journalism.

3. An educational institution not conducted for profit is deemed and defined to be an institution incorporated as a college or seminary of learning under the laws of this State conducted exclusively for scientific or educational purposes, no part of the net income of which inures to the benefit of any private stockholder, member or individual.

4. The grounds of an educational institution exempt from taxation under the provisions of section 1a of Article XIII of the Constitution, when the grounds of such educational institution within which its buildings are located exceed one hundred acres in area, shall be determined, located and selected by the assessor of the county or city and county in which said grounds are situated but said grounds need not be contiguous or in one tract.

5. The State Board of Equalization shall prescribe all procedure, affidavits and forms required to carry into effect the tax exemption of property specified in section 1a of Article XIII of the Constitution.

6. Any person or officer of an educational institution entitled to or applying for the exemption from taxation under section 1a of Article XIII of the Constitution shall make a return thereof to the assessor annually, the same as of property listed for taxation, and shall accompany the same by an affidavit showing that the educational institution is of collegiate grade and is not conducted for profit, that the grounds for which exemption is claimed are those within which its buildings are

located and do not exceed one hundred acres in area and that the securities and income for which exemption is claimed are used exclusively for the purposes of education. Every such person or officer shall in addition give all information required and answer all questions contained in the forms and affidavits prescribed by the State Board of Equalization. Any false statement made or sworn to in such forms or affidavits shall constitute and be punishable as perjury.

7. Any assessor or deputy assessor may, in his discretion, require other or additional proof of the facts stated by such affiant before allowing the exemption claimed. Failure upon the part of any educational institution entitled to such exemption, to make affidavit or furnish evidence as required by this act, between the first Monday in March and the first Monday in June of each year, shall be deemed a waiver of such exemption by such educational institution.

SEC. 4. Section 3614 of the Political Code is hereby amended to read as follows

3614. 1. All buildings, and so much of the real property connected therewith as may be required for the occupation of institutions sheltering more than twenty orphan or half-orphan children receiving State aid shall be free from taxation; provided that no building or real or personal property so used which may be rented and the rent received by the owner therefor shall be exempt from taxation under the terms of this act.

2. Any person, institution or association, claiming property to be exempt from taxation under this section, or on whose behalf a claim for exemption is made, shall make a return thereof to the assessor annually, the same as property is listed for taxation, and shall accompany the same by an affidavit in the form prescribed by the State Board of Equalization which shall show that the building is used for sheltering more than twenty orphan or half-orphan children receiving State aid; that the described portion of the real property claimed as exempt is required for the convenient use and occupation of such building; that the same is not rented for sheltering said orphan or half-orphan children receiving State aid and rent received by the owner thereof, and in addition shall give such other information and answer such other questions as may be required in said form of affidavit so prescribed by said State Board of Equalization.

3 Failure on the part of any person, institution or association, claiming such exemption, or on whose behalf such exemption is claimed, to make said affidavit required in the form prescribed by said State Board of Equalization between the first Monday in March and the first Monday in June of each year and/or to give therein all information and answer all questions required thereby shall be deemed a waiver of such exemption by such person, institution or association by whom or on whose behalf such exemption is claimed.

SEC. 5 Section 3628 of the Political Code is hereby amended to read as follows:

3628 Except as otherwise provided in the constitution of this State, all taxable property shall be assessed in the county, city, city and county, town, township, or district in which it is situated Land shall be assessed in parcels, or subdivisions, not exceeding six hundred forty acres each and tracts of land containing more than six hundred forty acres which have been sectionized by the United States Government, shall be assessed by sections or fractions of sections. Land sold by the State for which no patent has been issued, shall be assessed the same as other land, but the owner shall be entitled to a deduction from such assessed valuation in the amount due the State as principal upon the purchase price. The assessor must, between the first Mondays in March and June of each year, ascertain the names of all taxable inhabitants, and all the property in his county subject to taxation, except such as is required to be assessed by the State Board of Equalization and must assess such property to the persons by whom it was owned or claimed, or in whose possession or control it was, at twelve o'clock meridian of the first Monday in March next preceding; but no mistake in the name of the owner or supposed owner of real property shall render the assessment thereof invalid, nor shall anything herein release any person, firm, corporation or association from their duty to file the statement required by law. In assessing notes and solvent credits and equitable or legal interests therein, not secured by mortgage, deed of trust, contract or other obligation, where land situated within this State is pledged as security therefor, a deduction from the assessed value shall be made of such debts including notes, unsecured by mortgage, deed of trust, contract or other obligation, where land situated within this State is pledged as security therefor, as may be owing by such person, firm, corporation or association to bona fide residents of this State.

SEC 6 Section 3629 of the Political Code is hereby amended to read as follows:

3629. The assessor must exact from each person a statement, under oath, setting forth specifically all the real and personal property not exempt from taxation owned by such person, or in his possession, or under his control, at twelve o'clock meridian on the first Monday in March, and it is hereby required that such person shall file such statement with the assessor between the first Mondays in March and June of each year and at any time during, before or after such dates furnish such information or records for examination as may be required by the assessor to make a proper assessment; provided, however, that no assessment shall hereafter be rendered invalid by reason of the failure of the assessor to demand or secure the

statement required by this section prior to the making thereof Such statement shall be in writing, showing separately:

1. All property belonging to, claimed by, or, in the possession or under the control or management of such person.

2 All property belonging to, claimed by, or in the possession or under the control or management of any firm of which such person is a member.

3 All property belonging to, claimed by, or in the possession or under the control or management of any corporation of which such person is president, secretary, cashier, or managing agent.

4 The county in which such property is situated, or in which it is liable to taxation, and, if liable to taxation in the county in which the statement is made, also the city, town, township, school district, road district, or other revenue districts in which it is situated

5 An exact description of all lands, in parcels or subdivisions, not exceeding six hundred forty acres each, and the sections and fractional sections of all tracts of land containing more than six hundred forty acres, which have been sectionized by the United States Government, improvements and personal property, including all vessels steamers, and other water craft; and all notes, debentures, shares of capital stock, bonds, solvent credits, deeds of trust, mortgages, and any legal or equitable interests therein, and deposits of money, gold dust, or other valuables, and the names of the persons with whom such deposits are made, and the places in which they may be found

6. All solvent credits, unsecured by mortgage, deed of trust, contract or other obligation where land situated within this State is pledged as security therefor, due or owing to such person, or any firm of which he is a member, or due or owing to any corporation of which he is president, secretary, cashier, or managing agent. Whenever one member of a firm, or one of the proper officers of a corporation, has made a statement showing the property of the firm or corporation another member of the firm, or another officer, need not include such property in the statement made by him, but his statement must show the name of the person or officer who made the statement in which such property is included and he must furnish such information or records to the assessor as may be required for examination between the first Monday of March and the first Monday in June and at any time during, before or after such dates

7 All debts, unsecured by mortgage, deed of trust, contract, or other obligation where land situated within this State is pledged as security for payment therefor, owing by such person, firm or corporation to bona fide residents of this State, which the debtor asks to have deducted in whole or in part from the said solvent credits No debts shall be deducted unless the statement shows the amount of such debts stated under oath, in such detail as may be required by the assessor All information required or furnished upon a statement required as provided by this section shall be held secret by the assessor and such statement shall not constitute a public document or be open to public inspection.

SEC 7 Section 3633 of the Political Code is hereby amended to read as follows

3633 If any person, after demand made in writing by the assessor, neglects or refuses to give under oath, the statement herein provided for, or to comply with the other requirements of this title, the assessor must note the refusal on the assessment book, opposite the name of such person, and must make an estimate of the value of such property of such person; but the estimate so made shall not be in excess of the true value of such property as nearly as such value may be ascertained The assessor must transmit on or before the first day of June of each year to the board of supervisors a verified report in writing, separate from the assessment roll, containing a complete list of all persons who refuse or neglect to furnish a statement of their property as herein provided for, or to comply with the requirements of this title, the amount of the assessment upon the property of such persons, with a statement of the particular facts, if any, upon which the assessment has been made, and the valuation of the property so assessed ascertained.

The board of supervisors must investigate and inquire into all assessments and values so fixed by the assessor, as prescribed by this section, and for that purpose must require each taxpayer affected by such assessment and valuation to make a statement under oath, within ten days from making an order requiring such statement, setting forth specifically, all the property owned or controlled, or in the possession of such taxpayer on the first Monday of March.

If any taxpayer, after demand made by the board of supervisors, shall neglect or refuse to make and deliver to the said board of supervisors the statement, duly verified, herein provided for, or to comply with the other requirements of this title, the said board of supervisors, sitting as a county board of equalization, must increase or decrease such assessment and valuation to such an amount as the said board shall deem just

SEC 8 Section 3649 of the Political Code is hereby amended to read as follows:

3649. In the event of the failure or neglect of any person to return to the assessor for taxation any property between the first Monday in March and the first Monday in June of any year, such property when discovered by the assessor to have escaped taxation for such year, if such property is in the ownership or under the control of the same person who owned or controlled it on the first Monday of

March, shall be assessed and entry thereof immediately made upon the assessment roll. If personal property is discovered and assessed after the first day of December such entry shall be followed by the words "penalty for failure to return within the time required by law," and thereupon a penalty equal to ten per cent of the tax shall attach to the tax so levied.

The authority granted to assessors to assess property which has escaped taxation and to enter the same upon the assessment or tax roll of the year for which said property should have been assessed or taxed shall be limited to a period of not more than two years from the date upon which the lien for taxes of such year attached, and the authority to seize and sell said property for the nonpayment of such tax shall be extended for a like period of time. Property taxable under the provisions of subsection 4 of section 16 of Article XIII of the Constitution of the State of California and section 3627a of the Political Code of the State of California is not subject to the provisions of this section.

SEC. 9 Section 3652 of the Political Code is hereby amended to read as follows:

3652 On or before the first Monday in June, in each year, the assessor must complete his assessment book. He and his deputies must take and subscribe an affidavit in the assessment book, to be substantially as follows. "I, ------, assessor of (or deputy assessor, as the case may be), ------ county, do swear that between the first Monday in March and the first Monday in June, nineteen hundred and ------, I have made diligent inquiry and examination to ascertain all the property within the county (or within the subdivision thereof assessed by me, as the case may be), subject to assessment by me, and that the same has been assessed on the assessment book, equally and uniformly, according to the best of my judgment, information, and belief, at its full cash value, and that I have faithfully complied with all the duties imposed on the assessor under the revenue laws; and that I have not imposed any unjust or double assessment through malice or ill will, or otherwise; nor allowed anyone to escape a just and equal assessment through favor or reward, or otherwise. But the failure to take or subscribe such an affidavit, or any affidavit, will not in any manner affect the validity of the assessment

SEC. 10 Section 3653 of the Political Code is hereby amended to read as follows:

3653. 1. *On or before the third Monday in June of each year, the assessor must* furnish such incorporated cities, towns, lighting, water and irrigation districts within the county as shall make written request for the same, on or before the first Monday in March of each year, a complete certified copy of his assessment book, so far as such assessment book pertains to property within the limits of said incorporated cities, towns, lighting, water and irrigation districts.

2. The assessor may charge incorporated cities, towns, lighting, water and irrigation districts not to exceed seven cents per folio of one hundred words for each copy of his assessment book, furnished such incorporated cities, towns, lighting, water and irrigation districts.

3. The assessor must, on the first Monday of each month, furnish all such incorporated cities, towns, lighting, water and irrigation districts within the county as shall make written request for the same, a description of all personal property, the name and address, by street and number, of the owners, and assessed value thereof, whenever the tax on such property is collected by the assessor.

4. The assessor may charge incorporated cities, towns, lighting, water and irrigation districts not to exceed seven cents per folio of one hundred words for such description of personal property.

SEC. 11 Section 3655 of the Political Code is hereby amended to read as follows

3655. On the second Monday in June of each year, the assessor of each county must transmit to the State Board of Equalization, in such form as said board shall *require, a statement, showing:*

1. The several kinds of personal property

2. The average and total value of each kind

3 The number of live stock, number of bushels of grain, number of gallons of wines or liquors, number of pounds or tons of any article sold by the pound or ton

4. When practicable, the separate value of each class of land, specifying the classes and the number of acres of each.

5 *A true statement of the agricultural and industrial pursuits and products* of the county, with such other statistical information as said board shall require

SEC. 12 Section 3663a of the Political Code is hereby amended to read as follows:

3663a The State Board of Equalization shall assess all the property required to be assessed by it under the provisions of section 14 of Article XIII of the Constitution of this State at its actual value on the first Monday in March at twelve *o'clock meridian.*

In assessing notes and solvent credits and equitable or legal interests therein, not secured by mortgage, deed of trust, contract or other obligation, where land situated within this State is pledged as security therefor, a deduction from the assessed value shall be made of such debts including notes, unsecured by mortgage, deed of trust, contract or other obligation, where land situated within this State is pledged as security therefor, as may be owing by such person, firm, corporation or association *to bona fide residents of this State.*

The State Board of Equalization must exact from each person, firm, copartnership, association, estate, trust, business trust, receiver, syndicate, company or corporation owning, claiming, possessing, using, controlling or managing any of the property mentioned in this section, a statement under oath, setting forth specifically on forms prescribed by the board whatever information the State board may require to make an assessment of such property. Such statement shall be filed with the board between the first Monday in March and the first Monday in April of each year; at any time during the year the board may require and it shall be furnished with such information or records for examination as may be required by it to make an assessment of such property. No assessment shall hereafter be rendered invalid by reason of the failure of the board to demand or secure the statement required by this section. If such statement is not furnished as above provided, the assessment made by the board upon the property of the person, firm, copartnership, association, estate, trust, business trust, receiver, syndicate, company or corporation failing to furnish such statement is conclusive and final.

The board shall have the power, and it is hereby authorized to require the assessor of any county, city and county or incorporated city or town of this State to report to it on or before the first Monday in May on such forms as the board may prescribe, any information in his possession concerning the actual value on the first Monday in March at twelve o'clock meridian of any of the property required to be assessed by the board.

The board is hereby authorized and empowered to call upon any State department, board, bureau or commission or personnel thereof, for such assistance, cooperation, information and service as it may render to the board

To carry out the provisions of this section, the board shall employ, exempt from the provisions of the Civil Service Act, such assistants as it may deem necessary to serve for such time and for such compensation as the board may determine

SEC. 13 Section 3663b of the Political Code is hereby amended to read as follows:

3663b The State Board of Equalization must meet at the State Capital on the first Monday in March, and continue in open session from day to day, holidays excepted, until the third Monday in May. At such meetings the board must assess the property mentioned in the preceding section. Assessments must be made to the person, firm, copartnership, association, estate, trust, business trust, receiver, syndicate, company or corporation owning the same; except said board may assess such property either to the one using or controlling the same, or to the one to whom it belongs. If the name of the owner or user is unknown to the board, such assessment must be made to unknown owners. Clerical errors occurring or appearing in the name of any company, person, association, or stockholder whose property is correctly assessed, or in the making, or extension of any assessment upon the records of the State Board of Equalization, which do not affect the substantial rights of the taxpayer, shall not invalidate the assessment.

On the first Monday in May the board shall publish a notice in one daily newspaper of general circulation published at the State capital, in one daily newspaper of general circulation published in the City and County of San Francisco, and in one daily newspaper of general circulation published in the city of Los Angeles, that the assessment of property in accordance with section 14 of Article XIII of the Constitution of this State has been completed, and that if the owner of any property assessed by the board or the one to whom it is assessed is dissatisfied with the assessment made by the board he may, at any time prior to the third Monday in May, apply to the board to have the same corrected in any particular The board shall have power at any time on or before the third Monday in May to correct any assessment made by the board in pursuance hereof and may increase or decrease any such assessment if in its judgment the evidence presented or obtained warrants such action.

Immediately after the third Monday in May the board shall transmit to the assessor of each county, city and county and incorporated city or town a statement showing the valuation upon all property assessed by the board located in each district in such county, city and county, or incorporated city or town, equalized with the other property in said taxing jurisdictions In case the duties of the assessor of any incorporated city or town are performed by the assessor of the county in which such city or town is located, the statement concerning the property located in the city or town shall be sent to such county assessor. Upon receiving any such statement, the assessor of each county or city and county shall enter the assessments set forth therein upon the assessment book or roll of the county or city and county, and the assessor of each incorporated city or town shall enter such assessments upon the assessment book or roll of the city or town.

All such property shall be subject to taxation to the same extent and in the same manner as other property, except as otherwise provided in section 14½ of Article XIII of the Constitution.

SEC. 14. Section 3664b-4 of the Political Code is hereby amended to read as follows:

3664b-4 Every insurer transacting ocean marine insurance in this State as defined in section 3664b-2 of the Political Code, shall file on or before the first

Monday in March in each year with the insurance commissioner, and in the form prescribed by him, a report of all the items pertaining to its insurance business as enumerated and prescribed in the preceding section 3664b-3. To determine the basis of the tax on underwriting profit, every insurer which has been writing such marine insurance in this State for three years shall furnish the Insurance Commissioner a statement of all of the aforementioned items, in the form prescribed by him for each of the preceding three calendar years. An insurer which has not been writing such marine insurance for three years shall furnish to the Insurance Commissioner a statement of all the aforementioned items for each of the calendar years during which it has written such marine insurance.

It the Insurance Commissioner finds the report of the insurer reporting correct, he shall, if the insurer has transacted such marine insurance for three years (1) ascertain the average annual underwriting profit, as defined in section 3664b-3, derived by the insurer from such marine insurance business written within the United States during the last preceding three calendar years, (2) ascertain the proportion which the average annual premiums of the insurer from such marine insurance written by it in this State during the last preceding three calendar years bears to the average total of such marine premiums of the insurer during the same three years, (3) compute an amount of five per centum on this proportion of the aforementioned average annual underwriting profit of the insurer from such marine insurance, and (4) report the amount of tax thus computed to the State Board of Equalization as hereinafter provided. The Insurance Commissioner shall each year compute the tax, according to the method described in this section, upon the average annual underwriting profit of such insurer from such marine insurance during the preceding three years, so that the computation of underwriting profit for purposes of taxation under this section will be on a three-year average, provided, however, that an insurer which has not been writing such marine insurance in this State for three years shall, until it has transacted such business in this State for that number of years, be taxed on the basis of its annual underwriting profit on such marine insurance written within the United States for the calendar year, subject, however, to an adjustment in the tax as soon as the Insurance Commissioner, in accordance with the provisions of this section, is enabled to compute the tax on the aforementioned three-year basis; and provided, further, that in the case of mutual companies, the Insurance Commissioner shall not include in underwriting profit, when computing the tax prescribed by this section, the amounts refunded by such companies on account of premiums previously paid by their policyholders.

The Insurance Commissioner must on or before the last day of March in each year, make and file with the State Board of Equalization, a report showing the amount of tax computed by him as payable by each insurer transacting the business of ocean marine insurance in this State, and the State Board of Equalization shall thereupon assess and levy said tax, so computed by the Insurance Commissioner, against said respective insurers within the time provided in section 3668 of the Political Code, and record the same as provided in section 3668a of said code, and said taxes shall be payable at the time and in the manner provided in section 3668b of said code, and said insurers shall be subject to, governed by, and entitled to the benefits provided under, the provisions of sections 3668 to and including section 3669e of the Political Code relative to the enforcement, collection and adjustment of State corporation taxes and all other matters in said sections contained in so far as they are not inconsistent with the provisions of section 18 of Article XIII of the Constitution, and sections 3664b-1 to and including section 3664b-4 of this code.

SEC. 15. Section 3670 of the Political Code is hereby amended to read as follows:

3670. On the second Monday in July of each year the auditor of each county must report to the State Board of Equalization, in addition to the items required to be so reported by him under section 3728 of this code, the value of each piece of real estate other than mortgage interests therein belonging to each bank in his county as assessed and equalized for purposes of county taxation.

Whenever the State Board of Equalization is satisfied after investigation that any county assessor, or board of equalization, has assessed any real estate belonging to any bank above its full cash value and has thereby unjustly reduced the amount of taxes due the State from said bank, said State board shall, under such rules of notice to the clerk of the board of supervisors of the county affected thereby as the said State board shall deem reasonable, equalize the assessed value of such real estate and shall upon completion of said equalization issue an order to said assessor or board of equalization and to the county auditor of the county in which said real estate is located, fixing the assessed value of said real estate.

The value so equalized and fixed, and no other, shall be deemed the value, as assessed for county taxes, of such real estate, and the sole basis of taxation upon such real estate for county taxes.

A copy of the order certified by the Secretary of the State Board of Equalization shall be prima facie evidence of the regularity of all proceedings of the board resulting in the action which is the subject matter of the order.

SEC. 16. Section 3672 of the Political Code is hereby amended to read as follows:

3672. The board of supervisors of each county must meet on the first Monday of June in each year, to examine the assessment book and equalize the assessment of property in the county. It must continue in session for that purpose, from time to time, until the business of equalization is disposed of, but not later than the third Monday in June; provided, however, that the board of supervisors shall sit as a board of equalization at the time of the first regular meeting of each month of the calendar year for the purpose of equalizing assessments made by the assessor subsequent to the first Monday of June.

SEC. 17. Section 3693 of the Political Code is hereby amended to read as follows:

3693. Whenever the board of supervisors and assessor of any county or city and county shall determine that, in order to equalize the assessment of taxable property within the county or city and county, an appraisal or reappraisal of such property, or any class thereof, is required, such determination shall be certified by the clerk of the board of supervisors and the assessor of said county or city and county to the State Board of Equalization. Thereupon the county assessor, the chairman of the board of supervisors and the member of the State Board of Equalization from the district within which the county or city and county is situate, shall constitute a commission to conduct the work of appraising or reappraising the taxable property, or any class thereof, within the county or city and county. Save as assessments of property may be made by an assessor or his duly constituted deputy or deputies or as valuations may be made of individual parcels of property by a county board of equalization during its regular session in the month of June or extensions thereof as authorized by the State Board of Equalization, no property shall be valued or appraised for the purposes of taxation under authority of any county or city and county except in the manner prescribed by this section.

To carry out the purposes of this section the commission composed of the county assessor, the chairman of the board of supervisors and the member of the State Board of Equalization shall be empowered to employ, subject to the approval of the board of supervisors, such technical assistants as said commission shall deem necessary, but no contract shall be made with any person, firm, association or corporation by which the duty of conducting such work of appraisal or reappraisal shall be delegated to any private interests. No person employed hereunder shall be or shall be considered to be an additional deputy or assistant of any county assessor, but all work done hereunder shall be in furtherance of the power of the county board of equalization to equalize assessments. The expenses of the work of the appraisal or reappraisal of the taxable property, or any class thereof, within the county or city and county, shall be a charge against the funds of said county, or city and county, and the board of supervisors of any county or city and county in which such a commission shall function are hereby authorized and empowered to make such appropriation or appropriations of the funds of said county or city and county as may be necessary to meet the expenses of said work.

SEC. 18. Section 3696 of the Political Code is hereby amended to read as follows:

3696. On the third Monday in July, of each year, the board must determine the rate of State tax to be levied and collected upon the assessed valuation of the property of the State, which, after allowing five per cent for delinquencies in collection of taxes, must be sufficient to raise the specific amount of revenue directed to be raised by the Legislature for State purposes. The board must immediately thereafter transmit to the board of supervisors and county auditor of each county, a statement of such rate, and upon its receipt the clerk of said board and county auditor must each, in writing, notify the State Board of Equalization thereof.

SEC. 19. Section 3713 of the Political Code is hereby amended to read as follows:

3713. In the event that all the State taxes, together with all of the other State revenues, are at any time deemed by the State Board of Control insufficient to meet all of the annual expenditures of the State of California, including all appropriations made by the Budget Bill, all appropriations made by law other than by the Budget Bill, and all appropriations or expenditures made or authorized by the Constitution, the Board of Control shall notify the Board of Equalization as to the amount of the deficiency. Thereafter, the State Board of Equalization, in accordance with the provisions of subdivision (e) of section 14 of Article XIII of the Constitution of California, shall fix, on the third Monday in July, such an ad valorem rate of State tax on all the property in the State, including all classes of property taxed under the provisions of any section of Article XIII of the Constitution, as, after allowing five per cent for delinquencies, will raise an amount of money sufficient to meet the said deficiency.

Any tax so levied and collected to meet such a deficiency shall be assessed, levied and collected under the provisions of the Political Code relating to the assessment, levy and collection of State and county taxes as said provisions were in force on the seventh day of November, 1910.

SEC. 20. *Section 3714 of the Political Code is hereby amended to read as* follows:

3714. On or before the tenth day of June in each year, at such time as the county board of supervisors may direct, each county official elective or appointive, or person in charge of any office, department, service, institution or district of the county, excepting irrigation and reclamation and any other district where a tax levy for such district is not carried on the regular county, or city and county assessment roll including township officers and the judges of any court of record, and the executive head of each special district whose affairs and funds are under the supervision and control of the county board of supervisors or for which the county board of supervisors is ex officio the governing body, shall file with the county auditor of such county, an itemized estimate showing both the probable revenues from sources other than taxation that will accrue to his department, office, service, institution, or district, during the fiscal year, to which the budget is intended to apply, and all expenditures required by such department, office, service, institution or district, for the same period, together with a brief explanatory statement of the requested increases in expenditures over the current fiscal year, or if such estimate is not presented before the first day of June, such statement should show the increases in expenditures over the last completed fiscal year. The county board of supervisors shall submit to the county auditor a statement showing all new road and bridge construction and grade separation, classified by funds from which the same are to be financed, for the fiscal year to which the budget is intended to apply, together with the estimated cost thereof. The county board of supervisors shall also submit a similar statement showing their road and bridge maintenance or betterment program, as nearly as can be estimated, as well as an estimate of all expenditures for construction or improvement purposes proposed to be made from the proceeds of bonds or other income not yet authorized; provided, that not to exceed twenty per cent of the moneys belonging to any road district may be carried in an "unappropriated reserve," and shall be available for the use of said district to cover expenditures that may have been insufficiently provided for or for unforeseen requirements as they may arise.

School district estimates shall be submitted, on the twentieth day of June through the county superintendent of schools in the manner heretofore prescribed by law, on forms prescribed by the State Department of Education, all other estimates required in this section shall be submitted on forms prescribed by the State Department of Finance, and may only be varied or departed from with the approval of said department; provided, however, that any county may without disturbing the uniformity of the forms and data prescribed, add to the information required or show the same in more detail. The county auditor is hereby directed to provide such forms, and it is made his duty to prepare the estimates for interest and debt redemption requirements and any other estimates, the preparation of which properly falls within the duties of his office; provided, that in the absence, failure, or disability of any official, or person, required to furnish estimates hereunder, such estimates shall be furnished by the official or employee in charge of such office, department, service, institution, or district, during such absence or disability, or such estimates may be prepared and furnished by the county board of supervisors.

2. From such estimates, the county auditor shall prepare a tabulation showing the complete expenditure program of the county, school districts and special districts for the fiscal year to which the budget is intended to apply, and the sources of revenue by which it is to be financed. Such tabulation shall set forth the estimated revenue from sources other than taxation for each office, department, service, institution, or district, for the fiscal year to which the budget is intended to apply, compared with the corresponding figures of the last completed fiscal year, the estimated unencumbered surplus, after allowing for outstanding orders, contracts or other commitments, at the close of the current fiscal year, if such estimate is presented before June first, or the actual unencumbered surplus at the close of the last completed fiscal year, if such estimate is presented after June first, and the amount proposed to be raised by taxation; the estimated expenditures for each office, department, service, institution, or district, for the fiscal year to which the budget is intended to apply, the actual expenditures for the last completed fiscal year, together with the actual expenditures that have accrued for the current fiscal year and an estimate of the expenditures that will accrue for the remainder of such current fiscal year, if such estimate is presented before June first, and the sums necessary to be provided as "general reserves," or a general reserve as hereinafter provided.

Such estimates of expenditures shall be classified to set forth the data by funds, organization units, character and objects of expenditure; the organization units may be subclassified by functions and activities at the discretion of the county board of supervisors, but the expenditures for each organization unit shall be classi-

fied under the general classes of (1) salaries and wages; (2) maintenance and operation; (3) capital outlay; (4) interest and debt redemption; and, (5) expenditures proposed to be made from bonds or other income not yet authorized.

Within the general class of "salaries and wages" each salary shall be set forth separately, together with the title or designation of the recipient; provided and excepted, that in counties empowered by charter to increase or decrease the number of deputies and assistants in any office an unitemized estimate may be made to cover the salaries and wages of such deputies and assistants. Wages for day labor may be given in totals by designating the general purpose or object for which the expenditure is to be made. Expenditures coming under the general classification of "maintenance and operation" shall show the major subdivisions and objects for which such expenditure is to be made. Expenditures coming under the general classification of "capital outlay" shall show the major subdivisions and objects for which such expenditure is to be made, except that expenditures for structural or nonstructural improvements shall be listed separately as to each project. Under the general class of "interest and debt redemption" shall be set forth separately each series or issue of bonds, together with its individual requirements for interest and redemption. The total amount of emergency appropriations made during the last completed fiscal year shall be set forth separately together with a statement showing the amount issued for each emergency, a list of appropriations canceled showing the amount of each and a list showing each appropriation made from the unappropriated reserves and the amount thereof.

3. The said tabulation shall be submitted by the county auditor to the clerk of the county board of supervisors on or before the thirtieth day of June of each year, at such time as the county board of supervisors may direct. Said county board of supervisors shall, upon receipt thereof, consider the same in detail, and shall on or before the tenth day of July of each year at such time as the county board of supervisors may direct, make, except as otherwise provided in this section, any revisions, reductions or additions therein, that it may deem advisable, setting forth thereon such changes as have been made to make said budget conform to the judgment and conclusion of the county board of supervisors as to a proper financial program for the county for the fiscal year to which the budget is intended to apply; provided, however, that the estimate submitted by any official, or person, as designated herein shall not be increased or reduced until such official or person shall have first had a hearing thereon before said county board of supervisors; it is further provided, that no school district budget shall be revised, reduced or added to except by the board of school district trustees, except to bring it within the maximum tax limits provided by law. In counties empowered by charter to increase or decrease the compensation and number of deputies and assistants in any office, the county board of supervisors shall, on or before the thirtieth day of May of each year adopt a salary ordinance.

The county board of supervisors may, if it deem advisable, set aside a portion of each fund, other than school funds, to be known as "unappropriated reserves" which shall not exceed ten per cent of the total amount of said fund exclusive of surplus, provided, that in any fund from which expenditures are to be made wholly from surplus ten per cent of the estimated expenditures may be so reserved, or in lieu thereof a general unappropriated reserve which shall not exceed ten per cent of the total budget exclusive of all items for bond interest and redemption. The money in such unappropriated reserves shall be available for appropriation by a four-fifths vote of the members of the county board of supervisors present at any meeting of which all members shall have had reasonable notice, to cover expenditures that have not been provided for or that may have been insufficiently provided for or for unforeseen requirements as they may arise

Said budget shall contain an amount or amounts to be known as a general reserve or "general reserves," if carried in separate funds, in such sum or sums as the county boards of supervisors shall deem sufficient, for the fiscal year for which the budget is intended to apply, to meet the cash requirements of any fund to which the county's credit may be legally extended for that portion of such fiscal year prior to the receipt of taxes therein. Sums withdrawn from such "reserves" shall be returned thereto out of the respective appropriations in favor of which they were so withdrawn, and the amount thereof if found excessive, may, at the end of the fiscal year, be reduced by the county board of supervisors by applying such excess to the reduction of the tax levy. It shall be the duty of the county auditor or a deputy designated by him to attend the board's hearings on the matter contained in his tabulation and the preliminary budget, and to furnish said county board of supervisors with any additional data or information it may require

Said tabulation with such revisions, additions, or changes as have been made therein as herein provided, shall constitute the preliminary county budget for the fiscal year to which the budget is intended to apply. Said budget in which shall be set forth the auditor's tabulation and each individual estimate required as per subdivisions one and two hereof shall, on or before the tenth day of July of each year at such time as the county board of supervisors may direct be printed or mimeographed in full in pamphlet form in quantities sufficient to supply one copy to each taxpayer requesting same, and said county board of supervisors shall on or before

such date cause to be published once in a newspaper of general circulation throughout the county, notice that said budget has been prepared and is available for distribution to the taxpayers desiring a copy thereof. Such notice shall also set forth that on a date named therein, which date shall be not less than ten days subsequent to date that said budget is available to taxpayers desiring a copy thereof, the county board of supervisors will meet for the purpose of fixing the final budget designating the time and place of such meeting, and setting forth that any taxpayer may appear thereat and be heard for or against any part of said budget.

4. On or before the twentieth day of July of each year at such time as the county board of supervisors may direct, said board, shall meet at the time and place designated in the notice, provided in subdivision three hereof, at which time and place any taxpayer may appear and be heard for or against any part of such budget. Such hearing shall be continued from day to day until concluded, but not to exceed a total of ten days; provided, however, that such hearing shall be concluded before the expiration of ten days if there are no requests or applications on file with the board for further hearing. The county board of supervisors shall have power to call in the official or person in charge of any office, department, service, institution, or district, other than school districts at the time the estimates for their respective offices are under consideration, for examination concerning such estimates, and such official or person shall be called by said county board of supervisors upon the request of any taxpayer for questioning upon such estimates.

Upon the conclusion of such hearing but not later than the thirtieth day of July of each year at such time as the county board of supervisors may direct, said board shall by resolution, adopt the budget as so finally determined, which resolution may specify appropriations by general classes for "salaries and wages," "maintenance and operation," and "interest and debt redemption," and shall specify by items all appropriations for "capital outlays" and shall file in their offices a copy of the completed budget. The several amounts specified in the resolution as finally enacted, shall be and become appropriated for the several offices, departments, services, institutions or districts, for the fiscal year to which the budget is intended to apply; provided, however, that if the budget as adopted, for any fund, special or school district, requires a tax levy greater than the legal limit as determined by the equalized valuations as shown on the assessment roll, such budget shall be decreased so as to come within the legal requirements, and this revised amount shall be the amount deemed to be appropriated for such purposes for such fiscal year. Nothing in this section shall be construed as removing or in any way affecting any tax limit heretofore fixed by law.

5. The county board of supervisors shall, not later than the first day of August, fix the rates of county and district taxes designating the number of cents levied for each fund upon each one hundred dollars of assessed value of the county for the current fiscal year to raise the amount of the estimated expenditures as finally determined, less the total of the estimated revenues from sources other than taxation, including available surplus, and such expenditures as are to be made from bond sources, and must levy the State, county and district taxes. All taxes shall be levied, upon the taxable property in the county, as provided by law, in specific sums, and the tax for county and local purposes shall not exceed the amount specified in the budget, after allowing for delinquency as provided by law; provided, that it shall not be lawful for any board of supervisors of any county in the State to levy, nor shall any tax greater than seventy-five cents on each hundred dollars of property be levied and collected in any one year, to pay the bonded indebtedness or judgments arising therefrom, of this State, or of any county or municipality in this State.

The clerk of the county board of supervisors shall immediately forward a copy of the completed budget and tax levies to both the State Department of Finance and the State Controller.

The estimates of expenditures, classified as required in subdivision two hereof, and as finally fixed and adopted by said county board of supervisors, shall constitute the appropriations for the county for the fiscal year to which the budget is intended to apply and the county board of supervisors and every other county official, or person, including township officers and judges of any court of record, shall be limited in the making of expenditures or the incurring of liabilities to the amount of such appropriations and classifications respectively; provided, that upon a resolution, formally adopted by the county board of supervisors at a regular or special meeting, and entered upon its minutes, transfers or revisions within the general classes of "salaries and wages," "maintenance and operation," and "capital outlay" may be made. Transfers between the general classes provided in subdivision two hereof, shall not be permitted; provided, that in the case of road and bridge maintenance appropriations, any lawful transfer, deemed necessary may be made; and it is further provided, that the county board of supervisors may by a four-fifths vote of the members present at any meeting of which all members have had reasonable notice cancel any appropriation in whole or in part that is not needed, and return such amount to the "unappropriated reserve" of the fund from which such appropriation was originally made.

Where any budget shall contain an expenditure program to be financed from a bond issue to be authorized thereafter, no such expenditure shall be made or obligations therefor incurred, except such preliminary expenditures as may be now provided by law, until such bonds have been duly authorized and sold. Expenditures

made, liabilities incurred, or warrants issued in excess of any of the budget appropriations as originally determined, or as thereafter increased from the "unappropriated reserves" or as thereafter revised by transfer, as herein provided, shall not be a liability of the county, but the official making or incurring such expenditure in an amount known by him to be in excess of the available balance of the appropriation against which it is drawn, shall be liable therefor personally and upon his official bond. The county board of supervisors shall approve no claim, and the county auditor shall issue no warrant for any expenditure in excess of said budget appropriations, as finally adopted or as thereafter increased from the "unappropriated reserves" or by a transfer as herein provided by said county board of supervisors, or as revised under the provisions herein except upon an order of a court of competent jurisdiction, or for an emergency, as hereinafter provided

Nothing herein contained shall be construed as affecting any authority now granted the county board of supervisors to enter into any contract for governmental services for a period exceeding one year, provided that such contract shall only be considered an encumbrance of the fund from which it is to be liquidated in the amount of indebtedness accruing to June thirtieth of each fiscal year covered by such contract.

It is expressly provided that school districts are included herein for the sole purpose of making possible the printing or mimeographing of a proposed expenditure program of moneys collected through county and district tax levies, in order to make possible a ready analysis of such tax levies by the taxpayers and county officials of the county, and it is further expressly provided that nothing in this section shall be construed as requiring any greater detail in school district budgets, nor as allowing any control, alteration or revision thereof or expenditure thereunder not heretofore provided by law, nor as placing any penalty upon any action of any school district board or officer not so heretofore provided.

6. Upon the happening of any emergency caused by fire, flood, explosion, storm, earthquake, epidemic, riot, or insurrection, or for the immediate preservation of order or of public health, or for the restoration to a condition of usefulness of any public property, the usefulness of which has been destroyed by accident, or for the relief of a stricken community, overtaken by calamity, or the settlement of approved claims for personal injuries, or for property damages, exclusive of claims arising from the operation of any public utilities, owned by the county, or to meet mandatory expenditures required by law, the county board of supervisors may upon the adoption, by a four-fifths vote of the members present at any meeting, of the time and place of which all the members of such board shall have had reasonable notice, of a resolution stating the facts constituting the emergency and entering the same upon the minutes, make the expenditure necessary to meet such emergency

All emergency expenditures shall be paid by warrant from any moneys on hand in the county treasury, in any fund properly chargeable with such expenditure, and the county treasurer is hereby authorized and directed to pay such warrants out of any moneys in the treasury in such fund If, at any time, there shall be insufficient moneys on hand in the treasury to pay any of such warrants, then such warrant shall be registered, bear interest, and be called in the manner provided by law for other county warrants.

The unencumbered balance remaining in any fund at the end of the fiscal year shall be carried over to the credit of such fund for the next fiscal year, and shall be deducted from the amount finally determined as necessary to be expended by that fund, for such fiscal year; provided, however, that nothing in this act shall be construed as affecting the right of a county to levy, budget, and expend for highway purposes, the maximum tax provided in sections 2653 and 4041 of the Political Code in addition to such encumbered balance; provided, that all balances remaining to the credit of any fund which is not to be continued in the succeeding fiscal year, shall revert to the general fund, except as to such funds as belong to special districts and are not a part of general county finances

All contractual services rendered or deliveries made prior to the first day of June of each fiscal year, shall be taken into account as expenditures of the year in progress.

If at the beginning of any fiscal year the appropriations necessary for the support of the various county offices, departments, services, institutions or districts for such fiscal year shall not have been made, the several amounts appropriated in the budget of the preceding year for the objects and purposes therein specified, so far as the same shall relate to the operation and maintenance expenses, shall be deemed to be reappropriated for the several objects and purposes specified in said previous year budget until the county board of supervisors shall complete the budget for the current fiscal year and the county auditor shall approve the payments necessary for the support of the various county offices, departments, services, institutions, or districts on the basis of the appropriations of the preceding fiscal year

7. On or before the tenth day of each month, or such other date in any month as the county board of supervisors may direct, the county auditor shall submit to the county board of supervisors a statement showing such information with respect to the condition of each separate budget appropriation as the county board of supervisors may require.

8. It is hereby made the duty of the State Department of Finance to prescribe forms, to initiate or approve changes therein whenever in its judgment same are advisable, and to promulgate such rules, regulations and classifications as may be necessary to carry out the provisions of this act.

SEC. 21. Section 3728 of the Political Code is hereby amended to read as follows:

3728. The auditor must, on or before the second Monday in July in each year, prepare from the "assessment book" of such year, as corrected by the board of supervisors, duplicate statements, showing in separate columns—

1. The number of acres of land.
2. The total value of all property.
3. The value of real estate.
4. The value of improvements thereon.
5. The value of personal property, exclusive of money.
6. The amount of money.
7. Such other information as the State Board of Equalization may require.

SEC. 22. Section 3732 of the Political Code is hereby amended to read as follows:

3732. On or before the first day of August, he must deliver the corrected assessment book to the tax collector, with an affidavit attached thereto, and by him subscribed as follows:

"I, _____, auditor of the county of _____, do swear that I received the assessment book of the taxable property from the clerk of the board of supervisors, with his affidavit thereto affixed, and that I have corrected it and made it conform to the requirements of the State Board of Equalization, that I have reckoned the respective sums due as taxes, and have added up the columns of valuations, taxes, and acreage, as required by law."

SEC. 23. Section 3737 of the Political Code is hereby amended to read as follows:

3737. The auditor must, on or before the meeting of the board of supervisors on the first Monday in August, prepare a statement, in duplicate, showing:

First—The indebtedness of the county, funded and floating, the amount of each class, and the rate of interest borne by each class of such indebtedness, or any part thereof.

Second—A concise description of all property owned by the county, with an approximate estimate of the value thereof, and the amount of cash in the county treasury subject to the payment of such indebtedness.

Third—The rate of taxation for county purposes, as shown by the last tax levy made by the board.

Fourth—The assessed value of all property, in detail, for the year.

Fifth—Such other information as the board of supervisors or the Controller of the State may require.

One of the statements mentioned in this section must be filed with the board on the first Monday in August, and the other forwarded immediately, by mail or express, to the Controller of the State. The Controller shall include in his biennial report to the Governor a digest and synopsis, in tabular form, of all reports received by him under the provisions of this section. Any auditor failing to furnish such statement within the time prescribed by law, or to forward to the Controller as herein directed, forfeits to the county one thousand dollars, to be recovered in an action brought by the district attorney in the name of the county.

SEC. 24."

Amendment No. 3.

On page 1, line 7, of the printed bill, strike out "Monday", and insert in lieu thereof the following: "day".

Amendment No. 4.

On page 1, line 8, of the printed bill, strike out "August", and insert in lieu thereof the following: "September".

Amendment No. 5.

On page 1, line 9, of the printed bill, strike out "first Tuesday of September", and insert in lieu thereof the following: "fifth day of October".

Amendment No. 6.

On page 1, line 10, of the printed bill, strike out "eight", and insert in lieu thereof the following: "two".

Amendment No. 7.

On page 1, line 12, of the printed bill, strike out "first Monday", and insert in lieu thereof the following: "fifteenth day".

Amendment No. 8.

On page 1, line 14, of the printed bill, strike out "first Monday", and insert in lieu thereof the following: "twentieth day".

Amendment No. 9.

On page 1, line 15, of the printed bill, strike out "eight", and insert in lieu thereof the following: "two".

Amendment No. 10.

On page 1, line 17, of the printed bill, strike out "Monday", and insert in lieu thereof the following: "day".

Amendment No. 11.

On page 1, line 19, of the printed bill, strike out "first Monday", and insert in lieu thereof the following: "fifth day".

Amendment No. 12.

On page 1, line 20, of the printed bill, strike out "three", and insert in lieu thereof the following: "two".

Amendment No. 13.

On page 1, line 22, of the printed bill, strike out "Monday of May", and insert in lieu thereof the following: "day of April".

Amendment No. 14.

On page 2, line 1, of the printed bill, strike out "first Monday of June", and insert in lieu thereof the following: "fifth day of May".

Amendment No. 15.

On page 2, line 1, of the printed bill, strike out "three", and insert in lieu thereof the following: "two".

Amendment No. 16.

On page 2, line 2, of the printed bill, after "thereof", insert the following: "When October 5th, December 20th, March 5th or May 5th falls on Saturday, taxes shall become delinquent at twelve o'clock m. on such date."

Amendment No. 17.

On page 2 of the printed bill, strike out lines 3 and 4, and insert in lieu thereof the following:

"2. That any subsequent installment or installments of taxes may be paid at the time a prior installment, as herein provided, is due and payable."

Amendment No. 18.

On page 2 of the printed bill, immediately following line 7, insert the following:

"SEC. 25. Section 3746a is hereby added to the Political Code to read as follows:

3746a. If an installment is not paid on or before the time the next subsequent installment becomes delinquent, it shall bear interest at four per cent until another subsequent installment becomes delinquent, when it shall bear interest at six per cent. If such installment is not paid by the time the third subsequent installment becomes delinquent, it shall bear interest at eight per cent until the fourth subsequent installment becomes due.

If an installment is not paid by the time the fourth subsequent installment becomes due, it shall bear interest at three per cent thereafter until paid.

SEC. 26. Section 3756 of the Political Code is hereby repealed.

SEC. 27. Section 3758 of the Political Code is hereby amended to read as follows:

3758. On the third Monday in October, the first Monday in January, the third Monday in March, and the third Monday in May, in each year, in each of the counties and cities and counties of this State, the tax collector must attend at the office of the auditor with the assessment book, having all items of taxes collected marked "paid". The auditor shall thereupon compute and enter against all the items of taxes due and unpaid and the penalty for delinquency, foot up the total amount of penalties then due, and must, within ten days thereafter, deliver to said tax collector the assessment book and charge him with the amount of said penalties.

SEC. 28. Section 3831 of the Political Code is hereby amended to read as follows:

3831. Within fifteen days after the first Monday in July of each year, the auditor of the county or city and county, must make a careful examination of the assessment book or books of the county, or city and county, and ascertain therefrom the amount or amounts of all taxes that have been collected by the assessor in pursuance of this chapter.

SEC. 29. In case of any conflict between the dates specified in this act and any other dates prescribed elsewhere by law, all things pertaining in any way to the provisions of this act and which are required to be done at the dates elsewhere prescribed by law may be done at such times as necessary to accomplish the intent and purposes of this act."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Introduction and Reference of Bills.

The following bill was introduced:

By Mr. Waters: Assembly Joint Resolution No. 53—Relative to memorializing the President and Congress to enact S. 1952, which proposes to protect the unclassified postal employees people, extending to them a civil service status.

Introduced.

Request for Unanimous Consent.

Mr. Waters asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 53, at this time, without reference to printer, committee or file, and that same be considered engrossed.

Assembly Joint Resolution No. 53—Relative to memorializing the President and Congress to enact S. 1952, which proposes to protect the unclassified postal employees people, extending to them a civil service status.

Assembly Joint Resolution No. 53 read.

Mr Waters moved the adoption of Assembly Joint Resolution No. 53

The question being on the adoption of Assembly Joint Resolution No. 53.

The roll was called, and Assembly Joint Resolution No. 53 adopted by the following vote:

AYES—Anderson, Boyle, Chatters, Corwin, Crowley, Cunningham, DeLap, Donahue, Donnelly, Evans, Ralph W., Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Laughlin, Martin, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Pelletier, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Welsh, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 53 ordered transmitted to the Senate.

Assembly Joint Resolution No. 53.

Relative to memorializing the President and Congress to enact S. 1952, which proposes to protect the unclassified postal employees people, extending to them a civil service status.

WHEREAS, Many of the special delivery messengers, boys in former years but now mature men with parental responsibilities, have been summarily dismissed or indefinitely furloughed to make vacancies for civil service substitute clerks and carriers during these depressing years; and

WHEREAS, The special delivery messengers have served from 5 to 25 years in the postal service as faithful public servants; and

WHEREAS, The work of these unclassified Federal employees is as important, exacting, responsible and requires an intelligence on a par with that of any other postal employee, and that the Post Office Department does consider the special delivery service as an important postal activity; and

WHEREAS, The special delivery department is the only branch of the United States postal system not as yet included under civil service status; and

WHEREAS, On February 15, 1935, there was introduced in the United States Senate by Hon. M. M. Logan of Kentucky, a bill known as S. 1952, which has as its purpose the "extending of the classified executive civil service of the United States", now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the President and Congress of the United States are respectfully urged to enact the legislation proposed by S 1952 and that the Committee on Civil Service of the Senate and the Committee on Civil Service of the House of Representatives are also urged to expedite consideration favorable to said bill; and be it further

Resolved, That the Governor of the State of California is hereby requested to transmit copies of this resolution to the President and Vice President of the United States, to the President of the Senate and Speaker of the House of Representatives, and to the chairman and members of the Committee on Civil Service of both houses,

and to each Senator and member of the House of Representatives from the State of California.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced:

By Mr. Hunt: Assembly Joint Resolution No. 54—Relative to memorializing Congress urging it to use or cause the adoption of safety slogans for various postal districts in canceling postage stamps so that each time canceled mail was handled the person handling it would have before him a reminder that the misuse of the highways, or violation of Safety Laws may cause a loss of life, injury of person, or loss of money.

Introduced.

Request for Unanimous Consent.

Mr. Hunt asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 54, at this time, without reference to print, or file, and that same be considered engrossed.

Assembly Joint Resolution No. 54—Relative to memorializing Congress urging it to use or cause the adoption of safety slogans for various postal districts in canceling postage stamps so that each time canceled mail was handled the person handling it would have before him a reminder that the misuse of the highways, or violaton of Safety Laws may cause a loss of life, injury of person, or loss of money.

Assembly Joint Resolution No. 54 read.

Mr. Hunt moved the adoption of Assembly Joint Resolution No. 54.

The question being on the adoption of Assembly Joint Resolution No. 54.

The roll was called, and Assembly Joint Resolution No. 54 adopted by the following vote:

AYES—Boyle, Brennan, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Laughlin, Martin, McBride, McCarthy, Meehan, Miller, Morgan, Patterson, Pelletier, Phillips, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Walker, Wallace, Waters, Welsh, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 54 ordered transmitted to the Senate.

Assembly Joint Resolution No. 54.

Relative to memorializing Congress, urging it to use or cause the adoption of safety slogans for various postal districts in canceling postage stamps so that each time canceled mail was handled the person handling it would have before him a reminder that the misuse of the highways, or violation of Safety Laws may cause a loss of life, injury of person, or loss of money.

WHEREAS, In the United States in the year 1934, 51,000 persons were killed and nearly a million injured in traffic accidents because of a misuse of the highway or violation of Safety Laws, with a resultant loss of many millions of dollars in property damage; and

WHEREAS, The traffic problem has become so serious that the President of the United States has, on numerous occasions, publicly urged the necessity of its regulation and encouraged organizations who have undertaken the task of trying to make our highways safe for those who use them; and

WHEREAS, One of the effective ways to combat this heavy loss of life and injury to person is by making the citizens of the United States safety and traffic minded through education and publicity; and

WHEREAS, The Post Office Department of the United States has heretofore used various slogans when canceling stamps or mail, such as admonishing persons to "shop early" before the Christmas holidays, and has thus conducted a gigantic publicity campaign at little or no cost, and has daily reached a vast number of the citizens of the United States; and

WHEREAS, In the State of California in the year last passed, there were 2700 people killed and between 35,000 and 40,000 injured because of various safety laws being violated, causing an estimated economic loss in the State between $10,000,000 and $50,000,000; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Congress of the United States be urged to use or cause the adoption of safety slogans for various postal districts in canceling postage stamps so that every time canceled mail was handled the person handling it would have before him a reminder that the misuse of the highways or violation of safety laws may cause a loss of life; injury to person or loss of money; and be it further

Resolved, That the Governor of the State of California be hereby requested to transmit a copy of this resolution to the Honorable James F. Farley, Postmaster General.

Resolutions.

The following resolutions were offered:

By Mr. Cottrell:

Assembly Resolution.

WHEREAS, The installation of an extra shelf on the Assembly desks has proven very satisfactory where installed; now therefore, be it

Resolved by the Assembly, State of California, That the sum of $488, or as much thereof as may be necessary be appropriated out of the contingent fund of the Assembly to Frank N. Killam, Chief of the Bureau of Buildings and Grounds, to be expended by him for the purchase and installation of shelves on each and every member's desk in the Assembly; and be it further

Resolved, That the Controller is hereby directed to draw his warrant on the contingent fund of the Assembly in favor of Frank N. Killam in the sum of $488, or as much thereof as may be necessary to carry out the provisions of this resolution.

Resolution read.

Mr. Cottrell moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Breed, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Heisinger, Hunt, Latham, Maloney, Martin, McCarthy, Meehan, Minard, O'Donnell, Peyser, Phillips, Reaves, Redwine, Riley, Rosenthal, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, and Mr. Speaker—47.

NOES—Glover, Hawkins, Johnson, Kallam, Laughlin, Lore, McBride, Miller, Morgan, Patterson, Pelletier, Richie, and Robertson—13.

By Mr. Brennan:

Assembly Resolution.

WHEREAS, Thomas J. Mooney and Warren K. Billings were separately charged and separately convicted of the crime of murder alleged to have been committed during the Patriotic Preparedness Day parade held in San Francisco in June, 1916; and

WHEREAS, Both of said parties have been incarcerated, as a result thereof, for approximately 19 years; and

WHEREAS, Since the conviction of said parties the witnesses, who gave direct evidence connecting said parties with the commission of said crime, have shown a degree of unreliability in that most of them have since made statements inconsistent with their sworn testimony; and

WHEREAS, The degree of the unreliability of said witnesses should be measured by whether said inconsistent statements were made freely or under coercion, suggestion or duress, or as the result of propaganda; and

WHEREAS, It is impractical and, in fact, impossible to determine with any degree of certainty the unreliability of said witnesses; and

WHEREAS, During the trial of the so-called Billings Case, the first of said so-called Preparedness Day cases to be tried, much circumstantial evidence which was offered tending to connect Billings, Mooney, Alexander Burkman, Emma Goldman, and others in a conspiracy to stop said Preparedness Day parade by force and violence and to change the existing social order by acts of sabotage with the use of explosives was denied admission in evidence by the judge presiding at the trial of said Billings Case; and

WHEREAS, As a result of the confusion thus arising a wide divergence of sentiment exists among our most outstanding, patriotic and well-meaning citizens as to the guilt or innocence of said Billings and Mooney; and

WHEREAS, Regardless of guilt or innocence, it is not in the public welfare that anyone should be incarcerated where there is such an equally divided sentiment as to guilt or innocence existing among our citizens giving rise to the opinion, shared by many, that an injustice is being done; now, therefore, be it

Resolved, That we, the Legislature of the State of California in meeting assembled, without, in any way, expressing our opinion or conviction as to the guilt or innocence of the said Mooney and Billings, but having in mind the fact that they have already been incarcerated for a period of approximately 19 years in State prisons, and with the view of, in some measure, terminating a vexed and contentious problem, hereby recommend to Governor Frank F. Merriam that the terms of Warren K. Billings and Thomas J. Mooney be commuted to the time served and that they be relieved of further incarceration.

Resolution read.

Mr. Brennan moved the adoption of the resolution.

The question being on the adoption of the resolution.

Demand for Previous Question.

Messrs. McMurray, Voigt, Lore, Boyle and Meehan demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of the resolution.

Request for Roll Call.

On request of Messrs. Flint, Wagner and Jones, the Speaker ordered a roll call taken on the adoption of the resolution submitted by Mr. Brennan.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Patterson moved a call of the House.

Motion carried.

Time, two o'clock and fifty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—76.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Resolution.

The following resolution was offered:

By Messrs. Hornblower and Boyle:

Resolution.

Resolved, That Assembly Bill No. 1 be withdrawn from the Committee on Judiciary, and be placed on file

Resolution read.

The question being on the resolution by Messrs. Hornblower and Boyle to withdraw Assembly Bill No 1 from Committee on Judiciary.

Request for Roll Call.

On request of Messrs. Dawson, Wagner and Heisinger, the Speaker ordered a roll call taken on the resolution submitted by Messrs. Hornblower and Boyle.

The roll was called, and the resolution was adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Rosenthal, Scudder, Thorp, Turner, Wagner, Walker, Waters, Weber, Welsh, and Williamson—58

NOES—Cottrell, Cunningham, DeLap, Field, Fisher, Frazier, Johnson, Lyon, Minard, Peyser, Richie, Riley, Robertson, Stream, Utt, Voigt, Wallace, Wright, and Mr. Speaker—19.

Assembly Bill No. 1 ordered on file.

Further Proceedings Under Call of the House Dispensed With.

At three o'clock and thirty minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Brennan.

The roll of absentees was called, and the resolution submitted by Mr. Brennan was adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Latham, Laughlin, Lore, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Patterson, Pelletier, Peyser, Reaves, Richie, Rosenthal, Scudder, Thorp, Turner, Voigt, Wagner, Wallace, Waters, Weber, Welsh, and Williamson—51.

NOES—Breed, Chatters, Corwin, Dawson, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Garibaldi, Johnson, Kallam, Lyon, Martin, Miller, Nielsen, O'Donnell, Phillips, Redwine, Riley, Robertson, Stream, Utt, Walker, Wright, and Mr. Speaker—28.

Notice of Reconsideration of Resolution.

Mr. Minard gave notice that on the next legislative day he would move to reconsider the vote whereby the resolution by Mr. Brennan was this day adopted.

Explanation of Vote.

The resolution introduced by Mr. Brennan is so cleverly worded as to preclude expressing an opinion as to the guilt or innocence of either Mr. Mooney or Mr. Billings. It is but an idle gesture and a first class example of evading the merits of the issue involved. At the present time there is pending in the courts of this State a petition for a writ of habeas corpus in behalf of Mr. Mooney. It is not within the province of the Legislature to pass on matters pending in the courts and until Mr. Mooney and Mr. Billings have exhausted their legal remedies and the courts have finally decided the question involved, this Assembly should not intrude itself. Regardless of the merits of the resolution in either purport or objective, in my opinion its presentation was inopportune, as to time and, accordingly, I voted "No" on the resolution.

KENNETT B. DAWSON,
Assemblyman Twenty-second District

Explanation of Vote.

The subject of this resolution lies entirely and without reservation within the power of the Governor In no sense can this be considered a legislative matter Thousands of pages of testimony have been taken in this matter of which the members of this body have no knowledge. The Constitution of the State has definitely placed within the scope of the Governor and the Supreme Court the power of disposing of this character of case. I was elected to the Assembly, not Governor, nor Supreme Court Justice Therefore, viewing this as entirely outside of the legislative work I voted against the resolution

EDWARD CRAIG

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1935.

MR. SPEAKER: Your Committee on Rules, to which was referred the following Assembly Resolution: By Mr. Patterson:

Assembly Resolution.

WHEREAS, The use of the electrical roll call system in the Assembly Chamber has resulted in a material saving of time to the Assembly sufficient to justify the purchase and permanent installation of an electrical roll call device; now, therefore, be it

Resolved by the Assembly of the State of California, That the sum of $19,800, or so much thereof as may be necessary, be appropriated out of the contingent fund of the Assembly to Frank N. Killam, Chief of the Bureau of Buildings and Grounds, to be expended by him for the purchase and installation of an electrical roll call system in the Assembly Chamber; and to be completed prior to January 1, 1937; and, be it further

Resolved, That the said Frank N. Killam is hereby instructed and authorized to prepare plans and specifications for such an electrical roll call system to be submitted to the Assembly committee and approved by them; and he is further authorized and instructed to call for bids for the installation of such electrical roll call system after the approval of said plans and specifications, such bids to be submitted by him to the committee for final approval; and, be it further

Resolved, That the Controller is hereby directed to draw his warrant on the contingent fund of the Assembly in favor of Frank N. Killam in the sum of $19,800 or as much thereof as may be necessary to carry out the provisions of this resolution; and, be it further

Resolved, That the said Frank N. Killam is hereby directed to file proper support vouchers for all moneys received and expended under the terms of this resolution; and, be it further

Resolved, That the State Controller is hereby directed to set aside the sum of $19,800 from the contingent fund expense money of the Assembly for the payment of such bills as may be incurred under and by virtue of the terms of this resolution, the same to be set up as a special account on the Controller's books.

Has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

WALLACE, Chairman.

Resolution.

The following resolution was offered:

By Mr. Patterson:

Assembly Resolution.

Resolved, That the Assembly resolution relating to the purchase and permanent installation of an electrical roll call device, introduced April 15, 1935, be amended to read as follows:

WHEREAS, The use of the electrical roll call system in the Assembly Chamber has resulted in a material saving of time to the Assembly sufficient to justify the purchase and permanent installation of an electrical roll call device; now, therefore, be it

Resolved by the Assembly of the State of California, That the sum of $19,800, or so much thereof as may be necessary, be appropriated out of the contingent fund of the Assembly to the Bureau of Buildings and Grounds, to be expended by it for the purchase and installation of an electrical roll call system in the Assembly Chamber; and to be completed prior to January 1, 1937; and, be it further

Resolved, That the said Bureau of Buildings and Grounds is hereby instructed and authorized to prepare plans and specifications for such an electrical roll call system to be submitted to the Assembly Committee and approved by them; and the said bureau is further authorized and instructed to call for bids for the installation of such electrical roll call system after the approval of said plans and specifications, such bids to be submitted by said bureau to the committee for final approval; and, be it further

Resolved, That the Controller is hereby directed to draw his warrant on the contingent fund of the Assembly in favor of the Bureau of Buildings and Grounds in the sum of $19,800 or as much thereof as may be necessary to carry out the provisions of this resolution; and, be it further

Resolved, That the said Bureau of Buildings and Grounds is hereby directed to file proper support vouchers for all moneys received and expended under the terms of this resolution; and, be it further

Resolved, That the State Controller is hereby directed to set aside the sum of $19,800 from the contingent fund expense money of the Assembly for the payment of such bills as may be incurred under and by virtue of the terms of this resolution, the same to be set up as a special account on the Controller's books.

Resolution read.

Mr. Patterson moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Chatters, Clark, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McCarthy, McMurray, Meehan, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—62.

NOES—Cottrell, Donnelly, Field, Garibaldi, Lyon, Mayo, Redwine, Riley, and Robertson—9.

Further Consideration of Assembly Bill No. 1618, as Amended.

The question being on the adoption of amendments Nos. 8 and 9 to Assembly Bill No. 1618, submitted by Messrs. McCarthy and Evans, Ralph W.

Motion for Special Order for Assembly Bill No. 1618.

Mr. Lyon moved that further consideration of Assembly Bill No. 1618 and amendments pending, be made a special order for Monday, April 29, 1935, at eleven o'clock and fifteen minutes a.m.

Motion carried.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, April 25, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 31—Relative to approval of amendments to the charter of the city of San Bernardino.

J. A. BEEK, Secretary of Senate.

Request for Unanimous Consent.

Mr. Andreas asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 31, at this time, without reference to file.

Senate Concurrent Resolution No. 31—Relative to approval of amendments to the charter of the city of San Bernardino.

Senate Concurrent Resolution No. 31 read.

Mr. Andreas moved the adoption of Senate Concurrent Resolution No. 31.

The question being on the adoption of Senate Concurrent Resolution No. 31.

The roll was called, and Senate Concurrent Resolution No. 31 adopted by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Minard, Morgan, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—71.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 31 ordered transmitted to the Senate.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, April 25, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 16—Relative to Federal legislation granting subsidy or assistance to the American Merchant Marine.

J. A. BEEK, Secretary of Senate.

Request for Unanimous Consent.

Mr. Weber asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 16, at this time, without reference to file.

Consideration of Senate Joint Resolution No. 16.

Senate Joint Resolution No. 16—Relative to Federal legislation granting subsidy or assistance to the American Merchant Marine.

Senate Joint Resolution No. 16 read.

Mr. Weber moved the adoption of Senate Joint Resolution No. 16.

The question being on the adoption of Senate Joint Resolution No. 16.

The roll was called, and Senate Joint Resolution No. 16 adopted by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—72.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 16 ordered transmitted to the Senate.

Senate Joint Resolution No. 16.

Relative to Federal legislation granting subsidy or assistance to the American Merchant Marine.

WHEREAS, It is deemed desirous by the government of the United States to give consideration to the development of the American Merchant Marine through assistance by the government in the matter of sale of vessels constructed by the government, in the matter of subsidies, mail contracts, or otherwise; and

WHEREAS, Steamships operating over the various trade routes of the world are grouped into conferences or associations granting to the shipping industry a certain amount of self-government and coordination in the matter of rates and services; and

WHEREAS, Under Federal laws enacted by the Congress, these conferences or groups are relieved of the Sherman Act preventing combinations in the restraint of trade; and

WHEREAS, These conferences in the majority of cases having a preponderance of foreign ownership through their policies and rules have seen fit to prevent their members from serving certain American ports; and

WHEREAS, It is believed to be a sound policy for the government of the United States to require that all vessels receiving assistance from it through the medium of subsidy, ship purchase, or otherwise, should partake in a free and unrestricted flow of traffic through all ports of the United States which have been improved by the use of Federal funds; now, therefore, be it

Resolved by the Legislature of the State of California, That the Congress of the United States in connection with any legislation granting subsidy or assistance to the American Merchant Marine, be requested to incorporate therein the provision that no steamship line operating vessels belonging to the United States or purchased or being purchased from the United States or any agency thereof; or any steamship company receiving from the United States or any agency thereof any subsidy or payment through contract for the carrying of mails, or otherwise, shall belong to any conference or association relieved of the Sherman Act which either through official acts or policies prevents or attempts to prevent either directly or indirectly the serving of any port within the continental limits of the United States located on any improvement project designed for the accommodation of ocean going vessels,

authorized by the Congress or through it by any other agency of the Federal Government; and be it further

Resolved, That a copy of this joint resolution be transmitted to the President and to the Vice President of the United States and to each member of the Senate and of the House of Representatives of the United States.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1935.

MR. SPEAKER: Your committee on Engrossment and Enrollment has examined Assembly Bill No. 50—An act to amend section 653 of the Fish and Game Code, relating to spearing salmon;

Also: Assembly Bill No. 150—An act granting to the City and County of San Francisco certain lands of the State of California located in the City and County of San Francisco upon certain trusts and conditions;

Also: Assembly Bill No. 362—An act to amend section 429 of the Fish and Game Code, relating to license fees;

Also: Assembly Bill No. 390—An act to amend sections 15b and 15a of and to add section 25 to an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, relating to vital statistics;

Also: Assembly Bill No. 678—An act to amend section 1203.6 of the Fish and Game Code, relating to pheasants;

Also: Assembly Bill No. 934—An act to amend section 5.63 of the School Code, relating to admission of nonresident students;

Also: Assembly Bill No. 935—An act to amend section 5.350 of the School Code, relating to fees for credentials and certificates;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your committee on Engrossment and Enrollment has examined Assembly Bill No. 951—An act relating to the securing of Federal aid in connection with the funding or refunding of outstanding bonds and/or assessments of assessment districts in the State of California;

Also: Assembly Bill No. 1028—An act for the raising of revenue to meet the expenditures of this State, not otherwise provided for, pursuant to the provisions of the first paragraph of section 15 of Article XIII of the Constitution, and adding section 3664a2 to the Political Code, relating to the taxation of operators of pipe lines used in the transportation of oil between points in this State, except common carriers, including tax delinquencies, tax penalties and costs, tax liens, remedies for unauthorized taxation, and defining the duties of operators of pipe lines, and prescribing penalties for violations of the act, and declaring the urgency thereof, to take effect immediately;

Also: Assembly Bill No. 1029—An act for the raising of revenue to meet the expenditures of this State not otherwise provided for, pursuant to the provisions of the first paragraph of section 15 of Article XIII of the Constitution, and adding section 3664a-3 to the Political Code, relating to the taxation of operators of pipe lines used in the transportation of gas between points in this State, except common carriers, including tax delinquencies, tax penalties and costs, tax liens, remedies for unauthorized taxation, and defining the duties of operators of such pipe lines, and prescribing penalties for violations of the act, and declaring the urgency thereof, to take effect immediately;

Also: Assembly Bill No. 1677—An act to add section 8a to an act entitled "An act to provide for the formation, management and dissolution of county water works districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county water works district bonds and the payment thereof," approved June 13, 1913, relating to refunding bonds;

Also: Assembly Bill No. 1724—An act relating to the solicitation of law business and the payment of compensation therefor, and providing a penalty for violation of the provisions hereof;

Also: Assembly Bill No. 2092—An act to amend section 493.5 of the Fish and Game Code, and to add thereto section 741.5, relating to fish;
And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your committee on Engrossment and Enrollment has examined Assembly Bill No. 2111—An act making an appropriation to be expended by and under the direction of the Department of Public Works for the purpose of rectifying, improving and protecting the channel of the Pajaro River, and providing flood protection for adjacent lands, in Santa Cruz and Monterey Counties;

Also: Assembly Bill No. 2143—An act to add a new section to be numbered section 24a to the act known as the "Direct Primary Law," relating to the personnel of committees;
And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your committee on Engrossment and Enrollment has examined Assembly Bill No. 197—An act granting in trust to the City and County of San Francisco the interest of the State in and to, and the control and management of the harbor of San Francisco, as described in the act; providing for the disposition of revenues derived from the operation of said harbor; providing for the sale of bonds authorized but not sold; providing for the payment of interest on bonds, and for the redemption of bonds; fixing the terms and conditions of the grant; providing for the issuance of a proclamation by the Governor; providing for the continuation in service of employees and entitling them to the benefits of civil service provisions of the charter of the City and County of San Francisco; providing that the members of the State Board of Harbor Commissioners shall be continued in office as members of the board, commission or public officers vested with the management of said harbor until their respective terms as members of the State Board of Harbor Commissioners shall expire;

Also: Assembly Bill No. 1665—An act providing for unemployment insurance;
And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 12—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 6 of Article VI thereof, relating to the superior courts;

Also: Assembly Constitutional Amendment No. 74—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending sections 1 and 3 and repealing sections 7 and 8a, and subsections 5 and 6 of section 8½, of Article XI thereof, relating to county districts;
And reports that the same have been correctly engrossed

WATERS, Chairman.

Assembly Constitutional Amendments Nos. 12 and 74 ordered on file for adoption.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 405—An act to add a new section to the Civil Code to be numbered 2934a, relating to substitution of trustees in trust deeds;

Also: Assembly Bill No. 728—An act to amend sections 1239, 1246, and 1249 of the Code of Civil Procedure, relating to eminent domain;

Also: Assembly Bill No. 812—An act to amend section 226 of the Civil Code, relating to proceedings on adoption;

Also: Assembly Bill No. 978—An act to amend section 12 of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to civil engineers;

Also: Assembly Bill No. 2292—An act to amend section 23 of the California Barber Law, relating to restrictions upon barber shops or colleges in this State;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

LYON, Chairman.

The above reported bills ordered on file for second reading.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1935

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 2099—An act to amend section 691 of the Agricultural Code, relating to animal industry—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

THORP, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 1836—An act to amend section 585 of the Agricultural Code, relating to dairies and dairy products—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, as amended, and be re-referred to Committee on Ways and Means.

THORP, Chairman.

The above reported bill ordered on file for second reading.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1774—An act to amend the Real Estate Brokers License Act.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the title of the printed bill, after the word "amend", strike out the words "the Real Estate Brokers' License Act", and insert in lieu thereof the following: "the title and section 3e and to amend and to renumber section 20k of, and to add sections 19a, 19b, and 20*l* to the California Real Estate Act, relating to the regulation and licensing of real estate brokers and salesmen, and to the inspection and regulation of subdivisions; to provide for the enforcement of said act and penalties for the violation thereof."

Amendment No. 2.

On page 1, line 1, of the printed bill, after the words "SECTION 1.", insert the following: "The title of the act cited in the title hereof is hereby amended to read as follows:

An act to define real estate brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create a State Real Estate Division, the office of Real Estate Commissioner, and the Real Estate Board and prescribing the powers and duties thereof, and to provide for the inspection and regulation of subdivisions thereby; to provide for the enforcement of said act and penalties for the violation thereof."

SEC. 2. Section 3e of said act is hereby amended to read as follows:

Sec. 3e. After qualifying as such, neither the Real Estate Commissioner nor any of the deputies, clerks or employees of the division shall be interested in any real estate company or any real estate brokerage firm, as director, stockholder, officer, member, agent or employee, or act as a broker or salesman within the meaning of this statute, or act as a copartner or agent for any other such broker or brokers, salesman or salesmen.

SEC. 3 A new section is hereby added to said act, to be numbered 19a, and to read as follows:

Sec. 19a. Whenever the commissioner shall believe from evidence satisfactory to him that any person, partnership, corporation or company has violated or is about to violate any of the provisions of this act, or any order, license, permit, decision, demand or requirement, or any part or provision thereof, he may bring an action in the name of the people of the State of California in the superior court of the State of California against such person, partnership, corporation or company to enjoin such person, partnership, corporation or company from continuing such violation or engaging therein or doing any act or acts in furtherance thereof. In said action an order or judgment may be entered awarding such preliminary or final injunction as may be proper.

SEC 4 A new section is hereby added to said act, to be numbered 19b, and to read as follows:

Sec 19b. Whenever, after an examination, investigation or hearing under this act, the commissioner deems it of public interest or advantage, he may certify a record to the district attorney of the county in which the act or acts complained of, examined or investigated occurred. The district attorney of such county within ninety days after receipt of such record shall file a written statement at the Sacramento office of the commissioner, which said statement shall set forth the action taken upon such record, or if no action has been taken upon such record that fact, together with the reasons therefor, must be stated.

SEC. 5. A new section is hereby added to said act, to be known as 20k, and to read as follows:

Sec. 20k. The Real Estate Commissioner may from time to time promulgate rules and regulations for the administration and enforcement of the provisions of this act pertaining to subdivided lands and is hereby authorized to issue any order, permit, decision, demand, or requirement to effect this purpose.

SEC. 6. Section 20k of said act is hereby renumbered to be section 20*l*, and amended to read as follows:

Sec. 20*l*. Every officer, agent or employee of any company, and every other person who knowingly authorizes, directs or aids in the publication, advertisement, distribution or circularization of any false statement or representation concerning any land, or subdivision thereof offered for sale or lease, and every person who, with knowledge that any advertisement, pamphlet, prospectus or letter concerning any said land or subdivision contains any written statement that is false or fraudulent, issues, circulates, publishes or distributes the same, or shall cause the same to be issued, circulated, published or distributed, or who, in any other respect, wilfully violates or fails to comply with any of the provisions of this section or sections 20a, 20b, 20c, 20d, 20e, 20g, 20h or 20k of this act, or who in any other respect wilfully violates or fails, omits or neglects to obey, observe or comply with any order, permit, decision, demand or requirement of the commissioner under this section or sections 20a, 20b, 20c, 20d, 20e, 20g, 20h or 20k of this act, is guilty of a public offense, and shall be punished by imprisonment in the county jail for a term not to exceed two years, or by a fine of not to exceed two thousand dollars, and, if a licensee of this division, he shall be held to trial by the State Real Estate Commissioner for a suspension or revocation of his license, as in sections 12a and 13 of this act provided. It shall be the duty of the district attorney of each county in this State to prosecute all violations of the provisions of this section and of sections 20a, 20b, 20c, 20d, 20e, 20g, 20h and 20k of this act in respective counties in which said violations occur."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Third Reading of Senate Bills.

Senate Bill No. 694—An act to add section 690.5 to the Code of Civil Procedure, relating to exemption from attachment, garnishment, and execution of moneys paid to persons receiving relief, and declaring the urgency hereof.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—65.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 694 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Motion to Reconsider Assembly Bill No. 2385 Continued.

Mr. Richie moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2385 was passed, be continued until the next legislative day.

Motion carried.

Withdrawal of Bills.

By order of the Speaker, the following bills were withdrawn from the file, and referred to committees as follows:

Assembly Bill No. 1243 ordered re-referred to Committee on Agriculture.

Assembly Bill No. 273 ordered re-referred to Committee on Motor Vehicles.

Assembly Constitutional Amendment No. 74 ordered re-referred to Committee on Constitutional Amendments.

Assembly Bill No. 2143 ordered re-referred to Committee on Education.

Assembly Bill No. 390 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 1724 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 2111 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 1665 ordered re-referred to Committee on Universities.

Motion to Rush Printing of Assembly Bill No. 1774.

Mr. Martin moved that the Chief Clerk instruct the State Printer to rush printing of Assembly Bill No. 1774, as amended.

Motion carried.

Adjournment.

At four o'clock and fifteen minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a m., Friday, April 26, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, April 26, 1935.

At ten o'clock a.m , pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Nielsen, its further reading was dispensed with.

Leaves of Absence.

On motion of Mr. Gilmore, Mr. Cronin was granted leave of absence for this day.

On motion of Mr. Hunt, Mr. Hawkins was granted leave of absence for the balance of this legislative day.

Privilege of Floor of Assembly Extended.

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. Frank H. Cooney, Governor of Montana.

On request of Mr. Boyle, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. H. A. Cole, Vice President, Board of Playground and Recreation Commissioners.

On request of Mr. Clark, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Walter Scott, Coordinating Division of Municipal and School Recreation of Long Beach; Mr. Frank Harriet, assistant, Mr. Clyde Doyle, Lydia Doyle, and Mrs. James Wilson.

On request of Mr. Weber, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Pearl Sifford, sponsor, and the following students of the California Scholarship Federation, Stockton High School, Stockton, California: Shizu Abe, Lois Archibald, Bette Barth, Aileen Brokaw, Marie Bunt, Helen Caulkins, Sally Chincholo, Dorothy Comer, Betty Dixon, Ruth Ellis, Nickolina Ficovich, Floyd Foppiano, Margaret Gallagher, Erma Gaviglio, Bennie Grondona, Doris Guernsey, Irene Heimbach, Ann Hodgkins, Hilliard Katz, Le Roy Leale, Eleanor McCloud, Wilma Patterson, Phyllis Piraino, Wilma Pool, Jim Powell, Rose Lee Rowe, David Smith, Jean Strong, Jean Swenson, Virginia Williams, Irving Witt, Virginia Wirth, Jimmie Wong, Warren Van Vlear, and Alfred Zuckerman.

On request of Mr. Frazier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Vernon School District, Vernon, Sutter County, as follows: Mr. Frazier, Harold

Finch, Willard Harling, Owen Ward, Edwin Hanson, Jr., Margie Briggs, and Joseph F Vieira, Jr.

On request of Mr. Lyon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. George C. Watson, member of Assembly, Seventy-second District, in 1917.

On request of Mr. Field, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr and Mrs. Alfred Jones and Mr and Mrs. Eddy D. Field.

On request of Mr. Riley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Messrs. E C. Denio and Dick Buffum of Long Beach.

On request of Mr. Waters, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. Marshall A. Stimson of Los Angeles.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From the San Francisco Branch National Association Advancement Colored People, urging the dismissal of those responsible for the mistake relative to the hanging of Negro Rush Griffin.

From Mary Weber and others of Los Angeles, protesting the taxation of chain stores.

From the employees of Pacific S. S Lines, opposing the taxation of the motion picture industry.

From G. W. Corey of Buena Park, California, opposing a State lottery.

ASSISTANT CLERK OLIVER READING.

Second Reading of Assembly Bills.

Assembly Bill No. 487—An act to amend section 692 of the Code of Civil Procedure, relating to sales of property under execution or under power contained in a deed of trust.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 19 and 20, of the printed bill, strike out "registered address, and/or, other address if known to the one causing such sale," and insert in lieu thereof the following: "last known address"

Amendment No. 2.

On page 2, lines 19 and 20, of the printed bill, strike out "registered and/or other address if known to the one causing such sale", and insert in lieu thereof the following: "last known addresses of all parties having an interest in the property to be sold".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 904—An act to amend section 600 of the Probate Code, relating to inventory and appraisement of estates.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 6, of the printed bill, strike out "and the county assessor".

Amendment No. 2.

On page 1, line 8, of the printed bill, strike out the period after 'knowledge', and insert in lieu thereof the following "together with a copy of the same which copy shall be transmitted by said clerk to the county assessor"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1038—An act to add a new section to the Political Code of the State of California to be numbered 3810, relating to judicial review of assessments and taxes alleged to be illegal or erroneous and providing procedure for such review.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 3, line 38, of the printed bill, strike the words, "No filing fees shall be charged by the clerk of the supe-", and all of lines 39 to 42, both inclusive, and insert in lieu thereof the following:

"The same filing fee shall be charged by the clerk of the superior court for filing said proceeding as if said proceeding were an action at law, regardless of any provision in the general laws of the Political Code, or any other statute or code to the contrary."

Amendment No. 2.

On page 3, lines 43 and 44, of the printed bill, strike out subparagraph "(n)" and all thereof.

Amendment No. 3.

On page 3, line 45, of the printed bill, strike out "(o)", and insert "(n)"

Amendment No. 4.

On page 3, line 51, of the printed bill, strike out "(p)", and insert in lieu thereof "(o)".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1870—An act to amend section 4 of an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, relating to injunctions.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 4 of".

Amendment No. 2.

On page 1, line 10 of the title of the printed bill, after "injunctions", and before the period, insert the following: "and unfair discriminations".

Amendment No. 3.

On page 1, line 1, of the printed bill, strike out "Section 4 of the", and insert in lieu thereof the following: "The".

Amendment No. 4.

On page 1 of the printed bill, strike out lines 3 to 14, inclusive, and insert in lieu thereof the following:

"SECTION 1. It shall be unlawful for any person, firm, or corporation, doing business in the State of California and engaged in the production, manufacture, distribution or sale of any commodity, or product, or service or output of a service trade, of general use or consumption, or the product or service of any public utility, with the intent to destroy the competition of any regular established dealer in such commodity, product or service, or to prevent the competition of any person, firm, private corporation, or municipal or other public corporation, who or which in good faith, intends and attempts to become such dealer, to discriminate between different sections, communities or cities or portions thereof, or between different locations in such sections, communities, cities or portions thereof in this State, by selling or furnishing such commodity, product or service at a lower rate in one section, community or city, or any portion thereof, or in one location in such section, community, or city or any portion thereof, than in another after making allowance for difference, if any, in the grade or quality, quantity and in the actual cost of transportation from the point of production, if a raw product or commodity, or from the point of manufacture, if a manufactured product or commodity. Motion picture films when delivered under a lease to motion picture houses shall not be deemed to be a commodity or product of general use, or consumption, under this act. This act shall not be construed to prohibit the meeting in good faith of a competitive rate, or to prevent a reasonable classification of service by public utilities for the purpose of establishing rates. The inhibition hereof against locality discrimination shall embrace any scheme of special rebates, collateral contracts or any device of any nature whereby such discrimination is, in substance or fact, effected in violation of the spirit and intent of this act.

SEC. 2. Any person who, either as director, officer or agent of any firm or corporation or as agent of any person, violating the provisions of this act, assists or aids, directly or indirectly, in such violation shall be responsible therefor equally with the person, firm or corporation for whom or which he acts.

In the prosecution of any person as officer, director or agent, it shall be sufficient to allege and prove the unlawful intent of the person, firm or corporation for whom or which he acts.

SEC. 3. Every person, partnership, firm, corporation, joint stock company, or other association engaged in business within this State, who shall sell, offer for sale or advertise for sale any article or product, or service or output of a service trade, at less than the cost thereof to such vendor, or give, offer to give or advertise the intent to give away any article or product, or service or output of a service trade for the purpose of injuring competitors and destroying competition, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be subject to the penalties set out in section 11 of this act.

The term "cost" as applied to production is hereby defined as including the cost of raw materials, labor and all overhead expenses of the producer; and as applied to distribution "cost" shall mean the invoice or replacement cost, whichever is lower, of the article or product to the distributor and vendor plus the cost of doing business by said distributor and vendor.

The "cost of doing business" or "overhead expense" is defined as all costs of doing business incurred in the conduct of such business and must include without limitation the following items of expense: labor (including salaries of executives and officers), rent, interest on borrowed capital, depreciation, selling cost, maintenance of equipment, delivery costs, credit losses, all types of licenses, taxes, insurance and advertising.

SEC. 4. In establishing the cost of a given article or product to the distributor and vendor, the invoice cost of said article or product purchased at a forced, bankrupt, close-out sale, or other sale outside of the ordinary channels of trade may not be used as a basis for justifying a price lower than one based upon the replacement cost as of date of said sale of said article or product replaced through the ordinary channels of trade, unless said article or product is kept separate from goods purchased in the ordinary channels of trade and unless said article or product is advertised and sold as merchandise purchased at a forced, bankrupt, close-out sale, or by means other than through the ordinary channels of trade, and said advertising shall state the conditions under which said goods were so purchased, and the quantity of such merchandise to be sold or offered for sale.

SEC. 5. In the prosecution of any person as officer, director or agent, it shall be sufficient to allege and prove the unlawful intent of the person, firm or corporation for whom or which he acts. Where a particular trade or industry, of which the person, firm or corporation complained against is a member, has an established cost survey for the locality and vicinity in which the offense is committed, the said cost survey shall be deemed competent evidence to be used in proving the costs of the person, firm or corporation complained against within the provisions of this act.

SEC. 6. The provisions of sections 3, 4 and 5 shall not apply to any sale made:

(a) In closing out in good faith the owner's stock or any part thereof for the purpose of discontinuing his trade in any such stock or commodity, and in the case of the sale of seasonal goods or to the bona fide sale of perishable goods to prevent

loss to the vendor by spoilage or depreciation, provided notice is given to the public thereof;

(b) When the goods are damaged or deteriorated in quality, and notice is given to the public thereof;

(c) By an officer acting under the orders of any court;

(d) In an endeavor made in good faith to meet the legal prices of a competitor as herein defined selling the same article or product, or service or output of a service trade, in the same locality or trade area

Any person, firm or corporation who performs work upon, renovates, alters or improves any personal property belonging to another person, firm or corporation, shall be construed to be a vendor within the meaning of this act.

SEC 7. The secret payment or allowance of rebates, refunds, commissions, or unearned discounts, whether in the form of money or otherwise, or secretly extending to certain purchasers special services or privileges not extended to all purchasers purchasing upon like terms and conditions, to the injury of a competitor and where such payment or allowance tends to destroy competition, is an unfair trade practice and any person, firm, partnership, corporation, or association resorting to such trade practice shall be deemed guilty of a misdemeanor and on conviction thereof shall be subject to the penalties set out in section 11 of this act.

SEC. 8. Upon the third violation of any of the provisions of sections 1 to 7, inclusive, of this act by any corporation, it shall be the duty of the Attorney General to institute proper suits or quo warranto proceedings in any court of competent jurisdiction for the forfeiture of its charter, rights, franchises or privileges and powers exercised by such corporation, and to permanently enjoin it from transacting business in this State If in such action the court shall find that such corporation is violating or has violated any of the provisions of sections 1 to 7, inclusive, of this act, it must enjoin said corporation from doing business in this State permanently or for such time as the court shall order, or must annul the charter, or revoke the franchise of such corporation.

SEC. 9. Any contract, express or implied, made by any person, firm, or corporation in violation of any of the provisions of sections 1 to 7, inclusive, of this act is declared to be an illegal contract and no recovery thereon shall be had.

SEC. 10. Any person, firm, private corporation or municipal or other public corporation, or trade association, may maintain an action to enjoin a continuance of any act or acts in violation of sections 1 to 7, inclusive, of this act and, if injured thereby, for the recovery of damages If, in such action, the court shall find that the defendant is violating or has violated any of the provisions of sections 1 to 7, inclusive, of this act, it shall enjoin the defendant from a continuance thereof. It shall not be necessary that actual damages to the plaintiff be alleged or proved. In addition to such injunctive relief, the plaintiff in said action shall be entitled to recover from the defendant three times the amount of the actual damages, if any, sustained.

Any defendant in an action brought under the provisions of this section may be required to testify under the provisions of sections 2021, 2031 and 2055 of the Code of Civil Procedure of this State, in addition the books and records of any such defendant may be brought into court and introduced, by reference, into evidence; provided, however, that no information so obtained may be used against the defendant as a basis for a misdemeanor prosecution under the provisions of sections 1 to 7, inclusive, and 11 of this act.

SEC. 11. Any person, firm or corporation, whether as principal, agent, officer or director, for himself, or itself, or for another person, or for any firm or corporation, or any corporation, who or which shall violate any of the provisions of sections 1 to 7, inclusive, of this act, is guilty of a misdemeanor for each single violation and upon conviction thereof, shall be punished by a fine of not less than one hundred ($100) dollars nor more than one thousand ($1000) dollars, or by imprisonment not exceeding six months or by both said fine and imprisonment, in the discretion of the court

SEC. 12 If any section, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the act. The Legislature hereby declares that it would have passed this act, and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more other sections, sentences, clauses or phrases be declared unconstitutional The remedies herein prescribed are cumulative and in addition to the remedies prescribed to the public utilities act for discriminations by public utilities. If any conflict shall arise between this act and the public utilities act, the latter shall prevail.

SEC. 13. The Legislature declares that the purpose of this act is to safeguard the public against the creation on perpetuation of monopolies and to foster and encourage competition, by prohibiting unfair and discriminatory practices by which

fair and honest competition is destroyed or prevented. This act shall be literally construed that its beneficial purposes may be subserved

SEC. 14 This act shall be known and designated as the "Unfair Practices Act."

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1916—An act to amend section 537 of the Code of Civil Procedure, relating to attachments.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, insert after "537.", the following: "The plaintiff, at the time of issuing the summons, or at any time afterward, may have the property of the defendant attached, as security for the satisfaction of any judgment that may be recovered, unless the defendant gives security to pay such judgment, as in this chapter provided, in the following cases:

1. In an action upon a contract, express or implied, for the direct payment of money, when all of the following conditions exist.

a. When the plaintiff has reasonable cause to believe that the defendant has made or is about to make such disposition of his property that it can not be reached by execution;

b. When the contract is made or is payable in this State;

c. When the contract is not secured by any mortgage, deed of trust or lien upon real or personal property, or any pledge of personal property, or, if originally so secured, such security has, without any act of the plaintiff, or the person to whom the security was given, become valueless.

An action upon any liability, existing under the laws of this State, of a spouse, relative or kindred, for the support, maintenance, care or necessaries furnished to the other spouse, or other relatives or kindred, shall be deemd to be an action upon an implied contract within the term as used throughout all subdivisions of this section

2. In an action upon a contract, express or implied, against a defendant not residing in this State, or who has departed from the State, or who can not after due diligence be found within the State, or who conceals himself to avoid service of summons.

3 In an action against a defendant not residing in this State, or who has departed from the State, or who can not after due diligence be found within the State, or who conceals himself to avoid service of summons, to recover a sum of money as damages, arising from an injury to property in this State, in consequence of negligence, fraud, or other wrongful act.

4. In an action in unlawful detainer where it appears from the verified complaint on file therein that rent is actually due and payable from the defendant to the plaintiff for the premises sought to be recovered in said action; provided the payment of such rent is not secured by any mortgage or lien upon real or personal property, or pledge of personal property, or, if originally so secured, such security has, without any act of the plaintiff or the person to whom the security was given, become valueless.

5 In an action by the State of California or any political subdivision thereof, for the collection of taxes due said State or political subdivision, or for the collection of any moneys due upon any obligation or penalty imposed by law."

Amendment adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2208—An act requiring marine architects to be certified as such, setting out qualifications, rules and regulations therefor.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out "setting out", and insert in lieu thereof the following: "specifying".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, after "therefor", insert the following: ", creating a board, establishing a fund, and providing penalties".

Amendment No. 3.

On page 1, line 1, of the printed bill, strike out "marine architects shall be certified as such.", and insert in lieu thereof the following: "Unless the context otherwise indicates, as used in this act:

(a) "Marine architecture" means the preparation or furnishing of plans, drawings, specifications, instruments of service, or other data for the construction or operation of vessels.

(b) "Marine architect" means any person engaged in marine architecture.

(c) "Vessel" means any pleasure or commercial boat of a gross tonnage in excess of five tons, which is capable of being propelled by sails or mechanical means, or both

(d) "Fund" means the "marine architecture fund."

(e) "Board" means the California State Board of Marine Architectural Examiners.

SEC. 2. This act shall be known and may be cited and referred to as the "Marine Architectural Act."

SEC. 3. This act shall be administered by the California State Board of Marine Architectural Examiners, which is hereby created.

SEC. 4. The board shall be composed of four members, appointed by the Governor.

SEC. 5. The terms of the first members of the board shall successively expire on the first day of March in the years 1936, 1937, 1938, and 1939. Thereafter, the term of office shall be four years and until the successor is appointed and qualified. Vacancies in any term shall be filled, for the unexpired portion thereof, by the appointment by the Governor.

SEC. 6. The State of California is hereby divided into two districts, to be called, respectively, the northern district and the southern district. The northern district shall consist of all that portion of the State north of the northerly lines of the counties of San Luis Obispo, Kern, and San Bernardino; and the southern district shall consist of all that portion of the State south of such lines. Two members of the board shall be residents of the northern district; and the other two members of the board shall be residents of the southern district.

SEC. 7. All members of the board shall be members in good standing, as yacht or naval architects, of the Yacht Architects, Surveyors and Brokers Association of California or a similar organization of recognized standing.

SEC. 8. The members of the board shall serve without compensation but shall be paid their actual and necessary traveling expenses.

SEC. 9. The members of the board shall, before entering upon the discharge of their duties, take and file with the Secretary of State the constitutional oath of office. Within thirty days after the members of the board, or a majority thereof, have been appointed, such members shall meet and organize by electing a president, a vice president, and a secretary. The terms for such officers shall be two years and until their successors are elected and qualified. The president and the vice president shall be from different districts; and the secretary shall act as treasurer of the board. In addition to other customary duties, the secretary shall keep an accurate written record of all proceedings of the board, which record shall be open to inspection by the public at all times.

SEC. 10. The board may adopt such rules and regulations to govern its proceedings and to administer this act as are consistent with the provisions of this act. The board shall adopt a seal for its use, which seal shall have inscribed thereon the words "State Board of Marine Architectural Examiners." The secretary shall be the custodian of the seal.

SEC. 11. Three members of the board shall constitute a quorum. Upon the written request of two of the members, the secretary shall call a special meeting of the board by giving each member thereof twenty days written notice of the time and place of such meeting.

SEC. 12. All rules and regulations of the board may, from time to time, be repealed, amended, modified, or altered.

SEC. 13. The board shall meet annually on the last Tuesday in April for the purpose of transacting such business as may lawfully come before it and for the examination of applicants for certificates to practice marine architecture.

SEC. 14. In the manner prescribed by the board, persons desiring to practice marine architecture may make written application to the board for a certificate therefor, such application to be accompanied by a fee of twenty-five dollars. Thereupon the board shall examine the applicant to determine his qualifications to practice marine architecture. When the board determines that such applicant is qualified to practice marine architecture, it shall issue to the applicant a certificate entitling him to practice marine architecture in this State, which certificate shall be signed by the president and secretary of the board and have the seal of the board affixed

thereto. Such certificate shall contain the name of the applicant, his birthplace and age, and such other information as the board may determine.

SEC. 15. A certificate to practice marine architecture shall remain in full force and effect until revoked or suspended for cause by the board. Cause for the refusal to grant a certificate or for the suspension or revocation of a certificate may include: dishonest practice of marine architecture, deception in obtaining a certificate, gross incompetency, or any violation of the provisions of this act. Upon its own motion or upon the written complaint of any person, the board may conduct a hearing to determine whether or not, for cause, a certificate should be refused an applicant or a certificate already issued should be suspended or revoked.

SEC. 16. Within thirty days after having been issued a certificate to practice marine architecture, a marine architect shall record such certificate in the office of the county recorder of the county in which he has his principal place of business. The receipt for such recording shall be filed with the board. Unless he has a certificate to practice marine architecture, it shall be unlawful for any person to practice marine architecture in this State or to advertise in any manner or by any means whatsoever that he is a marine architect qualified and entitled to engage in the practice of marine architecture. For the purposes of this act, a person shall not be deemed to be engaged in the practice of marine architecture in the State of California under the following conditions:

(a) When such person makes plans, drawings, or specifications for his own vessel.

(b) When he furnishes to others plans, drawings, specifications, instruments of service, or other data for vessels, if, prior to accepting employment therefor or commencing work thereon, he has fully informed such other person, in writing, that he is not a marine architect or entitled to practice marine architecture.

(c) When such person is engaged in the practice of marine architecture outside the State of California and prepares plans, drawings, specifications, instruments of service, or other data for a vessel to be built within this State if, before doing any of such things, he has presented satisfactory evidence to the board that he is competent to practice marine architecture and the board has issued to him a temporary certificate to furnish such plans, drawings, specifications, instruments of service, or data for a particular vessel, for which certificate such person shall pay a fee of twenty-five dollars to the board.

SEC. 17. Nothing contained in this act shall be construed to prevent a marine architect from forming a partnership with any person who is not a marine architect; but only the name of the marine architect shall appear on any instrument of service and no partner except the marine architect shall be advertised as a marine architect.

SEC. 18. Every marine architect shall pay an annual license fee of ten dollars to the board. Such fee shall be due and payable on or before the thirty-first day of January of each year and shall become delinquent on the first day of April following. Such delinquency shall be cause for the revocation of the marine architect's certificate. Upon the payment of every fee, the board shall issue to the marine architect its receipt signed by the president and secretary under the seal of the board.

SEC. 19. Not later than the last day of each calendar month, the secretary of the board shall deposit all fees or moneys collected by the board under the provisions of this act into the State treasury to the credit of the marine architecture fund, which fund is hereby created; and all disbursements by the board under the provisions of this act shall be made from such fund.

SEC. 20. All moneys deposited in the marine architecture fund are hereby appropriated to carry out the provisions of this act.

SEC. 21. In any hearing before the board for the suspension or revocation of a certificate, the holder thereof may appear in person or by counsel. In any such proceeding, the board shall have power to take and hear such evidence as it may deem admissible, to administer oaths, to compel the attendance of witnesses and the production of books, papers and documents.

SEC. 22. In the event of the refusal of any person to obey a subpena, the secretary of the board may certify the fact of that refusal to the superior court of the county in which the service of said subpena was made, and the said court shall thereupon issue its order requiring the attendance of the person subpenaed at a time and place named in said order, at which time and place the court shall hear and determine the matter of the disobedience of said subpena in accordance with the statute of this State then in force concerning such hearings. If the court finds that such subpena was legally issued it shall order the person subpenaed to obey said subpena and for failure so to do be held in contempt of court. Depositions of witnesses may be taken in the same manner as prescribed for the taking of depositions in civil cases.

SEC. 23. The board is authorized to prosecute all persons guilty of violating any provision of this act and may employ and fix the compensation of attorneys for such purposes.

SEC. 24. Any person practicing marine architecture without certificate therefor and any person violating any provision of this act shall be guilty of a misdemeanor and punishable by a fine of not less than fifty nor more than one hundred dollars

or by imprisonment in the county jail not exceeding six months or by both such fine and imprisonment."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2308—An act to amend section 170 of the Civil Code, relating to husband and wife.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out the word "the", following the word "nor", and the words "community property" in line 4, and insert in lieu thereof the following: "his earnings after marriage".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 167—An act to add section 2924d to the Civil Code, relating to redemption after sale under mortgage or deed of trust.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "Code," insert the following: "and to amend sections 700a, 701, 702, 703, 704, and 705 of the Code of Civil Procedure,".

Amendment No. 2.

On page 1 of the printed bill, between the enacting clause and line 1, insert the following:

"SECTION 1. Section 2924d is hereby added to the Civil Code to read as follows.".

Amendment No. 3.

On page 1, immediately following line 6, of the printed bill, insert the following:

"SEC. 2. Section 700a of the Code of Civil Procedure is hereby amended to read as follows

700a Sales of personal property, and of real property when the estate therein is less than a leasehold of two years' unexpired term, are absolute. In all other cases, including sales under deeds of trust, the property is subject to redemption, as *provided in this chapter. The officer, or person making the sale under power of sale,* must give to the purchaser a certificate of sale, and file a duplicate thereof for record in the office of the county recorder of the county, which certificate must contain:

1. The date of the judgment or instrument containing the power of sale under which the sale was made and the names of the parties thereto.
2. A particular description of the real property sold
3. The price bid for each district lot or parcel
4. The whole price paid.
5. If the property is subject to redemption, the certificate must so declare, and if the redemption can be effected only in a particular kind of money or currency, that fact must be stated.

SEC. 3. Section 701 of the Code of Civil Procedure is hereby amended to read as follows:

701. *Property sold subject to redemption, as provided in the last section, or any* part sold separately, may be redeemed in the manner hereinafter provided, by the following persons, or their successors in interest:

1 The judgment debtor or person whose property was sold under power of sale, in the whole or any part of the property.

2 A creditor having a lien by judgment or mortgage on the property sold, or on some share or part thereof, subsequent to that on which the property was sold. The persons mentioned in the second subdivision of this section are, in this chapter, termed redemptioners.

SEC. 4. Section 702 of the Code of Civil Procedure is hereby amended to read as follows:

702. The judgment debtor, person whose property was sold under power of sale, or redemptioner may redeem the property from the purchaser any time within twelve months after the sale on paying the purchaser the amount of his purchase, with one per cent per month thereon in addition, up to the time of redemption, together with the amount of any assessment or taxes, and any reasonable sum for fire insurance, maintenance, upkeep, or repair of any improvements upon the property which the purchaser may have paid thereon after purchase, and interest on such amounts. And if the purchaser be also a creditor, having a prior lien to that of the redemptioner, other than the judgment or power of sale under which said purchase was made, the amount of such lien with interest. In the event there shall be a disagreement between the purchaser and redemptioner as to whether any sum demanded for fire insurance, maintenance, upkeep, or repair, is a reasonable charge to be added to the amount required for redemption, the proposed redemptioner shall thereupon pay to the clerk of the court out of which execution, or order authorizing the sale, was issued, or, in the case of sale under a power of sale, of any court of competent jurisdiction, the amount necessary for redemption, less the amount in dispute, and shall at the same time file with said clerk a petition in writing setting forth specifically the item or items demanded to which he objects, together with his reason for such objections, and asking that such amount be determined by the court; said clerk shall thereupon fix a day, not less than five nor more than ten days from the date of such filing, for the hearing of said objections; a copy of said petition, together with a notice of hearing giving the time and place thereof, shall be served by the person seeking redemption, or his attorney, upon the purchaser not less than two days before the day of hearing, upon the day fixed the court in which the petition is filed shall determine, by order duly entered in the minutes of said court, the amount required for redemption, either upon affidavit or evidence satisfactory to the court; and when the amount has been so determined, in the event the amount theretofore deposited with the clerk shall be sufficient the same shall be forthwith paid to the purchaser upon his execution of a proper certificate of redemption; in the event an additional amount to that theretofore paid to the clerk is requisite, the redemptioner shall forthwith pay such additional amount to the clerk who shall then pay the whole amount necessary to the purchaser upon his execution of a proper certificate of redemption; the certificate of redemption so issued may be deposited with the clerk for delivery to the redemptioner, or given to the redemptioner at the time of payment.

SEC. 5. Section 703 of the Code of Civil Procedure is hereby amended to read as follows:

703. If property be so redeemed by a redemptioner, another redemptioner may, within sixty days after the last redemption, again redeem it from the last redemptioner on paying the sum paid on such last redemption, with two per cent thereon in addition, and the amount of any assessment or taxes, and any reasonable sum for fire insurance, maintenance, upkeep, or repair of any improvements upon the property, which the last redemptioner may have paid thereon after the redemption by him, with interest on such amount, and, in addition, the amount of any liens held by such redemptioner prior to his own, with interest; but the judgment or obligation under which the property was originally sold need not be so paid as a lien. In the event there shall be a dispute or disagreement as to whether any sum demanded for fire insurance, maintenance, upkeep, or repair, is a reasonable charge to be added to the amount required to be paid by the subsequent redemptioner, the amount to be paid shall be determined in a like manner as provided in section 702 for the determination of such amount in the event of disagreement between the original redemptioner and purchaser.

The property may be again, and as often as a redemptioner is so disposed, redeemed from any previous redemptioner within sixty days after the last redemption, on paying the sum paid on the past previous redemption, with two per cent thereon in addition, and the amounts of any assessments or taxes, and any reasonable sum for fire insurance, maintenance, upkeep, or repair of any improvements upon the property, which the last previous redemptioner paid after the redemption by him, with interest thereon, and the amount of any liens, other than the judgment under which the property was sold, held by the last redemptioner previous to his own with interest. In the event there shall be a dispute or disagreement as to whether any sum demanded for fire insurance maintenance, upkeep, or repair, is a reasonable charge to be added to the amount required to be paid by the subsequent redemptioner, the amount to be paid shall be determined in a like manner as provided in section 702 for the determination of such amount in the event of disagreement between the original redemptioner and purchaser.

Written notice of redemption must be given to the sheriff or the person who made the original sale and a duplicate filed with the recorder of the county, and if any taxes or assessments are paid by the redemptioner, or if any sum for fire insurance, maintenance, upkeep, or repair of any improvement upon the property, is paid by the redemptioner, or if he has or acquires any lien other than that upon which the redemption was made, notice thereof must in like manner be given to the sheriff or person who made the original sale and filed with the recorder, and if such notice

be not filed, the property may be redeemed without paying such tax, assessment, sum, or lien.

If no redemption be made within twelve months after the sale, the purchaser, or his assignee, is entitled to a conveyance; or if so redeemed, whenever sixty days have elapsed, and no other redemption has been made, and notice thereof given and the time for redemption has expired, the last redemptioner, or his assignee, is entitled to a deed from the sheriff or from the person who made the original sale; but, in all cases, the judgment debtor or person whose property was sold under power of sale shall have the entire period of twelve months from the date of the sale to redeem the property.

If the judgment debtor or person whose property was sold under power of sale redeem, he must make the same payments as are required to effect a redemption by a redemptioner. If the judgment debtor or person whose property was sold under power or sale redeem, the effect of the sale is terminated and he is restored to his estate.

Upon a redemption by the judgment debtor or person whose property was sold under power of sale, the person to whom the payment is made must execute and deliver to him a certificate of redemption, acknowledged or proved before an officer authorized to take acknowledgments of conveyances or real property. Such certificate must be filed and recorded in the office of the recorder of the county in which the property is situated, and the recorder must note the record thereof in the margin of the record of the certificate of sale.

If the person who made the original sale dies, becomes incapacitated, or refuses to act, any person having any interest in the property may petition any court of competent jurisdiction to appoint a commissioner to act in his place. All notices required by this section may be served upon such commissioner and he shall execute all conveyances to which any person would be entitled under the provisions of this section.

SEC. 6. Section 704 of the Code of Civil Procedure is hereby amended to read as follows:

704. The payments mentioned in the last two sections may be made to the purchaser or redemptioner, or for him, to the officer or person who made the sale. When the judgment or obligation under which the sale has been made is payable in a specified kind of money or currency, payments must be made in the same kind of money or currency, and the tender of the money is equivalent to payment.

SEC. 7. Section 705 of the Code of Civil Procedure is hereby amended to read as follows:

705. A redemptioner must produce to the officer or person from whom he seeks to redeem and serve with his notice to the sheriff or the person who made the original sale:

1. A copy of the docket of the judgment under which he claims the right to redeem, certified by the clerk of the court, or of the county where the judgment is docketed; or, if he redeem upon a mortgage or other lien, a note of the record thereof, certified by the recorder.

2. A copy of any assignment necessary to establish his claim, verified by the affidavit of himself, or of a subscribing witness thereto.

3. An affidavit by himself or his agent, showing the amount then actually due on the lien."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 716—An act to amend section 6 of, and to add section 24 to the act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or town; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act," approved May 15, 1933, relating to outdoor advertising.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 768—An act to amend section 11 of an act entitled "An act prescribing the terms upon which licenses or certificates of registration may be issued to practitioners of barbering, creating the State Board of Barber Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved May 31, 1927.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1364—An act authorizing the State Franchise Tax Commissioner to destroy certain tax returns.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1483—An act to amend section 5.750 of the School Code, relating to absence from service of certificated employees on account of illness.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 11, of the printed bill, as amended, after "absence", insert a comma.

Amendment No. 2.

On page 1, line 19, of the printed bill, as amended, strike out the comma after "ness".

Amendment No. 3.

On page 1, line 19, of the printed bill, as amended, after "disability", insert a comma

Amendment No. 4.

On page 2, line 12, of the printed bill, as amended, strike out "the first five school days of such absence", and insert in lieu thereof the following: "a total of five school days of such absence in any one period of five months."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1860—An act to declare a moratorium on the collection of judgments rendered in proceedings pursuant to the provisions to sections 25 to 36f, both inclusive, of the Water Commission Act for unpaid costs or for unpaid assessments taxed as costs in such judgments, suspending the accrual of interest upon such judgments during the period of such moratorium, and extending the statute of limitations upon any such judgment.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1865—An act to add a new section to the general laws imposing a tax on billboards and outdoor advertising.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2411—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the county of Contra Costa, State of California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1464—An act to amend section 182 of the Penal Code, relating to punishment for criminal conspiracy.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 538—An act to amend section 341 of, and to add section 341a to, the Civil Code, relating to powers of corporations.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, strike out line 17, and in line 18, strike out "tion", and insert in lieu thereof the following: "power to purchase or in any manner acquire the stock of any other corporation, except that whenever any such corporation acquires stock of another corporation in any other manner than by purchase thereof, such corporation may hold such stock for a period not exceeding six months. Before the end of the period during which it so holds such stock, such corporation shall dispose of such stock".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2400—An act to add a new section to be numbered 30.5 to the General Cemetery Act, relating to reincorporation of cemetery associations, and prescribing the procedure therefor.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 713—An act to amend section 1 of an act entitled "An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation of prisoners recreation and educational fund; providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith," approved June 9, 1923, as amended, relating to convict labor.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 2351—An act authorizing the use of convict labor in the State parks, forests, game preserves, and National forests or parks in the State of California; providing for the compensation of such convict labor and for the payment thereof to their dependents; providing for forfeiture of such compensation; providing the manner of payment of such compensation to paroled, released or discharged convicts; authorizing the allowance of extra good time credits to such convicts; and providing penalties for interference with such convict labor.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No 1967—An act to add a new section to be numbered 14a to the "District Investigation Act of 1933," approved June 10, 1933.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out the period, and insert in lieu thereof the following: ", relating to exemptions."

Amendment No. 2.

On page 1 of the printed bill, strike out line 4, and insert in lieu thereof the following: "apply to cemetery districts, sanitation districts, or sanitary districts heretofore or hereafter formed under".

Amendment No. 3.

On page 1, line 5, of the printed bill, strike out "statute", and insert in lieu thereof the following: "statutes".

Amendment No. 4.

On page 1 of the printed bill, strike out line 8, and insert in lieu thereof the following: "the cemetery district, sanitation district, or sanitary district, heretofore or hereafter formed is situated, or the State Board".

Amendment No. 5.

On page 1, line 12, of the printed bill, strike out "sanitary".

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2412—An act to provide for the regulation and licensing of establishments for wagering or betting upon the results of horse races; to provide penalties for the violation of the provisions of this act and making an appropriation for the enforcement thereof.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 6, of the printed bill, strike out "city and county", and insert in lieu thereof the following: "within a city and county or within such territory as may lie within twenty miles from the exterior boundaries thereof,".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1823—An act to provide for the creation and management of lotteries in the State of California and legalizing lottery transactions.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 12, of the printed bill, as amended, after "sold", insert a comma and the following: "in so far as practicable,".

Amendment No. 2.

On page 2, line 24, of the printed bill, as amended, after the comma following "manufacture", insert the following: "sell or offer for sale, buy".

Amendment No. 3.

On page 2, line 25, of the printed bill, as amended, after "ticket", insert the following: "of any kind".

Amendment No. 4.

On page 2, line 26, of the printed bill, as amended, after "Printer", insert the following: "as herein provided".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1126—An act to amend sections 3, 6, and 8 of an act entitled "An act to regulate and license persons engaged in the

business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act," approved May 15, 1933, relating to regulation of outdoor advertising.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 1385—An act to amend section 4 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the payment of a portion of purse to breeder.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out the last two lines of the title, and insert in lieu thereof the following: "Races for horses foaled in California."

Amendment No. 2.

On page 1, line 8, of the printed bill, as amended, strike out "at least two", and insert in lieu thereof the following: "the following number of".

Amendment No. 3.

On page 1, line 9, of the printed bill, as amended, strike out the period after "California", and "if", and insert in lieu thereof a colon and the following.

"(a) One race when seven or less races are scheduled.

(b) Two races when eight or more races are scheduled.

If".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1562—An act to amend sections 1, 2, 5, 6, 7, 8, 9 and 14 of an act entitled "An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling or repairing upholstered furniture; and creating the upholstered furniture inspection fund," approved May 9, 1927, relating to the administration thereof by the Bureau of Furniture and Bedding Inspection of the Department of Professional and Vocational Standards.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 1561—An act to amend sections 3, 3a, 3b, 10, 13, 17, and 18 of an act entitled "An act defining mattresses; regulating

the making, remarking, and sale thereof, prohibiting the use of unsanitary and unhealthy materials therein; requiring that materials used shall be accurately described, and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled; and making the violation of any of the provisions of this act a misdemeanor, and repealing legislation inconsistent with this act," approved June 7, 1915, and to add thereto a new section to be numbered section 21, all relating to the administration of said act by the Bureau of Furniture and Bedding Inspection and the powers and duties of the officers thereof.

Bill read second time, ordered to re-engrossment, and third reading

Assembly Bill No. 674—An act prescribing the terms upon which certificates of registration of inspectors and/or sanitary officers as "registered sanitarians" shall be issued; prescribing a course and minimum amount of schooling or training to be possessed by applicants therefor after one (1) year from date of approval of this act; authorizing the State Board of Public Health to certify approved schools, conduct examinations and issue "registered sanitarian" certificates; prescribing the powers and duties of the State board; prescribing conditions under which the title "registered sanitarian" or the placing of the initials "R. S." may be used after the names of certificate holders; providing penalties for violations thereof; and grounds for the suspension, cancellation, denial or revocation of such certificates of registration

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 1267—An act to amend the title and to add two new sections, to be numbered 2a and 2b, to an act entitled "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the health of persons by whom the materials from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors; and providing for the punishment of the same," approved March 6, 1909, relating to the use of sealed containers and providing for the sterilization of used bottles, receptacles and containers used for foods, drugs and liquors.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "two", and insert in lieu thereof the following: "three"

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out "and 2b", and insert in lieu thereof a comma and the following: "2b and 2c".

Amendment No. 3.

On page 2 of the printed bill, after line 29, insert the following:

"SEC. 4 A new section is hereby added to the above entitled act, to be numbered 2c and to read as follows:

Sec 2c It is unlawful to keep live crabs in crates or other containers in waters within half a mile of a sewage outlet."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1340—An act authorizing the Governor to execute a compact with the State of Nevada, for the purpose of promoting comity and good will between California and Nevada with reference to the Boulder Canyon Project, and of adjusting matters pertaining to the proposed taxation of property located in Nevada, and owned by the State of California or any political subdivision thereof.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 16, of the printed bill, after the word "thereof", insert the following: "provided, that no such compact or agreement shall be binding on the State of California until the same shall have been approved by the Legislature of this State".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1362—An act to amend section 3669e of the Political Code of the State of California, relating to powers of State Board of Equalization.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, lines 12 and 13, of the printed bill, strike out "and require", and insert in lieu thereof the following: "in".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 627—An act to provide for the retirement with retirement allowance, of justices of the Supreme Court and of the District Courts of Appeal, and of judges of the superior courts in counties in which the provisions of section 26 of Article VI of the Constitution shall be adopted as applicable to such judge or judges.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 7, of the printed bill, strike out the words "of superior", and insert in lieu thereof "or superior".

Amendment No. 2.

On page 2 of the printed bill, strike out lines 1 to 16, inclusive, and insert the following:

"SEC. 3. If the Governor finds that any justice or judge of any of said courts governed by said section 26 of Article VI of the Constitution is unable to discharge efficiently the duties of his office by reason of mental or physical disability that

is or is likely to be of a permanent character, he may with the consent of all the members of the commission on qualifications provided for filling a vacancy in the office held by such justice or judge by said section 26 of Article VI, or if it is sought to retire a justice or judge who is a member of said commission then with the consent of the two remaining members, retire said justice or judge from office with or without his consent. Such retirement shall be effective when there is filed with the Secretary of State a written certificate of such retirement signed by the Governor and by the members of the said commission whose consent is required, and upon the filing thereof, a successor shall be appointed to fill the vacancy."

Amendment No. 3.

On page 2, line 17, of the printed bill, strike out the word "of", and insert in lieu thereof the word "or".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 405—An act to add a new section to the Civil Code to be numbered 2934a, relating to substitution of trustees in trust deeds

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, after the word "trust", insert the following: "securing an indebtedness and by which no other duties than those prescribed by statute are conferred upon the trustee".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 728—An act to amend sections 1239, 1249 and to repeal section 1246 of the Code of Civil Procedure, relating to eminent domain.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "1239".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 1 to 25, inclusive, and on page 2, strike out lines 1 to 24, inclusive.

Amendment No. 3.

On page 2, line 25, of the printed bill, as amended, strike out "Sec. 2", and insert in lieu thereof the following: "Section 1".

Amendment No. 4.

On page 2, line 34, of the printed bill, as amended, strike out "Sec. 3", and insert in lieu thereof the following: "Sec. 2".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 812—An act to amend section 226 of the Civil Code, relating to proceedings on adoption.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 18, of the printed bill, strike out the word "ninety", and insert in lieu thereof the words "one hundred and eighty."

Amendment No. 2.

On page 1, line 20, of the printed bill, after the word "court", strike out the period, and insert in lieu thereof a comma and the following: "provided, however, that the court may allow such additional time for the filing of said report as in its discretion it may see fit."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 978—An act to amend section 12 of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to civil engineers.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee.

Amendment No. 1.

On page 1 of the printed bill, strike out lines 22 and 23, and insert in lieu thereof the following: "board on its own motion. The board shall designate a time and place".

Amendment adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 2292—An act to amend section 23 of the California Barber Law, relating to restrictions upon barber shops or colleges in this State.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section", and insert in lieu thereof the following: "sections 18 and".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "23", and insert in lieu thereof the following: "18".

Amendment No. 3.

On page 1 of the printed bill, between lines 2 and 3, insert the following:

"SEC. 18. Each of the following shall constitute a misdemeanor punishable upon conviction by a fine of not less than twenty-five dollars ($25), nor more than two hundred dollars ($200):

(a) The violation of any of the provisions of section 1 of this act;

(b) Permitting any person in one's employ, supervision or control to practice as an apprentice unless that person has a certificate of registration as a registered apprentice;

(c) Obtaining or attempting to obtain a certificate of registration for money other than the required fee, or any other thing of value, or by fraudulent misrepresentations;

(d) Practicing or attempting to practice by fraudulent misrepresentations;

(e) The wilful failure to display a certificate of registration as required by section 13 of this act;

(f) The use of any room or place for barbering which is also used for residential or business purposes (except the sale of hair tonics, lotions, creams, cutlery, toilet articles, cigars, tobacco, confectionery and such commodities as are used and sold in barber shops), unless a substantial partition of ceiling height separates the portion used for residential or business purpose.

(g) A violation of any of the provisions of subdivisions (a), (b), (c), (d), (e), (f), (g), (h), (i), (j) and (k) of section 23 hereof;

(h) The wilful failure by any owner or manager of a barber shop to display the copy of section 23 hereof with rules and regulations as provided in section 13 hereof.

Sec. 2. Section 23 of the California Barber Law is hereby amended to read as follows.".

Amendment No. 4.

On page 2 of the printed bill, strike out lines 16 and 17, and insert in lieu thereof the following: "for more than six days in any one calendar week."

Amendment No. 5.

On page 2 of the printed bill, immediately following line 24, insert the following:

"The State Board of Barber Examiners shall have power to make other rules and regulations and prescribe other sanitary requirements in addition to the foregoing in aid or furtherance of the provisions of this act.

Any member of said board or its agents or assistants shall have authority to enter into and to inspect any barber shop or school or college at any time during business hours.

The board shall keep a record of its proceedings relating to the issuance, refusal, renewal, suspension and revocation of certificates of registration. This record shall also contain the name, place of business and residence of each registered barber and registered apprentice and the date and number of his certificate of registration. This record shall be open to public inspection at all reasonable times."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2099—An act to amend section 691 of the Agricultural Code, relating to animal industry.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 3 to 17, inclusive, and insert in lieu thereof the following:

"A dairy is insanitary in the following cases:

(a) If the pails, cans, bottles or other containers for milk or its products, or the strainers, coolers or other utensils, appliances, apparatus or equipment coming in contact with the milk or its products are not thoroughly washed and afterwards sterilized by exposing them to water or water vapor at a temperature above one hundred seventy degrees Fahrenheit for a period of at least fifteen minutes, or by boiling water or by superheated steam, or by any product containing a chlorine base which is as equally effective, or by any other means acceptable to the department, after each using; or if the containers, utensils, appliances or equipment after sterilization are not adequately dried and protected from flies and dust and other contamination; or if any containers, utensils, appliances or equipment are used for any purpose other than that of handling milk or the products of milk."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1825—An act to add section 929 to the Fish and Game Code, relating to and regulating the subject of fishing within the jurisdiction of the State of California.

Bill read second time, ordered to re-engrossment, and third reading

Assembly Bill No. 1—An act relating to codes, agreements, and standards of fair competition, repealing certain acts cited herein, and declaring the urgency of this act and providing that it shall go into immediate effect.

Bill read second time

Floor Amendments.

During second reading of the bill, the following amendments were submitted by Mr. Hornblower:

Amendment No. 1.

On page 2, line 32, of the printed bill, as amended, strike out the words "and agricultural".

Amendment No. 2.

On page 7 of the printed bill, as amended, between lines 36 and 37, insert the following:

"SEC. 23. The provisions of this act shall not apply to the agricultural industry or any branch thereof or to the first processing of any agricultural product."

Amendment No. 3.

On page 7, line 37, of the printed bill, as amended, strike out the figure "23", and insert in lieu thereof the figure "24".

Amendment No. 4.

On page 7, line 46, of the printed bill, as amended, strike out the figure "24", and insert in lieu thereof the figure "25".

Amendment No. 5.

On page 7, line 50, of the printed bill, as amended, strike out the figure "25", and insert in lieu thereof the figure "26".

Amendment No. 6.

On page 8, line 31, of the printed bill, as amended, strike out the figure "26", and insert in lieu thereof the figure "27".

Amendment No. 7.

On page 8, line 37, of the printed bill, as amended, strike out the figure "27", and insert in lieu thereof the figure "28".

Amendment No. 8.

On page 8, line 39, of the printed bill, as amended, strike out the figure "28", and insert in lieu thereof the figure "29".

Amendment No. 9.

On page 7 of the printed bill, as amended, after line 45, insert the following:

"SEC. 23½. Nothing contained in this act shall be deemed to apply to hotels."

Amendment No. 10.

On page 8 of the printed bill, as amended, between lines 36 and 37, insert the following:

"SEC. 27 The provisions of this act shall not apply to agriculture or any of its branches nor to the simpler forms of first processing of agricultural products including bleaching, cleaning, drying, shelling, and the packing of such products for market in a fresh state."

Amendment No. 11.

On page 8, line 37, of the printed bill, as amended, strike out "27", and insert in lieu thereof the following: "28".

Amendment No. 12.

On page 8, line 39, of the printed bill, as amended, strike out "28", and insert in lieu thereof the following: "29".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1836—An act to amend section 585 of the Agricultural Code, relating to dairies and dairy products.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "585", and insert in lieu thereof the following: "622".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "585", and insert in lieu thereof the following: "622".

Amendment No. 3.

On page 1, line 3, of the printed bill, strike out "585", and insert in lieu thereof the following:

"622 (a) Every person, except hospitals and sanitariums, engaged in the business of dealing in, receiving, manufacturing, freezing, or processing ice cream, imitation ice cream, ice milk, imitation ice milk, and all similar frozen products shall pay annually a minimum factory license fee of twenty-five dollars for the manufacture of fifty thousand gallons or fraction thereof per year, and for each additional ten thousand gallons or fraction thereof manufactured per year, an additional license fee of one dollar. The renewal fee for a factory license for such products shall be computed on the same basis as the original fee.

(b) The fee for a factory license for all other products for which a license is required is ten dollars, and for the renewal thereof is one dollar for each one hundred thousand pounds of milk fat or part thereof, or each four hundred thousand gallons of milk or part thereof, purchased or received during the preceding year, ending the thirty-first day of December. In no case shall the renewal fee for such products exceed ten dollars.

(c) The director at least once each month shall report to the State Controller the total amount of moneys collected under the provisions of paragraph (a) of this section and at the same time shall pay into the State treasury the entire amount of such receipts which shall be credited to the Department of Agriculture fund and expended in carrying out the provisions of this division relating to ice cream, ice milk, and any similar frozen products."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 256—An act to amend sections 251, 304, 307, 323, 348, 364, 374, 463 and 465 of the Streets and Highways Code, relating to State highways.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 835—An act to add section 1168a to the Penal Code, relating to the California Institution for Women.

Bill read second time, and ordered on file for third reading.

Senate Bill No 834—An act to amend the title and sections 1, 7, and 12 of, to repeal section 15 of, and to add section 17 to an act entitled "An act to establish an institution for the confinement, care and reformation of women misdemeanants, and women convicted of a felony the punishment for which is less than death; to provide for its maintenance, conduct and government, and to make an appropriation therefor, approved May 9, 1929, relating to the California Institution for Women."

Bill read second time, and ordered on file for third reading.

Senate Bill No. 836—An act to amend sections 1202a, 1572, 1576, and 1586, of the Penal Code, relating to the State prisons.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 248—An act to amend section 1030 of the Political Code, relating to office hours.

Floor Amendment.

During second reading of the bill, the following amendment was submitted by Mr. Minard:

Amendment No. 1.

On page 1, line 5, of the printed bill, after the word "Fund", insert the following: "and the State Treasurer".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Unfinished Business.

Motion to Reconsider Assembly Bill No. 1192 Continued.

Mr. Lyon moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1192 was refused passage, be continued until the next legislative day.

Motion carried.

Motion to Reconsider Assembly Bill No. 2036 Continued.

Mr. Heisinger moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2036 was refused passage, be continued until the next legislative day.

Motion carried.

Motion to Reconsider House Resolution by Mr. Brennan Continued.

Mr. Minard moved that the consideration of his motion to reconsider the vote whereby the House resolution submitted by Mr. Brennan was adopted, be continued until the next legislative day.

Motion carried.

Third Reading of Assembly Bills.

Assembly Constitutional Amendment No. 43—A resolution to propose to the people of the State of California, an amendment to Article XIII of the Constitution of the State, by amending section 7 thereof, relating to the payment of taxes in installments.

Assembly Constitutional Amendment No. 43 read.

Mr. Redwine moved the adoption of Assembly Constitutional Amendment No. 43.

The question being on the adoption of Assembly Constitutional Amendment No. 43.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Redwine moved a call of the House.

Motion carried.

Time, ten o'clock and thirty minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Boyle, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Flint, Frazier, Fulcher, Geyer, Gilbert, Glover, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Martin, Mayo, Meehan, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—53.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent. Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 183—An act repealing sections 367a, 367b, and 367c of the Political Code, renumbering sections 367d to 367g, inclusive, thereof, to be sections 367q to 367t, inclusive, and adding sections 367a to 367p thereto, relating to the Department of Social Welfare.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Fisher:

Amendment No. 1.

On page 1, line 5, of the printed bill, as amended, strike out the period, and insert in lieu thereof a comma and the following: "to read as hereinafter provided"

Amendment No. 2.

On page 4 of the printed bill, as amended, between lines 38 and 39, insert the following.

"SEC. 19. Section 367d, as heretofore added to the Political Code, is hereby renumbered to be section 367q, to read as follows:

367q. Except as in this article otherwise provided, the Department of Social Welfare shall succeed to and is hereby vested with all the duties, powers, purposes, responsibilities and jurisdiction of the State Board of Charities and Corrections, the Department of Public Welfare, the Executive Board of the Department of Public Welfare and of the several officers, deputies and employees of such bodies and offices and of the Children's Agents of the State Board of Control; and whenever by the provisions of any statute or law now in force or that may hereafter be enacted, a duty or jurisdiction is imposed or authority conferred upon any of said bodies, officers, deputies or employees or upon any other person by any statute, the enforcement of which is transferred to the Department of Social Welfare such duty, jurisdiction and authority are hereby imposed upon and transferred to the Department of Social Welfare with the same force and effect as though the title of said Department of Social Welfare had been specifically set forth and named therein, in lieu of the name of any such board, commission, office, officer, deputy or employee thereof as the case may be.

For the purpose of this article, when the terms "State Board of Charities and Corrections," "Department of Public Welfare," "Executive Board of the Department of Public Welfare," "Children's Agents," or any thereof are used, the same shall be construed to mean and refer to the Department of Social Welfare; and whenever in any statute or law now in force or that may hereafter be enacted reference is made to the State Board of Control or to the Department of Finance, such reference, in so far as it relates to the appointment, employment or supervision of children's agents or to the inspection or approval of public or private institutions for the care of orphans, half-orphans or abandoned children or to aid for needy children, shall be construed to mean and refer to the Department of Social Welfare.

SEC. 20. Section 367e, as heretofore added to the Political Code, is hereby renumbered to be section 367r, to read as follows:

367r. The Department of Public Welfare, the Executive Board of the Department of Public Welfare and the positions of all deputies, officers and employees thereunder, are and each of them is hereby abolished, but the statutes and laws under which they existed and all the laws prescribing their duties, powers, purposes, responsibilities and jurisdiction together with all lawful laws, rules and regulations established thereunder, are hereby expressly continued in force

SEC. 21. Section 367f, as heretofore added to the Political Code, is hereby renumbered to be section 367s, to read as follows:

367s. The Department of Social Welfare shall be in possession and control of all records, books, papers, offices, equipment, supplies, moneys, funds, appropriations, land and other property, real or personal, now or hereafter held for the benefit or use of the Department of Public Welfare, or the Executive Board of the Department of Public Welfare, and the title to all property now or hereafter held by any of said boards, offices or officers for the use and benefit of the State is hereby transferred to the State of California to be held in the possession of said Department of Social Welfare.

SEC. 22. Section 367g, as heretofore added to the Political Code, is hereby renumbered to be section 367t, to read as follows:

367t. From and after the date on which this act takes effect, the Department of Social Welfare shall be and is hereby authorized and empowered to expend the moneys in any appropriation or in any special fund in the State treasury now remaining or made available by law for the administration of the provisions of all the statutes the administration of which is committed to the Department of Social Welfare or for the use, support or maintenance of the Department of Public Welfare, the Executive Board of the Department of Public Welfare or the Children's Agents of the State Board of Control"

Amendment No. 2.

On page 4, line 39, of the printed bill, as amended, strike out "19", and insert in lieu thereof the following: "23".

Amendments adopted.

Request for Unanimous Consent.

Mr. Fisher asked for, and was granted, unanimous consent to take up Assembly Bill No. 183, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 183, as amended, read third time.

The question being on the passage of the bill.

Further consideration of Assembly Bill No. 183, as amended, deferred.

Assembly Bill No. 1285—An act to amend section 788 of the Fish and Game Code, relating to the crab season in California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1285 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Chatters, Clark, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hunt, Latham, Laughlin, Lore, Martin, McCarthy, Meehan, Minard, Morgan, Pelletier, Peterson, Reaves, Redwine, Richie, Riley, Scudder, Thorp, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1752—An act to amend sections 5.500, 5 680, and 5.681 of the School Code, relating to teachers' tenure.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1752 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Fisher, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Martin, McCarthy, Meehan, Minard, Morgan, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Thorp, Turner, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—54.

NOES—None

Title read and approved

Bill ordered transmitted to the Senate.

Recess.

At ten o'clock and forty-five minutes a.m., by order of the Speaker, the Assembly was declared at recess to hear from the Honorable Frank H. Cooney, Governor of Montana, and William Jordan, former Speaker of the Assembly.

Introduction of William H. Jordan, Former Speaker of the Assembly, by Hon. Charles W. Lyon.

He came to California in 1860. His life has been eventful. He attended the public schools of the State and was a student of Brayton College in Oakland when Henry Durant was president. As you will remember, Durant later was the first President of the University of California.

Jordan finished his education at Yale University and in 1887 he and William L. Endicott, Secretary of the Navy, were greatly honored when Yale conferred on them the degree of Master of Arts.

He was admitted to the Bar by the Supreme Court of California in 1885 and until recently has been a prominent practitioner.

In fraternal circles he has been active, being a Thirty-third Degree Mason and Supreme Master of the Workmens' Order A.O.U.W., when that order represented a million members.

On January 5, 1885, he was sworn in as a member of the Assembly of the State of California (26th session) and is now the only living member of the Assembly of 1885. Among his legislative accomplishments he sponsored the Mechanics' Lien Law and it was through his efforts that the Home for the Adult Blind was established in Oakland.

On January 3, 1887, he was elected Speaker of the Assembly (twenty-fifth session) and is the oldest ex Speaker.

Reassembled.

At eleven o'clock and five minutes a.m., the Assembly reconvened. Speaker Craig in the chair.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2294—An act to repeal sections 327, 330, 331, 332, 333, 334 and 335 of the Fish and Game Code, relating to game refuges.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 2249 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—62.

NOES—Crowley, Evans, Ralph W., Hornblower, Hunt, Patterson, and Reaves—6

Title read and approved.

Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the House Dispensed With.

At eleven o'clock and twelve minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Redwine.

The roll of absentees was called, and Assembly Constitutional Amendment No. 43 was adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—73

NOES—Wallace—1.

Title read and approved.

Assembly Constitutional Amendment No. 43 ordered transmitted to the Senate

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1287—An act to amend section 790 of the Fish and Game Code, relating to the preservation of crabs and crab meat.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1287 passed by the following vote.

AYES—Anderson, Andreas, Breed, Brennan, Burns, Clark, Cottrell, Crowley, Cunningham, Dawson DeLap, Donihue, Donnelly, Evans, Herbert J., Evans,

Ralph W., Field, Flint, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Williamson, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 790—An act to amend sections 652, 655, 656 and 665 of the Fish and Game Code, relating to salmon.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 790 passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 897—An act to amend section 487(a) of the Agricultural Code of California.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 897 passed by the following vote:

AYES—Anderson, Andreas, Brennan, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Wagner, Walker, Waters, Williamson, Wright, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 496—An act to amend section 692 of the Agricultural Code, relating to places where milk or milk products are handled or kept for sale.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 496 passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Crowley, DeLap, Donihue, Donnelly, Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, O'Donnell, Patterson, Richie, Riley, Robertson, Rosenthal, Scudder, Stream,

Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No 2139—An act to amend section 281 of the Code of Civil Procedure, relating to attorneys and counselors at law.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2139 passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Chatters, Clark, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Pevser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—60.

NOES—Boyle, Corwin, Field, Frazier, Fulcher, Hunt, Kallam, Phillips, Riley, Stream, and Utt—11.

Title read and approved.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent.

Mr. Cunningham asked for, and was granted, unanimous consent to take up Assembly Constitutional Amendment No. 60, at this time, without reference to file.

Consideration of Assembly Constitutional Amendment No. 60.

Assembly Constitutional Amendment No. 60—A resolution to propose to the people of the State of California amendments to Article XI of the Constitution of said State by adding sections 4 and 7¼ thereto, relating to the consolidation of counties.

Assembly Constitutional Amendment No. 60 read.

Mr. Cunningham moved the adoption of Assembly Constitutional Amendment No. 60.

The question being on the adoption of Assembly Constitutional Amendment No. 60.

On motion of Mr. Morgan, further consideration of Assembly Constitutional Amendment No. 60 was deferred until two o'clock p.m. this day.

Introduction and Reference of Bills.

The following bill was introduced:

By Messrs. Rosenthal, Garibaldi, and Maloney: Assembly Concurrent Resolution No. 35—Relative to the death of the mother of Assemblyman Augustus F. Hawkins.

Introduced.

Request for Unanimous Consent.

Mr. Rosenthal asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 35, at this time, without reference to printer, committee or file, and that same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 35.

Assembly Concurrent Resolution No. 35—Relative to the death of the mother of Assemblyman Augustus F. Hawkins.

Assembly Concurrent Resolution No. 35 read.

Mr. Rosenthal moved the adoption of Assembly Concurrent Resolution No. 35.

The question being on the adoption of Assembly Concurrent Resolution No. 35.

Assembly Concurrent Resolution No. 35 adopted unanimously.

Assembly Concurrent Resolution No. 35.

Relative to the death of the mother of Assemblyman Augustus F. Hawkins

WHEREAS, The members of the Assembly and the Senate of the State of California have learned with profound sorrow of the passing of the mother of one of our most beloved members, Assemblyman Hawkins; and,

WHEREAS, We know that the death of this loving individual has brought sorrow to Mr. Hawkins and the immediate members of his family; and,

WHEREAS, It is God's wisdom that she be taken from this earth, and be given her just reward in the life beyond for the many kind deeds she has rendered to humanity during her lifetime; and,

WHEREAS, Her loss will not only be a loss to the immediate members of her family but a loss to those who knew her while she was living; now, therefore, be it,

Resolved, By the Assembly of the State of California, the Senate concurring, that when the Legislature adjourns this day, it do so out of respect to the memory of the late Mrs. Hawkins; and be it further

Resolved, That the Chief Clerk be and is hereby instructed to have prepared a suitable memorial resolution properly engrossed and mailed to the family of the deceased.

Recess.

At twelve o'clock and five minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until one o'clock and thirty minutes p.m., of this day.

Reassembled.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Craig in the chair.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Glover:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1935.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 29 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to insurance by the employer thereunder.

Referred to Committee on Introduction of Bills.

By Mr. Cottrell:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1935.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to provide for reduction of salaries of officers and employees of the State in the State civil service which are in excess of the maximum salary limits of the respective positions.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 79—A resolution to propose to the people

of the State of California, an amendment to the Constitution of said State by adding to Article I thereof, a new section to be numbered 14¾, relating to the taking of property by eminent domain for the purpose of developing natural resources belonging to the State—and reports that the same has been correctly engrossed.

WATERS, Chairman.

Assembly Constitutional Amendment No. 79 ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 265—An act to add section 364k to the Political Code, relating to the Division of the Deaf in the Department of Industrial Relations, and making an appropriation therefor—and reports that the same has been correctly engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 819—An act to amend sections 2167, 2167a, 2169, 2172 and 2175 of, to repeal sections 2168, 2170, 2171 and 2185c of, and to add new sections numbered 2168, 2168.1, 2168.2, 2168.3, 2168.4, 2168.5, 2168.6, 2168.7, 2168.8, 2171, 2185.1, 2185.2, 2185.3, 2185.4, 2185.5, 2185.6 and 2185.7 to the Political Code, relating to persons mentally disordered or otherwise incompetent—and reports that the same has been correctly re-re-re-re-re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 287—An act to amend section 4041.16 of the Political Code, relating to county care of indigents;

Also: Assembly Bill No. 1037—An act to safeguard the public health, to regulate the diagnosis and treatment of human ailments by means of X-rays and the use, ownership and possession of X-ray appliances for said purposes; providing for the licensing of persons operating X-ray appliances and laboratories, declaring the treatment of human ailments by means of X-rays to constitute the practice of medicine; prescribing penalties for violation of the act; declaring the possession, maintenance or operation of X-ray appliances in violation of the provisions of the act to constitute a public nuisance, and otherwise providing for the enforcement of the act;

Also: Assembly Bill No. 2382—An act to regulate the practice of structural pest control; to create the Structural Pest Control Board; to provide for the registration and licensing of persons engaged in such practice, and for the protection of the public in the practice of structural pest control,

And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 406—An act to add a new article to Chapter I of Part I of Division I of the School Code to be known as Article VII, embracing section 1.45, relating to the participation of pupils in public exhibitions—and reports that the same has been correctly re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 674—An act prescribing the terms upon which certificates of registration of inspectors and/or sanitary officers as "registered sanitarians" shall be issued, prescribing a course and minimum amount of schooling or training to be possessed by applicants therefor after one (1) year from date of approval of this act; authorizing the State Board of Public Health to certify approved schools, conduct examinations and issue "registered sanitarian" certificates; prescribing the powers and duties of the State board; prescribing conditions under which the

title "registered sanitarian" or the placing of the initials "R. S." may be used after the names of certificate holders, providing penalties for violations hereof; and grounds for the suspension, cancellation, denial or revocation of such certificates of registration;

Also Assembly Bill No 713—An act to amend section 1 of an act entitled "An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation of prisoners recreation and educational fund; providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith," approved June 9, 1923, as amended, relating to convict labor;

Also: Assembly Bill No. 768—An act to amend section 11 of an act entitled "An act prescribing the terms upon which licenses or certificates of registration may be issued to practitioners of barbering, creating the State Board of Barber Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved May 31, 1927;

Also: Assembly Bill No. 911—An act to amend section 611 of the Fish and Game Code, relating to trout and whitefish;

Also: Assembly Bill No 1102—An act to add section 4452a to the Political Code, relating to responsibility of municipal corporations;

Also: Assembly Bill No. 1364—An act authorizing the State Franchise Tax Commissioner to destroy certain tax returns;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1464—An act to amend section 182 of the Penal Code, relating to punishment for criminal conspiracy;

Also: Assembly Bill No. 1499—An act to add section 620 5 to the Vehicle Code, relating to vehicles;

Also: Assembly Bill No. 1526—An act to add a new section to be numbered 18.5 to the "Improvement Act of 1911," approved April 7, 1911, relating to contributions of moneys or materials, declaring the urgency thereof and providing that this act shall take effect immediately;

Also: Assembly Bill No 1860—An act to declare a moratorium on the collection of judgments rendered in proceedings pursuant to the provisions of sections 25 to 36f, both inclusive, of the Water Commission Act for unpaid costs or for unpaid assessments taxed as costs in such judgments, suspending the accrual of interest upon such judgments during the period of such moratorium, and extending the statute of limitations upon any such judgment;

Also: Assembly Bill No. 1865—An act to add a new section to the general laws imposing a tax on billboards and outdoor advertising;

Also: Assembly Bill No. 2252—An act to amend section 5 773 of the School Code, relating to employees of school districts other than persons employed in positions requiring certification qualifications;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2400—An act to add a new section to be numbered 30 5 to the General Cemetery Act, relating to reincorporation of cemetery associations, and prescribing the procedure thereto—and reports that the same has been correctly engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 988—An act to amend section 5.161 of the School Code, relating to high school certificates;

Also: Assembly Bill No. 1082—An act to amend section 1065 of the Fish and Game Code, relating to the taking of sardines for commercial purposes,

Also: Assembly Bill No. 1614—An act to amend section 135 of the Vehicle Code, relating to the California Highway Patrol;

Also: Assembly Bill No. 2365—An act requiring licenses for the operation, maintenance or establishment of stores in this State, prescribing the license and filing fees to be paid therefor, providing for penalties for the violation of this act, providing for the enforcement of this act;

And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1330—An act to amend sections 990, 991, and 993 of the Fish and Game Code—and reports that the same has been correctly re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1236—An act to amend an act entitled "An act to authorize municipal corporations to issue bonds, for the purpose of investing the proceeds arising from the sale thereof, in other bonds issued for public improvements," approved April 26, 1909, by amending the title and sections 1, 2 and 3 thereof, relating to bonds to be purchased and the use of the funds—and reports that the same has been correctly re-re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 361—An act to amend the division heading of Division V of the Agricultural Code, relating to standardization;

Also: Assembly Bill No. 364—An act to amend section 1036 of the Agricultural Code, relating to fertilizing materials;

Also: Assembly Bill No. 367—An act to amend section 104 of the Agricultural Code, relating to quarantine;

Also: Assembly Bill No. 990—An act to amend section 13 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," as amended, relating to revocation or suspension of licenses;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-sixth day of April, 1935, at ten o'clock a.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 462—An act to amend section 809 of the Agricultural Code, relating to walnuts;

Also: Assembly Bill No. 486—An act requiring the treasurer of any municipality, county, or city and county to maintain a record of the names and addresses of holders of ad valorem special assessment district bonds when so directed by the legislative body of said municipality, county, or city and county;

Also: Assembly Bill No. 585—An act to amend sections 8, 10, 40, 42, 47, 75 and 108 of an act entitled "An act to provide for the creation, establishment and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to the State Employees' Retirement System;

Also: Assembly Bill No. 974—An act to amend section 794 of the Agricultural Code, relating to cherries;

Also: Assembly Bill No. 1652—An act to amend the Vehicle Code by amending sections 195, 196, 197, 198, and 380, relating to vehicles;

Also: Assembly Bill No. 1653—An act to amend the Vehicle Code by amending sections 320 and 488, relating to vehicles and records to be kept by the Department of Motor Vehicles;

Also: Assembly Bill No. 1655—An act to amend the Vehicle Code by amending section 134; by adding sections 131, 136, and 681, relating to vehicles;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-sixth day of April, 1935, at ten o'clock a.m.

WATERS, Chairman.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1743—An act to amend the Palo Verde Irrigation District Act, approved June 21, 1923, as amended, by amending section 28o of said act, as amended, relating to redemptions and leasing of property, and by adding to said act, as amended, new sections to be numbered and providing as follows, to wit: Section 28½o, relating to disposal of tax-deeded and tax-delinquent lands; section 65, relating to proceedings in bankruptcy; section 66, relating to contracts with the United States or any agency thereof under an act approved May 5, 1917, as amended, and validating such contracts; section 67, validating bonds of the district; section 68, validating rehabilitation plans; and section 69, incorporating in the district lands which were formerly public lands, and declaring the legislative intent as to unconstitutionality;

Also: Assembly Bill No. 2387—An act to amend section 1 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the city of Long Beach upon certain trusts and conditions," approved April 28, 1925, relating to the use of such tidelands and submerged lands;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-sixth day of April, 1935, at ten o'clock a.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 51—Relative to memorializing the President and the Congress to enact legislation (H. R. 2772) declaring Admission Day a holiday for all officers and employees of the United States whose headquarters are in California—and reports that the same has been correctly enrolled, and presented the same to the Governor on this twenty-sixth day of April, 1935, at ten o'clock a.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 31—Approving an amendment to the charter of the city of Santa Monica, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the thirtieth day of March, 1935;

Also, Assembly Concurrent Resolution No. 32—Approving amendment to the charter of the city of Pasadena;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-sixth day of April, 1935, at ten o'clock a.m.

WATERS, Chairman.

On Public Utilities.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1935.

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 2268—An act to amend section 1 of an act entitled "An act providing for the supervision and regulation of the transportation of property for compensation over any public highway by auto trucks; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for punishment of violations thereof, and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, relating to the determination of the operation of auto trucks by transportation companies—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

EVANS, HERBERT J., Chairman.

The above reported bill ordered on file for second reading.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1935.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 439—An act to add a new section to the School Code to be numbered 6.492, relating to the payment by school districts of subscriptions to periodicals,

Also: Assembly Bill No. 539—An act to amend section 2.801 of the School Code, relating to the liability of school districts for injury to persons or property,

Also: Assembly Bill No. 1186—An act to add two new sections to the School Code to be numbered 2.807 and 5.533, relating to liability for the death of, or injury to, pupils enrolled in the public schools;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

CHATTERS, Chairman.

The above reported bills ordered on file for second reading.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1935.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 2104—An act to amend the County Water District Act, approved June 10, 1913, as amended, by adding to said act, as amended, a new section, to be numbered 4a, providing for the election of directors by divisions, instead of at large, if authorized by election—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1125—An act adding a new section to the Civil Code of the State of California, to be numbered 734, relating to the control of municipal property by the legislative body thereof and the right of access and use of municipal property by members of the public;

Also: Assembly Bill No. 1345—An act to amend the County Water District Act, approved June 10, 1913, as amended, by amending sections numbered 5, 7, 12 and 25 of said act, as amended, and by repealing section 52 of said act, as amended, and by adding to said act, as amended, new sections, to be numbered and providing as follows, to wit: Section 16a, relating to refunding bonds, section 25a, relating to addition to a county water district of lands situate in a county contiguous to the county in which such district was organized; section 25b, relating to conditions upon addition of land to the district; and section 52, adding to the district lands privately owned which were public lands when the district was organized;

Also: Assembly Bill No. 1987—An act to amend section 3 of "An act relating to the liability in damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property, and alleged to be due to the negligence or carelessness of such officers; prescribing the duties of claimants in such cases, and authorizing the State and such public or quasi public corporation to take out and pay for insurance to protect their officers against such liability," approved June 19, 1931;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

WRIGHT, Chairman.

The above reported bills ordered on file for second reading.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1935.

MR. SPEAKER: Your Committee on Insurance, to which was referred Senate Bill No. 895—An act to add Chaper 10a, comprising sections 11400 to 11407, to Part 2 of Division 2 of the Insurance Code, relating to life, disability, and life and disability insurance by, and the organization of, firemen's, policemen's or peace officers' benefit and relief associations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MINARD, Chairman.

The above reported bill ordered on file for second reading.

On Irrigation.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1935.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 2045—An act to amend section 14a of the California Irrigation District Act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

On Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1935.

MR SPEAKER: Your Committee on Corporations, to which was referred Assembly Bill No. 2102—An act providing for the formation of nonprofit membership corporations to be known as electric membership corporations; authorizing such corporations to sell and distribute energy to the inhabitants of the State at the lowest cost consistent with sound economy and the prudent management of the business of such corporations; authorizing such corporations to construct or otherwise acquire, own, operate, maintain, extend and improve works, plants and systems for the production, transmission or distribution of energy; authorizing such corporation to exercise the right of eminent domain and otherwise providing for the rights, powers and duties or such corporations; authorizing and regulating the issuance of revenue obligations by such corporations and providing for the payment of such obligations and the rights of the holders thereof, and providing that this act shall take immediate effect—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BREED, Chairman.

The above reported bill ordered on file for second reading.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1935.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No 1067—An act to amend section 1007 of the Civil Code, relating to title by prescription and adverse possession against the State, counties, cities and counties or municipal corporations thereof,

Also: Assembly Bill No. 2122—An act to postpone proceedings to enforce the lien, or any guaranty in connection therewith, arising out of the levy of any special assessment or special assessment tax, or arising out of the issuance of any special assessment bond, or ad valorem district bonds or direct assessment district bonds, levied or issued to pay the cost of the improvement or acquisition of property for public purposes, declaring the urgency thereof, and providing that it shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

WRIGHT, Chairman.

The above reported bills ordered on file for second reading.

On Public Utilities.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1935

MR SPEAKER. Your Committee on Public Utilities, to which was referred Assembly Bill No. 944—An act regulating the use of public highways by motor vehicles operated thereon for the transportation of property for compensation; conferring powers upon the Railroad Commission with respect thereto; providing penalties for the violations of this act and repealing all acts inconsistent with the provisions of this act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

EVANS, HERBERT J., Chairman.

The above reported bill ordered on file for second reading

On Education.

ASSEMBLY CHAMBER, SACRAMENTO April 25, 1935

MR SPEAKER Your Committee on Education, to which was referred Assembly Bill No. 1395—An act to amend sections 5.1100, 5.1101, 5 1110, 5 1120, 5 1121, 5.1122, 5.1132, 5 1135, 5.1136, 5.1138 of the School Code, relating to the retirement of teachers and employees by school districts, and to add a new section to be numbered section 5 1139 to the School Code—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

CHATTERS, Chairman.

The above reported bill ordered on file for second reading.

On Public Charities and Corrections.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1935

MR. SPEAKER: Your Committee on Public Charities and Corrections, to which was referred Assembly Bill No. 616—An act to provide for the establishment, government, and maintenance of an institution or farm for the confinement, cure, care and rehabilitation of certain drug addicts and to provide for the admission and commitment of such addicts—has had the same under consideration, and respectfully

reports the same back, and recommends that it do pass, and be re-referred to the Committee on Ways and Means.

ANDREAS, Chairman.

Assembly Bill No. 616 ordered re-referred to Committee on Ways and Means.

On Public Utilities.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1935

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 1200—An act requiring the licensing of certain vehicles used for the transportation of persons or property in this State, defining such vehicles, providing for the imposition, collection, and distribution of license taxes for the privilege of operating such vehicles in this State, making appropriations for the purposes of this act, prescribing penalties for the violation of this act, repealing an act entitled, "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle, and provided that this act shall take effect immediately," approved May 15, 1933, subject to certain conditions, and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

EVANS, HERBERT J., Chairman.

The above reported bill ordered on file for second reading.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1935.

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 673—An act to add section 1681 to the Insurance Code, relating to insurance of property in which an agent, broker or solicitor has an interest—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

MINARD, Chairman.

The above reported bill ordered on file for second reading.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1935.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1979—An act to amend sections 851 and 852 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 18, 1883, relating to city officers—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

On Public Utilities.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1935

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 2098—An act to amend section 13 of the Public Utilities Act, relating to public utility rates—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

EVANS, HERBERT J., Chairman.

The above reported bill ordered on file for second reading.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1935

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1516—An act to amend sections 6.240, 6.251, 6.252, 6.260, 6.262, 6.263, 6.264, 6.265, 6.270, 6.274, 6.275, 6.291, 6.292, 6.294, 6.295, 6.296, 6.300, 6.301, 6.305, 6.307, 6.320, 6.322, 6.330, 6.332, 6.340, 6.341 of the School Code and to repeal Article VI of Chapter III of Part II of Division VI thereof, relating to supplementary textbooks—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1935.

MR. SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 99—An act to amend sections 4.161 and 4.221 of the School Code, all relating to unapportioned county school funds;

Also: Senate Bill No. 245—An act to repeal sections 3.284 and 3.285 of the School Code, relating to the maintenance of high school courses in elementary schools;

Also: Senate Bill No. 308—An act to add a new section to the School Code to be numbered 3.232, relating to the establishment of junior high schools;

Also: Senate Bill No. 376—An act to repeal Article II of Chapter II of Part II of Division III of the School Code and to add to Chapter II of Part II of Division III of the School Code a new article to be known as Article I, relating to contracts between State teachers colleges and elementary school districts for the education of pupils of such districts;

Also: Senate Bill No. 652—An act to amend section 4.798 of the School Code, relating to apportionments of State funds for public school purposes;

Also: Senate Bill No. 654—An act to add a new article to Chapter I of Part III of Division IV of the School Code to be known as Article III, relating to school district elections for the expenditure of school district funds;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

CHATTERS, Chairman.

The above reported bills ordered on file for second reading.

On Irrigation.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1935.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Senate Bill No. 1079—An act to validate all proceedings for the formation of improvement districts within irrigation districts and all assessments heretofore made in any such improvement districts, to validate all warrants heretofore issued or to be issued, payable from the assessments levied in such improvement districts; and authorizing and directing the collection of the assessments in such improvement districts sufficient to pay the principal and interest of said warrants, validating and confirming all acts and proceedings of the board of directors of any irrigation district in connection with the acquisition and creation of improvement districts within irrigation districts, and the acquisition, construction, operation, maintenance and repair of improvements therein—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Irrigation, to which was referred Senate Bill No. 704—An act to provide for the development of electric power by irrigation districts and providing for the acquisition, construction, maintenance and operation of electric power plants and providing for the levying of assessments and the collection of funds, for the issuance and sale of bonds, and providing for the control and distribution of electric energy—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FRAZIER, Chairman

The above reported bill ordered on file for second reading.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1935.

MR. SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 761—An act to amend section 3.42 of, and to add sections 3.43 and 3.44 to, the School Code, relating to required instruction in the schools—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

CHATTERS, Chairman.

The above reported bill ordered on file for second reading.

On Public Utilities.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1935.

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Senate Bill No. 329—An act regulating the use of public highways for commercial purposes by certain motor vehicles operated thereon for the transportation of property for

compensation; preventing discriminations between various forms of transportation; creating the office of Truck Commissioner; conferring powers upon the Railroad Commission with respect to the transportation of property for compensation by said motor vehicles; providing penalties for the violation of this act, and repealing all acts inconsistent with the provisions of this act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

EVANS, HERBERT J., Chairman.

The above reported bill ordered on file for second reading.

On Irrigation.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1935.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Senate Bill No. 706—An act to amend the California Irrigation District Act by adding a new section thereto, to be known as section 15½, authorizing irrigation districts, heretofore or hereafter organized, and existing under and by virtue of the provisions of the California Irrigation District Act, or any act amendatory thereof or supplemental thereto, to develop and distribute electrical power or energy by the use of any waters under the control of such district and by contract to acquire and maintain any necessary equipment therefor and to provide for the management of such operations and the financing thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Irrigation, to which was referred Senate Bill No. 705—An act to extend to irrigation districts organized and existing under the California Irrigation District Act, the power and privilege to develop hydro-electrical power and to acquire equipment, including stand-by plants, for development and distribution of electrical energy and creating of irrigation district power districts to be managed, operated and controlled under the provisions of the California Irrigation District Act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1935.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 4—An act to amend sections 2, 3, and 6 of an act entitled "An act authorizing municipal corporations to discontinue the use of land for park purposes when the fee thereof is vested in the municipal corporation and authorizing the sale or other disposition of such lands," approved May 12, 1927, relating to the conveyance, exchange, sale or other disposition of lands—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

On Federal Relations.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1935

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 12—Relative to memorializing the President and the Congress of the United States to enact H. R. 4688 which proposes to aid in the rehabilitation of employable blind persons in the United States and urging the Committee on Labor of the House of Representatives to expedite consideration favorable to said bill—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

TURNER, Chairman

The above reported bill ordered on file for second reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 25, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No 608—An act limiting the hours of labor of domestic employees and providing a penalty for its violation.

J. A. BEEK, Secretary of Senate.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No 35—Relative to the death of the mother of Assemblyman Augustus F. Hawkins.

J. A BEEK, Secretary of Senate
By CARL A SHIPKEY, Assistant Secretary.

Assembly Concurrent Resolution No. 35 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 25, 1935.

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 579—An act to amend section 1153 of the Probate Code, relating to publication of reports of the finances of the estates of decedents by the public administrator;

Also: Assembly Bill No. 583—An act to amend section 1144 of the Probate Code, relating to the disposition of the property of the estate of any decedent of the value of $200 or less;

Also: Assembly Bill No 766—An act to add Chapter 9, embracing sections 725 to 734, inclusive, to DIVISION IV of the Agricultural Code, relating to dairies and dairy products;

Also: Assembly Bill No. 851—An act to add a new chapter to Part III of Division IV of the School Code to be known as Chapter IV, relating to sinking funds in school districts for the replacement, reconstruction or alteration of buildings.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 579, 583, 766 and 851 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 25, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 295—An act to amend section 2 251 of the School Code, relating to teachers' attendance reports;

Also: Assembly Bill No. 414—An act to amend section 2 123 of the School Code, relating to the providing of instruction and transportation by county superintendents of schools for elementary pupils,

Also: Assembly Bill No. 514—An act to repeal section 3385 of the Political Code, relating to licensing of animals kept for propagation,

Also: Assembly Bill No. 736—An act to amend section 2 481 of the School Code, relating to the transfer of an elementary school district from one high school district to another;

Also: Assembly Bill No 765—An act to amend section 3 172 of the School Code, relating to beginning classes of elementary schools.

J A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 295, 414, 514, 736 and 765 ordered to enrollment

Also:

SENATE CHAMBER, SACRAMENTO, April 25, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 1381—An act to amend section 790 and to add section 813.5 to the Agricultural Code, relating to celery;

Also: Assembly Bill No. 1723—An act to amend sections 888 and 959 of the Penal Code, relating to indictments;

Also: Assembly Bill No. 1990—An act to repeal section 677a of the Political Code and to add section 677 5 thereto, relating to budgets of State departments and other State agencies;

Also: Assembly Bill No. 2179—An act to amend sections 2482 and 2484 of the Civil Code, relating to limited partnerships.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1381, 1723, 1990 and 2179 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 25, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 231—An act to amend section 10 of an act entitled "An act to limit the amount of special assessments for public improvements and acquisitions of property for public purposes; to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or part by special assessments; to provide a basis for valuation of property for the purpose of establishing a special assessment limitation, and to authorize the payment of a part of the cost of such public improvements and acquisitions of property from any available public fund where a part of such cost is paid by special assessment on benefited property, and to provide that a majority protest shall be a bar to any proceeding," approved June 8, 1931, relating to limitations on assessments;

Also: Assembly Bill No. 1133—An act to amend sections 800 and 802 of the Penal Code, relating to limitation of criminal actions;

Also: Assembly Bill No. 1232—An act to amend section 573 of the Probate Code of the State of California, relating to actions which may be maintained against executors and administrators;

Also: Assembly Bill No. 1680—An act to amend sections 1235 and 1238 of the Penal Code, relating to appeals in criminal cases.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 231, 1133, 1232 and 1680 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 25, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 491—An act to amend section 651 of the Agricultural Code, relating to dairy statistics;

Also: Assembly Bill No. 492—An act to amend section 631 of the Agricultural Code, relating to examination of milk and dairy products;

Also: Assembly Bill No. 493—An act to amend sections 491 and 493 of the Agricultural Code, relating to milk inspection;

Also: Assembly Bill No. 494—An act to amend section 476 of the Agricultural Code, relating to fat or oil in dairy products;

Also: Assembly Bill No. 498—An act to amend section 453 of the Agricultural Code, relating to milk inspection.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 491, 492, 493, 494 and 498 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 25, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1244—An act to amend section 792 of the Agricultural Code, relating to avocados;

Also: Assembly Bill No. 1533—An act to amend section 871 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to the assessment, levy and collection of taxes;

Also: Assembly Bill No. 2034—An act to amend sections 1 and 2 and the title of an act entitled "An act prohibiting employers of labor from coercing employees in the purchase of things of value, and prescribing a penalty for the violation of the provisions hereof," approved April 26, 1917 (Stats. 1917, Chap. 141), relative to requiring employees and applicants for employment to patronize any person or firm in the purchase of any thing of value, and relative to the penalty therefor: And respectively requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1244, 1533 and 2034 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, April 25, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 57—An act to repeal sections 2.879 and 2.880 of the School Code and to add thereto sections 2.879 and 2.880, relating to election of school trustees;

Also: Assembly Bill No. 314—An act to amend sections 2.203 and 2.204 of the School Code and to add a new section to said code to be numbered 2.314, all relating to the formation of elementary school districts;

Also: Assembly Bill No. 363—An act to amend sections 1011, 1012 and 1072 of the Agricultural Code, relating to economic poisons;

Also: Assembly Bill No. 368—An act to amend section 34 of, and to add section 34.5 to, the Agricultural Code, relating to cooperative agreements for the purpose of enforcing provisions relating to standardization and collaborative services;

Also: Assembly Bill No. 463—An act to amend section 805 of the Agricultural Code, relating to persimmons;

Also: Assembly Bill No. 928—An act to amend sections 4.280b and 4.281b of the School Code, relating to revolving funds of school districts for warehouse stock;

Also: Assembly Bill No. 930—An act to amend section 4.360 of the School Code, relating to school district budgets, declaring the urgency thereof and providing that this act shall take effect immediately;

And respectively requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A SHIPKEY, Assistant Secretary

Assembly Bills Nos. 57, 314, 363, 368, 463, 928 and 930 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, April 25, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1131—An act to amend sections 682, 806, 811, 827, 849, 877, and 878 of the Penal Code, relating to proceedings before the committing magistrate, and to add a new section to the Penal Code numbered 87a, relating to the commitment by the magistrate on plea of guilty;

Also: Assembly Bill No. 1161—An act to amend section 718c of the Civil Code, empowering municipalities to lease property;

Also: Assembly Bill No. 1641—An act to amend section 11870 of the Insurance Code, relating to workmen's compensation insurance of the State and its agencies and certain political subdivisions, public corporations and quasi public corporations;

Also: Assembly Bill No. 1678—An act to add a new section to the Penal Code, to be numbered 969½, relating to the amendment of a complaint to charge prior convictions;

And respectively requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1131, 1161, 1641 and 1678 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, April 25, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 441—An act to amend the title, sections 1 and 2 of "An act to require security for the payment of wages of persons engaged in the mining industry," approved April 25, 1933 (Stats. 1933, Chap. 161), relative to security for the payment of wages in the mining industry and providing penalties for violation of the provisions thereof—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By CARL A SHIPKEY, Assistant Secretary.

Assembly Bill No. 441 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, April 25, 1935.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 614—An act to amend section 644 of the Penal Code, relating to habitual criminals,

Also, Senate Bill No. 830—An act to amend sections 13 and 13a of the Motor Vehicle Fuel License Tax Act, relating to the disposition of funds received under said act;

Also: Senate Bill No. 1087—An act to amend section 870 of the Agricultural Code, relating to the standardization of canned foods;

Also: Senate Bill No. 618—An act to amend subsection 1, section 1203, of the Penal Code, relating to probation and probation officers.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 614 read first time, and referred to Committee on Crime Problems.

Senate Bill No. 830 read first time, and referred to Committee on Motor Vehicles.

Senate Bill No. 1078 read first time, and referred to Committee on Public Health and Quarantine.

Senate Bill No 618 read first time, and referred to Committee on Crime Problems.

Also:

SENATE CHAMBER, SACRAMENTO, April 25, 1935.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1083—An act to add new sections to the School Code to be numbered 6 205 and 6 225, relating to the sale or leasing of school property;

Also: Senate Bill No. 420—An act to amend section 44 of the Vehicle Code, relating to emergency vehicles;

Also: Senate Bill No. 229—An act to amend sections 1, 1a, 1b, 1c, 3, 4, 6, 7, 10c, 11 and 15 of, and to add sections 11 5, 11.6 and 18 to, "An act to regulate the sale, possession, distribution and use of habit-forming, narcotic and other dangerous drugs and substances, and providing penalties for the violation thereof," approved May 4, 1929, relating to habit-forming, narcotic and other dangerous drugs and substances.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No 1083 read first time, and referred to Committee on Education.

Senate Bill No. 420 read first time, and referred to Committee on Motor Vehicles.

Senate Bill No. 229 read first time, and referred to Committee on Public Health and Quarantine.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1935.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 30—Relative to approving the charter of the city of Roseville

J. A. BEEK, Secretary of Senate.
By CARL A SHIPKEY, Assistant Secretary.

Request for Unanimous Consent.

Mr. Mayo asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No 30, at this time, without reference to printer, committee or file, and that same be considered engrossed.

Consideration of Senate Concurrent Resolution No. 30.

Senate Concurrent Resolution No. 30—Relative to approving the charter of the city of Roseville.

Senate Concurrent Resolution No. 30 read.

Mr Mayo moved the adoption of Senate Concurrent Resolution No. 30.

The question being on the adoption of Senate Concurrent Resolution No. 30.

The roll was called, and Senate Concurrent Resolution No. 30 adopted by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 30 ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, April 9, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 1122—An act to accept the provisions of an act of the Congress of the United States effective June 6, 1933, entitled "An act to provide for the establishment of a National Employment System and for cooperation with the States in the promotion of such system, and for other purposes."

In my opinion said Assembly Bill No. 1122 constitutes an emergency bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 1122—An act to accept the provisions of an act of the Congress of the United States effective June 6, 1933, entitled "An act to provide for the establishment of a National Employment System and for cooperation with the States in the promotion of such system, and for other purposes."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1122 passed by the following vote:

AYES—Anderson, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Further Consideration of Assembly Constitutional Amendment No. 60.

Assembly Constitutional Amendment No. 60 read.

Floor Amendment.

During reading of Assembly Constitutional Amendment No. 60, the following amendment was submitted by Mr. Clark:

Amendment No. 1.

On page 2, line 51, of the printed bill, as amended, after the period, add thereto the following: "Nothing herein contained shall be held to repeal, modify or otherwise affect section 7½b of Article XI of the Constitution of this State."

Amendment adopted.

Request for Unanimous Consent.

Mr. Cunningham asked for, and was granted, unanimous consent to take up Assembly Constitutional Amendment No. 60, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Constitutional Amendment No. 60, as amended, read.

Mr. Cunningham moved the adoption of Assembly Constitutional Amendment No. 60.

The question being on the adoption of Assembly Constitutional Amendment No. 60.

Demand for Previous Question.

Messrs. Morgan, Johnson, Boyle, Flint and Geyer demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of Assembly Constitutional Amendment No. 60.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Cunningham moved a call of the House.

Motion carried.

Time, two o'clock and forty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—72.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2399—An act to amend section 1514 of the Civil Code, relating to rights of parties to contract in the event of prevention of performance thereof by a cause other than an act of a party.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Brennan:

Amendment No. 1.

On page 1, lines 8 and 9, of the printed bill, as amended, strike out "the contribution of".

Amendment adopted.

Request for Unanimous Consent.

Mr. Brennan asked for, and was granted, unanimous consent to take up Assembly Bill No. 2399, as amended, at this time, without reference to reprint, or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2399, as Amended.

Assembly Bill No. 2399, as amended, read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2399, as amended, passed by the following vote:

AYES—Andreas, Brennan, Cassidy, Chatters, Clark, Desmond, Domhue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Redwine, Richie, Robertson, Stream, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1657—An act to amend the Vehicle Code by amending sections 253, 257, 267, 268, 269, 270, 272, 273, 314, 315, 316, and 338; by repealing sections 350, 351, 352, 353, and 354; by adding sections 254, 271.5, 350, 351, 352, 353, and 354, relating to vehicles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1657 passed by the following vote:

AYES—Andreas, Boyle, Chatters, Clark, Corwin, Cottrell, Cunningham, Desmond, Domhue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Fulcher, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—62.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 78—An act granting to the city of Sacramento certain lands lying within the city of Sacramento.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 78 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Cassidy, Chatters, Corwin, Cottrell, Crowley, Desmond, Domhue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin,

Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—69.

NOES—None.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 78.

Mr. Hunt gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 78 was this day passed.

Assembly Bill No. 1344—An act providing for the creation, management, maintenance and improvement of the California Desert Park.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1344 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—63.

NOES—Reaves—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced:

By Mr. Phillips: Assembly Joint Resolution No. 55—Relative to memorializing Congress to erect a memorial to Mrs. A. Sherman Hoyt.

Introduced.

Request for Unanimous Consent.

Mr. Phillips asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 55, at this time, without reference to printer, committee or file, and that same be considered engrossed.

Consideration of Assembly Joint Resolution No. 55.

Assembly Joint Resolution No. 55—Relative to memorializing Congress to erect a memorial to Mrs. A. Sherman Hoyt.

Assembly Joint Resolution No. 55 read.

Mr. Phillips moved the adoption of Assembly Joint Resolution No. 55.

The question being on the adoption of Assembly Joint Resolution No. 55.

The roll was called, and Assembly Joint Resolution No. 55 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Desmond, Donnelly, Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson,

Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—61.
NOES—None.

Title read and approved

Assembly Joint Resolution No. 55 ordered transmitted to the Senate.

Assembly Joint Resolution No. 55.

Relative to memorializing Congress to erect a memorial to Mrs A. Sherman Hoyt.

WHEREAS, Mrs. A. Sherman Hoyt, the founder of the National Desert Conservation League has been active in the project to conserve certain portions of California's desert land for posterity; and

WHEREAS, Mrs. Hoyt's activities resulted in favorable attention by the United States of America in establishing a National monument (to be known as the "Joshua Tree National Monument") of certain desert lands of California; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Assembly and the Senate hereby memorialize the President and the Congress of the United States to erect, in said "Joshua Tree National Monument" some form of memorial or tribute to Mrs. Hoyt in recognition of her unceasing efforts to establish a suitable desert park or memorial so that the desert's beauty, silence and mystery may be preserved for future generations.

Further Proceedings Under Call of the House Dispensed With.

At three o'clock and ten minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Cunningham.

The roll of absentees was called, and Assembly Constitutional Amendment No. 60, as amended, was refused adoption by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Clark, Cottrell, Cunningham, Donihue, Evans, Ralph W., Field, Fisher, Flint, Geyer, Gilbert, Gilmore, Glover, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Minard, Morgan, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—50
NOES—Cassidy, Chatters, Corwin, Crowley, DeLap, Desmond, Donnelly, Frazier, Fulcher, Garibaldi, Heisinger, Kallam, Mayo, McBride, McCarthy, Nielsen, O'Donnell, Patterson, Scudder, Stream, Thorp, and Turner—22.

Notice of Reconsideration of Assembly Constitutional Amendment No. 60, as Amended.

Mr. Cunningham gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 60, as amended, was this day refused adoption.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 603—An act to amend section 4223 of the Political Code, relating to admission to county hospitals.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 603 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Cassidy, Chatters, Clark, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, and Mr. Speaker—64.
NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 291—An act to add a new title to Part IV of Division III of the Civil Code of the State of California to be known as Title XVII thereof, relating to trust receipts and to make the law of trust receipts in the State of California uniform with the law of other States.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Williamson:

Amendment No. 1.

On page 1, line 10, of the printed bill, as amended April 15, 1935, following the word "Short", strike out the word "Chapter", and insert in lieu thereof the word "title".

Amendment No. 2.

On page 1, line 12, of the printed bill, as amended April 15, 1935, strike out the word "title", and insert in lieu thereof the word "chapter".

Amendment No. 3.

On page 6, line 32, of the printed bill, as amended April 15, 1935, strike out the comma following the figure "3016.10", and insert the word "and".

Amendment No. 4.

On page 7, line 44, of the printed bill, as amended April 15, 1935, strike out the word "title", and insert in lieu thereof the word "chapter".

Amendment No. 5.

On page 8, line 39, of the printed bill, as amended April 15, 1935, strike out the figure "5", and insert in lieu thereof the figure "6".

Amendment No. 6.

On page 8, line 48, of the printed bill, as amended April 15, 1935, strike out the last figure "6", and insert in lieu thereof "5".

Amendment No. 7.

On page 11, line 33, of the printed bill, as amended April 15, 1935, strike out the word "title", and the comma.

Amendment No. 8.

On page 1, line 5 of the title of the printed bill, as amended April 15, 1935, strike out the word "pledges", and insert in lieu thereof the word "pledgee".

Amendments adopted.

Request for Unanimous Consent.

Mr. Williamson asked for, and was granted, unanimous consent to take up Assembly Bill No. 291, as amended, at this time, without reference to reprint, or file, and that same be considered re-re-engrossed.

Third Reading of Assembly Bill No. 291, as Amended.

Assembly Bill No. 291, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 291, as amended, passed by the following vote:

AYES—Anderson, Brennan, Cassidy, Chatters, Clark, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Turner, Utt, Wagner, Walker, Waters, Williamson, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Special Order Set for Assembly Bill No. 947.

On motion of Mr. Heisinger, the consideration of Assembly Bill No. 947 was made a special order for Wednesday, May 1, 1935, at ten o'clock and thirty minutes a.m.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1919—An act to amend section 6 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to presumptions in respect to injuries to employees.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Clark:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "sections 3 and 6", and insert in lieu thereof the following: "section 3".

Amendment No. 2.

Strike out lines 3 and 4 of the title of the printed bill, as amended, and insert in lieu thereof the following: "definitions."

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out lines 14 to 52, inclusive, and on page 3, strike out lines 1 to 28

Amendments adopted.

Request for Unanimous Consent.

Mr. Clark asked for, and was granted, unanimous consent to take up Assembly Bill No 1919, as amended, at this time, without reference to reprint, or file, and that same be considered re-re-engrossed.

Third Reading of Assembly Bill No. 1919, as Amended.

Assembly Bill No. 1919, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1919 passed by the following vote:

AYES—Boyle, Brennan, Cassidy, Chatters, Clark, Cottrell, Crowley, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—61.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 663—An act to amend an act entitled "An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments, reassessments, to provide for the proceedings to test the validity of such refunding and

reassessment, and to provide for contributions of public funds to assist in such refunding," approved June 5, 1933, by amending section 15 thereof relating to the issuance of refunding bonds, and declaring the urgency of said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 663 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Cassidy, Chatters, Clark, Corwin, Desmond, Donnelly, Evans, Ralph W., Field, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 665—An act to amend an act entitled "An act authorizing the common council, board of trustees, or other governing body of any incorporated city or town other than cities of the first class to refund its indebtedness, to issue bonds therefor, and to provide for the payment of the same," approved March 9, 1897, by amending section 1 thereof, relating to refunding bonds and to the use of Federal courts in municipal bankruptcy or refunding proceedings.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 665 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Desmond, Donnelly, Evans, Ralph W., Field, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 667—An act to provide for the refunding of bonds issued under an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition or construction of such improvements," approved April 20, 1915, and bonds issued under the Municipal Improvement District Act of 1927, and providing procedure therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 667 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Desmond, Donnelly, Evans, Ralph W., Field, Frazier, Geyer, Gilmore, Glover, Heisinger, Hornblower, Johnson, Jones, Kallam, Latham, Laughlin, Lore,

Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—55

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 576—An act to repeal section 924 of the Political Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 576 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Desmond, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Geyer, Gilmore, Glover, Heisinger, Hornblower, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Wallace, Waters, Weber, Williamson, and Mr. Speaker—58.

NOES—None.

Title read.

Amendment to Title.

During reading of the title, the following amendment was submitted by Mr. Riley:

Amendment No. 1.

Strike out the period in the title of the printed bill, and insert in lieu thereof a comma and the following: "relating to certain affidavits of public officers."

Amendment adopted.

Title, as amended, read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 720—An act to amend section 1058 of the Code of Civil Procedure, relating to the giving of bonds or undertakings in civil actions or proceedings by the State or counties or officers thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 720 passed by the following vote:

AYES—Boyle, Brennan, Cassidy, Chatters, Clark, Corwin, Crowley, Desmond, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Geyer, Gilmore, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 877—An act to amend section 662 of the Code of Civil Procedure, relating to motions for new trial.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 877 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Cassidy, Chatters, Clark, Corwin, Crowley, Desmond, Donnelly, Evans, Ralph W, Field, Fisher, Frazier, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, and Mr. Speaker—61.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 610—An act amending section 1463 of the Penal Code, relating to the disposition of fines collected in municipal courts.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Riley:

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, strike out "Sec"

Amendment No. 2.

On page 1, line 27, of the printed bill, as amended, strike out "fiscal", and insert in lieu thereof the following: "final".

Amendments adopted.

Request for Unanimous Consent.

Mr. Riley asked for, and was granted, unanimous consent to take up Assembly Bill No. 610, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 610, as Amended.

Assembly Bill No. 610, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 610, as amended, passed by the following vote:

AYES—Andreas, Boyle, Brennan, Cassidy, Chatters, Clark, Corwin, Crowley, Desmond, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, and Mr Speaker—60.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, April 15, 1935.

To the Honorable Members of the Assembly, State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 36—An act to amend the Agricultural Code by adding to Division VI thereof a new chapter to be numbered 8 and to include sections 1299 to 1300 6 inclusive, defining and pertaining to processors of farm products and the licensing thereof.

In my opinion said Assembly Bill No. 36 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of

California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 36—An act to amend sections 1261 and 1262 of the Agricultural Code, relating to produce dealers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 36 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Cassidy, Chatters, Corwin, Crowley, Desmond, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hunt, Johnson, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, and Mr Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 662—An act to provide for the refunding of bonds issued under the "Improvement Bond Act of 1915" and for the extension of liens and assessments and the collection and enforcement of such assessments and the payment of said bonds.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 662 passed by the following vote:

AYES—Andreas, Boyle, Brennan, Cassidy, Chatters, Clark, Corwin, Crowley, Donnelly, Field, Fisher, Flint, Frazier, Fulcher, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 668—An act to provide for the refunding of the bonded indebtedness of special improvement districts, the bonds of which are payable from special assessments levied wholly or partly in accordance with the assessed value of lands and for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts and the cancellation of unpaid taxes and assessments of such districts, and for the levy of assessments and reassessments to pay such refunding bonds and to enforce the liens of such assessments and reassessments, and to provide for contributions of public funds to assist in such refunding or the payment of refunding bonds, and for proceedings to test the validity of such refunding and assessment or reassessment proceedings and the use of the bankrupt laws of the United States of America in any refunding.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 668 passed by the following vote:

AYES—Andreas, Boyle, Brennan, Cassidy, Chatters, Clark, Corwin, Crowley, Cunningham, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hunt, Johnson, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, and Mr. Speaker—59.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Unfinished Business—(Resumed).

Reconsideration of Assembly Bill No. 2048 Waived.

Mr. Reaves waived his notice to reconsider the vote whereby Assembly Bill No. 2048 was passed.
Assembly Bill No. 2048 ordered transmitted to the Senate.

Explanation of Vote on Assembly Bill No. 2048.

Mr. Arthur A. Ohnimus, Chief Clerk, Assembly.

DEAR SIR: In voting "No" on Assembly Bill No. 2048, I did so in order to move for a reconsideration for the purpose of offering amendments. Since, I have learned that the amendments are not necessary, therefore I am waiving reconsideration, but would have voted "Aye" on the bill except for the reason stated above.

FRED REAVES.

Motion to Reconsider Assembly Bill No. 2385 Continued.

Mr. Richie moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2385 was passed, be continued until the next legislative day.
Motion carried.

Motion to Reconsider Assembly Bill No. 128 Continued.

Mr. Utt moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 128 was refused adoption, be continued until the next legislative day.
Motion carried.

Reconsideration of Assembly Bill No. 1486 Waived.

Mr. McCarthy waived his notice to reconsider the vote whereby Assembly Bill No. 1486 was passed.
Assembly Bill No. 1486 ordered transmitted to the Senate.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1935

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 2386—An act to add Chapter 8 to Division VI of the Agricultural Code, relating to the marketing of milk, etc.—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

THORP, Chairman.

The above reported bill ordered on file for second reading.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1935

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 2077—An act to amend section 1065 of the Fish and Game Code, relating

to sardines—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

FISHER, Chairman.

The above reported bill ordered on file for second reading

On Public Utilities.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1935.

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 1957—An act to amend Public Utilities Act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

EVANS, HERBERT J., Chairman.

The above reported bill ordered on file for second reading.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 107—An act to add sections 39, 39a, and 39b to the Penal Code, relating to advocating the overthrow of government by force, violence or other unlawful means;

Also: Assembly Bill No. 108—An act to add section 8a to an "Act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905," approved May 31, 1917, relating to the duties of sheriffs, marshals, and chiefs of police in relation to activities of a seditious nature;

Also: Assembly Bill No. 223—An act to amend section 3649 of the Political Code, relating to taxation,

Also: Assembly Bill No 549—An act granting certain submerged lands and tidelands of the State of California to the city of Oakland, including the management, use and control thereof;

Also: Assembly Bill No 669—An act to add section 3817½ to the Political Code, relating to taxation, declaring the urgency hereof and providing that this act shall take immediate effect;

Also: Assembly Bill No. 1027—An act to add section 520 6 to the Fish and Game Code, relating to fish screens;

Also: Assembly Bill No. 1692—An act to amend sections 1060 and 1073 of the Fish and Game Code, and to add thereto section 1076.5, relating to fishery products;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1753—An act to amend sections 2.876, 2 877, 2 878, 2 885, 2 890, 2 891, and to repeal 2.868 of the School Code, relating to school district elections,

Also: Assembly Bill No. 1774—An act to amend the title and section 3e and to amend and to renumber section 20k of, and to add sections 19a, 19b, and 20*l* to the California Real Estate Act relating to the regulation and licensing of real estate brokers and salesmen, and to the inspection and regulation of subdivisions, to provide for the enforcement of said act and penalties for the violation thereof;

Also: Assembly Bill No. 2330—An act to amend sections 62 and 93 of the "Fish and Game Code," approved April 11, 1933, relating to fish and game and other wild life;

Also: Assembly Bill No. 2411—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the county of Contra Costa, State of California;

Also: Assembly Bill No. 845—An act to amend the title and sections 1, 2, 3, 4, 5, 6, 7, 9, 10, 15, 16, 17, 20, 22 and 24½ and to repeal section 3½ of an act entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department and to assess and collect taxes, from time to time, for such purpose, and

to create a board of fire commissioners," approved March 4, 1881, as amended, relating to fire departments in unincorporated towns and villages;
And reports that the same have been correctly engrossed

WATERS, Chairman

The above reported bills ordered on file for third reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 26, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 52—Relative to regulation of the production of crude petroleum.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Joint Resolution No 52 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 26, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 231—An act to amend sections 3.3 and 3 170 of the School Code, relating to attendance upon the public schools of Indian children, and children of Chinese, Japanese or Mongolian parentage;

Also: Senate Bill No. 297—An act to add a new section to an act entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended relating to persons seeking nomination;

Also: Senate Bill No. 1067—An act to amend sections 5 and 24 of Chapter 690, Statutes of 1913, entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal an act approved April 7, 1911, known as the Direct Primary Law, and also to repeal an act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended, relating to party conventions, membership and organization of State Central Committees and county central committees.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 231 read first time, and referred to Committee on Education.

Senate Bills Nos. 297 and 1067 read first time, and referred to Committee on Elections.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 31—An act to regulate the hours of service in public and private employment during the emergency declared to exist.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Patterson:

Amendment No. 1.

On page 1, line 20, of the printed bill, as amended, after "than", insert the following: "thirty hours in any one week, nor for more than".

Amendment No. 2.

On page 1, line 23, of the printed bill, as amended, insert the following:
"SEC. 3. Modification of the requirements of section 2 of this act may be granted to employers who have assented to and are complying fully with the requirements

of a Code of Fair Competition or agreement approved by the President of the United States under the provisions of the National Industrial Recovery Act or of such code or agreement under the California Recovery Act, upon a petition for exemption approved by the Commissioner of Corporations of this State as to intrastate activities, or approved by the President or any agent or agency designated by the President for that purpose as to matters of Federal jurisdiction. Such exemption shall be granted only upon a finding that conditions, such as an inadequate supply of labor or other conditions determined to be beyond the employer's control, exist in a specified industry or locality which make compliance with said requirements impossible without reducing the total volume of employment or restricting commerce or discriminating unfairly against individual employers or groups of employers. No such exemption or modification shall be granted for a period exceeding ninety days at one time, and no modification shall permit a worker to be employed for more than an average of forty hours a week during the period of modification, unless such a limitation of hours will result in diminishing, instead of increasing, the total volume of employment

SEC. 4. (a) Every modification granted under section 3 of this act shall be made subject to the condition that the employer shall agree so to adjust rates of compensation that the average weekly earnings of employees for the hours of work reduced, as herein authorized or required, shall not be less than their average weekly earnings under the hours of work prevailing prior to such reduction, and such adjusted rates shall be applied to employment for any portion of the maximum hours of work so authorized or required.

(b) Any employer not conforming hours of work to the standards herein provided, or adjusting rates of compensation for the thirty-hour week or any modification thereof, as hereinbefore provided, shall not be entitled to the exemption from the provisions of the Antitrust Laws of this State.

(c) The Commissioner of Corporations is authorized, through such agencies as he may establish, to determine finally whether an employer has adopted and applied fair measures for the adjustment of rates of compensation in conformity with the requirements of this act"

Amendment No. 3.

On page 2, line 4, of the printed bill, as amended, after "Sec.", strike out "3", and insert in lieu thereof the following "4".

Amendment No. 4.

On page 2, line 13, of the printed bill, as amended, after "Sec.", strike out "4", and insert in lieu thereof the following: "5".

Amendment No. 5.

On page 2 of the printed bill, as amended, after line 16, add the following: "Whenever such similar Federal legislation ceases to be effective, this act shall also become inoperative."

Amendments adopted.

Bill read, ordered to reprint, re-re-engrossment, and third reading.

Withdrawal of Bills.

By order of the Speaker, the following bills were withdrawn from the file, and re-referred to committees as follows:

Assembly Bill No. 911 ordered re-referred to Committee on Fish and Game.

Assembly Bill No. 2252 ordered re-referred to Committee on Education.

Assembly Bill No 265 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 1614 ordered re-referred to Committee on Motor Vehicles.

Assembly Bill No 1499 ordered re-referred to Committee on Motor Vehicles.

Assembly Bill No. 1102 ordered re-referred to Committee on Municipal Corporations.

Assembly Bill No 107 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 108 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 2330 ordered re-referred to Committee on Fish and Game.

Assembly Bill No. 549 ordered re-referred to Committee on Commerce and Navigation.

Assembly Bill No. 223 ordered re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1027 ordered re-referred to Committee on Fish and Game.

Assembly Bill No. 1692 ordered re-referred to Committee on Fish and Game.

Assembly Bill No. 1774 ordered re-referred to Committee on Judiciary.

Adjournment.

At four o'clock and ten minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Monday, April 29, 1935, out of respect to the memory of the mother of Assemblyman Augustus F. Hawkins.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, April 29, 1935.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—77.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Nielsen, its further reading was dispensed with.

Leaves of Absence.

On motion of Mr. Andreas, Mr Hawkins was granted leave of absence for this day.

On motion of Mr. Brennan, Mr. Weber was granted leave of absence for this day.

On motion of Mr. Thorp, Mr. Scudder was granted leave of absence for this day.

Privilege of Floor of Assembly Extended.

On request of Miss Miller and Mr. Martin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Edward Smyth Graham, president of Pasadena Republican Club.

On request of Mr. Corwin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. William Guthie of San Bernardino.

On request of Mr. Riley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. H. A. Mason, Chief Clerk of the Assembly forty-four years ago.

On request of Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Lutie M. Gray of Hollywood.

On request of Mr. Nielsen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the teacher and pupils of the high eighth class in American government from the Sutter Junior High School as follows: Mr. B. W. Painter, principal; Mabel Cox, teacher, and Harry Barth, Billy Berrisford, Jerry Brazil, Willard Beirly, William Beirly, Tom Brent, Bob Beeman, Edith Collongin, Virgil Comstock, Hazel Cole, Gertrude Carll, Dorothy Driemeyer, Pat Dyer, Mary Drysdale, Harriet Dunn, Louise Embree, Constance Economy, Mildred Feinberg, Warren Fites, Jim Gibson, Patti Holcomb, Martha Holverstolt, Edith Harmon, Billy Hatfield, Ruth Hartell, Robert Irvine, Lawrence Jones, Dorothy Ann Jones, Betty Jane Jones, Robert Jones, Phyllis Johnson, Tommy Johnson, Betty Keema, Jean Langley, Donald Le Masters, Roy Misfeldt, Gordon McCloud, Hale McGuire, Audrian McMaster, Irving Moskvitz, Louetta Nichols, Albert O'Malley, Dorothy Paxson, Jack Renfree, Faith Ross, Fred Rainey, Carl Seeley, Robert Stark, Bill Stewart, Edward Stack, Jack Swift, Judith Van Patten, Betty Ann Venter, Yvonne Voltolini, Richard Wright, Jean Wonacott, Lorraine Wyatt, Ruth Wilkinson, Donald Yee, Jack Bradshaw, Clifford Winegar, Lois Mary Starkey, Danny Campbell, Paul Yorgan, Bob Schmitt, Lois Ruff, Bert Brugger and James Durner, pupils.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Sacramento Chamber of Commerce, urging that the Legislature balance the State budget.

From the San Gabriel Valley Protective Association of Whittier, California, approving the passage of Assembly Bill No. 1054.

From California Real Estate Association Headquarters, favoring the passage of Assembly Bill No. 834; also, that no additional tax be levied or assessed against any real estate, and that there be no exemption of any kind granted under the sales tax.

From D F. Brown and other residents of San Juan Capistrano, opposing enactment of Assembly Constitutional Amendment No. 67.

From the Committee for Restoration of Eighteenth Street, Southern Pacific Lines, opposing a consumers tax of 3 per cent on our monthly bills for gas, electricity and telephone.

From Mrs. Barbara Mangum and others of Alameda County, opposing a consumers tax of 3 per cent on monthly bills for gas, electricity and telephones.

Communication.

The following communication was received, and ordered printed in the Journal:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES, WASHINGTON, D. C., April 23, 1935

Mr. Arthur A. Ohnimus,
Assembly, California Legislature,
Sacramento, California.

MY DEAR MR. OHNIMUS: Thank you for your letter of April 12th in which you enclosed copy of Assembly Joint Resolution No. 46.

Your thoughtfulness in sending this is appreciated and you may be assured I am giving my most aggressive support to the trans-Pacific air mail legislation.

As you probably know, an amendment was made to the Air Mail Service Bill in which the appropriation was increased from $8,500,000 to $10,500,000 for air mail service on the Pacific Ocean between California and China. This amendment is up for discussion at the present time but the conferees have not approved it as yet. I am following the matter up at this end and shall give it my most aggressive support.

With every good wish, I am,
Very cordially yours,

CHARLES KRAMER, M. C.

Request for Permission to Introduce a Bill.

The following request for permission to introduce a bill was presented:

By Mr. Gilbert:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1935

MR. SPEAKER: I ask permission to introduce the accompaning bill, the title of which reads as follows:

An act to amend section 1197a of the Political Code, relating to the preparation of titles and summaries of the chief purposes and points of proposed initiative measures.

Referred to Committee on Introduction of Bills.

ASSISTANT CLERK COOLIDGE READING.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 106—An act to add section 3.54 to and to amend section 6.750 of the School Code, relating to activities of a seditious nature in connection with the public school system;

Also: Assembly Bill No. 167—An act to add section 2924d to the Civil Code, and to amend sections 700a, 701, 702, 703, 704, and 705 of the Code of Civil Procedure, relating to redemption after sale under mortgage or deed of trust;

Also: Assembly Bill No. 405—An act to add a new section to the Civil Code to be numbered 2934a, relating to substitution of trustees in trust deeds;

Also: Assembly Bill No. 422—An act to amend section 690 of the Code of Civil Procedure, and to add sections 690.1 to 690.4, inclusive, 690.6 to 690.23, inclusive, and 690.50, thereto, relating to property exempt from execution or attachment;

Also: Assembly Bill No. 487—An act to amend section 692 of the Code of Civil Procedure, relating to sales of property under execution or under power contained in a deed of trust;

Also: Assembly Bill No. 538—An act to amend section 341 of, and to add section 341a to, the Civil Code, relating to powers of corporations;

Also: Assembly Bill No. 627—An act to provide for the retirement with retirement allowance, of Justices of the Supreme Court and of the District Courts of Appeal, and of judges of the superior courts in counties in which the provisions of section 26 of Article VI of the Constitution shall be adopted as applicable to such judge or judges;

Also: Assembly Bill No. 750—An act to impose a tax on the transfer of shares or certificates of stock, certificates of rights to stock, or certificates of deposits of stock, or bonds, and to provide for the collection thereof, to take effect immediately; And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 812—An act to amend section 226 of the Civil Code, relating to proceedings on adoption;

Also: Assembly Bill No. 904—An act to amend section 600 of the Probate Code, relating to inventory and appraisement of estates;

Also: Assembly Bill No. 1038—An act to add a new section to the Political Code of the State of California to be numbered 3810, relating to judicial review of assessments and taxes alleged to be illegal or erroneous and providing procedure for such review;

Also: Assembly Bill No. 1267—An act to amend the title and to add three new sections, to be numbered 2a, 2b and 2c, to an act entitled "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the health of persons by whom the materials from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors; and providing for the punishment of the same," approved March 6, 1909, relating to the use of sealed containers and providing for the sterilization of used bottles, receptacles and containers used for foods, drugs and liquors;

Also: Assembly Bill No. 1362—An act to amend section 3669e of the Political Code of the State of California, relating to powers of State Board of Equalization;

Also: Assembly Bill No. 1340—An act authorizing the Governor to execute a compact with the State of Nevada, for the purpose of promoting comity and good will between California and Nevada with reference to the Boulder Canyon Project, and of adjusting matters pertaining to the proposed taxation of property located in Nevada and owned by the State of California or any political subdivision thereof; And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1405—An act to amend sections 3611, 3612, 3613, 3614, 3628, 3629, 3633, 3649, 3652, 3653, 3655, 3663a, 3663b, 3664b-4, 3670, 3672, 3693, 3696, 3713, 3714, 3728, 3732, 3737, 3746, 3758, and 3831 of, to add section 3746a to, and to repeal section 3756 of the Political Code, relating to times for payment of taxes;

Also: Assembly Bill No. 1795—An act to amend sections 1, 3½, 4 and 5 of "An act to be known as the Child Labor Law and regulating the employment, hours, kinds and conditions of labor of children; providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 19, 1919, as amended;

Also: Assembly Bill No. 1836—An act to amend section 622 of the Agricultural Code, relating to dairies and dairy products;

Also: Assembly Bill No. 1870—An act to amend an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, relating to injunctions and unfair discriminations;

Also: Assembly Bill No. 1916—An act to amend section 537 of the Code of Civil Procedure, relating to attachments;

Also: Assembly Bill No. 1967—An act to add a new section to be numbered 14a to the "District Investigation Act of 1933," approved June 10, 1933, relating to exemptions;

Also Assembly Bill No. 2042—An act to amend section 5682 of the School Code, relating to teachers,
And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2208—An act requiring marine architects to be certified as such, specifying qualifications, rules and regulations therefor, creating a board, establishing a fund, and providing penalties;

Also: Assembly Bill No. 2099—An act to amend section 691 of the Agricultural Code, relating to animal industry;

Also: Assembly Bill No. 2292—An act to amend sections 18 and 23 of the California Barber Law, relating to restrictions upon barber shops or colleges in this State;

Also: Assembly Bill No. 2308—An act to amend section 170 of the Civil Code, relating to husband and wife;

Also: Assembly Bill No. 2412—An act to provide for the regulation and licensing of establishments for wagering or betting upon the results of horse races; to provide penalties for the violation of the provisions of this act and making an appropriation for the enforcement thereof;

Also: Assembly Bill No. 2183—An act to be known as the "Inheritance Tax Act of 1935," to establish a tax on gifts, legacies, inheritances, bequests, devises, successions, transfers, joint tenancies and insurance, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under any act hereby repealed; to provide penalties for failure to comply with the provisions of this act; and to repeal Chapter 821 of the laws of the session of the Legislature of California of 1921, approved June 3, 1921, known as the "Inheritance Tax Act," and all amendments thereto, and to repeal all acts and parts of acts in conflict with this act, and providing this act shall take effect immediately;
And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 427—An act authorizing the legislative body of a municipality to vacate, abandon and close any public street, highway, road, boulevard, avenue, alley, way, lane, court or place, or any part thereof, either to the whole extent of the public right therein or to any partial extent, and prescribing a procedure therefor;

Also: Assembly Bill No. 728—An act to amend sections 1246 and 1249 of the Code of Civil Procedure, relating to eminent domain;

Also: Assembly Bill No. 823—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 18, 1883, as amended, by amending section 862 thereof, relating to and adding to the powers of sixth class cities;

Also: Assembly Bill No. 825—An act to provide for the formation of sewer districts within counties, cities and counties and municipalities for the acquisition or construction of sanitary sewage works or improvements, for the issuance, sale and payment of bonds of such districts, for the acquisition, construction, maintenance and operation of such improvements, and for the fixing, collecting and application of revenues, rates and charges for the use of the sewage works or improvements;

Also: Assembly Bill No. 978—An act to amend section 12 of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to civil engineers;

Also: Assembly Bill No. 1385—An act to amend section 4 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional

amendment ratifying its provisions," approved June 5, 1933, relating to races for horses foaled in California,
And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1823—An act to provide for the creation and management of lotteries in the State of California and legalizing lottery transactions;

Also: Assembly Bill No. 1483—An act to amend section 5.750 of the School Code, relating to absence from service of certificated employees on account of illness;

Also: Assembly Bill No. 1—An act relating to codes, agreements, and standards of fair competition, repealing certain acts cited herein, and declaring the urgency of this act and providing that it shall go into immediate effect;
And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 31—An act to regulate the hours of service in public and private employment during the emergency declared to exist—and reports that the same has been correctly re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

On Public Health and Quarantine.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1935.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 229—An act to amend sections 1, 1a, 1b, 1c, 3, 4, 6, 7, 10c, 11 and 15 of, and to add sections 11.5, 11.6 and 18 to, "An act to regulate the sale, possession, distribution and use of habit-forming, narcotic and other dangerous drugs and substances, and providing penalties for the violation thereof," approved May 4, 1929, relating to habit-forming, narcotic and other dangerous drugs and substances—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

KALLAM, Chairman

The above reported bill ordered on file for second reading.

On Prisons and Reformatories.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1935.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 987—An act to amend the Penal Code by amending sections 1192a, 1202a, 1217, 1572, 1574, 1581, 1583, 1584, 1585, 1587, 1590, 1591, 1592, 1593, and 1595 thereof, repealing sections 1168, 1573, 1575, 1576, 1577, 1578, 1580, 1582, 1586, 1594, and 1596 thereof, and adding sections 1168.1 to 1168.11, inclusive, 1571.1 to 1571.5, inclusive, 1576, 1577.1 to 1577.5, inclusive, 1578, 1580, 1582.1, 1582.2, 1586, 1586.5, 1594, and 1596 thereto, all relating to State prisons and similar institutions, their government, and the imprisonment, parole, and discharge of the inmates thereof, repealing certain laws relating to the same subject, and declaring when this act shall go into effect—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

MARTIN, Chairman.

The above reported bill ordered on file for second reading.

Second Reading of Assembly Bills.

Assembly Bill No. 987—An act to amend the Penal Code by amending sections 1192a, 1202a, 1217, 1572, 1574, 1581, 1583, 1584, 1585, 1587, 1590, 1591, 1592, 1593, and 1595 thereof, repealing sections 1168, 1573, 1575, 1576, 1577, 1578, 1580, 1582, 1586, 1594, and 1596 thereof, and adding sections 1168.1 to 1168.11, inclusive, 1571.1 to 1571.5, inclusive, 1576, 1577.1 to 1577.5, inclusive, 1578, 1580, 1582.1, 1582.2, 1586,

1586.5, 1594, and 1596 thereto, all relating to State prisons and similar institutions, their government, and the imprisonment, parole, and discharge of the inmates thereof, repealing certain laws relating to the same subject, and declaring when this act shall go into effect.

Floor Amendments.

During second reading of the bill, the following amendments were submitted by Mr. Martin:

Amendment No. 1.

On page 1, lines 12 and 13, of the printed bill, strike out "Prison and Parole Commission", and insert in lieu thereof the following: "Board of Pardons and Paroles".

Amendment No. 2.

On page 2, lines 3 and 4, of the printed bill, strike out "Prison and Parole Commission", and insert in lieu thereof the following: "Board of Pardons and Paroles".

Amendment No. 3.

On page 2, line 31, of the printed bill, strike out "Prison and Parole Commission", and insert in lieu thereof the following: "Board of Pardons and Paroles".

Amendment No. 4.

On page 3, line 26, of the printed bill, strike out "commission", and insert in lieu thereof the following: "Board of Pardons and Paroles".

Amendment No. 5.

On page 3, line 38, of the printed bill, strike out "Prison and Parole Commission", and insert in lieu thereof the following: "Board of Pardons and Paroles".

Amendment No. 6.

On page 3, line 41, of the printed bill, strike out "Prison and Parole Commission", and insert in lieu thereof the following: "Board of Pardons and Paroles".

Amendment No. 7.

On page 3, line 48, of the printed bill, strike out "Prison and Parole Commission", and insert in lieu thereof the following: "Board of Pardons and Paroles".

Amendment No. 8.

On page 4, line 1, of the printed bill, strike out "Prison and Parole Commission", and insert in lieu thereof the following: "Board of Pardons and Paroles".

Amendment No. 9.

On page 4, line 3, of the printed bill, strike out "commission", and insert in lieu thereof the following: "board".

Amendment No. 10.

On page 4, line 7, of the printed bill, strike out "commission", and insert in lieu thereof the following: "board".

Amendment No. 11.

On page 4, line 49, of the printed bill, strike out "Prison and Parole Commission", and insert in lieu thereof the following: "Board of Pardons and Paroles".

Amendment No. 12.

On page 5, lines 1 and 2, of the printed bill, strike out "said commission", and insert in lieu thereof the following: "the Prison and Parole Commission".

Amendment No. 13.

On page 5, lines 32 and 33, of the printed bill, strike out "Prison and Parole Commission", and insert in lieu thereof the following: "Board of Pardons and Paroles".

Amendment No. 14.

On page 5, line 36, of the printed bill, strike out "commission", and insert in lieu thereof the following: "board".

Amendment No. 15.

On page 5, line 38, of the printed bill, strike out "commission", and insert in lieu thereof the following: "board".

Amendment No. 16.

On page 5, line 39, of the printed bill, strike out "commission", and insert in lieu thereof the following: "board".

Amendment No. 17.

On page 5, line 46, of the printed bill, strike out "commission", and insert in lieu thereof the following: "board".

Amendment No. 18.

On page 5, line 50, of the printed bill, strike out "commission", and insert in lieu thereof the following: "board".

Amendment No. 19.

On page 6, line 5, of the printed bill, strike out "commission", and insert in lieu thereof the following: "board".

Amendment No. 20.

On page 6, lines 8 and 9, of the printed bill, strike out "received by the commission in confidence", and insert in lieu thereof the following: "received in confidence by either the Prison and Parole Commission or the Board of Pardons and Paroles".

Amendment No. 21.

On page 6, line 12, of the printed bill, strike out "commission", and insert in lieu thereof the following: "board".

Amendment No. 22.

On page 6, lines 13 and 14, of the printed bill, strike out "commission", and insert in lieu thereof the following: "board".

Amendment No. 23.

On page 6, line 22, of the printed bill, strike out "injure", and insert in lieu thereof the following: "injured".

Amendment No. 24.

On page 6, lines 23 and 24, of the printed bill, strike out "commission", and insert in lieu thereof the following: "board".

Amendment No. 25.

On page 6, line 24, of the printed bill, strike out "commission", and insert in lieu thereof the following: "board".

Amendment No. 26.

On page 6, line 28, of the printed bill, strike out "commission", and insert in lieu thereof the following: "board".

Amendment No. 27.

On page 6, line 31, of the printed bill, strike out "commission", and insert in lieu thereof the following: "board".

Amendment No. 28.

On page 6, line 39, of the printed bill, before the word "any", insert the following: "the Prison and Parole Commission and of".

Amendment No. 29.

On page 6, line 48, of the printed bill, strike out "commission", and insert in lieu thereof the following: "board".

Amendment No. 30.

On page 6, lines 50 and 51, of the printed bill, strike out "President and members of the commission", and insert in lieu thereof the following: "Chairman and members of the board".

Amendment No. 31.

On page 6, line 52, of the printed bill, strike out "commission", and insert in lieu thereof the following: "board".

Amendment No. 32.

On page 7, line 3, of the printed bill, strike out "commission relating to parole", and insert in lieu thereof the following: "Prison and Parole Commission or of the Board of Pardons and Paroles relating in any way to parole".

Amendment No. 33.

On page 7, line 9, of the printed bill, strike out "Prison and Parole Commission", and insert in lieu thereof the following: "Board of Pardons and Paroles".

Amendment No. 34.

On page 7, line 18, of the printed bill, strike out "commission", and insert in lieu thereof the following: "Prison and Parole Commission".

Amendment No. 35.

On page 7, line 22, of the printed bill, strike out "commission", and insert in lieu thereof the following. "board".

Amendment No. 36.

On page 7, line 25, of the printed bill, strike out "commission", and insert in lieu thereof the following: "Prison and Parole Commission or of the Board of Pardons and Paroles".

Amendment No. 37.

On page 7, line 27, of the printed bill, strike out "commission", and insert in lieu thereof the following: "board".

Amendment No. 38.

On page 7, lines 35 and 36, of the printed bill, strike out "Prison and Parole Commission", and insert in lieu thereof the following: "Board of Pardons and Paroles".

Amendment No. 39.

On page 7, line 39, of the printed bill, strike out "commission", and insert in lieu thereof the following "Prison and Parole Commission".

Amendment No. 40.

On page 7, line 42, of the printed bill, strike out "commission", and insert in lieu thereof the following: "Board of Pardons and Paroles"

Amendment No. 41.

On page 7, line 47, of the printed bill, strike out "Prison and Parole Commission", and insert in lieu thereof the following: "Board of Pardons and Paroles".

Amendment No. 42.

On page 7, lines 50 and 51, of the printed bill, strike out "commission, certified by its president and clerk", and insert in lieu thereof the following "board, certified by its chairman".

Amendment No. 43.

On page 8, line 10, of the printed bill, strike out "commission", and insert in lieu thereof the following: "board"

Amendment No. 44.

On page 8, line 21, of the printed bill, strike out "Prison and Parole Commission", and insert in lieu thereof the following: "Board of Pardons and Paroles".

Amendment No. 45.

On page 8, line 25, of the printed bill, strike out "commission", and insert in lieu thereof the following: "board".

Amendment No. 46.

On page 8, line 46, of the printed bill, after the word "Commission", insert the following. ", the Board of Pardons and Paroles".

Amendment No. 47.

On page 13, line 6, of the printed bill, strike out "Prisons and Paroles", and insert in lieu thereof the following: "Paroles and Pardons".

Amendment No. 48.

On page 13, line 11, of the printed bill, after the word "mission", and the comma, insert the following: "the clerk of the Board of Pardons and Paroles,".

Amendment No. 49.

On page 13 of the printed bill, strike out all of lines 32, 33 and 34, and insert in lieu thereof the following: "(11) To nominate suitable persons for appointment as members of the Board of Pardons and Paroles."

Amendment No. 50.

On page 16, line 44, of the printed bill, after the word "commission", insert the following: "and to the Board of Pardons and Paroles".

Amendment No. 51.

On page 16, line 47, of the printed bill, strike out "commission", and insert in lieu thereof the following: "Board of Pardons and Paroles".

Amendment No. 52.

On page 16, line 51, of the printed bill, strike out "commission", and insert in lieu thereof the following: "Board of Pardons and Paroles".

Amendment No. 53.

On page 17 of the printed bill, between lines 2 and 3, insert a new section, to read as follows:

"SEC. 32½. Sections 1577.6, 1577.7 and 1577.8 are hereby added to the Penal Code, to read as follows:

1577.6. There is in the Department of Penology a board, known as the Board of Pardons and Paroles, existing as constituted by Article X of the Constitution of the State.

1577 7. (a) The Board of Pardons and Paroles annually shall elect one of its members chairman of the board, whose duty it shall be to preside at the meetings of the board and to perform such other duties as may from time to time be prescribed by the laws of the State, the rules and regulations of the Prison and Parole Commission and the rules and regulations of the board. The clerk of said board shall immediately notify the Governor and the president of the Prison and Parole Commission, in writing, of such election.

(b) The Board of Pardons and Paroles annually shall elect some suitable person clerk of the board, whose duty it shall be to keep the records of the board and to perform such other duties as may from time to time be prescribed by the laws of the state, the rules and regulations of the Prison and Parole Commission and the rules and regulations of the board.

1577 8. It shall be the duty of the Board of Pardons and Paroles, and such board shall have power:

(1) With respect to persons sentenced to the State prisons for men, to exercise the powers prescribed by sections 1168.1 to 1168.11, inclusive, of this code.

(2) In connection with any matter pending before it, to exercise the powers conferred on the Prison and Parole Commission by subdivisions 13 and 14 of section 1576 of this code.

(3) To enter, or cause to be entered on their journal by the clerk, all official acts of the board, which journal shall be signed by the chairman and the clerk of the board.

(4) To report to the Governor, from time to time, the names of any and all persons imprisoned in any institution under the jurisdiction of the Prison and Parole Commission, or on parole therefrom, who, in its judgment, ought to have a commutation of sentence or to be pardoned and set at liberty on account of good conduct, or unusual term of sentence or any other cause which, in its opinion, should entitle such prisoner to a pardon or commutation of sentence.

(5) On or before the twentieth day of each month, to report to the Governor the names of all prisoners whose terms are about to expire, giving in such report the terms of their sentences, the date of imprisonment, the amount of time-reduction credits, if any, and the date on which their sentences will expire.

(6) To transmit to the Governor, upon his request, all current reports, information, and data, within its knowledge or possession, relating to the hearing on, and granting or denying of paroles of all persons imprisoned in any institution under the jurisdiction of the Prison and Parole Commission; and such current reports, information and data shall further extend to include the conduct of all such prisoners subsequent to parole, as well as to their reimprisonment or other disposition in accordance with any ruling or determination by said board subsequent to parole."

Amendment No. 54.

On page 18, line 49, of the printed bill, after "1582 1", insert the following. "(a)".

Amendment No. 55.

On page 18, line 50, of the printed bill, strike out "a salary of nine thousand dollars per annum and".

Amendment No. 56.

On page 18 of the printed bill, after line 52, insert the following

"(b) The members of the Board of Pardons and Paroles shall each receive a salary of nine thousand dollars per annum and all actual and necessary traveling expenses incurred in the performance of their official duties."

Amendment No. 57.

On page 19, line 7, of the printed bill, after the word "commission", insert a comma and the following: "the clerk of the Board of Pardons and Paroles".

Amendment No. 58.

On page 19, line 16, of the printed bill, after the word "Commission", insert the following: "or of the clerk of the Board of Pardons and Paroles".

Amendment No. 59.

On page 28, line 7, of the printed bill, after "sion," insert the following: "the members of the Board of Pardons and Paroles, the clerk of said board,".

Amendment No. 60.

On page 28, line 17, of the printed bill, after "commission," insert the following: "the members of the Board of Pardons and Paroles,".

Amendment No. 61.

On page 28, line 20, of the printed bill, after "commission", insert the following: ", the clerk of the Board of Pardons and Paroles".

Amendment No. 62.

On page 29 of the printed bill, strike out all of lines 1 to 31, inclusive, and in line 32, strike out "(e)", and insert in lieu thereof the following: "(b)".

Amendment No. 63.

On page 29 of the printed bill, strike out all of lines 34 to 41, inclusive, and insert in lieu thereof the following:

"SEC. 52. Wherever in any law or code of this State the term "Board of Prison Directors" shall appear, such law or code shall be read as though the words "Prison and Parole Commission" were substituted therefor and wherever in any law or code of this State the term "Board of Prison Terms and Paroles" or the term "Advisory Pardon Board" shall appear, such law or code shall be read as though the words "Board of Pardons and Paroles" were substituted therefor."

Amendment No. 64.

On page 29, line 42, of the printed bill, strike out "54", and insert in lieu thereof the following: "53".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Motion to Rush Printing of Assembly Bill No. 987.

Mr. Martin moved that the Chief Clerk instruct the State Printer to rush printing of Assembly Bill No. 987, as amended.

Second Reading of Senate Bills.

Senate Bill No. 229—An act to amend sections 1, 1a, 1b, 1c, 3, 10c, 11 and 15 of, and to add sections 11.5, 11.6 and 18 to, "An act to regulate the sale, possession, distribution and use of habit-forming, narcotic and other dangerous drugs and substances, and providing penalties for the violation thereof," approved May 4, 1929, relating to habit-forming, narcotic and other dangerous drugs and substances.

Floor Amendments.

During second reading of the bill, the following amendments were submitted by Mr. Kallam:

Amendment No. 1.

On page 3, line 27, of the printed bill, as amended, strike out "of", and insert in lieu thereof the following: "by".

Amendment No. 2.

On page 3, line 44, of the printed bill, as amended, after "heroin,", insert the following: "flowering tops or leaves of hemp or loco weed (cannabis sativa), Indian hemp.".

Amendment No. 3.

On page 4, line 51, of the printed bill, as amended, after "are", insert the following: "unlawfully".

Amendments adopted.

Bill read second time, ordered to reprint, and third reading

Reports of Standing Committee—(Resumed).

The following reports of standing committee were received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1935.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to provide for reduction of salaries of officers and employees of the State in the State Civil Service which are in excess of the maximum salary limits of the respective positions.

CUNNINGHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 29 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to insurance by the employer thereunder.

CUNNINGHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows.

An act to amend section 1197a of the Political Code, relating to the preparation of titles and summaries of the chief purposes and points of proposed initiative measures.

CUNNINGHAM, Chairman.

Reports of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the reports.

The question being on the adoption of the reports

The roll was called, and the reports adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Clark, Corwin, Cottrell, Cunningham, Dawson, Desmond, Donahue, Evans, Herbert J., Evans, Ralph W., Field, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—64.

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

By Mr. Glover (by request): Assembly Bill No. 2418—An act to amend section 29 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to insurance by the employer thereunder.

Bill read first time, and referred to Committee on Insurance.

By Mr. Gilbert: Assembly Bill No. 2419—An act to amend section 1197a of the Political Code, relating to the preparation of titles and summaries of the chief purposes and points of proposed initiative measures.

Bill read first time, and referred to Committee on Elections.

By Mr. Cottrell: Assembly Bill No. 2420—An act to provide for reduction of salaries of officers and employees of the State in the State civil service which are in excess of the maximum salary limits of the respective positions.

Bill read first time, and referred to Committee on Civil Service.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, April 26, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS. For the reasons set forth below by attorneys to whom Assembly Bill No. 1863 was submitted for analysis, I am returning herewith without approval Assembly Bill No. 1863.

One statement is as follows:

"Although the bill does not expressly so state, it seems to imply that no State employee who has been employed less than one year could be granted pay for any time off due to illness even though it were only half a day. This would apply to heads of departments as well as civil service employees.

If the bill could be construed in accordance with the above implication, it would seem to be very unjust. Furthermore, there would seem to be no necessity for the bill for the reason that the State Personnel Board has succeeded to all the powers and duties of the Civil Service Commission. Sub-

division 3 of section 5 of the State Civil Service Act gives the Civil Service Commission power to prescribe rules and regulations for carrying the Civil Service Act into effect. The Civil Service Commission, under this provision, has heretofore made rules governing sick leave As this power now rests in the Personnel Board, there would seem to be no reason to write a rigid provision on sick leave into the statute."

Another, commenting on the bill, states:

"Why should a State employee have to work a whole year before being entitled to sick leave?"

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

The above message ordered to unfinished business file.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No 2268—An act to amend section 1 of an act entitled "An act providing for the supervision and regulation of the transportation of property for compensation over any public highway by auto trucks; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, relating to the determination of the operation of auto trucks by transportation companies.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 439—An act to add a new section to the School Code to be numbered 6.492, relating to the payment by school districts of subscriptions to periodicals.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 539—An act to amend section 2 801 of the School Code, relating to the liability of school districts for injury to persons or property.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 1186—An act to add two new sections to the School Code to be numbered 2 807 and 5 533, relating to liability for the death of, or injury to, pupils enrolled in the public schools.

Bill read second time, ordered to re-re-engrossment, and third reading.

Assembly Bill No. 2104—An act to amend the County Water District Act, approved June 10, 1913, as amended, by adding to said act, as amended, a new section, to be numbered 4a, providing for the election of directors by divisions, instead of at large, if authorized by election.

Bill read second time, ordered to re-engrossment, and third reading

Assembly Bill No. 1125—An act adding a new section to the Civil Code of the State of California, to be numbered 734, relating to the control of municipal property by the legislative body thereof and the right of access and use of municipal property by members of the public.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1345—An act to amend the County Water District Act, approved June 10, 1913, as amended, by amending sections numbered 5, 7, 12 and 25 of said act, as amended, and by repealing section 52 of said act, as amended, and by adding to said act, as amended, new sections, to be numbered and providing as follows, to wit: section 16a,

relating to refunding bonds; section 25a, relating to addition to a county water district of lands situate in a county contiguous to the county in which such district was organized; section 25b, relating to conditions upon addition of land to the district, and section 52, adding to the district lands privately owned which were public lands when the district was organized.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 1987—An act to amend section 3 of "An act relating to the liability in damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property, and alleged to be due to the negligence or carelessness of such officers; prescribing the duties of claimants in such cases, and authorizing the State and such public or quasi public corporation to take out and pay for insurance to protect their officers against such liability," approved June 19, 1931.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2045—An act to amend section 14a of the California Irrigation District Act.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, after the words and figures "Sec. 14a.", add the following: "The board of directors at their regular monthly meeting in January or October of each year shall render and immediately thereafter cause to be published a verified statement of the financial condition of the district, showing particularly the receipts and disbursements of the last preceding year, together with the source of such receipts and purpose of such disbursements. Said publication shall be made at least once a week for two weeks, in some newspaper published in the county where the office of the board of directors of such district is situated."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2102—An act providing for the formation of nonprofit membership corporations to be known as electric membership corporations; authorizing such corporations to sell and distribute energy to the inhabitants of the State at the lowest cost consistent with sound economy and the prudent management of the business of such corporations; authorizing such corporations to construct or otherwise acquire, own, operate, maintain, extend and improve works, plants and systems for the production, transmission or distribution of energy; authorizing such corporation to exercise the right of eminent domain and otherwise providing for the rights, powers and duties of such corporations; authorizing and regulating the issuance of revenue obligations by such corporations and providing for the payment of such obligations and the rights of the holders thereof; and providing that this act shall take immediate effect.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 12, line 27, of the printed bill, as amended, following the word "either", insert the word "directly".

Amendment No. 2.

On page 12, line 50, of the printed bill, as amended, strike out the period, insert a semicolon and the following: "provided, however, the corporations formed hereunder shall not have (a) power to serve other than its members in specific districts, or, (b) devote its properties to public use. Such corporations are public districts without the power of taxation and subject to the exclusive jurisdiction of the Legislature and are not created as privately owned public utilities or private corporations or an association of individuals as specified under section 23, Article XII of the Constitution"

Amendment No. 3.

On page 14, line 41, of the printed bill, as amended, strike out the paragraph commencing with "all bonds", and ending on page 15, line 4, and also the balance of the section ending in line 23.

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1067—An act to amend section 1007 of the Civil Code, relating to title by prescription and adverse possession against the State, counties, cities and counties or municipal corporations thereof.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 7 to 22, inclusive, and insert in lieu thereof the following: "possession by any person, firm or corporation no matter how long continued of any land, water, water right, easement, or other property whatsoever dedicated to or owned by any county, city and county, city, public or municipal corporation or any department or agency thereof, shall ever ripen into any title, interest or right against such county, city and county, city, public or municipal corporation or any department or agency thereof or any agency created or authorized by the Constitution or any law of this State for the administration of any State school, college or university,".

Amendment adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 2122—An act to postpone proceedings to enforce the lien, or any guaranty in connection therewith, arising out of the levy of any special assessment or special assessment tax, or arising out of the issuance of any special assessment bond, or ad valorem district bonds or direct assessment district bonds, levied or issued to pay the cost of the improvement or acquisition of property for public purposes, declaring the urgency thereof, and providing that it shall take effect immediately.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 3, line 10, of the printed bill, as amended, after "until", insert the following: "February 28, 1937,".

Amendment adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 944—An act regulating the use of public highways by motor vehicles operated thereon for the transportation of property for compensation; conferring powers upon the Railroad Commission with respect thereto; providing penalties for the violations of this act and repealing all acts inconsistent with the provisions of this act.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 50, of the printed bill, strike out the numeral "6", and insert in lieu thereof the numeral "5".

Amendment No. 2.

On page 3, line 10, of the printed bill, strike out the numeral "5", and insert in lieu thereof the numeral "4".

Amendment No. 3.

On page 3, line 19, of the printed bill, strike out the numeral "5", and insert in lieu thereof the numeral "4".

Amendment No. 4.

On page 3, line 30, of the printed bill, strike out the numeral "5", and insert in lieu thereof the numeral "4".

Amendment No. 5.

On page 3, line 36, of the printed bill, strike out the following: "5 to 7", and insert in lieu thereof the following: "4 to 5".

Amendment No. 6.

On page 4, line 8, of the printed bill, after the word "nondiscriminatory", strike out the following: "rates, or the".

Amendment No. 7.

On page 4, line 24, of the printed bill, after the word "lesser", strike out the comma, and add the words "rate than the minimum rate or", and after the word "greater", strike out the comma, and add the words "rate than the maximum rate", and strike out the following words: "or different rate than the rates".

Amendment No. 8.

On page 4, line 35, of the printed bill, after the word "Section", strike out the numeral "10", and insert in lieu thereof the numeral "9".

Amendments adopted.

Bill read second time, ordered to reprint, re-re-engrossment, and third reading.

Assembly Bill No. 1395—An act to amend sections 5.1100, 5.1101, 5.1110, 5.1120, 5.1121, 5.1122, 5.1132, 5.1135, 5.1136, 5.1138 of the School Code, relating to the retirement of teachers and employees by school districts, and to add a new section to be numbered section 5.1139 to the School Code.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee.

Amendment No. 1.

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and in lieu thereof insert the following:

"Sec. 5.1100. The governing board of any school district having an average daily attendance of 850 or more pupils, provided the teachers in such district are not".

Amendment No. 2.

On page 3, line 7, of the printed bill, strike out the following: "or system".

Amendment No. 3.

On page 3, line 26, of the printed bill, strike out the following: "twenty (20)", and insert in lieu thereof the following: "fifteen".

Amendment No. 4.

On page 3, line 33, of the printed bill, strike out the words "or system".

Amendment No. 5.

On page 3, line 35, of the printed bill, strike out the following: "fifteen (15)", and insert in lieu thereof the following: "ten".

Amendment No. 6.

On page 3, line 39, of the printed bill, strike out the following: "twenty (20)", and insert in lieu thereof the following: "fifteen".

Amendment No. 7.

On page 4 of the printed bill, strike out lines 34 to 37, inclusive, and insert in lieu thereof the following: "to read as follows:

Sec. 5.1136. Any teacher or other employee of such district who shall have contributed to the district retirement salary fund, and who, because of death or for any other reason whatsoever, shall sever his connection with the district before retirement under the provisions of this part, shall thereupon receive back all contributions paid in by him, plus interest accumulated thereon. Any balance due to any such employee whether retired or not, at the time of the death of such employee, shall be paid to such beneficiary as may have been designated by the employee, or, if no such designation shall have been made, then to the estate of such employee."

Amendment No. 8.

On page 3, line 44, of the printed bill, strike out the words "or system".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1200—An act requiring the licensing of certain vehicles used for the transportation of persons or property in this State, defining such vehicles, providing for the imposition, collection, and distribution of license taxes for the privilege of operating such vehicles in this State, making appropriations for the purposes of this act, prescribing penalties for the violation of this act, repealing an act entitled, "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle, and provided that this act shall take effect immediately," approved May 15, 1933, subject to certain conditions, and providing that this act shall take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, in next to the last line of the title, insert a period after "conditions", and strike out all of the remainder of the title.

Amendment No. 2.

On page 2, line 4, of the printed bill, strike out "safe".

Amendment No. 3.

On page 2, line 23, of the printed bill, after "operating", insert "over any public street or highway."

Amendment No. 4.

On page 2 of the printed bill, strike out all of lines 34 to 41, both inclusive, and insert in lieu thereof the following

"2½	tons or over but less than	5	tons	$0.001
5	tons or over but less than	7	tons	.002
7	tons or over but less than	9	tons	.0025
9	tons or over but less than	11	tons	.003
11	tons or over but less than	13	tons	.0035
13	tons or over but less than	15	tons	.004
15	tons or over			.0045".

Amendment No. 5.

On page 2, line 44, of the printed bill, strike out "three", and insert in lieu thereof "two and one-half".

Amendment No. 6.

On page 2 of the printed bill, strike out all of line 45 after "trailer", all of lines 46 and 47, and all of line 48 preceding "shall".

Amendment No. 7.

On page 3, line 3, of the printed bill, strike out "3", and insert in lieu thereof "2".

Amendment No. 8.

On page 3, line 7, of the printed bill, strike out ".006", and insert in lieu thereof ".0055".

Amendment No. 9.

On page 3, line 8, of the printed bill, strike out ".007", and insert in lieu thereof ".006".

Amendment No. 10.

On page 3, line 9, of the printed bill, strike out ".008", and insert in lieu thereof ".0065"; and strike out all of line 10.

Amendment No. 11.

On page 3, line 13, of the printed bill, strike out "three", and insert in lieu thereof "two".

Amendment No. 12.

On page 3 of the printed bill, strike out all of line 15, and "or trailer" in line 16, and insert in lieu thereof "or semitrailer, other than a motor vehicle, or semitrailer," and in line 16, strike out "sections 3 and 4", and insert in lieu thereof "section 3".

Amendment No. 13.

On page 3 of the printed bill, strike out all of lines 23 to 28, both inclusive, and insert in lieu thereof the following:

"7 tons or over but less than 9 tons	.006
9 tons or over but less than 11 tons	.007
11 tons or over but less than 13 tons	.008
13 tons or over but less than 15 tons	.009
15 tons or over	.01".

Amendment No. 14.

On page 3, line 31, of the printed bill, after "vehicle", insert "fuel".

Amendment No. 15.

On page 3, line 32, of the printed bill, strike out "trailer or".

Amendment No. 16.

On page 3, line 35, of the printed bill, after "operating", insert "over any public street or highway".

Amendment No. 17.

On page 3, lines 37 and 38, of the printed bill, strike out "for the privilege of operating in this State any such vehicle".

Amendment No. 18.

On page 4, line 17, of the printed bill, strike out "3", and insert in lieu thereof "2½".

Amendment No. 19.

On page 4 of the printed bill, strike out all of lines 19 to 24, both inclusive, and insert in lieu thereof the following:

"7 tons or over but less than 9 tons	18.00
9 tons or over but less than 11 tons	24.00
11 tons or over but less than 13 tons	27.00
13 tons or over but less than 15 tons	30.00
15 tons or over	33.00".

Amendment No. 20.

On page 4, line 30, of the printed bill, strike out "3", and insert in lieu thereof "2".

Amendment No. 21.

On page 4 of the printed bill, strike out all of lines 34 to 37, both inclusive, and insert in lieu thereof the following:

"11 tons or over but less than 13 tons	42.00
13 tons or over but less than 15 tons	45.00
15 tons or over	48.00"

Amendment No. 22.

On page 4, line 40, of the printed bill, strike out "semitrailer or trailer", and insert in lieu thereof "or semitrailer,".

Amendment No. 23.

On page 4 of the printed bill, strike out all of lines 46 to 51, both inclusive, and insert in lieu thereof the following:

"7 tons or over but less than 9 tons---------- 45.00
9 tons or over but less than 11 tons---------- 52.50
11 tons or over but less than 13 tons---------- 60.00
13 tons or over but less than 15 tons---------- 67.50
15 tons or over---------- 75.00".

Amendment No. 24.

On page 5, line 8, of the printed bill, insert a period after "1935", and strike out all of the remainder of said line, and all of lines 9 and 10 on said page.

Amendment No. 25.

On page 5, line 42, of the printed bill, strike out "April 1, 1935", and insert in lieu thereof "January 1, 1936".

Amendment No. 26.

On page 5, line 44, of the printed bill, strike out "May 1, 1935", and insert in lieu thereof "January 1, 1936"; and in the same line and in line 45 following, strike out "June 30, 1935", and insert in lieu thereof "January 1, 1936".

Amendment No. 27.

On page 5, line 49, of the printed bill, strike out "safe", and insert in lieu thereof "maximum".

Amendment No. 28.

On page 6, line 8, of the printed bill, strike out "July 1, 1935", and insert in lieu thereof "January 1, 1936".

Amendment No. 29.

On page 6, line 11, of the printed bill, strike out "June 30, 1935", and insert in lieu thereof "January 1, 1936".

Amendment No. 30.

On page 6, line 15, of the printed bill, strike out "section", and insert in lieu thereof "act"; and strike out the remainder of said line, and all of lines 16 to 18, both inclusive.

Amendment No. 31.

On page 6, line 32, of the printed bill, strike out "fee", and insert in lieu thereof "tax".

Amendment No. 32.

On page 6, line 50, of the printed bill, strike out "section 15 of the", and insert in lieu thereof "this".

Amendment No. 33.

On page 7, line 21, of the printed bill, after "sum of", insert "five".

Amendment No. 34.

On page 7, line 26, of the printed bill, strike out the period after "operator", and insert in lieu thereof a comma; and change "Reasonable" to "reasonable".

Amendment No. 35.

On page 8, line 28, of the printed bill, strike out "5", and insert in lieu thereof "20".

Amendment No. 36.

On page 10, lines 6 and 7, of the printed bill, strike out "July 1, 1935", and insert in lieu thereof "January 1, 1936"; and in line 8 on said page, strike out "July, 1935", and insert in lieu thereof "January, 1936"; and in line 11 of said page, strike out "July, 1935", and insert in lieu thereof "January, 1936".

Amendment No. 37.

On page 10 of the printed bill, strike out all of lines 12 to 21, both inclusive.

Amendment No. 38.

On page 10, line 22, of the printed bill, strike out "39", and insert in lieu thereof "38".

Amendment No. 39.

On page 10, line 39, of the printed bill, strike out "40", and insert in lieu thereof "39".

Amendment No. 40.

On page 10, line 45, of the printed bill, strike out "41", and insert in lieu thereof "40".

Amendment No. 41.

On page 11, line 9, of the printed bill, strike out "42", and insert in lieu thereof "41".

Amendment No. 42.

On page 11, line 44, of the printed bill, strike out "43", and insert in lieu thereof "42".

Amendment No. 43.

On page 12, line 12, of the printed bill, strike out "44", and insert in lieu thereof "43".

Amendment No. 44.

On page 12, line 17, of the printed bill, strike out "45", and insert in lieu thereof "44".

Amendment No. 45.

On page 12, line 22, of the printed bill, strike out "46", and insert in lieu thereof "45".

Amendment No. 46.

On page 12, line 27, of the printed bill, strike out "18", and insert in lieu thereof "23".

Amendment No. 47.

On page 12, line 30, of the printed bill, strike out "47", and insert in lieu thereof "46".

Amendment No. 48.

On page 12, line 48, of the printed bill, after "municipality", insert the following: ", or which imposes on any such operator any license tax or fee of whatsoever character save and except it be a license tax or fee uniformly imposed upon those engaged in business in such municipality regardless of ownership of motor vehicles and in no wise discriminatory against such operator, or which imposes a license tax or other fee upon vehicles or the operators thereof operating exclusively between points outside of such municipality and points therein,"

Amendment No. 49.

On page 12, line 51, of the printed bill, strike out "January", and insert in lieu thereof "April".

Amendment No. 49-a.

On page 13, line 2, of the printed bill, after the period, insert the following: "The governing body of each municipality shall make an annual report to the State Department of Public Works not later than three months after the close of the city's fiscal year upon form to be provided by such department, showing the amount of moneys received from the "Vehicle license tax fund" during the preceding fiscal year and the disposition of said money, giving such details as to the disposition of said moneys as may be required by said department Whenever such report shall not have been duly filed in the manner and form herein provided for at or before the time herein specified the State Controller shall not draw his warrant in favor of such city until said report has been filed "

Amendment No. 50.

On page 13, line 3, of the printed bill, strike out the comma after "act", and insert in lieu thereof a period and add the following:

"(e) The sum of one hundred seventy-five thousand dollars quarterly to be transferred to the State highway fund for allocation and expenditure by the State Department of Public Works, Division of Highways, as provided by law The first transfer to be made by the State Controller to said fund in pursuance hereof shall be made during the month of April, 1936, and other quarterly transfers shall be made by the State Controller at regular intervals thereafter

(f)".

Amendment No. 50-a.

On page 13, line 4, of the printed bill, after "hundred", insert "twenty-five".

Amendment No. 51.

On page 13, line 9, of the printed bill, strike out "October, 1935", and insert in lieu thereof "April, 1936".

Amendment No. 52.

On page 13, line 12, of the printed bill, strike out "(e)", and insert in lieu thereof "(g)".

Amendment No. 53.

On page 13, line 17, of the printed bill, strike out "48", and insert in lieu thereof "47"

Amendment No. 54.

On page 13 of the printed bill, strike out all of lines 22 to 39, both inclusive.

Amendment No. 55.

On page 13, line 40, of the printed bill, strike out "50", and insert in lieu thereof "48".

Amendment No. 56.

On page 14, line 5, of the printed bill, strike out "51", and insert in lieu thereof "49".

Amendment No. 57.

On page 14, line 23, of the printed bill, strike out "52", and insert in lieu thereof "50".

Amendment No. 58.

On page 14, line 38, of the printed bill, strike out "53", and insert in lieu thereof "51".

Amendment No. 59.

On page 14, line 45, of the printed bill, strike out "54", and insert in lieu thereof "52".

Amendment No. 60.

On page 15, line 7, of the printed bill, strike out "55", and insert in lieu thereof "53".

Amendment No. 61.

On page 15, line 26, of the printed bill, strike out "56", and insert in lieu thereof "54".

Amendment No. 62.

On page 15, line 37, of the printed bill, strike out "57", and insert in lieu thereof "55".

Amendment No. 63.

On page 15, line 44, of the printed bill, strike out "58", and insert in lieu thereof "56".

Amendment No. 64.

On page 16, line 7, of the printed bill, strike out "59", and insert in lieu thereof "57".

Amendment No. 65.

On page 16, line 16, of the printed bill, strike out "60", and insert in lieu thereof "58".

Amendment No. 66.

On page 16, line 32, of the printed bill, strike out "61", and insert in lieu thereof "59".

Amendment No. 67.

On page 16, line 41, of the printed bill, strike out "62", and insert in lieu thereof "60".

Amendment No. 68.

On page 16, line 46, of the printed bill, strike out "63", and insert in lieu thereof "61".

Amendment No. 69.

On page 16, line 48, of the printed bill, strike out "64", and insert in lieu thereof "62".

Amendment No. 70.

On page 17, line 1, of the printed bill, strike out "July 1, 1935", and insert in lieu thereof "January 1, 1936".

Amendment No. 71.

On page 17, line 5, of the printed bill, strike out "June 30", and insert in lieu thereof "December 31".

Amendment No. 72.

On page 17, line 10, of the printed bill, strike out "65", and insert in lieu thereof "63".

Amendment No. 73.

On page 17 of the printed bill, strike out all of lines 18 to 21, both inclusive, and insert in lieu thereof the following:

"SEC. 64. In the event that it shall be hereafter finally determined by the courts that the Legislature is without authority to provide an alternative method for the taxation of the privilege of operating vehicles over the public streets and highways of this State as contemplated by this act, then there shall be imposed upon and collected from the operators of all vehicles on the operation of which license taxes are imposed hereunder the flat license taxes for which provision is made in sections 8, 9 and 10 of this act."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 673—An act to add section 1681 to the Insurance Code, relating to insurance of property in which an agent, broker or solicitor has an interest.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, strike out "No", and insert in lieu thereof the following: "Except as prescribed in this section, no".

Amendment No. 2.

On page 1, line 4, of the printed bill, as amended, strike out "shall", and insert in lieu thereof the following: "directly or indirectly, whether or not by or through an officer, employee, or corporation controlled by it, may".

Amendment No. 3.

On page 1 of the printed bill, as amended, after line 10, add the following: "The provisions of this section shall not affect any bank located and doing business in any place the population of which does not exceed five thousand inhabitants as shown by the last preceding Federal census, and which bank is permitted by the law governing its obligation to transact such insurance"

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1979—An act to amend sections 851 and 852 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 18, 1883, relating to city officers.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "and 852", and insert in lieu thereof the following: ", 852 and 855".

Amendment No. 2.

On page 2, line 9, of the printed bill, after "officers", insert the following: "or employees".

Amendment No. 3.

On page 2 of the printed bill, strike out all of lines 14 and 15, and insert in lieu thereof the following: "The compensation of all appointive officers and employees may be fixed from time to time by the city council by resolution or ordinances and said officers and employees shall hold office during the pleasure of said city council"

Amendment No. 4.

On page 2 of the printed bill, after line 45, insert the following:

"SEC. 3. Section 855 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 855. The members of the city council shall receive no compensation whatever; provided, that in all such cities the question of whether the members of such city council or any of them shall receive any compensation for his services as such members and the amounts thereof, may be submitted to the qualified electors of such cities at any general election, and if a majority of such electors voting at such election shall vote in favor thereof, then such councilman or councilmen shall receive the compensation specified in the call submitting such question at such election; such compensation to begin at the beginning of the term of office of all members of the city council who take office subsequent to the canvass of the return of such election and the amount so fixed shall from such time be regularly charged against such city, payable as other salaries are paid. The compensation of any member of the city council appointed or elected to fill a vacancy shall be the same as that payable to such member whose office was vacated. No change in compensation shall apply to any member of the city council during his term of office. Such compensation may be increased or diminished at any general election thereafter, by submission of such question in the same manner and by the same vote as herein provided for the original creation of such compensation.

The city clerk, city treasurer and city judge shall severally receive, at stated times, a compensation to be fixed by ordinance adopted by the city council, which compensation shall not be increased or diminished after their election or during their several terms of office. Nothing herein contained shall be construed to prevent the

city council from fixing such several amounts of compensation in the first instance upon the incorporation of the city, during the term of office of any such officer after his election."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2098—An act to amend section 13 of the Public Utilities Act, relating to public utility rates.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out "rates", and insert in lieu thereof the following: "charges".

Amendment No. 2.

On page 1, line 7, of the printed bill, strike out "must", and insert in lieu thereof the following: "shall".

Amendment No. 3.

On page 1, line 11, of the printed bill, after "unlawful.", insert the following: "In the exercise of its powers to prescribe such charges, the commission shall initiate, modify, establish or adjust the charges of all public utilities so that each such utility will, under honest, efficient and economical management and reasonable expenditures for maintenance and operation, earn a net operating income equal, as nearly as may be, to a fair return upon the value of the property used by such utility in the service of the public. No charges for depreciation other than those prescribed by the commission shall be charged to operating expenses."

Amendment No. 4.

On page 1, line 11, of the printed bill, strike out "In fixing rates, the", and insert in lieu thereof the following: "The".

Amendment No. 5.

On page 1, lines 12 and 13, of the printed bill, strike out "to public utilities a rate of return not greater than", and insert in lieu thereof the following: "as a fair return a rate not in excess of".

Amendment No. 6.

On page 1, lines 13 and 14, of the printed bill, strike out "(after adjustment for taxes)".

Amendment No. 7.

On page 1, line 15, of the printed bill, strike out "country", and insert in lieu thereof the following: "State".

Amendment No. 8.

On page 1, line 15, of the printed bill, strike out "other".

Amendment No. 9.

On page 1, line 16, of the printed bill, after "takings", insert the following: ", other than public utilities,".

Amendment No. 10.

On page 1, line 22, of the printed bill, strike out ", just".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1516—An act to amend sections 6.240, 6.251, 6.252, 6.260, 6.262, 6.263, 6.264, 6.265, 6.270, 6.274, 6.275, 6.291, 6.292, 6.294, 6.295, 6.296, 6.300, 6.301, 6.305, 6.307, 6.320, 6.322, 6.330, 6.332, 6.340, 6.341 of the School Code and to repeal Article VI of Chapter III of Part II of Division VI thereof, relating to supplementary textbooks.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 12 of the title of the printed bill, as amended, insert after "textbooks", the following: ", declaring the urgency thereof and providing that this act shall take effect immediately".

Amendment No. 2.

On page 9 of the printed bill, as amended, between lines 30 and 31, insert the following:

"If the State Board of Education fails or refuses to do any of the things necessary to be done to carry out the provisions of this section, the Governor may do such things as are necessary to be done to accomplish the full purpose of this section."

Amendment No. 3.

On page 12 of the printed bill, as amended, immediately following line 46, insert the following:

"SEC. 28. This act is hereby declared to be an urgency measure, deemed necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution and shall therefore take effect immediately.

The following is a statement of the facts constituting such necessity. Inasmuch as this act provides for the compiling, manufacturing and furnishing of necessary textbooks to be used in the public schools of the State of California, it is imperative that the preparation of such textbooks shall be begun immediately so that they shall be available at the ensuing fall school term. The provision of these books for the public schools of California is a necessary and helpful addition to the textbooks now available for instruction of pupils in the public schools, and much time will be lost in the ensuing fall term unless such books are made available when such term opens."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 2386—An act to add Chapter 8 to Division VI of the Agricultural Code, relating to the marketing of milk and other dairy products.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 16, of the printed bill, as amended, strike out the period, and insert in lieu thereof "for human consumption."

Amendment No. 2.

On page 3, line 10, of the printed bill, as amended, after the comma, insert the following: "in the same sales or marketing area,".

Amendments adopted.

Bill read second time, ordered to reprint, re-re-re-engrossment and third reading.

Assembly Bill No 2077—An act to amend the Fish and Game Code.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 11, of the printed bill, strike out the semicolon, and insert in lieu thereof a period, and strike out the remainder of line 11, and all of lines 12 to 16, inclusive.

Amendment adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1957—An act to amend Public Utilities Act.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, in the title, after the word "thereto", add the following: "and amending sections 13 and 32 of the Public Utilities Act".

Amendment No. 2.

On page 2, line 3, of the printed bill, add the following:

"SEC. 1½. Section 13 of the Public Utilities Act is hereby amended to read as follows.

Sec. 13. (a) All charges made, demanded or received by any public utility, or by any two or more public utilities, for any product or commodity furnished or to be furnished or any service rendered or to be rendered shall be just and reasonable. Every unjust or unreasonable charge made, demanded or received for such product or commodity or service is hereby prohibited and declared unlawful.

(b) Every public utility shall furnish, provide and maintain in such service, instrumentalities, equipment and facilities as shall promote the safety, health, comfort and convenience of its patrons, employees and the public, and as shall be in all respects adequate, efficient, just and reasonable.

(c) All rules and regulations made by a public utility affecting or pertaining to its charges or service to the public shall be just and reasonable.

(d) Nothing herein contained shall be construed to prohibit any common carrier from establishing and charging a lower than a maximum reasonable rate when the needs of commerce or public interest require; provided, no common carrier subject to the jurisdiction of the California Railroad Commission may establish a rate less than a maximum reasonable rate for the purpose of meeting the competitive charges of other carriers or the cost of other means of transportation which shall be less than the charges of competing carriers of the cost of transportation which might be incurred through other means of transportation, except upon such showing as may be required by the commission and a finding by it that said rate is justified by transportation conditions; provided however, that in determining the extent of said competition the commission shall make due and reasonable allowance for added or accessorial service performed by the carrier or agency of transportation which is not contemporaneously performed by the competing agency of transportation."

Amendment No. 3.

Section 32 of the Public Utilities Act is hereby amended by adding the following paragraph:

"(d) Whenever the commission, after a hearing had upon its own motion or complaint, shall find that any rate, fare or toll is lower than a reasonable or sufficient rate and that said rate is not justified by actual competitive transportation rates of competing carriers, or the cost of other means of transportation, the commission shall prescribe such rates as will provide an equality of transportation rates between all such competing agencies of transportation."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Second Reading of Senate Bills—(Resumed).

Senate Bill No. 895—An act to add Chapter 10a, comprising sections 11400 to 11407, to Part 2 of Division 2 of the Insurance Code, relating to life, disability, and life and disability insurance by, and the organization of, firemen's, policemen's or peace officers' benefit and relief associations.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 99—An act to amend sections 4.161 and 4.221 of the School Code, all relating to unapportioned county school funds.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 245—An act to repeal sections 3.284 and 3.285 of the School Code, relating to the maintenance of high school courses in elementary schools.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 308—An act to add a new section to the School Code to be numbered 3.232, relating to the establishment of junior high schools.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 376—An act to repeal Article II of Chapter II of Part II of Division III of the School Code and to add to Chapter II of Part II of Division III of the School Code a new article to be known as Article I, relating to contracts between State teachers colleges and elementary school districts for the education of pupils of such districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 652—An act to amend section 4 798 of the School Code, relating to apportionments of State funds for public school purposes.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 654—An act to add a new article to Chapter I of Part III of Division IV of the School Code to be known as Article III, relating to school district elections for the expenditure of school district funds.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1079—An act to validate all proceedings for the formation of improvement districts within irrigation districts and all assessments heretofore made in any such improvement districts, to validate all warrants heretofore issued or to be issued, payable from the assessments levied in such improvement districts; and authorizing and directing the collection of the assessments in such improvement districts sufficient to pay the principal and interest of said warrants; validating and confirming all acts and proceedings of the board of directors of any irrigation district in connection with the acquisition and creation of improvement districts within irrigation districts, and the acquisition, construction, operation, maintenance and repair of improvements therein.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 704—An act to provide for the development of electric power by irrigation districts and providing for the acquisition, construction, maintenance and operation of electric power plants and providing for the levying of assessments and the collection of funds, for the issuance and sale of bonds, and providing for the control and distribution of electric energy.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 3, line 4, of the printed bill, strike out the words "and file".

Amendment No. 2.

On page 3, line 19, of the printed bill, after the comma following the word "provided", insert the following: "and that all the lands within the district will be benefited thereby,".

Amendment No. 3.

On page 3, line 24, of the printed bill, after the comma following the word "possibilities", insert the following: "and that all the lands within the district will be benefited thereby,".

Amendment No. 4.

On page 4, line 1, of the printed bill, strike out the word "revenue".

Amendment No. 5.

On page 5, line 10, of the printed bill, following the period, insert the following: "No bonds shall be issued by any irrigation district for any of the purposes of this act except as provided in the California Irrigation District Act, or as may be otherwise expressly provided by law. No irrigation district shall borrow any money for the acquisition or construction of works for any of the purposes of this act without the issuance of bonds, unless and until the board of directors thereof shall have adopted a resolution proposing so to borrow money, and stating the purpose for which the money is to be used, the amount proposed to be borrowed, the maximum rate of interest to be paid therefor, and the terms of repayment thereof, and unless and until such proposal shall have been approved at a special election called and held within said district in the manner and upon the notice provided in the California Irrigation District Act in the case of an election to determine whether bonds of the district shall be issued. Such election may be called by the board of directors of the district, and must be called if a petition signed as provided in section 30c of the California Irrigation District Act is filed with said board. The notice of such election shall contain a statement of the matters required to be set forth in the resolution hereinbefore provided for, and the proposition shall be stated on the ballots used at such election in substantially the following form: "Shall the board of directors of _____ Irrigation District be authorized to borrow not to exceed $_____ for the purposes, and on the terms set forth in a resolution of said board adopted on the_____day of _____, 19____?" The returns of said election shall be canvassed and the result thereof declared in accordance with the provisions of the California Irrigation District Act regarding the issuance of bonds, and if said proposal is approved as provided in said act, the board of directors of the district shall be authorized to borrow money in an amount or amounts not exceeding in the aggregate the amount specified in said resolution and at a rate or rates of interest not exceeding the maximum rate specified in said resolution, and otherwise on such terms as are specified in said resolution."

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 761—An act to amend section 3.42 of, and to add sections 3.43 and 3.44 to, the School Code, relating to required instruction in the schools.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, strike out line 1 of the title of the printed bill, as amended, and insert in lieu thereof the following: "An act to add section".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 1 to 10, inclusive, and in line 11, strike out "Sec. 3.", and insert in lieu thereof the following: "Sec. 1."

Amendment No. 3.

On page 1, line 17, of the printed bill, as amended, strike out "given to each such"; also strike out lines 18 to 24, inclusive, and insert in lieu thereof the following: "a regular part of the curriculum in the classroom."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 329—An act regulating the use of public highways for commercial purposes by certain motor vehicles operated thereon for the transportation of property for compensation; preventing discriminations between various forms of transportation; creating the office of Truck Commissioner; conferring powers upon the Railroad Commission with respect to the transportation of property for compensation by said motor vehicles; providing penalties for the violation

of this act, and repealing all acts inconsistent with the provisions of this act.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 5 of the title of the printed bill, as amended, strike out the words "creating the office of Truck Commissioner;".

Amendment No. 2.

On page 3, line 41, of the printed bill, as amended, strike out "7", and insert in lieu thereof the figure "6".

Amendment No. 3.

On page 4, line 1, of the printed bill, as amended, after "under section", strike out "6", and insert in lieu thereof the figure "5".

Amendment No. 4.

On page 4, line 10, of the printed bill, as amended, strike out the figure "6", and insert in lieu thereof the figure "5".

Amendment No. 5.

On page 4, line 21, of the printed bill, as amended, strike out "6", and insert in lieu thereof the figure "5".

Amendment No. 6.

On page 4, line 27, of the printed bill, as amended, strike out the word and figures "6 to 8", and insert in lieu thereof the word and figures "5 to 7".

Amendment No. 7.

On page 5, line 23, of the printed bill, as amended, after the word "nondiscriminatory", strike out the words "rates or the".

Amendment No. 8.

On page 5, line 44, of the printed bill, as amended, after the word "lesser", strike out the comma, and add the words "rate than the minimum rate or", and after the word "greater", strike out the comma, and add the words "rate than the maximum rate", and strike out the following words: "or different rate than the rates".

Amendment No. 9.

On page 6, line 3, of the printed bill, as amended, strike out the figure "11", and insert in lieu thereof the figure "10".

Amendment No. 10.

On page 7, line 43, of the printed bill, as amended, strike out the figures "2½" and insert in lieu thereof the figures "2¼".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 706—An act to amend the California Irrigation District Act by adding a new section thereto, to be known as section 15½, authorizing irrigation districts, heretofore or hereafter organized, and existing under and by virtue of the provisions of the California Irrigation District Act, or any act amendatory thereof or supplemental thereto, to develop and distribute electrical power or energy by the use of any waters under the control of such district and by contract to acquire and maintain any necessary equipment therefor and to provide for the management of such operations and the financing thereof.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 23, of the printed bill, after the word "therefor", strike out the semicolon, and insert in lieu thereof a comma and the following: "such contract or bonds to be approved and issued as in this act provided for other bonds of the district or as may be provided in any act or amendment or supplement thereto provid-

ing for and authorizing an irrigation district to borrow funds or authorizing loans to be made to irrigation districts;".

Amendment adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 4—An act to amend sections 2, 3, and 6 of an act entitled "An act authorizing municipal corporations to discontinue the use of land for park purposes when the fee thereof is vested in the municipal corporation and authorizing the sale or other disposition of such lands," approved May 12, 1927, relating to the conveyance, exchange, sale or other disposition of lands.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, after line 42, insert the following:

"SEC. 3. A new section is hereby added to the act cited in the title thereof, to read as follows:

Sec. 5a. Within ten days after adoption of such ordinance declaring that the use for park purposes of such land shall be discontinued and abandoned, or the adoption of the resolution of discontinuance of a minor portion of any such park, as provided in section 1 of this act, any property owner claiming damage to his property by reason of the discontinuance or abandonment of such park or portion thereof, whether as owner of abutting property or otherwise, shall file a claim in writing setting forth the nature and amount of such claim, and a failure to file and assert such claim shall operate as a waiver and constitute a bar to any action to recover for any such damage

If any such claims are filed within the time specified, the legislative body of such municipal corporation shall appoint three appraisers to assess the damages, and for their services they shall receive such compensation as said legislative body shall fix Said appraisers shall proceed with diligence to ascertain and determine the extent of damages which will result to the property of each claimant and shall file a written report of their findings with the city clerk. The city clerk shall thereupon give notice of such filing and fix the time and place of the meeting at which said report will be considered by the legislative body of said municipal corporation. Said notice shall be published for at least two weeks prior to said meeting in a newspaper published in said city: and if there is no newspaper published in said city, then by posting said notice in three public places within said city for two weeks prior to said meeting. Said notice shall require all persons interested to show cause, if any, why such report should not be confirmed At the time fixed for the hearing of said report, or at such other time as the hearing may be adjourned to, the legislative body of said municipal corporation shall pass upon said report, together with any objections that shall be made thereto, and may confirm, correct or modify the same

Upon the adoption of said report, either as filed by the appraisers or as corrected and modified by said legislative body, warrants shall be drawn in favor of the various property owners to whom damages have been allowed in the amount specified in said report, said warrants to be payable out of any funds available for such purpose, or from any funds provided for such purpose by the owner of the lands for which such park property may be exchanged"

Amendment No. 2.

On page 3, line 36, of the printed bill, strike out the figure "3", and insert in lieu thereof the figure "4".

Amendments adopted

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 705—An act to extend to irrigation districts organized and existing under the California Irrigation District Act, the power and privilege to develop hydroelectrical power and to acquire equipment, including stand-by plants, for development and distribution of electrical energy and creating of irrigation district power districts to be managed, operated and controlled under the provisions of the California Irrigation District Act

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 52, of the printed bill, strike out the words "the provisions of", and insert in lieu thereof the following: "are provided for in".

Amendment No. 2.

On page 3, line 10, of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "except that nothing in said act or in this act shall be so construed as to prevent the sale of power by any district for use outside of the boundaries of such district or to require the distribution of such power in accordance with any assessments levied by such district"

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Recess.

At eleven o'clock and five minutes a.m., by order of the Speaker, the Assembly was declared at recess to hear from the committee of Junior Republicans of Sacramento County: Kenneth McGilvray and Robert Meckfessel, and committee of Young Democrats of Sacramento County: Orval Shreck and Abe Penner.

Speaker for Junior Republicans: Robert Meckfessel.

Speaker for Young Democrats: Abe Penner.

Reassembled.

At eleven o'clock and fifteen minutes a.m., the Assembly reconvened. Speaker Craig in the chair.

Special Order.

The hour of eleven o'clock and fifteen minutes a.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Further Consideration of Assembly Bill No. 1618, as Amended.

Assembly Bill No. 1618—An act to amend the Personal Property Brokers Act, relating to the classification and regulation of the business of personal property brokers, including the fixing and regulation of their charges and interest, and to repeal all acts and parts of acts inconsistent herewith.

Assembly Bill No. 1618, as amended, read third time.

Consideration of Amendments Nos. 8 and 9.

During third reading of the bill, the following amendments were submitted by Messrs. Evans, Ralph W., and McCarthy:

Amendment No. 8.

On page 5, line 52, of the printed bill, as amended, strike out "(which", and insert in lieu thereof the following: ", as interest, which may equal but may not exceed one per cent per month on the unpaid principal balances, and a sum as "service charge" which may be equal, but may not exceed three per cent of the sum of money loaned. Such service charge may not be charged for any renewal or extension of the original loan. Such interest and "service charge" herein referred to as "charges" ".

Amendment No. 9.

On page 6 of the printed bill, as amended, strike out lines 6 to 8, inclusive, and insert in lieu thereof the following: "No. 79. No".

The question being on the adoption of Amendments Nos. 8 and 9 to Assembly Bill No. 1618, submitted by Messrs. McCarthy and Evans, Ralph W.

Further consideration of Assembly Bill No. 1618, as amended, deferred until two o'clock p.m. this day.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1935.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred Assembly Bill No. 2019—An act to amend section 2289 of the Political Code, relating to State aid to indigent orphans—has had the same under consideration, and respectfully reports the same back, and recommends that said bill do pass, and that same be referred to Committee on Ways and Means.

BRENNAN, Chairman.

Assembly Bill No. 2019 ordered re-referred to Committee on Ways and Means.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 390—An act to amend sections 15b and 15a of and to add section 25 to an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, relating to vital statistics—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LYON, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 638—An act to amend sections 997, 1009, 1116, 1117, 1166, 1188, 1262, 1297, 1302, 1371, and 1384, of the Penal Code, relating to refund of money deposited in lieu of bail, and to repeal conflicting acts and parts of acts;

Also: Assembly Bill No. 1491—An act establishing municipal courts in cities and cities and counties of the second and one-fourth class, prescribing a constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

LYON, Chairman.

The above reported bills ordered on file for second reading.

Recess.

At twelve o'clock and five minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until two o'clock p.m., of this day.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Withdrawal of Bills.

By order of the Speaker, the following bills were withdrawn from the file, and re-referred to committees as follows:

Assembly Bill No. 2183 ordered re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 750 ordered re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1795 ordered re-referred to Committee on Labor and Capital.

Assembly Bill No. 825 ordered re-referred to Committee on Municipal Corporations.

Assembly Bill No. 106 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 1405 ordered re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 487 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 904 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 1038 ordered re-referred to Committee on Judiciary.

Assembly Bill No 1870 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 1916 ordered re-referred to Committee on Judiciary.

Assembly Bill No 2208 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 2308 ordered re-referred to Committee on Judiciary.

Assembly Bill No 167 ordered re-referred to Committee on Judiciary.

Assembly Bill No 538 ordered re-referred to Committee on Corporations.

Assembly Bill No. 2412 ordered re-referred to Committee on Public Morals.

Assembly Bill No 1823 ordered re-referred to Committee on Public Morals.

Assembly Bill No. 1385 ordered re-referred to Committee on Public Morals.

Assembly Bill No. 1267 ordered re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1340 ordered re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 627 ordered re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No 1836 ordered re-referred to Committee on Ways and Means.

Senate Bill No. 486 ordered re-referred to Committee on Medical and Dental Laws.

Senate Bill No 467 ordered re-referred to Committee on Education.

Senate Bill No. 399 ordered re-referred to Committee on Irrigation

Senate Bill No. 771 ordered re-referred to Committee on Labor and Capital.

Further Consideration of Assembly Bill No. 1618, as Amended.

The question being on the adoption of Amendments Nos. 8 and 9 to Assembly Bill No. 1618, submitted by Messrs. McCarthy and Evans, Ralph W.

Amendments Nos. 8 and 9 read.

Substitute Amendment.

During reading of the amendments, the following amendment was submitted by Mr. Anderson as a substitute amendment:

Substitute Amendment No. 1 to Pending Amendments Nos. 8 and 9.

On page 5 of the printed bill, as amended, strike out line 52, and insert in lieu thereof the following:

"(3½%) per month on that part of the unpaid principal balance of any loan not in excess of one hundred fifty dollars ($150) and two and one-half per cent (2½%) per month on any remainder of such unpaid principal balance. No".

Substitute amendment read.

The question being on the substitute amendment submitted by Mr. Anderson.

Demand for Previous Question.

Messrs. Heisinger, DeLap, Crowley, Kallam, and Dawson demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the substitute amendment submitted by Mr. Anderson.

Request for Roll Call.

On request of Messrs. Lyon, Geyer and Meehan, the Speaker ordered a roll call taken on the substitute amendment submitted by Mr. Anderson.

The roll was called, and the substitute amendment was adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Chatters, Corwin, Cottrell, Cronin, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J, Flint, Frazier, Fulcher, Garibaldi, Gilmore, Heisinger, Hornblower, Hunt, Jones, Latham, Laughlin, Lyon, Maloney, Martin, McBride, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Peyser, Phillips, Redwine, Riley, Robertson, Stream, Turner, Utt, Walker, Welsh, and Mr. Speaker—45

NOES—Brennan, Burns, Cassidy, Clark, Crowley, Dawson, Denhue, Evans, Ralph W., Field, Fisher, Geyer, Gilbert, Glover, Johnson, Kallam, Lore, McCarthy, Patterson, Pelletier, Peterson, Reaves, Richie, Rosenthal, Thorp, Voigt, Wagner, Wallace, Waters, and Williamson—29

Request for Unanimous Consent.

Mr. Cronin asked for, and was granted, unanimous consent to take up Assembly Bill No. 1618, as amended, at this time, without reference to reprint or file, and that same be considered re-re-engrossed.

Assembly Bill No. 1618, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Messrs. Evans, Ralph W., and McCarthy:

Amendment No. 10.

On page 8 of the printed bill, as amended, between lines 47 and 48, insert the following:

"(6) Make any loan in connection with which said licensee knows or has reasonable cause to believe a fee, commission or other compensation is paid or is promised to be paid by the borrower or at his expense to any third party for services rendered in procuring said loan Any loan made in violation of this

subdivision shall be void, and the licensee shall have no right to collect or receive any principal, interest or charges whatsoever thereon."

Mr. McCarthy withdrew Amendment No. 10.

Assembly Bill No. 1618, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Robertson:

Amendment No. 1.

On page 5, line 44, of the printed bill, as amended, after the word "discounts", insert the word "brokerage".

Amendment adopted.

Request for Unanimous Consent.

Mr. Cronin asked for, and was granted, unanimous consent to take up Assembly Bill No. 1618, as amended, at this time, without reference to reprint or file, and that same be considered re-re-engrossed.

Assembly Bill No. 1618, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Messrs. McCarthy and Evans, Ralph W.:

Amendment No. 1.

On page 8 of the printed bill, as amended, after line 41, insert a new section as follows.

"Sec. 15½. No licensee or registrant shall make any loan in connection with which said licensee or registrant knows or has reasonable cause to believe a fee, commission or other compensation is paid or is promised to be paid by the borrower or at his expense to any third party for services rendered in procuring said loan. Any loan made in violation of this subdivision shall be void, and the lender shall have no right to collect or receive any principal, interest or charges whatsoever thereon."

Amendment adopted.

Request for Unanimous Consent.

Mr. Cronin asked for, and was granted, unanimous consent to take up Assembly Bill No. 1618, as amended, at this time, without reference to reprint or file, and that same be considered re-re-engrossed.

Assembly Bill No. 1618, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Cronin:

Amendment No. 1.

On page 3 of the printed bill, as amended, between lines 7 and 8, insert a new paragraph reading as follows:

"(c) Any person who negotiates, arranges or procures any loan made or to be made by a personal property broker shall, for the purposes of regulation under this act and notwithstanding any agreement to the contrary, be deemed to be the agent of the personal property broker who makes the loan; and any fee, commission, bonus or other compensation paid by the borrower or at his expense at any time to any person for services rendered in negotiating, arranging or procuring any loan made or to be made by a personal property broker shall be deemed to have been paid for the use and benefit of such personal property broker."

Amendment adopted.

Request for Unanimous Consent.

Mr Cronin asked for, and was granted, unanimous consent to take up Assembly Bill No. 1618, as amended, at this time, without reference to to reprint or file, and that same be considered re-re-engrossed.

Assembly Bill No. 1618, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Cronin:

Amendment No. 1.

On page 1, lines 8 to 11, inclusive, of the title of the printed bill, as amended, strike out "; and declaring this measure an urgency measure within the meaning of section 1 of Article IV of the Constitution, and providing accordingly for the act to take effect immediately.", and insert in lieu thereof the following: "."

Amendment No. 2.

On page 13 of the printed bill, as amended, strike out lines 9 to 46, inclusive.

Amendments adopted.

Request for Unanimous Consent.

Mr. Cronin asked for, and was granted, unanimous consent to take up Assembly Bill No. 1618, as amended, at this time, without reference to reprint of file, and that same be considered re-re-engrossed.

Third Reading of Assembly Bill No. 1618, as Amended.

Assembly Bill No. 1618, as amended, read third time.

The question being on the passage of the bill.

Motion to Lay on the Table.

Mr. Voigt moved, seconded by Mr. Patterson, that Assembly Bill No. 1618, as amended, be laid on the table.

The question being on the motion by Mr. Voigt to lay on the table.

Request for Roll Call.

On request of Messrs. Hornblower, Dawson and Cronin, the Speaker ordered a roll call taken on the motion to lay on the table.

The roll was called, and the motion lost by the following vote:

AYES—Burns, Cassidy, Clark, Cottrell, Dawson, Donihue, Evans, Ralph W., Field, Geyer, Gilbert, Glover, Heisinger, Jones, Lore, McCarthy, Nielsen, Patterson, Pelletier, Peterson, Reaves, Voigt, Wagner, Wallace, and Waters—24.

NOES—Anderson, Andreas, Boyle, Breed, Chatters, Corwin, Cronin, Cunningham, DeLap, Desmond, Evans, Herbert J., Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Hunt, Johnson, Laughlin, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Peyser, Phillips, Redwine, Richie, Robertson, Stream, Thorp, Turner, Utt, Walker, Welsh, Wright, and Mr. Speaker—43.

Assembly Bill No. 1618, as amended, read third time.

The question being on the passage of the bill.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Cronin moved a call of the House.

Motion carried.

Time, three o'clock and forty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner,

Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—74.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Recess.

At three o'clock and forty-five minutes p m., by order of the Speaker, the Assembly was declared at recess to hear from "One-Eyed" Connelly.

Reassembled.

At three o'clock and fifty-five minutes p.m., the Assembly reconvened. Speaker Craig in the chair.

Unfinished Business.

Motion to Reconsider Assembly Bill No. 1192 Continued.

Mr. Rosenthal moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1192 was refused adoption be continued until the next legislative day.

Motion carried.

Reconsideration of Assembly Bill No. 2385.

Assembly Bill No. 2385—An act to add section 652 to the Penal Code, relating to jurors.

In compliance with his notice given on a previous day, Mr. Richie moved that the vote whereby Assembly Bill No. 2385 was passed be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 2385 read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Richie:

Amendment No. 1.

At the end of the last line of the printed bill, strike out the period, and insert a semicolon, and add the words: "provided, however, that this section shall not be construed to apply to speech or writing directed against the validity or justice of a conviction or acquittal or the advocacy of a change in the law or laws under which such conviction or acquittal has been obtained."

Motion to Re-refer.

Mr. Williamson moved that Assembly Bill No. 2385 and the amendment submitted by Mr. Richie be re-referred to Committee on Judiciary.

The question being on the adoption of the motion by Mr. Williamson.

Request for Roll Call.

On request of Messrs. Field, Redwine and Robertson, the Speaker ordered a roll call taken on the motion by Mr. Williamson to re-refer

Assembly Bill No 2385 and the amendment submitted by Mr. Richie to Committee on Judiciary.

The roll was called, and the motion was carried by the following vote:

AYES—Andreas, Breed, Brennan, Chatters, Corwin, Cottrell, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Johnson, Latham, Lyon, Martin, McMurray, Miller, Minard, Nielsen, O'Donnell, Peterson, Phillips, Redwine, Riley, Robertson, Stream, Thorp, Utt, Walker, Waters, Williamson, Wright, and Mr. Speaker—40.

NOES—Anderson, Burns, Cassidy, Clark, Crowley, Donihue, Flint, Geyer, Gilbert, Glover, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, Maloney, Meehan, Morgan, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Wagner, and Wallace—27.

Assembly Bill No. 2385 and the amendment submitted by Mr. Richie ordered re-referred to Committee on Judiciary.

Consideration of Governor's Veto to Assembly Bill No. 1994.

Assembly Bill No. 1994—An act to repeal section 686a of the Political Code and to add section 686 5 thereto, relating to accountants in the Department of Finance

Governor's veto pending.

The question being put. Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Flint, Geyer, Hunt, and Reaves—4

NOES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Gilmore, Glover, Heisinger, Hornblower, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Williamson, and Mr. Speaker—62.

Motion to Reconsider Assembly Bill No. 2036 Continued.

Mr. Heisinger moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2036 was refused passage be continued until the next legislative day.

Motion carried.

Motion to Reconsider Assembly Bill No. 128 Continued.

Mr. Utt moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 128 was refused passage be continued until the next legislative day.

Motion carried.

Reconsideration of House Resolution by Mr. Brennan.

House resolution by Mr. Brennan—Recommending prison terms of Warren K. Billings and Thomas J. Mooney be commuted.

Objection to Reconsideration.

Mr. Morgan objected to taking up the reconsideration of the resolution under call of the House.

Consideration of Senate Amendments to Assembly Bill No. 1533.

Assembly Bill No. 1533—An act to amend section 871 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to the assessment, levy and collection of taxes.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1533?

Amendment No. 1.

On page 2, line 11, of the printed bill, as amended, after the semicolon, insert the following: "and".

Amendment No. 2.

On page 2, line 26, of the printed bill, as amended, strike out "State", and insert in lieu thereof the following: "county".

Amendment No. 3.

On page 2, line 29, of the printed bill, as amended, strike out the semicolon, and in line 30, strike out "the", and insert in lieu thereof a period and the following: "The".

Amendment No. 4.

On page 2, lines 34 and 35, of the printed bill, as amended, strike out "provided further that".

The roll was called, and Senate amendments to Assembly Bill No. 1533 were concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Utt, Wagner, Walker, Wallace, Welsh, Wright, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 1533 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 1244.

Assembly Bill No. 1244—An act to amend section 792 of the Agricultural Code, relating to avocados.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1244?

Amendment No. 1.

On page 1, line 23, of the printed bill, as amended in Assembly March 18, 1935, strike out the word "avacado", and insert in lieu thereof the word "avocado".

The roll was called, and Senate amendment to Assembly Bill No 1244 was concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Utt, Wagner, Walker, Wallace, Welsh, Williamson, Wright, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 1244 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 2034.

Assembly Bill No. 2034—An act to amend sections 1 and 2 and the title of an act entitled "An act prohibiting employers of labor from coercing employees in the purchase of things of value, and prescribing a penalty for the violation of the provisions hereof," approved April 26, 1917 (Stats 1917, Chap. 141), relative to requiring employees and applicants for employment to patronize any person or firm in the purchase of any thing of value, and relative to the penalty therefor.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 2034?

Amendment No. 1.

On page 2, line 1, of the printed bill, as amended, strike out the words "Sec. 2.", and insert in lieu thereof the following "Sec. 3."

The roll was called, and Senate amendment to Assembly Bill No. 2034 was concurred in by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Maloney, Martin, McBride, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Utt, Wagner, Walker, Wallace, Welsh, Williamson, Wright, and Mr. Speaker—61.

NOES—None

Assembly Bill No. 2034 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 57.

Assembly Bill No. 57—An act to repeal sections 2.879 and 2.880 of the School Code and to add thereto sections 2.879 and 2.880, relating to election of school trustees.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 57?

Amendment No. 1.

On page 1, line 8, of the printed bill, after the word "schools", insert the following word: "substantially."

Amendment No. 2.

On page 1, line 20, of the printed bill, strike out the word "expenses", and insert in lieu thereof the word "cost".

Amendment No. 3.

On page 1, line 21, of the printed bill, after the word "various", insert the words "elementary school".

Amendment No. 4.

On page 1 of the printed bill, strike out all of lines 22 to 24, both inclusive, and insert the following: "tricts under jurisdiction of the county superintendent of schools for election of members of governing boards thereof shall be paid by the county superintendent of schools from the unapportioned county elementary school fund. The cost of printing and distributing of the ballots to the various high school and junior college districts under the jurisdiction of the county superintendent of schools shall be paid by the county superintendent of schools from the county unapportioned high school fund."

The roll was called, and Senate amendments to Assembly Bill No. 57 were concurred in by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, Miller, Morgan, Nielsen, Patterson, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Walker, Wallace, Welsh, Williamson, Wright, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 57 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 363.

Assembly Bill No. 363—An act to amend sections 1011, 1012 and 1072 of the Agricultural Code, relating to economic poisons.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 363?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the word "section", and insert in lieu thereof the words "sections 1011, 1012 and".

Amendment No. 2.

Immediately following the enacting clause, add the following

"SECTION 1. Section 1011 of the Agricultural Code is hereby amended to read as follows.

1011. It is unlawful to pack, ship, store, deliver for shipment, or sell any fresh or dried fruits or vegetables carrying spray residue or other added deleterious ingredients in excess of the quantity prescribed under the laws of the United States, or in excess of 0.010 grain fluorine, 0.010 grain arsenic trioxide, or 0.018 grain lead per pound of fruit or vegetable.

SEC. 2. Section 1012 of the Agricultural Code is hereby amended to read as follows:

1012. The director may:

(a) Enter every place within the State where fresh or dried fruits or vegetables are produced, packed, stored, shipped, transported, delivered for shipment, or sold and inspect all fresh or dried fruits or vegetables found therein or in transit.

(b) Seize and quarantine any or all lots of fresh or dried fruits or vegetables which carry or are likely to carry spray residue or other added deleterious ingredients pending examination and chemical analysis and final disposition.

(c) When any lot of fresh or dried fruits or vegetables has been found to carry spray residue in excess of the quantity prescribed by the laws of the United States, the director may permit the lot to be cleaned or reconditioned and release such lot after such treatment if the same is found to comply with the provisions of this article.

(d) The director shall make rules and regulations to carry out the provisions of this article."

Amendment No. 3.

On page 1, line 1, of the printed bill, strike out "section 1", and insert in lieu thereof "Sec. 3."

The roll was called, and Senate amendments to Assembly Bill No. 363 were concurred in by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Crouin, Cunningham, Dawson, DeLap, Domhue, Donnelly, Evans, Herbert J., Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Utt, Walker, Welsh, Williamson, Wright, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 363 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 368.

Assembly Bill No. 368—An act to amend section 34 of, and to add sections 34.5 to, the Agricultural Code, relating to cooperative agreements for the purpose of enforcing provisions relating to standardization and collaborative services.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 368?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended in Assembly March 14, 1935, after the word "of", insert the following: ", and to add section 34.5 to,".

Amendment No. 2.

On page 1, line 3 of the title of the printed bill, as amended in Assembly March 14, 1935, strike out the period, and insert in lieu thereof the following: "and collaborative services."

Amendment No. 3.

On page 1 of the printed bill, as amended in Assembly March 14, 1935, after line 10, add the following:

"SEC. 2. Section 34.5 is hereby added to the Agricultural Code to read as follows:

34.5. The director may also arrange for the services of individuals employed by the United States, the State, or a county on a collaborative basis and allow them a reasonable fee and necessary expenses incurred when serving the department in a collaborative capacity."

The roll was called, and Senate amendments to Assembly Bill No. 368 were concurred in by the following vote:

AYES—Andreas, Boyle, Breed, Cassidy, Chatters, Corwin, Cottrell, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Utt, Wallace, Welsh, Wright, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 368 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 463.

Assembly Bill No. 463—An act to amend section 805 of the Agricultural Code, relating to persimmons.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 463?

Amendment No. 1.

On page 1, line 17, of the printed bill, strike out "the entire", and insert in lieu thereof the following: "nnety per cent of the".

The roll was called, and Senate amendment to Assembly Bill No. 463 was concurred in by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Robertson, Rosenthal, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—63

NOES—None.

Assembly Bill No. 463 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 930.

Assembly Bill No. 930—An act to amend section 4.360 of the School Code, relating to school district budgets, declaring the urgency thereof and providing that this act shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 930?

Amendment No. 1.

On page 1, line 15, of the printed bill, after the word "district", insert the following:

"The budget shall show the estimated cash balances on hand for the school district according to the records of the county auditor (exclusive of receipts from bond sales and gifts or donations by reason of such bond sales), and appropriations from the State school fund, the State high school fund, the State junior college fund, the State vocational education fund and the State general fund according to the demand upon the State Controller made by the Superintendent of Public Instruction The budget shall also show other known income and estimates of income not definitely known Said budget shall be submitted on the form prescribed by the Superintendent of Public Instruction."

The roll was called, and the Assembly refused to concur in Senate amendment to Assembly Bill No. 930 by the following vote:

AYES—None.

NOES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine,

Richie, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Wallace, Waters, Welsh, Williamson, Wright, and Mr Speaker—69

Consideration of Senate Amendment to Assembly Bill No. 1131.

Assembly Bill No. 1131—An act to amend sections 682, 806, 811, 827, 849, 877, and 878 of the Penal Code, relating to proceedings before the committing magistrate, and to add a new section to the Penal Code numbered 87a, relating to the commitment by the magistrate on plea of guilty.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1131?

Amendment No. 1.

On page 1, line 10, of the printed bill, after the word "in", insert "municipal,".

The roll was called, and Senate amendment to Assembly Bill No. 1131 was concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilmore, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Utt, Wagner, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 1131 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 1161.

Assembly Bill No. 1161—An act to amend section 718c of the Civil Code, empowering municipalities to lease property.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1161?

Amendment No. 1.

On page 1, line 15, of the printed bill, after "purposes", insert a comma and the following: "or to the State Department of Natural Resources for the purpose of housing men and equipment,".

The roll was called, and Senate amendment to Assembly Bill No. 1161 was concurred in by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Corwin Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Neilsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—69.

NOES—Geyer, and Voigt—2.

Assembly Bill No. 1161 ordered to enrollment.

Further Proceedings Under Call of the House Dispensed With.

At four o'clock and twenty minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Cronin.

The roll of absentees was called, and Assembly Bill No. 1618, as amended, was passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Chatters, Corwin, Cronin, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J, Flint, Frazier, Fulcher, Garibaldi, Gilmore, Heisinger, Hornblower, Hunt, Kallam, Latham, Lyon, Maloney, Martin, McBride, Meehan, Miller, Minard, Morgan, Peyser, Phillips, Redwine, Riley, Robertson, Thorp, Turner, Utt, Walker, Welsh, Wright, and Mr. Speaker—43.

NOES—Burns, Cassidy, Clark, Cottrell, Crowley, Dawson, Donahue, Evans, Ralph W., Field, Fisher, Geyer, Gilbert, Glover, Johnson, Jones, Laughlin, Lore, McCarthy, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Richie, Stream, Voigt, Wagner, Wallace, Waters, and Williamson—31.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 1618.

Mr. Evans, Ralph W., gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1618, as amended, was this day passed.

Explanation of Vote.

Regarding my reason for voting "Aye" on Assembly Bill No. 1618, fixing rate of interest on small loans, I wish to state that the evidence submitted before the Assembly convinces me that this legislation is most necessary; that the unfortunates who must borrow small loans be protected from loan sharks.

JAMES J. BOYLE.

Explanation of Vote.

(Explanation to be placed in the Journal as to why I voted "yes" on Assembly Bill No. 1618, which passed the Assembly this date.)

This bill refers to the Small Loan Act. Realizing that there is no regulation for small loans in the State of California at this time and after speaking to the labor representatives who are supporting this legislation, I decided that this regulation was better than none at all because without legislation the "bootleg" loan shark receives interest as high as 600 per cent.

CHARLES A. HUNT.

Consideration of Senate Amendments to Assembly Bill No. 1641.

Assembly Bill No. 1641—An act to amend section 11870 of the Insurance Code, relating to workmen's compensation insurance of the State and its agencies and certain political subdivisions, public corporations and quasi public corporations.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1641?

Amendment No. 1.

On page 1 of the printed bill, strike out lines 1 and 2 of the title, and insert in lieu thereof the following: "An act to amend section 11870 of the Insurance Code, relating".

Amendment No. 2.

On page 1, line 3 of the title of the printed bill, strike out "insurance carriage of the State", and insert in lieu thereof the following: "workmen's compensation insurance of the State and its agencies".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 and 2, and insert in lieu thereof the following: "SECTION 1. Section 11870 of the Insurance Code is hereby"

Amendment No. 4.

On page 1 of the printed bill, strike out lines 4 and 5, and insert in lieu thereof the following:

"11870. The State, any agency, department, division, commission, board, bureau, officer or other authority thereof, and each county, city and county, city, school district, irrigation district, any other district established by law, or other public corporation or quasi public".

Amendment No. 5.

On page 1, lines 6 and 7, of the printed bill, strike out "not including, however, any public utility corporation", and insert in lieu thereof the following: ", excluding any public utility operated by a private corporation".

Amendment No. 6.

On page 1 of the printed bill, strike out line 9, and insert in lieu thereof the following: "with any other insurer unless such fund refuses".

Amendment No. 7.

On page 1, line 10, of the printed bill, strike out the comma, also strike out lines 11 to 17, inclusive, and insert in lieu thereof a period and the following: "Where the State or any agency, department, division, commission, board, bureau, officer or authority thereof is the insured, the premium for such insurance shall be a

proper charge against any moneys appropriated for the support of or expenditure by the insured, except that in the case of an insured supported by or authorized to expend moneys appropriated out of more than one fund, the insured, with the approval of the Director of Finance, may determine the proportion of such premium to be paid out of each fund. In such case the insured, with the approval of the Director of Finance, may pay the entire premium out of any such funds and thereafter the funds used for payment shall be reimbursed in proper proportion out of such other funds. In case a county, city and county, city, school district, irrigation district, or other district established by law, or other public corporation or quasi public corporation within the State is the insured, the premium therefor shall be a proper charge against the general fund of such insured."

The roll was called, and Senate amendments to Assembly Bill No. 1641 were concurred in by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Geyer, Gilmore, Glover, Heisinger, Hornblower, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—62.

NOES—Hunt—1.

Assembly Bill No. 1641 ordered to enrollment

Consideration of Senate Amendment to Assembly Bill No. 1678.

Assembly Bill No. 1678—An act to add a new section to the Penal Code to be numbered 969½, relating to the amendment of a complaint to charge prior convictions.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1678?

Amendment No. 1.

On page 1, line 7, of the printed bill, strike out "shall", and insert in lieu thereof "may".

The roll was called, and Senate amendment to Assembly Bill No. 1678 was concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, DeLap, Desmond, Domhue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Geyer, Gilmore, Glover, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—63

NOES—None.

Assembly Bill No. 1678 ordered to enrollment

Consideration of Senate Amendments to Assembly Bill No. 441.

Assembly Bill No 441—An act to amend the title, sections 1 and 2 of "An act to require security for the payment of wages of persons engaged in the mining industry," approved April 25, 1933 (Stats. 1933, Chap. 161), relating to security for the payment of wages in the mining industry and providing penalties for violation of the provisions thereof.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 441?

Amendment No. 1.

In line 1 of the title of the printed bill, after "amend", insert "the title, sections 1 and 2 of".

Amendment No. 2.

In lines 3 and 4 of the title of the printed bill, strike out ", by amending section 1 thereof, relating to security for the payment of wages", and insert in lieu thereof

the following: "(Stats. 1933, Chap. 161), relative to security for the payment of wages in the mining industry and providing penalties for violation of the provisions thereof".

Amendment No. 3.

On page 1, line 1, of the printed bill, strike out the second "Section 1", and insert in lieu thereof the words "The title".

Amendment No. 4.

On page 1 of the printed bill, between lines 2 and 3, insert the following:

"An act to require security for the payment of wages of persons engaged in the mining industry and providing penalties for violation of the provisions thereof

SEC. 2. Section 1 of the act cited in the title hereof is hereby amended to read as follows:".

Amendment No. 5.

On page 1, line 3, of the printed bill, after the word "firm", insert ", association".

Amendment No. 6.

On page 1, line 3, of the printed bill, after the word "corporation", insert ", or agent, manager, superintendent or officer thereof,".

Amendment No. 7.

On page 1 of the printed bill, after line 18, add the following:

"SEC. 3. Section 2 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 2. Any person, firm, association or corporation, or agent, manager, superintendent or officer thereof, who violates, or omits to comply with, any provision of this act is guilty of a misdemeanor, punishable by a fine of not exceeding five hundred dollars or imprisonment for not exceeding six months, or by both."

The roll was called, and Senate amendments to Assembly Bill No. 441 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Colwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Geyer, Gilbert, Gilmore, Glover, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Stream, Thorp, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 441 ordered to enrollment.

Reconsideration of Assembly Constitutional Amendment No. 60.

In compliance with his notice given on a previous day, Mr. Cunningham moved that the vote whereby Assembly Constitutional Amendment No. 60 was adopted, be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Clark, Cronin, Cunningham, Dawson, DeLap, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Turner, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—59.

NOES—Chatters, Crowley, Desmond, Donnelly, Kallam, Mayo, O'Donnell, Phillips, Stream, and Thorp—10.

Assembly Constitutional Amendment No. 60 ordered on file for adoption.

Reconsideration of Assembly Bill No. 78 Waived.

Mr. Hunt waived his notice to reconsider the vote whereby Assembly Bill No. 78 was passed.

Assembly Bill No. 78 ordered transmitted to the Senate.

Motion to Reconsider House Resolution by Mr. Brennan Continued.

Mr Minard moved that the consideration of his motion to reconsider the vote whereby the House resolution submitted by Mr. Brennan was adopted, be continued until the next legislative day.

Motion carried.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 52—Relative to regulation of the production of crude petroleum—and reports that the same has been correctly enrolled, and presented the same to the Governor on this twenty-ninth day of April, 1935, at two o'clock and thirty minutes p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 33—Approving five certain amendments to the charter of the city of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fifth day of April, 1935;

Also: Assembly Concurrent Resolution No. 35—Relative to the death of the mother of Assemblyman Augustus F. Hawkins:

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-ninth day of April, 1935, at two o'clock and thirty minutes p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1125—An act adding a new section to the Civil Code of the State of California, to be numbered 734, relating to the control of municipal property by the legislative body thereof and the right of access and use of municipal property by members of the public;

Also: Assembly Bill No. 1987—An act to amend section 3 of "An act relating to the liability in damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works, or property, and alleged to be due to the negligence or carelessness of such officers; prescribing the duties of claimants in such cases, and authorizing the State and such public or quasi public corporation to take out and pay for insurance to protect their officers against such liability," approved June 19, 1931;

Also: Assembly Bill No 2268—An act to amend section 1 of an act entitled "An act providing for the supervision and regulation of the transportation of property for compensation over any public highway by auto trucks; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, relating to the determination of the operation of auto trucks by transportation companies:

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

On Building and Construction.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1935

MR SPEAKER: Your Committee on Building and Construction, to which was referred Assembly Bill No. 704—An act to regulate and limit residential zones, subdivisions, districts and lots or plots, upon which it shall be permissible to erect buildings for human habitation, and an act preventing the erection of buildings for human habitation in subdivisions, districts, lots or plots, known to be in old river beds, water courses or in the path of possible flood streams or in flood stream areas, and repealing all acts and parts of acts in conflict with this act—has had the

same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

PEYSER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Building and Construction, to which was referred Assembly Bill No. 1833—An act to amend section 1 of "An act to regulate the construction of buildings in the State of California, in respect to resistance to horizontal forces, providing penalties for the violation thereof and providing that this act become effective immediately," approved May 26, 1933, relating to construction of buildings—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

PEYSER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Building and Construction, to which was referred Assembly Bill No 166—An act to amend section 1 of an act entitled "An act relating to the safety of design and construction of public school buildings, providing for regulation, inspection, and supervision of the construction, reconstruction or alteration of or addition to public school buildings and for the inspection of existing school buildings, defining the powers and duties of the State Division of Architecture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act to take effect immediately," approved April 10, 1933, relating to the buildings and work subject to the provisions of said act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

PEYSER, Chairman.

The above reported bill ordered on file for second reading.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2092—An act to amend section 493.5 of the Fish and Game Code, and to add thereto section 741.5, relating to fish.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Hornblower:

Amendment No. 1.

On page 1, line 7, of the printed bill, strike out "and broad bill sword fish".

Amendment No. 2.

On page 1 of the printed bill, at the end of line 8, insert the following: "Broad bill sword fish may be taken with hook and line and harpoon."

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Motion to Re-refer Senate Bill No. 269.

Mr. Williamson moved that Senate Bill No. 269 be withdrawn from the file, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Senate Bill No. 269 to the Committee on Judiciary.

Motion carried.

Senate Bill No. 269 ordered re-referred to Committee on Judiciary.

Resolution.

The following resolution was offered:

By Mr. Heisinger:

Assembly Resolution.

Resolved by the Assembly of the State of California, That the Speaker of the Assembly is hereby directed to issue, and the Sergeant-at-Arms is directed to serve,

subpenas requiring attendance of the following persons before the Committee of the Whole Assembly in the Assembly Chamber, Wednesday, May 1, 1935, at ten o'clock and thirty minutes a.m.: Ray L. Riley, U. S. Webb, Earl Lee Kelly, F. M. McAuliffe, A E. Stockburger, C. A. Hawkins, Mills Building, San Francisco; August Brucker, 473 14th Street, Oakland; H. G. Butler, 111 Sutter Street, San Francisco; Charles E Andrew, Bay Bridge engineer; Mr. Purcell, engineer, Bay Bridge; Mr. Cox, assistant engineer, Bay Bridge; Mr. Ready, assistant engineer, Bay Bridge; F. L. Burchalter; and be it further

Resolved, That the Speaker is further directed, in such subpenas, to require such persons to bring with them for production before the Assembly at said time all their books, papers, records and documents, relating to the bridge on San Francisco Bay from San Francisco to Oakland, particularly in relation to transit facilities thereon.

Resolution read.

Substitute Resolution.

Mr. Williamson moved, as a substitute, that the Chief Clerk be instructed to telegraph to the persons named in the resolution offered by Mr. Heisinger that the Assembly requests their presence in the Assembly Chamber on May 1, 1935, at ten o'clock and thirty minutes a.m.

Substitute resolution, submitted by Mr. Williamson, read and adopted.

Amendment to Assembly Standing Rules.

The following amendment to the Assembly Standing Rules was offered by Mr. Patterson:

Amendment No. 1.

Strike out the period at the end of Assembly Standing Rule No. 86a. and insert in lieu thereof the following: "; provided that the Speaker shall not announce the vote until the vote of each member of the Assembly voting has been recorded by each such member himself."

The above amendment ordered printed in the Journal.

Adjournment.

At five o'clock and fifty minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Tuesday, April 30, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,

SACRAMENTO, Tuesday, April 30, 1935

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fliut, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—80.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Nielsen, its further reading was dispensed with.

Privilege of Floor of Assembly Extended.

On request of Mr Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the instructor and students of the Ripon Union High School, Ripon, San Joaquin County, as follows: Mr. Leonard McKaig, instructor, and Gerben Verver, Billy Fisher, Robert Hutchinson, Harvey Douma, Bill Farschon, James DeJong, Morris DeJong, Radomir Kolak, Bernard Wever, Nicholas Tocco, Mary Plumb, Helen Kiernan, Maxine Petersen, Marie Santos, Robert Olson, Don Tulin, Lawrence Monteen, Richard Ward, Tate Hutchins, Miriam Spuller, Beulah Russell, Lilly Cedergren, Grace Vrieling, Charlotte Stahlberg, Rowein Schmeidt, William Van Andel, Lester Newstrom, Harold Fugett, Frances Kincaid, Myrtle Moody, Bernice Bartholomew, Vera Bonnet, Albertus Kamps, Mae Lagier, Beatrice Rees, Margaret Spencer, and Carrol Keirn, students of the senior class.

On request of Mr. DeLap, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the teachers and students of the Alhambra Union High School, Martinez, as follows: Mary Giannini and Melba Fitzpatrick, teachers, and Beverly Barber, Lorraine Bradley, Junior Bray, Eleanor Bissell, William Campbell, Virginia Carter, Rosalie Costanza, Jack Cummings, Helene Davidson, Elberta De Rose, Barbara Douglas, Inabel Doolan, Christina Dragon, Vivian Garrety, Nancy Lou Glass, Vivian Hull, Margaret Jessup, Margaret Jones, Harriet Jones, Mary McCarthy, James Milliff, Jack Mullen, Helen Merrill, Pauline Pongrace, Hugh Burt Routt, Edgar Sears, Homer Slinger, Joe Sparacino, Nina Sparacino, Laurie Viglienzone, Harold Webster, and Barbara Woods, students.

On request of Mr. DeLap, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the teacher, escorts and pupils of Vine Hill, Contra Costa County, as follows: eighth grade: Anita Comazzi, Gloria Comazzi, Joan Sodaro, Bruno Nardi, Junior McKinley, and Edwin Brown; seventh grade: Mary Rose, Mary Silva, Rosalina Gonsalves, Ruth May Fuller, Benny Pallotta, Ivan Parkison, Frank Pires, and Karl Lundgren; escorts: Mrs. E. B. Bernier, teacher; Mrs. Davida Wright, John Magnaghi, Charles Picco, Mrs. C. Picco, Mrs. Pearl Smart, and Mr. E. Trebino

On request of Mr. Brennan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Emilie Brouillet, Alamo School, San Francisco, and Mr. Arthur W. Brouillet, Jr.

On request of Mr. Latham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Philip E. Rose of Alhambra.

On request of Mr. Weber, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Viriginia Hall of Stockton.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From city of Tustin, favoring the adoption of an Orange County fish refuge.

From Paula M. Harris and others of Los Angeles, favoring the enactment of the State Humane Pound Bill.

From Southern California Council of Combat Division Associations, asking the Legislature to declare Armistice Day (November 11th) a legal holiday.

From the National Guard of Orange County, State of California, asking the construction of an armory between Santa Ana, Orange County, and Anaheim.

From Marvin Curtis Willyard, urging that the Legislature amend the Compensation Act of the State of California.

From the Sacramento County Farm Bureau, urging the Legislature to keep the budget as low as possible.

From the South West Branch of the Los Angeles Realty Board, opposing any additional tax on real estate.

From Los Angeles County Peace Officers Association, urging certain amendment to Assembly Bill No 1614

Communications.

The following communications were received, and ordered printed in the Journal:

Mr. Speaker and Members of the Assembly.

The family and I wish to express our deepest appreciation for the kindness tendered to us by the Assembly during our bereavement.

AUGUSTUS F. HAWKINS.

SALEM, OREGON, April 19, 1935.

Hon. James B. Utt, Member of Assembly.

Oregon Small Loan Law effective since 1913. In 1931 revision distinguished between small loan and pawnbrokers. In preparing amendment we followed Russell Sage latest revision, and if new legislation is contemplated would suggest consideration sixth draft Russell Sage Foundation, believing that to be most modern. Licensees have cooperated excellently with supervising agency.

Rate in this State has always been 3 per cent per month on unpaid balances with the exception on unsecured loans of $30 or less any amount agreed upon between licensee and borrower could be charged. This provision was deleted by amendments effective March 6th this year.

Licensees generally contend small loans more expensive than larger ones. Believe there is merit to their contention but our Legislature made no sliding rate. Our law contains usual provision relative to salary assignments. Following figures reflect operations during 1934 of 24 Oregon licensees doing 3 per cent lending business only:

Average amount each loan made, $106; average balance per loan account end of year, $102; average monthly expense per account, $2.01; average effective monthly rate from 2 to 3 per cent; average net profit on average assets used in small loan business 6.6 per cent.

Mailing you copy Interim Committee report to recent session our Legislature containing data re small loan legislation. Also sending compilation expenses and earnings for 1934.

A. A. SCHRAMM, Superintendent of Banks.

ATLANTA, GEORGIA, April 19, 1935.

James B. Utt, Member of Assembly.

Small Loan Law permitting rate 3½ enacted 1920.

Amendment reducing rate to 1½ passed March, 1935. Results to date nine licensees have filed notice of intention to cease operating as such.

Operation small loan companies in my opinion tended to eliminate salary buyer and other high rate companies. Average loan made $110. Average monthly expense per account $1.39. Average effective monthly rate $2.83. Average net profit licensee $5 79.

Suggest rate balances up to 153⅓. One hundred fifty to 302½ as minimum permitting fair profit.

Minimum capital and convenience and necessity requirements good.

R. E. GORMLEY, Superintendent of Banks.

AUGUSTA, MAINE, April 22, 1935.

James B. Utt, Member of Assembly.

Answering your wire April 19th our opinion is as follows: Law in effect since 1917. Has served economic need. Reduced cost of small loans to borrowers. Tended to eliminate salary buyers and high rate other companies. Would say has been helpful generally. Average amount each loan made 1934, $99.31. Average balance per account as of December 31, 1934, $87.77. Average monthly expense per account not available. Flat rate 3 per cent per month on unpaid balances. Average net profit of 13 companies operating small loan agency only before interest on borrowed money or Federal tax 11.15 per cent of total average invested capital. Figures for few independents unavailable.

Based on evidence submitted to committee last Legislature, 3 per cent per month on unpaid balances would appear to be fair.

Regulation as to capital might be beneficial.

THOMAS A. COOPER, Bank Commissioner.

RICHMOND, VIRGINIA, April 19, 1935.

James B. Utt.

Answering wire our law has been in existence 17 years, and seems to be worth while. Unable to furnish statistics called for. We have Sage draft of law carrying 3½ per cent per month.

M. E. BRISTOW,
Commissioner of Insurance and Banking.

PROVIDENCE, RHODE ISLAND, April 19, 1935.

James B. Utt.

Small Loan Law effective just 12 years. Has driven out loan sharks and effectively taken care small credit demand. Averages for year 1933 as follows: Loans average 128, loan balance 99 monthly, expense per account $1.94, effective rate 2.63, ratio net earnings to total assets 6½ per cent. Recently adjourned Legislature have favored continuing 3½ per cent rate.

M. JOSEPH CUMMINGS,
Chief of Division of Banking and Insurance.

SPRINGFIELD, ILLINOIS, April 19, 1935.

James B. Utt.

Regulatory law has been in effect in Illinois 18 years without change. Maximum rate 3½ per cent per month for $300 or less. Competition has served to reduce rate on loans in higher brackets. Law has undoubtedly been effective in reducing costs to borrowers and has practically eliminated salary buyers and high rate operators. Last figures available for year 1933: Average loan $126, average loan balance $103, average monthly expense per account $1.51, average monthly rate realized 2.79 per cent, average net profit for year 8.01 per cent on assets employed in business if 3½ per cent is allowed as a starter.

After lapse of sufficient time to enable study of results, adjustment could be considered. Our figures indicate loans under $100 not profitable at lower rate. Believe minimum capital and convenience and necessity provisions should be in act, and have recommended them for Illinois. Experience proves that they are needed.

HIRAM McCULLOUGH, Supervisor,
Division of Small Loans, Department of Insurance.

CHARLESTON, WEST VIRGINIA, April 19, 1935.

James B. Utt, Member of Assembly.

Your wire 19th. First Small Loan Act passed in 1925. Rate 3½ per cent monthly. Rate reduced to 2 per cent per month in 1931. Act amended 1933. Rate 3½ per cent on loans up to $150, 2½ per cent on loans from $150 to $300. Am not advised as to activity of salary buyers after reduction of rate. Am of opinion that small loan companies under proper supervision serve useful purpose.

GEORGE WARD, Commissioner of Banking.

ASSISTANT CLERK COOLIDGE READING.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, April 29, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: I am returning herewith Assembly Bill No. 1739, without my approval, the same being an act to add section 670.5 to the Political Code, relating to refund of penalties.

A careful analysis of the bill convinces me that it might be of doubtful value to the State.

I have consulted with the sponsors of the measure, including its author, and all have consented to the action above indicated.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Message from the Governor ordered on unfinished business file.

Request for Permission to Introduce a Bill.

The following request for permission to introduce a bill was presented:

By Mr. Laughlin:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend sections 1, 2, 3, and 4 of an act entitled "An act to establish salesrooms and industrial workshops for the blind, providing for the management, government and administration thereof, and making an appropriation for the establishment of a revolving fund therefor," approved June 18, 1929, relating to salesrooms and workshops for blind and physically handicapped persons.

Referred to Committee on Introduction of Bills.

Second Reading of Assembly Bills.

Assembly Bill No. 390—An act to amend sections 15b and 15a of and to add section 25 to an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, relating to vital statistics.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 638—An act to amend sections 997, 1009, 1116, 1117, 1166, 1188, 1262, 1297, 1302, 1371, and 1384, of the Penal Code, relating to refund of money deposited in lieu of bail, and to repeal conflicting acts and parts of acts.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out line 10, and insert in lieu thereof the following: "or, if he has deposited money, or if money has been deposited by another or others instead of".

Amendment No. 2.

On page 1, line 11, of the printed bill, strike out the words after "refunded", and insert in lieu thereof the following: "to him or to the".

Amendment No. 3.

On page 1, line 12, of the printed bill, after "person", insert the following: "or persons".

Amendment No. 4.

On page 1 of the printed bill, strike out line 26 after "if", and insert in lieu thereof the following: "he has deposited money, or if money has been deposited by another or others".

Amendment No. 5.

On page 2, line 1, of the printed bill, strike out the words "been deposited".

Amendment No. 6.

On page 2 of the printed bill, strike out line 2 after "refunded to", and insert in lieu thereof the following: "him or to the person or persons found by the court to".

Amendment No. 7.

On page 2, line 10, of the printed bill, strike out "the person", and insert in lieu thereof the following: "him or to the person or persons".

Amendment No. 8.

On page 2, line 21, of the printed bill, strike out the words after "if", and insert in lieu thereof the following: "he has".

Amendment No. 9.

On page 2 of the printed bill, strike out line 22, and insert "deposited money or if money has been deposited by another or others instead of bail for his".

Amendment No. 10.

On page 2, line 23, of the printed bill, strike out the words after "refunded to", and insert in lieu thereof the following: "him or to the person or persons".

Amendment No. 11.

On page 2, line 43, of the printed bill, strike out "defendant person", and insert in lieu thereof the following: "defendant or to the person or persons".

Amendment No. 12.

On page 3, line 6, of the printed bill, strike out "defendant", and insert in lieu thereof the following: "defendant or to the person or persons".

Amendment No. 13.

On page 3, line 7, of the printed bill, strike out the word "person".

Amendment No. 14.

On page 3, line 17, of the printed bill, strike out "defendant person", and insert in lieu thereof the following: "defendant or to the person or persons".

Amendment No. 15.

On page 3, line 26, of the printed bill, strike out "defendant", and insert in lieu thereof the following: "defendant or to the person or persons".

Amendment No. 16.

On page 3, line 27, of the printed bill, strike out "person".

Amendment No. 17.

On page 3, line 35, of the printed bill, strike out "defendant person", and insert in lieu thereof the following: "defendant or to the person or persons".

Amendment No. 18.

On page 3, line 46, of the printed bill, after "person", insert the following: "or persons".

Amendment No. 19.

On page 4 of the printed bill, strike out line 2 after "refunded to", and insert in lieu thereof the following: "him or to the person or persons found by".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1491—An act establishing municipal courts in cities and counties of the second and one-fourth class, prescribing a constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 36, of the printed bill, strike out the word "shall", and insert in lieu thereof the word "may".

Amendment No. 2.

On page 2, line 38, of the printed bill, after the semicolon, insert the following: "one deputy who shall receive one hundred and seventy-five dollars per month;".

Amendment No. 3.

On page 2, line 38, of the printed bill, strike out the word "three", and insert in lieu thereof the word "two".

Amendment No. 4.

On page 2, line 42, of the printed bill, strike out the word "shall", and insert in lieu thereof the word "may".

Amendment No. 5.

On page 2, line 43, of the printed bill, after the word "receive", insert the following: "two hundred and fifty dollars".

Amendment No. 6.

On page 2, line 44, of the printed bill, strike out the word "shall", and insert in lieu thereof the word "may".

Amendment No. 7.

On page 2, line 45, of the printed bill, after the word "receive", insert the following: "one hundred and seventy-five dollars".

Amendment No. 8.

On page 2, line 46, of the printed bill, after the word "receive", insert the following: "one hundred and sixty-five dollars".

Amendment No. 9.

On page 2, line 47, of the printed bill, after the word "receive", insert the following: "one hundred and twenty-five dollars".

Amendment No. 10.

On page 2 of the printed bill, after line 50, add a new section as follows:
"SEC. 6. This act shall become effective January 1, 1936"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 704—An act to regulate and limit residential zones, subdivisions, districts and lots or plots, upon which it shall be permissible to erect buildings for human habitation, and an act preventing the erection of buildings for human habitation in subdivisions, districts, lots or plots, known to be in old river beds, water courses or in the path of possible flood streams or in flood stream areas, and repealing all acts and parts of acts in conflict with this act.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, after line 22, add the following:
"SEC. 4. Nothing in this act shall be construed to apply to or prohibit the sale or disposition otherwise of lands used or to be used primarily for agricultural purposes, which are protected from floods by dikes, levees, or other flood barriers"

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1833—An act to amend section 1 of "An act to regulate the construction of buildings in the State of California, in

respect to resistance to horizontal forces, providing penalties for the violation thereof, and providing that this act become effective immediately," approved May 26, 1933, relating to construction of buildings.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 10 to 14, inclusive, and insert in lieu thereof the following: "two (2) per cent of the total vertical design load or for the following applicable wind pressure on the vertical projection of the exposed surface the horizontal force used to be the one that produces the greatest stresses in the building: twenty (20) pounds per square foot on every portion thereof more than sixty (60) feet in height; fifteen (15) pounds per square foot on every portion thereof not more than sixty (60) feet in height."

Amendment adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 166—An act to amend section 1 of an act entitled "An act relating to the safety of design and construction of public school buildings, providing for regulation, inspection, and supervision of the construction, reconstruction or alteration of or addition to public school buildings and for the inspection of existing school buildings, defining the powers and duties of the State Division of Architecture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act to take effect immediately," approved April 10, 1933, relating to the building and work subject to the provisions of said act.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 6, of the printed bill, after the word "or", insert the following: ", if the estimated cost exceed two thousand ($2,000) dollars,".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 9 to 12, inclusive, and insert in lieu thereof the following: "tection of life and property as hereinafter provided."

Amendment No. 3.

On page 2 of the printed bill, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following: "or character whatsoever within the State."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Unfinished Business.

Reconsideration of House Resolution of Mr. Brennan.

House resolution by Mr. Brennan—Recommending prison terms of Warren K Billings and Thomas J Mooney be commuted.

In compliance with his notice given on a previous day, Mr. Minard moved that the vote whereby the House resolution by Mr. Brennan was adopted be reconsidered.

Demand for Previous Question.

Messrs. Lore, Pelletier, Geyer, Voigt and Heisinger demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion by Mr. Minard to reconsider the House resolution by Mr. Brennan.

Request for Roll Call.

On request of Messrs Reaves, Brennan, and Frazier, the Speaker ordered a roll call taken on the motion to reconsider.

The roll was called, and the motion was lost by the following vote:

AYES—Breed, Chatters, Corwin, Cunningham, Dawson, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Johnson, Lyon, Martin, Mayo, McBride, Miller, Minard, Nielsen, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Utt, Walker, Waters, Wright, and Mr. Speaker—33.

NOES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Clark, Cottrell, Cronin, Crowley, DeLap, Donahue, Flint, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Latham, Laughlin, Lore, Maloney, McCarthy, McMurray, Meehan, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Rosenthal, Thorp, Turner, Voigt, Wagner, Wallace, Weber, and Welsh—44.

Consideration of Senate Amendments to Assembly Bill No. 928.

Assembly Bill No. 928—An act to amend sections 4.280b and 4.281b of the School Code, relating to revolving funds of school districts for warehouse stock.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 928?

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out the following: "a revolving fund", and insert in lieu thereof the following: "revolving funds of school districts".

Amendment No. 2.

On page 1 of the printed bill, strike out all of lines 3 to 7, inclusive, and insert in lieu thereof the following:

"4 280b. The governing board of any elementary school district, high school district or junior college district may, if such school district maintains a stock of merchandise for school use, establish a revolving fund for budget control and stock accounting purposes, by adopting a resolution setting forth the necessity for such revolving fund, the purpose for which the fund shall be used and the amount thereof. Three certified copies of such resolution shall be submitted to the county superintendent of schools, who, if he approves the establishment of such a fund, shall indorse his consent upon such resolution, return one copy thereof to the governing board of the school district and transmit one copy to the county auditor.

Whenever two or more school districts have governing boards of identical personnel, said boards may, if such school districts maintain a stock of mer-".

Amendment No. 3.

On page 1, line 25, of the printed bill, strike out the word "and", and insert in lieu thereof the word "of".

Amendment No. 4.

On page 1 of the printed bill, strike out all of line 26, and insert in lieu thereof a period and the following: "Where a common revolving fund has been established for two or more school districts governed by governing boards of identical personnel, the amount thereof shall be determined as follows: The inventory of stores on hand of each school district at the time of the establishment of the fund, such stores having been paid for from school district funds and reported to the county superintendent of schools as such shall be the amount to constitute the revolving fund and each district shall retain such equity in the common fund The fund is".

Amendment No. 5.

On page 1 of the printed bill, strike out all of line 31, and insert in lieu thereof the following, "name or names of the school district or school districts establishing the fund.)"

The roll was called, and Senate amendments to Assembly Bill No. 928 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Robertson, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—71.

NOES—None.

Assembly Bill No. 928 ordered to enrollment.

Motion to Expunge Record.

Mr. Phillips moved that the vote taken this day on concurrence in the Senate amendments to Assembly Bill No. 930, as amended, be expunged from the record, and the action rescinded.

Motion carried unanimously.

Consideration of Governor's Veto to Assembly Bill No. 1863.

Assembly Bill No. 1863—An act to add a new section to the Political Code to be numbered 359e, to provide for leave of absence with pay to officers and employees of the State of California, when ill, and to empower the State Personnel Board to promulgate rules and regulations governing the same in so far as applicable to members of the civil service, and to empower appointing powers of such officers and employees to promulgate rules and regulations governing the same, in so far as applicable to officers and employees not members of the civil service.

Governor's veto pending.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Richie—1.

NOES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—63

Motion to Reconsider Assembly Bill No. 1618 Continued.

Mr. Evans, Ralph W., moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1618 was passed, be continued until the next legislative day.

Motion carried.

Motion to Reconsider Assembly Bill No. 1192 Continued.

Mr. Lyon moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1192 was refused passage, be continued until the next legislative day.

Motion carried.

Reconsideration of Assembly Bill No. 128.

Assembly Bill No. 128—An act to amend section 487 of the Penal Code, relating to grand theft.

In compliance with his notice given on a previous day, Mr. Utt moved that the vote whereby Assembly Bill No 128 was refused passage, be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J, Field, Flint, Frazier, Fulcher, Garibaldi, Gilmore, Heisinger, Latham, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Pelletier, Peterson, Peyser, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—54.

NOES—Anderson, Donihue, Evans, Ralph W., Geyer, Glover, Hunt, Jones, Laughlin, Maloney, Patterson, and Voigt—11.

Assembly Bill No. 128 ordered on file for third reading.

Consideration of Senate Amendments to Assembly Bill No. 1300.

Assembly Bill No. 1300—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, as amended, by amending sections numbered 4 01 relating to guarantee stock, 6.02 relating to withdrawals, 6.07 relating to investment certificates and shares, 8.09 relating to interest and dividends, 9.02 relating to investments and 9.04 relating to purchases, sales, transfers and pledges of loans; postponing the effective date of the amendment of section 6.02 of said act as set forth in section 5a of Chapter 431 of the Statutes of 1933; adding to said act new sections to be numbered 8 10 relating to rate of return on shares and investment certificates, 9 18 relating to insurance, loans, advances of credit and purchases of obligations pursuant to the National Housing Act, 10 03a relating to reserve or surplus accounts, 10 09 relating to reports, statements and analyses by the Building and Loan Commissioner and 12.11 relating to conversion of a building and loan association into a Federal savings and loan association and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to

vote for or approve such conversion, to exchange shares, stock, investment certificates or other rights or claims for shares issued by such Federal savings and loan association, and to continue to hold as a legal investment any shares so received; adding a new article to be numbered XVI to said act relating to the rehabilitation, readjustment or reorganization of one or more building and loan associations of the classes specified in such Article XVI, or of all or of any part of the business, properties and assets of such association or associations, or the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of and other persons interested in such association or associations, providing for the kinds of securities issuable in connection therewith and exempting such securities from certain provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Article XVI, to exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received; and declaring the urgency of this act and providing that it shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1300?

Amendment No. 1.

On page 14, line 37, of the printed bill, strike out the word "of", and insert in lieu thereof the word "or".

Amendment No. 2.

On page 18, line 49, of the printed bill, strike out the following: "com- and is feasible.", and insert in lieu thereof the following: "commissioner unless the commissioner is satisfied that the plan is fair and equitable and does not discriminate in favor of any class of investors, creditors or other persons affected thereby, and is feasible."

Amendment No. 3.

On page 2, line 13 of the title of the printed bill, as amended, after "loans", insert a comma and the following: "15.16 relating to borrowers' mutual building and loan associations".

Further consideration of Senate Amendments to Assembly Bill No. 1300 was deferred until two o'clock p.m. this day.

Recess.

At eleven o'clock and fifty-five minutes a.m., by order of the Speaker, the Assembly was declared at recess to hear a few remarks by Leo Carrillo.

Reassembled.

At eleven o'clock and fifty-five minutes a.m., the Assembly reconvened. Speaker Craig in the chair.

Withdrawal of Assembly Bill No. 673.

By order of the Speaker, Assembly Bill No. 673 was withdrawn from the file and referred to Committee on Insurance.

Recess.

At twelve o'clock and five minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until two o'clock p.m., of this day.

Reassembled.

At two o'clock p.m., the Assembly reconvened.
Speaker Craig in the chair.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Gilmore:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1935.

MR SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act accepting a retrocession of jurisdiction over the rights of way of the Golden Gate Bridge and Highway District through the Presidio of San Francisco Military Reservation and Fort Baker Military Reservation in Marin County.

Referred to Committee on Introduction of Bills.

By Mr. Scudder:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1935

MR SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows

An act granting to the city of Sausalito certain submerged and tidelands for street, sea wall and other public purposes

Referred to Committee on Introduction of Bills.

Reports of Standing Committees

The following reports of standing committees were received and read.

On Governmental Revenue and Expenditures.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1935

MR. SPEAKER: Your Committee on Governmental Revenue and Expenditures, to which was referred Assembly Bill No. 1550—An act to add section 32a to "An act creating a State Land Settlement Board, and defining its powers and duties, and making an appropriation in aid of its operations," approved June 1, 1917, as amended, and to ratify and confirm certain acts of the Director of Finance with respect to the disposition of properties at the Delhi State Land Settlement and Durham State Land Settlement—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

JONES, Chairman.

The above reported bill ordered on file for second reading

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1935

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1836—An act to amend section 622 of the Agricultural Code, relating to dairies and dairy products—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 767—An act to amend sections 2, 2½, 3, 4, 10, 13, 14, 18½ and 21 and to repeal sections 5 and 9 of the Old Age Security Act of the State of California, relating to aid to the aged—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1935

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No 2130—An act amending sections _____ of the Political Code, relating to county government—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

DELAP, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1935

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1304—An act to amend an act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores, and spotting, sponging, and/or pressing establishments, or agencies thereof, and private schools and colleges of spotting, sponging, and/or pressing; providing for the registration or licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violations," approved May 28, 1931—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LYON, Chairman.

The above reported bill ordered on file for second reading.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1935.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1219—An act to amend section 365e½ of the Political Code, relating to high-type paving;

Also: Assembly Bill No. 838—An act to amend the Streets and Highways Code, by adding to Division I thereof a new chapter, to be numbered 6, relating to proceedings to change the grade or to establish the boundaries of State highways, and other proceedings affecting private property;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

STREAM, Chairman

The above reported bills ordered on file for second reading.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1219—An act to amend section 365e½ of the Political Code, relating to high-type paving.

Bill read second time.

Floor Amendments.

During second reading of the bill, the following amendments were submitted by Mr. Turner:

Amendment No. 1.

On page 1 of the printed bill, in the title, strike out "365e½ of the Political Code, relating to high-type paving.", and insert in lieu thereof the following: "133 of the Streets and Highways Code, relating to the Department of Public Works".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1, 2 and 3, and insert in lieu thereof the following.

"SECTION 1. Section 133 of the Streets and Highways Code is hereby amended to read as follows:

133 As used in this section, the term "high-type paving" includes only asphalt concrete pavement and Portland cement concrete pavement as designed by the Division of Highways.

Whenever any high-type paving work is to be done by contract under the direction and control of the department, and such work is to be paid for in whole or in part with moneys coming out of the State highway fund, unless the department believes that the public interest will be subserved by specifying a particular type of pavement, the department shall cause to be prepared alternate plans and specifications contemplating the use of asphalt concrete pavement and Portland cement concrete pavement. The department shall then advertise and call for bids for the doing of such work based on the use of such alternate types of pavement and upon receipt of bids shall proceed to the award of a contract to the lowest qualified bidder, irrespective of the type of pavement upon which the low bid is submitted, unless all bids are rejected."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Motion to Rush Printing of Assembly Bill No. 1219, as Amended.

Mr. Martin moved that the Chief Clerk instruct the State Printer to rush printing of Assembly Bill No. 1219, as amended.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 106—An act to add section 3 54 to and to amend section 6.750 of the School Code, relating to activities of a seditious nature in connection with the public school system;

Also: Assembly Bill No. 1279—An act to amend section 3366 of the Political Code, relating to license taxes;

Also: Assembly Bill No. 2068—An act to provide for attorney's fees in suits to foreclose bonds or assessments of any special assessment district;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LYON, Chairman.

The above reported bills ordered on file for second reading.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1935

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 1019—An act to add a new section, to be numbered 13, to "An act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such boards; and to authorize such boards to appoint county foresters; and to prescribe the duties and fix the compensation of county forester, and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, lawns, shrubs and flowers, with relation to fire, diseases, pests, or any other dangers, of any nature, to the safety and encouragement of such growths," approved April 28, 1909, relating to ornamental trees and shrubs and to boards of forestry—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DELAP, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 58—An act to amend section 3631 of and to add section 3653.5 to the Political Code, relating to county assessor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

DELAP, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1935

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 71—An act to amend section 601 of the Code of Civil Procedure, relating to peremptory challenges in civil cases—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LYON, Chairman.

The above reported bill ordered on file for second reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 29, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on on this day adopted Assembly Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment of Article IV of the Constitution of the State, by adding section 31c thereto, relating to relief to assessment districts.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Constitutional Amendment No. 20 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 29, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 58—An act to add a new section to the Agricultural Code, to be numbered 318, relating to meat inspection, declaring the urgency hereof, to take effect immediately;

Also: Assembly Bill No. 65—An act granting certain tide and submerged lands of the State of California to the city of San Buenaventura, upon certain trusts and conditions;

Also: Assembly Bill No. 189—An act to add a new section to the School Code to be numbered 4.191, relating to the insuring under the Workmen's Compensation Laws of this State, of persons employed by county superintendents of schools to supervise or to give instruction in the public schools;

Also: Assembly Bill No. 485—An act to add section 3900a to the Political Code, relating to taxation, including motor vehicle fuel license tax delinquencies, penalties and costs, payment thereof in installments and declaring the urgency thereof, to take effect immediately;

Also: Assembly Bill No 756—An act to amend section 865 of the Fish and Game Code, relating to nets, and declaring the urgency hereof.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 58, 65, 189, 485 and 756 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 29, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1343—An act to repeal sections 2.21, 3.174, 3.301, 3.302, 3.306, 3.308, 3.309, 3.415 and 3.416 of the School Code, to amend sections 3.304 and 3.305 of said code, to add to Part I of Division III of the said code a new chapter to be known as Chapter VIII, and to add to said code a new section to be numbered 3.306, all relating to the attendance of pupils upon the public schools;

Also: Assembly Bill No. 1650—An act to amend sections 480, 481, 482, 483, 503, 505, 736, 737, 738 and 743 of the Vehicle Code, to repeal sections 502 and 739 of said code and to add sections 500, 501, 502, 506, 739, 743.5 and 743.6 to said code, relating to accidents involving motor vehicles, the duty of drivers of such vehicles to stop, render aid and give certain information, defining the crime of negligent homicide and prescribing penalties therefor, also relating to persons driving motor vehicles while under the influence of liquor or narcotic drugs, to the stealing or unlawful taking of motor vehicles, and the reckless driving of such vehicles, to the taking of persons arrested before magistrates, and the duties of arresting officers in connection with said persons, to the procedure to be followed where the person arrested is either taken before a magistrate or is given a notice to appear in court, to changes of venue in prosecutions for violations of said code, and to the procedure to be followed upon the arrest of all persons violating said code;

Also: Assembly Bill No. 1784—An act to add section 675.5 to the Vehicle Code, relating to glass;

Also: Assembly Bill No. 1880—An act to amend sections 5.930 and 5.931 of the School Code, both relating to balances due deceased recipients of annuities from the public school teachers' retirement salary fund;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1343, 1650, 1784 and 1880 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 90—An act to add Chapter 3 to Division III of the Agricultural Code, to consist of sections 430 to 433, inclusive, relating to ownership or control of stockyards by packers;

Also: Senate Bill No. 118—An act relating to the registration of vessels and requiring a tax clearance as the prerequisite for registration;

Also: Senate Bill No. 393—An act to amend section 692 of the Code of Civil Procedure, relating to giving notice of sales under execution;

Also: Senate Bill No. 432—An act to amend section 859 of the Civil Code, relating to trusts;

Also: Senate Bill No. 485—An act to amend sections 12350, 12352, 12353, 12355, 12356, and 12357 of the Insurance Code, relating to title insurers;

Also: Senate Bill No. 828—An act to amend section 2737 of the Political Code, relating to bridges and highways.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 90 read first time, and referred to Committee on Live Stock and Dairies.

Senate Bill No. 118 read first time, and referred to Committee on Commerce and Navigation.

Senate Bills Nos. 393 and 432 read first time, and referred to Committee on Judiciary.

Senate Bill No. 485 read first time, and referred to Committee on Insurance.

Senate Bill No. 828 read first time, and referred to Committee on Roads and Highways.

Also:

SENATE CHAMBER, SACRAMENTO, April 29, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 32—Relative to adjournment sine die.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Concurrent Resolution No. 32 read first time, and referred to Committee on Rules.

Also:

SENATE CHAMBER, SACRAMENTO, April 29, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 17—Relative to memorializing the President and the Congress of the United States to enact S. B. 626 and H. R. 6909, which bills are proposed to aid the position of hop growers.

J. A. BEEK, Secretary of Senate.

Request for Unanimous Consent.

Mr. Scudder asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 17, at this time, without reference to committee or file.

Senate Joint Resolution No 17—Relative to memorializing the President and the Congress of the United States to enact S. B. 626 and H R. 6909, which bills are proposed to aid the position of hop growers.

Senate Joint Resolution No. 17 read.

Mr. Scudder moved the adoption of Senate Joint Resolution No. 17.

The question being on the adoption of Senate Joint Resolution No 17.

The roll was called, and Senate Joint Resolution No. 17 adopted by the following vote:

AYES—Anderson, Brennan, Burns, Cassidy, Cronin, Crowley, Cunningham, Dawson, Donnelly, Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Geyer, Glover,

Johnson, Jones, Laughlin, Lore, Maloney, Martin, McBride, Miller, Minard, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Wagner, Walker, Wallace, Waters, Weber, and Mr. Speaker—44.

NOES—None

Title read and approved.

Senate Joint Resolution No. 17 ordered transmitted to the Senate.

Senate Joint Resolution No. 17.

Relative to memorializing the President and the Congress of the United States to enact S. B. 626 and H R 6909, which bills are proposed to aid the position of hop growers.

WHEREAS, The State of California has over 8000 acres now planted to hops which produced in the year 1934 approximately 61,414 bales of hops or in the excess of 12,282,800 pounds of hops and expended in excess of $1,500,000 for labor; and

WHEREAS, The hop industry is now demoralized by low prices far below the cost of production and the hop growers of the States of Oregon, Washington and California have asked that hops be made a basic commodity under the Agricultural Adjustment Act; and

WHEREAS, S B. 626 and H. R. 6909 were introduced at this session of Congress and said bills if passed will greatly improve the position of hop growers; and

WHEREAS, The hop industry is in great need of protection at this time; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the President and Congress of the United States are hereby respectfully urged to enact the legislation proposed by S. B. 626 and H. R. 6909 as speedily as possible; and be it further

Resolved, That the Secretary of the Senate of the State of California send copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and member of the House of Representatives from California in the Congress of the United States, and that such Senators and members from California be urged to support such legislation.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1935.

MR SPEAKER: Your committee on Engrossment and Enrollment has examined Assembly Bill No. 987—An act to amend the Penal Code by amending sections 1192a, 1202a, 1217, 1572, 1574, 1581, 1583, 1584, 1585, 1587, 1590, 1591, 1592, 1593, and 1595 thereof, repealing sections 1168, 1573, 1575, 1576, 1577, 1578, 1580, 1582, 1586, 1594, and 1596 thereof, and adding sections 1168.1 to 1168.11, inclusive, 1571.1 to 1571.5, inclusive, 1576, 1577.1 to 1577 5, inclusive, 1578, 1580, 1582.1, 1582.2, 1586, 1586 5, 1594, and 1596 thereto, all relating to State prisons and similar institutions, their government, and the imprisonment, parole, and discharge of the inmates thereof, repealing certain laws relating to the same subject, and declaring when this act shall go into effect.

Also: Assembly Bill No. 2045—An act to amend section 14a of the California Irrigation District Act;

And reports that the same have been correctly engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your committee on Engrossment and Enrollment has examined Assembly Bill No. 673—An act to add section 1681 to the Insurance Code, relating to insurance of property in which an agent, broker or solicitor has an interest;

Also: Assembly Bill No. 1067—An act to amend section 1007 of the Civil Code, relating to title by prescription and adverse possession against the State, counties, cities and counties or municipal corporations thereof;

Also: Assembly Bill No. 2077—An act to amend section 1065 of the Fish and Game Code, relating to sardines,

Also: Assembly Bill No. 2122—An act to postpone proceedings to enforce the lien, or any guaranty in connection therewith, arising out of the levy of any special assessment or special assessment tax, or arising out of the issuance of any special assessment bond, or ad valorem district bonds or direct assessment district bonds, levied or issued to pay the cost of the improvement or acquisition of property for

public purposes, declaring the urgency thereof, and providing that it shall take effect immediately;
And reports that the same have been correctly re-engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Further Consideration of Senate Amendments to Assembly Bill No. 1300.

The question being put: Shall the Assembly concur in the Senate amendments to Assembly Bill No. 1300?

The roll was called, and Senate amendments to Assembly Bill No. 1300 were concurred in by the following vote:

AYES—Boyle, Breed, Brennan, Chatters, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Field, Fisher, Fulcher, Garibaldi, Gilmore, Hornblower, Hunt, Johnson, Kallam, Latham, Lyon, Maloney, Martin, McBride, Meehan, Miller, Minard, Nielsen, O'Donnell, Peterson, Peyser, Redwine, Riley, Robertson, Scudder, Stream, Walker, Welsh, Williamson, Wright, and Mr Speaker—41.

NOES—Anderson, Burns, Cassidy, Clark, Crowley, Donnelly, Evans, Ralph W., Flint, Geyer, Glover, Hawkins, Heisinger, Jones, Laughlin, Lore, Mayo, McCarthy, Morgan, Pelletier, Phillips, Reaves, Richie, Turner, Voigt, Wagner, Wallace, Waters, and Weber—28.

Assembly Bill No 1300 ordered to enrollment

Explanation of Vote on Assembly Bill No. 1300.

I had every intention of concurring in the Senate amendments to Assembly Bill No. 1300, and my negative vote was due to a misunderstanding of the question.

GEOFFREY F. MORGAN.

Reconsideration of Assembly Bill No. 2036 Continued.

Assembly Bill No 2036—An act to add section 526a to the Political Code, relating to State printing

In compliance with his notice given on a previous day, Mr Heisinger moved that the vote whereby Assembly Bill No. 2036 was refused passage be reconsidered.

The roll was called

Call of the House.

Pending the announcement of the vote, Mr. Heisinger moved a call of the House.

Motion carried.

Time, three o'clock p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Reaves, Richie, Riley, Robertson, Rosenthal, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—71.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent. Unfinished Business—(Resumed).

Consideration of Senate Amendments to Assembly Bill No. 314.

Assembly Bill No. 314—An act to amend sections 2.203 and 2.204 of the School Code and to add a new section to said code to be numbered 2.314, all relating to the formation of elementary school districts.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 314?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out the comma, *and insert in lieu thereof the following:* "and to add a new section to said code to be numbered 2.314, all".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, as amended, strike out the word "joint".

Amendment No. 3.

On page 1, line 22, of the printed bill, as amended, after said line 22, insert the following:

"SEC 3. A new section is hereby added to the School Code to be numbered 2.314, and to read as follows:

2.314. A new elementary school district may be formed in whole or in part from territory lying within a union or joint union elementary school district. Territory lying within a union or joint union elementary school district when formed in whole or in part into a new elementary school district shall thereupon cease to be a part of such union or joint union elementary school district."

The roll was called, and Senate amendments to Assembly Bill No. 314 were concurred in by the following vote:

AYES—Boyle, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J, Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Thorp, Turner, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 314 ordered to enrollment.

Notice of Reconsideration of Concurrence in Senate Amendments to Assembly Bill No. 1300.

Mr. Geyer gave notice that on the next legislative day he would move to reconsider the vote whereby the Senate amendments to Assembly Bill No. 1300 were concurred in.

Point of Order.

Mr. Utt arose to the following point of order: Stating that Mr. Geyer did not vote with the prevailing side on the motion to concur in the Senate amendments to Assembly Bill No. 1300.

Ruling by the Speaker.

The Speaker ruled the point of order well taken.

Request for Unanimous Consent.

Mr. Welsh asked for, and was granted, unanimous consent to take up Senate Bill No. 895 at this time, without reference to file

Third Reading of Senate Bill No. 895.

Senate Bill No 895—An act to add Chapter 10a, comprising sections 11400 to 11407, to Part 2 of Division 2 of the Insurance Code, relating

to life, disability, and life and disability insurance by, and the organization of, firemen's, policemen's or peace officers' benefit and relief associations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 895 finally passed by the following vote:

AYES—Anderson, Boyle, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—68.

NOES—Evans, Ralph W.—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills.

Assembly Constitutional Amendment No. 39—A resolution to propose to the people of the State of California, an amendment to Article IV of the Constitution of the State, etc., by amending section 31 thereof, relating to paying the principal and interest on bonds issued by city, county, city and county, district or other political subdivision whose funds are in the custody of the treasurer of any city, county, or city and county.

Assembly Constitutional Amendment No 39 read.

Mr Redwine moved the adoption of Assembly Constitutional Amendment No. 39.

The question being on the adoption of Assembly Constitutional Amendment No. 39.

The roll was called, and Assembly Constitutional Amendment No. 39 adopted by the following vote:

AYES—Anderson, Boyle, Brennan, Burns, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Assembly Constitutional Amendment No. 39 ordered transmitted to the Senate.

Assembly Constitutional Amendment No 42—A resolution to propose to the people of the State of California, an amendment to Article XIII of the Constitution of the State, by amending section 9a thereof, relating to computation, refunding and collection of excess and deficiency taxes on unsecured real property.

Assembly Constitutional Amendment No. 42 read.

Mr. Redwine moved the adoption of Assembly Constitutional Amendment No. 42.

The question being on the adoption of Assembly Constitutional Amendment No. 42.

The roll was called, and Assembly Constitutional Amendment No. 42 adopted by the following vote:

AYES—Anderson, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—69.
NOES—None.

Title read and approved.

Assembly Constitutional Amendment No. 42 ordered transmitted to the Senate.

Assembly Bill No. 1651—An act to amend the Vehicle Code by amending sections 618, 621, 623, 625, 633, 634, 635, 637, 639, 640, and 670; to renumber section 663 to be section 664; to repeal Chapter 4 of Division X embracing sections 645 to 658 inclusive, sections 661, 662 and 677; to add sections 623.5, 638, a new Chapter 4 to Division X, embracing sections 645 to 656 inclusive, 660, 661, 662, and 663, relating to vehicles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1651 passed by the following vote:

AYES—Anderson, Boyle, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—64.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 99—An act to add a new section to the Code of Civil Procedure to be known as section 1872 thereof, relating to and providing for requiring persons bringing actions for damages for personal injuries to submit to an examination of their persons.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Peyser:

Amendment No. 1.

On page 1, line 15, of the printed bill, after the period at the end of said line, add a new sentence as follows: "Provided that if the order of said court be not complied with, the party so failing to comply shall be precluded from introducing any evidence relative to any such injuries."

Amendment adopted.

Request for Unanimous Consent.

Mr. Peyser asked for, and was granted, unanimous consent to take up Assembly Bill No. 99, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 99, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 99, as amended, passed by the following vote:

AYES—Anderson, Boyle, Cassidy, Chatters, Clark, Cottrell, Cronin, Cunningham, Desmond, Evans, Herbert J., Field, Fisher, Fulcher, Glover, Heisinger, Hornblower Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, Meehan, Miller, Morgan, O'Donnell, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, and Mr. Speaker—46

NOES—Andreas, Brennan, Burns, Corwin, Crowley, Dawson, Donihue, Donnelly, Flint, Geyer, Gilbert, Hawkins, Hunt, Jones, Minard, Patterson, Phillips, Robertson, Welsh, and Williamson—20.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 819—An act to amend sections 2167, 2167a, 2169, 2172 and 2175 of, to repeal sections 2168, 2170, 2171 and 2185c of, and to add new sections numbered 2168, 2171 and 2185c to the Political Code, relating to persons mentally disordered or otherwise incompetent.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 819 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Glover, Heisinger, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, McBride, Miller, Morgan, Nielsen, O'Donnell, Phillips, Reaves, Redwine, Riley, Robertson, Stream, Thorp, Utt, Voigt, Walker, Waters, Weber, Welsh, Wright, and Mr Speaker—44.

NOES—Brennan, Burns, Cassidy, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Geyer, Gilmore, Hawkins, Hornblower, Hunt, Johnson, Laughlin, Mayo, McCarthy, McMurray, Meehan, Minard, Patterson, Pelletier, Peyser, Richie, Rosenthal, Wagner, Wallace, and Williamson—29.

Title read and approved.

Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the House Dispensed With.

At four o'clock and fifteen minutes p m., further proceedings under the call of the House were dispensed with, on motion of Mr. Heisinger

The roll of absentees was called, and the motion to reconsider Assembly Bill No. 2036 was carried by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Cassidy, Clark, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W , Fisher, Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Johnson, Laughlin, Lore, Lyon, McCarthy, McMurray, Meehan, Miller, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Robertson, Rosenthal, Thorp, Turner, Voigt, Wagner, Waters, Weber, and Welsh—45

NOES—Burns, Chatters, Corwin, Cottrell, DeLap, Evans, Herbert J., Field, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Hunt, Jones, Latham, Maloney, Martin, Mayo, McBride, Minard, Morgan, Nielsen, Redwine, Riley, Scudder, Utt, Walker, Wallace, Williamson, Wright, and Mr. Speaker—31.

Assembly Bill No. 2036 ordered on file for third reading.

Adjournment.

At four o'clock and twenty minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a m., Wednesday, May 1, 1935

CHARLES H ERB, Minute Clerk

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, May 1, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Latham, its further reading was dispensed with.

Leave of Absence.

On motion of Mr. Wallace, Mr Richie was granted leave of absence for this day.

Privilege of Floor of Assembly Extended.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the principal and pupils of the Denair public school, Denair, California, as follows: Louis C. Forbes, principal, and Abraham Lilly, Grace Andersen, Mary Benthum, Grace Johnson, Betty Scott, Jeannette Stephenson, Vicenta Vasquez, Nettie White, Clayton Cedarwall, Earl Clark, Ivan Doerksen, Dallas Fisher, Kenneth Grimm, Stanton Mesenbrink, Albert Lawrence, Brent Johnson, John Ohanis and Theodore Wall, eighth grade pupils.

On request of Messrs. O'Donnell and Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the teacher and students of the government class of the Winters Joint Union High School as follows: Miss Bonnie George, teacher, and Jack Vasey, Charlotte Carrando, Millicent Burge, Paul Gwartney, Thelma Schlofski, Bill Duncan, Nobuko Asai, Mildred Clark, Charlie Russell and Barbara Jean Merchant, students.

On request of Mr. Nielsen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the teacher and pupils of the Stanford Junior High School as follows: Miss Johnson, teacher, and Catherine Argante, Chriss Bassy, Jean Burgess, Madelyn Burman, Lois Costello, Betty Cross, Douglas Curry, Christine Damiano, Eugene Edgecomb, Billy Eppling, Kenneth Forshay, Harry Fristoe, Warren Gaddie, Robert Gibbons, Guy Howard, Myra Jubb,

Earl Manzitto, Alice Markham, Tony Martin, George Matranga, Vernon Mitchell, Gertrude Nelson, Lillian Overstreet, Florence Phillips, Ross Powers, Norman Rasmussen, Charles Robertson, Billy Rogers, Lorraine Savage, Lewis Stites and Adaline Stockdell, pupils.

On request of Mr. Flint, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. H. Don Bailey, secretary-treasurer of Associated Master Barbers of America, Chapter 141.

On request of Mr. Martin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr C. Brooks Fry, attorney of Pasadena, and Mr. and Mrs. Kenneth E. Marshall of Beverly Hills.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Federated Housing League, Inc, indorsing all bills now before the Legislature regarding a broad mortgage moratorium.

From Marvin Curtis Willyard, relative to signature to a petition to amend Compensation Act of California.

From Civic Leaders Club of Los Angeles, opposing any legislation legalizing gambling.

From Retired Teachers' Association, East Bay Division, Oakland, California, approving passage of Assembly Bill No. 794.

From Veterans of Foreign Wars of San Francisco, relative to officers responsible either through error or neglect of duty in a recent hanging in San Quentin Prison.

ASSISTANT CLERK OLIVER READING.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1200—An act requiring the licensing of certain vehicles used for the transportation of persons or property in this State, defining such vehicles, providing for the imposition, collection, and distribution of license taxes for the privilege of operating such vehicles in this State, making appropriations for the purposes of this act, prescribing penalties for the violation of this act, repealing an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle, and provided that this act shall take effect immediately," approved May 15, 1933, subject to certain conditions,

Also: Assembly Bill No 1395—An act to amend sections 5.1100, 5 1101, 5 1110, 5 1120, 5.1121, 5 1122, 5.1132, 5 1135, 5.1136, 5.1138 of the School Code, relating to the retirement of teachers and employees by school districts, and to add a new section to be numbered section 5 1139 to the School Code;

Also: Assembly Bill No. 2008—An act to amend section 13 of the Public Utilities Act, relating to public utility charges;

Also Assembly Bill No. 1979—An act to amend sections 851, 852 and 855 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 18, 1883, relating to city officers;

And reports that the same have been correctly engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1516—An act to amend sections 6 240, 6 251, 6 252, 6 260, 6.262, 6 263, 6 264, 6 265, 6 270, 6 274, 6.275, 6.291, 6 292, 6 294, 6 295, 6.296, 6 300, 6.301, 6 305, 6 307, 6 320, 6 322, 6 330 6.332, 6 340, 6 341 of the School Code and

to repeal Article VI of Chapter III of Part II of Division VI thereof, relating to supplementary textbooks, declaring the urgency thereof and providing that this act shall take effect immediately;

Also: Assembly Bill No. 2092—An act to amend section 4935 of the Fish and Game Code, and to add thereto section 7415, relating to fish;

Also: Assembly Bill No. 2102—An act providing for the formation of nonprofit membership corporations to be known as electric membership corporations; authorizing such corporations to sell and distribute energy to the inhabitants of the State at the lowest cost consistent with sound economy and the prudent management of the business of such corporations; authorizing such corporations to construct or otherwise acquire, own, operate, maintain, extend and improve works, plants and systems for the production, transmission or distribution of energy; authorizing such corporation to exercise the right of eminent domain and otherwise providing for the rights, powers and duties of such corporations; authorizing and regulating the issuance of revenue obligations by such corporations and providing for the payment of such obligations and the rights of the holders thereof, and providing that this act shall take immediate effect;

And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2386—An act to add Chapter 8 to Division VI of the Agricultural Code, relating to the marketing of milk and other dairy products—and reports that the same has been correctly re-re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1935.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 246—An act for the regulation and control of corporations organized for the purpose of operating nonprofit hospital service plans—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

CRONIN, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 1302—An act to amend sections 2, 3, 7, 12 and 18 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to pharmacy—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

CRONIN, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 409—An act to amend section 953a of the Code of Civil Procedure, relating to transcript on appeal, stenographic reporter and filing of transcript;

Also Assembly Bill No. 1774—An act to amend the title and section 3e and to amend and to renumber section 20k of, and to add sections 19a, 19b, and 20*l* to the California Real Estate Act, relating to the regulation and licensing of real estate brokers and salesmen, and to the inspection and regulation of subdivisions, to provide for the enforcement of said act and penalties for the violation thereof;

Also: Assembly Bill No. 1848—An act to amend section 1468 of the Penal Code, relating to a statement on appeal;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

LYON, Chairman.

The above reported bills ordered on file for second reading

On Libraries.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1935

MR SPEAKER: Your Committee on Libraries, to which was referred Assembly Bill No. 958—An act to amend section 4190 of the Political Code, relating to establishment and government and the creation of a fund for law library—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HUNT, Chairman

The above reported bill ordered on file for second reading.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1935.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 47—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Article X thereof, relating to prisons and paroles—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LATHAM, Chairman.

Assembly Constitutional Amendment No 47 ordered on file for adoption.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1935

MR SPEAKER Your Committee on Agriculture, to which was referred Assembly Bill No. 1216—An act to amend section 818 of the Agricultural Code, relating to potatoes—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

PHILLIPS, Chairman

The above reported bill ordered on file for second reading.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1935.

MR SPEAKER: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No 18—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XIII thereof, a new section to be numbered 17, relating to the power of the Legislature to provide for the borrowing of money to meet appropriations, in anticipation of the collection of taxes and revenues—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LATHAM, Chairman.

Senate Constitutional Amendment No. 18 ordered on file for adoption.

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1935.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Senate Bill No. 820—An act to amend sections 2 and 13 of the State Medical Practice Act, relating to taxes and registration fees, and to reciprocity certificates—has had the same under consideration, and respectfully reports the same back, *and recommends that it do pass*

CRONIN, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER. Your Committee on Medical and Dental Laws, to which was referred Senate Bill No. 155—An act to amend section 10 of the State Medical Practice Act, approved June 2, 1913, as amended, relating to courses of study required *of applicants for certification under said act*—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

CRONIN, Chairman.

The above reported bill ordered on file for second reading.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1935.

MR SPEAKER Your Committee on Agriculture, to which was referred Senate Bill No. 96—An act to amend sections 1081, 1082, 1083, 1085, 1087, 1088, 1089,

1090 and 1091 of, and to add sections 1081 1, 1083 1, 1083.3 and 1083.5 to the Agricultural Code, relating to commercial feeding stuffs—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 915—An act to amend sections 1 to 25 inclusive of, and add new sections to be numbered 18 1, 19.1, 22.5, 25.1, 27 and 28 to, and to repeal section 26 of an act entitled "An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission; prescribing the powers, duties and authority of said commission and the members thereof; providing for the institution of proration programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs, providing for the creation of funds for the purposes of said act and providing for the collection thereof, approved June 5, 1933, relating to serving agricultural wealth, prevention of economic waste and providing for the Agricultural Prorate Commission—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No 1480—An act to amend sections 137 and 140 of the Agricultural Code, relating to pest control and abatement—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1243—An act to amend sections 828 and 829 of the Agricultural Code, relating to fruits, nuts and vegetables—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 18—An act relating to tare allowances on fruit, grain, and wool sold in bags—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 353—An act to establish legislative standards in relation to the rehabilitation of agriculture and the regulation of producers, packers, distributors, shippers, marketers, handlers, processors and others dealing in agricultural, viticultural and horticultural products and of any competing commodity or product thereof; to recognize, make effective and provide for the enforcement in this State of marketing agreements and licenses issued or prescribed by the Secretary of Agriculture of the United States under the National Agricultural Adjustment Act, being Public Act No. 10 of the Seventy-third Congress of the United States; to provide for the issuance, administration and enforcement of State marketing agreements and State licenses in connection therewith; to prescribe the powers, duties and jurisdiction of the State Director of Agriculture in relation thereto; to provide that said State and Federal marketing agreements and licenses shall be and establish standards of fair competition in this State; to suspend all antitrust and

unfair competition laws of this State in conflict herewith and therewith, to repeal Chapter 1029 of the Statutes of 1933; to prescribe remedies, rights, duties and penalties with respect to violations hereof and thereof; to provide ways, means and moneys for the administration and enforcement of said State and Federal marketing agreements and licenses; to declare the existence of a State and National agricultural emergency and the urgency of this act and that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No 464—An act to amend section 820 of the Agricultural Code, relating to tomatoes—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER Your Committee on Agriculture, to which was referred Assembly Bill No. 895—An act to add a new chapter, to be numbered 1a, to Division V of the Agricultural Code, relating to the standardization of tomatoes—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading.

Report of Select Committee.

The following report of Select Committee was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1935.

MR. SPEAKER: Your Select Committee, to which was referred Assembly Bill No 2136—An act relating to the relief of debtors and guarantors, and permitting postponement of foreclosures and sales under mortgages, deeds of trust, or contracts of purchase of real property, or postponement of forfeitures and terminations under such contracts of purchase repealing Chapter 7, Statutes of 1935, declaring the urgency thereof, and providing that it shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

LYON, Chairman.

Second Reading of Assembly Bill No. 2136.

Assembly Bill No. 2136—An act relating to the relief of debtors and guarantors, and permitting postponement of foreclosures and sales under mortgages, deeds of trust, or contracts of purchase of real property, or postponement of forfeitures and terminations under such contracts of purchase, declaring the urgency thereof, and providing that it shall take effect immediately.

Floor Amendments.

During second reading of the bill, the following amendments were submitted by Mr. Jones:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out the entire title, and insert in lieu thereof the following:

"An act relating to the relief of debtors and guarantors; permitting postponement of sales conferred by mortgages, deeds of trust, or contracts of purchase of real property, or chattels attached to real property, or postponement of forfeitures and terminations under such contracts of purchase, or extensions of periods for redemption, or reduction of moneys to be paid on redemption; regulating the appointment of receivers in certain cases; repealing Chapter 1, Statutes of the Extra Session of 1934, and Chapter 7 of the Statutes of 1935; declaring the urgency hereof, and providing that it shall take effect immediately"

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 1 to 18, inclusive, and strike out all of pages 2 to 7, inclusive, and insert in lieu thereof the following:

"SECTION 1 A large proportion of the real property in this State is held subject to mortgage or deed of trust or under contract of purchase, and many owners and purchasers thereof are finding it extremely difficult or impossible, because of present economic conditions, to meet their obligations to retain their property. Prices for farm products are at present so low and unemployment in industry and business is so widespread, that farmers and wage earners, and those who do business with them, have as a class lost a considerable part of their income, and large numbers of such individuals have no income or scarcely enough for food and other necessities.

The value to the State of a large body of owners of land is inestimable, as such owners have a vital interest in the State and its welfare, and participate in governmental affairs to such an extent and in such a way that they constitute an essential factor in the political and economic life of the State.

If steps are not taken immediately to permit delay of sales under mortgages, deeds of trust, and contracts of purchase, and forfeitures and terminations under contracts of purchase, a large number of owners of real property will be forced to abandon their interests in their property.

An emergency therefore exists, and it is necessary to provide for the permitting of delays of sales under mortgages, deeds of trust, and contracts of purchase, or of forfeitures and terminations under contracts of purchase.

In making provisions permitting such delays the greatest care must be taken to prevent an economic result contrary to the purpose of moratoria legislation. Undue restrictions upon, and extended postponements of, the remedies of owners of mortgages, deeds of trust and contracts of purchase must, of necessity, result both in a material lessening of the loan value of the property of the State and of the value to the property owners of their equity over and above encumbrances, and also in the inability of property owners to refinance their obligations on favorable terms. Such results can not but impair the financial stability and prevent the financial rehabilitation of property owners of the State, and must eventually precipitate an unduly large number of foreclosures, sales and forfeitures. The conflicting economic principles involved in moratoria legislation and the inestimable value to the State, not only of a large body of landowners but also of the existence of sound property values, requires at this time a statement of the policy of this Legislature to be that relief by moratoria legislation should not be extended beyond the periods prescribed by this act, and although such policy will not be binding upon the succeeding Legislatures it may, nevertheless, serve as a recommendation

With these considerations in view, the following provisions are intended to permit such delays and such safeguards to the interests of creditors affected thereby as are required by the present emergency.

SEC. 2. At any time within thirty days from and after the recording of notice of default under section 2924 of the Civil Code, but not later than November 1, 1936, the trustor under any deed of trust upon real property, or upon chattels attached to real property, or the mortgagor under any mortgage upon real property, or upon chattels attached to real property, conferring the power of sale, may file a petition in the superior court of the county in which such real property, or chattels attached to real property, or the major portion thereof, is situated, praying for an order postponing the sale of such property under the power of sale conferred by such deed of trust or such mortgage.

SEC. 3 A copy of such petition shall be served upon the trustee and the beneficiary under such deed of trust, or upon the mortgagee under such mortgage, as the case may be, in the manner provided by law for the service of summons in a civil action.

A notice of pendency of such petition shall immediately be recorded in each county in which any of such property is situated, and on the day of such recordation a copy thereof shall be mailed, postage prepaid, from a post office within this State, addressed to such trustee and beneficiary, or such mortgagee, as the case may be, at their respective places of residence, if known to petitioner, if not, then at the county seat of the county, or at the city and county, where the proceeding is pending.

Such notice of pendency shall state the name of the petitioner, the nature of the petition, and the book and page of the records of the county recorder in which the mortgage or deed of trust is recorded.

SEC. 4 Upon application of the petitioner, after service of such petition, or upon application of any other interested party after the filing of the petition, a hearing shall be had thereon within twenty days after such application, upon such notice as the court shall reasonably prescribe; provided, however, that the court, if it finds equitable grounds therefor, may postpone such hearing for not to exceed ten days

After the filing of such petition and the recording and mailing of the notice of the pendency thereof, as provided in sections 2 and 3 of this act, no sale under the power of sale conferred by such deed of trust or such mortgage shall be held until the court makes its order in the matter, but nothing herein contained shall prevent such sale at any time after February 1, 1937.

SEC. 5 Upon such hearing the court may make its order, if it finds equitable grounds for relief, ordering that such sale shall not be held until after such date as the court considers just and equitable, but in no event shall such date be beyond February 1, 1937, or may make its order dismissing such proceedings.

If the court orders the sale postponed it shall determine the reasonable value of the income from such property, or if the property has no income, then the reasonable rental value of such property, or if the property is unimproved, a reasonable sum to be paid by the trustor or mortgagor as determined by the court, and by such order shall require the trustor or mortgagor to pay all or at least a reasonable part of such income, rental value, or sum so determined by the court, in or toward the payment of taxes, insurance, interest, or principal of the indebtedness at such times and in such manner as are determined to be just and equitable under the circumstances.

SEC. 6. The court must include in such order provisions requiring maintenance and repair by the trustor or mortgagor, regulating the disposition of any income from the property and such other provisions as it deems just and equitable for the protection of the security, but in no event shall the court order the payment by the trustor or mortgagor of a lesser sum than necessary to pay (a) current taxes, (b) all delinquent taxes, except that such taxes may be paid in installments as may be provided by law, and (c) any insurance premiums required to be paid by the debtor under the contract between the parties.

SEC 7. When any mortgage or deed of trust upon real property, or upon chattels attached to real property, has been foreclosed, and the property covered thereby has been sold in whole or in part under decree of foreclosure, and the period of redemption has not yet expired, the mortgagor or trustor thereof, having the right of redemption, may at any time not later than November 1, 1936, file a petition in the superior court of the county in which the property so sold or the major portion thereof is situated, praying for an order extending such period of redemption

SEC 8 A copy of such petition shall be served upon the purchaser of such property at the foreclosure sale, or, if there has been a redemption, upon the last redemptioner, in the manner provided by law for the service of summons in a civil action

A notice of pendency of such petition shall immediately be recorded in each county in which any of such property is situated, and, on the day of such recordation, a copy thereof shall be mailed, postage prepaid, from a post office within this State, addressed to such purchaser or last redemptioner, as the case may be, at his place of residence, if known to petitioner, if not, then at the county seat of the county, or at the city and county, where the proceeding is pending.

Such notice of pendency shall state the name of the petitioner, the nature of the petition, and the book and page of the records of the county recorder in which the mortgage or deed of trust is recorded

SEC 9. Upon application of the petitioner after service of such petition, or upon application of any other interested party, after the filing of the petition, a hearing shall be had thereon within twenty days after such application, upon such notice as the court shall reasonably prescribe; provided, however, that the court, if it finds equitable grounds therefor, may postpone such hearing for not to exceed ten days

Upon the filing of such petition and the recording and mailing of the notice of pendency thereof as provided in sections 7 and 8 of this act, the period of redemption, if such period would sooner terminate, shall be extended until ten days after the court makes its order in the matter, but in no event beyond February 1, 1937

SEC 10 Upon such hearing the court may make its order, if it finds equitable grounds for relief, extending such period of redemption for such additional time as the court considers just and equitable, but in no event beyond February 1, 1937, or may make its order dismissing such proceeding.

If the court by its order extends the period of redemption, it shall determine the reasonable value of the income from such property, or if the property has no income then the reasonable rental value of such property, or if the property is unimproved, a reasonable sum to be paid by the trustor or mortgagor as determined by the court.

The court shall require the trustor or mortgagor to pay all or at least a reasonable part of such income, rental value, or sum so determined by the court, in or toward the payment of taxes upon such property, the cost of insurance and the sums to which the purchaser of such property at such foreclosure sale, or the last redemptioner as the case may be, is entitled under the provisions of section 707 of the Code of Civil Procedure, at such times and in such manner determined to be just and equitable under the circumstances.

SEC. 11. The court must include in such order provisions requiring maintenance and repair by the trustor or mortgagor, regulating the disposition of any income from the property, and such other provisions as it deems just and equitable for the protection of the interest of the purchaser or last redemptioner, as the case may be

In no event shall the court order the payment by the trustor or mortgagor of a lesser sum than the greater of (1) the amount of such reasonable value of the income, or such reasonable rental value, or such reasonable sum so determined by the court, or (2) a sum sufficient to pay (a) current taxes, (b) all delinquent taxes, except that such taxes may be paid in installments as provided by law, and

(c) a sum reasonably necessary for fire and other insurance upon any improvement upon such property

SEC. 12. Any sums paid to a purchaser or redemptioner pursuant to sections 10 or 11 of this act shall be a credit upon the redemption money to be paid as provided in section 707 of the Code of Civil Procedure, but in the event no redemption is made, the same shall belong to such purchaser or redemptioner

Upon finding equitable grounds for such relief, the court, in the order extending the period of redemption, may provide that if the property so sold is redeemed by the petitioner within the period of redemption as extended by such order, but not later than February 1, 1937, the amount to be paid by the petitioner on such redemption shall be reduced by such sum as the court finds to be just and equitable under the circumstances, not exceeding in any event five-twelfths of one per cent of the amount of the purchase made by the purchaser at the foreclosure sale for each month between either the foreclosure sale or the effective date of this act, whichever is later, and such redemption

SEC. 13. Nothing in this act shall be construed as abridging or limiting the statutory right of redemption provided in sections 701, 702, 703, 704, 705, 706 and 707 of the Code of Civil Procedure, or as shortening the period of redemption as therein provided, or as altering the mode or procedure for redemption as therein provided.

SEC. 14. When any mortgage or deed of trust upon real property, or upon chattels attached to real property, has been foreclosed and property not covered by such mortgage or deed of trust (herein called "other property") has been sold under a writ of execution to satisfy the deficiency remaining after the exhaustion of the property covered by such mortgage or deed of trust, and the period for redemption of such other property so sold has not yet expired, the owner thereof having the right of redemption may at any time not later than November 1, 1936, file a petition in the superior court of the county in which such other property so sold, or the major portion thereof, is situated, praying for an order extending such period of redemption.

SEC. 15. A copy of such petition shall be served upon the purchaser of such other property at the execution sale, or, if there has been a redemption, upon the last redemptioner, in the manner provided by law for the service of summons in a civil action.

A notice of pendency of such petition shall immediately be recorded in each county in which any of such other property is situated, and, on the day of such recordation a copy thereof shall be mailed, postage prepaid, from a post office within this State, addressed to such purchaser or last redemptioner, as the case may be, at his place of residence, if known to petitioner, if not, then at the county seat of the county, or at the city and county, where the proceeding is pending.

Such notice of pendency shall state the name of the petitioner, the nature of the petition, and the book and page of the records of the county recorder in which the mortgage or deed of trust is recorded.

SEC. 16. Upon application of the petitioner after service of such petition, or upon application of any other interested party, after the filing of the petition, a hearing shall be had thereon within twenty days after such application, upon such notice as the court shall reasonably prescribe, provided, however, that the court, if it finds equitable grounds therefor, may postpone such hearing for not to exceed ten days.

Upon the filing of such petition and the recording and mailing of the notice of pendency thereof as provided in sections 14 and 15 of this act, the period of redemption, if such period would sooner terminate, shall be extended until ten days after the court makes its order in the matter, but in no event beyond February 1, 1937.

SEC. 17. Upon such hearing the court may make its order, if it finds equitable grounds for relief, extending such period of redemption for such additional time as the court considers just and equitable, but in no event beyond February 1, 1937, or may make its order dismissing such proceeding.

If the court by its order extends the period of redemption, it shall determine the reasonable value of the income from such other property, or if such other property has no income, then the reasonable rental value of such other property, or if such other property is unimproved, a reasonable sum to be paid by the petitioner as determined by the court.

The court shall require such petitioner to pay all or at least a reasonable part of such income, rental value or sum so determined by the court in or toward the payment of taxes upon such other property, the cost of insurance and the sums to which the purchaser of such other property at such execution sale or the last redemptioner, as the case may be, is entitled under the provisions of section 707 of the Code of Civil Procedure, at such times and in such manner determined to be just and equitable under the circumstances.

SEC. 18. The court must include in such order provisions requiring maintenance and repair by the petitioner, regulating the disposition of any income from the property, and such other provisions as it deems just and equitable for the protection of the interest of the purchaser or last redemptioner, as the case may be.

In no event shall the court order the payment by the petitioner of a lesser sum than the greater of (1) the amount of such reasonable value of the income, or such reasonable rental value, or such reasonable sum so determined by the court, or (2) a sum sufficient to pay (a) current taxes, (b) all delinquent taxes, except that such taxes

may be paid in installments as provided by law, and (c) a sum reasonably necessary for fire and other insurance upon any improvement upon such other property.

SEC. 19. Any sums paid to a purchaser or redemptioner pursuant to sections 17 and 18 of this act shall be a credit upon the redemption money to be paid as provided in section 707 of the Code of Civil Procedure; but in the event no redemption is made, the same shall belong to such purchaser or redemptioner.

Upon finding equitable grounds for such relief, the court, in the order extending the period of redemption, may provide that if the other property so sold is redeemed by the petitioner within the period of redemption as extended by such order, but not later than February 1, 1937, the amount to be paid by the petitioner on such redemption shall be reduced by such sum as the court finds to be just and equitable under the circumstances, not exceeding in any event five-twelfths of one per cent of the amount of the purchase made by the purchaser at the execution sale for each month between either the execution sale or the effective date of this act, whichever is later, and such redemption

SEC. 20. In any decree hereafter rendered, prior to February 1, 1937, foreclosing a mortgage or deed of trust upon real property, the court may provide that the sale of the property shall not be held until on or after such date as the court considers just and equitable, but in no event later than February 1, 1937. If the court provides in such decree that the sale shall not be held until on or after such date as it shall fix, it shall determine the reasonable value of the income from such property, or if the property has no income, then the reasonable rental value of such property, or if the property is unimproved, a reasonable sum to be paid by the trustor or mortgagor as determined by the court, and shall require the trustor or mortgagor to pay all or at least a reasonable part of such income, rental value, or sum so determined by the court, in or toward the payment of taxes, insurance, interest, or principal of the indebtedness at such times and in such manner determined to be just and equitable under the circumstances. The court may include in such order provisions requiring maintenance and repair, regulating the disposition of any income from the property, and such other provisions as it deems just and equitable for the protection of the security.

SEC. 21. The purchaser of any real property, or of chattels attached to real property, under any contract of purchase may, at any time prior to the foreclosure, termination, or forfeiture of his interest under such contract, but not later than February 1, 1937, file a petition in the superior court of the county in which such property, or the major portion thereof, is situated for an order postponing to a date not later than February 1, 1937, the foreclosure, termination, or forfeiture of his interest thereunder.

A copy of such petition shall be served upon the vendor, and notice of pendency of such petition shall be recorded and mailed, and a hearing shall be held thereon within the time, after the notice, and in the manner provided in sections 3, 4, 5 and 6 of this act in respect to petitions relating to sales under the power of sale conferred by deeds of trust and mortgages

After such hearing the court, if it shall determine that it is equitable and just so to do, may make its order postponing to a date not later than February 1, 1937, the foreclosure, termination or forfeiture of the petitioner's interest under such contract of purchase on substantially the same terms and conditions as those prescribed in sections 5 and 6 of this act, or the court may make its order dismissing such proceeding.

SEC. 22. Upon the petition of any interested party at any time or from time to time prior to the date to which any postponement or extension pursuant to this or any of the foregoing sections, or pursuant to Chapter 7, Statutes of 1935, was made, or prior to the time that a sale may be held under any decree referred to in section 17 of this act, the court, upon hearing after such notice to the other interested parties as it shall reasonably prescribe, may make an order altering or supplementing or extending any previous order or decree or the postponement of sale therein provided rendered in the matter pursuant to this or any of the foregoing sections, or pursuant to Chapter 7, Statutes of 1935, upon the presentation of evidence showing that the provisions of such order or decree should be altered or supplemented or extended to make them just and equitable; provided, however, that the court by such order shall not require the payment of lesser sums than are under this act required to be paid, nor extend any periods of postponement or extension beyond the limits in this act prescribed

SEC. 23. If the trustor, mortgagor or purchaser under a contract of purchase commits waste or defaults in any payment or act required by order or decree of court, the court, unless good excuse therefor is shown, must order that the sale, foreclosure, termination or forfeiture postponed by its order or decree proceed as provided by law, or that the period of redemption extended by its order or decree shall expire on the making of its order or within the time provided by law, whichever shall last occur, and that the moneys to be paid on redemption, if theretofore reduced, be increased to the extent of such of such previous reduction, if it finds after hearing upon such notice to the original petitioner or his attorney as it prescribes, that there has been such waste or such default, unless good excuse therefor is shown, amounting to a material breach of the order or decree of postponement or extension

SEC. 24. No suit or action shall be commenced against the guarantor of any note secured by a mortgage or deed of trust upon real property, or upon chattels attached to real property, in any case while, pursuant to the provisions of this act, no sale may be made under any power of sale contained in such mortgage or deed of trust

or while no sale may be made under the final decree of foreclosure rendered in an action to foreclose such mortgage.

SEC. 25. Between the effective date of this act and February 1, 1937, no judgment shall be rendered for the balance due upon any obligation which was secured by a deed of trust or mortgage with power of sale upon real property following the exercise of such power of sale and no money judgment for a balance due after sale under a decree of foreclosure of a mortgage upon real property shall be rendered in any action brought under section 726 of the Code of Civil Procedure.

After the effective date of this act, any person who takes as security for an obligation a deed of trust, mortgage or other lien upon real property, thereby waives all right to obtain a judgment for the balance due upon said obligation following the sale of said real property upon foreclosure by suit or by exercise of the power of sale contained in the instrument creating a lien upon such real property.

SEC. 26 Whenever the time within which an action may be commenced upon any obligation founded upon a written instrument secured by mortgage, deed of trust or contract of purchase, or founded upon any guarantee of such obligation or any contract of suretyship therefor or any indorsement of such instrument, would expire by virtue of section 337 of the Code of Civil Procedure, or by virtue of the provisions of Chapter 1, Statutes of extra session of 1934, or by virtue of the provisions of Chapter 7, Statutes of 1935, or any other provision of law, during the period commencing with the effective date of this act and ending on February 1, 1937, such time is hereby extended so as not to expire until the first day of July, 1937.

SEC. 27. Nothing contained in this act shall apply to or be deemed to affect:

(a) Any mortgage, deed of trust or contract of sale upon real property, or upon chattels attached to real property, executed after February 1, 1935;

(b) Any mortgage or deed of trust securing the payment of bonds or other evidences of indebtedness authorized or permitted to be issued by the Commissioner of Corporations or made by public utilities subject to the provisions of the Public Utilities Act;

(c) Any mortgage or deed of trust while held and owned by the original lender securing any loan made by the United States Government or any agency thereof or any loan insured by the United States Government or any agency thereof

SEC. 28. As used in this act:

(a) The terms "mortgagor," "mortgagee," "trustor," "trustee," "purchaser," "vendor," and "guarantor" shall include their personal representatives, assigns or successors in interest, and the singular shall include the plural.

(b) The term "trustee" shall also include the beneficiary of a deed of trust.

(c) As used in this act, the term "chattels attached to real property," or similar designation, includes anything which is deemed affixed or attached to land, or as forming part of the land, but for the execution of the mortgage or of an agreement for the severance of the thing from the land.

SEC. 29. Nothing contained in this act shall preclude any trustor under a deed of trust or any mortgagor under a mortgage or any purchaser under a contract for the purchase of real property, or chattels attached to real property, from executing and delivering at any time a deed to his beneficiary, mortgagee or vendor, or the purchaser at any foreclosure sale or a redemptioner, as the case may be, and the execution and delivery of any such deed by any such trustor, mortgagor or purchaser shall constitute a waiver of the benefit of all the provisions of this act. The failure on the part of any trustor, mortgagor or purchaser to file a petition within the times specified in this act, shall be deemed a waiver of the benefit of the provisions of this act.

SEC. 30. Any sale of real property, or of chattels attached to real property, under a deed of trust or mortgage made in violation of this act shall be voidable, except as against a bona fide purchaser or encumbrancer for value, at the instance of the record owner of such real property at the time of such sale; provided, that any action to avoid such sale or any deed executed pursuant thereto must be brought within one year of the date of such sale.

SEC. 31. There shall be no filing fees for the filing of any document with the county clerk under the provisions of this act.

SEC. 32. No receiver shall be appointed at the instance of the mortgagee of any mortgage or the trustee or beneficiary of any deed of trust, or the vendor of a contract for the purchase of real property, with respect to real property or chattels attached to real property subject to mortgage, deed of trust, or contract of purchase, until the time has expired for filing a petition under this act, or until the time permitted by law to make answer to any action to foreclose any such mortgage or deed of trust has expired, or in the event such a petition or answer is filed within the time permitted by law therefor, then not until the court has heard the matter and in the event, pursuant to such a petition or in any decree in any such action, a postponement is granted, then not as long as such postponement remains in effect. None of the provisions of this section shall prohibit the court from appointing a receiver after ten days notice in writing of hearing of application therefor, served upon the owner, mortgagor or trustor, or their attorney of record, and at which

hearing the court shall find that grounds do not exist for the extension of any relief under the provisions of this act.

SEC. 33. If any feature or application of this act is finally determined by the courts to be unconstitutional, such features and applications shall continue in full force and effect, it being the intent of the Legislature to make this act as effective as possible to relieve debtors in the manner provided in this act.

SEC. 34 Whenever any petition under this act is to be or is being heard by the court, the interested parties may submit to the court, in writing, a composition of the indebtedness involved in the proceeding, or a compromise settlement of the proceeding, and the court shall have jurisdiction and may by its order confirm and approve such composition or settlement.

SEC. 35. Chapter 1, Statutes of the Extra Session of 1934, is hereby repealed; provided, however, that the repeal of said act shall not affect any rights which have accrued thereunder, or shorten the time within which any action may be commenced.

SEC. 36 Chapter 7, Statutes of 1935, is hereby repealed; provided, however, that the repeal of such act shall not affect any rights which have accrued thereunder, or shorten the time within which any action may be commenced, or affect any proceedings taken thereunder, and in so far as such proceedings have not been completed they may be continued under this act and subject to its provisions, and the court in any such proceeding shall have the same powers as though the petition therein had been filed under the provisions of this act.

SEC. 37. This act shall not be construed as repealing an act entitled: "An act to prohibit until February 1, 1937, sales under certain mortgages and deeds of trust, and the forfeiture of the interest of the purchaser under certain contracts of purchase, for default in the payment of the principal sum of obligations secured thereby or contracted to be paid thereunder, to extend the statute of limitations upon certain obligations, to make voidable at the instance of the owner any sale or forfeiture made in violation of this act, to prescribe the time within which an action to avoid the same may be brought, to postpone sales for default in payment of installments due between effective date of this act and February 1, 1937, to authorize waiver hereof, to regulate actions upon guarantors' obligations the enforcement of the security for which is affected by this act, to repeal an act entitled: 'An act relating to the relief of debtors and guarantors, and permitting postponement of foreclosures and sales under mortgages, deeds of trust, or contracts of purchase of real property, or postponement of forfeitures and terminations under such contracts of purchase, declaring the urgency thereof, and providing that it shall take effect immediately,' approved January 31, 1935; to repeal an act entitled 'An act to prohibit until February 1, 1935, sales under certain mortgages and deeds of trust, and the forfeiture of the interest of the purchaser under certain contracts of purchase, for default in the payment of the principal sum of obligations secured thereby or contracted to be paid thereunder, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale or forfeiture made in violation of the act, to prescribe the time within which an action to avoid the same may be brought, to postpone sales for default in payment of installments due between effective date of act and February 1, 1935, to authorize waiver hereof, to prevent actions against guarantors' obligations the enforcement of the security for which is affected by the act, and to declare the urgency hereof,' approved September 15, 1934; declaring the urgency hereof, and providing that it shall take effect immediately" or any part or parts thereof, nor shall said act be construed as repealing this act or any part or parts hereof.

SEC 38 This act shall be known and may be cited as the "Mortgage and Trust Deed Moratorium of 1935"

SEC 39. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of section 1 of Article IV of the Constitution, and shall therefore take effect immediately

The facts constituting the necessity are the dangers to the State and to the people involved in the unusually large number of foreclosures, sales, forfeitures and terminations which will result in the near future under mortgages, deeds of trust, and contracts of purchase of real property, or upon chattels attached to real property, because of defaults in payments by the owners or purchasers of such property Such defaults are the result of exceptionally depressed conditions in this State, which have deprived a large proportion of the landowners and land purchasers of sufficient income to meet their obligations The dangers in the situation are such as to threaten the maintenance of law and order, and to lead to the pauperization of many persons who have hitherto constituted an important part of the self-supporting and economically independent people of this State. This act will provide a means for delaying such sales, foreclosures, terminations and forfeitures so as to permit landowners and land purchasers to find means of meeting their obligations,

and at the same time will protect the interests of creditors. The dangers mentioned will thus be avoided."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Second Reading of Assembly Bills.

Assembly Bill No. 1550—An act to add section 32a to "An act creating a State Land Settlement Board, and defining its powers and duties, and making an appropriation in aid of its operations," approved June 1, 1917, as amended, and to ratify and confirm certain acts of the Director of Finance with respect to the disposition of properties at the Delhi State Land Settlement and Durham State Land Settlement.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 8, of the printed bill, after the word "Legislature", add the following: "and as set forth in an amendment to the report contained in a supplemental communication dated April 30, 1935, addressed to His Excellency, Frank F. Merriam, Governor of California, and to the members of the Legislature".

Amendment No. 2.

On page 1, line 8, of the printed bill, after the word "of", insert the words "both of".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1836—An act to amend section 622 of the Agricultural Code, relating to dairies and dairy products.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 767—An act to amend sections 2, 2½, 3, 4, 10, 13, 14, 18½ and 21 and to repeal sections 5 and 9 of the Old Age Security Act of the State of California, relating to aid to the aged.

Floor Amendments.

During reading of the bill, the following amendments were submitted by Mr. Hornblower:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "21", strike out "and", and insert in lieu thereof the following: ", to add section 24, and".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 6 and 7, and insert in lieu thereof the following: "(b) Is a citizen of the United States;".

Amendment No. 3.

On page 1, line 14, of the printed bill, as amended, after the semicolon, add the following "provided that if, when and during such time as grants-in-aid are provided by the United States Government for such aid in this State and accepted by this State, aid may be granted under this act to any person who resides in the State of California and has so resided continuously for at least one year immediately preceding the date of application and for at least five years within the nine years immediately preceding the date of such application,".

Amendment No. 4.

On page 3, line 19, of the printed bill, as amended, after "county", insert the following: "or city and county".

Amendment No. 5.

On page 3, line 45, of the printed bill, as amended, after "State", insert the following: "and county or city and".

Amendment No. 6.

On page 4, line 1, of the printed bill, as amended, after "paid", insert the following: "in equal proportions".

Amendment No. 7.

On page 4, line 2, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "and the treasury of the county or city and county participating in the granting of such aid."

Amendment No. 8.

On page 4 of the printed bill, as amended, strike out lines 16 and 17, and in line 18, strike out "of such a home or institution.", and insert in lieu thereof the following: "approved."

Amendment No. 9.

On page 4, line 50, of the printed bill, as amended, strike out the period and insert in lieu thereof the following. "; provided, however, if the recipient of old age assistance is, on the testimony of reputable witnesses, found incapable of taking care of himself or his money, upon recommendation of the board of supervisors and with the approval of the Department of Social Welfare the aid authorized in this act may be paid to any responsible person for the benefit of the recipient of this aid."

Amendment No. 10.

On page 5 of the printed bill, as amended, strike out lines 34 and 35, and insert in lieu thereof the following:

"SEC. 10. A new section is hereby added to said act to be numbered 24, and to read as follows:

Sec. 24. If and when grants-in-aid are provided or made available to the States by the United States Government for old age pensions, the Governor of the State of California may, upon the recommendation of the Department of Social Welfare so to do, accept such grant-in-aid upon behalf of this State. He is hereby authorized and empowered to enter into and execute on behalf of this State all necessary agreements in connection therewith which may be required by the United States Government. Upon the acceptance of such grant-in-aid, the State shall pay to the United States Government one-half of any money recovered by it under the provisions of section 4 or 10 of this act.

SEC. 11. Sections 5 and 9 of said act are hereby repealed."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 2130—An act amending sections ------ of the Political Code, relating to county government.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "sections ------", and insert in lieu thereof the following: "section 4076".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "Sections ------", and insert in lieu thereof the following: "Section 4076".

Amendment No. 3.

On page 1 of the printed bill, after line 2, insert the following:

"4076. No account shall be passed upon by the board, unless made out as prescribed in this and the preceding section and filed with the clerk, or with the auditor as prescribed in the preceding sections, three days prior to the time of the meeting

of the board at which it is asked to be allowed. Such demand shall be made in form substantially as follows:

Clerk's memoranda, No _____ _____fund.
Demand of _____, dated _____, in the sum of $_____ for _____.
Allowed by the board of supervisors, _____, 19____, in the sum of $_____.

Attest: _____
Clerk of the board.

Demand of _____.
No. _____. Fund _____.

Demand on the treasury of the county of _____, State of California, for the sum of _____ dollars, being for _____.

Date	Items	Dollars	Cents
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
		$_____	_____

Expenditures authorized and approved by me.

_____

State of California, } ss.
County of_____ }

The undersigned, being duly sworn, says: That the above claim and the items as therein set out are true and correct; that no part thereof has been heretofore paid, and that the amount therein is justly due this claimant, and that the same is presented within one year after the last item thereof has accrued.

_____

Subscribed and sworn to before me this _____ day of _____.

_____
County Clerk.

Allowed by the board of supervisors, _____, 19__, in the sum of $_____, payable out of _____ fund.

Attest: _____
Clerk of board of supervisors.

Countersigned: _____
Chairman board of supervisors.

Warrant No. _____.
Approved, _____, 19__.

_____
County Auditor

No. _____, Registered _____, 19__.

_____
County Treasurer.

Said demand shall be approved before filing by the officer who directed such expenditure. If said demand be allowed by the board, the clerk of the board shall detach and file the memorandum, and shall indorse on such demand "allowed by the board of supervisors," together with the date of such allowance, the amount of such allowance, and from what fund; shall attest the same with his signature, and, when countersigned by the chairman, shall transmit the same to the auditor, who shall, in case he approves said demand, indorse upon it "approved," date, and number of the warrant, and shall, in attestation thereof, affix his signature thereto and deliver the same to the claimant; and said demand, when so approved and signed by the auditor, shall constitute the warrant on the treasury within the meaning of this chapter, except as hereinafter provided; provided, however, that whenever a county causes its accounts to be reorganized in a manner which will enable said county to determine by its accounts the correctness of claims presented for payment, the board of supervisors of said county may modify the form hereinabove prescribed for the submission of claims by eliminating therefrom the affidavit of claimant and may dispense with the necessity of such or any affidavit; provided, further, that the board of supervisors of any county may in their discretion adopt such other form or forms for the submission and payment of claims and may prescribe and adopt warrant forms separate from demand forms, to the end that the approved demands may be permanently retained in the auditor's office as vouchers supporting the warrants issued, and may prescribe such other procedure for the allowance and payment of claims as may better meet the needs of the particular county, but in such form of claim so adopted shall provide

First—For the approval of the officer directing the expenditure, provided that in counties having a system under which expenditures may be initiated by requisition the approval may be omitted from claims initiated by requisition

Second—For the approval of the purchasing agent or other officer issuing the purchase order under which the charge was incurred, or having charge of contracts or schedules of salaries under which the claim arose.

Third—For the approval of at least one member of the board of supervisors: provided, that in lieu of the supervisor's approval on each claim there may be substituted duplicate lists of claims allowed, showing, as to each claim, the name of the claimant, the amount allowed, the date of allowance, and the fund on which allowed. Such lists shall have been certified to the board by the clerk of the board or other competent officer or employee designated by the said board for such purpose, as being a true list of claims properly and regularly coming before the board. Upon allowance of claims each of said lists, after amendment if necessary, shall be certified to as correct by one member of the board of supervisors and by the clerk of the board and filed, one in the office of the clerk of the board of supervisors and one in the office of the auditor, and when so filed the lists shall constitute respectively the "allowance book" and the "warrant book" described by section 4039 of this code.

Fourth—For the certificate of the clerk of the board of supervisors as to the date and amount of allowance of such claim by the board, provided that if the duplicate lists of claims allowed referred to in the foregoing subdivision are filed then the said certificate may be omitted, but in its stead there shall appear on each claim a reference by date or number or otherwise to the list on which said claim appears listed as allowed

Fifth—For the certificate of the clerk of the board of supervisors or of the county auditor as to the correctness of the computations.

Sixth—For the county auditor's approval."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1304—An act to amend an act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores, and spotting, sponging, and/or pressing establishments, or agencies thereof, and private schools and colleges of spotting, sponging, and/or pressing; providing for the registration or licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violations," approved May 28, 1931

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "amend", insert the following: "sections 1, 2, 3, 4, 5, 6 and 7 of".

Amendment No. 2.

On page 1, line 11 of the title of the printed bill, after "approved", strike out "May 28, 1931", and insert in lieu thereof the following: "June 3, 1927, relating to cleaning and dyeing."

Amendment No. 3.

On page 1, line 1, of the printed bill, after "SECTION 1.", insert the following: "Section 1 of the act cited in the title hereof is hereby amended to read as follows:

Section 1. Wherever used in this act the following terms are defined as set forth in this section:

The term "person" means and includes any individual, manager, agent, copartnership, company, organization, association or corporation.

The terms "cleaning and dyeing shop or store," and "spotting, sponging and/or pressing establishment" are defined as any premises, building, room, shop, store, establishment, or other instrumentality (other than a clothes cleaning establishment or a cleaning and dyeing establishment), equipped for performing the service of spotting or sponging, or dry-cleaning by local application, or pressing or otherwise finishing clothing, wearing apparel, feathers, furs, hats, fabrics or other textiles. The foregoing defined terms include, but not by way of limitation, establishments commonly known to the trade as press shops and/or furriers.

The term "agency" is defined as any premises, building, room, shop, store, establishment, or other instrumentality, or any unit or department of the foregoing, upon, in or through which is conducted, maintained or operated a service outlet or inlet for a cleaning and dyeing shop or store, or a spotting, sponging and/or pressing establishment, or a clothes cleaning establishment, or a cleaning and dyeing establishment. The foregoing defined term includes, but not by way of limitation, establishments commonly known to the trade as pick-up shops and/or second hand clothing shops.

The term "private school, or college of spotting, sponging and/or pressing" is defined as any establishment wherein individuals are instructed, taught or informed concerning the operations and/or processes employed in spotting, sponging or dry-cleaning by local application, or pressing or otherwise finishing clothing, wearing apparel, feathers, furs, hats, fabrics or other textiles for or without a charge or fee of any nature for said instruction, including exchange of services for instruction.

The terms "clothes cleaning establishment" and "cleaning and dyeing establishment" are defined as any premises, building, room, or other instrumentality, equipped to perform the service of dry-cleaning by immersion and agitation, or by immersion only, in volatile commercially moisture-free solvents The foregoing defined terms include, but not by way of limitation, establishments commonly known to the trade as cleaning plants.

The term "service outlet" is defined as any premises, building, room, shop, store, establishment, or other instrumentality, whereon, wherein or whereby the service of spotting, sponging, dry-cleaning, or pressing or otherwise finishing clothing, wearing apparel, feathers, furs, hats, fabrics or other textiles is sold or bartered, or offered for sale or barter, or made an obligation or condition of a sale or barter, directly to the public

The term "service inlet" is defined as any premises, building, room, shop, store, establishment, or other instrumentality, whereon, wherein or whereby clothing, wearing apparel, feathers, furs, hats, fabrics or other textiles are received or collected for the service of spotting, sponging dry-cleaning, or pressing or otherwise finishing

The term "instrumentality" includes, but not by way of limitation, all vehicles (except as hereinafter specifically exempted), or other means of locomotion employed in the collection of clothing, wearing apparel, feathers, furs, hats, fabrics or other textiles for the service of spotting, sponging, dry-cleaning, or pressing or otherwise finishing, and/or the delivery of said clothing, wearing apparel, feathers, furs, hats, fabrics or other textiles after said service of spotting, sponging, dry-cleaning, or pressing or otherwise finishing has been performed.

The term "dry-cleaning" is defined as the process of freeing from grease, dirt, spots, stains or discolorations by and through the medium of a volatile commercially moisture-free solvent applied either manually or by and through the use of a mechanical appliance.

The term "volatile commercially moisture-free solvent" includes but not by way of limitation, solvents of the petroleum distillate type, coal tar distillate type, and the chlorinated hydrocarbon type.

The term "spotter and sponger" is defined as any person who removes spots, stains or other discolorations caused by foreign matter from clothing, wearing apparel, feathers, furs, hats, fabrics or other textiles by means of a cleaning medium applied manually.

The term "presser" is defined as any person who renovates clothing, wearing apparel, feathers, furs, hats, fabrics or other textiles by means of ironing either manually or through the use of a mechanical appliance

The term "volatile and inflammable product" is defined as any liquid, viscous, powdered or solid product or substance having the capacity to evaporate, and during such evaporation generate and emit a gas or vapor propagative of flame or fire, or explosive in nature; or any other product or substance propagative of flame, fire or explosion incident to evaporation.

The term "approved" is defined as having authoritative sanction.

The term "fire nuisance" is defined as anything or any act which is any manner increases the hazard or menace of fire, or which may become the cause of an increase of the hazard or menace of fire to a greater degree than that customarily recognized as normal by those in the public service of fire prevention, suppression or extinguishment, or which may obstruct, delay or hinder, or which may become the cause of obstruction, delay or hindrance to preventing, suppressing or extinguishment of fire.

SEC 2 Section 2 of the act recited in the title hereof is hereby amended to read as follows

SEC. 2 In order to safeguard life and property any person engaged in the occupation, or who desires to engage in the occupation of spotting, sponging and/or pressing, or that of conducting a private school or college of spotting, sponging and/or pressing in this State shall hereafter be required to submit evidence that he possesses a competent knowledge of such occupation and the fire preventive measures usual and necessary to conduct such occupation, and that he further has the character, ability and fitness to maintain and conduct such occupation without in any manner

unduly increasing the public fire menace or otherwise jeopardizing the public welfare, and the State Fire Marshal is hereby authorized and directed to make a thorough investigation and examination as to the knowledge, character, ability and fitness of any such person to maintain and conduct such occupation before such person be registered and licensed, unless such person shall be specifically hereinafter exempted, and the State Fire Marshal is hereby authorized and directed to formulate such rules, orders and regulations as may be necessary to promote fire prevention in such occupation and to carry out the provisions of this act

It shall be the duty of the State Fire Marshal, and he is hereby authorized and directed to appoint such employees as are necessary for and required to carry out the provisions of this act, and prescribe consistent with the provisions herein, their duties.

SEC 3 Section 3 of the act recited in the title hereof is hereby amended to read as follows:

Sec 3 dollars, or by imprisonment for a term of not less than thirty days nor more than one hundred eighty days

From and after the date this act becomes effective.

It shall be unlawful for any person to conduct, maintain or operate a cleaning and dyeing shop or store, or a spotting, sponging and/or pressing establishment, or any agency of the foregoing, or a private school or college of spotting sponging and/or pressing, without first making application to and obtaining from the State Fire Marshal a certificate of registration and license so to do; provided, however, that all persons who at the time of the approval of the act recited in the title hereof and for a period three months prior thereto have conducted, maintained and operated a cleaning and dyeing shop or store, or a spotting, sponging and/or pressing establishment, or a private school or college of spotting, sponging and/or pressing in the State of California as an owner, or part owner, and who at the time of the approval of this act have not retired from such occupation shall, upon application and payment of the fee hereinafter set forth, if such application and payment is made on or before ninety days after the date this act becomes effective, be granted without investigation and examination a certificate of registration and a license to conduct, maintain and operate a cleaning and dyeing shop or store, or a spotting, sponging and/or pressing establishment, or a private school or college of spotting, sponging and/or pressing.

It shall be unlawful for any person to conduct, maintain or operate a cleaning and dyeing shop or store, or a spotting, sponging and/or pressing establishment, or any unit or department of a clothes cleaning establishment or cleaning and dyeing establishment equipped for performing the service of a spotting or sponging or dry-cleaning by local application or pressing, or any agency of the foregoing, unless there be therein and in charge thereof a registered spotter, sponger and presser

It shall be unlawful for any person to conduct, maintain or operate a private school or college of spotting, sponging and/or pressing unless the owner, manager and instructors thereof and/or therein are registered spotters, spongers and pressers.

It shall be unlawful for any person to conduct, maintain or operate a service outlet or inlet in connection with a private school or college of spotting, sponging and/or pressing.

It shall be unlawful for any person to keep, store, or use in or upon the premises of a cleaning and dyeing shop or store, or of a spotting, sponging and/or pressing establishment, or any agency of the foregoing, or of a private school or college of spotting, sponging and/or pressing, in excess of one gallon in the aggregate of volatile commercially moisture-free solvents of the petroleum distillate type or coal tar distillate type, except as noted in section 5 hereof, and said solvents in excess of one pint shall be kept or stored in approved safety cans.

It shall be unlawful for any person to keep, store, or use in or upon the premises of a cleaning and dyeing shop or store, or of a spotting, sponging and/or pressing establishment, or any agency of the foregoing, or of a private school or college of spotting, sponging and/or pressing, in excess of eight pounds in the aggregate of viscous, powdered or solid volatile and inflammable products or substances, and said products or substances in excess of one pound shall be kept or stored in approved safety containers.

It shall be unlawful for any person to aid or abet the owner, manager, or operator of a cleaning and dyeing shop or store, or of a spotting and/or pressing establishment, or of any agency thereof, or the owner, manager or instructors of a private school or college of spotting, sponging and/or pressing, in the violation of any of the provisions of this act.

It shall be unlawful for any person to maintain, permit or allow a fire nuisance to exist upon any property or premises owned, leased or occupied by such person as a cleaning and dyeing shop or store, or as a spotting, sponging and/or pressing establishment, or as a unit or department of a clothes cleaning establishment or cleaning and dyeing establishment equipped for performing the service of spotting or sponging or dry-cleaning by local application or pressing, or as any agency of the foregoing, or as a private school or college of spotting, sponging and/or pressing,

after notice in writing by the State Fire Marshal to remove, discontinue or abate the same The State Fire Marshal is hereby empowered and directed to abate any fire nuisance existing upon said property or premises pending a hearing upon said nuisance, and the cost of said abatement whenever made is hereby made assessable upon said person.

From and after the date this act becomes effective any person who violates any of the provisions thereof shall be guilty of a misdemeanor. In the case of a fire nuisance it shall be the duty of the State Fire Marshal to submit the district attorney evidence that a fire nuisance exists, and upon said information it shall be the duty of the district attorney to prosecute in the superior court any person who maintains, permits or allows a fire nuisance to exist after notice in writing from the State Fire Marshal to remove, discontinue or abate the same

Each person shall be deemed guilty of a separate offense for each and every day during any portion of which any violation of any provision of this act is committed, continued or permitted to exist by such person, and it is hereby made the duty of the district attorney to prosecute all persons guilty of such violation by continuous prosecutions until such violation is discontinued or abated

A detailed report shall be made to the State Fire Marshal by the owner, operator or manager of a cleaning and dyeing shop or store, or of a spotting, sponging and/or pressing establishment or of any unit or department of a clothes cleaning establishment or cleaning and dyeing establishment equipped for performing the service of spotting or sponging or dry-cleaning by local application or pressing, or any agency of the foregoing, or of a private school or college of spotting, sponging and/or pressing, of every fire or explosion occurring upon the premises thereof, within twenty-four hours after such fire or explosion, on blanks provided for such purpose

SEC. 4 Section 4 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 4. For the period from the date this act becomes effective to the thirtieth day of June, 1936, and annually thereafter not later than the first day of July in each succeeding year, every person conducting, maintaining or operating a cleaning and dyeing shop or store, or a spotting, sponging and/or pressing establishment, or any agency of the foregoing, or any agency of a clothes cleaning establishment or cleaning and dyeing establishment, or a private school or college of spotting, sponging and/or pressing shall apply to the State Fire Marshal for a license in writing, upon blanks prepared by the State Fire Marshal. Said applications must be accompanied by the fee specified hereinafter.

From and after the date this act becomes effective every person who desires to engage in the occupation of spotting, sponging and/or pressing, or that of conducting a private school of spotting, sponging and/or pressing, unless specifically exempted in section 3 hereof, shall prior to engaging therein apply to the State Fire Marshal for the investigation and examination recited in section 2 hereof, prerequisite to the issuance of a certificate of registration, upon blanks prepared by the State Fire Marshal. Said applications shall contain proof of the particular requisites for registration and license provided for in this act, which shall be verified under oath when required by the State Fire Marshal. Said applications must be accompanied by the fee specified hereinafter

The annual license fee for each shop store, establishment, or other instrumentality equipped to perform the service of spotting or sponging, or dry-cleaning by local application, or pressing or otherwise finishing clothing, wearing apparel, feathers, furs, hats, fabrics or other textiles, shall be six dollars, due and payable not later than the first day of July of each year.

The annual license fee for each agency shall be six dollars, due and payable not later than the first day of July of each year. Ownership of agencies must be verified under oath when required by the State Fire Marshal

Advertising the service of spotting, sponging and/or pressing in any manner shall be prima facie evidence that the premises, room, shop, store, establishment, or instrumentality in or upon which the advertisement appears is a service outlet

If the license fee for a shop, store, establishment, or other instrumentality, or any agency of the foregoing, is not paid when due and payable the following penalties shall obtain: If not paid within thirty days from and after the date it is due and payable a penalty of fifty cents shall be added to said fee; if not paid within sixty days from and after said date a penalty of one dollar and fifty cents shall be added to said fee, and if not paid within ninety days from and after said date a penalty of three dollars shall be added to said fee.

The annual license fee for each private school or college of spotting, sponging and/or pressing shall be two hundred and fifty dollars, due and payable not later than the first day of July of each year.

If the license fee for a private school or college of spotting, sponging and/or pressing is not paid when due and payable the following penalties shall obtain: If not paid within thirty days from and after the date it is due and payable a penalty of twenty dollars shall be added to said fee, if not paid within sixty days from and after said date a penalty of sixty dollars shall be added to said fee, and if not paid within ninety days from and after said date a penalty of one hundred and twenty-five dollars shall be added to said fee.

The foregoing fees shall cover a license period from the first day of July in any year to the thirtieth day of June in the following year, or for such portion of said period as said shop, store, establishment, or other instrumentality, or any agency of the foregoing, or as said school or college is conducted, maintained or operated during said period, regardless of the date of the payment of the said fee

Annual license fees shall not apply to vehicles operated as an instrumentality when said vehicles are wholly owned by proprietors of cleaning and dyeing shops or stores, or spotting, sponging and/or pressing establishments, or clothes cleaning establishments, or cleaning and dyeing establishments, and operated by a regular salaried employee thereof under a contract terminable on not less than four months notice; provided, satisfactory written evidence as to ownership and employee contracts shall be filed with the State Fire Marshal

The application fee for investigation and examination shall be twenty dollars, which fee shall accompany said application and shall be forfeited if the applicant fails to pass successfully said investigation and examination Applicants passing investigation and examination will be issued a certificate of registration, and a license for the license period coincident with said investigation and examination upon the further payment of the stated license fee. Applicants failing to pass successfully said investigation and examination are eligible for reinvestigation and reexamination after ninety days, upon reapplication and payment of the said application fee

Certificates of registration must be submitted for inspection upon request of the State Fire Marshal, or of a deputy or assistant State Fire Marshal Licenses must be posted in a conspicuous location, easily accessible to the public, in each shop, store, establishment, instrumentality, or school or college Change of location or ownership of a shop, store, establishment, instrumentality, or school or college must be reported to the office of the State Fire Marshal in writing within forty-eight hours thereafter by the instant owner.

Duplicate certificates of registration or licenses will be issued upon a sworn statement covering the loss or destruction thereof, upon the payment of a fee of one dollar for said issuance.

All applications required by this act must be filed at, and all license fees and any accruing penalties, and all application fees, must be paid at the office of the State Fire Marshal, and it shall not be incumbent upon the State Fire Marshal to issue notifications of any nature in regard thereto

All moneys derived from this act shall be paid into the State treasury and credited to a fund to be known as the State Fire Marshal's fund, which fund is hereby created.

The State Fire Marshal may refuse to issue, or renew, or may suspend or revoke any certificate of registration and/or license for any of the following causes:

(a) Obtaining or attempting to obtain a certificate of registration by fraudulent misrepresentations;

(b) Unethical conduct or practice:

(c) The violation of any of the provisions of any of the sections of this act.

Provided, however, that the State Fire Marshal shall not refuse to issue or renew any license as required by the provisions of section 4 hereof, or suspend or revoke any license issued, except upon five days' notice in writing to the interested person, which notice shall contain a brief statement of the reasons for the contemplated action of the State Fire Marshal and designate a proper time and place for the hearing of all interested parties before any final action is taken as hereinabove provided; provided, however, that due notice within the provisions of this section shall be deemed to have been given when the State Fire Marshal shall have placed in a United States post office a copy of the notice as hereinabove provided, addressed to the designated place of business or last known residence of the person applying for such license or to whom such license has been issued. The decision of the State Fire Marshal in denying, suspending or revoking any certificate of registration and/or license under the provisions of this act shall be subject to review in accordance with the provisions of Chapter I, of Title I, of Part III, of the Code of Civil Procedure.

SEC. 5. Section 5 of the act cited in the title hereof is hereby amended to read as follows:

Any room or place used as an office, showroom, workroom or storeroom of a cleaning and dyeing shop or store, or a spotting, sponging and/or pressing establishment, or any agency of the foregoing, or a private school or college of spotting, sponging and/or pressing, or any agency of a clothes cleaning establishment or cleaning and dyeing establishment shall be completely separated from any room or place used for cooking, eating or sleeping, or for any other function of domestic life by a partition or partitions, with all openings therein equipped with doors and/or glazed sash, and it shall be unlawful for any person to cook, eat, sleep or engage in any of the other functions of domestic life in any room or place used as an office, showroom, workroom or storeroom, of a cleaning and dyeing shop or store, or of a spotting, sponging and/or pressing establishment, or of any agency of the foregoing, or of a private school or college of spotting, sponging and/or pressing, or of any agency of a clothes cleaning establishment or a cleaning and dyeing establishment.

Every office, workroom, storeroom, or other room or place in which any of the processes of spotting, sponging and/or pressing are performed, or in which any

clothing, wearing apparel, feathers, furs, hats, fabrics or other textiles are kept or stored, either before, during or after such processes are performed, including the roofs, yards, courts, passages or other areas in or upon the premises of a cleaning and dyeing shop or store, or a spotting, sponging and/or pressing establishment, or any agency of the foregoing, or a private school or college of spotting, sponging and/or pressing, or any agency of a clothes cleaning establishment or cleaning and dyeing establishment, shall at all times be kept in good repair, free from any accumulation of dirt or debris that may constitute or give rise to a fire nuisance, and in an orderly, clean and sanitary condition as to floors, walls, ceilings, windows, doors, woodwork, machinery, apparatus, utensils, fixtures and furnishings.

Every such office, workroom, storeroom or other room or place shall be adequately lighted, and ventilated either by natural and/or mechanical means, and the State Fire Marshal is hereby empowered and directed to exact such lighting and ventilation as shall comply with the accepted standards for industrial plants

Gasoline for use in automotive vehicles, or for other approved purposes, may be kept and stored in an approved specified quantity in excess of one gallon in an approved manner and in an underground location on the premises of a cleaning and dyeing shop or store, or a spotting, sponging and/or pressing establishment, or any agency of the foregoing, or a private school or college of spotting, sponging and/or pressing, or any agency of a clothes cleaning establishment or cleaning and dyeing establishment on the written permission of the State Fire Marshal, but every person conducting, maintaining or operating a cleaning and dyeing shop or store, or a spotting, sponging and/or pressing establishment, or any agency of the foregoing, or a private school or college of spotting, sponging and/or pressing, or any agency of a clothes cleaning establishment or cleaning and dyeing establishment shall, in the application for registration and license state the capacity of each and every tank or other container, either above ground or underground used for the storage of volatile and inflammable products or substances. From and after the first day of October, 1931, a report, made on blanks furnished by the State Fire Marshal, shall be sent to the office of the State Fire Marshal every thirty days of all volatile and inflammable products or substances purchased and delivered on said premises.

Any drying room, cabinet or other appliance used for the purpose of drying and/or deodorizing in a cleaning and dyeing shop or store, or a spotting, sponging and/or pressing establishment, or any agency of the foregoing, or a private school or college of spotting, sponging and/or pressing, or any agency of a clothes cleaning establishment or cleaning and dyeing establishment, shall be located, constructed or installed, ventilated and operated in a manner meeting with the approval of the State Fire Marshal

The operation, structural integrity, condition, and placement of all machines, apparatus, appliances, or other devices, for use in a cleaning and dyeing shop or store, a spotting, sponging and/or pressing establishment, or any agency of the foregoing, or a private school or college of spotting, sponging and/or pressing, or any agency of a clothes cleaning establishment or cleaning and dyeing establishment, shall be approved by the State Fire Marshal All present installations not meeting with the approval of the State Fire Marshal as to type, construction, condition or placement, shall be immediately removed, remodeled, reconditioned or relocated.

SEC. 6. Section 6 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 6. Stores whose major business is selling merchandise, and which are not engaged in cleaning, dyeing, spotting, sponging and/or pressing as an occupation for compensatory gain, and who perform any of the processes of cleaning, dyeing, spotting, sponging and/or pressing only in order to renovate wearing apparel or other goods soiled or stained in transit from the manufacturers thereof, or which have become shopworn, soiled or stained, shall not be subject to the provisions of this act.

SEC. 7. Section 7 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 7 All powers and duties given by this act to the State Fire Marshal or the Department of Industrial Relations shall be administered by the State Fire Marshal through the Division of Fire Safety in the Department of Industrial Relations.

The State Fire Marshal, and all Deputy and Assistant State Fire Marshals, are hereby empowered and directed to enter and inspect any premises, building, room, shop, store, establishment, or instrumentality whereon or wherein the occupation of spotting or sponging, or dry-cleaning by local application, or pressing or otherwise finishing clothing, is conducted, maintained or carried on, or the premises and/or building of any agency thereof, or the premises and/or building of a school or college of spotting, sponging and/or pressing, or the premises and/or building of any agency of a clothes cleaning establishment or a cleaning and dyeing establishment, in the performance of their duties in carrying out the provisions of this act, during customary business hours, or at any time the said occupation is being carried on in the foregoing, and it shall be unlawful for any owner, lessee, manager, or operator of a cleaning and dyeing shop or store, or a spotting, sponging and/or pressing establishment, or any agency of the foregoing, or of a school or college of spotting, sponging and/or pressing, or any agency of a clothes cleaning establishment

or a cleaning and dyeing establishment, to refuse said officers the right to enter and inspect said premises and/or building at the times and for the purposes aforesaid."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 838—An act to amend the Streets and Highways Code, by adding to Division I thereof a new chapter, to be numbered 6, relating to proceedings to change the grade or to establish the boundaries of State highways, and other proceedings affecting private property

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 17, of the printed bill, after the period, insert the following: "A copy of such profile map or maps shall be furnished to the governing body having jurisdiction of any highway intersecting or intercepting any affected portion of the State highway".

Amendment No. 2.

On page 1 of the printed bill, strike out line 20, and insert in lieu thereof the following: "shall be made at least once a week for two consecutive weeks"

Amendment No. 3.

On page 2, line 3, of the printed bill, after the comma, insert the following: "if any,".

Amendment No. 4.

On page 2, line 5, of the printed bill, strike out the following: "by city streets", and insert in lieu thereof: "or intercepted by other highways".

Amendment No. 5.

On page 2 of the printed bill, strike out line 9, and insert in lieu thereof the following: "cation, if any. Within five days after the same is posted, a copy of such notice shall be furnished to the governing body having jurisdiction of any such intersecting or intercepting highway."

Amendment No. 6.

On page 2 of the printed bill, strike out line 10, and insert in lieu thereof the following: "856. Within sixty days after the completion of posting,".

Amendment No. 7.

On page 2, line 32, of the printed bill, strike out "X", and insert in lieu thereof "I".

Amendment No. 8.

On page 2 of the printed bill, between lines 33 and 34, insert the following:

"859. In the event that such changed grade of a State highway fails to meet the grade of any intersecting or intercepting highway, the department is authorized and directed, at the same time, to do such work as is necessary in order to cause such intersecting or intercepting highway to meet the State highway at grade and to restore it to its previous condition of surface, as near as may be. The procedure set forth in this article for the change of grade of the State highway in a city may be followed as to the portion of such intersecting or intercepting highway, the grade of which is changed. In lieu of, or in addition to, the above procedure mentioned in this section, the department and the governing body having jurisdiction over any such intersecting or intercepting highway may enter into a cooperative agreement in respect to the doing of any work authorized by this article, or the taking of any action in respect to such intersecting or intercepting highway as may be authorized by law."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 106—An act to add section 3.54 to and to amend section 6.750 of the School Code, relating to activities of a seditious nature in connection with the public school system.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 1279—An act to amend section 3366 of the Political Code, relating to license taxes.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No 2068—An act to provide for attorney's fees in suits to foreclose bonds or assessments of any special assessment district.

Bill read second time, ordered to engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 1019—An act to add sections 13 and 14 to "An act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds and property; and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such boards; and to authorize such boards to appoint county foresters; and to prescribe the duties and fix the compensation of county forester, and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, lawns, shrubs and flowers, with relation to fire, diseases, pests, or any other dangers, of any nature, to the safety and encouragement of such growths," approved April 28, 1909, relating to ornamental trees and shrubs and to boards of forestry

Bill read second time, and ordered on file for third reading

Senate Bill No 58—An act to add section 3653.5 to the Political Code, relating to county assessor.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, add an "s" to "assessor".

Amendment No. 2.

On page 1, line 10, of the printed bill, as amended, strike out the comma after "assessor".

Amendment No. 3.

On page 1, line 11, of the printed bill, as amended, strike out "the" after "of", and insert in lieu thereof the following: "any".

Amendment No. 4.

On page 1, lines 12 and 13, of the printed bill, as amended, strike out "of any governmental or other taxing", and insert in lieu thereof the following: "property for any governmental".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading..

Senate Bill No. 71—An act to amend section 601 of the Code of Civil Procedure, relating to peremptory challenges in civil cases.

Bill read second time, and ordered on file for third reading.

Motion to Withdraw Assembly Bill No. 1031.

Mr. Jones moved that Assembly Bill No. 1031 be withdrawn from Committee on Public Utilities, and placed on file for third reading.

The question being on the motion by Mr. Jones to withdraw Assembly Bill No. 1031 from Committee on Public Utilities and to place it on file for third reading.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Boyle, Brennan, Burns, Cassidy, Clark, Cronin, Cunningham, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Rosenthal, Turner, Voigt, Wagner, Walker, Waters, Weber, and Welsh—43.

NOES—Breed, Cottrell, Crowley, Dawson, DeLap, Evans, Herbert J, Field, Fisher, Frazier, Johnson, Latham, Lyon, McBride, Minard, Morgan, Peyser, Phillips, Riley, Robertson, Scudder, Stream, Utt, Wallace, Wright, and Mr. Speaker—25.

Assembly Bill No. 1031 ordered on file for third reading.

Motion to Withdraw Assembly Bill No. 1032.

Mr. Anderson moved that Assembly Bill No. 1032 be withdrawn from Committee on Public Utilities, and placed on file for third reading.

The question being on the motion by Mr. Anderson to withdraw Assembly Bill No 1032 from Committee on Public Utilities, and to place it on file for third reading.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Clark, Cronin, Cunningham, Donihue, Donnelly Evans, Ralph W., Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Rosenthal, Turner, Voigt, Wagner, Walker, Waters, Weber, and Welsh—48.

NOES—Breed, Corwin, Crowley, Dawson, DeLap, Evans, Herbert J., Field, Fisher, Frazier, Lyon, McBride, Minard, Morgan, Phillips, Riley, Robertson, Scudder, Stream, Utt, Wallace, Wright, and Mr. Speaker—22

Assembly Bill No 1032 ordered on file for second reading.

Motion to Withdraw Assembly Bill No. 1033.

Mr. Evans, Ralph W., moved that Assembly Bill No. 1033 be withdrawn from Committee on Corporations, and placed on file for third reading.

The question being on the motion by Mr. Evans, Ralph W., to withdraw Assembly Bill No. 1033 from Committee on Corporations, and to place it on file for third reading.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Clark, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Laughlin, Lore, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Rosenthal, Turner, Wagner, Walker, Waters, Weber, and Welsh—42

NOES—Breed, Chatters, Corwin, Crowley, Cunningham, Dawson, DeLap, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Hornblower, Kallam, Latham, Lyon, Maloney, McBride, Minard, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Utt, Wallace, Wright, and Mr. Speaker—31.

Assembly Bill No. 1033 ordered on file for second reading.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1216—An act to amend section 818 of the Agricultural Code, relating to potatoes.

Floor Amendment.

During second reading of the bill, the following amendment was submitted by Mr. Phillips:

Amendment No. 1.

On page 1 of the printed bill, strike out all of lines 13 to 18, inclusive, and insert in lieu thereof the following:

"Containers of potatoes shall not bear any marking, brand, or designation of quality such as "extra selected," "selected," "select," "extra fancy," "fancy," "choice," "No. 1," or other similar designations which imply a reasonably high quality, unless the contents of the container conform at least to the requirements of the U. S. No. 1 grade established for potatoes by the United States Department of Agriculture."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 915—An act to amend "An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission; prescribing the powers, duties and authority of said commission and the members thereof; providing for the institution of proration programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purposes of said act and providing for the collection thereof; and making an appropriation therefor," approved June 5, 1933, by amending sections 2, 5, 8, 9, 10, 11, 16, 18, 19, 20, 21, 22, 23, 24, 25 and 26, and adding new sections numbered 27, 28, 29.

Floor Amendments.

During second reading of the bill, the following amendments were submitted by Mr. Phillips:

Amendment No. 1.

On page 12, line 35, of the printed bill, as amended, after the words "one acre", insert the words "except in a case of a prorate program for live stock or poultry or the products thereof in which case the producing factor shall be specified in the petition".

Amendment No. 2.

On page 12, line 37, of the printed bill, as amended, strike out the word "originally", and insert in lieu thereof the word "legally".

Amendment No. 3.

On page 12, line 44, of the printed bill, as amended, strike out the word "from", and in line 45, strike out the words "the producers thereof".

Amendment No. 4.

On page 15, line 2, of the printed bill, as amended, strike out the word "any", and insert in lieu thereof the word "the".

Amendment No. 5.

On page 15, line 2, of the printed bill, as amended, strike out the words "of the State", and insert in lieu thereof "of the county in which said contempt occurs".

Amendment No. 6.

On page 16 of the printed bill, as amended, strike out all of lines 29, 30, 31 and 32, and insert in lieu thereof the following: "any nonprofit cooperative marketing agency or any cooperative, or any other agricultural marketing agency may sign such petition if specifically authorized by the producers for whom such cooperative, nonprofit cooperative or agricultural marketing agency purports to sign; provided, however, such authorization shall be by an instrument separate than the marketing contract or shipping contract".

Amendment No. 7.

On page 16 of the printed bill, as amended, strike out lines 33 to 35, inclusive, and insert in lieu thereof the following: "in a case of perennial crops each producer

shall be entitled to sign for the number of producing factors specified in the petition which he produced during the proceeding season or in a case of actual field crops The producing factor shall be based upon actual acreage planted at the time he signs the petition".

Amendment No. 8.

On page 16, line 43, of the printed bill, as amended, strike out the word "presentation", and insert in lieu thereof "receipt".

Amendment No. 9.

On page 16, line 51, of the printed bill, as amended, strike out the words "county clerks", and insert in lieu thereof the words "agricultural commissioner's".

Amendment No. 10.

On page 17, lines 14 and 15, of the printed bill, as amended, strike out the words "within each county of the affected area".

Amendment No. 11.

On page 17, line 21, of the printed bill, as amended, after the word "paper", insert the word "is".

Amendment No. 12.

On page 17, line 27, of the printed bill, as amended, after the word "commission", insert the words "that the following facts", and in line 27, strike out the word "to".

Amendment No. 13.

On page 18, line 8, of the printed bill, as amended, strike out the numeral "8", and insert in lieu thereof the numeral "9".

Amendment No. 14.

On page 18, line 47, of the printed bill, as amended, after the word "election", insert the word "is".

Amendment No. 15.

On page 19, line 8, of the printed bill, as amended, strike out the word "portions", and insert in lieu thereof the word "portion".

Amendment No. 16.

On page 19, line 8, of the printed bill, as amended, strike out the words "which it is determined in the man-", and strike out all of lines 9, 10, 11, and to and including the period after the word "factors", in line 12.

Amendment No. 17.

On page 19, line 44, of the printed bill, as amended, after the word "which", insert the word "representatives".

Amendment No. 18.

On page 19 line 45, of the printed bill, as amended, after the word "agencies", strike out the period, insert a comma and add the following: "as provided in section 8 Subdivision 3 hereof".

Amendment No. 19.

On page 21 of the printed bill, as amended, strike out all of lines 3 to 45, inclusive, and insert in lieu thereof the following: "The producer members of said Program Committee shall be chosen by the commission from a group of fifteen nominees who are to be nominated by the producers. The commission in the selection of the Program Committee, shall take cognizance of and, in so far, as possible, give representation upon such committee to the various geographical areas or districts coming under the proration program No producer member of the Program Committee shall be a handler or processor or an employee of or in any manner connected with a handler or a processor, except that in the case of commodities, the bulk of which is processed before consumption, one of the producer members of said program committee shall be a processor; in the event that the commission shall be of the opinion that a committee of seven will not afford adequate representation to all of the factors in the industry concerned, it may appoint a Program Committee of six producers and three handlers provided said producers are selected from the list of nominees selected by the growers as provided for herein. The members of such Program Committee shall not be entitled to compensation but may be reimbursed their actual and necessary traveling expenses. Such prorating program may be altered or modified from time to time by such committee but the original program and any alteration or modification thereof must be approved by the commission before it shall be made effective Before approving any program or any alteration or modification thereof, the commission shall hold a hearing in the zone and must find that the same is reasonably calculated to maintain the existence of the facts specified in section 10 hereof."

Amendment No. 20.

On page 22, line 6, of the printed bill, as amended, strike out the word "approved", and all of lines 7 and 8, and insert in lieu thereof the following: "who shall administer the proration program under the direction of the Program Committee and who may be removed from office in the same manner as he was appointed".

Amendment No. 21.

On page 22, line 16, of the printed bill, as amended, after the word "program", strike out the period, and insert the words "which appointments shall be subject to the approval of the Program Committee".

Amendment No. 22.

On page 22, line 51, of the printed bill, as amended, strike out the word "empower", and insert in lieu thereof the word "empowered".

Amendment No. 23.

On page 23, line 13, of the printed bill, as amended, after the word "same", insert the words "by grades".

Amendment No. 24.

On page 23, line 15, of the printed bill, as amended, after the word "State", strike out the period and insert in lieu thereof a semicolon and the following: "provided, however, such surplus shall not be marketed in any form which would directly compete with that part of the crop which is regularly certificated."

Amendment No. 25.

On page 23, line 22, of the printed bill, as amended, strike out the word "to" at the end of said line, strike out all of line 23, and strike out the word "surplus" in line 24.

Amendment No. 26.

On page 23 of the printed bill, as amended, between lines 41 and 42, insert the following:

"(f) To create, maintain and disburse an equalization fund to be used for the removal of any inequalities between producers as to the total volume marketed through prorated channels resulting from errors in estimating production or surplus."

Amendment No. 27.

On page 24, line 13, of the printed bill, as amended, strike out the comma after "channel", and insert a semicolon.

Amendment No. 28.

On page 24, line 15, of the printed bill, as amended, strike out the words "secondary certificate", and insert in lieu thereof the words "the Program Committee".

Amendment No. 29.

On page 24, line 38, of the printed bill, as amended, after the word "fee", insert the following: ", uniform throughout the season,".

Amendment No. 30.

On page 24, line 43, of the printed bill, as amended, strike out the comma after "certificates".

Amendment No. 31.

On page 24, line 48, of the printed bill, as amended, after the word "such", and after the word "fees", insert the following: "not to exceed fifteen per cent of the fees collected for certificates,".

Amendment No. 32.

On page 25, line 4, of the printed bill, as amended, after the period following the word "commission", insert the following "at the termination of the proration program all such funds remaining in the hands of the Proration Program Committee shall be disbursed to the producers in proportion to the amount contributed by said producers."

Amendment No. 33.

On page 25 of the printed bill, as amended, after line 41, in section 25, add the following:

"(5) Nothing in this act contained shall apply to common carriers subject to the jurisdiction of the California Railroad Commission or the Interstate Commerce Commission."

Amendment No. 34.

On page 27, line 35, of the printed bill, as amended, strike out the word "September", and insert in lieu thereof "October".

Amendments adopted.

Bill read second time, ordered to reprint, re-re-engrossment, and third reading.

Assembly Bill No. 464—An act to amend section 820 of the Agricultural Code, relating to tomatoes.

Floor Amendments.

During second reading of the bill, the following amendments were submitted by Mr. Phillips:

Amendment No. 1.

On page 1 of the printed bill, as amended in Assembly March 18, 1935, strike out all of lines 3 to 7, inclusive, and insert in lieu thereof the following:

"820 Tomatoes shall be mature but not overripe, and shall be free from mold, decay, and wet or soft rots; fresh holes and cuts through the wall of the tomato from any causes, insect and unhealed injuries which have penetrated or damaged the flesh; puffiness which causes one-half or more of the sections or locules to be distinctly open to the extent of showing a separation of more than one-eighth of an inch between the pulp and the fleshy wall; visible evidence of virus diseases such as mosaic and spotted wilt (streak), showing on one-third or more of the surface of the individual tomato; and from serious damage due to freezing injury, blossom end rot, alkali spot, sunscald, bruises, cat faces, growth cracks, or other".

Amendment No. 2.

On page 1, line 14, of the printed bill, as amended in Assembly March 18, 1935, strike out the word "determined", and insert in lieu thereof "determined".

Amendment No. 3.

On page 1 of the printed bill, as amended in Assembly March 18, 1935, strike out all of lines 17 to 20, inclusive, and insert in lieu thereof the following:

"With the exception of puffiness and visible evidence of virus diseases, not more than ten per cent, by weight, of the tomatoes in any one container or bulk lot may be below these requirements, but not to exceed one-half of this tolerance shall be allowed for any one cause. In the case of puffiness and visible evidence of virus diseases, not more than twenty per cent, by weight, of the tomatoes in any one container or bulk lot may be below these requirements, but not to exceed one-half of this tolerance or ten per cent shall be allowed for any one of these causes."

Amendment No. 4.

On page 1 of the printed bill, as amended in Assembly March 18, 1935, strike out all of lines 24 to 26, inclusive, and on page 2, strike out all of lines 1 to 5, inclusive

Amendment No. 5.

On page 2 of the printed bill, as amended in Assembly March 18, 1935, strike out all of lines 6 to 9, inclusive, and insert in lieu thereof the following:

"When tomatoes are packed in standard California lug boxes with wide cleats which interfere with the packing of the top layer, each layer except the top layer must have the same numerical count, which may not exceed one row".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 895—An act to amend section 820 of the Agricultural Code, relating to the standardization of tomatoes.

Floor Amendments.

During second reading of the bill, the following amendments were submitted by Mr. Phillips:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out all of lines 6 to 9, inclusive, and insert in lieu thereof the following:

"761 Tomatoes for canning purposes shall be fairly well colored, free from serious damage caused by molds and decay, growth cracks, worm holes, cat faces, sunscald, freezing injury or injury from mechanical or other means.

As used in this section:

"Fairly well colored" means that the tomato shows at least two-thirds good red color, as such color is illustrated by color charts accompanying U S standards for canning tomatoes as established by the Bureau of Agricultural Economics of the U S Department of Agriculture

"Serious damage" means any injury which can not be removed in the ordinary process of trimming and peeling without a loss of more than twenty per cent (by weight) of the tomato in excess of that which would occur if the tomato were perfect

Tomatoes for canning purposes shall be at least one and one-half inches in diameter when measured through the widest portion of the cross section, except that tomatoes of the pear plum type shall not be restricted as to size

These standards shall not apply in the case of dwarf fruit types of tomatoes which are used for conserving or other ordinary cannery purpose."

Amendment No. 2.

On page 2 of the printed bill, as amended, strike out all of lines 10 to 13, inclusive, and insert in lieu thereof the following:

"762 The official standards established by section 761 shall be the only standards of quality for canning tomatoes The provisions of any contract to sell canning tomatoes or to deliver them on consignment, which prescribes other or different standards shall be ineffective, and, in such contract, the standards prescribed by section 761 shall be implied by law".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No 353—An act to establish legislative standards in relation to the rehabilitation of agriculture and the regulation of producers, packers, distributors, shippers, marketers, handlers, processors and others dealing in agriculture, viticultural and horticultural products and of any competing commodity or product thereof; to recognize, make effective and provide for the enforcement in this State of marketing agreements and licenses issued or prescribed by the Secretary of Agriculture of the United States under the National Agricultural Adjustment Act, being Public Act No 10 of the Seventy-third Congress of the United States; to provide for the issuance, administration and enforcement of State marketing agreements and State licenses in connection therewith; to prescribe the powers, duties and jurisdiction of the State Director of Agriculture in relation thereto, to provide that said State and Federal marketing agreements and licenses shall be and establish standards of fair competition in this State; to suspend all antitrust and unfair competition laws of this State in conflict herewith and therewith; to prescribe remedies, rights, duties and penalties with respect to violations hereof and thereof; to provide ways, means and moneys for the administration and enforcement of said State and Federal marketing agreements and licenses; to declare the existence of a State and National agricultural emergency and the urgency of this act and that this act shall take effect immediately.

Floor Amendments.

During second reading of the bill, the following amendments were submitted by Mr. Phillips:

Amendment No. 1.

On page 1, line 4 of the title of the printed bill, as amended, after the word "viticultural", add a comma

Amendment No. 2.

On page 1, line 5 of the title of the printed bill, as amended, strike out the words "and horticultural", and insert in lieu thereof the following "horticultural, animal and poultry".

Amendment No. 3.

On page 1, line 25 of the title of the printed bill, as amended, after the word and semicolon "licenses;", add the following: "to limit the effective period of this act;".

Amendment No. 4.

On page 4, line 2, of the printed bill, as amended, strike out the comma and the words "except fluid milk".

Amendment No. 5.

On page 4, line 37, of the printed bill, as amended, after the word "amendments", strike out the words "to either".

Amendment No. 6.

On page 4, line 44, of the printed bill, as amended, after the word "license", strike out the comma, and add the following: "as to matters, happenings, transactions, offenses, assessments levied or expenses accruing thereunder after the effective date hereof".

Amendment No. 7.

On page 4, line 51, of the printed bill, as amended, after the words "to a", add the following: "State marketing agreement or".

Amendment No. 8.

On page 5 of the printed bill, as amended, strike out lines 13, 14 and 15, and insert in lieu thereof the following: "shall be lawful for any persons, corporations or groups, or for members of one or more agricultural associations, to meet, confer and agree".

Amendment No. 9.

On page 5, line 21, of the printed bill, as amended, strike out the word "subdivision", and insert in lieu thereof the word "section".

Amendment No. 10.

On page 5, line 22, of the printed bill, as amended, after the word "act", add the following: "other than this section".

Amendment No. 11.

On page 5, lines 24 and 25, of the printed bill, as amended, strike out the following: "subdivision 2 of this section.", and insert in lieu thereof the following "section 6a hereof."

Amendment No. 12.

On page 5, line 27, of the printed bill, as amended, strike out "(2) For", and insert in lieu thereof the following: "Sec. 6a. In order to carry out the purposes of this act it shall be lawful for".

Amendment No. 13.

On page 5, lines 35 and 36, of the printed bill, as amended, strike out the following: "and it shall be his duty,".

Amendment No. 14.

On page 5 of the printed bill, as amended, strike out lines 43 to 52, both inclusive, and strike out all of page 6, and on page 7, strike out lines 1 to 11, both inclusive, and insert in lieu thereof the following: "or product thereof. No such agreement shall be so entered into unless it embraces only persons of a like class by permitting participation therein by all persons engaged in a specific and naturally, inherently and intrinsically distinctive agricultural trade or industry and there then exists a corresponding Federal marketing agreement or license regulating such trade or industry under the National Agricultural Adjustment Act. Also, no such agreement shall be so entered into unless assented to in writing by persons engaged in business done within and from this State but otherwise subject to all corresponding requirements and qualifications to those specified in the National Agricultural Adjustment Act for adoption of a corresponding Federal marketing agreement, if any such requirements or qualifications then exist therein.

(b) To license and issue licenses to persons engaged in intrastate transactions or commerce within this State in the producing, marketing, processing, packing, shipping, handling, or distributing, of any agricultural product or commodity or products thereof, or any competing product or commodity or products thereof. No such license shall be so issued unless whenever one such person is licensed the director at the same time shall subject all persons engaged in the same specific and naturally, inherently and intrinsically distinctive agricultural business, trade or industry to the same identical license provisions and there then exists a corresponding Federal agreement or license regulating such business, trade or industry under the National Agricultural Adjustment Act. Such license may be issued in accordance with regulations to be prescribed by the Director of Agriculture as a blanket license or upon application by persons subject thereto. Upon the issuance of any license or any amendment".

Amendment No. 15.

On page 7, line 20, of the printed bill, as amended, after the word "license", add the following: "or any amendment thereof".

Amendment No. 16.

On page 8 of the printed bill, as amended, strike out lines 4 to 19, both inclusive, and insert in lieu thereof the following:

"No marketing agreement shall be approved by the State Director of Agriculture under this section nor shall any license be issued by said director under this section save where such marketing agreement or license conforms with and contains only like terms, provisions, methods and procedure as the corresponding Federal marketing agreement or license then in existence, except: (1) other than section 16, all provisions hereof relating to such State marketing agreements or licenses shall

with or without express incorporation therein be applicable thereto and a part thereof, (2) every such State marketing agreement or State license shall contain such provisions as may be necessary or required to make such marketing agreement or license applicable to transactions within this State; and (3) any such State marketing agreement or license may contain provisions authorized by section 16 hereof.

No marketing agreement shall be approved by the State Director of Agriculture under this section nor shall any license be issued by said director under this section save where the same, in making provision for the appointment or election of any officer, employee, board, commission or committee thereunder, provides that no person shall be eligible thereto unless such person holds a corresponding position under a corresponding Federal marketing agreement or Federal license except where every such eligible person, or in case of a board, commission or committee, a majority of the members thereof, refuses to serve. Whenever for any reason a person appointed or elected as aforesaid holds no or ceases to hold a corresponding position under a corresponding Federal marketing agreement or Federal license and thereafter there becomes an eligible person holding a corresponding position under a corresponding Federal marketing agreement or Federal license who is willing to serve, such position shall become immediately vacant and the eligible person shall be appointed or elected in his stead."

Amendment No. 17.

"On page 8, line 21, of the printed bill, as amended, after the word "license", strike out the comma, and insert the following: "and where there theretofore existed a corresponding State marketing agreement or license,".

Amendment No. 18.

On page 8, line 26, of the printed bill, as amended, strike out the following: "and within", and insert in lieu thereof the following: ". Within".

Amendment No. 19.

On page 8 of the printed bill, as amended, strike out lines 29 to 37, both inclusive, and insert in lieu thereof the following: "to carry out the purposes of this act he shall. (1) if there theretofore existed a corresponding State license, issue a license having like terms, provisions, methods and procedure as said Federal marketing agreement or license as amended subject to like limitations as apply upon the original issuance of a State license; and (2) if there theretofore existed a corresponding State marketing agreement, after like assent in writing as and if then required for original adoption of a State marketing agreement, enter into a State marketing agreement having like terms, provisions, methods and procedure as said Federal marketing agreement or license as amended subject to like limitations as apply upon the original adoption of a State marketing agreement; otherwise he shall cancel such State marketing agreement or license. It is the intention".

Amendment No. 20.

On page 8 of the printed bill, as amended, strike out lines 42 to 49, both inclusive, and insert in lieu thereof the following: "The director shall: (a) rescind any license hereunder or terminate any marketing agreement hereunder upon the written request of producers who, during a representative period determined by the director, produced within this State for market over fifty per cent in volume of the total volume produced for market within this State of the agricultural product or commodity specified in such marketing agreement or license; or (b) rescind any license hereunder upon the written request of persons engaged in marketing, processing, packing, shipping, handling or distributing who, during a representative period determined by the director, controlled over sixty-seven per cent in volume of the total volume of business done within and from this State in the particular agricultural product or commodity or the particular trade or industry regulated by such license."

Amendment No. 21.

On page 9 of the printed bill, as amended, strike out line 12, and insert in lieu thereof the following: "each natural person or in the case of a corpora-".

Amendment No. 22.

On page 9 of the printed bill, as amended, strike out line 26, and insert in lieu thereof the following: "tion in like manner to any officer or".

Amendment No. 23.

On page 9 of the printed bill, as amended, strike out lines 29 to 35, both inclusive, and insert in lieu thereof the following: "rule or order. The director shall upon request mail to any person affected by any general rule or regulation promulgated by him, a copy of the same and may charge a reasonable fee therefor.

A rule of any board, committee, or administrative authority under any State marketing agreement or license shall have the force and effect of law"

Amendment No. 24.

On page 9, line 48, of the printed bill, as amended, strike out the word "prescribed", and insert in lieu thereof the word "defined".

Amendment No. 25.

On page 10, line 13, of the printed bill, as amended, strike out the following: "forfeit to the State", and insert in lieu thereof the following: "become civilly liable to the State in".

Amendment No. 26.

On page 10, line 14, of the printed bill, as amended, strike out the word "forfeiture", and insert in lieu thereof the word "sum".

Amendment No. 27.

On page 10 of the printed bill, as amended, strike out lines 16 to 25, both inclusive, and insert in lieu thereof the following.

"SEC 8. (1) The Attorney General or any district attorney of this State may upon his own initiative, and shall upon complaint of any person if after investigation he believes a violation to have occurred, bring an action in the name of the people of this State in".

Amendment No. 28.

On page 10, line 35, of the printed bill, as amended, strike out the word "thereof", and insert in lieu thereof the word "thereby".

Amendment No. 29.

On page 10 of the printed bill, as amended, between lines 40 and 41, insert the following:

"(2) Any board, committee, or administrative authority under any State marketing agreement or license may in like manner bring a like action against any such person as to any of such offenses as affect the particular trade or industry subject to the terms of the State marketing agreement or license under which such board, committee or administrative authority was created"

Amendment No. 30.

On page 10, line 41, of the printed bill, as amended, strike out the parentheses and figure "(2)", and insert in lieu thereof the following: "(3)".

Amendment No. 31.

On page 10, line 48, of the printed bill, as amended, strike out the parentheses and figure "(3)", and insert in lieu thereof the following: "(4)".

Amendment No. 32.

On page 10 of the printed bill, as amended, strike out line 49, and insert in lieu thereof the following: "where any defendant resides or where any act".

Amendment No. 33.

On page 10, line 51, of the printed bill, as amended, strike out the parentheses and figure "(4)", and insert in lieu thereof the following: "(5)".

Amendment No. 34.

On page 11, line 40, of the printed bill, as amended, after the word "authority", strike out the comma.

Amendment No. 35.

On page 12, line 26, of the printed bill, as amended, after the portion of the word "tor", strike out the word "or".

Amendment No. 36

On page 12, line 32, of the printed bill, as amended, after the word "may", insert and add the following. "be so required to".

Amendment No. 37.

On page 12, line 41, of the printed bill, as amended, after the words "United States", strike out the comma.

Amendment No. 38.

On page 13 of the printed bill as amended, strike out line 6, and insert in lieu thereof the following: "ment or license issued pursuant hereto to use, upon such".

Amendment No. 39.

On page 13, line 8, of the printed bill, as amended, after the portion of the word "cers", strike out the comma.

Amendment No. 40.

On page 13 of the printed bill, as amended, strike out line 14, and insert in lieu thereof the following "have the powers of a peace officer for the purpose of enforcing".

Amendment No. 41.

On page 13 of the printed bill, as amended, strike out lines 26 to 49, both inclusive, and insert in lieu thereof the following.

"SEC. 16. (a) Any marketing agreement or license adopted or issued by the director hereunder may provide where a surplus arises under the terms or operation thereof for a program of surplus control regulating the marketing and disposition of such surplus.

(b) The director shall provide for such a program of surplus control when assented to in writing by persons who, during a representative period determined by the director, controlled more than 67 per cent in volume of the total volume of business done within and from this State in the particular agricultural product or commodity or by the particular trade or industry subject to such marketing agreement or license

(c) Every such program of surplus control shall: (1) operate equitably and proportionately upon all persons affected thereby; (2) operate without conflict with any other purposes of said or any other State or Federal marketing agreement or license.

(d) Where a Federal marketing agreement or license does not provide for surplus control, the director may nevertheless in the corresponding State marketing agreement or license provide for surplus control."

Amendment No. 42.

On page 14 of the printed bill, as amended, between lines 8 and 9, insert the following:

"SEC. 20. This act shall cease to be in effect on October 1, 1937, or sooner if prior thereto the National Agricultural Adjustment Act shall cease to be in effect."

Amendment No. 43.

On page 14, line 9, of the printed bill, as amended, strike out the figures "20", and insert in lieu thereof the figures "21".

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

Communications.

The following communications were received, and ordered printed in the Journal:

FRESNO, CALIFORNIA, April 30, 1935.

Arthur A. Ohnimus, Chief Clerk, Assembly.

Illness makes trip impossible before May 6th. My attorney Brown asked to come.

C. A. HAWKINS.

SAN FRANCISCO, CALIFORNIA, April 30, 1935.

Arthur A. Ohnimus, Chief Clerk of Assembly,
State Capitol.

Reply your wire 29th. Mr. Cox, staff bridge engineer, unable to be present in Assembly Chamber May 1st on Bay Bridge matter, due to illness confining him to bed for last ten days.

CHAS. E. ANDREW, Bridge Engineer.

SAN FRANCISCO, CALIFORNIA, April 30, 1935.

Arthur A. Ohnimus, Chief Clerk of Assembly,
State Capitol.

Reply your wire today, we are endeavoring to locate Mr. Andrew who is on vacation in mountains.

C. H. PURCELL, Chief Engineer

Motion to Rush Printing.

Mr. Phillips moved that the Chief Clerk instruct the State Printer to rush printing of Assembly Bills Nos. 464, 895, 915, and 1216 and Senate Bill No. 353, and to print 500 additional copies of Assembly Bill No. 915 and Senate Bill No. 353.

Special Order.

The hour of ten o'clock and thirty minutes a m, having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 947.

Assembly Bill No 947—An act to amend Chapter 763, Statutes of 1929, approved June 10, 1929, as amended by Chapter 401, Statutes of 1931, approved May 25, 1931, and as amended by Chapter 10,

Statutes of 1933, approved January 26, 1933, entitled and known and cited as "California Toll Bridge Authority Act," by amending the title thereof and by amending sections 2, 9, 11, 14, 16, 20 and 22½, and by adding thereto new sections numbered 4½, 5½, 5¾, 8½, 8¾, 9½, 9¾, 12½, 13¾, 16¼ and 16½, relating to and prescribing additional duties, powers and limitations regarding the construction and financing of toll bridges; and providing for the acquisition, construction, financing and operation of transportation facilities thereof and thereto; and providing that this act become effective immediately.

Bill read third time.

Motion.

Mr. Heisinger moved that the Assembly resolve itself into Committee of the Whole for the purpose of considering Assembly Bill No. 947.

Motion carried.

In Committee of the Whole.

Speaker Craig in the chair.

Assembly Bill No 947 considered.

Mr. Lyon moved that the committee do now rise, and report back to the Assembly.

In Assembly.

Speaker Craig in the chair.

Report of Committee of the Whole.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1935

GENTLEMEN: Your Committee of the Whole, which has had under consideration Assembly Bill No. 947—An act to amend Chapter 763, Statutes of 1929, approved June 10, 1929, as amended by Chapter 401 Statutes of 1931, approved May 25, 1931, and as amended by Chapter 10 Statutes of 1933, approved January 26, 1933, entitled and known and cited as "California Toll Bridge Authority Act" by amending the title thereof and by amending sections 2, 6½, 9, 11, 14, 16, 20 and 22½, and by adding thereto new sections numbered 4½, 5½, 5¾, 8½, 8¾, 9½, 9¾, 12½, 13¾, 16¼ and 16½, relating to and prescribing additional duties, powers and limitations regarding the construction and financing of toll bridges; and providing for the acquisition, construction, financing and operation of transportation facilities thereof and thereto; and providing that this act become effective immediately—does now respectfully report the same back.

CRAIG, Chairman

Recess.

At twelve o'clock m., on motion of Mr. Lyon, the Assembly was declared at recess until two o'clock p.m., of this day

Reassembled.

At two o'clock p m., the Assembly reconvened.

Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1935

MR SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No 1929—An act to amend section 4041k of the Political Code—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

DELAP, Chairman.

The above reported bill ordered on file for second reading.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1935

MR SPEAKER Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 825—An act to provide for the formation of sewer districts within counties, cities and counties and municipalities for the acquisition or construction of sanitary sewage works or improvements, for the issuance, sale and payment of bonds of such districts, for the acquisition, construction, maintenance and operation of such improvements, and for the fixing, collecting and application of revenues, rates and charges for the use of the sewage works or improvements—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1935

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 622—An act to amend sections 1.72 and 1.73-1 of the School Code, relating to the transportation of public school pupils—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

CHATTERS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 133—An act to add section 3.401 to the School Code, relating to tuition fees of students in junior colleges;

Also: Senate Bill No. 886—An act to add two new sections to the School Code to be numbered 6.223 and 6 224, relating to the sale of property of a school district, declaring the urgency thereof, and providing that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

CHATTERS, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 1188—An act to add a new article to Chapter II of Part II of Division IV of the School Code, to be known as Article XI, relating to school district funds—has had the same under consideration, and respecttully reports the same back, and recommends that it do pass

CHATTERS, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 798—An act to amend section 2 of an act entitled "An act relating to the safety of design and construction of public school buildings, providing for regulation, inspection and supervision of the construction, reconstruction or alteration of or addition to public school buildings, and for the inspection of existing school buildings, defining the powers and duties of the State Division of Architecture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act, to take effect immediately," approved April 10, 1933, relating to the powers and duties of the State Division of Architecture in connection with the erection, reconstruction, alteration of, or addition to school buildings—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

CHATTERS, Chairman

The above reported bill ordered on file for second reading.

On Mines and Mining.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1935

MR. SPEAKER: Your Committee on Mines and Mining, to which was referred Senate Bill No. 878—An act to regulate grubstake contracts and prospecting agree-

ments and to provide for the recording of the same—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

MAYO, Chairman.

The above reported bill ordered on file for second reading.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1935.

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1606—An act to amend section 8 of and to add section 8a to the Sewer Revenue Bond Act, relating to acquisition and operation of sewerage disposal works;

Also: Assembly Bill No. 384—An act to provide for the discharge, cancellation, and retirement of the indebtedness represented by bonds of special assessment improvement districts where such bonds were issued prior to January 1, 1933, and are payable from special assessments levied wholly or partly in accordance with the assessed value of lands, where such bonds have been purchased or are redeemed by any city, county, or city and county for the purpose of discharging, canceling, or retiring such bonds or part thereof, providing for the reduction of special assessment levies against the property in such districts, and providing a procedure for the discharge, cancellation and retirement of said bonds;

Also: Assembly Bill No. 397—An act to provide for the levy and collection of taxes and assessments for the purpose of creating a fund for capital outlays by cities, counties, cities and counties or districts;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended

WRIGHT, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1804—An act validating, ratifying, approving and confirming bonds and other instruments or obligations heretofore issued by public bodies of this State for public works projects;

Also: Assembly Bill No. 739—An act to amend an act entitled "An act authorizing counties to construct, improve, maintain and repair streets lying in municipalities or to aid or assist by the appropriation of money and otherwise in establishing, laying out, opening, widening, extending, straightening, constructing, improving or altering streets or changing or separating the grades thereof within municipalities or in acquiring lands, rights of way or other property necessary therefor," approved April 30, 1923, as amended, by amending section 2 thereof to authorize appropriations for the illumination of highways;

Also: Assembly Bill No. 738—An act to amend section 13 of "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to expenditures of funds,

Also: Assembly Bill No. 741—An act to amend section 159 of the California Vehicle Act approved May 30, 1923, as amended, relating to the motor vehicle fund and the disposition of moneys placed therein;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

WRIGHT, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 72—An act relating to bond elections, providing for the manner of holding the same, defining the duties of certain persons in relation thereto, and other matters properly relating thereto;

Also: Assembly Bill No. 243—An act to amend sections 5, 5½, 6, 7, 8, and 11, of the "Metropolitan Water District Act," relating to metropolitan water district;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended

WRIGHT, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 740—An act to amend sections 2, 3 and 5 of an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, as amended, relating to the allocation and expenditure of State highway funds and the construction, improvement, illumination and maintenance of highways—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

On Oil Industries.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1935.

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 2408—An act to add a new section to the Code of Civil Procedure to be numbered 349¾, relating to the limitation of the time within which actions, for trespass, use or occupancy of real property by oil or gas wells, and for damages by reason thereof, and for the conversion or for the taking or removing of oil, gas or other liquid or fluids by means of any such well, may be commenced, and defining oil and gas for the purposes of this act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

McBRIDE, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER SACRAMENTO, May 1, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1725—An act to amend the State Bar Act—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LYON, Chairman.

The above reported bill ordered on file for second reading.

On Irrigation.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1935.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Senate Bill No. 399—An act relating to the liability of irrigation districts, their officers and employees—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

On Commerce and Navigation.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1935.

MR SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 1185—An act authorizing the Board of State Harbor Commissioners to make application for the privilege of establishing, maintaining and operating a foreign trade zone on the property under the jurisdiction and control of said board on the waterfront of San Francisco, and to establish, maintain and operate such zone, pursuant to the act of Congress of June 18, 1934, Chapter 590—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MALONEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 660—An act authorizing public and private corporations

of and in the State of California to make applications for the right to establish, operate and maintain, and to establish, operate and maintain foreign-trade zones in or adjacent to ports of entry in this State—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MALONEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER. Your Committee on Commerce and Navigation, to which was referred Senate Bill No 118—An act relating to the registration of vessels and requiring a tax clearance as the prerequisite for registration—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MALONEY, Chairman.

The above reported bill ordered on file for second reading.

Also.

MR SPEAKER. Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 549—An act granting certain submerged lands and tidelands of the State of California to the city of Oakland, including the management, use and control thereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

MALONEY, Chairman.

The above reported bill ordered on file for second reading.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1935.

MR SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No 1323—An act to regulate the sale, purchase, transportation and marketing of poultry and to provide a penalty for the violation thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

THORP, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 896—An act to amend sections 479, 508, 510, 581, 585, 590, 591, 593, 632, and 673 of the Agricultural Code, relating to dairies and dairy products—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

THORP, Chairman.

The above reported bill ordered on file for second reading.

On Drainage, Swamp and Overflowed Lands.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1935

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 345—An act to amend section 3480d of the Political Code, relating to crediting on calls of installment of assessments made by reclamation districts amounts of outstanding bonds exchanged in refunding proceedings, or otherwise canceled, and to the redemption of property sold to reclamation districts for delinquent assessments and installments thereof, and to the sale by county treasurers of land sold for delinquent assessments and installments thereof, and containing a provision declaring this act to be an emergency measure, stating the facts constituting such emergency and providing this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

DESMOND, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No 1532—An act to amend the Political Code by amending sections 3466a and 3491, relating to reclamation districts—has had the

same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

DESMOND, Chairman

The above reported bill ordered on file for second reading.

Report of Special Committee.

The following report of Special Committee was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May, 1, 1935.

MR. SPEAKER: Your Special Committee appointed to consider Assembly Bill No. 44—An act to prohibit until February 1, 1936, sales under certain mortgages and deeds of trust, and the forfeiture of the interest of the purchaser under certain contracts of purchase, for default in the payment of the principal sum of obligations secured thereby or contracted to be paid thereunder, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale or forfeiture made in violation of the act, to prescribe the time within which an action to avoid the same may be brought, to postpone sales for default in payment of installments due between effective date of act and February 1, 1936, to authorize waiver hereof, to prevent actions against guarantors' obligations the enforcement of the security for which is affected by the act, and to declare the urgency hereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LYON, Chairman.

Second Reading of Assembly Bill No. 44.

Assembly Bill No. 44—An act to prohibit until February 1, 1936, sales under certain mortgages and deeds of trust, and the forfeiture of the interest of the purchaser under certain contracts of purchase, for default in the payment of the principal sum of obligations secured thereby or contracted to be paid thereunder, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale or forfeiture made in violation of the act, to prescribe the time within which an action to avoid the same may be brought, to postpone sales for default in payment of installments due between effective date of act and February 1, 1936, to authorize waiver hereof, to prevent actions against guarantors' obligations the enforcement of the security for which is affected by the act, and to declare the urgency hereof.

Floor Amendments.

During second reading of the bill, the following amendments were submitted by Mr. Peyser:

Amendment No. 1.

On page 1 of the printed bill, strike out the entire title, and any and all amendments thereto, and insert in lieu thereof the following:

"An act to prohibit until February 1, 1937, sales under certain mortgages and deeds of trust, and the forfeiture of the interest of the purchaser under certain contracts of purchase, for default in the payment of the principal sum of obligations secured thereby or contracted to be paid thereunder, to extend the statute of limitations upon certain obligations, to make voidable at the instance of the owner any sale or forfeiture made in violation of this act, to prescribe the time within which an action to avoid the same may be brought, to postpone sales for default in payment of installments due between effective date of this act and February 1, 1937, to authorize waiver hereof, to regulate actions upon guarantors' obligations the enforcement of the security for which is affected by this act, to repeal an act entitled: "An act relating to the relief of debtors and guarantors, and permitting postponement of foreclosures and sales under mortgages, deeds of trust, or contracts of purchase of real property, or postponement of forfeitures and terminations under such contracts of purchase, declaring the urgency thereof, and providing that it shall take effect immediately," approved January 31, 1935; to repeal an act entitled: "An act to prohibit until February 1, 1935, sales under certain mortgages and deeds of trust, and the forfeiture of the interest of the purchaser under certain contracts of purchase, for default in the payment of the principal sum of obligations secured thereby or contracted to be paid thereunder, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale or forfeiture made in violation of the act, to prescribe the time within which an action to avoid the same may be brought, to postpone sales for default in payment

of installments due between effective date of act and February 1, 1935, to authorize waiver hereof, to prevent actions against guarantors' obligations the enforcement of the security for which is affected by the act, and to declare the urgency hereof," approved September 15, 1934; declaring the urgency hereof, and providing that it shall take effect immediately."

Amendment No. 2.

Strike out the entire body of the printed bill commencing with the words "Section 1" in line 1, on page 1, and ending with the words "of their property", in line 26, on page 5, and any and all amendments to the body of the printed bill, and insert in lieu thereof the following:

"SECTION 1. A large proportion of the real property in this State is held subject to mortgage or deed of trust or under contract of purchase, and many owners and purchasers thereof are finding it extremely difficult or impossible, because of present economic conditions, to meet their obligations to retain their property. Prices for farm products are at present so low and unemployment in industry and business is so widespread, that farmers and wage earners, and those who do business with them, have as a class lost a considerable part of their income, and large numbers of such individuals have no income or scarcely enough for food and other necessities.

The value to the State of a large body of owners of land is inestimable, as such owners have a vital interest in the State and its welfare, and participate in governmental affairs to such an extent and in such a way that they constitute an essential factor in the political and economic life of the State.

If steps are not taken immediately to permit delay of foreclosures and sales under mortgages, deeds of trust, and contracts of purchase, and forfeitures and terminations under contracts of purchase, a large number of owners of real property will be forced to abandon their interests in their property.

An emergency therefore exists, and it is necessary to provide for the permitting of delays of foreclosures and sales under mortgages, deeds of trust, and contracts of purchase or of forfeitures and terminations under contracts of purchase.

With these considerations in view, the following provisions are intended to permit such delays and such safeguards to the interests of creditors affected thereby as are required by the present emergency.

SEC. 2. Until February 1, 1937, except in the case of mining property no decree of foreclosure of a mortgage or deed of trust heretofore executed upon real property or of a mortgage heretofore executed upon chattels as further security for an obligation secured by mortgage or deed of trust upon real property shall be entered nor shall any sale be made under any power of sale contained in any mortgage or deed of trust heretofore executed upon real property or contained in any mortgage heretofore executed upon chattels as further security for an obligation secured by mortgage or deed of trust upon real property nor shall any sale be made under any final decree of foreclosure rendered in any action to foreclose a mortgage heretofore executed upon real property or a mortgage heretofore executed upon chattels as further security for an obligation secured by mortgage or deed of trust on real property nor shall the interest of any purchaser under a contract of purchase of real property heretofore executed be terminated or forfeited in any case while the only default in the performance of the obligation for which any such mortgage or deed of trust was given as security or in the performance of such contract consists solely of the failure to pay when due the principal sum of such obligation. In any case where a decree of foreclosure has been rendered the original obligation secured by deed of trust or mortgage shall not, for the purpose of determining what defaults in the performance of such obligation exist, be deemed to have been merged in such decree of foreclosure.

Nothing contained in this section shall prevent the acceleration by reason of the nonpayment of taxes, interest or insurance of the entire obligation secured by any such mortgage or deed of trust.

SEC 3. Except in the case of mining property no sale shall be made under any power of sale contained in any mortgage or deed of trust executed before the effective date of this act upon real property or contained in any mortgage executed before the effective date of this act upon chattels as further security for an obligation secured by mortgage or deed of trust upon real property nor shall any sale be made under any final decree of foreclosure rendered in any action to foreclose a mortgage or deed of trust executed before the effective date of this act upon real property or a mortgage executed before the effective date of this act upon chattels as further security for an obligation secured by mortgage or deed of trust upon real property nor shall the interest of any purchaser under a contract of purchase of real property executed before the effective date of this act be terminated or forfeited in any case while the only default in the performance of the obligation for which any such mortgage or deed of trust was given as security, or in the performance of the obligation of such contract, consists solely of the failure to pay when due one or more installments of the principal sum of such obligation which become due according to the terms of such obligation during the period commencing with the effective date of this act and ending on February 1, 1937, until at least six months after the due date of the last principal installment which becomes due during said period but nothing in this section shall prevent any such sale, termination or forfeiture after the expiration of said six months. In any case where a decree of foreclosure has been rendered the obligation secured by deed of

trust or mortgage shall not, for the purpose of determining what defaults in the payment of such obligation exist, be deemed to have been merged in such decree of foreclosure.

Nothing contained in this section shall prevent the acceleration by reason of the nonpayment of taxes, interest or insurance of the entire obligation secured by any such mortgage or deed of trust.

SEC. 4. Except in the case of mining property no sale shall be made prior to January 1, 1936, under any power of sale contained in any mortgage or deed of trust executed before the effective date of this act upon real property or contained in any mortgage executed before the effective date of this act upon chattels as further security for an obligation secured by mortgage or deed of trust upon real property nor shall any sale be made prior to January 1, 1936 under any final decree of foreclosure rendered in any action to foreclose a mortgage or deed of trust executed before the effective date of this act upon real property or a mortgage executed before the effective date of this act upon chattels as further security for an obligation secured by mortgage or deed of trust upon real property nor shall the interest of any purchaser under a contract of purchase of real property executed before the effective date of this act be terminated or forfeited prior to January 1, 1936, in any case while the only defaults in the performance of the obligation for which any such mortgage or deed of trust was given as security, or in the performance of the obligation of such contract, consists solely of one or more of the following, viz:

(a) Failure to pay one or more installments of interest which shall have become due on or after January 1, 1935, and prior to the effective date of this act.

(b) Failure to pay the principal sum of such obligation, or

(c) Failure to pay one or more installments of the principal sum of such obligation. In any case where a decree of foreclosure has been rendered the obligation secured by deed of trust or mortgage shall not, for the purpose of determining what defaults in the payment of such obligation exist, be deemed to have been merged in such decree of foreclosure.

Nothing contained in this section shall prevent the acceleration by reason of the nonpayment of interest which becomes due after the effective date of this act, or by reason of the nonpayment of taxes or insurance of the entire obligation secured by any such mortgage or deed of trust, or prevent after January 1, 1936, the acceleration of such entire obligation by reason of the failure to pay, on or before January 1, 1936, all installments of interest which became due prior to the effective date of this act.

SEC. 5. Anything in this act to the contrary notwithstanding a mortgagor, trustor or purchaser shall not be deemed to be in default in his obligation to pay taxes on property subject to mortgage, deed of trust or contract of purchase if he shall have paid all current taxes on such property and shall have elected to pay all delinquent taxes thereon in installments as provided by law and is not delinquent in the payment of any such installment.

SEC 6. Until February 1, 1937, no receiver shall be appointed at the instance of the mortgagee of any mortgage or the trustee or beneficiary of any deed of trust with respect to real property subject to mortgage or deed of trust or with respect to chattels subject to mortgage given as further security for an obligation secured by mortgage or deed of trust upon real property, except in a suit or action for the foreclosure of any such mortgage or deed of trust or for the enforcement of the covenants, or any thereof, contained in any such mortgage or deed of trust, or in a proceeding ancillary to any such suit or action.

SEC. 7 Whenever the time within which an action may be commenced upon any obligation founded upon a written instrument secured by mortgage, deed of trust or contract of purchase, or upon any installment of any such obligation, or founded upon any guarantee of such obligation or installment thereof, or any contract of suretyship therefor or any endorsement of such instrument, would expire by virtue of section 337 of the Code of Civil Procedure, or by virtue of the provisions of the act approved September 15, 1934, cited in the title hereof, or by virtue of the provisions of an act approved January 31, 1935, cited in the title hereof, or any other provision of law during the period commencing with the effective date of this act and ending on August 1, 1937, such time is hereby extended so as not to expire until the thirty-first day of December, 1937.

SEC. 8. Any sale of real property under a deed of trust or mortgage with power of sale or of chattels under mortgage with power of sale made in violation of this act shall be voidable, except as against a bona fide purchaser or encumbrancer for value, at the instance of the record owner of such real property or the owner of such chattels at the time of such sale; provided that any action to avoid such sale or any deed or bill of sale executed pursuant thereto must be brought within one year following the date of such sale

SEC. 9. Nothing contained in this act shall apply to or be deemed to affect (a) any mortgage, deed of trust or contract of sale upon real property, or upon chattels executed after February 1, 1935, or (b) any mortgage or deed of trust securing the payment of bonds or other evidences of indebtedness authorized or

permitted to be issued by the Commissioner of Corporations or made by public utilities subject to the provisions of the Public Utilities Act, or (c) any mortgage or deed of trust while held and owned by the original lender securing any loan made by the United States Government or any agency thereof or any loan insured by the United States Government or any agency thereof.

SEC. 10. No suit or action shall be commenced against the guarantor of any note secured by a mortgage or deed of trust upon real property or a mortgage upon chattels given as further security for a note secured by mortgage or deed of trust upon real property in any case while pursuant to the provisions of this act no sale may be made under any power of sale contained in such mortgage or deed of trust; provided, however, that the provisions of this section shall not prevent the joinder of any such guarantor, for the purpose of enforcing his obligation, as a party defendant in a suit or action brought to foreclose any such mortgage or deed of trust.

SEC. 11. There shall be no filing fees for the filing of any document with the county clerk under the provisions of this act.

SEC. 12. As used in this act:

(a) The terms "mortgagor," "mortgagee," "trustor," "purchaser," "trustee," "vendor," and "guarantor" shall include their personal representatives, assigns or successors in interest, and the singular shall include the plural.

(b) The term "trustee" shall also include the beneficiary of a deed of trust.

(c) The term "chattels" shall mean personal property located in and used in connection with the operation of any building located upon real property, sale of which real property under any mortgage, deed of trust or decree of foreclosure is prevented or postponed by this act.

SEC. 13. The act approved September 15, 1934, cited in the title hereof, is hereby repealed; provided, however, that the repeal of said act shall not affect any rights which have accrued thereunder, or shorten the time within which any action may be commenced.

SEC. 14. The act approved January 31, 1935, cited in the title hereof, is hereby repealed; provided, however, that the repeal of such act shall not affect any rights which have accrued thereunder, or shorten the time within which any action may be commenced, or affect any proceedings taken thereunder.

SEC. 15. Nothing contained in this act shall be construed as repealing any of the provisions of an act entitled: "An act relating to the relief of debtors and guarantors; permitting postponement of sales conferred by mortgages, deeds of trust, or contracts of purchase of real property, or chattels attached to real property, or postponement of forfeitures and terminations under such contracts of purchase, or extensions of periods for redemption, or reduction of moneys to be paid on redemption; regulating the appointment of receivers in certain cases; repealing Chapter 1, Statutes of the Extra Session of 1934, and Chapter 7 of the Statutes of 1935; declaring the urgency hereof, and providing that it shall take effect immediately."

SEC. 16. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of section 1 of Article IV of the Constitution, and shall therefore take effect immediately.

The facts constituting the necessity are the dangers to the State and to the people involved in the unusually large number of foreclosures, sales, forfeitures and terminations which will result in the near future under mortgages, deeds of trust, and contracts of purchase of real property, or under mortgages upon chattels, because of defaults in payments by the owners or purchasers of such property. Such defaults are the result of exceptionally depressed economic conditions in this State, which have deprived a large proportion of the landowners and land purchasers of sufficient income to meet their obligations. The dangers in the situation are such as to threaten the maintenance of law and order, and to lead to the pauperization of many persons who have hitherto constituted an important part of the self-supporting and economically independent people of this State. This act will provide a means for delaying such sales, foreclosures, terminations and forfeitures so as to permit landowners and land purchasers to find means of meeting their obligations, and at the same time will protect the interests of creditors. The dangers mentioned will be thus avoided.

SEC. 17. This act shall not be construed as repealing an act entitled "An act relating to the relief of debtors and guarantors; permitting postponement of sales under powers of sale conferred by mortgages, deeds of trust, or contracts of purchase of real property, or chattels attached to real property, or postponement of forfeitures and terminations under such contracts of purchase, or extensions of periods for redemption, or reduction of moneys to be paid on redemption; regulating the appointment of receivers in certain cases, repealing an act entitled 'An act relating to the relief of debtors and guarantors, and permitting postponement of foreclosures and sales under mortgages, deeds of trust, or contracts of purchase of real property, or postponement of forfeitures and terminations under such contracts of purchase. Declaring the urgency thereof, and providing that it shall take effect immediately,' approved January 31, 1935; repealing an act entitled 'An act to prohibit until Feb-

ruary 1, 1935, sales under certain mortgages and deeds of trust, and the forfeiture of the interest of the purchaser under certain contracts of purchase, for default in the payment of the principal sum of obligations secured thereby or contracted to be paid thereunder, to extend the statute of limitations upon such obligations to make voidable at the instance of the owner any sale or forfeiture made in violation of the act, to prescribe the time within which an action to avoid the same may be brought, to postpone sales for default in payment of installments due between effective date of act and February 1, 1935, to authorize waiver hereof, to prevent actions against guarantors' obligations the enforcement of the security for which is affected by the act, and to declare the urgency hereof,' approved September 15, 1934; declaring the urgency hereof, and providing that it shall take effect immediately." "

Amendments adopted.

Bill read second time, ordered to reprint, re-re-re-engrossment, and third reading.

Third Reading of Senate Bills—(Resumed).

Senate Bill No 790—An act to amend the Vehicle Code by amending sections 37, 38, 39, 66, 67 and 73; by repealing section 44; by adding sections 44, 73.5 and 76, relating to vehicles.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Hornblower:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out the word and figure "and 73;", and insert in lieu thereof the following: "73 and 135,".

Amendment No. 2.

On page 3 of the printed bill, as amended, after line 24, insert the following:

"SEC. 10. Section 135 of the Vehicle Code is hereby amended to read as follows.

135. Police Authority of Members of the California Highway Patrol. All members of the California Highway Patrol shall have the power:

(a) Of peace officers for the purpose of enforcing the provisions of this code and of any and all other acts respecting the use or operation of vehicles upon highways.

(b) At all times to direct all traffic in conformance with the provisions of law, and in the event of a fire or other emergency or to expedite traffic or to insure safety to direct traffic as conditions may require notwithstanding the provisions of this code

(c) When on duty, upon reasonable belief that any vehicle is being operated in violation of any provision of this code, to require the driver thereof to stop and submit to an inspection of such vehicle, the equipment, license plates and registration card thereon or to a test of the light or brake equipment upon such vehicle

(d) To inspect any vehicle of a type required to be registered hereunder on a highway or in any garage or repair shop for the purpose of locating stolen vehicles and investigating the title and registration thereof.

(e) To serve all warrants relating to the enforcement of this code"

Amendments adopted.

Bill read, ordered to reprint, and third reading.

Third Reading of Assembly Bills.

Assembly Constitutional Amendment No. 24—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 26 of Article IV thereof, relating to a State lottery.

Assembly Constitutional Amendment No. 24 read.

Floor Amendments.

During reading of Assembly Constitutional Amendment No. 24, the following amendments were submitted by Mr. Jones:

Amendment No. 1.

On page 2, line 33, of the printed measure, as amended, strike out "The foregoing provisions", and strike out all of lines 34 to 36, inclusive.

Amendment No. 2.

On page 2, line 44, of the printed measure, as amended, after "of", insert the following: "the".

Amendments adopted.

Assembly Constitutional Amendment No. 24 ordered to reprint, re-engrossment, and third reading

Assembly Bill No. 1273—An act to amend the title and sections 2, 9, 15, 17, 18, 20, 21, 22, 23, 24, 26, 27, 30 and 33 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933; to repeal sections 7 and 19 of said act; to add sections 7 and 19 to said act; all relating to the taxation of the privilege of selling tangible personal property; and to provide that this act shall take effect immediately.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lyon:

Amendment No. 1.

On page 2 of the printed bill, strike out lines 24 to 32, inclusive, and insert in lieu thereof the following: "resale in the form of tangible personal property, except that the expressions "transfer of possession," "lease," and "rental" as used in subdivision (h) of this section shall mean and include only such transactions as the board finds are in lieu of sales as herein otherwise defined."

Amendment No. 2.

On page 3, line 26, of the printed bill, strike out "in".

Amendment No. 3.

On page 3, line 27, of the printed bill, strike out "installments".

Amendment No. 4.

On page 4, line 14, of the printed bill, strike out "five", and insert in lieu thereof "ten".

Amendment No. 5.

On page 5, line 3, of the printed bill, strike out "five", and insert in lieu thereof "ten".

Amendment No. 6.

On page 6, line 5, of the printed bill, strike out "7", and insert in lieu thereof "9½".

Amendment No. 7.

On page 6 of the printed bill, strike out lines 29 to 33, inclusive, and insert in lieu thereof the following: "time of service of notice thereof. If the amount of the tax, interest and penalty, if any, specified in any assessment is not paid prior to the time the assessment becomes final, there shall be added thereto a penalty of ten per cent of the amount of the tax."

Amendment No. 8.

On page 7, line 41, of the printed bill, strike out "7", and insert in lieu thereof "9½".

Amendment No. 9.

On page 8, line 22, of the printed bill, strike out "a", and insert in lieu thereof "any".

Amendment No. 10.

On page 8, line 22, of the printed bill, after "tax", insert ", interest or penalty".

Amendment No. 11.

On page 8, line 25, of the printed bill, after "successor", insert ", successors or assigns".

Amendment No. 12.

On page 8, line 26, of the printed bill, strike out "be required to".

Amendment No. 13.

On page 8, line 27, of the printed bill, strike out "and", and insert in lieu thereof ",".

Amendment No. 14.

On page 8, line 30, of the printed bill, after "taxes", insert ", interest or penalties".

Amendment No. 15.

On page 8, line 35, of the printed bill, strike out "the", and insert in lieu thereof "any".

Amendment No. 16.

On page 8, line 35, of the printed bill, after "owner", insert ", owners or assignors".

Amendments adopted.

Bill read, ordered to reprint, re-re-engrossment, and third reading.

Assembly Bill No. 142—An act to amend section 32 of the Penal Code, relating to the definition of an accessory.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Cottrell:

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out the words "the commission of a felony", and insert in lieu thereof the following: "a felony has been committed".

Amendment No. 2.

On page 1, lines 6 and 7, strike out the words "or reasonable grounds to believe".

Amendment No. 3.

On page 1, lines 7, 8 and 9, of the printed bill, strike out "is liable to arrest or has been arrested for such felony, or is charged or convicted thereof, or has committed such felony", and insert in lieu thereof the following: "has committed such felony or has been charged with such felony or convicted thereof".

Amendments adopted.

Bill read, ordered to reprint, re-re-engrossment, and third reading.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1935.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 76—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 9 of Article IX thereof, relating to a board of higher education—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LATHAM, Chairman.

Assembly Constitutional Amendment No. 76 ordered on file for adoption.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, April 30, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 1704—An act making an appropriation to meet a deficiency in the appropriation for support of the Bureau of Criminal Identification and Investigation, and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 1704 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 366—An act to amend section 4041.11 of the Political Code, relating to powers and duties of boards of supervisors;

Also. Assembly Bill No 401—An act to add a new section to the Political Code, to be numbered 3881b, relating to entry of changes and corrections on assessment book and delinquent list;

Also: Assembly Bill No. 698—An act to amend section 11 of the Inheritance Tax Act, to require that county auditor's warrants be drawn for the payment of refunds;

Also: Assembly Bill No. 699—An act to add a new section to the Penal Code, to be numbered 1375, prescribing the manner in which counties shall pay the State for expense of insane and inebriates;

Also: Assembly Bill No. 1497—An act to amend section 6 of an act entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department and to assess and collect taxes, from time to time, for such purpose, and to create a board of fire commissioners," approved March 4, 1881, as amended, relating to the conduct of elections;

Also: Assembly Bill No 1631—An act to provide for the registration of bonds and interest coupons unpaid for want of funds and the preference and payment thereof in the order of such registration, when funds are available.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 366, 401, 698, 699, 1497 and 1631 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1935

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 81—An act to amend section 11 of the Motor Vehicle Fuel License Tax Act, relating to refunds of license taxes,

Also: Assembly Bill No. 532—An act to amend sections 578, 587, 860, 1201, 1240, 1501, 1515, 1540 and 1630 of the Probate Code and to add new sections thereto to be numbered 588, and 1516, relating to estates of decedents and estates of persons under guardianship;

Also Assembly Bill No. 1763—An act to amend sections 699, 702, 703, 708, 709, 711 and 712 of the Fish and Game Code, relating to fish in district 4½;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 81, 532 and 1763 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 69—An act to amend section 4260 of the Political Code, relating to compensation of county and township officers in counties of the thirty-first class;

Also. Senate Bill No. 315—An act relating to a contract by the Department of Finance, concerning the waters of Rector Creek;

Also: Senate Bill No. 365—An act to reenact, in order to continue the same in effect subsequent to September 1, 1936, section 2924 of the Civil Code, relating to recording of notice of default and to giving notice of sale under deeds of trust and mortgages with power of sale; and to reenact, in order to continue the same in effect subsequent to September 1, 1936, section 2924b of the Civil Code, relating to giving of notice of recording of notice of default and of time and place of sale under deeds of trust or mortgages with power of sale; and to reenact, in order to continue the same in effect subsequent to September 1, 1936, section 2924c of the Civil Code, relating to reinstatement of loans when due date of principal sum has been accelerated; and to reenact, in order to continue the same in effect subsequent to September 1, 1936, section 580b of the Code of Civil Procedure, prohibiting deficiency judgments on purchase money mortgages and deeds of trust; and to reenact, in order to continue the same in effect subsequent to September 1, 1936, section 580c of the Code of Civil Procedure, limiting the trustee's or attorney's fees which a mortgagor or trustor may be required to pay; and to reenact, in order to continue the same in effect subsequent to September 1, 1936, section 725a of the Code of Civil Procedure, permitting the beneficiary or trustee named in a deed of trust to bring suit to foreclose the same in the manner of a mortgage; and to amend section 2924½ of the Civil Code, relating

to mortgages and deeds of trust, all relating to the hypothecation of real property and to obligations secured thereby.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 69 read first time, and referred to Committee on County Government.

Senate Bills Nos 315 and 365 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1935

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 367—An act to amend section 1 of "An act regulating the hours of labor of the operators of certain motor vehicles," approved June 10, 1933, relating to operators of vehicles.

J A. BEEK, Secretary of Senate
By CARL A SHIPKEY, Assistant Secretary.

Senate Bill No. 367 read first time, and referred to Committee on Motor Vehicles

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1935

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 421—An act to amend sections 782 and 786 of the Fish and Game Code, relating to lobsters;

Also, Senate Bill No 435—An act to amend sections 611 6 and 613 of the Fish and Game Code, relating to trout:

Also: Senate Bill No 569—An act to amend section 2.802 of the School Code, relating to judgments against school districts.

J. A. BEEK, Secretary of Senate
By CARL A SHIPKEY, Assistant Secretary.

Senate Bills Nos 421 and 435 read first time, and referred to Committee on Fish and Game.

Senate Bill No. 569 read first time, and referred to Committee on Education.

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 663—An act to add a new section to the School Code to be numbered 1 91, relating to the construction, design, operation, and color of school buses;

Also: Senate Bill No. 1089—An act to amend section 19x23 of the Juvenile Court Law, relating to the probation officer;

Also: Senate Bill No. 818—An act to amend section 580b of the Code of Civil Procedure, relating to deficiency judgments.

J A. BEEK, Secretary of Senate
By CARL A SHIPKEY, Assistant Secretary.

Senate Bill No 663 read first time, and referred to Committee on Education.

Senate Bills Nos. 1089 and 818 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 5—An act to amend sections 1 and 2 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to persons exempt from tax;

Also: Senate Bill No. 442—An act to amend section 652 of the Civil Code and to add four new sections thereto to be numbered sections 652.1, 652.2, 652.3 and 652.4, all relating to the consolidation and government of colleges and institutions of higher education;

Also Senate Bill No 81—An act to add a new section to be numbered section 8a, to an act entitled "An act establishing a State Mining Bureau, creating the office of State Mineralogist, fixing his salary and prescribing his powers and duties, providing for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution for defrauding swindling and cheating therein, creating a State Mining Bureau fund for the purpose of carrying out the provisions of this act and repealing an act entitled 'An act to provide for the establishment, maintenance and support of a bureau, to be known as the State Mining Bureau, and for the appointment and duties of a board of trustees, to be known as the board of trustees of the State Mining Bureau, who shall have the direction, management and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction and supervision of the board of trustees of the State Mining Bureau,' approved March 23, 1893, and all acts amendatory thereof and supplemental thereto or in conflict herewith," approved June 16, 1914, relating to mining on State property.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No 5 read first time, and referred to Committee on Public Utilities.

Senate Bill No 442 read first time, and referred to Committee on Education.

Senate Bill No. 81 read first time, and referred to Committee on Mines and Mining.

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1935

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No 8—Relative to hours of employment of persons on interstate carriers.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Joint Resolution No 8 read first time, and referred to Committee on Federal Relations.

Also:

SENATE CHAMBER, SACRAMENTO, April 30, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 18—Relative to the compact with Arizona for use of waters from the Boulder Canyon Project.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Joint Resolution No. 18 read first time, and referred to Committee on Federal Relations.

Withdrawal of Bills.

By order of the Speaker, the following bills were withdrawn from the file, and referred to committees as follows:

Assembly Bill No. 1200 ordered re-referred to Committee on Public Utilities.

Assembly Bill No. 1979 ordered re-referred to Committee on Municipal Corporations.

Assembly Bill No 2098 ordered re-referred to Committee on Public Utilities.

Assembly Bill No. 1516 ordered re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 987 ordered re-referred to Committee on Prisons and Reformatories.

Motion to Print in Journal.

Mr. McCarthy moved that the following letter and pamphlet received from Friend W. Richardson be printed in the Journal:

Motion carried.

SUPERINTENDENT OF BANKS, STATE OF CALIFORNIA,
SAN FRANCISCO, March 27, 1935.

Hon. John D. McCarthy,
Assembly, Sacramento, California.

DEAR MR. MCCARTHY: I appreciate your reading to the Assembly a few paragraphs from my testimony before the special Building and Loan Committee. If you would read the whole report I would be still more appreciative.

You may be interested to know that I am taking no part in building and loan legislation. I have been in Sacramento but once during your session. That was yesterday when I came up at request of Senate Banking Committee.

I am sending you another copy of my testimony printed at my own expense.

Yours sincerely,

FRIEND W. RICHARDSON, Superintendent of Banks

(Enclosure.)

History of Building and Loan Associations in California from January 1, 1932, to July 19, 1934.

Friend W. Richardson, who was Building and Loan Commissioner during the above period, made the following statement before the Special Assembly Committee in San Francisco on February 28, 1935:

Gentlemen of the Assembly Committee:

Will you kindly permit me to make the following statement:

Governor Rolph appointed me Building and Loan Commissioner on January 1, 1932. I took my oath of office, filed my bond and went to work on that day, even though it was a holiday. I succeeded former Lieutenant Governor H. L. Carnahan, who resigned after having been in office a few days more than one year. The position came to me absolutely unsolicited. Governor Rolph gave me carte blanche to run the office according to my own ideas and agreed that he would not act as a Supreme Court in considering any complaints that might be made regarding the operation of building and loan associations. He supported me loyally, and that made the difficult task easier than it would have been had the Governor seen fit to listen to complaints. Each complaint that went to him was forwarded to me and I used every possible effort to satisfy the complainants and to answer their inquiries.

The first few days in the San Francisco office convinced me I had made a mistake in accepting the job. I was overwhelmed with letters, complaints and delegations. Soon after, I went to Los Angeles for a respite, but the anteroom of the office there was so crowded that it took four of us to listen to the sad stories of the unfortunates who wanted their money. I then realized that I had undertaken the most difficult position in all of my experience. I carefully considered every problem and decided in the interest of the investors, as I felt the office was created for the purpose of furnishing all possible protection to them. I appreciated keenly the grief of those who had assumed that they were depositing money and had been misled by false advertising and false statements to believe they could get their money on demand. To add to my many problems were the crooks, who were still in control of a few associations, where they controlled holding companies as owners of guarantee stock and were spreading alarm among the investors.

Soon after taking office, I called a meeting of building and loan officials and urged all associations to go on notice at once for the reason that the panic-stricken were then getting their money while loyal investors were left holding the bag. I pointed out that the nature of investments of the associations made demand payments impossible in times of depression and that borrowing money to meet withdrawals would lead to disaster. I also pointed out that the assets of building and loan associations were, in the main, in long time loans payable in installments and that in times of depression many of these loans were frozen. During these trying times a number of savings banks had also found it necessary to go on notice. The great majority of the associations at once went on notice and thus saved themselves from liquidation.

UNDER STATE SUPERVISION.

The use of the expression "under State supervision" in advertising and on signs and letterheads had led many investors into thinking that the State had guaranteed their investments. At a meeting of the Building and Loan League in Riverside in May, 1933, I urged the discontinuance of this misleading term as it led to a false assumption of security on the part of investors. I advised investors to look carefully into the standing of an association and the integrity and ability of its officers before investing their money. I also pointed out that associations under strict supervision were those in liquidation and in charge of special deputies appointed by me. As a result of this suggestion, every association in California abandoned this misleading expression.

I tried to impress on investors the fact that building and loan associations were under the supervision of their officers and boards of directors and that the public, before investing, should look to the responsibility and integrity of these officials

Just a few weeks before this meeting I had taken over a small association in Long Beach whose capital was impaired and whose officers had indulged in questionable practices. Later, one of the officials was convicted of a criminal offense. On the take-over, literature was found on the counter saying, "This is a financial institution and operates under the constant, strict and rigid supervision and regular examination of the State Building and Loan Commissioner." This statement became actually true after the custodian was placed in charge of the cash and assets of the association. Undoubtedly many innocent people invested their money thinking that the association was "under the constant, strict and rigid supervision" of the commissioner. Here is another quotation from its literature: "Your savings in this account are under State supervision, secured by first liens on city improved property, and in addition are guaranteed by our guaranteed capital stock." This statement was false because the guaranteed capital stock was owned by a holding company and thus responsibility could not be fixed.

In the Riverside address to the league I said that the use of the expression "under State supervision," "had caused a great deal of misapprehension on the part of the public." I pointed out "that in a republican form of government such as ours it is not possible to have building and loan associations or any financial institutions under State supervision in the strict and literal sense in which it would be if this government were a despotism. In a despotism it is probable that institutions of this character, which were not run to suit the dictator or his agents, would be summarily dealt with, and the officers given liberal doses of castor oil or denied food tickets for dereliction of duty. This would hardly be possible in a government such as ours and, of course, would not be tolerated by our citizens. We live in a country of individual effort and individual responsibility where private enterprise is encouraged.

"I do not believe it would be advisable or proper that building and loan associations should be strictly under State supervision. The State of California does not want to go into the building and loan business. It does not want to be responsible for conducting and managing building and loan associations. It does not want to destroy individual effort and enterprise. The State of California simply wants: to exercise a wise and discreet observance of these associations, to do whatever it possibly can to help the private individuals who are managing them, and to safeguard the investors.

"There is a tendency toward too much regulation of business by State and National governments. The attempt to regulate business by public officials has proved harmful in some cases and too often has given the public a false sense of security."

POWER APPARENT RATHER THAN REAL.

At that time I called attention to the fact that the 1931 Building and Loan Law apparently gave the commissioner much power but that I was proceeding on the theory that this power was more apparent than real; that many sections were confusing and ambiguous and that the courts must finally determine what powers the commissioner really has. The decisions in various law suits have sustained this viewpoint.

When I took office I found 15 associations in liquidation by the department. Four of these associations had been taken over by Commissioner Whitmore in 1930, and eleven had been taken over by Commissioner Carnahan during the year 1931. During 1932 I took over eight associations whose capital and assets were seriously impaired and which were operating at a loss. One association was taken over and, upon restoration of part of the impaired capital, was returned after holding it for eight months.

The Pacific Coast Building and Loan Association of Los Angeles was taken over on January 11, 1932, and was the first association taken over by me. A case involving this association had been in the Federal courts for some time. Not only was its capital impaired, but it had a furious internal fight among its certificate holders, shareholders and guarantee capital stock owners. My prediction at the Riverside convention that the power given the commissioner in the 1931 Law was more apparent than real was in this case abundantly proved. Before the thirty days elapsed during which the conservator was holding the assets, a suit was brought against me in the superior court of Los Angeles County. The trial did not take place until the latter part of April. The guarantee stock holders were represented by four able trial lawyers who vigorously resisted my action and were of the caliber who received $100 a day for their services. I was represented by my Los Angeles deputy, a young attorney with limited court experience, who received only $350 a month for full time service. The report of the chief examiner showed there was a small impairment of capital. The civil service appraisers of the department showed a large impairment of assets. Appraisers for the plaintiffs put a higher value on the real estate and showed there was no impairment. Their position was sustained by the court. The final decision was not rendered until July 11, 1932. It held that the capital was impaired and sustained my action, notwithstanding the superiority of the legal battery against me. It was a narrow escape, and proved the truth of my predictions regarding the power of the commissioner.

INVESTORS OPPOSE LIQUIDATION

On January 18, 1932, I took over a small association and appointed a conservator An action was brought to restrain me from placing the association in liquidation The matter was held up for several months. Finally the directors offered to restore a part of the impaired capital and I agreed that a plebiscite be taken to see how the investors stood. In a circular letter sent to each of the investors I told them frankly and fully of the unsound condition of the association, of its impairment of capital, of its losses over several years, of its poor management, and of the fact that the restoration of capital was not sufficient to cover the entire impairment. The manager of the association also sent out a circular, pleading for a chance to continue to run the association. The vote showed 90 per cent in favor of returning the assets to the management, notwithstanding its poor condition and its failure to meet expenses. The association was promptly turned back to the directors and a committee of the large investors was appointed to watch over the affairs of the association.

ANOTHER VEXATIOUS LAWSUIT.

The North American Building-Loan Association of Los Angeles was taken over on July 8, 1932, and a conservator placed in charge. An action was immediately brought to restrain me from placing the association in liquidation, and after many weeks of delay a trial was had lasting several days. My action was vigorously assailed. Again I was faced with high powered, high feed attorneys and again my small salaried deputy represented me. In this case I made no attempt whatever to claim the depreciation of assets on account of the shrinkage in the value of real estate, as from experience in the Pacific Coast case I concluded that there were plenty of high pressure appraisers whom the directors could hire who would place any value on the property necessary. I relied entirely on the book statements. The chief examiner of the department showed that the capital was impaired and a certified public accountant who had been hired to check over the books verified his figures The attorneys for the defendant made a very vicious attack upon me for daring to do my duty by the investors. The court decided that the association was insolvent and it was taken over for liquidation. Notwithstanding my objection, the court allowed the attorney for the stockholders a fee for his services in the case which he had lost. This fee came from the association and the case only tended to injure the investors This suit again convinced me that the power given the commissioner in the 1931 statute was more apparent than real. Thus another suit had been won by a very narrow margin. It was followed by a vexatious litigation on the part of the holding company of the North American. My experience in this case led to a discussion of one of the rackets in my annual report to the Governor.

BORROWERS WRITE INSURANCE.

I adopted the policy that special deputies in charge of associations in liquidation should permit the borrowers to place their insurance with a company or agent of their own selection. The trust deeds made in these cases by the borrower provided that the association might place the insurance, but I believe the borrowers should have the privilege of selecting their own agents. The only limit I placed on this policy was that the insurance companies must be reliable and fair in their dealings, must not welsh in case of loss, and the rate charged must not be above the standard rate This policy, of course, could not apply to the solvent associations of the State whose contracts with their borrowers were private ones over which the commissioner has no control.

THE THREE RACKETS.

In my report to Governor Rolph for the calendar year 1932 I called attention to the "certificate racket," the 'attorney racket" and the "league racket." Certain brokers were spreading false reports regarding the financial condition of associations and purchasing certificates at low figures. Many of these deals were not made in cash, but certificate holders were given bonds of little value, fake stock, worthless lands or oil royalties. Investors were repeatedly warned to hold on to their investments and not sell their certificates at the low prices offered. Corporation Commissioner Daugherty cooperated with me in every way in trying to stop this racket. I called attention to the practice of certain attorneys in contesting the action of the commissioner when associations were taken over for liquidation. In some of these cases, attorneys demanded fees for their unsuccessful efforts to prevent the commissioner from doing his duty, and the court allowed their high fees. In one case the fees were so exorbitant that an appeal was taken to the Supreme Court more as a matter of protest than in hope of saving the investors this fee. We lost the case.

Another racket to which I called attention in my report was the "league racket." These leagues were variously known as investors leagues, depositors leagues, certificate holder leagues, recovery leagues and reorganization leagues. A few of the leagues were good—most of them were bad. The honest leagues had my cooperation and support. The hijacking kind were referred to the Corporation Commissioner and every possible effort made to prevent their exploitation of the investors. Repeated warning was given to investors through the newspapers by me. A typical warning is contained in an article in the San Francisco News of August 26, 1932, which I am filing herewith.

RELIEF LEGISLATION NECESSARY

By the end of 1932 conditions had become so bad that it was necessary that there should be legislation to relieve the associations and to protect investors. During the year 1932 the assets of building and loan associations decreased from $453,000,000 in round numbers to $407,000,000. The Building and Loan League presented to the 1933 Legislature an emergency law. This law passed the Senate by unanimous vote and was adopted by the Assembly with only seven adverse votes. It was promptly signed by Governor Rolph and became effective on March 10, 1933 Had this law not been passed it would have been necessary for me to take over a number of associations for liquidation with assets of many millions of dollars and having thousands of investors. The new law placed all investors on an equal basis and provided that associations could pay out not to exceed $25 or 1 per cent per month to investors. This law prevented those who had filed notice from having preference over those who had not. The 1931 law permitted those at the head of the withdrawal list to get all of the available funds and this proved grossly unfair to other investors. The rate of interest on all investment certificates was reduced to 4 per cent a year and at the same time the rate of interest on loans to borrowers was reduced to 7 2 per cent. One of the most beneficial provisions of this law was the right of associations to exchange real estate for investment certificates These exchanges have been made as a rule at a profit to the association, thus helping the investors who remain in the association. Since the law was passed some associations have found it impossible to pay the maximum amount on withdrawals per month and have paid a smaller amount; others have been unable to pay anything

INTEREST RATE

This law gave the Building and Loan Commissioner power to increase the rate of interest to associations to 5 per cent on application, and in several cases this was done The law also provided that the rate of interest might be decreased after notice given and this was done in a number of cases At the time this provision was placed in the law I objected to it on the ground that the Legislature could not delegate its authority in this manner and besides I did not want to have the added responsibility. In this contention I was unanimously overruled by the Building and Loan Committee of each house.

Under this new law no dividends may be paid to stockholders, so the stockholders were not allowed to profit at the expense of the certificate holders. The law also provided that persons having certificates of record on March 10, 1933, and also having loans, might have the same offset at their own option. After that date such offsets must be at the option of the association and with the approval of the commissioner.

One of the best things in the law was the elimination of withdrawal notices and the placing of all investors on an equal basis.

STOCK ASSESSMENTS.

The new law also contained a provision that stockholders who do not pay will have their stock canceled This has been done in a number of cases In the payment of assessment some of the stockholders paid in certificates instead of cash. In each of these cases I made a protest against such payment. Thomas M Gannon, Chief Deputy, who is an attorney, looked up the law and rendered an opinion that assessments should be paid in cash. Attorneys for the building and loan associations affected claimed that their payments were legal. This matter has not been decided by the courts but there is nothing to prevent the commissioner, in case of further impairment of capital, from making other assessments.

EXCHANGING CERTIFICATES FOR REAL ESTATE

On April 14, 1933, I sent out a circular calling attention to the provisions of the emergency law permitting the exchange of real estate for certificates In this I urged upon every association the importance of trading its nonincome bearing real estate for certificates These exchanges were permitted when a profit was shown to the association, and this profit benefited the investors who remained. I also sent out a blank form which should be submitted to the commissioner in triplicate; one of these blanks, when approved was handed to the association; one filed in the Los Angeles office and one in the San Francisco office.

In the matter of accepting certificates in payment of loans, I said:

> "The law also provides that with the prior approval of the commissioner certificates may be accepted, at the option of the association, in partial or full payment of loans These exchanges should be considered with great caution, as, clearly, an association can not give up its good income bearing loans without sacrificing its financial position, but in cases where loans are doubtful or are too high, then it would seem to me to be the part of the wisdom for the association to accept a certain percentage of payment in certificates, to the amount of say 20 or 25 per cent Another blank form is enclosed to cover cases of this kind"

BE KIND TO BORROWERS

On May 10, 1933, I sent out a circular letter calling attention to Assembly Bill No. 908, an emergency measure which became a law on May 9th. This bill provided that there could be no foreclosures on account of failure of home owners to pay

interest, taxes or insurance. I urged upon all associations to cooperate with the borrower and to live up to the spirit of this legislation. I said:

"Many legislators felt the moratorium should have been for a longer period, and when the Legislature reconvenes it is possible that a further extension will be asked for. This feeling will undoubtedly be accentuated should you fail to treat your borrowers with the consideration they deserve.

"I fully agree that the borrower in these trying times should be treated with every consideration, but still it should be impressed upon his mind that he has received the money representing the hard earned savings of hundreds of investors, many of whom are now finding it difficult to get money enough to pay for the bare necessities of life."

LEAGUE COMMENDS MY EFFORTS.

At the session of the Building and Loan League at Yosemite Valley in May, 1933, I made a full report of my activities for the preceding year and four months. At that time the league adopted the following resolution:

"*Resolved*, That the California Building-Loan League again recognize its debt of gratitude and pay honor to Governor Friend W. Richardson, our Building and Loan Commissioner. His counsel, his unfailing cooperation and helpfulness, have been of tremendous assistance to us in this difficult year. Perhaps no other individual could have administered his office so fairly and so competently at this time."

URGED TO PAY INTEREST.

On June 13, 1933, I sent out a circular letter urging all associations to meet their interest payments promptly on July 1st. In that circular I said:

"I have at all times emphasized the duty of associations to pay their interest promptly. Many of those who have invested their funds with you are more urgently in need of money now than ever. The action of the Legislature in reducing the rate of interest on investments to 4 per cent places an added responsibility on you to pay the interest falling due at this period. For this reason, I urge every association to pay its interest promptly on July 1st and thereafter, as due."

NO CASH COMMISSIONS

On July 8, 1933, I notified all associations that in exchange of real estate for certificates of investment, they could not pay out cash commissions to brokers In that circular I said:

"This is to direct that no cash commission be paid on these transactions unless sufficient cash is received by the association to cover the commission paid. The cash which your association has on hand should be paid to your needy investors, and to use it in any other manner would subject your association and this office to criticism

"Where certificates are received in full payment, you may arrange through the escrow to have the purchaser pay the commission by transferring a portion of his certificates to the broker. In that case, you should state in your request for approval that the commission is to be paid in certificates."

HOLC BONDS.

On July 25, 1933, I wrote to the various members of the advisory committee of the Building-Loan League in regard to Home Owners' Loan Corporation bonds In that letter I said:

"I feel it will be necessary for me to accept these bonds at par on behalf of associations which are being liquidated by this office and to consent to any reasonable write-off the government insists upon before taking over the loan."

I asked these league members to give me their opinion as to what open associations should do in the premises

On August 7th I notified all associations that I thought they should accept the Home Owners' Loan Corporation bonds. I said:

"After full and careful consideration I have decided that any association may at its option accept the bonds of this corporation in exchange for any of its loans which are distressed, and such bonds may be carried on its books at par The matter of what exchanges shall be made rests in the judgment of the officials and each association and will depend upon each particular loan

"In my opinion, the new law is a very beneficial one, and if judiciously used by the associations, many 'sour' loans may be disposed of. It is not the purpose of the new law to apply to good loans, but only to such loans as are delinquent in taxes or interest or principal or excessive.

"These bonds run for 18 years, and the interest at 4 per cent is guaranteed by the government. They will be accepted by the corporation in payment of loans, and the Reconstruction Finance Corporation will take them as security for loans."

On August 3, 1933, The Illustrated Daily News of Los Angeles, in an editorial commended me for deciding to accept HOLC bonds at par and said:

"This one act has done more to assure successful operation of the Federal agency in California than any single development since the passage of the act authorizing its organization, according to Monroe Butler.

"This means that building and loan associations now holding liens against homes, are authorized to accept these bonds and report them at par in their financial statements.

"Heretofore, there has been a question as to what these associations were to do with these bonds in the event they took them in exchange for mortgages or trust deeds It is admitted that the market for these bonds will be thin. They could not afford to take them and then sell them at a loss, which might be greater than if they had held the liens which they exchanged for them.

"However, under authority of the Building and Loan Commissioner they now are permitted to hold them at par until such time as they are able to dispose of them on favorable terms if they wish to sell."

WESTERN OF SALT LAKE CITY.

On August 18, 1933, the $19,000,000 of assets in California of the Western Loan and Building Company of Salt Lake City, Utah, were taken over by me. At the same time the commissioner of Utah took over the assets of this company in Utah and five other States, and the commissioner of Oregon took over the assets in that State.

The laws of Utah provide for the reorganization of building and loan associations which have been taken over by the State, and accordingly a plan of reorganization was drawn up by the commissioners of the various States This was submitted to the investors and more than 75 per cent approved it. On December 15, 1933, a meeting of the shareholders and investors was held in Salt Lake City, and new by-laws were adopted and eleven new directors were elected to take the place of the former board. Following the reorganization, various suits were instituted seeking the appointment of Federal receivers. Judge James of the Federal court of Los Angeles on June 22, 1934, in the Tomich case declined to appoint a temporary receiver and dissolved all restraining orders.

The California Law has no provision for the reorganization of associations and bills to accomplish that purpose have been submitted to the present Legislature

The reorganization of the Western took a great deal of my time and attention and I feel that my work in that particular was one of the outstanding achievements of my administration.

In the reorganization, the new directors made a complete appraisal of all the property and a write-down of 35 per cent of the liabilities. This made the association solvent with a large surplus.

Governor Merriam appointed me Bank Superintendent on the first of July, 1934, but in order to help complete the reorganization of the Western I delayed taking my oath of office and filing a bond until the 19th of that month.

On August 16, 1934, an affidavit was filed in the Federal court of Los Angeles alleging conspiracy on the part of myself and others to defraud investors of the Western The next day I made the following statement:

"For several months actions have been pending in the Federal court to place the Western in receivership. A number of sensational and libelous affidavits have been filed. Yesterday another one was filed in Los Angeles. A person has no defense against this clever means of defamation, as libel will not lie against the maker of an affidavit filed in court.

"The charges of conspiracy in the reorganization of the Western is old stuff. It was gone into by the superior court of Los Angeles County and Judge Henry M. Willis authorized me to turn the assets of the company over to the new directors. The reorganization plan will protect Western investors and avoid an expensive Federal receivership

"Of course the flare given this libelous affidavit in certain newspapers is for political effect and I am inured to libel, misrepresentation and abuse in political campaigns. I have thriven on it for 20 years I only fear the time when my name may be omitted from the front page and the big headlines

"This is part of the mud-slinging campaign of those who resent my activity in campaigning for Governor Merriam."

Superior Judge Willis of Los Angeles County said, in his order authorizing the return of the California assets to the Western Loan and Building Company that the reorganization plan was fair and equitable and he also stated that he was "well acquainted with the soundness and integrity of his (Friend W. Richardson's) official judgment."

When the matter of this libelous affidavit came before the Federal court no attempt was made by those making the affidavit or their attorneys to prove it, and the Federal judge dismissed it. This, of course, was abundant proof that the affidavit was filed simply for political reasons.

PUBLIC HEARINGS.

The 1933 emergency law provided that notice should be given of any change in the rate of interest by the commissioner. While the law did not require public hearings, I decided that public hearings ought to be held. These hearings were duly advertised in the newspapers and the directors required to furnish affidavits of such publications. The first hearing was held in my office on the application of the Mercantile Building and Loan Association of Stockton. A small number of investors was present and it was agreed that the interest rate should be reduced in order to save the association from liquidation.

Later, I held a hearing in my office in Los Angeles on the application of three Long Beach associations to have their interest rate reduced. At this hearing less than 100 people were present. The Mutual Building and Loan of Long Beach, having published its notice in a Los Angeles paper instead of a Long Beach paper, was required to publish a new notice in its home town and a hearing was held in Long Beach. This hearing was held in the Masonic Temple in that city. The hall was packed to overflowing, with some 1200 people. In the lobby of the Temple outside the hall, and on the sidewalk, were more people than there were inside. I adjourned the meeting to the city pavilion where a crowd conservatively estimated at 4500 assembled. At this hearing every opportunity was given to investors to make their complaints articulate. Investors were urged to come forward and make known their grievances. As a result of this meeting, a committee of investors was appointed to cooperate with the directors. I met with the directors the next day (a Sunday) and frankly stated that there must be a change in the management. This change was made and a new management installed. After that was done I reduced the rate of interest to nothing.

The Guarantee Building and Loan Association of San Jose asked to have their rate of interest reduced to 2 per cent. A public meeting was held at the High School Auditorium in San Jose. About 1200 people were present and on this occasion everyone was given an opportunity to say what they pleased. Many scored the directors.

A meeting of the investors of the California Security Loan Corporation was held in Pasadena in Shakespeare Hall and some 900 people were present. All of those present were given a full opportunity to be heard. It was a hot meeting. An investors' committee was appointed. Later a new management was installed.

Another one of these meetings was held of the investors of the Pomona Mutual Building and Loan Association in the High School Auditorium in Pomona. It was packed, people standing in the aisles and on the sides, and the gallery was full. I should judge 1100 people were present. On this occasion I notified the investors that the law of libel was off—that anyone who wanted to roast the management was welcome to do so. This brought forth some very severe criticism of the officers. After the meeting I wrote a letter to the directors, a copy of which is hereto attached. At the same time a committee of investors was appointed to protect their interests.

The San Jose Pacific Building and Loan Association applied for a reduction of their rate of interest and a public meeting was held in one of the school buildings there. At this meeting only about 600 people were present, and I felt that my drawing power, in these one-stand events that I had been putting on, was waning. At this meeting the investors were encouraged to register their criticism and many of them did it with a vengeance.

I attended an annual meeting of the shareholders of the Insurance Plan Building and Loan Association in Los Angeles. (I say "shareholders" because this was a pure mutual.) Many complaints had been made to me and one irate shareholder was on the point of shooting the manager. At this meeting some 300 people were present and I told them frankly that the shareholders were in control of the association, could elect whatever officials they desired, and that if they were not satisfied with their officers they should elect new ones. The officers were freely criticized. After the new board was elected, no further trouble was had by this association. The manager still lives.

I attended an annual meeting of the Cosmopolitan Building and Loan Association in Oakland where there were some 200 people present. The affairs of the association were fully discussed and the officers criticized.

A meeting was held of the investors of the Prudential Building and Loan at their office in Oakland. Although this meeting was duly advertised, not more than 20 people attended and they were satisfied that the interest rate should be reduced, so it was evident that my drawing power as a manager of these meetings was sinking to the vanishing point.

CALIFORNIA MUTUAL.

The condition of the California Mutual Building and Loan Association became gradually worse. The directors attempted a reorganization plan which did not meet with the majority approval from the investors. I held a public meeting of the investors at San Jose in the high school where some 1200 people were present and the question of the take-over was publicly discussed by me and the manager of the association. A great majority of investors present voted in favor of my taking over the association. Even then I hesitated on account of my experiences with vicious

law suits in Los Angeles I finally attended a meeting of the board of directors and told them frankly that they would have to adopt a resolution asking me to take over the association, and agree not to contest my right before I would do it. After consideration the board unanimously agreed that I should take it over. I did this because I had had my fill of vexatious law suits.

OTHER ASSOCIATIONS TAKEN OVER.

During 1933 four other associations were taken over. The Pittsburg Building and Loan Association of Pittsburg was taken over on account of the felonies of the officers of the holding company who were also officers of the building and loan company. The Marine Building and Loan of San Pedro was taken over on account of the impairment of capital and mismanagement. To say what I think about the managers of these associations and some others might subject me to a libel suit. The Seaboard Building and Loan Association of San Diego was in such bad condition that it was necessary to take it over. The Western has already been mentioned

SUPERVISION OFFICERS.

Supervision officers for the liquidation of insolvent associations were established by me in Los Angeles, San Francisco, San Diego and Oakland in order to conduct the business more economically and efficiently. By departmentalizing the offices and operating several associations as one, great economies were effected. In the Los Angeles office 14 associations were liquidated under one management with two special deputies in charge and their salaries $400 per month each. In the Oakland office five associations were in liquidation, in the San Francisco office two and the San Diego office two.

CERTIFICATE RACKET.

In my annual report to Governor Rolph dated April 30, 1934, I said:

"I have done everything possible to protect certificate holders from racketeers, and have had the earnest cooperation of the Corporation Commissioner, who was given power by the last Legislature to license brokers.

"There are many honest brokers who are dealing in certificates at the market price and paying cash. There are some who are attempting to trade for fake stock, unsecured notes, desert land, oil royalties or unlisted bonds."

A PROPHETIC VETO.

The history of building and loan associations during the past four years has been a sad story. I hope you will pardon me for calling attention to the fact that, while Governor in 1925, I vetoed a number of bills in regard to building and loan associations. On April 6, 1925, I sent the following message to the Senate of the State of California:

"EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
"SACRAMENTO, April 6, 1925

"To the Senate of the State of California

"Senate Bill No. 629 is returned herewith without my approval. This bill would permit building and loan associations to invest or loan 25 per cent of their assets upon full paid investment certificates to other building and loan associations. Building and loan associations when of a local character, managed by local directors without compensation, and conducted with a small overhead expense, have resulted in great good to the home builder of modest income To preserve the beneficial character of these associations, it is important that they be conducted on the most conservative basis The present laws have aided in building up the present associations which are uniformly sound financially. Any change in the laws tending to break down the conservative character of building and loan associations will prove a menace to the thousands of small investors who have placed their savings in these institutions and are paying for their modest homes in monthly installments. This bill would remove a valuable safeguard now given investors of these associations. The proposed bill might result in pyramiding of securities of various associations with disastrous results. Under this bill a chain system of building and loan associations might be built up with as little stability as a house of cards.

"Respectfully submitted.

"FRIEND W. RICHARDSON, Governor."

I think I can say with modesty that this veto message was a prophecy and a warning. A dozen other bills tending to permit associations to change their character and engage in unsafe practices were vetoed by me. In 1927 the Legislature passed bills identical in substance with the bills I had vetoed. My prophecy in the 1925 veto was brought home to California investors when it was discovered in 1930 that Gilbert Beesemyer had in one month borrowed $430,000 from another association in return for that amount of certificates of the Guarantee Building and Loan Association of Hollywood as security, he being a director in both institutions. The smash of the Beesemyer chains brought ruin and grief to hundreds of unfortunate investors

NEW MONEY.

When an association's capital and reserves were impaired or it asked for a reduction of its interest rate, I notified it to cease taking in new money. The exercise of such power may be questioned but it was not in any case disputed. In 1933, 21 associations were notified and in 1934 up to July 19th, eight associations.

A LITTLE SUNSHINE.

So that you may not assume that all building and loan associations are in bad shape, I call your attention to the following associations whose interest rate was at their request increased to 5 per cent as authorized by the 1933 emergency law:

Greater Arcadia, Arcadia; San Gorgonio, Banning; Beverly Hills, Beverly Hills; Chula Vista, Chula Vista; Imperial Valley, El Centro; Fortuna, Fortuna; Merced Mutual, Merced; Home Foundation, Palo Alto; Palo Alto Mutual, Palo Alto; Mutual, Pasadena, Salinas Valley, Salinas; Franklin Mutual, San Francisco; Stockton Land, Stockton; Turlock Guarantee, Turlock; Watsonville, Watsonville.

AN IMPORTANT POSITION.

The importance of the office of Building and Loan Commissioner seems to be generally underrated by the public. The commissioner has an office in San Francisco and one in Los Angeles. These two offices have control of 190 live associations with assets of $359,000,000, with some 700,000 investors and 80,000 borrowers. This would be ample work for one executive but there are also the many associations in liquidation with their multitude of trials and tribulations. From actual experience I can say that the duties are much more onerous than those of the position I now occupy. The loyal support which I received from Governor Rolph and Governor Merriam helped me in bearing the griefs incident to the position.

COMMISSIONER DRAPEAU

Louis C. Drapeau, who was appointed commissioner by Governor Merriam and took office on July 19, 1934, has shown a quick grasp of the many intricate problems involved in building and loan, and has arrived at wise conclusions. He has the advantage of broad legal and business experience. The investors in building and loan associations are fortunate in having a master at the helm like Commissioner Drapeau to safeguard their interest. Governor Merriam showed wisdom in this appointment.

I desire to call your attention to the following documents which I am filing herewith:

1. Circular letter to investors of Mercantile of Oakland, October 16, 1933. 2. Circular letter to Directors of Pomona Mutual, February 14, 1934. 3 "State League Thanks Richardson"—circular resolution, January 20, 1934. 4 Circular letter to Investors of Mercantile, March 1, 1934. 5. Order decreasing interest rate of Pomona, circular copy, June 16, 1934. 6 No New Money. 7. Los Angeles Daily News. 8 Chiselling. 9 Confidential Bulletin to officials of Building and Loan Associations, September 15, 1933. 10 Claire Baines. 11. Van Becker in San Francisco Call-Bulletin.

THANKS COMMITTEE

I desire to thank this committee for the privilege of appearing before it and reviewing the building and loan history of the State for the two and one-half years while I was commissioner.

FRIEND W. RICHARDSON.

February 28, 1935

Request for Permission to Introduce a Bill.

The following request for permission to introduce a bill was presented:

By Mr. Wagner.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1935

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 1 of "An act to establish free employment bureaus under the control and management of the Commissioner of the Bureau of Labor Statistics, and making an appropriation therefor," approved May 17, 1915, relating to the establishment of a bureau in the city of Alameda, and making an appropriation therefor.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1935.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act accepting a retrocession of jurisdiction over the rights of way of the Golden Gate Bridge and Highway District through the Presidio of San Francisco Military Reservation and Fort Baker Military Reservation in Marin County.

CUNNINGHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act granting to the city of Sausalito certain submerged and tidelands for street, sea wall and other public purposes.

CUNNINGHAM, Chairman

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend sections 1, 2, 3, and 4 of an act entitled "An act to establish salesrooms and industrial workshops for the blind, providing for the management, government and administration thereof, and making an appropriation for the establishment of a revolving fund therefor," approved June 18, 1929, relating to salesrooms and workshops for blind and physically handicapped persons.

CUNNINGHAM, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1935.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 1 of "An act to establish free employment bureaus under the control and management of the Commissioner of the Bureau of Labor Statistics, and making an appropriation therefor," approved May 17, 1915, relating to the establishment of a bureau in the city of Alameda, and making an appropriation therefor.

CUNNINGHAM, Chairman.

Reports of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the reports.

The question being on the adoption of the reports.

The roll was called, and the reports adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cunningham, Dawson, DeLap, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Glover, Hawkins, Hornblower, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Riley, Robertson, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—63.

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

By Mr. Laughlin: Assembly Bill No. 2421—An act to amend sections 1, 2, 3, and 4 of an act entitled "An act to establish salesrooms and industrial workshops for the blind, providing for the management, government and administration thereof, and making an appropriation for the establishment of a revolving fund therefor," approved June

18, 1929, relating to salesrooms and workshops for blind and physically handicapped persons.

Bill read first time, and referred to Committee on Social Service and Welfare.

By Mr. Gilmore: Assembly Bill No. 2422—An act accepting a retrocession of jurisdiction over the rights of way of the Golden Gate Bridge and Highway District through the Presidio of San Francisco Military Reservation and Fort Baker Military Reservation in Marin County.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Scudder: Assembly Bill No. 2423—An act granting to the city of Sausalito certain submerged and tidelands for street, sea wall and other public purposes.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr. Wagner: Assembly Bill No. 2424—An act to amend section 1 of "An act to establish free employment bureaus under the control and management of the Commissioner of the Bureau of Labor Statistics, and making an appropriation therefor," approved May 17, 1915, relating to the establishment of a bureau in the city of Alameda, and making an appropriation therefor.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Further Consideration of Assembly Bill No. 947.

Assembly Bill No. 947 read.

Motion.

Mr. Heisinger moved that the Assembly resolve itself into Committee of the Whole for the purpose of considering Assembly Bill No. 947.

Motion carried.

In Committee of the Whole.

Speaker Craig in the chair.

Assembly Bill No. 947 considered.

Mr. Hornblower moved that the committee do now rise, and report back to the Assembly.

Motion carried.

In Assembly.

Speaker Craig in the chair.

Report of Committee of the Whole.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1935.

GENTLEMEN: Your Committee of the Whole, which has had under consideration Assembly Bill No. 947—An act to amend Chapter 763, Statutes of 1929, approved June 10, 1929, as amended by Chapter 401 Statutes of 1931, approved May 25, 1931, and as amended by Chapter 10 Statutes of 1933, approved January 26, 1933, entitled and known and cited as "California Toll Bridge Authority Act" by amending the title thereof and by amending sections 2, 6½, 9, 11, 14, 16, 20 and 22½, and by adding thereto new sections numbered 4½, 5½, 5¾, 8½, 8¾, 9½, 9¾, 12½, 13¾, 16¼ and 16½, relating to and prescribing additional duties, powers and limitations regarding the construction and financing of toll bridges; and providing for the acquisition, construction, financing and operation of transportation facilities thereof and thereto; and providing that this act become effective immediately—does now respectfully report the same back.

CRAIG, Chairman.

Unfinished Business—(Resumed).

Motion to Reconsider Assembly Bill No. 1618 Continued.

Mr McCarthy moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1618 was passed be continued until the next legislative day.

Mr. Cronin objected to continuing the reconsideration of Assembly Bill No. 1618.

Substitute Motion to Set Special Order for Reconsideration of Assembly Bill No. 1618.

Mr. Evans, Ralph W., moved, as a substitute motion, that the consideration of Assembly Bill No. 1618 be made a special order for Thursday, May 2, 1935.

The question being on the substitute motion.

Substitute Motion Withdrawn.

Mr. Evans, Ralph W., withdrew his substitute motion.

The question being on the motion by Mr. McCarthy to continue the reconsideration of Assembly Bill No. 1618 until the next legislative day.

Request for Roll Call.

On request of Messrs. Cronin, Field and McCarthy, the Speaker ordered a roll call taken on the motion by Mr. McCarthy to continue reconsideration of Assembly Bill No. 1618.

The roll was called.

Motion for Call of the House.

Pending the announcement of the vote, Mr. Cronin moved a call of the House.

Motion lost.

The roll was called, and the motion to continue reconsideration of Assembly Bill No. 1618 was carried by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Clark, Crowley, Cunningham, Dawson, Donihue, Donnelly, Evans, Ralph W., Field, Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Latham, Laughlin, Lore, Martin, Mayo, McCarthy, Miller, Minard, Nielsen, O'Donnell, Pelletier, Peterson, Phillips, Reaves, Thorp, Voigt, Wagner, Walker, Wallace, Waters, and Wright—40.

NOES—Anderson, Boyle, Cassidy, Chatters, Corwin, Cottrell, Cronin, DeLap, Desmond, Evans, Herbert J., Fisher, Frazier, Garibaldi, Gilmore, Hornblower, Johnson, Lyon, Maloney, McBride, McMurray, Meehan, Morgan, Patterson, Redwine, Riley, Robertson, Scudder, Stream, Utt, Weber, Williamson, and Mr. Speaker—32.

Assembly Bill No 1618 ordered on file for third reading.

Motion to Reconsider Assembly Bill No. 1192 Continued.

Mr Lyon moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1192 was refused passage be continued until the next legislative day.

Request for Roll Call.

On request of Messrs. Robertson, Minard and Rosenthal, the Speaker ordered a roll call taken on the motion by Mr. Lyon to continue reconsideration of Assembly Bill No. 1192.

The roll was called, and the motion was carried by the following vote:

AYES—Andreas, Boyle, Clark, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Morgan, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Rosenthal, Utt, Voigt, Wagner, Waters, Wright, and Mr. Speaker—45.

NOES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Crowley, Dawson, DeLap, Frazier, Mayo, Minard, Nielsen, O'Donnell, Patterson, Robertson, Stream, Wallace, and Weber—20.

Motion.

Mr. Williamson moved, seconded by Mr. Heisinger, that the gentlemen invited to a public hearing on Assembly Bill No. 947 be discharged with a vote of thanks.

Motion carried.

Special Order Set for Assembly Bills Nos. 1028, 1029, 1031, 1032 and 1033.

On motion of Mr. O'Donnell, the consideration of Assembly Bills Nos. 1028, 1029, 1031, 1032 and 1033 were made a special order for Thursday, May 9, 1935, at eleven o'clock a.m.

Special Order Set for Assembly Bill No. 947.

On motion of Mr Johnson, the consideration of Assembly Bill No. 947 was made a special order for Thursday, May 2, 1935, at eleven o'clock and fifteen minutes a.m.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced:

By Mr. Johnson: Assembly Concurrent Resolution No. 36—Relative to approving a certain amendment to the charter of the city of Albany, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at an election held therein, April 22, 1935.

Introduced.

Request for Unanimous Consent.

Mr. Johnson asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 36, at this time, without reference to printer, committee or file, and that same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 36.

Assembly Concurrent Resolution No. 36—Relative to approving a certain amendment to the charter of the city of Albany, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at an election held therein, April 22, 1935.

Assembly Concurrent Resolution No. 36 read.

Mr. Johnson moved the adoption of Assembly Concurrent Resolution No. 36.

The question being on the adoption of Assembly Concurrent Resolution No. 36.

The roll was called, and Assembly Concurrent Resolution No. 36 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J. Evans, Ralph W., Field, Fisher, Flint, Frazier, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Scudder, Thorp, Utt, Wagner, Walker, Wallace, Williamson, Wright, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 36 ordered transmitted to the Senate.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced:

By Mr. Cronin: Assembly Joint Resolution No. 56—Relative to memorializing the President and the Congress to enact legislation proposed by H. R. 6984, providing benefits to persons who served in the Quartermaster's Corps or under the Quartermaster General during certain wars.

Introduced.

Request for Unanimous Consent.

Mr. Cronin asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 56, at this time, without reference to printer, committee or file, and that same be considered engrossed.

Consideration of Assembly Joint Resolution No. 56.

Assembly Joint Resolution No. 56—Relative to memorializing the President and the Congress to enact legislation proposed by H. R. 6984, providing benefits to persons who served in the Quartermaster's Corps or under the Quartermaster General during certain wars.

Assembly Joint Resolution No. 56 read.

Mr. Cronin moved the adoption of Assembly Joint Resolution No. 56.

The question being on the adoption of Assembly Joint Resolution No. 56.

The roll was called, and Assembly Joint Resolution No. 56 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Thorp, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—66.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 56 ordered transmitted to the Senate.

Assembly Joint Resolution No. 56.

Relating to memorializing the President and the Congress to enact legislation proposed by H. R. 6984, providing benefits to persons who served in the Quartermaster's Corps or under the Quartermaster General during certain wars.

WHEREAS, Many persons who served in the Quartermaster's Corps or under the jurisdiction of the Quartermaster General during the War with Spain, the Philippine Insurrection and the China Relief Expedition were disabled while in such service; and

WHEREAS, Many of these persons, because of their disabilities, need aid from the National Government; and

WHEREAS, There was introduced into Congress by Hon Richard J. Welch a bill known as H. R. 6984 which proposes to allow certain benefits to disabled persons mentioned therein; and

WHEREAS, Many social and civic organizations together with the service organization known as McKinley Fleet, No. 1, have indorsed this bill; and

WHEREAS, The legislation proposed is humanitarian and for a worthy cause; now therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the President and the Congress are hereby respectfully urged to enact the legislation proposed by H. R. 6984 at as speedily a time as possible; and be it further

Resolved, That the Governor of the State of California is hereby requested to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives and to each Senator and member of the House of Representatives from California in the Congress of the United States and that such Senators and members from California are hereby respectfully urged to support such legislation.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 166—An act to amend section 1 of an act entitled "An act relating to the safety of design and construction of public school buildings, providing for regulation, inspection, and supervision of the construction, reconstruction or alteration of or addition to public school buildings and for the inspection of existing school buildings, defining the powers and duties of the State Division of Architecture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act to take effect immediately," approved April 10, 1933, relating to the buildings and work subject to the provisions of said act;

Also: Assembly Bill No. 638—An act to amend sections 997, 1009, 1116, 1117, 1166, 1188, 1262, 1297, 1302, 1371, and 1384, of the Penal Code, relating to refund of money deposited in lieu of bail, and to repeal conflicting acts and parts of acts;

Also: Assembly Bill No. 704—An act to regulate and limit residential zones, subdivisions, districts and lots or plots, upon which it shall be permissible to erect buildings for human habitation, and an act preventing the erection of buildings for human habitation in subdivisions, districts, lots or plots, known to be in old river beds, water courses or in the path of possible flood streams or in flood stream areas, and repealing all acts and parts of acts in conflict with this act;

Also: Assembly Bill No. 1219—An act to amend section 133 of the Streets and Highways Code, relating to the Department of Public Works;

Also: Assembly Bill No. 1491—An act establishing municipal courts in cities and cities and counties of the second and one-fourth class, prescribing a constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your committee on Engrossment and Enrollment has examined Assembly Bill No. 1833—An act to amend section 1 of "An act to regulate the construction of buildings in the State of California, in respect to resistance to horizontal forces, providing penalties for the violation thereof and providing that this act become effective immediately," approved May 26, 1933, relating to construction of buildings—and reports that the same has been correctly re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1935.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 2368—An act to amend sections 5, 13, 65, 78, 83, 85, 86, 100, 101 and 109 of, and to add sections 28a, 65a, 65b, 65c, 65d, 83a, 85a, 100a and 100b to an act entitled "An act to provide for the creation, establishment, and adjustment with other such systems, of a Retirement System for Employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to retirement of members of the California Highway Patrol;

Also: Assembly Bill No. 2416—An act to regulate the caravaning of motor vehicles upon the public highways of this State, defining the term "caravaning" and providing for the licensing of motor vehicles in caravan and imposing penalties for violation thereof;

Also: Assembly Bill No. 1654—An act to amend sections 459, 465 and 471 of, and to add a new section to be numbered 466 to, the Vehicle Code, relating to highways and the regulation thereof;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended

HORNBLOWER, Chairman.

The above reported bills ordered on file for second reading

Also:

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1266—An act to amend section 621 of the Vehicle Code, relating to rear lights on motor vehicles, trailers, and semitrailers;

Also: Assembly Bill No. 1963—An act relating to licensing and taxing of vehicles, including certain license taxes based upon weight and value in lieu of taxation according to value, and providing for the administration and enforcement thereof;

Also: Assembly Bill No. 2354—An act to amend sections _____ of the Vehicle Code;

Also: Assembly Bill No 646—An act to add sections 195 5 and 1623.5 to, the Streets and Highways Code, relating to expenditure of money allocated to counties, cities, and cities and counties;

Has had the same under consideration, and respectfully reports the same back, without recommendation, as amended.

HORNBLOWER, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 2012—An act to amend sections 156, 159, and 160 of the Vehicle Code, relating to registration of vehicles;

Also: Senate Bill No. 122—An act to amend the Vehicle Code by adding a new section to be numbered 135.5 relating to investigation of accidents;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

HORNBLOWER, Chairman

The above reported bills ordered on file for second reading.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1935

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1363—An act to amend section 11 of an act entitled "An act providing for the organization and regulation of reciprocal or interinsurance exchanges, to be known as 'The Reciprocal or Interinsurance Act of the State of California,' and repealing the act entitled 'An act providing for reciprocal and interexchange of indemnities, prescribing regulations therefor and fixing a license fee,' and repealing an act entitled 'An act defining certain classes of contract for the exchange of indemnity, prescribing regulations therefor, and fixing a license fee, approved December 24, 1911,' approved May 26, 1917, as amended," approved June 3, 1921;

Also: Assembly Bill No. 866—An act relating to unemployment insurance;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

MINARD, Chairman

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 194—An act to amend sections 20 and 24 of the "Workmen's Compensation, Insurance and Safety Act of 1917," as amended, relative to awards and disposition thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MINARD, Chairman.

The above reported bill ordered on file for second reading.

On Crime Problems.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1935.

MR SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 1398—An act to amend section 1 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State, to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons, to prescribe penalties for violation of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder, and to repeal Chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, and relating to

penalties for violations of this act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MILLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 1396—An act to amend section 644 of the Penal Code, relating to the punishment of habitual criminals—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MILLER, Chairman.

The above reported bill ordered on file for second reading.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1935.

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 2369—An act to add section 9a to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to disability of members of the California Highway Patrol—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MINARD, Chairman.

The above reported bill ordered on file for second reading.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Nielsen:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add a new section to the Political Code, to be numbered 363m, relating to the Division of Water Resources revolving fund.

Referred to Committee on Introduction of Bills.

Recess.

At four o'clock and forty-five minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until eight o'clock p.m , of this day.

Reassembled.

At eight o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Labor and Capital.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1935.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 858—An act to amend section 7 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, relating to the amount of license fees and bonds of employment agencies and providing for the use of license fees and fines by the Division of Labor Statistics and Law Enforcement for the administration of the act in augmentation of its current appropriations—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

BURNS, Chairman.

The above reported bill ordered on file for second reading.

Senate Messages.

The following message from the Senate was taken up and read.

SENATE CHAMBER, SACRAMENTO, May 1, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day directed me to respectfully request your honorable body to return to the Senate Senate Bill No. 5—An act to amend sections 1 and 2 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to persons exempt from tax—for further consideration by the Senate.

J. A. BEEK, Secretary of Senate.

Senate Bill No. 5 ordered returned to Senate.

Third Reading of Senate Bills—(Resumed).

Senate Joint Resolution No. 12—Relative to memorializing the President and the Congress of the United States to enact H. R. 4688 which proposes to aid in the rehabilitation of employable blind persons in the United States and urging the Committee on Labor of the House of Representatives to expedite consideration favorable to said bill.

Senate Joint Resolution No. 12 read.

Mr. Burns moved the adoption of Senate Joint Resolution No. 12.

The question being on the adoption of Senate Joint Resolution No. 12.

The roll was called, and Senate Joint Resolution No. 12 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 12 ordered transmitted to the Senate.

Senate Joint Resolution No. 12.

Relative to memorializing the President and the Congress of the United States to enact H. R. 4688 which proposes to aid in the rehabilitation of employable blind persons in the United States and urging the Committee on Labor of the House of Representatives to expedite consideration favorable to said bill.

WHEREAS, During recent times there has been a great deal of public interest and discussion on the part of social and welfare organizations and individuals of the necessity to enact immediate legislation for the purpose of rehabilitating employable blind persons in the United States; and

WHEREAS, The problem of the blind and the training thereof for fitness to find lucrative employment in the trades and professions has long challenged resourcefulness of agencies engaged in bettering the condition of the blind; and

WHEREAS, On January 24, 1935, there was introduced in the House of Representatives by Jennings Randolph of West Virginia a bill known as H. R. 4688 which has as its purpose "to rehabilitate employable blind persons in the United States by permitting them to operate news stands in the Federal buildings, to find other suitable stand locations and to make a National survey of industries wherein blind persons can be employed, and to train, place and advise blind persons in such job"; and

WHEREAS, There is now no form of employment as suitable and as satisfactory for blind persons which enables such persons to approach a normal economic status as the operation of news stands in Federal buildings; and

WHEREAS, Federal and State agencies are now assisting which are capable of administering this humanitarian project; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the President and Congress of the United States are respectfully urged to enact legis-

lation proposed by H. R. 4088, and that the Committee on Labor of the House of Representatives is also urged to expedite consideration favorable to said bill; and be it further

Resolved, That the Governor of the State of California is hereby requested to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives and to the chairman of the Committee on Labor of the House of Representatives, and to each member of the Committee on Labor of the House of Representatives and to each Senator and member of the House of Representatives from California in the Congress of the United States and that such Senators and members from California are hereby respectfully urged to support such legislation.

Senate Concurrent Resolution No. 12—Relative to reports of the proceedings of the annual convention of the Veterans of Foreign Wars of the United States, Department of California.

Senate Concurrent Resolution No. 12 read.

Mr. Scudder moved the adoption of Senate Concurrent Resolution No. 12.

The question being on the adoption of Senate Concurrent Resolution No. 12.

The roll was called, and Senate Concurrent Resolution No. 12 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None

Title read and approved.

Senate Concurrent Resolution No. 12 ordered transmitted to the Senate.

Senate Concurrent Resolution No. 12.

Relative to reports of the proceedings of the annual convention of the Veterans of Foreign Wars of the United States, Department of California

Resolved by the Senate of the State of California, the Assembly concurring, That there shall be printed as a public document, 500 copies of the report of the proceedings of the annual convention of the Veterans of Foreign Wars of the United States, Department of California, for the year 1935, and of each succeeding annual convention, together with illustrations, copies of general orders enacted at such conventions and of the official roll, 250 copies for the use of the Senate and 250 copies for the use of the Assembly, the annual cost thereof, not exceeding $600, to be payable from the appropriation for legislative printing.

Senate Bill No. 419—An act to amend section 3658a of the Political Code, relating to assessments by reference to maps.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 419 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scud-

der, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate

Senate Bill No 101—An act to amend section 3 of an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditures of funds for the construction, maintenance and improvement of State highways." approved May 26, 1927, relating to expenditure of State highway funds within cities, declaring the urgency hereof, and to provide that this act take effect immediately.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.
NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 101 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No 701—An act to amend subdivision 19 of section 4237 of the Political Code, relating to grand jurors and trial jurors fees and mileage.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 701 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy,

McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 725—An act ceding to the United States of America certain tide and submerged lands of the State of California upon certain trusts and conditions.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Crowley:

Amendment No. 1.

On page 1, line 24, of the printed bill, insert after "lands;" the following: "there is hereby further reserved in the State of California the right to tax and license persons and corporations, their franchises and property upon the hereinbefore described lands;".

Amendment adopted.

Request for Unanimous Consent.

Mr. Crowley asked for, and was granted, unanimous consent to take up Senate Bill No. 725, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Senate Bill No. 725, as Amended.

Senate Bill No. 725 read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 725 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 32—An act to amend section 1310 of the Fish and Game Code, relating to fur-bearing mammals.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 32 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scud-

der, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 429—An act to amend section 1341 of the Fish and Game Code, relating to rabbits.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 429 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Ralph W. Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.
NOES—None.

Title read and approved
Bill ordered transmitted to the Senate.

Senate Bill No. 892—An act to amend section 1989 of the Code of Civil Procedure, relating to witnesses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 892 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker– 77.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 255—An act to add a new section to be numbered 844, to the Civil Code, relating to actions for the declaration of rights of persons associated in the use of ditches, flumes, pipe lines or conduits for the conveyance of water

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 255 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scud-

der, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—77.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 763—An act to remove the debris and snags from the Sacramento River between Chico Landing and the head of navigation near Red Bluff, to provide a survey for the work required, and to provide for the conduct of the necessary work by the State Emergency Relief Administration.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 763 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 215—An act to add section 1219.5 to the Agricultural Code, relating to annual reports of nonprofit cooperative marketing associations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 215 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.
NOES—None

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 290—An act to amend an act of the Legislature of the State of California entitled "An act providing for the formation, government and operation of harbor districts for the improvement or development of harbors, the calling and conducting of elections in such districts, the issuance and disposal of the bonds thereof, and the assessment and levy of taxes for the payment of such bonds, principal and interest, and for the ordinary expenses of such districts," approved April 20, 1927, as amended, by adding a new section thereto to be numbered section 21, relating to the expenditure of the proceeds of harbor district bonds by the United States of America or any depart-

ment, officer or agency thereof, and validating expenditures of such bond funds and work by the United States of America or any department, officer or agency thereof.

Bill read third time

The question being on the passage of the bill

The roll was called, and Senate Bill No. 290 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 537—An act to add section 1354 to the Fish and Game Code, relating to the taking of frogs for educational and scientific purposes.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No 537 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Senate Bill No 261—An act to amend section 1241 of the Code of Civil Procedure, relating to the taking of property by the State under proceedings in eminent domain.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 261 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 173—An act to amend section 652 of the Fish and Game Code, relating to salmon.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Burns:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 652", and insert in lieu thereof the following: "sections 652, 655, 656 and 665".

Amendment No. 2.

On page 1, line 6, of the printed bill, strike out "two per day", and insert in lieu thereof the following, "five per day for hook and line fishing, and two per day when taken with spear".

Amendment No. 3.

On page 1 of the printed bill, after line 8, insert the following paragraph:

"SEC. 2. Section 655 of the Fish and Game Code is hereby amended to read as follows:

655. In Klamath River District, above tidewater, salmon may be taken with hook and line, between May 29th and December 31st; spear, between August 1st and October 31st. The bag limit is five per day for hook and line fishing, and two per day when taken with spear.

SEC 3. Section 656 of the Fish and Game Code is hereby amended to read as follows:

656. In the Klamath River District, in tidewater, salmon may be taken with hook and line, between May 29th and December 31st. The bag limit is five per day. Not more than one daily bag limit may be possessed by any person during one day.

SEC 4 Section 665 of the Fish and Game Code is hereby amended to read as follows

665 Salmon taken in Districts 1, 1½, 2, 2½, 3, 5, 12a, and the Klamath River District may not be sold In District 5 the bag limit is five per day between May 29th and December 31st. Not more than one daily bag limit may be possessed by any person during one day"

Amendments adopted.

Request for Unanimous Consent.

Mr. Burns asked for, and was granted, unanimous consent to take up Senate Bill No 173, as amended, at this time, without reference to reprint or file.

Third Reading of Assembly Bill No. 173, as Amended.

Senate Bill No. 173, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 173 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 299—An act to amend sections 4, 9, 10 and 14 of the act entitled "An act to provide for the incorporation and organization and management of municipal water districts and to provide for the acquisition and construction by said districts of water works, and for the acquisition of all property necessary therefor, and also to provide

for the distribution and sale of water by said districts," approved May 1, 1911, relating to municipal water districts and the officers thereof and further defining the powers and duties of each thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 299 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 187—An act to validate the organization and existence of municipal improvement districts

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 187 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 153—An act to amend section 5 of an act entitled "An act to regulate motor boats of less than fifteen gross tons capacity operating in California waters and carrying passengers for hire and providing a penalty for violation thereof," approved January 19, 1931, relating to boats unequipped with propelling machinery.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 153 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 430—An act to amend sections 3727 and 3728 of the Political Code, relating to the entering of values and acreages in the assessment book and the preparation of duplicate statistical statements of assessments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 430 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 106—An act to amend sections 798.6 and 801 of the Fish and Game Code, relating to abalones.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 106 finally passed by the following vote.

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 174—An act to amend section 730 of the Fish and Game Code, relating to fish.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 174 finally passed by the following vote·

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 234—An act to amend section 330.24 of the Civil Code, relating to mutual water companies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 234 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Mmard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 235—An act to amend sections 2 and 3 of "An act providing for the regulation of water companies, defining their powers and duties, defining the powers and duties of the Railroad Commission with reference thereto, and defining the conditions under which such water companies become subject to the provisions of the Public Utilities Act and the Railroad Commission of the State of California," approved April 25, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 235 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Mmard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 171—An act to amend section 478 of the Agricultural Code, relating to cream.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 171 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Mmard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None.

Title read and approved.

Notice of Reconsideration of Senate Bill No. 171.

Mr. Cassidy gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 171 was this day passed.

Senate Bill No. 354—An act to amend sections 1065 and 1071 of the Agricultural Code, relating to economic poisons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 354 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 770—An act to amend sections 1, 2, 3, 4, 6, and 19 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to the regulation of credit unions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 770 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 284—An act to amend section 1197 of the Political Code, relating to election ballots.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 284 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scud-

der, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 131—An act to amend section 683 of the Civil Code, relating to joint tenancy.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 131 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 366—An act to renumber section 532a of the Penal Code, as added by Chapter 70 of the Statutes of 1913, to be section 532c of said code, relating to giving lots on the drawing of numbers.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 366 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.
NOES—None

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 319—An act to amend sections 1026 and 1026a of the Penal Code, relating to procedure in the trial and release of the criminally insane.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 319 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scud-

der, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.
NOES—None

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 53—An act to amend section 6.90a of the School Code, relating to junior college buildings.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 53 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.
NOES—None

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 260—An act to amend sections 2.870, 2.871, 2.872, 2.885, 2.887, 2.890, 2.911, 2.917, 2.940, 2.941, 9.990, 2.1055, 2.1090, 2.1152, and 2.1199 of the School Code of the State of California, relating to election of school trustees, etc.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 260 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77
NOES—None.

Title read and approved.

Notice of Reconsideration of Senate Bill No. 260.

Mr. Cottrell gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 260 was this day passed.

Senate Bill No. 256—An act to amend sections 251, 304, 307, 323, 348, 364, 374, 463 and 465 of the Streets and Highways Code, relating to State highways.
Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Crowley:

Amendment No. 1.

On page 1, line 2, of the title of the printed bill, as amended, strike out "463".

Amendment No. 2.

On page 3 of the printed bill, as amended, strike out lines 28 to 33, inclusive.

Amendment No. 3.

On page 3, line 34, of the printed bill, as amended, strike out "9", and insert in lieu thereof the following: "8".

Amendments adopted.

Request for Unanimous Consent.

Mr. Crowley asked for, and was granted, unanimous consent to take up Senate Bill No. 256, as amended, at this time, without reference to reprint or file.

Reading of Senate Bill No. 256, as amended.

Senate Bill No. 256, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 256, as amended, finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 245—An act to repeal sections 3.284 and 3.285 of the School Code, relating to the maintenance of high school courses in elementary schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 245 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 376—An act to repeal Article II of Chapter II of Part II of Division III of the School Code and to add to Chapter II of Part II of Division III of the School Code a new article to be known as Article I, relating to contracts between State teachers colleges and elementary school districts for the education of pupils of such districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 376 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 652—An act to amend section 4.798 of the School Code, relating to apportionments of State funds for public school purposes.

Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 652 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 654—An act to add a new article to Chapter I of Part III of Division IV of the School Code to be known as Article III, relating to school district elections for the expenditure of school district funds.

Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No 654 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate

Senate Bill No. 1079—An act to validate all proceedings for the formation of improvement districts within irrigation districts and all assessments heretofore made in any such improvement districts, to

validate all warrants heretofore issued or to be issued, payable from the assessments levied in such improvement districts; and authorizing and directing the collection of the assessments in such improvement districts sufficient to pay the principal and interest of said warrants; validating and confirming all acts and proceedings of the board of directors of any irrigation district in connection with the acquisition and creation of improvement districts within irrigation districts, and the acquisition, construction, operation, maintenance and repair of improvements therein.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1079 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 47—An act to amend section 10 of an act entitled "An act to provide for the formation, management and dissolution of county fire protection districts composed of lands within one or more counties and annexation to such districts; to set forth the powers of such districts and to provide for the levying and collecting taxes on property in such districts to defray the expenses thereof," approved June 12, 1931, relating to taxes of county fire protection districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 47 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 653—An act to add a new section to the School Code to be numbered 2.1363, relating to the acceptance of gifts, donations, bequests and devises to schools and colleges administered by the Director of Education or the Department of Education.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 653 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 685—An act to amend section 274c of the Code of Civil Procedure, relating to phonographic reporters, and declaring the urgency of this act.

Bill read third time

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Cronin:

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, immediately before "The", strike out "274c", and insert in lieu thereof the following: "274d".

Amendment adopted.

Request for Unanimous Consent.

Mr. Cronin asked for, and was granted, unanimous consent to take up Senate Bill No. 685, as amended, at this time, without reference to reprint or file.

Third Reading of Assembly Bill No. 685, as Amended.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.
NOES—None.

Senate Bill No. 685, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 685 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scud-

der, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 426—An act to amend sections 1030, 1038, and 1043 of the Agricultural Code, relating to fertilizing materials.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 426 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 472—An act to amend the Insurance Code by amending Article 14 of Chapter 1 of Part 2 of Division 1 thereof, relating to proceedings against insolvent insurers.
Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Minard:

Amendment No. 1.

On page 14 of the printed bill, after line 26, add the following:
"1061. The provisions of section 658 of the Political Code shall apply to the books and accounts of the commissioner as conservator or liquidator under this article or under Article 8, Chapter 2, Part 6 of Division 2 of this code."

Amendment adopted.

Request for Unanimous Consent.

Mr. Minard asked for, and was granted, unanimous consent to take up Senate Bill No. 472, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 472, as Amended.

Senate Bill No. 472, as amended, read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 472 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 908—An act to amend sections ------ of the Insurance Code, to add new sections thereto, and to repeal certain sections thereof, relating to insurance principles, practice and matters incidental thereto.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 908 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 762—An act granting to the city of Pacific Grove the title to certain portions of the water front of said city together with certain submerged lands in the Bay of Monterey contiguous thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 762 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 210—An act to amend section 415 of the Civil Code, relating to purchasing and holding of real estate by insurance companies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 210 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 33—An act to amend sections 674 and 675 of the Code of Civil Procedure, relating to the filing and recording of abstracts and satisfactions of judgments in the office of the county recorder.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 33 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 51—An act to amend section 441 of the Political Code, relating to rates of interest on registered warrants

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 51 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 588—An act providing for the exemption from taxation of personal property brought within the State of California exclusively for purposes of use, display or exhibition at expositions, fairs, carnivals or public exhibits of literary, scientific, educational, religious or artistic works, and for claim of exemption.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 588 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Special Order Set for Senate Bill No. 353.

On motion of Mr. Phillips, the consideration of Senate Bill No. 353 was made a special order for Tuesday, May 7, 1935, at two o'clock and thirty minutes p.m.

Special Order Set for Assembly Bill No. 915.

On motion of Mr. Phillips, the consideration of Assembly Bill No. 915 was made a special order for Tuesday, May 7, 1935, at two o'clock and thirty-one minutes p.m.

Special Order Set for Assembly Bill No. 2365.

On motion of Mr. Cronin, the consideration of Assembly Bill No. 2365 was made a special order for Thursday, May 2, 1935, at two o'clock p.m.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 308—An act to add a new section to the School Code to be numbered 3.232, relating to the establishment of junior high schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 308 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 541—An act to amend section 9 of an act entitled "An act for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 541 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 21—An act to regulate the production and distribution of serums, vaccines, bacterial cultures, and viruses, to provide for the licensing of persons manufacturing, preparing, and distributing the same, and to provide penalties for the violation of the provisions of this act.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Johnson:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, strike out the comma after the word "manufacturing" and then strike out the following words in lines 3 and 4: "preparing and distributing", and insert in lieu thereof the following. "and preparing".

Amendment adopted.

Request for Unanimous Consent.

Mr. Johnson asked for, and was granted, unanimous consent to take up Senate Bill No 21, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 21, as Amended.

Senate Bill No. 21, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 21, as amended finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 26—An act to add section 615.1 to the Fish and Game Code, relating to fish in districts 3 and 3A.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 26 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 159—An act to amend sections 117d and 117p of the Code of Civil Procedure, relating to small claims courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 159 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 99—An act to amend sections 4.161 and 4.221 of the School Code, all relating to unapportioned county school funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 99 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 55—An act to add section 676.5 to the Vehicle Code, relating to safety glass on automobiles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 55 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 287—An act to amend section 4041.16 of the Political Code, relating to county care of indigents.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 287 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—77.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1135—An act to add Chapter 9 to Division IV of the Agricultural Code, relating to the production and marketing of milk and other dairy products.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Thorp:

Amendment No. 1.

On page 1 of the printed bill, as amended in Assembly April 11th, 1935, after line 24, add a new paragraph to read as follows

"Nothing in this chapter contained shall control or otherwise affect any educational or other agency of the State engaged in teaching or research relating to agriculture."

Amendment adopted.

Request for Unanimous Consent.

Mr. Thorp asked for, and was granted, unanimous consent to take up Assembly Bill No 1135, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1135, as Amended.

Assembly Bill No 1135, as amended, read third time

The question being on the passage of the bill

The roll was called, and Assembly Bill No 1135, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 68—An act to add section 15a to an act entitled "An act to provide for the recall of elective officers of incorporated cities and towns, and to repeal Chapter 32, Statutes of 1911, extra session, entitled 'An act to provide for the recall of elective officers of

incorporated cities and towns, approved January 2, 1912'," approved May 8, 1931, relating to recall of elective officers of incorporated cities.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 68 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 456—An act to amend sections 830, 834 and 1533 of the Probate Code, relating to the borrowing of money by executors, administrators and guardians and the execution by them of mortgages, deeds of trust and pledges to secure the same and the limitation upon recovery on deficiency judgments in such cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 456 passed by the following vote.

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—77.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 429—An act to provide that school authorities of certain public and private schools shall be equipped to render first medical aid to injured children and students.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 429 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No 525—An act to add sections 285, 285.1, 285.2, 285.3, and 285.4, to the Agricultural Code, relating to brands to be used on apiary equipment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 525 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 512—An act to amend section 274 of the Agricultural Code, relating to bee diseases.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 512 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1242—An act to add Chapter 2a to Division V of the Agricultural Code, to consist of sections 840, 841, 841.1, 842, 842.1, 842.2, 842.3, 842.4, 842.5, 843, 843.1, 843 2, 843.3, 844, 845, 845.1, and 845.2, inclusive, relating to the standardization of, and standards for, honey.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Phillips:

Amendment No. 1.

On page 6 of the printed bill, as amended in Assembly April 16, 1935, strike out all of lines 21 to 29, inclusive, and insert in lieu thereof the following: "honey imported from any territory or foreign country shall be labeled with the name of the territory or country of origin. Any honey which is a blend of honey, any part of which is not produced in continental United States, must be labeled with the name of the territory or country where produced. Any honey which is a blend of two or more types of honey shall be labeled with the term "blended honey" and shall not be labeled as a honey product from any particular floral source alone. No containers or subcontainers of honey shall be marked or labeled".

Amendment No. 2.

On page 6 of the printed bill, as amended in Assembly April 16, 1935, strike out all of lines 36 to 40, inclusive, and insert in lieu thereof the following:

"White, from 1 to 34.
Extra light amber, below 34 to 50.
Light amber, below 50 to 85.
Amber, below 85 to 114.
Dark, below 114."

Amendments adopted.

Request for Unanimous Consent.

Mr. Phillips asked for, and was granted, unanimous consent to take up Assembly Bill No. 1242, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1242, as Amended.

Assembly Bill No. 1242, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1242, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—77.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1617—An act to provide for the conservation, development and maintenance of the scenic value along State highways and important county highways, and declaring the urgency hereof.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Mayo:

Amendment No. 1.

On page 1, line 4, of the printed bill, as amended, strike out the words "to prevent fire hazard to adjoining property,".

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, as amended, after "act", insert the following: "to add to Division I of the Streets and Highways Code a new Chapter 3A, comprising sections 750 to 754, inclusive,".

Amendment No. 3.

On page 1, lines 3 and 4 of the title of the printed bill, as amended, strike out ", and declaring the urgency hereof.", and insert in lieu thereof a period.

Amendment No. 4.

On page 1, line 1, of the printed bill, as amended, strike out everything except "Section 1.", and strike out all of line 2, and insert in lieu thereof the following: "There is hereby added to Division I of the Streets and Highways Code a new Chapter 3A, to read as follows: Chapter 3A. Scenic Value Along Highways"

Amendment No. 5.

On page 1, line 3, of the printed bill, as amended, strike out "Sec. 2.", and insert in lieu thereof the following: "750"

Amendment No. 6.

On page 1, line 9, of the printed bill, as amended, strike out "Sec. 3.", and insert in lieu thereof the following: "751"

Amendment No. 7.

On page 1, line 18, of the printed bill, as amended, strike out "act", and insert in lieu thereof the following: "chapter."

Amendment No. 8.

On page 1, line 20, of the printed bill, as amended, strike out "State", and insert in lieu thereof the following: "department".

Amendment No. 9.

On page 2, line 1, of the printed bill, as amended, strike out "Sec. 4.", and insert in lieu thereof the following: "752."

Amendment No. 10.

On page 2, line 2, of the printed bill, as amended, strike out "acts", and insert in lieu thereof the following: "chapter".

Amendment No. 11.

On page 2, line 17, of the printed bill, as amended, strike out "Sec 5", and insert in lieu thereof the following: "753."

Amendment No. 12.

On page 2, line 18, of the printed bill, as amended, strike out "act", and insert in lieu thereof the following: "chapter".

Amendment No. 13.

On page 2, line 21, of the printed bill, as amended, strike out "California Highway".

Amendment No. 14.

On page 2, line 24, of the printed bill, as amended, strike out "act", and insert in lieu thereof the following: "chapter".

Amendment No. 15.

On page 2, line 27, of the printed bill, as amended, strike out "Sec. 6 This act", and insert in lieu thereof the following: "754 This chapter".

Amendments adopted.

Bill read, ordered to reprint, re-re-engrossment, and third reading.

Assembly Bill No. 2030—An act to amend sections 1426, 1427 and 1428 of the Streets and Highways Code, relating to expenditures by boards of supervisors of moneys received by the counties from the motor vehicle fund or from moneys received by the county for vehicle registration license fees and authorizing contributions to ad valorem special assessment proceedings, or the purchase of bonds issued in any ad valorem acquisition or improvement district.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Martin:

Amendment No. 1.

On page 2, line 5, of the printed bill, as amended, after "lands," insert the following: "or levied by direct assessment,".

Amendment adopted.

Request for Unanimous Consent.

Mr. Martin asked for, and was granted, unanimous consent to take up Assembly Bill No 2030, as amended, at this time, without reference to reprint or file, and that same be considered re-re-engrossed.

Third Reading of Assembly Bill No. 2030, as Amended.

Assembly Bill No 2030, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2030, as amended, passed by the following vote:

AYES—Anderson, Boyle, Breed, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donnelly, Field, Fisher, Flint, Frazier,

Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Phillips, Reaves, Redwine, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1483—An act to amend section 5.750 of the School Code, relating to absence from service of certificated employees on account of illness.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1483 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donnelly, Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Senate Bills—(Resumed).

Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article X thereof, a new section to be numbered 7, relating to an institution for women.

Senate Constitutional Amendment No. 21 read.

Floor Amendment.

During reading of Senate Constitutional Amendment No. 21, the following amendment was submitted by Mr. Hornblower:

Amendment No. 1.

On page 1, line 11, of the printed bill, strike out "charged with or".

Amendment adopted.

Request for Unanimous Consent.

Mr. Turner asked for, and was granted, unanimous consent to take up Senate Constitutional Amendment No. 21, as amended, at this time, without reference to reprint or file.

Senate Constitutional Amendment No. 21 read.

Floor Amendments.

During reading of Senate Constitutional Amendment No. 21, the following amendments were submitted by Mr. Turner:

Amendment No. 1.

On page 1, line 19, of the printed measure, as amended, after "matters", insert a comma.

Amendment No. 2.

On page 1, line 21, of the printed measure, as amended, strike out "female offenders", and insert in lieu thereof the following: "females convicted of felonies,".

Amendments adopted

Request for Unanimous Consent.

Mr. Turner asked for, and was granted, unanimous consent to take up Senate Constitutional Amendment No. 21, as amended, at this time, without reference to reprint or file.

Consideration of Senate Constitutional Amendment No. 21.

Senate Constitutional Amendment No. 21 read.

Mr. Turner moved the adoption of Senate Constitutional Amendment No. 21.

The question being on the adoption of Senate Constitutional Amendment No. 21.

The roll was called, and Senate Constitutional Amendment No. 21 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Turner, Wagner, Walker, Wallace, Waters, Weber, Welsh, and Mr. Speaker—62.

NOES—Cassidy, Donnelly, Kallam, Thorp, and Williamson—5.

Title read and approved.

Senate Constitutional Amendment No. 21 ordered transmitted to the Senate.

Senate Constitutional Amendment No. 21.

A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article X thereof, a new section to be numbered 7, relating to an institution for women.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California at its regular session commencing on the seventh day of January, 1935, two-thirds of the members elected to each of the two houses of the said Legislature voting therefor, hereby proposes to the people of the State of California, that the Constitution of said State be amended by adding to Article X thereof a new section to be numbered 7, and to read as follows

Sec. 7. The Legislature may provide for the establishment, government, charge and superintendence of an institution or institutions for females charged with or convicted of felonies For this purpose, the Legislature may delegate the government, charge and superintendence of such institution to any public governmental agency, officers, or board, whether now existing or hereafter created by it. Such agency, officers, or board shall have such powers, perform such duties and exercise such functions in respect to other reformatory or penal matters respecting such female offenders as the Legislature may prescribe

The Legislature may also provide for punishment, treatment, supervision, custody and care of such females in a manner and under circumstances different from men similarly convicted.

All existing statutes, purporting to create such institution or such agency, officer, or board, to so delegate such government, charge and superintendence, to so prescribe such powers, duties, or functions, or to so provide for such punishment, treatment or supervision are hereby ratified, validated and declared to be legally effective; but the Legislature may repeal, amend, or otherwise modify any such statutes

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 312—An act to amend section 2 of an act entitled "An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent herewith," approved May 23, 1923, relating to the duties of the State Fire Marshal.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Welsh:

Amendment No. 1.

On page 1, line 17, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "out of any moneys appropriated therefrom for that purpose by other provisions of law."

Amendment adopted.

Request for Unanimous Consent.

Mr. Welsh asked for, and was granted, unanimous consent to take up Assembly Bill No. 312, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 312, as Amended.

Assembly Bill No. 312, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 312, as amended, passed by the following vote:

AYES—Anderson, Andreas, Breed, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donnelly, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—65.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1236—An act to amend an act entitled "An act to authorize municipal corporations to issue bonds, for the purpose of investing the proceeds arising from the sale thereof, in other bonds issued for public improvements," approved April 26, 1909, by amending the title and sections 1, 2 and 3 thereof, relating to bonds to be purchased and the use of the funds

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1236 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donnelly, Field, Fisher, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1264—An act to add a new section to the Political Code of the State of California, to be numbered 3719, authorizing the temporary borrowing of money by counties and school districts upon the credit of revenue in course of collection, and the issuing of tax anticipation notes or warrants as evidence of such indebtedness.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1264 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donnelly, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Wagner, Walker, Weber, Welsh, Williamson, and Mr. Speaker—64.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 427—An act authorizing the legislative body of a municipality to vacate, abandon and close any public street, highway, road, boulevard, avenue, alley, way, lane or place, or any part thereof, either to the whole extent of the public right therein or to any partial extent, and prescribing a procedure therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 427 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donnelly, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Phillips, Reaves, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Wagner, Walker, Wallace, Weber, Welsh, Williamson, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 2045—An act to amend section 14a of the California Irrigation District Act.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2045 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donnelly, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Wagner, Walker, Wallace, Weber, Welsh, Williamson, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 865—An act relating to fish and game.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 865 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donnelly, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Wagner, Walker, Wallace, Weber, Welsh, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1009—An act to amend section 9 of "An act defining clinics and dispensaries, providing for the operation, conduct, maintenance, examination and regulation thereof, requiring permits therefor, providing for the issuance and revocation of such permits by the State Board of Public Health, fixing the amount of and providing for the collection and disposition of annual fees for such permits, creating the clinic and dispensary fund, prescribing the powers and duties of the State Board of Public Health and of the Director of Public Health in reference to such clinics and dispensaries, and prescribing penalties for the violation of the provisions of this act," approved June 5, 1933, relating to annual fee for permits.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1009 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donnelly, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Wagner, Walker, Wallace, Weber, Welsh, Williamson, and Mr. Speaker—60

NOES—Heisinger—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1935.

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to add a new section to the Political Code, to be numbered 363m, relating to the Division of Water Resources revolving fund.

CUNNINGHAM, Chairman

Report of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrel, Cronin, Crowley, Cunningham, Dawson, Desmond, Donnelly, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Phillips, Reaves,

Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr Speaker—62
NOES—None

Introduction and Reference of Bills—(Resumed).

The following bill was introduced, and referred as indicated:

By Mr. Nielsen: Assembly Bill No. 2425—An act to add a new section to the Political Code, to be numbered 363m, relating to the Division of Water Resources revolving fund.

Bill read first time, and referred to Committee on Conservation.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Civil Service.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1935.

MR. SPEAKER: Your Committee on Civil Service, to which was referred Assembly Bill No. 1392—An act to amend the title of, and the act known as, the State Civil Service Act, relating to State civil service, including the adaptation thereof to Article XXIV of the State Constitution—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

NIELSEN, Chairman.

The above reported bill ordered on file for second reading.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1392—An act to amend the title of, and the act known as, the State Civil Service Act, relating to State civil service, including the adaptation thereof to Article XXIV of the State Constitution.

Floor Amendments.

During second reading of the bill, the following amendments were submitted by Mr. Nielsen:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "and", insert the following: "to revise".

Amendment No. 2.

On page 1, line 4 of the title of the printed bill, strike out the period, and insert in lieu thereof the following: "and the extension of certain of the provisions of the act to apply to officers and employees of the State who are not in the State civil service, declaring the urgency of this act and providing that it shall take effect immediately."

Amendment No. 3.

On page 1, line 8, of the printed bill, strike out "amended", and insert in lieu thereof the following: "revised".

Amendment No. 4.

On page 1 of the printed bill, strike out lines 10 to 25, inclusive, and strike out all of pages 2 to 17, inclusive, and insert in lieu thereof the following:

"SECTION 1. (a) The intent and purpose of this act is hereby declared to be to provide a comprehensive personnel system for the State service, following scientific principles of modern public personnel administration, wherein:

First. Positions involving comparable duties and responsibilities are similarly classified and compensated.

Second. Appointments are based upon merit and fitness ascertained through examination.

Third. State employment is made a career by providing for the filling of the higher positions by promotion wherever practicable.

Fourth. The rights and interests of the employee are given consideration in so far as consistent with the best interests of the State as an employer.

Fifth. A high morale is developed among employees by providing adequately for leaves of absence, vacations, and other considerations for the general welfare of employees.

Sixth. Tenure of employment is subject to good behavior, efficiency, the necessity for the performance of the work, and the appropriation of sufficient funds.

(b) All subsequent provisions shall be interpreted liberally by the courts on the basis of the foregoing statements of general principles and objectives

SEC. 2. (a) The provisions of this act shall apply to all officers and employees in the State civil service.

(b) The provisions of this act other than those which relate to appointment or to tenure shall apply to all State officers and employees not in the State civil service, except those specified in paragraphs (1), (2), (4), (7), and (14) of subdivision (a) of section 4 of Article XXIV of the Constitution and except persons exempted pursuant to subdivision (h) of section 10 of Article XVI of the Constitution.

(c) All appointments of officers and employees of the State, except those specified in paragraphs (4), (7) and (14) of subdivision (a) of section 4 of Article XXIV of the Constitution and except the employees of the Governor's office, shall be reported immediately to the board, upon forms prescribed by the board.

SEC. 3. "Board" means the State Personnel Board. Whenever the term "State Civil Service Commission" or equivalent designation is used in any statute of this State, it shall be considered as referring to the State Personnel Board.

SEC. 4. "Member" means one of the five members of that board

SEC. 5. "Executive officer" means the executive and administrative officer of the board provided for in this act and in Article XXIV of the Constitution.

SEC. 6. "Position" and "positions" mean all offices and employments under State authority, whether or not there is any salary or other compensation or emolument connected therewith.

SEC. 7. "Appointing power" means all persons whether acting singly or in conjunction with others in any way whatsoever, either by nomination or confirmation or as a board or commission or otherwise, in the exercise of authority duly provided by law, in selecting any one to hold any position as that term is used in this act.

SEC. 8. "Appointment" means all means of selecting and employing anyone to hold any position as that term is used in this act.

SEC. 9. "Probationer" or "probationary status" means the status of a person regularly certified and appointed from an eligible list, or granted civil service status by the Constitution or by statute, but who has not completed the probationary term provided in the Constitution or in this act and the rules prescribed by the board

SEC. 10. "Permanent status" or "permanent employee" means the status of any person who has successfully passed his probationary period.

SEC. 11. "Eligible list" means a list established by the board of persons who have been examined and are eligible for certification for a specific class

SEC. 12. "Eligible" means any person whose name appears upon an eligible list

SEC. 13. "Certification" means the act of transmitting to the appointing power, by the board, of the names of persons eligible for appointment to a particular vacancy.

SEC. 14. "Promotional eligible list" means an eligible list resulting from a promotional examination.

SEC. 15. "Departmental lay off list" means a list of persons who have probationary or permanent status and who are laid off from a particular class in a particular department or other State agency, under the provisions of this act.

SEC. 16. "General lay off list" means a list of all persons who have probationary or permanent status and who are laid off in a particular class, regardless of department, under the provisions of this act.

SEC. 17. "Temporary employee" means a person regularly certified and appointed to a position which is established for only a temporary period.

SEC. 18. "Temporary appointment" means an appointment without probationary or permanent status, made in the absence of an appropriate eligible list.

SEC. 19. "Political subdivision" means any county, city and county, municipality, district, or other subdivision of the State created or recognized by law.

SEC. 20. "Class" or "class of position" means a group of positions sufficiently similar in respect to the duties and responsibilities thereof that the same title may be used to designate each position allocated to the class, that the same minimum qualifications may be required, and that the same schedule of compensation may be made to apply with equity.

SEC. 21. "Veteran" means any person who has served in the United States Army, Navy, Marine Corps, Revenue Marine Service, or as an active nurse in the service of the American Red Cross, or in the Army or Navy Nurse Corps, in time of war, or in any expedition of the armed forces of the United States, and received an honorable discharge or certificate of honorable active service.

SEC. 22. "Disabled veteran" means any person who is a veteran and who was disabled as a result of such service, proof of such disability being deemed conclusive if of record in the United States Veterans Administration.

SEC. 23. Each member of the board other than an ex officio member shall receive as compensation for his services fifteen dollars per day while actually engaged in the duties of his office and all members shall receive their actual and necessary traveling expenses incurred in the performance of their duties as members.

SEC. 24. In addition to the executive officer the board may appoint and fix the compensation of a secretary and such other employees as it may deem necessary or proper to carry out the purposes of this act. The officers and employees of the board may be paid their actual and necessary traveling expenses incurred in the discharge of their duties.

The board may select suitable persons to assist in examinations. When the persons so selected are in the official service of the State it shall be deemed a part of their official duty to serve as such assistants without additional compensation.

SEC. 25. The board is authorized to secure suitable and convenient offices, examination rooms, and accommodations in localities throughout the State as may be required to suit the public convenience and cause the same to be furnished, heated and lighted, for carrying on the work of the board. The board may order the necessary stationery, postage stamps, and official seal and other articles to be supplied, and the necessary printing to be done for its official use. The headquarters of the board shall be in Sacramento.

SEC. 26. The board shall classify positions to be held under State authority in accordance with the duties and responsibilities attached to such positions. To the end that like salaries shall be paid for like and comparable duties and responsibilities, the board shall establish salary ranges consisting of minimum and maximum salary limits and intermediate steps for each class in its classification of positions, and shall provide by rule for advancement of salary within each such range.

SEC. 27. Classes of positions may from time to time be amended, added to, consolidated, or abolished by the board, in which event persons holding positions under the original classification shall be allocated to the appropriate new class with the same status as possessed in the old class, and at a rate within the salary range for the class to which allocated, as determined by the board. If such new class is lower than or materially different from such old class, the employee shall also be placed on the departmental and general lay off lists for the old class or a comparable class in any new classification plan or shall be eligible for transfer to a position allocated to the old or such comparable class, at a rate of pay to be determined by the board.

SEC. 28. Any appointing power authorized by law to fix the compensation of any employee or employees, subject to the provisions of this act, must so fix said compensation in accordance with the classification and salary ranges provided pursuant to this act, and subject to the approval of the board. The board shall from time to time adjust the salary ranges to suit the needs of the service, current economic conditions, and the financial conditions of the State, and to make salaries in the State service consistent with those paid for comparable work in industry or other governmental jurisdictions, and may adjust the salaries of individual employees to conform to such corrected ranges.

SEC. 29. The board shall hold examinations to determine the merit, efficiency and fitness of applicants for positions, and prepare lists of persons eligible for employment under this act from applicants so examined.

SEC. 30. The examinations shall be practical in their character, and shall relate to those matters which will fairly test the relative capacity and fitness of the persons examined to discharge the duties of the positions they seek.

SEC. 31. The board shall advertise such examinations in such manner as the nature of the class of work to be examined for may require. Such advertisement shall include information concerning the date and place of examination, the nature of the position, the preliminary requirements, the general scope of the examination, and such additional information as the board shall deem necessary.

SEC. 32. The board shall require all applicants to file in its office, in accordance with its rules and regulations, a reasonable length of time before the date of examination, a formal application signed by such applicant. Blank forms of such application shall be furnished by the board without charge to all persons requesting the same.

SEC. 33. The board may require in connection with applications, such certificates of citizens, physicians, public officers or others having knowledge of the applicant, as the good of the service may require, and may require necessary documentary evidence of citizenship, honorable discharge from the armed forces of the United States, possession of valid licenses for various purposes or other evidence of identification, fitness and qualification as may be deemed necessary.

SEC. 34. The board shall either fix a definite passing mark for each examination, or determine an adequate number of successful candidates who will be placed on the eligible list to meet the needs of the service.

SEC. 35. The board may refuse to examine, or after examination to declare or certify as eligible, anyone who is found to lack any of the essential requirements for the examination or position for which he applies, or who is physically so disabled as to be rendered unfit to perform the duties of the position to which he seeks appointment, or who is addicted to the habitual use of intoxicating beverages to excess; or who has been guilty of a crime or of infamous or notoriously disgraceful conduct; or who has been dismissed from the public service for delinquency or misconduct; or who has intentionally made a false statement of any material facts, or

practiced or attempted to practice any deception or fraud in his application, in his examination or in securing his eligibility. Any person appointed to a position under the provisions of this act who has secured his place on the eligible list through fraud shall be removed by the board from his position and shall not thereafter be eligible for examination for any position under the provisions of this act except by unanimous permission of the board.

SEC. 36. When the position to be filled involves fiduciary responsibility, the appointing power may require the appointee to furnish a reasonable bond or other security, and shall notify the board of the amount and necessary details thereof.

SEC. 37. (a) The board may establish separate eligible lists for various sections of the State and separate lists for men and women when such separate lists are deemed necessary in the best interests of the State as an employer.

(b) All eligible lists shall continue in force and effect for at least one year from the time they are established, but may be abolished for cause by order of the board at any time thereafter.

(c) The eligible lists for each class shall be given preference in the following order: departmental lay off list, departmental promotional list, general lay off list, general eligible list.

SEC. 38. The board shall govern appointments to all positions not otherwise filled by promotion, reinstatement, transfer or demotion, under the provisions of this act, subject to the following provisions:

(a) The appointing power shall notify the board in advance of any vacancy to be filled, stating the duties of the position.

(b) The board shall certify to the appointing power the names and addresses of the three persons standing highest on the eligible list for the class to which the position belongs; but in case there are less than three on such eligible list, the board shall certify the number thereon; and the appointing power shall fill the position by the appointment of one of the persons so certified; provided that if there is a departmental lay off list for the class to which the position belongs and for the department in which the vacancy exists, only the name of the person standing highest shall be certified and such person shall be appointed.

(c) If an eligible list is not available for the class to which the position belongs appointment shall be made from the eligible list considered by the board to be appropriate, if there is such a list.

(d) No person shall be appointed under any class not appropriate to the duties to be performed, and no person shall be assigned to perform the duties of any other class than that to which his position is allocated.

(e) All appointments from the eligible list, promotional eligible list, or general lay off list shall be for a probationary period to be fixed by the board but not to exceed one year. The board may fix different probationary periods for different classes of employment.

(f) Any employee may be dismissed by the appointing power during the probationary period for reasons stated in writing and filed with the board. Unless such appointee shall have been dismissed within such probationary period, his appointment shall become permanent subject to the provisions of this act as to removals, suspensions and changes in position. Dismissed probationers may be restored to the list of eligibles for further certification subject to conditions imposed by the board.

SEC. 39. When there is no eligible list from which a position may be filled, the appointing power may, with the consent of the board, fill such position by temporary appointment. Temporary appointments are governed by section 6 of Article XXIV of the Constitution. No person may be appointed under a temporary appointment who does not possess the minimum qualifications for the class to which the position belongs.

SEC. 40. The board may permit emergency appointments, when those on the eligible lists are not immediately available, to carry on work that must be continued in the public interest; and may fix a different term for such appointments for different sections of the State.

SEC. 41. Vacancies in positions shall be filled, so far as practicable, by promotion from among persons holding positions in lower classes of positions. Promotion shall be based upon relative merit, efficiency and fitness, as ascertained by competitive examination, and involving consideration of the qualifications of the persons seeking to be promoted as shown by their records of efficiency.

SEC. 42. The board may authorize the transfer of any person having probationary or permanent status from a position in one class to a position in the same class or in a class having substantially the same degree and kind of duties, responsibilities, and qualifications, and substantially the same salary range.

SEC. 43. The board may provide for the reinstatement within one year of persons having probationary or permanent status who are separated from positions through resignation, leave of absence, or otherwise, without fault or delinquency on their part, if within that time there is need for their services. Such reinstatement may be to a position in the class from which the employee was separated or to a position

in another class having substantially the same degree and kind of duties, responsibilities, and qualifications, and substantially the same salary range.

SEC. 44. The board may grant leaves of absence without pay for such reasons and such periods of time as may be provided by rule, and such leave shall guarantee to the employee the right to return to his position upon the expiration of the leave.

SEC. 45. The board shall govern the granting of sick leave with pay for employees subject to this act, in such amount and under such conditions as the board may prescribe, and may provide for the accumulation of unused portions of sick leave allowance credited to employees.

SEC. 46. The board shall govern the granting of annual vacations for employees in such amount and under such conditions as the board may prescribe, and may provide for the accumulation of unused portions of the vacation allowances credited to employees. Nothing in this section or any other section of this act shall be held to prohibit the granting of leaves of absence, with or without pay, to fulfill a military obligation under the State Military Code, or the laws of the United States of America.

SEC. 47. The board shall prescribe the form and manner of obtaining reports of individual efficiency of holders of positions affected by this act. Such reports shall be made by the appointing power, unless otherwise directed by the board, and a copy of such reports shall be filed with the board at such intervals as the board may prescribe. The board may investigate all such efficiency reports and may make its own reports. Reports may be required in connection with any promotion, salary adjustment, transfer, lay off, leave of absence, reinstatement or other transaction involving any employee subject to the provisions of this act.

SEC. 48. The board may establish and enforce rules and regulations under which records of unsatisfactory service may lead to reduction in class and compensation of the person holding the position concerned, and may further provide for the manner in which persons falling below the standards of efficiency fixed by its rules and regulations may be removed from their positions by the board proceeding substantially as provided in this act in the case of removals.

SEC. 49. The board may hold hearings and make investigations concerning all matters touching the enforcement and effect of the provisions of this act and the rules and regulations prescribed thereunder and may inspect all State institutions, offices, or other places of employment affected by this act to ascertain whether this act and all such rules and regulations are obeyed. Such hearings and investigations may be conducted by any member, the executive officer, or any other authorized agent of the board. Any authorized person conducting such hearing or investigation shall have power to administer oaths, subpena and require the attendance in this State of witnesses and the production thereby of books, papers, documents or accounts appertaining to the hearing or investigation.

SEC. 50. All hearings and investigations authorized in this act shall be governed by this act and by rules of practice and procedure to be adopted by the board, and in the conduct thereof no person shall be bound by the technical rules of evidence. No informality in any proceeding or in the manner of taking testimony in any such hearing or investigation shall invalidate any order, decision, rule or regulation made, approved or confirmed by the board.

SEC. 51. The superior court in and for the county, or city and county, in which any proceeding authorized in this act may be held, shall have the power to compel the attendance of witnesses, the giving of testimony and the production of books, papers, documents or accounts, as required by any subpena issued by any person authorized to conduct such proceeding, upon petition to such court.

The petition shall set forth that due notice has been given of the time and place of attendance of said witness, or the production of such books, papers, documents or accounts, and that the witness has been summoned in the manner prescribed in this act, and that the witness has failed and refused to attend or produce such books, papers, documents or accounts required by the subpena, in the matter named in the notice or subpena, or has refused to answer questions propounded to him in the course of such proceeding. Such petition shall ask an order of said court, compelling the required attendance, testimony or production of books, papers, documents or accounts.

The court upon such petition shall enter an order directing the witness to appear at a time and place to be fixed by the court, but not more than ten days from the date of the order, and then and there show cause why he has not attended and testified or produced the required books, papers, documents or accounts. A copy of the order shall be served upon the witness.

If it shall appear to the court that the witness has failed to comply with a subpena regularly issued under the provisions of this act, the court shall thereupon enter an order that said witness comply with said subpena at the time and place fixed in the order. Upon failure to obey the order, the witness shall be dealt with as for contempt of court. The remedy provided in this section is cumulative, and shall not be construed to impair or interfere with the power of the board or its authorized agents to enforce the attendance of witnesses and the production of books, papers, documents or accounts.

SEC. 52. Any person authorized to conduct any investigation or hearing provided in this act may cause the deposition of witnesses residing within or without the State to be taken in the manner prescribed by law for like depositions in civil actions in the superior courts of this State and to that end may compel the attendance of witnesses and the production of books, papers, documents or accounts

SEC. 53. No person shall be excused from testifying or from producing any book, paper, document or account in any hearing or investigation authorized in this act, when ordered to do so, upon the ground that the testimony or evidence, book, paper, document or account required of him may tend to incriminate him or subject him to penalty or forfeiture, but no person shall be prosecuted, punished or subjected to any penalty or forfeiture for or on account of any act, transaction, matter or thing concerning which he shall, under oath, have testified or produced documentary evidence; provided, that no person so testifying shall be exempt from prosecution or punishment for any perjury committed by him in his testimony. Nothing herein contained shall be construed as in any manner giving to any person immunity of any kind otherwise than as expressly provided in this act.

SEC. 54. The board shall make a biennial report to the Governor for transmission to the Legislature, reviewing the activities of the board in the period described, including all the rules and regulations adopted by it during such period and those that are in force at the time of making such report, explaining the effects of this act and of all proceedings under it, and containing any suggestions the board or any member may deem practical for the more effectual accomplishment of the purposes of this act.

SEC. 55 The board shall meet at Sacramento as often as the needs of the public service may require, and at such other places as it may designate. The meetings of the board shall be open to the public A majority of the members of the board shall constitute a quorum. The board shall keep minutes of its own proceedings and records of its other official actions.

SEC. 56. (a) It shall be the duty of all persons subject to the authority of the State to aid in all proper ways in carrying into effect the provisions of this act and the rules and regulations prescribed from time to time thereunder and especially, at the request of the board, to allow the board the reasonable use of public buildings and to heat and light the same for the purpose of making examinations of applicants and holding hearings and investigations as provided by this act Every one subject to the authority of the State shall afford to the board or its authorized representatives all reasonable facilities and permit inspection of all books, papers, documents or accounts applying or in any way appertaining to any and all offices subject to the authority of the State, and shall also produce said books, papers, documents or accounts, and shall attend and testify when required to do so by the board or its authorized representatives.

(b) The Attorney General shall advise and assist the board, and the district attorneys of the counties shall prosecute violations of this act. The board may employ special counsel.

SEC. 57. The board shall enforce the provisions of this act and shall prescribe, publish, and enforce rules relating to the various duties, responsibilities, functions and jurisdictions prescribed in this act, and such other matters as the board may deem necessary, consistent with the general purposes of this act, and not in conflict with this act, any other act of the Legislature, or any provision of the State Constitution. The board may amend and repeal such rules from time to time Such rules shall be printed for public distribution

SEC. 58. The tenure of every person holding a position in the State civil service shall be during good behavior, but any such person may be removed, demoted, suspended, transferred, reprimanded, or otherwise disciplined under a procedure in conformity with the provisions of this act which shall be set up by the board, in its rules and regulations, for any of the following causes: Incompetency, inefficiency, physical disability, insubordination, dishonesty, drunkenness on duty, intemperance, addiction to the use of narcotic drugs, conviction of a crime, immorality, discourteous treatment of the public or other employees, improper political activity, wilful disobedience, violation of the provisions of this act or of the rules and regulations of the board, or for any other failure of good behavior or any other act or acts which in the opinion of the board are incompatible with or inimical to the public service

SEC. 59. The appointing power or other person designated by him to be in charge of the work of the employee, or the board, may file charges against any person employed in the State civil service for dismissal or other corrective action for any or all of the causes in this act provided

SEC 60. Such charges must be made in writing and clearly state the specific act or acts of the employee constituting such cause and inform him of the time and manner in which under the provisions of this act and the rules and regulations of the board he must answer to such charges and ask for a hearing. A copy of the charges shall be served upon the accused employee either by personal service or by registered mail and the original thereof together with proof of service of the copy shall be filed with the board From the time of such service upon the employee, the employee shall be suspended from service without pay until such time as the charges against him have been heard by the board and its decision rendered

SEC 61 (a) The employee shall be allowed ten days from the time of service upon him of the charges in which to file with the board a written answer to or explanation of the charges, and to request a hearing. Upon such filing, a copy of the answer, explanation or request shall at once be mailed by the board to the appointing power or other officer or person who has made the charges

(b) Within thirty days after the filing of such answer, and upon written notice to both parties of the time and place of the hearing, the board shall, under the provisions of this act, hold a hearing, at which time both the accuser and accused shall have the right and opportunity to submit all proper and competent evidence for and against the accused.

(c) Failure on the part of the accused employee to request a hearing, and to give such written answer or explanation to the board within ten days of the service upon him of the charges, shall be deemed an admission of the truth of such charges without further hearing on the part of the board, unless further time shall be granted by the board.

SEC. 62. (a) It shall be the duty of the board to subpena witnesses for the accused upon his written request and at his cost, consider carefully the evidence submitted in the hearing and render a decision which in its judgment is just and proper.

(b) Witnesses before the board or its authorized agents shall be entitled to the same fees as are allowed witnesses in civil cases in courts of record. An officer serving a subpena to secure the attendance of such a witness shall receive the same fees therefor as for the service by him of a subpena for the attendance of a witness before a court of record. Such fees need not be prepaid, but the Controller shall draw his warrant for the payment of the amount thereof when the same shall have been certified by the board and duly proved by affidavit or otherwise to the satisfaction of the Controller.

SEC. 63. (a) The decision must be rendered within thirty days after the completion of the trial and shall be entered upon the minutes of the board and upon its official roster of employees The decision of the board shall be effective as of the date of the service of the charges upon the employee. Copies of the decision shall be furnished to both the appointing power and the accused.

(b) Such hearings may be held by the board or any authorized agent of the board

SEC 64. Any employee, or any appointing power, with the concurrence of such employee, may petition the board to permit the voluntary demotion of such employee for any reason satisfactory to the board, and such demotion may be permitted after such hearing or investigation as the board may deem necessary.

SEC. 65. An appointing power may, from time to time, peremptorily suspend an employee without pay or other compensation and without the right of a hearing as punishment for any minor infraction of any of the causes specified in this act or other improper behavior, or for the good of the service, but such suspension or total suspensions by such appointing power of such person shall not exceed thirty days in any year of service Such suspension with loss of pay must be accompanied by service upon the employee by the appointing power of written charges setting out clearly the delinquency for which such suspension was made and a copy of which must at the same time be mailed or delivered to the board. The suspended employee shall have the right to file with the board and the appointing power a written answer or explanation of such charges, as a matter of record.

SEC. 66 (a) Whenever it is necessary because of lack of work or lack of funds, or whenever it is advisable in the interests of economy, to reduce the staff of any department or agency in the State service, the appointing power may with the approval of the board lay off employees according to the procedure set forth in this act and the rules and regulations thereunder.

(b) The duties performed by the employee or employees so laid off may be assigned to any other civil service employee or employees in the department or agency, who in the opinion of the board are qualified to perform such duties regardless of the specific classification or grade to which such employees are allocated

SEC. 67 In the event that any department or other State agency decides to abolish one or more positions of any class, or to temporarily discontinue the same because of lack of work or lack of funds, or in the interest of economy, then a number of employees of that department or agency equal to the number of positions to be so abolished or discontinued, shall be laid off. With the approval of the board, only the employees of a designated geographical, organizational, or functional subdivision of a department or other agency need be considered for lay off under the procedure in this act provided, and in such event the resulting lay off lists may likewise be established by such subdivision.

SEC. 68 Lay offs shall be made in accordance with the seniority and the efficiency of the employee or employees of the class in which the lay off is to be made by applying the following rule: In determining the rating to be given for seniority, two points shall be allowed for each complete year of State service, and in determining the rating to be given for efficiency that number of points shall be allowed which expresses the efficiency of the employee in terms of percentage of perfection, with one hundred per cent considered as perfect; provided, however, that if a

rating of less than seventy per cent for efficiency is given to an employee, the employee or the board may compel the appointing power to prefer charges against said employee for inefficiency in accordance with this act.

SEC. 69. In making lay offs the combined score of the employee for seniority and efficiency shall be considered, and the employee or employees of the class under consideration having the lowest combined score or scores, up to the number of positions to be abolished or discontinued, shall be laid off; but in any case where an employee has previously served the State with civil service status in the class next below that of the class under consideration, or its equivalent in any previous classification, the employee shall be afforded the option of being demoted to the lower class in lieu of being laid off, to replace the employee in said lower class having the lowest combined score for seniority and efficiency, provided such combined score is lower than that of the employee being demoted.

SEC. 70. The names of employees thus laid off or demoted shall be placed upon the departmental lay off list for the class from which they were laid off or demoted, and also upon the general lay off list for such positions as, in the opinion of the board, the employees are qualified and entitled to hold. The order of names on all lay off lists heretofore or hereafter created shall be the relative order of combined scores for seniority and efficiency If a person whose name now or hereafter stands upon a lay off list is not reemployed in such class within five years from the date of lay off, his name may be removed from such list.

SEC. 71. Any employee replaced by an employee from the next higher class in the manner provided in this act, who has previously served the State, with civil service status in the class, or its equivalent in any previous classification, next below that in which he was serving at the time of replacement, shall have the same option of demotion as though his position were abolished or discontinued, and under the conditions provided in this act may replace an employee in said next lower class

SEC 72. All employees compensated on a monthly basis who are to be laid off or demoted under the provisions of this act shall be given fifteen days' notice of such lay off or demotion prior to the effective date thereof.

SEC. 73. Any employee may appeal to the board within thirty days of receiving notice of lay off or demotion on the grounds that the procedure herein prescribed has not been complied with or that the lay off or demotion has not been made in good faith The board shall within thirty days of such appeal hold such hearing or investigation as it may deem necessary. In rendering its decision thereon, the board may order the reinstatement of the employee, with or without pay, if it appears that the proper procedure has not been followed or that the lay off or demotion was not made in good faith.

SEC. 74. (a) It shall be the duty of each appointing power to report promptly to the board such information as the board may require in connection with each appointment, separation from the service, or other change in position or salary, and such other information, including attendance reports, as the board may require in order to keep the roster mentioned in this section. When any such change is required by this act or the rules of the board, to be approved by the board, it shall not be effective until such approval is granted.

(b) The board shall keep in its office an official roster of all persons holding positions under the provisions of this act and shall enter thereon the name, complete record of State employment, and other facts deemed pertinent by the board

SEC. 75. The board may enter into an agreement with any political subdivision of the State for the purpose of exchanging services or of giving effect to a unified program of personnel administration in the State and its various subdivisions, and such political subdivisions are hereby authorized to enter into such agreements with the board. The board shall ascertain the cost of services rendered by it under any such agreement with a political subdivision and such cost shall be a charge against the political subdivision. For the purposes of this section "political subdivision" includes any city, county, city and county, public corporation or public district The board may also join or subscribe to any association or service having as its purpose the interchange of information relating to the technique of personnel administration, and may expend a reasonable part of the funds appropriated to its use for this purpose

SEC. 76. It shall be unlawful for the Controller or other fiscal officer of the State to draw, sign, issue, or authorize the drawing, signing, or issuing of any warrant on the Treasurer or other disbursing officer of the State for the payment of, or for the Treasurer or other disbursing officer to pay, any salary or compensation to any one holding any position under the provisions of this act unless the estimate, pay roll or account for such salary or compensation, containing the name of the person to be paid, shall bear the certificate of the board that the persons named in such estimate, pay roll or account are holding positions as provided by this act and the rules and regulations prescribed thereunder.

SEC 77 No salary, compensation or other emolument shall be paid to any one appointed to or retained in any position in violation of this act. Any sums paid contrary to the provisions of this act may be recovered from any one making such appointment in violation of the provisions of this act and of the rules and regulations prescribed thereunder or from any officer signing, or countersigning, or authorizing the

signing or countersigning, of any warrant for the payment of the same, and from the sureties on his official bond in an action in any court of competent jurisdiction of this State maintained by a citizen resident therein, who is assessed for and is liable to pay, or within one year before the commencement of such action has paid, a tax therein. All moneys recovered in any action brought under the provisions of this section must, when collected, be paid into the treasury of the State, except that the plaintiff in any such action shall be entitled to receive for his own use the taxable costs of such action.

SEC. 78. Any person acting in good faith in accepting appointment or employment contrary to the provisions of this act or of the rules and regulations prescribed thereunder, shall be paid by the appointing power the compensation promised by or on behalf of the appointing power or in case no compensation is so promised then the actual value of any service rendered and the expense incurred in good faith under such attempted appointment or employment, and shall have a cause of action against the appointing power for such sum or sums and for the costs of action. No public officer shall be reimbursed by the State or any of its instrumentalities for any sum so paid or recovered in such action.

SEC. 79. Any member or employee of the board, or any person who wilfully by himself or in cooperation with one or more persons, defeats, deceives or obstructs any person in respect of his or her right of examination or application, according to any rules or regulations prescribed pursuant to the provisions of this act, or who wilfully and falsely marks, grades, estimates, or reports upon the examination or proper standing of any person examined, or certified pursuant to the provisions of this act, or aids in so doing, or who wilfully makes any false representation concerning the same, or concerning the person examined, or who wilfully furnishes to any person any special or secret information for the purpose of either improving or injuring the prospects or chances of any person so examined, or certified, or to be examined, or certified, or who personates any other person, or permits or aids in any manner any other person to personate him, in connection with any examination or application or request to be examined, shall be guilty of a misdemeanor.

SEC. 80. No officer, agent, clerk or employee, under the government of the State shall, directly or indirectly, solicit or receive, or be in any manner concerned in soliciting or receiving, any assessment, subscription, contribution or political service, whether voluntary or involuntary, for any political purpose whatever, from any one on the eligible lists or holding any position under the provisions of this act.

SEC. 81. Every officer, agent, clerk or employee under the government of the State who may have charge or control in any building office or room occupied for any purpose of said government is hereby authorized to prohibit the entry of any person, and he shall not permit any person to enter the same, for the purpose of therein making, collecting, receiving, or giving notice of any political assessment, subscription or contribution, and no person shall enter, or remain in any said building, office or room, or send or direct any letter or other notice thereto, for the purpose of giving notice of, demanding, or collecting a political assessment, subscription or contribution, nor shall any person therein give notice of, demand, collect or receive, any such assessment, subscription or contribution contrary to the provisions of this act.

SEC. 82. No one, while holding any public office, or in nomination for, or while seeking a nomination or appointment for, any public office, shall use or promise to use, whether directly or indirectly, any official authority or influence (whether then possessed or merely anticipated) in the way of conferring upon any person, or in order to secure or aid any person in securing any position under the provisions of this act, either in nomination, confirmation, promotion, or increase in salary, or as to any change in any such position, upon a consideration or condition that the vote or political influence or action of the last-named person or any other, shall be given or used in behalf of any candidate, officer or party, or upon any other corrupt condition or consideration. And no one, being a public officer, or in nomination for, or while seeking nomination or appointment for, any public office or having or claiming to have any authority or influence (whether then possessed or merely anticipated) for the securing or holding of or as to affecting any position under the provisions of this act, shall use, or promise or threaten to use, any such authority or influence, directly or indirectly, in order to coerce or persuade the vote or political action of any person on the eligible lists or holding any position under the provisions of this act.

SEC. 83. No recommendation or question or inquiry under the authority of this act shall relate to the political or religious opinions or affiliations of any person, and no appointment or change in or removal from any position under the provisions of this act shall be in any manner affected or influenced by such opinions or affiliations.

SEC. 84. Any person wilfully violating any of the provisions of this act shall be guilty of a misdemeanor.

SEC. 85. The board shall establish preference for veterans as follows: In the case of entrance examinations to establish eligible lists for policemen and watchmen, veterans who become eligible for appointment by attaining the passing mark established for the examination, and whose service as veterans exceeds three months, shall be classified on such eligible lists in the relative order of the individual ratings attained, and ahead of all nonveterans passing such examinations, and shall be eligible for appointment on the basis of such order of standing on such eligible lists

SEC. 86. In the case of all other entrance examinations, veterans with thirty days or more of service, and widows of veterans who were married to such veterans on or before November 11, 1918, who become eligible for appointment by attaining the passing mark established for the examination, shall be allowed an additional credit of five points, provided that disabled veterans shall be allowed an additional credit of ten points, which shall be added to the percentages attained in such examinations by such veterans, and they shall be placed on eligible lists and be eligible for appointment in the order and on the basis of the percentages attained by them in examinations after such credit of five points, or ten points in the case of disabled veterans, shall have been added. All ties shall be decided in favor of veterans; provided, however, in the case of promotional examinations, a credit of three points shall be allowed to veterans, and to widows of veterans who were married to such veterans on or before November 11, 1918

SEC. 87. The board, for specific State services or employments, as determined by the board, may, in examination, allow general or individual preferences in rating to veterans who have suffered permanent disability in line of duty; provided, that such disability would not prevent the proper performance of the duties required under such service or employment, and provided that such disability was of record in the files of the War Department as of July 1, 1920.

SEC 88. In the case of examination to establish eligible lists for artisans, and in which credits are allowed for experience as a journeyman, periods of service in the armed forces of the United States, whether as artisan or otherwise, shall be counted by the board as journeyman experience.

SEC. 89 Proof of eligibility for the preferences provided in this act must be submitted to the board prior to or at the time of examination.

SEC 90. Whenever this act or any part or section thereof is interpreted by a court, it shall be liberally construed by such court, with particular consideration to the general purposes set forth in section 1 hereof.

SEC. 91. No judicial action or proceeding may be brought or maintained against any appointing power or against the board by any officer or employee (in the State civil service or by any person claiming to be a member of the State civil service) unless and until he shall have exhausted every remedy to or before the board accorded him by the provisions of this act.

Each decision or order of the board is final and conclusive, save only that it is subject to review by a court of competent jurisdiction in a proceeding brought in accordance with the provisions of Chapter I of Title I of Part III of the Code of Civil Procedure, which proceeding must be commenced within sixty days from and after the date of the rendition of the decision. As to such a decision heretofore rendered, such proceeding may be commenced within sixty days from and after the effective date of this act unless the time otherwise prescribed therefor has expired prior to said date. Nothing in this section shall be construed to prevent the maintenance of any proceeding or action which is pending on said date, nor as conferring or validating any right to maintain such pending action or proceeding.

SEC. 92. If in an action or proceeding it is finally adjudged by a court of competent jurisdiction that any salary has been illegally withheld from an officer or employee, the measure of recovery that may be granted by the court shall be the amount of salary actually so withheld less the amount of the earnings of the officer or employee during the period of his separation from the service.

SEC. 93. The measure of recovery prescribed by section 92 hereof shall apply retroactively to all cases in which salaries may have been illegally withheld prior to the effective date of this act, save as to those in which judgment in the action or proceeding has become final prior to said date. However, this section 93 is separable and distinct from all other portions of this act and is not a consideration or inducement for the enactment of the whole or any portion of this act. If any of the provisions of this section be for any reason declared invalid, the remainder of this act shall be in full force and effect and as completely operative as if this section had not been included therein

SEC. 94 If any section, subsection, subdivision, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act, and each section, subsection, subdivision, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses or phrases be declared unconstitutional.

SEC. 95. All acts and parts of acts inconsistent with this act are hereby repealed in so far as they are inconsistent with the provisions of this act. All acts or parts of acts establishing titles and rates of pay of positions, or conferring the power upon another official to select or fix the compensation of any employee are hereby declared inconsistent with this act. Section 686 of the Political Code is expressly repealed.

SEC 96 This act shall be known and may be cited as the "State Civil Service Act."

SEC 97 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of section 1 of Article IV of the Constitution, and shall therefore take effect immediately.

The facts constituting the necessity are as follows At the general election, November 6, 1934, the people approved an initiative constitutional amendment, adding Article XXIV to the State Constitution, creating a State Personnel Board, and outlining its duties and powers. The provisions of such Article XXIV being in conflict with the present State Civil Service Act, and the said State Civil Service Act being within itself inadequate, ambiguous and contradictory, the powers of the State Personnel Board are so poorly defined as to render imminent the possibility of widespread and lengthy litigation to clarify the status of State employees and to define the powers of the board. Such litigation might result in the stoppage of essential State functions and would thereby endanger the public peace, health and safety."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Motion to Rush Printing of Assembly Bill No. 1392.

Mr. Nielsen moved that the Chief Clerk instruct the State Printer to rush printing of Assembly Bill No. 1392, as amended.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Civil Service.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1935

MR. SPEAKER Your Committee on Civil Service, to which was referred Assembly Bill No 688—An act to establish civil service in cities of the fifth and sixth classes—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

NIELSEN, Chairman

The above reported bill ordered on file for second reading.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1935

MR SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No 92—An act to add section 614 5 to the Fish and Game Code, relating to trout—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FISHER, Chairman.

The above reported bill ordered on file for second reading.

On Civil Service.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1935

MR. SPEAKER: Your Committee on Civil Service, to which was referred Assembly Bill No. 2420—An act to provide for reduction of salaries of officers and employees of the State in the State civil service which are in excess of the maximum salary limits of the respective positions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

NIELSEN, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1935.

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No 107—An act to add section 39, 39a, and 39b to the Penal Code, relating to advocating the overthrow of government by force, violence or other unlawful means—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LYON, Chairman

The above reported bill ordered on file for second reading

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No 107—An act to add sections 39, 39a, and 39b to the Penal Code, relating to advocating the overthrow of government by force, violence or other unlawful means.

Floor Amendments.

During second reading of the bill, the following amendments were submitted by Mr. Redwine:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "39, 39a, and 39b", and insert in lieu thereof the following: "39 and 39a".

Amendment No. 2.

On page 1, lines 6 and 7, of the printed bill, as amended, strike out the comma following "force", and strike out "violence or unlawful means", and insert in lieu thereof the following: "or violence".

Amendment No. 3.

On page 1, line 9, of the printed bill, as amended, after "government", insert the following: "by force or violence".

Amendment No. 4.

On page 1, line 13, of the printed bill, as amended, after "government", insert the following: "by force or violence".

Amendment No. 5.

On page 1 of the printed bill, as amended, strike out lines 14 to 18, inclusive.

Amendment No. 6.

On page 1, line 19, of the printed bill, as amended, strike out "4", and insert in lieu thereof the following: "3".

Amendment No. 7.

On page 1, line 21, of the printed bill, as amended, after "government", insert the following: "by force or violence".

Amendment No. 8.

On page 1, line 23, of the printed bill, as amended, strike out "5", and insert in lieu thereof the following: "4".

Amendment No. 9.

On page 2, line 2, of the printed bill, as amended, after "government", insert the following: "by force or violence".

Amendment No. 10.

On page 2, line 4, of the printed bill, as amended, after "government", insert the following: "by force or violence".

Amendment No. 11.

On page 2, line 5, of the printed bill, as amended, strike out "6", and insert in lieu thereof the following: "5".

Amendment No. 12.

On page 2, line 9, of the printed bill, as amended, after "government", insert the following: "by force or violence".

Amendment No. 13.

On page 2 of the printed bill, as amended, strike out lines 10 to 25, inclusive, and insert in lieu thereof the following:

"Is punishable by imprisonment in the State prison or in a county jail for not less than one year nor more than two years."

Amendment No. 14.

On page 2, line 26, of the printed bill, as amended, strike out "3. Section 39b", and insert in lieu thereof the following: "2. Section 39a".

Amendment No. 15.

On page 2, line 39, of the printed bill, as amended, strike out "39b", and insert in lieu thereof the following: "39a".

Amendment No. 16.

On page 2, line 41, of the printed bill, as amended, strike out "or suggesting".

Amendment No. 17.

On page 2, lines 43 and 44, of the printed bill, as amended, strike out the comma following "force", also strike out "violence or other unlawful means", and insert in lieu thereof the following: "or violence"

Amendment No. 18.

On page 2 of the printed bill, as amended, strike out lines 45 and 46, and insert in lieu thereof the following: "be seized by any peace officer and held for not exceeding _____ days unless a civil action for abatement, in a court of competent jurisdiction, is sooner filed by the district attorney of the county, in which event the same shall be delivered to the clerk of the court, and shall be destroyed upon order of the court rendered only after due notice and hearing in said action and a finding by the court that such books, pamphlets, documents or papers were intended, by the owner or person in possession thereof, for the purpose of advocating the overthrow of the government by force or violence."

Amendment No. 19.

On page 2, line 47, of the printed bill, as amended, strike out "(or suggests)".

Amendment No. 20.

On page 2, line 50, of the printed bill, as amended, after "thereof", insert the following: "by force or violence".

Amendment No. 21.

On page 3, lines 1 and 2, of the printed bill, as amended, strike out "guilty of a felony", and insert in lieu thereof the following: "punishable by imprisonment in the State prison or in a county jail for not less than one year nor more than two years".

Amendment No. 22.

On page 3, line 3, of the printed bill, as amended, strike out "4", and insert in lieu thereof the following: "3".

Amendment No. 23.

On page 3, line 9, of the printed bill, as amended, strike out "5", and insert in lieu thereof the following: "4".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Communications.

The following communications were received, and ordered printed in the Journal:

By Mr. Speaker:

SAN RAFAEL, April 27, 1935.

Hon Edward Craig, Speaker of the Assembly,
State Capitol, Sacramento, California

DEAR MR. CRAIG: On Sunday, May 5th, one of the biggest events to occur on San Francisco Bay this year will take place at McNear's Beach near San Rafael in Marin County This will be the second annual striped bass carnival sponsored by the Marin Rod and Gun Club in observance of legislation taking the striped bass out of the hands of commercial fishermen and reserving this splendid game fish for sportsmen.

The first event of its kind, held on April 15, 1934, after only three weeks preparation, brought out approximately 17,000 people. Indications at the present time are that double this number will be present on Sunday, May 5th. Arrangements are being made to care for from 30,000 to 40,000 people.

An excellent program of entertainment and sports has been arranged and it will be a day long to be remembered by both young and old.

Can you not arrange to be with us as our honored guest on Sunday, May 5th, and join us in the festivities paying homage to Old King Striped himself? Also, will you please extend a personal invitation from the carnival committee to each and every member of the Assembly to be our honored guest on that day. We are sure you and they will always remember the event.

Sincerely yours,

EXECUTIVE COMMITTEE.
By RUSSELL GETTEMY, Chairman.

Also:

Statement on State and Local Tax Issues Submitted to the California Legislative and Joint Legislative Tax Committee of California by the California Real Estate Association, Sacramento, California, April 30, 1935.

SACRAMENTO, CALIFORNIA, April 30, 1935

To the California Legislative and Joint Committee of Fourteen on Taxation,
California Legislature, Sacramento, California.

Attention: Lieutenant Governor George J. Hatfield, Speaker Edward Craig, Hon Walter H. Duval, Chairman; Hon. Harry B. Riley, Secretary.

GENTLEMEN. In response to Assemblyman Riley's request, we submit the following statement

The California Real Estate Association heretofore, to wit, on February 16, 1935, and again on March 23, 1935, endorsed the main planks of the State executive budget *revenue and taxation program submitted by Governor Frank F. Merriam to the* Legislature on January 22, 1935.

Property owners we contacted are in quite general accord with our position on this tax subject. Also, some groups favored retention of the utilities $60,000,000 gross receipts tax by the State.

The only way to delay that return is by a special State election.

The State directors of the California Real Estate Association recently adopted the following resolution addressed to the Legislature and to the people:

"WHEREAS, An emergency exists wherein the State Legislature is faced with the problem of raising a large amount of revenue; and,

WHEREAS, Real estate has, and is today, bearing far more than its just and fair share of the cost and can not possibly carry any further tax burden of government; now, therefore, be it

Resolved by the board of directors of the California Real Estate Association in session at Sacramento, April 25, 1935, That the California Real Estate Association, representing organized real estate and on behalf of 800,000 property owners, respectfully recommends to the Legislature the adherence to the following program in order that ownership of real property be not further impaired:

1. Passage of Assembly Bill No. 834, providing for retention of the 5 per cent limitation on public expenditures.
2. That no additional tax of any kind be levied or assessed against real estate.
3. That there be no exemption of any kind or character granted under the sales tax.
4. That the strictest economy be effected in all departments of government."

The 1933 Joint Legislative Committee of Fourteen on Taxation on April 29, 1933, filed its report with the Legislature and recommended:

1. Repeal of amendment.
2. Restore public utilities to local tax base.
3. Relieve real estate by absorbing the county school costs.
4. Retail sales tax.
5. Tax limitation on real and personal property for State purposes.
6. Limitation on public expenditures.

It was further stated in said report that the committee "desired to give consideration to and work out complete and detailed plans for the obtaining of revenue from new sources in order that complete and full relief be given to real property."

No State ad valorem tax for State purposes has been levied in California since 1910. Under the dual system it was abolished by vote of the people. The general belief exists today that no popular majority could be secured to restore a State ad valorem tax.

President Walter Schmidt of Cincinnati, Ohio, who heads the National Real Estate Association, says:

"The general property tax, the basis of taxation in most of our States, is an archaic method of raising public revenues and should be abandoned. It was adopted when 90 per cent of wealth was in land, and services of government were almost exclusively for realty benefit. If it is not practical to completely shift this system, at the least, a maximum rate not exceeding 1½ per cent on value should be fixed.

"The Department of Commerce made surveys showing that in 1931, taking all real estate in the country, improved and vacant, 95 per cent of the total net income was collected in taxes This is an insufferable burden—in fact, confiscation as effective as that perpetrated in Russia. Those interested in schools, municipal and county operation, instead of fearing scrapping the general property tax, should work for it Only by turning to modern methods can their own incomes be made secure and adequate."

With some modifications, we believe that a majority of the revenue planks in the executive budget of California's Governor are sound, feasible, and can be carried out by this Legislature Its planks are used in whole or in part in other States.

Two of these budget proposals have already passed the California Assembly by large majorities.

It was generally understood during the Riley-Stewart real estate tax relief amendment campaign, carried in 55 counties by 277,000 majority, two years ago, that a sales tax on all retail articles would be imposed by the State to make up for the county school costs transferred to the State Also, that it was desirable for the State to levy on available sources other than common property to raise funds to take care of the State needs when the privately owned utilities were returned from the gross receipts base to local tax rolls. These utilities have definitely been returned to local base.

We reaffirm our belief that said equalization can be accomplished through the executive budget, without the State levying any new additional taxes on real estate. Homes, farms, and real estate generally already bear 65 per cent or more of the

cost of government in this State. Real estate has less than 28 per cent of the States' business income, yet now it pays two-thirds of the cost of public services to all the people.

State after State has abandoned the ad valorem or general property tax for State costs. It's a source of revenue best left to the home people

Replacement taxes used in the seven States that have over-all property tax rate limitation include Gross income, gross sales, personal income, intangibles, insurance, excise tax, general sales, bank taxes, beer and liquor, inheritance, horse race fees, motor fees, gasoline taxes, cigarettes, admission and so-called nuisance taxes. This many of the several taxes proposed in the Governor's budget are already in successful use in other States.

The California Real Estate Association realizes the serious emergency. It will cooperate with you It believes the urgency calls for two years more the reenactment of the sales tax on its present base, or at 3 per cent no exemptions. This the Governor proposes in his budget, and we believe that the public sentiment will support this position Governor Merriam received 1,140,000 votes. Clearly his mandate and recommendations come backed by the largest group of taxpaying constituents. These facts must be kept in mind.

Our President was elected to carry out the mandate of the people of 1932. He is trying to do his best Shall we accord our Governor less support? The President of the United States is supported by Congress in his major proposals. Similar backing by the Legislature will put through the executive budget in California.

Two years ago the California Legislature adopted the income tax. The bill was vetoed. The State now has a $29,000,000 deficit to be made up as a result of having insufficient State revenue. Will bonds be needed to replace the lost revenue that can be collected day by day?

Oklahoma last week became the thirty-fourth State to enact an income tax. The Oklahoma rate is declared to be 1 to 9 per cent These things are mentioned here because of newspaper reports that ad valorem taxes are being suggested again. If the State ad valorem comes now it will be the first for California in a quarter of a century.

The State Department of Education reported that the total school costs for 1932–1933 were approximately $131,000,000

The revenues for the sales tax for the year 1933–1934 approximated $52,500,000. The average family of four people pays $34 68 sales tax; it costs the State $84 71 per year per pupil for each of the average family's two children in elementary school. In high school the year's cost per child is $142.

Thus the public schools will cost California taxpayers about $131,000,000 for the year 1934–1935; whereas, the sales tax on the present base and 2½ per cent rate will yield about $52 500,000 We ask you what large group of taxpayers puts up year in, year out the biggest part of the $61,800,000 still remaining to be collected in 1934–1935 to keep the public schools open, 1,000,000 pupils educated, the 40,000 teachers employed and paid, school bond payments and interest met on time. It is the 800 000 common property owners who pay most of the bill, and besides this the yearly total of $131,000,000 for the schools, millions more are to be raised other than from the sales tax More than $300,000,000 is still needed annually to pay the common ordinary running expenses of State, cities, counties, districts, irrigation, unemployment, old age pensions, State prisons, asylums, institutions, bonds, interest, etc.

The grand total annual tax bill in California for State and local purposes is around $450,000,000 or $75 per capita This tax is overwhelmingly paid by the real property owners. At least 65 per cent or more of it is his burden of taxation He can carry no more. He needs still further tax reduction than the Riley-Stewart Plan gives him.

The California Real Estate Association is traditionally against and will oppose all exemption on any kind of tax system. To exempt foods and clothing under the sales tax will subtract $30,000,000 biennial revenue. We believe the people will respond to your urgent appeal to keep the present sales tax base, at least until such time as other normal revenues resume normal levels.

The Los Angeles Times says:

> "The proposal in the Assembly to exempt food from the sales tax—except meals sold in hotels and restaurants—is based on the theory that it will relieve from the tax burden the principal expenditures of the poor. But the protection of life and property, which is the main function of government, is as essential as food and shelter, and it is equitable that every beneficiary thereof should pay something for it even though only a very little. Also, since the sales tax goes mainly to support schools, which directly benefit the poor more than the wealthy, this is an additional reason why the exemption should not be made. Nobody can or should be wholly exempt from bearing a share in the cost of general tax-paid benefits."

The Pacific Rural Press, leading State farm paper, published at San Francisco on April 20, 1935, commenting against a State ad valorem tax said, in part:

"Farmers * * * can merely refuse to pay their taxes, and they have five years of grace in which to remain on the land and argue with the hungry State officials about a fair and just settlement, including the often-promised and never kept pledge of making a comprehensive, complete and fair revision of our tax structure.

"Mayhap at the end of the five years the farmers will have decided that the burdens of government are so heavy that ownership of land is not worth the candle, and they can relinquish the land to the State, * * * applying for a Federal dole to piece out the savings which they made in five years of not paying their taxes."

William May Garland recently addressed a letter to the members of the Legislature in part as follows:

"Governor Merriam has presented for your consideration a general fund revenue, proposed as a means of balancing the budget, which under the desperate conditions we now face challenges your support. I hope you can conscientiously get behind his program.

"Let me, with my mind only on the future greatness of California and the welfare of those citizens who have established homes, educated their children and gone the limit in supporting the State Government, ask that you grant them aid in this hour of their despair, by denying the enactment of an ad valorem tax on their properties."

For many years the California Real Estate Association has taken an active part in general tax relief and for property tax limitation. In 1931 our plans failed to get out of committee. Two years ago we helped in getting the gross transactions tax through the Senate. The vote there was unanimous. In the Assembly the final roll call was 52-28. The amendment lacked two votes. Possibly a gross transaction or gross income tax is to be considered as a possibility by this Legislature. Yet we can be certain that nearly all the taxes named in the budget are in actual use somewhere. We know that these taxes will yield revenues and not confiscate property. The sales tax at $8.67 per capita has caused no home owner to lose his home. No wage earner has gone hungry because he couldn't pay the sales tax. Increase it to 3 or 3½ per cent and you have solved the problem of the State.

The real estate men, challenged as to their preference on an ad valorem tax or a realty transfer tax, many took the latter alternative; although in effect it is a capital levy. Just why any new tax of any kind, even a small nuisance tax should be imposed on real estate is hard to understand. Real estate has by no means had its full relief. Real estate is still too heavily tax ridden.

Seven States, to protect the real estate against high government exactions year after year, have adopted $1 or $1.50 per $100 valuation over-all tax property tax limitation. Such an amendment (ACA 4)is pending in this Legislature. Ohio voted $1 tax rate limitation by 600,000 majority. Florida voted $5,000 tax exemption for homes by 3 to 1 majority.

The States which now have over-all property tax limitation:

Ohio—By constitutional amendment: Limit is 1 per cent of the assessed value of property.

West Virginia—By constitutional amendment: Graduated limit ranging from 0.5 per cent to 2 per cent on different classes of property.

Indiana—By statutory enactment: Farm property is limited to 1 per cent and city property to 1½ per cent of assessed value.

Michigan—By constitutional amendment: Limit is 1 5 per cent of the assessed value of property.

Oklahoma—By constitutional amendment: Limit is 1.5 per cent of the assessed value of property.

New Mexico—By constitutional amendment: Limit is 2 per cent of the assessed value of property.

Washington—By statutory enactment: Limit is 2 per cent of the true value of the property. (The law reads 40 mills, but assessment is 50 per cent of true value.)

WHAT IS OVER-ALL TAX LIMITATION ON REAL ESTATE?

Over-all tax limitation is the limit placed on the total of all taxes which may be levied in any one year against a piece of real property by all units of government within a State.

Over-all limitation is usually expressed in percentage. A limitation of 1 per cent means this: The total taxes levied in one year against a piece of real estate by State, county, and municipal taxing units can not exceed 1 per cent of the true value of the property.

Limitation of 1 per cent is economically sound. Property can not afford to pay a tax bill of more than 1 per cent of its true value. Suppose your real estate is earning 6 per cent on your investment in it. A tax of even 1 per cent is one-sixth of the earnings of that property—or a 16⅔ per cent tax on the income. Yet most States are taking twice or three times or even ten times that much in taxes.

Limitation of 1 per cent represents all that real property should pay. It represents real estate's fair share of the costs of government The other forms of wealth—stocks, bonds, tax exempt securities, etc—are not now paying their share of government costs. Stock and bond owners benefit from government just as real estate owners benefit; therefore they should help pay the costs of that government

The California Real Estate Association submits this somewhat general statement of policies for your consideration In our belief the California tax puzzle can be solved without resort to a State ad valorem tax. The sales tax should be strengthened, improved, not weakened It is really a sufficiently gross transactions tax for State purposes.

Very truly yours,

CALIFORNIA REAL ESTATE ASSOCIATION.
CHARLES W. BROCK, President.
By GLENN D. WILLAMAN, State Secretary.

Also:

State Tax Legislation, 1935 [1]

Raymond E. Manning, Library of Congress.

Alabama H. B. 138 provides for a recess committee to study the tax problem and report to the present session of the Legislature. North Dakota S. B. 66 authorizes an Interim Tax Commission to make a complete study of the State's tax system and report not later than November 1, 1936.

SALES TAXES.

Complete general sales or gross income tax laws were adopted during March by Arizona H. B. 118, Arkansas S. B. 85, Idaho H B. 76, Maryland Ch 188, New Mexico Ch. 73, North Dakota S. B. 332, South Dakota S. B. 36, Washington H. B. 237, and West Virginia S. B. 211, S. B. 283. The Arizona, New Mexico, South Dakota, Washington, and West Virginia laws are revisions, while those of Arkansas, Idaho, Maryland, and North Dakota are new legislation

The rate on retail sales is 1 per cent in Maryland and 2 per cent in all the other States. Except for Maryland, all the States tax tickets to amusements, sales of electricity, gas, water, telephone, and telegraph service. Arizona, New Mexico, Washington, and West Virginia apply varied rates to several of the sales and services and also tax wholesalers, manufacturers, etc. The West Virginia law reduces the special surtaxes levied in 1933 from 50 per cent to 30 per cent and reduces the gross income tax rate on retail sales (as distinguished from the consumers' sales tax rate, which remains at 2 per cent) from ¾ of 1 per cent to ½ of 1 per cent.

Exemptions in Arkansas include staple foods and drugs, and in Washington include newspapers, milk, and bread Gasoline will be exempt at least in Idaho, North Dakota, and South Dakota, cigarettes in North Dakota and South Dakota, and sales by producers of farm products and live stock in Idaho. The tax will not apply on sales of automobiles in West Virginia, but it will apply at the time of first registration. The apparent purpose of this West Virginia provision is to prevent avoidance by making purchases outside the State. Washington tries to solve the problem by levying a 2 per cent excise on purchases of $20 or more made in other States. One report says that the city of Texarkana will be exempt from the Arkansas tax.

Generally, the laws require merchants to pass on the retail sales tax to purchasers, but shifting will be optional in Maryland.

GASOLINE TAXES

Nebraska S. B 363 increases the gasoline tax from 4 cents to 5 cents until June 30, 1936. Alabama H B. 88 consolidates two separate 1-cent gasoline taxes into a single 2-cent tax. Montana Ch 116 applies the tax to fuel used in Diesel engines on highways. Oklahoma H B 38 reduces the shrinkage allowance from 3 per cent to 2 per cent. A veto is expected for Arkansas S B. 260, which permits wholesale dealers to take an evaporation and handling loss credit of 3 per cent.

Refunds and exemptions are the principal subjects of gasoline tax legislation so far in 1935 By New Mexico Ch. 101 and South Dakota H. B. 90 refund claims may not be assigned. Oregon has tightened its refund laws and requires an annual permit as a preliminary to claiming any refund. Oklahoma H. B 38 prescribes refunds rather than exemption for fuel used in farm machinery. North Dakota S. B. 164 relates to an exemption for farm machinery fuel A Maryland bill orders exemption for fuel used in motor boats, and South Dakota S. B. 86 frees gasoline used in buses operating under franchise exclusively within city limits Another South Dakota act, H. B 186, eliminates refunds for fuels used on highway construction or maintenance paid for by public funds Airplane fuel will not be taxed under West Virginia S. B 119. Promotion of domestic industry apparently motivated Utah in exempting fuel made from Utah coal, oil shales, and hydrocarbons.

Arkansas's Governor has signed S B 265 to clarify provisions relating to collection of taxes in cities and towns bordering on State lines, where the rate is adjusted to that in the border State. Montana Ch 147 provides for revoking

licenses of dealers who charge exorbitant or unreasonable prices or who discriminate in their prices

LIQUOR TAXES.

Numerous liquor laws have been adopted, details of which are lacking in most instances A few notes are given: Arkansas—liquor 40 cents a gallon, wine 10 cents, beer 3 cents; Indiana—hard liquor $1 (formerly $2), wine 25 cents, beer $1 a barrel (formerly $1.55); Georgia—10 per cent on gross receipts of retail sales of liquor; Idaho—enacts a beer law; Louisiana—forbids imposition of gallonage taxes by municipalities; North Dakota—wines 10 cents to 60 cents, liquors 60 cents, increases tax on beer from 4 cents to 8 cents, Oregon—beer $1.30 per barrel (formerly 62 cents), wine 15 per cent, South Dakota—liquors 10 cents to 50 cents; Washington—liquors 10 per cent; Wyoming—liquor taxes.

MISCELLANEOUS SALES TAXES.

Arizona has rewritten its luxury tax on cosmetics, liquors, and tobaccos, and applies the tax to equipment for golf, fishing, and polo. Included in Washington's Omnibus Tax Bill, H. B. 237, were several luxury taxes, including 1 cent per 20 on cigarettes selling for less than 20 cents and 10 per cent for all others. A 10 per cent tax on cosmetics and toilet preparations was vetoed.

Arkansas, in addition to authorizing horse racing (noted in last month's Bulletin), will permit dog racing and collect 5 per cent on pari-mutuels. West Virginia reduces its pari-mutuel horse race tax from 3 per cent to 1 per cent. Racing has been legalized in Nebraska. A bill has been vetoed in Connecticut concerning pari-mutuels Boxing will be authorized by North Dakota H. B. 413.

Oleomargarine will be taxed 10 cents per pound under Maine Ch. 54 This is the same rate as under the Arkansas law noted in March. New Mexico Ch. 110 taxes oleomargarine made outside the United States. A 10-cent per pound tax on butter substitutes was vetoed in Nevada. Maine Ch. 13 creates a Milk Control Board and levies a tax of 1 cent per 100 pounds of milk produced.

South Dakota S B 2 taxes grain handled by elevators and stored on farms at the rate of $\frac{1}{4}$ mill on wheat and $\frac{1}{8}$ mill on all other grains

TAXES ON NATURAL RESOURCES.

Oklahoma has increased its gross production tax on oil from 3 per cent to 5 per cent. Idaho H. B. 22 will exact 3 per cent on the net proceeds of mines, and South Dakota H B. 4 will collect 4 per cent on gross receipts derived from extracting minerals in excess of 50,000 tons The South Dakota tax will be in lieu of income, sales, franchise taxes, etc. Louisiana Ch. 5 and H. C. R. 1 make possible a reduction in the oil refiners' tax from 5 cents to 1 cent per barrel by proclamation of the Governor.

INHERITANCE TAX.

Rate increases will be effective under Maryland Ch. 90, Utah S. B 127 (which also provides for taking up Federal credit), and Washington H. B. 237. The Maryland act increases the tax on collaterals from 5 per cent to $7\frac{1}{2}$ per cent and imposes 1 per cent on certain direct inheritances. Until July 1, 1937, Wisconsin A. B 48 adds 25 per cent to taxes in excess of $100.

Oregon Ch. 13 describes the deductions that may be made, and limits funeral expenses to $500, and support of widow and minors during administration to $3,500. Provision is also made for allowing claims, taxes, administration, etc Formerly, there was no legislation on this subject in Oregon.

Details are lacking on other inheritance tax laws, viz: Colorado H. B 81, Oregon Ch. 45, Ch. 103, S. B. 288, Wyoming Ch. 91.

INCOME TAX.

New taxes on personal incomes were adopted by South Dakota S. B. 36, Washington H. B. 513, and West Virginia H B. 441. A bill passed in Colorado has been vetoed. North Dakota S B 294 revises the rate structure, and Wisconsin A. B. 48 imposes a surtax on 1934 income

The rates under the three new laws are: South Dakota 1 per cent to 8 per cent—maximum on all over $318,000; Washington 3 per cent plus a surtax of 4 per cent on incomes over $4,000; West Virginia 1 per cent to 3 per cent—maximum on all over $6,000. The Wisconsin surtax rates on 1934 incomes range from 1 per cent to 7 per cent, the maximum applying on all over $12,000. The North Dakota act, which revises the rate structure, retains the minimum and maximum rates (1 per cent and 15 per cent) but applies the rates without benefit of personal exemption, which are taken off afterwards in the form of credits against the tax; this makes a very substantial increase in the tax payable Utah S B. 88 is believed to have made a rate increase

Exemptions under the foregoing laws are $1,000, $2,500, and $400 in Washington, and $600, $1,300, and $200 in West Virginia. The others allow a credit against the tax as follows. North Dakota, $5, $15, $2; South Dakota $6, $12, $2; Wisconsin $16 25, $33.75, $__. An Arizona bill reverses the present tendency towards

lower exemptions by increasing the credits against the tax from $8 to $10 and from $17 50 to $20 Utah S B 88 does however continue the trend by adopting exemptions of $600 instead of $1,000 and $1,200 instead of $2,000

The outstanding features of these and other laws, so far as information has been available, are presented below. The South Dakota act omits reference to capital gains and losses, and it is believed that the Wisconsin surtax adopts a percentage of capital gains and losses provision similar to that in the 1934 Federal Revenue Act. A new Montana law, Ch 148, adds sections relating to procedure for determining gain or loss, tax-free exchanges, reorganizations, etc. The North Dakota act prohibits the carrying forward of net losses from prior years and denies the right to deduct losses on operation in one field of endeavor from gains in another. Utah eliminated the property tax offset and the $1 filing fee. By Montana S. B 89, the $1 filing fee will be paid only by those who pay a tax.

The Wisconsin act that levied a surtax on 1934 incomes also imposed an income tax on 1933 untaxed dividends over $750 at rates ranging from 1 per cent to 7 per cent, the maximum applying on all over $5,000.

Washington will submit to referendum a constitutional amendment authorizing a graduated income tax. A similar measure was defeated in 1934.

TAXES ON CORPORATIONS AND INSURANCE COMPANIES.

South Dakota S. B. 36 levies an income on corporations ranging from 1 per cent to 8 per cent, the maximum being imposed on all over $318.000 These rates are the same as those for individuals. Apportionment of income for corporations doing business outside South Dakota may be by separate accounting or the arithmetical average of property, cost of manufacturing, and sales fractions. Details are lacking on Washington H. B. 237, which levies a 4 per cent tax on corporations, including banks. It is reported that Utah S B. 1 increases the corporate income tax rate from 3 per cent to 4 per cent and amends the offset provisions. By an Idaho bill, corporation stock taxes will be levied on the par value of the stock

Utah H. B. 62 raises the premium tax on insurance companies from 1½ per cent to 2½ per cent. By South Dakota S. B. 94, domestic stock life insurance companies will be taxed at the rate of 1 per cent on their gross premium receipts.

BANK TAXES.

Amendments to the 1933 bank tax laws of Indiana were adopted by Chs 200, 263, and 298. Louisiana Ch 21 exempts banks from the income tax New York Ch. 120 permits banks to deduct dividends paid on preferred stock of the Reconstruction Finance Corporation National banks are subject to the new Washington 4 per cent corporation net income tax levied under H. B. 237

TAXES ON UTILITIES.

Louisiana Ch 2 slightly more than doubles the inspection and supervision fee charged by the Public Service Commission on Utilities operating in the State. Ch. 11 provides penalties for violating the 1934 acts that imposed a 2 per cent gross receipts tax on utilities, and Ch 21 taxes the income of railroads incorporated in more than one State in the same manner as foreign corporations. Montana Ch. 26 bases the new freight line company tax on property values, and H. B 303 imposes a 2 per cent tax on the gross revenue of telegraph companies. Montana H. B. 109 repeals an old electrical energy tax. Ohio S. B. 23 continues for two years the exemption of nondividend paying interurban railways from all taxation except real estate taxes, provided no employee receives more than $5,000 a year. By Wisconsin A. B 48. telephone, gas, water, and electric companies will pay 3 per cent on their 1934 gross receipts; lower rates are imposed in some instances where the gross receipts are less than $20,000 North Dakota is said to have initiated an equitable adjustment of utility taxes through a proposed constitutional change.

Several acts relate to motor carriers. By North Dakota S. B. 91, interstate carriers must carry with them, posted in a conspicuous place, a receipt for payment of the road tax. Other North Dakota bills, S. B. 89 and S. B. 155, exempt certain vehicles from taxes. Montana H. B. 390 levies a ½ of 1 per cent gross operating revenue tax on motor trucks and buses, and Utah replaces the ton-mile tax with a maximum load tax. Washington lowers the rates on trucking, and Wyoming H. B. 193 rewrites the law on carriers but makes no rate changes. Arkansas H. B. 206 fixes the license fees for motor buses operating in lieu of street cars in border cities.

TAXES ON CHAIN STORES

South Dakota S. B. 154 levies a chain store tax with rates ranging from $1 for 1 store to $10 for each store in excess of 10. In addition a tax is imposed upon their gross sales at retail ranging from ⅛ of 1 per cent on the first $50,000 to 1 per cent on sales in excess of $1,500,000. A ½ of 1 per cent rate is imposed on gross sales at wholesale. These taxes are in lieu of the net income tax.

Washington's Governor vetoed that portion of H. B. 237 that imposed a chain store tax ranging from $50 for 2 stores to $250 for each store over 50

PROPERTY TAXES.

Classification amendments to the Constitutions of Georgia and Washington will be submitted to referendum

Arkansas S. B. 300 requires county assessors to list alphabetically all property owners according to political townships and wards. Another Arkansas act, S. B. 302, requires county assessors to assess new businesses started after the regular time for assessment. Arizona provides for apportionment among counties of assessments against transient live stock, and Oregon H. B. 227 provides for assessing live stock in their home county and apportioning taxes among the grazing counties.

By New Mexico Ch. 46, the Tax Commission may go back 5 years and assess omitted property. By Ch. 129, it shall survey taxable property for 1930 and prior years and petition the district courts to reassess property on which valuations should be changed. No interest or penalties (other than a 5 per cent charge for the Tax Commission fund) will be exacted. A Georgia bill authorizes the city of Macon to go back 7 years and reassess property never before returned or on which the returns or assessments are invalid An Indiana act permits the Board of Tax Commissioners to raise the assessed valuation of smaller taxing units without making a horizontal increase for the entire county.

The Utah Legislature passed a bill for assessing utilities at their own book value. Washington H. B. 290 empowers the State Tax Commission to assess the operating properties of public service commissions.

TAX LIMIT MEASURES.

One tax limit proposal has passed the Legislatures. The people of Georgia will be afforded an opportunity to vote on a constitutional amendment eliminating State property levies and limiting all levies of local units on tangibles to 15 mills (5 for counties, 5 for municipalities, and 5 for school districts). Intangible property taxes will be limited to 5 mills Procedure for exceeding Ohio's 10-mill limit is prescribed by S B. 10 and S. B. 46. Idaho has reduced the annual ad valorem tax to be levied for State purposes from $1,250,000 to $1,000,000.

INTANGIBLE PROPERTY TAXES

Classification constitutional amendments will be submitted to referendum in Georgia and Washington. South Dakota S. B. 161 and S. B. 162 are said to be companion bills clarifying the law for determining what corporation stock is taxable under the moneys and credits tax. Another South Dakota bill, S. B. 196, provides for an investigation of moneys and credits tax evasion Indiana's Intangible Stamp Tax Law has been amended generally by Ch. 294 By Nebraska H. R. 322, separate returns no longer will be required for intangibles; they will be included in the tangibles return The provision for making public the total of each individual's return is repealed. A North Dakota report states that action has been initiated looking to the withdrawal of tax-exempt securities.

DISPOSITION OF REVENUES.

Citation	*Subject*	*Estimated annual receipts*	*Disposition*
Ala. H. B. 88	Gasoline	------	Permits use for matching Federal funds
Ariz. H.B. 118	Gross income	$3,000,000	——
Ch. 78	Luxuries	1,500,000	Relief
Ark. S. B. 85	Sales	2,225,000	Schools 65 per cent; State general 35 per cent
S.B. 515	Dog races	100,000	——
H. B. 168	Horse races	150,000	——
Ch. 109	Liquor	1,250,000	State general $500,000; old age pensions $500,000; schools get balance
Ga. ——	Liquor	------	Schools
Ida. H. B. 76	Sales	1,700,000	Relief $1,200,000; schools $100,000; balance even between State general and schools
Ind. Ch. —	Liquor	------	State general
La. Ch 10	(Diverts part of corporation franchise tax proceeds to State university)		
Md. Ch. 188	Sales	5,000,000	Relief $3,500,000; old age pensions $1,500,000
Neb. S. B. 363	Gasoline	------	Relief
N. M. Ch. 73	Gross income	------	Schools
Okla Ch —	Oil	8,000,000	——
Ore. Ch. —	Beer	------	State general 77 per cent; local 23 per cent

Citation	Subject	Estimated annual receipts	Disposition
N. D. S. B. 332	Sales	$2,000,000	Relief, mothers' pensions; old age pensions, blind pensions, State equalization fund; State general
S. B. 175	Liquor	500,000	State general
	Beer	600,000	Bond interest fund
S. D. S. B. 36 and S. B. 168	Sales; net income	5,000,000	State general 68 per cent; schools 32 per cent
S. B. 154	Chain stores	300,000	Relief $300,000; any balance to State general
H. B. 4	Mines	640,000	State general
H. B. 218	Horse races	------	State fair, local race sponsors
——	Liquor	400,000	Relief
Utah ——	(Diverts sales tax moneys over $2,000,000 to schools)		
Wash. H. B. 237	Gross income	16,000,000	Probably for schools, old age pensions, and relief
"	Corporations	300,000	
"	Inheritance	700,000	
H. B. 513	Income	1,500,000	
S. B. 340	Gasoline	------	Rewrites distribution features
W. Va. S. B. 211 and S. B. 283	Gross income and sales	5,472,000	
H. B. 441	Income	1,300,000	
Wis. A. B. 48	Income	3,000,000	Probably State general
"	Dividends	500,000	
"	Inheritance	400,000	
"	Utilities	1,150,000	Relief

PROPERTY TAX EXEMPTIONS

New Mexico Ch. 61 exempts agricultural produce while held by the grower, and Utah H. B. 122 exempts poultry, dairy, and live stock feed from taxation. South Carolina Chs. 33 and 44 exempt in two counties the property of taxpayers 50 per cent of whose crops was damaged by hail in 1934. Tennessee S. B. 4 provides for taxing religious and charitable institutions whose property is in competition with private business. North Dakota H. B. 347 exempts Federal grants for relief to the North Dakota Rural Rehabilitation Corporation. A 10-year exemption to the Yankton Bridge is allowed by South Dakota H. B. 71.

COLLECTION AND DELINQUENCY

Much legislation other than that noted below has been enacted on these subjects. That which is noted for the most part is based on inadequate information. It should be read with that in mind.

Dates for paying current 1934-1935 taxes without penalty are extended by New Mexico Ch. 133 and Tennessee H. B. 461. Interest and penalties on past due taxes are waived or reduced by Idaho H. B. 2, Montana Ch. 88, New Mexico Ch. 133, North Dakota H. B. 48 (personal property—also waives part of principal for 1931 and prior years), H. B. 265, Oregon Ch. __, and Washington H. B. 39. The right to pay delinquent taxes in installments over a period of years is granted or extended by Arizona Ch. 30, Idaho H. B. 2, Indiana S. B. 142, New Mexico Ch. 133, Oregon Ch. __, and Washington H. B. 39.

Through the failure of the West Virginia Legislature to act, it is said that the moratorium on sales for taxes is continued. Arkansas S. B. 18 regulates sales for nonpayment of taxes and provides that minor technicalities shall not invalidate tax titles. The Governor in his biennial message stated that he had never heard of anyone's getting a good tax title in Arkansas. Oregon extends the period of compulsory foreclosure from 3 years to 5 years. Wyoming S. B. 21 and Ch. 127 relate to redemption and tax titles. Arkansas Ch. 18, North Carolina S. B. 238, North Dakota H. B. 76, S. B. 262, Utah S. B 229, Washington H. B. 39, and West Virginia H. B. 5 extend the period of redemption on property already sold.

A few further notes may be added. Oregon Ch. __ permits partial payment in any sum of $2 50 or more, and H. B. 11 allows delinquent taxpayers to work out their indebtedness. South Dakota S. B. 165 permits the giving of notes to cover interest and penalties on delinquent taxes. An Arkansas act permitting counties to accept school district warrants in payment of school taxes has been held unconstitutional by the Attorney General. By North Carolina S. B. 11 and S. B. 121, the collector for Transylvania County may accept bonds, etc. in payment of certain taxes. Utah S. B. 72 reduces the discount for payment of taxes in advance of delinquency.

Adjournment.

At eleven o'clock and fifty minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Thursday, May 2, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, May 2, 1935.

At ten o'clock a.m, pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—80

Quorum present.

Prayer.

Prayer was offered by Rev Father John E Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Riley, its further reading was dispensed with.

Privilege of Floor of Assembly Extended.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the superintendent, teacher and pupils of the Isleton Oriental School as follows: W. B. McClard, district superintendent; A. R. Amerman, teacher, and Nobuko Tamura, Tsutaye Sawada, Satsuki Matsunaga, Oy Young Lee, Haruyuki Kuranaga, Nagao Tomita, Misako Oshima, Rosie Chow, May Lee, Shinichi Iida, Hisao Himoto, Lillie Chow, Minoru Yoshida, Rose Owyoung, Tim Lee, eighth grade pupils; and Ida Owyang, Masaichi Yokoo, Fong Owyoung, Natsuye Himoto, Masako Miyamoto, Tome Ogawa, Hatsuye Matsuwa, Sakaye Kawanishi, Nancy Lee, Katsunori Tomita, George Narita, Thomas Yim Sing, Tsugio Fujimoto,Katsuyoshi Tomita, Taro Hashemoto, William Owyang, seventh grade pupils.

On request of Mr. O'Donnell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the principal, teacher and pupils of the Arbuckle Elementary School as follows: L. G Johnson, principal; Virginia Comstock, civics teacher, and Janice Putnam, Caroline Struckmeyer, Waneta Carey, Barbara Wallace, Elsie Tracy, Margaruite Thorsell, Yvette Bailey, Shirley Griffin, Marvin Ret-

terath, David Wilbur, William McDonald, Harold Moore, Clarence Tracy, Harry Strickland, Richard Santure, Betty Schleich, Lorraine Locke, Doris Stanley, Georgia Pedersen, Marie Meyer, Christabele Clasby, Martha Bogges, Jane Bogges, Stafford Dawley, Irvin Wesner, Richard Cox, Vernon Putnam, George Day, Willard Bass, William Arcand, William Wallace, Eleanor Walters, Blanche Sweet and Helen Pulos, pupils.

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the principal, vice principal and students of the Rio Vista Grammar School, as follows: P. G. Jacobs, principal, H. E. Alley, vice principal, Genevieve Dalton, Laverne Emigh, William Herkly, Eleanor Nunes, Lorraine Azevedo, Margaret Tamblyn, Ernestine Azevedo, Patricia Cleary, Mary Dorothy McCormack, Rose Toy, Jessie Toy, Jean Leach, George Elliott, Bobby Bruce, Patsy McCormack, Lucille Brown, Maraybelle Wood, Janet Markham, Beatrice Voline, Keith Jacobs, Elwood Johnson, Clarabelle Williams, Dorothy Kolko, Albert Hebert, Bill McCormack, George Sequeido, Tom Allen, Peter Vanderhare, Cris Silva, George Elliott, Delaney Mikstead, Kenneth Stewart, Jean Cleunell, Ernest Gorden, Arthur Azevedo, Tony Brown, Wallace Hamilton, Wayne Hamilton, Gladys Valine, Bernice Pezzagha, Cecelia DeVere, Edna Holland and Harumi Abe, seventh and eighth grade students.

On request of Mr. Breed, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the instructor and pupils of the Oakland Technical High School as follows: Miss A. M. Bjoinson, teacher, and Mildred Downie, Lorraine Zugg, Arthur Mesquita, Grace Maddun, Jack Moore, Grover Pich, Albert Beeskow, Leo Good, Jewel Longo, Gertrude Rice, Muriel Ericson, Bill von Tagen, Hatsumi Tsumura, Hiroko Baba, Shizu Najima, Jean Bonstein, Norma Hansen, Dick Turnbill, Margaret Reboli, Herman Mellmann, Fred Turning, Genevieve Hollenbaum, Lucy Anderson, Margaret Anderson, Abe Kushman, Julia Accornero, Katherine Dorn, Audrey Calloway, Winnifred Smullen, Eldene Duncan, Harold Burns, Jim Hood, Lillian Christophersen, Veronica La Salle, Dorothy Milton, Ralph Huth, Frances Griffith, June Ekstrand, Helen Baugh, Pearl Dondero, Louis Ferranti, Bob Johnsen and Gatas, pupils.

On request of Mr. Phillips, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. H. J Kimmerle of Corona, chairman of the Democratic Central Committee of Riverside County, and Mr. J. Ray Gabbert of Riverside, member of State Board of Education.

On request of Mr. Fisher, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to C. W. Lord, better known as Jasper Jesus Lord.

On request of Mr. Cassidy, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. C. A. Rinderspachen of Mt. Eden.

On request of Mr. Hawkins, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Wm. E. Browne.

On request of Messrs Williamson and Weber, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Vincent K. Butler, Master Vincent Butler, Master Louis Butler, Miss Hanchett and Mr. and Mrs. B. J. Feigenbaum.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From the employees of the Union Ice Company of Los Angeles, opposing taxation of the motion picture industry.

From the MacClatchie Manufacturing Company of Compton, California, opposing the taxation of the motion picture industry.

From the employees of Coast Envelope and Leather Products Company, opposing the taxation of the motion picture industry.

From the employees of Young and McCallister, Incorporated, Southwest Lithograph Company of Los Angeles, opposing the taxation of the motion picture industry.

From Mrs. Addie C. Mulholland and others of Chatsworth, California, opposing taxation of the motion picture industry.

Communication.

The following communication was received, and ordered printed in the Journal:

STOCKTON, CALIFORNIA, May 1, 1935.

DEAR MR. CRAIG: I am proud and happy to have the beautifully bound book "In Memoriam" to Mr. Eicke. I appreciate it being done for me. Will you kindly thank the members of the Senate and the Assembly for me.

Sincerely,

FLORENCE EICKE.

ASSISTANT CLERK OLIVER READING.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 1, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted as amended, Assembly Constitutional Amendment No. 58—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 8 of Article XI thereof, relating to the preparation and adoption of charters by cities, counties and cities and counties—and respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Constitutional Amendment No. 58 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1935.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 878—An act to amend section 1005 of the Code of Civil Procedure, relating to notice of motion;

Also: Assembly Bill No. 923—An act to amend section 1283 of the Agricultural Code, relating to deciduous fruit dealers

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 878 and 923 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 154—An act to amend the title and sections 8, 14, 32 and 33 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the extension of the provisions of said act to the companies taxable hereunder and their franchises, other than insurance companies and their franchises, specified in section 14 of Article XIII of the Constitution of this State;

Also: Assembly Bill No. 155—An act to amend the title and sections 4, 4a, 5, 8, 10, 11, 12, 13, 15, 16, 18, 19, 20, 21, 23, 24, 25, 26, 27, 29, 30, 31 and 35 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the extension of the provisions of said act to the companies taxable

hereunder and their franchises, other than insurance companies and their franchises, specified in section 14 of Article XIII of the Constitution of this State:

Also, Assembly Bill No. 1204—An act to amend sections 2, 4 and 26 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations,'" approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities; and declaring the measure an urgency measure within the meaning of section 1 of Article IV of the Constitution and providing accordingly for the act to take effect immediately

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 154, 155 and 1204 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 557—An act to add a new section to the Insurance Code to be numbered 10113, relating to life and disability insurance policies;

Also Assembly Bill No. 558—An act to amend section 10111 of the Insurance Code, relating to life and disability insurance;

Also Assembly Bill No. 1036—An act to amend section 1418 of the Penal Code, relating to the pardoning or commutation of sentence of convicts twice convicted of felony.

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 557, 558 and 1036 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1935

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 156—An act to amend section 4041f of the Political Code of the State of California, relating to leasing and subleasing of veterans' buildings;

Also: Senate Bill No. 207—An act to amend sections 4239, 4239d, 4239h and 4239l, and to repeal sections 4239a, 4239b, 4239c, 4239e, 4239f, 4239g, 4239i, 4239j, 4239k, 4239m, 4239n, 4239o, 4239p, 4239q, 4239r, 4239s, 4239t, 4239u, 4239v and 4239w of the Political Code, relating to the compensation of county and township officers in counties of the tenth class;

Also Senate Bill No 378—An act to amend section 274 of the Penal Code, relating to the crime of abortion.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bills Nos. 156 and 207 read first time, and referred to Committee on County Government.

Senate Bill No. 378 read first time, and referred to Committee on Crime Problems.

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 19—Relative to memorializing the Secretary of State of the United States to maintain the present tariff rate on barley and barley malt imports

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Joint Resolution No. 19 referred to Committee on Federal Relations

Also:

SENATE CHAMBER, SACRAMENTO, May 1, 1935

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No

930—An act to amend section 4.360 of the School Code, relating to school district budgets, declaring the urgency thereof and providing that this act shall take effect immediately—and appointed Senators Difani, Hays, and Jespersen as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Appointment of Committee on Free Conference.

The Speaker announced the appointment of Messrs. Phillips, Corwin and Chatters, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Assembly Bill No. 930

Reports of Standing Committees.

The following report of standing committee was received and read:

On Prisons and Reformatories.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1935.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to which was referred Senate Bill No. 617—An act to amend section 1168 of the Penal Code and to add thereto sections 969c and 1158a, relating to crimes committed with a deadly weapon—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

MARTIN, Chairman.

The above reported bill ordered on file for second reading.

Second Reading of Assembly Bills.

Assembly Constitutional Amendment No. 47—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Article X thereof, relating to prisons and paroles.

Committee Amendments.

During reading of Assembly Constitutional Amendment No. 47, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 26, of the printed measure, strike out "vancy", and insert in lieu thereof the following: "vacancy".

Amendment No. 2.

On page 2, line 1, of the printed measure, strike out "Chief Justice of"; also strike out lines 2 to 8, inclusive, and insert in lieu thereof the following: "President of the University of California. Promptly after receiving such notice, the President of the University of California shall meet with the President of the University of Southern California and the President of Leland Stanford Junior University, and said three persons shall select six other citizens of the State, one of whom shall be a person representative of labor, one a person representative of business, one an agriculturalist, one a representative of the State Bar, one a woman and one a person representative of the general".

Amendment No. 3.

On page 2, line 28, of the printed measure, strike out "and the parole and release of convicts therefrom".

Amendment No. 4.

On page 2, lines 32 and 33, of the printed measure, strike out "the inmates thereof, and the parole and release of persons therefrom", and insert in lieu thereof the following: "and the inmates thereof".

Amendment No. 5.

On page 2 of the printed measure, strike out lines 39 to 44, inclusive, and in line 45, strike out "(b)", and insert in lieu thereof the following: "Sec. 4."

Amendment No. 6.

On page 2, line 50, of the printed measure, strike out the semicolon and strike out "provided, that such com-"; also strike out lines 51 and 52, and insert in lieu thereof a period.

Amendment No. 7.

On page 2 of the printed measure, at the end of line 52, add the following:

"SEC. 6. (a) There shall be a Board of Pardons and Paroles, consisting of three members, each of whom shall be appointed by the Governor in the same manner as

provided in section 2, subdivision (a) hereof for the appointment of the commission, except that not less than two nor more than three persons shall be nominated for each office to be filled, and each vacancy thereafter occurring shall be filled in like manner. The members of said board shall hold office for six years each; provided, that of the three persons first appointed, the Governor shall designate one to hold office for a term of two years, one to hold office for a term of four years and one to hold office for a term of six years. An appointee to a vacancy occurring before the expiration of a term shall hold office for the unexpired term of his predecessor in office.

(b) The members of the Board of Pardons and Paroles may be removed from office only for cause by impeachment in the same manner as the officers specified in section 18 of Article IV of this Constitution.

(c) The members of the Board of Pardons and Paroles shall receive such compensation for their services as the Legislature may from time to time prescribe by law.

(d) The Board of Pardons and Paroles shall have charge of the parole and release of convicts from such institutions as are under the jurisdiction of the prison commissioner."

Amendment No. 8.

On page 3, line 1, of the printed measure, strike out "6", and insert in lieu thereof the following: "7".

Amendment No. 9.

On page 3, line 15, of the printed measure, strike out "7", and insert in lieu thereof the following: "8".

Amendments adopted.

Assembly Constitutional Amendment No. 47 ordered to reprint, engrossment, and on file for adoption.

Assembly Constitutional Amendment No. 76—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 9 of Article IX thereof, relating to a board of higher education.

Committee Amendments.

During reading of Assembly Constitutional Amendment No. 76, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 17, of the printed measure, between the words "all" and "colleges", insert the following: "State".

Amendment No. 2.

On page 1 of the printed measure, strike out line 18, and insert in lieu thereof the following: "funds, whether".

Amendment No. 3.

On page 1, line 19, of the printed measure, strike out "Such board shall con-", also strike out lines 20 to 27, inclusive, and on page 2, strike out lines 1 to 45, inclusive, and insert in lieu thereof the following: "Such board shall consist of the Governor, the Lieutenant Governor, the Speaker of the Assembly, the Superintendent of Public Instruction, the president of the alumni association of the University of California at Berkeley, the president of the alumni association of the University of California at Los Angeles, and one president of the alumni associations of the State colleges chosen by and from among the presidents of the alumni associations, who shall be ex officio members with full voting rights, and twenty members who shall be appointed by the Governor.

As to the twenty members who shall be appointed by the Governor, one member shall be appointed from the territory comprising each of the now existing congressional districts in the State of California and as a term expires or as a vacancy arises the new appointee must at the time of his appointment be a resident of the same congressional district as his predecessor was at the time of his predecessor's appointment.

The members of said board shall be appointed for ten-year terms, except as hereinafter provided, the term of each member to commence on the first day of January next succeeding his appointment. In the event of a vacancy arising on the board the Governor shall appoint a member to serve until the conclusion of the unexpired term.

As to the twenty members first appointed by the Governor, the terms of four members shall be for two years, the terms of four members shall be for four years, the terms of four members shall be for six years, the terms of four members shall be for eight years, the terms of four members shall be for ten years. The length of the term of each of the twenty members first appointed by the Governor shall be determined by lot. Thereafter, except as to appointments to fill unexpired terms,

all members shall be appointed for ten-year terms No officer of any private university or college shall be eligible for appointment as a member of the board

As to the twenty members first appointed by the Governor, they shall be subject to rejection by a majority vote of the Senators and Assemblymen resident in the territory comprising the congressional district of which the board member must be a resident, in the following manner:

Following the tentative appointment of a member by the Governor he shall immediately notify the Senators and Assemblymen from the particular congressional district concerned, who within thirty (30) days after mailing of said notice must hold a caucus. If at said caucus they vote to reject said tentative appointment then the Governor must submit another tentative appointee who may likewise be rejected and so on indefinitely. If no rejection of the tentative appointee is made by the said Senators and Assemblymen within the thirty (30) day period then the tentative appointment becomes final and the appointee becomes a member of the board.

Once the original twenty members have been appointed and have become members of the board subsequent appointments shall be made solely by the Governor without any power of rejection by any other person or persons

The terms of office of the regents now in office shall expire at the time when the terms of the members herein provided begin

In the event of the permanent change of residence to the territory comprising another congressional district, or to another State or country of an appointive member of the board, a vacancy shall exist and the Governor shall appoint a person to fill the unexpired term."

Amendments adopted.

Assembly Constitutional Amendment No 76 ordered to reprint, engrossment, and on file for adoption

Assembly Bill No. 246—An act for the regulation and control of corporations organized for the purpose of operating nonprofit hospital service plans.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 3 and 4, and in lieu thereof insert the following: "of California which by its original or by any amended articles is authorized to establish, maintain and operate a nonprofit hospital service plan whereby hospital".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 20 to 25, inclusive, and in lieu thereof insert the following: "educational and administrative program, and provided further that no corporation authorized by the provisions of this act to establish, maintain and operate a nonprofit hospital service plan may itself furnish hospital care to its subscribers or do any of the acts herein authorized, unless and until it shall have first procured a certificate from the State Department of Public Health certifying that it is complying with the standards required by said State Department of Public Health, nor shall any such corporation enter into any contract with any hospital for the furnishing of hospital care to its subscribers unless the hospital with which it contracts has procured such a certificate from the State Department of Public Health."

Amendment No. 3.

On page 2 of the printed bill, after the words "Sec. 5", strike out lines 26 to 30, inclusive, and insert in lieu thereof the following "No corporation shall establish, maintain or operate a nonprofit hospital service plan as authorized by the provisions of this act unless it shall have first procured the written consent of the Commissioner of Insurance of this State to such establishment, maintenance and operation."

Amendment No. 4.

On page 3 of the printed bill, strike out lines 13 to 24, inclusive

Amendment No. 5.

On page 3 of the printed bill, strike out lines 25 to 29, inclusive.

Amendment No. 6.

On page 3, line 30, of the printed bill, strike out the figures "13", appearing after the word "Sec.", and in lieu thereof insert the figures "11".

Amendment No. 7.

On page 3 of the printed bill, strike out lines 43 to 51, inclusive

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1302—An act to amend sections 2, 3, 7, 12 and 18 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to pharmacy.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 5, line 25, of the printed bill, strike out "Nor does this act apply to the sale of registered, or"; also strike out all of lines 26 to 32, inclusive, and insert in lieu thereof the following "Nor does this act apply to registered, trade-marked, or copyrighted proprietary medicine, registered in the United States Patent Office, but does apply to the sale by or through any mechanical device, of drugs, medicines and proprietary medicines registered or trade-marked in the United States Patent Office. Nor does this".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 409—An act to amend section 953a of the Code of Civil Procedure, relating to transcript on appeal, stenographic reporter and filing of transcript.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 30, of the printed bill, after the period, insert the following: "Said bill of exceptions so settled and allowed shall be printed and filed with the clerk of the court, to which the appeal is taken, within twenty days after said bill is settled and allowed"

Amendment No. 2.

On page 2, line 2, of the printed bill, following the word "after", add the following "the clerk has given notice to the stenographic reporter that".

Amendment No. 3.

On page 2, line 7, of the printed bill, strike out the period after the word "court", and insert in lieu thereof the following ", provided, however, that said twenty (20) day period shall not commence to run until appellant has fully complied with the provisions of section 953b of the Code of Civil Procedure"

Amendment No. 4.

On page 2, line 12, of the printed bill, strike out the period following the word "cause", and insert in lieu thereof a comma and the following: "which service shall be made by United States mail, postage prepaid, addressed to said attorneys at their respective offices, not less than three (3) days, unless the court shall otherwise order, prior to the making of said order of continuance"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1774—An act to amend the title and section 3e and to amend and to renumber section 20k of, and to add sections 19a, 19b, and 20*l* to the California Real Estate Act, relating to the regulation and

licensing of real estate brokers and salesmen, and to the inspection and regulation of subdivisions, to provide for the enforcement of said act and penalties for the violation thereof

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out "section", and insert in lieu thereof the following: "sections 2 and".

Amendment No. 2.

On page 1, line 4 of the title of the printed bill, as amended, strike out "19B.".

Amendment No. 3.

On page 1 of the printed bill, as amended, between lines 9 and 10, insert the following:

"SEC. 2 Section 2 of said act is hereby amended to read as follows:

Sec 2. A real estate broker within the meaning of this act is a person, copartnership or corporation who, for a compensation, sells or offers for sale, buys, or offers to buy, lists, or solicits for prospective purchasers, or negotiates the purchase or sale or exchange of real estate, or who, for compensation, negotiates loans on real estate, leases, or offers to lease, or negotiates the sale, purchase, or exchange of leases, rents, or places for rent, or collects rent from real estate, or improvements thereon, for another or others A real estate salesman within the meaning of this act is one who for a compensation is employed by a licensed broker to sell, or offer for sale, or to list, or to buy, or to offer to buy, or to negotiate the purchase or sale or exchange of real estate, or to solicit for prospective purchasers of real estate, or to negotiate a loan on real estate, or to lease, or to negotiate the sale, purchase or exchange of leases, or offer to lease, rent or place for rent, any real estate, or improvements thereon. The provisions of this act, except as to sections 19a and 20a to 20*l* inclusive, shall not apply to anyone who shall directly perform any of the acts aforesaid with reference to his own property or, in case of corporations, through their regular officers receiving no special compensation therefor perform any of the acts aforesaid with reference to their, to wit, said corporations, own property, nor shall the provisions of this act apply to persons holding a duly executed power of attorney from the owner, nor shall this act be construed to include in any way the services rendered by an attorney at law in performing his duties as such attorney at law; nor shall it be held to include any receiver, trustee in bankruptcy, or any person acting under order of any court, nor to a trustee selling under a deed of trust. One act, for a compensation of buying or selling real estate of or for another, or offering for another to buy or sell or exchange real estate, or negotiating the purchase or sale or exchange of, or listing or soliciting prospective purchasers of real estate, or negotiating a loan on or leasing or renting or placing for rent real estate, or collecting rent therefrom shall constitute the person, copartnership or corporation making such offer, sale or purchase, exchange or lease, or negotiating said loan or so renting or placing for rent or collecting said rent or listing or soliciting, a real estate broker or salesman within the meaning of this act.

When a lease or leasing is referred to in this section, it shall be held to include any lease, whether such lease be the sole transaction involved or the principal or an incidental part of the transaction involved"

Amendment No. 4.

On page 1, line 10, of the printed bill, as amended, strike out "2", and insert in lieu thereof the following: "3".

Amendment No. 5.

On page 2, line 3, of the printed bill, as amended, strike out "3", and insert in lieu thereof the following: "4".

Amendment No. 6.

On page 2, line 17, of the printed bill, as amended, strike out the period, and insert in lieu thereof a comma, and the following 'but no preliminary injunction or temporary restraining order shall be granted without at least five days' notice to the opposite party."

Amendment No. 7.

On page 2 of the printed bill, as amended, strike out lines 18 to 30, inclusive

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No 1848—An act to amend section 1468 of the Penal Code, relating to a statement on appeal.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 28, of the printed bill, strike out ", and the appellate court may, in its discretion, order tes-", and also strike out all of lines 1 and 2 on page 2, and insert a period and the following: "If no statement is filed"

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 958—An act to amend section 4190 of the Political Code, relating to establishment and government and the creation of a fund for law library.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee.

Amendment No. 1.

On page 2 of the printed bill, strike out everything in lines 1 to 11, and insert in lieu thereof the following: "and maintain branches of the county law library, which branches shall be in all respects a part of the county law library and shall be established, managed, controlled, regulated and maintained as part of the county law library."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1480—An act to amend sections 137 and 140 of the Agricultural Code, relating to pest control and abatement.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 1243—An act to amend sections 828 and 829 of the Agricultural Code, relating to fruits, nuts and vegetables.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No 1929—An act to amend section 4041k of the Political Code.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 825—An act to provide for the formation of sewer districts within counties, cities and counties and municipalities for the acquisition or construction of sanitary sewage works or improvements, for the issuance, sale and payment of bonds of such districts, for the acquisition, construction, maintenance and operation of such improvements, and for the fixing, collecting and application of revenues, rates and charges for the use of the sewage works or improvements.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee

Amendment No. 1.

On page 7, line 47, of the printed bill, as amended, following the word "year", insert the following language: "; provided, however, that such rates must at all times be reasonable charges for the services rendered".

Amendment adopted.

Bill read second time, ordered to reprint, re-re-engrossment, and third reading.

Assembly Bill No. 622—An act to amend sections 1.72 and 1.73-1 of the School Code, relating to the transportation of public school pupils.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 9, of the printed bill, strike out the word "fifty", and insert in lieu thereof the following: "thirty-five".

Amendment No. 2.

On page 1, line 10, of the printed bill, after the word "attendance", insert the following: "except that no parents or guardian shall receive, under the provisions of this section, more than one dollar per day for all the children residing in the same household and attending the elementary schools of the district".

Amendment No. 3.

On page 2, line 3, of the printed bill, strike out the word "fifty", and insert in lieu thereof the following: "thirty-five".

Amendment No. 4.

On page 2, line 4, of the printed bill, after the word "attendance", insert the following: "except that no parents or guardian shall receive, under the provisions of this section, more than one dollar per day for all the children residing in the same household and attending the secondary schools of the district".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1188—An act to add a new article to Chapter II of Part II of Division IV of the School Code, to be known as Article XI, relating to school district funds.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1606—An act to amend section 8 of and to add section 8a to the Sewer Revenue Bond Act, relating to acquisition and operation of sewerage disposal works.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 16, of the printed bill, as amended, strike out "All such", and strike out lines 17 and 18.

Amendment No. 2.

On page 2, line 50, of the printed bill, as amended, after "paid", insert a period, and strike out the balance of line 50, and all of lines 51 and 52.

Amendment No. 3.

On page 3 of the printed bill, as amended, strike out all of lines 1 to 6, inclusive

Amendment No. 4.

On page 3, line 22, of the printed bill, as amended, strike out "Third.", and strike out all of lines 23 to 50, inclusive.

Amendment No. 5.

On page 3, line 51, of the printed bill, as amended, strike out "sale is invalid may be asserted. Fourth", and insert in lieu thereof the following "Third".

Amendment No. 6.

On page 4, line 10, of the printed bill, as amended, strike out "Fifth", and insert in lieu thereof the following: "Fourth".

Amendment No. 7.

On page 4, line 13, of the printed bill, as amended, strike out "charge", and insert in lieu thereof the following. "change".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 384—An act to provide for the discharge, cancellation, and retirement of the indebtedness represented by bonds of special assessment improvement districts where such bonds were issued prior to January 1, 1933, and are payable from special assessments levied wholly or partly in accordance with the assessed value of lands, where such bonds have been purchased or are redeemed by any city, county, or city and county for the purpose of discharging, canceling, or retiring such bonds or part thereof, providing for the reduction of special assessment levies against the property in such districts, and providing a procedure for the discharge, cancellation and retirement of said bonds.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

Strike out the title of the printed bill, and insert in lieu thereof the following.

"An act for the relief of special assessment districts and for the adjustment, refunding or cancellation of the bonded indebtedness of such districts, and for the purpose of empowering legislative bodies of such districts to adjust, refund or cancel said indebtedness and to make available to such districts the provisions of the Federal bankruptcy laws and any and all laws of the State of California for the relief of special assessment districts, and to declare the urgency of this act to take effect immediately."

Amendment No. 2.

On page 1, line 1, of the printed bill, after the period, insert the following

"The legislative body of any city or county, or city and county, of the State of California, acting individually or in conjunction with any other such legislative body or bodies, wholly or partly within the boundary of which any special assessment district has been created, and the outstanding bonds or indebtedness of which district are payable by taxes or assessments levied wholly or partly in accordance with the assessed value of lands or property, shall be and it is hereby fully and completely authorized and empowered, on the consent of the owners or holders of such bonds or indebtedness, to purchase, adjust, liquidate or cancel such bonds or indebtedness, or any part of them or it, and to carry out any plan or plans for the purchase, adjustment, liquidation, or cancellation of such bonds or indebtedness, or any part of them or it, and if necessary or advisable to carry out such plan or plans under the bankruptcy laws of the United States of America, and any amendments thereto now or hereafter adopted, or under any law or laws of the State of California, enacted for the purpose of the purchase, adjustment, refunding, liquidation or cancellation of bonds or indebtedness of special assessment districts.

In carrying out any such plan or plans the legislative bodies herein mentioned are fully authorized and empowered to adjust, waive or cancel in whole or in part, any tax or taxes, assessment or assessments, penalty or penalties and interest heretofore levied or taxed against any of the property or properties in such special assessment district which have been taxed or levied for the purpose of meeting the bonds or indebtedness of such special assessment districts

SEC. 2. Such legislative body or bodies shall be and hereby are also fully and completely authorized and empowered to enter into any plan, contract, agreement, escrow or trusteeship having for its purpose the purchase, adjustment, liquidation or cancellation of the outstanding bonds or indebtedness of such districts.

SEC. 3. Such legislative body or bodies are hereby also fully and completely authorized and empowered in connection with the furtherance, consummation or conclusion of any such plan or plans, contracts, agreements, escrows or trusteeships to appropriate and use any and all necessary funds, moneys, taxes, assessments and contributions, from whatsoever source derived, for the furtherance, consummation and conclusion of the purchase, adjustment, liquidation or cancellation of any bond or bonds, indebtedness or indebtednesses, in whole or in part of such districts, and to pay from such funds, moneys, taxes, assessments and contributions all expenses necessary to carry on the furtherance, consummation and conclusion of such plan or plans.

SEC. 4. This act and all of its provisions shall be liberally construed to the end that the purposes hereof may be made effective. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this act. The legislature hereby declares that it would have passed this act irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases thereof be declared unconstitutional.

SEC. 5. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution, and shall therefore go into immediate effect.

The facts constituting the necessity are as follows:

During the fifteen years last past hundreds of districts have been organized throughout the State of California under the provisions of the Road District Improvement Act of 1907 and the Acquisition and Improvement Act of 1925. Many of these districts were created during times of great economic prosperity and high land values. In many of such districts, due to the optimism of the times, or other causes, bonds for public improvements were issued in amounts in excess of the ability of the lands of such districts to bear the assessments necessary to pay the principal and interest on such bonds. Millions of dollars in assessed land valuation are located within districts created under these acts. Due to the present economic depression land values throughout the State have shrunk to the point where, in many cases, the total assessed valuation of all lands within a given district is less than the face value of the bonds outstanding in such district. Annual assessments upon individual parcels of land within these districts amount in many instances to more than the assessed value of such land.

Under present economic conditions property owners are unable to meet these high assessments and hundreds of such districts throughout the State have reached a point of hopeless delinquency.

Inasmuch as the property owners of these districts can not, under the law, pay their county or municipal taxes without at the same time paying the district assessments many cities and counties are unable to collect large sums of money badly needed for the purposes of government.

Many hundreds of properties in these districts are being deeded to the State for delinquent taxes and assessments and unless the financial aid of the counties is immediately made available to assist these overburdened districts thousands of parcels of lands will be stricken from the tax rolls this year; thousands of property owners will lose their homes, millions of dollars in governmental revenue will be uncollectible and at the same time thousands of bondholders will be unable to realize any return upon their investments."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 397—An act to provide for the levy and collection of taxes and assessments for the purpose of creating a fund for capital outlays by cities, counties, cities and counties or districts.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, insert after the word "may", the words "by ordinance".

Amendment No. 2.

On page 1, line 11, of the printed bill, insert after the period following the word "specified", the following: "Whenever such governing body shall by resolution deem the expenditure of money for the purpose specified in the ordinance providing for the creation of such fund to be impracticable or unwise, said governing body may call a special election to obtain the consent of the people of said city, county, city and county, or district, to use the moneys in said fund, or any portion thereof, for some other specified public purpose. It shall require a majority vote of all of the voters at such special election to authorize the expenditure of the money for such other purpose as shall be specified in said resolution calling said special election."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1804—An act validating, ratifying, approving and confirming bonds and other instruments or obligations heretofore issued by public bodies of this State for public works projects.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 739—An act to amend an act entitled "An act authorizing counties to construct, improve, maintain and repair streets lying in municipalities or to aid or assist by the appropriation of money and otherwise in establishing, laying out, opening, widening, extending, straightening, constructing, improving or altering streets or changing or separating the grades thereof within municipalities or in acquiring lands, rights of way or other property necessary therefor," approved April 30, 1923, as amended, by amending section 2 thereof to authorize appropriations for the illumination of highways.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 738—An act to amend section 13 of "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products, requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported, prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended, relating to expenditures of funds.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No 741—An act to amend section 159 of the California Vehicle Act approved May 30, 1923, as amended, relating to the motor vehicle fund and the disposition of moneys placed therein.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No 72—An act relating to bond elections, providing for the manner of holding the same, defining the duties of certain persons in relation thereto, and other matters properly relating thereto.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee.

Amendment No. 1.

On page 1, line 3, of the printed bill, before the word "school", add the word "or", and after the words "school district", strike out the words ", or special district".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 243—An act to amend sections 5, 5½, 6, 7, 8, and 11, of the "Metropolitan Water District Act," relating to metropolitan water district.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "5½", also strike out "and 11,", and insert in lieu thereof the word "and", after "7,"

Amendment No. 2.

On page 1 of the printed bill, strike out all of line 5, and insert in lieu thereof the following:

"(1) To have perpetual succession.

(2) To sue and be sued in all actions and proceedings and in all courts and tribunals of competent jurisdiction

(3) To adopt a corporate seal and alter it at pleasure.

(4) To take by grant, purchase, bequest, devise or lease, and to hold, enjoy, lease, sell or otherwise dispose of, any and all real and personal property of any kind within or without the district and within and without the State necessary or convenient to the full exercise of its powers; also to acquire, construct or operate, control and use any and all works, facilities and means necessary or convenient to the exercise of its powers, both within and without and within or without the district and within and without the State, and to do and perform any and all things necessary or convenient to the full exercise of the powers herein granted.

(5) To have and exercise the power of eminent domain and in the manner provided by law for the condemnation of private property for public use to take any property necessary to the exercise of the powers herein granted except water and water rights already devoted to beneficial use and power plants devoted to public use; and provided, further, that any district organized under the provisions of this act shall not have or exercise the power of eminent domain for the purpose of condemning or taking any water or right to water conserved or stored behind any flood control dam that has been or may hereafter be built or constructed by any flood control district created by act of Legislature of this State. Subject to the express limitations hereinbefore set out, in any proceeding relative to the exercise of such power of eminent domain, the district shall have the same rights, powers and privileges as a municipal corporation.

(6) To construct and maintain works and establish and maintain facilities across or along any public street or highway and in, upon or over any vacant public lands which are now, or may become, the property of the State of California, and to construct works and establish and maintain facilities across any stream of water or water course; provided, however, that the district shall promptly restore any such street or highway to its former state of usefulness as nearly as may be, and shall not use the same in such manner as to completely or unnecessarily impair the usefulness thereof The grant of the right to use such vacant State lands shall be effective upon the filing by such district with the Division of State Lands of the Department of Finance, of an application showing the boundaries, extent and locations of the lands, rights of way, or easements desired for such purposes. If the land, rights of way or easement for which application shall be made is for the construction of any aqueduct, ditch, pipe line, conduit, tunnel or other works for the conveyance of water, or for roads, or for poles, or towers and wires for the conveyance of electrical energy or for telephonic or telegraphic communication, no compensation shall be charged the district therefor, unless, in the opinion of the chief of such Division of State Lands the construction of such works will render the remainder of the legal subdivision through which such works are to be constructed valueless or unsalable, in which event the district shall pay for the lands

to be taken and for such portion of any legal subdivision which, in the opinion of said Chief of the Division of State Lands, are rendered valueless or unsalable, at the rate of one dollar and twenty-five cents per acre. If the lands for which application is made are for purposes other than the construction of roads or for works for the conveyance of water, or electricity or telephonic or telegraphic communication, such district shall pay to the State for such lands at the rate of one dollar and twenty-five cents per acre. Upon filing such application, accompanied by map or plat showing the location or proposed location of such works and/or facilities, the fee title to so much of such State lands as shall be found by the Chief of the Division of State Lands of the Department of Finance to be necessary or convenient to enable such district to construct or maintain its works and/or to establish or maintain its facilities, shall be conveyed to such district by patent executed by the Governor of the State of California, attested by the Secretary of State with the Great Seal of said State affixed, and countersigned by the Register of State Lands; if an easement or right of way only over such lands be sought by such district, such easement or right of way shall be evidenced by permit or grant executed by such Chief of the Division of State Lands. The Chief of the Division of State Lands may reserve in such patents, grants or permits, easements and rights of way across any lands therein described for the construction of streets, roads and highways. Before any such patent, grant or permit shall be executed any compensation due to the State under the provisions hereof, must be paid. In the event that the duties or titles of any of the officers herein mentioned shall be changed by lawful authority, the functions herein required to be performed shall be performed by the appropriate officer or officers of the State of California. No fee shall be exacted from such district for any patent, permit or grant so issued or for any service rendered hereunder. In the use of streets the district shall be subject to the reasonable rules and regulations of the county or city wherein such streets lie, concerning excavations and the refilling of excavations, the relaying of pavements and the protection of the public during periods of construction; provided, that the district shall not be required to pay any license or permit fees, or file any bonds. The district may be required to pay reasonable inspection fees.

(7) To borrow money and incur indebtedness and to issue bonds or other evidence of such indebtedness; provided, however, that no district incorporated hereunder shall incur indebtedness which, in the aggregate, shall exceed fifteen (15) per cent of the assessed valuation of all the taxable property included within the district, as shown by the assessment records of the county or counties, excepting property subject to taxation for State purposes under the provision of section 14 of Article XIII of the Constitution of the State of California.

(8) To levy and collect taxes for the purposes of carrying on the operations and paying the obligations of the district; provided, however, that such tax levied under this section exclusive of any tax levied to meet the bonded indebtedness of such district and the interest thereon and exclusive of any tax levied as a means of enforcing the collection of charges for water or of other charges herein authorized, shall not exceed five cents on each such one hundred dollars of assessed valuation; to enter into contracts, employ and retain personal services and employ laborers; to create, establish and maintain such offices and positions as shall be necessary and convenient for the transaction of the business of the district, and to elect, appoint and employ such officers, attorneys, agents and employees therefor as shall be found by the board of directors to be necessary and convenient.

(9) To join with one or more other public corporations for the purpose of carrying out any of its powers, and for that purpose to contract with such other public corporation or corporations for the purpose of financing such acquisitions, constructions and operations. Such contracts may provide for contributions to be made by each party thereto and for the division and apportionment of the expenses of such acquisitions and operations, and the division and apportionment of the benefits, the services and products therefrom, and may provide for an agency to effect such acquisitions and carry on such operations, and shall provide in the powers and methods of procedure for such agency the method by which such agency may contract. Such contract may contain such other and further covenants and agreements as may be necessary and convenient to accomplish the purposes hereof. The term "public corporation" as used in this subdivision shall be deemed to mean and include the United States or any other public agency thereof or this or any other State or any political district or subdivision thereof.

(10) To acquire water and water rights within or without the State; to develop, store and transport water; to provide, sell and deliver water at wholesale for municipal and domestic uses and purposes; to provide, sell and deliver surplus water of the district not needed or required by member cities for domestic or municipal uses therein, for beneficial purposes, but giving preference to uses within the district; provided, that the supplying of such surplus water shall, in every case, be subject to the paramount right of the district to discontinue the same, in whole or in part, and to take and hold, or to provide, sell and deliver, such water for domestic or municipal uses within the district, upon one year's written notice to the purchaser or user of such surplus water, such notice to be given by the board of directors of the district whenever it shall be determined and declared by resolution adopted by said board of directors by a two-thirds vote thereof that such water is needed or

required by member cities of the district for domestic or municipal uses therein; to fix the rates therefor, and to acquire, construct, operate and maintain any and all works, facilities, improvements and property necessary or convenient therefor.

(11) To invest any surplus money in the district treasury, including such money in any sinking fund established for the purpose of providing for the payment of the principal or interest of any bonded or other indebtedness or for any other purpose, not required for the immediate necessities of the district, in its own bonds, or in treasury notes, or bonds, of the United States, or of this State, and such investment may be made by direct purchase of any issue of such bonds or treasury notes, or part thereof, at the original sale of the same, or by the subsequent purchase of such bonds or treasury notes. Any bonds or treasury notes thus purchased and held may, from time to time, be sold and the proceeds reinvested in bonds or treasury notes, as above provided. Sales of any bonds or treasury notes thus purchased and held shall, from time to time, be made in season so that the proceeds may be applied to the purposes for which the money, with which the bonds or treasury notes were originally purchased, was placed in the treasury of the district. The functions and duties authorized by this paragraph shall be performed by joint action of the Controller and Treasurer, with the approval of the attorney, under such rules and regulations as shall be prescribed by the board of directors of the district.

(12) To refund bonded indebtedness incurred by the district under and pursuant to the provisions of section 7 of this act, such refunding to be made in the following manner:

(a) The board of directors by a two-thirds vote may refund such bonded indebtedness, or any portion thereof, and issue refunding bonds of the district therefor maturing not later than fifty (50) years from the date of the first issue of the refunded bonds, if said refunded bonds shall have been issued in one block, or from the date of the respective installment of such refunded bonds, if the same shall have been issued in installments, and bearing interest at a rate not exceeding the interest rate on the refunded bonds. The provisions of subsections (e), (f), (j), (k) and (l) of section 7 of this act, subject to the limitations and modifications imposed by this paragraph, shall apply to such refunding bonds. The provision in said subsection (e) for deferring the date of the earliest maturity of the principal of the bonds shall be construed to authorize the board of directors, in its discretion, to determine and fix the date for the earliest maturity of the principal of said refunding bonds, which date shall be not later than fifteen (15) years from the date of the first issue of the refunded bonds, or from the date of the respective installment of the refunded bonds, as the case may be.

(b) Said refunding bonds may be sold by the board of directors as it shall determine, in the manner provided in subsection (g) of section 7 of this act for the sale of the bonds to be refunded, and the proceeds of the sale of such refunding bonds, excepting premium and accrued interest, shall be placed in the treasury of the district to the credit of the "refunding fund" and shall be applied only to the purchase, at not more than par and accrued interest, of the bonded indebtedness for which said refunding bonds shall have been issued. Premium and accrued interest shall be placed in the fund to be applied to the payment of interest on, and the retirement of, the refunding bonds so sold. In lieu of selling such refunding bonds and purchasing with the proceeds thereof the bonds to be refunded, the board of directors of the district may exchange refunding bonds at not less than par and accrued interest for the bonds so refunded.

(c) Whenever such outstanding bonds shall be refunded, they shall be surrendered to the treasurer of the district, who shall proceed to cancel the same by indorsing on the face thereof the manner in which the refunding shall have been effected (whether by exchange or purchase, and the amount for which so purchased, if any) and by perforating through each bond and each coupon attached thereto, the word "canceled" together with the date of cancellation. He shall keep a record of such bonds so refunded and shall make a report to the board of directors at least once a month.

(d) All moneys which shall remain in said "refunding fund" after all outstanding bonds which were proposed to be refunded therefrom have been taken up and canceled, shall be paid into the sinking fund of such district and become a part thereof."

Amendment No. 3.

On page 1 of the printed bill, strike out all of lines 6 to 18, inclusive.

Amendment No. 4.

On page 1, line 19, of the printed bill, strike out the numeral "3", after the word "Sec.", and insert in lieu thereof "2".

Amendment No. 5.

On page 1 of the printed bill, strike out line 21, and insert in lieu thereof the following:

"SEC. 6. All powers, privileges and duties vested in or imposed upon any district incorporated hereunder shall be exercised and performed by and through a board of directors; provided, however, that the exercise of any and all executive, administrative and ministerial powers may be by said board of directors delegated and redelegated to any of the offices created hereby or by the board of directors acting hereunder.

The board of directors herein referred to shall consist of at least one representative from each municipality, the area of which shall lie within the metropolitan water district. Such representatives shall serve without compensation from the district and shall be designated and appointed by the chief executive officers of municipalities, respectively, with the consent and approval of the governing bodies of the municipalities, respectively. As a member of the board of directors, each representative shall be entitled to vote on all questions, orders, resolutions and ordinances coming before the board, and shall be entitled to cast one vote for each ten million dollars, or major fractional part thereof, of assessed valuation of property taxable for district purposes in the city represented by him as shown by the assessment records of the county and evidenced by the certificate of the county auditor; provided, that each representative shall have at least one vote and no municipality shall have votes exceeding in number the total number of votes of all the other municipalities that are members of such district. In lieu of one representative any city may at its option designate and appoint several representatives not exceeding one additional representative for each two hundred million dollars of assessed valuation, but such representatives shall cast the vote to which such city would otherwise be entitled as a unit and as a majority of such representatives present shall determine. The affirmative votes of members representing more than fifty (50) per cent of the total number of votes of all the members shall be necessary and, except as otherwise herein provided, shall be sufficient to carry any order, resolution or ordinance coming before the board of directors. For the purposes of this section, the term "major fractional part" shall be deemed to mean a fractional part larger than one-half. Members of the board of directors so constituted shall convene at the time and place fixed by the chief executive officer of the municipality initiating the proceedings hereunder, and immediately upon convening, such board of directors shall elect from its membership a chairman, a vice chairman, and a secretary, who shall serve for a period of two years, or until their successor shall be elected and qualified.

The board of directors shall have power:

(1) To fix the time and place or places at which its regular meetings shall be held, and shall provide for the calling and holding of special meetings.

(2) To make and pass ordinances, resolutions and orders not repugnant to the Constitution of the United States or of the State of California, or to the provisions of this act, necessary for the government and management of the affairs of the district, for the execution of the powers vested in the district and for carrying into effect the provisions of this act. On all ordinances the roll shall be called and the ayes and noes recorded. Resolutions and orders may be adopted by viva voce, but on demand of any member the roll shall be called. No ordinance shall be adopted unless it shall have been introduced on a day previous to the time of such adoption except by unanimous vote of all the members of the board of directors present, provided there shall be present directors from not less than three-fourths of all cities composing said metropolitan water district and representing not less than three-fourths of the total votes of said district; provided, that in lieu of such previous introduction or unanimous vote any ordinance may be mailed by registered mail, postage prepaid to each member of the board of directors at least five (5) days prior to the day upon which such ordinance shall be presented for adoption. No ordinance adopted by the board of directors shall take effect until the expiration of thirty (30) days following the adoption thereof, except an ordinance ordering or otherwise relating to an election or to the issuance of sale of bonds or to the levying or collection of taxes or the fixing of water rates; and an ordinance necessary for the immediate preservation or protection of the property, interests or welfare of the district, which shall contain a specific statement showing its urgency, and is passed by three-fourths of the total vote of the board of directors but all ordinances of any of the classes heretofore excepted by this section shall take effect upon their adoption. All ordinances except those which shall take effect upon their adoption as provided in this section shall be subject to referendum in the manner provided by law for the legislative acts of boards of supervisors of counties.

(3) To fix the location of the principal place of business of the district and the location of all offices and departments maintained hereunder.

(4) To prescribe by ordinance a system of business administration and to create any and all necessary offices which shall include the offices of controller and of treasurer and to establish and reestablish the powers and duties and compensation of all officers and employees and to require and fix the amount of all official bonds necessary for the protection of the funds and property of the district.

(5) To prescribe by ordinance a system of civil service.

(6) To delegate and redelegate by ordinance to officers of the district power to employ clerical, legal and engineering assistants and labor, and under such conditions and restrictions as shall be fixed by the directors' power to bind the district by contract.

(7) To prescribe a method of auditing and allowing or rejecting claims and demands; also to prescribe methods for the construction of works and for the letting of contracts for the construction of works, structures or equipment, or the performance or furnishing of labor, materials or supplies, required for the carrying out of any of the purposes of this act; provided that, in cases where work is not to be

done by the district itself by force account, and the amount involved shall be ten thousand dollars, or more, the board of directors shall provide for the letting of contracts to the lowest responsible bidder, after publication of notices inviting bids, subject to the right of said board to reject any and all proposals. Provided, likewise, that the board of directors in advertising for bids and in letting contracts as above provided, may require all articles to be furnished to the district thereunder to be manufactured, produced or fabricated in the United States or its Territories, and may prohibit the use in, or employment in connection with, the carrying out of such contracts by the contractor or any subcontractor, of all machinery or materials except such as shall have been manufactured, produced or fabricated in the United States or its Territories, if such are available, the question of such availability to be determined by the board of directors. Provided, further, that contracts, in writing or otherwise, may be let without advertising for or inviting bids, when any repairs, alterations, or other work, or the purchase of materials, supplies, equipment or other property, shall be deemed by the board of directors to be of urgent necessity, and shall be authorized by a two-thirds vote thereof."

Amendment No. 6.

On page 1, lines 24 and 25, of the printed bill, strike out the following: ", and provided further, that the rates shall not exceed five (5) cents per one hundred cubic feet.", and insert in lieu thereof a period and also add thereto the following: 'To fix and collect annually a minimum charge for water against each city the area of which shall lie within the district, and to fix the time and method of payment thereof and to enforce the collection thereof by all appropriate means, including the levy of taxes, and to do any and all things convenient or necessary to render fully effective the power to assess and collect such charges as herein conferred; provided, however, that the said annual minimum charge imposed shall be prorated and the obligation of each city within the district therefor shall bear the same ratio to the whole amount of such minimum charge imposed, as the averaged assessed valuation of all taxable property within such city shall bear to the averaged assessed valuation of all taxable property within the district. Said averaged assessed valuation shall be the annual mean of such assessed valuations for the preceding ten (10) years.

All sums received for any fiscal year from each city on account of minimum charges for water shall entitle each such city during such year to credit for water from the district up to the amount of such payment at the prescribed rates, but no credit for water shall be carried over beyond the end of the fiscal year for which such minimum charge was imposed."

Amendment No. 7.

On page 1, line 26, of the printed bill, strike out the numeral "4" after "Sec.", and insert in lieu thereof the numeral "3".

Amendment No. 8.

On page 2 of the printed bill, strike out line 1, and insert in lieu thereof the following:

"SEC. 7. (a) Whenever the board of directors of any metropolitan water district incorporated under this act shall, by ordinance adopted by a vote of a majority of the aggregate number of votes of all the members of the board of directors, determine that the interests of said district and the public interest or necessity demand the acquisition, construction or completion of any public improvement or works, or the incurring of any preliminary expenses, necessary or convenient to carry out the objects or purposes of said district the cost of which will be too great to be paid out of the ordinary annual income and revenue of the district, said board of directors may order the submission of the proposition of incurring bonded indebtedness, for the purposes set forth in the said ordinance, to the qualified voters of such district, at an election held for that purpose. Any election held for the purpose of submitting any proposition or propositions of incurring such bonded indebtedness may be held separately, or may be consolidated or held concurrently with any other election authorized by law at which the qualified electors of the district are entitled to vote. The declaration of public interest or necessity herein required and the provision for the holding of such election may be included within one and the same ordinance, which ordinance, in addition to such declaration of public interest or necessity, shall recite the objects and purposes for which the indebtedness is proposed to be incurred, the estimated cost of the public works or improvements, or the estimated amount of preliminary expenses, as the case may be, the amount of the principal of the indebtedness to be incurred therefor and the maximum rate of interest to be paid on such indebtedness, which rate shall not exceed six (6) per cent per annum payable semiannually. Such ordinance shall also fix the date upon which such election shall be held and the manner of holding the same and the method of voting for or against incurring the proposed indebtedness. Such ordinance shall also fix the compensation to be paid the officers of the election and shall designate the precincts and polling places and shall appoint the officers of such election, which officers shall consist of one inspector, one judge and two clerks in each precinct. The description of precincts may be made by reference to any order or orders of the board of supervisors of the county or counties in which the district or any part thereof is situated, or by

reference to any previous order or ordinance of the legislative body of the municipality, or by detailed description of such precincts. Precincts established by the boards of supervisors of the various counties, to a number not exceeding six (6), may be consolidated for special elections held hereunder. In the event any bond election shall be called to be held concurrently with any other election or shall be consolidated therewith, the ordinance calling the election hereunder need not designate precincts or polling places or the names of officers of election, but shall contain reference to the act or order calling such other election and fixing the precincts and polling places and appointing election officers therefor.

(b) The ordinance provided for in subdivision (a) of this section shall be published once, at least ten (10) days before the date of the election therein called, in a newspaper of general circulation printed and published within the district, and no other or further notice of such election or publication of the names of election officers or of the precincts or polling places need be given or made.

(c) The respective election boards shall conduct the election in their respective precincts in the manner prescribed by law for the holding of general elections, and shall make their returns to the secretary of the district. At any regular or special meeting of the board of directors held not earlier than five (5) days following the date of such election, the returns thereof shall be canvassed and the results thereof declared. In the event that any election held hereunder shall be consolidated with any primary or general election and the proposition to incur indebtedness shall be printed upon a ballot containing other propositions, the returns of the election held hereunder shall be made with the returns of the primary or general election to the board of supervisors or other bodies whose duty it shall be to canvass the returns thereof, and the results of the election held hereunder shall be canvassed at the time and in the manner provided by law for the canvass of the returns of such primary or general election. It shall be the duty of such canvassing body or bodies to promptly certify and transmit to the board of directors of the district a statement of the result of the vote upon the proposition submitted hereunder. Upon receipt of such certificates, it shall be the duty of the board of directors to tabulate and declare the results of the election held hereunder.

(d) In the event that it shall appear from said returns that a majority of the electors voting on any propositions submitted hereunder at such election voted in favor of such proposition, the district shall thereupon be authorized to issue and sell bonds of the district in the amount and for the purpose or purposes and object or objects provided for such proposition in such ordinance, and at a rate of interest, not exceeding the rate recited in said ordinance.

(e) All bonds of such district, issued under the provisions of this act, shall be payable substantially in the following manner: A part to be determined by the board of directors which shall not be less than one-fiftieth (1/50) part of the whole amount of such indebtedness, shall be payable each and every year on a day and date, and at a place or places to be fixed by said board of directors, together with the interest on all sums unpaid at such date; provided, that in case such bonds are issued in installments at different times, each installment shall be payable substantially in the following manner: A part to be determined by the board of directors which shall not be less than one-fiftieth (1/50) part of the whole amount of such installment, shall be payable each and every year on a day and date, and at a place or places to be fixed by said board of directors, together with the interest on all sums unpaid at such date; provided, however, that said board may, in its discretion, determine and fix the date for the earliest maturity of the principal of the whole amount of such bonded indebtedness, or of each installment of such bonds, as the case may be, not more than fifteen years from the date of the first issue of such bonds, or of the respective installment of such bonds, as the case may be; in this event, the whole amount of such bonded indebtedness, or of the respective installment of such bonds, as the case may be, must be made payable in substantially equal annual parts in not to exceed fifty (50) years from the date of the first issue of such bonds, when the bonds are issued in one block, or from the date of the respective installment of such bonds, when the bonds are issued in installments. The bonds shall be issued in such denominations as the board of directors may determine, except that no bonds shall be of less denomination than one hundred (100) dollars, nor of a greater denomination than fifty thousand (50,000) dollars, and shall be payable on the day and at the place or places fixed in such bonds and with interest at the rate specified therein, which rate shall not be in excess of six per cent (6%) per annum, and shall be payable semiannually. Such bonds shall be signed by the chairman of said board of directors, or by such other officer as said board of directors shall, by resolution adopted by a majority vote of its members, authorize and designate for that purpose, and such bonds shall also be signed by the Controller, or Assistant Controller, and countersigned by the secretary of said board of directors. The coupons of said bonds shall be numbered consecutively, and signed by said Controller, or Assistant Controller. All such signatures and countersignatures excepting that of the Controller, or Assistant Controller, on said bonds, may be printed, lithographed or engraved.

(f) In case any of such officers, whose signatures or countersignatures appear on the bonds or coupons, shall cease to be such officer before the delivery of such bonds to the purchaser, such signatures or countersignatures shall nevertheless be

valid and sufficient for all purposes, the same as if they had remained in office until the delivery of such bonds

(g) Such bonds shall not be sold at a price less than the par value thereof, together with accrued interest to the date of delivery, nor until notice calling for bids therefor shall have been published in a newspaper of general circulation published and circulated in the county wherein the principal place of business of said district shall be located Said notice, calling for bids, shall state the time for the receipt of such bids, which shall not be less than ten (10) days after the first publication thereof. Such notice may offer the bonds at a fixed interest rate or with the interest rate undetermined, in which event the bids shall contain a statement of the lowest rate of interest at which the bidder will take the bonds and pay par value or more therefor, together with accrued interest. Bids for such bonds shall be opened publicly and the results thereof publicly announced. Such bonds shall be sold to the highest bidder. Temporary, or interim, bonds or certificates, of any denomination whatsoever, to be signed by the Controller, may be issued until the definite bonds are executed and available for delivery.

(h) Such bonds may be issued and sold by said board of directors as they shall determine, and the proceeds thereof, excepting premium and accrued interest, shall be placed in the treasury of said district to the credit of the proper improvement fund, and shall be applied exclusively to the purposes and objects mentioned in said ordinance; provided, that the interest on said bonds accruing during the construction period and for one year thereafter shall be deemed to be a construction cost within the meaning of the purposes and objects mentioned in said ordinance, and such interest may be paid from said proceeds of the sales of such bonds. Premium and accrued interest shall be placed in the fund to be applied to the payment of interest on, and the retirement of, the bonds so sold. For the purposes of this section, the construction period shall be deemed to end when the works, the construction of which shall have been authorized from the proceeds of any such bond issue, shall have been placed in operation to such extent as to result in the sale and delivery in the district, of water transported and provided by means of such works

(i) The board of directors shall, within ninety (90) days from the date of the election authorizing the issuance of bonds, cause to be brought in the name of the district an action in the superior court of the county in which said district, or the greater portion of the property subject to taxation by said district, according to the most recent assessment, is located, to determine the validity of any such bonds and the sufficiency of the provision for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due and to constitute a sinking fund for the payment of the principal thereof on or before maturity. Such action shall be in the nature of a proceeding in rem, and jurisdiction of all parties interested may be had by publication of summons for at least once a week for three (3) weeks in some paper of general circulation published in the county where the action is pending, such paper to be designated by the court having jurisdiction of the proceedings Jurisdiction shall be complete within ten (10) days after the full publication of such summons in the manner herein provided. Anyone interested may at any time before the expiration of said ten (10) days appear and by proper proceedings contest the validity of such bonds and the sufficiency of the provision for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due and to constitute a sinking fund for the payment of the principal thereof on or before maturity. Such action shall be speedily tried and judgment rendered declaring such bonds to be valid or invalid, and declaring the provision for the collection of an annual tax for said purposes, to be sufficient or insufficient. Either party may have the right to appeal to the Supreme Court at any time within thirty (30) days after the rendition of such judgment, which appeal must be heard and determined within three months from the time of taking such appeal. After the expiration of ninety (90) days from the date of the election authorizing the issuance of bonds, no action may be brought to contest or question the validity of said bonds and proceedings in relation thereto or the sufficiency of the provision for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due and to constitute a sinking fund for the payment of the principal thereof on or before maturity. If there be more than one action or proceeding involving the validity of any of such bonds, or the sufficiency of the provision for the collection of an annual tax sufficient for the said purposes, they shall be consolidated and tried together. The court hearing any proceeding or action inquiring into the regularity, legality or correctness of the proceedings leading up to the issuance of bonds or the validity of such bonds or the sufficiency of such provision for the collection of an annual tax, must disregard any error, irregularity or omission which does not affect the substantial rights of the parties to said action or proceeding. The rules of pleading and practice provided by the Code of Civil Procedure, which are not inconsistent with the provisions of this act, are applicable to all actions or proceedings herein provided for. The motion for a new trial of any such action or proceeding must be heard and determined within ten (10) days from the filing of the notice of intention.

The costs on any proceeding or action herein provided for may be allowed and apportioned between the parties or taxed to the losing party, in the discretion of the court

(j) The board of directors shall fix such rate or rates for water furnished as will pay the operating expenses of the district, provide for repairs and depreciation of works owned or operated by such district, pay the interest on any bonded debt, and, so far as practicable, provide a sinking or other fund for the payment of the principal of such debt as the same may become due; it being the intention of this section to require the district to pay the interest and principal of the bonded debt from the revenues of such district, so far as practicable.

The board of directors shall annually fix a minimum charge for water to be collected from all the cities within the district, which such minimum charge shall be ascertained and declared by the board by appropriate resolution or ordinance not less than sixty (60) days prior to the commencement of each successive fiscal year. Said minimum charge for water shall be imposed against each and all of the cities within the said district during each of such fiscal years, which charge shall be proportionate as provided in section 6, (subsection 8) of this act. Said minimum charge shall aggregate an amount which shall be estimated by the board to be at least sufficient to pay the operating expenses of the district and provide for necessary repairs of works owned or operated by such district during the fiscal year for which such minimum charge is made. In the event that the prescribed water rates for any fiscal year shall be computed on a basis including the creation of a depreciation reserve therefrom, depreciation on the same basis shall be computed and included in the said minimum charge.

If, however, from any cause, the revenues of the district shall be inadequate to pay the interest or principal of any bonded debt as the same becomes due, the board of directors shall, at the time of fixing the tax levy and in the manner for such tax levy provided, levy and collect annually until said bonds are paid or until there shall be a sum in the treasury of the district set apart for that purpose sufficient to meet all sums coming due for principal and interest on such bonds, a tax sufficient to pay the annual interest on such bonds, or such part thereof as shall not be met from revenues of the district, and also sufficient to pay such part of the principal of such bonds as shall become due before the time when money will be available from the next general tax levy, or such portion thereof as shall not be met from revenues of the district; provided, however, that if the maturity of the indebtedness created by the issue of bonds be made to begin more than one year after the date of the issuance of such bonds, such tax shall be levied and collected at the time and in the manner aforesaid annually sufficient when added to revenues of the district available for that purpose to pay the interest on such indebtedness as it falls due and also to constitute, together with the revenues of the district available for such purpose, a sinking fund for the payment of the principal of such bonds on or before maturity. The taxes herein required to be levied and collected shall be in addition to all other taxes levied for district purposes and shall be collected at the time and in the same manner as other district taxes are collected and shall be used for no purpose other than the payment of such bonds and accruing interest.

(k) Coupon bonds issued hereunder, at the request of the holder, may be registered as to principal and interest in the holder's name on the books of the treasurer of the district, and the coupons surrendered and the principal and interest made payable only to the registered holder of the bond. For that purpose the treasurer of the district shall detach and cancel the coupons, and shall indorse a statement on the bonds that the coupon sheet issued therewith has been surrendered by the holder, and the coupons canceled by such treasurer, and that the principal and the semiannual interest are thereafter to be paid to the registered holder, or order, by draft, check or warrant drawn payable at a place of payment specified in the bond, after which no transfer shall be valid unless made on such treasurer's books by the registered holder, or by his attorney duly authorized, and similarly noted on the bond. After such registration, the principal and interest of such bond shall be payable only to the registered owner. Bonds registered under this paragraph may, with the consent of the district and the holders of the bonds, be reconverted into coupon bonds at the expense of the holder thereof, and again reconverted into registered bonds from time to time, as the board of directors of the district and the holders of the bonds may determine. In converting coupon bonds into registered bonds, coupon bonds may be exchanged for registered bonds of one hundred dollars ($100) each, or multiples thereof, but not exceeding fifty thousand dollars ($50,000) each, in which event new registered bonds shall be issued at the expense of the holder. Coupon bonds may be exchanged for other coupon bonds of one hundred dollars ($100) each, or multiples thereof, but not exceeding fifty thousand dollars ($50,000) each, in which event new coupon bonds shall be issued at the expense of the holder.

For each conversion or reconversion of a coupon or registered bond, the treasurer of the district shall be entitled to charge and collect such fee as the board of directors of the district may prescribe from time to time.

(1) All bonds heretofore or hereafter issued by any metropolitan water district shall be legal investments for all trust funds, and for the funds of all insurance companies, banks, both commercial and savings and trust companies, and for the State school funds, and for all sinking funds under the control of the State Treasurer, and whenever any moneys or funds may by law now or hereafter enacted be invested in, or loaned upon the security of, bonds of cities, cities and counties, counties, or school districts in the State of California, such moneys or funds may be invested in, or loaned upon the security of, the bonds of such metropolitan water district; and whenever bonds of cities, cities and counties, counties, or school districts, by any law now or hereafter enacted, may be used as security for the faithful performance or execution of any court or private trust or of any other act, bonds of such metropolitan water district may be so used."

Amendment No. 9.

On page 2, line 2, of the printed bill, after the word "Sec.", strike out the numeral "5", and insert in lieu thereof the numeral "4".

Amendment No. 10.

On page 2 of the printed bill, strike out line 4, and insert in lieu thereof the following:

"SEC. 8. (a) Immediately after equalization and not later than the fifteenth day of August of each year, it shall be the duty of the auditor of each county wherein such district or any part thereof shall lie, to prepare and deliver to the controller of the district a certificate showing the assessed valuation of all property within the district lying in the county, and also such assessed valuation segregated according to cities, the area of which lie within the district.

(b) On or before the twentieth day of August the board of directors of the district shall by resolution determine the amount of money necessary to be raised by taxation during the fiscal year beginning the first day of July next preceding and shall fix the rate of taxation of the district, designating the number of cents upon each one hundred dollars assessed valuation of taxable property in each county and shall levy a tax accordingly.

(1) Sufficient to meet interest and sinking fund requirements on all outstanding bonded indebtedness of said district; and sufficient to meet the payment of the principal and interest on any refunding bonds, or on any bonds the issuance of which may have been authorized by the electors, and which bonds have not been sold but which, in the judgment of the board of directors, will be sold prior to the time when money will be available from the next subsequent tax levy, and in case such bonds are not so issued and sold or such tax for any other reason is not required for said purpose, the tax so levied shall be applied to the payment of interest and/or principal on any refunding bonds, or on any bonds authorized by the electors, then outstanding or subsequently issued and/or sold; and

(2) For all other district purposes.

(c) The board of directors shall also cause to be computed and shall declare in said resolution the amount of money to be derived from the area of the district lying within each separate municipality by virtue of the tax levy. In such resolution the board shall also fix and determine the times and proportional amounts of installments in which any city may elect to make payment in lieu of taxes as hereinafter provided. The board shall immediately cause certified copies of such resolution to be transmitted to the presiding officer of the governing body of each such city.

(d) On or before the twenty-fifth day of August of each year the governing body of each such city may elect to pay out of the municipal funds all or any portion of the amount of tax which would otherwise be levied upon property within such city. Such election shall be made by order upon motion, which order shall recite that such payment shall be made in cash concurrently with the certification of such order to the controller of the district, or that such payment shall be made in installments and the times wherein such installments shall be payable and the amounts thereof, which amounts shall be in accordance with the requirements of the board of directors of the district as approved by resolution. In the event that any city shall elect to pay in cash, or by deferred installments, money or any part thereof which would otherwise be levied upon property within the city, it shall immediately certify to the controller of the district a copy of such order and a statement showing its financial condition, the funds from which such payments shall be made and the sources of revenue to be used therefor. Provided, however, that in the event any city shall elect to pay in cash all or any portion of the amount of tax which would otherwise be levied upon property within such city to meet interest and sinking fund requirements on the outstanding bonded indebtedness of said district, such amount so elected to be paid shall be deposited with the treasurer of said district on or before the twenty-seventh day of August next following such election; and provided, also, that unless such payment is so made in the case of interest and sinking fund requirements, and unless such election, as to all other taxes, shall provide for payments in accordance with the resolution of the board of directors as hereinbefore provided for, then such election shall be ineffective for any purpose.

(e) Before the first day of September the controller of the district shall cause to be prepared and transmitted to the auditor of each county in which the district shall lie, a statement showing the tax rate to be applied to assessed property in each city,

which rate shall be the rate fixed by resolution of the board of directors modified to the extent necessary to produce from each city only the amount of money apportioned thereto in said resolution, less any amount paid or undertaken to be paid by such city, or credited thereto as herein provided, but if any fraction of a cent occur, it must be taken as a full cent on each one hundred dollars

(f) Upon receipt by the auditor of each county wherein such district, or any part thereof, shall lie, of a certified copy of the controller's statement showing the tax rate to be applied to assessed property in each city, and showing the cities, the assessed property in which is exempt therefrom, if any, it shall be the duty of the county officers to collect taxes for the benefit of the district at the rate specified as herein provided. The taxes so levied shall be computed and collected at the time and in the manner required by law for the computation and collection of taxes for county purposes, and the property subject to such tax shall be subject to the same penalties for delinquency, and the same provisions of law relating to the sale of property for nonpayment of county taxes and redemption thereof shall apply to the tax herein authorized. When so collected, such taxes shall be paid over to the treasurer of the district, subject to the deduction herein authorized

In consideration of services rendered hereunder, any county shall annually be entitled to deduct and withhold an amount not exceeding one per cent on the first twenty-five thousand dollars collected hereunder, and one-fourth of one per cent of any amount in excess of twenty-five thousand dollars collected hereunder. The board of supervisors of each such county may provide such extra help as in their judgment may be necessary for the proper performance of duties hereunder.

(g) Whenever any real property situated in any district organized hereunder and upon which a tax shall have been levied, as herein provided, shall be sold for taxes and shall be redeemed, the money paid for such redemption, except advertising costs, shall be apportioned and paid in part to such district in the proportion which the tax due to such district shall bear to the total tax for which such property shall have been sold. All taxes levied under the provisions of this act shall be a lien upon the property upon which levied, and the enforcement of the collection of such tax shall be had in the same manner and by the same means as is or shall be provided by law for the enforcement of liens for State and county taxes, and all of the provisions of law relating to the enforcement of such taxes are hereby made a part of this act so far as applicable

(h) Cities, the areas of which are included within metropolitan water districts incorporated hereunder, are hereby authorized to pay to such districts, out of funds derived from the sale of water or other funds not appropriated to some other use, such amounts as may be determined upon by the governing bodies, or other bodies, boards, commissioners or officers having control of such funds, thereof, respectively. Such payments may be made in avoidance of taxes as herein provided, or otherwise, and shall not be deemed gratuitous or in the nature of gifts, but shall be deemed payments for water or services in connection with the distribution of water. Any city making any such payment to any district incorporated hereunder, whether in avoidance of taxes or otherwise, shall receive credit therefor and the amount of the payment so made by any city shall be deducted from the amount of taxes which would otherwise be levied against property lying therein as herein provided. In the event that payment so made by any city shall exceed the amount of taxes which would otherwise have been levied against property within such city, the amount of such excess without interest shall be carried over and applied in reduction of taxes levied, or which would otherwise have been levied during the ensuing year or years. Any city, or body, board, commission or officer thereof having control of funds, which shall have incurred expenses (for which such funds have been, or will be, expended) in the investigation of or preliminary work upon any works or projects taken over by the district, may receive, and the district so taking over any such works or projects may make to such city, body, board, commission or officer thereof, reimbursement for all such sums so expended, or to be expended, for expenses incurred in such investigation of or preliminary work upon the works or projects so taken over by the district, to the extent that the board of directors of the district shall find that such expenditures have benefited such district, it being the intention of this provision to permit the district to purchase, and the city or body, board, commission or officer thereof, to sell, such works or projects taken over by such district, and for which such city, body, board, commission or officer thereof, has no further use or need. The sum so to be paid by such district to such city or body, board, commission or officer thereof, shall be mutually agreed upon, and if the expenses, for which such reimbursement is to be made by the district, shall have been incurred by a body, board, commission or officer, of the city, having control of the funds so expended, or to be expended, for such expenses, then the district shall pay such sum to said body, board, commission or officer, or if ordered so to do by such body, board, commission or officer, the district shall pay such sum to the city.

As an alternative to the purchase and sale of any works or projects taken over by the district, as hereinabove provided, any city, or body, board, commission or officer thereof having control of funds, which shall have incurred expenses for which such funds have been, or will be, expended in the investigation of or preliminary work upon any such works or projects taken over by the district, may certify

the amount thereof, without interest, to the board of directors of said district at any time within four (4) years from the date of the incorporation of such district, or the incurring of such expenses, if such district be already incorporated, and if allowed by the board of directors, such amount shall be credited to the city, which itself, or whose body, board, commission or officer, incurred the same, and such expenditures shall be considered as a payment of money made as herein provided for which deduction shall be made from the amount of taxes which would otherwise be levied against property lying within such city.

Any city which shall incur expenses in preliminary work in preparing for the incorporation of or in the incorporation of any district hereunder likewise may certify the amount thereof, without interest, to the board of directors of said district at any time within four (4) years from the date of the incorporation of such district, and if allowed by the board of directors, such amount shall be credited to the city incurring the same, and shall be considered as a payment of money made as herein provided, for which deduction shall be made from the amount of taxes which would otherwise be levied against property lying within such city.

No such payments of money made in avoidance of taxes or otherwise, or such credit allowed by such board of directors, as hereinabove provided, shall apply to reduce the amount of taxes which would otherwise be levied against the property within such cities respectively, to meet interest and sinking fund requirements on outstanding bonded indebtedness or such district.

Such certification and allowance shall be made on or before the first Monday in July, and the amount of money to be raised by taxation shall be computed with reference to the credit to be allowed as herein provided, but such credit may, in the discretion of the board of directors, be considered in connection with the amount of money to be raised by the next tax levy, or may be spread over subsequent years, not to exceed five.

(i) If any city shall fail to comply with the terms of the order relating to payments to be made to the district in lieu of taxation, or if any city shall fail, refuse or neglect to pay for water furnished, or to pay the minimum charge or other charges imposed under this act, within the time, and in the manner and under the terms specified by the board of directors, or if any city annexed to the district shall fail to comply with the terms and conditions fixed by the board of directors and upon which such annexation occurred, the amount of the delinquency, plus a penalty of eight per cent shall be added to the taxes to be collected during the ensuing fiscal year, from the property within such delinquent city, and thereafter for a period of two (2) years no order or ordinance shall be sufficient to exempt the property in said city from taxation hereunder unless it be accompanied by payment in cash of the amount which would otherwise be collected from owners of property within the city, together with all moneys due but unpaid under any previous order, or annexation provision."

Amendment No. 11.

On page 2 of the printed bill, strike out all of lines 5 to 16, inclusive

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 740—An act to amend sections 2, 3 and 5 of an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, as amended, relating to the allocation and expenditure of State highway funds and the construction, improvement, illumination and maintenance of highways.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "2, 3 and 5 of an act entitled "An act", and strike out all of lines 2 to 7, inclusive, of the title, and insert in lieu thereof the following: "27, 183, 186, 190, 191, 193, 196 and 1622 of the Streets and Highways Code, relating to the".

Amendment No. 2.

On page 1, line 8 of the title of the printed bill, strike out "State".

Amendment No. 3.

On page 1, line 1, of the printed bill, strike out everything except "SECTION 1.", and strike out all of lines 2 to 19, inclusive, and strike out all of pages 2 to 6, inclusive, of the printed bill, and insert in lieu thereof the following:

"Section 27 of the Streets and Highways Code is hereby amended to read as follows:

27. As used in the general provisions and in Divisions I and II of this code, and particularly with reference to the expenditure of State highway fund money, "maintenance" includes:

(a) The preservation and keeping of rights of way, and each type of roadway, structure, and facility, in the safe and usable condition to which it has been improved or constructed, but does not include reconstruction or other improvement.

(b) The necessary provision for special safety conveniences and devices

(c) The general utility services such as roadside planting.

(d) The special or emergency maintenance or repair necessitated by accidents or by storms or other weather conditions, slides, settlements or other unusual or unexpected damage to a roadway, structure or facility.

(e) Illumination of highways.

SEC. 2. Section 183 of the Streets and Highways Code is hereby amended to read as follows:

183. With the exception of money authorized by law to be deposited in the State highway general fund, all money available for the acquisition of real property or interests therein for State highways, or for the construction, maintenance, illumination or improvement of State highways or highways in State parks shall be deposited in the State highway fund. The moneys in said fund are appropriated and shall be allocated and expended for the purposes and in the manner provided in this code.

SEC. 3. Section 186 of the Streets and Highways Code is hereby amended to read as follows:

186. For general administration and for maintenance, the department and the commission shall be limited in expenditures, out of the money available each year in the State highway fund, to an amount not exceeding the net revenue derived from one cent per gallon tax on motor vehicle fuel. Of that amount the department shall expend such proportion as the commission determines is necessary for each of the following.

(a) General administration purposes

(b) Maintenance and illumination of all State highways, including all traversable highways between the termini of and approximately on authorized State highway routes.

(c) Maintenance and illumination of highways in State parks.

SEC. 4. Section 190 of the Streets and Highways Code is hereby amended to read as follows:

190. (a) In the event the commission determines that the amount of money required to be allocated from the State highway fund to the primary State highways in either county group is larger than is necessary adequately to meet traffic requirements, then the department may, on the authorization of the commission, expend not more than fifty per cent of the money thus allocated to the primary highways in such county group, upon the secondary highways in the same county group.

(b) In the event the commission determines that the cost of constructing, illuminating or improving the primary highways in either county group is greater than can be met by the money required to be allocated to such primary highways, then the department may, on the authorization of the commission, expend not more than fifty per cent of the money, allocated to the secondary highways in such county group, upon the primary highways in the same county group

SEC 5. Section 191 of the Streets and Highways Code is hereby amended to read as follows:

191. As a further flexible provision with respect to the expenditure of money allocated to primary and secondary State highways from the State highway fund, the department in constructing, improving, illuminating or maintaining highways within cities within a particular county group may, on the authorization of the commission, expend for such purposes money allocated to either the primary or secondary State highways in such county group.

SEC. 6. Section 193 of the Streets and Highways Code is hereby amended to read as follows:

193. The State highway fund money allocated and available each year for primary and secondary State highways respectively, shall be expended by the department:

(a) On the locations determined by the commission, to acquire the necessary real property or interests therein for, and to construct, illuminate or improve to standards justified by traffic requirements, the primary and secondary State highways, respectively, in the State highway system.

(b) To construct, illuminate or improve highways in State parks in the manner provided by law

SEC 7. Section 196 of the Streets and Highways Code is hereby amended to read as follows.

196. The money from the State highway fund allocated to each city shall be expended upon State highways within such city. In the discretion of the department, such expenditures may be made first for acquisition of any real property or interest therein, or for the construction, illumination, improvement or maintenance of State highways within such city. Not over 3 per cent of such money allocated to any city shall be expended for illumination.

In the event that the amount of money allocated to any one city is greater than is necessary to maintain, illuminate and improve to adequate standard all State highways within such city, then any surplus amount accruing to such city shall be expended for the acquisition of any real property or interest therein for, or for the construction, illumination, improvement or maintenance of, such other streets of major importance within the city as are agreed upon by the department and the governing body of such city.

SEC. 8. Section 1622 of the Streets and Highways Code is hereby amended to read as follows:

1622. All amounts paid to each county, out of money derived from motor vehicle fuel license taxes and vehicle registration license fees imposed by the State, shall be deposited in a "special road improvement fund" which each board of supervisors shall establish for that purpose. Except as otherwise provided in this article, such money shall be expended by the county receiving it exclusively in the construction, maintenance, illumination or improvement of county highways, bridges or culverts in that county. Not over 3 per cent of such moneys shall be expended for illumination."

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2408—An act to add a new section to the Code of Civil Procedure to be numbered 349¾, relating to the limitation of the time within which actions, for trespass, use or occupancy of real property by oil or gas wells, and for damages by reason thereof, and for the conversion or for the taking or removing of oil, gas or other liquid or fluids by means of any such well, may be commenced, and defining oil and gas for the purposes of this act.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 7 of the title of the printed bill, after the comma after the word "commenced", insert the following: "fixing the measure of damages in certain of such cases,".

Amendment No. 2.

On page 2 of the printed bill, after the paragraph ending in line 3, insert a new paragraph to read as follows:

"In all cases where oil or gas has been heretofore or is hereafter extracted from any existing or subsequently drilled well in this State, by a person without right but asserting a claim of right in good faith or acting under an honest mistake of law or fact, the measure of damages, if there be any right of recovery under existing law, shall be the value of the oil or gas at the time of extraction, without interest, after deducting all costs of development, operation and production, which costs shall include taxes and interest on all expenditures from the date thereof."

Amendment No. 3.

On page 2, line 42, of the printed bill, strike out the period, and insert in lieu thereof a semicolon and the following: "that public policy and the welfare of the people require the measure of damages to be as above provided, in all cases where the invasion of the rights of another person has heretofore been or shall hereafter be by reason of any honest mistake of law or fact, either by the departure of a well from the vertical or otherwise"

Amendment No. 4.

On page 2 of the printed bill, between lines 11 and 12, insert the following "The limitations prescribed by this section shall not apply to rights of action or actions to be brought in the name of or for the benefit of the people of this State, or of any county, city and county, city or other political subdivision of this State."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1725—An act to amend the State Bar Act.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "amend", insert the following: "sections 47 and 49 of".

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, after "Act", insert the following: "relating to practice of law".

Amendment No. 3.

On page 1, line 1, of the printed bill, after "Section 1.", insert the following: "Section 47 of the State Bar Act is hereby amended to read as follows

Sec. 47. No person shall practice law in this State subsequent to the first meeting of the State Bar unless he shall be an active member thereof as hereinbefore defined; provided, that in actions in Class B justices' courts, any person except the constable by whom the summons or jury process was served may act as attorney for any party.

SEC. 2. Section 49 of the State Bar Act is hereby amended to read as follows:

Sec. 49. Any person who, not being an active member of the State Bar or who after he has been disbarred or while suspended from membership in the State Bar, as by this act provided, shall practice law, shall be guilty of a misdemeanor, provided, however, that this section shall not apply to persons acting as attorneys in actions in Class B justices' courts."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1185—An act authorizing the Board of State Harbor Commissioners to make application for the privilege of establishing, maintaining and operating a foreign trade zone on the property under the jurisdiction and control of said board on the water front of San Francisco, and to establish, maintain and operate such zone, pursuant to the act of Congress of June 18, 1934, Chapter 590.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 660—An act authorizing public and private corporations of and in the State of California to make applications for the right to establish, operate and maintain, and to establish, operate and maintain foreign-trade zones in or adjacent to ports of entry in this State.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 549—An act granting certain submerged lands and tidelands of the State of California to the city of Oakland, including the management, use and control thereof.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 20, of the printed bill, as amended, after the words and figures "May 4th, 1852", insert the following: ", as said low tide line may have come to rest under natural conditions through erosions and accretions prior to artificial changes;".

Amendment adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1323—An act to regulate the sale, purchase, transportation and marketing of poultry and to provide a penalty for the violation thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "to", strike out "regulate", and insert in lieu thereof the following: "add Article 3a to Chapter I of Division III of the Agricultural Code, relating to".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, as amended, after "poultry", insert a period, and strike out the balance of line 2, and all of line 3.

Amendment No. 3.

On page 3 of the printed bill, as amended, between lines 4 and 5, insert the following:

"SECTION 1. Article 3a is hereby added to Chapter 1 of Division III of the Agricultural Code to read as follows:

Article 3a. Sale and Transportation of Poultry."

Amendment No. 4.

On page 3 of the printed bill, as amended, strike out line 5, and insert in lieu thereof the following: "379. The provisions of this article shall apply to".

Amendment No. 5.

On page 3 of the printed bill, as amended, strike out lines 9 to 11, inclusive, and insert in lieu thereof the following: "379.1. As used in this article, (a) "dealer" includes any person operating as a poultry retailer,".

Amendment No. 6.

On page 3 of the printed bill, as amended, strike out lines 14 and 15, and insert in lieu thereof the following: "(b) "Poultry" includes chickens, ducks, geese, turkeys and all other".

Amendment No. 7.

On page 3 of the printed bill, as amended, strike out line 17, and insert in lieu thereof the following: "(c)" Place of business" includes any place".

Amendment No. 8.

On page 3 of the printed bill, as amended, strike out lines 22 to 34, inclusive, and insert in lieu thereof the following:

"379.2. Any person, carrier, or transportation company receiving for transportation or transporting any poultry shall at all times keep a correct record showing the point or origin and destination of any shipment of poultry, the names and addresses of the shipper and consignee, and the kind and quantity of poultry transported.

379.3. Any person offering poultry for shipment shall furnish a statement of ownership or right of possession of such poultry, which statement shall be kept as part of the record of the person, carrier or transportation company transporting such shipment.

379.4. Any dealer or person handling poultry for resale shall make and retain a record showing the origin, ownership and right of possession of such poultry and the name and address of the seller or shipper of the same."

Amendment No. 9.

On page 3, line 35, of the printed bill, as amended, strike out "Sec 4.", and insert in lieu thereof the following: "379.5."

Amendment No. 10.

On page 3, line 37, of the printed bill, as amended, strike out "officer", and insert in lieu thereof the following: "officers".

Amendment No. 11.

On page 3, line 39, of the printed bill, as amended, strike out "act", and insert in lieu thereof the following: "article, and seize said shipment. The carrier from whom such shipment is taken shall not be liable or responsible to the owner, shipper, or consignee for such seizure."

Amendment No. 12.

On page 3, line 40, of the printed bill, as amended, strike out "Sec. 5.", and insert in lieu thereof the following: "379.6."

Amendment No. 13.

On page 3, line 42, of the printed bill, as amended, strike out "act", and insert in lieu thereof the following: "article".

Amendment No. 14.

On page 3, line 44, of the printed bill, as amended, strike out "($100.00)".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 896—An act to amend sections 479, 508, 510, 581, 585, 590, 591, 593, 632, and 673 of the Agricultural Code, relating to dairies and dairy products.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 1532—An act to amend the Political Code by amending sections 3466a and 3491, relating to reclamation districts.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, add to the beginning of line 2 of the title, the following: "3456,".

Amendment No. 2.

On page 2, line 47, of the printed bill, after the word "canceled", insert the following: ", and to the payment of any call of any maintenance assessment on any tract of land theretofore bought in by county treasurer as trustee of the district for a delinquent installment of any assessment theretofore levied on any such tract of land and then remaining unsold by said county treasurer".

Amendment No. 3.

On page 2, line 52, of the printed bill, after the phrase "the same", insert the following: "and less the amount required to pay any called or delinquent installment of any maintenance assessment on any tract of land which has been theretofore bought in by the said county treasurer for the payment of any delinquent installment of any assessment theretofore levied on any such tract of land, and then remaining unsold by such county treasurer".

Amendment No. 4.

Add a new section to the printed bill, to wit: section 3, to read as follows:

"SEC. 3. Section 3456 of the Political Code is hereby amended to read as follows:

Sec. 3456. (a) If such reclamation district is located, in whole or in part, within the Sacramento and San Joaquin Drainage District, then if and when the said Reclamation Board shall have approved the plan or plans of the works of reclamation, after a hearing as provided in section 3455 of this code, then the board of trustees of the reclamation district shall so report to the board of supervisors of the county within which the district or the greater part thereof is situate, and shall set forth in their said report the estimated cost of the said works of reclamation, and petition the said board of supervisors to appoint three commissioners who shall have no interest in any real estate within said district, each of whom, before entering upon his duties, shall make and subscribe an oath that he is not in any manner interested in any real estate within said district, directly or indirectly, and that he will perform the duties of a commissioner to the best of his ability. Upon receipt of said petition from the board of trustees the board of supervisors to whom the same was presented must within not more than sixty days appoint said assessment

commissioners above referred to Said commissioners must view and assess upon the land within said district the said sum so estimated and shall apportion the same according to the benefits that will accrue to each tract of land in said district, respectively, by reason of the expenditures of said sums of money, and shall estimate the same in gold coin of the United States. The sums must be collected and paid into the county treasury as hereinafter provided, and be placed by the treasurer to the credit of the district, and paid out for the works of reclamation upon the warrants of the trustees, approved by the board of supervisors, or, if bonds of such district have been issued upon said assessment, then said treasurer shall set the same apart as a separate fund for the purpose of paying the principal and interest of such bonds, and shall not pay any part of the moneys received from such assessment for any purpose other than the payment of the principal and interest of such bonds

(b) In all cases when the work contemplated by the original or any supplemental plan of reclamation of any reclamation district shall have been completed, the trustees may so report to the board of supervisors of the county in which the district, or the greater part thereof, is situate, together with a petition to the said board of supervisors to appoint assessment commissioners. Said report and petition shall set forth that the work contemplated by the original or supplemental plan of reclamation has been completed, and that hereafter the said reclamation district will only require funds for the maintenance and repair of the said works of reclamation. Upon filing said report and petition the said board of supervisors shall appoint three commissioners, each of whom shall be similarly qualified, and shall make and subscribe the same oath as is provided hereinabove for commissioners

When so appointed and so qualified such commissioners shall prepare an assessment list, which list shall contain the following information in separate columns.

1. A description of each tract assessed by legal subdivisions, swamp land surveys, or other boundaries sufficient to identify the same

2. The number of acres in each tract.

3 The names of the owners of each tract, if known; and if unknown, that fact, but no mistake or error in the name of the owner or supposed owner of the property assessed, and no mistake in any other particular, shall render the assessment thereof invalid.

4 The assessment valuation per acre of each tract assessed.

5. The total assessment valuations of each said tract

6. A blank column for rate to be fixed as shown hereinafter.

7. A blank column for amount of assessment to be computed as shown hereinafter

Thereafter said assessment valuations shall be used as a basis for assessments in raising funds for the maintenance and repair of the works of reclamation and incidental expenses of said district Said assessment list, when completed shall be filed with the clerk of the board of supervisors in the same manner as a report made under an original or modified plan of reclamation

Thereupon the said board of supervisors shall appoint a time when it will meet for the purpose of hearing objections; said objections, if any, must be in writing, verified and filed with the clerk of said board of supervisors Notice of the said hearing shall be given in the same manner and for the same time as notice of hearing objections to an original assessment. At said hearing, the board of supervisors shall hear such evidence as may be offered in support of said written objections, and may modify or amend the said assessment valuations in any particular No objections to said assessment valuations shall be considered by the board of supervisors, or allowed in any other action or proceeding, unless said objections shall have been made in writing to the board of supervisors before the date of such hearing

Any person aggrieved by the decision of the board of supervisors may commence an action in the superior court of the county in which the greater part of the said district is situate, to have said assessment valuations corrected, modified or annulled. Such action must be commenced within thirty days after said assessment valuations have been approved by the board of supervisors It said action shall not be commenced within thirty days, no action or defense shall thereafter be maintained attacking the legality of said assessment valuations in any respect

Thereafter, whenever, in the opinion of the trustees of the district, it shall be necessary to raise any sum for the construction, maintenance or repair of the works of reclamation, or for the incidental expenses of the district, the said board of trustees shall make an order, which order shall be entered in the minutes of the board and shall recite the total amount necessary to be raised and shall fix a rate designating the number of cents to be levied on each one hundred dollars of assessment valuation shown on the list prepared and approved in the manner hereinabove provided Incidental expenses, as used in this section and in section 3480a of the Political Code are hereby declared to include, among other things, the difference in amount between the par value of refunding bonds sold pursuant to section 3480a of this act and the amount less than par for which said bonds may be sold, and also the amount necessary to be made available for the payment of interest upon said refunding bonds directed to be sold from the date of sale thereof to the date of maturity of the bonds to be refunded out of the proceeds of such sale

Thereafter the board of trustees must complete said assessment list by inserting the rate and the total assessment in columns six and seven as provided therefor

The assessment made in pursuance hereof shall be filed with the county treasurer and thereafter collected in the same manner provided for the collection of any original assessment, provided, however, that the board of trustees may, in their discretion, direct the payment of any such assessment in one installment.

The money so collected shall be placed by said county treasurer in which the greater portion of said district is situated, to the credit of said district in a separate fund to be designated "Maintenance fund" of such district, and be paid out or disbursed only in payment of said costs of such maintenance, repairs, and incidental expenses thereof and only upon orders or warrants of the trustees of the district issued or drawn in payment of the cost or expense of such maintenance and repair of the works of reclamation of such district, and incidental expenses thereof as aforesaid and all orders or warrants so issued or drawn on such fund shall designate the said fund from which they are drawn and are to be paid, and shall not be required to be in the form specified in section 3457 of the Political Code; and warrants or orders issued or drawn by the trustees on said maintenance fund shall be presented to the said county treasurer of said county, and if there be insufficient money in said fund to pay the same, indorsement of that fact must be made thereon by said county treasurer, and any such warrant not paid for want of funds at the time it is presented shall be registered by said county treasurer separately from other warrants of the district and shall thereafter bear interest from their date at the rate of seven per cent per annum until paid, and be payable only from said maintenance fund, and in the order of their registration; and all of the provisions of section 3457 of the Political Code as to the payment or renewal of warrants shall be applicable to said warrants.

The report of assessment commissioners as herein provided, fixing the assessment valuations for reclamation purposes, after having first been approved by the board of supervisors as hereinabove provided, shall continue in force as the basis for raising necessary funds for construction, maintenance and repair of the works of reclamation, and for incidental expenses of the district until the trustees of said district, or the holders of title or evidence of title representing fifteen per cent or more of the lands within the district, shall petition said board of supervisors to make an order directing the commissioners who made the original assessment list or other commissioners, to be named in such order to prepare a new assessment list. Such commissioners must have the same qualifications and take the same oath as the original assessment commissioners.

The assessment list when so prepared by said commissioners shall be filed with the clerk of the board of supervisors, and shall thereafter in all respects be subject to the same provisions as an original assessment list. All provisions of this code relating to collection of unbonded assessments and sale of land for delinquent assessments, and for sale, leasing and other disposition of land as in section 3466a of this code provided, shall be applicable to assessments levied in accordance with the provisions of this section."

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 2368—An act to amend sections 5, 13, 65, 78, 83, 85, 86, 100, 101 and 109 of, and to add sections 28a, 65a, 65b, 65c, 65d, 83a, 85a, 100a and 100b to an act entitled "An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to retirement of members of the California Highway Patrol.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 4, line 16, of the printed bill, as amended, strike out "SEC. 8", and insert in lieu thereof the following: "SEC. 7"

Amendment No. 2.

On the insert facing page 7 of the printed bill, as amended, in line 44 of the second column from the left thereof, strike out "5.79", and insert in lieu thereof, in the same line and column, the following: "5.69".

Amendment No. 3.

On page 7, line 3, of the printed bill, as amended, strike out "in the", and insert in lieu thereof the following: "in".

Amendment No. 4.

On page 9, line 26, of the printed bill, as amended, strike out "is an", and insert in lieu thereof the following: "if an".

Amendment No. 5.

On page 9, lines 42 and 43, of the printed bill, as amended, strike out "Department of Industrial Relations", and insert in lieu thereof the following "Industrial Accident Commission".

Amendment No. 6.

On page 9, line 26, of the printed bill, as amended, strike out "is", immediately following the word "amount".

Amendment No. 7.

On page 4, line 16, of the printed bill, as amended, strike out "8", and insert in lieu thereof the following: "7".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 2416—An act to regulate the caravaning of motor vehicles upon the public highways of this State, defining the term "caravaning" and providing for the licensing of motor vehicles in caravan and imposing penalties for violation thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 22, of the printed bill, after the word "legible", add: "It shall be unlawful to operate three or more vehicles or groups of vehicles in caravan unless a space of at least one hundred fifty feet shall at all times be maintained between each vehicle or group of vehicles being so caravaned."

Amendment No. 2.

On page 1, line 26, of the printed bill, strike out the word "fifty", and insert the word "twenty-five".

Amendment No. 3.

On page 2, line 35, of the printed bill, strike out the word "accordingly", and insert in lieu thereof the following: "toward the expense of administering and enforcing this act and the added expense of policing the highways over which such caravaning may be conducted and providing for the safety of other traffic thereon".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1654—An act to amend sections 459, 465 and 471 of, and to add a new section to be numbered 466 to, the Vehicle Code, relating to highways and the regulation thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 12, of the printed bill, as amended, after "or", insert the following: "electrically controlled".

Amendment No. 2.

On page 1, line 13, of the printed bill, as amended, after "other", insert the following: "electrically controlled".

Amendment No. 3.

On page 2, line 8, of the printed bill, as amended, strike out "(c).".

Amendment No. 4.

On page 2 of the printed bill, as amended, strike out line 35, and insert in lieu thereof the following: "(b) Local authori-".

Amendment No. 5.

On page 2 of the printed bill, as amended, between lines 40 and 41, insert the following:

"(c) Before any electrically controlled semaphore or other electrically controlled signaling device is erected within a city so as to affect traffic on a State highway by either the local authorities or by the Department of Public Works under the provisions of this section, at least thirty days written notice thereof shall be given to the local authorities by the department or by the local authorities to the department, as the case may be."

Amendment No. 6.

On page 3, line 1, of the printed bill, as amended, strike out "(c)", and insert in lieu thereof the following: "(d)".

Amendment No. 7.

On page 3, line 4, of the printed bill, as amended, strike out "(d)", and insert in lieu thereof the following: "(e)".

Amendment No. 8.

On page 3 of the printed bill, as amended, strike out lines 12 to 19, inclusive, and insert in lieu thereof the following:

"466. No local authority, except by permission of said department shall erect or maintain any stop sign in such manner as to".

Amendments adopted.

Bill read second time, ordered to reprint, re-re-engrossment, and third reading.

Assembly Bill No. 1266—An act to amend section 621 of the Vehicle Code, relating to rear lights on motor vehicle trailers, and semitrailers

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out the words "rear lights on motor vehicles", and insert in lieu thereof the following: "reflex reflectors on commercial vehicles".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 3 to 26, inclusive, and insert in lieu thereof the following:

"621 (e) On and after November 1, 1935, every commercial vehicle and every vehicle which is being drawn at the end of a train of vehicles at the times specified in section 618 hereof, except as otherwise provided in subsection (d), shall be equipped with a fixed red reflex reflector mounted on the rear thereof at a height not to exceed forty-two inches nor less than twenty-four inches, and which shall be so designed and maintained as to be visible at night from all distances within five hundred feet from such vehicle when directly in front of a motor vehicle displaying lawful lighted headlamps not depressed, under normal atmospheric conditions. All reflectors as herein required shall meet the same specifications as provided in subsection (d)

No person shall operate on any public highway any vehicle subject to the provisions of this section during the times specified in section 618 unless the same is equipped with a reflector or reflectors conforming to the provisions of this code"

Amendment No. 3.

On page 2 of the printed bill, strike out all of lines 1 to 22, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1963—An act relating to licensing and taxing of vehicles, including certain license taxes based upon weight and value in lieu of taxation according to value, and providing for the administration and enforcement thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out the word "taxes", and insert in lieu thereof the word "fees".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out "weight and".

Amendment No. 3.

On page 1, line 3, of the printed bill, strike out the word "tax", and insert in lieu thereof the word "fee".

Amendment No. 4.

On page 1, line 5, of the printed bill, strike out the words "weight and", and insert in lieu thereof the words "actual market"

Amendment No. 5.

On page 1, line 5, of the printed bill, strike out the period after the word "vehicle", and insert in lieu thereof the following: "and shall be paid to the Department of Motor Vehicles at the time of registration of all vehicles subject to registration under the Vehicle Code."

Amendment No. 6.

On page 1 of the printed bill, strike out all of lines 6 to 23, inclusive, and insert in lieu thereof the following:

"SEC. 3. The annual amount of such license fee shall be one and three-quarters per cent (1¾%) of the actual market value of each motor vehicle, trailer and semi-trailer as determined by the Department of Motor Vehicles, but in no case shall the annual fee be less than one and 20/100 dollars ($1.20) The department annually shall compile and publish a list showing the market values as determined by it of each class of vehicles subject to the license fee hereby imposed, such vehicles being classified by make, type and year of manufacture."

Amendment No. 7.

On page 2 of the printed bill, strike out all of lines 4 to 50, inclusive, and insert in lieu thereof the following:

"SEC. 5 If there be no delinquency the amount of license fee imposed by this act shall be reduced by one-twelfth for each month which shall have lapsed since the beginning of each year for vehicles registered after the end of January of any year, provided, however, that no additional license fee shall be imposed upon any vehicle upon the transfer of ownership of such vehicle if the license fee on such vehicle has already been paid for the year in which transfer of ownership occurs

SEC 6 Whenever any vehicle is operated upon any highway of this State without the license fee having first been paid as required by this act, such fee is delinquent

If such fee is not paid within thirty days after the same becomes delinquent, a penalty equal to such fee shall be added thereto and be collected therewith.

Every license fee and any penalty added thereto, from the date the same become due, constitute a lien upon the vehicle for which due.

The department shall collect such fee and any penalty by seizure of such vehicle from the person or persons in possession thereof, if any, and by the sale of such vehicle The seizure and sale herein authorized shall be conducted and carried out by the department in the same manner as is provided by law for the seizure and sale of personal property by the assessor for the collection of taxes due on personal property.

SEC 7. All moneys collected by the Department of Motor Vehicles under the terms of this act shall be reported daily to the State Controller and at the same time deposited with the State Treasurer for credit to the general fund of the State"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 2354—An act to amend sections ------ of the Vehicle Code.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after the word "sections", add the following: "146 and 154".

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, after the word "code", strike out the period and add the following: ", and to add sections 146 5, 180 5, and 371 5 to said Vehicle Code, all relating to vehicles previously registered outside this State, and the registration and transfer thereof within this State"

Amendment No. 3.

On page 1, line 1, of the printed bill, after the word, figure and period "SECTION 1", add the following: "Section 146 of the Vehicle Code is hereby amended to read as follows

146 Application for Registration of Vehicle Previously Registered Outside This State Upon application for registration of a vehicle previously registered outside this State, the application shall be verified and shall also state such fact and the time and place of the last registration of such vehicle outside this State and the name and address of the governmental officer, agency, or authority making such registration, together with such further information relative to its previous registration as may reasonably be required by the department, including the time and place of original registration, if known, and if different from such last foreign registration, and the applicant shall surrender to the department all license plates, seals, certificates or other evidence of foreign registration as may be in his possession or under his control.

SEC 2 Section 154 of the Vehicle Code is hereby amended to read as follows:

154 Distinctive Certificate and Card for Vehicles Previously Registered Outside This State The certificate of ownership and registration card issued upon registration of a vehicle previously registered outside this State and every renewal or reissue thereof shall also give the time and name of the State or country in which such vehicle was last previously registered outside this State, and shall give the date of the original registration, if known, and if different from such last foreign registration, and shall be distinguishable by a different color from the certificate of ownership and registration card issued for other vehicles registered hereunder.

SEC. 3 Section 146 5 is hereby added to the Vehicle Code, to read as follows

146 5 Notice of Application for Registration of Vehicle Previously Registered Outside This State The department shall forthwith mail a notice of the filing of any application for registration of a vehicle previously registered outside this State to the governmental officer, agency, or authority which made the last registration of such vehicle outside this State. Such notice must contain like data as required on the application filed with the department. No vehicle previously registered outside this State shall be registered in this State nor shall the department issue any certificate of ownership, registration card, nor license plate or plates hereunder therefor prior to the expiration of ninety days from the day on which the application for registration thereof hereunder is filed with said department.

SEC 4. Section 180 5 is hereby added to the Vehicle Code, to read as follows:

180.5 Restriction on Transfer of Vehicle Previously Registered Outside This State. Neither the title to nor any interest in any vehicle previously registered outside this State shall be transferred within this State by any person, whether dealer, manufacturer, or private individual, unless such vehicle is then registered in this State under the provisions of this code

SEC 5 Section 371 5 is hereby added to the Vehicle Code, to read as follows:

371 5. Additional Registration Fee for Vehicle Previously Registered Outside This State. In addition to the registration fee specified in section 370 and any weight fee, there shall be paid a registration fee of three dollars for the original registration within this State of every vehicle previously registered outside this State."

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 646—An act to add sections 195.5 and 1623.5 to, the Streets and Highways Code, relating to expenditure of money allocated to counties, cities, and cities and counties

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 4 of the printed bill, as amended, strike out lines 14 to 16, inclusive, and insert in lieu thereof the following: "construction or improvement exclusively specifies the use of any patented or proprietary paving material, unless alternate bids shall have been called for and opportunity afforded for bids to be submitted for nonpatented or nonproprietary paving material in competition with such patented or proprietary paving material This section shall not be deemed to, nor construed to prohibit the use of any patented or proprietary paving material in the repair of any highway or street when such highway or street shall have been constructed of such material and, in the opinion of the body, board or officer ordering such repair, it would be impractical to use a different paving material for such repair."

Amendment No. 2.

On page 4 of the printed bill, as amended, strike out lines 22 to 24, inclusive, and insert in lieu thereof the following: "exclusively specifies the use of any patented or proprietary paving material, unless alternate bids shall have been called for and opportunity afforded for bids to be submitted for nonpatented or nonproprietary paving material in competition with such patented or proprietary paving material This section shall not be deemed to, nor construed to prohibit the use of any patented or proprietary paving material in the repair of any highway or street when such highway or street shall have been constructed of such material and, in the opinion of the body, board or officer ordering such repair, it would be impractical to use a different paving material for such repair."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 2012—An act to amend the Vehicle Code by adding a new section to be numbered 135.5, relating to investigation of accidents.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 1363—An act to amend section 11 of an act entitled "An act providing for the organization and regulation of reciprocal or interinsurance exchanges, to be known as 'The Reciprocal or Interinsurance Act of the State of California,' and repealing the act entitled 'An act providing for reciprocal and interexchange of indemnities, prescribing regulations therefor and fixing a license fee,' and repealing an act entitled 'An act defining certain classes of contract for the exchange of indemnity, prescribing regulations therefor, and fixing a license fee, approved December 24, 1911,' approved May 26, 1917, as amended," approved June 3, 1921.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the printed bill, after "SECTION 1", insert the following: "Section 1351 of the Insurance Code is hereby amended to read as follows:

In lieu of all other taxes, licenses or fees whatever, State or local, each exchange shall pay annually on account of the transaction of such business in this State, the same fees as are paid by mutual companies transacting the same kind of business, and an annual tax upon the gross premium deposits collected from subscribers in this State during the preceding calendar year, after deducting therefrom premium deposit returns or cancellations, consideration for reinsurance and all amounts returned to subscribers and/or credited to their accounts as savings; such tax to be computed at the same rate as fixed by law for the taxation of mutual companies transacting the same kind of business."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 866—An act relating to unemployment insurance.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the title of the printed bill, strike out "relating to unemployment", and insert in lieu thereof the following: "providing for employment".

Amendment No. 2.

On page 1, line 1, of the printed bill, after the period insert the following:

"There is hereby created in the Department of Industrial Relations a division to be known as the Social Insurance Division, which shall be in charge of a commissioner who shall be known as the Social Insurance Commissioner, by whom the provisions of this act shall be administered. He shall be appointed by the Governor solely on the ground of experience and fitness, and shall hold office for four years and must have resided in this State for a period of five years next preceding his appointment. He shall devote his whole time to the duties of his office and shall receive a salary of five thousand dollars per year, which shall be paid at the times and in the manner that the salaries of other State officers are paid.

SEC. 2. The commissioner may appoint a deputy, at a salary of three thousand five hundred dollars per annum, and a secretary, and from time to time such clerks and other employees, permanent or temporary, as may be required for the proper administration of this act.

SEC. 3. The central office of the commissioner shall be at Sacramento and he shall maintain a regional office at San Francisco, one at Los Angeles, and one at Fresno. From time to time, as the effective administration of this act requires, regional offices shall be established at other places in the State by the commissioner with the approval of the Governor.

SEC. 4. In addition to the other duties prescribed by this act, the commissioner shall

1. Cooperate with educational institutions and local organizations generally, for the purpose of providing generally in certain areas, or for any class of unemployed persons:

(a) Physical and industrial training with a view to maintaining or increasing their industrial fitness, skill and efficiency, or enlarging their knowledge of the industry in which they would normally seek employment, or

(b) Training and instruction in some occupation or trade, or

(c) Employment in any work in view of their capacity, training and experience, with a view to rehabilitate them for regular employment

2. Collect information concerning employers requiring workers, and workers seeking employment, and make the same available at the State employment offices

3. Report to the Governor in January of each year the activities of his office.

4. On the opening day of each session of the Legislature file with the Speaker of the Assembly and the President of the Senate, a condensed report of his activities during the preceding biennium, and his recommendations for needed legislation.

5. Make and publish necessary regulations in conformity with the provisions of this act to carry out the purposes hereof.

SEC. 5. Subject to the provisions of this act, all persons of the age of sixteen years and upwards who are engaged in any of the employments specified in Schedule A hereof, not being in employment specified as excepted employments in Schedule B hereof shall be insured against unemployment in the manner hereinafter provided

Schedule A (a) Employment in California under any contract of service, written or oral, express or implied, whether the employed person is paid by the employer or by some other person, and whether under one or more employers, and whether paid by time or by the piece, or partly by time and partly by the piece, or otherwise

(b) Employment outside of California, or partly outside of California, for the purpose of some particular work for an employer having a place of business, or residing in California, subject, however, to conditions, modifications or exceptions prescribed by regulations of the commissioner

Schedule B. Excepted Employment

(a) Casual workers employed for less than a continuous period of one month, or thirty full working days of not less than six hours each

(b) Any part time worker who habitually works for less than four hours per day.

(c) Any minor who is employed under a permit issued by a board of education

(d) Any person working for a number of different employers in the same day, such as gardeners, but such a person may arrange with any or all of his employers to share in the employers' contribution and pay his own share, and thus become entitled to the benefits under this act.

(e) Any person employed by a company, firm, corporation, individual, or any corporate body, a board of education, the State, a city, a municipality, or any political subdivision thereof, which has established unemployment insurance systems, the benefits of which to the employee are equal to, or in excess of the benefits under this

State act shall be exempt from paying contributions into the State fund. The employer or employers employing such person shall also not be compelled to pay into the fund under this act Such insurance plans, however, shall be subject to the written approval of the commissioner, the Governor, and the State Treasurer, in order that the proper interests of the employees be protected

(f) In the event that an employee working for such a body as in clause (e) of this section should change his employment to a company subject to the State contributions for its employees and itself, the period of employment by such excepted body shall be allowed as though they had contributed to the State fund, and they shall become entitled to the benefits of the State act.

(g) Any person employed on any public unemployment relief project either State or Federal.

(h) Domestic servants, except where employed for business purposes.

SEC. 7. The funds required for providing unemployment benefit and for any other payments which under this act are to be paid out of the unemployment insurance fund established hereby, shall be derived partly from appropriations made by the Legislature, partly from contributions by employed persons, and partly from contributions by employers of those persons. The State by suitable appropriation shall make payments into the fund so that its participation shall represent one-third of the total.

SEC 8 Except where regulations made by the commissioner under the authority hereof prescribe otherwise, the employer shall, in the first instance, pay both the contribution payable by himself and the contribution on behalf of the employed person, and subject to such regulations shall be entitled to recover from the employed person by deduction from his wages or otherwise the amount of the contributions so paid for the latter.

SEC. 9. Contributions shall be paid by means of revenue stamps hereinafter referred to as unemployment insurance stamps affixed to or impressed upon books or cards hereinafter referred to as unemployment books or unemployment cards respectively, and the preparation, issue and use of such stamps shall be regulated by orders published by the commissioner.

Subject to the provisions hereof every employer and every employed person and his employer shall be liable each to a weekly contribution of sixty cents

SEC 10 Every person who, being insured under this act, is unemployed, and in whose case the conditions prescribed herein, hereinafter referred to as a statutory condition, are fulfilled shall be entitled, subject to the provisions hereof to receive payments to be referred to as unemployment benefit, at weekly or other prescribed intervals in such amounts as are authorized by Schedule D hereunder, so long as the statutory conditions continue to be fulfilled, and so long as he is not disqualified for benefits under this act

Schedule D

Each single person shall receive, per day one dollar and fifty cents; per week ten dollars.

Each married person with a dependent spouse shall receive, per day two dollars and twenty-five cents; per week fifteen dollars; and, in addition, for each of two dependent minor children, three dollars per week, and for each dependent minor child in excess of two, per week two dollars

Each married person whose spouse is employed, shall receive per day one dollar and fifty cents, per week ten dollars.

SEC 11. Subject to the provisions hereinafter contained, the statutory conditions for receipt of unemployment benefit by a person insured under this act are

First, that contributions for not less than thirty full weeks have been paid for him while employed in insurable employment during a period not exceeding two years preceding the date on which a claim for benefit is made, if he was a legal resident of the State at the time of engaging in such employment. A person not a legal resident of the State at the time of becoming employed under the provisions of this act shall be required to make continuous contributions for a period of two years.

Second, that he has made application for unemployment benefit in the manner prescribed, and proves that since the date of the application he has been continuously unemployed; and

Third, that he is capable of and available for work, but unable to obtain suitable employment

In estimating the two year period prescribed in the first statutory condition above, there shall be excluded any period of incapacity for work by reason of some specific disease or bodily or mental disability, and any period of employment specified in Schedule B, in section 5 hereof, but in no case to exceed altogether more than four calendar years.

In construing the expression "continuously unemployed" in the second statutory condition hereof, any seven days of unemployment, whether consecutive or not, with a period of_____consecutive days, shall be treated as a continuous period of unemployment In the event of the death of the head of a family who has contributed to the fund for a period of one year or more, his widow shall receive ten dollars per week, and three dollars per week for each dependent minor child up to two, and two dollars per week for each dependent minor child in excess of two for an adjustment period of one year during which time no public work shall be required from the beneficiary

An applicant shall not be deemed to have failed to fulfill the third statutory condition set out above because he has refused

(a) An offer of employment arising in consequence of a stoppage of work due to a trade dispute, or

(b) An offer of employment at wages lower or on conditions less favorable than those that he might reasonably have expected to obtain in view of the wages and conditions which he habitually obtained in his usual occupation, or would have obtained had he continued to be so employed, or

(c) An offer of employment in his usual occupation, at wages lower or on conditions less favorable than those observed by agreement between employers and employees, or, failing any such agreement, than those recognized by good employers

No insured employee shall be disqualified to receive insurance benefits because of refusal to accept employment if by acceptance thereof he would lose the right (1) to become a member of, or (2) to continue to be a member and to observe the lawful rules of, or (3) to refrain to become a member of any association, organization or union of workers.

Though the employment of an applicant has terminated, he cannot be deemed to be unemployed during any period for which he continues to receive wages by way of compensation for loss of or substantially equivalent to the remuneration he would have received if his employment had continued; or, on any day for which he receives remuneration unless for an occupation which would ordinarly be followed by him in addition to his usual employment and outside the ordinary working hours of that employment, or, on any day which is recognized as a holiday in the business at which he is employed; or, on any day of any calendar week during which he works for a number of days, or a number of shifts, which constitutes a full week's work for his grade or class or shift at the place of his employment.

SEC 12 An insured employee is disqualified for receiving unemployment benefit

(a) If he is in receipt of an old age pension; or

(b) If he has been discharged from his employment by reason of his own misconduct, if such misconduct is proven, shall thereby become ineligible for benefits for the week such discharge occurred, and for not less than the three, nor more than the six next following weeks, as determined by the commissioner or commission in each individual case

(c) If he is an inmate of an institution supported wholly or partly out of public funds; or

(d) If he has neglected to avail himself of an opportunity of suitable employment; or

(e) If he has, without good cause, refused or failed to follow reasonable directions given to him by a public employment office with a view to finding suitable employment; or

(f) If he has refused to accept a situation or to apply for such situation after he has had notice from an employment office of an actual or imminent vacancy.

(g) An employee who has left his employment voluntarily without good cause connected with such employment shall be ineligible for such benefits for the week in which such leaving occurred and for the two next following weeks.

(h) In order to protect the spouse and dependent children of an insured person who may be discharged for proven misconduct, should such person subsequently be tried and convicted, and confined in prison, on charges arising from such misconduct, the spouse and dependent child or children shall receive benefits as under Schedule (d) of this act, i.e.; the spouse shall receive one dollar fifty cents per day; ten dollars per week, and for each of two dependent minor children, three dollars per week, and for each minor child in excess of two, two dollars per week. At the discretion of the commissioner the spouse shall be required to perform public work as under section 13 of this act, in order to receive benefits.

SEC. 13. An insured person, as to whom the conditions herein prescribed are fulfilled, on becoming unemployed, shall immediately register at the nearest office established under this act. In the event that private employment cannot be found for such person within seven days he (or she) shall be assigned to work on public projects conducted for the relief of unemployment, by the State, or any county, city, city and county, or by any agency of the United States, or of the State or any political subdivision thereof

In making such assignments, due consideration shall be given to the person's physical condition, previous occupation and the like

Persons subject to the provisions of this act shall only be assigned to work on such public works as do not compete with then existing private industrial projects, nor take the place of projects that can be properly financed by other public funds.

Materials and equipment required for such projects shall be furnished by the political subdivision receiving the benefits of such respective project.

SEC. 14. As used in this act, the expression "benefit year" means the period of twelve months immediately following proof by an applicant that the first statutory condition set out in section 11 hereof is fulfilled in his case, and every subsequent period of twelve months commencing on the date on which such applicant on a

new application proves such fulfillment for the first time after the termination of his last preceding benefit year.

SEC 15. Unless otherwise provided herein, every assignment of, or charge on, and every agreement to assign or charge on the benefits conferred by this act, is void

SEC 16 To carry out the purposes of this act, the commissioner may appoint inspectors, any one of whom shall have authority:

(1) To enter at all reasonable times any premises or place, other than a private dwelling house not being a work shop, where he has reasonable grounds for supposing that any employee is employed,

(2) To make such inquiry as may be necessary to ascertain whether the provisions of this act are complied with in such place;

(3) To examine, respecting employment, any person whom he finds in such place whom he has reasonable cause to believe to be an employee,

(4) To perform such other duties as may be required by regulations published by the commissioner.

Every inspector shall be provided with a certificate of his appointment which he shall exhibit when requested to the occupant of any premises to which he seeks admission.

Any person who wilfully delays or obstructs an inspector in the exercise of any power herein conferred, or refuses to furnish information or to produce books, cards, wage sheets, records of wages, or other documents for the examination of the inspector, or conceals or prevents or attempts to conceal or prevent any person from appearing before or being examined by an inspector, shall be liable on conviction thereof to a fine not exceeding fifty dollars.

SEC. 17. The commissioner shall appoint a chief insurance officer who shall keep his office at the central office in Sacramento and an assistant insurance officer at each regional office as and when established

Every claim for benefit shall be forthwith submitted to the insurance officer of the region in which it originates.

Each claim shall be considered by the insurance officer in the order in which it is presented and with all possible dispatch. The insurance officer may allow or disallow the claim. If he disallows the claim he shall immediately refer it together with a statement of the reasons for his action to the commissioner who, calling to his assistance the chief insurance officer and the assistant insurance officer at the central office, shall consider and decide upon the reference.

The deputy commissioner may act for the commissioner and a written memorandum of the decision shall be filed in the commissioner's office and a copy thereof communicated to the claimant.

If the commissioner disallows the claim the claimant may have a hearing de novo in the superior court of the county in which he resides The matter may be presented to the superior court informally on a form to be prepared by the commissioner and to be furnished to the claimant on request The Judicial Council shall make regulations prescribing the procedure governing such hearings, limiting the time within which such a hearing may be requested, and providing for expediting the hearing and determination, and for notice to the commissioner.

SEC. 18. There is hereby created in the office of the State Treasurer a fund to be known as "The unemployment insurance fund" in which shall be deposited all revenue received from the sale of unemployment insurance stamps and any money which may be appropriated from time to time by the Legislature in accordance with the provisions of section 7 hereof.

Moneys may be withdrawn from the fund hereby created by means of a check signed by the commissioner or his deputy and the chief insurance officer to pay claims for unemployment benefits and for no other purpose.

The unemployment insurance fund shall be administered by the commission or commissioner without liability on the part of the State beyond the amount paid into and earned by the fund.

This fund shall consist of all contributions and money paid into, and received by the fund as provided by this act, of properties and securities acquired by and through the use of moneys belonging to the fund.

All contributions paid under this act over and above the amount required to meet current benefit payments shall be deposited or invested in the obligations of the "Unemployment trust fund" of the United States Government or its authorized agent, so long as said trust fund exists, notwithstanding any other statutory provision to the contrary.

The commission or commissioner shall requisition from the unemployment trust fund necessary amounts from time to time.

SEC. 19 The Legislature reserves the right to amend or repeal all or any part of this act at any time; and there shall be no vested private right of any kind against such amendment or repeal.

SEC 20. If any provision of this act or the application thereof to any person or circumstance is held invalid the remainder of this act and the application of such provision to other persons and circumstances shall not be affected thereby.

SEC. 21. If at any time the sums accruing by contributions under this act shall be in excess of twenty millions of dollars, at the discretion of the Governor, the commissioner and commisson, the State Treasurer, and the United States Government, such surplus may be used to provide additional funds for benefits or needed moneys to finance the "State Old Age Pension Act""

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 194—An act to amend sections 20 and 24 of the "Workmen's Compensation, Insurance and Safety Act of 1917," as amended, relative to awards and disposition thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1398—An act to amend section 1 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violation of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917, relating to the same subject" approved June 13, 1923, and relating to penalties for violations of this act.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1396—An act to amend section 644 of the Penal Code, relating to the punishment of habitual criminals.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2369—An act to add section 9a to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to disability of members of the California Highway Patrol

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 9a", and insert in lieu thereof the following: "sections 9a to 9d, inclusive,"

Amendment No. 2.

On page 1 of the printed bill, strike out lines 4 to 17, inclusive, and insert in lieu thereof the following:

"Sec 9a. Whenever any member of the California Highway Patrol is disabled by injury or illness arising out of and in the course of his duties, such member shall become entitled, regardless of his period of service with the patrol, to leave of absence while so disabled without loss of salary or other compensation for a period of not exceeding one year. This section shall apply only to members of the California Highway Patrol whose principal duties consist of active law enforcement

and shall not apply to persons employed in the Department of Motor Vehicles whose principal duties are telephone operator, clerk, stenographer, machinist, mechanic or otherwise clearly not falling within the scope of active law enforcement service, even though such person is subject to occasional call or is occasionally called upon to perform duties within the scope of active law enforcement service.

SEC. 2. A new section is hereby added to said act to be numbered 9b and to read as follows:

Sec 9b. It shall be the duty of the Industrial Accident Commission to determine in any case, upon request of the Department of Motor Vehicles whether or not the disability referred to in section 9a of this act arose out of and in the course of the duties of a member of the California Highway Patrol. The commission shall, also, in any disputed case, determine when such disability ceases.

SEC. 3. A new section is hereby added to said act to be numbered 9c and to read as follows:

Sec. 9c. Any such member of the California Highway Patrol so disabled is entitled to the medical, surgical and hospital benefits set forth as part of the compensation prescribed for persons injured in the course and arising out of their employment by the provisions of this act, at the expense of the Department of Motor Vehicles, and such expense shall be charged upon the fund out of which the compensation of the member is paid

SEC. 4. A new section is hereby added to said act to be numbered 9d and to read as follows:

Sec. 9d. Whenever such disability of such member of the California Highway Patrol continues for a period beyond one year from and after the date when the illness or injury causing the disability occurs, such member shall thereafter be subject, as to the amount of compensation and treatment to the provisions of this act other than section 9a, until restored to service or retired, except that such compensation shall be paid out of funds available for the support of the Department of Motor Vehicles, and the leave of absence shall continue."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 858—An act to amend section 7 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, relating to the amount of license fees and bonds of employment agencies and providing for the use of license fees and fines by the Division of Labor Statistics and Law Enforcement for the administration of the act in augmentation of its current appropriations.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the word "section", and insert in lieu thereof the words "the title, and sections 1 and".

Amendment No. 2.

On page 1, lines 13 to 16 of the title of the printed bill, strike out the following: "and providing for the use of license fees and fines by the Division of Labor Statistics and Law Enforcement for the administration of the act in augmentation of its current appropriations", and insert in lieu thereof the following: ", providing for the enforcement of the act by the Chief of the Division of Labor Statistics and Law Enforcement and providing penalties for violation of its provisions".

Amendment No. 3.

On page 1 of the printed bill, after the enacting clause, insert the following:

"SECTION 1. The title of the act cited in the title hereof is hereby amended to read as follows:

An act regulating private employment agencies, providing for a license and bond for the operation thereof and a fee for said license, providing forms of receipts, contracts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, prohibiting false advertising, providing for the refunding of fees and expenses in the event of failure to procure employment, granting to the Chief of the Division of Labor Statistics and Law Enforcement the power to prescribe rules and regulations to carry out the purpose and intent of this act and providing penalties for violation of the provisions thereof.

SEC. 2. Section 1 of the act cited in the title hereof is hereby amended to read as follows:

Section 1. When used in this act the following terms are defined as herein specified:

The term "person" means and includes any individual, company, society, firm, partnership, association, corporation, manager, contractor, or subcontractor, or their agents or employees.

The term "employment agency" or "agency" means and includes the business of conducting, as owner, agent, manager, contractor, subcontractor, or in any other capacity an intelligence office, domestic or commercial employment agency, theatrical employment agency, motion picture employment agency, teachers' employment agency, general employment bureau, shipping agency, nurses' registry, farm labor agency, or any other agency or office for the purpose of procuring or attempting to procure employment or engagements for persons seeking employment or engagements, or for the registration of persons seeking to procure or retain such employment or engagement, or for giving information as to where and of whom such help, employment or engagement may be procured, or for providing such work or engagements, where a fee or other valuable consideration is exacted, or attempted to be collected, directly or indirectly, for such services, whether such business is conducted in a building or on the street or elsewhere. The term further means and includes any person, firm, partnership, corporation, service bureau, or organization, or club, or school, or any agent or attorney thereof, that shall, by advertisement or otherwise, offer, as one of its main objects or purposes, to procure employment for any person who shall pay for its services, or that collects dues, tuition, or membership or registration fees of any sort whatsoever where the main object of the person paying the same is to secure employment; provided, that nothing in this act shall be construed to include a nonprofit organization or corporation, organized for the purpose of economic adjustment, civic betterment and the giving of vocational guidance and placement to its members; and in which none of the directors, officers or employees thereof receive any profit other than a nominal salary for services performed for the organization or corporation; and in which no fee is charged for employment services other than a membership fee or dues entitling the person paying the same to full participation and benefits of the organization or corporation; and in which such membership fees or dues charged are used solely for maintenance of the organization or corporation; provided, further, that all organizations and corporations charging membership fees or dues and engaged in furnishing employment to their members must, in order to be exempt from the provisions of this act under this section, file, on or before the first day of April of each year, with the Chief of the Division of Labor Statistics and Law Enforcement of the Department of Industrial Relations, a copy of their by-laws and constitutions, together with a sworn statement setting forth their place of business, the names and addresses of their officers, directors and employees and the salaries they receive, and showing also the various benefits furnished to members of such organization or corporation and the membership fees and dues charged or collected by such organization or corporation from its members.

The term "theatrical employment agency" means and includes the business of conducting an agency, bureau, office or any other place for the purpose of procuring or offering, promising or attempting to provide engagements for circus, vaudeville, theatrical or other entertainments or exhibitions or performances, or of giving information as to where such engagements may be procured or provided, whether such business is conducted in a building, or on the street or elsewhere.

The term "motion picture employment agency" means and includes the business of conducting an agency, bureau, office or any other place for the purpose of procuring or offering, promising or attempting to provide engagements for or employment in motion pictures, or in connection with the motion picture industry, or of giving information as to where such engagements or employment may be procured or provided, whether such business is conducted in a building or on the street or elsewhere.

The term "theatrical engagement" means and includes any engagement or employment of a person as an actor, performer or entertainer in a circus, vaudeville, theatrical or other entertainment, exhibition or performance.

The term "motion picture engagement" means and includes any engagement or employment of a person as an actor, actress, director, scenario or continuity writer,

camera man or in any other capacity in which employment concerned with the making of motion pictures may be offered or secured for the employee.

The term "emergency engagement" means and includes an engagement which has to be performed within twenty-four hours from the time when the contract for such engagement is made.

The term "fee" means and includes any money or other valuable consideration paid or promised to be paid for services rendered or to be rendered by any person conducting an employment agency of any kind under the provisions of this act. Such term includes any excess of money received by any such person over what has been paid out by him for the transportation, transfer of baggage, or board and lodging for any applicant for employment. Such term also includes the difference between the amount of money received by any such person who furnished employees, performers or entertainers for circus, vaudeville, theatrical or other entertainments, exhibitions or performances, and the amount paid by him to the said employees, performers or entertainers whom he hires or provides for such entertainments, exhibitions or performances. It also includes the difference between the amount of money received, or to be received, by such person who furnishes farm laborers to others for a valuable consideration and the amount paid by him to the said farm laborers he hires or provides.

The term "privilege" means and includes the furnishing of food supplies, tools or shelter to contract laborers, commonly known as commissary privileges.

The term "registration fee" means and includes any charge made, or attempted to be made, for registering or listing an applicant for employment, or for letter writing, cost of photograph, or film showing of applicant, charge for costume, or any other charge of like nature, made, or attempted to be made, without having a bona fide order for the placement of said applicant in a position.

The term "Commissioner of Labor" or "commissioner" means the Chief of the Division of Labor Statistics and Law Enforcement of the Department of Industrial Relations.

Terms used in the masculine gender include the feminine and neuter and the singular number includes the plural and the plural the singular."

Amendment No. 4.

On page 1, line 1, of the printed bill, strike out the following: "Section 1", and insert in lieu thereof the following: "Sec. 3".

Amendment No. 5.

On page 2, line 13, of the printed bill, strike out "seventy", and insert in lieu thereof "twenty".

Amendment No. 6.

On page 2, lines 33 to 37, of the printed bill, strike out all of the said lines except the word "treasury" in line 33, and insert in lieu thereof the following: "and credited to the general fund."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 688—An act to establish civil service in cities of the fifth and sixth classes.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, strike out "of the fifth and sixth classes.", and insert in lieu thereof the following: "with a full paid fire department or with a fire department having paid members."

Amendment No. 2.

On page 1 of the printed bill, strike out line 1 except "SECTION 1.", and strike out all of lines 2 to 28, inclusive, and strike out all of pages 2 to 4, inclusive, and insert in lieu thereof the following: "There is hereby created in every city with a full paid fire department, or a fire department with paid members, a civil service commission which shall be composed of three persons. This act shall not operate to create such commission in any city which already has a commission having general jurisdiction over the service of the fire department, and which existing commission substantially performs the same functions and duties and substantially exercises the same powers as those conferred upon the civil service commission set up by this act.

SEC. 2. The members of such commission shall be appointed by the person or group of persons who, acting singly or in conjunction, are vested by law with power and authority to select, appoint, or employ the chief of a fire department in any such city prior to the enactment of this act. The members of such commission shall serve with-

out compensation. No person shall be appointed a member of such commission who is not a citizen of the United States, a resident of such city for at least three years immediately preceding such appointment, and an elector of the county wherein he resides.

SEC. 3 The term of office of such commissioners shall be for six years, except that the first three members of such commission shall be appointed for different terms, as follows: One to serve for a period of two years, one to serve for a period of four years, and one to serve for a period of six years.

SEC. 4. Any member of such commission may be removed from office for incompetency, incompatibility, dereliction of duty, malfeasance in office, or other good cause, by the appointing power, but no member of the commission shall be removed until charges have been preferred in writing and due notice and a full hearing have been had before the appointing power. Such removal shall be for a period of ten days, during which time the commissioner so removed shall have the right to apply to the superior court for a writ of review. Such review shall be confined to the determination of whether the judgment or order of removal made by the appointing power was or was not made in good faith for cause, and no review by such court shall be taken except upon such ground or grounds.

SEC. 5 The members of such commission shall devote due time and attention to the performance of the duties specified and imposed upon them by this act. Two members of such commission shall constitute a quorum, and the votes of any two members of such commission concurring shall be sufficient for the decision of all matters and the transaction of all business to be decided or transacted by the commission under or by virtue of the provisions of this act. Confirmation of said appointment or appointments of commissioners by any legislative body shall not be required. At the time of any appointment, not more than two commissioners shall be adherents of the same political party.

SEC. 6. The provisions of this act shall apply to all cities with a paid fire department, or a fire department with paid members, except such cities as have an existing commission having personnel jurisdiction over the fire department as set forth in section 1, and all present incumbents and future appointees shall be subject to civil service.

SEC. 7. The classified civil service and provisions of this act shall include all full paid employees of the fire department of each city coming within its purview, including the chief of that department. All appointments to and promotions in said department shall be made solely on merit, efficiency, and fitness, which shall be ascertained by open competitive examination and impartial investigation. No person shall be reinstated in, or transferred, suspended, or discharged from any such place, position, or employment contrary to the provisions of this act.

SEC. 8 Immediately after appointment, the commission shall organize by electing one of its members chairman and shall hold regular meetings at least once a month, and such additional meetings as may be required for the proper discharge of their duties.

They shall appoint a secretary and chief examiner, who shall keep the records of the commission, preserve all reports made to it, superintend and keep a record of all examinations held under its direction, and perform such other duties as the commission may prescribe

The secretary and chief examiner shall be appointed as a result of competitive examination, which examination may be either original and open to all properly qualified citizens of the city or promotional and limited to persons already in the service of the fire department or other departments of the city, as the commission may decide. The secretary and chief examiner may be subject to suspension, reduction, or discharge in the same manner and subject to the same limitations as are provided in the case of members of the fire department.

SEC. 9. The commission shall make suitable rules and regulations not inconsistent with the provisions of this act. Such rules and regulations shall provide in detail the manner in which examinations may be held, and appointments, promotions, transfers, reinstatements, demotions, suspensions, and discharges shall be made, and may also provide for any other matters connected with the general subject of personnel administration, and which may be considered desirable to further carry out the general purposes of this act, or which may be found to be in the interest of good personnel administration.

Such rules and regulations may be changed from time to time. The rules and regulations and any amendments thereof shall be printed, mimeographed, or multigraphed for free public distribution

SEC. 10 All tests shall be practical, and shall consist only of subjects which will fairly determine the capacity of persons examined to perform the duties of the position to which appointment is to be made, and may include tests of physical fitness or of manual skill, or both

SEC. 11. The rules and regulations adopted by the commission shall provide for a credit of ten per cent in favor of all applicants for appointment under civil service, who, in time of war, or in any expedition of the armed forces of the United States, have served in and been honorably discharged from the armed forces of the United States, including the Army, Navy, and Marine Corps, and the American Red Cross. These credits apply to entrance examinations only.

SEC. 12. The commission shall make investigations concerning and report upon all matters touching the enforcement and effect of the provisions of this act, and the rules

and regulations prescribed hereunder; inspect all institutions, departments, offices, places, positions, and employments affected by this act; and ascertain whether this act and all such rules and regulations are being obeyed. Such investigations may be made by the commission or by any commissioner or the chief examiner designated by the commission for that purpose.

The commission shall make like investigation on the petition of a citizen, duly verified, stating that irregularities or abuses exist, or setting forth in concise language, in writing, the necessity for such investigation. In the course of such investigation the commission or designated commissioner, or chief examiner, shall have the power to administer oaths, subpena and require the attendance of witnesses and the production by them of books, papers, documents, and accounts appertaining to the investigation, and also to cause the deposition of witnesses residing within or without the State to be taken in the manner prescribed by law for like depositions in civil actions in the superior court. The oaths administered hereunder and the subpenas issued hereunder shall have the same force and effect as the oaths administered by a Federal circuit judge in his judicial capacity; and the failure upon the part of any person so subpenaed to comply with the provisions of this section shall be deemed a violation of this act, and punishable as such.

SEC. 13. All hearings and investigations before the commission, or designated commissioner, or chief examiner, shall be governed by this act and by rules of practice and procedure to be adopted by the commission, and in the conduct thereof neither the commission nor the designated commissioner shall be bound by the technical rules of evidence. No informality in any proceedings or hearing, or in the manner of taking testimony shall invalidate any order, decision, rule or regulation made, approved, or confirmed by the commission; but no order, decision, rule or regulation made by any designated commissioner conducting any hearing or investigation alone shall be of any force or effect whatsoever unless and until concurred in by at least one of the other two members

SEC. 14. The commission shall hear and determine appeals or complaints respecting the administrative work of the personnel department; appeals upon the allocation of positions; the rejection of an examination; and such other matters as may be referred to the commission.

SEC. 15. The commission shall provide for, formulate, and hold competitive tests to determine the relative qualifications of persons who seek employment in any class of position, and as a result thereof establish eligible lists for the various classes of positions, and to provide that men laid off because of curtailment of expenditures, reduction in force, and for like causes, shall be last man or men, including probationers, that have been appointed to the fire department. Such removal shall be accomplished by suspending in numerical order, commencing with the last men appointed to the fire department, all recent appointees to said fire department, until such reductions necessary shall have been accomplished In the event the fire department shall again be increased in numbers the firemen suspended under the terms of this act shall be reinstated before any new appointments to the fire department are made.

SEC. 16. When a vacant position is to be filled, the commission shall certify to the appointing authority, on written request, the name of the person highest on the eligible list for the class. If there are no such lists, it shall authorize provisional or temporary appointment lists for such class Such temporary or provisional appointment shall not continue for a period longer than four months; nor shall any person receive more than one provisional appointment or serve more than four months as a provisional appointee in any one fiscal year.

SEC. 17. The commission shall keep such records as may be necessary for the proper administration of this act, and establish and maintain in card or other suitable form a roster of officers and employees.

SEC. 18. For the benefit of the public service and to prevent delay, injury or interruption therein by reason of the enactment of this act, all persons holding a position in the fire department, including the chief thereof, when this act takes effect, who has served in such position for a period of at least six months last past continuously, are hereby declared eligible for permanent appointment under civil service to the offices, places, positions or employments which they then hold, respectively, without examination or other act on their part, and not on probation. Every such person is hereby automatically adopted and inducted permanently into civil service, into such office, place, position or employment which such person then holds as completely and effectually to all intents and purposes as if such person had been permanently appointed thereto under civil service after examination and investigation.

SEC. 19. (a) An applicant for a position of any kind under civil service must be a citizen of the United States of America and an elector of the county in which he resides, who can read and write the English language, and must have been a resident of the city for at least one year.

(b) An applicant for a position of any kind under civil service must be of an age suitable for the position applied for, in ordinary good health, of good moral character and of temperate and industrious habits; these facts to be ascertained in such manner as the commission may deem advisable.

SEC. 20. The tenure of every one holding an office, place, position or employment under the provisions of this act shall be only during good behavior, and any such person may be removed or discharged, suspended without pay, demoted, or reduced in rank, or deprived of vacation privileges or other special privileges for any of the following reasons.

(a) Incompetency, inefficiency or inattention to or dereliction of duty.

(b) Dishonesty, intemperance, immoral conduct, insubordination, discourteous treatment of the public, or a fellow employee or any other act of omission or commission tending to injure the public service; or any other wilful failure on the part of the employee to properly conduct himself, or any wilful violation of the provisions of this act or the rules and regulations adopted hereunder.

(c) Mental or physical unfitness for the position which the employee holds.

(d) Dishonest, disgraceful, immoral or prejudicial conduct.

(e) Drunkenness or use of intoxicating liquors, narcotics, or any other habit-forming drug, liquid or preparation to such extent that the use thereof interferes with the efficiency or mental or physical fitness of the employee, or which precludes the employee from properly performing the functions and duties of any position under civil service

(f) Conviction of a felony, or a misdemeanor, involving moral turpitude.

(g) Any other act or failure to act which in the judgment of the civil service commissioners is sufficient to show the offender to be an unsuitable and unfit person to be employed in the public service

SEC 21 No person in the classified civil service, who shall have been permanently appointed or inducted into civil service under provisions of this act, shall be removed, suspended, demoted or discharged except for cause, and only upon the written accusation of the appointing power, or any citizen or taxpayer, a written statement of which accusation, in general terms, shall be served upon the accused, and a duplicate filed with the commission. The chief of the fire department may suspend a member pending the confirmation of the suspension by the regular appointing power under the act which must be within three days. Any person so removed, suspended, demoted or discharged may within ten days from the time of his removal, suspension, demotion or discharge, file with the commission a written demand for an investigation, whereupon the commission shall conduct such investigation.

SEC. 22 The investigation shall be confined to the determination of the question of whether such removal, suspension, demotion or discharge was or was not made for political or religious reasons and was or was not made in good faith for cause.

After such investigation the commission may, if in its estimation the evidence is conclusive, affirm the action, or if it shall find that the removal, suspension, or demotion was made for political or religious reasons, or was not made in good faith for cause, shall order the immediate reinstatement or reemployment of such person in the office, place, position or employment from which such person was removed, suspended, demoted or discharged, which reinstatement shall, if the commission so provides in its discretion, be retroactive, and entitle such person to pay or compensation from the time of such removal, suspension, demotion or discharge

The commission upon such investigation, in lieu of affirming the removal, suspension, demotion or discharge may modify the order of removal, suspension, demotion or discharge by directing a suspension, without pay, for a given period, and subsequent restoration of duty, or demotion in classification, grade, or pay; the findings of the commission shall be certified in writing to the appointing power, and shall be forthwith enforced by such officer.

SEC 23 All investigations made by the commission pursuant to the provisions of this act shall be by public hearing, after reasonable notice to the accused of the time and place of such hearing, at which hearing the accused shall be afforded an opportunity of appearing in person and by counsel, and presenting his defense. If such judgment or order be concurred in by the commission or a majority thereof, the accused may appeal therefrom to the superior court of the county wherein he resides.

Such appeal shall be taken by serving the commission, within thirty days after the entry of such judgment or order, a written notice of appeal, stating the grounds thereof, and demanding that a certified transcript of the record and of all papers on file in the office of the commission affecting or relating to such judgment or order, be filed by the commission with such court. The commission shall within ten days after the filing of such notice, make, certify and file such transcript with such court.

The superior court shall thereupon proceed to hear and determine such appeal in a summary manner, but such hearing shall be confined to the determination of whether the judgment or order of removal discharge, demotion or suspension made by the commission, was or was not made in good faith for cause, and no appeal to such court shall be taken except upon such ground or grounds

SEC 24 It shall be the duty of all officers and employees of any such city to aid in all proper ways in carrying out the provisions of this act, and such rules and regulations as are from time to time prescribed by the commission thereunder, and to afford the commission, its members and employees all reasonable facilities and assistance in inspecting all books, papers documents and accounts applying or in any way appertaining to any and all offices places, positions and employments subject

to civil service, and also to produce books, papers, documents and accounts, and attend and testify, whenever required so to do by the commission or any commissioner.

SEC. 25. Whenever a position in the classified service becomes vacant, the appointing power shall ask the commission for the name and address of a person eligible for appointment thereto. The commission shall certify the name of the person highest on the eligible list, for the class to which the vacant position has been allocated, who is willing to accept employment. If there is no appropriate eligible list for the class, the commission shall certify the name of the person standing highest on the list held appropriate for such class. If more than one vacancy is to be filled an additional name shall be certified for each additional vacancy. The appointing power shall forthwith appoint such person to the vacant position.

SEC. 26. Whenever a request for certification is to be made, or whenever a position is held by a temporary appointee and an eligible list for the class of such position exists, the commission shall forthwith certify the name of the person eligible for appointment to the appointing power, and the appointing power shall forthwith appoint the person so certified to said position. No person so certified shall be laid off, suspended, or given leave of absence from duty, transferred or reduced in pay or grade, except for reasons which will promote the good of the service, specified in writing, and after an opportunity to be heard by the commission and then only with its consent and approval.

SEC. 27. To enable the appointing power to exercise a choice in the filling of positions, no appointment, employment or promotion in any position in the classified service shall be deemed complete until after the expiration of a period of three to six months' probationary service, as may be provided in the rules of the commission, during which the appointing power may terminate the employment of the person certified to him, if during the performance test thus afforded, upon observation or consideration of the performance of duty, the appointing power deems him unfit or unsatisfactory for service in the department. Whereupon the appointing power shall designate the person certified as standing next highest on any such list and such person shall likewise enter upon said duties until some person is found who is deemed fit for appointment, employment or promotion for the probationary period provided therefor, whereupon the appointment, employment or promotion shall be deemed to be complete.

SEC. 28. All offices, places, positions and employments coming within the purview of this act shall be created by the person or group of persons who are vested by law at and prior to the taking effect of this act, with power and authority to select, appoint, or employ any person coming within the purview of this act, and nothing herein contained shall infringe upon the power and authority of any such person or group of persons, or appointing power, to fix the salaries and compensation of all employees employed hereunder.

SEC. 29. No treasurer, auditor, comptroller or other officer or employee of any city in which this act is effective, shall approve the payment of or be in any manner concerned in paying, auditing or approving any salary, wage or other compensation for services, to any person subject to the jurisdiction and scope of this act, unless a pay roll, estimate or account for such salary, wage or other compensation, containing the names of the persons to be paid, the amount to be paid to each such person, the services on account of which same is paid, and any other information which, in the judgment of the civil service commission, should be furnished on said pay roll, bears the certificate of the civil service commission or of its secretary or other duly authorized agent, that the persons named in such pay roll, estimate or account have been appointed or employed in compliance with the terms of this act and with the rules of the commission, and that the said pay roll, estimate or account is, so far as known to the said commission, a true and accurate statement. The commission shall refuse to certify the pay of any public officer or employee whom it finds to be illegally or improperly appointed, and may further refuse to certify the pay of any public officer or employee who wilfully or through culpable negligence violates or fails to comply with this act or with the rules of the commission.

SEC. 30. Leave of absence, without pay, may be granted by any appointing power to any person under civil service, but such appointing power shall give notice of such leave to the commission. All temporary employment caused by leaves of absence shall be made from the eligible list of the classified civil service.

SEC. 31. The commission shall begin and conduct all civil suits which may be necessary for the proper enforcement of this act and of the rules of the commission. The commission shall be represented in such suits by the chief legal officer of the city, but the commission may in any case be represented by special counsel appointed by it.

SEC. 32. No commissioner or any other person shall by himself or in cooperation with one or more persons, defeat, deceive, or obstruct any person in respect of his right of examination or registration according to the rules and regulations or this act, or falsely mark, grade, estimate or report upon the examination or proper standing of any person examined, registered or certified pursuant to the provisions of this act, or aid in so doing, or make any false representation concerning the same, or concerning the person examined, or furnish any person any special or secret information for the purpose of improving or injuring the prospects or chances of any

person so examined, registered or certified, or to be examined, registered or certified or persuade any other person, or permit or aid in any manner any other person to personate him, in connection with any examination or registration or application or request to be examined or registered

SEC 33. No person holding any office, place, position or employment subject to civil service is under any obligation to contribute to any political fund or to render any political service to any person or party whatsoever, and no person shall be removed, reduced in grade or salary, or otherwise prejudiced for refusing so to do No public officer, whether elected or appointed, shall discharge, promote, demote or in any manner change the official rank, employment or compensation of any person under civil service, or promise or threaten so to do, for giving or withholding, or neglecting to make any contribution of money, or services, or any other valuable thing, for any political purpose

SEC. 34 The cities affected by the provisions of this act shall, immediately upon the taking effect thereof, enact appropriate legislation for carrying this act into effect, and the failure upon the part of the duly constituted authorities of any such city so to do shall be considered a violation of this act and be punishable as such.

SEC 35 The duly constituted authorities of each and every city coming within the purview of this act shall provide the commission with suitable and convenient rooms and accommodations and cause the same to be furnished, heated, lighted and supplied with all office supplies and equipment necessary to carry on the business of the commission and with such clerical assistance as may be necessary, all of which is to be commensurate with the number of persons in each such city coming within the purview of this act The failure upon the part of the duly constituted authorities to do so shall be considered a violation of this act and shall be punishable as such

SEC. 36. Within ninety days after the taking effect of this act, it shall be the duty of the duly constituted authorities in each city, subject to the provisions of this act, to appoint and create a civil service commission as provided for in this act, and the failure upon the part of said duly constituted authorities, or any of them, so to do, shall be deemed a violation of this act, and shall be punishable as such

SEC 37 It shall be the duty of each commission appointed subject to the provisions of this act, immediately to organize and see to it that the provisions hereof are carried into effect and to this end to make suitable rules and regulations not inconsistent with the purpose of this act, for the purpose of carrying the provisions hereof into effect. The failure upon the part of said commission, or any individual member thereof, to do so shall be deemed a violation of this act, and shall be punishable as such

SEC 38 The legislative body of each city to which this act applies shall appropriate out of the general funds of such city, an appropriation to carry out the purposes of this act, which appropriation shall be four-tenths of one per cent of the total pay roll of those included under the jurisdiction and scope of the act

SEC 39 Any person who shall wilfully violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars, or by imprisonment in the county jail for not longer than one year, or by both such fine and imprisonment.

SEC. 40 As used in this act, the following terms shall have the following meanings:

"Commission" means the civil service commission herein created, and the term "commissioner" means any one of the three commissioners of that commission

"Appointing power" includes every person or group of persons who, acting singly or in conjunction, are vested by law with power and authority to select, appoint, or employ any person to hold any office, place, position or employment subject to civil service under this act

"Appointment" includes all means of selection, appointing or employing any person to hold any office, place, position or employment subject to civil service under this act

"City" includes all incorporated cities with a full paid fire department or a fire department with paid members.

"Full paid fire department or fire department with paid members" means a fire department the officers and firemen employed in which are paid regularly by the city and devote their whole time to fire fighting.

SEC 41 If any section, subsection, subdivision, sentence, clause or phrase of this act shall for any reason be held unconstitutional, such decision shall not affect the validity of the remaining portions of this act

SEC 42 All acts and parts of acts in conflict with the provisions of this act are hereby repealed in so far as they conflict with the provisions of this act.

SEC 43 This act shall be known and may be cited as the Fire Department Civil Service Act."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2420—An act to provide for reduction of salaries of officers and employees of the State in the State civil service which are in excess of the maximum salary limits of the respective positions.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1031—An act to amend sections 13 (a) and 47 (a) of an act entitled "An act to provide for the organization of the Railroad Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund,' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," and designated in the act so entitled as the "Public Utilities Act," approved April 23, 1915, as amended, relating to the determination of a reasonable return upon the value and to the valuation of public utility property.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No 1032—An act to amend sections 2, 19, 22, 25, 46 and 50 of an act entitled "An act to provide for the organization of the Railroad Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund,' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," and designated in the act so entitled as the "Public Utilities Act," approved April 23, 1915, as amended.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1033—An act to amend section 285 of the Civil Code, being a part of Title I, Chapter II, of "The General Corporation Law," relating to corporations, approved June 12, 1931.

Bill read second time, ordered to engrossment, and third reading

Second Reading of Senate Bills.

Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XIII thereof, a new section to be numbered 17, relating to the power of the Legislature to provide for the borrowing of money to meet appropriations, in anticipation of the collection of taxes and revenues.

Senate Constitutional Amendment No 18 read.

Committee Amendments.

During reading of Senate Constitutional Amendment No. 18, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed measure, at the end of line 10, add the following: "from the general fund in the State treasury".

Amendment No. 2.

On page 1, line 12, of the printed measure, after "revenues", insert the following: "which by law are payable into the general fund in the State treasury".

Amendment No. 3.

On page 1, line 14, of the printed measure, after the word "paid", insert the following: "from the general fund".

Amendments adopted.

Senate Constitutional Amendment No. 18 ordered to reprint, and on file for adoption

Senate Bill No. 820—An act to amend sections 2 and 13 of the State Medical Practice Act, relating to taxes and registration fees, and to reciprocity certificates.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 155—An act to amend section 10 of the State Medical Practice Act, approved June 2, 1913, as amended, relating to courses of study required of applicants for certification under said act.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 96—An act to amend sections 1081, 1082, 1083, 1085, 1087, 1088, 1089, 1090, and 1091 of, and to add sections 1081.1, 1083.1, 1083.3 and 1083.5 to the Agricultural Code, relating to commercial feeding stuffs.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 18—An act relating to tare allowances on fruit, grain, and wool sold in bags.

Bill read second time, and ordered on file for third reading

Senate Bill No. 133—An act to add section 3.401 to the School Code, relating to tuition fees of students in junior colleges.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 886—An act to add two new sections to the School Code to be numbered 6.223 and 6.224, relating to the sale of property of a school district, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 798—An act to amend section 2 of an act entitled "An act relating to the safety of design and construction of public school buildings, providing for regulation, inspection and supervision of the construction, reconstruction or alteration of or addition to public school buildings, and for the inspection of existing school buildings, defining the powers and duties of the State Division of Architecture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act, to take effect immediately," approved April 10, 1933, relating to the powers and duties of the State Division of Architecture in connection with the erection, reconstruction, alteration of, or addition to school buildings.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "of", insert a comma and the following: "and to add section 8.5 to,".

Amendment No. 2.

On page 1, line 1, of the printed bill, as amended, strike out "an act entitled "An act relating to", and strike out all of lines 2 to 9, inclusive, and in line 10, strike out "immediately," " and insert in lieu thereof the following: "the act cited in the title hereof".

Amendment No. 3.

On page 2, line 22, of the printed bill, as amended, strike out "Provided, that the", and insert in lieu thereof the following: "The".

Amendment No. 4.

On page 2, line 24, of the printed bill, as amended, strike out "and/or", and insert in lieu thereof the following: "or any".

Amendment No. 5.

On page 2, line 27, of the printed bill, as amended, strike out "and/or addition" and insert in lieu thereof the following: "or addition, or any combination thereof,"

Amendment No. 6.

On page 3 of the printed bill, as amended, after line 7, insert the following:
"SEC. 2. Section 8.5 is hereby added to said act, to read as follows:
Sec. 8.5. This act may be cited and amended as the School Safety Act of 1933."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 878—An act to regulate grubstake contracts and prospecting agreements and to provide for the recording of the same.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 399—An act relating to the liability of irrigation districts, their officers and employees.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee.

Amendment No. 1.

On page 2, line 10, of the printed bill, after the word "responsibility", insert the following words: "except as provided in section 3 hereof".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 118—An act relating to the registration of vessels and requiring a tax clearance as the prerequisite for registration.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 345—An act to amend section 3480d of the Political Code, relating to crediting on calls of installment of assessments made by reclamation districts amounts of outstanding bonds exchanged in refunding proceedings or otherwise canceled, and to the redemption of property sold to reclamation districts for delinquent assessments and installments thereof, and to the sale by county treasurers of land sold for delinquent assessments and installments thereof, and containing a provision declaring this act to be an emergency measure, stating the

facts constituting such emergency and providing this act shall take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 2 to 11, inclusive, of the title, and insert in lieu thereof the following: "to reclamation districts, declaring the urgency thereof and providing that this act shall take effect immediately."

Amendment No. 2.

On page 2, line 46, of the printed bill, as amended, strike out "unto", and insert in lieu thereof the following: "to".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 122—An act to amend sections 156, 159, and 160 of the Vehicle Code, relating to registration of vehicles.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 92—An act to add section 614.5 to the Fish and Game Code, relating to trout.

Bill read second time, and ordered on file for third reading

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Public Morals.

ASSEMBLY CHAMBER SACRAMENTO, May 2, 1935.

MR SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 1781—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, of and to add new sections to be numbered 17, 18, 19, 20, 21 and 22 to an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to twelve rounds; to create an athletic commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," approved by electors November 4, 1924, relating to boxing and wrestling contests and the powers of the State Athletic Commission—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

GARIBALDI, Chairman.

The above reported bill ordered on file for second reading.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1781—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, of and to add new sections to be numbered 17, 18, 19, 20, 21 and 22 to an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to twelve rounds; to create an athletic commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spec-

tators to witness such amateur boxing contests," approved by electors November 4, 1924, relating to boxing and wrestling contests and the powers of the State Athletic Commission.

Floor Amendments.

During second reading of the bill, the following amendments were submitted by Mr. Lyon:

Amendment No. 1.

On page 1, line 4 of the title of the printed bill, strike out the comma after the figures "20", and insert in lieu thereof the word "and".

Amendment No. 2.

On page 1, line 5 of the title of the printed bill, strike out the word "and", and the figures "22".

Amendment No. 3.

On page 2, line 8, of the printed bill, strike out the word "decisions", and insert in lieu thereof the word "decision".

Amendment No. 4.

On page 4, line 26, of the printed bill, strike out the word "of", after "thousand", and insert in lieu thereof the word "or".

Amendment No. 5.

On page 4, line 30, of the printed bill, after the word "with", insert "a".

Amendment No. 6.

On page 4, line 38, of the printed bill, after the word "surety", insert the word "company".

Amendment No. 7.

On page 5, line 24, of the printed bill, strike out the word "ushers", and insert in lieu thereof "booking agents".

Amendment No. 8.

On page 5, line 44, of the printed bill, after the word "may", insert the word "knowingly".

Amendment No. 9.

On page 6, line 8, of the printed bill, strike out the words "regardless of decision of the referee,".

Amendment No. 10.

On page 7, line 15, of the printed bill, after the word "tickets", strike out the comma, and insert a period.

Amendment No. 11.

On page 7, line 16, of the printed bill, strike out the words "and when", and the word "are".

Amendment No. 12.

On page 7, line 17, of the printed bill, strike out the words "amount the".

Amendment No. 13.

On page 7, line 18, of the printed bill, strike out the words "the State Athletic Commission".

Amendment No. 14.

On page 7, line 18, of the printed bill, strike out the word "receive", and insert in lieu thereof the words "be subject to".

Amendment No. 15.

On page 7, line 19, of the printed bill, strike out the word "thereon", and insert in lieu thereof the words "herein provided for".

Amendment No. 16.

On page 7, line 19, of the printed bill, strike out the words "main event", and the comma after the word "boxers".

Amendment No. 17.

On page 8, line 13, of the printed bill, strike out the word "present".

Amendment No. 18.

On page 8, line 32, of the printed bill, strike out the word "of", and insert in lieu thereof the word "or".

Amendment No. 19.

On page 8, line 45, of the printed bill, strike out the period.

Amendment No. 20.

On page 9, line 15, of the printed bill, after the word "who", insert the word "deliberately".

Amendment No. 21.

On page 9, line 18, of the printed bill, strike out the word "thirty", and insert in lieu thereof the word "ten".

Amendment No. 22.

On page 9, line 23, of the printed bill, after the word "offence", insert the words "or other offences," and after the word "be", insert the words "penalized by the commission".

Amendment No. 23.

On page 9, line 33, of the printed bill, strike out the part of the word "simi", and also strike out all of lines 24, 25, 26, 27, 28 and 29.

Amendment No. 24.

On page 9 of the printed bill, strike out all of lines 38, 39, 40, 41 and 42

Amendment No. 25.

On page 10, line 16, of the printed bill, after the word "age", insert the word "of".

Amendment No. 26.

On page 10, line 17, of the printed bill, after the word "contest", strike out the comma, and insert the word "or", and strike out the word "or", at the end of said line.

Amendment No. 27.

On page 10, line 18, of the printed bill, strike out the word "exhibition".

Amendment No. 28.

On page 10, line 51, of the printed bill, strike out the words "ushers, one dollar", and insert in lieu thereof "booking agents, twenty-five dollars".

Amendment No. 29.

On page 11, lines 43 and 44, of the printed bill, strike out the words "within any building or upon any ground owned or occupied by said school, college or university".

Amendment No. 30.

On page 12, line 10, of the printed bill, after the word "gymnasiums", insert a comma and the word "carnivals".

Amendment No. 31.

On page 13 of the printed bill, strike out lines 1, 2, 3, 4, 5, 6.

Amendment No. 32.

On page 13, line 7, of the printed bill, strike out the figures "18", and insert "17", and strike out the figures "19", and insert the figures "18".

Amendment No. 33.

On page 13, line 9, of the printed bill, strike out the figures "19", and insert the figures "18".

Amendment No. 34.

On page 13, line 11, of the printed bill, strike out the figures "19", and insert the figures "18"; and also strike out the figures "20", and insert the figures "19".

Amendment No. 35.

On page 13, line 13, of the printed bill, strike out the figures "20", and insert the figures "19".

Amendment No. 36.

On page 13, line 18, of the printed bill, strike out the figures "20", and insert the figures "19", and strike out the figures "21", and insert the figures "20".

Amendment No. 37.

On page 13, line 20, of the printed bill, strike out the figures "21", and insert the figures "20".

Amendment No. 38.

On page 13, line 39, of the printed bill, strike out the figures "21", and insert the figures "20", and strike out the figures "22", and insert the figures "21".

Amendment No. 39.

On page 13, line 41, of the printed bill, strike out the figures "22", and insert the figures "21".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Motion to Rush Printing of Assembly Bill No. 1781.

Mr. Martin moved that the Chief Clerk instruct the State Printer to rush printing of Assembly Bill No 1781, as amended.

Motion carried.

Motion.

Mr Patterson moved that the Assembly resolve itself into the Committee of the Whole for the purpose of consideration of bid on voting machine.

Motion carried.

In Committee of the Whole.

Speaker Craig in the chair.

The bid considered.

Mr. Patterson moved that the committee do now rise, and report back to the Assembly.

In Assembly.

Speaker Craig in the chair.

Report of Committee of the Whole.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1935.

MR. SPEAKER: Your Committee of the Whole has considered the clause in the contract for the purchase of the electrical voting machine system relative to bids for purchase of the same, and respectfully reports the same back, and recommends that the clause in the contract calling for bids be retained, and the Superintendent of Capitol Building be directed to prepare the specifications for bids and accept the specifications submitted by the Superintendent of Capitol Building, and ordered it to be printed for bids as specified.

CRAIG, Chairman.

Request to Print in the Journal.

Mr. Lyon was granted the request to print the following telegram in the Journal:

LOS ANGELES, CALIFORNIA, May 2, 1935.

Assemblyman Charles Lyon,
Hotel Senator

Understand charge is made on Assembly floor that Great Western Stock Show has some agreement with Santa Maria fair covering premium money. Neither myself or any other representative has contacted any officer or agent of Santa Maria fair and I positively deny agreement or understanding of any kind or character with any person concerning this matter. Following telegram sent Wednesday to several interested people in Santa Barbara County: "Robertson still opposed Assembly Bill No 1192. Question is whether Santa Maria fair should concede ½ of 1 per cent of allotment premium money in order to make possible carrying on of our major stock show. We have always encouraged Santa Maria and other fairs, believing that our show provided place for final awards, thus stimulating interest in purebreds. We have passed hat to keep the show going through depression periods while many district fairs folded up account shortage of money. Whatever is finally decided upon should be communicated to Robertson at once as matter will come up for further consideration tomorrow morning." I will call you on phone at eight o'clock for further discussion of matter.

J A McNAUGHTON

Unfinished Business.

Reconsideration of Assembly Bill No. 1192.

Assembly Bill No. 1192—An act to add section 95 to the Agricultural Code, relating to and providing for the exhibition of live stock in southern California.

In compliance with his notice given on a previous day, Mr. Rosenthal moved that the vote whereby Assembly Bill No. 1192 was refused passage be reconsidered.

Demand for Previous Question.

Messrs. Morgan, Kallam, Pelletier, Chatters and Lyon demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion to reconsider Assembly Bill No. 1192.

The roll was called.

Motion for Call of the House.

Pending the announcement of the vote, Mr. Robertson moved a call of the House.

Motion lost.

The roll was called, and Assembly Bill No. 1192 was reconsidered by the following vote:

AYES—Andreas, Boyle, Brennan, Clark, Cronin, Cunningham, Evans, Herbert J., Field, Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Jones, Latham, Laughlin, Lore, Lyon, Martin, McBride, McCarthy, McMurray, Miller, Morgan, O'Donnell, Pelletier, Peterson, Phillips, Reaves, Redwine, Riley, Rosenthal, Turner, Utt, Wagner, Waters, Welsh, Williamson, Wright, and Mr. Speaker—42.

NOES—Anderson, Breed, Burns, Cassidy, Chatters, Corwin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Frazier, Fulcher, Heisinger, Hornblower, Johnson, Kallam, Maloney, Mayo, Meehan, Minard, Nielsen, Patterson, Robertson, Stream, Thorp, Voigt, Walker, Wallace, and Weber—33

Assembly Bill No. 1192 ordered on file for third reading

Special Order.

The hour of eleven o'clock and fifteen minutes a.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 947.

Assembly Bill No. 947—An act to amend Chapter 763, Statutes of 1929, approved June 10, 1929, as amended by Chapter 401, Statutes of 1931, approved May 25, 1931, and as amended by Chapter 10, Statutes of 1933, approved January 26, 1933, entitled and known and cited as "California Toll Bridge Authority Act," by amending the title thereof and by amending sections 2, 9, 11, 14, 16, 20 and 22½, and by adding thereto new sections numbered 4½, 5½, 5¾, 8½, 8¾, 9½, 9¾, 12½, 13¾, 16¼ and 16½, relating to and prescribing additional duties, powers and limitations regarding the construction and financing of toll bridges; and providing for the acquisition, construction, financing and operation of transportation facilities thereof and thereto; and providing that this act become effective immediately.

Assembly Bill No. 947 read third time.

Motion.

Mr. Johnson moved that the Assembly resolve itself into Committee of the Whole for the purpose of considering Assembly Bill No. 947.

Motion carried.

In Committee of the Whole.

Speaker Craig in the chair.

Assembly Bill No. 947 considered.

Mr. Johnson moved that the committee do now rise, and report back to the Assembly.

Motion carried.

In Assembly.

Speaker Craig in the chair.

Report of Committee of the Whole.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1935

GENTLEMEN: Your Committee of the Whole which has had under consideration Assembly Bill No. 947 does now respectfully report the same back.

CRAIG, Chairman.

Recess.

At twelve o'clock m., on motion of Mr. Lyon, the Assembly was declared at recess until two o'clock p.m. of this day.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 417—An act to amend section 631 of the Code of Civil Procedure, relating to trial by jury;

Also: Assembly Bill No. 530—An act to amend sections 758 and 759 of the Political Code, relating to employees of Courts of Appeal;

Also: Assembly Bill No. 1309—An act to regulate the location, construction, occupancy and operation of hat cleaning and blocking establishments, or agencies thereof, and private schools and colleges of hat cleaning and blocking; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement; and providing penalties for violations;

Also. Assembly Bill No. 1870—An act to amend an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, relating to injunctions and unfair discriminations;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

LYON, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Judiciary, to which was referred Assembly Bill No. 2243—An act relating to fair trade practices, providing for the issuances of licenses to persons engaged in various branches of the automotive business, creating an automotive fair trade bureau in the Department of Professional and Vocational Standards, providing for a judicial hearing and determination of questions arising hereunder and for the enforcement of the provisions hereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LYON, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No 1906—An act to add section 987b to the Penal Code, relating to the office of public defender;

Also: Assembly Bill No. 2308—An act to amend section 170 of the Civil Code, relating to husband and wife;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LYON, Chairman.

The above reported bills ordered on file for second reading.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1935.

MR. SPEAKER. Your Committee on Roads and Highways, to which was referred Assembly Bill No. 630—An act to amend sections 71, 72, 73, 104, 135, 136, 160, and 194, to add sections 101.5, 104.5, 136.5, and 233 to, to add a new article, to be numbered 4, to Chapter 4 of DIVISION I, to add a new chapter, to be numbered 5, to DIVISION I, and to repeal sections 74, 112, and 134, of the Streets and Highways Code, relating to public ways—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

STREAM, Chairman.

The above reported bill ordered on file for second reading.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1935

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 234—An act creating a commission for the coordination of State and local governments, defining its powers and duties, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended, and to be re-referred to the Committee on Ways and Means.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER. Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 313—An act to amend section 444 of the Political Code, relating to the transfers of money from one fund to another in the State treasury—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No 466—An act to add a new section to be numbered 2931a to the Civil Code, providing for making the State a party to an action to foreclose mortgages and other liens upon property upon which there may exist a lien securing State taxes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 682—An act to provide for a Legislative-Executive Advisory Committee and the creation of a secretariat therefor, prescribing the powers and duties of such advisory committee and its secretariat, and making an appropriation for the support thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended and to be re-referred to the Committee on Ways and Means.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No 999—An act to establish a State Board of Examiners for Public School Custodians and Engineers, to provide for the examination and certification of certain classes of public school employees, and to regulate the conditions of their employment—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

FIELD, Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1340—An act authorizing the Governor to execute a compact with the State of Nevada, for the purpose of promoting comity and good will

between California and Nevada with reference to the Boulder Canyon Project, and of adjusting matters pertaining to the proposed taxation of property located in Nevada and owned by the State of California or any political subdivision thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

FIELD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1130—An act to amend section 3444 of the Political Code, to empower the Division of State Lands to promulgate rules and regulations governing the use of certain State lands and the enforcement of such rules and regulations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

On Prisons and Reformatories.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1935.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 609—An act to add section 1582a to the Penal Code of the State of California, relating to hours of labor of prison guards—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

MARTIN, Chairman.

The above reported bill ordered on file for second reading.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1935

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No 20—A resolution to propose to the people of the State of California an amendment of Article IV of the Constitution of the State, by adding section 31c thereto, relating to relief to assessment districts—and reports that the same has been correctly enrolled, and presented the same to the Governor on this second day of May, 1935, at eleven o'clock a.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 485—An act to add section 3900a to the Political Code, relating to taxation, including motor vehicle fuel license tax delinquencies, penalties and costs, payment thereof in installments and declaring the urgency thereof, to take effect immediately—and reports that the same has been correctly enrolled, and presented the same to the Governor on this second day of May, 1935, at eleven o'clock a.m.

WATERS, Chairman.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1935.

MR SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 566—An act to provide means for making applicable to judges of the superior courts the provisions of section 26 of Article VI of the Constitution of this State, relating to the method of selecting judges;

Also: Assembly Bill No. 818—An act to amend section 580b of the Code of Civil Procedure, relating to deficiency judgments;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LYON, Chairman.

The above reported bills ordered on file for second reading.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1935.

MR SPEAKER: Your Committee on Roads and Highways, to which was referred Senate Bill No. 822—An act to amend section 27 of the Streets and Highways Code, relating to the maintenance of the State highways;

Also: Senate Bill No. 826—An act to amend sections 363a, 363s and 363bb of the Political Code, relating to the Department of Public Works;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

STREAM, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Senate Bill No. 824—An act to amend sections 4041.8 and 4041.18 of the Political Code, relating to jurisdiction and powers of boards of supervisors;

Also, Senate Bill No. 825—An act to amend the title and section 1 of an act entitled "An act to enable counties to purchase, lease, obtain, hold, improve and maintain land for the uses and purposes of public parks and boulevards," approved May 31, 1929, relating to public boulevards;

Also Senate Bill No. 827—An act to amend section 2620 of the Political Code, relating to the width of highways;

Also: Senate Bill No. 828—An act to amend section 2737 of the Political Code, relating to bridges and highways;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

STREAM, Chairman.

The above reported bills ordered on file for second reading.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1935.

MR SPEAKER. Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 544—An act to amend sections 5 and 6 of an act entitled "An act prescribing certain duties to be performed by the State Controller, State Treasurer and State Board of Examiners," approved February 20, 1872, relating to warrants—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

FIELD, Chairman

The above reported bill ordered on file for second reading.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Glover:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to provide for the formation, management, alteration of boundaries, and dissolution of storm drain maintenance districts, defining the powers of the board of supervisors and the county surveyor relative to such districts and providing for the levy and collection of taxes to defray the expenses thereof.

Referred to Committee on Introduction of Bills.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 6—An act to amend section 1 of an act entitled "An act to create a fund to be known as the State highway general fund and providing for expenditures therefrom," approved June 5, 1931, relating to expenditures from said fund.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Jones:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "add section 181.5 to", and insert in lieu thereof the following: "amend section 181 of".

Amendment No. 2.

On page 2, line 1, of the printed bill, as amended, strike out "181.5 is hereby added to", and insert in lieu thereof the following: "181 of".

Amendment No. 3.

On page 2, line 2, of the printed bill, as amended, strike out the comma, and insert in lieu thereof the following: "is hereby amended".

Amendment No. 4.

On page 2 of the printed bill, as amended, strike out lines 3 to 16, inclusive, and insert in lieu thereof the following:

"181. Any money placed in the State highway general fund may be withdrawn for such purposes as the Division of Highways directs, except that all money received from the Federal Government pursuant to cooperative highway agreements between the State and the Federal Government shall be expended, with respect to primary State highways and secondary State highways and within the county groups, as provided in this article for the expenditure of money from the State highway fund; provided, that as to the expenditure of Federal emergency funds not allocated under any cooperative highway agreement and primarily for the purpose of relieving unemployment, employees used on any projects so financed shall be obtained from various counties of the State according to and in proportion to unemployment needs so far as may be practical."

Amendments adopted.

Bill read, ordered to reprint, re-re-engrossment, and third reading.

Further Consideration of Assembly Bill No. 947.

Assembly Bill No. 947—An act to amend Chapter 763, Statutes of 1929, approved June 10, 1929, as amended by Chapter 401, Statutes of 1931, approved May 25, 1931, and as amended by Chapter 10, Statutes of 1933, approved January 26, 1933, entitled and known and cited as "California Toll Bridge Authority Act," by amending the title thereof and by amending sections 2, 9, 11, 14, 16, 20 and 22½, and by adding thereto new sections numbered 4½, 5½, 5¾, 8½, 8¾, 9½, 9¾, 12½, 13¾, 16¼ and 16½, relating to and prescribing additional duties, powers and limitations regarding the construction and financing of toll bridges; and providing for the acquisition, construction, financing and operation of transportation facilities thereof and thereto; and providing that this act become effective immediately.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Donihue:

Amendment No. 1.

On page 6 of the printed bill, as amended, between lines 38 and 39, insert the following:

"No bonds shall be issued for the purpose of obtaining funds to provide such transportation facilities unless such facilities are to be owned and operated exclusively by the California Toll Bridge Authority."

Amendment No. 2.

On page 7 of the printed bill, as amended, between lines 50 and 51, insert the following:

"No bonds shall be issued for the purpose of obtaining funds to provide for said additional transportation facilities unless such facilities are to be owned and operated exclusively by the California Toll Bridge Authority."

Amendment No. 3.

On page 17 of the printed bill, as amended, between lines 40 and 41, at the end of section 15, insert the following:

"No such permit or contract shall confer exclusive authority to operate such transportation facilities on any toll bridge or toll highway crossing, to any person, firm, corporation, association, district, municipal corporation, or political subdivision."

Amendment No. 4.

On page 18 of the printed bill, as amended, between lines 13 and 14, at the end of section 16, insert the following:

"No permit or contract shall confer exclusive authority to operate such additional transportation facilities over or in connection with any toll bridge or toll highway

crossing, on any person, firm, corporation, association, district, municipal corporation, or political subdivision."

Motion.

Mr Donihue moved that the amendments be taken up separately.

Motion carried.

Assembly Bill No 947 read third time.

Consideration of Amendments Nos. 1 and 2.

The question being on the adoption of Amendments Nos. 1 and 2.

Amendment No. 1.

On page 6 of the printed bill, as amended, between lines 38 and 39, insert the following:

"No bonds shall be issued for the purpose of obtaining funds to provide such transportation facilities unless such facilities are to be owned and operated exclusively by the California Toll Bridge Authority"

Amendment No. 2.

On page 7 of the printed bill, as amended, between lines 50 and 51, insert the following:

"No bonds shall be issued for the purpose of obtaining funds to provide for said additional transportation facilities unless such facilities are to be owned and operated exclusively by the California Toll Bridge Authority"

Request for Roll Call.

On request of Messrs. Johnson, Fisher and Williamson, the Speaker ordered a roll call taken on the adoption of Amendments Nos 1 and 2.

The roll was called, and Amendments Nos. 1 and 2 were refused adoption by the following vote:

AYES—Anderson, Burns, Cassidy, Clark, Donihue, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, McCarthy, Meehan, Patterson, Pelletier, Reaves, Rosenthal, and Wagner—21.

NOES—Andreas, Boyle, Breed, Brennan, Chatters, Corwin, Cottrell, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Voigt, Walker, Wallace, Waters, Weber, Williamson, and Mr. Speaker—51.

Consideration of Amendments Nos. 3 and 4.

The question being on the adoption of Amendments Nos. 3 and 4.

Amendment No. 3.

On page 17 of the printed bill, as amended, between lines 40 and 41, at the end of section 15, insert the following:

"No such permit or contract shall confer exclusive authority to operate such transportation facilities on any toll bridge or toll highway crossing, to any person, firm, corporation, association, district, municipal corporation, or political subdivision."

Amendment No. 4.

On page 18 of the printed bill, as amended, between lines 13 and 14, at the end of section 16, insert the following:

"No permit or contract shall confer exclusive authority to operate such additional transportation facilities over or in connection with any toll bridge or toll highway crossing, to any person, firm, corporation, association, district, municipal corporation, or political subdivision."

Request for Roll Call.

On request of Messrs. Hornblower, Dawson and Fisher, the Speaker ordered a roll call taken on the adoption of Amendments Nos. 3 and 4.

The roll was called, and Amendments Nos. 3 and 4 were refused adoption by the following vote:

AYES—Burns, Cassidy, Clark, Donihue, Donnelly, Geyer, Gilbert, Glover, Hawkins, Heisinger, Laughlin, Lore, McCarthy, Meehan, O'Donnell, Patterson, Pelletier, and Reaves—18.

NOES—Andreas, Boyle, Breed, Brennan, Chatters, Corwin, Cronin, Cunningham, Dawson, DeLap, Desmond, Evans, Herbert J, Evans, Ralph W, Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Hunt Johnson, Jones, Kallam,

Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—54.

Assembly Bill No. 947 read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Burns:

Amendment No. 1.

On page 4, line 1, of the printed bill, as amended, strike out "also empowering and authorizing the California Toll", and all of lines 2 to 12, inclusive.

Amendment No. 2.

On page 4, line 13, of the printed bill, as amended, strike out the following: "Railroad Commission;".

Amendment No. 3.

On page 4, line 15, of the printed bill, as amended, strike out the following: "or assigns".

Amendment No. 4.

On page 4, line 16, of the printed bill, as amended, strike out "agents or assigns", and insert in lieu thereof the following: "or agents".

Amendment No. 5.

On page 16 of the printed bill, as amended, strike out lines 12 to 52, inclusive.

Amendment No. 6.

On page 17 of the printed bill, as amended, strike out lines 1 to 15, inclusive, and insert in lieu thereof the following.

"SEC. 16. No franchise or permit shall be granted by the California Toll Bridge Authority for the operation of transportation facilities over any toll bridge or toll highway crossing."

Amendment No. 7.

On page 17 of the printed bill, as amended, strike out lines 18 to 39, inclusive, and insert in lieu thereof the following

"SEC. 16¼. No franchise or permit shall be granted by the California Toll Bridge Authority for the operation of any additional transportation facilities constructed or acquired under the provisions of section 5¾ hereof."

Amendment No. 8.

On page 17 of the printed bill, as amended, strike out lines 42 to 51, inclusive.

Amendment No. 9.

On page 18 of the printed bill, as amended, strike out lines 1 to 17, inclusive

Amendment No. 10.

On page 18, line 20, of the printed bill, as amended, strike out "or assigns".

Amendment No. 11.

On page 18, line 21, of the printed bill, as amended, strike out the following: "or assigns".

Amendment No. 12.

On page 18 of the printed bill, as amended, strike out lines 28 to 37, inclusive, and insert in lieu thereof the following: "highway crossing. Prior to the operation".

The question being on the adoption of the amendments submitted by Mr. Burns.

Request for Roll Call.

On request of Messrs. Williamson, Fisher and Johnson, the Speaker ordered a roll call taken on the adoption of the amendments submitted by Mr. Burns.

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Anderson, Burns, Cassidy, Clark, Crowley, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Kallam, Laughlin, Lore, McCarthy, O'Donnell, Patterson, Pelletier, Reaves, Richie, and Voigt—26.

NOES—Andreas, Boyle, Breed, Brennan, Chatters, Corwin, Cronin, Cunningham, Dawson, DeLap, Evans, Herbert J., Field, Fisher, Fulcher, Gilmore, Hornblower,

Johnson, Latham, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Stream, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—44

Explanation of Vote.

The purpose of the above amendments are to make the Bay Bridge publicly owned by the people of the State of California and to prohibit for all time the renting, leasing, or giving any rights to any privately owned utility to operate over the Bay Bridge for profit to themselves

M. J. BURNS

Assembly Bill No. 947 read third time

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Kallam:

Amendment No. 1.

On page 17 of the printed bill, as amended, after line 15, insert the following paragraph:

"Every permit for the use of a bridge granted by the California Toll Bridge Authority to transportation facilities or to any public utility must require the permittee to pay to the California Toll Bridge Authority an amount of money which, as nearly as can be ascertained, will when combined with similar assessments on other transportation facilities and utilities, if any, using the bridge, pay forty per cent of the cost of the upkeep, maintenance, and operation of the bridge"

The question being on the adoption of the amendment submitted by Mr. Kallam.

Request for Roll Call.

On request of Messrs. Hornblower, Williamson and Johnson, the Speaker ordered a roll call taken on the adoption of the amendment submitted by Mr. Kallam.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Anderson, Boyle, Burns, Crowley, Donahue, Evans, Ralph W. Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Jones, Kallam, Latham, Laughlin, Mayo, McCarthy, Patterson, Pelletier, Reaves, Richie, and Thorp—23

NOES—Andreas, Breed, Brennan, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J. Field, Fisher, Frazier, Fulcher, Gilmore, Hornblower, Hunt, Johnson, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Turner, Wagner, Waters, Weber, Williamson, Wright, and Mr. Speaker—46.

Assembly Bill No. 947 read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Heisinger:

Amendment No. 1.

On page 17 of the printed bill, as amended, between lines 15 and 16, insert the following:

"In the case of any such contract or permit granted to or entered into by any public carrier, whether publicly or privately owned, such contract or permit shall provide that any tolls charged for carriage thereunder shall be sufficient to provide a sinking fund which will pay such proportion of the cost of the entire bridge as the portion used by such carrier bears to the entire transit space of the bridge and terminals.

Any such contract or permit shall also provide for its termination not more than thirty-five years after the date of granting thereof; provided, that such contract shall also provide that the California Toll Bridge Authority may terminate such contract or permit at any time after ten years by the giving of one year's notice to the carrier. The tolls for carriage provided by the contract or permit shall be such that at the time of such termination the contribution of such carrier to the sinking fund will equal the proportion of the cost of the bridge prescribed in the preceding paragraph of this section."

The question being on the adoption of the amendment submitted by Mr. Heisinger.

Request for Roll Call.

On request of Messrs. Johnson, Fisher and Hornblower, the Speaker ordered a roll call taken on the adoption of the amendment submitted by Mr. Heisinger.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Clark, Crowley, Desmond, Donihue, Donnelly, Evans, Ralph W., Geyer, Gilbert, Glover, Hawkins, Heisinger, Jones, Kallam, Laughlin, Lore, McCarthy, O'Donnell, Patterson, Pelletier, Reaves, Richie, Thorp, Voigt, Wagner, and Weber—29.

NOES—Andreas, Breed, Brennan, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Hunt, Johnson, Latham, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Stream, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—43.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—61.

NOES—Anderson, Burns, Clark, Crowley, Donihue, Evans, Ralph W., Geyer, Heisinger, Jones, McCarthy, O'Donnell, Patterson, and Pelletier—13.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 947 passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hawkins, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—59.

NOES—Anderson, Burns, Cassidy, Crowley, Donihue, Evans, Ralph W., Geyer, Gilbert, Glover, Heisinger, Jones, McCarthy, O'Donnell, Pelletier, Richie, and Voigt—16.

Title read and approved.

Bill ordered transmitted to the Senate.

Explanation of Vote.

I was called on the phone when the vote was taken on Assembly Bill No. 947 and did not vote. Had I been at my desk I would have voted.

HARRY P. MEEHAN.

Explanation of Vote.

Mr. Speaker, and Members of the Assembly.

In making explanation of our vote in opposition to the passage of Assembly Bill No. 947 permit us to say that we believe this Toll Bridge Bill, permitting a complete monopolistic control by the Southern Pacific Company of rail traffic across the bridge, is one of the biggest "grabs" ever made in the history of California.

With the first plans for constructing the Bay Bridge the Southern Pacific and Key Route Systems have followed a very direct course of action culminating today in the passage of Assembly Bill No. 947. Proof of this is found in the following

excerpts from letters of H. G. Butler, consulting engineer, to F. L. Burckhalter of the Southern Pacific and A. J. Lundberg of the Key Route Systems.

On May 4, 1932, Mr. Butler wrote these utility executives as follows, suggesting the course of action which has been taken:

"(1) If it should be found desirable for the companies to run trains over the bridge, under proper assurance as to bus competition and tolls, is there any legal way in which the Toll Bridge Authority can bind itself, for any given period, to keep buses carrying passengers between the East Bay cities and San Francisco, from operating over the bridge? If not under the existing law is it possible to frame a law so that it can be done?

The importance of the last question can be shown by assuming that the present schedule (60 cents per car and 5 cents per passenger) of the Southern Pacific Golden Gate Ferries was originally adopted by the Toll Bridge Authority and a 5 cent toll was charged per rail passenger, and that shortly after the bridge was placed in operation tolls on automobiles were reduced to 10 cents. By such a change the loss of business by the railroads might be sufficiently great to have justified them in not operating over the bridge had they foreseen its possibility in advance."

On May 10, 1932, he wrote the same gentlemen concerning the results of conversations with Mr. Purcell, engineer for the Bay Bridge Authority:

"I told him that I thought that the 75 per cent of the people that cross the bay by rail were such an important factor in the transportation situation that it would not be economically unsound to let the entire cost of providing excess facilities for their convenience be borne by the vehicles and their users. He agreed with this but doubted whether it would be practical to do it.

Mr. Purcell stated that with Mr. Cox, of his staff, Mr. Ready was making some studies which he would be glad if I would look over some time this week. I told him, of course, that I would be glad to do so."

If space permitted in which to trace completely the development of this utility "grab" to the present moment when a Legislature was helpless to defeat the purposes of the utilities, we could clearly show the activity of the utility groups which will reduce their taxes to the State, grant them a complete monopoly and an assured income profit possibly in excess of a million dollars a year. All this is done to the disadvantage of the public for whom the Bay Bridge was constructed.

We firmly believe that our negative vote on this measure will be completely vindicated by time.

H. DEWEY ANDERSON.
S. L. HEISINGER.

Recess.

At four o'clock and fifteen minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until eight o'clock p.m., of this day.

Reassembled.

At eight o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Unfinished Business.

Motion to Continue Reconsideration of Assembly Bill No. 1618.

Mr. Evans, Ralph W., moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1618 was passed be continued until the next legislative day.

Special Order Set for Assembly Bill No. 1618.

On motion of Mr. Evans, Ralph W., the consideration of Assembly Bill No. 1618 was made a special order for Monday, May 6, 1935, at eleven o'clock and thirty minutes a.m.

Special Order.

The hour, having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 2365.

Assembly Bill No. 2365—An act requiring licenses for the operation, maintenance or establishment of stores in this State, prescribing the

license and filing fees to be paid therefor; providing for penalties for the violation of this act, providing for the enforcement of this act.

Assembly Bill No. 2365 read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Scudder:

Amendment No. 1.

On page 1, line 19, of the printed bill, as amended, following the period, insert the following:

"This act shall not be construed to apply to or include (a) any agricultural cooperative organization, operating under and by virtue of the laws of the State of California or of any other State or under the District of Columbia or under Federal statutes; or the agents, individual or corporate, of such organizations in the performance of their duties as such agents; except where stores operated by such organization or agent sells to nonmembers of such organization."

The question being on the adoption of the amendment submitted by Mr. Scudder.

Request for Roll Call.

On request of Messrs. Meehan, Flint and Welsh, the Speaker ordered a roll call taken on the amendment submitted by Mr. Scudder.

The roll was called, and the amendment was adopted by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Chatters, Clark, Cottrell, Cronin, Cunningham, Dawson, DeLap, Evans, Herbert J., Evans, Ralph W., Field, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Latham, Laughlin, Lyon, Maloney, Martin, McMurray, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Riley, Rosenthal, Scudder, Stream, Voigt, Wagner, Waters, Welsh, Wright, and Mr. Speaker—50.

NOES—Boyle, Cassidy, Donihue, Mayo, McCarthy, Meehan, and Williamson—7.

Request for Unanimous Consent.

Mr. Cronin asked for, and was granted, unanimous consent to take up Assembly Bill No. 2365, as amended, at this time, without reference to reprint or file, and that same be considered re-re-engrossed.

Assembly Bill No. 2365, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Lyon:

Amendment No. 1.

On page 1, line 8, of the printed bill, as amended, strike out the following: beginning with the word "which" to and including the word "person", in line 9.

The question being on the adoption of the amendment submitted by Mr. Lyon.

Request for Roll Call.

On request of Messrs. McMurray, Peterson, and Anderson, the Speaker ordered a roll call taken on the amendment submitted by Mr. Lyon.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Breed, Cunningham, DeLap, Donihue, Evans, Herbert J., Lyon, Martin, Minard, Redwine, Robertson, Utt, Walker, and Mr. Speaker—13.

NOES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Dawson, Desmond, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Maloney, Mayo, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patter-

son, Pelletier, Peterson, Peyser, Reaves, Richie, Riley, Rosenthal, Scudder, Stream, Turner, Wagner, Wallace, Waters, Weber, Welsh, Williamson, and Wright—61.

Assembly Bill No. 2365 read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Lyon:

Amendment No. 1.

On page 3, line 9, of the printed bill, as amended, strike out the word "annually", and insert in lieu thereof "for the calendar year in equal quarterly installments, payable quarterly in advance".

Amendment adopted.

Request for Unanimous Consent.

Mr. Cronin asked for, and was granted, unanimous consent to take up Assembly Bill No. 2365, as amended, at this time, without reference to reprint or file, and that same be considered re-re-engrossed.

Assembly Bill No. 2365, as amended, read third time

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. DeLap:

Amendment No. 1.

On page 3 of the printed bill, as amended, strike out all of lines 22 to 31, inclusive, and insert in lieu thereof the following: "when only one store is opened, established, operated, or maintained by one person twelve dollars per annum; when more than one store is opened, established, operated or maintained by one person double the foregoing license fee for each store in excess of one store."

The question being on the adoption of the amendment submitted by Mr. DeLap.

Request for Roll Call.

On request of Messrs. Cronin, Patterson and Peterson, the Speaker ordered a roll call taken on the amendment submitted by Mr. DeLap.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Breed, Cottrell, DeLap, Evans, Herbert J., Heisinger, Lyon, and Minard—7.

NOES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell Patterson, Pelletier, Peterson, Peyser, Reaves Richie, Riley, Rosenthal, Scudder, Stream, Turner, Wagner, Wallace, Waters, Weber, Welsh, Wright, and Mr Speaker—62.

Assembly Bill No. 2365, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Messrs. Hornblower and Maloney:

Amendment No. 1.

On page 1, line 19, of the printed bill, as amended, after the word "organization", strike out the period, and insert in lieu thereof the following: "or to newspaper establishments who maintain as a part of their business branch offices for the distribution of their papers or for taking subscriptions for said newspapers or for advertisements for said newspapers."

Amendment adopted.

Request for Unanimous Consent.

Mr. Cronin asked for, and was granted, unanimous consent to take up Assembly Bill No. 2365, as amended, at this time, without reference to reprint or file, and that same be considered re-re-engrossed.

Assembly Bill No. 2365, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Mayo:

Amendment No. 1.

On page 1, line 7, of the printed bill, as amended, strike out "mercantile", and insert in lieu thereof the following: "mercantile, business, industrial, professional, shipping or other".

Amendment No. 2.

On page 1, line 9, of the printed bill, as amended, after "which", insert the following: "business, commercial or professional transactions are carried on for a profit, regardless of whether or not".

Amendments refused adoption.

Assembly Bill No. 2365, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Heisinger:

Amendment No. 1.

On page 3, line 25, of the printed bill, after the word "Dollars,", strike out all matter to and including line 31, and insert in lieu thereof the following: "and one per cent additional upon the gross sales of all additional chain stores covered by this act."

The question being on the adoption of the amendment submitted by Mr. Heisinger.

Request for Roll Call.

On request of Messrs. Heisinger, Flint and Pelletier, the Speaker ordered a roll call taken on the amendment submitted by Mr. Heisinger.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Anderson, Cassidy, Cottrell, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Frazier, Gilbert, Heisinger, Kallam, Latham, Meehan, Minard, O'Donnell, Patterson, Richie, Wagner, and Wallace—21.

NOES—Andreas, Boyle, Burns, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Morgan, Nielsen, Pelletier, Peterson, Phillips, Reaves, Redwine, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—50.

Third Reading of Assembly Bill No. 2365, as Amended.

Assembly Bill No. 2365, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2365, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Wallace, Waters, Weber, Welsh, Williamson, and Wright—68.

NOES—DeLap, Lyon, Martin, Minard, Richie, Utt, Walker, and Mr Speaker—8.

Title read and approved.

Bill ordered transmitted to the Senate.

Unfinished Business—(Resumed).

Reconsideration of Senate Bill No. 171 Waived.

Mr Cassidy waived his notice to reconsider the vote whereby Senate Bill No. 171 was passed.

Senate Bill No. 171 ordered transmitted to the Senate.

Reconsideration of Senate Bill No. 260 Waived.

Mr. Cottrell waived his notice to reconsider the vote whereby Senate Bill No. 260 was passed.

Senate Bill No. 260 ordered transmitted to the Senate.

Senate Messages.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 2, 1935

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 498—An act to add Chapter 9 to Division IV of the Agricultural Code, relating to the stabilization and marketing of fluid milk and fluid cream, declaring the urgency of this act, to take effect immediately.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Request for Unanimous Consent.

Mr. Phillips asked for unanimous consent to take up Senate Bill No. 498, at this time, without reference to committee or file.

Objection to Unanimous Consent.

Mr. Lyon objected to unanimous consent to the consideration of Senate Bill No. 498.

Motion to Suspend Constitution.

Mr. Phillips moved to suspend the Constitution for purpose of considering Senate Bill No. 498.

Motion Withdrawn.

Mr. Phillips withdrew his motion to suspend the Constitution

Senate Bill No. 498 read first time, and referred to Committee on Live Stock and Dairies.

Explanation of Vote.

To the Members of the Assembly.

I hereby desire to make a statement with regard to my vote on the Bay Bridge Authority Bill. I voted for the urgency clause believing that a misinterpretation of my vote would be construed as being against interurban rail transportation across the bay bridge.

I, at no time was in favor of allowing the bay bridge authorities to have the powers granted by the bill.

And to have the authority and extensive power granted by the bill that could or may be used by such powers granted by the bill, that would react against the interests of the people.

I voted in favor of public ownership of the passenger interurban service and full and complete control of all transportation passenger service in all its phases on the bay bridge.

Several other members of the Alameda County legislative delegation and myself forced a number of amendments to the bill in conference committee that provided safeguards in the interest of the public interests that were not originally in the bill.

I personally believe that the proposed policy of compensating revenue to the State for the valuable contract or franchise considerations is not sufficient.

And that the depreciation of state-owned equipment that will be handled to the railroad interests has not been properly considered in the interest of the people.

It may develop that the Bay Bridge Authority will protect the interests of the public.

The public in general and the Legislature must be ever watchful of future proceedings of the Bay Bridge Authority with respect to contracts that will affect the public interests.

With this statement submitted I offer no apology for my vote on the urgency clause of the bill, that will force the issues before the public

Sincerely submitted

CHAS. J WAGNER,
Member of the Legislature, Fourteenth Assembly District.

Adjournment.

At eleven o'clock and twenty-five minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a m , Friday, May 3, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, May 3, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—78.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Thorp, its further reading was dispensed with.

Leaves of Absence.

On motion of Mr. Pelletier, Mr. Lore was granted leave of absence for this day.

On motion of Miss Miller, Mr. Morgan was granted leave of absence for this day.

On motion of Mr. Cottrell, Mr. Fisher was granted leave of absence for the balance of this legislative day.

Privilege of Floor of Assembly Extended.

On request of Mr. Cronin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Eugene H. Charles.

On request of Mr. Breed, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Edmund De Freitas.

On request of Mr. Frazier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Col H C. Veitch of Gridley, 88 years young.

On request of Mr. Wright, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Otto R. Benedict.

On request of Mr. Nielsen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the teachers and pupils of the Arcade School, Sacramento County, as follows: Mrs. Dyer, Mrs. Kelly and Mrs. Brandenburger, teachers, and Ruth Krebs, Salle Harris, Rose Stassi, Dorothy Mueller, Betty Brune and Peggy Jenkins, pupils, chaperoned by Mrs. Olive Brune and Mrs. H. M. Krebs.

On request of Mr. Weber, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the principal, trustee, parents and pupils of the Elmwood School, Stockton, as follows: Mrs. M. A. Epperson, principal; Mrs Shankel, trustee; Mr. and Mrs. Ruffoni, parents, and Mr. McNamara, and the following sixth, seventh and eighth grade pupils: Thad Clark, Theresa Gogna, Sofe Rallios, Catherine Martin, Yukiko Hattori, Heloise Archambault, Virginia Pizzo, Dorothy Brazil, Mary Brazil, Tashoko Murokami, Frank Plumb, William Hattori, Katherine Rossi, Ramonde Plumb, Carmen Peroni, Marjorie Jordan, Joe Gogna, Peter Thanos, Virginia Goodnol, Aubin Thomas, Joe Gonzales, Henry Ruffoni, Willie Gogna, Joe Martin and Irene Murakami.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Pacific Traffic Association, urging speedy disposition of all transportation legislation

From the California Real Estate Association, favoring passage of Assembly Bill No 834, opposing additional taxation against real estate, that there be no exemption granted under the sales tax, and that the strictest economy be effected in departments of government

From Orange County Builders Exchange, urging reinstatement of E. W Reed as inspector for the Contractor's License Bureau, and urging the support of Governor Merriam's Unification of Highway Bills, Senate Bill No 323 and Assembly Bill No. 807.

From the Amalgamated Clothing Workers' Union, Local No 79, demanding the release of imprisoned victims of the Criminal Syndicalism Law.

Communications.

The following communications were received, and ordered printed in the Journal:

By Mr. Speaker:

BERNAL BOOSTERS, INC,
SAN FRANCISCO, April 30, 1935

Members of the California State Legislature,
State Capitol, Sacramento, California.

GENTLEMEN: We wish to take this opportunity of cordially inviting you to attend the eighth annual baseball hunt to be held on Saturday morning, May 11th, at ten o'clock.

This affair is under the auspices of the San Francisco News, the Bernal Boosters, Inc.; the Seals and Mission baseball teams. The parade will form at 30th and Mission Streets and then proceed to Bernal Heights

We trust that we will be honored by your presence on this occasion

Very truly yours,

BERNAL BOOSTERS, INC.
TRUMAN S. WATERMAN,
Chairman of Arrangement Committee,
972 Moscow St., San Francisco, Calif

By Mr. Nielsen:

THE AMERICAN LEGION, DEPARTMENT OF CALIFORNIA,
SAN FRANCISCO WAR MEMORIAL, VETERANS BUILDING,
Commemoration Commission.

WHEREAS, There has been created by resolution of the California Legislature a Spanish War Commemoration Commission to do honor to our comrades of the war with Spain; and

WHEREAS, Such action makes for the revival of our traditionally high ideals of patriotism and citizenship, now, therefore, be it

Resolved, That the American Legion, Department of California, at its Fifteenth Annual Convention duly assembled, hereby endorses and commends the aforesaid action by the Legislature of California; and be it further

Resolved, That the Americanism chairman be empowered to appoint a liaison officer from his committee to cooperate with said commission.

The above resolution was adopted at the fifteenth annual department convention of the American Legion, Department of California, Pasadena, August 14, 15 and 16, 1933.

Attest: ARCHIE M CLOSSON, Department Commander.
[SEAL] JAMES K. FISK, Department Adjutant.

To His Excellency, Frank F. Merriam, Governor of California, and to the Members of the Legislature

Supplementing our factual report of January 26, 1935, we herewith submit the following:

The sale of 1016 65 acres of land at the Durham State Land Settlement, hereinafter referred to, completely closes the Durham State Land Settlement, with the exception of one small first deed of trust and one final payment on Lot 87.

Land sales at the Delhi State Land Settlement since January 1, 1935, have shown a marked increase over any similar period for the past several years. Two hundred fifty and eight-five one hundredths acres have been sold for cash or on a short term basis, and the State has optioned 19.73 acres additional as indicated in Exhibit "A" attached hereto and by reference made a part hereof.

All of the unsold farming lands owned by the State at Delhi are under lease either on a cash or crop share basis

Ten first deeds of trust on Delhi property, representing an indebtedness to the State in the sum of $6,044 73, have been extinguished through the consummation of a deal with the Capital Company, which involved an exchange of said deeds of trust as part of the consideration, as indicated in Exhibit "B" attached hereto and by reference made a part hereof.

On page 9 of our report of January 26, 1935, we mentioned that we had been negotiating a transaction involving the exchange of land at Delhi for some property in Sacramento. A deal has finally been consummated with the Capital Company on the following basis

1. The State will transfer all its right, title and interest in and to the above mentioned deeds of trust in the sum of (See Exhibit "B").	$6,044 73
2 The State will convey all its right, title and interest in and to certain real properties at Delhi in the sum of (See Exhibit "C")	36,953 50
3. The State will pay to the Capital Company the proceeds of the sale to E L Adams of Chico, California, of 1016 65 acres of pasture land in the Durham State Land Settlement in the sum of	19,000 00
4. The State will pay to the Capital Company from the land settlement fund, cash	19,000 00
Total	$74,998 23

The land in the Delhi settlement as exchanged to the Capital Company in the sum of $36,953 50, was at the listed cash sale price.

The Capital Company is to convey to the State of California by grant deed, free and clear of all liens, incumbrances and charges of any kind whatsoever, the garage property at the corner of 9th and L Streets, Sacramento, designated as 830 L Street, which property consists of a lot 80x160 feet, together with a two-story brick building, which is assessed for tax purposes by the county at $62,000 and by the city at $66,000. The assessment is levied on an approximate 50 per cent valuation.

The Capital Company is also to furnish at its expense a policy of title insurance covering said garage property in the name of the State of California in the sum of $75,000. The irrigation taxes on the parcels of property selected at the Delhi State Land Settlement by the Capital Company (as shown on Exhibit "C") are to be prorated as of April 25, 1935.

This agreement has been executed by the Director of Finance on behalf of the State of California, subject to confirmation and ratification by the Legislature of the State of California.

Since the report of January 26, 1935, there has been transferred to the general fund from the land settlement fund the sum of $75,000, and the said fund has on hand at the present time, after the consummation of the Capital Company deal, the sum of $13,728.06.

Dated: April 30, 1935.

Respectfully submitted

A. E. STOCKBURGER, Director of Finance.
CARL B. STURZENACKER,
Chief of Division of State Lands.

(COPY)

EXHIBIT "A"—DELHI STATE LAND SETTLEMENT.

Lands Disposed of by Sale.

Purchaser	*Lot No.*	*Acreage*	*Valuation*	*Sale price Cash*	*Terms*
Baker, Floyd H.	6-22, incl. Blk A Ballico Townsite	8.05	$ 900 00	------	$ 800 00
Brown, Harlan	313	31 53	1,350 00	------	1,200 00
Cain, H. M.	472	9.10	1,350 00	$1,150 00	------
Huberty, Martin	444	43.30	1,395 00	1,200 00	------
Lingerfelt, C. J.	461	41 21	3,600 00	------	3,200 00
O'Brien, John	473	18 77	832 50	------	700 00
Peterson, H. A.	323	32.73	900 00	------	900 00
Zierenberg, Wm. J.	165A	9.81	1,125 00	------	800 00
Brown, Harlan	314	46.35	2,070 00	------	2,000 00
Totals		240.85	$13,522 50	$2,350 00	$9,600 00

EXHIBIT "B"—DELHI STATE LAND SETTLEMENT.

Where First Deeds of Trust Were Extinguished

Name	*Lot No.*	*Acreage*	*Indebtedness at time of settlement*	*Amount received by State*
Ferrari, Arthur	406	26.95	$514 32	$482 08
Ferguson, George H.	42, 43, 127	10.42	1,115 52	1,115 52
Gaddy, Lorenzo	Pt. Lot 91	3 13	274 95	274 95
Goodwill, John L.	Ptn. Lot 432	10.61	1,744 02	1,744 02
Koenig, Raymond	154	10.	566 10	566 10
Sanford, Christie A.	170	24.70	567 40	567 40
Berger, Robert	17-21, incl. of Blk. 1	.21	199 19	199 19
Brown, Harlan	313	31.53	600 00	600 00
Davis, Allen O.	81	2.	608 15	608 15
Davis, Allen O.	82 & 83	3.97	236 64	236 64
Duepewerd, Henry	60, 61, 62	2.44	132 78	132 78
Totals		125.96	$6,559 07	$6,526 83

Where Second Deeds of Trust Were Extinguished.

Mann, Andrew	185	15.41	$1,739 85	$500 00

EXHIBIT "C"—DELHI LAND SETTLEMENT
Lands Disposed of by Exchange

Lot number	*Acreage*	*Net purchase price*
48	4 00	$1,620 00
138	29.99	2,340 00
168	24 80	1,327 50
233	42 23	1,485 00
305	40 46	1,800 00
306	41.96	1,890 00
309	37.50	1,395 00
310	43 96	1,215 00
311	45.08	1,890 00
312	34.37	787 00
315W	21.78	900 00
318	36 90	1,890 00
324B	20 17	765 00
474	18.69	810 00
475	19 30	810 00
476	27 62	990 00
477	34 35	1,665 00
478	20.05	900 00
479	20.73	900 00
480	35.23	900 00
259, Ptn. 256 and 288	15.55	900 00
456	24 16	1,080 00
457	29 05	1,305 00
334	42 89	2,160 00
325	39 09	1,890 00
333	31.60	2,160 00
86	11.30	1,179 00
Totals	792 81	$36,953 50

ASSISTANT CLERK COOLIDGE READING

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1300—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, as amended, by amending sections numbered 4.01 relating to guarantee stock, 6.02 relating to withdrawals, 6.07 relating to investment certificates and shares, 8 09 relating to interest and dividends, 9 02 relating to investments and 9.04 relating to purchases, sales, transfers and pledges of loans, 15 16 relating to borrowers' mutual building and loan associations; postponing the effective date of the amendment of section 6 02 of said act as set forth in section 5a of Chapter 431 of the Statutes of 1933; adding to said act new sections to be numbered 6 09 relating to delay in paying, 8 10 relating to rate of return on shares and investment certificates, 9 18 relating to insurance, loans, advances of credit and purchases of obligations pursuant to the National Housing Act, 10 02a relating to reserve or surplus accounts, 10 09 relating to reports, statements and analyses by the Building and Loan Commissioner and 12 11 relating to conversion of a building and loan association into a Federal

savings and loan association and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to vote for or approve such conversion, to exchange shares, stock, investment certificates or other rights or claims for shares issued by such Federal savings and loan association, and to continue to hold as a legal investment any shares so received; adding a new article to be numbered XVI to said act relating to the rehabilitation, readjustment, consolidation, merger or reorganization of one or more building and loan associations of the classes specified in such Article XVI, or of all or of any part of the business, properties and assets of such association or associations, or the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of and other persons interested in such association or associations, providing for the kinds of securities issuable in connection therewith and exempting such securities from certain provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Article XVI, to exchange shares, stock investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received; and declaring the urgency of this act and providing that it shall take effect immediately—and reports that the same has been correctly enrolled, and presented the same to the Governor on this second day of May, 1935, at two o'clock and thirty minutes p.m.

WATERS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 194—An act to amend sections 20 and 24 of the "Workmen's Compensation, Insurance and Safety Act of 1917," as amended, relative to awards and disposition thereof;

Also: Assembly Bill No. 660—An act authorizing public and private corporations of and in the State of California to make application for the right to establish, operate and maintain, and to establish, operate and maintain foreign-trade zones in or adjacent to ports of entry in this State;

Also: Assembly Bill No. 739—An act to amend an act entitled "An act authorizing counties to construct, improve, maintain and repair streets lying in municipalities or to aid or assist by the appropriation of money and otherwise in establishing, laying out, opening, widening, extending, straightening, constructing, improving or altering streets or changing or separating the grades thereof within municipalities or in acquiring lands, rights of way or other property necessary therefor," approved April 30, 1923, as amended, by amending section 2 thereof to authorize appropriations for the illumination of highways;

Also: Assembly Bill No. 838—An act to amend the Streets and Highways Code, by adding to Division I thereof a new chapter, to be numbered 6 relating to proceedings to change the grade or to establish the boundaries of State highways, and other proceedings affecting private property;

Also: Assembly Bill No. 1033—An act to amend section 285 of the Civil Code, being a part of Title I, Chapter II, of "The General Corporation Law," relating to corporations, approved June 12, 1931,

Also: Assembly Bill No. 1188—An act to add a new article to Chapter II of Part II of Division IV of the School Code, to be known as Article XI, relating to school district funds;

Also: Assembly Bill No. 1396—An act to amend section 644 of the Penal Code, relating to the punishment of habitual criminals;

And reports that the same have been correctly engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1398—An act to amend section 1 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person, to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons, to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violation of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person, to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917, relating

to the same subject," approved June 13, 1923, and relating to penalties for violations of this act.

Also, Assembly Bill No. 1550—An act to add section 32a to "An act creating a State Land Settlement Board, and defining its powers and duties, and making an appropriation in aid of its operations," approved June 1, 1917, as amended, and to ratify and confirm certain acts of the Director of Finance with respect to the disposition of properties at the Delhi State Land Settlement and Durham State Land Settlement.

Also: Assembly Bill No. 1804—An act validating, ratifying, approving and confirming bonds and other instruments or obligations heretofore issued by public bodies of this State for public works projects;

Also: Assembly Bill No. 1929—An act to amend section 4041k of the Political Code;

Also: Assembly Bill No. 2068—An act to provide for attorney's fees in suits to foreclose bonds or assessments of any special assessment district;

Also: Assembly Bill No. 2130—An act amending section 4076 of the Political Code, relating to county government;

Also: Assembly Bill No. 2420—An act to provide for reduction of salaries of officers and employees of the State in the State civil service which are in excess of the maximum salary limits of the respective positions;

And reports that the same have been correctly engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 464—An act to amend section 820 of the Agricultural Code, relating to tomatoes;

Also: Assembly Bill No. 895—An act to add a new chapter, to be numbered 1a, to Division V of the Agricultural Code, relating to the standardization of tomatoes;

And reports that the same has been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 107—An act to add sections 39 and 39a to the Penal Code, relating to advocating the overthrow of government by force, violence or other unlawful means;

Also: Assembly Bill No. 1273—An act to amend the title and sections 2, 9, 15, 17, 18, 20, 21, 22, 23, 24, 26, 27, 30 and 33 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933; to repeal section 19 of said act; to add sections 9½ and 19 to said act; all relating to the taxation of the privilege of selling, renting or leasing tangible personal property; and to provide that this act shall take effect immediately;

And reports that the same have been correctly re-engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1617—An act to add to Division I of the Streets and Highways Code a new Chapter 3a, comprising sections 750 to 754, inclusive, to provide for the conservation, development and maintenance of the scenic value along State highways and important county highways—and reports that the same has been correctly re-re-engrossed.

WATERS, Chairman

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1032—An act to amend sections 2, 19, 22, 25, 46 and 50 of an

act entitled "An act to provide for the organization of the Railroad Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund,' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," and designated in the act so entitled as the "Public Utilities Act," approved April 23, 1915, as amended

Also: Assembly Bill No 1304—An act to amend sections 1, 2, 3, 4, 5, 6 and 7 of an act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores, and spotting, sponging, and/or pressing establishments or agencies thereof, and private schools and colleges of spotting, sponging, and/or pressing; providing for the registration or licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violations," approved June 3, 1927, relating to cleaning and dyeing;

Also Assembly Bill No. 1392—An act to amend the title of, and to revise the act known as, the State Civil Service Act, relating to State civil service, including the adaptation thereof to Article XXIV of the State Constitution and the extension of certain of the provisions of the act to apply to officers and employees of the State who are not in the State civil service, declaring the urgency of this act and providing that it shall take effect immediately;

And reports that the same have been correctly engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your committee on Engrossment and Enrollment has examined Assembly Bill No. 409—An act to amend section 953a of the Code of Civil Procedure, relating to transcript on appeal, stenographic reporter and filing of transcript;

Also: Assembly Bill No 958—An act to amend section 4190 of the Political Code, relating to establishment and government and the creation of a fund for law library;

Also: Assembly Bill No. 1725—An act to amend sections 47 and 49 of the State Bar Act, relating to practice of law

Also, Assembly Bill No. 1848—An act to amend section 1468 of the Penal Code, relating to a statement on appeal;

And reports the same have been correctly engrossed

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER. Your committee on Engrossment and Enrollment has examined Assembly Bill No. 1606—An act to amend section 8 of and to add section 8a to the Sewer Revenue Bond Act, relating to acquisition and operation of sewerage disposal works;

Also Assembly Bill No. 2136—An act relating to the relief of debtors and guarantors; permitting postponement of sales conferred by mortgages, deeds of trust, or contracts of purchase of real property, or chattels attached to real property, or postponement of forfeitures and terminations under such contracts of purchase, or extensions of periods for redemption, or reduction of moneys to be paid on redemption; regulating the appointment of receivers in certain cases; repealing Chapter 1, Statutes of the Extra Session of 1934, and Chapter 7 of the Statutes of 1935; declaring the urgency hereof, and providing that it shall take effect immediately.

And reports the same have been correctly engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 6—An act to amend section 181 of the Streets and Highways Code, relating to expenditures of State highway funds;

Also. Assembly Bill No. 1654—An act to amend sections 459, 465 and 471 of, and to add a new section to be numbered 466 to, the Vehicle Code, relating to highways and the regulation thereof;
And reports that the same have been correctly re-re-engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 47—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Article X thereof, relating to prisons and paroles—and reports that the same has been correctly engrossed.

WATERS, Chairman.

Assembly Constitutional Amendment No. 47 ordered on file for adoption.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1935.

MR SPEAKER Your Committee on Municipal Corporations, to which was referred Assembly Bill No 2188—An act to amend section 3 of "An act to allow unincorporated towns and villages to establish, equip and maintain a police department, to provide for the formation, government and operation of said police districts, the assessment, collection and custody and disbursement of taxes, for such purpose, and to create a board of police commissioners," approved April 26, 1927, relating to the allowing of police commissioners to create ordinances governing local conditions—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WRIGHT, Chairman

The above reported bill ordered on file for second reading.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1935.

MR SPEAKER Your Committee on Agriculture, to which was referred Assembly Bill No. 1952—An act to amend Agricultural Code—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 919—An act to amend section 1261 and 1262 of Chapter 6, Division VI, of the Agricultural Code, relating to produce dealers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

PHILLIPS, Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 916—An act to establish legislative standards in relation to the rehabilitation of agriculture and the regulation of producers, packers, distributors, shippers, marketers, handlers, processors and others dealing in agricultural, viticultural and horticultural products and of any competing commodity or product thereof; to recognize, make effective and provide for the enforcement in this State of marketing agreements and licenses issued or prescribed by the Secretary of Agriculture of the United States under the National Agricultural Adjustment Act, being Public Act No 10 of the Seventy-third Congress of the United States; to provide for the issuance, administration and enforcement of State marketing agreements and State licenses in connection therewith, to prescribe the powers, duties and jurisdiction of the State Director of Agriculture in relation thereto; to provide that said State and Federal marketing agreements and licenses shall be and establish standards of fair competition in this State; to suspend all antitrust and unfair competition laws of this State in conflict herewith and therewith; to prescribe remedies, rights, duties and penalties with respect to violations hereof and thereof; to provide ways, means and moneys for the administration and enforcement of said State and Federal marketing agreements and licenses; to declare the existence of a State and National agricultural emergency and the urgency of this act and that this act shall take

effect immediately—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

PHILLIPS, Chairman

The above reported bill ordered on file for second reading.

On Public Health and Quarantine.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1935.

MR SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1803—An act to amend section 10 of an act entitled "An act to revise an act entitled 'An act to regulate the manufacture and sale of upholstered furniture, providing for the labeling of the same, providing for the licensing of persons manufacturing, selling, or repairing upholstered furniture; and creating the upholstered furniture inspection fund,' approved May 9, 1927," approved June 1, 1929, *relating to the manufacture, sale, labeling and inspection of second-hand* upholstered furniture—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

KALLAM, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1935

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 957—An act to repeal an act entitled "An act to create a public corporation to be known as 'The State Bar of California,' to provide for its organization, government, membership and powers, to regulate the practice of law, and to provide penalties for the violation of said act," approved March 31, 1927—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LYON, Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 937—An act to amend section 1714½ of the Civil Code—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LYON, Chairman.

The above reported bill ordered on file for second reading.

On Public Health and Quarantine.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1935.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1010—An act to amend sections 1, 2, 3, 4 and 5 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulation, to provide rules regulating the proper sanitation of canneries, under the State Board of Health," approved May 23, 1925, as amended, *relating to the inspection of canneries, the State Board of* Public Health and to the power and duties thereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

KALLAM, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1267—An act to amend the title and to add three new sections, to be numbered 2a, 2b and 2c, to an act entitled "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the health of persons by whom the materials from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors; and providing for the punishment of the same," approved March 6, 1909, relating to the use of sealed containers and providing for the sterilization of used bottles, receptacles and containers used for foods, drugs and liquors—has had the same

under consideration, and respectfully reports the same back without recommendation, as amended.

KALLAM, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1222—An act for the prevention of the manufacture, advertising, sale or transportation of adulterated, mislabeled or misbranded cosmetics, regulating the traffic in cosmetics and providing penalties for the violation thereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

KALLAM, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER. Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No 1281—An act to amend sections 6, 13, 14 and 20 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State Laboratory for Foods, Liquors and Drugs and making an appropriation therefor," approved March 11, 1907, as amended, relating to adulteration, mislabeling, misbranding, false advertising and sale of food and the powers of the State Board of Health in relation thereto—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

KALLAM, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1935.

MR. SPEAKER. Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 2388—An act making an appropriation for the compensation of owners of birds of the Psittacine family, declaring the urgency thereof, the act to take effect immediately—has had the same under consideration, and respectfully reports the same back with the recommendation that it do pass, and be re-referred to Committee on Ways and Means

KALLAM, Chairman

Assembly Bill No. 2388 ordered re-referred to Committee on Ways and Means.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1935

MR SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 2178—An act to add section 623 to the Streets and Highways Code, establishing a secondary State highway—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

STREAM, Chairman.

The above reported bill ordered on file for second reading.

On Irrigation.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1935.

MR SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 1770—An act establishing and validating the organization and existence of water districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 1769—An act to amend sections 1 and 41 of the "California Water District Act," approved June 13, 1913, relating to water districts, the purposes and adminis-

tration thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 24—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 26 of Article IV thereof, relating to a State lottery—and reports that the same has been correctly re-engrossed.

WATERS, Chairman.

Assembly Constitutional Amendment No. 24 ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 142—An act to amend section 32 of the Penal Code, relating to the definition of an accessory;

Also: Assembly Bill No. 944—An act regulating the use of public highways by motor vehicles operated thereon for the transportation of property for compensation; conferring powers upon the Railroad Commission with respect thereto; providing penalties for the violations of this act and repealing all acts inconsistent with the provisions of this act;

And reports that the same have been correctly re-re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

On Irrigation.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1935.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Senate Bill No. 1077—An act to amend section 21 of the "California Water Storage District Act," relating to property sold for delinquent assessments—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

On Public Health and Quarantine.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1935.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 291—An act to add section 311.5 to the Agricultural Code, relating to persons handling meat—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

KALLAM, Chairman

The above reported bill ordered on file for second reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 2, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 550—An act to amend section 2337 of the Political Code, relating to the care of children;

Also: Assembly Bill No. 724—An act to add a new section to the Political Code of the State of California to be numbered 3466b, relating to assessments of reclamation districts;

Also: Assembly Bill No. 918—An act to amend sections 798 and 830 of the Agricultural Code, relating to fruits, nuts and vegetables;

Also: Assembly Bill No. 1203—An act to add two sections to the Bank Act numbered 67.1 and 80.1, relating to loans of the character prescribed by section 13b of the Federal Reserve Act or by section 5d of the Reconstruction Finance Corporation Act;

Also: Assembly Bill No. 1658—An act to amend sections 408, 474, 515, 516, 713 and 714 of, and to add a new section to be numbered 693 to, the Vehicle Code,

relating to highways, bridges and structures thereon, and the regulation of speeds and weight of vehicles;
And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 550, 724, 918, 1203, and 1658 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 298—An act to repeal section 4.768, relating to reports of attendance in joint elementary school districts;

Also: Assembly Bill No. 1657—An act to amend the Vehicle Code by amending sections 253, 257, 267, 268, 269, 270, 272, 273, 314, 315, 316, and 338; by repealing sections 350, 351, 352, 353, and 354; by adding sections 254, 271.5, 350, 351, 352, 353, and 354, relating to vehicles;

Also: Assembly Bill No. 2302—An act to amend section 439 of the Vehicle Code, relating to reports of vehicles known to have been unlawfully stored;

Also: Assembly Bill No. 2299—An act to add section 428.5 to the Vehicle Code, relating to the sale of vehicles by a lienholder;

Also: Assembly Bill No. 764—An act to amend section 818 and to repeal sections 819 and 820 of the Penal Code, relating to the issuance of warrants;

Also: Assembly Bill No. 906—An act confirming the formation, organization and existence of municipal utility districts;

Also: Assembly Bill No. 1519—An act to amend section 271 of the Penal Code, relating to desertion of children.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 298, 1657, 2302, 2299, 764, 906 and 1519 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 5—An act to amend section 1 and 2 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to persons exempt from tax;

Also: Senate Bill No. 606—An act to amend section 26 of the Public Utilities Act, relating to foreign corporations which may transact public utility business.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No 5 read first time, and referred to Committee on Revenue and Taxation.

Senate Bill No. 606 read first time, and referred to Committee on Public Utilities

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 230—An act to add a new article to Chapter II of Part I of Division II of the School Code, to be known as Article X, relating to the inclusion of Indian reservations of the United States Government in elementary school districts;

Also: Senate Bill No. 239—An act providing for contracts for fire protection between county fire protection districts and municipalities and relating to liability in connection therewith;

Also: Senate Bill No. 626—An act to add a new section, to be numbered 715.5, to the Vehicle Code, relating to weights of vehicles on certain highways;

Also: Senate Bill No. 874—An act to add a new article to the Agricultural Code, to be numbered Article 5, Chapter 1, Division 3, relating to horse, mule and burro marks and brands.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 230 read first time, and referred to Committee on Federal Relations.

Senate Bill No. 239 read first time, and referred to Committee on County Government.

Senate Bill No. 626 read first time, and referred to Committee on Motor Vehicles.

Senate Bill No. 874 read first time, and referred to Committee on Live Stock and Dairies.

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 36—Relative to approving a certain amendment to the charter of the city of Albany, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at an election held therein, April 22, 1935.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Concurrent Resolution No. 36 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 743—An act to amend section 2980 of the Civil Code, and to provide for the recording of conditional sales contracts and leases of live stock, animate chattels, mining equipment and machinery, and bailment or feeder agreements relating to live stock and other animate chattels, and prescribing rights and remedies in connection therewith;

Also: Senate Bill No. 748—An act to amend sections 4130 and 4140 of the Political Code, relating to county recorders, their duties and penalty for neglect thereof or for misconduct;

Also: Senate Bill No 749—An act to amend section 408 of the Political Code, relating to the duties of the Secretary of State;

Also: Senate Bill No. 750—An act to amend section 409 of the Political Code, relating to the fees of the Secretary of State;

Also: Senate Bill No. 751—An act to amend section 4300c of the Political Code, relating to the fees of county recorders.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 743 read first time, and referred to Committee on Judiciary.

Senate Bill No. 748 read first time, and referred to Committee on County Government.

Senate Bills Nos. 749 and 750 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 751 read first time, and referred to Committee on County Government.

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 267—An act to amend section 722 and to add sections 722.5 and 975 to the Fish and Game Code, relating to commercial catfishing;

Also: Senate Bill No. 741—An act to amend sections 2955, 2956, 2957, 2963, 2965 and 2966; and to repeal section 2959 of the Civil Code; and to add to said code new sections numbered 2959a, 2974, 2975, 2976, 2977 and 2978, relating to mortgages of personal property, and including provisions for the continuity of the liens thereof, the securing of additional advances and obligations thereunder, mortgaging of natural increase of live stock and other animate chattels, and of after acquired and consumable property, and providing for the recording of fictitious mortgages and the inclusion of the provisions thereof in other mortgages by reference, and constructive notice of such mortgages by the recording thereof;

Also: Senate Bill No. 742—An act to amend section 2934 of the Civil Code, relating to mortgages in general and providing for the recording of certain sub-

ordination agreements and waivers relating to mortgages of, liens upon and interests in personal property.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 267 read first time, and referred to Committee on Fish and Game.

Senate Bills Nos. 741 and 742 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day sustained the Governor's veto concerning Senate Bill No. 282—An act to amend section 16x24 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-fourth class.

J. A. BEEK, Secretary of Senate.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Donihue:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add new sections to the Political Code to be numbered 446, 446a, 446b, 446c, 446d, and 447 and to repeal sections 658, 677, 678, 679, 680 and 686a, all relating to audit of State financial records and a modern accounting system.

Referred to Committee on Introduction of Bills.

By Mr. DeLap:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 1326 of the Penal Code, relating to the issuing and signing of subpenas for the attendance of witnesses in criminal prosecutions.

Referred to Committee on Introduction of Bills.

By Mr. Corwin:

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend sections 1, 7, 8 and 9 of an act entitled "An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act, to provide for their appointment and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, and all other acts or parts of acts in conflict herewith," approved May 5, 1927, relating to practice of veterinary medicine.

Referred to Committee on Introduction of Bills.

By Mr. Hunt:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to prohibit marathons, marathon dances, walkathons, skatathons, and other mental and physical endurance contests and prescribing penalties for the violation thereof.

Referred to Committee on Introduction of Bills.

By Mr. Geyer:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1935

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to make an appropriation to pay the claim of the chief accounting officer of the State Department of Public Health against the State of California.

Referred to Committee on Introduction of Bills.

Reports of Standing Committee—(Resumed).

The following reports of standing committee were received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1935

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to provide for the formation, management, alteration of boundaries, and dissolution of storm drain maintenance districts, defining the powers of the board of supervisors and the county surveyor relative to such districts and providing for the levy and collection of taxes to defray the expenses thereof.

CUNNINGHAM, Chairman.

Also:

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it The title of said bill is as follows:

An act to amend sections 1, 7, 8 and 9 of an act entitled "An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act; to provide for their appointment and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, and all other acts or parts of acts in conflict herewith," approved May 5, 1927, relating to practice of veterinary medicine.

CUNNINGHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to add new sections to the Political Code to be numbered 446, 446a, 446b, 446c, 446d, and 447 and to repeal sections 658, 677, 678, 679, 680 and 686a, all relating to audit of State financial records and a modern accounting system.

CUNNINGHAM, Chairman

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 1326 of the Penal Code, relating to the issuing and signing of subpenas for the attendance of witnesses in criminal prosecutions.

CUNNINGHAM, Chairman.

Reports of the Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the reports.

The question being on the adoption of the reports.

The roll was called, and the reports adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Heisinger, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—65.

NOES—None.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill herewith returns the same with the recommendation that the author be permitted to introduce it The title of said bill is as follows:

An act to make an appropriation to pay the claim of the chief accounting officer of the State Department of Public Health against the State of California.

CUNNINGHAM, Chairman.

Also:

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows.

An act to prohibit marathons, marathon dances, walkathons, skatathons, and other mental and physical endurance contests and prescribing penalties for the violation thereof.

CUNNINGHAM, Chairman

Reports of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the reports.

The question being on the adoption of the reports

The roll was called, and the reports adopted by the following vote:

AYES—Anderson, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J, Evans, Ralph W, Field, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Wallace, Waters, Weber, Wilhamson, Wright, and Mr Speaker—63

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

By Mr. DeLap: Assembly Bill No. 2426—An act to amend section 1326 of the Penal Code, relating to the issuing and signing of subpenas for the attendance of witnesses in criminal prosecutions.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Corwin: Assembly Bill No. 2427—An act to amend sections 1, 7, 8 and 9 of an act entitled "An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act; to provide for their appointment and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, and all other acts or parts of acts in conflict herewith," approved May 5, 1927, relating to practice of veterinary medicine.

Bill read first time, and referred to Committee on Medical and Dental Laws.

By Mr. Donihue: Assembly Bill No. 2428—An act to add new sections to the Political Code to be numbered 446, 446a, 446b, 446c, 446d, and 447 and to repeal sections 658, 677, 678, 679, 680 and 686a, all

relating to audit of State financial records and a modern accounting system

Bill read first time, and referred to Committee on Governmental Efficiency and Economy

By Mr. Glover: Assembly Bill No. 2429—An act to provide for the formation, management, alteration of boundaries, and dissolution of storm drain maintenance districts, defining the powers of the board of supervisors and the county surveyor relative to such districts and providing for the levy and collection of taxes to defray the expenses thereof.

Bill read first time, and referred to Committee on County Government.

By Mr. Geyer: Assembly Bill No 2430—An act to make an appropriation to pay the claim of the chief accounting officer of the State Department of Public Health against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Hunt: Assembly Bill No. 2431—An act to prohibit marathons, marathon dances, walkathons, skatathons, and other mental and physical endurance contests and prescribing penalties for the violation thereof.

Bill read first time, and referred to Committee on Public Morals.

Second Reading of Assembly Bills.

Assembly Bill No. 417—An act to amend section 631 of the Code of Civil Procedure, relating to trial by jury.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 22, of the printed bill, strike out the word "five", and insert in lieu thereof "seven".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 530—An act to amend sections 758 and 759 of the Political Code, relating to employees of Courts of Appeal.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 23, of the printed bill, strike out the semicolon, and insert in lieu thereof a period and the following: "The Second District Court of Appeal may appoint the following employees whose salaries shall be as follows:".

Amendment No. 2.

On page 1, line 27, of the printed bill, strike out "for a term of", and insert in lieu thereof the following. "at the pleasure of the court but for a period".

Amendment No. 3.

On page 1 of the printed bill, after line 28, add the following: "This section shall not affect or abridge the power of said court to retain, in addition to the secretaries provided for in this section, the secretaries employed by said court at the time this section becomes effective."

Amendment No. 4.

On page 1, line 25, of the printed bill, strike out the word "and", and the balance of said line.

Amendment No. 5.

On page 1, line 26, of the printed bill, strike out the words "State accredited by the American Bar Association,".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1309—An act to regulate the location, construction, occupancy and operation of hat cleaning and blocking establishments, or agencies thereof, and private schools and colleges of hat cleaning and blocking; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement; and providing penalties for violations

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 3 of the printed bill, as amended, strike out lines 29 to 44, inclusive.

Amendment No. 2.

On page 3, line 45, of the printed bill, as amended, strike out "(u)", and insert in lieu thereof the following: "(t)".

Amendment No. 3.

On page 6 of the printed bill, as amended, between lines 38 and 39, insert the following

"No license fee shall be charged or collected for the operation of any clothes cleaning establishment or cleaning or dyeing establishment being conducted, maintained, operated and licensed under any other act in which the State Fire Marshal is designated as the enforcing officer; and each such clothes cleaning establishment and cleaning and dyeing establishment is hereby exempted from any license fee imposed by the provisions of this act"

Amendment No. 4.

On page 8 of the printed bill, as amended, strike out line 8.

Amendment No. 5.

On page 8, line 9, of the printed bill, as amended, strike out "(c)", and insert in lieu thereof the following: "(b)".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1870—An act to amend an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, relating to injunctions and unfair discriminations

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

Strike out the last line of the title of the printed bill, as amended, and insert in lieu thereof the following: "unfair discriminations, and declaring the urgency thereof, to take effect immediately"

Amendment No. 2.

On page 5 of the printed bill, as amended, after line 37, insert the following:
"SEC. 15. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of section 1 of Article IV of the Constitution, and shall therefore go into immediate effect. The facts constituting the necessity are as follows
The sale at less than cost of goods obtained at forced, bankrupted, close out, and other sales outside of the ordinary channels of trade is destroying healthy competition and thereby forestalling recovery. If such practices are not immediately stopped many more businesses will be forced into bankruptcy, thus increasing the prevailing condition of depression. In order to prevent such occurrences it is necessary that this act go into effect immediately."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 2243—An act relating to fair trade practices, providing for the issuances of licenses to persons engaged in various branches of the automotive business, creating an automotive fair trade bureau in the Department of Professional and Vocational Standards, providing for a judicial hearing and determination of questions arising hereunder and for the enforcement of the provisions hereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 3 of the printed bill, as amended, strike out all of line 29 after "year", and all of line 30, to and including "dollars;".

Amendment No. 2.

On page 3 of the printed bill, as amended, strike out all of line 32 after the semicolon, and all of lines 33, 34 and 35, and in line 36, to and including the semicolon.

Amendment No. 3.

On page 1, line 2 of the title of the printed bill, strike out the word "various", and insert in lieu thereof the word "certain".

Amendments adopted.

Bill read second time, ordered to reprint, re-re-re-engrossment, and third reading.

Assembly Bill No. 1906—An act to add section 987b to the Penal Code, relating to the office of public defender

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2308—An act to amend section 170 of the Civil Code, relating to husband and wife.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 630—An act to amend sections 71, 72, 73, 104, 135, 136, 160, and 194, to add sections 101.5, 104.5, 136.5, and 233 to, to add a new article, to be numbered 4, to Chapter 4 of Division I, to add a new chapter, to be numbered 5, to Division I, and to repeal sections

74, 112, and 134, of the Streets and Highways Code, relating to public ways.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 2 to 5 of the title, and insert in lieu thereof the following: "194, to add sections 100.5, 101.5, 104 5, 136.5 and 233 to, to add a new chapter, to be numbered 5, to Division I, and to repeal section 112 of the Streets and".

Amendment No. 2.

On page 2 of the printed bill, between lines 5 and 6, insert the following:

"SEC. 3.5. A new section, to be numbered 100.5, is added to said code to read as follows:

100 5. Whenever the location of a State highway is such that a ferry must be used to completely traverse said highway, and there is no existing ferry furnishing service to traffic on said highway, the department may construct, maintain and operate such a ferry, or may, by cooperative agreement, delegate the construction, maintenance or operation thereof to a county, or if the termini of a ferry are within one or more cities, to the cities concerned. Whenever a highway between the termini of which a publicly owned ferry is used, is declared to be a State highway, the title to the ferry and all appurtenances thereto vests in the State. The department is authorized to promulgate reasonable rules and regulations governing the hours of operation of such ferries. It is unlawful to operate on any such ferries or the approaches thereto, a vehicle of a size or weight or at a speed, greater than that which any such ferry or its approaches, with safety to itself and to the traveling public, will permit. The department shall determine the maximum size, weight and speed of vehicles which with safety can be permitted on such ferries and shall by appropriate signs notify the public of its determination. It is prima facie evidence of violation of this section to exceed the limit specified by the department upon such signs. The department is authorized to recover by civil action any damages done to such ferries or the approaches thereof by reason of a failure to comply with the provisions of this section and a violation of the limits specified on the signs erected by the department is prima facie evidence of such violation."

Amendment No. 3.

On page 2 of the printed bill, strike out lines 8 to 13, inclusive, and insert in lieu thereof the following:

"101.5. The department may file for record with the Division of State Lands of the Department of Finance such maps as are necessary to furnish an accurate description of any ungranted swamp, overflow, tide or submerged lands, the bed of any navigable channel, stream, river, creek, lake, bay or inlet, or other sovereign lands of the State of California which, in the opinion of the department are needed as a right of way for and for the protection of any State highway, or as a source of materials for the construction, maintenance or improvement of any such highway. Upon the approval of such map by the Chief of said Division of State Lands, the lands described therein are reserved for such use by the department and the department is thereupon authorized to enter upon, occupy and use such lands for such purpose or purposes. Any subsequent grant or permission to use such lands shall be subordinate to such reservation Any such reservation may be released by the written certificate of the director filed with said Division of State Lands This section shall not apply to State school lands."

Amendment No. 4.

On page 2, line 25, of the printed bill, strike out the word "condemned", and insert in lieu thereof the following: "acquired".

Amendment No. 5.

On page 4 of the printed bill, strike out lines 42 to 52, inclusive, and on page 5, strike out lines 1 to 25, inclusive.

Amendment No. 6.

On page 5, line 26, of the printed bill, strike out "Sec. 14", and insert in lieu thereof the following: "Sec 13."

Amendment No. 7.

On page 5 of the printed bill, strike out line 51, and insert in lieu thereof the following: "Sec. 14. Section 112 of said code is hereby".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 234—An act creating a commission for the coordination of State and local governments, defining its powers and duties, and making an appropriation therefor.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 19, of the printed bill, as amended, strike out ", or a Senator", and insert in lieu thereof the following "and three Senators".

Amendment No. 2.

On page 1, line 20, of the printed bill, as amended, strike out "or an", and insert in lieu thereof the following: "and three".

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out line 21, and insert in lieu thereof the following: "Assemblymen designated by him shall serve as mem-".

Amendment No. 4.

On page 1, line 22, of the printed bill, as amended, strike out the comma and "without power to vote".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 609—An act to add section 1582a to the Penal Code of the State of California, relating to hours of labor of prison guards.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, after "prisons", insert the following: "or the Preston School of Industry or the Whittier State School or the California School for Girls".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 313—An act to amend section 444 of the Political Code, relating to the transfers of money from one fund to another in the State treasury.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "amend section 444 of", and insert in lieu thereof the following: "add section 444.5 to".

Amendment No. 2.

On page 1, line 3 of the title of the printed bill, strike out the period, and insert in lieu thereof the following: "and providing that this act shall take effect immediately."

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 to 22, inclusive, and insert in lieu thereof the following:

"SECTION 1. A new section to be numbered 444.5 is hereby added to the Political Code to read as follows:

444.5. If and when any State revenue mentioned in section 15 of Article XIII of the Constitution, other than revenue payable into the general fund of the State, is or has been set apart to be applied by the State to the support of the public school system and the State University, the amount set apart shall be repaid into the fund

or funds into which such revenue would otherwise have been paid or from which such revenue was set apart. There is hereby specifically appropriated out of the State general fund so much of the moneys therein as may be necessary to make such repayments. Such repayments shall be made from the first moneys accruing to the general fund over and above those then necessary to provide for payments for the support of the public school system and the State University, and over and above those moneys, if any, which under the Constitution of California must first be applied to the payment of obligations of the State existing at the time such revenues were set apart. It is the intention of the Legislature to provide, to the fullest extent of its power, for priority for such repayments. In the event money has been set apart from more than one such revenue, and moneys available are insufficient for repayment in full, repayments shall be made in the proportions in which such revenues were set apart

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution of the State of California, and shall take effect immediately. The facts constituting such urgency are as follows: The general fund of the State treasury is depleted and certain revenues of the State, other than those going into the general fund, may be set apart for the support of the public school system and the State University under the provisions of section 15 of Article XIII of the Constitution. It is imperative that if such funds are set apart that they be repaid at the earliest possible moment for the reason that the ordinary functions of the State could not otherwise be carried out. This bill will permit such a return of funds and will enable the State Government to continue to function"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 466—An act to add a new section to be numbered 2931a to the Civil Code, providing for making the State a party to an action to foreclose mortgages and other liens upon property upon which there may exist a lien securing State taxes.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 682—An act to provide for a Legislative-Executive Advisory Committee and the creation of a secretariat therefor, prescribing the powers and duties of such advisory committee and its secretariat, and making an appropriation for the support thereof.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 4, line 41, of the printed bill, as amended, strike out "ten thousand dollars ($10,000)", and insert in lieu thereof the following: "five thousand dollars".

Amendment adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 999—An act to establish a State Board of Examiners for Public School Custodians and Engineers, to provide for the examination and certification of certain classes of public school employees, and to regulate the conditions of their employment.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "to establish a State Board of Examiners for Public", and strike out all of lines 2 to 5, inclusive, of the title, and insert in lieu thereof the following: "to add a new article to Chapter IX of Part III of Division V of the School Code, to be known as Article IV,

consisting of sections 5.792 to 5.799b, inclusive, relating to a merit system for employees in positions other than those requiring certification qualifications."

Amendment No. 2.

On page 1 of the printed bill, strike out all of lines 1 to 3, inclusive, and insert in lieu thereof the following

"SECTION 1 A new article to be numbered Article IV consisting of sections 5.792 to 5.799b, inclusive, is hereby added to Chapter IX of Part III of Division V of the School Code to read as follows:

Article IV. Merit System Applied to Noncertificated Employees in Certain School Districts.

5.792. In any school district except school districts lying wholly within a city or city and county which provides in its charter for a merit system of employment for employees not employed in positions requiring certification qualifications the governing board may, by affirmative vote of a majority of its members, adopt the procedure set forth in this article In any district in which such procedure has been adopted the governing board shall have power and it shall be its duty to employ, pay, and otherwise control the services of persons in positions not requiring certification qualifications only in accordance with the provisions of this article unless otherwise directed by a majority vote of the qualified electors voting thereon at a general election for member or members of the governing board of the school district or districts concerned

The measure to terminate the merit system instituted under this article shall be placed on the ballot only on petition of not less than ten per cent of the voters within a given district as determined by the number voting in the last election for member or members of the governing board

5.793. In any district which has adopted the provisions of this article there shall be appointed a personnel commission, hereinafter called the commission, composed of three members, provided, that if two or more districts are under the jurisdiction of governing boards of identical personnel, only one such commission shall be appointed In all such cases the provisions of this article shall apply alike to all of the said districts and the expenses of the said commission shall be paid out of the general funds of all of the districts in proportion to the benefits derived therefrom as determined by the governing board.

Qualifications for membership on the commission shall be the same as those required for the members of the governing board; provided, that no member of the governing board shall be a member of the commission nor shall any commissioner during his service on the commission be employed by the governing board in any other capacity; and provided further, that appointees shall be known adherents to the principle of the merit system.

Within thirty days after the provisions of this article become effective in any school district the State Superintendent of Public Instruction shall appoint as members of the personnel commission three persons whose terms shall be one, two and three years respectively, computation to begin with the next succeeding first day of December, at noon; annually thereafter, on or before December 1st, or as frequently as vacancies shall occur, the State Superintendent of Public Instruction shall make appointments to fill any vacancies; provided, however, that interim appointments shall be made only for the duration of the unexpired term of office, and that all other appointments shall be made for a full term of three years.

Members of the commission may be paid five dollars per meeting but not over fifty dollars per month

The governing board shall provide the commission with suitable office accomodations The commission shall prepare an annual budget for its own office which, upon the approval of the county superintendent of schools, shall be included by the governing board in the regular budget of the school district or districts concerned. The county superintendent of schools may reject, but may not amend, the proposed budget. In the absence of agreement between the personnel commission and the county superintendent the budget of the preceding year shall determine the amount of the new budget, and the items of expenditure shall be determined by the commission

The budget for the first year shall be determined by the governing board, and pending receipt of money raised in the manner prescribed herein, the governing board is empowered to advance funds for the establishment of the work of the commission

5.794 The commission shall classify all employees and positions within the jurisdiction of the governing board or of the commission and such employees and positions shall be known as the classified service; provided, that positions required by the School Code to have certification qualifications, and professional experts employed on a temporary basis for a specific project by the governing board or by the commission when so designated by the commission, shall not be included therein

5.795 The commission shall prescribe and amend, subject to the provisions of this article, such rules as may be necessary to insure the efficiency of the service

and the selection and retention of employees upon a basis of merit and fitness. Such rules shall be binding upon the governing board.

The said rules shall provide for the procedures to be followed by the governing board as they pertain to the classified service regarding applications, examinations, eligibility, appointments, promotions, demotions, transfers, dismissals, resignations, lay offs, reemployment, vacations, leaves of absence, compensation within classification, job analyses and specifications, service ratings, public advertisement of examinations, rejection of unfit applicants without competition, and any other matters necessary to carry out the provisions and purposes of this article

The rules of the commission and copies of this article shall be printed and made available to employees in the classified service, the public, and those concerned with the enforcement of this article.

5 796. The commission shall appoint a personnel director from an eligibility list established from a competitive examination given under the auspices of the commission. He shall be responsible to the commission for carrying out all procedures in the administration of the classified personnel in conformity with the provisions of this article and the rules of the commission. He shall also act as secretary of the commission and shall prepare, or cause to be prepared, an annual report which shall be sent by the commission to the governing board

5 797. The commission shall recommend to the governing board salary schedules for the classified service. The governing board may approve, amend or reject these recommendations; provided, that no amendment shall be adopted until the commission shall first have been given a reasonable opportunity to make a written statement of the effect such amendments will have upon the principle of like pay for like service. No such changes shall operate to disturb the relationship which compensation schedules bear to one another, as such relationship has been established in the classification made by the commission.

5.798. Any person who has been continuously employed in a position which under this article is defined as a position in the classified service for a period of six months immediately preceding the date on which the governing board of the school district shall have adopted the procedure set forth in this article shall be deemed to be in the permanent classified service; provided, that no lay off or suspension of service during the time when and because the schools of the district are not in session shall count as an interruption of such continuous service

All persons who have been continuously employed by a school district for less than six months immediately preceding the date on which the governing board of the school district shall have adopted the procedure set forth in this article shall be deemed to hold their positions under probationary classification.

All new employees in the classified service shall be selected in accordance with the provisions of this act and the rules of the commission, from applicants on eligibility lists which, wherever practicable, as determined by the commission, shall be made up from promotional examinations; provided, that such applicants shall be placed on such eligibility lists in the order of their relative merit as determined by competitive examinations; and provided further, that appointments shall be made from the first two applicants on the eligibility list who are ready and willing to accept the position. When no eligibility list exists for a position in the classified service, new employees may be appointed for a period not to exceed ninety days and during said ninety days an examination shall be held for such classification. No successive temporary appointments may be made and no person shall be employed in temporary capacities under a given governing board for a total of more than six months in any one year. No questions relating to political or religious opinions, affiliations, race, color, or marital status shall be asked of any candidate whose name has been certified for appointment, nor shall any discrimination be exercised therefor

Persons laid off or suspended because of lack of work or lack of funds are eligible to reemployment for a period of three years and shall be reemployed in preference to new applicants

Eligibility lists shall be established for a period of not less than one year and may be extended for an additional period of one year in the discretion of the commission.

5 798a. Any person who has served a probationary period not to exceed six months as prescribed by the rules of the commission for his classification shall be deemed to be in the permanent classified service. No person in the permanent classified service shall be demoted or removed except for reasonable cause designated by rule of the commission as detrimental to the efficiency of the service. This paragraph shall not be construed to prevent lay offs for lack of work or lack of funds.

For reasonable causes the employee may be suspended without pay for not more than thirty days or may be demoted or dismissed In any such case the personnel director shall within three days of such suspension, demotion or dismissal file written charges with the commission and give a copy of such charges to the employee.

An employee who has been suspended, demoted, or dismissed may appeal to the commission within fourteen days after receipt of a copy of the written charges by filing a written answer to such charges

The commission shall investigate the matter on appeal and may require further evidence from either party, and may, and upon request of an accused employee shall, order a hearing The accused employee shall have the right to appear in person or with counsel and to be heard in his own defense. The decision shall not be subject

to review by the governing board If the commission sustains the employee, the commission may order paid all or part of his full compensation from the time of suspension, demotion, or dismissal, and it shall order his reinstatement. Upon notification of the commission's decision, the board shall reinstate the employee and authorize such compensation as the commission shall direct.

5 799 No warrant shall be drawn by or on behalf of the governing body of any district for the payment of any salary or wage to any employee in the classified service unless the pay roll bears the certification of the personnel director that the person named in such assignment has been employed and assigned pursuant to the requirements of this article and the rules of the commission.

The commission shall have the power to subpena witnesses, to require the production of records or information pertinent to investigation, and to administer oaths. It may, at will, inspect any records of the governing board that may be necessary to satisfy itself that the procedures prescribed by the commission as authorized by this article have been complied with.

It shall be the duty of the counsel of the governing board to aid and represent the commission, when sued, in a legal capacity and should he refuse, the commission may employ its own attorney and the reasonable cost thereof shall constitute a legal charge against the general funds of the district concerned.

5 799a. No person who is in the classified service or who is upon any eligibility list shall be appointed, demoted, or removed, or in any way discriminated against because of his political acts, opinions, or affiliations, provided, that no such person shall engage in political activities during his assigned hours of employment

No member of the governing board in any district in which the procedure herein set forth shall have been adopted shall directly or indirectly solicit or be concerned in soliciting any assessment, contribution, or political service of any kind whatsoever for any political purpose from any person who is in the classified service or who is upon any eligibility list

No officer or employee of any governing board of any district in which the procedure herein set forth shall have been adopted shall directly or indirectly coerce or attempt to coerce or in any way bring pressure or attempt to bring pressure upon any other such officer or employee, to support or refrain from supporting any political group for any political purpose whatever.

5 799b Any person who shall wilfully or through culpable negligence violate any of the provisions of this article shall be guilty of a misdemeanor.

SEC. 2. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this act The Legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, sentence, clause or phrase be declared unconstitutional.

SEC 3 All acts and all parts of acts inconsistent herewith are hereby repealed "

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1340—An act authorizing the Governor to execute a compact with the State of Nevada, for the purpose of promoting comity and good will between California and Nevada with reference to the Boulder Canyon Project, and adjusting matters pertaining to the proposed taxation of property located in Nevada and owned by the State of California or any political subdivision thereof.

Bill read second time, ordered to re-engrossment, and third reading

Assembly Bill No. 1130—An act to amend section 3444 of the Political Code, to empower the Division of State Lands to promulgate rules and regulations governing the use of certain State lands and the enforcement of such rules and regulations

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out "Division of State Lands", and insert in lieu thereof the following: "Director of Finance"

Amendment No. 2.

On page 1, line 3, of the printed bill, as amended, strike out "Administration of Certain State Lands."

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out line 16, and in line 17, strike out "the", and insert in lieu thereof the following: "The".

Amendment No. 4.

On page 1, line 19, of the printed bill, as amended, strike out the period, and insert in lieu thereof a comma and the following: "to protect the interests of the State therein, and to promote the safety and enjoyment of the public in the use of said lands."

Amendment No. 5.

On page 1, line 23, of the printed bill, as amended, strike out "(90)".

Amendment No. 6.

On page 2, line 5, of the printed bill, as amended, strike out "Chief of the Division of State Lands", and insert in lieu thereof the following: "Director of Finance".

Amendment No. 7.

On page 2, line 9, of the printed bill, as amended, strike out "and/".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 617—An act to amend section 1168 of the Penal Code and to add thereto sections 969c and 1158a, relating to crimes committed with a deadly weapon.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, after "crimes", insert a period, and strike out the balance of line 2, and all of line 3, of the title.

Amendment No. 2.

On page 1, line 18 of the printed bill, as amended, strike out "shall", and insert in lieu thereof the following: "may".

Amendment No. 3.

On page 1, line 19 of the title of the printed bill, as amended, after "determine", insert the following: "and redetermine".

Amendment No. 4.

On page 4, line 35, of the printed bill, as amended, after "credits,", insert the following: "but in no case shall he be paroled until he has served one calendar year"

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 566—An act to provide means for making applicable to judges of the superior courts the provisions of section 26 of Article VI of the Constitution of this State, relating to the method of selecting judges.

Bill read second time, and ordered on file for third reading

Senate Bill No. 818—An act to amend section 580b of the Code of Civil Procedure, relating to deficiency judgments

Bill read second time, and ordered on file for third reading.

Senate Bill No 822—An act to amend section 27 of the Streets and Highways Code, relating to the maintenance of the State highways.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out line 2 of the title, and insert in lieu thereof the following "relating to the maintenance of highways."

Amendment No. 2.

On page 1, lines 4 and 5, of the printed bill, strike out "and particularly with reference to the expenditure of State highway fund money,"

Amendment No. 3.

On page 1, line 12, of the printed bill, strike out the period, and insert in lieu thereof the following: "and weed control."

Amendment No. 4.

On page 1 of the printed bill, strike out lines 19 and 20.

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading

Senate Bill No. 826—An act to amend sections 363a, 363s and 363bb of the Political Code, relating to the Department of Public Works.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out ", 363s".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, after the comma, insert the following: "and to add section 363s thereto,".

Amendment No. 3.

On page 1 of the printed bill, strike out line 23, and in line 24, strike out "amended", and insert in lieu thereof the following:

"SEC. 3. Section 363s is hereby added to the Political Code,".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 824—An act to amend sections 4041.8 and 4041.18 of the Political Code, relating to jurisdiction and powers of boards of supervisors.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 825—An act to amend the title and section 1 of an act entitled "An act to enable counties to purchase, lease, obtain, hold, improve and maintain land for the uses and purposes of public parks and boulevards." approved May 31, 1929, relating to public boulevards.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 827—An act to amend section 2620 of the Political Code, relating to the width of highways.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 828—An act to amend section 2737 of the Political Code, relating to bridges and highways.

Bill read second time, and ordered on file for third reading

Senate Bill No. 544—An act to amend sections 5 and 6 of an act entitled "An act prescribing certain duties to be performed by the

State Controller, State Treasurer and State Board of Examiners," approved February 20, 1872, relating to warrants.

Bill read second time, and ordered on file for third reading.

Report of Standing Committee—(Resumed).

The following report of standing committee was received and read.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1935.

MR SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Senate Bill No. 498—An act to add Chapter 9 to Division IV of the Agricultural Code relating to milk has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

THORP, Chairman.

The above reported bill ordered on file for second reading.

Motion to Suspend Rules.

Mr. Phillips moved that the rules be suspended for purpose of reading Senate Bill No. 498 second time.

Motion carried.

Second Reading of Senate Bill No. 498.

Senate Bill No. 498—An act to add Chapter 9 to Division IV of the Agricultural Code relating to ------ milk -------.

Senate Bill No. 498 read second time, and ordered on file for third reading.

Motion to Print.

Mr. Chatters moved that the Chief Clerk instruct the State Printer to print 500 copies of Assembly Bill No. 1182.

Motion carried.

Report of Standing Committee—(Resumed).

The following report of standing committee was received and read:

On Attaches.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1935.

MR SPEAKER Your Committee on Attaches respectfully begs to report that it has carefully considered the applications for the various positions and desires to submit the following resolution:

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same:

Commencing April 29, 1935—	*(Sundays excepted) Per day*
A. J. Haynes, Assistant Sergeant-at-Arms	$5 00

Resolved further, That the following named person be stricken from the list of Assembly attaches and his name be stricken from the pay roll of the Assembly to take effect on the completion of work:

May 4, 1935—	
Bert Farewell, Page	$2 50

UTT, Chairman.

Report and resolution of Committee on Attaches read.

Mr. Utt moved the adoption of the report and resolution

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hunt Johnson, Jones, Kallam, Latham, Laughlin, Maloney, Martin, Mayo, McBride, McCarthy,

McMurray, Meehan, Miller, Minard, Nielsen, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr Speaker—63

NOES—None.

Motion to Print in Journal.

Mr. Heisinger moved that the following report be printed in the Journal:

Motion carried.

Minority Report of Special Assembly School Textbook Committee.

The committee has spent weeks in its endeavors to make a unanimous report, but has not yet succeeded

The chairman believes that the facts of the investigation should be presented to the Assembly and to the people who may draw their own conclusions, rather than to present the conclusions of the committee.

The Assembly committee appointed by Speaker Edward Craig, consisting of Assemblyman S. L. Heisinger (Chairman), Thomas J Cunningham and Charles W Fisher, appointed January 26, 1935, pursuant to Assembly resolution introduced by Assemblyman Heisinger, said resolution appearing on page 46 of the Assembly Daily Journal of January 26, 1935, respectfully submits the following report of its investigation.

Hearings were held by the committee in Los Angeles, Fresno, Oakland and Sacramento The leading educators of the State appeared before the committee, consisting of the State Superintendent of Schools, members of the State Board of Education and of the State Curriculum Commission Also leading administrative officials of local school systems, together with many teachers, laymen and the Superintendent of State Printing

In the matter of whether or not children required to move from one school to another are greatly hampered and retarded in their educational progress by the use of textbooks with which they are unfamiliar, was found not to be the case This is so because the State basal textbooks are uniform throughout the State, and are liberally supplemented by supplemental textbooks.

We investigated the so-called propaganda and pamphlets of eastern book concerns from which pamphlets excerpts are as follows:

1 "There is no reason to suppose that the part of the business of publishing books can be done less expensively by the State than by the private publisher."

2 "Books manufactured by the State are likely to be greatly inferior in paper, printing, and binding to those offered by publishers."

3. "There is no evidence that the publication or printing of books by the State is less expensive than publication and printing by publishers if all cost factors are considered."

4 "State publication or State printing leads to the use of inferior books and to difficulties in their distribution which lower the educational efficiency of the schools."

Quotations of California educators as contained in circular letters:

1 "Should all final costs, both direct and indirect, be included in the price of State-printed books and a valid comparison of publisher and State-printing prices were made available, the evidence presented would strongly indicate that there could be no financial advantage possible to the State printing of textbooks."

2 "It is evident that support of State printing for the sake of home production and for its beneficial effect on employment in the State are not particularly weighty. Materials used all come from outside the State. Capital for their purchase would have to travel beyond our boundaries as it does now. The employment of printers and other workers in the State establishment would displace employment of workers in the considerable establishments now maintained by private publishers. The balance is conjectural and could not be great."

These statements should not be taken seriously because they are so similar that they might have sprung from the same inspiration. It is not so long ago that a Federal investigation revealed that other educators voiced the propaganda of the so-called electrical power trust, and some educators here who constantly deride our State textbooks might also find themselves very much embarrassed should a Federal investigation be conducted.

We found that these pamphlets were widely distributed among the teachers and educators of California, and while the educators did not seem to be unduly influenced by the pamphlets or the propaganda, yet the constant and unethical methods practiced by the book concerns show plainly that the unfair tactics of the publishers have been stamped upon the minds of the educators which are evidenced by their circular letters

However, the statements above quoted are not in accordance with the findings nor with the testimony of the educators generally who say that our free textbooks

are good educationally as well as in mechanical structure, and their main concern is the lack of sufficient books.

Herewith is a list of books, together with comparative costs and savings to the State, which we submit for public information and which disproves the quotations above recited.

STATEMENT SHOWING SAVING IN MANUFACTURE OF TEXTBOOKS AS COMPARED WITH COMMERCIAL PUBLISHERS FROM JANUARY 1, 1934 TO JUNE 30, 1934

Book	Number copies	State cost F.O.B. pupil*		Publisher's wholesale price F.O.B. San Francisco		Savings effected by State printing over wholesale prices	Per cent of saving
		Average	Value	Average	Value		
1. Second reader	15,400	$0 37	$5,698 00	$0 60	$9,240 00	$3,542 00	38
2. Third reader	20,000	50	10,000 00	66	13,200 00	3,200 00	24
3. Triangle arithmetic, sixth grade	35,940	32	11,500 80	51	18,329 40	6,828 60	37
4. Seventh grade	35,454	42	14,890 68	85	30,135 90	15,245 22	50
5. Eighth grade	15,630	42	6,564 60	85	13,285 50	6,720 90	50
6. Language, fourth grade	10,164	35	3,557 40	61	6,200 04	2,642 64	42
7 Language, fifth grade	10,249	40	4,099 60	68	6,969 32	2,869 72	41
8. Language, fifth grade	10,315	40	4,126 00	68	7,014 20	2,888 20	41
9. Language, sixth grade	5,400	47	2,538 00	75	4,050 00	1 512 00	37
10. English, seventh grade	10,160	45	4,572 00	60	6,096 00	1,524 00	25
11. Teachers' music hour, kindergarten and first grade	1,067	1 58	1,685 86	2 55	2,720 85	1,034 99	38
12. Teachers' elementary	1,550	98	1,519 00	1 26	1,953 00	434 00	22
13. Intermediate teachers'	1,600	1 18	1,888 00	1 56	2,496 00	608 00	24
14 Music of many lands	202,180	69	139,504 20	1 22	246,659 60	107,155 40	43
15 Human geography, book II, part 2	5,210	63	3,282 30	91	4,741 10	1,458 80	30
	380,319	-------	$215,426 44	------	$373,090 91	$157,664 47	42

* Including printing cost, plus 5 per cent, plus royalty, plus Board of Education overhead for distribution 10 per cent, also 3 per cent for administration and shipping, also the printers are paid $1 20 per hour but to provide for depreciation, interest and overhead at the plant there is an hour cost charge of approximately $2 00 against the manufacture of school textbooks

Although not coming directly within the purview of the resolution the committee comments upon the fact that there was some difference of opinion between the educators who testified as to whether or not the fundamentals of education were being too lightly touched upon under present day methods of education. Testimony indicated, among other things, that the teachers of today are operating under forced draft because of the compulsory education laws and that in many instances students were promoted and sent from class to class because of the necessity to make room for other students. One county superintendent of schools, prominent in educational work in the State, vigorously asserted that even though we have comptometers and various calculating machines that there should nevertheless be teaching in mind training, discipline of the mind and more stress on the basic fundamentals of education. This apparently is true, and to stress the fundamentals will better equip our children for their future work. This same man testified that when his own son was in school he spent an hour a day drilling him in arithmetic and algebra. The light treatment of the basic fundamentals of education, English, spelling and arithmetic, wherever this may occur in the State of California, might be regretted. Another educator said to be sure and stress the three "R's", and teach English, grammar and then some more English. It might be said that a lack of fundamentals in the child's training has brought about such criticism as this by an editor: "I can not hire a high school student here that can spell well enough to proof read simple copy. None of the pupils know English grammar."

Attorneys and other business men have made complaints about the inefficiency and inability of high school graduates to perform services normally expected of boys and girls with similar educational facilities The instructors should have sympathy in their complaints because of the lack of the basal or fundamental State textbooks. And well may they complain when it is known that the 1933 Legislature cut the appropriation 29 per cent for the publication of State textbooks.

The committee thoroughly investigated the relative position between the State textbooks and supplementary textbooks, and it is found that while the State textbooks are very much needed in several branches of education, yet in the same classes supplemental textbooks are quite generally and liberally supplied. This condition has been brought about because in former years the districts liberally purchased supplemental textbooks and recently supplemental books have been supplied from the State Library textbook fund.

PADDING ADULT HIGH SCHOOL ATTENDANCE

A serious condition is menacing the school system of California because unfair padding of adult education in the high schools exists. Inasmuch as the high schools exclusively use supplemental textbooks, it became our duty to make such investigations as come under our notice. We found that in many high schools the instructors solicit the attendance to the evening high school of any persons who will attend. Many such schools have lectures, forums, shows and other entertainments to which the general public is invited, and all of those present are counted as evening high school adult attendants.

Aside from our own investigation we have letters bearing out these assertions One of the leading county superintendents of the State made the statement that in some schools they teach everything that any teacher can think of to teach. A further criticism by letter that our high schools were being turned into old people's homes should cause most serious consideration. This statement is borne out by the fact that such adult teaching has gone so far as to embrace horseback riding, golf, fancy dancing, bridge and other card games, together with other things that should not be taught at public expense.

Aside from the solicitation of attendance by instructors, we found one high school where a large Neon electric sign 13 feet high and 24 feet wide, of which we have a photograph, and substantially fastened upon a steel frame and permanently facing several intersecting streets, displayed day and night the following words, "Night School Adult Classes Keep on Learning" Such methods of padding the attendance to our night schools is a very serious condition, and probably accounts in a great measure for the large increased attendance of high schools in California Such increase in the adult high schools using supplemental texts is taking away from the children in the elementary schools some of the funds which are so sorely needed for basal texts. It appears that legislation should be enacted to curb these flagrant abuses. Finally, it may be said that outside of the adult schools of the State, our schools are being conducted in a very splendid manner.

Educators all over California complained that action of the State Board of Education was many times so slow in their adoption of books, after the Curriculum Commission had made recommendations, that much harm was done to the education of our children

At this time there is dire need for geographies and other texts for use in the next school year, and unless the printing can be done at once the books will not be ready in time which may necessitate the purchase from eastern concerns at a great financial loss to the State.

Therefore, it might be a move in the interest of economy and for the educational advantage of the children should the Legislature empower the Governor to act in emergency cases where the board delays action However, the board should be commended for their action in certain cases when because of economy, and for the better education of the children, they have caused to be printed and distributed supplemental textbooks. This work is not authorized by law but should be, so that the board may not be subject to criticism

Taking into consideration all of the problems and difficulties that enter our school life, we should extend to the teachers of California our heartiest commendation upon the excellent work they are doing, because in many instances they have been forced to "Make bricks without straw."

As a last word, it plainly appears that this session of the Legislature should make an appropriation of State funds for our basal school texts which shall be adequate to bring them back to a place which they formerly occupied.

Respectfully submitted.

S. L. HEISINGER, Chairman.

Motion to Print in Journal.

Mr. Cunningham moved that the Majority Report of the Select Committee on Textbooks be printed in the Journal.

Motion carried.

Majority Report of Special Assembly Textbook Committee.

The Assembly Committee consisting of Assemblymen S L Heisinger (Chairman), Thomas J Cunningham and Charles W. Fisher, appointed January 26, 1935, by Speaker Edward Craig, pursuant to Assembly resolution introduced by Assemblyman Heisinger, said resolution appearing on Page 46 of the Assembly Daily Journal of January 26, 1935, respectfully submits the following report of its investigation:

Hearings were held by the committee in Los Angeles, Fresno, Oakland and Sacramento. The leading educators of the State appeared before the committee, consisting of the State Superintendent of Schools, members of the State Board of Education and of the State Curriculum Commission. Also leading administrative officials of local school systems appeared before the committee together with many teachers and laymen.

In the matter of whether or not children required to move from one school to another are greatly hampered and retarded in their educational progress by the use of textbooks with which they are unfamiliar, was found not to be the case. This is so because the State basal textbooks are uniform throughout the State.

The committee investigated the use of supplemental textbooks from two points of view First, their retardation, if any, on the education of children moving from one district to another. Second, the advisability of the State of California printing supplemental textbooks in the State printing office.

The committee reports that the use of supplemental texts is not hampering or retarding the education of children moving from one district to another—as has previously been pointed out, the basic studies are covered by uniform State textbooks. Supplemental texts are purchased by school districts for their own schools In many instances the committee found these books purchased and distributed through county circulating libraries.

The selection and purchase of supplemental texts by local authorities makes possible a more progressive and thorough educational system This the committee found to be true due to the difference in the I. Q.'s of the children, not only in the same room and school, but also in different sections of the same community. Sectional differences were also found to play an important part in the use of supplemental texts.

The advisability of the State printing supplemental textbooks was investigated from both an educational and economic point of view. The committee feels that it would be economically hazardous for the State to print all supplemental texts because of the variety of the number of supplemental texts and the variation of such texts that are used throughout the State. The cost to the State would be beyond consideration. One witness very closely connected with the printing and binding of State textbooks, testified that such a vast amount of financing would be necessary that it would take years to bring a program into fact for the printing of all supplemental texts by the State This statement was substantiated by several other witnesses. It is also a fact that many of the eastern book publishers would not lease their plates to the State printing office. That while superior books may be obtained for one basic text in each subject, yet in printing of supplemental texts the State would not be able to get the best books due to the objection previously stated of publishers refusing to lease their plates. An example was many times cited to the committee in the recent adoption in this State of a geographic basic textbook. If the State did not print the books, under normal circumstances, bids for the adoption of approximately twelve geographies would be submitted. Under the circumstances, bids for only three geographies were submitted for California since nine publishers would not consider leasing plates to our State printing office. Thus it can readily be seen that in many instances the children of the State of California might have to use an inferior text due to the fact that the State Curriculum Commission and the State Board of Education would not even be given the opportunity to consider the best book adoptable for the children of this State.

It would be educationally as hazardous for the State to print all supplemental texts because a wide variety of supplemental texts are purchased in every school district. This should remain so because of sectional needs, individual needs of children, experimentation with new books and new teaching techniques. The committee found in many instances the State basic textbooks are read through thoroughly in two weeks—that in some grades some children read as many as thirty-five supplemental textbooks.

The committee cites an example given by a principal of one of the Oakland elementary schools—That in the low first grade, the chronological age is about the same, but their abilities and home backgrounds are different,—that a group of 40 students might be divided into about four groups,—that the better group would use three or four readers. Books used in the Highland School would not be acceptable to the East Oakland School—that the First Primer is an excellent book, but two out of four groups above cited could not use the First Primer One could readily see, for the reasons set forth, the impracticability, from an educational standpoint, of the State printing all supplemental textbooks.

In questioning those who appeared before the committee in the matter of whether or not undue influence is being used by private concerns upon our educational representatives in California to induce them to purchase school textbooks, the committee found it to be the unanimous opinion of those interested that no such undue influence was being used, but that the usual methods of salesmanship as in the case of the sale of any commodity were present. Various educators testified that many of the textbook salesmen were a great help to them in the selection of texts, in the initial presentation of the type of book and the context thereof.

Statistics were submitted by the State printing office to the committee showing that books could be printed in the State printing office cheaper than they could be purchased from private publishers. The committee did not analyze these figures to determine what items, such as overhead, etc, were included in determining by the State printing office what is constituted under the term cost.

Objections were made to the committee relative to poor binding and other defects in the books printed by the State printing office. The committee concludes that the books printed by the State printing office are in many respects as high a grade, quality, binding, etc, as those printed by the private publishers

It was found that there was some difference in the manner of purchasing of supplemental textbooks in the various counties of the State In many of the counties the textbook fund is being pooled and the purchasing is centralized In other counties each separate school district purchases its own supplemental texts It would seem that the pooling of book funds in the respective counties would lead to more efficiency and establish a more uniform grouping of textbooks within the counties The committee noted considerable difference in the amount per pupil spent for supplemental texts in the various counties, i.e., Los Angeles in 1934 spent approximately 37 cents per pupil for texts while Oakland spent approximately 75 cents per pupil and Berkeley expended the $1 maximum allowed by law. The Oakland and Berkeley authorities explained that while they might economize in other directions, they felt that the school texts are the basis of education and that little or no economy should be made in this regard.

Although not within the purview of the resolution evidence was given touching upon the point of whether or not our State educational system was touching too lightly upon the fundamentals of education One of the most eminent county superintendents states that in his opinion this is the case and that there is not enough mental discipline given. The consensus of opinion was that wherever this is the case it is to some degree caused by our compulsory educational system necessitating the forcing of students from one grade to another. The committee regrets the lack of concentration upon the teaching of fundamentals wherever this might occur in the State of California.

CONCLUSION.

The committee concludes with the following statements and conclusions that we feel should be called to the attention of those concerned.

The committee feels that the State's adoption and printing of basic texts to be fundamental. That the budget for the adoption and printing of basic texts should be increased and not further curtailed; that the success of State printing and the welfare of our educational system in California depends upon its proper maintenance. We feel equally as strong against the State entering the field of supplementary texts, both from an educational as well as economic point of view.

With proper budget allowance, a State Speller of 15 years without revision we hope will not again take place We strongly feel that our basic State textbooks should be kept up-to-date, available to all school districts when needed, and sufficient funds applicable to maintain clean textbooks available to the children of our State school system at all times.

Lastly we desire to recommend the necessity we find throughout the State for a uniform dictionary printed and/or adopted by the State.

Dated, this third day of May, 1935.

Respectfully submitted

THOMAS J CUNNINGHAM
CHARLES W FISHER

By Mr. Cunningham.

I concur in the majority report except that part devoted to the comment on the teaching of fundamentals. I feel it has no place in this report.

Motion to Withdraw Senate Bill No. 269.

Mr Chatters moved that Senate Bill No 269 be withdrawn from Committee on Judiciary and placed on file for second reading.

The question being on the motion by Mr Chatters, to withdraw Senate Bill No 269 from Committee on Judiciary

Demand for Previous Question.

Messrs. Wagner, Kallam, Meehan, Johnson and Breed demanded the previous question

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion by Mr Chatters to withdraw Senate Bill No 269 from Committee on Judiciary

The roll was called, and the motion was carried by the following vote:

AYES—Andreas, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Dolan, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Nielsen, Patterson, Pelletier,

Peterson, Peyser, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—59.

NOES—Cronin, Frazier, Minard, and Scudder—4.

Senate Bill No. 269 ordered on file for second reading.

Motion to Withdraw Assembly Bill No. 1821.

Mr. Jones moved that Assembly Bill No. 1821 be withdrawn from Committee on Judiciary, and placed on file

The question being on the motion by Mr. Jones to withdraw Assembly Bill No. 1821 from Committee on Judiciary.

Request for Roll Call.

On request of Messrs. Heisinger, Pelletier, Clark, Dawson and Reaves, the Speaker ordered a roll call taken on the motion to withdraw.

The roll was called, and the motion to withdraw Assembly Bill No. 1821 from Committee on Judiciary was lost by the following vote:

AYES—Anderson, Burns, Cassidy, Clark, Cronin, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Jones, Laughlin, Maloney, McCarthy, McMurray, Meehan, Patterson, Pelletier, Peterson, Reaves, Richie, Rosenthal, Voigt, Wagner, and Weber—29

NOES—Andreas, Breed, Brennan, Chatters, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Frazier, Fulcher, Garibaldi, Heisinger, Johnson, Latham, Lyon, Martin, Mayo, McBride, Miller, Minard, Nielsen, Peyser, Redwine, Riley, Robertson, Scudder, Thorp, Utt, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—39.

Third Reading of Senate Bills.

Senate Bill No. 758—An act to amend an "Act granting certain tidelands and submerged lands of the State of California to the City and County of San Francisco for development and use as a public airport, regulating the management, use, lease and control thereof, authorizing the reclamation and certain improvements of said lands and the construction and maintenance of a bridge or causeway connecting said lands with Yerba Buena Island," (Chap. 912, Stats. 1933), to add a new section to be numbered section 4, permitting the temporary use of said lands for exposition purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 758 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—69.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Unfinished Business.

Consideration of Governor's Veto to Assembly Bill No. 1739.

Assembly Bill No. 1739—An act to add section 670a to the Political Code, relating to the refund of penalties.

Governor's veto pending.

The question being put, Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Hunt, Jones, and Wagner—3.

NOES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J. Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Kallam, Latham, Laughlin, Lyon, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Peterson, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—62.

Consideration of Senate Amendments to Assembly Bill No. 1343.

Assembly Bill No. 1343—An act to repeal sections 2.21, 3.174, 3 301, 3.302, 3.306, 3.308, 3.309, 3.415 and 3.416 of the School Code, to amend sections 3.304 and 3 305 of said code, to add to Part I of Division III of the said code a new chapter to be known as Chapter VIII, and to add to said code a new section to be numbered 3 306, all relating to the attendance of pupils upon the public schools

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1343?

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, as amended, strike out the word "section", and insert in lieu thereof the word "sections".

Amendment No. 2.

On page 1, line 3 of the title of the printed bill, as amended, after the number "3.304", insert the following: "and 3.305".

Amendment No. 3.

On page 1, line 2, of the printed bill, as amended, after the number "3.416", insert the following: "of the School Code".

Amendment No. 4.

On page 1, line 10, of the printed bill, as amended, after the word "district", insert the following: "of the same type or class".

Amendment No. 5.

On page 2, line 22, of the printed bill, as amended, after the word "pupils", insert a comma and the following: "excepting pupils attending in the seventh and eighth grades of a junior high school,".

Amendment No. 6.

On page 2, line 29, of the printed bill, as amended, strike out the word "pupils", and insert in lieu thereof the following: "a pupil".

Amendment No. 7.

On page 2, line 29, of the printed bill, as amended, strike out the comma and the following: "3.304".

Amendment No. 8.

On page 2, line 32, of the printed bill, as amended, strike out the following: "or such amounts", and insert in lieu thereof the following: "having jurisdiction over the elementary district in which the pupil resides, or, if such board and county superintendent of schools fail to agree, such tuition".

Amendment No. 9.

On page 2 of the printed bill, as amended, beginning in line 34, strike out the comma, and the following: "as provided in section 3 304 of this code".

Amendment No. 10.

On page 2, line 36, of the printed bill, as amended, after the word "fund", insert the following: "of the county the county superintendent of schools of which has jurisdiction over the elementary school district in which the pupil resides".

Amendment No. 11.

On page 2, line 39, of the printed bill, as amended, after the word "person", insert the following: "residing in a county in which a high school is situated but".

Amendment No. 12.

On page 2, line 39, of the printed bill, as amended, after the word "district", insert the word "and".

Amendment No. 13.

On page 2, line 41, of the printed bill, as amended, after the comma, insert the following: "or desiring to attend a high school situated outside of the county in which he resides and located in a high school district situated partly in the county in which he resides but under the jurisdiction of the county superintendent of schools of another county,".

Amendment No. 14.

On page 2 of the printed bill, as amended, beginning in line 42, strike out the following: "only upon such terms as may be agreed", and strike out all of lines 43 to 47, inclusive, and insert in lieu thereof a period.

Amendment No. 15.

On page 2 of the printed bill, as amended, beginning in line 51, strike out the following: "district situated entirely outside the county in which such person or persons reside", and insert in lieu thereof the following: "under the provisions of this section".

Amendment No. 16.

On page 3 of the printed bill, as amended, after line 15, insert the following:

"SEC. 5. Section 3.305 of the School Code is hereby amended to read as follows:

3.305. Any person who is, under the provisions of this article, eligible to attend high school and who resides in a county in which no high school is maintained, may attend any high school of the State."

The roll was called, and Senate amendments to Assembly Bill No. 1343 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 1343 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 1650.

Assembly Bill No. 1650—An act to amend sections 480, 481, 482, 483, 503, 505, 736, 737, 738 and 743 of the Vehicle Code, to repeal sections 502 and 739 of said code and to add sections 500, 501, 502, 506, 739, 743.5 and 743.6 to said code, relating to accidents involving motor vehicles, the duty of drivers of such vehicles to stop, render aid and give certain information, defining the crime of negligent homicide and prescribing penalties therefor, also relating to persons driving motor vehicles while under the influence of liquor or narcotic drugs, to the stealing or unlawful taking of motor vehicles, and the reckless driving of such vehicles, to the taking of persons arrested before magistrates, and the duties of arresting officers in connection with said persons, to the procedure to be followed where the person arrested is either taken before a magistrate or is given a notice to appear in court, to changes of venue in prosecutions for violations of said code, and to the procedure to be followed upon the arrest of all persons violating said code.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1650?

Amendment No. 1.

On page 3, line 28, of the printed bill, as amended, strike out the word "convition", and insert in lieu thereof the following: "conviction"

The roll was called, and Senate amendment to Assembly Bill No 1650 was concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Minard, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—63

NOES—None

Assembly Bill No. 1650 ordered to enrollment

Consideration of Senate Amendments to Assembly Bill No. 1784.

Assembly Bill No. 1784—An act to add section 675.5 to the Vehicle Code, relating to glass.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1784?

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out the comma first appearing and "except as hereinafter otherwise provided,".

Amendment No. 2.

On page 1, line 11, of the printed bill, strike out "act", and insert in lieu thereof the following: "code".

Amendment No. 3.

On page 1 of the printed bill, strike out all of lines 17 to 22, inclusive, and on page 2, strike out all of lines 1 to 4, inclusive.

Amendment No. 4.

On page 2, line 5, of the printed bill, strike out "(4)", and insert in lieu thereof the following: "(3)".

Amendment No. 5.

On page 2, line 11, of the printed bill, strike out "(5)", and insert in lieu thereof the following: "(4)".

Amendment No. 6.

On page 2, line 11, of the printed bill, strike out 'applications", and insert in lieu thereof the following: "application".

Amendment No. 7.

On page 2, line 13, of the printed bill, strike out "transfer", and insert in lieu thereof the following: "transferer".

The roll was called, and Senate amendments to Assembly Bill No. 1784 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Field, Flint, Frazier, Fulcher, Geyer, Gilbert, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 1784 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1880.

Assembly Bill No. 1880—An act to amend sections 5.930 and 5.931 of the School Code, both relating to balances due deceased recipients of annuities from the public school teachers' retirement salary fund.

The question being put Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1880?

Amendment No. 1.

On page 1 of the printed bill, following line 25, insert the following: "Sec. 2. Section 5.931 of the School Code is hereby amended to read as follows:".

Amendment No. 2.

On page 2, line 18, of the printed bill, strike out the comma and the following: "and that".

The roll was called, and Senate amendments to Assembly Bill No. 1880 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—63.
NOES—None.

Assembly Bill No. 1880 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 532.

Assembly Bill No. 532—An act to amend sections 578, 587, 860, 1201, 1240, 1501, 1515, 1540 and 1630 of the Probate Code and to add new sections thereto to be numbered 588, and 1516, relating to estates of decedents and estates of persons under guardianship.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 532?

Amendment No. 1.

On page 2 of the printed bill, commencing in line 31, strike out the following: "the petitioner shall cause such notice of the application to be published in a newspaper of general circulation in the county" and insert in lieu thereof the following: "the clerk shall cause such notice of the application to be published in a newspaper of general circulation in the county in which the estate is being probated".

The roll was called, and Senate amendment to Assembly Bill No. 532 was concurred in by the following vote:

AYES—Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Frazier, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—60.
NOES—None.

Assembly Bill No. 532 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1763.

Assembly Bill No. 1763—An act to amend sections 699, 702, 703, 708, 709, 711 and 712 of the Fish and Game Code, relating to fish in district 4¾.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1763?

Amendment No. 1.

On page 1, line 8, of the printed bill, strike out "May 29", and insert in lieu thereof the following: "May 1".

Amendment No. 2.

On page 1, line 18, of the printed bill, strike out "May 29", and insert in lieu thereof the following: "May 1".

The roll was called, and Senate amendments to Assembly Bill No. 1763 were concurred in by the following vote.

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Frazier, Fulcher, Garibaldi, Geyer, Gilbert,

Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—65.

NOES—None.

Senate Bill No 1763 ordered to enrollment.

Consideration of Senate Amendments to Assembly Constitutional Amendment No. 58.

Assembly Constitutional Amendment No. 58—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 8 of Article XI thereof, relating to the preparation and adoption of charters by cities, counties and cities and counties.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No. 58?

Amendment No. 1.

On page 1 of the printed measure, as amended, in the last line of the title, after the words "by cities", insert a comma and the following: "counties".

Amendment No. 2.

On page 1, line 8, of the printed measure, as amended, after the word "city", insert ", county".

Amendment No. 3.

On page 1, line 14, of the printed measure, as amended, after the word "city,", insert "county".

Amendment No. 4.

On page 1, line 17, of the printed measure, as amended, after the word "city", insert ", county or city and county.".

Amendment No. 5.

On page 1, line 19, of the printed measure, as amended, strike out the period after the word "city", and insert ", county or city and county."

Amendment No. 6.

On page 1, line 21, of the printed measure, as amended, after the word "city,", insert "county or city and county,".

Amendment No. 7.

On page 1, line 23, of the printed measure, as amended, after the word "city,", insert "county or city and county,".

Amendment No. 8.

On page 1, line 27, of the printed measure, as amended, after the word "city,", insert "county".

Amendment No. 9.

On page 2, line 5, of the printed measure, as amended, after the word "municipal", insert ", county or city and county".

Amendment No. 10.

On page 2, line 11, of the printed measure, as amended, strike out the word "form", and insert "frame".

Amendment No. 11.

On page 2, line 23, of the printed measure, as amended, strike out the period after the word "city", and insert ", county or city and county."

Amendment No. 12.

On page 2, line 26, of the printed measure, as amended, strike out the period after the word "city", and insert ", county or city and county."; and in said line 26, between the words "city shall", insert ", county or city and county".

Amendment No. 13.

On page 2, line 28, of the printed measure, as amended, after the word "city", insert ", county or city and county"

Amendment No. 14.

On page 2, line 31, of the printed measure, as amended, after the word "city", insert ", county or city and county".

Amendment No. 15.

On page 2, line 32, of the printed measure, as amended, after the word "city", insert ", county".

Amendment No. 16.

On page 2, line 36, of the printed measure, as amended, after the word "city", insert "county or city and county,".

Amendment No. 17.

On page 2, line 39, of the printed measure, as amended, after the word "city", insert ", county or city and county".

Amendment No. 18.

On page 2, line 42, of the printed measure, as amended, after the word "city", insert ", county or city and county".

Amendment No. 19.

On page 2, line 48, of the printed measure, as amended, after the word "alternative", insert a comma; and after the word "city", insert ", county".

Amendment No. 20.

On page 3, line 5, of the printed measure, as amended, after the word "city", insert ", county".

Amendment No. 21.

On page 3, line 16, of the printed measure, as amended, after the word "city", insert "county".

Amendment No. 22.

On page 3, line 21, of the printed measure, as amended, strike out the semicolon after the word "city", and insert ", and in the case of a county or city and county one copy shall be filed with the recorder thereof, and one in the archives of such county or city and county;".

Amendment No. 23.

On page 3, line 23, of the printed measure, as amended, after the word "city", insert "county".

Amendment No. 24.

On page 3, line 25, of the printed measure, as amended, strike out the words "of the city", and insert "thereof".

Amendment No. 25.

On page 3, line 30, of the printed measure, as amended, after the word "city", insert "county"

Amendment No. 26.

On page 3, line 34, of the printed measure, as amended, after the word "city,", insert "county".

Amendment No. 27.

On page 3, line 38, of the printed measure, as amended, after the word "city,", insert "county".

Amendment No. 28.

On page 3, line 45, of the printed measure, as amended, after the word "city,", insert "county or city and county,".

Amendment No. 29.

On page 4, line 12, of the printed measure, as amended, after the word "municipal", insert "or county".

Amendment No. 30.

On page 4, line 16, of the printed measure, as amended, after the word "city,", insert "county".

Amendment No. 31.

On page 4, line 19, of the printed measure, as amended, after the word "municipal", insert "or county".

Amendment No. 32.

On page 4, line 21, of the printed measure, as amended, after the word "city," insert "county".

Amendment No. 33.

On page 4, line 25, of the printed measure, as amended, after the word "city", insert ", county".

Amendment No. 34.

On page 4, line 28, of the printed measure, as amended, after the word "city,", insert "county".

The roll was called, and Senate amendments to Assembly Constitutional Amendment No. 58 were refused concurrence by the following vote:

AYES—None
NOES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J. Evans, Ralph W., Field, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—69

Consideration of Senate Amendment to Assembly Bill No. 1036.

Assembly Bill No. 1036—An act to amend section 1418 of the Penal Code, relating to the pardoning or commutation of sentence of convicts twice convicted of felony.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1036?

Amendment No. 1.

On page 1, line 25, of the printed bill, as amended, strike out "the Governor proposes to grant", and insert in lieu thereof the following: "in the opinion of the Governor there appears to be merit in".

The roll was called, and Senate amendment to Assembly Bill No. 1036 was concurred in by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Redwine, Richie, Riley, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr Speaker—65.
NOES—Robertson—1

Assembly Bill No. 1036 ordered to enrollment.

Report of Committee on Free Conference.

The following report of Committee on Free Conference was received and read:

On Free Conference.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1935

MR SPEAKER. Your Committee on Free Conference concerning Senate Concurrent Resolution No 10—*Resolved, by the Senate of the State of California, the Assembly concurring*, That the following be, and the same are hereby adopted as the Joint Rules of the Senate and Assembly of the State of California for the fifty-first session of the Legislature—reports that it has met a like committee of the Senate, consisting of Senators Rich, Knowland and Tickle, and reports that the Committee on Free Conference has agreed to recommend the following:

That the Senate concur in the Assembly amendments, and that the measure be further amended as follows:

Amendment No. 1.

On page 9, line 34, of the printed resolution, as amended March 26, 1935, Rule 33, strike out the word "seven", and insert in lieu thereof the word "ten".

Amendment No. 2.

On page 12 of the printed resolution, as amended, Rule 44, strike out lines 32 to 35, inclusive, and insert in lieu thereof the following: "houses at least 20 days before the date fixed for adjournment. The resolution of notice of intention to adjourn shall provide for adjournment sine die not later than three days after the date set as the intended date of adjournment."

Amendment No. 3.

On page 9, line 40 of the printed resolution, as amended, at the end of Rule 33, add the following "And no further bills, joint or concurrent resolutions or constitutional amendments shall be placed on file in either house for passage or adoption

of the day prior to the day set as the intended day of adjournment or thereafter without permission therefor being granted by a three-fourths vote of the house in which the measure is proposed to be placed on file after being recommended by the presiding officer thereof."

Amendment No. 4.

On page 12, line 49 of the printed resolution, as amended, Rule 46, strike out "27 and 35", and insert in lieu thereof, "25 and 33".

Amendment No. 5.

Following Rule 46, add the following:

"*Parliamentary authority*

47. All matters of procedure between the houses, not provided for in these rules shall be governed by Mason's Manual."

LYON,
Assembly Committee on Free Conference.

RICH,
KNOWLAND,
TICKLE,
Senate Committee on Free Conference.

Report of Committee on Free Conference read.

Mr. Wallace moved that the Assembly refuse to adopt the report of Committee on Free Conference.

The question being on the adoption of the report of Committee on Free Conference.

Demand for Previous Question.

Messrs. Peterson, Lyon, Reaves, Wallace and Jones demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of the report of Committee on Free Conference.

The roll was called, and the report of Committee on Free Conference was refused adoption by the following vote:

AYES—Evans, Herbert J., Glover, Kallam, Latham, Lyon, McCarthy, and Redwine—7.

NOES—Anderson, Breed, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fulcher, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—58.

Resolution.

The following resolution was offered:

By Mr. Nielsen:

Assembly Resolution.

WHEREAS, The California Library Association is convening in Sacramento on June 5, 6, 7 and 8, 1935; and,

WHEREAS, The State Library Building has no room of sufficient size for general sessions of the convention; now, therefore, be it

Resolved by the Assembly of the State of California, That the California Library Association be and it is hereby invited and authorized to use the Assembly Chamber for its convention on June 5, 6, 7 and 8, 1935

Resolution read.

Mr. Nielsen moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Frazier, Fulcher, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Maloney, Martin, Mayo, McMurray,

Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—57

NOES—None.

Recess.

At twelve o'clock and fifteen minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until one o'clock and thirty minutes p.m., of this day.

Reassembled.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Public Utilities.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1935.

MR SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 2180—An act to amend section 17 of the Public Utilities Act, relating to discrimination in relation to transportation by common carriers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

EVANS, HERBERT J., Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 1570—An act to add two new sections to the Public Utilities Act, to be numbered 2¼ and 50¼, defining highway common carriers and providing for the regulation thereof and requiring the issuance of certificates of public convenience and necessity therefor, and to repeal Chapter 213 of the Statutes of 1917, approved May 10, 1917, and amendments thereto—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

EVANS, HERBERT J., Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 1757—An act to amend the Public Utilities Act to prevent the use of the dial system of obtaining telephone connections by any telephone company in California—*has had the same under consideration, and respectfully reports the same back without* recommendation, as amended.

EVANS, HERBERT J., Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 2350—An act to restrict the net operating profits of public utilities—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

EVANS, HERBERT J, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 1288—An act to amend section 4 of "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to tax on gross receipts—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

EVANS, HERBERT J., Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 1502—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act" (otherwise known as the "Public Utilities Act"), as amended—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

EVANS, HERBERT J., Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 426—An act to amend "An act regulating the hours of labor of the operators of certain motor vehicles" approved June 10, 1933, by amending section 1 thereof, relating to hours of labor—has had the same under consideration, and respectfully reports the same back without recommendation, to be referred to Committee on Motor Vehicles.

EVANS, HERBERT J., Chairman.

The above reported bill ordered re-referred to Committee on Motor Vehicles.

Also:

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 651—An act to amend an act entitled "An act providing for the sale of street railroad and other franchises in counties and municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting acts," approved March 22, 1905, as amended, by amending sections 1 and 3 of said act to confine the application of said act to public utilities, and to require annual payments thereunder to counties and municipalities for the first five years of the term of the franchise as well as the succeeding years thereof, and to provide penalties for delinquencies in such payments, and by adding two new sections to said act to be known as sections 3a and 4a providing a method of computing such annual payments—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

EVANS, HERBERT J., Chairman.

The above reported bill ordered on file for second reading.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1935

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1294—An act to amend the Vehicle Code, relating to motor vehicles;

Also: Assembly Bill No. 1295—An act to amend the Vehicle Code, relating to motor vehicles;

Also: Assembly Bill No. 1339—An act to add a new division to the Vehicle Code, to be numbered IXa, relating to vehicular crossings constructed or owned by the State, the control and policing thereof, and the regulation of traffic thereon;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

HORNBLOWER, Chairman.

The above reported bills ordered on file for second reading.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1935.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No 2252—An act to amend section 5.773 of the School Code, relating to employees of school districts other than persons employed in positions requiring certification qualifications—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

CHATTERS, Chairman

The above reported bill ordered on file for second reading.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1935

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1289—An act to amend section 372 of the Vehicle Code, and to add thereto section 776 1, relating to motor vehicles—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1935

MR SPEAKER. Your Committee on Education, to which was referred Assembly Bill No. 2134—An act to amend section 6 2 of the School Code, relating to school property—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

CHATTERS, Chairman

The above reported bill ordered on file for second reading

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1935

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 289—An act to add section 1724 to the Code of Civil Procedure, relating to establishing the fact of death of a joint tenant;

Also: Assembly Bill No 2242—An act to add section 3832 to the Political Code, to require the payment of personal property taxes by the insurer on property destroyed by fire after twelve o'clock meridian on the first Monday in March of each year;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended

LYON, Chairman.

The above reported bills ordered on file for second reading

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1935.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 830—An act to amend sections 13 and 13a of the Motor Vehicle Fuel License Tax Act, relating to the disposition of funds received under said act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1935.

MR SPEAKER: Your Committee on Education, to which was referred Senate Bill No 467—An act to amend sections 2.411, 2 418 and 2 419 of the School Code, relating to disincorporation of high school districts;

Also: Senate Bill No. 658—An act to amend section 3.472 of the School Code, relating to the transportation of pupils, instructors and supervisors of high school agriculture classes;

Also: Senate Bill No. 1083—An act to add new sections to the School Code to be numbered 6.205 and 6.225, relating to the sale or leasing of school property;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

CHATTERS, Chairman.

The above reported bills ordered on file for second reading.

Second Reading of Senate Bills—(Resumed).

Senate Bill No. 498—An act to add Chapter 9 to Division IV of the Agricultural Code, relating to the production and marketing of milk and other dairy products.

Floor Amendments.

During second reading of the bill, the following amendments were submitted by Mr. Phillips:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out the figure "9", and insert in lieu thereof the following: "10".

Amendment No. 2.

On page 1, line 2, of the printed bill, as amended, strike out the figure "9", and insert in lieu thereof the following: "10".

Amendment No. 3.

On page 1, line 5, of the printed bill, as amended, strike out the figure "9", and insert in lieu thereof the following: "10".

Amendment No. 4.

On page 1, line 10, of the printed bill, as amended, strike out "705", and insert in lieu thereof the following: "735".

Amendment No. 5.

On page 1, line 18, of the printed bill, as amended, strike out "706", and insert in lieu thereof the following: "735.1".

Amendment No. 6.

On page 2, line 15, of the printed bill, as amended, strike out "707", and insert in lieu thereof the following: "735.2".

Amendment No. 7.

On page 2, line 20, of the printed bill, as amended, strike out "708", and insert in lieu thereof the following: "735.3".

Amendment No. 8.

On page 3, line 8, of the printed bill, as amended, strike out "709", and insert in lieu thereof the following: "735.4".

Amendment No. 9.

On page 3, line 12, of the printed bill, as amended, strike out "710", and insert in lieu thereof the following: "735.5".

Amendment No. 10.

On page 3, line 16, of the printed bill, as amended, strike out "711", and insert in lieu thereof the following: "735.6".

Amendment No. 11.

On page 3 line 22, of the printed bill, as amended, strike out "712", and insert in lieu thereof the following: "735.7".

Amendment No. 12.

On page 3, line 34, of the printed bill, as amended, strike out "713", and insert in lieu thereof the following: "735.8".

Amendment No. 13.

On page 3, line 42, of the printed bill, as amended, strike out "714", and insert in lieu thereof the following: "735.9".

Amendment No. 14.

On page 3, line 49, of the printed bill, as amended, strike out "715", and insert in lieu thereof the following: "736".

Amendment No. 14-a.

On page 4, line 10, of the printed bill, as amended, strike out "within", and insert in lieu thereof the following: "providing milk for"

Amendment No. 14-b.

On page 4, line 12, of the printed bill, as amended, strike out 'included in", and insert in lieu thereof the following: "producing milk for".

Amendment No. 15.

On page 4, line 20, of the printed bill, as amended, strike out "716", and insert in lieu thereof the following: "736.1".

Amendment No. 16.

On page 4, line 29, of the printed bill, as amended, strike out "717", and insert in lieu thereof the following: "736.2".

Amendment No. 17.

On page 5, line 3, of the printed bill, as amended, strike out "718", and insert in lieu thereof the following: "736.3".

Amendment No. 17-a.

On page 5, line 7, of the printed bill, as amended, after the period, insert the following: "No such plan shall involve a limitation upon the production of fluid milk or fluid cream."

Amendment No. 17-b.

On page 5, line 3, of the printed bill, as amended, strike out "718", and insert in lieu thereof the following: "prices".

Amendment No. 18.

On page 5, line 17, of the printed bill, as amended, strike out "719", and insert in lieu thereof the following: "736.4".

Amendment No. 19.

On page 5, line 39, of the printed bill, as amended, strike out "720", and insert in lieu thereof the following: "736.5".

Amendment No. 20.

On page 6, line 1, of the printed bill, as amended, strike out "721", and insert in lieu thereof the following: "736.6".

Amendment No. 20-a.

On page 6, line 2, of the printed bill, as amended, strike out "in", and insert in lieu thereof the following: "for".

Amendment No. 21.

On page 6, line 9, of the printed bill, as amended, strike out "722", and insert in lieu thereof the following: "736.7".

Amendment No. 22.

On page 6, line 23, of the printed bill, as amended, strike out "723", and insert in lieu thereof the following: "737".

Amendment No. 23.

On page 6, line 28, of the printed bill, as amended, strike out "724", and insert in lieu thereof the following: "737.1".

Amendment No. 24.

On page 6, line 32, of the printed bill, as amended, strike out "725", and insert in lieu thereof the following: "737.2".

Amendment No. 25.

On page 6, line 42, of the printed bill, as amended, strike out "726", and insert in lieu thereof the following: "737.3".

Amendment No. 26.

On page 7, line 11, of the printed bill, as amended, strike out "727", and insert in lieu thereof the following: "737.4".

Amendment No. 27.

On page 7, line 29, of the printed bill, as amended, strike out "728", and insert in lieu thereof the following: "737.5"

Amendment No. 28.

On page 7, line 40, of the printed bill, as amended, strike out "729", and insert in lieu thereof the following: "737.6".

Amendment No. 29.

On page 7, line 44, of the printed bill, as amended, strike out "730", and insert in lieu thereof the following "737.7".

Amendment No. 30.

On page 7, line 48, of the printed bill, as amended, strike out "731", and insert in lieu thereof the following: "737.8".

Amendment No. 31.

On page 8, line 1, of the printed bill, as amended, strike out "732", and insert in lieu thereof the following: "737.9".

Amendment No. 32.

On page 8, line 10, of the printed bill, as amended, strike out "733", and insert in lieu thereof the following: "737.10".

Amendment No. 33.

On page 8, line 17, of the printed bill, as amended, strike out "734", and insert in lieu thereof the following: "737 11"

Amendments adopted

Bill read second time, ordered to reprint, and on file for third reading.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1—An act to authorize the adoption and approval of State Codes of Fair Competition for certain trades or industries or subdivisions thereof, to provide for the enforcement of the provisions of any State Code of Fair Competition approved as in this act provided, to provide for standards of fair competition created by National Codes of Fair Competition, to provide for administrative powers of code authorities, to provide penalties for the violations of the provisions hereof, to declare the urgency of this act and to provide that this act shall take effect immediately.

Floor Amendments.

During second reading of the bill, the following amendments were submitted by Mr. Boyle:

Amendment No. 1.

On page 6 of the printed bill, as amended, after line 51, insert the following:

"SEC. 23a. Nothing contained in this act shall be deemed to apply to hotels."

"SEC. 23b Nothing herein contained shall apply to public utilities subject to the jurisdiction of the Railroad Commission of the State of California as the term "public utilities" is defined in the Public Utilities Act of the State of California."

Amendment No. 3.

On page 8, line 3, of the printed bill, as amended, strike out "27", and insert in lieu thereof the following: "27a".

Amendment No. 4.

On page 1, line 2 of the title of the printed bill, as amended, strike out ", and declar-"; also strike out lines 3 and 4 of the title, and insert in lieu thereof a period.

Amendment No. 5.

On page 2, line 15, of the printed bill, as amended, after "thereof", insert the following: ", either industrial or geographical,".

Amendment No. 6.

On page 2, line 20, of the printed bill, as amended, after "thereof,", insert the following: "both industrial and geographical,".

Amendment No. 7.

On page 2 of the printed bill, as amended, immediately following the end of line 29, add the following: "Provided that any code or codes approved for the business of exploring for, producing or dealing in crude oil or gas, or of manufacturing and marketing the products thereof, shall only relate to the conditions mentioned in sections 4 and 17 of this act, it being declared that the emergency set forth in section 1 of this act does not otherwise exist in said industry or industries"

Amendment No. 8.

On page 3 of the printed bill, as amended, after line 24, insert a new paragraph reading as follows:

"The Governor shall, so far as practicable, afford every opportunity to employers and employees in any trade or industry or subdivision thereof with respect to which the conditions referred to in clauses (1) and (2) of this section prevail, to establish by mutual agreement, the standards as to the maximum hours of labor, minimum rates of pay, and such other conditions of employment as may be necessary in such trade or industry or subdivision thereof to effectuate the policy of this act; and the standards established in such agreements, when approved by the Governor, shall have the same effect as a Code of Fair Competition, approved by the Governor under section 2, and any violation of any such standards shall be deemed an unfair method of competition and a violation of this act."

Amendment No. 9.

On page 4, line 26, of the printed bill, as amended, after "groups,", insert the following: "who are".

Amendment No. 10.

On page 4, line 26, of the printed bill, as amended, after "parties", insert the following: "subject".

Amendment No. 11.

On page 6, line 32, of the printed bill, as amended, after the word "agency", insert the following: "or the Governor".

Amendment No. 12.

On page 6 of the printed bill, as amended, strike out lines 49 to 51, inclusive.

Amendment No. 13.

On page 7 of the printed bill, as amended, strike out line 11, and insert the following: "to apply to the hotel industry."

Amendment No. 14.

On page 8 of the printed bill, as amended, strike out lines 10 to 38, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, re-re-engrossment, and third reading.

Motion to Re-refer Assembly Bill No. 936.

Mr. Robertson moved that Assembly Bill No. 936 be withdrawn from Committee on Teachers Colleges, and ordered re-referred to Committee on Education.

The question being on re-referring Assembly Bill No. 936 to Committee on Education.

Motion carried.

Assembly Bill No. 936 ordered re-referred to Committee on Education.

Resolutions.

The following resolutions were offered:

By Mr. Andreas:

Assembly Resolution.

WHEREAS, It has been proposed to be erected in the beautiful residential and ranching districts of Cucamonga Canyon, San Antonio Heights and the Pasadena foothills certain towers, 144 feet in height, for the purpose of transmitting electrical energy to the Los Angeles Light and Power Bureau from Boulder Dam; and

WHEREAS, The erection of such towers will impair the natural scenic beauty of these districts, greatly destroy existing property values thereof, and in addition cause a serious fire hazard which may result in the possible destruction of a natural watershed, thus endangering life and property; and

WHEREAS, The residents of these districts, through great physical and financial effort have improved and beautified said districts, and through extensive development have reclaimed this land from the desert and made this area one of the richest ranching districts in the State of California; and

WHEREAS, An alternate route exists nearby said districts which in the main part consists of undeveloped and undesired lowlands that in no wise will create a fire hazard, endanger life, or result in a loss of property values; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly urgently petitions the Los Angeles Municipal Light and Power Bureau and such others as may be involved in the authorization of said construction to realign their proposed route; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to send copies of this resolution to the mayor, members of the city council, commissioners of the board of water and power of the city of Los Angeles, and to the members of the board of supervisors of the county of Los Angeles, and to officers of municipalities affected by the erection of this proposed transmission system.

Resolution read, and ordered referred to Committee on Public Utilities.

By Committee on Judiciary:

Resolution of the Committee on Judiciary of the Assembly.

WHEREAS, The work of the Second District Court of Appeal is handicapped by the lack of adequate clerical and other assistants; now, therefore, be it

Resolved, That the Committee on Judiciary of the Assembly respectively requests the Committee on Ways and Means to give favorable consideration to amending Item 14 of the Budget Bill to increase the amount appropriated thereby $5,000.

CHARLES W. LYON, Chairman, Committee on Judiciary.

Resolution read, and ordered referred to Committee on Ways and Means.

By Mr. Garibaldi:

Assembly Resolution.

WHEREAS, A Joint Committee of Fourteen has been appointed by the Senate and Assembly to study and report upon a revenue program for the 1935-37 biennium; and

WHEREAS, There appears to be an attempt by various minority groups to force the levying of an ad valorem tax for State purposes contrary to the wishes and desires of a majority of the 800,000 property owners in the State; and

WHEREAS, Real estate is now carrying 65 per cent or more of the tax burden to maintain government and unemployment relief in California; and

WHEREAS, We are informed by the Legislative Counsel that an ad valorem tax for State purposes can not be levied without further statutory enactment; and

WHEREAS, We believe that such legislation will not receive the approval of this Assembly; now, therefore, be it

Resolved by the Assembly of the State of California, That we earnestly petition this Joint Tax Committee in the interest of harmony, the welfare of the State of California, and for the conservation of the time of this Legislature, that an ad valorem tax for State purposes be eliminated from any plan or plans which its honorable members may submit for consideration; and be it further

Resolved, That we sincerely believe that the levying of an ad valorem tax for State purposes at this time is unsound, inadvisable, and would lead to excessive tax delinquencies, and perhaps economic chaos.

Resolution read.

The question being on the adoption of the resolution by Mr. Garibaldi.

Motion to Lay on the Table.

Mr. Voigt moved that the resolution be laid on the table.

The question being on the motion to lay on the table.

Motion carried.

Third Reading of Assembly Bills—(Resumed).

Assembly Constitutional Amendment No. 12—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 6 of Article VI thereof, relating to the superior courts.

Assembly Constitutional Amendment No. 12 read.

Mr. Latham moved the adoption of Assembly Constitutional Amendment No. 12.

The question being on the adoption of Assembly Constitutional Amendment No. 12.

The roll was called, and Assembly Constitutional Amendment No. 12 refused adoption by the following vote:

AYES—Boyle, Cunningham, Evans, Ralph W., Field, Garibaldi, Geyer, Glover, Johnson, Jones, Latham, Reaves, Redwine, Riley, Stream, and Mr. Speaker—15.

NOES—Anderson, Andreas, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, DeLap, Donihue, Donnelly, Evans, Herbert J., Flint, Frazier, Fulcher, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Kallam, Laughlin, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, O'Donnell, Patterson, Pelletier, Phillips, Richie, Robertson, Rosenthal, Scudder, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, and Williamson—50.

Assembly Bill No. 2023—An act to amend the title and sections 1, 2 and 3 of, and to add a new section, to be numbered section 4, to an act entitled "An act to provide for a day of rest from labor," approved February 27, 1893 (Stats. 1893, Chap. 41), relative to the scope of the act, providing for the enforcement of the act by the Chief of the Division of Labor Statistics and Law Enforcement and providing penalties for violation of the provisions thereof.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Anderson:

Amendment No. 1.

On page 2, line 5, of the printed bill, strike out the words "engaged in interstate commerce", and insert in lieu thereof the words "of common carriers".

Amendment adopted.

Request for Unanimous Consent.

Mr. Anderson asked for, and was granted, unanimous consent to take up Assembly Bill No. 2023, as amended, at this time, without reference to reprint or file, and that same be considered re-re-engrossed.

Assembly Bill No. 2023, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Anderson:

Amendment No. 1.

On page 2, line 12, of the printed bill, as amended, strike out the period after "district", and insert in lieu thereof a comma and the following: "nor to those engaged in the occupation of nursing, nor to employees whose hours of labor are governed by the Act of February 28, 1905, as amended, regulating the hours of labor of drug clerks."

Amendment adopted.

Request for Unanimous Consent.

Mr. Anderson asked for, and was granted, unanimous consent to take up Assembly Bill No. 2023, as amended, at this time, without reference to reprint or file, and that same be considered re-re-engrossed

Third Reading of Assembly Bill No. 2023, as Amended.

Assembly Bill No. 2023, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2023, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 840—An act to amend an act entitled "An act to authorize irrigation districts to cooperate and contract with the United States under the provisions of the Federal reclamation laws for a water

supply, or the construction, operation or maintenance of works, including drainage works, or for the assumption by the district of indebtedness to the United States on account of district lands; and to provide the manner and method of payments to the United States under such contract, and for the apportionment of assessments, and the levy thereof, upon the lands of the district to secure revenue for such payments, and to provide for the judicial revenue and determination of the validity of the proceedings in connection with such contract, and to provide for the construction of works by the district; to provide for the borrowing or procuring of money from the United States or any agency thereof and the entering into contracts, and/or the issuance of bonds, warrants or other evidence of indebtedness for the repayment thereof, approved May 5, 1917, as amended, by amending the title thereof and amending sections 1 and 11 thereof, and declaring the urgency thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 840 passed by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Voigt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 195—An act to amend section 305 of the Agricultural Code, relating to meat inspection.

Bill read third time.

Demand for Previous Question.

Messrs. Heisinger, Geyer, Reaves, Andreas, and Fulcher demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 195 refused pasage by the following vote:

AYES—Boyle, Cronin, Donihue, Field, Frazier, Hornblower, Johnson, Maloney McMurray, Redwine, Riley, Stream, Wallace, Waters, and Williamson—15.

NOES—Anderson, Andreas, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell Crowley, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Fulcher Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Kallam, Latham, Laughlin, Lyon, Martin, Mayo, McBride, McCarthy, Meehan, Miller Minard, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Richie, Robertson, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Weber, Welsh, Wright, and Mr Speaker—53.

Notice of Reconsideration of Assembly Bill No. 195.

Mr. Gilmore gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 195 was this day refused passage.

Assembly Bill No. 1269—An act authorizing and empowering any county, city and county, or city in the State of California to donate,

convey, and grant to the State of California, or to district agricultural associations thereof, any real property owned, held and used by it for fair ground and exposition purposes, or which it may hereafter acquire, hold and use for such purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1269 passed by the following vote:

AYES—Andreas, Boyle, Burns, Clark, Cronin, Cunningham, DeLap, Donnelly, Evans, Herbert J., Field, Fulcher, Geyer, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Peterson, Phillips, Reaves, Redwine, Riley, Scudder, Thorp, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—46.

NOES—Cassidy, Chatters, Donihue, Evans, Ralph W., Frazier, Heisinger, Mayo, McCarthy, Nielsen, Pelletier, Richie, Robertson, Stream, Turner, and Wallace—15.

Title read and approved.

Bill ordered transmitted to the Senate.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Burns:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to provide for the administration of highway work for or in cooperation with the United States by the State of California, amending the Streets and Highways Code in accordance therewith, and declaring the urgency thereof.

Referred to Committee on Introduction of Bills.

By Mr. Clark:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows

An act to amend section 2 of the "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, relating to powers of the district, declaring the urgency hereof and providing this act shall take effect immediately.

Referred to Committee on Introduction of Bills.

By Mr. Field:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows

An act to amend the Los Angeles County Flood Control Act by adding thereto a new section to be numbered 15a relating to compliance with requirements of the United States or any department or agency thereof, in the performance of public work financed in whole or in part from Federal funds, and declaring the urgency thereof, the act to take effect immediately.

Referred to Committee on Introduction of Bills.

Reports of Standing Committee—(Resumed).

The following reports of standing committee were received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1935

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 2 of the "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, relating to powers of the district, declaring the urgency hereof and providing this act shall take effect immediately

CUNNINGHAM, Chairman.

Also:

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to provide for the administration of highway work for or in cooperation with the United States by the State of California, amending the Streets and Highways Code in accordance therewith, and declaring the urgency thereof.

CUNNINGHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend the Los Angeles County Flood Control Act by adding thereto a new section to be numbered 15a, relating to compliance with requirements of the United States or any department or agency thereof, in the performance of public work financed in whole or in part from Federal funds, and declaring the urgency thereof, the act to take effect immediately.

CUNNINGHAM, Chairman.

Reports of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the reports.

The question being on the adoption of the reports.

The roll was called, and the reports adopted by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J. Field, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Webel, Welsh, Williamson, Wright, and Mr. Speaker—63.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

By Mr. Minard: Assembly Constitutional Amendment No. 80—Proposed amendment to Article VI of the Constitution, by adding section 11c thereto, relative to courts of justice.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Clark: Assembly Bill No. 2432—An act to amend section 2 of the "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, relating to powers of the district, declaring the urgency hereof and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Municipal Corporations.

By Mr. Burns: Assembly Bill No. 2433—An act to provide for the administration of highway work for or in cooperation with the United States by the State of California, amending the Streets and Highways Code in accordance therewith, and declaring the urgency thereof.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr Field: Assembly Bill No. 2434—An act to amend the Los Angeles County Flood Control Act by adding thereto a new section to be numbered 15a, relating to compliance with requirements of the United States or any department or agency thereof, in the performance

of public work financed in whole or in part from Federal funds, and declaring the urgency thereof, the act to take effect immediately.

Bill read first time, and referred to Committee on Municipal Corporations.

Special Order Set for Assembly Bill No. 1.

On motion of Mr. Boyle, the consideration of Assembly Bill No. 1 was made a special order for Tuesday, May 7, 1935, at ten o'clock and thirty minutes a.m.

Motion to Print Minority Report.

Mr Heisinger moved that 5000 copies of the minority report of the Select Committee on Textbooks be printed.

Substitute Motion.

Mr. Chatters moved, as a substitute motion, that the majority report be included.

The question being on the motion by Mr. Chatters.

Motion to Lay on the Table.

Mr. Williamson moved that the whole matter be laid on the table.

Motion carried.

Motion to Print.

Mr. Field moved that the Chief Clerk be instructed to place a rush order on the printing of Assembly Bill No. 2434.

Motion carried.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 466—An act to add a new section to be numbered 2931a to the Civil Code, providing for making the State a party to an action to foreclose mortgages and other liens upon property upon which there may exist a lien securing State taxes;

Also: Assembly Bill No. 1266—An act to amend section 621 of the Vehicle Code, relating to reflex reflectors on commercial vehicles, trailers, and semitrailers;

Also: Assembly Bill No. 1532—An act to amend the Political Code by amending sections 3456, 3466a and 3491, relating to reclamation districts;

Also: Assembly Bill No. 1906—An act to add section 987b to the Penal Code, relating to the office of public defender;

Also: Assembly Bill No. 1963—An act relating to licensing and taxing of vehicles, including certain license fees based upon value in lieu of taxation according to value, and providing for the administration and enforcement thereof;

Also: Assembly Bill No. 2369—An act to add sections 9a to 9d, inclusive, to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to disability of members of the California Highway Patrol;

Also: Assembly Bill No. 2408—An act to add a new section to the Code of Civil Procedure to be numbered 349¾, relating to the limitation of the time within which actions, for trespass, use or occupancy of real property by oil or gas wells, and for damages by reason thereof, and for the conversion or for the taking or removing of oil, gas or other liquid or fluids by means of any such well, may be commenced, fixing the measure of damages in certain of such cases, and defining oil and gas for the purposes of this act;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 246—An act for the regulation and control of corporations organized for the purpose of operating nonprofit hospital service plans;

Also: Assembly Bill No. 1323—An act to add Article 3a to Chapter 1 of Division III of the Agricultural Code, relating to the sale, purchase, transportation and marketing of poultry;

Also: Assembly Bill No. 1781—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, of and to add new sections to be numbered 17, 18, 19, 20 and 21 to an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to twelve rounds; to create an athletic commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," approved by electors November 4, 1924, relating to boxing and wrestling contests and the powers of the State Athletic Commission;

And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

On State Grounds and Parks.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1935.

MR SPEAKER: Your Committee on State Grounds and Parks, to which was referred Assembly Bill No. 1917—An act making an appropriation to improve the State park at Alamitos Bay—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended, and be re-referred to Committee on Ways and Means.

DONNELLY, Chairman

The above reported bill ordered on file for second reading.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1935.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No 936—An act to amend section 5 21 of the School Code, relating to the collection of fees in the California State teachers colleges—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

CHATTERS, Chairman

The above reported bill ordered on file for second reading.

On Commerce and Navigation.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1935.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 2422—An act accepting a retrocession of jurisdiction over the rights of way of the Golden Gate Bridge and Highway District through the Presidio of San Francisco military reservation and Fort Baker military reservation in Marin County;

Also: Assembly Bill No. 2423—An act granting to the city of Sausalito certain submerged and tidelands for street, sea wall and other public purposes;

Has had the same under consideration, and respectfully reports the same back, and recommends that the same do pass.

MALONEY, Chairman.

The above reported bills ordered on file for second reading.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1935.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 464—An act to amend section 820 of the Agricultural Code, relating to tomatoes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1935.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 2291—An act to amend Chapter 7 of Division X of the Vehicle Code by adding a new section to be numbered 681, providing for regulation of the transportation of certain inflammable liquids over highways within the State of California

—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1935.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 895—An act to add a new chapter, to be numbered 1a, to Division V of the Agricultural Code, relating to the standardization of tomatoes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1935.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1974—An act to provide for the number and compensation of judges of the municipal court in any city governed by a freeholders' charter, containing a population of more than 40,000, in counties of the first class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

FIELD, Chairman.

The above reported bill ordered on file for second reading.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1935.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 4—An act to amend sections 2, 3, and 6 of an act entitled "An act authorizing municipal corporations to discontinue the use of land for park purposes when the fee thereof is vested in the municipal corporation and authorizing the sale or other disposition of such lands," approved May 12, 1927, relating to the conveyance, exchange, sale or other disposition of lands—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1935

MR. SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 797—An act to add a new section to the School Code to be numbered 6.53, relating to the duties, powers and liability of governing boards of school districts and members thereof in connection with school district buildings—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

CHATTERS, Chairman

The above reported bill ordered on file for second reading.

Third Reading of Senate Bills.

Senate Bill No. 790—An act to amend the Vehicle Code by amending sections 37, 38, 39, 66, 67 and 73; by repealing section 44; by adding sections 44, 73.5 and 76, relating to vehicles.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Hornblower:

Amendment No. 1.

On page 2, line 3, of the printed bill, after the comma following the word "town", strike out the balance of the line, and all of line 4, and insert in lieu thereof the following: "in responding to emergency calls, in traffic patrol duty, in the immediate pursuit of an actual or suspected violator of the law or in responding to fire alarms"

Amendment No. 2.

On page 2, line 18, of the printed bill, after the word "county", strike out the comma, and the balance of the line, and all of lines 19 to 26, and insert in lieu thereof the following: "where any said person operates such vehicle so owned by him in responding to emergency calls, or in the immediate pursuit of an actual or suspected violator of the law when the county does not provide publicly owned motor vehicles for such purpose and when authorized by permit issued by the Chief of the California Highway Patrol.

A vehicle publicly maintained, in whole or in part and privately owned and operated by a member of an organized municipal police department, when such vehicle has a permit from, and has affixed to said vehicle a distinguishing sign approved by the Chief of the California Highway Patrol, where said person operates such vehicle so owned by him in responding to emergency calls, in traffic patrol duty, in the immediate pursuit of an actual or suspected violator of the law or in responding to fire alarms when the city does not furnish to said member a publicly owned motor vehicle for such purpose."

Amendments adopted.

Bill read, ordered to reprint, and on file for third reading.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1054—An act to add section 3a to and to amend sections 3, 4, 5, 6, 7, 8, 10, 14, 15, 16, 17, 18, and 19 of the "Los Angeles County Flood Control Act," relating to the government and control of the district and the powers and duties of the board of directors thereof.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Riley:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after the word "add", insert the following: "sections 2a, 2b, 2c, 2d and 2e, and".

Amendment No. 1-a.

On page 2, lines 8 and 9, section 1, of the printed bill, strike out the words "which said officers shall hold office during the pleasure of the board."

Amendment No. 2.

On page 2, section 1, of the printed bill, strike out all of that portion of the bill from lines 17 to 29, inclusive, and insert in lieu thereof the following:

"The said board shall fix the number of positions and prescribe the duties and fix the compensation for all officers, agents and employees of said district. The board may require bonds of any officer, agent or employee of the district for the faithful performance of his duties, and may fix the amount of such bonds, the premiums on such bonds to be paid by the district."

Amendment No. 3.

On page 2 of the printed bill, following line 44, and before line 45, insert the following:

"SEC. 1a. Said act is hereby amended by adding thereto five new sections, to be numbered sections 2a, 2b, 2c, 2d and 2e, to read as follows:

SEC. 2a. The board shall appoint a chief engineer and general manager who shall be the principal officer of said district and who shall be charged with the duty of managing and administering the affairs of said district, in accordance with the provisions of this act, subject to the direction and control of the said board.

The chief engineer and general manager shall appoint all of the officers, engineers, assistants, deputies, clerks, attaches and other persons employed by said district as the number thereof is fixed and from time to time changed by said board.

SEC. 2b. The civil service commission of the county of Los Angeles and the civil service department of said county shall be ex officio the civil service commission and ex officio the civil service department of the Los Angeles County Flood Control District, and said commission and the members of said department shall perform all of the duties herein prescribed without additional compensation except that said commissioners may be reimbursed by said district for necessary additional expenses incurred by them by reason of their performance of duties for said district, and provided further that the cost to the county of the performance of said duties by said civil service commission and civil service department for said district shall be reimbursed to the county by said district.

SEC 2c. All of the provisions of Article IX, sections 30 to 44 inclusive of the charter of the county of Los Angeles, except section 32, paragraphs (a), (b), (c), (d), (e), (f) and (g), inclusive of section 33, and section 37 thereof, relating to civil service, and the rules of the county of Los Angeles as the same now exist or may hereafter be changed or amended, are hereby adopted by reference for the purposes of this act, provided, that certain words used in said Article IX of said county charter and in said rules of the civil service commission shall, for the purpose of this act, be construed as follows: The word "county" or "Los Angeles County" shall be construed as referring to the Los Angeles County Flood Control District; the word "commission" or "commissioner" shall be construed as referring to the commission or commissioner of the civil service commission or civil service commissioner of the Los Angeles County Flood Control District; the words "chief examiner" and "secretary" shall be construed as referring to the chief examiner and secretary of the civil service commission of the Los Angeles County Flood Control District.

All persons employed by the Los Angeles County Flood Control District except the permanent board of technical consultants provided by section 4 of this act, shall be appointed and shall hold his or her respective position and shall be subject to suspension, reduction or discharge in the same manner and under the same terms and conditions as in the case of persons employed in the classified civil service of the county of Los Angeles, and shall constitute the classified civil service of the Los Angeles County Flood Control District.

The classified civil service of the Los Angeles County Flood Control District shall be separate and distinct from the classified service of the county of Los Angeles. Nothing in this act shall be deemed to authorize appointment from the eligible lists of the classified civil service of the county to positions in the classified service of the district, nor from eligible lists of the classified civil service of the district to positions in the classified service of the county, nor shall any transfers be made from one civil service system to the other.

SEC. 2d. The chief engineer and general manager and all other persons employed by said district shall be appointed from the appropriate civil service list, for either permanent or temporary service; provided, however, that the appointment of experts, consultants, or technical or other advisers provided for under section 4 of this act may be made by the board or chief engineer and general manager for the purposes of that section without reference to such eligible lists.

SEC. 2e. All persons in the service of the Los Angeles County Flood Control District at the time this amendment establishing a civil service system for said district shall take effect, shall be deemed to hold his or her respective position for a probationary period of six months from and after the effective date of said amendment, and during said period said probationer may be discharged or reduced with the consent of the civil service commission, or at the end of said period shall be deemed a permanent employee without examination."

Amendment No. 4.

On page 5, section 2, of the printed bill, strike out all of the matter from line 6 through 9, inclusive, as follows:

"The board of directors shall appoint a clerk of said Los Angeles County Flood Control District who shall be ex officio clerk of said board, and who shall hold office during the pleasure of said board."

Amendment No. 5.

On page 12, section 11, of the printed bill, strike out that portion commencing in line 41, and ending in line 43, reading as follows: "and to appoint or employ all needful agents, superintendents and engineers to properly look after the performance of any work provided for in this act.".

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1067—An act to amend section 1007 of the Civil Code, relating to title by prescription and adverse possession against the State, counties, cities and counties or municipal corporations thereof.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr Cunningham:

Amendment No. 1.

On page 2, line 10, of the printed bill, as amended, following the word "university.", add the following. "The exemption of certain classes of governmental property is intended as a limitation and shall not be deemed to subject to the

operation of this section any classes of governmental property which would not otherwise be subject thereto."

Amendment adopted.

Bill read, ordered to reprint, re-re-engrossment, and third reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 3, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 655—An act to amend section 15b of the California Irrigation District Act, relating to the duties and powers of boards of directors and providing for the use of water for any beneficial purposes;

Also: Assembly Bill No. 1285—An act to amend section 788 of the Fish and Game Code, relating to the crab season in California;

Also: Assembly Bill No. 1287—An act to amend section 790 of the Fish and Game Code, relating to the preservation of crabs and crab meat.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 655, 1285 and 1287 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 475—An act to amend sections 970, 972 and 974 of the Insurance Code, relating to security for the payment of taxes and other obligations of insurers;

Also: Senate Bill No. 772—An act to amend section 150 of the Agricultural Code, pertaining to the qualification and certification of persons engaging for hire in the business of eradicating or controlling pests.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 475 read first time, and referred to Committee on Insurance.

Senate Bill No. 772 read first time, and referred to Committee on Agriculture.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 10—Relative to memorializing the President and Congress to adopt legislation for the employment of jobless citizens in the mining of chromium and tin deposits of the United States;

Also: Senate Concurrent Resolution No. 33—Relative to prevention of accidental deaths and injuries in the home, in industry, in public places and on the streets and highways.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Joint Resolution No. 10 read first time, and referred to Committee on Federal Relief.

Senate Concurrent Resolution No. 33 read first time, and referred to Committee on Public Health and Quarantine.

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 141—An act to add section 411.5 to the Vehicle Code, relating to suspension and revocation of licenses;

Also: Assembly Bill No. 1301—An act to amend section 718 of the Civil Code and section 842 of the Probate Code and to add a new section numbered 1538.5 to the Probate Code, relating to the leasing of property of a minor, insane or incompetent person, or of a decedent;

Also: Assembly Bill No. 1377—An act to provide for the custody and disposition of money and other property belonging to inmates of county institutions;

Also: Assembly Bill No. 1760—An act to amend sections 146 and 216 of the Vehicle Code, relating to the registration of vehicles of nonresidents;

Also Assembly Bill No. 2035—An act to add a new section to the Civil Code, to be numbered section 2005, relative to the basis of figuring wages for a portion of a month and a portion of a week;

Also: Assembly Bill No. 2404—An act to add section 2181c to the Political Code, relating to moneys of insane or feeble-minded persons committed to State hospitals and homes for feeble-minded.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 141, 1301, 1377, 1760, 2035, and 2404 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 2, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 2306—An act to amend sections 630 and 631 of the Probate Code, relating to estates under $1,000;

Also: Assembly Bill No. 1093—An act to authorize and empower boards of supervisors to levy a tax for advertising, exploiting, promoting and aiding measures designed to preserve, aid or develop the agricultural, horticultural, viticultural and water resources and advantages of their several counties and repealing Chapter 135 of the Statutes of 1929;

Also: Assembly Bill No 2135—An act to amend an act entitled "An act to authorize the counties of the State of California to establish retirement systems for their employees," approved May 20, 1919 (Statutes 1919, page 782), by amending sections 1 and 6 thereof, relating to county employee retirement systems;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 2306, 1093, and 2135 ordered on unfinished business file.

Report of Committee on Free Conference.

The following report of Committee on Free Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1935.

MR. SPEAKER. Your Committee on Free Conference concerning Assembly Bill No. 930—An act to amend section 4.360 of the School Code, relating to school district budgets, declaring the urgency thereof and providing that this act shall take effect immediately—reports that it has met a like committee of the Senate, consisting of Senators Difani, Jespersen and Hays, and reports that the Committee on Free Conference has agreed to recommend the following:

That the Assembly concur in Senate amendments, and that the bill be further amended as follows:

Amendment No. 1.

On page 1, line 12, of the printed bill, as amended, after the word "year", insert the following: "subsequent to that".

Amendment No. 2.

On page 1, line 14, of the printed bill, as amended, after the word "the", insert the word "subsequent".

PHILLIPS,
CORWIN,
CHATTERS,
Assembly Committee on Free Conference.

DIFANI,
HAYS,
JESPERSEN,
Senate Committee on Free Conference.

Report of Committee on Free Conference ordered on unfinished business file.

Motion to Re-refer Assembly Bill No. 465.

Mr. Utt moved that Assembly Bill No. 465 be withdrawn from Committee on Governmental Efficiency and Economy, and ordered re-referred to Committee on Oil Industries.

The question being on re-referring Assembly Bill No 465 to Committee on Oil Industries.

Motion carried

Assembly Bill No. 465 ordered re-referred to Committee on Oil Industries

Withdrawal of Assembly Bills.

By order of the Speaker, the following bills were stricken from the file, and ordered re-referred to committees.

Assembly Bill No. 1550 ordered re-referred to Committee on Governmental Revenues and Expenditures.

Assembly Bill No. 1304 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 464 ordered re-referred to Committee on Agriculture.

Assembly Bill No. 895 ordered re-referred to Committee on Agriculture.

Assembly Bill No. 107 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 1725 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 246 ordered re-referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1266 ordered re-referred to Committee on Motor Vehicles.

Assembly Bill No. 1963 ordered re-referred to Committee on Motor Vehicles.

Assembly Bill No. 2383 ordered re-referred to Committee on Ways and Means.

Senate Bill No. 4 ordered re-referred to Committee on Municipal Corporations.

Senate Bill No. 229 ordered re-referred to Committee on Public Health and Quarantine.

Adjournment.

At four o'clock and fifteen minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Monday, May 6, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, May 6, 1935.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier,

Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—80.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Scudder, its further reading was dispensed with.

Privilege of Floor of Assembly Extended.

On request of Mr. Cunningham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Minnehaha Taylor of Los Gatos.

On request of Mr. Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the principal and pupils of the Stockton Summer Home School, Manteca, California, Nettie A. Confer, principal, and the following students of the 1935 graduating class: Albert Dickman, Carrol Purvis, John Hlebakos, Rose Vossos, Merald Asivido, Frances Yturri, Mondo Pappas, Frank Lourentzos, Josephine Lopes, Esther Troglia, Melvin Loureiro, accompanied by Mrs. Elmer Williams, Mrs. Frank Asivido, Virginia Williams, Gwenith Williams, and Frank Grasso.

On request of Mr. Nielsen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the teacher and pupils of the Stanford Junior High School social studies, high ninth class, as follows: Mrs. Eva H. Francis, teacher, and Mary Jane Snell, Virgil McMackin, Ruth Hodnett, Eva Wood, Duke Cahill, Dick Pritchard, Jean Blanchette, Lorraine Libby, Gladys Whitaker, Louise Browning, Belle Plumb, Barbara Williams, Fredric Miller, Jr., Norman A. Readdy, Jr., Jewel Ellsworth, Mildred Steckman, Bill Plumb, Bill Clayton, Weldon Depner, Yvonne Arrouzet, Alice Gardner, Ruth Cadman, Cleo Rankin, Virginia La Perna, Virginia Favilla, Maxin Pricer, Marian Ferguson, McCormick, Mary Louise Hagar, Marian Brown, June Brown, Nina Powers, Melvin Lacey, Jack Driscoll, James Stieger, Lloyd Halliwell, Sam Cusanza, Lloyd Le Roy, Bert Woodall, Jr., and Arthur Normington, pupils.

On request of Mr. Nielsen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the teacher and pupils of the Arcade School, Sacramento County, as follows: Mrs. Gladys Dyer, teacher, and Marjorie Larsen, Bernice Nevis, Bennie Stacie, Donald Cottrell, Harvey Elliot, James Lopez, Ernest Goddard, Marron Watkins, Bobbie Harris, Lloyd Weaver and Harold Ferguson, pupils, and Mrs. George H. Douglass and Mrs. G. I. Giffen, chaperones.

On request of Mr. Waters, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Mary M. Kelly of Los Angeles, mother of Assistant Minute Clerk Andrew J. Kelly.

On request of Mr Evans. Ralph W., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Oliver W. Steadman, attorney of Los Angeles.

On request of Mr. McBride, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs Frank J. Balfour of Los Angeles.

On request of Mr. Corwin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Archie E. Brock of Redlands.

On request of Mr. McMurray, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. E. B. Armstrong, Director of State Aid Bureau of County Welfare of Los Angeles, and Mrs. M. S. Wheeler of Adult State Aid, District of Los Angeles.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From International Labor Day Celebration, urging the passage of Assembly Bill No. 791, also urging the passage of an adequate child labor law.

From Jesse E. Thrash, Sunset Magazine and other firms, opposing legislative measures limiting, restricting or prohibiting advertising.

From Joseph J. Kennet and others, favoring passage of Assembly Bills Nos. 419, 1044, 832, 1104; Assembly Concurrent Resolution No 10, and Constitutional Amendments Nos. 49, 51 and 52, and opposing Assembly Bills Nos. 3, 4, 20, 42, 2017 and 2405.

From Structural Engineers Association of Southern California, urging the amending of Senate Bill No. 798.

From Federated Trades and Labor Council of San Diego County, urging support of Assembly Bills Nos. 1048, 785, 788, 863, 931, 2023, 2033, 2034, 2035, 2038, 2039, 2047, and 2048; also, Senate Bills Nos. 548, 549, and 573.

From Hazel White Duke, favoring passage of Assembly Bills Nos 961, 962, 1382, and 2042.

Communications.

The following communications were received, and ordered printed in the Journal:

State Assembly Legislature,
Sacramento, California.

The family of the late Mrs. Hattie H. Hawkins gratefully acknowledges and thanks you for the flowers and your kind expression of sympathy.

RESOLUTION NUMBER FORTY-SEVEN

Joint resolution providing for an unpaid commission on interstate cooperation.

Resolved by the House of Representatives, the Senate concurring.

SECTION 1. There is hereby established the North Carolina Commission on Interstate Cooperation, whose function it shall be to perfect the participation of this State in the Council of State Governments, for the purpose of establishing and maintaining governmental machinery to facilitate communication, negotiation, understanding, and cooperation between the State of North Carolina and the other States of the Union, both regionally and nationally.

SEC. 2. The commission shall report to the Governor and to the Legislature on the first day of each regular legislative session, and at such other times as it deems proper. Its members shall serve without compensation.

SEC 3. The said commission shall be composed of 15 members, namely:

The five members of the Committee on Interstate Cooperation of the Senate,

The five members of the Committee on Interstate Cooperation of the House of Representatives, and

Five officials of the State named by the Governor, one of whom shall be designated by him as the chairman of the commission

SEC. 4. The said committees of the Senate and of the House of Representatives, hereby or heretofore established, shall be standing committees, and their members shall be designated as are the members of other standing committees These committees shall function during the regular sessions of the Legislature, and also during the interim periods between such sessions; their members shall serve until their

successors are designated, and they shall constitute the North Carolina Councils of the American Legislators' Association

SEC 5. The Secretary of State of North Carolina shall forthwith communicate the text of this measure to the Governor and to the Legislature of each of the other States of the Union, with the respectful request that each Legislature shall enact a measure similar to this resolution, thus establishing a similar commission with like duties and powers, and thus joining with this State in the common cause of reducing the burdens which are imposed upon our citizens by governmental confusion, competition and conflict.

SEC 6. This resolution shall be in full force and effect from and after its ratification.

In the General Assembly, read three times, and ratified, this the twenty-ninth day of April, 1935.

A H. GRAHAM,
President of the Senate
R. G. JOHNSON,
Speaker of the House of Representatives

Examined and found correct
C. E. HYDE,
For Committee.

STATE OF NORTH CAROLINA,
DEPARTMENT OF STATE.

I, Stacey W. Wade, Secretary of State of the State of North Carolina, do hereby certify the foregoing and attached (three (3) sheets) to be a true copy from the records of this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal.

Done in office at Raleigh, this twenty-ninth day of April, in the year of our Lord 1935.

[SEAL] STACEY W. WADE, Secretary of State.

Explanation of Vote.

Mr. Speaker and Members of the Assembly.

My "Aye" vote on Assembly Bill No. 947, the "Toll Bridge Bill," was the result either of carelessness on my part or due to defective recording on the voting machine.

I did not intend to vote "Aye," for I regard the passage of that bill as an indefensible grant of public property, for public use, to a corporation for private profit without compensation to the State. It was my firm intention to vote "No."

I desire this published in the Journal of May 2d.

Sincerely,

JOHN GEE CLARK.

Motion.

Miss Miller moved that the Chief Clerk be instructed to furnish the State Printer with the copy of the program as proposed by her for Mother's Day, and that the State Printer be directed to print the same.

Motion carried.

ASSISTANT CLERK COOLIDGE READING.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 76—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 9 of Article IX thereof, relating to a board of higher education—and reports that the same has been correctly engrossed.

WATERS, Chairman.

Assembly Constitutional Amendment No 76 ordered on file for adoption.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 234—An act creating a Commission for the Coordination of

State and Local Governments, defining its powers and duties, and making an appropriation therefor;

Also, Assembly Bill No 549—An act granting certain submerged lands and tidelands of the State of California to the city of Oakland, including the management, use and control thereof;

Also: Assembly Bill No. 646—An act to add sections 195.5 and 1623 5 to, the Streets and Highways Code, relating to expenditure of money allocated to counties, cities, and cities and counties;

Also: Assembly Bill No. 682—An act to provide for a Legislative-Executive Advisory Committee and the creation of a secretariat therefor, prescribing the powers and duties of such advisory committee and its secretariat, and making an appropriation for the support thereof,

Also: Assembly Bill No. 1774—An act to amend the title and sections 2 and 3e and to amend and to renumber section 20k of, and to add sections 19a and 20*l* to the California Real Estate Act, relating to the regulation and licensing of real estate brokers and salesmen, and to the inspection and regulation of subdivisions, to provide for the enforcement of said act and penalties for the violation thereof;

And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 72—An act relating to bond elections, providing for the manner of holding the same, defining the duties of certain persons in relation thereto, and other matters properly relating thereto;

Also: Assembly Bill No 313—An act to add section 444.5 to the Political Code, relating to the transfers of money from one fund to another in the State treasury and providing that this act shall take effect immediately;

Also: Assembly Bill No 384—An act for the relief of special assessment districts and for the adjustment, refunding or cancellation of the bonded indebtedness of such districts, and for the purpose of empowering legislative bodies of such districts to adjust, refund or cancel said indebtedness and to make available to such districts the provisions of the Federal bankruptcy laws and any and all laws of the State of California for the relief of special assessment districts, and to declare the urgency of this act to take effect immediately;

Also: Assembly Bill No. 397—An act to provide for the levy and collection of taxes and assessments for the purpose of creating a fund for capital outlays by cities, counties, cities and counties or districts;

Also: Assembly Bill No. 530—An act to amend sections 758 and 759 of the Political Code, relating to employees of courts of appeal;

Also: Assembly Bill No 609—An act to add section 1582a to the Penal Code of the State of California, relating to hours of labor of prison guards;

Also: Assembly Bill No. 622—An act to amend sections 1 72 and 1 73-1 of the School Code relating to the transportation of public school pupils;

And reports that the same have been correctly engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 688—An act to establish civil service in cities with a full paid fire department or with a fire department having paid members;

Also: Assembly Bill No 740—An act to amend sections 27, 183, 186, 190, 191, 193 196 and 1622 of the Streets and Highways Code, relating to the allocation and expenditure of highway funds and the construction, improvement, illumination and maintenance of highways;

Also: Assembly Bill No. 858—An act to amend the title, and sections 1 and 7 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, relating to the amount of license fees and bonds of employment agencies, providing for the enforcement of the act by the Chief of the Division of Labor Statistics and Law Enforcement and providing penalties for violation of its provisions;

Also Assembly Bill No. 866—An act providing for employment insurance,

Also, Assembly Bill No. 999—An act to add a new article to Chapter IX of Part III of Division V of the School Code, to be known as Article IV, consisting of sections 5 792 to 5 799b inclusive, relating to a merit system for employees in positions other than those requiring certification qualifications;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1216—An act to amend section 818 of the Agricultural Code, relating to potatoes;

Also: Assembly Bill No 1302—An act to amend sections 2, 3, 7, 12 and 18 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to pharmacy;

Also: Assembly Bill No. 1363—An act to amend section 1351 of an act entitled "An act providing for the organization and regulation of reciprocal or interinsurance exchanges, to be known as 'The Reciprocal or Interinsurance Act of the State of California,' and repealing the act entitled 'An act providing for reciprocal and interexchange of indemnities, prescribing regulations therefor and fixing a license fee,' and repealing an act entitled 'An act defining certain classes of contract for the exchange of indemnity, prescribing regulations therefor, and fixing a license fee, approved December 24, 1911,' approved May 26, 1917, as amended," approved June 3, 1921;

Also Assembly Bill No 2354—An act to amend sections 146 and 154 of the Vehicle Code, and to add sections 146 5, 180 5, and 371 5 to said Vehicle Code, all relating to vehicles previously registered outside this State, and the registration and transfer thereof within this State;

Also: Assembly Bill No. 2416—An act to regulate the caravaning of motor vehicles upon the public highways of this State, defining the term "caravaning" and providing for the licensing of motor vehicles in caravan and imposing penalties for violation thereof;

And reports that the same have been correctly engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 825—An act to provide for the formation of sewer districts within counties, cities and counties and municipalities for the acquisition or construction of sanitary sewage works or improvements, for the issuance, sale and payment of bonds of such districts, for the acquisition, construction, maintenance and operation of such improvements, and for the fixing, collecting and application of revenues rates and charges for the use of the sewage works or improvements;

Also Assembly Bill No. 915—An act to amend sections 1 to 25 inclusive of, and add new sections to be numbered 18 1, 19 1, 22.5, 25 1, 27 and 28 to, and to repeal section 26 of an act entitled "An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission; prescribing the powers, duties and authority of said commission and the members thereof; providing for the institution of proration programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purposes of said act and providing for the collection thereof, approved June 5, 1933, relating to serving agricultural wealth, prevention of economic waste and providing for the Agricultural Prorate Commisison;

And reports that the same have been correctly re-re-engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No 44—An act to prohibit until February 1, 1937, sales under certain mortgages and deeds of trust, and the forfeiture of the interest of the purchaser under certain contracts of purchase, for default in the payment of the

principal sum of obligations secured thereby or contracted to be paid thereunder, to extend the statute of limitations upon certain obligations, to make voidable at the instance of the owner any sale or forfeiture made in violation of this act, to prescribe the time within which an action to avoid the same may be brought, to postpone sales for default in payment of installments due between effective date of this act and February 1, 1937, to authorize waiver hereof, to regulate actions upon guarantors' obligations the enforcement of the security for which is affected by this act, to repeal an act entitled "An act relating to the relief of debtors and guarantors, and permitting postponement of foreclosures and sales under mortgages, deeds of trust, or contracts of purchase of real property, or postponement of forfeitures and terminations under such contracts of purchase, declaring the urgency thereof, and providing that it shall take effect immediately," approved January 31, 1935; to repeal an act entitled "An act to prohibit until February 1, 1935, sales under certain mortgages and deeds of trust, and the forfeiture of the interest of the purchaser under certain contracts of purchase, for default in the payment of the principal sum of obligations secured thereby or contracted to be paid thereunder, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale or forfeiture made in violation of the act, to prescribe the time within which an action to avoid the same may be brought, to postpone sales for default in payment of installments due between effective date of act and February 1, 1935, to authorize waiver hereof, to prevent actions against guarantors' obligations the enforcement of the security for which is affected by the act, and to declare the urgency hereof," approved September 15, 1934; declaring the urgency hereof, and providing that it shall take effect immediately;
And reports that the same has been correctly re-re-re-engrossed

WATERS, Chairman.

The above reported bill ordered on file for third reading.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1935.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1625—An act to prevent fraud, deception and imposition in the solicitation within the State of California of the deposit of bonds, notes, debentures and other evidences of indebtedness under, and/or the consent of the holders or owners of such securities, to a protective committee agreement, and to prevent fraud, deception and imposition in the operations and activities of protective committees organized within the State of California to act for and in behalf of the holders or owners of such securities, and for such purposes to create a commission to regulate and supervise the establishment and the operations of protective committees, depositaries under protective committee agreements, and solicitors for protective committee agreements; to prescribe the powers and duties of such commission; to license members of protective committees, depositaries under protective committee agreements and solicitors for protective committee agreements; and to prescribe penalties for violation of this act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 3, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1546—An act to add section 4 to an act entitled "An act limiting the liability of supervisors, city trustees, city councils, boards of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances," approved June 13, 1923, relating to the liability of counties, municipalities and school districts—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 1546 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference concerning

Assembly Bill No. 930—An act to amend section 4.360 of the School Code, relating to school district budgets, declaring the urgency thereof and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day sustained the Governor's veto of Senate Bill No. 201—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any county water district, providing for the application of the proceeds of sale of such bonds and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof;

Also: Senate Bill No. 1059—An act to add section 4030a to the Political Code, relating to tenure of certain public officers, declaring the urgency thereof and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 21—An act to regulate the production and distribution of serums, vaccines, bacterial cultures, and viruses, to provide for the licensing of persons manufacturing and preparing the same, and to provide penalties for the violation of the provisions of this act;

Also: Senate Bill No. 26—An act to add section 615.1 to the Fish and Game Code, relating to fish in districts 3 and 3a;

Also: Senate Bill No. 32—An act to amend section 1310 of the Fish and Game Code, and to add thereto section 1340.6, relating to fur-bearing mammals;

Also: Senate Bill No. 33—An act to amend sections 674 and 675 of the Code of Civil Procedure, relating to the filing and recording of abstracts and satisfactions of judgments in the office of the county recorder;

Also: Senate Bill No. 55—An act to add section 675.5 to the Vehicle Code, relating to safety glass on motor vehicles;

Also: Senate Bill No. 131—An act to amend section 683 of the Civil Code, relating to joint tenancy;

Also: Senate Bill No. 173—An act to amend sections 652, 655, 656 and 665 of the Fish and Game Code, relating to salmon;

Also: Senate Bill No. 261—An act to amend section 1241 of the Code of Civil Procedure, relating to the taking of property under proceedings in eminent domain.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 3, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 366—An act to renumber section 532a of the Penal Code, as added by Chapter 70 of the Statutes of 1913, to be section 532c of said code, relating to giving lots on the drawing of numbers;

Also: Senate Bill No. 685—An act to add section 274d to the Code of Civil Procedure, relating to phonographic reporters, and declaring the urgency of this act;

Also: Senate Bill No. 701—An act to add section 4237.9 to the Political Code, relating to grand jurors and trial jurors fees and mileage in counties of the eighth class;

Also: Senate Bill No. 770—An act to amend sections 1, 2, 3, 4, 6, and 19 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to the regulation of credit unions

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Second Reading of Assembly Bills.

Assembly Bill No. 2188—An act to amend section 3 of "An act to allow unincorporated towns and villages to establish, equip and maintain a police department, to provide for the formation, government and operation of said police districts, the assessment, collection and custody and disbursement of taxes, for such purpose, and to create a board of police commissioners," approved April 26, 1927, relating to the

allowing of police commissioners to create ordinances governing local conditions.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "amend section 3 of", and insert in lieu thereof the following: "add sections 21 and 22 to and to amend section 23 of".

Amendment No. 2.

On page 1, line 8 of the title of the printed bill, strike out the period, and insert in lieu thereof the following: "and provide for the enforcement of such ordinances."

Amendment No. 3.

On page 1, line 1, of the printed bill, strike out "Section 3 of the act cited in the title hereof."; also strike out lines 2 and 3, and insert in lieu thereof the following: "A new section to be numbered 21, is hereby added to the act cited in the title hereof to read as follows:

Sec. 21. The said board of police commissioners may adopt such ordinances as it may deem proper for the protection of life and property. Such ordinances shall be signed by the said police commissioners and published in a newspaper printed in the county in which said police district is situated, or posted in three of the most public places in said district for a period of two weeks, at the end of which time it shall be and become a law for the government of the inhabitants of said district.

SEC. 2. A new section to be numbered 22 is hereby added to said act to read as follows:

Sec. 22. Any person who shall violate any of the provisions of any ordinances so adopted shall be guilty of a misdemeanor.

SEC. 3. Section 23 of the said act is hereby amended to read as follows:

Sec 23 Any justice of the peace within the townships within which said police district is situated shall have jurisdiction over all prosecutions under this act and for violations of any ordinances adopted by said police commissioner as herein provided for, and sections 1426 to 1459, both inclusive, Title IX, Chapter I of the Penal Code, are hereby made applicable to proceedings under this act."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1952—An act to amend the Agricultural Code.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee.

Amendment No. 1.

On page 1 of the title of the printed bill, strike out the words "Agricultural Code", and insert in lieu thereof the words "section 810 of the Agricultural Code, relating to artichoke standards."

Amendment No. 2.

On page 1, line 1, of the printed bill, after the period, add the following: "Section 810 of the Agricultural Code is hereby amended to read as follows:

810 Globe artichokes shall be free from mold, decay, and insect injury or insect larvae; and free from serious damage due to freezing or other causes Damage to any one artichoke from freezing is not serious unless the heart of the artichoke or that portion of the stem extending one and one-half inches or less, below the bottom of the artichoke, is discolored due to this cause. Damage from other causes is not serious unless it causes a waste of ten per cent, by weight, of the edible portion of the artichoke.

Not more than ten per cent, by count, of the globe artichokes in any one container or bulk lot may be below these requirements but not to exceed one-half of this tolerance shall be allowed for any one cause.

Globe artichokes, when packed, shall not vary in size, in any one container, more than one-half of an inch in diameter when measured through the widest portion of cross section

All containers of artichokes shall bear upon them in plain sight and in plain letters on one outside end, the name of the person who first packed or authorized

the packing of the artichokes, or the name under which such packer is engaged in business, together with a sufficiently explicit address to permit ready location of such packer.

Artichokes shall be in standard containers numbers 21 and 22."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 919—An act to amend sections 1261 and 1262 of Chapter 6, Division VI, of the Agricultural Code, relating to produce dealers.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "sections 1261 and 1262", and insert in lieu thereof "section 1261".

Amendment No. 2.

On page 1, line 3, of the printed bill, strike out "act", and insert in lieu thereof "chapter".

Amendment No. 3.

On page 1, line 11, of the printed bill, after the word "include", insert "seeds,".

Amendment No. 4.

On page 1, line 26, of the printed bill, strike out the words "for the purpose of resale at wholesale".

Amendment No. 5.

On page 2, line 7, of the printed bill, strike out the period, and insert in lieu thereof the following: ", and provided that the term "dealer" as herein defined shall not include retail merchants having a fixed or established place of business in this State."

Amendment No. 6.

On page 2 of the printed bill, strike out all of lines 19 to 35, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 916—An act to establish legislative standards in relation to the rehabilitation of agriculture and the regulation of producers, packers, distributors, shippers, marketers, handlers, processors and others dealing in agricultural, viticultural and horticultural products and of any competing commodity or product thereof; to recognize, make effective and provide for the enforcement in this State of marketing agreements and licenses issued or prescribed by the Secretary of Agriculture of the United States under the National Agricultural Adjustment Act, being Public Act No. 10 of the Seventy-third Congress of the United States; to provide for the issuance, administration and enforcement of State marketing agreements and State licenses in connection therewith; to prescribe the powers, duties and jurisdiction of the State Director of Agriculture in relation thereto; to provide that said State and Federal marketing agreements and licenses shall be and establish standards of fair competition in this State; to suspend all antitrust and unfair competition laws of this State in conflict herewith and therewith; to prescribe remedies, rights, duties and penalties with respect to violations hereof and thereof; to provide ways, means and moneys for the administration and enforcement of said State and Federal marketing agreements and licenses; to declare

the existence of a State and National agricultural emergency and the urgency of this act and that this act shall take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

Strike out lines 1 to 24, inclusive, of the title of the printed bill, and insert in lieu thereof the following:

"An act to add section 15a to "The California Agricultural Adjustment Act of 1935," relating to ways, means, and moneys, and providing and appropriating moneys, for the administration and enforcement thereof and of State and Federal marketing agreements and licenses and the regulation of producers, packers, distributors, shippers, marketers, handlers, processors, and others dealing in agricultural, viticultural, horticultural, animal, and poultry products and of any competing commodity or product thereof thereunder, and under the legislative standards in relation to the rehabilitation of agriculture therein specified, and declaring the existence of a State".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 3, inclusive, and strike out all of pages 2 to 9, inclusive, and on page 10 strike out lines 1 to 27, inclusive, and insert in lieu thereof the following:

"SECTION 1 Section 15a is hereby added to the California Agricultural Adjustment Act of 1935, to read as follows:".

Amendment No. 3.

On page 10, line 28, of the printed bill, strike out "16", and insert in lieu thereof the following: "15a".

Amendment No. 4.

On page 10 of the printed bill, strike out lines 49 to 52, inclusive, and on page 11, strike out lines 1 to 22, inclusive, and insert in lieu thereof the following:

"(3) The provisions of this section shall apply only to moneys paid, transmitted, and turned over to the State Director of Agriculture under section 6a or the last two preceding sections hereof, and shall have no application whatsoever to moneys or assessments levied, collected, paid, received, or used under any marketing agreement or license for the maintenance, support, and expenses of any board, commission, committee, officer, or employee thereunder and which are not paid, transmitted, and turned over to said director for his expenses in administering this act."

Amendment No. 5.

On page 11, line 23, of the printed bill, strike out "21", and insert in lieu thereof the following: "2".

Amendment No. 6.

On page 11, line 29, of the printed bill, before "The", add the following: "(a)".

Amendment No. 7.

On page 11 of the printed bill, after line 37, add the following:

"(b) The California Agricultural Adjustment Act of 1935 adopted, passed, approved, and enacted at this fifty-first session of the Legislature of this State is an urgency measure and contains a statement of facts constituting such necessity, as specified in subdivision (a) of this section, and by reason thereof and of said necessity goes into immediate effect.

(c) The enforcement, administration, and operation of said California Agricultural Adjustment Act of 1935, so in immediate effect by reason of said necessity, will be retarded or delayed until this act, providing, making available, and appropriating ways, means, and moneys for the administration and enforcement thereof, goes into effect, and hence like necessity, as specified in subdivision (a) of this section, exists for the immediate effect of this act as of said California Agricultural Adjustment Act of 1935."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

The Speaker Pro Tempore in the Chair.

At eleven o'clock and ten minutes a.m., Hon. John H. O'Donnell, Speaker pro tempore of the Assembly, in the chair.

Assembly Bill No 1803—An act to amend section 10 of an act entitled "An act to revise an act entitled 'An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling, or repairing upholstered furniture; and creating the upholstered furniture inspection fund,' approved May 9, 1927," approved June 1, 1929, relating to the manufacture, sale, labeling and inspection of second-hand upholstered furniture.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee·

Amendment No. 1.

On page 1, lines 8 and 9 of the title of the printed bill, strike out the following: "second-hand".

Amendment No. 2.

On page 1, line 3, of the printed bill, after the word "is", insert the following: "filthy or".

Amendment No. 3.

On page 1, line 6, of the printed bill, after the word "until", insert the following: "either".

Amendment No. 4.

On page 1, line 9, of the printed bill, after the word "sterilization", insert the following: "or, (2) the upholstery and filling shall have been removed therefrom and destroyed."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No 957—An act to repeal an act entitled "An act to create a public corporation to be known as 'The State Bar of California,' to provide for its organization, government, membership and powers, to regulate the practice of law, and to provide penalties for the violation of said act." approved March 31, 1927.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "repeal an act entitled 'An act to create a public"; also strike out lines 2 to 6, inclusive, and insert in lieu thereof the following: "amend section 24 of the State Bar Act, approved March 31, 1927, as amended, relating to admission to practice law."

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "the act cited in the title hereof is hereby"; also strike out line 2, and insert in lieu thereof the following: "section 24 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 24. Any citizen of the United States, of the age of at least twenty-one years, of good moral character, who is, and for at least three months prior to the date of the filing of his application continuously has been a bona fide resident of this State, and who possesses the necessary qualifications of learning and ability, as hereinafter provided, is entitled to admission to practice law in this State.

With the approval of the Supreme Court, and subject to the provisions of this act, the board shall have power to fix and determine the qualifications of applicants for admission to practice law in this State, provided that education requirements fixed by the board shall not exceed (1) graduation from a four-year high school, or proof satisfactory to the examining committee that the applicant is possessed of the equivalent of a four-year high school education in point of intellectual competency and achievement, and (2) graduation from a law school requiring substantially the full time of its students for three years, or graduation from a law school requiring a part only of its students' time for four years, or proof satisfactory to the examining committee that the applicant has otherwise diligently and in good faith studied law for at least four years.

The board shall have power to constitute and appoint an examining committee which shall have power to examine all applicants for admission, to administer the requirements for admission to practice, and to certify to the Supreme Court for admission those applicants who fulfill the requirements and successfully pass the examination.

With the approval of the Supreme Court the board shall have power to fix and collect fees to be paid by applicants for admission to practice, which fees shall be paid into the treasury of the State Bar.

In the case of an applicant who has been admitted to practice law outside of this State it shall be left to the discretion of the examining committee to determine whether or not the applicant shall be required to take an examination

Upon certification by the examining committee that the applicant has fulfilled the requirements for admission to practice law the Supreme Court may admit such applicant as an attorney at law in all the courts of this State and may direct an order to be entered upon its records to that effect, and a certificate of such admission thereupon shall be given to him by the clerk of the court.

Upon presentation by an applicant of credentials of graduation from a law school approved by the Association of American Law Schools to the State Bar of California, such applicant shall be admitted as an attorney and counsellor at law in all the courts of this State, without examination."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 937—An act to amend section 1714½ of the Civil Code.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the title of the printed bill, strike out "1714½ of the Civil Code", and insert in lieu thereof the following: "400 of the Vehicle Code, relating to liability of State and governmental agencies arising out of ownership of motor vehicles".

Amendment No. 2.

On page 1, line 1, of the printed bill, after period, insert the following. "Section 400 of the Vehicle Code is hereby amended to read as follows:

400. The State, and every county, city and county, municipal corporations, the State Compensation Insurance Fund, irrigation district, school district, district established by law and political subdivision of the State owning any motor vehicle is responsible to every person who sustains any damage by reason of death, or injury to person or property as the result of the negligent operation of any said motor vehicle by an officer, agent, or employee or as the result of the negligent operation of any other motor vehicle by any officer, agent or employee when acting within the scope of his office, agency or employment; and such person may sue the State, county, city and county, municipal corporation, the State Compensation Insurance Fund, irrigation district, school district, district established by law and political subdivision of the State, as the case may be, in any court of competent jurisdiction in this State in the manner directed by law. The liability imposed by this section is limited to the amount of five thousand dollars for the death of or injury to or damage to any one person in any one accident. In every case where a recovery is had under the provisions of this section against the State, any county, city and county, municipal corporation, the State Compensation Insurance Fund, irrigation district, school district, district established by law and political subdivision of the State, then the State, or the county or city and county, municipal corporation, the State Compensation Insurance Fund, irrigation district, school district, district established by law and political subdivision of the State shall be subrogated to all the rights of the person injured, against the officer, agent or employee, as the case may be, and may recover from such officer, agent or employee, the total amount of any judgment and costs recovered against the State, county, city and county, municipal corporation, the State Compensation Insurance Fund, irrigation district, school district, district established by law and political subdivision of the State in such case, together with costs therein.

And the State, county, city and county, municipal corporation, the State Compensation Insurance Fund, irrigation district, school district, district established by law and political subdivision of the State may insure their liability in any insurance company authorized to transact the business of such insurance in the State of California, and the premium for such insurance shall be a proper charge against the

respective general fund of the State, county, city and county, municipal corporation, the State Compensation Insurance Fund, irrigation district, school district, district established by law and poltical subdivision of the State, as the case may be."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1010—An act to amend sections 1, 2, 3, 4 and 5 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulation, to provide rules regulating the proper sanitation of canneries, under the State Board of Health," approved May 23, 1925, as amended, relating to the inspection of canneries, the State Board of Public Health and to the power and duties thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 7, of the printed bill, after the comma, insert the following: "which meat or meat products are not under the inspection of the Division of Animal Industry of the State Department of Agriculture,".

Amendment No. 2.

On page 1, line 17, of the printed bill, after "products", insert the following: "preparatory to canning".

Amendment No. 3.

On page 2, line 13, of the printed bill, after the comma, insert the following: "which meat or meat products are not under the inspection of the Division of Animal Industry of the State Department of Agriculture".

Amendment No. 4.

On page 2, line 32, of the printed bill, after the comma, insert the following: "which meat or meat products are not under the inspection of the Division of Animal Industry of the State Department of Agriculture,".

Amendment No. 5.

On page 3, line 1, of the printed bill, after the comma, insert the following: "which meat or meat products are not under the inspection of the Division of Animal Industry of the State Department of Agriculture,".

Amendment No. 6.

On page 4, line 30, of the printed bill, after the comma, insert the following: "which meat or meat products are not under the inspection of the Division of Animal Industry of the State Department of Agriculture,".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1267—An act to amend the title and to add three new sections, to be numbered 2a, 2b and 2c, to an act entitled "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the health of persons by whom the materials from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors; and providing for the punishment of the same," approved March 6, 1909, relating to the use of sealed contain-

ers and providing for the sterilization of used bottles, receptacles and containers used for foods, drugs and liquors.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 11, of the printed bill, as amended in Assembly April 26, 1935, strike out the period, and insert in lieu thereof the following: ", provided that none of the provisions of this act shall be applicable to containers mentioned within the provisions of Division IV of the Agricultural Code."

Amendment No. 2.

On page 2, line 24, of the printed bill, as amended, strike out ", within the discretion of the said board,".

Amendment No. 3.

On page 2, line 26, of the printed bill, as amended, strike out "; provided that if the", and insert in lieu thereof a period and the following: "The applicant shall be deemed properly equipped by maintaining and using the following standards in said cleansing and sterilizing, to wit:

All bottles, receptacles or containers covered by this section shall be cleaned and sterilized by soaking in a hot caustic solution of not less than one hundred twenty degrees Fahrenheit which shall be indicated by a thermometer, and such solution shall contain not less than two and one-half per cent of caustic soda expressed in terms of sodium hydrates for a period of not less than five minutes, then thoroughly rinsed in pure water. The cleansing solution shall be changed frequently so as to prevent it becoming foul and unsanitary. All bottles shall be sterilized and free from rust or contamination.

The licensee shall issue his certificate with each shipment of bottles to the purchaser, which certificate shall state that the licensee has cleansed or sterilized the bottles in the manner provided herein. In the event said licensee shall fail to maintain the equipment and to cleanse or sterilize the bottles, receptacles or container covered by this section, in the manner provided herein and shall issue said certificate knowing the same to be false, that the board may, after hearing duly had, revoke his license.

If the".

Amendment No. 4.

On page 2 of the printed bill, as amended, between lines 31 and 32, insert the following:

"Nothing herein contained shall be deemed to prohibit the sale for use of bottles, receptacles or containers covered by this section, which have not been so cleansed and sterilized, to a purchaser who is duly licensed under the provisions of this section, to cleanse and sterilize such bottles, receptacles or containers."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1222—An act for the prevention of the manufacture, advertising, sale or transportation of adulterated, mislabeled or misbranded cosmetics, regulating the traffic in cosmetics and providing penalties for the violation thereof.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 9, of the printed bill, after "appropriations", insert the following: ", other than soap,".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1281—An act to amend sections 6, 13, 14 and 20 of an act entitled "An act for preventing the manufacture, sale or

transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, as amended, relating to adulteration, mislabeling, misbranding, false advertising and sale of food and the powers of the State Board of Health in relation thereto.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

Strike out line 1 of the title of the printed bill, and insert in lieu thereof the following:

"An act to amend sections 4, 6, 13, 14, 20 and 21 of, and to add a new section to be numbered 8a to, an act entitled".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "Section 6 of the act cited in the title hereof is", and insert in lieu thereof the following:

"Section 4 of the act cited in the title hereof is amended to read as follows

Sec. 4. Food shall be deemed adulterated within the meaning of this act, in any of the following cases:

First. If any substance has been mixed or packed, or mixed and packed with the food so as to reduce or lower or injuriously affect its quality, purity, strength, or food value.

Second. If any substance has been substituted wholly or in part for the article of food.

Third. If any essential or any valuable constituent or ingredient of the article of food has been wholly or in part abstracted.

Fourth. If it be mixed, colored, powdered, coated or stained in any manner whereby damage or inferiority is concealed.

Fifth. If it contain any added poisonous or other added deleterious ingredient.

Sixth. If it consists in whole or in part of a filthy, decomposed or putrid animal or vegetable substance, or any portion of an animal or vegetable unfit for food, whether manufactured or not, or if it is the product of a diseased animal, or one that has died otherwise than by slaughter; provided, that an article of liquor shall not be deemed adulterated, mislabeled or misbranded if it be blended or mixed with like substances so as not to injuriously reduce or injuriously lower or injuriously affect its quality, purity or strength

Seventh. In the case of confectionery If it contains terra alba, barytes, talc, chrome yellow, or other mineral substance or poisonous color or flavor, or other ingredient deleterious or detrimental to health, or any vinous, malt, or spirituous liquor or compound or narcotic drug.

Eighth. In the case of vinegar: If it be artificially colored.

Ninth. If it does not conform to the standard of purity therefor as proclaimed by the Secretary of the United States Department of Agriculture.

Tenth. In case of canned tomatoes or tomato products of any variety or type of pack, if they are artificially colored in any manner whatsoever. And in no way shall a statement upon the label to the effect that such product is artificially colored be construed to correct the adulteration.

SEC. 2. Section 6 of the act cited in the title hereof is".

Amendment No. 3.

On page 2, line 41, of the printed bill, after the semicolon, insert the following: "or are adulterated within the meaning of section 5, paragraph 10, of this act".

Amendment No. 4.

On page 3 of the printed bill, between lines 8 and 9, insert the following:

"SEC. 3 A new section is hereby added to the act cited in the title hereof to be numbered 8a and to read as follows:

Sec. 8a Whenever the State Board of Health shall make a written demand upon any distiller, rectifier or blender of liquors of any nature whatsoever within this State to produce a certified copy of those records kept by the said distiller, rectifier, or blender and which records are commonly designated or known as "dump sheets" within the meaning of the Federal Internal Revenue Act the same shall be delivered to the said board within a reasonable time not exceeding thirty days. The refusal to present such certified copies or the falsification thereof, shall constitute a misdemeanor within the meaning of this act, and be punishable as such. Provided, further, that whenever there has been a demand and refusal to deliver,

any court or judge thereof having jurisdiction shall upon petition order the said delivery."

Amendment No. 5.

On page 3, line 9, of the printed bill, strike out "2", and insert in lieu thereof the following: "4".

Amendment No. 6.

On page 3, line 24, of the printed bill, strike out "3", and insert in lieu thereof the following: "5".

Amendment No. 7.

On page 3, line 30, of the printed bill, strike out "4", and insert in lieu thereof the following: "6".

Amendment No. 8.

On page 4, line 6, of the printed bill, strike out "5", and insert in lieu thereof the following: "7".

Amendment No. 9.

On page 4 of the printed bill, after line 38, insert the following:

"SEC. 8. Section 22 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 22 No dealer shall be prosecuted under the provisions of this act when he can produce a guaranty signed by the wholesaler, jobber, manufacturer or other party residing in the United States from whom he purchased such article, to the effect that the same is not adulterated or misbranded within the meaning of this act, such guaranty to be dated prior to the date of sale of said article. Such guaranty may be either general or special and must be produced prior to the time of certification of facts to the district attorney for prosecution. A general guaranty shall guarantee without condition or restriction all of the products or articles produced, prepared, compounded, packed, distributed, or sold by the guarantor as not adulterated within the meaning of this act. A special guaranty shall guarantee in the same manner the particular articles listed in an invoice of the same, and shall be attached to or shall fully identify such invoice. Both said guaranties to afford protection must contain the name and address of the party or parties making the sales of such article to said dealer. However, any guaranty shall protect a dealer only where the article covered by such guaranty shall have remained identical, both as to composition and labeling, with the article as composed and labeled when received by the dealer from the guarantor. If the guaranty be to the effect that such article is not adulterated or misbranded within the meaning of the National Pure Food Act, approved June 30, 1906, it shall be sufficient for all the purposes of this act and have the same force and effect as though it referred to this act, except that a guaranty referring to the said National Pure Food Act alone shall not be sufficient for the purpose of this act in any case where at any time the standard for the article concerned under this act is higher than the standard for a like article under said National Pure Food Act. In case the wholesaler, jobber, manufacturer or other party making such guaranty to said dealer resides without this State and it appears from the certificate of the Director of the State Laboratory that such article or articles were adulterated or misbranded, within the meaning of this act or the National Pure Food Act approved June 30, 1906, the district attorney must forthwith notify the Attorney General of the United States of such violation."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 2178—An act to add section 623 to the Streets and Highways Code, establishing a secondary State highway.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the number "623", and insert in lieu thereof the number "638".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out the number "628", and insert in lieu thereof the number "638".

Amendment No. 3.

On page 1, line 3, of the printed bill, strike out the number "623", and insert in lieu thereof the number "638".

Amendment No. 4.

On page 1, lines 4 and 5, of the printed bill, strike out the words 'comprising College Avenue from", and also strike out all of line 5, and insert in lieu thereof the following: "from San Pablo Avenue Route 14, to Castro Point via Panhandle Boulevard and Cutting Boulevard."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1770—An act establishing and validating the organization and existence of water districts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1769—An act to amend sections 1 and 41 of the "California Water District Act," approved June 13, 1913, relating to water districts, the purposes and administration thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after the word and figure "sections 1", insert a comma and the following: "14, 18".

Amendment No. 2.

On page 1, line 3 of the title of the printed bill, strike out the period after the word "thereof", and insert in lieu thereof a comma and the following: "to take effect immediately and declaring the urgency thereof."

Amendment No. 3.

On page 1, line 20, of the printed bill, following the period after the word "replenishment", insert the following. "The words "title or evidence of title" as used in this section include the possessory right of entrymen or purchasers of public lands under any law of the United States or of this State whether evidenced by receipts or otherwise."

Amendment No. 4.

On page 1 of the printed bill, following line 25, insert the following:

"SEC. 2 Section 14 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 14. Bonds of the district, when issued, shall be payable in gold coin of the United States. Bonds shall be made payable on the first day of January or the first day of July of the years designated by the board of directors, but in no case shall the maturity of any bond be more than forty years from the date thereof; they shall be of the denomination of not less than one hundred dollars nor more than one thousand dollars each; and they shall be signed by the president of the board of directors and attested by the secretary of the district. Each bond must be made payable at a given time for its entire amount and not for a percentage; shall bear interest at a rate not in excess of seven per cent per annum, payable semiannually on the dates therein named at the office of the treasurer upon the presentation and surrender of the proper coupons thereto, and the principal thereof shall be payable when due upon the presentation and surrender thereof to the treasurer by the holder of the same. Each issue shall be numbered consecutively and the bonds of each issue shall be numbered consecutively and bear date at the time of their issue. Coupons for each installment of interest shall be attached to the bonds and shall be numbered the same as the bonds, and attested by the facsimile signature of the secretary of the district.

The bonds shall be substantially in the following form:

"Issue _____ No. _____ For value received, _____ Water District situated or principally situated in the county of_____ _____, State of California, promises to pay the holder hereof at the office of the treasurer of said district, on the _____ day of _____, 19___, the sum of _____ dollars in gold coin of the United States with interest in like gold coin at the rate of _____ per centum per annum, payable at the office of said treasurer semiannually, on the _____ day of _____ and the _____ day of _____ in each year, on presentation and surrender of the interest coupons hereto attached This bond is issued pursuant to an election held by said district on the _____ day of _____, 19___, authorizing its issuance, and by authority of an act entitled (specifying the title and date of approval of this act)

In witness whereof, the said district, by its board of directors, has caused this bond to be signed by the president of said board and attested by the secretary of said district, with the seal of the district attached, this _____ day of _____, 19___

_____
President of said board.

Attest:

_____
Secretary."

The interest coupons shall be substantially in the following form.

"No _____

The treasurer of _____ Water District, State of California, will pay the holder hereof, on the _____ day of _____, 19___, at his office in _____, _____ dollars, gold coin of the United States, out of the funds of _____ water district for interest on bond numbered _____ of said district.

Attest:

_____
Secretary of _____ District"

The treasurer of the district shall, when he receives the same, place the said bonds to the credit of the district and he shall, in a book provided for that purpose, keep a record of said bonds and of the payment thereof and the interest thereon. When filed with said treasurer, as above provided, the bonds of the district and the interest thereon shall be and remain until paid a lien on the lands of the district, and a lien for the bonds of any issue shall be a preferred lien to that of any subsequent issue."

Amendment No. 5.

On page 1 of the printed bill, between lines 25 and 26, insert the following.

"SEC. 3. Section 18 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 18. Bonds of any water district organized under the provisions of this act may be investigated and certified in the same manner, by the same officers and with the same force and effect as prescribed for the investigation and certification of bonds of irrigation districts, by the provisions of the act entitled "An act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, State school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized," approved June 13, 1913, as amended. (Stats 1929, p. 1473.)"

Amendment No. 6.

On page 1, line 26, of the printed bill, strike out the words and figures "SEC 2. Section 31", and insert in lieu thereof the following: "SEC. 4. Section 41".

Amendment No. 7.

On page 2 of the printed bill, following line 33, add the following

"SEC. 4. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution of the State of California, and as such it shall take effect immediately. The following is a statement of the facts constituting such necessity:

Continued dry years have made immediate action imperative in the various water districts to conserve the waters of the present rainy season in order to save not only extensive areas of crops, but also for industrial and domestic purposes. Immediate action is further imperative to construct works during the coming summer season for conserving and utilizing the floods and waters of the coming winter. For the proper and ready financing of such construction the immediate voting of bonds is necessary, and to that end the legislation contained in this act relative to such bonds and their maturities, terms and conditions, is required to be immediately effective. An adequate supply of water for agricultural, domestic and industrial purposes is necessary for the public peace, health and safety of the communities affected in the State of California"

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2180—An act to amend section 17 of the Public Utilities Act, relating to discrimination in relation to transportation by common carriers.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1570—An act to add two new sections to the Public Utilities Act, to be numbered 2¾ and 50¾, defining highway common carriers and providing for the regulation thereof and requiring the issuance of certificates of public convenience and necessity therefor, and to repeal Chapter 213 of the Statutes of 1917, approved May 10, 1917, and amendments thereto.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1757—An act to amend the Public Utilities Act to prevent the use of the dial system of obtaining telephone connections by any telephone company in California.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "amend", and insert in lieu thereof the following: "add section 50a to".

Amendment No. 2.

On page 1, line 1, of the printed bill, after "SECTION 1.", insert the following: "Section 50a is hereby added to the Public Utilities Act to read as follows:

Sec. 50a. No telephone corporation shall install, use, or operate

(1) Any dial system designed to enable a user of its telephone line to obtain a telephonic connection by means of the working of such dial; or

(a) Any system for the obtaining of telephonic connections other than by the giving of oral directions therefor to a central operator.

SEC. 2. This act is enacted in the exercise of the police power of the State and in this regard the Legislature finds and declares that the dial system or any similar system eliminates many employees and thereby aggravates the existing conditions of unemployment, and in addition causes great inconvenience to telephone users, and while such a system may be an improved mechanical device its use results in the rendition of retarded and less efficient service to the public by telephone corporations."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2350—An act to restrict the net operating profits of public utilities.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act validating the formation, organization, existence or proceedings of the central San Joaquin and southern San Joaquin municipal utility districts"

Amendment No. 2.

On page 1, line 1, of the printed bill, following the period after the numeral "1", strike out the remainder of the section, and insert in lieu thereof the following.

"The board of supervisors of Fresno County and Kern County in this State have purported to form or organize the central San Joaquin and southern San Joaquin municipal utility districts under the provisions of an act of the Legislature of the State of California entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, and such purported formation, organization, existence or proceedings has been completed prior to the taking effect of this act, and such municipal utility districts have acted or functioned as municipal utility districts previous to the taking effect of this act. All acts including the formation, organization, existence or proceedings are hereby legalized, validated and declared to be sufficient, and such munici-

pal utility districts are each hereby declared to be duly formed and organized under its appropriate name as of the time of its purported formation, and shall have all the rights and privileges, and be subject to all the duties and obligations of any other duly formed or organized municipal utility district."

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1288—An act to amend section 4 of "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to tax on gross receipts.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 4 of", and insert in lieu thereof the following: "the title of and the entire act entitled".

Amendment No. 2.

On page 1, line 6 of the title of the printed bill, strike out "tax on gross receipts.", and insert in lieu thereof the following: "a fee or tax for the transportation of persons or property."

Amendment No. 3.

On page 1, line 1, of the printed bill, strike out everything except "SECTION 1.", and strike out all of line 2, and insert in lieu thereof the following: "The title of the act cited in the title hereof is hereby amended to read as follows:

An act imposing a license fee or tax for the transportation of persons for hire or compensation or for the transportation of property upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately.

SEC. 2. The entire act cited in the title hereof is hereby amended to read as follows:

Section 1. On and after January 1, 1936, a special license fee or tax shall be paid to the Department of Motor Vehicles on every commercial vehicle, as defined in section 34 of the Vehicle Code, at the same time and under the same conditions and penalties as registration and license fees are paid under the Vehicle Code, in an amount equal to thirty-three and one-third per cent of the fees paid under section 372 of the Vehicle Code.

Sec. 2. On and after January 1, 1936, a special license fee or tax shall be paid to the Department of Motor Vehicles on every commercial vehicle, as defined in section 34 of the Vehicle Code, at the same time and under the same conditions and penalties as registration and license fees are paid under the Vehicle Code, in an amount equal to thirty-three and one-third per cent of the fees paid under section 372 of the Vehicle Code The fees or taxes imposed by this section are in addition to any other fees or taxes imposed by this act.

If it is determined by the United States Supreme Court that the provisions of this section violate or contravene the provisions of section 12 of the act of Congress entitled "An act to increase employment by authorizing an appropriation to provide for emergency construction of public highways and related projects, and to amend the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, and for other purposes," approved June 18, 1934, then the provisions of this section shall be ineffective and inoperative.

Sec. 3. The license fees or taxes imposed by this act shall be in lieu of all other State taxes, except net income, corporation or license fees collected under the Vehicle Code.

Sec. 4. Any person, firm, association, or corporation who shall use any public highway in this State for the transportation of property who refuses to pay the license fee or tax provided for in this act shall be guilty of a misdemeanor, unless such act is by any other law of this State declared to be a felony, and upon conviction thereof shall be punished by a fine of not more than five hundred dollars. The Motor Vehicle Department shall have the power to revoke a license issued or refuse to issue a license under the Vehicle Code to any operator refusing or neglecting to comply with the provisions of this act.

Sec 5. All sums paid to the Motor Vehicle Department under and by virtue of this act shall be deposited in the State treasury to the credit of the general fund.

All sums so paid to said department and so deposited are hereby appropriated to be used to pay interest and redemption charges on bonds heretofore issued by the State of California for State highway construction

Sec. 6. It is hereby declared that the sums collected under and by virtue of section 2 of this act are for the purpose of relieving the general fund during an emergency, therefore, section 2 of this act shall cease on December 31, 1937.

Sec 7 If any section, subsection, clause, sentence or phrase of this act which is reasonably separable from the remaining portions of this act is for any reason held to be unconstitutional, such decision shall not affect the remaining portions of this act. The Legislature hereby declares that it would have passed the remaining portions of this act irrespective of the fact that any such section, subsection, clause, sentence or phrase of this act be declared unconstitutional."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1502—An act to amend an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act" (otherwise known as the "Public Utilities Act"), as amended.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "an act entitled "An act to provide for the"", and strike out lines 2 to 13, inclusive, and insert in lieu thereof the following: "section 9 of and to add section 23.5 to the Public Utilities Act, relating to public utilities."

Amendment No. 2.

On page 2 of the printed bill, immediately following line 7, insert the following:

"SEC. 2. Section 23 5 is hereby added to the Public Utilities Act to read as follows:

Sec. 23 5. No railroad corporation shall operate, or permit to be operated, any type of railroad coach or car in this State which combines any dining or pantry facilities and sleeping accommodations, or which, being a dining or pantry coach or car, is used in any manner for sleeping purposes."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 651—An act to amend an act entitled "An act providing for the sale of street railroad and other franchises in counties and municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting acts," approved March 22, 1905, as amended, by amending sections 1 and 3 of said act to confine the application of said act to public utilities, and to require annual payments thereunder to counties and municipalities for the first five years of the term of the franchise as well as the succeeding years thereof, and to provide penalties for delinquencies in such payments, and by adding two new sections to said act to be known as sections 3a and 4a providing a method of computing such annual payments.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 6 of the title of the printed bill, strike out the words "sections 1 and", and insert in lieu thereof "section".

Amendment No. 2.

On page 2 of the printed bill, strike out all of lines 7 to 14 of the title, and insert in lieu thereof the words "act relating to franchises."

Amendment No. 3.

On page 1 of the printed bill, strike out all of lines 1 to 16, inclusive

Amendment No. 4.

On page 2 of the printed bill, strike out all of lines 1 to 8, inclusive.

Amendment No. 5.

On page 2, line 9, of the printed bill, strike out the numeral "2", and insert in lieu thereof the number "1".

Amendment No. 6.

On page 2 of the printed bill, strike out all of lines 11 to 52, inclusive, and insert in lieu thereof the following:

"SEC. 3. The publication must state the character of the franchise or privilege proposed to be granted, the term for which it is granted, and, if it be a street railroad, or interurban system, the route to be traversed; that sealed bids therefor will be received up to a certain hour and day named therein, and that the successful bidder and his assigns must, during the life of said franchise, pay to the county or municipality two per cent (2%) of the gross annual receipts of the person, partnership, or corporation, to whom the franchise is awarded, arising from its use, operation, or possession. In the event said payment is not made, said franchise shall be forfeited. The grantee of the franchise, or his assigns, must at the time of making the annual payment, file with the clerk of the governing or legislative body of the grantor of said franchise, a detailed verified statement and report showing the figures and formulas used and the basis upon which the accompanying payment is being made. Such reports shall be in sufficient detail to permit the officials of said grantor to make a complete check of the facts and computations upon which payment is made."

Amendment No. 7.

On page 3 of the printed bill, strike out all of lines 1 to 36, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1294—An act to amend the Vehicle Code, relating to motor vehicles.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "amend", insert the following "section 515 of".

Amendment No. 2.

On page 1, line 1, of the printed bill, after "SECTION 1.", insert the following. "Section 515 of the Vehicle Code is hereby amended to read as follows:

515. Speed Law Based on Weight and Tire Equipment. (a) No person shall operate upon any highway any of the following vehicles, other than passenger vehicles, when equipped entirely with pneumatic tires at any speed in excess of the following:

(1) Any motor truck, trailer, semitrailer, or combination of vehicles having a gross weight of vehicle and load of thirty thousand pounds or more—thirty miles per hour

(2) Any motor truck, or combination of vehicles, having a gross weight of vehicle and load of twenty thousand pounds but less than thirty thousand pounds—thirty-five miles per hour.

(b) No person shall operate upon a highway any vehicle, other than a passenger vehicle, equipped with any solid tire when such vehicle has a gross weight as set forth in the following table at any speed in excess of the speed set forth opposite such gross weight:

When gross weight of vehicle and load is.	Maximum speed in miles per hour:
9,000 lbs. or more but less than 12,000 lbs.	25
12,000 lbs. or more but less than 22,000 lbs.	15
22,000 lbs or more	12

(c) No person shall operate upon a highway any vehicle other than a passenger vehicle equipped with any metal tire in contact with the surface of the highway at a speed in excess of six miles per hour

(d) Subject to the foregoing limitations when applicable, any truck or trailer equipped with other than pneumatic tires which has a manufacturer's rated carrying capacity of four tons or more shall not at any time be driven or moved on any public highway at a speed in excess of fifteen miles per hour."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1295—An act to amend the Vehicle Code, relating to motor vehicles.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "amend", insert the following "sections 702, 703, 704 and 705 of".

Amendment No. 2.

On page 1, line 1, of the printed bill, after "SECTION 1", insert the following: "Section 702 of the Vehicle Code is hereby amended to read as follows:

702 Gross Weight of Vehicles With Two Axles. The gross weight of any vehicle and load shall not exceed twenty-eight thousand pounds when the vehicle is equipped with two axles which are not in the same verticle transverse plane and with four or more wheels running on the highway, except as follows:

(a) With respect to any passenger type vehicle having two axles and six wheels equipped with low pressure tires on all wheels the weight upon the rear axle shall not exceed seventeen thousand pounds and the weight upon the front axle shall not exceed two-thirds of the permissible weight upon the rear axle.

(b) When a semitrailer is equipped with two rear axles which said axles are not over forty-eight inches nor less than forty inches apart, the gross weight shall not exceed twenty-eight thousand pounds

SEC 2. Section 703 of the Vehicle Code is hereby amended to read as follows:

703. Gross Weight of Vehicles With Three Axles. (a) The gross weight of any vehicle and load shall not exceed forty thousand pounds when such vehicle is equipped with three or more axles, no two of which are in the same verticle transverse plane, and with six or more wheels running on the highway nor shall the gross weight of a four-wheel motor vehicle and a two-wheel semitrailer and any load exceed forty thousand pounds

(b) When the gross weight of any vehicle first registered after January 1, 1930, and its load exceeds twenty-eight thousand pounds, and such vehicle is equipped with two or more rear axles such axles shall be spaced not less than forty inches apart measured lengthwise with the vehicle from the centers of said axles.

SEC 3. Section 704 of the Vehicle Code is hereby amended to read as follows:

704 The gross weight upon any one axle shall not exceed eighteen thousand pounds nor shall the weight upon any one wheel resting upon the roadway exceed eleven thousand pounds

SEC 4 Section 705 of the Vehicle Code is hereby amended to read as follows:

705. Ratio of Weight to Length. The gross weight of any combination of vehicles coupled together and any load or loads thereon shall not exceed eighty thousand pounds With respect to length the gross weight shall not be more than the total of one thousand seven hundred fifty pounds multiplied by (L plus eight) in which L is the distance in feet between the first and last axle of a vehicle or a combination of vehicles coupled together and operated upon the highway."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1339—An act to add a new division to the Vehicle Code, to be numbered IXa, relating to vehicular crossings constructed

or owned by the State, the control and policing thereof, and the regulation of traffic thereon.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 20, of the printed bill, strike out the period, and insert in lieu thereof the following: "but is a part of the approach."

Amendment No. 2.

On page 2 of the printed bill, strike out lines 6 to 30, inclusive, and insert in lieu thereof the following:

"606. The California Highway Patrol shall have the authority and it shall be its duty to provide for proper and adequate policing of all vehicular crossings to insure the enforcement thereon of this code and of any other law relating to the use and operation of vehicles upon highways or vehicular crossings, and of the rules and regulations of the Department of Public Works in respect thereto, and to cooperate with the Department of Public Works to the end that such vehicular crossings be operated at all times in such manner as to carry traffic efficiently. Such authority of the California Highway Patrol is exclusive except as to the authority conferred by law upon the Department of Public Works in respect to such vehicular crossings.

606 2. The employees of the Department of Public Works, designated or classified as toll takers, shall have all the power of peace officers while so employed on any vehicular crossing or as may be necessary to the performance of their duties as toll takers while not upon such vehicular crossing. Such employees may wear, while on duty, a uniform which shall be distinctly different from that of the California Highway Patrol, to be specified by the Director of Public Works"

Amendment No. 3.

On page 3, lines 17, 18, and 19, of the printed bill, strike out the following: "Double rates shall be charged for towing services made necessary because of exhausted fuel supply."

Amendment No. 4.

On page 3, line 25, of the printed bill, strike out the period, and insert in lieu thereof the following: ", except that the Department of Public Works may furnish and deliver fuel to vehicles, the supply of which is exhausted, and may charge a reasonable sum for the delivery and furnishing thereof."

Amendment No. 5.

On page 3, line 36, of the printed bill, strike out "None", and insert in lieu thereof the following: "Except where a special permit has been obtained from the Department of Public Works under the provisions of section 710, none"

Amendment No. 6.

On page 3, line 49, of the printed bill strike out "Toll Bridge Police", and insert in lieu thereof the following: "California Highway Patrol or an employee of the Department of Public Works who is a peace officer".

Amendment No. 7.

On page 4, line 1, of the printed bill, strike out "toll bridge police officer", and insert in lieu thereof the following: "member of the California Highway Patrol or an employee of the Department of Public Works who is a peace officer".

Amendment No. 8.

On page 4, lines 3 and 4, of the printed bill, strike out "Toll Bridge Police", and insert in lieu thereof the following: "California Highway Patrol".

Amendment No. 9.

On page 4, line 16, of the printed bill, strike out "Toll Bridge Police", and insert in lieu thereof the following: "California Highway Patrol or an employee of the Department of Public Works who is a peace officer".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 2252—An act to amend section 5.773 of the School Code, relating to employees of school districts other than persons employed in positions requiring certification qualifications.

Bill read second time,ordered to re-engrossment, and third reading.

Assembly Bill No. 1289—An act to amend section 372 of the Vehicle Code, and to add thereto section 776 1, relating to motor vehicles.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out lines 19 to 27, inclusive, and insert in lieu thereof the following.

"750 pounds	2999 pounds		$3 00
3000	3499		4 00
3500	3999		5 00
4000	4499		6 50
4500	4999		8 00
5000	5499		9 50
5500	5999		11 50
6000	6499		14 50
6500	6999		17 50
7000	7499		21 00
7500	7999		24 50
8000	8499		28 00
8500	8999		32 00
9000	9499		36 00
9500	9999		40 00
10000	10499		45 00
10500 and over			50 00".

Amendment No. 2.

On page 2 of the printed bill, as amended, strike out lines 35 to 41, inclusive, and insert in lieu thereof the following:

"Under	6000 pounds		$30 00
6000	6499		33 50
6500	6999		36 00
7000	7499		38 50
7500	7999		41 00
8000	8499		43 50
8500	8999		46 00
9000	9499		49 00
9500	9999		54 00
10000	10499		58 50
10500	10999		63 00
11000	11499		67 50
11500 and over			72 00".

Amendment No. 3.

On page 2, line 51, of the printed bill, as amended, strike out "($5 00)", and insert in lieu thereof the following: "three ($3 00)".

Amendment No. 4.

On page 3 of the printed bill, strike out all of lines 41 to 50, inclusive, and on page 4, strike out lines 1 to 6, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 2134—An act to amend section 6.2 of the School Code, relating to school property.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 9, of the printed bill, after the word "in", insert the following: "districts situated within or partly within".

Amendment No. 2.

On page 1, line 10, of the printed bill, after the word "class", insert the following: "or of the first and one-half class".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 289—An act to add section 1724 to the Code of Civil Procedure, relating to establishing the fact of death of a joint tenant.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 3 to 14, inclusive, and insert in lieu thereof the following:

"1724. Whenever title to or an interest in personal property held in joint tenancy is affected by the death of any person, any person who claims any interest in such personal property, which interest is affected by the death of such person, may file in the superior court of the county of which the decedent was a resident at the time of his death, or if the decedent was a nonresident at the time of his death, in any county in which any part of such property is situated, a verified petition setting forth those facts, and particularly describing the personal property and his interest therein.

The clerk must set the petition for hearing by the court and give notice thereof by causing a notice of the time and place of the hearing to be posted at the court house in the county where the court is held, at least ten days before the hearing, provided the court may order such further notice to be given as in its judgment may seem proper.

The court shall take evidence for and against the petition and may render judgment thereon establishing the fact of such death, which judgment shall be prima facie evidence of the fact of such death.

Any inheritance tax which becomes payable by reason of such death must be paid before such decree is made, and one of the inheritance tax appraisers provided for by law must be appointed by the court in every such proceeding to determine what if any inheritance tax is payable unless another proceeding is pending in which the taxability of the transfer involved in such proceeding may be determined. If the inheritance tax appraiser reports that no inheritance tax is payable, he shall be paid by the petitioner or petitioners for his services and expenses a reasonable amount to be fixed by the court in which said proceeding is pending.

A certified copy of the decree may be recorded in the office of the recorder of the county in which the decree is rendered."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2242—An act to add section 3832 to the Political Code, to require the payment of personal property taxes by the insurer on property destroyed by fire after twelve o'clock meridian on the first Monday in March of each year.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of lines 7, 8, 9 and 10, and insert in lieu thereof the following: "Before the insured can collect any money from any

insurance company liable to pay for such destruction, he shall furnish, as part of his proof of loss, evidence that there are no such liens for personal property taxes; or, if there are such liens, the insured shall direct the insurance company to pay all such taxes, plus penalties and costs thereon, and remit to him the balance of any such moneys due from such insurance company by reason of such loss."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1917—An act making an appropriation to improve the State Park at Alamitos Bay.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the printed bill, after "SECTION 1", insert the following: "There is hereby appropriated out of any money in the State treasury not otherwise appropriated the sum of sixty thousand dollars, to be used in the improvement of the State Park at Alamitos Bay, by the Department of Natural Resources, acting through the Division of Parks.

SEC. 2. The Controller of the State of California is hereby authorized and directed upon the request of the Director of the Department of Natural Resources to draw his warrants on the State Treasurer from time to time in such amounts as the said director may require, and the State Controller is authorized and directed to pay such warrants."

Amendment adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 936—An act to amend section 5 21 of the School Code, relating to the collection of fees in the California State teachers colleges.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2422—An act accepting a retrocession of jurisdiction over the rights of way of the Golden Gate Bridge and Highway District through the Presidio of San Francisco Military Reservation and Fort Baker Military Reservation in Marin County.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2423—An act granting to the city of Sausalito certain submerged and tidelands for street, sea wall and other public purposes.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 464—An act to amend section 820 of the Agricultural Code, relating to tomatoes.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 2291—An act to amend Chapter 7 of Division X of the Vehicle Code by adding a new section to be numbered 681, providing for regulation of the transportation of certain inflammable liquids over highways within the State of California.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 1 and 2 of the title, and in line 3 of the title, strike out "regulation of", and insert in lieu thereof the following: "An act to add sections 34.5, 50, 51, 52, 144, 154 5, 157.5, 179.5, 370.5, 595.5, 600.5, 603 and 681 to the Vehicle Code, and to amend sections 141, 148, 159, and 632 thereof, relating to".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 3, inclusive, and insert in lieu thereof the following.

"SECTION 1. Section 34 5 is hereby added to the Vehicle Code to read as follows

34 5. "Tank Vehicle." A "tank vehicle" is a vehicle, motor truck, commercial vehicle, trailer, or semitrailer, which is equipped with a tank for the carrying of flammable liquids in bulk, and which, with its tank, is designed, used and maintained primarily for the carrying of flammable liquids in bulk.

A vehicle, motor truck, commercial vehicle, trailer, or semitrailer, which is not designed and used primarily as a tank vehicle, may be registered as a tank vehicle, to permit carrying thereon a tank or tanks, as defined in section 50. Any vehicle, motor truck, trailer, or semitrailer, upon or with which such tank or tanks are used shall conform, during such time as it is used in conjunction with such tank or tanks, with the requirements of this act pertaining to tank vehicles.

SEC. 2. Section 50 is hereby added to the Vehicle Code to read as follows:

50 "Tank." A "tank" is a container for the carrying of flammable liquids in bulk, which is designed, used and maintained for use in conjunction with a vehicle, motor truck, commercial vehicle, trailer, or semitrailer.

SEC. 3 Section 51 is hereby added to the Vehicle Code to read as follows:

51 "Flammable Liquid" A "flammable liquid" is any liquid having a flash point of not more than one hundred eighty-seven degrees, Fahrenheit, closed cup test, and a vapor pressure not in excess of forty-five pounds per square inch, absolute, at a temperature of one hundred degrees, Fahrenheit, as determined by the Reid vapor pressure method (A S T M D—323—31T)

SEC. 4. Section 52 is hereby added to the Vehicle Code to read as follows.

52. "Flammable Liquid Classified" Flammable liquids shall be classified according to their flash point temperatures, and their vapor pressures, as follows:

1 "Class 1-a", embracing those flammable liquids having a flash point of less than one hundred degrees, Fahrenheit, closed cup test, and having a vapor pressure in excess of sixteen pounds per square inch, absolute, but not exceeding forty-five pounds per square inch, absolute, at a temperature of one hundred degrees, Fahrenheit, as determined by the Reid vapor pressure method (A.S T M D—323—31T.)

SEC 5. Section 141 of the Vehicle Code is hereby amended to read as follows:

141. What Vehicles Shall Be Registered. Subject to the exemptions stated in section 142 hereof, registration of the following vehicles is required when driven or moved upon a highway: Any motor vehicle, trailer, semitrailer, pole or pipe dolly or tank vehicle.

SEC. 6 Section 144 is hereby added to the Vehicle Code to read as follows:

144 Applications for Registration of Tank Vehicles In addition to the other requirements of section 143, applications for the registration of tank vehicles shall be accompanied by a certificate of inspection and approval, which shall have been issued by the State Fire Marshal, the chief of the fire department of any municipality, the fire warden of any county, or the duly authorized representative of the State Fire Marshal or of any such chief of fire department or fire warden.

1. The inspection described in this section shall not be required more frequently than once in two years, and the certificate of inspection and approval shall serve as authority for one annual reregistration of the tank vehicle to which it applies.

2 The certificate of inspection and approval is not transferable.

SEC. 7. Section 148 of the Vehicle Code is hereby amended to read as follows:

148 Grounds Requiring Refusal of Registration. The department shall refuse registration or transfer of registration upon either of the following grounds.

(a) That the application contains any false or fraudulent statement.

(b) That the required fee has not been paid

(c) That the application for registration of a tank vehicle is not accompanied by a certificate of inspection and approval as provided in section 144 of this act, or two years have elapsed since the issuance of such certificate of inspection and approval.

SEC 8 Section 154 5 is hereby added to the Vehicle Code to read as follows:

154 5 Distinctive Certificate and Card for Tank Vehicles The certificate of ownership and the registration card issued upon the registration of a tank vehicle, as defined in section 34 5 of this act, and every renewal or reissue thereof, shall be distinguishable by a color different from the certificate of ownership and the registration card issued for other vehicles registered hereunder; provided, that nothing herein required shall prevent the owner from removing the tank from a tank vehicle, nor from equipping the vehicle, motor truck, commercial vehicle, trailer, or semi-

trailer for the carrying of other property than flammable liquids, and provided further that, upon the owner's sworn statement to the director that such change has been made, the registration card, or cards, to be issued thereafter shall not be of a color different from the registration card issued for other vehicles registered hereunder.

SEC. 9. Section 157.5 is hereby added to the Vehicle Code to read as follows:

157.5. License plates issued for tank vehicles shall display suitable distinguishing marks, colors, or symbols in conjunction with, or in addition to, those required in accordance with section 157; provided that, should the owner remove the tank from such tank vehicle, as provided in section 154.5, thereafter the license plates shall not be required to conform to the requirements of this section.

SEC. 10. Section 159 of the Vehicle Code is hereby amended to read as follows:

159. Expiration of Registration. (a) Every vehicle registration under this code and every registration card issued hereunder shall expire at midnight on the thirty-first day of December of each year and shall be renewed annually.

(b) Certificates of ownership need not be renewed annually but shall remain valid until suspended, revoked or canceled by the department for cause or upon a transfer of any interest shown therein.

(c) Certificates of ownership of tank vehicles need not be renewed because of a change by the owner from a tank vehicle to a vehicle, motor truck, commercial vehicle, trailer, or semitrailer, provided that, upon a transfer of ownership of such vehicle, motor truck, commercial vehicle, trailer, or semitrailer, the new certificate of ownership shall not be of the distinguishing color.

SEC. 11. Section 179.5 is hereby added to the Vehicle Code to read as follows:

179.5. Transfer of Tank Vehicles. Whenever the transferee of the certificate of ownership of a tank vehicle makes application for a transfer of registration, the application shall be accompanied by a new certificate of inspection and approval, as described in section 144 of this act.

SEC. 12. Section 370.5 is hereby added to the Vehicle Code to read as follows:

370.5. Inspection Fees. A fee of one dollar shall be paid to the State Fire Marshal, the chief of the fire department of any municipality, the fire warden of any county, or the duly authorized representative of the State Fire Marshal, or to any such chief of such fire department, or fire warden, upon the issuance of the biennial certificate and approval of tank vehicles, as provided in section 144.

The receipts from the inspection fees provided in this section shall be paid into the general funds of the State, for the credit of the funds of the State Fire Marshal.

SEC. 13. Section 595.5 is hereby added to the Vehicle Code to read as follows:

595.5. Unattended Tank Vehicles. No person driving, or in control of, or in charge of, a tank vehicle, shall permit it to stand unattended at any time while flammable liquid is being transferred to or from its tank; provided that, for the purpose of this section, any hose which may be attached to the tank vehicle, and through which the flammable liquid is being transferred, shall be construed to be a part of the tank vehicle.

No person driving, or in control of, or in charge of a tank vehicle, shall permit the motor of the vehicle to continue running during the time that any hose which is used, or to be used or has been used, for the purpose of transferring flammable liquid to or from the tank, is being connected or attached to, or disconnected or detached from, the tank vehicle.

SEC. 14. Section 600.5 is hereby added to the Vehicle Code to read as follows:

600.5. Smoking on Tank Vehicles. It is unlawful for any person to smoke, or to strike or light any match, or to otherwise have or produce any fire, or to cause or produce any combustion of any kind, other than in the motor, in or upon, or within a distance of ten feet from any tank vehicle containing flammable liquid of either Class 1-a or Class 1, as defined in section 52; or within twenty-five feet of any tank vehicle, during the time that such liquids are being transferred to or from such vehicle.

SEC. 15. Section 603 is hereby added to the Vehicle Code to read as follows:

603. Operation of Tank Vehicles. (a) No person driving, or in control of, or in charge of, a tank vehicle shall permit the internal valve or valves of the tank to remain open at any time except while flammable liquid is being transferred to or from such tank.

(b) No person who is responsible for the loading of a tank vehicle shall cause or permit the tank of such tank vehicle to be filled to a volume greater than that which may be determined by the capacity gauges, as provided in section 681-e, and in no case shall such tank be filled in excess of ninety-nine and one-quarter per centum of its volumetric capacity.

(c) No person who is responsible for the loading of a tank vehicle, and no person driving, or in control of, or in charge of a tank vehicle shall permit the transfer of flammable liquid to or from the tank of such tank vehicle until, or unless, there is a metal-to-metal bond or connection, which will serve as an electrical conductor, between the tank of such tank vehicle and the container from or to which such flammable liquid is being transferred; and provided further, that such metal-to-metal connection shall be provided before any liquid is transferred, shall be maintained continuously during the entire time of transfer, and shall not be broken or discon-

nected until after the transfer of flammable liquid has been completed or discontinued

(d) No person who is driving, or in control of, or in charge of, a tank vehicle shall cause or permit any bucket or other container to be used as a receptacle for the flammable liquid which may be transferred to or from the tank of such tank vehicle, unless such bucket is constructed entirely of metal, does not leak, and unless a metal-to-metal connection is maintained continuously during the entire time in which any flammable liquid is being transferred between the tank and the receptacle, or between the receptacle and the tank.

SEC. 16. Section 632 of the Vehicle Code is hereby amended to read as follows

632 Alternate Acetylene Headlamps. (a) Any motor vehicle other than a motorcycle, equipped with lighted acetylene headlamps shall be deemed to comply with the provisions of this code concerning lighted headlamps when such motor vehicle has two lighted acetylene headlamps of approximately equal candlepower mounted upon the front thereof and fitted with clear plane glass fronts and bright six-inch spherical mirrors and standard acetylene five-eighths or three-quarters foot burners, not more and not less, projecting sufficient light ahead to reveal any vehicle, person or substantial object upon the roadway within two hundred feet.

(b) Any motorcycle equipped with one lighted acetylene headlamp shall be deemed to comply with the provisions of this code concerning lighted headlamps on motorcycles when such acetylene head lamp is fitted with a clean plane glass front and a bright six-inch spherical mirror and a standard acetylene one-half or five-eighths foot burner, projecting sufficient light ahead to reveal any vehicle, person or substantial object upon the roadway within a distance of one hundred fifteen feet.

(c) No acetylene lamp shall emit any glaring light

(d) It is unlawful for any tank vehicle to be equipped with, or to carry for lighting purposes, any lamps or lighting devices than those wherein the light is furnished or produced by electrical energy Lighting circuits of tank vehicles shall include suitable over-current protection; the wiring shall have adequate current-carrying capacity, and shall be substantially insulated, protected, and secured against physical damage.

SEC. 17 Section 681 is hereby added to the Vehicle Code to read as follows:

681. Construction and Equipment of Tanks and Tank Vehicles No person shall operate on any highway any tank vehicle, as defined in section 34.5 of this act unless such tank and/or tank vehicle conforms to the requirements of this section

(a) Design and Construction of Tanks

1 Material, Capacity and Gauge Tanks shall be constructed throughout of open hearth steel or blue annealed steel, or equivalent, of a thickness and gauge in accordance with the provisions of the following tables

Capacity (gallons)	Minimum thickness of material
Up to 600 gallons	14 gauge United States standard
600 to 1,200 gallons	12 gauge United States standard
1,200 gallons and over	10 gauge United States standard

Heads shall be bilged or corrugated, or as an alternative, shall be two gauges heavier than above specified

A tolerance of ten per cent (10%) shall be allowed for individual tank capacities

Material other than that specified above may be used in thicknesses which will give strength equivalent to that of open hearth or blue annealed steel.

2. Joints. Shell and head joints shall be welded, riveted and welded, brazed or riveted and brazed, riveted and caulked, or made tight by some equally satisfactory process.

3. Test. Each compartment of the completed tank shall be tested and proven tight at five (5) pounds minimum pressure

4. Tank Outlets. Tank outlets shall be substantially made and attached, to prevent breakage at outlet point and to permit complete drainage.

5. Bulkheads. Tanks with compartments carrying fluids of different classes, as defined in section 51 of this act, shall be provided with an air space between the compartments thereof, equipped and maintained with drainage facilities.

6. Surge Plates. Each tank having a cubic content in excess of eighty (80) cubic feet shall be equipped with a sufficient number of transverse baffle plates extending the full width of the tank, to divide the tank or tank compartments into units not to exceed eighty (80) cubic feet A tolerance of ten (10) per cent shall be allowed in computing the eighty (80) cubic feet volume specified in this section Each such baffle plate shall be of the same material specified in subsection a-1 hereof, and of a thickness not less than the thickness of the shell of the tank or tank compartment in which it is installed; provided, however, that no surge plate shall require to be thicker than ten gauge. Each surge plate shall be substantially installed. No portion of the top or bottom of any such plate shall be at greater vertical distance than eight (8) inches from the horizontal plane of the highest portion of the shell, or the lowest portion of the shell, respectively, of the tank in which the same is installed Provided that there may be maintained either at the top or the bottom of each such plate an opening of not more than

twenty (20) inches in horizontal width, no portion of which opening shall be more than fourteen (14) inches vertical distance below or above the plane of that portion of the top or bottom, respectively, of such shell immediately above or below the middle of such opening, as the case may be.

7. The provisions of paragraphs five and six of this subsection shall not be applicable to any tank in service prior to the enactment of this act.

(b) Operating Vents and Relief Valves

1. Each tank, or each compartment of a tank, for the carrying of flammable liquids of Class 1 shall be provided with a vacuum and pressure operating vent having a free and effective opening of not less than forty-four one-hundredths square inch.

2. Each tank, or each compartment of a tank, for the carrying of flammable liquids of Class 1-a, shall be equipped with a pressure relief valve having a free and effective opening of not less than one and seventy-seven one-hundredths square inches and which shall be so adjusted as to open when subjected to a pressure within the tank of not more than five pounds per square inch above atmospheric pressure.

3 Each tank, or each compartment of a tank, for the carrying of flammable liquids of Class 1-a, shall be equipped with an opening and a valve which shall provide means for attaching a pressure gauge for the purpose of testing and determining the amount of pressure within the tank or compartment The connection to be provided shall be not less than one-quarter inch pipe size.

(c) Pressure Vents Each tank, or each compartment of a tank, for the carrying of flammable liquids of Classes 1-a and 1 shall be provided with a venting device which shall be so constructed as to provide a minimum free and effective opening of not less than two and eighty-five one-hundredths square inches.

1. If the volume of a tank, or compartment of a tank, exceeds eighty cubic feet, then the minimum area of the venting device shall be increased in the proportion that the greater volume bears to eighty cubic feet.

2. If the design of the venting device includes a fusible element, the temperature at which such fusible element will melt shall not exceed two hundred degrees Fahrenheit.

3. The provisions of this subsection shall not be applicable to any tank vehicle in service prior to the enactment of this act until the first day of January, 1941.

(d) Internal Valves. Each tank, or each compartment of a tank, for the carrying of flammable liquids of Classes 1-a and 1, shall be equipped with a reliable and efficient shut-off valve which shall be located inside the shell of the tank, in the compartment outlet.

1. The operating mechanism of such valves shall be provided with a secondary control which shall be located as remotely from the filling openings and discharge faucets as is practicable

2. The mechanism by which the internal valves are operated or controlled shall include a fusible section, the melting of which will cause all such internal valves to close automatically.

3. There shall be provided between the seat of the internal valve and the discharge faucet, a shear section which will break under strain; provided, that such shear section will not be required if the piping or tubing between the internal valve seat and the discharge faucet is so arranged as to afford the same protection and to leave the seat of the internal valve intact.

4. The provisions of this subsection shall not be applicable to any tank vehicle in service prior to the enactment of this act, until the first day of January, 1941.

(e) Capacity Gauges. Each tank, or each compartment of a tank, for the carrying of flammable liquids shall be equipped with a gauge which shall indicate the maximum volume to which the tank or compartment may be filled.

1. The capacity gauge may be adjustable, but it must be capable of being sealed at a given volume, and in no case may it be set to indicate in excess of ninety-nine and one-quarter per centum of the total internal volume of the tank or compartment.

(f) Connections of Discharge Valves and Faucets. All discharge valves or faucets shall be so designed as to permit being tightly connected to the discharge hose.

(g) Can and Bucket Compartments. If boxes or compartments for the carrying of cans, buckets, or other metallic objects, are attached to, or provided in conjunction with, tanks for the carrying of flammable liquids, the interiors of such boxes or compartments shall be lined, or insulated, or otherwise so designed and constructed, as to prevent or avoid the generation of sparks because of contact with such cans, buckets, or other metallic objects as may normally be carried therein.

(h) Every tank for the carrying of flammable liquids must be securely attached to the vehicle.

(i) Electrical Bonding, and Grounding.

1. Every tank vehicle shall be so equipped that there will be a constant and permanent metallic interconnection between its tank, frame, springs and axles.

2. Every tank vehicle shall be equipped with a chain or other metallic device which will insure a practically constant continuous metallic circuit between the metal parts of the tank vehicle and the ground upon which it rests or travels

(j) Rear Bumpers. Whenever a tank vehicle is so constructed or equipped that the discharge valves or faucets project to the rear of the chassis frame, a bumper or other device shall be provided which will afford protection to the discharge valves or faucets against collision.

1. The provisions of this subsection shall not be applicable to any tank vehicle in service prior to the enactment of this act, until the first day of January, 1941.

(k) Fire Extinguishers.

1. Every tank truck shall be equipped with at least one hand fire extinguisher of a type suitable for the extinguishment of flammable liquid fire, and which bears the label of approval of the Underwriters Laboratories.

2. Every tank truck which is equipped for the hauling of one or more tank trailers and/or semitrailers shall be equipped with at least one hand fire extinguisher for each such tank trailer or semitrailer.

3. For the purpose of this subsection, a tractor, as described in section 37 shall be construed to be a tank truck.

(l) Fuel Tank. No tank vehicle shall be equipped to carry its liquid fuel in any container which is over, or adjacent to its motor or engine, or on or over the cab, or which projects beyond the sides of the chassis frame; provided, that this shall not be construed to prohibit:

1. The use of a portion, or compartment, of the main tank of the tank vehicle for the carrying of the vehicle's liquid fuel, but provided that, if such portion or compartment is so used, that portion or compartment shall be so designed, constructed, and equipped as to conform to those requirements of this section which apply to the remaining compartments of the tank, except that no internal valve shall be required in the fuel compartment of the tank.

2. The use of a fuel tank or container which is contained within the sides of the driver's cab or compartment.

(m) Fuel Supply System.

1. If the liquid fuel, to be used in the motor of a tank truck, is to be transferred from the fuel tank directly to the carburetor by means of gravity a stop, or shut-off valve shall be provided as close to the outlet of the fuel tank as is practicable.

2. The tube or pipe through which the liquid fuel is to be transferred shall be so installed and supported as to prevent chafing and to prevent or neutralize vibration.

3. The carburetor shall be so installed as to insure the immediate drainage of any overflow liquid fuel to the ground.

(n) Exhaust System.

1. Mufflers. The muffler and that portion of the exhaust pipe which is forward of the muffler, on each tank vehicle shall be so installed and maintained as to prevent any flammable liquid of Classes 1-a or 1 from spilling or leaking upon such muffler or portion of exhaust pipe, or from coming in contact therewith. Any muffler and any part of that portion of the exhaust pipe which is forward of the muffler, which may be exposed to the spilling or leaking of flammable liquid of Classes 1-a or 1 shall be equipped with a metal shield, so constructed, installed and maintained as to adequately cover the muffler and such part of that portion of the exhaust pipe which is forward of the muffler, plus a minimum distance of six (6) inches, both forward and to the rear thereof; and there shall be provided a space of not less than one (1) inch between such shield and muffler and exhaust pipe.

2. The entire exhaust system of every tank vehicle shall be substantially supported, and shall be so installed and so placed as to be free from chafing and from accumulations of oil and grease.

(o) Failure of any tank or tank vehicle to conform to the requirements of this section, or to such portions thereof as are applicable to a tank or to a tank vehicle, is prima facie evidence that such tank or tank vehicle is mechanically unfit or unsafe to be operated or moved upon the highways."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 895—An act to add a new chapter, to be numbered 1a. to Division V of the Agricultural Code, relating to the standardization of tomatoes

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 11 to 23, inclusive, and on page 2, strike out lines 1 to 19, inclusive, and insert in lieu thereof the following:

"761. By "canning purposes" is meant the packing of commercially canned tomatoes, the manufacture of tomato paste, tomato puree, tomato pulp, tomato catsup, tomato sauce, tomato juice, and similar manufactured tomato products wherein the contents of the product is all, or practically all, made up of tomatoes.

762. Tomatoes shall be suitable for canning purposes. No tomatoes shall be regarded as suitable for canning purposes if the delivery contains spray residue which can not be removed by washing in plain water in order to meet the tolerances permitted by the United States Food, Drug and Insecticide Administrations. No tomato shall be regarded as suitable for canning purposes if—

(a) Any worm or worms are present which have penetrated beyond the outer fleshy wall or fleshy core of the tomato.

(b) In excess of ten per cent of the weight of the tomato can not be used for canning purposes, due to damage caused by worms.

(c) In excess of ten per cent of the weight of the tomato can not be used for canning purposes, due to the presence of mold.

(d) In excess of twenty per cent of the weight of the tomato can not be used for canning purposes, due to the presence of rot.

(e) In excess of twenty-five per cent of the weight of the tomato can not be used for canning purposes, due to the presence of sunburn or sunscald.

(f) In excess of twenty-five per cent of the weight of the tomato can not be used for canning purposes, due to the presence of growth cracks.

(g) In excess of twenty-five per cent of the weight of the tomato can not be used for canning purposes, due to the tomato being green or yellow at the butt (stem end).

(h) The tomato is sufficiently over ripe, shriveled, frozen or frosted to make it useless for canning purposes.

(i) The tomato is not fairly well colored, which means that the tomato does not show at least two-thirds good red color, as such color is illustrated as "U. S. No. 2" in the color chart of the United States Department of Agriculture, Bureau of Agricultural Economics, United States grades for cannery tomatoes in effect the day of the passage of this chapter.

763 Any load of tomatoes offered for delivery to a canner shall be rejected and turned back to the grower if in excess of ten per cent of the delivery by weight fails to comply with subsection (a), and/or (c) of section 762.

Any load of tomatoes offered for delivery to a cannery shall be rejected and turned back to the grower if in excess of fifteen per cent of the delivery by weight fails to comply with subsections (a) to (i) inclusive of section 762.

764. The size of tomatoes shall be determined by contract between buyer and seller, but in no event shall the minimum contract size be less than two inches in diameter, where measured through the widest portion of the cross section; provided, that there shall be no minimum size on pear or plum types.

765 The official standards established herein shall be the only standards of quality for canning tomatoes. The provisions of any contract to sell canning tomatoes, or to deliver them on consignment, dated subsequent to the effective date of this chapter, which prescribe other or different standards, shall be ineffective, and in such contracts the standards prescribed here shall be implied by law.

766 The standards established by this chapter shall be considered as a grade under the provisions of Division V, Chapter 1, of the Agricultural Code."

Amendment adopted.

Bill read second time, ordered to reprint, re-re-engrossment, and third reading.

Assembly Bill No 1974—An act to provide for the number and compensation of judges of the municipal court in any city governed by a freeholders' charter, containing a population of more than 40,000, in counties of the first class.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of line 1 of the title, after "to", and strike out all of lines 2 to 4, inclusive, and insert in lieu thereof the following: "amend section 11 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation, and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts in cities or cities and counties of the second and three-fourths class"

Amendment No. 2.

On page 1, line 1, of the printed bill, after the period, insert the following "Section 11 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 11. The municipal court in a city or city and county of the second and three-fourths class shall be constituted, and the judges, officers and attaches thereof shall receive compensation as follows:

(a) There shall be three judges, each of whom shall receive five thousand dollars per annum, payable in equal monthly installments.

(b) There shall be one clerk, to be appointed by the judges of the court, who shall receive two hundred twenty-five dollars per month.

(c) The clerk shall appoint the following.

Three clerks, each of whom shall receive one hundred seventy-five dollars per month;

One stenographer, who shall receive one hundred fifty dollars per month.

(d) There shall be one marshal, to be appointed by the judges of the court, who shall receive three hundred dollars per month.

(e) The marshal shall appoint the following:

One chief deputy who shall receive two hundred dollars per month.

Three deputies, each of whom shall receive one hundred fifty dollars per month.

One stenographer, who shall receive one hundred fifty dollars per month."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 1077—An act to amend section 21 of the "California Water Storage District Act," relating to property sold for delinquent assessments.

Bill read second time, and ordered on file for third reading

Senate Bill No. 291—An act to add section 311.5 to the Agricultural Code, relating to persons handling meat.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the title of the printed bill, strike out "section", and insert in lieu thereof the following "sections 309.5 and".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "311.5", and insert in lieu thereof the following: "309.5".

Amendment No. 3.

On page 1 of the printed bill, between lines 2 and 3, insert the following:

"309.5. It shall be unlawful for any person, firm, association or corporation to sell or offer for sale any uncured or uncooked meat, whether for the purpose of sale or delivery to dealers or consumers, or to keep open for business any place of business or any department of a place of business, or to receive at such place of business any uncured or uncooked meat, except between the hours of seven o'clock a.m. and seven o'clock p.m. on days other than Saturday, which shall be between the hours of seven o'clock a.m. and nine o'clock p.m. Kosher markets which by

reason of religious observance remain closed on Saturday, may open on Sunday from seven o'clock a m to twelve o'clock noon.

Nothing in this section shall apply to any person, firm, partnership, association or corporation dealing exclusively at wholesale where meat is regularly inspected by Federal, State or municipal inspection

This section shall apply only in counties having a population of 27,000 or over

SEC. 2. Section 311 5 is hereby added to the Agricultural Code to read as follows:".

Amendment No. 4.

On page 1 of the printed bill, after line 9, insert the following:

SEC. 3. If any section of this act or any part thereof, is, for any reason, held unconstitutional such decision shall not affect the validity of the remaining portions of this act."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 830—An act to amend sections 13 and 13a of the Motor Vehicle Fuel License Tax Act, relating to the disposition of funds received under said act.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 467—An act to amend sections 2.411, 2.418 and 2.419 of the School Code, relating to disincorporation of high school districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 658—An act to amend section 3.472 of the School Code, relating to the transportation of teachers of agriculture employed by high school districts and engaged in supervising project work of pupils.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1083—An act to add new sections to the School Code to be numbered 6 205 and 6.225, relating to the sale or leasing of school property.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 269—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment.

Bill read second time, and ordered on file for third reading.

Senate Bill No 4—An act to amend sections 2, 3, and 6 of an act entitled "An act authorizing municipal corporations to discontinue the use of land for park purposes when the fee thereof is vested in the municipal corporation and authorizing the sale or other disposition of such lands," approved May 12, 1927, relating to the conveyance, exchange, sale or other disposition of lands.

Bill read second time, and ordered on file for third reading.

Senate Bill No 797—An act to add a new section to the School Code to be numbered 6.53, relating to the duties, powers and liability of governing boards of school districts and members thereof in connection with school district buildings.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, as amended, after the word "building", insert the following: "or buildings".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 6, 7 and 8, and insert in lieu thereof the following. "Public Works, for the gov-".

Amendment No. 3.

On page 1, line 9, of the printed bill, as amended, after the word "district", insert a comma.

Amendment No. 4.

On page 1, line 16, of the printed bill, as amended, after the word "building", insert the following "or buildings".

Amendment No. 5.

On page 1, line 18, of the printed bill, as amended, after the word "building", first appearing therein, insert the following: "or buildings".

Amendment No. 6.

On page 1, line 18, of the printed bill, as amended, after the word "building", second appearing therein, insert the following "or buildings".

Amendment No. 7.

On page 1, line 19, of the printed bill, as amended, after the word "building", first appearing therein, insert the following: "or buildings".

Amendment No. 8.

On page 1, line 19, of the printed bill, as amended, after the word "building", second appearing therein, insert the following: "or buildings".

Amendment No. 9.

On page 2, line 7, of the printed bill, as amended, after the word "building", insert the following: "or buildings".

Amendment No. 10.

On page 2, line 8, of the printed bill, as amended, after the word "building", insert the following: "or buildings".

Amendment No. 11.

On page 2, line 11, of the printed bill, as amended, after the word "building", insert the following: "or buildings".

Amendment No. 12.

On page 2, line 12, of the printed bill, as amended, strike out the following: "shall within sixty days", and insert in lieu thereof the following: "may".

Amendment No. 13.

On page 2, line 13, of the printed bill, as amended, after the word "building", insert the following: "or buildings".

Amendment No. 14.

On page 2 of the printed bill, as amended, strike out lines 14 to 33, inclusive, and insert in lieu thereof the following: "election at which there shall be submitted to the qualified electors of the district three propositions, to wit:

(1) Authorization of bonds of the district in an amount sufficient, as shown by such estimate, to provide funds for the repair, reconstruction or replacement of such building or buildings.

(2) Authorization of the increase of the maximum tax rate of the district for such length of time as will permit raising sufficient funds by district taxation for the repair, reconstruction or replacement of such building or buildings.

(3) Abandonment of such building or buildings and use of tents or other temporary structures for school purposes in lieu of the building or buildings so abandoned.

In cases where authorization of the qualified electors for the expenditure of such funds is required under any law of this State, the proposition to authorize such expenditure shall be submitted at such election.

The resolution or notice calling the election shall specify the building or buildings proposed to be repaired, reconstructed or replaced, and those proposed to be abandoned.

Such election shall be called and held and the vote canvassed and result declared in the manner provided by law for the calling and holding of district bond elections. Each elector shall be entitled to vote upon each of such propositions.

If, at such election, the requisite number of voters cast their ballots in favor of the issuance of bonds, such bonds shall be issued and sold in the manner provided by law for the issuance and sale of bonds of such district, and the proceeds used for the purpose or purposes specified in the resolution or notice calling the election. In such event, the results of the voting upon the other two propositions submitted at such election as provided in this section shall be disregarded.

If, at such election, issuance of bonds of the district is not authorized, and if, on the proposition of increasing the tax rate of the district the number of votes

cast in the affirmative, is sufficient to authorize an increase in the tax rate of the district such increase shall be authorized, and the governing board shall proceed to increase such rate and to use the proceeds of such increased tax solely for the purpose or purposes specified in the resolution or notice calling such election. In such event the result of the voting upon the third proposition so submitted at such election shall be disregarded.

If, at such election, neither the proposition to issue bonds nor the proposition to increase the maximum tax rate is authorized by the electors, the result of the voting upon the proposition to authorize the use of tents or other temporary structures shall be considered by the governing board, as an advisory vote and such tents or other temporary structures used for school purposes to the extent that such use shall be deemed necessary by such governing board. No member of the governing board shall be held personally liable for any damage or injury to person or property as a result of such use of tents or other temporary structures, except in case of his own personal negligence or misconduct.

If, at such election, neither the issuance of bonds nor the increase of the tax rate is authorized, and the other proposition on the ballot does not receive a majority of the votes cast thereon in favor thereof, no member of the governing board".

Amendment No. 15.

On page 2, line 36, of the printed bill, as amended, strike out the following: "such building, nor shall any", and insert in lieu thereof the following: "any building or buildings referred to in the resolution or notice calling such election. No".

Amendment No. 16.

On page 2, line 37, of the printed bill, as amended, after the word "district", insert the following word: "shall".

Amendment No. 17.

On page 2, line 43, of the printed bill, as amended, after "refused", insert the following: ", after receiving a statement from the Superintendent of Public Instruction that such district has not sufficient funds therefor,".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

The Speaker in the Chair.

At eleven o'clock and twenty-five minutes a.m., Hon Edward Craig, Speaker of the Assembly, in the chair.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1935.

MR. SPEAKER: Your Committee on Rules, to which was referred Senate Concurrent Resolution No. 29—Relative to reports of the annual convention of the Disabled American Veterans of the World War of the Department of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WALLACE, Chairman.

Request for Unanimous Consent.

Mr. Wallace asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 29, at this time, without reference to file.

Consideration of Senate Concurrent Resolution No. 29.

Senate Concurrent Resolution No. 29—Relative to reports of the annual convention of the Disabled American Veterans of the World War of the Department of California.

Senate Concurrent Resolution No. 29 read.

Mr. Wallace moved the adoption of Senate Concurrent Resolution No. 29.

The question being on the adoption of Senate Concurrent Resolution No. 29.

The roll was called, and Senate Concurrent Resolution No 29 adopted by the following vote.

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Rosenthal, Scudder, Stream, Thorp, Turner, Walker, Wallace, Welsh, Williamson, Wright, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 29 ordered transmitted to the Senate.

Senate Concurrent Resolution No. 29.

Relative to reports of the annual convention of the Disabled American Veterans of the World War of the Department of California.

Resolved, by the Senate of the State of California, the Assembly thereof concurring, That there shall be printed as a public document 300 copies of the report of the annual convention of the Disabled American Veterans of the World War of the Department of California for the year 1935–1936, together with illustration copies of the general orders enacted at such convention and of the official roll, 150 copies for the use of the Senate and 150 copies for the use of the Assembly; the cost of same not to exceed $600 payable from the legislative printing appropriation.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1935.

MR. SPEAKER: Your Committee on Rules, to which was referred Senate Concurrent Resolution No. 27—Relative to Reports of the Department Encampment of the Grand Army of the Republic—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

WALLACE, Chairman.

Request for Unanimous Consent.

Mr. Scudder asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 27 at this time, without reference to file.

Consideration of Senate Concurrent Resolution No. 27.

Senate Concurrent Resolution No. 27—Relative to reports of the department encampment of the Grand Army of the Republic.

Senate Concurrent Resolution No. 27 read.

Mr. Scudder moved the adoption of Senate Concurrent Resolution No. 27.

The question being on the adoption of Senate Concurrent Resolution No. 27.

The roll was called, and Senate Concurrent Resolution No. 27 adopted by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Walker, Wallace, Welsh, Williamson, Wright, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No 27 ordered transmitted to the Senate.

Senate Concurrent Resolution No. 27.

Relative to reports of the department encampment of the Grand Army of the Republic

Resolved, by the Senate of the State of California the Assembly concurring, That there shall be printed as a public document 500 copies of the sessions of the department encampment of the Grand Army of the Republic for the years 1935–1936, together with illustrations, copies of general orders of the department and of the official rolls, 250 copies for the use of the Assembly and 250 copies for the use of the Senate, expense payable from legislative printing appropriation.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Miss Miller:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1935.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows: An act to add section 642 to the Streets and Highways Code, establishing an additional secondary State highway.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May, 6, 1935.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

Assembly Bill No. 2435—An act to add section 642 to the Streets and Highways Code, establishing an additional secondary State highway

CUNNINGHAM, Chairman.

Report of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Welsh, Williamson, Wright, and Mr. Speaker—68

NOES—None.

Introduction and Reference of Bills.

The following bill was introduced, and referred as indicated:

By Miss Miller: Assembly Bill No. 2435—An act to add section 642 to the Streets and Highways Code, establishing an additional secondary State highway.

Bill read first time, and referred to Committee on Roads and Highways.

Motion to Withdraw Assembly Bill No. 2120 from Committee on Governmental Efficiency and Economy.

Mr. Patterson moved that Assembly Bill No. 2120 be withdrawn from Committee on Governmental Efficiency and Economy, and placed on file for second reading.

The question being on the motion by Mr. Patterson to withdraw Assembly Bill No. 2120 from Committee on Governmental Efficiency and Economy.

The Speaker ordered a roll call taken on the motion by Mr. Patterson to withdraw.

The roll was called, and the motion to withdraw Assembly Bill No. 2120 from Committee on Governmental Efficiency and Economy was carried by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Donnelly, Evans, Ralph W., Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Johnson, Jones, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Richie, Rosenthal, Thorp, Turner, Voigt, Wagner, Walker, and Welsh—43

NOES—Breed, Cottrell, Cunningham, Dawson, Evans, Herbert J., Field, Fisher, Fulcher, Kallam, Latham, Lyon, McBride, Minard, Morgan, Peyser, Redwine, Riley, Robertson, Stream, Utt, Wallace, Wright, and Mr. Speaker—23.

Assembly Bill No. 2120 ordered on file for second reading.

Special Order.

The hour of eleven o'clock and thirty minutes a.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Reconsideration of Assembly Bill No. 1618.

Assembly Bill No. 1618—An act to amend the Personal Property Broker's Act, relating to the classification and regulation of the business of personal property brokers, including the fixing and regulation of their charges and interest, and to repeal all acts and parts of acts inconsistent herewith.

In compliance with his notice given on a previous day, Mr. Evans, Ralph W., moved that the vote whereby Assembly Bill No. 1618 was passed be reconsidered.

Further consideration deferred to two o'clock p.m., this day.

Third Reading of Assembly Bills.

Assembly Bill No. 739—An act to amend an act entitled "An act authorizing counties to construct, improve, maintain and repair streets lying in municipalities or to aid or assist by the appropriation of money and otherwise in establishing, laying out, opening, widening, extending, straightening, constructing, improving or altering streets or changing or separating the grades thereof within municipalities or in acquiring lands, rights of way or other property necessary therefor," approved April 30, 1923, as amended, by amending section 2 thereof to authorize appropriations for the illumination of highways.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr Redwine:

Amendment No. 1.

Strike out all of line 1 of the title of the printed bill except "An act to amend", and strike out all of lines 2 to 11, inclusive, of the title, and insert in lieu thereof the following: "sections 1701 and 1702 of the Streets and Highways Code, to define "maintenance" as including illumination"

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out everything except "Section 1.", and strike out all of lines 2 to 19, inclusive, and on page 2, strike out lines 1 to 12, inclusive, and insert in lieu thereof the following: "Section 1701 of the Streets and Highways Code is hereby amended to read as follows:

1701. A copy of such resolution shall be forwarded to the governing body of the city within which is included any portion of the highway. Such governing body may consent to the establishment of such included portion as a part of the county highway. Upon the taking effect of a city ordinance containing such consent, such portion of such highway shall become a county highway with respect to its construction, maintenance, improvement and repair.

SEC. 2. Section 1702 of the Streets and Highways Code is hereby amended to read as follows:

1702. Thereafter the board of supervisors of the county may improve and maintain such highway as other county highways are improved and maintained, and may pay for such work out of one or more of the following

(a) The county general fund

(b) The general road fund.

(c) The special road improvement fund.

(d) The proceeds of any county bond issue voted for the purpose of laying out, constructing, maintaining, improving or repairing county highways.

(e) Any other fund available for such purposes.

The term "maintenance" as used in this section shall include such illumination of streets, roads, highways and bridges which in the judgment of the board of supervisors improving or maintaining such streets, roads, highways and bridges is required for the safety of persons using the same."

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 740—An act to amend sections 2, 3 and 5 of an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, as amended, relating to the allocation and expenditure of State highway funds and the construction, improvement, illumination and maintenance of highways

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Redwine:

Amendment No. 1.

On page 6, line 39, of the printed bill, strike out the words "Illumination of highways", and insert in lieu thereof "Such illumination of streets, roads, highways and bridges which in the judgment of the body authorized to expend such funds is required for the safety of persons using the said streets, roads, highways and bridges"

Amendment No. 2.

On page 6, line 46, of the printed bill, strike out the word "illumination"

Amendment No. 3.

On page 7, line 9, of the printed bill, strike out the words "and illumination"

Amendment No. 4.

On page 7, line 12, of the printed bill, strike out the words "and illumination."

Amendment No. 5.

On page 7, line 25, of the printed bill, strike out the word "illuminating", and insert in lieu thereof the word "maintaining."

Amendment No. 6.

On page 7, line 37, of the printed bill, strike out the word "illuminating."

Amendment No. 7.

On page 7, line 49, of the printed bill, strike out the word "illuminate", and insert in lieu thereof the word "maintain"

Amendment No. 8.

On page 8, line 1, of the printed bill, strike out the word "illuminate", and insert in lieu thereof the word "maintain"

Amendment No. 9.

On page 8, line 9, of the printed bill, strike out the word "illumination."

Amendment No. 10.

On page 8, lines 11 and 12, of the printed bill, strike out all after the period in line 11.

Amendment No. 11.

On page 8, line 14, of the printed bill, strike out the word "illuminate."

Amendment No. 12.

On page 8, line 31, of the printed bill, strike out the word "illumination."

Amendment No. 13.

On page 8, lines 32 and 33, of the printed bill, strike out all after the period in line 32.

Amendment No. 14.

On page 1 of the printed bill, strike out the word "illumination", in the title.

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Motion to Print.

Mr. Gilmore moved that the Chief Clerk be instructed to place a rush order on the printing of Assembly Bills Nos. 1288, 1289, 1294 and 1295.

Motion carried

Recess.

At twelve o'clock and five minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until two o'clock p.m., of this day.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1935

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1614—An act to amend section 135 of the Vehicle Code, relating to the California Highway Patrol—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1935

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 212—An act to add section 171 to the Fish and Game Code, relating to game refuges;

Also: Assembly Bill No. 1233—An act to amend section 1065 of Article 4, Chapter 5, Part 2, of the Fish and Game Code;

Also: Assembly Bill No. 1083—An act pertaining to commercial fishermen outside of the jurisdiction of California and those under the jurisdiction of California;

Also: Assembly Bill No. 117—An act to amend sections 1174 and 1175 of the Fish and Game Code relating to birds;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

FISHER, Chairman.

The above reported bills ordered on file for second reading.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1935.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 641—An act to add a new section to be numbered 611, to an act entitled "An act to establish a Streets and Highways Code, thereby consolidating and revising the law relating to public ways and all appurtenances thereto, and to repeal certain acts and parts of acts specified herein—has had the same

under consideration, and respectfully reports the same back without recommendation, as amended.

STREAM, Chairman.

The above reported bill ordered on file for second reading.

Resolution.

The following resolution was offered:

By Mr. Reaves:

Resolution.

WHEREAS, There are a number of unemployed people living along the banks of the Sacramento and American rivers in the city of Sacramento; and

WHEREAS, These people through no fault of their own are forced to erect shelters out of any material they are able to gather up; and

WHEREAS, The forced evacuation of these shacks would work great hardships upon these indigent people; therefore, be it

Resolved, That the Assembly of the State of California this sixth day of May, 1935, memorialize Mr. Otis D. Babcock, district attorney of the county of Sacramento not to force the evacuation of this settlement until adequate housing facilities have been provided elsewhere; and be it further

Resolved, That the Chief Clerk be and is hereby instructed to send a copy of this resolution to the Honorable Otis D. Babcock, district attorney of Sacramento County, Dr. Hugh Beattie, city health officer and the Honorable Arthur Ferguson, mayor of the city of Sacramento.

Resolution read, and refused adoption

Further Consideration of the Motion to Reconsider Assembly Bill No. 1618.

The question being on the motion by Mr. Evans, Ralph W., to reconsider Assembly Bill No. 1618.

Demand for Previous Question.

Messrs. Morgan, O'Donnell, Cottrell, Fisher and Voigt demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion by Mr. Evans, Ralph W., to reconsider Assembly Bill No. 1618.

The roll was called, and the same was reconsidered by the following vote:

AYES—Breed, Brennan, Burns, Cassidy, Clark, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Johnson, Kallam, Latham, Lore, Mayo, McCarthy, McMurray, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Richie, Thorp, Voigt, Wagner, Wallace, Waters, Weber, Williamson, and Wright—43.

NOES—Anderson, Andreas, Boyle, Chatters, Corwin, Cottrell, Cronin, DeLap, Evans, Herbert J., Flint, Fulcher, Garibaldi, Gilmore, Hornblower, Hunt, Jones, Laughlin, Lyon, Maloney, Martin, McBride, Meehan, Morgan, Phillips, Redwine, Riley, Robertson, Rosenthal, Scudder, Turner, Utt, Walker, Welsh, and Mr. Speaker—34.

Assembly Bill No. 1618 ordered on file for third reading.

Appointment of Committee on Free Conference Concerning Senate Concurrent Resolution No. 10.

The Speaker announced the appointment of Messrs. O'Donnell, Hornblower and Wright, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Senate Concurrent Resolution No. 10, Joint Rules of the Senate and Assembly.

Unfinished Business.

Consideration of Report of Committee on Free Conference Concerning Assembly Bill No. 930.

The following report of Committee on Free Conference was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1935.

MR. SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 930—An act to amend section 4360 of the School Code, relating to school district budgets, declaring the urgency thereof and providing that this act shall take effect immediately—reports that it has met a like committee of the Senate, consisting of Senators Difani, Jespersen and Hays, and reports that the Committee on Free Conference has agreed to recommend the following:

That the Assembly concur in Senate amendments, and that the bill be further amended as follows:

Amendment No. 1.

On page 1, line 12, of the printed bill, as amended, after the word "year", insert the following: "subsequent to that".

Amendment No. 2.

On page 1, line 14, of the printed bill, as amended, after the word "the", insert the word "subsequent".

PHILLIPS.
CORWIN.
CHATTERS.
Assembly Committee on Free Conference.

DIFANI.
HAYS.
JESPERSEN.
Senate Committee on Free Conference.

Report of Committee on Free Conference read.

Mr. Phillips moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—74.

NOES—None.

Assembly Bill No. 930 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 724.

Assembly Bill No. 724—An act to add a new section to the Political Code of the State of California to be numbered 3466b, relating to assessments of reclamation districts.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 724?

Amendment No. 1.

On page 1 of the printed bill, strike out lines 3 to 9, inclusive, of the title, and insert in lieu thereof the following: "assessments of reclamation districts."

The roll was called, and Senate amendment to Assembly Bill No. 724 was concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner,

Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—72.
NOES—None.

Assembly Bill No. 724 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 918.

Assembly Bill No. 918—An act to amend sections 798 and 830 of the Agricultural Code, relating to fruits, nuts and vegetables.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 918?

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out "dates", and insert in lieu thereof the following: "fruits, nuts and vegetables".

The roll was called, and Senate amendment to Assembly Bill No. 918 was concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Utt, Voigt, Wagner, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—72.
NOES—None.

Assembly Bill No. 918 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1203.

Assembly Bill No. 1203—An act to add two sections to the Bank Act numbered 67.1 and 80.1, relating to loans of the character prescribed by section 13b of the Federal Reserve Act or by section 5d of the Reconstruction Finance Corporation Act

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1203?

Amendment No. 1.

On page 1 of the printed bill, strike out all of lines 17, 18, 19 and 20, and insert in lieu thereof the following: "covered by a commitment of the Federal Reserve Bank or the Reconstruction Finance Corporation to repurchase such excess portion on demand, at any time on or prior to maturity of the notes evidencing the indebtedness, without recourse upon the bank."

Amendment No. 2.

On page 2 of the printed bill, strike out all of lines 6, 7, 8, 9 and 10, and insert in lieu thereof the following. "be covered by a commitment of the Federal Reserve Bank or the Reconstruction Finance Corporation to repurchase such excess portion on demand, at any time on or prior to maturity of the notes evidencing indebtedness, without recourse upon the bank."

The roll was called, and Senate amendments to Assembly Bill No. 1203 were concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Voigt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—66.
NOES—None.

Assembly Bill No. 1203 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1658.

Assembly Bill No. 1658—An act to amend sections 468, 474, 515, 516, 713 and 714 of, and to add a new section to be numbered 693 to, the Vehicle Code, relating to highways, bridges and structures thereon, and the regulation of speeds and weight of vehicles.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1658?

Amendment No. 1.

On page 1, line 11, of the printed bill, following the word "sign", insert the word "hereafter".

Amendment No. 2.

On page 3, line 40, of the printed bill, following the period, insert the following: "(d) All of the provisions of this section shall likewise apply with respect to speed within any tube or tunnel constituting a part of a highway."

The roll was called, and Senate amendments to Assembly Bill No. 1658 were concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Utt, Voigt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—67.

NOES—None.

Assembly Bill No 1658 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 2306.

Assembly Bill No. 2306—An act to amend sections 630 and 631 of the Probate Code, relating to estates under $1,000.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2306?

Amendment No. 1.

On page 1, in the title of the printed bill, as amended on April 5th, strike out the word "five", before the word "thousand", and insert in lieu thereof the following: "one".

Amendment No. 2.

On page 1, line 14, of the printed bill, as amended on April 5th, insert a comma after the word "probate".

Amendment No. 3.

On page 1, line 24, of the printed bill, as amended on April 5th, insert a comma after the word "decedent".

Amendment No. 4.

On page 2, line 2, of the printed bill, as amended on April 5th, insert a comma after the word "employer".

Amendment No. 5.

On page 2, line 6, of the printed bill, as amended on April 5th, insert a comma after the word "employer".

The roll was called, and Senate amendments to Assembly Bill No. 2306 were concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 2306 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1093.

Assembly Bill No. 1093—An act to authorize and empower boards of supervisors to levy a tax for advertising, exploiting, promoting and aiding measures designed to preserve, aid or develop the agricultural, horticultural, viticultural and water resources and advantages of their several counties and repealing Chapter 135 of the Statutes of 1929.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1093?

Amendment No. 1.

On page 1 of the printed bill, strike out line 1 of the title, and insert in lieu thereof the following: "An act to".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 6 to 8, inclusive, of the title, and insert in lieu thereof the following: "tages of their several counties and repealing Chapter 135 of the Statutes of 1929."

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 to 9, inclusive, and insert in lieu thereof the following:

"SECTION 1. The board of supervisors of the several counties within the State of California, are hereby authorized and empowered to levy a special tax not to exceed four cents on the one hundred dollars of the assessed valuation of all property within the county to be used in the State of California for advertising, exploiting, promoting and aiding measures designed to preserve, aid or develop the agricultural, horticultural, viticultural and water resources and advantages of their several counties and thereby to increase and develop the trade and commerce of, and induce immigration to their said counties; and also to be used under the direction of the board of supervisors in investigating, making studies, gathering statistics and maintaining records as to matters affecting the economic welfare of the county and its inhabitants.

Such tax when levied according to the provisions of this section shall be in addition to any tax which may now or hereafter be authorized to be levied for the purpose of creating a fund to be used as authorized under the provisions of sections 4041.5 and 4056b of the Political Code. Nothing herein contained shall prevent any county from creating a bonded indebtedness under the provisions of section 4088 of the Political Code for the purpose of obtaining funds with which to build, construct or furnish an exposition building or buildings for exhibiting and advertising its resources.

SEC. 2. This act shall be in force and effect to and including the first day of July, 1939.

SEC. 3. "An act to authorize and empower boards of supervisors to levy a tax for advertising, exploiting, promoting and aiding measures designed to preserve, aid or develop the agricultural, horticultural, viticultural and water resources and advantages of their several counties," approved April 17, 1929, is hereby repealed."

The roll was called, and Senate amendments to Assembly Bill No. 1093 were concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Richie, Riley, Robertson, Rosenthal, Stream, Utt, Voigt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—58.

NOES—McCarthy and Reaves—2.

Assembly Bill No. 1093 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 557.

Assembly Bill No. 557—An act to add a new section to the Insurance Code to be numbered 10113, relating to life and disability insurance policies.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 557?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "Civil", and insert in lieu thereof the following "Insurance".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out "2770", and insert in lieu thereof the following: "10113".

Amendment No. 3.

On page 1, line 2 of the title of the printed bill, strike out ", health and accident", and insert in lieu thereof the following: "and disability".

Amendment No. 4.

On page 1, line 1, of the printed bill, strike out "Civil", and insert in lieu thereof the following: "Insurance".

Amendment No. 5.

On page 1, line 2, of the printed bill, strike out "2770", and insert in lieu thereof the following: "10113".

Amendment No. 6.

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof the following: "10113. Every policy of life, disability, or life and disability insurance".

Amendment No. 7.

On page 1, line 5, of the printed bill, strike out "insurance company", and insert in lieu thereof the following: "insurer".

The roll was called, and Senate amendments to Assembly Bill No. 557 were concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Cassidy, Chatters, Clark, Cottrell, Cronin, Cunningham, Dawson, DeLap, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Riley, Rosenthal, Stream, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 557 ordered to enrollment

Consideration of Senate Amendments to Assembly Bill No. 558.

Assembly Bill No. 558—An act to amend section 10111 of the Insurance Code, relating to life and disability insurance.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 558?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "2766 of the Civil", and insert in lieu thereof the following: "10111 of the Insurance".

Amendment No. 2.

On page 1, line 1, of the printed bill, as amended, strike out "2766 of the Civil", and insert in lieu thereof the following: "10111 of the Insurance".

Amendment No. 3.

On page 1, line 3, of the printed bill, as amended, strike out "2766", and insert in lieu thereof the following: "10111".

The roll was called, and Senate amendments to Assembly Bill No. 558 were concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Dawson, DeLap, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Utt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 558 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 550.

Assembly Bill No. 550—An act to amend section 2337 of the Political Code, relating to the care of children.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 550?

Amendment No. 1.

On page 1 of the printed bill, strike out line 2 of the title, and insert in lieu thereof the following: "the care of children".

The roll was called, and Senate amendment to Assembly Bill No. 550 was concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Frazier, Fulcher, Geyer, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 550 ordered to enrollment.

Request for Permission to Introduce a Bill.

The following request for permission to introduce a bill was presented.

By Mr. Wallace:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act giving and granting to the council of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes, and declaring the urgency thereof.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1935.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act giving and granting to the council of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes, and declaring the urgency thereof.

CUNNINGHAM, Chairman

Report of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Walker, Wallace, Weber, Welsh, Williamson, Wright, and Mr. Speaker—62.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced:

By Mr. Wallace: Assembly Bill No. 2436—An act giving and granting to the council of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes, and declaring the urgency thereof.

Bill read first time.

Request for Unanimous Consent.

Mr. Wallace asked for, and was granted, unanimous consent to take up Assembly Bill No 2436, at this time, without reference to print, committee or file, and that same be considered engrossed.

Consideration of Assembly Bill No. 2436.

Assembly Bill No. 2436—An act giving and granting to the council of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes, and declaring the urgency thereof.

Case of Urgency.

The following resolution was offered:

By Mr. Wallace:

Resolved, That Assembly Bill No. 2436 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Mr. Wallace moved the adoption of the resolution

The question being on the adoption of the resolution

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—64.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 2436.

Second Reading of Assembly Bill No. 2436.

Assembly Bill No. 2436—An act giving and granting to the council of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes, and declaring the urgency thereof.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Geyer, Gilbert,

Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—66.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2436 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Walker, Wallace, Weber, Welsh, Williamson, Wright, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Motion to Reconsider Assembly Bill No. 195 Continued.

Mr. Gilmore moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 195 was refused passage be continued until the next legislative day.

Motion carried.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced:

By Messrs. Maloney, Brennan, Cronin, Dawson, Gilmore, Hornblower, McMurray, Peyser, and Williamson: Assembly Concurrent Resolution No. 37—Relative to adjournment out of respect to the memory of the late Monsignor John Rogers.

Introduced.

By Messrs Hornblower, Patterson, Jones, Lyon, Latham, Nielsen, Maloney, Burns, Martin, and Fisher: Assembly Joint Resolution No. 57—Relative to memorializing the Senate of the United States to amend H. R. 7260 as to the residence requirements in connection with grants to States for old age assistance.

Introduced.

Request for Unanimous Consent.

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 37, at this time, without reference to print, committee or file, and that same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 37.

Assembly Concurrent Resolution No. 37—Relative to adjournment out of respect to the memory of the late Monsignor John Rogers.

Assembly Concurrent Resolution No. 37 read.

Mr. Maloney moved the adoption of Assembly Concurrent Resolution No. 37.

The question being on the adoption of Assembly Concurrent Resolution No. 37.

The roll was called, and Assembly Concurrent Resolution No. 37 adopted by the following vote.

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—73.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 37 ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 37.

WHEREAS, There has been removed from this sphere of activity, one of California's most well known and respected citizens, and

WHEREAS, This citizen through his kind deeds and his first thoughts for the down and outer made him an outstanding figure in California for his humanitarian deeds, and

WHEREAS, His foresight in the depression that is now before us made it possible for him to erect buildings to shelter those who so unfortunately had no shelter over their head, during the stormy and winter months that come to us annually, and

WHEREAS, Those unfortunates, whom he was so kind to during his life, will miss his most charitable heart and kind words, and

WHEREAS, That if it was God's will that after serving humanity in this most charitable and humanitarian way that he be taken to his just reward in the hereafter, now therefore be it

Resolved, by the Assembly and the Senate concurring, That when the Legislature adjourns this day it do so out of respect to the memory of the late Monsignor John Rogers of St. Patrick Church in San Francisco, and be it further

Resolved, by the Assembly and the Senate concurring, That copies of this resolution be sent to the family of the late Monsignor John Rogers, to His Grace Archbishop John Mitty and to the clergy of St. Patrick's Church.

Request for Unanimous Consent.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 57, at this time, without reference to print, committee or file, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 57.

Assembly Joint Resolution No. 57—Relative to memorializing the Senate of the United States to amend H. R. 7260 as to the residence requirements in connection with grants to States for old age assistance.

Assembly Joint Resolution No 57 read.

Mr. Hornblower moved the adoption of Assembly Joint Resolution No. 57.

The question being on the adoption of Assembly Joint Resolution No. 57.

The roll was called, and Assembly Joint Resolution No. 57 adopted by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Scudder, Stream, Thorp,

Turner, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—69.
NOES—None.

Title read and approved.

Assembly Joint Resolution No. 57 ordered transmitted to the Senate.

Assembly Joint Resolution No. 57.

Relative to memorializing the Senate of the United States to amend H. R 7260 as to the residence requirements in connection with grants to States for old age assistance.

WHEREAS, There is now pending before the Senate of the United States H. R. 7260 which provides among other things for grants to States for old age assistance; and

WHEREAS, Subsection (2) (b) of section 2 of Title I of said act provides that such aid shall not be granted to any State whose old age pension law contains residence requirements in excess of five years during the nine years immediately preceding the application for old age assistance; and

WHEREAS, The Old Age Pension Law of the State of California requires residence for 15 years as a condition precedent to the allowance of old age pension; and

WHEREAS, An amendment to the law of this State to comply with this provision of H. R. 7260 would impose so great a financial burden on the State of California as to make it impossible for this State to accept the benefits of H. R 7260, now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Senate of the United States is respectfully urged to amend subsections (2) (b) of section 2 of Title I to provide that the residence requirement shall not be effective until January 1, 1940; and be it further

Resolved, That the Governor of the State of California is hereby requested to transmit copies of this resolution to the President and Vice President of the United States and to the Speaker of the House of Representatives and to each Senator and member of the House of Representatives from California in the Congress of the United States and that such Senators and members from California are hereby respectfully urged to support such legislation.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1130—An act to amend section 3444 of the Political Code, to empower the Director of Finance to promulgate rules and regulations governing the use of certain State lands and the enforcement of such rules and regulations;

Also: Assembly Bill No 1309—An act to regulate the location, construction, occupancy and operation of hat cleaning and blocking establishments, or agencies thereof, and private schools and colleges of hat cleaning and blocking; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement; and providing penalties for violations;

Also: Assembly Bill No. 1870—An act to amend an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, relating to unfair discriminations, and declaring the urgency thereof, to take effect immediately;

Also: Assembly Bill No. 2368—An act to amend sections 5, 13, 65, 78, 83, 85, 86, 100, 101 and 109 of, and to add sections 28a, 65a, 65b, 65c, 65d, 83a, 85a, 100a and 100b to an act entitled "An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to retirement of members of the California Highway Patrol;

And reports that the same have been correctly re-engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 417—An act to amend section 631 of the Code of Civil Procedure, relating to trial by jury;

Also: Assembly Bill No. 630—An act to amend sections 71, 72, 73, 104, 135, 136, 160, and 194, to add sections 100.5, 101.5, 104.5, 136.5 and 233 to, to add a new chapter, to be numbered 5, to Division 1, and to repeal section 112 of the Streets and Highways Code, relating to public ways;

Also: Assembly Bill No. 936—An act to amend section 5.21 of the School Code, relating to the collection of fees in the California State teachers colleges;

Also: Assembly Bill No. 1570—An act to add two new sections to the Public Utilities Act, to be numbered $2\frac{1}{4}$ and $50\frac{3}{4}$, defining highway common carriers and providing for the regulation thereof and requiring the issuance of certificates of public convenience and necessity therefor, and to repeal Chapter 213 of the Statutes of 1917, approved May 10, 1917, and amendments thereto;

Also: Assembly Bill No. 1770—An act establishing and validating the organization and existence of water districts;

Also: Assembly Bill No. 1957—An act to amend sections 13 and 32 of the Public Utilities Act;

Also: Assembly Bill No 2422—An act accepting a retrocession of jurisdiction over the rights of way of the Golden Gate Bridge and Highway District through the Presidio of San Francisco Military Reservation and Fort Baker Military Reservation in Marin County;

Also: Assembly Bill No. 2423—An act granting to the city of Sausalito certain submerged and tidelands for street, sea wall and other public purposes.

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 2243—An act relating to fair trade practices, providing for the issuances of licenses to persons engaged in certain branches of the automotive business, creating an Automotive Fair Trade Bureau in the Department of Professional and Vocational Standards, providing for a judicial hearing and determination of questions arising hereunder and for the enforcement of the provisions hereof—and reports that the same has been correctly re-re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1—An act relating to codes, agreements, and standards of fair competition, repealing certain acts cited herein;

Also: Assembly Bill No. 1067—An act to amend section 1007 of the Civil Code, relating to title by prescription and adverse possession against the State, counties, cities and counties or municipal corporations thereof;

And reports that the same have been correctly re-re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1704—An act making an appropriation to meet a deficiency in the appropriation for support of the Bureau of Criminal Identification and Investigation, and providing that this act shall take effect immediately—and reports that the same has been correctly enrolled, and presented the same to the Governor on this sixth day of May, 1935, at two o'clock and thirty minutes p m.

WATERS, Chairman.

Third Reading of Senate Bills.

Senate Bill No. 529—An act to add three new sections to the Civil Code to be numbered $1426d\frac{1}{4}$, $1426d\frac{1}{2}$ and $1426d\frac{3}{4}$, relating to discovery locations and to discovery shafts on lode and placer mining locations.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Mayo:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "add three new sections", and insert in lieu thereof the following "amend section 1426a of and to add sections 1426da, 1426db, 1426dc, and 1426ra".

Amendment No. 2.

On page 1, lines 1 and 2 of the title of the printed bill, as amended, strike out "to be numbered 1426d¼, 1426d½ and 1426d¾".

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out lines 1 to 23, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 1426a of the Civil Code is hereby amended to read as follows:

1426a. The locator or locators of any lode mining claim must define the boundaries of such claim so that they may be readily traced, but, in no case, shall the claim extend more than fifteen hundred feet along the course of the vein or lode, nor more than three hundred feet on either side thereof as measured from the center line of the vein at the surface. On all lode mining claims made after this act takes effect and within sixty days after the location of the claim, the locator or locators shall erect at each corner of the claim and at the center of each end line, or the nearest accessible points thereto, a post not less than four inches in diameter, or a stone monument at least eighteen inches high.

SEC. 2. Section 1426da is hereby added to the Civil Code to read as follows

1426da. On every lode mining or placer claim, located after this act takes effect, the locator or locators thereof shall, within ninety days after the date of location, sink a discovery shaft upon such claim at the point of discovery to a depth of at least ten feet from the lowest part of the rim of such shaft at the surface, exposing the deposit upon which discovery and location is based, or shall drive a tunnel, adit, or open cut upon such claim at the discovery point to at least ten feet below the surface, exposing the deposit upon which such discovery and location is based.

SEC. 3 Section 1426db is hereby added to the Civil Code to read as follows:

1426db. On all placer mining locations containing more than twenty acres, located after this act takes effect, the locators thereof shall, within ninety days after the date of location, perform at least one dollar's worth of work for each acre included in such claim. This work may all be done at one place on the claim if so desired, and must be actual mining development work exclusive of cabins, buildings, or other surface structures Nothing in this section shall be construed as a modification of the requirements of section 1426da of this code.

SEC. 3. Section 1426dc is hereby added to the Civil Code to read as follows:

1426dc. The relocation of any lode or placer mining location which is subject to relocation shall be made in the same way as an original location is herein required by law to be made, except that the relocator may either sink a new shaft upon the ground relocated at the discovery point to the depth of at least ten feet from the lowest part of the rim of such shaft at the surface, exposing the deposit upon which location is based, or drive a new tunnel, adit, or open cut upon such ground at the point of discovery to at least ten feet below the surface, exposing the deposit upon which location is based; or the relocator may sink the original discovery shaft ten feet deeper than it is at the time of relocation, or drive the original tunnel, adit, or open cut upon such claim ten feet further.

SEC 4. Section 1426ra is hereby added to the Civil Code to read as follows.

1426ra. The failure or neglect of the locator or locators to comply with the requirements of sections 1426, 1426a, 1426da, 1426db, or 1426dc of this code shall render such location null and void, and no portion of the area within such location shall be subject to relocation by the same locator or locators within the period of three years from the date of such void location."

Amendment No. 4.

Strike out page 2 of the printed bill, as amended.

Amendments adopted.

Bill read, ordered to reprint, and on file for third reading.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. O'Donnell:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to recognize certain corporations as agencies and instrumentalities of the United States, declaring the urgency thereof, and providing for the taking effect immediately thereof.

Referred to Committee on Introduction of Bills

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1935.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to recognize certain corporations as agencies and instrumentalities of the United States, declaring the urgency thereof, and providing for the taking effect immediately thereof.

CUNNINGHAM, Chairman.

Report of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Ralph W., Field, Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Peyser, Phillips, Reaves, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—67.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced, and referred as indicated:

By Mr. O'Donnell: Assembly Bill No. 2437—An act to recognize certain corporations as agencies and instrumentalities of the United States, declaring the urgency thereof, and providing for the taking effect immediately thereof.

Bill read first time, and referred to Committee on Federal Relations.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 6, 1935.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 758—An act to amend an "Act granting certain tidelands and submerged lands of the State of California to the City and County of San Francisco for development and use as a public airport, regulating the management, use, lease and control thereof, authorizing the reclamation and certain improvements of said lands and the construction and maintenance of a bridge or causeway connecting said lands with Yerba Buena Island," approved June 13, 1933, to add a new section to be numbered section 4 permitting the use of said lands for exposition purposes.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 725—An act ceding to the United States of America certain tide and submerged lands of the State of California upon certain trusts and conditions.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 6, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to Senate Bill No. 256—An act to amend sections 251, 304, 307, 323, 348, 364, 374, and 465 of the Streets and Highways Code, relating to State highways—and requests that your honorable body recede therefrom

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 256 ordered on unfinished business file.

Motion to Approve Journals.

Mr Lyon moved that the journals of April 15, 1935; April 16, 1935; April 17, 1935; April 18, 1935; April 19, 1935; April 22, 1935; April 23, 1935; April 24, 1935, and April 25, 1935, be approved as corrected by the Minute Clerk.

Motion carried.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No 2411—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the county of Contra Costa, State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 2411 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, LeDap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—66.

NOES—Boyle—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Motion to Re-refer Assembly Bill No. 1865.

Mr. Reaves moved that Assembly Bill No. 1865 be withdrawn from the file, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Assembly Bill No 1865 to the Committee on Judiciary.

Motion carried.

Assembly Bill No. 1865 ordered re-referred to Committee on Judiciary.

Resolution.

The following resolution was offered:

By Mr. Lyon:

WHEREAS, This sixth day of May, 1935, marks the fortieth anniversary of the wedding of our esteemed fellow member, the Honorable Charles W. Stream; and

WHEREAS, It is a recognized and accepted rule of married life that the first 50 years are the hardest; and

WHEREAS, Our esteemed fellow member, the Honorable Charles W. Stream, gives every evidence of having made a complete success of the first 40 years of this crucial period; now, therefore, be it

Resolved, That this Assembly hereby congratulate Mrs. Charles W. Stream on having drawn so valuable a prize in the lottery of love; and be it further

Resolved, That we wish the bride and groom continued joy and happiness and many added years of happy married life.

Resolution read, and adopted unanimously.

Motion to Rush Printing of Assembly Bill No. 2291.

Mr. Welsh moved that the Chief Clerk be instructed to place a rush order on the printing of Assembly Bill No. 2291.

Motion carried.

Motion to Rush Printing of Assembly Bill No. 937.

Mr. Williamson moved that the Chief Clerk be instructed to place a rush order on the printing of Assembly Bill No. 937.

Motion carried.

Request for Use of Assembly Chamber.

Mr. Lyon requested the use of the Assembly Chamber for this evening, May 6, 1935, for the purpose of holding a committee meeting.

Request granted.

Withdrawal of Bills.

By order of the Speaker, the following bills were withdrawn from the file, and re-referred to committees as follows:

Assembly Constitutional Amendment No. 47 ordered re-referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 76 ordered re-referred to Committee on Constitutional Amendments.

Assembly Bill No. 1216 ordered re-referred to Committee on Agriculture.

Assembly Bill No. 1302 ordered re-referred to Committee on Medical and Dental Laws.

Assembly Bill No. 622 ordered re-referred to Committee on Education.

Assembly Bill No. 72 ordered re-referred to Committee on Municipal Corporations.

Assembly Bill No. 549 ordered re-referred to Committee on Commerce and Navigation.

Assembly Bill No. 2354 ordered re-referred to Committee on Motor Vehicles.

Assembly Bill No. 646 ordered re-referred to Committee on Motor Vehicles.

Assembly Bill No. 1363 ordered re-referred to Committee on Insurance.

Assembly Bill No. 866 ordered re-referred to Committee on Insurance.

Assembly Bill No. 858 ordered re-referred to Committee on Labor and Capital.

Assembly Bill No. 688 ordered re-referred to Committee on Civil Service.

Assembly Bill No. 1781 ordered re-referred to Committee on Public Morals.

Assembly Bill No. 234 ordered re-referred to Committee on Ways and Means.

Assembly Bill No 609 ordered re-referred to Committee on Prisons and Reformatories.

Assembly Bill No. 313 ordered re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 682 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 999 ordered re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 617 ordered re-referred to Committee on Prisons and Reformatories.

Adjournment.

At four o'clock and twenty minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Tuesday, May 7, 1935, out of respect to the memory of the late Monsignor John Rogers.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, May 7, 1935.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—78

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Fisher, its further reading was dispensed with.

Leaves of Absence.

On motion of Mr. Robertson, Mr. Welsh was granted leave of absence for this day.

On motion of Mr. Dawson, Mr. Brennan was granted leave of absence for this day.

Privilege of Floor of Assembly Extended.

On request of Mr. Williamson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Messrs. Vernon Alley and Edward Patterson.

On request of Mr. DeLap, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the secretary, teacher and pupils of the Walnut Creek Grammar School as follows: Mr. William Rhodes, eighth grade teacher; Mr. Dudley W. Thickens, secretary; Mrs. E. W. Thickens, and Joe Moura, Evelyn Whittemore, James Treadway, Albert Williams, John Vincent Hook, Jim Treadway, Dave Lawrence, Phil Ritter, Robert Lehto, John Foote Chaddock, Margot Johnson, Barbara Eagleson, Frederick Salmon, Grace Raine, Patricia Garbutt, Alice Howell, Eula Jean Frobase, Fern Nelson, and Tom Dowd, seventh grade students; John McMeans, Barbara Tycer, Norbert Shields, Billy Conover, Jules Lemoine, Don Warfield, Clara Jean Shremp, Jean Hughes, Betty Erickson, Leonard Hopkins, Marjorie Horton, Florence Symmons, Charles Huxtable, Betty Anderson, Earl Symmons, Phyllis Emery, Mildred Morodomi, Lucy Morodomi and Norma Wilson, eighth grade students; Jim Maura, Barbara Lawrence, and Jimmie Ferrier, sixth grade students.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the district superintendent, teacher and pupils of the Isleton Union School, Isleton, California, as follows: Mr. W. B. McClard, district superintendent; Miss Hattie I. Overholtzer, teacher, and Vernon Avilla, Agnes Elices, John Gonsalves, Camila Gonzales, Dora Harris, Bruce McCormack, Norman Nelson, Jr., Josephine Sanchez, Harold Shields, Frank Tenente, Jr., and Tony Valente, Jr., eighth grade students, and Renie Andress, Dorothy Avila, Manuel Borba, Vernal Borba, Bruce Clendenin, Albert Charvier, Manuel Charvier, Margaret Donian, Mamie Espicha, Patricia Fenton, Ida Fernandez, Eugene Gonsales, Clarence Gustafson, Rachel Harris, Virginia Hastings, Roseline Machado, Annie Mattos, Annie Palmer, Yolanda Rosellini, Robert Rush, Gilbert Silva, Lester Silva, Garrett Smith, and Joe Solis, seventh grade students.

On request of Mr. DeLap, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Wayne L. Hawkins and the following students of the Antioch public schools: Mildred Biglow, Peggy Bloomfield, Tom Brown, Charles Crawford, Blossom Ellsworth, Bill Glass, Verna Hansbrow, Gladys Hansen, Elinore Healy, Jane Healy, Phyllis Hodgson, George McAravy, Edythe Pizio, Bill Sullivan, Etty Wolfe, Elda Cavallo, Lyman Maas, Leona Bruns, Bertha Biglow, James Fenolio, Jane Holling, Norma Marchetti, Laura Fain, Virginia McClintock, Amelia Reis, Robert Franz, Antoinnette Brakey, and Jack Dempsey.

On request of Mr. DeLap, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the principal and students of the Lafayette Grammar School as follows: Mr. William Ellis, principal, and Betty Hamilton, Dorothy Bowbeer, Phyllis Stanley, Lucile Coleman, Petronilla Clark, Howard Wolloston, Norman Eigord, Terry McLeod, Tony Machado, Robert McNeil, David Juster, Alvesta Myers, Nami Noma, Mabel Morrison, and Ida Ramsey, students.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the teacher and pupils of the Beaver Union School, Ryde, California, as follows: Mary H. Drake, teacher, and Elsie Romani, Miyoko Ito, Isabel Ramos, Teruko Aoki, Virginia Francis, Laura Poso, Bessie Westley, Mamie Frates,

Catherine Bonello, Beatrice McNeil, Kikue Ito, Kimie Ito, Ayako Yoshimoto, So Moy Lee, Luella May Smith, Mabel Lachapelle, Ida Andrade, Louis Pucci, Peter Pucci, Joe Patrick, George Mendoza, Filbert Furtado, John Romero and Tony Mercante, students, and Mr. Clarence Lisk.

On request of Mr. DeLap, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following students of the Oak Grove Grammar School: Bill Doig, Yoneko Yamauchi, Josuke Ikeda, Miyako Kanagaki, Kiyoe Ikeda, Yoshiko Kanagaki, Lois Foster, Misao Kanagaki, Rowena Tamori, Wayne Crawford, Roger Nielsen, Ronald Ford, Carl Gomez, Betty Adams, Totsumo Furukawa and Francis Veria.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Corliss Nolan, daughter of former Congressman John I. Nolan and former Congresswoman Mrs. May Nolan.

On request of Mr. Martin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. J. C. W. Hinshaw, chairman of the Property Owners' Division of the Pasadena Realty Board.

ASSISTANT CLERK OLIVER READING.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Elections.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1935.

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 2419—An act to amend section 1197a of the Political Code, relating to the preparation of titles and summaries of the chief purposes and points of proposed initiative measures—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DAWSON, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 1782—An act to amend sections 1142 and 1257a of the Political Code, relating to the elections and the canvass and counting of the ballots cast at elections—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DAWSON, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Elections, to which was referred Senate Bill No. 1067—An act to amend sections 5 and 24 of Chapter 690, Statutes of 1913, entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal an act approved April 7, 1911, known as the Direct Primary Law, and also to repeal an act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended, relating to party conventions, membership and organization of State central committees and county central committees—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DAWSON, Chairman.

The above reported bill ordered on file for second reading.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1935.

MR SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1259—An act to amend sections 1 and 2 of and to add a new section to "An act to provide for the creation of a board of parole commissioners for each county in this State, for the paroling of prisoners confined in county jails, and authorizing and empowering such boards to make rules and regulations in relation thereto," approved March 25, 1909, as amended, relating to the authorization of the board of county parole commissioners to parole aliens who consent to return or to be returned to their native country and further providing that when such aliens are indigent the county may pay the expenses of the transportation of such alien to his native country and that such expenses shall be a legal charge upon the county and providing for a method of guaranteeing the actual return of such aliens—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DELAP, Chairman.

The above reported bill ordered on file for second reading.

Introduction and Reference of Bills.

The following bill was introduced, and referred as indicated:

By Mr. Richie: Assembly Constitutional Amendment No 81—Proposed amendment to section 5, Article XII, of the Constitution, relative to the establishment, maintenance and operation of a bank by the State of California.

Introduced, and referred to Committee on Constitutional Amendments.

Motion to Re-refer Assembly Bill No. 1493.

Mr. Evans, Ralph W., moved that Assembly Bill No. 1493 be withdrawn from the Committee on Constitutional Amendments, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Assembly Bill No. 1493 to the Committee on Judiciary.

Further action deferred.

Call of the House.

Mr. Evans, Ralph W., moved a call of the House.

Motion carried.

Time, nine o'clock and forty-five minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Chatters, Clark, Cronin, Cunningham, DeLap, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Laughlin, Maloney, Martin, McCarthy, McMurray, Miller, Nielsen, Pelletier, Peyser, Reaves, Riley, Robertson, Scudder, Stream, Turner, Wagner, Waters, Williamson, Wright, and Mr. Speaker—40.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Second Reading of Assembly Bills.

Assembly Bill No. 1625—An act to prevent fraud, deception and imposition in the solicitation within the State of California of the deposit of bonds, notes, debentures and other evidences of indebtedness under, and/or the consent of the holders or owners of such securities, to a protective committee agreement, and to prevent fraud, deception

and imposition in the operations and activities of protective committees organized within the State of California to act for and in behalf of the holders or owners of such securities, and for such purposes to create a commission to regulate and supervise the establishment and the operations of protective committees, depositaries under protective committee agreements, and solicitors for protective committee agreements; to prescribe the powers and duties of such commission; to license members of protective committees, depositaries under protective committee agreements and solicitors for protective committee agreements; and to prescribe penalties for violation of this act.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4 of the title of the printed bill, strike out "and/".

Amendment No. 2.

On page 1, line 10 of the title of the printed bill, strike out "to create a commission".

Amendment No. 3.

On page 1, line 13 of the title of the printed bill, strike out "to prescribe", and strike out all of lines 14 to 18, inclusive, of the title, and insert in lieu thereof the following: "and to add sections 35a to 35p, inclusive, to the Corporate Securities Act, relating to the foreclosure of mortgages or deeds of trust conferring power of sale upon a trustee, the reorganization of corporations, and the organization of stockholders or bondholders committees"

Amendment No. 4.

On page 1, line 1, of the printed bill, strike out everything except "SECTION 1.", and strike out all of lines 2 to 12, inclusive, and on page 2, strike out lines 1 and 2, and insert in lieu thereof the following: "Section 35a is hereby added to the Corporate Securities Act, to read as follows:".

Amendment No. 5.

On page 2, line 3, of the printed bill, strike out "2.", and insert in lieu thereof the following: "35a."

Amendment No. 6.

On page 2 of the printed bill, strike out lines 4 and 5, and insert in lieu thereof the following:

"(a) The term "commissioner" means the Corporation Commissioner, any of his deputies, or any person authorized to act for him"

Amendment No. 7.

On page 2 of the printed bill, strike out lines 9 to 11, inclusive.

Amendment No. 8.

On page 2, line 12, of the printed bill, strike out "(d)", and insert in lieu thereof the following: "(c)".

Amendment No. 9.

On page 2, line 14, of the printed bill, strike out "and/".

Amendment No. 10.

On page 2, line 15, of the printed bill, strike out "and/".

Amendment No. 11.

On page 2, line 17, of the printed bill, strike out the period, and insert in lieu thereof the following: ", including a trustee or trustees or a holding corporation, after sale or foreclosure."

Amendment No. 12.

On page 2, line 18, of the printed bill, strike out "(e)", and insert in lieu thereof the following: "(d)".

Amendment No. 13.

On page 2, line 21, of the printed bill, strike out "and/".

Amendment No. 14.

On page 2, line 23, of the printed bill, strike out "(f)", and insert in lieu thereof the following: "(e)".

Amendment No. 15.

On page 2, line 27, of the printed bill, strike out "and/".

Amendment No. 16.

On page 2 of the printed bill, between lines 31 and 32, insert the following:
"SEC. 2. Section 35b is hereby added to the Corporate Securities Act, to read as follows:".

Amendment No. 17.

On page 2, line 32, of the printed bill, strike out "3", and insert in lieu thereof the following: "35b."

Amendment No. 18.

On page 2, line 38, of the printed bill, strike out "mission", and insert in lieu thereof the following: "missioner".

Amendment No. 19.

On page 2, line 39, of the printed bill, strike out "mission", and insert in lieu thereof the following: "missioner".

Amendment No. 20.

On page 2, line 44, of the printed bill, strike out "commission", and insert in lieu thereof the following: "commissioner".

Amendment No. 21.

On page 2, line 46, of the printed bill, strike out "commission", and insert in lieu thereof the following: "commissioner".

Amendment No. 22.

On page 2, line 49, of the printed bill, strike out "commission", and insert in lieu thereof the following: "commissioner".

Amendment No. 23.

On page 2 of the printed bill, strike out line 50, and insert in lieu thereof the following: "information as he shall deem necessary to satisfy him of the".

Amendment No. 24.

On page 3 of the printed bill, strike out line 6, and insert in lieu thereof the following: "application; but the commissioner in his".

Amendment No. 25.

On page 3, line 9, of the printed bill, strike out "commission", and insert in lieu thereof the following: "commissioner".

Amendment No. 26.

On page 3, line 12, of the printed bill, strike out "commission", and insert in lieu thereof the following: "commissioner".

Amendment No. 27.

On page 3, lines 13 and 14, of the printed bill, strike out the colon and "Provided, that no", and insert in lieu thereof a period and the following. "No".

Amendment No 28.

On page 3, line 18, of the printed bill, strike out "commission may in its", and insert in lieu thereof the following: "commissioner may in his".

Amendment No. 29.

On page 3, line 21, of the printed bill, strike out "commission.", and insert in lieu thereof the following. "commissioner."

Amendment No. 30.

On page 3 of the printed bill, strike out line 24, and insert in lieu thereof the following. "qualify by applying for and securing the necessary permit as herein required, the commissioner, in his discretion, may grant to the".

Amendment No. 31.

On page 3 of the printed bill, strike out line 28, and insert in lieu thereof the following: "nonqualifying protective committee or depositary or the commissioner".

Amendment No. 32.

On page 3, line 30, of the printed bill, strike out "and/or the commission", and insert in lieu thereof the following: "or the commissioner".

Amendment No. 33.

On page 3, line 32, of the printed bill, strike out "and/or the commission", and insert in lieu thereof the following "or the commissioner".

Amendment No. 34.

On page 3, line 33, of the printed bill, strike out "inactive", and insert in lieu thereof the following: "nonqualifying".

Amendment No. 35.

On page 3, line 34, of the printed bill, strike out "and/".

Amendment No. 36.

On page 3 of the printed bill, strike out lines 35 and 36, and insert in lieu thereof the following: "or remaining. The names and addresses of security holders filed with the".

Amendment No. 37.

On page 3, line 37, of the printed bill, strike out "commission", and insert in lieu thereof the following: "commissioner".

Amendment No. 38.

On page 3 of the printed bill, strike out line 39, and insert in lieu thereof the following: "with the commissioner, except by order of the commissioner."

Amendment No. 39.

On page 3 of the printed bill, between lines 39 and 40, insert the following:
"SEC. 3. Section 35c is hereby added to the Corporate Securities Act, to read as follows:".

Amendment No. 40.

On page 3, line 40, of the printed bill, strike out "4.", and insert in lieu thereof the following: "35c."

Amendment No. 41.

On page 3, line 50, of the printed bill, strike out "chairman of the commission", and insert in lieu thereof the following: "commissioner".

Amendment No. 42.

On page 3, line 52, of the printed bill, strike out "such chairman", and insert in lieu thereof the following: "the commissioner".

Amendment No. 43.

On page 4, line 2, of the printed bill, strike out "shall be", and insert in lieu thereof the following: "is".

Amendment No. 44.

On page 4, line 3, of the printed bill, strike out "said chairman", and insert in lieu thereof the following: "the commissioner".

Amendment No. 45.

On page 4, line 5, of the printed bill, strike out "commission", and insert in lieu thereof the following: "commissioner".

Amendment No. 46.

On page 4, line 6, of the printed bill, strike out "commission", and insert in lieu thereof the following: "commissioner".

Amendment No. 47.

On page 4 of the printed bill, between lines 7 and 8, insert the following:
"SEC. 4. Section 35d is hereby added to the Corporate Securities Act, to read as follows:".

Amendment No. 48.

On page 4, line 8, of the printed bill, strike out "Sec. 5. The commission", and insert in lieu thereof the following: "Sec. 35d. The commissioner".

Amendment No. 49.

On page 4, line 13, of the printed bill, strike out "and/".

Amendment No. 50.

On page 4, line 14, of the printed bill, strike out "commission's", and insert in lieu thereof the following: "commissioner's".

Amendment No. 51.

On page 4, line 22, of the printed bill, strike out "commission", and insert in lieu thereof the following: "commissioner".

Amendment No. 52.

On page 4 of the printed bill, between lines 23 and 24, insert the following:
"SEC. 5. Section 35e is hereby added to the Corporate Securities Act, to read as follows:".

Amendment No. 52-a.

On page 4, line 24, of the printed bill, strike out "6.", and insert in lieu thereof the following: "35e."

Amendment No. 53.

On page 4, line 27, of the printed bill, strike out "and/".

Amendment No. 54.

On page 4, line 28, of the printed bill, strike out "commission", and insert in lieu thereof the following: "commissioner".

Amendment No. 55.

On page 4, line 35, of the printed bill, strike out "holder or owner", and insert in lieu thereof the following: "holders or owners".

Amendment No. 56.

On page 4, line 46, of the printed bill, strike out "and/".

Amendment No. 57.

On page 5, line 7, of the printed bill, strike out "and/".

Amendment No. 58.

On page 5, line 10, of the printed bill, strike out "commission.", and insert in lieu thereof the following: "commissioner."

Amendment No. 59.

On page 5, between lines 10 and 11, of the printed bill, insert the following: "SEC. 6. Section 35f is hereby added to the Corporate Securities Act, to read as follows:".

Amendment No. 60.

On page 5, line 11, of the printed bill, strike out "7.", and insert in lieu thereof the following: "35f."

Amendment No. 61.

On page 5, line 12, of the printed bill, strike out "and/".

Amendment No. 62.

On page 5, line 15, of the printed bill, strike out "commission", and insert in lieu thereof the following: "commissioner".

Amendment No. 63.

On page 5 of the printed bill, strike out line 16, and insert in lieu thereof the following: "the commissioner that such solicitation of deposit or consent".

Amendment No. 64.

On page 5, line 18, of the printed bill, strike out "commission", and insert in lieu thereof the following: "commissioner".

Amendment No. 65.

On page 5 of the printed bill, strike out line 19, and insert in lieu thereof the following: "conditions as he may determine to be necessary to safeguard".

Amendment No. 66.

On page 5, line 21, of the printed bill, strike out "mission", and insert in lieu thereof the following: "missioner".

Amendment No. 67.

On page 5, line 24, of the printed bill, strike out "and/".

Amendment No. 68.

On page 5 of the printed bill, between lines 26 and 27, insert the following: "SEC. 7. Section 35g is hereby added to the Corporate Securities Act, to read as follows:".

Amendment No. 69.

On page 5, line 27, of the printed bill, strike out "Sec. 8. Before said commission", and insert in lieu thereof the following: "Sec. 35g. Before the commissioner".

Amendment No. 70.

On page 5, line 30, of the printed bill, strike out "and/".

Amendment No. 71.

On page 5, line 34, of the printed bill, strike out "and/".

Amendment No. 72.

On page 5, line 36, of the printed bill, strike out "said commission", and insert in lieu thereof the following: "the commissioner".

Amendment No. 73.

On page 5, line 38, of the printed bill, strike out "commission", and insert in lieu thereof the following: "commissioner".

Amendment No. 74.

On page 5, line 40, of the printed bill, strike out "mission", and insert in lieu thereof the following: "missioner".

Amendment No. 75.

On page 5, lines 43 and 44, of the printed bill, strike out "said commission", and insert in lieu thereof the following: "the commissioner".

Amendment No. 76.

On page 5, line 46, of the printed bill, strike out "commission", and insert in lieu thereof the following: "commissioner".

Amendment No. 77.

On page 5, line 47, of the printed bill, strike out "said commission", and insert in lieu thereof the following: "the commissioner".

Amendment No. 78.

On page 5, line 50, of the printed bill, strike out "commission", and insert in lieu thereof the following: "commissioner".

Amendment No. 79.

On page 6, line 2, of the printed bill, strike out "commission", and insert in lieu thereof the following: "commissioner".

Amendment No. 80.

On page 6, line 3, of the printed bill, strike out "mission.", and insert in lieu thereof the following: "missioner."

Amendment No. 81.

On page 6, line 4, of the printed bill, strike out "mission", and insert in lieu thereof the following: "missioner".

Amendment No. 82.

On page 6, line 5, of the printed bill, strike out "and/".

Amendment No. 83.

On page 6, line 9, of the printed bill, strike out "sion", and insert in lieu thereof the following: "sioner".

Amendment No. 84.

On page 6 of the printed bill, between lines 9 and 10, insert the following:

"SEC. 8. Section 35h is hereby added to the Corporate Securities Act, to read as follows:".

Amendment No. 85.

On page 6, line 10, of the printed bill, strike out "9.", and insert in lieu thereof the following: "35h."

Amendment No. 86.

On page 6, line 12, of the printed bill, strike out "commission", and insert in lieu thereof the following: "commissioner".

Amendment No. 87.

On page 6, line 19, of the printed bill, strike out "and/".

Amendment No. 88.

On page 6, line 21, of the printed bill, strike out "and/".

Amendment No. 89.

On page 6, line 24, of the printed bill, strike out "Said commission", and insert in lieu thereof the following: "The commissioner".

Amendment No. 90.

On page 6, line 26, of the printed bill, strike out "said commission", and insert in lieu thereof the following: "commissioner".

Amendment No. 91.

On page 6 of the printed bill, between lines 27 and 28, insert the following:

"SEC. 9. Section 35i is hereby added to the Corporate Securities Act, to read as follows:".

Amendment No. 92.

On page 6, line 28, of the printed bill, strike out "10.", and insert in lieu thereof the following: "35i."

Amendment No. 93.

On page 6, line 30, of the printed bill, strike out "and/".

Amendment No. 94.

On page 6, line 33, of the printed bill, strike out "and/".

Amendment No. 95.

On page 6, line 34, of the printed bill, strike out "and/".

Amendment No. 96.

On page 6, line 36, of the printed bill, strike out "and/".

Amendment No. 97.

In page 6, line 37, of the printed bill, strike out "and/".

Amendment No. 98.

On page 6, line 39, of the printed bill, strike out "commission.", and insert in lieu thereof the following: "commissioner."

Amendment No. 99.

On page 6, line 42, of the printed bill, strike out "commission", and insert in lieu thereof the following: "commissioner".

Amendment No. 100.

On page 6, lines 45 and 46, of the printed bill, strike out "said commission", and insert in lieu thereof the following: "the commissioner".

Amendment No. 101.

On page 6, line 50, of the printed bill, strike out "and/".

Amendment No. 102.

On page 7, line 1, of the printed bill, strike out "commission", and insert in lieu thereof the following: "commissioner".

Amendment No. 103.

On page 7, line 3, of the printed bill, strike out "commission", and insert in lieu thereof the following: "commissioner".

Amendment No. 104.

On page 7, line 7, of the printed bill, strike out "and/".

Amendment No. 105.

On page 7, line 9, of the printed bill, strike out "commission", and insert in lieu thereof the following: "commissioner".

Amendment No. 106.

On page 7, line 12, of the printed bill, strike out "and/".

Amendment No. 107.

On page 7, line 13, of the printed bill, strike out "commission", and insert in lieu thereof the following: "commissioner".

Amendment No. 108.

On page 7, line 14, of the printed bill, strike out "its", and insert in lieu thereof the following: "his".

Amendment No. 109.

On page 7 of the printed bill, strike out line 15, and insert in lieu thereof the following: "tion, the commissioner may impose such conditions as he may".

Amendment No. 110.

On page 7, line 18, of the printed bill, strike out "and/".

Amendment No. 111.

On page 7 of the printed bill, between lines 19 and 20, insert the following:

"SEC. 10. Section 35j is hereby added to the Corporate Securities Act, to read as follows:".

Amendment No. 112.

On page 7, line 20, of the printed bill, strike out "Sec 11. The said commission", and insert in lieu thereof the following:

"Sec. 35j. The commissioner".

Amendment No. 113.

On page 7, line 22, of the printed bill, strike out "and/".

Amendment No. 114.

On page 7, line 25, of the printed bill, strike out "commission", and insert in lieu thereof the following: "commissioner".

Amendment No. 115.

On page 7, line 26, of the printed bill, strike out "it or prepared by it", and insert in lieu thereof the following: "him or prepared by him".

Amendment No. 116.

On page 7, line 31, of the printed bill, strike out "commission", and insert in lieu thereof the following: "commissioner".

Amendment No. 117.

On page 7, line 32, of the printed bill, strike out "such commission", and insert in lieu thereof the following: "the commissioner".

Amendment No. 118.

On page 7, line 40, of the printed bill, strike out "mission", and insert in lieu thereof the following: "missioner".

Amendment No. 119.

On page 7, line 43, of the printed bill, strike out "said commission", and insert in lieu thereof the following: "commissioner".

Amendment No. 120.

On page 7, line 45, of the printed bill, strike out "commission", and insert in lieu thereof the following: "commissioner".

Amendment No. 121.

On page 7, line 47, of the printed bill, strike out "commission", and insert in lieu thereof the following: "commissioner".

Amendment No. 122.

On page 7, line 51, of the printed bill, strike out "commission", and insert in lieu thereof the following: "commissioner".

Amendment No. 123.

On page 8, line 4, of the printed bill, strike out "commission", and insert in lieu thereof the following: "commissioner".

Amendment No. 124.

On page 8, line 11, of the printed bill, strike out "commission", and insert in lieu thereof the following: "commissioner".

Amendment No. 125.

On page 8 of the printed bill, between lines 20 and 21, insert the following:
"SEC. 11. Section 35k is hereby added to the Corporate Securities Act, to read as follows:".

Amendment No. 126.

On page 8, line 21, of the printed bill, strike out "Sec. 12. The said commission", and insert in lieu thereof the following: "Sec. 35k. The commissioner".

Amendment No. 127.

On page 8, line 25, of the printed bill, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 128.

On page 8, line 26, of the printed bill, strike out "Each member", and insert in lieu thereof the following: "The commissioner".

Amendment No. 129.

On page 8, line 28, of the printed bill, strike out "or the commission. The commission", and insert in lieu thereof the following: ". The commissioner".

Amendment No. 130.

On page 8, line 29, of the printed bill, strike out "its", and insert in lieu thereof the following: "his".

Amendment No. 131.

On page 8, line 39, of the printed bill, strike out "said commission", and insert in lieu thereof the following: "the commissioner".

Amendment No. 132.

On page 8 of the printed bill, between lines 47 and 48, insert the following:
"SEC. 12. Section 35*l* is hereby added to the Corporate Securities Act, to read as follows:".

Amendment No. 133.

On page 8, line 48, of the printed bill, strike out "Sec. 13. The commission", and insert in lieu thereof the following: "Sec. 35*l*. The commissioner".

Amendment No. 134.

On page 8, line 49, of the printed bill, strike out "it", and insert in lieu thereof the following: "he".

Amendment No. 135.

On page 8, line 50, of the printed bill, strike out "it", and insert in lieu thereof the following: "he".

Amendment No. 136.

On page 9, line 1, of the printed bill, strike out "it", and insert in lieu thereof the following: "he".

Amendment No. 137.

On page 9, line 6, of the printed bill, strike out "commission", and insert in lieu thereof the following: "commissioner".

Amendment No. 138.

On page 9, line 7, of the printed bill, strike out "it", and insert in lieu thereof the following: "he".

Amendment No. 139.

On page 9, line 8, of the printed bill, strike out "its", and insert in lieu thereof the following: "his".

Amendment No. 140.

On page 9, lines 10 and 11, of the printed bill, strike out "said commission", and insert in lieu thereof the following: "the commissioner".

Amendment No. 141.

On page 9, line 12, of the printed bill, strike out "and/".

Amendment No. 142.

On page 9, line 15, of the printed bill, strike out "said commission", and insert in lieu thereof the following: "the commissioner".

Amendment No. 142-a.

On page 9, line 16, of the printed bill, strike out "commission, deposit with said", and insert in lieu thereof the following: "commissioner, deposit with the".

Amendment No. 143.

On page 9 of the printed bill, strike out line 17, and insert in lieu thereof the following: "commissioner such sum of money as the commissioner shall believe".

Amendment No. 144.

On page 9, line 21, of the printed bill, strike out "said commission", and insert in lieu thereof the following: "the commissioner".

Amendment No. 145.

On page 9, line 22, of the printed bill, strike out "it of its", and insert in lieu thereof the following: "him of his".

Amendment No. 146.

On page 9, lines 23 and 24, of the printed bill, strike out "said commission", and insert in lieu thereof the following: "the commissioner".

Amendment No. 147.

On page 9 of the printed bill, strike out line 26, and insert in lieu thereof the following: "by the commissioner and the warrant of the Controller".

Amendment No. 148.

On page 9 of the printed bill, strike out lines 32 to 37, inclusive, and insert in lieu thereof the following:

"SEC. 13 Section 35m is hereby added to the Corporate Securities Act, to read as follows:".

Amendment No. 149.

On page 9, line 38, of the printed bill, strike out "Sec. 15. The commission", and insert in lieu thereof the following: "Sec. 35m. The commissioner".

Amendment No. 150.

On page 9 of the printed bill, strike out line 39, and insert in lieu thereof the following: "his orders when it appears to him that the terms".

Amendment No. 151.

On page 9, line 42, of the printed bill, strike out "commission", and insert in lieu thereof the following: "commissioner".

Amendment No. 152.

On page 9, line 46, of the printed bill, strike out "mission may either withdraw its", and insert in lieu thereof the following: "missioner may either withdraw his".

Amendment No. 153.

On page 9, lines 47 and 48, of the printed bill, strike out "in accordance with the evidence ", and insert in lieu thereof a period and the following: "SEC. 14. Section 35n is hereby added to the Corporate Securities Act, to read as follows:".

Amendment No. 154.

On page 9, line 49, of the printed bill, strike out "16.", and insert in lieu thereof the following "35n."

Amendment No. 155.

On page 9, line 50, of the printed bill, strike out "commission", and insert in lieu thereof the following: "commissioner".

Amendment No. 156.

On page 9, line 51, of the printed bill, strike out "mission.", and insert in lieu thereof the following: "missioner."

Amendment No. 157.

On page 10, line 2, of the printed bill, strike out "commission", and insert in lieu thereof the following: "commissioner".

Amendment No. 158.

On page 10 of the printed bill, between lines 5 and 6, insert the following

"SEC. 15. Section 35o is hereby added to the Corporate Securities Act, to read as follows:".

Amendment No. 159.

On page 10, line 6, of the printed bill, strike out "17.", and insert in lieu thereof the following: "35o."

Amendment No. 160.

On page 10, line 12, of the printed bill, strike out "and/".

Amendment No. 161.

On page 10, line 17, of the printed bill, strike out "commission", and insert in lieu thereof the following: "commissioner".

Amendment No. 162.

On page 10 of the printed bill, between lines 17 and 18, insert the following:

"SEC. 16. Section 35p is hereby added to the Corporate Securities Act, to read as follows

Sec. 35p. Any person violating any of the provisions of sections 35a to 35o, inclusive, of this act, shall be guilty of a misdemeanor."

Amendment No. 163.

On page 10, line 18, of the printed bill, strike out "18.", and insert in lieu thereof the following: "17."

Amendment No. 164.

On page 10, line 26, of the printed bill, strike out "18a", and insert in lieu thereof the following: "18."

Amendment No. 165.

On page 10 of the printed bill, strike out lines 31 to 37, inclusive.

Amendment No. 166.

On page 10, line 38, of the printed bill, strike out "21.", and insert in lieu thereof the following: "19."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2120—An act to add a new section to be numbered section 29½ to the Public Utilities Act, approved April 23, 1915, relating to reports of salaries and expenses of officers and employees of public utilities, and determination of rates.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1614—An act to amend section 135 of the Vehicle Code, relating to the California Highway Patrol.

Bill read second time, ordered to re-re-engrossment, and third reading

Assembly Bill No. 212—An act to add section 171 to the Fish and Game Code, relating to game refuges.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the words "add section 171 to the Fish and Game Code, relating to game refuges", and insert in lieu thereof the following: "amend sections 137, 138 and 166 of the Fish and Game Code and to add two new sections to be numbered 171 and 172".

Amendment No. 2.

On page 1 of the printed bill, strike out all of line 1 following the period, and all of lines 2 to 20, inclusive, and insert in lieu thereof the following: "Section 137 of the Fish and Game Code is hereby amended to read as follows:

137. District 1G. The following shall constitute fish and game district 1G: All that area within the county of Tehama within the following boundaries: Beginning at a point where Deer Creek crosses the west township line of township twenty-five north, range two east; thence north along said township line and along the west township line of township twenty-six north, range two east to its intersection with Boatgunwale Creek; thence down Boatgunwale Creek to Mill Creek; thence up Mill Creek to the Pape Trail; thence following the Peligreen Road to the Ponderosa Truck Trail, thence following the Ponderosa Truck Trail to its intersection with North Antelope Creek; thence up North Antelope Creek to its intersection with the Lyonsville Trail; thence following the Lyonsville Trail to its intersection with the Turner Mountain Trail; thence following the Turner Mountain Trail to the township line, between township twenty-eight north and township twenty-nine north; thence due east on the township line to the Red Bluff-Susanville Highway; thence following the Red Bluff-Susanville Highway to its junction with the Big Bend Road; thence following the Big Bend Road to Mill Creek; thence down Mill Creek to its intersection with the old Butte Meadows-Round Valley Trail; thence to its intersection with Round Valley Creek; thence down Round Valley Creek to Deer Creek, and down Deer Creek to point of beginning.

SEC. 2. Section 138 of the Fish and Game Code is hereby amended to read as follows:

138. District 1H. The following shall constitute fish and game district 1H: All that area within the county of Plumas within the following boundaries: Beginning at a point on the Western Pacific Railway known as Quincy Junction; thence following northerly the westerly side of the Old Road to Taylorsville; thence westerly along the southerly side of the county road to a point on the State Control Road, approximately one and one-half miles southerly from Crescent Mills; thence southerly along the easterly side of said State Control Road to its intersection with the Feather River Highway; thence southerly along the easterly side of said Feather River Highway to the county road which intersects said Feather River Highway near the Feather River Experiment Station; thence easterly along the northerly side of said county road to the point of beginning.

SEC. 3. Section 166 of the Fish and Game Code is hereby amended to read as follows.

166. District 4G. The following shall constitute fish and game district 4G: Beginning at the northeast corner of township four south, range three east, San Bernardino base and meridian; thence on section lines, west one mile, north one mile, west two miles, north one mile and west three miles to the northwest corner of section thirty, township three south, range three east, San Bernardino base and meridian; thence south on the range line between ranges two and three east, about seven and three-fourths miles to the crest of the divide forming the northwesterly boundary of Strawberry Creek watershed; thence southwesterly along said divide to a point on the northerly boundary of section twenty-eight in township five south, range two east, San Bernardino base and meridian; thence southwesterly in a straight line to the junction of Strawberry Creek and the South Fork of the San Jacinto River, thence southeasterly and northeasterly along the crest of the divide between the waters of Strawberry Creek and the waters of the South Fork of the San Jacinto River and its tributaries to the northeasterly side of the right of way of the Pines to Palms Highway; thence southeasterly along the said northeasterly side of the right of way of the Pines to Palms Highway to the right bank of Hurkey Creek; thence northerly along the right bank of Hurkey Creek through sections nine and four in township six south, range three east, and through sections thirty-three, twenty-eight, twenty-one, the southeast quarter of section sixteen, the west one-half of section fifteen, the east half of section ten and the northwest quarter of section eleven to the crest of the divide between the waters of Hurkey Creek and Murray Canyon; thence southeasterly along the crest of the divide between the waters flowing west into the San Jacinto River and the waters flowing east into Coachella Valley to a point on the south boundary of section twenty-four in township five south, range three east, San Bernardino base and meridian; thence east on said south line of section twenty-four to the southeast corner thereof; thence north on the line to the point of beginning

SEC. 4. Section 171 is hereby added to the Fish and Game Code to read as follows.

171. District 1U. The following shall constitute Fish and Game District 1U. All that area within the county of Siskiyou within the following boundaries: Beginning at Lovers Camp on the Canyon Creek Trail thence westerly following said trail to the Marble Valley Rangers Station; thence westerly following the Pigeon Roost-Ukonom Lake Trail to its intersection with Granite Creek; thence northerly following the Granite Creek and Elk Creek to Sulphur Spring; thence easterly following the Sulphur Spring-Buckhorn Mountain Trail to Buckhorn Mountain; thence southerly following the Buckhorn Mountain-Turk Lake Trail to its intersection with the Lake Mountain Summit Trail; thence northerly following said Lake Mountain Summit Trail to its intersection with a trail following the ridge between Middle Creek and Kelsey Creek; thence easterly and southerly following

said trail to Kelsey Creek; thence in a direct line southerly to the point of beginning at Lovers Camp

SEC. 5. Section 172 is hereby added to the Fish and Game Code to read as follows:

172. District 1V. The following shall constitute Fish and Game District 1V. All that area within the county of Plumas within the following boundaries. Beginning at the point where the Willow Creek Road leaves the Feather River Highway between Blairsden and Portola, thence following northerly the easterly side of said Willow Creek Road to the Three Mile Ranger Station; thence easterly following the southerly side of the new United States Forest Service Road into Grizzly Valley to its intersection with the Walker Mine Road; thence southerly following the westerly line of said Walker Mine Road to the Feather River Highway; thence westerly following the northerly side of the Feather River Highway to the point of beginning."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1233—An act to amend section 1065 of Article 4, Chapter 5, Part 2, of the Fish and Game Code.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, amend the title as follows: After the words "An act to amend", strike out "section 1065 of Article 4, Chapter 5, Part 2, of the Fish and Game Code.", and insert in lieu thereof the following: "sections 799 and 800 of the Fish and Game Code, relating to abalones."

Amendment No. 2.

On page 1, line 1, of the printed bill, after "Section 1", add the following: "Section 799 of the Fish and Game Code is hereby amended to read as follows:

799 Diving apparatus may not be used for the purpose of taking abalones in districts 7, 19, 20, and 20A.

SEC. 2. Section 800 of the Fish and Game Code is hereby amended to read as follows:

800 In districts 7, 15, 16, 17, 19, 20, and 20A, not more than ten abalones per day, nor more than twenty abalones per week may be taken. Not more than one daily bag limit of abalones may be possessed by any person during one day. The bag limits prescribed herein for districts 15, 16, and 17 do not apply to abalones taken in water twenty, or more, feet in depth, or taken outside of said districts and brought in by boats."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1083—An act pertaining to commercial fishermen outside of the jurisdiction of California and those under the jurisdiction of California.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, amend the title as follows: After the words "An act", strike out the words "pertaining to commercial fishermen outside of the jurisdiction of California and those under the jurisdiction of California.", and insert in lieu thereof the following. "to amend section 924 of the Fish and Game Code, relating to district 16."

Amendment No. 2.

On page 1 of the printed bill, after line 1, section 1 thereof, add the following:
"Section 924 of the Fish and Game Code is hereby amended to read as follows:
924. In district 16, purse and round haul nets may be used to take squid, anchovies, sardines, and mackerel."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 117—An act to amend sections 1174 and 1175 of the Fish and Game Code, relating to birds.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "sections 1174 and 1175", and insert in lieu thereof the following: "section 1182".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 20, inclusive, and insert in lieu thereof the following
"SECTION 1. Section 1182 of the Fish and Game Code is hereby amended to read as follows:
1182. Nongame birds which are found to be injuring growing crops may be killed by the owner or tenant of the premises. Such birds may not be transported or sold
Pigeons which are found to be damaging crops or other property may be killed by the owner or tenant of the premises. The commission may require such owner or tenant to render a report of pigeons so killed."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 641—An act to add a new section to be numbered 611, to an act entitled "An act to establish a Streets and Highways Code, thereby consolidating and revising the law relating to public ways and all appurtenances thereto, and to repeal certain acts and parts of acts specified herein."

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out the following: "to Route 5", and insert in lieu thereof the following: ", to Park Boulevard in the city of Oakland."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Further Proceedings Under Call of the House Dispensed With.

At ten o'clock and five minutes a m., further proceedings under the call of the House were dispensed with, on motion of Mr. Evans, Ralph W.

The roll of absentees was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy,

McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—75.

Further Consideration of the Motion to Re-refer Assembly Bill No. 1493.

The question being on the motion by Mr. Evans, Ralph W., to withdraw Assembly Bill No. 1493 from Committee on Constitutional Amendments, and re-refer to Committee on Judiciary.

Demand for Previous Question.

Messrs. Flint, Evans, Ralph W., Peterson, Boyle and Dawson demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion by Mr. Evans, Ralph W., to withdraw Assembly Bill No. 1493 from Committee on Constitutional Amendments, and re-refer to Committee on Judiciary.

Request for Roll Call.

On request of Messrs. Flint, Lore, and Evans, Ralph W., the Speaker ordered a roll call taken on the motion by Mr. Evans, Ralph W., to re-refer Assembly Bill No. 1493 to Committee on Judiciary.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Clark, Cronin, Crowley, Cunningham, Dawson, Denahue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, O'Donnell, Patterson, Pelletier, Reaves, Richie, Riley, Rosenthal, Thorp, Voigt, Wagner, Wallace, Wright, and Mr. Speaker—48.

NOES—Chatters, Corwin, DeLap, Desmond, Evans, Herbert J., Garibaldi, Kallam, Mayo, Minard, Peterson, Peyser, Robertson, Utt, and Walker—14.

Assembly Bill No. 1493 ordered re-referred to Committee on Judiciary.

Motion to Withdraw Assembly Bill No. 598.

Mr. Latham moved that Assembly Bill No. 598 be withdrawn from the Committee on Constitutional Amendments, and ordered placed on file.

The question being on the motion by Mr. Latham to withdraw Assembly Bill No. 598 from Committee on Constitutional Amendments and place on file.

Substitute Motion.

Mr. Chatters moved, as a substitute motion, that Assembly Bill No. 598 be withdrawn from Committee on Constitutional Amendments and re-referred to Committee on Judiciary.

The question being on the substitute motion to re-refer Assembly Bill No. 598 to Committee on Judiciary.

Motion carried.

Assembly Bill No. 598 ordered re-referred to Committee on Judiciary.

Motion to Re-refer Assembly Bill No. 902.

Mr. Riley moved that Assembly Bill No. 902 be withdrawn from Committee on Conservation, and ordered re-referred to Committee on Mines and Mining.

The question being on re-referring Assembly Bill No. 902 to Committee on Mines and Mining.

Motion carried.

Assembly Bill No. 902 ordered re-referred to Committee on Mines and Mining.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 6, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day directed me to respectfully request your honorable body to return to the Senate Senate Bill No. 498—An act to add Chapter 10 to Division IV of the Agricultural Code, relating to the stabilization and marketing of fluid milk and fluid cream, declaring the urgency of this act, to take effect immediately—for further consideration by the Senate.

J. A. BEEK, Secretary of Senate.

Motion.

By Mr. Phillips:

I move that the record of the Assembly of May 2d and 3d, whereby Senate Bill No. 498 was read first time, referred to Committee on Live Stock and Dairies; reported out of committee; amended, and read second time, be expunged, and that said Senate Bill No. 498 be returned to the Senate for further proceedings thereon.

Motion carried.

Senate Bill No. 498 ordered returned to the Senate.

Motion to Withdraw Assembly Bill No. 1493.

Mr. Evans, Ralph W., moved that Assembly Bill No. 1493 be withdrawn from Committee on Judiciary for the purpose of adopting amendments.

Motion carried.

Second Reading of Assembly Bill No. 1493.

Assembly Bill No. 1493—An act providing for the calling of a constitutional convention in the State of California.

Floor Amendment.

During second reading of the bill, the following amendment was submitted by Mr. Evans, Ralph W.:

Amendment No. 1.

On page 1, line 1, of the printed bill, after the period, insert the following: "A convention for the purpose of revising the Constitution of this State is hereby called, to meet at Sacramento on the first Monday in January, 1936.

SEC. 2. On the first Tuesday in October in the year 1935, a special primary election shall be held for the nomination of delegates to the convention. Such primary election shall be held in the same manner, and the same laws shall be applicable thereto, as in the case of a regular August primary election under the Direct Primary Law, except that as to such special primary election:

(a) The only candidates to be nominated at such election shall be candidates for the office of delegate to such convention from each district of the State from which a member of the Assembly is elected.

(b) On the ballot at such election the only designation of the office to be the subject of nomination shall be the following: "Delegate to the constitutional convention," followed by a designation of the Assembly district.

(c) The persons nominated shall have the same qualifications as members of the Legislature.

SEC. 3. A special election to elect delegates to the constitutional convention called by this act shall be held on the second Tuesday in November in the year 1935. The candidates nominated at the primary election specified in section 2 of this act shall appear on the ballot in such election and one delegate shall be elected from each district of this State from which a member of the Assembly is elected. Such special election shall be held and the same laws shall be applicable thereto as in the case of a general election except that as to such special election:

(a) The officer to be elected shall be a delegate to the convention from each district of the State from which a member of the Assembly is elected.

(b) On the ballot the only designation of the office to be the subject of election shall be the following: "Delegate to the constitutional convention," followed by a designation of the Assembly district.

(c) Whenever in the laws applicable to general elections the term "member of Assembly" or similar designation appears, referring to members of the Assembly

of this State, such terms shall be taken to refer to the delegates to the constitutional convention, according to the district from which elected.

SEC. 4. Delegates chosen at the election specified in section 3 shall meet in convention in the Assembly Chamber at the State Capitol in the city of Sacramento on the first Monday of January, 1936, at twelve o'clock m. They shall, by a viva voce vote, elect one of their number president, and such other officers as they deem necessary. They shall also elect a secretary who shall be a registered elector of this State, but shall not be a delegate. The votes shall be entered in the Journal.

SEC. 5. After the convention has met and organized, all committee rooms of the State Capitol Building shall be under the control of the convention. Until its final adjournment, the convention shall not recess for a period longer than three days.

SEC. 6. The president of the convention may appoint a doorkeeper and four pages. The convention shall select a secretary and may employ such other expert, technical and general assistance as to it seems advisable.

SEC. 7. The delegates to the convention shall receive the sum of twenty-five dollars a day during each day the convention meets and the same mileage as members of the Legislature. Compensation shall not be received by the delegates for any time in session after the expiration of one hundred days during which the convention is actually in session. The amount of compensation shall be certified to the State Controller by the president of the convention, and shall be paid in the same manner as compensation of members of the Legislature is paid.

SEC. 8. It shall be the duty of the Governor to attend the convention at the opening thereof, to administer the constitutional oath of office to the delegates, and to preside at all meetings of the convention until a president has been elected and has taken his office, but the Governor shall not have any vote in the convention. The Secretary of State shall also attend at the opening of the convention and call the roll of delegates.

SEC. 9. All public officers and employees shall furnish the convention with all such information, papers, statements, books or other public documents in their possession as the convention orders or requires for its use from time to time while in session; except that no officer shall be required to deliver to the convention any records which, under the law governing his office or governing such records, he is entitled to hold as confidential and privileged from public disclosure.

SEC. 10. The convention may adopt such rules and regulations for its own government as it determines to be necessary. It shall be the judge of the election and qualifications of its own members

SEC. 11. A journal of the proceedings of the convention shall be kept, and shall, at the final adjournment thereof, be filed in the office of the Secretary of State. A phonographic report shall be made of the proceedings of the convention and shall be filed, together with the Constitution agreed to by the convention, in the office of the Secretary of State within thirty days after the final adjournment of the convention. Not less than _____ copies of such report and Constitution shall be published and offered for sale to the public at a price prescribed by the Department of Finance Such publication shall be completed and made available for sale not less than sixty days before the election at which the Constitution prepared by the convention is submitted to the people for ratification or rejection.

SEC. 12 A majority of the convention shall constitute a quorum to do business. The doors of the convention shall be kept open, except when, in the opinion of a majority of the delegates present, the public welfare requires secrecy.

SEC 13. Every delegate to the convention shall have the same privileges from arrest and from civil process as in the case of members of the Legislature. For any speech or debate in the convention, the delegates shall not be questioned in any other place, and shall be exempt from any civil or criminal liability therefor. The convention shall have the power to expel any of its members, and to punish its members, officers and employees for disorderly behavior, by imprisonment or otherwise; but no member shall be expelled until there is made the report of a committee appointed to inquire into the facts alleged as the grounds of his expulsion. The convention shall have the power to subpena witnesses and in all investigations in relation to any matter before the convention, shall have the powers of the head of a department specified in section 353 of the Political Code.

SEC. 14. The convention shall have the power to punish as a contempt, and by imprisonment or otherwise, a breach of its privileges or of the privileges of its members, but such power shall not be exercised except against persons guilty of one or more of the following offenses:

(a) Disorderly conduct in the immediate view and the presence of the convention, and directly tending to interrupt its proceedings.

(b) Refusing to attend any session of the convention, or committee of the convention, on the part of a member.

(c) Violating any rule adopted by the convention relating to secrecy on the part of its members, officers, or employees

Whenever the convention punishes any person by imprisonment, such imprisonment shall not extend beyond the session of the convention.

SEC. 15. It shall be unlawful and a felony to commit any of the following acts:
(a) Arresting or subjecting a member, or officer, of the convention to civil process in violation of his privilege from arrest and civil contest.
(b) Disorderly conduct in the immediate view and presence of the convention, and directly tending to interrupt its proceedings, on the part of any person other than a member or officer of the convention.
(c) Publishing any false and malicious report of the proceedings of the convention, or of the conduct of a member acting in his capacity as delegate.
(d) Giving or offering a bribe to a member, or attempting by menace or any other device, directly or indirectly, to control or influence a member in giving his vote, or to prevent him from giving his vote.
SEC. 16. The convention shall require its secretary to give an official bond for the faithful performance of his duties, in such amount and in such manner as the convention directs. The convention may require such bond from any other officer or employee of the convention.
SEC. 17. There is hereby called a special election to be held at the same time as and to be consolidated with any other special election that may be held during the period between the time when the convention has agreed upon a Constitution and has adjourned sine die and the general election not less than one hundred twenty days following that adjournment. If no special election for any other purpose is called to be held during such period a special election is hereby called to be consolidated with the first general election not less than one hundred twenty days following that adjournment. In either case at such special election the Constitution agreed upon by the convention shall be submitted to the people for their ratification or rejection, in such manner as the convention may determine. The special election hereby called shall be proclaimed, held, conducted, and the ballots shall be prepared, marked, voted, counted, canvassed, and the results shall be ascertained and the returns thereof made in all respects in accordance with the law governing general elections so far as applicable to such election, except that the returns of such election shall in such manner as the convention directs be certified to the Governor, who shall call to his assistance the Controller, Treasurer, and Secretary of State, and compare the returns so certified to him. It shall be the duty of the Governor to declare, by his proclamation, such Constitution as may have been ratified by a majority of all the votes cast at such special election, to be the Constitution of the State of California.
SEC. 18. In case any vacancy occurs by reason of the death, resignation, or otherwise of any delegate elected to said convention, the vacancy shall be filled by election, by a majority vote of the remaining delegates to the convention, of a qualified elector of the Assembly district in which such vacancy occurs.
SEC. 19. Out of any money in the State treasury not otherwise appropriated, there is hereby appropriated the sum of three hundred thousand dollars, to pay the expenses of the convention."

Amendment adopted.

Motion.

Mr. Evans, Ralph W., moved that Assembly Bill No. 1493, as amended, be re-referred to Committee on Judiciary.

Motion carried.

Motion to Rush Printing of Assembly Bill No. 1493.

Mr. Evans, Ralph W., moved that the Chief Clerk instruct the State Printer to rush printing of Assembly Bill No. 1493, as amended.

Motion carried.

Special Order Set for Assembly Bill No. 2136.

On motion of Mr. Jones, the consideration of Assembly Bill No. 2136 was made a special order for Wednesday, May 8, 1935, at ten o'clock and thirty minutes a.m.

Special Order Set for Assembly Bill No. 44.

On motion of Mr. Peyser, the consideration of Assembly Bill No. 44 was made a special order for Wednesday, May 8, 1935, at ten o'clock and thirty-one minutes a.m.

Recess.

At ten o'clock and forty minutes a.m., by order of the Speaker, the Assembly was declared at recess to hear from Mr. Andrew Sundstrom,

from Berresford, South Dakota, National president of the Future Farmers of America, and Mr. W. A. Ross, National executive secretary of the Future Farmers of America.

Reassembled.

At ten o'clock and forty-five minutes a.m., the Assembly reconvened. Speaker Craig in the chair.

Unfinished Business.

Consideration of Senate Amendments to Assembly Bill No. 1546.

Assembly Bill No. 1546—An act to add section 4 to an act entitled "An act limiting the liability of supervisors, city trustees, city councils, boards of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances," approved June 13, 1923, relating to the liability of counties, municipalities and school districts.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1546?

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, strike out "The liability of the", and insert in lieu thereof the following: "Except in cases where the governing or managing body has written notice of the dangerous or defective condition and fails to remedy such dangerous or defective condition within a reasonable time after receiving such notice, or where the dangerous or defective condition is the necessary result of the carrying out of a plan approved by such body, the liability of a".

Amendment No. 2.

On page 1, line 4, of the printed bill, as amended, after the word "act", insert the following: "for injuries to person and/or property hereafter sustained".

The roll was called, and Senate amendments to Assembly Bill No. 1546 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Fisher, Flint, Fulcher, Garibaldi, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Waters, Williamson, Wright, and Mr. Speaker—57.

NOES—Geyer—1.

Assembly Bill No. 1546 ordered to enrollment.

Reconsideration of Assembly Bill No. 195 Waived.

Mr. Gilmore waived his notice to reconsider the vote whereby Assembly Bill No. 195 was refused passage.

Consideration of Senate Amendment to Assembly Bill No. 2135.

Assembly Bill No. 2135—An act to amend an act entitled "An act to authorize the counties of the State of California to establish retirement systems for their employees," approved May 20, 1919 (Statutes 1919, page 782), by amending sections 1 and 6 thereof, relating to county employee retirement systems.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2135?

Amendment No. 1.

On page 3 of the printed bill, as amended in the Assembly on April 5, 1935, strike out line 11, and insert in lieu thereof the following: "the difference shall be paid to a beneficiary or beneficiaries designated by such member, without letters of

administration or probate of will, or if no beneficiary has been so designated, then to his legal representatives"

The roll was called, and Senate amendment to Assembly Bill No. 2135 was concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Utt, Voigt, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—72

NOES—None.

Assembly Bill No 2135 ordered to enrollment.

Motion to Rush Printing of Assembly Bill No. 1348.

Mr. Fisher moved that the Chief Clerk be instructed to place a rush order on the printing of Assembly Bill No. 1348.

Motion carried.

Special Order.

The hour of ten o'clock and thirty minutes a.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 1.

Assembly Bill No. 1—An act relating to codes, agreements, and standards of fair competition, repealing certain acts cited herein, and declaring the urgency of this act and providing that it shall go into immediate effect.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Boyle:

Amendment No. 1.

On page 4 of the printed bill, as amended, strike out line 23, and insert in lieu thereof the following: "hereof, subject however to the proviso contained in section 2 hereof."

Amendment No. 2.

On page 7, line 24, of the printed bill, as amended, strike out "23a", and insert in lieu thereof the following: "23".

Amendment No. 3.

On page 7, line 26, of the printed bill, as amended, strike out "23b", and insert in lieu thereof the following: "23a".

Amendment No. 4.

On page 7 of the printed bill, as amended, strike out lines 40 and 41.

Amendments adopted.

Request for Unanimous Consent.

Mr. Boyle asked for, and was granted, unanimous consent to take up Assembly Bill No. 1, as amended, at this time, without reference to reprint or file, and that same be considered re-re-re-engrossed.

Assembly Bill No. 1, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Cottrell:

Amendment No. 1.

On page 2, line 36, of the printed bill, after the period, add the following: "No code or codes shall be imposed upon any trade or industry or subdivision thereof

either industrial or geographical when the truly representative trade or industrial associations or group within said subdivision or territory are opposed to the adoption of a code for their respective trade or industry."

Amendment No. 2.

On page 3, line 17, after the period, add the following:
"Where any National code is adopted subsequent to the adoption of a State code for any trade or industry that is largely intrastate in character, the provisions of said National code shall not be imposed upon a trade or industry within this State with respect to its intrastate activities until such time as said trade or industry by application to the Governor accept the provisions thereof."

Motion.

Mr. Cottrell moved that the amendments be voted on separately.

Motion carried.

Consideration of Amendment No. 1.

The question being on Amendment No. 1, submitted by Mr. Cottrell:

Amendment No. 1.

On page 2, line 36, after the period add the following:
"No code or codes shall be imposed upon any trade or industry or subdivision thereof either industrial or geographical when the truly representative trade or industrial associations or group within said subdivision or territory are opposed to the adoption of a code for their respective trade or industry."

Request for Roll Call.

On request of Messrs. Hornblower, Flint and Boyle, the Speaker ordered a roll call taken on Amendment No 1, submitted by Mr. Cottrell.

The roll was called, and Amendment No. 1 was refused adoption by the following vote:

AYES—Breed, Chatters, Corwin, Cottrell, Cunningham, Dawson, DeLap, Evans, Herbert J., Field, Fisher, Frazier, Garibaldi, Johnson, Kallam, Latham, Lyon, Martin, Miller, Minard, Morgan, O'Donnell, Peterson, Peyser, Redwine, Robertson, Scudder, Stream, Utt, Walker, Wallace, Waters, Wright, and Mr. Speaker—33.

NOES—Anderson, Andreas, Boyle, Burns, Cassidy, Clark, Cronin, Crowley, Desmond, Donihue, Evans, Ralph W., Flint, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Nielsen, Patterson, Pelletier, Reaves, Richie, Riley, Rosenthal, Thorp, Turner, Voigt, Wagner, and Williamson—40.

Consideration of Amendment No. 2.

The question being on the adoption of Amendment No. 2, submitted by Mr. Cottrell.

Amendment No. 2.

On page 3, line 17, of the printed bill, after the period, add the following:
"Where any National code is adopted subsequent to the adoption of a State code for any trade or industry that is largely intrastate in character, the provisions of said National code shall not be imposed upon a trade or industry within this State with respect to its intrastate activities until such time as said trade or industry by application to the Governor accept the provisions thereof."

Mr. Cottrell withdrew his Amendment No. 2.

Further consideration of Assembly Bill No. 1, as amended, deferred until one o'clock and thirty minutes p.m., this day.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1038—An act to add a new section to the Political Code of the State of California to be numbered 3810, relating to judicial review of assessments and taxes alleged to be illegal or erroneous and providing procedure for such review—has had

the same under consideration, and respectfully reports the same back without recommendation, as amended.

LYON, Chairman

The above reported bill ordered on file for second reading.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1038—An act to add a new section to the Political Code of the State of California to be numbered 3810, relating to judicial review of assessments and taxes alleged to be illegal or erroneous and providing procedure for such review.

Floor Amendments.

During second reading of the bill, the following amendments were submitted by Mr. Lyon:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out "judicial".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out line 3 of the title, and insert in lieu thereof the following: "review of proposed assessments or assessments in counties of the first class alleged to be illegal or".

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out lines 3 to 25, inclusive, and insert in lieu thereof the following:

"3810. The board of supervisors of any county of the first class may by the concurring vote of a majority of said board at any time after the first Monday in May of each year and prior to the third Monday in July, resolve to appoint a commission or commissions of equalization. Each such commission so appointed shall be composed of three members consisting of one real estate broker, with at least five years experience in appraising real estate, a certified public accountant who had at the date of his appointment been so certified for at least a period of five years and one attorney at law who had at the date of his appointment been admitted to the practice of the law for a period of at least five years. A reasonable per diem for the services of each of said commissioners as determined in the order of appointment, together with his necessary and reasonable expenses incurred in the performance of his duties shall be a charge against the general fund of said county.

Upon the application of any taxpayer setting forth the properties which he desires submitted to said commission and the assessment or proposed assessment of which he believes to be illegal or erroneous, the board of supervisors shall order the county assessor to certify to said commission or one of said commissions, if more than one be appointed, the valuations said assessor intends to place or has placed upon said several properties together with a certificate in writing as to the percentage of value to be employed for said year as full cash value and in brief his method of arriving at such basic value for the principal classes of property upon the assessment roll. Said certification of intended assessments together with statement of method of assessment shall be returned to said commission within ten days after demand therefor unless such time shall be extended by order of the board of supervisors. A copy of said return shall be furnished by the county assessor to the taxpayer at the address specified in the application of the taxpayer, if such address be specified, otherwise by leaving a copy addressed to said taxpayer at the office of the clerk of the board of supervisors.

Said commission upon the date of said return shall thereupon fix a date of hearing before said commission at which time the taxpayer shall be entitled to present any and all reasons and evidence why such proposed valuation should be reduced. The county assessor shall have full opportunity to present all reasons and evidence in support of the proposed valuations as certified in said return. Upon demand of the taxpayer or the assessor said commission shall apply to the board of supervisors for the issuance of such subpenas directed to such witnesses and/or production of such documents as may be necessary for the proper consideration of the assessment on such properties. Such subpena may be issued to compel the attendance of the county assessor, any deputy or assistant in the office of said county assessor and to compel the production of any and all documents pertaining to the assessment of said properties in the possession, custody or control of said assessor. Said commission shall, with the approval of the board of supervisors, have power to appoint expert witnesses of its own choosing to ascertain any facts or evidence necessary to the determination of such hearing. The compensation of such witnesses as determined by the order of the board of supervisors shall be a charge against the general fund of said county.

All testimony taken before said commission shall be under oath and the commissioners herein provided for are expressly authorized to take the oath of any witness appearing before said commission. The commission may upon the application of the taxpayer or the assessor provide for transcription of evidence taken before said hearing, the cost of the preparation of such transcript to be borne by the party demanding the same or, in event demanded by both parties, to be equally divided between the taxpayer and the assessor.

In the event such transcript is demanded by the assessor, the cost thereof is hereby declared to be a charge against the general fund of said county.

Upon the conclusion of the taking of such testimony and the making of such other investigation or appraisals as said commission may deem advisable said commission shall in concise form make an advisory recommendation to the board of supervisors sitting thereafter as a board of equalization upon the following matters, to wit:

1. The true, correct and equalized assessed value of the properties covered in said hearing equalized in accordance with the general method of assessment employed on the same and other classes of property in said county for said tax year as said method is stated in the return of the assessor setting forth said method or as may be developed at the hearing before said commission.

2. The reasons in support of such valuation with particular reference to: (a) the assessment of other properties of similar character and location; (b) of other classes of property as the same are shown to be valued by the county assessor in the aforesaid return of his method of assessment and/or evidence concerning the same as produced at said hearing.

It is hereby declared to be the intent of this section that the equalized valuations placed upon the assessment roll shall be equalized upon the same value as to all classes of property.

The report of said commission, together with any transcript of any evidence taken before said commission shall be certified to the board of supervisors sitting as a board of equalization, and a copy of the report shall be transmitted forthwith to the county assessor of said county. In the event that there is previously or subsequently filed with the board of equalization any application for and on behalf of the taxpayer concerning the properties covered by the aforesaid report of the commission, the aforesaid report, together with any transcript of hearings taken before said commission, shall be attached and made a part of said application. The board of equalization in its regular sessions may thereupon adopt the report of said commission or reject the same in full or in part. In so acting the board of equalization may in its discretion hear further evidence in support or in opposition to said application or it may base its finding and determination solely upon the aforesaid report with or without the attached transcript of the hearings before said commission."

Amendment No. 4.

Strike out all of pages 2 and 3 of the printed bill, as amended.

Amendment No. 5.

On page 4 of the printed bill, as amended, strike out lines 1 to 9, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Motion to Rush Printing of Assembly Bill No. 1038.

Mr. Lyon moved that the Chief Clerk instruct the State Printer to rush printing of Assembly Bill No. 1038, as amended.

Motion carried.

Recess.

At twelve o'clock and ten minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

Reassembled.

At one o'clock and thirty minutes p.m., the Assembly reconvened Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 895—An act to add a new chapter, to be numbered 1a, to Division V of the Agricultural Code, relating to the standardization of tomatoes;

Also: Assembly Bill No. 1054—An act to add sections 2a, 2b, 2c, 2d and 2e, and 3a to and to amend sections 3, 4, 5, 6, 7, 8, 10, 14, 15, 16, 17, 18, and 19 of the "Los Angeles County Flood Control Act," relating to the government and control of the district and the powers and duties of the board of directors thereof;

And reports that the same have been correctly re-re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1935.

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 40—An act to amend section 407 of the Code of Civil Procedure, relating to summons;

Also: Assembly Bill No. 904—An act to amend section 600 of the Probate Code, relating to inventory and appraisement of estates;

Also: Assembly Bill No. 2426—An act to amend section 1326 of the Penal Code, relating to the issuing and signing of subpenas for the attendance of witnesses in criminal prosecutions;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LYON, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER. Your Committee on Judiciary, to which was referred Senate Bill No. 1089—An act to amend section 19x23 of the Juvenile Court Law, relating to the probation officer—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LYON, Chairman.

The above reported bill ordered on file for second reading.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1935

MR. SPEAKER. Your Committee on Agriculture, to which was referred Assembly Bill No. 924—An act to amend sections 781, 783, 784, 785, 787, 788, and 822 and to add sections 784 1, 784 2, 784 3, 784 4, 784 5 and 784 6 to the Agricultural Code, relating to fruits, nuts and vegetables—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No 925—An act to amend section 830 5 of the Agricultural Code, relating to transportation of fruits, nuts, and vegetables—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

PHILLIPS, Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 772—An act to amend section 150 of the Agricultural Code, pertaining to the qualification and certification of persons engaging for hire in the business of eradicating or controlling pests—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

PHILLIPS, Chairman

The above reported bill ordered on file for second reading.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1935.

MR SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 2433—An act to provide for the administration of highway work for or in cooperation with the United States by the State of California, amending the Streets and Highways Code in accordance therewith, and declaring the urgency thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

STREAM, Chairman.

The above reported bill ordered on file for second reading.

On Conservation.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1935.

MR. SPEAKER: Your Committee on Conservation, to which was referred Senate Bill No 112—An act to amend sections 2, 13 and 17 of the Orange County Water District Act, approved June 14, 1933, relating to powers and duties of the board of directors, the establishment of an office therefor and declaring and limiting their powers as to the district budget and the levy of assessments—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

REDWINE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Conservation, to which was referred Assembly Bill No. 2425—An act to add a new section to the Political Code, to be numbered 363m, relating to the Division of Water Resources revolving fund—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

REDWINE, Chairman.

The above reported bill ordered on file for second reading.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1935.

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2403—An act to amend sections 737j and 737bbb of the Political Code, relating to salaries of superior court judges—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No 2395—An act to provide for the compilation, printing, binding, publishing, and distribution of a Legislative Manual and State Blue Book, or Roster, repealing all conflicting acts and making an appropriation to carry out the provisions hereof—has had the same under consideration, and respectfully reports the same back, and recommends that same do pass

COTTRELL, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER. Your Committee on Ways and Means, to which was referred Assembly Bill No. 794—An act to amend sections 5 802, 5.804, 5.890, 5 894, 5.900, 5 901, 5 904, 5 910, 5 911, 5 921, 5.962, 5.970, 5.980, 5.990, 5.993, 5.1003, 5.1004, 5 1009, 5.1023, 5.1030, 5.1031, 5 1032, 5.1040, 5.1041, 5.1047, 5 1048, 5.1060, 5 1061, 5.1062, 5.1080 and 5 1083 of the School Code; to amend the titles of Chapter III, of Articles IV, V and VII of Chapter III, of Chapter VI, of Articles II, III and V of Chapter VI, all of Part IV of Division V of said code; to repeal sections 5 1042 to 5 1046, both inclusive, of said code and to repeal Article IV of Chapter VI of Part IV of Division V of said code; to add six new sections to said code to be numbered 5.971, 5.972, 5.981, 5.1004½, 5.1010 and 5.1111 and to add Chapter III of Part IV of Division V of said code a new article to be known as Article VIII; to add to Chapter V of Part IV of Division V of said code a new article to be known as Article V; and to add to Chapter VI of Part IV of Division V of said code a new article to be known as Article IV, all relating to the payment of retirement salaries and retirement annuities to persons serving the State, counties and school districts in positions having to do with teaching or other

employment in, and/or the superintending, administration and supervision of colleges, schools, and classes maintained by the State and/or the school districts thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

On Governmental Revenues and Expenditures.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1935.

MR. SPEAKER: Your Committee on Governmental Revenues and Expenditures, to which was referred Assembly Bill No. 1376—An act to amend section 3816 of the Political Code, relating to distribution of moneys received on account of redemption or purchase of lands sold to the State for nonpayment of taxes;

Also: Assembly Bill No. 1550—An act to add section 32a to "An act creating a State Land Settlement Board, and defining its powers and duties, and making an appropriation in aid of its operations," approved June 1, 1917, as amended, and to ratify and confirm certain acts of the Director of Finance with respect to the disposition of properties at the Delhi State Land Settlement and Durham State Land Settlement;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

JONES, Chairman.

The above reported bills ordered on file for second reading.

On Drainage, Swamp and Overflowed Lands.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1935

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 994—An act to amend section 690 10 of the Political Code, relating to the right to construct and maintain structures for highway purposes on or partly on ungranted swamp, overflowed, marsh, tide or submerged lands of the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

DESMOND, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1935.

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No 455—An act to amend section 1305 of the Penal Code, to require certain entries in court minutes relating to bail, and to amend sections 1281a and 1310 of the Penal Code, and to add thereto a new section to be designated 1280c, authorizing the court, judge or magistrate to inquire into the financial condition of a corporation offering a bond as bail and to approve or reject said bond;

Also: Assembly Bill No. 1349—An act to amend section 817 of the Penal Code, relating to peace officers;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

LYON, Chairman

The above reported bills ordered on file for second reading.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1935

MR SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1216—An act to amend section 818 of the Agricultural Code, relating to potatoes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1935.

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2430—An act to make an appropriation to pay the claim of the chief accounting officer of the State Department of Public Health against the State of Cali-

form—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

On Governmental Revenues and Expenditures.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1935

MR. SPEAKER: Your Committee on Governmental Revenues and Expenditures, to which was referred Senate Bill No. 593—An act to amend sections 3897 and 3898 of the Political Code, and to repeal section 3774 of the Political Code, relating to lands sold for delinquent taxes,

Also Senate Bill No. 594—An act to amend section 3817d of the Political Code, relating to the sale of property for delinquent taxes to the State;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

JONES, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER. Your Committee on Governmental Revenues and Expenditures, to which was referred Senate Bill No. 577—An act to amend section 3780 of the Political Code, relating to the redemption of property sold to the State for delinquent taxes and limiting the same to a period of three years from and after the date of the deed to the State pursuant to section 3785 of the Political Code—has had the same under consideration, and respectfully reports the same back without recommendation.

JONES, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1935

MR. SPEAKER. Your Committee on Judiciary, to which was referred Assembly Bill No 487—An act to amend section 692 of the Code of Civil Procedure, relating to sales of property under execution or under power contained in a deed of trust;

Also: Assembly Bill No. 943—An act to amend section 688 of the Political Code, relating to claims against the State of California;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended

LYON, Chairman.

The above reported bills ordered on file for second reading.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1935

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 67—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding a new article thereto to be numbered Article XXVI, providing for a State police—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LATHAM, Chairman.

Assembly Constitutional Amendment No. 67 ordered on file for adoption.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1935.

MR SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 821—An act to amend section 605 of the Probate Code, relating to appointment of appraisers—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LYON, Chairman.

The above reported bill ordered on file for second reading.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1935.

MR SPEAKER. Your Committee on Roads and Highways, to which was referred Assembly Bill No 2072—An act declaring Wilshire Boulevard in the city of Los Angeles to be a secondary State highway and providing for the establishment and

maintenance of a park along a portion of the length of said highway—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

STREAM, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1831—An act relating to the control of traffic upon the public highways of the State of California, whether situated within unincorporated or incorporated territory—has had the same under consideration, and respectfully reports the same back without recommendation, as amended, and be re-referred to Committee on Motor Vehicles.

STREAM, Chairman.

The above reported bill ordered on file for second reading.

On Governmental Revenues and Expenditures.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1935.

MR SPEAKER Your Committee on Governmental Revenues and Expenditures, to which was referred Assembly Bill No 1539—An act to amend sections 23 and 24 of, and to add section 18b to, that certain act entitled, "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act"—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

JONES, Chairman.

The above reported bill ordered on file for second reading.

On Drainage, Swamp and Overflowed Lands.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1935.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No 1348—An act to amend section 690.10 of the Political Code relating to rights in and upon swamp, overflowed, marsh, tide and submerged lands—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

DESMOND, Chairman.

The above reported bill ordered on file for second reading.

On Conservation.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1935.

MR SPEAKER: Your Committee on Conservation, to which was referred Assembly Bill No 856—An act to appropriate money for flood control, including conservation and the relief of unemployment, in San Bernardino County and the Santa Ana River Basin—has had the same under consideration, and respectfully reports the same back without recommendation, and be re-referred to Committee on Ways and Means.

REDWINE, Chairman.

Assembly Bill No 856 ordered re-referred to Committee on Ways and Means.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May, 6, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 491—An act to amend section 3 of, and to add section 11 5 to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to definitions and the limitation of actions;

Also: Senate Bill No. 492—An act to add sections 9.4 and 9 5 to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to liability;

Also: Senate Bill No. 493—An act to provide for physical examinations of persons employed in certain industries

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bills Nos. 491, 492 and 493 read first time, and referred to Committee on Insurance.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1606—An act to amend section 8 of and to add section 8a to the Sewer Revenue Bond Act, relating to acquisition and operation of sewerage disposal works.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Latham:

Amendment No. 1.

On page 3, line 9, of the printed bill, as amended, strike out "and county or municipality", and insert in lieu thereof the following, "or district".

Amendment No. 2.

On page 3, line 15, of the printed bill, as amended, strike out "and county or municipality", and insert in lieu thereof the following, "or district".

Amendment No. 3.

On page 3, line 18, of the printed bill, as amended, after 'awarded', insert the following, "the".

Amendment No. 4.

On page 3, lines 50 and 51, of the printed bill, as amended, strike out "and county or municipality", and insert in lieu thereof the following, "or district".

Amendment No. 5.

On page 4, line 2, of the printed bill, as amended, after "city", insert the following ", county or district".

Amendment No. 6.

On page 4, line 7, of the printed bill, as amended, strike out "and county or municipality", and insert in lieu thereof the following "or district".

Amendments adopted.

Bill read, ordered to reprint, re-re-engrossment, and third reading.

Preliminary Report of Assembly Investigating Committee of the Drilling and Development of the Tidelands of the State of California.

The following report was ordered printed in the Journal:

To the Members of the Assembly of the Fifty-first Session of the California Legislature.

MEMBERS OF THE ASSEMBLY: Your Special Committee appointed by the Speaker of this Assembly, pursuant to resolution adopted by the Assembly on April 11, 1935, presents this, its preliminary report of the matters assigned to it, i.e., an investigation of the drilling and development of the tidelands of the State of California with reference particularly to the operations of various portions of the tidelands for drilling and production of oil and gas in the tide and submerged lands belonging to the State of California, and determining the reasonableness and satisfaction to the State of California of the revenues produced thereby, and in addition thereto, making a report to this body, of the evidence and findings on which a policy may be pursued by this State in the future development of the State tidelands, as set forth in the resolution.

Necessarily, by reason of the pressure of time, this committee has not been able to go into all the many details of past operations with respect to tideland drilling. It conducted investigations at Sacramento, Huntington Beach and at Los Angeles, and made a trip to Elwood and Rincon fields in Santa Barbara and Ventura counties, where tideland development of an oil pool is now in operation from piers and islands erected in the water. Hearings were held in the cities mentioned, a great many witnesses were subpenaed whose testimony was taken, and a transcript of which is herewith filed.

While there are many aspects of the whole situation that the committee would like to report upon as the result of its investigation from the testimony taken and

its independent investigation, such a report would entail voluminous findings and would perhaps take it beyond the scope of its original inquiry, and we suggest that this committee be authorized to continue during the legislative recess and present an additional report at the beginning of the next legislative session.

Our report is divided into four parts:

1. Legislative history and development of State tidelands;
2. The present conditions and exploitation of tideland pools;
3. Findings of this committee relative to the establishment of a policy for future legislation in respect to tideland development.
4. Specific legislative recommendations.

1. PAST OPERATIONS AND BRIEF HISTORICAL LEGISLATIVE BACKGROUND

A resume of the history of legislation affecting the conservation of minerals beneath state-owned tidelands begins in 1921. In that year there was passed Chapter 303, Statutes of 1921, to reserve all the minerals in State lands to the State, and to provide for the granting of permits and leases to prospect for and to take any minerals located on State lands. The administration of the act was placed in the Surveyor General, which office was subsequently merged and the powers and duties of that office were transferred to the Division of State Lands of the Department of Finance.

Under Chapter 303, as amended, the Surveyor General was authorized to grant prospecting permits which would give the exclusive right for a period not exceeding two years to prospect for oil or gas upon State lands not exceeding 640 acres in area and which lands were not within any known geological structure of a producing oil or gas field.

Section 4 of the act relates to the granting of these permits and specifically provides that in no case shall permits or leases be granted covering tide, overflowed or submerged lands fronting on an incorporated city or for a distance of one mile on either side thereof; and that the littoral or riparian owner of tide, overflowed or submerged lands shall have six months in which to file an application after service of notice of the filing of an application for a permit by someone other than such littoral or riparian owner.

Upon the establishment to the satisfaction of the Surveyor General that valuable deposits of oil or gas have been discovered within the limits of the land embraced in any permit, the permittee is entitled to (1) a lease for one-fourth of the land included in the permit or for as much as 160 acres, for a term of 20 years upon a royalty of five per cent in amount or value of the product at the option of the Surveyor General; (2) preference right to a lease for the remainder of the land covered by the prospecting permit at such royalties as may be determined by competitive bidding or such other methods as the Surveyor General may by regulation prescribe, but in no case less than 12½ per cent in amount or value of the production.

All permits and leases are subject to the condition that no wells shall be drilled within 200 feet of the outer boundaries of the lands so permitted or leased, unless the adjoining lands have been patented or the title thereto otherwise vested in private owners.

In 1929, by Chapter 7, Statutes of 1929, sections 4 and 8 of the 1921 act were amended to provide that no permit to prospect for or drill for oil or gas and no lease of any tide, overflowed or submerged lands of the State should be made after the first day of September, 1929. By Chapter 536, Statutes of 1929, sections 23 and 24 were added to provide that no permits or leases should be granted for tidelands, submerged lands, or overflowed lands, or the beds of navigable rivers or lakes; provided, however, that the provisions of these sections should not apply to the holders of a valid prospecting permit granted upon an application filed prior to January 17, 1929, or to a littoral owner who had filed his preferential rights with respect to an application made prior to January 17, 1929.

By Chapter 593, Statutes of 1933, section 12 of the act was amended to provide that the Surveyor General be authorized to approve operating, drilling or development contracts made by one or more permittees or lessees in oil or gas leases or permits with one or more persons, associations, or corporations, whenever in his discretion the conservation of natural products or public convenience or necessity may require it, or the interests of the State of California may best be served thereby. It is further provided that whenever it appears to the Surveyor General that wells now drilled upon private lands are draining oil or gas from State lands upon which drilling is now prohibited by law (tide and submerged lands), the Surveyor General is authorized to negotiate, on behalf of the State, agreements whereby the State of California shall be compensated for such drainage.

Off the coast of California there are seven known tideland oil fields being of greater or less dimensions. Under the law of 1921, the Surveyor General had given permits along the coast of Santa Barbara and Ventura and Orange counties, some of which thereafter developed into leases, many of which are in operation today with the principal places being at Elwood in Santa Barbara County and Rincon in Ventura County. In both of these places there are steel piers of various lengths extending from the land to concrete well foundations in the ocean upon which wells have

been drilled and from which oil is produced. All of these leases grew out of permits for exploration which carried only a 5 per cent royalty and from these leases the State, during 1934, received a return of approximately $150,000.

Huntington Beach.

Early in 1932 there was brought to the attention of the Division of State Lands a great flurry of drilling at Huntington Beach and the division shortly afterwards detailed investigators to secure what information they could, to detect if possible some manner of drilling being in operation that would cause the bit started on the upland to be directionally drilled out to sea, and the subsequent production from the hole so as to extract oil from the tideland pool This suspicion was confirmed and in 1933 suits were filed for the purpose of enjoining the theft of this State oil and finally a system of compromise was entered into by the State with these upland drillers by which the State has been paid a royalty on all of the oil so drained It is readily understandable that such a subterfuge of compromise is, in effect, a leasing of the State's lands. This means that the State is at the present time carrying on a policy without full legal sanction. This should be corrected by legislation.

With respect to the independent operators who have drilled from the townsite area, this committee feels that the Department of Finance has made every diligent effort to correctly ascertain and appraise to what extent oil, gas and other hydrocarbons have been obtained from its lands, and obtain compensation for its removal. These royalties are based upon a uniform scale of percentages based upon a mathematical formula, taking into consideration the two factors of price and production, the percentages becoming higher as these two factors increase The committee is *of the belief that this scale is a fair one.*

In addition to the wells covered by the settlement agreements, heretofore referred to, there are other wells Some of these may also have been drilled by wilfull trespassers, some may have penetrated the tidelands innocently. Regardless of motive, all are alike trespassers, all should be compelled to pay a fair royalty to the State We recommend that the State officials be directed to proceed against all trespassers and to effectuate a settlement with them at the same royalty and on the same terms as those already negotiated

The State has collected in royalties from the Huntington Beach pool a little over $2,000,000 of which $891,000 was earned and collected between March 1, 1934 and March 1, 1935.

2 PRESENT CONDITION OF FIELD

Based upon the testimony of numerous geologists who appeared and testified at the hearings before this committee, it would appear that the proven portion of the pool at Huntington Beach is some 250 acres in size, of which a little better than 95 acres has now been developed. This pool, as far as operations are concerned, has used a prolongation of 23d Street of the city of Huntington Beach as a marker to distinguish the separation of lands fronting the ocean controlled on the west side by the Standard Oil Company, including what is commonly referred to and known as the "Bailey Patch", and on the east side by numerous townsite lots which have been drilled from by numerous independent operators. At the present time there are some 88 wells drilled from the townsite into the tidelands, and as far as can be ascertained, some six wells belonging to the Standard Oil Company also are extended into the tidelands. By reason of the numerous wells coming into the pool south of 23d Street, it was the concensus of the experts who have appeared before this committee that the portion of the pool east of 23d Street has been amply developed West of 23d Street there are but few wells in comparison Yet, all geologists are in accord that the greatest portion of this pool as far as they can judge and determine lies west of 23d Street, which, by reason of there being but a small number of wells, has hardly been tapped, as far as wealth of resources is concerned.

Most of the geologists that have testified before the committee have been in unanimity that the apex of this pool or the axis of the anticline, as they term it, is approximately 1000 feet seaward from the mean high tide line

Present Legislation

At the present time there are pending before this Legislature three Assembly bills, all affecting tideland drilling. Dealing with them in the manner of their introduction, we present:

1. Assembly Bill No 465, by Assemblyman Utt, briefly provides for the adoption of a new section to be known as 6755 of the Political Code, giving to the Director of Finance authority to negotiate with upland owners having wells near the State tideland pool which do or are likely to secure oil from the tideland pool by drainage. (2) To enter into contracts with upland owners to drill directed wells slanted from the upland into tidelands; or, (3) If no satisfactory arrangement can be made with the upland owner, to enter into such contracts as may be necessary to protect the State's interest in tideland pools

2 Assembly Bill No 1539, by Assemblyman Cunningham This adds a new section known as 18a to Chapter 303, Statutes of 1921, and briefly, provides that the Surveyor General may grant leases on tidelands to be drilled from the upland

3. Assembly Bill No. 1684, by Assemblyman Burns, provides that any city or political subdivision is hereby prohibited from granting any leases upon the tidelands and that the Surveyor General may grant leases on the tidelands for the production of oil and gas to be drilled from the upland and repeals section 24 of the present act.

3. FINDINGS OF THIS COMMITTEE RELATIVE TO THE ESTABLISHMENT OF A POLICY FOR FUTURE LEGISLATION IN RESPECT TO TIDELAND DEVELOPMENT

With respect to the policy which the State should follow in the future development and exploitation of this large amount of potential wealth belonging to the State, the problem in general has not been an extremely difficult one

The proposal that the State itself drill into and develop the tidelands has received the consideration of the committee and although some of the members of the committee are sympathetic to the proposal as a more or less idealistic one, nevertheless, the committee is unanimous in its belief that as a practical matter the State can not at this time engage in any such activity. The greatest practical objection to such a means of development is that oil wells held by the State would of necessity have to be drilled from islands or piers in the tidelands

The proposal that the State might condemn littoral lands under the power of eminent domain and use such lands for the purpose of directional drilling into the tidelands has also come to the attention of the committee. Such a proposal likewise presents many problems It is quite likely that the State would be obliged to pay such a high award in the condemnation proceedings that the value of the development would be nullified. It is also quite likely that inasmuch as such littoral lands are in the main controlled by large oil companies the State would be involved in lengthy and expensive litigation before such properties could be acquired and developments commenced It must also be taken into consideration that in the development of such resources, a large amount of capital outlay is necessary before any financial return accrues to the State and that under existing proration a relatively long period of operation is necessary before even heavily producing wells pay for themselves

In view of the straitened condition of the State's finances, these considerations are very important It is also true that the oil business is a very competitive one and that the State, as a body politic, would probably be subject to many handicaps should it attempt to enter into any such competition. The inevitable conclusion to be arrived at is that development must be accomplished by means of lease agreements with private enterprises (The committee is also of the opinion that generally speaking, the known tideland fields can be adequately exploited by means of directional drilling from the upland. This method of drilling, although recent in development, has progressed rapidly and has reached a point of efficiency and precision)

As a matter of general policy, the committee is aware of the fact that the State of California possesses in its tourist attractions one of its greatest assets and that the attractive beaches and beach resorts throughout the State are a source of considerable revenue to business interests in the State, in addition to being of inestimable pleasure and aesthetic value The State of California has recently expended upward to $6,000,000 in acquiring beaches for the people of the State. We can not overlook the fact that the people of the State have, on two occasions, expressed themselves against any policy of tideland drilling

The foregoing statement of the committee is its recommendation and opinion with regard to the general policy of the State in the future development of the tideland oil and gas resources However, the facts heretofore incorporated in this report show the existence of a peculiar situation in the Huntington Beach area lying west of 23d Street, namely, that this undeveloped portion of the field has littoral lands that are controlled by a combination of three oil companies, to wit: The Standard Oil Company of California, The Signal Oil and Gas Company, and the Hancock Oil Company This means that restricted drilling from the uplands would be entirely conducted by these companies

The committee feels that the problem of determining whether or not tideland drilling should be permitted in this area in order that there might be competition between producers is of such importance that the question should not be determined by this committee alone and it, therefore, is presenting in this report the facts as they appear in order that the Legislature of California may determine whether it desires to permit tideland drilling in this one restricted area, having in mind at all times, however, that it is the recommendation of the committee that as a matter of general policy no further tideland drilling should be permitted even though the Legislature in its wisdom should believe that such a course is proper in this one particular field.

4. SPECIFIC LEGISLATIVE RECOMMENDATIONS.

Thus, in brief, the committee recommends that Assembly Bill No. 465, and Assembly Bill No. 1684 be reported out of the committees, and that a bill be introduced to provide that the Surveyor General can call for competitive bidding for a lease in the Huntington Beach area or the Director of Finance submit the most favorable lease he can obtain to the Legislature for ratification, and that all these

be discussed upon the floor of the Assembly and the votes of the members, as representing the people of the State, be recorded.

JONES, Chairman.
FRAZIER.
ROSENTHAL.
PHILLIPS.
MINARD.

We do not believe that capacity production at Huntington Beach can be had by only directional drilling from the uplands.

JONES
ROSENTHAL.

Supplementary Report.

The undersigned members present this as their report supplementary to the report of the committee as a whole.

The undersigned members of the committee believe that the key to the problem of capacity production at the Huntington Beach oil pool, so that the State may receive the most in royalties, is by competitive drilling. This can only be accomplished by allowing tideland drilling at Huntington Beach. Such competitive drilling would save for the State many thousands of dollars which would otherwise be lost to it by drainage by upland drilling.

The undersigned members of the committee also feel that general legislation designed to permit an administrative agency of the State to negotiate for and enter into leases at Huntington Beach is not sufficient to meet the situation We believe that a question of such importance to the people of the State and involving State resources of such great value should be passed upon specifically by the Legislature and not left to the discretion of any State administrative agency.

We believe the most feasible method of doing this is to have the Legislature ratify or reject past agreements entered into between the State and persons now drilling into the tidelands as well as any future agreements that may be submitted to this Legislature

Respectfully submitted.

ROSENTHAL
JONES

Further Consideration of Assembly Bill No. 1, as Amended.

Assembly Bill No 1, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr Chatters:

Amendment No. 1.

On page 7, line 24, of the printed bill, as amended, strike out the period after the word "hotels", and insert the following: "nor to the newspaper publishing industry."

Amendment No. 2.

On page 3, line 2, of the printed bill, as amended, strike out all of said line after the word "may,", all of lines 3 to 9, inclusive, and in line 10, the words "public interest, and shall".

Motion.

Mr. Chatters moved that the amendments submitted by him be taken up separately.

Motion carried.

Consideration of Amendment No. 1.

The question being on the adoption of Amendment No. 1 submitted by Mr. Chatters.

Amendment No. 1.

On page 7, line 24, of the printed bill, as amended, strike out the period after the word "hotels", and insert the following: "nor to the newspaper publishing industry".

Request for Roll Call.

On request of Messrs. Jones, Hunt and Flint, the Speaker ordered a roll call taken on Amendment No 1 submitted by Mr. Chatters.

The roll was called, and Amendment No 1 was adopted by the following vote:

AYES—Breed, Burns, Cassidy Chatters, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Fisher, Frazier, Fulcher, Garibaldi, Hei-

singer, Kallam, Latham, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Peyser, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—39.

NOES—Boyle, Clark, Cottrell, Cronin, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, McCarthy, Patterson, Pelletier, Reaves, Richie, Rosenthal, and Wagner—26.

Request for Unanimous Consent.

Mr. Boyle asked for, and was granted, unanimous consent to take up Assembly Bill No. 1, as amended, at this time, without reference to reprint or file, and that same be considered re-re-re-engrossed.

Assembly Bill No. 1, as amended, read third time.

Consideration of Amendment No. 2.

During third reading of the bill, the following amendment was submitted by Mr. Chatters:

Amendment No. 2.

On page 3, line 2, of the printed bill, as amended, strike out all of said line after the word "may,"; all of lines 3 to 9, inclusive, and in line 10, the words "public interest, and shall."

Amendment refused adoption.

Assembly Bill No. 1, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. McCarthy:

Amendment No. 1.

On page 2, line 33, of the printed bill, as amended, after "thereof", insert the following: "or for public utilities as defined in the Public Utilities Act of this State".

Amendment No. 2.

On page 7 of the printed bill, as amended, strike out lines 26 to 30, inclusive.

The question being on the amendments submitted by Mr. McCarthy.

Motion for Call of the House.

Pending the announcement of the vote, Mr. McCarthy moved a call of the House.

Motion lost.

Request for Roll Call.

On request of Messrs. McCarthy, Reaves and Geyer, the Speaker ordered a roll call taken on the amendments submitted by Mr. McCarthy.

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Anderson, Boyle, Cassidy, Clark, Cottrell, Cronin, Crowley, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Laughlin, Lore, Martin, Mayo, McCarthy, Meehan, Miller, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Wagner, and Walker—31.

NOES—Breed, Burns, Chatters, Corwin, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Johnson, Jones, Kallam, Latham, Lyon, Maloney, McMurray, Minard, Morgan, Nielsen, O'Donnell, Peterson, Peyser, Phillips, Redwine, Robertson, Scudder, Stream, Thorp, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—42.

Assembly Bill No. 1, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Redwine:

Amendment No. 1.

On page 8 of the printed bill, as amended, at the end of line 37, insert the following.

"This act does not apply to the taking of birds, mammals, fish, mollusks or crustaceans nor to bag limits therefor, as to which matters the provisions of the Fish and Game Code shall govern."

The question being on the amendment submitted by Mr Redwine.

Request for Roll Call.

On request of Messrs. Hornblower, Boyle and Redwine, the Speaker ordered a roll call taken on the amendment submitted by Mr. Redwine.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Breed, Cottrell, Cunningham, Donahue, Evans, Herbert J., Field, Fisher, Frazier, Garibaldi, Heisinger, Johnson, Kallam, Latham, Martin, Miller, Minard, Redwine, Riley, Robertson, Scudder, Stream, Wallace, Wright, and Mr. Speaker—24.

NOES—Anderson, Boyle, Burns, Cassidy, Clark, Corwin, Crowley, Dawson, DeLap, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Laughlin, Lore, Maloney, Mayo, McBride, McMurray, Meehan, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Richie, Rosenthal, Thorp, Voigt, Wagner, Waters, and Weber—41.

Assembly Bill No. 1, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Jones:

Amendment No. 1.

On page 7, line 25, of the printed bill, as amended, following the word "industry", strike out the period, and insert in lieu thereof "so as to in any way infringe the right of freedom of the press as guaranteed by the Constitutions of this State and of the United States"

The question being on the amendment submitted by Mr. Jones.

Request for Roll Call.

On request of Messrs Chatters, Wallace and Jones, the Speaker ordered a roll call taken on the amendment submitted by Mr Jones.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Anderson, Boyle, Clark, Donahue, Evans, Ralph W., Flint, Geyer, Gilbert, Heisinger, Jones, Laughlin, Lore, Patterson, Pelletier, Richie, Rosenthal, Turner, Wagner, and Wallace—19.

NOES—Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hawkins, Hornblower, Hunt, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Peterson, Peyser, Phillips, Redwine, Robertson, Scudder, Stream, Thorp, Voigt, Walker, Waters, Weber, and Mr. Speaker—45.

Assembly Bill No. 1, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Wallace:

Amendment No. 1.

On page 7, line 33, of the printed bill, strike out the words "for any purpose", and strike out all of lines 34 to 39, inclusive.

Amendment No. 2.

On page 7, line 45, of the printed bill, strike out the words "affected thereby", and insert in lieu thereof the word "effective".

Motion.

Mr. Wallace moved that the Assembly vote on the amendments separately.

Motion carried.

Consideration of Amendment No. 1.

The question being on the adoption of Amendment No. 1, submitted by Mr. Wallace.

Amendment No. 1.

On page 7, line 33, of the printed bill, strike out the words "for any purpose", and strike out all of lines 34 to 39, inclusive.

Request for Roll Call.

On request of Messrs Wallace, Field and Boyle, the Speaker ordered a roll call taken on Amendment No. 1, submitted by Mr. Wallace.

The roll was called, and Amendment No. 1 was refused adoption by the following vote:

AYES—Cottrell, Cunningham, Evans, Herbert J., Field, Fisher, Garibaldi, Heisinger, Johnson, Kallam, Latham, Lyon, Minard, Peyser, Walker, Wallace, Waters, and Wright—17

NOES—Anderson, Boyle, Burns, Cassidy, Clark, Corwin, Crowley, Dawson, DeLap, Donnelly, Evans, Ralph W., Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Riley, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Weber, Williamson, and Mr. Speaker—47.

Consideration of Amendment No. 2.

The question being on the adoption of Amendment No. 2, submitted by Mr. Wallace.

Amendment No. 2.

On page 7, line 45, of the printed bill, strike out the words "affected thereby", and insert in lieu thereof the word "effective".

Request for Roll Call.

On request of Messrs Wallace, Boyle and Hornblower, the Speaker ordered a roll call taken on Amendment No. 2, submitted by Mr. Wallace.

The roll was called, and Amendment No. 2 was refused adoption by the following vote.

AYES—Breed, Cottrell, Cunningham, Donihue, Evans, Herbert J., Field, Heisinger, Johnson, Kallam, Latham, Minard, Riley, Stream, Wallace, and Waters—15.

NOES—Anderson, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Dawson, DeLap, Desmond, Donnelly, Evans, Ralph W., Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Robertson, Rosenthal, Voigt, Wagner, Weber, and Mr. Speaker—50.

Assembly Bill No. 1, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Cottrell:

Amendment No. 1.

On page 7, line 20, of the printed bill, after the period add the following:

"(b) That the term "truly representative" used herein shall be construed to mean at least two-thirds of the employers and two-thirds of the volume of business in any trade or industry or subdivision thereof, either industrial or geographical"

The question being on the amendment submitted by Mr. Cottrell.

Request for Roll Call.

On request of Messrs. Hornblower, Maloney and Dawson, the Speaker ordered a roll call taken on the amendment submitted by Mr. Cottrell.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Breed, Corwin, Cottrell, Cunningham, Field, Heisinger, Kallam, Latham, Minard, Peyser, Phillips, Richie, Scudder, Wallace, and Wright—15.

NOES—Anderson, Boyle, Burns, Cassidy, Clark, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Riley, Robertson, Rosenthal, Stream, Wagner, Weber, Williamson, and Mr. Speaker—50

Assembly Bill No 1, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Rosenthal:

Amendment No. 1.

On page 7, line 25, of the printed bill, as this day amended, following the word "industry", add the following: "except as provided in section 4 hereof".

The question being on the amendment submitted by Mr. Rosenthal.

Request for Roll Call.

On request of Messrs. Dawson, Williamson and Rosenthal, the Speaker ordered a roll call taken on the amendment submitted by Mr. Rosenthal.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Anderson, Boyle, Clark, Cottrell, Donihue, Evans, Ralph W., Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Laughlin, Lore, Maloney, McMurray, Meehan, Minard, Nielsen, Patterson, Pelletier, Peterson, Richie, Rosenthal, Voigt, Wagner, and Williamson—29.

NOES—Breed, Burns, Chatters, Corwin, Cunningham, Dawson, DeLap, Desmond, Evans, Herbert J., Field Fisher, Frazier, Garibaldi, Johnson, Latham, Lyon, Martin, Mayo, Miller, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Walker, Wallace, Weber, Wright, and Mr. Speaker—31.

Assembly Bill No. 1, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Field:

Amendment No. 1.

On page 8, line 39, of the printed bill, strike out the period, and add the following "and shall take effect upon the adoption of the extension of the 1933 National Industrial Recovery Act by Congress."

The question being on the amendment submitted by Mr. Field.

Request for Roll Call.

On request of Messrs. Dawson, Field and Hornblower, the Speaker ordered a roll call taken on the amendment submitted by Mr. Field.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Andreas, Boyle, Breed, Cottrell, Cunningham, DeLap, Evans, Herbert J., Field, Frazier, Garibaldi, Heisinger, Kallam, Latham, Lyon, Martin, Minard, Peyser, Redwine, Richie, Stream, Walker, Wallace, and Wright—23.

NOES—Anderson, Burns, Cassidy, Clark, Corwin, Crowley, Dawson, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, Mayo, McBride, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Riley, Rosenthal, Turner, Utt, Voigt, Wagner, Waters, Williamson, and Mr Speaker—46.

Assembly Bill No. 1, as amended, read third time.

Demand for Previous Question.

Messrs. McMurray, Dawson, Wagner, Lore and Pelletier demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

The roll was called.

Motion to Expunge Record.

Mr. Hornblower moved that the vote taken on Assembly Bill No. 1 be expunged from the record, and the action rescinded.

Motion carried.

Assembly Bill No. 1, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Williamson, and Mr. Speaker—62

NOES—Breed, Cottrell, Cunningham, Evans, Herbert J., Field, Frazier, Johnson, Latham, Lyon, Minard, Peyser, Redwine, Wallace, and Wright—14.

Title read and approved.

Bill ordered transmitted to the Senate.

Explanation of Vote.

I voted "Aye" on Assembly Bill No. 1 on the strength of its endorsement by labor, and on the ground that it has provisions purporting to strengthen labor organization; but I vote under protest because I know that the only ultimate answer to the collapse of capitalism must be the inauguration of socialism, and that any attempt to plan and regulate capitalism will ultimately be futile, not to say dangerous, as being the economic basis of Fascism.

PAUL A. RICHIE.

Statement of Vote.

Due to the fact that I had been called to the Governor's office at four o'clock p.m., to attend the signing of Assembly Bill No. 990, introduced by me, I was unable to be in the Assembly Chambers to vote on the final passage of Assembly Bill No. 1. Had I been present I would have voted "Aye" and desire the insertion of this statement to indicate my views on this measure.

MELVYN I. CRONIN.

Special Order.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Senate Bill No. 353.

Senate Bill No. 353—An act to establish legislative standards in relation to the rehabilitation of agriculture and the regulation of producers, packers, distributors, shippers, marketers, handlers, processors and others dealing in agriculture, viticultural and horticultural products and of any competing commodity or product thereof; to recognize, make effective and provide for the enforcement in this State of marketing agreements and licenses issued or prescribed by the Secretary of Agriculture of the United States under the National Agricultural Adjustment Act, being Public Act No. 10 of the Seventy-third Congress of the United States; to provide for the issuance, administration and enforcement of State marketing agreements and State licenses in connection therewith; to prescribe the powers, duties and jurisdiction of the State Director of Agriculture in relation thereto; to provide that said State and Federal marketing agreements and licenses shall be and establish standards of fair competition in this State; to suspend all antitrust and unfair competition laws of this State in conflict here-

with and therewith, to prescribe remedies, rights, duties and penalties with respect to violations hereof and thereof; to provide ways, means and moneys for the administration and enforcement of said State and Federal marketing agreements and licenses; to declare the existence of a State and National agricultural emergency and the urgency of this act and that this act shall take effect immediately.

Mr. Lyon moved to continue consideration of the special order until tomorrow morning.

Motion carried.

Special Order.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 915.

Assembly Bill No. 915—An act to amend sections 1 to 25 inclusive of, and add new sections to be numbered 18.1, 19.1, 22.5, 25.1, 27 and 28 to, and to repeal section 26 of an act entitled "An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission; prescribing the powers, duties and authority of said commission and the members thereof; providing for the institution of proration programs with respect to agricultural crops; providing for the enforcement of such programs, providing penalties for violation of such programs, providing for the creation of funds for the purposes of said act and providing for the collection thereof, approved June 5, 1933, relating to serving agricultural wealth, prevention of economic waste and providing for the Agricultural Prorate Commission.

Mr. Phillips moved to continue consideration of the special order until Wednesday morning, May 8.

Motion carried.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1935

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 1569—An act to amend section 4 of an act entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled 'An act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof,'" approved June 12, 1913, relating to schools of nursing,

Also: Assembly Bill No. 2427—An act to amend sections 1, 7, 8 and 9 of an act entitled "An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act; to provide for their appointment and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled 'An act to regulate the

practice of veterinary medicine and surgery in the State of California," approved March 23, 1893, and all other acts or parts of acts in conflict herewith," approved May 5, 1927, relating to practice of veterinary medicine;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

CRONIN, Chairman.

The above reported bills ordered on file for second reading

Also:

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 246—An act for the regulation and control of corporations organized for the purpose of operating nonprofit hospital service plans—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

CRONIN, Chairman

The above reported bill ordered on file for second reading.

On Elections.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1935.

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 774—An act to amend section 1197 of the Political Code, relating to election ballots—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

DAWSON, Chairman.

The above reported bill ordered on file for second reading.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 756—An act to amend section 865 of the Fish and Game Code, relating to nets, and declaring the urgency hereof,

Also, Assembly Bill No. 1204—An act to amend sections 2, 4 and 26 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities, providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations,'" approved May 18, 1917, as amended, relating to the DIVISION of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities, and declaring the measure an urgency measure within the meaning of section 1 of Article IV of the Constitution and providing accordingly for the act to take effect immediately;
And reports that the same have been correctly enrolled, and presented the same to the Governor on this seventh day of May, 1935, at two o'clock and thirty minutes p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 36—Approving a certain amendment to the charter of the city of Albany, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at an election held therein, April 22, 1935—and reports that the same has been correctly enrolled, and presented the same to the Governor on this seventh day of May, 1935, at two o'clock and thirty minutes p.m

WATERS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 767—An act to amend sections 2, 2½, 3, 4, 10, 13, 14, 18½ and 21, to add section 24, and to repeal sections 5 and 9 of the Old Age Security Act of the State of California, relating to aid to the aged;

Also, Assembly Bill No. 1289—An act to amend section 372 of the Vehicle Code, and to add thereto section 776.1, relating to motor vehicles;

Also, Assembly Bill No. 1803—An act to amend section 10 of an act entitled "An act to revise an act entitled 'An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling, or repairing upholstered furniture; and creating the upholstered furniture inspection fund,' approved May 9, 1927," approved

June 1, 1929, relating to the manufacture, sale, labeling and inspection of upholstered furniture;
And reports that the same have been correctly re-engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 289—An act to add section 1724 to the Code of Civil Procedure, relating to establishing the fact of death of a joint tenant;

Also: Assembly Bill No. 651—An act to amend an act entitled "An act providing for the sale of street railroad and other franchises in counties and municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting acts," approved March 22, 1905, as amended, by amending section 3 of said act, relating to franchises;

Also: Assembly Bill No. 919—An act to amend section 1261 of Chapter 6, Division VI, of the Agricultural Code, relating to produce dealers;

Also: Assembly Bill No. 937—An act to amend section 400 of the Vehicle Code, relating to liability of State and governmental agencies arising out of ownership of motor vehicles;

Also: Assembly Bill No. 957—An act to amend section 24 of the State Bar Act, approved March 31, 1927, as amended, relating to admission to practice law;

Also: Assembly Bill No. 1010—An act to amend sections 1, 2, 3, 4 and 5 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulation, to provide rules regulating the proper sanitation of canneries, under the State Board of Health," approved May 23, 1925, as amended relating to the inspection of canneries, the State Board of Public Health and to the power and duties thereof;
And reports that the same have been correctly engrossed

WATERS, Chairman

The above reported bills ordered on file for third reading

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1222—An act for the prevention of the manufacture, advertising, sale or transportation of adulterated, mislabeled or misbranded cosmetics, regulating the traffic in cosmetics and providing penalties for the violation thereof;

Also: Assembly Bill No. 1757—An act to add section 50a to the Public Utilities Act to prevent the use of the dial system of obtaining telephone connections by any telephone company in California;

Also: Assembly Bill No. 1769—An act to amend sections 1, 14, 18 and 41 of the "California Water District Act," approved June 13, 1913, relating to water districts, the purposes and administration thereof, to take effect immediately and declaring the urgency thereof;

Also: Assembly Bill No. 1952—An act to amend section 810 of the Agricultural Code, relating to artichoke standards;

Also: Assembly Bill No. 2120—An act to add a new section to be numbered section 29¼ to the Public Utilities Act, approved April 23, 1915, relating to reports of salaries and expenses of officers and employees of public utilities, and determination of rates;

Also: Assembly Bill No. 2134—An act to amend section 6.2 of the School Code, relating to school property;

Also: Assembly Bill No. 2178—An act to add section 638 to the Streets and Highways Code, establishing a secondary State highway;

Also: Assembly Bill No. 2180—An act to amend section 17 of the Public Utilities Act, relating to discrimination in relation to transportation by common carriers;
And reports that the same have been correctly engrossed

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2188—An act to add sections 21 and 22 to and to amend section 23 of "An act to allow unincorporated towns and villages to establish, equip and maintain a police department, to provide for the formation, government and operation of said police districts, the assessment, collection and custody and disbursement of taxes, for such purpose, and to create a board of police commissioners," approved April 26, 1927, relating to the allowing of police commissioners to create ordinances governing local conditions and provide for the enforcement of such ordinances;

Also: Assembly Bill No. 2242—An act to add section 3832 to the Political Code, to require the payment of personal property taxes by the insurer on property

destroyed by fire after twelve o'clock meridian on the first Monday in March of each year;
And reports that the same have been correctly engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 7, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 232—An act to amend section 2.93 of the School Code, relating to the qualifications of county, city and district superintendents of schools and deputy and assistant county, city and district superintendents of schools.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Free Conference on Senate Concurrent Resolution No. 10—*Resolved, by the Senate of the State of California, the Assembly concurring,* That the following be, and the same are hereby adopted as the Joint Rules of the Senate and Assembly of the State of California for the fifty-first session of the Legislature—the following Senators: Seawell, Pierovich, and Difani, to meet with a like committee from your honorable body.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to Senate Bill No. 472—An act to amend the Insurance Code by amending Article 14 of Chapter 1 of Part 2 of Division 1 thereof, relating to proceedings against insolvent insurers—and requests that your honorable body recede therefrom.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 472 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 37—Relative to adjournment out of respect to the memory of the late Monsignor John Rogers.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Concurrent Resolution No. 37 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 11—Relative to the disposition of revenues received from the lease of marginal lands in the Tule Lake division of the Klamath Project.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Joint Resolution No. 11 read first time, and referred to Committee on Federal Relations.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 2436—An act giving and granting to the council of the city of San Diego the right to use and the right to

authorize the use of Balboa Park in said city for exposition purposes, and declaring the urgency thereof.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 2436 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to section 1 of Article IV of the Constitution of said State, relating to amendments to initiative acts and initiative constitutional amendments.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Senate Constitutional Amendment No. 8 read first time, and referred to Committee on Constitutional Amendments.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 470—An act to repeal Chapter 9 of Part 2 of Division 2 of the Insurance Code, and to add a new Chapter 9, comprising sections 10810 to 10940, inclusive, to Part 2 of Division 2 of the Insurance Code, relating to insurers transacting life and disability insurance on the stipulated premium plan with provision for assessment.

Also: Senate Bill No. 437—An act to amend section 618 of the Fish and Game Code, relating to trout,

Also: Senate Bill No. 634—An act to amend section 23 of the District Investigation Act of 1933, relating to exemptions, declaring the urgency hereof and providing that this act shall take effect immediately;

Also: Senate Bill No. 670—An act to amend the Insurance Code by repealing Chapter 8 of Part 2 of Division 2 thereof and adding a new Chapter 8 to Part 2 of Division 2, thereof, comprising sections 10640 to 10880, inclusive, and by repealing section 1700 thereof, all relating to life insurance principals, practice and business, and matters incidental thereto by mutual benefit life associations;

Also: Senate Bill No. 913—An act to amend section 459 of the Fish and Game Code, as added by Chapter 374, Statutes of 1933, and to renumber said section to be section 460, relating to the transportation of fish and game into this State.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 470 read first time, and referred to Committee on Insurance.

Senate Bill No. 437 read first time, and referred to Committee on Fish and Game

Senate Bill No. 634 read first time, and referred to Committee on Governmental Efficiency and Economy

Senate Bill No 670 read first time, and referred to Committee on Insurance.

Senate Bill No 913 read first time, and referred to Committee on Fish and Game.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 275—An act to amend section 426 of the Code of Civil Procedure, relating to complaints in civil actions;

Also: Senate Bill No. 875—An act to carry into effect the provisions of section 22 of Article XX of the Constitution of the State of California as added at the general election held on November 6, 1934, relating to the business of loaning money on pledges of personal property known as pawnbroking, and providing penalties for the violation hereof;

Also: Senate Bill No. 1078—An act to amend sections 1 and 2 of an act entitled "An act to require tax clearance by assessors and the State Controller as a prerequisite for the registration by the Motor Vehicle Department," approved May 15, 1933, relating to taxes on motor vehicles;

Also: Senate Bill No. 116—An act to amend section 1125 of the Code of Civil Procedure, relating to costs in election contests

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 275 read first time, and referred to Committee on Judiciary.

Senate Bill No. 875 read first time, and referred to Committee on Financial Institutions.

Senate Bill No. 1078 read first time, and referred to Committee on Motor Vehicles.

Senate Bill No. 116 read first time, and referred to Committee on Elections.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Weber:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add sections 21, 22, 23, 24 and 25 to, and to repeal sections 15 and 16 of, the Planning Act, relating to State, regional, county, and city planning.

WEBER.

Referred to Committee on Introduction of Bills.

Motion to Withdraw Senate Bill No. 143.

Mr. Patterson moved that Senate Bill No. 143 be withdrawn from Committee on Ways and Means, and placed on file for second reading.

The question being on the motion by Mr. Patterson to withdraw Senate Bill No. 143 from Committee on Ways and Means and placed on file for second reading.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Cassidy, Chatters, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Fisher, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Williamson, and Mr. Speaker—43

NOES—Breed, Evans, Herbert J., Field, Johnson, Lyon, Minard, and Morgan—7.

Senate Bill No. 143 ordered withdrawn from Committee on Ways and Means and placed on file for second reading.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1935.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to add sections 21, 22, 23, 24 and 25 to, and to repeal sections 15 and 16 of, the Planning Act, relating to State, regional, county, and city planning.

CUNNINGHAM, Chairman.

Report of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Horn-

blower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—66.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

By Mr. Kallam. Assembly Constitutional Amendment No 82—Proposed amendment to Article XI, section 12, and Article XIII, section 1, of the Constitution, relative to taxation

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Weber Assembly Bill No. 2438—An act to add sections 21, 22, 23, 24, and 25 to, and to repeal sections 15 and 16 of, the Planning Act, relating to State, regional, county and city planning.

Bill read first time, and referred to Committee on County Government.

Resolution.

The following resolution was offered:

By Mr. McBride:

Resolution.

WHEREAS, The seventh day of May, 1935, is the fourteenth anniversary of the wedding of our esteemed little man, the Honorable James B Utt; and

WHEREAS, It is a recognized and accepted rule of married life that the first 100 years are the hardest; and

WHEREAS, Our esteemed little fellow-member, the Honorable James B Utt, gives all external evidence of having completed a successful fourteen years of married life; now, therefore, be it

Resolved, That this Assembly hereby congratulate Mrs Utt for having drawn such a wonderful prize in the grab bag of love; and be it further

Resolved, That we wish this darling couple continued joy and happiness and many added years of happy married life

Resolution read, and adopted unanimously.

Special Order Set for Senate Bill No. 329.

On motion of Mr Minard, the consideration of Senate Bill No. 329 was made a special order for Wednesday, May 8, 1935, at ten o'clock and fifteen minutes a.m.

Special Order Set for Assembly Bill No. 944.

On motion of Mr Gilmore, the consideration of Assembly Bill No. 944 was made a special order for Wednesday, May 8, 1935, at ten o'clock and sixteen minutes a m.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1348—An act to amend section 690 10 of the Political Code, relating to rights in and upon swamp, overflowed, marsh, tide and submerged lands.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 18, of the printed bill, as amended, after the word "thereof", add the following: ", or, if by the provisions of any charter of a city, city and county, or county, such municipality or county has been vested with the powers and duties

to develop, improve and control the waterfront of such municipality or county for the accommodation and promotion of commerce and navigation,".

Amendment No. 2.

On page 2, line 42, of the printed bill, as amended, after the words "water mark", add the following: ", or other boundary,".

Amendment No. 3.

On page 2, line 45, of the printed bill, as amended, after the words "high water mark", add the following: ", or other boundary,".

Amendment No. 4.

On page 4, line 14, of the printed bill, as amended, after the word "may", add the following: "in connection with the structures mentioned in this section, or otherwise,".

Amendment No. 5.

On page 4, line 19, of the printed bill, as amended, after the figure "(7)", strike out the word "The", and add in lieu thereof the following: "Notwithstanding anything in this section contained, the".

Amendment No. 6.

On page 4 of the printed bill, as amended, at the beginning of line 27, add the following: "(8)".

Amendment No. 7.

On page 4 of the printed bill, as amended, after line 32, add the following paragraph:

"(9) Where any of the powers herein mentioned can not be exercise by the Department of Finance in any municipality, political subdivision or district, then the authority having jurisdiction shall exercise the same in its own name, or as agent of the State, as the case may be"

Amendments adopted

Bill read second time, ordered to reprint, re-engrossment, and third reading

Motion to Print Assembly Bill No. 1348.

Mr Desmond moved that the Chief Clerk be instructed to place a rush order on the printing of Assembly Bill No. 1348, as amended.

Motion carried.

Adjournment.

At four o'clock and twenty minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until nine o'clock a m, Wednesday, May 8, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, May 8, 1935.

At nine o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt,

Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—80.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Lyon, its further reading was dispensed with.

Privilege of Floor of Assembly Extended.

On request of Mr. Breed, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Messrs. Ezra W. Decoto of San Francisco and Sterling Carr of Oakland.

On request of Mr. Gilbert, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. Homer Davis of Genoa, Nebraska; and Miss Laura Davis of Lodi, California.

On request of Mr. Donihue, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. W. Henry Metcalf of San Francisco.

On request of Mr. Scudder, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the teacher and pupils of the Huichica School, Sonoma, as follows: Mrs. Audry Hendry, teacher; Margaret Rhode, Sirio Ceampi, Talbert Bean, Hugo Meneghetti, Frank La Torres, Frank Bacher, John Rubke, Billy Rhode, Alfred Bacher, Loren Vernon, and Charles Groskopf, pupils; and Mrs C. C. Bean, Vivian Bean, and Mr. and Mrs. Charles Groskopf.

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the teacher and pupils of the Suisun District School, Suisun, California, as follows: Martha Hawley, teacher; Mary Armstrong, Margaret De Tar, Marian Figari, Ralph Figari, Margaret Glashoff, Barbara Macy, Frances Mason, Tadashi Nakamura, Arthur Nishimura, Eichii Nishimura, Charles Ridenhour, Kenneth Roberts, Martha Roberts, Jane Stewart, Robert Thomas, and Joe Otsuki, pupils.

On request of Mr. Nielsen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the principal, teacher and pupils of the Carmichael School, Carmichael, California, as follows: Mrs. Frances Millsap, teacher; Mr. R. E. Denlay, principal; William Arend, Bernice Bennetts, Gladys Brien, Clyde Brien, Enid Bolles, Naomi Bernard, Madge Call, Junior Clark, Ester Dewey, Earl Donald, Lucille Eckles, Stanley Horton, Jean McChesney, Richard Pefley, Bert Quimby, Evelyn Ricketts, Jerome Stenick, Kathleen Shook, Eugene Tarvis, Sammie Walke, Kaare Winji, Barbara Yarnell, Kathleen Cook, May Vawter, Catherine Gilman, Norman Cole.

Maniko Harada, Freda Cohen, Betty Shutler, Kay Crandall, Claude Cochrane, Victor Paganucci, Cordon Robinson, Clare Nurse, Catherine Gospodnetich, Gloria Stark, Mary Peters, Joan Kibbey, Del Brown, Warren Long, Hugo Rettig, Louise Eastman, Kathryn Ann Gilmore, Ralph Ketels, Bert Kole, Clarence Brekke, Johnnie Cavanaugh, Jeanette Holsinger, Dorothy Robinson, Harold Robinson, John Watson, Jimmie Rettig, Ernest Kattenhorn, Rose Williams, and Marlowe Holman, pupils.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From E Dusenberry, County Clerk, Fresno, favoring passage of Senate Bill No. 552.

From F. J. McConnel, demanding repeal of Criminal Syndicalism Law.

Communications.

The following communications were received, and ordered printed in the Journal:

By Mr. Lyon:

LOS ANGELES, CALIFORNIA, May 8, 1935.

Assemblyman Charles W. Lyon and Members State Assembly of Los Angeles County, State Capitol.

As citizens of California and representatives of all humane thinking people we implore you and all other members of the State Assembly to do your best and pass Humane Pound Bill, Assembly Bill No. 2401. Read this telegram to Assembly.

ALICE BRADY.
ALLAN CROSLAND.
J. FARRELL MacDONALD.
ALLEN MOWBRAY.
WARREN WILLIAM.

By Chief Clerk:

RAILROAD COMMISSION OF THE STATE OF CALIFORNIA,
SAN FRANCISCO, CALIFORNIA, May 6, 1935.

Mr. Arthur A. Ohnimus, Clerk,
Assembly, California Legislature.
Sacramento, California

DEAR SIR: In our letter of March 5th, submitting to you two copies of a report showing the names of officers and employees of public utility corporations who during 1934 received a salary of $5,000 or more, and certain other data, we called your attention to the fact that a few companies had not yet filed their reports with us, and that as soon as we received them, we would submit to you a supplemental.

We are enclosing herewith reports for the following companies—

Bay Cities Transit Company,
Encinal Terminals,
National Ice and Cold Storage Company of California,
Nelson Steamship Company,
Pacific Coast Terminal Warehouse Co.,
River Auto Stage,
Sacramento River Warehouse Company,
San Francisco Warehouse Company,
Sierra Railway Company of California, Charles H Segerstrom, receiver,
The Southern Sierras Power Company,
C. C. Stafford Milling & Warehouse Co., Inc.,
United Parcel Service of Los Angeles, Inc.,
The Western Union Telegraph Company (Pacific Division).

The reports enclosed herewith were received by us subsequent to March 5th.

Yours truly,

RAILROAD COMMISSION STATE OF CALIFORNIA,
By H. G MATHEWSON, Secretary.

(Enclosure.)

ASSISTANT CLERK OLIVER READING.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 916—An act to add section 15a to "The California Agricultural Adjustment Act of 1935," relating to ways, means, and moneys, and providing and appropriating moneys, for the administration and enforcement thereof and of State and Federal marketing agreements and licenses and the regulation of producers,

packers, distributors, shippers, marketers, handlers, processors, and others dealing in agricultural, viticultural, horticultural, animal, and poultry products and of any competing commodity or product thereof thereunder, and under the legislative standards in relating to the rehabilitation of agriculture therein specified, and declaring the existence of a State and National agricultural emergency and the urgency of this act and that this act shall take effect immediately;

Also: Assembly Bill No. 1288—An act to amend the title of and the entire act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to a fee or tax for the transportation of persons or property;

Also: Assembly Bill No. 1294—An act to amend section 515 of the Vehicle Code, relating to motor vehicles;

Also: Assembly Bill No. 1295—An act to amend sections 702, 703, 704 and 705 of the Vehicle Code, relating to motor vehicles;

Also: Assembly Bill No. 1339—An act to add a new division to the Vehicle Code, to be numbered IXa, relating to vehicular crossings constructed or owned by the State, the control and policing thereof, and the regulation of traffic thereon;

And reports that the same have been correctly engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1502—An act to amend section 9 of and to add section 23.5 to the Public Utilities Act, relating to public utilities,

Also: Assembly Bill No. 1917—An act making an appropriation to improve the State park at Alamitos Bay;

Also: Assembly Bill No. 2291—An act to add sections 34.5, 50, 51, 52, 144, 154.5, 157.5, 179.5, 370.5, 595.5, 600.5, 603 and 681 to the Vehicle Code, and to amend sections 141, 148, 159, and 632 thereof, relating to the transportation of certain inflammable liquids over highways within the State of California;

Also: Assembly Bill No. 2350—An act validating the formation, organization, existence or proceedings of the Central San Joaquin and Southern San Joaquin Municipal Utility District;

Also: Assembly Bill No. 1281—An act to amend sections 4, 6, 13, 14, 20 and 21 of, and to add a new section to be numbered 5a to, an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State Laboratory for Foods, Liquors and Drugs and making an appropriation therefor," approved March 11, 1907, as amended, relating to adulteration, mislabeling, misbranding, false advertising and sale of food and the powers of the State Board of Health in relation thereto;

And reports that the same has been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1935

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1974—An act to amend section 11 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation, and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts in cities or cities and counties of the second and three-fourths class—and reports that the same has been correctly engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 739—An act to amend sections 1701 and 1702 of the Streets and Highways Code, to define "maintenance" as including illumination;

Also: Assembly Bill No. 740—An act to amend sections 27, 183, 186, 190, 191, 193, 196 and 1622 of the Streets and Highways Code, relating to the allocation

and expenditure of highway funds and the construction, improvement, and maintenance of highways;
And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1935.

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2019—An act to amend section 2289 of the Political Code, relating to State aid to indigent orphans—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COTTRELL, Chairman

The above reported bill ordered on file for second reading.

Second Reading of Assembly Bills.

Assembly Constitutional Amendment No. 67—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding a new article thereto to be numbered Article XXVI, providing for a State police.

Committee Amendments.

During reading of Assembly Constitutional Amendment No. 67, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 25, of the printed measure, after "removal", strike out the period, and add the following "and shall have the power to remove him of its own motion by a two-thirds vote."

Amendment No. 2.

On page 2 of the printed measure, between the lines 3 and 4, insert the following paragraph

"Sec. 3a. The State police shall not be used or called upon for service in any industrial (labor) dispute, unless actual violence or property damage has occurred therein, or there exists reasonable grounds to believe that such actual violence or damage to property is threatened, and then only by order of the Governor. Where any such dispute occurs within a municipality, whether or not such municipality is under contract with the State, as provided for in section 6 of this act, then any such order made by the Governor, or the person acting in his place, shall be effective only when requested by the mayor or chief executive officer of such municipality. Provided, however, nothing herein contained shall prevent the State police from performing such duties as are connected with and a part of State police duties as defined by the Legislature."

Amendments adopted.

Assembly Constitutional Amendment No. 67 ordered to reprint, engrossment, and on file for adoption.

Assembly Bill No. 2419—An act to amend section 1197a of the Political Code, relating to preparation of titles and summaries of the chief purposes and points of proposed initiative measures.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1782—An act to amend sections 1142 and 1257a of the Political Code, relating to the elections and the canvass and counting of the ballots cast at elections.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 1259—An act to amend the title of and add a new section to "An act to provide for the creation of a board of parole commissioners for each county in this State, for the paroling of prisoners confined in county jails, and authorizing and empowering such

boards to make rules and regulations in relation thereto," approved March 25, 1909, as amended, relating to the unconditional release by the county board of parole commissioners of alien prisoners who consent to return or to be returned to their native country and providing for the payment of the expenses of such return by counties

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No 40—An act to amend section 407 of the Code of Civil Procedure, relating to summons.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 904—An act to amend section 600 of the Probate Code, relating to inventory and appraisement of estates.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 2426—An act to amend section 1326 of the Penal Code, relating to the issuing and signing of subpenas for the attendance of witnesses in criminal prosecutions.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 924—An act to amend sections 781, 783, 784, 785, 787, 788, and 822 and to add sections 784.1, 784 2, 784.3, 784.4, 784.5 and 784.6 to the Agricultural Code, relating to fruits, nuts and vegetables.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No 925—An act to amend section 830 5 of the Agricultural Code, relating to transportation of fruits, nuts and vegetables.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 2433—An act to provide for the administration of highway work for or in cooperation with the United States by the State of California, amending the Streets and Highways Code in accordance therewith, and declaring the urgency thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2425—An act to add a new section to the Political Code, to be numbered 363m, relating to the Division of Water Resources revolving fund.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2403—An act to amend sections 737j and 737bbb of the Political Code, relating to salaries of superior court judges.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 2395—An act to provide for the compilation, printing, binding, publishing, and distribution of a Legislative Manual and State Blue Book, or Roster, repealing all conflicting acts and making an appropriation to carry out the provisions hereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 794—An act to amend sections 5 802, 5.804, 5.890, 5.894, 5.900, 5.901, 5.904, 5.910, 5 911, 5.921, 5.962, 5.970, 5.980, 5.990, 5.993, 5.1003, 5.1004, 5.1009, 5.1023, 5.1030, 5 1031, 5.1032, 5.1040, 5.1041, 5.1047, 5.1048, 5.1060, 5.1061, 5.1062, 5 1080 and 5.1083 of the School Code; to amend the titles of Chapter III, of Articles IV, V and

VII of Chapter III, of Chapter VI, of Articles II, III and V of Chapter VI, all of Part IV of Division V of said code; to repeal sections 5.1042 to 5.1046, both inclusive, of said code and to repeal Article IV of Chapter VI of Part IV of Division V of said code; to add six new sections to said code to be numbered 5.971, 5.972, 5.981, 5 1004½, 5.1010 and 5.1111 and to add Chapter III of Part IV of Division V of said code a new article to be known as Article VIII; to add to Chapter V of Part IV of Division V of said code a new article to be known as Article V; and to add to Chapter VI of Part IV of Division V of said code a new article to be known as Article IV, all relating to the payment of retirement salaries and retirement annuities to persons serving the State, counties and school districts in positions having to do with teaching or other employment in, and/or the superintending, administration and supervision of colleges, schools, and classes maintained by the State and/or the school districts thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1376—An act to amend section 3816 of the Political Code, relating to distribution of moneys received on account of redemption or purchase of lands sold to the State for nonpayment of taxes.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1550—An act to add section 32a to "An act creating a State Land Settlement Board, and defining its powers and duties, and making an appropriation in aid of its operations," approved June 1, 1917, as amended, and to ratify and confirm certain acts of the Director of Finance with respect to the disposition of properties at the Delhi State Land Settlement and Durham State Land Settlement.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 994—An act to amend section 690.10 of the Political Code, relating to the right to construct and maintain structures for highway purposes on or partly on ungranted swamp, overflowed, marsh, tide or submerged lands of the State of California.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the words and figures "amend section 690.10 of", and insert in lieu thereof the following: "add section 690.11 to".

Amendment No. 2.

Strike out all of line 2 of the title of the printed bill.

Amendment No. 3.

On page 1, line 3 of the title of the printed bill, strike out the following: "way purposes on or partly on ungranted", and insert in lieu thereof the following: "to the disposition of fees received under the provisions of section 690.10 of the Political Code relating to the construction, alteration or maintenance of groins, jetties, seawalls, breakwaters, and/or bulkheads upon, across, or over any of the".

Amendment No. 4.

Strike out all of lines 1 and 2 of the printed bill, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the Political Code to be numbered 690.11 and to read as follows:

690.11. All fees collected under section 690.10 of this code shall be remitted monthly to the State treasury, and credited by the State Controller to the current appropriation for the support of the Department of Finance."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 455—An act to amend section 1305 of the Penal Code, to require certain entries in court minutes relating to bail, and to amend sections 1281a and 1310 of the Penal Code, and to add thereto a new section to be designated 1280c, authorizing the court, judge or magistrate to inquire into the financial condition of a corporation offering a bond as bail and to approve or reject said bond.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 5, of the printed bill, after the word "judge", strike out the comma and add the word "or".

Amendment No. 2.

On page 2, line 5, of the printed bill, after the word "magistrate", strike out the comma and the following: "officer, board or", and in line 6 the words "other person".

Amendment No. 3.

On page 2, line 12, of the printed bill, after the word "judge", strike out the comma and add the word "or".

Amendment No. 4.

On page 2, line 12, of the printed bill, after the word "magistrate", strike out the comma, and also strike out the following. "officer, board or", and in line 13, strike out the words "other person".

Amendment No. 5.

On page 2, line 18, of the printed bill, after the word 'judge", strike out the comma, and add the word "or", and after the word "magistrate", in the same line, strike out the comma and the following: "officer, board or other person,".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1349—An act to amend section 817 of the Penal Code, relating to peace officers.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out line 13, and insert in lieu thereof the following: "The architectural investigators or assistant architectural investigators, not exceeding".

Amendment No. 2.

On page 1, line 15, of the printed bill, strike out the period in said line, and insert in lieu thereof the following. ", whether active or honorably retired or pensioned either by length of service or for disability received in line of duty."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1216—An act to amend section 818 of the Agricultural Code, relating to potatoes.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 22, of the printed bill, after the word "similar", insert the word "superlative".

Amendment adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 2430—An act to make an appropriation to pay the claim of the chief accounting officer of the State Department of Public Health against the State of California.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 1, of section 1, after the word "dollars", insert the following: "or so much thereof as may be necessary".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 487—An act to amend section 692 of the Code of Civil Procedure, relating to sales of property under execution or under power contained in a deed of trust.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, between "of", and "The", insert the following: ", and to add a new section to be numbered 692a to".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 18 to 25, inclusive, and on page 2, strike out lines 1 to 3, inclusive, and insert in lieu thereof the following: "days."

Amendment No. 3.

On page 2, line 5, of the printed bill, as amended, strike out "for twenty days", and insert in lieu thereof the following: "at least twenty days before date of sale".

Amendment No. 4.

On page 2 of the printed bill, as amended, immediately following the end of line 9, insert the following: "in".

Amendment No. 5.

On page 2, line 14, of the printed bill, as amended, after "property", insert the following: "or some part thereof".

Amendment No. 6.

On page 2, line 16, of the printed bill, as amended, strike out "the", and insert in lieu thereof the following: "a".

Amendment No. 7.

On page 2 of the printed bill, as amended, strike out lines 21 to 25, inclusive, and insert in lieu thereof the following: "at least twenty days before date of sale."

Amendment No. 8.

On page 2 of the printed bill, following line 30, insert the following:

"SEC. 2. A new section to be numbered 692a is hereby added to the act cited in the title hereof, to read as follows:

692a. In any case in which a judgment has been entered as provided in section 668 of the Code of Civil Procedure, any person may file with the clerk a written request that he be given notice by mailing of any sale under any execution

issued upon said judgment. In any such request such person shall specify the title of the court, case and number of the action in which such judgment was rendered and the date of entry thereof and shall give the address to which he desires such notice of execution sale to be mailed. Whenever a writ of execution is thereafter issued upon such judgment, it shall be the duty of the clerk to note upon such writ the fact that notice by mailing has been requested and the name and address of such person as set forth in such request. It shall be the duty of any officer conducting a sale under any writ of execution upon which appears such notation to mail a copy of the notice of time and place of sale to such person at the address noted upon the writ. The copy of the notice shall be mailed at the time notice is posted pursuant to section 692 of the Code of Civil Procedure."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 943—An act to amend section 688 of the Political Code, relating to claims against the State of California.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out the period, and insert in lieu thereof the following: "in respect to damages inflicted by vehicles"

Amendment No. 2.

On page 1, line 4, of the printed bill, after "on", insert the following: "express".

Amendment No. 3.

On page 1, line 13, of the printed bill, after the period, insert the following "In the case of claims arising out of the operation of section 400 of the Vehicle Code, no suit may be maintained under this section unless such claim be presented to the State Board of Control in accordance with the provisions of section 667 of this code within six months after such claim first arises or accrues, and unless such a suit is brought within the time prescribed by the Code of Civil Procedure within which such a suit may be brought."

Amendment No. 4.

On page 1, line 14, of the printed bill, immediately before "unless", insert the following: "on a claim not arising out of the operation of section 400 of the Vehicle Code".

Amendment No. 5.

On page 1, line 20, of the printed bill, after "that,", insert the following: "except in the case of claim arising out of the provisions of section 400 of the Vehicle Code,".

Amendment No. 6.

On page 1, line 22, of the printed bill, strike out ", but the", and insert in lieu thereof a period and the following: "In the case of claims arising out of the operation of the provisions of section 400 of the Vehicle Code, no suit may be maintained on any portion of the claim, but if the amount allowed is not accepted in full settlement of the claim and suit is brought, it shall be brought on the entire claim and the allowance, as to any amount thereof shall, upon suit being brought, become ineffective. The".

Amendment No. 7.

On page 2, line 27, of the printed bill, after "judgments", insert the following: "upon claims not arising out of the provisions of section 400 of the Vehicle Code".

Amendment No. 8.

On page 2 of the printed bill, between lines 28 and 29, insert the following "It shall be the duty of the Controller to draw his warrant for the payment of any judgment upon a claim arising out of the provisions of section 400 of the Vehicle Code for the payment thereof, without any presentation to, or approval of such claim by, the State Board of Control, such warrant being drawn upon the moneys appropriated by the Legislature or collected from special funds of the State for the payment of claims arising out of the liability of the State under that section of the Vehicle Code."

Amendment No. 9.

On page 2 of the printed bill, after line 35, add the following: "Whenever the Board of Control allows any claim or part thereof arising out of the provisions of section 400 of the Vehicle Code, upon presentation of documents in such form as

the Board of Control prescribes, the effect of the execution of which by the claimant will be to discharge the State of all liability under such claim, such claim so allowed shall be paid by the Director of Finance out of the moneys in the State treasury appropriated or collected for the purpose of payment of such claims."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2072—An act declaring Wilshire Boulevard in the city of Los Angeles to be a secondary State highway and providing for the establishment and maintenance of a park along a portion of the length of said highway.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

Strike out line 1 of the title of the printed bill, and in line 2, strike out "Angeles", and insert in lieu thereof the following: "An act to add section 638 to the Streets and Highways Code, declaring Wilshire Boulevard from Grand Avenue in the city of Los Angeles to Ocean Avenue in the city of Santa Monica".

Amendment No. 2.

On page 1, line 1, of the printed bill, after the period, insert the following: "Section 638 is hereby added to the Streets and Highways Code, to read as follows

638. There is hereby added to the State highway system a new route or portion of route comprising Wilshire Boulevard from Grand Avenue in the city of Los Angeles to Ocean Avenue in the city of Santa Monica, and all portions thereof lying in the cities of Los Angeles, Beverly Hills and Santa Monica, and in the National Soldiers Home, Pacific Branch

The department is authorized and directed to acquire the real property or interests therein necessary for the purpose of establishing a park along both sides of Wilshire Boulevard between Bronson Avenue and Highland Avenue, and to maintain and improve said park, and said department is required to give said project a preferential classification and to proceed with said acquisition, maintenance and management before going ahead with other highway work in the county of Los Angeles. For the purposes designated in this section the department may use any State highway fund money which is allocated to and available for expenditure upon secondary State highways in county group number two"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1831—An act relating to the control of traffic upon the public highways of the State of California, whether situated within unincorporated or incorporated territory.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "act", insert the following: "to add section 586.5 to the Vehicle Code,".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 and 2, and insert in lieu thereof the following:

"SECTION 1. Section 586.5 is hereby added to the Vehicle Code to read as follows:

586.5. Every motor vehicle used in the business of towing or otherwise rendering assistance to other vehicles shall at all times be equipped with at least two warning signals.

Such signals shall be of a uniform type prescribed by the department and shall be so designed as to be visible both day and night.

The operator of a motor vehicle used for the purpose of rendering assistance to other vehicles shall, when the rendering of assistance necessitates the obstruction

of any portion of the highway, place warning signals on the highway in such a manner as the department may prescribe.

The owner or operator of any vehicle equipped with the signals prescribed in this section and which displays the same in the manner designated by the department is not guilty of stopping on a highway in violation of provisions of this code."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1539—An act to amend sections 23 and 24 of, and to add section 18b to, that certain act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to leasing of State lands, for the purpose of taking minerals from, and the leasing for the prospecting for, or extraction, mining, capture or acquisition of oil, gas and other hydrocarbon substances on, in, within or from lands belonging to this State or over which this State has or claims or asserts any jurisdiction.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 3, line 45, of the printed bill, after the word "made", insert the word "save".

Amendment adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No 1569—An act to amend section 4 of an act entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled "An act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof," approved June 12, 1913, relating to schools of nursing.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2427—An act to amend sections 1, 7, 8 and 9 of an act entitled "An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of

this act; to provide for their appointment and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, and all other acts or parts of acts in conflict herewith," approved May 5, 1927, relating to practice of veterinary medicine.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 774—An act to amend section 1197 of the Political Code, relating to election ballots.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 6 of the printed bill, between lines 12 and 13, insert the following: "All of the provisions of this section relating to the form and size of ballot, including the size of the type thereon, are mandatory. Any officer whose duty it is to supply such ballots who fails to supply ballots in compliance with such provisions shall be guilty of a misdemeanor"

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 246—An act for the regulation and control of corporations organized for the purpose of operating nonprofit hospital service plans.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 17, of the printed bill, after the word "health", insert a new paragraph, as follows:

"SEC. 1-a. "Hospital care" as used in this act may include any or all of the following services: maintenance and care in hospital, the use of the physical equipment and materials and technical services, other than by a physician or dentist, of X-ray, clinical and other laboratories of hospitals, nursing care, drugs, medicines, physiotherapy, transportation, material appliances and their upkeep."

Amendment No. 2.

On page 2, line 39, of the printed bill, strike out all of line 39, and the word "medicine" in line 40, and insert in lieu thereof the following: "holding a valid and unrevoked certificate to practice medicine and surgery or a physician and surgeon certificate, issued under the provisions of the State Medical Practice Act"

Amendments adopted.

Bill read second time, ordered to reprint, re-re-engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 1067—An act to amend sections 5 and 24 of Chapter 690, Statutes of 1913, entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal an act approved April 7, 1911, known as the Direct Primary Law, and

also to repeal an act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended, relating to party conventions, membership and organization of State central committees and county central committees.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1089—An act to amend section 19x23 of the Juvenile Court Law, relating to the probation officer.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 772—An act to amend section 150 of the Agricultural Code, pertaining to the qualification and certification of persons engaging for hire in the business of eradicating or controlling pests.

Bill read second time, and ordered on file for third reading.

Senate Bill No 112—An act to amend sections 2, 13 and 17 of the Orange County Water District Act, approved June 14, 1933, relating to powers and duties of the board of directors, the establishment of an office therefor and declaring and limiting their powers as to the district budget and the levy of assessments

Bill read second time, and ordered on file for third reading.

Senate Bill No 593—An act to amend sections 3897 and 3898 of the Political Code, and to repeal section 3774 of the Political Code, relating to lands sold for delinquent taxes.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out lines 11 to 13, inclusive, and insert in lieu thereof the following, "its duty, by resolution, either to consent to the proposed sale of the property as set".

Amendment No. 2.

On page 2, line 28, of the printed bill, as amended, after the period, insert the following, "The board of supervisors may, in their discretion, direct the tax collector to publish the notice of the intended sale once in a newspaper published in the county, or if there be no such newspaper then in a newspaper of general circulation in the county."

Amendment No. 3.

On page 3, line 5, of the printed bill, as amended, strike out "and posting".

Amendment No. 4.

On page 3 of the printed bill, as amended, between lines 47 and 48, insert the following

"No action, suit or proceeding to set aside, cancel, or question the validity of any proceedings instituted under the provisions of this section shall be instituted or maintained unless the same shall have been commenced within three months after the date of the execution of the deed of the tax collector and thereafter all persons shall be barred from commencing or prosecuting any such action or maintaining any defense in any action based upon the alleged invalidity or alleged irregularity in such proceedings. The burden of proof in any such action or proceeding shall be upon the plaintiff to show invalidity of taxes, assessments, or sales of which he complains.

In all cases where the taxes of a city or other taxing agency are collected by the county, notice of any sale under this section shall be given to the legislative or governing body of the city or taxing agency in the same manner as to the board of supervisors of the county."

Amendment No. 5.

On page 4 of the printed bill, as amended, strike out lines 12 to 14, inclusive, and insert in lieu thereof the following "shall be distributed among the State, county, city, and other taxing agencies to which taxes may be due, in the propor-

tion that the amount of taxes and penalties due the State bears to the amount of taxes and penalties due to each of the other taxing agencies. The tax".

Amendment No. 6.

On page 5, line 5, of the printed bill, as amended, after the period, insert quotation marks.

Amendment No. 7.

On page 5 of the printed bill, as amended, between lines 23 and 24, insert the following: "Nothing in this section or section 3897 shall nullify or amend the provisions of section 12 of "Improvement Bond Act of 1915" or of any provisions amendatory thereof or supplemental thereto with reference to the title acquired by a purchaser at a tax collector's sale or at a resale by the city."

Amendment No. 8.

On page 5 of the printed bill, as amended, between lines 40 and 41, insert the following:

"5. Upon the completion of the sale, the tax collector shall report to the State Controller the date of sale, the description of the property, the name of the purchaser, and the amount of money received for the property sold."

Amendment No. 9.

On page 5, line 41, of the printed bill, as amended, strike out "5", and insert in lieu thereof the following: "6".

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 594—An act to amend section 3817d of the Political Code, relating to the sale of property for delinquent taxes, and the sale of tax-deeded property by the State.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

Strike out lines 5 to 29, inclusive, of the printed bill, as amended, and insert in lieu thereof the following: "by the State."

Amendment No. 2.

On page 2, line 9, of the printed bill, as amended, strike out "; no", and insert in lieu thereof a period and the following: "No".

Amendment No. 3.

On page 3, line 7, of the printed bill, as amended, after "Tax Collector of_____", insert the following: "County".

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 577—An act to amend section 3780 of the Political Code, relating to the redemption of property sold to the State for delinquent taxes and limiting the same to a period of three years from and after the date of the deed to the State pursuant to section 3785 of the Political Code.

Bill read second time and ordered on file for third reading.

Senate Bill No. 821—An act to amend section 605 of the Probate Code, relating to appointment of appraisers.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the printed bill, as amended, before "Section", insert the following: "Section 1."

Amendment No. 2.

On page 1, line 3, of the printed bill, as amended, before "To", insert the following: "605."

Amendment No. 3.

On page 1, line 4, of the printed bill, as amended, strike out the comma at the end of the line, and strike out all of line 5, and in line 6, strike out "person interested in the estate,".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 143—An act to amend section 737aa of the Political Code, relating to salaries of judges.

Bill read second time, and ordered on file for third reading.

Resolution.

The following resolution was offered:

By Mr. Martin:

Assembly Resolution.

WHEREAS, Recent occurrences in different parts of the United States have shown that the administration of penal institutions demands scientific and modern methods; and

WHEREAS, The great numbers now incarcerated in the State prisons of California require that administration methods and methods of hearing and granting of paroles be the most scientific and modern available; now, therefore, be it

Resolved by the Assembly of the State of California, That a committee of five members, to be known as the "Assembly Interim Committee for the Study of Prison Methods" be appointed by the Speaker of the Assembly to study methods of administration of prisons and methods of hearing and granting of paroles; and be it further

Resolved, That the committee is authorized to do all things necessary to make a full investigation and study of the matters herein referred to and to require the production of documents of every kind, to issue subpenas to compel the attendance of witnesses and to procure testimony. Each member of the committee is hereby authorized to administer oaths and all the provisions of Article VIII of Chapter VIII, Title I, Part III, of the Political Code relating to the attendance and assemblage of witnesses before the Legislature and committees thereof shall apply to the committee created by this resolution, and it shall be the duty of all officers of the State or of any county or city in the State to furnish such information and documents as shall be requested by the committee; and be it further

Resolved, That the committee is authorized to conduct this investigation immediately upon its appointment and during the interim between this and the fifty-second regular session of the Legislature and to report back to the Assembly at the fifty-second regular session of the Legislature all facts and findings made in the course of the investigation, together with its recommendations in respect thereto; and be it further

Resolved, That no money be appropriated by the Legislature to carry out the provisions of this resolution, but that the members appointed to the committee bear the expenses out of their personal funds

Resolution by Mr. Martin read.

Mr. Martin moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Martin moved a call of the House.

Motion carried.

Time, nine o'clock and thirty-five minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Chatters, Clark, Corwin, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Geyer, Gilbert, Gil-

more, Glover, Hawkins, Johnson, Jones, Kallam, Laughlin, Lyon, Maloney, Martin, McCarthy, McMurray, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Reaves, Richie, Rosenthal, Stream, Wagner, Wright, and Mr. Speaker—42.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Motion by Miss Miller.

Miss Miller moved that the desk force be allowed to remove their coats during the legislative session.

Motion carried.

Unfinished Business.

Consideration of Assembly Amendments to Senate Bill No. 472.

Senate Bill No. 472—An act to amend the Insurance Code by amending Article 14 of Chapter 1 of Part 2 of Division 1 thereof, relating to proceedings against insolvent insurers.

The question being: Shall the Assembly recede from Assembly amendments to Senate Bill No. 472?

The roll was called, and the Assembly refused to recede from Assembly amendments to Senate Bill No. 472 by the following vote:

AYES—None

NOES—Andreas, Boyle, Breed, Brennan, Chatters, Clark, Corwin, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Gilbert, Gilmore, Glover, Hawkins, Johnson, Jones, Latham, Laughlin, Lyon, Maloney, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Rosenthal, Stream, Voigt, Wright, and Mr. Speaker—41

Further Proceedings Under Call of the House Dispensed With.

At nine o'clock and fifty-five minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Martin.

The roll of absentees was called, and the resolution was adopted by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Chatters, Clark, Corwin, Cunningham, Donihue, Evans, Herbert J., Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, Pelletier, Peyser, Phillips, Reaves, Richie, Rosenthal, Stream, Waters, Wright, and Mr. Speaker—43.

NOES—Boyle, Dawson, DeLap, Donnelly, Fulcher, Gilmore, Lore, Maloney, McMurray, Patterson, Peterson, Voigt, Wagner, and Weber—14.

Special Order.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Senate Bill No. 353.

Senate Bill No. 353—An act to establish legislative standards in relation to the rehabilitation of agriculture and the regulation of producers, packers, distributors, shippers, marketers, handlers, processors and others dealing in agriculture, viticultural and horticultural products and of any competing commodity or product thereof; to recognize, make effective and provide for the enforcement in this State of marketing agreements and licenses issued or prescribed by the Secretary of Agriculture of the United States under the National Agricultural Adjustment Act, being Public Act No. 10 of the Seventy-third Congress of the United States; to provide for the issuance, administration and

enforcement of State marketing agreements and State licenses in connection therewith; to prescribe the powers, duties and jurisdiction of the State Director of Agriculture in relation thereto; to provide that said State and Federal marketing agreements and licenses shall be and establish standards of fair competition in this State; to suspend all antitrust and unfair competition laws of this State in conflict herewith and therewith; to prescribe remedies, rights, duties and penalties with respect to violations hereof and thereof; to provide ways, means and moneys for the administration and enforcement of said State and Federal marketing agreements and licenses; to declare the existence of a State and National agricultural emergency and the urgency of this act and that this act shall take effect immediately.

Senate Bill No 353 read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Phillips:

Amendment No. 1.

On page 13 of the printed bill, as amended in Assembly May 1, 1935, after line 26, in section 13, add a new subdivision to be numbered "6", to read as follows: "Nothing in this act contained shall apply to common carriers subject to the Railroad Commission or the Interstate Commerce Commission"

Amendment adopted.

Request for Unanimous Consent.

Mr Phillips asked for, and was granted, unanimous consent to take up Senate Bill No. 353, as amended, at this time, without reference to file.

Senate Bill No. 353, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Boyle:

Amendment No. 1.

On page 3, line 45, of the printed bill, as amended, after "industries", insert the following: ", but shall not include milk industries or commodities".

Amendment No. 2.

On page 15 of the printed bill, as amended, between lines 13 and 14, insert the following:

"SEC. 18. This act shall have no application to milk, milk commodities or milk industries."

Amendment No. 3.

On page 15, line 14, of the printed bill, as amended, strike out "18", and insert in lieu thereof the following: "19".

Amendment No. 4.

On page 15, line 16, of the printed bill, as amended, strike out "19", and insert in lieu thereof the following: "20".

Amendment No. 5.

On page 15, line 18, of the printed bill, as amended, strike out "20", and insert in lieu thereof the following: "21".

Amendment No. 6.

On page 15, line 21, of the printed bill, as amended, strike out "21", and insert in lieu thereof the following: "22".

The question being on the adoption of the amendments submitted by Mr. Boyle.

Request for Roll Call.

On request of Messrs. Phillips, Garibaldi and Desmond, the Speaker ordered a roll call taken on the amendments submitted by Mr Boyle.

The roll was called.

Motion for Call of the House.

Pending the announcement of the vote, Mr. Boyle moved a call of the House.

Motion lost.

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Anderson, Boyle, Breed, Cunningham, DeLap, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Flint, Gilmore, Glover, Hawkins, Hunt, Jones, Latham, Lore, Lyon, Martin, McCarthy, Meehan, Miller, Morgan, Pelletier, Redwine, Richie, Rosenthal, Walker, Wallace, Waters, Weber, Welsh, and Williamson—33.

NOES—Andreas, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, Desmond, Donnelly, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Johnson, Kallam, Laughlin, Maloney, Mayo, McBride, McMurray, Minard, Nielsen, O'Donnell, Patterson, Peyser, Phillips, Reaves, Riley, Robertson, Scudder, Stream, Turner, Wagner, Wright, and Mr. Speaker—39.

Senate Bill No. 353, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Jones:

Amendment No. 1.

On page 15 of the printed bill, as amended, in section 16, after subdivision "(d)" thereof, add a new subdivision to be entitled "(e)", as follows: "(e) nothing contained in this act shall prohibit the voluntary donation or contribution of agricultural products for charitable purposes nor to prohibit the barter or exchange of such products for human labor."

Amendment adopted.

Request for Unanimous Consent.

Mr. Phillips asked for, and was granted, unanimous consent to take up Senate Bill No. 353, as amended, at this time, without reference to file.

Senate Bill No. 353, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Anderson:

Amendment No. 1.

On page 4, line 42, of the printed bill, after the period, insert the following: "Provided, however, that it shall not be unlawful to grow, harvest, market, or sell any product or part thereof for interstate shipment or sale outside the State of California unless there is a Federal marketing agreement in force in each State where such product is grown and/or marketed."

The question being on the amendment submitted by Mr. Anderson.

Request for Roll Call.

On request of Messrs. Anderson, Lore and Wallace, the Speaker ordered a roll call taken on the amendment submitted by Mr. Anderson.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Anderson, Cottrell, Donihue, Field, Patterson, Pelletier, Rosenthal, and Wallace—8

NOES—Andreas, Breed, Cassidy, Chatters, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Phillips, Reaves, Redwine, Robertson, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—58.

Senate Bill No. 353, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Anderson:

Amendment No. 1.

On page 14 of the printed bill, strike out lines 1 to 8, inclusive.

Mr. Anderson withdrew his amendment

Senate Bill No. 353, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Messrs. Anderson and Desmond:

Amendment No. 1.

On page 14, line 5, of the printed bill, as amended, strike out the words "powers of a peace officer for the purpose of enforcing", and insert in lieu thereof the following: "power to carry out and enforce the provisions of".

Amendment adopted.

Request for Unanimous Consent.

Mr. Phillips asked for, and was granted, unanimous consent to take up Senate Bill No. 353, as amended, at this time, without reference to file.

Third Reading of Senate Bill No. 353, as Amended.

Senate Bill No. 353, as amended, read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Fisher, Flint, Garibaldi, Geyer, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—61.

NOES—Cunningham, Donihue, Evans, Ralph W., Field, Glover, Latham, Martin, Reaves, Rosenthal, Walker, and Wallace—11.

Senate Bill No. 353, as amended, read third time

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 353, as amended, finally passed by the following vote.

AYES—Anderson, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Fisher, Flint, Frazier, Garibaldi, Geyer, Gilmore, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—58.

NOES—Cunningham, Donihue, Evans, Ralph W., Field, Glover, Hawkins, Latham, Martin, McCarthy, Reaves, Redwine, Richie, Rosenthal, Walker, and Wallace—15.

Title read and approved.

Bill ordered transmitted to the Senate.

Special Order.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 915.

Assembly Bill No. 915—An act to amend sections 1 to 25 inclusive of, and add new sections to be numbered 18.1, 19.1, 22.5, 25.1, 27 and 28 to, and to repeal section 26 of an act entitled "An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission; prescribing the powers, duties and authority of said commission and the members thereof; providing for the institution of proration programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purposes of said act and providing for the collection thereof, approved June 5, 1933, relating to serving agricultural wealth, prevention of economic waste and providing for the Agricultural Prorate Commission.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Heisinger:

Amendment No. 1.

On page 12, line 36, of the printed bill, after the period, insert the following: "The salary and/or compensation received by the secretary and each and every employee authorized by this act shall not exceed the sum of two thousand five hundred ($2,500) per annum from all sources and no officer or employee shall receive compensation based on a percentage of volume involved in a prorate program, or in any manner that would lend encouragement to the promotion of a proration program for the purpose of increasing salaries and income."

Amendment read.

Substitute Amendment.

Mr. Desmond offered the following substitute amendment:

Amendment No. 1.

On page 12, line 36, of the printed bill, after the period, insert the following: "The salary and/or compensation received by the secretary and each and every employee authorized by this act shall not exceed the sum of five thousand (5,000) dollars per annum from all sources and no officer or employee shall receive compensation based on a percentage of volume involved in a prorate program, or in any manner that would lend encouragement to the promotion of a proration program for the purpose of increasing salaries and income."

Substitute amendment adopted.

Request for Unanimous Consent.

Mr. Phillips asked for, and was granted, unanimous consent to take up Assembly Bill No. 915, as amended, at this time, without reference to reprint or file, and that same be considered re-re-re-engrossed.

Assembly Bill No. 915, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Messrs. Lore, Wright, Desmond, and Cronin:

Amendment No. 1.

On page 13, line 38, of the printed bill, as amended, after the word "certificated", insert the following: "; and provided, further, that any part of any such surplus may be turned over by a program committee to charitable organizations, self-help cooperatives, and similar agencies under proper safeguards to prevent any part of the commodity so disposed of from directly competing with the part of the crop marketed through the usual channels of trade."

Amendment adopted.

Request for Unanimous Consent.

Mr. Phillips asked for, and was granted, unanimous consent to take up Assembly Bill No. 915, as amended, at this time, without reference to reprint or file, and that same be considered re-re-re-engrossed.

Assembly Bill No. 915, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Boyle:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out line 31, and insert in lieu thereof the following: "live stock and poultry or any of their products, but shall not include milk"

Amendment No. 2.

On page 17 of the printed bill, as amended, after line 49, insert the following: "This act shall have no application to milk, milk commodities or milk industries."

The question being on the amendments submitted by Mr. Boyle.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Boyle.

The roll was called, and the amendments were adopted by the following vote:

AYES—Anderson, Boyle, Burns, Clark, Cronin, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Latham, Laughlin, Lore, Lyon, Maloney, McCarthy, Meehan, Morgan, Nielsen, Peterson, Reaves, Redwine, Richie, Rosenthal, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, and Williamson—45.

NOES—Breed, Cassidy, Chatters, Corwin, Cottrell, Crowley, Desmond, Evans, Herbert J., Frazier, Garibaldi, Heisinger, Johnson, Kallam, Martin, Mayo, McBride, Miller, Minard, O'Donnell, Patterson, Pelletier, Phillips, Riley, Robertson, Scudder, Stream, Turner, Utt, Wright, and Mr. Speaker—30.

Request for Unanimous Consent.

Mr. Phillips asked for, and was granted, unanimous consent to take up Assembly Bill No. 915, as amended, at this time, without reference to reprint or file, and that same be considered re-re-re-engrossed.

Assembly Bill No. 915, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr Anderson:

Amendment No. 1.

On page 5, line 48, of the printed bill, strike out "two-thirds", and in line 50, strike out "two-thirds", and, in each line, insert in lieu thereof "72%".

Amendment adopted.

Request for Unanimous Consent.

Mr. Phillips asked for, and was granted, unanimous consent to take up Assembly Bill No. 915, as amended, at this time, without reference to reprint or file, and that same be considered re-re-re-engrossed.

Assembly Bill No. 915, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr Patterson:

Amendment No. 1.

Strike out the title of the printed bill, as amended, and insert in lieu thereof the following:

"An act to add Chapter 8 to Division VI of the Agricultural Code, relating to proration programs with respect to agricultural crops."

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 1 to 6, inclusive, and insert in lieu thereof the following:

"SECTION 1. Chapter 8 is hereby added to Division VI of the Agricultural Code to read as follows:

CHAPTER 8. PRORATION PROGRAM.

Sec. 1300. A petition for the institution of a program of prorated marketing with respect to a variety or kind of agricultural commodity may be presented to the director which shall be signed by not less than fifty producers of said variety or kind of agricultural commodity within the proposed prorating zone. If it be alleged in said petition that it is signed by two-thirds or more in number of the producers within the proposed zone of the commodity as to which it is proposed to institute a prorating program and by the owners of two-thirds or more in number of the producing factors of said commodity in said proposed zone, the number of signers shall be immaterial.

The said petition shall, among other things, contain:

1. A legal description of the district or districts comprising the proposed zone, together with a map thereof.

2. A general statement of facts showing the necessity for the institution of a prorating program; and

3. A request that an election be called in said zone for the purpose of submitting to the qualified producers therein the proposition of instituting a program of proration. If the petition is signed by the owners of two-thirds or more of the producing factors and two-thirds or more of the producers of the commodity concerned, as hereinbefore specified, it need not contain a request for an election.

There shall also be filed with said petition a good and sufficient undertaking to be approved by the director in double the amount of the probable cost of conducting the hearing of the petition, conditioned that the sureties will pay all such costs in case the petition be denied.

The signatures to said petition may be either in person or by duly authorized agent or representative and nothing herein shall be construed to prevent any cooperative or other marketing agency from signing such petition if thereunto properly authorized by producers for whom it purports to sign.

Sec. 1300.1. Upon the presentation of any such petition, the director shall hold a hearing at some central point located within the district described in said petition and proposed to be established as a proration zone. Notice of such hearing shall be given at least ten (10) days prior thereto by publication in a newspaper of general circulation printed and published in the district affected and by posting in at least three (3) conspicuous places in said district. In case the proposed proration zone includes more than one district the required notice shall be given in each district and the director shall hold hearings in each of said districts. At said hearings, the director shall receive and hear the evidence offered by the petitioners in support of the petition and by any interested person in opposition thereto. Said hearings may be adjourned from time to time and from place to place as the circumstances may require. A transcript of the proceedings at all such hearings shall be made by the director and shall be opened to inspection by any interested party.

Sec. 1300.2 If upon such hearing it shall be made to appear to the director:

(1) That the petition is signed in person or by proxy by the required number of producers and by the owners of the required number of producing factors; and

(2) That the economic stability of the agricultural industry concerned is being or is about to be imperiled by prevailing market conditions; and

(3) That agricultural waste is occurring or is about to occur; and

(4) That the institution of a program of prorated marketing will conserve the agricultural wealth of the State and will prevent threatened economic waste; and

(5) That the institution of a proration program as proposed in the petition will advance the public welfare without injustice to any producer; and

(6) That the proposed program may be instituted and conducted without permitting unreasonable profits to the producers and that the commodity named in the petition can not be marketed at a reasonable profit otherwise than by means of such a program; and

(7) That the proposed zone of proration includes all of the producing territory within this State reasonably necessary to render the proposed program feasible, it shall make written findings to that effect If in any case of any petition it shall appear to the director that the inclusion of territory additional to that described in the petition is necessary to the feasibility of the proposed program, it shall postpone further proceedings until notice shall have been given to the producers within such additional territory. Thereafter the director may complete said hearings and make findings in the manner hereinbefore provided If the director shall find against the existence of any of the facts required to be present under this section, he shall deny the petition.

Sec. 1300.3. If it shall be alleged in said petition that it is signed by two-thirds or more of the producers of the commodity named in the petition within the zone described and by the owners of two-thirds or more of the producing factors in said

zone, proof shall be required in support of such allegation and the director shall make a finding with respect thereto. If it shall find such allegation to be the fact, and shall also find to exist all of the other facts specified in section 1300.2 of this act, the director shall forthwith make an order declaring the proposed program adopted and specifying the zone in which the program shall be effective.

Sec. 1300.4. If said petition shall have proposed an election in the proposed zone, and the director shall find to exist all of the facts specified in section 1300.2 hereof, thereupon he shall order an election to be held in the proposed original or modified zone. At any such election, the polling places shall be located in each of the regular county precincts, any part of which are included in proposed zone affected. At least twenty (20) days before any election called the director shall cause to be posted in three (3) public places in each election precinct notice of the time and place of holding the election and also post in the office of the county clerk of each county in which any part of the proposed zone affected is located a general notice specifying the polling places of each precinct.

Sec. 1300.5. At such elections only producers of the commodity named in the petition shall be entitled to vote and each producer shall be entitled to one vote for each producing factor which it is determined in the manner hereinafter specified he may be expected to utilize for production purposes in the ensuing season. At the time of posting notices of election, the agricultural commissioners of each county shall be notified thereof and it shall be the duty of such agricultural commissioners to prepare lists of producers entitled to vote in each precinct in their respective counties which lists shall be filed in the office of the county clerks of their respective counties at least five (5) days prior to the day of the election. Such lists shall also show the producing factors belonging to or controlled by each producer used in the production of the commodity as to which a proration program is proposed. Said agricultural commissioners shall at the same time notify by mail all producers whose names appear on such lists of the number of votes to which they are entitled. No irregularity in the mailing of such notices and no failure on the part of any producer to receive such notice shall affect the validity of the subsequent election.

Sec. 1300.6. Any producer whose name does not appear on the proper list and any producer claiming to be allotted an erroneous production estimate may make application to the agricultural commissioner to be placed on said list, or to be credited with the proper number of producing factors, as the case may be, and upon substantiating his claim, is entitled to have the error corrected. In the event any such producer shall be dissatisfied with the final action of the agricultural commissioner in that regard, he may appeal to the director. Producers may vote production only in the precincts in which it is listed. Corporations and firms shall have their voting rights similarly determined. Votes of producers may be cast either in person or by proxy through duly authorized representatives, which shall include marketing agencies.

Sec. 1300.7. At least five (5) days prior to the day fixed for the election, the board of supervisors of each county in which any part of the district or districts affected is situated shall appoint for each precinct from among those entitled to vote at the election, one inspector and two judges, who shall constitute a board of election for such precinct. If the board fail to appoint a board of election, or the members appointed do not attend at the opening of the polls on the morning of the election, the voters of the precinct present at that hour may appoint the board, or supply the place of an absent member thereof. The polls shall be kept open for the reception of votes from ten o'clock a.m. until six o'clock p.m. when the same must be closed. The election board shall, before the opening of the polls, post in a conspicuous place thereat a list of all persons entitled to vote in said precinct at said election, together with the factors of production of such persons. The ballots used at the election shall be provided by the director and one of the clerks of election shall deliver one of them to each person qualified to cast a vote, or to his representative by proxy. The election board shall retain and file with returns of the election all proxies presented at said election. At the close of the polls the board of elections shall at once proceed to canvass the votes and declare the result and shall forward its certificates of such result, together with all ballots used and all documents and papers used at such election, to the clerk of the board of supervisors of the county in which the precinct is located. A copy of said certificate certified by said clerk of the board of supervisors shall be by him forwarded to the director.

Sec. 1300.8. On the second Monday succeeding such election, the director shall proceed to canvass the votes cast thereat, and if upon such canvass it appears that two-thirds or more of the producing factors in the proposed zone as shown by the lists prepared by the agricultural commissioner, voted in favor of the institution of a proration program, the director shall declare such a program adopted. In order instituting a proration program, whether on petition or after election, the director shall define the zone affected, and shall designate it by some title indicative of the commodity concerned.

Sec. 1300.9. Any order of the director instituting a proration program and any other order of the director substantially affecting the rights of any interested party may be reviewed by any court of competent jurisdiction. Any such action must be commenced within thirty days after the effective date of the order complained of or within thirty days after the injurious effect complained of.

Sec 1300 10 In the event of the institution of a proration program in a marketing zone, it shall be the duty of the director to forthwith select a proration program committee of five producers and two handlers operating within the zone; provided, that any marketing agency controlling more than one-fifth of the production within the zone of the commodity subject to the program shall be entitled to name such proportion of the producer members of said committee as it controls of the production except that no such marketing agency shall be entitled to name more than three of the producer members of said program committee, provided further, that in the case of commodities, the bulk of which is processed before consumption, one of the producer members of said program committee shall be a processor. It shall be the duty of such committee to determine the method, manner and extent of prorating. Such prorating program may be altered or modified from time to time by such committee but the original program and any alteration or modification thereof must be approved by the director before it shall be made effective. Before approving any program or any alteration or modification thereof, the director shall hold a hearing in the zone and must find that the same is reasonably calculated to maintain the existence of the facts specified in section 1300.2 hereof. The members of such program committee shall not be entitled to compensation.

The program committee shall appoint an agent, approved by the director, who shall administer the proration program in the zone on behalf of the director. Such agent shall appoint such deputy agents and other assistants as may be necessary to properly direct the program.

Sec. 1300.11. In the event that a program committee shall fail within a reasonable time to present to the director a prorating program or shall present a program which is not consistent with the conditions specified in this act, the director shall initiate a proper program or shall modify the program presented, as the case may be, in conformity with the provisions of section 1300 2. If at any time during the operation of any proration program, it shall appear probable to the director that the program being carried out has ceased to be in conformity with the provisions of section 1300 2, it shall be the duty of the director, after hearing, to so modify such program as to obtain the conditions required by said section 1300.2.

Sec. 1300 12. After any prorating program has been formulated and has been approved by the director, the agent for the zone shall assume the administration of the program and any subsequent modification thereof and the issuance of proration certificates thereunder. Such certificates shall be divided into primary and secondary certificates. Each producer shall be entitled to one primary certificate which shall indicate the quantities of the commodity as to which the program has been instituted which the producer named in such certificate shall be entitled to harvest or otherwise prepare for market and delivery into the primary channels of trade. Said primary certificates shall also indicate from time to time the number of secondary certificates theretofore issued under it. Secondary certificates shall be numbered consecutively and shall be used to control the time and volume of harvesting or other preparation for disposal. Such secondary certificates shall accompany all deliveries of the prorated commodity by producers into a primary trade channel. It shall be unlawful for any commodity to be harvested, prepared for market or marketed unless and until there shall have been an appropriate secondary proration certificate issued therefor. It shall be unlawful for any producer to deliver to any dealer and for any dealer or handler in the primary channels of trade to have in his possession, within this State, any commodity produced in an established proration zone upon which a proration program has been instituted without an accompanying certificate issued under the authority of the director. Such certificates shall be negotiable between producers.

Sec. 1300 13 The agent under each zone program shall collect for each certificate issued to the producers, a reasonable and proportional fee to be fixed by the program committee so calculated as to produce the expenses of the administration of the program, the costs of the institution of the program, and a proper proportion of the cost of the maintenance of the department which shall not be less than ten per cent of the fees collected for certificates, but may be such percentage in excess of ten per cent as may be determined by the program committee. All such fees shall be paid monthly by the director into the State treasury to the credit of the "Agricultural Prorate Commission fund" which fund is hereby created All moneys credited to such funds shall be used only for the purpose of defraying the expenses of the organization and of administering and enforcing the program under which they were collected.

Sec. 1300.14. The director may establish such rules and regulations consistent with this act as may be necessary to carry out the purposes thereof, and through his duly authorized representatives and agents shall have access, solely for the purpose of investigating possible violations of any program, to the records of producers, dealers, distributors and handlers of a commodity as to which a proration program has been instituted, and shall have at all times free and unimpeded access to all buildings, yards, warehouses, storage and transportations, or any other facility or place in which any commodity under a proration program is kept, stored, handled or transported. All information obtained by the director shall be confidential and shall not be disclosed except when required in a judicial proceeding. Any person

who violates any provision of this act, or who wilfully renders or furnishes a false or fraudulent report, statement or record is guilty of a misdemeanor and each infraction shall constitute a separate and distinct offense.

Sec. 1300.15. After the institution of any proration program, such program shall continue to remain in effect unless there shall be filed with the director an application for its termination signed by not less than forty per cent of the producers or of the production of the prorated commodity; provided, that the director may at any time initiate an investigation on his own motion to determine whether or not the facts specified in section 1300.2 hereof continue to exist. Upon a finding that any one or more of the prerequisite facts no longer exist, the director shall terminate said program; provided, that programs may be terminated only at the end of marketing seasons.

Sec. 1300.16. Any person who shall market any commodity in violation of any provision of an original or modified proration program approved and made effective by the director may be enjoined by the director in an action brought in the superior court for the county in which the violation is alleged to be occurring. There may be joined in the same proceeding any number of defendants alleged to be violating the same program, although their properties and interests may be situated in several counties and their actual violations of the program may be separate and distinct. In any action for injunction brought hereunder, the procedure shall be governed by the provisions of Chapter III, Title VII, Part II of the Code of Civil Procedure of the State of California.

Sec. 1300.17. Any person who violates any provision of a proration program approved and made effective by the director shall be liable civilly in the sum of five hundred dollars for each and every violation to be recovered by the director in any court of competent jurisdiction. All sums recovered under this section shall be deposited in the State treasury to the credit of "Agricultural Prorate Commission fund" "

Amendment No. 3.

Strike out all of pages 2 to 18, inclusive, of the printed bill, as amended

The question being on the amendments submitted by Mr. Patterson.

Request for Roll Call.

On request of Messrs. Patterson, Lore, and Turner, the Speaker ordered a roll call taken on the amendments submitted by Mr. Patterson.

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Anderson, Burns, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Gilmore, Glover, Heisinger, Laughlin, Maloney, McMurray, Patterson, Pelletier, Reaves, Richie, and Wallace—18.

NOES—Andreas, Boyle, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, DeLap, Desmond, Donnelly, Evans, Herbert J., Fisher, Fulcher, Garibaldi, Hornblower, Hunt, Jones, Lore, Lyon, Martin, Mayo, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Peterson, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Walker, Waters, Weber, Welsh, Wright, and Mr. Speaker—44.

Assembly Bill No. 915, as amended, read third time.

Floor Amendment.

During the reading of the bill, the following amendment was submitted by Mr. Patterson:

Amendment No. 1.

On page 18 of the printed bill, as amended, after line 11, insert the following:

"SEC. 33. A new section to be numbered section 29 is hereby added to the act cited in the title hereof, to read as follows:

The Agricultural Prorate Commission is hereby abolished and the Director of Agriculture shall succeed to, and he is hereby vested with, all of the powers, purposes, jurisdiction and responsibility of said Agricultural Prorate Commission"

The question being on the amendment submitted by Mr. Patterson.

Motion to Defer.

Mr. Lyon moved that further consideration of Assembly Bill No. 915, as amended, and all pending amendments and other special orders be continued until tomorrow morning.

Motion carried.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1038—An act to add a new section to the Political Code of the State of California to be numbered 3810, relating to review of proposed assessments or assessments in counties of the first class alleged to be illegal or erroneous and providing procedure for such review—and reports that the same has been correctly re-engrossed.

WATERS, Chairman

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 40—An act to amend section 407 of the Code of Civil Procedure, relating to summons;

Also: Assembly Bill No. 117—An act to amend section 1182 of the Fish and Game Code, relating to birds;

Also: Assembly Bill No. 212—An act to amend sections 137, 138 and 166 of the Fish and Game Code and to add two new sections to be numbered 171 and 172;

Also: Assembly Bill No 641—An act to add a new section to be numbered 611, to an act entitled "An act to establish a Streets and Highways Code, thereby consolidating and revising the law relating to public ways and all appurtenances thereto, and to repeal certain acts and parts of acts specified herein;

Also: Assembly Bill No. 1083—An act to amend section 924 of the Fish and Game Code, relating to district 16;

Also: Assembly Bill No. 1233—An act to amend sections 799 and 800 of the Fish and Game Code, relating to abalones.

Also: Assembly Bill No 1376—An act to amend section 3816 of the Political Code, relating to distribution of moneys received on account of redemption or purchase of lands sold to the State for nonpayment of taxes.

Also: Assembly Bill No. 1493—An act providing for the calling of a constitutional convention in the State of California;

And reports that the same have been correctly engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1569—An act to amend section 4 of an act entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled "An act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof," approved June 12, 1913, relating to schools of nursing;

Also: Assembly Bill No. 2395—An act to provide for the compilation, printing, binding, publishing, and distribution of a Legislative Manual and State Blue Book, or Roster, repealing all conflicting acts and making an appropriation to carry out the provisions hereof;

Also: Assembly Bill No. 2403—An act to amend sections 737j and 737bbb of the Political Code, relating to salaries of superior court judges;

Also: Assembly Bill No. 2419—An act to amend section 1197a of the Political Code, relating to the preparation of titles and summaries of the chief purposes and points of proposed initiative measures;

Also: Assembly Bill No. 2425—An act to add a new section to the Political Code, to be numbered 363m, relating to the Division of Water Resources revolving fund;

Also: Assembly Bill No. 2426—An act to amend section 1326 of the Penal Code, relating to the issuing and signing of subpenas for the attendance of witnesses in criminal prosecutions;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2427—An act to amend sections 1, 7, 8 and 9 of an act entitled "An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act; to provide for their appointment and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, and all other acts or parts of acts in conflict herewith," approved May 5, 1927, relating to practice of veterinary medicine;

Also: Assembly Bill No. 2433—An act to provide for the administration of highway work for or in cooperation with the United States by the State of California, amending the Streets and Highways Code in accordance therewith, and declaring the urgency thereof;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1935.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 2354—An act to amend sections 146 and 154 of the Vehicle Code, and to add sections 146.5, 180.5, and 371.5 to said Vehicle Code, all relating to vehicles previously registered outside this State, and the registration and transfer thereof within this State—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1935.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 762—An act to add a new section to the School Code to be numbered 2.123–1, relating to the payment of the cost of food and lodging for certain elementary school pupils from the unapportioned county elementary school fund—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

CHATTERS, Chairman.

The above reported bill ordered on file for second reading.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1935.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 2434—An act to amend the Los Angeles County Flood Control Act by adding thereto a new section to be numbered 15a, relating to compliance with requirements of the United States or any department or agency thereof, in the performance of public work financed in whole or in part from Federal funds, and declaring the urgency thereof, the act to take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1935.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 223—An act to amend section 3649 of the Political Code, relating to taxation;

Also: Assembly Bill No. 1078—An act to amend section 18 of the Inheritance Tax Act, relating to the levying of inheritance taxes;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

RILEY, Chairman.

The above reported bills ordered on file for second reading.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1935.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 356—An act to amend sections 1, 3, 4 and 5 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, and to add a new section thereto numbered 9a—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FIELD, Chairman

The above reported bill ordered on file for second reading.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1935

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 418—An act to add a new section to the Political Code to be numbered 3887, relating to the priority of the State of California for taxes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

RILEY, Chairman

The above reported bill ordered on file for second reading.

On Crime Problems.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1935

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Senate Bill No. 378—An act to amend section 274 of the Penal Code, relating to the crime of abortion—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MILLER, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Senate Bill No. 662—An act to add a new section to the Penal Code to be numbered 597h, relating to cruelty to animals—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MILLER, Chairman.

The above reported bill ordered on file for second reading.

On Public Health and Quarantine.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1935

MR SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 229—An act to amend sections 1, 1a, 1b, 1c, 3, 4, 6, 7, 10c, 11 and 15 of, and to add sections 11.5, 11.6 and 18 to, "An act to regulate the sale possession, distribution and use of habit-forming, narcotic and other dangerous drugs and substances, and providing penalties for the violation thereof," approved May 4, 1929, relating to habit-forming, narcotic and other dangerous drugs and substances—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

KALLAM, Chairman.

The above reported bill ordered on file for second reading.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1935.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 367—An act to amend section 1 of "An act regulating the hours of labor of the operators of certain motor vehicles," approved June 10, 1933, relating to operators of vehicles—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1935.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1339—An act to add a new division to the Vehicle Code, to be numbered IXa, relating to vehicular crossings constructed or owned by the State, the control and policing thereof, and the regulation of traffic thereon—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1935.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1124—An act amending sections 44 and 517 of the Vehicle Code, relating to authorized emergency vehicle—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1935.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 257—An act to establish a Bureau for the Blind in the Department of Institutions, providing for the administration thereof, making appropriations therefor, and repealing certain acts in conflict herewith—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended, and be re-referred to Committee on Ways and Means.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 999—An act to add a new article to Chapter IX of Part III of Division V of the School Code, to be known as Article IV, consisting of sections 5.792 to 5.799b inclusive, relating to a merit system for employees in positions other than those requiring certification qualifications—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1167—An act to add a new section to the Political Code to be numbered ____, relating to the Department of Finance—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1935.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 622—An act to amend sections 1.72 and 1.73-1 of the School Code, relating to the transportation of public school pupils—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

CHATTERS, Chairman.

The above reported bill ordered on file for second reading.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1935.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 385—An act to provide for the refunding of the indebtedness

represented by bonds of special assessment districts formed under laws of the State of California where the bonds are payable from assessments levied in whole or in part in accordance with the assessed value of the lands in the district, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments and reassessments and to provide for the proceedings to test the validity of such refunding and reassessment, and to provide for contributions of public funds to assist in such refunding—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

On Mines and Mining.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1935.

MR SPEAKER: Your Committee on Mines and Mining, to which was referred Assembly Bill No. 902—An act to amend section 18 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, relating to the powers of the Surveyor General now the Chief of the Division of State Lands—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MAYO, Chairman.

The above reported bill ordered on file for second reading.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1935.

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1363—An act to amend section 11 of an act entitled "An act providing for the organization and regulation of reciprocal or interinsurance exchanges, to be known as 'The Reciprocal or Interinsurance Act of the State of California,' and repealing the act entitled 'An act providing for reciprocal and interexchange of indemnities, prescribing regulations therefor and fixing a license fee,' and repealing an act entitled 'An act defining certain classes of contract for the exchange of indemnity, prescribing regulations therefor, and fixing a license fee, approved December 24, 1911,' approved May 26, 1917, as amended," approved June 3, 1921—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MINARD, Chairman.

The above reported bill ordered on file for second reading.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1935.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 156—An act to amend the title and sections 4a, 13 and 14 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the extension of the provisions of said act to the companies and their franchises, other than insurance companies and their franchises, specified in section 14 of Article XIII of the Constitution of this State;

Also: Assembly Bill No. 2156—An act to amend sections 3678, 3681a, 3747a, 3756, 3760, 3764, 3766, 3771, 3771a, 3772, 3776, 3785, 3788, 3789, 3797, 3799, 3804b, 3808, 3809, 3816, 3817, 3817f, 3817g, 3817h, 3818 and 3822 and to repeal sections 3738, 3739, 3781, 3791, 3792, 3793, 3794, 3795, 3796, 3800 and 3815 of the Political Code and to add to said code sections numbered 3816a, 3817j and 3832, relating to the collection of taxes;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

RILEY, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 584—An act to add a new section to the Political Code to be known

as section 3663d, relating to the assessment of property by the State Board of Equalization and the allocation of the assessed value of such property to the various taxing jurisdictions of the State;

Also: Senate Bill No 585—An act to amend section 3663b of the Political Code, relating to the assessment of property by the State Board of Equalization;

Also: Senate Bill No. 586—An act to amend section 3663a of the Political Code, relating to the assessment of property by the State Board of Equalization;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

RILEY, Chairman.

The above reported bills ordered on file for second reading.

On Mines and Mining.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1935.

MR. SPEAKER: Your Committee on Mines and Mining, to which was referred Senate Bill No. 81—An act to add a new section to be numbered section 8a, to an act entitled "An act establishing a State Mining Bureau, creating the office of State Mineralogist, fixing his salary and prescribing his powers and duties; providing for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution for defrauding, swindling and cheating therein, creating a State Mining Bureau fund for the purpose of carrying out the provisions of this act and repealing an act entitled 'An act to provide for the establishment, maintenance and support of a bureau, to be known as the State Mining Bureau, and for the appointment and duties of a board of trustees, to be known as the board of trustees of the State Mining Bureau, who shall have the direction, management and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction and supervision of the board of trustees of the State Mining Bureau,' approved March 23, 1893, and all acts amendatory thereof and supplemental thereto or in conflict herewith," approved June 16, 1914, relating to mining on State property—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MAYO, Chairman.

The above reported bill ordered on file for second reading.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1935.

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 358—An act to amend sections 1, 3, 4 and 10 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within the State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933, and to add a new section to said act numbered 9a—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1935.

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 646—An act to add sections 195.5 and 1623.5 to, the Streets and Highways Code, relating to expenditure of money allocated to counties, cities, and cities and counties—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1935.

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No 2013—An act to amend the Vehicle Code—has had the same

under consideration, and respectfully reports the same back without recommendation, as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1935.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1799—An act authorizing any county, city and county, or city to credit on delinquent taxes due to such county, city and county, or city with the consent of the owner of the property on which such taxes are delinquent, sums due or which may become due to the owner of such property for the use or rental of such property by such county, city and county, or city or by any department or agency thereof or by any person or persons for whose rental or compensation for the use of such property such county, city and county or city, or any department or agency thereof shall be or shall become responsible and authorizing agreements between the counties, cities and counties or cities and departments or agencies thereof and persons for whom any such county, city and county, or city or department or agency thereof shall pay or advance funds for the payment of rent, providing for the repayment in installments by such persons of the amount credited on delinquent taxes on account of such rental—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1935.

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1579—An act to amend the Insurance Code, relating to insurance principles, practice and business, and matters incidental thereto—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

MINARD, Chairman.

The above reported bill ordered on file for second reading.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1935.

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 163—An act to impose a tax on the privilege of severance of crude petroleum and other hydrocarbon substances from the earth, to take effect immediately—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1935.

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1333—An act to facilitate the enforcement of laws of the State of California concerning motor vehicles by the establishment of ports of entry upon highways entering this State; vesting authority to establish and conduct such ports of entry in the State Board of Equalization; authorizing said State Board of Equalization to utilize the facilities and employees of any department of this State which may be convenient in the conduct of such ports of entry; and authorizing said State board to contract with private persons or corporations for the maintenance of port of entry service at such highways of lesser importance; and authorizing the State Board of Equalization to act as agent for the Department of Motor Vehicles and of any other department, board or officer of this State having to do with the administration or enforcement of laws relating to the use of public highways—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1516—An act to amend sections 6.240, 6 251,

6.252, 6.260, 6.262, 6.263, 6.264, 6.265, 6.270, 6.274, 6.275, 6.291, 6.292, 6.294, 6.295, 6.296, 6 300, 6.301, 6 305, 6.307, 6.320, 6 322, 6.330, 6.332, 6.340, 6.341 of the School Code and to repeal Article VI of Chapter III of Part II of Division VI thereof, relating to supplementary textbooks, declaring the urgency thereof and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1935.

MR SPEAKER Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 587—An act to repeal sections 3664, 3664a, 3664d of the Political Code and other acts inconsistent with section 14 of Article XIII of the Constitution of the State of California, to amend sections 3664b and 3664b-1 of the Political Code, all relating to the carrying into effect of the provisions of section 14 of Article XIII of the Constitution of the State of California;

Also: Senate Bill No. 708—An act relating to the borrowing of money by the State in anticipation of taxes and revenues;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

RILEY, Chairman.

The above reported bills ordered on file for second reading.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1935.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 2393—An act to be known and cited as the Yacht and Ship Brokers Act, to define yacht and ship brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create the office of Yacht and Ship Brokers Commissioner; and to provide for the enforcement of said act and penalties for the violation thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

FIELD, Chairman.

Assembly Bill No. 2393 ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 313—An act to add section 444.5 to the Political Code, relating to the transfers of money from one fund to another in the State treasury and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

FIELD, Chairman.

Assembly Bill No. 313 ordered re-referred to Committee on Ways and Means.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1935.

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 866—An act providing for employment insurance;

Also: Assembly Bill No. 47—An act providing for a system of unemployment reserves and compensation, making an appropriation therefor, and prescribing penalties in connection therewith;

Has had the same under consideration, and respectfully reports the same back without recommendation, and be re-referred to Committee on Unemployment.

MINARD, Chairman.

Assembly Bills Nos 866 and 47 ordered re-referred to Committee on Unemployment.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1935

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 2394—An act to amend the Vehicle Code by adding thereto section

777.5, relating to support of the Department of Motor Vehicles—has had the same under consideration, and respectfully reports the same back without recommendation, to be re-referred to Committee on Ways and Means.

HORNBLOWER, Chairman.

Assembly Bill No. 2394 ordered re-referred to Committee on Ways and Means.

On Labor and Capital.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1935.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 157—An act to add a new section to the Penal Code, to be numbered 368b, relating to the safe manning of railroad engines—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BURNS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Senate Bill No. 771—An act to add sections 5a and 7 to "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931, relating to the employment of apprentices—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

BURNS, Chairman.

The above reported bill ordered on file for second reading.

Third Reading of Assembly Bills.

Assembly Bill No. 2422—An act accepting a retrocession of jurisdiction over the rights of way of the Golden Gate Bridge and Highway District through the Presidio of San Francisco military reservation and Fort Baker military reservation in Marin County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2422 passed by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Chatters, Cottrell, Cronin, Crowley, Dawson, DeLap, Field, Frazier, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Latham, Lyon, Maloney, Mayo, McBride, McMurray, Miller, O'Donnell, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Scudder, Utt, Wallace, Weber, Welsh, Williamson, and Mr Speaker—41

NOES—None.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 2422.

Mr. Breed gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2422 was this day passed.

Assembly Bill No. 1362—An act to amend section 3669e of the Political Code of the State of California, relating to powers of State Board of Equalization.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Williamson:

Amendment No. 1.

On page 1, line 11, of the printed bill, as amended, strike out "Inspect Property."

Amendment No. 2.

On page 1, line 18, of the printed bill, as amended, strike out "Call Public Officials."

Amendment No. 3.

On page 1, line 22, of the printed bill, as amended, strike out "Issue Subpenas."

Amendment No. 4.

On page 2, line 3, of the printed bill, as amended, strike out "Require Attendance."

Amendment No. 5.

On page 2, line 16, of the printed bill, as amended, strike out "Examine Books and Accounts."

Amendment No. 6.

On page 2, line 23, of the printed bill, as amended, strike out "Unlawful to Divulge Information."

Amendment No. 7.

On page 2, line 50, of the printed bill, as amended, strike out "Provided, however, that the Governor", and insert in lieu thereof the following: "The Governor, however,".

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 669—An act to add section 3817½ to the Political Code, relating to taxation.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Mayo:

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, strike out "sold", and insert in lieu thereof the following: "deeded".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out line 4, and insert in lieu thereof the following: "hereafter be deeded to the State for delinquent taxes".

Amendment No. 3.

On page 1, line 5, of the printed bill, as amended, strike out "the first day of December, 1935,".

Amendment No. 4.

On page 1 of the printed bill, as amended, strike out line 7, and insert in lieu thereof the following "may hereafter be deeded to the State, his agent, heirs, executors, administrators,".

Amendment No. 5.

On page 1 of the printed bill, as amended, strike out lines 8 to 19, inclusive, and insert in lieu thereof the following. "or other successors in interest shall have the right to apply to the board of supervisors of the county, in which said property is located, for a hearing, at which time he may make a showing of reason or reasons why he should be allowed to make a redemption of such property for less than the full amount, said amount to be stated in said application, which amount may be less than the total taxes, penalties, and costs accrued up to the date of such application. Such application must contain a physical and legal description of such property.

At the time of making such application, the petitioner shall deposit with the clerk of the board of supervisors a sufficient sum of money to cover the costs and advertising of such hearing and shall also deposit, to be held in trust, a quitclaim deed transferring all of his right, title, and interest in and to the said property to the said board of supervisors.

Notice of such hearing together with a copy of such application shall be published at least three weeks in some newspaper of general circulation published in the county, or city and county, or if there be no newspaper published therein, then by posting

a notice in three conspicuous places in the county, or city and county, one of which shall be in or near the United States post office nearest the land. In addition to such publication or posting, a copy of the notice shall be conspicuously posted on the land itself. Said publication, if made by newspaper, shall be made once each week for three weeks and the hearing shall not be held until at least seven days subsequent to the last publication shall have elapsed, or if the notice is by posting, until twenty-one days have elapsed from the date of such posting. At the hearing of such application, any person other than the applicant shall have the right to offer to redeem the property involved for an amount greater than that offered by the applicant but such offer must be accompanied by a deposit of cash or certified check in an amount equal to ten per cent of such offer and such amount shall be deposited with the clerk of the board of supervisors when such offer is made.

If the applicant refuses to meet such offer, he will be deemed to have waived his right to the property and the board of supervisors may declare the property sold to the party making such offer, who shall then be required to complete the purchase under the same terms and conditions hereinafter set forth, or to forfeit the deposit made at the time of meeting such offer. At the time of such hearing, the applicant or his agent may produce either oral or written testimony which will tend to show the reason or reasons why a redemption of his property should be allowed for less than the full amount of taxes, penalties, and costs accrued thereon.

The board may, upon such showing, authorize the redemption of the property for the amount stated in said application or for some greater amount determined by the board, but in no case for more than the total taxes, penalties, and costs accrued thereon. The board may reserve its decision pending an investigation of the facts adduced at such hearing and for that purpose, may delegate such investigation to other officers of the county or may employ investigators for such purpose. The expense of such investigation to be a charge against the general fund of the county and they may render their decision after such investigation without further hearing, but such decision by the board must be made within thirty days from the date of such hearing. If the decision of the board of supervisors is for some other amount than that applied for by the applicant, the applicant shall have the right to choose whether or not he shall proceed with such redemption at the amount so fixed by the board's decision.

If the applicant or his agent does not notify the board of his intention to proceed with the redemption for the amount set by the board within ten days from the date of the notice to him by the said board of their decision, it shall be deemed that he has refused the offer of the board and the quitclaim deed heretofore deposited by him shall be returned to him by the clerk of the board of supervisors. The notice above provided to be given the applicant by the said board shall be sent by registered mail to either the applicant or his agent at the address specified in the application. If the applicant proceeds with the redemption of the property, either in the amount specified in the application or in some other amount determined as proper by the board of supervisors, he shall, within ten days after the receipt of the notice above mentioned, deposit with the clerk of the board of supervisors, an amount equal to ten per cent of the redemption price as fixed by the said board and shall be required to complete the payment of the adjusted price fixed by the board within thirty days thereafter and if not completed within the said thirty days or within an extended period granted by the board of supervisors, which extended period shall not be for more than thirty days additional, then the original payment of ten per cent shall be forfeited to the general fund of the county and the quitclaim deed heretofore provided for shall be retained by the county.

Should, however, the applicant have refused to meet an offer made by some other party as hereinbefore provided, then that other party shall have the right to redeem the said property in the same manner and under the same terms as hereinbefore set forth for redemption by the applicant and upon completion of such redemption, the board of supervisors shall transfer all of the right, title, and interest in and to said property conveyed to it by the applicant or acquired in any other manner to the redemptioner."

Amendment No. 6.

On page 2 of the printed bill, as amended, strike out lines 1 to 7, inclusive, and insert in lieu thereof the following:

"Due to the fact that many properties throughout the State of California have ceased to pay taxes and there being no existing method by which such property can be sold or redeemed and because of the fact that in many cases the taxes, penalties, and costs accrued against such property amount to more than the present market value of such property, a method must be provided whereby the accrued taxes, penalties, and costs may be reduced to an amount which will make the redemption of such property possible and further, that this measure offers such an opportunity for the original owner to retrieve and retain the property which he has to all intents and purposes lost, probably through no fault of his own, but through economic stress. The operation of this law will, in a great measure, relieve the economic pressure now burdening the various political subdivisions of this State by recovering a portion of the taxes, penalties, and costs now charged against these properties and further by restoring to the revenue tax rolls the said properties which are now not bearing any proportion of the cost of government due to the fact that said properties are not

now being taxed The pressing need for a method that will correct this condition is evidenced by the fact that in some counties this delinquent property approaches fifty per cent of the total taxable property within the county."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 2350—An act to restrict the net operating profits of public utilities.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Heisinger:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out the word "the", and also all of line 3, and the word "Joaquin", in line 4.

Amendment No. 2.

On page 1, line 7, of the printed bill, as amended, strike out "the board of supervisors of Fresno", and also strike out all of lines 8 and 9, and insert in lieu thereof the following:

"Where the board of supervisors of any county in this State have purported to form or organize".

Amendment No. 3.

On page 1, line 21, of the printed bill, as amended, strike out the period following the word "act", and insert in lieu thereof a comma; and also strike out the word "All", and insert in lieu thereof the word "all".

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Special Order Set for Assembly Constitutional Amendment No. 65.

On motion of Mr. Williamson, the consideration of Assembly Constitutional Amendment No. 65 was made a special order for Tuesday, May 14, 1935, at eleven o'clock a.m.

Motion to Re-refer Senate Bills Nos. 748 and 751.

Mr. Scudder moved that Senate Bills Nos. 748 and 751 be withdrawn from Committee on County Government, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Senate Bills Nos. 748 and 751 to Committee on Judiciary.

Motion carried.

Senate Bills Nos. 748 and 751 ordered re-referred to Committee on Judiciary.

Motion to Re-refer Senate Bills Nos. 749 and 750.

Mr. Scudder moved that Senate Bills Nos. 749 and 750 be withdrawn from Committee on Governmental Efficiency and Economy, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Senate Bills Nos. 749 and 750 to Committee on Judiciary.

Motion carried.

Senate Bills Nos. 749 and 750 ordered re-referred to Committee on Judiciary.

Motion to Re-refer Assembly Bill No. 2295.

Mr. Frazier moved that Assembly Bill No. 2295 be withdrawn from Committee on Fish and Game, and ordered re-referred to Committee on Public Health and Quarantine.

The question being on re-referring Assembly Bill No. 2295 to Committee on Public Health and Quarantine.

Motion carried.

Assembly Bill No. 2295 ordered re-referred to Committee on Public Health and Quarantine.

Motion to Re-refer Assembly Bill No. 1757.

Mr. Cassidy moved that Assembly Bill No. 1757 be withdrawn from the file, and ordered re-referred to Committee on Public Utilities.

The question being on re-referring Assembly Bill No. 1757 to the Committee on Public Utilities.

Motion carried.

Assembly Bill No. 1757 ordered re-referred to Committee on Public Utilities.

Special Order Set for Assembly Bill No. 2416.

On motion of Mr. Welsh the consideration of Assembly Bill No. 2416 was made a special order for Tuesday, May 14, 1935, at two o'clock and thirty minutes p.m.

Motion to Print Assembly Bill No. 1803.

Mr. Waters moved that the Chief Clerk be instructed to place an order for the printing of 1000 copies of Assembly Bill No. 1803.

Motion carried.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. McMurray:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 50 of the "State Housing Act," approved June 15, 1923, relating to the character and construction of fire escapes.

Referred to Committee on Introduction of Bills.

Withdrawal of Assembly Bills.

By order of the Speaker, the following bills were stricken from the file, and ordered re-referred to committees:

Assembly Bill No. 243 ordered re-referred to Committee on Municipal Corporations.

Assembly Bill No. 2243 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 2188 ordered re-referred to Committee on Municipal Corporations.

Assembly Bill No. 916 ordered re-referred to Committee on Agriculture.

Assembly Bill No. 957 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 937 ordered re-referred to Committee on Judiciary.

Assembly Bill No 1010 ordered re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1289 ordered re-referred to Committee on Motor Vehicles.

Assembly Bill No. 1222 ordered re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1281 ordered re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 2178 ordered re-referred to Committee on Roads and Highways.

Assembly Bill No. 1757 ordered re-referred to Committee on Public Utilities.

Assembly Bill No. 1288 ordered re-referred to Committee on Public Utilities.

Assembly Bill No. 1502 ordered re-referred to Committee on Public Utilities.

Assembly Bill No. 651 ordered re-referred to Committee on Public Utilities.

Assembly Bill No 1294 ordered re-referred to Committee on Motor Vehicles.

Assembly Bill No. 1295 ordered re-referred to Committee on Motor Vehicles.

Assembly Bill No. 1339 ordered re-referred to Committee on Motor Vehicles.

Assembly Bill No. 289 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 2242 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 1917 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 2291 ordered re-referred to Committee on Motor Vehicles.

Assembly Bill No. 212 ordered re-referred to Committee on Fish and Game.

Assembly Bill No. 1233 ordered re-referred to Committee on Fish and Game.

Assembly Bill No. 1083 ordered re-referred to Committee on Fish and Game.

Assembly Bill No. 117 ordered re-referred to Committee on Fish and Game.

Assembly Bill No. 641 ordered re-referred to Committee on Roads and Highways.

Assembly Bill No. 1038 ordered re-referred to Committee on Judiciary.

Senate Constitutional Amendment No. 18 ordered re-referred to Committee on Constitutional Amendments.

Senate Bill No 291 ordered re-referred to Committee on Public Health and Quarantine.

Appointment of Committee on Free Conference Concerning Senate Bill No. 472.

The Speaker announced the appointment of Messrs Minard, Frazier and Maloney, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Senate Bill No. 472.

Adjournment.

At one o'clock and ten minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m , Thursday, May 9, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, May 9, 1935.

At nine o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Thorp, its further reading was dispensed with.

Leave of Absence.

On motion of Mr. Dawson, Mr. Brennan was granted leave of absence for this day.

Privilege of Floor of Assembly Extended.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to teachers and pupils of the Elk Grove Union Grammar School, Elk Grove, California, as follows: Hazel Poston and Thomas Ross, teachers, and Phyllis Doty, Betty Mae Valente, Pearl Richey, Royal Baker, Joe Vargas, Edwin Schuler, Dorothy Nakaguchi, Kimeko Urokogato, Haruko Nakashima, Wanda Woolford, Alfred Anderson, George Kinoshita, Toshio Koyama, Kunio Nakatani, Peter Drovetsky, Nancy Batey, Madena Chalmers, Edith Mae Francisco, Betty Jane Gage, Pauline Gobel, Victoria Olenski, Mary Polhemus, Anita Steele, Roy Suyemoto, Sam Harvey, Alfred Kranzler, Bob Lunn, Richard Malka, Masami Matoba, Herbert Selzle, Rudy Spitzer, Reed Tibbetts, Tommy Wightman, Leonard Adam, Emil Bader, Helen Chiesa, Benjamin Dewald, Raymond Dewald, Smiles Kinoshita, Akira Miyamoto, Mary Sellers, Hideko Shingu, Bill Tribble,

Ruby Bach, Bernciee Badella, Alfred Donato, Simon Espitalher, June Holden, Dorothy Maruki, George Moriyama, Alice Nishigori, Beverly Parades, Nobuo Sawamura, Masako Sugimoto, Toshiyuki Tahara, Chiyoko Yamaguchi, Jean McKissick, Buena Rafanot, Henry Selzle, Mable Stark, Yuriko Tominaga, Robert Batey, Iral Bond, Dorothy Daley, Irma Hunt, Geraldine Johnson, Patricia Learned, Betty Jean Lillico, Cecelia Malka, Kishio Matoba, Earle Mitchell, Uma Claire Van Sickle, and William Yoshida.

On request of Messrs Maloney and Scudder, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Walter Mails, pitcher of San Francisco baseball team.

On request of Mr. O'Donnell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the principal and teacher of the Los Molinos High School, as follows: Mr. E. O. Talbott, principal; Mrs. V S Talbott, teacher; Marilyn Talbott, Orwin Talbott, Stanley Bowers, Donald Conklin, La Verne Faraker, Elsie Smith, Raymond Toleat, James Wilson, Elisabeth Krois, Marietta Riffle, Isalda Almandinger, and Ogden Reed.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Doris Louise Miller of Oakland.

On request of Mr Cronin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Messrs. John H. Riordan, Jr., and Paul Murphy, law students, San Francisco University, and Edward A. Barry, law student, St Mary's College, residing in Mr. Cronin's assembly district.

Presentation of Petition.

The following petition was presented, and ordered printed in the Journal:

By Mr. Speaker:

From Noble Kid Chissel, 724 N. Gramercy Place, Hollywood, protesting the abolition of walkathon and endurance tests.

Communications.

The following communication was received, and ordered printed in the Journal:

By Mr. Speaker:

Summary of Opposition to Train Limit Legislation
California Legislature, 1935 Session.

SAN FRANCISCO, CALIFORNIA, May 6, 1935.

The following is a list of the organizations, firms and individuals of record as being opposed to the enactment of the so-called train limit bills (Senate Bill No. 24 and Assembly Bill No. 17):

California Farm Bureau Federation.
Western Growers Protective Association
The Agricultural Council of California, whose membership includes the following:
Calavo Growers of California, Los Angeles.
California Almond Growers Exchange, San Francisco.
California Canning Peach Growers, San Francisco.
California Cattlemen's Association, San Francisco.
California Cotton-Cooperative Association, Bakersfield.
California Dairymen's Federation, Los Angeles.
California Fruit Exchange, Sacramento.
California Fruit Growers Exchange, Los Angeles.
California Lima Bean Growers Association, Oxnard.

185—19120

California Milk Producers Association, Los Angeles
California Pear Growers Association, San Francisco.
California Prune and Apricot Growers Association, San Jose.
California Prune Pool, San Francisco.
California Turkey Growers Association, San Francisco.
California Wool Growers Association, San Francisco.
California Walnut Growers Association, Los Angeles
Central California Berry Growers Association, San Francisco.
Challenge Cream and Butter Association, Los Angeles.
Cooperative Dairymen's League, Oakland.
Farmers Cooperative Exchange, Incorporated, Santa Cruz.
Fontana Producers Egg and Supply Company, Fontana.
Hayward Poultry Producers Association, Hayward.
Poultrymen's Cooperative Association of Southern California, Los Angeles.
Poultry Producers of Central California, San Francisco.
Rice Growers Association of California, Sacramento.
San Diego Cooperative Poultry Association, San Diego.
San Joaquin Valley Poultry Producers Association, Porterville.
Sebastopol Apple Growers Union, Sebastopol.
Sun-Maid Raisin Growers of California, Fresno.
Tri-Valley Packing Association, San Francisco.

GENERAL ASSOCIATIONS

General—

California Bean Dealers Association.
Independent Grocers Alliance.
Iron, Steel and Allied Industries.
Pacific Coast Transportation Advisory Board.
Western Fruit Jobbers Association.

Alameda County—

Builders Exchange.
California Materials Association
Emeryville Industries Association.
Retail Coal Dealers Association.
Wholesale Fruit and Produce Merchants Association

Fresno County—

Fresno Traffic Association.

Los Angeles County—

Associated Jobbers and Manufacturers.
California Van and Storage Association.
Los Angeles Commercial Club.
Los Angeles Foreign Trade Club.
Los Angeles Transportation Club.
Pacific Union Conference Seventh Day Adventists.
Pasadena Motor Car Dealers Association.
Vernon Industrial Development Association.

Riverside County—

Riverside County Taxpayers Association.

San Francisco County—

Industrial Association of San Francisco.
Manufacturers Association of South San Francisco.

AGRICULTURAL ASSOCIATIONS.

General—

Pacific States Butter, Egg, Cheese and Poultry Association.

Alameda County—

Alameda County Farm Bureau.
Central California Pea Growers Association.
Central California Rhubarb Growers Association.
Hayward Poultry Producers Association.

Fresno County—

Reedley Grape Growers.
San Joaquin Grower-Shipper Association.

Humboldt County—

Humboldt County Farm Bureau.
Humboldt County Pomona Grange.
Humboldt County Sheepmen's Association.

Imperial County—
Imperial Grain Growers, Incorporated.

Kern County—
Wasco Potato Growers Association.

Los Angeles County—
Calavo Growers of California.
Leffingwell Rancho Lemon Association.
Sierra Madre Lamanda Citrus Association.

Napa County—
Napa County Farm Bureau.
Napa County Grange.

Orange County—
Anaheim Community Growers, Incorporated.
Anaheim Orange and Lemon Association.
Central Lemon Association.
David Hewes Orange and Lemon Association.
Northern Orange County Citrus Association.
Orange County Fruit Exchange.
Orange County Farm Bureau.
Placentia Mutual Orange Association.
Santiago Orange Growers Association.
Villa Park Orchards Association, Incorporated.

Riverside County—
Arlington Heights Fruit Association.
Queen Colony Fruit Exchange.
Riverside County Farm Bureau.
Riverside County Select Groves, Incorporated.
Victoria Avenue Citrus Association.

San Bernardino County—
Cucamonga Citrus Association
East Highland Citrus Association.
Highland Exchange Association.
Old Baldy Citrus Association.
Ontario-Cucamonga Fruit Exchange.
Redlands-Highlands Fruit Exchange.
Rialto Citrus Association.
Upland Heights Citrus Association
Upland Mutual Groves.

San Diego County—
Escondido Lemon Association.
Escondido Orange Association.
Fallbrook Citrus Association.
Milk Producers Association.
San Diego County Fruit Exchange.

Santa Cruz County—
Grower-Shipper Vegetable Association

Sonoma County—
Geyserville Growers.
Gravenstein Apple Growers Association.
Sebastopol Apple Growers Association.
Sonoma Growers.

Stanislaus County—
Stanislaus County Farmers' Union, Incorporated.

Tulare County—
Central California Citrus Exchange.

Ventura County—
California Lima Bean Growers Association.

The following is a list of newspapers containing editorials opposing train limit legislation:

OPPOSING TRAIN LIMIT LEGISLATION.

Arbuckle American.
Brentwood News.
Calexico Chronicle.
Coalinga Daily Record.

Colusa Daily Times.
Culver City Star-News.
Ferndale Enterprise.
Fresno Bee.
Fontana Herald.
Gridley Herald.
Inglewood Daily News.
Los Angeles Times.
Marysville Appeal Democrat.
Midway Driller (Taft).
North Sacramento Tribune-Progress.
Oakland Tribune.
Perris Progress.
Pinole Weekly Times.
Plumas Independent (Quincy).
Richmond Record-Herald.
Riverside Enterprise.
San Bernardino Sun.
San Jose Mercury Herald.
San Pablo Bee (2 editorials).
St. Helena Star.
Santa Barbara News.
Santa Barbara Morning Press.
San Diego Daily Transcript.
San Francisco Chronicle.
Vacaville Reporter.
Venice Vanguard.
Yreka Journal.

Following is a list of newspapers containing editorials commending Governor Merriam for his veto of the Train Limit Bill:

Alameda Times Star.
Ceres Courier.
Chico Record.
Colusa Daily Times
Downieville Mountain Messenger.
Hollister Evening Freelance.
Humboldt Times (Eureka).
Lassen Mail (Susanville).
Laverne Leader.
Madera Tribune.
Magnolia Weekly News (Riverside).
Newman Index.
Oakdale Enterprise.
Patterson Irrigator.
Petaluma Argus-Courier.
Redding Courier Free Press.
St. Helena Star.
Santa Cruz News.
Santa Cruz Sentinel.
Santa Monica Evening Outlook.
Santa Rosa Press Democrat.
San Francisco Examiner.
San Francisco Shipping Register.
San Francisco Wall Street Journal.
San Jose Evening News.
Sonoma County Herald.
Sonora News.
Vallejo Times-Herald.
Van Nuys Tribune.
Woodland Democrat.

Following is a list of chambers of commerce adopting a resolution opposing train limit legislation:

General—

California State.

Alameda County—

Alameda.
Berkeley.
Hayward.
Oakland.
San Leandro.

Butte County—
Chico.

Contra Costa County—
Pittsburg.
Richmond.

Fresno County—
Fresno.
Fresno County.
Reedley.
Sanger.

Humboldt County—
Eureka.

Imperial County—
Brawley
Calexico.
El Centro.
Imperial County Board of Trade.
Holtville.

Kern County—
Bakersfield.

Lassen County—
Susanville.

Los Angeles County—
Alhambra.
Azusa.
Beverly Hills.
Canoga Park.
Covina.
El Monte.
Glendora.
Hollywood.
Long Beach.
Los Angeles.
Pasadena.
Puente.
Reseda Boulevard.
San Fernando.
San Gabriel.
Santa Monica-Ocean Park.
Torrance.
Whittier.

Merced County—
Merced.

Modoc County—
Alturas.

Monterey County—
Monterey.
Salinas.

Napa County—
Napa.
St. Helena.

Orange County—
Anaheim.
Fullerton.
Orange Community.
Orange County Associated.
Santa Ana.

Riverside County—
Blythe.
Corona.
Palo Verde Valley.
Riverside.
Riverside County.

Sacramento County—
Sacramento.

San Benito County—
San Benito County.

San Bernardino County—
Fontana.
Highland.
Ontario.
Redlands.
Rialto.
San Bernardino
Upland.

San Diego County—
Chula Vista.
Fallbrook.
San Diego.

San Francisco County—
South San Francisco.

Santa Barbara County—
Lompoc.
Santa Barbara.
Santa Maria.

Santa Clara County—
Mountain View.
San Jose.

Santa Cruz County—
Pajaro Valley.
Watsonville.

Sonoma County—
Healdsburg.
Petaluma.
Santa Rosa
Sonoma County Associated
Sonoma Valley.

Tulare County—
Dinuba.
Exeter.
Lindsay.

Yolo County—
Woodland.

Yuba County—
Yuba-Sutter.

Two petitions were addressed to the Legislature, respectively by approximately 600 shopmen employed in the San Bernardino shops of the Atchison, Topeka and Santa Fe Railroad and by more than 1100 men employed in the Sacramento shops of the Southern Pacific Company.

Approximately 2600 letters and telegrams from shippers and their associations were addressed to the Legislature or the Governor opposing the passage of train limit legislation. In addition, more than 3900 railroad employees also wrote or wired the Governor requesting veto of the bill. Among those opposing such legislation were Eliot Jones, professor of transportation, Stanford University, and vice chairman of committee on educational institutions of the Pacific Coast Transportation Advisory Board, and Stuart Daggett, professor of transportation, University of California. Their letters, as well as copies of typical resolutions opposing such legislation, copies of editorials in opposition thereto, and other details are set forth in the report on opposition to train limit legislation accompanying this statement.

Summarizing the foregoing, it appears that 85 chambers of commerce, 79 organizations and associations, plus the 30 organizations represented by the agricultural council, and 72 newspapers in California, are on record as opposed to this legislation, as well as the several thousand firms and individuals who have also voiced their opposition to train limit legislation

ASSISTANT CLERK COOLIDGE READING.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1216—An act to amend section 818 of the Agricultural Code, relating to potatoes;

Also: Assembly Bill No. 1267—An act to amend the title and to add three new sections, to be numbered 2a, 2b and 2c, to an act entitled "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the health of persons by whom the materials from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors; and providing for the punishment of the same," approved March 6, 1909, relating to the use of sealed containers and providing for the sterilization of used bottles, receptacles and containers used for foods, drugs and liquors;

Also: Assembly Bill No 1348—An act to amend section 690 10 of the Political Code, relating to rights in and upon swamp, overflowed, marsh, tide and submerged lands;

And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1606—An act to amend section 8 of and to add section 8a to the Sewer Revenue Bond Act, relating to acquisition and operation of sewerage disposal works—and reports that the same has been correctly re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 243—An act to amend sections 5, 6, 7 and 8 of the "Metropolitan Water District Act," relating to Metropolitan Water District;

Also: Assembly Bill No. 1349—An act to amend section 817 of the Penal Code, relating to peace officers;

Also: Assembly Bill No. 1625—An act to prevent fraud, deception and imposition in the solicitation within the State of California of the deposit of bonds, notes, debentures and other evidences of indebtedness under, or the consent of the holders or owners of such securities, to a protective committee agreement, and to prevent fraud, deception and imposition in the operations and activities of protective committees organized within the State of California to act for and in behalf of the holders or owners of such securities, and for such purposes to regulate and supervise the establishment and the operations of protective committees, depositaries under protective committee agreements, and solicitors for protective committee agreements; and to add sections 35a to 35p, inclusive, to the Corporate Securities Act, relating to the foreclosure of mortgages or deeds of trust conferring power of sale upon a trustee, the reorganization of corporations, and the organization of stockholders or bondholders committees;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 7, 1935

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 259—An act to add a new section to the Civil Code, to be numbered 453.14, relating to mortgage insurance companies; declaring the urgency thereof and providing that this act shall take effect immediately;

Also: Assembly Bill No. 258—An act to amend sections 453.2, 453.3, 453.5, 453.6, and 453 12 of the Civil Code, all relating to mortgage insurance companies;

Also: Assembly Bill No. 1664—An act to amend section 2 of an act entitled "An act to create a reclamation district to be called "Reclamation District No. 1660," and providing for the control and management thereof, approved June 1, 1915, relating to the management and control of said district;

Also: Assembly Bill No 844—An act to amend section 33 of the California Irrigation District Act, relating to the payment of bonds and interest thereon.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 259, 258, 1664 and 844 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 843—An act to repeal section 73a of the California Irrigation District Act, relating to the procedure by which property owners may be relieved from obligations of the district;

Also: Assembly Bill No. 1277—An act to add a new section to the Political Code to be numbered 3454½, relating to reclamation districts and requiring that in all actions against a reclamation district or any person sued by reason of his connection therewith the board of trustees must be made parties defendant;

Also: Assembly Bill No. 252—An act to amend section 499b of the Penal Code, relating to the unauthorized taking for temporary use or operation of aircraft, automobiles, bicycles, motorcycles or other vehicles;

Also: Assembly Bill No. 2047—An act to amend section 1197 of the Code of Civil Procedure, relative to executions in mechanics' lien actions.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 843, 1277, 252 and 2047 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 50—Relative to memorializing the President and the Congress to enact H. R. 5359, which provides for the creation of a National Civil Academy.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Joint Resolution No. 50 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 488—An act to add a new section to the Insurance Code of the State of California to be numbered 12629, relating to mortgage insurers, including but not being limited to the rehabilitation, readjustment or reorganization of mortgage insurers or of all or of any part of the business, properties and assets of such insurers, and to the revision, modification or termination of mortgage participation trusts, mortgage participation certificates and policies of mortgage insurance and to the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of, and persons interested in, such insurers or trusts; to provision for the kinds of securities issuable in connection therewith and exempting such securities from the provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurers, banks, banking institutions and trust companies and officers of the State of California to consent to a plan, as defined in said section, to exchange mortgage participation certificates, shares of stock, bonds, notes, debentures or other rights or claims for securities issued pursuant to such plan and to continue to hold as legal investment any securities so received;

Also: Assembly Bill No. 283—An act to amend section 852 of, and to add a new section to be numbered 852c to an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities of the sixth class;

Also: Assembly Bill No. 341—An act to amend sections 21.1, 53, 54, 63, 64, 105, 133, 135d and 139 of the Bank Act, and to add two new sections thereto to be numbered 16d and 51.1;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 488, 283 and 341 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2205—An act to add section 599 5 to the Vehicle Code, relating to unlawful displays on vehicles;

Also: Assembly Bill No 489—An act to add a new section to the Civil Code of the State of California, to be numbered section 453.15, relating to the rehabilitation, readjustment or reorganization of mortgage insurance companies or of all or of any part of the business, properties and assets of such companies, and to the revision, modification or termination of mortgage participation trusts, mortgage participation certificates and policies of mortgage insurance and to the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of, and persons interested in, such companies or trusts; providing for the kinds of securities issuable in connection therewith and exempting such securities from the provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies, banks, banking institutions and trust companies and officers of the State of California to consent to a plan, as defined in said section, to exchange mortgage participation certificates, shares of stock, bonds, notes, debentures or other rights or claims for securities issued pursuant to such plan and to continue to hold as legal investment any securities so received;

Also: Assembly Bill No. 260—An act to amend sections 12422, 12423, 12427, 12442, 12484, 12486, 12488 and 12543 of the Insurance Code and to add a new section to said code to be numbered 12490, all relating to mortgage insurers;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 2205, 489 and 260 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 7, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 423—An act to provide for the sale and conveyance of certain swamp and overflowed, salt marsh and tidelands lying in the county of Contra Costa, State of California.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 423 read first time, and referred to Committee on Governmental Revenues and Expenditures.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 1102—An act to add Chapter 10 to Division IV of the Agricultural Code relating to the stabilization and marketing of fluid milk and fluid cream, declaring the urgency of this act, to take effect immediately

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary

Senate Bill No. 1102 read first time, and referred to Committee on Live Stock and Dairies.

Second Reading of Assembly Bills.

Assembly Bill No. 2019—An act to amend section 2289 of the Political Code, relating to State aid to indigent orphans.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out line 5, and insert in lieu thereof the following:

1 That until September 1, 1937, no child over the age of eighteen years, and after September 1, 1937, no child over the age of sixteen years shall be deemed a".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2354—An act to amend sections 146 and 154 of the Vehicle Code, and to add sections 146.5, 180.5, and 371.5 to said Vehicle Code, all relating to vehicles previously registered outside this State, and the registration and transfer thereof within this State.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 762—An act to add a new section to the School Code to be numbered 2.123-1, relating to the payment of the cost of food and lodging for certain elementary school pupils from the unapportioned county elementary school fund.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2434—An act to amend the Los Angeles County Flood Control Act by adding thereto a new section to be numbered 15a, relating to compliance with requirements of the United States or any department or agency thereof, in the performance of public work financed in whole or in part from Federal funds, and declaring the urgency thereof, the act to take effect immediately.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 223—An act to amend section 3649 of the Political Code, relating to taxation.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 1078—An act to amend section 18 of the Inheritance Tax Act, relating to the levying of inheritance taxes.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1339—An act to add a new division to the Vehicle Code, to be numbered IXa, relating to vehicular crossings constructed or owned by the State, the control and policing thereof, and the regulation of traffic thereon.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 49, of the printed bill, as amended, strike out the word "may", and insert in lieu thereof the word "shall".

Amendment No. 2.

On page 4, line 29, of the printed bill, as amended, after "or", insert a comma, and the following: "as to lights, signs, and signals at a toll house, unless a member of the California Highway Patrol or".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1124—An act amending sections 44 and 517 of the Vehicle Code, relating to authorized emergency vehicle.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "44 and 517", and insert in lieu thereof the following: "554 and 671".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 26, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 554 of the Vehicle Code is hereby amended to read as follows.

554. Operation of Vehicles and Street Cars on Approach of Authorized Emergency Vehicles. (a) Upon the immediate approach of an authorized emergency vehicle giving audible signal by siren: (1) The driver of every other vehicle shall yield the right of way and shall immediately drive to a position parallel to, and as close as possible to, the right hand edge or curb of the highway clear of any intersection and thereupon stop and remain in such position until such authorized emergency vehicle has passed, except when otherwise directed by a police or traffic officer. (2) The motorman of every street car shall immediately stop such car clear of any intersection and keep it in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police or traffic officer.

(b) This section shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.

(c) No driver of any authorized emergency vehicle shall sound a siren or assume any other special privilege under this section, except when such vehicle is operated in response to an emergency call, in traffic patrol duty, in responding to but not upon returning from a fire alarm, or in the immediate pursuit of an actual or suspected violator of the law."

Amendment No. 3.

On page 2 of the printed bill, strike out lines 1 to 15, inclusive, and insert in lieu thereof the following:

"SEC. 2. Section 671 of the Vehicle Code is hereby amended to read as follows:

671. Horns or Warning Devices. (a) Every motor vehicle when operated upon a highway shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than two hundred feet but no horn shall emit an unreasonably loud or harsh sound. The driver of a motor vehicle shall when reasonably necessary to insure safe operation give audible warning with his horn but shall not otherwise use such horn when upon a highway.

(b) No vehicle shall be equipped with nor shall any person use upon a vehicle any siren except as otherwise permitted in this subdivision. Any authorized emergency vehicle may be equipped with a siren of a type approved by the department but such siren shall not be used except when such vehicle is operated in response to an emergency call, in traffic patrol duty, in responding to but not upon returning from a fire alarm, or in the immediate pursuit of an actual or suspected violator of the law in which said latter events the driver of such vehicle shall sound said siren when necessary to warn pedestrians and other drivers of the approach thereof."

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 257—An act to establish a Bureau for the Blind in the Department of Institutions, providing for the administration thereof, making appropriations therefor, and repealing certain acts in conflict herewith.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, as amended, strike out "appropriations", and insert in lieu thereof the following: "an appropriation".

Amendment No. 2.

On page 1, line 2, of the printed bill, as amended, strike out "of", and insert in lieu thereof the following: "for".

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out lines 37 to 52, inclusive.

Amendment No. 4.

On page 3, line 1, of the printed bill, as amended, strike out "13", and insert in lieu thereof the following: "12".

Amendment No. 5.

On page 3, line 9, of the printed bill, as amended, strike out "14", and insert in lieu thereof the following: "13".

Amendment No. 6.

On page 3, line 14, of the printed bill, as amended, strike out "15", and insert in lieu thereof the following: "14".

Amendment No. 7.

On page 3, line 20, of the printed bill, as amended, strike out "16", and insert in lieu thereof the following: "15".

Amendment No. 8.

On page 3 of the printed bill, as amended, strike out lines 23 to 25, inclusive.

Amendment No. 9.

On page 3, line 26, of the printed bill, as amended, strike out "18", and insert in lieu thereof the following: "16".

Amendment No. 10.

On page 3, line 35, of the printed bill, as amended, strike out "19", and insert in lieu thereof the following: "17".

Amendment No. 11.

On page 3, line 38, of the printed bill, as amended, strike out "20", and insert in lieu thereof the following: "18".

Amendment No. 12.

On page 3, line 44, of the printed bill, as amended, strike out "secretarian", and insert in lieu thereof the following: "sectarian".

Amendment No. 13.

On page 4, line 11, of the printed bill, as amended, strike out "21", and insert in lieu thereof the following. "19".

Amendment No. 14.

On page 4, lines 16, 17 and 18, of the printed bill, as amended, strike out "the number of persons receiving aid and the amount of such aid granted to each person,".

Amendment No. 15.

On page 4, line 25, of the printed bill, as amended, strike out "22", and insert in lieu thereof the following. "20"

Amendment No. 16.

On page 4, line 27, of the printed bill, as amended, strike out "23", and insert in lieu thereof the following: "21".

Amendment No. 17.

On page 4, line 33, of the printed bill, as amended, strike out "24", and insert in lieu thereof the following. "22".

Amendment No. 18.

On page 4, line 39, of the printed bill, as amended, strike out "25", and insert in lieu thereof the following. "23".

Amendment No. 19.

On page 4, line 42, of the printed bill, as amended, strike out "26", and insert in lieu thereof the following: "24".

Amendment No. 20.

On page 4, line 47, of the printed bill, as amended, strike out "27", and insert in lieu thereof the following: "25".

Amendment No. 21.

On page 5, line 3, of the printed bill, as amended, strike out "27", and insert in lieu thereof the following: "26".

Amendment No. 22.

On page 5, line 7, of the printed bill, as amended, strike out "29", and insert in lieu thereof the following: "27".

Amendment No. 23.

On page 5, line 11, of the printed bill, as amended, strike out "30", and insert in lieu thereof the following: "28".

Amendment No. 24.

On page 5, line 14, of the printed bill, as amended, strike out "31", and insert in lieu thereof the following: "29".

Amendment No. 25.

On page 5, line 23, of the printed bill, as amended, strike out "32", and insert in lieu thereof the following: "30".

Amendment No. 26.

On page 5, line 26, of the printed bill, as amended, strike out "33", and insert in lieu thereof the following: "31".

Amendment No. 27.

On page 5, line 30, of the printed bill, as amended, strike out "34", and insert in lieu thereof the following: "32".

Amendment No. 28.

On page 5, line 31, of the printed bill, as amended, strike out "to", and insert in lieu thereof the following: "of".

Amendment No. 29.

On page 5, line 33, of the printed bill, as amended, strike out "35", and insert in lieu thereof the following: "33"

Amendment No. 30.

On page 5, line 35, of the printed bill, as amended, strike out "36", and insert in lieu thereof the following: "34".

Amendment No. 31.

On page 5, line 45, of the printed bill, as amended, strike out "37", and insert in lieu thereof the following: "35".

Amendment No. 32.

On page 6, line 14, of the printed bill, as amended, strike out "38", and insert in lieu thereof the following: "36".

Amendment No. 33.

On page 6, line 25, of the printed bill, as amended, strike out "39", and insert in lieu thereof the following: "37".

Amendment No. 34.

On page 6, line 31, of the printed bill, as amended, strike out "40", and insert in lieu thereof the following: "38".

Amendment No. 35.

On page 6, line 34, of the printed bill, as amended, strike out "41", and insert in lieu thereof the following: "39".

Amendment No. 36.

On page 6, line 42, of the printed bill, as amended, strike out "42", and insert in lieu thereof the following: "40".

Amendment No. 37.

On page 6, line 48, of the printed bill, as amended, strike out "43", and insert in lieu thereof the following: "41".

Amendment No. 38.

On page 7, line 15 of the printed bill, as amended, strike out "44", and insert in lieu thereof the following: "42".

Amendment No. 39.

On page 7 of the printed bill, as amended, strike out lines 17 to 22, inclusive, and insert in lieu thereof the following

"SEC. 43. To employ a placement officer"

Amendment No. 40.

On page 7, line 23, of the printed bill, as amended, strike out "of the Department".

Amendment No. 41.

On page 7, line 30, of the printed bill, as amended, strike out "47", and insert in lieu thereof the following: "44".

Amendment No. 42.

On page 8, line 8, of the printed bill, as amended, strike out "48", and insert in lieu thereof the following: "45".

Amendment No. 43.

On page 8, line 15, of the printed bill, as amended, strike out "49", and insert in lieu thereof the following: "46".

Amendment No. 44.

On page 8 of the printed bill, as amended, strike out line 26, and insert in lieu thereof the following:

"SEC. 47. The official bonds required in this act must".

Amendment No. 45.

On page 8, line 31, of the printed bill, as amended, strike out "51", and insert in lieu thereof the following: "48".

Amendment No. 46.

On page 9, line 1, of the printed bill, as amended, strike out "52", and insert in lieu thereof the following: "49".

Amendment No. 47.

On page 9, line 10, of the printed bill, as amended, strike out "53", and insert in lieu thereof the following: "50".

Amendment No. 48.

On page 9, line 16, of the printed bill, as amended, strike out "54", and insert in lieu thereof the following: "51".

Amendment No. 49.

On page 9, line 21, of the printed bill, as amended, strike out "55", and insert in lieu thereof the following "52".

Amendment No. 50.

On page 9, line 29, of the printed bill, as amended, after "manufacturing", insert the following: "and sales".

Amendment No. 51.

On page 9, line 31, of the printed bill, as amended, after "manufacturing", insert the following: "and sales".

Amendment No. 52.

On page 9 of the printed bill, as amended, strike out lines 41 to 50, inclusive, and strike out all of pages 10 and 11.

Amendment No. 53.

On page 12 of the printed bill, as amended, strike out lines 1 to 13, inclusive.

Amendment No. 54.

On page 12, line 14, of the printed bill, as amended, strike out "69", and insert in lieu thereof the following: "53".

Amendment No. 55.

On page 12, line 19, of the printed bill, as amended, strike out "70", and insert in lieu thereof the following: "54".

Amendment No. 56.

On page 12, line 20, of the printed bill, as amended, after "Education,", insert the following: "and by the Department of Social Welfare".

Amendment No. 57.

On page 12, lines 23 and 24, of the printed bill, as amended, strike out "Division of Aid to the Needy Blind in the Department of Social Welfare", and insert in lieu thereof the following: "use of the blind".

Amendment No. 58.

On page 12 of the printed bill, as amended, strike out line 28, and insert in lieu thereof the following: "tions intended for the use of the blind."

Amendment No. 59.

On page 12, line 29, of the printed bill, as amended, strike out "71", and insert in lieu thereof the following: "55".

Amendment No. 60.

On page 12, line 33, of the printed bill, as amended, after "manufacturing", insert the following: "and sale of".

Amendment No. 61.

On page 12, line 35, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "and sales."

Amendment No. 62.

On page 12, line 36, of the printed bill, as amended, strike out "72", and insert in lieu thereof the following: "56".

Amendment No. 63.

On page 12, line 38, of the printed bill, as amended, strike out "for the maintenance, support and care of the needy", and insert in lieu thereof the following: "for the support of the Bureau".

Amendment No. 64.

On page 12 of the printed bill, as amended, strike out lines 39 and 40, and insert in lieu thereof the following: "and".

Amendment No. 65.

On page 12, line 41, of the printed bill, as amended, after "such", insert the following, "additional".

Amendment No. 66.

On page 12, line 43, of the printed bill, as amended, strike out "74", and insert in lieu thereof the following: "57".

Amendment No. 67.

On page 12 of the printed bill, as amended, strike out lines 44 to 48, inclusive, and insert in lieu thereof the following: "Code, and an act entitled "An act to".

Amendment No. 68.

On page 12, line 52, of the printed bill, as amended, after "1929", strike out the comma, and insert a period.

Amendment No. 69.

On page 13 of the printed bill, as amended, strike out lines 1 to 6, inclusive.

Amendment No. 70.

On page 12, line 42, of the printed bill, as amended, after the period, insert the following. "Nothing contained in this act shall be deemed to amend, modify or revoke any provision of the act entitled "An act to provide aid for needy blind persons, not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, making appropriation therefor and prescribing penalties for the violation of the provisions of the act," approved May 28, 1929, and revised June 15, 1931, and if any conflict shall exist between the provisions herein contained and said act for aid to needy blind persons, the provisions of the act to provide aid to needy blind as above entitled shall govern"

Amendments adopted.

Bill read second time, ordered to reprint, re-re-engrossment, and third reading.

Assembly Bill No. 999—An act to add a new article to Chapter IX of Part III of Division V of the School Code, to be known as Article IV, consisting of sections 5 792 to 5.799b, inclusive, relating to a merit system for employees in positions other than those requiring certification qualifications

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 35, of the printed bill, as amended, strike out "as members of the personnel", and also strike out all of lines 36 to 44, inclusive, and insert in lieu thereof the following: "a member of the Personnel Commission whose term of office shall be for one year from and after the first day of December, at noon, next succeeding his appointment; the county superintendent of schools in the county in which said district is situated shall appoint a member of the Personnel Commission whose term of office shall be two years from and after the first day of December, at noon, next succeeding his appointment; the executive officer of the State Personnel Board shall appoint a member of the Personnel Commission whose term of office shall be three years from and after the first day of December, at noon, next succeeding his appointment; annually thereafter, on or before the first day of December, or as frequently as vacancies shall occur, appointments to fill said vacancy or vacancies shall be made alternately by the State Superintendent of Public Instruction and by the executive officer of the State Personnel Board, provided that the State Superintendent of Public Instruction shall appoint the member of the Personnel Commission to fill the first said vacancy, and provided further, that appointments after the first year shall be for terms of three years from and after the first day of December, at noon, next succeeding the appointments, excepting interim appointments which shall be made only for the duration of the unexpired term of office".

Amendment No. 2.

On page 4 of the printed bill, as amended, after line 44, insert the following: "The term "veteran" as used in this article means and includes any person who has served in the United States Army, Navy, Marine Corps, Revenue Marine Service, or as an active nurse in the service of the American Red Cross, or in the Army and Navy Nurse Corps in time of war, or in any expedition of the armed forces of the United States, and received an honorable discharge or certificate of

honorable active service, proof of which shall be submitted to the commission at the time of the examination

The term "disabled veteran" as used in this article means and includes any person who has served in the United States Army, Navy or Marine Corps in time of war or in any expedition of the armed forces of the United States, and received an honorable discharge or certificate of honorable active service, proof of which shall be submitted to the commission at the time of the examination, and who was disabled as a result of such service Proof of such disability shall be deemed conclusive if the same be of record in the United States Veterans Administration.

In the case of all entrance examinations, veterans with thirty days or more of service who become eligible for appointment by attaining the passing mark established for the examination, shall be allowed an additional credit of five points, provided that disabled veterans shall be allowed an additional credit of ten points, which shall be added to the percentages attained in such examinations by such veterans, and they shall be placed on eligible lists and be eligible for appointment in the order and on the basis of the percentages attained by them in examinations after such credit of five points, or ten points in the case of disabled veterans, shall have been added "

Amendment No. 3.

On page 5, line 33, of the printed bill, as amended, strike out the words "pay roll", and insert in lieu thereof the word "assignment".

Amendment No. 4.

On page 6, line 7, of the printed bill, as amended, strike out the word "or", and insert in lieu thereof the word "of"

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Motion to Rush Printing of Assembly Bill No. 999.

Mr. Geyer moved that the Chief Clerk be instructed to place a rush order on the printing of Assembly Bill No. 999.

Motion carried.

Assembly Bill No 1167—An act to add a new section to the Political Code to be numbered ------, relating to the Department of Finance.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike all of the title, and insert in lieu thereof the following. "An act authorizing the Director of Finance to provide for the sale of certain lands situated in county of Yolo, State of California".

Amendment No. 2.

On page 1, line 1, of the printed bill, following the period, add the following: "The Director of Finance is hereby authorized to sell the following described property for the best interests of the State:

That small parcel of land, a part of the larger tract of land recorded in book ninety-three of deeds, Yolo County Records, at page two hundred sixty-five, and being that portion of Lot No 37 of Jimeno Rancho situated east of the east levee of "Collins Eddy Cut-Off" and lying between the new levee and the bank of the old river channel, and more particularly described as follows:

Beginning at a point on the easterly right of way line of the east levee of "Collins Eddy Cut-Off" where said right of way line intersects the low water line of the "Old Channel" of the Sacramento River; said point being N. 1° 38' 46" E. 2,875 47 feet from the southwest corner of the SE¼ of the SE¼ of section 13, T. 12 N., R. 1 E., M D. B. & M., thence following the said low water line S. 85° 30' E. 802 00 feet; thence S 68° 10' E 392 00 feet; thence N. 14° 10' E 145.00 feet; thence N. 53° 45' W. 518 00 feet; thence N. 39° 00' W 590 00 feet, to a point on the easterly right of way line of the east levee of "Collins Eddy Cut-Off", thence following said right of way line on a curve to the right from a tangent which bears S. 20° W., with a radius of 3300 00 feet through an angle of 14° 04' for a distance of 810.18 feet (long chord bearing S. 30° 26½' W. 808.15 feet), to the point of beginning, containing 9.597 acres of land, more or less

SEC 2. The Director of Finance is hereby authorized to execute on behalf of the State such deed or other conveyance as may be necessary to pass title to the purchaser or purchasers of said land, reserving to the State of California one-sixteenth of all coal, oil, gas and other mineral deposits contained in said land, as

provided by an act of the Legislature approved May 25, 1921, Chapter 303, Statutes of California 1921."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 622—An act to amend sections 1 72 and 1.73-1 of the School Code, relating to the transportation of public school pupils

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out all of lines 7 and 8, and in line 9, the words "and the school, but", and insert in lieu thereof the following: "in which such pupil attends a sum."

Amendment No. 2.

On page 2 of the printed bill, as amended, strike out all of lines 1, 2, and 3, and insert in lieu thereof the following: "two miles from the school in which such pupil attends a sum not to exceed"

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 385—An act to provide for the refunding of the indebtedness represented by bonds of special assessment districts formed under laws of the State of California where the bonds are payable from assessments levied in whole or in part in accordance with the assessed value of the lands in the district, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments and reassessments and to provide for the proceedings to test the validity of such refunding and reassessment, and to provide for contributions of public funds to assist in such refunding.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of the title, and insert in lieu thereof the following.

"An act to provide for the acquisition and cancellation of bonds heretofore issued under the provisions of that certain act of the Legislature of the State of California designated and known as the "Acquisition and Improvement Act of 1925"; providing for the cancellation of unpaid assessments levied for the purpose of paying the principal and interest of such bonds and of the interest and penalties thereon; providing for the issuance and payment of assessment readjustment bonds to represent certain assessments for the cost of acquisition of such outstanding bonds, including all costs and incidental expenses of proceedings under this act for the issuance of such assessment readjustment bonds; providing a method for the payment of such assessment readjustment bonds; providing a means whereby landowners and bondowners may consent and agree to such proceedings and to the modification of any contract between them involved in such proceedings; providing a method for the redemption of lost or otherwise unobtainable bonds of the issue or issues to be acquired and canceled and for the protection of the owners of such bonds, authorizing proceedings under the bankruptcy laws of the United States of America in connection with any proceedings hereunder; repealing the "Assessment Readjustment Act of 1933", and to declare the urgency of this act, to take effect immediately."

Amendment No. 2.

On page 1, line 1, of the printed bill, after the figure "1", insert the following: "Whenever in the opinion of the legislative body which conducted any proceeding or proceedings under that certain act of the Legislature of the State of California designated and known as the "Acquisition and Improvement Act of 1925," and pursuant to which proceeding or proceedings any bonds provided for in said act have been issued, the public interest, convenience or necessity require the acquisition and cancellation of any such bonds so issued, such legislative body is hereby authorized and empowered to order, under the provisions of this act, the acquisition and cancellation of any such bonds so issued; provided, however, that no proceeding may be taken under this act unless the total amount of the principal of the assessment readjustment bonds to be issued, as provided for in this act, is less than the total amount of the bonds proposed to be acquired and unless and until a written petition, consent and agreement, signed by the owners of more than one-half of the area of property: (a) within each district the bonds of which are to be acquired and canceled hereunder, and (b) within the district to be assessed hereunder for the purposes of such acquisition and cancellation; shall have been filed with the clerk of such legislative body requesting that such proceedings be taken hereunder, in which said petition, consent and agreement, such owners subscribing thereto consent and agree that, subject to such exceptions and limitations as may be set forth in such petition, consent and agreement, any contract or contractual relation existing between the property owners of such district or districts and the owners or holders of such outstanding bonds may be amended, modified, changed, terminated, abrogated, or otherwise altered, to any extent and in any particular or particulars necessary in order to accomplish the purposes of such proceedings hereunder. Unless otherwise limited by the context of this act the term "bonds" as used herein shall include bonds and their respective coupons.

SEC. 2. Before ordering the acquisition and cancellation of any such bonds, as hereinabove contemplated in section 1 of this act, such legislative body shall adopt a resolution declaring the intention of such legislative body so to do, which said resolution of intention shall contain a description of the boundaries of an assessment district to be created hereunder and which is to be assessed to pay the cost of acquisition of such bonds including all costs and incidental expenses of the proceedings under this act for the issuance of assessment readjustment bonds as herein contemplated. In the event any such resolution of intention declares or contemplates that the outstanding bonds of only one acquisition and improvement district are sought to be acquired and canceled hereunder, then the exterior boundaries of such district to be created hereunder shall be coterminous with the exterior boundaries of the assessment district against which such bonds were issued as fixed in the proceedings under said "Acquisition and Improvement Act of 1925" pursuant to which the same were issued and the properties to be assessed therein under the proceedings taken pursuant to the provisions of this act shall be the same properties as were assessed in the proceedings pursuant to which such bonds so to be acquired and canceled were issued. Outstanding bonds of more than one acquisition and improvement district may be acquired and canceled in a single proceeding under the provisions of this act, provided such acquisition and improvement districts are contiguous to or in any manner overlap each other. In the event any such resolution of intention declares or contemplates that outstanding bonds of more than one such acquisition and improvement district are sought to be acquired and canceled hereunder, then the exterior boundary line of the district to be created hereunder in such proceeding shall be an exterior boundary line which shall encompass and include all of the properties included within the composite area formed by the contiguous or overlapping or contiguous and overlapping districts the bonds of which are to be acquired and canceled hereunder and the properties to be assessed in such district created hereunder shall be the same properties as were assessed in the various proceedings pursuant to which such bonds so to be acquired and canceled hereunder were issued.

Such resolution of intention shall also contain a reference to the proceeding or proceedings under which such bonds were issued with sufficient clarity to identify the same and shall indicate the amount of bonds and of each series of bonds, if more than one series, which were originally issued against each of the respective districts created under such proceeding or proceedings, and also the amount or respective amounts of such bonds as the case may be, outstanding against such district or districts on the date of the adoption of such resolution of intention. Said resolution shall further state that it is proposed to issue bonds of the district to be created hereunder as contemplated in this act and shall specify the maximum amount for which such bonds are to be issued hereunder and the term for which such bonds are to be issued and the rate of interest to be paid thereon which shall not exceed seven per cent per annum. There shall also be stated in said resolution of intention the amount of any sum allocated, up to date of said resolution, from any source toward the payment and redemption of such outstanding bonds and a further statement to the effect that in the event any subsequent allocation is, or subsequent allocations are, made, that same will be used and applied toward the payment or redemption of such outstanding bonds and the reduction of the indebtedness of such district or districts. Said legislative body may also in said resolution of intention recite, in

its discretion, the facts or circumstances upon which such body forms its finding or determination that the public interest, convenience or necessity require the acquisition and cancellation of such bonds and the creation of the district to be formed under this act for the purposes indicated. Said resolution shall contain also a notice of the day, hour and place when and where any and all persons having any objection or objections to the proposed acquisition and cancellation of such outstanding bonds or to the creation of such district, or to the issuance of bonds against the same, hereunder, may appear before such legislative body and show cause why said proposed district should not be created, or such assessment readjustment bonds issued for the purposes of the acquisition and cancellation of such existing bonds and the payment of the costs and incidental expenses of the proceedings under such resolution of intention, said time shall not be less than fifteen nor more than sixty days from the date of the adoption of said resolution.

SEC. 3. Any assessment district proposed to be created under the provisions of this act may be described in the resolution of intention by stating the exterior boundaries thereof, or by giving a description thereof according to any official or recorded map or maps, or by referring to a plat or map, approved by such legislative body, which shall be on file in the office of the city, county, or city and county, officer whose office has been designated by the legislative body of the city, county, or city and county, conducting the proceedings hereunder, as the office in which same is to be so filed, at the time of passing the resolution of intention, which shall indicate by a boundary line the extent of the territory included in the proposed district, which said plat or map shall govern for all details as to the extent of said assessment district. The said district need not be described in any of the notices or resolutions provided for herein other than the resolution of intention.

SEC. 4. Resolutions of intention adopted under the provisions of this act shall be published and notice of the passage and adoption thereof shall be given and posted in the same time, form and manner as is provided in that certain act of the Legislature of the State of California designated and referred to as the "Improvement Act of 1911," as amended, for resolutions of intention adopted under the provisions of said last mentioned act; provided, however, that the notices required to be posted under the provisions of said last mentioned act shall be headed "Notice of proposed acquisition and cancellation of certain outstanding bonds and of the creation of an assessment district in connection therewith to pay the costs and expenses thereof and of the proceedings incidental thereto." Said notices shall, in legible characters, state the fact of the passage of the resolution of intention, its date and briefly the purpose of the proceeding as indicated in such resolution of intention and may refer to the resolution of intention on file in the office of the clerk of such legislative body for further particulars. Said notices shall contain also a statement of the day, hour and place when and where any and all persons having any objections to the proposed acquisition and cancellation of such issued bonds, or to the creation of such district, or to the issuance of bonds against the same, hereunder, may appear before such legislative body and show cause why said proposed district should not be created, or such assessment readjustment bonds issued for the purpose of acquisition and cancellation of such existing bonds and the payment of the costs and incidental expenses of the proceedings under such resolution of intention.

SEC. 5. Written protests against the proposed acquisition and cancellation of such issued bonds, or against the creation of such proposed district, or against the issuance of bonds of such district, hereunder, for the purpose proposed, may be made and filed in the same manner and subject to the same terms and conditions as is provided for in the case of protests under said "Improvement Act of 1911" above referred to; provided, however, that any such protest or protests made by the owners of more than one-half of the area of the property to be assessed for the purposes recited in the resolution of intention, may not be overruled by any action of such legislative body, but such a protest or protests shall operate to bar any further proceedings under the resolution of intention referred to in such proceedings and no other proceedings under this act relating to such district or districts, shall be commenced within a period of three months after the date of the determination by the legislative body of the fact that such a majority protest has been made. The legislative body may adjourn such hearings from time to time. If no protests or objections, in writing, as contemplated in this act, have been delivered to the clerk of such legislative body up to the hour set for hearing, provided in section 2 hereof, or when a protest, other than a protest which is a bar hereunder, shall have been heard and denied, immediately thereupon the legislative body shall be deemed to have acquired, subject to the further provisions of this act, jurisdiction to order the issuance of bonds of such district up to but not exceeding the principal amount specified in the resolution of intention for the purpose of the acquisition and cancellation of such issued bonds and the payment of the costs and expenses incidental to the proceedings hereunder.

SEC. 6. After such legislative body shall have acquired jurisdiction to proceed further under the provisions of this act, as hereinabove provided, said legislative body shall cause a notice to be published in the same newspaper in which the resolution of intention was published, if same still exists, otherwise in such newspaper as such legislative body may designate and which is located in the county, or city and county, in which such legislative body has jurisdiction, which said notice

shall be headed (with blanks appropriately filled in) substantially as follows: "Notice to holders of bonds of acquisition and improvement district ___ No. _____ and _____ of the _____ (political subdivision) California." Said notice shall briefly set forth the fact of the adoption of the resolution of intention hereunder, its date, and the purpose of the proceeding indicated in such resolution of intention and shall refer to said resolution for further particulars. Said notice shall further briefly state the maximum amount and the character of bonds which it is proposed to issue hereunder against the district described in such resolution and the rate of interest to be paid thereon. In said notice, such legislative body shall invite the holders of the issued bonds proposed to be acquired and canceled in such proceedings, to submit, in writing, to such legislative body, in the event such bondholders desire so to do, a proposal or proposals setting forth the terms and conditions upon which such bondholders will deliver to such legislative body or to such official as may be designated by such legislative body their respective bonds proposed to be acquired and canceled hereunder for cancellation in consideration of the delivery to such bondholders of assessment readjustment bonds to be issued against the district described in said resolution of intention, or in consideration of the payment to such bondholders of a sum or sums, in cash, to be specified in such proposal or proposals, or in consideration of the delivery and payment to such bondholders of any combination of such assessment readjustment bonds and cash as may be stated in such proposal or proposals. If, pursuant to such notice, there shall be filed with such legislative body, in writing, a proposal or proposals which provide for the surrender and cancellation, or redemption as herein provided, of not less than seventy-five per cent of the principal amount of all of the outstanding bonds referred to in the resolution of intention, such legislative body shall have authority to order such person as said legislative body may designate to make a diagram of the property within said assessment district created hereunder, affected or benefited by the proposed acquisition and cancellation of such outstanding bonds and to be assessed to pay the cost thereof and the expenses incidental thereto. Such diagram shall show each separate lot, piece or parcel of land, and the dimensions of each such lot, piece or parcel of land, within the limits of such assessment district. Such person, so designated by such legislative body to make such diagram, or such other person as said legislative body may designate, shall, upon the completion thereof, proceed to estimate upon the lands, lots or portions of lots within said assessment district as shown by said diagram, the benefits arising from the acquisition and cancellation of such issued bonds, and to be received by each such lot, portion of such lot, piece or subdivision of land, and shall thereupon assess upon and against said lands in said assessment district the total net amount of the cost of the acquisition and cancellation of such issued bonds and the costs and expenses incidental to the proceedings hereunder to be assessed against the lands within said district hereunder, and in so doing shall assess said total sum upon the several pieces, parcels, lots or portions of lots, and subdivisions of lands in said assessment district, benefited thereby, to wit: upon each, respectively, in proportion to the estimated benefits to be received by each of said several lots, portions of lots, or subdivisions of land. The terms, "lot", "lots", "lands", "piece" or "parcel" of land, wherever mentioned in this act, shall be deemed to have the same meaning as such terms have assigned to them respectively in said "Improvement Act of 1911" above referred to. At the time of the making of the assessment hereunder and in estimating the benefits to be received by each such lot, portion of such lot, piece or subdivision of land, among other things, there shall be taken into consideration the following

(a) The principal amount of all such bonds originally issued;

(b) The amount of special assessment levies theretofore made on account of such bonds;

(c) The amount of outstanding bonds proposed to be acquired and canceled;

(d) The number of issues of such bonds if more than one;

(e) The amount or amounts which have been collected or paid into the interest and sinking fund of any such district or districts, the bonds of which are to be acquired and canceled hereunder, for, or on account of, any lot, piece or parcel of land upon assessments theretofore levied to pay the principal and interest of such bonds;

(f) The delinquency in the payment of any such assessments so levied which may exist against any such lot, piece or subdivision of land;

(g) The allocation, if any, referred to in the resolution of intention and any subsequent allocations or additional amounts which may have been subsequently added to such allocated amount;

(h) Any costs and expenses incidental to the proceedings hereunder; and

(i) The amount of any discount or discounts or other concession or concessions referred to in the proposal or proposals of the bondholders hereinabove referred to. When such diagram and such assessment shall have been made, the same shall then be filed with the clerk of such legislative body. Such clerk shall then give notice of the filing of the same and of a time to be therein fixed by said clerk when all persons interested in the acquisition and cancellation of such issued bonds, or in the diagram or assessment, will be heard by such legislative body. Such notice shall

also recite the fact of the filing of such proposal or proposals by such bondholders and shall briefly indicate the terms, conditions and basis thereof and shall refer to such resolution of intention and to such proposal or proposals of such bondholders and to such diagram and assessment so on file for further particulars with reference thereto Such notice shall be posted for not less than five days on or near the door of the chamber in which such legislative body conducts its regular public meetings and in addition, shall be published twice, before the date designated for such hearing, in the newspaper in which the resolution of intention was published, if same still exists, otherwise in such newspaper as such legislative body may designate and which is published and circulated in the territory in which such legislative body has jurisdiction. Such notice shall also be given by such clerk by mailing a copy of the same at least fifteen days prior to the time fixed for such hearing, to the owner of each lot, parcel or subdivision of land listed according to the name and address appearing on the last equalized assessment roll for city, county, or city and county taxes prior thereto, or as known to such clerk. Such notice so to be mailed shall also designate the property within the assessment district belonging to said owner by a description sufficient to enable the property owner to identify the property and a statement of the amount proposed to be assessed against such property Such clerk shall upon the completion of such mailing, file with such legislative body an affidavit setting forth the time and manner of the compliance with the above requirement for such mailing. The failure of such clerk to give such notice by mailing or of the person addressed to receive same shall not affect the jurisdiction of the legislative body to proceed with the hearing noticed The owners and all other persons interested in the proposed acquisition and cancellation of such issued bonds, or in the diagram or assessment, feeling aggrieved by any act or determination of the person or persons who prepared such diagram and assessment in relation thereto, or having or making any objection to the correctness of the assessment or diagram, or other act, determination or proceedings of the person or persons who prepared the same, shall, prior to the day fixed for the hearing upon such assessment, appeal to such legislative body by briefly stating in writing the grounds of such appeal Upon such appeal, such legislative body may remedy and correct any error or informality in the proceedings, and revise and correct any of the acts or determinations of the person or persons who made such diagram and assessment relative to said diagram or assessment; may confirm, amend, alter, modify or correct the assessment or diagram in such manner as to such legislative body shall seem just; and may instruct and direct the person who made such assessment and diagram to correct such assessment or diagram in any particular. All the decisions and determinations of such legislative body, upon notice and hearing as aforesaid, shall be final and conclusive upon all persons entitled to appeal under the provisions of this section, as to all errors, informalities and irregularities which such legislative body might have avoided, or have remedied during the process of the proceedings or which it can at that time remedy. No assessment or diagram, and no proceedings prior to the assessment, shall be held invalid by any court for any error, informality or other defect in the same, where the resolution of intention of the legislative body adopted thereunder has been actually published as herein provided When no appeal is taken or when the orders and determinations of the legislative body upon appeal have been complied with, and such legislative body is satisfied with the correctness of the assessment thereupon such legislative body shall forthwith confirm the proceedings and the assessment and the clerk of such legislative body shall attach thereto a certified copy of the order of such legislative body confirming the same and shall state in such certificate the date upon which such order was so adopted Provided, however, and notwithstanding anything contained in this act to the contrary, in the event any such appeal is or such appeals are made by the owners of more than one-half the area of the property to be assessed for the purposes recited in the resolution of intention and such appeal or appeals further contain an express protest against the issuance of such assessment readjustment bonds and the taking of any further proceedings under the resolution of intention in said matter, then, but only in such event, shall such legislative body be deprived of jurisdiction to proceed further hereunder in such proceedings and no new resolution of intention with reference to the same matter, under the provisions of this act, may be adopted by such legislative body for a period of three months from the date of the determination of such legislative body that such a majority appeal or protest, or appeals or protests have been filed.

SEC 7 In the event no such majority protest or appeal constituting a bar to further proceedings under the provisions of this act has been filed and such legislative body shall have confirmed the assessment as originally filed, or as modified or corrected as herein provided, such legislative body shall be deemed to have acquired jurisdiction to proceed further in such proceedings under the provisions of this act and to issue assessment readjustment bonds in the manner, to the extent and form hereinafter provided, to represent assessments for the cost of the acquisition and cancellation of such outstanding bonds and of the costs and expenses incidental to the proceedings Such assessment readjustment bonds so to be issued, shall be serial bonds; shall be substantially in the form as the street improvement bonds provided for in said "Improvement Act of 1911" hereinabove referred to,

with such appropriate changes in the wording of such bonds as may be necessary in order to make the same conform to the provisions and purposes of this act and of the proceedings taken hereunder and shall be payable to the person to whom they issue, or order, shall be for the term and bear interest at the rate specified in the resolution of intention and shall have annual coupons attached thereto payable in annual order on the second day of January of every year after the fifteenth day of the next October following the date of such bonds, until all are paid and each coupon shall be for an even annual proportion of the principal of the bonds to which same is attached They shall also have semiannual interest coupons thereto attached as contemplated in the case of bonds issued under the provisions of said "Improvement Act of 1911" and payable in the same manner as contemplated in said last mentioned act Said bonds shall be enforced; paid; may be redeemed or canceled, shall be subject to the same penalties; and shall in all other particulars and respects, so far as possible, be issued and conform to the requirements as is provided in the case of bonds issued under the provisions of said "Improvement Act of 1911," as amended: provided, however, that said bonds may be issued for a period of not to exceed twenty-nine years from and after the second day of January next succeeding the next fifteenth day of October following their date. The determination of said legislative body as to the form and content of said bonds shall be final and conclusive.

SEC. 8 Such legislative body, having acquired jurisdiction as hereinabove set forth, shall thereupon notify the holders of the outstanding bonds to be acquired and canceled under such proceedings, whose proposal or proposals are on file, of the fact of the final confirmation of such assessment and that such legislative body is prepared to proceed further with the acquisition and cancellation of such outstanding bonds and with the issuance and exchange or sale, as the case may be, of such assessment readjustment bonds and the payment of any cash consideration or amounts to be paid under the terms, provisions and conditions of such proposal or proposals. Such legislative body shall thereupon proceed to consummate, and it is hereby empowered and authorized to consummate, the transaction of exchange, payment, or exchange and payment, as the case may be, as contemplated in such proposal or proposals of such bondholders, provided that in addition to the bonds to be acquired and canceled under any such proposal or proposals, such legislative body is able to acquire for cancellation, or provide for the full redemption of, according to their terms and tenor, or as may be provided for in any decree or order of any court of competent jurisdiction under the bankruptcy laws of the United States of America, all of the remainder of such outstanding bonds proposed to be acquired and canceled under the resolution of intention. In the event it is impossible to acquire for cancellation all of such outstanding bonds, by reason of the loss of any of the same, or for any other reason whatsoever, such legislative body may, upon receipt of information to that effect, notify the holder or holders of outstanding bonds whose proposal or proposals were filed, of such fact whereupon it shall be permissible for such bondholders, at their option, or for such legislative body out of any funds available to it, or for any other person or persons desiring so to do, to deposit with such legislative body, or with such person or official as may be designated in any such decree or order, cash, lawful money of the United States of America sufficient in amount to provide for the payment and redemption, of such lost or otherwise unobtainable bonds, both principal and interest, as same mature, according to their respective terms and tenor or under such arrangement as may be provided for in any decree or order of any court of competent jurisdiction under said bankruptcy laws In the event such deposit be so made and the transaction of exchange, payment, or exchange and payment be consummated as contemplated in such proceeding such legislative body shall, and it is hereby authorized and empowered so to do, cause such deposit to be transmitted to and deposited with the treasurer of the political subdivision represented by such legislative body or with the person or official designated in any such decree or order. In the event such deposit be made with the treasurer of the political subdivision over which such legislative body has jurisdiction, such treasurer shall, and he is hereby empowered, authorized and required so to do, make all payments of principal and interest thereafter maturing on any such outstanding, lost or otherwise unobtainable bonds for the payment and redemption of which such deposit was made, such payments to be made as such bonds mature and installments of interest thereon become payable according to the terms and tenor thereof; provided, however, in the event any holder or owner of any bond or bonds payable out of such fund on deposit with such treasurer at any time desires so to do, he may surrender any of such bond or bonds for cancellation, in which case he shall receive, out of such fund, the full amount of the principal sum of such bond or bonds, plus accrued interest to and including the date of such surrender and cancellation.

SEC 9. Such legislative body, upon the acquisition of such outstanding bonds for cancellation, and the making of the deposit or arrangement hereinabove provided for in the case of lost or otherwise unobtainable bonds, shall, and it is hereby authorized and empowered so to do, make an order for the cancellation of, and

shall cause to be canceled, all such outstanding bonds so acquired and at the same time shall make a further order for the cancellation of all unpaid special assessment taxes levied to pay principal and interest of the bonds referred to in the resolution of intention and all penalties and interest thereon. Upon the making of such order, all such outstanding bonds, referred to in the resolution of intention, (excepting only such thereof for the payment of which a deposit or arrangement for the redemption or payment of which shall have been made as herein provided) and all unpaid special assessment taxes levied to pay principal and interest on such issued bonds and all penalties and interest thereon shall be deemed to be, and shall be, canceled and annulled and the clerk of such legislative body shall notify the proper officials of the city, or of the county, or of the city and county, or any or all of such proper officials, as the case may be, that such outstanding bonds and all unpaid special assessment taxes levied to pay principal and interest of the same and all penalties and interest thereon have been canceled and annulled and such proper officials shall thereupon proceed to make the necessary entries showing the cancellation thereof and thereafter no further taxes or assessments shall be levied for the purposes of paying or redeeming such bonds and the districts against which same were issued shall thereupon be deemed dissolved and any payments made thereon, or on account thereof, subsequent to such dissolution shall be refunded to the person or persons who paid the same. Upon such dissolution of such district or districts any lien or liens then existing against the lands within the same by virtue of proceedings taken or assessments levied and pursuant to which such bonds were issued shall be canceled, satisfied and discharged and the then uncanceled bonds above excepted, if any, shall be payable only out of the deposit with such treasurer hereinabove referred to according to their terms and tenor or as may be provided in any such decree or order under the said bankruptcy laws. Said diagram and assessment shall thereupon be recorded in the office of such official of the political subdivision over which such legislative body has jurisdiction as such legislative body may, by resolution, so designate, which said official so designated shall indorse thereon the date of such recording. When so recorded the several amounts assessed shall be a lien upon the lands, lots, or portions of lots assessed, respectively, and such lien shall so continue until it be discharged of record. From and after the date of said recording of any assessment and diagram, all persons shall be deemed to have notice of the contents thereof. It shall be the duty of the officer in whose office such assessment and diagram is recorded, to perform the same duties and acts with reference to such assessment and diagram and the respective assessments set forth therein, as are required of the superintendent of streets with reference to assessments and diagrams and the respective assessments set forth therein in similar cases under the provisions of said "Improvement Act of 1911," and the tax collector and the treasurer of the city, county, or city and county, as the case may be, of the political subdivision over which such legislative body has jurisdiction, shall perform respectively the same respective acts and functions with reference to diagrams and assessments made under the provisions of this act and with reference to assessment readjustment bonds issued hereunder as are required of tax collectors and treasurers, respectively, under the provisions of said "Improvement Act of 1911" with reference to assessments and diagrams made and bonds issued under the provisions of said last mentioned act.

SEC. 10. The officer in whose office the assessment and diagram hereunder has been recorded, is authorized at any time to receive the amount due upon any assessment recorded in his office and to give a good and sufficient discharge therefor; provided, an assessment readjustment bond has not issued to represent said assessment; and provided further that in order to allow a period within which any such assessment may be paid by any person or persons desiring so to do, no assessment readjustment bond shall be issued until thirty days have elapsed after the date upon which the assessment and diagram hereunder was recorded in the office of such officer. Said bonds shall bear date as contemplated in the case of bonds issued under said "Improvement Act of 1911."

SEC. 11. At any time prior to the final confirmation of the assessment hereunder by such legislative body, such legislative body may receive and accept from any source whatsoever and from any person or persons, contributions of any sum or sums or amount or amounts of money in cash, to be applied on the total amount of the cost of the acquisition and cancellation of such outstanding bonds and the costs and expenses incidental to the proceedings hereunder, thereby reducing to that extent the total sum to be assessed upon the several pieces, parcels, lots, or portions of lots and subdivisions of land in the assessment district; provided, however, that in the event, for any reason assessment readjustment bonds are not thereafter issued under the proceedings in connection with which any such contribution is, or such contributions are, made, such legislative body shall have the right, and it is hereby authorized and empowered, to refund any such contribution or contributions to the person or persons who made the same. Such legislative body shall further have the right, and it is hereby authorized and empowered, to likewise receive contributions of any sum or sums or amount or amounts of money in cash, to be applied on and used and expended in connection with the costs and expenses of any proceedings and of the preparation of any assessment and

diagram thereunder. Such last mentioned contributions shall be used for the payment of such costs and expenses exclusively and the balance, if any, of any such contribution or contributions remaining, after the payment of such costs and expenses, may be refunded pro rata by such legislative body to the person or persons who contributed the same. Nothing herein contained however, shall be construed as preventing such legislative body from paying the costs and expenses of any proceedings hereunder, in whole or in part, from any fund, funds or money over which such legislative body has jurisdiction and control and which are legally applicable to the payment of costs and expenses of proceedings under the laws of the State of California

Said legislative body may appropriate funds from the general fund, or from any funds available to such legislative body for any or all of the purposes contemplated in this act

SEC. 12 Whenever, under the provisions of this act, any resolution, notice or other document is required to be published (and no specific designation is made herein to the contrary) same shall be published in a newspaper published and circulated within the boundaries of the assessment district proposed to be created hereunder; provided, however, that if there be no such newspaper, or in the event any newspaper designated herein for the purpose of such publication has suspended publication, then and in any such event, such publication may be made in any newspaper published and circulated within the county in which the political subdivision over which the legislative body conducting such proceedings has jurisdiction is located and which, in the opinion of such legislative body, will best give notice of the contents of such resolution, notice or other document, so to be published.

SEC 13 Whenever the words "Acquisition and Improvement District" are used in this act, the same shall be construed to relate and refer to an assessment district created under the provisions of said above mentioned "Acquisition and Improvement Act of 1925" In the event the legislative body conducting the proceedings under this act is the legislative body of a city or town, then and in that event the various words, expressions, clauses and phrases defined in said "Improvement Act of 1911," above referred to, shall be construed to have the same meaning wherever the same appear in this act, as is ascribed to or as is indicated for, the same in said "Improvement Act of 1911" so far as same may be properly applicable; and, in the event the legislative body conducting the proceedings under this act is the legislative body of a county, or city and county, then and in that event the various words, expressions, clauses and phrases defined in that certain act of the Legislature of the State of California designated and referred to as the "County Improvement Act of 1921" shall be construed to have the same meaning wherever the same appear in this act, as is ascribed to, or as is indicated for, the same in said "County Improvement Act of 1921" so far as same may be properly applicable

SEC 14 The provisions of that certain act of the Legislature designated and known, and which is cited and referred to as the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931," shall not be applicable to proceedings under this act

SEC 15 In the event the legislative body conducting the proceedings hereunder was required under the provisions of said "Acquisition and Improvement Act of 1925" to procure the consent of any other legislative body or bodies in order to conduct the proceedings under which such bonds to be acquired and canceled hereunder were issued then and in that event the consent of such other legislative body, or bodies shall be secured to the taking of proceedings hereunder by the legislative body conducting the proceedings under this act In the event any changes in jurisdiction of any legislative body or bodies over any territory included in any district to be created hereunder has taken place since the issuance of such issued bonds, then any legislative body having jurisdiction over any part of the territory included within the boundaries of any district proposed to be created hereunder shall have jurisdiction, notwithstanding any other provision or provisions of this act, to initiate and conduct proceedings under this act upon obtaining the consent of the other legislative body or bodies having jurisdiction over any other portion or portions of such territory, so to do

SEC 16 Any legislative body having jurisdiction to conduct a proceeding under this act is authorized to file a petition and take all proceedings required under any bankruptcy law or laws of the United States of America now or hereafter enacted, for a district or districts formed under that certain act of the Legislature of the State of California and known as the "Acquisition and Improvement Act of 1925".

SEC 17 This act shall be liberally construed to the end that its purposes may be effective No error, irregularity, informality, and no neglect or omission of any officer of a city, county, or city and county, in any procedure taken hereunder, which does not directly affect the jurisdiction of the legislative body to order the issuance of "assessment readjustment bonds" hereunder, shall void or invalidate such proceeding or any assessment for the cost of acquisition and cancellation of such issued bonds and of the costs and expenses incidental to proceedings under this act The exclusive remedy of any person affected or aggrieved thereby shall be by appeal to the legislative body as herein provided

SEC 18 If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portions of this act The Legislature hereby declares that it would have passed this act irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases thereof be declared to be unconstitutional

SEC 19 No action to test the validity of, or to set aside, or to attack or annul any petition or proceeding hereunder up to and including the resolution of intention herein provided for shall be commenced in any court unless the same be so commenced within ninety days after the date of the adoption of such resolution, excluding the date of such adoption; nor shall any action to test the validity of or to set aside, or to attack or annul any proceeding hereunder subsequent to said date of the adoption of said resolution of intention, be commenced or be prosecuted unless same be commenced within ninety days after the date of recordation of the assessment or diagram as hereinabove provided; and any action commenced subsequent to the periods of limitation hereinabove provided for shall be forever barred and the court upon being advised of such fact shall immediately dismiss any such barred action. Reassessments may be ordered and made under this act for the same reasons and for the same purposes and when made shall have the same force and effect as reassessments made, or authorized to be made, under the provisions of said "Improvement Act of 1911".

SEC. 20. In the event that any balance remains in any fund or funds created under any proceeding or proceedings taken pursuant to the provisions of this act, after the purposes of such proceeding or proceedings have been accomplished and the legislative body which conducted such proceeding or proceedings shall by resolution so find, the same shall belong to, and, on order of such legislative body, be paid into, the general fund of the political subdivision over which such legislative body has jurisdiction.

SEC 21 This act may be designated and referred to as the "Assessment Readjustment Act of 1935"

SEC 22 That certain act of the Legislature of the State of California approved June 5, 1933, which is commonly known, designated and referred to as the "Assessment Readjustment Act of 1933," is hereby repealed.

SEC 23. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1, Article IV of the Constitution of the State of California, and shall take effect immediately

The facts constituting such urgency are as follows:

Numerous acquisition and improvement districts have been created in the State of California under the provisions of said Acquisition and Improvement Act of 1925 and landowners owning properties located therein are in dire distress financially. The lands therein have become greatly in arrears in the payment of taxes and assessments and consequently the bonds of such districts are and have been delinquent for a considerable period of time The great bulk of the property within such districts is subject to tax and assessment liens of various kinds for delinquent taxes and assessments Previous refunding acts adopted by the Legislature have been declared invalid by the Supreme Court of the State of California and unless extraordinary means are provided for the returning of such lands and properties to the tax rolls, on a tax paying basis, it will be impossible for the landowners to pay their taxes and assessments and save their respective properties in such districts. The collection of taxes for general city and county governmental purposes within such districts has been, and is being, seriously and adversely affected and governmental agencies have been, are being, and will continue to be, deprived of necessary revenues which are urgently and immediately required in order to perform governmental services and functions. The great bulk of the property owned by said owners within such districts will shortly be deeded to the State and lost to the owners thereof, and danger to life, health and property now exists and will continue to increase

This act is also necessary to accomplish the clearing of the titles to lands and properties located within such districts, to secure the payment of taxes, tolls and charges, to permit the landowners to retain possession of their lands and to continue to occupy, use and develop the same, and thereby to prevent the destruction of life, health and property"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 902—An act to amend section 18 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of

administering this act," approved May 25, 1921, relating to the powers of the Surveyor General now the Chief of the Division of State Lands.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the words "section 18 of", and insert in lieu thereof the following: "section 9 of and to add section 9a to".

Amendment No. 2.

On page 1, line 13 of the title of the printed bill, strike out the period, and add the following: "; for the purpose of taking gold or other minerals from and granting of easements to recover gold or other minerals from the beds of tide and submerged lands, and of navigable rivers and streams"

Amendment No. 3.

On page 1 of the printed bill, strike out section 1, and insert in lieu thereof the following:

"SECTION 1. Section 9 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 9. The right to prospect, and lease lands containing any other minerals shall be acquired in a similar manner as the right to prospect for and develop oil, gas, or other hydrocarbons, under such reasonable and proper rules and regulations, and upon such terms, and for such bonus and royalty, as the Surveyor General shall deem to be for the best interests of the State and as he shall from time to time prescribe.

SEC. 2. Section 9a is hereby added to said act, to read as follows:

Sec. 9a. Any lease under this act for the extraction or recovery of gold or other minerals other than oil, gas, or other hydrocarbons, from the tide or submerged lands or the beds of navigable rivers or lakes of the State shall include provisions:

(a) That, during the continuance in force of such lease, the lessee may, by dredging or otherwise, alter the surface conformation of the leased lands and remove therefrom any earth, sands, rocks, ledges, ores, or other materials contained therein for the purpose of extracting therefrom gold or other minerals but that no use shall be made of any of such leased lands by the lessee as will prevent the ebb and flow of tidal waters thereover or substantially lessen the depth of the waters thereon;

(b) That the operations of the lessee thereunder in removing or extracting such gold or other minerals, or removing or extracting sands, rocks, ledges, ores, or other materials containing such gold or other minerals, shall be conducted in such manner as not to interfere with the uses and purposes reserved to the people of the State, or in any manner which will be detrimental to the interests of the State, and that there is reserved from the operation of such lease, and that such lease is subject to, the public right and easement to use the waters over such leased lands for navigation and fishing;

(c) That, after the extraction of such gold or other minerals, from such materials so removed, said materials shall be allowed to return to such tide or submerged lands or beds of such navigable rivers or lakes;

(d) That such operations under such lease shall be conducted in such manner as not to injure or alter any beach or shore lands adjacent to such leased lands; and

(e) That upon the completion of such operations under such lease, the lessee shall restore such beaches and shore lands to their original condition to the satisfaction of the Surveyor General or leave the same in such improved condition as may be approved by the Surveyor General."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1363—An act to amend section 11 of an act entitled "An act providing for the organization and regulation of reciprocal or interinsurance exchanges to be known as 'The Reciprocal or Interinsurance Act of the State of California,' and repealing the act entitled 'An act providing for reciprocal and interexchange of indemnities, prescribing regulations therefor and fixing a license fee,' and repealing an act entitled 'An act defining certain classes of contract for the exchange of indemnity, prescribing regulations therefor, and

fixing a license fee, approved December 24, 1911,' approved May 26, 1917, as amended,'' approved June 3, 1921.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, as amended, strike out "11 of an act entitled "An act providing for the organization and regulation of", and insert in lieu thereof the following: "section 1530 of the Insurance Code and to add section 1281a to Article 1, Chapter 3, Part 2, Division I thereof, relating to".

Amendment No. 2.

On page 1, line 3 of the title of the printed bill, as amended, strike out the comma, also strike out "to be known as "The Recipro-"; also strike out lines 4 to 12, inclusive, of said title, and insert in lieu thereof a period.

Amendment No. 3.

On page 1 of the printed bill, strike out line 1, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to Article 1, Chapter 3, Part 2, Division 1 of the Insurance Code, to be numbered 1281a and to read as follows:

1281a. As used in this chapter, the term "premium deposit" includes all sums paid in any year by subscribers by reason of the insurance exchanged."

SEC. 2. Section 1530 of the Insurance Code is hereby".

Amendment No. 4.

On page 1, line 3, of the printed bill, as amended, immediately before "In", insert the following: "1530."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 153—An act to amend the title and sections 4a, 13 and 14 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the extension of the provisions of said act to the companies and their franchises, other than insurance companies and their franchises, specified in section 14 of Article XIII of the Constitution of this State.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "the title and sections 4a, 13 and 14 of the"; also strike out lines 2 to 7, inclusive, of the title, and insert in lieu thereof the following: "sections 1 and 2 of "An act to provide for the taxation of Massachusetts or business trusts, and providing that this act shall take effect immediately," approved May 1, 1933, relating to the taxation of Massachusetts or business trusts."

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "The title", and insert in lieu thereof the following: "Section 1".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 3, 4 and 5, and insert in lieu thereof the following:

"Section 1. Every Massachusetts or business trust doing business within the limits of this State shall annually pay to the State for the privilege of doing business within this State a tax according to or measured by its net income to be computed in the manner hereinafter provided at the rate of four per centum upon the basis of its net income for the next preceding fiscal or calendar year.

In any event each Massachusetts or business trust shall annually pay to the State for the said privilege a minimum tax of twenty-five dollars

Taxes under this section shall accrue on the first day of the taxable year as hereinafter defined.

SEC. 2. Section 2 of said act is hereby amended to read as follows:

Sec. 2. Sections 4 to 38 inclusive of Chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," as amended, and any amendments thereto hereafter made shall apply, and shall be construed to apply to all such Massachusetts or business trusts to the same extent and with the same force and effect as they are applicable to every corporation taxable under subdivision (3) of section 4 of such act"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2156—An act to amend sections 3678, 3681a, 3747a, 3756, 3760, 3764, 3766, 3771, 3771a, 3772, 3776, 3785, 3788, 3789, 3797, 3799, 3804b, 3808, 3809, 3816, 3817, 3817f, 3817g, 3817h, 3818, and 3822 and to repeal sections 3738, 3739, 3781, 3791, 3792, 3793, 3794, 3795, 3796, 3800 and 3815 of the Political Code and to add to said code sections numbered 3816a, 3817j and 3832, relating to the collection of taxes.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended April 18, 1935, strike out all of line 1 of the title, following the word "amend", and strike out all of lines 2, 3 and 4 of the title, and all of line 5 preceding the word "the".

Amendment No. 2.

On page 1 of the printed bill, as amended April 18, 1935, strike out all of line 6 of the title, following the word "code", and strike out all of the remainder of the title, and insert in lieu thereof the following: "a new section numbered 3819a, relating to the redemption of property from sale for nonpayment of taxes in counties of the first and second classes"

Amendment No. 3.

On page 1, line 1, of the printed bill, as amended April 18, 1935, strike out the words and number "Section 3678 of the", and insert in lieu thereof the word "The".

Amendment No. 4.

On page 1, line 2, of the printed bill, as amended April 18, 1935, following the word "amended", insert the following: "by adding thereto a new section to be numbered 3819a and".

Amendment No. 5.

On page 1 of the printed bill, as amended April 18, 1935, strike out all of lines 3 to 17, both inclusive, and strike out all of pages 2 to 18, both inclusive, and insert in lieu thereof the following:

"3819a. In counties of the first and second classes, the tax collector shall have the power and shall perform the duties otherwise conferred upon and required of the auditor and the treasurer, relating to the redemption of property from sales to the State for nonpayment of taxes.

In said counties:

The statements or copies of certificates provided for in section 3678 of the Political Code shall be transmitted to the assessor by the tax collector;

The certification of facts required by section 3681a of said code to be made to the board of supervisors shall be made by the tax collector;

Section 3739 of said code shall have no application;

The payments provided, by section 3788 of said code, to be made to the county treasurer, shall be made to the tax collector and the estimates of the amounts of such payments and the receipts therefor shall be made by the tax collector;

The certified copy mentioned in section 3789 of said code shall be made by the tax collector;

After the settlement required by section 3799 of said code, the assessment book and the delinquent list must remain in the custody of the tax collector;

The tax receipt and the certificate mentioned in section 3804b of said code shall be made by the tax collector;

The certified copy of assessment mentioned in section 3809 of said code, together with the affidavit, shall be made by the tax collector;

The payments required, by section 3817 of said code, to be made to the county treasurer shall be made to the tax collector and the estimates of the amounts of such payments and the receipted certificates therefor shall be made by the tax collector. One copy of such receipted certificate shall be delivered to the redemptioner, one shall remain on file in the office of the tax collector and one shall be delivered to the county auditor, who shall make a record thereof and shall transmit such certificate to the State Controller, who, when requested by the tax collector, shall issue his receipt as provided in said section 3817;

Payments required, by sections 3817c, 3817c2 and 3817i or any other section or sections of said code relating to payment of delinquent taxes in installments, to be made to the treasurer shall be made to the tax collector and payments authorized, by section 3817h of said code, to be credited on redemptions shall include payments made to the tax collector under said sections 3817c, 3817c2, 3817i and any other section or sections of said code relating to payment of delinquent taxes in installments;

The tax collector shall perform the duties required, by section 3818 of said code, to be performed by the auditor."

Amendments adopted.

Bill read second time, ordered to reprint, re-re-engrossment, and third reading.

Assembly Bill No. 646—An act to add sections 195.5 and 1623.5 to, the Streets and Highways Code, relating to expenditure of money allocated to counties, cities, and cities and counties.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 9 to 20, inclusive, and insert in lieu thereof the following: "construction or improvement specifies the use of any patented or proprietary paving material, unless the contract has been awarded to the lowest responsible bidder therefor after alternate bids have been called for and opportunity afforded for bids to be submitted for nonpatented or nonproprietary paving material in competition with an equal thickness and like design of such patented or proprietary paving material. This section shall not be deemed nor construed to prohibit the use of any patented or proprietary paving material in the maintenance of any highway or street when such highway or street was constructed of such material and, in the opinion of the body, board or officer ordering such maintenance, it would be impractical to use a different paving material for such maintenance."

Amendment No. 2.

On page 2 of the printed bill, as amended, strike out lines 4 to 15, inclusive, and insert in lieu thereof the following: "specifies the use of any patented or proprietary paving material, unless the contract has been awarded to the lowest responsible bidder therefor after alternate bids have been called for and opportunity afforded for bids to be submitted for nonpatented or nonproprietary paving material in competition with an equal thickness and like design of such patented or proprietary paving material. This section shall not be deemed nor construed to prohibit the use of any patented or proprietary paving material in the maintenance of any highway or street when such highway or street has been constructed of such material and, in the opinion of the body, board or officer ordering such maintenance, it would be impractical to use a different paving material for such maintenance"

Amendments adopted.

Bill read second time, ordered to reprint, re-re-engrossment, and third reading.

Assembly Bill No. 2013—An act to amend the Vehicle Code.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "amend the Vehicle Code", and insert in lieu thereof the following: "add section 379.5 to the Vehicle Code, relating to seizure and sale of vehicles."

Amendment No. 2.

On page 1, line 1, of the printed bill, after "SECTION 1", insert the following: "Section 379.5 is hereby added to the Vehicle Code to read as follows:

379.5. Seizure and Sale of Vehicles Unlawfully Altered or Unlawfully Possessed. Any sheriff, chief of police or any representative of the department may seize a vehicle when he has reason to believe that such vehicle is not in the possession of a person rightfully entitled thereto, or when he has reason to believe that the motor, serial or other identification number or mark on a vehicle has been removed, defaced, obliterated or changed, or when a new block or motor, or a block and motor has been placed therein when no application has been made as provided in this code.

Any vehicle so seized may be held for a period of not to exceed thirty days for the purpose of verifying the ownership and ascertaining the authority and reason for any alteration of identification numbers or marks.

In the event a vehicle so held is abandoned and the owner can not be located, such vehicle may be sold after the expiration of sixty days from the date of seizure.

Such sale shall be at public auction and shall be made after one week's notice of the time and place thereof, given by publication in a newspaper in the county where the vehicle is held or by posting in three public places in said county.

When the vehicle has been seized by the department, the sale shall be conducted by the director, and the proceeds of such sale shall be paid into the Department of Motor Vehicle fund.

When the vehicle has been seized by a peace officer employed by a county, the sale shall be conducted by the sheriff, and the proceeds shall be paid into the county treasury.

When the vehicle has been seized by the police department of any municipal corporation, the sale shall be conducted by the municipal corporation, and the proceeds of the sale shall be paid into the treasury of such municipal corporation."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1799—An act authorizing any county, city and county, or city to credit on delinquent taxes due to such county, city and county, or city with the consent of the owner of the property on which such taxes are delinquent, sums due or which may become due to the owner of such property for the use or rental of such property by such county, city and county, or city or by any department or agency thereof or by any person or persons for whose rental or compensation for the use of such property such county, city and county or city, or any department or agency thereof shall be or shall become responsible and authorizing agreements between the counties, cities and counties or cities and departments or agencies thereof and persons for whom any such county, city and county, or city or department or agency thereof shall pay or advance funds for the payment of rent, providing for the repayment in installments by such persons of the amount credited on delinquent taxes on account of such rental.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 1, after "Section 1.", of the printed bill, insert the following: "Whenever any county, city and county, or city shall lease, or execute any rent agreement with regard to, any real property the owner of such property may in such lease or rent agreement, or by writing thereafter duly executed, elect to have the rental payments, or any of them due thereunder, credited on and applied toward the payment of any taxes delinquent against said real property, or any other real property or properties owned by said property owner. The term "owner" as herein used shall include the former owner of real property which may have been deeded to the State or to the city on account of delinquent taxes which is still subject to redemption.

SEC. 2. Any owner of real property against which taxes are delinquent may apply to the legislative body of the county, or city and county, or city, in which said property is situated to have said county, or city and county, or city, lease or rent the same from him under the provisions of this act

SEC 3 Such rent or rents so credited hereunder shall to the amount thereof constitute payment of, or upon, the taxes delinquent against said real property, or properties. Credit therefor shall be given as and when such rent payments are due and a record thereof shall be made and kept by such officer or department of such county, city and county, or city, as the legislative body shall designate. County, city and county, and city tax collectors, treasurers and auditors, or other officials authorized under the law to collect and receipt for taxes and to issue certificates of redemption therefor are hereby authorized and directed to credit the amount of such rental payments on such taxes and when the same are fully paid to issue receipts or certificates of redemption therefor

SEC 4 Upon any redemption of real property from delinquent taxes, rental upon which has been paid and credited as herein provided, such credit shall be applied to, and credited toward such redemption"

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1579—An act to amend the Insurance Code, relating to insurance principles, practice and business, and matters incidental thereto.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "amend", insert the following "Section 911 of".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out "principles,"

Amendment No. 3.

On page 1, line 2 of the title of the printed bill, strike out "and business", and insert in lieu thereof the following: "regarding financial statements of insurers".

Amendment No. 4.

On page 1, line 1, of the printed bill, after the period, insert the following: "Section 911 of the Insurance Code is hereby amended to read as follows:

911 Sixth—Such statement shall also show the following:

(1) The amount of insurance written during the year

(2) The amount of insurance expired during the year.

(3) The amount of insurance written during the year on subject matter in this State

(4) The amount of premiums on insurance on subject matter in this State."

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 163—An act to impose a tax on the privilege of severance of crude petroleum and other hydrocarbon substances from the earth, to take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 1, 2 and 3 of the title, and insert in lieu thereof the following:

"An act to prohibit and prevent the waste of crude petroleum oil in the State of California and defining such waste, and in that behalf creating an Oil Conservation Commission; providing for the appointment of the members of said commission; fixing the terms of office of the members of said commission; providing for the filling of vacancies in the membership of said commission; providing for the powers, duties and authority of said commission and the members thereof; requiring producers of crude petroleum oil and operators of wells and owners and operators of any storage facilities of crude petroleum oil and refiners of crude petroleum oil to file certain reports; providing for the fixing of grades of gasoline

and of the fixing of prices therefor; providing for the filing and hearing of complaints concerning the waste of crude oil, gas, and other petroleum products, and for oaths, subpenas and depositions; providing for the fixing of allowable production of crude petroleum oil, gas and gasoline for the State and for the several fields thereof, respectively, and for the several zones, properties and wells in each such oil field, respectively, so as to stop such waste, providing for the enforcement of this act; providing penalties for refusing to permit the commission or its representatives to inspect any drilling or producing well or storage facilities and for failing, neglecting, or refusing to furnish any report or record or statement required by the commission and for wilfully rendering or furnishing a false or fraudulent report, statement or record, creating a fund for the purposes of said act, providing for the assessment and collection thereof and making an appropriation for the purposes of this act"

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 27, inclusive; also on page 2, strike out lines 1 to 39, inclusive, and insert in lieu thereof the following:

"SECTION 1. The production of crude petroleum oil in the State of California in such manner, under such conditions and in such amounts as to constitute or result in waste, as hereinafter defined, is hereby declared to be opposed to the public interest and is hereby prohibited.

SEC. 2. The term "waste" as used herein shall include underground waste or destruction without beneficial use, or surface waste or destruction, waste by reduction of the total quantity of recoverable crude petroleum oil in any underground source of supply by the careless or improper drilling or operation of wells, and the waste incident to or resulting from the production of crude petroleum oil when the current production, together with the amount of crude petroleum oil or its products in storage exceeds the current requirements for use within and for shipment to points without the State, and for the maintenance in storage of such reserves of crude petroleum oil or its products as are reasonably necessary to meet and insure the continuity of an adequate supply of crude petroleum oil or its products for such current requirements. The loss by evaporation or leakage and the increased hazard of loss from fire and other causes resulting from the storage of crude petroleum oil or its products in excess of the quantities which are reasonably necessary to insure continuity of an adequate supply for such current requirements is waste within the meaning of this act.

SEC. 3. There is hereby created an Oil Conservation Commission which shall consist of seven members who shall be chosen as follows: The Governor of the State of California shall appoint said commissioners for terms of four (4) years. Each of said commissioners shall be an experienced oil industry man; two of said commissioners shall be selected from the major oil companies and three shall be selected from the minor oil companies; the other two commissioners shall be business men selected from the oil information or publicity industry in mineral oil development.

All of said commissioners shall have had experience in the oil and hydrocarbon industry, and the Governor in office shall appoint the successors of each of said appointees upon the resignation or termination of the appointment of each of said commissioners hereafter. Each of said commissioners shall receive a monthly salary of four hundred dollars ($400), payable monthly, as other State officials are paid; also actual travelling expenses incurred in official business in the discharge of their duties under this act.

The term "major oil companies" shall include those companies doing business in the State of California and elsewhere. The term "minor oil companies" shall include those doing business exclusively within the State of California.

SEC. 4. It shall be the duty of the oil conservation commission from time to time to inquire into the production of crude petroleum oil in this State and the extent of the current requirements for use within and for shipment to points without the State and of requirements for the maintenance in storage of such reserves as are reasonably necessary to meet and insure the continuity of an adequate supply of crude petroleum oil and its products for such requirements in order to enable it to determine whether or not waste as herein defined exists. For this purpose the Oil Conservation Commission shall have the power and it shall be its duty to adopt such rules and regulations as shall enable it to ascertain all the facts upon which the proper and adequate enforcement of this act shall depend. Said commission shall have the right to require any producer or producers of such crude petroleum oil or any operators of any drilling or producing well or wells, and any absorption or refining plant connected therewith to make and file sworn statements of production of or facts concerning any well or wells under their contract or control whenever and as often and for such periods as it may specify and such well or wells may be inspected or gauged or the production therefrom gauged in such manner and under such rules and regulations as may be prescribed by such commission.

All of the records of the Oil and Gas Supervisor of the State of California shall be available for the use of said Oil Conservation Commission under this act.

Said commission shall likewise have the power to require owners or operators of any storage facilities of crude petroleum oil or its products in this State to make and file sworn statements regarding the same and the quantity and quality of the oil or its products in storage, in such manner and to such extent as shall be prescribed by said commission by rules and regulations or by specific order in the performance of its duties under this act

SEC. 5. Upon complaint of the Oil Conservation Commission, or upon the verified complaint of any producer of crude petroleum oil in this State, or upon complaint of the Director of Natural Resources of this State, that waste of crude petroleum oil as herembefore defined is being committed in this State, it shall hold a hearing in one of the counties in which it is alleged that such waste is being committed, to determine whether or not such or any waste is being committed. At least five (5) days prior to the date of said hearing the commission shall cause notice of the time and place of said hearing to be published in a newspaper of general circulation printed and published in each county in which it is alleged that waste is being committed, and to be posted in at least three (3) conspicuous places in each field or locality in which it is alleged that such waste is being committed; provided, however, that in lieu of notice by posting or by publication, personal service of such notice upon any person, firm or corporation at least five (5) days prior to the date of said hearing shall be sufficient notice of such hearing to such person, firm or corporation. Said notice shall also specify the commonly accepted name or general description of the field or fields or locality or localities in which the waste is alleged to be taking place and the county or counties in which the same are situated At said hearing all persons interested shall be entitled to be heard and to introduce evidence Said hearing shall first be held at the place specified in said notice and may be by the commission adjourned from time to time for further hearing or hearings at such place or places as may be specified by it upon such adjournments, respectively, in the county or any of the counties in which it is alleged waste is being committed as set forth in the original notice of such hearing. Each member of the Board of Oil Conservation Commissioners and each representative of such commission appointed and designated to take testimony at the hearing provided herein shall have power to administer oaths, take affidavits and issue subpenas for the attendance of witnesses at such hearing The superior court in and for the county, or city and county, in which any hearing may be held under the authority of this act shall have power to compel the attendance of witnesses, the giving of testimony and the production of papers as required by any subpena issued hereunder. The Oil Conservation Commission or its representatives before whom the testimony is to be given or produced may, in case of refusal of any witness to attend or testify or produce any papers required by such subpena, report to the superior court in said county, or city and county, by petition, setting forth that due notice has been given of the time and place of the attendance of said witness or the production of said papers and that the witness has been summoned in the manner prescribed in this act and has failed and refused to attend or produce the papers required by the subpena before the commission or its representative in the case or proceeding named in the notice of time and place of hearing and subpena, or has refused to answer questions propounded to him in the course of said proceedings, and ask an order of said court to compel the witness to attend and testify or produce said papers before the commission or its representative The court, upon such petition, shall enter an order directing the witness to appear before the court at a time and place to be fixed by the court in such order, the time to be not more than five (5) days from the date of the order, and then and there show cause why he has not attended or testified or produced said papers before the commission or its representative. A copy of said order shall be served upon said witness. If it shall appear to the court that said subpena was regularly issued by the commission or its representative, the court shall thereupon enter an order that said witness shall appear before the commission or its representative at the time and place entered in such order and testify or produce the required papers, and upon failure to obey said witness shall be dealt with as for contempt of court.

The commission or its representative may in any investigation or hearing cause the deposition of witnesses residing within or without the State to be taken in the manner prescribed by law for like depositions in civil actions in the superior courts of this State and to that end may compel or cause to be compelled as hereinabove set forth, the attendance of witnesses and the production of documents and papers.

SEC. 6 If upon the hearing the commission finds that waste is being committed and if such waste be incident to or result from the wasteful overproduction of crude petroleum oil as defined in section 2 hereof, the commission shall make an order fixing therein the amount of nonwasteful production for the State of California and for the several oil fields within the State, respectively, found to be contributing to such waste, and for each such oil field fixing therein the amount of allowable production for the several zones, producing properties or well or wells in such oil field, so as to stop said waste. The aggregate amount of production without waste, as so determined, shall be so allocated by the commission among the different fields and the different zones, properties and wells in the respective fields as to avoid discrimination in the

quantity of production from any field or zone or property as compared with the quantity of production from any other field, zone or property, taking into consideration the extent of the respective fields, zones or properties and their recoverable oil content, the state of development of each field or zone, the potential production of the wells, the size and condition of the wells, the quality of the oil produced from each field or zone, and the demand therefor.

If the commission finds that waste other than waste incident to or resulting from excessive production, as hereinabove set forth, is being committed, it shall enter its order or orders requiring the person, firm or corporation found to be committing such waste to desist from the same within such time and to the extent specified in such order or orders.

SEC. 7. Each order shall state the time during which the same shall be effective and may provide for subsequent hearings for the purpose of determining upon the necessity of and providing for the amendment, modification or setting aside of any such order. The property or properties or well or wells referred to therein shall be described by using the commonly known name or designation thereof filed with the State Oil and Gas Supervisor.

A copy of each order made by the commission shall be mailed to each person, firm or corporation operating any property affected by said order.

No failure to mail copies of any order of the commission as hereinabove provided shall affect the validity of the same.

Any order of the commission may at any time or times be amended, modified or set aside by the commission upon hearing, upon notice as hereinbefore prescribed for the original hearing, or had as provided for in such order.

A copy of each order when made by the commission shall be filed with the Director of the Department of Natural Resources of the State.

SEC. 8. If and when an order of the commission shall be made fixing the amount of allowable production from any oil-producing property within the State, and notice thereof shall have been given as hereinbefore provided, no crude petroleum oil produced in violation of such order shall be removed by any third person, firm or corporation from the property where the same was produced.

SEC. 9. If and when any order shall be made by the commission hereunder fixing the quantity of allowable production from any oil-producing property within the State, and notice thereof shall have been given as hereinbefore provided, if thereafter any person, firm or corporation operating any such property shall produce therefrom a quantity of crude petroleum oil in excess of the quantity allowed to such property under said order of the commission pending proceedings in a court of competent jurisdiction as provided in section 11 hereof, the well or wells on said property shall be entirely closed in until such time as the amount which said well or wells could produce under the order of said court equals the amount theretofore produced in excess of the amount allowed by said order. Thereupon such well or wells may be restored to production upon the basis allowed by such order of said court.

SEC. 10 Any producer of crude petroleum oil or operator of any drilling or producing well or wells, or owner or operator of any storage facilities of crude petroleum oil referred to in this act, or employee thereof, or of any refining plant or absorption plant who refuses to permit the commission or its representative to inspect the same, and every person, firm, association, corporation, trust or syndicate, whether as principal, agent, servant, employee or otherwise, failing or neglecting or refusing to furnish any report or record or statement which may be required pursuant to the provisions of this act, or who wilfully renders or furnishes a false or fraudulent report or statement or record, is guilty of a misdemeanor.

SEC. 11. If any person, firm or corporation violates any order of the Oil Conservation Commission made hereunder and persists in such violation after having been given notice of said order as herein provided, the Director of the Department of Natural Resources of this State may, and upon request of such commission must, bring an action by complaint in equity in the name of the people of the State of California against such person, firm or corporation in the superior court for any county in which any of the property covered by such order is situated, to restrain the commission of waste as herein defined. There may be joined in the same proceeding any number of defendants alleged to be violating the same order, although their properties and interests may be severally owned, may be situated in several counties, and their actual violations of the order may be separate and distinct. In such action the court shall enjoin the defendants from violating said order or may find to what extent waste is being committed as herein defined regardless of said order, and enter judgment accordingly. In event the order is determined to be invalid, the court may dismiss said action without prejudice to the right and jurisdiction to conduct further hearings and make a new order in the premises by giving notice thereof as is in this statute provided. In any action for injunction brought hereunder no restraining order shall be issued ex parte but otherwise the procedure shall be governed by the provisions of Chapter III, Title VII, Part 2, of the Code of Civil Procedure of the State of California and pending appeal no temporary or permanent injunction issued in such proceeding shall be refused or dissolved or stayed upon the giving of any bond or undertaking, or otherwise.

SEC. 12. The Department of Natural Resources shall annually on or before the first Monday in March, acting in conjunction with the State Board of Control, make

an estimate of the amount of moneys which shall be required to carry out the provisions of this act. Said amount of money shall be provided which shall be levied, assessed, equalized and collected in the manner at the same time as is provided for the collection of the charges under the provisions of an act entitled "An act to protect the natural resources of petroleum and gas approved June 10, 1915, Chapter 718, amended 1917, Chapter 759, amended 1919, Chapter 538, amended 1921, Chapter 912, amended 1929, Chapter 535," and shall be paid into the petroleum and gas fund created by section 46 of the act above referred to in addition to the amount provided for in said act.

SEC. 13 Out of any moneys in the State treasury not otherwise appropriated, there is hereby appropriated the sum of fifty thousand dollars, which said sum shall be immediately transferred by the State Controller on the books of his office from the general fund to the petroleum and gas fund created by section 46 of the act last above referred to. The above mentioned fund shall be expended by the Department of Natural Resources in carrying out the provisions of this act and for the necessary expense of the Controller in carrying out the provisions of this act On or before July 1, 1935, said sum of fifty thousand dollars shall be returned into the general fund from moneys in the petroleum and gas fund.

SEC 14 Nothing herein contained shall be construed to confer on the Oil Conservation Commission any jurisdiction over any matter or matters given to the State Oil and Gas Supervisor or to the Director of Natural Resources by any law of the State of California or to limit the effect of any such law

SEC. 15. The invalidity of any section, subdivision, clause or sentence of this act shall not in any manner affect the validity of the remaining portion thereof."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1333—An act to facilitate the enforcement of laws of the State of California concerning motor vehicles by the establishment of ports of entry upon highways entering this State; vesting authority to establish and conduct such ports of entry in the State Board of Equalization; authorizing said State Board of Equalization to utilize the facilities and employees of any department of this State which may be convenient in the conduct of such ports of entry; and authorizing said State board to contract with private persons or corporations for the maintenance of port of entry service at such highways of lesser importance; and authorizing the State Board of Equalization to act as agent for the Department of Motor Vehicles and of any other department, board or officer of this State having to do with the administration or enforcement of laws relating to the use of public highways.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 5 and 6 of the title, and insert in lieu thereof the following: "in the Department of Motor Vehicles; authorizing said Department of Motor Vehicles to employ the facilities and employees".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 11 to 16, inclusive, of the title, and insert in lieu thereof the following: "ways of lesser importance, and authorizing the Department of Motor Vehicles to cooperate with any other department, board or officer of this State having to do with the administration or enforcement of laws relating to the use of public highways; and providing penalties for violation of this act."

Amendment No. 3.

On page 1, line 10, of the printed bill, insert a period after the word "pass", and strike out the balance of section 1.

Amendment No. 4.

On page 1, line 14, of the printed bill, strike out the words "State Board of Equalization", and insert in lieu thereof the following: "Department of Motor Vehicles".

Amendment No. 5.

On page 2, lines 2 and 3, of the printed bill, strike out the words "State Board of Equalization", and insert in lieu thereof the following: "Department of Motor Vehicles".

Amendment No. 6.

On page 2, line 7, of the printed bill, after the word "State", insert the words "designated by it".

Amendment No. 7.

On page 2, line 14, of the printed bill, after the word "Department", insert the words: "With the approval of the head of the board or department of this State affected, and on such terms and conditions as may be agreed upon,".

Amendment No. 8.

On page 2, line 16, of the printed bill, after the word "or", insert the words "or near".

Amendment No. 9.

On pages 2 and 3 of the printed bill, strike out from and including line 27 on page 2, to and including line 2 on page 3, and insert in lieu thereof the following: "permit any such vehicle to proceed over the public highways of this State unless and until it complies or is made to comply with all of the laws of this State with respect to mechanical condition, weight, dimensions, lights and in all other particulars having to do with the safety in the operation of such motor vehicle upon the public highways of this State, and unless and until the owner or operator of such vehicle has complied with all regulatory laws of this State, has paid any and all taxes and license fees applicable thereto, and to require the registration of any vehicle requiring registration under the laws of this State as a condition under which it might operate over the public highways thereof; to collect such registration fees, licenses and taxes as now or hereafter provided for by law; and to issue license plates or other insignia.

It shall be the duty of such department at each of said ports of entry to require the operator of any such vehicle transporting persons or property for commercial purposes to secure such license, permit or authorization as now or hereafter provided by law; to require, when in the judgment of the department it is necessary or advisable for the protection of the revenues of this State, that the operator of such vehicle deposit with the representative of said department at such port of entry such sum of money or security as the department may consider necessary to cover the probable amount of such charges that may be due or become due under the laws of this State within a reasonable time after such vehicle shall have been brought into this State, and shall have operated over the public highways thereof."

Amendment No. 10.

On page 3 of the printed bill, strike out lines 14 to 24, inclusive.

Amendment No. 11.

On page 3, line 25, of the printed bill, strike out "Sec. 6", and insert in lieu thereof "Sec. 5".

Amendment No. 12.

On page 3, line 38, of the printed bill, strike out "Sec. 7", and insert in lieu thereof "Sec. 6".

Amendment No. 13.

On page 3 of the printed bill, strike out lines 45 to 48, inclusive, and insert in lieu thereof, the following:

"SEC. 7. It shall be unlawful for any person to drive any motor vehicle into this State except upon a public highway on which a port of entry station shall have been established under the provisions of this act, or to pass said station, or to proceed therefrom except after inspection, as hereinafter provided, and after having been authorized to proceed by an officer of said department on duty at such station. Any violation of this act shall constitute a misdemeanor.".

Amendment No. 14.

Add a new section to the printed bill, to read as follows:

"Whenever said department shall, at the request of any other department, board, or officer of this State, cause its representatives at such ports of entry to act as the representative of such other department, board, or officer of this State in the administration and enforcement of any and all laws of this State, which such other department, board, or officer is required to administer or enforce then and in that event the cost of all such work done by said Department of Motor Vehicles shall be fixed and determined by the Director of Motor Vehicles and shall be a charge against, and shall be paid from any moneys and funds appropriated or made available by law for the support of such department, board or office or against any moneys or funds which said department, board or office may otherwise have under and by virtue of the laws of this State. All moneys paid for such services under and pursuant to this section shall be paid into the State treasury to the credit and in augmentation of the current appropriation for the support of the Department of

Motor Vehicles to be expended in accordance with law, for the support of said department."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1516—An act to amend sections 6.240, 6.251, 6.252, 6.260, 6.262, 6.263, 6.264, 6.265, 6 270, 6.274, 6.275, 6.291, 6.292, 6.294, 6 295, 6 296, 6.300, 6.301, 6 305, 6 307, 6 320, 6.322, 6.330, 6.332, 6.340, 6 341 of the School Code and to repeal Article VI of Chapter III of Part II of Division VI thereof, relating to supplementary textbooks, declaring the urgency thereof and providing that this act shall take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 21, of the printed bill, after the word "textbooks", insert the following: "and/or"

Amendment No. 2.

On page 2, line 39, of the printed bill, strike out the word "such", and insert in lieu thereof the word "any".

Amendment No. 3.

On page 3, line 3, of the printed bill, after the word "and", insert the following: "/or"

Amendment No. 4.

On page 3, line 20, of the printed bill, after the word "and", insert the following: "/or".

Amendment No. 5.

On page 3, line 37, of the printed bill, after the word "and", insert the following: "/or".

Amendment No. 6.

On page 3, line 46, of the printed bill, after the word "textbooks", insert the following: "needed".

Amendment No. 7.

On page 3, lines 49 and 50, of the printed bill, strike out the words "or supplementary textbooks".

Amendments adopted.

Bill read second time, ordered to reprint, re-re-engrossment, and third reading.

Assembly Bill No. 157—An act to add a new section to the Penal Code, to be numbered 368b, relating to the safe manning of railroad engines.

Bill read second time, ordered to engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 356—An act to amend sections 1, 3, 4 and 5 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, and to add a new section thereto numbered 9a.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 418—An act to add a new section to the Political Code to be numbered 3663c, relating to the correction of errors by the State Board of Equalization in assessments made by said board.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 378—An act to amend section 274 of the Penal Code, relating to the crime of abortion.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 662—An act to add a new section to the Penal Code to be numbered 597h, relating to cruelty to animals.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 229—An act to amend sections 1, 1a, 1b, 1c, 3, 10c, 11 and 15 of, and to add sections 11.5, 11.6 and 18 to, "An act to regulate the sale, possession, distribution and use of habit-forming, narcotic and other dangerous drugs and substances, and providing penalties for the violation thereof," approved May 4, 1929, relating to habit-forming, narcotic and other dangerous drugs and substances.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 367—An act to amend section 1 of "An act regulating the hours of labor of the operators of certain motor vehicles," approved June 10, 1933, relating to operators of vehicles.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 584—An act to add a new section to the Political Code to be known as section 3663d, relating to the assessment of property by the State Board of Equalization and the allocation of the assessed value of such property to the various taxing jurisdictions of the State.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, in the last line of the title of the printed bill, after the word "State", add the following: "and to provide that this act shall take effect immediately".

Amendment No. 2.

Strike out all of lines 3 to 13, both inclusive, of the printed bill, and insert in lieu thereof the following:

"3663d. In assessing property pursuant to section 3663a of this code the State Board of Equalization shall determine and assess at its actual value the average amount of rolling stock which is habitually in this State. The amount of rolling stock located in any county, city and county, city or district of this State shall be determined by the average amount of such rolling stock which is habitually in such county, city and county, city or district.

The average amount of rolling stock habitually in this State and in any county, city and county, city or district of this State shall be determined upon the basis of car mileage, track mileage or such other factors or combination thereof as are reasonably calculated to establish the situs of such rolling stock.

The term "rolling stock" means cars, engines or other equipment operated or designed for operation on rails, and includes motor vehicles which are operated between fixed termini or over a regular route.

The words "between fixed termini or over a regular route" mean termini or route between or over which rolling stock is usually or ordinarily operated even though there may be departures from said termini or route whether such departures be periodic or irregular.

SEC 2. This act is hereby declared an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1, Article IV of the Constitution of the State of California, and shall take effect immediately. The following is a statement of the facts constituting such urgency.

In 1933 amendments to the Constitution were adopted by the people substantially changing the tax system of the State. These amendments provided among other things that properties of certain companies formerly taxed exclusively for State purposes should on and after January 1, 1935, be assessed by the State Board of Equalization and be subject to taxation to the same extent and in the same manner as other property. Unless such properties are assessed and taxed as required by

the Constitution the revenue system of the State and its political subdivisions will be disrupted and the orderly functioning of government will be seriously jeopardized.

Among the properties so required to be assessed by said board are large amounts of rolling stock The present law relating to the assessment of such rolling stock is ambiguous and inconsistent in many respects Since said board must complete its work of assessment and equalization as of its current assessment date prior to a date which will be ninety days after the adjournment of the present session of the Legislature, it is essential that this act take effect immediately in order to make certain that such properties will be assessed and taxed as required by the Constitution."

Amendments adopted

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 585—An act to amend section 3663b of the Political Code, relating to the assessment of property by the State Board of Equalization.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

In the last line of the title of the printed bill, after "Equalization", insert "and to provide that this act shall take effect immediately".

Amendment No. 2.

On page 1 of the printed bill strike out all of line 3 after "3663b", and all of lines 4 to 27, both inclusive, and on page 2, strike out all of lines 1 to 28, both inclusive, and insert in lieu thereof the following:

"The board shall have the power to equalize the assessments made by it pursuant to section 3663a of this code, of property located in any city where property is not assessed for city purposes by the assessor of the county in which such city is located, with the assessed value of other property therein. Such equalized value shall be set forth upon the assessment roll transmitted by the board to the auditor or other chief accounting officer of such city pursuant to section 3663a of this code Immediately following the close of the period for equalizing assessments of property in each city where property is not assessed for city purposes by the assessor of the county in which such city is located, it shall be the duty of the city auditor or other chief accounting officer of such city to notify the State Board of Equalization of the total assessed value of property assessed by the city assessor, after equalization by the city equalization body. In case the board is not so notified of such assessed values in any such city the board need not equalize the assessments made by it of property in such city with such assessed values

SEC 2 This act is hereby declared an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 Article IV of the Constitution of the State of California, and shall take effect immediately. The following is a statement of the facts constituting such urgency:

In many cities in the State of California, the ratio between the assessed value as determined for the purposes of municipal taxation and the true value of the taxable property differs materially from the corresponding ratio of the assessed value as determined by the county assessor. Under section 14 of Article XIII of the Constitution of this State the State Board of Equalization is required to assess certain property for all tax purposes and unless said board is authorized to equalize such assessments with the assessed value of other property subject to municipal taxation, serious inequalities will result threatening the revenues of many cities of the State Since said board must complete its work of assessment and equalization as of the current assessment date prior to a date which will be ninety days after the adjournment of the present session of the Legislature, it is essential that this act take effect immediately in order to avert such consequences which will be subversive to the public peace health and safety"

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 586—An act to amend section 3663a of the Political Code, relating to the assessment of property by the State Board of Equalization.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, after "Equalization", in the last of the title, insert "and to provide that this act shall take effect immediately".

Amendment No. 2.

On page 1, line 7, of said printed bill, after "meridian", insert the following. ": provided, however, that in the case of property situated within the limits of any city having an assessment date other than the first Monday in March, the board shall also assess such property at its actual value on the assessment date of such city".

Amendment No. 3.

On page 1, lines 25 and 26, of the printed bill, strike out "between the first Monday in March and the first Monday in April of each year".

Amendment No. 4.

On page 2, lines 13 and 14, of the printed bill, strike out "on or before the first Monday in June," and insert in lieu thereof "at such times and".

Amendment No. 5.

On page 2, lines 16 and 17, of the printed bill, strike out "on the first Monday in March at twelve o'clock meridian".

Amendment No. 6.

On page 2 of the printed bill, between lines 22 and 23, insert the following:

"The board shall complete the assessment of all property required to be assessed by it as of the first Monday in March of any year, on or before the first Monday in August of said year. Between the first Monday in August and the third Monday in August of each year, the assessments made by the board shall be open for inspection by all persons interested. At any time prior to the third Monday in August the owner of any property assessed by the board, or the one to whom it is assessed may be heard by the board upon a petition for reassessment.

Immediately after the third Monday in August the board shall transmit to the auditor of each county and city and county an assessment roll showing the assessments made by the board upon all property located in such county or city and county and in each district, and city in such county or city and county.

The board shall also immediately transmit to the auditor or other chief accounting officer of each city the assessment date of which is the first Monday in March an assessment roll showing the assessments made by the board upon all property located in such city and in each district in such city.

In the case of property situated within the limits of any city having an assessment date other than the first Monday in March, the board, upon the completion of the assessment of such property as of such other assessment date, shall give notice to those to whom it is assessed either by mail, in the manner prescribed by section 1013 of the Code of Civil Procedure, or by publication in a newspaper of general circulation published in the municipality where such property is located, that the assessment of such property as of such other assessment date has been completed and the time when, and place where, those to whom such property is assessed may be heard on a petition by them for reassessment of such property. Immediately after the time specified in such notice the board shall transmit to the auditor or other chief accounting officer of such municipality an assessment roll showing the assessment made by the board upon all property located in such city.

All such property shall be subject to taxation to the same extent and in the same manner as other property.

In the event that any property required to be assessed by the board escapes assessment for any year, such property when discovered shall immediately be assessed by the board, and a statement of the value of such property shall be transmitted by the board to the officer of the county, city and county, or city required by law to assess property escaping assessment. The property so assessed by the board and returned to such officer shall thereupon be entered upon the assessment roll of such county, city and county, or city and shall be subject to the same taxes and assessment levies with the same penalties added thereto as if such property had been assessed by such officer."

Amendment No. 7.

On page 2 of the printed bill, after line 26, add the following:

"SEC. 2. This act is hereby declared an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution of the State of California, and shall take effect immediately. The following is a statement of the facts constituting such urgency:

Several cities within California have, under special charter provisions, assessment dates other than the first Monday in March. Unless the law is immediately amended to permit the State Board of Equalization to assess such property as is required to be assessed by such board under the provisions of section 14 of Article XIII of the Constitution of this State as of the same date as other property subject to municipal taxation in such cities, grave inequalities in tax burden will result threatening the stability of the public revenues for such cities. Under existing law said board is required to complete all assessments under said section of the Constitution by the third Monday in June. Said board is also required to equalize its assessments with those made locally, and since equalization of local assessments is not completed normally until August, it would be impossible to provide for an equitable assessment of property by the State Board of Equalization unless the existing law requiring the board to complete its assessments by the third Monday in June should be amended. Consequently, unless this act goes into effect immediately grave inequalities in assessments for tax purposes will result, since an act which would not become effective until ninety days following adjournment of the Legislature could not accomplish the necessary changes in time to correct the injustices which would otherwise occur."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 81—An act to add a new section to be numbered section 8a, to an act entitled "An act establishing a State Mining Bureau, creating the office of State Mineralogist, fixing his salary and prescribing his powers and duties; providing for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution for defrauding, swindling and cheating therein, creating a State Mining Bureau fund for the purpose of carrying out the provisions of this act and repealing an act entitled 'An act to provide for the establishment, maintenance and support of a bureau, to be known as the State Mining Bureau, and for the appointment and duties of a board of trustees, to be known as the board of trustees of the State Mining Bureau, who shall have the direction, management and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction and supervision of the board of trustees of the State Mining Bureau,' approved March 23, 1893, and all acts amendatory thereof and supplemental thereto or in conflict herewith," approved June 16, 1914, relating to mining on State property.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 4, of the printed bill, after the word "State", add the following: "other than lands granted for school purposes".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 358—An act to amend sections 1, 3, 4 and 10 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within the State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933, and to add a new section to said act numbered 9a.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 5 of the printed bill, as amended April 11, 1935, after line 43, insert the following:

"SEC. 5. Section 10 of the act cited in the title of this act is hereby amended to read as follows:

Sec. 10. All moneys belonging to any county, city and county, city, town, municipality or other public or municipal corporation within the State under the control of any officer or employee thereof other than treasurer thereof, and all moneys coming into the possession of any justice of the peace, clerk or other officer of such justice's court, shall, so far as possible, be deposited as active deposits in such State or National bank or banks in this State as such officer, employee or justice of the peace may select and be subject to the requirement of this act relative to other active deposits; provided, however, that no security shall be required in case of such part of any deposit made under the authority of this section as are insured under the provisions of any law of the United States; and provided, further, that no interest shall be required on moneys deposited by any justice of the peace or clerk or other officer of any justice's court nor on those deposited by any officer having control of any revolving fund created under the provisions of an act entitled "An act providing for the creation of revolving funds in the counties of the State," approved May 9, 1923, nor on those deposited by any officer having control of any special fund established pursuant to the provisions of that section 4308 of the Political Code which was approved June 3, 1921, or pursuant to the provisions of section 4310 of said code."

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 587—An act to repeal sections 3664, 3664a, 3664d of the Political Code and other acts inconsistent with section 14 of Article XIII of the Constitution of the State of California, to amend sections 3664b and 3664b-1 of the Political Code, all relating to the carrying into effect of the provisions of section 14 of Article XIII of the Constitution of the State of California.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out the first four lines of the title, and insert in lieu thereof the following:

"An act to repeal sections 3664, 3664a, 3664a-1, 3664aa, 3664c, 3664d, 3664e, 3665a, 3665b, 3665c, 3666, 3666b, 3667, 3667a, 3667b, 3669c, 3670, 3670b, 3670bb, 3670c, 3670cc, 3670d, 3671, 3671a, and 3671b of the Political Code, Chapter 154 of the Statutes of 1921, to amend sections 3664b, 3664b-1, 3664b-4, 3668, 3668a, 3668b, 3668c, 3669, and 3669c of the Political Code."

Amendment No. 2.

On page 1, line 1, of the printed bill, as amended, after the numeral "3664a," insert the following: "3664a-1, 3664aa, 3664c,".

Amendment No. 3.

On page 1, line 1, of the printed bill, as amended, after the numeral "3664d", insert the following: ", 3664e, 3665a, 3665b, 3665c, 3666, 3666b, 3667, 3667a, 3667b, 3669c, 3670, 3670b, 3670bb, 3670c, 3670cc, 3671, 3671a, and 3671b."

Amendment No. 4.

On page 1, line 2, of the printed bill, as amended, after the word "Code", insert the following: "and Chapter 154 of the Statutes of 1921".

Amendment No. 5.

On page 1, lines 13 and 14, of the printed bill, as amended, strike out the words "county and municipal".

Amendment No. 6.

On page 1, line 17, of the printed bill, as amended, strike out "tax", and insert in lieu thereof "taxes".

Amendment No. 7.

On page 2, line 5, of the printed bill, as amended, strike out "Legislature", and insert in lieu thereof "Insurance Commissioner".

Amendment No. 8.

On page 2, line 11, of the printed bill, as amended, strike out "assessed by the State Board of Equalization;".

Amendment No. 9.

On page 2 of the printed bill, as amended, strike out all of lines 22 to 24, both inclusive, and insert in lieu thereof the following:

"SEC. 4. Section 3668 of the Political Code is hereby amended to read as follows:

Sec. 3668. The State Board of Equalization shall between the first Monday in March and the third Monday before the first Monday in July of each year assess and levy the taxes upon insurance companies as and in the manner provided for in section 14 of Article XIII of the Constitution of this State, and sections of this code enacted to carry the same into effect.

Clerical errors occuring or appearing in the name of any company, person or association subject to any tax assessed by the board, or in the making or extension of any assessment upon the records of the board which do not affect the substantial rights of the taxpayer, shall not invalidate the assessment.

On the third Monday before the first Monday in July the board shall publish a notice in one daily newspaper of general circulation published at the State capital, in one daily newspaper of general circulation published in the City and County of San Francisco, and in one daily newspaper of general circulation published in the city of Los Angeles, that the assessment of insurance companies has been completed, and that the record of assessments of such companies will be delivered to the Controller on the first Monday in July, and that if any company, person, or association is dissatisfied with the assessment made by the board, it may, at any time before the taxes thereon shall become due and payable, apply to the board to have the same corrected in any particular. The board shall have power at any time on or before the first Monday in July to correct the record of assessments of such companies and may increase or decrease any assessment therein if in its judgment the evidence presented or obtained warrants such action.

SEC. 5. Section 3668a of the Political Code is hereby amended to read as follows:

Sec. 3668a. The State Board of Equalization must prepare each year a book to be called the "Record of Assessments of Insurance Companies" in which must be entered, either in writing or printing, or by both writing and printing, each assessment made by said board pursuant to section 3668 of this code.

On the first Monday in July the Secretary of the State Board of Equalization must deliver to the Controller of State the record of assessments of insurance companies certified to by the chairman and secretary of the board

SEC. 6. Section 3668b of the Political Code is hereby amended to read as follows:

Sec. 3668b. The taxes upon insurance companies assessed and levied as provided in section 14 of Article XIII of the Constitution of this State, and in and by the provisions of this code enacted to carry the same into effect, shall be due and payable on the first Monday in July in each year, and one-half thereof shall be delinquent on the sixth Monday after said first Monday in July at six o'clock p.m., and unless paid prior thereto, fifteen per cent shall be added to the amount thereof, and unless paid prior to the first Monday in February next thereafter at six o'clock p.m., an additional five per cent shall be added to the amount thereof; and the unpaid portion, or the remaining one-half of said taxes shall become delinquent on the first Monday in February next succeeding the day upon which they became due and payable, at six o'clock p.m.; and if not paid prior thereto five per cent shall be added to the amount thereof; provided, that all such taxes which are not fully secured by real property are due and payable at the time the assessment is made

When in the opinion of the State Board of Equalization any of the taxes provided for in this section are not a lien upon real property sufficient to secure the payment of the taxes, said board may direct the Controller, or his duly authorized representative, to collect the same at any time before the first Monday in August thereafter, and the Controller may collect the taxes by seizure and sale of any property owned by the company against whom the tax is assessed

The sale of any property so seized shall be made at public auction and of a sufficient amount of the property to pay the taxes, penalties and costs, and be made after one week's notice of the time and place of such sale given by publication in a newspaper of general circulation published in the county where the property seized is situate, or if there be no newspaper of general circulation published in such county, then by posting of such notice in three public places in such county.

Said notice shall contain a description of the property to be sold together with a statement of the amount of the taxes, penalties and costs due thereon and the name of the owner of said property and a further statement that unless the taxes, penalties and costs are paid on or before the day fixed in said notice for such sale of said property, or so much thereof as may be necessary to pay said taxes, penalties and costs, said property will be sold in accordance with law and said notice.

On payment of the price bid for any property sold, the delivery thereof with bill of sale executed by the Controller vests the title in the purchaser The unsold portion of any property so seized, may be left at the place of sale at the risk of the owner. All of the proceeds of any such sale in excess of the taxes, penalties, and costs, must be returned to the owner of the property sold, and until claimed must be deposited with the State Treasurer, as trustee for such owner, and subject to the order of the owner thereof, his heirs, or assigns.

SEC. 7. Section 3668c of the Political Code is hereby amended to read as follows:

Sec. 3668c. The taxes levied upon insurance companies under the provisions of section 14 of Article XIII of the Constitution of this State and sections of this code enacted to carry the same into effect shall constitute a lien upon all the property and franchises of every kind and nature belonging to such companies, which lien shall attach on the first Monday in March of each year. Every tax herein provided for has the effect of a judgment against the company, and every lien has the effect of an execution duly levied against all property of the delinquent, the judgment is not satisfied nor the lien removed until such taxes, penalties, and costs are paid, or the property sold for the payment thereof. No final discharge in bankruptcy or decree of dissolution shall be made and entered by any court, nor shall the county clerk of any county or the Secretary of State file any such discharge or decree, or file any other document by which the term of existence of any corporation shall be reduced or terminated until all taxes, penalties, and costs due on assessments made under the constitutional and statutory provisions aforesaid shall have been paid and discharged

SEC. 8. Section 3669 of the Political Code is hereby amended to read as follows:

Sec. 3669 All taxes assessed and levied upon insurance companies under the provisions of section 14 of Article XIII of the Constitution of this State and sections of this code enacted to carry the same into effect shall be paid to the State Treasurer, upon the order of the Controller The Controller must mark the date of payment of any tax on the record of assessments of insurance companies

The Controller must give a receipt to the person paying any tax, or any part of any tax, specifying the amount of the assessment and the tax, or part of tax, paid, and the amount remaining unpaid, if any, with a description of the property assessed; provided, that the receipt for the second half of the taxes may refer, by number or in any other intelligible manner, to the receipt given for the first half of said taxes, in lieu of a description of the property assessed

Whenever any taxes, penalties, or costs collected and paid to the State Treasurer as hereinbefore provided, shall have been paid more than once, or shall have been erroneously or illegally collected, or when any taxes shall have been collected and paid pursuant to said provisions of law upon a computation erroneously made by reason of clerical mistake of the officers or employees of the State Board of Equalization, or shall have been computed in a manner contrary to law, the State Board of Equalization shall certify to the State Board of Control the amount of such taxes, penalties, or costs, collected in excess of what was legally due, from whom they were collected or by whom paid, and if approved by said Board of Control, the same shall be credited to the company or person to whom it rightfully belongs, at the time of the next payment of taxes No claim for such credit shall be so audited, approved, allowed, or paid unless presented within one year after the payment sought to be refunded

In case the assessment of any company is duplicated upon the record of assessments of insurance companies, or there appears thereon the assessment of any company whose charter has been forfeited or right to do business in this State has been forfeited, or the assessment of any company which, for any reason, could not be legally assessed, the State Board of Equalization or the Controller shall certify such fact to the State Board of Control and said Board of Control shall authorize the cancellation of such assessment.

SEC 9 Section 3669c of the Political Code is hereby amended to read as follows:

Sec 3669c. Within ten days after the first Monday in February, the Controller shall send by mail to the last known address of any company whose taxes are delinquent a notice of the amount of said taxes, penalties and costs, and that if the said taxes, penalties, and costs are not paid on or before the Saturday preceding the first Monday in March next thereafter at six o'clock p.m. of said day, the corporate powers, rights and privileges of such delinquent company, if it be a domestic corporation, will be at that time suspended and thereafter incapable of exercise, and that if the delinquent company be a foreign corporation it will thereupon forfeit its right to do intrastate business in this State

If the taxes, penalties, and costs are not paid within the time specified in said notice, the Controller shall, on said Saturday preceding the first Monday in March at six o'clock p.m. of said day, mark on the record of assessments of insurance companies opposite the assessment of the delinquent corporation the words "corporate powers suspended," if the delinquent corporation be a domestic corporation, and

thereupon said corporate powers shall be suspended and incapable of exercise until restored as hereinafter provided; and if the delinquent corporation be a foreign corporation, the Controller shall mark said record of assessments opposite the assessment of such delinquent corporation the words "right to do intrastate business forfeited" and thereupon said right to do such business shall be so forfeited. He shall at once report to the Secretary of State and name and number of charter of each corporation whose corporate powers have been suspended or right to do business has been forfeited for nonpayment of taxes.

On or before the first Monday in April of each year the Controller shall make a list of all corporations which have failed to pay the taxes imposed upon insurance companies under the provisions of section 14 of Article XIII of the Constitution and the sections of this code enacted to carry the same into effect, and transmit a certified copy thereof to each county clerk and county recorder in this State. Said county clerks and county recorders shall file such certified copies in their respective offices in such manner that the same shall be preserved in the form of a permanent record of such office and easily identified by and available to the public. Said copies so certified by the Controller and filed as herein provided shall in the case of each corporation state whether such corporation is a domestic or foreign corporation and specify the penalty which each corporation has incurred for failure to pay the tax imposed by this act. Such certified copies so filed with either of said county officers, or any copy thereof certified by the Controller shall be received in evidence in any court in lieu of the original record on file with the Controller and shall be prima facie evidence of the truth of all statements contained therein.

After six o'clock p.m. of the Saturday preceding the first Monday in March in any year, the corporate rights, privileges and powers of every domestic corporation which has failed to pay said tax and money penalty shall, from and after said hour of said day, be suspended, and incapable of being exercised for any purpose or in any manner, except to defend any action brought in any court against such corporation, until said tax with all accrued penalties, and all taxes and charges due the State under the corporation license act are paid as hereinafter provided. The right and privilege of every foreign corporation to transact intrastate business in this State shall, for failure to pay said tax and money penalty, be forfeited at said hour of said day, and the Controller shall make a record of such forfeiture. In the case of foreign corporations such forfeiture may be relieved and the corporation's privilege to transact intrastate business in this State restored in the manner hereinafter provided.

After said hour of said day and until such taxes, penalties and charges are paid, every person who attempts or purports to exercise any of the rights, privileges or powers of any delinquent corporation, or, who transacts or attempts to transact any intrastate business in this State in behalf of any forfeited foreign corporation, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than two hundred fifty dollars and not exceeding one thousand dollars, or by imprisonment in the county jail not less than fifty days or more than five hundred days, or by both such fine and imprisonment. The jurisdiction of such offense shall be held to be in any county in which any part of such attempted exercise of such powers, or any part of such transaction of business was had or occurred. Every contract made in violation of this section is hereby declared to be void.

All corporate powers, rights and privileges suspended or forfeited may be revived and restored to full force and effect by the payment of all accrued taxes and penalties due to the State under sections 3664b and 3664b1 of this code and also, in addition thereto, a sum of money equal to the tax last assessed under the provisions of said sections of this code, for each year succeeding the year in which such tax was levied, and to the time of such revivor. "Year" within the meaning of the preceding sentence is hereby defined as the period between the first Monday in March of any calendar year and the first Monday in March of the following calendar year.

Upon payment of all such taxes and penalties the State Controller shall issue a certificate under his seal evidencing such payment and restoration, which certificate when recorded in the office of any county recorder shall constitute a release of all existing liens for such taxes upon the property of such corporation. Each county recorder shall keep an index of all such Controller's certificates recorded by him. Upon presentation of such Controller's certificate of revivor to any county clerk said officer shall make a record thereof in his office in a book kept for such purpose. The record so made by said county clerk shall be prima facie evidence of the restoration to such corporation of all previously suspended or forfeited rights, powers and privileges unless it appears from the records in the office of such county clerk or of the Secretary of State that subsequent to the date of such certificate of revivor the powers of said corporation have been suspended or its right to do intrastate business forfeited.

The Controller may, on or before the thirtieth day of April next following said delinquency and suspension or forfeiture, bring an action in a court of competent jurisdiction in the county of Sacramento in the name of the people of the State of California, to collect any delinquent taxes, together with any penalties, or costs, which have not been paid in accordance with the provisions of this code and appearing delinquent upon the record of assessments for State taxes hereinbefore men-

tioned, and such actions shall be tried in the county of Sacramento unless the court, with the consent of the Attorney General, order a change of place of trial.

The Attorney General must prosecute such action, and the provisions of the Code of Civil Procedure relating to service of summons, pleadings, proofs, trials, and appeals are applicable to the proceedings herein provided for. In such action a writ of attachment may be issued, and no bond or affidavit previous to the issuing of said attachment is required.

In the case of companies whose right to do business has been forfeited or corporate powers suspended, service of summons may be made upon the persons provided for by law to be served as agents or officers of any of such companies and such persons shall be deemed to be the agents of such companies for all purposes necessary in order to prosecute such action In the case of corporations whose powers have been suspended, the persons constituting the board of directors thereof shall have the power and right to defend such action. Payment of the taxes and penalties, or amount of the judgment recovered in such action must be made to the State Treasurer.

In such actions the record of assessments of insurance companies, or a copy of so much thereof as is applicable in said action, duly certified by the Controller, or by the Secretary of the State Board of Equalization, showing unpaid taxes against any company, person or association assessed by the State Board of Equalization, is prima facie evidence of the assessment upon the property and franchises, the delinquency, the amount of the taxes, penalties, and costs due and unpaid to the State, and that the company, person, or association is indebted to the people of the State of California in the amount of taxes and penalties therein appearing unpaid, and that all the forms of law in relation to the assessment and levy of such taxes have been complied with."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 708—An act relating to the borrowing of money by the State in anticipation of taxes and revenues.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 4 to 13, inclusive, and insert in lieu thereof the following:

"SEC. 2. There is hereby created a board, consisting of the State Controller, State Treasurer, and the Director of Finance, hereinafter called the board, which board shall carry out the provisions of this act."

Amendment No. 2.

On page 1, line 14, of the printed bill, strike out "4", and insert in lieu thereof the following: "3".

Amendment No. 3.

On page 1, line 15, of the printed bill, after "appropriations", insert the following: "from the general fund".

Amendment No. 4.

On page 1, line 16, of the printed bill, strike out "shall", and insert in lieu thereof the following: "may".

Amendment No. 5.

On page 1, line 17, of the printed bill, strike out "for by law.", and insert in lieu thereof the following: "by law for the payment of such appropriations."

Amendment No. 6.

On page 1, line 18, of the printed bill, strike out "5", and insert in lieu thereof the following: "4".

Amendment No. 7.

On page 2, line 4, of the printed bill, strike out "6", and insert in lieu thereof the following: "5".

Amendment No. 8.

On page 2 of the printed bill, strike out lines 9, 10 and 11, and insert in lieu thereof the following: "shall be payable from the general fund not more than one year after the date of issuance thereof."

Amendment No. 9.

On page 2, line 12, of the printed bill, strike out "7", and insert in lieu thereof the following: "6".

Amendment No. 10.

On page 2, line 17, of the printed bill, strike out "8", and insert in lieu thereof the following: "7".

Amendment No. 11.

On page 1, line 2 of the title of the printed bill, after the word "revenues", insert a comma and the following: "and making an appropriation".

Amendment No. 12.

On page 2 of the printed bill, following line 23, add the following:

"SEC. 9. Out of any moneys in the State treasury not otherwise appropriated, there is hereby appropriated such sum or sums as may be required to pay interest on amounts borrowed under the provisions of this act."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 771—An act to add sections 5a and 7 to "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931, relating to the employment of apprentices.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 4 to 10, inclusive, and on page 2, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following "of lawfully indentured apprentices upon public works; provided, however, that in addition to being lawfully indentured, such apprentices are over the age of sixteen years and under the age of twenty-one years, and are limited to a ratio of one apprentice to each seven journeymen of the craft employed on the particular public works job by the contractor employing such apprentices. The wage rate for each six months' employment in each craft for such apprentices must be set forth by the awarding body or officer in the call for bids and in the contract, in conformity with the general prevailing rate for apprentices of each craft in the locality in which the work is performed. Such wage rates, ratio and age limits must also be maintained when the public officer or body employs apprentices and does the work directly rather than by means of contract"

Amendment No. 2.

On page 2, line 14, of the printed bill, as amended, after "as the", insert the following: "Prevailing".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Special Order.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 915.

Assembly Bill No 915—An act to amend sections 1 to 25 inclusive of, and add new sections to be numbered 18.1, 19.1, 22.5, 25.1, 27 and 28 to, and to repeal section 26 of an act entitled "An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission; prescribing the powers, duties and authority of said commission and the members thereof; providing for the institution of proration programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purposes of said act and providing for the collection thereof, approved June 5, 1933, relating to serving agricultural wealth, prevention of economic waste and providing for the Agricultural Prorate Commission.

Assembly Bill No 915 read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Desmond:

Amendment No. 1.

On page 8 of the printed bill, strike out from line 30 to 36, inclusive, and insert in lieu thereof the following:

Shall the producers of_____	Yes	
area producing _____		
form a proration zone.	No	

Amendment adopted.

Request for Unanimous Consent.

Mr. Phillips asked for, and was granted, unanimous consent to take up Assembly Bill No. 915, as amended, at this time, without reference to reprint or file, and that same be considered re-re-re-engrossed.

Assembly Bill No 915, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Messrs. Desmond, Corwin, and Donnelly:

Amendment No. 1.

On page 2, line 38, of the printed bill, as amended, after the word "of", insert the word "commercially", and after the word "product", strike out the period, and add the following: "for commercial use"

Amendment No. 2.

On page 2, line 49, of the printed bill, as amended, strike out the period, and insert "through the sale thereof or other disposition commercially."

Amendment No. 3.

On page 6 of the printed bill, as amended, strike out all of lines 22 to 27, inclusive, and insert in lieu thereof the following "In the case of horticultural or viticultural products, each producer shall be entitled to sign for the number of producing factors specified in the petition, which he produced during the preceding season, or, in the case of vegetable products or live stock and poultry and their products, the producing factor shall be based upon the actual acreage planted or live stock owned or the products thereof produced at the time he signs the petition."

Amendment No. 4.

On page 7, line 20, of the printed bill, as amended, after the word "actually", strike out the word "to".

Amendment No. 5.

On page 7, line 29, of the printed bill, as amended, strike out the words "or is about to be".

Amendment No. 6.

On page 12, line 20, of the printed bill, as amended, strike out the words "for cause", and insert in lieu thereof the following: "for incompetence or inattention or neglect of duties as a member of the Program Committee".

Amendment No. 7.

On page 13, line 25, of the printed bill, as amended, after the period, insert the following: "the estimated production shall be subject to revision by the Program Committee in accordance with crop and market conditions".

Amendment No. 8.

On page 16, line 1, of the printed bill, as amended, strike out the word "or".

Amendments adopted.

Request for Unanimous Consent.

Mr. Phillips asked for, and was granted, unanimous consent to take up Assembly Bill No. 915, as amended, at this time, without reference to reprint or file, and that same be considered re-re-re-engrossed Assembly Bill No. 915, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Wallace:

Amendment No. 1.

On page 17, line 49, of the printed bill, add a new sentence as follows:

"Nothing contained in this act shall affect or apply to a product or commodity primarily grown, produced or harvested for sale or use outside of the State of California."

Amendment refused adoption.

Further Consideration of the Amendment Submitted by Mr. Patterson on May 8, 1935.

Amendment No. 1.

On page 18 of the printed bill, as amended, after line 11, insert the following:

"SEC. 33. A new section to be numbered section 29 is hereby added to the act cited in the title hereof, to read as follows:

The Agricultural Prorate Commission is hereby abolished and the Director of Agriculture shall succeed to, and he is hereby vested with, all of the powers, purposes, jurisdiction and responsibility of said Agricultural Prorate Commission."

The question being on the amendment submitted by Mr. Patterson.

Substitute Amendments.

Mr. Patterson withdrew his amendment, and submitted the following as substitute amendments:

Amendment No. 1.

On page 1, line 1, of the printed bill, as amended, after "SECTION 1.", strike out the balance of the line, and insert in lieu thereof the following: "The title of the act cited in the title hereof is hereby amended to read as follows:

An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, providing for the institution of proration programs with respect to agricultural crops, providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purposes of said act and providing for the collection thereof.

SEC. 2. Section 1 of the act cited in the title hereof is".

Amendment No. 2.

On page 2, line 19, of the printed bill, as amended, strike out "SEC. 2.", and insert in lieu thereof the following: "SEC. 3."

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out lines 35 and 36, and insert in lieu thereof the following:

"(e) The term "director" means the Director of Agriculture."

Amendment No. 4.

On page 3 of the printed bill, as amended, strike out lines 24 to 52, inclusive, and strike out all of page 4.

Amendment No. 5.

On page 5 of the printed bill, as amended, strike out lines 1 to 25, inclusive.

Amendment No. 6.

On page 5, line 26, of the printed bill, as amended, strike out "SEC. 8.", and insert in lieu thereof the following: "SEC. 4."

Amendment No. 7.

On page 5, line 33, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 8.

On page 5, lines 47 and 48, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 9.

On page 6, line 4, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 10.

On page 6, line 6, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 11.

On page 6, line 13, of the printed bill, as amended, strike out "any", and insert in lieu thereof the following "Any".

Amendment No. 12.

On page 6, line 22, of the printed bill, as amended, strike out "in a", and insert in lieu thereof the following: "In".

Amendment No. 13.

On page 6, line 25, of the printed bill, as amended, after "in", strike out "a".

Amendment No. 14.

On page 6, line 26, of the printed bill, as amended, after "crops", strike out the period and "The", and insert in lieu thereof a comma, and the following: "the".

Amendment No. 15.

On page 6, line 33, of the printed bill, as amended, strike out "SEC. 9.", and insert in lieu thereof the following: "SEC. 5."

Amendment No. 16.

On page 6, line 37, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 17.

On page 6, line 52, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 18.

On page 7, line 5, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 19.

On page 7, line 12, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 20.

On page 7, line 17, of the printed bill, as amended, strike out "SEC. 10.", and insert in lieu thereof the following: "SEC. 6."

Amendment No. 21.

On page 7, line 20, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 22.

On page 7, line 24, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 23.

On page 7, line 48, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following. "director".

Amendment No. 24.

On page 8, line 2, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 25.

On page 8, line 4, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 26.

On page 8, line 7, of the printed bill, as amended, strike out "SEC. 11.", and insert in lieu thereof the following: "SEC. 7."

Amendment No. 27.

On page 8, line 14, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 28.

On page 8, line 15, of the printed bill, as amended, strike out "it", and insert in lieu thereof the following: "he".

Amendment No. 29.

On page 8, line 17, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 30.

On page 8, line 21, of the printed bill, as amended, strike out "SEC. 12", and insert in lieu thereof the following: "SEC. 8."

Amendment No. 31.

On page 8, line 24, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 32.

On page 8, line 25, of the printed bill, as amended, strike out "it", and insert in lieu thereof the following: "he".

Amendment No. 33.

On page 8, line 40, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 34.

On page 8, line 46, of the printed bill, as amended, strike out "SEC. 13.", and insert in lieu thereof the following: "SEC. 9."

Amendment No. 35.

On page 9, line 21, of the printed bill, as amended, strike out "SEC. 14.", and insert in lieu thereof the following: "SEC. 10"

Amendment No. 36.

On page 9, line 31, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following. "director".

Amendment No. 37.

On page 9, line 38, of the printed bill, as amended, strike out "SEC. 15", and insert in lieu thereof the following: "SEC. 11."

Amendment No. 38.

On page 10, lines 4 and 5, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 39.

On page 10, line 15, of the printed bill, as amended, strike out "SEC. 16.", and insert in lieu thereof the following: "SEC. 12."

Amendment No. 40.

On page 10, line 18, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 41.

On page 10, lines 24 and 25, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 42.

On page 10, line 27, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 43.

On page 10, line 30, of the printed bill, as amended, strike out "SEC. 17.", and insert in lieu thereof the following: "SEC. 13."

Amendment No. 44.

On page 10, line 32, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 45.

On page 10, line 33, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 46.

On page 10, line 39, of the printed bill, as amended, strike out "SEC. 18.", and insert in lieu thereof the following: "SEC 14."

Amendment No. 47.

On page 10, lines 42 and 43, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 48.

On page 11, line 36, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 49.

On page 11, line 38, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 50.

On page 11, line 47, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 51.

On page 11, line 50, of the printed bill, as amended, strike out "it", and insert in lieu thereof the following: "he".

Amendment No. 52.

On page 12, line 8, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 53.

On page 12, line 13, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 54.

On page 12, line 30, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 55.

On page 12, line 37, of the printed bill, as amended, strike out "SEC. 19.", and insert in lieu thereof the following: "SEC 15."

Amendment No. 56.

On page 12, line 40, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 57.

On page 12, line 45, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 58.

On page 12, lines 46 and 47, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 59.

On page 12, line 49, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 60.

On page 13, line 1, of the printed bill, as amended, strike out "SEC. 20.", and insert in lieu thereof the following: "SEC. 16."

Amendment No. 61.

On page 13, line 4, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 62.

On page 13, line 7, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 63.

On page 13, line 11, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 64.

On page 13, line 13, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 65.

On page 13, line 16, of the printed bill, as amended, strike out "SEC. 21.", and insert in lieu thereof the following: "SEC. 17."

Amendment No. 66.

On page 13, line 19, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 67.

On page 14, line 8, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following. "director".

Amendment No. 68.

On page 14, line 22, of the printed bill, as amended, strike out "SEC. 22.", and insert in lieu thereof the following: "SEC. 18."

Amendment No. 69.

On page 14, line 25, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following. "director".

Amendment No. 70.

On page 15, line 3, of the printed bill, as amended, strike out "SEC. 23.", and insert in lieu thereof the following: "SEC. 19."

Amendment No. 71.

On page 15, line 11, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "department".

Amendment No. 72.

On page 15, line 13, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 73.

On page 15, lines 14 and 15, of the printed bill, as amended, strike out "its maintenance", and insert in lieu thereof the following: "the purpose".

Amendment No. 74.

On page 15, line 18, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following. "director".

Amendment No. 75.

On page 15 of the printed bill, as amended, strike out line 20, and insert in lieu thereof the following: "Department of Agriculture fund"

Amendment No. 76.

On page 15, line 21, of the printed bill, as amended, strike out "hereby created. All moneys", and insert in lieu thereof the following: "All moneys so".

Amendment No. 77.

On page 15, line 25, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "department and".

Amendment No. 78.

On page 15, line 30, of the printed bill, as amended, strike out "SEC. 24.", and insert in lieu thereof the following: "SEC. 20."

Amendment No. 79.

On page 15, line 32, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 80.

On page 15, line 44, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following· "director".

Amendment No. 81.

On page 15, line 47, of the printed bill, as amended, strike out "SEC. 25.", and insert in lieu thereof the following: "SEC. 21."

Amendment No. 82.

On page 16, line 14, of the printed bill, as amended, strike out "SEC. 26.", and insert in lieu thereof the following: "SEC. 22."

Amendment No. 83.

On page 16, line 18, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following, "director".

Amendment No. 84.

On page 16, line 29, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 85.

On page 16, line 30, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 86.

On page 16, line 31, of the printed bill, as amended, strike out "its", and insert in lieu thereof the following: "his".

Amendment No. 87.

On page 16, line 34, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 88.

On page 16, line 37, of the printed bill, as amended, strike out "SEC. 27.", and insert in lieu thereof the following: "SEC. 23."

Amendment No. 89.

On page 16, lines 42 and 43, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 90.

On page 17, line 1, of the printed bill, as amended, strike out "SEC. 28.", and insert in lieu thereof the following: "SEC 24."

Amendment No. 91.

On page 17, line 9, of the printed bill, as amended, strike out " "Agricultural" ", and strike out all of line 10, and insert in lieu thereof the following: "the Department of Agriculture fund."

Amendment No. 92.

On page 17, line 11, of the printed bill, as amended, strike out "SEC. 29.", and insert in lieu thereof the following: "SEC. 25."

Amendment No. 93.

On page 17, line 25, of the printed bill, as amended, strike out "secretary of the commission", and insert in lieu thereof the following: "director".

Amendment No. 94.

On page 17, line 32, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 95.

On page 17, line 38, of the printed bill, as amended, strike out "commission", and insert in lieu thereof the following: "director".

Amendment No. 96.

On page 17, line 45, of the printed bill, as amended, strike out "SEC. 30.", and insert in lieu thereof the following: "SEC. 26."

Amendment No. 97.

On page 17 of the printed bill, as amended, between lines 45 and 46, insert the following:

"SEC. 27. The Director of Agriculture shall enforce the provisions of this act."

Amendment No. 98.

On page 17, line 46, of the printed bill, as amended, strike out "SEC. 31.", and insert in lieu thereof the following: "SEC. 28."

Amendment No. 99.

On page 18, line 1, of the printed bill, as amended, strike out "SEC. 32.", and insert in lieu thereof the following: "SEC. 29."

The question being on the substitute amendments submitted by Mr. Patterson.

Demand for Previous Question.

Messrs. Wright, Latham, Morgan, Stream and Martin demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the substitute amendments submitted by Mr. Patterson.

Request for Roll Call.

On request of Messrs. Patterson, Heisinger and Geyer, the Speaker ordered a roll call taken on the substitute amendments submitted by Mr. Patterson.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Patterson moved a call of the House.

Motion carried.

Time, eleven o'clock and ten minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—73.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Recess.

At eleven o'clock and fifteen minutes a.m., by order of the Speaker, the Assembly was declared at recess to hear from Mr. Walter Mails, pitcher of the San Francisco baseball club

Reassembled.

At eleven o'clock and twenty minutes a.m., the Assembly reconvened. Speaker Craig in the chair.

Unfinished Business.

Consideration of Senate Amendment to Assembly Bill No. 81.

Assembly Bill No. 81—An act to amend section 11 of the Motor Vehicle Fuel License Tax Act, relating to refunds of license taxes.

Demand for Previous Question.

Messrs. Morgan, Breed, Reaves, Turner, and Dawson demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 81?

Amendment No. 1.

On page 1, line 7, of the printed bill, as amended, after the comma after "State", insert the following: "or any employee of the United States Government, who shall buy any motor vehicle fuel and use the same exclusively in the transportation of rural free delivery mail".

The roll was called, and the Assembly refused to concur in Senate amendment to Assembly Bill No. 81 by the following vote:

AYES—Andreas, Breed, Chatters, Corwin, Cottrell, Crowley, DeLap, Donnelly, Evans, Herbert J., Field, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Kallam, Latham, Lyon, Martin, Mayo, McBride, Miller, Minard, Morgan, Peterson, Peyser, Phillips, Redwine, Robertson, Scudder, Stream, Thorp, Turner, Utt, Wright, and Mr. Speaker—36.

NOES—Anderson, Boyle, Burns, Cassidy, Clark, Cronin, Cunningham, Dawson, Donihue, Evans, Ralph W., Fisher, Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, McCarthy, McMurray, Meehan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Riley, Rosenthal, Voigt, Wagner, Walker, Wallace, Waters, Weber, and Williamson—40

Notice of Reconsideration of Refusal to Concur in Senate Amendment to Assembly Bill No. 81.

Mr. Heisinger gave notice that on the next legislative day he would move to reconsider the vote whereby the Assembly refused to concur in Senate amendment to Assembly Bill No. 81.

Consideration of Assembly Amendments to Senate Bill No. 256.

Senate Bill No 256—An act to amend sections 251, 304, 307, 323, 348, 364, 374, and 465 of the Streets and Highways Code, relating to State highways.

The question being: Shall the Assembly recede from Assembly amendments to Senate Bill No. 256?

The roll was called, and the Assembly refused to recede from Assembly amendments to Senate Bill No. 256 by the following vote:

AYES—Breed, Evans, Herbert J, Field, Fisher, Garibaldi, Johnson, Lyon, Miller, Morgan, Redwine, Utt, Walker, Wallace, Weber, Wright, and Mr. Speaker—16.

NOES—Anderson, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W, Flint, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Minard, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Waters, and Williamson—52

Senate Bill No. 256 ordered to Committee on Free Conference.

Reconsideration of Assembly Bill No. 2422 Waived.

Mr. Breed waived his notice to reconsider the vote whereby Assembly Bill No. 2422 was passed.

Assembly Bill No 2422 ordered transmitted to the Senate.

Further Proceedings Under Call of the House Dispensed With.

At eleven o'clock and fifty minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Patterson.

The roll of absentees was called, and the substitute amendments to Assembly Bill No. 915, submitted by Mr. Patterson, were refused adoption by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Clark, Cronin, Cunningham, Dawson, Donihue, Donnelly, Evans, Ralph W., Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Martin, McCarthy, McMurray, Meehan, Patterson, Pelletier, Reaves, Redwine, Richie, Rosenthal, Voigt, Wagner, Wallace, and Williamson—37

NOES—Andreas, Breed, Chatters, Corwin, Cottrell, Crowley, DeLap, Desmond, Evans, Herbert J., Field, Fisher, Garibaldi, Hornblower, Johnson, Latham, Lore, Lyon, Maloney, Mayo, McBride, Miller, Minard, Morgan, Nielsen, O'Donnell, Peterson, Peyser, Phillips, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Waters, Weber, Wright, and Mr. Speaker—40.

Notice of Reconsideration of Refusal to Recede from Assembly Amendments to Senate Bill No. 256.

Mr. Morgan gave notice that on the next legislative day he would move to reconsider the vote whereby the Assembly refused to recede from Assembly amendments to Senate Bill No. 256.

Ruling by Mr. Speaker.

The Speaker ruled the notice of reconsideration out of order, as Mr. Morgan's vote was not recorded on the prevailing side.

Recess.

At eleven o'clock and fifty-five minutes a.m., on motion of Mr. Lyon, the Assembly was declared at recess until one o'clock and thirty minutes p.m., of this day.

Reassembled.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1935.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 236—An act to amend section 4307 of the Political Code, relating to county charges;

Also: Assembly Bill No. 1092—An act to add a new section to the Political Code to be numbered 3720, relating to the filing of county clerks with county assessors and the State Board of Equalization of certifications of new districts and changes in the boundaries of existing districts;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

DELAP, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 239—An act providing for contracts for fire protection between county fire protection districts and municipalities and relating to liability in connection therewith—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DELAP, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 207—An act to amend sections 4239, 4239d, 4239h and 4239*l*, and to repeal sections 4239a, 4239b, 4239c, 4239e, 4239f, 4239g, 4239i, 4239j, 4239k, 4239m, 4239n, 4239o, 4239p, 4239q, 4239r, 4239s, 4239t, 4239u, 4239v and 4239w of the Political Code, relating to the compensation of county and township officers in counties

of the tenth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

DELAP, Chairman.

The above reported bill ordered on file for second reading.

On Prisons and Reformatories.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1935.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to which was referred Senate Bill No. 617—An act to amend section 1168 of the Penal Code and to add thereto sections 969c and 1158a, relating to crimes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MARTIN, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 1041—An act providing employment for inmates of State prisons and reformatories; providing for appointment and compensation of a Superintendent of Prison Industries and providing rules and regulations for the carrying out of the provisions thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended, and be referred to Committee on Ways and Means.

MARTIN, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1324—An act to amend section 1 of an act entitled "An act to reduce the fire hazards of clothes cleaning establishments, providing for the enforcement thereof by the division of fire safety in the Department of Industrial Relations, providing ways and means for enforcement and providing penalties for violations," approved May 28, 1931;

Also: Assembly Bill No. 1426—An act to amend section 3820 of the Political Code, relating to assessor to collect taxes not secured by real property;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LYON, Chairman.

The above reported bills ordered on file for second reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 8, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 310—An act to amend School Code section 4 928, relating to the apportionment of funds to high school districts;

Also: Assembly Bill No. 523—An act to add Article XI to Chapter I of Part I of Division II of the School Code, relating to district elections;

Also: Assembly Bill No. 542—An act to amend sections 4225 and 4225a of the Political Code, both relating to the powers and duties of county health officers.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 310, 523 and 542 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 8, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 732—An act to amend section 14 of "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to vehicles exempt from the provisions of said act;

Also: Senate Bill No. 479—An act to amend section 10482 of the Insurance Code, relating to valuation of life policies;

Also: Senate Bill No. 505—An act to amend section 535 of the Political Code, relating to purchase of machinery or equipment for the State printing plant.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 732 read first time, and referred to Committee on Public Utilities.

Senate Bill No. 479 read first time, and referred to Committee on Insurance.

Senate Bill No. 505 read first time, and referred to Committee on Governmental Efficiency and Economy.

Withdrawal of Assembly Bills.

By order of the Speaker, the following bills were stricken from the file, and ordered re-referred to committees:

Assembly Bill No. 1267 ordered re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1348 ordered re-referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 821 ordered re-referred to Committee on Judiciary.

Resolution.

The following resolution was offered:

By Messrs. Mayo and Chatters:

Assembly Resolution.

WHEREAS, The Pulitzer Prize for the most disinterested and meritorious public service performed by an American newspaper during the year 1934 has been conferred upon The Sacramento Bee, and

WHEREAS, The award recognizes the work of Arthur B. Waugh, associate editor of The Bee, for a series of stories written by him on the political situation in Nevada; and

WHEREAS, This distinguished service by Mr. Waugh has conferred high honor not only on the newspaper by which he is employed, but on the State of California, inasmuch as this is the first time in the history of the Pulitzer prizes that this particular award has come to any newspaper in this State; and

WHEREAS, Mr. Waugh is a former legislative correspondent accredited to the Assembly of the California Legislature and is favorably recalled by many members at this session, whose sincere respect and admiration he won while reporting the activities of this House; now, therefore, be it

Resolved, That the Assembly of the California Legislature hereby conveys its congratulations to Mr. Arthur B. Waugh and to The Sacramento Bee.

Resolution read, and adopted unanimously.

Further Consideration of Assembly Bill No. 915, as Amended.

Assembly Bill No. 915, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Clark:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out everything except "An act to", strike out all of line 2, thereof, and in line 3, strike out "and to repeal section 26 of", and insert in lieu thereof the following: "repeal".

Amendment No. 2.

On page 1, line 1, of the printed bill, as amended, strike out everything except "SECTION 1.", and strike out from line 2 to the bottom of the page, and strike out all of the rest of the pages in the bill, and insert in lieu thereof the following: "The act cited in the title hereof is hereby repealed."

The question being on the amendments submitted by Mr. Clark

Demand for Previous Question.

Messrs. Martin, Pelletier, Morgan, Flint, and Andreas demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

Request for Roll Call.

On request of Messrs. Phillips, Lore and Clark, the Speaker ordered a roll call taken on the amendments submitted by Mr. Clark.

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Anderson, Clark, Cunningham, Donihue, Evans, Ralph W., Field Flint, Fulcher, Geyer, Glover, Hawkins, Hunt, Laughlin, McCarthy, Pelletier, Peyser, Reaves, Richie, Riley, Rosenthal, Wagner, Wallace, and Waters—23.

NOES—Andreas, Boyle, Breed, Cassidy, Chatters, Corwin, Cronin, Crowley, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Fisher, Garibaldi, Gilmore, Heisinger, Hornblower, Johnson, Jones, Latham, Lore, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Peterson, Phillips, Robertson, Scudder, Stream, Thorp, Turner, Walker, Weber, Welsh, Williamson, Wright, and Mr. Speaker—45.

Assembly Bill No. 915, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Anderson:

Amendment No. 1.

On page 6, line 27, of the printed bill, after the period, add the following: "It shall be a misdemeanor to obtain signatures to any petition by threats to curtail credit, call loans, refuse to purchase crops, or by any other form of coercion whatsoever."

Amendment adopted.

Request for Unanimous Consent.

Mr. Phillips asked for, and was granted, unanimous consent to take up Assembly Bill No. 915, as amended, at this time, without reference to reprint or file, and that the same be considered re-re-re-engrossed.

Third Reading of Assembly Bill No. 915, as Amended.

Assembly Bill No. 915, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 915, as amended, passed by the following vote.

AYES—Anderson, Andreas, Boyle, Breed, Chatters, Corwin, Cronin, Crowley, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Fisher, Fulcher, Garibaldi, Gilmore, Glover, Hornblower, Johnson, Jones, Latham, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Scudder, Stream, Thorp, Turner, Wagner, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—47.

NOES—Cunningham, Donihue, Evans, Ralph W., Field, Flint, Geyer, Hawkins, Hunt, Laughlin, McCarthy, Pelletier, Peyser, Reaves, Richie, Riley, Rosenthal, Voigt, Walker, and Wallace—19.

Title read and approved.

Bill ordered transmitted to the Senate.

Special Order.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 1028.

Assembly Bill No. 1028—An act for the raising of revenue to meet the expenditures of this State, not otherwise provided for, pursuant to the

provisions of the first paragraph of section 15 of Article XIII of the Constitution, and adding section 3664a2 to the Political Code, relating to the taxation of operators of pipe lines used in the transportation of oil between points in this State, except common carriers, including tax delinquencies, tax penalties and costs, tax liens, remedies for unauthorized taxation, and defining the duties of operators of pipe lines, and prescribing penalties for violations of the act, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. O'Donnell:

Amendment No. 1.

On page 5 of the printed bill, strike out lines 7 to 10, inclusive.

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, after the word "act", strike out the comma, and insert a period, and strike out the remainder of the title.

Amendments adopted.

Request for Unanimous Consent.

Mr O'Donnell asked for, and was granted, unanimous consent to take up Assembly Bill No. 1028, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1028, as Amended.

Assembly Bill No. 1028, as amended, read third time.

The question being on the passage of the bill.

Demand for Previous Question.

Messrs. Turner, Rosenthal, Reaves, Wagner and DeLap demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1028, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Cronin, Cunningham, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Latham, Laughlin, Lore, Maloney, Martin, McCarthy, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Richie, Riley, Rosenthal, Turner, Voigt, Wagner, Walker, Waters, Welsh, and Wright—49.

NOES—Breed, Crowley, Dawson, DeLap, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Johnson, Kallam, Lyon, McBride, Minard, Peyser, Robertson, Scudder, Stream, Thorp, Utt, Wallace, Weber, Williamson, and Mr. Speaker—24.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 1028.

Mr DeLap gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1028 was this day passed.

Special Order.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 1029.

Assembly Bill No. 1029—An act for the raising of revenue to meet the expenditures of this State not otherwise provided for, pursuant to the

provisions of the first paragraph of section 15 of Article XIII of the Constitution, and adding section 3664a3 to the Political Code, relating to the taxation of operators of pipe lines used in the transportation of gas between points in this State, except common carriers, including tax delinquencies, tax penalties and costs, tax liens, remedies for unauthorized taxation, and defining the duties of operators of such pipe lines, and prescribing penalties for violations of the act, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Waters:

Amendment No. 1.

On page 2, line 4, of the printed bill, strike out the comma and the words "reservoir or tank".

Amendment No. 2.

On page 2, line 5, of the printed bill, strike out the first comma, and insert in lieu thereof a period; and strike out all of the words following said comma to the end of line 7.

Amendment No. 3.

On page 2, line 30, of the printed bill, strike out the words "more than ten (10) miles within this State."

Amendment No. 4.

On page 2, line 33, of the printed bill, strike out the words "more than ten (10) miles and".

Amendment No. 5.

On page 5 of the printed bill, strike out lines 9 to 12, inclusive.

Amendment No. 6.

On page 1, line 11 of the title of the printed bill, after the word "act", strike out the comma, and insert in lieu thereof a period, and strike out all of the remainder of the title.

Amendments adopted.

Request for Unanimous Consent.

Mr. Waters asked for, and was granted, unanimous consent to take up Assembly Bill No. 1029, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1029, as Amended.

Assembly Bill No. 1029, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1029, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Desmond, Domhue, Donnelly, Evans, Ralph W., Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Richie, Riley, Rosenthal, Turner, Voigt, Wagner, Walker, Waters, Welsh, and Wright—52.

NOES—Breed, Crowley, Dawson, DeLap, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Johnson, Kallam, Lyon, McBride, Minard, Peyser, Robertson, Scudder, Stream, Thorp, Utt, Wallace, Weber, Williamson, and Mr. Speaker—24.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 1029.

Mr. DeLap gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1029 was this day passed.

Assembly Bill No. 1031—An act to amend sections 13 (a) and 47 (a) of an act entitled "An act to provide for the organization of the Rail-

road Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund,' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," and designated in the act so entitled as the "Public Utilities Act," approved April 23, 1915, as amended, relating to the determination of a reasonable return upon the value and to the valuation of public utility property.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Robertson:

Amendment No. 1.

On page 7, line 27, of the printed bill, after the word "State", insert the following: "except as hereinafter specifically provided".

Amendment No. 2.

On page 7, line 37, of the printed bill, after the word "Commission", insert the following "increased or decreased by such amount as may be found necessary to reflect the increase or decrease in the purchasing power of the dollar between the date of filing the original petition with the commission and the date of the judgment of said court"

Motion.

Mr Robertson moved that the Assembly vote on the amendments separately

Motion carried.

Consideration of Amendment No. 1.

The question being on Amendment No. 1, submitted by Mr. Robertson.

Amendment No. 1.

On page 7, line 27, of the printed bill, after the word "State", insert the following: "except as hereinafter specifically provided".

Request for Roll Call.

On request of Messrs. Jones, Hunt and McCarthy, the Speaker ordered a roll call taken on Amendment No. 1, submitted by Mr. Robertson.

The roll was called, and Amendment No. 1 was refused adoption by the following vote:

AYES—Cottrell, Cunningham, Dawson, DeLap, Evans, Herbert J., Field, Garibaldi, Latham, Lyon, McBride, Minard, Robertson, Stream, Utt, Wallace, Welsh, Williamson, Wright, and Mr. Speaker—19

NOES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, Donihue, Donnelly, Evans, Ralph W., Fisher, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, Martin, McCarthy, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Rosenthal, Wagner, Walker, Waters, and Weber—44.

Consideration of Amendment No. 2.

The question being on Amendment No. 2, submitted by Mr. Robertson.

Amendment No. 2.

On page 7, line 37, of the printed bill, after the word "commission", insert the following: "increased or decreased by such amount as may be found necessary to reflect the increase or decrease in the purchasing power of the dollar between the date of filing the original petition with the commission and the date of the judgment of said court."

Request for Roll Call.

On request of Messrs. Anderson, Jones and Heisinger, the Speaker ordered a roll call taken on Amendment No. 2, submitted by Mr. Robertson.

The roll was called, and Amendment No. 2 was refused adoption by the following vote:

AYES—Cottrell, Dawson, DeLap, Evans, Herbert J., Field, Latham, Lyon, McBride, Minard, Peterson, Robertson, Stream, Wallace, Williamson, Wright, and Mr. Speaker—16.

NOES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, Cunningham, Donihue, Donnelly, Evans, Ralph W., Fisher, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, Martin, McCarthy, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Rosenthal, Voigt, Wagner, Walker, Waters, and Weber—45.

Assembly Bill No. 1031 read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Jones:

Amendment No. 1.

On page 1, line 6, of the printed bill, between the words "rendered", and "shall", insert the following: "or to be rendered".

Amendment No. 2.

On page 2 of the printed bill, following line 4, add the following:

"(b) Every public utility shall furnish, provide and maintain such service, instrumentalities, equipment and facilities as shall promote the safety, health, comfort and convenience of its patrons, employees and the public, and as shall be in all respects adequate, efficient, just and reasonable

(c) All rules and regulations made by a public utility affecting or pertaining to its charges or service to the public shall be just and reasonable."

Amendments adopted.

Request for Unanimous Consent.

Mr. Jones asked for, and was granted, unanimous consent to take up Assembly Bill No. 1031, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1031, as Amended.

Assembly Bill No. 1031, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1031, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Cronin, Cunningham, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, Maloney, Martin, Meehan, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, and Welsh—46.

NOES—Breed, Corwin, Cottrell, Dawson, DeLap, Evans, Herbert J., Field, Fisher, Johnson, Latham, Lyon, McBride, McCarthy, Miller, Minard, Peterson, Peyser, Robertson, Scudder, Stream, Wallace, Williamson, Wright, and Mr. Speaker—24.

Title read and approved.

Explanation of Vote.

My vote "No" on Assembly Bill No. 1031 should be recorded a "Yes" vote as it was my intention to so vote

JOHN D. McCARTHY.

Notice of Reconsideration of Assembly Bill No. 1031.

Mr. Robertson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1031 was this day passed.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Andreas:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend sections 721 and 722 of the Fish and Game Code and to repeal section 724 thereof, relating to fish.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1935.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend sections 721 and 722 of the Fish and Game Code and to repeal section 724 thereof, relating to fish.

CUNNINGHAM, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1935.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 50 of the "State Housing Act," approved June 15, 1923, relating to the character and construction of fire escapes.

CUNNINGHAM, Chairman.

Reports of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the reports.

The question being on the adoption of the reports.

The roll was called, and the reports adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Rosenthal, Scudder, Stream, Thorp, Turner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—66.

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

By Mr. McMurray: Assembly Bill No. 2439—An act to amend section 50 of the "State Housing Act," approved June 15, 1923, relating to the character and construction of fire escapes.

Bill read first time, and referred to Committee on Building and Construction.

By Mr. Andreas. Assembly Bill No. 2440—An act to amend sections 721 and 722 of the Fish and Game Code and to repeal section 724 thereof, relating to fish.

Bill read first time, and referred to Committee on Fish and Game.

Resolutions.

The following resolutions were offered.

By Mr. Walker:

Resolution.

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred fifty dollars ($150), said amount being for the payment of postage, telegraphing, expressage, and incidental expenses of the Chief Clerk's office.

Resolution read, and ordered referred to Committee on Contingent Expenses.

Also:

Resolution.

Resolved, That the Controller be and is hereby authorized and directed to draw his warrants on the contingent fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Cascade Towel Supply Co. (towel service April)	$55 92
Bureau of Purchases (supplies)	188 92
The C. C. Langevin Company (rental public address system—April 4 to May 3)	160 00
Department of Finance (pro rata telephone service April)	35 84
Pacific Telephone and Telegraph Company (tolls)	10 10

Resolution read, and ordered referred to Committee on Contingent Expenses.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 361—An act to add a new section to the Code of Civil Procedure, to be numbered 675b, relating to the discharge of a bankrupt from judgment—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

LYON, Chairman.

The above reported bill ordered on file for second reading.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1935.

MR SPEAKER Your Committee on Roads and Highways, to which was referred Assembly Bill No 1178—An act to amend sections 3 and 5 of an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, relating to the allocation and expenditure of State highway funds—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

STREAM, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1935

MR SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 742—An act to amend section 2934 of the Civil Code, relating to mortgages in general and providing for the recording of certain subordination agreements and waivers relating to mortgages of, liens upon and interests in personal property;

Also: Senate Bill No. 743—An act to amend section 2980 of the Civil Code, and to provide for the recording of conditional sales contracts and leases of live stock, animate chattels, mining equipment and machinery, and bailment or feeder agreements relating to live stock and other animate chattels, and prescribing rights and remedies in connection therewith;

Also Senate Bill No. 748—An act to amend sections 4130, 4131, 4131a, 4132, 4136, 4137, 4138 and 4140 of the Political Code, relating to county recorders, their duties and functions, and requirements relating thereto, and penalty for neglect thereof or for misconduct;

Also: Senate Bill No. 750—An act to amend section 409 of the Political Code, relating to the fees of the Secretary of State;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

LYON, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER. Your Committee on Judiciary, to which was referred Senate Bill No. 749—An act to amend section 408 of the Political Code, relating to the duties of the Secretary of State;

Also: Senate Bill No. 751—An act to amend section 4300c of the Political Code, relating to the fees of county recorders;

Also: Senate Bill No. 741—An act to amend sections 2955, 2956, 2957, 2963, 2965 and 2966; and to repeal section 2959 of the Civil Code; and to add to said code new sections numbered 2959a, 2974, 2975, 2976, 2977 and 2978, relating to mortgages of personal property, and including provisions for the continuity of the liens thereof, the securing of additional advances and obligations thereunder, mortgaging of natural increase of live stock and other animate chattels, and of after acquired and consumable property, and providing for the recording of fictitious mortgages and the inclusion of the provisions thereof in other mortgages by reference, and constructive notice of such mortgages by the recording thereof;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended

LYON, Chairman.

The above reported bills ordered on file for second reading

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No 37—Relative to adjournment out of respect to the memory of the late Monsignor John Rogers—and reports that the same has been correctly enrolled, and presented the same to the Governor on this ninth day of May, 1935, at three o'clock and thirty minutes p.m.

WATERS, Chairman.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1161—An act to amend section 718c of the Civil Code, empowering municipalities to lease property;

Also: Assembly Bill No. 2436—An act giving and granting to the council of the city of San Diego the right to use and the right to authorize the use of Balboa Park in said city for exposition purposes, and declaring the urgency thereof;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this ninth day of May, 1935, at three o'clock and thirty minutes p.m.

WATERS, Chairman.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1935

MR SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No 161—An act to amend sections 421 and 811 of the Fish and Game Code, relating to cockle clams—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FISHER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Fish and Game, to which was referred Senate Bill No. 1080—An act to add section 798 7 to the Fish and Game Code, relating to abalones—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FISHER, Chairman.

The above reported bill ordered on file for second reading.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

By Mr. Dawson: Assembly Joint Resolution No. 58—Relative to memorializing Congress to pass a bill restoring pensions to Spanish-American War veterans.

Introduced.

Request for Unanimous Consent.

Mr. Dawson asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 58, at this time, without reference to print, committee or file, and that same be considered engrossed.

Consideration of Assembly Joint Resolution No. 58.

Assembly Joint Resolution No. 58—Relative to memorializing Congress to pass a bill restoring pensions to Spanish-American War veterans.

Assembly Joint Resolution No. 58 read third time.

Mr. Dawson moved the adoption of Assembly Joint Resolution No. 58.

The question being on the adoption of Assembly Joint Resolution No. 58.

The roll was called, and Assembly Joint Resolution No. 58 adopted by the following vote:

AYES—Anderson, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Waters, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 58 ordered transmitted to the Senate.

Assembly Joint Resolution No. 58.

Relative to memorializing Congress to pass a bill restoring pensions to Spanish-American War veterans.

WHEREAS, Under the terms of the National Economy Act of March 19, 1933, the pensions of more than 17,000 Spanish-American War veterans were discontinued; and

WHEREAS, These men, together with many of their dependents, are in advancing years and physically unable to overcome the economic difficulties of today; and

WHEREAS, There has been introduced in the National Congress a bill designated H.R. 6995 which will restore these men to the status which they held on March 19, 1933; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California respectfully requests and memorializes the Congress of the United States to pass the bill designated as H.R. 6995 and thus restore the pensions which were taken away from so many Spanish-American War veterans; and be it further

Resolved, That the Governor send a copy of this resolution to each of California's Senators and Representatives in Congress.

Motion to Re-refer Assembly Bill No. 2036.

Mr. Heisinger moved that Assembly Bill No. 2036 be withdrawn from the file, and ordered re-referred to Committee on Governmental Efficiency and Economy.

The question being on re-referring Assembly Bill No. 2036 to the Committee on Governmental Efficiency and Economy.

Motion carried.

Assembly Bill No. 2036 ordered re-referred to Committee on Governmental Efficiency and Economy.

Reports of Standing Committees—(Resumed).

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1935.

MR SPEAKER Your Committee on Fish and Game, to which was referred Assembly Bill No 1083—An act to amend section 924 of the Fish and Game Code, relating to district 16,

Also Assembly Bill No 1233—An act to amend sections 799 and 800 of the Fish and Game Code, relating to abalones,

Also Assembly Bill No 1283—An act to amend section 658 of the Fish and Game Code, relating to the salmon season in game districts 10 and 11;

Also Assembly Bill No 2264—An act to amend section 658 of the Fish and Game Code, relating to salmon,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

FISHER, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER. Your Committee on Fish and Game, to which was referred Assembly Bill No 626—An act to amend sections 86 and 87 of the Fish and Game Code, relating to fish and game districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

FISHER, Chairman.

The above reported bill ordered on file for second reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 9, 1935

MR SPEAKER I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Free Conference on Senate Bill No. 472—An act to amend the Insurance Code by amending Article 14 of Chapter 1 of Part 2 of Division 1 thereof, relating to proceedings against insolvent insurers—the following Senators: Difani, Williams, and McCormack to meet with a like committee from your honorable body.

J A BEEK, Secretary of Senate.
By CARL A SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1935.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 443—An act to add a new section to the Political Code to be numbered 3720, relating to the filing by county clerks with county assessors and the State Board of Equalization of certifications of new districts and changes in the boundaries of existing districts,

Also Senate Bill No 1010—An act to amend section 737bb of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Napa.

J A BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 443 read first time, and referred to Committee on County Government.

Senate Bill No. 1010 read first time, and referred to Committee on Governmental Efficiency and Economy

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1935

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 213—An act to authorize the State Treasurer to accept, on behalf of the State of California, the sum of one million dollars, together with any interest that may be due thereon, and other sums from the California Olympiad Commission, or any committee thereof;

Also, Senate Bill No 374—An act to amend section 13 of, and to add new sections to be numbered 9a, 9b, 9c, 9d and 9e to an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation

thereof," approved May 14, 1927, relating to collection agencies and the regulation, supervision and licensing thereof;

Also: Senate Bill No. 546—An act to amend sections 1104, 1108, 1143, 1144, 1146 and 1147 of Chapter 8 of Division V of the Agricultural Code, relating to the administration of standards for eggs and egg products;

Also: Senate Bill No. 697—An act to amend section 2 of the "Sacramento and San Joaquin Drainage District Refunding Act," approved May 26, 1927, as amended, relating to the operation and maintenance of certain units or portions of the flood control work within the Sacramento and San Joaquin Drainage District

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 213 read first time, and referred to Committee on Governmental Revenues and Expenditures

Senate Bill No. 374 read first time, and referred to Committee on Financial Institutions.

Senate Bill No. 546 read first time, and referred to Committee on Agriculture

Senate Bill No. 697 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1935

MR SPEAKER I am directed to inform your honorable body that the Senate on May 8, 1935, passed Senate Bill No. 604—An act to add sections 476, 477, 478 and 479 to the Political Code, relating to the powers and duties of the Attorney General.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 604 read first time, and referred to Committee on Judiciary

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1007—An act to amend section 994 of and to add sections 995, 996, 997 and 998 to the Agricultural Code, relating to capri figs and their diseases, the elimination of fig endosepsis, and authorizing boards of supervisors to accept donations for the enforcement of the provisions of said sections;

Also: Senate Bill No. 219—An act to amend section 94 of the Agricultural Code, relating to citrus fairs;

Also: Senate Bill No. 1091—An act to add a new section to be numbered 8 5 to an act entitled "An act for the formation, management and dissolution of county fire protection districts composed of lands within one or more counties and annexations to such districts; to set forth the powers of such districts and to provide for levying and collecting taxes on property in such districts to defray the expenses thereof," approved June 12, 1931, relating to the incurring of a bonded indebtedness and the sale and payment thereof.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 1007 read first time, and referred to Committee on Agriculture.

Senate Bill No. 219 read first time, and referred to Committee on Exhibitions and Fairs.

Senate Bill No. 1091 read first time, and referred to Committee on County Government.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 870—An act to amend sections 1, 14, 18 and 41 of the "California Water District Act," approved June

13, 1913, relating to water districts, the purposes and administration thereof, to take effect immediately and declaring the urgency thereof.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary

Senate Bill No. 870 read first time, and referred to Committee on Irrigation.

Introduction and Reference of Bills—(Resumed).

By Messrs. Crowley, Cassidy, Meehan and Wagner: Assembly Joint Resolution No. 59—Relative to memorializing the President and the Congress of the United States to enact bill H. R. 6628 which proposes to provide remunerative employment for the blind citizens of the United States and its possessions and urging the Committee on Labor of the House of Representatives to expedite consideration favorable to said bill.

Introduced.

Request for Unanimous Consent.

Mr. Crowley asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 59, at this time, without reference to print, committee or file, and that same be considered engrossed.

Consideration of Assembly Joint Resolution No. 59.

Assembly Joint Resolution No. 59—Relative to memorializing the President and the Congress of the United States to enact bill H. R. 6628 which proposes to provide remunerative employment for the blind citizens of the United States and its possessions and urging the Committee on Labor of the House of Representatives to expedite consideration favorable to said bill.

Assembly Joint Resolution No. 59 read.

Mr. Crowley moved the adoption of Assembly Joint Resolution No. 59.

The question being on the adoption of Assembly Joint Resolution No. 59.

The roll was called, and Assembly Joint Resolution No. 59 adopted by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves Richie, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Wright, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 59 ordered transmitted to the Senate.

Assembly Joint Resolution No. 59.

Relative to memorializing the President and the Congress of the United States to enact bill H. R. 6628 which proposes to provide remunerative employment for the blind citizens of the United States and its possessions and urging the Committee on Labor of the House of Representatives to expedite consideration favorable to said bill.

WHEREAS, During recent times there has been a great deal of public interest and discussion on the part of social and welfare organizations and individuals throughout the United States of the necessity to enact immediate legislation for the purpose of providing remunerative employment for the blind citizens in the United States; and

WHEREAS, In recent years it has become clear to all workers for the amelioration of the condition of the blind that the blind problem is essentially an economic problem which can be solved only through remunerative employment; and

WHEREAS, On March 12, 1935, there was introduced in the House of Representatives by John H. Tolan of California a bill known as H. R. 6628 which has as its purpose "to provide blind citizens of the United States with remunerative employ-

ment, to enlarge economic opportunities of the blind, and to stimulate the blind to greater efforts in striving to render themselves self-supporting; and

WHEREAS, The Tolan Bill H. R. 6628 is general in its application and seeks to provide employment for all blind citizens who are between 21 and 50 years of age; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the President and Congress of the United States are respectfully urged to enact legislation proposed by bill H. R. 6628, and that the Committee on Labor of the House of Representatives is also urged to expedite consideration favorable to said bill; and be it further

Resolved, That the Governor of the State of California is hereby requested to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives and to the Chairman of the Committee on Labor of the House of Representatives, and to each member of the Committee on Labor of the House of Representatives and to each Senator and member of the House of Representatives from California in the Congress of the United States and that such Senators and members from California are hereby respectfully urged to support such legislation

Special Order Set for Assembly Bill No. 2118.

On motion of Mr. Latham, the consideration of Assembly Bill No. 2118 was made a special order for Wednesday, May 15, 1935, at eleven o'clock a.m.

Motion to Print Assembly Bill No. 2118.

Mr. Latham moved that the Chief Clerk be instructed to place an order for the printing of 500 additional copies of Assembly Bill No. 2118.

Motion carried.

Motion to Re-refer Senate Bill No. 610.

Mr. Hawkins moved that Senate Bill No. 610 be withdrawn from Committee on County Government, and ordered re-referred to Committee on Crime Problems.

The question being on re-referring Senate Bill No. 610 to Committee on Crime Problems.

Motion carried.

Senate Bill No. 610 ordered re-referred to Committee on Crime Problems.

Withdrawal of Assembly Bills.

By order of the Speaker, the following bills were stricken from the file, and ordered re-referred to committees:

Assembly Bill No. 943 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 2072 ordered re-referred to Committee on Roads and Highways.

Assembly Bill No. 1831 ordered re-referred to Committee on Motor Vehicles.

Assembly Bill No. 1539 ordered re-referred to Committee on Governmental Revenues and Expenditures

Motion to Re-refer Assembly Bill No. 2036.

Mr. Heisinger moved that Assembly Bill No. 2036 be withdrawn from the file, and ordered re-referred to Committee on Governmental Efficiency and Economy.

The question being on re-referring Assembly Bill No. 2036 to the Committee on Governmental Efficiency and Economy.

Motion carried.

Assembly Bill No. 2036 ordered re-referred to Committee on Governmental Efficiency and Economy.

Recess.

At four o'clock and fifty-five minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until eight o'clock p.m., of this day.

Reassembled.

At eight o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Special Order.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 1032.

Assembly Bill No. 1032—An act to amend sections 2, 19, 22, 25, 46 and 50 of an act entitled "An act to provide for the organization of the Railroad Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund,' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," and designated in the act so entitled as the "Public Utilities Act," approved April 23, 1915, as amended.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr Anderson:

Amendment No. 1.

On page 1 of the printed bill, strike out the period at the end of the title, and insert a comma, and add the following: "relating to pipe line corporations"

Amendment No. 2.

On page 4, line 9, of the printed bill, strike out the word "gas".

Amendment No. 3.

On page 4, line 10, of the printed bill, following the word "more", insert the following: "or wherein natural gas or any of the products thereof is transported for any distance".

Amendments adopted.

Request for Unanimous Consent.

Mr. Anderson asked for, and was granted, unanimous consent to take up Assembly Bill No. 1032, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1032, as Amended.

Assembly Bill No. 1032, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1032, as amended, passed by the following vote:

AYES—Anderson, Andrews, Burns, Cassidy, Chatters, Clark, Cunningham, Desmond, Donahue, Donnelly, Evans, Ralph W., Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Richie, Riley, Rosenthal, Turner, Voigt, Walker, Waters, and Welsh—43.

NOES—Breed, Corwin, Cottrell, Crowley, DeLap, Evans, Herbert J., Fisher, McBride, Minard, Peterson, Peyser, Scudder, Stream, Thorp, Utt, Weber, Williamson, Wright, and Mr. Speaker—19.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 1032.

Mr. Frazier gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1032 was this day passed.

Motion to Print.

Mr. Anderson moved that the Chief Clerk be instructed to place a rush order on the printing of Assembly Bill No. 1097.

Motion carried.

Third Reading of Assembly Bills.

Assembly Bill No. 450—An act to amend sections 4.320, 4.321 and 4.322 and repeal sections 4.323 to 4.334, both inclusive, of the School Code, all relating to school warrants registered for want of funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 450 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—63.

NOES—Desmond—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 638—An act to amend sections 997, 1009, 1116, 1117, 1166, 1188, 1262, 1297, 1302, 1371, and 1384, of the Penal Code, relating to refund of money deposited in lieu of bail, and to repeal conflicting acts and parts of acts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 638 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1340—An act authorizing the Governor to execute a compact with the State of Nevada, for the purpose of promoting comity and good will between California and Nevada with reference to the Boulder Canyon Project, and of adjusting matters pertaining to

the proposed taxation of property located in Nevada and owned by the State of California or any political subdivision thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1340 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Fisher, Flint, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 1082—An act to amend section 1065 of the Fish and Game Code, relating to the taking of sardines for commercial purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1082 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Rosenthal, Scudder, Thorp, Turner, Walker, Waters, Welsh, Williamson, and Mr. Speaker—40

NOES—Corwin, Evans, Herbert J., Garibaldi, Hunt, Jones, Latham, Mayo, Reaves, Riley, Stream, Utt, and Wright—12.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 1082.

Mr. Hunt gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1082 was this day passed.

Assembly Bill No 1330—An act to amend sections 990, 991, and 993, of the Fish and Game Code.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Jones:

Amendment No. 1.

On page 1, line 13, of the printed bill, strike out the period, and insert in lieu thereof the following: "and who is eligible for citizenship in the United States"

The question being on the amendment submitted by Mr. Jones.

Demand for Previous Question.

Messrs. Welsh, Pelletier, Lore, Fisher and Frazier demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the amendment submitted by Mr. Jones.

Motion to Lay on Table.

Mr. Jones moved that the amendment submitted by Mr. Jones be laid on the table.

Request for Roll Call.

On request of Messrs. Jones, Patterson and Peterson, the Speaker ordered a roll call taken on the motion by Mr. Jones to lay the amendment on the table.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Andreas, Breed, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, Pelletier, Peterson, Peyser, Phillips, Redwine, Rosenthal, Scudder, Thorp, Turner, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—61.

NOES—Burns, Gilmore, Heisinger, McMurray, Patterson, Reaves, Richie, Riley, and Stream—9.

Assembly Bill No. 1033—An act to amend section 285 of the Civil Code, being a part of Title I, Chapter II, of "The General Corporation Law," relating to corporations, approved June 12, 1931.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Clark:

Amendment No. 1.

On page 1, line 12, of the printed bill, strike out the words "or gas".

Amendment No. 2.

On page 1, line 13, of the printed bill, between the words "more" and "by", insert the following: "or to transport natural gas or any of the products thereof for any distance".

Amendments adopted.

Request for Unanimous Consent.

Mr. Evans, Ralph W., asked for, and was granted, unanimous consent to take up Assembly Bill No. 1033, as amended, at this time, without reference to reprint, or file, and that same be considered re-engrossed.

Assembly Bill No. 1033, as amended, read third time.

Demand for Previous Question.

Messrs. Dawson, Lore, Evans, Ralph W., DeLap and Turner demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

Motion for Call of the House.

Pending the announcement of the vote, Mr. Evans, Ralph W., moved a call of the House.

Motion lost.

The roll was called, and Assembly Bill No. 1033, as amended, refused passage by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Clark, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, Martin, McCarthy, McMurray, Meehan, Morgan, O'Donnell, Patterson, Pelletier, Reaves, Riley, Rosenthal, Turner, Wagner, and Waters—33.

NOES—Breed, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Gilmore, Hornblower, Johnson, Kallam, Lyon, Maloney, Mayo, McBride, Miller, Minard, Nielsen, Peterson, Peyser, Phillips, Redwine, Robertson, Stream, Thorp, Utt, Walker, Wallace, Weber, Welsh, Williamson, Wright, and Mr. Speaker—41.

Notice of Reconsideration of Assembly Bill No. 1033.

Mr. Evans, Ralph W., gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 1033 was this day refused passage

The Speaker Pro Tempore in the Chair.

At nine o'clock and fifty minutes p.m., Hon. John H. O'Donnell, Speaker pro tempore of the Assembly, in the chair.

The Speaker in the Chair.

At ten o'clock and fifteen minutes p.m., Hon. Edward Craig, Speaker of the Assembly, in the chair.

Special Order.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 2136.

Assembly Bill No. 2136—An act relating to the relief of debtors and guarantors, and permitting postponement of foreclosures and sales under mortgages, deeds of trust, or contracts of purchase of real property, or postponement of forfeitures and terminations under such contracts of purchase, declaring the urgency thereof, and providing that it shall take effect immediately.

Bill read third time.

Demand for Previous Question.

Messrs. Welsh, Stream, Weber, McBride, and Cunningham demanded the previous question.

The question being put. Shall the main question be now put?

Demand for previous question sustained.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Turner, Voigt, Wagner, Walker, Wallace, Waters, Welsh, and Mr. Speaker—62.

NOES—Breed, Cottrell, Crowley, Cunningham, DeLap, Fisher, Johnson, Latham, Martin, Minard, Stream, Weber, Williamson, and Wright—14.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2136 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher Garibaldi Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Voigt, Wagner, Walker, and Mr. Speaker—59.

NOES—Breed, Cottrell, Crowley, Cunningham, DeLap, Fisher, Johnson, Latham, Martin, Minard, Morgan, Stream, Wallace, Waters, Weber, and Wright—16

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 2136.

Mr. Johnson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2136 was this day passed.

Special Order.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 44.

Assembly Bill No. 44—An act to prohibit until February 1, 1936, sales under certain mortgages and deeds of trust, and the forfeiture of the interest of the purchaser under certain contracts of purchase, for default in the payment of the principal sum of obligations secured thereby or contracted to be paid thereunder, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale or forfeiture made in violation of the act, to prescribe the time within which an action to avoid the same may be brought, to postpone sales for default in payment of installments due between effective date of act and February 1, 1936, to authorize waiver hereof, to prevent actions against guarantors' obligations the enforcement of the security for which is affected by the act, and to declare the urgency hereof.

Bill read third time.

Motion to Lay on the Table.

Mr. Voigt moved that Assembly Bill No 44 be laid on the table.

Request for Roll Call.

On request of Messrs. Fisher, Wallace and Peyser, the Speaker ordered a roll call taken on the motion to lay Assembly Bill No. 44 on the table.

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Boyle, Clark, Dawson, Donahue, Evans, Ralph W. Flint, Geyer, Gilbert, Hawkins, Hunt, Laughlin, Lore, McCarthy, Meehan, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Riche, Rosenthal, and Voigt—23

NOES—Andreas, Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Gilmore, Glover, Heisinger, Hornblower, Johnson, Jones, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Riley, Robertson, Scudder, Stream, Thorp, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—50.

Demand for Previous Question.

Messrs. Evans, Herbert J., Wallace, Cottrell, Fisher and Field demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

Motion for Call of the House.

Pending the announcement of the vote, Mr. Peyser moved a call of the House.

Motion lost.

Urgency clause read

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Peyser moved a call of the House.

Request for Roll Call.

On request of Messrs Peyser, Williamson and Gilmore, the Speaker ordered a roll call taken on the motion for the call of the House.

The roll was called, and the motion was carried by the following vote:

AYES—Andreas, Breed, Burns, Chatters, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Heisinger, Hornblower, Johnson, Jones, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—51.

NOES—Anderson, Boyle, Cassidy, Clark, Corwin, Dawson, Donihue, Evans, Herbert J., Evans, Ralph W., Geyer, Glover, Hawkins, Hunt, Laughlin, Lore, McBride, McCarthy, Meehan, O'Donnell, Patterson, Pelletier, Phillips, Reaves, and Turner—24.

Time, eleven o'clock and thirty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—75.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Special Order.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Senate Bill No. 329.

Senate Bill No 329—An act regulating the use of public highways for commercial purposes by certain motor vehicles operated thereon for the transportation of property for compensation; preventing discriminations between various forms of transportation; creating the office of Truck Commissioner; conferring powers upon the Railroad Commission with respect to the transportation of property for compensation by said motor vehicles; providing penalties for the violation of this act, and repealing all acts inconsistent with the provisions of this act.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. O'Donnell:

Amendment No. 1.

On page 2, line 22, of the printed bill, as amended, after "county," insert the following: "or county,".

The question being on the amendment submitted by Mr. O'Donnell.

Request for Roll Call.

On request of Messrs. Minard, Wallace and Fisher, the Speaker ordered a roll call taken on the amendment submitted by Mr. O'Donnell.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Anderson, Crowley, Desmond, Donnelly, Evans, Ralph W., Flint, Heisinger, Jones, Lore, Martin, McCarthy, O'Donnell, Pelletier, Richie, Thorp, Turner, Voigt, Wagner, and Walker—19.

NOES—Andreas, Breed, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donihue, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Geyer, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lyon, Maloney, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Peyser, Reaves, Robertson, Rosenthal, Scudder, Stream, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—50.

Senate Bill No. 329 read third time.

Demand for Previous Question.

Messrs Evans, Herbert J, Morgan, Lyon, Hunt and Riley demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question lost.

Demand for Previous Question.

Messrs. McMurray, Welsh, Morgan, Gilmore, and Evans, Herbert J., demanded the previous question.

The question being put: Shall the main question be now put?

Request for Roll Call.

On request of Messrs. McMurray, Gilmore and Evans, Herbert J., the Speaker ordered a roll call taken on the demand for previous question.

The roll was called, and the demand sustained by the following vote:

AYES—Andreas, Boyle, Breed, Clark, Cottrell, Cunningham, Dawson, DeLap, Donihue, Evans, Herbert J., Field, Flint, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hawkins, Hunt, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, McBride, McMurray, Meehan, Miller, Morgan, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Stream, Utt, Walker, Waters, Weber, Welsh, and Wright—44.

NOES—Anderson, Burns, Cassidy, Chatters, Corwin, Crowley, Desmond, Donnelly, Evans, Ralph W., Fisher, Geyer, Heisinger, Hornblower, Johnson, Jones, Martin, Mayo, McCarthy, Minard, Nielsen, O'Donnell, Patterson, Scudder, Thorp, Turner, Voigt, Wagner, Wallace, Williamson, and Mr Speaker—30

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 329 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Hunt, Johnson, Kallam, Latham, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—60.

NOES—Crowley, Donnelly, Evans, Ralph W, Flint, Geyer, Glover, Hawkins, Heisinger, Jones, Laughlin, Love, Mayo, McCarthy, O'Donnell, Richie, Rosenthal, and Thorp—17.

Title read and approved.

Bill ordered transmitted to the Senate.

Explanation of Vote.

I predict that if Senate Bill No 329 becomes law that a constant elimination of the small trucks will take place until the Southern Pacific Company and the other large transportation companies will monopolize the transportation of the business of this State, and that freight rates will raise in price until the producer will be penalized, and the consumers of all products will be forced to pay millions of dollars which will flow into the coffers of the monopolies.

S. L. HEISINGER
JOHN H. O'DONNELL
WM. MOSELEY JONES.

Motion to Print in Journal.

Mr. Field moved that the following vote be printed in the Journal.

Motion carried.

Transcript of Testimony Presented Before Assembly Committee on Public Utilities, April 26, 1935, in re Senate Bill No. 329, as Amended.

Testimony of Warren K. Brown.

Ruth L. Anderson, Reporter.

COMMITTEE MEMBERS:

Honorable Herbert J. Evans (Chairman).
Honorable Arthur H. Breed.
Honorable James M. Cassidy.
Honorable Ralph W. Evans.
Honorable C. Don Field.
Honorable James J. McBride.
Honorable Eleanor Miller.
Honorable Alfred W. Robertson.
Honorable Charles W. Stream.
Honorable James B. Utt.

MR. FIELD: We have asked the department that is going to administer this act, if and when it becomes a law, to have their representative here, and Mr. Warren Brown of the Railroad Commission is here and if it is agreeable to this committee there are certain questions I would like to ask him in order to prove that this bill is not being passed to hurt any of the small truck operators. This matter is being talked about all through the valley and advertised in the valley papers, so if it is agreeable to the committee I would like to ask Mr. Brown some questions, in order to prove the intent of the Legislature in the passage of Senate Bill No. 329.

MR RALPH W. EVANS: I see no necessity for any hearing in view of the fact there appears to be no opposition to the bill.

SENATOR HAYS: If Mr. Brown can give his interpretation of the bill I think it would be valuable. It is important.

MR. FIELD: It is important, Ralph.

MR. EVANS: Well if you feel it is important to you I have no objection, no serious objections, only that the committee is apparently ready to go and there seems to be no opposition.

MR. FIELD: But that doesn't satisfy the people who are cutting out the articles in the paper that Mr. Elliott is giving out and a lot of those truckmen have just been told to send a protest against Senate Bill No. 329; this would prove the intent and show that it would not hurt them.

MR. RALPH W. EVANS: If you would like to introduce further arguments, it is satisfactory.

SENATOR HAYS: My thought is that if there is anything wrong about the bill I would like to know it right now.

MISS MILLER: Mr. Field, you are talking about the little truckman, rather than the large operator, are you not?

MR. FIELD: Yes.

MR. EVANS: Would Mr. Brown be willing to sign an affidavit in regard to his statements?

MR. FIELD: I am sure he would be willing to do that. For the purpose of laying the foundation, I will ask a few questions:

Mr. Warren Brown thereupon appeared before the committee.

QUESTIONS BY MR FIELD.

Q. Your name is Mr. Warren Brown?
A My name is Warren K. Brown.
Q. You are with the Railroad Commission?
A. I am the rate expert and head of the Trucking Department.
Q. You are the man who, if this bill becomes a law, would administer it under the direction of the commission?
A. Yes.
Q. You were sent here on the request of the Railroad Commission?
A. I was.
Q. You can speak for the Railroad Commisison?
A. I am so authorized, yes.
Q. You are the rate expert of the Railroad Commission?
A And also head of the auto stage and truck departments.
Q. In order to clarify the situation for the people throughout the State who are making their living out of the trucking business, there are a few questions I want to ask; in the first place:

Must the commission, under this bill, if it passes, under the bill and without a hearing, issue a permit to any applicant to operate trucks within the territory which the operator offers to or is willing to serve, transporting any and all commodities which the operator offers to or is willing to transport?

A. I think, Mr. Field, under section 3, the commission must as a matter of course issue the permit if the application is made for a State-wide operating permit, either as a radial common carrier or as a contract carrier.
Q. And the operator has a choice?
A. Yes. He has a choice.
Q In other words, any operator simply by filing an application can obtain a State-wide permit to haul any and all commodities to and from any and all possible points of origin and destination in California?
A. That is correct.
Q. And the Railroad Commission under this act must grant it?
A. If he comes within one or two classes, as a radial common carrier or as a contract carrier, that is correct, yes.
Q Would he obtain both a contract carrier permit and a radial highway common carrier permit, or both or which?
A. He would have to select within which class he would come; either have to be a radial highway common carrier or a contract carrier; can not be both between the same points and on the same commodities. However, he could be both if he obtained a permit as a contract carrier to operate between points A and B and asked for a permit as radial highway common carrier to operate between points A and C, providing of course, he didn't operate as a radial highway common carrier between A and B.

MR. MCBRIDE: What is a radial highway common carrier, would you explain that?

A. There are three classes: Certificated carriers operating under Chapter 213 as common carriers, operating between fixed termini or over regular routes; the second class, the so-called contract carriers who operate as private carriers under contract; the third class, radial highway common carriers which operates not between fixed termini but operates within a certain defined area or radius.
Q. And under this, of course, if a man asked for a permit for a radius covering the whole State of California the commission would have to grant it?
A. If he applied for a permit.
Q. That is what I mean
A. Yes.
Q. If an operator owns a permit to operate as a radial highway common carrier within a certain area or state-wide, would not the fact that in the conduct of his business he traversed certain highways more frequently than others or usually and ordinarily render him subject to complaint and a proceeding under Chapter 213 of the Statutes of 1917 for operating between fixed termini or over a regular route?
A I can't give you a definite answer to that—whether or not he is operating as a common carrier under Chapter 213 is primarily a question of fact. There has been no hard and set rule for determining what constitutes a common carrier operating between fixed termini or over regular routes. The courts have not determined it precisely. However, I understand that there is a bill—Assembly Bill No. 2263—that would make the question reviewable by the court. It is just a question of fact in each individual case.
Q If an operator contracted with a large number of persons to transport their commodity but at all times reserved the right to and did refuse to carry goods for any persons for whom he would not haul for any reason, could he be held by the commission to be a common carrier and subject to a complaint and proceedings under Chapter 213, Statutes of 1917?
A. I think the answer I just gave would cover that also
Q. If an operator owns a permit to operate as a state-wide highway radial common carrier, can he operate as a highway contract carrier between any two points within the State?

A. Under section 4 he could not He would have to elect under which classification he would come. If he had that permit he would then be licensed to operate as a radial highway common carrier between any point in the State and then he could not become a highway contract carrier between those two points under section 4 of the proposed act.

Q. If a person has a permit to operate as a highway contract carrier between any two points or for example, within any two counties in the State, can he as a radial highway common carrier go to points intermediate, or through the two points or counties to points beyond the points or counties?

A. Yes, provided, of course, he doesn't operate as a radial highway common carrier to points where he is permitted to operate as a contract carrier

Q. Is it not a fact that in your opinion, so-called "minimum rates" are the actual rates which will be charged by highway carriers for transportation services?

A. In most cases they will be the "going" rates but in many cases they will not be. Where a minimum rate is established by the commission——

Q. But as a practical thing, your minimum rates will in most cases be the actual going rates?

A. I can't say Suppose in cases where special services are rendered, for instance, hauling fruit from orchards under adverse weather conditions, bad roads, etc. Minimum rates may be established based on rates of common carriers but they would not be the going rates. The "going" rates would be what the contract carrier could get for that particular service.

Q. Is it a fact that the commission, under the proposed bill, can not permit any truckman to charge any more than rail plus P.M.T. charges between any two points, or more than river line rates between two points?

A. I don't know exactly what you mean by rail plus P.M.T. Do you mean pick-up and delivery rates?

Q. Yes, for comparable service.

A. The commission under this bill would be obligated to establish the minimum rates no higher than the effective rates of any common carrier that renders pick-up and delivery service: it would apply with equal force to certificated highway carriers.

Q. Getting back to the rates. If the rail or river lines saw fit, in order to eliminate truck competition, to lower rates to any level, would not the commission under this act be compelled to fix rates for trucks which shall not exceed the current rates of common carriers, the rail and river lines, for the transportation of the same?

A. That is right. Under the provisions of this bill the minimum rates will automatically be the rates of the common carriers in that particular territory.

Q. Of all classes?

A. Yes.

Q. And the minimum rates of the radial highway common carrier and the contract carrier will be comparable to the minimum rates of the rails or river lines, under this act?

A Not the minimum rates, the actual rates of rails or river lines In other words, the rails and river lines have their rates on file with the Railroad Commission, published in a tariff. These are the actual rates now The contract carrier rates or the radial highway common carrier rates would not be higher than the railroad rates. They are the minimum rates. However, the maximum rates can be higher.

Q. Do you know of any particular protection that a certificated highway carrier has under such a condition, under this bill?

A. Yes, I think as a matter of policy the commission would not look with favor upon reducing rates of the rails or steamer lines to drive out truck competition. I think under section 32c of the Public Utilities Act the commission now has the power to peg the rail or water rates. There is some difference of opinion on that.

Q. As you understand and construe the provisions of this bill as it is written, is it your understanding that any truck operator can, by filing an application, immediately procure a permit to continue his present operations, as he is operating, or file to extend those operations as to territory and as to commodity without any power of the commission to restrict the rights sought?

A. Yes, I think so, providing he operates as a contract carrier or as a radial highway carrier.

Q. In case an applicant sets forth in his application for a permit to operate as a highway contract carrier the method of the conduct of his business, and a permit is issued thereon, would the continuation of that business under the permit safeguard him against prosecution for violating Chapter 213?

A. I would have to give you the same answer as I gave to question 4. It is a question of fact to be determined in each case.

Q. Has the commission under the bill any discretion as to the kind of a permit it must issue in response to any application? In other words, if a man applies for a radial highway common carrier permit must the commission grant it, or if an operator applies for a permit as a contract carrier must the commission grant the permit?

A. I think under section 3 of Senate Bill No. 329, Senator Hays' bill, the commission would be obligated to issue the permit as applied for.

Q. You understand that the purpose of this hearing was to try to get the intent of your department The Railroad Commission would administer this bill and owing to the adverse publicity it has had it was my personal opinion that we should at least try to get the understanding of the Railroad Commission as to its interpretation of the bill and how it would be administered

MR. UTT I would like to move the bill out with a "do pass".

MR. EVANS: In regard to the administration of the cost; how is the administrative cost to be borne?

SENATOR HAYS: That will be a separate bill in addition to this

Q. (By MR. EVANS): Does the Railroad Commission set the same rates in all cases?

A. No, we have a rather complex rate situation in California and there is no hard and fast rule for making the rates. However, there is a provision in this bill which will prohibit the Railroad Commission establishing for contract or radial highway common carriers any rate as a minimum——

MR. UTT (Interposing): Personally, I believe we should take up those other bills.

MR. RALPH W. EVANS: Does the Railroad Commission want this bill passed?

A To this extent—and incidentally the Railroad Commission has not participated in drafting this bill—we feel that there is a very demoralized condition in transportation in the State at the present time, and there are one or two courses to follow: Either place all the carriers under regulation or lighten the regulation of common carriers. It is a question for the Legislature to decide. We believe that this bill is a step in the right direction; that it will go a long way toward stabilizing transportation conditions in the State, and to that extent we are in favor of the bill.

Q. Do you recommend the passage of this bill?

A. Yes.

MR. RALPH W. EVANS. Q. Fixing the rates of the contract carriers, aside from the explanation you gave about making the minimum higher than the railroad rate, would you take the railroad rates into consideration for a given haul——

A. We take them into consideration but in many cases they would not be the rates we would use.

Q. For what purpose would you take the railroad rates?

A. Only in competitive territory. In other words, there has to be some relationship of rates between the various forms of transportation.

Q. Suppose that taking a given haul—a truckman is entitled to his cost plus a reasonable profit generally speaking—why should not the railroad rate be taken into consideration?

MR. FIELD: As a private operator I can answer that.

MR. BROWN: I have no objection—unless there was a relationship between the rail and the truck the traffic would all go to one carrier. If the rail rates were not related to your truck rates there would be no competition.

Q. (By MR. EVANS): You say "If there was a relationship" I am asking what the relationship is?

A. For instance—a truckman in hauling grain from the Sacramento Valley to the bay region: The railroad rate from the warehouse we will assume is 10 cents. Ordinarily we would have to establish the truck rate and the rail rate on the same level—10 cents from the warehouse in order to put them on a competitive basis. But the warehouse makes a charge against the truck for loading, a charge we will say of 50 cents per ton; that puts the truck at a disadvantage of 50 cents, so in order to put them on an equal basis and have a proper relationship the truck rate would have to be 50 cents lower than the railroad rate.

Q. With reference to cost in either case?

A. I would say this as a general statement—that the cheapest form of transportation will establish the rate; for the short haul it will probably be the truck

Q. When you say the "cheapest form" you disregard cost—you are not basing that statement on the cost of operation.

MR. O'DONNELL: Is that covered by present ruling, or is it in this act?

A. Partly in the act, but it is a matter of policy with the commission.

Q. By MR. O'DONNELL: What class of hauling is exempt, if any, under this act?

A. Those operating exclusively within a single unincorporated city and those called as a casual accommodation These are the exemptions (reading exemptions).

Q. What does "accommodation" mean there?

A. If the carrier is not in the transportation business he would not come under this act.

Q. Then you exempt "within city" but not within counties?

A. That is correct.

Q. How would you establish a rate for live stock—say 20 miles away from a railroad, bad roads and wet weather?

A. I am sorry, I can't answer that question definitely We would not establish any rate unless a complaint were made

Q. (By MR. FIELD): You will be willing to sign this transcript, will you Mr. Brown?

A. Yes.

MR. RALPH W. EVANS I understood you to say, Mr. Brown, that transportation was in a demoralized condition. Do you feel that this regulation is going to help the railroads?

A. Some, but not to any great extent on their short haul which is practically gone. They now rely to a great extent on their long haul and transcontinental traffic.

Q. Do the truckmen want this bill?

A. Yes; I don't think there is any question about that. Of course there is one group opposed to this bill, particularly with reference to the jurisdiction of the Railroad Commission, but I don't think that reflects the attitude of the truckmen throughout the State.

Q. That is the Independent Truck Owners Association Will you explain, as rate expert of the Railroad Commission, its ability to regulate this truck matter over any other agency?

A. Yes, because the Railroad Commission now has jurisdiction over the rates of the certificated carriers, the railroad and steamer lines, and as I said before, in establishing these minimum rates that those rates will have to be taken into consideration in order to get a proper transportation system. An independent agency would have to operate through the Railroad Commission. You would have one agency regulating the common carriers and the other agency regulating part of the common carriers and the contract haulers. You can't establish minimum rates in this State without taking into consideration all forms of transportation. I don't think it would be practical without being under one head, whether under the Railroad Commission or not. All forms of transportation should be regulated by one commission.

(GENERAL DISCUSSION)

It was thereupon moved and seconded that these amendments be adopted, and that the bill go out "do pass" as amended.

All "Ayes."

REPORTER'S STATEMENT

I hereby certify that I personally attended the meeting of the Assembly Committee on Public Utilities on April 26, 1935, in relation to Senate Bill No. 329; that I took down in shorthand notes all the testimony given by Warren K. Brown at said meeting, and that the foregoing 14 pages represent a true and correct transcript of my shorthand notes taken at said time, to the best of my knowledge and belief

RUTH L. ANDERSON.

STATE OF CALIFORNIA, } ss
COUNTY OF SACRAMENTO. }

I, Warren K. Brown, being first duly sworn, depose and say:

That I have read the foregoing 14 pages of transcript in the matter of testimony given relative to Senate Bill No 329 on April 26, 1935, before the Assembly Committee on Public Utilities;

That I am the Warren K. Brown mentioned therein and that said transcript is a true record of the testimony given by me at said time.

WARREN K. BROWN.

Subscribed and sworn to before me this thirtieth day of April, 1935

[SEAL] F. G. GRIEBNOW, JR.,
Notary Public in and for the County of Sacramento, State of California.

Special Order.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 944.

Assembly Bill No 944—An act regulating the use of public highways by motor vehicles operated thereon for the transportation of property for compensation; conferring powers upon the Railroad Commission with respect thereto; providing penalties for the violations of this act and repealing all acts inconsistent with the provisions of this act.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 944 passed by the following vote.

AYES—Anderson, Boyle, Breed, Burns, Cassidy, Clark, Colwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donahue, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Hunt, Johnson, Kallam, Latham,

Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—58.

NOES—Andreas, Donnelly, Evans, Ralph W., Flint, Geyer, Glover, Hawkins, Heisinger, Jones, Lore, McCarthy, O'Donnell, Richie, Rosenthal, Voigt, and Welsh—16

Title read.

Amendment to Title.

During reading of the title, the following amendment was submitted by Mr. Gilmore:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after the word "of", insert the word "certain".

Title, as amended, read and approved.

Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the House Dispensed With.

At eleven o'clock and fifty-five minutes p m., further proceedings under the call of the House were dispensed with, on motion of Mr. Peyser.

The roll of absentees was called, and the urgency clause to Assembly Bill No 44 was adopted by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Cottrell, Cronin, Crowley, Cunningham, DeLap, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilmore, Hawkins, Heisinger, Hornblower, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Pelletier, Peterson, Peyser, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—57.

NOES—Anderson, Clark, Corwin, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Geyer, Gilbert, Glover, Hunt, Laughlin, McCarthy, O'Donnell, Patterson, Phillips, Reaves, Rosenthal, Turner, Voigt, and Wagner—22

Bill read third time.

The question being on the passage of the bill.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Peyser moved a call of the House

Request for Roll Call.

On request of Messrs. Hunt, Peyser and Frazier, the Speaker ordered a roll call taken on the call of the House

The roll was called, and the motion was carried by the following vote.

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, DeLap, Desmond, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Thorp, Utt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—50.

NOES—Boyle, Crowley, Dawson, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, McCarthy, Patterson, Pelletier, Peterson, Reaves, Richie, Rosenthal, Stream, Turner, Voigt, and Wagner—26.

Time, eleven o'clock and fifty-six minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—76

The Chief Clerk announced the absentees

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent. Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 958—An act to amend section 4190 of the Political Code, relating to establishment and government and the creation of a fund for law library.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 958 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—76.

NOES—None

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 2122—An act to postpone proceedings to enforce the lien, or any guaranty in connection therewith, arising out of the levy of any special assessment or special assessment tax, or arising out of the issuance of any special assessment bond, or ad valorem district bonds or direct assessment district bonds, levied or issued to pay the cost of the improvement or acquisition of property for public purposes, declaring the urgency thereof, and providing that it shall take effect immediately.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp,

Turner, Utt, Voigt, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—73.
NOES—Evans, Ralph W.—1.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2122 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—73.
NOES—Evans, Ralph W.—1.

Title read and approved

Bill ordered transmitted to the Senate.

Third Reading of Senate Bills.

Senate Bill No. 143—An act to amend section 737aa of the Political Code, relating to salaries of judges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 143 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Cronin, Crowley, Dawson, DeLap, Donihue, Evans, Herbert J., Fisher, Flint, Garibaldi, Gilmore, Johnson, Jones, Kallam, Latham, Lore, Maloney, Mayo, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Redwine, Richie, Robertson, Stream, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—48
NOES—Corwin, Cottrell, Donnelly, Evans, Ralph W., Field, Geyer, Gilbert, Glover, Heisinger, Hunt, Laughlin, Lyon, Martin, Riley, Rosenthal, Scudder, Thorp, Utt, and Voigt—19.

Title read and approved.

Notice of Reconsideration of Senate Bill No. 143.

Mr. Patterson gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 143 was this day passed.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2292—An act to amend section 23 of the California Barber Law, relating to restrictions upon barber shops or colleges in this State.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 2292 passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder,

Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Weber, Welsh, Williamson, Wright, and Mr. Speaker—74.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate

Further Proceedings Under Call of the House Dispensed With.

At eleven o'clock and fifty-nine minutes p m., further proceedings under the call of the House were dispensed with, on motion of Mr. Peyser.

The roll of absentees was called, and Assembly Bill No. 44 was passed by the following vote:

AYES—Andreas, Burns, Chatters, Cottrell, Cronin, DeLap, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Heisinger, Hornblower, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Peyser, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—43.

NOES—Anderson, Boyle, Breed, Cassidy, Clark, Corwin, Crowley, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Hunt, Laughlin, McCarthy, McMurray, Meehan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Rosenthal, Turner, Voigt, Wagner, Wallace, and Weber—36

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 44.

Mr. Hornblower gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 44 was this day passed.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1935

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 157—An act to add a new section to the Penal Code, to be numbered 368b, relating to the safe manning of railroad engines;

Also: Assembly Bill No. 762—An act to add a new section to the School Code to be numbered 2.123-1, relating to the payment of the cost of food and lodging for certain elementary school pupils from the unapportioned county elementary school fund;

Also: Assembly Bill No. 943—An act to amend section 688 of the Political Code, relating to claims against the State of California in respect to damages inflicted by vehicles;

Also: Assembly Bill No. 994—An act to add section 690.11 to the Political Code, relating to the disposition of fees received under the provisions of section 690.10 of the Political Code relating to the construction, alteration or maintenance of groins, jetties, sea walls, breakwaters, and/or bulkheads upon, across, or over any of the swamp, overflowed, marsh, tide or submerged lands of the State of California;

Also: Assembly Bill No. 1078—An act to amend section 18 of the Inheritance Tax Act, relating to the levying of inheritance taxes;

Also: Assembly Bill No. 1831—An act to add section 586 5 to the Vehicle Code, relating to the control of traffic upon the public highways of the State of California, whether situated within unincorporated or incorporated territory;

Also: Assembly Bill No. 2072—An act to add section 638 to the Streets and Highways Code, declaring Wilshire Boulevard from Grand Avenue in the city of Los Angeles to Ocean Avenue in the city of Santa Monica to be a secondary State highway and providing for the establishment and maintenance of a park along a portion of the length of said highway;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 2430—An act to make an appropriation to pay the claim of the

Chief Accounting Officer of the State Department of Public Health against the State of California;

Also: Assembly Bill No. 2434—An act to amend the Los Angeles County Flood Control Act by adding thereto a new section to be numbered 15a, relating to compliance with requirements of the United States or any department or agency thereof, in the performance of public work financed in whole or in part from Federal funds, and declaring the urgency thereof, the act to take effect immediately;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 246—An act for the regulation and control of corporations organized for the purpose of operating nonprofit hospital service plans—and reports that the same has been correctly re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 67—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding a new article thereto to be numbered Article XXVI, providing for a State police—and reports that the same has been correctly engrossed.

WATERS, Chairman.

Assembly Constitutional Amendment No. 67 ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 455—An act to amend section 1305 of the Penal Code, to require certain entries in court minutes relating to bail, and to amend sections 1281a and 1310 of the Penal Code, and to add thereto a new section to be designated 1280c, authorizing the court, judge or magistrate to inquire into the financial condition of a corporation offering a bond as bail and to approve or reject said bond;

Also: Assembly Bill No. 1539—An act to amend sections 23 and 24 of, and to add section 18b to, that certain act entitled, "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act, and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to leasing of State lands, for the purpose of taking minerals from, and the leasing for the prospecting for, or extraction, mining, capture or acquisition of oil, gas and other hydrocarbon substances on, in, within or from lands belonging to this State or over which this State has or claims or asserts any jurisdiction;

And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Adjournment.

At twelve o'clock p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Friday, May 10, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, May 10, 1935.

At ten o'clock a m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Stream, its further reading was dispensed with.

Leaves of Absence.

On motion of Mr. Utt, Mr. Redwine was granted leave of absence for the balance of this legislative day.

On motion of Mr. Dawson, Mr. Brennan was granted leave of absence for this day.

Privilege of Floor of Assembly Extended.

On request of Mr. Donihue, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Leon M. Donihue of Oakland, and Miss Velda M. Parker of Sacramento.

On request of Mr. Nielsen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the teachers and pupils of the Continuation High School, Sacramento, as follows: Mrs. Frances Lawrence and Miss Emily Keohan, teachers, and Mary Fuzzi, Rose Davis, Dorothy Arnold, Eleanor Hayes, Eleanor Rainone, Teresa Gomez, Mignon Wood, Mary Perez, Irene Sanks, June Thielen, Gladys Bennett, Dorothy Quigley, and Mrs. McDaniel.

On request of Mr. Nielsen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the teacher and pupils of the Continuation High School, Sacramento, California, English class for foreigners, as follows: Mrs. Etta H. Hubbard, teacher, and K. Deen, Jerry Fong, Allen Chinn, Quok Lin Chung, Albert Jeong, Kozuo Wagamoto, Ichiro Terashima, Hideo Nagai, Albert Koga, Sadao Nagamoto, Dock Louie, Dick Jeong, Young Lee, and Morio Kubota, pupils.

On request of Mr. Gilbert, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Roy D. Whitlow, Mrs D. F. Whitlow, and Miss Mable Whitlow of Woodland, California.

On request of Mr Flint, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Ruth Quinn, secretary, Probationary and Substitute Teachers Organization.

On request of Mr. Riley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. A. C. Malone of Long Beach.

Communication.

The following communication was received, and ordered printed in the Journal:

OFFICE OF THE CLERK OF BOARD OF SUPERVISORS,
CITY HALL, SAN FRANCISCO, CALIFORNIA, May 6, 1935

To the Assembly of the State of California, Sacramento, California.

Your attention is hereby directed to the following resolution, passed by the board of supervisors of the City and County of San Francisco:

Memorializing the State Senate, the State Assembly and Governor of California to Return Our Water Front to This City and County
(Code No. 5.34).

Supervisor Gallagher presented Resolution No. 1797, as follows:

WHEREAS, The water front of the City and County of San Francisco is owned, controlled and operated by the State of California, the sole management thereof being vested in a Board of Harbor Commissioners, appointed by the Governor; and

WHEREAS, All bond issues for the improvement of said water front and all laws, rules, regulations and questions of policy for the operation of such water front are ultimately subject to the approval or disapproval of all the voters of the State of California, including the voters of various communities that own and operate their respective water fronts in competition with the San Francisco water front; and

WHEREAS, San Francisco is the only large city in the United States, with the exception of New Orleans, Louisiana, that does not enjoy municipal water front control; and

WHEREAS, Municipal ownership control is a recognized principle in American governmental affairs; and

WHEREAS, The City and County of San Francisco desires that the ownership and control of our water front be vested exclusively in this city and county, without supervision or control thereof by our competitors, and subject only to such general State laws as may be applicable thereto; and

WHEREAS, The State of California has none of its funds invested in said water front, aside from its credit, in the matter of outstanding harbor bonds; now, therefore, be it

Resolved, by the board of supervisors of the City and County of San Francisco, the mayor of said city and county concurring, That we hereby respectfully memorialize the State Senate, the State Assembly and the Governor of California to forthwith return our water front to this city and county, by appropriate legislation, subject to such reasonable restrictions as may be necessary to protect the credit of the State, the civil service standing of water front employees, and the individual status of the Harbor Commissioners; and be it

Further resolved, That we hereby declare the following municipal policy with respect to said water front, in the event the same is returned to this municipal government, and we pledge the City and County of San Francisco to the faithful performance thereof, namely

The civil service status of all civil service employees of the State Board of Harbor Commissioners, as of the date of the assumption of water front control by this city and county, shall be faithfully preserved, and such employees shall be "blanketed in" as aforesaid, as civil service employees of this municipality.

The members of the State Board of Harbor Commissioners shall be continued in office, as such commissioners, for the terms which they may be serving at the time of the assumption of water front control by this city and county

Said water front shall be operated, controlled and policed by this municipality, in a progressive, orderly and businesslike manner, without regard to any political concern whatsoever, and in the interests of all persons who may visit or use said water front, whether as shippers, carriers, passengers, or otherwise, and at a minimum cost to said shippers and passengers.

The interests of all shippers, including all agricultural interests, are fully recognized and appreciated and this city and county pledges itself to exert every legitimate means to safeguard the rights of all shippers of agricultural commodities over, in or upon said water front and to erect and to maintain thereon or adjacent thereto, at minimum rates to such agricultural interests, such structures and enterprises as may be advisable for the accommodation of such agricultural interests.

Adopted by the board of supervisors February 11, 1935

AYES—Supervisors Gallagher, Havenner, Hayden, McSheehy, Ratto, Roncovieri, Schmidt, Shannon, Uhl—9.

ABSENT—Supervisors Brown, Colman—2.

I hereby certify that the foregoing resolution was adopted by the board of supervisors of the City and County of San Francisco.

J. S. DUNNIGAN, Clerk
ANGELO J. ROSSI, Mayor.

Approved February 14, 1935

CLERK'S CERTIFICATE.

STATE OF CALIFORNIA }
CITY AND COUNTY OF SAN FRANCISCO } ss.

I, J. S. Dunnigan, clerk of the board of supervisors, of the City and County of San Francisco, do hereby certify that the annexed Resolution No. 1797 is a full, true and correct copy of the original thereof on file in this office

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed the official seal of the City and County this sixth day of May, 1935.

[SEAL] J. S. DUNNIGAN,
Clerk of the Board of Supervisors, City and County of San Francisco.

ASSISTANT CLERK COOLIDGE READING.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 774—An act to amend section 1197 of the Political Code, relating to election ballots;

Also: Assembly Bill No. 1579—An act to amend section 911 of the Insurance Code, relating to insurance practice regarding financial statements of insurers, and matters incidental thereto,

Also: Assembly Bill No. 1333—An act to facilitate the enforcement of laws of the State of California concerning motor vehicles by the establishment of ports of entry upon highways entering this State; vesting authority to establish and conduct such ports of entry in the Department of Motor Vehicles; authorizing said Department of Motor Vehicles to employ the facilities and employees of any department of this State which may be convenient in the conduct of such ports of entry; and authorizing said State board to contract with private persons or corporations for the maintenance of port of entry service at such highways of lesser importance; and authorizing the Department of Motor Vehicles to cooperate with any other department, board or officer of this State having to do with the administration or enforcement of laws relating to the use of public highways; and providing penalties for violation of this act;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 487—An act to amend section 692 of, and to add a new section to be numbered 692a to the Code of Civil Procedure, relating to sales of property under execution or under power contained in a deed of trust;

Also: Assembly Bill No. 669—An act to add section 3817½ to the Political Code, relating to taxation, declaring the urgency hereof and providing that this act shall take immediate effect;

Also: Assembly Bill No. 1362—An act to amend section 3669e of the Political Code of the State of California, relating to powers of State Board of Equalization;

Also: Assembly Bill No. 1363—An act to amend section 1530 of the Insurance Code and to add section 1281a to Article 1, Chapter 3, Part 2, Division 1 thereof, relating to reciprocal or interinsurance exchanges;

Also Assembly Bill No 2350—An act validating the formation, organization, existence or proceedings of municipal utility district,
And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.
Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1516—An act to amend sections 6 240, 6.251, 6 252, 6.260, 6 262, 6 263, 6 264, 6.265, 6.270, 6 274, 6.275, 6.291, 6.292, 6.294, 6.295, 6.296, 6.300, 6.301, 6.305, 6 307, 6 320, 6 322, 6.330, 6 332, 6 340, 6.341 of the School Code and to repeal Article VI of Chapter III of Part II of Division VI thereof, relating to supplementary textbooks, declaring the urgency thereof and providing that this act shall take effect immediately—and reports that the same has been correctly re-re-engrossed

WATERS, Chairman.

The above reported bill ordered on file for third reading.

On Federal Relations.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1935.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No 19—Relative to memorializing the Secretary of State of the United States to maintain the present tariff rate on barley and barley malt imports—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

TURNER, Chairman.

Senate Joint Resolution No. 19 ordered on file for adoption.
Also

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 8—Relative to hours of employment of persons on interstate carriers—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted

TURNER, Chairman.

Senate Joint Resolution No. 8 ordered on file for adoption.
Also:

MR SPEAKER: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 10—Relative to memorializing the President and Congress to adopt legislation for the employment of jobless citizens in the mining of chromium and tin deposits of the United States—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

TURNER, Chairman.

Senate Joint Resolution No. 10 ordered on file for adoption.

On Public Health and Quarantine.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1935.

MR SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 2154—An act to provide for the establishment and maintenance of a bureau in the State Board of Public Health for the suppression of noxious odors, prescribing its powers and duties and making an appropriation to carry out the provisions hereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

KALLAM, Chairman.

Assembly Bill No 2154 ordered re-referred to Committee on Ways and Means

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1935.

MR. SPEAKER. Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 2432—An act to amend section 2 of the "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, relating to powers of the district, declaring the urgency hereof and providing that this act shall take

effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

On Unemployment.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1935.

MR SPEAKER: Your Committee on Unemployment, to which was referred Assembly Bill No 652—An act to add section 11b to the Motor Vehicle Fuel License Tax Act, relating to fuel used in unemployment cooperative relief work—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

ANDERSON, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Unemployment, to which was referred Assembly Bill No 791—An act to provide for the establishment of unemployment and social insurance—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

ANDERSON, Chairman.

The above reported bill ordered on file for second reading

Also:

MR SPEAKER: Your Committee on Unemployment, to which was referred Assembly Bill No. 1665—An act providing for unemployment insurance—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

ANDERSON, Chairman.

The above reported bill ordered on file for second reading.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1935.

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No 1007—An act to amend section 29 of the California Workmen's Compensation, Insurance and Safety Act, relating to compensation insurance;

Also: Senate Bill No. 470—An act to repeal Chapter 9 of Part 2 of Division 2 of the Insurance Code, and to add a new Chapter 9 comprising sections 10810 to 10940, inclusive, to Part 2 of Division 2 of the Insurance Code, relating to insurers transacting life and disability insurance on the stipulated premium plan with provision for assessment,

Also Senate Bill No 475—An act to amend sections 970, 972 and 974 of the Insurance Code, relating to security for the payment of taxes and other obligations of insurers;

Also Senate Bill No 479—An act to amend section 10482 of the Insurance Code, relating to valuation of life policies;

Also Senate Bill No. 485—An act to amend sections 12350, 12352, 12353, 12355, 12356, and 12357 of the Insurance Code, relating to title insurers;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

MINARD, Chairman

The above reported bills ordered on file for second reading.

On Federal Relations.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1935

MR SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Bill No 2437—An act to recognize certain corporations as agencies and instrumentalities of the United States, declaring the urgency thereof, and providing for the taking effect immediately thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

TURNER, Chairman.

The above reported bill ordered on file for second reading.

On Building and Loan.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1935

MR SPEAKER: Your Committee on Building and Loan, to which was referred Assembly Bill No. 1596—An act to make shares issued by Federal savings and loan associations, and by building and loan associations, legal investments for the funds of executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

SCUDDER, Chairman.

The above reported bill ordered on file for second reading.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1935.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Senate Bill No. 1102—An act to add Chapter 10 to Division IV of the Agricultural Code, relating to the stabilization and marketing of fluid milk and fluid cream, declaring the urgency of this act, to take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

THORP, Chairman.

The above reported bill ordered on file for second reading.

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1935.

MR SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 2431—An act to prohibit marathons, marathon dances, walkathons, skatathons, and other mental and physical endurance contests and prescribing penalties for the violation thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

GARIBALDI, Chairman.

The above reported bill ordered on file for second reading.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1935.

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1586—An act to amend sections 12050 to 12111 of the Insurance Code, relating to miscellaneous casualty insurances;

Also: Senate Bill No 670—An act to amend the Insurance Code by repealing Chapter 8 of Part 2 of Division 2 thereof and adding a new Chapter 8 to Part 2 of Division 2, thereof, comprising sections 10640 to 10880, inclusive, and by repealing section 1700 thereof, all relating to life insurance principals, practice and business, and matters incidental thereto by mutual benefit life associations;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

MINARD, Chairman.

The above reported bills ordered on file for second reading.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1935

MR SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1035—An act to amend sections 713, 715, 731, 733.5, 867 and 868 of, and to add sections 930 and 717.5 to the Fish and Game Code, relating to the protection of fish;

Also: Assembly Bill No. 2267—An act to amend section 10 of the Fish and Game Code, relating to the Fish and Game Commission;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended

FISHER, Chairman.

The above reported bills ordered on file for second reading.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1935.

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1589—An act to amend sections 12420 to 12631 of the Insurance Code, relating to mortgage insurance;

Also Assembly Bill No 1887—An act to amend the Insurance Code, relating to insurance;
Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

MINARD Chairman.

The above reported bills ordered on file for second reading.

On Public Health and Quarantine.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1935.

MR SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1282—An act to amend the title and to amend sections 2, 3, 4, 6, 12 and 19 of, and to add new sections 4a and 6a to an act entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, as amended, relating to the adulteration, mislabeling, misbranding, advertising and sale of drugs and devices and to the powers of the State Board of Public Health in relation thereto—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

KALLAM, Chairman

The above reported bill ordered on file for second reading
Also:

MR SPEAKER Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No 1010—An act to amend sections 1, 2, 3, 4 and 5 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulation, to provide rules regulating the proper sanitation of canneries, under the State Board of Health," approved May 23, 1925, as amended, relating to the inspection of canneries, the State Board of Public Health and to the power and duties thereof—has had the same under consideration and respectfully reports the same back without recommendation, as amended.

KALLAM, Chairman

The above reported bill ordered on file for second reading.

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1935

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred Assembly Bill No 1097—An act to provide for the establishment and administration of a system of health insurance—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

ANDERSON, Vice Chairman.

The above reported bill ordered on file for second reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 9, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No 12—Relative to the issuance of a proclamation by the Governor declaring the second week of October of each year as "Old Glory Week"

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary

Assembly Concurrent Resolution No. 12 ordered to enrollment.
Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1935.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No 53—Relative to memorializing the

President and Congress to enact S. 1952, which proposes to protect the unclassified postal employees people, extending to them a civil service status.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Joint Resolution No 53 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 2045—An act to amend section 14a of the California Irrigation District Act;

Also: Assembly Bill No. 496—An act to amend section 692 of the Agricultural Code, relating to places where milk or milk products are handled or kept for sale;

Also: Assembly Bill No. 842—An act validating certificates of sale and deeds based thereon issued by irrigation districts:

Also: Assembly Bill No. 1394—An act amending section 14, of an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, relating to officers.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 2045, 496, 842 and 1394 ordered to enrollment.

Also:

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1752—An act to amend sections 5 500 of the School Code, relating to teachers' tenure;

Also: Assembly Bill No. 1201—An act to add section 2 391 to the School Code, relating to severance of joint schools.

Also: Assembly Bill No. 13—An act to amend section 73a, of the Code of Civil Procedure, relating to superior courts.

Also: Assembly Bill No. 14—An act to amend section 4312 of the Political Code, relating to the place of offices of certain county officers;

Also: Assembly Bill No. 1702—An act to amend section 788 of the Agricultural Code, relating to containers

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1752, 1201, 13, 14 and 1702 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1498—An act to add a new section to be numbered section 17½ to an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, as amended, relating to elections;

Also: Assembly Bill No. 603—An act to amend section 4223 of the Political Code, relating to admission to county hospitals;

Also: Assembly Bill No. 1485—An act to amend section 4014 of the Political Code of the State of California, relating to township officers;

Also: Assembly Bill No. 497—An act to amend section 457 of the Agricultural Code, relating to testing of milk, cream or products thereof.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1498, 603, 1485 and 497 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 56—An act to add section 3.43 to the School Code, relating to required instruction in the schools;

Also: Assembly Bill No 621—An act to amend sections 2240 and 2255 of the Political Code, relating to the clothing, transportation, dental work, eye care, operations and hospitalization of pupils enrolled in the California School for the Deaf and the California School for the Blind;

Also: Assembly Bill No. 1651—An act to amend the Vehicle Code by amending sections 618, 621, 623, 625, 633, 634, 635, 637, 639, 640, and 670; to renumber section 663 to be section 664; to repeal Chapter 4 of Division X embracing sections 645 to 658 inclusive, sections 661, 662 and 677; to add sections 623.5, 638, 677, a new Chapter 4 to Division X, embracing sections 645 to 656 inclusive, 660, 661, 662, 663 and 692, relating to vehicles.

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary

Assembly Bills Nos 56, 621 and 1651 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1481—An act providing for the organization and government of horticultural protection districts for the purpose of protecting horticultural products and the vines, trees and shrubs whereon the same are grown against diseases, insects and pests; defining the powers of such districts and authorizing any such district to eradicate, remove or prevent the spread of any disease, insect or pest injurious to the horticultural product which such district is organized to protect; to provide for the levying and collection of taxes to pay the costs and expenses of administering such districts and carrying on their operations; defining the duties and powers of county agricultural commissioners, and other county officers in connection with such districts; to provide for including lands within and excluding lands from any such district, and to provide a method of dissolving such districts;

Also: Assembly Bill No 1370—An act to amend an act entitled "An act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such districts," approved March 20, 1903, as amended, by amending the title and sections 37 and 40 thereof, and adding a new section to be designated section 97, to authorize the borrowing or procuring of money by drainage districts from the United States or any agency thereof, and declaring the urgency thereof.

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary

Assembly Bills Nos. 1481 and 1370 ordered on unfinished business file.

Motion to Print Assembly Bill No. 1097.

Mr. Anderson moved that the Chief Clerk be instructed to place an order for the printing of 5000 additional copies of Assembly Bill No. 1097.

Motion carried.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented.

By Mr. Boyle:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1935

MR SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows.

An act to amend section 675 of the Political Code, relating to the Department of Finance.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1935.

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 675 of the Political Code, relating to the Department of Finance

CUNNINGHAM, Chairman.

Report of Committee on Introduction of Bills read

Mr. Cunningham moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J., Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—62.

NOES—None.

Introduction and Reference of Bills.

The following bill was introduced, and referred as indicated:

By Mr. Boyle: Assembly Bill No. 2441—An act to provide for the regulation and control of the sale of certain drugs or chemicals known as dinitrophenol and thyroid, to provide penalties for the violation of this act and to provide for the enforcement hereof by the California State Board of Pharmacy.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Second Reading of Assembly Bills.

Assembly Bill No. 1178—An act to amend sections 3 and 5 of an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, relating to the allocation and expenditure of State highway funds.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after the word "sections", strike out the balance of the line, and all of lines 2, 3, 4, 5, 6, 7, and 8 of the said title, and insert in lieu thereof the following: "194, 195, 196, 197, 198, and 188 of, and to add new sections to be numbered 199, 200, 201, 202, 203, and 204 to, the Streets and Highways Code, relating to the allocation and expenditure of moneys from the State highway fund within cities, and providing a procedure therefor."

Amendment No. 2.

On page 1 of the printed bill, strike out all of lines 1 to 18, inclusive, and also strike out all of pages 2, 3, 4, 5, and 6, and insert in lieu thereof the following:

"SECTION 1. Section 194 of the Streets and Highways Code is amended to read as follows:

194. The commission shall allocate annually, and the department shall expend or cause to be expended within the cities of this State, from the State highway

fund, an amount equal to the net revenue derived from one-quarter cent per gallon of tax on motor vehicle fuel.

Such expenditures shall be made within each city in the proportion that the total population of such city bears to the total population of all cities in this State. For the purpose of this section the population in each city is that determined by the last preceding Federal census. In the case of a city incorporated subsequent to the last census, or in the case of unincorporated territory being annexed to a city subsequent to the last census, the department shall ascertain the population of the city, or of the annexed territory, by multiplying the number of registered electors therein by three.

SEC. 2. Section 195 of the Streets and Highways Code is amended to read as follows:

195. Except as provided in section 200, all moneys allocated under the provisions of section 194 shall be expended for the acquisition of real property or interests therein for, or the construction, maintenance, or improvement of streets of major importance within such city, other than State highways, as are agreed upon by the department and the legislative body of the city.

Such expenditures shall be limited to that portion of the street available for use by vehicular traffic except that such funds may be expended for pedestrian underpasses or pedestrian overhead crossings and the installation and maintenance of traffic control devices, but such funds shall not be expended for street lighting, or for the construction or maintenance of sidewalks, or, except as hereinbefore expressly authorized, for the construction or maintenance of any structure or facility in, over, or under the street which is not of direct and primary service in providing a way for vehicular traffic. Sidewalks may be constructed with such funds to replace those removed or damaged by construction or improvement of the street.

SEC. 3. Section 196 of the Streets and Highways Code is amended to read as follows:

196. Any expenditure of money from the State highway fund, as provided in section 194, shall be delegated by the department to the governing body of such city if the department is satisfied that such city is equipped to conduct the particular work to be delegated in an efficient and economic manner and if the city has set up by ordinance a "Special gas tax street improvement fund."

No moneys shall be expended by the city from such fund except for items specified in the budget and approved by the department as required in this article.

In making any such delegated expenditure a city shall follow the law governing it in regard to the doing of the particular type of work in cases which are not exclusively municipal affairs.

No State officer or employee shall be liable for anything done, or omitted to be done, by any city in the performance of any delegated work.

SEC. 4. Section 197 of the Streets and Highways Code is amended to read as follows:

197. It shall be the duty of the legislative body of each city, on or before the first day of June of each year, to prepare and to submit to the department a budget on such forms as the department may specify, showing the estimated expenditure of such funds recommended to be made during the ensuing fiscal year.

The department may refuse to approve any such budget or any item thereof if in the opinion of the department the work proposed to be done or the expenditures proposed to be made, as outlined therein, do not comply with the requirements of this article as to the purposes for which such funds may be expended. The department may also refuse to approve any such budget or any item thereof if in the opinion of the department the proposed expenditure or expenditures are excessive for the work to be done, or if in the opinion of the department adequate provision has not been made in such budget to serve traffic on streets on which any previous expenditure of funds allocated under section 194 has been made, other than such expenditures previously made for maintenance.

SEC. 5. Section 198 of the Streets and Highways Code is amended to read as follows:

198. The department shall pay quarterly, as revenues are received in the State highway fund, to each city to which any expenditure has been delegated, that proportion of its pro rata share which has been delegated, unless a different schedule of payment is agreed upon between the city and the department. All payments received by a city shall be deposited in its "Special gas tax street improvement fund."

In the event that any sums are taken or borrowed from the State highway fund, or from the motor vehicle fuel fund, to augment the State general fund, or to pay any appropriations made from the State general fund, the department is authorized to reduce the amounts expended in each proportionately to the reduction in the State highway fund, such reduction to be made up when and if the State highway fund is reimbursed from the State general fund.

SEC. 6. A new section is added to the Streets and Highways Code, to be numbered 199, and to read as follows:

199. Before expending any such funds for construction, or improvement of any street except for preliminary engineering, the city shall furnish to the department for approval such surveys, plans, specifications, and estimates of cost thereof as

the department may require. When the department has approved the plans, specifications, and estimates, the city may proceed to advertise for bids. The written consent of the department must be secured before any contract may be awarded for an amount in excess of the estimates of cost, or to other than the low bidder on the grounds that the low bidder is not responsible, or before the work may be done by day's labor.

The written consent of the department must likewise be obtained before the amount of any item specified in the budget for maintenance or acquisition of real property is exceeded.

SEC. 7. A new section is added to the Streets and Highways Code, to be numbered 200, and to read as follows:

200 To permit the accomplishment of a major project in its entirety, the governing body of a city may authorize the accumulation of money accruing over a period of years from the State highway fund. The legislative body of a city may include in its budget and the department may approve projects for the expenditure of any money accruing to the city under the provisions of this article upon any State or county highway or other major traffic street, including those outside the limits of such city.

SEC. 8. A new section is added to the Streets and Highways Code, to be numbered 201, and to read as follows:

201. Each city to which an expenditure or expenditures was delegated shall file with the department annually at such time as the department may designate a report showing all expenditures made for maintenance in such detail as the department may require.

Within sixty days after the completion by any city of a delegated project for the acquisition of real property for, or for the construction or improvement of, any street, such city shall file with the department a final report in respect thereto, in such detail as the department may require.

SEC. 9. A new section is added to the Streets and Highways Code, to be numbered 202, and to read as follows:

202. Any city may contract with the department for the performance by the department of any or all street work in such city and for such purpose may transfer to the department, for deposit in the State treasury, any moneys available for expenditure by such city for street purposes.

Any city may with the approval of the department contract with the county within which such city is located, for the performance by such county of maintenance projects within such city, which projects have been approved by the department.

SEC. 10. A new section is added to the Streets and Highways Code, to be numbered 203, and to read as follows:

203. The commission shall allocate and the department shall expend, or cause to be expended, from the moneys required to be allocated by section 188, an amount not less than the net revenue derived from one-quarter cent per gallon tax on motor vehicle fuel, on State highways within cities.

Such expenditures shall be made within each city in the proportion that the total population of such city bears to the total population of all cities in this State. The population of each city shall be determined as provided in section 194.

Any expenditure of moneys allocated under this section may be delegated by the department to the city, in the discretion of the department, and on such terms as may be agreed upon by the department and the city.

The provisions of this section guarantee and require the expenditure of not less than the amount specified herein but shall not be deemed to prevent the expenditure by the department of a larger amount on the State highways within the cities in this State. The expenditures required by this section shall be made first for the acquisition of real property, or interests therein, for, or the construction, improvement, or maintenance of State highways within cities.

In the event that the department determines that the amount of money available under this section for expenditure in any city is greater than is necessary to adequately maintain and improve to adequate standard all State highways within such city then any surplus amount available for expenditure therein under this section shall be expended for the acquisition of real property or interests therein, for, or the construction, maintenance, or improvement of streets of major importance within such city, other than State highways and such expenditure shall be made in the same manner and for the same purposes as the expenditure of any money allocated to a city under section 194.

SEC. 11. A new section is added to the Streets and Highways Code, to be numbered 204, and to read as follows:

204. The department shall exercise the same powers and duties with respect to State highways within cities as with respect to other State highways.

SEC. 12. Section 188 of the Streets and Highways Code is amended to read as follows:

188. Subject to the provisions hereinafter contained in this article, all money in the State highway fund not expended for general administration purposes or for maintenance or for the purpose specified in section 194, shall be allocated and expended as follows:

(a) One-half such money shall be allocated to and expended upon primary State highways. The annual expenditures thereof shall be made within each county group enumerated in section 187 in amounts which shall bear the same proportion to the total amount available for primary State highways during the current year as the number of miles of primary State highways within each such group bears to the total number of miles of primary State highways in the State.

(b) The remaining one-half shall be allocated to and expended upon the secondary State highways. One-half of such expenditures shall be made in each county group enumerated in section 187 Not more than four per cent of the money allocated to the secondary State highways in a particular group may be used as State aid to joint highway districts within such group in accordance with the laws pertaining to the financing of highways within joint highway districts."

SEC 12 Section 188 of the Streets and Highways Code is amended to read as follows:

188. Subject to the provisions hereinafter contained in this article, all money in the State highway fund not expended for general administration purposes or for maintenance or for the purpose specified in section 194, shall be allocated and expended as follows:

(a) One-half such money shall be allocated to and expended upon primary State highways The annual expenditures thereof shall be made within each county group enumerated in section 187 in amounts which shall bear the same proportion to the total amount available for primary State highways during the current year as the number of miles of primary State highways within each such group bears to the total number of miles of primary State highways in the State.

(b) The remaining one-half shall be allocated to and expended upon the secondary State highways. One-half of such expenditures shall be made in each county group enumerated in section 187. Not more than four per cent of the money allocated to the secondary State highways in a particular group may be used as State aid to joint highway districts within such group in accordance with the laws pertaining to the financing of highways within joint highway districts.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Second Reading of Assembly Bill No. 1097.

Request for Unanimous Consent.

Mr. Anderson asked for, and was granted, unanimous consent to take up Assembly Bill No. 1097, at this time, without reference to file, for purpose of amending.

Assembly Bill No. 1097—An act to provide for the establishment and administration of a system of health insurance.

Bill read second time.

Floor Amendments.

During second reading of the bill, the following amendments were submitted by Mr Anderson:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out the period, and insert in lieu thereof the following: ", including the establishment of a Health Service Insurance Commission and prescribing the powers, duties and functions thereof, the establishing of a health service insurance fund and providing for certain payments thereto, the prescribing of methods and conditions under which professional or other services may be rendered, the regulation of certain persons, firms, associations, and corporations, the making of an appropriation, the enforcement of the provisions hereof, penalties for the violation of the provisions hereof, and repealing acts in conflict herewith"

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 10, inclusive, and insert in lieu thereof the following:

"SECTION 1. This act is adopted by the people of the State of California to promote the comfort, health, safety and general welfare of the people of the State of California

SEC. 2. This act shall be known and may be cited and referred to as "The Health Service Insurance Act."

SEC. 3. Words used in this act in the present tense include the future as well as the present; words used in the masculine gender include the feminine; the singular

number includes the plural, and the plural the singular; "writing" includes "printing" and "typewriting"; the word "county" includes city and county."

SEC. 4. Unless the context otherwise clearly indicates, as used in this act, the words and phrases defined in the sections immediately following shall have the meanings ascribed to them.

SEC. 5. "Benefit" means any medical, dental, hospital, or other service which is made available by this act for the diagnosis, treatment, or care of any person coming under the provisions of this act and includes:

(a) "Professional benefits," which consist only of the services of a physician or dentist, and which include all such services which either is entitled to render under the laws of the State of California.

(b) "Auxiliary benefits," which consist of maintenance and care in hospital, the use of the physical equipment, materials and nonprofessional technical services of X-ray, clinical, and other hospital laboratories, nursing care, drugs, medicines, physiotherapy, occupation therapy, transportation, material appliances and their upkeep.

The determination of the commission that a service is a professional benefit or an auxiliary benefit is final and conclusive.

SEC. 6. "Beneficiary" means any person entitled to receive a benefit under this act.

SEC. 7. "Commission" means the Health Service Insurance Commission

SEC 8. "Physician" means the holder of a valid and unrevoked "physician and surgeon certificate" entitling him to practice medicine and surgery in the State of California.

SEC. 9. "Dentist" means the holder of a valid and unrevoked license entitling him to practice dentistry in the State of California.

SEC 10. "Employer" means any employer of one or more employees, as the term "employee" is defined in this act, doing business in the State of California, and includes the State, every State agency, and each county, city and county, city, district having power to assess or levy taxes or assessments, or both, and all public or municipal corporations and quasi public corporations and public agencies therein, and every person, firm, voluntary association, and private corporation, including any public service corporation, any trustee in bankruptcy, receiver, or trustee, and the legal representative of any deceased employer, but does not include the United States of America or any foreign State.

SEC 11. "Employee" means every person, including aliens and minors, whose net income from all sources together with that of his spouse is not in excess of twenty-four hundred dollars per year, in the service of an employer, as defined in this act, under any appointment or contract of hire or apprenticeship, express or implied, oral or written, whether lawfully or unlawfully employed, including all elected and appointed paid public officers and all officers of quasi public or private corporations while rendering actual service for such corporations for pay, if such officer together with his spouse has a net income not in excess of twenty-four hundred dollars but excluding any person engaged in vending, selling, offering for sale, or delivering directly to the public, any newspaper, magazine or periodical where the title to such newspaper, magazine or periodical has passed to the person so engaged, and also excluding any person holding an appointment as a deputy clerk, deputy sheriff or deputy constable, or other deputy, appointed for the convenience of such appointee, who receives no compensation from the county, township or municipal corporation or from the citizens thereof for services as such deputy, and also excluding any person while absent from the State, and also excluding every person who files with his employer and with the commission an affidavit that he is a member of one or more qualified health service insurance associations, together with certificates of such associations showing such membership, and also excluding any person who adheres to the faith or teachings of any well-recognized religious sect, denomination, or organization who, in accordance with its creed, tenets, or principles, depends for healing upon prayer in the practice of religion, and who shall file with the commission and with his employer an affidavit stating such adherence and dependence and that he will claim no benefit of any kind under the provisions of this act.

Each of the provisions herein relating to exclusions from the meaning of "employee" is hereby declared to be separable and distinct from all other portions or provisions of this section or of this act. If any such provision be, for any reason, declared invalid, the remainder of this act shall remain in full force and effect and shall be as completely operative as though such provision had not been included herein; and the Legislature hereby declares that no such provision was a consideration or inducement for the enactment of the whole or any portion of this act but that it would have passed this act, and every portion thereof, irrespective of the presence or absence in the act of any such provision declared unconstitutional.

Any person who for hire renders services to another, other than as an independent contractor, or one who is expressly excluded herein, is presumed to be an employee within the meaning of this act. The term "independent contractor" shall be taken to mean, for the purposes of this act, any person who renders service, other than manual labor, for a specified recompense for a specified result, under the control of

his principal as to the result of his work only and not as to the means by which such result is accomplished.

An employee is a "casual" employee if, (a) in the usual and normal course of his employer's trade, business, profession, or occupation, the particular work to which said employee is assigned is begun and concluded within nine successive calendar days; or (b) his employment is not in the course of the trade, business, profession, occupation, or domestic establishment of his employer. The phrase "course of trade, business, profession or occupation of his employer" shall be taken to include all services tending toward the preservation, maintenance or operation of the business, business premises or business property of the employer. The words "trade, business, profession or occupation of his employer," shall be taken to include any undertaking actually engaged in by the employer with some degree of regularity, the trade name, articles of incorporation or principal business of the employer to the contrary notwithstanding.

It shall not be a defense to the commission or to any health service insurance association that a person with respect to whom any benefit is claimed was not lawfully employed, or was the dependent spouse or minor child of one not lawfully employed by reason of the violation of any civil service or other law, rule, or regulation respecting the hiring of employees.

Workmen associating themselves under a partnership agreement, the principal purpose of which is the performance of the labor on a particular piece of work, shall be deemed employees of the person having such work executed.

SEC. 12. "Health service insurance practice" means the furnishing of medical, dental, hospital, or other service for the diagnosis, treatment or care of sick or injured persons when such service is furnished under any contract, plan, or system whereby a person or a member of a group of persons is entitled to receive such service in the event of sickness or injury. It includes both professional service practice and auxiliary service insurance, but is not limited thereto.

SEC. 13. "Fund" means the health service insurance fund.

SEC. 14. "Professional service practice" means the furnishing of any professional benefit under this act.

SEC. 15. "Auxiliary insurance service" means the furnishing by any person, firm, association or corporation of auxiliary benefits under this act.

SEC. 16. "Professional service practitioner" means any physician or dentist availing himself of the privilege to engage in professional service practice

SEC 17 "Health service insurance association" means any person, firm, group, association, or corporation engaged in health service insurance practice, either by the use of its own or other facilities and whether for its own benefit or that of third persons or others.

SEC 18 (a) "Certificate of compliance" means a certificate issued by the commission to a health service insurance association, certifying that the association is entitled to do business as such in this State by reason of having met the standards as to services and rates required by this act for that purpose.

(b) "Preliminary certificate of compliance" means a certificate issued by the commission to a health service insurance association, certifying that it is entitled to do business in this State by reason of having declared its intention on or before January 1, 1938, to comply with the standards required for the purpose as to rates and services

SEC. 19 "Qualified health service insurance association" means:

(a) Prior to January 1, 1938, a health service insurance association holding either a certificate of compliance or a preliminary certificate of compliance

(b) On and after January 1, 1938, a health service insurance association holding a certificate of compliance.

SEC 20 "Member" means any person entitled to receive diagnosis, treatment, and care, in the event of sickness or injury, from any health service insurance association.

SEC. 21 "Patient" means any person who needs or receives the professional services of a physician or dentist

SEC. 22 "Wage" means every form of compensation paid by an employer to an employee as consideration for labor or services, and includes salaries, commissions, bonuses, and the reasonable money value of gifts, board, rent, housing, lodging, or other forms of consideration furnished by an employer.

SEC 23 "Resident" means every natural person who has been physically within this State at least forty-eight weeks of the next year preceding the time when he is entitled to receive any benefit; but temporary absence from this State shall not affect a person's status as such resident if such person has been living in this State at least five years

SEC. 30. This act shall be administered by the Health Service Insurance Commission, which is hereby created

SEC 31. The commission shall be composed of five members, all of whom shall have been residents of California for at least a total of ten years

SEC 32. All commissioners shall be appointed by the Governor, with the consent of the Senate The first commissioners shall be appointed within thirty days after the effective date of this act.

SEC 33 The terms of the first commissioners shall expire: Two on February 28, 1937, and three on February 28, 1939 Upon the expiration of these terms, the

term for each commissioner shall be four years. In the event of a vacancy in any term the Governor shall appoint a commissioner for the unexpired portion thereof.

SEC. 34. If there is a quorum, no vacancy shall impair the commission's powers. Three commissioners shall constitute a quorum.

SEC. 36. No commissioner shall hold any position of trust or profit or engage in any business, occupation, or profession the duties or functions of which are inconsistent with or interfere with his duties as such commissioner. This section shall not be construed as requiring the full time service of any commissioner.

SEC. 37. Each commissioner shall execute an official bond in the sum of ten thousand dollars.

SEC. 38. Each commissioner shall receive not more than fifteen dollars per day while actually engaged in the discharge of his duties and his actual and necessary traveling expenses incurred in the course of his duties hereunder.

SEC. 39. Commissioners shall be liable to impeachment for any misdemeanor in office and shall be tried therefor in the manner prescribed in and subject to the provisions of Article IV, sections 17 and 18, of the Constitution.

SEC. 40. The Attorney General of the State of California shall be the attorney for the commission and he may assign from his staff such assistants or deputies as may be necessary.

SEC. 41. The commission may designate its confidential appointee, pursuant to the provisions of section 4 of Article XXIV of the Constitution of this State, the chief medical officer of the commission. Such chief medical officer shall be a physician, shall hold the degree of doctor of medicine and shall have been engaged in the practice of medicine or in medical administration for at least ten years during the period of twelve years immediately preceding his appointment, not less than three years of which shall have been in the State of California. Upon making public the reason therefor the commission may remove the chief medical officer from such office. During the time he holds office the chief medical officer shall:

(a) Hold no other position of trust or profit, but shall devote his entire time to the performance of his official duties; and

(b) Be the chief administrative officer under this act with respect to all benefits conferred by this act and have all the duties, powers, and authority which may be delegated to him by the commission to carry out the purposes of this act.

The commission may appoint a medical superintendent, but no person except the confidential appointee or a professional member of the commission during his term may hold the position of chief medical officer.

SEC. 42. Subject to civil service laws, the commission may from time to time appoint a general finance officer and such assistants and other employees as may be necessary for the general financial administration of this act and may fix the method and amount of their compensation and assign their duties and require from them security for the faithful performance thereof. The annual salary of the general finance officer shall be five thousand dollars.

SEC. 43. Subject to civil service laws, the commission may from time to time appoint or employ such assistants and other employees as may be required for the administration of this act and may assign their duties and fix the method and amount of their compensation and require of them security for the faithful performance of their duties.

SEC. 44. The commission may engage the services of and accept the reports and advice of experts concerning technical, scientific, medico-legal, actuarial, and other matters pertaining to the administration of this act.

SEC. 45. The commission shall designate a member to act as chairman. The chairman may from time to time divide the commission into subcommissions of one or more members, for the purpose of conducting any investigation, inquiry, hearing or review which may come under the jurisdiction of the commission, assign the members of the commission thereto, and, in case of a subcommission of more than one member, designate the chief thereof. A subcommission shall hear and make a determination upon any proceeding instituted by or before the commission assigned to such subcommission by the chairman, and shall make its report to the commission. Subcommissions consisting of professional members only, to be known as professional subcommissions, shall be assigned to conduct, hear and determine all investigations, inquiries, hearings or reviews relating to professional matters including matters relating to standards, service and compensation The report of a subcommission shall become the final determination of the commission within thirty days after said report is filed with the commission by the subcommission unless, within such period, the chairman, or any member of the commission, has directed that such report shall be reviewed by the commission as a whole; provided, that no subcommission shall be assigned, without the unanimous assent of its members, to conduct any such investigation, inquiry, hearing or review, and provided that if such assent is not given, the commisson shall sit en banc.

SEC 50. There is hereby created a health insurance advisory council, hereinafter referred to as the "counsel" consisting of ten members, who shall be appointed by, and serve at the pleasure of, the commission.

SEC. 51. The membership of the council shall include two physicians, two dentists, one registered nurse, one hospital executive, one employer, one employee, one farmer, and one voluntarily insured person. Every such representative shall be

actively engaged in the business, profession, or pursuit of which he is a representative.

SEC 52 The council shall consider and shall advise the commission on such matters connected with the financial and medical administration of this act as may be submitted to it by the commission When directed by the commisson to make an investigation in connection with the administration of this act, the council shall have the powers of the head of a department as such powers are specified in section 353 of the Political Code.

SEC. 53. The members of the council shall be paid their actual and necessary traveling and other necessary expenses incurred in connection with any activity under the provisions of this act

SEC 54. Five councilors shall constitute a quorum

SEC 60 The commission shall procure and have offices in the city of Sacramento and in such other places as it may require in its discretion

SEC 61 The commission shall have full power and authority uniformly to administer and enforce the provisions of this act, to make, amend, modify, repeal, and enforce rules and regulations consistent with the provisions of this act for its administration and enforcement, to perform all acts and exercise all powers, whether herein specifically designated, or in addition thereto, which are necessary or convenient to accomplish the purposes of this act and to delegate to others such powers as may be necessary in administering this act

SEC. 62 The commission shall promptly promulgate all rules and regulations adopted by it pursuant to this act and all amendments thereto and modifications or repeals thereof. For the purposes of this section a rule or a regulation shall be deemed to be in full force and effect from the time of its promulgation to the time of

(1) Promulgation of an amendment thereto, or

(2) Promulgation of a modification or repeal thereto, or

(3) A judicial declaration by a court of competent jurisdiction to the effect that said rule or regulation was in excess of the authority of the commission, whichever is earlier.

An amendment or modification of a rule or regulation is a rule or regulation for the purposes of this section No act not otherwise unlawful done by any person in good faith under the apparent authority of any rule or regulation adopted by the commission, while such rule or regulation is in effect, shall give rise to any liability, either civil or criminal, on the part of any person so acting.

SEC 63 The commission shall have power to investigate professional service practice and health service insurance associations and to require such practitioners and associations to maintain the standards of service and the rates required by their certificate of compliance or preliminary certificate of compliance.

SEC 65 The commission may cooperate with public health officers and agents, both public and private, in the improvement of public health and sanitation and in the promotion of public education on all matters pertaining to health.

SEC. 66 The commission may accept and take and hold in public trust, either by purchase or by donation or gift, testamentary or otherwise or in any other manner, without restrictions, all real and personal property for the benefit of this health service insurance system The commission shall be vested with the legal title, as trustee for the public, and with the management and disposition of all of the property acquired by it pursuant to this section

SEC 67. The commission shall have power to institute and prosecute actions and proceedings involving any provision of this act or the administration thereof; and the commission may defend any action or proceeding brought against it for any cause whatever.

SEC 68 The commission shall have the powers of the head of a department as such powers are specified in section 353 of the Political Code

SEC 70 In the administration of this act, the commission may hold and conduct hearings on any disputed matter arising under the provisions of this act

SEC 71 Claims shall be filed at such place, in such form, within such time and in such manner as the commission shall prescribe The commission shall have power to determine all controverted claims and all other controversies arising under this act, and shall adopt such reasonable rules and regulations as may be necessary to establish a uniform system therefor throughout the State, and may designate referees to hear and determine, in the first instance, any such controverted claim or other controversy

SEC. 72. Any person adversely affected by a decision of a referee may, within fourteen days after written notice of such decision, request a rehearing by the referee who made the decision Thereupon such referee shall conduct such rehearing upon the matter after giving reasonable written notice thereof to all persons affected thereby who appeared at such prior hearing Such referee shall render a decision on his rehearing within such uniform time as the commission may prescribe and shall give notice thereof to all persons interested who have appeared therein.

All notices required to be given by this act or by any rule or regulation of the commission shall be in writing and may be served personally, or deposited in the United States registered mail addressed to the party to be notified at his last known address.

SEC 73. Any person adversely affected by a decision upon a rehearing, may within fourteen days after written notice of such decision, request the commission

to review such decision by filing notice to that effect with the referee who conducted such rehearing, and by filing a copy of such notice in an office of the commission. Thereupon the commission or any subcommission thereof shall conduct a hearing upon the matter after giving reasonable written notice thereof to all persons affected by the decision to be reviewed who have appeared at either or both of such hearing and rehearing. The commission or any subcommission thereof shall render a decision within thirty days after its hearing is completed, and shall give written notice of its decision to all persons affected thereby who appeared thereat and to all persons who appeared at either or both of such prior hearing and rehearing.

SEC. 74. Any party aggrieved by such action of the commission may make a written demand for a certified transcript of all the papers on file in the commission's office affecting or relating to such action and all the evidence taken on the hearing. Such party shall pay such reasonable fee as the commission may prescribe for every folio of the transcript and one dollar for certification thereof. Thereupon, the commission shall, within thirty days, make and certify such transcript.

SEC. 75. Any party affected by a decision of the commission may apply to any court of competent jurisdiction for a writ of review for the purpose of having the lawfulness of the original order, rule, regulation or decision on rehearing inquired into and determined. Such review shall not be extended further than to determine whether or not:

1. The commission acted without or in excess of its powers;
2. The order or decision was procured by fraud;
3. The order, decision, rule or regulation was unreasonable;
4. If findings of fact were made, such findings of fact support the order or decision under review.

The findings of the commission on questions of fact shall be conclusive and final and shall not be subject to review. The commission and each party to the proceeding before the commission shall have the right to appear in the review proceeding.

The provisions of the Code of Civil Procedure of this State relating to writs of review shall, so far as applicable and not in conflict with this act, apply to proceedings in the courts under the provisions of this section.

Such writ of review shall be issued if, but only if, applied for within the sixty days next succeeding any one of the following occurrences:

(a) Notice of a denial by the commission of an application for an original hearing,

(b) Notice of a denial by the commission of an application for a review by the commission of a decision made by a referee upon a rehearing;

(c) Notice of a decision by the commission on any matter heard by the commission either originally or upon a review after a hearing or a rehearing by a referee.

Deposit in the United States registered mail, addressed to the last address of the applicant made known by him to the commission, shall constitute communication of notice within the intent of this section.

SEC. 76. The following decisions are final and not subject to review:

(a) The determination of a referee unless proceedings for rehearing or review thereof are taken as herein provided.

(b) The action of the commission in denying or revoking a privilege or a license or making a decision on a claim, complaint or controversy unless application for review thereof is made to a court of competent jurisdiction within the time specified in this act.

SEC. 77. The commission and its delegated representatives shall, in administering any provision of this act or conducting any hearing or investigation hereunder, have power to administer oaths and examine under oath any person or witness, certify to all official acts, take depositions and issue subpenas for the attendance of witnesses and the production of books, accounts, documents, records or other papers.

SEC. 78. In any hearing in any part of the State, the process of the commission shall extend to all parts of the State and may be served by any person capable of serving civil process, such person to receive such compensation as may be allowed by the commission but not to exceed the fees allowed by law for similar service

SEC. 79. Each witness who shall appear in response to a subpena shall receive for his attendance the fees and mileage allowed by law to a witness in a civil action.

SEC 80. In case of the refusal of any witness to attend or testify or produce any papers as required by such subpena, the commission may petition the superior court, in and for the county in which the particular matter is pending, for its order requiring the obedience of the witness to the subpena. The court shall order the witness to appear at the time and place designated in such order, which time shall be not more than ten days from the date of the order then and there to show cause why he has not obeyed the subpena, a copy of which order shall be served upon such witness. If it shall appear to the court that such subpena was regularly issued under this act, the court shall order such witness to obey such subpena at a time and place to be designated in such order

SEC. 81. Depositions of witnesses within or without the State may be taken in the manner prescribed by law for like depositions in civil actions in the superior court.

SEC. 82. Any party to a hearing under this act shall have the right to reasonable notice thereof and of a written copy of all charges or other matters of concern to such party which will be presented at such hearing.

SEC. 83. Any party to a hearing under the provisions of this act shall have the right to the attendance of witnesses in his behalf at such hearing or upon deposition upon making request that designated persons be subpenaed. But the commission may require that any party who requests the issuance of a subpena for any attending witness shall pay the mileage and witness fees of such witness if it shall be made satisfactorily evident, and the commission finds, that the said party had no reasonable ground for believing that the said witness could give competent, material or relevant evidence substantially tending to establish such party's claim or answer.

SEC. 84. No exception need be entered to any ruling made in any hearing under this act.

SEC. 85. Evidence shall be governed by the rules of the commission and shall not be subject to common law or statutory rules of evidence and procedure; but such competent, relevant and material evidence is admissible as will serve to obtain and preserve the substantial rights of the parties.

SEC. 86 The commission shall have power to require a bond in a reasonable amount of any claimant making application for a rehearing before a referee or review before the commission, and may assess costs, including attorney's fees against a claimant whose claim is disallowed upon such rehearing or review, but these powers shall be exercised only in those instances in which the claim is made on trivial grounds, or in which there is satisfactory evidence and the commission finds an intent on the part of the claimant to harass the commission in the discharge of its duties or maliciously to harass an opposing party in interest.

SEC. 87. Attorneys appearing for or on behalf of any beneficiary under the provisions of this act shall receive only such compensation therefor from said party as may be fixed, both as to amount and manner of payment, by the rules of the commission. The charging or receipt of any other amount of compensation by such attorney is unlawful.

SEC. 88. It shall be a misdemeanor to solicit, by agent or otherwise, for the purpose of appearing for or on behalf of any party in any matter instituted by or before the commission or its referees.

SEC. 100. The commission shall prescribe, maintain and enforce reasonable rules and regulations for professional service practice and the obtaining thereof by individuals and health service insurance associations, including, but not restricted to, the ratio of the number of physicians or dentists to the number of members. The provisions of this section are restricted to regulations by the commission of services and benefits for which compensation is paid from the fund.

SEC. 101. No professional service practitioner shall render any professional services under this act other than personally; and nothing in this act shall be construed to authorize payment of compensation to any physician or dentist for professional services rendered under this act not rendered by him personally; provided, however, that the commission may in its discretion recognize not more than two bona fide professional assistants of any physician or dentist rendering such services under this act, when it is established to the satisfaction of the commission that these assistants are not supplanting the personal services of such physician or dentist. The provisions of this section are restricted to the rendering of services for which compensation is paid from the fund.

SEC. 102. The rendering of services under this act is a privilege and any physician or dentist and any regularly established hospital, or laboratory, or any other person or agency able and desiring to render services necessary for the proper furnishing of benefits, shall be entitled to render services in accordance with the provisions of this act; provided, however, that the commission, after notice and a full opportunity to be heard pursuant to the provisions of this act may, upon determining that good and sufficient cause exists, revoke such privilege. The following shall be deemed to be good and sufficient cause for revocation of the privilege of rendering services under this act: fraud, deceit, intent to defraud, gross neglect, habitual intemperance, habitual use of narcotic drugs, rebate of fees or charges that will result in the actual rendering of services at rates below those for fees or charges that may be established by the commission, solicitation of patients, or any violation of the Medical Practice Act or Dental Practice Act of this State; provided, that none of the aforementioned causes shall justify the revocation of such privilege unless done or committed while the physician, dentist, hospital, laboratory or other person or agency was rendering services under the provisions of this act for which compensation was paid from the fund.

SEC. 103. In addition to its own action against a physician or dentist for any of the causes specified as sufficient for the revocation of the privilege of rendering services under this act, the commission shall file a complaint with the State Board of Medical Examiners or the State Board of Dental Examiners, as the case may be, against any physician or dentist found by the commission to be guilty of any of the acts specified in the State Medical Practice Act or State Dental Practice Act as cause for revocation of license.

SEC. 113. Employees, whether of one or more employers, may become members of a qualified health service insurance association, except that an employee of an employer who operates a qualified health service insurance association shall not, by reason of the provisions of this act, become entitled to avoid contribution to the health service insurance association operated by his employer.

SEC. 114. A qualified health service insurance association having members who would be employees as defined in this act if they were not members of such association, may elect to obtain means of conferring benefits upon such persons in any one of the following ways:

(a) By permitting the professional service practitioners and those furnishing auxiliary services to members to apply individually to the commission for compensation for services actually rendered; or

(b) By entering into a contract with the commission, under the terms of which the health service insurance association undertakes to procure and pay for such benefits and the commission undertakes to transmit at monthly intervals to such health service insurance association the amount collect with respect to such members, less a reasonable allowance for costs of collection and administration; or

(c) With the assent of the employer and its members, by receiving from such employer the amount which he would otherwise have been obliged to retain from the wages of members and transmit to the commission with respect to such members; or

(d) Directly from its members.

In the case of arrangements under subdivisions (a), (b) or (c) of this section, the employer shall withhold the percentages payable by employees under the provisions of this act and pay the same to the commission or to the association, as the case may be, in the same manner as though the members of such association were employees as defined in this act.

SEC. 115. Any person, firm, association or corporation required by this act to obtain a certificate of compliance or preliminary certificate of compliance must make written application therefor to the commission, which application shall be verified by or on behalf of the applicant in the same manner as pleadings are verified in civil actions, and then filed in the office of the commission.

SEC. 116. In such form and in addition to such other information as the commission requires, such application with respect to health service insurance associations shall specify.

(a) A description of the types of service to be received by those persons entitled to participate in the benefits or activities of such association.

(b) A description of the physical facilities to be used in rendering such service.

(c) The names and residence addresses of the persons who will conduct the business of the association, and a succinct statement of their experience and training.

(d) A statement of the fees, dues, rates, or other charges imposed upon members of such association and of the fees, rates, or other considerations to be paid for services rendered to the members under the certificate.

SEC. 117. Upon the filing of an application for any of the certificates hereinabove required, the commission shall examine it and any other papers and documents filed therewith. The commission may also require, at the actual expense reasonably incurred and borne by the applicant, a detailed examination, audit, and investigation of the applicant and its affairs.

SEC 119. Before issuing a certificate to an applicant for any of the certificates hereinabove required, the commission must find that at least the following conditions exist

(a) That the proposed plan of applicant's operations and activities is fair, just, and equitable.

(b) If the application is for a certificate or preliminary certificate of compliance for a health service insurance association, that the membership, certificate, contract or other benefits, services, facilities, or activities of the association, evidences of rights, or privileges for participation in or use of which the applicant proposes to issue, and the method by which the same are proposed to be issued are not such as will work a fraud or injustice upon any member, intended beneficiary, or other person

(c) If the application is for a certificate of compliance, that applicant is able to and will provide benefits equal or superior to the primary benefits set forth in this act, and will charge rates not less than the premiums required of employees by this act

(d) If the application is for a preliminary certificate of compliance, that applicant grants some measure of medical or auxiliary benefits or both, that applicant was in existence on January 1, 1935, and that on or before January 1, 1938, applicant will be in a position to qualify for a certificate of compliance.

SEC. 120 When the commission has determined that an applicant for certificate hereinabove required is otherwise entitled to a license, it shall require the applicant to file with it a bond conditioned both (1) upon the compliance by applicant with the provisions of this act and with the rules and regulations of the commission; and (2) upon the protection of those with whom applicant may have any dealing against fraud or damage by reason of the applicant's activities The penal sum of such bond shall be such sum as the commission may find to be reasonable but not to exceed twenty-five thousand dollars ($25,000), and shall be executed by a corporation authorized to become a surety upon bonds or undertakings required or authorized by the laws of this State.

In any action against the applicant covered by the conditions of said bond, the surety thereon may be joined with the applicant, in which case the surety, to the amount of the bond, will be jointly and severally liable with applicant for the payment of any judgment rendered against applicant in such action.

The provisions of this section shall not apply to the following:

(a) Any bona fide fraternal society, operating under the lodge system, and which inducts its members into the same, through the medium of ritualistic services, and that has been in existence in this State for five successive years immediately prior to the effective date of this act, and that has at least two thousand five hundred paid-up members in this State, and which society gives or contributes any sick benefits, cash benefits, or any medical attention to its members, on account of sickness or accident.

(b) Any bona fide health service insurance association composed of the employees of any city, when such association has been in existence in this State for five successive years immediately prior to the effective date of this act, and has at least two thousand five hundred paid-up members in such association, and which association gives or contributes any sick benefits, cash benefits, or any medical attention to its members, on account of sickness or accident

SEC. 121. Before granting any license to any applicant, the commission shall require the applicant to pay to the commission a minimum original fee of twenty dollars.

In addition to such minimum original fees, the commission may charge and collect such fees as may be necessary to defray the necessary expenses incident to examination and investigation of such health service insurance associations as is necessary to determine whether or not they conform to the requirements of the certificate held by them.

SEC. 122. When the commission has approved any required bond which has been filed by the applicant and when the applicant has paid the prescribed fee therefor, the commission shall issue to the applicant a certificate of compliance or preliminary certificate of compliance. Such certificate shall remain in force and effect unless suspended or revoked until the thirtieth day of June next following, and thereafter the licensee must renew its license annually subject to the same conditions as applied to its original license, each renewal to expire on the succeeding thirtieth day of June. Preliminary certificates of compliance shall not be issued to remain effective beyond January 1, 1938. The commission before renewing a certificate shall require the certificate holder to pay the commission a renewal fee The amount of such renewal fee shall be fixed in the same manner and subject to the same requirements as are herein prescribed for original fees.

SEC. 123. After notice and hearing, the commission may suspend or revoke the certificate of any certificate holder for failing to conform to any of the standards prescribed by this act. Any such hearing shall be subject to all the provisions of this act relating to hearings before the commission and review thereof.

SEC. 130. Benefits shall be available to the extent and under the conditions of this act at a time set by the commission, and not later than December 1, 1936, to an employee. An employee shall not be entitled to benefits under this act unless he or she shall be or become a resident of and physically within this State or unless he or she shall be physically within this State and shall have satisfactorily passed such physical examination as the commission may prescribe, within ten days immediately preceding becoming so entitled. But no constrained inmate of a penal institution or of an institution for the insane and no person committed to an institution for the feeble-minded shall become entitled to receive any benefits provided in this act.

SEC 131. No benefits shall be paid for by the commission unless:

(a) There shall be paid by or on behalf of the beneficiary to the commission for any one sickness or injury, fifty cents for the first professional visit and one dollar for the first day's hospitalization, collection thereof to be made at such time and in such manner as may be prescribed by the commission.

(b) If an employee, he has had not less than ten days of employment within the three months preceding the day on which benefits are claimed.

(c) He be the dependent of an employee, and such employee has had not less than ten days of employment within the three months preceding the day on which benefits are claimed.

SEC. 132. Primary benefits shall include:

Class one: The services of a physician who is a professional service practitioner and who shall be chosen by the patient, who shall give preventive, diagnostic, or therapeutic treatment and care to the patient at the physician's office, the patient's home, a hospital, or elsewhere as the case, in the opinion of the physician, may warrant.

Class two: The services of laboratories when prescribed by the attending physician.

Class three. Prenatal and maternity treatment and care at the physician's office, at home, in hospital, or elsewhere as the case, in the opinion of the physician, may warrant.

Class four. Maintenance and care in hospital, the use of the physical equipment, materials and nonprofessional technical services of X-ray, clinical and other hospital laboratories, and nursing care as may be prescribed by the attending physician.

Class five: Infants and children up to fourteen years of age shall receive not only sickness and injury benefits, but health supervision and preventive medical care as the commission may prescribe

Class six Essential drugs and medicines.

SEC. 133. The amounts of primary benefits to be furnished to a patient suffering from any one illness or injury shall be limited as follows:

Class one: Twenty-six weeks.

Class two. On the prescription of the attending physician.

Class three: When necessary, maintenance and care in hospital and nursing care limited as in class five hereunder.

Class four. One hundred eleven days of which the first twenty-one days shall be without charge to the patient except for charges expressly imposed by this act, and the remaining ninety days at a charge to such patient equal to fifteen per cent (15%) of the daily maintenance cost of such benefit; provided, however, that any beneficiary over sixty-five years of age shall receive said benefits for not to exceed ninety days in any consecutive one hundred four weeks, subject to the same provisions for the first twenty-one days and the last sixty-nine days as are above set forth; provided, that any beneficiary may at his expense receive these benefits beyond the limits above specified at the same basic maintenance cost paid by the commission.

Class five: For sickness and injury, as above specified; for health supervision and preventive medical care, as the commission may prescribe

Class six On the prescription of the attending physician under uniform rules and regulations to be prescribed by the commission.

The foregoing periods and services may be shortened and reduced by the commission by reasonable, uniform regulations, if the resources of the fund make such action necessary or advisable in its opinion

The foregoing periods and services may be lengthened and increased by the commission by reasonable, uniform regulations if, in its opinion, the resources of the fund permit such action and the public interest makes such action necessary or advisable.

134 Whenever the commission finds that the revenues of the fund justify provision of benefits in addition to the primary benefits it may from time to time provide for the furnishing of all or a part of the following additional benefits:

(a) Drugs and medicines other than those included in primary benefits and medical and surgical appliances as may be prescribed by the attending physician

(b) Nursing service outside of the hospital as may be prescribed by the attending physician.

(c) Institutional care for convalescents

(d) The commission may provide for dental services to be allowed as additional benefits hereunder, permitting the beneficiary and his dentist to select the type of dental restorations or replacements, or other dental service or services.

The commission may:

(1) Pay the total cost of the dental service rendered; or

(2) Such fractional cost thereof as the commission may determine; or

(3) Allow a maximum total or a fractional cost of dental expenditure, for any beneficiary for any given period or periods

The benefits provided by this section may be referred to as "additional benefits"

SEC. 135. When a person ceases to be an employee, he shall, from the date he ceased to be such employee, nevertheless be eligible for benefits for any illness or injury occurring or beginning within an extended period equal to one week for every five weeks during which contributions with respect to such employee have been made, provided, that such extended period shall not become greater than one year.

SEC 137 No similar benefits shall be provided or allowed for any person entitled, for the same physical causes, to medical, dental, hospital, or other treatment or care under any workmen's compensation insurance act or employer's liability act of this State or of the United States of America.

In the event of any doubt as to whether or not any beneficiary would be entitled, for the same physical causes, to a similar benefit from any other source, the benefits provided by this act shall be promptly furnished and the commission shall be reimbursed therefor as provided in this act

SEC. 138. If any benefit is furnished to any person who, by reason of the same sickness or injury, has a claim for compensation or damages (including costs of or liability for medical care), under any workmen's compensation insurance act or any employer's liability act of this State, or of the United States of America,

or otherwise, against his employer or against any other person, firm, or corporation for causing such sickness or injury and for the damages resulting therefrom, the commission shall, to the extent of the disbursement for furnishing such benefit, have a prior right to be reimbursed from any sum of damages which such person is entitled to receive by way of compensation or damages, by suit, settlement, voluntary payment or judgment, and the commission shall, to such extent, be subrogated to such claim. After having received notice that the commission is entitled to reimbursement and is subrogated as provided in this section, the payment of any sum of money or delivery of any thing of value to such person by way of such compensation or damages without first reimbursing the commission for such disbursement shall render the employer or other person, firm, or corporation making such payment or delivery liable to damages, at the suit of the commission, in such sum as may be necessary to reimburse the commission to the extent of such disbursement.

SEC. 139. If the person furnished such benefit and having such claim for compensation or damages (including costs of or liability for medical care) unreasonably refuses or neglects to commence action or to institute proceedings to enforce and collect such claim, the commission may either.

(a) Recover from the person furnished such benefit such sum as may be necessary to reimburse the commission to the extent of the disbursement for so furnishing the benefit to such person; or

(b) Take such action or institute such proceeding, in the name and on behalf of such person, to recover such claim for compensation or damages (including costs of or liability for medical care) from the one liable to such person therefor, in which case any sum recovered by settlement or judgment as the result of such action or proceeding, after deducting the costs, shall be used first to reimburse the commission to the extent of its disbursement, and any balance thereof remaining shall be paid to such person having such claim.

Nothing in this act shall affect or diminish any physician's, dentist's, nurse's, hospital's, or other agency's claim for the value of services rendered by them, whether or not paid for under this act, in any such action brought to recover such compensation or damages

SEC. 140. If an employee himself pays for care or treatment when sick or injured because of a dispute over his right to be furnished such care or treatment under this act, he shall be reimbursed therefor by the commission from the fund when it is determined, at a hearing before the commission under its jurisdiction as elsewhere provided in this act, that he should have received such benefit under the provisions of this act.

SEC. 150. The commission shall be authorized to enter into contracts and agreements with persons, firms or corporations to furnish benefits upon the terms and conditions provided in this act. Said agreements shall provide for benefits for such periods of time and contain such other reasonable terms and provisions consistent with this act as the commission shall prescribe.

SEC. 151. The commission shall, by contractual engagements or other undertakings, make all the primary benefits enumerated in this act available to any person living within this State who is not an employee within the meaning of this act, subject, however, to all of the following four enumerated conditions:

(a) That his annual net income from all sources, together with that of his spouse shall not be in excess of three thousand dollars; and

(b) That he, or some person or agency acting on his behalf, pays in advance the premium or premiums prescribed by the commission; and

(c) That, within ten days of the time at which he is to become a beneficiary he either:

(1) Passes a physical examination prescribed by the commission; or

(2) Was a beneficiary under the provisions of this act relating to employees; or

(3) Was born in the State of California.

(d) That he is not a constrained inmate of any penal institution or of any institution for the insane and is not one committed to an institution for the feebleminded

SEC. 152. Subject to all of the conditions enumerated in this act, the following persons and entities may contract for benefits with the commission:

(a) Any person on his own behalf, and on behalf of his dependents;

(b) The United States of America or any department, bureau or commission thereof or any foreign State upon behalf of any or all of its officers, employees and agents and their dependents who are residents of this State,

(c) Any political subdivision of this State and any instrumentality of this State on behalf of any of its residents, the care of whose health is imposed upon it by law;

(d) Any competent person on behalf of any person who is made eligible to the benefits of this act subject to the provisions of this act relating to conditions precedent to eligibility for the right to contract for benefits

The commission shall also undertake under equitable conditions and for an equitable contribution from any lawful source or fund to make the benefits of this act available to any class of residents on whose behalf the State of California assumes the burden of providing the benefits enumerated in this act.

SEC. 153. The commission shall be competent to enter into contractual engagements and other undertakings concerning health service insurance on behalf of the State of California, and any such contract or undertaking shall specify among other things:

(a) The length of time during which such engagements and undertakings shall subsist,

(b) The manner and time of paying premiums and other contributions under such engagements and undertakings,

(c) The amounts of premiums and other contributions to be paid under such engagements and undertakings,

(d) The manner and conditions of novation of such engagements and undertakings; and

(e) Such other conditions as may be reasonably necessary for the equitable administration of such engagements and undertakings.

SEC. 154. In order equitably to distribute the costs of benefits among those who contribute to the fund, whether as employees or otherwise, the commission may from time to time establish and alter systems of premium rates giving effect to differences of costs as between those who are required to be beneficiaries and those who become beneficiaries by contract or other undertakings with the commission pursuant to the provisions of this act In fixing such premium rates, established actuarial principles shall be followed, in determining differences in costs between those required to be beneficiaries and those who become beneficiaries by contract with the commission or by other undertakings, arising because of the following.

(a) Costs of making the physical examinations authorized by or provided in this act,

(b) Costs of administration;

(c) Average morbidity rates;

(d) Such other differences as are necessary to uniform and equitable distribution of the costs of benefits

In giving effect to the foregoing subsections of this section, all premiums shall be directly proportional to the average annual net income of the beneficiary and his spouse, provided, that the minimum premium shall not be less than the premium determined with respect to an average net income of one thousand dollars a year.

When no general State tax on the annual net income of natural persons is in effect, the annual net income, for the purposes of this act, of a person and his spouse shall be determined with respect to the next preceding completed calendar year and shall be deemed to be the amount which the wages paid to such person, if such person is employed, or the net income during the previous taxable year, without exemption, of such person and spouse computed on the basis of those provisions of the revenue act of 1934, by which the United States Government levies a tax upon the annual net income of natural persons.

basis of any general State tax, the annual net income of a person and his spouse shall, for the purposes of this act, be determined with respect to the next preceding completed taxable year on the basis of the net income computed under the law levying the tax, without the exemptions therein granted

In no event shall the income of a person and his spouse, if neither is an employee, be deemed, for the purpose of determining any premium for voluntary health service insurance, to be less than one thousand dollars ($1,000) a year

The commission shall have power to prescribe the forms requiring the disclosure of all facts material for determining net income, and the manner of reporting thereon, for all determinations of net incomes of persons for the purposes of this act and shall have power to withhold and shall withhold all benefits under this act from all persons who shall fail to present, under oath within a reasonable time after demand by the commissioner, signed statements in writing on the prescribed forms showing that their incomes entitle them to receive the benefits of this act; provided, that during such time of withholding of benefits from any such person, the sums payable with respect to employees under this act, or with respect to any person procuring voluntary health service insurance under this act, shall continue to be payable, but the commission shall hold all sums paid during such time in trust for the person paying said sums pending the establishment of the income status of the person from whom or from whose dependents benefits are being withheld

The commission, for the purpose of ascertaining the correctness of any verified statement or for the purpose of making an estimate of the net income of any person, shall have power to examine or cause to be examined by any agent or representative designated by it for that purpose, any books, records or memoranda, bearing upon the matters required to be included in the verified statement

SEC. 155. The commission shall by contractual engagements and other undertakings make available to employees and to other voluntary subscribers thereto any one or more of the additional benefits provided for by this act under the conditions set forth in this act with respect to primary benefits The commission shall be competent to enter into such undertaking on behalf of the State of California in accord-

ance with the conditions enumerated in this act with respect to contractual agreements and other undertakings relating to primary benefits.

In order equitably to distribute the cost of additional benefits to be made available to those voluntarily subscribing thereto, either on behalf of themselves, or on behalf of themselves and their dependents or on behalf of others, the commission may from time to time establish and alter systems of premium rates giving effect, in accordance with established actuarial principles, to the following variable characteristics.

(a) Costs of physical examinations;

(b) Differences of average morbidity rates as among the several items for which additional benefits may be authorized;

(c) Differences in costs of the several benefit items which may be authorized; and

The system of premium rates provided for in this section shall be such that the total cost of additional benefits subscribed to shall be borne by those who pay such premiums.

SEC. 156. The commission shall from time to time make rules for the reduction, postponement, suspension, or termination of the right of any person to receive any or all benefits hereunder because of nonpayment of premiums, for the methods by which unpaid premiums may be paid, and for the reinstatement of the right to receive all or a portion of such benefits by payment of past and present unpaid premiums.

SEC. 157. During the period of a beneficiary's illness entitling him to benefits hereunder, payment by him of premiums may be suspended, premiums accruing during such period to be later paid as may reasonably be prescribed by the commission

SEC. 158. If she engages in no gainful occupation during such period, a woman paying premiums hereunder shall not be required to pay any premium with respect to the period beginning six weeks before childbirth and ending six weeks thereafter.

SEC. 170. There is hereby created the "Health service insurance fund" which shall be administered by the commission

SEC. 171. The liability of the State of California under any provision of this act is limited to the resources of the fund and the State shall not be liable under any condition or in any circumstance for any amount which can not be recovered from or paid out of the fund.

SEC 172 All moneys received by the commission shall be paid over to the State Controller and by him deposited in the State treasury of this State and credited to the "Health service insurance fund" hereinabove created and to the particular account specified by the commission

Compensation for all benefits, all expenses of administration and all other charges which accrue by reason of the provisions of this act shall be paid from the fund.

The Controller shall issue no warrants upon the Treasurer for any disbursement, other than in the making of investments of surplus funds and of reserve funds, except upon the order of the commission. The commission shall allocate the fund to the respective fund accounts against which all warrants are to be drawn and shall indicate on each order upon the Controller the account against which the warrant is to be drawn.

SEC. 173. The State Treasurer shall be custodian of the fund and shall make disbursements therefrom only in the manner provided by law. He shall execute an additional official bond in the penal sum of fifty thousand dollars conditioned upon the faithful performance of his duties under this act He shall deposit such portion of the fund as is not required for immediate use in the manner authorized by law for other State funds in his custody All interest earned thereby shall accrue to the fund and shall be credited to the several fund accounts in proportion to their average daily balances.

SEC. 174 In the manner provided by law any surplus or reserve in the fund may be invested in securities which are legal investments for the moneys of the State of California. Said securities may be converted into money All such surplus or reserves shall remain in the custody of the State Treasurer regardless of whether they be in the form of cash or securities.

SEC 175 All receipts and disbursements under the voluntary provisions of this act shall be accounted for separately from the receipts and disbursements under the mandatory provisions of this act All costs of administration referable to the voluntary provisions of this act shall be charged to the expense accounts of voluntary health service insurance and all costs of administration referable to the mandatory provisions of this act shall be charged to the expense accounts of mandatory health service insurance

All receipts and disbursements occurring by reason of additional benefits under this act shall be accounted for separately from receipts and disbursements occurring by reason of primary benefits under this act. All administrative costs referable to the administration of additional benefits shall be charged to the expense accounts of additional benefits

All administrative expenses not directly attributable to or referable to any particular class of health service insurance shall be distributed, in proportion to their average daily balances, among the following classes of accounts:

(a) Expense accounts for mandatory primary benefits;

(b) Expense accounts for voluntary primary benefits;

(c) Expense accounts for additional benefits.

SEC. 176 Except as otherwise expressly provided in this act, every employee shall pay to the commission amounts determined as follows, which amount shall be

withheld from his compensation by his employer and remitted to the commission pursuant to the provisions of this act:

(a) If he is a casual employee, five cents per calendar day from and including the day on which the employment is begun, to and including the day on which the employment is concluded, or

(b) If he is not a casual employee, an amount equal to two per cent of his wages.

All such amounts shall become payable from and after ninety days after the effective date of this act. Employers shall withhold all such amounts from all wage payments and transmit them to the commission, except as otherwise expressly provided in this act, not later than the fifteenth day of the month next following the month in which such wages were paid With respect to employees of the State, such moneys shall be withheld and paid not later than the twentieth day of the month in which they are paid, pursuant to rules prescribed by the State Board of Control for such withholding and payment.

SEC 181. The commission may draw, without at the time furnishing vouchers and itemized statements, sums not to exceed in the aggregate five hundred thousand dollars, said sums so drawn to be used as a revolving fund.

SEC. 182. No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the commission or against any officer or agent thereof to prevent or enjoin under this act the collection of any payment sought to be collected; but after any such payment made under protest, duly verified and setting forth the grounds of objection to the legality of such permit, the person making such payment may bring an action against the commission in a court of competent jurisdiction in the county of Sacramento for the recovery of the payments so paid under protest. No such action may be instituted more than sixty days after the payment becomes due and payable, and failure to bring suit within said sixty days shall constitute waiver of any and all demands against this State on account of alleged overpayment hereunder. No grounds of illegality of the payment shall be considered by the court other than those set forth in the protest filed at the time of such payment.

If, in any such action, judgment is rendered for the plaintiff, the amount of the judgment shall first be credited on any payments due from the plaintiff under this act, and the balance of the judgment shall be refunded to the plaintiff In any such judgment, interest shall be allowed at the rate of six per cent per annum upon the amount of payment found to have been illegally collected from the date of such payment to the date of allowance of credit on account of such judgment or to a date preceding the date of the refund warrant by not more than thirty days, such date to be determined by the Controller

In no case shall any judgment be rendered in favor of the plaintiff in any action brought against the commission to recover any payment hereunder, when such action is brought by or in the name of an assignee of the person making such payment, or by any person other than the person who has made such payment.

SEC. 190 Every employer shall make and keep open to examination by the commission, such records of employment of his employees, of wages paid to his employees, of sums paid to the commission by him pursuant to this act, and of such other employment and pay roll data as the commission may reasonably prescribe. Every employer shall make such reports to the commission concerning such records as the commission may prescribe. The records or reports so furnished to the commission and all other records and reports furnished to the commission shall be deemed to be confidential communications within the meaning of the Code of Civil Procedure, section 1881.

SEC 191 The commission may compile tabulations of the data furnished by employers to the commission from records kept with respect to employees for the use and information of State departments and of the public, but such reports shall in no event be in such form as to enable any person other than those charged with the administration of this act to identify therein any employer or any employee.

SEC. 192. Any patient wilfully failing or refusing to follow the instructions or course of treatment prescribed by the attending physician shall not be entitled to any further benefits for the particular sickness or injury

SEC 193. Nothing in this act shall be construed as authorizing any corporation or any person other than the holder of a valid and unrevoked "physician and surgeon certificate" or license to practice dentistry in the State of California, to practice medicine or dentistry, or to furnish the services of physicians or dentists

SEC. 194. The commission shall make available, under reasonable rules and regulations, provision for medical or dental consultation at the request of the attending physician or dentist; and if in its own judgment such professional consultation is essential to the most effective application of the benefits specified in this act, it shall order such consultation as it deems necessary and may require compliance by the attending physician or dentist with the recommendations resulting therefrom.

SEC. 195. No act, rule, or regulation of the commission shall abridge, modify, curtail, derogate, prohibit, or in any way interfere with the right of a beneficiary to make a free choice of physicians, dentists, or hospitals entitled under this act to

render services Such choice may be restricted in the case of employees of an employer holding a certificate of compliance; but otherwise such selection shall not be restricted by the local area or district in which such beneficiary resides or works, being subject only to the consent of the physician, dentist, or hospital to render the necessary service.

Whenever any member of a qualified health service insurance association agrees to select the professional service practitioner who serves the members of such fraternal society, such agreement shall not be deemed to be an infringement upon the free choice of physician or dentist by such person

SEC 196. Such free choice may be subjected to inquiry by the commission if there is reason to believe that the services being rendered by such physician, dentist, or hospital are being improperly or negligently furnished or that such selection was entered into with fraudulent intent on the part of either, or both, the patient and physician, dentist, or hospital.

SEC. 197. Unless the physician, dentist, or hospital is paid directly or indirectly from the health service insurance fund for the purpose of receiving, wholly or partially, directly or indirectly, the benefits enumerated in this act, nothing in this act shall apply to advice, diagnosis, treatment, or other service by a physician or dentist or to the furnishing of its facilities by a hospital

Nothing in this act applies to any public health agency created by law or ordinance, or to any county hospital, municipal hospital, or other public facility, except where and to the extent that,

(a) Such agency, hospital, or facility is furnishing for compensation by the commission one or more of the benefits enumerated in this act; or

(b) The legislative authority of such county or municipality or other public corporation has declared by ordinance that such agency, hospital or other facility is a health service insurance association

The provisions of this act shall not apply to any hospital or other facility operated by the State

SEC. 198. Every bond required by this act shall be approved by a judge of the superior court

SEC. 200 Every payment, premium, contribution or donation made under the provisions of this act or to carry out the purposes thereof, shall be deductible from the amount of any income tax which may become due by reason of any such tax which is levied in this State

SEC 201. It shall be the duty of every member of a partnership, firm, or association and of the president, secretary, and general manager of every corporation to cause such partnership, firm, association, or corporation to comply with all provisions of this act.

SEC 202 It is a misdemeanor to:

(a) Wilfully make any false statement or representation to obtain any benefit or payment, to obtain payment or compensation for services rendered or materials furnished, or to obtain a reduction in the amount of any contribution, payment or premium.

(b) Wilfully fail to make any payment required to be made by this act.

(c) Refuse to allow the commission, or its authorized representatives, to make any inspection necessary to be made for the proper administration of this act

(d) Hinder the commission, or its authorized representatives, in the administration of this act.

(e) Violate any provision of this act by action or omission

SEC. 203 Any person or officer responsible for the violation of this act by any firm, partnership, or corporation is guilty of a misdemeanor.

SEC. 204 If any section, subsection, sentence, clause, or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act The Legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause, and phrase hereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses, or phrases be declared unconstitutional

SEC 205 All acts and portions of acts in conflict with this act are hereby repealed

SEC 206 If in any proceeding or action arising under this act the intent of the Legislature relevant thereto is not fairly and clearly to be inferred from the text of the act, reference shall be made to those portions of the report of the Senate interim committee on the high cost of sickness under the captions "Basis" of legislation on health insurance and "Declaration of Public Policy" with respect to legislation on health insurance The said portions of said report are hereby adopted, subject to the conditions expressed in this section, as declaratory of the intent of the Legislature in enacting this act

SEC 207 Nothing in this act shall be construed as affecting any workmen's compensation or employers' liability act of this State

SEC. 208. Anything in this act to the contrary notwithstanding, any bona fide fraternal society, operating under the lodge system, and which inducts its members into the same, through the medium of ritualistic services, and that has been in

existence in this State for five successive years immediately prior to the effective date hereof, and that has at least two thousand five hundred paid-up members in this State, and which society gives or contributes any sick benefits, cash benefits, or any medical attention to its members, on account of sickness or accident, shall be exempt from the provisions of this act, and every member of any such society who is entitled to receive from the same any such cash, sick or accident benefits or medical attention, and which member is or may be construed to be an employee within the meaning of this act, shall be exempt from all the provisions of this act by filing with his employer any affidavit stating such membership and the facts concerning such benefits or medical attention, to which he is entitled from such society, and thereupon his employer shall also be exempt from the provisions of this act with respect to that employee.

SEC. 2½. Anything in this act to the contrary notwithstanding any bona fide health service insurance association composed of the employees of any city that has been in existence in this State for five successive years immediately prior to the effective date of this act, and that has at least two thousand five hundred paid-up members in such association, and which association gives or contributes any sick benefits, cash benefits or any medical attention to its members, on account of sickness or accident, shall be exempt from the provisions of this act, and every member of such association who is entitled to receive from the same any such cash, sick or accident benefits or medical attention, and which member is or may be construed to be an employee within the meaning of this act, shall be exempt from all the provisions of this act by filing with his employer an affidavit stating such membership and the facts concerning such benefits or medical attention to which he is entitled from such association, and thereupon his employer shall also be exempt from the provisions of this act with respect to that employee."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 236—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1092—An act to add a new section to the Political Code to be numbered 3720, relating to the filing of county clerks with county assessors and the State Board of Equalization of certifications of new districts and changes in the boundaries of existing districts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1041—An act providing employment for inmates of State prisons and reformatories; providing for appointment and compensation of a Superintendent of Prison Industries and providing rules and regulations for the carrying out of the provisions thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, after the word "reformatories", strike the semicolon and the balance of line 2, and all of lines 3, 4, and 5, and insert in lieu thereof the following: "and to establish a prison farm under the management and control of the State Board of Prison Directors; to provide for the purchase of land therefor, and the construction of buildings and other improvements in connection therewith; for the transfer of prisoners thereto and therefrom; and for the employment of prisoners therein; and to make an appropriation therefor"

Amendment No. 2.

On page 1 of the printed bill, strike all of lines 1 to 24 inclusive, and all of pages 2, 3, 4, 5, and 6, and insert in lieu thereof the following:

"SECTION 1. For the purpose of providing certain types of prisoners with wholesome, healthful employment prior to release and to make possible a reduction in the cost of maintaining the State Prison, there is hereby created an institution to be known as "The California State Prison Farm."

SEC 2. The prison farm hereby created shall be under the management and control of the State Board of Prison Directors and all laws applying to the existing prisons and the prisoners therein confined are hereby made applicable to the prison farm created under the provisions of this act.

SEC 3 The Director of the Department of Finance is hereby empowered to select and purchase a suitable site for said reformatory, with the necessary water and water rights The Director of Finance is directed to secure land susceptible of irrigation and suitable for agriculture and especially for the raising of fruits and vegetables for use in the State prisons

In the determination of the suitability of sites under consideration, the Director of Finance shall consult with the head of the College of Agriculture at Davis, the president of the State Board of Prison Directors and such other officials and employees of the State as are, in his judgment, qualified to pass upon the merits of such sites as are being considered Title to said land shall be taken in the name of the State of California

It shall be the duty of the State Board of Prison Directors to construct and equip on such site so acquired all buildings necessary to accomplish the purposes of this act. In the construction of such buildings, the Board of Prison Directors is authorized to make the greatest possible use of convict labor which in their judgment is consistent with the public safety.

SEC 4. The State Board of Prison Directors may transfer any prisoner confined in the State prisons to the prison farm and may for any reason transfer a prisoner confined on the prison farm back to the State prison whenever in the judgment of the board such transfers are desirable

The board shall also have the power to authorize the superintendent of the prison farm to provide food, housing and employment for any paroled convict without taking action to revoke such parole.

SEC 5 The prison farm created under the provisions of this act shall be used solely for the confinement and employment of prisoners under the control of the State Board of Prison Directors and shall not be used for the confinement of persons convicted of misdemeanor No defendant convicted of any felony in any court in this State shall be committed to the prison farm by such court.

SEC 6 There is hereby appropriated out of any money in the State treasury not otherwise appropriated, the sum of $_____ for the purpose of this act, and the Controller of the State is hereby directed, on the request of the Director of Finance or of the State Board of Prison Directors duly audited by the State Department of Finance, to draw his warrant on the State treasury in favor of said Director of Finance or said Board of Prison Directors for any moneys duly appropriated to meet any expenditures under this act"

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1324—An act to amend section 1 of an act entitled "An act to reduce the fire hazards of clothes cleaning establishments, providing for the enforcement thereof by the division of fire safety in the Department of Industrial Relations, providing ways and means for enforcement and providing penalties for violations," approved May 28, 1931.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 1", and insert in lieu thereof the following: "sections 1, 3, 4 and 5".

Amendment No. 2.

On page 1, line 6 of the title of the printed bill, strike out "May 28, 1931.", and insert in lieu thereof the following: "June 3, 1927, relating to clothes cleaning establishments."

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 to 24, inclusive; and strike out pages 2 and 3, and insert in lieu thereof the following:

"SECTION 1. Section 1 of the act cited in the title hereof is hereby amended to read as follows:

Section 1. Whenever used in this act the following terms are defined as herein specified and shall be deemed and construed to have the meaning ascribed to them in this section.

The term "person" means and includes any individual, company, association, copartnership, corporation, organization or manager, contractor, subcontractor or agent.

The term "clothes cleaning establishment" is defined as any building, room or premises equipped to perform the service of dry-cleaning by immersion and agitation, or by immersion only, in volatile commercially moisture-free solvents.

The term "cleaning" is defined as the process of cleaning or renovating clothes, wearing apparel, feathers, furs, hats, fabrics or textiles by the use of any volatile commercially moisture-free solvent applied either manually or by and through the use of a mechanical appliance.

The term "dry cleaning" is defined as the same as "cleaning" as defined in this act.

The term "cleaner" is any person who engages in the busines of "cleaning" as defined in this act, or who cleanses or renovates clothing, wearing apparel, feathers, furs, hats, fabrics or textiles by a process of "cleaning" as defined in this act.

The term "dyeing" is defined as the process of coloring clothing, wearing apparel, feathers, furs, hats, fabrics or textiles by means of analine dyes, mordants, acid and steam

The term "cleaners and dyers" or "dyers and cleaners" is defined as a person conducting a "clothes cleaning establishment."

The term "washroom" is defined as any building or portion thereof, or portion of a premises, wherein the process of "cleaning" as defined in this act, is carried on or where any volatile commercially moisture-free solvent is extracted or removed from clothing, wearing apparel, feathers, furs, hats, fabrics or textiles, after having been cleaned or dyed in such volatile commercially moisture-free solvent.

The term "drying room" is any building or portion thereof wherein clothing, wearing apparel, feathers, furs, hats, fabrics or textiles are dried or the odor removed therefrom after having been cleaned or dyed by means of "cleaning" or "dyeing" as defined in this act.

The term "solvent treatment room" is defined as any building or portion thereof, or any portion of a premises, wherein or upon which any volatile and inflammable product is exclusively clarified, filtered, distilled, redistilled, settled, washed or otherwise cleaned or renovated

A "dust wheel or tumbler" is defined as any wheel or machinery suitable for the purpose of drying or deodorizing or removing dust or fumes from clothing, wearing apparel, feathers, furs hats, fabrics or textiles

The term "hazardous room" is defined as any room located wholly or in part in any clothes cleaning establishment wherein any volatile and inflammable product as defined in this act, is kept or stored, or wherein any volatile and inflammable product is distilled, redistilled, filtered, clarified, settled, extracted, washed, or otherwise cleansed, or renovated; or wherein or upon which any "still, filter, clarifier, extractor, washer or tumbler" is installed or maintained; or wherein or upon which any "dust wheel" is installed or maintained and the same is used for drying or deodorizing purposes following the operation of "cleaning or dyeing" as defined in this act; or wherein any clothes, wearing apparel, feathers, furs, hats, fabrics, or textiles are washed, cleaned, dyed, or renovated by means of any volatile and inflammable product; or wherein any clothing, wearing apparel, feathers, furs, hats, fabrics or textiles are dried or the odor removed therefrom after having been cleaned or dyed by a "cleaning" process as defined in this act

A "hazardous building" is defined as any building or structure or portion of a premises containing one or more "hazardous rooms" as defined in this act.

A "boiler room" is defined as any room in connection with any clothes cleaning establishment, or spotting and sponging establishment wherein is maintained, kept, or operated any appliances, machinery or apparatus for the generation of steam or the heating of water, where the American Society of Mechanical Engineers, or other standard rating of such appliances, machinery or apparatus indicates a capacity thereof in excess of three (3) horsepower or more in any one unit.

The term "volatile and inflammable product" is defined as any liquid, viscous or other compound, powder or solid product or substance having the capacity to evaporate, and during such evaporation generate and emit a gas or vapor propagative of flame or fire, or explosive in nature; or any other product or substance propagative of flame, fire or explosion incident to evaporation

The term "solvent" is defined as the same as "volatile and inflammable product" as defined in this act.

The term "volatile commercially moisture-free solvent" includes, but not by way of limitation, liquid, volatile and inflammable products or substances.

The term "approved," where used hereinafter, shall mean authoritative sanction of the State Fire Marshal prior to employment, installation, or use, in or about a "clothes cleaning establishment," or a "spotting and sponging establishment."

The term "fire nuisance" is defined as anything or any act which in any manner increases the hazard or menace of fire, or which may become the cause of an increase of the hazard or menace of fire to a greater degree than that customarily

recognized as normal by those in the public service of fire prevention, suppression or extinguishment, or which may obstruct, delay or hinder, or which may become the cause of obstruction, delay or hindrance to preventing, suppressing or extinguishment of fire.

SEC. 2 Section 3 of the act cited in the title hereof is hereby amended to read as follows

Sec 3 The State Fire Marshal shall have the power and authority to prescribe rules, regulations and specifications governing construction, equipment, maintenance and operation of 'clothes cleaning establishments" deemed necesary to protect life and property against fire menace; provided, however, that such regulations in no manner restrict the operations of other statutes regulating such establishments; and provided, further, however, that any order of the State Fire Marshal revoking the license of any clothes cleaning establishment is subject to a review by the court and can be set aside only upon the grounds that the State Fire Marshal has exceeded his powers or has been guilty of fraud in the use of such order The State Fire Marshal is further empowered and directed to abate fire nuisances in any "clothes cleaning establishment" pending a hearing upon such nuisance, and the cost of said abatement whenever made is hereby made assessable upon the owner of said clothes cleaning establishment.

A detailed report shall be made to the State Fire Marshal by the owner, operator or manager of a clothes cleaning establishment of every fire or explosion occurring upon the premises thereof, within twenty-four hours after such fire or explosion, on blanks provided for such purpose.

In the event that any person, firm, association, copartnership, corporation or organization to whom such license or permit has been issued to establish, conduct, maintain or operate a "clothes cleaning establishment" or to store or to keep any volatile and inflammable product therein, shall violate or shall cause or permit to be violated any of the provisions of this act regulating such "clothes cleaning establishment," or shall conduct, maintain, or operate, or cause, or permit to be conducted, maintained or operated such "clothes cleaning establishment" in an unlawful or careless manner dangerous to persons or property, within the discretion of the State Fire Marshal or his duly authorized representatives, it shall be the duty of said State Fire Marshal, and said State Fire Marshal is hereby authorized and directed to revoke the permit or license issued to any such person, firm, association, copartnership, corporation or organization; provided, however, that no such permit or license shall be revoked until after a hearing as hereinafter provided has been had by said State Fire Marshal in the matter of revocation of such permit or license Notice of such hearing shall be given in writing and served upon the holder of such permit or license or some representative thereof if such permit or license be issued in the name of more than one person, or their manager or agent, which notice shall state the grounds of complaint against such holder, or holders, or against such establishment, and shall also state the time and place when and where such hearing shall be held. Such notice shall be served upon the holder or holders of such permit or their representative by delivering the same to such holder, or either of them, or to his or their manager, representative, or agent, or to any person in charge of or employed in such establishment, or by leaving such notice at such establishment, or at the residence of such holder, or either or any of them with some person of suitable age and description. If such notice be not served personally upon the holder, or any or either of them, of such permit, a copy of such notice, in addition to such notice being served as otherwise hereinabove provided, shall be deposited in the United States Post Office, in a sealed envelope, postage prepaid, addressed to the holder of such permit at the address of such establishment. Such notice shall be served as hereinabove provided at least five (5) days prior to the date of such hearing.

SEC 3. Section 4 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 4 Any person, firm, association, corporation, copartnership or organization violating any of the provisions of this act, or who shall violate or fail to comply with any order or regulation made hereunder, or who shall construct, in violation of any detailed statement or specifications or plans submitted and approved hereunder by the State Fire Marshal, any establishment or portion thereof herein provided for, or who shall violate the terms of any license, or permit, issued hereunder, shall severally and for each portion of noncompliance respectively be deemed guilty of a misdemeanor

It shall be the duty of the State Fire Marshal to submit evidence of violations of the provisions of this act to the district attorney, and upon the receipt of said information it shall be the duty of the district attorney to prose in the superior court any person violating any of said provisions.

Each person shall be deemed guilty of a separate offense for each and every day during any portion of which any violation of any provision of this act is committed, continued or permitted by such person and shall be punishable therefore, as provided by this act, and it is hereby made the duty of the district attorney to prosecute said person by continuous prosecutions until such violation is discontinued.

If any sentence, clause, or portion of this act should be declared unconstitutional such decision shall not invalidate any remaining portions of this act.

SEC. 4. Section 5 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 5. (a) It shall be unlawful for any person to establish, conduct, maintain or operate a clothes cleaning establishment except one employing exclusively noncombustible and nonexplosive products, designated as being noncombustible and nonexplosive by a laboratory nationally recognized as properly equipped to so designate, in the process of cleaning or dyeing, unless all the processes of cleaning, dyeing, renovating, drying and deodorizing, and those of solvent storage and treatment, are conducted or carried on in a hazardous building located, constructed, equipped and maintained as hereinafter provided.

(b) A hazardous building shall be located not less than twelve (12) feet from any boundary line of the lot or premises upon which the same is constructed; provided, however, where a boundary line is formed by the line of a street, alley, or irrevocable easement, less than twelve (12) feet in width, it may be located nearer than twelve (12) feet from said boundary, street, alley, or irrevocable easement line, but not nearer than twelve (12) feet from the opposite or remote line of such street, alley, or irrevocable easement; and further provided, however, where a boundary line is formed by the line of a street, alley, or irrevocable easement, twelve (12) feet or more in width, it may be located on such boundary line forming the line of such street, alley, or irrevocable easement, but in no case shall it be located less than twelve (12) feet from any other building or structure.

(c) The twelve (12) foot provisions set forth in the preceding paragraph shall not apply to hazardous buildings of existing plants where such plants conform in every other particular, or are made to conform in every other particular, with the requirements of this act.

(d) A hazardous building shall not exceed one (1) story in height, unless such hazardous building existed and was in operative use prior to and continuously since August 2, 1927, in which case such hazardous building shall be made to conform with the requirements of this act in so far as it is physically possible. No room in a hazardous building shall be less than ten (10) feet in height from the floor level to the underside of the lowest point of the roof slab, unless such hazardous building existed and was in operative use prior to and continuously since August 2, 1927, or has been constructed since such date in accordance with an approved design thereof, where such approval was made prior to December 1, 1928.

(e) A hazardous building may contain any combination of the following hazardous rooms. A wash room, or rooms, in which may be placed and operated cleaning, washing, extracting, clarifying, purifying or filtering apparatus, except distilling apparatus. A solvent treatment room, or rooms, in which may be placed and operated distilling, clarifying, purifying or filtering apparatus. A drying and deodorizing room, or rooms, in which may be placed and operated tumblers, dust wheels or metallic drying cabinets. A drying room, or rooms, in which may be placed steam pipes for drying purposes. A spotting and sponging room, or rooms, in which the processes, solely, of spotting and sponging, or cleaning by local application, other than by scrubbing and brushing where a volatile and inflammable solvent is used in excess of one (1) gallon is employed in such operation, may be performed. A store room, or rooms, in which may be kept and stored any type of volatile and inflammable solvent. A motor room, or rooms, in which motors may be installed and operated. None of the processes of wet-washing will be permitted in a hazardous building.

(f) A hazardous building shall be constructed in accordance with the best practice, and an observance of the requirements of the uniform building code prepared by the Pacific Coast Building Officials Conference, 1927 edition, together with the latest amendments thereto, as to structural design, materials and workmanship; or the specific requirements of this act as to design, structural or other detail, or employment of materials where the same varies therefrom and are more rigid in their requirements; or where any State law or regulation, or the building code or other ordinance of a municipality, or other political division in which the construction is located, are more rigid in their requirements than the requirements of this act, or those of the uniform building code herein referred to, shall be considered prima facie evidence of compliance with the best practice.

(g) Foundations of a hazardous building shall in no case have a batter of less than sixty (60) degrees from a horizontal plane, unless constructed of concrete having adequate metallic reinforcement.

(h) Exterior and bearing walls of a hazardous building shall be of brick not less than twelve (12) inches thick, or of reinforced concrete not less than eight (8) inches thick. Piers or columns shall be provided at concentrated loads or other points of structural necessity. Exterior and bearing walls of a hazardous building existing and in operative use prior to and continuously since August 2, 1927, of burned clay or concrete brick, concrete, or burned clay or concrete hollow tile, not less than eight (8) inches thick, or of reinforced concrete not less than six (6) inches thick, may remain and be utilized in their established locations; provided, such locations be approved, and such walls are in approved condition. Additions or extensions to existing approved exterior and bearing walls shall be thoroughly

bonded thereto, and shall conform in material and sections to those first set forth in this paragraph

(i) Other than bearing walls, all interior division walls separating hazardous rooms shall be of brick, not less than eight (8) inches thick, or of reinforced concrete not less than six (6) inches thick Interior division walls of a hazardous building existing and in operative use prior to and continuously since August 2, 1927, of burned clay or concrete brick, concrete, or burned clay or concrete hollow tile, not less than six (6) inches thick, may remain and be utilized in their established locations; provided, such locations be approved, and such walls are in approved condition. Additions or extensions to existing approved interior division walls shall be thoroughly bonded thereto, and shall conform in material and sections to those first set forth in this paragraph.

(j) Partitions, and all other similar interior construction in a hazardous building shall be of incombustible materials throughout, installed in an approved manner.

(k) Interior division walls separating hazardous rooms, and all partitions, shall extend from the floor level to the underside of the roof construction.

(l) There shall be no communicating openings in the interior division walls or partitions separating hazardous room or areas, and other than door, window and vent openings having approved fire protection, no openings in the exterior walls of a hazardous building, except that in exterior walls and interior walls and partitions, openings will be permitted for the passage of vent ducts, piping and shafting. Clearances at openings for such members shall not exceed one-quarter (¼) of an inch.

(m) Roofs shall be of a flat type, of reinforced concrete designed for a live load of thirty (30) pounds per square foot of horizontal projection. Steel girders or beams, and the reinforcing steel in concrete girders, beams, and slabs shall be protected with concrete. There shall be no concealed roof space, and the bottom of the roof slabs shall form the ceilings of all rooms

(n) Roofing may be of asphalt saturated rag felt and asphalt, with the exposed surface protected with roofing gravel, or of asphalt saturated asbestos and asphalt, and shall be applied in a workmanlike manner.

(o) Floors shall be of concrete, not less than four (4) inches thick including a cement top finish, which latter shall be troweled. All floors shall be level throughout, laid directly on the earth at an elevation at or above the adjacent ground level, without a basement or other open space thereunder, and there shall be no gutters, sumps, pits, or other depressions therein. No sewer drainage connections are permitted.

(p) All door openings in hazardous buildings shall lead directly to an area open to the sky, which area shall afford a continuous, unobstructed means of safe egress, and no door opening shall be less than three (3) feet in width. Wash rooms shall have not less than two (2) doors, which shall be located as remote from each other as is practically possible. Fire doors protecting exterior openings in hazardous buildings may be either sliding, hinged or rolling, and shall be constructed and hung in accordance with the best practice. Observance of the regulations of the National Board of Fire Underwriters, Edition 1927, and the supplementary regulations of the Board of Fire Underwriters of the Pacific, Edition 1928, together with the latest amendments thereto, shall be considered prima facie evidence of compliance with the best practice A minimum of three (3) fusible links shall be provided for standard sized sliding doors. Hinged, rolling, and oversized doors, shall have additional links. Fire doors shall be arranged so as to be as readily opened from without as from within, and all door locking devices shall be installed for exterior operation. Raised sills in door openings are not permitted.

(q) All window openings in hazardous buildings shall be fitted with approved solid steel sash. Ventilators therein shall be pivoted to insure automatic closing, and shall be controlled by fusible links. Glass shall be one-quarter (¼) inch wire glass, back puttied, and held in place with metallic glazing strips.

(r) Approved, hinged skylights shall be provided in the roof of each hazardous room, aggregating one-eighth (⅛) the floor area thereof, constructed with galvanized iron frames and sash of not less than No. 24, U. S. standard gauge, so arranged that they will open under pressure in case of an explosion and close automatically thereafter.

(s) A hazardous building shall be provided with a power-driven fan exhaust system of ventilation, designed, installed and operated to produce a complete change of air in each room of such building every three (3) minutes, which shall be kept in continuous operation while any portion of a "clothes cleaning establishment" housed in a hazardous building is being operated. The riser, branch and main ducts shall be constructed of galvanized iron of not less than No. 24 U. S. standard gauge, throughout, except that the lower three (3) feet of each vertical riser duct shall be fabricated and installed in accordance with the approved standard detail on file in the office of the State Fire Marshal. The discharge outlet shall be located at a height not less than one (1) foot above the highest portion of the building.

(t) Approved wall vents, designed, detailed, and constructed in accordance with the specification on file in the office of the State Fire Marshal shall be provided in

the exterior walls of a hazardous building in number totaling one (1) vent for each six (6) lineal feet of the total external dimensions of such building, less one (1) vent for each door opening therein, and shall be so located as to provide an ingress of air at the corners of each hazardous room, and at equal spaced distances there between. There shall, however, be not less than two (2) such vents in each hazardous room.

(u) No artificial light of any kind, other than by electricity, or any open light, flame or fire, shall be installed or used in a "clothes cleaning establishment," or a "spotting and sponging establishment." All conduit and fittings, and all fixtures, shall be vapor proof, and shall be installed in accordance with the best practice. No switches or other electrical appliances, or motors except those of an approved, vapor proof type will be permitted in a hazardous room. All machines, appliances, and shafting in a hazardous building shall be grounded with No. 10 gauge wire, run in rigid metallic conduit, with approved connections. An observance of National Electric Code, together with the latest amendments thereto, shall be considered prima facie evidence of compliance with the best practice.

(v) No heating device, other than hot water or steam, shall be installed or used in a hazardous building.

(w) The boiler house of a "clothes cleaning establishment" shall be constructed of burned clay brick or tile, or reinforced concrete, with a reinforced concrete roof, and shall be so located that the door opening thereof shall be not less than twenty (20) feet from the nearest door, wall vent, or ventilated window opening in a hazardous building or room. Unless operatively impossible, door openings in boiler rooms shall not be placed in walls facing hazardous buildings. Fire doors and sash shall be similar to those specified in paragraphs (p) and (q) of this section.

(x) No person shall store, keep, or use, in or upon any premises conducted, maintained, or operated as a "clothes cleaning establishment," any volatile and inflammable product, as defined in this act, unless all tanks or other containers, both above and below ground; all continuous flow or other systems for the circulation and use of solvent, and all pumps, piping, fittings, sight glasses, valves, traps, emergency dump and other devices used in connection with such storage, circulation and use, are approved by the State Fire Marshal

(y) Except as hereinafter provided, every "clothes cleaning establishment" shall be equipped with a steam boiler having a capacity, in addition to that required for other uses in such establishment, of not less than one (1) horsepower, American Society of Mechanical Engineers or other standard rating, for each two hundred (200) cubic feet, or fraction thereof, of the cubic contents of the largest hazardous room forming a part of such establishment A steam pressure of not less than fifty (50) pounds per square inch shall be maintained in said boiler during such time as operations are carried on in any hazardous room of such establishment. A one and one-half (1½) inch steam line shall be installed from said boiler to the hazardous building of such establishment, and in each hazardous room shall be installed one and one-quarter (1¼) inch dry steam lines having not less than one (1) approved open nozzle to each five hundred (500) cubic feet, or fraction thereof, of the cubic contents of such rooms. Release of steam shall be controlled by approved lever-type, quick acting valves, at an approved location outside of the hazardous building. In lieu of steam fire protection, hazardous rooms may be equipped with an approved CO^2 fire extinguishing system, or any other system meeting with the approval of the State Fire Marshal. Approved chemical fire extinguishers shall be installed in "clothes cleaning establishments." and "spotting and sponging establishments," at locations designated, and such fire extinguishers shall be discharged and recharged at least once each twelve (12) months, and the date thereof recorded on a card attached thereto. An approved asbestos blanket, five feet ten inches (5′ 10″) in width by seven feet (7′) in length, hung and protected in an approved manner, and an approved seven foot (7′) boat hook, without pike point, shall be installed at the exterior of a hazardous building in approved locations. Approved, metallic "No Smoking" signs shall be installed in a hazardous building, and in areas used for spotting and sponging, either in "clothes cleaning establishments" or "spotting and sponging establishments," at locations designated.

(z) The operation, structural integrity, condition, and placement of all machines, apparatus, appliances, or other devices, for use in a "dry cleaning establishment," or a "spotting and sponging establishment," shall be approved by the State Fire Marshal All present installations not meeting with the approval of said State Fire Marshal as to type, construction, condition or placement, shall be immediately removed, remodeled, reconditioned or relocated.

(zz) Where volatile commercially moisture-free solvents are used for dry cleaning in quantities of more than one gallon such operations shall be done in fluid tight machines, systems or apparatus which shall be installed in a separate room or compartment and all the cleaning, drying and deodorizing shall be performed in said room or compartment unless said operations are performed as provided in the last paragraph of this subdivision.

The above room or compartment shall be completely enclosed except necessary doors and window openings to permit operators to carry on operations referred to without entering therein. Said room or compartment shall be equipped with a system of mechanical ventilation that will completely change the air volume at least once every two minutes during the periods of operation or when the solvents are exposed to the air in said room or compartment or while alterations, adjustments or repairs are being made. The air shall be taken out of the room or compartment at the floor line and discharged to the open air at a point not less than eight feet from any window or other opening No employee shall be permitted to enter this room or compartment save for the purpose of making necessary repairs, alterations and adjustments. Doors to the room or compartment shall be self-closing and shall not be permitted to remain open.

Where the cleaning, drying and deodorizing process is completed entirely within fluid tight machines, systems or apparatus which are vented to the open air at a point not less than eight feet from any window or other opening and are so used and operated as to prevent the escape of fumes, gases and vapors therefrom into the work-rooms and work places, then the above mentioned room or compartment will not be required"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 1426—An act to amend section 3820 of the Political Code, relating to assessor to collect taxes not secured by real property.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 19, of the printed bill, strike out the word "December", and add the word "March".

Amendment No. 2.

On page 1, line 21, of the printed bill, strike out the period after the word "thereof", and add the following: "; provided, however, that the taxes on all property assessed pursuant to the provisions of section 14 of Article XIII of the Constitution of this State may be paid by the person or corporation to whom such property is assessed in the same manner and at the same time as if such property were secured by real property."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1083—An act to amend section 924 of the Fish and Game Code, relating to district 16.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 1233—An act to amend sections 799 and 800 of the Fish and Game Code, relating to abalones.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 1283—An act to amend section 658 of the Fish and Game Code, relating to the salmon season in game districts 10 and 11.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2264—An act to amend section 658 of the Fish and Game Code, relating to salmon.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 626—An act to amend sections 86 and 87 of the Fish and Game Code, relating to fish and game districts.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, lines 8 and 9, of the printed bill, strike out "San Nicholas Island,".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 239—An act providing for contracts for fire protection between county fire protection districts and municipalities and relating to liability in connection therewith.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 617—An act to amend section 1168 of the Penal Code and to add thereto sections 969c and 1158a, relating to crimes.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 207—An act to amend sections 4239, 4239d, 4239h and 4239*l*, and to repeal sections 4239a, 4239b, 4239c, 4239e, 4239f, 4239g, 4239i, 4239j, 4239k, 4239m, 4239n, 4239o, 4239p, 4239q, 4239r, 4239s, 4239t, 4239u, 4239v and 4239w of the Political Code, relating to the compensation of county and township officers in counties of the tenth class.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "and 4239*l*", and insert in lieu thereof a comma and the following: "4239*l*, 4239r, 4239s".

Amendment No. 2.

On page 1, line 4 of the title of the printed bill, as amended, strike out "4239r, 4239s,".

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 361—An act to add a new section to the Code of Civil Procedure, to be numbered 675b, relating to the discharge of a bankrupt from judgment.

Bill read second time, and ordered on file for third reading.

Senate Bill No 742—An act to amend section 2934 of the Civil Code, relating to mortgages in general and providing for the recording of certain subordination agreements and waivers relating to mortgages of, liens upon and interests in personal property.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 2, lines 1 and 2 of said printed bill, as amended, strike out the following: "Recording of assignment, etc, of mortgage or beneficial interest."

Amendment adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 743—An act to amend section 2980 of the Civil Code, and to provide for the recording of conditional sales contracts and leases of live stock, animate chattels, mining equipment and machinery, and bailment or feeder agreements relating to live stock and other animate chattels, and prescribing rights and remedies in connection therewith.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, lines 3 and 4, of said printed bill, as amended, strike out the following: "Conditional sales, leases, etc., of animate chattels, etc."

Amendment adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 748—An act to amend sections 4130 and 4140 of the Political Code, relating to county recorders, their duties and penalty for neglect thereof or for misconduct.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, strike out "Duties of recorder."

Amendment No. 2.

On page 9, line 36, of the printed bill, as amended, strike out "Penalty for neglect or misconduct."

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 750—An act to amend section 409 of the Political Code, relating to the fees of the Secretary of State.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, strike out "Fees of Secretary of State."

Amendment adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 749—An act to amend section 408 of the Political Code, relating to the duties of the Secretary of State.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3 of the printed bill, strike out "Duties of Secretary of State."

Amendment No. 2.

On page 2, lines 20 and 21, of the printed bill, strike out "Superintendent of State Printing", and insert in lieu thereof the following: "State Printer".

Amendment No. 3.

On page 2, line 40, of the printed bill, strike out the semicolon, and insert in lieu thereof a period

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 751—An act to amend section 4300c of the Political Code, relating to the fees of county recorders.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of lines 15, 16, 17, 18, 19 and 20, and insert in lieu thereof the following: "indexing and making the necessary entries on any conditional sale contract, bailment or feeder contract, lease or mortgage of personal property or crops shall be fifty cents, and the minimum fee for filing for record, recording and indexing and making the necessary entries on any assignment, release, waiver or subordination which is designated on its face as being an assignment, release, waiver or subordination of a conditional sale contract, bailment or feeder contract, lease or mortgage of personal property or crops, shall be fifty cents."

Amendment No. 2.

On page 2, line 25, of the printed bill, strike out the words 'fifty cents", and insert in lieu thereof the following: "one dollar".

Amendment No. 3.

On page 1, line 3, of the printed bill, as amended, strike out the following: "Recorder's Fees"

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 741—An act to amend sections 2955, 2956, 2957, 2965 and 2966; and to repeal section 2959 of the Civil Code; and to add to said code new sections numbered 2959a, 2974, 2975, 2976, 2977 and 2978, relating to mortgages of personal property, and including provisions for the continuity of the liens thereof, the securing of additional advances and obligations thereunder, mortgaging of natural increase of live stock and other animate chattels, and of after acquired and consumable property, and providing for the recording of fictitious mortgages and the inclusion of the provisions thereof in other mortgages by reference, and constructive notice of such mortgages by the recording thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, strike out the following: "What personal property may be mortgaged."

Amendment No. 2.

On page 2, line 3, of the printed bill, as amended, strike out the following "Form of personal property mortgage."

Amendment No. 3.

On page 2, line 23, of the printed bill, as amended, strike out the following. "When void as to third persons."

Amendment No. 4.

On page 4, line 39, of the printed bill, as amended, strike out the following: "Mortgagee may take possession, when."

Amendment No. 5.

On page 4, lines 48 and 49, of the printed bill, as amended, strike out the following: "Continuity of liens of certain mortgages of personal property and crops."

Amendment No. 6.

On page 5, lines 35, 36 and 37, of the printed bill, as amended, strike out the following: "Additional indebtedness or obligations incurred subsequent to execution of mortgages of personal property or crops to be secured thereby."

Amendment No. 7.

On page 6, lines 15 and 16, of the printed bill, as amended, strike out the following: "Mortgaging natural increase of live stock and other animate chattels in general terms."

Amendment No. 8.

On page 6, lines 28 and 29, of the printed bill, as amended, strike out the following: "Mortgaging live stock and other animate chattels to be acquired."

Amendment No. 9.

On page 6, line 47, of the printed bill, as amended, strike out the following: "Mortgage of consumable property."

Amendment No. 10.

On page 7, line 4, of the printed bill, as amended, strike out the following: "Repeal."

Amendments adopted.

Bill read second time, ordered to reprint, and third reading

Senate Bill No. 161—An act to amend sections 421 and 811 of the Fish and Game Code, relating to cockle clams.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to amend sections 421, 806 and 811 of the Fish and Game Code, relating to Pismo clams and cockle clams."

Amendment No. 2.

On page 1 of the printed bill, between lines 11 and 12, insert the following:

"SEC. 2. Section 806 of the Fish and Game Code is hereby amended to read as follows:

806. Pismo clams (Tivela stultorum) less than five inches in greatest diameter may not be taken or possessed. The bag limit on Pismo clams is fifteen per day. Not more than one daily bag limit of Pismo clams may be possessed by any person during one day."

Amendment No. 3.

On page 1, line 12, of the printed bill, strike out "2", and insert in lieu thereof "3".

Amendment No. 4.

On page 1, line 21, of the printed bill, following "day.", add the following: "Cockles taken outside of the State, and brought within the State, may be possessed, transported, and sold without restriction."

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 1008—An act to amend sections 1, 11 and 12 of, to repeal section 10, and to add a new section to be numbered 10, to "The California Districts Securities Commission Act," approved June 19, 1931, relating to irrigation districts.

Bill read second time, and ordered on file for third reading.

Motion to Print Prayer in Journal.

Mr. Morgan moved that the Mother's Day prayer by the Reverend Father John E. Tumulty be printed in the Journal.

Motion carried unanimously.

Prayer—Mother's Day Celebration, May 10, 1935.

Lord Jesus Christ, Whose last thought, before bowing Thy head in death, was of Thy blessed mother,—"Son, behold Thy mother." Thou didst say to Thy beloved disciple, Saint John,—bless and preserve our earthly mothers and grant to them peace of days and blessed hope. And, grant to us their children the full determination of living up to their expectations of us. Lord Jesus, bless our mothers.

Motion to Withdraw Assembly Bill No. 2401.

Mr. Wagner moved that Assembly Bill No. 2401 be withdrawn from Committee on Public Health and Quarantine, and placed on file for second reading.

The question being on the motion by Mr. Wagner to withdraw Assembly Bill No. 2401 from Committee on Public Health and Quarantine, and place on file for second reading.

Further consideration of the motion by Mr. Wagner deferred until one o'clock and thirty minutes p.m.

Recess.

At eleven o'clock a.m., by order of the Speaker, the Assembly was declared at recess for the purpose of conducting Mother's Day exercises.

Reassembled.

At one o'clock and thirty minutes p.m , the Assembly reconvened. Speaker Craig in the chair.

Mother's Day Address by Governor Frank F. Merriam.

We are assembled today in a formal legislative session as representatives of our people charged with the responsibility of giving direction, through legal enactment, and executive sanction, to their common interests. We pause in the midst of this busy period to give recognition to the women of our State who carry the responsibility and enjoy the distinction of motherhood. It is appropriate that we should do this, for, in the final analysis, civilization derives its authority neither from legislative determination nor executive action. It comes from the heart of the people.

The lawmaker and executive may perform their governmental duties by legalizing and promoting human enterprise. But society can not make progress of a lasting character unless it is surcharged with the spirit of human understanding In short, civilization can not long survive without a soul.

The observance of Mother's Day affords opportunity to give expression to aspirations often considered but seldom uttered. And at once we observe that the highest aspirations of people are determined, in the main, by the nature of the rights they enjoy. Accordingly, there must be those who champion these rights. The mother is such a person. Her unselfish interpretation of our way of life, her sacrificial loyalty to our form of government and withal her kindly and considerate nature, give her a place of advantageous leadership without the ordinary involvements that often arise because of enforced legislative and executive decisions. For this reason we praise her today. In so doing we must analyze her opinions and evaluate her principles of conduct.

How, the typical American mother believes that every person has a right to be well-born, properly nurtured, adequately educated and equitably governed. Our interest in these rights and her insistence upon their preservation places her in a position of large responsibility and significant influence.

When the mother insists that a child has a right to be well-born she means that he has a right to a personal inheritance of physical and mental equipment that can come only from an ancestral lineage of clean living and high thinking. Such an ideal raises motherhood to the level of human achievement where pure blood, a clear brain and a noble spirit become definite objectives of the individual and the social order. This right, elastic in nature but rigid in purpose, becomes the safeguard to future generations

But to be well-born a child must have more than an historical background of sobriety and achievement. He must be reared in an environment where, through parental solicitude, he increases in wisdom and stature and grows in favor with God and man. He is the offspring of a parent but the product of a family. He must have a home for it is here companionship finds expression in shared experience, enjoyed by both parents and children, it is here sympathetic understanding stimulates the individual to face difficult tasks with a spirit of determination that brings success and satisfaction; it is here cooperative effort encourages the development of personal initiative in which spiritual achievement and substantial prosperity have their origin.

Because of her love and maturity we expect mother to give direction to these wholesome family attainments, institutional in nature, individual in purpose, social in result.

If then a person has a right to be well-born he has the right also to be properly nurtured. At least our mothers believe this. In times of economic stress and social unrest it is the mother who unhesitatingly holds to the principle that her children have a right to something to eat, something to wear and a comfortable place in which to live even though these common necessities involve extreme self-sacrifice on her part.

During the past few years executives with great responsibility in both private and public corporations, because of changing economic conditions, have been compelled to listen to protests from their administrative assistants who have been removed from positions which they long held. Business leaders have heard the complaints of employees who have been relieved of their work and deprived of the salaries derived therefrom. Educational administrators in the schools, colleges and universities have listened with intense feeling to pathetic stories of teachers who have been retired from professional service because of the necessity of a curtailed academic program. Social welfare workers have learned to respond helpfully in relieving the distress of all of these people in times of stinging disappointment and discouragement. But not even to be compared with all of this is the feeble cry of the cold and hungry child in the arms of a helpless and almost hopeless mother. For her to say that these conditions should not obtain is but to express a platitude. To say that they must be changed is to hurl a challenge to the official representatives of the people that can be met only by sympathetic understanding and bold action. The observance of Mother's Day brings this problem into bold relief. Some day we shall solve it.

The third inalienable right advocated by the typical mother for her children is that of adequate education. Here her interest assumes the nature of an insistent demand. For more than 300 years she has supported a program that has had as its primary purpose the improvability of the race through education. She knows that if life is to bring satisfaction and contentment it must be lived in a spirit of confidence rather than in an atmosphere of suspicion. She is well aware that if the child is to grow into maturity without the handicap of excessive fear, he must acquire knowledge and quickly learn the skillful use thereof.

The mother clearly understands that life is so complex that insecurity occasioned by the lack of knowledge easily provokes the emotion of fear, and fear quickly deadens initiative. And when the spirit of the people becomes stifled, prosperity ceases. Dislocation of the natural order of affairs takes place and social and economic life becomes stagnant.

In contrast with this situation it is apparent that children having at their command facts derived from the experience of history and the ability to evaluate and interpret these facts develop principles of life worthy of the admiration of the race that produced them. Adequate education does just this and more

It preserves the spiritual resources of our country. If it doesn't the school is not worthy of the personal interest of our mothers who, through the years, have supported it as an agency of social progress. Even the casual observer can see evidence of their efforts in this field of human achievement. For with one of our Presidents we can say now that,

"The things of the spirit alone persist. It is in that field that the Nation makes its lasting progress. To cherish religious faith and the tolerance of all faith; to reflect into every aspect of public life the spirit of charity, the practice of forbearance, and the restraint of passion while reason seeks the way; to lay aside blind prejudice and follow knowledge together; to pursue diligently the common welfare and find within its boundaries our private benefit; to enlarge the borders of opportunity for all and find our own within them; to enhance the greatness of the Nation and thereby find for ourselves an individual distinction; to face with courage and confident expectation the task set before us, these are the paths of true glory for this Nation."

These paths that lead through the fields of spiritual conduct have been surveyed, cleared of debris, and made safe for travel by our mothers; they have been transformed into highways of moral accomplishment by our statesmen Thus we work together in the common tasks of life fostering the inherent educational rights of all.

Finally, the typical American mother cherishes for her children the right to be equitably governed. Time forbids a lengthy discussion of this ideal. However, it should be said that our mothers have always taken an active interest in the provisions of government that guarantee to the individual liberty, justice and opportunity. These words are familiar to all; they express the fundamental principles of progressive people everywhere. They make possible liberal legislation and constructive administrative action. They permit a united people to differ in opinion while working together in the common interests of a growing social order.

And now may we conclude, by saying that the greatest contribution that we can make to the mothers of our Commonwealth and by so doing pay a deserved tribute to them, is to conduct our affairs so as to do our part in making these ideals effective among the peoples of the earth to the end that individual good will, National tranquility and world friendship may prevail. Let us within the limits of our State see that our people are well-born, properly nurtured, adequately educated and equitably governed Such is the governmental philosophy of the mothers of men.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1935

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1304—An act to amend sections 1, 2, 3, 4, 5, 6 and 7 of an act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores, and spotting, sponging, and/or pressing establishments, or agencies thereof, and private schools and colleges of spotting, sponging, and/or pressing; providing for the registration or licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violations," approved June 3, 1927, relating to cleaning and dyeing—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LYON, Chairman.

The above reported bill ordered on file for second reading.

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1935

MR SPEAKER: Your Committee on Social Service, to which was referred Assembly Bill No 2421—An act to amend sections 1, 2, 3, and 4 of an act entitled "An act to establish salesrooms and industrial workshops for the blind, providing for the management, government and administration thereof, and making an appropriation for the establishment of a revolving fund therefor," approved June 18, 1929, relating to salesrooms and workshops for blind and physically handicapped persons—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

ANDERSON, Vice Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Social Service, to which was referred Assembly Bill No. 653—An act to amend section 1 of an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, relating to county relief of indigents, unemployed persons, and persons likely to become indigent, declaring the urgency thereof and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

ANDERSON, Vice Chairman.

The above reported bill ordered on file for second reading.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1935.

MR SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 1754—An act to amend sections 4.962, 4.963, 4.964, 4.1010, and to add new sections to be known as 4.967 and 4.968 of the School Code, relating to bond elections,

Also: Assembly Bill No. 1977—An act to amend Chapters I, II, III, IV, V, VI, VII, VIII, IX, X and XI of Part I. Division II, of the School Code;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended

CHATTERS, Chairman

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 663—An act to add a new section to the School Code to be numbered 1.91, relating to the construction, design, operation, and color of school buses—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

CHATTERS, Chairman.

The above reported bill ordered on file for second reading.

On Public Utilities.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1935.

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 545—An act to add a new section to be numbered 17.5 to an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, relating to cases in which common carriers may grant free or reduced rates, and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

EVANS, HERBERT J., Chairman.

The above reported bill ordered on file for second reading.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2423—An act granting to the city of Sausalito certain submerged and tidelands for street, sea wall and other public purposes.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Scudder:

Amendment No. 1.

On page 2 of the printed bill, add the following paragraphs:

"There is hereby reserved, however, in the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said lands for said purpose

There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas, in the lands granted by this act."

Amendment adopted.

Bill read, ordered to reprint, engrossment, and third reading.

Further Consideration of the Motion by Mr. Wagner to Withdraw Assembly Bill No. 2401 from Committee.

The question being on the motion by Mr. Wagner to withdraw Assembly Bill No. 2401 from Committee on Public Health and Quarantine and place on file for second reading.

Demand for Previous Question.

Messrs. Lore, Pelletier, Boyle, Chatters, and Geyer demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion by Mr. Wagner to withdraw Assembly Bill No. 2401 from Committee on Public Health and Quarantine and place on file for second reading.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Wagner moved a call of the House.

Motion carried.

Time, two o'clock and five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Evans, Ralph W., Fisher, Flint, Garibaldi, Geyer, Hawkins, Heisinger, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Martin, Mayo, McBride, McCarthy, Meehan, Minard, Morgan, Patterson, Pelletier, Reaves, Richie, Riley, Robertson, Rosenthal, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Weber, Welsh, Wright, and Mr. Speaker—50.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Appointment of Committee on Free Conference Concerning Assembly Bill No. 256.

The Speaker announced the appointment of Messrs. Lyon, Utt, and Crowley, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Senate Bill No. 256.

Unfinished Business.

Consideration of Senate Amendments to Assembly Bill No. 283.

Assembly Bill No. 283—An act to amend section 852 of, and to add a new section to be numbered 852c to an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities of the sixth class.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 283:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "of", insert the following: ", and to add a new section to be numbered 852c to".

Amendment No. 2.

On page 2 of the printed bill, following the end of line 4, insert the following:

"SEC. 2. A new section to be numbered 852c is hereby added to the act cited in the title hereof, to read as follows:

852c Any or all ordinances of any city which have been enacted and published in accordance with the provisions of the charter thereof or the general laws of the State, and which have not been repealed, may be compiled, revised, indexed and arranged as a comprehensive ordinance code and such code adopted by reference by the passage of an ordinance for such purpose, which ordinance shall be required to be adopted and approved and published, in the manner provided by charter or general law governing the passage of ordinances for such city. Not less than three copies of such code shall be filed, for use and examination by the public, in the office of the clerk of such city, as the case may be, prior to the adoption thereof."

The roll was called, and Senate amendments to Assembly Bill No. 283 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Clark, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, Meehan, Minard, Morgan, Patterson, Pelletier, Reaves, Richie, Riley, Robertson, Rosenthal, Thorp, Turner, Utt, Voigt, Walker, Welsh, Williamson, Wright, and Mr Speaker—51.

NOES—None.

Assembly Bill No 283 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 341.

Assembly Bill No. 341—An act to amend sections 21.1, 53, 54, 63, 64, 105, 133, 135d and 139 of the Bank Act, and to add two new sections thereto to be numbered 16d and 51.1.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 341?

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out the word "devise", and insert in lieu thereof the word "device".

Amendment No. 2.

On page 6, line 1, of the printed bill, following the word "Banks", insert the following: "and the stated capital of any bank retiring any of its preferred stock, whether out of capital, surplus, undivided profits or earnings, shall be reduced, without action on the part of the stockholders, in the amount represented by the aggregate of the preferred stock so retired".

Amendment No. 3.

On page 6, line 3, of the printed bill, strike out the word "association", and insert in lieu thereof the word "bank".

Amendment No. 4.

On page 6, line 5, of the printed bill, strike out the word "association", and insert in lieu thereof the word "bank"

Amendment No. 5.

On page 8, line 3, of the printed bill, following the numerals "51", insert the following: "Sec. 51.1."

Amendment No. 6.

On page 8, line 1, of the printed bill, preceding the word "When", insert the following: "Sec. 51.1."

The roll was called, and Senate amendments to Assembly Bill No. 341 were concurred in by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J. Evans, Ralph W., Fisher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, Meehan, Minard, Morgan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Riley, Robertson, Rosenthal, Stream Thorp, Turner, Utt, Voigt, Wagner, Walker, Welsh, Williamson, Wright, and Mr. Speaker—53.

NOES—None

Assembly Bill No. 341 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 2205.

Assembly Bill No. 2205—An act to add section 599.5 to the Vehicle Code, relating to unlawful displays on vehicles.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2205?

Amendment No. 1.

On page 1, line 6, of the printed bill, as amended, after "department", insert the following: "or fire district,".

The roll was called, and Senate amendment to Assembly Bill No. 2205 was concurred in by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J. Evans, Ralph W., Fisher, Garibaldi, Geyer, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, Meehan, Minard, Morgan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Utt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—52.

NOES—None.

Assembly Bill No. 2205 ordered to enrollment.

Reconsideration of Assembly Bill No. 1082 Waived.

Mr. Hunt waived his notice to reconsider the vote whereby Assembly Bill No. 1082 was passed.

Assembly Bill No. 1082 ordered transmitted to the Senate.

Reconsideration of Assembly Bill No. 143 Waived.

Mr. Patterson waived his notice to reconsider the vote whereby Assembly Bill No. 143 was passed.

Assembly Bill No. 143 ordered transmitted to the Senate.

Motion to Reconsider Refusal to Concur in Senate Amendments to Assembly Bill No. 81 Continued.

Mr. Heisinger moved that the consideration of his motion to reconsider the vote whereby the Assembly refused to concur in Senate amendments to Assembly Bill No. 81 be continued until the next legislative day.

Motion carried.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 992—An act to amend section 11 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the definition of dentistry.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 992 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Welsh, Williamson, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2039—An act to add a new section to the Civil Code, to be numbered section 1972, relative to transportation expenses and return transportation expenses for workers brought into or sent out of the State to render personal services.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2039 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney Martin, Mayo, McBride, Meehan, Minard, Morgan, Nielsen, Patterson, Pelletier Reaves, Richie, Riley, Rosenthal, Stream, Thorp, Utt, Walker, Wallace, Waters Weber, Welsh, Wright, and Mr. Speaker—57.

NOES—Robertson—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 686—An act to amend an act entitled "An act to protect the natural resources of water, petroleum and gas from drainage, waste and destruction; relating to the creation of a division in the

Department of Natural Resources for the prevention of such damage, waste and destruction; providing for the appointment of a State Oil and Gas Supervisor, prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purpose of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; providing for bonds required of drillers of oil and gas wells; and making an appropriation for the purpose of this act, approved June 10, 1915, as amended, by adding thereto section 18a, relating to slanting wells.

Bill read third time

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Cronin:

Amendment No. 1.

On page 2, line 23, of the printed bill, as amended, after the word "time", insert the following: "as required by the supervisor".

Amendment No. 2.

On page 2, line 27, of the printed bill, as amended, strike out the words "will show", and insert in lieu thereof "may be required by the supervisor and as may be necessary to enable the supervisor to ascertain".

Amendment No. 3.

On page 2, line 31, of the printed bill, as amended, after the word "departed" insert "three degrees or more", and after the word "vertical", insert the word "and".

Amendment No. 4.

On page 3 of the printed bill, as amended, insert a new paragraph after line 13, to read as follows:

"Nothing herein shall be construed to enlarge, diminish or change in any way the property rights of landowners or persons holding under them, or to authorize or condone any trespass, whether underground or otherwise".

Amendments adopted.

Bill read, ordered to reprint, re-re-engrossment, and third reading.

Assembly Bill No. 882—An act to amend section 338 of the Code of Civil Procedure, relating to limitation of actions.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. DeLap:

Amendment No. 1.

On page 1, lines 13 and 14, of the printed bill, as amended, strike out the semicolon, and "provided, however, that this", and insert in lieu thereof the following, as the beginning of a new paragraph: "Sec. 2 This".

Amendment adopted.

Request for Unanimous Consent.

Mr. DeLap asked for, and was granted, unanimous consent to take up Assembly Bill No. 882, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 882, as Amended.

Assembly Bill No. 882, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 882, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, **Evans, Herbert J., Evans, Ralph W., Fisher, Fulcher, Garibaldi, Geyer, Gilbert,** Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Weber, Welsh, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1260—An act to amend section 1140 of the Probate Code, relating to the duties of the Public Administrator and providing for the management, control, rental and sale by the public administrator of properties of indigent or other aliens returned to their native lands by or at the request of counties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1260 passed by the following vote:

AYES—Anderson, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., **Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Haw**kins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Wagner, Walker, Weber, Welsh, Williamson, Wright, and Mr. Speaker—61.

NOES—Geyer, and Wallace—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 84—An act to create the Commemoration Commission to succeed to the Spanish War Commemoration Commission; to prescribe the powers, duties, functions, and purposes thereof; to provide for the cooperation of State and local agencies and political subdivisions thereof; to make an appropriation, and to provide for the repayment thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 84 passed by the following vote:

AYES—Anderson, Andreas, Breed, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Weber, Welsh, Williamson, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1741—An act to add section 91.6 to the Agricultural Code, relating to the Sixth District Agricultural Association.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1741 passed by the following vote:

AYES—Andreas, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fulcher, Garibaldi, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Riley, Rosenthal, Stream, Thorp, Utt, Voigt, Walker, Waters, Weber, Welsh, Wright, and Mr. Speaker—52.

NOES—Boyle, Breed, Crowley, Donihue, Evans, Ralph W., Fisher, Flint, Geyer, Gilbert, Hunt, Lore, McCarthy, Richie, and Wallace—14

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1921—An act to amend section 1461 of the Probate Code, relating to guardians of insane or incompetent persons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1921 passed by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Richie, Riley, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 1920—An act to amend section 2 of the Inheritance Tax Act, relating to computation of tax, including deduction of expenses of administration.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Clark:

Amendment No. 1.

On page 1, line 16, of the printed bill, strike out "article one." and strike out all of lines 17 and 18, and insert in lieu thereof the following "article two of chapter ten of division three and chapter eleven of division three of the Probate Code."

Amendment No. 2.

On page 1, line 23, of the printed bill, strike out "article one, chapter five, title", and strike out all of line 24, and insert in lieu thereof the following: "article two of chapter ten of division three and chapter eleven of division three of the Probate Code."

Amendment No. 3.

On page 3, line 49, of the printed bill, strike out "sections 910 and 911", and insert in lieu thereof the following: "articles one and two of chapter fifteen of division three"

Amendment No. 4.

On page 4, line 2, of the printed bill, strike out "inheritance", and insert in lieu thereof the following: "inheritance".

Amendments adopted.

Request for Unanimous Consent.

Mr. Clark asked for, and was granted, unanimous consent to take up Assembly Bill No. 1920, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1920, as Amended.

Assembly Bill No. 1920, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1920, as amended, passed by the following vote:

AYES—Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2050—An act amending section 1428 of the Penal Code, relating to keeping of minutes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2050 passed by the following vote:

AYES—Andreas, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Lore, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 2051—An act amending section 1461a of the Penal Code, relating to municipal court procedure.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2051 passed by the following vote:

AYES—Andreas, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Reaves, Richie, Riley, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2052—An act amending section 1428a, relating to minute books of municipal courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2052 passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—66.

NOES—None.

Title read.

Amendment to Title.

During reading of the title, the following amendment was submitted by Mr. Clark:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the comma, and insert in lieu thereof the following, "of the Penal Code,"

Amendment adopted.

Title, as amended, read and approved.

Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the House Dispensed With.

At three o'clock and ten minutes p m., further proceedings under the call of the House were dispensed with, on motion of Mr. Wagner.

The roll of absentees was called, and the motion by Mr. Wagner to withdraw Assembly Bill No. 2401 from Committee on Public Health and Quarantine, and place on file for second reading was lost by the following vote:

AYES—Andreas, Clark, Dawson, Evans, Ralph W., Geyer, Hornblower, Laughlin, Maloney, Martin, McCarthy, Reaves, Richie, Stream, Turner, Voigt, Wagner, and Welsh—17.

NOES—Anderson, Boyle, Breed, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Lore, Mayo, McBride, McMurray, Meehan Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Riley, Robertson, Rosenthal, Thorp, Utt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr Speaker—53.

Explanation of Vote.

Journal entry to correct my vote this day on Assembly Bill No. 2401. I pushed the red instead of green by mistake.

GENE FLINT

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1792—An act validating the purchase of bonds by municipalities under the Improvement Act of 1911 and the Improvement Act of 1915 from the proceeds of the delinquent street assessment fund provided for in said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1792 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J.,

Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 61—An act to amend section 2 of an act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act," approved May 15, 1933, relating to exemptions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Asesmbly Bill No. 61 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnely, Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Reaves, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2336—An act to amend section 1293 of the Fish and Game Code, relating to destructive mammals.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2336 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 197—An act granting in trust to the City and County of San Francisco the interest of the State in and to, and the con-

trol and management of the harbor of San Francisco, as described in the act; providing for the disposition of revenues derived from the operation of said harbor; providing for the sale of bonds authorized but not sold; providing for the payment of interest on bonds, and for the redemption of bonds; fixing the terms and conditions of the grant; providing for the issuance of a proclamation by the Governor.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Hornblower:

Amendment No. 1.

On page 4, line 7, of the printed bill, as amended, after the word "front", insert the word "line".

Amendment No. 2.

On page 4, line 30, of the printed bill, as amended, after the word "purposes", insert the following: ", subject to the reservations,".

Amendment No. 3.

On page 12 of the printed bill, as amended, between lines 42 and 43, insert the following:

"SEC. 14. The grant contained in this act shall be subject to any present or future use of any of such property by the California Toll Bridge Authority, or any other department of the State of California, in connection with the San Francisco-Oakland Bay Bridge, the approaches thereto, or the transportation facilities in connection therewith. The title to all of such property required for present or future use in connection with said bridge, approaches or transportation facilities is specifically reserved in the State of California."

Amendment No. 4.

On page 12, line 43, of the printed bill, as amended, strike out the figure "14", and insert in lieu thereof the figure "15".

Amendment No. 5.

On page 12, line 45, of the printed bill, as amended, strike out the figure "15", and insert in lieu thereof the figure "16".

Amendments adopted.

Bill read, ordered to reprint, re-re-engrossment, and third reading.

Assembly Bill No. 1274—An act to add section 168 to the Vehicle Code, relating to registration of vehicles and to add section 384 to the Vehicle Code, relating to registration and license fees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1274 passed by the following vote:

AYES—Anderson, Andreas, Breed, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 1298—An act to amend section 1238 of the Code of Civil Procedure, relating to the exercise of the right of eminent domain.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1298 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Scudder, Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr Speaker—66.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate

Assembly Bill No. 920—An act to amend section 1261 of the Agricultural Code, relating to produce dealers.
Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Lore:

Amendment No. 1.

On page 4, line 5, of the printed bill, as amended April 22, 1935, after the word "public.", insert the following:
"The director shall issue to any dealer who collects or receives farm products from producers by truck, a card which shall bear the signature of said dealer, certifying that he is licensed as a produce dealer, and the dealer shall show said card upon the request of any interested person."

Amendment adopted.

Request for Unanimous Consent.

Mr Phillips asked for, and was granted, unanimous consent to take up Assembly Bill No. 920, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 920, as Amended.

Assembly Bill No. 920, as amended, read third time
The question being on the passage of the bill.
The roll was called, and Assembly bill No. 920, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, DeLap, Desmond, Domhue, Evans, Herbert J., Evans Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—68.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 961—An act to amend sections 5.400, 5.402, 5.403, 5.408, 5.420, 5.500, 5.502, 5.510, 5.520, 5.521, 5.640, 5.680, 5.690, 5.691, 5.710, 5.711 and 5.712 of the School Code, relating to tenure, and to add four new sections to the School Code, to be numbered 5.409, 5.505, 5.506, 5.666 and 5.667, all relating to the employment, classification, dismissal and resignation of persons employed in school districts in positions requiring certification qualifications.
Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 961 passed by the following vote:

AYES—Anderson, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Scudder, Stream, Thorp, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—65

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 962—An act to amend the School Code by amending sections 5.650, 5.651, 5.652, 5.653, 5.654, 5.661, and by repealing sections 5.655, 5.656, 5.657, 5.658, 5.659, 5.660, 5.662, 5.663.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Geyer:

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out "commission or aiding or advocating the", and also strike out all of lines 6 and 7.

The question being on the adoption of the amendment submitted by Mr. Geyer.

Motion to Defer Further Consideration of Assembly Bill No. 962.

Mr. Lyon moved that further consideration of Assembly Bill No. 962 and amendment pending, be deferred until eight o'clock p.m.

Motion carried.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced, and referred as indicated:

By Messrs. Maloney, Hornblower, Cronin, Gilmore, Dawson, Brennan, Williamson, McMurray, and Peyser: Assembly Concurrent Resolution No. 38—Relative to approving certain amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at an election held therein on the second day of May, 1935.

Introduced.

Request for Unanimous Consent.

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 38, at this time, without reference to printer, committee or file, and that same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 38.

Assembly Concurrent Resolution No. 38—Relative to approving certain amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at an election held therein on the second day of May, 1935.

Assembly Concurrent Resolution No. 38 read.

Mr. Maloney moved the adoption of Assembly Concurrent Resolution No. 38.

The question being on the adoption of Assembly Concurrent Resolution No. 38.

The roll was called, and Assembly Concurrent Resolution No. 38 adopted by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Pelletier, Peterson, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Williamson, Wright, and Mr. Speaker—65.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 38 ordered transmitted to the Senate.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Fisher:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 788 of the Fish and Game Code, relating to the crab season in California.

Referred to Committee on Introduction of Bills.

By Mr. Evans, Ralph W.:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act relating to rates of interest.

Referred to Committee on Introduction of Bills.

By Mr. Crowley:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1935.

MR SPEAKER I ask permission to introduce the accompanying bills, the titles of which read as follows:

An act to require security for the payment of wages of persons engaged in the canning industry and providing penalties for violation of the provisions thereof.

An act to define, license and regulate the business of personal property brokers who are engaged in the business of making loans on vehicles of a type required to be registered with the Department of Motor Vehicles, and to define, license and regulate the business of negotiating loans for borrowers on such vehicles; to prescribe the maximum rate which may be charged, contracted for or received by all who are engaged in such business; and to provide for the administration and enforcement of this act and providing penalties for violation hereof.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1935.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 788 of the Fish and Game Code, relating to the crab season in California.

CUNNINGHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bills, herewith return the same with the recommendation that the author be permitted to introduce them. The titles of said bills are as follows:

An act to require security for the payment of wages of persons engaged in the canning industry and providing penalties for violation of the provisions thereof

An act to define, license and regulate the business of personal property brokers who are engaged in the business of making loans on vehicles of a type required to be registered with the Department of Motor Vehicles, and to define, license and regulate the business of negotiating loans for borrowers on such vehicles; to prescribe the maximum rate which may be charged, contracted for or received by all who are engaged in such business; and to provide for the administration and enforcement of this act and providing penalties for violation hereof.

CUNNINGHAM, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1935

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows

An act relating to rates of interest

CUNNINGHAM, Chairman.

Reports of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the reports.

The question being on the adoption of the reports.

The roll was called, and the reports adopted by the following vote:

AYES—Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Gever, Gilbert, Gilmore, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—64.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

By Mr. Martin: Assembly Constitutional Amendment No. 83—Proposed amendment to Article VI, section 11, of the Constitution, relative to municipal courts.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Evans, Ralph W.: Assembly Bill No. 2442—An act relating to rates of interest.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr Crowley: Assembly Bill No. 2443—An act to define, license and regulate the business of personal property brokers who are engaged in the business of making loans on vehicles of a type required to be registered with the Department of Motor Vehicles, and to define, license and regulate the business of negotiating loans for borrowers on such vehicles; to prescribe the maximum rate which may be charged, contracted for or received by all who are engaged in such business; and to provide for the administration and enforcement of this act and providing penalties for violation hereof.

Bill read first time, and referred to Committee on Financial Institutions.

By Mr. Crowley: Assembly Bill No. 2444—An act to require security for the payment of wages of persons engaged in the canning industry and providing penalties for violation of the provisions thereof.

Bill read first time, and referred to Committee on Judiciary.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Financial Institutions.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1935.

MR. SPEAKER: Your Committee on Financial Institutions, to which was referred Assembly Bill No. 816—An act relating to shares of insured Federal savings and loan associations as legal investments for trust and other funds—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

UTT, Chairman.

The above reported bill ordered on file for second reading.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1935.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 2372—An act to amend section 14 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways, in the State of California, by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to the exemption of certain vehicles—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

Motion to Print Assembly Bill No. 2180.

Mr. Fisher moved that the Chief Clerk be instructed to place an order for the printing of 500 additional copies of Assembly Bill No. 2180.

Motion carried.

Motion to Change Special Order Set for Assembly Constitutional Amendment No. 65.

Mr. Williamson moved that the special order set for Assembly Constitutional Amendment No. 65 be changed to Thursday, May 16, 1935, at eleven o'clock a.m.

Motion carried.

Withdrawal of Assembly Bill No. 2368.

By order of the Speaker, Assembly Bill No. 2368 was withdrawn from the file, and referred to Committee on Ways and Means.

Withdrawal of Assembly Bills.

By order of the Speaker, the following bills were stricken from the file, and ordered re-referred to committees:

Assembly Bill No. 487 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 646 ordered re-referred to Committee on Motor Vehicles.

Assembly Bill No. 2013 ordered re-referred to Committee on Motor Vehicles.

Assembly Bill No. 1799 ordered re-referred to Committee on Municipal Corporations.

Assembly Bill No. 1579 ordered re-referred to Committee on Insurance.

Assembly Bill No. 1333 ordered re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No 1516 ordered re-referred to Committee on Governmental Efficiency and Economy

Withdrawal of Senate Bill.

Senate Bill No. 587 ordered re-referred to Committee on Revenue and Taxation.

Recess.

At four o'clock and thirty-five minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until eight o'clock p.m. of this day.

Reassembled.

At eight o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1935

MR. SPEAKER: Your committee on Engrossment and Enrollment has examined Assembly Bill No. 1167—An act authorizing the Director of Finance to provide for the sale of certain lands situated in county of Yolo, State of California;

Also: Assembly Bill No. 1283—An act to amend section 658 of the Fish and Game Code, relating to the salmon season in game districts 10 and 11;

Also: Assembly Bill No. 1799—An act authorizing any county, city and county, or city to credit on delinquent taxes due to such county, city and county, or city with the consent of the owner of the property on which such taxes are delinquent, sums due or which may become due to the owner of such property for the use or rental of such property by such county, city and county, or city or by any department or agency thereof or by any person or persons for whose rental or compensation for the use of such property such county, city and county or city, or any department or agency thereof shall be or shall become responsible and authorizing agreements between the counties, cities and counties or cities and departments or agencies thereof and persons for whom any such county, city and county, or city or department or agency thereof shall pay or advance funds for the payment of rent, providing for the repayment in installments by such persons of the amount credited on delinquent taxes on account of such rental;

Also: Assembly Bill No. 2013—An act to add section 379.5 to the Vehicle Code, relating to seizure and sale of vehicles;

Also: Assembly Bill No. 2019—An act to amend section 2289 of the Political Code, relating to State aid to indigent orphans;

Also: Assembly Bill No. 2264—An act to amend section 658 of the Fish and Game Code, relating to salmon;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your committee on Engrossment and Enrollment has examined Assembly Bill No. 153—An act to amend sections 1 and 2 of "An act to provide for the taxation of Massachusetts or business trusts, and providing that this act shall take effect immediately," approved May 1, 1933, relating to the taxation of Massachusetts or business trusts;

Also: Assembly Bill No. 236—An act to amend section 4307 of the Political Code, relating to county charges;

Also: Assembly Bill No. 902—An act to amend section 9 of and to add section 9a to an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals, to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts

of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, relating to the powers of the Surveyor General now the Chief of the Division of State Lands; for the purpose of taking gold or other minerals from and granting of easements to recover gold or other minerals from the beds of tide and submerged lands, and of navigable rivers and streams;

Also: Assembly Bill No 1092—An act to add a new section to the Political Code to be numbered 3720, relating to the filing of county clerks with county assessors and the State Board of Equalization of certifications of new districts and changes in the boundaries of existing districts;

Also, Assembly Bill No 1124—An act amending sections 554 and 671 of the Vehicle Code, relating to authorized emergency vehicle;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your committee on Engrossment and Enrollment has examined Assembly Bill No. 646—An act to add sections 195.5 and 1623.5 to, the Streets and Highways Code, relating to expenditure of money allocated to counties, cities, and cities and counties—and reports that the same has been correctly re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your committee on Engrossment and Enrollment has examined Assembly Bill No. 622—An act to amend sections 1.72 and 1.73-1 of the School Code, relating to the transportation of public school pupils,

Also: Assembly Bill No. 999—An act to add a new article to Chapter IX of Part III of Division V of the School Code, to be known as Article IV, consisting of sections 5 792 to 5 799b inclusive, relating to a merit system for employees in positions other than those requiring certification qualifications,

And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your committee on Engrossment and Enrollment has examined Assembly Bill No. 57—An act to repeal sections 2.879 and 2.880 of the School Code and to add thereto sections 2.879 and 2 880, relating to election of school trustees,

Also, Assembly Bill No. 58—An act to add a new section to the Agricultural Code, to be numbered 318, relating to meat inspection, declaring the urgency hereof, to take effect immediately;

Also Assembly Bill No. 141—An act to add section 411.5 to the Vehicle Code, relating to suspension and revocation of licenses;

Also: Assembly Bill No. 189—An act to add a new section to the School Code to be numbered 4.191, relating to the insuring under the workmen's compensation laws of this State, of persons employed by county superintendents of schools to supervise or to give instruction in the public schools;

Also, Assembly Bill No. 295—An act to amend section 2 251 of the School Code, relating to teachers' attendance reports;

Also Assembly Bill No 298—An act to repeal section 4 768, relating to reports of attendance in joint elementary school districts;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this tenth day of May, 1935, at eleven o'clock a m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your committee on Engrossment and Enrollment has examined Assembly Bill No 314—An act to amend sections 2.203 and 2.204 of the School Code and to add a new section to said code to be numbered 2 314, all relating to the formation of elementary school districts;

Also: Assembly Bill No. 401—An act to add a new section to the Political Code, to be numbered 3881b, relating to entry of changes and corrections on assessment book and delinquent list;

Also: Assembly Bill No. 414—An act to amend section 2.123 of the School Code, relating to the providing of instruction and transportation by county superintendents of schools for elementary pupils;

Also: Assembly Bill No. 583—An act to amend section 1144 of the Probate Code, relating to the disposition of the property of the estate of any decedent of the value of $200 or less;

Also: Assembly Bill No. 698—An act to amend section 11 of the Inheritance Tax Act, to require that county auditor's warrants be drawn for the payment of refunds;

Also: Assembly Bill No. 699—An act to add a new section to the Penal Code, to be numbered 1375, prescribing the manner in which counties shall pay the State for expense of insane and inebriates;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this tenth day of May, 1935, at eleven o'clock a.m.

WATERS, Chairman.

On Unemployment.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1935.

MR. SPEAKER: Your Committee on Unemployment, to which was referred Assembly Bill No. 866—An act providing for employment insurance—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

ANDERSON, Chairman.

Assembly Bill No. 866 ordered re-referred to Committee on Ways and Means.

Suggestion of Absence of Quorum.

Mr. Geyer suggested the absence of a quorum.

The roll was called, and the following members answered to their names:

Andreas, Breed, Cassidy, Chatters, Clark, Cottrell, Crowley, Donahue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Heisinger, Hunt, Latham, Laughlin, Lore, Maloney, Martin, McCarthy, Meehan, Miller, Minard, Morgan, O'Donnell, Pelletier, Peterson, Reaves, Richie, Riley, Rosenthal, Scudder, Stream, Turner, Walker, Williamson, Wright, and Mr. Speaker—43

Quorum present.

Leaves of Absence.

On motion of Mr. Welsh, Mr. Utt was granted leave of absence for the balance of this legislative day.

On motion of Mr. Hornblower, Messrs. Dawson and Peyser were granted leaves of absence for the balance of this legislative day.

On motion of Mr. Cunningham, Mr. Waters was granted leave of absence for the balance of this legislative day.

On motion of Mr. Frazier, Mr. Gilmore was granted leave of absence for the balance of this legislative day.

Further Consideration of Assembly Bill No. 962 and Amendment Pending.

The question being on the amendment to Assembly Bill No. 962 submitted by Mr. Geyer.

Motion to Continue.

Mr. Kallam moved that the amendment by Mr. Geyer be printed in the Journal and further consideration of Assembly Bill No. 962 and the amendment be continued until tomorrow.

Ruling by Speaker.

The Speaker ruled Mr. Kallam out of order.

The question being on the amendment to Assembly Bill No. 962 submitted by Mr. Geyer.

Demand for Previous Question.

Messrs. Wright, Cunningham, Frazier, Fisher and Field demanded the previous question.

The question being put: Shall the main question be now put?

Request for Roll Call.

On request of Messrs. Hornblower, Patterson and Desmond, the Speaker ordered a roll call taken on the demand for the previous question.

The roll was called, and the demand for previous question lost by the following vote:

AYES—Andreas, Breed, Cottrell, Cunningham, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Heisinger, Latham, Lore, Meehan, Miller, Nielsen, Phillips, Reaves, Redwine, Riley, Scudder, Stream, Welsh, and Wright—24.

NOES—Anderson, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Richie, Robertson, Rosenthal, Turner, Voigt, Wagner, Walker, Wallace, Weber, and Mr. Speaker—45.

The question being on the amendment to Assembly Bill No. 962 submitted by Mr. Geyer.

Substitute Amendments.

Mr. Welsh offered the following amendments as substitute amendments to the amendment submitted by Mr. Geyer:

Amendment No. 1.

In line 5 of the printed bill, as amended, strike out the words "commission or".

Amendment No. 2.

In the printed bill, as amended, strike out all of lines 6 and 7, and insert in lieu thereof the following: "overthrow of the government of the State of California or of the United States by force or violence."

The question being on the substitute amendments to Assembly Bill No. 962 submitted by Mr. Welsh.

Demand for Previous Question.

Messrs. Cunningham, Welsh, Evans, Herbert J., Cottrell and Scudder demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the substitute amendments to Assembly Bill No. 962 submitted by Mr. Welsh.

Request for Roll Call.

On request of Messrs Johnson, Breed and Desmond, the Speaker ordered a roll call taken on the substitute amendments submitted by Mr. Welsh.

The roll was called, and the substitute amendments were refused adoption by the following vote:

AYES—Burns, Cassidy, Donihue, Heisinger, O'Donnell, Wallace, Weber, and Welsh—8.

NOES—Anderson, Andreas, Boyle, Breed, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Wagner, Walker, Williamson, Wright, and Mr. Speaker—63

The question being on the amendment to Assembly Bill No. 962 submitted by Mr. Geyer.

Demand for Previous Question.

Messrs. Cottrell, Lyon, Field, Cunningham and McBride demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained

The question being on the amendment to Assembly Bill No. 962 submitted by Mr. Geyer.

Request for Roll Call.

On request of Messrs. Chatters, Field and Scudder, the Speaker ordered a roll call taken on the amendment submitted by Mr. Geyer

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Anderson, Boyle, Burns, Clark, Cronin, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, Maloney, McCarthy, Meehan, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Wagner, Weber, and Welsh—30

NOES—Andreas, Breed, Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunningham, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Johnson, Kallam, Latham, Lyon, Martin, Mayo McBride, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Peterson, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Walker, Wallace, Williamson, Wright, and Mr. Speaker—41.

Assembly Bill No 962 read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Geyer:

Amendment No. 1.

On page 1, line 16, of the printed bill, as amended, after the period, insert the following: "The teaching of the Declaration of Independence or the Constitution of the United States shall not be deemed a commission or aiding or advocating the commission of acts of criminal syndicalism, as prohibited by Chapter 188, Statutes of 1919, or in any amendment thereof"

The question being on the amendment to Assembly Bill No 962 submitted by Mr Geyer.

Request for Roll Call.

On request of Messrs Field, Fisher and Johnson, the Speaker ordered a roll call taken on the amendment submitted by Mr. Geyer

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Clark, Donihue, Evans, Ralph W., Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Lore, McCarthy, Meehan, Morgan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Wagner, and Weber—27.

NOES—Andreas, Breed, Chatters, Corwin, Cottrell, Crowley, Cunningham, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Nielsen, Peterson, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Turner, Walker, Wallace, Williamson, Wright, and Mr Speaker—39

Assembly Bill No. 962 read third time

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. McCarthy:

Amendment No. 1.

On page 1 of the printed bill, between lines 7 and 8, insert the following: "subject to the principles enunciated in the Declaration of Independence,".

The question being on the amendment to Assembly Bill No. 962 submitted by Mr. McCarthy.

Request for Roll Call.

On request of Messrs. Field, Fisher and Johnson, the Speaker ordered a roll call taken on the amendment submitted by Mr. McCarthy.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Clark, Donihue, Evans, Ralph W., Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Lore, McCarthy, McMurray, Meehan, Morgan, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, and Wagner—27.

NOES—Breed, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Johnson, Kallam, Latham, Lyon, Martin, Mayo, McBride, Miller, Minard, Nielsen, Peterson, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Walker, Wallace, Williamson, Wright, and Mr. Speaker—37.

Third Reading of Assembly Bill No. 962.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 962 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Wagner, Walker, Wallace, Weber, Welsh, Williamson, Wright, and Mr. Speaker—67.

NOES—Richie—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Explanation of Vote.

I was called out as the bill went to a vote. Had I been in the Chambers my vote would have been "Aye."

GARIBALDI.

Unfinished Business—(Resumed).

Reconsideration of Assembly Bill No. 1028 Waived.

Mr. DeLap waived his notice to reconsider the vote whereby Assembly Bill No. 1028 was passed.

Assembly Bill No. 1028 ordered transmitted to the Senate.

Reconsideration of Assembly Bill No. 1029 Waived.

Mr. DeLap waived his notice to reconsider the vote whereby Assembly Bill No. 1029 was passed.

Assembly Bill No. 1029 ordered transmitted to the Senate.

Reconsideration of Assembly Bill No. 1031 Waived.

Mr. Robertson waived his notice to reconsider the vote whereby Assembly Bill No. 1031 was passed.

Assembly Bill No. 1031 ordered transmitted to the Senate.

Reconsideration of Assembly Bill No. 1032 Waived.

Mr. Frazier waived his notice to reconsider the vote whereby Assembly Bill No. 1032 was passed.

Assembly Bill No. 1032 ordered transmitted to the Senate.

Reconsideration of Assembly Bill No. 1033 Waived.

Mr. Evans, Ralph W., waived his notice to reconsider the vote whereby Assembly Bill No. 1033 was passed.

Assembly Bill No. 1033 ordered transmitted to the Senate.

Motion to Reconsider Assembly Bill No. 2136 Continued.

Mr. Johnson moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No 2136 was passed be continued until the next legislative day.

Motion carried.

Reconsideration of Assembly Bill No. 81 Waived.

Mr. Heisinger waived his notice to reconsider the vote whereby Assembly Bill No. 81 was passed.

Assembly Bill No 81 ordered transmitted to the Senate.

Motion to Reconsider Assembly Bill No. 44 Continued.

Mr. Hornblower moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 44 was passed be continued until the next legislative day.

Motion carried.

Adjournment.

At eleven o'clock and thirty-five minutes p m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Saturday, May 11, 1935.

CHARLES H ERB, Minute Clerk.

IN ASSEMBLY

ASSEMBLY CHAMBER,

SACRAMENTO, Saturday, May 11, 1935.

At ten o'clock a m , pursuant to adjournment, the Assembly was called to order.

Hon Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names

Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—70.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Gilbert, its further reading was dispensed with

Leaves of Absence.

On motion of Mr. Lore, Mr. Voigt was granted leave of absence for the day.

On motion of Mr. Cunningham, Mr. Waters was granted leave of absence for the day.

On motion of Mr. Robertson, Mr. Anderson was granted leave of absence for the day.

On motion of Mr Utt, Mr. Welsh was granted leave of absence for the day.

On motion of Mr. Frazier, Mr. Gilmore was granted leave of absence for the day.

On motion of Mr. Cottrell, Mr Scudder was granted leave of absence for the day.

On motion of Mr. Maloney, Messrs. Brennan and Dawson were granted leaves of absence for the day.

On motion of Mr. Fisher, Mr. Breed was granted leave of absence for the day.

On motion of Mr. Minard, Mr. DeLap was granted leave of absence for the day.

Privilege of Floor of Assembly Extended.

On request of Mr Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Marie Bogle of San Francisco.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From the City Council of Manhattan Beach, opposing any legislation lessening the present restrictions to commercial fishing in these districts.

From the Hermosa Beach Junior Chamber of Commerce, opposing any legislation lessening the present restrictions on fishing in these districts and opposing passage of Assembly Bills Nos. 672, 717, 719, 1825 and 1826.

From the employees of the Don Lee, Inc., opposing taxation of the motion picture industry.

From the Southern California Milk Dealers Association, Inc., asking consideration of Assembly and Senate Committees that milk and its derivatives be taken out of the California Triple A Bill.

From California Committee on State Police, favoring passage of Assembly Constitutional Amendment No 67.

From California Independent Telephone Association, opposing passage of Assembly Bill No. 1074.

From L. J. Baker and others, favoring passage of Assembly Bills Nos. 419, 1044, 832, 1104, Assembly Concurrent Resolution No. 10, and Assembly Constitutional Amendments Nos 49, 51 and 52, and opposing Assembly Bills Nos. 3, 4, 20, 42, 2017 and 2405.

From G. O. Payne, Anaheim, California, favoring passage of Assembly Bill No. 2365 and Senate Bill No. 648.

From Northern California Retail Druggists Association, opposing state-owned liquor stores.

From Central Council of Civic Clubs of San Francisco, asking control and ownership of commerce harbor facilities that may be developed with the Yerba Buena Shoals grant.

ASSISTANT CLERK OLIVER READING.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1339—An act to add a new division to the Vehicle Code, to be numbered IXa, relating to vehicular crossings constructed or owned by the State,

the control and policing thereof, and the regulation of traffic thereon—and reports that the same has been correctly re-engrossed

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1097—An act to provide for the establishment and administration of a system of health insurance, including the establishment of a Health Service Insurance Commission and prescribing the powers, duties and functions thereof, the establishing of a health service insurance fund and providing for certain payments thereto, the prescribing of methods and conditions under which professional or other services may be rendered, the regulation of certain persons, firms, associations, and corporations, the making of an appropriation, the enforcement of the provisions hereof, penalties for the violation of the provisions hereof, and repealing acts in conflict herewith—and reports that the same has been correctly engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 257—An act to establish a Bureau for the Blind in the Department of Institutions, providing for the administration thereof, making an appropriation therefor, and repealing certain acts in conflict herewith;

Also: Assembly Bill No. 2156—An act to amend the Political Code. A new section numbered 3819a, relating to the redemption of property from sale for non-payment of taxes in counties of the first and second classes;

And reports that the same have been correctly re-re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No 163—An act to prohibit and prevent the waste of crude petroleum oil in the State of California and defining such waste, and in that behalf creating an Oil Conservation Commission; providing for the appointment of the members of said commission; fixing the terms of office of the members of said commission; providing for the filling of vacancies in the membership of said commission; providing for the powers, duties and authority of said commission and the members thereof; requiring producers of crude petroleum oil and operators of wells and owners and operators of any storage facilities of crude petroleum oil and refiners of crude petroleum oil to file certain reports; providing for the fixing of grades of gasoline and of the fixing of prices therefor; providing for the filing and hearing of complaints concerning the waste of crude oil, gas, and other petroleum products, and for oaths, subpenas and depositions; providing for the fixing of allowable production of crude petroleum oil, gas and gasoline for the State and for the several fields thereof, respectively, and for the several zones, properties and wells in each such oil field, respectively, so as to stop such waste; providing for the enforcement of this act; providing penalties for refusing to permit the commission or its representatives to inspect any drilling or producing well or storage facilities and for failing, neglecting, or refusing to furnish any report or record or statement required by the commission and for wilfully rendering or furnishing a false or fraudulent report, statement or record; creating a fund for the purposes of said act; providing for the assessment and collection thereof and making an appropriation for the purposes of this act—and reports that the same has been correctly engrossed

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No 385—An act to provide for the acquisition and cancellation of bonds heretofore issued under the provisions of that certain act of the Legislature of the State of California designated and known as the "Acquisition and Improvement Act of 1925"; providing for the cancellation of unpaid assessments levied for the purpose of paying the principal and interest of such bonds and of the interest and penalties thereon; providing for the issuance and payment of assessment readjustment bonds to represent certain assessments for the cost of acquisition of

such outstanding bonds, including all costs and incidental expenses or proceedings under this act for the issuance of such assessment readjustment bonds; providing a method for the payment of such assessment readjustment bonds; providing a means whereby landowners and bondowners may consent and agree to such proceedings and to the modification of any contract between them involved in such proceedings; providing a method for the redemption of lost or otherwise unobtainable bonds of the issue or issues to be acquired and canceled and for the protection of the owners of such bonds; authorizing proceedings under the Bankruptcy Laws of the United States of America in connection with any proceedings hereunder; repealing the "Assessment Readjustment Act of 1933"; and to declare the urgency of this act, to take effect immediately—and reports that the same has been correctly engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1935.

MR SPEAKER Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XIII thereof, a new section to be numbered 17, relating to the power of the Legislature to provide for the borrowing of money to meet appropriations, in anticipation of the collection of taxes and revenues—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LATHAM, Chairman.

Senate Constitutional Amendment No. 18 ordered on file for adoption.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1935.

MR SPEAKER. Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 219—An act to amend the title and sections 4, 4a and 23 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the extension of the provisions of said act to the companies and their franchises, other than insurance companies and their franchises, specified in section 14 of Article XIII of the Constitution of this State—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 702—An act to amend section 159a of the Code of Civil Procedure, relating to qualifications of justices of the peace,

Also: Assembly Bill No. 732—An act to amend section 2280 of the Civil Code, relating to trusts;

Also: Assembly Bill No. 733—An act to amend section 1032 of the Code of Civil Procedure, relating to costs in civil actions:

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LYON, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1847—An act to add section 3045 to the Civil Code, relating to liens of an attorney—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LYON, Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2208—An act requiring marine architects to be certified as such, specifying qualifications, rules and regulations therefor, creating a board, establishing a fund,

and providing penalties—has had the same under consideration, and respectfully reports the same back without recommendation, to be re-referred to Committee on Ways and Means

LYON, Chairman.

Assembly Bill No. 2208 ordered re-referred to Committee on Ways and Means.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1935.

MR SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 922—An act * * * relating to produce dealers—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading.

Second Reading of Assembly Bills.

Assembly Bill No 2432—An act to amend section 2 of the "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, relating to powers of the district, declaring the urgency hereof and providing that this act shall take effect immediately.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 219—An act to amend the title and sections 4, 4a and 23 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the extension of the provisions of said act to the companies and their franchises, other than insurance companies and their franchises, specified in section 14 of Article XIII of the Constitution of this State.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title and insert in lieu thereof the following:

"An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and to provide for the disposition of the revenues therefrom, and to provide that this act shall take effect immediately."

Amendment No. 2.

On page 1 of the printed bill, strike out line 1 and all of the balance of the bill, and insert in lieu thereof the following:

"TABLE OF CONTENTS

TITLE I—INCOME TAX.

SUBTITLE A—INTRODUCTORY PROVISIONS.

SEC. 1. Application of Title.
SEC. 2. Cross References.
SEC. 3. Classification of Provisions.
SEC. 4. Special Classes of Taxpayers.

SUBTITLE B—GENERAL PROVISIONS.

PART I—RATES OF TAX.

SEC. 11. Normal Tax on Individuals.
SEC. 12. Surtax on Individuals.

PART II—COMPUTATION OF NET INCOME.

SEC. 21. Net Income.
SEC. 22. Gross Income.
SEC. 23. Deductions From Gross Income.
SEC. 24. Items Not Deductible.
SEC. 25. Credits of Individual Against Net Income.

PART III—CREDITS AGAINST TAX

SEC 31. Taxes of States, Territories and Possessions of the United States and Foreign Countries.
SEC. 33. Credits for Overpayments

PART IV—ACCOUNTING PERIODS AND METHODS OF ACCOUNTING.

SEC 41. General Rule.
SEC 42. Period in Which Items of Gross Income Included.
SEC. 43 Period for Which Deductions and Credits Taken
SEC. 44. Installment Basis
SEC 45. Allocation of Income and Deductions.
SEC. 46. Change of Accounting Period.
SEC. 47 Returns for a Period of Less than Twelve Months.

PART V—RETURNS AND PAYMENT OF TAX.

SEC. 51. Individual Returns.
SEC. 53. Time and Place for Filing Returns.
SEC. 54. Records and Special Returns.
SEC. 55. Secrecy of Returns and Information.
SEC. 56. Payment of Tax.
SEC 57. Examination of Return and Determination of Tax.
SEC. 58 Additions to Tax and Penalties.
SEC. 59 Administrative Proceedings.

PART VI—MISCELLANEOUS PROVISIONS.

SEC 61. Laws Made Applicable.
SEC 62 Rules and Regulations.
SEC. 64. Short Title.

SUBTITLE C—SUPPLEMENTAL PROVISIONS.

SUPPLEMENT B—COMPUTATION OF NET INCOME.

SEC. 111. Determination of Amount of, and Recognition of, Gain or Loss.
SEC 112. Recognition of Gain or Loss
SEC. 113 Adjusted Basis for Determining Gain or Loss
SEC 114 Basis for Depreciation and Depletion.
SEC 115 Distributions by Corporations.
SEC 116 Exclusions from Gross Income.
SEC 117. Capital Gains and Losses.
SEC 118. Loss from Wash Sales of Stock or Securities.
SEC. 120. Unlimited Deduction for Charitable and Other Contributions.

SUPPLEMENT D—RETURNS AND PAYMENT OF TAX.

SEC. 142. Fiduciary Returns.
SEC. 145 Penalties.
SEC. 146. Closing by Commissioner of Taxable Year.
SEC. 147. Information at Source.
SEC. 148. Information by Corporations.
SEC. 149. Returns of Brokers.
SEC. 150. Collection of Foreign Items.

SUPPLEMENT E—ESTATES AND TRUSTS.

SEC. 161. Imposition of Tax.
SEC. 162. Net Income.
SEC. 163. Credits Against Net Income.
SEC. 164 Different Taxable Years
SEC. 165. Employees Trusts.
SEC. 166 Revocable Trusts.
SEC. 167. Income for Benefit of Grantor.
SEC. 169. Income from Estates and Trusts.

SUPPLEMENT F—PARTNERSHIPS.

SEC. 181. Partnership Not Taxable.
SEC. 182. Tax of Partners.
SEC. 183. Computation of Partnership Income.
SEC. 184. Credits Against Net Income.
SEC. 185. Earned Income
SEC 187. Partnership Returns
SEC. 188. Different Taxable Years of Partner and Partnership.

SUPPLEMENT H—NONRESIDENT INDIVIDUALS.

SEC. 211 Gross Income.
SEC. 212 Deductions.
SEC. 213. Credits Against Net Income.
SEC. 214. Allowance of Deductions and Credits.
SEC. 216. Returns.
SEC. 217. Payment of Tax.

SUPPLEMENT L—ASSESSMENT AND COLLECTION OF DEFICIENCIES
SEC 271. Definition of Deficiency.
SEC. 272. Procedure in General.
SEC. 273. Jeopardy Assessments.
SEC. 274. Bankruptcy and Receiverships.
SEC. 275. Period of Limitation Upon Assessment and Collection.
SEC. 276. Same—Exceptions.
SEC. 277. Suspension of Running of Statute.
SUPPLEMENT M—INTEREST AND ADDITIONS TO THE TAX
SEC. 291. Failure to File Return.
SEC 292. Interest on Deficiencies.
SEC. 293. Additions to the Tax in Case of Deficiency
SEC. 294. Additions to the Tax in Case of Nonpayment
SEC. 295. Time Extended for Payment of Tax Shown on Return
SEC. 296. Time Extended for Payment of Deficiency.
SEC. 297. Interest in Case of Jeopardy Assessments.
SEC. 298 Bankruptcy and Receiverships.
SEC. 299. Removal of Property or Departure from California.
SUPPLEMENT N—CLAIMS AGAINST TRANSFEREES AND FIDUCIARIES
SEC. 311. Transferred Assets.
SEC. 312. Notice of Fiduciary Relationship.
SUPPLEMENT O—OVERPAYMENTS
SEC. 321. Overpayment of Installment.
SEC. 322. Refunds and Credits.
TITLE VI—GENERAL PROVISIONS.
SEC. 801. Definitions.
SEC. 802. Separability Clause.
SEC. 803. Effective Date of Act.
SEC. 804. Disposition of Proceeds.
SEC. 805. Commissioner to Administer This Act
SEC. 806. Tax a Debt.
SEC. 807. Compromise by Commissioner.
SEC. 808. Tax Liens.
SEC 809. Supplementary Returns.
SEC. 810. Failure to File—Commissioner to Make Return

TITLE I—INCOME TAX.

SUBTITLE A—INTRODUCTORY PROVISIONS

SEC 1. Application of Title. The taxes imposed by this act shall apply to the net income of persons taxable hereunder received or accrued on and after January 1, 1935.

SEC. 2. Cross References, Table of Contents, Section Titles. The cross references in this act to other portions of the act, where the word "see" is used, the table of contents and the section titles, are made only for convenience, and shall be given no legal effect

SEC. 3. Classification of Provisions. The provisions of this title are herein classified and designated as—

Subtitle A—Introductory Provisions.

Subtitle B—General Provisions, divided into parts and sections.

Subtitle C—Supplemental Provisions, divided into supplements and sections.

SEC 4. Special Classes of Taxpayers The application of the general provisions and of Supplements A to D, inclusive, to each of the following special classes of taxpayers, shall be subject to the exceptions and additional provisions found in the supplement applicable to such class, as follows:

(a) Estates and trusts and the beneficiaries thereof,—Supplement E

(b) Members of partnerships,—Supplement F.

(d) Nonresident individuals,—Supplement H.

SUBTITLE B—GENERAL PROVISIONS

PART I—RATES OF TAX

SEC. 11. Normal Tax on Individuals. There shall be levied, collected, and paid for each taxable year upon the net income of every individual a normal tax of .8 per centum of the amount of the net income in excess of the credits against net income provided in section 25.

SEC. 12. Surtax on Individuals (a) Definition of "Surtax Net Income."—As used in this section the term "surtax net income" means the amount of the net income in excess of the credits against net income provided in section 25 (b).

(b) Rates of Surtax.—There shall be levied, collected, and paid for each taxable year upon the surtax net income of every individual a surtax as follows:

Upon a surtax net income of $4,000 there shall be no surtax; upon surtax net incomes in excess of $4,000 and not in excess of $6,000, _____ per centum of such excess.

$16.00 upon surtax net incomes of $6,000; and upon surtax net incomes in excess of $6,000 and not in excess of $8,000, 1 per centum in addition of such excess.

$36.00 upon surtax net incomes of $8,000; and upon surtax net incomes in excess of $8,000 and not in excess of $10,000, 1.2 per centum in addition of such excess.

$60.00 upon surtax net incomes of $10,000; and upon surtax net incomes in excess of $10,000 and not in excess of $12,000, 1.4 per centum in addition of such excess.

$88.00 upon surtax net incomes of $12,000; and upon surtax net incomes in excess of $12,000 and not in excess of $14,000, 1 6 per centum in addition

$120.00 upon surtax net incomes of $14,000, and upon surtax net incomes in excess of $14,000 and not in excess of $16,000, 1 8 per centum in addition of such excess.

$156.00 upon surtax net incomes of $16,000, and upon surtax net incomes in excess of $16,000 and not in excess of $18,000, 2 2 per centum in addition of such excess.

$200.00 upon surtax net incomes of $18,000; and upon surtax net incomes in excess of $18,000 and not in excess of $20,000, 2 6 per centum in addition of such excess.

$252.00 upon surtax net incomes of $20,000; and upon surtax net incomes in excess of $20,000 and not in excess of $22,000, 3 per centum in addition of such excess.

$312.00 upon surtax net incomes of $22,000; and upon surtax net incomes in excess of $22,000 and not in excess of $26,000, 3.4 per centum in addition of such excess.

$448.00 upon surtax net incomes of $26,000; and upon surtax net incomes in excess of $26,000 and not in excess of $32,000, 3.8 per centum in addition of such excess.

$676 00 upon surtax net incomes of $32,000; and upon surtax net incomes in excess of $32,000 and not in excess of $38,000, 4 2 per centum in addition of such excess.

$928.00 upon surtax net incomes of $38,000, and upon surtax net incomes in excess of $38,000 and not in excess of $44,000, 4.8 per centum in addition of such excess.

$1,216.00 upon surtax net incomes of $44,000; and upon surtax net incomes in excess of $44,000 and not in excess of $50,000, 5.4 per centum in addition of such excess

$1,540.00 upon surtax net incomes of $50,000; and upon surtax net incomes in excess of $50,000 and not in excess of $56,000, 6 per centum in addition of such excess.

$1,900.00 upon surtax net incomes of $56,000; and upon surtax net incomes in excess of $56,000 and not in excess of $62,000, 6 6 per centum in addition of such excess

$2,296 00 upon surtax net incomes of $62,000; and upon surtax net incomes in excess of $62,000 and not in excess of $68,000, 7 2 per centum in addition of such excess

$2,728.00 upon surtax net incomes of $68,000; and upon surtax net incomes in excess of $68,000 and not in excess of $74,000, 7 8 per centum in addition of such excess

$3,196.00 upon surtax net incomes of $74,000; and upon surtax net incomes in excess of $74,000 and not in excess of $80,000, 8.4 per centum in addition of such excess

$3,700 00 upon surtax net incomes of $80,000; and upon surtax net incomes in excess of $80,000 and not in excess of $90,000, 9 per centum in addition of such excess.

$4,600.00 upon surtax net incomes of $90,000; and upon surtax net incomes in excess of $90,000 and not in excess of $100,000, 10 per centum in addition of such excess.

$5,600.00 upon surtax net incomes of $100,000; and upon surtax net incomes in excess of $100,000 and not in excess of $150,000, 10.4 per centum in addition of such excess.

$10,800.00 upon surtax net incomes of $150,000; and upon surtax net incomes in excess of $150,000 and not in excess of $200,000, 10 6 per centum in addition of such excess.

$16,100 00 upon surtax net incomes of $200,000; and upon surtax net incomes in excess of $200,000 and not in excess of $300,000, 10.8 per centum in addition of such excess

$26,900 00 upon surtax net incomes of $300,000; and upon surtax net incomes in excess of $300,000 and not in excess of $400,000, 11 per centum in addition of such excess.

$37,900.00 upon surtax net incomes of $400,000; and upon surtax net incomes in excess of $400,000 and not in excess of $500,000, 11.2 per centum in addition of such excess.

$49,100.00 upon surtax net incomes of $500,000; and upon surtax net incomes in excess of $500,000 and not in excess of $750,000, 11.4 per centum in addition of such excess.

$77,600.00 upon surtax net incomes of $750,000, and upon surtax net incomes in excess of $750,000 and not in excess of $1,000,000, 11.6 per centum in addition of such excess.

$106,600.00 upon surtax net incomes of $1,000,000, and upon surtax net incomes in excess of $1,000,000, 11.8 per centum in addition of such excess.

PART II—COMPUTATION OF NET INCOME.

SEC. 21. Net Income. "Net income" means the gross income computed under section 22, less the deductions allowed by section 23.

SEC. 22. Gross Income. (a) General Definition.—"Gross income" includes gains, profits, and income derived from salaries, wages, or compensation for personal service, of whatever kind and in whatever form paid, or from professions, vocations, trades, business, commerce, or sales, or dealings in property, whether real or personal, growing out of the ownership or use of or interest in such property; also from interest, rent, dividends, securities, or the transaction of any business carried on for gain or profit, or gains or profits and income derived from any source whatever, and includes any salary, wages or compensation of any officer or employee of this State, or any political subdivision, district or municipality thereof

(b) Exclusions from Gross Income.—The following items shall not be included in gross income and shall be exempt from taxation under this title.

(1) Life Insurance.—Amounts received under a life insurance contract paid by reason of the death of the insured, whether in a single sum or otherwise (but if such amounts are held by the insurer under an agreement to pay interest thereon, the interest payments shall be included in gross income),

(2) Annuities, Etc.—Amounts received (other than amounts paid by reason of the death of the insured and interest payments on such amounts and other than amounts received as annuities) under a life insurance or endowment contract, but if such amounts (when added to amounts received before the taxable year under such contract) exceed the aggregate premiums or consideration paid (whether or not paid during the taxable year) then the excess shall be included in gross income. Amounts received as an annuity under an annuity or endowment contract shall be included in gross income; except that there shall be excluded from gross income the excess of the amount received in the taxable year over an amount equal to 3 per centum of the aggregate premiums or consideration paid for such annuity (whether or not paid during such year), until the aggregate amount excluded from gross income under this title or prior income tax laws in respect of such annuity equals the aggregate premiums or consideration paid for such annuity. In the case of a transfer for a valuable consideration, by assignment or otherwise, of a life insurance, endowment, or annuity contract, or any interest therein, only the actual value of such consideration and the amount of the premiums and other sums subsequently paid by the transferee shall be exempt from taxation under paragraph (1) or this paragraph:

(3) Gifts, Bequests, and Devises.—The value acquired by gift, bequest, devise, or inheritance (but the income from such property shall be included in gross income)

(4) Income which this State is prohibited from taxing under the Constitution of the United States of America or under the Constitution of this State.

(5) Compensation for Injuries or Sickness.—Amounts received, through accident or health insurance or under workmen's compensation acts, as compensation for personal injuries or sickness, plus the amount of any damages received whether by suit or agreement on account of such injuries or sickness;

(6) Ministers.—The rental value of a dwelling house and appurtenances thereof furnished to a minister of the gospel as part of his compensation,

(c) Inventories.—Whenever in the opinion of the commissioner, the use of inventories is necessary in order clearly to determine the income of any taxpayer, inventories shall be taken by such taxpayer upon such basis as the commissioner, may prescribe as conforming as nearly as may be to the best accounting practice in the trade or business and as most clearly reflecting the income

(d) Distributions by Corporations.—Distributions by corporations shall be taxable to the shareholders as provided in section 115

(e) Determination of Gain or Loss.—In the case of a sale or other disposition of property, the gain or loss shall be computed as provided in section 111

(f) Gross Income from Sources Within and Without California.—In the case of taxpayers other than residents the gross income includes only the gross income from sources within this State. Gross income from sources within and without this State shall be allocated and apportioned under rules and regulations to be prescribed by the commissioner

SEC. 23. Deductions from Gross Income. In computing net income there shall be allowed as deductions.

(a) Expenses.—All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal services actually rendered, traveling expenses (including the entire amount expended for meals and lodging) while away from home in the pursuit of a trade or business; and rentals or other payments required to be made as a condition to the continued use or profession, for

purposes of the trade or business, of property to which the taxpayer has not taken or is not taking title or in which he has no equity.

(b) Interest.—All interest paid or accrued within the taxable year on indebtedness, except on indebtedness incurred or continued to purchase or carry obligations the interest upon which is wholly exempt from the taxes imposed by this title.

(c) Taxes Generally.—Taxes or licenses paid or accrued within the taxable year, except—

(1) The taxes imposed by this act;

(2) Taxes on or according to or measured by income or profits paid or accrued within the taxable year imposed by the authority (1) the government of the United States and its possessions or any foreign country, (2) any State, Territory, county, city and county, school district, municipality or other taxing subdivision of any State or Territory, however, nothing contained in this subsection shall be construed as limiting the credits allowed under section 31.

(3) Estate, inheritance, legacy, succession, and gift taxes, and

(4) Taxes assessed against local benefits of a kind tending to increase the value of the property assessed; but this paragraph shall not exclude the allowance as a deduction of so much of such taxes as is properly allocable to maintenance or interest charges.

(e) Losses by Individuals.—In the case of an individual, losses sustained during the taxable year and not compensated for by insurance or otherwise—

(1) If incurred in trade or business; or

(2) If incurred in any transaction entered into for profit, though not connected with the trade or business; or

(3) Of property not connected with the trade or business, if the loss arises from fires, storms, shipwreck, or other casualty, or from theft. No loss shall be allowed as a deduction under this paragraph if at the time of the filing of the return such loss has been claimed as a deduction for estate tax purposes in the estate tax return.

(g) Wagering Losses.—Losses from wagering transactions shall be allowed only to the extent of the gains from such transactions.

(h) Basis for Determining Loss.—The basis for determining the amount of deduction for losses sustained, to be allowed under subsection (e), shall be the adjusted basis provided in section 113 (b) for determining the loss from the sale or other disposition of property.

(i) Loss on Wash Sales of Stock or Securities.—For disallowance of loss deduction in the case of sales of stock or securities where within thirty days before or after the date of the sale the taxpayer has acquired substantially identical property, see section 118.

(j) Capital Losses.—Losses from sales or exchanges of capital assets shall be allowed only to the extent provided in section 117 (d).

(k) Bad Debts.—Debts ascertained to be worthless and charged off within the taxable year (or, in the discretion of the commissioner, a reasonable addition to a reserve for bad debts); and when satisfied that a debt is recoverable only in part, the commissioner may allow such debt, in an amount not in excess of the part charged off within the taxable year, as a deduction.

(l) Depreciation.—A reasonable allowance for the exhaustion, wear and tear of property used in the trade or business, including a reasonable allowance for obsolescence. In the case of property held by one person for life with remainder to another person, the deduction shall be computed as if the life tenant were the absolute owner of the property and shall be allowed to the life tenant. In the case of property held in trust the allowable deduction shall be apportioned between the income beneficiaries and the trustee in accordance with the pertinent provisions of the instrument creating the trust, or, in the absence of such provisions, on the basis of the trust income allocable to each.

(m) Depletion.—In the case of mines, oil and gas wells, other natural deposits, and timber, a reasonable allowance for depletion and for depreciation of improvements, according to the peculiar conditions in each case, such reasonable allowance in all cases to be made under rules and regulations to be prescribed by the commissioner. In any case in which it is ascertained as a result of operations or of development work that the recoverable units are greater or less than the prior estimate thereof, then such prior estimate (but not the basis for depletion) shall be revised and the allowance under this subsection for subsequent taxable years shall be based upon such revised estimate. In the case of leases the deductions shall be equitably apportioned between the lessor and lessee. In the case of property held by one person for life with remainder to another person, the deduction shall be computed as if the life tenant were the absolute owner of the property and shall be allowed to the life tenant. In the case of property held in trust the allowable deduction shall be apportioned between the income beneficiaries and the trustee in accordance with the pertinent provisions of the instrument creating the trust, or, in the absence of such provisions, on the basis of the trust income allocable to each. (For percentage depletion allowable under this subsection, see section 114 (b), (3) and (4).)

(n) Basis for Depreciation and Depletion.—The basis upon which depletion, exhaustion, wear and tear, and obsolescence are to be allowed in respect of any property shall be as provided in section 114.

(o) Charitable and Other Contributions.—In the case of an individual, contributions or gifts made within the taxable year to or for the use of:

(1) The United States, any State, Territory, or any political subdivision thereof, or the District of Columbia, for exclusively public purposes;

(2) A corporation, or trust, or community chest, fund, or foundation organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting, to influence legislation;

(3) The special fund for vocational rehabilitation authorized by section 12 of the World War Veterans' Act, 1924;

(4) Posts or organizations of war veterans, or auxiliary units or societies of any such posts or organizations, if such posts, organizations, units, or societies are organized in the United States or any of its possessions, and if no part of their net earnings inures to the benefit of any private shareholder or individual; or

(5) A fraternal society, order, or association, operating under the lodge system, but only if such contributions or gifts are to be used exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, to an amount which in all the above cases combined does not exceed fifteen per centum of the taxpayer's net income as computed without the benefit of this subsection. Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the commissioner. (For unlimited deduction if contributions and gifts exceed ninety per centum of the net income, see section 120.)

(q) Pension Trusts.—An employer establishing or maintaining a pension trust to provide for the payment of reasonable pensions to his employees (if such trust is exempt from tax under section 165, relating to trusts created for the exclusive benefit of employees) shall be allowed as a deduction (in addition to the contributions to such trust during the taxable year to cover the pension liability accruing during the year, allowed as a deduction under subsection (a) of this section) a reasonable amount transferred or paid into such trust during the taxable year in excess of such contributions, but only if such amount (1) has not theretofore been allowable as a deduction, and (2) is apportioned in equal parts over a period of ten consecutive years beginning with the year in which the transfer or payment is made.

SEC. 24. Items Not Deductible.

(a) General Rule.—In computing net income no deduction shall in any case be allowed in respect of—

(1) Personal, living or family expenses;

(2) Any amount paid out for new buildings or for permanent improvements or betterments made to increase the value of any property or estate;

(3) Any amount expended in restoring property or in making good the exhaustion thereof for which an allowance is or has been made;

(4) Premiums paid on any life insurance policy covering the life of any officer or employee, or of any person financially interested in any trade or business carried on by the taxpayer, when the taxpayer is directly or indirectly a beneficiary under such policy;

(5) Any amount otherwise allowable as a deduction which is allocable to one or more classes of income other than interest (whether or not any amount of income of that class or classes is received or accrued) wholly exempt from the taxes imposed by this title; or

(6) Loss from sales or exchanges of property, directly or indirectly, (A) between members of a family, or (B) except in the case of distributions in liquidation, between an individual and a corporation in which such individual owns directly or indirectly, more than fifty per centum in value of the outstanding stock. For the purpose of this paragraph—(C) an individual shall be considered as owning the stock owned, directly or indirectly, by his family; and (D) the family of an individual shall include only his brothers and sisters (whether by the whole or half blood), spouse, ancestors, and lineal descendants.

(b) Holders of Life or Terminable Interest.—Amounts paid under the laws of any State, Territory, District of Columbia, possession of the United States, or foreign country as income to the holder of a life or terminable interest acquired by gift, bequest, or inheritance shall not be reduced or diminished by any deduction for shrinkage (by whatever name called) in the value of such interest due to the lapse of time, nor by any deduction allowed by this act (except the deductions provided for in subsections (1) and (m) of section 23) for the purpose of computing the net income of an estate or trust but not allowed under the laws of such State, Territory, District of Columbia, possession of the United States, or foreign country for the purpose of computing the income to which such holder is entitled.

SEC. 25. Credits of Individual Against Net Income.

(a) Credits for Normal Tax Only.—There shall be allowed for the purpose of the normal tax, but not for the surtax, the following credits against the net income.

(1) Dividends.—The amount received as dividends which is included in gross income under section 22.

(4) Earned Income Credit.—Ten per centum of the amount of the earned net income, but not in excess of ten per centum of the amount of the net income

(5) Earned Income Definitions.—For the purposes of this section—

(A) "Earned income" means wages, salaries, professional fees, and other amounts received as compensation for personal services actually rendered, but does not include any amount not included in gross income, nor that part of the compensation derived by the taxpayer for personal services rendered by him to a corporation which represents a distribution of earnings or profits rather than a reasonable allowance as compensation for the personal services actually rendered. In the case of a taxpayer engaged in a trade or business in which both personal services and capital are material income producing factors, a reasonable allowance as compensation for the personal services actually rendered by the taxpayer, not in excess of twenty per centum of his share of the net profits of such trade or business, shall be considered as earned income.

(B) "Earned income deductions" means such deductions as are allowed by section 23 for the purpose of computing net income, and are properly allocable to or chargeable against earned income.

(C) "Earned net income" means the excess of the amount of the earned income over the sum of the earned income deductions. If the taxpayer's net income is not more than $3,000, his entire net income shall be considered to be earned net income, and if his net income is more than $3.000, his earned net income shall not be considered to be less than $3,000. In no case shall the earned net income be considered to be more than $14,000.

(b) Credits for Both Normal Tax and Surtax.—There shall be allowed for the purposes of the normal tax and the surtax the following credits against net income

(1) Personal Exemption.—In the case of a single person, a personal exemption of $1,000; or in the case of the head of a family or a married person living with husband or wife, a personal exemption of $2,500. A husband and wife living together shall receive but one personal exemption The amount of such personal exemption shall be $2,500. If such husband and wife make separate returns, the personal exemption may be taken by either or divided between them.

(2) Credit for Dependents.—$400 for each person (other than husband or wife) dependent upon and receiving his chief support from the taxpayer if such dependent person is under eighteen years of age or is incapable of self-support because mentally or physically defective.

(3) Change of Status.—If the status of the taxpayer, in so far as it affects the personal exemption or credit for dependents, changes during the taxable year, the personal exemption and credit shall be apportioned, under rules and regulations prescribed by the commissioner in accordance with the number of months before and after such change. For the purpose of such apportionment a fractional part of a month shall be disregarded unless it amounts to more than half a month in which case it shall be considered as a month.

PART III.—CREDITS AGAINST TAX.

SEC. 31. Taxes of States, Territories and Possessions of the United States and Foreign Countries.—(a) Whenever a resident taxpayer of this State has become liable to income tax to another State, Territory or possession of the United States or a foreign country upon his net income, or any part thereof, for the taxable year, derived from sources without this State, and subject to taxation under this act, the amount of income tax payable by him under this act shall be credited with the amount of income tax so paid by him to such other State, Territory or possession of the United States or a foreign country but such credit shall not exceed such proportion of the tax payable under this act as the income subject to tax in such other State, Territory or possession of the United States or a foreign country bears to the taxpayer's entire income upon which the tax is imposed by this act.

(b) Whenever a nonresident taxpayer taxable under this act has become liable to income tax to the State, Territory or possession of the United States or a foreign country where he resides upon his net income for the taxable year, derived from sources within this State and subject to taxation under this act, the amount of income tax payable by him under this act shall be credited with such proportion of the tax so payable by him to the State, Territory or possession of the United States or a foreign country where he resides as his income subject to taxation under this act bears to his entire income upon which the tax so payable to such other State, Territory or possession of the United States or a foreign country was imposed; provided, that such credit shall be allowed only if the laws of said State, Territory or possession of the United States or a foreign country grant a substantially similar credit to residents of this State subject to income tax under such laws, or impose a tax upon the personal incomes of its residents derived from sources in this State and exempt from taxation the personal incomes of residents of this State. No credit shall be allowed against the amount of the tax on any income taxable under this act which is exempt from taxation under the laws of such other State.

(c) The credits provided in this section shall be allowed only on presentation to the commissioner of satisfactory proof that the taxpayer is entitled to same.

SEC. 33. Credit for Overpayments. For credit against the tax of overpayments of taxes imposed by this title for other taxable years, see section 322.

PART IV—ACCOUNTING PERIODS AND METHODS OF ACCOUNTING

SEC. 41. General Rule. The net income shall be computed upon the basis of the taxpayer's annual accounting period (fiscal year or calendar year, as the case may be) in accordance with the method of accounting regularly employed in keeping the books of such taxpayer, but if no such method of accounting has been so employed, or if the method employed does not clearly reflect the income, the computation shall be made in accordance with such method as in the opinion of the commissioner does clearly reflect the income. If the taxpayer's annual accounting period is other than a fiscal year as defined in section 48 or if the taxpayer has no annual accounting period or does not keep books, the net income shall be computed on the basis of the calendar year. (For use of inventories, see section 22 (c))

SEC. 42. *Period in Which Items of Gross Income Included.* The amount of all items of gross income shall be included in the gross income for the taxable year in which received by the taxpayer, unless, under methods of accounting permitted under section 41, any such amounts are to be properly accounted for as of a different period. In the case of the death of a taxpayer there shall be included in computing net income for the taxable period in which falls the date of his death, amounts accrued up to the date of his death if not otherwise properly includible in respect of such period or a prior period.

SEC. 43. Period for Which Deductions and Credits Taken. The deductions and credits provided for in this title shall be taken for the taxable year in which "paid or accrued" or "paid or incurred," dependent upon the method of accounting upon the basis of which the net income is computed, unless in order to clearly reflect the income the deductions or credits should be taken as of a different period. In the case of the death of a taxpayer there shall be allowed as deductions and credits for the taxable period in which falls the date of his death, amounts accrued up to the date of his death if not otherwise properly allowable in respect of such period or a prior period.

SEC. 44. Installment Basis. (a) Dealers in Personal Property.—Under regulations prescribed by the commissioner with the approval of the board a person who regularly sells or otherwise disposes of personal property on the installment plan may return as income therefrom in any taxable year that proportion of the installment payments actually received in that year which the gross profit realized or to be realized when payment is completed, bears to the total contract price.

(b) Sales of Realty and Casual Sales of Personalty.—In the case (1) of a casual sale or other casual disposition of personal property (other than property of a kind which would properly be included in the inventory of the taxpayer if on hand at the close of the taxable year), for a price exceeding $1,000 or (2) of a sale or other disposition of real property, if in either case the initial payments do not exceed 30 per centum of the selling price (or, in case the sale or other disposition was in a taxable year beginning prior to January 1, 1934, the percentage of the selling price prescribed in the law applicable to such year), the income may under regulations prescribed by the commissioner be returned on the basis and in the manner above prescribed in this section. As used in this section the term "initial payments" means the payments received in cash or property other than evidences of indebtedness of the purchaser during the taxable period in which the sale or other disposition is made.

(c) Change From Accrual to Installment Basis.—If a taxpayer entitled to the benefits of subsection (a) elects for any taxable year to report his net income on the installment basis, then in computing his income for the year of change or any subsequent year, amounts actually received during any such year on account of sales or other dispositions of property made in any prior year shall not be excluded.

(d) Gain or Loss Upon Disposition of Installment Obligations.—If an installment obligation is satisfied at other than its face value or distributed, transmitted, sold, or otherwise disposed of, gain or loss shall result to the extent of the difference between the basis of the obligation and (1) in the case of satisfaction at other than face value or a sale or exchange—the amount realized, or (2) in case of a distribution, transmission, or disposition otherwise than by sale or exchange—the fair market value of the obligation at the time of such distribution, transmission, or disposition. Any gain or loss so resulting shall be considered as resulting from the sale or exchange of the property in respect of which the installment obligation was received. The basis of the obligation shall be the excess of the face value of the obligation over an amount equal to the income which would be returnable were the obligation satisfied in full. This subsection shall not apply to the transmission at death of installment obligations if there is filed with the commissioner, at such time as he may by regulation prescribe, a bond in such amount and with such sureties as he may deem necessary, conditioned upon the return as income, by the person receiving

any payment on such obligations, of the same proportion of such payment as would be returnable as income by the decedent if he had lived and had received such payment.

SEC. 45. Allocation of Income and Deductions. In any case of two or more organizations, trades, or businesses (whether or not incorporated, whether or not organized in the State of California, and whether or not affiliated), owned or controlled directly or indirectly by the same interests, the commissioner is authorized to distribute, apportion, or allocate gross income or deductions between or among such organizations, trades, or businesses, if he determines that such distribution, apportionment, or allocation is necessary (1) in order to prevent evasion of taxes of any taxpayer taxable hereunder, or (2) clearly to reflect the income of any of such organizations, trades, or businesses where the income of any taxpayer taxable hereunder is affected thereby in such manner as to permit evasion of taxes

SEC. 46. Change of Accounting Period. If a taxpayer changes his accounting period from fiscal year to calendar year, from calendar year to fiscal year, or from one fiscal year to another, the net income shall, with the approval of the commissioner, be computed on the basis of such new accounting period, subject to the provisions of section 47.

SEC. 47. Returns for a Period of Less Than Twelve Months. (a) Returns for Short Period Resulting From Change of Accounting Period.—If a taxpayer, with the approval of the commissioner, changes the basis of computing net income from fiscal year to calendar year a separate return shall be made for the period between the close of the last fiscal year for which return was made and the following December 31st. If the change is from calendar year to fiscal year, a separate return shall be made for the period between the close of the last calendar year for which return is made and the date designated as the close of the fiscal year. If the change is from one fiscal year to another fiscal year a separate return shall be made for the period between the close of the former fiscal year and the date designated as the close of the new fiscal year.

(b) Income Computed on Basis of Short Period.—Where a separate return is made under subsection (a) on account of a change in the accounting period, and in all other cases where a separate return is required or permitted, by regulations prescribed by the commissioner to be made for a fractional part of a year, then the income shall be computed on the basis of the period for which separate return is made.

(c) Income Placed on Annual Basis.—If a separate return is made under subsection (a) on account of a change in the accounting period, the net income, computed on the basis of the period for which separate return is made, shall be placed on an annual basis by multiplying the amount thereof by twelve and dividing by the number of months included in the period for which the separate return is made. The tax shall be such part of the tax computed on such annual basis as the number of months in such period is of twelve months.

(d) Earned Income.—The commissioner shall by regulations prescribe the method of applying the provisions of subsections (b) and (c) (relating to computing income on the basis of a short period, and placing such income on an annual basis) to cases where the taxpayer makes a separate return under subsection (a) on account of a change in the accounting period, and it appears that for the period for which the return is so made he has received earned income.

(e) Reduction of Credits Against Net Income.—In the case of a return made for a fractional part of a year, except a return made under subsection (a), on account of a change in the accounting period, the personal exemption and credit for dependents shall be reduced respectively to amounts which bear the same ratio to the full credits provided as the number of months in the period for which return is made bears to twelve months

(f) Closing of Taxable Year in Case of Jeopardy.—For closing of taxable year in case of jeopardy, see section 146.

PART V—RETURNS AND PAYMENT OF TAX.

SEC. 51. Individual Returns. (a) Requirement.—The following residents shall each make under oath a return stating specifically the items of his gross income and the deductions and credits allowed under this title—

(1) Every individual having a net income for the taxable year of $1,000 or over, if single, or if married and not living with husband or wife;

(2) Every individual having a net income for the taxable year of $2,500 or over, if married and living with husband or wife; and

(3) Every individual having a gross income for the taxable year of $5,000 or over, regardless of the amount of his net income.

(b) Husband and Wife.—If a husband and wife living together have an aggregate net income for the taxable year of $2,500 or over, or an aggregate gross income for such year of $5,000 or over—

(1) Each shall make such a return, or

(2) The income of each shall be included in a single joint return, in which case the tax shall be computed on the aggregate income.

(c) Persons Under Disability.—If the taxpayer is unable to make his own return, the return shall be made by a duly authorized agent or by the guardian or other person charged with the care of the person or property of such taxpayer.

(d) Fiduciaries.—For returns to be made by fiduciaries, see section 142.

SEC. 53. Time and Place for Filing Returns. (a) Time for Filing.—

(1) General Rule.—Returns made on the basis of the calendar year shall be made on or before the fifteenth day of April following the close of the calendar year. Returns made on the basis of a fiscal year shall be made on or before the fifteenth day of the fourth month following the close of the fiscal year.

(2) Extension of Time.—The commissioner may grant a reasonable extension of time for filing returns, under such rules and regulations as he shall prescribe. Except in the case of taxpayers who are abroad, no such extension shall be for more than six months.

(b) To Whom Return Made.—(1) Individuals.—Returns shall be made to the collector for the district in which is located the legal residence or principal place of business of the person making the return, or, if he has no legal residence or principal place of business in California, then to the collector at Sacramento, California.

(c) Returns shall be under oath, in such form as the Commissioner may from time to time prescribe, and shall be filed with the commissioner, at his main office or at any branch office which he may establish. The commissioner shall cause to be prepared blank forms for the said returns and shall cause them to be distributed throughout the State and to be furnished upon application, but failure to receive or secure the form shall not relieve any taxpayer from the obligation of making any return herein required.

SEC. 54. Records and Special Returns. (a) By Taxpayer.—Every person liable to any tax imposed by this title shall keep such records, render under oath such statements, make such returns, and comply with such rules and regulations, as the commissioner may from time to time prescribe.

(b) To Determine Liability to Tax.—Whenever in the judgment of the commissioner necessary he may require any person, by notice served upon him, to make a return, render under oath such statements or keep such records, as the commissioner deems sufficient to show whether or not such person is liable to tax under this title.

(c) Information at the Source.—For requirement of statements and returns by one person to assist in determining the tax liability of another person, see sections 147 to 150.

SEC. 55. Secrecy of Returns and Information.—(a) It shall be unlawful for any officer or employee of the State of California to divulge or to make known in any manner whatever not provided by law to any person the operations, style of work, or apparatus of any manufacturer or producer visited by him in the discharge of his official duties, or the amount or source of income, profits, losses, expenditures, or any particular thereof, set forth or disclosed in any income return, or to permit any income return or copy thereof or any book containing any abstract or particulars thereof to be seen or examined by any person except as provided by law; and it shall be unlawful for any person to print or publish in any manner whatever not provided by law any income returns, or any part thereof or source of income, profits, losses, or expenditures appearing in any income return; and any offense against the foregoing provision shall be a misdemeanor and be punished by a fine not exceeding $1,000 or by imprisonment not exceeding one year, or both, at the discretion of the court; and if the offender be an officer or employee of the State of California he shall be dismissed from office or discharged from employment. Nothing herein shall be construed to prohibit the publication of statistics, so classified as to prevent the identification of particular reports or returns and the items thereof, or the inspection by the Attorney General or other legal representatives of the State, of the report or return of any taxpayer who shall bring action to set aside or review the tax based thereon, or against whom an action or proceeding has been instituted to recover any tax or any penalty imposed by this act.

(b) Notwithstanding the provisions of this section, the commissioner may permit the commissioner of internal revenue of the United States, or the proper officer of any State imposing an income tax upon the incomes of individuals, or the authorized representative of either such officer, to inspect the income tax returns of any individual, or may furnish to such officer or his authorized representative an abstract of the return of income of any taxpayer or supply him with information concerning any item of income contained in any return, or disclosed by the report of any investigation of the income or return of income of any taxpayer; but such permission shall be granted or such information furnished to such officer or his representative, only if the statutes of the United States or of such other State, as the case may be, grant substantially similar privileges to the proper officer of this State charged with the administration of this act.

SEC. 56. Payment of Tax (a) Time of Payment.—The total amount of tax imposed by this title shall be paid on the fifteenth day of April following the close of the calendar year, or, if the return should be made on the basis of a fiscal year, then on the fifteenth day of the fourth month following the close of the fiscal year.

(b) Installment Payments.—The taxpayer may elect to pay the tax in three equal installments, in which case the first installment shall be paid on the date prescribed for the payment of the tax by the taxpayer, the second installment shall be paid on the fifteenth day of the fourth month, the third installment on the fifteenth day of the eighth month after such date. If any installment is not paid on or before the date fixed for its payment, the whole amount of the tax unpaid shall be paid upon notice and demand from the commissioner.

(c) Extension of Time for Payment.—At the request of the taxpayer, the commissioner may extend the time for payment of the amount determined as the tax by the taxpayer, or any installment thereof, for a period not to exceed six months from the date prescribed for the payment of the tax or an installment thereof. In such case the amount in respect of which the extension is granted shall be paid on or before the date of the expiration of the period of the extension.

(d) Voluntary Advance Payment.—A tax imposed by this title, or any installment thereof, may be paid, at the election of the taxpayer, prior to the date prescribed for its payment.

(e) Advance Payment in Case of Jeopardy.—For advance payment in case of jeopardy, see section 146.

(g) Fractional Parts of Cent.—In the payment of any tax under this title a fractional part of a cent shall be disregarded unless it amounts to one-half cent or more, in which case it shall be increased to 1 cent.

(h) Receipts.—The commissioner when any payment of any income tax is made shall upon request give to the person making such payment a full written or printed receipt therefore.

(i) Method of Payment.—The tax, and any additions thereto, imposed by this act, shall be paid to the commissioner at Sacramento, or to his authorized representatives at any branch office. Remittances may be in the form of uncertified check, payable to the State Treasurer, during such time and under such regulations as the commissioner may prescribe, but if a check so received is not paid by the bank on which it is drawn, the taxpayer by whom such check is tendered shall remain liable for the payment of the tax, and all additions thereto, the same as if such check had not been tendered.

SEC. 57. Examination of Return and Determination of Tax. As soon as practicable after the return is filed the commissioner shall examine it and shall determine the correct amount of the tax.

SEC. 58. Additions to Tax and Penalties. (a) For additions to the tax in case of negligence or fraud in the nonpayment of tax or failure to file return therefor, see Supplement M.

(b) For criminal penalties for nonpayment of tax or failure to file return therefor, see section 145.

SEC. 59. Administrative Proceedings. For administrative proceedings in respect of the nonpayment or overpayment of a tax imposed by this title, see as follows.

(a) Supplement L, relating to assessment and collection of deficiencies.
(b) Supplement M, relating to interest and additions to tax.
(c) Supplement N, relating to claims against transferees and fiduciaries.
(d) Supplement O, relating to overpayments.

PART VI—MISCELLANEOUS PROVISIONS

SEC. 61. Laws Made Applicable. All administrative provisions of law, including the law relating to the assessment of taxes, so far as applicable, are hereby extended to and made a part of this title.

SEC. 62. Rules and Regulations. The commissioner shall prescribe and publish all needful rules and regulations for the enforcement of this title.

SEC. 64. Short Title. This act may be cited as "The Personal Income Tax Act of 1935."

SUBTITLE C—SUPPLEMENTAL PROVISIONS.

SUPPLEMENT B—COMPUTATION OF NET INCOME.

[Supplementary to Subtitle B, Part II]

SEC. 111. Determination of Amount of, and Recognition of, Gain or Loss. (a) Computation of Gain or Loss.—The gain from the sale or other disposition of property shall be the excess of the amount realized therefrom over the adjusted basis provided in section 113 (b) for determining gain, and the loss shall be the excess of the adjusted basis provided in such section for determining loss over the amount realized

(b) Amount Realized.—The amount realized from the sale or other disposition of property shall be the sum of any money received plus the fair market value of the property (other than money) received.

(c) Recognition of Gain or Loss.—In the case of a sale or exchange, the extent to which the gain or loss determined under this section shall be recognized for the purposes of this title, shall be determined under the provisions of section 112.

(d) Installment Sales.—Nothing in this section shall be construed to prevent (in the case of property sold under contract providing for payment in installments) the

taxation of that portion of any installment payment representing gain or profit in the year in which such payment is received.

SEC. 112. Recognition of Gain or Loss. (a) General Rule.—Upon the sale or exchange of property the entire amount of the gain or loss, determined under section 111, shall be recognized, except as hereinafter provided in this section

(b) Exchanges Solely in Kind —

(1) Property Held for Productive Use or Investment.—No gain or loss shall be recognized if property held for productive use in trade or business or for investment (not including stock in trade or other property held primarily for sale, nor stocks, bonds, notes, choses in action, certificates of trust or beneficial interest, or other securities or evidences of indebtedness or interest) is exchanged solely for property of a like kind to be held either for productive use in trade or business or for investment.

(2) Stock for Stock of Same Corporation —No gain or loss shall be recognized if common stock in a corporation is exchanged solely for common stock in the same corporation, or if preferred stock in a corporation is exchanged solely for preferred stock in the same corporation.

(3) Stock for Stock on Reorganization.—No gain or loss shall be recognized if stock or securities in a corporation a party to a reorganization are, in pursuance of the plan of reorganization, exchanged solely for stock or securities in such corporation or in another corporation a party to the reorganization.

(5) Transfer to Corporation Controlled by Transferor.—No gain or loss shall be recognized if property is transferred to a corporation by one or more persons solely in exchange for stock or securities in such corporation, and immediately after the exchange such person or persons are in control of the corporation; but in the case of an exchange by two or more persons this paragraph shall apply only if the amount of the stock and securities received by each is substantially in proportion to his interest in the property prior to the exchange.

(c) Gain From Exchanges Not Solely In Kind —

(1) If an exchange would be within the provisions of subsection (b) (1), (2), (3), or (5) of this section if it were not for the fact that the property received in exchange consists not only of property permitted by such paragraph to be received without the recognition of gain, but also of other property or money, then the gain, if any, to the recipient shall be recognized, but in an amount not in excess of the sum of such money and the fair market value of such other property.

(2) If a distribution made in pursuance of a plan of reorganization is within the provisions of paragraph (1) of this subsection but has the effect of the distribution of a taxable dividend, then there shall be taxed as a dividend to each distributee such an amount of the gain recognized under paragraph (1) as is not in excess of his ratable share of the undistributed earnings and profits of the corporation accumulated after February 28, 1913. The remainder, if any, of the gain recognized under paragraph (1) shall be taxed as a gain from the exchange of property.

(f) Involuntary Conversions —If property (as a result of its destruction in whole or in part, theft or seizure, or an exercise of the power of requisition or condemnation, or the threat or imminence thereof) is compulsorily or involuntarily converted into property similar or related in service or use to the property so converted, or into money which is forthwith in good faith, under regulations prescribed by the commissioner with the approval of the board, expended in the acquisition of other property similar or related in service or use to the property so converted, or in the acquisition of control of a corporation owning such other property, or in the establishment of a replacement fund, no gain or loss shall be recognized If any part of the money is not so expended, the gain, if any, shall be recognized, but in an amount not in excess of the money which is not so expended.

(g) Definition of Reorganization —As used in this section and section 113—

(1) The term "reorganization" means (a) a statutory merger or consolidation or (b) the acquisition by one corporation in exchange solely for all or a part of its voting stock: Of at least eighty per centum of the voting stock and at least eighty per centum of the total number of shares of all other classes of stock of another corporation; or of substantially all the properties of another corporation, or (c) a transfer by a corporation of all or a part of its assets to another corporation if immediately after the transfer the transferor or its stockholders or both are in control of the corporation to which the assets are transferred, or (d) a recapitalization, or (e) a mere change in identity, form, or place of organization however affected

(2) The term "a party to a reorganization" includes a corporation resulting from a reorganization and includes both corporations in the case of a reorganization resulting from the acquisition by one corporation of stock or properties of another.

(h) Definition of Control —As used in this section the term "control" means the ownership of at least eighty per centum of the voting stock and at least eighty per centum of the total number of shares of all other classes of stock of the corporation.

(i) Foreign Corporations.—In determining the extent to which gain shall be recognized in the case of any of the exchanges (made after the date of the enactment of this act) described in subsection (b) (3), (4), or (5), or described in so much of subsection (c) as refers to subsection (b) (3) or (5), or described in sub-

section (d), a foreign corporation shall not be considered as a corporation unless, prior to such exchange, it has been established to the satisfaction of the commissioner that such exchange is not in pursuance of a plan having as one of its principal purposes the avoidance of California income taxes.

SEC. 113. Adjusted Basis for Determining Gain or Loss. (a) Basis (Unadjusted) or Property.—The basis of property shall be the cost of such property, except that—

(1) Inventory Value.—If the property should have been included in the last inventory, the basis shall be the last inventory value thereof.

(2) Gifts After December 31, 1920.—If the property was acquired by gift after December 31, 1920, the basis shall be the same as it would be in the hands of the donor or the last preceding owner by whom it was not acquired by gift, except that for the purpose of determining loss the basis shall be the basis so determined or the fair market value of the property at the time of the gift, whichever is lower. If the facts necessary to determine the basis in the hands of the donor or the last preceding owner are unknown to the donee, the commissioner shall, if possible, obtain such facts from such donor or last preceding owner, or any other person cognizant thereof. If the commissioner finds it impossible to obtain such facts, the basis in the hands of such donor or last preceding owner shall be the fair market value of such property as found by the commissioner as of the date or approximate date at which, according to the best information that the commissioner is able to obtain, such property was acquired by such donor or last preceding owner.

(3) Transfer In Trust After December 31, 1920.—If the property was acquired after December 31, 1920, by a transfer in trust (other than by a transfer in trust by a bequest or devise) the basis shall be the same as it would be in the hands of the grantor, increased in the amount of gain or decreased in the amount of loss recognized to the grantor upon such transfer under the law applicable to the year in which the transfer was made.

(4) Gift or Transfer in Trust Before January 1, 1921.—If the property was acquired by gift or transfer in trust on or before December 31, 1920, the basis shall be the fair market value of such property at the time of such acquisition.

(5) Property Transmitted at Death.—If the property was acquired by bequest, devise, or inheritance, or by the decedent's estate from the decedent, the basis shall be the fair market value of such property at the time of such acquisition. In the case of property transferred in trust to pay the income for life to or upon the order or direction of the grantor, with the right reserved to the grantor at all times prior to his death to revoke the trust, the basis of such property in the hands of the persons entitled under the terms of the trust instrument to the property after the grantor's death shall, after such death, be the same as if the trust instrument had been a will executed on the day of the grantor's death. For the purpose of this paragraph property passing without full and adequate consideration under a general power of appointment exercised by will shall be deemed to be property passing from the individual exercising such power by bequest or devise.

(6) Tax-Free Exchanges Generally.—If the property was acquired, after February 28, 1913, upon an exchange described in section 112 (b) to (e), inclusive, the basis shall be the same as in the case of the property exchanged, decreased in the amount of any money received by the taxpayer and increased in the amount of gain or decreased in the amount of loss to the taxpayer that was recognized upon such exchange under the law applicable to the year in which the exchange was made. If the property so acquired consisted in part of the type of property permitted by section 112 (b) to be received without the recognition of gain or loss, and in part of other property, the basis provided in this paragraph shall be allocated between the properties (other than money) received, and for the purpose of the allocation there shall be assigned to such other property an amount equivalent to its fair market value at the date of the exchange. This paragraph shall not apply to property acquired by a corporation by the issuance of its stock or securities as the consideration in whole or in part for the transfer of the property to it.

(7) Transfers to Corporation Where Control of Property Remains in Same Persons.—If the property was acquired after December 13, 1917, by a corporation in connection with a reorganization, and immediately after the transfer an interest or control in such property of fifty per centum or more remained in the same persons or any of them, then the basis shall be the same as it would be in the hands of the transferor, increased in the amount of gain or decreased in the amount of loss recognized to the transferor upon such transfer under the law applicable to the year in which the transfer was made. This paragraph shall not apply if the property acquired consists of stock or securities in a corporation a party to the reorganization, unless acquired by the issuance of stock or securities of the transferee as the consideration in whole or in part for the transfer.

(8) Property Acquired by Issuance of Stock or as Paid-in Surplus.—If the property was acquired after December 31, 1920, by a corporation—

(a) By the issuance of its stock or securities in connection with a transaction described in section 112 (b) (5) (including also, cases where part of the considera-

tion for the transfer of such property to the corporation was property or money, in addition to such stock or securities), or

(b) As paid-in surplus or as a contribution to capital, then the basis shall be the same as it would be in the hands of the transferor, increased in the amount of gain or decreased in the amount of loss recognized to the transferor upon such transfer under the law applicable to the year in which the transfer was made.

(9) Involuntary Conversion.—If the property was acquired, after February 28, 1913, as the result of a compulsory or involuntary conversion described in section 112 (f), the basis shall be the same as in the case of the property so converted, decreased in the amount of any money received by the taxpayer which was not expended in accordance with the provisions of law (applicable to the year in which such conversion was made) determining the taxable status of the gain or loss upon such conversion, and increased in the amount of gain or decreased in the amount of loss to the taxpayer recognized upon such conversion under the law applicable to the year in which such conversion was made.

(10) Wash Sales of Stock.—If the property consists of stock or securities the acquisition of which (or the contract or option to acquire which) resulted in the nondeductibility (under section 118 of this act) of the loss from the sale or other disposition of substantially identical stock or securities, then the basis shall be the basis of the stock or securities so sold or disposed of, increased or decreased, as the case may be, by the difference, if any, between the price at which the property was acquired and the price at which such substantially identical stock or securities were sold or otherwise disposed of.

(12) Basis Established by Revenue Act of 1932.—If the property was acquired, after February 28, 1913, in any taxable year beginning prior to January 1, 1934, and the basis thereof, for the purposes of the Revenue Act of 1932 was prescribed by section 113 (a) (6), (7), or (9) of such act, then for the purposes of this act the basis shall be the same as the basis therein prescribed in the Revenue Act of 1932.

(13) Partnerships.—If the property was acquired, after February 28, 1913, by a partnership and the basis is not otherwise determined under any of the paragraphs (1) to (12), inclusive, of this subsection, then the basis shall be the same as it would be in the hands of the transferor, increased in the amount of gain or decreased in the amount of loss recognized to the transferor upon such transfer under the law applicable to the year in which the transfer was made. If the property was distributed in kind by a partnership to any partner, the basis of such property in the hands of the partner shall be such part of the basis in his hands of his partnership interest as is properly allocable to such property.

(14) Property Acquired Before March 1, 1913.—In the case of property acquired before March 1, 1913, if the basis otherwise determined under this subsection, adjusted (for the period prior to March 1, 1913) as provided in subsection (b), is less than the fair market value of the property as of March 1, 1913, then the basis for determining gain shall be such fair market value. In determining the fair market value of stock in a corporation as of March 1, 1913, due regard shall be given to the fair market value of the assets of the corporation as of that date.

(b) Adjusted Basis.—The adjusted basis for determining the gain or loss from the sale or other disposition of property, whenever acquired, shall be the basis determined under subsection (a), adjusted as hereinafter provided.

(1) General Rule.—Proper adjustment in respect of the property shall in all cases be made—

(a) For expenditures, receipts, losses, or other items, properly chargeable to capital account, including taxes and other carrying charges on unimproved and unproductive real property but no such adjustment shall be made for taxes or other carrying charges for which deductions have been taken by the taxpayer in determining net income for the taxable year or prior taxable years;

(b) In respect of any period since February 28, 1913, for exhaustion, wear and tear, obsolescence, amortization, and depletion, to the extent allowed (but not less than the amount allowable) under this act. Where for any taxable year prior to the taxable year 1932 the depletion allowance was based on discovery value or a percentage of income, then the adjustment for depletion for such year shall be based on the depletion which would have been allowable for such year if computed without reference to discovery value or a percentage of income;

(c) In respect of any period prior to March 1, 1913, for exhaustion, wear and tear, obsolescence, amortization, and depletion, to the extent sustained;

(d) In the case of stock (to the extent not provided for in the foregoing subparagraphs) for the amount of distributions previously made which, under the law applicable to the year in which the distribution was made, either were tax-free or were applicable in reduction of basis (not including distributions made by a corporation, which was classified as a personal service corporation under the provisions of the Revenue Act of 1918 or 1921, out of its earnings or profits which were taxable in accordance with the provisions of section 218 of the Revenue Act of 1918 or 1921

(2) Substituted Basis.—The term "substituted basis" as used in this subsection means a basis determined under any provision of subsection (a) of this section or under any corresponding provision of a prior income tax law, providing that the basis shall be determined—

(a) By reference to the basis in the hands of a transferor, donor, or grantor, or

(b) By reference to other property held at any time by the person for whom the basis is to be determined

Whenever it appears that the basis of property in the hands of the taxpayer is a substituted basis, then the adjustments provided in paragraph (1) of this subsection shall be made after first making in respect of such substituted basis proper adjustments of a similar nature in respect of the period during which the property was held by the transferor, donor, or grantor, or during which the other property was held by the person for whom the basis is to be determined. A similar rule shall be applied in the case of a series of substituted basis.

SEC. 114. Basis for Depreciation and Depletion.

(a) Basis for Depreciation.—The basis upon which exhaustion, wear and tear, and obsolescence are to be allowed in respect of any property shall be the adjusted basis provided in section 113 (b) for the purpose of determining the gain upon the sale or other disposition of such property.

(b) Basis for Depletion.—

(1) General Rule.—The basis upon which depletion is to be allowed in respect of any property shall be the adjusted basis provided in section 113 (b) for the purpose of determining the gain upon the sale or other disposition of such property, except as provided in paragraphs (2), (3), and (4) of this subsection.

(2) Discovery Value in Case of Mines.—In the case of mines (other than metal, coal or sulphur mines) discovered by the taxpayer after February 28, 1913, the basis for depletion shall be the fair market value of the property at the date of discovery or within thirty days thereafter, if such mines were not acquired as the result of purchase of a proven tract or lease, and if the fair market value of the property is materially disproportionate to the cost. The depletion allowance under section 23 (m) based on discovery value provided in this paragraph shall not exceed fifty per centum of the net income of the taxpayer (computed without allowance for depletion) from the property upon which the discovery was made, except that in no case shall the depletion allowance under section 23 (m) be less than it would be if computed without reference to discovery value. Discoveries shall include minerals in commercial quantities contained within a vein or deposit discovered in an existing mine or mining tract by the taxpayer after February 28, 1913, if the vein or deposit thus discovered was not merely the uninterrupted extension of a continuing commercial vein or deposit already known to exist, and if the discovered minerals are of sufficient value and quantity that they could be separately mined and marketed at a profit.

(3) Percentage Depletion for Oil and Gas Wells.—In the case of oil and gas wells the allowance for depletion under section 23 (m) shall be twenty-seven and one-half per centum of the gross income from the property during the taxable year, excluding from such gross income an amount equal to any rents or royalties paid or incurred by the taxpayer in respect of the property. Such allowance shall not exceed fifty per centum of the net income of the taxpayer (computed without allowance for depletion) from the property, except that in no case shall the depletion allowance under section 23 (m) be less than it would be if computed without reference to this paragraph.

(4) Percentage Depletion for Coal and Metal Mines and Sulphur.—The allowance for depletion under section 23 (m) shall be, in the case of coal mines, five per centum, in the case of metal mines, fifteen per centum, and, in the case of sulphur mines or deposits, twenty-three per centum, of the gross income from the property during the taxable year, excluding from such gross income an amount equal to any rents or royalties paid or incurred by the taxpayer in respect of the property. Such allowance shall not exceed fifty per centum of the net income of the taxpayer (computed without allowance for depletion) from the property. A taxpayer making his first return under this title in respect of a property shall state whether he elects to have the depletion allowance for such property for the taxable year for which the return is made computed with or without regard to percentage depletion, and the depletion allowance in respect of such property for such year shall be computed according to the election thus made. If the taxpayer fails to make such statement in the return, the depletion allowance for such property for such year shall be computed without reference to percentage depletion. The method, determined as above, of computing the depletion allowance shall be applied in the case of the property for all taxable years in which it is in the hands of such taxpayer, or of any other person if the basis of the property (for determining gain) in his hands is under section 113, determined by reference to the basis in the hands of such taxpayer, either directly or through one or more substituted basis, as defined in that section.

SEC. 115. Distributions by Corporations.

(a) Definition of Dividend.—The term "dividend" when used in this title means any distribution made by a corporation to its shareholders, whether in money or in other property, out of its earnings or profits accumulated after February 28, 1913.

(b) Source of Distributions.—For the purposes of this act every distribution is made out of earnings or profits to the extent thereof, and from the most recently accumulated earnings or profits. Any earnings or profits accumulated, or increase in value of property accrued, before March 1, 1913, may be distributed exempt from

tax, after the earnings and profits accumulated after February 28, 1913, have been distributed, but any such tax-free distribution shall be applied against and reduce the adjusted basis of the stock provided in section 113.

(c) Distributions in Liquidation.—Amounts distributed in complete liquidation of a corporation shall be treated as in full payment in exchange for the stock, and amounts distributed in partial liquidation of a corporation shall be treated as in part or full payment in exchange for the stock. The gain or loss to the distributee resulting from such exchange shall be determined under section 111, but shall be recognized only to the extent provided in section 112. Despite the provisions of section 117 (a), one hundred per centum of the gain so recognized shall be taken into account in computing net income. In the case of amounts distributed (whether before January 1, 1934, or on or after such date) in partial liquidation (other than a distribution within the provisions of subsection (h) of this section of stock or securities in connection with a reorganization) the part of such distribution which is properly chargeable to capital account shall not be considered a distribution of earnings or profits within the meaning of subsection (b) of this section for the purpose of determining the taxability of subsequent distributions by the corporation

(d) Other Distributions from Capital.—If any distribution (not in partial or complete liquidation) made by a corporation to its shareholders is not out of increase in value of property accrued before March 1, 1913, and is not out of earnings or profits, then the amount of such distribution shall be applied against and reduce the adjusted basis of the stock provided in section 113, and if in excess of such basis, such excess shall be taxable in the same manner as a gain from the sale or exchange of property.

(e) Distributions by Personal Service Corporations.—Any distribution made by a corporation, which was classified as a personal service corporation under the provisions of the Revenue Act of 1918 or the Revenue Act of 1921, out of its earnings or profits which were taxable in accordance with the provisions of section 218 of the Revenue Act of 1918 or section 218 of the Revenue Act of 1921, shall be exempt from tax to the distributees.

(f) Stock Dividends.—A stock dividend shall not be subject to tax.

(g) Redemption of Stock.—If a corporation cancels or redeems its stock (whether or not such stock was issued as a stock dividend) at such time and in such manner as to make the distribution and cancellation or redemption in whole or in part essentially equivalent to the distribution of a taxable dividend, the amount so distributed in redemption or cancellation of the stock, to the extent that it represents a distribution of earnings or profits accumulated after February 28, 1913, shall be treated as a taxable dividend

(h) Distribution of Stock on Reorganization.—Effect on Future Distributions — The distribution before January 1, 1934, in pursuance of a plan of reorganization, by or on behalf of a corporation a party to the reorganization, of its stock or securities or stock or securities in a corporation a party to the reorganization, if no gain to the distributee from the receipt of such stock or securities was recognized by law, shall not be considered a distribution of earnings or profits within the meaning of this section for the purpose of determining the taxability of subsequent distributions by the corporation. As used in this subsection, the terms "reorganization" and "party to the reorganization" shall have the meanings assigned to such terms in section 112 of the Revenue Act of 1932.

(i) Definition of Partial Liquidation.—As used in this section the term "amounts distributed in partial liquidation" means a distribution by a corporation in complete cancellation or redemption of a part of its stock, or one of a series of distributions in complete cancellation or redemption of all or a portion of its stock.

SEC. 116. Exclusions from Gross Income. In addition to the items specified in section 22 (b), the following items shall not be included in gross income and shall be exempt from taxation under this title:

(a) Earned Income from Sources Without California.—In the case of an individual citizen of California, a bona fide nonresident of California for more than six months during the taxable year, amounts received from sources without California (except amounts paid by California or any agency thereof) if such amounts would constitute earned income as defined in section 25 (a) if received from sources within California; but such individual shall not be allowed as a deduction from his gross income any deductions properly allocable to or chargeable against amounts excluded from gross income under this subsection.

SEC. 117 Capital Gains and Losses. (a) General Rule.—Only the following percentages of the gain or loss recognized upon the sale or exchange of a capital asset shall be taken into account in computing net income:

One hundred per centum if the capital asset has been held for not more than one year;

Eighty per centum if the capital asset has been held for more than one year but not for more than two years;

Sixty per centum if the capital asset has been held for more than two years but not for more than five years;

Forty per centum if the capital asset has been held for more than five years but not for more than ten years;

Thirty per centum if the capital asset has been held for more than ten years.

(b) Definition of Capital Assets.—For the purposes of this title, "capital assets" means property held by the taxpayer (whether or not connected with his trade or business), but does not include stock in trade of the taxpayer or other property of a kind which would properly be included in the inventory of the taxpayer if on hand at the close of the taxable year, or property held by the taxpayer primarily for sale to customers in the ordinary course of his trade or business

(c) Determination of Period for Which Held.—For the purpose of subsection (a)—

(1) In determining the period for which the taxpayer has held property received on an exchange there shall be included the period for which he held the property exchanged, if under the provisions of section 113, the property received has, for the purpose of determining gain or loss from a sale or exchange, the same basis in whole or in part in his hands as the property exchanged.

(2) In determining the period for which the taxpayer has held property however acquired there shall be included the period for which such property was held by any other person, if under the provisions of section 113, such property has, for the purpose of determining gain or loss from a sale or exchange, the same basis in whole or in part in his hands as it would have in the hands of such other person.

(3) In determining the period for which the taxpayer has held stock or securities received upon a distribution where no gain was recognized to the distributee under the provisions of section 112 (g) of the Revenue Act of 1928 or the Revenue Act of 1932, there shall be included the period for which he held the stock or securities in the distributing corporation prior to the receipt of the stock or securities upon such distribution.

(4) In determining the period for which the taxpayer has held stock or securities the acquisition of which (or the contract or option to acquire which) resulted in the nondeductibility (under section 118 of this act or section 118 of the Revenue Act of 1928 or the Revenue Act of 1932, relating to wash sales) of the loss from the sale or other disposition of substantially identical stock or securities, there shall be included the period for which he held the stock or securities the loss from the sale or other disposition of which was not deductible.

(d) Limitation of Capital Losses.—Losses from sales or exchanges of capital assets shall be allowed only to the extent of $2,000 plus the gains from such sales or exchanges. If a bank or trust company incorporated under the laws of the United States or of any State or Territory, a substantial part of whose business is the receipt of deposits, sells any bond, debenture, note, or certificate or other evidence of indebtedness issued by any corporation (including one issued by a government or political subdivision thereof), with interest coupons or in registered form, any loss resulting from such sale (except such portion of the loss as does not exceed the amount, if any, by which the adjusted basis of such instrument exceeds the par or face value thereof) shall not be subject to the foregoing limitation and shall not be included in determining the applicability of such limitation to other losses.

(e) Gains and Losses from Short Sales, etc.—For the purpose of this title—

(1) Gains or losses from short sales of property shall be considered as gains or losses from sales or exchanges of capital assets, and

(2) Gains or losses attributable to the failure to exercise privileges or options to buy or sell property shall be considered as gains or losses from sales or exchanges of capital assets held for one year or less

(f) Retirement of Bonds, etc.—For the purposes of this title, amounts received by the holder upon the retirement of bonds, debentures, notes, or certificates or other evidences of indebtedness issued by any corporation (including those issued by a government or political subdivision thereof), with interest coupons or in registered form, shall be considered as amounts received in exchange therefor.

SEC. 118. Loss from Wash Sales of Stock or Securities. (a) In the case of any loss claimed to have been sustained from any sale or other disposition of shares of stock or securities where it appears that within a period beginning thirty days before the date of such sale or disposition and ending thirty days after such date, the taxpayer has acquired (by purchase or by an exchange upon which the entire amount of gain or loss was recognized by law), or has entered into a contract or option so to acquire, substantially identical stock or securities then no deduction for the loss shall be allowed under section 23 (e) (2); nor shall such deduction be allowed under section 23 (f) unless the claim is made by a corporation, a dealer in stocks or securities, and with respect to a transaction made in the ordinary course of its business

(b) If the amount of stock or securities acquired (or covered by the contract or option to acquire) is less than the amount of stock or securities sold or otherwise disposed of, then the particular shares of stock or securities the loss from the sale or other disposition of which is not deductible shall be determined under rules and regulations prescribed by the commissioner

(c) If the amount of stock or securities acquired (or covered by the contract or option to acquire) is not less than the amount of stock or securities sold or otherwise disposed of, then the particular shares of stock or securities the acquisition of which (or the contract or option to acquire which) resulted in the nondeductibility of the loss shall be determined under rules and regulations prescribed by the commissioner.

SEC. 120. Unlimited Deduction for Charitable and Other Contributions. In the case of an individual if in the taxable year and in each of the ten preceding taxable years the amount of the contributions or gifts described in section 23 (o) plus the amount of income taxes paid during such year in respect of preceding taxable years, exceeds ninety per centum of the taxpayer's net income for each such year, as computed without the benefit of section 23 (o), then the fifteen per centum limit imposed by such section shall not be applicable.

SUPPLEMENT D—RETURNS AND PAYMENT OF TAX.

[Supplementary to Subtitle B, Part V]

SEC. 142. Fiduciary Returns. (a) Requirement of Return.—Every fiduciary (except a receiver appointed by authority of law in possession of part only of the property of an individual) shall make under oath a return for any of the following individuals, estates, or trusts for which he acts, stating specifically the items of gross income thereof and the deductions and credits allowed under this title—

(1) Every individual having a net income for the taxable year of $1,000 or over, if single, or if married and not living with husband or wife;

(2) Every individual having a net income for the taxable year of $2,500 or over, if married and living with husband or wife;

(3) Every individual having a gross income for the taxable year of $5,000 or over, regardless of the amount of his net income;

(4) Every estate or trust the net income of which for the taxable year is $1,000 or over;

(5) Every estate or trust the gross income of which for the taxable year is $5,000 or over, regardless of the amount of the net income; and

(6) Every estate or trust of which any beneficiary is a nonresident alien.

(b) Joint Fiduciaries.—Under such regulations as the commissioner may prescribe a return made by one of two or more joint fiduciaries and filed in the office of the collector of the district where such fiduciary resides shall be sufficient compliance with the above requirement. Such fiduciary shall make oath (1) that he has sufficient knowledge of the affairs of the individual, estate, or trust for which the return is made, to enable him to make the return, and (2) that the return is, to the best of his knowledge and belief, true and correct.

(c) Law Applicable to Fiduciaries.—Any fiduciary required to make a return under this title shall be subject to all the provisions of law which apply to individuals.

(d) Tax Upon Settlement of Fiduciary's Account.—No final account of a fiduciary shall be allowed by the probate court unless such account shows and the judge of said court finds, that all taxes imposed by the provisions of this act upon said fiduciary, which have become payable, have been paid, and that all taxes which may become due are secured by bond, deposit or otherwise. The certificate of the commissioner and the receipt for the amount of the tax therein certified shall be conclusive as to the payment of the tax, to the extent of said certificate. For the purpose of facilitating the settlement and distribution of estates held by fiduciaries, the commissioner with the approval of the Attorney General may on behalf of the State agree upon the amount of taxes at any time due or to become due from such fiduciaries under the provisions of this act, and payment in accordance with such agreement shall be full satisfaction of the taxes to which the agreement relates.

SEC. 145. Penalties. (a) Any person required under this title to pay any tax, or required by law or regulations made under authority thereof to make a return, keep any records, or supply any information, for the purposes of the computation, assessment, or collection of any tax imposed by this title, who wilfully fails to pay such tax, make such return, keep such records, or supply such information, at the time or times required by law or regulations, shall, in addition to other penalties provided by law, be guilty of a misdemeanor and, upon conviction thereof, be fined not more than $10,000, or imprisoned for not more than one year, or both, together with the costs or prosecution.

(b) Any person required under this title to collect, account for, and pay over any tax imposed by this title, who wilfully fails to collect or truthfully account for and pay over such tax, and any person who wilfully attempts in any manner to evade or defeat any tax imposed by this title or the payment thereof, shall, in addition to other penalties provided by law, be guilty of a felony and, upon conviction thereof, be fined not more than $10,000, or imprisonment for not more than five years or both, together with the costs of prosecution.

(c) The term "person" as used in this section includes an officer or employee, of a corporation or a member or employee of a partnership, who as such officer, employee, or member is under a duty to perform the act in respect of which the violation occurs.

SEC. 146. Closing by Commissioner of Taxable Year. (a) Tax in Jeopardy.—If the commissioner finds that a taxpayer designs quickly to depart from California or to remove his property therefrom, or to conceal himself or his property therein, or to do any other act tending to prejudice or to render wholly or partly ineffectual proceedings to collect the tax for the taxable year then last past or the taxable year then current unless such proceeding be brought without delay, the commissioner shall

declare the taxable period for such taxpayer immediately terminated and shall cause notice of such finding and declaration to be given the taxpayer, together with a demand for immediately payment of the tax for the taxable period so declared terminated and of the tax for the preceding taxable year or so much of such tax as is unpaid, whether or not the time otherwise allowed by law for filing return and paying the tax has expired; and such taxes shall thereupon become immediately due and payable. In any proceeding in court brought to enforce payment of taxes made due and payable by virtue of the provisions of this section the finding of the commissioner, made as herein provided, whether made after notice to the taxpayer or not, shall be for all purposes presumptive evidence of the taxpayer's design.

(b) Security for Payment.—A taxpayer who is not in default in making any return or paying income tax under any act of the Legislature may furnish to the State of California under regulations to be prescribed by the commissioner, security approved by the commissioner that he will duly make the return next thereafter required to be filed and pay the tax next thereafter required to be paid. The commissioner may approve and accept in like manner security for return and payment of taxes made due and payable by virtue of the provisions of this section, provided the taxpayer has paid in full all other income taxes due from him under any act of the Legislature.

(c) Same—Exemption from Section.—If security is approved and accepted pursuant to the provisions of this section and such further or other security with respect to the tax or taxes covered thereby is given as the commissioner shall from time to time find necessary and require, payment of such taxes shall not be enforced by any proceedings under the provisions of this section prior to the expiration of the time otherwise allowed for paying such respective taxes.

(d) Citizens.—In the case of a citizen of California about to depart from California the commissioner may, at his discretion, waive any or all of the requirements placed on the taxpayer by this section.

(f) Addition to Tax.—If a taxpayer violates or attempts to violate this section there shall, in addition to all other penalties, be added as part of the tax twenty-five per centum of the total amount of the tax or deficiency in the tax, together with interest at the rate of one per centum a month from the time the tax became due.

SEC. 147. Information at Source. (a) Payments of $1,000 or More.—All persons in whatever capacity acting, including lessees or mortgagors of real or personal property, fiduciaries, and employers, making payment to another person, of interest, rent, salaries, wages, premiums, annuities, compensations, remunerations, emoluments, or other fixed or determinable gains, profits, and income (other than payments described in section 148 (a) or 149), of $1,000 or more in any taxable year, or in the case of such payments made by the State of California, or any political subdivision; district or municipality thereof, the officers or employees of such having information as to such payments and required to make returns in regard thereto by the regulations hereinafter provided for, shall render a true and accurate return to the commissioner, under such regulations and in such form and manner and to such extent as may be prescribed by him setting forth the amount of such gains, profits, and income, and the name and address of the recipient of such payment.

(b) Returns Regardless of Amount of Payment.—Such returns may be required, regardless of amounts, (1) in the case of payments of interest upon bonds, mortgages, deeds of trust, or other similar obligations of corporations, and (2) in the case of collections of items (not payable in the United States) of interest upon the bonds of foreign countries and interest upon the bonds of and dividends from foreign corporations by persons undertaking as a matter of business or for profit the collection of foreign payments of such interest or dividends by means of coupons, checks, or bills of exchange.

(c) Recipient to Furnish Name and Address.—When necessary to make effective the provisions of this section the name and address of the recipient of income shall be furnished upon demand of the person paying the income.

(d) Obligations Not Taxable Under This Act.—The provisions of this section shall not apply to the payment of interest on obligations not taxable under this act.

SEC. 148. Information by Corporations. (a) Dividend Payments.—Every corporation doing business in California shall, when required by the commissioner, render a correct return, duly verified under oath, of its payments of dividends, stating the name and address of each shareholder, the number of shares owned by him, and the amount of dividends paid to him.

(b) Profits Declared as Dividends.—Every corporation doing business in California shall when required by the commissioner, furnish him a statement of such facts as will enable him to determine the portion of the earnings or profits of the corporations (including gains, profits, and income not taxed) accumulated during such periods as the commissioner may specify, which have been distributed or ordered to be distributed, respectively, to its shareholders during such taxable years as the commissioner may specify.

(c) Accumulated Gains and Profits.—When requested by the commissioner every corporation doing business in California shall forward to him a correct statement of accumulated gains and profits and the names and addresses of the individuals or shareholders who would be entitled to the same if divided or distributed, and of the amounts that would be payable to each

(d) Compensation of Officers and Employees.—Under regulations prescribed by the commissioner every corporation doing business in California shall submit a list of the names of all officers and employees of such corporation and the respective amounts paid to them during the taxable year of the corporation by the corporation as salary, commission, bonus, or other compensation for personal services rendered, if the aggregate amount so paid to the individual is in excess of $5,000.

SEC. 149. Returns of Brokers. Every person doing business in California as a broker shall, when acquired by the commissioner, render a correct return duly verified under oath, under such rules and regulations as the commissioner may prescribe, showing the names of customers for whom such person has transacted any business, with such details as to the profits, losses, or other information which the commissioner may require, as to each of such customers, as will enable the commissioner to determine whether all income tax due on profits or gains of such customers has been paid

SEC. 150. Collection of Foreign Items All persons undertaking as a matter of business or for profit the collection of foreign payments of interest or dividends by means of coupons, checks, or bills of exchange shall obtain a license from the commissioner and shall be subject to such regulations enabling the commissioner to obtain the information required under this title as the commissioner shall prescribe; and whoever knowingly undertakes to collect such payments without having obtained a license therefor, or without complying with such regulations, shall be guilty of a misdemeanor and shall be fined not more than $5,000 or imprisoned for not more than one year, or both.

SUPPLEMENT E—ESTATES AND TRUSTS.

SEC. 161. Imposition of Tax. (a) Application of Tax.—The taxes imposed by this title upon individuals shall apply to the income of estates or of any kind of property held in trust, including—

(1) Income accumulated in trust for the benefit of unborn or unascertained persons or persons with contingent interests, and income accumulated or held for future distribution under the terms of the will or trust;

(2) Income which is to be distributed currently by the fiduciary to the beneficiaries, and income collected by a guardian of an infant which is to be held or distributed as the court may direct;

(3) Income received by estates of deceased persons during the period of administration or settlement of the estate; and

(4) Income which in the discretion of the fiduciary, may be either distributed to the beneficiaries or accumulated.

(b) Computation and Payment.—The tax shall be computed upon the net income of the estate or trust, and shall be paid by the fiduciary, except as provided in section 166 (relating to revocable trusts) and section 167 (relating to income for benefit of the grantor). For return made by beneficiary, see section 142.

SEC. 162. Net Income. The net income of the estate or trust shall be computed in the same manner and on the same basis as in the case of an individual, except that—

(a) There shall be allowed as a deduction (in lieu of the deduction for charitable, etc., contributions authorized by section 23 (o)) any part of the gross income, without limitation, which pursuant to the terms of the will or deed creating the trust, is during the taxable year paid or permanently set aside for the purposes and in the manner specified in section 23(o), or is to be used exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, or for the establishment, acquisition, maintenance or operation of a public cemetery not operated for profit;

(b) There shall be allowed as an additional deduction in computing the net income of the estate or trust the amount of the income of the estate or trust for its taxable year which is to be distributed currently by the fiduciary to the beneficiaries, and the amount of the income collected by a guardian of an infant which is to be held or distributed as the court may direct, but the amount so allowed as a deduction shall be included in computing the net income of the beneficiaries whether distributed to them or not. Any amount allowed as a deduction under this paragraph shall not be allowed as a deduction under subsection (c) of this section in the same or any succeeding taxable year. In the case of the income of a beneficiary not a resident derived through such an estate or trust, such income shall be taxable only to the extent provided in subsection (f) of section 23 of this act

(c) In the case of income received by estates of deceased persons during the period of administration or settlement of the estate, and in the case of income which, in the discretion of the fiduciary, may be either distributed to the beneficiary or accumulated, there shall be allowed as an additional deduction in computing the net income of the estate or trust the amount of the income of the estate or trust for its taxable year, which is property paid or credited during such year to any legatee, heir, or beneficiary, but the amount so allowed as a deduction shall be included in computing the net income of the legatee, heir, or beneficiary. In such cases the income of the legatee, heir or beneficiary not a resident shall be taxable only to the extent provided in subsection (f) of section 23 of this act.

SEC. 163. Credits Against Net Income.

(a) Credits of Estate or Trust.—For the purpose of the normal tax and the surtax the estate or trust shall be allowed the same personal exemption as is allowed to a single person under section 25 (b) (1), and, if no part of the income of the estate or trust is included in computing the net income of any legatee, heir of beneficiary, then in addition the same credits against net income for dividends and interest as are allowed by section 25 (a).

(b) Credits of Beneficiary.—If any part of the income of an estate or trust is included in computing the net income of any legatee, heir, or beneficiary, such legatee, heir, or beneficiary shall, for the purpose of the normal tax, be allowed as credits against net income, in addition to the credits allowed to him under section 25, his proportionate share of such amounts of dividends and interest specified in section 25 (a) as are, under this supplement, required to be included in computing his net income. Any remaining portion of such amounts specified in section 25 (a) shall, for the purpose of the normal tax, be allowed as credits to the estate or trust.

SEC. 164. Different Taxable Years. If the taxable year of a beneficiary is different from that of the estate or trust, the amount which he is required, under section 162 (b), to include in computing his net income, shall be based upon the income of the estate or trust for any taxable year of the estate or trust (whether beginning on, before, or after January 1, 1934) ending within his taxable year.

SEC. 165. Employees' Trusts. A trust created by an employer as a part of a stock bonus, pension, or profit-sharing plan for the exclusive benefit of some or all of his employees to which contributions are made by such employer, or employees, or both, for the purpose of distributing to such employees the earnings and principal of the fund accumulated by the trust in accordance with such plan, shall not be taxable under section 161, but the amount actually distributed or made available to any distributee shall be taxable to him in the year in which so distributed or made available to the extent that it exceeds the amounts paid in by him. Such distributees shall for the purpose of the normal tax be allowed as credits against net income such part of the amount so distributed or made available as represents the items of dividends and interest specified in section 25 (a).

SEC. 166. Revocable Trusts. Where at any time the power to revest in the grantor title to any part of the corpus of the trust is vested—

(1) In the grantor, either alone or in conjunction with any person not having a substantial adverse interest in the disposition of such part of the corpus or the income therefrom, or

(2) In any person not having a substantial adverse interest in the disposition of such part of the corpus or the income therefrom, then the income of such part of the trust shall be included in computing the net income of the grantor.

SEC. 167. Income for Benefit of Grantor. (a) Where any part of the income of a trust—

(1) Is, or in the discretion of the grantor or of any person not having a substantial adverse interest in the disposition of such part of the income may be, held or accumulated for future distribution to the grantor; or

(2) May, in the discretion of the grantor or of any person not having a substantial adverse interest in the disposition of such part of the income, be distributed to the grantor; or

(3) Is, or in the discretion of the grantor or of any person not having a substantial adverse interest in the disposition of such part of the income may be, applied to the payment of premiums upon policies of insurance on the life of the grantor (except policies of insurance irrevocably payable for the purposes and in the manner specified in section 23 (o), relating to the so-called "charitable contribution" deduction); then such part of the income of the trust shall be included in computing the net income of the grantor.

(b) As used in this section, the term "in the discretion of the grantor" means "in the discretion of the grantor, either alone or in conjunction with any person not having a substantial adverse interest in the disposition of the part of the income in question."

SEC. 169. Income from Estates or Trusts For the purposes of this section the word "settlor" shall mean and include every creator of a trust and every decedent and where in this section the settlor is spoken of as a resident or a nonresident the same shall be taken to include a decedent who upon his or her death is a resident or a nonresident as the case may be.

The taxable income of the estate or trust shall include the following:

(1) The income from real property and tangible personal property located and from business transacted in this State.

(2) The income from intangible property with a situs in this State.

(3) The income from real property and tangible personal property located outside this State and the income from intangible property with a situs outside this State in the following cases:

(a) Where the beneficiary and the fiduciary and the settlor are all residents of this State.

(b) Where the beneficiary and the fiduciary are residents of this State regardless of the residence of the settlor.

(c) Where the beneficiary and the settlor are residents of this State regardless of the residence of the fiduciary.

(d) Where the beneficiary is a resident of this State regardless of the residence of the fiduciary and the settlor.

(e) Where the fiduciary is a resident of this State regardless of the residence of the beneficiary and the settlor.

(f) Where the settlor is a resident of this State regardless of the residence of the beneficiary and the fiduciary.

(g) Where the fiduciary and the settlor are residents of this State regardless of the residence of the beneficiary.

Where the taxability of income under this section depends on the residence of the fiduciary and there are two or more fiduciaries for the estate or trust, the income taxable under this section shall be apportioned according to the number of fiduciaries resident in this State, such apportionment being determined according to rules and regulations prescribed by the commissioner.

Where the taxability of income under this section depends on the residence of the beneficiary and there are two or more beneficiaries for the estate or trust, the income taxable under this section shall be apportioned according to the number of beneficiaries resident in this State, such apportionment being determined according to rules and regulations prescribed by the commissioner.

SUPPLEMENT F—PARTNERSHIPS.

SEC 181. Partnership Not Taxable. Individuals carrying on business in partnership shall be liable for income tax only in their individual capacity.

SEC. 182 Tax of Partners There shall be included in computing the net income of each partner his distributive share, whether distributed or not, of the net income of the partnership for the taxable year.

SEC. 183 Computation of Partnership Income. The net income of the partnership shall be computed in the same manner and on the same basis as in the case of an individual.

SEC 184 Credits Against Net Income The partner shall, for the purpose of the normal tax, be allowed as a credit against his net income, in addition to the credits allowed to him under section 25, his proportionate of such amounts (not in excess of the net income of the partnership) of dividends and interest specified in section 25 (a) as are received by the partnership.

SEC 185 Earned Income. In the case of the members of a partnership the proper part of each share of the net income which consists of earned income shall be determined under rules and regulations to be prescribed by the commissioner and shall be separately shown in the return of the partnership.

SEC 187 Partnership Returns Every partnership shall make a return for each taxable year, stating specifically the items of its gross income and the deductions allowed by this title, and shall include in the return the names and addresses of the individuals who would be entitled to share in the net income if distributed and the amount of the distributive share of each individual. The return shall be sworn to by any one of the partners

SEC 188. Different Taxable Years of Partner and Partnership. (a) General Rule.—If the taxable year of a partner is different from that of the partnership, the distributive share of the net income of the partnership to be included in computing the net income of the partner for his taxable year shall be based upon the net income of the partnership for any taxable year of the partnership (whether beginning on, before, or after January 1, 1935) ending within the taxable year of the partner.

SUPPLEMENT H—NONRESIDENT INDIVIDUALS

SEC. 211. Gross Income. (a) General Rule.—Every nonresident regardless of the amount of his net income shall make a return to the commissioner, stating specifically the items of gross income derived from salaries, wages, fees, property owned, or business transacted within this State and the deductions and credits allowed by this act.

SEC 212. Deductions (a) General Rule.—In the case of a nonresident individual the deductions shall be allowed only if and to the extent that they are connected with income from sources within California; and the proper apportionment and allocation of the deductions with respect to sources of income within and without California shall be determined, under rules and regulations prescribed by the commissioner.

(b) Losses.—(1) The deduction, for losses not connected with the trade or business if incurred in transactions entered into for profit, allowed by section 23 (e) (2) shall be allowed whether or not connected with income from sources within California, but only if the profit, if such transaction had resulted in a profit, would be taxable under this title.

(2) The deduction for losses of property not connected with the trade or business if arising from certain casualties or theft, allowed by section 23 (e) (3), shall be allowed whether or not connected with income from sources within California, but only if the loss is of property within California.

(c) Charitable, etc., Contributions.—The so-called "charitable contribution" deduction allowed by section 23 (o) shall be allowed whether or not connected with income from sources within California, but only as to contributions or gifts made to domestic corporations, or to community chests, funds, or foundations, created in the United States, or to the vocational rehabilitation fund

SEC. 213 Credits Against Net Income In the case of a nonresident individual the personal exemption allowed by section 25 (b) (1) of this title shall be only one thousand dollars. The credit for dependents allowed by section 25 (b) (2) shall not be allowed in the case of a nonresident individual unless he is a resident of a contiguous State

SEC. 214. Allowance of Deductions and Credits. (a) Return to Contain Information.—A nonresident individual shall receive the benefit of the deductions and credits allowed to him in this title only by filing or causing to be filed with the commissioner a true and accurate return of his total income received from all sources in the manner prescribed in this title; including therein all the information which the commissioner may deem necessary for the calculation of such deductions and credits.

SEC. 216. Returns. In the case of a nonresident individual the return, in lieu of the time prescribed in section 53 (a) (1), shall be made on or before the fifteenth day of the seventh month following the close of the fiscal year, or, if the return is made on the basis of the calendar year, then on or before the fifteenth day of July.

SEC 217. Payment of Tax (a) Time of Payment.—In the case of a nonresident individual the total amount of tax imposed by this title shall be paid, in lieu of the time prescribed in section 56 (a), on the fifteenth day of July following the close of the calendar year, or, if the return should be made on the basis of a fiscal year, then on the fifteenth day of the seventh month following the close of the fiscal year.

SUPPLEMENT L—ASSESSMENT AND COLLECTION OF DEFICIENCIES

SEC. 271. Definition of Deficiency As used in this title in respect of a tax imposed by this title "deficiency" means—

(a) The amount by which the tax imposed by this title exceeds the amount shown as the tax by the taxpayer upon his return; but the amount so shown on the return shall first be increased by the amounts previously assessed (or collected without assessment) as a deficiency, and decreased by the amounts previously abated, credited, refunded, or otherwise repaid in respect of such tax; or

(b) If no amount is shown as the tax by the taxpayer upon his return, or if no return is made by the taxpayer, then the amount by which the tax exceeds the amounts previously assessed (or collected without assessment) as a deficiency; but such amounts previously assessed or collected without assessment, shall first be decreased by the amounts previously abated, credited, refunded, or otherwise repaid in respect of such tax.

SEC. 272. Procedure in General (a) Petition to Board.—If in the case of any taxpayer, the commissioner determines that there is a deficiency in respect of the tax imposed by this title, the commissioner is authorized to send notice of such deficiency to the taxpayer by registered mail. Within ninety days after such notice is mailed (not counting Sunday or a legal holiday as the ninetieth day), the taxpayer may file a petition with the board for a redetermination of the deficiency. No assessment of a deficiency in respect of the tax imposed by this title and no distraint or proceeding in court for its collection shall be made, begun, or prosecuted until such notice has been mailed to the taxpayer, nor until the expiration of such ninety-day period, nor, if a petition has been filed with the board, until the decision of the board has become final.

For exceptions to the restrictions imposed by this subsection, see—

(1) Subsection (d) of this section, relating to waivers by the taxpayer;

(2) Subsection (f) of this section, relating to notifications of mathematical errors appearing upon the face of the return;

(3) Section 273, relating to jeopardy assessments; and

(4) Section 274, relating to bankruptcy and receiverships.

(b) Collection of Deficiency Found by Board.—If the taxpayer files a petition with the board, the entire amount redetermined as the deficiency by the decision of the board which has become final shall be assessed and shall be paid upon notice and demand from the commissioner. No part of the amount determined as a deficiency by the commissioner but disallowed as such by the decision of the board which has become final shall be assessed or be collected by distraint or by proceeding in court with or without assessment

(c) Failure to File Petition.—If the taxpayer does not file a petition with the board within the time prescribed in subsection (a) of this section, the deficiency, notice of which has been mailed to the taxpayer, shall be assessed, and shall be paid upon notice and demand from the commissioner

(d) Waiver of Restrictions.—The taxpayer shall at any time have the right, by a signed notice in writing filed with the commissioner, to waive the restrictions provided in subsection (a) of this section on the assessment and collection of the whole or any part of the deficiency.

(e) Increase of Deficiency After Notice Mailed.—The board shall have jurisdiction to redetermine the correct amount of the deficiency even if the amount so redetermined is greater than the amount of the deficiency, notice of which has been mailed to the taxpayer, and to determine whether any penalty, additional amount or addition to the tax should be assessed—if claim therefor is asserted by the commissioner at or before the hearing or a rehearing.

(f) Further Deficiency Letters Restricted.—If the commissioner has mailed to the taxpayer notice of a deficiency as provided in subsection (a) of this section, and the taxpayer files a petition with the board within the time prescribed in such subsection, the commissioner shall have no right to determine any additional deficiency in respect of the same taxable year, except in the case of fraud, and except as provided in subsection (e) of this section, relating to assertion of greater deficiencies before the board, or in section 273 (c), relating to the making of jeopardy assessments. If the taxpayer is notified that, on account of a mathematical error appearing upon the face of the return, an amount of tax in excess of that shown upon the return is due, and that an assessment of the tax has been or will be made on the basis of what would have been the correct amount of tax but for the mathematical error, such notice shall not be considered (for purposes of this subsection, or of subsection (a) of this section, prohibiting assessment and collection until notice of deficiency has been mailed, or of section 322 (c), prohibiting credits or refunds after petition to the board) as a notice of a deficiency, and the taxpayer shall have no right to file a petition with the board based on such notice, nor shall such assessment or collection be prohibited by the provisions of subsection (a) of this section.

(g) Jurisdiction Over Other Taxable Years.—The board in redetermining a deficiency in respect of any taxable year shall consider such facts with relation to the taxes for other taxable years as may be necessary correctly to redetermine the amount of such deficiency, but in so doing shall have no jurisdiction to determine whether or not the tax for any other taxable year has been overpaid or underpaid.

(h) Final Decisions of Board.—For the purposes of this title the date on which a decision of the board becomes final shall be upon the expiration of the time allowed for filing a petition for review, if no such petition has been duly filed within such time; or

Upon the expiration of the time allowed for filing a petition for certiorari, if the decision of the board has been affirmed or the petition for review dismissed by a court of competent jurisdiction and no petition for certiorari has been duly filed; or

Upon the denial of a petition for certiorari, if the decision of the board has been affirmed or the petition for review dismissed by a court of competent jurisdiction; or

Upon the expiration of thirty days from the date of issuance of the mandate of the Supreme Court of the State of California, if such court directs that the decision of the board be affirmed or the petition for review dismissed.

(i) Prorating of Deficiency to Installments.—If the taxpayer has elected to pay the tax in installments and a deficiency has been assessed, the deficiency shall be prorated to the three installments. Except as provided in section 273 (relating to jeopardy assessments), that part of the deficiency so prorated to any installment the date for payment of which has not arrived, shall be collected at the same time as and as part of such installment. That part of the deficiency so prorated to any installment the date for payment of which has arrived, shall be paid upon notice and demand from the commissioner.

(j) Extension of Time for Payment of Deficiencies.—Where it is shown to the satisfaction of the commissioner that the payment of a deficiency upon the date prescribed for the payment thereof will result in undue hardship to the taxpayer the commissioner, (except where the deficiency is due to negligence, to intentional disregard of rules and regulations, or to fraud with intent to evade tax), may grant an extension for the payment of such deficiency or any part thereof for a period not in excess of eighteen months, and, in exceptional cases, for a further period not in excess of twelve months. If an extension is granted, the commissioner may require the taxpayer to furnish a bond in such amount, not exceeding double the amount of the deficiency, and with such sureties, as the commissioner deems necessary, conditioned upon the payment of the deficiency in accordance with the terms of the extension.

(k) Address for Notice of Deficiency.—In the absence of notice to the commissioner under section 312 (a) of the existence of a fiduciary relationship, notice of a deficiency in respect of a tax imposed by this title, if mailed to the taxpayer at his last known address, shall be sufficient for the purposes of this title even if such taxpayer is deceased, or is under a legal disability.

SEC. 273. Jeopardy Assessments. (a) Authority for Making.—If the commissioner believes that the assessment or collection of a deficiency will be jeopardized by delay, he shall immediately assess such deficiency (together with all interest,

additional amounts, or additions to the tax provided for by law) and notice and demand shall be made for the payment thereof.

(b) Deficiency Letters.—If the jeopardy assessment is made before any notice in respect of the tax to which the jeopardy assessment relates has been mailed under section 272 (a), then the commissioner shall mail a notice under such subsection within sixty days after the making of the assessment.

(c) Amount Assessable Before Decision of Board.—The jeopardy assessment may be made in respect of a deficiency greater or less than that notice of which has been mailed to the taxpayer, despite the provisions of section 272 (f) prohibiting the determination of additional deficiencies, and whether or not the taxpayer has theretofore filed a petition with the board. The commissioner shall notify the board of the amount of such assessment, if the petition is filed with the board before the making of the assessment or is subsequently filed, and the board shall have jurisdiction to redetermine the entire amount of the deficiency and of all amounts assessed at the same time in connection therewith.

(d) Amount Assessable After Decision of Board.—If the jeopardy assessment is made after the decision of the board is rendered such assessment may be made only in respect of the deficiency determined by the board in its decision.

(e) Expiration of Right to Assess.—A jeopardy assessment may not be made after the decision of the board has become final or after the taxpayer has filed a petition for review of the decision of the board

(f) Bond to Stay Collection.—When a jeopardy assessment has been made the taxpayer, within ten days after notice and demand from the collector for the payment of the amount of the assessment, may obtain a stay of collection of the whole or any part of the amount of the assessment by filing with the commissioner a bond in such amount, not exceeding double the amount as to which the stay is desired, and with such sureties, as the commissioner deems necessary, conditioned upon the payment of so much of the amount, the collection of which is stayed by the bond, as is not abated by a decision of the board which has become final, together with interest thereon as provided in section 297.

(g) Same—Further Conditions.—If the bond is given before the taxpayer has filed his petition with the board under section 272 (a), the bond shall contain a further condition that if a petition is not filed within the period provided in such subsection, then the amount the collection of which is stayed by the bond, will be paid on notice and demand at any time after the expiration of such period, together with interest thereon at the rate of six per centum per annum from the date of the jeopardy notice and demand to the date of notice and demand under this subsection.

(h) Waiver of Stay.—Upon the filing of the bond the collection of so much of the amount assessed as is covered by the bond shall be stayed. The taxpayer shall have the right to waive such stay at any time in respect of the whole or any part of the amount covered by the bond, and if as a result of such waiver any part of the amount covered by the bond is paid, then the bond shall, at the request of the taxpayer, be proportionately reduced If the board determines that the amount assessed is greater than the amount which should have been assessed, then when the decision of the board is rendered the bond shall, at the request of the taxpayer, be proportionately reduced.

(i) Collection of Unpaid Amounts.—When the petition has been filed with the board and when the amount which should have been assessed has been determined by a decision of the board which has become final, then any unpaid portion, the collection of which has been stayed by the bond, shall be collected as part of the tax upon notice and demand from the commissioner, and any remaining portion of the assessment shall be abated. If the amount already collected exceeds the amount determined as the amount which should have been assessed, such excess shall be credited or refunded to the taxpayer as provided in section 322, without the filing of claim therefor If the amount determined as the amount which should have been assessed is greater than the amount actually assessed, then the difference shall be assessed and shall be collected as part of the tax upon notice and demand from the commissioner.

(j) Claims in Abatement.—No claim in abatement shall be filed in respect of any assessment in respect of any tax imposed by this title.

SEC. 274. Bankruptcy and Receiverships. (a) Immediate Assessment.—Upon the adjudication of bankruptcy of any taxpayer in any bankruptcy proceeding or the appointment of a receiver for any taxpayer in any receivership proceeding before any court of the United States or of any State or Territory or of the District of Columbia, any deficiency (together with all interest, additional amounts, or additions to the tax provided for by law) determined by the commissioner in respect of a tax imposed by this title upon such taxpayer shall, despite the restrictions imposed by section 272 (a) upon assessments be immediately assessed if such deficiency has not theretofore been assessed in accordance with law. In such cases the trustee in bankruptcy or receiver shall give notice in writing to the commissioner of the adjudication of bankruptcy or the appointment of the receiver, and the running of the Statute of Limitations on the making of assessments shall be suspended for the period from the date of adjudication in bankruptcy or the appointment of the receiver to a date

thirty days after the date upon which the notice from the trustee or receiver is received by the commissioner, but the suspension under this sentence shall in no case be for a period in excess of two years. Claims for the deficiency and such interest, additional amounts and additions to the tax may be presented, for adjudication in accordance with law, to the court before which the bankruptcy or receivership proceeding is pending, despite the pendency of proceedings for the redetermination of the deficiency in pursuance of a petition to the board; but no petition for any such redetermination shall be filed with the board after the adjudication of bankruptcy or the appointment of the receiver.

(b) Unpaid Claims.—Any portion of the claim allowed in such bankruptcy or receivership proceeding which is unpaid shall be paid by the taxpayer upon notice and demand from the commissioner after the termination of such proceeding, and may be collected by distrain or proceeding in court within six years after termination of such proceeding. Extensions of time for such payment may be had in the same manner and subject to the same provisions and limitations as are provided in section 272 (j) and section 296 in the case of a deficiency in a tax imposed by this title.

SEC 275 Period of Limitation upon Assessment and Collection. Except as provided in section 276—(a) General Rule.—The amount of income taxes imposed by this title shall be assessed within three years after the return was filed, and no proceeding in court without assessment for the collection of such taxes shall be begun after the expiration of such period.

(b) Request for Prompt Assessment.—In the case of income received during the lifetime of a decedent, or by his estate during the period of administration, the tax shall be assessed, and any proceeding in court without assessment for the collection of such tax shall be begun, within eighteen months after written request therefor (filed after the return is made) by the executor, administrator, or other fiduciary representing the estate of such decedent, but not after the expiration of three years after the return was filed.

(c) Omission from Gross Income.—If the taxpayer omits from gross income an amount properly includible therein which is in excess of twenty-five per centum of the amount of gross income stated in the return, the tax may be assessed, or a proceeding in court for the collection of such tax may be begun without assessment, at any time within five years after the return was filed.

(d) For the purposes of subsections (a), (b), and (c), a return filed before the last day prescribed by law for the filing thereof shall be considered as filed on such last day.

SEC. 276 Same—Exceptions. (a) False Return or No Return.—In the case of a false or fraudulent return with intent to evade tax or of a failure to file a return the tax may be assessed, or a proceeding in court for the collection of such tax may be begun without assessment, at any time

(b) Waivers.—Where before the expiration of the time prescribed in section 275 for the assessment of the tax, both the commissioner and the taxpayer have consented in writing to its assessment after such time, the tax may be assessed at any time prior to the expiration of the period agreed upon. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon

(c) Collection After Assessment.—Where the assessment of any income tax imposed by this title has been made within the period of limitation properly applicable thereto, such tax may be collected by distraint or by a proceeding in court, but only if begun (1) within six years after the assessment of the tax, or (2) prior to the expiration of any period for collection agreed upon in writing by the commissioner and the taxpayer before the expiration of such six-year period. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon

SEC. 277. Suspension of Running of Statute. The running of the Statute of Limitations provided in section 275 or 276 on the making of assessments and the beginning of distraint or a proceeding in court for collection, in respect of any deficiency, shall (after the mailing of a notice under section 272 (a)) be suspended for the period during which the commissioner is prohibited from making the assessment or beginning distraint or a proceeding in court (and in any event, if a proceeding in respect of the deficiency is placed on the docket of the board, until the decision of the board becomes final), and for sixty days thereafter.

SUPPLEMENT M—INTEREST AND ADDITIONS TO THE TAX.

SEC 291 Failure to File Return. In case of any failure to make and file a return required by this title, within the time prescribed by law or prescribed by the commissioner in pursuance of law, twenty-five per centum of the tax shall be added to the tax, except that when a return is filed after such time and it is shown that the failure to file it was due to reasonable cause and not due to wilful neglect no such addition shall be made to the tax. The amount so added to any tax shall be collected at the same time and in the same manner and as a part of the tax unless the tax has been paid before the discovery of the neglect, in which case the amount so added shall be collected in the same manner as the tax

SEC. 292. Interest on Deficiencies. Interest upon the amount determined as a deficiency shall be assessed at the same time as the deficiency, shall be paid upon notice and demand from the collector, and shall be collected as a part of the tax, at the rate of six per centum per annum from the date prescribed for the payment of the tax (or, if the tax is paid in installments, from the date prescribed for the payment of the first installment) to the date the deficiency is assessed, or, in the case of a waiver under section 272 (d), to the thirtieth day after the filing of such waiver or to the date the deficiency is assessed whichever is the earlier.

SEC. 293. Additions to the Tax in Case of Deficiency. (a) Negligence.—If any part of any deficiency is due to negligence, or intentional disregard of rules and regulations but without intent to defraud, five per centum of the total amount of the deficiency (in addition to such deficiency) shall be assessed, collected, and paid in the same manner as if it were a deficiency, except that the provisions of section 272 (i), relating to the prorating of a deficiency, and of section 292, relating to interest on deficiencies, shall not be applicable.

(b) Fraud.—If any part of any deficiency is due to fraud with intent to evade tax, then fifty per centum of the total amount of the deficiency (in addition to such deficiency) shall be so assessed, collected, and paid.

SEC. 294 Additions to the Tax in Case of Nonpayment. (a) Tax Shown on Return.—(1) General Rule.—Where the amount determined by the taxpayer as the tax imposed by this title, or any installment thereof, or any part of such amount or installment is not paid on or before the date prescribed for its payment, there shall be collected as a part of the tax, interest upon such unpaid amount at the rate of one per centum a month from the date prescribed for its payment until it is paid.

(2) If Extension Granted.—Where an extension of time for payment of the amount so determined as the tax by the taxpayer, or any installment thereof, has been granted, and the amount the time for payment of which has been extended, and the interest thereon determined under section 295, is not paid in full prior to the expiration of the period of the extension then, in lieu of the interest provided for in paragraph (1) of this subsection, interest at the rate of one per centum a month shall be collected on such unpaid amount from the date of the expiration of the period of the extension until it is paid.

(b) Deficiency.—Where a deficiency, or any interest or additional amounts assessed in connection therewith under section 292, or under section 293, or any addition to the tax in case of delinquency provided for in section 291, is not paid in full within ten days from the date of notice and demand from the commissioner there shall be collected as part of the tax, interest upon the unpaid amount at the rate of one per centum a month from the date of such notice and demand until it is paid. If any part of a deficiency prorated to any unpaid installment under section 272 (i) is not paid in full on or before the date prescribed for the payment of such installment, there shall be collected as part of the tax interest upon the unpaid amount of the rate of one per centum a month from such date until it is paid.

(c) Fiduciaries.—For any period an estate is held by a fiduciary appointed by order of any court of competent jurisdiction or by will, there shall be collected interest at the rate of six per centum per annum in lieu of the interest provided in subsections (a) and (b) of this section.

(d) Filing of Jeopardy Bond.—If a bond is filed, as provided in section 273, the provisions of subsections (b) and (c) of this section shall not apply to the amount covered by the bond.

SEC. 295. Time Extended for Payment of Tax Shown on Return. If the time for payment of the amount determined as the tax by the taxpayer, or any installment thereof, is extended under the authority of section 56 (e), there shall be collected as a part of such amount, interest thereon at the rate of six per centum per annum from the date when such payment should have been made if no extension had been granted, until the expiration of the period of the extension.

SEC. 296. Time Extended for Payment of Deficiency. If the time for the payment of any part of a deficiency is extended, there shall be collected, as part of the tax, interest on the part of the deficiency the time for payment of which is so extended, at the rate of six per centum per annum for the period of the extension, and no other interest shall be collected on such part of the deficiency for such period. If the part of the deficiency the time for payment of which is so extended is not paid in accordance with the terms of the extension, there shall be collected, as a part of the tax, interest on such unpaid amount at the rate of one per centum a month for the period from the time fixed by the terms of the extension for its payment until it is paid, and no other interest shall be collected on such unpaid amount for such period.

SEC. 297. Interest in Case of Jeopardy Assessments. In the case of the amount collected under section 273 (i) there shall be collected at the same time as such amount, and as a part of the tax, interest at the rate of six per centum per annum upon such amount from the date of the jeopardy notice and demand to the date of notice and demand under section 273 (i), or, in the case of the amount collected in excess of the amount of the jeopardy assessment, interest as provided

in section 292. If the amount included in the notice and demand from the collector under section 273 (1) is not paid in full within ten days after such notice and demand, then there shall be collected, as part of the tax, interest upon the unpaid amount at the rate of one per centum a month (or, for any period the estate of the taxpayer is held by a fiduciary appointed by any court of competent jurisdiction or by will, at the rate of six per centum per annum) from the date of such notice and demand until it is paid.

SEC. 298. Bankruptcy and Receiverships If the unpaid portion of the claim allowed in a bankruptcy or receivership proceeding, as provided in section 274, is not paid in full within ten days from the date of notice and demand from the commissioner, then there shall be collected as a part of such amount interest upon the unpaid portion thereof at the rate of one per centum a month from the date of such notice and demand until payment.

SEC. 299. Removal of Property or Departure from California. For additions to tax in case of leaving California or concealing property in such manner as to hinder collection of the tax, see section 146.

SUPPLEMENT N—CLAIMS AGAINST TRANSFEREES AND FIDUCIARIES.

SEC. 311. Transferred Assets. (a) Method of Collection.—The amount of the following liabilities shall, except as hereinafter in this section provided, be assessed, collected, and paid in the same manner and subject to the same provisions and limitations as in the case of a deficiency in a tax imposed by this title (including the provisions in case of delinquency in payment after notice and demand, the provisions authorizing distraint and proceedings in court for collection, and the provisions prohibiting claims and suits for refunds):

(1) Transferees.—The liability, at law or in equity, of a transferee of property of a taxpayer, in respect of the tax (including interest, additional amounts, and additions to the tax provided by law) imposed upon the taxpayer by this title.

(2) Fiduciaries.—Every executor, administrator, or assignee, or other person, who pays, in whole or in part, any debt due (except those debts due the United States), by the person or estate from whom or for which he acts before he satisfies and pays the tax due the State of California under this act, from such person or estate, shall become answerable in his own person and estate to the extent of such payments for the tax so due the State of California, or for so much thereof as may remain due and unpaid

Any such liability may be either as to the amount of tax shown on the return or as to any deficiency in tax.

(b) Period of Limitation.—The period of limitation for assessment of any such liability of a transferee or fiduciary shall be as follows:

(1) In the case of the liability of an initial transferee of the property of the taxpayer,—within one year after the expiration of the period of limitation for assessment against the taxpayer;

(2) In the case of the liability of a transferee of a transferee of the property of the taxpayer,—within one year after the expiration of the period of limitation for assessment against the preceding transferee, but only if within three years after the expiration of the period of limitation for assessment against the taxpayer;—except that if before the expiration of the period of limitation for the assessment of the liability of the transferee, a court proceeding for the collection of the tax or liability in respect thereof has been begun against the taxpayer or last preceding transferee, respectively,—then the period of limitation for assessment of the liability of the transferee shall expire one year after the return of execution in the court proceeding.

(3) In the case of the liability of a fiduciary,—not later than one year after the liability arises or not later than the expiration of the period for collection of the tax in respect of which such liability arises, whichever is the later

(c) Period for Assessment Against Taxpayer.—For the purposes of this section, if the taxpayer is deceased, the period of limitation for assessment against the taxpayer shall be the period that would be in effect had death or termination of existence not occurred.

(d) Suspension of Running of Statute of Limitations.—The running of the Statute of Limitations upon the assessment of the liability of a transferee or fiduciary shall, after the mailing to the transferee or fiduciary of the notice provided for in section 272 (a), be suspended for the period during which the commissioner is prohibited from making the assessment in respect of the liability of the transferee or fiduciary (and in any event, if a proceeding in respect of the liability is placed on the docket of the board, until the decision of the board becomes final), and for sixty days thereafter.

(e) Address for Notice of Liability.—In the absence of notice to the commissioner under section 312 (b) of the existence of a fiduciary relationship, notice of liability enforceable under this section in respect of a tax imposed by this title, if mailed to the person subject to the liability at his last known address, shall be sufficient for the purposes of this title even if such person is deceased, or is under a legal disability, or, in the case of a corporation, has terminated its existence.

(f) Definition of "Transferee."—As used in this section, the term "transferee" includes heir, legatee, devisee, and distributee.

SEC. 312. Notice of Fiduciary Relationship.

(a) Fiduciary of Taxpayer.—Upon notice to the commissioner that any person is acting in a fiduciary capacity such fiduciary shall assume the powers, rights, duties, and privileges of the taxpayer in respect of a tax imposed by this title (except as otherwise specifically provided and except that the tax shall be collected from the estate of the taxpayer), until notice is given that the fiduciary capacity has terminated.

(b) Fiduciary of Transferee.—Upon notice to the commissioner that any person is acting in a fiduciary capacity for a person subject to the liability specified in section 311, the fiduciary shall assume, on behalf of such person, the powers, rights, duties, and privileges of such person under such section (except that the liability shall be collected from the estate of such person), until notice is given that the fiduciary capacity has terminated.

(c) Manner of Notice.—Notice under subsection (a) or (b) shall be given in accordance with regulations prescribed by the commissioner.

SUPPLEMENT O—OVERPAYMENTS

SEC. 321. Overpayment of Installment. If the taxpayer has paid as an installment of the tax more than the amount determined to be the correct amount of such installment, the overpayment shall be credited against the unpaid installments, if any. If the amount already paid, whether or not on the basis of installments, exceeds the amount determined to be the correct amount of the tax, the overpayment shall be credited or refunded as provided in section 322.

SEC. 322. Refunds and Credits.—

(a) Authorization.—Where there has been an overpayment of any tax imposed by this title, the amount of such overpayment shall be credited against any income tax or installment thereof then due from the taxpayer, and any balance shall be refunded immediately to the taxpayer by the Controller, upon order of the commissioner or the board.

(b) Limitation on Allowance—

(1) Period of Limitation.—Unless a claim for credit or refund is filed by the taxpayer within three years from the time the return was filed by the taxpayer or within two years from the time the tax was paid, no credit or refund shall be allowed or made after the expiration of whichever of such periods expires the later. If no return is filed by the taxpayer, then no credit or refund shall be allowed or made after two years from the time the tax was paid, unless before the expiration of such period a claim therefor is filed by the taxpayer.

(c) Effect of Petition to Board.—If the commissioner has mailed to the taxpayer a notice of deficiency under section 272 (a) and if the taxpayer files a petition with the board within the time prescribed in such subsection, no credit or refund in respect of the tax for the taxable year in respect of which the commissioner has determined the deficiency shall be allowed or made and no suit by the taxpayer for the recovery of any part of such tax shall be instituted in any court except—

(1) As to overpayments determined by a decision of the board which has become final; and

(2) As to any amount collected in excess of an amount computed in accordance with the decision of the board which has become final; and

(3) As to any amount collected after the period of limitation upon the beginning of distraint or a proceeding in court for collection has expired; but in any such claim for credit or refund or in any such suit for refund the decision of the board which has become final, as to whether such period has expired before the notice of deficiency was mailed, shall be conclusive

(d) Overpayment Found by Board.—If the board finds that there is no deficiency and further finds that the taxpayer has made an overpayment of tax in respect of the taxable year in respect of which the commissioner determined the deficiency, the board shall have jurisdiction to determine the amount of such overpayment, and such amount shall, when the decision of the board has become final, be credited or refunded to the taxpayer. No such credit or refund shall be made of any portion of the tax unless the board determines as part of its decision that it was paid within three years before the filing of the claim or the filing of the petition, whichever is earlier.

TITLE VI—GENERAL PROVISIONS.

SEC. 801. Definitions.

(a) When used in this act and unless otherwise required by the context—

(1) The term "commissioner" means the Franchise Tax Commissioner.

(2) The term "board" means the State Board of Equalization.

(3) The term "taxpayer" includes any individual, fiduciary, estate, or trust subject to the tax imposed by this act.

(4) The term "individual" means a natural person.

(5) The term "fiduciary" means a guardian, trustee, executor, administrator, receiver, conservator, or any person, whether individual or corporate, acting in any fiduciary capacity for any person, estate or trust.

(6) The term "person" includes individuals, fiduciaries, partnerships and corporations.

(7) The term "partnership" includes a syndicate, group, pool, joint venture, or other unincorporated organization through or by means of which any business, financial operation, or venture is carried on, and which is not, within the meaning of this act, a trust or estate or a corporation; and the term "partner" includes a member in such a syndicate, group, pool, joint venture, or organization.

(8) The term "corporation" includes joint-stock companies or associations, insurance companies, business trusts or so-called "Massachusetts trusts"

(9) The term "taxable year" means the calendar year, or the fiscal ending during such calendar year, upon the basis of which the net income is computed under this act. "Taxable year" includes, in the case of a return made for a fractional part of a year under the provisions of this act or under regulations prescribed by the commissioner, the period for which such return is made.

(10) The term "fiscal year" means an accounting period of twelve months ending on the last day of any month other than December.

(11) The terms "paid or incurred" and "paid or accrued" shall be construed according to the method of accounting upon the basis of which the net income is computed under this act.

(12) The term "resident" includes every natural person domiciled in the State of California and every other natural person who maintains a permanent place of abode within this State or spends in the aggregate more than six months of the taxable year within this State. The word "nonresident" includes every natural person other than a resident.

(13) The term "foreign country" means any jurisdiction other than one embraced within the United States. The term "United States," when used in a geographical sense, includes only the States, the Territories of Alaska and Hawaii and the District of Columbia.

(14) The term "stock" includes the share in an association, joint-stock company, or insurance company.

(15) The term "shareholder" includes a member in an association, joint-stock company, or an insurance company.

(b) The terms "includes" and "including" when used in a definition contained in this act shall not be deemed to exclude other things otherwise within the meaning of the term defined.

SEC. 802. Separability Clause Unconstitutionality or Invalidity.—If any clause, sentence, paragraph, or part of this act or the application thereof to any person or circumstances shall, for any reason, be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this act and the application of such clauses, sentences, paragraphs or parts to other persons or circumstances, but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment shall have been rendered. No caption of any section or set of sections shall in any way affect the interpretation of this act or any part thereof.

SEC 803 Effective Date of Act. This act, inasmuch as it provides for a tax levy for the usual current expenses of the State, shall, under the provisions of section 1 of Article IV of the Constitution, take effect immediately.

SEC. 804. Disposition of Proceeds. (a) All moneys and remittances received by the commissioner in pursuance of the provisions of this act shall be transmitted promptly to the State Treasurer, and copies of the schedules covering such transmittals shall be furnished at the same time to the State Controller.

(b) All moneys and remittances so received and so transmitted shall be deposited, after clearance of remittances, in the State treasury and credited to the "Personal income tax fund".

(c) For expenditure by the commissioner in carrying out the provisions of this act there is hereby appropriated a sum of money equal to $100,000 and three per cent, or so much thereof as may be necessary, of all other moneys deposited in the personal income tax fund; said $100,000 being payable out of moneys in the general fund not otherwise appropriated, the remainder of the moneys hereby appropriated being payable out of the personal income tax fund; provided, that, out of said three per cent of said other moneys deposited in the personal income tax fund on or before June 30, 1937, the sum of $100,000 shall be returned into the general fund. For expenditure by the Controller in carrying out the provisions of this act there is hereby appropriated out of the personal income tax fund the sum of $10,000 or so much thereof as may be necessary, and for expenditure by the State Treasurer in carrying out the provisions of this act there is hereby appropriated out of the personal income tax fund the sum of $10,000 or so much thereof as may be necessary The balance of the moneys in the personal income tax fund shall, upon order of the State Controller, be drawn therefrom for the purpose of making refunds hereunder or be transferred to the general fund of the State.

SEC. 805. Commissioner to Administer This Act. (a) The commissioner shall administer and enforce the tax herein imposed.

(b) The commissioner, for the purpose of ascertaining the correctness of any return or for the purpose of making an estimate of the taxable income of any tax-

payer, shall have power to examine or cause to be examined by any agent or representative designated by him for that purpose, any books, papers, records or memoranda, bearing upon the matters required to be included in the return, and may require the attendance of the taxpayer or of any other person having knowledge in the premises, and may take testimony and require proof material for his information, with power to administer oath to such person or persons.

(c) The commissioner may appoint and remove, in the manner provided by law, such officers, agents, auditors, branch office income tax deputies, and other employees as he may deem necessary in order to carry out the provisions of this act, such persons to have such duties and powers as the commissioner may from time to time prescribe. The salaries of the personnel required by the commissioner shall be such as he may prescribe, in the manner provided by law, and the commissioner and such personnel shall be allowed reasonable and necessary traveling and other expenses incurred in the performance of their duties. The commissioner may require such of the officers, agents, deputies and other employees as he may designate, to give bond for the faithful performance of their duties in such sum and with such sureties as he may determine, and all premiums on such bonds shall be paid by the commissioner out of moneys appropriated for the administration of this act.

(d) The commissioner and such officers, as he may designate, shall have the power to administer an oath to any person or to take the acknowledgment of any person in respect of any return or report required by this act or the rules and regulations of the commissioner.

SEC. 806 Tax a Debt. Every tax imposed by this act, and all increases, interest and penalties thereon, shall become, from the time it is due and payable, a personal debt, from the person or persons liable to pay the same, to the State of California.

SEC. 807. Compromises by Commissioner The commissioner, with the advice and consent of the board, may compromise any civil or criminal case arising under this act instead of commencing suit thereon; and, with the advice and consent of the said board and a recommendation of the Attorney General, he may compromise any such case after a suit thereon has been commenced. Whenever a compromise is made in any case there shall be placed on file in the office of the commissioner the opinion of the Attorney General, or of the officer acting as such, his reasons therefor, with a statement of the amount of tax assessed, the amount of additional tax or penalty imposed by law in consequence of the neglect or delinquency of the person against whom the tax is assessed, and the amount actually paid in accordance with the terms of the compromise.

SEC. 808. Tax Liens. The taxes levied under this act shall constitute a lien upon all property of the taxpayer, which lien shall attach on the day that the tax accrues. Every tax herein provided for has the effect of a judgment against the taxpayer, and every lien has the effect of an execution duly levied against all property of the delinquent, and the judgment is not satisfied nor the lien removed until the tax and the penalty are paid, or the property sold for the payment thereof

SEC. 809. Supplementary Returns. If the commissioner shall be of the opinion that any taxpayer has failed to file a return, or to include in a return filed, either intentionally or through error, items of taxable income, he may require from such taxpayer a return, or a supplementary return, under oath, in such form as he shall prescribe, of all the items of income which the taxpayer received during the year for which the return is made, whether or not taxable under the provisions of this act Every taxpayer required by the Federal Government to file a supplementary return shall file a copy of such return with the commissioner. If from a supplementary return, or otherwise, the commissioner finds that any items of income, taxable under this act, have been omitted from the original return he may require the items so omitted to be disclosed to him, under oath of the taxpayer, and to be added to the original return. Such supplementary return and the correction of the original return shall not relieve the taxpayer from any of the penalties to which he may be liable under any provisions of this act.

SEC. 810 Failure to File—Commissioner to Make Return. If any taxpayer, upon notice and demand by the commissioner, fails or refuses to make a return required by this act, the commissioner is authorized to make an estimate of the net income and to compute and levy the amount of tax due under this act from any available information, and in such case fifty per centum of the tax shall be added to the tax as a part of the tax and collected in the same manner as the tax."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 652—An act to add section 11b to the Motor Vehicle Fuel License Tax Act, relating to fuel used in unemployment cooperative relief work.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 791—An act to provide for the establishment of unemployment and social insurance.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1665—An act providing for unemployment insurance.

Bill read second time, ordered to re-re-engrossment, and third reading.

Assembly Bill No. 1007—An act to amend section 29 of the California Workmen's Compensation Insurance and Safety Act, relating to compensation insurance.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2437—An act to recognize certain corporations as agencies and instrumentalities of the United States, declaring the urgency thereof, and providing for the taking effect immediately thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1596—An act to make shares issued by Federal savings and loan associations, and by building and loan associations, legal investments for the funds of executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 2431—An act to prohibit marathons, marathon dances, walkathons, skatathons, and other mental and physical endurance contests and prescribing penalties for the violation thereof.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, lines 25 and 26, of the printed bill, strike out ", officer or political subdivision", and insert in lieu thereof the following: "or officer".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1586—An act to amend sections 12050 to 12111 of the Insurance Code, relating to miscellaneous casualty insurances.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "amends sections 12050 to 12111," and insert in lieu thereof the following: "repeal sections 12051 and 12052".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out "miscellaneous casualty insurances", and insert in lieu thereof the following: "surety insurers".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 to 3, inclusive, and insert in lieu thereof the following:

"SECTION 1. Sections 12051 and 12052 of the Insurance Code are hereby repealed."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1035—An act to amend sections 713, 715, 731, 733.5, 867 and 868 of, and to add sections 930 and 717.5 to the Fish and Game Code, relating to the protection of fish.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the comma at the end of the line, and in line 2 of the title, strike out the following: "and to add section 717.5 to".

Amendment No. 2.

On page 1, line 3, of the printed bill, after "with", insert the following: "gill net and".

Amendment No. 3.

On page 1, line 22, of the printed bill, after "line", insert the following: "and gill nets".

Amendment No. 4.

On page 1 of the printed bill, strike out lines 26 and 27, and insert in lieu thereof the following: "867."

Amendment No. 5.

On page 2, line 12, of the printed bill, after "net", insert a comma and the following: "except a gill net,".

Amendment No. 6.

On page 2 of the printed bill, strike out lines 14 to 20, inclusive, and insert in lieu thereof the following: "May 1st and June 30th".

Amendment No. 7.

On page 2, line 23, of the printed bill, strike out the word "June", and insert in lieu thereof the word "May", and also strike out the words "August 31", and insert in lieu thereof the words "June 30".

Amendment No. 8.

On page 2, line 25, of the printed bill, after the word "than", strike out the figures "1500", and insert in lieu thereof the figures "500"; and also after the word "yellowtail", strike out the figures "1500", and insert in lieu thereof the figures "500"; and in line 26, strike out the figures "1500", and insert in lieu thereof the figures "500".

Amendment No. 9.

On page 2, line 26, of the printed bill, strike out the period, and the remainder of that line, and all of lines 27, 28 and 29, and insert in lieu thereof the following: ", per person"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2267—An act to amend section 10 of the Fish and Game Code, relating to the Fish and Game Commission.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 15, of the printed bill, strike out "fish and game resources", and insert in lieu thereof the following: "sportsmen and recreationists, commercial fishing industries and agricultural interests".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1589—An act to amend sections 12420 to 12631 of the Insurance Code, relating to mortgage insurance.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "12420 to 12631", and insert in lieu thereof: "12562".

Amendment No. 2.

On page 1 of the printed bill, strike out all of lines 1 to 3, inclusive, and insert in lieu thereof the following:

"12562. In the conservation, operation, management, control or liquidation of the affairs of any trust hereunder the conservator, subject to the approval of the court and notwithstanding anything to the contrary contained in the trust indenture under which the trust is established, may sell, mortgage, or otherwise encumber or exchange any of the property or assets held in such trust upon such terms as he deems advisable and in the best interests of the certificate holders thereunder, and may accept a deed in lieu of foreclosure. The conservator may also do any act or execute any instrument not expressly authorized by this article upon an order of the court made after a hearing on such notice as the court shall prescribe."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1887—An act to amend the Insurance Code, relating to insurance.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title and insert in lieu thereof the following:

"An act to amend section 100 of the Insurance Code, to add section 106a thereto, and to add a new chapter to Part 2 of Division 2 of said code, to be numbered Chapter 13, comprising sections 11526 to 11545, inclusive, all relating to medical and hospital service insurers."

Amendment No. 2.

On page 1, line 1, of the printed bill, after the period, add the following "Section 11 of the Insurance Code is hereby amended to read as follows:

100. Insurance in this State is divided into the following classes:

(1) Life
(2) Fire
(3) Marine
(4) Title
(5) Surety
(6) Disability
(6a) Medical and hospital service
(7) Plate glass
(8) Liability

(9) Workmen's compensation
(10) Common carrier liability
(11) Boiler and machinery
(12) Burglary
(13) Credit
(14) Sprinkler
(15) Team and vehicle
(16) Automobile
(17) Mortgage
(18) Aircraft
(19) Land value
(20) Miscellaneous

SEC. 2. A new section is hereby added to the Insurance Code to be numbered 106a and to read as follows:

106a. Medical and hospital service insurance includes the contracting, by way of insurance, for the furnishing or procuring of hospital, osteopathic, medical or related professional services permitted by law and required by reason of illness, injury or disablement or the prevention thereof. Such insurance includes the furnishing of professional services of physicians, surgeons, specialists in medicine, osteopaths, dentists and any other form of scientific medical treatment or diagnosis of sickness or injury, with or without hospital service.

SEC. 3. A new chapter is hereby added to Part 2 of Division 2 of the Insurance Code, to be numbered Chapter 13 and to read as follows

CHAPTER 13 MEDICAL AND HOSPITAL SERVICE INSURERS.

Article 1. Scope of Chapter.

11526. The provisions of this chapter shall not apply to or affect medical and hospital service furnished or procured by:

(a) Insurers admitted to transact life or disability insurance.

(b) Employers, whether directly or by means of workmen's compensation insurance, to their employees in full or partial compliance with workmen's compensation laws

(c) Employers to their employees and members of employees' families in conformity with existing plans in actual operation, in case of sickness or disability, whether or not arising out of or in the course of employment

(d) Nonprofit hospitals, hospital associations, or hospital departments any of which are chiefly maintained by dues or contributions from employees of a common employer or of a group of affiliated employers, the services of which are confined to such employees, their dependants and members of their families and persons disabled in or by reason of the operations of the employer or group of employers.

(e) Institutions of learning to their students, officers, and employees.

(f) Charitable and religious organizations not operated for profit and which have furnished or procured medical or hospital services for at least fifteen years before this chapter takes effect.

(g) Organizations maintaining homes for the aged, blind, deaf, or dumb, whether or not operated for profit, to their inmates.

(h) Orphanages to the inmates or wards thereof.

(i) Labor unions to their members and to families of their members.

Article 2. Capital Requirements.

11530. An insurer shall not transact medical and hospital insurance in this State unless its paid-in capital is equal to the following amounts, dependant upon the number of persons insured by it:

Persons insured	*Paid-in capital*
2,500 or less	$15,000
2,501 to 3,500 inclusive	$17,500
3,501 to 4,500 inclusive	$20,000
4,501 to 5,500 inclusive	$22,500
5,501 and above	$25,000

11531. A medical and hospital service insurer shall not transact any other class of insurance

11532. In determining at any time the paid-in capital of a medical and hospital service insurer, the unexpired portion of all premiums, dues, or other payments received and to be received on insurance then in force shall be deemed a liability.

Article 3 Policies and Premiums

11534. A medical and hospital service insurer shall not be limited to any fixed or standard premium charge, but the same may vary in accordance with the type of contract executed by the insurer, and in accordance with the age of the insured. The premium may be paid in advance either monthly, quarterly, semi-annually or annually.

11535. No policy may be issued by any insurer under this act unless the insurer at that time has, over and above all liabilities, assets equal in amount to its required paid-in capital, such assets being either in cash on deposit in a bank of trust company, or invested in such manner and form as other insurers are permitted to invest their assets other than those in excess of their paid-in capital.

Article 4. Certificate of Authority and General Regulations.

11536. Every insurer operating pursuant to this chapter shall be subject to all the general provisions of the law relative to other insurers in so far as such provisions are not inconsistent or in conflict with the provisions of this chapter.

11537. Any insurer operating under this chapter may own, hold and acquire such real and personal property as is necessary for the transaction of such insurance

11538. The application for a certificate of authority to transact medical and hospital service insurance shall be made in writing to the commissioner in such manner as he requires. Such application shall state the name of the applicant together with the name under which the applicant does or expects to do business and the locations of the principal places of business and any branch thereof.

11539. An insurer transacting medical and hospital service insurance shall not adopt or use any name or title that is similar to or likely to be confused with that of any other insurer.

11540 The commissioner may revoke the certificate of authority to transact medical and hospital service insurance in this State of any insurer failing to comply with the requirements of this code or any other law relating to insurance

11541. An insurer subject to the provisions of this chapter shall neither issue nor deliver in this State any contract of medical and hospital service insurance until a copy of the form thereof, including the form of application and any rider or indorsement, has been filed with and approved by the commissioner. The commissioner shall approve or disapprove such form within thirty days after such filing. Otherwise, such form shall be deemed approved Before disapproving such form he shall notify the insurer of his reasons therefor and grant a hearing to the insurer thereon

11542. If the commissioner fails to approve within thirty days any such form, or disapproves the same his act or decision thereon shall be subject to review in accordance with the provisions of Chapter I, Title I, Part III of the Code of Civil Procedure Upon such review the burden of proof shall lie upon the appellant and the court shall receive and consider any pertinent evidence, whether oral or documentary, concerning the action of the commissioner under review, but shall be limited to a consideration and determination of the question whether there has been an abuse of discretion on the part of the commissioner in failing to prove or in disapproving any such form. Such policy or form shall not be issued or delivered pending the final determination of any such review

11543. Every such insurer shall file with the commissioner complete schedules of his premiums, rates and classifications

Article 5. Standards of Service.

11544. An insurer operating under this chapter may provide services under its insurance contracts only through regularly licensed hospitals, institutions or services when such hospitals, institutions or services are required to be licensed by the State or any political subdivision thereof. When the insured is entitled to personal service, such service may be provided only through a person regularly licensed to render such service, if the licensing thereof is required by the State or any political subdivision thereof. Professional services of physicians, surgeons, and specialists rendered hereunder shall be rendered only by persons holding an unrevoked license to practice medicine and surgery, or an unrevoked physician and surgeon certificate effective in this State, and who are also either doctors of medicine holding a degree of M.D. or doctors of osteopathy holding a degree of D O. Professional services of dentists rendered hereunder shall be rendered only by doctors of dental surgery holding an unrevoked license to practice dentistry in this State and a degree either of D.D S. or D M.D. Professional services rendered hereunder and which the law of this State permits to be performed by persons holding osteopathic or drugless practitioners licenses shall, except as otherwise provided in this section, be rendered by persons holding such licenses together with a degree of D O.

11545 This chapter shall not authorize any corporation to write medical and hospital service insurance This chapter shall not authorize any person to write medical and hospital service insurance including the professional services of physicians, surgeons or specialists, unless such person, at the time of writing such insurance, holds an unrevoked license to practice medicine, or holds an unrevoked physician and surgeon certificate, in this State, and also holds the degree of M.D or D.O. This chapter shall not authorize any person to write medical and hospital service insurance including the professional services of dentists or services appertaining to dentistry unless such person holds an unrevoked license to practice dentistry in this State and also holds the degree either of D.D S. or D.M D This chapter shall not authorize any person to write medical and hospital service insur-

ance including the professional services which the law of this State permits to be performed by persons holding osteopathic or drugless practitioners license in this State unless such person, except as otherwise provided in this section, holds such license and also holds the degree of D O "

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1282—An act to amend the title and to amend sections 2, 3, 4, 6, 12 and 19 of, and to add new sections 4a and 6a to an act entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, as amended, relating to the adulteration, mislabeling, misbranding, advertising and sale of drugs and devices and to the powers of the State Board of Public Health in relation thereto.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out "and 19 of, and to add new sections 4a and", and insert in lieu thereof the following "19 and 21 of, and to add section"

Amendment No. 2.

On page 2, line 9, of the printed bill, as amended, after the comma, insert the following 'relating to drugs not in the United States Pharmacopoeia or in the National Formulary,".

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out lines 40 to 48, inclusive

Amendment No. 4.

On page 2, line 49, of the printed bill, as amended, strike out "6", and insert in lieu thereof the following "5"

Amendment No. 5.

On page 3 of the printed bill, as amended, strike out lines 13 to 18, inclusive, and insert in lieu thereof the following: "geon "

Amendment No. 6.

On page 3, line 45, of the printed bill, as amended, strike out "7", and insert in lieu thereof the following: "6"

Amendment No. 7.

On page 3, line 50, of the printed bill, as amended, strike out "obesity as well as any other disease that may be added to this list by regulations of the California State Board of Health"

Amendment No. 8.

On page 4, line 8, of the printed bill, as amended, strike out "8", and insert in lieu thereof the following: "7".

Amendment No. 9.

On page 4, line 22, of the printed bill, as amended, strike out "9", and insert in lieu thereof the following "8".

Amendment No. 10.

On page 4, line 28, of the printed bill, as amended, strike out "10", and insert in lieu thereof the following "9"

Amendment No. 11.

On page 5, line 5, of the printed bill, as amended, strike out "11", and insert in lieu thereof the following: "10".

Amendment No. 12.

On page 5 of the printed bill, after line 25, insert the following:

"SEC 11 Section 21 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 21. No dealer shall be prosecuted under the provisions of this act when he can produce a guaranty signed by the wholesaler, jobber, manufacturer or other party residing in the United States from whom he purchased such article, to the effect that the same is not adulterated or misbranded within the meaning of this act, such

guaranty to be dated prior to the date of sale of said article Such guaranty may be either general or special and must be produced prior to the time of certification of facts to the district attorney for prosecution. A general guaranty shall guarantee without condition or restriction all of the products or articles produced, prepared, compounded, packed, distributed, or sold by the guarantor as not adulterated within the meaning of this act. A special guaranty shall guarantee in the same manner the particular articles listed in an invoice of the same, and shall be attached to or shall fully identify such invoice. Both said guarantees to afford protection must contain the name and address of the party or parties making the sales of such article to said dealer However, any guaranty shall protect a dealer only where the article covered by such guaranty shall have remained identical, both as to composition and labeling, with the article as composed and labeled when received by the dealer from the guarantor. If the guaranty be to the effect that such article is not adulterated or misbranded within the meaning of the National Pure Food Act, approved June 30, 1906, it shall be sufficient for all the purposes of this act and have the same force and effect as though it referred to this act, except that a guaranty referring to the said National Pure Food Act alone shall not be sufficient for the purpose of this act in any case where at any time the standard for the article concerned under this act is higher than the standard for a like article under said National Pure Food Act In case the wholesaler, jobber, manufacturer or other party making such guaranty to said dealer resides without this State and it appears from the certificate of the Director of the State Laboratory or of the Chief of the Bureau of Foods and Drugs that such article or articles were adulterated or misbranded, within the meaning of this act or the National Pure Food Act approved June 30, 1906, the district attorney must forthwith notify the Attorney General of the United States of such violation "

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1010—An act to amend sections 1, 2, 3, 4 and 5 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulation, to provide rules regulating the proper sanitation of canneries, under the State Board of Health," approved May 23, 1925, as amended, relating to the inspection of canneries, the State Board of Public Health and to the power and duties thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 9, of the printed bill, as amended, after "Agriculture.", insert the following, "or the Bureau of Animal Industry of the United States Department of Agriculture, or approved municipal inspection departments or establishments".

Amendment No. 2.

On page 2, line 15, of the printed bill, as amended, after "Agriculture", insert the following: ", or the Bureau of Animal Industry of the United States Department of Agriculture, or approved municipal inspection departments or establishments".

Amendment No. 3.

On page 2, line 32, of the printed bill, as amended, after "Agriculture.", insert the following: "or the Bureau of Animal Industry of the United States Department of Agriculture, or approved municipal inspection departments or establishments"

Amendment No. 4.

On page 2, line 51, of the printed bill, as amended, after "Agriculture.", insert the following: "or the Bureau of Animal Industry of the United States Department of Agriculture, or approved municipal inspection departments or establishments"

Amendment No. 5.

On page 4, line 26, of the printed bill, as amended, after "Agriculture.", insert the following: "or the Bureau of Animal Industry of the United States Department of Agriculture, or approved municipal inspection departments or establishments"

Amendment No. 6.

On page 1, line 7, of the printed bill, after "products,", insert the following: "or in the noncommercial canning of salmon.".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1304—An act to amend sections 1, 2, 3, 4, 5, 6 and 7 of an act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores, and spotting, sponging, and/or pressing establishments, or agencies thereof, and private schools and colleges of spotting, sponging, and/or pressing; providing for the registration or licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violations," approved June 3, 1927, relating to cleaning and dyeing.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 2421—An act to amend sections 1, 2, 3, and 4 of an act entitled "An act to establish salesrooms and industrial workshops for the blind, providing for the management, government and administration thereof, and making an appropriation for the establishment of a revolving fund therefor," approved June 18, 1929, relating to salesrooms and workshops for blind and physically handicapped persons.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 653—An act to amend section 1 of an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, relating to county relief of indigents, unemployed persons, and persons likely to become indigent, declaring the urgency thereof and providing that this act shall take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "to amend section 1 of an act entitled "An act to pro-", and strike out all of lines 2, 3 and 4, and in line 5, strike out "become indigent,", and insert in lieu thereof the following: "to provide for the creation in counties and cities and counties of departments of rehabilitation".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 1 to 21, inclusive, and strike out all of page 2, and insert in lieu thereof the following:

"SECTION 1. This act shall be known as the County Rehabilitation Act.

SEC. 2. Every county and every city and county may institute and maintain a department of rehabilitation.

SEC. 3. Said departments of rehabilitation shall be empowered to provide for the industrial and social rehabilitation of the unemployed citizens of the county or city and county, and the impoverished farmers of the county or city and county by organizing, guiding, controlling and otherwise assisting the cooperative production and exchange of commodities and services.

SEC. 4. Said departments of rehabilitation shall have the power to provide such persons with cash allowances in exchange for commodities or services; and shall have the power to extend financial aid to cooperative organizations of unemployed persons and impoverished farmers.

SEC. 5. Every county and city and county shall have all powers necessary to carry out the provisions of this act.

SEC. 6 If any section, sentence, phrase, or word in this act shall be held to be unconstitutional such ruling shall not affect the remaining portion of this statute.

SEC. 7. This act is hereby declared to be an urgency measure within the meaning of section 1 of Article IV of the Constitution. The facts constituting such necessity are as follows:

There exists an acute economic crisis and it is necessary that counties and cities and counties by provided with a method whereby they can establish a proper agency for the relief of persons in distress. The power of counties and cities and counties to establish departments of rehabilitation is not definitely set forth in the existing law and in order that counties and cities and counties may effectively rehabilitate persons in economic distress it is necessary that this act take immediate effect."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No 1754—An act to amend sections 4 962, 4 963, 4.964, 4 1010, and to add new sections to be known as 4 967 and 4.968 of the School Code, relating to bond elections.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 37, of the printed bill, after the word "consolidated", insert the following: "as to the territory which is the same.".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1977—An act to amend Chapters I, II, III, IV, V, VI, VII, VIII, IX, X and XI of Part I, Division II, of the School Code.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to add section 5.27 to the School Code, relating to vacations of teachers, officers and employees of State teachers' colleges, State colleges, the California School for the Deaf, the California School for the Blind and the California Polytechnic School."

Amendment No. 2.

On page 1, line 1, of the printed bill, after "Section 1", insert the following: "Section 5 27 is hereby added to the School Code to read as follows:

5 27 The length of, and the time for, vacations of teachers, officers and employees of State teachers' colleges, State colleges, the California School for the Deaf, the California School for the Blind and the California Polytechnic School shall be prescribed by the Director of Education.

SEC. 2. The provisions of this act shall supersede and prevail over any other provisions of law relating to the vacations of persons employed by the State, whether such provisions are amendments to the State Civil Service Act or occur in other statutes. It is the intention of the Legislature that the provisions of this act be exclusive and constitute the only expression of the will of the Legislature in relation to the subject of vacations for teachers, officers and employees of State teachers' colleges, State colleges, the California School for the Deaf, the California School for the Blind and the California Polytechnic School"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 545—An act to add a new section to be numbered 17.5 to an act entitled "An act to provide for the organization of the

Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, relating to cases in which common carriers may grant free or reduced rates, and providing that this act shall take effect immediately.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 5, line 29, of the printed bill, as amended, following the word "ernment", insert the following: "or other governmental agency".

Amendment adopted.

Bill read second time, ordered to re-re-engrossment, and third reading

Assembly Bill No. 816—An act relating to shares of insured Federal savings and loan associations as legal investments for trust and other funds.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 7, of the printed bill, strike out "receivers.".

Amendment No. 2.

On page 1, line 8, of the printed bill, strike out "savings and com-"; also strike out all of lines 9 to 12, inclusive, and insert in lieu thereof the following: "and savings banks."

Amendment No. 3.

On page 1, line 17, of the printed bill, strike out "receivers,".

Amendment No. 4.

On page 1, line 18, of the printed bill, strike out "savings and commercial banks, corporations, munici-"; also strike out lines 19 to 21, inclusive, and insert in lieu thereof the following: "and savings banks."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2372—An act to amend section 14 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways, in the State of California, by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to the exemption of certain vehicles.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 7, of the printed bill, strike out the word "introvert", and insert in lieu thereof "is traversed".

Amendment No. 2.

On page 1, line 8, of the printed bill, strike out the word "while".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 470—An act to repeal Chapter 9 of Part 2 of Division 2 of the Insurance Code, and to add a new Chapter 9, comprising sections 10810 to 10940, inclusive, to Part 2 of Division 2 of the Insurance Code, relating to insurers transacting life and disability insurance on the stipulated premium plan with provision for assessment.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 475—An act to amend sections 970, 972 and 974 of the Insurance Code, relating to security for the payment of taxes and other obligations of insurers.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 479—An act to amend section 10482 of the Insurance Code, relating to valuation of life policies.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 485—An act to amend sections 12350, 12352, 12353, 12355, 12356, and 12357 of the Insurance Code, relating to title insurers.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1102—An act to add Chapter 10 to Division IV of the Agricultural Code, relating to the stabilization and marketing of fluid milk and fluid cream, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 670—An act to amend the Insurance Code by repealing Chapter 8 of Part 2 of Division 2 thereof and adding a new Chapter 8 to Part 2 of Division 2, thereof, comprising sections 10640 to 10880, inclusive, and by repealing section 1700 thereof, all relating to life insurance principals, practice and business, and matters incidental thereto by mutual benefit life associations.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 5, line 4, of the printed bill, as amended, after the word "thereto", strike out the period and insert the following: "and costs of defending disputed claims in litigation not in excess of twenty per cent of the face value of the certificate sued upon."

Amendment No. 2.

On page 6, line 7, of the printed bill, as amended, strike out the word 'six", and insert in lieu thereof the following, "twelve."

Amendment No. 3.

On page 6, line 12, of the printed bill, as amended, after the word "dollars", insert the following: "per thousand dollars, or fraction thereof, of insurance."

Amendment No. 4.

On page 6, line 19, of the printed bill, as amended, after the word "notice", strike out the balance of line 19, and strike out lines 20, 21, 22, 23, 24, and the words "by registered mail, return receipt demanded.", in line 25, and insert in lieu thereof the following: "Unless the payment is made on or before the time so stated in any notice or notices of such assessment, the association shall send to the member a final notice, by registered mail, return receipt demanded, requiring the payment of such assessment within ten days following the date of mailing such final notice. The association may include a charge of not to exceed twenty per cent of the amount of such assessment as a penalty for the member's failure to pay the assessment within the time specified in the original notice. A member's certificate shall not be lapsed for the failure of a member to pay any assessment, membership fees or dues unless the final notice by registered mail shall have been given in the manner hereinbefore provided in this section."

Amendment No. 5.

On page 6, line 27, of the printed bill, as amended, after the word "penalty", insert a comma and the following: "if required."

Amendment No. 6.

On page 6, line 29, of the printed bill, as amended, after the word "lapse", and the period insert the following "Where advance payments have been made from which assessments are to be deducted, then the notices hereinabove specified shall not be necessary as to such members"

Amendment No. 7.

On page 7, line 43, of the printed bill, as amended, strike out the word "shall", and insert in lieu thereof the word "may".

Amendment No. 8.

On page 7, line 44, of the printed bill, as amended, after the word "fees", and the comma, insert the following: "and shall provide for the payment of the insured thereunder of".

Amendment No. 9.

On page 8, line 24, of the printed bill, as amended, after the word "assessments", insert the following: "or dues."

Amendment No. 10.

On page 8, line 26, of the printed bill, as amended, after the word "war", strike out the period, insert a comma in lieu thereof, and add the following: "and suicide."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 663—An act to add a new section to the School Code to be numbered 1.91, relating to the construction, design, operation, and color of school buses.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, as amended, after the third comma, insert the following: "equipment,".

Amendment No. 2.

On page 1, line 6, of the printed bill, as amended, strike out the first comma and the following: "but no", and insert in lieu thereof a period and the word "No".

Amendment No. 3.

On page 1, line 9, of the printed bill, as amended, strike out the following: "purchased or".

Amendment No. 4.

On page 1, line 14, of the printed bill, as amended, strike out the word "which", and insert in lieu thereof a period and the following: "The State Board of Education".

Amendment No. 5.

On page 1, line 17, of the printed bill, as amended, strike out the following: "and to", and strike out all of lines 18 to 23, inclusive, and insert in lieu thereof a comma and the following: "and any such order shall be enforced by the California Highway Patrol."

Amendment No. 6.

On page 1, line 25, of the printed bill, as amended, after the word "vehicle", insert the word "regularly".

Amendment No. 7.

On page 2, line 1, of the printed bill, as amended, after the word "schools", insert the following: "to and from school or to and from school activities.".

Amendment No. 8.

On page 2, line 5, of the printed bill, as amended, after the word "vehicles", insert the following: "subject to and meeting all requirements of the State Railroad Commission".

Amendment No. 9.

On page 2 of the printed bill, as amended, beginning in line 8, strike out the following: "and meeting all requirements of the State Railroad Commission", and insert in lieu thereof the following: "but not used exclusively for the transportation of public school pupils".

Amendment No. 10.

On page 2, line 10, of the printed bill, as amended, strike out the word "exclusively".

Amendment No. 11.

On page 2, line 12, of the printed bill, as amended, strike out the following: "rules and".

Amendment No. 12.

On page 2, line 14, of the printed bill, as amended, strike out the first comma, and insert in lieu thereof the following: "knowingly".

Amendment No. 13.

On page 2, line 16, of the printed bill, as amended, strike out the following: "California Highway Patrol", and insert in lieu thereof the following: "State Board of Education and any person knowingly operating a school bus without possessing the qualifications required by the regulations of the State Board of Education of school bus operators".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Unfinished Business.

Consideration of Senate Amendments to Assembly Bill No. 56.

Assembly Bill No. 56—An act to add section 3.43 to the School Code, relating to required instruction in the schools.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 56?

Amendment No. 1.

On page 1, line 2, of the printed bill, as amended, strike out "amended", and insert in lieu thereof the following: "added".

Amendment No. 2.

On page 1, line 14, of the printed bill, as amended, after "for", insert the following: "the".

Amendment No. 3.

On page 1, line 15, of the printed bill, as amended, strike out ", must provide for instruction in", and insert in lieu thereof the following: "must provide for instruction on the subjects of".

The roll was called, and Senate amendments to Assembly Bill No. 56 were concurred in by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Domhue, Donnelly, Evans, Herbert J., Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Morgan, Pelletier, Peterson, Reaves,

Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Wagner, Walker, Williamson, and Mr. Speaker—46.
NOES—None.

Assembly Bill No. 56 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 621.

Assembly Bill No. 621—An act to amend sections 2240 and 2255 of the Political Code, relating to the clothing, transportation, dental work, eye care, operations and hospitalization of pupils enrolled in the California School for the Deaf and the California School for the Blind.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 621?

Amendment No. 1.

On page 3, line 7, of the printed bill, as amended, strike out "education".

Amendment No. 2.

On page 3, line 42, of the printed bill, as amended, after "parent", insert the following: "or guardian".

The roll was called, and Senate amendments to Assembly Bill No. 621 were concurred in by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Donihue, Evans, Herbert J., Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Pelletier, Peterson, Phillips, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Wagner, Walker, Williamson, and Mr Speaker—47.
NOES—None.

Assembly Bill No. 621 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1481.

Assembly Bill No 1481—An act providing for the organization and government of horticultural protection districts for the purpose of protecting horticultural products and the vines, trees and shrubs whereon the same are grown against diseases, insects and pests; defining the powers of such districts and authorizing any such district to eradicate, remove or prevent the spread of any disease, insect or pest injurious to the horticultural product which such district is organized to protect; to provide for the levying and collection of taxes to pay the costs and expenses of administering such districts and carrying on their operations; defining the duties and powers of county agricultural commissioners, and other county officers in connection with such districts; to provide for including lands within and excluding lands from any such district, and to provide a method of dissolving such districts

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1481?

Amendment No. 1.

On page 11, line 27, of the printed bill, as amended, after "California,", insert the following: "and".

Amendment No. 2.

On page 17 of the printed bill, as amended, between lines 12 and 13, insert the following:

"SEC. 22. This act shall be known and may be cited as the Horticultural Protection District Act."

Amendment No. 3.

On page 17, line 13, of the printed bill, as amended, strike out "22", and insert in lieu thereof the following: "23".

Amendment No. 4.

On page 6, line 45, of the printed bill, as amended, after the word "disease", insert the following: ", insect or other pest".

The roll was called, and Senate amendments to Assembly Bill No. 1481 were concurred in by the following vote.

AYES—Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Donihue, Evans, Herbert J., Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hunt, Johnson, Kallam, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Morgan, Pelletier, Peterson, Phillips, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Wagner, Walker, Williamson, and Mr. Speaker—44.

NOES—None.

Assembly Bill No. 1481 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 1370.

Assembly Bill No 1370—An act to amend an act entitled "An act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such districts," approved March 20, 1903 as amended, by amending the title and sections 37 and 40 thereof, and adding a new section to be designated section 97, to authorize the borrowing or procuring of money by drainage districts from the United States or any agency thereof, and declaring the urgency thereof

The question being put Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1370?

Amendment No. 1.

On page 2, line 38, of the printed bill, strike out the period after "year", and insert in lieu thereof a comma and the following "and may add thereto a sum sufficient to provide funds for necessary expenditures during the next succeeding fiscal year, prior to the time when the first installment of taxes for such succeeding fiscal year shall be collected and apportioned, and also to include in any year a sum to be placed in a sinking fund to pay the principal of bonds outstanding."

The roll was called, and Senate amendment to Assembly Bill No. 1370 was concurred in by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Donihue, Evans, Herbert J., Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hunt, Johnson, Kallam, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Morgan, O'Donnell, Pelletier, Peterson, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Walker, Williamson, and Mr Speaker—44

NOES—McCarthy—1.

Assembly Bill No 1370 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 488.

Assembly Bill No 488—An act to add a new section to the Insurance Code of the State of California to be numbered 12629, relating to mortgage insurers, including but not being limited to the rehabilitation, readjustment or reorganization of mortgage insurers or of all or of any part of the business, properties and assets of such insurers, and to the revision, modification or termination of mortgage participation trusts, mortgage participation certificates and policies of mortgage insurance and to the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of, and persons interested in, such insurers or trusts; to provision for the kinds of securities issuable in connection therewith and exempting such securi-

ties from the provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurers, banks, banking institutions and trust companies and officers of the State of California to consent to a plan, as defined in said section, to exchange mortgage participation certificates, shares of stock, bonds, notes, debentures or other rights or claims for securities issued pursuant to such plan and to continue to hold as legal investment any securities so received.

The question being put Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 488?

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, after "relating to", insert the following: "mortgage insurers, including but not being limited to".

Amendment No. 2.

On page 1, line 4 of the title of the printed bill, as amended, strike out "insurance companies", and insert in lieu thereof the following: "insurers".

Amendment No. 3.

On page 1, line 5 of the title of the printed bill, as amended, strike out "companies", and insert in lieu thereof the following: "insurers".

Amendment No. 4.

On page 1, line 11 of the title of the printed bill, as amended, strike out "companies or trusts, providing", and insert in lieu thereof the following "insurers or trusts; to provision".

Amendment No. 5.

On page 1, line 15 of the title of the printed bill, as amended, strike out "insurance companies", and insert in lieu thereof the following "insurers".

Amendment No. 6.

On page 1, line 3, of the printed bill, as amended, strike out "Application of Section"

Amendment No. 7.

On page 1, line 4, of the printed bill, as amended, strike out "insurance company", and insert in lieu thereof the following: "insurer".

Amendment No. 8.

On page 1, line 6, of the printed bill, as amended, strike out "Insurance".

Amendment No. 9.

On page 2, lines 1 and 2, of the printed bill, as amended, strike out "insurance company", and insert in lieu thereof the following "insurer".

Amendment No. 10.

On page 2, line 4, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 11.

On page 2, line 10, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 12.

On page 2, line 14, of the printed bill, as amended, strike out "Insurance"

Amendment No. 13.

On page 2, line 15, of the printed bill, as amended, strike out "insurance company", and insert in lieu thereof the following: "insurer".

Amendment No. 14.

On page 2, line 18, of the printed bill, as amended, strike out "insurance company", and insert in lieu thereof the following "insurer"

Amendment No. 15.

On page 2, line 32, of the printed bill, as amended, strike out "Definition of Plan."

Amendment No. 16.

On page 2, line 34, of the printed bill, as amended, strike out "insurance company", and insert in lieu thereof the following: "insurer".

Amendment No. 17.

On page 2, line 36, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 18.

On page 2, line 39, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 19.

On page 2, line 40, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 20.

On page 2, line 44, of the printed bill, as amended, strike out "thereof to"; also strike out line 45, and in line 46, strike out "pany", and insert in lieu thereof the following: "of all or any part of the business, properties, or assets of such insurer to the commissioner and the return thereof to such insurer".

Amendment No. 21.

On page 2, line 47, of the printed bill, as amended, strike out "thereof", and insert in lieu thereof the following: "of all or any part of the business, properties, or assets of such insurer".

Amendment No. 22.

On page 2, line 49, of the printed bill, as amended, strike out "insurance company", and insert in lieu thereof the following: "insurer".

Amendment No. 23.

On page 2, line 52, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 24.

On page 3, line 3, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 25.

On page 3, line 5, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 26.

On page 3, line 7, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 26-a.

On page 3, line 8, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 27.

On page 3, line 9, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 28.

On page 3, lines 11 and 12, of the printed bill, as amended, strike out "insurance company", and insert in lieu thereof the following: "insurer".

Amendment No. 29.

On page 3, line 13, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 30.

On page 3, line 14, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 31.

On page 3 of the printed bill, as amended, strike out line 15, and in line 16, strike out "ance", and insert in lieu thereof the following: "(c) A plan (1) may be proposed by the".

Amendment No. 32.

On page 3, line 17, of the printed bill, as amended, strike out "Insurance"

Amendment No. 33.

On page 3, line 18, of the printed bill, as amended, strike out "insurance company", and insert in lieu thereof the following: "insurer".

Amendment No. 34.

On page 3, line 19, of the printed bill, as amended, strike out "Insurance".

Amendment No. 35.

On page 3, line 20, of the printed bill, as amended, strike out "such", and insert in lieu thereof the following: "the".

Amendment No. 36.

On page 3, line 26, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 37.

On page 3, line 30, of the printed bill, as amended, strike out "Insurance".

Amendment No. 38.

On page 3, lines 35 and 36, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 39.

On page 3, lines 37 and 38, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 40.

On page 3, line 41, of the printed bill, as amended, strike out "Insurance".

Amendment No. 41.

On page 3, line 42, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 42.

On page 4, line 3, of the printed bill, as amended, strike out "Hearing."

Amendment No. 43.

On page 4, line 22, of the printed bill, as amended, strike out "a company", and insert in lieu thereof the following: "an insurer".

Amendment No. 44.

On page 4, lines 30 and 31, of the printed bill, as amended, strike out "Insurance".

Amendment No. 45.

On page 4, line 34, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 46.

On page 4, line 36, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 47.

On page 4, line 42, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 48.

On page 4, line 43 of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 49.

On page 5 of the printed bill, as amended, strike out line 2, and in line 3, strike out "pany", and insert in lieu thereof the following: "holders of any insurer if the value of the assets of such insurer".

Amendment No. 50.

On page 5, line 6, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 51.

On page 5, line 7, of the printed bill, as amended, strike out "Insurance".

Amendment No. 52.

On page 5, line 22, of the printed bill, as amended, strike out "Insurance".

Amendment No. 53.

On page 5, line 23, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 54.

On page 5, line 29, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 55.

On page 5, line 39, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 56.

On page 5, line 45, of the printed bill, as amended, strike out "Effect of Approval and Consents."

Amendment No. 57.

On page 5, line 46, of the printed bill, as amended, strike out "Insurance".

Amendment No. 58.

On page 5, line 51, of the printed bill, as amended, strike out "Insurance".

Amendment No. 59.

On page 6, line 1, of the printed bill, as amended, strike out "insurance company", and insert in lieu thereof the following: "insurer".

Amendment No. 60.

On page 6, line 2, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 61.

On page 6, line 3, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 62.

On page 6, lines 11 and 12, of the printed bill, as amended, strike out "Insurance Commissioner, the company", and insert in lieu thereof the following: "commissioner, the insurer".

Amendment No. 63.

On page 6, line 22, of the printed bill, as amended, strike out "Insurance".

Amendment No. 63-a.

On page 6, line 25, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 64.

On page 6, line 28, of the printed bill, as amended, strike out "Insurance".

Amendment No. 65.

On page 6, line 41, of the printed bill, as amended, strike out "Appeals."

Amendment No. 66.

On page 7, line 4, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 67.

On page 7, line 6, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 68.

On page 7, line 8, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 69.

On page 7, line 13, of the printed bill, as amended, strike out "Securities Issued Under Plan."

Amendment No. 70.

On page 7, lines 21 and 22, of the printed bill, as amended, strike out "insurance company", and insert in lieu thereof the following: "insurer".

Amendment No. 71.

On page 7, line 29, of the printed bill, as amended, strike out "insurance company", and insert in lieu thereof the following: "insurer".

Amendment No. 72.

On page 7, line 33, of the printed bill, as amended, strike out "Authority of Fiduciaries."

Amendment No. 73.

On page 7, line 35, of the printed bill, as amended, strike out "insurance company", and insert in lieu thereof the following: "insurer".

Amendment No. 74.

On page 7, line 38, of the printed bill, as amended, strike out "insurance company", and insert in lieu thereof the following: "insurer".

Amendment No. 75.

On page 7, line 49, of the printed bill, as amended, strike out "Emergency Period."

The roll was called, and Senate amendments to Assembly Bill No. 488 were concurred in by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Donihue, Donnelly, Evans, Herbert J., Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Johnson, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Morgan, O'Donnell, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Stream, Thorp, Turner, Utt, Wagner, Walker, Williamson, and Mr. Speaker—46.

NOES—Hunt, and McCarthy—2.

Assembly Bill No. 488 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 489.

Assembly Bill No. 489—An act to add a new section to the Civil Code of the State of California, to be numbered section 453.15, relating to the rehabilitation, readjustment or reorganization of mortgage insurance companies or of all or of any part of the business, properties and assets of such companies, and to the revision, modification or termination of mortgage participation trusts, mortgage participation certificates and policies of mortgage insurance and to the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of, and persons interested in, such companies or trusts; providing for the kinds of securities issuable in connection therewith and exempting such securities from the provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies, banks, banking institutions and trust companies and officers of the State of California to consent to a plan, as defined in said section, to exchange mortgage participation certificates, shares of stock, bonds, notes, debentures or other rights or claims for securities issued pursuant to such plan and to continue to hold as legal investment any securities so received.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 489?

Amendment No. 1.

On page 2, line 47, of the printed bill, as amended, strike out "thereof to the", and insert in lieu thereof the following: "of the business, properties or assets of such company or any part thereof to the".

Amendment No. 2.

On page 2, line 49, of the printed bill, as amended, strike out "thereof", and insert in lieu thereof the following: "of the business, properties or assets of such company or any part thereof".

The roll was called, and Senate amendments to Assembly Bill No. 489 were concurred in by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Herbert J., Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Johnson, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Pevser, Phillips, Reaves, Riley, Robertson, Stream, Thorp, Turner, Utt, Wagner, Walker, Williamson, and Mr. Speaker—53

NOES—Hunt, and McCarthy—2

Assembly Bill No. 489 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 260.

Assembly Bill No. 260—An act to amend sections 12422, 12423, 12427, 12442, 12484, 12486, 12488 and 12543 of the Insurance Code and to add a new section to said code to be numbered 12490, all relating to mortgage insurers.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 260?

Amendment No. 1.

On page 2, line 41, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following "insurer".

Amendment No. 2.

On page 2, line 45, of the printed bill, as amended, strike out "company must", and insert in lieu thereof the following: "insurer shall".

Amendment No. 3.

On page 2, lines 48 and 49, of the printed bill, as amended, strike out "no such company shall", and insert in lieu thereof the following: "such insurer shall not".

Amendment No. 4.

On page 2, line 52, of the printed bill, as amended, strike out "No company shall be deemed", and insert in lieu thereof the following: "A mortgage insurer shall not be deemed".

Amendment No. 5.

On page 3, line 1, of the printed bill, as amended, strike out "the Insurance", and insert in lieu thereof the following. "this".

Amendment No. 6.

On page 3, lines 37 and 38, of the printed bill, as amended, strike out "agent, insurance broker, or insurance solicitor", and insert in lieu thereof the following: "agent or insurance broker".

Amendment No. 7.

On page 3, line 41, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 8.

On page 3, line 44, of the printed bill, as amended, strike out "Insurance".

Amendment No. 9.

On page 3, line 49, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 10.

On page 4, line 1, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 11.

On page 4, line 2, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 12.

On page 4, line 6, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 13.

On page 4, line 11, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 14.

On page 4, line 12, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 15.

On page 4, line 17, of the printed bill, as amended, strike out 'company", and insert in lieu thereof the following: "insurer".

Amendment No. 16.

On page 4, line 23, of the printed bill, as amended, strike out "Insurance".

Amendment No. 17.

On page 5, line 13, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer".

Amendment No. 18.

On page 5, line 24, of the printed bill, as amended, strike out "Insurance"

Amendment No. 19.

On page 5, line 25, of the printed bill, as amended, strike out "company", and insert in lieu thereof the following: "insurer"

Amendment No. 20.

On page 5, lines 49 and 50, of the printed bill, as amended, strike out "insurance company", and insert in lieu thereof the following: "insurer".

Amendment No. 21.

On page 5, line 52, of the printed bill, as amended, strike out "insurance company", and insert in lieu thereof the following: "insurer".

The roll was called, and Senate amendments to Assembly Bill No. 260 were concurred in by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Desmond, Donihue, Donnelly, Evans, Herbert J., Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hunt, Johnson, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Wagner, Walker, Williamson, and Mr. Speaker—53.

NOES—McCarthy—1.

Assembly Bill No. 260 ordered to enrollment.

Third Reading of Assembly Bills.

Assembly Bill No. 1111—An act to provide for the formation, government, operation and dissolution of library districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1111 passed by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Donihue, Donnelly, Evans, Herbert J., Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hunt, Johnson, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Morgan, O'Donnell, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Wagner, Walker, Williamson, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1138—An act to amend section 3804 of the Political Code, to prescribe place of filing claim for refund of taxes, penalties or costs, and to validate the filing of such claims heretofore filed.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Cunningham:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "of", insert the following: ", and to add section 3804 1 to,".

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, as amended, strike out "to pre-".

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out lines 2 to 7, inclusive, of the title, and insert in lieu thereof the following: "relating to taxation."

Amendments adopted.

Request for Unanimous Consent.

Mr Cunningham asked for, and was granted, unanimous consent to take up Assembly Bill No. 1138, as amended, at this time, without reference to reprint or file, and that same be considered re-re-engrossed.

Third Reading of Assembly Bill No. 1138, as Amended.

Assembly Bill No. 1138, as amended, read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1138, as amended, passed by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Weber, Williamson, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 205—An act to amend section 702 of the Code of Civil Procedure, relating to redemption interest.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 205 passed by the following vote:

AYES—Andreas, Boyle, Burns, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, McBride, McMurray, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Weber, Williamson, Wright, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 338—An act to add section 731a to the Code of Civil Procedure, relating to the use of the injunction in industrial or commercial zones.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Martin:

Amendment No. 1.

On page 1, line 12, of the printed bill, after the period, add the following:

"Nothing in this act shall be deemed to apply to the regulation and working hours of canneries, fertilizing plants and other similar establishments whose operation produce offensive odors."

Amendment adopted

Bill read, ordered to reprint, re-engrossment, and third reading

Assembly Bill No. 793—An act to amend section 5.900 of the School Code, relating to the retirement of public school teachers

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 793 passed by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donahue, Donnelly, Evans, Herbert J, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Walker, Weber, Williamson, Wright, and Mr Speaker—60

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 285—An act to amend section 1361 of the Political Code, relating to counting boards to canvass absent voter ballots in counties having a population of one million persons or more.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 285 passed by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves Riley, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Weber, Williamson, Wright, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 845—An act to amend the title and sections 1, 2, 3, 4, 5, 6, 7, 9, 10, 15, 16, 17, 20, 22 and 24½ and to repeal section 3½ of an act entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department and to assess and collect taxes, from time to time, for such purpose, and to create a board of fire commissioners," approved March 4, 1881, as amended, relating to fire departments in unincorporated towns and villages.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Peterson:

Amendment No. 1.

On page 4, line 15, of the printed bill, as amended, strike out the period after the word "day,", and insert a semicolon and the following: "however, no new registers shall be required, and the polls may be opened at one o'clock p.m. and closed at six o'clock p.m. on the day appointed for any election."

Amendment adopted.

Request for Unanimous Consent.

Mr. Peterson asked for, and was granted, unanimous consent to take up Assembly Bill No. 845, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 845, as Amended.

Assembly Bill No 845, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 845, as amended, passed by the following vote:

AYES—Andreas, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Wagner, Walker, Weber, Williamson, Wright, and Mr. Speaker—56.
NOES—Flint and Jones—2.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No 1526—An act to amend an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 17, 1911, by adding thereto a new section to be numbered 18½.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Walker, Weber, Williamson, Wright, and Mr Speaker—62.
NOES—None

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1526 passed by the following vote:

AYES—Andreas, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Martin, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Walker, Weber, Williamson, Wright, and Mr. Speaker—59
NOES—McCarthy—1.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 951—An act relating to the securing of Federal aid in connection with the funding or refunding of outstanding bonds and/or assessments of assessment districts in the State of California.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 951 passed by the following vote:

AYES—Andreas, Boyle, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Weber, Williamson, Wright, and Mr. Speaker—61.

NOES—None.

Title read.

Amendment to Title.

During reading of the title, the following amendment was submitted by Mr. Boyle:

Amendment No. 1.

On page 1, lines 2 and 3 of the title of the printed bill, strike out "and/or assessments of assessment districts", and insert in lieu thereof the following: "or assessments".

Title, as amended, read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 1677—An act to add section 8a to an act entitled "An act to provide for the formation, management and dissolution of county water works districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county water works district bonds and the payment thereof," approved June 13, 1913, relating to refunding bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1677 passed by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Walker, Weber, Williamson, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 362—An act to amend section 429 of the Fish and Game Code, relating to license fees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 362 passed by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Riley,

Rosenthal, Stream, Thorp, Utt, Wagner, Weber, Williamson, Wright, and Mr. Speaker—60.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate

Assembly Bill No. 678—An act to amend section 1203.6 of the Fish and Game Code, relating to pheasants.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 678 passed by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Miller, Minard, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Stream, Thorp Turner, Wagner, Walker, Weber, Williamson, Wright, and Mr. Speaker—59.
NOES—Fulcher, Morgan, Patterson, and Utt—4.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 934—An act to amend section 5.63 of the School Code, relating to admission of nonresident students.
Bill read third time
The question being on the passage of the bill.
The roll was called, and Assembly Bill No 934 passed by the following vote:

AYES—Andreas, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donnelly, Evans, Herbert J., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Robertson, Stream, Thorp, Utt, Wagner, Walker, Weber, Williamson, and Mr. Speaker—53.
NOES—Donihue, Evans, Ralph W, Hawkins, Latham, McCarthy, Riley, and Wright—7.

Title read and approved
Bill ordered transmitted to the Senate.

Assembly Bill No. 935—An act to amend section 5.350 of the School Code, relating to fees for credentials and certificates.
Bill read third time.
The question being on the passage of the bill
The roll was called, and Assembly Bill No. 935 passed by the following vote:

AYES—Andreas, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Donihue, Donnelly, Evans, Herbert J, Evans, Ralph W., Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Stream, Thorp, Utt, Wagner, Walker, Weber, Williamson, and Mr. Speaker—56.
NOES—Flint, Latham, and Wright—3.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2092—An act to amend section 493.5 of the Fish and Game Code, and to add thereto section 741 5, relating to fish.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2092 passed by the following vote:

AYES—Andreas, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Desmond, Domhue, Donnelly, Evans, Herbert J, Evans, Ralph W, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Hawkins, Heisinger, Hornblower, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Weber, Williamson, Wright, and Mr. Speaker—60.

NOES—Hunt—1

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 988—An act to amend section 5.161 of the School Code, relating to high school certificates.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Minard:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out the word "section", and insert in lieu thereof the following: "sections 5 125 and".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out all of line 2 of the title, and insert in lieu thereof the following, "the issuance of high school credentials and certificates."

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out all of lines 1 and 2, and insert in lieu thereof the following:

"SECTION 1. Section 5 125 of the School Code is hereby amended to read as follows:

5 125 Each credential issued must clearly state the kind of service that it authorizes, the grades or classes, or the types of schools, in which it authorizes such service, and if a teacher's credential, the subjects it authorizes the holder to teach No credential issued shall authorize any service beyond that authorized by law to be performed by the holder of a certificate issued on such credential

SEC. 2. Section 5 161 of the School Code is hereby amended to read as follows: "

Amendment No. 4.

On page 1, line 6, of the printed bill, as amended, strike out the following: "August first", and insert in lieu thereof the following. December thirty-first"

Amendments adopted.

Request for Unanimous Consent.

Mr. Minard asked for, and was granted, unanimous consent to take up Assembly Bill No 988, as amended, at this time, without reference to reprint, or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 988, as Amended.

Assembly Bill No. 988, as amended, read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 988, as amended, passed by the following vote:

AYES—Andreas, Burns, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Desmond, Domhue, Donnelly, Evans, Herbert J, Evans, Ralph W, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Maloney, Martin, McBride,

McCarthy, McMurray, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Wagner, Walker, Weber, Williamson, Wright, and Mr. Speaker—58.
NOES—Geyer, Lore, and Morgan—3.

Title read and approved.
Bill ordered transmitted to the Senate

Assembly Bill No. 1753—An act to amend sections 2.876, 2.877, 2.878, 2.885, 2.890, 2.891, and to repeal 2.868 of the School Code, relating to the election or appointment of boards.
Bill read third time.
The question being on the passage of the bill
The roll was called, and Assembly Bill No. 1753 passed by the following vote:

AYES—Andreas, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Stream, Thorp, Turner, Utt, Wagner, Walker, Weber, Williamson, Wright, and Mr. Speaker—55.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate

Assembly Bill No. 150—An act granting to the City and County of San Francisco certain lands of the State of California located in the City and County of San Francisco upon certain trusts and conditions.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 150 passed by the following vote:

AYES—Andreas, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Stream, Thorp, Turner, Wagner, Walker, Weber, Williamson, Wright, and Mr. Speaker—56.
NOES—Robertson—1.

Title read and approved

Notice of Reconsideration of Assembly Bill No. 150.

Mr. Robertson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 150 was this day passed.

Assembly Bill No. 768—An act to amend section 11 of an act entitled "An act prescribing the terms upon which licenses or certificates of registration may be issued to practitioners of barbering, creating the State Board of Barber Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved May 31, 1927.
Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Flint:

Amendment No. 1.

On page 1 of the printed bill, in the last line of the title, strike out the period, and insert in lieu thereof a comma and the following: "relating to admission to practice."

Amendment No. 2.

On page 2, line 22, of the printed bill, strike out the first "with", and insert in lieu thereof the following: "within".

Amendments adopted.

Request for Unanimous Consent.

Mr. Flint asked for, and was granted, unanimous consent to take up Assembly Bill No. 768, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 768, as Amended.

Assembly Bill No. 768, as amended, read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 768, as amended, passed by the following vote:

AYES—Andreas, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Pevser, Reaves, Redwine, Riche, Riley, Rosenthal, Stream, Thorp, Turner, Wagner, Walker, Weber, Williamson, Wright, and Mr Speaker—58

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1364—An act authorizing the State Franchise Tax Commissioner to destroy certain tax returns.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1364 passed by the following vote:

AYES—Andreas, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Pevser, Phillips, Reaves, Redwine, Riche, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Wagner, Walker, Weber, Williamson, Wright, and Mr Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1860—An act to declare a moratorium on the collection of judgments rendered in proceedings pursuant to the provisions of sections 25 to 36f, both inclusive, of the Water Commission Act for unpaid costs or for unpaid assessments taxed as costs in such judgments, suspending the accrual of interest upon such judgments during the period of such moratorium, and extending the statute of limitations upon any such judgment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1860 passed by the following vote:

AYES—Andreas, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 2400—An act to add a new section to be numbered 30.5 to the General Cemetery Act, relating to reincorporation of cemetery associations, and prescribing the procedure therefor.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 2400 passed by the following vote:

AYES—Andreas, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Geyer, Glover, Hawkins, Heisinger, Hornblower, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Rosenthal, Stream, Thorp, Turner, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—56.

NOES—Hunt—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 713—An act to amend section 1 of an act entitled "An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation of prisoners recreation and educational fund; providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith," approved June 9, 1923, as amended, relating to convict labor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 713 passed by the following vote:

AYES—Andreas, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Glover, Hawkins, Heisinger, Hornblower, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, Meehan, Miller, Minard, Nielsen, O'Donnell, Pelletier, Peterson, Phillips, Reaves, Richie,

Riley, Robertson, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—56

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1362—An act to amend section 3669e of the Political Code of the State of California, relating to powers of State Board of Equalization.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1362 passed by the following vote:

AYES—Andreas, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Glover, Hawkins, Heisinger, Hornblower, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, Meehan, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Williamson, Wright, and Mr Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 405—An act to add a new section to the Civil Code to be numbered 2934a, relating to substitution of trustees in trust deeds

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 405 passed by the following vote:

AYES—Andreas, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Domhue, Donnelly, Evans, Herbert J, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Glover, Hawkins, Heisinger, Hornblower, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Richie, Riley, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Williamson, Wright, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 728—An act to amend sections 1239, 1249 and to repeal section 1246 of the Code of Civil Procedure, relating to eminent domain.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 728 passed by the following vote:

AYES—Andreas, Burns, Chatters, Clark, Cottrell, Cronin, Crowley, Desmond, Domhue, Donnelly, Evans, Herbert J Evans, Ralph W, Field, Fisher, Flint, Frazier, Fulcher, Geyer, Glover, Hawkins, Heisinger, Hornblower, Johnson, Jones, Laughlin, Lore, Maloney, Martin, McCarthy, Meehan, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Weber, Williamson, and Mr. Speaker—49.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 812—An act to amend section 226 of the Civil Code, relating to proceedings on adoption.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 812 passed by the following vote:

AYES—Andreas, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donahue, Donnelly, Evans, Herbert J. Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Glover, Hawkins, Heisinger, Hornblower, Johnson, Jones, Kallam, Latham, Laughlin, Maloney, Martin, McBride, McCarthy, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr Speaker—59.

NOES—Lore—1.

Title read and approved.

Bill ordered transmitted to the Senate

Further Consideration of Assembly Bill No. 2437.

Assembly Bill No. 2437—An act to recognize certain corporations as agencies and instrumentalities of the United States, declaring the urgency thereof, and providing for the taking effect immediately thereof.

Case of Urgency.

The following resolution was offered:

By Mr. O'Donnell:

Resolved, That Assembly Bill No 2437 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

Mr. O'Donnell moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Glover, Hawkins, Heisinger, Hornblower, Johnson, Kallam, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Weber, Williamson, and Mr. Speaker—56

NOES—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 2437.

Third Reading of Assembly Bill No. 2437.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Andreas, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Glover, Hawkins, Heisinger, Hornblower, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin,

McBride, McCarthy, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—60

NOES—None

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2437 passed by the following vote:

AYES—Andreas, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Glover, Hawkins, Heisinger, Hornblower, Johnson, Kallam, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, Meehan, Miller, Nielsen, O'Donnell, Patterson, Peterson, Reaves, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Weber, Williamson, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Introduction and Reference of Bills.

The following bill was introduced, and referred as indicated:

By Mr. Fisher: Assembly Bill No. 2445—An act to amend section 788 of the Fish and Game Code, relating to the crab season in California.

Bill read first time.

Request for Unanimous Consent.

Mr. Fisher asked for, and was granted, unanimous consent to take up Assembly Bill No. 2445, at this time, without reference to printer, committee or file, and that same be considered engrossed.

Consideration of Assembly Bill No. 2445.

Assembly Bill No. 2445—An act to amend section 788 of the Fish and Game Code, relating to the crab season in California.

Case of Urgency.

The following resolution was offered:

By Mr. Fisher:

Resolved, That Assembly Bill No. 2445 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

Mr. Fisher moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Glover, Hawkins, Heisinger, Hornblower, Johnson, Kallam, Latham, Lore, Maloney, Martin, McBride, McCarthy, Meehan, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr Speaker—56

NOES—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 2445.

Third Reading of Assembly Bill No. 2445.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2445 passed by the following vote:

AYES—Andreas, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Gever, Glover, Hawkins, Heisinger, Hornblower, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McCarthy, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Reaves, Richie, Riley, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2434—An act to amend the Los Angeles County Flood Control Act by adding thereto a new section to be numbered 15a, relating to compliance with requirements of the United States or any department or agency thereof, in the performance of public work financed in whole or in part from Federal funds, and declaring the urgency thereof, the act to take effect immediately.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Field:

Amendment No. 1.

On page 1, line 17, of the printed bill, strike out "after", and insert in lieu thereof the following: "fore".

Amendment No. 2.

On page 2, line 25, of the printed bill, strike out the word "to", and insert in lieu thereof the word "go".

Amendments adopted.

Request for Unanimous Consent.

Mr. Field asked for, and was granted, unanimous consent to take up Assembly Bill No. 2434, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2434, as Amended.

Assembly Bill No. 2434, as amended, read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Andreas, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Gever, Glover, Hawkins, Heisinger, Hornblower, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Rosenthal, Stream, Turner, Utt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—57

NOES—None.

Assembly Bill No. 2434, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2434, as amended, passed by the following vote:

AYES—Andreas, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Glover, Hawkins, Heisinger, Hornblower, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, Meehan, Miller, Minard, Nielsen, O'Donnell, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2102—An act providing for the formation of nonprofit membership corporations to be known as electric membership corporations; authorizing such corporations to sell and distribute energy to the inhabitants of the State at the lowest cost consistent with sound economy and the prudent management of the business of such corporations; authorizing such corporations to construct or otherwise acquire, own, operate, maintain, extend and improve works, plants and systems for the production, transmission or distribution of energy; authorizing such corporation to exercise the right of eminent domain and otherwise providing for the rights, powers and duties of such corporations; authorizing and regulating the issuance of revenue obligations by such corporations and providing for the payment of such obligations and the rights of the holders thereof; and providing that this act shall take immediate effect.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Phillips:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, as amended, insert the word "acquire," after the word "to" and before the word "sell".

Amendment No. 2.

On page 1, line 9 of the title of the printed bill, as amended, insert the word "acquisition," after the word "the" and before the word "production".

Amendment No. 3.

On page 2, line 17, of the printed bill, as amended, strike out the words "evidence of indebtedness", and in lieu thereof insert the words "written obligations".

Amendment No. 4.

On page 4, line 42, of the printed bill, as amended, after the word "have" and before the word "power", strike out "(a)".

Amendment No. 5.

On page 4, line 43, of the printed bill, as amended, after the word "districts", strike out the comma, and insert in lieu thereof a period; and in the same line, strike out the words "or, (b) devote its prop-", and in line 44, strike out the words "erties to public use."

Amendment No. 6.

On page 10, line 42, of the printed bill, as amended, insert the word "acquisition," after the word "the", and before the word "generation".

Amendment No. 7.

On page 5, line 19, of the printed bill, as amended, strike out the period following the word "therefor", and insert the following: ", except that as to State highways the corporation shall be subject to the provisions of Article 2 of Chapter 3 of Division 1 of the Streets and Highways Code."

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Oil Industries.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1935.

MR SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 1684—An act to amend section 23, and to repeal section 24 of 'An act to reserve all minerals in State lands; to' provide for examination, classification and report on the mineral and other character of State lands; to provide for 'the granting of permits and leases to prospect for and take any such minerals, to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to leasing and granting easements to extract oil, gas and other hydrocarbons by means of wells drilled from littoral lands into State lands—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

McBRIDE, Chairman.

The above reported bill ordered on file for second reading.

On Contingent Expenses.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1935.

MR. SPEAKER: Your Committee on Contingent Expenses, to which was referred the following two resolutions by Mr. Walker.

Resolution.

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred fifty dollars ($150), said amount being for the payment of postage, telegraphing, expressage, and incidental expenses of the Chief Clerk's office

Also:

Resolution.

Resolved, That the Controller be and is hereby authorized and directed to draw his warrants on the contingent fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Cascade Towel Supply Co (towel service April)	$55 92
Bureau of Purchases (supplies)	188 92
The C. C. Langevin Company (rental public address system—April 4 to May 3)	160 00
Department of Finance (pro rate telephone service April)	35 34
Pacific Telephone and Telegraph Company (tolls)	10 10

Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted.

WALKER, Chairman.

Report of Committee on Contingent Expenses read.

Mr. Walker moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donnelly, Evans, Ralph W. Field, Fisher, Flint, Frazier, Geyer, Glover, Hawkins, Hornblower, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Martin, McBride, McCarthy, Meehan, Miller, Minard, Nielsen, Patterson, Peterson, Reaves, Richie, Riley, Stream, Thorp, Utt, Wagner, Walker, Wallace, Williamson, Wright, and Mr Speaker—48

NOES—None.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1935.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2368—An act to amend sections 5, 13, 65, 78, 83, 85, 86, 100.

101 and 109 of, and to add sections 28a, 65a, 65b, 65c, 65d, 83a, 85a, 100a and 100b to an act entitled "An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to retirement of members of the California Highway Patrol—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1935

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 289—An act to add section 1724 to the Code of Civil Procedure, relating to establishing the fact of death of a joint tenant;

Also: Assembly Bill No. 315—An act to amend section 284 of the Code of Civil Procedure, relating to substitution of attorneys and fees of same;

Also: Assembly Bill No. 487—An act to amend section 692 of, and to add a new section to be numbered 692a to the Code of Civil Procedure, relating to sales of property under execution or under power contained in a deed of trust;

Also: Assembly Bill No. 943—An act to amend section 688 of the Political Code, relating to claims against the State of California in respect to damages inflicted by vehicles;

Also: Assembly Bill No. 2021—An act to amend section 41 of the Probate Code, relating to bequests and devises;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

LYON, Chairman.

The above reported bills ordered on file for second reading.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No 823—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 18, 1883, as amended, by amending section 862 thereof, relating to and adding to the powers of sixth class cities.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Riley:

Amendment No. 1.

On page 1 of the printed bill, as amended, in the next to the last line of the title, strike out "thereof", and insert in lieu thereof the following: "of, and to add sections 862 1 to 862 26 inclusive to the act.".

Amendment No. 2.

On page 1 of the printed bill, as amended, in the next to the last line of the title, strike out "and adding to".

Amendment No. 3.

On page 1, line 1, of the printed bill, as amended strike out "That section", and insert in lieu thereof the following "Section"

Amendment No. 4.

On page 1 of the printed bill, as amended, between lines 4 and 5, insert the following:

"SEC 2. Section 862 1 is hereby added to said act, to read as follows ".

Amendment No. 5.

On page 1, line 5, of the printed bill, as amended, strike out "1", and insert in lieu thereof the following: "862 1".

Amendment No. 5.

On page 1 of the printed bill, as amended, between lines 6 and 7, insert the following:

"SEC 3 Section 862 2 is hereby added to said act, to read as follows."

Amendment No. 6.

On page 1, line 7, of the printed bill, as amended, strike out "2", and insert in lieu thereof the following: "862 2".

Amendment No. 7.

On page 1 of the printed bill, as amended, between lines 12 and 13, insert the following:

"SEC. 4. Section 862 3 is hereby added to said act, to read as follows:".

Amendment No. 8.

On page 1, line 13, of the printed bill, as amended, strike out "3", and insert in lieu thereof the following: "862 3".

Amendment No. 9.

On page 2 of the printed bill, as amended, between lines 6 and 7, insert the following:

"SEC. 5. Section 862 4 is hereby added to said act to read as follows:".

Amendment No. 10.

On page 2, line 7, of the printed bill, as amended, before "To", insert the following: "862 4".

Amendment No. 11.

On page 2 of the printed bill, as amended, between lines 13 and 14, insert the following:

"SEC. 6. Section 862 5 is hereby added to said act to read as follows:".

Amendment No. 12.

On page 2, line 14, of the printed bill, as amended, strike out "4", and insert in lieu thereof the following: "862 5".

Amendment No. 13.

On page 2 of the printed bill, as amended, between lines 30 and 31, insert the following

"SEC. 7. Section 862 6 is hereby added to said act to read as follows:".

Amendment No. 14.

On page 2, line 31, of the printed bill, as amended, strike out "4a", and insert in lieu thereof the following: "862 6".

Amendment No. 15.

On page 2 of the printed bill, as amended, between lines 38 and 39, insert the following:

"SEC. 8. Section 862 7 is hereby added to said act, to read as follows:".

Amendment No. 16.

On page 2, line 39, of the printed bill, as amended, strike out "5", and insert in lieu thereof the following: "862 7"

Amendment No. 17.

On page 2 of the printed bill, as amended, after line 52, insert the following:

"SEC. 9. Section 862 8 is hereby added to said act to read as follows:".

Amendment No. 18.

On page 3, line 1, of the printed bill, as amended, strike out "6", and insert in lieu thereof the following: "862 8".

Amendment No. 19.

On page 3 of the printed bill, as amended, between lines 3 and 4, insert the following:

"SEC. 10. Section 862 9 is hereby added to said act to read as follows:"

Amendment No. 20.

On page 3, line 4, of the printed bill, as amended, strike out "4", and insert the following: "862.9".

Amendment No. 21.

On page 3 of the printed bill, as amended, between lines 7 and 8, insert the following

"SEC. 11. Section 862 10 is hereby added to said act to read as follows:".

Amendment No. 22.

On page 3, line 8, of the printed bill, as amended, strike out "8", and insert the following: "862.10".

Amendment No. 23.

On page 3 of the printed bill, as amended, between lines 10 and 11, insert the following:

"SEC. 12. Section 862 11 is hereby added to said act to read as follows:".

Amendment No. 24.

On page 3, line 11, of the printed bill, as amended, strike out "9", and insert the following: "862.11".

Amendment No. 25.

On page 3 of the printed bill, as amended, between lines 22 and 23, insert the following:

"SEC. 13 Section 862 12 is hereby added to said act to read as follows:"

Amendment No. 26.

On page 3, line 23, of the printed bill, as amended, strike out "10", and insert the following. "862 12".

Amendment No. 27.

On page 3 of the printed bill, as amended, between lines 28 and 29, insert the following:

"SEC. 14 Section 862 13 is hereby added to said act to read as follows:".

Amendment No. 28.

On page 3, line 29, of the printed bill, as amended, strike out "11", and insert the following: "862.13".

Amendment No. 29.

On page 3 of the printed bill, as amended, between lines 41 and 42, insert the following:

"SEC. 15. Section 862 14 is hereby added to said act to read as follows:"

Amendment No. 30.

On page 3, line 42, of the printed bill, as amended, strike out "12", and insert the following: "862.14".

Amendment No. 31.

On page 3 of the printed bill, as amended, between lines 44 and 45, insert the following:

"SEC. 16. Section 862 15 is hereby added to said act to read as follows:".

Amendment No. 32.

On page 3, line 45, of the printed bill, as amended, strike out "13", and insert the following: "862.15".

Amendment No. 33.

On page 4 of the printed bill, as amended, between lines 2 and 3, insert the following:

"SEC. 17. Section 862 16 is hereby added to said act to read as follows ".

Amendment No. 34.

On page 4, line 3, of the printed bill, as amended, strike out "14", and insert the following. "862.16".

Amendment No. 35.

On page 4 of the printed bill, as amended, between lines 7 and 8, insert the following:

"SEC. 18 Section 862 17 is hereby added to said act to read as follows:".

Amendment No. 36.

On page 4, line 8, of the printed bill, as amended, strike out "15", and insert the following: "862.17".

Amendment No. 37.

On page 4 of the printed bill, as amended, between lines 10 and 11, insert the following:

"SEC. 19 Section 862.18 is hereby added to said act to read as follows:".

Amendment No. 38.

On page 4, line 11, of the printed bill, as amended, strike out "16", and insert the following: "862.18".

Amendment No. 39.

On page 4 of the printed bill, as amended, between lines 13 and 14, insert the following:

"SEC. 20. Section 862 19 is hereby added to said act to read as follows:".

Amendment No. 40.

On page 4, line 14, of the printed bill, as amended, strike out "16a", and insert the following: "862.19".

Amendment No. 41.

On page 4 of the printed bill, as amended, between lines 32 and 33, insert the following:

"SEC. 21. Section 862.20 is hereby added to said act to read as follows.".

Amendment No. 42.

On page 4, line 33, of the printed bill, as amended, strike out "16b", and insert the following: "862.20".

Amendment No. 43.

On page 4 of the printed bill, as amended, between lines 45 and 46, insert the following:

"SEC. 22. Section 862 21 is hereby added to said act to read as follows:".

Amendment No. 44.

On page 4, line 46, of the printed bill, as amended, strike out "16c", and insert the following: "862.21".

Amendment No. 45.

On page 5 of the printed bill, as amended, between lines 2 and 3, insert the following:

"SEC. 23 Section 862.22 is hereby added to said act to read as follows:".

Amendment No. 46.

On page 5, line 3, of the printed bill, as amended, strike out "17", and insert the following "862 22".

Amendment No. 47.

On page 5 of the printed bill, as amended, between lines 30 and 31, insert the following

"SEC 24 Section 862 23 is hereby added to said act to read as follows:".

Amendment No. 48.

On page 5, line 31, of the printed bill, as amended, strike out "18", and insert the following "862 23".

Amendment No. 49.

On page 5 of the printed bill, as amended, between lines 33 and 34, insert the following:

"SEC. 25. Section 862 24 is hereby added to said act to read as follows.".

Amendment No. 50.

On page 5, line 34, of the printed bill, as amended, strike out "19", and insert the following: "862.24".

Amendment No. 51.

On page 6 of the printed bill, as amended, between lines 4 and 5, insert the following:

"SEC 26. Section 862 25 is hereby added to said act to read as follows:".

Amendment No. 52.

On page 6, line 5, of the printed bill, as amended, strike out "20", and insert the following. "862.25".

Amendment No. 53.

On page 6 of the printed bill, as amended, between lines 6 and 7, insert the following:

"SEC 27 Section 862 26 is hereby added to said act to read as follows

862.26. To provide for a pension fund for city employees. The city council may by a four-fifths vote of all of its members set aside from the general fund or any surplus funds or from any moneys received from the sale of bonds for that purpose a pension sinking fund and may annually thereafter appropriate for said purpose an amount which shall not exceed five per cent of the amount of the annual pay roll of said city."

Amendment No. 54.

On page 6, line 7, of the printed bill, as amended, strike out "21", and insert in lieu thereof the following: "862 27".

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 153—An act to amend the title and sections 4a, 13 and 14 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the extension of the provisions of said act to the companies and their franchises, other than insurance companies and their franchises, specified in section 14 of Article XIII of the Constitution of this State

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Williamson:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out the period after the word "trusts", in the last line of the title, and add the following: ", and providing that this act shall take effect immediately".

Amendment No. 2.

On page 1, line 6, of the printed bill, as amended, strike out "Section", and insert in lieu thereof the following: "Sec."

Amendment No. 3.

On page 2, line 6, of the printed bill, as amended, strike out the word "such".

Amendment No. 4.

On page 2, line 12, of the printed bill, as amended, strike out the word "such", and insert in lieu thereof the following: "said".

Amendment No. 5.

On page 2 of the printed bill, as amended, after line 12, add the following:

"SEC. 3. If any section, subsection, clause, sentence or phrase of this act which is reasonably separable from the remaining portions of this act is for any reason held to be unconstitutional, such decision shall not affect the remaining portions of this act. The Legislature hereby declares that it would have passed the remaining portions of this act irrespective of the fact that any such section, subsection, clause, sentence or phrase of this act be declared unconstitutional.

SEC. 4. This act, inasmuch as it provides for tax levies for the usual current expenses of the State, shall, under the provisions of section 1 of Article IV of the Constitution, take effect immediately."

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Withdrawal of Assembly Bills.

By order of the Speaker, the following bills were stricken from the file, and ordered re-referred to committees:

Assembly Bill No. 243 ordered re-referred to Committee on Municipal Corporations.

Assembly Bill No. 257 ordered re-referred to Committee on Ways and Means.

Assembly Bill No 163 ordered re-referred to Committee on Revenue and Taxation.

Assembly Bill No 1097 ordered re-referred to Committee on Social Service and Welfare.

Motion to Re-refer Assembly Bill No. 2351.

Mr Hawkins moved that Assembly Bill No. 2351 be withdrawn from file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 2351 to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 2351 ordered re-referred to Committee on Ways and Means.

Motion to Withdraw Assembly Bill No. 1967.

Mr. Utt moved that Assembly Bill No. 1967 be withdrawn from the calendar.

Motion carried.

Unfinished Business—(Resumed).

Motion to Reconsider Assembly Bill No. 44 Continued.

Mr. Hornblower moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No 44 was passed be continued until the next legislative day.

Motion carried.

Motion to Reconsider Assembly Bill No. 2136 Continued.

Mr Johnson moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2136 was passed be continued until the next legislative day.

Motion carried.

Adjournment.

At twelve o'clock and thirty-five minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m , Monday, May 13, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, May 13, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Weber, Welsh, Williamson, Wright, and Mr. Speaker—78.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Redwine, its further reading was dispensed with.

Leaves of Absence

On motion of Mr. Cunningham, Mr. Waters was granted leave of absence for this day.

On motion of Mr. Dawson, Mr. Brennan was granted leave of absence for this day.

Privilege of Floor of Assembly Extended.

On request of Mr. Clark, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. D. M. Callis of the Long Beach Yacht Club.

On request of Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Clifford E. Pippitt and Miss Doris Pippitt of Pasadena.

On request of Mr. Breed, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Edna Dittmer and Mr. Kenneth Maleton.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From the employees of the Soule Steel Co. of Los Angeles, opposing taxation of the motion picture industry.

From R. H. Brotherton of Santa Clara, opposing passage of Assembly Bill No 915 and Senate Bill No. 353.

By Mr. Stream:

From Mrs. A. Richardson, R. N.; Josephine McCarthy, R. N.; Florence Easton, D. Phillips, R. N., and others, favoring the passage of Assembly Bill No. 1569.

By Mr. Speaker:

From Edith L. McKay of Avalon protesting passage of Assembly Bills Nos 672, 717, 719, 1825 and 1826.

Communication.

The following communication was received, and ordered printed in the Journal:

By Mr. Wagner:

December 31, 1934.

Benjamin Warren Black, M.D

DEAR SIR: I received your letter concerning the proposed legislation or Assembly Bill No. 183, act to amend the section of the Political Code pertaining to the State Department of Public Institutions.

That I can not agree with you or the proponents of the change. It may be that politics, political patronage and influence are entrenched in the present system of conducting public institutions. But we can always hold the State administration responsible for the administration of our institutions.

Under the plan that you seem to be interested in, the people will have just a certain class of special interest controlling our public institutions.

They in turn will be appointed by the administration in power, influenced by the interests that elected them. Staggering their terms of office would mean that if a group that had charge under a certain administration would not conduct the management of the institutions in the interest of the people, then a new State administration that would want to do the right thing could not discontinue the services of a group that was discrediting or mismanaging our public institutions.

Under the present bad system of political patronage set-up, we can hold the State administration responsible for the business of the State in connection with any and all governmental departments.

The people at election time can vote against any administration that does not conduct the business of the State in all its branches and departments in the interests of the people.

The bill that is sponsored by your group has many jokers in it.

It is my opinion that the act would create an autocratic dictatorship without limit to expense and powers.

The people of California should elect all commissions if they are necessary, "and many of them are not necessary."

Each session of the Legislature we find that the powers of our elected representatives are gradually being taken away by the clever manipulations of special interests

Our referendum measures are nearly always sponsored by certain interests that pretend good legislation. With money! The interests put over clever trickery, scientifically arranged, deceiving publicity schemes "that would puzzle a Philadelphia lawyer"

As a result of this system we have a deplorable state of affairs in our State Government, financial and otherwise

We have a great deal of unnecessary duplication of governmental agencies, bureaus, commissions and what not, that have been created in the interest of selfish special interests that want to take the control of the State Government away from the people

It may be stated that any elected commissions could be controlled by the interests that would finance their campaign.

But if they did not conduct the affairs of their respective offices properly, they could be recalled or not reelected Appointed commissions can not be recalled or elected to office by the people.

Appointed commissions are the alibi or the way out for the evading of the responsibilities of our elected public officials that should conduct the business of the State and be held responsible to the citizens.

The same idea should be carried out in our counties and municipalities

Doctor Black, the undersigned is the person that exposed your empty wards with wax figures in the beds, when the destitute citizen was refused admission to the Highland Hospital with a statement that the Highland Hospital was crowded and wards and beds were not available for our destitute sick.

I also stirred up a mess when your Highland Hospital refused to take a destitute psychopathic case without a legal or common sense reason.

I have also made possible an expose of the rackets connected with the social welfare bunk of Alameda County

Could I possibly think well of any appointed public institutions' commission? When my investigations show what a rotten set-up we have in Alameda County.

If I have shown a too progressive explanation of my opinion I apologize.

Sincerely yours,

CHAS J. WAGNER,

Democratic Assemblyman-elect, Fourteenth District, Alameda, California.

ASSISTANT CLERK OLIVER READING.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1935.

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No 626—An act to amend sections 86 and 87 of the Fish and Game Code, relating to fish and game districts;

Also: Assembly Bill No 652—An act to add section 11b to the Motor Vehicle Fuel License Tax Act, relating to fuel used in unemployment cooperative relief work,

Also: Assembly Bill No. 791—An act to provide for the establishment of unemployment and social insurance;

Also. Assembly Bill No. 816—An act relating to shares of insured Federal savings and loan associations as legal investments for trust and other funds;

Also: Assembly Bill No 1007—*An act to amend section 29 of the California* Workmen's Compensation, Insurance and Safety Act, relating to compensation insurance;

Also: Assembly Bill No 1035—An act to amend sections 713, 715, 731, 733 5, 867 and 868 of 930 and the Fish and Game Code, relating to the protection of fish,

Also Assembly Bill No 1041—An act providing employment for inmates of State prisons and reformatories and to establish a prison farm under the management and control of the State Board of Prison Directors; to provide for the purchase of land therefor, and the construction of buildings and other improvements in connection therewith; for the transfer of prisoners thereto and therefrom; and for the employment of prisoners therein; and to make an appropriation therefor;

And reports that the same have been correctly engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1178—An act to amend sections 194, 195, 196, 197, 198, and 188 of, and to add new sections to be numbered 199, 200, 201, 202, 203, and 204 to, the Streets and Highways Code, relating to the allocation and expenditure of moneys from the State highway fund within cities, and providing a procedure therefor;

Also: Assembly Bill No. 1324—An act to amend sections 1, 3, 4 and 5 of an act entitled "An act to reduce the fire hazards of clothes cleaning establishments, providing for the enforcement thereof by the Division of Fire Safety in the Department of Industrial Relations, providing ways and means for enforcement and providing penalties for violations," approved June 3, 1927, relating to clothes cleaning establishments;

Also, Assembly Bill No 1426—An act to amend section 3820 of the Political Code, relating to assessor to collect taxes not secured by real property;

Also, Assembly Bill No 1586—An act to repeal sections 12051 and 12052 of the Insurance Code, relating to surety insurers;

Also Assembly Bill No 1589—An act to amend section 12562 of the Insurance Code, relating to mortgage insurance;

Also: Assembly Bill No 1596—An act to make shares issued by Federal savings and loan associations, and by building and loan associations, legal investments for the funds of executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations;

Also: Assembly Bill No. 1754—An act to amend sections 4.962, 4 963, 4.964, 4 1010, and to add new sections to be known as 4 967 and 4.968 of the School Code, relating to bond elections;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1887—An act to amend section 100 of the Insurance Code, to add section 106a thereto, and to add a new chapter to Part 2 of Division 2 of said code, to be numbered Chapter 13, comprising sections 11526 to 11545, inclusive, all relating to medical and hospital service insurers;

Also: Assembly Bill No. 1977—An act to add section 5.27 to the School Code, relating to vacations of teachers, officers and employees of State teachers colleges, State colleges, the California School for the Deaf, the California School for the Blind and the California Polytechnic School;

Also Assembly Bill No 2267—An act to amend section 10 of the Fish and Game Code, relating to the Fish and Game Commission;

Also, Assembly Bill No. 2372—An act to amend section 14 of an act entitled 'An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways, in the State of California, by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to the exemption of certain vehicles;

Also: Assembly Bill No. 2421—An act to amend sections 1, 2, 3, and 4 of an act entitled "An act to establish salesrooms and industrial workshops for the blind, providing for the management, government and administration thereof, and making an appropriation for the establishment of a revolving fund therefor," approved June 18, 1929, relating to salesrooms and workshops for blind and physically handicapped persons;

Also: Assembly Bill No. 2431—An act to prohibit marathons, marathon dances, walkathons, skatathons, and other mental and physical endurance contests and prescribing penalties for the violation thereof,

Also Assembly Bill No 2432—An act to amend section 2 of the "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, relating to powers of the district, declaring the urgency hereof and providing that this act shall take effect immediately,

And reports that the same have been correctly engrossed

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 219—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and to provide for the disposition of the revenues therefrom, and to provide that this act shall take effect immediately—and reports that the same has been correctly engrossed

WATERS, Chairman

The above reported bill ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 153—An act to amend sections 1 and 2 of "An act to provide for the taxation of Massachusetts or business trusts, and providing that this act shall take effect immediately," approved May 1, 1933, relating to the taxation of Massachusetts or business trusts, and providing that this act shall take effect immediately;

Also: Assembly Bill No 545—An act to add a new section to be numbered 17 5 to an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities,

and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, relating to cases in which common carriers may grant free or reduced rates, and providing that this act shall take effect immediately.

Also: Assembly Bill No. 653—An act to provide for the creation in counties and cities and counties of departments of rehabilitation declaring the urgency thereof and providing that this act shall take effect immediately;

Also: Assembly Bill No. 1010—An act to amend sections 1, 2, 3, 4 and 5 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulation, to provide rules regulating the proper sanitation of canneries, under the State Board of Health," approved May 23, 1925, as amended, relating to the inspection of canneries, the State Board of Public Health and to the power and duties thereof;

Also: Assembly Bill No. 1282—An act to amend the title and to amend sections 2, 3, 4, 6, 12, 19 and 21 of, and to add section 6a to an act entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, as amended, relating to the adulteration, mislabeling, misbranding, advertising and sale of drugs and devices and to the powers of the State Board of Public Health in relation thereto;

And reports that the same have been correctly re-engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2423—An act granting to the city of Sausalito certain submerged and tidelands for street, sea wall and other public purposes—and reports that the same has been correctly re-engrossed

WATERS, Chairman

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 197—An act granting in trust to the City and County of San Francisco the interest of the State in and to, and the control and management of the harbor of San Francisco, as described in the act; providing for the disposition of revenues derived from the operation of said harbor; providing for the sale of bonds authorized but not sold; providing for the payment of interest on bonds, and for the redemption of bonds; fixing the terms and conditions of the grant; providing for the issuance of a proclamation by the Governor; providing for the continuation in service of employees and entitling them to the benefits of civil service provisions of the charter of the City and County of San Francisco; providing that the members of the State Board of Harbor Commissioners shall be continued in office as members of the board, commission or public officers vested with the management of said harbor until their respective terms as members of the State Board of Harbor Commissioners shall expire;

Also: Assembly Bill No. 823—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 18, 1883, as amended, by amending section 862 of, and to add sections 862.1 to 862.6, inclusive, to the act, relating to the powers of sixth class cities;

Also: Assembly Bill No. 2102—An act providing for the formation of nonprofit membership corporations to be known as electric membership corporations; authorizing such corporations to acquire, sell and distribute energy to the inhabitants of the State at the lowest cost consistent with sound economy and the prudent management of the business of such corporations; authorizing such corporations to construct or otherwise acquire, own, operate, maintain, extend and improve works, plants and systems for the acquisition, production, transmission or distribution of energy, authorizing such corporation to exercise the right of eminent domain and otherwise providing for the rights, powers and duties of such corporations; authorizing and regulating the issuance of revenue obligations by such corporations and providing for the payment of such obligations and the rights of the holders thereof, and providing that this act shall take immediate effect;

And reports that same have been correctly re-re-engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 686—An act to amend an act entitled "An act to protect the natural resources of water, petroleum and gas from damage, waste and destruction; relating to the creation of a division in the Department of Natural Resources for the prevention of such damage, waste and destruction; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports, permitting and authorizing agreements in the interests of conservation; providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings, creating a fund for the purpose of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; providing for bonds required of drillers of oil and gas wells; and making an appropriation for the purpose of this act, approved June 10, 1915, as amended, by adding thereto section 18a, relating to the drilling, redrilling, deepening, use and disuse of wells including subsurface directional surveys thereof and the straightening, correction, use or disuse of slanting wells—and reports that the same has been correctly re-re-re-engrossed

WATERS, Chairman.

The above reported bill ordered on file for third reading

Motion to Print Report.

Mr. Phillips moved that the preliminary report submitted by the Select Committee Appointed to Investigate Tideland Drilling in the State of California, and as printed in the Assembly Journal on May 7th, page 32, be approved as printed.

Motion adopted unanimously.

Motion to Withdraw Assembly Bill No. 1493.

Mr. Evans, Ralph W., moved that Assembly Bill No 1493 be withdrawn from Committee on Judiciary and placed on file for second reading.

The question being on the motion by Mr. Evans, Ralph W, to withdraw Assembly Bill No 1493 from committee.

The Speaker ordered a roll call taken on the motion by Mr. Evans, Ralph W., to withdraw Assembly Bill No. 1493 from committee.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Evans, Ralph W., moved a call of the House.

Motion carried.

Time, ten o'clock and twenty minutes a m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names.

Anderson, Boyle, Cassidy, Chatters, Clark, Cottrell, Cunningham, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W, Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hunt, Johnson, Latham, Laughlin, Lore, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Walker, Wallace, Welsh, Wright, and Mr Speaker—52.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Motion to Postpone Special Order for Assembly Bill No. 2118.

Mr Latham moved that the special order for Assembly Bill No. 2118, set for Wednesday, May 15th, be postponed until Monday, May 20th, at eleven o'clock a.m.

Motion carried.

Second Reading of Assembly Bills.

Assembly Bill No. 702—An act to amend section 159a of the Code of Civil Procedure, relating to qualifications of justices of the peace.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 732—An act to amend section 2280 of the Civil Code, relating to trusts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 733—An act to amend section 1032 of the Code of Civil Procedure, relating to costs in civil actions.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1847—An act to add section 3045 to the Civil Code, relating to liens of an attorney.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee.

Amendment No. 1.

On page 1 of the printed bill, strike out lines 11 and 12, and insert in lieu thereof the following: "final order. Said lien may be determined and enforced by a legal action brought by a client or attorney. The provisions of this section shall supersede all laws or parts of laws in conflict therewith and shall be cumulative and in addition to any right or remedy, which an attorney at law has for the recovery of compensation due him for legal services rendered, and shall be liberally construed to the end that an attorney at law shall have secured to him compensation for legal services rendered."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 922—An act to amend section 1264 of the Agricultural Code, relating to produce dealers.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "1264", and insert in lieu thereof "1300.2".

Amendment No. 2.

On page 1 of the printed bill, strike out all of lines 1 to 13, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 1300.2 of the Agricultural Code is hereby amended to read as follows:

1300.2. The director may publish in pamphlet form as often as he thinks necessary a list of all licensed processors, together with all necessary rules and regulations concerning the enforcement of this chapter. Each licensed processor shall post his license, or a copy thereof, in his office or salesroom in plain view of the public. Each agent shall show his license upon the request of any interested person. All license fees collected under the provisions of this act shall be paid into the State

treasury monthly and shall be credited to the Department of Agriculture fund and expended in carrying out the provisions of this chapter."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1684—An act to amend section 23, and to repeal section 24 of "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to leasing and granting easements to extract oil, gas and other hydrocarbons by means of wells drilled from littoral lands into State lands.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 18 and 19 of the title, and insert in lieu thereof the following: "relating to the granting of leases and easements to extract"

Amendment No. 2.

On page 3 of the printed bill, strike out lines 50 and 51.

Amendment No. 3.

On page 4 of the printed bill, strike out lines 1, 2, 3, 4, and 5.

Amendment No. 4.

On page 2, line 51, of the printed bill, after the word "General" change the period to a comma and add the following: "said royalty payable to the State of California shall be not less than the formula now used by the Division of State Lands, which formula is as follows

$$R = .0430 + .008523 Pd + .002667 Pd P + .8 P$$, where

R is the royalty rate applicable to the total value of the month's production

Pd — is the average daily production per well; and

P is the average price per barrel in dollars"

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 2368—An act to amend sections 5, 13, 65, 78, 83, 85, 86, 100, 101 and 109 of, and to add sections 28a, 65a, 65b, 65c, 65d, 83a, 85a, 100a and 100b to an act entitled "An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to retirement of members of the California Highway Patrol.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 7, line 19, of the printed bill, as amended, after "amount", insert the following: "is".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 289—An act to add section 1724 to the Code of Civil Procedure, relating to establishing the fact of death of a joint tenant.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 16, of the printed bill, as amended May 6, 1935, strike out the words "held in joint tenancy".

Amendment No. 2.

On page 2 of the printed bill, as amended, strike out lines 20 and 21.

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No 315—An act to amend section 284 of the Code of Civil Procedure, relating to substitution of attorneys and fees of same.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 11, of the printed bill, strike out the words "a judgment", and in line 12, strike out the words "and the satisfaction thereof", and insert in lieu thereof the word "money".

Amendment No. 2.

On page 1, line 14, of the printed bill, strike out the words "making the application for a", and strike out lines 15, 16 and 17.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 487—An act to amend section 692 of, and to add a new section to be numbered 692a to the Code of Civil Procedure, relating to sales of property under execution or under power contained in a deed of trust.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out the following "mortgage or".

Amendment No. 2.

On page 1, line 24, of the printed bill, strike out the following: "which such sale is to be held, if such sale be under a deed of trust or power of sale under a mortgage before any sale of said personal property may be had".

Amendment No. 3.

On page 2, line 19, of the printed bill, following the word "trust", insert the following: "or under power of sale contained in a mortgage".

Amendments adopted.

Bill read second time, ordered to reprint, re-re-engrossment, and third reading.

Assembly Bill No. 943—An act to amend section 688 of the Political Code, relating to claims against the State of California in respect to damages inflicted by vehicles.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 17, of the printed bill, as amended, strike out "six months", and insert in lieu thereof the following: "one year".

Amendment No. 2.

On page 1, line 18, of the printed bill, as amended, after "brought", insert the following: "either".

Amendment No. 3.

On page 1, line 20, of the printed bill, as amended, strike out the period after "brought", and insert in lieu thereof the following: "or within six months after the claim is rejected or not allowed in whole or in part"

Amendment No. 4.

On page 3, line 16, of the printed bill, as amended, strike out "by the Director of Finance", and insert in lieu thereof the following: "in accordance with law"

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 2021—An act to amend section 41 of the Probate Code, relating to bequests and devises.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "41", and insert in lieu thereof the following: "42".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "41", and insert in lieu thereof the following: "42".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 3 to 18, inclusive, and insert in lieu thereof the following:

"42 Bequests and devises to or for the use or benefit of the State, or any municipality, county or political subdivision within the State, or any institution belonging to the State, or belonging to any municipality, county or political subdivision within the State, or to any educational institution which is exempt from taxation under section 1a of Article XIII or section 10 of Article IX of the Constitution of this State and statutes enacted thereunder, or for the use or benefit of any such educational institution, or to any corporation organized under the provisions of section 606 of the Civil Code, are excepted from the restrictions of this article."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Second Reading of Senate Bills.

Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XIII thereof, a new section to be numbered 17, relating to the power of the Legislature to provide for the borrowing of money to meet appropriations, in anticipation of the collection of taxes and revenues.

Committee Amendments.

During reading of Senate Constitutional Amendment No 18, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 6 of the title of the printed bill, as amended, after the word "appropriations", insert the following: "made by law".

Amendment No. 2.

On page 1, lines 11 and 12, of the printed bill, as amended, strike out the following: "made by the Legislature".

Amendment No. 3.

On page 1 of the printed bill, as amended, following line 18, insert the following: "The provisions of an act entitled "An act relating to the borrowing of money by the State in anticipation of taxes and revenues," passed at the fifty-first session of the Legislature, are hereby confirmed, ratified and declared to be fully and completely effective; but said act may at any time be amended or repealed by the Legislature."

Amendments adopted.

Senate Constitutional Amendment No. 18 read, ordered to reprint, and on file for adoption.

Third Reading of Assembly Bills.

Assembly Bill No. 1780—An act to amend section 92 of the Agricultural Code, relating to agricultural fairs.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Utt:

Amendment No. 1.

On page 1, line 16, of the printed bill, as amended, before "within", insert the following: "operating a county fair".

Amendment adopted.

Request for Unanimous Consent.

Mr. Utt asked for, and was granted, unanimous consent to take up Assembly Bill No. 1780, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1780, as Amended.

Assembly Bill No. 1780, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1780, as amended, passed by the following vote:

AYES—Anderson, Boyle, Cassidy, Clark, Cottrell, Cronin, Cunningham, DeLap, Desmond, Donahue, Evans, Herbert J., Flint, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan,

Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Utt, Walker, Wallace, Welsh, Wright, and Mr. Speaker—52.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 50—An act to amend section 653 of the Fish and Game Code, relating to spearing salmon.
Bill read third time.
The question being on the passage of the bill
The roll was called, and Assembly Bill No. 50 passed by the following vote.

AYES—Cassidy, Chatters, Clark, Cottrell, Cronin, Cunningham, DeLap, Desmond, Domhue, Evans, Herbert J., Fisher, Flint, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Wallace, Welsh, Wright, and Mr Speaker—51.
NOES—Hunt and Reaves—2.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 183—An act repealing sections 367a, 367b, and 367c of the Political Code, renumbering sections 367d to 367g, inclusive, thereof, to be sections 367q to 367t, inclusive, and adding sections 367a to 367p thereto, relating to the Department of Social Welfare.
Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Minard:

Amendment No. 1.

On page 2, line 49, of the printed bill, after the word "administrator", insert a period.

Amendment No. 2.

On page 2 of the printed bill, strike out lines 50, 51 and 52.

Amendment No. 3.

On page 3 of the printed bill, strike out lines 1 to 4, inclusive, and strike out all of line 5, from the word "supervision", to the word "welfare", inclusive.

The question being on the amendments submitted by Mr Minard

Request for Roll Call.

On request of Messrs. Fisher, Minard and Geyer, the Speaker ordered a roll call taken on the adoption of the amendments submitted by Mr. Minard.
The roll was called, and the amendments were adopted by the following vote:

AYES—Boyle, Cassidy, Chatters, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hunt, Jones, Kallam, Latham, Lore, Maloney, Mayo, McCarthy, McMurray, Meehan, Minard, O'Donnell, Pelletier, Peterson, Riley, Scudder, Stream, Utt, Wagner, and Mr. Speaker—35.
NOES—Anderson, Andreas, Breed, Clark, Colwin, Cottrell, Cronin, Cunningham, Fisher, Flint, Fulcher, Johnson, Laughlin, Martin, McBride, Miller, Morgan, Patterson, Peyser, Phillips, Reaves, Redwine, Richie, Robertson, Rosenthal, Thorp, Voigt, Walker, and Wright—29.

Request for Unanimous Consent.

Mr. Fisher asked for, and was granted, unanimous consent to take up Assembly Bill No. 183, as amended, at this time, without reference to reprint, or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 183, as Amended.

Assembly Bill No. 183, as amended, read third time.

Motion to Re-refer Assembly Bill No. 183.

Mr. Field moved that Assembly Bill No. 183 be withdrawn from file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 183 to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 183 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 674—An act prescribing the terms upon which certificates of registration of inspectors and/or sanitary officers as "registered sanitarians" shall be issued; prescribing a course and minimum amount of schooling or training to be possessed by applicants therefor after one (1) year from date of approval of this act; authorizing the State Board of Public Health to certify approved schools, conduct examinations and issue "registered sanitarian" certificates; prescribing the powers and duties of the State board; prescribing conditions under which the title "registered sanitarian" or the placing of the initials "R. S." may be used after the names of certificate holders; providing penalties for violations thereof; and grounds for the suspension, cancellation, denial or revocation of such certificates of registration.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 674 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Evans, Herbert J., Evans, Ralph W., Flint, Frazier, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Voigt, Walker, Wright, and Mr. Speaker—46.

NOES—Burns, Cassidy, Desmond, Donihue, Donnelly, Field, Fisher, Fulcher, Garibaldi, Geyer, Johnson, Kallam, Mayo, Nielsen, and Thorp—15.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 978—An act to amend section 12 of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to civil engineers

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 978 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, DeLap, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Maloney, Martin, Meehan, Miller, Minard, Morgan, Nielsen,

Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Robertson, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Welsh, Wright, and Mr. Speaker—52.
NOES—Burns, Dawson, Desmond, Donihue, Donnelly, Garibaldi, Geyer, Hornblower, Kallam, Lore, and McMurray—11.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2268—An act to amend section 1 of an act entitled "An act providing for the supervision and regulation of the transportation of property for compensation over any public highway by auto trucks; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, relating to the determination of the operation of auto trucks by transportation companies.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 2268 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Welsh, Wright, and Mr. Speaker—65
NOES—McCarthy—1.

Title read and approved
Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the House Dispensed With.

At eleven o'clock and forty minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Evans, Ralph W.
The roll of absentees was called, and the motion to withdraw Assembly Bill No. 1493 from Committee on Judiciary, and place on file for second reading was carried by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Clark, Cronin, Cunningham, Dawson, Donihue, Evans, Ralph W., Field, Flint, Frazier, Fulcher, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Richie, Rosenthal, Stream, Turner, Utt, Voigt, Wagner, Wallace, Welsh, and Mr. Speaker—50.
NOES—Breed, Chatters, Corwin, Cottrell, DeLap, Desmond, Donnelly, Evans, Herbert J., Fisher, Garibaldi, Heisinger, Johnson, Mayo, Minard, Peterson, Peyser, Redwine, Riley, Robertson, Scudder, Thorp, Walker, and Wright—23.

Assembly Bill No. 1493 ordered on file for second reading.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 439—An act to add a new section to the School Code to be numbered 6.492, relating to the payment by school districts of subscriptions to periodicals
Bill read third time.
The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 439 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Welsh, Wright, and Mr. Speaker—67

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 2104—An act to amend the County Water District Act, approved June 10, 1913, as amended, by adding to said act, as amended, a new section, to be numbered 4a, providing for the election of directors by divisions, instead of at large, if authorized by election.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2104 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Welsh, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1345—An act to amend the County Water District Act, approved June 10, 1913, as amended, by amending sections numbered 5, 7, 12 and 25 of said act, as amended, and by repealing section 52 of said act, as amended, and by adding to said act, as amended, new sections, to be numbered and providing as follows, to wit: section 16a, relating to refunding bonds; section 25a, relating to addition to a county water district of lands situate in a county contiguous to the county in which such district was organized; section 25b, relating to conditions upon addition of land to the district; and section 52, adding to the district lands privately owned which were public lands when the district was organized.

Bill read third time

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1345 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Riley,

Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Welsh, Wright, and Mr. Speaker—65.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1987—An act to amend section 3 of "An act relating to the liablity in damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property, and alleged to be due to the negligence or carelessness of such officers; prescribing the duties of claimants in such cases, and authorizing the State and such public or quasi public corporation to take out and pay for insurance to protect their officers against such liability," approved June 19, 1931.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Clark:

Amendment No. 1.

On page 1 of the printed bill, in the third line from the bottom of the title, strike out "corporation", and insert in lieu thereof the following: "corporations".

Amendment No. 2.

On page 1 of the printed bill, in the last line of the title, strike out the period, and insert in lieu thereof a comma and the following: "relating to insurance."

Amendment No. 3.

On page 1, line 9, of the printed bill, strike out "from", and insert in lieu thereof the following: "for".

Amendments adopted.

Request for Unanimous Consent.

Mr. Clark asked for, and was granted, unanimous consent to take up Assembly Bill No. 1987, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1987, as Amended.

Assembly Bill No. 1987, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1987, as amended, passed by the following vote:

AYES—Anderson, Boyle, Cassidy, Chatters, Clark, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Welsh, Wright, and Mr. Speaker—64.
NOES—None.

Title read and approved
Bill ordered transmitted to the Senate.

Assembly Bill No. 1395—An act to amend sections 5.1100, 5.1101, 5.1110, 5.1120, 5.1121, 5.1122, 5.1132, 5.1135, 5.1136, 5.1138 of the School Code, relating to the retirement of teachers and employees by school

districts, and to add a new section to be numbered section 5.1139 to the School Code

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1395 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Welsh, Wright, and Mr. Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Recess.

At twelve o'clock and five minutes p m., on motion of Mr. Lyon, the Assembly was declared at recess until one o'clock and thirty minutes p m of this day.

Reassembled.

At one o'clock and thirty minutes p m., the Assembly reconvened. Speaker Craig in the chair.

Motion to Print in Journal.

Mr. Lyon moved that the Mother's Day program, arranged for and conducted by Miss Eleanor Miller in the Assembly Chamber, to which the Governor, the Senate, the Assembly, and the wives and mothers of the members were invited and attended, be printed in the Journal.

Motion carried unanimously.

Mother's Day Observance, California State Legislature, Assembly Chamber, State Capitol, Sacramento.

Friday Morning, May the Tenth, Nineteen Hundred and Thirty-five, at Eleven O'clock

PROGRAM.

ELEANOR MILLER, *Chairman, Member of Assembly, Forty-seventh District.*

Music—

CONVENTION ENSEMBLE—Violin, Jean Brier.
Cello, Frances Osborne.
Piano, Hazel Quinn Hook

Reading of Mother's Day Proclamation

Introduction of Guests.

Presentation of Flowers.

Greetings—

EDWARD CRAIG, Speaker of Assembly

LIEUTENANT GOVERNOR GEORGE J. HATFIELD, President of the Senate.

Song—Nobody Loves Me But My M-a-m-m-y

BILLIE JEAN WORDALL.

Reading—Poems of Appreciation.

ELEANOR MILLER.

Vocal Solo—Songs My Mother Taught Me (Dvorak).

MARC GERARD.

Address—A Tribute to Mothers.

GOVERNOR FRANK F. MERRIAM.

Vocal Solo—Little Mother of Mine (Burleigh).

IRMA SHEEAN.

Music—CONVENTION ENSEMBLE.

Guests of Honor—Mrs. G. Fred Graham, mother of Lieutenant Governor Hatfield; Mrs. Augusta Bartels, Pioneer Mother, 103 years of age; Mrs. Clara Starr Wood, Pioneer Mother, who came to California in the 50's; Mrs. Mary Lincoln Derwing, named for Mrs. Abraham Lincoln, friend and neighbor of the Lincolns, Miss Harriett S. Lee, founder of Mother's Day in California, and Mrs. Effie L. Riley, Mrs. M. Flint, Mrs. Rosenthal, Mrs. Mary Scollan and Mrs. H. J. McColl, mothers of Assemblymen and Senators, and wives of legislators.

Withdrawal of Assembly Bills.

By order of the Speaker, the following bills were stricken from the file, and ordered re-referred to committees.

Assembly Bill No. 1041 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 1324 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 1426 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 1178 ordered re-referred to Committee on Roads and Highways.

Assembly Bill No. 1589 ordered re-referred to Committee on Insurance.

Assembly Bill No. 1887 ordered re-referred to Committee on Insurance.

Assembly Bill No. 1282 ordered re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1010 ordered re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 219 ordered re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 791 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 1665 ordered re-referred to Committee on Ways and Means.

Withdrawal of Senate Bills.

Senate Bill No. 708 ordered re-referred to Committee on Revenue and Taxation.

Senate Bill No. 663 ordered re-referred to Committee on Education.

Report of Committee on Legislative Ball.

The following report of the Committee on Legislative Ball was received, and ordered printed in the Journal:

Contributions	$725 00	
Disbursement	566 39	
Balance on hand to be donated to the Ann Land Memorial Fund of Sacramento		$158 61

UTT, Chairman, Finance Committee.
SULLIVAN, Secretary, Executive Committee.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Financial Institutions.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1935.

MR. SPEAKER: Your Committee on Financial Institutions, to which was referred Assembly Bill No. 735—An act to amend sections 4 and 10 of an act entitled "An act defining industrial loan companies, providing for their incorporation, powers and

supervision," approved May 18, 1917, relating to the operation of the business of industrial loan companies—has had the same under consideration, and respectfully reports the same back: Do pass as amended.

UTT, Chairman.

The above reported bill ordered on file for second reading.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 794—An act to amend sections 5.802, 5.804, 5.890, 5.894, 5.900, 5 901, 5.904, 5.910, 5.911, 5.921, 5.962, 5.970, 5.980, 5.990, 5.993, 5.1003, 5.1004, 5.1009, 5.1023, 5.1030, 5.1031, 5.1032, 5.1040, 5.1041, 5 1047, 5.1048, 5.1060, 5.1061, 5.1062, 5.1080 and 5.1083 of the School Code; to amend the titles of Chapter III, of Articles IV, V and VII of Chapter III, of Chapter VI, of Articles II, III and V of Chapter VI, all of Part IV of Division V of said code; to repeal sections 5.1042 to 5.1046, both inclusive, of said code and to repeal Article IV of Chapter VI of Part IV of Division V of said code; to add six new sections to said code to be numbered 5.971, 5.972, 5.981, 5.1004½, 5.1010 and 5.1111 and to add Chapter III of Part IV of Division V of said code a new article to be known as Article VIII; to add to Chapter V of Part IV of Division V of said code a new article to be known as Article V; and to add to Chapter VI of Part IV of Division V of said code a new article to be known as Article IV, all relating to the payment of retirement salaries and retirement annuities to persons serving the State, counties and school districts in positions having to do with teaching or other employment in, and/or the superintending, administration and supervision of colleges, schools, and classes maintained by the State and/or the school districts thereof.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Clark:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after the third comma, insert the following: "5.891.".

Amendment No. 2.

On page 1, line 11 of the title of the printed bill, as amended, strike out the word "six", and insert in lieu thereof the word "eight".

Amendment No. 3.

On page 1, line 12 of the title of the printed bill, as amended, after the word "numbered", insert the following: "5.886,".

Amendment No. 4.

On page 1, line 12 of the title of the printed bill, as amended, after the third comma, insert the following: "5.986,".

Amendment No. 5.

On page 1, line 13 of the title of the printed bill, as amended, strike out the number "5.1111", and insert in lieu thereof the number "5.1011".

Amendment No. 6.

On page 2, line 35, of the printed bill, as amended, after said line 35, insert the following:

"SEC. 1c. Section 5.891 of the School Code is hereby amended to read as follows:

5.891. Teaching outside of the United States of America and its Territories and its possessions, except teaching in Canada and teaching in any foreign country as an exchange teacher, shall not be accepted for purposes of retirement under the provisions of this article."

Amendment No. 7.

On page 2, line 36, of the printed bill, as amended, strike out the number "1c", and insert in lieu thereof the number "1d".

Amendment No. 8.

On page 2, line 48, of the printed bill, as amended, strike out the number "1d", and insert in lieu thereof the number "1e".

Amendment No. 9.

On page 3, line 13, of the printed bill, as amended, strike out the number "1e", and insert in lieu thereof the number "1f".

Amendment No. 10.

On page 3, line 16, of the printed bill, as amended after the word "Territories", insert the following: "and its possessions, except teaching in Canada or teaching in any foreign country as an exchange teacher,".

Amendment No. 11.

On page 3, line 29, of the printed bill, as amended, strike out the comma

Amendment No. 12.

On page 3, line 50, of the printed bill, as amended, strike out the word "amandatory", and insert in lieu thereof the word "amendatory".

Amendment No. 13.

On page 4 of the printed bill, as amended, strike out all of lines 16 to 29, inclusive

Amendment No. 14.

On page 4, line 30, of the printed bill, as amended, strike out the number "2d", and insert in lieu thereof the number "3".

Amendment No. 15.

On page 4 of the printed bill, as amended, strike out all of lines 40 to 50, inclusive.

Amendment No. 16.

On page 6, line 28, of the printed bill, as amended, after the period, insert the following: "In the case of county superintendents of schools and certificated employees of county superintendents of schools, remittances to the State Treasurer of six dollars for each such person serving in any county must be made in April and October of each year by the county auditor of the county in which such person is serving and such remittances shall be paid from the general fund of the county."

Amendment No. 17.

On page 13 of the printed bill, as amended, after line 49, insert the following:

"SEC. 26a. A new section is hereby added to the School Code to be numbered 5.986, and to read as follows:

5.986 In reckoning the time of service of any person subject to the burdens of this part, all service rendered by such person on account of which he is compelled to make a contribution to the public school teachers permanent fund under the provisions of this part shall be counted as part of the service required for retirement, but no person shall be credited with more than one year of such service in any school or calendar year."

Amendment No. 18.

On page 13, line 51, of the printed bill, as amended, strike out the following: "DIVISION IV of Part V", and insert in lieu thereof the following. "Part IV of Division V".

Amendment No. 19.

On page 15, line 33, of the printed bill, as amended, strike out the word "a".

Amendment No. 20.

On page 16 of the printed bill, as amended, after line 6, insert the following.

"SEC. 29. A new section is hereby added to the School Code to be numbered 5.886, and to read as follows

5.886. Every person who at the time he became a member of the State Employees Retirement System, established by Chapter 700 of the Statutes of 1931, as the same has been or may hereafter be amended, was subject to the provisions of Part IV of Division V of the School Code, shall, in the event he ceases to be a member of the State Employees Retirement System and again becomes subject to the provisions of Part IV of Division V of the School Code, have the service rendered by him as a member of the State Employees Retirement System counted by the Public School Teachers Retirement Salary Fund Board as part of the service required for retirement under Part IV of Division V of the School Code provided such person shall pay into the public school teachers permanent fund the amounts he would have paid had he never been a member of the State Employees Retirement System."

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading

Motion to Strike Assembly Bill No. 1060 from File.

Mr. Heisinger moved that Assembly Bill No. 1060 be stricken from the file.

Motion carried.

Assembly Bill No. 1060 ordered stricken from the file.

Explanation of Motion.

I have a written opinion from the Legislative Counsel that Assembly Bill No. 1060, as drawn, is unconstitutional. Eliminations could be made, but such changes would destroy its value, which I do not desire.

Therefore I move that the bill be stricken from the calendar.

S. L. HEISINGER

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 390—An act to amend sections 15b and 15a of and to add section 25 to an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics, the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, relating to vital statistics

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 390 passed by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Gilbert, Glover, Hawkins, Hornblower, Johnson, Jones, Kallam, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Welsh, Wright, and Mr. Speaker—55

NOES—Latham—1

Title read and approved.

Bill ordered transmitted to the Senate

Recess.

At two o'clock p m, by order of the Speaker, the Assembly was declared at recess for the purpose of hearing from the Angels Camp committee on the jumping frog contest.

Reassembled.

At two o'clock and ten minutes p m, the Assembly reconvened Speaker Craig in the chair

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No 1491—An act establishing municipal courts in cities and cities and counties of the second and one-fourth class, prescribing a constitution, regulation, government, procedure and jurisdic-

tion, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Wallace:

Amendment No. 1.

On page 2, line 37, of the printed bill, strike out the word "four", and insert in lieu thereof the word "five".

Amendment No. 2.

On page 2, line 38, of the printed bill, strike out the words "two hundred".

Amendment No. 3.

On page 3, of the printed bill, after the last line, add the following:

"SEC. 7. The provisions of this act shall not apply to any city which, at the time this act takes effect, is not within the second and one-fourth class".

Amendments adopted.

Request for Unanimous Consent.

Mr. Wallace asked for, and was granted, unanimous consent to take up Assembly Bill No. 1491, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1491, as Amended.

Assembly Bill No. 1491, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1491, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Wagner, Walker, Wallace, Weber, Wright, and Mr. Speaker—56.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1833—An act to amend section 1 of "An act to regulate the construction of buildings in the State of California, in respect to resistance to horizontal forces, providing penalties for the violation thereof, and providing that this act become effective immediately," approved May 26, 1933, relating to construction of buildings

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1833 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Utt, Wagner, Walker, Wallace, Weber, Wright, and Mr. Speaker—66.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 166—An act to amend section 1 of an act entitled "An act relating to the safety of design and construction of public school buildings, providing for regulation, inspection, and supervision of the construction, reconstruction or alteration of or addition to public school buildings and for the inspection of existing school buildings, defining the powers and duties of the State Division of Architecture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act to take effect immediately," approved April 10, 1933, relating to the building and work subject to the provisions of said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 166 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Weber, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 128—An act to amend section 487 of the Penal Code, relating to grand theft.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Utt:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "amend section 487 of", and insert in lieu thereof the following: "add section 488a to"

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out "grand theft", and insert in lieu thereof the following: "the punishment for theft of certain amounts of avocados"

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 to 13, inclusive, and insert in lieu thereof the following.

"SECTION 1. A new section to be numbered 488a is hereby added to the Penal Code to read as follows:

488a. Every person who is guilty of the theft of one hundred pounds or more of avocados is punishable by a fine not exceeding five hundred dollars or by imprisonment in the county jail not exceeding two years, or both."

Amendments adopted.

Request for Unanimous Consent.

Mr. Utt asked for, and was granted, unanimous consent to take up Assembly Bill No. 128, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 128, as Amended.

Assembly Bill No. 128, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 128, as amended, passed by the following vote:

AYES—Andreas, Breed, Burns, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Glover, Heisinger, Latham, Laughlin, Lyon, Martin, McBride, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peyser, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Weber, Wright, and Mr. Speaker—47

NOES—Anderson, Clark, Dawson, Donihue, Donnelly, Geyer, Gilbert, Gilmore, Hawkins, Hornblower, Johnson, Jones, Kallam, Lore, Maloney, McCarthy, McMurray, Patterson, Peterson, Reaves, and Rosenthal—21.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2130—An act amending sections ------ of the Political Code, relating to county government.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 2130 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Walker, Wallace, Weber, Wright, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 838—An act to amend the Streets and Highways Code, by adding to Division I thereof a new chapter, to be numbered 6, relating to proceedings to change the grade or to establish the boundaries of State highways, and other proceedings affecting private property.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 838 passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Weber, Wright, and Mr. Speaker—65

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 1279—An act to amend section 3366 of the Political Code, relating to license taxes.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Cottrell:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "amend section 3366 of", and insert in lieu thereof the following: "add section 3366a to".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 1 to 26, inclusive; also strike out lines 1 to 11, inclusive, on page 2, and insert in lieu thereof the following.

"SECTION 1. A new section to be numbered section 3366a is hereby added to the Political Code to read as follows.

3366a. Notwithstanding the provisions of section 3366, no license tax for revenue shall be imposed upon or against, nor collected from, any person, firm or corporation engaged in the business of selling or delivering goods, wares, or merchandise at wholesale for resale purposes, nor upon any instrumentality used in connection with such business."

Amendments adopted.

Request for Unanimous Consent.

Mr. Cottrell asked for, and was granted, unanimous consent to take up Assembly Bill No. 1279, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1279, as Amended.

Assembly Bill No. 1279, as amended, read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1279, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Pevser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Thorp, Turner, Utt, Walker, Wallace, Weber, Wright, and Mr Speaker—64.

NOES—Fulcher, O'Donnell, and Voigt—3.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 1279.

Mr. O'Donnell gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1279 was this day passed.

Assembly Bill No 1392—An act to amend the title of, and the act known as, the State Civil Service Act, relating to State civil service, including the adaptation thereof to Article XXIV of the State Constitution.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Nielsen:

Amendment No. 1.

On page 20, lines 29 and 30, of the printed bill, as amended, strike out "and financial conditions of the State.".

Amendment No. 2.

On page 22, line 49, of the printed bill, as amended, strike out the period, and insert in lieu thereof a comma and the following "but no such term shall exceed a period of thirty days"

Amendment No. 3.

On page 26, line 35, of the printed bill, as amended, strike out "crime", and insert in lieu thereof the following: "felony or misdemeanor involving moral turpitude".

Amendment No. 4.

On page 26, lines 39 and 40, of the printed bill, as amended, strike out "in the opinion of the board".

Amendments adopted.

Request for Unanimous Consent.

Mr. Nielsen asked for, and was granted, unanimous consent to take up Assembly Bill No. 1392, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1392, as Amended.

Assembly Bill No. 1392, as amended, read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Weber, Wright, and Mr. Speaker—71.

NOES—None.

Assembly Bill No. 1392, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1392 passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Weber, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1774—An act to amend the title and section 3e and to amend and to renumber section 20k of, and to add sections 19a, 19b, and 20*l* to the California Real Estate Act, relating to the regulation and licensing of real estate brokers and salesmen, and to the inspection and regulation of subdivisions, to provide for the enforcement of said act and penalties for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1774 passed by the following vote:

AYES—Anderson, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J.,

Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Walker, Wallace, Weber, Wright, and Mr. Speaker—69.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1480—An act to amend sections 137 and 140 of the Agricultural Code, relating to pest control and abatement.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1480 passed by the following vote:

AYES—Anderson, Boyle, Breed, Burns, Cassidy, Chatters, Corwin, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Rosenthal, Scudder, Stream, Turner, Walker, Wallace, Weber, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1929—An act to amend section 4041k of the Political Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1929 passed by the following vote:

AYES—Anderson, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J, Field, Fisher, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Riley, Scudder, Stream, Thorp, Turner, Walker, Wallace, Weber, Wright, and Mr. Speaker—59.

NOES—None.

Title read.

Amendment to Title.

During reading of the title, the following amendment was submitted by Mr. Flint:

Amendment No. 1.

At the end of the line of the title of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "relating to easements."

Amendment adopted.

Title, as amended, read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1243—An act to amend sections 828 and 829 of the Agricultural Code, relating to fruits, nuts and vegetables.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1243 passed by the following vote:

AYES—Anderson, Boyle, Breed, Cassidy, Chatters, Clark, Colwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Scudder, Stream, Thorp, Turner, Utt, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—59.

NOES—Evans, Ralph W., Gilbert, and Robertson—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 825—An act to provide for the formation of sewer districts within counties, cities and counties and municipalities for the acquisition or construction of sanitary sewage works or improvements, for the issuance, sale and payment of bonds of such districts, for the acquisition, construction, maintenance and operation of such improvements, and for the fixing, collecting and application of revenues, rates and charges for the use of the sewage works or improvements.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 825 passed by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Chatters, Clark, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donihue, Frazier, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Hunt, Jones, Latham, Laughlin, Martin, McBride, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Reaves, Redwine, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Welsh, Williamson, Wright, and Mr. Speaker—47.

NOES—Boyle, Breed, Cronin, Dawson, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Gilbert, Gilmore, Heisinger, Johnson, Lore, Lyon, Maloney, McCarthy, McMurray, Meehan, Pelletier, Richie, Robertson, Wagner, and Weber—24.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 825.

Mr. McCarthy gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 825 was this day passed.

Assembly Bill No. 1188—An act to add a new article to Chapter 11 of Part II of Division IV of the School Code, to be known as Article XI, relating to school district funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1188 passed by the following vote.

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Weber, Welsh, Williamson, Wright, and Mr. Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1606—An act to amend section 8 of and to add section 8a to the Sewer Revenue Bond Act, relating to acquisition and operation of sewerage disposal works.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1606 was refused passage by the following vote.

AYES—Clark, Corwin, Cottrell, Cronin, Crowley, Evans, Herbert J., Garibaldi, Gever, Jones, Kallam, Latham, Lyon, Mayo, McBride, Miller, Nielsen, Phillips, Redwine, Riley, Scudder, Stream, Utt, Welsh, Wright, and Mr. Speaker—25.

NOES—Andreas, Boyle, Burns, Cassidy, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Fulcher, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Laughlin, Lore, Maloney, Martin, McCarthy, McMurray, Meehan, Minard, Morgan, O'Donnell, Pelletier, Peterson, Richie, Robertson, Rosenthal, Thorp, Voigt, Wagner, Wallace, and Weber—41

Notice of Reconsideration of Assembly Bill No. 1606.

Mr. Latham gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1606 was this day refused passage.

Assembly Bill No. 384—An act to provide for the discharge, cancellation, and retirement of the indebtedness represented by bonds of special assessment improvement districts where such bonds were issued prior to January 1, 1933, and are payable from special assessments levied wholly or partly in accordance with the assessed value of lands, where such bonds have been purchased or are redeemed by any city, county, or city and county for the purpose of discharging, canceling, or retiring such bonds or part thereof, providing for the reduction of special assessment levies against the property in such districts, and providing a procedure for the discharge, cancellation and retirement of said bonds.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Andreas, Boyle, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Gever, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Turner, Voigt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—65.

NOES—Robertson—1.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 384 passed by the following vote:

AYES—Andreas, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J. Field, Fisher, Frazier, Fulcher, Garibaldi, Gever, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Redwine, Richie, Riley, Robertson, Rosenthal,

Scudder, Stream, Turner, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—62.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 397—An act to provide for the levy and collection of taxes and assessments for the purpose of creating a fund for capital outlays by cities, counties, cities and counties or districts.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 397 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Weber, and Mr. Speaker—66.
NOES—Wright—1.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1804—An act validating, ratifying, approving and confirming bonds and other instruments or obligations heretofore issued by public bodies of this State for public works projects.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1804 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Utt, Voigt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr Speaker—65.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 739—An act to amend an act entitled "An act authorizing counties to construct, improve, maintain and repair streets lying in municipalities or to aid or assist by the appropriation of money and otherwise in establishing, laying out, opening, widening, extending, straightening, constructing, improving or altering streets or changing or separating the grades thereof within municipalities or in acquiring lands, rights of way or other property necessary therefor," approved April 30, 1923, as amended, by amending section 2 thereof to authorize appropriations for the illumination of highways.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Redwine:

Amendment No. 1.

On page 1, line 11 of the title of the printed bill, as amended, strike out "sections 1701 and", and insert in lieu thereof the following: "section".

Amendment No. 2.

On page 2 of the printed bill, as amended, strike out lines 15 to 24, inclusive, and in line 25, strike out "Sec. 2."

Amendments adopted.

Request for Unanimous Consent.

Mr. Redwine asked for, and was granted, unanimous consent to take up Assembly Bill No. 739, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 739, as Amended.

Assembly Bill No. 739, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 739, as amended, passed by the following vote:

AYES—Andreas, Breed, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—62.

NOES—Burns, Evans, Ralph W., Kallam, Latham, and O'Donnell—5.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1185—An act authorizing the Board of State Harbor Commissioners to make application for the privilege of establishing, maintaining and operating a foreign trade zone on the property under the jurisdiction and control of said board on the water front of San Francisco, and to establish, maintain and operate such zone, pursuant to the act of Congress of June 18, 1934, Chapter 590.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1185 passed by the following vote:

AYES—Anderson, Andreas, Breed, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Utt, Voigt, Wagner, Walker, Wallace, Williamson, Wright, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 660—An act authorizing public and private corporations of and in the State of California to make applications for the right to establish, operate and maintain, and to establish, operate

and maintain foreign-trade zones in or adjacent to ports of entry in this State.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 660 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Utt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr Speaker—66

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1323—An act to regulate the sale, purchase, transportation and marketing of poultry and to provide a penalty for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1323 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—68.

NOES—Lore—1.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 896—An act to amend sections 479, 508, 510, 581, 585, 590, 591, 593, 632, and 673 of the Agricultural Code, relating to dairies and dairy products.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 896 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson DeLap Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Voigt, Walker, Weber, Williamson, Wright, and Mr. Speaker—63.

NOES—McCarthy—1

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1654—An act to amend sections 459, 465 and 471 of, and to add a new section to be numbered 466 to, the Vehicle Code, relating to highways and the regulation thereof.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Hornblower:

Amendment No. 1.

On page 3 line 13, of the printed bill, as amended, strike out the word "such", and insert in lieu thereof the word "State".

Amendment adopted.

Request for Unanimous Consent.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Assembly Bill No. 1654, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1654, as Amended.

Assembly Bill No. 1654, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1654, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Vogt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2012—An act to amend the Vehicle Code by adding a new section to be numbered 135.5, relating to investigation of accidents.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2012 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Vogt, Wagner, Walker, Weber, Williamson, Wright, and Mr. Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 194—An act to amend sections 20 and 24 of the "Workmen's Compensation, Insurance and Safety Act of 1917," as amended, relative to awards and disposition thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 194 passed by the following vote:

AYES—Anderson, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J, Evans, Ralph W, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Turner, Wagner, Walker, Wallace, Weber, Williamson, and Mr. Speaker—66.

NOES—Minard and Robertson—2.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 2369—An act to add section 9a to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to disability of members of the California Highway Patrol.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2369 passed by the following vote:

AYES—Anderson, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Herbert J, Evans, Ralph W, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—70.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 2420—An act to provide for reduction of salaries of officers and employees of the State in the State civil service which are in excess of the maximum salary limits of the respective positions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2420 passed by the following vote:

AYES—Anderson, Boyle, Breed, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Glover, Heisinger, Kallam, Latham, Laughlin, Martin, Mayo, McBride, McCarthy, Miller, Minard, Morgan, O'Donnell, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Turner, Walker, Wallace, Williamson, Wright, and Mr. Speaker—45.

NOES—Burns, Cassidy, Dawson, Donahue, Flint, Geyer, Gilbert, Gilmore, Hawkins, Hornblower, Hunt, Johnson, Jones, Lore, Maloney, McMurray, Meehan, Patterson, Pelletier, Peyser, Reaves, Wagner, and Weber—23

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No 417—An act to amend section 631 of the Code of Civil Procedure, relating to trial by jury.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 417 refused passage by the following vote:

AYES—Breed, Burns, Cassidy, Evans, Ralph W, Geyer, Hawkins, Hunt, Jones, Laughlin, Lore, McCarthy, Morgan, Pelletier, Peterson, Reaves, Richie, Turner, Wagner, Wallace, and Mr. Speaker—20.

NOES—Anderson, Andreas, Clark, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Gilmore, Glover, Hornblower, Johnson, Kallam, Latham, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, O'Donnell, Peyser, Phillips, Riley, Robertson, Scudder, Stream, Thorp, Voigt, Walker, Weber, Williamson, and Wright—42

Assembly Bill No. 530—An act to amend sections 758 and 759 of the Political Code, relating to employees of Courts of Appeal.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Redwine:

Amendment No. 1.

On page 1, line 24, of the printed bill, as amended, strike out "three legal secretaries who", and insert in lieu thereof the following: "seven legal secretaries, three of whom".

Amendment No. 2.

On page 2, line 2, of the printed bill as amended strike out the period and insert in lieu thereof a comma and the following: "and four legal secretaries to serve at the pleasure of the court, whose salaries shall be not less than two thousand seven hundred dollars each per annum."

Amendments adopted.

Request for Unanimous Consent.

Mr Redwine asked for, and was granted, unanimous consent to take up Assembly Bill No. 530, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 530, as Amended.

Assembly Bill No. 530, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 530, as amended, refused passage by the following vote:

AYES—Breed, Chatters, Cunningham, Evans, Herbert J., Field, Miller, Redwine, Robertson, Walker, Wallace, and Mr. Speaker—11

NOES—Anderson, Andreas, Boyle, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Weber, Williamson, and Wright—61.

Notice of Reconsideration of Assembly Bill No. 530.

Mr Redwine gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 530 was this day refused passage.

Assembly Bill No 1309—An act to regulate the location, construction, occupancy and operation of hat cleaning and blocking establishments, or agencies thereof, and private schools and colleges of hat cleaning and blocking; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety

in the Department of Industrial Relations; providing ways and means for enforcement; and providing penalties for violations.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1309 passed by the following vote:

AYES—Anderson Andreas, Boyle, Breed, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, Pelletier, Peterson Phillips, Redwine, Richie, Riley, Robertson, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Weber, and Mr. Speaker—56

NOES—Hornblower, Hunt, Johnson, Jones, McCarthy, McMurray, Meehan, Reaves, Rosenthal, and Wright—10.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 1870—An act to amend an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, relating to injunctions and unfair discriminations.

Bill read third time

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr Boyle

Amendment No. 1.

On page 5, line 16, of the printed bill, as amended, strike out "on", and insert in lieu thereof the following: "or".

Amendment adopted

Request for Unanimous Consent.

Mr. Boyle asked for, and was granted, unanimous consent to take up Assembly Bill No 1870, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1870.

Assembly Bill No 1870, as amended, read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine,

Richie, Riley, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Weber, Welsh, Williamson, Wright, and Mr. Speaker—69.

NOES—Evans, Ralph W.—1.

Assembly Bill No. 1870, as amended, read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1870, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Weber, Williamson, Wright, and Mr. Speaker—67

NOES—Evans, Ralph W., McCarthy, Richie, and Wallace—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 767—An act to amend sections 2, 2½, 3, 4, 10, 13, 14, 18½ and 21 and to repeal sections 5 and 9 of the Old Age Security Act of the State of California, relating to aid to the aged

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Hornblower:

Amendment No. 1.

On page 6 of the printed bill, as amended, strike out lines 14 to 17, inclusive, and insert in lieu thereof the following: "government. Upon the acceptance of such grant-in-aid any money thereafter recovered under the provisions of sections 4 or 10 of this act shall be distributed upon a pro rata basis in proportion to the contributions by the United States Government, the State, and the county or city and county."

Amendment adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Third Reading of Senate Bills.

Senate Bill No. 358—An act to amend sections 1, 3, 4 and 10 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within the State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933, and to add a new section to said act numbered 9a

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Field:

Amendment No. 1.

On page 3, line 15, of the printed bill, as amended, after "school district", insert a comma and the following "water district, water conservation district".

Amendment No. 2.

On page 3, line 30, of the printed bill, as amended, after "school district", insert a comma and the following "water district, water conservation district"

Amendment No. 3.

On page 3, line 49, of the printed bill, as amended, after "school district", insert a comma and the following, "water district, water conservation district".

Amendments adopted.

Bill read, ordered to reprint, and third reading.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1935.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 2043—An act to amend section 5 722 of the School Code, relating to resignations, dismissals and leaves of absence of certificated employees—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

CHATTERS, Chairman.

The above reported bill ordered on file for second reading.

On Conservation.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1935.

MR SPEAKER: Your Committee on Conservation, to which was referred Assembly Bill No. 301—An act to amend section 2 of an act entitled "An act to provide for the formation, management and dissolution of county fire protection districts composed of lands within one or more counties and annexations to such districts; to set forth the powers of such districts and to provide for levying and collecting taxes on property in such districts to defray the expenses thereof," approved June 12, 1931, relating to holders of acreage—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

REDWINE, Chairman.

The above reported bill ordered on file for second reading.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 702—An act to amend section 159a of the Code of Civil Procedure, relating to qualifications of justices of the peace;

Also: Assembly Bill No. 732—An act to amend section 2280 of the Civil Code, relating to trusts;

Also. Assembly Bill No. 733—An act to amend section 1032 of the Code of Civil Procedure, relating to costs in civil actions;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 50—Relative to memorializing the President and the Congress to enact H. R. 5359, which provides for the creation of a National Civil Academy—and reports that the same has been correctly enrolled, and presented the same to the Governor on this thirteenth day of May, 1935, at two o'clock and thirty minutes p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 259—An act to add a new section to the Civil Code, to be numbered 453.14, relating to mortgage insurance companies; declaring the urgency thereof and providing that this act shall take effect immediately;

Also: Assembly Bill No. 491—An act to amend section 651 of the Agricultural Code, relating to dairy statistics;

Also: Assembly Bill No. 492—An act to amend section 631 of the Agricultural Code, relating to examination of milk and dairy products;

Also: Assembly Bill No. 493—An act to amend sections 491 and 493 of the Agricultural Code, relating to milk inspection;

Also: Assembly Bill No. 494—An act to amend section 476 of the Agricultural Code, relating to fat or oil in dairy products;

Also. Assembly Bill No. 498: An act to amend section 453 of the Agricultural Code, relating to milk inspection,

Also. Assembly Bill No. 930—An act to amend section 4.360 of the School Code, relating to school district budgets, declaring the urgency thereof and providing that this act shall take effect immediately;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this thirteenth day of May, 1935, at two o'clock and thirty minutes p.m.

WATERS, Chairman.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Johnson:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1935

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 4041.13 of, and to add sections 4041.13a to 4041.13i, inclusive, to, the Political Code, relating to county purchasing agent and assistants.

Referred to Committee on Introduction of Bills.

By Mr. Boyle:

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows

An act to amend section 675 of the Political Code, relating to the Department of Finance.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1935

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows.

An act to amend section 4041.13 of, and to add sections 4041.13a to 4041.13i, inclusive, to, the Political Code, relating to county purchasing agent and assistants.

CUNNINGHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows

An act to amend section 675 of the Political Code, relating to the Department of Finance.

CUNNINGHAM, Chairman.

Reports of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the reports.

The question being on the adoption of the reports.

The roll was called, and the reports adopted by the following vote:

AYES—Anderson, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Weber, Welsh, Wright, and Mr. Speaker—63.

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

By Mr. Boyle: Assembly Bill No. 2446—An act to amend section 675 of the Political Code, relating to the Department of Finance.

Bill read first time, and referred to Committee on Oil Industries.

By Mr. Johnson: Assembly Bill No. 2447—An act to amend section 4041.13 of, and to add sections 4041.13a to 4041.13i, inclusive, to the Political Code, relating to county purchasing agent and assistants.

Bill read first time, and referred to Committee on County Government.

Motion to Re-refer Assembly Bill No. 69.

Mr. Chatters moved that Assembly Bill No. 69 be withdrawn from the file, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Assembly Bill No. 69 to Committee on Judiciary.

Motion carried.

Assembly Bill No. 69 ordered re-referred to Committee on Judiciary.

Motion to Re-refer Assembly Bill No. 1835.

Mr. O'Donnell moved that Assembly Bill No. 1835 be withdrawn from Committee on Building and Construction, and ordered re-referred to Committee on Education.

The question being on re-referring Assembly Bill No. 1835 to Committee on Education.

Motion carried.

Assembly Bill No. 1835 ordered re-referred to Committee on Education.

Unfinished Business.

Motion to Reconsider Assembly Bill No. 44 Continued.

Mr. Hornblower moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 44 was passed be continued until the next legislative day.

Motion carried.

Motion to Reconsider Assembly Bill No. 2136 Continued.

Mr Johnson moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2136 was passed be continued until the next legislative day.

Motion carried

Adjournment.

At five o'clock and seven minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Tuesday, May 14, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,

SACRAMENTO, Tuesday, May 14, 1935.

At ten o'clock a m, pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Peyser, its further reading was dispensed with.

Leave of Absence.

On motion of Mr. Hornblower, Mr. Brennan was granted leave of absence for the day.

Privilege of Floor of Assembly Extended.

On request of Mr. Flint, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. M. Flint, mother of Assemblyman Flint, and her twin sister, Mrs. W. Schober.

On request of Messrs. Fisher and Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the principal and students of the class in government from Bentley School of Berkeley, as follows: Mary Harley Jenks, principal; and Paula Mackay-Cantell, Virginia North, Lois Fisch, Betty Wilton, Ellen Atkins, Georgine Porter, Cynthia Lowell, and Peggy Holmes, students.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the trustee, teacher and students of the Roselawn School, Turlock, as follows: Mr. A. T. Bettencourt, trustee; Mrs. Tompkins, teacher; and Doris Ramos, Lily Cannon, Marjorie McGee, Mary Edgar, Frances Warda, Gilbert Madruga, Hubert Sahlstrom, and Arthur Caviness, eighth grade students.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the principal and pupils of the Franklin Union School as follows: Mr. Peter J. Kramer, principal; and William Derheim, Edward Kloss, Frank Truttman, George Simunich, Kinji Kurosaki, Earle Schmidt, Minnie Wright, Violet Tonini, Albert Truttman, Fred Rau, Beverly Carver, June Morris, Zelpha Mohr, Esther Kammerer, Lou Colvard, Carl Miller, Rena C. Kramer, Mrs. Mary Bristol, Mr. Paul Derheim, Bessie Hien, Naomi Kammerer, Barbara Bristol, Shizue Hamatani, Lydia Hofer, Henry Luttig, Charles Hien, Saki Kurosaki, Dorothy Simunich, Henry Penner, Francis Sylvia, Robert Livingston, Albert Klinger, Jack Van Yliet, and Norma Mohr, pupils.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Catalina Island Business Men's Association, opposing passage of Assembly Bills Nos. 672, 719, 717 and 1825

From the Utopian Society of America, favoring Assembly Bills Nos. 419, 1044, 832, 1104, Assembly Concurrent Resolution No. 10 and Assembly Constitutional Amendment Nos. 49, 51 and 52, also opposing Assembly Bills Nos. 3, 4, 20, 42, 2017 and 2405.

From Robt. Dominguez, city clerk of Los Angeles, opposing passage of Senate Bill No. 838.

From H. Leonard Richardson, protesting neglect of county and State officials in the Rush Griffin case.

ASSISTANT CLERK COOLIDGE READING

Reports of Standing Committees.

The following report of standing committee was received and read:

On Unemployment.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935.

MR. SPEAKER: Your Committee on Unemployment, to which was referred Assembly Bill No. 86—An act to establish a system of unemployment reserves for this State, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

ANDERSON, Chairman.

Assembly Bill No. 86 ordered re-referred to Committee on Ways and Means.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 13, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day sustained the Governor's veto of Senate Bill No. 694—An act to add section 690.5 to the Code of Civil Procedure, relating to exemption from attachment, garnishment, and execution of moneys paid to persons receiving relief, and declaring the urgency hereof.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 13, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 329—An act regulating the use of public highways for commercial purposes by certain motor vehicles operated thereon for the transportation of property for compensation; preventing discriminations between various forms of transportation; conferring powers upon the Railroad Commission with respect to the transportation of property for compensation by said motor vehicles; providing penalties for the violation of this act, and repealing all acts inconsistent with the provisions of this act.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also.

SENATE CHAMBER, SACRAMENTO, May 13, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Free Conference on Senate Bill No. 256—An act to amend sections 251, 304, 307, 323, 348, 364, 374, 463 and 465 of the Streets and Highways Code, relating to State highways—the following Senators: McCormack, Edwards, and Olson, to meet with a like committee from your honorable body.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 13, 1935.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 78—An act to authorize the creation and establishment of a public utilities commission within any city, city and county, county, local governmental agency, society, association, authority or entity rendering service to the public, and to authorize the issuance and sale of revenue bonds for the purpose of defraying costs of construction or acquisition of public utilities and extension, repairs, replacements and improvements to public utilities; for the acquisition, production, purchase, sale and distribution of products, commodities, energy or services of such public utilities, providing for the payment of such bonds and the interest thereon.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 78 read first time, and referred to Committee on Municipal Corporations.

Also:

SENATE CHAMBER, SACRAMENTO, May 13, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 38—Relative to approving certain amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at an election held therein on the second day of May, 1935.

J. A BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary

Assembly Concurrent Resolution No. 38 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 13, 1935

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 59—Relative to memorializing the President and the Congress of the United States to enact bill H. R. 6628 which proposes to provide remunerative employment for the blind citizens of the United States and its possessions and urging the Committee on Labor of the House of Representatives to expedite consideration favorable to said bill.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Joint Resolution No 59 ordered to enrollment.

Request for Permission to Introduce Bills.

The following request for permission to introduce bills was presented:

By Mr. Pelletier:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bills, the titles of which read as follows.

An act imposing a tax for the privilege of selling advertising or advertising space in newspapers, providing for permits to newspaper publishers, providing for the levying, assessing, collecting, paying and disposing of such taxes, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing that this act shall take effect immediately.

An act to regulate the hours of labor of all persons employed in this State; providing for the enforcement of this act, and prescribing penalties for the violation of the provisions hereof.

Referred to Committee on Introduction of Bills.

Second Reading of Assembly Bills.

Assembly Bill No. 1493—An act providing for the calling of a constitutional convention in the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 735—An act to amend sections 4 and 10 of an act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision," approved May 18, 1917, relating to the operation of the business of industrial loan companies.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 15, of the printed bill, strike out "pass", and insert in lieu thereof the following: "receipt".

Amendment No. 2.

On page 1, line 23, of the printed bill, insert after "instrument", the following: " this is not a certificate of deposit' "

Amendment No. 3.

On page 2 line 3, of the printed bill, strike out ", and expense".

Amendment No. 4.

On page 1, line 8, of the printed bill, strike out "to", and insert in lieu thereof the following "shall".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 301—An act to amend section 2 of an act entitled "An act to provide for the formation, management and dissolution of county fire protection districts composed of lands within one or more counties and annexations to such districts; to set forth the powers of such districts and to provide for levying and collecting taxes on property in such districts to defray the expenses thereof," approved June 12, 1931, relating to holders of acreage.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "2", and insert in lieu thereof the following: "7".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, after "management", insert a comma and the following: "consolidation".

Amendment No. 3.

On page 1, line 3 of the title of the printed bill, strike out "composed of lands within"; also strike out the remainder of the title, and insert in lieu thereof the following: ", annexations thereto, and withdrawals therefrom, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof", approved May 23, 1923, relating to taxes of such districts"

Amendment No. 4.

On page 1, line 1, of the printed bill, strike out "2", and insert in lieu thereof the following: "7".

Amendment No. 5.

On page 1 of the printed bill, strike out lines 3 to 22, inclusive, and on page 2, strike out lines 1 to 18, inclusive, and insert in lieu thereof the following:

"SEC. 2. The board of supervisors shall levy a tax each year equally upon all taxable property real, personal or mixed in each county fire protection district sufficient to defray the cost of maintenance thereof and to meet such other expenditures as are authorized by this act in connection therewith, provided, that the tax on real property shall be on the value of the land only exclusive of the value of any improvements, crops, trees or anything else growing thereon or affixed thereto. Such tax shall be levied and collected at the same time and in the same manner as general county taxes levied for county purposes and when collected shall be paid into the county treasury and shall be used in furtherance of the purposes of this act with respect to the district within which collected and for no other purpose. In case the board of supervisors should appoint five commissioners to manage the affairs of the district as provided in section 5 hereof, said commissioners shall recommend the amount of tax to be levied, and certify the same by resolution to the board of supervisors not later than the first day of August of each year.

The board of supervisors may also provide that demands on the funds of the district shall be made upon warrants issued by the county auditor upon requisition of said commissioners, signed by the president and attested by the secretary thereof; in which case, the treasurer of the county shall pay such warrants without further authority."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 2043—An act to amend section 5 722 of the School Code, relating to resignations, dismissals and leaves of absence of certificated employees.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out line 1 of the title, and insert in lieu thereof the following: "An act to add a new section to be known as section 5 724 to the school code, relating to".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 25, inclusive, and insert in lieu thereof the following:

"SECTION 1 A new section is hereby added to the School Code, to be numbered 5.724, and to read as follows

5.724 In lieu of paying compensation to an employee on leave in the manner specified in section 5 722 of this code, the governing board shall have, and is hereby given, the power at its option, to enter into an agreement with the employee, providing that the employee will return to the service of such district upon the expiration of such leave, and remain in such service for a period of at least two years after such expiration, and that the compensation to be paid to the employee, at the rate specified in section 5 722, shall be paid each school month during the time such leave is in effect. In such event the employee shall furnish adequate security, satisfactory to the governing board, guaranteeing repayment to such governing board of the amount of compensation so paid, during such leave, in the event such employee does not return to the service of the district by which such leave was granted, and remain in such service for at least two years.

In case of the death of the employee before the employee has completed two years of service after the expiration of such leave, the amount to be repaid to the district from such security shall be such proportion of the total amount of compensation paid during such leave as the period served in the service of such district after the expiration of the leave bears to two years."

Amendments adopted

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Final Report.

Mr Phillips submitted the Final Reports of the 1931–1933 California Assembly Interim Committees and on Legislative Procedure and Reduction of Legislative Expenses.

Report filed with Secretary of State.

Communication.

On request of Mr. Wagner, the following letter was ordered printed in the Journal.

May 3, 1935.

To Members of the Assembly.

I desire to place before the Assembly a resolution requesting an investigation of the SERA Work Relief Administration and the Alameda County Welfare of Alameda County.

By reason of the evident failure of both these bodies to function in the interest of our destitute unemployed American citizens on relief.

Both these organizations are simply duplications in many phases of relief and at the same time our unemployed citizens, many of whom were taxpayers, are

forced to accept the humiliating and degrading and un-American standards of living.

May I state the service of both these organizations are of such types of activities that can only result in Communism especially when their un-American methods in social welfare and when the higher-ups in control of these services to our citizens continue to make their services worse instead of better.

Then we have a condition of incompetency and a waste of public funds for social welfare and SERA activities.

We have our State Public Welfare Commission that does not seem able to function in its supposed authority and could no doubt with its present reorganization and capable management could handle all the problems. Especially when this department of the State Government has the experience and knowledge of our social welfare problems of our State.

Why should we have three set-ups of social welfare, State, county and SERA? The reason is very plain, political patronage, and with it comes inefficient service and our overhead expense that will soon stagger our taxpayers.

This Legislature should set these conditions right. We have politicians in control of our Alameda County welfare.

In our SERA we have another political set-up that is simply controlled by State politics.

In our State Department of Social Welfare there has been a political mess and was dominated by special interests and now handicapped by certain types of know-it-all lady bountiful special social workers that can not remedy the conditions of misery that exist in their respective districts who also seem to be controlled by a certain group of organized medical fraternity that have only their interests in mind, and can not consider the welfare of our destitute people.

All of the statements are facts and can be proven.

How can we expect to escape Communism and all its menaces when those that are so much interested and fearful of the menace of Communism do not and evidently will not go to the root of what is causing Communism, let me tell these persons when you eliminate the cause you destroy the evil, that is unemployment, low standards of living and our present system of political social relief and all its humiliating, degrading and un-American service to our destitute citizens.

I would ask this question of those that are sitting in this Legislature if they would care to think much of our so-called American ideals if they or theirs had to accept such services as follows: If you were a disabled unemployed war veteran and you had a family of four that had to exist on $4.80 a week and a so-called trained social worker came to your home and told your wife that a quart of milk was too much for two children, what would you do and say? Would you care to live on a so-called welfare budget that was given to your family when food commodities were 25 per cent cheaper?

Would you care to have your landlord beat out of his rent for three months by the present set-up of social workers in Alameda County when the social worker moved you into another house they started the same old racket over again? Would you care to be forced to eat the listed budget of foods day in and day out?

Would you care to have a so-called trained social worker cut your budget to $10 a month because your wife earned $4.25 in one month? Would you like to have a super social worker go to your wife's employer and snooper investigate your statement of truth and the employer discharges your wife on account of such snooper activities when you were on SERA and your wife was trying to help out by earning a few cents to help a family of four children.

How would you feel if you were an old lady 68 years of age, deeded your property interests to the social welfare racket and received $22 a month to exist on and because you made $3 or $4 a month once in a while mending silk stockings and have your budget reduced to $11 a month? And if you requested an increase in your budget to pay taxes on the interest you had in your property that you had deeded to the present social welfare set-up and they refused to consider the request? What would you think of having to wait four years for an old age pension if you were 65 years of age?

If you were a widow and had three children and you were destitute and placed your three children in the care of your almost destitute parents to take care of while you tried to look for employment and worked on SERA for $24 a month and had to pay $12 a month for room rent and you were told you could not get consideration for your children because they were not living with you.

What would you think if you were unemployed and had exhausted your savings you would have to wait one and two months before you received consideration? Can you imagine your state of mind if you were destitute and sick and refused admission to your county hospital because there were no beds or wards available and when upon investigation a few days later there was discovered four empty wards with wax figures in some of the beds?

The investigator was not allowed to continue his investigation on some of the other floors of the hospital.

When our social welfare was given 120,000 cases of canned food by the SERA for distribution to those on county relief. Why was only 40,000 cases distributed and many county charity cases never received a can of that food? Why was the canned food taken back by the SERA and the county charity cases deprived of that food? Was it because one county supervisor stated that the small merchant would go bankrupt if surplus foods were given away?

The latest flash on the air and all of the subsidized press comes from the same old racket that was worked by the counties to discredit our unemployed citizens that are on relief to effect a state of mind of the public that the unemployed are racketeering and chiseling on the SERA when the fact of the matter is that about one-tenth of 1 per cent is racketeering on the SERA but they would have you and the general public believe that 60 per cent of our citizens are grafting or racketeering on our political relief system, clever propaganda that would make me think that their extensive investigation system is all wrong

If we could see the cost of investigating these relief cases.

Members of the Legislature, I could go on for hours and show up conditions in the Alameda County welfare set-up that give you every reason to wonder why unemployed citizens did not become Communistic

Our unemployed and destitute have been very patient expecting to secure just consideration of their problems but with the present system of political and special interest welfare set-up we can not expect to see anything but Communism if we do not effect a sincere humanitarian policy of welfare service in Alameda County.

I ask your favorable support of this request that an Assembly investigation of the Alameda County social welfare and SERA in all its phases.

Sincerely and respectfully submitted.

CHARLES J. WAGNER.
Assemblyman, Fourteenth District

Resolution.

The following resolution was offered:

By Mr. Wagner:

Assembly Resolution.

WHEREAS, There are at the present time in Alameda County, as well as in the rest of the State of California, great numbers of people on the relief rolls; and

WHEREAS, Due to these great numbers, it is extremely necessary that relief and county social welfare be handled with the utmost fairness and efficiency; and

WHEREAS, Rumors have been circulated throughout Alameda County and the State of California, that in some instances improvements in the handling of county social welfare and relief in all branches might be made; now, therefore, be it

Resolved by the Assembly of the State of California, That a committee of seven members be appointed by the Speaker of the Assembly, to investigate county social welfare, the State Emergency Relief Administration in all its Alameda County branches, and all other relief agencies in Alameda County; and be it further

Resolved, That the committee is authorized to do any and all things necessary to make a full and complete investigation of the matters herein referred to and to require the production of documents, reports, and papers of every kind, to issue subpenas to compel the attendance of witnesses and to procure testimony. Each member of the committee is hereby authorized to administer oaths and all the provisions of Article VIII of Chapter VIII, Title I, Part III of the Political Code relating to the attendance and assemblage of witnesses before the Legislature and committees thereof shall apply to the committee created by this resolution, and it shall be the duty of all officers of the State or of any county, city, city and county or other political subdivision of the State to furnish such information and reports as shall be requested by the committee; and be it further

Resolved, That the committee is authorized to conduct such investigation immediately upon its appointment and to report back to this Assembly at this session and at the fifty-second session of the Legislature all facts discovered or findings made in the course of such investigation, together with its recommendations in respect thereto.

Resolution read.

Motion to Refer Resolution.

Mr. Latham moved that the resolution submitted by Mr. Wagner be referred to Committee on Social Service and Welfare.

Motion carried.

Motion to Withdraw Assembly Bill No. 1030.

Mr. Boyle moved that Assembly Bill No. 1030 be withdrawn from Committee on Oil Industries and placed on file for second reading.

The question being on the motion by Mr. Boyle to withdraw Assembly Bill No. 1030 from committee.

The Speaker ordered a roll call taken on the motion by Mr. Boyle to withdraw Assembly Bill No 1030 from committee.

The roll was called, and the motion to withdraw Assembly Bill No. 1030 was carried by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Cronin, Donahue, Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Rosenthal, Thorp, Voigt, Wagner, Walker, Waters, Weber, and Welsh—37.

NOES—Breed, Corwin, Dawson, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Kallam, Latham, Lyon, Mayo, Phillips, Robertson, Utt, Wright, and Mr. Speaker—18

Assembly Bill No. 1030 ordered on file for second reading.

Resolution.

The following resolution was offered:

By Messrs. Heisinger, Anderson, Voigt, and Evans, Ralph W.:

Assembly Resolution.

Relative to memorializing Congress to enact a Federal Banking System.

WHEREAS, During the last 25 years, the big bankers of America, working in collaboration with other international bankers of the world, brought about the sale to our people of billions of dollars of worthless securities and also caused many bankers all over our country to loan the people's deposited money to the furtherance of such schemes and to the gamblers on the boards of trade in the large eastern cities, and practically ceased to loan money to legitimate business and enterprises; and

WHEREAS, Such tactics turned the people's minds against the banks until nearly all confidence was lost in banks, which brought about the collapse of many such institutions throughout the country, thereby wrecking the savings of millions of our people; and

WHEREAS, The bankers had no remedy to save themselves, but remedy was finally brought about by the rehabilitation of the banks at the beginning of the present administration wherein the bank depositors were guaranteed their accounts and the confidence of the people was restored until the banks today are literally bulging with money; and

WHEREAS, The bankers, even though the first to be helped, have not learned their lesson and would not assist in the restoration of prosperity but continued to refuse loans to the people until the Federal Government guaranteed home loans to the extent of billions of dollars; and

WHEREAS, The banks charge a higher rate of interest on such guaranteed loans than is justified under such conditions, and

WHEREAS, There is now in the Congress a proposal to establish a Federal banking system which is intended to serve the interests of the people as against the interests of Wall Street, and

WHEREAS, It appears that our present banking system will never be of such service to the people as a banking system should be, and that the people more and more are depositing their savings in post-office certificates, and apparently demanding a Federal banking system; therefore, be it

Resolved by the Assembly of the California Legislature, That we urge upon the Congress to enact a Federal banking system which may take in every post office so that all the people may enjoy the privileges and advantages of low rates of interest and terms of loans which the rich have enjoyed for so long; be it further

Resolved, That the Speaker of the Assembly be instructed to send a copy of this resolution to the President of the United States, to the President of the United States Senate, to the Speaker of the House of Representatives, and to each of the United States Senators from this State and to each Congressman from this State

Resolution read.

Motion to Refer Resolution.

Mr. Waters moved that the resolution submitted by Messrs. Heisinger, Anderson, Voigt, and Evans, Ralph W., be referred to Committee on Banking.

The question being on the motion by Mr. Waters.

Request for Roll Call.

On request of Messrs. Flint, McCarthy and Reaves, the Speaker ordered a roll call taken on the motion by Mr. Waters to refer the resolution to Committee on Banking.

The roll was called, and the motion was lost by the following vote:

AYES—Breed, Chatters, Corwin, Crowley, Cunningham, DeLap, Evans, Herbert J., Field, Frazier, Fulcher, Gilmore, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, Miller, Minard, Phillips, Redwine, Stream, Utt, Walker, Wallace, Waters, Welsh, and Mr. Speaker—29.

NOES—Anderson, Andreas, Burns, Cassidy, Clark, Dawson, Donihue, Donnelly, Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Jones, Laughlin, Lore, McCarthy, Meehan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Richie, Rosenthal, Thorp, Voigt, and Wagner—30.

The question being on the adoption of the resolution submitted by Messrs. Heisinger, Anderson, Voigt and Evans, Ralph W.

Request for Roll Call.

On request of Messrs. Flint, Cassidy and Heisinger, the Speaker ordered a roll call taken on the resolution submitted by Messrs. Heisinger, Anderson, Voigt, and Evans, Ralph W.

The roll was called.

Motion for Call of the House.

Pending the announcement of the vote, Mr. Waters moved a call of the House.

Motion lost.

The roll was called, and the resolution was adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Clark, Cronin, Cunningham, Dawson, Desmond, Donihue, Donnelly, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Jones, Laughlin, Lore, McCarthy, McMurray, Meehan, Miller, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Rosenthal, Thorp, Voigt, Wagner, and Waters—38

NOES—Breed, Chatters, Corwin, Crowley, DeLap, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Gilmore, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Minard, Nielsen, Phillips, Redwine, Robertson, Stream, Utt, Walker, Wallace, Welsh, Wright, and Mr. Speaker—31

Motion to Withdraw Assembly Bill No. 2142.

Mr. McCarthy moved that Assembly Bill No. 2142 be withdrawn from Committee on Public Morals and placed on file for second reading.

The question being on the motion by Mr. McCarthy, to withdraw Assembly Bill No. 2142 from committee.

The Speaker ordered a roll call taken on the motion by Mr. McCarthy to withdraw Assembly Bill No. 2142 from committee.

The roll was called, and the motion to withdraw Assembly Bill No. 2142 from committee was lost by the following vote:

AYES—Anderson, Cassidy, Clark, Crowley, Donihue, Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Jones, Laughlin, Lore, McBride, McCarthy, Meehan, Pelletier, Reaves, Rosenthal, and Wagner—21

NOES—Boyle, Breed, Chatters, Corwin, Cronin, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, Minard, Morgan, Nielsen, Peyser, Phillips, Redwine, Stream, Thorp, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—39.

Motion to Re-refer Senate Bill No. 1087.

Mr Frazier moved that Senate Bill No. 1087 be withdrawn from Committee on Public Health and Quarantine, and ordered re-referred to Committee on Agriculture.

The question being on re-referring Senate Bill No. 1087 to Committee on Agriculture.

Motion carried.

Senate Bill No. 1087 ordered re-referred to Committee on Agriculture.

Senate Messages.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 13, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 34—Approving certain amendments to the charter of the city of San Diego, a municipal corporation in the county of San Diego, State of California, voted for and ratified by the qualified electors of said city at the regular municipal election held therein on the twenty-third day of April, 1935.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Request for Unanimous Consent.

Mr. Wallace asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 34, at this time, without reference to file.

Consideration of Senate Concurrent Resolution No. 34.

Senate Concurrent Resolution No. 34—Approving certain amendments to the charter of the city of San Diego, a municipal corporation in the county of San Diego, State of California, voted for and ratified by the qualified electors of said city at the regular municipal election held therein on the twenty-third day of April, 1935.

Senate Concurrent Resolution No. 34 read.

Mr. Wallace moved the adoption of Senate Concurrent Resolution No. 34.

The question being on the adoption of Senate Concurrent Resolution No. 34.

The roll was called, and Senate Concurrent Resolution No. 34 adopted by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Rosenthal, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—65.

NOES—None

Title read and approved.

Senate Concurrent Resolution No. 34 ordered transmitted to the Senate.

Unfinished Business.

Reconsideration of Assembly Bill No. 2136.

In compliance with his notice given on a previous day, Mr. Johnson moved that the vote whereby Assembly Bill No. 2136 was passed, be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Breed, Crowley, DeLap, Field, Fisher, Fulcher, Hornblower, Johnson, Kallam, Latham, Maloney, Martin, Minard, Stream, Utt, Wallace, and Wright—17.

NOES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger,

Jones, Laughlin, Lore, Lyon, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Rosenthal, Thorp, Voigt, Wagner, Waters, Weber, Welsh, and Mr Speaker—51.

Assembly Bill No. 2136 ordered transmitted to the Senate.

Reconsideration of Assembly Bill No. 44 Waived.

Assembly Bill No. 44—An act to prohibit until February 1, 1936, sales under certain mortgages and deeds of trust, and the forfeiture of the interest of the purchaser under certain contracts of purchase, for default in the payment of the principal sum of obligations secured thereby or contracted to be paid thereunder, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale or forfeiture made in violation of the act, to prescribe the time within which an action to avoid the same may be brought, to postpone sales for default in payment of installments due between effective date of act and February 1, 1936, to authorize waiver hereof, to prevent actions against guarantors' obligations the enforcement of the security for which is affected by the act, and to declare the urgency hereof.

Mr. Hornblower waived his motion to reconsider the vote whereby Assembly Bill No. 44 was passed.

Motion.

Mr. Patterson moved that the Assembly vote to reconsider Assembly Bill No. 44.

Motion to Set Special Order for Assembly Bill No. 44.

Mr. Phillips moved that the reconsideration of Assembly Bill No 44 be made a special order for Wednesday, May 22, 1935, at two o'clock and thirty minutes p.m.

The question being on the motion by Mr Phillips to set special order for Assembly Bill No. 44.

Demand for Previous Question.

Messrs. DeLap, Johnson, Fisher, Morgan and Dawson demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained

The question being on the motion by Mr. Phillips to set special order for Assembly Bill No. 44

The roll was called, and the motion by Mr. Phillips to set a special order for Assembly Bill No 44 was lost by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Clark, Corwin, Crowley, Dawson, Desmond, Donahue, Donnelly, Evans, Ralph W., Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Jones, Laughlin, Lore, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Richie, Rosenthal, Thorp, and Voigt—40

NOES—Breed, Chatters, Cronin, Cunningham, DeLap, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Gilmore, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Minard, Peterson, Peyser, Redwine, Stream, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—32.

The question being on the motion by Mr. Patterson to reconsider Assembly Bill No. 44.

The roll was called.

Motion for Call of the House.

Pending the announcement of the vote, Mr. Patterson moved a call of the House.

Request for Roll Call.

On request of Messrs. Hornblower, Minard and Fisher, the Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the motion was lost by the following vote

AYES—Anderson, Boyle, Burns, Clark, Corwin, Crowley, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Hawkins, Heisinger, Hunt, Jones, Kallam, Laughlin, Lore, Martin, Mayo, McCarthy, McMurray Meehan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Rosenthal, Thorp, Voigt, Wagner, and Weber—39

NOES—Andreas, Breed, Cassidy, Chatters, Cottrell, Cronin, Cunningham, DeLap, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hornblower, Johnson, Latham, Lyon, Maloney, McBride, Miller, Minard, Morgan, Peyser, Redwine, Riley, Robertson, Scudder, Stream, Utt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr Speaker—39

The question being on the motion by Mr. Patterson to reconsider Assembly Bill No. 44.

The roll was called, and the motion by Mr. Patterson to reconsider Assembly Bill No. 44 was lost by the following vote:

AYES—Anderson, Boyle, Cassidy, Clark, Corwin, Crowley, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Garibaldi, Geyer, Gilbert, Glover, Hunt, Jones, Laughlin, Lore, McBride, McCarthy, McMurray, Meehan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Rosenthal, Thorp, Turner, Voigt, and Wagner—37

NOES—Andreas, Breed, Burns, Chatters, Cottrell, Cronin, Cunningham, DeLap, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Gilmore, Hawkins, Heisinger, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, Miller, Minard Morgan, Peyser, Redwine, Riley, Robertson, Scudder, Stream, Utt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—42

Assembly Bill No. 44 ordered transmitted to the Senate.

Recess.

At twelve o'clock and five minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until one o'clock and thirty minutes p.m. of this day.

Reassembled.

At one o'clock and thirty minutes p.m., the Assembly reconvened Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935

MR SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No 916—An act to add section 15a to "The California Agricultural Adjustment Act of 1935," relating to ways, means, and moneys, and providing and appropriating moneys, for the administration and enforcement thereof and of State and Federal marketing agreements and licenses and the regulation of producers, packers, distributors, shippers, marketers, handlers, processors, and others dealing in agricultural, viticultural, horticultural, animal, and poultry products and of any competing commodity or product thereof thereunder, and under the legislative standards in relating to the rehabilitation of agriculture therein specified, and declaring the existence of a State and National agricultural emergency and the urgency of this act and that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

PHILLIPS, Chairman.

Assembly Bill No. 916 ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 1007—An act to amend section 994 of and to add sections 995, 996, 997 and 998

to the Agricultural Code, relating to capri figs and their diseases, the elimination of fig endosepsis, and authorizing boards of supervisors to accept donations for the enforcement of the provisions of said sections—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 529—An act to amend section 94 of the Agricultural Code, relating to citrus fruit fairs—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

PHILLIPS, Chairman

The above reported bill ordered on file for second reading.

On Elections.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935.

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 276—An act to amend sections 1, 10, 12, 21, 22, 23, 24 and 25 of an act entitled the "Direct Primary Law," relating to nonpartisan offices—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DAWSON, Chairman

The above reported bill ordered on file for second reading.

On Exhibitions and Fairs.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935

MR SPEAKER. Your Committee on Exhibitions and Fairs, to which was referred Assembly Bill No. 604—An act to add a new section to the Political Code, to be numbered 4052d, authorizing boards of supervisors to grant temporary use, possession, management and control of public parks for exposition and fair purposes;

Also, Assembly Bill No 606—An act to add a new section to the Political Code, to be numbered 2699, authorizing boards of supervisors to temporarily close any public highway, road, street, avenue, alley,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

FULCHER, Chairman.

The above reported bills ordered on file for second reading.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935

MR SPEAKER Your Committee on County Government, to which was referred Assembly Bill No. 2447—An act to amend section 4041.13 of, and to add sections 4041 13a to 4041 13i, inclusive, to the Political Code, relating to county purchasing agent and assistants—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

DELAP, Chairman

The above reported bill ordered on file for second reading.

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935.

MR SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No 1816—An act to amend sections 19 and 20 of the "State Liquor Control Act," approved June 3, 1933, relating to licenses—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

GARIBALDI, Chairman.

The above reported bill ordered on file for second reading.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935.

MR SPEAKER. Your Committee on County Government, to which was referred Senate Bill No. 443—An act to add a new section to the Political Code to be numbered 3720, relating to the filing by county clerks with county assessors and the State Board of Equalization of certifications of new districts and changes in the boundaries of

existing districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DELAP, Chairman.

The above reported bill ordered on file for second reading.

On Exhibitions and Fairs.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935.

MR. SPEAKER: Your Committee on Exhibitons and Fairs, to which was referred Senate Bill No. 219—An act to amend section 94 of the Agricultural Code, relating to citrus fairs—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FULCHER, Chairman

The above reported bill ordered on file for second reading.

On Elections.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935.

MR SPEAKER: Your Committee on Elections, to which was referred Senate Bill No. 297—An act to add a new section to an act entitled, An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act, approved June 16, 1913, as amended, relating to persons seeking nomination;

Also: Senate Bill No. 116—An act to amend section 1125 of the Code of Civil Procedure, relating to costs in election contests;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

DAWSON, Chairman

The above reported bills ordered on file for second reading.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No 8—A resolution to propose to the people of the State of California an amendment to section 1 of Article IV of the Constitution of said State, relating to amendments to initiative acts and initiative constitutional amendments—has had the same under consideration, and respectfully reports the same back with recommendation that same be adopted, as amended.

LATHAM, Chairman

Senate Constitutional Amendment No 8 ordered on file for adoption.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935

MR SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 546—An act to amend sections 1104, 1108, 1143, 1144, 1146 and 1147 of Chapter 8 of Division V of the Agricultural Code, relating to the administration of standards for eggs and egg products—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

PHILLIPS, Chairman

The above reported bill ordered on file for second reading.

On Elections.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935

MR SPEAKER: Your Committee on Elections, to which was referred Senate Bill No. 306—An act to amend section 1111 of the Code of Civil Procedure, relating to contest of elections—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

DAWSON, Chairman.

The above reported bill ordered on file for second reading.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935

MR SPEAKER: Your Committee on County Government, to which was referred Senate Bill No 156—An act to amend section 4041f of the Political Code of the State of California, relating to leasing and subleasing of veterans' buildings—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

DELAP, Chairman.

The above reported bill ordered on file for second reading.

On Military Affairs.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1935

MR SPEAKER: Your Committee on Military Affairs, to which was referred Assembly Bill No. 2359—An act to amend sections ------ of the Military Code—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

BOYLE, Chairman

The above reported bill ordered on file for second reading.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 2144—An act to amend section 4242 of the Political Code, relating to the compensation of county and township officers in counties of the thirteenth class.

Also, Assembly Bill No. 2438—An act to add sections 21, 22, 23, 24 and 25 to, and to repeal sections 15 and 16 of, The Planning Act, relating to State, regional, county, and city planning,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended

DELAP, Chairman.

The above reported bills ordered on file for second reading

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935.

MR SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1956—An act to amend Streets and Highways Code;

Also Assembly Bill No. 516—An act directing the Department of Public Works to lay out and construct as a part of the State highway system a road and bridge from the city of Needles easterly over and across the Colorado River and declaring the same to be a public highway and a part of the State highway system, requiring the maintenance thereof and prescribing the manner in which the cost of such construction and maintenance shall be paid.

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended

STREAM, Chairman.

The above reported bills ordered on file for second reading

Also:

MR SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 2081—An act to add section 628 to the Streets and Highways Code, establishing secondary State highways—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

STREAM, Chairman.

The above reported bill ordered on file for second reading.

On Exhibitions and Fairs.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935

MR SPEAKER: Your Committee on Exhibitions and Fairs, to which was referred Assembly Bill No. 814—An act adding section 95 to the Agricultural Code, relating to and providing for the exhibition of California live stock—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

FULCHER, Chairman.

The above reported bill ordered on file for second reading.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935

MR SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 2397—An act to add section 4041.16 to the Political Code, relating to the powers of the boards of supervisors—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

DELAP, Chairman.

The above reported bill ordered on file for second reading.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 70—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding a new article thereto to be numbered XIII-A, and by repealing section 12 of Article XI, relating to taxation—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LATHAM, Chairman

The above reported bill ordered on file for second reading.

Unfinished Business—(Resumed).

Reconsideration of Assembly Bill No. 150 Waived.

Mr. Robertson waived his notice to reconsider the vote whereby Assembly Bill No. 150 was passed.

Assembly Bill No. 150 ordered transmitted to the Senate.

Reconsideration of Assembly Bill No. 825.

Assembly Bill No 825—An act to provide for the formation of sewer districts within counties, cities and counties and municipalities for the acquisition or construction of sanitary sewage works or improvements, for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition, construction, maintenance and operation of such improvements.

In compliance with his notice, given on a previous day, Mr. McCarthy moved that the vote whereby Assembly Bill No. 825 was passed be reconsidered.

Demand for Previous Question.

Messrs DeLap, Garibaldi, Lore, Welsh, and Morgan demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the reconsideration of Assembly Bill No. 825

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Cassidy moved a call of the House.

Motion carried.

Time, two o'clock and seven minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll

The roll was called, and the following answered to their names:

Anderson, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crouch, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Miuard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips,

Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—73

The Chief Clerk announced the absentees

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House

Proceedings Under Call of the House by Unanimous Consent.

Unfinished Business—(Resumed).

Consideration of Senate Amendments to Assembly Bill No. 1651.

Assembly Bill No. 1651—An act to amend the Vehicle Code by amending sections 618, 621, 623, 625, 633, 634, 635, 637, 639, 640, and 670; to renumber section 663 to be section 664; to repeal Chapter 4 of Division X embracing sections 645 to 658 inclusive, sections 661, 662 and 677; to add sections 623.5, 638, 677, a new Chapter 4 to Division X, embracing sections 645 to 656 inclusive, 660, 661, 662, 663 and 692, relating to vehicles.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1651?

Amendment No. 1.

On page 2, line 48, of the printed bill, as amended, strike out the words "the S.A.E or I E S specifications", and insert in lieu thereof the following. "specifications to be determined and publicized by the department.

(e) Every motor truck weighing unladen three thousand pounds or more and operated outside the limits of incorporated cities and not heretofore required to be equipped with reflectors shall be equipped with a reflector on the rear thereof which reflector shall comply with the requirements of this section

(f) Any reflector of the button or other multiple unit type shall contain not less than seven such units with a total of not less than three square inches of reflecting surface. The red reflectors herein required may be separate units or a part of the red rear lamps, but in either event such red reflectors and tail lamps shall comply with all of the requirements of this section, and any said reflector constituting an integral part of a rear lamp shall comply with all photometric requirements applicable to a separate reflector"

Amendment No. 2.

On page 3 of the printed bill, as amended, strike out all of lines 23 to 26, inclusive, and insert in lieu thereof the following: "(b) The light source".

Amendment No. 3.

On page 4, line 36, of the printed bill, as amended, strike out the word "device", and insert in lieu thereof the following "devices".

Amendment No. 4.

On page 4, line 51, of the printed bill, as amended, strike out the words "the required rear", and insert in lieu thereof the following "another".

Amendment No. 5.

On page 4, line 52, of the printed bill, as amended, after the word "white", insert the following: "or amber".

Amendment No. 6.

On page 9, line 19, of the printed bill, as amended, strike out the letter "(a)", and after the word "test", insert the following "(a)"

Amendment No. 7.

On page 12, line 33, of the printed bill, as amended, after the figures "692", insert the following "Exemptions."

Amendment No. 8.

On page 12 of the printed bill as amended, after the period at the end of line 37, insert the following

"SEC. 22. This act shall go into effect at midnight on September 30, 1935"

The roll was called, and Senate amendments to Assembly Bill No. 1651 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly,

203—19120

Evans, Ralph W., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Martin, McBride, McCarthy, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Thorp, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—65

NOES—None.

Assembly Bill No. 1651 ordered to enrollment.

Motion to Reconsider Assembly Bill No. 530 Continued.

Mr. Redwine moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 530 was refused passage be continued until the next legislative day.

Motion carried.

Motion to Reconsider Assembly Bill No. 1279 Continued.

Mr. O'Donnell moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1279 was passed be continued until the next legislative day.

Motion carried.

Motion to Reconsider Assembly Bill No. 1606 Continued.

Mr. Latham moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1606 was refused passage be continued until the next legislative day.

Motion carried.

Third Reading of Assembly Bills.

Assembly Bill No. 1906—An act to add section 987b to the Penal Code, relating to the office of public defender.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1906 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—69.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2308—An act to amend section 170 of the Civil Code, relating to husband and wife.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2308 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie,

Riley, Robertson, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—67
NOES—None

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 630—An act to amend sections 71, 72, 73, 104, 135, 136, 160, and 194, to add sections 101.5, 104.5, 136.5, and 233 to, to add a new article, to be numbered 4, to Chapter 4 of Division I, to add a new chapter, to be numbered 5, to Division I, and to repeal sections 74, 112, and 134, of the Streets and Highways Code, relating to public ways.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 630 passed by the following vote:

AYES—Anderson, Boyle, Breed, Burns, Chatters, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—61.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 466—An act to add a new section to be numbered 2931a to the Civil Code, providing for making the State a party to an action to foreclose mortgages and other liens upon property upon which there may exist a lien securing State taxes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 466 passed by the following vote:

AYES—Anderson, Boyle, Breed, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—63.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No 1130—An act to amend section 3444 of the Political Code, to empower the Division of State Lands to promulgate rules and regulations governing the use of certain State lands and the enforcement of such rules and regulations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1130 passed by the following vote:

AYES—Anderson, Boyle, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Field, Fisher, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Kallam, Laughlin, Lore,

Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Reaves, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Voigt, Walker, Waters, Weber, Welsh, Williamson, and Mr. Speaker—53.

NOES—Evans, Ralph W., Flint, Geyer, Jones, Patterson, and Wagner—6

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1952—An act to amend the Agricultural Code.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1952 passed by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 919—An act to amend sections 1261 and 1262 of Chapter VI, Division VI, of the Agricultural Code, relating to produce dealers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 919 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Robertson, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Weber, Williamson, Wright, and Mr Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1770—An act establishing and validating the organization and existence of water districts.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1770 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie,

Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—69

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No 1769—An act to amend sections 1 and 41 of the "California Water District Act," approved June 13, 1913, relating to water districts, the purposes and administration thereof.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Walker, Wallace, Waters, Weber, Williamson, and Mr Speaker—68.

NOES—None

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1769 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, and Mr. Speaker—72

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Further Proceedings Under Call of the House Dispensed With.

At two o'clock and thirty minutes p m., further proceedings under the call of the House were dispensed with, on motion of Mr. Cassidy.

The roll of absentees was called, and Assembly Bill No. 825 was refused reconsideration by the following vote:

AYES—Boyle, Burns, Cassidy, Crowley, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, McBride, McCarthy, McMurray, Meehan, Nielsen, O'Donnell, Pelletier, Peterson, Reaves, Richie, Robertson, Thorp, Turner, Voigt, Wagner, Wallace, and Weber—38.

NOES—Anderson, Andreas, Breed, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, DeLap, Field, Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Kallam, Latham, Lyon, Martin, Mayo, Miller, Minard, Morgan, Patterson, Peyser, Phillips, Redwine, Riley, Rosenthal, Scudder, Stream, Utt, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—40.

Assembly Bill No. 825 ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2180—An act to amend section 17 of the Public Utilities Act, relating to discrimination in relation to transportation by common carriers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2180 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—65.

NOES—Breed—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2350—An act to restrict the net operating profits of public utilities.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Heisinger:

Amendment No. 1.

On page 1 of the printed bill, in the last line of the title, strike out the word "district", and insert in lieu thereof the word "districts".

Amendment No. 2.

On page 1, line 13, of the printed bill, strike out the word "has", and insert in lieu thereof the word "have".

Amendments adopted.

Request for Unanimous Consent.

Mr. Heisinger asked for, and was granted, unanimous consent to take up Assembly Bill No. 2350, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2350, as Amended.

Assembly Bill No. 2350, as amended, read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2350, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Robertson, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2252—An act to amend section 5.773 of the School Code, relating to employees of school districts other than persons employed in positions requiring certification qualifications.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2252 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 936—An act to amend section 5.21 of the School Code, relating to the collection of fees in the California State teachers colleges

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 936 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Chatters, Clark, Corwin, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Geyer, Gilbert, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 2423—An act granting to the city of Sausalito certain submerged and tidelands for street, sea wall and other public purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2423 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Donihue, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lyon, Maloney, Martin, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—63

NOES—Robertson—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 464—An act to amend section 820 of the Agricultural Code, relating to tomatoes.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr Utt:

Amendment No. 1.

On page 1, lines 17 and 18, of the printed bill, as amended in Assembly May 1, 1935, strike out the words "serious damage", and insert in lieu thereof the words "damage causing a waste of twenty per cent or more by weight of the individual tomato,".

Amendment No. 2.

On page 1 of the printed bill, as amended in Assembly May 1, 1935, strike out all of lines 20 and 21.

Amendments adopted.

Request for Unanimous Consent.

Mr. Utt asked for, and was granted, unanimous consent to take up Assembly Bill No. 464, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 464, as Amended.

Assembly Bill No. 464, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 464, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Domhue, Donnelly, Field, Fisher, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 895—An act to add a new chapter, to be numbered 1a, to Division V of the Agricultural Code, relating to the standardization of tomatoes.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Kallam:

Amendment No. 1.

On page 3, line 11, of the printed bill, as amended, strike out the word "less", and insert in lieu thereof the following: "more".

Amendment No. 2.

On page 3, line 11, of the printed bill, as amended, strike out the word "where", and insert in lieu thereof the following: "when".

Amendments adopted.

Request for Unanimous Consent.

Mr. Kallam asked for, and was granted, unanimous consent to take up Assembly Bill No. 895, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 895, as Amended.

Assembly Bill No. 895, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 895, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—65

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1974—An act to provide for the number and compensation of judges of the municipal court in any city governed by a freeholders' charter, containing a population of more than forty thousand, in counties of the first class.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Miss Miller:

Amendment No. 1.

On page 1, line 8, of the printed bill, as amended, strike out "five thousand", and insert in lieu thereof the following: "six thousand five hundred".

Amendment adopted.

Request for Unanimous Consent.

Miss Miller asked for, and was granted, unanimous consent to take up Assembly Bill No. 1974, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1974, as Amended.

Assembly Bill No. 1974, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1974, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Ralph W., Field, Fisher, Fulcher, Gilbert, Gilmore, Hawkins, Hornblower, Johnson, Jones, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Richie, Riley, Robertson, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—56

NOES—Cassidy, Donihue, Geyer, Glover, Heisinger, Laughlin, and Reaves—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1618—An act to amend the Personal Property Broker's Act, relating to the classification and regulation of the business of personal property brokers, including the fixing and regulation of their charges and interest, and to repeal all acts and parts of acts inconsistent herewith.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Evans, Ralph W.:

Amendment No. 1.

On page 6 of the printed bill, as amended, strike out all of lines 40 to 52, inclusive

Amendment No. 2.

On page 7 of the printed bill, as amended, strike out all of lines 1 to 9, inclusive.

The question being on the amendments submitted by Mr. Evans, Ralph W.

Request for Roll Call.

On request of Messrs. Evans, Ralph W., Wallace, and Pelletier, the Speaker ordered a roll call taken on the amendments submitted by Mr. Evans, Ralph W.

The roll was called, and the amendments were adopted by the following vote:

AYES—Anderson, Boyle, Burns, Clark, Crowley, Cunningham, Dawson, DeLap, Evans, Ralph W., Field, Fisher, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Johnson, Jones, Laughlin, Lore, McCarthy, Minard, Nielsen, O'Donnell, Pelletier, Peterson, Reaves, Richie, Rosenthal, Scudder, Voigt, Wagner, Wallace, Waters, Weber, and Wright—37.

NOES—Cassidy, Chatters, Corwin, Cottrell, Cronin, Desmond, Donnelly, Garibaldi, Hornblower, Hunt, Lyon, Maloney, Martin, McBride, Meehan, Miller, Patterson, Peyser, Phillips, Redwine, Riley, Robertson, Turner, Utt, Walker, and Mr. Speaker—26.

Request for Unanimous Consent.

Mr. Cronin asked for, and was granted, unanimous consent to take up Assembly Bill No. 1618, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1618, as Amended.

Assembly Bill No. 1618, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Peyser:

Amendment No. 1.

On page 5, line 49, of the printed bill, as amended, strike out all of line 49, and all of line 50, and insert in lieu thereof the following: "dollars ($100) and two per cent (2%) per month on any remainder of such unpaid principal balance".

The question being on the amendment submitted by Mr. Peyser.

Request for Roll Call.

On request of Messrs. Hornblower, Peterson and Peyser, the Speaker ordered a roll call taken on the amendment submitted by Mr. Peyser.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Breed, Crowley, Field, Fisher, Fulcher, Garibaldi, Heisinger, Johnson, Jones, Laughlin, Lore, Miller, Peyser, Scudder, Utt, Wallace, and Weber—17.

NOES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Latham, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Robertson, Rosenthal, Stream, Voigt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—54.

Assembly Bill No. 1618, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Patterson:

Amendment No. 1.

Strike out the title of the printed bill, as amended, and insert in lieu thereof the following: "An act relating to the rate of interest."

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 1 to 12, inclusive, and also strike out all of pages 2 to 13, inclusive, and insert in lieu thereof the following:

"SECTION 1. The classes of persons, firms, corporations, associations and partnerships exempted from the restrictions of section 22 of Article XX of the Constitution, shall not, by charging any fee, bonus, commission, discount, brokerage or other compensation, receive from a borrower more than seven per cent per annum upon any loan or forebearance of any money, goods or things in action."

The question being on the amendments submitted by Mr. Patterson.

Request for Roll Call.

On request of Messrs. Hornblower, Patterson and Gilmore, the Speaker ordered a roll call taken on the adoption of the amendments submitted by Mr. Patterson.

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Breed, Burns, Clark, Dawson, Donihue, Evans, Ralph W., Fulcher, Geyer, Gilbert, Hawkins, Heisinger, Jones, Laughlin, Mayo, McCarthy, O'Donnell, Patterson, Pelletier, Peterson, Richie, Rosenthal, Voigt, Wagner, and Wallace—24.

NOES—Anderson, Andreas, Boyle, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J., Flint, Frazier, Garibaldi, Gilmore, Glover, Hornblower, Hunt, Johnson, Kallam, Latham, Lyon, Maloney, Martin, McBride, Meehan, Miller, Minard, Morgan, Nielsen, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Scudder, Turner, Utt, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—48.

Third Reading of Assembly Bill No. 1618, as Amended.

Assembly Bill No. 1618, as amended, read third time.

Demand for Previous Question.

Messrs. Evans, Herbert J., Lyon, Fisher, Johnson, and Cottrell demanded the previous question

The question being put: Shall the main question be now put?

Demand for previous question sustained

The question being on the passage of the bill.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Cronin moved a call of the House.

Request for Roll Call.

On request of Messrs. Peterson, Field, and Evans, Ralph W., the Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Andreas, Boyle, Cassidy, Chatters, Corwin, Cottrell, Cronin, DeLap, Desmond, Evans, Herbert J, Flint, Frazier, Garibaldi, Gilmore, Hornblower, Jones, Kallam, Lyon, Maloney, Martin, McBride, Meehan, Miller, Minard, Morgan, Phillips, Reaves, Richie, Riley, Robertson, Scudder, Thorp, Utt, Walker, Wallace, Weber, Welsh, Williamson, and Mr. Speaker—40.

NOES—Breed, Burns, Clark, Crowley, Cunningham, Dawson, Donihue, Donnelly, Evans, Ralph W, Field, Fisher, Fulcher, Geyer, Gilbert, Hawkins, Heisinger, Johnson, Latham, Laughlin, Lore, Mayo, McCarthy, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Rosenthal, Turner, Voigt, Wagner, Waters, and Wright—33.

Time, four o'clock and thirty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Gari-

baldi, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—73.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1614—An act to amend section 135 of the Vehicle Code, relating to the California Highway Patrol.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1614 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Jones, Kallam, Latham, Laughlin, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Robertson, Scudder, Stream, Thorp, Voigt, Walker, Waters, Weber, Williamson, and Mr. Speaker—55.

NOES—Lore—1

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 2419—An act to amend section 1197a of the Political Code, relating to the preparation of titles and summaries of the chief purposes and points of proposed initiative measures.

Bill read third time

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 2419 passed by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Clark, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J. Field, Fisher, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Reaves, Rosenthal, Stream, Thorp, Walker, Waters, Weber, Williamson, and Mr. Speaker—51.

NOES—None

Title read and approved

Bill ordered transmitted to the Senate

Assembly Bill No 1782—An act to amend sections 1142 and 1257a of the Political Code, relating to the elections and the canvass and counting of the ballots cast at elections.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Geyer.

Amendment No. 1.

On page 6 of the printed bill, strike out all of lines 17 to 23, inclusive

The question being on the amendment submitted by Mr Geyer.

Request for Roll Call.

On request of Messrs Heisinger, Patterson and Geyer, the Speaker ordered a roll call taken on the amendment submitted by Mr. Geyer

The roll was called, and the amendment was adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Clark, Corwin, Crowley, Dawson, DeLap, Donihue, Evans, Ralph W., Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, Maloney, McCarthy, McMurray, Meehan, Minard, O'Donnell, Patterson, Pelletier, Reaves, Riche, Rosenthal, Thorp, Turner, Voigt, Wagner, Weber, and Welsh—42.

NOES—Breed, Chatters, Cottrell, Cronin, Cunningham, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Garibaldi, Gilmore, Johnson, Kallam, Latham, Lyon, Martin, McBride, Miller, Morgan, Nielsen, Peterson, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Walker, Wallace, Waters, Williamson, Wright, and Mr Speaker—35

Request for Unanimous Consent.

Miss Miller asked for, and was granted, unanimous consent to take up Assembly Bill No 1782, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1782, as Amended.

Assembly Bill No 1782, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1782, as amended, passed by the following vote:

AYES—Andreas, Burns, Clark, Cottrell, Crowley, Cunningham, Dawson, DeLap, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Hawkins, Hunt, Johnson, Jones, Kallam, Lyon, Maloney, Martin, McBride, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Riche, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Williamson, and Mr. Speaker—52.

NOES—Anderson, Boyle, Cassidy, Donihue, Donnelly, Geyer, Glover, Heisinger, Hornblower, Laughlin, Lore, McCarthy, Meehan, Patterson, Reaves, and Voigt—16

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 1782.

Miss Miller gave notice that on the next legislative day she would move to reconsider the vote whereby Assembly Bill No. 1782 was this day passed.

Assembly Bill No. 1259—An act to amend the title of and add a new section to "An act to provide for the creation of a board of parole commissioners for each county in this State, for the paroling of prisoners confined in county jails, and authorizing and empowering such boards to make rules and regulations in relation thereto," approved March 25, 1909, as amended, relating to the unconditional release by the county board of parole commissioners of alien prisoners who consent to return or to be returned to their native country and providing for the payment of the expenses of such return by counties.

Bill read third time

The question being on the passage of the bill

The roll was called, and Assembly Bill No 1259 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips,

Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—70.
NOES—Geyer—1.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 40—An act to amend section 407 of the Code of Civil Procedure, relating to summons.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 40 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—70
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 904—An act to amend section 600 of the Probate Code, relating to inventory and appraisement of estates.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 904 passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Crowley, Cunningham, Dawson, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr Speaker—66.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No 2426—An act to amend section 1326 of the Penal Code, relating to the issuing and signing of subpenas for the attendance of witnesses in criminal prosecutions.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 2426 passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Red-

wine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—68.
NOES—None

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 924—An act to amend sections 781, 783, 784, 785, 787, 788, and 822 and to add sections 784.1, 784.2, 784.3, 784.4, 784.5 and 784.6 to the Agricultural Code, relating to fruits, nuts and vegetables.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 924 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—64.
NOES—None.

Title read and approved
Bill ordered transmitted to the Senate.

Assembly Bill No. 925—An act to amend section 830.5 of the Agricultural Code, relating to transportation of fruits, nuts, and vegetables.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 925 passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Donihue, Evans, Ralph, W., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—61.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 9, 1935

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 2433—An act to provide for the administration of highway work for or in cooperation with the United States by the State of California, amending the Streets and Highways Code in accordance therewith, and declaring the urgency thereof.

In my opinion said Assembly Bill No. 2433 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted

FRANK F. MERRIAM, Governor of California

Assembly Bill No 2433—An act to provide for the administration of highway work for or in cooperation with the United States by the State of California, amending the Streets and Highways Code in accordance therewith, and declaring the urgency thereof.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—70.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2433 passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—65.

NOES—None

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 2433.

Mr. Jones gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 2433 was this day passed.

Assembly Bill No. 1376—An act to amend section 3816 of the Political Code, relating to distribution of moneys received on account of redemption or purchase of lands sold to the State for nonpayment of taxes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1376 passed by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—68.

NOES—Jones—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1550—An act to add section 32a to "An act creating a State Land Settlement Board, and defining its powers and duties, and making an appropriation in aid of its operations," approved June 1, 1917, as amended, and to ratify and confirm certain acts of the Director of Finance with respect to the disposition of properties at the Delhi State Land Settlement and Durham State Land Settlement.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1550 passed by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—69.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Motion to Re-refer Assembly Bill No. 994.

Mr. Phillips moved that Assembly Bill No 994 be stricken from the file and ordered re-referred to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 994 ordered re-referred to Committee on Ways and Means.

Assembly Bill No 455—An act to amend section 1305 of the Penal Code, to require certain entries in court minutes relating to bail, and to amend sections 1281a and 1310 of the Penal Code, and to add thereto a new section to be designated 1280c, authorizing the court, judge or magistrate to inquire into the financial condition of a corporation offering a bond as bail and to approve or reject said bond.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 455 passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—67.

NOES—Redwine—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1216—An act to amend section 818 of the Agricultural Code, relating to potatoes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1216 passed by the following vote·

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Riley, Robertson, Stream, Thorp, Utt, Vogt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—65.
NOES—O'Donnell—1.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2427—An act to amend sections 1, 7, 8 and 9 of an act entitled "An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act; to provide for their appointment and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, and all other acts or parts of acts in conflict herewith," approved May 5, 1927, relating to practice of veterinary medicine.
Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Corwin:

Amendment No. 1.

On page 1, line 13, of the printed bill, strike out the word "three", and insert in lieu thereof the word "five".

Amendment No. 2.

On page 2 of the printed bill, strike out all of lines 20 to 40, inclusive.

Amendment No. 3.

On page 2, line 41, of the printed bill, strike out "Sec. 3", and insert in lieu thereof the following: "Sec. 2".

Amendment No. 4.

On page 3, line 6, of the printed bill, strike out "Sec 4", and insert in lieu thereof the following: "Sec. 3".

Amendments adopted.

Request for Unanimous Consent.

Mr. Corwin asked for, and was granted, unanimous consent to take up Assembly Bill No. 2427, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2427, as Amended.

Assembly Bill No. 2427, as amended, read third time.
The question being on the passage of the bill
The roll was called, and Assembly Bill No. 2427, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, Desmond, Domhue, Donnelly, Evans,

Herbert J. Evans, Ralph W. Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the House Dispensed With.

At five o'clock and thirty minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Cronin.

The roll of absentees was called.

Motion to Expunge Record.

Mr. McCarthy moved that the vote taken on Assembly Bill No. 1618, as amended, be expunged from the record, and the action rescinded

Motion carried.

The roll of absentees was called, and Assembly Bill No. 1618 was refused passage by the following vote:

AYES—Anderson, Andreas, Boyle, Chatters, Corwin, Cronin, DeLap, Desmond, Flint, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Hunt, Laughlin, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Morgan, Pelletier, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Thorp, Utt, Walker, Weber, Welsh, and Mr. Speaker—38.

NOES—Breed, Burns, Cassidy, Clark, Cottrell, Crowley, Cunningham, Dawson, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Johnson, Jones, Kallam, Latham, Lore, Mayo, McCarthy, Minard, Nielsen, O'Donnell, Patterson, Peterson, Reaves, Richie, Rosenthal, Stream, Turner, Voigt, Wagner, Wallace, Waters, Williamson, and Wright—42.

Notice of Reconsideration of Assembly Bill No. 1618.

Mr. Cronin gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 1618 was this day refused passage.

Explanation of Vote.

Assembly Bill No. 1618 I voted "yes" by mistake. I am absolutely against that bill.

JOHN B. PELLETIER.

Motion to Rush Printing of Assembly Bill No. 2397.

Mr. Heisinger moved that the Chief Clerk instruct the State Printer to rush printing of Assembly Bill No. 2397

Motion carried.

Recess.

At five o'clock and thirty-five minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until seven o'clock and thirty minutes p.m., of this day.

Reassembled.

At seven o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 315—An act to amend section 284 of the Code of Civil Procedure, relating to substitution of attorneys and fees of same;

Also Assembly Bill No 922—An act to amend section 1300.2 of the Agricultural Code, relating to produce dealers;
Also: Assembly Bill No. 1847—An act to add section 3045 to the Civil Code, relating to liens of an attorney;
Also: Assembly Bill No. 2021—An act to amend section 42 of the Probate Code, relating to bequests and devises,
And reports that the same have been correctly engrossed

WATERS, Chairman

The above reported bills ordered on file for third reading.
Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 487—An act to amend section 692 of, and to add a new section to be numbered 692a to the Code of Civil Procedure, relating to sales of property under execution or under power contained in a deed of trust—and reports that the same has been correctly re-re-engrossed

WATERS, Chairman

The above reported bill ordered on file for third reading.
Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 289—An act to add section 1724 to the Code of Civil Procedure, relating to establishing the fact of death of a joint tenant;
Also: Assembly Bill No. 943—An act to amend section 688 of the Political Code, relating to claims against the State of California in respect to damages inflicted by vehicles;
And reports that the same have been correctly re-engrossed

WATERS, Chairman

The above reported bills ordered on file for third reading
Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 514—An act to repeal section 3385 of the Political Code, relating to licensing of animals kept for propagation;
Also Assembly Bill No. 579—An act to amend section 1153 of the Probate Code, relating to publication of reports of the finances of the estates of decedents by the public administrator;
Also Assembly Bill No 736—An act to amend section 2 481 of the School Code, relating to the transfer of an elementary school district from one high school district to another;
Also Assembly Bill No 765—An act to amend section 3 172 of the School Code, relating to beginning classes of elementary schools,
Also Assembly Bill No. 766—An act to add Chapter 9, embracing sections 725 to 734 inclusive, to Division IV of the Agricultural Code, relating to dairies and dairy products;
Also Assembly Bill No 851—An act to add a new chapter to Part III of Division IV of the School Code to be known as Chapter IV, relating to sinking funds in school districts for the replacement, reconstruction or alteration of buildings,
Also Assembly Bill No. 1133—An act to amend sections 800 and 802 of the Penal Code, relating to limitation of criminal actions;
Also Assembly Bill No 1232—An act to amend section 573 of the Probate Code of the State of California, relating to actions which may be maintained against executors and administrators;
And reports that the same have been correctly enrolled, and presented the same to the Governor on this fourteenth day of May, 1935, at two o'clock and thirty minutes p m.

WATERS, Chairman

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1370—*An act to amend an act entitled "An act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such districts," approved March 20, 1903, as amended, by amending the title and sections 37 and 40 thereof, and adding a new section to be designated section 97, to authorize the borrowing or procuring of money by drainage districts from the United States or any agency thereof, and declaring the urgency thereof;*

Also Assembly Bill No 1381—An act to amend section 790 and to add section 813 5 to the Agricultural Code, relating to celery;
Also Assembly Bill No 1680—An act to amend sections 1235 and 1238 of the Penal Code, relating to appeals in criminal cases;
Also Assembly Bill No 1723—An act to amend sections 888 and 939 of the Penal Code, relating to indictments,
Also Assembly Bill No 1990—An act to repeal section 677a of the Political Code and to add section 677 5 thereto, relating to budgets of State departments and other State agencies;
Also Assembly Bill No 2179—An act to amend sections 2482 and 2484 of the Civil Code, relating to limited partnerships;
And reports that the same have been correctly enrolled, and presented the same to the Governor on this fourteenth day of May, 1935, at two o'clock and thirty minutes p m.

WATERS, Chairman

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 12—Relative to the issuance of a proclamation by the Governor declaring the second week of October of each year as "Old Glory Week"—and reports that the same has been correctly enrolled, and presented the same to the Governor on this fourteenth day of May, 1935, at two o'clock and thirty minutes p m.

WATERS, Chairman

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 53—Relative to memorializing the President and Congress to enact S. 1952, which proposes to protect the unclassified postal employees people, extending to them a civil service status—and reports that the same has been correctly enrolled, and presented the same to the Governor on this fourteenth day of May, 1935, at two o'clock and thirty minutes p m.

WATERS, Chairman

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1285—An act to amend section 788 of the Fish and Game Code, relating to the crab season in California;
Also Assembly Bill No. 1287—An act to amend section 790 of the Fish and Game Code, relating to the preservation of crabs and crab meat;
And reports that the same have been correctly enrolled, and presented the same to the Governor on this fourteenth day of May, 1935, at three o'clock p m

WATERS, Chairman.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Lore:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:
An act creating the California Farm Debt Adjustment Commission, defining its powers and duties and making an appropriation therefor.

Referred to Committee on Introduction of Bills

By Mr Peterson:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935.

MR SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows:
An act to amend section 407 of the Streets and Highways Code, relating to State highways.

Referred to Committee on Introduction of Bills.

By Mr. Hawkins:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935

MR. SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows:
An act to add section 5 533 to the School Code, relating to teachers

Referred to Committee on Introduction of Bills.

By Mr. Weber:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add section 1238.5 to the Code of Civil Procedure, relating to eminent domain.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 598—An act to provide for the revision of the Constitution of this State, including the election of delegates to the convention, the proceedings, powers, duties, and matters incidental to the convention, the submission of the revised Constitution to the people and matters incidental thereto, and making an appropriation therefor;

Also: Assembly Bill No 880—An act to amend section 726 of the Code of Civil Procedure, relating to foreclosure of mortgages;

Also: Assembly Bill No. 1324—An act to amend sections 1, 3, 4 and 5 of an act entitled "An act to reduce the fire hazards of clothes cleaning establishments, providing for the enforcement thereof by the division of fire safety in the Department of Industrial Relations, providing ways and means for enforcement and providing penalties for violations," approved June 3, 1927, relating to clothes cleaning establishments;

Also: Assembly Bill No 1426—An act to amend section 3820 of the Political Code, relating to assessor to collect taxes not secured by real property;

Also: Assembly Bill No 1607—An act creating a State Board of Eugenics and defining the powers and duties thereof; and providing for the care, protection, and decrease of the State's defectives, and lowering of the expenses therefor.

Also: Assembly Bill No 2218—An act to amend section 484 of the Penal Code, relating to thefts and fraud;

Also: Assembly Bill No. 2219—An act to amend section 1 of an act entitled "An act to require employers to pay the cost of bonds and photographs required of and furnished by employees or applicants for employment," approved April 20, 1917, relating to property as a substitute for a bond;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LYON, Chairman

The above reported bills ordered on file for second reading.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 313—An act to add section 444.5 to the Political Code, relating to the transfers of money from one fund to another in the State treasury, and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Ways and Means, to which was referred Assembly Bill No. 2393—An act to be known and cited as the Yacht and Ship Brokers Act, to define yacht and ship brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create the office of Yacht and Ship Brokers Commissioner; and to provide for the enforcement of said act and penalties for the violation thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1212—An act to amend section 7 of an act entitled "An act to

regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the regulation of the practice of optometry—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935.

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2385—An act to add section 96a to the Penal Code, relating to jurors and court officers and employees exploiting their participation in a trial—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LYON, Chairman.

The above reported bill ordered on file for second reading.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935.

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No 183—An act repealing sections 367a, 367b, and 367c of the Political Code, renumbering sections 367d to 367g, inclusive, thereof, to be sections 367q to 367t, inclusive, and adding sections 367a to 367p thereto, relating to the Department of Social Welfare—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

On Drainage, Swamp and Overflowed Lands.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935

MR. SPEAKER Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 1348—An act to amend section 690.10 of the Political Code, relating to rights in and upon swamp, overflowed, marsh, tide and submerged lands—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DESMOND, Chairman

The above reported bill ordered on file for second reading.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 265—An act to add section 364k to the Political Code, relating to the Division of the Deaf in the Department of Industrial Relations, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

On Public Utilities.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935.

MR SPEAKER: Your Committee on Public Utilities, to which was referred Senate Bill No 606—An act to amend an act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled "An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof," approved June 5, 1931, and all acts or parts of acts inconsistent with the provisions of this act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

EVANS, HERBERT J., Chairman.

The above reported bill ordered on file for second reading.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935.

MR SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 1087—*An act to amend section 870 of the Agricultural Code, relating to the* standardization of canned foods—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

PHILLIPS, Chairman

The above reported bill ordered on file for second reading.

On Drainage, Swamp and Overflowed Lands.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 697—An act to amend section 2 of the "Sacramento and San Joaquin Drainage District Refunding Act," approved May 26, 1927, as amended, relating to the operation and maintenance of certain units or portions of the *flood control work within the Sacramento and San Joaquin Drainage District*—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DESMOND, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER. Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 320—*An act to amend section 11 of and to add* a new section to be numbered section 12 to an act entitled "An act to define the boundary, provide for the care, strengthening and repairing of levees, and the payment of the indebtedness of Levee District Number One of Sutter County," approved March 20, 1874, relating to the compensation and powers of officers of said district—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DESMOND, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935.

MR SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 315—An act relating to a contract by the Department of Finance, concerning the waters of Rector Creek;

Also: Assembly Bill No. 432—An act to amend section 859 of the Civil Code, relating to trusts;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LYON, Chairman.

The above reported bills ordered on file for second reading.

On Public Utilities.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935.

MR SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 1666—An act to amend section 26 of the Public Utilities Act, relating to foreign corporations which may transact public utility business—has had the same under consideration, and respectfully reports the same back with the recommendation that it do pass as amended.

EVANS, HERBERT J. Chairman.

The above reported bill ordered on file for second reading.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935.

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 607—An act relating to the holding of the Pacific Exposition and the San Francisco Bay Exposition in California, providing for the issuance and sale of State bonds to be known as "California exposition bonds," providing for the payment and retirement of said bonds, providing for and creating funds for the carrying out of the purposes of this act, authorizing the expenditure of moneys in said funds for such purposes, creating two commissions, one to be known as the "Pacific Exposition Commission" and the other to be known as "San Francisco Bay Exposition *Commission," creating an interest and sinking fund for the payment of interest on* said bonds and the redemption of the same, and making appropriation therefor,

making an appropriation of $2,000 for the expense of printing, lithographing and selling said bonds, designating the name by which this act shall be known and fixing the time at which this act shall be and become effective—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935.

MR SPEAKER. Your Committee on Judiciary, to which was referred Assembly Bill No 937—An act to amend section 400 of the Vehicle Code, relating to liability of State and governmental agencies arising out of ownership of motor vehicles;

Also: Assembly Bill No 2087—An act amending the Code of Civil Procedure, relating to the qualification of judges;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

LYON, Chairman.

The above reported bills ordered on file for second reading.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2173—An act relating to the escheat to the State of California unclaimed moneys deposited with public utilities, and providing for the collection, use and disposition thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COTTRELL, Chairman

The above reported bill ordered on file for second reading.

On Conservation.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935

MR SPEAKER: Your Committee on Conservation, to which was referred Assembly Bill No 1794—An act to amend the title of, and to amend, an act entitled "An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same, reenacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the 'Water Conservation Act of 1929,' and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred" (Chapter 1020, Statutes of 1931), to repeal sections 51 to 54 inclusive, and to add new sections to be numbered 51 to 80 inclusive, relating to exclusion of lands from water conservation districts and to improvement districts within water conservation districts (Chapter 906, Statutes of 1933)—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

REDWINE, Chairman.

The above reported bill ordered on file for second reading.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2382—An act to regulate the practice of structural pest control; to create the Structural Pest Control Board; to provide for the registration and licensing of persons engaged in such practice, and for the protection of the public in the practice of structural pest control—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2208—An act requiring marine architects to be certified as such, specifying qualifications, rules and regulations therefor, creating a board, establish-

ing a fund, and providing penalties—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 821—An act to amend section 605 of the Probate Code, relating to appointment of appraisers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LYON, Chairman.

The above reported bill ordered on file for second reading.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935.

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 552—An act to amend section 4220 and add sections 4220a and 4220b of the Political Code, relating to duties of county surveyors, declaring the urgency thereof and providing the same shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

DELAP, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 384—An act to add section 133 to the Civil Code, relating to entry of final judgment in divorce cases—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LYON, Chairman.

The above reported bill ordered on file for second reading.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935.

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2146—An act to provide for the payment of rewards to persons who supply the State with information enabling it to recover lands or interests therein, owned by the State, or the issues and profits thereof, or the value of oil and gas or minerals reserved to the State, where such lands or interests therein, or oil and gas or minerals are illegally, fraudulently or adversely held or claimed by another; creating a land fraud recovery fund; and making an appropriation for the payment of such rewards—has had the same under consideration, and respectfully reports the same back, without recommendation, as amended, and be re-referred to Committee on Governmental Revenues and Expenditures.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1935.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Senate Bill No. 874—An act to add a new article to the Agricultural Code, to be numbered Article 5, Chapter 1, Division 3, relating to horse, mule and burro marks and brands—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

THORP, Chairman.

The above reported bill ordered on file for second reading.

On Federal Relations.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1935.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Senate Bill No. 230—An act to add a new article to Chapter II of Part I of Division II of the School Code, to be known as Article X, relating to the inclusion of Indian reservations of the United States Government in elementary school

districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

TURNER, Chairman.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 14, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 365—An act to amend section 423 of the Agricultural Code, relating to live stock on highways—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No 365 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 14, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, Assembly Bill No 947—An act to amend Chapter 763, Statutes of 1929, approved June 10, 1929, as amended by Chapter 401, Statutes of 1931, approved May 25, 1931, and as amended by Chapter 10, Statutes of 1933, approved January 26, 1933, entitled and known and cited as "California Toll Bridge Authority Act," by amending the title thereof and by amending sections 2, 6½, 9, 11, 14, 16, 20 and 22½, and by adding thereto new sections numbered 4½, 5½, 5¾, 8½, 8¾, 9½, 9¾, 12½, 13¾, 16½ and 16¾, relating to and prescribing additional duties, powers and limitations regarding the construction and financing of toll bridges; and providing for the acquisition, construction, financing and operation of transportation facilities thereof and thereto; and providing that this act become effective immediately—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 947 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 14, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 58—Relative to memorializing Congress to pass a bill restoring pensions to Spanish-American War veterans.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Joint Resolution No. 58 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 14, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 512—An act to amend section 274 of the Agricultural Code, relating to bee diseases;

Also: Assembly Bill No. 1883—An act to amend section 472a of the Political Code, relating to the defense of State officers and employees.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 512 and 1883 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 14, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 669—An act to amend section 11716 of the Insurance Code, relating to the Insurance Commissioner;

Also: Senate Bill No 789—An act to amend the Vehicle Code by amending sections 113, 114, 115, 121, 123, 124, 135, 451, and 680, relating to vehicles;

Also: Senate Bill No. 910—An act to amend sections the Insurance Code, by adding Article 8a to Chapter 1 of Part 2 of Division 1 of said code, comprising section 870, all relating to the deposit of funds by investment in policies, or otherwise, with an insurer;

Also: Senate Bill No. 1103—An act to add section 1083b to the Political Code, relating to petitions;

Also: Senate Bill No. 172—An act to add section 662.5 to, the Fish and Game Code, relating to salmon.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 669 read first time, and referred to Committee on Insurance.

Senate Bill No 789 read first time, and referred to Committee on Motor Vehicles.

Senate Bill No. 910 read first time, and referred to Committee on Insurance.

Senate Bill No. 1103 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 172 read first time, and referred to Committee on Fish and Game.

Also:

SENATE CHAMBER, SACRAMENTO, May 14, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 424—An act granting to the city of Richmond and its successors certain salt marsh, tide and submerged land of the State of California, including the right to wharf out therefrom and grant franchises and leases thereon and regulating the management, use and control thereof, also including the right of said city to collect the rents, issues and profits in any manner hereafter arising from the lands or wharf-out privileges hereby granted;

Also: Senate Bill No. 262—An act to amend sections 6, 10, 17 and 18 of, and to add section 24 to, an act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act," approved May 15, 1933, relating to outdoor advertising and the regulation thereof;

Also: Senate Bill No. 668—An act to amend section 12905 of the Insurance Code, relating to the Insurance Commissioner.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 424 read first time, and referred to Committee on Commerce and Navigation.

Senate Bill No. 262 read first time, and referred to Committee on Roads and Highways.

Senate Bill No. 668 read first time, and referred to Committee on Insurance.

Also:

SENATE CHAMBER, SACRAMENTO, May 14, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 518—An act to amend the title of the act establishing a Probate Code, approved May 11, 1931, and to add Division IIIa thereto, relating to missing persons;

Also: Senate Bill No. 596—An act to amend sections 1, 2, 3, 4, 6 and 9a of, and to add section 3½ to "An act providing for the registration of contractors, and defining the term contractor; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, as amended, relating to contractors.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No 518 read first time, and referred to Committee on Judiciary.

Senate Bill No. 596 read first time, and referred to Committee on Building and Construction.

Third Reading of Senate Bills.

Senate Bill No. 790—An act to amend the Vehicle Code by amending sections 37, 38, 39, 66, 67 and 73; by repealing section 44; by adding sections 44, 73.5 and 76, relating to vehicles.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Lyon:

Amendment No. 1.

On page 3 of the printed bill, as amended, after line 6, insert the following: "(h) A motor vehicle owned by the State when used by a fish and game warden regularly employed by the State in the immediate pursuit of an actual or suspected violator of the law."

Amendment adopted.

Bill read, ordered to reprint, and third reading.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1037—An act to safeguard the public health, to regulate the diagnosis and treatment of human ailments by means of X-rays and the use, ownership and possession of X-ray appliances for said purposes; providing for the licensing of persons operating X-ray appliances and laboratories, declaring the treatment of human ailments by means of X-rays to constitute the practice of medicine; prescribing penalties for violation of the act; declaring the possession, maintenance or operation of X-ray appliances in violation of the provisions of the act to constitute a public nuisance, and otherwise providing for the enforcement of the act.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Peyser:

Amendment No. 1.

On page 2, line 32, of the printed bill, as amended, strike out the words "of X-ray", and on page 3, line 1, strike out the word "laboratories", and insert in lieu thereof the words "or X-ray laboratories"

Amendment No. 2.

On page 3, line 1, of the printed bill, as amended, strike out the comma, and insert a period after the word "hospital", and delete the rest of the line, together with lines 2, 3 and 4 to the word "act", and insert in lieu thereof the following: "Any bona fide hospital may operate any X-ray device or laboratory under the supervision of a physician and surgeon"

Amendment No. 3.

On page 3, line 8, of the printed bill, as amended, strike out the entire line after the period, and all of lines 9 and 10, and insert in lieu thereof the following: "Nothing herein shall prohibit the ownership, possession or maintenance of X-ray devices by a corporation or the ownership and operation of an X-ray laboratory by a corporation serving members of the healing arts and when such devices of such laboratory are under the supervision of a person holding an unlimited permit and when such corporation owned, operated and maintained an X-ray laboratory on and prior to January 1, 1935"

Amendments adopted.

Bill read, ordered to reprint, re-re-engrossment, and third reading

Motion to Strike Assembly Bill No. 1062 from File.

Mr. Martin moved that Assembly Bill No. 1062 be stricken from the file.

Motion carried.

Assembly Bill No. 1062 ordered stricken from the file

Assembly Bill No. 1078—An act to amend section 18 of the Inheritance Tax Act, relating to the levying of inheritance taxes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1078 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 223—An act to amend section 3649 of the Political Code, relating to taxation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 223 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 622—An act to amend sections 1.72 and 1.73-1 of the School Code, relating to the transportation of public school pupils

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 622 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 902—An act to amend section 18 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of

State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, relating to the powers of the Surveyor General now the Chief of the Division of State Lands.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 902 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 236—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 236 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 1083—An act to amend section 924 of the Fish and Game Code, relating to District 16

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1083 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley,

Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1233—An act to amend sections 799 and 800 of the Fish and Game Code, relating to abalones.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1233 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2432—An act to amend section 2 of the "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, relating to powers of the district, declaring the urgency hereof and providing that this act shall take effect immediately.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2432 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley,

Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—79
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1007—An act to amend section 29 of the California Workmen's Compensation, Insurance and Safety Act, relating to compensation insurance.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1007 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—79.
NOES—None.

Title read and approved
Bill ordered transmitted to the Senate.

Assembly Bill No. 1035—An act to amend sections 713, 715, 731, 733.5, 867 and 868 of, and to add sections 930 and 717.5 to the Fish and Game Code, relating to the protection of fish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1035 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—79
NOES—None.

Title read.

Amendments to Title.

During reading of the title, the following amendments were submitted by Mr. Wallace:

Amendment No. 1.

On page 1, after line 1 of the title of the printed bill, add the following: "and to add section 717.5 to".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out the following: "s 930 and".

Amendments adopted.
Title, as amended, read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1754—An act to amend sections 4.962, 4.963, 4.964, 4.1010, and to add new sections to be known as 4.967 and 4.968 of the School Code, relating to bond elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1754 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2409—An act to add sections 1271.5 and 1243.5 to the Penal Code, relating to capital punishment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2409 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 385—An act to provide for the refunding of the indebtedness represented by bonds of special assessment districts formed under laws of the State of California where the bonds are payable from assessments levied in whole or in part in accordance with the assessed value of the lands in the district, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments and reassessments and to provide for the proceedings to test the validity of such refunding and reassessment, and to provide for contributions of public funds to assist in such refunding.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Don-

nelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 385 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 2431—An act to prohibit marathons, marathon dances, walkathons, skatathons, and other mental and physical endurance contests and prescribing penalties for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2431 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 653—An act to amend section 1 of an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, relating to county relief of indigents, unemployed persons, and persons likely to become indigent, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt,

Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—79.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 653 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1977—An act to amend Chapters I, II, III, IV, V, VI, VII, VIII, IX, X and XI of Part I, Division II, of the School Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1977 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 816—An act relating to shares of insured Federal savings and loan associations as legal investments for trust and other funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 816 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—79

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 2372—An act to amend section 14 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways, in the State of California, by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to the exemption of certain vehicles

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 2372 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 1771—An act to repeal section 109a of "The California Irrigation District Act," approved March 31, 1897, relating to name of irrigation districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1771 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 1608—An act to amend sections 1, 4, 5, 10, 12, 13 and 15 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands, to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," as approved May 25, 1921, as amended, relating to the issuance, transfer, terms of, and rights under prospecting permits, leases, and sales of State mineral lands.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 1608 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 1608.

Mr. Boyle gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1608 was this day passed.

Assembly Bill No. 299—An act to repeal Article IV of Chapter VII of Part I of Division II of the School Code and to add to said Chapter VII of Part I of Division II thereof a new article to be known as Article IV, both relating to the annexation of elementary school districts not in any high school district, to high school districts.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr Walker.

Amendment No. 1.

On page 1, line 10, of the printed bill, as amended, strike out the word "In", and insert in lieu thereof the following. "Except as otherwise provided in this article, in".

Amendment No. 2.

On page 2 of the printed bill, as amended, after line 29, insert the following.

"2 504. Where during the two years next preceding ninety per cent of the high school pupils residing in an elementary school district attended high school in an adjoining State, such elementary district shall not be annexed to a high school district in the manner hereinbefore provided, but the county superintendent of schools having jurisdiction over such elementary school district shall, after October 10, 1935, and before November 1, 1935, call an election, in such elementary school district and in the high school district to which annexation would otherwise be made, for the determination of the question of such annexation

Such election shall be called and conducted in the same manner as elections for the formation of union high school districts.

If a majority of all the votes cast at the election are in favor of annexation he shall so certify and recommend to the board of supervisors.

If a majority of all the votes cast at the election are opposed to the annexation he shall so certify to the county clerk and to the board of supervisors who shall not annex such elementary school district or districts to such high school district but shall enter the certificate in their records and the county clerk shall record the certificate in full in his record of high school districts, and

Annually, so long as such elementary school district or districts shall remain a part of no high school district, the board of supervisors shall levy upon the property of such elementary school district or districts a tax which shall, when collected, be paid into the county high school tuition fund of the county in which such elementary school district or districts are situated. Such annual tax levy shall be at the same rate as the minimum special high school district tax rate levied in any high school district in the county for the current year but in no event shall the tax so levied be in excess of the total tax required by the provisions of this code to be raised for the county high school tuition fund, which tax shall be decreased accordingly."

Amendment No. 3.

On page 2, line 30, of the printed bill, as amended, strike out the number "2 504", and insert in lieu thereof the number "2 505"

Amendment No. 4.

On page 2, line 33, of the printed bill, as amended, strike out the number "2 505", and insert in lieu thereof the number "2.506".

Amendments adopted.

Request for Unanimous Consent.

Mr. Anderson asked for, and was granted, unanimous consent to take up Assembly Bill No. 299, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 299, as Amended.

Assembly Bill No. 299, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 299, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J, Evans, Ralph W, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 545—An act to add a new section to be numbered 17.5 to an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, relating to cases in which common carriers may grant free or reduced rates, and providing that this act shall take effect immediately.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—79

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 545 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 407 of the Streets and Highways Code, relating to State highways.

CUNNINGHAM, Chairman

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to add section 5.533 to the School Code, relating to teachers.

CUNNINGHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to add section 1238.5 to the Code of Civil Procedure, relating to eminent domain.

CUNNINGHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act creating the California Farm Debt Adjustment Commission, defining its powers and duties and making an appropriation therefor.

CUNNINGHAM, Chairman

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bills, herewith return the same with the recommendation that the author be permitted to introduce them. The titles of said bills are as follows:

An act imposing a tax for the privilege of selling advertising or advertising space in newspapers, providing for permits to newspaper publishers, providing for the levying, assessing, collecting, paying and disposing of such taxes, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing that this act shall take effect immediately.

An act to regulate the hours of labor of all persons employed in this State; providing for the enforcement of this act; and prescribing penalties for the violation of the provisions hereof.

CUNNINGHAM, Chairman.

Reports of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the reports.

The question being on the adoption of the reports.

The roll was called, and the reports adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated.

By Mr. Peterson: Assembly Bill No. 2448—An act to amend section 407 of the Streets and Highways Code, relating to State highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Mr. Lore: Assembly Bill No. 2449—An act creating the California Farm Debt Adjustment Commission, defining its powers and duties and making an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Pelletier: Assembly Bill No. 2450—An act to regulate the hours of labor of all persons employed in this State; providing for the enforcement of this act; and prescribing penalties for the violation of the provisions hereof.

Bill read first time, and referred to Committee on Labor and Capital.

By Mr. Pelletier: Assembly Bill No. 2451—An act imposing a tax for the privilege of selling advertising or advertising space in newspapers, providing for permits to newspaper publishers, providing for the levying, assessing, collecting, paying and disposing of such taxes, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Mr. Weber: Assembly Bill No. 2452—An act to add section 1238.5 to the Code of Civil Procedure, relating to eminent domain.

Bill read first time, and referred to Committee on County Government.

By Mr. Hawkins: Assembly Bill No. 2453—An act to add section 5.533 to the School Code, relating to teachers.

Bill read first time, and referred to Committee on Education.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 510—An act to amend section 143 of the Agricultural Code, pertaining to abandoned orchards.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 510 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Don-

nelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 1186—An act to add two new sections to the School Code to be numbered 2.807 and 5.533, relating to liability for the death of, or injury to, pupils enrolled in the public schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1186 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 1125—An act adding a new section to the Civil Code of the State of California, to be numbered 734, relating to the control of municipal property by the legislative body thereof and the right of access and use of municipal property by members of the public.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Waters:

Amendment No. 1.

On page 1, line 6, of the printed bill, strike out the following: "or board".

Amendment No. 2.

On page 1, line 11, of the printed bill, strike out the following: "or board".

Amendments adopted.

Request for Unanimous Consent.

Mr. Waters asked for, and was granted, unanimous consent to take up Assembly Bill No. 1125, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1125, as Amended.

Assembly Bill No. 1125, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1125, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher,

Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 1363—An act to amend section 11 of an act entitled "An act providing for the organization and regulation of reciprocal or interinsurance exchanges to be known as 'The Reciprocal or Interinsurance Act of the State of California,' and repealing the act entitled 'An act providing for reciprocal and interexchange of indemnities, prescribing regulations therefor and fixing a license fee,' and repealing an act entitled 'An act defining certain classes of contract for the exchange of indemnity, prescribing regulations therefor, and fixing a license fee, approved December 24, 1911,' approved May 26, 1917, as amended," approved June 3, 1921.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1363 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 153—An act to amend the title and sections 4a, 13 and 14 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the extension of the provisions of said act to the companies and their franchises, other than insurance companies and their franchises, specified in section 14 of Article XIII of the Constitution of this State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 153 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1836—An act to amend section 622 of the Agricultural Code, relating to dairies and dairy products.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1836 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1532—An act to amend the Political Code by amending sections 3466a and 3491, relating to reclamation districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1532 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Withdrawal of Assembly Bills.

By order of the Speaker, the following bills were stricken from the file, and ordered re-referred to committees:

Assembly Bill No. 92 ordered re-referred to Committee on Agriculture.

Assembly Bill No. 1847 ordered re-referred to Committee on Judiciary.

Motion to Strike Assembly Bill No. 1092 from File.

Mr. Minard moved that Assembly Bill No. 1092 be stricken from the file.

Motion carried.

Assembly Bill No. 1092 ordered stricken from the file.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 823—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 18, 1883, as amended, by amending section 862 thereof, relating to and adding to the powers of sixth class cities

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 823 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—79

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No 2156—An act to amend sections 3678, 3681a, 3747a, 3756, 3760, 3764, 3766, 3771, 3771a, 3772, 3776, 3785, 3788, 3789, 3797, 3799, 3804b, 3808, 3809, 3816, 3817, 3817f, 3817g, 3817h, 3818, and 3822 and to repeal sections 3738, 3739, 3781, 3791, 3792, 3793, 3794, 3795, 3796, 3800 and 3815 of the Political Code and to add to said code sections numbered 3816a, 3817j and 3832, relating to the collection of taxes.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 2156 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—79

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2019—An act to amend section 2289 of the Political Code, relating to State aid to indigent orphans

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 2019 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore Lyon, Maloney, Martin, Mayo, McBride McCarthy, McMurray, Meehan Miller, Minard, Morgan, Nielsen O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79

NOES—None.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 2019.

Mr. Dawson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2019 was this day passed.

Record Expunged.

On motion of Mr. Peyser, on June 4, 1935, the vote whereby Assembly Bill No. 2019 was this day passed, was expunged from the record, and the action rescinded. (See Assembly Journal of June 4th, page 57.)

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 686—An act relating to the redemption and sale of property sold to a county treasurer, as trustee of a reclamation district or of the bond fund, or to a reclamation district for delinquent assessments and installments thereof.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. O'Donnell:

Amendment No. 1.

On page 2, line 21, of the printed bill, strike out "(a)".

Amendment No. 2.

On page 2, line 25, of the printed bill, strike out "(b)", and insert in lieu thereof the following: "(a)".

Amendment No. 3.

On page 2, line 28, of the printed bill, strike out "(c)", and insert in lieu thereof the following: "(b)".

Amendment No. 4.

On page 2, line 30, of the printed bill, strike out "(d)", and insert in lieu thereof the following: "(c)".

Amendments adopted.

Request for Unanimous Consent.

Mr. O'Donnell asked for, and was granted, unanimous consent to take up Senate Bill No. 686, as amended, at this time, without reference to file.

Third Reading of Senate Bill No. 686, as Amended.

Senate Bill No. 686, as amended, read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Love, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Senate Bill No. 686, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 686, as amended, finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Senate Bill No. 1019—An act to add sections 13 and 14 to "An act to provide for the protection and preservation of shade and ornamental trees growing and to be grown upon the roads, highways, grounds and property within the State of California; and for the planting, care, protection and preservation of shade and ornamental trees, hedges, lawns, shrubs and flowers growing and to be grown in and upon such roads, highways, grounds and property, and to create county boards of forestry for such purposes; and to prescribe the duties and powers of such boards, and to authorize such boards to appoint county foresters; and to prescribe the duties and fix the compensation of county forester, and to empower such boards to enforce all laws and adopt and enforce any and all lawful and reasonable rules for the protection, planting, regulation, preservation, care and control of such shade and ornamental trees, hedges, lawns, shrubs and flowers, with relation to fire, diseases, pests, or any other dangers, of any nature, to the safety and encouragement of such growths," approved April 28, 1909, relating to ornamental trees and shrubs and to boards of forestry.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1019 finally passed by the following vote.

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Senate Bill No. 58—An act to add section 3653.5 to the Political Code, relating to county assessor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 58 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher

Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 820—An act to amend sections 2 and 13 of the State Medical Practice Act, relating to taxes and registration fees, and to reciprocity certificates.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 820 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan Miller Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wilhamson, Wright, and Mr. Speaker—79

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 96—An act to amend sections 1081, 1082, 1083, 1085, 1087, 1088, 1089, 1090, and 1091 of, and to add sections 1081.1, 1083.1, 1083.3 and 1083 5 to the Agricultural Code, relating to commercial feeding stuffs.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Donnelly:

Amendment No. 1.

On page 2, line 34, of the printed bill, as amended in Senate April 11, 1935, strike out the word "manufacturers", and insert in lieu thereof the word "manufactures".

Amendment adopted.

Request for Unanimous Consent.

Mr. Donnelly asked for, and was granted, unanimous consent to take up Senate Bill No. 96, as amended, at this time, without reference to reprint or file

Third Reading of Senate Bill No. 96, as Amended.

Senate Bill No. 96, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 96, as amended, finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Don-

nell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 18—An act relating to tare allowances on fruit, grain, and wool sold in bags.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 18 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 133—An act to add section 3.401 to the School Code, relating to tuition fees of students in junior colleges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 133 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 878—An act to regulate grubstake contracts and prospecting agreements and to provide for the recording of the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 878 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley,

Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 345—An act to amend section 3480d of the Political Code, relating to crediting on calls of installment of assessments made by reclamation districts amounts of outstanding bonds exchanged in refunding proceedings or otherwise canceled, and to the redemption of property sold to reclamation districts for delinquent assessments and installments thereof, and to the sale by county treasurers of land sold for delinquent assessments and installments thereof, and containing a provision declaring this act to be an emergency measure, stating the facts constituting such emergency and providing this act shall take effect immediately.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright and Mr. Speaker—79.
NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 345 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.
NOES—None.

Title read and approved
Bill ordered transmitted to the Senate

Senate Bill No. 818—An act to amend section 580b of the Code of Civil Procedure, relating to deficiency judgments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 818 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher,

Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 544—An act to amend sections 5 and 6 of an act entitled "An act prescribing certain duties to be performed by the State Controller, State Treasurer and State Board of Examiners," approved February 20, 1872, relating to warrants.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 544 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Colwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1083—An act to add new sections to the School Code to be numbered 6.205 and 6.225, relating to the sale or leasing of school property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1083 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Colwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Senate Bill No. 4—An act to amend sections 2, 3, and 6 of an act entitled "An act authorizing municipal corporations to discontinue the use of land for park purposes when the fee thereof is vested in the municipal corporation and authorizing the sale or other disposition of such lands," approved May 12, 1927, relating to the conveyance, exchange, sale or other disposition of lands.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 4 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.
NOES—None.

Title read.

Amendments to Title.

During reading of the title, the following amendments were submitted by Mr. Garibaldi:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "of", insert a comma and the following: "and to add section 5a to,".

Amendment No. 2.

On page 1 of the printed bill, as amended, in the last line of the title, strike out the period, and insert in lieu thereof a comma and the following: "and claims in consequence thereof."

Title, as amended, read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 1077—An act to amend section 21 of the "California Water Storage District Act," relating to property sold for delinquent assessments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1077 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 467—An act to amend sections 2.411, 2.418 and 2.419 of the School Code, relating to disincorporation of high school districts

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 467 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley,

Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No 658—An act to amend section 3.472 of the School Code, relating to the transportation of teachers of agriculture employed by high school districts and engaged in supervising project work of pupils.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 658 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79
NOES—None.

Title read and approved
Bill ordered transmitted to the Senate.

Senate Bill No 826—An act to amend sections 363a, 363s and 363bb of the Political Code, relating to the Department of Public Works.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 826 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No 824—An act to amend sections 4041.8 and 4041.18 of the Political Code, relating to jurisdiction and powers of boards of supervisors.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 824 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Don-

nell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 825—An act to amend the title and section 1 of an act entitled "An act to enable counties to purchase, lease, obtain, hold, improve and maintain land for the uses and purposes of public parks and boulevards," approved May 31, 1929, relating to public boulevards.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 825 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 827—An act to amend section 2620 of the Political Code, relating to the width of highways.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 827 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 828—An act to amend section 2737 of the Political Code, relating to bridges and highways.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 828 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley,

Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 19—Relative to memorializing the Secretary of State of the United States to maintain the present tariff rate on barley and barley malt imports.

Senate Joint Resolution No. 19 read.

Mr. O'Donnell moved the adoption of Senate Joint Resolution No. 19.

The question being on the adoption of Senate Joint Resolution No. 19.

The roll was called, and Senate Joint Resolution No. 19 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Mmard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79
NOES—None.

Title read and approved.

Senate Joint Resolution No. 19 ordered transmitted to the Senate.

Senate Joint Resolution No. 19.

Relative to memorializing the Secretary of State of the United States to maintain the present tariff rate on barley and barley malt imports.

WHEREAS, At the present time certain reciprocal trade agreements are being consummated by the Secretary of State of the United States with other countries; and

WHEREAS, It is reported that consideration is being given to the feasibility of lowering tariff duties on foreign produced malt and barley and barley malt imports; and

WHEREAS, The farmers of the State of California are producers of these products and any lowering of the tariff thereon would result in the lowering of the price which the farmer receives for these products, and a continuation of the present tariff on said products is absolutely essential and necessary to the agricultural prosperity of the Pacific Coast; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That these bodies do hereby urge the Secretary of State of the United States that the present tariff rates on barley and barley malt imports be maintained in order that the interests of the American farmer be not sacrificed in any reciprocity trade agreement; and, be it further

Resolved, That a copy of this resolution be transmitted by the Secretary of the Senate to the Honorable Cordell Hull, Secretary of State, at Washington, D. C.

Special Order.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 2416.

Assembly Bill No. 2416—An act to regulate the caravaning of motor vehicles upon the public highways of this State, defining the term "caravaning" and providing for the licensing of motor vehicles in caravan and imposing penalties for violation thereof.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Welsh:

Amendment No. 1.

On page 2, line 35, of the printed bill, as amended, strike out "revenues", and insert in lieu thereof the following: "fees".

Amendment No. 2.

On page 2, line 36, of the printed bill, as amended, strike out "become"; also strike out lines 37 to 42, inclusive, and insert in lieu thereof the following: "be paid into the general fund in the State treasury"

Amendments adopted.

Request for Unanimous Consent.

Mr. Welsh asked for, and was granted, unanimous consent to take up Assembly Bill No. 2416, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 2416, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. O'Donnell:

Amendment No. 1.

On page 1, line 2, of the printed bill, as amended, after "any", insert the following: "used or second-hand".

Amendment No. 2.

On page 1, line 9, of the printed bill, as amended, after "of", insert the following: "used or second-hand".

Amendment No. 3.

On page 1, line 25, of the printed bill, as amended, strike out "vehicle or".

Amendment No. 4.

On page 2 of the printed bill, as amended, between lines 42 and 43, insert the following:

"SEC. 7. All new automobiles sold in California through agencies or factory representatives must be sold on a list price plus the freight actually paid for the transportation of the automobile, either assembled or shipped as parts, from the factory to California, plus the cost of assembling the same if the process of assembling is done in California"

Amendment No. 5.

On page 2, line 43, of the printed bill, as amended, strike out "7", and insert in lieu thereof the following: "8".

Motion.

Mr. O'Donnell moved that the amendments be voted upon in series.

Motion carried.

Hon. Wm. Moseley Jones in the Chair.

At ten o'clock and fifteen minutes p.m., Honorable William Moseley Jones, member of the Assembly from the fifty-first district, in the chair.

The Speaker in the Chair.

At ten o'clock and thirty-five minutes p.m., Honorable Edward Craig, Speaker of the Assembly, in the chair.

Consideration of Amendments Nos. 1 and 2.

The question being on the adoption of Amendments Nos 1 and 2, submitted by Mr. O'Donnell.

Amendment No. 1.

On page 1, line 2, of the printed bill, as amended, after "any", insert the following: "used or second-hand".

Amendment No. 2.

On page 1, line 9, of the printed bill, as amended, after "of", insert the following: "used or second-hand".

Request for Roll Call.

On request of Messrs. Hornblower, Frazier and Breed, the Speaker ordered a roll call taken on the adoption of Amendments Nos. 1 and 2, submitted by Mr. O'Donnell.

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Evans, Ralph W., Heisinger, McCarthy, O'Donnell, Pelletier, and Turner—6.

NOES—Boyle, Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, Desmond, Donahue, Evans, Herbert J, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—66.

Consideration of Amendment No. 3.

The question being on the adoption of Amendment No. 3, submitted by Mr. O'Donnell.

Amendment No. 3.

On page 1, line 25, of the printed bill, as amended, strike out "vehicle or".

Amendment refused adoption.

Consideration of Amendments Nos. 4 and 5.

The question being on the adoption of Amendments Nos. 4 and 5, submitted by Mr. O'Donnell.

Amendment No. 4.

On page 2 of the printed bill, as amended, between lines 42 and 43, insert the following

"SEC. 7. All new automobiles sold in California through agencies or factory representatives must be sold on a list price plus the freight actually paid for the transportation of the automobile, either assembled or shipped as parts, from the factory to California, plus the cost of assembling the same if the process of assembling is done in California."

Amendment No. 5.

On page 2, line 43, of the printed bill, as amended, strike out "7", and insert in lieu thereof the following: "8".

Amendments refused adoption.

Assembly Bill No. 2416, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr Jones:

Amendment No. 1.

On page 1, line 3, of the printed bill, between the words "vehicle" and "on", insert the following: "operated".

Amendment adopted

Request for Unanimous Consent.

Mr. Welsh asked for, and was granted, unanimous consent to take up Assembly Bill No 2416, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2416, as Amended.

Assembly Bill No. 2416, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2416, as amended, passed by the following vote:

AYES—Anderson, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Herbert J., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—69

NOES—Crowley, Evans Ralph W., Fisher, Heisinger, McCarthy, O'Donnell, and Pelletier—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Special Order Set for Senate Bill No. 1102.

On motion of Mr. Thorp, the consideration of Senate Bill No. 1102 was made a special order for Wednesday, May 15, 1935, at ten o'clock and thirty minutes a.m

Motion to Print Assembly Bill No. 2449.

Mr. Lore moved that the Chief Clerk be instructed to place a rush order on the printing of Assembly Bill No 2449.

Motion carried

Adjournment.

At eleven o'clock and thirty minutes p m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a m., Wednesday, May 15, 1935.

CHARLES H ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, May 15, 1935.

At ten o'clock a m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Miss Miller, its further reading was dispensed with.

Leave of Absence.

On motion of Mr. Clark, Mr. Andreas was granted leave of absence for the day.

Privilege of Floor of Assembly Extended.

On request of Mr. Nielsen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the teacher and pupils of the high eighth social studies class of Stanford Junior High School, Sacramento, California, as follows: Mrs. Lena B. Everett, teacher; and Marjorie Alameda, Helen Barnum, Lawrence Boyd, Hetty Berry, George Butcher, Delores Cairns, Kenneth Cook, Betty Jean

Crittenden, Ethel Dodson, Margaret Dunn, Bob Dymond, Leland Evans, Harry Ewing, Elizabeth Friedman, Howard Goodnow, George Goorabian, Billy Hill, James Hildreth, Billie Keralouezo, Irene Krug, Mary Helen Lish, Marguerite Lyons, Ernest Meder, Marylynn Morgan, Robert Payne, Raymond Olmstead, Bernice Potter, Mary Ernestine Riley, Eugene Scherrer, Russell Schultz, Edna Smith, Connell Teske, Joycelyn Trimble, Edna Vaughn, Reed Wilson, John Wood, Irma Johnson, and Evelyn Burns, pupils.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to teachers and pupils of the Pacific School, rural school, three miles from Sacramento, as follows: Mrs. Taylor, Miss Hullin, Mrs Bacon, teachers; and Takumi Adachi, Irene Chernoh, Dorothy Corey, Kumio Hayashida, Marguerite Hurle, Gladys Jones, Takeshi Makishima, Ukitoshi Murakami, Takashi Nakao, Fusako Nakao, Daisy Nakashima, Nishiyama Kenji, Seiichi One, George Suyekawa, Doris Sommers, Leroy Sloan, Elaine Swarowsky, Frank Taylor, Umeko Taniguchi, Raymond Adamic, Lorraine Averitt, Grace Asoo, Henry Costanzo, Alfred Corey, Josephine Corey, Franklin Friburg, Matsioo Fujioka, David Imagawa, William Kearney, Yoshiye One, Eugene Prather, Marcelle Sheets, Richard Stock, Yoshimitsu Tamura, Tomahero Taniguchi, Minoru Uyeda, Johnnie Wood, and May Nakagawa, pupils; transportation furnished by Mr. Hinds.

Statement.

The following statement was received, and ordered printed in the Journal:

Statement for the Journal.

Tuesday, May 15, 1935.

We, the undersigned, were absent from the floor of the Assembly during most of the proceedings on May 14th and May 15th because we were in attendance in executive session with the Joint Tax Committee of the Senate and the Assembly working out recommendations for a tax program for the coming biennium

C. C. COTTRELL
H. B. SCUDDER
RODNEY L. TURNER.
CHARLES A. HUNT.
ALFRED W. ROBERTSON.
HARRY B. RILEY.
RAY WILLIAMSON.

ASSISTANT CLERK COOLIDGE READING.

Reports of Standing Committees.

The following report of standing committee was received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 767—An act to amend sections 2, 2½, 3, 4, 10, 13, 14, 18½ and 21, to add section 24, and to repeal sections 5 and 9 of the Old Age Security Act of the State of California, relating to aid to the aged;

Also: Assembly Bill No. 794—An act to amend sections 5.802, 5.804, 5.890, 5.891, 5.894, 5.900, 5.901, 5.904, 5.910, 5.911, 5.921, 5.962, 5.970, 5.980, 5.990, 5.993, 5.1003, 5.1004, 5.1009, 5.1023, 5.1030, 5.1031, 5.1032, 5.1040, 5.1041, 5.1047, 5.1048, 5.1060, 5.1061, 5.1062, 5.1080 and 5.1083 of the School Code; to amend the titles of Chapter III, of Articles IV, V and VII of Chapter III, of Chapter VI, of Articles II, III and V of Chapter VI, all of Part IV of Division V of said code; to repeal sections 5.1042 to 5.1046, both inclusive, of said code and to repeal Article IV of Chapter VI of Part IV of Division V of said code; to add eight new sections to said code to be numbered 5.886, 5.971, 5.972, 5.981, 5.986, 5.1004½, 5.1010 and 5.1011 and to add Chapter III of Part IV of Division V of said code a new article to be known as Article VIII; to add to Chapter V of Part IV

of Division V of said code a new article to be known as Article V; and to add to Chapter VI of Part IV of Division V of said code a new article to be known as Article IV, all relating to the payment of retirement salaries and retirement annuities to persons serving the State, counties and school districts in positions having to do with teaching or other employment in, and/or the superintending, administration and supervision of colleges, schools, and classes maintained by the State and/or the school districts thereof;

Also: Assembly Bill No. 2368—An act to amend sections 5, 13, 65, 78, 83, 85, 86, 100, 101 and 109 of, and to add sections 28a, 65a, 65b, 65c, 65d, 83a, 85a, 100a and 100b to an act entitled "An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to retirement of members of the California Highway Patrol;

And reports that the same have been correctly re-re-engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. O'Donnell:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935.

MR SPEAKER. I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend sections 3454 and 3455 of and to add sections 3454a and 3454b to the Political Code, relating to Reclamation Districts, declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Introduction of Bills.

By Mr. Cunningham:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add sections 18 and 19 to an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases, to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons, to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person, to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13 1923 relating to concealable weapons.

Referred to Committee on Introduction of Bills

Motion to Approve Journals.

Mr Lyon moved that the Journals of April 26, 1935; April 29, 1935; April 30, 1935; May 1, 1935; May 2, 1935; be approved as corrected by the Minute Clerk

Motion carried.

Second Reading of Assembly Bills.

Assembly Constitutional Amendment No. 70—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding a new article thereto to be numbered XIII-A, and by repealing section 12 of Article XI, relating to taxation.

Committee Amendments.

During reading of Assembly Constitutional Amendment No. 70, the following amendments were submitted by the committee:

Amendment No. 1.

On page 3, line 3, of the printed measure, strike out the period, and insert in lieu thereof the following: ", two per cent."

Amendment No. 2.

On page 3, line 6, of the printed measure, strike out the period, and insert in lieu thereof the following: ", one per cent."

Amendment No. 3.

On page 3, line 10, of the printed measure, strike out the period, and insert in lieu thereof the following: ", one per cent."

Amendment No. 4.

On page 3, line 13, of the printed measure, strike out the period, and insert in lieu thereof the following: ", one per cent."

Amendment No. 5.

On page 3, line 15, of the printed measure, strike out the period, and insert in lieu thereof the following: ", one and one-half per cent."

Amendment No. 6.

On page 3, line 19, of the printed measure, strike out the period, and insert in lieu thereof the following: ", two per cent."

Amendment No. 7.

On page 3, line 22, of the printed measure, strike out the period, and insert in lieu thereof the following: ", two per cent"

Amendment No. 8.

On page 3, line 31, of the printed measure, strike out the period, and insert in lieu thereof the following: ", two per cent."

Amendment No. 9.

On page 3, line 35, of the printed measure, strike out the period, and insert in lieu thereof the following: ", two per cent."

Amendment No. 10.

On page 3, line 46, of the printed measure, strike out the period, and insert in lieu thereof the following: ", two per cent."

Amendment No. 11.

On page 3, line 51 of the printed measure, strike out the period, and insert in lieu thereof the following: ", two per cent."

Amendment No. 12.

On page 4, line 5, of the printed measure, strike out the period, and insert in lieu thereof the following: ", two per cent"

Amendment No. 13.

On page 4, of the printed measure, between lines 5 and 6, insert the following:

"(m) Upon the gross receipts derived by any person from the contracting business, as defined by the "Contractors' License Law," one per cent.

(n) Upon the gross receipts derived by any person from the transfer of real property, one per cent.

(o) Upon the gross receipts derived by any person from any occupation, trade, profession or calling where the gross income is represented by a compensation in the form of wages or salaries, one per cent."

Amendment No. 14.

On page 4, line 6, of the printed measure, strike out "(m)", and insert in lieu thereof the following: "(p)".

Amendment No. 15.

On page 4, line 9, of the printed measure, strike out the period, and insert in lieu thereof the following: ", two per cent."

Amendment No. 16.

On page 4, of the printed measure, strike out lines 33 to 36, inclusive.

Amendment No. 17.

On page 5, of the printed measure, strike out lines 45 and 46; also in line 47, strike out "Finance.", and insert in lieu thereof the following: "which shall consist of the members of the State Board of Equalization."

Amendment No. 18.

On page 6, line 24, of the printed measure, strike out "_____", and insert in lieu thereof the following: "two".

Amendment No. 19.

On page 6, line 48, of the printed measure, strike out "_____", and insert in lieu thereof the following: "two".

Amendment No. 19-a.

On page 7, of the printed measure, strike out lines 16 to 24, inclusive.

Amendment No. 20.

On page 7, line 25, of the printed measure, strike out "20", and insert in lieu thereof the following: "19".

Amendment No. 21.

On page 7, line 32, of the printed measure, strike out "21", and insert in lieu thereof the following: "20".

Amendment No. 22.

On page 7, line 39, of the printed measure, strike out "22", and insert in lieu thereof the following: "21".

Amendment No. 23.

On page 7, line 42, of the printed measure, strike out "23", and insert in lieu thereof the following: "22".

Amendment No. 24.

On page 7, line 45, of the printed measure, strike out "24", and insert in lieu thereof the following: "23".

Amendment No. 25.

On page 7, line 48, of the printed measure, strike out "25", and insert in lieu thereof the following: "24".

Amendments adopted.

Assembly Constitutional Amendment No. 70 read, ordered to reprint, engrossment, and on file for adoption.

Assembly Bill No. 529—An act to amend section 94 of the Agricultural Code, relating to citrus fruit fairs

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1030—An act defining unlawful gas, prohibiting dealing in and transporting by pipe of unlawful gas, requiring certain corporations, individuals and associations of individuals engaged in the business of buying lawful gas and transporting the same by pipe line to be common purchasers of such gas, and fixing penalties for violations of the act.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 276—An act to amend sections 1, 10, 12, 21, 22, 23, 24 and 25 of an act entitled the "Direct Primary Law," relating to nonpartisan offices.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 604—An act to add a new section to the Political Code, to be numbered 4052d, authorizing boards of supervisors to grant temporary use, possession, management and control of public parks for exposition and fair purposes.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 606—An act to add a new section to the Political Code, to be numbered 2699, authorizing boards of supervisors to temporarily close any public highway, road, street, avenue, alley, lane or place for exposition purposes.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 2447—An act to amend section 4041.13 of, and to add sections 4041 13a to 4041.13i, inclusive, to the Political Code, relating to county purchasing agent and assistants.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1816—An act to amend sections 19 and 20 of the "State Liquor Control Act," approved June 3, 1933, relating to licenses.

Bill read second time, ordered to re-engrossment, and third reading

Assembly Bill No 2359—An act to amend sections ------ of the Military Code

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "sections", strike out the balance of the line, and insert in lieu thereof the following "238, 814, 815 and 1261 of, and to add section 395 5 to the Military Code, relating to military and veterans' affairs"

Amendment No. 2.

On page 1, line 1, of the printed bill, after "SECTION 1.", insert the following: "Section 238 of the Military Code is hereby amended to read as follows

238 Unless pardoned by the Governor no officer who has been dismissed from the military or naval service of the State or who has resigned for the good of the service shall be permitted again to enter the military or naval service of the State nor shall he be eligible for appointment or election to, or to hold any public office of trust or emolument in this State. No officer who has been discharged on account of inefficiency, or on account of absence without leave shall be permitted again to enter the military or naval service of the State.

SEC. 2. Section 395 5 is hereby added to the Military Code to read as follows

395 5. Any officer or employee of the State having civil service status who is ordered on active duty in time of war shall retain all civil service rights to his position and shall be reinstated to such position upon application at any time within ninety days after the termination of such duty

SEC. 3 Section 814 of the Military Code is hereby amended to read as follows:

814 The board may acquire in any manner for sale to a veteran a home in this State, the value of which does not exceed the sum of seven thousand five hundred dollars, or a farm in this State the value of which does not exceed the sum of twelve thousand five hundred dollars

SEC. 4. Section 815 of the Military Code is hereby amended to read as follows

815 The cost of a home to the board shall not exceed the sum of five thousand dollars, and a veteran purchasing the home may advance not to exceed two thousand five hundred dollars on the purchase price of the home so that the total purchase price thereof does not exceed seven thousand five hundred dollars. The cost of a farm to the board shall not exceed seven thousand five hundred dollars, and a veteran purchasing the farm may advance not to exceed five thousand dollars on the purchase price of the farm so that the total price thereof does not exceed twelve thousand five hundred dollars

SEC. 5 Section 1261 of the Military Code is hereby amended to read as follows:

1261. Any political subdivision may lease any lot or building or part thereof belonging to it and not required for public use, for not exceeding twenty years, or may acquire and lease or sublease any lot or building or part thereof for not exceeding twenty years, to a veterans' association organized in such political subdivision, to be used for the purposes of such veterans' association. The rental shall be fixed by the governing body of the political subdivision"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2144—An act to amend section 4242 of the Political Code, relating to the compensation of county and township officers in counties of the thirteenth class.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "Code," insert the following: "and to add thereto sections 4242.1, 4242.2, 4242.3,".

Amendment No. 2.

On page 1, line 3, of the printed bill, after "4242.", insert the following: "Supervisors. Each member of the board of supervisors, two thousand four hundred ($2,400) dollars per annum for personal services performed by him as supervisor, member of the board of equalization and road commissioner. There is hereby allowed to each supervisor a sum not to exceed twenty-five per cent of his monthly salary for expenses necessarily incurred in the conduct of his office. Each supervisor shall file an itemized statement, supported by receipts or vouchers, on the first day of each and every month, designating the actual expenditure on his part of expenses necessarily incurred in the conduct of his said office for the preceding month, and no allowance shall be made to any supervisor for expenses necessarily incurred in the conduct of his said office unless the same shall be itemized and designated in said claim filed by him as herein provided.

SEC. 2. Section 4242.1 is hereby added to the Political Code, to read as follows:

4242.1. District Attorney. The district attorney shall receive a salary of five thousand dollars ($5,000) per annum. He shall receive the compensation herein designated as full compensation for any and all services performed by him, and is hereby prohibited from engaging in the private practice of the law and is prohibited from accepting any fees, post, or position with any municipal, district, or public corporation whatsoever.

SEC. 3. Section 4242.2 is hereby added to the Political Code, to read as follows.

4242.2. Auditor. The auditor shall receive a salary of three thousand five hundred ($3,500) dollars per annum

SEC. 4. Section 4242.3 is hereby added to the Political Code, to read as follows:

4242.3. Compensation, Generally. No official, deputy, or employee drawing pay as a county official, deputy, or employee is permitted to draw wages, pay, or compensation from said county in any other capacity, but the salaries and expenses herein set forth shall be in full compensation for the services required of them by law, or by virtue of their offices, and all other fees, mileage, or other remuneration or compensation of any kind or character received by such officers or their deputies, for or by reason of any duty imposed by law on such officers, or by virtue of their offices, except such as are specifically allowed to be retained by them by county ordinance, shall be by such officers paid into the county treasury at such times and in such manner as required by law; provided, however, that until such time as the county provides for such officers and makes available to their use such numbers of automobiles as are reasonably necessary to carry out the duties of their respective offices, such officers shall be allowed to retain for their own use and benefit such mileage as may be allowed by ordinances of such counties of the thirteenth class."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2438—An act to add sections 21, 22, 23, 24 and 25 to, and to repeal sections 15 and 16 of, The Planning Act, relating to State, regional, county, and city planning.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "act", insert the following: "to amend sections 13, 14, 14a and 14b of,".

Amendment No. 2.

On page 2 of the printed bill, between lines 50 and 51, insert the following:

"SEC. 6. Section 13 of The Planning Act is hereby amended to read as follows:

Sec. 13. As used in this act, the words "right of way" shall include a private or public right of way, and the words "rights of way" shall include private or public rights of way.

Upon the adoption by the legislative body of any city, city and county, or county, of a major right of way plan for such city, city and county, or county, or for any major section or district thereof, the planning commission of such city, city and

county, or county, shall from time to time prepare detailed and precised maps of the various rights of ways indicated thereon as major rights of ways, showing the location of the proposed future outside lines of such rights of ways, and shall recommend the adoption of such precised maps and the establishment of the future right of way lines shown thereon, by the legislative body. Each of said maps shall be entitled "Precised map of (giving name) right of way" and shall have indicated thereon the fact that it shows the proposed future lines of such right of way and that it is proposed to recommend to the legislative body the adoption of the same and the establishment of the future right of way lines as shown thereon pursuant to section 14 of this act

SEC. 7. Section 14 of The Planning Act is hereby amended to read as follows:

Sec. 14 If any owner of property contained within the boundaries of any such future right of way lines or owning any interest therein, shall claim that the adoption of said precised right of way plan constitutes the taking of his property by the said city, city and county, or county, he shall, within three months from the date of filing such map in the county recorder's office, file notice of his claim with the clerk of the governing body thereof and record with the county recorder of the county in which said right of way is located a copy thereof showing filing of the original with the clerk of the governing body. In the event that said city, city and county, or county shall fail within three months after filing of the claim as aforesaid to acquire a limited easement over said property for the life of the said precised right of way plan, or to begin condemnation proceedings for the acquisition thereof, or to vacate by ordinance the precised right of way plans shall automatically be declared, so far as claimant's property is concerned to be vacated and he shall hold the same free from any claim under the provisions of this act for the control of said property. Said owner or claimant of an interest therein shall be entitled, upon demand, to a certificate from the clerk of the governing body of the city, city and county, or county, that said city, city and county, or county has failed to acquire such limited easement or begin condemnation proceedings as required by this section for the acquisition thereof, and said certificate duly filed in the office of the county recorder shall constitute conclusive evidence of the removal of any cloud on his title by virtue of the adoption of said precised right of way plan

In the event that any owner of property lying within the boundaries of such precised right of way plans or any claimant of interest therein shall fail to file a claim as specified in this section, such owner or claimant shall be conclusively deemed to have waived any claim for damages by reason of the easement over and across his property or the property in which he claims an interest by virtue of said right of way plan except as hereinafter provided, but he shall not be deemed to have waived any title to the property within any precised right of way plan or any interest therein other than the right to erect or construct thereon a structure without first complying with the provisions of section 14a of this act

SEC. 8. Section 14a of The Planning Act is hereby amended to read as follows

Sec. 14a. No person who has been compensated in accordance with the provisions of section 14 or who has waived his right to indemnity thereunder, shall erect or construct, or begin to erect or construct, any building capable of human habitation or use, fences and walls excluded, within the boundaries of any right of way shown on such precised right of way plan until three months after he has filed with the clerk of the governing body an affidavit setting forth his intention immediately to build thereon, the character of the proposed building, its estimated cost, the price at which he will convey to said city, city and county, or county a right of way over his property in accordance with the provisions of said precised right of way plan. He shall thereafter record a certified copy thereof showing the original to have been so filed in the office of the county recorder The governing body may at any time within three months after the filing of such affidavit purchase or commence eminent domain proceedings for the acquisition of a right of way upon said property in accordance with the provisions of said precised right of way plan. The cost of acquisition of said right of way may be made a part of the preliminary expenses of any acquisition of the entire right of way as shown on said precised right of way plan by a subsequent special assessment proceeding and in said case out of the funds obtained from the special assessment proceedings, if provided by the resolution of intention therein, there shall be returned to the revolving fund established by section 14b of this act, the cost of acquisition of the right of way upon said particular parcel

If the city, city and county, or county, fails to purchase or commence eminent domain proceedings for the acquisition of such a right of way upon the parcel of said claimant within the time above stated, or such shorter time when the governing body has given formal notice of its intention not to secure such right of way at said time, copy of such notice, properly attested, to be recorded in the office of the county recorder, then the owner thereof may construct such structure free from any claim of the city, city and county, or county, to control the use of said property by reason of the adoption of the precised right of way plan under the provisions of this act.

No damage shall hereafter be awarded in any eminent domain proceedings for the taking of or damage to any structure located within the right of way shown upon such precised right of way plan by reason of the carrying out of the proposed public improvement shown upon a precised right of way plan where the owner of any parcel contained therein has failed to file the affidavit or failed to wait thereafter the prescribed time, or in excess of the amount of damage which would have been awarded had the structure built been fairly included within that set forth in the description contained in the affidavit filed by such person; provided, however, that nothing contained herein shall be construed to prevent an owner from filing subsequent and different affidavits and offers when his plan for the proposed structure are changed, said additional affidavits and offers to be subject to all provisions of this section.

From and after the filing for record of any precised right of way plan no permit shall be issued for the construction of any building or structure or any part thereof, fences and walls excluded, on any part of the land right between the future lines of any right of way shown on such precised right of way plan until the applicant therefor can demonstrate to the body issuing such permits that such property has been released from the effects of said precised right of way plan under the provisions of section 14 or this section of this act

SEC. 9. Section 14b of The Planning Act is hereby amended to read as follows:

Sec. 14b. Any city, city and county, or county, is hereby authorized to levy a tax of not to exceed two mills per dollar of assessed valuation for the purpose of creating a revolving fund for the purpose of compensating property owners under the provisions of sections 14 and 14a of this act, and are further authorized to expend any and all unappropriated funds of said city, city and county, or county for the purposes set forth in said sections. Any compensation paid under sections 14 or 14a of this act may, in the discretion of the governing body of the city, city and county, or county, be made a charge against any special assessment district later established for the purpose of acquiring a right of way in accordance with the provisions of such precised right of way plan. In the event that such compensation is made a charge against any special assessment district, the proceeds derived from such special assessment district to compensate the city, city and county, or county therefor shall be paid into the special fund created by such tax if originally paid therefrom, or such other fund as it may in the first instance have been paid from."

Amendment No. 3.

On page 2, line 51, of the printed bill, strike out "6", and insert in lieu thereof the following: "10."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1956—An act to amend Streets and Highways Code.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "Streets and Highways Code.", and insert in lieu thereof the following: "section 356 of the Streets and Highways Code, relating to State highways."

Amendment No. 2.

On page 1, line 1, of the printed bill, after the period, insert the following: "Section 356 of the Streets and Highways Code is hereby amended to read as follows:

356. Route 56 is from:

(a) Route 2 near Los Cruces via Lompoc and Guadalupe to Route 2 near Pismo.

(b) San Luis Obispo to San Francisco along the coast via Cambria, San Simeon, Carmel, Castroville, Watsonville and Santa Cruz.

(c) State highway near southerly end of Marin Peninsula to the Marin-Sonoma County line via the coast route.

(d) Russian River near Jenner to Westport.

(e) Ferndale to Route 1 near Fernbridge."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 516—An act directing the Department of Public Works to lay out and construct as a part of the State highway system a road and bridge from the city of Needles easterly over and across the Colorado River and declaring the same to be a public highway and a part of the State highway system, requiring the maintenance thereof and prescribing the manner in which the cost of such construction and maintenance shall be paid.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after the word "act", strike out all the balance of the title, and insert in lieu thereof the following: "establishing and authorizing an additional secondary State highway from the city of Needles easterly to the Arizona-California State line, including a bridge over the Colorado River, providing for the construction, maintenance and ownership of such bridge jointly by the States of California and Arizona, and amending the Streets and Highways Code in conformance therewith."

Amendment No. 2.

On page 1, line 1, of the printed bill, after the words "SECTION 1", strike out all of the balance of said line 1, and all of lines 2 to 23, inclusive, and insert in lieu thereof the following: "Section 358 of the Streets and Highways Code is amended to read as follows:

358. Route 58 is from Route 2 near Santa Margarita to the Arizona State line near Topock, Arizona, via Bakersfield, Mojave, Barstow, and Needles, together with an extension from a point on such Route 58 near Needles easterly by the most direct and practicable route to the Arizona-California line at the Colorado River, including a bridge over and across said river, to be constructed, owned, operated, and maintained jointly with the State of Arizona."

Amendment No. 3.

On page 2, line 1, of the printed bill after the words "SEC. 2", strike out all of the balance of line 1, and all of lines 2 to 15, inclusive, and insert in lieu thereof the following "The Department of Public Works is directed to construct the extension referred to in section 1 hereof when the State of Arizona has made provision for completing a highway permanent in character either as a part of the Federal aid system in Arizona, or as a connection between said bridge and a highway which is a part of the Federal aid system in Arizona, and when a contract has been executed by properly authorized officers of the State of Arizona, on behalf of said State, and by the Director of Public Works, on behalf of this State, making adequate provision for the construction, maintenance and ownership of such joint bridge. The Director of Public Works is authorized to negotiate and execute such a contract on behalf of this State, provided that each State shall bear one-half of the cost of construction and maintenance of such bridge."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 2081—An act to add section 628 to the Streets and Highways Code, establishing secondary State highways.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out "are", and insert in lieu thereof the following: "is".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 4 to 13, inclusive, and in line 14, strike out "From", and insert in lieu thereof the following "a new route or portion of route from".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 814—An act adding section 95 to the Agricultural Code, relating to and providing for the exhibition of California live stock

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "adding", and insert in lieu thereof the following: "to amend section 92 of, and to add".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out "live stock", and insert in lieu thereof the following: "products".

Amendment No. 3.

On page 1, line 1, of the printed bill, after "SECTION 1", strike out the balance of line 1, and all of line 2, and insert in lieu thereof the following. "Section 92 of the Agricultural Code is hereby amended to read as follows:

92. Any money appropriated by the State for the encouragement of county, district or combined county and district agricultural fairs shall be expended under the supervision of the State Department of Finance for the support of such fairs. The Department of Finance shall apportion the money appropriated for the various agricultural fairs on the basis of the amount which each fair actually paid in premiums for agricultural, horticultural and live stock exhibits in each year. The secretary of any such fair desiring to share in any such appropriation shall file with the Department of Finance on or before December 31st, of each year, a sworn statement setting forth the actual amount paid for premiums by such fair held in that year. No allotment from the appropriation herein provided shall be made for more than one fair in any one year in any county or district. The fact that one county joins with another county, or with several others, or that one district combines with one or more districts, or that one district contracts with a county or county fair association, to hold an agricultural fair shall not bar it from receiving a proper proportion of the moneys herein appropriated. No fair for which a separate appropriation is made by the State shall participate in the apportionment of any money appropriated for the encouragement of county and district agricultural fairs.

SEC. 2 Section 95 is hereby added to the Agricultural Code to read as follows:".

Amendment No. 4.

On page 1 of the printed bill, strike out lines 3 to 17, inclusive, and insert in lieu thereof the following:

"95. Any fair to which an allotment has not been made in the previous year shall receive an allotment based upon the premiums paid as provided in section 92, but not to exceed twenty thousand dollars for any one such fair. The premiums of any fair upon which the allotment is based may be increased by not more than ten per cent of the amount of such premiums for the preceding year. Each fair seeking an allotment under the provisions of section 92 shall file on or before July 1st of each year with the Department of Finance a budget showing the amount expended or proposed to be expended for premiums in the current year"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2397—An act to add section 4041.16 to the Political Code, relating to the powers of the boards of supervisors.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 1 and 2 of the title, and insert in lieu thereof the following:

"An act to provide for the establishment of local hospital districts in any part of the State and defining their powers and duties."

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 28, inclusive; and on page 2, strike out lines 1 to 25, inclusive, and insert in lieu thereof the following:

"SECTION 1. This act shall be known and may be cited as "The Local Hospital District Act"

SEC. 2. A local hospital district may be organized, incorporated and managed as herein provided and may exercise the powers herein granted or necessarily implied Such a district may include incorporated or unincorporated territory, or both, or territory in any one or more counties. The territory comprising this district need not be contiguous but the territory of a municipal corporation shall not be divided

SEC. 3. The manner of formation of such districts, the conducting of elections, the annexation and exclusion of territory and the consolidation and dissolution of such districts shall be as in the manner provided by "An act relating to governmental units known as districts, and providing a procedure for the organization, operation, government, consolidation and dissolution of such districts" approved June 12, 1933. The provisions of section 4 of said act and of the provisions of Divisions I, II, III and IV thereof are hereby incorporated in this act by reference and shall have the same effect and force as if fully set forth herein.

SEC 4. Whenever the formation of a local hospital district is desired a petition may be presented at a regular meeting of the supervising authority, signed by registered voters residing in the county in which the land or the greater portion of the land in the proposed district is situated, equal in number to at least twenty per cent of the number of votes cast in said county for the office of Governor at the last preceding general election at which a Governor was elected. The number of written protests required to terminate proceedings shall be the same number of registered voters having the same qualifications as for the commencement of proceedings under this act

SEC 5 The elective officers of such a district shall be a board of hospital directors consisting of five members, each of whom shall be a registered voter residing in said district and whose terms shall be four years, with the exception of the first board. The first board of directors shall be elected at the election at which the formation of the district is approved by the electors. Upon their election, the first board so elected shall so classify themselves by lot that two members thereof shall go out of office upon the election and classification of their successors at the first general election after the district is formed, and three members will go out of office upon the election and qualification of their successors at the second general election after the district is formed.

SEC. 6. All registered voters residing within the territory comprising a district organized under this act are qualified electors.

SEC 7. The board of hospital directors shall meet on the first Monday subsequent to thirty days after the completion of organization of the district and shall organize by the election of one of their members as president and one as secretary The members of the board shall serve without compensation except that each shall be allowed his actual necessary traveling and incidental expenses incurred in attending meetings of the board. The board shall provide for the time and place of holding its regular meetings and the manner of calling the same, and shall establish rules for its proceedings and may adopt such rules and regulations not inconsistent with law as may be necessary for the exercise of the powers conferred and the performance of the duties imposed upon the board Special meetings may be called by three directors and notice of the holding thereof shall be mailed to each member at least forty-eight hours before the meeting All of its sessions, whether regular or special, shall be open to the public, and a majority of the members of the board shall constitute a quorum for the transaction of business.

SEC. 8. Each local hospital district shall have and exercise the following powers:

(1) To have and use a corporate seal and alter it at pleasure;

(2) To sue and be sued in all courts and places and in all actions and proceedings whatever;

(3) To purchase, receive, have, take, hold, lease, use and enjoy property of every kind and description, both within and without the limits of the district, and to control, dispose of, convey and encumber the same and create a leasehold interest in same for the benefit of the district;

(4) To exercise the right of eminent domain for the purpose of acquiring real or personal property of every kind necessary to the exercise of any of the powers of the district;

(5) To make and enforce all rules, regulations and by-laws necessary for the administration, government, protection and maintenance of hospitals under their management and all property belonging thereto.

(6) To administer any trust declared or created for such hospitals, and received by gift, devise, or bequest and hold in trust or otherwise, property situated in this State or elsewhere, and where not otherwise provided, dispose of the same for the benefit of such hospitals.

(7) To prescribe the duties and powers of the manager, secretary and other officers and employees of any such hospitals; to determine the number of and appoint

all such officers and employees, and to fix their compensation, which said officers and employees shall hold their offices or positions at the pleasure of said boards.

(8) To purchase all necessary surgical instruments and hospital equipment and equipment for nurses' homes and all other property necessary for equipping a hospital and nurses' home.

(9) To purchase such real property, and erect or rent and equip such buildings or building, room or rooms as may be necessary for such hospital.

(10) To establish a nurses' training school in connection with such hospital, to prescribe a course of study for same and after the completion of same, to provide for the issuance of diplomas to graduate nurses.

(11) To do any and all things which an individual might do which is necessary for and to the advantage of a hospital and a nurses' training school.

(12) To do any and all other acts and things necessary to carry out the provisions of this act

SEC 9 Any district formed hereunder may be financed by assessment on real and personal property within the district.

SEC. 10. Annually, at least fifteen days before the first day of the month in which county taxes are levied, the board of directors of each local hospital district shall furnish to the board of supervisors of the county in which the district or any part thereof is situated an estimate in writing of the amount of money necessary for all purposes required under the provisions of this act during the next ensuing fiscal year Thereupon it shall be the duty of the board of supervisors to levy a special tax upon all taxable property of the county lying within the district sufficient in amount to maintain the district. The tax shall in no case exceed the rate of _____ cents on each one hundred dollars of the assessed valuation of all taxable property within the district, but it may be in addition to all other taxes allowed by law to be levied upon such property. The tax shall be computed, entered upon the tax rolls and collected in the same manner as county taxes are computed, entered and collected. All moneys so collected shall be paid into the county treasury to the credit of the particular local hospital district fund and shall be paid out on the order of the district board, signed by the president and secretary thereof If the district embraces territory lying in more than one county, the amount estimated shall be ratably apportioned among the several counties in the district in proportion to the assessed value of the property in the several counties included within said district as shown upon the last assessment rolls of the said counties, and the estimated apportioned to the several counties shall be rendered to their respective boards of supervisors and the tax shall be levied and collected by the officials of each county upon the property of the district lying therein.

SEC. 11. Whenever it is desired that expenditures be made by the district for the acquisition, construction, maintenance or alteration of work for the purpose of facilitating the carrying out of the purpose of this act in any district, the board of directors thereof may submit to the electors of the district the question of whether or not the additional expenditure shall be made out of the proceeds of a special assessment to be levied in like manner and on the same basis as the regular annual assessment made by the district

An election shall be held to authorize such assessment and may be called by the board of directors of the district in its discretion Such an election must be called upon presentation to the board of directors of a petition requesting the levy of the assessment and specifying the object and purposes for which the proceeds thereof shall be expended Such petition must be signed by electors entitled to cast a number of votes at district elections equal to at least twenty-five per cent vote of the number of votes cast at the last district election

The resolution of the governing body calling an election to decide whether such a special assessment shall be levied, in addition to all other matters required by this act for a resolution calling an election, shall state the amount of the proposed expenditure for which assessment is to be levied, the amount of the assessment which will be levied to raise such amount for expenditure, allowing for a delinquency of fifteen per cent, and the rate of the assessment necessary to raise such amount.

If two-thirds of the votes cast at the election are in favor of the special assessment, the board of directors shall cause the assessment to be levied in like manner as a regular assessment to pay the regular annual expenses of the district.

SEC. 12 Bonds may be issued by a district for the purpose of acquiring, maintaining, constructing or altering work, when, in the opinion of the directors, a special assessment would be inadvisable, and the expenses of such operations will be in excess of an amount which can reasonably be raised by the regular annual assessment for the running expenses of the district.

SEC. 13. An election shall be held to authorize the issuance of any bonds of a district. The board of directors of a district may call such election at its discretion, and it must call such election upon presentation to it of a petition requesting the issuance of bonds, specifying the purpose to which the proceeds are to be applied, and signed by electors of the district entitled to cast votes equal in number to at least twenty-five per cent of the total number of votes of all the electors of the district. The resolution of the board of directors calling a bond election, in addition to all of the matters required by this act for a resolution calling an election, shall

state the amount of the proposed bond issue, the rate of interest thereon, and the maximum date of maturity of the bonds If two-thirds of the votes cast at the bond election are in favor of the issuance of the bonds, the board of directors shall cause bonds to be issued.

SEC. 14 The board of directors of any district issuing bonds shall, prior to the issuance of such bonds, determine by resolution entered on its minutes:

(a) The denomination or denominations of the bonds,

(b) The aggregate par value of the bond issued;

(c) The date or dates of issuance of the bond;

(d) The date or dates of the maturity of the bond, but no bond shall mature more than twenty years after the date of issuance,

(e) The number and numerical sequence of the bonds maturing at each date of maturity;

(f) The annual rate of interest which the bonds shall bear;

(g) The number, numerical sequence, amount and dates of maturity of interest coupons to be attached to the bonds;

(h) The technical form and language of the bonds and of the interest coupons attached thereto.

SEC. 15 Bonds first to mature in each issue shall mature not later than five years from the date of issuance thereof; and those last to mature of each issue shall mature not later than twenty years from the date of issuance thereof.

SEC. 16. The rate of interest to be borne by bonds issued under the authority of this act shall be uniform for all bonds of the same issue, and shall be fixed by the governing body issuing the bonds according to the then prevailing market conditions. The rate of interest shall not exceed a rate of eight per cent per annum. The determination by the governing body of the rate of interest shall be conclusive as to the then prevailing market conditions.

SEC 17 Bonds issued under the authority of this act shall be of a denomination not less than one hundred dollars, nor more than one thousand dollars.

SEC 18. All bonds issued pursuant to this act shall be signed by the presiding officer and attested by the secretary of the board of directors of the district, and shall be valid as to future sale thereafter, regardless of whether at the time of sale the officer so signing is still the incumbent of such office.

SEC. 19. Bonds of any local hospital district the total of the principal amounts of the bonds authorized to be issued but which do not exceed ten per cent of the assessed valuation of all the property in the district as shown by the last equalized county assessment rolls of the county in which the property is located, are legal investments for savings banks, may lawfully be purchased or received in pledge for loans by banks and trust companies, and whenever any money or funds may be invested in bonds of any county, city and county, city or other municipal or corporate body, such money or funds may be invested in bonds of such districts which are such legal investments for savings banks.

SEC. 20 After the bonds have been issued, the governing body may, from time to time, sell bonds in such quantities as may be necessary and most advantageous to raise money for the purposes for which the bonds were issued.

SEC. 21. Such bonds shall be sold at least at par value. Before making any sales, the board of directors of the district shall, by resolution entered on its minutes, declare its intention to sell a specified amount of bonds, and the day, hour, and place of such sale Notice of the sale shall be given by publication, and shall state that sealed proposals for the purchase of bonds will be received by the governing body at its office until the day and hour named in the resolution.

SEC. 22 At the time appointed, the board of directors shall open the proposals, and may sell the bonds or any portion or portions thereof to the highest responsible bidder or bidders Any and all bids may be rejected and no proposal shall be accepted unless accompanied by a certified check or such reasonable percentage of the amount of the bid as shall be determined by the board of directors to apply to the purchase price of the bonds. The amount of such check shall be forfeited if, after the acceptance of the proposal the bidder refuses to accept the bond and to complete his purchase thereof on conditions stated in his bid. In case no award is made the board thereafter may again advertise said bonds or any part thereof for sale.

SEC. 23. Bonds and the interest thereon shall be paid from revenues derived from assessments, as authorized by this act.

SEC. 24 The board of directors of every district the bonds of which are issued, shall include in the annual assessment to pay the expenses of operation of the district a sum sufficient to pay the interest for the period covered by the assessments on all bonds outstanding and in addition a sum which, together with approximately equal amounts each year thereafter until the maturity of the last issue, will be sufficient to make available sufficient moneys to pay the principal of each issue at maturity "

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 598—An act to provide for the revision of the Constitution of this State, including the election of delegates to the convention, the proceedings, powers, duties, and matters incidental to the convention, the submission of the revised Constitution to the people and matters incidental thereto, and making an appropriation therefor.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 880—An act to amend section 726 of the Code of Civil Procedure, relating to foreclosure of mortgages.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1324—An act to amend sections 1, 3, 4 and 5 of an act entitled "An act to reduce the fire hazards of clothes cleaning establishments, providing for the enforcement thereof by the Division of Fire Safety in the Department of Industrial Relations, providing ways and means for enforcement and providing penalties for violations," approved June 3, 1927, relating to clothes cleaning establishments.

Bill read second time, and ordered to third reading.

Assembly Bill No 1426—An act to amend section 3820 of the Political Code, relating to assessor to collect taxes not secured by real property.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1607—An act creating a State Board of Eugenics and defining the powers and duties thereof; and providing for the care, protection, and decrease of the State's defectives, and lowering of the expenses therefor.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2218—An act to amend section 484 of the Penal Code, relating to thefts and fraud.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2219—An act to amend section 1 of an act entitled "An act to require employers to pay the cost of bonds and photographs required of and furnished by employees or applicants for employment," approved April 20, 1917, relating to property as a substitute for a bond

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 2393—An act to be known and cited as the Yacht and Ship Brokers Act, to define yacht and ship brokers and salesmen, to provide for the regulation, supervision and licensing thereof; to create the office of Yacht and Ship Brokers Commissioner; and to provide for the enforcement of said act and penalties for the violation thereof.

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No. 1212—An act to amend section 7 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act, approved June 16, 1913, relating to the regulation of the practice of optometry.

Bill read second time, and ordered to third reading.

Assembly Bill No. 2385—An act to add section 96a to the Penal Code, relating to jurors and court officers and employees exploiting their participation in a trial

Bill read second time, and ordered to third reading.

Assembly Bill No. 183—An act repealing sections 367a, 367b, and 367c of the Political Code, renumbering sections 367d to 367g, inclusive, thereof, to be sections 367q to 367t, inclusive, and adding sections 367a to 367p thereto, relating to the Department of Social Welfare.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1348—An act to amend section 690.10 of the Political Code, relating to rights in and upon swamp, overflowed, marsh, tide and submerged lands.

Bill read second time, and ordered to third reading.

Assembly Bill No. 265—An act to add section 364k to the Political Code, relating to the Division of the Deaf in the Department of Industrial Relations, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1666—An act to amend an act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled "An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof," approved June 5, 1931, and all acts or parts of acts inconsistent with the provisions of this act.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to amend sections 2 and 7 of an act to define motor carrier transportation agent, to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof, and repealing an act entitled "An act to define motor carrier transportation agent, to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof," approved June 5, 1931, and all acts or parts of acts inconsistent with the provisions of this act"

Amendment No. 2.

On page 1, line 1, of the printed bill, after "SECTION 1", insert the following "Section 2 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 2 A motor carrier transportation agent within the meaning of this act is a person who, acting either individually or as an officer, commission agent, or employee of a corporation, or as a member of a copartnership, or as a commission agent or employee of another person or persons, sells or offers for sale, or negotiates for or holds himself out as one who sells, furnishes or provides, transportation over the public highways of this State when such transportation is furnished, or offered or proposed to be furnished, by a motor carrier as defined in this act

A motor carrier within the meaning of this act is any person, firm, or corporation, their lessees, trustees, receivers or trustees appointed by any court whatsoever, transporting, or offering or proposing to transport, as a common carrier or otherwise, persons for compensation over the public highways of the State of California, or any portion thereof.

This act shall not apply to the carriage, or proposed carriage, of any person, or persons, when no compensation for such carriage is paid, or offered or proposed to be paid, or requested or required to be paid, by, or on behalf of, a person, or persons,

transported, or to be transported; nor to those engaged solely in the carriage or transportation to and from work, of employees engaged in farm work on any farm of the State of California, nor to those engaged solely in the carriage or transportation to and from work of employees of any nonprofit cooperative association organized pursuant to any of the laws of the State of California; nor to movements of persons wholly within the corporate limits of a single municipality; nor to transportation over a route wholly or partly within a National park where such transportation is sold in conjunction with or as a part of a rail trip; provided, however, that the transportation of persons whereby there is paid, or requested or required to be paid, by, or on behalf of, the person, or persons, transported, a portion of the expense incurred in course of such transportation, shall be deemed transportation provided by a motor carrier within the meaning of this act.

The provisions of this act shall apply regardless of whether such transportation so sold, or offered to be sold, is interstate or intrastate

SEC. 2. Section 7 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 7. The fees for licenses, and each renewal thereof, shall be one dollar ($1) per year, or fraction thereof. All applications for licenses shall be accompanied by the fee as herein provided and all licenses, subject to the provisions for renewal, which the Railroad Commission shall prescribe, shall expire on December 31st of each year"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 607—An act relating to the holding of the Pacific Exposition and the San Francisco Bay Exposition in California, providing for the issuance and sale of State bonds to be known as "California exposition bonds," providing for the payment and retirement of said bonds, providing for and creating funds for the carrying out of the purposes of this act, authorizing the expenditure of moneys in said funds for such purposes, creating two commissions, one to be known as the "Pacific Exposition Commission" and the other to be known as "San Francisco Bay Exposition Commission," creating an interest and sinking fund for the payment of interest on said bonds and the redemption of the same, and making appropriation therefor, making an appropriation of two thousand dollars for the expense of printing, lithographing and selling said bonds, designating the name by which this act shall be known and fixing the time at which this act shall be and become effective.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 18, line 39, of the printed bill, as amended, strike out the comma and "and there-", and insert in lieu thereof a semicolon.

Amendment No. 2.

On page 18 of the printed bill, as amended, strike out lines 40 and 41, and insert in lieu thereof the following: "to provide facilities".

Amendment No. 3.

On page 20, line 15, of the printed bill, as amended, after "California", insert a comma and the following: "first, twenty-five per cent (25%) of the gross gate receipts received by said corporation prior to the opening of said exposition and for a period of twelve months thereafter, and second, in the event that the said twenty-five per cent (25%) shall not have retired the bonds sold by said commission then".

Amendment No. 4.

On page 20, line 18, of the printed bill, as amended, strike out "all", and insert in lieu thereof the following: "said".

Amendment No. 5.

On page 20, line 19, of the printed bill, as amended, strike out the comma, and insert in lieu thereof the following: "and all costs incident to the issuance, sale and redemption of said bonds,".

Amendment No. 6.

On page 20, line 24, of the printed bill, as amended, strike out the period, and insert in lieu thereof a comma and the following: "provided, however, that as soon as there shall have been paid to the State of California an amount sufficient to pay and retire all bonds sold by said commission under the provisions of this act and all costs incident to the issuance, sale and redemption of said bonds, said obligation to pay said sums shall cease and determine All fees or charges received for admission to said exposition, including advance sales and other sales of the privilege of admission in whatsoever form, shall constitute the gross gate receipts of said corporation within the meaning of this paragraph."

Amendment No. 7.

On page 20, line 25, of the printed bill, as amended, strike out "and contemplated by this act".

Amendment No. 8.

On page 21, line 16, of the printed bill, as amended, after "California", insert a comma and the following: "first, twenty-five per cent (25%) of the gross gate receipts received by said corporation prior to the opening of said exposition and for a period of twelve months thereafter, and, second, in the event that the said twenty-five per cent (25%) shall not have retired the bonds sold by said commission then".

Amendment No. 9.

On page 21, line 19, of the printed bill, as amended, strike out "all", and insert in lieu thereof the following: "said".

Amendment No. 10.

On page 21, line 20, of the printed bill, as amended, strike out the comma, and insert in lieu thereof the following: "and all costs incident to the issuance, sale and redemption of said bonds,".

Amendment No. 11.

On page 21, line 25, of the printed bill, as amended, strike out the period, and insert in lieu thereof a comma and the following: "provided, however, that as soon as there shall have been paid to the State of California an amount sufficient to pay and retire all bonds sold by said commission under the provisions of this act and all costs incident to the issuance, sale and redemption of said bonds, said obligation to pay said sums shall cease and determine. All fees or charges received for admission to said exposition, including advance sales and other sales of the privilege of admission in whatsoever form, shall constitute the gross gate receipts of said corporation within the meaning of this provision."

Amendment No. 12.

On page 21 of the printed bill, as amended, strike out line 26, and insert in lieu thereof the following: "referred to is San Francisco Bay Exposition Corporation,".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 937—An act to amend section 400 of the Vehicle Code, relating to liability of State and governmental agencies arising out of ownership of motor vehicles.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, as amended, immediately following line 25, insert the following:

"SEC. 2. Causes or rights of action arising prior to the date this act takes effect shall not be limited or otherwise affected by the provisions of this act"

Amendment adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No 2087—An act amending the Code of Civil Procedure, relating to the qualification of judges.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "amending", and insert in lieu thereof the following: "to add section 171b to".

Amendment No. 2.

On page 1, line 1, of the printed bill, after "SECTION 1.", insert the following: "Section 171b is hereby added to the Code of Civil Procedure to read as follows:

171b No person may hold or occupy either by appointment or election the position of judge or justice of any court in this State who has been disbarred from the practice of law in this or any other State in the United States or in any other country and who has not been readmitted to practice law in this State before his appointment or election to such office."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 2173—An act relating to the escheat to the State of California unclaimed moneys deposited with public utilities, and providing for the collection, use and disposition thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 3, line 3, of the printed bill, strike out "and thereupon become a part of", and add a period

Amendment No. 2.

On page 3 of the printed bill, strike out lines 4 to 14, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, re-re-engrossment, and third reading

Assembly Bill No. 1794—An act to amend the title of, and to amend, an act entitled "An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same, reenacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the 'Water Conservation Act of 1929,' and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred" (Chapter 1020, Statutes of 1931), to repeal sections 51 to 54 inclusive, and to add new sections to be numbered 51 to 80 inclusive, relating to exclusion of lands from water conservation districts and to improvement districts within water conservation districts (Chapter 906, Statutes of 1933).

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the comma after the word "of", and strike out the following: "and to amend,".

Amendment No. 2.

On page 1 of the printed bill, in the last line of the title, add quotation marks after the word "districts".

Amendment No. 3.

On page 1 of the printed bill, in the last line of the title, strike out the period after the figures "1933", and insert in lieu thereof a comma and the following: "to amend sections 18, 36 and 53 of said act and to add a new section to said act to be known as section 36a relating to revenue bonds"

Amendment No. 4.

On page 2 of the printed bill, following line 4, insert the following:

"SEC. 2. Section 18 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 18. The board of directors shall hold regular meetings in their office on the first Tuesday in March, June, September and December, and such special meetings as may be required for the proper transaction of business. Special meetings may be ordered by the president or by a majority of the members of the board, specifying in writing the business to be transacted, which call for such special meeting shall be entered in the minutes of the board. Three days' notice to any member not joining in the order must be given by the secretary, by mailing same to him at his last address, and only the business specified in the order must be transacted at such special meeting. All meetings of the board must be public, and a majority of members shall constitute a quorum for the transaction of business. A minute of all proceedings of the board shall be kept by the secretary, and all records of the board shall be open to public inspection during business hours. The board of directors shall, on the first Tuesday in September of each year, or at such other date as the board of directors by resolution may designate, make and render a verified statement of the financial condition of the district, showing particularly the receipts and disbursements of the last preceding year, together with the source of such receipts and purpose of such disbursements. Such statement shall be placed on file in the office of the district and be open to public inspection during office hours"

Amendment No. 5.

On page 2 of the printed bill, following the preceding amendment, and preceding line 5, add the following:

"SEC. 3. Section 36 of the act cited in the title hereof is hereby amended to read as follows

Sec. 36. The district may incur a bonded indebtedness for any purpose for which the board of directors is authorized to expend the funds of the district in the manner in this act set forth.

The board of directors, whenever the interest of the district shall require, may cause a report to be made to the effect that the acquisition of certain property or works or the construction of such works is convenient or necessary to serve or fulfill the purpose for which the district exists and that the cost of such property or works can not be paid for out of the annual revenue of the district. Such report shall be in such detail and be accompanied by such exhibits as will disclose the purpose sought to be accomplished and the means to be employed therefor. Such report shall be printed in convenient form for distribution to the electors of the district.

After the printing of said report the board of directors by resolution adopted by a majority of the members of the board may call an election to be held in the district for the purpose of authorizing the incurring of a bonded indebtedness by the district. Such resolution shall specify the purpose for which the indebtedness is to be incurred, the amount of bonds which it is proposed shall be issued, the maximum rate of interest such bonds shall bear, and the number of years, not exceeding twenty-five, the whole or any part of said bonds are to run until maturity. It shall further provide for submitting the question of the incurring of such indebtedness to the qualified electors of the district at an election called for that purpose, and the words to appear upon the ballot shall be "Bonds—Yes," and "Bonds—No," or words of similar import, together with a general statement of the amount and purpose of the bonds to be issued. Several propositions may be submitted at the same election. None but qualified electors of the district shall be permitted to vote at such election.

A notice shall be given of such election by publication in a newspaper of general circulation published in the district once a week for at least three weeks if published in a weekly or semiweekly newspaper or for at least ten days if published in a daily newspaper and the first publication shall be at least thirty days prior to the day fixed for the election.

Such notice shall state the time and place for holding the election, the names or numbers of the election precincts, which may be the general election precincts established by the board of supervisors for general State or county elections, or a consolidation of such precincts, or such other special precincts for the purpose of such bond election as the board of directors of such water conservation district may designate and establish, the location of the polling places and the names of the election officers appointed to conduct such election. Such notice shall also state the amount of the debt that it is proposed to incur, a brief statement of the purpose thereof and refer to the report hereinbefore provided to be made for further particulars, the num-

ber of years the bonds or any part thereof are to run before the maturity thereof and the maximum rate of interest such bonds shall bear

The manner of holding and conducting such election, the selection of officers to conduct the same, the designation of precincts and polling places, the preparation of ballots and the receipt, counting and return of the same, and the canvassing and determining the results thereof shall be as provided for the election of directors as provided in this act as nearly as practicable, and in particulars not so provided shall be in accordance with the general laws of the State relative to elections whereat propositions are submitted and voted upon. In the event that such election has been fairly held and conducted, no informality nor omission to perform a prescribed duty shall be held to invalidate or affect the legality of any bonded debt authorized to be incurred.

If two-thirds of the votes cast upon the proposition shall have been marked and counted "Bonds—Yes" or appear to favor the proposition submitted, then such proposition shall be deemed to have been accepted by the voters and to authorize the incurring of a bonded debt and the issuance of bonds therefor to the amount of and for the purpose stated in the proposition

Thereafter the board of directors of the district may issue the bonds of the district for the whole or for any part of the amount of the indebtedness so authorized, and may, from time to time, provide for the issuance of such amounts as the necessity therefor shall appear, until the full amount of such bonds authorized shall have been issued Each separate issue shall be given a serial number or letter.

The board of directors shall, by a resolution adopted by a majority of its members, prescribe the form of the bonds and the form of the coupons attached thereto and fix the time when the whole or any part of the principal shall become due and payable. The payment of the first installment may be deferred for a period not longer than five years from the date of the bond, and not less than four per cent of the principal sum shall be paid each year at and following the date when the first installment becomes due and payable The bonds shall bear interest at a rate not exceeding six per centum per annum, payable semiannually.

The denomination of the bonds shall be stated in the resolution providing for their issuance, but shall not be less than one hundred nor more than one thousand dollars. The principal and interest shall be payable in gold coin of the United States at the office of the treasurer of the county or such other place as may be designated or at either place at the option of the holder of the bond

The bonds shall be dated numbered consecutively, and be signed by the president of the district and attested by the secretary with the official seal of the district. The interest coupons shall bear the actual or facsimile signature of the president of the district.

The bonds as the same shall be issued may be sold at such times and in such amounts as the board of directors shall deem expedient, after a notice inviting bids therefor shall have been given by publication in a newspaper of general circulation published in the district for a period of at least ten days prior to such sale. A certified check payable to the district for at least five per cent of the amount of the bonds offered shall accompany each bid conditioned that the bidder will accept and pay for the bonds bid for if awarded to him, otherwise such check shall be forfeited to the district and the amount thereof paid into the treasury In case no bids are received the bonds offered may be sold at private sale.

The proceeds arising from the sale of bonds shall be paid into the treasury of the district and placed to the credit of a special fund and expended only for the purpose for which the indebtedness was created.

It shall be the duty of the board of supervisors of the county or counties within which the district is situated to provide for the levy and collection of an assessment tax upon the lands within the district as in this act provided sufficient and in season to pay any installment of principal and all interest on the bonds that may become due during the year following the levy of such assessment tax

At any time the board of directors may apply to the commission authorized by law to approve bonds of irrigation and other districts for certification as legal investments for savings banks or for other purposes specified in the act creating such commission to approve or certify the bonds of such water conservation district Said commission may require such investigation and procedure as is specified in said act, or may, in its discretion, make such other investigation as it shall deem sufficient When such certification shall have been given the bonds of the water conservation district shall be acceptable for investment and surety purposes to the same extend as are county or municipal bonds"

Amendment No. 6.

On page 2 of the printed bill, following the preceding amendment, and preceding line 5, add the following:

"SEC. 4. A new section is hereby added to the act cited in the title hereof to be numbered section 36a and to read as follows

Sec 36a Whenever, in the judgment of the board of directors, it appears to be to the interest of the district to acquire any existing properties, works or system for the conservation, storage, distribution or sale of water, which yields or produces income or revenue, said board may, in addition to the acquisition and payment there-

for from the proceeds of bonds authorized and issued under other provisions of this act, forthwith proceed to acquire the same, or to construct such properties, works or system, and may, for the purpose of defraying the cost thereof, issue its certificates, bonds or debentures payable out of the income and revenue of the property so acquired or from any extension that may be made thereto. To that end and for the purpose of carrying out the provisions of this section, districts organized under this act, and the boards of directors thereof, may avail themselves of and utilize the provisions of any statutes of this State now in effect or hereafter to be enacted; provided, that if such certificates, bonds or debentures are issued payable only out of such revenue, the issuance of the same shall be authorized by a majority of all votes cast at an election called by said board of directors for the purpose of authorizing the issuance of such certificates, bonds or debentures; provided further, that if bonds are to be issued payable from taxes or assessments against the lands of said district, the same shall be authorized by a two-thirds vote of all votes cast at an election called by said board of directors for the purpose of authorizing the issuance of such general obligation bonds."

Amendment No. 7.

On page 2, line 5, of the printed bill, strike out the figure "2", after the word "Sec.", and insert in lieu thereof the figure "5".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2382—An act to regulate the practice of structural pest control; to create the Structural Pest Control Board; to provide for the registration and licensing of persons engaged in such practice, and for the protection of the public in the practice of structural pest control

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 5, section 1, of the printed bill, as amended April 24, 1935, after the word "infest", insert the words: "or damage."

Amendment No. 2.

On page 1, line 5, section 1, of the printed bill, as amended, strike out the word "damage", and insert the word: "other."

Amendment No. 3.

On page 5 of the printed bill, between lines 8 and 9, insert the following:

"(12) Failure to comply in the sale or use of insecticides or fungicides with the provisions of Article 3, Chapter 7, Division V of the Agricultural Code."

Amendments adopted.

Bill read second time, ordered to reprint, re-re-engrossment, and third reading.

Assembly Bill No. 2208—An act requiring marine architects to be certified as such, specifying qualifications, rules and regulations therefor, creating a board, establishing a fund, and providing penalties.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out lines 13 to 16, inclusive.

Amendment No. 2.

On page 2, line 17, of the printed bill, as amended, strike out "8", and insert in lieu thereof the following: "7".

Amendment No. 3.

On page 2, line 20, of the printed bill, as amended, strike out "9", and insert in lieu thereof the following: "8".

Amendment No. 4.

On page 2, line 33, of the printed bill, as amended, strike out "10", and insert in lieu thereof the following: "9".

Amendment No. 5.

On page 2, line 39, of the printed bill, as amended, strike out "11", and insert in lieu thereof the following: "10".

Amendment No. 6.

On page 2, line 44, of the printed bill, as amended, strike out "12", and insert in lieu thereof the following: "11".

Amendment No. 7.

On page 2, line 46, of the printed bill, as amended, strike out "13", and insert in lieu thereof the following: "12".

Amendment No. 8.

On page 2, line 50, of the printed bill, as amended, strike out "14", and insert in lieu thereof the following "13".

Amendment No. 9.

On page 3, line 13, of the printed bill, as amended, strike out "15", and insert in lieu thereof the following: "14".

Amendment No. 10.

On page 3, line 24, of the printed bill, as amended, strike out "16", and insert in lieu thereof the following: "15".

Amendment No. 11.

On page 4, line 3, of the printed bill, as amended, strike out "17", and insert in lieu thereof the following: "16".

Amendment No. 12.

On page 4, line 9, of the printed bill, as amended, strike out "18", and insert in lieu thereof the following: "17".

Amendment No. 13.

On page 4, line 18, of the printed bill, as amended, strike out "19", and insert in lieu thereof the following: "18".

Amendment No. 14.

On page 4, line 25, of the printed bill, as amended, strike out "20", and insert in lieu thereof the following "19".

Amendment No. 15.

On page 4, line 28, of the printed bill, as amended, strike out "21", and insert in lieu thereof the following: "20"

Amendment No. 16.

On page 4, line 35, of the printed bill, as amended, strike out "22", and insert in lieu thereof the following: "21".

Amendment No. 17.

On page 4, line 49, of the printed bill, as amended, strike out "23", and insert in lieu thereof the following: "22".

Amendment No. 18.

On page 5, line 1, of the printed bill, as amended, strike out "24", and insert in lieu thereof the following: "23".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No 2146—An act to provide for the payment of rewards to persons who supply the State with information enabling it to recover lands or interests therein, owned by the State, or the issues and profits thereof, or the value of oil and gas or minerals reserved to the State, where such lands or interests therein, or oil and gas or minerals are illegally, fraudulently or adversely held or claimed by another; creating a land fraud recovery fund; and making an appropriation for the payment of such rewards.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out line 8 of the title beginning with the word "and", and strike out all of line 9 of the title.

Amendment No. 2.

On page 3 of the printed bill, strike out all of section 14

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 313—An act to add section 444.5 to the Political Code, relating to the transfers of money from one fund to another in the State treasury, and providing that this act shall take effect immediately.

Bill read second time, ordered to third reading.

Second Reading of Senate Bills.

Senate Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to section 1 of Article IV of the Constitution of said State, relating to amendments to initiative acts and initiative constitutional amendments.

Committee Amendments.

During reading of Senate Constitutional Amendment No. 8, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed measure, as amended, strike out line 3 of the title, and insert in lieu thereof the following "of the Constitution of said State, by adding section 1c to Article IV thereof,".

Amendment No. 2.

On page 1, line 4 of the title of the printed measure, as amended, strike out "and initiative", and strike out line 5, and insert in lieu thereof a period.

Amendment No. 3.

On page 1, line 6, of the printed measure, as amended, strike out "1 of", and insert in lieu thereof the following: "1c be added to".

Amendment No. 4.

On page 1, line 7, of the printed measure, as amended, strike out "be amended".

Amendment No. 5.

On page 1 of the printed measure, as amended, strike out lines 9 to 27, inclusive, and strike out all of page 2, and on page 3, strike out lines 1 to 34, inclusive.

Amendment No. 6.

On page 3, line 39, of the printed measure, as amended, strike out "but any", and insert in lieu thereof the following: "Sec 1c. Any".

Amendment No. 7.

On page 3 of the printed measure, as amended, strike out line 40, and insert in lieu thereof the following: "act or law adopted by the people at the polls under the initiative provisions of this Constitution may be proposed by concurrent resolution in the Senate or Assembly".

Amendment No. 8.

On page 3, line 43, of the printed measure, as amended, strike out "entered in their journals and it", and strike out line 44, and in line 45, strike out "amendment or amendments", and insert in lieu thereof the following "submitted to a vote of the electors".

Amendment No. 9.

On page 3 of the printed measure, as amended, strike out line 46, and insert in lieu thereof the following: "as may be provided in said resolution."

Amendment No. 10.

On page 3 of the printed measure, as amended, strike out lines 47 to 52, inclusive, and strike out all of pages 4, 5 and 6.

Amendments adopted.

Senate Constitutional Amendment No. 8 read, ordered to reprint, and on file for adoption.

Senate Bill No. 1007—An act to amend section 994 of and to add sections 995, 996, 997 and 998 to the Agricultural Code, relating to capri figs and their diseases, the elimination of fig endosepsis, and authorizing boards of supervisors to accept donations for the enforcement of the provisions of said sections.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 443—An act to add a new section to the Political Code to be numbered 3720, relating to the filing by county clerks with county assessors and the State Board of Equalization of certifications of new districts and changes in the boundaries of existing districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No 219—An act to amend section 94 of the Agricultural Code, relating to citrus fairs.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 297—An act to add a new section to an act entitled, An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act, approved June 16, 1913, as amended, relating to persons seeking nomination.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 116—An act to amend section 1125 of the Code of Civil Procedure, relating to costs in election contests.

Bill read second time, and ordered on file for third reading

Senate Bill No. 546—An act to amend sections 1104, 1108, 1143, 1144, 1146 and 1147 of Chapter 8 of Division V of the Agricultural Code, relating to the administration of standards for eggs and egg products.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "1108", strike out the comma and "1143, 1144, 1146".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No 306—An act to amend section 1111 of the Code of Civil Procedure, relating to contest of elections.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 16, of the printed bill, after "board", insert the following "in conducting the election or".

Amendment No. 2.

On page 1 of the printed bill, strike out line 17, and insert in lieu thereof the following: "returns, sufficient to change the result of the election as to such person."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 156—An act to amend section 4041f of the Political Code of the State of California, relating to leasing and subleasing of veterans' buildings.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, as amended, strike out "4041f of the Political Code of the State of California", and insert in lieu thereof the following: "1262 of the Military Code".

Amendment No. 2.

On page 1, lines 1 and 2, of the printed bill, as amended, strike out "4041f of the Political Code of the State of California", and insert in lieu thereof the following: "1262 of the Military Code".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 3 to 23, inclusive, and on page 2, strike out lines 1 to 26, inclusive, and insert in lieu thereof the following:

"1262. Any county may provide and maintain buildings, memorial halls, meeting places, memorial parks or recreation centers for the use or benefit of veterans' associations. For these purposes the board of supervisors of any county may

(a) Purchase, receive by donation, condemn, lease, or acquire real or personal property necessary for such buildings, memorial parks, or recreation centers, and improve, preserve, manage, and control the same

(b) Purchase, construct, lease, furnish, or repair such buildings, and provide custodians, employees, attendants, and supplies for the proper maintenance thereof.

(c) Clear, grade, plant, irrigate, fence, and improve such memorial parks, or recreation centers, and improve, preserve, employees, attendants, and supplies for the proper maintenance thereof.

(d) Furnish sites for such buildings to be built by or for such organizations, and furnish sites for the erection thereon of such buildings, the funds for which are supplied by county authorities or from other sources. Any part or portion of any public lot, block, or park may be used for such purpose

(e) Levy in any year a special tax not to exceed one and one-half mills on each dollar of assessed valuation on all the taxable property in the county, in addition to all other taxes, and the fund so created to be expended for the purposes hereof

(f) Establish a fund for the purposes hereof, and transfer from the general fund to such fund such moneys as the board deems necessary.

(g) Incur, in the manner provided by law, a bonded indebtedness on behalf of the county for any of the purposes hereof.

(h) Join with any incorporated city in the county in the accomplishment of the above purposes and to that end hold jointly with such city all property acquired, and expend money in conjunction with such city in accomplishing the above purposes.

(i) Lease for not less than the sum of one dollar ($1.00)".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No 606—An act to amend section 26 of the Public Utilities Act, relating to foreign corporations which may transact public utility business.

Bill read second time, and ordered on file for third reading

Senate Bill No. 1087—An act to amend section 870 of the Agricultural Code, relating to the standardization of canned foods.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 697—An act to amend section 2 of the "Sacramento and San Joaquin Drainage District Refunding Act," approved May 26, 1927, as amended, relating to the operation and maintenance of certain units or portions of the flood control work within the Sacramento and San Joaquin Drainage District.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 320—An act to amend section 11 of and to add a new section to be numbered section 12 to an act entitled "An act to define the boundary, provide for the care, strengthening and repairing of levees, and the payment of the indebtedness of Levee District Number One of Sutter County," approved March 20, 1874, relating to the compensation and powers of officers of said district.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 315—An act relating to a contract by the Department of Finance, concerning the waters of Rector Creek.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 432—An act to amend section 859 of the Civil Code, relating to trusts

Bill read second time, and ordered on file for third reading.

Senate Bill No. 821—An act to amend section 605 of the Probate Code, relating to appointment of appraisers

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee

Amendment No. 1.

On page 1, line 5, of the printed bill, as amended, immediately following "or", insert the following: ", upon the request of the executor or administrator or of any person interested in the estate,".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 552—An act to amend section 4220 and add sections 4220a and 4220b of the Political Code, relating to duties of county surveyors, declaring the urgency thereof and providing the same shall take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out all of line 1 after the word "to", and strike out lines 2, 3 and 4 of the title, and insert in lieu thereof the following: "add sections 980, 981, 1029 and 1030 to the Streets

and Highways Code, relating to powers and duties of county boards of supervisors with respect to county highways"

Amendment No. 2.

On page 1, line 1, of the printed bill, as amended, strike out all of line 1 after the figure "1", and strike out all of lines 2 to 21, inclusive.

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out all of lines 1 to 42, inclusive, and insert in lieu thereof the following: "Section 980 is hereby added to Division II Chapter 2 of the Streets and Highways Code, to read as follows:

980 The board of supervisors shall cause to be prepared, either by the county surveyor or by the county planning commission or by some other qualified person selected by the board of supervisors, a classification of all publicly owned roads and highways, but not including State highways in the county. Such classification shall include mileage, character of improvement and traffic density. Such classification shall be corrected annually

SEC 2. Section 981 is hereby added to Division II, Chapter 2 of the Streets and Highways Code, to read as follows:

981 The board of supervisors shall annually cause to be prepared by the county surveyor or by such other qualified person a statement, setting forth requirements for new construction, reconstruction or maintenance of the county road system This statement shall be based on requirements of the county as a whole. This statement shall be in numerically itemized form, and each item shall be inclusive of all expenses entering into the item, including labor, materials, equipment rental, costs of rights of way, damage and all other incidental items. This statement shall be made a part of the statement of new road and bridge construction and grade separation, required to be submitted by the county board of supervisors to the county auditor under the provisions of section 3714 of the Political Code.

SEC 3 Section 1029 is hereby added to Division II, Chapter 3 of the Streets and Highways Code to read as follows

1029. The board of supervisors of any county at their option may appoint the county surveyor or other person qualified in road construction to act as road commissioner of and for any or all road districts in the county. The board of supervisors may consolidate the existing road districts into one road district which shall comprise all of the territory lying within the county excepting incorporated areas The duties of the road commissioner shall be those outlined in sections 1021 and 1024 of this code

In counties having such a road commissioner, he shall perform the duties prescribed in sections 980 and 981 of this code. In the event that such road district consolidation is effected, it shall be without prejudice to the legal requirement that all supervisorial road district taxes collected in any one such district shall be expended in that district

SEC 4. Section 1030 is hereby added to Division II, Chapter 3 of the Streets and Highways Code, to read as follows:

1030 The board of supervisors shall fix the salary or compensation of such a road commissioner, and may appoint such deputies, assistants and employees as such road commissioner shall nominate, at salaries or rates of compensation to be fixed by the board of supervisors Such road commissioner shall file with the county clerk a bond with sufficient sureties in such sum as may be required by the board of supervisors for the faithful and proper discharge of his duties as such road commissioner"

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No 384—An act to add section 133 to the Civil Code, relating to entry of final judgment in divorce cases

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, as amended on March 28, 1935, after the word "been", insert the following: 'signed,"

Amendment No. 2.

On page 1, line 9, of the printed bill, as amended on March 28, 1935, after the words "to be", insert the following: "signed,".

Amendments adopted

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 874—An act to add a new article to the Agricultural Code, to be numbered Article 5, Chapter 1, Division 3, relating to horse, mule and burro marks and brands.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, strike out the words "mule and burro marks and brands", and insert in lieu the following: "mule, burro and sheep marks and brands".

Amendment No. 2.

On page 1, line 4, of the printed bill, strike out "Horse, Mule and Burro Marks and Brands", and insert in lieu "Horse, Mule, Burro and Sheep Marks and Brands"

Amendment No. 3.

On page 1 of the printed bill, commencing at line 5, strike out all of lines 5 to 27, inclusive, and strike out all of pages 2, 3, 4, 5, 6 and 7, and insert in lieu the following:

"380.50. The director shall enforce this article and make such rules and regulations as may be necessary therefor.

380.51. Any owner of horses, mules, burros or sheep within this State may record with the director a brand to be used by such owner in branding horses, mules, burros or sheep. No brand shall be recorded which is identical with or similar to any brand previously recorded except upon permission of the director.

380.52. Two dollars shall be paid the director for the recordation of any brand from the time of recording until the first day of the following January. For each successive year, the owner shall pay one and one-half dollars annually to the director for renewal of such recordation.

380.53. No person shall operate an establishment in this State for the purpose of slaughtering horses, mules or burros unless he has procured from the director a license to carry on such business, and executed a bond to the State in the sum of one thousand dollars, to be approved by the director, conditioned that such person shall not slaughter, sell or expose for sale any horses, mules or burros, or the meat thereof, without first being the owner thereof, or being authorized to do so by the owner, and that in case he shall slaughter any horses, mules or burros without being the owner or so authorized by the owner, he shall, in addition to all other statutory penalties, pay therefor double the value of such animal. All amounts recovered on said bonds shall be paid as follows: one-half to the owner of such animal and the remaining one-half to the Department of Agriculture fund to be used for the purpose of carrying out this article.

380.54. The director shall grant to every applicant who complies with the provisions of this article and the rules and regulations promulgated for its enforcement, a license to operate such establishment for the balance of the current calendar year. Said applicant shall pay to the director for such license an annual fee of twenty-five dollars. Such license shall be renewed on or before the first day of each succeeding year.

380.55. The director may inspect horses, mules or burros at the place of slaughter prior to slaughter.

380.56. Every licensed slaughterer of horses, mules or burros shall keep on file in his office for ninety days after slaughter, the original bill of sale of such animals, purchased and slaughtered by him.

380.57. Every licensed slaughterer of horses, mules or burros shall at the end of each calendar month mail to the director a written report stating the total number of horses, mules or burros slaughtered during the preceding month, showing the number of horses, mules or burros, the number slaughtered on each date; from whom purchased; the date of purchasing; and the brands on branded horses, mules or burros.

380.58. The director may revoke a license for a wilful violation of any of the provisions of this article, after notice to the interested party and a hearing, and a

license so revoked shall not be reissued except upon the payment of a renewal fee of twenty-five dollars.

380.59. No person shall sell, give away, deliver, transport, buy, accept or receive the hide of any branded horse, mule or burro within thirty days after the same has been removed, unless such hide shall have been inspected and released by the director

380.60. No person shall buy or sell a horse, mule, burro or sheep, the carcass of any such animal from which the hide or skin has not been removed, or the hide or skin thereof, unless the seller give, and the buyer receive, at the time of delivery of such animal, carcass or hide, a written bill of sale, giving the number, kind and brand or brand and marks of each such hide, skin, carcass or animal, signed by the party giving the same and two subscribing witnesses who have been freeholders of the county for at least two years. No witness shall be necessary if each of the parties is known to the other to have been freeholders of the county for at least two years immediately preceding the date of sale.

380.61. It is unlawful for any person who buys horses, mules or burros for transportation for sale or slaughter, to receive the same for transportation or to transport the same, without having first procured from the director a license to do so. Any applicant for such license shall file with the director a written application stating his name, present address and addresses for the preceding three years, the county or counties in which he proposes to carry on said business, and the certificate of two reputable citizens who have been residents for at least two years of the county in which the applicant resides, certifying to the good moral character of the applicant. The director shall receive for issuing such license a fee of twelve dollars per year, payable quarterly in advance. Every person holding such a license must on or before the tenth day of each month file with the director a statement showing from whom he purchased horses, mules or burros, where he received them, to whom he sold them to whom and when he delivered them, and a general description showing the brands and marks, or natural marks on, and the age, weight, sex, color of such animals

380.62. Any agent of the department, or any peace officer, may stop any truck which is transporting horses, mules, burros or sheep, carcasses of the same with hides or skins on, or the hides or skins thereof on any public thoroughfare, for the purpose of making an investigation and take possession of horses, mules, burros or sheep, carcasses of the same with hides or skins on, or hides or skins being transported and hold the same for thirty days pending an investigation. Any expense incurred thereby shall be paid by the owner The cost of caring for such property so held shall be a lien upon the property. Such lien may be enforced in the manner prescribed in section 3052 of the Civil Code.

380.63. The director at least once each month, shall report to the State Controller the total amount of moneys collected for fees, penalties, judgments or otherwise, and at the same time shall pay into the State treasury the entire amount of such receipts, which shall be credited to the Department of Agriculture fund and expended in carrying out the provisions of this article.

380.64. A civil action may be brought by the director to recover any fee, penalty or other money that may become due under this article."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No 230—An act to add a new article to Chapter II of Part I of Division II of the School Code, to be known as Article X, relating to the inclusion of Indian reservations of the United States Government in elementary school districts.

Bill read second time, and ordered on file for third reading

Unfinished Business.

Reconsideration of Assembly Bill No. 1606.

Assembly Bill No 1606—An act to amend section 8 of and to add section 8a to the Sewer Revenue Bond Act, relating to acquisition and operation of sewerage disposal works.

In compliance with his notice given on a previous day, Mr. Latham moved that the vote whereby Assembly Bill No. 1606 was passed be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Anderson, Boyle, Chatters, Clark, Corwin, Cunningham, DeLap, Donnelly, Evans, Herbert J., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover,

Hawkins, Johnson, Latham, Laughlin, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Morgan, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Stream, Wagner, Wallace, Waters, Wright, and Mr. Speaker—41.

NOES—None.

Assembly Bill No. 1606 ordered on file for third reading.

Reconsideration of Assembly Bill No. 1782 Waived.

Miss Miller waived her notice to reconsider the vote whereby Assembly Bill No. 1782 was passed.

Assembly Bill No. 1782 ordered transmitted to the Senate.

Consideration of Senate Amendments to Assembly Bill No. 947.

Assembly Bill No. 947—An act to amend Chapter 763, Statutes of 1929, approved June 10, 1929, as amended by Chapter 401, Statutes of 1931, approved May 25, 1931, and as amended by Chapter 10, Statutes of 1933, approved January 26, 1933, entitled and known and cited as "California Toll Bridge Authority Act," by amending the title thereof and by amending sections 2, 9, 11, 14, 16, 20 and 22½, and by adding thereto new sections numbered 4½, 5½, 5¾, 8½, 8¾, 9½, 9¾, 12½, 13¾, 16¼ and 16½, relating to and prescribing additional duties, powers and limitations regarding the construction and financing of toll bridges; and providing for the acquisition, construction, financing and operation of transportation facilities thereof and thereto; and providing that this act become effective immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 947?

Amendment No. 1.

On page 5, line 47, of the printed bill, after the word "able", strike out the word "or", and insert in lieu thereof a comma.

Amendment No. 2.

On page 5, line 47, of the printed bill, after the word "necessary", insert the following: "or convenient".

Amendment No. 3.

On page 6, line 46, of the printed bill, strike out the word "or", following the word "advisable", and insert in lieu thereof a comma.

Amendment No. 4.

On page 6, line 46, of the printed bill, after the word "necessary", insert the following: "or convenient".

Amendment No. 5.

On page 10 of the printed bill, strike out the comma after the word "dedicated", and insert in lieu thereof a period; and strike out everything beginning with the word "except", in line 46, to and including the period after the word "use", in line 1, on page 11.

Amendment No. 6.

On page 12, line 28, of the printed bill, after the word "use", strike out the period and the word "It", and insert in lieu thereof the following: ", it".

Amendment No. 7.

On page 19, line 28, of the printed bill, strike out the word "and", following the word "thereto", and insert in lieu thereof the word "or".

The roll was called.

Notice of Reconsideration of Assembly Concurrence in Senate Amendments to Assembly Bill No. 947.

Mr Wagner gave notice that on the next legislative day he would move to reconsider the vote whereby the Assembly concurred in Senate amendments to Assembly Bill No. 947.

Point of Order.

Mr. Johnson rose to the following point of order: Stating that Mr. Wagner did not vote on the prevailing side.

Ruling by Speaker.

The Speaker ruled the point of order well taken, and ruled the notice of reconsideration by Mr. Wagner out of order.

Motion to Expunge Record.

Mr Johnson moved that the vote taken on the concurrence in Senate amendments to Assembly Bill No. 947, as amended, be expunged from the record, and the action rescinded.

Motion carried.

The roll was called, and Senate amendments to Assembly Bill No. 947 were concurred in by the following vote:

AYES—Boyle, Breed, Brennan, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donnelly, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—61.

NOES—Anderson, Burns, Cassidy, Clark, Donahue, Evans, Ralph W., Geyer, Gilbert, Laughlin, McCarthy, O'Donnell, Pelletier, and Rosenthal—13.

Assembly Bill No. 947 ordered to enrollment.

Explanation of Vote.

May 15, 1935.

To the Members of the Assembly and Whom it May Concern:

My vote against the final passage of the bill, Assembly Bill No. 947, relative to the Bay Bridge Authority, is hereby explained

For the reason that the Bay Bridge Authority Bill, Assembly Bill No 947, has been amended in the Senate, and Assemblyman Gardiner Johnson who handled the bill did not notify the group sponsors of the bill that the Senate had amended the bill, I believed the Alameda County delegation that were co-authors should have been consulted and allowed time to study the amendments.

I requested Assemblyman Patterson to stand by and be ready for a move to reconsider the passage should the amendments be against the best interests of the people

I studied the amendments and found that the amendments were in the best interests of the people and released Mr Patterson from request to stand by for a move to reconsider.

This statement is submitted so as to clear any misunderstanding of my action.

CHARLES J. WAGNER

Consideration of Senate Amendment to Assembly Bill No. 365.

Assembly Bill No 365—An act to amend section 423 of the Agricultural Code, relating to live stock on highways

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 365?

Amendment No. 1.

On page 1 of the printed bill, commencing at line 13, strike out the last sentence, and insert in lieu thereof the following "In any civil action brought by the owner, driver or occupant of a motor vehicle, or by their personal representatives or assignees, or by the owner of live stock for damages caused by collision between any motor vehicle and any domestic animal or animals on a highway, there is no presumption or inference that such collision was due to negligence on behalf of the owner or the person in possession of such live stock".

The roll was called, and Senate amendment to Assembly Bill No 365 was concurred in by the following vote

AYES—Anderson, Boyle, Clark, Corwin, Cunningham, Dawson, DeLap, Donnelly, Evans, Herbert J. Fisher, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hunt, Johnson, Latham, Laughlin, Maloney, Martin, Mayo, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine,

Richie, Rosenthal, Stream, Utt, Voigt, Walker, Waters, Weber, Wright, and Mr. Speaker—44.
NOES—None.

Assembly Bill No. 365 ordered to enrollment.

Reconsideration of Assembly Bill No. 2019 Waived.

Mr. Dawson waived his notice to reconsider the vote whereby Assembly Bill No. 2019 was passed.

Assembly Bill No. 2019 ordered transmitted to the Senate.

Motion to Re-refer Senate Bill No. 609.

Mr. Lyon moved that Senate Bill No. 609 be withdrawn from Committee on Judiciary, and ordered re-referred to Committee on Crime Problems.

The question being on re-referring Senate Bill No. 609 to Committee on Crime Problems.

Motion carried.

Senate Bill No. 609 ordered re-referred to Committee on Crime Problems.

Third Reading of Assembly Bills.

Assembly Bill No. 762—An act to add a new section to the School Code to be numbered 2.123-1, relating to the payment of the cost of food and lodging for certain elementary school pupils from the unapportioned county elementary school fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 762 passed by the following vote:

AYES—Anderson, Boyle, Chatters, Clark, Corwin, Crowley, Cunningham, Dawson, DeLap, Evans, Herbert J., Fisher, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Thorp, Utt, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—48.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1339—An act to add a new division to the Vehicle Code, to be numbered IXa, relating to vehicular crossings constructed or owned by the State, the control and policing thereof, and the regulation of traffic thereon.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1339 passed by the following vote:

AYES—Boyle, Chatters, Clark, Corwin, Crowley, Cunningham, Dawson, DeLap, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Miller, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Peyser, Phillips, Reaves, Richie, Thorp, Utt, Voigt, Walker, Wallace, Weber, Welsh, Wright, and Mr. Speaker—47.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 1124—An act amending sections 44 and 517 of the Vehicle Code, relating to authorized emergency vehicle.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1124 passed by the following vote:

AYES—Anderson, Boyle, Cassidy, Chatters, Clark, Corwin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Fulcher, Geyer, Glover, Hawkins, Heisinger, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Pevser, Reaves, Richie, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, and Mr. Speaker—53

NOES—Garibaldi—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 999—An act to add a new article to Chapter IX of Part III of Division V of the School Code, to be known as Article IV, consisting of sections 5.792 to 5.799b, inclusive, relating to a merit system for employees in positions other than those requiring certification qualifications.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Chatters:

Amendment No. 1.

On page 1, line 9, of the printed bill, after the word "district,", insert the following: "having an average daily attendance of eight hundred fifty or more".

Amendment adopted.

Request for Unanimous Consent.

Mr. Geyer asked for, and was granted, unanimous consent to take up Assembly Bill No. 999, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 999, as Amended.

Assembly Bill No. 999, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 999, as amended, passed by the following vote:

AYES—Anderson, Boyle, Cassidy, Chatters, Clark, Corwin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 626—An act to amend sections 86 and 87 of the Fish and Game Code, relating to fish and game districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 626 passed by the following vote:

AYES—Anderson, Boyle, Cassidy, Chatters, Corwin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie Thorp, Utt, Wagner, Walker, Waters, Weber, Welsh, Wright, and Mr Speaker—53.

NOES—Reaves—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 2421—An act to amend sections 1, 2, 3, and 4 of an act entitled "An act to establish salesrooms and industrial workshops for the blind, providing for the management, government and administration thereof, and making an appropriation for the establishment of a revolving fund therefor," approved June 18, 1929, relating to salesrooms and workshops for blind and physically handicapped persons

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 2421 passed by the following vote:

AYES—Anderson, Boyle, Breed, Cassidy, Chatters, Clark, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W, Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Rosenthal, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Wright, and Mr Speaker—59

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE, SACRAMENTO

To the Honorable Members of the Assembly,
State of California, Sacramento, California

GREETINGS: Senate Bill No. 1102—An act to add Chapter 10 to Division IV of the Agricultural Code, relating to the stabilization and marketing of fluid milk and fluid cream, declaring the urgency of this act, to take effect immediately

In my opinion said Senate Bill No. 1102 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure

Respectfully submitted.

FRANK F MERRIAM Governor of California

Special Order.

The hour of ten o'clock and thirty minutes a.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Senate Bill No. 1102.

Senate Bill No. 1102—An act to add Chapter 10 to Division IV of the Agricultural Code, relating to the stabilization and marketing of fluid milk and fluid cream, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Boyle, Cassidy, Chatters, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peyser, Phillips, Redwine, Richie, Riley, Rosenthal, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—56.

NOES—Reaves—1.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1102 finally passed by the following vote:

AYES—Boyle, Breed, Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peyser, Phillips, Redwine, Riley, Rosenthal, Stream, Thorp, Utt, Voigt, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—54.

NOES—Clark, Garibaldi, Pelletier, Reaves, Richie, and Wallace—6.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Constitutional Amendment No. 60—A resolution to propose to the people of the State of California amendments to Article XI of the Constitution of said State by adding sections 4 and 7¼ thereto, relating to the consolidation of counties.

Assembly Constitutional Amendment No. 60 read.

Mr. Cunningham moved the adoption of Assembly Constitutional Amendment No. 60.

The question being on the adoption of Assembly Constitutional Amendment No. 60.

Demand for Previous Question.

Messrs. DeLap, Evans, Herbert J., Frazier, Fisher and Morgan demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of Assembly Constitutional Amendment No 60.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Cunningham moved a call of the House.

Motion carried.

Time, eleven o'clock and eight minutes a m

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Boyle, Breed, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—71.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Resolution.

The following resolution was offered:

By Mr. Wallace:

WHEREAS, The approach of adjournment of the Legislature sine die requires the time of the Legislature be conserved to the utmost; therefore be it

Resolved, That from and after this date, speeches on the floor of the Assembly be limited to ten minutes in length for opening speeches by the author of the bill, and five minutes for all other speeches. The author may have five minutes in which to close the debate and no member shall speak on the bill after the author has closed the debate.

Resolution read, and adopted unanimously.

Third Reading of Assembly Bills—(Resumed).

Assembly Constitutional Amendment No 67—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding a new article thereto to be numbered Article XXVI, providing for a State police.

Assembly Constitutional Amendment No. 67 read.

Floor Amendments.

During reading of Assembly Constitutional Amendment No. 67, the following amendments were submitted by Mr. Chatters:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out all of Section 4.

Amendment No. 2.

On page 4, line 7, of the printed bill, as amended, after the word "police", strike out the period, and insert a comma and the following: "provided, however, there first shall have been obtained the approval of the governing bodies of each such political subdivision affected by such consolidation"

The question being on the amendments submitted by Mr Chatters.

Request for Roll Call.

On request of Messrs. Welsh, Chatters and Glover, the Speaker ordered a roll call taken on the amendments submitted by Mr. Chatters.

The roll was called, and the amendments were adopted by the following vote:

AYES—Anderson, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Martin, Mayo, McBride, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, Voigt, Walker, Waters, Weber, Welsh, Williamson, and Mr. Speaker—59.

NOES—Evans, Herbert J., Field, Heisinger, Latham, Lyon, Maloney, Miller, Wagner, and Wright—9.

Request for Unanimous Consent.

Mr. Latham asked for, and was granted, unanimous consent to take up Assembly Constitutional Amendment No. 67, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Constitutional Amendment No. 67, as amended, read.

Floor Amendment.

During reading of Assembly Constitutional Amendment No. 67, the following amendment was submitted by Mr. Evans, Ralph W.:

Amendment No. 1.

On page 2, line 3, of the printed measure, strike out the word "two-thirds", before the word "vote", and insert in lieu thereof the word "majority".

The question being on the adoption of Amendment No. 1, submitted by Mr. Evans, Ralph W.

Request for Roll Call.

On request of Messrs. Welsh, Lore and Evans, Ralph W., the Speaker ordered a roll call taken on the adoption of Amendment No. 1, submitted by Mr. Evans, Ralph W.

The roll was called, and Amendment No. 1 was adopted by the following vote:

AYES—Anderson, Boyle, Burns, Chatters, Clark, Cronin, Donihue, Evans, Ralph W., Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Jones, Laughlin, Lore, Mayo, McBride, McCarthy, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Riley, Rosenthal, Thorp, Voigt, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker——37.

NOES—Cassidy, Corwin, Cottrell, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Hornblower, Hunt, Johnson, Kallam, Lyon, Maloney, Martin, Meehan, Miller, Minard, Nielsen, Phillips, Redwine, Robertson, Scudder, Wagner, Walker, and Williamson—28.

Request for Unanimous Consent.

Mr. Latham asked for, and was granted, unanimous consent to take up Assembly Constitutional Amendment No. 67, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed

Assembly Constitutional Amendment No. 67, as amended, read.

Floor Amendment.

During reading of Assembly Constitutional Amendment No. 67, the following amendment was submitted by Mr. Evans, Ralph W.:

Amendment No. 2.

On page 2 of the printed measure, beginning in line 11, strike out the following: "or there exists reasonable grounds to believe that such actual violence or damage to property is threatened,".

The question being on the adoption of Amendment No. 2 submitted by Mr. Evans, Ralph W.

Request for Roll Call.

On request of Messrs. Welsh, Flint and Patterson, the Speaker ordered a roll call taken on the adoption of Amendment No. 2, submitted by Mr. Evans, Ralph W.

The roll was called, and Amendment No. 2 was adopted by the following vote:

AYES—Anderson, Boyle, Burns, Clark, Cunningham, Dawson, Donnelly, Evans, Ralph W., Flint, Frazier, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, Maloney, Mayo, McCarthy, Morgan, Nielsen, Patterson, Pelletier, Peterson, Reaves, Richie, Riley, Rosenthal, Stream, Voigt, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—41.

NOES—Cassidy, Chatters, Corwin, Cronin, DeLap, Desmond, Donihue, Evans, Herbert J., Field, Fisher, Johnson, Kallam, Martin, Meehan, Miller, Minard, O'Donnell, Phillips, Redwine, Robertson, Wagner, Walker, and Wright—23.

Motion to Lay Assembly Constitutional Amendment No. 67, as Amended, on the Table.

Mr. Williamson moved that Assembly Constitutional Amendment No 67, as amended, be laid on the table

The question being on the motion to lay on the table.

Request for Roll Call.

On request of Messrs. Chatters, Williamson and Lore, the Speaker ordered a roll call taken on the motion to lay Assembly Constitutional Amendment No. 67, as amended, on the table.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Clark, Corwin, Cronin, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Robertson, Rosenthal, Scudder, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, and Mr. Speaker—56.

NOES—Chatters, Crowley, Dawson, DeLap, Evans, Herbert J., Field, Kallam, Latham, Lyon, Martin, Miller, Minard, Morgan, O'Donnell, Phillips, Redwine, Riley, Stream, Turner, Wallace, and Wright—21.

Assembly Bill No. 774—An act to amend section 1197 of the Political Code, relating to election ballots.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 774 passed by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Clark, Corwin, Cottrell, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Fisher, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—65.

NOES—Latham—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2354—An act to amend sections 146 and 154 of the Vehicle Code, and to add sections 146.5, 180.5, and 371.5 to said Vehicle Code, all relating to vehicles previously registered outside this State, and the registration and transfer thereof within this State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2354 passed by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Geyer, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Voigt, Wagner, Wallace, Waters, Welsh, Williamson, and Mr. Speaker—59

NOES—Lore, O'Donnell, and Pelletier—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2264—An act to amend section 658 of the Fish and Game Code, relating to salmon.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2264 passed by the following vote:

AYES—Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—64.

NOES—Flint and O'Donnell—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the House Dispensed With.

At twelve o'clock and twenty minutes p m., further proceedings under the call of the House were dispensed with, on motion of Mr. Cunningham.

The roll of absentees was called, and Assembly Constitutional Amendment No. 60 was adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Cassidy, Clark, Cottrell, Cronin, Cunningham, Dawson, Donihue, Evans, Herbert J. Evans, Ralph W., Field, Fisher, Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Miller, Morgan, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Turner, Utt, Wagner, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—55

NOES—Burns, Chatters, Corwin, Crowley, DeLap, Desmond, Donnelly, Frazier, Fulcher, Garibaldi, Heisinger, Kallam, Mayo, McBride, Meehan, Minard, Nielsen, O'Donnell, Patterson, Scudder, Stream, Thorp, Voigt, and Walker—24.

Title read and approved.

Assembly Constitutional Amendment No. 60 ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 60.

A resolution to propose to the people of the State of California amendments to Article XI of the Constitution of said State by adding sections 4 and 7¼ thereto, relating to the consolidation of counties, cities and counties, and cities

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its fifty-first regular session commencing on the seventh day of January, 1935, two-thirds of the members elected to each of the two houses of the said Legislature voting therefor, hereby proposes to the people of the State of California, that the Constitution of said State be amended by adding to Article XI thereof two new sections to be numbered 4 and 7¼, and to read as follows

Sec 4. The Legislature, by general and uniform laws, may provide for the consolidation of two or more contiguous counties, other than chartered counties, by the majority vote of the electors of each county involved who vote on the proposition, so that such counties may merge and consolidate into one government with one set of officers.

Laws heretofore passed not in conflict herewith are hereby ratified accordingly.

Sec. 7¼ Any two or more contiguous counties, whether chartered or not, may join to frame a charter for their own government as a consolidated county in the same manner and subject to the same provisions as any county may frame a charter for its own government under section 7½ of this article The board of 15 freeholders shall be elected by the qualified electors of all the counties involved, by a system of representation to be designated in the ordinances or the petition, as the case may be in pursuance of which the board is to be elected. If the board of freeholders is to be elected in pursuance of ordinances, an uniform ordinance specifying the counties to be joined and the proposed name of the consolidated

county shall be adopted by the board of supervisors of each county involved, by a three-fifths vote of all the members of each such board. If the board of freeholders is to be elected in pursuance of a petition of qualified electors, such petition must specify the counties to be joined and the proposed name of the consolidated county, and must be signed by at least 15 per centum of the registered electors of each county involved, and each part must be filed in the office of the clerk of the county in which the signatures were secured. Each said clerk who shall find that the petition has been signed by the requisite number of registered electors in his county, shall present the parts he has examined, with his certificate, to the board of supervisors of the county involved which has the largest population according to the last Federal census. If such parts and certificates are received from all the counties involved, the said board of supervisors shall order the election and act on behalf of all the counties and their boards of supervisors under said section 7½ as if all the counties involved were one county (except that each board of supervisors shall have jurisdiction in its county in regard to election precincts and officers) and all such counties together shall be considered to be a single county for the purpose of preparing, publishing, and submitting the proposed charter under the provisions of said section 7½, and said section 7½ shall be interpreted accordingly. The proposed charter shall not be deemed to be ratified unless a majority of the qualified electors of each county involved who vote on the proposition vote in its favor. If said charter is ratified, the counties involved shall be consolidated and governed thereby. Except as is otherwise provided in this section, the provisions of section 7½ of this article shall apply to and govern said charter.

Any city and county may similarly join with any contiguous county or city and county, or city, or counties or cities and counties, or cities, or any combination thereof, whether chartered or not, to frame a charter as a consolidated city and county, the provisions of sections 8 and 8½ of this article to control instead of section 7½ as above provided for the consolidation of two or more counties, and the clerk and governing body of any city to act for the city as above provided for the county clerk and board of supervisors to act for a county.

Any two or more contiguous cities, whether within the boundaries of the same county or not, and whether chartered or not, may similarly join to frame a charter for their own government as a consolidated city, the provisions of sections 8 and 8½ of this article to control instead of section 7½ as above provided for the consolidation of two or more counties, and the clerks and governing bodies of the cities to act in place of the county clerks and boards of supervisors.

Nothing herein contained shall be held to repeal, modify or otherwise affect section 7½b of Article XI of the Constitution of this State.

Recess.

At twelve o'clock and twenty minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until two o'clock p.m. of this day.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Motion to Print in Journal.

Mr. Voigt moved that the speech of Mr. Laughlin on the passage of Assembly Bill No. 2421 be printed in the Journal.

Motion carried unanimously.

Speech by Mr. Laughlin, Relative to Assembly Bill No. 2421.

I urgently request the approval of this Assembly for the passage of Assembly Bill No. 2421. This bill would place the "Los Angeles Workshop for the Blind" under the supervision of the superintendent of the Oakland "Industrial Home for the Adult Blind."

Such an arrangement would make it possible to effect certain economies in government which we must agree is a worthy motive in view of the unbalanced condition of the budget.

I introduced this measure at the request of the "Los Angeles County Club of Adult Blind," and it is indorsed by the California Council for the Blind and the "Southern California Civic League of the Deaf."

Mr. Kelley, the Oakland superintendent, has been doing very efficient work and the blind of southern California wish to benefit by his experience, ability and fairness.

At the present time there are seven or eight sighted persons employed in the Los Angeles workshop.

If this bill is not passed this session these sighted employees will, under the new Civil Service Law, obtain life jobs. This condition is one of the causes for general

dissatisfaction among the blind. The inefficiency of these sighted people, because of their failure to understand the problems of the blind, results in what may amount to an unbearable condition in the Los Angeles workshop.

The Oakland superintendent could replace some of these employees with qualified blind, subject to the approval of the Director of Institutions, and thereby save the State the expense of maintaining these people on the civil service rolls.

The superintendent could coordinate purchases between the two workshops and effect further economies and efficiency

We have been passing legislation this session for the benefit of certain worthy group—the ethical dentist, and the sportsman, but in our search for the "forgotten man"—surely, here, we have the real McCoy

Members of the Assembly, are you willing to turn a deaf ear to the pleadings of these unfortunate people?

Are you going to deprive them of an opportunity to render the State financial benefits and at the same time bring joy into the councils of the handicapped?

By the mere pressure of our finger we can flood this voting board with green lights which will indicate to them safe passage into a realm of industrial contentment and peace of mind.

By such an act we would be casting a ray of light and hope into the lives of those who by act of providence are destined to spend the rest of their days in darkness

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1684—An act to amend section 23, and to repeal section 24 of "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to the granting of leases and easements to extract oil, gas and other hydrocarbons by means of wells drilled from littoral lands into State lands—and reports that the same has been correctly re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 922—An act to amend section 1300.2 of the Agricultural Code, relating to produce dealers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading.

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1935.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 1765—An act to amend sections 649, 649a, 651a, 651b, 651c, and 651d of the Civil Code, relating to colleges and seminaries of learning—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

CRONIN, Chairman.

The above reported bill ordered on file for second reading.

On Crime Problems.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1935.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Senate Bill No. 610—An act to add section 1203c to the Penal Code, relating to filing of reports by probation officers with the State Board of Prison Directors—

has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

MILLER, Chairman.

The above reported bill ordered on file for second reading.

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1935.

MR SPEAKER Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 2305—An act to amend the State Medical Practice Act, relating to chiropody—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

CRONIN, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 1303—An act to amend section 7 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to the employment of inspectors—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

CRONIN, Chairman.

The above reported bill ordered on file for second reading.

On Crime Problems.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1935

MR SPEAKER: Your Committee on Crime Problems, to which was referred Senate Bill No 618—An act to amend subsection 1, section 1203, of the Penal Code, relating to probation and probation officers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MILLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER. Your Committee on Crime Problems, to which was referred Senate Bill No. 614—An act to amend section 644 of the Penal Code, relating to habitual criminals—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MILLER, Chairman.

The above reported bill ordered on file for second reading.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1935.

MR SPEAKER: Your Committee on Insurance, to which was referred Senate Bill No. 491—An act to amend section 651 of the Agricultural Code, relating to dairy statistics—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

MINARD, Chairman

The above reported bill ordered on file for second reading.

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1935.

MR SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 785—An act to amend the title, sections 1, 2, 3, 4 and 5 of, and to add a new section, to be numbered section 6, to an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for violation thereof," approved February 28, 1905 (Stats. 1905, Chap. 34), relating to the hours of drug clerks, requiring the keeping of records and posting schedules of such hours, providing for the enforcement of the act by the Chief of the Division of Labor Statistics and Law Enforcement and providing for the use of fines under the act by the said division for the administration of the act in augmentation of its current appropriations—has had

the same under consideration, and respectfully reports the same back without recommendation, as amended.

CRONIN, Chairman.

The above reported bill ordered on file for second reading.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1935

MR SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No 1583—An act to amend the Insurance Code, relating to insurance principles, practice and business, and matters incidental thereto—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

MINARD, Chairman.

The above reported bill ordered on file for second reading.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Breed:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1935.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add sections 4060 to 4060.53, inclusive, to the Political Code, and to amend section 3714 of said code, relating to the fiscal affairs of counties, cities and counties, and districts, including budgeting, accounting, reporting and auditing.

Referred to Committee on Introduction of Bills

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 14, 1935

MR SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 509—An act providing for State planning and a State Planning Board, and prescribing the powers, duties and jurisdiction thereof—and respectfully requests your honorable body to concur in said amendments.

J A. BEEK, Secretary of Senate.

Assembly Bill No 509 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 14, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 788—An act to amend the Vehicle Code by amending sections 511, 517, 526, 527, 530, 531, 543, 544, 545, 552, 570, 571, 585, 586, 587, 596, 600, 694, and 696; by repealing sections 534 and 589; by adding sections 542, 588 and 603, relating to vehicles.

J A. BEEK, Secretary of the Senate.

Senate Bill No. 788 read first time, and referred to Committee on Motor Vehicles.

Also:

SENATE CHAMBER, SACRAMENTO, May 14, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 793—An act to amend section 1094 of the Political Code, relating to elections;

Also: Senate Bill No. 845—An act to amend section 51 of the Bank Act, relating to deposits by order of court;

Also: Senate Bill No. 846—An act to amend section 91 of the Bank Act, relating to deposits by order of court;

Also: Senate Bill No. 1101—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, by adding a new section thereto numbered section 2a,

providing for securing the written consent of political subdivisions owning sixty per cent or more in area or value of the lands to be incorporated.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 793 read first time, and referred to Committee on Elections.

Senate Bills Nos. 845 and 846 read first time, and referred to Committee on Banking.

Senate Bill No. 1101 read first time, and referred to Committee on Municipal Corporations.

Also:

SENATE CHAMBER, SACRAMENTO, May 14, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 35—Relative to the approval of amendments to the charter of the city of Tulare

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Request for Unanimous Consent.

Mr. Chatters asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 35 at this time, without reference to committee or file.

Consideration of Senate Concurrent Resolution No. 35.

Senate Concurrent Resolution No 35—Relative to the approval of amendments to the charter of the city of Tulare.

Senate Concurrent Resolution No. 35 read.

Mr. Chatters moved the adoption of Senate Concurrent Resolution No. 35.

The question being on the adoption of Senate Concurrent Resolution No. 35.

The roll was called, and Senate Concurrent Resolution No. 35 adopted by the following vote:

AYES—Anderson, Boyle, Breed, Burns, Chatters, Cronin, Crowley, DeLap, Donnelly, Evans, Herbert J., Fisher, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Johnson, Jones, Latham, Laughlin, Love, Maloney, Martin, Nielsen, O'Donnell, Pelletier, Phillips, Reaves, Redwine, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Waters, Wright, and Mr. Speaker—43

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 35 ordered transmitted to the Senate.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 15, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 478—An act to repeal section 1700 of the Insurance Code, relating to life agents;

Also: Senate Bill No. 482—An act to amend section 1370 of the Insurance Code, relating to the assets of reciprocal insurers,

Also: Senate Bill No 766—An act to add section 495 of the Fish and Game Code, relating to the taking of fish,

Also: Senate Bill No. 1047—An act to add sections 793 5 and 803 5, to the Fish and Game Code, relating to fish.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bills Nos. 478 and 482 read first time, and referred to Committee on Insurance.

Senate Bills Nos. 766 and 1047 read first time, and referred to Committee on Fish and Game.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

By Messrs. Crowley and Meehan: Assembly Concurrent Resolution No. 39—Relative to inviting Will Rogers and Irvin S. Cobb to attend the session of the Assembly of California.

Introduced.

Request for Unanimous Consent.

Mr. Crowley asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 39, at this time, without reference to printer, committee or file, and that same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 39.

Assembly Concurrent Resolution No. 39—Relative to inviting Will Rogers and Irvin S. Cobb to attend the session of the Assembly of California.

Assembly Concurrent Resolution No 39 read.

Mr. Crowley moved the adoption of Assembly Concurrent Resolution No. 39.

The question being on the adoption of Assembly Concurrent Resolution No. 39.

The roll was called, and Assembly Concurrent Resolution No. 39 adopted by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Domhue, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Maloney, McMurray, Meehan, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Redwine, Richie, Robertson, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 39 ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 39.

Inviting Will Rogers and Irvin S. Cobb to attend the session of Assembly of California.

WHEREAS, It has come to the attention of the Assembly of the State of California that two of the foremost authors and actors of our time will be in Sacramento, Friday, May 17, 1935, and for a week thereafter; and

WHEREAS, The Assembly has had the pleasure of receiving one of said authors at a previous time and has profited from his words; now, therefore, be it

Resolved, by the Assembly of the State of California, the Senate thereof concurring, That we extend a heartfelt invitation to Will Rogers and Irvin S Cobb to attend the session of the Assembly at a date convenient for them and to give it the benefit of their advice.

Motion to Re-refer Assembly Bill No. 1493.

Mr. Evans, Ralph W., moved that Assembly Bill No. 1493 be withdrawn from file, and ordered re-referred to Committee on Ways and Means

The question being on re-referring Assembly Bill No. 1493 to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 1493 ordered re-referred to Committee on Ways and Means.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read.

On Attaches.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1935.

MR SPEAKER: Your Committee on Attaches respectfully begs to report that it has carefully considered the applications for the various positions and desires to submit the following resolution:

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same:

Commencing May 6th	*Per day (Sundays excepted)*
Billie Boyle, Page	$2 50
Commencing May 14th	
William Wohl, Assistant Sergeant-at-Arms	5 00

Be it further resolved, That the following named person be stricken from the list of Assembly Attaches, and his name be stricken from the pay roll of the Assembly to take effect on completion of work.

May 18th	*Per day*
A. J. Haynes, Assistant Sergeant-at-Arms	$5 00

UTT, Chairman.

Report and resolution of Committee on Attaches read.

Mr. Utt moved the adoption of the report and resolution

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Gilbert, Heisinger, Hornblower, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr Speaker—56

NOES—None.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 527—An act to provide for the creation, organization and government of port districts in one or more counties; to enumerate the powers thereof; to authorize the incurring of indebtedness, the borrowing of money and the issuance of bonds, and other evidences of indebtedness of such district and to provide for the mortgaging, pledging, or hypothecating of property of such districts and the issuance of revenue notes, certificates or warrants payable solely and exclusively from the revenues to be realized from a particular utility or property acquired or to be acquired with the proceeds of such obligations, to provide for the levy and collection of taxes by such districts and the allocation, mortgage, pledge, or hypothecation of the revenues of such districts or any property of such districts; to authorize port districts to enter into agreement with the State of California or any political subdivisions therein or with the United States of America; and to authorize port districts to do and perform all acts and things necessary or appropriate to carry out the purposes of this act.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr O'Donnell:

Amendment No. 1.

On page 2, line 15, of the printed bill, as amended, strike out "the county in which is located the largest", and strike out all of lines 16 and 17, and insert in lieu thereof the following: "each county in which is located any portion of land within the proposed district Such".

Amendment No. 2.

On page 2 of the printed bill, as amended, at the end of line 21, insert the following: "The original petition need not be filed with the board of supervisors of each county, but a certified copy of the original must be so filed"

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out lines 22 to 29, inclusive, and insert in lieu thereof the following:

"SEC. 4. The provisions of Chapters I and II of DIVISION I of the District Organization Act shall govern and control the proceedings for the filing and hearing of the petition and the proceedings for final hearing of the petition and the formation of the district, provided that the "supervising authority" as used in the District Organization Act shall mean the board of supervisors of each county in which is located any portion of land within the proposed district, and provided that all proceedings necessary for the formation of the district, as provided in Chapters I and II of DIVISION I of the District Organization Act, shall be had in each county in which is located any portion of land within the proposed district, and provided further that no lands lying within any county within the proposed district shall be included in such district unless a majority of the electors in that portion of the district within said county vote in favor thereof"

Amendment No. 4.

On page 6, line 25, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "with the governing body of every county or city, all or part of which is included in the district"

Amendment No. 5.

On page 8, line 6, of the printed bill, as amended, strike out "Thereupon," and insert in lieu thereof the following: "Upon approval by the board of supervisors of each county in which any lands lie within the district.".

Amendments adopted

Request for Unanimous Consent.

Mr. Nielsen asked for, and was granted, unanimous consent to take up Assembly Bill No. 527, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 527, as Amended.

Assembly Bill No 527, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 527, as amended, passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Chatters, Clark, Corwin, Cottrell, Cunningham, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Wagner, Walker, Waters, Weber, Wright, and Mr. Speaker—60

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 31—An act to regulate the hours of service in public and private employment during the emergency declared to exist.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Patterson:

Amendment No. 1.

On page 2 of the printed bill, as amended, between lines 39 and 40, insert the following:

"SEC 4. The requirements of this act shall extend to all forms of employment and to all employers in trades or industries engaged in producing, transporting, or distributing goods or services affecting intrastate commerce, but shall not apply to agricultural workers or to persons employed in domestic service or to employees subject to the act of Congress known as the Railway Labor Act."

Amendment No. 2.

On page 2, line 40, of the printed bill, as amended, strike out "4", and insert in lieu thereof the following: "5".

Amendment No. 3.

On page 2, line 42, of the printed bill, as amended, strike out "5", and insert in lieu thereof the following: "6".

Amendments adopted.

Request for Unanimous Consent.

Mr. Patterson asked for, and was granted, unanimous consent to take up Assembly Bill No. 31, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 31, as Amended.

Assembly Bill No. 31, as amended, read third time.

The question being on the passage of the bill.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Patterson moved a call of the House.

Motion carried.

Time, three o'clock p.m.

The Speaker directed to Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—76.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2390—An act to add a new section to the Penal Code to be numbered 210, relating to kidnaping.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Martin:

Amendment No. 1.

On page 1, line 28, of the printed bill, as amended, strike out the word "fifteen", and substitute the word "five".

Amendment adopted.

Request for Unanimous Consent.

Mr. Martin asked for, and was granted, unanimous consent to take up Assembly Bill No. 2390, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2390, as Amended.

Assembly Bill No. 2390, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2390, as amended, was refused passage by the following vote:

AYES—Frazier, Martin, Miller, and Walker—4

NOES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Voigt, Wagner, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—60

Further Proceedings Under Call of the House Dispensed With.

At three o'clock and twenty minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Patterson.

The roll of absentees was called, and Assembly Bill No. 31, as amended, was passed by the following vote:

AYES—Anderson, Boyle, Brennan, Burns, Cassidy, Clark, Cronin, Crowley, Dawson, Desmond, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Nielsen, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, Weber, and Williamson—43.

NOES—Breed, Chatters, Corwin, Cottrell, Cunningham, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Heisinger, Johnson, Lyon, Mayo, Minard, Morgan, O'Donnell, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Wright, and Mr. Speaker—35

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 31.

Mr. Utt gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 31 was this day passed.

Report of Committee on Free Conference.

The following report of Committee on Free Conference was received and read:

Concerning Senate Bill No. 256.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935.

MR. SPEAKER: Your Committee on Free Conference concerning Senate Bill No. 256—An act to amend sections 251, 304, 307, 323, 348, 364, 374, and 465 of the Streets and Highways Code, relating to State highways—reports that it has met a like committee of the Senate, consisting of Senators McCormack, Olson and

Edwards, and reports that the Committee on Free Conference has agreed to recommend the following: That the Assembly recede from the Assembly amendments.

LYON.
UTT.
CROWLEY.
Assembly Committee on Free Conference

McCORMACK
EDWARDS
OLSON.
Senate Committee on Free Conference.

Report of Committee on Free Conference read.

Mr. Lyon moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote.

AYES—Boyle, Breed, Brennan, Burns, Corwin, Cronin, Cunningham, Dawson, DeLap, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hunt, Johnson, Kallam, Latham, Lyon, Malouey, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—51.

NOES—Anderson, Cassidy, Chatters, Crowley, Evans, Ralph W., Flint, Geyer, Glover, Hersinger, Jones, Laughlin, Lore, McCarthy, Pelletier, Rosenthal, Voigt, and Wagner—17

Notice of Reconsideration of Adoption of Report of Committee on Free Conference Concerning Senate Bill No. 256.

Mr. Voigt gave notice that on the next legislative day he would move to reconsider the vote whereby the Assembly adopted the report of the Committee on Free Conference concerning Assembly amendments to Senate Bill No. 256.

Point of Order.

Mr. Williamson arose to the following point of order: Stating that Mr. Voigt did not vote on the prevailing side.

Ruling by Speaker.

The Speaker ruled the point of order well taken

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 71—An act providing that any person, firm, association, or corporation, agent, superintendent or manager thereof, employing special agents, detectives or so-called spotters, before disciplining or discharging any employee upon a report by such special agent, detective or so-called spotters, give notice and accord a hearing to such employee upon his request therefor, and providing for the punishment for the violation thereof, and repealing an act entitled "An act providing that any public service corporation, agent, superintendent, or manager thereof, employing special agents, detectives, or so-called spotters shall, before disciplining or discharging any employee upon a report by such special agent, detective, or so-called spotters, give notice and accord a hearing to such employee upon his request therefor, and providing for the punishment for the violation thereof," approved April 14, 1915, as amended.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr Hawkins:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "providing that any person, firm, association, or corpo-", and all of lines 2 and 3 of the title, and insert in lieu thereof the following: "relating to the".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 5 to 16 of the title, and insert in lieu thereof the following: "a special agent, detective or so-called spotter, and repealing an act relating to the same subject"

Amendment No. 3.

On page 2, line 3, of the printed bill, strike out "($500)".

Amendment No. 4.

On page 2, line 4, of the printed bill, strike out "and", and insert in lieu thereof the following: "in".

Amendment No. 5.

On page 2, line 6, of the printed bill, after the comma, insert the following "or".

Amendments adopted.

Request for Unanimous Consent.

Mr Hawkins asked for, and was granted, unanimous consent to take up Assembly Bill No 71, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 71, as Amended.

Assembly Bill No. 71, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 71, as amended, passed by the following vote.

AYES—Anderson, Boyle, Brennan, Burns, Cassidy, Clark, Cottrell, Cronin, Crowley, DeLap, Donihue, Evans, Ralph W., Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, Welsh, and Williamson—54.

NOES—Breed, Corwin, Cunningham, Dawson, Field, Fisher, Latham, Lyon, McBride, Minard, Peyser, Phillips, Redwine, Utt, Wallace, Wright, and Mr. Speaker—17.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 71.

Mr. Cunningham gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 71 was this day passed.

Explanation of Vote.

At the time the roll was called on Assembly Bill No. 71, I was in consultation with the Governor regarding Assembly Bill No 36, and returned to the Assembly Chamber just as the vote was announced.

Had I been present, I would have voted "Aye"

EARL D DESMOND.

Assembly Bill No 403—An act to amend "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, by adding section 11b thereto and repealing section 11½ thereof, relating to the fees of private employment agencies

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 403 passed by the following vote:

AYES—Anderson, Boyle, Brennan, Burns, Cassidy, Clark, Cottrell, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Laughlin, Lore, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Robertson, Rosenthal, Scudder, Wagner, Weber, Williamson, and Mr. Speaker—49.

NOES—Breed, Corwin, Cunningham, Field, Fisher, Johnson, Latham, Lyon, Martin, Miller, Phillips, Redwine, Riley, Thorp, Utt, Walker, Wallace, Waters, Welsh, and Wright—20.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 403.

Mr. Welsh gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 403 was this day passed.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1935.

MR SPEAKER. Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend sections 3454 and 3455 of and to add sections 3454a and 3454b to the Political Code, relating to reclamation districts, declaring the urgency thereof and providing that this act shall take effect immediately.

CUNNINGHAM, Chairman

Also:

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to add sections 4060 to 4060.53, inclusive, to the Political Code, and to amend section 3714 of said code, relating to the fiscal affairs of counties, cities and counties, and districts, including budgeting, accounting, reporting and auditing.

CUNNINGHAM, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1935.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to add sections 18 and 19 to an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person, to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter 145 of California statutes of 1917, relating to the same subject," approved June 13, 1923, relating to concealable weapons.

CUNNINGHAM, Chairman.

Reports of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the reports.

The question being on the adoption of the reports.

The roll was called, and the reports adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W.,

Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—65.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

By Messrs. Phillips and Stream: Assembly Constitutional Amendment No. 84—Proposed amendment to Article XIII, section 1½, of the Constitution, relative to exemptions of church property from taxation.

Introduced, and referred to Committee on Constitutional Amendments

By Mr. Breed: Assembly Bill No. 2454—An act to add sections 4060 to 4060.53 inclusive to the Political Code, and to amend section 3714 of said code, relating to the fiscal affairs of counties, cities and counties, and districts, including budgeting, accounting, reporting and auditing.

Bill read first time, and referred to Committee on County Government.

By Mr. Cunningham: Assembly Bill No 2455—An act to add sections 18 and 19 to an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, relating to concealable weapons.

Bill read first time, and referred to Committee on Crime Problems.

By Mr. O'Donnell: Assembly Bill No. 2456—An act to amend sections 3454 and 3455 of and to add sections 3454a and 3454b to the Political Code, relating to reclamation districts, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Irrigation.

Report of Select Committee on Revenue and Taxation.

The following report was received, and ordered printed in the Journal:

By Mr. Riley:

To the Honorable Members of the Senate and the Assembly.

Senate Concurrent Resolution No. 25, providing for the appointment of a joint committee of fourteen members of the Senate and Assembly, authorized us to confer on revenue and tax measures and to make recommendations to the Legislature. We have made our studies and submit our report.

The three major problems have been considered: (1) a balanced budget for the next biennium, (2) adequate provision for unemployment relief, and (3) the present deficit.

I.

THE 1935-1937 BUDGET.

The original estimate of the budget deficit for the coming biennium was		$95,600,000 00
This amount may be reduced by three items:		
(a) Revised estimate of gross premium tax on insurance companies at present rate	$4,000,000 00	
(b) Increase in liquor licenses to be assessed by the State Board of Equalization under provisions of existing law	2,000,000 00	
(c) Reduction of the proposed emergency appropriation from $1,500,000 to $1,000,000	500,000 00	
	$6,500,000 00	$ 6,500,000 00
Revised estimate of deficit		$89,100,000 00

EXPLANATION OF REDUCTIONS.

(a) The measure of 1935-1937 revenue from the gross premiums tax on insurance companies in 1934-1935 business. In 1934 there was a marked increase in insurance written in the State. The first four months of 1935 show further increase. With these known figures, the committee is satisfied that the State revenue from this source will be about $4,000,000 more than originally estimated. Sixteen months of the 24 are already completed. This is assured revenue. The increase in the revenue from the existing insurance tax is about one-third above the preceding biennium. Since insurance activity represents a fair cross-section of general business, this figure is not without value in reflecting the present trend in California.

(b) Under existing law the State Board of Equalization has power to levy liquor licenses and to fix the rate. In the opinion of the committee, $2,000,000 more for the biennium should be raised from this source.

(c) The budget fixes the emergency appropriation fund at $1,500,000. It is recognized that circumstances justify an increase over previous years, but the committee believes that the fund should not exceed $1,000,000. The budget estimate is accordingly reduced by the sum of $500,000.

II.

PROPOSED SOURCES OF ADDED REVENUE.

The proposals of the committee are set out in the following table in order that the measures and their effect may be briefly summarized.

	Added revenue
(1) Sales tax at 3 per cent (with essential foods exempt under Assembly Bill No. 122)	$35,500,000 00
(2) Additional sales tax revenue, under Assembly Bills Nos. 1271 and 1273	4,800,000 00
(3) Additional bank and corporation franchise tax (4 per cent-8 per cent)	17,000,000 00
(4) Personal income tax	17,500,000 00
(5) Spirituous liquor tax (80 cents a proof gallon)	9,000,000 00
(6) Revision of inheritance tax rates and exemptions	3,000,000 00
(7) Revision of truck tax	2,000,000 00
(8) Real estate transfer tax	6,000,000 00
(9) State tax on motor vehicles in lieu of present local tax	18,000,000 00
	$112,800,000 00
Revised budget deficit	89,100,000 00
Balance available for unemployment relief	$23,700,000 00

EXPLANATION OF NEW REVENUE ESTIMATE.

(1) and (2). Sales Tax. It is recommended that the sales tax rate be fixed at 3 per cent, with the act enforced under the present measure. It is also recommended that essential food stuffs be exempt, as provided in Assembly Bill No. 122, and that Assembly Bill No. 1271 and Assembly Bill No. 1273 be adopted in order to reach certain purchases and transactions not now taxable.

The committee has studied the operation of the sales tax and the yield from it over the past two years and has tried to make a reasonable estimate of what may be expected in the next biennium. There is a definite upswing in prospect, both in

volume and price. The receipts from the first quarter of this year are about 15 per cent above those in the first quarter of last year. Indications are that the increase will continue for the next two years. Considering governmental and trade reports, and the present trend, the committee feels justified in counting upon at least a 10 per cent increase over present levels for the next two years.

The deduction in revenue on account of the exemption of foods has been liberally estimated. Any steps that may be taken by the Legislature in restricting the exemption to food stuffs that may properly be called essential, will be reflected in a corresponding increase in revenue.

The budget estimate of the sales tax at 2 per cent, with no exemptions, for the coming biennium was $84,000,000. The committee's estimate for the 3 per cent rate with food exempt is $119,500,000. The net additional revenue from this source is therefore $35,500,000.

The estimate of the yield under Assembly Bills Nos. 1271 and 1273 is an additional $4,800,000.

Added revenues to be derived under Assembly Bills Nos. 1271 and 1273 are conservatively estimated. No figures are available to fix a formula. The committee has therefore taken an amount which is well under the first estimate made by the sponsors of the bill. It is not unlikely that the yield from this source may be much greater than any estimate yet made.

(3) Bank and Corporation Franchise Tax. The present rate on general corporations is 2 per cent and on banks 6 per cent. It is proposed to increase the corporate rate to 4 per cent and the bank rate to 8 per cent. The new rates are to apply to 1934 income, returnable in 1935.

As in the case of insurance premiums and retail sales there is a substantial increase in current corporate franchise tax returns. In addition, public utilities will hereafter be subject to the Franchise Tax Act. The combined effect of increased rates on banks and corporations, the inclusion of utilities, the upswing in returns, and the elimination of consolidated returns, should supply additional revenue from this tax in the sum of $17,000,000

(4) Personal Income Tax. The committee recommends a personal income tax at State rates which will equal 20 per cent of the present Federal rates. The normal rate for persons in the lowest bracket will be eight-tenths of 1 per cent with surtax increasing on a graduated scale to 11.8 per cent.

The Federal income tax is not applicable to officials and employees of the State and its political subdivisions, but the State act will include them. Based upon current Federal returns and the projection of the present curve for next year it is estimated that the State income tax for the biennium will yield not less than $17,500,000.

In order that this amount may be realized, it is recommended that the tax become immediately effective and that the tax to be paid in 1935 shall be upon one-half of the income of 1934. Thereafter the tax will be based on full annual income. Enough time should be allowed for filing returns this year. To simplify local administration, the Federal method of computing net income should be followed as far as possible.

When the tax on intangible personal property was adopted in 1929, it was represented that this unsatisfactory form of taxation should eventually be superseded by an income tax. The committee now recommends that the income tax levy be in lieu of the intangible tax.

(5) Spirituous Liquor Tax. A tax of 80 cents a proof gallon should be levied. This is comparable to the tax imposed by other States. The estimates of the revenue to be derived from this source which were submitted to the committee ranged from $7,000,000 to $17,000,000. This is a new tax here and no accurate State record is available for precise computation. The committee feels however that an estimate of $9,000,000 is reasonable and strongly recommends provision for strict enforcement.

(6) Inheritance Tax The committee recommends that there be a revision of the rates and exemptions in the Inheritance Tax Act which will yield an increase of $3,000,000.

(7) Truck Tax The committee recommends that there be a revision of the existing tax on trucks to yield an increase of $2,000,000.

(8) Real Estate Transfer Tax. The committee recommends a tax on conveyances of real property, with the basis the same as in the Federal law, but with the rate fixed at 1 per cent. For unmortgaged property, the tax will be measured by the full amount of the consideration For property mortgaged at the time of sale the tax will be measured by the equity. The estimated yield from this source is $6,000,000.

(9) State Tax on Motor Vehicles in Lieu of Local Tax. It is recommended that motor vehicles be eliminated from the local tax rolls and that they be taxed solely for State purposes. The return of the public utility properties to the local rolls will benefit the counties to the extent of at least $60,000,000 a biennium. Two years

ago a further benefit of $80,000,000 a biennium was provided for the counties when the sales tax was adopted and the State assumed a larger part of the school costs.

It is estimated that a rate approximating 1¼ per cent, applied to the standard and annually adjusted "Blue book" value of motor vehicles, with proper allowance for make and age, and with a minimum of $1 a car, will yield $18,000,000 for the biennium. The committee recommends the adoption of this measure with an expiration date of December 31, 1937.

The committee further recommends that the first revenue received from this tax be earmarked and applied to the payment of interest and amortization charges on State highway bonds. For the 1935-1937 biennium this will amount to $8,100,000 and will, if continued thereafter, decrease each biennium until bonds are retired.

UNEMPLOYMENT RELIEF

It appears from the table previously incorporated in this report that after deducting the revised budget deficit from the proposed sources of revenue there is a balance available for relief of about $24,000,000. The committee recommends that of the money raised by the State for relief, $10,000,000 be allocated to employment of labor in making permanent and necessary improvements to State institutions.

The Federal authorities have suggested that it may be necessary before the biennium is ended to supply an additional $24,000,000 in order that the State may avail itself of its full quota of Federal aid.

The added revenue to be derived from the proposed measures, and the exact amount of the Federal requirements over the next two years, can not now be determined with certainty. Several potential factors, not fully taken into account in the committee's estimates, may increase the revenue return and supply a further part of the later Federal requirements.

California has never failed to meet promptly the suggestion that Federal aid be adequately matched. It has recognized its obligation and will not fail to meet it again. The committee does not believe it now necessary or advisable to propose any further emergency tax burden, and recommends that the solution of the remainder of the problem, if there be one, be postponed until the early part of next year. The committee feels assured that the Legislature will readily respond in special session to the Governor's call to survey the situation when it crystalizes and when the need is known. If it be the will of the Legislature, the committee will be glad to continue to serve in the interim in its present capacity.

If the Legislature concurs in the committee's recommendations, it may adjourn shortly with the assurance that the budget is balanced and that the maximum Federal requirements for the first year of the biennium have been met. Timely and advised action to meet future needs can be taken whenever occasion requires. A State ad valorem tax is no part of the program contemplated by the committee.

IV.

THE PRESENT DEFICIT.

The deficit for the current biennium will be about $25,000,000 on June 30, 1935. The committee has been advised that early in June it will be necessary to transfer about $7,000,000 from cash balances of special funds to the general fund under section 15 of Article XIII of the Constitution. The major part will come from the gas tax fund. If this amount be not restored to the special fund the general fund deficit will be reduced to about $18,000,000.

The committee considered on several occasions the advisability of proposing for the coming two years the application of $8,100,000 from the gas tax fund to the servicing of highway bonds. It decided, however, against such a recommendation, being influenced in part by the suggestion of the State Department of Public Works that the funds proposed to be taken from the gas tax fund in June might not be replaced.

The committee is assured that if its recommendations be adopted, the present deficit can be funded through tax anticipation warrants or some other form of short term paper with a fixed maturity. This will put the State again on a cash basis. The interest rate payable under the plan proposed would probably not exceed 1 per cent in the present market, in place of the 5 per cent paid on warrants. In addition, the cost and nuisance of registering warrants and the uncertainty arising out of the absence of a fixed due date would be eliminated. The adoption of Senate Constitutional Amendment No. 18 and Senate Bill No. 708 with such amendments as may be deemed necessary, will make this recommendation effective.

The committee recommends that the Legislature call a special election at a time to be fixed by it and submit Senate Constitutional Amendment No. 18 to the people. It is further recommended that at the same election, the Legislature submit to the voters a bond issue to provide necessary money for permanent State institutions, including the purchase of a prison site in southern California. The proposed bond issue should also cover an amount sufficient to reimburse the general fund in the sum now provided in the Governor's budget for permanent improvements to State

institutions. The total amount of the proposed issue should not, however, exceed $12,000,000.

Respectfully submitted.

WALTER H. DUVAL, Chairman
HARRY B. RILEY, Secretary.
WILLIAM F. KNOWLAND.
THOMAS P. SCOLLAN.
RALPH E. SWING.
CHARLES A. HUNT.
HUBERT B. SCUDDER.
RAY WILLIAMSON.
CHRIS N. JESPERSEN.
W. P. RICH.
EDGAR W. STOW.
C. C. COTTRELL.
ALFRED W. ROBERTSON.
RODNEY L. TURNER.

Unfinished Business—(Resumed).

Motion to Reconsider Assembly Bill No. 530 Continued.

Mr. Redwine moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 530 was refused passage, be continued until the next legislative day.

Motion carried.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Labor and Capital.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1935.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 1795—An act to amend sections 1, 3½, 4 and 5 of "An act to be known as the Child Labor Law and regulating the employment, hours, kinds and conditions of labor of children; providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 19, 1919, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BURNS, Chairman

The above reported bill ordered on file for second reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 15, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 887—An act to amend the titles of Articles IV and IVa of Chapter IV of Part I of Division VI of the School Code, to amend sections 6.210 and 6.211 of the School Code and to add a new section to the School Code to be numbered 6.213, all relating to the disposition of buildings, structures or fixtures of school districts when the boundaries of such districts are altered, declaring the urgency thereof and providing that this act shall take effect immediately;

Also: Senate Bill No. 888—An act to amend sections 3.330, 3.331, 3.332, 3.333, 3.334, 3.335, and 3.337 and to add a new section to the School Code to be numbered 3.339, relating to the attendance of pupils residing in California upon the public schools of adjoining States, and the attendance of pupils residing in adjoining States upon the public schools of California.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bills Nos. 887 and 888 read first time, and referred to Committee on Education.

Also:

SENATE CHAMBER, SACRAMENTO, May 15, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1082—An act to authorize boards of supervisors to pay certain claims.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No 1082 read first time, and referred to Committee on Education.

Also:

SENATE CHAMBER, SACRAMENTO, May 15, 1935

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Constitutional Amendment No 2—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, being an amendment of section 1 of Article II of said Constitution, relative to elections and eligibility of voters, disabilities and absent voters.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary

Senate Constitutional Amendment No 2 referred to Committee on Constitutional Amendments

Also:

SENATE CHAMBER, SACRAMENTO, May 15, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2383—An act to prohibit and declare void certain contracts, conditions, agreements and understandings in connection with the sale or contract to sell motor vehicles by manufacturers or wholesale distributors thereof, and prohibiting the giving or payment of any thing or service of value by any manufacturer or wholesale distributor of motor vehicles to any one engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles, and the acceptance or receipt thereof by any such person when competition in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles may be lessened or eliminated, or a monopoly created or tended to be created, and prohibiting from doing business in this State any one engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles who so accepts or receives any thing or service of value from any manufacturer or wholesale distributor of motor vehicles, and prescribing penalties, forfeitures, and recoveries for the violation thereof—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 2383 ordered on unfinished business file.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 301—An act to amend section 7 of an act entitled "An act to provide for the formation, management, consolidation and dissolution of county fire protection districts, annexations thereto, and withdrawals therefrom, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 23, 1923, relating to taxes of such districts;

Also: Assembly Bill No. 529—An act to amend section 94 of the Agricultural Code, relating to citrus fruit fairs.

Also: Assembly Bill No. 604—An act to add a new section to the Political Code, to be numbered 4052d, authorizing boards of supervisors to grant temporary use, possession, management and control of public parks for exposition and fair purposes;

Also: Assembly Bill No. 606—An act to add a new section to the Political Code, to be numbered 2699, authorizing boards of supervisors to temporarily close any public highway, road, street, avenue, alley;

Also: Assembly Bill No. 880—An act to amend section 726 of the Code of Civil Procedure, relating to foreclosure of mortgages;

Also Assembly Bill No 1030—An act defining unlawful gas, prohibiting dealing in and transporting by pipe unlawful gas, requiring certain corporations, individuals and associations of individuals engaged in the business of buying lawful gas and transporting the same by pipe line to be common purchasers of such gas, and fixing penalties for violations of the act;
And reports that the same have been correctly engrossed

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1607—An act creating a State Board of Eugenics and defining the powers and duties thereof; and providing for the care, protection, and decrease of the State's defectives, and lowering of the expenses therefor;

Also: Assembly Bill No. 2218—An act to amend section 484 of the Penal Code, relating to thefts and fraud,

Also: Assembly Bill No. 2219—An act to amend section 1 of an act entitled "An act to require employers to pay the cost of bonds and photographs required of and furnished by employees or applicants for employment," approved April 20, 1917, relating to property as a substitute for a bond;

Also: Assembly Bill No. 2393—An act to be known and cited as the Yacht and Ship Brokers Act, to define yacht and ship brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create the office of yacht and ship brokers commissioner; and to provide for the enforcement of said act and penalties for the violation thereof;

Also: Assembly Bill No 2447—An act to amend section 4041 13 of, and to add sections 4041 13a to 4041.13i, inclusive, to the Political Code, relating to county purchasing agent and assistants;
And reports that the same have been correctly engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER Your committee on Engrossment and Enrollment has examined Assembly Bill No 2043—An act to add a new section to be known as section 5 724 to the School Code, relating to resignations, dismissals and leaves of absence of certificated employees—and reports that the same has been correctly re-engrossed

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 276—An act to amend sections 1, 10, 12, 21, 22, 23, 24 and 25 of an act entitled the "Direct Primary Law," relating to nonpartisan offices;

Also: Assembly Bill No 516—An act establishing and authorizing an additional secondary State highway from the city of Needles easterly to the Arizona-California State line, including a bridge over the Colorado River, providing for the construction, maintenance and ownership of such bridge jointly by the States of California and Arizona, and amending the Streets and Highways Code in conformance therewith

Also: Assembly Bill No. 1956—An act to amend section 356 of the Streets and Highways Code, relating to State highways;

Also: Assembly Bill No. 2081—An act to add section 628 to the Streets and Highways Code, establishing secondary State highways;

Also: Assembly Bill No. 2397—An act to provide for the establishment of local hospital districts in any part of the State and defining their powers and duties;
And reports that the same have been correctly engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1037—An act to safeguard the public health, to regulate the diagnosis and treatment of human ailments by means of X-rays and the use, ownership and possession of X-ray appliances for said purposes; providing for the licensing of persons operating X-ray appliances and laboratories, declaring the treatment of human ailments by means of X-rays to constitute the practice of medicine; prescribing penalties for violation of the act; declaring the possession, maintenance or operation of X-ray appliances in violation of the provisions of the act to constitute a public

nuisance, and otherwise providing for the enforcement of the act—and reports that the same has been correctly re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Motion to Print Assembly Bill No. 2451.

Mr. Mayo moved that the Chief Clerk be instructed to place an order for the printing of 500 additional copies of Assembly Bill No. 2451.

Motion carried.

Recess.

At four o'clock and forty-five minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until seven o'clock and thirty minutes p.m., of this day.

Reassembled.

At seven o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Craig in the chair.

Report of Select Committee.

The following report of Select Committee was received, and ordered printed in the Journal:

Report of the Select Committee of the Assembly for the Purpose of Investigating the Building and Loan Association Situation in the State of California.

Mr. Speaker and Members of the Assembly:

Your Committee Appointed to Investigate the Building and Loan Situation in the State of California pursuant to Assembly Resolution adopted the ninth day of January, 1935, desires to make the following report:

In view of the previously filed reports from the committee, the Minority Report having been filed by the committee's chairman the Honorable Frederick Peterson, and the majority report which was concurred in by the other four members of the committee, we believe it is not now necessary to go into an extensive study of the history of building and loan associations throughout the State. We feel, however, that the present deplorable situation, which is by no means universal in the building and loan industry, can be traced to certain conditions and practices of the associations in difficulty, and it is with particular reference to those conditions and practices that your committee will concern itself in this report.

CONDITIONS CONTRIBUTING TO THE PRESENT DISORGANIZED STATE OF BUILDING AND LOAN AFFAIRS.

We are of the opinion that certain generally existing conditions have contributed in a great measure to the present unorganized state of affairs within the building and loan industry and in so far as these conditions are concerned, we feel that those associations which are now in difficulty should not be censured by reason of their effect on financial standings of the particular associations involved. We refer primarily to the wide-spread economic depression, with its consequent unemployment and constriction of currency and credit. Most of the associations of the State which are now in difficulty were forced by the stress of circumstances to foreclose a large number of loans due to the borrower's inability to meet the interest and principal payments as they became due. The necessity for foreclosing can, in our opinion, in a majority of cases, be traced to certain practices which were indulged in by the building and loan associations and which will be commented upon later herein. This program of foreclosure has resulted, in most instances, in an abnormally large amount of real estate holdings, as reflected in the percentage of such holdings to the total assets of the building and loan association. In some instances the proportion of real estate to the total assets is not as high as 60 per cent and in the case of one association, the largest in the State (Pacific States Savings and Loan) this percentage can be conservatively estimated at from 48 to 52 per cent. Such large real estate holdings do not permit of the normal conduct of the association's affairs, due to the frozen condition of so large a portion of their assets, although the circumstances do not necessarily indicate that the investors in building and loans will not ultimately be repaid dollar for dollar for their investment therein.

In any discussion of building and loan associations, the circumstances with reference to any individual association must be considered alone in order to determine whether or not that association is one which will ultimately repay its investors without loss. Your committee finds that there have been two distinct schools of thought

among building and loan association managements with reference to the best method of riding out of the present economic depression. The first has been followed by a number of the smaller associations throughout the State and it seems to have been quite satisfactory, as long as the investors in the association maintained their confidence and did not present demands for withdrawals of money. This policy might well be termed simply the "satisfactory" policy. Loans were carried, even though delinquent, upon the theory that with the return of better times the loans might be reinstated and the consequent foreclosures avoided, and the assets kept in a more liquid condition. So long as an institution was financially able to pursue this policy it seems to have been of benfit to that institution as well as to its borrowers and investors, although from a standpoint of business, it is doubtful whether or not good business practice would permit delinquent loans to be carried as loans for as great a period of time as has been done in small associations.

The other major policy has been quite the opposite. Those associations pursuing it have insisted upon reasonably prompt performance from their borrowers and in default thereof have instituted and completed foreclosure proceedings, and this type management has reflected itself in the balance sheets of the companies and resulted in the previously mentioned high percentage of real estate holdings to total assets.

In most cases where this procedure was followed the management seems to have felt that good business required the pursuit of such policy. We are not prepared to condemn nor to commend either policy, inasmuch as the two represent a debatable question as to which constitutes the better practice. In the final analysis it would seem that the present status of building and loan associations are "good" or "bad", depending upon and reflecting the ability of the individual management. Your committee has found from its hearings that certain associations in the State have followed a policy with regard to their real estate holdings which has been both severely criticized and highly praised.

In the case of the Pacific States Savings and Loan, the largest building and loan association in the State, a definite policy has been pursued which has resulted in a change which might aptly be termed "a change in the nature of the business of the association." This association, being one of those which pursue the policy of foreclosing delinquent loans, has a large proportion of its assets represented by real estate. Foreclosures brought many types of property upon the books of this concern, predominant in number being the single dwelling. The management of this association believed that the cost of supervision and maintenance of numerous small pieces of property would be such a burden upon the association as would make difficult the earning of interest upon the moneys invested, and as a result, traded many small pieces for several large holdings.

Your committee finds this practice to have been not without objectionable features and not without some merit. Testimony adduced before your committee in San Francisco has shown that within the past two and one-half years this association has acquired numerous hotel properties, chief among them being the Clift Hotel in San Francisco, the Plaza Hotel in San Francisco, the Claus Spreckels Building, as well as numerous other hotels, apartments and office buildings throughout the State of California. It is questionable whether such procedure is the best procedure for this association to follow, but all such deals were approved by the then commissioner before consummation and have resulted in a considerable profit for the association. The Clift Hotel was acquired through exchange of small properties owned by Pacific States Savings for defaulted bonds of the Clift Hotel Company which bonds were in turn foreclosed. Thus, Pacific States acquired title to the property. Since the acquisition of this property it has been paying a net return on the book value of approximately 13 per cent per annum, whereas the properties which were exchanged for the bonds of this hotel company were causing to the Pacific States Savings and Loan a net loss of approximately 1 per cent. Substantially the same procedure was followed by this association in obtaining possession of the Plaza Hotel, the Claus Spreckels Building and numerous other properties, and substantially the same results were obtained in so far as net income to the association was concerned. The only doubt with reference to the advisability of such practice is that in the event of liquidation the question arises as to whether one large property may find as ready a market as some 150 or 200 small pieces.

There is no question in our minds, from the testimony produced before us, that this practice has resulted in increased earning power on the part of the assets involved, and our only doubt, with reference to such exchanges, has been as to the disposability of such assets.

PRACTICES CONTRIBUTING TO THE PRESENT DISORGANIZED BUILDING AND LOAN AFFAIRS.

We feel it is proper to discuss at some length the numerous practices indulged in by various associations and which practices reflected the policies of the associations' managements. First and foremost, among the practices of the associations which should be condemned was that of uncontrolled and unsubstantiable claims in so-called institutional advertising. Your committee feels it to be entirely proper to call attention to specific instances.

Probably the association most flagrantly violating the canons of business ethics and honesty, was the Pomona Mutual Building and Loan Association of Pomona. Over a long period of time, this association conducted a connected series of advertisements, stressing always therein, the purported fact that investments in that association "could

never be worth less than 100 cents for each dollar invested." Your committee feels that this course of advertising was conducted in the face of a very apparent critical situation then confronting the association, and the officers of that association freely admitted that such was the case.

The Pacific States Savings and Loan conducted an intensive advertising campaign by newspapers and radio, the theme of which was "7 per cent with safety." Likewise, the Mercantile Building and Loan Association of Stockton, with branch offices throughout the entire State, engaged in a similar advertising campaign.

In your committee's opinion, proper safeguards should be provided which would forever bar the repetition of such flagrantly misleading advertising on the part of building and loan associations.

Your committee feels that in passing, it should comment upon the fact that practically every building and loan association in the State used, as one of the inducements to the public to invest in their association, words similar, at least in import, to the following, "under State supervision." One association for some time carried this idea of State supervision to the extent of causing to be printed within the association pass books a replica of the Great Seal of the State of California, together with a slogan having the import that "you are protected by the great State of California." This practice was severely condemned by the committee during its hearings.

Had the Building and Loan Commissioner the powers then which have since been conferred upon him by the passage of Assembly Bill No. 1300, it is our opinion that a number of these abuses would not have occurred. Your committee feels that this type of advertising contributed directly to some of the disastrous conditions in which certain building and loan associations of the State found themselves, by reason of the fact that such advertising, from the standpoint of the public welfare, was too successful. It resulted in a condition, within those institutions using this type of advertising, of a surplus of investible funds upon which, under the terms of the contract under which they were invested by the investing public, such associations were obligated to pay a fixed rate of interest, usually 7 per cent, sometimes 6 per cent. This condition created a competitive lending market and the associations, in order to place their money at work, made loans of questionable value and of questionable judgment.

Your committee believes that a definite relationship between advertising and present conditions exist, and in this connection, your committee wishes to point out that those associations most active in advertising for new investors are those associations which are today suffering from too great a proportion of real estate assets to total assets. Your committee feels also that in this regard the so-called mutual type associations have fared somewhat better generally than have guarantee capital stock companies. In our opinion this is due to the fact that the mutual companies are under no obligation to pay a fixed rate of interest to their holders, and as a consequence the pressure of necessity did not bear so heavily upon them, and they could, without danger to themselves, deal more leniently with their borrowers. The practice of the guarantee capital stock companies of issuing certificates calling for a fixed rate of interest, in your committee's opinion, is economically unsound, as such certificates do not permit a flexibility which should be had in order that the interest-paying power of the association could follow the actual earning power.

Another practice which has been indulged in by a few associations to the detriment of their investors has been the issuance of investment certificates having rights prior to those certificates issued generally. The Commonwealth Building and Loan Association of Long Beach has outstanding at the present time some $400,000 in this type of certificate, which in the case of this association have been termed "gold notes." This type of certificate represents a first lien and a first claim on the assets of this association, and has resulted in practically stopping withdrawals by investment certificate holders having the usual investment certificate. Your committee feels this to be inequitable and believes that in the future no association should be permitted to issue certificates which have preference in any particular to any individuals, as distinguished from certificates issued to any other investor within the same association.

Your committee also feels that a number of the ills confronting building and loan associations within the State are a result of the attitude of the management of those associations. We have concluded that the managements of building and loan associations generally have failed to recognize to the fullest extent the fiduciary relationship existing in the handling of the institution's funds. Your committee does not, by this, mean to infer there has been dishonesty, but rather that in too many instances, the affairs of the association have been looked upon as the affairs of the individual or individuals controlling the association. This is true even in those associations operating as mutuals, where, theoretically, every investor is a shareholder and has an equal voice in the management of such associations. Your committee is of the opinion that a more rigid control of associations' affairs by the Building and Loan Commissioner will go a long way toward remedying this situation, and Assembly Bill No. 1300 has conferred upon the commissioner that power.

Your committee wishes to call particular attention to the affairs of the Mercantile Building and Loan Association with respect to this matter, although it does not consider the present management responsible for the conditions existing. This association represents a merger of interests of several preexisting mutual type

associations. The management and control was centered in the hands of one individual, who operated it practically unhampered or unaided. The association made many second mortgage loans on high priced apartment house properties. These loans were almost, in every instance, wiped out through default and foreclosure on the prior encumbrances, and the association suffered a loss of approximately $1,000,000 in such deals. Your committee feels that such management should not be countenanced in the future, and we are of the opinion that with the commissioner's proper supervision, such instances will not again occur.

We do not feel that it is incumbent upon us at this time to enter upon a discussion of the many evils which have developed during the past five years of depression. We feel that such matters were adequately covered in our preliminary report. We are likewise of the opinion that Assembly Bill No 1300, passage of which we recommended, will furnish adequate means for the curtailment of such abuses.

EXISTING BUILDING AND LOAN LAWS.

We feel that the existing Building and Loan Law governing the associations within this State is in the main satisfactory, although we believe certain refinements and changes should be made therein.

Your committee at this time wishes to call attention to certain phases of existing law which your committee believes to be either incomplete, impracticable or inequitable. It is the sense of this committee that the existing law does not regulate stringently enough the what might be termed incidental affairs of the building and loan associations. By this we mean that the law is silent on certain matters, notably regulations covering the operations of associations with reference to advertising, solicitation of new accounts, and matters of similar nature. Your committee believes that such regulatory matter should be included in the organic law under which these institutions operate so that there may be avoided in the future any repetition of the mistakes of the past.

Our recommendations with reference to this matter are to be found herein. In addition to such regulatory matters, no restriction is placed upon the associations with reference to the nature or size of loans, nor with reference to the locale of the property securing such loans. It has been the practice in the past and one which should be avoided in the future, for persons primarily interested in real estate development to organize building and loan associations to the end that they might finance their development work. This practice has resulted in the associations involved in a lack of diversity of loans and a consequent total collapse of the company in the event of disaster. The most notable example of this type of financing which was presented to your committee during its hearings was the case of the Prudential Building and Loan Association of Oakland. This association, while not having its entire assets in one type or locale, had a very substantial portion thereof invested in the townsite of Alturas. Alturas was a "one-industry" town and when that industry experienced difficulties it resulted in the association's having most of its assets tied up in real estate, the present value of which represents a very small proportion of its actual cost to the association.

Your committee believes that such lack of diversification represents a very real peril to the association permitting itself to operate in such a manner We believe that an amendment to the existing Building and Loan Law which would restrict the operations of any association within a given area would be very desirable.

Your committee believes that the existing section 6.02 of the Building and Loan Law which has to do with order of withdrawals and which section becomes operative at the expiration date of the emergency section 6.02, is one which, if permitted to remain in its present state, will be a source of difficulty and embarrassment to the associations and their investors if allowed to remain unchanged. This section in its present form provides for payment of withdrawal claims on the basis of priority of filing, and past experience would seem to indicate that once the emergency period is terminated so that the section becomes effective, the largest investors will be the first investors to file notices of withdrawal. Your committee believes that a modification of the Federal savings and loan plan for withdrawals should be adopted and in this respect your committee has definite recommendations for your consideration.

Also, your committee believes that the existing law, which permits a guaranteed interest rate return, to be one of the primary causes for the present dilemma of many of the associations of the State, and we base our conclusion upon the fact that some associations, in order to meet their interest commitments, were forced to and did resort to many practices which we can not condone. Many of the associations throughout the State conducted extensive campaigns with the object of inducing their investors to exchange certificates calling for "6 and 7 per cent," for certificates calling for a lesser rate of interest.

Many of the evils which were pointed out in our preliminary report and many of the objectionable practices and deceptive tactics therein discussed were used in the furtherance of these campaigns, and it is your committee's belief that if all associations were denied by law the right to issue certificates calling for a fixed rate of interest much benefit would result.

We found, as a result of our inquiry, that many persons well acquainted with the building and loan industry are widely at variance on this point, and many of the views expressed during the hearings were irreconcilable.

We believe, however, that the interest of the investors in such institutions would best be served by placing investors in such institutions on a plane comparable to depositors in banks, and allow the earnings of the institution to govern the rate of return to the investor.

COMPARISON OF THE RESPECTIVE QUALITIES OF THE GUARANTEE CAPITAL STOCK TYPE AND MUTUAL TYPE ASSOCIATIONS

Your committee has been unable to determine definitely that either the guarantee capital stock type association or the mutual type association is superior, one to the other. Each type seems to have advantages as well as disadvantages. The "guarantee capital stock" type's principal distinction is one which, for many years, seemed to be adequate to accomplish the ends for which it was conceived. In principle, the guarantee capital stock of such associations was to absorb possible losses through diminution of assets, and the owners thereof are required by law to make up any impairment of such guarantee capital at the call of the Building and Loan Commissioner. Experience has shown, however, that in most cases such calls have resulted not in the reestablishment of the impaired capital, but rather in a reduction of the guarantee capital stock, so that what was presumed to be a guarantee to the investor in investment certificates was not in fact such. One of the principal objections raised to this type company is one, the soundness of which your committee is not prepared to admit, that the holders of investment certificates have no voice in the management or control of such associations.

We feel that the status of investors in such associations is analogous to that of depositors in a bank, and your committee is not of the opinion that such investors should necessarily have such voice in the management and control of those associations, save in the event such associations fail to meet their withdrawal demands upon maturity.

Your committee is of the opinion that when an association becomes an "association on notice" some provision should be made which will permit the holders of the investment certificates of such associations to exercise some degree of control over the affairs of the association in order that their interests may be protected. This procedure is provided for in Assembly Bill No. 1300.

We found that the mutual type association is usually in less difficulty than is the guarantee capital stock type company, but in your committee's opinion, this is directly attributable to the fact that mutual type associations do not, through the issuance of membership shares, guarantee a definite rate of return to the shareholders. The investigation made by us has forced us to the conclusion that neither type of association has had characteristics superior to the other, without some compensating detrimental attribute.

In the matter of the "mutual type association," your committee finds that the position of the borrower therefrom is such as to offset any possible advantages occurring to shareholders over certificate holders in "guarantee capital stock type companies." A borrower from the mutual type association is required to subscribe to the membership shares therein, equal in amount to the amount of money borrowed. Thereafter, in making monthly payments to the association, those payments are applied against the purchase price of the membership shares and no portion is applied toward writing down the loan until the value of the membership shares, plus accrued interest thereon is equal to the amount of the loan plus other charges. It is readily apparent from these circumstances, that if the mutual association becomes involved, the borrowers who have been paying, some of them for years, are still faced with the liability of the loan in its full amount and receive credit thereon in the event of ultimate dissolution only in the amount the depreciated shares may bring. Your committee believes that in any comprehensive adjustment of this problem, the rights of the borrowers must be protected as well as those of the investors, and it is to this point your committee's chief criticism of the mutual type association is directed.

Your committee believes that the ultimate solution to this problem of type of organization lies somewhere between the two types of associations now in existence.

We do not feel that it is essential to the welfare of the State of California that all building and loan associations become federalized. Your committee feels that there is a definite place in the financing field for building and loan associations other than Federal savings and loan associations. We are, however, of the opinion that it would lead to greater stability in the building and loan field if all associations were to avail themselves of the insurance provisions set up by the Federal Government for that purpose.

HOLDING COMPANIES.

We are of the opinion that holding companies in the building and loan field are not of themselves inherently bad practice. Here again we desire to point out

that such evils as are existent result from unwise or unethical policies. Your committee believes that even a casual examination of the record of this investigation discloses a certain definite correlation between associations controlled through holding companies and the association's financial status. The Pacific States Savings and Loan, the Mercantile Building and Loan Association, and the Pomona Mutual Building and Loan Association are perhaps the most outstanding examples of this situation, each of these associations being controlled by a holding corporation and all are heavily loaded with real estate inventories The principal use to which holding corporations seem to have been put in the past was that of promotion as well as avoidance of any personal liability by reason of ownership of guarantee capital stock. We do not feel that regulation of holding companies is a proper subject for legislation but your committee believes such practices as were indulged in in the past will be effectively dealt with by the Building and Loan Commissioner under the general powers granted to him under the provisions of the Building and Loan Code.

COMMITTEE RECOMMENDATIONS.

Your committee, after due deliberation, feels that the following recommendations are in order:

1. More stringent regulation of association advertising, and forbidding associations the right to exploit in any way the fact that such institutions are under the supervision of the State of California. In this connection we feel that this regulation should be extended to the point that the prior approval of the Building and Loan Commissioner should and must be had before advertising is released and such restrictions should be broad enough to inhibit any repetition of past indiscretions.

2. No association should be permitted to make loans upon more than 33⅓ per cent of the property within any one geographical area.

3 No association should be permitted to engage in a building and loan business within this State unless that association is organized under the laws of the State of California.

4. No association should be permitted to issue more than one class of certificates and no association should be permitted to grant a preference to any certificate holders.

5. No association should be permitted to issue hereafter any contract which, by its terms, obligates the said association to pay interest at a fixed rate or on any basis other than the actual earnings of the association.

6. The present section 6.02 of the Building and Loan Code governing withdrawals should be amended in the following particulars:

First: No association should be permitted by law to pay any withdrawal demand on less than 30 days notice (this to discourage the idea that such institutions are savings institutions accepting demand deposits).

Second: The present provisions of section 6.02 with reference to the net income of said associations which may be used as free money should be maintained.

Third: When an association has matured withdrawal notices on file, such notices should be paid on the basis of priority in time of filing subject to the following limitations:

> So long as there are subsequent matured notices of withdrawal on file no investor should be permitted to withdraw in excess of 33⅓ per cent of the total of the amount, subject to a minimum payment of $250 and a maximum payment of $5,000.

The practical effect of such a provision would be a more equitable basis for withdrawals as between large and small investors

Fourth: Withdrawal notices which come under the limitations as expressed in our third recommendation should not be deemed to be matured withdrawal notices for the purpose of determining an "association on notice" except to the extent such notice is payable in terms of dollars at the time such notice becomes first on the list

7. No association should be permitted to make loans in excess of 1 per cent of its total assets, or $5,000, whichever is the greater except in exceptional cases, and then only upon the prior approval of the commissioner.

Your committee again desires to express its appreciation to the offices of the Attorney General and Legislative Counsel for their splendid cooperation.

Your committee desires to bring to the attention of the members of the Assembly that the transcript of its proceedings are on file in the Legislative Counsel Bureau and are, of course, open to the inspection of any person interested therein.

Respectfully submitted

KENNETT B DAWSON.
JAMES J. McBRIDE.
JAMES B. UTT.
RALPH LOUIS WELSH

Withdrawal of Assembly Bill No. 2043.

By order of the Speaker, Assembly Bill No. 2043 was withdrawn from the file, and referred to Committee on Education.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1935.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No 1881—An act requiring individuals, as in said act defined, to obtain a certificate from the Commissioner of Corporations prior to soliciting, receiving or collecting contributions, fees or funds from security owners or holders for the purpose of protecting, enforcing or representing the rights of such security owners or holders; authorizing the Commissioner of Corporations to regulate and supervise the solicitation, collection and application of such funds; and providing for the enforcement of said act and penalties for the violation thereof; and declaring the measure an urgency measure within the meaning of section 1, Article IV of the Constitution and providing accordingly for the act to take effect immediately—has had the same under consideration and respectfully reports the same back, and recommends that it do pass.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 64—An act to amend section 3818 of the Political Code, relating to segregation of property on the assessment rolls,

Also Senate Bill No. 587—An act to repeal sections 3664, 3664a, 3664a-1, 3664aa 3664c, 3664d, 3664e 3665a, 3665b, 3665c, 3666 3666b, 3667, 3667a, 3667b, 3669c, 3670, 3670b, 3670bb, 3670c, 3670cc, 3670d, 3671, 3671a, and 3671b of the Political Code, Chapter 154 of the Statutes of 1921, to amend sections 3664b, 3664b-1, 3664b-4, 3668, 3668a, 3668b 3668c, 3669, and 3669c of the Political Code, all relating to the carrying into effect of the provisions of section 14 of Article XIII of the Constitution of the State of California,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

RILEY, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Revenue and Taxation to which was referred Senate Bill No 5—An act to amend sections 1 and 2 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to persons exempt from tax;

Also: Senate Bill No. 415—An act to add a new section to the Political Code to be numbered 3887, relating to the priority of the State of California for taxes;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

RILEY, Chairman.

The above reported bills ordered on file for second reading

Third Reading of Senate Bills.

Senate Bill No. 798—An act to amend section 2 of an act entitled "An act relating to the safety of design and construction of public school buildings, providing for regulation, inspection and supervision of the construction, reconstruction or alteration of or addition to public school buildings, and for the inspection of existing school buildings, defining the powers and duties of the State Division of Architecture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency

of the act, to take effect immediately," approved April 10, 1933, relating to the powers and duties of the State Division of Architecture in connection with the erection, reconstruction, alteration of, or addition to school buildings.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Chatters:

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, as amended, strike out the following capitalized words: "AND TO ADD SECTION 85 TO"

Amendment No. 2.

On page 3 of the printed bill, as amended, strike out all of lines 1 to 4, inclusive.

Amendments adopted

Bill read, ordered to reprint, and on file for third reading.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 289—An act to add section 1724 to the Code of Civil Procedure, relating to establishing the fact of death of a joint tenant.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 289 passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 826—An act to add a new section to the Code of Civil Procedure to be numbered 336a and to amend section 337 thereof, relating to the periods prescribed for the commencement of actions.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 826 passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Motion to Re-refer Assembly Bill No. 613.

Mr. Riley moved that Assembly Bill No. 613 be withdrawn from file, and ordered re-referred to Committee on County Government.

The question being on re-referring Assembly Bill No. 613 to Committee on County Government.

Motion carried.

Assembly Bill No. 613 ordered re-referred to Committee on County Government.

Motion to Rush Printing of Assembly Constitutional Amendment No. 70.

Mr. Kallam moved that the Chief Clerk be instructed to place a rush order on the printing of Assembly Constitutional Amendment No. 70.

Motion carried.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 733—An act to amend section 1032 of the Code of Civil Procedure, relating to costs in civil actions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 733 passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 566—An act to provide means for making applicable to judges of the superior courts the provisions of section 26 of Article VI of the Constitution of this State, relating to the method of selecting judges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 566 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, April 24, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Senate Bill No. 830—An act to amend sections 13 and 13a of the Motor Vehicle Fuel License Tax Act, relating to the disposition of funds received under said act.

In my opinion said Senate Bill No. 830 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

I therefore authorize the consideration of this bill as such a measure

Respectfully submitted

FRANK F. MERRIAM, Governor of California

Senate Bill No. 830—An act to amend sections 13 and 13a of the Motor Vehicle Fuel License Tax Act, relating to the disposition of funds received under said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 830 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Senate Bill No. 584—An act to add a new section to the Political Code to be known as section 3663d, relating to the assessment of property by the State Board of Equalization and the allocation of the assessed value of such property to the various taxing jurisdictions of the State.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 584 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—79.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Senate Bill No. 585—An act to amend section 3663b of the Political Code, relating to the assessment of property by the State Board of Equalization.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Crowley:

Amendment No. 1.

On page 2, line 46, of the printed bill, as amended May 9, 1935, after the period following the word "body", insert the following: "Notice shall be given by the board to such city of the final date for the filing with said board of such total assessed value."

Amendment No. 2.

On page 2, line 47, of the printed bill, as amended May 9, 1935, after the word "city", insert the following: "prior to such final date".

Amendments adopted.

Request for Unanimous Consent.

Mr. Crowley asked for, and was granted, unanimous consent to take up Senate Bill No. 585, as amended, at this time, without reference to reprint or file.

Bill read third time

Urgency clause read.

The question being, Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote.

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.
NOES—None.

Further Consideration Deferred.

Further consideration of Senate Bill No. 585 deferred.

Senate Joint Resolution No. 8—Relative to hours of employment of persons on interstate carriers.

Senate Joint Resolution No. 8 read.

Mr. Mayo moved the adoption of Senate Joint Resolution No. 8.

The question being on the adoption of Senate Joint Resolution No. 8.

The roll was called, and Senate Joint Resolution No. 8 adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Pevser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright and Mr. Speaker—79

NOES—None.

Title read and approved.

Senate Joint Resolution No. 8 ordered transmitted to the Senate.

Senate Joint Resolution No. 8.

Relative to hours of employment of persons on interstate carriers

WHEREAS, Under the provisions of the laws of the United States persons employed on interstate railroads are required to remain on duty 16 consecutive hours; and

WHEREAS, Such extended period of continuous employment tends to the physical exhaustion and the consequent inefficiency of such employees, increasing the danger of mishap; therefore be it

Resolved by the Senate and Assembly of the State of California, jointly. That the Legislature of this State hereby urges upon the Congress of the United States the adoption of a law limiting the hours of employment of such persons to 12 consecutive hours in any 24 consecutive hours, and declaring that such employees shall remain off duty at least 12 consecutive hours.

Senate Bill No. 529—An act to add three new sections to the Civil Code to be numbered 1426d¼, 1426d½ and 1426d¾, relating to discovery locations and to discovery shafts on lode and placer mining locations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 529 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Pevser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Senate Bill No. 122—An act to amend sections 156, 159, and 160 of the Vehicle Code, relating to registration of vehicles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 122 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Pevser, Phillips, Reaves, Redwine, Richie, Riley,

Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.
NOES—None

Title read and approved.
Bill ordered transmitted to the Senate

Senate Bill No. 81—An act to add a new section to be numbered section 8a, to an act entitled "An act establishing a State Mining Bureau, creating the office of State Mineralogist, fixing his salary and prescribing his powers and duties; providing for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution for defrauding, swindling and cheating therein, creating a State Mining Bureau fund for the purpose of carrying out the provisions of this act and repealing an act entitled 'An act to provide for the establishment, maintenance and support of a bureau, to be known as the State Mining Bureau, and for the appointment and duties of a board of trustees, to be known as the board of trustees of the State Mining Bureau, who shall have the direction, management and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction and supervision of the board of trustees of the State Mining Bureau,' approved March 23, 1893, and all acts amendatory thereof and supplemental thereto or in conflict herewith," approved June 16, 1914, relating to mining on State property.
Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Mayo:

Amendment No. 1.

On page 2, lines 4 and 5, of the printed bill, as amended, strike out "other than lands granted for school purposes".

Amendment No. 2.

On page 2, line 6, of the printed bill, as amended, strike out the comma, and insert in lieu thereof the following: "other than lands held in trust for educational or other specific purposes."

Amendments adopted.

Request for Unanimous Consent.

Mr. Mayo asked for, and was granted, unanimous consent to take up Senate Bill No. 81, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 81, as Amended.

Senate Bill No. 81, as amended, read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 81, as amended, finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley,

Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79
NOES—None.

Title read and approved
Bill ordered transmitted to the Senate.

Senate Bill No. 118—An act relating to the registration of vessels and requiring a tax clearance as the prerequisite for registration.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 118 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Pevser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—79
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Unfinished Business—(Resumed).

Motion to Reconsider Assembly Bill No. 1279 Continued.

Mr. O'Donnell moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No 1279 was passed be continued until the next legislative day.
Motion carried.

Recess.

At eight o'clock and fifteen minutes p.m., by order of the Speaker, the Assembly was declared at recess until nine o'clock and fifteen minutes p m., of this day.

Reassembled.

At nine o'clock and fifteen minutes p m., the Assembly reconvened. Speaker Craig in the chair

Withdrawal of Assembly Bill No. 1037.

By order of the Speaker, Assembly Bill No. 1037 was withdrawn from the file, and referred to Committee on Ways and Means.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1935

MR. SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No 1091—An act making an appropriation for the enforcement of standards, quality and identity, covering the manufacture and sale of California wines and brandy—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

GARIBALDI, Chairman.

Assembly Bill No. 1091 ordered re-referred to Committee on Ways and Means.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1935

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 76—An act to amend section 2924½ of the Civil Code, relating to mortgages and trust deeds;

Also: Assembly Bill No. 2444—An act to require security for the payment of wages of persons engaged in the canning industry and providing penalties for violation of the provisions thereof;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LYON, Chairman.

The above reported bills ordered on file for second reading.

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1935

MR SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No 1874—An act to amend section 26 of an act entitled "An act to control, license, and regulate the manufacture, transportation, sale, purchase, possession and disposition of wine, beer, and intoxicating liquor; to make an appropriation therefor; and to provide penalties for the violation thereof," approved June 3, 1933, relating to persons holding an interest in "on sale" or "off sale" licenses—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

GARIBALDI, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER Your Committee on Public Morals, to which was referred Assembly Bill No 707—An act to amend section 5 of an act entitled "An act to provide for the regulation and licensing of horse racing, horce race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation licensing and supervision of said horse racing and wagering thereon, to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

GARIBALDI, Chairman

The above reported bill ordered on file for second reading

Also:

MR SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 2412—An act to provide for the regulation and licensing of establishments for wagering or betting upon the results of horse races; to provide penalties for the violation of the provisions of this act and making an appropriation for the enforcement thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

GARIBALDI, Chairman

The above reported bill ordered on file for second reading

On Public Health and Quarantine.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1935

MR SPEAKER. Your Committee on Public Health and Quarantine, to which was referred Senate Concurrent Resolution No 33—Relative to prevention of accidental deaths and injuries in the home, in industry, in public places and on the streets and highways—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

KALLAM, Chairman

Senate Concurrent Resolution No 33 ordered on file for adoption.

Also:

MR SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1267—An act to amend the title and to add three new sections, to be numbered 2a, 2b and 2c, to an act entitled "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the health of persons by whom the materials from which food is prepared or the finished product is

handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors; and providing for the punishment of the same," approved March 6, 1909, relating to the use of sealed containers and providing for the sterilization of used bottles, receptacles and containers used for foods, drugs and liquors—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

KALLAM, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No 1010—An act to amend sections 1, 2, 3, 4 and 5 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulation, to provide rules regulating the proper sanitation of canneries, under the State Board of Health," approved May 23, 1925, as amended, relating to the inspection of canneries, the State Board of Public Health and to the power and duties thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

KALLAM, Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No 1282—An act to amend the title and to amend sections 2, 3, 4, 6, 12, 19 and 21 of, and to add section 6a to an act entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, as amended, relating to the adulteration, mislabeling, misbranding, advertising and sale of drugs and devices and to the powers of the State Board of Public Health in relation thereto—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

KALLAM, Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1281—An act to amend sections 4, 6, 13, 14, 20 and 21 of, and to add a new section to be numbered 8a to, an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, as amended, relating to adulteration, mislabeling, misbranding, false advertising and sale of food and the powers of the State Board of Health in relation thereto—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

KALLAM, Chairman.

The above reported bill ordered on file for second reading

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1935

MR SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No 1023—An act to amend an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

CRONIN, Chairman.

The above reported bill ordered on file for second reading.

Leave of Absence.

On motion of Mr. McMurray, Mr. Weber was granted leave of absence for the balance of this legislative day.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1100—An act to add section 43a to the Civil Code, relating to causes of action based upon alienation of affection and breach of promise.

Bill read third time.

Motion to Lay Assembly Bill No. 1100 on the Table.

Mr. Martin moved that Assembly Bill No. 1100 be laid on the table.

The question being on the motion to lay on the table.

Request for Roll Call.

On request of Messrs. Jones, Turner and Geyer, the Speaker ordered a roll call taken on the motion to lay Assembly Bill No 1100 on the table

The roll was called, and the motion lost by the following vote:

AYES—Brennan, Cassidy, Cronin, Crowley, Fisher, Meehan, Pelletier, and Waters—8.

NOES—Anderson, Breed, Chatters, Corwin Cottrell, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, O'Donnell, Patterson, Peterson, Peyser, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Welsh, Williamson, and Mr Speaker—51.

Assembly Bill No 1100 read third time

Floor Amendments.

During third reading of the bill, amendments were submitted by Messrs. Lyon and Hornblower.

Motion to Expunge Record.

Mr. Lyon moved that the vote taken on the amendments submitted by Messrs. Lyon and Hornblower be expunged from the record, and the action rescinded.

Motion carried.

Withdrawal of Amendments.

Messrs. Lyon and Hornblower withdrew their amendments.

Assembly Bill No. 1100 read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Williamson:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the entire title, and insert in lieu thereof "An act to add section 43a to the Civil Code, relating to causes of action based upon alienation of affection and breach of promise to marry".

Amendment No. 2.

On page 1, line 1, of the printed bill, after the numeral "1", strike out the balance of the bill, and insert in lieu thereof the following: "A new section is hereby added to the Civil Code to be numbered section 43a, and to read as follows

43a No court in the State of California shall have jurisdiction over the following causes of action:

1. Alienation of affection.

2. Breach of promise to marry except when based upon a written contract, and said causes of action are hereby abolished."

The question being on the amendments submitted by Mr. Williamson.

Withdrawal of Amendments.

Mr. Williamson withdrew his amendments.

Assembly Bill No. 1100 read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Messrs. Lyon and Hornblower:

Amendment No. 1.

On page 2 of the printed bill, as amended April 10, 1935, strike out lines 8 and 9, and insert in lieu thereof the following:

"2. The seduction of a wife, daughter, orphan sister, or servant, or of a minor person".

The question being on the amendment submitted by Messrs. Lyon and Hornblower.

Demand for Previous Question.

Messrs. Dawson, Flint, Turner, Heisinger and DeLap demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained

The question being on the amendment submitted by Messrs. Lyon and Hornblower.

Request for Roll Call.

On request of Messrs. Hornblower, McMurray and Dawson, the Speaker ordered a roll call taken on the amendment submitted by Messrs. Lyon and Hornblower.

The roll was called, and the amendment was adopted by the following vote:

AYES—Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Minard, Nielsen, Pelletier, Peterson, Peyser, Phillips, Redwine, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—58

NOES—Anderson, Evans, Ralph W., Flint, Glover, Johnson, Laughlin, McCarthy, Meehan, Patterson, Reaves, Richie, Riley, Robertson, and Wallace—14

Request for Unanimous Consent.

Mr. Richie asked for, and was granted, unanimous consent to take up Assembly Bill No. 1100, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed

Third Reading of Assembly Bill No. 1100, as Amended.

Assembly Bill No. 1100, as amended, read third time

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1100, as amended, passed by the following vote:

AYES—Anderson, Boyle, Breed, Burns, Chatters, Clark, Corwin, Cottrell, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Minard, Nielsen, Patterson, Peterson, Peyser, Phillips, Reaves, Richie, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Wallace, Welsh, Wright, and Mr. Speaker—55

NOES—Cassidy, Cronin, Cunningham, Field, Fisher, Gilmore, Latham, McBride, Meehan, Pelletier, Redwine, Riley, Stream, Walker, and Waters—15

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 1100.

Mr Fisher gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1100 was this day passed.

Assembly Bill No. 2392—An act to ratify and approve an interstate compact to conserve oil and gas, signed at Dallas, Texas, February 16, 1935, and declaring the urgency hereof.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Clark:

Amendment No. 1.

On page 4 of the printed bill, as amended, after line 43, add the following:

"SEC. 6. It is understood that this compact or any regulations or orders issued under its authority shall not at any time limit the domestic production of crude petroleum in the State of California below the total demand for all oils in and from said State, as officially reported in the monthly petroleum statement of the United States Bureau of Mines."

The question being on the amendment submitted by Mr. Clark.

Request for Roll Call.

On request of Messrs. Clark, Minard and Lore, the Speaker ordered a roll call taken on the amendment submitted by Mr. Clark.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Clark, Donihue, Evans, Ralph W., Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Hunt, Jones, Latham, Laughlin, Lore, McMurray, Meehan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Riley, Rosenthal, Stream, Turner, Voigt, Wagner, and Waters—32.

NOES—Breed, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Garibaldi, Gilmore, Heisinger, Hornblower, Johnson, Kallam, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Nielsen, Peyser, Phillips, Redwine, Robertson, Scudder, Thorp, Utt, Walker, Wallace, Welsh, Williamson, Wright, and Mr. Speaker—42

Assembly Bill No. 2392 read third time.

Motion to Set Special Order for Assembly Bill No. 2392.

Mr. Lyon moved that further consideration of Assembly Bill No. 2392 be deferred until Thursday, May 16, 1935, at two o'clock and thirty minutes p.m., and that it be set as a special order for that time.

Request for Roll Call.

On request of Messrs. Evans, Ralph W., Patterson and Geyer, the Speaker ordered a roll call taken on the motion of Mr. Lyon to defer consideration of Assembly Bill No. 2392 and to set special order.

The roll was called, and the motion was lost by the following vote:

AYES—Breed, Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hornblower, Kallam, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Nielsen, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Welsh, Williamson, and Wright—45.

NOES—Anderson, Boyle, Burns, Clark, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, McCarthy, Meehan, O'Donnell, Patterson Pelletier, Rosenthal, Voigt, Wagner, and Mr. Speaker—28.

Assembly Bill No. 2392 read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Reaves:

Amendment No. 1.

On page 4 of the printed bill, as amended, beginning in line 23, strike out all of lines 23, 24 and 25 up to and including the word "behalf", and insert in lieu thereof "the Legislature"

The question being on the amendment submitted by Mr. Reaves.

Request for Roll Call.

On request of Messrs. Minard, Lyon and Fisher, the Speaker ordered a roll call taken on the amendment submitted by Mr. Reaves.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Anderson, Donnelly, Flint, Geyer, Gilbert, Glover, Hawkins, Jones, Lore, Meehan, Nielsen, Patterson, Pelletier, Reaves, Richie, Rosenthal, and Wagner—17.

NOES—Cassidy, Clark, Corwin, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Hunt, Johnson, Kallam, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Miller, Minard, Peterson, Peyser, Phillips, Robertson, Scudder, Stream, Utt, Voigt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—45.

Request for Unanimous Consent.

Mr. Minard asked for, and was granted, unanimous consent to take up Assembly Bill No. 2392, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2392, as Amended.

Assembly Bill No. 2392, as amended, read third time.

Demand for Previous Question.

Messrs. Evans, Herbert J., Fisher, Robertson, Meehan and Pelletier demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr Minard moved a call of the House.

Request for Roll Call.

On request of Messrs. Hunt, Evans, Ralph W., and Geyer, the Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Evans, Herbert J., Field, Fisher, Frazier, Garibaldi, Gilmore, Hornblower, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Nielsen, Patterson, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—54.

NOES—Boyle, Crowley, Donihue, Donnelly, Evans, Ralph W., Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Lore, McCarthy, Pelletier, Reaves, Rosenthal, and Voigt—19.

Time, eleven o'clock and twenty minutes p m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll

The roll was called, and the following answered to their names:

Anderson, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J, Evans, Ralph W, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream,

Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—75.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent. Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 834—An act relating to and imposing limitations on expenditures by counties, cities and counties, districts and other political subdivisions, under authority of section 20 of Article XI of the Constitution of the State.

Bill read third time.

Floor Amendment.

During third reading of the bill, an amendment was submitted by Mr. Wright.

Motion to Expunge Record.

Mr. Desmond moved that the vote taken on the amendment submitted by Mr. Wright to Assembly Bill No. 834, be expunged from the record, and the action rescinded.

Motion carried.

Assembly Bill No. 834 read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Hornblower:

Amendment No. 1.

On page 2, line 20, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "or to any additional expenditures by a county, city and county, municipality, district or other political subdivision made necessary by legislative action or by vote of the people."

Amendment adopted.

Further Consideration Deferred.

Further consideration of Assembly Bill No. 834 deferred.

Further Proceedings Under Call of the House Dispensed With.

At eleven o'clock and forty minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Minard.

The roll of absentees was called, and Assembly Bill No. 2392, as amended, was passed by the following vote:

AYES—Anderson, Breed, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Johnson, Kallam, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Peterson, Peyser, Phillips, Redwine, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Wallace, Welsh, Williamson, Wright, and Mr Speaker—43.

NOES—Boyle, Burns, Cassidy, Clark, Crowley, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Latham, Laughlin, Lore, McCarthy, Meehan, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Richie, Riley, Rosenthal, Voigt, Wagner, and Waters—32.

Title read.

Amendment to Title.

During reading of the title, the following amendment was submitted by Mr. Minard:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, as amended, strike out "and declaring the urgency hereof", and insert in lieu thereof the following: "providing

for the appointment of a representative of the State of California to the Interstate Oil Compact Commission, and prescribing his powers and duties".

Amendment adopted.

Title, as amended, read and approved.

Notice of Reconsideration of Assembly Bill No. 2392.

Mr. Flint gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 2392 was this day passed.

Unfinished Business—(Resumed).

Motion to Continue Reconsideration of Assembly Bill No. 1618.

Mr Cronin moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1618 was refused passage be continued until the next legislative day

Motion for Reconsideration of Assembly Bill No. 1618.

Mr. McCarthy moved that the vote whereby Assembly Bill No. 1618 was refused passage be reconsidered at this time.

Mr McCarthy withdrew his motion

Motion to Continue Reconsideration of Assembly Bill No. 1618.

Mr. Cronin moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No 1618 was refused passage be continued until the next legislative day.

Request for Roll Call.

On request of Messrs. Evans, Ralph W., McCarthy, and Pelletier, the Speaker ordered a roll call taken on the motion by Mr. Cronin to continue reconsideration of Assembly Bill No. 1618.

The roll was called, and the motion was carried by the following vote.

AYES—Anderson, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Patterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr Speaker—64

NOES—Donahue, Evans, Ralph W., McCarthy, Pelletier, Voigt, and Wagner—6.

Motions to Reconsider Assembly Bills Nos. 2433 and 1608 Continued.

Mr. Lyon moved that the consideration of his motions to reconsider the vote whereby Assembly Bills Nos. 2433 and 1608 were passed be continued until the next legislative day.

Motion carried.

Adjournment.

At eleven o'clock and fifty-seven minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Thursday, May 16, 1935.

CHARLES H ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,

SACRAMENTO, Thursday, May 16, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order

Hon Edward Craig, Speaker of the Assembly, in the chair

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—80.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Brennan, its further reading was dispensed with.

Privilege of Floor of Assembly Extended.

On request of Mr. Chatters, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Col. Jerome B Frisbee of Lindsay.

On request of Mr. Turner, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Messrs. J. T. Wingate and Herbert Healy of Bakersfield.

On request of Mr. Phillips, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. Harold Ervin, Messrs. Nestor Brule and A. L. Long, all of Riverside, en route to the Exchange Club meeting at Marysville.

On request of Mr. Walker, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Philo Jones, Mrs. G. L. Marsh of Brawley, Mrs. J. D. Adams and Mrs. Sokels of El Centro.

On request of Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. J. C. W. Hinshaw of Pasadena.

On request of Mr. Nielsen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the teacher and pupils of the Hagginwood School, as follows: Rhoda Morgan, teacher; Joe Jones, Herbert Tate, Berniece Peterson, Erwin Courtright, Marguerite Grant, Jack Gould, Duke Nassoiy, Ed Walker, Lewis Nesler, Anna Lund, William Paul, Harry A. Steb, Bonnie Lee Harrison, Jane Carstens, Rannald Bitterman, Eliza Mores, Robert Page, Leroy Mott, Fred Whittaker, Lorraine Haworth, Eloise Pascoe, Theodore White, Bertha Fetch, Elva Ensley, Ray Duffie, Doris Eads, Opal Lardie, Margaret Wall, Faye Gould, Margaret Blauvelt, Burton Landon, Primo Albini, Ray Jones, Cal Florence, Robert Smith, Mary Isabelle Michie, Adaline Conner, Merle Brusso, Daniel Terry, M G M. Ason, Clair Gately and Roland Dudley, pupils.

On request of Mr. Williamson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Frank

Heffernan, Mrs Ellen O'Donaghue of San Francisco, and Mr. Adolph Canelo, Junior, Isle of Capri, Italy.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From the Honest Government League, opposing Sand Beach Route, and favoring Speedway Route in Ocean Park—Venice district.

From the Utopian Chapter 5210, Group 2, opposing Bills Nos 105, 106, 107, 108, 109, and 110.

From Florence E Turner, city clerk of Berkeley, California, as being opposed to the theory of the State taxing automobiles and preventing the city from placing a personal property tax on automobiles

From the California Osteopathic Association, commending the Senate committee for their effort to produce a workable system of health insurance.

From Valley Boulevard Civic League of Rosemead, California, favoring passage of Assembly Constitutional Amendment No. 65.

ASSISTANT CLERK OLIVER READING.

Reports of Standing Committees.

The following reports of standing committee were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 363—An act to amend sections 1011, 1012 and 1072 of the Agricultural Code, relating to economic poisons,

Also: Assembly Bill No. 368—An act to amend section 34 of, and to add section 34 5 to, the Agricultural Code, relating to cooperative agreements for the purpose of enforcing provisions relating to standardization and collaborative services;

Also, Assembly Bill No. 441—An act to amend the title, sections 1 and 2 of "An act to require security for the payment of wages of persons engaged in the mining industry," approved April 25, 1933 (Stats. 1933, Chap. 161), relative to security for the payment of wages in the mining industry and providing penalties for violation of the provisions thereof;

Also: Assembly Bill No. 463—An act to amend section 805 of the Agricultural Code, relating to persimmons;

Also Assembly Bill No. 1131—An act to amend sections 682, 806, 811, 827, 849, 877, and 878 of the Penal Code, relating to proceedings before the committing magistrate, and to add a new section to the Penal Code numbered 877a, relating to the commitment by the magistrate on plea of guilty;

Also, Assembly Bill No. 1244—An act to amend section 792 of the Agricultural Code, relating to avocados;

Also: Assembly Bill No. 1533—An act to amend section 871 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to the assessment, levy and collection of taxes;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this sixteenth day of May, 1935, at nine o'clock a m.

WATERS, Chairman.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1641—An act to amend section 11870 of the Insurance Code, relating to workmen's compensation insurance of the State and its agencies and certain political subdivisions, public corporations and quasi public corporations;

Also Assembly Bill No. 1678—An act to add a new section to the Penal Code to be numbered 969½, relating to the amendment of a complaint to charge prior convictions;

Also Assembly Bill No. 2034—An act to amend sections 1 and 2 and the title of an act entitled "An act prohibiting employers of labor from coercing employees in the purchase of things of value, and prescribing a penalty for the violation of the provisions hereof," approved April 26, 1917 (Stats. 1917, Chap. 141), relative to requiring employees and applicants for employment to patronize any person or firm in the purchase of any thing of value, and relative to the penalty therefor;

Also Assembly Bill No 65—An act granting certain tide and submerged lands of the State of California to the city of San Buenaventura, upon certain trusts and conditions,

And reports that the same have been correctly enrolled, and presented the same to the Governor on this sixteenth day of May, 1935, at nine o'clock a.m

WATERS, Chairman.

Resolution.

The following resolution was offered:

By Mr. Maloney:

Assembly Resolution.

WHEREAS, The California Code Commission, as part of its work, has prepared a draft of a Labor Code revising and codifying all the laws of this State relating to the subject of labor; and

WHEREAS, This measure in typewritten form was submitted to many interested persons and groups prior to the present session of the Legislature, but has not as yet been printed and thus has not received the wide circulation and exhaustive scrutiny which such a measure should receive before submission for legislative enactment; and

WHEREAS, The laws included in this code, embodying the bill of rights for labor, unquestionably affect more intimately the rights and duties of a larger number of people than does any other group of laws, and should be widely distributed and carefully examined for as long a period and by as many interested persons as possible, including members of the Legislature, employee groups, employer groups, and representatives of the State agencies charged with the enforcement of these laws, before submission to the Legislature for enactment into law; now, therefore, be it

Resolved by the Assembly of the State of California, That the Code Commission is hereby directed to prepare the proposed Labor Code for printing as soon after the adjournment of the 1935 session of the Legislature as possible, including therein all laws relating to the subject of labor enacted at this session, and to immediately distribute the same as herein indicated; and be it further

Resolved, That the Chief Clerk is hereby instructed to have 1,500 copies of said proposed code printed, the cost thereof to be payable from the legislative printing appropriation.

Resolution by Mr. Maloney read.

Mr. Maloney moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Clark, Corwin, Cottrell, Cunningham, DeLap, Donnelly, Evans, Herbert J., Fisher, Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Wagner, Walker, Wallace, Waters, Wright, and Mr. Speaker—53.

NOES—None.

Resolution.

The following resolution was offered:

By Mr. Anderson:

Assembly Resolution.

WHEREAS, It is universally recognized that all forms of taxes should bear some equitable relationship to the ability of the person taxed, to pay the tax; and

WHEREAS, All taxes if paid at all, must be paid from income of some character or else constitute confiscation; and

WHEREAS, The tremendous number of sales of real property for delinquent taxes would seem to indicate that the taxes levied thereon have exceeded the net return to the owners of such real estate; and

WHEREAS, It has often and authoritatively been asserted that real property taxes, being based upon appraisals determined largely upon original purchase price, prospective sales price or both, frequently bear no relationship whatever to the actual or warranted return upon the property to the owner either in the form of rentals or usefulness; and

WHEREAS, It has been stated that the burden of real estate taxes, even though not further reduced in total amount, could be borne more easily by property owners if the amount of taxes levied thereon, was based, in some degree, upon the earning power of the particular property taxed; and

WHEREAS, It is contended that it is possible to cause real property taxes to bear a more equitable relationship to the earning power of the particular property

taxed by modifications in the methods of assessment and in the methods of appraisals for assessment purposes now employed; be it

Resolved, by the Assembly of the State of California, That a committee of five members of the Assembly be appointed by the Speaker of the Assembly, to meet from time to time following the adjournment of the fifty-first session of the Legislature, for the purpose of thoroughly and adequately examining and investigating the methods of assessment and of appraisal for assessment purposes now employed; for the purpose of levying real property taxes and to study any and all methods for changes in the method of assessment which may come to its attention and to report thereon, together with its recommendations, to the Assembly upon the convening of the fifty-second session; and be it further

Resolved, That the committee shall proceed to organize by the election of one of its members as chairman and by the selection of a secretary and shall thereon proceed with the study and investigation herein authorized in such manner as it pertinent to the purposes herein stated; and be it further

Resolved, That the committee is hereby authorized and empowered to require the production of books, agreements, documents, records, accounts and papers of every kind; to issue subpenas to compel the attendance of witnesses and secure testimony, and as far as practicable to have material testimony reported so the same may be available for use by the Assembly; each member of the committee is authorized to administer oaths and all of the provisions of Article VIII, Chapter 2 of Title I of Part III of the Political Code, relating to the attendance of witnesses before the Legislature and committees thereof shall apply to the committee appointed under this resolution and it shall be the duty of all public officials to furnish such reports, information and evidence upon request of the committee as may be pertinent to the purposes herein stated; and be it further

Resolved, That the sum of $1,000 or so much thereof as may be necessary for the purpose of defraying the expenses of the committee and the cost of its investigation, is hereby made available and appropriated for the use of the committee out of the contingent fund of the Assembly, and the State Controller is authorized and directed to draw his warrants in favor of the person or persons entitled thereto for such expenditures as may be certified to him from time to time by the chairman of the committee, and the State Treasurer is hereby authorized and directed to pay the same.

Resolution by Mr Anderson read.

Mr. Anderson moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Donihue, Donnelly, Field, Fisher, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Richie, Robertson, Rosenthal, Turner, Utt, Voigt, Wagner, Walker, Waters, Wright, and Mr. Speaker—49.

NOES—Evans, Herbert J. Flint, Lyon, McCarthy, Redwine, and Scudder—6.

Motion to Re-refer Assembly Bill No. 1117.

Mr. Wright moved that Assembly Bill No. 1117 be withdrawn from Committee on Teachers Colleges, and ordered re-referred to Committee on Education.

The question being on re-referring Assembly Bill No. 1117 to Committee on Education.

Motion carried.

Assembly Bill No. 1117 ordered re-referred to Committee on Education.

Second Reading of Assembly Bills.

Assembly Bill No. 922—An act to amend section 1300 2 of the Agricultural Code, relating to produce dealers.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1765—An act to amend sections 649, 649a, 651a, 651b, 651c, and 651d of the Civil Code, relating to colleges and seminaries of learning.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 2305—An act to amend the State Medical Practice Act, relating to chiropody.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "amend", and insert in lieu thereof the following, "add section 9a to".

Amendment No. 2.

On page 1, line 1, of the printed bill, after "SECTION 1", insert the following: "A new section to be numbered 9a is hereby added to the State Medical Practice Act, to read as follows

9a. Any person who has been admitted to practice chiropody in any other State in the United States for a period of five years shall, notwithstanding any other provision of this act, upon application and the payment of the necessary fees, be entitled to take the required examination, and upon the successful passage thereof shall receive a certificate to practice chiropody in this State."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1303—An act to amend section 7 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to the employment of inspectors.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee.

Amendment No. 1.

Strike out all of the printed bill, including the title and enacting clause, and insert in lieu thereof the following

"An act to amend sections 1½, 2, 3, 4, 7, 9, 11, 14, 17, and to repeal section 10 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended, relating to pharmacy.

The people of the State of California do enact as follows:

SECTION 1. Section 1½ of the act cited in the title hereof is amended to read as follows:

Section 1½. No person, firm, copartnership, or corporation shall establish, open for business, or operate a store, dispensary, pharmacy, laboratory, or office, unless such person, firm, copartnership, or corporation shall have applied for and have been granted a license by the board to operate the same, as hereinafter provided

The application for such license shall be in the form of a sworn affidavit stating: *the location of the store, the name of the owner or owners, the name of the manager* if other than the owner is to manage or conduct the same, the name, status of registration and license number of each licentiate pharmacist and assistant pharmacist to be employed therein, and that all of the requirements of this act have been fully complied with.

When, upon investigation by the board the applicant shall have established to the satisfaction of the board that all of the requirements of this act have been fully complied with, the board shall issue to the applicant a license to establish and operate such store.

The fee for such original license, which shall expire on the thirtieth day of June next following, shall be ten dollars ($10), and the holder thereof shall remit to the board on or before June 30th of each succeeding year, the sum of two dollars ($2) in payment of the annual renewal thereof

The penalty for failure to renew such store license annually as hereinbefore provided shall be two dollars for each day the licensee remains in arrears in the payment of such renewal. After such license shall have been in arrears for thirty

days the board may suspend or revoke such license as it may in its discretion determine.

The board shall be notified immediately by the licensee of any change in location or ownership, or the suspension of operation of any store licensed under the provisions of this section, and the license shall be returned to the board at once for correction or cancellation. No such license or renewal thereof shall be transferable.

Any license issued under this section may be suspended or revoked for the causes and in the manner specified in section ____ of this act, and whenever, in the opinion of the board the continued operation of the store operation under such license constitutes a menace to the public health and welfare. No licensee whose license is suspended or revoked shall operate or permit any other person to operate the store covered by such license during any period of suspension or revocation.

Nothing herein contained shall be construed to require the payment of the original license fee of ten dollars ($10) by the owner or owners of any store or pharmacy established and operating on the date of the approval of this act, however, all such owners shall be required to make the application and pay the renewal fee as hereinbefore provided.

The term "board" as used in this act, unless otherwise limited or qualified shall mean the California State Board of Pharmacy.

All licensed pharmacies must display prominently within the store, the store license, and the original license certificates and the renewals thereof, of the registered pharmacists employed therein. All pharmacies must have an adequate prescription stock at all times, and must have in their prescription room a copy of the latest editions of the United States Pharmacopeia and the National Formulary and the poison register required to be kept by all pharmacies under section 1 of "An act to regulate the sale and use of poisons in the State of California." There must be posted or filed in an easily accessible place in the prescription room of all pharmacies a copy of the Pharmacy Act of the State of California and of the Poison Law of this State, in their latest revision, and a copy of the official chart of the Board of Pharmacy relating to poisons and antidotes.

Every pharmacy shall have the following minimum prescription utensils One base scale capable of weighing one-tenth grain or less; one set of accurate apothecary weights from 1 grain to 2 drams; one set of metric weights from 50 milligrams to 20 grams; a set of glass graduated measures, two or more in number, capable of measuring from 10 minims to 16 fluid ozs.; a set of glass graduated measures from 5 c.c. to 500 c.c.

SEC. 2. Section 2 of the act cited in the title hereof is amended to read as follows:

Sec. 2. The terms "store", "dispensary", "pharmacy", "laboratory", of office, as defined in section _____ of this act, are synonymous and shall be used interchangeably, and when any one of them is used anywhere in this act it shall have the same meaning, force and affect as if all of them had been used.

The term "board" as used anywhere in this act, unless otherwise specifically indicated, means the California State Board of Pharmacy

The terms "licentiate in pharmacy", "licentiate pharmacist", "pharmacist", "registered pharmacist", or "practicing pharmacist", when not otherwise limited shall mean any person who has ever been duly licensed as such under the laws of the State of California, or who may hereafter become licensed as such under the provisions of this act, to prepare, compound, and dispense physicians' prescriptions, and to sell drugs, medicines, poisons and chemicals; provided, that such terms shall be used interchangeably, and that when any one of them is used anywhere in this act, it shall have the same meaning, force and affect as if all of them had been used.

The term "assistant pharmacist", "registered assistant pharmacist" or "assistant" shall mean any person who has ever been duly licensed as such under the laws of the State of California or who may hereafter become duly licensed as such under the provisions of this act; provided, that such terms shall be used interchangeably, and that when any one of them shall be used anywhere in this act, it shall have the same meaning, force and affect as if all of them had been used.

The term "chemical" or "chemicals" where not otherwise limited, means any definite chemical compound, or chemical compound, or material or medicines

The terms "drug" and "medicine" as used in this act are synonymous shall be used interchangeably, shall mean all medicines and preparations recognized in the United States Pharmacopoeia or National Formulary for internal or external use, and any substance, mixture of substances, or devices intended to be used for the cure, mitigation, or prevention of disease of either man or other animals.

The term "National Formulary" or "N F." when not otherwise specifically indicated, shall mean the latest edition of that work as published by the American Pharmaceutical Association.

The term "Pharmacopoeia", "United States Pharmacopoeia", or "U.S P ", when not otherwise specifically indicated shall mean the latest edition of the Pharmacopoeia of the United States of America.

SEC 3 Section 3 of the act cited in the title hereof is amended to read as follows:

Sec 3. Every applicant for registration as a licentiate in pharmacy shall be at least twenty-one years of age, of good moral character and temperate habits, a graduate of a school or college of pharmacy or department of pharmacy of a university recognized and approved by the California State Board of Pharmacy, and shall file proof satisfactory to the board, substantiated by proper affidavits and such other evidence as the board may demand or require, of sufficient service and experience in a retail pharmacy under the supervision of a licentiate in pharmacy, to make a total, together with actual time of college attendance, of at least four (4) years of pharmaceutical training; provided, however, that in all cases, the actual time of attendance at a school or college of pharmacy or department of pharmacy of a university to be credited on the required four years of pharmaceutical training shall not exceed thirty-six months

Every applicant for registration as a licentiate in pharmacy shall be a citizen of the United States, or if eligible for such citizenship and not a citizen, must have filed and proved his or her intention of becoming such; and provided further, if citizenship is later denied to any person registered under this act, or should the naturalization of any such person be revoked, then such denial of citizenship or revocation of naturalization shall automatically cancel all such registration and privileges It is further provided that the foregoing requirement as to citizenship shall not apply to *any licentiate in pharmacy, or assistant pharmacist* who shall have been registered as such and in good standing at the time of the approval of this act

Graduation from a school or college of pharmacy or department of pharmacy *of a university shall hereafter not be recognized by the California State Board of* Pharmacy unless such school or college of pharmacy or department of pharmacy of a university shall require of its students resident attendance of not less than eight calendar months of each year of its course, which course shall be distributed *over a period of not less than four years, and shall consist of a minimum of three* thousand two hundred hours in pharmaceutical work which includes thirteen hundred hours of laboratory work predominantly related to pharmaceutical chemistry. It is provided, however, that nothing contained herein shall be construed *to deny any student the right to complete required three thousand two hundred* hour curriculum in a lesser period of time; and provided further, that the provisions of this paragraph shall not be construed by the board so as to deny recognition of the graduation from a school or college of pharmacy or department of pharmacy *of a university of any student who matriculated therein prior to January 1, 1936*

The California State Board of Pharmacy shall grant registration as a licentiate in pharmacy to any person otherwise qualified as provided in this section, who shall have passed an examination before and to the satisfaction of the board *Provided, however, that the board shall grant registration as a licentiate in pharmacy* to any person registered as an assistant pharmacist in the State of California prior to January 1, 1934, who shall have been registered as an assistant pharmacist for a period of at least two years prior to his or her application for examination *as a licentiate in pharmacy, and who shall pass an examination before and to the* satisfaction of the board.

Anything herein contained to the contrary notwithstanding, any person otherwise qualified, as provided in this section, who shall have graduated from a school or *college of pharmacy or a department of pharmacy of a university recognized and* approved by the California State Board of Pharmacy, shall be entitled to take such examination as may be prescribed by said board for candidates for registration as licentiate If any such person shall pass the regular examination for licentiate in pharmacy before and to the satisfaction of the board, but shall not have had four years pharmaceutical experience as defined in this section, he shall be automatically granted registration as an assistant pharmacist within the meaning of this act, and when such person shall file proof satisfactory to the board, substantiated by proper affidavits and such other evidence as the board may demand or require, of the completion of the required pharmaceutical experience, registration as a licentiate in pharmacy shall be granted to him by the board without further examination.

Service and experience in a retail pharmacy under the supervision of a licentiate in pharmacy as required in this section shall be acquired by the applicant subsequent to his matriculation in a college or school of pharmacy or department of pharmacy of a university recognized and approved by the board, and shall be predominantly related to the selling of drugs, compounding physicians' prescriptions, preparing of pharmaceutical preparations and the keeping of records and reports required under State and Federal statutes; provided, however, that no unlicensed person while acquiring such experience shall perform, or be permitted or allowed to perform any act the right to perform which is expressly or impliedly restricted to a licentiate in pharmacy or to an assistant pharmacist by the provisions of this act

The board may, at its discretion, refuse to accept the application of any person otherwise qualified as provided in this section, who shall have been shown, by

proof satisfactory to the board, to have violated any provision of this act, or the provisions of any State or Federal act relating to the duties of pharmacists

Any person securing a certificate of registration shall keep the same posted in a prominent place in the pharmacy where he or she is employed, where it may easily be read by any person entering said pharmacy. Said original certificate of registration so displayed shall have displayed in the lower left-hand corner thereof the current renewal certificate of such person No pharmacist licensed under the terms of this act shall permit any other person to use either of his certificates, nor allow them to be displayed in any pharmacy unless employed in said pharmacy at least six hours daily No person shall use any license granted under the terms of this act unless the same has been granted to such person. Pharmacists doing relief work shall be required to display their renewal certificate only, during the actual time of such relief work Any registered pharmacist who permits the use of his license certificate or renewal thereof by any other person shall have the same revoked permanently Any proprietor or manager of a pharmacy who knowingly permits or allows any person in his employ to use the license of another shall have the license of his pharmacy suspended for such period of time as the board may determine

It shall be the duty of all pharmacists licensed under this act to notify the Board of Pharmacy in writing within ten days after being employed in a pharmacy, the name of said pharmacy, the license number, and the name of the proprietor thereof. In case of termination of such employment, the board shall be notified thereof within ten days in writing. In case of change of employment, the board shall be notified in writing within ten days after such change has been made It shall be unlawful for any pharmacist to continue in the employ of any pharmacy after the ten days period of notification required in this section, unless the pharmacist is notified in writing by the Board of Pharmacy that such notice has been received.

All licenses issued under this section shall be revocable as provided in said act Where not otherwise provided in this act, it shall be the duty of the magistrate in whose court a conviction is had for a violation of any of the provisions of this act, to forward to the Board of Pharmacy a transcript of the judgment of conviction, which shall make a record of such violation. If the section violated provides for a revocation or suspension of the license, then the magistrate must enter his order to that effect in the judgment The Board of Pharmacy shall upon receipt of said transcript, suspend or revoke said license in accordance with said transcript Upon the third violation of any section of this act providing for suspension, the license must be revoked All revocations under this act shall be permanent No person whose license is suspended, or whose license is revoked, shall compound, retail or dispense, drugs, medicines, chemicals or poisons.

The board shall have the power to fix standards and requirements for pharmaceutical registration and licensure, except as otherwise herein specified.

SEC. 4. Section 4 of the act cited in the title hereof is amended to read as follows:

Sec. 4. The violation or continued violation of any of the provisions of this act may be enjoined in any court having jurisdiction, by or in a civil suit instituted by the Board of Pharmacy, in the name of the State of California.

SEC 5. Section 7 of the act cited in the title hereof is amended to read as follows:

Sec. 7. The State Board of Pharmacy shall have power:

(a) To make such by-laws and regulations, not inconsistent with the laws of this State, as may be necessary for the protection of the public, appertaining to the practice of pharmacy and the lawful performance of its duties

(b) To regulate the practice of pharmacy.

(c) To regulate the sale of poisons.

(d) To regulate the sale of drugs and medicines by or through any mechanical device.

(e) To forbid the sale of deleterious poisons, or harmful drugs or medicines, either upon its own investigation or upon a report from the State Board of Public Health. No person, firm, copartnership or corporation shall sell or offer for sale any medicine or drug, the sale of which has been stopped under this section, after receiving notice from the board that the sale of same is ordered stopped.

To investigate all complaints as to the quality, strength and purity of all pharmaceutical preparations and medicines, and to take such action as may be necessary to prevent the sale of such as do not conform to the standard and tests prescribed in the latest edition of the United States Pharmacopoeia or National Formulary.

(f) To employ inspectors of pharmacy and to inspect during business hours all pharmacies, dispensaries, stores, or places in which drugs, medicines and poisons are compounded, dispensed or retailed, and to cause the prosecution of all persons whenever there appears to the board to be reasonable ground for such action.

(g) To examine and register as pharmacists and assistant pharmacists all applicants whom it shall deem qualified to be such. All persons applying for registration, under this act, shall pay the following fees therefor to the secretary of the Board of

Pharmacy. Every applicant for registration shall pay a fee of twenty dollars on filing his or her application, which shall be compensation to the Board of Pharmacy for investigation or examination of the applicant; and any licentiate found by the board on examination to be entitled to a certificate shall pay the additional sum of five dollars upon the issuance of certificate; all applicants for examination as assistant, if found satisfactory by the board, shall be entitled to their certificate without further fee.

(h) In the event any person having registered shall have lost his or her certificate, or the same has been destroyed, or if he or she desires the renewal of the same, a new certificate may be issued by said board upon the applicant paying therefor the sum of three dollars; provided further, that where the original certificate is not lost or destroyed, then the certificate shall be surrendered before a renewal of same shall be issued; and provided further, that the board shall have the power to require satisfactory evidence from the applicant of the loss or destruction of the certificate; and provided further, that where the applicant is delinquent for the dues required by this act then he or she shall be required to pay to said board sufficient fees to cover his delinquency in that behalf before he or she shall be entitled to a reissue of the certificate in this subdivision provided for.

(i) Revocation or suspension of license. Causes. Any licentiate in pharmacy, or assistant pharmacist, may have his license suspended or revoked for any of the following causes:

(1) The conviction of a felony or misdemeanor involving moral turpitude, in which case the record of conviction or a certified copy thereof, certified by the clerk of the court, or by the judge in whose court the conviction is had, shall be conclusive evidence.

(2) The rendition of a final judgment against any licentiate in pharmacy, or assistant pharmacist, in a court of competent jurisdiction upon a cause of action alleging grossly unskillful or negligent pharmaceutical practice.

(3) For unprofessional conduct or for gross ignorance or inefficiency in his profession. Unprofessional conduct is hereby defined to be: The obtaining of any fee by fraud or misrepresentation; wilful betrayal of professional secrets; the employment directly or indirectly of any suspended licentiate in pharmacy, or assistant pharmacist, or unlicensed person, to practice pharmacy as defined in this act, the aiding or abetting of any unlicensed person to practice pharmacy unlawfully; the making of false affidavits in reference to his experience or the experience of any other person applying for registration; conviction of a felony or embezzlement or larceny subsequent to the procuring of his or her license in any court having legal jurisdiction; habitual intemperance; gross immorality; practicing or accepting or receiving any commission or rebating in any form or manner on fees for professional services, prescriptions or other services or articles supplied to patients; addiction to the use of narcotics; the operation of a pharmacy without securing the license provided for in section 1½ of this act; the operation of a pharmacy, the license of which has been suspended or revoked; failure to pay his or her annual renewal fee within the limit of time provided in this act; the operation or conduct of a pharmacy in such a dirty, filthy, unsanitary, unhealthful or other improper manner as shall, in the opinion of the board, constitute a menace or danger to the health, morals, or safety of the public or the customers thereof; or who shall be guilty of continued violations of this or any other act regulating the practice of pharmacy in this State.

Proceedings on revocation or suspension. The proceedings to revoke or suspend any license under (1) this section must be taken by the board on the receipt of a certified copy of the record of conviction.

The proceedings to revoke or suspend any license under (2) this section must be taken by the board on the receipt of a certified copy of the final judgment.

The proceedings to revoke or suspend any license under (3) this section may be taken upon the information of another. All accusations must be in writing, verified by some party familiar with the facts therein charged, and three copies thereof must be filed with the secretary of the board. Upon receiving the accusation the board shall, if it deem the complaint sufficient, make an order setting the same for hearing, at a specified time and place, and the secretary shall cause a copy of the order and of the accusation to be served upon the accused at least ten days before the day appointed in the order for said hearing. The accused must appear at the time appointed in the order and answer the charges and make his defense to the same, unless for sufficient cause the board assign another day for the purpose. If he does not appear the board may proceed and determine the accusation in his absence. If the accused plead guilty or refuse to answer the charges, or upon the hearing thereof the board shall find them or any of them true, it may proceed to a judgment revoking his license or suspending it. The board and the accused may have the benefit of counsel and the board shall have power to administer oaths, take the deposition of witnesses in the manner provided by law in civil cases, and to compel the attendance of witnesses and the production of books, papers, and documents pertaining to the matter of the hearing as in civil cases, by subpena issued over the signature of the secretary and the seal of the board and in the name of the people of the State of California. Whenever any person subpenaed to appear and give testimony or to produce such books, papers or documents as required by such subpena, shall refuse

to appear or testify, before said board, or to answer any pertinent or proper questions, he shall be deemed in contempt of said board, and it shall be the duty of the presiding office of said board to report the fact to the superior court of the State of California, in and for the State of California, in and for the county or city and county in which said investigation, trial or hearing is being held; thereupon the said court shall issue an attachment in the form usual to said superior court, directed to the sheriff of said county or city and county, commanding said sheriff to attach such person and forthwith bring him before said superior court. On the return of said attachment, and the production of the person attached, the said superior court shall have jurisdiction of the matter and the person charged may purge himself of the contempt in the same way, and the same proceedings shall be had, and the same penalties may be imposed, and the same punishment inflicted as in the case of a witness subpenaed to appear and give evidence on the trial of a civil cause before a superior court of the State of California. The board shall have power in proper cases to authorize the payment of fees and traveling expenses of necessary witnesses required to appear before the board and actually examined in any proceedings properly before it. Upon the revocation of any license, the fact shall be noted upon the records of the Board of Pharmacy and the license shall be marked as canceled, upon the date of its revocation.

Complaint for violation of act. The Board of Pharmacy or any member or officer thereof, may prefer a complaint for violation of this act, or any part thereof, before any court of competent jurisdiction, and may by its officers, counsel and agents, assist in presenting the law or facts at the trial. It shall be the duty of the district attorney of each county in this State to prosecute all violations of the aforesaid provisions of this act in their respective counties in which such violations occur.

Any inspector of the Board of Pharmacy who has been duly appointed and sworn shall, when acting under the direction of the board or an officer thereof in the performance of his duties as such inspector have all powers and authority of a peace officer of the State of California.

SEC. 6. Section 9 of the acts cited in the title hereof is amended to read as follows

Sec. 9. To provide a fund for the enforcement of the provisions of this act every licentiate in pharmacy, and every registered assistant pharmacist without exception shall pay an annual fee for the renewal of their respective licenses on or before the thirtieth day of June of each year.

The annual fee for renewal of the license of a licentiate in pharmacy shall be not less than two dollars nor more than five dollars, and the annual fee for the renewal of the license of an assistant pharmacist shall be not less than one dollar nor more than three dollars, in return for which annual renewal fee the board shall issue a certificate of renewal of registration.

Any licentiate in pharmacy or assistant pharmacist who shall fail to pay his or her annual renewal fee on or before June 30th of each year shall be assessed the following penalty: If such renewal is paid between July 1st and July 31st of any year a penalty of two dollars shall be assessed, and such renewal is paid between July 31st and September 30th a penalty of five dollars shall be assessed. No certificate of renewal shall be issued by the board to any person in arrears in the payment of their fee, unless such person shall have paid to the board the annual fee and all such penalties as are assessed under this section; and provided further, that failure to renew such license on or before September 30th of any year shall automatically cancel all such license and privileges.

Any license revoked under the provisions of this section may be reinstated by the board upon receipt of the payment of all arrears and a penalty of not less than twenty-five dollars nor more than fifty dollars

SEC. 7. Section 10 of the act cited in the title hereof is amended to read as follows.

SEC. 8. Section 11 of the act cited in the title hereof is amended to read as follows.

Sec. 10. All prescriptions filled by a duly registered pharmacist must be kept on file and open for inspection by duly constituted authorities for a period of at least two years, and any person who shall wilfully fail to do so shall be deemed guilty of a misdemeanor. The State Board of Pharmacy may at any time, when in their judgment it appears advisable, deputize one of their members, or any other competent person, to investigate any suspected violation of any of the provisions of this act, and, if the result of such investigation seems to the board to justify such action, the board shall cause the prosecution of any person violating any of the provisions of this act.

Every proprietor or manager of a pharmacy shall be held responsible for the quality of all drugs, medicines and chemicals sold or dispensed by him, except patent or proprietary medicines, or drugs or medicines in the original package of the manufacturer except where such medicines or drugs are made or put up expressly for such dealer. Any person who shall knowingly, wilfully or fraudulently falsify or adulterate, or cause to be adulterated or falsified, any drug or medical substance, or any preparation authorized or recognized by the U. S. P. or National Formulary, or

intended to be used in medical practice, or shall mix or cause to be mixed with any such drug or medicinal substance any foreign or inert substance to lessen its cost, and shall knowingly, wiltully or fraudulently sell the same, shall be guilty of a misdemeanor, to be punished as provided in this act.

Every person who shall compound, dispense or fill the prescription of a medical practitioner with drugs, ingredients or medicines other than those called for by said prescription, or in less quantity than called for by said prescription, unless first obtaining the consent of such patient or physician to such alteration, before filling such prescription, shall be guilty of a misdemeanor to be punished as provided in this act

No dealer shall be prosecuted for a violation of subdivision A of this section when he can establish a guarantee signed by the wholesaler, jobber or manufacturer, if such wholesaler, jobber or manufacturer from whom he purchased such articles, resides or has an agency in California. Said guarantee shall provide that such medicine or drug conforms to the terms of this act and shall contain the name and address of said guarantor, who shall thereupon be liable to penalty prescribed in this act.

SEC. 9. Section 14 of the act cited in the title hereof as amended to read as follows

Sec. 14. Any person, firm, copartnership, or corporation, or agent or officer thereof who violates, or omits to comply with, any of the provisions of this act is guilty of a misdemeanor, punishable by a fine of not exceeding five hundred dollars or by imprisonment for not exceeding six months, or by both such fine and imprisonment. All fines collected for violation of the provisions hereof shall be paid into the State treasury to the credit of the contingent fund of the Board of Pharmacy.

SEC 10. Sec. 17. This act is hereby amended to read as follows:

It shall be the duty of the owner or manager of any drug store or other store retailing drugs, medicines or poisons when called upon by an officer, or by a member of the Board of Pharmacy, or a duly authorized inspector, to furnish said officer, member of the Board of Pharmacy or duly authorized inspector with the names of the owner or owners or manager or managers and employees together with a brief statement of the capacity in which said persons are employed in said stores Any person refusing to furnish the information, or wilfully furnishing information that is false or untrue shall be deemed guilty of a misdemeanor.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading

Assembly Bill No. 785—An act to amend the title, sections 1, 2, 3, 4 and 5 of and to add a new section, to be numbered section 6, to an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for violation thereof," approved February 28, 1905 (Stats. 1905, Chap. 34), relating to the hours of drug clerks, requiring the keeping of records and posting schedules of such hours, providing for the enforcement of the act by the Chief of the Division of Labor Statistics and Law Enforcement and providing for the use of fines under the act by the said division for the administration of the act in augmentation of its current appropriations.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 11, 12 and 13 of the title of the printed bill, strike out the following: "for the use of fines under the act by the said division for the administration of the act in augmentation of its current appropriations", and insert in lieu thereof the following: "that all fines for violation of the provisions hereof shall be paid into the State treasury to the credit of the general fund".

Amendment No. 2.

On page 1, lines 10 to 13, inclusive, of the printed bill, strike out the following: "use of such penalties or fines by the Division of Labor Statistics and Law Enforcement for the administration of the act in augmentation of its current appropriations", and insert in lieu thereof the following: "disposition of such penalties",

Amendment No. 3.

On page 2, line 28, of the printed bill, at the end of the line, add a new sentence reading as follows: "Employment in more than one store, dispensary, pharmacy, laboratory or office for more than the number of hours permitted hereunder with knowledge of the previous employment in the other establishment or establishments shall be deemed a violation of this act."

Amendment No. 4.

On page 2, lines 44 to 47, inclusive, of the printed bill, strike out the following: "Division of Labor Statistics and Law Enforcement, in augmentation of the current appropriation for its support, and may be used by said division for the administration of this act", and insert in lieu thereof the following: "general fund".

Amendment No. 5.

On page 2, line 2, of the printed bill, after the word "work", following the word "any", insert the following: "of any kind of character whatsoever".

Amendment No. 6.

On page 2, line 14, of the printed bill, after the word "work", following the word "any", insert the following: "of any kind or character whatsoever".

Amendment No. 7.

On page 2, line 19, of the printed bill, after the semicolon following the word "week", strike out the balance of the line, all of lines 20 and 21, and the matter in line 22 to and including the semicolon following the word "act", and insert in lieu thereof the following: "Provided, however, that the periods of rest granted to the employee must be so apportioned that the employee shall receive, during a period of two calendar weeks, a full day of rest in one of such weeks, and two half days of rest in the other of such weeks, however, nothing contained in this section shall be construed to deny the employer the right to grant to the employee a full day of rest in both of such weeks."

Amendment No. 8.

On page 3, line 5, of the printed bill, strike out all of the matter in lines 5 to 22, inclusive, and insert in lieu thereof the following:

"Every person in charge, whether as owner, superintendent, manager, or overseer, of any store, dispensary, pharmacy, laboratory, office, shop, or establishment of similar character, where drugs or medicines are sold, or physicians prescriptions are compounded or dispensed, shall keep in a bound book and written in ink in a manner and according to a form designated by the Chief of the Department of Labor Statistics and Law Enforcement, a true and exact record of the schedule showing the names, capacities in which employed and actual hours of duty each day of the current calendar week, of all employees of the establishment who sell drugs or medicines, or who compound or dispense physicians prescriptions, and who perform any work of any kind or character whatsoever in such establishment. The record required to be kept by this section shall be preserved for a period of at least one year from the date of the last entry therein and shall be accessible at all reasonable hours to the Chief of the Division of Labor Statistics and Law Enforcement, his deputies and agents. Failure to keep and preserve such record, in addition to being a misdemeanor, shall be prima facie evidence of a violation of this act in other respects."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1583—An act to amend the Insurance Code, relating to insurance principles, practice and business, and matters incidental thereto.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "amend", and insert in lieu thereof the following "to add section 760a to".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 2 and 3 of the title, and insert in lieu thereof the following: "practice in respect to payment or allowance of compensation to unlicensed persons."

Amendment No. 3.

On page 1, line 1, of the printed bill, after the period, insert the following: "A new section is hereby added to Article 5 of Chapter 1 of Part 2 of Division 1 of the Insurance Code, to be numbered 760a and to read as follows:

760a. In any case where the agents of an insurer are required to be licensed pursuant to Article 1 of Chapter 5 of this part and such insurer directly or indirectly pays or allows compensation in any manner to any person not so licensed, if such compensation is paid or allowed by reason of acts by such person prohibited by Article 1 of Chapter 5 of this part as to persons not licensed thereunder, such payment or allowance is an unlawful rebate."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1795—An act to amend sections 1, 3½, 4 and 5 of "An act to be known as the Child Labor Law and regulating the employment, hours, kinds and conditions of labor of children; providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 19, 1919, as amended.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the following: "4 and 5", and insert in lieu thereof the following: "5½".

Amendment No. 2.

On page 1, line 8 of the title of the printed bill, strike out the figures "19", following the word "May", and insert in lieu thereof the figures "10".

Amendment No. 3.

On page 2, line 15, of the printed bill, strike out the word "eighteen", and insert in lieu thereof the word "fourteen".

Amendment No. 4.

On page 2, line 16, of the printed bill, strike out the word "twenty-one", and insert in lieu thereof the word "eighteen".

Amendment No. 5.

On page 2, line 19, of the printed bill, strike out the following: "or circulars", and insert in lieu thereof the following: ", circulars or merchandise,".

Amendment No. 6.

On page 2, line 21, of the printed bill, after the word "that", insert the following: "boys between the ages of twelve years and fourteen years may be employed only on a regular weekly school holiday and during a public school vacation, and all minors under the age of eighteen permitted to work in the above occupations shall hold permits to work, in accordance with the provisions of sections 1.177, 1.179, and 1.352 of the State School Code; and provided further,".

Amendment No. 7.

On page 2 of the printed bill, strike out lines 24 to 50, inclusive, and on page 3, strike out lines 1 to 37, inclusive.

Amendment No. 8.

On page 3, line 38, of the printed bill, strike out the figure "4", and insert in lieu thereof the figure "3".

Amendment No. 9.

On page 3, line 39, of the printed bill, strike out the figure "5", and insert in lieu thereof the following: "5½".

Amendment No. 10.

On page 3 of the printed bill, strike out lines 41 to 45, inclusive.

Amendment No. 11.

On page 3, line 46, of the printed bill, strike out "(B)", and insert in lieu thereof "(A)", and strike out the following: "and over eight".

Amendment No. 12.

On page 3, line 48, of the printed bill, strike out "this section", and insert in lieu thereof "the Child Labor Law."

Amendment No. 13.

On page 3, line 49, of the printed bill, strike out "(C)", and insert in lieu thereof "(B)".

Amendment No. 14.

On page 3, line 51, of the printed bill, strike out "(D)", and insert in lieu thereof "(C)".

Amendment No. 15.

On page 3, line 52, of the printed bill, strike out "six", and insert in lieu thereof "ten".

Amendment No. 16.

On page 4, line 4, of the printed bill, strike out "(E)", and insert in lieu thereof "(D)".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No 1881—An act to add a new section, section 563d, to the Penal Code, prohibiting false rumors regarding corporations.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No 1281—An act to amend sections 4, 6, 13, 14, 20 and 21 of, and to add a new section to be numbered 8a to, an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, as amended, relating to adulteration, mislabeling, misbranding, false advertising and sale of food and the powers of the State Board of Health in relation thereto.

Bill read second time, ordered to re-engrossment, and third reading

Assembly Bill No. 1282—An act to amend the title and to amend sections 2, 3, 4, 6, 12, 19 and 21 of, and to add section 6a to an act entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, as amended, relating to the adulteration, mislabeling, misbranding, advertising and sale of drugs and devices and to the powers of the State Board of Public Health in relation thereto.

Bill read second time, ordered to re-re-engrossment, and third reading.

Assembly Bill No. 1874—An act to amend section 26 of an act entitled "An act to control, license, and regulate the manufacture, transportation, sale, purchase, possession and disposition of wine, beer, and intoxicating liquor; to make an appropriation therefor; and to provide penalties for the violation thereof," approved June 3, 1933, relating to persons holding an interest in "on-sale" or "off-sale" licenses.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 707—An act to amend section 5 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 5", and insert in lieu thereof the following: "sections 12, 13 and 16".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "5", and insert in lieu thereof the following: "12".

Amendment No. 3.

On page 1 of the printed bill, between lines 2 and 3, insert the following:

"SEC. 12. The licensee fee to be paid by licensees shall be four per cent of all money handled in the pari-mutuel pools, payment of same shall be made by said licensee, daily, during each racing meeting; each application for a license to conduct such racing meeting shall be accompanied by a certified check payable to the Treasurer of the State of California, as ex officio treasurer of the racing board in either of the following sums, dependent upon the classification of the county where the said meeting is to be held.

Counties of the first class.....$10,000 00
Counties of the second class..... 10,000 00

Counties of the third class, at the rate of fifty dollars ($50) per day for such race meeting.

When the meeting for which said license is granted has terminated, and the licensee has fully paid said four per cent of said money handled in said pools, the said sum so deposited with such application for a license shall be returned to said licensee; in the event said licensee fails, refuses or neglects to pay said four per cent of said money handled in said pools, the amount thereof shall be deducted from said sum so deposited with such application for a license and the balance if any shall be returned to said licensee.

If by reason of any cause beyond control, and through no fault or neglect of any licensee, and when such licensee is not in default, it should become impossible for such licensee to hold or conduct racing upon any date or dates licensed by the board, the board in its discretion and at the request of such licensee shall have power to return the fees paid by such licensee for racing upon the days upon which it is possible for such licensee to hold or conduct racing or to specify any other day or days which may replace the days omitted and to take their place. No deposit fee shall be required for horse race meetings conducted by a county fair or by a district agricultural association.

SEC. 2. Section 13 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 13. All fees, commissions, and other moneys received by the board shall be paid into the State treasury immediately upon receipt of the same and credited to a special fund hereby created, to be known as the "Fair and exposition fund." There is hereby appropriated annually out of said moneys the following: Twenty thousand dollars to the board to defray the expenses of the officers and employees provided for herein; one hundred twenty-five thousand dollars for the support of the California State Fair; one hundred twenty-five thousand dollars to the Los Angeles County Fair, fifteen thousand dollars to the Sixth District Agricultural Association of the State of California, for the purpose of holding a permanent exposition and exhibition of all citrus products and of all of the industries and industrial enterprises, resources, and products of every kind and nature of the State of California, with a view of improving, exploiting, encouraging and stimulating the same, to which there shall never be any charge of admission, and for the support of the buildings and grounds and other property of the Sixth District Agricultural Association; of the balance of said moneys after all of the above deductions have been made, five per cent for payment to and use of those certain citrus fruit fairs defined in section 94 of the Agricultural Code, but not to district agricultural associations or county fairs, said sum to be apportioned between such citrus fruit fairs upon the basis of the population of the several counties in which such fairs are held, and if only one such fair is held, then it shall receive all of said sum; forty per cent of such balance for the

encouragement of county, district or combined county and district agricultural fairs (exclusive of the Los Angeles County Fair, the Sixth District Agricultural Association and such citrus fruit fairs) to be apportioned by and expended under the supervision of the Department of Finance in the manner and for the purpose prescribed by section 92 of the Agricultural Code and other applicable provisions of law, but no such county, district or combined county and district agricultural fair shall receive a sum greater than forty thousand dollars from the fair and exposition fund in any one year. The balance of all said moneys after all of the above deductions have been made shall be appropriated for the benefit of the State institutions of learning, providing vocational training in agricultural, animal husbandry and kindred subjects or for the relief of unemployment within the State of California or for old age pensions as the Legislature shall provide."

Amendment No. 4.

On page 1 of the printed bill, strike out lines 3 to 20, inclusive, and strike out all of page 2, and insert in lieu thereof the following:

"SEC. 3. Section 16 of the act cited in the title hereof is hereby amended to read as follows:

Sec 16. No license or excise tax or fee in excess of one hundred dollars ($100) for each racing day, except as provided in this act, shall be assessed or collected from any licensee by the State or by any town, district, city, township, village or any other body having the power to assess or collect a tax, license or fee; and no tax, license or fee shall be assessed or collected from any district agricultural association or any county fair conducting horse race meetings, except when such meetings are conducted by a private person, firm or corporation."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2412—An act to provide for the regulation and licensing of establishments for wagering or betting upon the results of horse races; to provide penalties for the violation of the provisions of this act and making an appropriation for the enforcement thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 1, of the printed bill, as amended, strike out "fifty", and insert in lieu thereof the following: "thirty".

Amendment No. 2.

On page 2, line 5, of the printed bill, as amended, strike out the comma and "except where such horse races as are"; and strike out lines 6 to 9, inclusive, and insert in lieu thereof a period and the following: "Such licensee shall not however accept wagers between the hours of one fifteen p.m., and the close of racing for that day, upon any race conducted upon a licensed track situated within fifty miles of licensee's place of business."

Amendment No. 3.

On page 2, of the printed bill, as amended, strike out lines 12, 13 and 14, and insert in lieu thereof the following: "one thousand dollars. Before such license is issued the licensee shall deliver to the director a corporate surety bond in the penal sum of ten thousand dollars payable to the State of California conditioned upon the faithful performance by the licensee of the provisions of this act and the payment by such licensee to the State of all taxes collected by such licensee as provided herein. In addition thereto for the privilege of operating such establishment a tax is hereby imposed on all persons, firms or corporations licensed under this act at a rate equal to five per cent of the gross receipts by such licensee of wagers or bets placed or made in such establishment The tax hereby imposed shall be collected by the licensee from all persons placing bets or wagers and shall be collected in addition to the amount of such bet or wager. The tax levied hereunder shall be a direct obligation of the licensee and shall be due and payable to the Director of the Department of Professional and Vocational Standards daily."

Amendment No. 4.

On page 2, line 18 of the printed bill, as amended, after the period, insert the following: "The director shall forthwith cancel the license of any licensee convicted of violating any of the provisions of this act."

Amendment No. 5.

On page 2, line 43, of the printed bill, as amended, strike out "All"; also strike out lines 44 to 50, inclusive.

Amendment No. 6.

On page 3, line 11, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "and shall be punished by a fine of not to exceed five hundred dollars or by imprisonment in the county jail for not to exceed six months or by both such fine and imprisonment.

Any licensee who accepts a wager or bet without collecting the tax provided for in section 3 of this act is guilty of a misdemeanor and shall be punished by a fine of not to exceed five hundred dollars or by imprisonment for not to exceed six months or by both such fine and imprisonment."

Amendment No. 7.

On page 3, of the printed bill, as amended, strike out lines 12, 13 and 14, and insert in lieu thereof the following: "Any licensee under the provisions of this act who accepts a bet or wager from a minor or permits a minor to frequent any licensed establishment hereunder is guilty of a misdemeanor."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1010—An act to amend sections 1, 2, 3, 4 and 5 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulation, to provide rules regulating the proper sanitation of canneries, under the State Board of Health," approved May 23, 1925, as amended, relating to the inspection of canneries, the State Board of Public Health and to the power and duties thereof.

Bill read second time, ordered to re-re-engrossment, and third reading.

Assembly Bill No. 1267—An act to amend the title and to add three new sections, to be numbered 2a, 2b and 2c, to an act entitled "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the health of persons by whom the materials from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors; and providing for the punishment of the same," approved March 6, 1909, relating to the use of sealed containers and providing for the sterilization of used bottles, receptacles and containers used for foods, drugs and liquors.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 13 of the title of the printed bill, as amended in Assembly May 6, 1935, strike out the word "sealed", and insert in lieu thereof the word "closed".

Amendment No. 2.

On page 1, line 14 of the title of the printed bill, as amended in Assembly May 6, 1935, strike out the comma and the word "receptacles".

Amendment No. 3.

On page 2 of the printed bill, as amended in Assembly May 6, 1935, strike out all of line 6, and insert in lieu thereof the following: "at retail jams, jellies, preserves, marmalades, peanut butter, horseradish, mayonnaise or salad dressings other than in closed containers".

Amendment No. 4.

On page 2, line 11, of the printed bill, as amended in Assembly May 6, 1935, strike out the period, and insert in lieu thereof the following: ", except when sold in bulk

for manufacturing purposes; provided that none of the provisions of this act shall be applicable to containers mentioned within the provisions of Division IV of the Agricultural Code"

Amendment No. 5.

On page 2, line 14, of the printed bill, as amended in Assembly May 6, 1935, strike out the word "receptacles", and insert in lieu thereof the words "glass or crockery food".

Amendment No. 6.

On page 2, line 15, of the printed bill, as amended in Assembly May 6, 1935, strike out the word "or".

Amendment No. 7.

On page 2, line 30, of the printed bill, as amended in Assembly May 6, 1935, strike out the comma and the words "receptacles or", and insert in lieu thereof the words "or glass or crockery food".

Amendment No. 8.

On page 2 of the printed bill, as amended in Assembly May 6, 1935, strike out all of lines 45 and 46, and insert in lieu thereof the following: "tain the equipment and to cleanse or sterilize the bottles and any glass or crockery food containers covered by this section, in the manner".

Amendment No. 9.

On page 2, line 50, of the printed bill, as amended in Assembly May 6, 1935, strike out the comma and the words "receptacles or", and insert in lieu thereof the words "or glass or crockery food".

Amendment No. 10.

On page 3, line 4, of the printed bill, as amended in Assembly May 6, 1935, strike out the comma and the words "receptacles or", and insert in lieu thereof the words "or glass or crockery food".

Amendment No. 11.

On page 3, line 7, of the printed bill, as amended in Assembly May 6, 1935, strike out the second comma and the words "receptacles or", and insert in lieu thereof the words "or glass or crockery food".

Amendments adopted.

Bill read second time, ordered to reprint, re-re-engrossment, and third reading.

Assembly Bill No. 76—An act to amend section 2924½ of the Civil Code, relating to mortgages and trust deeds.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2444—An act to require security for the payment of wages of persons engaged in the canning industry and providing penalties for violation of the provisions thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1023—An act to amend an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "amend", insert the following: "section 6 of".

Amendment No. 2.

On page 1 of the printed bill, after the enacting clause, insert the following:

"SECTION 1. Section 6 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 6. Any person over twenty-one years of age shall be eligible to take an examination before the Board of Dental Examiners of California, upon making application therefor, and upon (1) paying a fee of twenty-five dollars; provided, that the fee shall be fifty dollars for applicants presenting credentials of graduation from dental schools other than in California; (2) furnishing satisfactory testimonials

of good moral character, (3) furnishing satisfactory evidence of having graduated from a reputable dental college, which must have been approved by the Board of Dental Examiners of California; provided, however, that every person actually engaged as an apprentice to a regularly licensed dentist who has practiced in the State of California for ten years or more shall be eligible for examination, if, within thirty days after the passage of this act, he shall file with the secretary of the board an affidavit stating his name, age, the length of time for which he has been actually apprenticed and with whom, and who, at the time of his application for examination shall show to the satisfaction of the board that he has served an apprenticeship of at least five years and is a graduate from a high school or similar institution of learning in this or some other State of the United States requiring a three years' course of study; and provided, that no examination shall be given to an applicant claiming the right to take the same as an apprentice later than January 31, 1936."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 610—An act to add section 1203c to the Penal Code, relating to filing of reports by probation officers with the State Board of Prison Directors.

Bill read second time, and ordered on file for third reading.

Senate Bill No 618—An act to amend subsection 1, section 1203, of the Penal Code, relating to probation and probation officers

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "subsection 1, section 1203, of", and insert in lieu thereof the following: "section 1203 of, and to add sections 1203 1 to 1203 12, inclusive to".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 and 2, and insert in lieu thereof the following:

"SECTION 1. Section 1203 of the Penal Code is hereby amended to read as follows:

1203. After the conviction by plea or verdict of guilty of a public offense in cases where discretion is conferred on the court or any board or commission or other authority as to the extent of the punishment the court, upon application of the defendant or of the people or upon its own motion, may summarily deny probation or at a time fixed may hear and determine in the presence of the defendant the matter of probation of the defendant and the conditions of such probation, if granted; if probation is not denied, the court must immediately refer the matter to the probation officer to investigate and to report to the court at a specified time, upon the circumstances surrounding the crime and concerning the defendant and his prior record, which may be taken into consideration either in aggravation or mitigation of punishment; the probation officer must thereupon make an investigation of circumstances surrounding the crime and the prior record and history of the defendant and make a written report to the court of the facts found upon such investigation and must accompany said report with his written recommendations as to the granting or withholding of probation to the defendant and as to the conditions of probation if it shall be granted and the report and recommendations must be filed with the clerk of the court as a record in the case. At such time or times fixed by the court, the court must hear and determine such application and in connection therewith must consider any report of the probation officer, and must make a statement that it has considered such report which must be filed with the clerk of the court as a record in the case. And if it shall determine that there are circumstances in mitigation of punishment prescribed by law, or that the ends of justice would be subserved by granting probation to the defendant, the court shall have power in its discretion to place the defendant on probation as hereinafter provided; if probation is denied, the clerk of the court must forthwith send a copy of the report and recommendations to the Board of Prison Directors, further provided, however, that probation shall not be granted to any defendant who shall have been convicted of robbery, burglary, burglary with explosives, rape with force or violence, arson, murder, assault with intent to commit murder, attempt to commit murder, grand theft, train wrecking, feloniously receiving stolen goods, felonious assault with a deadly weapon, kidnaping, mayhem, escape from a State prison, conspiracy to commit any one or more

of the aforementioned felonies, or any of the aforementioned felonies, and who at the time of the perpetration of said crime or any of them or at the time of his arrest was armed with a deadly weapon (unless at the time he had a lawful right to carry the same), nor to a defendant who used or attempted to use a deadly weapon in connection with the perpetration of the crime of which he was convicted, nor to one who in the perpetration of the crime of which he was convicted inflicted great bodily injury or torture, nor to any defendant unless the court shall be satisfied that he has never in any place been previously convicted of a felony, nor to any public official or peace officer of the State, county, city, city and county, or other political subdivision who, in the discharge of the duties of his public office or employment, accepted or gave or offered to accept or give any bribe or embezzled public money or was guilty of extortion."

Amendment No. 3.

On page 1, line 3, of the printed bill, strike out "1. Courts Power Over Punishment", and insert in lieu thereof the following:

"SEC. 2. Section 1203.1 is hereby added to the Penal Code, to read as follows: 1203.1."

Amendment No. 4.

On page 1, line 22, of the printed bill, strike out "subdivision twenty-nine of section 4041", and insert in lieu thereof the following: "section 4041.12".

Amendment No. 5.

On page 2, line 8, of the printed bill, strike out "Additional Punishment."

Amendment No. 6.

On page 2, line 13, of the printed bill, strike out the semicolon, and insert in lieu thereof a comma.

Amendment No. 7.

On page 2 of the printed bill, after line 37, insert the following:

"SEC. 3. Section 1203.2 is hereby added to the Penal Code to read as follows:

1203.2. At any time during the probationary period of the person released on probation in accordance with the provisions of these sections, any probation or peace officer may without warrant, or other process, at any time until the final disposition of the case, rearrest any person so placed on probation under the care of a probation officer, and bring him before the court, or the court may in its discretion issue a warrant for the rearrest of any such person and may thereupon revoke and terminate such probation, if the interests of justice so require, and if the court in its judgment, shall have reason to believe from the report of the probation officer, or otherwise, that the person so placed upon probation is violating any of the conditions of his probation, or engaging in criminal practices, or has become abandoned to improper associates or a vicious life. Upon such revocation and termination the court may, if the sentence has been suspended, pronounce judgment after said suspension of the sentence for any time within the longest period for which the defendant might have been sentenced, but if the judgment has been pronounced and the execution thereof has been suspended, the court may revoke such suspension, whereupon the judgment shall be in full force and effect, and the person shall be delivered over to the proper officer to serve his sentence, less any credits herein provided for.

SEC. 4. Section 1203.3 is hereby added to the Penal Code to read as follows:

1203.3. The court shall have power at any time during the term of probation to revoke or modify its order of suspension of imposition or execution of sentence. It may at any time when the ends of justice will be subserved thereby, and when the good conduct and reform of the person so held on probation shall warrant it, terminate the period of probation and discharge the person so held, but no such order shall be made without written notice first given by the court or the clerk thereof to the proper probation officer of the intention to revoke or modify its order, and in all cases if the court has not seen fit to revoke the order of probation and impose sentence or pronounce judgment, the defendant shall at the end of the term of probation or any extension thereof, be by the court discharged subject to the provisions of these sections.

SEC. 5. Section 1203.4 is hereby added to the Penal Code to read as follows:

1203.4. Every defendant who has fulfilled the conditions of his probation for the entire period thereof, or who shall have been discharged from probation prior to the termination of the period thereof, shall at any time prior to the expiration of the maximum period of punishment for the offense of which he has been convicted during from said discharge from probation of said termination of said period of probation, be permitted by the court to withdraw his plea of guilty and enter a plea of not guilty; or if he has been convicted after a plea of not guilty, the court shall set aside the verdict of guilty; and in either case the court shall thereupon dismiss the accusation or information against such defendant, who shall thereafter be released from all penalties and disabilities resulting from the offense or crime of which he has been convicted. The probationer shall be informed of this right and privilege in his probation papers. The probationer may make such application and change of plea in person or by attorney authorized in writing, provided, that in any subsequent prosecution of such defendant for any other offense such prior conviction may be

pleaded and proved and shall have the same effect as if probation had not been granted or the accusation or information dismissed.

SEC. 6. Section 1203.5 is hereby added to the Penal Code to read as follows.

1203.5. The offices of adult probation officer, assistant adult probation officer, and deputy adult probation officer are hereby created; provided, that except as hereinafter specified the probation officers, assistant probation officers and deputy probation officers appointed under an act known as the Juvenile Court Law and entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, or under any laws amending or superseding the same shall be ex officio adult probation officers, assistant adult probation officers and deputy adult probation officers respectively except in the case of offenses committed in any city and county and in any county or counties not operating under a freeholders' charter and having a population of more than three hundred thousand and under five hundred thousand and also in any county or counties having a population of more than one hundred thousand and under one hundred ten thousand, as the same is determined by the Federal Census taken in the year anno Domini 1920, in which counties and cities and counties the adult probation officers, assistant and deputy adult probation officers appointed under section 1203.7 shall serve under these sections; provided, however, that in all cases of offenses defined by section 21 of said act, known as the Juvenile Court Law and by section 270 of the Penal Code, the same probation officers, assistants and deputies shall serve under these sections as are appointed under said Juvenile Court Law.

SEC. 7. Section 1203.6 is hereby added to the Penal Code to read as follows:

1203.6. In any county having a population of more than nine hundred thousand in any city and county, and in any said county or counties having a population of more than three hundred thousand and under five hundred thousand and also in any county or counties having a population of more than one hundred thousand and under one hundred ten thousand, the judges presiding in the departments designated for the hearing and disposition of criminal cases and proceedings by a majority vote shall by order entered in the minutes of the court in the criminal department or departments thereof, appoint seven citizens of good moral character to be known as the adult probation board and shall fill all vacancies occurring in such board. The clerk of said court shall immediately notify each person appointed on said board and thereupon said persons shall appear before a judge of the superior court and qualify by taking an oath, which shall be entered in said record, to perform faithfully the duties of such adult probation board.

The members of such adult probation board shall hold office for four years and until their successors are appointed and qualified; provided, that of those first appointed, one shall hold office for one year, two for two years, two for three years and two for four years, the terms for which the respective members shall hold office to be determined by lot as soon after their appointment as may be. When any vacancy occurs in any adult probation board by expiration of the term of office of any member thereof, the successor shall be appointed to hold office for the term of four years. When any vacancy occurs for any other reason the appointee shall hold office for the unexpired term of his predecessor. Any member of the probation board may be removed for cause at any time by an affirmative vote of four members of said board at a meeting called for the special purpose of considering the question of said removal and the subsequent written approval of a majority of said judges designated for the hearing and disposition of criminal cases and proceedings, said written approval to be filed with the clerk of the court within thirty days after the written report of the said board has been received by said judges. Written notice as to said special meeting shall be served on each of the members of said board at least ten days prior to the date therefor and shall specify the purpose thereof. The member sought to be removed shall be informed in writing of the charges against him and be given an opportunity to be heard.

It shall be the duty of the members of such adult probation board to work in cooperation with the adult probation officer to meet at stated times, to familiarize themselves with the charges against the probationers under the charge of the adult probation officer and the conditions of such probation, to exercise a friendly supervision of probationers when so directed by the court, to furnish the court and the adult probation officer information, and to render special assistance when requested by the court, and from time to time to advise and recommend to the court any

changes or modification of the order made in the case of a probationer, as may be for the best interests of such person. Members of the adult probation board shall serve without compensation.

SEC 8. Section 1203.7 is hereby added to the Penal Code to read as follows:

1203.7. In any county having a population of more than nine hundred thousand there shall be one adult probation officer and eight assistant adult probation officers who shall receive salaries as follows: One adult probation officer three hundred dollars per month; one assistant adult probation officer two hundred twenty-five dollars per month; and seven assistant adult probation officers each one hundred seventy-five dollars per month. In any city and county there shall be one adult probation officer and nine assistant adult probation officers who shall receive salaries as follows: The adult probation officer three hundred fifty dollars per month; one assistant adult probation officer two hundred seventy-five dollars per month; seven assistant adult probation officers each two hundred ten dollars per month; and one assistant adult probation officer who shall act as cashier and clerk, one hundred ninety dollars per month.

In any county or counties of more than three hundred thousand and under five hundred thousand, there shall be one adult probation officer, one assistant adult probation officer and two deputy probation officers who shall receive salaries as follows: The adult probation officer two hundred fifty dollars per month; one assistant probation officer two hundred dollars per month; one deputy adult probation officer one hundred seventy-five dollars per month and one deputy adult probation officer fifty dollars per month. One deputy adult probation officer in such county shall be a woman and shall be a competent stenographer and typist of sufficient ability to perform the clerical and stenographic work of the office in addition to her other duties.

In any county or counties of more than one hundred thousand and under one hundred ten thousand, there shall be one adult probation officer and one deputy adult probation officer who shall receive salaries as follows: The adult probation officer two hundred dollars per month and one deputy adult probation officer one hundred twenty-five dollars per month; provided, however, that if in the judgment of the majority of the judges regularly sitting in or assigned to the criminal department or department of superior court in any county or city and county herein mentioned, the services of any assistant adult probation officer or deputy adult probation officer are not required, such assistant or deputy shall not be appointed until the efficiency of the probation system and number of probationers in such county or city and county require such appointment.

The salaries of the adult probation officer, assistant and deputies herein provided shall be paid out of the treasury of the county or city and county in which they are appointed in the same manner as the salaries of other county or city and county officers. The adult probation officer, assistants and deputies and members of the adult probation board shall be allowed such necessary incidental expenses incurred in the performance of their duties as required by any law of the State of California as may be authorized by a judge designated for the hearing and disposition of criminal cases and proceedings, or by the judge of a department to which criminal actions and proceedings are assigned, and the same shall be a charge upon the county or city and county and said expenses shall be paid out of the county or city and county treasury upon the written order of said judge, directing the county auditor to deliver his warrant upon the treasurer for the specified amount of such expenses and the adult probation officer shall keep a list of expenses and file a copy monthly with the board of supervisors.

SEC. 9. Section 1203.8 is hereby added to the Penal Code to read as follows:

1203.8 In counties and cities and counties herein mentioned the adult probation officer, assistants and deputies herein provided shall be nominated by the adult probation board and shall be appointed by a majority vote of the judges presiding in the departments designated for the hearing and disposition of criminal cases. The term of office of the adult probation officer, assistants and deputies herein provided for shall be two years from the date of their appointment. The said officers may at any time be suspended or removed by an order of a majority of the judges presiding in the department designated for the hearing and disposition of criminal cases and proceedings for good cause shown and on the filing of written charges by the said judge or judges by a written resolution of the adult probation board or by the chief probation officer. Upon filing such charges, said judge or judges shall make an order setting the same for hearing at a specified time and place not less than ten days nor more than twenty days after filing such charges. Notice shall be served upon the person against whom such charges are made at least five days before such hearing together with a copy of such charges.

Each adult probation officer, assistant and deputy shall give a bond in the sum of not more than two thousand dollars and approved by the judges of the superior court presiding in the departments designated for the hearing and disposition of criminal cases, conditioned for the faithful discharge of the duties of said office. If said bonds are furnished by a surety company licensed to transact business in

the State of California, the premium thereon shall be paid out of the county treasury.

The adult probation officer may appoint as many additional deputies as he may desire, provided, however, that such deputy shall not have authority to act until their appointment shall be approved by a majority vote of the adult probation board and by a majority vote of the judges presiding in departments designated for the hearing and disposition of criminal cases. The term of office of such deputies shall expire with the term of the adult probation officer making such appointment, but the adult probation officer may at any time in his discretion revoke and terminate such appointment. Such deputies, except as herein provided, shall serve without compensation.

Boards of supervisors of counties and cities and counties herein mentioned shall provide and maintain at the expense of such county or city and county in a location in the vicinity of the county jail, suitable offices and quarters for the adult probation officer. Nothing contained in this subdivision shall apply to offenses defined by section 21 of the said Juvenile Court Law.

SEC. 10. Section 1203.9 is hereby added to the Penal Code to read as follows:

1203.9. Whenever any person is released upon probation under the provisions of these sections, the case may be transferred to any court of the same rank in any other county, or city and county, of this State in which such person resides, or to which such person may remove, and such court shall thereupon commit such person to the care and custody of the probation officer of the county or city and county, to which such person has been transferred; such court shall thereafter have entire jurisdiction over such cases, with like power to make transfer whenever to such court such transfer may seem proper.

SEC. 11. Section 1203.10 is hereby added to the Penal Code to read as follows:

1203.10. At the time of the plea or verdict of guilty of any person over eighteen years of age, the probation officer of the county of the jurisdiction of said criminal shall, when so directed by the court, inquire into the antecedents, character, history, family environment, and offense of such person, and must report the same to the court and file his report in writing in the records of such court. When directed, his report shall contain his recommendation for or against the release for such person on probation. If any such person shall be released on probation and committed to the care of the probation officer, such officer shall keep a complete and accurate record in suitable books or other form in writing of the history of the case in court, and of the name of the probation officer, and his act in connection with said case; also the age, sex, nativity, residence, education, habit of temperance, whether married or single, and the conduct, employment and occupation, and parents' occupation, and condition of such person committed to his care during the term of such probation and the result of such probation. Such record of such probation officer shall be and constitute a part of the records of the court, and shall at all times be open to the inspection of the court or of any person appointed by the court for that purpose, as well as of all magistrates, and the chief of police, or other heads of the police, unless otherwise ordered by the court. Said books of records shall be furnished for the use of said probation officer of said county, and shall be paid for out of the county treasury.

SEC. 12. Section 1203.11 is hereby added to the Penal Code to read as follows:

1203.11. Every probation officer, within fifteen days after the thirtieth day of June, and within fifteen days after the thirty-first day of December, of each year, shall make in writing and file as a public document with the county clerk a report to the superior court of the county or city and county in which such probation officer is appointed to serve, and shall furnish a copy of such report to each judge in said county or city and county who has released any person on probation, who at the time of such report remains on probation, and a further copy to the secretary of the State Department of Public Welfare. Such report shall state, without giving names, the exact number of persons, segregating male and female, and segregating misdemeanors and felonies, who have been released on probation to such probation officer as such number exists, deducting all cases of expiration, discharge, dismissal, and restoration of rights, on said thirtieth day of June, and said thirty-first day of December; and such report shall further segregate such person as having been released on probation, as the case may be, in 1903, 1904, 1905, and so on, up to and including the calendar year in which such report is made and filed.

SEC. 13. Section 1203.12 is hereby added to the Penal Code to read as follows:

1203.12. The probation officer shall furnish to each person who has been released on probation, and committed to his care, a written statement of the terms and conditions of his probation unless such a statement has been furnished by the court, and shall report to the court, judge or justice, releasing such person on probation, any violation or breach of the terms and conditions imposed by such court on the person placed in his care.

Such probation officer shall have, as to the person so committed to the care of said probation officer, the powers of a peace officer."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 614—An act to amend section 644 of the Penal Code, relating to habitual criminals.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 15, of the printed bill, strike out "may", and insert in lieu thereof "shall".

Amendment No. 2.

On page 2, lines 3 and 4, of the printed bill, strike out "shall be adjudged an habitual criminal and".

Amendment No. 3.

On page 2, line 6, of the printed bill, after the word "parole", insert a semicolon and add the following: "provided that in exceptional cases the judgment and commitment, in the discretion of the court, may provide that the defendant is not an habitual criminal, and in such cases the defendant shall not come within the provisions of this section".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 491—An act to amend section 3 of, and to add section 11.5 to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to definitions and the limitation of actions.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee.

Amendment No. 1.

On page 2, line 28, of the printed bill, as amended, after "11", insert the following: ", or in any other section,".

Amendment No. 2.

On page 2, line 29, of the printed bill, as amended, after "date", strike out the balance of the line, and in line 30, strike out "form fully and continuously", and in lieu thereof insert the following: "when the employee is incapacitated by such disease from performing any portion of"

Amendment No. 3.

On page 2, line 31, of the printed bill, as amended, after the period in said line add the following: "Proceedings for the collection of the benefit provided by subsection a of section 9 or for the collection of the disability payment provided by subsection b of said section 9 or for the collection of the death benefit provided by subsection e of said section 9 must be commenced within six months from the date that he has been first informed by a physician that he is suffering from silicosis or asbestosis, but in no case in more than seven years from the time of incapacity."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 64—An act to amend section 3818 of the Political Code, relating to segregation of property on the assessment rolls.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 587—An act to repeal sections 3664, 3664a, 3664a-1, 3664aa, 3664c, 3664d, 3664e, 3665a, 3665b, 3665c, 3666, 3666b, 3667, 3667a, 3667b, 3669c, 3670, 3670b, 3670bb, 3670c, 3670cc, 3670d, 3671, 3671a, and 3671b of the Political Code, Chapter 154 of the Statutes of 1921, to amend sections 3664b, 3664b-1, 3664b-4, 3668, 3668a, 3668b, 3668c, 3669, and 3669c of the Political Code, all relating to the carrying into effect of the provisions of section 14 of Article XIII of the Constitution of the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 5—An act to amend sections 1 and 2 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to persons exempt from tax.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 49, of the printed bill, as amended April 25, 1935, after "delinquency.", add the following:

"SEC. 3. The provisions of this act shall become effective on January 1, 1936."

Amendment No. 2.

On page 1, line 17, of the printed bill, as amended April 25, 1935, strike out the words "one hundred", and insert in lieu thereof "fifty".

Amendment No. 3.

On page 2, line 26, of the printed bill, as amended April 25, 1935, after the word "hereunder", strike out the period, and insert in lieu thereof a semicolon, and add the following: "provided, that in no event shall the aggregate fee paid by any operator exceed the sum of twenty-five dollars."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 415—An act to add a new section to the Political Code to be numbered 3887, relating to the priority of the State of California for taxes.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "the Political Code", and insert in lieu thereof the following: "an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out "3887", and insert in lieu thereof the following: "26½".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 to 14, both inclusive.

Amendment No. 4.

On page 1 of the printed bill, below the enacting clause, insert the following:

"SECTION 1. A new section to be numbered 26½ is hereby added to the act cited in the title hereof to read as follows:

Sec. 26½. Whenever any retailer liable for any tax levied hereunder is insolvent, whenever any retailer makes a voluntary assignment of his assets, whenever the estate of a deceased retailer in the hands of executors, administrators, or heirs is insufficient to pay all the debts due from the deceased, or whenever the estate and effects of an absconding, concealed, or absent retailer are levied upon by process of law, the tax, together with interest and penalties attaching thereto, shall be first satisfied; provided, however, that this section shall not be construed to give the State a preference over any recorded lien which attached prior to the date when the tax became due."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Motion to Re-refer Assembly Bill No. 922.

Mr. Desmond moved that Assembly Bill No. 922 be withdrawn from file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 922 to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 922 ordered re-referred to Committee on Ways and Means.

Unfinished Business.

Consideration of Senate Amendments to Assembly Bill No. 509.

Assembly Bill No. 509—An act providing for State planning and a State Planning Board, and prescribing the powers, duties and jurisdiction thereof.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 509?

Amendment No. 1.

On page 2, line 13, of the printed bill, as amended, after the word "gifts", strike out the comma and insert the words "for the purposes of State planning".

Amendment No. 2.

On page 2, line 17, of the printed bill, as amended, following the period after the word "State", insert the following: "The State Planning Board shall not exercise any of the powers or duties of any other State department or agency."

The roll was called, and Senate amendments to Assembly Bill No. 509 were concurred in by the following vote:

AYES—Anderson, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Nielsen, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 509 ordered to enrollment.

Motion to Reconsider Assembly Bill No. 403 Continued.

Mr. Welsh moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No 403 was passed be continued until the next legislative day.

Motion carried.

Reconsideration of Assembly Bill No. 1608 Waived.

Mr. Boyle waived his notice to reconsider the vote whereby Assembly Bill No. 1608 was passed.

Assembly Bill No. 1608 ordered transmitted to the Senate.

Consideration of Senate Amendments to Assembly Bill No. 2383.

Assembly Bill No. 2383—An act to prohibit and declare void certain contracts, conditions, agreements and understandings in connection with the sale or contract to sell motor vehicles by manufacturers or wholesale distributors thereof, and prohibiting the giving or payment of any thing or service of value by any manufacturer or wholesale distributor of motor vehicles to anyone engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles, and the acceptance or receipt thereof by any such person when competition in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or

leases on motor vehicles may be lessened or eliminated or a monopoly created or tended to be created, and prohibiting from doing business in this State anyone engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles who so accepts or receives any thing or service of value from any manufacturer or wholesale distributor of motor vehicles, and prescribing penalties, forfeitures, and recoveries for the violation thereof.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2383?

Amendment No. 1.

On page 2, line 20, of the printed bill, as amended, after the word "made", strike out the words "directly or", and in line 21, strike out the word "indirectly".

Amendment No. 2.

On page 2, line 38, of the printed bill as amended, after the word "made", strike out the word "directly", and in line 39, strike out the words "or indirectly.".

The roll was called, and Senate amendments to Assembly Bill No. 2383 were concurred in by the following vote:

AYES—Anderson, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Dawson, DeLap, Donahue, Evans, Herbert J., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Miller, Morgan, Nielsen, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—58

NOES—None.

Assembly Bill No. 2383 ordered on file for third reading.

Reconsideration of Assembly Bill No. 1100 Waived.

Mr. Fisher waived his notice to reconsider the vote whereby Assembly Bill No. 1100 was passed.

Assembly Bill No. 1100 ordered transmitted to the Senate.

Motion to Reconsider Assembly Bill No. 530 Continued.

Mr. Redwine moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 530 was refused passage be continued until the next legislative day.

Motion carried.

Third Reading of Assembly Bills.

Assembly Bill No. 834—An act relating to and imposing limitations on expenditures by counties, cities and counties, districts and other political subdivisions, under authority of section 20 of Article XI of the Constitution of the State.

Assembly Bill No. 834 read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Hornblower:

Amendment No. 1.

On page 1, line 10, of the printed bill, strike out the words "two-thirds", and strike out lines 11 and 12, and insert in lieu thereof the following "a majority".

Amendment No. 2.

On page 1, line 13, of the printed bill, strike out the word "municipality" and in lieu thereof insert the following "county, city and county, municipality, district or other political subdivision"

The question being on the amendments submitted by Mr. Hornblower.

Request for Roll Call.

On request of Messrs. Hornblower, Jones, and Flint, the Speaker ordered a roll call taken on the amendments submitted by Mr. Hornblower.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Wright moved a call of the House.

Motion carried.

Time, eleven o'clock and ten minutes a m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr Speaker—73.

The Chief Clerk announced the absentees

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2391—An act to amend sections 125, 374, 375, 1881, and 1973 of, and to add sections 341.5 and 1973.5 to the Code of Civil Procedure, relating to criminal conversation, breach of promise and alienation of affections suits.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Ritchie:

Amendment No. 1.

On page 1, line 13, of the printed bill, strike out the following "sixty days", and insert in lieu thereof the following: "six months".

Amendment No. 2.

On page 1, line 17, of the printed bill, strike out "sixty days", and insert in lieu thereof "six months".

Amendment No. 3.

On page 1, line 23, of the printed bill, strike out "sixty days", and insert in lieu thereof "six months".

Amendment No. 4.

On page 2, line 3, of the printed bill, strike out "minor person", and insert in lieu thereof "female".

Amendment No. 5.

On page 2, line 4, of the printed bill, strike out "such person's", and insert in lieu thereof "her".

Amendment No. 6.

On page 2, line 6, of the printed bill, strike out "for such seduction", and insert in lieu thereof "in her favor".

Amendment No. 7.

On page 2, line 11, of the printed bill, strike out "minor child", and insert in lieu thereof "daughter".

Amendment No. 8.

On page 2, line 12, of the printed bill, strike out the word "minor", and strike out the word "child", and insert in lieu of the word "child" the word "daughter"; also on that line after the word "or", strike out "the".

Amendments adopted.

Request for Unanimous Consent.

Mr. Richie asked for, and was granted, unanimous consent to take up Assembly Bill No. 2391, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2391, as Amended.

Assembly Bill No. 2391, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2391, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Chatters, Clark, Corwin, Cottrell, Crowley, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, RalphW., Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Peyser, Phillips, Reaves, Richie, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Wallace, Welsh, Williamson, and Mr Speaker—60.

NOES—Brennan, Cassidy, Field, Fisher, Latham, Meehan, Pelletier, Redwine, Walker, and Waters—10.

Title read and approved.

Bill ordered transmitted to the Senate

Motion to Dispense With Further Proceedings Under Call of the House.

At eleven o'clock and twenty minutes a.m., Mr. Hornblower moved that further proceedings under call of the House be dispensed with.

Mr. Hornblower withdrew his motion.

Special Order.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Constitutional Amendment No. 65.

Assembly Constitutional Amendment No. 65—Proposed amendment to Article XIII of the Constitution, by adding section 17 thereto, relative to taxation.

Bill read third time.

Motion.

Mr. Williamson moved that the Assembly resolve itself into Committee of the Whole for the purpose of considering Assembly Constitutional Amendment No. 65.

Motion carried.

In Committee of the Whole.

Speaker Craig in the chair.

Assembly Constitutional Amendment No. 65 considered.

Mr. Latham moved that the committee do now rise, and report back to the Assembly.

In Assembly.

Speaker Craig in the chair.

Report of Committee of the Whole.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935.

GENTLEMEN: Your Committee of the Whole, which has had under consideration Assembly Constitutional Amendment No. 65, does now respectfully report the same back, without recommendation.

CRAIG, Chairman.

Further Consideration of Assembly Constitutional Amendment No. 65.

Motion to Lay Assembly Constitutional Amendment No. 65 on the Table.

Mr. Lyon moved that Assembly Constitutional Amendment No. 65, as amended, be laid on the table.

The question being on the motion to lay on the table.

Request for Roll Call.

On request of Messrs. Williamson, Desmond and Robertson, the Speaker ordered a roll call taken on the motion to lay Assembly Constitutional Amendment No. 65, as amended, on the table.

The roll was called, and the motion was carried by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Heisinger, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Martin, Mayo, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—59.

NOES—Anderson, Cassidy, Cronin, Cunningham, Fisher, Hornblower, Johnson, Maloney, McMurray, O'Donnell, Redwine, and Williamson—12.

Further Proceedings Under Call of the House Dispensed With.

At twelve o'clock and seven minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Hornblower.

The roll of absentees was called, and the amendments to Assembly Bill No. 834, submitted by Mr. Hornblower, were adopted by the following vote:

AYES—Anderson, Boyle, Brennan, Cassidy, Chatters, Clark, Cronin, Crowley, Dawson, Desmond, Evans, Ralph W., Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Laughlin, Lore, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, Welsh, Williamson, and Wright—44.

NOES—Andreas, Breed, Burns, Corwin, Cottrell, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Heisinger, Johnson, Kallam, Latham, Lyon, Martin, Miller, Minard, Morgan, O'Donnell, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, and Mr. Speaker—35.

Notice of Reconsideration of Amendments to Assembly Bill No. 834.

Mr. Wright gave notice that on the next legislative day he would move to reconsider the vote whereby the amendments to Assembly Bill No. 834, submitted by Mr. Hornblower, were this day adopted.

Recess.

At twelve o'clock and ten minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until one o'clock and thirty minutes p.m., of this day.

Reassembled.

At one o'clock and thirty minutes p.m., the Assembly reconvened Speaker Craig in the chair.

Motion to Re-refer Assembly Bill No. 598.

Mr Latham moved that Assembly Bill No. 598 be withdrawn from file, and ordered re-referred to Committee on Ways and Means

The question being on re-referring Assembly Bill No 598 to Committee on Ways and Means.

Motion carried.

Assembly Bill No 598 ordered re-referred to Committee on Ways and Means.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented·

By Mr. Cottrell:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935.

MR SPEAKER· I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 363i of the Political Code, relating to the administration of certain bays, ports and harbors.

Referred to Committee on Introduction of Bills.

By Mr Scudder:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935

MR SPEAKER I ask permission to introduce the accompanying bill, the title of which reads as follows.

An act to add Chapter 9, embracing sections 725 to 734, inclusive, to Division IV of the Agricultural Code, relating to dairies and dairy products

Referred to Committee on Introduction of Bills.

By Messrs. Redwine and Jones:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935

MR SPEAKER. I ask permission to introduce the accompanying bill, the title of which reads as follows.

An act to prevent the entry into California of paupers, vagabonds, indigent persons, persons likely to become public charges, and persons affected with contagious or infectious diseases, providing means for enforcing the same and prescribing penalties for the violation thereof, declaring the urgency thereof, and providing it shall take effect immediately.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1198—An act to repeal sections 2.1223 and 6.523 of the School Code, relating to reports of books purchased for any school district—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

FIELD, Chairman.

The above reported bill ordered on file for second reading.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935.

MR. SPEAKER Your Committee on Fish and Game, to which was referred Assembly Bill No 2330—An act to amend sections 62 and 93 of the "Fish and Game Code," approved April 11, 1933, relating to fish and game and other wild life.

Also· Assembly Bill No. 2417—An act to amend section 844 of the Fish and Game Code, relating to nets,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

FISHER, Chairman

The above reported bills ordered on file for second reading.

On Prisons and Reformatories.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1935

MR. SPEAKER: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 609—An act to add section 1582a to the Penal Code of the State of California, relating to hours of labor of prison guards—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MARTIN, Chairman.

The above reported bill ordered on file for second reading.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935

MR SPEAKER Your Committee on Ways and Means, to which was referred Assembly Bill No 2449—An act creating the California Farm Debt Adjustment Commission, defining its powers and duties and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 2448—An act to amend section 407 of the Streets and Highways Code relating to State highways—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

STREAM, Chairman.

The above reported bill ordered on file for second reading.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935

MR SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No 913—An act to amend section 459 of the Fish and Game Code, as added by Chapter 374, Statutes of 1933, and to renumber said section to be section 460, relating to the transportation of fish and game into this State—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FISHER, Chairman

The above reported bill ordered on file for second reading.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 634—An act to amend section 23 of the District Investigation Act of 1933, relating to exemptions, declaring the urgency hereof and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935

MR. SPEAKER Your Committee on Roads and Highways, to which was referred Senate Bill No 262—An act to amend sections 6, 10, 17 and 18 of, and to add section 24 to, an act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns, to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act," approved May 15, 1933, relating to outdoor advertising

and the regulation thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

STREAM, Chairman.

The above reported bill ordered on file for second reading.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 212—An act to amend sections 137, 138 and 166 of the Fish and Game Code and to add two new sections to be numbered 171 and 172—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FISHER, Chairman.

The above reported bill ordered on file for second reading.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No 1493—An act providing for the calling of a Constitutional Convention in the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

COTTRELL, Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1387—An act to empower and direct the Director of Finance to locate and establish by agreement or action to quiet title, the boundary between tide and submerged lands and littoral lands, in Orange County, California, to empower the grantee of any such tide and submerged lands to locate and establish such boundary, and to make an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935.

MR. SPEAKER: Your Committee on Roads and Highways to which was referred Assembly Bill No. 444—An act to amend section 13 of the Motor Vehicle Fuel License Tax Act, relating to apportionment of the tax fund—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

STREAM, Chairman

The above reported bill ordered on file for second reading.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935.

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 1010—An act to amend section 737bb of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Napa—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No 406—An act to amend section 610 of the Fish and Game Code, relating to trout and whitefish—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FISHER, Chairman.

The above reported bill ordered on file for second reading.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 204—An act to be known as the State Economy Act, providing for a program of useful public works, enjoyable by all citizens alike, to absorb unemployment and abolish charity; providing the means for financing such public works program and for State expenses without the necessity of further bond issues; providing an adequate and equitable auxiliary medium of exchange, regulating the volume and stabilizing the value thereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 502—An act to add section 608 to the Streets and Highways Code, establishing an additional secondary State highway—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

STREAM, Chairman.

The above reported bill ordered on file for second reading.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 76—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 9 of Article IX thereof, relating to a board of higher education—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

LATHAM, Chairman.

Assembly Constitutional Amendment No. 76 ordered on file for adoption.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935.

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 2410—An act to be known as the Home Loan Revenue Bond Act and to provide for State aid in the financing of the construction of homes for citizens; to aid in the financial and business recovery of the State and to promote legitimate building and construction; providing for the creation of a Home Loan Authority and bond financing committee and for the issuance of revenue bonds by the authority and for the application of such funds in the financing of the building of homes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended and be re-referred to Committee on Ways and Means

FIELD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 2396—An act to create the California Rural Rehabilitation Authority, to provide for its organization, define its powers and duties and to make an appropriation in aid of its operation—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means

FIELD, Chairman.

Assembly Bill No 2396 ordered re-referred to Committee on Ways and Means.

On Governmental Revenue and Expenditures.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935.

MR. SPEAKER: Your Committee on Governmental Revenue and Expenditures, to which was referred Senate Bill No. 213—An act to authorize the State Treasurer to accept, on behalf of the State of California, the sum of one million dollars,

together with any interest that may be due thereon, and other sums from the California Olympiad Commission, or any committee thereof;

Also Senate Bill No 423—An act to provide for the sale and conveyance of certain swamp and overflowed, salt marsh and tidelands lying in the County of Contra Costa, State of California,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

JONES, Chairman.

The above reported bills ordered on file for second reading.

On Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 989—An act to amend section 1 of "An act making an appropriation to the State Board of Control to pay claims against the State of California," approved June 16, 1933, relating to claims eligible to examination—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

FIELD, Chairman.

Assembly Bill No. 989 ordered re-referred to Committee on Ways and Means.

Also:

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No 270—An act to amend sections 366, 366a and 366b of the Political Code, relating to the Department of Institutions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means

FIELD, Chairman

Assembly Bill No. 270 ordered re-referred to Committee on Ways and Means

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No 86—An act to establish a system of unemployment reserves for this State, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 86—An act to establish a system of unemployment reserves for this State, and making an appropriation therefor.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 10, of the printed bill, strike out "is", and insert in lieu thereof the following: "performed within the United States or on a vessel documented within the United States as customarily".

Amendment No. 2.

On page 2 of the printed bill, strike out lines 14 to 49, inclusive, and insert in lieu thereof the following:

"(a) Agricultural labor;

(b) Domestic service in a private home;

(c) Service performed as an officer or member of the crew of a vessel on the navigable waters of the United States;

(d) Service performed by an individual in the employ of his son, daughter, or spouse, and service performed by a child under the age of twenty-one in the employ of his father or mother;

(e) Service performed in the employ of the United States Government or of an instrumentality of the United States;

(f) Service performed in the employ of a State, a political subdivision thereof, or an instrumentality of one or more States or political subdivisions;

(g) Service performed in the employ of a corporation, community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, no part of the net earnings of which inures to the benefit of any private shareholder or individual

(h) Employment, under any unemployment compensation system established by a law of the United States."

Amendment No. 3.

On page 2 of the printed bill, strike out line 52, also on page 3, strike out lines 1 and 2, and insert in lieu thereof the following, "subject to this act"

Amendment No. 4.

On page 3 of the printed bill, between lines 3 and 4, insert the following:

"(a) Every individual, trust or estate, partnership, association, joint stock company or corporation, subject to a pay roll tax levied by the United States Government, if the tax levied by this act, or any portion thereof, may be credited against such pay roll tax.

(b) If the provisions of subdivision (a) of this section are held invalid by a final judgment of a court of final instance of this State or the United States,".

Amendment No. 5.

On page 3, line 4, of the printed bill, strike out "(a)", and insert in lieu thereof the following: "(1)".

Amendment No. 6.

On page 3, line 6, of the printed bill, strike out "subdivision (b)", and insert in lieu thereof the following "paragraph (2)".

Amendment No. 7.

On page 3 of the printed bill, strike out lines 7 to 9, inclusive, and insert in lieu thereof the following "trusts or estates, joint stock companies, or corporations"

Amendment No. 8.

On page 3 of the printed bill, strike out lines 10 and 11 and insert in lieu thereof the following:

"(2) All the parties specified and not excluded in paragraph 1 of this subdivision having the following record As to such".

Amendment No. 9.

On page 3 of the printed bill, strike out lines 12 to 16, inclusive, and insert in lieu thereof the following: "party, on each of some twenty days during the calendar year, each day being in a different calendar week, the total number of individuals who were in his employ for some portion of the day, whether or not at the same moment of time, was ten or more."

Amendment No. 10.

On page 3, lines 18 and 19, of the printed bill, strike out "throughout the entire State".

Amendment No. 11.

On page 3, line 20, of the printed bill, strike out "within the State by the employer", and insert in lieu thereof the following "by the employer, except that where some of such persons are employed within the State and others are employed without the State, the tax levied by this act shall apply only as to such employees employed within the State, or the greater part of the work of which is performed within the State."

Amendment No. 12.

On page 3 of the printed bill, strike out lines 34 to 46, inclusive, and insert in lieu thereof the following:

"(a) Employment in the employee's usual employment and which conforms to the conditions of paragraph (2) of subdivision (b) of this section.

(b) Employment for which the employee is reasonably fitted, regardless of whether or not it is subject to this act, if such employment conforms both to the provisions of paragraph 1 and paragraph 2 of this subdivision.

1. The employment is one for which the employee is reasonably fitted, regardless of whether or not it is subject to this act, and is in the vicinity of the employee's residence or last employment, and either gives him wages at least equal to his weekly benefit for total unemployment, or provides him work for at least half the number of hours normally worked at full time in the occupation or establishment.

2. The employment offered is not vacant due directly to a strike, lockout or other labor dispute; the wages, hours or other conditions of the work offered are not substantially less favorable to the individual than those prevailing for similar work in the locality; and as a condition of such employment the individual will not be required to join a company union or to resign from or refrain from joining any bona fide labor organization

(c) In any particular case where the commission finds it impracticable to apply one of the standards prescribed by subdivision (a) or (b), any standard set by the commission which conforms to the provisions of paragraph 2 of subdivision (b) and is reasonably calculated to determine what is suitable employment."

Amendment No. 13.

On page 4 of the printed bill, strike out line 5, and insert in lieu thereof the following

"Article 3—Funds in the State Treasury".

Amendment No. 14.

On page 4, line 8, of the printed bill, strike out "reserves", and insert in lieu thereof the following, "benefits".

Amendment No. 15.

On page 4 of the printed bill, strike out lines 10 to 12, inclusive, and insert in lieu thereof the following, 'the purpose of paying benefits under the provisions of this act."

Amendment No. 16.

On page 4 of the printed bill, strike out lines 25 to 52, inclusive, and on page 5, strike out lines 1 to 18, inclusive, and insert in lieu thereof the following:

"(a) All contributions received and paid into the fund pursuant to this act.

(b) Any specific appropriations which the Legislature makes or sets aside for the use of the fund.

SEC. 19. The assets of the fund shall be applicable to the payment of benefits under the provisions of this act.

SEC 20. The title to all moneys and other assets of the funds shall be in the State, but such moneys and assets shall be used only for the payment of benefits under the provisions of this act,

SEC 21. Promptly upon receipt by the State Treasurer of contributions collected by the commission under the provisions of this act, he shall credit the contributions so received to the unemployment fund and shall immediately upon such receipt pay over such contributions to the Secretary of the United States treasury to the credit of the unemployment trust fund in the United States treasury.

SEC 22. There is hereby created the unemployment administration fund in the State treasury, to be administered by the Unemployment Reserves Commission created by this act Such fund shall consist of the following:

(a) Moneys granted to this State by the Government of the United States for the administration of the provisions of this act

(b) Any specific appropriation which the Legislature makes to such fund for the purpose of such administration."

Amendment No. 17.

On page 5, line 19, of the printed bill strike out "22", and insert in lieu thereof the following: "23".

Amendment No. 18.

On page 5, line 20, of the printed bill, strike out "reserves fund", and insert in lieu thereof the following: "fund and unemployment administration fund".

Amendment No. 19.

On page 5, line 22 of the printed bill, after 'assets", insert a comma and the following: 'except that he shall not be liable for such safe-keeping while such funds are in the custody or control of the United States Government".

Amendment No. 20.

On page 5, line 23, of the printed bill, strike out "23", and insert in lieu thereof the following "24"

Amendment No. 21.

On page 5, line 27 of the printed bill strike out "24", and insert in lieu thereof the following: "25".

Amendment No. 22.

On page 5 of the printed bill, strike out lines 30 to 34, inclusive, and insert in lieu thereof the following.

"SEC. 26 All moneys withdrawn from the unemployment trust fund in the United States treasury for the payment of benefits under the provisions of this act shall be so withdrawn by the State Treasurer as agent of the Unemployment Reserve Commission upon demand in writing upon him by the commission for such withdrawal for the payment of benefits under this act."

Amendment No. 23.

On page 5, line 35, of the printed bill, strike out "SEC. 26. The Commission may," and insert in lieu thereof the following

SEC. 27. If permitted by the United States Government, whether by rule or regulation of any agency thereof or by express provision of law, the commission may,".

Amendment No. 24.

On page 5, line 46, of the printed bill, strike out "27", and insert in lieu thereof the following: "28".

Amendment No. 25.

On page 6, line 1, of the printed bill, strike out "28", and insert in lieu thereof the following: "29".

Amendment No. 26.

On page 6, line 4, of the printed bill, strike out "reserves".

Amendment No. 27.

On page 6 of the printed bill, strike out lines 6 and 7, and insert in lieu thereof the following: "the approved amount shall be withdrawn by the State Treasurer, as agent for the commission, from the unemployment trust fund in the United States treasury and held by him in the unemployment fund in the State treasury subject to expenditure by the commission in payment of benefits under the provisions of this act, in accordance with law. At the end of each".

Amendment No. 28.

On page 6, line 11, of the printed bill, strike out "29", and insert in lieu thereof the following: "30".

Amendment No. 29.

On page 6, line 15, of the printed bill, strike out "30", and insert in lieu thereof the following "31".

Amendment No. 30.

On page 6 of the printed bill, strike out lines 17 to 20, inclusive, and insert in lieu thereof the following: "ment fund and all of the assets pertaining to the unemployment administration fund In the Controller's general ledger these funds may each appear as cash accounts, like other accounts of funds in the State treasury, and only the actual assets coming into each such fund shall be entered into the ledger account Payments into the unemployment trust fund in the United States treasury shall be entered on the books in a manner similar to deposits in banks."

Amendment No. 31.

On page 6 of the printed bill, strike out lines 21 to 37, inclusive

Amendment No. 32.

On page 6 of the printed bill, strike out line 38, and insert in lieu thereof the following:

"SEC. 32. Except as otherwise required by the contributor thereof, all moneys in the unemployed administration fund,".

Amendment No. 33.

On page 6, line 46, of the printed bill, strike out "reserves", and insert in lieu thereof the following "administration"

Amendment No. 34.

On page 6, line 47, of the printed bill, strike out "34", and insert in lieu thereof the following. "33".

Amendment No. 35.

On page 6 of the printed bill, strike out lines 49 and 50, and insert in lieu thereof the following. "fund and unemployment administration fund during the previous quarter and a statement of the resources and liabilities of each fund at the close of that pre-".

Amendment No. 36.

On page 7 of the printed bill, strike out lines 6 to 35, inclusive, and insert in lieu thereof the following:

"SEC. 40. On and after January 1, 1936, contributions to the unemployment fund shall accrue and become payable by every employer subject to this act, and in accordance with its provisions.

SEC. 41. Every such employer shall pay into the fund the following amounts:

(a) During the year 1936, with respect to payments of wages made during that year, ninety one-hundredths per cent of all wages paid by him in employments subject to this act.

(b) During the year 1937, with respect to payments of wages made during that year, one and eighty one-hundredths per cent of all wages paid by him in employments subject to this act.

(c) During the year 1938, and thereafter, with respect to payments of wages made during that year, and thereafter, two and seventy one-hundredths per cent of all wages paid by him in employments subject to this act

SEC. 42 The contributions of employers shall be paid by them to the commission on each of their regular pay days or within such time thereafter and in such manner as the commission by rule prescribes."

Amendment No. 37.

On page 7, line 36, of the printed bill, strike out "SEC 45", and insert in lieu thereof the following: "SEC. 43"

Amendment No. 38.

On page 7, line 45, of the printed bill, strike out "SEC. 46", and insert in lieu thereof the following. "SEC. 44".

Amendment No. 39.

On page 8 of the printed bill, strike out lines 1 to 13, inclusive.

Amendment No. 40.

On page 8, line 23, of the printed bill, after the comma following "employer", insert the following: "or by the public employment office in the district in which the employee was last employed or in which he resides,".

Amendment No. 41.

On page 9, line 18, of the printed bill, strike out "period.", and insert in lieu thereof the following. "period, except as provided in subdivision (h) of this section."

Amendment No. 42.

On page 9 of the printed bill, between lines 20 and 21, insert the following:

"In the case of disqualification arising out of the provisions of this subdivision or subdivision (g) of this section, such disqualifications may be avoided in the case of reciprocal arrangements with the proper authorities of other unemployment compensation systems. Such arrangements may be made by the commissioner, subject to approval by the Governor, with the proper authorities of such other unemployment compensation systems, as to persons who have, after acquiring rights to benefits under this act or under such other system, newly come under this act or under such other system. Such arrangements shall provide that substantially equivalent benefits shall be paid, or both paid and financed in whole or in part through or by the fund of the unemployment compensation system newly applicable to such person Such reciprocal arrangements shall be published by the commission in the same manner as its rules.

SEC. 57. (a) For the purpose of determining benefits, average weekly wage is computed by multiplying the hourly rate of earnings by the number of full time weekly hours applicable to the employee.

(b) The applicable hourly rate of earnings shall be determined by averaging the employee's actual earnings by at least one hundred hours of employment by his most recent employers.

(c) The applicable full-time weekly hours shall be computed by determining average number of hours per week lawfully worked by the employee in the employment in question during the fifty-two weeks last previous to his becoming unemployed"

Amendment No. 43.

On page 9, line 21, of the printed bill, strike out "57", and insert in lieu thereof the following: "58".

Amendment No. 44.

On page 9 of the printed bill, strike out lines 50 to 52, inclusive; and on page 10, strike out lines 1 to 6, inclusive.

Amendment No. 45.

On page 10, line 8, of the printed bill, strike out "1937", and insert in lieu thereof the following: "1938".

Amendment No. 46.

On page 10, line 41, of the printed bill, after the period, insert the following: "All benefits under this act shall be paid through the public employment offices administered by the commission"

Amendment No. 47.

On page 11, line 19, of the printed bill, after "Governor", insert a comma.

Amendment No. 48.

On page 12 of the printed bill, strike out lines 2 and 3, and insert in lieu thereof the following: "ber 1 and number 5 shall expire on July 1, 1936."

Amendment No. 49.

On page 12 of the printed bill, strike out line 5, and insert in lieu thereof the following: '2 shall expire July 1, 1937."

Amendment No. 50.

On page 12 of the printed bill, strike out line 7, and insert in lieu thereof the following: "3 shall expire July 1, 1938."

Amendment No. 51.

On page 12 of the printed bill, strike out line 9, and insert in lieu thereof the following: "4 shall expire July 1, 1939."

Amendment No. 52.

On page 12, line 19, of the printed bill, strike out "reserves", and insert in lieu thereof the following: "administration".

Amendment No. 53.

On page 12 of the printed bill, strike out lines 21 to 31, inclusive, and insert in lieu thereof the following: "the amount of the moneys granted by the United States Government to this State for such administration during such year"

Amendment No. 54.

On page 12, lines 38 and 39, of the printed bill, strike out "within nine months after January 1, 1936", and insert in lieu thereof the following: "on or before December 1, 1935".

Amendment No. 55.

On page 14 of the printed bill, between lines 12 and 13, insert the following: "The commission shall make such reports, in such form and containing such information, as are required by the United States Government or any agency thereof as a condition of the return of moneys to this State out of the unemployment trust fund in the United States treasury, or the grant of moneys by the United States Government for the administration of this act. The commission shall also make available, upon request, to any agency of the United States Government charged with the administration of public works or assistance through public employment, the following information relating to recipients of unemployment compensation:

(a) The recipient's name.

(b) The recipient's address

(c) The ordinary occupation and employment status of each such recipient of unemployment benefits.

(d) A statement of such recipient's rights to further compensation under this act."

Amendment No. 56.

On page 14, line 46, of the printed bill, strike out "reserves", and insert in lieu thereof the following: "administration"

Amendment No. 57.

On page 14 of the printed bill, strike out lines 48 to 52, inclusive; and on page 15, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following:

"Article 9 General Provisions.

SEC. 105. This act shall take effect only if and when there is enacted legislation by the United States Government providing for a tax upon the payment of wages by employers in this State, against which all or any part of the contributions required by this act may be credited."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Third Reading of Senate Bills.

Senate Bill No. 230—An act to add a new article to Chapter II of Part I of Division II of the School Code, to be known as Article X, relating to the inclusion of Indian reservations of the United States Government in elementary school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

Motion to Expunge Record.

Mr. Phillips moved that the vote taken on Senate Bill No. 230 be expunged from the record, and the action rescinded.

Motion carried.

Senate Bill No. 230 read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Phillips:

Amendment No. 1.

On page 1, line 1, of the printed bill, as amended, strike out "Chapter I", and insert in lieu thereof the following: "Chapter II".

Amendment adopted.

Request for Unanimous Consent.

Mr. Phillips asked for, and was granted, unanimous consent to take up Senate Bill No. 230, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 230, as Amended.

Senate Bill No. 230, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 230, as amended, finally passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Chatters, Clark, Cottrell, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Flint, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hunt, Johnson, Latham, Laughlin, Lore, Martin, McBride, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 239—An act providing for contracts for fire protection between county fire protection districts and municipalities and relating to liability in connection therewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 239 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Latham, Laughlin, Lore, Maloney, Martin, McBride, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 116—An act to amend section 1125 of the Code of Civil Procedure, relating to costs in election contests.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Garibaldi:

Amendment No. 1.

On page 1, line 13, of the printed bill, after "city,", insert the following: "or other political subdivision,".

Amendment adopted.

Request for Unanimous Consent.

Mr. Garibaldi asked for, and was granted, unanimous consent to take up Senate Bill No. 116, as amended, at this time, without reference to reprint or file.

Senate Bill No. 116, as amended, read third time.

Further Consideration Deferred.

Further consideration of Senate Bill No. 116, as amended, deferred.

Further Consideration of Senate Bill No. 116, as Amended.

Senate Bill No. 116—An act to amend section 1125 of the Code of Civil Procedure, relating to costs in election contests.

Third Reading of Senate Bill No. 116, as Amended.

Senate Bill No. 116, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 116, as amended, finally passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Chatters, Clark, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Garibaldi, Geyer, Glover, Hawkins, Hunt, Johnson, Jones, Latham, Lore, Maloney, Martin, McBride, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, Welsh, and Mr. Speaker—51

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1080—An act to add section 798.7 to the Fish and Game Code, relating to abalones.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1080 finally passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Chatters, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donihue, Evans, Ralph W., Flint, Geyer, Gilmore, Glover, Hawkins, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, McBride, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Wagner, Walker, Waters, Weber, Welsh, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 37—An act providing for the creation, organization, and government of joint districts composed of two or more counties of the State of California for the purpose of maintaining joint county road camps and providing that persons confined in the county jail of any such county under a final judgment of imprisonment rendered in a criminal action or proceeding may be required to perform labor on the public work or public highways in any such counties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 37 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Flint, Geyer, Gilmore, Glover, Hawkins, Hunt, Johnson, Laughlin, Lore, Lyon,

Maloney, Martin, McBride, McMurray, Meehan, Miller, Morgan, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Robertson, Stream, Thorp, Turner, Wagner, Walker, Waters, Weber, Welsh, and Mr Speaker—51.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Motion to Re-refer Assembly Bill No. 1396.

Miss Miller moved that Assembly Bill No. 1396 be withdrawn from file, and ordered re-referred to Committee on Crime Problems.

The question being on re-referring Assembly Bill No. 1396 to Committee on Crime Problems.

Motion carried.

Assembly Bill No. 1396 ordered re-referred to Committee on Crime Problems.

Motion to Print in the Journal.

Mr. Robertson moved that the article submitted by him be printed in the Journal.

Point of Order.

Mr. Jones arose to the following point of order. Stating that the Assembly had passed that order of business.

Ruling by Speaker.

The Speaker ruled the point of order well taken.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2021—An act to amend section 41 of the Probate Code, relating to bequests and devises.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2021 passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W. Flint, Geyer, Gilbert, Glover, Hawkins, Hunt, Latham, Laughlin, Lore, Maloney, Martin, McBride, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Walker, Waters, and Mr Speaker—50.
NOES—Johnson and Welsh—2.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1586—An act to amend sections 12050 to 12111 of the Insurance Code, relating to miscellaneous casualty insurances.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1586 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Chatters, Cottrell, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Field, Flint, Garibaldi, Geyer, Glover, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Richie, Riley, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, Welsh, and Mr. Speaker—50.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1398—An act to amend section 1 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violation of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, and relating to penalties for violations of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1398 passed by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Geyer, Gilmore, Glover, Hawkins, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Stream, Turner, Wagner, Walker, Wallace, Waters, Welsh, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 15, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 313—An act to add section 444.5 to the Political Code, relating to the transfers of money from one fund to another in the State treasury, and providing that this act shall take effect immediately.

In my opinion said Assembly Bill No. 313 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 313—An act to add section 444 5 to the Political Code, relating to the transfers of money from one fund to another in the State treasury, and providing that this act shall take effect immediately.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Johnson, Latham, Laug'din, Lore, Maloney, Martin, McBride, McMurray, Meehan, Miller, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Welsh, and Mr. Speaker—59.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 313 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, McBride, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Welsh, and Mr. Speaker—57.

NOES—Cottrell—1

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1283—An act to amend section 658 of the Fish and Game Code, relating to the salmon season in game districts 10 and 11.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1283 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Clark, Cottrell, Cronin, Crowley, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Johnson, Laughlin, Lore, Maloney, Martin, McBride, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Welsh, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Motion to Print in Journal.

Mr. Waters moved that the following telegram and excerpts from newspapers be printed in the Journal:

Motion carried.

LOS ANGELES, CALIFORNIA, May 15, 1935.

Assemblyman Frank Waters,
Hotel Senator, Sacramento, California.

The bureau of power and light and the bureau of waterworks and supply each transfer from their respective funds, to either the reserve fund or the general fund of the city, amounts of money sufficient to take care of all interest and amortization

requirements on outstanding bonded indebtedness issued for and on behalf of the respective bureaus of the department of water and power of Los Angeles. In addition, the bureau of power and light has transferred a total of $1,250,000 each year for the past two years and is providing for transfer of a similar amount during the fiscal year starting July 1, 1935. Four hundred eighty-five thousand dollars that it may be made available for direct relief work in the city in aid of the community chest agencies, the relief of young women, and the children's milk fund, and $765,000 thus made available for use in the overhead street lighting and the general fund proportion of ornamental post lighting. The water revenue fund will transfer in addition to general bond requirements as stated $495.790 for the St Francis refunding bonds and $814.155 thus made available for payment by the various city departments for water service to those departments or a total of $1,309,945. These transfers make possible continuance of departmental expenditures by all city departments without further curtailment or further reduced compensations and the maintaining of a fully balanced municipal budget as heretofore made possible by similar transfers from the bureaus of this department, particularly the bureau of power and light throughout the depression period.

E. F. SCATTERGOOD.

Excerpt from Los Angeles Examiner, Friday, May 10, 1935.

Funds Given by Power Board—Halts Pay Slash—Aids City Welfare.

Threatened pay roll cuts and lay offs within the city government were forestalled yesterday when the board of water and power allocated $2,559,945, at the request of Mayor Shaw, to be used in welfare and tax relief and balancing the city's budget.

The appropriation, according to the mayor, will permit him to balance his budget without threatened drastic pay cuts and personnel reduction. The $2,559,945 will be supplied from revenue funds of the water and power department.

$485.000 for Relief

From the total, $485,000 will be provided for direct welfare relief, and $765,000 will be allotted for payment of light bills of tax supported city departments, with an undetermined portion to be allotted to reduce post lighting assessments.

The water department will absorb water bills of city departments, estimated at $814,155, and also will take over payment of principal and interest totaling $495.790 on the St. Francis Dam refunding bonds.

"The department of water and power is making a tremendous sacrifice, but we are living under extreme economic conditions and this department is doing everything within its power to lighten the burdens of our citizens," Dr. John R. Haynes, president of the board of water and power commissioners, declared.

Mayor Shaw last night expressed appreciation to the board for its action.

This afternoon the mayor will meet police and fire representatives and suggest they accept a 5 per cent wage reduction instead of the 9 per cent now in force. He pointed out the cuts must be voluntarily accepted.

Excerpt from Sacramento Bee, May 15, 1935.

Electric Plants Owned by Cities Profit $7,436,621—Riley Discloses Large Net After Paying $4,552,630 Bond Interest.

Municipally operated electric power plants in 23 California cities made a profit of $7,436,621 72 last year.

The annual report of municipal and county transactions, released today by State Controller Ray L. Riley, reveals that the publicly-owned plants made this profit even after paying off $4,552,630.19 in bond interest and redemption on their power plants.

$22,399,392 Gross.

Riley's report states the gross income from the operation of the electric light systems was $22,399,392.53. The operating expenses and the bond redemption and interest payments totaled $14,963,181.80.

The receipts listed in the report include only the ordinary incomes and do not include revenues from deposits and bond sales.

The expenditures for expansion of the systems during the year totaled $9,628,767.23.

Incomes Tabulated.

The following table shows the total ordinary incomes, the total expenses and the bond interest and redemption for the California cities operating their own electric light systems.

City	*Receipts*	*Expenses*	*Bond payments*
Los Angeles	$14,368,950 57	$7,065,566 64	$2,896,304 75
San Francisco	2,333,162 96	253,977 17	1,226,439 00
Pasadena	1,669,935 64	911,803 07	56,846 04
Glendale	1,055,568 54	502,637 62	8,457 50
Alameda	514,653 31	333,750 97	45,675 00
Riverside	547,754 82	282,413 31	2,405 00
Burbank	210,978 85	160,075 89	8,470 00
Palo Alto	282,958 39	141,854 04	28,628 29
Anaheim	161,174 70	81,147 28	3,167 66
Colton	61,706 33	26,086 42	177 00
Lodi	127,950 29	67,922 25	3,172 92
Roseville	84,636 16	51,226 99	-------
Santa Clara	116,592 47	76,093 85	867 50
Azusa	74,170 57	42,300 35	1,130 00
Redding	113,508 76	55,879 03	2,710 00
Ukiah	61,112 56	31,079 75	607 50
Lompoc	52,838 71	30,443 08	2,660 00
Banning	56,027 78	32,410 02	3,025 00
Healdsburg	39,908 08	27,517 94	1,671 80
Gridley	36,411 16	17,629 16	-------
Avalon	49,171 72	36,667 14	-------
Vernon	373,488 47	177,456 72	260,125 83
Biggs	6,731 78	4,612 32	-------

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No 1165—An act to amend an act entitled "An act providing an additional and/or alternative method for financing the acquirement, construction, development, improvement, reconstruction, extension and repair of water works systems by any political subdivision or public agency of the State authorized by law to own and operate such water works systems by the issuance and sale to the United States Government or any agency of said government of revenue bonds payable solely out of the revenue derived or to be derived therefrom; providing for the operation of such systems in case of deficiencies in revenues, providing for a statutory lien on works acquired, constructed, improved, reconstructed, extended or repaired under the provisions of this act; providing for the use of the power of eminent domain by political subdivisions or public agency proceeding under this act; defining the terms political subdivisions and public agencies as included herein, and providing a time for the expiration of said act," approved May 27, 1933, by amending sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 14 thereof; adding a new section thereto to be numbered section 14½, and repealing section 16 thereof.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Utt:

Amendment No. 1.

On page 4, line 19, of the printed bill, as amended, after the word "a", insert the following: "two-thirds".

The question being on the amendment submitted by Mr. Utt.

Request for Roll Call.

On request of Messrs. Mayo, Utt and Williamson, the Speaker ordered a roll call taken on the amendment submitted by Mr. Utt.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Andreas, Brennan, Cunningham, Dawson, DeLap, Evans, Herbert J., Field, Fisher, Frazier, Jones, Latham, Lyon, Martin, McBride, McMurray, Minard, Morgan, Peyser, Redwine, Riley, Robertson, Scudder, Stream, Utt, Wallace, Williamson, Wright, and Mr Speaker—28

NOES—Anderson, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Laughlin, Lore, Maloney, Mayo, McCarthy, Meehan, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Richie, Rosenthal, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, and Welsh—48

Assembly Bill No. 1165 read third time.

Demand for Previous Question.

Messrs. Welsh, Flint, Dawson, Heisinger and Glover demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1165 passed by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W. Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Laughlin, Lore, Maloney, Mayo, McCarthy, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Richie, Rosenthal, Scudder, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, and Welsh—55.

NOES—Andreas, Brennan, Corwin, Cunningham, Evans, Herbert J., Field, Fisher, Jones, Latham, Lyon, Martin, McBride, McMurray, Minard, Redwine, Riley, Robertson, Stream, Utt, Wallace, Williamson, Wright, and Mr. Speaker—23.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 1165.

Mr. Field gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1165 was this day passed.

Explanation of Vote.

SACRAMENTO, CALIFORNIA, May 16, 1935.

Mr. Arthur A. Ohnimus, Chief Clerk of the Assembly

I was temporarily called from the room when the vote was taken on Assembly Bill No. 1165.

I wish to be recorded in the Journal as voting "Aye."

FRED REAVES

Explanation of Vote.

I was called out of the Assembly Chamber on official business, and returned during the taking of the vote. By mistake I voted "No" instead of "Aye," and the vote was announced before I could change. I am in sympathy with public ownership, and would have voted "Aye" if I had not been confused.

P. J. McMURRAY,
Assemblyman, Twenty-fourth District.

Statement of Vote.

While we are not opposed to the general principle of public ownership of utilities, we do believe that many provisions of this act are not to the best interests of the public. We make special reference to the amendment providing for a majority vote to issue revenue bonds instead of the existing two-thirds majority, and secondly, to the provision which makes these questionable securities legal for savings, trust funds,

life insurance investment, etc. We offered remedial amendments to this bill which were voted down, and, therefore, we voted "No" on Assembly Bill No. 1165.

EDWARD CRAIG.
JAMES B. UTT.
JAMES J. McBRIDE.

Assembly Bill No. 142—An act to amend section 32 of the Penal Code, relating to the definition of an accessory.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 142 passed by the following vote:

AYES—Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, DeLap, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Laughlin, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Richie, Riley, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—57

NOES—Desmond, Donihue, Hornblower, McCarthy, and Rosenthal—5.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 294—An act to amend section 403 of the Vehicle Code, relating to liability for injuries of guests.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Clark:

Amendment No. 1.

On page 1, line 12, of the printed bill, before "negligence", insert the following: "gross".

Amendment adopted.

Request for Unanimous Consent.

Mr. Clark asked for, and was granted, unanimous consent to take up Assembly Bill No. 294, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 294, as Amended.

Assembly Bill No. 294, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 294, as amended, passed by the following vote:

AYES—Andreas, Boyle, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Ralph W., Fisher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Laughlin, Maloney, Martin, McCarthy, McMurray, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Richie, Riley, Robertson, Scudder, Thorp, Voigt, Walker, Wallace, Waters, Weber, Williamson, and Mr. Speaker—53.

NOES—Burns and Stream—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 309—An act to amend section 110 of the Penal Code, relating to transporting arms into a State prison.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Minard:

Amendment No. 1.

On page 1, line 10, of the printed bill, as amended in Assembly April 12, 1935, strike out all of the words in the printed bill after the word "punishable", and insert in lieu thereof the following: "with death or imprisonment in the State prison for life at the option of the jury trying the case"

Amendment adopted.

Request for Unanimous Consent.

Mr. Kallam asked for, and was granted, unanimous consent to take up Assembly Bill No. 309, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 309, as Amended.

Assembly Bill No. 309, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 309, as amended, refused passage by the following vote:

AYES—Brennan, Chatters, Corwin, Cottrell, Cunningham, DeLap, Desmond, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Johnson, Kallam, Martin, Miller, Minard, Nielsen, O'Donnell, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Voigt, Walker, Williamson, and Mr. Speaker—33.

NOES—Anderson, Andreas, Boyle, Burns, Cassidy, Clark, Cronin, Crowley, Dawson, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, Lyon, Maloney, McCarthy, McMurray, Meehan, Morgan, Patterson, Pelletier, Peterson, Richie, Rosenthal, Turner, Wallace, Weber, and Wright—38.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the authors be permitted to introduce it. The title of said bill is as follows:

An act to prevent the entry into California of paupers, vagabonds, indigent persons, persons likely to become public charges, and persons affected with contagious or infectious diseases, providing means for enforcing the same and prescribing penalties for the violation thereof, declaring the urgency thereof, and providing it shall take effect immediately.

CUNNINGHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to add Chapter 9, embracing sections 725 to 734, inclusive, to Division IV of the Agricultural Code, relating to dairies and dairy products.

CUNNINGHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 363i of the Political Code, relating to the administration of certain bays, ports and harbors.

CUNNINGHAM, Chairman.

Reports of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the reports.

The question being on the adoption of the reports.

The roll was called, and the reports adopted by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr Speaker—65.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

By Mr. Cottrell: Assembly Bill No. 2457—An act to amend section 3631 of the Political Code, relating to the administration of certain bays, ports and harbors.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Mr Scudder. Assembly Bill No. 2458—An act to add Chapter 9, embracing sections 725 to 734, inclusive, to Division IV of the Agricultural Code, relating to dairies and dairy products.

Bill read first time, and referred to Committee on Live Stock and Dairies.

By Messrs. Redwine and Jones: Assembly Bill No. 2459—An act to prevent the entry into California of paupers, vagabonds, indigent persons, persons likely to become public charges, and persons affected with contagious or infectious diseases, providing means for enforcing the same and prescribing penalties for the violation thereof, and declaring this act to be an emergency measure.

Bill read first time, and referred to Committee on Unemployment.

Motion to Rush Printing of Assembly Bill No. 2459.

Mr. Latham moved that the Chief Clerk instruct the State Printer to rush printing of Assembly Bill No 2459

Motion carried.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 585—An act to amend section 3663b of the Political Code, relating to the assessment of property by the State Board of Equalization.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Nielsen, Pelletier, Peyser, Phillips, Redwine, Richie, Scudder, Stream, Thorp, Turner, Voigt, Walker, Wallace, Weber, Williamson, and Mr. Speaker—56.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 585 finally passed by the following vote:

AYES—Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Redwine, Richie, Scudder, Thorp, Utt, Voigt, Walker, Wallace, Weber, Williamson, and Mr. Speaker—58.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No 586—An act to amend section 3663a of the Political Code, relating to the assessment of property by the State Board of Equalization.
Bill read third time.
Urgency clause read.
The question being: Shall this section, setting forth the urgency features of this bill, be passed?
The roll was called, and the urgency clause adopted by the following vote:

AYES—Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Scudder, Stream, Thorp, Utt, Voigt, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—60.
NOES—None.

Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 586 finally passed by the following vote:

AYES—Andreas, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—64.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate

Motion to Print Handbooks.

Mr. Williamson moved that the Chief Clerk be instructed to have the Assembly handbooks printed.
Motion carried.

Leave of Absence.

On motion of Mr. Cassidy, Mr. Wagner was granted leave of absence for the balance of this legislative day.

Motion to Re-refer Senate Bill No. 1078.

Mr. Hornblower moved that Senate Bill No. 1078 be withdrawn from Committee on Motor Vehicles, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Senate Bill No. 1078 to the Committee on Judiciary.

Motion carried.

Senate Bill No. 1078 ordered re-referred to Committee on Judiciary.

Recess.

At four o'clock and forty-five minutes p m., on motion of Mr. Lyon, the Assembly was declared at recess until eight o'clock p.m., of this day.

Reassembled.

At eight o'clock p m , the Assembly reconvened.

Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935.

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 76—An act to amend section 2924½ of the Civil Code, relating to mortgages and trust deeds;

Also Assembly Bill No. 735—An act to amend sections 4 and 10 of an act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision," approved May 18, 1917, relating to the operation of the business of industrial loan companies,

Also: Assembly Bill No 814—An act to amend section 92 of, and to add section 95 to the Agricultural Code, relating to and providing for the exhibition of California products;

Also: Assembly Bill No. 1666—An act to amend sections 2 and 7 of an act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof, and repealing an act entitled "An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof," approved June 5, 1931, and all acts or parts of acts inconsistent with the provisions of this act;

Also: Assembly Bill No. 1874—An act to amend section 26 of an act entitled "An act to control, license, and regulate the manufacture, transportation, sale, purchase, possession and disposition of wine, beer, and intoxicating liquor; to make an appropriation therefor; and to provide penalties for the violation thereof," approved June 3, 1933, relating to persons holding an interest in "on sale" or "off sale" licenses;

Also: Assembly Bill No. 2087—An act to add section 171b to the Code of Civil Procedure, relating to the qualification of judges;

Also. Assembly Bill No. 2144—An act to amend section 4242 of the Political Code, and to add thereto sections 4242 1, 4242 2, 4242 3, relating to the compensation of county and township officers in counties of the thirteenth class,

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2359—An act to amend sections 238, 814, 815 and 1261 of, and to add section 395.5 to the Military Code, relating to military and veterans' affairs;

Also: Assembly Bill No. 2444—An act to require security for the payment of wages of persons engaged in the canning industry and providing penalties for violation of the provisions thereof;
And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 937—An act to amend section 400 of the Vehicle Code, relating to liability of State and governmental agencies arising out of ownership of motor vehicles;

Also: Assembly Bill No. 2146—An act to provide for the payment of rewards to persons who supply the State with information enabling it to recover lands or interests therein, owned by the State, or the issues and profits thereof, or the value of oil and gas or minerals reserved to the State, where such lands or interests therein, or oil and gas or minerals are illegally, fraudulently or adversely held or claimed by another, creating a land fraud recovery funds;
And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2173—An act relating to the escheat to the State of California unclaimed moneys deposited with public utilities, and providing for the collection, use and disposition thereof—and reports that the same has been correctly re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

On Irrigation.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 758—An act to repeal section 52a of the California Irrigation District Act, relating to the payment of assessments with matured bonds and coupons—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FRAZIER, Chairman

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935.

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 104—An act to amend section 171 of the Code of Civil Procedure, relating to officers of courts of justice;

Also: Assembly Bill No. 1492—An act to amend section 9 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation, and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts in cities or cities and counties of the second and one-fourth class;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended

LYON, Chairman.

The above reported bill ordered on file for second reading.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 2454—An act to add sections 4060 to 4060 53 inclusive, to the Political Code, and to amend section 3714 of said code, relating to the fiscal affairs of counties, cities and counties, and districts, including budgeting, accounting,

reporting and auditing—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

DELAP, Chairman

The above reported bill ordered on file for second reading

On Governmental Revenue and Expenditures.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935.

MR SPEAKER: Your Committee on Governmental Revenue and Expenditures, to which was referred Assembly Bill No. 2146—An act to provide for the payment of rewards to persons who supply the State with information enabling it to recover lands or interests therein, owned by the State, or the issues and profits thereof, or the value of oil and gas or minerals reserved to the State, where such lands or interests therein, or oil and gas or minerals are illegally, fraudulently or adversely held or claimed by another; creating a land fraud recovery fund, and making an appropriation for the payment of such rewards—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

JONES, Chairman

The above reported bill ordered on file for second reading.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1935

MR SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 898—An act to amend section 488 of the Agricultural Code, relating to Grade A milk—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

THORP, Chairman

The above reported bill ordered on file for second reading.

On Irrigation.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935

MR SPEAKER: Your Committee on Irrigation, to which was referred Senate Bill No. 870—An act to amend sections 1, 14, 18 and 41 of the "California Water District Act," approved June 13, 1913, relating to water districts, the purposes and administration thereof, to take effect immediately and declaring the urgency thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935

MR SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 1078—An act to amend section 18 of the Inheritance Tax Act, relating to the levying of inheritance taxes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LYON, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 275—An act to amend section 426 of the Code of Civil Procedure, relating to complaints in civil actions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LYON, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 522—An act to add a new section to the Probate Code of the State of California, to be known as section 1028, relating to the ratable, partial, and final distribution of estates of deceased persons;

Also: Senate Bill No. 604—An act to add sections 476, 477, 478 and 479 to the Political Code, relating to the powers and duties of the Attorney General;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LYON, Chairman.

The above reported bills ordered on file for second reading.

On Irrigation.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935

MR SPEAKER Your Committee on Irrigation, to which was referred Assembly Bill No. 2288—An act to amend the title of, and to add a new section to be numbered 4c to "An act to provide for the government of irrigation districts having an area of more than five hundred thousand acres and to enable such irrigation districts to construct levees and to protect the lands within such districts from damage resulting from floods and the overflow of rivers and for that purpose to provide additional powers for boards of directors within such irrigation districts,' approved January 21, 1915, relating to irrigation districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

FRAZIER, Chairman

The above reported bill ordered on file for second reading.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 1091—An act to add a new section to be numbered 8.5 to an act entitled "An act for the formation, management and dissolution of county fire protection districts composed of lands within one or more counties and annexations to such districts; to set forth the powers of such districts and to provide for levying and collecting taxes on property in such districts to defray the expenses thereof," approved June 12, 1931, relating to the incurring of a bonded indebtedness and the sale and payment thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

DELAP, Chairman.

The above reported bill ordered on file for second reading

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No 379—An act to amend section 408 of the Political Code, relating to the duties of the Secretary of State—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended, to be re-referred to the Committee on Ways and Means.

FIELD, Chairman

The above reported bill ordered on file for second reading.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1935.

MR. SPEAKER Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No 327—An act to add Article 3a to Division 11 of the Agricultural Code, relating to Bang's disease in cattle—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended, and be re-referred to Committee on Ways and Means.

THORP, Chairman.

The above reported bill ordered on file for second reading.

Withdrawal of Assembly Bills.

By order of the Speaker, the following bills were stricken from the file, and ordered re-referred to committees:

Assembly Bill No. 814 ordered re-referred to Committee on Exhibitions and Fairs.

Assembly Bill No 2081 ordered re-referred to Committee on Roads and Highways.

Assembly Bill No. 2397 ordered re-referred to Committee on County Government.

Assembly Bill No. 2146 ordered re-referred to Committee on Governmental Revenues and Expenditures

Withdrawal of Senate Bills.

Senate Constitutional Amendment No. 18 ordered re-referred to Committee on Constitutional Amendments.

Senate Bill No. 874 ordered re-referred to Committee on Live Stock and Dairies.

Motion to Re-refer Senate Bill No. 316.

Mr. McBride moved that Senate Bill No. 316 be withdrawn from the file, and ordered re-referred to Committee on Drainage, Swamp and Overflowed Lands.

The question being on re-referring Senate Bill No. 316 to the Committee on Drainage, Swamp and Overflowed Lands

Motion carried.

Senate Bill No. 316 ordered re-referred to Committee on Drainage, Swamp and Overflowed Lands.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 16, 1935.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1075—An act authorizing the Director of Natural Resources to receive and hold land for future development for forestry purposes, to manage such land and dispose of the products thereof, and providing for the distribution of revenue therefrom, and to acquire land for development for State forestry purposes;

Also: Senate Bill No. 1097—An act to amend sections 2 and 3 of an act entitled "An act for the preservation of the public health of the people of the State of California and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907, amended April 1, 1911, June 13, 1913, and May 24, 1917, so as to prevent the construction and use of sewer wells extending into subterranean water-bearing strata used or intended to be used, or suitable for, a source of water supply for domestic purposes.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 1075 read first time, and referred to Committee on Governmental Efficiency and Economy

Senate Bill No. 1097 read first time, and referred to Committee on Public Health and Quarantine.

Also:

SENATE CHAMBER, SACRAMENTO, May 15, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 959—An act to amend section 675 of the Political Code, relating to the power of the Director of the Department of Finance.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 959 read first time, and referred to Committee on Governmental Efficiency and Economy

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 4—An act to amend sections 2, 3, and 6 of an act entitled "An act authorizing municipal corporations to discontinue the use of land for park purposes when the fee thereof is vested in the municipal corporation and authorizing the sale or other disposition of such lands," approved May 12, 1927, relating to the conveyance, exchange, sale or other disposition of lands;

Also: Senate Bill No. 467—An act to amend sections 2.411, 2.418 and 2.419 of the School Code, relating to disincorporation of high school districts;

Also: Senate Bill No. 826—An act to amend sections 363a and 363bb of the Political Code, and to add section 363s thereto, relating to the Department of Public Works.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 39—Relative to inviting Will Rogers and Irvin S. Cobb to attend the session of the Assembly of California.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary

Assembly Concurrent Resolution No. 39 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No. 81—An act to amend section 11 of the Motor Vehicle Fuel License Tax Act, relating to refunds of license taxes—and appointed Senators Scollan, Hays, and Olson, as a Committee on Conference, to meet a like committee from the Assembly.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Appointment of Committee on Free Conference Concerning Assembly Bill No. 81.

The Speaker announced the appointment of Messrs. Lyon, Burns and Johnson, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Assembly Bill No. 81.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Banking.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935.

MR. SPEAKER: Your Committee on Banking, to which was referred Senate Bill No. 845—An act to amend section 51 of the Bank Act, relating to deposits by order of court—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WILLIAMSON, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935.

MR. SPEAKER: Your Committee on Banking, to which was referred Senate Bill No. 846—An act to amend section 91 of the Bank Act, relating to deposits by order of court—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WILLIAMSON, Chairman

The above reported bill ordered on file for second reading

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2218—An act to amend section 484 of the Penal Code, relating to thefts and fraud

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2218 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fra-

zier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2219—An act to amend section 1 of an act entitled "An act to require employers to pay the cost of bonds and photographs required of and furnished by employees or applicants for employment," approved April 20, 1917, relating to property as a substitute for a bond.
Bill read third time
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 2219 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—79.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 732—An act to amend section 2280 of the Civil Code, relating to trusts.
Bill read third time.
The question being on the passage of the bill
The roll was called, and Assembly Bill No 732 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—79.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No 1816—An act to amend sections 19 and 20 of the "State Liquor Control Act," approved June 3, 1933, relating to licenses.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No 1816 passed by the following vote.

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Horn-

blower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 742—An act to amend section 2934 of the Civil Code, relating to mortgages in general and providing for the recording of certain subordination agreements and waivers relating to mortgages of, liens upon and interests in personal property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 742 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J. Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 743—An act to amend section 2980 of the Civil Code, and to provide for the recording of conditional sales contracts and leases of live stock, animate chattels, mining equipment and machinery, and bailment or feeder agreements relating to live stock and other animate chattels, and prescribing rights and remedies in connection therewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 743 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J. Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 741—An act to amend sections 2955, 2956, 2957, 2965 and 2966; and to repeal section 2959 of the Civil Code; and to add to said code new sections numbered 2959a, 2974, 2975, 2976, 2977 and 2978, relating to mortgages of personal property, and including provisions for the continuity of the liens thereof, the securing of addi-

tional advances and obligations thereunder, mortgaging of natural increase of live stock and other animate chattels, and of after acquired and consumable property, and providing for the recording of fictitious mortgages and the inclusion of the provisions thereof in other mortgages by reference, and constructive notice of such mortgages by the recording thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 741 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 356—An act to amend sections 1, 3, 4 and 5 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, and to add a new section thereto numbered 9a

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr Kallam:

Amendment No. 1.

On page 2, line 44, of the printed bill, as amended, after "school district,", insert the following: "water district, water conservation district".

Amendment No. 2.

On page 3, line 4, of the printed bill, as amended, after "school district,", insert the following: ", water district, water conservation district".

Amendments adopted

Bill read, ordered to reprint, and on file for third reading

Senate Bill No. 719—An act to amend the Vehicle Code by amending sections 141, 142, 145, 147, 150, 151, 157, 159, 160, 161, 165, 184, 186, 205, 206, 207, 211, 215, 239, 252, 375, 376, 382, and 383; by adding section 234, relating to vehicles

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Hornblower:

Amendment No. 1.

On page 2, line 43, of the printed bill, strike out "5", and insert in lieu thereof "4".

Amendment No. 2.

On page 7, line 17, of the printed bill, strike out "4", and insert in lieu thereof "5".

Amendments adopted.

Request for Unanimous Consent.

Mr Hornblower asked for, and was granted, unanimous consent to take up Senate Bill No 719, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 719, as Amended.

Senate Bill No. 719, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 719, as amended, finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 71—An act to amend section 601 of the Code of Civil Procedure, relating to peremptory challenges in civil cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 71 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 790—An act to amend the Vehicle Code by amending sections 37, 38, 39, 66, 67 and 73; by repealing section 44; by adding sections 44, 73.5 and 76, relating to vehicles.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. DeLap:

Amendment No. 1.

In the last line of the title of the printed bill, as amended, strike out the period and insert in lieu thereof a comma and the following: "and the enforcement of law in relation thereto."

Amendment adopted.

Bill read, ordered to reprint, and on file for third reading

Senate Bill No. 670—An act to amend the Insurance Code by repealing Chapter 8 of Part 2 of Division 2 thereof and adding a new Chapter 8 to Part 2 of Division 2, thereof, comprising sections 10640 to 10880,

inclusive, and by repealing section 1700 thereof, all relating to life insurance principals, practice and business, and matters incidental thereto by mutual benefit life associations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 670 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 485—An act to amend sections 12350, 12352, 12353, 12355, 12356, and 12357 of the Insurance Code, relating to title insurers.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 485 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 479—An act to amend section 10482 of the Insurance Code, relating to valuation of life policies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 479 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1067—An act to amend sections 5 and 24 of Chapter 690, Statutes of 1913, entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal an act approved April 7, 1911, known as the Direct Primary Law, and also to repeal an act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act." approved June 16, 1913, as amended, relating to party conventions, membership and organization of State central committees and county central committees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 1067 finally passed by the following vote:

AYES—Anderson Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans Herbert J Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley Robertson, Rosenthal Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1007—An act to amend section 994 of and to add sections 995, 996, 997 and 998 to the Agricultural Code, relating to capri figs and their diseases, the elimination of fig endosepsis, and authorizing boards of supervisors to accept donations for the enforcement of the provisions of said sections.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Heisinger:

Amendment No. 1.

On page 2, line 9, of the printed bill, as amended in Senate May 8, 1935, immediately after the word "purposes", insert a comma.

Amendment No. 2.

On page 2, line 10, of the printed bill, as amended in Senate May 8, 1935, after the word "orchards", strike out the comma.

Amendment No. 3.

On page 2, line 11, of the printed bill, as amended in Senate May 8, 1935, after the word "figs", strike out the comma

Amendment No. 4.

On page 2, line 12, of the printed bill, as amended in Senate May 8, 1935, after the word "therein", insert a comma.

Amendments adopted.

Request for Unanimous Consent.

Mr. O'Donnell asked for, and was granted, unanimous consent to take up Senate Bill No. 1007, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 1007, as Amended.

Senate Bill No. 1007, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1007, as amended, finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 475—An act to amend sections 970, 972 and 974 of the Insurance Code, relating to security for the payment of taxes and other obligations of insurers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 475 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 470—An act to repeal Chapter 9 of Part 2 of Division 2 of the Insurance Code, and to add a new Chapter 9, comprising sections 10810 to 10940, inclusive, to Part 2 of Division 2 of the Insurance Code, relating to insurers transacting life and disability insurance on the stipulated premium plan with provision for assessment.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Minard:

Amendment No. 1.

On page 8, line 11, of the printed bill, as amended, change the word "stipuated", to "stipulated".

Amendment No. 2.

On page 8, line 22, of the printed bill, as amended, change the word "additionl", to "additional".

Amendment No. 3.

On page 11, line 10, of the printed bill, as amended, change "pany", to "ply".

Amendments adopted.

Request for Unanimous Consent.

Mr Minard asked for, and was granted, unanimous consent to take up Senate Bill No. 470, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 470, as Amended.

Senate Bill No. 470, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 470, as amended, finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 662—An act to add a new section to the Penal Code to be numbered 597h, relating to cruelty to animals

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 662 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1089—An act to amend section 19x23 of the Juvenile Court Law, relating to the probation officer.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1089 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—79.
NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Senate Bill No. 320—An act to amend section 11 of and to add a new section to be numbered section 12 to an act entitled "An act to define the boundary, provide for the care, strengthening and repairing of levees, and the payment of the indebtedness of Levee District Number One of Sutter County," approved March 20, 1874, relating to the compensation and powers of officers of said district

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 320 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 697—An act to amend section 2 of the "Sacramento and San Joaquin Drainage District Refunding Act," approved May 26, 1927, as amended, relating to the operation and maintenance of certain units or portions of the flood control work within the Sacramento and San Joaquin Drainage District.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 697 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 1087—An act to amend section 870 of the Agricultural Code, relating to the standardization of canned foods.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1087 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine,

Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—79.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 886—An act to add two new sections to the School Code to be numbered 6 223 and 6.224, relating to the sale of property of a school district, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time.

Urgency clause read.

The question being. Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—79
NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 886 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—79
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 748—An act to amend sections 4130 and 4140 of the Political Code, relating to county recorders, their duties and penalty for neglect thereof or for misconduct

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 748 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt,

Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 750—An act to amend section 409 of the Political Code, relating to the fees of the Secretary of State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 750 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Senate Bill No. 749—An act to amend section 408 of the Political Code, relating to the duties of the Secretary of State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 749 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 751—An act to amend section 4300c of the Political Code, relating to the fees of county recorders.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 751 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine,

Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1067—An act to amend section 1007 of the Civil Code, relating to title by prescription and adverse possession against the State, counties, cities and counties or municipal corporations thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1067 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate

Assembly Bill No. 315—An act to amend section 284 of the Code of Civil Procedure, relating to substitution of attorneys and fees of same.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 315 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—79.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate

Assembly Bill No. 487—An act to amend section 692 of, and to add a new section to be numbered 692a to the Code of Civil Procedure, relating to sales of property under execution or under power contained in a deed of trust.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 487 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fra-

zier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 604—An act to add a new section to the Political Code, to be numbered 4052d, authorizing boards of supervisors to grant temporary use, possession, management and control of public parks for exposition and fair purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 604 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 606—An act to add a new section to the Political Code, to be numbered 2699, authorizing boards of supervisors to temporarily close any public highway, road, street, avenue, alley, lane or place for exposition purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 606 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1426—An act to amend section 3820 of the Political Code, relating to assessor to collect taxes not secured by real property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1426 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1167—An act to add a new section to the Political Code to be numbered ——, relating to the Department of Finance.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1167 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J, Evans, Ralph W, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—79.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2408—An act to add a new section to the Code of Civil Procedure to be numbered 349¾, relating to the limitation of the time within which actions, for trespass, use or occupancy of real property by oil or gas wells, and for damages by reason thereof, and for the conversion or for the taking or removing of oil, gas or other liquid or fluids by means of any such well, may be commenced, and defining oil and gas for the purposes of this act.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 2408 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate

Assembly Bill No. 943—An act to amend section 688 of the Political Code, relating to claims against the State of California in respect to damages inflicted by vehicles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 943 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Unfinished Business.

Reconsideration of Assembly Bill No. 1279.

In compliance with his notice given on a previous day, Mr. O'Donnell moved that the vote whereby Assembly Bill No. 1279 was passed be reconsidered

Demand for Previous Question.

Messrs. Reaves, Cottrell, Flint, Pelletier, and Johnson demanded the previous question.

The question being put. Shall the main question be now put?

Demand for previous question sustained.

The question being on the reconsideration of Assembly Bill No. 1279.

The roll was called.

Motion for Call of the House.

Pending the announcement of the vote, Mr. Mayo moved a call of the House.

Motion lost.

The roll was called, and Assembly Bill No. 1279 was refused reconsideration by the following vote:

AYES—Andreas, Chatters, Clark, Corwin, Dawson, Desmond, Donnelly, Evans, Ralph W., Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Mayo, McBride, McCarthy, Meehan, O'Donnell, Peterson, Reaves, Richie, Rosenthal, Scudder, Turner, Voigt, Walker, Waters, Weber, and Mr. Speaker—35

NOES—Boyle, Breed, Cottrell, Cronin, Cunningham, DeLap, Evans, Herbert J., Field, Fisher, Hornblower, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Miller, Minard, Patterson, Pelletier, Peyser, Phillips, Redwine, Riley, Robertson, Stream, Wallace, Williamson, and Wright—30

Motion to Reconsider Assembly Bill No. 2433 Continued.

Mr. Jones moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2433 was passed, be continued until the next legislative day.

Motion carried.

Reconsideration of Assembly Bill No. 1618.

Assembly Bill No. 1618—An act to amend the Personal Property Broker's Act, relating to the classification and regulation of the business of personal property brokers, including the fixing and regulation

of their charges and interest, and to repeal all acts and parts of acts inconsistent herewith.

In compliance with his notice given on a previous day, Mr. Cronin moved that the vote whereby Assembly Bill No. 1618 was refused passage, be reconsidered.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Cronin moved a call of the House.

Request for Roll Call.

On request of Messrs Hornblower, Gilmore, and Cronin, the Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Boyle, Breed, Chatters, Clark, Corwin, Cronin, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J., Fisher, Flint, Fulcher, Garibaldi, Gilmore, Hornblower, Hunt, Jones, Maloney, Mayo, McBride, Meehan, Miller, Minard, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Utt, Walker, Wallace, Weber, Welsh, Williamson, and Mr Speaker—41.

NOES—Dawson, Evans, Ralph W., Field, Geyer, Gilbert, Glover, Hawkins, Heisinger, Johnson, Latham, Laughlin, Lore, Martin, McCarthy, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Rosenthal, Turner, Voigt, Waters, and Wright—24.

Time, ten o'clock and twenty-eight minutes p.m.

The Speaker directed to Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Boyle, Breed, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—68

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Report of Committee on Free Conference.

The following report of Committee on Free Conference was received and read:

Concerning Senate Bill No. 472.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935

MR SPEAKER: Your Committee on Free Conference concerning Senate Bill No 472—An act to amend the Insurance Code by amending Article 14 of Chapter 1 of Part 2 of Division 1 thereof, relating to proceedings against insolvent insurers—reports that it has met a like committee of the Senate, consisting of Senators McCormack, Williams, and Difani, and reports that the Committee on Free Conference has agreed to recommend the following

That the Senate concur in the Assembly amendments, and that the bill be further amended as follows

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out lines 20 to 25, inclusive, and insert in lieu thereof the following

"(i) That a domestic insurer does not comply with the requirements for the issuance to it of a certificate of authority, or that its certificate of authority has been revoked;".

Amendment No. 2.

On page 14, line 28, of the printed bill, as amended, after the period, insert the following: "In addition to the times permitted or prescribed by said section for the examination of such books and accounts, such books and accounts shall be examined at the time of the retirement from office of the commissioner. The expense of examining and experting the books and accounts of the commissioner as conservator or liquidator under this article or under Article 8, Chapter 2, Part 6 of Division 2 of this code shall be paid out of the insurance fund in the State treasury and shall, upon order of the court or courts before which the proceedings under said articles are pending, be ratably reimbursed to said insurance fund out of the assets of the estates administered by the commissioner as conservator or liquidator under this article or under Article 8, Chapter 2, Part 6 of Division 2 of this code."

FRAZIER.
MALONEY.
MINARD
Assembly Committee on Free Conference.

DIFANI.
McCORMACK.
WILLIAMS.
Senate Committee on Free Conference

Report of Committee on Free Conference read.

Mr. Minard moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Boyle, Breed, Chatters, Corwin, Dawson, DeLap, Desmond, Donnelly, Fisher, Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Scudder, Stream, Turner, Utt, Voigt, Wallace, Weber, Williamson, Wright, and Mr Speaker—46

NOES—None.

Third Reading of Senate Bills—(Resumed).

Senate Bill No 269—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Chatters.

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended in the Assembly April 25, 1935, strike out the words "add sections 690 30 and", and insert in lieu thereof the following, "amend section 690 of"

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, as amended in the Assembly April 25, 1935, strike out the word and figures "690 40 to"

Amendment No. 3.

On page 1 of the printed bill, as amended April 25, 1935, strike out all of lines 1 to 24, inclusive, and all of pages 2, 3, and 4, of said bill, and insert in lieu thereof the following,

"SECTION 1 Section 690 of the Code of Civil Procedure is hereby amended to read as follows

690. The following property is exempt from execution or attachment, except as herein otherwise specially provided

1. Chairs, tables, desks and books, to the value of two hundred dollars belonging to the judgment debtor;

2. Necessary household, table, and kitchen furniture belonging to the judgment debtor, including one sewing-machine, stove, stove-pipes and furniture, wearing apparel, beds, bedding and bedsteads, hanging pictures, oil paintings and drawings drawn or painted by any member of the family, and family portraits and their necessary frames, provisions and fuel actually provided for individual or family use, sufficient for three months, and three cows and their suckling calves, four hogs and their sucklings pigs, and food for such cows and hogs for one month; also one piano, one shotgun and one rifle; also one motor vehicle of a value not exceeding one hundred dollars.

3. The farming utensils or implements of husbandry of the judgment debtor, not exceeding in value the sum of one thousand dollars; also two oxen or two horses or two mules, and their harness, one cart or buggy, and two wagons, and food for such oxen, horses or mules, for one month; also all seed grain or vegetables actually provided, reserved or on hand for the purpose of planting or sowing at any time within the ensuing six months, not exceeding in value the sum of two hundred dollars, and seventy-five beehives; one horse and vehicle belonging to any person who is maimed or crippled, and the same is necessary in his business.

4 The tools or implements of a mechanic or artisan, necessary to carry on his trade; the notarial seal, records and office furniture of a notary public; the instruments and chest of a surgeon, physician, chiropractor, surveyor or dentist, necessary to the exercise of their profession, with their professional libraries and necessary office furniture; the professional libraries of attorneys, judges, ministers of the gospel, editors, school teachers and music teachers, and their necessary office furniture; including one safe and one typewriter, also the musical instruments of music teachers actually used by them in giving instructions, and all the indexes, abstracts, books, papers, maps and office furniture of a searcher of records necessary to be used in his profession; also the typewriters or other mechanical contrivances employed for writing in type, actually used by the owner thereof for making his living; also one bicycle when the same is used by the owner for the purpose of carrying on his regular business, or when the same is used for the purpose of transporting the owner to and from his place of business.

5. The cabin or dwelling of a miner, not exceeding in value the sum of five hundred dollars; also his sluices, pipes, hose, windlass, derrick, cars, pumps, tools, implements, and appliances necessary for carrying on any mining operation, not exceeding in value the aggregate sum of five hundred dollars; and two horses, mules or oxen with their harness, and food for such horses, mules or oxen for one month, when necessary to be used on any whim, windlass, derrick, car pump or hoisting gear; and also his mining claim, actually worked by him, not exceeding in value the sum of one thousand dollars;

6 Two horses, two oxen or two mules, and their harness, and one cart or wagon, one dray or truck, one coupe, one hack, or carriage, for one or two horses, by the use of which a cartman, drayman, truckman, huckster, peddler, hackman, teamster or other laborer habitually earns his living, and one horse with vehicle and harness or other equipments, used by a physician, surgeon, constable or minister of the gospel, in the legitimate practice of his profession or business; with food for such oxen, horses or mules for one month;

7 One fishing boat and net, not exceeding the total value of five hundred dollars, the property of any fisherman, by the lawful use of which he earns his livelihood,

8 Poultry not exceeding in value seventy-five dollars;

9 The wages and earnings of all seamen, seagoing fishermen and sealers, not exceeding three hundred dollars, regardless of where or when earned, and in addition to all other exemptions otherwise provided by any law;

10 The earnings of the judgment debtor for his personal services rendered at any time within thirty days next preceding the levy of execution or attachment, when it appears by the debtor's affidavit or otherwise, that such earnings are necessary for the use of his family, residing in this State, supported in whole or in part by his labor; but where debts are incurred by any such person, or his wife or family for the common necessaries of life, or have been incurred at a time when the debtor had no family residing in this State, supported in whole or in part by his labor, or incurred for personal services rendered by any employee, or former employee, the one-half of such earnings above mentioned is nevertheless subject to execution, garnishment or attachment to satisfy debts so incurred;

11. The shares held by a member of a homestead association duly incorporated, not exceeding in value one thousand dollars if the person holding the shares is not the owner of a homestead under the laws of this State;

12 All the nautical instruments and wearing apparel of any master, officer, or seaman of any steamer or other vessel;

13 All fire engines, hooks and ladders, with the carts, trucks and carriages, hose buckets, implements, and apparatus thereunto appertaining, and all furniture and uniforms of any fire company or department organized under the laws of this State;

14. All arms, uniforms, and accouterments required by law to be kept by any person, and also one gun, to be selected by the debtor;

15. All courthouses, jails, public offices and buildings, lots, grounds and personal property, the fixtures, furniture, books, papers, and appurtenances belonging to the jail and public offices belonging and appertaining to any county of this State; and all cemeteries, public squares, parks, and places, public buildings, town halls, markets, buildings for the use of fire departments and military organizations, and the lots and grounds thereto belonging and appertaining, owned or held by any town or incorporated city, or dedicated by such town or city to health, ornament or public use, or for the use of any fire or military company organized under the laws of this State;

16 All material not exceeding one thousand dollars in value, purchased in good faith for use in the construction, alteration or repair of any building, mining claim or other improvement as long as in good faith the same is about to be applied to the construction, alteration or repair of such building, mining claim or other improvement;

17. All machinery, tools and implements, necessary in and for boring, sinking, putting down and constructing surface or artesian wells; also the engines necessary for operating such machinery, implements, tools, etc., also all trucks necessary for the transportation of such machinery, tools, implements, engines, etc.; provided, that the value of all the articles exempted under this subdivision shall not exceed one thousand dollars;

18. All moneys, benefits, privileges, or immunities accruing or in any manner growing out of any life insurance, if the annual premiums paid do not exceed five hundred dollars, and if they exceed that sum a like exemption shall exist which shall bear the same proportion to the moneys, benefits, privileges, and immunities so accruing or growing out of such insurance that said five hundred dollars bears to the whole annual premiums paid;

19. Shares of stock in any building and loan association to the value of one thousand dollars;

20. All money received by any person, a resident of the State as a pension from the United States Government, or as a pension or retirement salary from the State, or any county, city, or city and county, or any public board or boards whether the same shall be in the actual possession of such pensioner, or deposited, loaned or invested by him;

21. All money held, controlled or in process of distribution by the State or a city, county, city and county or other political subdivision of the State, derived from contributions from the State or such city, county, city and county, or other political subdivision, or by any officer or employee thereof for retirement or pension purposes or the payment of death benefits.

No article, however, or species of property, mentioned in this section is exempt from execution issued upon a judgment recovered for its price, or upon a judgment of foreclosure of a mortgage or other lien thereon."

Amendments adopted.

Bill read, ordered to reprint, and on file for third reading.

Unfinished Business—(Resumed).

Reconsideration of Assembly Bill No. 71 Waived.

Mr. Cunningham waived his notice to reconsider the vote whereby Assembly Bill No 71 was passed.

Assembly Bill No. 71 ordered transmitted to the Senate.

Motion to Reconsider Assembly Bill No. 31 Continued.

Mr. Utt moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 31 was passed be continued until the next legislative day.

Motion carried.

Assembly Bill No. 2392—An act to ratify and approve an interstate compact to conserve oil and gas, signed at Dallas, Texas, February 16, 1935, and declaring the urgency hereof.

Motion to Reconsider Assembly Bill No. 2392 Continued.

Mr. Flint moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2392 was passed be continued until the next legislative day.

Motion carried.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Robertson:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 612 of the Fish and Game Code, relating to steelhead trout.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it The title of said bill is as follows.

An act to amend section 612 of the Fish and Game Code, relating to steelhead trout.

CUNNINGHAM, Chairman.

Report of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J, Evans, Ralph W, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—70.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced, and referred as indicated:

By Mr. Robertson: Assembly Bill No. 2460—An act to amend section 612 of the Fish and Game Code, relating to steelhead trout.

Bill read first time, and referred to Committee on Fish and Game.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No 70—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding a new article thereto to be numbered XIIIa, and by repealing section 12 of Article XI, relating to taxation—and reports that the same has been correctly engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1023—An act to amend section 6 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915;

Also: Assembly Bill No 1794—An act to amend the title of an act entitled "An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same, reenacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the 'Water Conservation Act of 1929,' and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred" (Chapter 1020, Statutes of 1931), to repeal sections 51 to 54, inclusive, and to add new sections to be numbered 51 to 80 inclusive, relating to exclusion of lands from water conservation districts and to improvement districts within water conservation districts" (Chapter 906, Statutes of 1933), to amend sections 18, 36 and 53 of

said act and to add a new section to said act to be known as section 36a relating to revenue bonds;

Also: Assembly Bill No. 2305—An act to add section 9a to the State Medical Practice Act, relating to chiropody;

Also: Assembly Bill No 2438—An act to amend sections 13, 14, 14a and 14b of, to add sections 21, 22, 23, 24 and 25 to, and to repeal sections 15 and 16 of, The Planning Act, relating to State, regional, county, and city planning;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 607—An act relating to the holding of the Pacific Exposition and the San Francisco Bay Exposition in California, providing for the issuance and sale of State bonds to be known as "California exposition bonds," providing for the payment and retirement of said bonds, providing for and creating funds for the carrying out of the purposes of this act, authorizing the expenditure of moneys in said funds for such purposes, creating two commissions, one to be known as the "Pacific Exposition Commission" and the other to be known as "San Francisco Bay Exposition Commission," creating an interest and sinking fund for the payment of interest on said bonds and the redemption of the same, and making appropriation therefor, making an appropriation of two thousand dollars for the expense of printing, lithographing and selling said bonds, designating the name by which this act shall be known and fixing the time at which this act shall be and become effective;

Also: Assembly Bill No 2208—An act requiring marine architects to be certified as such, specifying qualifications, rules and regulations therefor, creating a board, establishing a fund, and providing penalties;

And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935.

MR. SPEAKER Your Committee on Municipal Corporations, to which was referred Senate Bill No. 1101—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, by adding a new section thereto numbered section 2a, providing for securing the written consent of political subdivisions owning sixty per cent or more in area or value of the lands to be incorporated;

Also: Senate Bill No. 1103—An act to add section 1083b to the Political Code, relating to petitions;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

WRIGHT, Chairman.

The above reported bills ordered on file for second reading

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 93—An act to amend section 69 of the Civil Code, relating to marriage licenses.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr Desmond:

Amendment No. 1.

On page 1, line 11, of the printed bill, strike out "must", and insert in lieu thereof the following: "may".

Amendment No. 2.

On page 1, line 12, of the printed bill, strike out "who", and insert in lieu thereof the following: "is".

Amendment No. 3.

On page 1, line 14, of the printed bill, strike out "is".

Amendment No. 4.

On page 1, line 15, of the printed bill, strike out "no license must", and insert in lieu thereof the following: "and no license may".

Amendment No. 5.

On page 1, line 20, of the printed bill, strike out "must", and insert in lieu thereof the following: "may".

Amendments adopted.

Request for Unanimous Consent.

Mr. Desmond asked for, and was granted, unanimous consent to take up Assembly Bill No 93, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 93, as Amended.

Assembly Bill No. 93, as amended, read third time.

Demand for Previous Question.

Messrs. Garibaldi, Flint, Voigt, Meehan and DeLap demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 93, as amended, passed by the following vote:

AYES—Anderson, Breed, Brennan, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donnelly, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Hornblower, Hunt, Jones, Lore, Martin, Mayo, McBride, McMurray, Meehan, Morgan, Patterson, Peyser, Reaves, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Voigt, Walker, Wallace, Weber, and Welsh—43.

NOES—Andreas, Boyle Cassidy, Chatters, Clark, Cunningham, Donihue, Evans, Herbert J., Field, Geyer, Glover, Hawkins, Heisinger, Johnson, Laughlin, Lyon, Maloney, McCarthy, Miller, Minard, O'Donnell, Pelletier, Phillips, Redwine, Richie, Riley, Stream, Waters, Williamson, Wright, and Mr. Speaker—31.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 93

Mr Boyle gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 93 was this day passed

Further Proceedings Under Call of the House Dispensed With.

At eleven o'clock and fifty-five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Cronin.

The roll of absentees was called, and the motion to reconsider Assembly Bill No 1618 was carried by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Cassidy, Chatters, Corwin, Cronin, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Flint, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Hunt, Jones, Lyon, Maloney, Mayo, McBride, McMurray, Meehan, Miller, Morgan, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Weber, Welsh, and Mr. Speaker—42

NOES—Breed, Clark, Cottrell, Crowley, Cunningham, Donihue, Evans, Ralph W., Field, Fisher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Johnson, Latham, Laughlin, Lore, Martin, McCarthy, Minard, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Richie, Rosenthal, Turner, Voigt, Wallace, Waters, Williamson, and Wright—34

Assembly Bill No 1618 ordered on file for third reading.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Fulcher:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 71 of the Penal Code, relating to contracts sales and purchases by public officers.

Referred to Committee on Introduction of Bills.

By Mr. Williamson:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend sections 3629 and 3633 of the Political Code, relating to revenue and taxation.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 71 of the Penal Code, relating to contract sales, and purchases of public officers.

CUNNINGHAM, Chairman.

Also:

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend sections 3629 and 3633 of the Political Code, relating to revenue and taxation.

CUNNINGHAM, Chairman.

Reports of Committee on Introduction of Bills read.

Mr Cunningham moved the adoption of the reports.

The question being on the adoption of the reports.

The roll was called, and the reports adopted by the following vote:

AYES—Andreas, Boyle, Breed, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—63

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

By Mr. Fulcher: Assembly Bill No. 2461—An act to amend section 71 of the Penal Code relating to contracts, sales and purchases by public officers.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Williamson: Assembly Bill No 2462—An act to amend sections 3629 and 3633 of the Political Code, relating to revenue and taxation.

Bill read first time, and referred to Committee on Revenue and Taxation.

Adjournment.

At eleven o'clock and seven minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Friday, May 17, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, May 17, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—80.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Chatters, its further reading was dispensed with.

Privilege of Floor of Assembly Extended.

On request of Mr. Chatters, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Alfred J. Elliott of Tulare

On request of Speaker Craig, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. C. C. Wagner, Mrs. Wagner, Jr., Mrs. Robert Strain, Mrs. Stanley Strain and Mrs. C. H. Woodruff of Orange County, Mrs. Whitney Reeve of Pasadena, Mrs. Hertrick of San Marino, and Messrs Frank Rospaw and Cecil Rospaw of Placentia.

On request of Mr. Cassidy, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the instructor and students of the government class, Castlemont High School, as follows: Mr. F. V. Custer, instructor in charge government class, and Earl Akin, Horace Below, Jack Bishop, Bill Branin, Helen Brown, Anna Dare Buckley, James Brown, Ursulla Burr, Dorothea Cannon, Barbara Cook, Bernice Craig, Jean Dickson, Roberta Doty, Quaintance Davidson, Blanche Dildine, Jean Dildine, Margaret Doyle, Tom Dudley, Maxine

Everson, Winnifred Gaff, Marjorie Hallert, Lillian Heiduska, Marymelda Hoffmaster, Robert Hubbard, Jack Jones, Fred Kapp, Robert Keller, Clifford Kendall, Don Kiernan, Betty Larson, Winnifred Lewis, Cleo Lyon, Clarice Machado, Tom McGovern, Melvin Miller, Mary Moffatt, Winifred Molitor, Thomas Morgan, Nora Moser, Edward Nyberg, Robert Perez, Jean Reay, Maxine Ricker, Violet Robello, Howard Schetter, Ernest Stones, Sylvia Sparr, Jeanne Tappan, Marion Thomas and Frances Van O'oyen, students.

On request of Mr. Nielsen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the principal, teacher and pupils of Del Paso Heights School, as follows: Mr. George S. Skinner, principal; Lucian Clayton, teacher, and Ben Pineo, Priscilla C. Broughton, Ida Mae Moore, Katherine Virga, Annie Virga, Ruth Pryor, Virginia Morrison, Norris Burgess, Ida Maffei, Bettie Hooper, Arthur Freer, Peter Schaff, Walter Sweeney, Jack Mogan, Jim Hooper, Gilbert Frakes, Dorothy White, Geraldine Simmons, Mary Sills, Lilly Maffei, Regina Benbow, Mari Beth, Dorothy Sills, Betty Laugenour, Eleanor Greening, Charley Stuto, Ismael Morales, Arthur Sweett, Frank Sibbio, Ted Drennan, Rose Virga, Katy Sibbio, Claribel Black, Irene Bosworth, Nadine Bosworth, Lillian Schaff, Marian Pinley and Betty Pinley, pupils.

ASSISTANT CLERK OLIVER READING.

Reports of Standing Committees.

The following report of standing committee was received and read:

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1935.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 413—An act to amend sections 60 and 62 of an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, Statutes 1911, page 730, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

Motion to Withdraw Assembly Bill No. 1200.

Mr. Phillips moved that Assembly Bill No. 1200 be withdrawn from Committee on Public Utilities, and placed on file for second reading.

The question being on the motion by Mr. Phillips to withdraw Assembly Bill No. 1200 from Committee on Public Utilities, and place on file for second reading.

Substitute Motion.

Mr. Lyon moved, as a substitute motion, that Assembly Bill No. 1200 be re-referred to Committee on Revenue and Taxation.

Motion carried.

Assembly Bill No. 1200 ordered re-referred to Committee on Revenue and Taxation.

Motion to Re-refer Assembly Bill No. 1288.

Mr. Gilmore moved that Assembly Bill No. 1288 be withdrawn from Committee on Public Utilities, and ordered re-referred to Committee on Revenue and Taxation.

The question being on re-referring Assembly Bill No. 1288 to Committee on Revenue and Taxation.

Motion carried.

Assembly Bill No 1288 ordered re-referred to Committee on Revenue and Taxation.

Motion to Re-refer Assembly Bill No. 1757.

Mr. Cassidy moved that Assembly Bill No. 1757 be withdrawn from Committee on Public Utilities, and ordered re-referred to Committee on Labor and Capital.

The question being on re-referring Assembly Bill No. 1757 to Committee on Labor and Capital.

Motion carried.

Assembly Bill No. 1757 ordered re-referred to Committee on Labor and Capital.

Motion to Re-refer Assembly Bill No. 501.

Mr. Latham moved that Assembly Bill No. 501 be withdrawn from Committee on Public Morals, and ordered re-referred to Committee on Revenue and Taxation.

The question being on re-referring Assembly Bill No. 501 to Committee on Revenue and Taxation.

Motion carried.

Assembly Bill No. 501 ordered re-referred to Committee on Revenue and Taxation.

Motion to Re-refer Assembly Bill No. 651.

Mr. Jones moved that Assembly Bill No. 651 be withdrawn from Committee on Public Utilities, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Assembly Bill No 651 to Committee on Judiciary.

Motion carried.

Assembly Bill No 651 ordered re-referred to Committee on Judiciary.

Motion to Re-refer Assembly Bill No. 1502.

Mr. Hawkins moved that Assembly Bill No. 1502 be withdrawn from Committee on Public Utilities, and ordered re-referred to Committee on Labor and Capital.

The question being on re-referring Assembly Bill No 1502 to Committee on Labor and Capital.

Motion carried.

Assembly Bill No. 1502 ordered re-referred to Committee on Labor and Capital.

Motion to Withdraw Assembly Bill No. 750.

Mr. Reaves moved that Assembly Bill No. 750 be withdrawn from Committee on Revenue and Taxation, and placed on file for second reading.

The question being on the motion by Mr. Reaves to withdraw Assembly Bill No 750 from Committee on Revenue and Taxation and place on file for second reading.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Reaves to withdraw Assembly Bill No. 750 from Committee on Revenue and Taxation.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Reaves moved a call of the House.

Motion carried.

Time, nine o'clock and thirty minutes a m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Cottrell, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Martin, Mayo, McCarthy, McMurray, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Williamson, and Mr. Speaker—60.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Motion to Re-refer Assembly Bill No. 1849.

Mr. Wagner moved that Assembly Bill No. 1849 be withdrawn from Committee on Governmental Efficiency and Economy, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 1849 to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 1849 ordered re-referred to Committee on Ways and Means.

Motion to Print in Journal.

Mr. Robertson moved that certain articles from a local paper be printed in the Journal.

The question being on the motion by Mr. Robertson to print certain articles in the Journal.

Mr. Robertson withdrew his motion.

Motion.

Mr. Evans, Ralph W., moved that Monroe Butler be barred from the Assembly Chamber for the balance of this legislative session.

The question being on the motion by Mr. Evans, Ralph W., to bar Monroe Butler from the Assembly Chamber.

Motion to Lay on the Table.

Mr. Voigt moved that the motion by Mr. Evans, Ralph W., be laid on the table.

The question being on the motion to lay on the table.

Request for Roll Call.

On request of Messrs. Evans, Ralph W., Geyer and McCarthy, the Speaker ordered a roll call taken on the motion to lay on the table.

The roll was called, and the motion was lost by the following vote:

AYES—Boyle, Corwin, Evans, Herbert J., Garibaldi, Kallam, Lyon, Mayo, McMurray, Meehan, Richie, Utt, Wagner, and Williamson—13.

NOES—Anderson, Brennan, Cassidy, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, Martin, McCarthy, Morgan, O'Donnell, Patterson, Pelletier, Phillips, Riley, Robertson, Rosenthal, Stream, Turner, Voigt, Walker, Waters, Weber, Wright, and Mr. Speaker—37.

The question being on the motion by Mr. Evans, Ralph W., to bar Monroe Butler from the Assembly Chamber.

Demand for Previous Question.

Messrs. Fisher, Evans, Ralph W., Boyle, Pelletier and Evans, Herbert J., demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion by Mr. Evans, Ralph W., to bar Monroe Butler from the Assembly Chamber.

Request for Roll Call.

On request of Messrs. McCarthy, Evans, Ralph W., and Geyer, the Speaker ordered a roll call taken on the motion by Mr. Evans, Ralph W., to bar Monroe Butler from the Assembly Chamber.

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Brennan, Clark, Donnelly, Evans, Ralph W., Geyer, Gilbert, Heisinger, Hunt, Jones, Laughlin, Lore, Martin, McCarthy, Morgan, O'Donnell, Pelletier, Rosenthal, Voigt, and Wagner—20

NOES—Andreas, Boyle, Cassidy, Chatters, Corwin, Dawson, DeLap, Desmond, Donihue, Evans, Herbert J., Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hornblower, Johnson, Kallam, Lyon, Maloney, Mayo, McBride, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Peterson, Peyser, Reaves, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Waters, Weber, Williamson, and Mr. Speaker—46.

Further Proceedings Under Call of the House Dispensed With.

At eleven o'clock and seventeen minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Reaves.

The roll of absentees was called, and the motion by Mr. Reaves to withdraw Assembly Bill No. 750 from Committee on Revenue and Taxation, and place on file for second reading, was lost by the following vote:

AYES—Anderson, Andreas, Boyle, Cassidy, Clark, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, McCarthy, McMurray, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, Walker, and Waters—30.

NOES—Breed, Brennan, Chatters, Corwin, Cottrell, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Weber, Williamson, Wright, and Mr. Speaker—42.

Motion to Withdraw Assembly Bill No. 534.

Mr. Donihue moved that Assembly Bill No. 534 be withdrawn from Committee on Public Utilities, and placed on file for second reading.

The question being on the motion by Mr. Donihue to withdraw Assembly Bill No. 534 from Committee on Public Utilities and place on file.

Substitute Motion.

Mr. Evans, Herbert J., moved, as a substitute motion, that Assembly Bill No. 534 be re-referred to Committee on Motor Vehicles.

Motion carried.

Assembly Bill No. 534 ordered re-referred to Committee on Motor Vehicles.

Motion to Withdraw Senate Bill No. 78.

Mr. Anderson moved that Senate Bill No. 78 be withdrawn from Committee on Municipal Corporations, and placed on file for second reading.

The question being on the motion by Mr. Anderson to withdraw Senate Bill No. 78 from Committee on Municipal Corporations, and place on file for second reading.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Anderson to withdraw Senate Bill No. 78 from Committee on Municipal Corporations.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Laughlin, Lore, Martin, Mayo, McCarthy, Meehan, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Turner, Wagner, Waters, Weber, Wright, and Mr. Speaker—52.

NOES—Breed, DeLap, Field, Frazier, Hornblower, Kallam, Latham, Lyon, Maloney, McBride, Minard, Robertson, Scudder, and Williamson—14.

Senate Bill No. 78 ordered on file for second reading.

Motion to Withdraw Assembly Bill No. 2435.

Miss Miller moved that Assembly Bill No. 2435 be withdrawn from Committee on Roads and Highways, and placed on file for second reading.

The question being on the motion by Miss Miller to withdraw Assembly Bill No. 2435 from Committee on Roads and Highways and place on file for second reading.

Further Consideration Deferred.

Mr. Lyon moved that further consideration of Miss Miller's motion be deferred until two o'clock p.m.

Motion carried.

Second Reading of Assembly Bills.

Assembly Constitutional Amendment No. 76—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 9 of Article IX thereof, relating to a Board of Higher Education.

Committee Amendments.

During reading of Assembly Constitutional Amendment No. 76, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 15, of the printed measure, as amended, after "government", and before the comma, insert the following: "over each of its several units".

Amendment No. 2.

On page 3, line 2, of the printed measure, as amended, strike out the word "twenty", and insert in lieu thereof "ten".

Amendment No. 3.

On page 3, line 4, of the printed measure, as amended, strike out the word "twenty", and insert in lieu thereof the word "ten".

Amendment No. 4.

On page 3, line 6, of the printed measure, as amended, after the word "each", insert the word "two".

Amendment No. 5.

On page 3, line 7, of the printed measure, as amended, after the word "California", insert the following: "congressional districts numbered one and two to comprise Board of Higher Education district number one; congressional districts numbered three and four to comprise Board of Higher Education district number two, congressional districts numbered five and six to comprise Board of Higher Education district number three; congressional districts numbered seven and eight to comprise Board of Higher Education district number four; congressional districts numbered nine and ten to comprise Board of Higher Education district number five; congressional districts numbered eleven and twelve to comprise Board of Higher Education district number six; congressional districts numbered thirteen and fourteen to comprise Board of Higher Education district number seven; congressional districts numbered fifteen and sixteen to comprise Board of Higher Education district number eight; congressional districts numbered seventeen and eighteen to comprise Board of Higher Education district number nine; congressional districts numbered nineteen and twenty to comprise Board of Higher Education district number ten."

Amendment No. 6.

On page 3 of the printed measure, as amended, strike out all of lines 28 to 45, inclusive, and in line 46, before the word "shall", insert the word "Appointments".

Amendment No. 7.

On page 4 of the printed measure, as amended, strike out all of lines 4 to 7, inclusive.

Amendment No. 8.

On page 4 of the printed measure, as amended, strike out lines 8 to 12, inclusive, and insert in lieu thereof the following: "The board shall elect a chancellor who shall be an ex officio member of the board, but without voting rights, and who shall be executive officer of said board. The board shall fix his salary The chancellor shall not be the active administrative officer of any institution under control of the board while performing the duties of the office of chancellor."

Amendment No. 9.

On page 5 of the printed measure, as amended, strike out all of lines 8 and 9, and insert in lieu thereof the following: "ture may and is hereby directed and empowered to enact any and all laws that".

Amendments adopted.

Assembly Constitutional Amendment No 76 ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1198—An act to repeal sections 2.1223 and 6.523 of the School Code, relating to reports of books purchased for any school district.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2330—An act to amend sections 62 and 93 of the "Fish and Game Code," approved April 11, 1933, relating to fish and game and other wild life.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 2417—An act to amend section 844 of the Fish and Game Code, relating to nets.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 609—An act to add section 1582a to the Penal Code of the State of California, relating to hours of labor of prison guards.

Bill read second time, ordered to re-engrossment, and third reading.

Motion to Re-refer Assembly Bill No. 609.

Mr. Weber moved that Assembly Bill No. 609 be withdrawn from file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 609 to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 609 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 2449—An act creating the California Farm Debit Adjustment Commission, defining its powers and duties and making an appropriation therefor.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2448—An act to amend section 407 of the Streets and Highways Code, relating to State highways.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 212—An act to amend sections 137, 138 and 166 of the Fish and Game Code and to add two new sections to be numbered 171 and 172.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 3 of the printed bill, strike out all of lines 36 to 38, inclusive, and insert in lieu thereof the following: "horn Mountain; thence northerly following the Buckhorn Mountain-Cold Spring Trail to Cold Springs; thence easterly following a branch of Cliff Creek to Cliff Creek; thence northerly following Cliff and Grider Creeks to where the divide between Grider Creek and a stream leaving Grider Creek in section 16, township forty-five north, range twelve west meets said Grider Creek; thence following said divide southeasterly to its intersection with Lake Mountain Summit Trail; thence southerly following said lake".

Amendment adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1387—An act to empower and direct the Director of Finance to locate and establish by agreement or action to quiet title, the boundary between tide and submerged lands and littoral lands, in Orange County, California, to empower the grantee of any such tide and submerged lands to locate and establish such boundary, and to make an appropriation therefor.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike the words "and direct".

Amendment No. 2.

On page 1, line 4 of the title of the printed bill, strike the following: ", in Orange County," and insert in lieu thereof the word "in".

Amendment No. 3.

On page 1, lines 6 and 7 of the title of the printed bill, strike the following: ", and to make an appropriation therefor".

Amendment No. 4.

On page 1, line 9, of the printed bill, strike out the words "and directed".

Amendment No. 5.

On page 1, line 12, of the printed bill, strike the following: ", in Orange County,", and insert in lieu thereof the word "in".

Amendment No. 6.

On page 2, line 9 of section 4, of the printed bill, strike out the words "Orange County", and insert in lieu thereof the word "California".

Amendment No. 7.

On page 2, line 10 of section 4, of the printed bill, insert the word "procedure", following the phrase "in accordance with the".

Amendment No. 8.

On page 2 of the printed bill, strike out all of section 5.

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 444—An act to amend section 13 of the Motor Vehicle Fuel License Tax Act, relating to apportionment of the tax fund.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 10, of the printed bill, strike out "twelve", and insert in lieu thereof the following: "seven".

Amendment No. 2.

On page 2, line 12, of the printed bill, strike out "twelve", and insert in lieu thereof the following: "seven".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 204—An act to be known as the State Economy Act, providing for a program of useful public works, enjoyable by all citizens alike, to absorb unemployment and abolish charity; providing the means for financing such public works program and for State expenses without the necessity of further bond issues; providing an adequate and equitable auxiliary medium of exchange, regulating the volume and stabilizing the value thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "be known as the State Economy Act, providing for a"; and strike out lines 2 to 8, inclusive, and insert in lieu thereof the following: "amend section 452 of the Political Code, relating to Treasurer's receipts."

Amendment No. 2.

On page 2 of the printed bill, as amended, strike out lines 1 to 30, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 452 of the Political Code is hereby amended to read as follows:

452. It is the duty of the Treasurer:

1. To receive and keep in the vaults of the State treasury or in banks all moneys belonging to the State, not required to be received and kept by some other person

2. To file and keep the certificate of the Controller delivered to him when moneys are paid into the treasury.

3. To deliver to each person furnishing labor, services, materials or supplies to the State of California, or paying money into the treasury, a receipt showing the amount, the sources from which the labor, services, materials, supplies, or money

accrued and the funds responsible for payment of such amount, which receipts must be numbered in order beginning with number one at the commencement of each fiscal year. In any particular transaction, the receipt may be for the full amount, or a number of receipts of lesser amount totaling the full amount may be delivered. All receipts so delivered by the Treasurer shall be receivable at all times at their face value by the State for taxes and other obligations owing to the State.

4 To pay warrants drawn by the Controller out of the funds upon and in the order in which they are drawn

5. To attach to or indorse upon warrants drawn by the Controller an order directing the payment of warrants by some bank or banks in which moneys of the State are on deposit whenever, in his judgment, it is desirable to so withdraw moneys of the State from deposit. Upon presentation for payment, the person to whom it is paid shall receipt therefor in the manner customary in the payment of bank checks. The State Treasurer shall deliver daily to the State Controller all canceled warrants, taking the Controller's receipt therefor The Controller shall preserve all such warrants so delivered to him by the Treasurer

6 To keep an account of all moneys received and disbursed.

7. To keep separate accounts of the different funds

8. To report to the Controller on or before the tenth day of each month, the amounts disbursed during the preceding month, the fund out of which said disbursements were paid and all cash on hand to the credit of each fund.

9. At the request of either house of the Legislature, or of any committee thereof, to give information in writing as to the condition of the treasury, or upon any subject relating to the duties of his office

10. To report to the Governor at the time prescribed in section 332 of this code, the exact balance in the treasury to the credit of the State, with a summary of the receipts and payments of the treasury during the two preceding fiscal years

11 To authenticate with his official seal all writings and papers issued from his office."

Amendment No. 3.

Strike out all of pages 3, 4, and 5 of the printed bill, as amended.

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 502—An act to add section 608 to the Streets and Highways Code, establishing an additional secondary State highway.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the title of the printed bill, strike out "608 to ", and insert in lieu thereof the following: "653 to, and to repeal section 486 of,".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "608", and insert in lieu thereof the following: "653".

Amendment No. 3.

On page 1, line 3, of the printed bill, strike out "608 ", and insert in lieu thereof the following: "653."

Amendment No. 4.

On page 1, line 4, of the printed bill, strike out "2 (Ventura Boulevard)"; and strike out all of lines 5 and 6, and insert in lieu thereof the following: "61 near Red Box to Route 23 near Vincent.

SEC. 2. Section 486 of the Streets and Highways Code is hereby repealed."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2410—An act to be known as the Home Loan Revenue Bond Act and to provide for State aid in the financing of the construction of homes for citizens; to aid in the financial and business recovery of the State and to promote legitimate building and construction; providing for the creation of a Home Loan Authority and bond

financing committee and for the issuance of revenue bonds by the authority and for the application of such funds in the financing of the building of homes.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, following line 20, insert the following:

"The Home Loan Authority shall have the right and authority to negotiate for and receive loans from the Federal Government or any of its agencies and devote such funds to the purposes of this act and to deliver revenue bonds as herein authorized to the Federal Government or any of its agencies as security for loans. It may pledge any mortgages or other evidences of indebtedness received for any loans made by it as security for any such loans, but the credit of the State shall not be pledged, either directly or indirectly, as security for any loans secured by the authority."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 758—An act to repeal section 52a of the California Irrigation District Act, relating to the payment of assessments with matured bonds and coupons

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 104—An act to amend section 171 of the Code of Civil Procedure, relating to officers of courts of justice.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "171 of", and insert in lieu thereof the following: "103 of, and to add sections 103.1, 103.2, 103.3, 103.4, 103.5, 103.6, 103.7 and 103.8 to,".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out "officers of".

Amendment No. 3.

On page 1, line 1, of the printed bill, strike out "171", and insert in lieu thereof the following: "103".

Amendment No. 4.

On page 1 of the printed bill, strike out lines 3 to 11, inclusive, and insert in lieu thereof the following:

"103. There shall be at least one justices' court in each of the townships of the State, for which one justice of the peace must be elected by the qualified electors of the township, at the general State election next preceding the expiration of the term of office of his predecessor. In any county where, in the opinion of the board of supervisors, the public convenience requires it, the said board may, by order, provide that two justices' courts may be established in any township, designating the same in such order; and in such case, one justice of the peace must be elected, in the manner herein provided, for each of said courts.

SEC. 2. Section 103.1 is hereby added to the Code of Civil Procedure, to follow section 103 and to read as follows:

103.1. In every township containing a population of over two hundred thousand and less than four hundred thousand in counties containing a population of over four hundred thousand and less than six hundred thousand and in which no municipal court has been established pursuant to the provisions of section 11 of Article VI of the Constitution, whenever in the opinion of the justice of the peace of such township, the public interests so justify or require, one or more sessions of said justice court, to be known as extra sessions thereof, may be held in addition to and at the same time as the sessions held by the justice of the peace of such township, which extra session shall have all of the powers and jurisdiction prescribed and conferred by law upon justices of the peace.

The justice of the peace of a township containing a population of over two hundred thousand and less than four hundred thousand in such counties, may request

any other qualified justice of the peace, or judge of any city court in such county, to hold court in such township, and while so holding court, or acting as a justice of the peace therein, he shall receive for his services the same compensation as the justice of the peace of the township in which he is requested to act, together with actual traveling expenses at the rate of twenty-five cents per mile, while traveling from his residence to the court and return therefrom

The extra compensation of the justice of the peace, or judge sitting in said court pursuant to such request shall be paid by the county which by law is charged with the payments of the compensation of the justice of the peace making the request. The board of supervisors of such county shall provide a suitable place for the holding of extra sessions of said justices' court.

SEC. 3. Section 103 2 is hereby added to the Code of Civil Procedure, to read as follows:

103 2. In counties containing a population of more than four hundred thousand and less than six hundred thousand, justices of the peace shall each receive the following salaries to be paid by warrants drawn each month upon the salary fund, or, if there be no salary fund, then upon the general fund of the county, such warrants to be audited and paid as the salary of any county or township officer, and which salaries shall be in full for all services rendered by such justices of the peace, in townships having a population of more than two hundred thousand, six thousand dollars per annum; in townships having a population of one hundred thousand and less than two hundred thousand, four thousand six hundred dollars per annum; in townships having a population of thirty-five thousand and less than fifty thousand, three thousand three hundred dollars per annum; in townships having a population of thirty thousand and less than thirty-five thousand, three thousand three hundred dollars per annum; in townships having a population of less than thirty thousand, two thousand seven hundred dollars per annum; provided, however, that no justice of the peace receiving a salary of six thousand dollars, or more

SEC. 4. Section 103 3 is hereby added to the Code of Civil Procedure, to read as follows:

103 3. In every township containing a population of over thirty thousand in counties containing a population of over one hundred forty-four thousand and less than one hundred forty-five thousand, as determined by the Federal census taken in the year Anno Domini 1930, in which no municipal court has been established, pursuant to the provisions of section 11, Article VI, of the Constitution, there shall be a justice's court composed of two justices of the peace which shall have all the powers and jurisdiction prescribed and conferred by law upon justices of the peace. Any of said justices may hold court and there may be as many sessions of said court at the same time as there are justices thereof. The board of supervisors shall provide in a convenient locality a suitable office for the justices, justices' clerks and rooms suitable for holding sessions of said court separate from each other for each of said justices of the peace. The salary of each of said justices of the peace shall be three thousand dollars a year and shall be paid by warrant drawn each month upon the salary fund, or if there be no salary fund, then upon the general fund of the county, such warrants to be audited and paid as salary of any county or township officer.

SEC. 5. Section 103 4 is hereby added to the Code of Civil Procedure, to read as follows:

103 4. In every city of the second class there must be two justices of the peace, and in every city of the second and one-half, second and three-fourths, third and fourth classes, save and except cities of the second and three-fourths class lying within a township wherein two township justice courts have been created and are in existence on September 15, 1931, there must be one justice of the peace, to be elected in like manner, by the electors of such cities or towns, respectively, and such justices of the peace of cities shall have the same jurisdiction, civil and criminal, as justices of the peace of townships and township justices' courts.

Said justices of the peace of cities and justices courts of cities shall also have jurisdiction of all proceedings for the violation of any ordinance of any city in which courts are established both civil and criminal and of all actions for the collection of any license required by any ordinance of any such city, and generally exercise all powers, duties and jurisdiction, civil and criminal, of police judges, judges of police courts, recorder's courts or mayor's courts, within such city.

SEC. 6. Section 103 5 is hereby added to the Code of Civil Procedure, to read as follows:

103 5. No person is eligible to the office of justice of the peace in any city of the second, second and one-half, second and three-fourths or third class, who has not been admitted to practice law in this State; and no justice of the peace shall be permitted to practice law before another justice of the peace in the city, town or county in which he resides, or to have a partner engaged in the practice of law in any justice's court in any such city, town or county.

Every city justice of the peace in any city of the second class shall receive a salary of four thousand six hundred dollars per annum. Every city justice of the peace in any city of the second and one-half class shall receive a salary of four thousand six hundred dollars per annum. Every city justice of the peace in any city of the second and three-fourths class shall receive a salary of two thousand four

hundred dollars per annum. Every city justice of the peace in any city of the third class shall receive a salary of two thousand four hundred dollars per annum. Every city justice of the peace in any city of the fourth class shall receive a salary of one thousand five hundred dollars per annum.

SEC. 7. Section 103.6 is hereby added to the Code of Civil Procedure, to read as follows:

103 6. Each of said justices of the peace shall be provided by the city authorities, or by the board of supervisors in counties where the salary of the city justice of the peace is paid by the county, with a suitable office in which to hold his court. The compensation of the justice of the peace of any city shall be paid by warrants drawn each month upon the salary fund, or if there be no salary fund, then upon the general fund of such city or county as the case may be; such warrants to be audited and paid as salaries of any other city or county officials

SEC 8 Section 103 7 is hereby added to the Code of Civil Procedure, to read as follows:

103.7. All fees which are chargeable by law for services rendered by such city justice of the peace in cities aforesaid shall be by them respectively collected and on the first Monday of each month, every such city justice, or his clerk, shall make a report under oath, to the city or county treasurer, as the case may be, of the amount of fees so by him collected, and pay the amount so collected into the city and county treasury, as the case may, to the credit of the general fund thereof. Said salaries shall be the sole compensation of said city justice

SEC 9 Section 103 8 is hereby added to the Code of Civil Procedure, to read as follows

103 8 Where the number of city justices fixed for any city exceeds the number elected at the last general election, the board of supervisors of the county in which such city is situated shall, as soon as is practicable after this amendment takes effect, make appointments in the manner provided by law, to fill such vacancies"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1492—An act to amend section 9 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation, and for the selection of jurors therein." approved May 23, 1925, relating to municipal courts in cities or cities and counties of the second and one-fourth class.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 8, of the printed bill, strike out the word "four", and the words "two hundred", and insert in lieu of the word "four", the word "five".

Amendment No. 2.

On page 1, line 13, of the printed bill, strike out the word "shall", and insert in lieu thereof the word "may".

Amendment No. 3.

On page 1, line 15, of the printed bill, after the semicolon add the following "one deputy who shall receive one hundred and seventy-five dollars per month;".

Amendment No. 4.

On page 1, line 16, of the printed bill, strike out the word "Three", and insert in lieu thereof the word "Two".

Amendment No. 5.

On page 2, line 1, of the printed bill, strike out the word "shall", and insert in lieu thereof the word "may".

Amendment No. 6.

On page 2, line 4, of the printed bill, strike out the word "shall", and insert in lieu thereof the word "may".

Amendment No. 7.

On page 2, line 5, of the printed bill, strike out the words "sixty-five", and insert in lieu thereof the words "seventy-five".

Amendment No. 8.

On page 2, line 7, of the printed bill, strike out the word "fifty", and insert in lieu thereof the words "sixty-five".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2454—An act to add sections 4060 to 4060.53 inclusive, to the Political Code, and to amend section 3714 of said code, relating to the fiscal affairs of counties, cities and counties, and districts, including budgeting, accounting, reporting and auditing.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2146—An act to provide for the payment of rewards to persons who supply the State with information enabling it to recover lands or interests therein, owned by the State, or the issues and profits thereof, or the value of oil and gas or minerals reserved to the State, where such lands or interests therein, or oil and gas or minerals are illegally, fraudulently or adversely held or claimed by another; creating a land fraud recovery funds.

Bill read second time, ordered to re-re-engrossment, and third reading.

Assembly Bill No. 898—An act to amend section 488a of the Agricultural Code, relating to Grade A milk.

Bill read second time, ordered to re-engrossment, and third reading

Assembly Bill No. 2288—An act to amend the title of, and to add a new section to be numbered 4c to "An act to provide for the government of irrigation districts having an area of more than five hundred thousand acres and to enable such irrigation districts to construct levees and to protect the lands within such districts from damage resulting from floods and the overflow of rivers and for that purpose to provide additional powers for boards of directors within such irrigation districts," approved January 21, 1915, relating to irrigation districts.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "amend the title of, and to".

Amendment No. 2.

On page 1, line 4 of the title of the printed bill, after "and", insert the following "for elections and the qualification of electors therein and".

Amendment No. 3.

On page 1, line 1, of the printed bill, after "SECTION 1.", insert the following: "Section 4c is hereby added to the act cited in the title hereof to read as follows:

Sec. 4c No agreement or contract of any kind having for its purpose the sale, leasing, rental or disposal of electric power or energy, now or to be hereafter generated in any power plant constructed or to be constructed, or operated within or without the boundaries or area of any such irrigation district, except for electric power or energy distributed direct by any such irrigation district to the inhabitants thereof over its own transmission lines, shall be effective for any purpose until ninety days after the execution of any such agreement or contract and until ninety days after spreading on the minutes of the board of directors of such irrigation district of a copy of said agreement or contract, and until ninety days after the date of the first publication of a notice to the electors of such irrigation district to be published in each daily newspaper of the county in which such irrigation district is included, said publication to be made in five successive issues of each such newspaper, the date of the first publication thereof to be within two days after the date of the spreading

on the minutes of the board of directors of said district of said contract or agreement. Said notice shall give in substance the nature of the agreement or contract, the consideration therefor, the date to become effective and a brief summary of the contents of the same. If within said ninety days' period a petition signed by qualified electors of such irrigation district, equal in number to twenty per cent of the highest number of votes cast for treasurer or assessor-collector, whichever shall be the highest of the said two offices, of said irrigation district at the last preceding general irrigation district election at which a treasurer or assessor-collector was elected, asking that any such contract or agreement be submitted to the electors of such irrigation district for their approval or rejection, shall be presented to and filed with the secretary of such irrigation district, the said board of directors shall submit to the electors for their approval or rejection, any such contract or agreement, at the next succeeding general election to be held in said irrigation district occurring at any time subsequent to thirty days after the filing of said petition or at any special election which may be called by the board of directors of any such irrigation district, in the discretion of said board of directors, prior to such regular election, and no such contract or agreement or part thereof shall go into effect or be of any force whatsoever until and unless approved by a majority of the qualified electors voting thereon."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 379—An act to amend section 408 of the Political Code, relating to the duties of the Secretary of State.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "408", and insert in lieu thereof the following: "410".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out the period, and insert in lieu thereof the following: ", and making an appropriation therefor."

Amendment No. 3.

On page 1, line 1, of the printed bill, strike out "408", and insert in lieu thereof the following. "410".

Amendment No. 4.

On page 1, line 3, of the printed bill, strike out "408.", and insert in lieu thereof the following:

"410. The laws, resolutions and Journals of the Legislature shall be delivered by the State Printer to the Secretary of State, who shall immediately distribute them as follows:

1. To the Library of Congress, three copies.

2. To the State Library or other library or department in each State and Territory, authorized to receive them, one copy.

3. To the Lieutenant Governor, each member of the Legislature, the Secretary of the Senate and the Clerk of the Assembly, one copy each.

4. To each municipal and county free library, county law library, and the library of each incorporated college or university in this State, one copy.

5. To the State Library fifty copies or as many more as the State Librarian may require for exchange purposes.

All other copies of the laws, resolutions and Journals shall be sold at such price as may be fixed by the Department of Finance.

SEC 2. For the purpose of carrying out the provisions of this act there is hereby appropriated out of any money in the State treasury not otherwise appropriated the sum of one thousand eight hundred fifty dollars ($1,850 00) in addition to any other sum or sums appropriated for support of the Secretary of State for the eighty-seventh and eighty-eighth fiscal years."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 327—An act to add Article 3a to Division II of the Agricultural Code, relating to Bang's disease in cattle.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, as amended, after "act", strike out "to add Article 3a to Division II of the Agricultural Code, relating to Bang's disease in cattle.", and insert in lieu thereof the following: "making an appropriation for the control of Bang's disease in cattle under the provisions of Article 2, Chapter 3, Division II of the Agricultural Code, and declaring the urgency hereof."

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 1 to 8, inclusive, and insert in lieu thereof the following:

"SEC. 1. There is hereby appropriated out of any moneys in the State treasury not otherwise appropriated the sum of six thousand eight hundred seventy dollars for the purpose of controlling Bang's disease of cattle under the provisions of Article 2, Chapter 3, Division II of the Agricultural Code.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution, and shall, therefore, go into immediate effect. A statement of the facts constituting such necessity is as follows:

In order that the State can take advantage of an allocation by the Federal Government of one hundred thousand dollars for Bang's disease control in California, it is necessary that certain assistance be given the government in conducting necessary tests for detection of such disease. Bang's disease is of great economic importance to the dairy and live stock industry, and it is highly desirable that the State take advantage of the Federal Government's offer of financial assistance for controlling the disease. Since the Federal funds are immediately available provided the State will cooperate, it is necessary that this act take immediate effect in order that the work be undertaken without delay."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 913—An act to amend section 459 of the Fish and Game Code, as added by Chapter 374, Statutes of 1933, and to renumber said section to be section 460, relating to the transportation of fish and game into this State.

Floor Amendment.

During second reading of the bill, the following amendment was submitted by Mr. Walker:

Amendment No. 1.

At the end of section 1 of the printed bill, add the following: "The provisions of this section shall not apply to a shipment handled by a common carrier under a bill of lading nor to supplies carried into this State in the dining cars of common carriers for service to the patrons of such cars."

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 634—An act to amend section 23 of the District Investigation Act of 1933, relating to exemptions, declaring the urgency hereof and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 262—An act to amend sections 6, 10, 17 and 18 of, and to add section 24 to, an act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorpo-

rated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act," approved May 15, 1933, relating to outdoor advertising and the regulation thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1010—An act to amend section 737bb of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Napa.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, before line 1, insert the following "SECTION 1. Section 737bb of the Political Code is hereby amended to read as follows:"

Amendment No. 2.

On page 1, line 1, of the printed bill, as amended, strike out "SECTION 1", and insert in lieu thereof the following, "737bb"

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 406—An act to amend section 610 of the Fish and Game Code, relating to trout and whitefish.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 10, of the printed bill, as amended, strike out "trict 2", and insert in lieu thereof the following: "tricts 1½, 2, 2½, 2¾, 3 and 4".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 213—An act to authorize the State Treasurer to accept, on behalf of the State of California, the sum of one million dollars, together with any interest that may be due thereon, and other sums from the California Olympiad Commission, or any committee thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 423—An act to provide for the sale and conveyance of certain swamp and overflowed, salt marsh and tidelands lying in the county of Contra Costa, State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 870—An act to amend sections 1, 14, 18 and 41 of the "California Water District Act," approved June 13, 1913, relating

to water districts, the purposes and administration thereof, to take effect immediately and declaring the urgency thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1078—An act to amend sections 1 and 2 of an act entitled "An act to require tax clearance by assessors and the State Controller as a prerequisite for the registration by the Motor Vehicle Department," approved May 15, 1933, relating to taxes on motor vehicles.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 275—An act to amend section 426 of the Code of Civil Procedure, relating to complaints in civil actions.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 522—An act to add a new section to the Probate Code of the State of California, to be known as section 1028, relating to the ratable, partial, and final distribution of estates of deceased persons.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 604—An act to add sections 476, 477, 478 and 479 to the Political Code, relating to the powers and duties of the Attorney General.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1091—An act to add a new section to be numbered 8.5 to an act entitled "An act for the formation, management and dissolution of county fire protection districts composed of lands within one or more counties and annexations to such districts; to set forth the powers of such districts and to provide for levying and collecting taxes on property in such districts to defray the expenses thereof," approved June 12, 1931, relating to the incurring of a bonded indebtedness and the sale and payment thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, in the last line of the title, strike out "thereof" and insert in lieu thereof the following: "of the bonds".

Amendment No. 2.

On page 1, line 2, of the printed bill, strike out "and", and insert in lieu thereof a comma

Amendment No. 3.

On page 1, line 17, of the printed bill, after "of", insert the following: "the"

Amendment No. 4.

On page 2, line 47, of the printed bill, strike out "That said", and insert in lieu thereof the following: "Said".

Amendment No. 5.

On page 3, line 2, of the printed bill, strike out "make", and insert in lieu thereof the following: "makes".

Amendment No. 6.

On page 3, line 7, of the printed bill, strike out "Negotiable Instruments Law", and insert in lieu thereof the following: "laws relating to negotiable instruments".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 845—An act to amend section 51 of the Bank Act, relating to deposits by order of court.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 846—An act to amend section 91 of the Bank Act, relating to deposits by order of court.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, in the first line of the title, strike out the word "section", and insert in lieu thereof the following: "sections 56.1 and".

Amendment No. 2.

On page 1 of the printed bill, strike out the second line of the title, and insert in lieu thereof the following: "the definition and regulation of the business of banking."

Amendment No. 3.

On page 1 of the printed bill, after line 17, insert the following:

"SEC. 2 Section 56.1 of the Bank Act is hereby amended to read as follows:

Sec. 56 1 Any bank is hereby authorized and empowered to subscribe for and purchase Class A stock of the Federal Bank Deposit Insurance Corporation, created by the Federal Banking Act of 1933 and, with the approval of the Superintendent of Banks and upon his certification to said corporation that such bank is in a solvent condition, to become a member of the temporary Federal deposit insurance fund, created thereby, and to do everything necessary or appropriate to procure and maintain such insurance of its deposits as may now or hereafter be provided by any Federal law and to take advantage of any and all grants and privileges and to comply with all requirements incidental thereto

Nothing in this act shall prohibit any such bank doing or performing any and all acts necessary or proper for the purpose of becoming and remaining such member; nor from becoming a stockholder in the Federal Bank Deposit Insurance Corporation, in the manner provided in the Federal Reserve Act as amended, nor from doing or performing any and all acts necessary or proper for the purpose of becoming and remaining such stockholder; nor from becoming a member of the temporary Federal deposit insurance fund, in the manner provided by said act, nor from making payments or contributions to said fund nor from doing or performing any and all acts necessary or proper, for the purpose of becoming and remaining a member of said fund; nor from investing any part of its capital or surplus or reserve fund in the capital stock of the Federal Bank Deposit Insurance Corporation, in accordance with the terms and provisions of the Banking Act of 1933, or in becoming a member of the temporary Federal deposit insurance fund, in accordance with the terms and provisions of the last mentioned act; nor from doing everything necessary or appropriate to procure and maintain such insurance of its deposits as may now or hereafter be provided by any Federal law and to take advantage of any and all grants and privileges and to comply with all requirements incidental thereto, provided, that such investments in, or payments for, or contributions to the capital stock of the Federal Bank Deposit Insurance Corporation, or the membership in the temporary Federal deposit insurance fund, shall in no way exceed the minimum amounts respectively required to join or maintain itself as a stockholder of such Federal Bank Deposit Insurance Corporation or as a member of said temporary Federal deposit insurance fund; provided, also, that such investment, payments or contributions may be carried in either the commercial, savings or trust department or may be apportioned to any two or all three of such departments of any departmental State bank"

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 1101—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, by adding a new section thereto numbered section 2a, providing for securing the written consent of political subdivisions owning sixty per cent or more in area or value of the lands to be incorporated.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1103—An act to add section 1083b to the Political Code, relating to petitions

Bill read second time, and ordered on file for third reading.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 265—An act to add section 364k to the Political Code, relating to the Division of the Deaf in the Department of Industrial Relations, and making an appropriation therefor.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lyon:

Amendment No. 1.

On page 3, line 8, of the printed bill, as amended, strike out the following: "shall be", and insert in lieu thereof the following. "are hereby".

Amendment No. 2.

On page 3, line 8, of the printed bill, as amended, strike out the following: "for the benefit of the State institutions", and strike out all of lines 9 to 12, inclusive, and insert in lieu thereof the following: "annually as follows:

One-third of such funds is hereby appropriated, allocated and apportioned to the State Emergency Relief Administration for the relief of unemployment within the State of California; one-third of such funds is hereby appropriated, allocated and apportioned to the California Polytechnic School; and one-third of such funds is hereby appropriated, allocated and apportioned to the University of California.

The funds hereby appropriated, allocated and apportioned for the relief of unemployment within the State of California and for the benefit of the California Polytechnic School and the University of California are in addition to any other funds heretofore or hereafter appropriated for such purposes and for such institutions.

The funds appropriated, allocated and apportioned for the benefit of the California Polytechnic School and the University of California shall be used exclusively by such institutions to provide vocational training in agriculture, animal husbandry and kindred subjects."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1516—An act to amend sections 6.240, 6.251, 6.252, 6.260, 6.262, 6.263, 6.264, 6.265, 6.270, 6.274, 6.275, 6.291, 6.292, 6.294, 6.295, 6.296, 6.300, 6.301, 6.305, 6.307, 6.320, 6.322, 6.330, 6.332, 6.340, 6.341 of the School Code and to repeal Article VI of Chapter III of Part II of Division VI thereof, relating to supplementary textbooks, declaring the urgency thereof and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FIELD, Chairman

The above reported bill ordered on file for second reading.

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1935

MR. SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 2125—An act providing for the regulation, supervision and conduct of wrestling matches or exhibitions and of boxing and sparring matches or exhibitions—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

GARIBALDI, Chairman.

The above reported bill ordered on file for second reading.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 2453—An act to add section 5 533 to the School Code, relating to teachers—has had the same under consideration, and respectfully reports the same back without recommendation

CHATTERS, Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 2043—An act to add a new section to be known as section 5.724 to the School Code, relating to resignations, dismissals and leaves of absence of certificated employees—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

CHATTERS, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935.

MR. SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 569—An act to amend section 2 802 of the School Code, relating to judgments against school districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

CHATTERS, Chairman.

The above reported bill ordered on file for second reading.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1935.

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 685—An act to amend section 30 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, relating to liability for workmen's compensation,

Also: Assembly Bill No. 2216—An act to amend section 29 of the California Workmen's Compensation, Insurance and Safety Act of 1917, relating to compensation insurance;

Also: Senate Bill No 668—An act to amend section 12905 of the Insurance Code, relating to the Insurance Commissioner;

Also: Senate Bill No. 669—An act to amend section 11716 of the Insurance Code, relating to the Insurance Commissioner;

Also Senate Bill No. 910—An act to amend sections the Insurance Code, by adding Article 8a to Chapter 1 of Part 2 of Division 1 of said code, comprising section 870, all relating to the deposit of funds by investment in policies, or otherwise, with an insurer;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

MINARD, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1887—An act to amend section 100 of the Insurance Code, to add section 106a thereto, and to add a new chapter to Part 2 of Division 2 of said code, to be numbered Chapter 13, comprising sections 11526 to 11545, inclusive, all relating to medical and hospital service insurers—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

MINARD, Chairman.

The above reported bill ordered on file for second reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, Assembly Bill No 528—An act to amend sections 4.750 and 4 751 of the School Code, relating to the computation of average daily attendance of school districts, declaring the

urgency thereof and providing that this act shall take effect immediately—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 528 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 490—An act to amend section 1357 of the Political Code, relating to absent voters;

Also: Assembly Bill No. 879—An act to add a new section to the Code of Civil Procedure, to be numbered 597, relating to the separate trial of any one or more of the issues joined,

Also: Assembly Bill No. 29—An act to amend section 1657 of the Probate Code, relating to accounts of guardian;

Also: Assembly Bill No. 1205—An act to add a new part to Division II of the School Code to be known as Part VI, relating to the formation, government, support, control, functions, maintenance, and administration of unified school districts created from elementary and high school districts, and of elementary, high school and junior college districts having coterminous boundaries and governing boards of identical personnel;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 490, 879, 29, and 1205 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 451—An act to add section 303 to the Penal Code, relating to alcoholic beverages;

Also: Assembly Bill No. 2406—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to sessions of the superior court.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 451 and 2406 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 322—An act to amend "An act to establish free employment bureaus under the control and management of the Commissioner of the Bureau of Labor Statistics, and making an appropriation therefor," approved May 17, 1915, by adding section 2a thereto, relating to free employment bureaus;

Also: Assembly Bill No. 1150—An act to amend section 4 of an act entitled "An act to permit the consolidation of elections and to provide a procedure therefor," approved June 11, 1913, relating to canvassing returns;

Also: Assembly Bill No. 286—An act to amend section 10 of an act entitled "An act to provide for and regulate municipal elections in the cities of the fifth and sixth class," approved May 27, 1919, relating to registrations;

Also: Assembly Bill No. 1751—An act to amend section 4023 of the School Code, relating to computation of pupils' attendance.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 322, 1150, 286 and 1751 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 471—An act to amend section 100 of the Insurance Code, to add section 106a thereto, and to add a new chapter to Part 2 of Division 2 of said code, to be numbered Chapter 13, comprising sections 11526 to 11545, inclusive, all relating to medical and hospital service insurers;

Also: Senate Bill No. 483—An act to add a new chapter to the Insurance Code, to be numbered Chapter 13 of Part 2 of Division 2 thereof, comprising sections 11525 to 11533, inclusive, relating to the voluntary mutualization of incorporated

life insurers or life and disability insurers having a share capital and issuing non-assessable policies on a reserve basis;

Also: Senate Bill No. 534—An act relating to persons in private psychopathic institutions.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bills Nos. 471 and 483 read first time, and referred to Committee on Insurance.

Senate Bill No. 534 read first time, and referred to Committte on Hospitals and Asylums

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 15—An act to add a new section to the Penal Code to be numbered 159b, relating to the solicitation of law business;

Also: Senate Bill No 535—An act to amend the title and sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20, of an act entitled "An act to create a flood control district to be called 'Los Angeles County Flood Control District'; to provide for the control and conservation of flood and storm waters, and for the protection of harbors, waterways, public highways and property in said district from damage from such waters, and for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness, and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district; to provide for the government and control of said district, and to define the powers and duties of the officers thereof," approved June 12, 1915, as amended, and by adding three new sections to said act to be numbered sections 3a, 3b, and 3c, relating to and providing for the government and control of said district by a board of directors, defining the powers and duties of said board and for the appointment of certain officers by said board, and dividing said district into five divisions for the election of a director from each of such divisions, and providing for the performance of certain duties by Los Angeles County officers for said district;

Also: Senate Bill No. 77—An act to add section 3a to an act entitled "An act to provide for the establishment and maintenance of a Bureau of Tuberculosis under the direction of the State Board of Health; defining its powers and duties; providing for the granting of State aid to cities, counties, cities and counties and groups of counties for the support and care of persons affected with tuberculosis; making an appropriation therefor; and repealing certain acts of the Legislature of the State of California," approved June 12, 1915, relating to agreements between counties and deposits of funds.

J. A BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 15 read first time, and referred to Committee on Judiciary.

Senate Bill No. 535 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 77 read first time, and referred to Committee on County Government.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1935

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 58—Relative to memorializing Congress to pass a bill restoring pensions to Spanish-American War veterans;

Also: Assembly Joint Resolution No 59—Relative to memorializing the President and the Congress of the United States to enact bill H. R. 6628 which proposes to provide remunerative employment for the blind citizens of the United States and its possessions and urging the Committee on Labor of the House of Representatives to expedite consideration favorable to said bill;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this seventeenth day of May, 1935, at eleven o'clock and forty-five minutes a m.

WATERS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 38—Approving certain amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at an election held therein on the second day of May, 1935;

Also: Assembly Concurrent Resolution No. 39—Inviting Will Rogers and Irvin S. Cobb to attend the session of Assembly of California;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this seventeenth day of May, 1935, at eleven o'clock and forty-five minutes p m.

WATERS, Chairman.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Rosenthal:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1935.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which read as follows.

An act to provide for the payment of delinquent taxes with farm products and declaring the urgency thereof to take effect immediately.

Referred to Committee on Introduction of Bills.

Recess.

At twelve o'clock and five minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until two o'clock p m., of this day.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 86—An act to establish a system of unemployment reserves for this State, and making an appropriation therefor;

Also: Assembly Bill No. 707—An act to amend sections 12, 13 and 16 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions" approved June 5, 1933, relating to horse racing;

Also: Assembly Bill No. 1583—An act to to add section 760a to the Insurance Code, relating to insurance practice in respect to payment or allowance of compensation to unlicensed persons;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1267—An act to amend the title and to add three new sections, to be numbered 2a, 2b and 2c, to an act entitled "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the health of persons by whom the materials from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors; and providing for the punishment of the same," approved March 6, 1909,

relating to the use of closed containers and providing for the sterilization of used bottles and containers used for foods, drugs and liquors—and reports that the same has been correctly re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1795—An act to amend sections 1, 3½, 5½ of "An act to be known as the Child Labor Law and regulating the employment, hours, kinds and conditions of labor of children; providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics; providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 10, 1919, as amended;

Also: Assembly Bill No. 2412—An act to provide for the regulation and licensing of establishments for wagering or betting upon the results of horse races; to provide penalties for the violation of the provisions of this act and making an appropriation for the enforcement thereof;

And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference concerning Senate Bill No. 472—An act to amend the Insurance Code by amending Article 14 of Chapter 1 of Part 2 of Division 1 thereof, relating to proceedings against insolvent insurers.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 58—An act to add section 3653.5 to the Political Code, relating to county assessors;

Also: Senate Bill No. 96—An act to amend sections 1081, 1082, 1083, 1085, 1087, 1088, 1089, 1090, and 1091 of, and to add sections 1081.1, 1083 1, 1083 3 and 1083.5 to the Agricultural Code, relating to commercial feeding stuffs;

Also: Senate Bill No. 345—An act to amend section 3480d of the Political Code, relating to reclamation districts, declaring the urgency thereof and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 1106—An act making an appropriation for contingent expenses of the Senate, and declaring that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.

Senate Bill No. 1106 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 364—An act to amend section 580a of the Code of Civil Procedure, limiting amount of deficiency judgments and the time within which actions therefor may be commenced.

J. A. BEEK, Secretary of Senate.

Senate Bill No. 364 read first time, and referred to Committee on Judiciary.

Further Consideration of Motion to Withdraw Assembly Bill No. 2435.

The question being on the motion by Miss Miller to withdraw Assembly Bill No. 2435 from Committee on Roads and Highways and place on file for second reading.

Substitute Motion.

Mr. Chatters moved, as a substitute motion, seconded by Mr. Wagner, that a Committee of Three be appointed to investigate Assembly Bill No 2435, and report back to the Assembly.

Motion to Lay Substitute Motion on the Table.

Mr. Welsh moved, seconded by Mr. Hunt, that the substitute motion, by Mr Chatters, be laid on the table

Request for Roll Call.

On request of Messrs. DeLap, Mayo and Breed, the Speaker ordered a roll call taken on the motion by Mr. Welsh that the substitute motion, by Mr. Chatters, be laid on the table

The roll was called, and the motion to lay on the table was lost by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, DeLap, Donnelly, Evans, Ralph W., Flint, Fulcher, Geyer, Hawkins, Hunt, Laughlin, Lore, Mayo, McCarthy, McMurray, Morgan, Stream, Thorp, Turner, Voigt, Wagner, Welsh, and Mr. Speaker—28.

NOES—Anderson, Corwin, Cronin, Cunningham, Dawson, Desmond, Evans, Herbert J., Field, Frazier, Gilbert, Gilmore, Glover, Heisinger, Johnson, Jones, Kallam, Latham, Lyon, Maloney, Martin, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Robertson, Utt, Walker, Waters, Weber and Wright—37.

The question being on the substitute motion by Mr. Chatters, to appoint a Committee of Three to investigate Assembly Bill No 2435, and report back to the Assembly.

Request for Roll Call.

On request of Messrs. Heisinger, Dawson and Cassidy, the Speaker ordered a roll call taken on the substitute motion by Mr. Chatters.

The roll was called, and the substitute motion was lost by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Donnelly, Evans, Ralph W., Fulcher, Garibaldi, Geyer, Gilbert, Hawkins, Heisinger, Hunt, Kallam, Laughlin, Lore, Martin, Mayo, McMurray, Meehan, Morgan, Pelletier, Phillips, Rosenthal, Stream, Turner, Utt, Voigt, Wagner, Williamson, and Mr. Speaker—35.

NOES—Anderson, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Herbert J., Field, Flint, Frazier, Gilmore, Glover, Hornblower, Johnson, Jones, Latham, Lyon, Maloney, McCarthy, Miller, Minard, Nielsen, Patterson, Peterson, Peyser, Reaves, Redwine, Riley, Robertson, Thorp, Walker, Waters, Welsh, and Wright—36.

The question being on the motion by Miss Miller to withdraw Assembly Bill No. 2435 from Committee on Roads and Highways, and place on file for second reading.

Demand for Previous Question.

Messrs. Dawson, Welsh, Morgan, Pelletier and Voigt demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion by Miss Miller to withdraw Assembly Bill No. 2435 from Committee on Roads and Highways, and place on file for second reading.

Roll Call.

The Speaker ordered a roll call taken on the motion by Miss Miller to withdraw Assembly Bill No. 2435 from Committee on Roads and Highways.

The roll was called.

Call of the House.

Pending the announcement of the vote, Miss Miller moved a call of the House.

Motion carried.

Time, two o'clock and forty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—69.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Recess.

At two o'clock and fifty minutes p.m., by order of the Speaker, the Assembly was declared at recess for presentation of a picture to Mr. Cunningham by Mr. Morgan on behalf of the Assembly.

Reassembled.

At two o'clock and fifty minutes p.m., the Assembly reconvened.

Speaker Craig in the chair.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 792—An act to prohibit child labor.

Bill read third time.

Floor Amendments.

During third reading of the bill, amendments were submitted by Mr. Hawkins:

Motion to Expunge Record.

Mr. Hawkins moved that the record whereby the amendments submitted by Mr. Hawkins were this day passed, be expunged, and the action rescinded.

Motion carried.

Assembly Bill No 792 read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Hawkins:

Amendment No. 1.

On page 1, line 1, of the printed bill, as amended, strike out "(16)".

Amendment No. 2.

On page 1, line 16, of the printed bill, as amended, strike out "or", and insert in lieu thereof the following: "nor".

Amendments adopted.

Request for Unanimous Consent.

Mr. Pelletier asked for unanimous consent to take up Assembly Bill No. 792, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Objection to Unanimous Consent.

Mr. Patterson objected to unanimous consent to the consideration of Assembly Bill No. 792, at this time

Bill read, ordered to reprint, engrossment, and third reading.

Further Proceedings Under Call of the House Dispensed With.

At three o'clock and fifty minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Miss Miller.

The roll of absentees was called, and the motion by Miss Miller to withdraw Assembly Bill No. 2435 from Committee on Roads and Highways, and place on file for second reading, was carried by the following vote:

AYES—Anderson, Andreas, Brennan, Cassidy, Clark, Cronin, Cunningham, Dawson, Desmond, Donihue, Evans, Herbert J., Field, Fisher, Flint, Frazier, Garibaldi, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Johnson, Jones, Latham, Lyon, Maloney, Martin, Meehan, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Riley, Robertson, Rosenthal, Thorp, Utt, Voigt, Wallace, Waters, Weber, and Wright—46.

NOES—Boyle, Breed, Burns, Chatters, Crowley, DeLap, Donnelly, Evans, Ralph W., Fulcher, Geyer, Hawkins, Hunt, Kallam, Laughlin, Lore, Mayo, McBride, McCarthy, Minard, Morgan, Peterson, Phillips, Richie, Scudder, Stream, Turner, Wagner, Walker, Welsh, and Mr. Speaker—30

Assembly Bill No. 2435 ordered on file for second reading.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1074—An act to amend section 3617 of the Political Code, relating to the definition of terms for purposes of taxation.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Fisher moved a call of the House.

Motion carried.

Time, four o'clock and fifteen minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names.

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Gari-

baldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—73

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1935.

MR SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 96—An act to add section 429 5 to the Fish and Game Code, relating to fishing licenses—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FISHER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 2440—An act to amend sections 721 and 722 of the Fish and Game Code and to repeal section 724 thereof, relating to fish—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FISHER, Chairman.

The above reported bill ordered on file for second reading

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1935.

MR SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 2452—An act to add section 1238 5 to the Code of Civil Procedure, relating to eminent domain—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DELAP, Chairman.

The above reported bill ordered on file for second reading.

On Unemployment.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1935.

MR. SPEAKER: Your Committee on Unemployment, to which was referred Assembly Bill No. 2459—An act to prevent the entry into California of paupers, vagabonds, indigent persons, persons likely to become public charges, and persons affected with contagious or infectious diseases, providing means for enforcing the same and prescribing penalties for the violation thereof, declaring the urgency thereof, and providing it shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

ANDERSON, Chairman.

The above reported bill ordered on file for second reading.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Craig:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1935

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 23, and to repeal section 24 of "An act to reserve all minerals in State lands; to provide for examination, classification and report

on the mineral and other character of State lands, to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to the granting of leases and easements to extract oil, gas and other hydrocarbons by means of wells drilled from littoral lands into State lands.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1935

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 23, and to repeal section 24 of "An act to reserve all minerals in State lands, to provide for examination, classification and report on the mineral and other character of State lands, to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to the granting of leases and easements to extract oil, gas and other hydrocarbons by means of wells drilled from littoral lands into State lands.

CUNNINGHAM, Chairman

Also:

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to provide for the payment of delinquent taxes with farm products and declaring the urgency thereof to take effect immediately.

CUNNINGHAM, Chairman.

Reports of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the reports.

The question being on the adoption of the reports.

The roll was called, and the reports adopted by the following vote.

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Chatters, Clark, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—64.

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

By Mr. Patterson: Assembly Concurrent Resolution No. 40—Directing the Fish and Game Commission of the State of California to negotiate with like commissions of the States of Oregon and Washington for limitation of fish reduction permits in all of said States in the interest of conservation, and in case of the failure of such negotiations to place the California fish reduction business on a basis of equality with its Oregon and Washington competitors.

Introduced.

By Mr. Craig: Assembly Bill No. 2463—An act to amend section 23, and to repeal section 24 of "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands, to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to the granting of leases and easements to extract oil, gas and other hydrocarbons by means of wells drilled from littoral lands into State lands.

Bill read first time, and referred to Committee on Oil Industry.

By Mr. Rosenthal: Assembly Bill No. 2464—An act to provide for the payment of delinquent taxes with farm products, and declaring the urgency thereof to take effect immediately.

Bill read first time, and referred to Committee on Agriculture.

Messages from the Governor.

The following messages from the Governor were received and read.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 17, 1935

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: I am returning herewith, without my approval, Assembly Bill No. 766, being An act to add Chapter 9, embracing sections 725 to 734, inclusive, to Division IV of the Agricultural Code, relating to dairies and dairy products.

In the opinion of those who have carefully analyzed Assembly Bill No. 766, there can be no question but that the language in section 732 constitutes an appropriation of the moneys collected under the bill, and is "an appropriation" as used in section 34, of Article IV of the State Constitution. In this opinion I fully concur.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 766 ordered on unfinished business file.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 17, 1935.

To the Honorable Members of the Assembly.
State of California, Sacramento, California.

GREETINGS: I am returning herewith, without my approval, Assembly Bill No. 756, An act to amend section 865 of the Fish and Game Code, relating to nets, and declaring the urgency hereof.

It is represented and contended by Senators who supported and voted for this bill, that its provisions were misunderstood "due to an incorrect explanation," and that "it received favorable consideration in committee and on the floor of the Senate" by reason of such misunderstanding. Members of the Assembly have also protested and have requested me to veto the measure.

I am of the opinion the enactment of Assembly Bill No. 756 would seriously jeopardize the enforcement of the recently enacted law, if, in fact, it would not invalidate certain portions of it.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California

Assembly Bill No. 756 ordered on unfinished business file.

Request to Print in the Journal.

Mr. Heisinger requested that a communication be printed in the Journal.

Mr. Geyer objected to unanimous consent.

Motion to Print in Journal.

Mr. Heisinger moved that communications offered by him be printed in the Journal.

The question being on the motion by Mr. Heisinger to print communications in the Journal.

Motion to Lay on the Table.

Mr. Patterson moved that the whole matter be laid on the table.

Motion carried.

Request for Unanimous Consent.

Mr. Patterson asked for unanimous consent to take up Assembly Concurrent Resolution No 40, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Objection to Unanimous Consent.

Mr. Hornblower objected to unanimous consent to the consideration of Assembly Concurrent Resolution No. 40.

Motion to Suspend Rules.

Mr. Patterson moved that the rules be suspended for purpose of considering Assembly Concurrent Resolution No. 40, as amended.

Motion lost.

Assembly Concurrent Resolution No. 40 ordered to Committee on Fish and Game.

Unfinished Business.

Motion to Reconsider Assembly Bill No. 403 Continued.

Mr Welsh moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No 403 was passed be continued until the next legislative day.

Motion carried.

Further Proceedings Under Call of the House Dispensed With.

At four o'clock and forty minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr Fisher.

The roll of absentees was called, and Assembly Bill No. 1074 was refused passage by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Chatters, Clark, Cronin, Donnelly, Evans, Ralph W., Fisher, Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Laughlin, Lore, Martin, McCarthy, Meehan, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, and Waters—40.

NOES—Boyle, Breed, Brennan, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Herbert J., Field, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Kallam, Latham, Lyon, Maloney, McBride, McMurray, Minard, Morgan, Peterson, Peyser, Phillips, Reaves, Redwine, Robertson, Turner, Utt, Weber, Welsh, Williamson, Wright, and Mr. Speaker—39.

Notice of Reconsideration of Assembly Bill No. 1074.

Mr Fisher gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1074 was this day refused passage.

Leave of Absence.

On motion of Mr. Chatters, Mr. Mayo was granted leave of absence for the balance of this legislative day.

Unfinished Business—(Resumed).

Motion to Reconsider Assembly Bill No. 530 Continued.

Mr. Redwine moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 530 was refused passage be continued until the next legislative day.

Motion carried.

Special Order Set for Assembly Bill No. 1684.

On motion of Mr. Burns, the consideration of Assembly Bill No. 1684 was made a special order for Monday, May 20, 1935, at two o'clock p.m.

Unfinished Business—(Resumed).

Reconsideration of Assembly Bill No. 31.

Assembly Bill No. 31—An act to regulate the hours of service in public and private employment during the emergency declared to exist.

In compliance with his notice given on a previous day, Mr. Utt moved that the vote whereby Assembly Bill No. 31 was passed be reconsidered.

Further Consideration Deferred.

Further consideration of motion to reconsider Assembly Bill No. 31 deferred until this evening.

Withdrawal of Assembly Bills.

By order of the Speaker, the following bills were stricken from the file, and ordered re-referred to committees:

Assembly Bill No. 86 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 1023 ordered re-referred to Committee on Medical and Dental Laws.

Assembly Bill No. 1267 ordered re-referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1583 ordered re-referred to Committee on Insurance.

Recess.

At four o'clock and forty-five minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until eight o'clock p.m., of this day.

Reassembled.

At eight o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1935.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1170—An act to add a new section to the Political Code to be numbered ——, relating to the Department of Professional and Vocational Standards—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

On Building and Construction.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935

MR SPEAKER Your Committee on Building and Construction, to which was referred Assembly Bill No 2439—An act to amend section 50 of the "State Housing Act," approved June 15, 1923, relating to the character and construction of fire escapes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

PEYSER, Chairman.

The above reported bill ordered on file for second reading.

On Financial Institutions.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1935

MR. SPEAKER: Your Committee on Financial Institutions, to which was referred Senate Bill No. 374—An act to amend sections 2965 to 2973, inclusive, and section 2980 of the Civil Code, relating to mortgages and conditional sales of personal property—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, as amended.

UTT, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Financial Institutions, to which was referred Senate Bill No. 875—An act to amend sections 9, 23 and 24 of the Workmen's Compensation Insurance and Safety Act of 1917, relating to industrial accidents—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

UTT, Chairman.

The above reported bill ordered on file for second reading.

On Building and Construction.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1935.

MR. SPEAKER: Your Committee on Building and Construction, to which was referred Senate Bill No. 596—An act to amend sections 1, 2, 3, 4, 6 and 9a of, and to add section 3½ to "An act providing for the registration of contractors, and defining the term contractor, providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, as amended, relating to contractors—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

PEYSER, Chairman.

The above reported bill ordered on file for second reading.

On Oil Industries.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1935.

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 2463—An act to amend section 23, and to repeal section 24 of "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to the granting of leases and easements to extract oil, gas and other hydrocarbons by means of wells drilled from littoral lands into State lands—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

McBRIDE, Chairman.

The above reported bill ordered on file for second reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 17, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to Senate Bill No. 81—

An act to add a new section to be numbered section 8a, to an act entitled "An act establishing a State Mining Bureau, creating the office of State Mineralogist, fixing his salary and prescribing his powers and duties; providing for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution for defrauding, swindling and cheating therein, creating a State Mining Bureau fund for the purpose of carrying out the provisions of this act and repealing an act entitled 'An act to provide for the establishment, maintenance and support of a bureau, to be known as the State Mining Bureau, and for the appointment and duties of a board of trustees, to be known as the board of trustees of the State Mining Bureau, who shall have the direction, management and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction and supervision of the board of trustees of the State Mining Bureau,' approved March 23, 1893, and all acts amendatory thereof and supplemental thereto or in conflict herewith," approved June 16, 1914, relating to mining on State property—and requests that your honorable body recede therefrom

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary

Senate Bill No. 81 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to Senate Bill No. 353—An act to establish legislative standards in relation to the rehabilitation of agriculture and the regulation of producers, packers, distributors, shippers, marketers, handlers, processors and others dealing in agricultural, viticultural, horticultural, animal and poultry products and of any competing commodity or product thereof; to recognize, make effective and provide for the enforcement in this State of marketing agreements and licenses issued or prescribed by the Secretary of Agriculture of the United States under the National Agricultural Adjustment Act, being Public Act No. 10 of the Seventy-third Congress of the United States; to provide for the issuance, administration and enforcement of State marketing agreements and State licenses in connection therewith; to prescribe the powers, duties and jurisdiction of the State Director of Agriculture in relation thereto; to provide that said State and Federal marketing agreements and licenses shall be and establish standards of fair competition in this State; to suspend all antitrust and unfair competition laws of this State in conflict herewith and therewith; to repeal Chapter 1029 of the Statutes of 1933; to prescribe remedies, rights, duties and penalties with respect to violations hereof and thereof; to provide ways, means and moneys for the administration and enforcement of said State and Federal marketing agreements and licenses; to limit the effective period of this act; to declare the existence of a State and National agricultural emergency and the urgency of this act and that this act shall take effect immediately—and requests that your honorable body recede therefrom.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 353 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 584—An act to add a new section to the Political Code to be known as section 3663d, relating to the assessment of property by the State Board of Equalization and the allocation of the assessed value of such property to the various taxing jurisdictions of the State and to provide that this act shall take effect immediately;

Also: Senate Bill No. 686—An act relating to the redemption and sale of property sold to a county treasurer, as trustee of a reclamation district or of the bond fund, or to a reclamation district for delinquent assessments and installments thereof.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 45—An act limiting the hours of labor of persons employed as personal or domestic workers and providing penalties for the violation of the provisions of this act.

J. A BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 495—An act to amend sections 460, 504, 585, and 621 of the Agricultural Code, relating to dairy products,

Also: Assembly Bill No. 877—An act to amend section 662 of the Code of Civil Procedure, relating to motions for new trial;

Also: Assembly Bill No. 1135—An act to add Chapter 11 to Division IV of the Agricultural Code, relating to the production and marketing of manufactured dairy products;

Also: Assembly Bill No. 840—An act to amend an act entitled "An act to authorize irrigation districts to cooperate and contract with the United States under the provisions of the Federal reclamation laws for a water supply, or the construction, operation or maintenance of works, including drainage works, or for the assumption by the district of indebtedness to the United States on account of district lands; and to provide the manner and method of payments to the United States under such contract, and for the apportionment of assessments, and the levy thereof, upon the lands of the district to secure revenue for such payments, and to provide for the judicial revenue and determination of the validity of the proceedings in connection with such contract, and to provide for construction of works by the district; to provide for the borrowing or procuring of money from the United States or any agency thereof and the entering into contracts, and/or the issuance of bonds, warrants or other evidence of indebtedness for the repayment thereof, approved May 5, 1917, as amended, by amending the title thereof and amending sections 1 and 11 thereof, relating to powers;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 495, 877, 1135 and 840 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 1554—An act to amend sections 1, 2, 3, 4, 6, 7, 8 and 14 of "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 5, 1931, relating to the composition of the retirement board; time of meeting; manner of transacting business; the duties of said board and time for annual report; computation of time for retirement privilege; interest rate on contributions and deposits; time for payments, refund of sums in excess of sum necessary for prior service credit, and revising the arrangement of certain portions of said act.

J. A BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No 1554 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on May 14, 1935, adopted Senate Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article II thereof a new section to be numbered section 7, relating to the registration of voters

J A BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Constitutional Amendment No. 1 referred to Committee on Constitutional Amendments.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 21—Relative to exemption from taxation of bonds issued by governmental agencies and memorializing the President and

Congress of the United States to take immediate steps for the termination of the exemption of such securities from taxation.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Senate Joint Resolution No. 21 referred to Committee on Federal Relations.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 263—An act to add section 6a to an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, relating to habit-forming, narcotic and other dangerous drugs;

Also: Senate Bill No 533—An act to add Title XXV to Part IV, Division I, of the Civil Code, relating to the incorporation of cooperative corporations, who may organize, purpose and powers, distribution of benefits, and vote and consisting of sections 653.1 to 653 16.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 263 read first time, and referred to Committee on Public Health and Quarantine.

Senate Bill No. 533 read first time, and referred to Committee on Corporations.

Resolution.

The following resolution was offered:

Resolution.

Resolved, That the Controller be and is hereby authorized and directed to draw his warrants on the contingent fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Vern O. Knudsen (railroad fare, Pullman, meals, etc.)_____	$29 20
Hotel Sacramento (meals, Committee on Contingent Expenses)_	3 89

The above resolution read, and ordered referred to Committee on Contingent Expenses.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No 2087—An act amending the Code of Civil Procedure, relating to the qualification of judges.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 2087 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 64—An act to amend section 3818 of the Political Code, relating to segregation of property on the assessment rolls.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 64 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 822—An act to amend section 27 of the Streets and Highways Code, relating to the maintenance of the State highways

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Redwine:

Amendment No. 1.

On page 1 of the printed bill, between lines 17 and 18, insert the following:

"(e) Such illumination of streets, roads, highways and bridges which in the judgment of the body authorized to expend such funds is required for the safety of persons using the said streets, roads, highways and bridges"

Amendment adopted.

Request for Unanimous Consent.

Mr. Utt asked for, and was granted, unanimous consent to take up Senate Bill No. 822, as amended, at this time, without reference to file.

Third Reading of Senate Bill No. 822, as Amended.

Senate Bill No. 822, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 822, as amended, finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 139—An act to provide for the burning of the brush and debris on a watershed for experimental purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 139 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—79

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No 10—Relative to memorializing the President and Congress to adopt legislation for the employment of jobless citizens in the mining of chromium and tin deposits of the United States.

Senate Joint Resolution No. 10 read.

Mr. Fulcher moved the adoption of Senate Joint Resolution No. 10.

The question being on the adoption of Senate Joint Resolution No 10

The roll was called, and Senate Joint Resolution No. 10 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—79

NOES—None.

Title read and approved.

Senate Joint Resolution No. 10 ordered transmitted to the Senate

Senate Joint Resolution No. 10.

Relative to memorializing the President and Congress to adopt legislation for the employment of jobless citizens in the mining of chromium and tin deposits of the United States

WHEREAS, There are many millions of men in these United States who still find themselves without employment in gainful occupations, and

WHEREAS, There are many valuable but low grade deposits of chromium and tin in California and in other parts of the United States, which said deposits though of low grade, could still be worked to the benefit of said jobless citizens and for the welfare of the United States as a whole, and

WHEREAS, The employment of citizens at such mining industry would not in any way compete with private industry but would promote desirable public development; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California jointly, That the President and Congress be memorialized to investigate and enact legislation toward the employment of jobless citizens of the United States by government control and development of chromium and tin deposits of the United States; and be it further

Resolved, That copies of this resolution be respectfully submitted to the President of the United States, President of the Senate, the Speaker of the House of Representatives, and to each of the Senators and Representatives of the State of California and Congress

Senate Bill No. 772—An act to amend section 150 of the Agricultural Code, pertaining to the qualification and certification of

persons engaging for hire in the business of eradicating or controlling pests.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Desmond:

Amendment No 1.

On page 2, line 2, of the printed bill, strike out the comma after the word "in", and add a comma after the word "pests".

Amendment No. 2.

On page 2, line 3, of the printed bill, after the word "State", strike out the period, and add the following "wherever such control method or methods might be destructive to bees when gathering nectar or pollen in an orchard or other crop area."

Amendments adopted.

Request for Unanimous Consent.

Mr. Desmond asked for, and was granted, unanimous consent to take up Senate Bill No. 772, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 772, as Amended.

Senate Bill No. 772, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 772, as amended, finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans Ralph W, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Senate Bill No. 443—An act to add a new section to the Political Code to be numbered 3720, relating to the filing by county clerks with county assessors and the State Board of Equalization of certificates of new districts and changes in the boundaries of existing districts.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Utt:

Amendment No. 1.

On page 1 of the printed bill, as amended in Senate May 7, 1935, between lines 22 and 23, insert the following: "and the tax levy of which is carried on the regular county or city and county assessment roll,".

Amendment adopted.

Request for Unanimous Consent.

Mr. Utt asked for, and was granted, unanimous consent to take up Senate Bill No. 443, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 443, as Amended.

Senate Bill No. 443, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 443, as amended, finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1281—An act to amend sections 4, 6, 13, 14, 20 and 21 of, and to add a new section to be numbered 8a to, an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, as amended, relating to adulteration, mislabeling, misbranding, false advertising and sale of food and the powers of the State Board of Health in relation thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1281 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—79

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1282—An act to amend the title and to amend sections 2, 3, 4, 6, 12, 19 and 21 of, and to add section 6a to an act entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, as amended, relating to the adulteration, mislabeling, misbranding, advertising and sale of drugs and devices and to the powers of the State Board of Public Health in relation thereto.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 1282 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kullam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.
NOES—None

Title read and approved
Bill ordered transmitted to the Senate.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1935.

MR SPEAKER. Your Committee on Judiciary, to which was referred Senate Bill No. 15—An act to add a new section to the Penal Code to be numbered 159b, relating to the solicitation of law business;

Also: Senate Bill No. 364—An act to amend section 580a of the Code of Civil Procedure, limiting amount of deficiency judgments and the time within which actions therefor may be commenced;

Also: Senate Bill No. 365—An act to reenact, in order to continue the same in effect subsequent to September 1, 1936, section 2924 of the Civil Code, relating to recording of notice of default and to giving notice of sale under deeds of trust and mortgages with power of sale, and to reenact, in order to continue the same in effect subsequent to September 1, 1936, section 2924b of the Civil Code, relating to giving of notice of recording of notice of default and of time and place of sale under deeds of trust or mortgages with power of sale; and to reenact, in order to continue the same in effect subsequent to September 1, 1936, section 2924c of the Civil Code, relating to reinstatement of loans when due date of principal sum has been accelerated; and to reenact, in order to continue the same in effect subsequent to September 1, 1936, section 580b of the Code of Civil Procedure, prohibiting deficiency judgments on purchase money mortgages and deeds of trust, and to reenact, in order to continue the same in effect subsequent to September 1, 1936, section 580c of the Code of Civil Procedure, limiting the trustee's or attorney's fees which a mortgagor or trustor may be required to pay; and to reenact, in order to continue the same in effect subsequent to September 1, 1936, section 725a of the Code of Civil Procedure, permitting the beneficiary or trustee named in a deed of trust to bring suit to foreclose the same in the manner of a mortgage; and to amend section 2924½ of the Civil Code, relating to mortgages and deeds of trust, all relating to the hypothecation of real property and to obligations secured thereby;

Also: Senate Bill No. 393—An act to amend section 692 of the Code of Civil Procedure, relating to giving notice of sales under execution;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

LYON, Chairman

The above reported bills ordered on file for second reading
Also:

MR SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No 518—An act to amend the title of the act establishing a Probate Code, approved May 11, 1931, and to add Division IIIa thereto, relating to missing persons—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

LYON, Chairman

The above reported bill ordered on file for second reading.
Also:

MR SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 488—An act to amend the Code of Civil Procedure by adding a new section thereto to be numbered 954a, relating to abandonment and withdrawal of appeals;

Also Senate Bill No. 489—An act to amend section 1053 of the Penal Code, relating to substitution of judges in criminal actions;

Also: Senate Bill No. 490—An act to amend section 1029 of the Penal Code, relating to trial of a judge of the superior court;

Also: Senate Bill No. 589—An act to add section 2540a to Civil Code, relating to contract of minors for life, health and accident insurance and annuity contracts: Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LYON, Chairman

The above reported bills ordered on file for second reading

Also:

MR. SPEAKER. Your Committee on Judiciary, to which was referred Assembly Bill No. 329—An act to authorize the adoption of codes of fair competition for certain trades and industries within this State, to declare the urgency thereof, and to provide that this act shall take effect immediately;

Also: Assembly Bill No. 1278—An act to amend "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof, to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, relating to collection agencies and the regulation, supervision and licensing thereof;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended

LYON, Chairman.

The above reported bills ordered on file for second reading.

On Soldiers and Sailors Affairs.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1935

MR SPEAKER: Your Committee on Soldiers and Sailors Affairs, to which was referred Assembly Bill No 1830—An act to amend sections 803, 804, 810, 813 814 and 815 of the Military Code, relating to the extension of veterans' rights for loan grants on homes and farms—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

PETERSON, Chairman

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1935.

MR SPEAKER Your Committee on Soldiers and Sailors Affairs, to which was referred Assembly Bill No 1319—An act to amend section 27 of the "State Civil Service Act," relating to preference to veterans and the widows of veterans—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

PETERSON, Chairman

The above reported bill ordered on file for second reading.

On Federal Relations.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1935

MR SPEAKER. Your Committee on Federal Relations, to which was referred Senate Joint Resolution No 21—Relative to exemption from taxation of bonds issued by governmental agencies and memorializing the President and Congress of the United States to take immediate steps for the termination of the exemption of such securities from taxation—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted

TURNER, Chairman.

Senate Joint Resolution No. 21 ordered on file for adoption.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1935

MR SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No 2460—An act to amend section 612 of the Fish and Game Code, relating to steelhead trout—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

FISHER, Chairman

The above reported bill ordered on file for second reading.

Hon. William B. Hornblower in the Chair.

At nine o'clock and forty-five minutes p.m., Hon. William B. Hornblower, member of the Assembly from the Twenty-third District, in the chair.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 758—An act to repeal section 52a of the California Irrigation District Act, relating to the payment of assessments with matured bonds and coupons;

Also: Assembly Bill No. 785—An act to amend the title, sections 1, 2, 3, 4 and 5 of, and to add a new section, to be numbered section 6, to an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for violation thereof," approved February 28, 1905 (Stats. 1905, Chap. 34), relating to the hours of drug clerks, requiring the keeping of records and posting schedules of such hours, providing for the enforcement of the act by the Chief of the Division of Labor Statistics and Law Enforcement and providing that all fines for violation of the provisions hereof shall be paid into the State treasury to the credit of the general fund;

Also: Assembly Bill No. 1303—An act to amend sections 1½, 2, 3, 4, 7, 9, 11, 14, 17, and to repeal section 10 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended, relating to pharmacy;

Also: Assembly Bill No. 1198—An act to repeal sections 2.1223 and 6.523 of the School Code, relating to reports of books purchased for any school district;

Also: Assembly Bill No. 2417—An act to amend section 844 of the Fish and Game Code, relating to nets;

And reports that the same have been correctly engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2448—An act to amend section 407 of the Streets and Highways Code, relating to State highways;

Also: Assembly Bill No. 2449—An act creating the California Farm Debt Adjustment Commission, defining its powers and duties and making an appropriation therefor;

Also: Assembly Bill No. 2454—An act to add sections 4060 to 4060.53 inclusive, to the Political Code, and to amend section 3714 of said code, relating to the fiscal affairs of counties, cities and counties, and districts, including budgeting, accounting, reporting and auditing;

And reports that the same have been correctly engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2382—An act to regulate the practice of structural pest control, to create the Structural Pest Control Board; to provide for the registration and licensing of persons engaged in such practice, and for the protection of the public in the practice of structural pest control—and reports that the same has been correctly re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1935.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 598—An act to provide for the revision of the Constitution of this State, including the election of delegates to the convention, the proceedings, powers, duties, and matters incidental to the convention, the submission of the revised Constitution to the people and matters incidental thereto, and making an

appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

The Speaker in the Chair.

At nine o'clock and fifty-five minutes p.m., Hon. Edward Craig, Speaker of the Assembly, in the chair.

Unfinished Business—(Resumed).

Reconsideration of Assembly Bill No. 31—(Resumed).

In compliance with his notice given on a previous day, Mr. Utt moved that the vote whereby Assembly Bill No. 31 was passed be reconsidered.

Demand for Previous Question.

Messrs Flint, Cunningham, Breed, Cottrell and Frazier demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the reconsideration of Assembly Bill No. 31.

The roll was called

Call of the House.

Pending the announcement of the vote, Mr. Utt moved a call of the House.

Request for Roll Call.

On request of Messrs. Patterson, Utt and Lore, the Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the motion was carried by the following vote:

AYES—Breed, Chatters, Corwin, Cronin, Cunningham, Desmond, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Heisinger, Johnson, Lyon, Martin, Miller, Minard, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Utt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—36.

NOES—Andreas, Boyle, Burns, Clark, Dawson, Evans, Ralph W., Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Latham, Laughlin, Lore, Maloney, McCarthy, McMurray, Meehan, Patterson, Pelletier, Richie, Rosenthal, Turner, Voigt, and Wagner—29.

Time, ten o'clock and five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Boyle, Breed, Burns, Chatters, Clark, Corwin, Cronin, Cunningham, Dawson, Desmond, Donnelly, Evans, Ralph W, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—65.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent. Unfinished Business—(Resumed).

Motion to Reconsider Assembly Bill No. 2392 Continued.

Mr. Flint moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2392 was passed be continued until the next legislative day.

Motion carried.

Motion to Reconsider Assembly Bill No. 93 Continued.

Mr. Boyle moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No 93 was passed be continued until the next legislative day.

Motion carried.

Motion to Reconsider Assembly Bill No. 2433 Continued.

Mr. Jones moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2433 was passed be continued until the next legislative day.

Motion carried.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 306—An act to amend section 1111 of the Code of Civil Procedure, relating to contest of elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 306 finally passed by the following vote:

AYES—Andreas, Boyle, Burns, Chatters, Clark, Corwin, Cronin, Cunningham, Dawson, Desmond, Donnelly, Evans, Ralph W, Field, Fisher, Flint, Frazier Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 248—An act to amend section 1030 of the Political Code, relating to office hours

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Minard:

Amendment No. 1.

On page 1, line 5, of the printed bill, as amended, strike out the following: "and the State Treasurer".

Amendment No. 2.

On page 1, line 8, of the printed bill, strike out the word "when", and insert in lieu thereof the following: "which are not legal holidays".

Amendment No. 3.

On page 1, line 9, of the printed bill, after the word "noon", insert a comma and the following: "provided that the State Treasurer may close his office at four o'clock p.m."

Amendments adopted.

Request for Unanimous Consent.

Mr. Minard asked for, and was granted, unanimous consent to take up Senate Bill No 248, as amended, at this time, without reference to file.

Third Reading of Senate Bill No. 248, as Amended.

Senate Bill No 248, as amended, read third time

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 248, as amended, finally passed by the following vote:

AYES—Andreas, Boyle, Burns, Chatters, Clark, Corwin, Cronin, Cunningham, Dawson, Desmond, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Turner, Wagner, Walker, Wallace, Waters, Weber Welsh, Williamson, Wright, and Mr Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 432—An act to amend section 859 of the Civil Code, relating to trusts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 432 finally passed by the following vote:

AYES—Andreas, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, Desmond, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—59.

NOES—None

Title read and approved

Bill ordered transmitted to the Senate.

Senate Bill No. 276—An act authorizing cities, cities and counties, and boards or departments thereof, in issuing revenue bonds or other evidences of indebtedness, payable solely from revenues, or from any other special fund, to issue the same as negotiable instruments, to provide for certain signatures thereto by facsimile, for making the same payable at places outside the State of California, and for the registration thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 276 finally passed by the following vote:

AYES—Boyle, Burns, Clark, Corwin, Cronin, Cunningham, Dawson, Desmond, Donnelly, Evans, Ralph W, Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, Martin, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Riley, Scudder, Stream, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, and Mr. Speaker—49.

NOES—Field, Latham, Lyon, Redwine, and Wright—5.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1010—An act to amend sections 1, 2, 3, 4 and 5 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulation, to provide rules regulating the proper sanitation of canneries, under the State Board of Health," approved May 23, 1925, as amended, relating to the inspection of canneries, the State Board of Public Health and to the power and duties thereof.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Gilmore:

Amendment No 1.

On page 1, line 5, of the printed bill, as amended in Assembly May 11, 1935, after the word "engage", insert the following: "in the noncommercial canning of salmon or".

Amendment No. 2.

On page 1, line 7, of the printed bill, as amended in Assembly May 11, 1935, strike out the following consecutive words: "or in the noncommercial canning".

Amendment No. 3.

On page 1, line 8, of the printed bill, as amended in Assembly May 11, 1935, strike out the words "of salmon,".

Amendments adopted.

Request for Unanimous Consent.

Mr. Gilmore asked for, and was granted, unanimous consent to take up Assembly Bill No. 1010, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1010, as Amended.

Assembly Bill No. 1010, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1010, as amended, passed by the following vote:

AYES—Andreas, Boyle, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, Desmond, Donnelly, Evans Ralph W., Field, Fisher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—58

NOES—Lore, and Utt—2.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 1010.

Mr. Phillips gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1010 was this day passed.

Unfinished Business—(Resumed).

Motion to Reconsider Amendments to Assembly Bill No. 834 Continued.

Mr. Wright moved that the consideration of his motion to reconsider the vote whereby amendments to Assembly Bill No. 834 were adopted, be continued until the next legislative day.

Motion carried.

Further Proceedings Under Call of the House Dispensed With.

At eleven o'clock and ten minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Utt.

The roll of absentees was called, and Assembly Bill No. 31 was reconsidered by the following vote:

AYES—Andreas, Breed, Brennan, Chatters, Corwin, Cottrell, Cunningham, Dawson, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Heisinger, Johnson, Lyon, Martin, McBride, Miller, Minard, Nielsen, O'Donnell, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream; Thorp, Utt, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—41.

NOES—Anderson, Boyle, Burns, Cassidy, Clark, Cronin, Crowley, Domhue, Evans, Ralph W., Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Latham, Laughlin, Lore, Maloney, McCarthy, McMurray, Meehan, Morgan, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, Welsh, and Williamson—36.

Assembly Bill No. 31 ordered on file for third reading.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2042—An act to amend sections 5.500, 5.680 and 5.681 of the School Code, relating to teachers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2042 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Clark, Cronin, Cunningham, Dawson, Domhue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Riley, Rosenthal, Stream, Turner, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—60.

NOES—Chatters, Cottrell, Crowley, Donnelly, O'Donnell, Phillips, Redwine, and Scudder—8.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1382—An act to amend section 5.682 of the School Code, relating to tenure of position for teachers.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Fisher:

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out the figures "60,000", and insert in lieu thereof the following: "eight hundred and fifty"

The question being on the amendment submitted by Mr. Fisher.

Request for Roll Call.

On request of Messrs. Pelletier, Flint and Field, the Speaker ordered a roll call taken on the amendment submitted by Mr. Fisher.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Cassidy, Fisher, Fulcher, and Johnson—4.

NOES—Anderson, Andreas, Boyle, Brennan, Burns, Clark, Cronin, Cunningham, Dawson, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—60.

Assembly Bill No. 1382 read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1382 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Clark, Cottrell, Cronin, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J, Evans, Ralph W, Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—70

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Unfinished Business—(Resumed).

Reconsideration of Assembly Bill No. 1165 Waived.

Mr. Field waived his notice to reconsider the vote whereby Assembly Bill No. 1165 was passed.

Assembly Bill No. 1165 ordered transmitted to the Senate.

Introduction, First Reading and Reference of Bills—(Resumed).

The following bill was introduced:

By Messrs Maloney, Hornblower, Cronin, Dawson, Brennan, Gilmore, Peyser, McMurray, Williamson, Breed, Fisher, Johnson, Cassidy, Wagner, Meehan, Donihue, Wallace, Richie, and Stream: Assembly Joint Resolution No. 60—Relative to memorializing Congress to allocate to the Pacific Coast a fair portion of Federal ship building.

Introduced.

Request for Unanimous Consent.

Mr. Maloney asked for, and was granted, unanimous consent for the consideration of Assembly Joint Resolution No. 60, at this time, without reference to printer, committee or file, and that same be considered engrossed

Consideration of Assembly Joint Resolution No. 60.

Assembly Joint Resolution No. 60—Relative to memorializing Congress to allocate to the Pacific Coast a fair portion of Federal ship building.

Assembly Joint Resolution No. 60 read.

Mr. Maloney moved the adoption of Assembly Joint Resolution No. 60.

The question being on the adoption of Assembly Joint Resolution No. 60.

The roll was called, and Assembly Joint Resolution No. 60 adopted by the following vote:

AYES—Andreas, Brennan, Burns, Cassidy, Chatters, Corwin, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Riley, Robertson, Scudder, Stream, Thorp, Wagner, Walker, Wallace, Waters, Weber, Williamson, and Mr Speaker—54

NOES—None

Title read and approved.

Assembly Joint Resolution No. 60 ordered transmitted to the Senate.

Resolution.

Assembly Joint Resolution No. 60.

Relative to memorializing Congress to allocate to the Pacific Coast a fair portion of Federal ship building

WHEREAS, Considerable money has been appropriated by the Congress of the United States for the building up of our Merchant Marine and Navy; and

WHEREAS, It has been called to our attention that none of these ships were allocated to the Pacific Coast ship yards; and

WHEREAS, In California we boast of climatic conditions that are on a par with any other climatic conditions in the United States, where working men can usually perform their duties the year round in the building of ships, and

WHEREAS, There is situated on the Pacific Coast adequate facilities for the building of any and all kinds of ships; now, therefore, be it

Resolved by the Assembly, the Senate concurring, That we do hereby petition and memorialize Congress and the Navy Department of the United States to allocate to the Pacific Coast a just and fair portion of ship building that will be carried on by the Federal Government in its ship building program; and be it further

Resolved, That copies of this resolution be forwarded to our representatives in Congress and in the United States Senate, to the Navy Department, and Department of Commerce.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 598—An act to provide for the revision of the Constitution of this State, including the election of delegates to the convention, the proceedings, powers, duties, and matters incidental to the convention, the submission of the revised Constitution to the people and matters incidental thereto, and making an appropriation therefor.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 3, line 14, of the printed bill, as amended, strike out "twelve", and insert in lieu thereof the following: "ten"

Amendment No. 2.

On page 3, line 15, of the printed bill, as amended, after "mileage", insert the following: "for one journey to Sacramento and return".

Amendment No. 3.

On page 5, line 39, of the printed bill, as amended, strike out "------", and insert in lieu thereof the following: "two hundred".

Amendment No. 4.

On page 5, line 40, of the printed bill, as amended, after the period, insert the following: "The unexpended balance of such appropriation, after the adjournment of the convention, shall revert to the general fund of the State."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Motion to Rush Printing of Assembly Bill No. 598.

Mr. Latham moved that the Chief Clerk be instructed to place a rush order on the printing of Assembly Bill No. 598.

Motion carried.

Special Order Set for Senate Bill No. 78.

On motion of Mr. Anderson, the consideration of Senate Bill No. 78 was made a special order for Tuesday, May 21, 1935, at eleven o'clock a.m.

Special Order Set for Assembly Bill No. 31.

On motion of Mr. Patterson, the consideration of Assembly Bill No. 31 was made a special order for Monday, May 20, 1935, at three o'clock p.m.

Motion to Print Reports.

Mr. Utt moved that the Chief Clerk be instructed to have 2500 copies of the minority and majority reports of the Select Committee on Building and Loan Investigation printed.

Motion carried.

Motion.

Mr. Desmond moved that when the Assembly adjourn this day it do so out of respect to the memory of the late Police Chief of Sacramento, Ted N. Koening.

Motion carried unanimously.

Adjournment.

At eleven o'clock and thirty-five minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Saturday, May 18, 1935, out of respect to the memory of the late Police Chief Ted N. Koening.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Saturday, May 18, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Corwin, its further reading was dispensed with.

Leaves of Absence.

On motion of Mr. Chatters, Mr. Mayo was granted leave of absence for the day.

On motion of Mr. Minard, Mr DeLap was granted leave of absence for the balance of this legislative day.

On motion of Mr. Fisher, Mr. Breed was granted leave of absence for the balance of this legislative day.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From San Gabriel Valley Protective Association, favoring passage of Assembly Bill No. 1054 and opposing Senate Bill No. 535.

From the Los Angeles Engineering Club and other organizations, favoring passage of Assembly Bill No. 1054 and opposing passage of Senate Bill No. 535.

ASSISTANT CLERK OLIVER READING.

Second Reading of Assembly Bills.

Assembly Bill No. 413—An act to amend sections 60 and 62 of an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, Statutes 1911, page 730, as amended.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1516—An act to amend sections 6.240, 6.251, 6 252, 6.260, 6.262, 6.263, 6 264, 6 265, 6 270, 6 274, 6 275, 6 291, 6 292, 6 294, 6.295, 6.296, 6 300, 6 301, 6 305, 6.307, 6 320, 6 322, 6.330, 6 332, 6.340, 6.341 of the School Code and to repeal Article VI of Chapter III of Part II of Division VI thereof, relating to supplementary textbooks, declaring the urgency thereof and providing that this act shall take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out "6.264, 6 265, 6.270, 6.274, 6 275, 6 291", and insert in lieu thereof the following "6.265, 6.270, 6 274, 6 275".

Amendment No. 2.

On page 1, line 3 of the title of the printed bill, as amended, strike out "6 322,".

Amendment No. 3.

On page 1, line 5 of the title of the printed bill, as amended, after "to", insert the following: "textbooks and".

Amendment No. 4.

On page 2, line 8, of the printed bill, as amended, after the word "and", insert the following: "/or".

Amendment No. 5.

On page 3, line 4, of the printed bill, as amended, after the word "and", insert the following: "/or".

Amendment No. 6.

On page 3 of the printed bill, as amended, strike out lines 7 to 20, inclusive.

Amendment No. 7.

On page 3, line 21, of the printed bill, as amended, strike out "8", and insert in lieu thereof the following: "7".

Amendment No. 8.

On page 3, line 27, of the printed bill, as amended, strike out "9", and insert in lieu thereof the following: "8".

Amendment No. 9.

On page 3, line 33, of the printed bill, as amended, after "or", insert the following "supplementary text".

Amendment No. 10.

On page 4, line 1, of the printed bill, as amended, strike out "10", and insert in lieu thereof the following: "9"

Amendment No. 11.

On page 4, line 16, of the printed bill, as amended, strike out "11", and insert in lieu thereof the following: "10".

Amendment No. 12.

On page 4 of the printed bill, as amended, strike out lines 25 to 30, inclusive.

Amendment No. 13.

On page 4, line 31, of the printed bill, as amended, strike out "13", and insert in lieu thereof the following "11"

Amendment No. 14.

On page 4, line 49, of the printed bill, as amended, strike out "14", and insert in lieu thereof the following: "12".

Amendment No. 15.

On page 5, line 5, of the printed bill, as amended, strike out "15", and insert in lieu thereof the following: "13".

Amendment No. 16.

On page 5, line 15, of the printed bill, as amended, strike out "16", and insert in lieu thereof the following: "14".

Amendment No. 17.

On page 5, line 25, of the printed bill, as amended, strike out "17", and insert in lieu thereof the following: "15".

Amendment No. 18.

On page 5, line 39, of the printed bill, as amended, strike out "18", and insert in lieu thereof the following: "16".

Amendment No. 19.

On page 5, line 45, of the printed bill, as amended, strike out "19", and insert in lieu thereof the following: "17"

Amendment No. 20.

On page 6, line 3, of the printed bill, as amended, strike out "20", and insert in lieu thereof the following. "18".

Amendment No. 21.

On page 6, line 20, of the printed bill, as amended, strike out "21", and insert in lieu thereof the following "19".

Amendment No. 22.

On page 6 of the printed bill, as amended, strike out lines 27 to 34, inclusive

Amendment No. 23.

On page 6, line 35, of the printed bill, as amended, strike out "23", and insert in lieu thereof the following. "20".

Amendment No. 24.

On page 6, line 43, of the printed bill, as amended, strike out "24", and insert in lieu thereof the following: "21"

Amendment No. 25.

On page 6, line 50, of the printed bill, as amended, strike out "25", and insert in lieu thereof the following: "22"

Amendment No. 26.

On page 7, line 5, of the printed bill, as amended, strike out "26", and insert in lieu thereof the following "23".

Amendment No. 27.

On page 7, line 13, of the printed bill, as amended, strike out "27", and insert in lieu thereof the following: "24".

Amendment No. 28.

On page 7 of the printed bill, as amended, between lines 14 and 15, insert the following:

"SEC 25. If any section, subsection, sentence, clause, or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause and phrase thereof,

irrespective of the fact that any more or one of said sections, subsections, sentences, clauses, or phrases be declared unconstitutional."

Amendment No. 29.

On page 7, line 15 of the printed bill, as amended, strike out "28", and insert in lieu thereof the following: "26".

Amendment No. 30.

On page 4, line 51, of the printed bill, after the word "and", insert the following "/or"

Amendment No. 31.

On page 5, lines 49 and 50, of the printed bill, strike out the words "or supplementary textbooks".

Amendments adopted.

Bill read second time, ordered to reprint, re-re-re-engrossment, and third reading

Assembly Bill No. 2125—An act providing for the regulation, supervision and conduct of wrestling matches or exhibition and of boxing and sparring matches or exhibitions.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to amend section 412 of the Penal Code, prohibiting prize fights and *betting on any pugilistic contest, boxing contest or exhibition*, but sanctioning amateur boxing contests, sparring matches and exhibitions not to exceed three rounds of duration, prescribing conditions in relation thereto and the issuance of annual licenses to hold such amateur contests by the State Athletic Commission of California."

Amendment No. 2.

On page 1, line 1, of the printed bill, after "Section 1.", insert the following: "Section 412 of the Penal Code is hereby amended to read as follows:

412. Any person, who, within this State, engages in, or instigates, aids, encourages, or does any act to further, a prize fight, taking or to take place either within or without this State, between two or more persons, without gloves, for any price, reward or compensation, directly or indirectly, or who goes into training preparatory to such prize fight, or acts as aider, abettor, backer, umpire, referee, trainer, second, surgeon, or assistant, at such prize fight, or who sends or publishes a challenge or acceptance of a challenge, or who knowingly carries or delivers such challenge or acceptance, or who gives or takes or receives any tickets, tokens, prize, money, or thing of value, from any person or persons, for the purpose of seeing or witnessing any such prize fight, or who, being the owner, lessee, agent, or occupant of any vessel, building, hotel, room, enclosure or ground, or any part thereof, whether for gain, hire, reward or gratuitously or otherwise, permits the same to be used or occupied for such a prize fight, or who lays, makes, offers or accepts, a bet or bets, or wager or wagers, upon the result of any feature of any pugilistic contest, or fight, or boxing contest or prize fight, or sparring match or boxing contest or boxing exhibition, or acts as stakeholder of any such bet or bets, or wager or wagers, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than one hundred dollars nor more than one thousand dollars and be imprisoned in the county jail not less than thirty days nor exceeding one year; provided, however, that amateur boxing contests, exhibitions or sparring matches may be held within this State, of a limited number of rounds, not exceeding five of the duration of two minutes each or for contests not to exceed three rounds of three minutes' duration each; the interval between each round shall be one minute, and the contestants weighing one hundred and sixty pounds or over shall wear gloves of not less than ten ounces each in weight, and contestants weighing under one hundred and sixty pounds may wear gloves of not less than eight ounces each in weight. All gloves used by contestants in such amateur boxing contests, exhibitions or sparring matches shall be so constructed as that the soft padding between the outside covering shall be evenly distributed over the back of said gloves and cover the knuckles and back of the hands. And no bandages except soft surgical bandages not over two inches wide and ten yards in length for each hand shall be used on the hands or arms of the contestants.

For the purpose of this statute an amateur boxing contest, exhibition or sparring match shall be and is hereby defined as one in which no contestant has received

or shall receive in any form, directly or indirectly, any money, prize, reward or compensation either for the expenses of training for such contest or for taking part therein, except as herein expressly provided. Nor shall any person appear as contestant in such amateur boxing contest, exhibition or sparring match who prior thereto has received any compensation or reward in any form for displaying, exercising or giving any example of his skill in or knowledge of athletic exercises, or for rendering services of any kind to any athletic organization or to any person or persons as trainer, coach, instructor or otherwise, or who shall have been employed in any manner professionally by reason of his athletic skill or knowledge; provided, however, that one article of merchandise not exceeding thirty-five dollars in retail value, a medal or trophy may be awarded to each contestant in such amateur boxing contests, exhibitions or sparring matches not to exceed in value the sum of thirty-five dollars each, which such medal or trophy must have engraved thereon the name of the winner and the date of the event; but no portion of any admission fee or fees charged or received for any amateur boxing contest, exhibition or sparring match shall be paid or given to any contestant, in such amateur boxing contest, exhibition or sparring match, either directly or indirectly, nor shall any gift be given to or received by such contestants for participating in such boxing contest, exhibition or sparring match, except said article of merchandise, medal or trophy. At every amateur boxing contest, exhibition or sparring match held in this State and permitted by this section of the Penal Code, any representative of the State Athletic Commission, sheriff, constable, marshal, policeman or other peace officer of the city, county or other political subdivision, where such exhibition is being held, shall have the right to, and it is hereby declared to be his duty to stop such exhibition, whenever it shall appear to him that the contestants are so unevenly matched or for any other reason, the said contestants have been, or either of them, has been seriously injured or there is danger that said contestants, or either of them, will be seriously injured if such contest continues, and he may call to his assistance in enforcing his order to stop said exhibition, as many peace officers or male citizens of the State as may be necessary for that purpose. Provided, further, that any contestant who shall continue to participate in such contest or exhibition after an order to stop such contest or exhibition shall have been given by such represenative of the State Athletic Commission or any peace officer, or who shall violate any of the regulations herein prescribed, for governing amateur boxing contests, exhibitions or sparring matches, shall be deemed guilty of violating this section of the Penal Code and subject to the punishment herein provided. No contestant shall be permitted to take part in an amateur boxing contest unless he is over sixeen years of age, a registered amateur in the district in which he resides, and has been examined by a physician immediately before the contest.

Mixed shows shall be prohibited under the terms of this section of the Penal Code. A mixed show is defined as one in which boxing contests, matches or exhibitions are held in conjunction with vaudeville shows, dances or entertainments of any sort.

Provided, further, that any club or organization may hold or conduct strictly amateur boxing contests, exhibitions and sparring matches on the payment of an annual license fee of twelve dollars and file a bond of one thousand dollars with good and sufficient surety with the State Athletic Commission of California, conditioned for the faithful performance by said club or organization of the provisions of this section of the Penal Code and the payment to the commission of a tax of five per centum of the total gross receipts, exclusive of any Federal taxes paid thereon, from the sale of tickets of admission to any amateur boxing contest, exhibition or sparring match, which tax shall be paid by the commission into the State treasury, and upon the compliance and in accordance with all the provisions of the law with respect to obtaining a license and sanction from the State Athletic Commission of California and the district association of the Amateur Athletic Union of the United States and subject to all the rules and regulations of said State Athletic Commission.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2453—An act to add section 5.533 to the School Code, relating to teachers.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2043—An act to add a new section to be known as section 5.724 to the School Code, relating to resignations, dismissals and leaves of absence of certificated employees.

Floor Amendment.

During second reading of the bill, the following amendment was submitted by Mr. Phillips:

Amendment No. 1.

On page 2 of the printed bill, strike out lines 44 to 50, inclusive.

Amendment adopted.

Bill read second time, ordered to reprint, re-re-engrossment and third reading.

Assembly Bill No 685—An act to amend section 30 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, relating to liability for workmen's compensation

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 2216—An act to amend section 29 of the California Workmen's Compensation, Insurance and Safety Act of 1917, relating to compensation insurance.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1887—An act to amend section 100 of the Insurance Code, to add section 106a thereto, and to add a new chapter to Part 2 of Division 2 of said code, to be numbered Chapter 13, comprising sections 11526 to 11545, inclusive, all relating to medical and hospital service insurers.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 11, of the printed bill, as amended, after "service", add the following: ", excluding dentistry".

Amendment No. 2.

On page 2, line 12, of the printed bill, as amended, after "thereof", add the following: ", excluding dentistry".

Amendment No. 3.

On page 5 of the printed bill, as amended, strike out lines 3, 4, 5, and 6, and in lieu thereof insert the following: "of osteopathy holding a degree of D.O."

Amendment No. 4.

On page 5 of the printed bill, as amended, strike out lines 20 to 25, inclusive, and insert in lieu thereof the following. "D O. This chapter shall not authorize any person".

Amendment No. 5.

On page 5 of the printed bill, as amended, after line 31, insert the following: "The provisions of this chapter shall not apply to nor in any manner affect or relate to the practice of dentistry. All provisions of that certain act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended, are continued in full force and effect and no provision of this act shall be deemed to apply thereto"

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 2435—An act to add section 642 to the Streets and Highways Code, establishing an additional secondary State highway.

Floor Amendment.

During second reading of the bill, the following amendment was submitted by Miss Miller:

Amendment No 1.

On page 1 of the printed bill, strike out lines 4 to 9, inclusive, and insert in lieu thereof the following:

"State highway system from Route 165 near Los Angeles River in Los Angeles to Route 161 in Pasadena at Broadway Avenue."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 96—An act to add section 429.5 to the Fish and Game Code, relating to fishing licenses.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No 2440—An act to amend sections 721 and 722 of the Fish and Game Code, and to repeal section 724 thereof, relating to fish.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 8, of the printed bill, strike out the period after "August 31", and add the following: "nor taken for sale between sunset Friday and sunrise of the following Monday at any time."

Amendment No. 2.

On page 1, line 10, of the printed bill, after the word "taken", strike out the words "for sale only between sunrise", and insert the following: "commercially on any lake more than seventy square miles in area in district number two by indigent residents of Lake County by the use of set lines using not more than five hundred hooks. As herein used, "indigent resident of Lake County" means any person having had a bona fide residence in Lake County for at least one year immediately prior to the time he seeks to fish commercially under this section and who has been certified by the local welfare organization to the board of supervisors as liable to become a charge upon the county, when such certification has been accepted and approved by such board of supervisors."

Amendment No. 3.

On page 1 of the printed bill, strike out all of lines 11 and 12.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 2459—An act to prevent the entry into California of paupers, vagabonds, indigent persons, persons likely to become public charges, and persons affected with contagious or infectious diseases, providing means for enforcing the same and prescribing penalties for the violation thereof, declaring the urgency thereof, and providing it shall take effect immediately.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2452—An act to add section 1238.5 to the Code of Civil Procedure, relating to eminent domain.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1170—An act to add a new section to the Political Code to be numbered ------, relating to the Department of Professional and Vocational Standards.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, strike out "to add a new section to the Political Code to be numbered _____,".

Amendment No. 2.

On page 1, line 3 of the title of the printed bill, after "Standards" and before the period, insert the following: "and defining its powers and duties in relation to and providing for the adoption and registration of names and marks or other devices on garments, towels, table linen and other linen supplies used in the rendition of a rental service as indicia of ownership and to protect the owners thereof".

Amendment No. 3.

On page 1, line 1, of the printed bill, after the period, add the following:

"Any and all persons, firms, corporations or associations engaged in the business of supplying clean laundered garments, towels, table linen or other articles, the property of the supplier, in a regular service, exchanging periodically clean articles for soiled for a fixed compensation, may adopt and use a name or other mark or device woven, impressed or produced thereon, as indicia of ownership, and may file in the office of the State Department of Professional and Vocational Standards and also in the office of the county clerk of the county in which the principal place of business of the supplier is located, or if such place of business is located outside of the State then in the office of the county clerk of any county of the State, a description of the names, marks or devices so used, as a trade mark or brand; and also cause such description to be printed once a week for three successive weeks in a newspaper published in the county in which said description may have been filed.

SEC. 2. It is hereby declared unlawful for any person, firm, corporation or association except the owner or registrant of a brand registered as aforesaid, or the members of any firm, corporation or association which is the registrant, to use any supplies so marked with or by any name, mark or device, a description of which shall have been filed and published as provided in section 1 of this act, or to sell, buy, rent, give, take or otherwise traffic in the same, or to erase, obliterate or otherwise cover up, conceal or remove such name, mark or device thereon, without the written consent of the registrant of such brand, unless the same shall have been purchased from the person, firm, corporation or association whose mark shall be or shall have been thereon.

SEC. 3. Any person, firm, corporation or association, or any member of any firm, corporation or association acquiring supplies so marked by purchase or other lawful means and having the written consent provided for in section 2 of this act, shall not be required again to file and publish said description but shall, as to the supplies described in said written consent, acquire as a part of said purchase all such rights and benefits as the vendor has under this act.

SEC. 4. It shall be the duty of every person, firm, corporation or association who finds or receives in the regular course of business or in any other manner, any supplies marked with a brand registered under the provisions of this act, to make diligent effort to find the owner thereof and restore or return said property.

SEC. 5. The acceptance by the supplier of any sum of money as a deposit to secure the safe-keeping and return of such articles or supplies, shall not constitute a sale of such property either optional or otherwise, in any proceeding under this act.

SEC. 6. The use by any person, other than the person, firm, corporation or association whose name, mark or device shall be upon such supplies, of any such supplies without the written consent provided for in section 2 of this act, or the possession of such supplies so marked by any junk dealer or dealer of secondhand articles shall be and is hereby declared to be presumptive evidence of unlawful use of or traffic in such supplies.

SEC. 7. Whenever any of the persons, firms, corporations or associations mentioned in section 1 of this act or the members of such firms, corporations or associations or their officers or agents, shall make oath before any magistrate that he has reason to believe and does believe that any of the supplies bearing marks registered in accordance with the provisions of section 1 of this act, are being unlawfully used, sold or secreted in any place, the said magistrate shall issue a search warrant to discover and obtain the same and may also cause to be brought before him the person in whose possession the articles may be found. If such magistrate finds that such person has been guilty of a violation of this act he must impose the punishment prescribed in this act and also award the possession of the property taken upon such search warrant to the owner thereof.

SEC. 8. The violation of any of the provisions of this act shall constitute a misdemeanor punishable for the first offense by imprisonment for not less than ten days or more than six months, or by a fine of fifty cents for each article of supply sold, used or held, or by both such fine and imprisonment; and for each subsequent offense

by imprisonment for not less than twenty days or more than one year, or by a fine of not less than one dollar and not more than five dollars for each article of supply sold, used or held, or by both such fine and imprisonment.

SEC. 9 If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act, each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more of the sections, subsections, sentences, clauses or phrases be declared unconstitutional."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2439—An act to amend section 50 of the "State Housing Act," approved June 15, 1923, relating to the character and construction of fire escapes

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2463—An act to amend section 23, and to repeal section 24 of "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended; relating to the granting of leases and easements to extract oil, gas and other hydrocarbons by means of wells drilled from littoral lands into State lands.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 329—An act to authorize the adoption of codes of fair competition for certain trades and industries within this State, to declare the urgency thereof, and to provide that this act shall take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "act", insert the following. "relating".

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, strike out "authorize the adoption of".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 1 to 26, inclusive.

Amendment No. 4.

Strike out pages 2 and 3 of the printed bill, and insert in lieu thereof the following

"SECTION 1 The existence of a State and National emergency, productive of widespread unemployment and disorganization of trade and industry which burdens commerce, affects the public welfare, and undermines the standard of living of the people of this State, is hereby recognized Among the trades and industries particularly affected are those in which service is rendered to the public without involving the sale, manufacture, or transportation of merchandise or commodities. In such trades and industries there is widespread unemployment and economic distress and for the purpose of ameliorating such conditions it is necessary and desirable to authorize the adoption of codes of fair competition applicable to such

trades and industries in the various industrial or geographical areas of the State as provided in this act.

SEC. 2. This act applies only to those intrastate trades and industries wherein service is rendered to the public without the sale of merchandise as such.

(a) The terms "service trades" or "service industries" as used herein shall include any business in which the principal feature is the sale of service, as distinguished from the manufacture, sale, or distribution of merchandise and/or commodities. The fact that title to personal property may pass as an incident to rendering service does not prevent the trade or industry in which this happens from being a service trade.

(b) The word "agreement" means any agreement which the Governor has entered into with, or approved between and among persons engaged in a trade or industry, labor organizations, and trade or industrial organizations, or groups, relating to any trade or industry, to aid in effectuating the policy of this act. If such agreement will meet the requirements set forth in clauses one, two, and three of section 5 of this act.

(c) The terms "code of fair competition," "limited code of fair competition," or "agreement" include all supplements, amendments, modifications, exceptions, exemptions, and all orders, rules and regulations applying to such code or agreement, or affecting its application or construction

(d) The word "person" includes, but without limitation, any individual, partnership, association, trustee, receiver, assignee for the benefit of creditors, or corporation.

(e) The word "conform" means imposing identical duties, obligations, rights and powers by the use of identical language as near as may be

SEC. 3. Upon the application and/or petition to the Governor by the owners, operators, or managers of not less than eighty per cent of the business establishments in any service trade, either industrially or geographically represented by the applicants, the Governor shall approve in the manner herein provided a code of fair competition applicable to such trade within such area included within the boundaries of such industrial or geographic areas as the case may be, if the Governor, after such hearing as he may deem necessary, finds

(1) That such code provisions are not designed to promote monopolies or to eliminate or oppress small enterprises and will not operate discriminately against them, and will tend to effectuate the policy of this act;

(2) That the trade or industry represented by such petition is one to which the provisions of this act apply;

(3) That the petitioning group, or groups, within such area as designated in the application represent at least eighty per cent of the business establishments affected by the provisions of such code; and

(4) That where such codes affect the welfare of persons engaged in other steps of economic processes, nothing in this section shall deprive such persons of the right to be heard prior to the approval of such code, at such hearing so designated.

SEC. 4. The application to the Governor for a code of fair competition shall state the number of business establishments in the area engaged in the industry affected by such code and the signature of only one person signing in behalf of a business establishment shall be counted in determining the percentage of establishments making application. The application shall set forth the provisions of the requested code and shall contain such fair trade practice provisions as conditions in the industry require, and shall also require provisions for standard systems of accounts and/or reports, and impose such other conditions including requirements for the making of reports and the keeping of accounts, against selling below cost, against use of unfair and misleading advertising and such other trade practices which are found to be unfair by the Governor for the protection of consumers, competitors, employees, and others, and in furtherance of the public interest, and shall provide such exceptions to and exemptions from the provisions of such code, as he finds necessary to effectuate the policy of this act, and requirements herein declared

SEC. 5. Every code of fair competition approved under the provisions of this act shall contain the following conditions: (1) that employees shall have the right to organize and bargain collectively through representatives of their own choosing, and shall be free from the interference, restraint, or coercion of employers of labor, or their agents, in the designation of such representatives or in self-organization or in other concerted activities for the purpose of collective bargaining or other mutual aid or protection; (2) that no employee and no one seeking employment shall be required as a condition of employment to join any company union or to refrain from joining, organizing, or assisting a labor organization of his own choosing; and (3) that employers shall comply with the maximum hours of labor, minimum rates of pay, and other conditions of employment approved or prescribed by the Governor. The Governor shall, so far as practicable, afford every opportunity to employers and employees in any trade or industry or subdivision thereof with respect to which the conditions referred to in clauses (1) and (2) of this section prevail, to establish

by mutual agreement, the standards as to the maximum hours of labor, minimum rates of pay, and such other conditions of employment as may be necessary in such trade or industry or subdivision thereof to effectuate the policy of this act; and the standards established in such agreements, when approved by the Governor, shall have the same effect as a code of fair competition, approved by the Governor under section 2, and any violation of any such standards shall be deemed an unfair method of competition and a violation of this act.

SEC. 6 The Governor shall prescribe such orders, rules and regulations as he finds necessary to carry out the purposes and provisions of this act and of such codes and agreements, if any, and any violation of any such order, rule or regulation shall be a violation of this act.

SEC. 7. The Governor shall have the power to cancel or modify any code, order, approval, rule or regulation approved or issued under this act as he finds necessary to effectuate the policy and requirements herein declared and to maintain conformity to any corresponding code, agreement, order, approval, rule or regulation, and legislation designed to effectuate policies corresponding to those set forth in section 1 of this act, and such Code of Fair Competition approved by the Governor shall contain an express provision to this effect.

SEC. 8 Agreements, as hereinbefore defined, when duly entered into or approved shall be presumed to effectuate the policy of this act and shall be effective as the standards of fair competition for the persons, organizations, or groups, who are parties subject thereto and any violation of any such standards shall be deemed an unfair method of competition and violation of this act.

SEC. 9. All Codes of Fair Competition, orders, rules and regulations which are approved, issued or prescribed by the Governor, pursuant to this act, shall be filed with the Secretary of State. The Secretary of State shall maintain a file of all National and State Codes of Fair Competition, and of all orders, rules and regulations relating thereto

SEC. 10. Any violation of any provision of this act shall be a misdemeanor and upon conviction thereof an offender shall be subject to a fine of not more than five hundred dollars ($500) or imprisonment for not more than ten (10) days, or both, for each offense, and each day such violation continues shall be deemed a separate offense A judgment of conviction or acquittal on the merits under the laws of the United States shall be a bar to any prosecution hereunder for the same act or acts. Acquittal on the ground the defendant was not engaged in a transaction subject to Federal regulation shall not be deemed an acquittal on the merits for the purpose of this section.

SEC. 11. Any person whose interests have been or may be affected, or the Attorney General or any district or city attorney, may bring an action to enjoin any violation of this act, or may petition for a writ of mandamus to compel a violator of this act to perform any obligation created under this act, or to make restitution of any unpaid wages under this act

SEC 12 It shall be the duty of the Attorney General and also of the several district and city attorneys and other public prosecutors to enforce this act. For such purpose any such officer may appear in court in person or by duly authorized deputy or assistant or by any attorney of this State acting pursuant to his direction.

SEC. 13. While this act is in effect, and for sixty days thereafter, any code of fair competition or agreement in effect under this act, and any action taken during such period complying with the provisions of any such code or agreement, shall be exempt from the provisions of the antitrust laws of this State.

SEC. 14. Any employer subject to the provisions of any code of fair competition or agreement who pays any employee wages at a rate below the minimum provided for therein shall be liable to pay and shall pay to any such employee the difference between the wages actually received by such employee and those to which such employee would have been entitled if paid at the minimum rate provided for by such code or agreement, and such employee may bring an action to recover such sum. In any such action the jury, or if there is no jury, the court, may in its discretion fix as damages payable to such employee an additional sum equal to the amount of wages found to be due and payable to such employee

SEC. 15. To effectuate the policy and requirements of this act, the Governor is hereby authorized with the consent of the National Government to utilize such National agencies, officials and employees, and to consent to the appointment and utilization of such State and local officers and employees as may be necessary for the administration of Codes of Fair Competition and agreements in so far as they are effective in this State under this act.

SEC 16. This act shall cease to be in effect on and after September 1, 1937

SEC 17. Nothing contained in this act shall be deemed to apply to the hotel industry nor to the newspaper publishing industry nor to morticians, nor to public utilities as defined in the Public Utilities Act of the State of California.

SEC. 18. If any provision of this act or the application thereof to any person or circumstance is held invalid, the remainder of this act, and the application of such provision to other persons or circumstances, shall not be affected thereby

SEC. 19. The industries defined in this act shall be exempt from the provisions of the California Industrial Recovery Act, approved August 4, 1933

SEC 20 All documents, paper, records, codes, or orders, rules and regulations, relating to Codes of Fair Competition governing service trades, now in the possession of the Commissioner of Corporations or the Department of Industrial Relations shall on the effective date of this act be transferred to and shall be filed by the Secretary of State.

SEC. 21. If any provisions of this act or the application thereof to any person or circumstance is held invalid, the remainder of this act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

SEC 22. This act shall be known and may be cited as the Service Trades Recovery Act of 1935.

SEC 23. This act is hereby declared to be an urgency measure necessary for the immediate preservation of public peace, health and safety within the meaning of section 1 Article IV of the Constitution of the State of California and shall therefore become immediately effective. A statement of the facts constituting such necessity is as follows

There exists throughout the State of California widespread unemployment and disorganization of industry causing an emergency which injuriously affects the morale and standard of living and threatens to affect the industrial peace and welfare of the people of this State In order to relieve these conditions, and particularly as they affect the persons engaged in the trades and industries covered by this act, it is necessary to provide for the orderly conduct of such trades and industries"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1278—An act to amend "An act to define collection agencies, to provide for the regulation, bonding, supervision and licensing thereof, to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, relating to collection agencies and the regulation, supervision and licensing thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No 1.

On page 1, line 1 of the title of the printed bill, after "amend", insert the following: "section 2 of and to add section 2a to".

Amendment No. 2.

On page 1, line 1, of the printed bill, after "SECTION 1.", insert the following: "Section 2 of the act cited in the title hereof is hereby amended to read as follows.

SEC 2 The following terms as used in this article shall be taken to have the meaning expressed in this section The term "collection agency" shall mean and include all persons, firms, corporations and voluntary associations engaging directly or indirectly and as a primary or secondary object, business or pursuit, in soliciting claims for collection or in the collection of claims owed or due or asserted to be owed or due to another, and any person, firm, corporation or voluntary association, when engaged in collecting accounts for another, where the employment is for one or more persons, firms, corporations, or voluntary associations, shall be deemed to be engaged in the collection business within the meaning of this act. Any house agency, firm, person, corporation, or voluntary association, using a fictitious name in collecting its own accounts receivable with the intention of conveying to the debtor that a third party has been employed, is engaging in the collection business as contemplated by this act and shall be subject to the provisions hereof. The term "collection agency" shall not include attorneys at law, individuals regularly employed on a regular wage or salary, in the capacity of credit men or in other similar capacity upon the staff of employees of any one person, one firm, one corporation or one voluntary association not engaged in the business of a collection agency, banks, abstract companies doing an escrow business, duly licensed real estate brokers or agents doing a real estate business, nor a merchant-owned nonprofit credit association unless they are conducting a collection agency. The term "claim" shall mean any obligation for the payment of money or its equivalent arising in the usual course of any business or professional occupation. The term "customer" shall mean any person, firm, corporation or voluntary association authorizing or employing a collection agency for any of the purposes permitted or authorized by this act.

The term "house agency" shall mean and include:

(1) Any person in the employ of or connected with a single creditor in any capacity, either as an officer, employee or otherwise, and who in his own name, or in any name other than that of the creditor by whom such person is employed or with whom he is connected, collects all or part of the accounts receivable of such single creditor and irrespective of whether he participates in the fees or commissions, or in the division of fees or commissions upon the collection of all or any of such accounts receivable, and

(2) Any firm, corporation, association or "collection agency" maintained, operated, or connected with any manufacturing, mercantile or other commercial establishment, or with an affiliate or subsidiary thereof, and run in the interest of such manufacturing, mercantile or other commercial establishment which either in its own or in any trade, firm or corporate name collects all or part of the accounts receivable of such manufacturing, mercantile or other commercial establishment and irrespective of whether it participates in the fees or commissions, or in the division of fees and commissions upon the collection of all or any of such accounts receivable.

SEC. 2. Section 2a is hereby added to said act, to read as follows:

Sec. 2a. All persons, firms or corporations acting as house agencies shall indicate in bold type upon their letterheads, cards and any other printed matter used in the conduct of the business that they are a house agency, as well as the name of the principal for which such house agency is acting."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1830—An act to amend sections 803, 804, 810, 813, 814 and 815 of the Military Code relating to the extension of veterans' rights for loan grants on homes and farms.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, between lines 14 and 15, insert the following:

"The veterans who enlisted or who were conscripted from the State of California shall have preference over veterans who were enlisted or conscripted from other States."

Amendment adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1319—An act to amend section 27 of the "State Civil Service Act," relating to preference to veterans and the widows of veterans.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 16, of the printed bill, after the word "veterans", insert the following: "on or before November 11, 1923".

Amendment No. 2.

On page 1, line 17, of the printed bill, strike out the words "at any time".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2460—An act to amend section 612 of the Fish and Game Code, relating to steelhead trout.

Bill read second time, ordered to engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No 569—An act to amend section 2.802 of the School Code, relating to judgments against school districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 668—An act to amend section 12905 of the Insurance Code, relating to the Insurance Commissioner.

Bill read second time, and ordered on file for third reading.

Senate Bill No 669—An act to amend section 11716 of the Insurance Code, relating to the Insurance Commissioner.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 910—An act to amend sections the Insurance Code, by adding Article 8a to Chapter 1 of Part 2 of Division 1 of said code, comprising section 870, all relating to the deposit of funds by investment in policies, or otherwise, with an insurer

Bill read second time, and ordered on file for third reading.

Senate Bill No 374—An act to amend section 13 of, and to add new sections to be numbered 9a, 9b, 9c, 9d and 9e to an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, relating to collection agencies and the regulation, supervision and licensing thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No 1.

On page 1, line 12, of the printed bill, as amended May 8, 1935, after the word "commissions", insert the words, "or costs".

Amendment No. 2.

On page 1, line 13, of the printed bill, as amended May 8, 1935, after the word "accounts", strike out the following "which require legal proceedings".

Amendment No. 3.

On page 2, line 18 of the printed bill, as amended May 8, 1935, after the comma, strike out the word "or"

Amendment No. 4.

On page 2, line 19, of the printed bill, as amended May 8, 1935, strike out the following: "has commenced legal proceedings thereon,".

Amendment No. 5.

On page 2, line 21 of the printed bill, as amended May 8, 1935, strike out after the word "agency", the words "or attorney", and insert in lieu thereof the words "or others".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 875—An act to carry into effect the provisions of section 22 of Article XX of the Constitution of the State of California as added at the general election held on November 6, 1934, relating to the business of loaning money on pledges of personal property known as pawnbroking, and providing penalties for the violation hereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 596—An act to amend sections 1, 2, 3, 4, 6 and 9a of, and to add section 3½ to "An act providing for the registration of contractors, and defining the term contractor; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, as amended, relating to contractors.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 3, line 8, of the printed bill, as amended in the Senate May 3, 1935, between the word "with", and the semicolon following said word, insert the following: ", including the eradication of or the processing against infestation by pests structurally injurious to building or structures".

Amendment No. 2.

On page 3, line 21, of the printed bill, as amended in the Senate May 3, 1935, after the comma following the word "thereof", insert the following: "excepting State licensed architects or civil engineers acting solely in their professional capacity,".

Amendment No. 3.

On page 3, line 34, of the printed bill, as amended in the Senate May 3, 1935, after the comma following the word 'thereof', insert the following: "excepting State licensed architects or civil engineers acting solely in their professional capacity,"

Amendment No. 4.

On page 3, line 50, of the printed bill, as amended in the Senate May 3, 1935, after the comma following the word "thereof", insert the following: "excepting State licensed architects or civil engineers acting solely in their professional capacity,".

Amendment No. 5.

On page 4, line 2, of the printed bill, as amended in the Senate May 3, 1935, after the word "work", add the following: ", including the eradication of or the processing against infestation by pests structurally injurious to building or structures,".

Amendment No. 6.

On page 4, line 17, of the printed bill, as amended in the Senate May 3, 1935, strike out the portion reading 'section 377g", and insert in lieu thereof the following: "Article IIa of Chapter III of Title I of Part III"

Amendment No. 7.

On page 4, line 45, of the printed bill as amended in the Senate May 3, 1935, following the word "contractors", strike out all of the remainder of line 45, all of line 46, and all of line 47 to and including the word "industry".

Amendment No. 8.

On page 5, line 36, of the printed bill, as amended in the Senate May 3, 1935, after the word "to", insert the following: "appoint such committees and to".

Amendment No. 9.

On page 5, line 45, of the printed bill, as amended in the Senate May 3, 1935, after the word "member", insert the following "or committee".

Amendment No. 10.

On page 6, line 12, of the printed bill, as amended in the Senate May 3, 1935, strike out the word "Governor", and insert in lieu thereof the following: "Director of the Department of Professional and Vocational Standards".

Amendment No. 11.

On page 6 of the printed bill, as amended in the Senate May 3, 1935, strike out all of lines 16 to 32, inclusive, and insert in lieu thereof the following paragraph:

"For the purpose of administration of this act there may be appointed a deputy registrar, a chief reviewing and hearing officer and such other assistants and subordinates as may be necessary, such appointments to be made in accordance with the provisions of Civil Service Laws"

Amendment No. 12.

On page 6 of the printed bill, as amended in the Senate May 3, 1935, strike out all of lines 38 to 41, inclusive.

Amendment No. 13.

On page 6 of the printed bill, as amended in the Senate May 3, 1935, commencing in line 42, strike out all of said line 42, and the first four words of line 43, which read, "may create and establish", and insert in lieu thereof the following: "(h) There may be created and established".

Amendment No. 14.

On page 7, line 10, of the printed bill, as amended in the Senate May 3, 1935, strike out the letter "(j)", at the beginning of the line, and insert in lieu thereof the letter "(i)".

Amendment No. 15.

On page 7, line 20, of the printed bill, as amended in the Senate May 3, 1935, after the word "board", insert the following: ", in addition to the usual periodic reports.".

Amendment No. 16.

On page 9, line 10, of the printed bill, as amended in the Senate May 3, 1935, after the abbreviated word "Sec.", and before the word "Section", strike out the figure "8", and insert in lieu thereof the figure "7".

Amendment No. 17.

On page 4, line 5, of the printed bill, as amended in the Senate May 3, 1935, strike out all of said line following the letter "(d)", and all of lines 6, 7, 8, 9, 10, 11, and 12, and insert in lieu thereof the following: "The terms "contractor" and "contracting business", as used in this act, shall not include any work or operation on one undertaking or project by contract or contracts the aggregate contract price for which, for labor, materials, and all other items, is less than two hundred dollars, such work or operations being considered as of casual, minor, or inconsequential nature; provided, however, that this exception shall not apply in any case wherein the work of construction is only a part of a larger or major operation, whether undertaken by the same or different contractor, or in which a division of the operation is made in contracts of amounts less than two hundred dollars for the purpose of evasion of this act, or otherwise."

Amendment No. 18.

On page 5, line 34, of the printed bill, as amended in the Senate May 3, 1935, strike out the word "organized", and insert in lieu thereof the following: "organize".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 15—An act to add a new section to the Penal Code to be numbered 159b, relating to the solicitation of law business.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 364—An act to amend section 580a of the Code of Civil Procedure, limiting amount of deficiency judgments and the time within which actions therefor may be commenced

Bill read second time, and ordered on file for third reading.

Senate Bill No. 365—An act to reenact, in order to continue the same in effect subsequent to September 1, 1936, section 2924 of the Civil Code, relating to recording of notice of default and to giving notice of sale under deeds of trust and mortgages with power of sale; and to reenact, in order to continue the same in effect subsequent to September 1, 1936, section 2924b of the Civil Code, relating to giving of notice of recording of notice of default and of time and place of sale under deeds of trust or mortgages with power of sale; and to reenact, in order to continue the same in effect subsequent to September 1, 1936, section 2924c of the Civil Code, relating to reinstatement of loans when due date of principal sum has been accelerated, and to reenact, in order to continue the same in effect subsequent to September 1, 1936, section 580b of the Code of Civil Procedure prohibiting deficiency judgments on purchase money mortgages and deeds of trust; and to reenact, in order to continue the same in effect subsequent to September 1, 1936, section 580c

of the Code of Civil Procedure, limiting the trustee's or attorney's fees which a mortgagor or trustor may be required to pay; and to reenact, in order to continue the same in effect subsequent to September 1, 1936, section 725a of the Code of Civil Procedure, permitting the beneficiary or trustee named in a deed of trust to bring suit to foreclose the same in the manner of a mortgage; and to amend section 2924½ of the Civil Code, relating to mortgages and deeds of trust, all relating to the hypothecation of real property and to obligations secured thereby.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 393—An act to amend section 692 of the Code of Civil Procedure, relating to giving notice of sales under execution.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 518—An act to amend the title of the act establishing a Probate Code, approved May 11, 1931, and to add Division IIIa thereto, relating to missing persons

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No 1.

On page 4, line 26, of the printed bill, strike out the figures "282", and insert in lieu thereof the figures "281".

Amendment No. 2.

On page 4, line 43, of the printed bill, strike out the figures "281", and insert in lieu thereof the figures "283".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 488—An act to amend the Code of Civil Procedure by adding a new section thereto to be numbered 954a, relating to abandonment and withdrawal of appeals.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 489—An act to amend section 1053 of the Penal Code, relating to substitution of judges in criminal actions.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 490—An act to amend section 1029 of the Penal Code, relating to trial of a judge of the superior court.

Bill read second time, and ordered on file for third reading.

Senate Bill No 589—An act to add section 2540a to Civil Code, relating to contract of minors for life, health and accident insurance and annuity contracts.

Bill read second time, and ordered on file for third reading.

Resolution.

The following resolution was offered:

By Mr. Anderson:

Resolution.

WHEREAS, The Senate of the fifty-first session of the California Legislature adopted a resolution May 17, 1935, in terms and figures as follows:

WHEREAS, The development of more adequate health services at rates within reasonable reach of self-supporting individuals and families of small and moderate incomes is essential to promote the comfort, health, safety, economic security and general welfare of the people of the State of California; and

WHEREAS, The committee appointed by the Senate April 19, 1933, composed of Senators Williams, Tickle, Difani and its coordinator secretary, Dr. Celestine J. Sullivan, have performed a distinguished public service by devoting two years of disinterested and arduous work at their own expense to the study of health insurance and the investigation of the high cost of sickness and the preparation of a very valuable report published in the Senate Daily Journal, April 12, 1935; and

WHEREAS, The useful data assembled by the committee show the complexity and magnitude of the questions involved and the fundamental importance of vital underlying problems which affect the life of the commonwealth to such an extent that further study is deemed desirable in order that laws passed by this session or previous sessions of the California Legislature, relating to medical care, may be revised to suit changed conditions and made to conform to reasonable amounts which the tax-paying public can afford; now, therefore, be it

Resolved, That a committee of five members of the Senate be appointed by the President of the Senate to continue the study of present methods of medical and hospital care and the economic order under which they operate and the practical application of such laws as now exist or be adopted at the fifty-first session of the California Legislature so that accurate and up-to-date information may be available for the 1937 session of the Legislature; and be it further

Resolved, That said committee shall proceed to organize by the election of one of its members as chairman and by the selection of a coordinator secretary and the adoption of such rules as it shall deem necessary or advisable to enable it to carry into full force and effect the duties herein imposed; and be it further

Resolved, That said committee is authorized to hold public hearings at any place in the State of California at which hearings the people shall have opportunity to present their views to the committee; and be it further

Resolved, That said committee is hereby authorized and empowered to do all things necessary to make a full and complete investigation of the matters herein referred to and to require the production of records, books, agreements, contracts, fee schedules, documents and papers of every kind; to issue subpenas and to compel attendance of witnesses and to procure testimony. Each of the members of said committee and the coordinator secretary chosen by the committee is hereby authorized to administer oaths and all the provisions of Article VIII of Chapter II, Title I, Part III of the Political Code of the State, relative to the attendance and assemblage of witnesses before the Legislature and committees thereof and during the interval between sessions; and be it further

Resolved, That the committee in order to make a comprehensive investigation of the problem, may accept donations from philanthropic persons, foundations and others interested in the study and investigation and shall expend such donations in carrying out the purposes hereof; and be it further

Resolved, That said committee shall report and make recommendations to the fifty-second session of the Legislature during the session commencing in January, 1937, before the constitutional recess thereof; and

WHEREAS, The Assembly of the California Legislature has equal interest with the Senate in the health of the people which is the most valuable resource of the State and the most priceless possession of its citizens; and

WHEREAS, The Senate has appointed a committee of five of its members to make a comprehensive investigation in accordance with the terms of its resolution of May 17, 1935; now, therefore, be it

Resolved, That a committee of five members of the Assembly be appointed by the Speaker, having the full powers provided in the Senate resolution of May 17, 1935, as embodied herein, to confer and cooperate with the Senate committee in fact-finding studies and the formation of a plan to promote the health and general welfare of the people of California

Resolved, That the sum of $2,500, or so much thereof as may be necessary for the purpose of defraying the expenses of the committee and the cost of its investigation, is hereby made available and appropriated for the use of the committee out of the contingent fund of the Assembly, and the State Controller is authorized and directed to draw his warrants in favor of the person or persons entitled thereto for such expenditures as may be certified to him from time to time by the chairman of the committee and the State Treasurer is hereby authorized and directed to pay the same.

Consideration of Resolution by Mr. Anderson.

Resolution by Mr. Anderson read.

Mr. Anderson moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, Donihue, Fisher, Frazier, Fulcher,

Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Nielsen, Patterson, Pelletier, Peterson, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—58.

NOES—McCarthy—1.

Resolution.

The following resolution was offered:

By Messrs. Turner, Hornblower, and Lyon:

Assembly Resolution.

Relative to the leasing of certain tidelands at Huntington Beach, California.

WHEREAS, The Assembly committee appointed to investigate the drilling and development of the tidelands of the State has presented its report to the Assembly, which report has been accepted by the Assembly; and

WHEREAS, The Gilmore Exploration Co. has submitted to said committee and to the Director of Finance a proposed lease between the State and Gilmore Exploration Co., covering the tideland oil pool at Huntington Beach, Orange County, California, which said lease has been executed by the Gilmore Exploration Co., and guaranteed by the Gilmore Oil Co., and calls for a bond of $100,000; and

WHEREAS, Said company proposes to drill said pool from islands constructed not closer than 500 feet from the line of ordinary high tide and offers to pay the State a royalty of 30 per cent after it has received back such costs and expenditures as shall be approved and ratified by the Director of Finance, and before that time agrees to pay the State a royalty of 20 per cent; and

WHEREAS, The company does not ask the exclusive right to take the oil from the pool but expressly agrees that the State may grant the littoral owners the right to operate all wells now slant drilled into the pool and also the right to slant drill new wells therein, so that the State may collect royalty both from wells drilled from islands and from wells drilled upon the littoral lands; and

WHEREAS, No other proposal for island drilling was submitted to the committee; and

WHEREAS, This Assembly is opposed to general tideland drilling throughout the State but believes that at Huntington Beach there are conditions peculiar to that field which possibly may make it for the best interests of the State to allow island drilling and which conditions do make it advisable that the proposal and lease be submitted to the Legislature of the State so that it may be either rejected or ratified and in such manner that if ratified it will not allow similar drilling in other localities, now, therefore, be it

Resolved, That, without in any manner approving of the proposed lease nor of any of its terms or conditions, and without in any manner committing this body to the advisability of island drilling but for the sole purpose of having the proposal submitted to this Assembly so that it may be rejected or ratified, this Assembly *requests the Director of Finance to execute the proposed lease with Gilmore Exploration Co.*, on the condition that same will not be binding or effective unless and until ratified by the Legislature.

Resolution by Messrs. Turner, Hornblower and Lyon read.

Mr. Turner moved the adoption of the resolution.

Substitute Motion.

Mr. Kallam moved, as a substitute motion, that the consideration of the resolution be made a special order of business for Monday, May 20, 1935, at three o'clock and fifteen minutes p.m.

The question being on the substitute motion setting special order.

Substitute Motion.

Mr. Wright moved, as a substitute motion to the original motion and the substitute motion submitted by Mr. Kallam, that further action on the resolution be deferred, and that it be considered on Monday, May 20, 1935, in conjunction with Assembly Bill No. 1684.

The question being on the substitute motion submitted by Mr. Wright.

Demand for Previous Question.

Messrs. Dawson, Brennan, Reaves, Morgan and Frazier demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the substitute motion submitted by Mr. Wright.

Request for Roll Call.

On request of Messrs. Minard, Dawson and Wallace, the Speaker ordered a roll call taken on the substitute motion submitted by Mr. Wright.

The roll was called.

Motion for Call of the House.

Pending the announcement of the vote, Mr. Wright moved a call of the House.

Motion lost.

The roll was called, and the substitute motion submitted by Mr. Wright was lost by the following vote:

AYES—Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Desmond, Donihue, Evans, Ralph W., Fisher, Frazier, Gilmore, Johnson, Latham, Martin, McBride, Miller, Minard, O'Donnell, Pelletier, Peterson, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Wagner, Wallace, Waters, Wright, and Mr Speaker—35

NOES—Anderson, Andreas, Boyle, Burns, Crowley, Dawson, Donnelly, Evans, Herbert J., Field, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, McCarthy, McMurray, Meehan, Morgan, Peyser, Reaves, Rosenthal, Turner, Utt, Voigt, Walker, Weber, and Welsh—38

The question being on the substitute motion submitted by Mr. Kallam.

Point of Order.

Mr Hornblower arose to the following point of order: Stating that Mr. Robertson was not speaking to the question.

Ruling by Speaker.

The Speaker ruled the point of order well taken.

Request for Roll Call.

On request of Messrs Hornblower, Dawson and Robertson, the Speaker ordered a roll call taken on the substitute motion submitted by Mr. Kallam.

The roll was called, and the substitute motion submitted by Mr Kallam was lost by the following vote:

AYES—Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donnelly, Evans, Ralph W., Fisher, Frazier, Gilmore, Johnson, Kallam, Latham, Lore, Martin, McBride, McCarthy, Miller, Minard, O'Donnell, Pelletier, Peterson, Phillips, Riley, Robertson, Scudder, Stream, Thorp, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—40.

NOES—Andreas, Boyle, Cassidy, Dawson, Evans, Herbert J., Field, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lyon, Maloney, McMurray, Meehan, Morgan, Peyser, Reaves, Redwine, Richie, Rosenthal, Turner, Utt, Voigt, and Weber—32

Resolution by Messrs Turner, Hornblower and Lyon read.

Demand for Previous Question.

Messrs. Latham, Flint, Heisinger, Dawson and Brennan demanded the previous question.

The question being put: Shall the main question be now put?

Request for Roll Call.

On request of Messrs. Robertson, Wallace and Dawson, the Speaker ordered a roll call taken on the demand for the previous question.

The roll was called, and the demand for the previous question was lost by the following vote:

AYES—Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Crowley, Dawson, Evans, Herbert J., Fisher, Flint, Frazier, Garibaldi, Glover, Heisinger, Kallam, Latham, Lyon, Maloney, McCarthy, Morgan, Peyser, Reaves, Rosenthal, Scudder, Thorp, Waters, and Weber—28.

NOES—Clark, Corwin, Cottrell, Cronin, Cunningham, Desmond, Donnelly, Evans, Ralph W, Field, Fulcher, Geyer, Gilbert, Gilmore, Hawkins, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Martin, McBride, McMurray, Meehan, Miller, Minard, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Redwine, Richie, Riley, Robertson, Stream, Turner, Utt, Wagner, Walker, Wallace, Welsh, Wright, and Mr. Speaker—44.

Resolution by Messrs. Turner, Hornblower and Lyon read.

Mr. Turner moved the adoption of the resolution.

The question being on the adoption of the resolution.

Demand for Previous Question.

Messrs. Maloney, Dawson, Chatters, Field and Cunningham demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of the resolution.

The roll was called.

Motion for Call of the House.

Pending the announcement of the vote, Mr. Robertson moved a call of the House

Motion lost.

The roll was called, and the resolution was adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Cassidy, Chatters, Cottrell, Dawson, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, Lyon, Maloney, McMurray, Meehan, Miller, Morgan, O'Donnell, Reaves, Rosenthal, Turner, Utt, Voigt, and Weber—37.

NOES—Brennan, Burns, Clark, Corwin, Crowley, Cunningham, Desmond, Field, Fisher, Frazier, Gilmore, Johnson, Kallam, Latham, Martin, McBride, McCarthy, Minard, Patterson, Pelletier, Peterson, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr Speaker—36.

Notice of Reconsideration of Resolution.

Mr. Hawkins gave notice that on the next legislative day he would move to reconsider the vote whereby the resolution submitted by Messrs. Turner, Hornblower and Lyon was this day adopted.

Explanation of Vote on Resolution.

I voted "Aye" for the purpose of having the right to give notice of reconsideration of this very important matter involving the Standard Oil Company and "oil monopoly."

I feel that we who are supposed to represent the people should be given adequate time to determine what is for the best interests of the people and not rush this matter through.

AUGUSTUS F. HAWKINS.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Donnelly:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add section 1156 to the Agricultural Code, relating to the marketing of agricultural products.

Referred to Committee on Introduction of Bills.

By Mr. Kallam:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to define motor transportation broker; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof.

Referred to Committee on Introduction of Bills.

By Mr. Johnson:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add to the Probate Code a new section, to be numbered 201a, and amending section 220 of the Probate Code, both relating to the laws of succession.

Referred to Committee on Introduction of Bills.

By Mr. Thorp:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend sections 6 and 11 of, to repeal section 7 of, and to add section 33 to, an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919, relating to sanitary districts.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1935.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to add section 1156 to the Agricultural Code, relating to the marketing of agricultural products.

CUNNINGHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to define motor transportation broker, to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof.

CUNNINGHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows

An act to add to the Probate Code a new section, to be numbered 201a, and amending section 220 of the Probate Code, both relating to the laws of succession.

CUNNINGHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend sections 6 and 11 of, to repeal section 7 of, and to add section 33 to, an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter, the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein, the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919, relating to sanitary districts

CUNNINGHAM, Chairman.

Reports of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the reports.

The question being on the adoption of the reports

The roll was called, and the reports adopted by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Desmond, Donihue, Evans, Herbert J, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—65.

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

By Mr. Donnelly: Assembly Bill No. 2465—An act to add section 1156 to the Agricultural Code, relating to the marketing of agricultural products.

Bill read first time, and referred to Committee on Agriculture.

By Mr. Kallam: Assembly Bill No. 2466—An act to define motor transportation broker; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Johnson: Assembly Bill No. 2467—An act to add to the Probate Code a new section, to be numbered 201a, and amending section 220 of the Probate Code, both relating to the laws of succession.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Thorp: Assembly Bill No. 2468—An act to amend sections 6 and 11 of, to repeal section 7 of, and to add section 33 to, an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter, the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919, relating to sanitary districts.

Bill read first time, and referred to Committee on County Government.

Second Reading of Senate Bills—(Resumed).

Senate Bill No. 78—An act to authorize the creation and establishment of a public utilities commission within any city, city and county, county, local governmental agency, society, association, authority or entity rendering service to the public, and to authorize the issuance and sale of revenue bonds for the purpose of defraying costs of construction or acquisition of public utilities and extension, repairs, replacements and improvements to public utilities; for the acquisition, production, purchase, sale and distribution of products, commodities, energy or services of such public utilities, providing for the payment of such bonds and the interest thereon.

Floor Amendments.

During second reading of the bill, the following amendments were submitted by Mr. Anderson:

Amendment No. 1.

On page 1, line 7 of the title of the printed bill, as amended, after the word "extension", and before the comma, insert an "s".

Amendment No. 2.

On page 1, line 10 of the title of the printed bill, as amended, strike out the comma at the end of the line, and insert in lieu thereof ", and".

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out lines 28 to 31, inclusive, and insert in lieu thereof the following: "The term "public" when used in this act shall mean and include the public generally, or any limited portion of the public including a person, private corporation, municipality, political subdivision and agency of the State, for which the service is performed or to which the commodity is delivered."

Amendment No. 4.

On page 3, line 52, of the printed bill, as amended, strike out the semicolon at the end of the line, and insert in lieu thereof a period.

Amendment No. 5.

On page 4 of the printed bill, as amended, strike out all of lines 1 to 7, inclusive.

Amendment No. 6.

On page 6, line 12, of the printed bill, as amended, after the word "the", and before the word "by", strike out the word "department", and insert in lieu thereof the word "commission".

Amendment No. 7.

On page 6, line 17, of the printed bill, as amended, after the word "such", and before the word "shall", strike out the word "department", and insert in lieu thereof the word "commission".

Amendment No. 8.

On page 6, line 20, of the printed bill, as amended, after the word "power", and before the word "except", strike out "of".

Amendment No. 9.

On page 6, line 22, of the printed bill, as amended, after the word "of", and before the word "The", strike out the word "Department", and insert in lieu thereof the word "Commission"; and in line 23, strike out the words "department of" at the beginning of the line, and in the same line, after the word "utilities", and before the word "shall", insert the word "commission"

Amendment No. 10.

On page 6, line 24, of the printed bill, as amended, after the word "seal", and before the word "and", strike out the following ", to sue and be sued,".

Amendment No. 11.

On page 6, line 25, of the printed bill, as amended, after the word "power", and before the word "and", insert a colon, and strike out the balance of the line.

Amendment No. 12.

On page 6, line 30, of the printed bill, as amended, after the word "them", strike out the following: ", and with any other", and in line 31, at the beginning of the line, strike out "public utility,".

Amendment No. 13.

On page 7, line 21, of the printed bill, as amended, after the word "controlled", strike out the semicolon, and insert in lieu thereof a period; and strike out the balance of the line, and strike out lines 22, 23, 24 and 25.

Amendment No. 14.

On page 8, line 13, of the printed bill, as amended, after the word "commission", insert the following:

"7 To enter into any and all appropriate contracts and agreements which may be necessary, appropriate or expedient for any of the purposes of this act; to cooperate and contract with any and all Federal or State agencies, authorities or entities for any of the purposes or objects of this act; to purchase or acquire by contract or otherwise a supply of water and power, or either thereof, or any other public utility service; to exercise any and all powers incidental to the powers herein expressly authorized."

Amendment No. 15.

On page 8, line 41, of the printed bill, as amended, after the word "thereof.", insert the following:

"Notwithstanding anything in this act contained contrary hereto or in conflict herewith, the powers and duties of a commission herein provided for shall not be or constitute a limitation or restriction upon the powers as now provided, or as may hereafter be provided by law, of any city or local governmental agency availing itself of the provisions of this act, but the purpose and object of this act is, and shall be construed to be, to afford to any such city or local governmental agency, powers in addition to such powers as are now provided or as may hereafter be provided by law; provided, however, the provisions of this act shall not be construed to authorize the construction, acquisition, extension, improvement, addition, repair or replacement of any public utility, or the rendering of any public utility service, or the engaging in any activity by a local governmental agency which it is not authorized so to do by its organic act or laws under which it operates, but any such local governmental agency may construct, acquire, extend, improve, repair or replace any public utility, or render public utility service of such nature and character as is or may be appropriate to its organic act or laws under which it operates, and issue revenue bonds therefor, subject to the provisions of this act."

Amendment No. 16.

On page 10, line 47, of the printed bill, as amended, after the word "thereto", and before the word "the", strike out the word "or", and insert in lieu thereof the word "and".

Amendment No. 17.

On page 12, line 17, of the printed bill, as amended insert a period after the word "bonds", at the end of the line, and strike out all of line 18.

Amendment No. 18.

On page 12, line 35, of the printed bill, as amended, after the word "agency,", and before the word "such", insert the following: "and to issue revenue bonds therefor,".

Amendment No. 19.

On page 12, line 51, of the printed bill, as amended, after the word "from", and before the word "public", insert the word "the".

Amendment No. 20.

On page 13, line 37, of the printed bill, as amended, after the word "utilities", insert the following: "and the issuance of revenue bonds therefor".

Amendment No. 21.

On page 13, line 51, of the printed bill, as amended, strike out the comma after the word "order", and strike out the balance of the line; and strike out all of line 52 and on page 14, line 1, strike out the word "provided,", at the beginning of the line

Amendment No. 22.

On page 14, line 47, of the printed bill, as amended, after the word "proposal", and before the word "for", insert the following: "to issue revenue bonds".

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

Third Reading of Assembly Bills.

Assembly Bill No 2449—An act creating the California Farm Debit Adjustment Commission, defining its powers and duties and making an appropriation therefor.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Lore:

Amendment No. 1.

On page 1, line 17, of the printed bill, strike out the words "farm administration", and insert in lieu thereof the following: "Farm Credit Administration".

Amendment adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1935

MR SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 663—An act to add a new section to the School Code to be numbered 1 91, relating to the construction, design, operation, equipment and color of school buses—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

CHATTERS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 1117—An act to add section 5 64 to the School Code, relating to State teachers colleges—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

CHATTERS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 231—An act to amend sections 3 3 and 3 170 of the School Code, relating to attendance upon the public schools of Indian children, and children of Chinese, Japanese or Mongolian parentage;

Also: Senate Bill No. 442—An act to amend section 652 of the Civil Code and to add four new sections thereto to be numbered sections 652 1, 652 2, 652 3 and 652.4, all relating to the consolidation and government of colleges and institutions of higher education;

Also: Senate Bill No. 1082—An act to authorize boards of supervisors to pay certain claims;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

CHATTERS, Chairman.

The above reported bills ordered on file for second reading.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 947—An act to amend Chapter 763, Statutes of 1929, approved June 10, 1929, as amended by Chapter 401, Statutes of 1931, approved May 25, 1931, and as amended by Chapter 10, Statutes of 1933, approved January 26, 1933, entitled and known and cited as "California Toll Bridge Authority Act" by amending the title thereof and by amending sections 2, 6¼, 9, 11, 14, 16, 20 and 22½, and by adding thereto new sections numbered 4½, 5½, 5¾, 8½, 8¾, 9½, 9¾, 12½, 13¾, 16½ and 16¾, relating to and prescribing additional duties, powers and limitations regarding the construction and financing of toll bridges; and providing for the acquisition, construction, financing and operation of transportation facilities thereof and thereto; and providing that this act become effective immediately—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eighteenth day of May, 1935, at nine o'clock a.m.

WATERS, Chairman

Motion.

Mr. Maloney moved that when the Assembly adjourn this day it do so out of respect to the memory of the late Robert B. Fry, Jr., son of former Assemblyman Robert B. Fry.

Motion carried unanimously

Third Reading of Assembly Bills—(Resumed).

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 14, 1935

To the Honorable Members of the Assembly,
State of California, Sacramento, California

GREETINGS: Assembly Bill No. 2386—An act to add Chapter 8 to Division VI of the Agricultural Code, relating to the marketing of milk and other dairy products.

In my opinion said Assembly Bill No. 2386 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 2386—An act to add Chapter 8 to Division VI of the Agricultural Code, relating to the marketing of milk and other dairy products

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr Thorp:

Amendment No. 1.

On page 1, line 18, of the printed bill, as amended, strike out the words "acquires and".

Amendment No. 2.

On page 2 of the printed bill, as amended, following line 9, insert the following: "Nothing in this chapter contained shall control or otherwise affect any educational or other agency of the State engaged in teaching or research relating to agriculture, provided when engaged in the commercial selling or distribution of milk, cream or dairy products said educational or other agency of the State shall conform to the provisions of this chapter."

Amendment No. 3.

On page 2, line 16, of the printed bill, as amended, after the word "milk", insert ", cream".

Amendment No. 4.

On page 2, line 17, of the printed bill, as amended, after the word "milk", insert ", cream".

Amendment No. 5.

On page 2, line 19, of the printed bill, as amended, strike out "certain", and insert in lieu thereof the word "any".

Amendment No. 6.

On page 2, line 22, of the printed bill, as amended, after the word "milk", insert ", cream".

Amendment No. 7.

On page 2, line 25, of the printed bill, as amended, after the word "milk", insert ", cream or dairy products".

Amendment No. 8.

On page 2, line 28, of the printed bill, as amended, after the word "cities", insert ", in the same sales or marketing area,".

Amendment No. 9.

On page 2, line 49, of the printed bill, as amended, after the word "quality", insert "used for similar purposes".

Amendment No. 10.

On page 3, line 24, of the printed bill, as amended, strike out the words "plus any cost", and in line 25, strike out the words "of delivery", and insert in lieu thereof the following: "plus cost, if any, of processing, handling and delivery".

Amendment No. 11.

On page 3 of the printed bill, as amended, strike out lines 26 to 32, inclusive, and insert in lieu thereof the following:

"(m) The buying by any distributor of any market milk, excluding cream, from producers unless a written contract is executed by buyer and seller specifying the price and terms upon which said milk is purchased by the distributor and sold by the producer, and unless said contracts or any amendments thereof are recorded with the director within five days of their execution."

Amendment No. 12.

On page 4, line 30, of the printed bill, as amended, after the period, insert the following:

"The director shall, within thirty days prior to the regular session of the Legislature, submit to the Governor a full and true report of the transactions under this law during the preceding biennium, including a complete statement of receipts and expenditures during the period."

Amendments adopted.

Request for Unanimous Consent.

Mr. Thorp asked for, and was granted, unanimous consent to take up Assembly Bill No. 2386, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed

Third Reading of Assembly Bill No. 2386, as Amended.

Assembly Bill No. 2386, as amended, read third time.

Urgency clause read.

The question being Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called.

Motion to Expunge Record.

Mr. Reaves moved that the vote taken on the urgency clause to Assembly Bill No. 2386 be expunged from the record, and the action rescinded.

Motion carried

Further Consideration Deferred.

Further consideration of Assembly Bill No. 2386, as amended, deferred.

Motion to Continue Unfinished Business.

Mr. Lyon moved that all unfinished business on the Daily Calendar be continued to the next legislative day.

Motion carried.

Motion to Print Assembly Bill No. 2396.

Mr. Field moved that the Chief Clerk be instructed to have 2,000 additional copies of Assembly Bill No. 2396 printed.

Motion carried.

Adjournment.

At one o'clock p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Monday, May 20, 1935, out of respect to the memory of the late Robert B. Fry, Jr., son of Robert B. Fry, former member of the Assembly.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, May 20, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—80.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Morgan, its further reading was dispensed with.

Privilege of Floor of Assembly Extended.

On request of Mr. Latham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Messrs. Alex Sinclair, John Naylor, Jesse Ellico, and Dr. George Morrison of Alhambra.

On request of Mr. Donihue, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Messrs. John P. McCarthy and Jeremiah J. Hennessy of Oakland.

On request of Mr. Riley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Jerome Millan of Sacramento.

On request of Mr. Phillips, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. R. A. Weedon, president of the Riverside County Farm Bureau, with Messrs. Frank Teggart, A. L. Woodill and Chesnaye Woodill, all of Riverside; also Messrs. F. W. Kuster, L. W. Armstrong, and Chester Gould of Corona.

ASSISTANT CLERK COOLIDGE READING.

Reports of Standing Committees.

The following reports of standing committee were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 104—An act to amend section 103 of, and to add sections 103.1, 103 2, 103 3, 103.4, 103 5, 103.6, 103.7 and 103 8 to, the Code of Civil Procedure, *relating to courts of justice*;

Also: Assembly Bill No 379—An act to amend section 410 of the Political Code, relating to the duties of the Secretary of State, and making an appropriation *therefor*;

Also: Assembly Bill No. 413—An act to amend sections 60 and 62 of an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, Statutes 1911, page 730, as amended;

Also: Assembly Bill No. 444—An act to amend section 13 of the Motor Vehicle Fuel License Tax Act, relating to apportionment of the tax fund;

Also: Assembly Bill No. 502—An act to add section 653 to, and to repeal section 486 of, the Streets and Highways Code, establishing an additional secondary State highway;

Also: Assembly Bill No. 685—An act to amend section 30 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, relating to liability for workmen's compensation;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1278—An act to amend section 2 of and to add section 2a to "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, relating to collection agencies and the regulation, supervision and licensing thereof;

Also: Assembly Bill No. 1319—An act to amend section 27 of the "State Civil Service Act," relating to preference to veterans and the widows of veterans;

Also: Assembly Bill No. 2440—An act to amend sections 721 and 722 of the Fish and Game Code and to repeal section 724 thereof, relating to fish;

Also: Assembly Bill No. 2125—An act to amend section 412 of the Penal Code, prohibiting prize fights and betting on any pugilistic contest, boxing contest or exhibition, but sanctioning amateur boxing contests, sparring matches and exhibitions not to exceed three rounds of duration, prescribing conditions in relation thereto and the issuance of annual licenses to hold such amateur contests by the State Athletic Commission of California;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1492—An act to amend section 9 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation, and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts in cities or cities and counties of the second and one-fourth class;

Also: Assembly Bill No. 2216—An act to amend section 29 of the California Workmen's Compensation, Insurance and Safety Act of 1917, relating to compensation insurance;

Also: Assembly Bill No. 2288—An act to add a new section to be numbered 4c to "An act to provide for the government of irrigation districts having an area of more than five hundred thousand acres and for elections and the qualification of electors therein and to enable such irrigation districts to construct levees and to protect the lands within such districts from damage resulting from floods and the overflow of rivers and for that purpose to provide additional powers for boards of directors within such irrigation districts," approved January 21, 1915, relating to irrigation districts;

Also: Assembly Bill No. 2410—An act to be known as the Home Loan Revenue Bond Act and to provide for State aid in the financing of the construction of homes for citizens; to aid in the financial and business recovery of the State and to promote legitimate building and construction; providing for the creation of a Home Loan Authority and bond financing committee and for the issuance of revenue

bonds by the authority and for the application of such funds in the financing of the building of homes;

Also: Assembly Bill No. 2439—An act to amend section 50 of the "State Housing Act," approved June 15, 1923, relating to the character and construction of fire escapes;

Also: Assembly Bill No. 2452—An act to add section 1238.5 to the Code of Civil Procedure relating to eminent domain.

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2453—An act to add section 5.533 to the School Code, relating to teachers;

Also: Assembly Bill No. 2459—An act to prevent the entry into California of paupers, vagabonds, indigent persons, persons likely to become public charges, and persons affected with contagious or infectious diseases, providing means for enforcing the same and prescribing penalties for the violation thereof, declaring the urgency thereof, and providing it shall take effect immediately;

Also: Assembly Bill No. 2460—An act to amend section 612 of the Fish and Game Code, relating to steelhead trout;

Also: Assembly Bill No. 2463—An act to amend section 23, and to repeal section 24 of "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to the granting of leases and easements to extract oil, gas and other hydrocarbons by means of wells drilled from littoral lands into State lands;

Also: Assembly Bill No. 1170—An act relating to the Department of Professional and Vocational Standards and defining its powers and duties in relation to and providing for the adoption and registration of names and marks or other devices on garments, towels, table linen and other linen supplies used in the rendition of a rental service as indicia of ownership and to protect the owners thereof;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 212—An act to amend sections 137, 138 and 166 of the Fish and Game Code and to add two new sections to be numbered 171 and 172;

Also: Assembly Bill No. 327—An act making an appropriation for the control of bang's disease in cattle under the provisions of Article 2, Chapter 3, Division II of the Agricultural Code, and declaring the urgency hereof;

Also: Assembly Bill No. 1387—An act to empower the Director of Finance to locate and establish by agreement or action to quiet title, the boundary between tide and submerged lands and littoral lands, in California, to empower the grantee of any such tide and submerged lands to locate and establish such boundary;

Also: Assembly Bill No. 204—An act to amend section 452 of the Political Code, relating to Treasurer's receipts;

Also: Assembly Bill No. 598—An act to provide for the revision of the Constitution of this State, including the election of delegates to the convention, the proceedings, powers, duties, and matters incidental to the convention, the submission of the revised Constitution to the people and matters incidental thereto, and making an appropriation therefor;

And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 707—An act to amend sections 12, 13 and 16 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse

Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing;

Also: Assembly Bill No. 1830—An act to amend sections 803, 804, 810, 813, 814 and 815 of the Military Code, relating to the extension of veterans' rights for loan grants on homes and farms;

Also: Assembly Bill No. 1887—An act to amend section 100 of the Insurance Code, to add section 106a thereto, and to add a new chapter to Part 2 of Division 2 of said code, to be numbered Chapter 13, comprising sections 11526 to 11545, inclusive, all relating to medical and hospital service insurers;

Also: Assembly Bill No. 2449—An act creating the California Farm Debt Adjustment Commission, defining its powers and duties and making an appropriation therefor;

And reports that the same have been correctly re-engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 76—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 9 of Article IX thereof, relating to a Board of Higher Education—and reports that the same has been correctly re-engrossed.

WATERS, Chairman

Assembly Constitutional Amendment No. 76 ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2043—An act to add a new section to be known as section 5 724 to the School Code, relating to resignations, dismissals and leaves of absence of certificated employees—and reports that the same has been correctly re-re-engrossed

WATERS, Chairman.

The above reported bill ordered on file for third reading

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1516—An act to amend sections 6 240, 6 251, 6 252, 6 260, 6 262, 6.263, 6.265, 6.270, 6 274, 6 275, 6.292, 6.294, 6 295, 6.296, 6.300, 6 301, 6 305, 6.307, 6 320, 6 330, 6 332, 6 340, 6.341 of the School Code and to repeal Article VI of Chapter III of Part II of Division VI thereof, relating to textbook and supplementary textbooks, declaring the urgency thereof and providing that this act shall take effect immediately—and reports that the same has been correctly re-re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 17, 1935

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 43—Relative to memorializing Congress to furnish aid in the construction of check dams in the Salinas River Valley.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Joint Resolution No 43 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1935

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 78—An act granting to the city of Sacramento certain lands lying within the city of Sacramento;

Also: Assembly Bill No. 340—An act to amend section 6916 of the Fish and Game Code, relating to bass;

Also. Assembly Bill No. 395—An act to amend Chapter 286, Statutes of 1927, entitled "An act authorizing the Department of Finance to appropriate waters in connection with the utilization and conservation of the water resources of the State in the development of a general or coordinated plan; authorizing the State Department of Finance to release or assign such appropriations; authorizing the State Department of Finance to request other departments of the State or State officers to furnish service or assistance to make investigations in connection with the development of a general or coordinated plan for the utilization or conservation of the water resources of the State," approved April 29, 1927, as amended, by amending section 1 thereof, relating to appropriation of waters by the State Department of Finance;

Also: Assembly Bill No. 429—An act to provide that school authorities of certain public and private schools shall be equipped to render first medical aid to injured children and students, and providing a penalty for violation thereof;

Also: Assembly Bill No. 525—An act to add sections 285, 285.1, 285.2, 285.3, and 285.4 to the Agricultural Code, relating to brands to be used on apiary equipment;

Also. Assembly Bill No. 729—An act to amend section 1382 of the Penal Code, relating to the dismissal of prosecutions;

Also: Assembly Bill No. 865—An act to amend section 797 of the Fish and Game Code, relating to abalone.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 78, 340, 395, 429, 525, 729 and 865 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1935

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 897—An act to amend section 487 of the Agricultural Code relating to guaranteed milk;

Also. Assembly Bill No. 1487—An act to establish the line of ordinary high tide in and for a part of Newport Bay in the city of Newport Beach, Orange County, California, and to establish and declare that the land adjacent to said line was upland on and prior to May 25, 1919, and was not tidelands or submerged lands on said date, but was situated above the line of mean high tide of the Pacific Ocean on said date;

Also: Assembly Bill No. 2294—An act to repeal sections 327, 330, 331, 332, 333, 334 and 335 of the Fish and Game Code, relating to game refuges.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 897, 1487 and 2294 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 576—An act to repeal section 924 of the Political Code, relating to certain affidavits of public officers;

Also: Assembly Bill No. 620—An act to amend section 4307 of the Political Code, relating to county charges;

Also: Assembly Bill No. 768—An act to amend section 11 of an act entitled "An act prescribing the terms upon which licenses or certificates of registration may be issued to practitioners of barbering, creating the State Board of Barber Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved May 31, 1927, relating to admissions to practice;

Also: Assembly Bill No. 1242—An act to add Chapter 2a to Division V of the Agricultural Code, to consist of sections 840, 841, 841.1, 842, 842.1, 842.2, 842.3, 842.4, 842.5, 843, 843.1, 843.2, 843.3, 844, 845, 845.1, and 845.2, inclusive, relating to the standardization of, and standards for, honey.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 576, 620, 768 and 1242 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 64—An act to

amend sections 1206 and 1207 of the Code of Civil Procedure, relating to preferred claims for work or personal services;

Also: Assembly Bill No. 440—An act to amend section 18a of the "Street Opening Act of 1903," relating to assessments and contribution of costs by municipalities;

Also: Assembly Bill No. 457—An act to amend sections 10 and 17 of, and to add sections 3a, 5a, 18a and 21a to, the Improvement Act of 1911 relating to an alternative procedure for the doing of work under said act by receiving contributions of labor, materials or equipment from the United States Government or other governmental agencies, declaring the urgency thereof and providing that this act shall take effect immediately;

Also: Assembly Bill No. 610—An act amending section 1463 of the Penal Code, relating to the disposition of fines collected in municipal courts;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 64, 440, 457 and 610 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1034—An act to amend sections 3817d, 3817f, 3817g and 3817h of, and to add sections 3817b3 and 3817c3 to, the Political Code, relating to taxation, including tax delinquencies, tax penalties and costs, tax redemption for tax sales and declaring the urgency thereof, to take effect immediately;

Also: Assembly Bill No. 1122—An act to accept the provisions of an act of the Congress of the United States effective June 6, 1933, entitled "An act to provide for the establishment of a National employment system and for cooperation with the States in the promotion of such system, and for other purposes.";

Also: Assembly Bill No. 1262—An act to amend section 1 of an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county, incorporated city or town, or municipal utility district, or flood control district," approved April 23, 1913, relating to the investment of surplus money;

Also: Assembly Bill No. 1342—An act to amend section 1429 of the Penal Code, relating to the entering of pleas by a defendant;

Also: Assembly Bill No. 1531—An act to amend section 3491 of the Political Code, relating to reclamation districts;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1034, 1122, 1262, 1342 and 1531 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 237—An act to amend section 487 of, to add section 641 to, and to amend section 493 of, the Streets and Highways Code, relating to State highways;

Also: Senate Bill No. 884—An act to add section 321.5 to the Agricultural Code, relating to meat inspection;

Also: Senate Bill No. 1098—An act to add section 1334 to the Penal Code, relating to the securing of the attendance of witnesses in criminal prosecutions, and to make uniform the law with reference thereto.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 237 read first time, and referred to Committee on Roads and Highways.

Senate Bill No. 884 read first time, and referred to Committee on Agriculture.

Senate Bill No. 1098 read first time, and referred to Committee on Crime Problems.

Second Reading of Assembly Bills.

Assembly Bill No 1117—An act to add section 5.64 to the School Code, relating to State teachers colleges.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the following: "add section 5.64 to", and insert in lieu thereof the following: "amend section 5 21 of".

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, following said line 1, insert the following: "the support of".

Amendment No. 3.

On page 1 of the printed bill, strike out all of lines 1 to 10, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 5 21 of the School Code is hereby amended to read as follows:

"5.21. The Director of Education shall control and expend all moneys appropriated for the support and maintenance of the teachers colleges, and all moneys received as donations. With the approval of the Director of Education, tuition fees and deposits may be required of and collected from students enrolled in State teachers colleges. Special fees to cover cost of materials and services for specific courses in either regular or summer sessions, and fees for extension courses may be collected if authorized by the Director of Education, but such fees shall not be considered as part of the general tuition fee, and unexpended portions of such fees may, upon approval of the Director of Education, be refunded to the students from whom they were collected. All fees collected from students in any State teachers college are hereby appropriated for the support of the State teachers college in addition to such other funds as may be appropriated therefor by the Legislature. The total tuition fees charged any such student shall not exceed twenty-five dollars per year or twelve dollars and fifty cents per semester. The Director of Education shall prescribe rules and regulations subject to the approval of and audit by the Department of Finance covering the collection, custody and disposition of any and all moneys collected by any State teachers college"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 663—An act to add a new section to the School Code to be numbered 1.91, relating to the construction, design, operation, equipment and color of school buses.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 9, of the printed bill, as amended, after the word "shall", insert a comma and the following: "regardless of the date when purchased,".

Amendment No. 2.

On page 1, line 13, of the printed bill, as amended, strike out the comma.

Amendment No. 3.

On page 2, line 3, of the printed bill, as amended, after the word "corporation", insert a comma.

Amendment No. 4.

On page 2, line 9, of the printed bill, as amended, strike out the word "no", and insert in lieu thereof the word "not".

Amendment No. 5.

On page 2, line 10, of the printed bill, as amended, strike out the word "Commission".

Amendment No. 6.

On page 2, line 18, of the printed bill, as amended, after the word "Education", insert a comma.

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 231—An act to amend sections 3 3 and 3 170 of the School Code, relating to attendance upon the public schools of Indian children, and children of Chinese, Japanese or Mongolian parentage.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 442—An act to amend section 652 of the Civil Code and to add four new sections thereto to be numbered sections 652.1, 652.2, 652 3 and 652 4, all relating to the consolidation and government of colleges and institutions of higher education.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1082—An act to authorize boards of supervisors to pay certain claims.

Bill read second time, and ordered on file for third reading.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1493—An act providing for the calling of a Constitutional convention in the State of California.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 14, of the printed bill, strike out the period, and add "and from each district of the State from which a member of the Senate is elected, a total of one hundred twenty to be elected"

The question being on the adoption of the committee amendment.

Demand for Previous Question.

Messrs. Morgan, Stream, Wallace, Reaves, and Crowley demanded the previous question.

The question being put. Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of the committee amendment.

Request for Roll Call.

On request of Messrs. Reaves, Wallace, and Heisinger, the Speaker ordered a roll call taken on the adoption of the committee amendment.

The roll was called, and the amendment was adopted by the following vote:

AYES—Andreas, Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Crowley, DeLap, Donahue, Donnelly, Evans, Herbert J. Field, Fisher, Frazier, Fulcher, Garibaldi, Heisinger, Kallam, Lyon, Martin, McBride, McMurray, Meehan, Miller, Minard, O'Donnell, Peterson, Peyser, Phillips, Redwine, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker Wallace, Welsh, and Mr Speaker—41.

NOES—Anderson, Boyle, Brennan, Clark, Cronin, Cunningham, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Hunt, Jones, Latham, Laughlin, Love, Maloney, McCarthy, Morgan, Patterson Pelletier, Reaves, Richie, Riley, Rosenthal, Voigt, Wagner, Waters, and Wright—30.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Unfinished Business.

Motion to Reconsider Assembly Bill No. 530 Continued.

Mr. Redwine moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 530 was refused passage be continued until the next legislative day.

Motion carried.

Motion to Reconsider Assembly Bill No. 2433 Continued.

Mr. Jones moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2433 was passed be continued until the next legislative day.

Motion carried.

Reconsideration of Assembly Bill No. 403 Waived.

Mr. Welsh waived his notice to reconsider the vote whereby Assembly Bill No. 403 was passed.

Assembly Bill No. 403 ordered transmitted to the Senate.

Motion to Continue Reconsideration of Assembly Bill No. 2392.

Assembly Bill No. 2392—An act to ratify and approve an interstate compact to conserve oil and gas, signed at Dallas, Texas, February 16, 1935, and declaring the urgency hereof.

Mr. Flint moved that the consideration of his motion to reconsider Assembly Bill No 2392 be continued until the next legislative day.

The question being on the motion by Mr. Flint to continue reconsideration of Assembly Bill No. 2392

Request for Roll Call.

On request of Messrs. Flint, Lyon, and Jones, the Speaker ordered a roll call taken on the motion by Mr. Flint to continue reconsideration of Assembly Bill No. 2392.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Clark, Corwin, Cronin, Cunningham, Donahue, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Geyer, Heisinger, Hunt, Jones, Latham, Laughlin, Lore, Lyon, Martin, McCarthy, Meehan, Miller, Morgan, O'Donnell, Pelletier, Peterson, Reaves, Richie, Riley, Turner, Wagner, Waters, and Wright—37.

NOES—Breed, Brennan, Chatters, Cottrell, Crowley, DeLap, Donnelly, Field, Frazier, Fulcher, Garibaldi, Gilbert, Kallam, Maloney, McBride, McMurray, Minard, Patterson, Peyser, Redwine, Robertson, Scudder, Stream, Thorp, Utt, Voigt, Walker, Wallace, Welsh, and Mr Speaker—30

Motion to Reconsider Amendments to Assembly Bill No. 834 Continued.

Mr. Wright moved that the consideration of his motion to reconsider the vote whereby amendments to Assembly Bill No. 834 were adopted, be continued until the next legislative day.

Motion carried.

Consideration of Senate Amendment to Assembly Bill No. 528.

Assembly Bill No. 528—An act to amend sections 4.750 and 4.751 of the School Code, relating to the computation of average daily attendance of school districts, declaring the urgency thereof and providing that this act shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 528?

Amendment No. 1.

On page 1, line 17, of the printed bill, after the word "Conflagration.", insert the following: "impassable roads".

The roll was called, and Senate amendment to Assembly Bill No. 528 was concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Corwin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Stream, Thorp, Turner, Voigt, Walker, Wallace, Welsh, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 528 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 490.

Assembly Bill No. 490—An act to amend section 1357 of the Political Code, relating to absent voters

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 490?

Amendment No. 1.

On page 1, line 1, of the printed bill, as amended, strike out "That section", and insert in lieu thereof the following: "Section"

Amendment No. 2.

On page 1, line 10, of the printed bill, as amended, after "town,", insert the following: "or any election conducted in a district by district officers,".

Amendment No. 3.

On page 1, line 13, of the printed bill, as amended, after "residence.", insert the following: "or in the case of such a district from the officer or board charged with the duty of conducting the election,".

The roll was called, and Senate amendments to Assembly Bill No 490 were concurred in by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, and Mr. Speaker—57.

NOES—None.

Assembly Bill No 490 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 879.

Assembly Bill No. 879—An act to add a new section to the Code of Civil Procedure, to be numbered 597, relating to the separate trial of any one or more of the issues joined.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 879?

Amendment No. 1.

On page 1, line 6, of the printed bill, as amended on April 19, 1935, strike out the words "Trial of Special Defenses."

Amendment No. 2.

On page 2 of the printed bill, as amended on April 19, 1935, after line 13, add the following: "The provisions of this section shall also apply to the trial of special defenses pleaded in an answer to a cross complaint."

The roll was called, and Senate amendments to Assembly Bill No. 879 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon,

Maloney, Martin, McBride, McMurray, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 879 ordered to enrollment

Consideration of Assembly Amendments to Senate Bill No. 353.

Senate Bill No. 353—An act to establish legislative standards in relation to the rehabilitation of agriculture and the regulation of producers, packers, distributors, shippers, marketers, handlers, processors and others dealing in agriculture, viticultural and horticultural products and of any competing commodity or product thereof; to recognize, make effective and provide for the enforcement in this State of marketing agreements and licenses issued or prescribed by the Secretary of Agriculture of the United States under the National Agricultural Adjustment Act, being Public Act No 10 of the seventy-third Congress of the United States; to provide for the issuance, administration and enforcement of State marketing agreements and State licenses in connection therewith; to prescribe the powers, duties and jurisdiction of the State Director of Agriculture in relation thereto; to provide that said State and Federal marketing agreements and licenses shall be and establish standards of fair competition in this State; to suspend all antitrust and unfair competition laws of the State in conflict herewith and therewith; to prescribe remedies, rights, duties and penalties with respect to violations hereof and thereof; to provide ways, means and moneys for the administration and enforcement of said State and Federal marketing agreements and licenses; to declare the existence of a State and National agricultural emergency and the urgency of this act and that this act shall take effect immediately.

The question being: Shall the Assembly recede from the following Assembly amendments to Senate Bill No. 353?

Amendment No. 1.

On page 3, line 45, of the printed bill, as amended, after "industries", insert the following: ", but shall not include milk industries or commodities".

Amendment No. 2.

On page 15 of the printed bill, as amended, between lines 13 and 14, insert the following:

"SEC. 18 This act shall have no application to milk, milk commodities or milk industries."

Amendment No. 3.

On page 15, line 14, of the printed bill, as amended, strike out "18", and insert in lieu thereof the following: "19"

Amendment No. 4.

On page 15, line 16, of the printed bill, as amended, strike out "19", and insert in lieu thereof the following: "20"

Amendment No. 5.

On page 15, line 18, of the printed bill, as amended, strike out "20", and insert in lieu thereof the following "21".

Amendment No. 6.

On page 15, line 21, of the printed bill, as amended, strike out "21", and insert in lieu thereof the following: "22".

The roll was called, and the Assembly refused to recede from Assembly amendments to Senate Bill No. 353 by the following vote:

AYES—None.

NOES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J, Evans, Ralph W, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi,

Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Welsh, and Mr. Speaker—64.

Appointment of Committee on Free Conference Concerning Senate Bill No. 353.

The Speaker announced the appointment of Messrs. Phillips, Corwin and Desmond, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Senate Bill No. 353.

Consideration of Senate Amendment to Assembly Bill No. 495.

Assembly Bill No. 495—An act to amend sections 460, 504, 585, and 621 of the Agricultural Code, relating to dairy products.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 495?

Amendment No. 1.

On page 2, line 21, of the printed bill, as amended in Assembly March 18, 1935, strike out "(a)".

The roll was called, and Senate amendment to Assembly Bill No. 495 was concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Wagner, Walker, Welsh, and Mr. Speaker—59.

NOES—McCarthy—1.

Assembly Bill No. 495 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 1135.

Assembly Bill No. 1135—An act to add Chapter 11 to Division IV of the Agricultural Code, relating to the production and marketing of manufactured dairy products.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1135?

Amendment No. 1.

On page 3, line 6, of the printed bill, as amended, section 748, after the period, add: 'The director shall, within thirty days prior to the regular session of the Legislature, submit to the Governor a full and true report of transactions under this law during the preceding biennium, including a complete statement of receipts and expenditures during the period."

The roll was called, and Senate amendment to Assembly Bill No. 1135 was concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Welsh, and Mr Speaker—59.

NOES—Heisinger and McCarthy—2.

Assembly Bill No 1135 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 840.

Assembly Bill No. 840—An act to amend an act entitled "An act to authorize irrigation districts to cooperate and contract with the United States under the provisions of the Federal reclamation laws for a

water supply, or the construction, operation or maintenance of works, including drainage works, or for the assumption by the district of indebtedness to the United States on account of district lands; and to provide the manner and method of payments to the United States under such contract, and for the apportionment of assessments, and the levy thereof, upon the lands of the district to secure revenue for such payments, and to provide for the judicial revenue and determination of the validity of the proceedings in connection with such contract, and to provide for construction of works by the district; to provide for the borrowing or procuring of money from the United States or any agency thereof and the entering into contracts, and/or the issuance of bonds, warrants or other evidence of indebtedness for the repayment thereof, approved May 5, 1917, as amended, by amending the title thereof and amending sections 1 and 11 thereof, relating to powers and adding a new section, to be numbered 6a, thereto.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 840?

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out the period at the end of the title, and insert in lieu thereof the following: "and adding a new section, to be numbered 6a, thereto."

Amendment No. 2.

On page 2, line 25, of the printed bill, as amended, after the semicolon, insert the following: "to declare that certain county water districts shall be deemed irrigation districts for the purpose of assessment of public lands of the United States,".

Amendment No. 3.

On page 3, line 4, of the printed bill, as amended, after the paragraph ending with the word "law.", insert the following.

"SEC. 3. A new section is hereby added to said act, as amended, to be numbered 6a and to read as follows:

Sec. 6a. All county water districts organized and existing under the County Water District Act of this State, as amended, which have heretofore executed or shall hereafter execute a contract or contracts with the United States for the construction of works, whether for irrigation, drainage, flood control or for the development of electric or other power or for the acquisition, purchase, extension, operation or maintenance of such works, or for a water supply, or for the assumption as principal or guarantor of indebtedness to the United States, are hereby declared to be and shall be deemed irrigation districts organized and created under the irrigation district laws of this State within the meaning of the act of Congress approved August 11, 1916, entitled 'An act to promote the reclamation of arid lands' and of the act of Congress approved May 15, 1922, entitled 'An act to provide for the application of the Reclamation Law to irrigation districts' and public lands of the United States within any such district shall be subject to assessment and taxation for all purposes of said district to the extent provided in said acts of Congress upon full compliance therewith by the district."

Amendment No. 4.

On page 3, line 5, of the printed bill, as amended, strike out the section number "3", and insert in lieu thereof the section number "4".

The roll was called, and Senate amendments to Assembly Bill No. 840 were concurred in by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cronin, Crowley, Cunningham, Dawson, DeLap, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Johnson, Kallam, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Voigt, Walker, Waters, Welsh, and Mr. Speaker—56.

NOES—None

Assembly Bill No. 840 ordered to enrollment.

Reconsideration of Resolution by Messrs. Turner et al.

House resolution by Messrs. Turner et al.—Pertaining to tideland oil drilling.

In compliance with his notice given on a previous day, Mr. Hawkins moved that the vote whereby the House resolution by Messrs. Turner et al. was adopted, be reconsidered.

Demand for Previous Question.

Messrs. Robertson, Fisher, Wallace, Lyon, and Frazier demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the reconsideration of House resolution by Messrs. Turner et al.

The roll was called, and the same was reconsidered by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Evans, Ralph W., Field, Fisher, Frazier, Garibaldi, Geyer, Gilmore, Hawkins, Johnson, Kallam, Latham, Martin, McCarthy, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—48

NOES—Andreas, Boyle, Chatters, Clark, Dawson, Donnelly, Evans, Herbert J., Flint, Fulcher, Gilbert, Glover, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, Lyon, Maloney, McMurray, Meehan, O'Donnell, Pelletier, Peyser, Reaves, Rosenthal, Turner, and Utt—28

Resolution by Messrs. Turner et al. ordered on file for adoption.

Special Order Set for Assembly Bill No. 2118.

On motion of Mr. Latham the consideration of Assembly Bill No. 2118 was made a special order for Thursday, May 23, 1935, at two o'clock p.m.

Motion to Set Special Order.

Mr. Hornblower moved that the consideration of the resolution pertaining to tideland oil drilling be made a special order for two o'clock p.m. this day, May 20, 1935, in conjunction with Assembly Bill No. 1684.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Hornblower to set special order for the consideration of the resolution pertaining to tideland oil drilling, and Assembly Bill No. 1684.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, and Welsh—59

NOES—Burns, Crowley, Kallam, Martin, McCarthy, Morgan, Reaves, Riley, Stream, Wallace, Williamson, Wright, and Mr. Speaker—13.

Motion.

Mr. Lyon moved that the Sergeant-at-Arms be instructed to place only one set of books at each member's desk.

Motion carried.

Recess.

At twelve o'clock and fifteen minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until one o'clock and forty-five minutes p.m. of this day.

Reassembled.

At one o'clock and forty-five minutes p.m., the Assembly reconvened. Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1935.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1037—An act to safeguard the public health, to regulate the diagnosis and treatment of human ailments by means of X-rays and the use, ownership and possession of X-ray appliances for said purposes; providing for the licensing of persons operating X-ray appliances and laboratories, declaring the treatment of human ailments by means of X-rays to constitute the practice of medicine; prescribing penalties for violation of the act; declaring the possession, maintenance or operation of X-ray appliances in violation of the provisions of the act to constitute a public nuisance, and otherwise providing for the enforcement of the act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1935.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 2303—An act to amend sections 425, 426, 427 and 428 of the Vehicle Code, relating to liens on vehicles—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1935.

MR SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No 1106—An act making an appropriation for contingent expenses of the Senate, and declaring that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER Your Committee on Ways and Means, to which was referred Assembly Bill No. 900—An act providing for an investigation and report on the subject of gross receipts taxes for the State of California, and for any or all of its governmental units, making an appropriation therefor, and declaring this act to be an urgency measure to go into immediate effect—has had the same under consideration, and respectfully reports the same back, without recommendation, as amended.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1041—An act providing employment for inmates of State prisons and reformatories and to establish a prison farm under the management and control of the State Board of Prison Directors; to provide for the purchase of land therefor, and the construction of buildings and other improvements in connection therewith; for the transfer of prisoners thereto and therefrom; and for the employment of prisoners therein, and to make an appropriation therefor—has had the same under

consideration, and respectfully reports the same back, without recommendation, as amended.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1935.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1294—An act to amend section 515 of the Vehicle Code, relating to motor vehicles;

Also: Assembly Bill No. 1295—An act to amend sections 702, 703, 704 and 705 of the Vehicle Code, relating to motor vehicles;

Has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

HORNBLOWER, Chairman.

The above reported bills ordered on file for second reading.

Unfinished Business—(Resumed).

Reconsideration of Assembly Bill No. 1010 Waived.

Mr. Phillips waived his notice to reconsider the vote whereby Assembly Bill No. 1010 was passed.

Assembly Bill No. 1010 ordered transmitted to the Senate.

On Contingent Expenses.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1935.

MR. SPEAKER: Your Committee on Contingent Expenses, to which was referred the following resolution by Mr. Walker:

Resolved, That the Controller be and is hereby authorized and directed to draw his warrants on the contingent fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same.

Vern O. Knudsen (railroad fare, Pullman, meals, etc.)_____ $29 20
Hotel Sacramento (meals, Committee on Contingent Expenses) 3 89

Has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted

WALKER, Chairman.

Report and resolution of Committee on Contingent Expenses read.

Mr. Walker moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Anderson, Brennan, Burns, Cassidy, Chatters, Corwin, Cronin, Dawson, DeLap, Desmond, Donihue, Evans, Ralph W. Fisher, Flint, Fulcher, Geyer, Glover, Heisinger, Hunt, Jones, Kallam, Latham, Lore, Maloney, McCarthy, Meehan, Miller, Minard, Morgan, O'Donnell, Peyser, Phillips, Reaves, Richie, Riley, Rosenthal, Voigt, Walker, Wallace, Weber, Williamson, and Mr. Speaker—42.

NOES—None.

Withdrawal of Bills.

By order of the Speaker, the following bills were stricken from the file, and ordered re-referred to committees:

Assembly Constitutional Amendment No. 70 ordered re-referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 76 ordered re-referred to Committee on Constitutional Amendments

Assembly Bill No. 204 ordered re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 502 ordered re-referred to Committee on Roads and Highways.

Assembly Bill No. 2410 ordered re-referred to Committee on Ways and Means.

Assembly Bill No 379 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 327 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 2125 ordered re-referred to Committee on Public Morals.

Assembly Bill No. 1887 ordered re-referred to Committee on Insurance.

Assembly Bill No. 1170 ordered re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1278 ordered re-referred to Committee on Judiciary.

Senate Bill No. 374 ordered re-referred to Committee on Financial Institutions.

Assembly Bill No. 707 ordered re-referred to Committee on Ways and Means.

Third Reading of Assembly Bills.

Assembly Bill No. 955—An act to amend the title and sections 1 and 24, and to add section 8a to the "Storm-water District Act of 1909," approved March 13, 1909, as amended, relating to the formation of districts for the purpose of controlling soil erosion and protecting the lands in such district from damage by storm-water or other waters.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 955 passed by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Kallam, Latham, Lore, Maloney, Martin, Meehan, Miller, Minard, Morgan, O'Donnell, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Thorp, Turner, Voigt, Walker, Wallace, Waters, Welsh, Williamson, and Mr. Speaker—52.

NOES—Andreas—1

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 406—An act to add a new article to Chapter I of Part I of Division I of the School Code to be known as Article VII, embracing section 1 45, relating to the participation of pupils in public exhibitions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 406 passed by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Chatters, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Lore, Maloney, Martin, McCarthy, Meehan, Miller, Minard, Morgan, Pelletier, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Thorp, Turner, Wallace, Waters, Williamson, and Mr. Speaker—46

NOES—Field, Fulcher, O'Donnell, Redwine, Stream, Walker, and Wright—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 702—An act to amend section 159a of the Code of Civil Procedure, relating to qualifications of justices of the peace.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 702 passed by the following vote:

AYES—Anderson, Andreas, Cassidy, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donnelly, Evans, Ralph W., Fisher, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Jones, Latham, Lore, Maloney, Martin, McCarthy, Meehan, Miller, Minard, Morgan, O'Donnell, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Robertson, Rosenthal, Thorp, Turner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—47

NOES—Burns, Domhue, Flint, Fulcher, and Stream—5

Title read and approved.

Bill ordered transmitted to the Senate.

Recess.

At two o'clock and ten minutes p.m., by order of the Speaker, the Assembly was declared at recess to hear from a committee of citizens from Marysville.

Reassembled.

At two o'clock and fifteen minutes p.m., the Assembly reconvened. Speaker Craig in the chair.

Motion to Reset Special Order for Assembly Bill No. 1684.

Mr. Evans, Ralph W., moved to set a special order for the purpose of hearing from State officials and others, and further consideration of Assembly Bill No. 1684, for Tuesday, May 21, 1935, at two o'clock and thirty minutes p.m.

The question being on the motion by Mr. Evans, Ralph W., to set a special order.

Substitute Motion.

Mr. Minard moved, as a substitute motion, that the Assembly resolve itself into Committee of the Whole for purpose of considering Assembly Bill No. 1684.

Ruling by Speaker.

The Speaker ruled the substitute motion out of order.

The question being on the motion by Mr. Evans, Ralph W., to set special order.

Request for Roll Call.

On request of Messrs. Wallace, Minard and Frazier, the Speaker ordered a roll call taken on the motion by Mr. Evans, Ralph W., to set special order.

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Andreas, Boyle, Cassidy, Chatters, Clark, Corwin, Cronin, Cunningham, Dawson, Desmond, Domhue, Donnelly, Evans, Ralph W., Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Laughlin, Lore, McCarthy, McMurray, Meehan, Miller, O'Donnell, Pelletier, Phillips, Richie, Rosenthal, Turner, Voigt, Wagner, and Waters—41.

NOES—Breed, Brennan, Burns, Crowley, DeLap, Field, Fisher, Frazier, Johnson, Latham, Maloney, Martin, McBride, Minard, Morgan, Patterson, Peterson, Peyser, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Utt, Walker, Wallace, Weber, Welsh, Wright, and Mr. Speaker—31.

Special Order.

The hour of two o'clock and thirty minutes p.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 1684.

Assembly Bill No. 1684—An act to amend section 23, and to repeal section 24 of "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act." approved May 25, 1921, as amended, relating to leasing and granting easements to extract oil, gas and other hydrocarbons by means of wells drilled from littoral lands into State lands.

Bill read third time.

Floor Amendment.

During third reading of the bill, an amendment was submitted by Mr. Hornblower.

The question being on the amendment submitted by Mr. Hornblower.

Withdrawal of Amendment.

Mr. Hornblower withdrew his amendment.

Assembly Bill No. 1684 read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Clark:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out line 1 of the title, and insert in lieu thereof the following: "An act to add section 26 to " "An act".

Amendment No. 2.

On page 1 of the title of the printed bill, as amended, strike out lines 13 to 16, inclusive, and insert in lieu thereof the following: "relating to the taking of property by eminent domain proceedings for the purpose of developing oil, gas and other hydrocarbons belonging to the State."

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out lines 1 to 11, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 26 is hereby added to the act cited in the title hereof to read as follows:

Sec. 26. The State, through the Surveyor General, may acquire by gift, purchase or eminent domain proceedings, or otherwise, all and any property or interest therein, including improvements upon real property, and rights and easements in respect thereto or in connection therewith, for the purpose of developing, using or developing and using oil, gas, and other hydrocarbons on, in, or under land owned by the State and for the processing of such resources or the necessary transportation thereof in connection with such development, use, or processing. The development, use and processing of such oil, gas and other hydrocarbons are hereby declared to be for a public use

The Division of State Lands is authorized to construct and maintain all necessary drilling equipment and equipment necessary for the development of oil, gas and hydrocarbons and to maintain in the name of the State such derricks and equipment for the development of oil, gas and hydrocarbons The condemnation of land under the provisions of this section shall include the right to condemn land for the drilling for oil, gas and other hydrocarbons, including the right to prospect therefor. For the purposes of this section the sum of _____ dollars is hereby appropriated out of the general funds of the State not otherwise appropriated, to be used by the Surveyor General in carrying out the provisions of this section"

Amendment No. 4.

On page 2 of the printed bill, as amended, strike out lines 1 to 42, inclusive.

The question being on the amendments submitted by Mr. Clark.

Request for Roll Call.

On request of Messrs. Brennan, Wallace and Morgan, the Speaker ordered a roll call taken on the amendments submitted by Mr. Clark.

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Anderson, Boyle, Clark, Cottrell, Cronin, Donahue, Donnelly, Evans, Ralph W., Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, McCarthy, McMurray, Meehan, O'Donnell, Patterson, Pelletier, Reaves, Rosenthal, Turner, Voigt, and Wagner—32

NOES—Breed, Brennan, Burns, Corwin, Crowley, Cunningham, Dawson, DeLap, Desmond, Field, Fisher, Frazier, Gilmore, Johnson, Latham, Lyon, Maloney, Martin, Miller, Minard, Morgan, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—39.

Assembly Bill No. 1684 read third time

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Hornblower:

Amendment No. 1.

Amend the title of the printed bill, as amended, to read as follows:

"An act to amend section 23 and to repeal section 24 of "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to the leasing of State lands and acquisition and granting of easements by the State for the purpose of prospecting for or extracting, mining, capture or acquisition of oil, gas and other hydrocarbon substances on, in, within or from lands belonging to the State, over which this State has or claims or asserts any jurisdiction by means of wells drilled below grounds from lands located within two thousand feet into State lands"

Amendment No. 2.

Amend section 1 of the printed bill, as amended, to read as follows:

"SECTION 1. Section 23 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 23. The State, any political subdivision of the State, any city of the State, any city and county of the State, or any official, or any or either of them, is hereby prohibited from granting any privilege or right of any kind whatsoever to conduct prospecting operations, or to drill for oil, gas or other hydrocarbons, or to take, extract or drain oil or gas or other hydrocarbons, by means of structures and/or machinery erected or constructed upon the surface of the tidelands, whether filled or unfilled, submerged lands, overflowed lands, or beds of navigable rivers or lakes; provided, however, that the Surveyor General, under the terms and conditions of this section, is hereby authorized to lease or grant subsurface easements for the prospecting for, extraction, mining, capture or acquisition of oil, gas or other hydrocarbon substances under tidelands, whether filled or unfilled, submerged lands and overflowed lands of the State under which there is situate deposits of oil or gas within a known geologic structure of a producing oil or gas field, by means of oil wells drilled on lands other than land below or beyond the high tide line, to the highest responsible bidder, by open competitive bidding under general regulations to qualified applicants in areas not exceeding ten acres and in tracts which shall be square according to legal subdivisions, the land to be surveyed by the Surveyor General, such leases and easements to be conditioned upon the payment by the lessee of such royalty as may be fixed in the lease, which shall not be less than twelve and one-half per centum in amount and value of the production

(a) No such lease or grant of easement shall be made for the purpose of prospecting for, or extraction, mining, capture or acquisition of, oil, gas and other hydrocarbon substances on, in, within or from such lands by the lessee, lessee's grantee, or grantees, therein named, except exclusively by underground means and operations, to wit:

(1) Of a kind and character which will not destroy, impair or in any manner whatsoever affect any right of navigation, fishing, bathing or commerce or any easement, right, privilege, trust or use vested in the public or the people of this State without power of alienation in or to such area or the beauty or natural topography or conditions of the surface thereof; and

(2) Without, in any event, the erection, maintenance or use of surface structures, machinery or works on any land so granted or demised whether or not covered by water or in or on the waters of the ocean.

(b) Application may be made by any littoral owner, riparian owner or owner of property within two thousand feet of the boundary line of such State lands, their lessee, sublessee or assignee; application shall be made to the Surveyor General in writing and shall be accompanied by a map showing the proposed downward and lateral course of such well under such State lands and a duly executed written agreement of the owner of such land and the written assent of all parties holding under such owner to grant subsurface easements to any grantee or lessee of the State of California hereunder to drill and operate such wells in and through the property of such owner as will not unreasonably interfere or damage the well or wells theretofore drilled or then drilling upon and under the property of such owner; reserving, however, to such owner and those holding under him the exclusive right to operate oil wells under such property of such owner by means of oil wells, the productive portion of which shall be within the boundary lines projected vertically downward upon his said property.

(c) Upon the receipt of such application, the Surveyor General shall cause notice of receipt of such application, the name of the applicant, a description of lease or easement applied for, and requesting bids from qualified bidders hereunder to be published in a newspaper of general circulation in the county in which such State property is located, for ten consecutive days; and shall mail a copy thereof to any person, firm or corporation requesting written notices of any such applications and upon receipt of such bids the Surveyor General shall proceed to award the lease or easement to the highest responsible qualified bidder offering the largest per centum of the value of the production therefrom.

(d) The acquisition of rights of way or easements for the extraction, mining, capture or acquisition of oil, gas and other hydrocarbon substances on, in, within or from lands belonging to this State or over which the State has or claims or asserts any jurisdiction, by wells drilled upon lands owned by littoral owners, riparian owners or owners or lessees of land within two thousand feet of the tide or submerged lands of this State and for the operation, maintenance, redrilling or repair of such wells, is hereby declared to be a public use for which the right of eminent domain may be exercised. The Surveyor General shall, upon request of any person, firm or corporation owning or entitled to a lease or easement for such purposes, commence condemnation proceedings on behalf of the State and for the benefit of the State and its said lessee or grantee of easement, to condemn a subsurface easement in and through all intervening properties between the property of such lessee, or grantee, and the tidelands, submerged lands and overflowed lands of the State overlying and comprising a known geologic oil producing structure, in accordance with the provisions of Part III, Title VII of the Code of Civil Procedure of the State of California: provided, however, that such person, firm or corporation so requesting said condemnation proceedings shall, as a condition precedent thereto, agree to indemnify the State of California for all sums which may be awarded to defendants in such action and shall give such security in the way of money to be deposited in such amounts as the court in which such eminent domain proceedings are pending may direct, as a condition to giving immediate possession and use of such right of way or easement so condemned or sought to be condemned as provided in Article I, section 14 of the Constitution of California.

(e) No such lease or grant of easement hereunder shall be made for a longer term than twenty years with option of renewal in the lessee for one like term on like conditions.

(f) Every lease or grant of easement made hereunder shall be subject to, and subordinate to, all existing, lawful, private rights of all other persons who shall have entered into compromise agreements heretofore entered into with the State and to all rights of navigation, fishing, bathing and commerce and all easements, rights, privileges, trusts and uses vested in the public or the people of the State without power of alienation and upon the condition that any such well drilled hereunder shall not be bottomed less than three hundred fifty feet from any other well heretofore or hereafter drilled upon said State land under lease or easement.

(g) No person, association or corporation, or others holding under or for them, shall be granted or receive, take or hold, under the terms of this act, by lease or easement, a lease or easement to take any oil, gas or hydrocarbons covering more than four of said ten-acre parcels of property as subdivided pursuant to the terms of this section 23 of the act. Any interest held in violation of this provision shall be forfeited to the State of California by appropriate proceedings for that purpose in the superior court for the county in which the property or some part thereof, is located.

(h) Any lease or easement so granted shall be free of any and all restrictions contained in this act and shall be subject only to the provisions of this section, except that the Surveyor General shall have power to promulgate proper rules and regulations to make effective the purposes of this section Prior to granting any such lease or easement, the Surveyor General shall require a bond which in his judgment will protect the State; in lieu of such bond, the Surveyor General may accept negotiable security which shall be deposited in the custody of the State Treasurer who shall be responsible for the safekeeping thereof."

The question being on the amendments submitted by Mr. Hornblower.

Request for Roll Call.

On request of Messrs Reaves, Hornblower and Wallace, the Speaker ordered a roll call taken on the amendments submitted by Mr. Hornblower.

The roll was called, and the amendments were adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Cassidy, Chatters, Clark, Cottrell, Cronin, Desmond, Donahue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, McCarthy, McMurray, Meehan, O'Donnell, Patterson, Pelletier, Reaves, Rosenthal, Turner, Voigt, Wagner, and Waters—41.

NOES—Brennan, Burns, Corwin, Crowley, Cunningham, Dawson, DeLap, Field, Frazier, Gilmore, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard Morgan, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Weber, Welsh, Williamson, Wright, and Mr. Speaker—37.

Request for Unanimous Consent.

Mr. Burns asked for, and was granted, unanimous consent to take up Assembly Bill No. 1684, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No 1684, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Patterson:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out line 1 of the title, and insert in lieu thereof the following: "An act to add section 26 to "An act".

Amendment No. 2.

On page 1 of the title of the printed bill, as amended, strike out lines 13 to 16, inclusive, and insert in lieu thereof the following: "relating to the drilling of tidelands, submerged lands, overflowed lands or beds of navigable rivers."

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out lines 1 to 11, inclusive

Amendment No. 4.

On page 2 of the printed bill, as amended, strike out lines 1 to 42, inclusive, and insert in lieu thereof the following

"SECTION 1. Section 26 is hereby added to the act cited in the title hereof to read as follows

Sec 26 The State, through the Surveyor General, may acquire by gift, purchase or eminent domain proceedings, or otherwise, all and any property or interest therein, including improvements upon real property, and rights and easements in respect thereto or in connection therewith, for the purpose of developing, using or developing and using oil, gas, and other hydrocarbons on, in, or under land owned by the State and for the processing of such resources or the necessary transportation thereof in connection with such development, use, or processing. The development, use and processing of such oil, gas and other hydrocarbons are hereby declared to be for a public use.

The Surveyor General shall, in the name of the State, erect and maintain sufficient wells for the development of oil pools lying underneath the tide lands, whether filled or unfilled, submerged lands, overflowed lands or bed of navigable

rivers or lakes and shall maintain in the name of the State such derricks and equipment as shall be necessary for the complete development of oil, gas and other hydrocarbons lying within such state-owned oil pools"

The question being on the amendments submitted by Mr. Patterson.

Request for Roll Call.

On request of Messrs. Brennan, Peterson and Chatters, the Speaker ordered a roll call taken on the amendments submitted by Mr. Patterson.

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Anderson, Cassidy, Clark, Donihue, Evans, Ralph W. Geyer, Gilbert, Glover, Hawkins, Hunt, Jones, Laughlin, Lore, McCarthy, Patterson, Pelletier, Reaves, Rosenthal, Turner, Voigt, and Wagner—21.

NOES—Andreas, Breed, Brennan, Burns, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Minard, Morgan, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Weber, Welsh, and Mr. Speaker—46.

Assembly Bill No. 1684, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Boyle:

Amendment No. 1.

On page 2 of the printed bill, as amended, between lines 34 and 35, insert the following:

"When any littoral owner has caused to be constructed or maintained any groin, jetty, seawall, breakwater, and/or bulkhead upon, across, or over or adjacent to any of the swamp, overflowed, marsh, tide, or submerged lands of this State and such groin, jetty, seawall, breakwater, and/or bulkhead is being used as foundation in whole or in part for structures to conduct prospecting operations or to drill for oil, gas, or other hydrocarbons, the foregoing provisions of this section shall not be applicable, but all swamp, overflowed, marsh, tide, or submerged lands of this State to two miles on either side of the points of termination of such groin, jetty, seawall, breakwater, and/or bulkhead, shall be leased upon the terms and conditions hereinafter set forth

(a) The Department of Finance, through the Chief of the Division of State Lands, shall specify the type of groin, jetty, seawall, breakwater, and/or bulkhead to be constructed, so that the construction of said groin, jetty, sea wall, breakwater, and/or bulkhead or any structure to be placed thereupon will not impair or destroy any fishing or bathing right, privilege, easement, or use of any right of navigation vested in any private person, trust, firm, or corporation or in the people of the State of California.

(b) The Department of Finance, through the Chief of the Division of State Lands, shall specify the particular lands to be leased; said leases shall be made upon competitive bids awarded to the highest and best bidder or bidders upon public notice, which shall be given as follows: Notice of such leasing describing the lands must be published for eight days in a daily newspaper of the county in which said work is located or if there be no daily newspaper, for four consecutive insertions in a weekly newspaper located in said county. Such notice must state the time and place for the receiving and opening of sealed bids and must also describe in general terms the structures to be erected by the lessee and no other notice calling for said bids need be given. At the time specified in said notice the Surveyor General shall proceed to publicly open said sealed bids and shall report the contents thereof to the Director of Finance, who shall award such contract or contracts of lease to the highest and best bidder or bidders, such bids to be terms of royalties upon the basis of contemplated production of said wells."

The question being on the amendment submitted by Mr. Boyle.

Request for Roll Call.

On request of Messrs. Brennan, Minard and Welsh, the Speaker ordered a roll call taken on the amendment submitted by Mr. Boyle.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Boyle, Geyer, Gilbert, Glover, Hawkins, Jones, Lore, O'Donnell, Patterson, Pelletier, Reaves, Rosenthal, Turner, Voigt, and Wagner—15.

NOES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W. Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Weber, Wright, and Mr. Speaker—53.

Assembly Bill No. 1684, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Robertson:

Amendment No. 1.

On page 2 of the printed bill, strike out all of line 35.

Amendment refused adoption.

Assembly Bill No. 1684, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Turner:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 3 to 11, inclusive, and insert therein the following:

"SEC. 23. The Surveyor General, when it appears to the best."

On page 2, strike out lines 1 and 2, inclusive.

The question being on the amendment submitted by Mr. Turner.

Request for Roll Call.

On request of Messrs. Robertson, Brennan and Wallace, the Speaker ordered a roll call taken on the amendment submitted by Mr. Turner.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Cottrell, Donnelly, Gilbert, Glover, O'Donnell, Pelletier, Reaves, Rosenthal, Turner, Voigt, and Williamson—11.

NOES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Ralph W. Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, Peterson, Peyser, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—61.

Third Reading of Assembly Bill No. 1684, as Amended.

Assembly Bill No. 1684, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1684, as amended, passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—68

NOES—Boyle, Evans, Ralph W., Flint, Lore, McCarthy, Richie, Turner, and Voigt—8.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 1684.

Mr. Hunt gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 1684 was this day passed.

Unfinished Business—(Resumed).

Motion to Reconsider Assembly Bill No. 1074.

Mr. Fisher moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1074 was refused passage be continued until the next legislative day.

Motion carried.

Special Order.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 31.

Assembly Bill No. 31—An act to regulate the hours of service in public and private employment during the emergency declared to exist.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Patterson moved a call of the House.

Request for Roll Call.

On request of Messrs. Patterson, Gilmore, and Peterson, the Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Latham, Laughlin, Lore, Maloney, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, and Mr. Speaker—60.

NOES—Corwin, Field, Kallam, Morgan, Phillips, Utt, and Wright—7.

Time, five o'clock p m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—67.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 329—An act relating to codes of fair competition for certain trades and industries within this State, to declare the urgency thereof, and to provide that this act shall take effect immediately;

Also: Assembly Bill No. 2435—An act to add section 642 to the Streets and Highways Code, establishing an additional secondary State highway;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1935.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred Assembly Bill No. 2261—An act to amend an act known and designated as the "Old Age Security Act," relating to aid to the aged—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

BRENNAN, Chairman.

The above reported bill ordered on file for second reading.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1935.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1826—An act to amend section 926 of the Fish and Game Code, relating to the supervision, regulation and restricting of commercial fishing in the waters under the jurisdiction of the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FISHER, Chairman.

The above reported bill ordered on file for second reading.

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1935.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred Assembly Bill No. 360—An act to amend section 10 of an act entitled "An act to provide for the aid and relief to indigents," approved June 5, 1933, relating to length of residence—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BRENNAN, Chairman.

The above reported bill ordered on file for second reading.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1054—An act to add section 3a to and to amend sections 3, 4, 5, 6, 7, 8, 10, 14, 15, 16, 17, 18, and 19 of the "Los Angeles County Flood Control Act," relating to the government and control of the district and the powers and duties of the board of directors thereof.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Riley:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "2D and 2E.".

Amendment No. 2.

On page 1, line 14, of the printed bill, as amended, after "counsel,", strike out "of Controller, and of Treasurer", and insert in lieu thereof the following: "and of Controller,".

Amendment No. 3.

On page 1, line 16, of the printed bill, as amended, after "compensation,", insert the following: "which said officers shall hold office during the pleasure of said board"

Amendment No. 4.

On page 1 of the printed bill, as amended, strike out lines 17 to 20, inclusive, and lines 1 to 4, inclusive, of page 2, and insert in lieu thereof the following:

"The county auditor and county treasurer of the county of Los Angeles, and their successors in office and all their assistants, deputies, clerks and employees shall be ex officio officers, assistants, deputies, clerks and employees respectively of said Los Angeles County Flood Control District, and shall respectively perform, unless otherwise provided by said board of directors, the same various duties for said district as for said Los Angeles County without additional compensation in order to carry out the provisions of this act."

Amendment No. 5.

On page 2 of the printed bill, as amended, strike out lines 16 and 17, and insert in lieu thereof the following:

"*The said board shall, except as in this section provided, fix the number of positions,* prescribe the duties, fix the compensation and appoint all officers,".

Amendment No. 6.

On page 2, line 36, of the printed bill, as amended, after "may", strike out "be".

Amendment No. 7.

On page 2 of the printed bill, as amended, strike out line 39, and insert in lieu thereof the following: "three new sections, to be numbered sections 2a, 2b, and 2c,".

Amendment No. 8.

On page 2, line 40, of the printed bill, as amended, strike out "2c,".

Amendment No. 9.

On page 2 of the printed bill, as amended, strike out lines 41 to 50, inclusive.

Amendment No. 10.

On page 2, line 51, of the printed bill, as amended, strike out "2b", and insert in lieu thereof the following: "2a".

Amendment No. 11.

On page 3, line 13, of the printed bill, as amended, strike out "2c", and insert in lieu thereof the following: "2b".

Amendment No. 12.

On page 3 of the printed bill, as amended, strike out lines 34 and 35, and insert in lieu thereof the following: "trol District except the chief engineer and general manager, counsel, controller, the permanent board of technical consultants provided for by section 4 of this act, and except other technical consultants or special counsel, shall be appointed and".

Amendment No. 13.

On page 3, line 41, of the printed bill, as amended, strike out the period, and add the following: "; and all such persons shall be appointed from the appropriate civil service list, for either permanent or temporary service; provided, however, that the appointment of those specifically exempt from the said classified civil service by this section, may be made by the board of directors without reference to such eligible lists."

Amendment No. 14.

On page 3 of the printed bill, as amended, strike out lines 51 and 52, and lines 1 to 6, inclusive, on page 4

Amendment No. 15.

On page 4, line 7, of the printed bill, as amended, strike out "2c.", and insert in lieu thereof the following: "2c."

Amendment No. 16.

On page 4, line 8, of the printed bill, as amended, strike out "this amendment", and strike out all of line 9, and in line 10 strike out "effect,", and insert in lieu thereof the following: "the first board of directors is organized under this act,".

Amendment No. 17.

On page 4, lines 11 and 12, of the printed bill, as amended, strike out "six months from and after the effective date of said amendment,", and insert in lieu thereof the following: "one year from and after the time the said first board of directors is organized,".

Amendment No. 18.

On page 4, line 19, of the printed bill, as amended, after "Sec. 3a.", insert the following "Said Los Angeles County Flood Control District is hereby divided into five divisions which shall be designated and constituted as follows:

Division One Assembly Districts forty-seventh, forty-eighth, forty-ninth, fiftieth, fifty-first, and fifty-third, of the State of California (northeast drainage and storage basin), shall constitute Division One of said district

Division Two. Assembly Districts sixty-sixth, sixty-seventh, all of that part of Assembly District sixty-eighth lying in the Los Angeles Flood Control District and Assembly Districts sixty-ninth, seventieth, and seventy-first, of the State of California, (southeast drainage and storage basin), shall constitute Division Two of said district

Division Three. Assembly Districts forty-sixth, fifty-eighth, fifty-ninth, sixty-first, sixty-third, and sixty-fifth of the State of California (west drainage and storage basin), shall constitute Division Three of said district.

Division Four. All that part of the Forty-Second Assembly District lying within the Los Angeles County Flood Control District, and Assembly Districts forty-third, fifty-fourth, fifty-sixth, fifty-seventh, and sixtieth, of the State of California, (northwest drainage and storage basin), shall constitute Division Four of said district.

Division Five Assembly Districts forty-fourth, forty-fifth, fifty-second, fifty-fifth, sixty-second, and sixty-fourth (in the city of Los Angeles)

All of said Assembly Districts are as established and described in section 78 of the Political Code of the State of California, as amended in 1931, now in effect, and the boundaries of said division shall not be deemed affected or changed by any subsequent changes in the boundaries of said Assembly Districts or any of them."

Amendment No. 19.

On page 4 of the printed bill as amended, strike out lines 20 to 22, inclusive, and insert in lieu thereof the following: "members, one to be appointed from each of said divisions Each of said directors shall be a quali-"

Amendment No. 20.

On page 4, line 23 of the printed bill, as amended, strike out "area", and insert in lieu thereof the following, "division".

Amendment No. 21.

On page 4, line 39, of the printed bill, as amended, strike out "supervisorial district", and insert in lieu thereof the following: "division".

Amendment No. 22.

On page 4, line 43, of the printed bill as amended, strike out "supervisorial district", and insert in lieu thereof the following: "division".

Amendment No. 23.

On page 4 of the printed bill, as amended, strike out the last word in line 46, and the first word in line 47, and insert in lieu thereof the following: "division".

Amendment No. 24.

On page 4, line 52, of the printed bill, as amended, strike out "supervisorial district", and insert in lieu thereof the following "division".

Amendment No. 25.

On page 5, line 2, of the printed bill as amended strike out "district", and insert in lieu thereof the following: "division".

Amendment No. 26.

On page 5 of the printed bill, as amended, strike out lines 4 to 12, inclusive, and insert in lieu thereof the following.

"The civil service commission of Los Angeles County shall act as said nominating committee"

Amendment No. 27.

On page 5, line 40, of the printed bill, as amended, strike out "ten", and insert in lieu thereof the following, "twenty"

Amendment No. 28.

On page 5, line 41, of the printed bill, as amended, strike out "fifty", and insert in lieu thereof the following "one hundred".

Amendment No. 29.

On page 5 of the printed bill, as amended, after line 44, add the following:

'Each member of the board of directors of said district is subject to recall by the voters of the division of said district which such member of the board sought to be recalled represents, in accordance with the recall provisions of the general laws of the State with reference to county officers.

The board of supervisors of Los Angeles County shall act as ex officio the board of supervisors of said Los Angeles County Flood Control District until the time the first board of directors is organized under this act."

Amendments adopted.

Bill read, ordered to reprint, re-re-re-engrossment, and third reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 20, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Constitutional Amendment No. 58—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 8 of Article XI thereof, relating to the preparation and adoption of charters by cities, counties and cities and counties—and on May 20, 1935, appointed Senators Knowland, McGovern and Olson, as a Committee on Conference, to meet a like committee from the Assembly.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Appointment of Committee on Free Conference Concerning Assembly Constitutional Amendment No. 58.

The Speaker announced the appointment of Messrs. Johnson, DeLap and Cunningham, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Assembly Constitutional Amendment No. 58.

Also:

SENATE CHAMBER, SACRAMENTO, May 20, 1935.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2431—An act to prohibit marathons, marathon dances, walkathons, skatathons, and other mental and physical endurance contests and prescribing penalties for the violation thereof.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 2431 ordered to enrollment.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

By Mr. Patterson: Assembly Concurrent Resolution No. 41—Relative to drilling by the State of state-owned oil pools.

Introduced, and referred to Committee on Oil Industries.

By Mr. Boyle: Assembly Constitutional Amendment No. 85—Proposed amendment to Article IV, sections 2, 23 and 34, and of section 9 of Article V of the Constitution, relative to sessions of the Legislature, and procedure therein.

Introduced.

Unfinished Business—(Resumed).

Motion to Reconsider Assembly Bill No. 93 Continued.

Mr. Boyle moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 93 was passed be continued until the next legislative day.

Motion carried.

Consideration of Governor's Veto to Assembly Bill No. 756.

Assembly Bill No. 756—An act to amend section 865 of the Fish and Game Code, relating to nets, and declaring the urgency hereof.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Clark, Geyer, Gilbert, Glover, Hawkins, Hunt, Jones, Laughlin, Lore, Miller, Pelletier, Reaves, and Rosenthal—13.

NOES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Kallam, Latham, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peyser, Phillips, Riley, Robertson, Stream, Thorp, Turner, Utt, Voigt, Wagner, Wallace, Waters, Williamson, Wright, and Mr. Speaker—52

Consideration of Senate Amendments to Assembly Bill No. 1205.

Assembly Bill No. 1205—An act to add a new part to Division II of the School Code to be known as Part VI, relating to the formation, government, support, control, functions, maintenance, and administration of unified school districts created from elementary and high school districts, and of elementary, high school and junior college districts having coterminous boundaries and governing boards of identical personnel.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1205?

Amendment No. 1.

On page 5, line 24, of the printed bill, as amended, after the word "except", insert the following: "that,".

Amendment No. 2.

On page 8, line 34, of the printed bill, as amended, after the word "shall", insert a comma and the following: "except as otherwise provided in Chapter XII of this Part".

Amendment No. 3.

On page 9, line 7, of the printed bill, as amended, strike out the word "comprising", and insert in lieu thereof the following: 'composing".

Amendment No. 4.

On page 11, line 42, of the printed bill, as amended, strike out the word "comprising", and insert in lieu thereof the word "composing".

Amendment No. 5.

On page 2, line 45, of the printed bill, as amended, strike out the word "comprising", and insert in lieu thereof the word "composing".

The roll was called, and Senate amendments to Assembly Bill No 1205 were concurred in by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Domhue, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Kallam, Laughlin, Lore, Lyon, Maloney, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 1205 ordered to enrollment.

Consideration of Governor's Veto to Assembly Bill No. 766.

Assembly Bill No. 766—An act to add Chapter 9, embracing sections 725 to 734, inclusive, to Division IV of the Agricultural Code, relating to dairies and dairy products

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—Hunt and Jones—2

NOES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Johnson, Kallam, Laughlin, Lore, Lyon, Maloney, Mayo, McBride, McMurray,

Meehan, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Weber, Williamson, Wright, and Mr. Speaker—60.

Consideration of Senate Amendment to Assembly Bill No. 29.

Assembly Bill No. 29—An act to amend section 1657 of the Probate Code, relating to accounts of guardian.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 29?

Amendment No. 1.

On page 1, line 21, of the printed bill, strike out the word "petitioner", and insert in lieu thereof the word "clerk."

The roll was called, and Senate amendment to Assembly bill No. 29 was concurred in by the following vote:

AYES—Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Weber, Williamson, Wright, and Mr. Speaker—58

NOES—None.

Assembly Bill No. 29 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 877.

Assembly Bill No. 877—An act to amend section 662 of the Code of Civil Procedure, relating to motions for new trial.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 877?

Amendment No. 1.

On page 1, line 14, of the printed bill, after the word "granted", insert the following: "or denied".

Amendment No. 2.

On page 1, line 15, of the printed bill, strike out the word "such", and insert in lieu thereof the word "a".

Amendment No. 3.

On page 1, line 15, of the printed bill, after the word "motion", insert the following: "in any cause tried with or without a jury".

Amendment No. 4.

On page 1, line 15, of the printed bill, after the word "written", insert the following: 'memorandum of".

Amendment No. 5.

On page 1, line 15, of the printed bill, after the word "opinion", insert the following: "in such order".

Amendment No. 6.

On page 1, line 16, of the printed bill, before the word "opinion", insert the following: "memorandum of".

Amendment No. 7.

On page 1, line 16, of the printed bill, strike out the word "contan", and insert in lieu thereof the word "contain".

Amendment No. 8.

On page 1, line 16, of the printed bill, after the word "granting", insert the following: "or denying".

Amendment No. 9.

On page 1, line 17, of the printed bill, after the word "which", insert the following: "memorandum of".

The roll was called, and Senate amendments to Assembly Bill No. 877 were concurred in by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert Gilmore, Glover, Hawkins, Horn-

blower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Pelletier, Phillips, Reaves, Redwine, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 877 ordered to enrollment.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1596—An act to make shares issued by Federal savings and loan associations, and by building and loan associations, legal investments for the funds of executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1596 refused passage by the following vote:

AYES—Anderson, Burns, Chatters, Cottrell, DeLap, Frazier, Gilmore, Jones, Kallam, Latham, Lyon, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Phillips, Redwine, Scudder, Stream, Thorp, Williamson, Wright, and Mr. Speaker—25.

NOES—Andreas, Boyle, Breed, Brennan, Cassidy, Clark, Corwin, Cronin, Crowley, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Laughlin, Lore, Maloney, Martin, McCarthy, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Robertson, Rosenthal, Turner, Utt, Voigt, Wagner, Wallace, and Weber—45

Notice of Reconsideration of Assembly Bill No. 1596.

Mr. Williamson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1596 was this day refused passage.

Assembly Bill No. 1666—An act to amend an act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled "An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof," approved June 5, 1931, and all acts or parts of acts inconsistent with the provisions of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1666 passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Wagner, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2305—An act to amend the State Medical Practice Act, relating to chiropody.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2305 passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Rosenthal, Utt, Wagner, Walker, Waters, Weber, Welsh, and Mr. Speaker—54.

NOES—Anderson, Cottrell, Field, Fisher, Hunt, Johnson, Kallam, Latham, Riley, Robertson, Scudder, Stream, Wallace, and Wright—14.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2144—An act to amend section 4242 of the Political Code, relating to the compensation of county and township officers in counties of the thirteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2144 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Weber, Welsh, Williamson, Wright, and Mr Speaker—69.

NOES—None.

Title read and approved.

Bill order transmitted to the Senate.

Further Proceedings Under Call of the House Dispensed With.

At five o'clock and fifty minutes p.m., further proceedings under the call of the house were dispensed with, on motion of Mr. Patterson.

The roll of absentees was called, and Assembly Bill No. 31 was refused passage by the following vote:

AYES—Anderson, Boyle, Brennan, Burns, Cassidy, Clark, Cronin, Crowley, Dawson, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Latham, Laughlin, Lore, Maloney, McCarthy, McMurray, Meehan, Miller, Patterson, Pelletier, Reaves, Richie, Riley, Rosenthal, Turner, Voigt, Wagner, Weber, Welsh, and Williamson—40

NOES—Andreas, Breed, Chatters, Corwin, Cottrell, Cunningham, DeLap, Desmond, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Johnson, Kallam, Lyon, Martin, Mayo, McBride, Minard, Morgan, Nielsen, O'Donnell, Peterson, Peyser, Phillips, Redwine, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Wright, and Mr. Speaker—38

Statement of Vote.

I voted against Assembly Bill No. 31 because I sincerely feel that it would be detrimental to labor if California was forced to observe a 30-hour week while other States were without a similar law.

If Congress enacted a 30-hour week it would only be effective in interstate commerce and it would not be mandatory that other States adopt laws to apply to their respective States.

I favor 30-hour legislation nationally and believe that Congress should first pass such legislation and the States should follow. I sincerely feel that the best interest of the working people of California would be jeopardized if the 30-hour week bill were passed in this State only.

ROY J. NIELSEN.

Withdrawal of Assembly Bill No. 329.

By order of the Speaker, Assembly Bill No. 329 was withdrawn from the file, and referred to Committee on Judiciary.

Motion to Re-refer Assembly Bill No. 1303.

Mr. Cronin moved that Assembly Bill No. 1303 be withdrawn from file, and ordered re-referred to Committee on Medical and Dental Laws.

The question being on re-referred Assembly Bill No. 1303 to Committee on Medical and Dental Laws.

Motion carried.

Assembly Bill No. 1303 ordered re-referred to Committee on Medical and Dental Laws.

Adjournment.

At five o'clock and fifty-one minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Tuesday, May 21, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, May 21, 1935.

At ten o'clock a m, pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names.

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—80.

Quorum present

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Fulcher, its further reading was dispensed with.

Privilege of Floor of Assembly Extended.

On request of Mr Nielsen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the teacher and students of the Stanford Junior High School as follows: Ruth Fortmann, teacher; Jack Readdy, Jack Levrero, Sylvester Carlisle, Arthur Robinson, Rexel Coomes, Eugene McKain, Alice Anderson, Jay Fenner, Billy Levers, Porter Towner, Franklyn Smith, Fred Manthe, Morris

Tucker, Margaret Jacinto, Mary Ethel Starbeck, Doris Williams, Becky Pope, Mary O'Connell, Anna Lee Nuckols, Helen Beck, Eleanor Bowling, Addrienne Bahlhorn, Lois Stradan, Loudene Fleming, Marjorie Mihils, Helen Dodge, Freda Hudgens, Dora Van Wey, Frances Williams, Eleanor Jones, June Wentworth, Earl Applegate, Frank Belotti, Richard Litten, Martha Covitch, June Byers, Eileen Evers, Verna Slaughter, Alma Pierini, Bob Gaiduck, Eddie Durant, Lorin Waite, George Quadros, Fred Hernandez, Mildred Machado, Lena Kuck, Muriel Knox, Jim Ulrick, Grant Pullen, Lawrence Parada, Eugene Rose, Lemuel Butters, James Flickinger, Laura Olsen, Harold Hays and Lorraine Thom, pupils

On request of Mr. Evans, Herbert J.. the privilege of the floor of the Assembly Chamber for this day was unanimously extended to J. A. Hinkle, Mrs. J. A. Hinkle, F. H. Harmsen, and Mrs. F. H. Harmsen, of La Verne; G. E. Tompkins, P. F. Nattel, B. W. Johnson, and H. B. Jones, of Claremont; T. Roe Hobbs and A. S. Stevens of San Dimas; P. L. Maurer of Covina; F. H Nusbickel of San Dimas; W. W. Wilson and A. C. Van Der Sluis of Glendora and C. J. Pegler of LaMaude Park.

On request of Mr. Peterson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Meta Kregeler of Menlo Park.

On request of Mr. Riley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. LeRoy Coil and Mrs. Charles R. Hoppin.

On request of Mr. DeLap, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the instructor and students of the Antioch Union High School as follows: Wayne L. Hawkins, instructor, and Mrs. Wayne Hawkins, Norma Marchetti, Virginia McClintock, Amelia Reis, Jane Holling, Jack Dempsey, Edythe Pizio, Peggy Bloomfield, Etty Wolfe, Blossom Ellsworth, Verl Knight, Mildred Biglow, Verna Hodgson, Mary K. Donlon, Antionette Brakey, Mrs. Brakey, Mrs. J. C. Williamson, Beulah Meyers, Bill Sullivan, Lyman Maas, Fred Robles, Carol Sullivan, Charles Crawford, Tom Brown, George McArdry, Gladys Hansen, Lowell Moberley, Laura Hain and Fern Wells, students, and Mrs. Will R. Sharkey, Mrs. Verna Lyford and Mr. H. D. Lyford.

On request of Speaker Craig, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Capt. Bert Massey of Los Angeles.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From the Los Angeles Engineering Council and other organizations, opposing Senate Bill No. 535 and favoring Assembly Bill No. 1054

From the United Citizens Progress League of San Francisco, opposing passage of Assembly Bill No. 834.

From California Federation of Civil Service Associations, opposing the passage of Assembly Bill No. 834.

ASSISTANT CLERK COOLIDGE READING.

Second Reading of Assembly Bills.

Assembly Bill No. 1037—An act to safeguard the public health, to regulate the diagnosis and treatment of human ailments by means of X-rays and the use, ownership and possession of X-ray appliances for said purposes; providing for the licensing of persons operating X-ray appliances and laboratories, declaring the treatment of human ailments by means of X-rays to constitute the practice of medicine; prescribing penalties for violation of the act; declaring the possession, maintenance or operation of X-ray appliances in violation of the provisions of the act to constitute a public nuisance, and otherwise providing for the enforcement of the act

Bill read second time, ordered to re-re-engrossment, and third reading.

Assembly Bill No. 2303—An act to amend sections 425, 426, 427 and 428 of the Vehicle Code, relating to liens on vehicles.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out ", 426, 427 and 428", and insert in lieu thereof the following: "and 426".

Amendment No. 2.

On page 1, line 3, of the printed bill, strike out "Every", and insert in lieu thereof the following "Except as otherwise provided herein, every".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 10 to 14, inclusive, and insert in lieu thereof the following

"In case of a lien for storage, care or safe-keeping, including such service, maintenance and repairs performed, and for accessories and supplies furnished incidental to such storage, care or safe-keeping,".

Amendment No. 4.

On page 1, line 16, of the printed bill, after "lien", insert the following "as against the legal or registered owner in possession of the vehicle at the time such lien was incurred".

Amendment No. 5.

On page 1, line 21, of the printed bill, strike out "actual physical".

Amendment No. 6.

On page 1, lines 26 and 27, of the printed bill, strike out "subject to the provisions of section 430 of this act,".

Amendment No. 7.

Strike out all of page 2 of the printed bill.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 900—An act providing for an investigation and report on the subject of gross receipts taxes for the State of California and for any or all of its governmental units, making an appropriation therefor, and declaring this act to be an urgency measure to go into immediate effect.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "report", insert the following: "by a California Tax Research Commission".

Amendment No. 2.

On page 1, line 4, of the printed bill, strike out "ten thousand", and insert in lieu thereof the following: "fifty-six thousand three hundred".

Amendment No. 3.

On page 1 of the printed bill, strike out line 10, and insert in lieu thereof the following. "ernor shall, as provided or permitted by law, direct a California Tax".

Amendment No. 4.

On page 1, line 11, of the printed bill, after "Commission", insert the following: "consisting of not less than five or more than seven members, appointed by the Governor,".

Amendment No. 5.

On page 1, line 13, of the printed bill, strike out "or", and insert in lieu thereof the following. "and/or".

Amendment No. 6.

On page 1 of the printed bill, strike out lines 16 to 24, inclusive, and insert in lieu thereof the following:

"SEC. 3. Reports of the commission may be made to any special session of the Legislature which may be called before the convening of the fifty-second session of the Legislature, and the final report of the commission (if not previously made) shall be made to the Legislature not later than the fifteenth day of January, 1937."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1041—An act providing employment for inmates of State prisons and reformatories and to establish a prison farm under the management and control of the State Board of Prison Directors; to provide for the purchase of land therefor, and the construction of buildings and other improvements in connection therewith; for the transfer of prisoners thereto and therefrom; and for the employment of prisoners therein; and to make an appropriation therefor.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 7, line 20, of the printed bill, as amended, after "purchase", insert the following. "or lease with option to purchase"

Amendment No. 2.

On page 7, line 21, of the printed bill, as amended, strike out "reformatory", and insert in lieu thereof the following "farm".

Amendment No. 3.

On page 7 of the printed bill, as amended, strike out lines 23 to 25, inclusive, and insert in lieu thereof the following. "of irrigation and suitable for growing farm products for use in the State prisons or other State institutions."

Amendment No. 4.

On page 8, line 3, of the printed bill, as amended, immediately following the period in said line, insert the following "Any prisoner confined and employed at the prison farm created under the provisions of this act shall receive the same good time allowance as is granted to prisoners employed on State highways"

Amendment No. 5.

On page 8, line 6, of the printed bill, as amended, strike out "$_____ for the purpose of this act," and insert in lieu thereof the following: "two hundred fifty thousand dollars for the purpose of this act including support of said farm,".

Amendment No. 6.

On page 8, line 7, of the printed bill, as amended, strike out "request", and insert in lieu thereof the following: "approval"

Amendment No. 7.

On page 8, lines 8 and 9, of the printed bill, as amended, strike out "duly audited by the State Department of Finance,".

Amendment No. 8.

On page 8, lines 10 and 11, of the printed bill, as amended, strike out "in favor of said Director of Finance or said Board of Prison Directors for any moneys duly appropriated".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1294—An act to amend section 515 of the Vehicle Code, relating to motor vehicles.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 4 to 22, inclusive, and insert in lieu thereof the following:

"(a) No person shall operate upon any highway any of the following vehicles when equipped entirely with pneumatic tires at any speed in excess of the following

(1) Any motor truck and trailer—twenty-five miles per hour, except that any motor truck and trailer, both of which are unladen, may be operated at a speed not in excess of thirty miles per hour

(2) Any motor truck alone or with semitrailer having a gross weight of vehicle and load or of such vehicles and load of more than twenty-six thousand pounds—thirty miles per hour.

(3) Any motor truck alone or with semitrailer having a gross weight of vehicle and load or of such vehicles and load of twenty thousand but not more than twenty-six thousand pounds—thirty-five miles per hour."

Amendment No. 2.

On page 1, line 24, of the printed bill, as amended, strike out "other than a passenger vehicle"

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out lines 3 to 5, inclusive, and insert in lieu thereof the following:

"10,000 pounds or more but less than 16,000 pounds_____25
16,000 pounds or more but less than 22,000 pounds_____15
22,000 pounds or more_____12"

Amendment No. 4.

On page 2, line 8, of the printed bill, as amended, strike out "other than a passenger vehicle"

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1295—An act to amend sections 702, 703, 704 and 705 of the Vehicle Code, relating to motor vehicles.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out line 1 of the title, and insert in lieu thereof the following: "An act to amend section 702 of the".

Amendment No. 2.

On page 1, line 5, of the printed bill, as amended, strike out "twenty-eight", and insert in lieu thereof "twenty-two".

Amendment No. 3.

On page 1, line 18, of the printed bill, as amended, strike out "twenty-eight", and insert in lieu thereof "twenty-six".

Amendment No. 4.

On page 1 of the printed bill, as amended, between lines 18 and 19, insert the following:

"(c) With respect to any truck or trailer equipped with two axles which are not in the same vertical transverse plane and with four or more wheels running on the highway, and when such axles are spaced not less than thirteen feet apart measured lengthwise with the vehicle, twenty-six thousand pounds."

Amendment No. 5.

On page 1 of the printed bill, as amended, strike out lines 19 to 26, inclusive, and strike out all of page 2.

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No 1826—An act to amend section 926 of the Fish and Game Code, relating to the supervision, regulation and restricting of commercial fishing in the waters under the jurisdiction of the State of California.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "926", and insert in lieu thereof the following: "865".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, as amended, strike out "relating to the supervision, regulation and", and strike out lines 3 and 4 of the title, and insert in lieu thereof the following: "and to add thereto section 865.5, relating to fish."

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out lines 1 to 13, inclusive, and insert in lieu thereof the following.

"SECTION 1. Section 865 of the Fish and Game Code is hereby amended to read as follows:

865. It is unlawful to use any net except a gill net or a trammel net to take shad. Such nets may be used to take shad, except as provided in section 865.5, only as follows:

(1) They may be used in district 12B, excluding all sloughs except Broad Slough, between February 15th and May 15th

(2) They may be used in district 12C, excluding all sloughs.

(3) They may not be used between sunrise Saturday and sunset of the following Sunday.

SEC. 2 Section 865 5 is hereby added to the Fish and Game Code to read as follows:

865.5. In districts 12B and 12C, striped bass incidently taken with shad with gill nets or trammel nets, may be sold This section shall be effective only until May 26, 1935.

SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution and shall therefore take effect immediately.

The facts constituting such necessity are as follows: There are many destitute fishermen who will be enabled to relieve their condition through the use of the nets

herein permitted. Since the season on shad will soon close, it is necessary that this take immediate effect in order that it may benefit such destitute fishermen."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 2261—An act to amend an act known and designated as the "Old Age Security Act," relating to aid to the aged.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "amend", strike out "an act known and designated as", and insert in lieu thereof the following: "sections 2½, 10, 14 and 18½ and to repeal section 5 of".

Amendment No. 2.

On page 1, line 1, of the printed bill, after "SECTION 1.", insert the following: "Section 2½ of the act cited in the title hereof is hereby amended to read as follows:

Sec 2½. For the purpose of determining the age of an applicant for aid under this act consideration should be given to any of the following documents:

(a) Certificate of birth;

(b) Certificate of baptism;

(c) Statement of age as recorded on marriage license or certificate;

(d) Statement of age of the applicant as recorded by the registrar of voters of this State or any subdivision thereof at least five years prior to the date of such application as shown by the records of the Department of Elections of this State or any subdivision thereof;

(e) Entries in a family Bible or other genealogical record or memorandum of the family of such applicant;

(f) The returns of the United States census taken at least five years before the date of such application;

(g) The affidavit of a reputable person if it is based upon his personal knowledge of facts which would determine the probable age of the applicant and is not merely a statement of belief based on applicant's personal appearance; such affidavit shall contain statements of the circumstances upon which said affiant's knowledge is based and same shall be submitted to the Department of Social Welfare, and where such affidavit is deemed by said department not to present satisfactory evidence of applicant's age the said department may require a further affidavit of more conclusive proof; such affidavit, however, shall not be accepted to establish proof of age until all reasonable efforts to produce more substantial documentary evidence of applicant's age have failed;

(h) Such other evidence as the State Department of Social Welfare may approve.

SEC. 2. Section 10 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 10. (a) If, at any time during the continuance of aid, the recipient thereof or the husband or wife of the recipient, become possessed of any property or income in excess of the amount allowed under the provisions of this act, it shall be the duty of the recipient immediately to notify the board of supervisors of the receipt and possession of such property or income and the board may, on inquiry and with the approval of the State Department of Social Welfare, either cancel the aid or vary the amount thereof in accordance with circumstances, and any excess aid theretofore paid shall be returned, in equal proportions to the State of California and the county or city and county participating in the granting of such aid and be recoverable as a debt due proportionately to such State and county or city and county.

(b) If, on the death of recipient of aid under this act, it is found that he was possessed of property or income in excess of the amount allowed under the provisions of this act and that he has not disclosed same to the board of supervisors, double the amount of the aid paid him in excess of that to which the recipient was legally entitled may be recovered by the Department of Social Welfare as a preferred claim from his estate and upon recovery shall be paid in equal proportions into the treasury of the State of California and the treasury of the county or city and county participating in the granting of such aid.

SEC. 3. Section 14 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 14. The board of supervisors, directly or through the advisory board or other authorized investigator, shall upon the receipt of an application for aid,

promptly, without any unnecessary delay, and with all diligence, make the necessary investigation.

The board shall, upon receipt of the report of the investigation, decide upon the amount of aid, if any; provided, however, that in any case where such application is denied by the board of supervisors, the applicant, upon filing a petition with the Department of Social Welfare setting forth the facts in full as to the necessity of such aid, verified by five reputable citizens of the county, shall have the right of appeal direct to said Department of Social Welfare, and if the appeal is sustained by said department the payments of aid in the amounts determined by said department must be paid by the county or city and county as herein provided.

An applicant whose application for aid under this act has been rejected may not again apply for such aid until the expiration of one year from the date of the previous application, except with the consent of the county or city and county.

All payments of aid under this act shall be made monthly by the treasurer of the county or city and county in the manner provided by law for payment of claims against the county or city and county; provided, however, if the recipient of old age assistance is, on the testimony of reputable witnesses, found incapable of taking care of himself or his money, upon recommendation of the board of supervisors and with the approval of the Department of Social Welfare the aid authorized in this act may be paid to any responsible person for the benefit of the recipient of this aid.

It shall be within the power of the board of supervisors to cancel and revoke aid for cause and it may for cause suspend payments for aid for such periods as it may deem proper

SEC 4 Section 18½ of the act cited in the title hereof is hereby amended to read as follows:

Sec 18½. Any recipient of aid hereunder who removes from one county to another county or city and county in this State shall be entitled to aid under the provisions of this act, after a one year residence, in the county or city and county to which such person has so removed; provided, an agreement in writing has been entered into by and between the two counties concerned approving such removal, and thereupon the county of first residence of such person shall continue his aid for one year and until the aforesaid residence has been established by him in the second county or city and county, and in the event the said two counties do not agree upon such removal and payment of aid, then the matter shall be submitted to the State Department of Social Welfare for final determination.

SEC 5. Section 5 of the act cited in the title hereof is hereby repealed."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 360—An act to amend section 10 of an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, relating to length of residence.

Bill read second time, ordered to engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No 1106—An act making an appropriation for contingent expenses of the Senate and declaring that this act shall take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 4, of the printed bill, following the word "Senate", insert the following. "for fifty-first session and interim committees thereof"

Amendment No. 2.

On page 1, line 6, of the printed bill, strike out the words "until exhausted".

Amendment No. 3.

On page 1, line 6, of the printed bill, strike out the word "for", and insert in lieu thereof the word "to".

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

Reports of Standing Committees.

The following reports of standing committee were received and read:

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1935

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 617—An act making an appropriation to pay the claim of the disbursing officer of the Department of Industrial Relations against the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No 703—An act to establish the California State under the management and control of the State Board of Prison Directors; to provide for purchase or acquirement of farm lands by unconditional gift or use of lands owned by the State therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor—has had the same under consideration, and respectfully reports the same back, without recommendation, as amended.

COTTRELL, Chairman

The above reported bill ordered on file for second reading.

Motion to Rush Printing of Assembly Bill No. 1041.

Mr. Clark moved that the Chief Clerk be instructed to place a rush order on the printing of Assembly Bill No. 1041.

Motion carried.

Third Reading of Assembly Bills.

Assembly Bill No. 1794—An act to amend the title of, and to amend, an act entitled "An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same, reenacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the 'Water Conservation Act of 1929,' and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred" (Chapter 1020, Statutes of 1931), to repeal sections 51 to 54 inclusive, and to add new sections to be numbered 51 to 80 inclusive, relating to exclusion of lands from water conservation districts and to improvement districts within water conservation districts (Chapter 906, Statutes of 1933).

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1794 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Chatters, Clark, Cottrell, Crowley, Cunningham, DeLap, Evans, Herbert J., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Lyon, Maloney, Martin, Mayo, Miller, Morgan, Patterson, Pelletier, Peyser, Redwine, Riley, Stream, Turner, Wagner, Waters, Williamson, Wright, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 20, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 748—An act to amend sections 4130 and 4140 of the Political Code, relating to county recorders, their duties and penalty for neglect thereof or for misconduct;

Also: Senate Bill No. 750—An act to amend section 409 of the Political Code, relating to the fees of the Secretary of State;

Also. Senate Bill No. 751—An act to amend section 4300c of the Political Code, relating to the fees of county recorders;

Also: Senate Bill No 749—An act to amend section 408 of the Political Code, relating to the duties of the Secretary of State.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 20, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 37—An act providing for the creation, organization, and government of joint districts composed of two or more counties, and to districts composed of a single county, for the purpose of maintaining joint county road camps and providing that persons confined in the county jail of any such county under a final judgment of imprisonment rendered in a criminal action or proceeding may be required to perform labor on the public work or public highways in any of such counties;

Also: Senate Bill No. 670—An act to amend the Insurance Code by repealing Chapter 8 of Part 2 of Division 2 thereof and adding a new Chapter 8 to Part 2 of Division 2, thereof, comprising sections 10640 to 10880, inclusive, and by repealing section 1700 thereof, all relating to life insurance principles, practice and business, and matters incidental thereto by mutual benefit life associations;

Also: Senate Bill No 719—An act to amend the Vehicle Code by amending sections 142, 147, 150, 151, 159, 160, 161, 165, 184, 186, 205, 206, 207, 211, 215, 239, 252, 375, 376, 378, 382, and 383; by adding section 234, relating to vehicles;

Also. Senate Bill No. 1007—An act to amend section 994 of and to add sections 995, 996, 997 and 998 to the Agricultural Code, relating to capri figs and their diseases, the elimination of fig endosepsis, and authorizing boards of supervisors to accept donations for the enforcement of the provisions of said sections.

J A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 20, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 586—An act to amend section 3663a of the Political Code, relating to the assessment of property by the State Board of Equalization and to provide that this act shall take effect immediately;

Also: Senate Bill No. 741—An act to amend sections 2955, 2956, 2957, 2963, 2965 and 2966; and to repeal section 2959 of the Civil Code; and to add to said code new sections numbered 2959a, 2974, 2975, 2976, 2977 and 2978, relating to mortgages of personal property, and including provisions for the continuity of the liens thereof, the securing of additional advances and obligations thereunder, mortgaging of natural increase of live stock and other animate chattels, and of after acquired and consumable property, and providing for the recording of fictitious mortgages and the inclusion of the provisions thereof in other mortgages by reference, and constructive notice of such mortgages by the recording thereof;

Also: Senate Bill No. 742—An act to amend section 2934 of the Civil Code, relating to mortgages in general and providing for the recording of certain subordination agreements and waivers relating to mortgages of, liens upon and interests in personal property;

Also: Senate Bill No. 743—An act to amend section 2980 of the Civil Code, and to provide for the recording of conditional sales contracts and leases of live stock, animate chattels, mining equipment and machinery, and bailment or feeder agreements relating to live stock and other animate chattels, and prescribing rights and remedies in connection therewith.

J. A BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 20, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Free Conference on Senate Bill No. 353—An

act to establish legislative standards in relation to the rehabilitation of agriculture and the regulation of producers, packers, distributors, shippers, marketers, handlers, processors and others dealing in agricultural, viticultural, horticultural, animal and poultry products and of any competing commodity or product thereof; to recognize, make effective and provide for the enforcement in this State of marketing agreements and licenses issued or prescribed by the Secretary of Agriculture of the United States under the National Agricultural Adjustment Act, being Public Act No. 10 of the Seventy-third Congress of the United States; to provide for the issuance, administration and enforcement of State marketing agreements and State licenses in connection therewith; to prescribe the powers, duties and jurisdiction of the State Director of Agriculture in relation thereto; to provide that said State and Federal marketing agreements and licenses shall be and establish standards of fair competition in this State; to suspend all antitrust and unfair competition laws of this State in conflict herewith and therewith; to repeal Chapter 1029 of the Statutes of 1933; to prescribe remedies, rights, duties and penalties with respect to violations hereof and thereof; to provide ways, means and moneys for the administration and enforcement of said State and Federal marketing agreements and licenses, to limit the effective period of this act; to declare the existence of a State and National agricultural emergency and the urgency of this act and that this act shall take effect immediately—the following Senators: Crittenden, Duval, and McCormack, to meet with a like committee from your honorable body.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 20, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 387—An act to amend sections 1031 and 1032 of the Code of Civil Procedure, relating to costs;

Also: Assembly Bill No. 1337—An act to amend section 4300g of the Political Code, relating to witness fees;

Also: Assembly Bill No. 992—An act to amend section 11 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation thereof," approved May 21, 1915, as amended, relating to the definition of dentistry;

Also: Assembly Bill No. 2030—An act to amend sections 1625.5 and 1626 of the Streets and Highways Code, relating to expenditures by boards of supervisors of moneys received by the counties from the motor vehicle fuel fund or from moneys received by the county for vehicle registration license fees and authorizing contributions to ad valorem special assessment proceedings, or the purchase, cancellation and retirement of bonds issued in any ad valorem acquisition or improvement district.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 387, 1337, 992 and 2030 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 20, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 838—An act to amend the Streets and Highways Code, by adding to Division I thereof a new chapter, to be numbered 6, relating to proceedings to change the grade or to establish the boundaries of State highways, and other proceedings affecting private property;

Also: Assembly Bill No. 174—An act to amend the title of Part I of Division V of the School Code, and to amend sections 5.1, 5.2, 5.10, 5.61 and 5.101 thereof, relating to State colleges;

Also: Assembly Bill No. 70—An act to add section 3757 to the Political Code, providing for the rejection of all fractions of a cent by auditors and tax collectors when computing taxes, penalties for delinquencies or interest and percentages on redemption;

Also: Assembly Bill No. 397—An act to provide for the levy and collection of taxes and assessments for the purpose of creating a fund for capital outlays by cities, counties, cities and counties or districts.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 838, 174, 70 and 397 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 20, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 713—An act to amend section 1 of an act entitled "An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor, providing for payment of compensation to the dependents of such convicts; pro-

viding for a forfeiture of such compensation; providing for creation of prisoners recreation and educational fund; providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith," approved June 9, 1923, as amended, relating to convict labor;

Also: Assembly Bill No 1264—An act to add a new section to the Political Code of the State of California, to be numbered 3719, authorizing the temporary borrowing of money by counties, cities and school districts upon the credit of revenue in course of collection, and the issuing of tax anticipation notes or warrants as evidence of such indebtedness;

Also: Assembly Bill No. 2411—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the county of Contra Costa, State of California.

J. A BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 713, 1264 and 2411 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 20, 1935

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2048—An act to amend the title and sections 1 and 2 of an act entitled "An act prohibiting the issuance as payment for wages of any evidence of indebtedness unless the same is negotiable and payable without discount, and providing that the same must be payable upon demand," approved March 1, 1911 (Stats. 1911, Chap 92), as amended, providing that evidences of indebtedness for wages must be payable upon demand and issued against sufficient funds or credit to cover the same and providing penalties for violation of the provisions thereof—and respectfully requests your honorable body to concur in said amendments.

J A BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 2048 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 20, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 99—An act to add a new section to the Code of Civil Procedure to be known as section 1872 thereof, requiring persons bringing actions for damages for personal injuries to submit to an examination of their persons;

Also: Assembly Bill No. 2437—An act to recognize certain corporations as agencies and instrumentalities of the United States, declaring the urgency thereof, and providing for the taking effect immediately thereof;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.

Assembly Bills Nos 99 and 2437 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 20, 1935.

MR. SPEAKER. I am directed to inform your honorable body that the Senate amended and on this day passed as amended, Assembly Bill No 1194—An act amending the title and sections 31, 32 and 33, of the "Improvement Act of 1911," approved April 7, 1911, as amended, relating to public improvements and the repair and reconstruction of portions of improved streets, avenues, lanes, alleys, courts or places, bulkheads, retaining walls or other works for the protection of the same and to the payment of the costs thereof and establishing a procedure for the same;

Also: Assembly Bill No. 1055—An act to amend sections 400 and 401 of the Vehicle Code, relating to tort liability of drivers of police, fire and other emergency vehicles maintained by governmental bodies;

Also: Assembly Bill No. 1819—An act to add a new section to the Probate Code, to be numbered 1558, providing for allowances by the court to next of kin of an insane or incompetent person out of surplus income of said insane or incompetent person;

Also: Assembly Bill No. 618—An act to provide for the regulation and licensing of greyhound racing and race meetings, and to permit wagering on the results thereof; to create the California Greyhound Racing Board for the regulation, licensing and super-

vision of greyhound racing and wagering thereon, to provide penalties for the violation of the provisions of this act, and to make an appropriation therefor;
And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1194, 1055, 1819 and 618 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 20, 1935.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No 1107—An act to amend the title and sections 1, 2, 3, 4 and 5 of, and to add section 6 to, an act entitled "An act to authorize municipal corporations to issue bonds, for the purpose of investing the proceeds arising from the sale thereof, in other bonds issued for public improvements," approved April 26, 1909, relating to the issuance, sale, or exchange and payment of the bonds issued under this act, and the acquisition, collection and payment of bonds acquired, declaring the urgency hereof and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 1107 read first time, and referred to Committee on Municipal Corporations.

Also:

SENATE CHAMBER, SACRAMENTO, May 20, 1935

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 325—An act to amend sections 1026, 1550, 1551, and 1552 of, and to repeal sections 1600 to 1605, inclusive, of the Streets and Highways Code, relating to road district taxes and the expenditure from county general funds of moneys for road district purposes by the board of supervisors;

Also: Senate Bill No. 633—An act to add section 3343 to the Civil Code, relating to damages in connection with fraud and deceit;

Also: Senate Bill No. 933—An act to amend sections 213, 288, 473, 489 and 1203 and to repeal section 19a thereof and to add a new section to be numbered 19a thereto, all relating to punishment for criminals;

Also: Senate Bill No 1090—An act to amend section 50 of the "State Housing Act," approved June 15, 1923, relating to the character and construction of fire escapes.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 325 read first time, and referred to Committee on County Government.

Senate Bill No. 633 read first time, and referred to Committee on Judiciary.

Senate Bill No. 933 read first time, and referred to Committee on Crime Problems.

Senate Bill No. 1090 read first time, and referred to Committee on Building and Construction.

Unfinished Business.

Consideration of Senate Amendments to Assembly Bill No. 457.

Assembly Bill No 457—An act to amend sections 10 and 17 of, and to add sections 3a, 5a, 18a and 21a to, the Improvement Act of 1911, relating to an alternative procedure for the doing of work under said act by receiving contributions of labor, materials or equipment from the United States Government or other governmental agencies, declaring the urgency thereof and providing that this act shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 457?

Amendment No. 1.

On page 2, line 24, of the printed bill, strike out "herein", and insert in lieu thereof, the following: "in said section 5 hereof".

Amendment No. 2.

On page 3, line 35, of the printed bill, strike out the word "contractor", and insert in lieu thereof the word "contract".

The roll was called, and Senate amendments to Assembly Bill No 457 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Chatters, Clark, Cottrell, Crowley, Cunningham, DeLap, Evans, Herbert J., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Hunt, Johnson, Jones, Kallam, Lyon, Maloney, Martin, Mayo, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Riley, Turner, Utt, Wagner, Walker, Waters, Williamson, Wright, and Mr Speaker—42.

NOES—None.

Assembly Bill No. 457 ordered to enrollment

Consideration of Senate Amendments to Assembly Bill No. 610.

Assembly Bill No. 610—An act amending section 1463 of the Penal Code, relating to the disposition of fines collected in municipal courts

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 610?

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out all of lines 4 to 18, both inclusive, and insert in lieu thereof the following: "law:

(1) All fines and forfeitures collected upon conviction or upon the forfeiture of bail, together with moneys deposited as bail, in any municipal court, shall, as soon as practicable after the receipt thereof, be deposited with the county treasurer of the county in which such court is situated.

(2) All fines and forfeitures collected upon conviction or upon the forfeiture of bail in any municipal court following complaints filed therein by officers or other persons employed by the State or by the county in which such court is situated, shall be paid or transferred, at least once a month, into the proper fund or funds of the county; and all fines or forfeitures collected in such court upon conviction or upon the forfeiture of bail following complaints filed therein by officers or other persons employed by the city for which such court is established shall be paid, at least once a month, to the treasurer of said city, by warrant of the county auditor, which shall be drawn upon the requisition of the clerk of said court."

Amendment No. 2.

On page 2 of the printed bill, as amended, strike out all of lines 3 to 7, both inclusive, and insert in lieu thereof the following: "money to any person, shall be apportioned between the city and the county and paid or transferred in the manner hereinabove provided for the apportionment and payment of fines and forfeitures."

The roll was called, and Senate amendments to Assembly Bill No. 610 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Chatters, Clark, Cottrell, Crowley, Cunningham, DeLap, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Hunt, Johnson, Jones, Lyon, Maloney, Martin, Mayo, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Redwine, Riley, Turner, Utt, Wagner, Walker, Waters, Williamson, Wright, and Mr. Speaker—43.

NOES—None.

Assembly Bill No 610 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1034.

Assembly Bill No. 1034—An act to amend sections 3817d, 3817f, 3817g and 3817h of, and to add sections 3817b3 and 3817c3 to, the Political Code, relating to taxation, including tax delinquencies, tax penalties and costs, tax redemption for tax sales and declaring the urgency thereof, to take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1034?

Amendment No. 1.

On page 2, line 3, of the printed bill, as amended, strike out "one", and insert in lieu thereof the following: "six".

Amendment No. 2.

On page 2, line 42, of the printed bill, as amended, strike out "one", and insert in lieu thereof the following: "six".

Amendment No. 3.

On page 5, line 11, of the printed bill, as amended, after the words "section 3817a", insert a comma and the following: "3817c, 3817c2 or 3817i".

Amendment No. 4.

On page 5, line 15, of the printed bill, as amended, after the word "code", insert the following: "or to redeem such property from delinquent taxes in accordance with the provisions of section 3817b3 of this code".

Amendment No. 5.

On page 5, line 16, of the printed bill, as amended, strike out "in installments".

Amendment No. 6.

On page 5, line 17, of the printed bill, as amended, strike out the comma and the following: "without interest thereon,".

Amendment No. 7.

On page 5, line 18, of the printed bill, as amended, strike out "section 3817", and insert in lieu thereof the following: "said section 3817a, 3817c, 3817c2 or 3817i".

Amendment No. 8.

On page 5 of the printed bill, as amended, strike out all of lines 19, 20, and 21, and insert in lieu thereof the following: "In the event of such election, for the purpose of computing interest payable with such installments or upon such redemption, such credit shall be first applied on and".

Amendment No. 9.

On page 5, line 23, of the printed bill, as amended, strike out the period and "Such", and insert in lieu thereof the following: "or from which redemption is to be made as the case may be. In the event payment is made in installments such".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1034 by the following vote:

AYES—None.

NOES—Anderson, Andreas, Boyle, Breed, Brennan, Chatters, Clark, Cottrell, Crowley, Cunningham, DeLap, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Hunt, Johnson, Jones, Lyon, Maloney, Martin, Mayo, Miller, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Redwine, Riley, Robertson, Turner, Utt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—44.

Consideration of Senate Amendments to Assembly Bill No. 1262.

Assembly Bill No. 1262—An act to amend section 1 of an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county, incorporated city or town, or municipal utility district, or flood control district," approved April 23, 1913, relating to the investment of surplus money.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1262?

Amendment No. 1.

On page 1 of the printed bill, in the last line of the title, strike out "Statutes of 1913, page 76, as amended.", and insert in lieu thereof the following: "relating to the investment of surplus money."

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "an act entitled "An act authorizing", and strike out all of lines 2, 3 and 4, and in line 5, strike out "control district,", and insert in lieu thereof the following: "the act cited in the title hereof".

Amendment No. 3.

On page 1, line 16, of the printed bill, strike out the word "of", and insert in lieu thereof the word "or".

Amendment No. 4.

On page 1, line 16, of the printed bill, after the words "issued by", strike out the word "any", and insert in lieu thereof the word "such".

Amendment No. 5.

On page 1, line 18, of the printed bill, after the words "utility district", insert the word "respectively".

Amendment No. 6.

On page 2 of the printed bill, strike out all of line 1, and insert in lieu thereof the following. "issued by the State of California, or in treasury notes or bonds of the United States, or those for which the faith and credit of the United States are pledged for the payment of principal and interest, and".

The roll was called, and Senate amendments to Assembly Bill No. 1262 were concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Chatters, Clark, Cottrell, Crowley, Cunningham, DeLap, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Garibaldi, Geyer, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Jones, Lyon, Maloney, Martin, Mayo, Miller, Morgan, Patterson, Pelletier, Peyser, Redwine, Riley, Robertson, Turner, Utt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—44.

NOES—None.

Assembly Bill No 1262 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 64.

Assembly Bill No. 64—An act to amend sections 1206 and 1207 of the Code of Civil Procedure, relating to preferred claims for work or personal services.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 64?

Amendment No. 1.

On page 2, line 3, of the printed bill, as amended, at the end of the sentence, add a new sentence reading as follows: "In levying any execution the officer making the levy shall include in the amount due under the execution any and all preferred labor claims that have been filed in the action and of which he has notice, except any claims which may have been finally disallowed by the court under the procedure provided for herein and of which disallowance he has actual notice The amount due on preferred labor claims that have not been finally disallowed by the court shall be considered a part of the sum due under any attachment, garnishment or execution in augmentation of the amount thereof and it shall be the duty of any person, firm, association or corporation on whom a writ of attachment, garnishment or execution is levied to immediately pay to the levying officer the amount of such preferred labor claims, out of any money belonging to the defendant in the action, before paying the principal sum called for in the writ"

Amendment No. 2.

On page 2, line 11, of the printed bill, as amended, strike out the word "thereafter", and insert in lieu thereof the following: "after such copy is deposited in the mail or is handed to the claimant or his attorney".

Amendment No. 3.

On page 2, line 14, of the printed bill, as amended, before the word "The", insert a new sentence reading as follows: "If more than one attachment, garnishment or execution is involved the petition shall be filed in the court having jurisdiction over the senior attachment, garnishment or execution."

Amendment No. 4.

On page 2, line 19, of the printed bill, as amended, after the word "notice", insert "may be informal and need specify merely the name of the court, names of the principal parties to the senior attachment, garnishment or execution and name of the wage claimant or claimants on whose behalf it is filed but"

Amendment No. 5.

On page 2, lines 24 to 27, of the printed bill, as amended, strike out the following: "An appeal lies from any judgment under this section, such appeal to be taken in the manner provided for appeals from the court in which such judgment is had.", and insert in lieu thereof the following: "There shall be no cost for filing or hearing the petition and the hearing on same shall be informal but all parties testifying must be sworn. Any claimant may appear on his own behalf at the hearing and

may call and examine witnesses to substantiate his claim An appeal may be taken from a judgment in a proceeding under this section in the manner provided for appeals from judgments of the court where the proceeding is had"

Amendment No. 6.

On page 2, line 39, of the printed bill, as amended, strike out the word "verified", and insert in lieu thereof the word "sworn".

Amendment No. 7.

On page 2, line 43, of the printed bill, as amended, before the word "If", insert a new sentence reading as follows: "Such sworn statement can not be made on information and belief unless the party swearing to same has actual information and belief that the wage claim, or the portion thereof that is contested, is not justly due, and in such case the nature and source of the information must be given."

The roll was called, and Senate amendments to Assembly Bill No. 64 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Chatters, Clark, Cottrell, Crowley, Cunningham, DeLap, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Garibaldi, Geyer, Gilbert, Hawkins, Hunt, Johnson, Jones, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Redwine, Riley, Robertson, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—49.

NOES—None.

Assembly Bill No. 64 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 1342.

Assembly Bill No 1342—An act to amend section 1429 of the Penal Code, relating to the entering of pleas by a defendant.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1342?

Amendment No. 1.

On page 1, line 5, of the printed bill, after the word "and", and before the word "may", insert the following: "in the case of a misdemeanor".

The roll was called, and Senate amendment to Assembly Bill No. 1342 was concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Chatters, Clark, Cottrell, Crowley, Cunningham, DeLap, Evans, Herbert J., Evans, Ralph W, Fisher, Flint, Garibaldi, Geyer, Gilbert, Hawkins, Hunt, Johnson, Jones, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Redwine, Riley, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—48

NOES—None

Assembly Bill No 1342 ordered to enrollment

Reconsideration of Assembly Bill No. 1684 Waived.

Mr. Hunt waived his notice to reconsider the vote whereby Assembly Bill No 1684 was passed

Assembly Bill No 1684 ordered transmitted to the Senate

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1134—An act to amend section 2 and section 3 of an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof," and repealing an act entitled "An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications, fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the

expense of conducting the office, approved March 20, 1905," approved May 31, 1917, as amended, relating to its organization and defining its powers and duties.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Cottrell:

Amendment No. 1.

On page 2, line 26, of the printed bill, strike out "twenty-five", and insert in lieu thereof the word "twelve".

Amendment adopted.

Request for Unanimous Consent.

Mr. Cottrell asked for, and was granted, unanimous consent to take up Assembly Bill No. 1134, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1134, as Amended.

Assembly Bill No. 1134, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1134, as amended, passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Donnelly, Evans, Herbert J., Fisher, Frazier, Garibaldi, Heisinger, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, O'Donnell, Peyser, Phillips, Redwine, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—44.

NOES—Anderson, Burns, Cassidy, Crowley, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Hunt, Jones, Laughlin, Lore, McCarthy, Meehan, Pelletier, Reaves, Richie, Robertson, Rosenthal, and Wagner—22.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1215—An act to amend section 11 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the regulation of the practice of optometry.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1215 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Clark, Corwin, Crowley, Cunningham, DeLap, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Redwine, Richie, Riley, Robertson, Rosenthal, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—55

NOES—Chatters, Donahue, Geyer, Kallam, Latham, Mayo, McCarthy, O'Donnell, and Reaves—9.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 197—An act granting in trust to the City and County of San Francisco the interest of the State in and to, and the control and management of the harbor of San Francisco, as described

in the act; providing for the disposition of revenues derived from the operation of said harbor; providing for the sale of bonds authorized but not sold; providing for the payment of interest on bonds, and for the redemption of bonds; fixing the terms and conditions of the grant; providing for the issuance of a proclamation by the Governor.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Peyser:

Amendment No. 1.

On page 12, line 10, of the printed bill, as amended, strike out "operating".

Amendment No. 2.

On page 12 of the printed bill, as amended, strike out lines 17 to 25, inclusive, and insert in lieu thereof the following: "City and County of San Francisco.

Such persons shall as to the positions now held by them have seniority in preference over all other persons, and shall have such seniority and preference, in case of lay-off, on the eligible list, over all other persons whether or not employees of the City and County of San Francisco and whether or not on an eligible list of the City and County of San Francisco.

SEC 13 If persons who are in the employ of the Board of State Harbor Commissioners when this act becomes effective are continued in the employ of the board vested by the City and County of San Francisco with the management and control of said harbor, and if such persons become members of the San Francisco city and county employees' retirement system, then the contributions standing to the credit of said persons in the State Retirement System at the date this act becomes effective shall be transferred to the San Francisco city and county employees' retirement system, with interest at the rate of four per cent per annum from the first of the month following that for which the contribution was made, to such effective date, plus such rate of interest as shall have been earned on such contributions in excess of four per cent, while in the State Employees' Retirement fund, all interest to be compounded at each June 30th. Contributions, with interest as described in the next preceding sentence, which shall have been made from the harbor fund to the State Employees' Retirement System on account of the membership of said persons in the said State Retirement System, shall be transferred to the San Francisco city and county employees' retirement system At the time contributions are transferred as set forth herein, an amount equal to the difference between the contributions, with interest, of employees referred to in the first sentence of this section and the contributions referred to in the next preceding sentence, shall be paid from the harbor fund to the San Francisco city and county employees' retirement system, all for the purpose of meeting the requirement in that system that the employer s contributions shall be equal to contributions of the employees. Said persons shall receive credit as prior service under said San Francisco city and county employees' retirement system, for all services rendered prior to January 1, 1932, as employees of the Board of State Harbor Commissioners in exactly the same manner as said credit would have been granted had such service been rendered as employees of an office or department of the City and County of San Francisco, the cost of benefits allowed on the basis of such service to be met by contributions from the harbor fund

Any person who shall have been retired under the State Employees' Retirement System from employment by the Board of State Harbor Commissioners and shall be receiving a retirement allowance from such system on the effective date of this act, shall thereafter receive the retirement allowance from said San Francisco system An amount equal to the actuarial value, at said effective date and according to the tables adopted by the Board of Administration of said State system, of the portion of said retirement allowance, as defined in Chapter 700, Statutes of 1931, which was calculated on the basis of service rendered by said person after December 31, 1931, shall be transferred from said State Retirement System to said San Francisco system The portion of said retirement allowance, which was calculated on the basis of service rendered prior to January 1, 1932, shall be paid, after said effective date, by said San Francisco retirement system and charged against the harbor revenues The status of said retired person under the San Francisco system shall be the same in all respects, except as to amount of retirement allowance and death benefit, as if he had been originally retired under that system

Since it is the intent of this section that the memberships in the San Francisco city and county employees' retirement system of the persons herein referred to shall be the same, as far as is practical, as if contributions made by them to the State Employees' Retirement System had been made instead to the said San Francisco system, the transfer of funds from the State Employees' Retirement System to the San Francisco city and county employees' retirement system shall be accomplished

by the transfer of bonds owned by the former, with a book value as shown on the records of the said State Retirement System, equal to the amount of contributions, with interest, to be transferred. Such bonds shall be of issues approved by the retirement board of the said San Francisco system for the investment of funds of said system, and shall have an average effective interest yield to the maturity of such bonds at a rate, based on the said book value, at least equal to the average rate of interest realized, during the fiscal year ending on June 30th next preceding the effective date of this act, by the said San Francisco retirement system on the book value of bonds owned by it.

The records held in the office of the State Employees' Retirement System in connection with the memberships therein of persons referred to in the first and second paragraphs of this section shall be transferred to the said San Francisco system in accordance with and to the extent of an agreement to be entered into between the governing boards of the two systems.

SEC. 14 All persons employed in the service of the Board of State Harbor Commissioners at the time this act goes into effect and who have been employed at least one year prior to the date when this act goes into effect, and who on the date this act takes effect reside outside the City and County of San Francisco shall not thereafter be required to reside within the City and County of San Francisco, nor shall they otherwise have their residence restricted.

SEC. 15. The provisions of sections 12, 13 and 14, in respect to persons employed in the service of the Board of State Harbor Commissioners at the time this act takes effect shall also apply to heads of departments and bureaus in such service in the same manner as to the other employees.

SEC. 16 All work done in the area described in this act by such board, commission, or public officers as are vested by the city and county with the management and control of said area shall be exempt from any restriction by the City and County of San Francisco as to the mode of doing such work."

Amendment No. 3.

On page 12, line 26, of the printed bill, as amended, strike out "13", and insert in lieu thereof the following "17".

Amendment No. 4.

On page 12, line 44, of the printed bill, as amended, strike out "14", and insert in lieu thereof the following: "18".

Amendment No. 5.

On page 13, line 1, of the printed bill, as amended, strike out "15", and insert in lieu thereof the following: "19".

Amendment No. 6.

On page 13 of the printed bill, as amended, between lines 2 and 3, insert the following:

"SEC. 20. This act shall take effect upon the adoption of amendments to the charter of the City and County of San Francisco accepting its provisions and particularly providing that the provisions of sections 12 to 17, inclusive, and sections 20 and 21 of this act shall become effective notwithstanding any other provisions in said charter. Upon such acceptance this act shall become effective as a contract in perpetuity between the State of California and the City and County of San Francisco, and shall cease to become effective and the property and rights conveyed shall be forfeited to the State of California upon adoption of any provisions in the charter of the City and County of San Francisco in violation of the provisions of this act after such acceptance.

SEC. 21. The operations and activities of the city and county in the area described in this act in relation to the harbor of San Francisco shall, until the year 1970, be continued as a separate and distinct department of the government of said city and county and shall not be consolidated as to personnel or operation with any other department, activity or function thereof."

Amendment No. 7.

On page 13, line 3, of the printed bill, as amended, strike out "16", and insert in lieu thereof the following: "22".

Amendment No. 8.

On page 13, line 7, of the printed bill, as amended, strike out the period, and insert in lieu thereof a comma and the following: "except that if any provision of sections 12 to 17, inclusive, or of section 20 or 21 is for any reason held to be unconstitutional, the remaining portions of this act shall become ineffective and inoperative."

Amendment No. 9.

On page 13, line 10, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following, ", other than the provisions of sections 12 to 17, inclusive, and sections 20 and 21."

Amendments adopted.

Request for Unanimous Consent.

Mr. Peyser asked for, and was granted, unanimous consent to take up Assembly Bill No. 197, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 197, as Amended.

Assembly Bill No. 197, as amended, read third time.

The question being on the passage of the bill.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Hornblower moved a call of the House.

Request for Roll Call.

On request of Messrs. Hornblower, Gilmore, and Cronin, the Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Ralph W., Frazier, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, and Mr. Speaker—55.

NOES—Donihue, Evans, Herbert J., Fisher, Gilbert, Heisinger, Latham, Voigt, and Wright—8.

Time, eleven o'clock and thirty minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—63.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 338—An act to add section 731a to the Code of Civil Procedure, relating to the use of the injunction in industrial or commercial zones.

Bill read third time.

Floor Amendments.

During third reading of the bill, amendments were submitted by Mr. Martin.

Amendments adopted.

Motion to Expunge Record.

Mr Martin moved that the vote taken on the amendments submitted by Mr. Martin to Assembly Bill No 338, be expunged from the record, and the action rescinded.

Motion carried.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Riley:

Amendment No. 1.

On page 1, line 14, of the printed bill, as amended in Assembly May 11, 1935, after the word "plants", insert a comma and the following word: "refineries".

Amendment adopted.

Request for Unanimous Consent.

Mr. Martin asked for, and was granted, unanimous consent to take up Assembly Bill No. 338, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 338, as Amended.

Assembly Bill No. 338, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 338, as amended, passed by the following vote:

AYES—Andreas, Breed, Brennan, Cassidy, Chatters, Corwin, Cottrell, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Hornblower, Jones, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Peterson, Peyser, Redwine, Richie, Stream, Thorp, Turner, Utt, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—45.

NOES—Anderson, Boyle, Burns, Cronin, Crowley, Dawson, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Laughlin, Lore, McCarthy, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Riley, Robertson, Rosenthal, Voigt, and Wallace—30.

Title read and approved.

Bill ordered transmitted to the Senate.

Motion to Strike Assembly Bill No. 409 from File.

Mr. Brennan moved that Assembly Bill No. 409 be stricken from the file.

Motion carried.

Assembly Bill No. 409 ordered stricken from the file.

Motion to Strike Assembly Bill No. 1848 from File.

Mr. Rosenthal moved that Assembly Bill No. 1848 be stricken from the file.

Motion carried.

Assembly Bill No 1848 ordered stricken from the file.

Withdrawal of Assembly Bill No. 685.

By order of the Speaker, Assembly Bill No. 685 was withdrawn from the file, and referred to Committee on Insurance.

Assembly Bill No. 157—An act to add a new section to the Penal Code, to be numbered 368b, relating to the safe manning of railroad engines.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Hunt:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 3 to 10, inclusive, and insert in lieu thereof the following:

"368b. Every railroad company, superintendent or other employee of a railroad company, who sends or causes to be sent out on a main track a light engine or more than one light engine coupled without cars, to a point more than three miles distant from the original starting point, with less than one engineer and one fireman for each engine, and less than one brakeman for each train unit, shall be guilty of a misdemeanor and punishable by a fine of not less than one hundred dollars for each offense."

Amendment adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1349—An act to amend section 817 of the Penal Code, relating to peace officers.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Welsh:

Amendment No. 1.

On page 1, line 5, of the printed bill, as amended, after the comma after "town", insert the following: "whether active or honorably retired or pensioned either by length of service or for disability received in line of duty,".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 14 to 18, inclusive, and insert in lieu thereof a period.

Amendments adopted.

Request for Unanimous Consent.

Mr. Welsh asked for, and was granted, unanimous consent to take up Assembly Bill No. 1349, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1349, as Amended.

Assembly Bill No. 1349, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1349, as amended, passed by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Garibaldi, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Weber, Welsh, Williamson, Wright, and Mr. Speaker—61.

NOES—Donnhue, Geyer, Gilbert, Riley, and Robertson—5.

Title read and approved.

Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the House Dispensed With.

At twelve o'clock and thirteen minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Hornblower.

The roll of absentees was called, and Assembly Bill No. 197, as amended, was passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Evans, Herbert J., Field, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Miller, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—51.

NOES—Anderson, Burns, Cassidy, Chatters, Crowley, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Frazier, Garibaldi, Heisinger, Johnson, Latham, Mayo, McCarthy, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Phillips, Robertson, Utt, and Wright—27.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 246—An act for the regulation and control of corporations organized for the purpose of operating nonprofit hospital service plans.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Cronin:

Amendment No. 1.

On page 2, line 12, of the printed bill, as amended May 8, 1935, after the word "hospital", strike out the remainder of that line, all of line 13, and "X-ray, clinical and other laboratories of hospitals" in line 14

Amendment adopted.

Request for Unanimous Consent.

Mr. Cronin asked for, and was granted, unanimous consent to take up Assembly Bill No. 246, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Further Consideration Deferred.

Further consideration of Assembly Bill No. 246, as amended, deferred.

Recess.

At twelve o'clock and fifteen minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until one o'clock and forty-five minutes p.m., of this day.

Reassembled.

At one o'clock and forty-five minutes p m , the Assembly reconvened. Speaker Craig in the chair.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Mayo:

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows.

An act to add to Division I of the Streets and Highways Code a new Chapter 3a, comprising sections 750 to 754, inclusive, to provide for the conservation, development and maintenance of the scenic value along State highways and important county highways.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1278—An act to amend section 2 of and to add section 2a to "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, relating to collection agencies and the regulation, supervision and licensing thereof;

Also: Assembly Bill No. 2467—An act to add to the Probate Code a new section, to be numbered 201a, and amending section 220 of the Probate Code, both relating to the laws of succession;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LYON, Chairman.

The above reported bills ordered on file for second reading.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1935.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 2429—An act to provide for the formation, management, alteration of boundaries, and dissolution of storm drain maintenance districts, defining the powers of the board of supervisors and the county surveyor relative to such districts and providing for the levy and collection of taxes to defray the expenses thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DELAP, Chairman.

The above reported bill ordered on file for second reading.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1935.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 2465—An act to add section 1156 to the Agricultural Code, relating to marketing—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1935.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Senate Bill No. 237—An act to amend section 487 of, to add section 641 to, and to amend section 493 of, the Streets and Highways Code, relating to State highways;

Also: Senate Bill No. 332—An act to amend section 1 of an act entitled "An act relating to the doing of public work by day's labor or force account, except emergency and maintenance work and work costing less than ten thousand dollars; requiring the State Highway Engineer, State Engineer, the State Architect, county engineers, county surveyors, city and county engineers, county highway engineers, road commissioners, city engineers, commissioners of public works, superintendents of streets, harbor engineers, flood control engineers and the engineers of any reclamation, irrigation or other districts, political subdivisions or agencies of the State directing, supervising or superintending such work, or in charge of the engineering for or in connection therewith, to keep the costs, prepare and file plans, specifications and estimates of cost, and, upon completion, prepare and file certificates of cost thereof; and providing for the keeping of such plans, specifications and certificates as public records," approved June 21, 1923, relating to the doing of public work by day's labor or force account;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

STREAM, Chairman

The above reported bills ordered on file for second reading.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1935

MR. SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 884—An act to add section 321.5 to the Agricultural Code, relating to meat

inspection—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1935.

MR SPEAKER: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No 2—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, being an amendment of section 1 of Article II of said Constitution, relative to elections and eligibility of voters, disabilities and absent voters—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

LATHAM, Chairman.

Senate Constitutional Amendment No. 2 ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 76—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 9 of Article IX thereof, relating to a board of higher education—has had the same under consideration, and respectfully reports the same back without recommendation.

LATHAM, Chairman.

Assembly Constitutional Amendment No. 76 ordered on file for adoption.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2160—An act to amend section 117p of the Code of Civil Procedure, relating to fees in small claims courts—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LYON, Chairman.

The above reported bill ordered on file for second reading.

Motion to Re-refer Assembly Bill No. 2267.

Mr. Scudder moved that Assembly Bill No. 2267 be withdrawn from file, and ordered re-referred to Committee on Fish and Game.

The question being on re-referring Assembly Bill No. 2267 to Committee on Fish and Game.

Motion carried.

Assembly Bill No. 2267 ordered re-referred to Committee on Fish and Game.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1304—An act to amend sections 1, 2, 3, 4, 5, 6 and 7 of an act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores, and spotting, sponging, and/or pressing establishments, or agencies thereof, and private schools and colleges of spotting, sponging, and/or pressing; providing for the registration or licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violations," approved June 3, 1927, relating to cleaning and dyeing.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Boyle:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "amend", insert the following: "the title and".

Amendment No. 2.

On page 1, line 7 of the title of the printed bill, as amended, strike out "or", and insert in lieu thereof the following: "and".

Amendment No. 3.

On page 1 of the printed bill, as amended, in the next to the last line of the title, strike out "June 3, 1927", and insert in lieu thereof the following: "May 28, 1931".

Amendment No. 4.

On page 1, line 1, of the printed bill, as amended, strike out "Section 1", and insert in lieu thereof the following: "The title of".

Amendment No. 5.

On page 1 of the printed bill, as amended, between lines 2 and 3, insert the following: "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores, and spotting, sponging, and pressing establishments, or agencies thereof, and private schools and colleges of spotting, sponging, and pressing; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Division of Fire Safety in the Department of Industrial Relations; providing for enforcement, and providing penalties for violations.

SEC. 2. Section 1 of the act cited in the title hereof is hereby amended to read as follows:".

Amendment No. 6.

On page 4, line 35, of the printed bill, as amended, strike out "Sec. 2", and insert in lieu thereof the following: "Sec. 3".

Amendment No. 7.

On page 5, line 17, of the printed bill, as amended, strike out "Sec. 3", and insert in lieu thereof the following: "Sec. 4".

Amendment No. 8.

On page 6, line 20, of the printed bill, as amended, after "foregoing," insert the following: "or any agency of a clothes cleaning establishment or a cleaning and dyeing establishment,".

Amendment No. 9.

On page 6 of the printed bill, as amended, strike out line 24, and insert in lieu thereof the following: "who at the time of the approval of this act".

Amendment No. 10.

On page 6, line 25, of the printed bill, as amended, strike out "hereof".

Amendment No. 11.

On page 6, line 28, of the printed bill, as amended, after "ment," insert the following: "or any agency of the foregoing, or any agency of a clothes cleaning establishment or cleaning and dyeing establishment,".

Amendment No. 12.

On page 6, lines 29 and 30, of the printed bill, as amended, strike out "as an owner, or part owner,".

Amendment No. 13.

On page 6 of the printed bill, as amended, strike out lines 32 to 34, inclusive, and insert in lieu thereof the following: "payment of the fee hereinafter set forth, be granted without investigation".

Amendment No. 14.

On page 6, line 38, of the printed bill, as amended, after the first word in the line, insert the following: "an agency of the foregoing, or an agency of a clothes cleaning establishment or a cleaning and dyeing establishment, or".

Amendment No. 15.

On page 6, line 39, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: ", as the case may be."

Amendment No. 16.

On page 6, line 48, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: ", or a person registered in accordance with the provisions of the preceding paragraph."

Amendment No. 17.

On page 8, line 29, of the printed bill, as amended, strike out "Sec. 4", and insert in lieu thereof the following: "Sec. 5".

Amendment No. 18.

On page 11 of the printed bill, as amended, strike out line 31, and insert in lieu thereof the following. "(b) Unlawful conduct or practices;".

Amendment No. 19.

On page 12, line 11, of the printed bill, as amended, strike out "Sec 5", and insert in lieu thereof the following: "Sec. 6".

Amendment No. 20.

On page 14, line 47, of the printed bill, as amended, strike out "Sec. 6", and insert in lieu thereof the following: "Sec 7".

Amendment No. 21.

On page 15, line 7, of the printed bill, as amended, strike out "Sec. 7", and insert in lieu thereof the following: "Sec. 8".

Amendment No. 22.

On page 5, line 13, of the printed bill, as amended, after "employees", insert a comma and the following: "subject to Civil Service Laws,".

Amendment No. 23.

On page 10, line 48, of the printed bill, as amended, strike out "twenty", and insert in lieu thereof the following: "ten".

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Motion to Re-refer Assembly Bill No. 1155.

Mr. Boyle moved that Assembly Bill No. 1155 be withdrawn from file, and ordered re-referred to Committee on Fish and Game.

The question being on re-referring Assembly Bill No. 1155 to Committee on Fish and Game.

Motion carried.

Assembly Bill No. 1155 ordered re-referred to Committee on Fish and Game.

Assembly Bill No. 112—An act to amend section 105 of the Code of Civil Procedure, relating to justices' courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 112 passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Evans, Ralph W., Fisher, Flint, Fulcher, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Lore, Maloney, Mayo, McCarthy, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, and Mr. Speaker—46.

NOES—Donihue and Geyer—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 122—An act to amend sections 5 and 7 of the Retail Sales Tax Act of 1933, relating to the rate of tax and exemptions, including refunds.

Bill read third time.

Floor Amendments.

During third reading of the bill, amendments were submitted by Mr. Hunt.

Motion to Expunge Record.

Mr. Jones moved that the vote taken on the amendments submitted by Mr. Hunt to Assembly Bill No. 122 be expunged from the record, and the action rescinded.

Motion carried.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Hunt:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "sections 5 and 7", and insert in lieu thereof the following: "section 5".

Amendment No. 2.

On page 1, lines 2 and 3 of the title of the printed bill, as amended, strike out "including refunds", and insert in lieu thereof the following: "and to provide that this act shall take effect immediately."

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out lines 23 and 24, and on page 2, strike out lines 1 and 2, and insert in lieu thereof the following:

"(e) The gross receipts from the sale of food products for human consumption. "Food products" as used herein include cereals and cereal products,".

Amendment No. 4.

On page 2, line 4, of the printed bill, as amended, strike out ", except shell fish".

Amendment No. 5.

On page 2, line 6, of the printed bill, as amended, strike out "spice", and insert in lieu thereof the following: "spices".

Amendment No. 6.

On page 2 of the printed bill as amended, strike out lines 12 to 15, inclusive, and insert in lieu thereof the following: "with, nor does the term "food products" include the furnishing, preparing or serving for a consideration of any tangible personal property consumed on the premises of the person furnishing, preparing or serving such tangible personal property."

Amendment No. 7.

On page 2 of the printed bill, as amended, strike out lines 16 to 50, inclusive, and insert in lieu thereof the following:

"SEC. 2. This act, inasmuch as it provides for a tax levy for the usual current expenses of the State, shall, under the provisions of section 1 of Article IV of the Constitution, take effect immediately."

The question being on the amendments submitted by Mr. Hunt.

Motion to Set Special Order for Further Consideration of Assembly Bill No. 122.

Mr Jones moved that the further consideration of Assembly Bill No. 122, and amendments pending, be made a special order for Wednesday, May 22, 1935, at ten o'clock and thirty minutes a.m.

Motion carried.

Special Order.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Senate Bill No. 78.

Senate Bill No. 78—An act to authorize the creation and establishment of a public utilities commission within any city, city and county, county, local governmental agency, society, association, authority or entity rendering service to the public, and to authorize the issuance and sale of revenue bonds for the purpose of defraying costs of construction or acquisition of public utilities and extension, repairs, replacements and improvements to public utilities; for the acquisition, production,

purchase, sale and distribution of products, commodities, energy or services of such public utilities, providing for the payment of such bonds and the interest thereon.

Bill read third time

Demand for Previous Question.

Messrs. Garibaldi, Weber, Fisher, Robertson and Voigt demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 78 finally passed by the following vote:

AYES—Anderson, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Ralph W., Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, Mayo, McCarthy, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Rosenthal, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, Welsh, and Williamson—55.

NOES—Andreas, Breed, Corwin, DeLap, Evans, Herbert J., Field, Frazier, Kallam, Latham, Lyon, Martin, McBride, Minard, Redwine, Riley, Robertson, Scudder, Stream, Utt, Wallace, Wright, and Mr. Speaker—22.

Title read and approved

Notice of Reconsideration of Senate Bill No. 78.

Mr. Utt gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 78 was this day passed.

Explanation of Vote.

My vote on Senate Bill No. 78 shows not voting. I pushed the "aye" button O. K. but it did not register.

GENE FLINT.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No 437—An act to amend section 112 of the Code of Civil Procedure, relating to the jurisdiction of justices' courts.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Robertson:

Amendment No 1.

On page 1, line 1 of the title of the printed bill, as amended, after "112 of", insert the following: ", and to add section 112a to.".

Amendment No. 2.

On page 3 of the printed bill, as amended, between lines 22 and 23, insert the following:

"The foregoing provisions relative to Class A justices' courts, in counties having a population of less than nine hundred thousand, shall not be applicable to counties having a population of less than one hundred thousand, and in such counties containing a population of less than one hundred thousand as ascertained by the last preceding census taken under the authority of the Congress of the United States or the Legislature of the State of California, Class A justices' courts located in said county shall have territorial jurisdiction only to the boundaries or city limits of the city, town, or judicial township in which the said Class A justices' court is located."

Amendment No. 3.

On page 3 of the printed bill, as amended, after line 52, add the following:

"SEC. 2. Section 112a is hereby added to the Code of Civil Procedure, to read as follows:

112a. In all counties containing a population of less than one hundred thousand as ascertained by the last preceding census or taken under the authority of the Congress of the United States or the Legislature of the State of California, the superior court shall have jurisdiction of civil actions in excess of the sum of three hundred dollars. In the event there is a Class A justices' court located in said county, which

county contains a population of less than one hundred thousand as ascertained by the last preceding census taken under the authority of the Congress of the United States or the Legislature of the State of California, then and in that event the said Class A justices' court shall have exclusive jurisdiction in all cases at law as enumerated in subdivision two of section 112 of this code, said jurisdiction to extend only to the boundaries or city limits of the city, town, or judicial township in which the said Class A justices' court is located, and in all other portions of the county the superior court shall have exclusive jurisdiction in all cases at law in which the demand is in excess of the sum of three hundred dollars"

Amendments adopted.

Request for Unanimous Consent.

Miss Miller asked for, and was granted, unanimous consent to take up Assembly Bill No. 437, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 437, as Amended.

Assembly Bill No. 437, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 437, as amended, passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—70.

NOES—Cassidy, Donihue, and Heisinger—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1189—An act to amend sections 274c, 437c, 594, 632, 973 and 1033 of the Code of Civil Procedure, and to add sections 35 and 982a thereto, relating to civil actions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1189 passed by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—68.

NOES—Donihue—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 669—An act to add section 3817½ to the Political Code, relating to taxation

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Mayo:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out lines 11 to 13, inclusive, and insert in lieu thereof the following "ing"

Amendment No. 2.

On page 3 of the printed bill, as amended, strike out lines 15 to 17, inclusive, and insert in lieu thereof the following: "that he has refused the offer of the board. The notice above".

Amendment No. 3.

On page 3, lines 34 and 35, of the printed bill, as amended, strike out "and the quitclaim deed heretofore provided for shall be retained by the county".

Amendments adopted.

Request for Unanimous Consent.

Mr Mayo asked for, and was granted, unanimous consent to take up Assembly Bill No 669, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 669, as Amended.

Assembly Bill No. 669, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 669, as amended, passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Utt, Voigt, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—69.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 422—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Wallace:

Amendment No. 1.

On page 3, line 21, of the printed bill, change the period to a semicolon and add the following: "but where debts are incurred by any such person, or his wife or family for the common necessaries of life, or incurred for personal services rendered by any employee, or former employee, or if at the time of the attachment or execution the debtor has no family residing in this State supported in whole or in part by his labor, one-half of such earnings above mentioned is nevertheless subject to execution, garnishment or attachment to satisfy debts so incurred."

Amendment adopted.

Request for Unanimous Consent.

Mr. Johnson asked for, and was granted, unanimous consent to take up Assembly Bill No 422, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 422, as Amended.

Assembly Bill No. 422, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Johnson:

Amendment No. 1.

On page 1, lines 3 and 4, of the printed bill, as amended, strike out the following: "the following sections", and insert in lieu thereof the following: "sections 690.1 to 690.23, inclusive, of this code".

Amendment No. 2.

On page 2, line 19, of the printed bill, as amended, insert the words "or chiropractor", after the word "optometrist".

Amendment No. 3.

On page 2, line 38, of the printed bill, as amended, strike out the word "mine", and insert in lieu thereof the following: "miner".

Amendment No. 4.

On page 4, line 51, of the printed bill, as amended, after the word "funeral", insert the following words: "and/or interment".

Amendment No. 5.

On page 5, line 39, of the printed bill, as amended, strike out the following: "the foregoing sections", and insert in lieu thereof the following: "sections 690.1 to 690.23, inclusive, of this code".

Amendments adopted.

Request for Unanimous Consent.

Mr. Johnson asked for, and was granted, unanimous consent to take up Assembly Bill No. 422, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 422, as Amended.

Assembly Bill No. 422, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Jones:

Amendment No. 1.

On page 4, line 50, of the printed bill, as amended today, strike out "but where the beneficiary contracts in", and also strike out all of lines 51 and 52.

The question being on the amendment submitted by Mr. Jones.

Request for Roll Call.

On request of Messrs Hornblower, Jones and Wallace, the Speaker ordered a roll call taken on the amendment submitted by Mr. Jones.

The roll was called, and the amendment was adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Clark, Cottrell, Cronin, Crowley, Desmond, Donihue, Donnelly, Evans, Ralph W., Frazier, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Jones, Kallam, Latham, Laughlin, Lore, Meehan, Miller, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Thorp, Utt, Voigt, Wagner, Weber, Williamson, Wright, and Mr. Speaker—48.

NOES—Breed, Corwin, Cunningham, DeLap, Evans, Herbert J., Fisher, Garibaldi, Hornblower, Hunt, Johnson, Lyon, Maloney, Martin, McCarthy, McMurray, Minard, Redwine, Scudder, Stream, Walker, Wallace, Waters, and Welsh—23.

Request for Unanimous Consent.

Mr. Johnson asked for, and was granted, unanimous consent to take up Assembly Bill No. 422, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 422, as Amended.

Assembly Bill No. 422, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 422, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—66.

NOES—Burns, Cassidy, Cottrell, Dawson, Frazier, Hornblower, Hunt, Morgan, and Scudder—9.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 1192—An act to add section 95 to the Agricultural Code, relating to and providing for the exhibition of live stock in southern California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1192 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Evans, Herbert J., Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Riley, Rosenthal, Scudder, Thorp, Utt, Waters, Weber, Welsh, Wright, and Mr. Speaker—54.

NOES—Burns, Cassidy, Donihue, Donnelly, Evans, Ralph W., Frazier, Fulcher, Heisinger, Johnson, Minard, Nielsen, O'Donnell, Richie, Robertson, Stream, Wagner, and Wallace—17.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1464—An act to amend section 182 of the Penal Code, relating to punishment for criminal conspiracy.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Brennan:

Amendment No. 1.

On page 1, line 14, of the printed bill, strike out the period, and insert in lieu thereof a semicolon.

Amendment No. 2.

On page 1, line 15, of the printed bill, strike out "as follows:", and strike out all of lines 16 and 17, and in line 18, strike out "section, they shall be punishable".

Amendment No. 3.

On page 1, line 19, of the printed bill, strike out "in this code", and insert in lieu thereof the following: "is".

Amendment No. 4.

On page 1, line 20, of the printed bill, strike out "felony", and insert in lieu thereof the following: "crime".

Amendments adopted.

Request for Unanimous Consent.

Mr. Brennan asked for, and was granted, unanimous consent to take up Assembly Bill No. 1464, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1464, as Amended.

Assembly Bill No. 1464, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1464, as amended, passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Cronin, Cunningham, Dawson, DeLap, Donnelly, Evans, Herbert J., Evans, Ralph W., Flint, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, McBride, McCarthy, McMurray, Meehan, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Utt, Voigt, Wagner, Wallace, Weber, Welsh, Williamson, and Mr. Speaker—55.

NOES—Corwin, Fisher, Johnson, Martin, Miller, Minard, Phillips, Redwine, and Walker—9.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 1464.

Mr. Minard gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1464 was this day passed.

Assembly Bill No. 2102—An act providing for the formation of nonprofit membership corporations to be known as electric membership corporations; authorizing such corporations to sell and distribute energy to the inhabitants of the State at the lowest cost consistent with sound economy and the prudent management of the business of such corporations; authorizing such corporations to construct or otherwise acquire, own, operate, maintain, extend and improve works, plants and systems for the production, transmission or distribution of energy; authorizing such corporation to exercise the right of eminent domain and otherwise providing for the rights, powers and duties of such corporations; authorizing and regulating the issuance of revenue obligations by such corporations and providing for the payment of such obligations and the rights of the holders thereof; and providing that this act shall take immediate effect.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Laughlin, Lore, Lyon, Maloney, Mayo, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Walker, Waters, Weber, Welsh, Williamson, and Mr. Speaker—64.

NOES—Field, Latham, Martin, Minard, Riley, Robertson, Wallace, and Wright—8

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2102 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson,

Jones, Laughlin, Lore, Maloney, Mayo, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Rosenthal, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, Welsh, and Williamson—61.

NOES—Field, Frazier, Latham, Martin, McBride, Minard, Riley, Robertson, Stream, Utt, Wallace, Wright, and Mr. Speaker—13.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2386—An act to add Chapter 8 to Division VI of the Agricultural Code, relating to the marketing of milk and other dairy products.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Thorp:

Amendment No. 1.

On page 2, line 11, of the printed bill, as amended, after the word "any", insert the following: "self-help cooperative association marketing market milk, cream or dairy products to its members or any".

Amendment adopted.

Request for Unanimous Consent.

Mr. Thorp asked for, and was granted, unanimous consent to take up Assembly Bill No. 2386, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2386, as Amended.

Assembly Bill No. 2386, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2386, as amended, passed by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Robertson, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—64.

NOES—Hawkins, McCarthy, and Rosenthal—3

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2077—An act to amend the Fish and Game Code.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr Reaves:

Amendment No. 1.

On page 1, line 7, of the printed bill, after the figure "20." insert the following: "consisting of the coast line and the State waters beginning at Long Point on the eastern coast, thence following the coast line in a southerly direction around the south end of the island, thence following the meanderings of the coast line westerly and northerly to a line extending southwest magnetically from the southerly headland of Little Harbor,".

The question being on the amendment submitted by Mr. Reaves.

Request for Roll Call.

On request of Messrs. Reaves, Redwine and Wallace, the Speaker ordered a roll call taken on the amendment submitted by Mr. Reaves.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Andreas, Clark, Dawson, Donihue, Flint, Frazier, Geyer, Gilbert, Glover, Hawkins, Hunt, Jones, Laughlin, Lore, Maloney, McCarthy, Meehan, O'Donnell, Patterson, Pelletier, Reaves, Rosenthal, Thorp, Turner, Wallace, and Weber—26.

NOES—Anderson, Breed, Cassidy, Chatters, Corwin, Cottrell, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Gilmore, Heisinger, Johnson, Kallam, Latham, Martin, Mayo, McBride, Minard, Morgan, Nielsen, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Utt, Voigt, Wagner, Walker, Waters, Williamson, Wright, and Mr. Speaker—42.

Third Reading of Assembly Bill No. 2077.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2077 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Desmond, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Kallam, Latham, Laughlin, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—63.

NOES—Donihue, Donnelly, Gilbert, Glover, Jones, Lore, Reaves, and Rosenthal—8.

Title read and approved.

Bill ordered transmitted to the Senate.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Voigt:

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act for the relief of purchasers of swamp and overflowed lands, declaring the urgency thereof and that this act shall take effect immediately.

Referred to Committee on Introduction of Bills.

By Mr. Chatters:

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add section 590 to the Vehicle Code, relating to warning devices.

Referred to Committee on Introduction of Bills

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1935.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act for the relief of purchasers of swamp and overflowed lands, declaring the urgency thereof and that this act shall take effect immediately.

CUNNINGHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows.

An act to add to Division I of the Streets and Highways Code a new Chapter 3a, comprising sections 750 to 754, inclusive, to provide for the conservation, development and maintenance of the scenic value along State highways and important county highways.

CUNNINGHAM, Chairman

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to add section 590 to the Vehicle Code, relating to warning devices.

CUNNINGHAM, Chairman.

Reports of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the reports

The question being on the adoption of the reports.

The roll was called, and the reports adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—73

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

By Mr. Phillips: Assembly Joint Resolution No. 61—Relative to memorializing Congress to repeal "An act to amend the Tariff Act of 1930," approved June 12, 1934.

Introduced, and referred to Committee on Federal Relations.

By Mr. Chatters: Assembly Bill No. 2469—An act to add section 590 to the Vehicle Code, relating to warning devices

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Voigt: Assembly Bill No. 2470—An act for the relief of purchasers of swamp and overflowed lands, declaring the urgency thereof and that this act shall take effect immediately.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Mr. Mayo: Assembly Bill No 2471—An act to add to Division I of the Streets and Highways Code a new Chapter 3a, comprising sections 750 to 754, inclusive, to provide for the conservation, development and maintenance of the scenic value along State highways and important county highways.

Bill read first time, and referred to Committee on Roads and Highways.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1935

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 46—An act to amend section 3766 of the Political Code, relating to the publication of delinquent tax lists—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

LYON, Chairman

The above reported bill ordered on file for second reading.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1935

MR SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 2458—An act to add Chapter 9 to Division IV of the Agricultural Code, relating to dairies and dairy products—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

THORP, Chairman.

The above reported bill ordered on file for second reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 21, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1486—An act authorizing suit against the State of California to quiet title against it to certain real property in the city of Newport Beach, California.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No 1486 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 21, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 529—An act to amend section 1426a of and to add sections 1426da, 1426db, 1426dc, and 1426ra to the Civil Code, relating to discovery locations and to discovery shafts on lode and placer mining locations;

Also: Senate Bill No. 110—An act to amend section 1125 of the Code of Civil Procedure, relating to costs in election contests;

Also: Senate Bill No. 230—An act to add a new article to Chapter II of Part I of Division II of the School Code, to be known as Article X, relating to the inclusion of Indian reservations of the United States Government in elementary school districts;

Also: Senate Bill No. 470—An act to repeal Chapter 9 of Part 2 of Division 2 of the Insurance Code, and to add a new Chapter 9, comprising sections 10810 to 10940, inclusive, to Part 2 of Division 2 of the Insurance Code, relating to insurers transacting life and disability insurance on the stipulated premium plan with provision for assessment;

Also: Senate Bill No 248—An act to amend section 1030 of the Political Code, relating to office hours.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 21, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 306—An act to amend section 1111 of the Code of Civil Procedure, relating to contest of elections;

Also: Senate Bill No. 822—An act to amend section 27 of the Streets and Highways Code, relating to the maintenance of highways.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 21, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to Senate Bill No 443—An act to add a new section to the Political Code to be numbered 3720, relating to the filing by county clerks with county assessors and the State Board of Equalization of certifications of new districts and changes in the boundaries of existing districts;

Also: Senate Bill No 772—An act to amend section 150 of the Agricultural Code, pertaining to the qualification and certification of persons engaging for hire in the business of eradicating or controlling pests;

And requests that your honorable body recede therefrom.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bills Nos. 443 and 772 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 21, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference concerning Senate Bill No. 256—An act to amend sections 251, 304, 307, 323, 348, 364, 374, and 465 of the Streets and Highways Code, relating to State highways.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 21, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 347—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, as amended, by amending sections numbered 1.01 relating to definitions, 12.07 relating to bonds of officers and employees, 13.16 relating to liquidation by the Building and Loan Commissioner, 13.17 relating to assessments for salaries and expenses, 6.06 relating to payments entitled to preference, 12.04 relating to foreign associations, 13.13 relating to the commissioner's powers upon taking possession and 13.15 relating to schedules of property; and adding to said act new sections to be numbered 8.09 relating to dividends, 12.04a relating to foreign building and loan associations and 14.09 relating to liability for acts done or omitted in conformity with any rule, regulation, approval, consent, order, direction or other act of the Building and Loan Commissioner;

Also: Senate Bill No 1094—An act to add section 19a to the Public Utilities Act, relating to charges for heat, light, or power by a public utility;

Also: Senate Bill No 1108—An act ceding to the United States of America certain tide and submerged lands of the State of California upon certain trusts and conditions.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 347 read first time, and referred to Committee on Building and Loan Associations.

Senate Bill No. 1094 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No 1108 read first time, and referred to Committee on Commerce and Navigation.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced:

By Mr. Patterson: Assembly Concurrent Resolution No. 42—Relative to approving certain amendments to the charter of the city of Monterey.

Introduced.

Request for Unanimous Consent.

Mr. Patterson asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 42, at this time, without reference to printer, committee, or file, and that same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 42.

Assembly Concurrent Resolution No 42—Relative to approving certain amendments to the charter of the city of Monterey.

Assembly Concurrent Resolution No. 42 read.

Mr. Patterson moved the adoption of Assembly Concurrent Resolution No. 42.

The question being on the adoption of Assembly Concurrent Resolution No. 42.

The roll was called, and Assembly Concurrent Resolution No. 42 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 42 ordered transmitted to the Senate.

Resolution.

The following resolution was offered:

By Messrs. Maloney, Hornblower, Cronin, Williamson, McMurray, Dawson, Brennan, Peyser and Gilmore:

Assembly Resolution.

WHEREAS, It is with profound sorrow that Divine Providence has removed from this earthly sphere of activity, a former Page and son of one of our former members of this Assembly; and

WHEREAS, While acting in the capacity of a Page, he performed his duties honestly and faithfully and in a manner that endeared him to the hearts of the members of the Assembly; and

WHEREAS, His smiling countenance and most cheerful spirit will be missed by all of those who personally knew him and he will be sadly missed by his loving father, mother, and sister; now, therefore, be it

Resolved, That when this Assembly adjourns today, they do so out of respect to the memory of Robert Fry, Jr.; and be it further

Resolved, That we respectfully convey to the family of Robert Fry, Jr., our deepest sorrow in their hour of bereavement; and be it further

Resolved, That the Chief Clerk of the Assembly be, and he is, hereby authorized and directed to cause these resolutions to be suitably engrossed and transmitted to former Assemblyman Robert B. Fry and Mrs. Fry

Resolution read, and on motion of Mr. Maloney, adopted unanimously.

Motion to Print.

Mr. Williamson moved that the Chief Clerk be instructed to accept from each member a list of ten names to be engraved upon the Legislative Handbooks, and that he instruct the Printer to print same.

Motion carried.

Special Order Set for Assembly Bill No. 2459.

On motion of Mr. Redwine, the consideration of Assembly Bill No. 2459 was made a special order for Thursday, May 24, 1935, at eleven o'clock a.m.

Motion to Print.

Mr. Field moved that the Chief Clerk instruct the Printer to print 1000 copies of pages 84 to 90, inclusive, as printed in the Journal of May 9, 1935.

Motion carried.

Motion to Re-refer Senate Bill No. 491.

Mr. Minard moved that Senate Bill No. 491 be withdrawn from the file, and ordered re-referred to Committee on Insurance.

The question being on re-referring Senate Bill No. 491 to the Committee on Insurance.

Motion lost.

Withdrawal of Assembly Bills.

By order of the Speaker, the following bills were stricken from the file, and ordered re-referred to committees:

Assembly Bill No. 529 ordered re-referred to Committee on Agriculture.

Assembly Bill No 444 ordered re-referred to Committee on Ways and Means.

Recess.

At five o'clock and five minutes p.m., on motion of Mr. Cottrell, the Assembly was declared at recess until nine o'clock p.m. of this day.

Reassembled.

At nine o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1493—An act providing for the calling of a Constitutional Convention in the State of California—and reports that the same has been correctly re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 360—An act to amend section 10 of an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, relating to length of residence;

Also: Assembly Bill No. 1117—An act to amend section 5.21 of the School Code, relating to the support of State teachers colleges;
And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1219—An act to amend section 365e½ of the Political Code, relating to high-type paving.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1219 passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Chatters, Clark, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Field, Fisher, Flint, Frazier, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Latham, Lore, Lyon, Maloney, McBride, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Welsh, Williamson, Wright, and Mr. Speaker—55.

NOES—Andreas, Cassidy, Corwin, Cottrell, Desmond, Evans, Ralph W., Fulcher, Garibaldi, Hawkins, Jones, Kallam, Laughlin, Martin, Mayo, McCarthy, Meehan, Miller, Phillips, Richie, Thorp, Waters, and Weber—22.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 1219.

Mr. Kallam gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1219 was this day passed.

Assembly Bill No. 767—An act to amend sections 2, 2½, 3, 4, 10, 13, 14, 18½ and 21 and to repeal sections 5 and 9 of the Old Age Security Act of the State of California, relating to aid to the aged.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Hornblower:

Amendment No. 1.

On page 2 of the printed bill, as amended, at the end of line 6, insert the following: "any person otherwise qualified who has resided in the State for the required period and who has no county residence may file his application in the county or city and county in which he resides, and the aid, if granted to him, shall be paid entirely by the State until he gains such county residence;".

Amendment No. 2.

On page 3, line 5, of the printed bill, as amended, strike out "less than twenty-five dollars nor".

Amendment No. 3.

On page 5 of the printed bill, as amended, strike out lines 5 to 7, inclusive, and insert in lieu thereof the following: "or city and county. All payments of aid under this act shall be made".

Amendment No. 4.

On page 6 of the printed bill as amended, strike out lines 14 to 19, inclusive, and insert in lieu thereof the following: "Government. Any money refunded under the provisions of sections 4 or 10 of this act shall be repaid to the State, the county or city and county, and to the United States Government in proportion to their respective contributions."

Amendments adopted

Bill read, ordered to reprint, re-re-re-engrossment, and third reading.

Assembly Bill No. 2120—An act to add a new section to be numbered section 29½ to the Public Utilities Act, approved April 23, 1915, relating

to reports of salaries and expenses of officers and employees of public utilities, and determination of rates.

Bill read third time.

Motion to Lay Assembly Bill No. 2120 on the Table.

Mr Waters moved that Assembly Bill No. 2120 be laid on the table.

The question being on the motion to lay on the table.

Roll Call.

The roll was called, and the motion lost by the following vote:

AYES—Breed, Brennan, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Field, Fisher, Frazier, Hornblower, Latham, Lyon, Maloney, McBride, McMurray, Meehan, Minard, Peyser, Phillips, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Wagner, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—37.

NOES—Anderson, Andreas, Burns, Clark, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Martin, Mayo, McCarthy, Miller, Morgan, Nielsen, Patterson, Pelletier, Reaves, Richie, Rosenthal, Voigt, Walker, and Weber—36.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr Patterson moved a call of the House.

Request for Roll Call.

On request of Messrs. Geyer, Patterson and Laughlin, the Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Robertson, Rosenthal, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—63.

NOES—Boyle, Brennan, DeLap, Evans, Herbert J., Field, Lyon, Minard, Morgan, Riley, Scudder, and Stream—11.

Time, ten o'clock and twenty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—74.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent. Third Reading of Assembly Bills—(Resumed).

Assembly Bill No 1569—An act to amend section 4 of an act entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled "An act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof," approved June 12, 1913, relating to schools of nursing.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1569 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—69

NOES—Fisher, Johnson, and Miller—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 246—An act for the regulation and control of corporations organized for the purpose of operating nonprofit hospital service plans.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 246 passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Miller, Minard, Morgan, O'Donnell, Patterson, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—66.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the House Dispensed With.

At ten o'clock and thirty minutes p m., further proceedings under the call of the House were dispensed with, on motion of Mr. Patterson.

The roll of absentees was called, and Assembly Bill No 2120 was refused passage by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Crowley, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Gilmore,

Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, Mayo, McCarthy, McMurray, Meehan, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Stream, Thorp, Turner, Voigt, and Wagner—40.

NOES—Breed, Brennan, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, McBride, Miller, Minard, Peterson, Peyser, Phillips, Riley, Robertson, Scudder, Utt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—39

Notice of Reconsideration of Assembly Bill No. 2120.

Mr. Patterson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2120 was this day refused passage.

Resolutions.

The following resolutions were offered:

By Mr. Walker:

Resolution.

Resolved, That the Controller be and is hereby authorized and directed to draw his warrants on the contingent fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Miss Eleanor Miller (expenses Mother's Day program)_____$1 69

Resolution read, and ordered referred to Committee on Contingent Expenses.

By Mr. Walker:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of Honorable C. C. Cottrell, Chairman of the Ways and Means Committee, in the sum of $83.79 to cover expenses incurred during the legislative recess in connection with the work of said committee, and the State Treasurer is hereby authorized to pay the same.

Resolution read, and ordered referred to Committee on Contingent Expenses.

Third Reading of Assembly Bills—(Resumed).

Assembly Constitutional Amendment No. 24—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 26 of Article IV thereof, relating to a State lottery.

Assembly Constitutional Amendment No. 24 read.

Demand for Previous Question.

Messrs. Morgan, Dawson, DeLap, McMurray and Williamson demanded the previous question

The question being put: Shall the main question be now put?

Request for Roll Call.

On request of Messrs. Morgan, DeLap and Meehan, the Speaker ordered a roll call taken on the demand for the previous question.

The roll was called, and the demand for the previous question was lost by the following vote:

AYES—Anderson, Boyle, Breed, Chatters, Clark, Cottrell, Cronin, Dawson, DeLap, Evans, Herbert J., Fisher, Fulcher, Geyer, Gilbert, Heisinger, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, McBride, McCarthy, Morgan, Pelletier, Peyser, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Utt, Wallace, Weber, Welsh, and Wright—38.

NOES—Andreas, Brennan, Burns, Cassidy, Corwin, Crowley, Cunningham, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Flint, Frazier, Garibaldi, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Kallam, Martin, Mayo, McMurray,

Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Thorp, Turner, Voigt, Wagner, Walker, Waters, Williamson, and Mr. Speaker—40

Assembly Constitutional Amendment No. 24 read.

Mr. Meehan moved the adoption of Assembly Constitutional Amendment No. 24.

The question being on the adoption of Assembly Constitutional Amendment No. 24.

The roll was called, and Assembly Constitutional Amendment No 24 refused adoption by the following vote:

AYES—Boyle, Brennan, Burns, Cassidy, Crowley, Dawson, Desmond, Donihue, Flint, Frazier, Fulcher, Gilmore, Hawkins, Hunt, Jones, Maloney, McBride, McMurray, Meehan, Nielsen, Peterson, Reaves, Thorp, Turner, Voigt, Wagner, Weber, and Williamson—28.

NOES—Anderson, Andreas, Breed, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, DeLap, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Garibaldi, Geyer, Gilbert, Glover, Hornblower, Johnson, Latham, Laughlin, Lore, Lyon, Martin, Mayo, McCarthy, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Utt, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—49.

Notice of Reconsideration of Assembly Constitutional Amendment No. 24.

Mr. Cassidy gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 24 was this day refused adoption.

Unfinished Business—(Resumed).

Reconsideration of Assembly Bill No. 1596 Waived.

Mr. Williamson waived his notice to reconsider the vote whereby Assembly Bill No. 1596 was refused passage.

Motion to Continue Unfinished Business.

Mr. Lyon moved that all unfinished business on the Daily Calendar be continued to the next legislative day.

Motion carried.

Adjournment.

At eleven o'clock and fifty-nine minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Wednesday, May 22, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,

SACRAMENTO, Wednesday, May 22, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley,

Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—80.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Utt, its further reading was dispensed with.

Privilege of Floor of Assembly Extended.

On request of Mr. Riley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Merry Coolidge.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Gordon Johnson, brother of Assemblyman Johnson, and Mr Samuel A. Ladar of Berkeley.

On request of Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Samuel B. Morris of Pasadena.

On request of Mr. Lyon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss R. Morgan, Mr. I T. Williams, and Mrs Andy Ford.

On request of Mr. Dawson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Paul S. Farrell.

On request of Mr. Cassidy, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. Wallace H. Christie, Mayor of Emeryville

On request of Mr. Morgan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Florence Galentine, Mrs. Ardene Boller, and Mrs. Frederick Felton.

Presentation of Petition.

The following petition was presented, and ordered printed in the Journal:

By Mr. Speaker:

From Amaroc Post No 1512, Veterans of Foreign Wars, requesting that the Legislature enact laws requiring the teachers to open all classes with an appropriate oath of allegiance to the government of the United States of America; also requiring all State employees to assume oath of office similar to that now used for Federal officials and employees.

ASSISTANT CLERK COOLIDGE READING.

Reports of Standing Committees.

The following report of standing committee was received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1935.

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1294—An act to amend section 515 of Vehicle Code, relating to motor vehicles;

Also Assembly Bill No 1295—An act to amend section 702 of the Vehicle Code, relating to motor vehicles;

And reports that the same have been correctly re-engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Motion to Print in Journal.

Mr Heisinger moved that the following communication be printed in the Journal:

Motion carried.

EVENING HIGH SCHOOL, FRESNO, CALIFORNIA, May 8, 1935.

S L. Heisinger. Assemblyman,
Sacramento, California.

DEAR SIR: We, the undersigned, constituting a duly appointed committee of the Public Speaking Club of the city of Fresno, take this means of manifesting to you our extreme displeasure and disappointment at the stand you are reported to have taken on adult education.

We who foster and encourage education of the adults, as well as the children of this country, feel that either you or anyone else who opposes education of this character is not deserving of the support of your constituents should you desire to again represent them in the State Legislature.

We ask in the name of this great Nation, and its eternal program of advancement, that you change your position regardless of cost to taxpayers and come out strongly for adult education

We look forward to receiving from you an acknowledgment of the receipt of this letter, and a further expression of your views on this all important subject.

Very respectfully yours,

JOHN C. BURNETT.
CARROLL E. COLE.
HENRY R LONG
O. E. SHEPARD.
LORA SHEPARD
BURNART BERRY.
THOMAS J MORRIS.
LOUIS C. SEVY.
RUTH F. CARTER.
OSCAR L. ROGERS.
J. J. TALLMADGE.
MAURICE ROBOTT.
GEORGE H. VOGELER.

The Penal Code, section 85 provides:

"Every person who attempts by menace to influence a member (of the Legislature) in giving or withholding his vote is punishable by imprisonment in the State prison not less than one nor more than ten years."

These people practically are violating this section of the law.

I believe as strongly in all departments of education as do these people and I disclaim their charges.

I am opposed to their policy "of regardless of cost to the taxpayers." I believe that extravagances in all governmental departments should be discouraged.

I believe any member of the Legislature is happy to receive constructive criticism upon any matters before the Legislature but when so many people representing minority factions practically threaten the members to influence their action or judgment it is a wonder we enact any just legislation at all.

S. L. HEISINGER.

Resolutions.

The following resolutions were offered:

By Messrs. Brennan, Burns, Hornblower, Lyon, Johnson, Jones, Geyer, Laughlin, Clark, Pelletier, Frazier, Heisinger, Thorp, Cassidy, Hunt, Turner, Donihue, Martin, Wallace, Desmond, Waters, Cunningham, and Craig.

Assembly Resolution.

WHEREAS, Many members of our brethren of the California Legislature, including our Speaker and floor leader, the members of the third house and members of the press or fourth estate, on Sunday, May 19th, enjoyed the hospitality of California's most genial and hospitable son at his home in Auburn, under the oaks; and

WHEREAS, He was assisted by our equally genial fellow chief chef, Andreas; and

WHEREAS, Here we were able to enjoy the haunts of nature and the shadow of the forest, and to imbibe again the rugged spirit of the pioneer days of '49.

Regaled in the spirit of bygone days, the citizens of Auburn—the friends and neighbors of our genial host—added spirit to the hospitality.

With plenty to eat and plenty to drink, all joined in merriment and song.

It was an occasion long to be remembered in the hearts and minds of the friends of Frank Jordan and in the spirit of that occasion, Frank Jordan, we wish you Godspeed.

Resolution read, and adopted unanimously.

By Mr. Hawkins:

Assembly Resolution.

WHEREAS, Citizens of this State of African descent have not had the privilege of participation in the military training and service provided for under the laws of the United States and this State relating to the National Guard and Naval Militia, and

WHEREAS, The question of National defense and preparedness is of interest and concern to all citizens alike, and in time of war citizens of every race are called to the National defense, and

WHEREAS, Additional units of the National Guard and Naval Militia may be provided for the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, That, as facilities are available, participation in such military training and service be accorded to all citizens alike without consideration of race or color, and The Adjutant General of the State of California is hereby urged to take all steps necessary to carry out the provisions of this resolution; and be it further

Resolved, That the Chief Clerk of the Assembly be, and he hereby is, directed to send copies of this resolution to The Adjutant General of the State of California, and to the California members of the Congress of the United States.

Resolution read, and adopted unanimously.

By Mr. Patterson:

Assembly Resolution.

WHEREAS, The Commonwealth of Virginia has, by courtesy of the Honorable E. Griffith Dodson, Clerk of the House of Delegates and Keeper of the Rolls of Virginia, most graciously permitted the legislative Assembly of the State of California to use for its session of 1935, certain electrical roll call equipment belonging to the Commonwealth of Virginia; and

WHEREAS, This courtesy is deeply appreciated by the Assembly of the State of California; and

WHEREAS, The use of this equipment has saved this Assembly much valuable time, and enabled this Assembly to adopt the electrical roll call system as a permanent improvement in its legislative procedure; now, therefore, be it

Resolved, That the Assembly of the State of California does hereby express its thanks and appreciation to the Commonwealth of Virginia and to the Honorable E. Griffith Dodson in particular; and be it further

Resolved, That an engrossed copy of this resolution be signed by the Speaker and Clerk of this Assembly and forwarded to the Honorable E. Griffith Dodson, at Richmond, as evidence of our appreciation.

Resolution read, and adopted unanimously.

By Mr Patterson

Assembly Resolution.

Be it resolved by the Assembly of the State of California, That Rule 36 of the permanent standing rules of the Assembly for the fifty-first session be amended to read as follows:

36 A motion to lay on the table is not debatable and can not be amended. A motion to lay on the table having been decided in the negative, shall not again be allowed on the same day or at the same stage of the bill or question.

Resolution read, referred to Committee on Rules, and ordered printed in the Journal.

Motion to Withdraw Assembly Bill No. 125.

Mr McCarthy moved, seconded by Mr Wagner, that Assembly Bill No. 125 be withdrawn from Committee on Revenue and Taxation, and placed on file for second reading.

The question being on the motion by Mr. McCarthy to withdraw Assembly Bill No. 125 from Committee on Revenue and Taxation, and place on file for second reading.

Demand for Previous Question.

Messrs. Garibaldi, Heisinger, Robertson, Fisher and McCarthy demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion by Mr. McCarthy to withdraw Assembly Bill No. 125 from Committee on Revenue and Taxation, and place on file for second reading.

The Speaker ordered a roll call taken on the motion by Mr. McCarthy to withdraw Assembly Bill No. 125 from Committee on Revenue and Taxation, and place on file.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr McCarthy moved a call of the House.

Request for Roll Call.

On request of Messrs. Crowley, Burns and McCarthy, the Speaker ordered a roll call taken on the motion for a call of the House.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, Donihue, Donnelly, Evans, Ralph W., Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Kallam, Lore, Maloney, Martin, Mayo, McCarthy, Meehan, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Richie, Robertson, Rosenthal, Voigt, Wagner, Walker, and Mr. Speaker—40.

NOES—Breed, Brennan, Cottrell, Cunningham, DeLap, Evans, Herbert J., Fisher, Frazier, Garibaldi, Johnson, Latham, Lyon, Miller, Minard, Morgan, Riley, Stream, Thorp, Waters, and Wright—20.

Time, ten o'clock and forty-five minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Voigt, Wagner, Walker, Waters, Wright, and Mr. Speaker—60.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.
Second Reading of Assembly Bills.

Assembly Bill No 617—An act making an appropriation to pay the claim of the disbursing officer of the Department of Industrial Relations against the State of California.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 2, of the printed bill, after "pay", insert a comma and the following: "with the approval of the Department of Finance,".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 703—An act to establish the California State under the management and control of the State Board of Prison Direc-

tors; to provide for purchase or acquirement of farm lands by unconditional gift or use of lands owned by the State therefor, and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "California State Reformatory", and insert in lieu thereof the following: "Southern California Prison".

Amendment No. 2.

On page 1, line 1, of the printed bill, as amended, strike out "reformatory", and insert in lieu thereof the following: "prison".

Amendment No. 3.

On page 1, line 3, of the printed bill, as amended, strike out "Cali-", and strike out all of line 4, and insert in lieu thereof the following: "Southern California Prison"

Amendment No. 4.

On page 1, line 8, of the printed bill, as amended, strike out "reformatory", and insert in lieu thereof the following. "prison".

Amendment No. 5.

On page 1, line 12, of the printed bill, as amended, strike out "reformatory", and insert in lieu thereof the following: "prison".

Amendment No. 6.

On page 1, line 15, of the printed bill, as amended, strike out "reformatory", and insert in lieu thereof the following: "prison".

Amendment No. 7.

On page 2, line 2, of the printed bill, as amended, strike out "reformatory", and insert in lieu thereof the following: "prison".

Amendment No. 8.

On page 2, line 9, of the printed bill, as amended, strike out "reformatory", and insert in lieu thereof the following: "prison".

Amendment No. 9.

On page 2, line 10, of the printed bill, as amended, after "reformation", insert the following: "or confinement".

Amendment No. 10.

On page 2 of the printed bill, as amended, between lines 20 and 21, insert the following:

"SEC. 5. The Board of Prison Directors shall cause to be included in the original plans and specifications of the prison adequate provision for the employment and useful occupation of the maximum number of men capable of being confined in the institution, as planned. Such employment shall be designed to reduce the cost of maintaining the institution to the lowest figure consistent with good management and with the beneficial training, education and discipline of the prisoners therein confined"

Amendment No. 11.

On page 2, line 21, of the printed bill, as amended, strike out "5", and insert in lieu thereof the following: "6"

Amendment No. 12.

On page 2, line 23 of the printed bill, as amended, immediately before "State", insert the following: "other".

Amendment No. 13.

On page 2, line 26, of the printed bill, as amended, strike out "reformatory", and insert in lieu thereof the following: "prison".

Amendment No. 14.

On page 2, line 29, of the printed bill, as amended, strike out "6.", and insert in lieu thereof the following: "7."

Amendment No. 15.

On page 2 of the printed bill, as amended, strike out line 30, and insert in lieu thereof the following: "the other State prisons to the Southern California Prison any prisoner serving".

Amendment No. 16.

On page 2, line 32, of the printed bill, as amended, strike out "Said", and strike out all of lines 33 and 34.

Amendment No. 17.

On page 2 of the printed bill, as amended, strike out line 35, and insert in lieu thereof the following "SEC. 8. Products of said prison shall so far as pos-".

Amendment No. 18.

On page 2, line 37, of the printed bill, as amended, strike out "reformatory", and insert in lieu thereof the following: "prison".

Amendment No. 19.

On page 2, line 41, of the printed bill, as amended, strike out "8", and insert in lieu thereof the following: "9."

Amendment No. 20.

On page 2, line 44, of the printed bill, as amended, strike out "9.", and insert in lieu thereof the following: "10."

Amendment No. 21.

On page 2, line 50, of the printed bill, as amended, strike out "reformatory", and insert in lieu thereof the following: "prison"

Amendment No. 22.

On page 2, line 51, of the printed bill, as amended, strike out "reformatory", and insert in lieu thereof the following: "prison"

Amendment No. 23.

On page 3, line 3, of the printed bill, as amended, strike out "10.", and insert in lieu thereof the following "11."

Amendment No. 24.

On page 3, line 6, of the printed bill, as amended, strike out "reformatory", and insert in lieu thereof the following "prison".

Amendment No. 25.

On page 3, line 7, of the printed bill, as amended, strike out "11.", and insert in lieu thereof the following: "12."

Amendment No. 26.

On page 3 of the printed bill, as amended, strike out line 15, and insert in lieu thereof the following: "SEC. 13 As soon as the prison hereby provided for"

Amendment No. 27.

On page 3 of the printed bill, as amended, strike out lines 19 and 20.

Amendment No. 28.

On page 3, line 25, of the printed bill, as amended, strike out "thereof", and insert in lieu thereof the following: "of this act".

Amendment No. 29.

On page 3, line 41, of the printed bill, as amended after "who", insert the following: ", in the opinion of the Board of Prison Directors,".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1278—An act to amend section 2 of and to add section 2a to "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, relating to collection agencies and the regulation, supervision and licensing thereof.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 2467—An act to add to the Probate Code a new section, to be numbered 201a, and amending section 220 of the Probate Code, both relating to the laws of succession.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2429—An act to provide for the formation, management, alteration of boundaries, and dissolution of storm drain maintenance districts, defining the powers of the board of supervisors and the county surveyor relative to such districts and providing for the levy and collection of taxes to defray the expenses thereof.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2465—An act to add section 1156 to the Agricultural Code, relating to the marketing of agricultural products.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2160—An act to amend section 117p of the Code of Civil Procedure, relating to fees in small claims courts

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 117p", and insert in lieu thereof the following: "sections 117d and 117q".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out "fees in".

Amendment No. 3.

On page 1, line 1, of the printed bill, after "SECTION 1.", insert the following "Section 117d of the Code of Civil Procedure is hereby amended to read as follows:

117d. The date for the appearance of the defendant as provided in the order endorsed on the affidavit shall not be more than thirteen days nor less than three days from the date of the said order. When the justice or clerk has fixed the date for the appearance of the defendant he shall inform the plaintiff of said date and at the same time order the plaintiff to appear on said date and to have with him his books, papers and witnesses necessary to prove his claim. If the order is not served upon the defendant within the time specified in this code for the service of such order the plaintiff may apply to the justice or clerk or deputy clerk for a new order setting a new date for the appearance of the defendant which shall not be more than thirteen days nor more than three days from the date of the issuance of the new order.

SEC. 2. Section 117q of the Code of Civil Procedure is hereby amended to read as follows:

117q The prevailing party in any action in the small claims court is entitled to costs of the action and also the costs of execution upon a judgment rendered therein Such costs shall include all costs of service of the order for the appearance of the defendant"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 46—An act to amend section 3766 of the Political Code, relating to the publication of delinquent tax lists.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

Strike out line 3 of the printed bill, and insert in lieu thereof the following: "3766. Subject to the provisions of sections 4041,13 and 4048 of this code, the publication must be made once a week for three".

Amendment No. 2.

Strike out lines 10 to 19, inclusive, of the printed bill, and insert **in lieu thereof** the following:

"In each county of the first class, the delinquent county tax list or county and city or town tax list if such county collects the city or town taxes for any incorporated city or town located therein, shall be published as hereinafter in this section provided.

(a) That portion of the delinquent tax list covering property located in the unincorporated territory of said county, and in the city in which the county seat of said county is located, and in each of any city in which there is no newspaper of general circulation published at least once each week, or in any one or more of the contingencies in this section set forth, shall be published in a daily newspaper of general circulation published in said county seat

A contract for the publication of such list and for the preparation of matrices, as hereinafter provided for, shall be let annually by the board of supervisors, or purchasing agent, as the case may be, to the lowest responsible newspaper bidder after a call for bids in such manner as said board of supervisors or purchasing agent may deem most expedient Such publication shall conform in all respects with all provisions of this chapter applicable thereto.

(b) That portion of the delinquent county or county and city tax list covering property located in any incorporated city or town other than the county seat, wherein there is published at least once a week a newspaper of general circulation, shall be published in the city or town in which such property is located.

Such publications in such city or town shall be made in a daily newspaper of general circulation, if any, published within such city or town, and if there be no such daily newspaper published therein, then such publication shall be made in a semiweekly newspaper of general circulation published therein, and if there be no such daily or semiweekly newspaper published therein, then in any other newspaper of general circulation, if any, published therein at least once each week; provided, that if there be no such daily, semiweekly or other newspaper published therein at least once each week, then such portion of the delinquent tax list shall be included in the list provided for in paragraph (a) hereof

Contracts for the publication of those portions of such delinquent tax list required by the provisions of this paragraph to be published in such cities or town shall be let to the lowest responsible newspaper bidder in such city or town in the same manner as provided for in paragraph (a) of this section, provided that the rate to be paid for such publication shall not be in excess of the rate paid for official publications for the respective city or town, and in the event that no such newspaper of such class will accept such publication at a rate not in excess of such city rate, then such portion of the delinquent list shall be published in the newspaper provided for in paragraph (a) hereof

(c) In calling for bids for the publication of the list provided for in paragraph (a) hereof, the board of supervisors or purchasing agent, as the case may be, shall call for bids and let a contract covering the following items:

1. The composition and publication of the delinquent tax list provided for in said paragraph (a) including all indices and addenda and other items required by law to be included therein.

2. The composition and preparation of a matrix suitable for newspaper publication, of each county or county and city delinquent tax list provided for in paragraph (b) hereof, together with the appropriate addenda provided for in section 3764 of this code, and in addition thereto the necessary indices notice and information for each such separate list required by sections 3765 and 3767 of this code and any other notice, information, or matter required by law to be appended to or included in the publication of any such delinquent tax list

(d) In calling for bids for the publication of the list provided for in paragraph (b) hereof, and board of supervisors or purchasing agent, as the case may be, shall call for bids, and let a contract, covering the following items

The publication in the particular city or town, excluding the cost of composition, of the delinquent tax list provided for in said paragraph (b), including indices, addenda and other items, provided, that said county shall furnish, at cost to it, to the city or town newspaper publishing any such delinquent tax list, and such newspaper shall use in such publication, the appropriate matrix hereinbefore referred to, and the cost thereof shall be shown as a credit on the claim against said county of such newspaper covering such publication.

(e) The county tax collector and the auditor shall prepare and submit to the newspaper in the county seat to which the contract provided for herein shall have been awarded, the respective several portions of such delinquent tax list placing under an appropriate descriptive heading all delinquent items and addenda required by the provisions of this section to be separately published, and said newspaper shall set up such portions of such list in such form as to permit the preparation of complete matrices therefrom

(f) The board of supervisors of each such county is hereby authorized and empowered, within its discretion to provide, by order duly entered in its minutes, for the mailing to each person whose name appears as a delinquent in such delinquent tax list, or any portion thereof, a copy of the item or items appearing in such list to be property assessed in his name Such copy shall be mailed to each such person at the address thereof shown on the assessment roll: provided, that the provisions of this paragraph (f) shall not be deemed nor construed as giving any person any right to receive such copy, and neither such county nor any officer or employee thereof shall be liable for the failure of any delinquent taxpayer to receive such copy nor for any mistake in the address or otherwise in connection with the mailing thereof.

In making any such order said board may authorize the tax collector to mail the same, or said board may include, or if there be a county purchasing agent may authorize him to include, the same as an item in the call for bids for the publication of the several portions of such delinquent tax list and may include in the contracts with the various newspapers, the mailing of the items contained in the particular portions of such delinquent tax list published in the respective newspapers."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2458—An act to add Chapter 9, embracing sections 725 to 734, inclusive, to Division IV of the Agricultural Code, relating to dairies and dairy products.

Bill read second time, ordered to engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 237—An act to amend section 487 of, to add section 641 to, and to amend section 493 of, the Streets and Highways Code, relating to State highways.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after the word "act," strike out the words and figures "to amend section 487 of,".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 1 to 14, inclusive, and insert in lieu thereof the following:

"SEC. 1. Section 493 of the Streets and Highways Code is hereby amended to read as follows:

493. Route 193 is from Route 43 at Corona northerly to Route 19."

Amendment No. 3.

On page 1, line 15, of the printed bill, as amended, strike out "Sec 3.", and insert in lieu thereof the following. "Sec. 2."

Amendment No. 4.

On page 1, line 19, of the printed bill, as amended, strike out the period after the figure "66", and insert in lieu thereof the following: "and from Route 26 near Oasis northerly to Avenue 66 via Pierce Street."

Amendments adopted

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 332—An act to amend section 1 of an act entitled "An act relating to the doing of public work by day's labor or force account, except emergency and maintenance work and work costing less than ten thousand dollars; requiring the State Highway Engineer, State Engineer, the State Architect, county engineers, county surveyors, city and county engineers, county highway engineers, road commissioners, city engineers, commissioners of public works, superintendents of streets, harbor engineers, flood control engineers and the engineers of any reclamation, irrigation or other districts, political subdivisions or agencies of the State directing, supervising or superintending such work, or in charge of the engineering for or in connection therewith, to keep the costs, prepare and file plans, specifications and estimates of cost, and, upon completion, prepare and file certificates of cost thereof; and providing for the keeping of such plans, specifications and certificates as public records," approved June 21, 1923, relating to the doing of public work by day's labor or force account.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, in the next to the last line of the title, strike out "the doing of".

Amendment No. 2.

On page 1 of the printed bill, as amended, in the last line of the title, strike out "by day's labor or force account".

Amendment No. 3.

On page 1, line 1, of the printed bill, as amended, strike out "an act entitled "An act relating", and all of lines 2 to 4, inclusive, of page 1, and lines 1 to 13, inclusive, of page 2, and insert in lieu thereof the following: "the act cited in the title hereof is".

Amendment No. 4.

On page 3, lines 10 and 11, of the printed bill, as amended, strike out "except construction work within State prison.", and insert in lieu thereof the following: "the".

Amendment No. 5.

On page 3, line 12, of the printed bill, as amended, after the comma, insert the following: "except construction work in a State prison,".

Amendment No. 6.

On page 3, line 28, of the printed bill, as amended, strike out the comma.

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 884—An act to add section 321.5 to the Agricultural Code, relating to meat inspection.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 6, line 45, of the printed bill, as amended, strike out "rabbit meat", and insert in lieu thereof the following: "dressed rabbits".

Amendment No. 2.

On page 6, line 47, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "as to each such item."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Unfinished Business.

Motion to Reconsider Assembly Bill No. 530 Continued.

Mr. Redwine moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 530 was refused passage be continued until the next legislative day.

Motion carried.

Motion to Print in Journal.

Mr. Anderson moved that the following statement be printed in the Journal:

Motion carried.

SACRAMENTO, CALIFORNIA, May 15, 1935.

MR. SPEAKER: The undersigned Assemblymen respectfully request that the following "Reply of Proponents of Senate Bill No. 24, to Summary of Opponents to Train Limit Legislation, California Legislature, 1935 Session," be printed in the Journal:

"Reply of Proponents of Senate Bill No. 24, to Summary of Opponents to Train Limit Legislation, California Legislature, 1935 Session.

On page No. 3, Assembly Daily Journal, Thursday, May 9, 1935, an unsigned communication captioned, "Summary of Opposition to Train Length Legislation,

California Legislature, 1935 Session," is recorded as received, and ordered printed in the Journal. Included in this communication is a list of organizations compiled with many duplications, and in such a manner as to cover in excess of five pages of printed matter.

If this unsigned record was authorized by the office of the administration, which office alone has knowledge of the letters, telegrams and petitions received therein, it seems manifestly unfair to refuse to embrace, impartially, all organizations, firms and individuals that expressed opinions both "for" and "against" this legislation, in such a summary. If this summary was authorized by some other agency, it seems fitting to recognize the purpose that actuated this implied criticism of this Assembly, that after due consideration of all arguments presented, adopted the measure by a vote of 55 "for" to 24 "against."

Ordinarily little attention should be given to a document so apparently unfair and misleading as the aforesaid summary. Being recorded in the Assembly Daily Journal however, would tend to give the communication a rating with the unsophisticated, not shared by the more experienced. Its purpose is clearly prejudicial, and would assume greater bias if allowed to go unchallenged

By reference to the Assembly Daily Journal, Friday, March 8, 1935, pages 28 to 163, a report of the Railroad Commission of the State of California is evidenced, the same being furnished in response to Assembly resolution of January 25, 1935, requesting certain information and data contained therein. Included in the report of said commission is an itemized account of the dues, donations, subscriptions and contributions made by the public utilities that come under the jurisdiction of this commission, to chambers of commerce, farm organizations, civic and business organizations, etc

As printed in this report of the Railroad Commission, the Atchison, Topeka and Santa Fe Railroad contributed a total of $43,791 83 to such a fund; the Southern Pacific Company, $103,584.84; and the Western Pacific Railroad Company, $16,600 21. Compare the list of organizations that received these contributions, with the organizations enumerated in the communication of May 9th as opposed to the enactment of the train length bill, and it will not be difficult to understand the primary influence that actuated these protests.

The communication in the Journal of May 9th also stated that approximately 2600 letters and telegrams from shippers and their associates were addressed to the Legislature or the Governor opposing the passage of train limit legislation. Those who have first-hand knowledge of railroad affairs are cognizant with the methods employed by the railroads to obtain such expressions During the period this bill was under consideration by this body, every available local railroad officer was used to contact shippers and the traveling public to advise them that if this bill should become a law, an increase in rates would be inevitable. Likewise employees were coerced with the threat that shops would be moved and wages reduced in the event this bill passed Telegrams and petitions were prepared which required but a signature, the railroads paying the cost. Imagine the position of an unorganized employee when presented with such a petition by his foreman and told to sign. Many of these same employees were not even voters

The members of this Assembly are familiar with the fact that this legislation was introduced as a safety measure, records being provided by the Interstate Commerce Commission and State Railroad Commission to indicate that many casualties had resulted from excessive train lengths. Additional argument was presented by the sponsors of the measure to show that if it was enacted into a law, the legislation would benefit the shipper by permitting the installation of faster and more frequent service without additional cost. Likewise its passage would actually benefit the railroads themselves by requiring a change in policy of operation that would more evenly match the service rendered by their competitors and place them in a favorable position to win back to the rails much of the traffic now being performed on water and the highways.

These facts were undoubtedly considered by the Los Angeles City Council, representing nearly one-third of the entire population of the State, when they passed a resolution recommending the passage of this legislation to this Assembly A great number of chambers of commerce, granges, farmers unions, farm bureaus, State firemen's organizations, State Federation of Labor, San Francisco Labor Council, every bona fide labor organization within the State including 21 organizations directly affiliated with transportation service, and literally thousands of shippers and individual citizens flooded this Assembly and the office of the Governor with requests to support passage of this law. The Democratic party included this measure as one of the planks in their platform, while the Republican candidate for Governor, who was subsequently elected to that exalted office permitted his "Merriam for Governor Clubs" to circularize railroad employees by letter throughout the State pledging the Governor to sign a car limit law should it receive the favorable consideration of the Assembly and Senate

The press throughout the State was uniformly fair in reference to this legislation even though the opponents, because of their advertising connections, were in a position to exact consideration of their point of view not enjoyed by the proponents.

The principal exception to this policy was evidenced by the Los Angeles and San Francisco Examiners, April 20th issue, when editorially they assumed a most hostile attitude based on an erroneous understanding of the purpose of the legislation, which, because of the caustic and intemperate manner in which it was written, clearly nullified any influence it might have had with intelligent and informed people throughout the State.

It is our purpose in presenting this statement to clarify any misunderstanding that might arise because of undue importance accredited to the summary forwarded from San Francisco, May 6, 1935, and printed in Assembly Daily Journal, May 9, 1935, by Mr. Speaker."

CHARLES A HUNT
WM. MOSELEY JONES
BEN ROSENTHAL.
LEE E. GEYER
WILBUR F. GILBERT.
RODNEY L. TURNER.
FRANKLIN GLOVER.
FRED REAVES.
FRANK LAUGHLIN
JOHN GEE CLARK.
AUGUSTUS F HAWKINS
HUGH P. DONNELLY.
JAMES J. BOYLE.
ERNEST O. VOIGT.
ELLIS E. PATTERSON.
PAUL A. RICHIE.
JAMES M. CASSIDY.
LEON M. DONIHUE.
H. DEWEY ANDERSON.
CHARLES J. WAGNER.
GENE FLINT.
JOHN D. MCCARTHY.
MICHAEL J. BURNS.
JOHN B PELLETIER.
ELMER E. LORE.
HENRY P. MEEHAN.

Unfinished Business—(Resumed).

Consideration of Senate Amendments to Assembly Bill No. 440.

Assembly Bill No 440—An act to amend section 18a of the "Street Opening Act of 1903," relating to assessments and contribution of costs by municipalities.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 440?

Amendment No. 1.

On page 1, line 17, of the printed bill, as amended, strike out "pay", and insert in lieu thereof the following: "be paid".

Amendment No. 2.

On page 2, line 45, of the printed bill, as amended, strike out "been".

The roll was called, and Senate amendments to Assembly Bill No. 440 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 440 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 1531.

Assembly Bill No. 1531—An act to amend section 3491 of the Political Code, relating to reclamation districts.

The question being put Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1531?

Amendment No. 1.

On page 2, line 33, of the printed bill, as amended, strike out "supervisors", and insert in lieu thereof the following: "trustees of the district".

The roll was called, and Senate amendment to Assembly Bill No. 1531 was concurred in by the following vote

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Frazier, Fulcher, Garibaldi, Glover, Hawkins, Heisinger, Hunt Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin,

Mayo, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, Wright, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 1531 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 99.

Assembly Bill No. 99—An act to add a new section to the Code of Civil Procedure to be known as section 1872 thereof, requiring persons bringing actions for damages for personal injuries to submit to an examination of their persons.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 99?

Amendment No. 1.

On page 1, lines 2 and 3 of the title of the printed bill, as amended, strike out "relating to and providing for".

Amendment No. 2.

On page 1, line 4, of the printed bill, as amended, strike out "On", and insert in lieu thereof the following: "During".

Amendment No. 3.

On page 1, line 7, of the printed bill, as amended, strike out "therein", and insert in lieu thereof the following: "thereto".

Amendment No. 4.

On page 1, line 8, of the printed bill, as amended, strike out "of the person injured".

Amendment No. 5.

On page 1, line 9, of the printed bill, as amended, after "surgeons," insert the following: "of the person injured,".

Amendment No. 6.

On page 1, lines 13 and 14, of the printed bill, as amended, strike out the comma and "provided this act", and insert in lieu thereof a period and the following: "This section".

Amendment No. 7.

On page 1, lines 15 and 16, of the printed bill, as amended, strike out the period and "provided that", and insert in lieu thereof a comma and the following: "but".

The roll was called, and Senate amendments to Assembly Bill No. 99 were concurred in by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Fisher, Frazier, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Voigt, Walker, Waters, Weber, Wright, and Mr. Speaker—58.

NOES—None.

Assembly Bill No 99 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1194.

Assembly Bill No. 1194—An act amending the title and sections 31, 32 and 33, of the "Improvement Act of 1911," approved April 7, 1911, as amended, relating to public improvements and the repair and reconstruction of portions of improved streets, avenues, lanes, alleys, courts or places, bulkheads, retaining walls or other works for the protection of the same and to the payment of the costs thereof and establishing a procedure for the same.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1194?

Amendment No. 1.

On page 2, line 33, of the printed bill, as amended, strike out the following: "that it consti-".

Amendment No. 2.

On page 2, line 34, of the printed bill, as amended, strike out the following: "tutes a public nuisance and".

Amendment No. 3.

On page 3, lines 21 and 22, of the printed bill, as amended, strike out the following: "the abating of said nuisance", and insert in lieu thereof the following: "such repair".

Amendment No. 4.

On page 3, line 33, of the printed bill, as amended, strike out the words: "abating said nuisance", and insert in lieu thereof the following: "making such repair".

The roll was called, and Senate amendments to Assembly Bill No. 1194 were concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Cassidy, Chatters, Clark, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J.. Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Lore, Maloney, Martin, Mayo, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Wright, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 1194 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1055.

Assembly Bill No. 1055—An act to amend sections 400 and 401 of the Vehicle Code, relating to tort liability of drivers of police, fire and other emergency vehicles maintained by governmental bodies.

The question being put Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1055?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out the word "section", and insert in lieu thereof the following: "sections 400 and".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out all of lines 1 and 2, and insert in lieu thereof the following.

"SECTION 1. Section 400 of the Vehicle Code is hereby amended to read as follows:

400. Liability of Governmental Agencies. (a) The State, and every political subdivision thereof, and every public corporation formed or organized for the government of a portion of the State including, but without excluding by reason of the hereinafter contained enumeration any such aforesaid public corporation of whatsoever class, type or designation, every school district, irrigation district, municipal corporation, and quasi municipal corporation shall be liable for civil damages on account of personal injury to or death of any person or damage to property resulting from the negligent operation of either a publicly or privately owned motor vehicle by an officer, agent, or employee thereof when acting within the scope of his office, agency or employment, whether or not liability is imposed by law upon such operator, subject to the limit in amount of five thousand dollars for personal injury to or death of one person as the result of any one accident and, subject to said limit as to one person, the amount of ten thousand dollars for personal injury to or death of all persons as the result of any one accident and one thousand dollars for damage to property of others as the result of any one accident.

(b) This section shall apply to the negligent operation of all vehicles as herein provided, including the operation of any authorized emergency vehicle whether operated in response to an emergency call or otherwise by an officer, agent, or employee acting within the scope of his office, agency or employment.

(c) Any person having such a claim against any such public entity or corporation may present the same to such public entity or corporation in the same manner as other claims are presented and if thereupon such claim is not acted upon within thirty days after said presentation or is rejected in whole or in part, then said person may sue such public entity or corporation in a court of competent jurisdiction in the manner prescribed by law for the commencement and maintenance of such a suit against a private individual.

(d) Whenever in any such suit, a judgment is rendered against said State, political subdivision or public corporation, and such public entity or corporation thereafter

satisfies the same in whole or in part, then said public entity or corporation shall be subrogated to the rights of the owner of said judgment theretofore existing to the amount of such satisfaction and may recover in a civil action such amount from the officer, agent or employee whose operation of a motor vehicle resulted in such liability against said public entity or corporation.

(e) The State Compensation Insurance Fund is hereby authorized to insure any such public entity or corporation against the liability imposed by this section, and any such public entity or corporation may secure insurance against such liability exclusively with the State Compensation Insurance Fund. Any and all premiums for such insurance shall be paid to the State insurance fund and shall be a proper charge against the general fund of such entity or corporation.

SEC. 2. Section 401 of the Vehicle Code is hereby amended to read as follows.'

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1055 by the following vote:

AYES—None.

NOES—Anderson, Andreas, Breed, Brennan, Cassidy, Chatters, Clark, Corwin Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Voigt, Walker, Waters, Weber, Wright, and Mr. Speaker—60

Consideration of Senate Amendments to Assembly Bill No. 618.

Assembly Bill No. 618—An act to provide for the regulation and licensing of greyhound racing and race meetings, and to permit wagering on the results thereof; to create the California Greyhound Racing Board for the regulation, licensing and supervision of greyhound racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to make an appropriation therefor.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 618?

Amendment No. 1.

On page 3, line 35, of the printed bill, as amended, after "Governor", insert the following: 'by and with the consent of the Senate".

Amendment No. 2.

On page 3, line 36, of the printed bill, as amended, after the period, insert the following: "The members first appointed after this act takes effect shall be appointed by the Governor and shall hold office only until the next session of the Legislature."

Amendment No. 3.

On page 6 of the printed bill, as amended, between lines 39 and 40, insert the following:

"If in any city or city and county or in the unincorporated area of a county, a majority of the electors voting thereon vote against the issuance of licenses for conducting meetings therein, all such licenses theretofore issued for the conduct of meetings therein shall be deemed revoked forthwith and no new license shall be issued for conduct of a meeting therein unless and until a majority of the electors of the city, city and county, or of the unincorporated area of the county, voting thereon, vote in favor of the issuance of such licenses. Such a proposition may be submitted to the electors of any city or city and county or of the unincorporated territory of any county, by the legislative body of the city, city and county or county at any general or special election held therein As to issuance of such licenses for the conduct of meetings in the unincorporated area of a county, such proposition shall be submitted solely to the electors of said unincorporated area; as to such licenses for conduct of meetings in a city, solely to the electors of the city; as to such licenses for conduct of meetings in a city and county, solely to the electors of the city and county."

The roll was called, and Senate amendments to Assembly Bill No. 618 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Corwin, Cronin, Crowley, Cunningham, Donihue, Donnelly, Fisher, Flint, Frazier, Fulcher, Garibaldi, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Thorp, Utt, Voigt, Wagner, Walker, and Weber—46.

NOES—Clark, DeLap, Evans, Ralph W., Geyer, Gilbert, Latham, McCarthy, Miller, Minard, Morgan, Waters, Wright, and Mr. Speaker—13.

Assembly Bill No. 618 ordered to enrollment.

Consideration of Assembly Amendments to Senate Bill No. 81.

Senate Bill No. 81—An act to add a new section to be numbered section 8a, to an act entitled "An act establishing a State Mining Bureau, creating the office of State Mineralogist, fixing his salary and prescribing his powers and duties; providing for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution for defrauding, swindling and cheating therein, creating a State Mining Bureau fund for the purpose of carrying out the provisions of this act and repealing an act entitled 'An act to provide for the establishment, maintenance and support of a bureau, to be known as the State Mining Bureau, and for the appointment and duties of a board of trustees, to be known as the board of trustees of the State Mining Bureau, who shall have the direction, management and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction and supervision of the board of trustees of the State Mining Bureau,' approved March 23, 1893, and all acts amendatory thereof and supplemental thereto or in conflict herewith," approved June 16, 1914, relating to mining on State property

The question being: Shall the Assembly recede from the following Assembly amendments to Senate Bill No. 81?

Amendment No. 1.

On page 2, lines 4 and 5, of the printed bill, as amended, strike out "other than lands granted for school purposes".

Amendment No. 2.

On page 2, line 6, of the printed bill, as amended, strike out the comma, and insert in lieu thereof the following: "other than lands held in trust for educational or other specific purposes"

The roll was called, and the Assembly refused to recede from Assembly amendments to Senate Bill No. 81 by the following vote:

AYES—None

NOES—Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, DeLap, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Latham, Lore, Maloney, Martin, Mayo, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Reaves, Redwine, Richie, Rosenthal, Stream, Thorp, Turner, Wagner, Walker, Waters, Weber, Wright, and Mr. Speaker—53.

Reconsideration of Assembly Constitutional Amendment No. 24 Waived.

Mr. Cassidy waived his notice to reconsider the vote whereby Assembly Constitutional Amendment No. 24 was passed

Assembly Constitutional Amendment No. 24 ordered transmitted to the Senate

Introduction and Reference of Bills.

The following bill was introduced:

By Mr. Utt: Assembly Constitutional Amendment No. 86—Proposed amendment to Article IV, section 23a, of the Constitution, relative to legislative printing.

Introduced.

Request for Unanimous Consent.

Mr. Utt asked for, and was granted, unanimous consent to take up Assembly Constitutional Amendment No. 86, at this time, without reference to printer, committee or file, and that same be considered engrossed.

Consideration of Assembly Constitutional Amendment No. 86.

Assembly Constitutional Amendment No. 86—Proposed amendment to Article IV, section 23a, of the Constitution, relative to legislative printing.

Assembly Constitutional Amendment No. 86 read.

Mr. Utt moved the adoption of Assembly Constitutional Amendment No. 86.

The question being on the adoption of Assembly Constitutional Amendment No. 86.

The roll was called, and Assembly Constitutional Amendment No. 86 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Weber, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Assembly Constitutional Amendment No. 86 ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 86.

A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 23a of Article IV thereof, relating to legislative printing.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its fifty-first regular session commencing on the seventh day of January, 1935, two-thirds of the members elected to each of the two houses of said Legislature voting therefor, hereby proposes to the people of the State of California, that the Constitution of said State be amended by amending section 23a of Article IV thereof to read as follows:

Sec. 23a. The Legislature may provide for additional help; but in no case, except as provided in this section, shall the total expense for officers, employees and attaches exceed the sum of $300 per day for either house, at any regular or biennial session, nor the sum of $200 per day for both houses at any special or extraordinary session, nor shall the pay of any officer, employee or attache be increased after he is elected or appointed. The Legislature shall provide for the selection of all officers, employees and attaches of both houses and so far as advisable shall require such selection to be under the provisions of the law governing civil service. The restriction on total expense herein provided shall not apply to expenditures not in excess of $5,000 for each house for the costs and expense of compiling and printing the histories of bills, resolutions and constitutional amendments introduced in each house, the journals, and necessary expense incidental thereto, following the adjournment of any regular session.

Third Reading of Assembly Bills.

Assembly Bill No. 301—An act to amend section 2 of an act entitled "An act to provide for the formation, management and dissolution of county fire protection districts composed of lands within one or more counties and annexations to such districts; to set forth the powers of such districts and to provide for levying and collecting taxes on property in such districts to defray the expenses thereof," approved June 12, 1931, relating to holders of acreage

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 301 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, Mayo, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Turner, Utt, Wagner, Walker, Waters, Weber, Wright, and Mr. Speaker—57

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the House Dispensed With.

At eleven o'clock and twenty minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. McCarthy.

The roll of absentees was called, and the motion by Mr. McCarthy to withdraw Assembly Bill No. 125 from Committee on Revenue and Taxation was lost by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Clark, Crowley, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Lore, McCarthy, Meehan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, and Wagner—30.

NOES—Breed, Brennan, Chatters, Corwin, Cottrell, Cronin, Cunningham, DeLap, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Stream, Thorp, Utt, Walker, Waters, Weber, Wright, and Mr. Speaker—40

Motion to Withdraw Assembly Bill No. 123.

Mr. Heisinger moved that Assembly Bill No. 123 be withdrawn from Committee on Revenue and Taxation and placed on file for second reading.

The question being on the motion by Mr. Heisinger to withdraw Assembly Bill No. 123 from Committee on Revenue and Taxation, and place on file for second reading.

Demand for Previous Question.

Messrs. Garibaldi, DeLap, Robertson, Morgan and Cunningham demanded the previous question

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion by Mr. Heisinger to withdraw Assembly Bill No 123 from Committee on Revenue and Taxation and place on file for second reading.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Heisinger to withdraw Assembly Bill No. 123 from Committee on Revenue and Taxation and place on file.

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Boyle, Cassidy, Clark, Crowley, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Latham, Lore, McCarthy, Meehan, Nielsen, O'Donnell, Pelletier, Richie, Rosenthal, Turner, Voigt, Wagner, and Wallace—31.

NOES—Breed, Brennan, Burns, Corwin, Cottrell, Cronin, Cunningham, DeLap, Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Johnson, Kallam, Lyon, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Utt, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—38.

Unfinished Business—(Resumed).

Consideration of Assembly Amendment to Senate Bill No. 443.

Senate Bill No. 443—An act to add a new section to the Political Code to be numbered 3720, relating to the filing by county clerks with county assessors and the State Board of Equalization of certificates of new districts and changes in the boundaries of existing districts.

The question being: Shall the Assembly recede from the following Assembly amendment to Senate Bill No. 443?

Amendment No. 1.

On page 1 of the printed bill, as amended in Senate May 7, 1935, between lines 22 and 23, insert the following: "and the tax levy of which is carried on the regular county or city and county assessment roll,".

The roll was called, and the Assembly refused to recede from Assembly amendment to Senate Bill No 443 by the following vote:

AYES—None.

NOES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Pelletier, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—67.

Reconsideration of Assembly Bill No. 1074.

Assembly Bill No 1074—An act to amend section 3617 of the Political Code, relating to the definition of terms for purposes of taxation.

In compliance with his notice given on a previous day, Mr. Fisher moved that the vote whereby Assembly Bill No. 1074 was refused passage be reconsidered

The roll was called, and the same was reconsidered by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Johnson, Jones, Laughlin, Lore, Martin, Mayo, McCarthy, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Richie, Rosenthal, Turner, Voigt, Wagner, Walker, Waters, and Weber—42.

NOES—Breed, Brennan, Crowley, Cunningham, DeLap, Evans, Herbert J., Field, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Hunt, Kallam, Latham, Lyon, McBride, McMurray, Meehan, Minard, Peyser, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Wallace, Williamson, Wright, and Mr. Speaker—32.

Assembly Bill No. 1074 ordered on file for third reading.

Communication.

A communication was received from the Los Angeles Bar Association, relative to a resolution regarding a judge of the District Court of Appeal.

The communication was ordered referred to Committee on Judiciary.

Recess.

At twelve o'clock and five minutes p.m., on the motion of Mr. Lyon, the Assembly was declared at recess until two o'clock p m. this day.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 528—An act to amend sections 4.750 and 4.751 of the School Code, relating to the computation of average daily attendance of school districts, declaring the urgency thereof and providing that this act shall take effect immediately;

Also: Assembly Bill No. 557—An act to add a new section to the Insurance Code to be numbered 10113, relating to life and disability insurance policies,

Also Assembly Bill No. 558—An act to amend section 10111 of the Insurance Code, relating to life and disability insurance;

Also: Assembly Bill No. 2431—An act to prohibit marathons, marathon dances, walkathons, skatathons, and other mental and physical endurance contests and prescribing penalties for the violation thereof;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-second day of May, 1935, at eleven o'clock a m.

WATERS, Chairman

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 43—Relative to memorializing Congress to furnish aid in the construction of check dams in the Salinas River Valley—and reports that the same has been correctly enrolled, and presented the same to the Governor on this twenty-second day of May, 1935, at eleven o'clock a m.

WATERS, Chairman

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1826—An act to amend section 865 of the Fish and Game Code, and to add thereto section 865 5, relating to fish—and reports that the same has been correctly re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1054—An act to add sections 2a, 2b, 2c, and 3a to and to amend sections 3, 4, 5, 6, 7, 8, 10, 14, 15, 16, 17, 18, and 19 of the "Los Angeles County Flood Control Act," relating to the government and control of the district and the powers and duties of the board of directors thereof—and reports that the same has been correctly re-re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1935.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1831—An act to add section 586 5 to the Vehicle Code, relating to the control of traffic upon the public highways of the State of California, whether situated within unincorporated or incorporated territory—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

HORNBLOWER, Chairman

The above reported bill ordered on file for second reading.

Also.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No 1963—An act relating to licensing and taxing of vehicles, including certain license fees based upon value in lieu of taxation according to value, and providing for the administration and enforcement thereof—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

HORNBLOWER, Chairman

The above reported bill ordered on file for second reading

Also:

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 2013—An act to add section 379.5 to the Vehicle Code, relating to seizure and sale of vehicles;

Also: Assembly Bill No. 2466—An act to define motor transportation broker; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended

HORNBLOWER, Chairman.

The above reported bills ordered on file for second reading.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1935.

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1579—An act to amend section 911 of the Insurance Code, relating to insurance practice regarding financial statements of insurers, and matters incidental thereto—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

MINARD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1589—An act to amend sections 12562 of the Insurance Code, relating to mortgage insurance—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MINARD, Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1918—An act to add section 10½ to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to hospital records of persons receiving compensation thereunder—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

MINARD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Insurance, to which was referred Senate Bill No. 471—An act to amend section 100 of the Insurance Code, to add section 106a thereto, and to add a new chapter to Part 2 of Division 2 of said code, to be numbered Chapter 13, comprising sections 11526 to 11545, inclusive, all relating to medical and hospital service insurers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

MINARD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Insurance, to which was referred Senate Bill No. 492—An act to add sections 9.4 and 9.5 to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to liability—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MINARD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Insurance, to which was referred Senate Bill No. 482—An act to amend section 1370 of the Insurance Code, relating to the

assets of reciprocal insurers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MINARD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Insurance, to which was referred Senate Bill No. 483—An act to add a new chapter to the Insurance Code, to be numbered Chapter 13 of Part 2 of Division 2 thereof, comprising sections 11525 to 11533, inclusive, relating to the voluntary mutualization of incorporated life insurers or life and disability insurers having a share capital and issuing nonassessable policies on a reserve basis—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MINARD, Chairman.

The above reported bill ordered on file for second reading.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1935

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 444—An act to amend section 13 of the Motor Vehicle Fuel License Tax Act, relating to apportionment of the tax fund—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

On Crime Problems.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1935.

MR SPEAKER: Your Committee on Crime Problems, to which was referred Senate Bill No. 1098—An act to add section 1334 to the Penal Code, relating to the securing of the attendance of witnesses in criminal prosecutions, and to make uniform the law with reference thereto—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MILLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Crime Problems, to which was referred Senate Bill No. 933—An act to amend sections 213, 288, 473, 489 and 1203 and to repeal section 19a thereof and to add a new section to be numbered 19a thereto, all relating to punishment for criminals—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MILLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 2455—An act to add sections 18 and 19 to an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof, to authorize, in proper cases the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, relating

to concealable weapons—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MILLER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Senate Bill No. 609—An act to amend section 669 of the Penal Code, relating to terms of imprisonment—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MILLER, Chairman.

The above reported bill ordered on file for second reading.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1935.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1200—An act requiring the licensing of certain vehicles used for the transportation of persons or property in this State, defining such vehicles, providing for the imposition, collection, and distribution of license taxes for the privilege of operating such vehicles in this State, making appropriations for the purposes of this act, prescribing penalties for the violation of this act, repealing an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle, and provided that this act shall take effect immediately," approved May 15, 1933, subject to certain conditions—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

RILEY, Chairman.

The above reported bill ordered on file for second reading

Also:

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1551—An act relating to taxation, for State purposes, of vessels which are exempt from taxation except for State purposes, and providing for the assessment, levy, collection and enforcement thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

RILEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Revenue and Taxation, to which was referred Assembly Bill No 2183—An act to be known as the "Inheritance Tax Act of 1935," to establish a tax on gifts, legacies, inheritances, bequests, devises, successions, transfers, joint tenancies and insurance, to provide for its collection and to direct the disposition of its proceeds, to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under any act hereby repealed; to provide penalties for failure to comply with the provisions of this act, and to repeal Chapter 821 of the laws of the session of the Legislature of California of 1921, approved June 3, 1921, known as the "Inheritance Tax Act," and all amendments thereto, and to repeal all acts and parts of acts in conflict with this act, and providing this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

RILEY, Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Revenue and Taxation, to which was referred Assembly Bill No 1208—An act to amend section 3 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this

act shall take effect immediately'—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

RILEY, Chairman.

The above reported bill ordered on file for second reading

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1208—An act to amend section 3 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violation of the provisions hereof, and providing this act shall take effect immediately"

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee.

Amendment No. 1.

On page 1 of the printed bill, strike out line 9 of the title, and insert in lieu thereof the following "act shall take effect immediately," approved July 31, 1933, relating to taxation, and to provide that this act shall take effect immediately."

Amendment No. 2.

On page 1, line 3, of the printed bill, after "Sec 3", insert the following: "For the privilege of selling tangible personal property at retail a tax is hereby imposed upon retailers at the rate of two and one-half per cent of the gross receipts of any such retailer from the sale of all tangible personal property sold at retail in this State on and after August 1, 1933, and to and including June 30, 1935; and at the rate of three per cent of the gross receipts of any such retailer from the sale of all tangible personal property sold at retail in this State on and after July 1, 1935. Such tax shall be paid at the time and in the manner hereinafter provided and shall be in addition to any and all other taxes

SEC. 2 This act, inasmuch as it provides for a tax levy for the usual current expenses of the State, shall, under the provisions of section 1 of Article IV of the Constitution take effect immediately."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1935

MR SPEAKER Your Committee on Education, to which was referred Assembly Bill No 1605—An act to amend sections 2 1223, 6 523, 6 561½, 6 260, 6 262, 6 264, 6.274, 6 275, and 6 276 of the School Code, relating to the public school system—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

CHATTERS, Chairman.

The above reported bill ordered on file for second reading

Also:

MR SPEAKER: Your Committee on Education, to which was referred Senate Bill No 885—An act to amend sections 3 330, 3 331, 3 332, 3 333, 3 334, 3 335, and 3 337 and to add a new section to the School Code to be numbered 3 339, relating to the attendance of pupils residing in California upon the public schools of adjoining States, and the attendance of pupils residing in adjoining States upon the public schools of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

CHATTERS, Chairman

The above reported bill ordered on file for second reading.

On Commerce and Navigation.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1935

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 1915—An act making an appropriation to dredge Alamitos Bay—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended, and be re-referred to Committee on Revenue and Taxation.

MALONEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 424—An act granting to the city of Richmond and its successors the salt marsh, tide and submerged land of the State of California, situated in said city, including the right to wharf out therefrom and grant franchises and leases thereon and regulating the management, use and control thereof, also including the right of said city to collect the rents, issues and profits in any manner hereafter arising from the lands or wharf-out privileges hereby granted—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MALONEY, Chairman.

The above reported bill ordered on file for second reading.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1935

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Senate Bill No. 874—An act to add a new article to the Agricultural Code, relating to horse, mule, and burro brands and marks—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

THORP, Chairman.

The above reported bill ordered on file for second reading.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2068—An act to provide for attorney's fees in suits to foreclose bonds or assessments of any special assessment district.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr Lore:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out everything except "An act to", and strike out line 2 of the title, and insert in lieu thereof the following "amend section 76a of the Improvement Act of 1911, relating to foreclosure of bonds."

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out everything except "Section 1", and strike out all of lines 2 to 25, inclusive, and insert in lieu thereof the following: "Section 76a of the Improvement Act of 1911 is hereby amended to read as follows.

Sec. 76a. In the event of the nonpayment of any installment of the interest or principal and by way of a separate, distinct and cumulative remedy, the holder of any bond upon which any payment either upon the principal or of the interest has become delinquent may, at any time after three months after the date it is provided by ordinance or charter of said city that taxes are due, or in case taxes are collected by the county for the city at any time after four (4) months next succeeding the fourth Monday of September, following the date of delinquency of principal or interest and prior to the expiration of four (4) years after the due date of the last installment upon any bond or of the last principal coupon attached thereto, file and maintain a suit to foreclose the lien of the bond and recover the amount due thereon; provided, however, that suit may be brought at any time following the expiration of thirty (30) days after the service of personal demand for payment as herein provided upon the owner of the premises. Such demand shall be served in the manner provided by law for the making personal service of summons; if suit be brought costs for the service thereof shall be allowed in an amount

equivalent to the fees prescribed by law for the service of summons. Said demand shall be in substantially the following form:

"Demand for Payment of Street Improvement Bond

You are hereby notified that Bond No. _____ Series No. _____ for an improvement in the city of _____ is delinquent. Unless the amount of the unpaid principal on said bond together with interest and penalties is paid to the city treasurer on or before thirty days after the service on you of this demand, the date of such service being this _____ day of _____, 19___, the undersigned will institute suit to foreclose the lien of said bond in the manner prescribed by law."

The complaint in such suit shall be sufficient if a true copy of the bond be therein set forth and appropriate allegations be made therein regarding the payments made upon the principal and interest of such bond. If personal demand for payment be made as herein provided the complaint shall so allege. Such suit shall be brought in the superior court within whose jurisdiction the city is by which the said bond has been issued and in case the owner of the lot, or parcel of land covered by said bond, can not with due diligence be found, the service of summons in such action may be had in the manner prescribed in the codes and laws of this State. The said bond, together with proof either orally by the said treasurer of the said city or by a certificate signed by him showing the nonpayment of any of the principal or interest upon said bond, shall be prima facie evidence of the right of the plaintiff to recover in said action, provided, that if personal demand for payment be made proof of service of the demand as herein provided shall be required The court in said suit shall have the power to adjudge and decree a lien against the lot or parcel of land covered by said bond and to cause said premises to be sold as in other cases of the sale of real estate by the process of said court to satisfy and discharge such bond and lien, and the amount of interest and penalties due shall be calculated in the same manner hereinbefore set forth in sections 62 and 68 hereof, up to the date of the judgment. On appeal, the Appellate Courts shall have the same power to adjudge and decree a lien and order such premises to be sold as is conferred on the court from which an appeal is taken

When suit has been brought in accordance with the provisions of this section, the plaintiff shall be entitled to have and recover attorney fees on each bond sued on; as follows: (1) in the event that said suit is settled or a tender made prior to the trial of said action, or in the event that judgment is taken on default, said attorney's fees shall be five dollars plus one dollar additional for each bond included in one action; (2) if said suit proceeds to trial then the court having jurisdiction of said cause shall fix and allow a reasonable attorney fee, which in no event shall exceed fifteen dollars plus one dollar additional for each bond included in one action, for the prosecution of said suit which fee in either case shall be in addition to all taxable costs and the plaintiff may have judgment therefor; provided, that if the court finds an unnecessary number of actions have been brought, where the parties are identical, it may allow the costs of one action only.

The plaintiff in the suit may also recover the cost of any abstract or report of search of title procured in good faith, in order to determine ownership, such search to be by a reputable abstractor or title company, and such cost not to exceed five dollars per lot, and such abstract or report to search with affidavit of payment to be filed in the action.

Such premises, if sold, may be redeemed as in other cases. Such action shall be governed and regulated by the provisions hereof, and also when not in conflict herewith, by the codes of this State.

A written notice of the pendency of any action for recovery on a bond shall be filed with the treasurer after the filing of such notice the treasurer shall not receive any money on account of said bond and he shall have no authority to cancel the entries on said bond in his register or give a discharge of said bond without the written consent of the owner thereof until judgment has been rendered in such action or the same has been dismissed.

Should suit be brought for recovery on any bond prior to the time provided herein the plaintiff shall not recover in such suit and the defendant in such suit shall be entitled to have and recover such attorney fees as the court may deem reasonable, in addition to all taxable costs."

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No 1957—An act to amend Public Utilities Act.

Bill read third time

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Field:

Amendment No. 1.

On page 2, line 4, of the printed bill, after the word "transportation", strike out the period, and insert the following "provided, however, that a reasonable differential between rates of common carriers by rail and water may be maintained by said carriers and the commission may by order require the establishment of such rates."

Amendment adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Third Reading of Senate Bills.

Senate Bill No. 5—An act to amend sections 1 and 2 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to persons exempt from tax

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Chatters:

Amendment No. 1.

On page 1, line 17, of the printed bill, as amended, strike out the period after the word "dollars.", insert a comma, and add the following: "and, providing further, the word "operator" shall not include any person whose sole transportation of persons or property for hire or compensation consists of the transportation of children to and from any public elementary or secondary school and whose total compensation from all sources for providing such transportation does not exceed fifty dollars per month."

Amendment adopted

Bill read, ordered to reprint, and third reading

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Attaches.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1935

MR. SPEAKER: Your Committee on Attaches respectfully begs to report that it has carefully considered the applications for the various positions and desires to submit the following resolution.

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same:

Commencing May 21, 1935—	*Per day*
Edward Harrison, Assistant Sergeant-at-Arms	$5 00

Be it further resolved, That the following named persons be stricken from the list of Assembly attaches and their names be stricken from the pay roll of the Assembly to take effect on completion of work:

May 25, 1935—	*Per day*
Edward Harrison, Assistant Sergeant-at-Arms	$5 00
Robert Millington, Page	2 50

UTT, Chairman

Report and resolution of Committee on Attaches read.

Mr Utt moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Cottrell, Crowley, DeLap, Desmond, Donnelly, Field, Fisher, Fulcher, Geyer, Gilbert, Glover, Hawkins, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Reaves, Redwine, Riley, Robertson, Rosenthal, Stream, Utt, Voigt, Wagner, Walker, Waters, Welsh, Williamson, and Mr. Speaker—51.

NOES—None

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Evans, Ralph W:

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1935

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 2955 of the Civil Code, relating to mortgages on personal property.

Referred to Committee on Introduction of Bills.

By Mr. Evans, Herbert J.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1935

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add section 269 to the Political Code, relating to officers of the Senate and Assembly.

Referred to Committee on Introduction of Bills.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 1101—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, by adding a new section thereto numbered section 2a, providing for securing the written consent of political subdivisions owning sixty per cent or more in area or value of the lands to be incorporated.

Bill read third time

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Mayo:

Amendment No. 1.

On page 1, line 15, of the printed bill, strike out "the State of California, or".

Amendment No. 2.

On page 1 of the printed bill, strike out line 16, and in line 17, strike out "or" where it first appears in said line, and insert in lieu thereof the following: "municipality of this State, the written consent of".

Amendment No. 3.

On page 1 of the printed bill, strike out line 18, and insert in lieu thereof the following: "board of".

Amendments adopted

Request for Unanimous Consent.

Mr. Waters asked for, and was granted, unanimous consent to take up Senate Bill No. 1101, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 1101, as Amended.

Senate Bill No. 1101, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 1101, as amended, finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, McCarthy, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Wright, and Mr. Speaker—58.

NOES—Cassidy, Desmond, Donihue, Mayo, and Wallace—5.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 22, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 1113—An act to add section 487 5 to the Fish and Game Code, relating to the use of certain bait to take fish, and declaring the urgency thereof, and that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 1113 read first time.

Request for Unanimous Consent.

Mr. Mayo asked for, and was granted, unanimous consent to take up Senate Bill No. 1113, as amended, at this time, without reference to file.

Consideration of Senate Bill No. 1113.

Senate Bill No. 1113—An act to add section 487 5 to the Fish and Game Code, relating to the use of certain bait to take fish and declaring the urgency thereof, and that this act shall take effect immediately.

Case of Urgency.

The following resolution was offered:

By Mr. Mayo:

Resolved, That Senate Bill No. 1113 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

Mr. Mayo moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Field, Fisher, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—58.

NOES—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 1113.

Second Reading of Senate Bill No. 1113.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—58.

NOES—None.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Mayo:

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out "fish", and insert in lieu thereof the following: "trout".

Amendment No. 2.

On page 1, line 10, of the printed bill, strike out "fish", and insert in lieu thereof the following: "trout".

Amendments adopted.

Request for Unanimous Consent.

Mr. Mayo asked for, and was granted, unanimous consent to take up Senate Bill No. 1113, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 1113, as Amended.

Senate Bill No. 1113, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1113, as amended, finally passed by the following vote:

AYES—Anderson, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1826—An act to amend section 926 of the Fish and Game Code, relating to the supervision, regulation and restricting of commercial fishing in the waters under the jurisdiction of the State of California.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Brennan, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—61.
NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1826 passed by the following vote:

AYES—Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—66
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Resolution.

The following resolution was offered:

By Mr. Peyser, and the San Francisco delegation:

Assembly Resolution.

WHEREAS, In the usual course of events, 46 years ago the Almighty in His wisdom did present to the Commonwealth of California a native son who was christened Thomas Maloney; and

WHEREAS, The said Thomas Maloney has, in this short span of years, by constant devotion to the ideals and philosophies of humane and progressive principles become an outstanding leader of men; and

WHEREAS, He has by congenial personality and capacity for true friendship endeared himself to all who have the privilege of knowing him; now, therefore, be it

Resolved by the Assembly of the Legislature of California in session duly assembled, That it express to said Senator Thomas Maloney its congratulations upon his natal day with the sincere wish that he may enjoy many more years in health and virility to continue his splendid efforts; and be it further

Resolved, That we express to his dear wife and children assembled here today the hope that God will spare to them for many years of happiness and companionship their dear husband and father.

Resolved further, That a copy of this resolution be suitably printed and presented to Senator Thomas Maloney.

Resolution read, and adopted unanimously.

Unfinished Business—(Resumed).

Reconsideration of Assembly Bill No. 2433.

Assembly Bill No 2433—An act to provide for the administration of highway work for or in cooperation with the United States by the State of California, amending the Streets and Highways Code in accordance therewith, and declaring the urgency thereof.

In compliance with his notice given on a previous day, Mr. Jones moved that the vote whereby Assembly Bill No. 2433 was passed be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Geyer, Gilbert, Gilmore, Glover, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—59.

NOES—Cassidy, and Garibaldi—2

Request for Unanimous Consent.

Mr. Burns asked for, and was granted, unanimous consent to take up Assembly Bill No. 2433, at this time, without reference to file.

Assembly Bill No. 2433 read third time

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Jones:

Amendment No. 1.

On page 3, line 20, of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "and provided further, that as to the expenditure of Federal emergency funds not allocated under any cooperative highway agreement and primarily for the purpose of relieving unemployment, employees used on any projects so financed shall be obtained from the various counties according to and in proportion to unemployment needs so far as may be practical and only to such extent as will not conflict with any requirement of the government of the United States."

The question being on the amendment submitted by Mr. Jones

Request for Roll Call.

On request of Messrs Jones, Pelletier and Wallace, the Speaker ordered a roll call taken on the amendment submitted by Mr. Jones.

The roll was called, and the amendment was adopted by the following vote:

AYES—Anderson, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—65.

NOES—Breed, Fisher, Fulcher, and Johnson—4

Request for Unanimous Consent.

Mr. Burns asked for, and was granted, unanimous consent to take up Assembly Bill No. 2433, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2433, as Amended.

Bill read third time.

Urgency clause read

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Red-

wine, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—67.
NOES—Cassidy and Fulcher—2.

Assembly Bill No. 2433, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2433, as amended, passed by the following vote:

AYES—Anderson, Boyle, Burns, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—68
NOES—Cassidy and Fulcher—2.

Title read and approved.

Bill ordered transmitted to the Senate

Resolution.

The following resolution was offered:

By Miss Miller:

Assembly Resolution.

WHEREAS, We have learned with profound regret of the passing of one of the foremost world figures, who has left her impress on the hearts and lives of myriads of this and other lands; and

WHEREAS, She has devoted a cultured mind, a sympathetic and understanding heart, a world-wide vision and a love of humanity unparalleled, to labor for and leadership in every great economic, philanthropic and political advancement, especially for women, of the last half century; and

WHEREAS, To this end she has contributed to the care and uplift of the poor and needy, the ignorant, the friendless and the helpless and all those who are desolate and oppressed, her devoted life of service by pen, by voice and by her residence and work in their midst in Hull House which is synonymous with her name; and

WHEREAS, Because this international social worker, this champion of world peace has been removed to a higher sphere of usefulness, leaving us, as was said of Lincoln, with "A lonesome place against the sky"; therefore be it

Resolved, That when the Assembly adjourns today it adjourn out of respect to one of the world's greatest women and most useful citizens of all time—Jane Addams.

Resolution by Miss Miller read, and adopted unanimously.

Unfinished Business—(Resumed).

Reconsideration of Assembly Bill No. 834 Waived.

Mr. Martin waived his notice to reconsider the vote whereby the amendments to Assembly Bill No 834 were adopted.

Assembly Bill No. 834 ordered on file for third reading.

Reconsideration of Assembly Bill No. 93.

Assembly Bill No. 93—An act to amend section 69 of the Civil Code, relating to marriage licenses.

In compliance with his notice given on a previous day, Mr. Boyle moved that the vote whereby Assembly Bill No. 93 was passed be reconsidered.

Demand for Previous Question.

Messrs Minard, Morgan, Turner, Wallace and Welsh demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the reconsideration of Assembly Bill No. 93.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Boyle moved a call of the House.

Request for Roll Call.

On request of Messrs. Boyle, Heisinger and Cronin, the Speaker ordered a roll call taken on the motion for a call of the House.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Boyle, Cassidy, Clark, Cunningham, Evans, Ralph W., Field, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Johnson, Latham, Laughlin, Maloney, Martin, McCarthy, Meehan, Miller, Minard, Patterson, Pelletier, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Wilhamson, Wright, and Mr. Speaker—41.

NOES—Breed, Brennan, Burns, Cottrell, Cronin, Crowley, DeLap, Desmond, Donnelly, Fisher, Frazier, Garibaldi, Hornblower, Hunt, Lore, McBride, Morgan, Nielsen, Reaves, Scudder, and Weber—21.

Time, four o'clock and fifteen minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names

Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donnelly, Evans, Ralph W, Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Wilhamson, Wright, and Mr Speaker—62.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Unfinished Business—(Resumed).

Consideration of Senate Amendment to Assembly Bill No. 1122.

Assembly Bill No. 1122—An act to accept the provisions of an act of the Congress of the United States effective June 6, 1933, entitled "An act to provide for the establishment of a National employment system and for cooperation with the States in the promotion of such system, and for other purposes.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1122?

Amendment No. 1.

On page 2, line 11, of the printed bill, as amended, following the quotation marks, insert a period, and strike out all of the balance of the said line, and strike out all of lines 12 and 13, inclusive, of said page 2.

The roll was called, and Senate amendment to Assembly Bill No. 1122 was concurred in by the following vote:

AYES—Breed, Burns, Cassidy, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W, Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Weber, Wright, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 1122 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1819.

Assembly Bill No 1819—An act to add a new section to the Probate Code, to be numbered 1558, providing for allowances by the court to next of kin of an insane or incompetent person out of surplus income of said insane or incompetent person

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1819?

Amendment No. 1.

On page 1, line 3, of the printed bill, at the first of the line, insert the following: "1558."

Amendment No. 2.

On page 1, lines 3 and 4, of the printed bill, strike out "of any person interested in the estate", and insert in lieu thereof the following: "next of kin".

Amendment No. 3.

On page 1, line 11, of the printed bill, strike out "; provided, however, that", and insert in lieu thereof the following: ", but".

The roll was called, and Senate amendments to Assembly Bill No. 1819 were concurred in by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Redwine, Richie, Riley, Rosenthal, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—57.

NOES—None

Assembly Bill No 1819 ordered to enrollment.

Consideration of Assembly Amendments to Senate Bill No. 772.

Senate Bill No 772—An act to amend section 150 of the Agricultural Code, pertaining to the qualification and certification of persons engaging for hire in the business of eradicating or controlling pests.

The question being: Shall the Assembly recede from the following Assembly amendments to Senate Bill No. 772?

Amendment No. 1.

On page 2, line 2, of the printed bill, strike out the comma after the word "in", and add a comma after the word "pests"

Amendment No. 2.

On page 2, line 3, of the printed bill, after the word "State", strike out the period, and add the following: "wherever such control method or methods might be destructive to bees when gathering nectar or pollen in an orchard or other crop area"

The roll was called, and the Assembly receded from Assembly amendments to Senate Bill No. 772 by the following vote:

AYES—Boyle, Brennan, Burns, Cassidy, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donahue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Waters, Weber, Wright, and Mr. Speaker—60

NOES—None

Senate Bill No. 772 ordered transmitted to the Senate.

Motion to Strike Assembly Bills Nos. 738, 741 and 740 from File.

Mr. Redwine moved that Assembly Bills Nos. 738, 741 and 740 be stricken from the file.

Motion carried.

Assembly Bills Nos. 738, 741 and 740 ordered stricken from the file.

Unfinished Business—(Resumed).

Reconsideration of Senate Bill No. 78 Waived.

Mr Utt waived his notice to reconsider the vote whereby Senate Bill No. 78 was passed.

Senate Bill No. 78 ordered transmitted to the Senate.

Motion to Strike Assembly Bill No. 1156 from File.

Mr. Redwine moved that Assembly Bill No. 1156 be stricken from the file

Motion carried.

Assembly Bill No 1156 ordered stricken from the file.

Motion to Strike Assembly Bill No. 474 from File.

Mr Utt moved that Assembly Bill No. 474 be stricken from the file.

Motion carried.

Assembly Bill No. 474 ordered stricken from the file.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 413—An act to amend sections 60 and 62 of an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, Statutes 1911, page 730, as amended.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 413 passed by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Cottrell, Cronin, Crowley, Cunningham, DeLap, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2452—An act to add section 1238.5 to the Code of Civil Procedure, relating to eminent domain.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2452 passed by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Cottrell, Cronin, Cunningham, DeLap, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier,

Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Weber, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2438—An act to add sections 21, 22, 23, 24 and 25 to, and to repeal sections 15 and 16 of, The Planning Act, relating to State, regional, county, and city planning.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Weber:

Amendment No. 1.

On page 2, line 48, of the printed bill, strike out "they", and insert in lieu thereof the following: "and the plan has been adopted by the legislative body of the county or city, such features and findings".

Amendment adopted.

Request for Unanimous Consent.

Mr. Weber asked for, and was granted, unanimous consent to take up Assembly Bill No. 2438, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2438, as Amended.

Assembly Bill No. 2438, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2438, as amended, passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Donihue, Evans, Herbert J. Evans, Ralph W. Field, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Riley, Scudder, Thorp, Utt, Voigt, Wagner, Walker, Waters, Weber, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 2425—An act to add a new section to the Political Code, to be numbered 363m, relating to the Division of Water Resources revolving fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2425 passed by the following vote:

AYES—Boyle, Breed, Burns, Clark, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Latham, Lore, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Wright, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 104—An act to amend section 171 of the Code of Civil Procedure, relating to officers of courts of justice.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 104 passed by the following vote:

AYES—Breed, Brennan, Burns, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, DeLap, Domhue, Evans, Herbert J. Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 361—An act to add a new section to the Code of Civil Procedure, to be numbered 675b, relating to the discharge of a bankrupt from judgment.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr Garibaldi:

Amendment No. 1.

On page 2, line 3, of the printed bill, strike out the period, and insert in lieu thereof the following: "; provided, however, nothing herein contained shall prevent said judgment notwithstanding such discharge of record from being used as a set-off in any action in which it otherwise could be so used"

Amendment adopted.

Request for Unanimous Consent.

Mr. Garibaldi asked for, and was granted, unanimous consent to take up Senate Bill No. 361, as amended, at this time, without reference to reprint or file

Third Reading of Senate Bill No. 361, as Amended.

Senate Bill No. 361, as amended, read third time

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 361, as amended, finally passed by the following vote:

AYES—Breed, Brennan, Burns, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Domhue, Evans, Herbert J. Evans, Ralph W., Field, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Weber, Welsh, Wright, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 423—An act to provide for the sale and conveyance of certain swamp and overflowed, salt marsh and tidelands lying in the county of Contra Costa, State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 423 finally passed by the following vote:

AYES—Breed, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, and Mr. Speaker—61.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 790—An act to amend the Vehicle Code by amending sections 37, 38, 39, 66, 67 and 73; by repealing section 44; by adding sections 44, 73.5 and 76, relating to vehicles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 790 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fulcher, Garibaldi, Geyer, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—61.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2460—An act to amend section 612 of the Fish and Game Code, relating to steelhead trout.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2460 passed by the following vote:

AYES—Anderson, Breed, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, and Mr. Speaker—61.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2043—An act to add a new section to be known as section 5.724 to the School Code, relating to resignations, dismissals and leaves of absence of certificated employees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2043 passed by the following vote:

AYES—Anderson, Breed, Brennan, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Martin, Mayo, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, and Mr. Speaker—63

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the House Dispensed With.

At four o'clock and fifty-five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Boyle.

The roll of absentees was called, and Assembly Bill No. 93 was refused reconsideration by the following vote:

AYES—Boyle, Cassidy, Chatters, Clark, Cunningham, Donihue, Evans, Herbert J., Field, Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Johnson, Latham, Laughlin, Lore, Maloney, Martin, McCarthy, Miller, Minard, Pelletier, Phillips, Redwine, Richie, Riley, Rosenthal, Stream, Turner, Wagner, Waters, Williamson, Wright, and Mr. Speaker—36.

NOES—Anderson, Breed, Brennan, Burns, Corwin, Cottrell, Cronin, Crowley, DeLap, Desmond, Donnelly, Evans, Ralph W., Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Hunt, Jones, Kallam, Mayo, McBride, McMurray, Meehan, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Peyser, Reaves, Robertson, Scudder, Thorp, Utt, Voigt, Walker, Wallace, Weber, and Welsh—41

Assembly Bill No. 93 ordered transmitted to the Senate.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1935.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 2955 of the Civil Code, relating to mortgages on personal property.

CUNNINGHAM, Chairman.

Also.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to add section 269 to the Political Code, relating to officers of the Senate and Assembly.

CUNNINGHAM, Chairman.

Reports of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the reports.

The question being on the adoption of the reports.

The roll was called, and the reports adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Utt,

Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—71.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

By Mr. Evans, Ralph W.: Assembly Bill No. 2472—An act to amend section 2955 of the Civil Code, relating to mortgages on personal property.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Evans, Herbert J.: Assembly Bill No. 2473—An act to add section 269 to the Political Code, relating to officers of the Senate and Assembly.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

Appointment of Committee on Free Conference Concerning Senate Bill No. 81.

The Speaker announced the appointment of Messrs. Mayo, Chatters and Donnelly, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Senate Bill No. 81.

Appointment of Committee on Free Conference Concerning Senate Bill No. 443.

The Speaker announced the appointment of Messrs. Utt, Walker and Laughlin, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Senate Bill No. 443.

Recess.

At five o'clock and five minutes p.m., on motion of Mr. Cottrell, the Assembly was declared at recess until nine o'clock p.m. of this day.

Reassembled.

At nine o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 900—An act providing for an investigation and report by a California Tax Research Commission on the subject of gross receipts taxes for the State of California and for any and all of its governmental units, making an appropriation therefor, and declaring this act to be an urgency measure to go into immediate effect.

Also: Assembly Bill No. 2261—An act to amend sections 2½, 10, 14 and 18½ and to repeal section 5 of the "Old Age Security Act," relating to aid to the aged;

Also: Assembly Bill No. 2303—An act to amend sections 425 and 426 of the Vehicle Code, relating to liens on vehicles;

Also: Assembly Bill No. 2429—An act to provide for the formation, management, alteration of boundaries, and dissolution of storm drain maintenance districts, defining the powers of the board of supervisors and the county surveyor relative to such districts and providing for the levy and collection of taxes to defray the expenses thereof;

Also: Assembly Bill No. 2458—An act to add Chapter 9, embracing sections 725 to 734, inclusive, to Division IV of the Agricultural Code, relating to dairies and dairy products;

Also: Assembly Bill No. 2465—An act to add section 1156 to the Agricultural Code, relating to the marketing of agricultural products;

Also: Assembly Bill No. 2467—An act to add to the Probate Code a new section, to be numbered 201a, and amending section 220 of the Probate Code, both relating to the laws of succession;
And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1041—An act providing employment for inmates of State prisons and reformatories and to establish a prison farm under the management and control of the State Board of Prison Directors; to provide for the purchase of land therefor, and the construction of buildings and other improvements in connection therewith; for the transfer of prisoners thereto and therefrom; and for the employment of prisoners therein; and to make an appropriation therefor—and reports that the same has been correctly re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 13—An act to amend section 73a, of the Code of Civil Procedure relating to superior courts;

Also: Assembly Bill No 14—An act to amend section 4312 of the Political Code, relating to the place of offices of certain county officers,
And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-second day of May, 1935, at two o'clock and thirty minutes p m.

WATERS, Chairman.

On Building and Loan Associations.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1935.

MR SPEAKER: Your Committee on Building and Loan Associations, to which was referred Assembly Bill No. 2065—An act to amend the Building and Loan Association Act and the title thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

SCUDDER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Building and Loan Associations, to which was referred Assembly Bill No. 2066—An act to amend the Building and Loan Association Act and the title thereof—has had the some under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

SCUDDER, Chairman.

The above reported bill ordered on file for second reading

Also:

MR. SPEAKER: Your Committee on Building and Loan Associations, to which was referred Assembly Bill No 2067—An act to amend the Building and Loan Association Act and the title thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

SCUDDER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Building and Loan Associations, to which was reterred Assembly Bill No 2064—An act to amend the Building and Loan Association Act and the title thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

SCUDDER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Building and Loan Associations, to which was referred Senate Bill No. 347—An act to amend the act entitled "An act to

define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes, to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, as amended, by amending sections numbered 1.01 relating to definitions, 12.07 relating to bonds of officers and employees, 13.16 relating to liquidation by the Building and Loan Commissioner, 13.17 relating to assessments for salaries and expenses, 6.06 relating to payments entitled to preference, 12.04 relating to foreign associations, 13.13 relating to the commissioner's powers upon taking possession and 13.15 relating to schedules of property; and adding to said act new sections to be numbered 8.09 relating to dividends, 12.04a relating to foreign building and loan associations and 14.09 relating to liability for acts done or omitted in conformity with any rule, regulation, approval, consent, order, direction or other act of the Building and Loan Commissioner—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

SCUDDER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Building and Loan Associations, to which was referred Assembly Bill No. 2063—An act to amend the Building and Loan Association Act and the title thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

SCUDDER, Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Building and Loan Associations, to which was referred Assembly Bill No. 2054—An act to amend the Building and Loan Association Act and the title thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

SCUDDER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Building and Loan Associations, to which was referred Assembly Bill No. 2053—An act to amend the Building and Loan Association Act and the title thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

SCUDDER, Chairman

The above reported bill ordered on file for second reading.

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1935.

MR SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 1904—An act to amend sections 3, 6, 7, 9, 10, and 14 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provision," approved June 5, 1933, relating to the powers

of the California Horse Racing Board—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

GARIBALDI, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 715—An act to provide, in accordance with the provisions of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," for the allocation and apportionment of balances in the "Fair and exposition fund" for the benefit of State institutions of learning providing vocational training in agriculture, animal husbandry and kindred subjects—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, as amended and be re-referred to Committee on Ways and Means

GARIBALDI, Chairman.

The above reported bill ordered on file for second reading.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1935

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 2469—An act to add section 590 to the Vehicle Code, relating to warning devices—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HORNBLOWER, Chairman

The above reported bill ordered on file for second reading.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1935.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 700—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 700—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, lines 29 and 30, of the printed bill, strike out the words and figures: "fifty thousand dollars $50,000 00", and insert in lieu thereof the following: "two hundred fifty thousand dollars $250,000 00".

Amendment No. 2.

On page 2 of the printed bill, after line 35, insert the following:

"Item 10½—For support of the Los Angeles Branch of the Legislative Counsel Bureau, ten thousand dollars $10,000.00".

Amendment No. 3.

On page 2, lines 44 and 45, of the printed bill, strike out the words and figures: "twenty-one thousand five hundred dollars $21,500 00", and insert in lieu thereof the following: "twenty thousand five hundred dollars $20,500 00".

Amendment No. 4.

On page 2, lines 50, 51 and 52, of the printed bill, strike out the words and figures "one hundred ninety-six thousand seven hundred thirty dollars $196,730 00", and insert in lieu thereof the following: "two hundred six thousand seven hundred thirty dollars "206,730 00".

Amendment No. 5.

On page 3, lines 18 and 19, of the printed bill, strike out the words and figures "twenty-one thousand seven hundred dollars $121,700 00", and insert in lieu thereof the following: "six thousand seven hundred dollars $106,700 00".

Amendment No. 6.

On page 3, lines 45, 46, and 47, of the printed bill, strike out the words and figures "one hundred ninety-eight thousand seven hundred forty dollars $198,740 00", and insert in lieu thereof the following "one hundred forty-eight thousand seven hundred forty dollars $148,740 00".

Amendment No. 7.

On page 3 of the printed bill, following line 47, insert the following:

"Item 25½—For additional support of the State Personnel Board to carry out the provisions of Article XXIV of the Constitution, fifty thousand dollars $50,000 00".

Amendment No. 8.

On page 5, line 3, of the printed bill, following the comma, insert the following "State Department of Finance".

Amendment No. 9.

On page 5 of the printed bill, after line 4, insert the following:

"Item 38½ For repairs, improvements and equipment of Assembly committee rooms in the State Capitol, including ventilating system, State Department of Finance, thirteen thousand five hundred dollars $13,500 00".

Amendment No. 10.

On page 5 of the printed bill, strike out all of lines 5 to 8, inclusive, and insert in lieu thereof the following:

"Item 39 For such proportion of the compensation benefits to State officers and employees as in each case the contribution out of the general fund to the salary of such officer or employee, during the portion of the eighty-seventh and eighty-eight fiscal years prior to the date when the benefit becomes payable, bears to the total salary of such officer or employee during the same period, or for premiums on"

Amendment No. 11.

On page 5, line 15, of the printed bill, after the word "For", insert the following: "payment of automobile liability claims and salaries and expense incident to investigation, adjustment and defense thereof, or for".

Amendment No. 12.

On page 6, lines 5 and 6, of the printed bill, strike out the words and figures "sixty-six thousand nine hundred sixty dollars $866,960 00", and insert in lieu thereof the following: "fifty-six thousand nine hundred sixty dollars $856,960 00".

Amendment No. 13.

On page 6, lines 11, 12 and 13, of the printed bill, strike out the following. "one million four thousand sixty-five dollars $1,400,065 00", and insert in lieu thereof the following. "one million four hundred thirty-four thousand seven hundred and thirty-five one-hundredths dollars $1,434,700 35".

Amendment No. 14.

On page 8 of the printed bill, following line 30, insert the following

"Item 73½ For subsidies, Bureau of Tuberculosis, Department of Public Health, one million three hundred five thousand dollars $1,305,000 00".

Amendment No. 15.

On page 8, lines 36, 37 and 38, of the printed bill, strike out the words and figures "one million nine hundred eighty-three thousand eight hundred seven and forty-five one-hundredths dollars $1,983,807 45", and insert in lieu thereof the following: "two million one hundred seventy thousand three hundred forty-seven and forty-five one-hundredths dollars $2,170,347.45".

Amendment No. 16.

On page 8, line 44, of the printed bill, after the word "fund", insert a comma and the following: "subject to the limitations specified in sections 26, 27, 28 and 29 of the Agricultural Code".

Amendment No. 17.

On page 9 of the printed bill, following line 21, insert the following:

"Item 79½ For additional support, Division of Forestry, Department of Natural Resources, eighteen thousand eight hundred dollars, payable from State Board of Forestry fire prevention fund $18,800.00".

Amendment No. 18.

On page 9 of the printed bill, strike out all of lines 24 to 36, inclusive, and insert in lieu thereof the following. "Resources, including license commissions, State Fair and other exhibits, two million, one hundred sixty-two thousand one hundred ninety-nine dollars $2,162,199.00".

Amendment No. 19.

On page 9, line 38, of the printed bill, after the word "grounds", insert the following. "and construction, improvements and equipment".

Amendment No. 20.

On page 9, line 40, of the printed bill, after the word "hundred", insert the word "eighty".

Amendment No. 21.

On page 9 of the printed bill, strike out all of line 42, and insert in lieu thereof the following: "and game preservation fund $180.000 00".

Amendment No. 22.

On page 9 of the printed bill, strike out all of lines 43 to 48, inclusive

Amendment No. 23.

On page 10 of the printed bill, after line 37, insert the following:

"Item 90½ For support of Eureka Harbor, Department of Public Works, three thousand seven hundred forty dollars $3,740.00".

Amendment No. 24.

On page 10 of the printed bill, after line 43, insert the following:

"Item 91½ For construction, land, rights of way, easements, and general administrative operations and overhead, reclamation board pursuant to the provisions of Chapter 176 of California Statutes of 1925, approving the modified report of the California Debris Commission, dated January 5, 1925, which said report was adopted by the United States in section 13 of that certain act of Congress entitled "An act for the control of floods on the Mississippi River and its tributaries, and for other purposes", approved May 15, 1928, and for any other purpose to further carry out the legislation contained in said Chapter 176 of California Statutes of 1925, one million two hundred eleven thousand dollars $1,211,000.00".

Amendment No. 25.

On page 10, line 47, of the printed bill, strike out the word "Bureau", and insert in lieu thereof the word "Division".

Amendment No. 26.

On page 11, line 1, of the printed bill, strike out the word "Bureau", and insert in lieu thereof the word "Division".

Amendment No. 27.

On page 11, lines 34 and 35, of the printed bill, strike out the words and figures "six hundred twenty-seven thousand eight hundred twenty-six dollars $627,826 00", and insert in lieu thereof the following "six hundred fifty-seven thousand seven hundred fifty-one dollars $657,751 00".

Amendment No. 28.

On page 11, lines 48, 49 and 50, of the printed bill, strike out the words and figures "two hundred fifty thousand four hundred sixty dollars $250,460 00", and insert in lieu thereof the following. "three hundred forty-nine thousand five hundred ninety dollars $349,590 00".

Amendment No. 29.

On page 12, lines 4, 5, and 6, of the printed bill, strike out the words and figures "four hundred seventy-five thousand seven hundred sixteen dollars $475,716 00", and insert in lieu thereof the following: "five hundred twenty-three thousand twenty-nine and ninety one-hundredths dollars $523,029.90".

Amendment No. 30.

On page 12 of the printed bill, after line 11, insert the following:

"Item 103½ For major construction, improvements and equipment at Veterans' Home of California, one hundred twenty thousand dollars, payable from the Athletic Commission fund $120,000 00".

Amendment No. 31.

On page 12, lines 13 and 14, of the printed bill, strike out the words and figures "forty-three thousand five hundred and eighteen one-hundredths dollars $43,500 18",

and insert in lieu thereof the following: "forty-six thousand five hundred sixteen and seventy one-hundredths dollars $46,516 70"

Amendment No. 32.

On page 12, lines 33, 34 and 35, of the printed bill, strike out the words and figures "one million four hundred fifty-two thousand three hundred seventy-nine and four one-hundredths dollars $1,452,379.04", and insert in lieu thereof the following: "one million five hundred seventy-four thousand two hundred fifty-three and fifty-three one-hundredths dollars $1,574,253.53".

Amendment No. 33.

On page 12, lines 38 and 39, of the printed bill, strike out the words and figures "fifteen thousand dollars $15,000.00", and insert in lieu thereof the following: "twenty-nine thousand four hundred dollars $29,400 00".

Amendment No. 34.

On page 12, lines 41 and 42, of the printed bill, strike out the words and figures "six hundred eleven thousand dollars $611,000 00", and insert in lieu thereof the following. "six hundred fifty-one thousand six hundred eighty-eight dollars $651,688.00".

Amendment No. 35.

On page 12, lines 48, 49 and 50, of the printed bill, strike out the words and figures "one million ninety-four thousand four hundred fifty-four dollars $1,094,454.00", and insert in lieu thereof the following: "one million one hundred seventy-two thousand one hundred nineteen and twenty one-hundredths dollars $1,172,119 20".

Amendment No. 36.

On page 13, lines 10, 11 and 12, of the printed bill, strike out the words and figures "one million three hundred seventy thousand five hundred sixty dollars $1,370,560 00", and insert in lieu thereof the following: "one million four hundred seventy thousand seven hundred twenty-three and ninety one-hundredths dollars $1,470,723 90".

Amendment No. 37.

On page 13, lines 18 and 19, of the printed bill, strike out the words and figures "nine hundred ninety-five thousand twenty dollars $995,020.00", and insert in lieu thereof the following: "one million sixty-three thousand two hundred seventy-eight and forty one-hundredths dollars $1,063,278.40".

Amendment No. 38.

On page 13, lines 29, 30 and 31, of the printed bill, strike out the words and figures "one million four hundred seventy-six thousand nine hundred ninety-eight and six one-hundredths dollars $1,476,998.06,", and insert in lieu thereof the following. "one million five hundred eighty-two thousand six hundred eighty-five and twenty-three one-hundredths dollars $1,582,685 23".

Amendment No. 39.

On page 13, lines 41, 42 and 43, of the printed bill, strike out the words and figures "one million six hundred twelve thousand one hundred eighty-five dollars $1,612,185 00", and insert in lieu thereof the following: "one million seven hundred eighteen thousand two hundred eighteen and ninety one-hundredths dollars $1,718,218 90".

Amendment No. 40.

On page 14, lines 2 and 3, of the printed bill, strike out the words and figures "six hundred nfty thousand seventy dollars $650,070 00", and insert in lieu thereof the following: "seven hundred two thousand one hundred thirty-five and ninety-eight one-hundredths dollars $702,135.98".

Amendment No. 41.

On page 14, lines 9, 10 and 11, of the printed bill, strike out the words and figures "one million two hundred sixty-one thousand five hundred sixty-one and fifty one-hundredths dollars $1,261,561 50", and insert in lieu thereof the following. "one million three hundred forty-six thousand seven hundred seventeen and forty-one one-hundredths dollars $1,346,717.41".

Amendment No. 42.

On page 14, lines 17, 18 and 19, of the printed bill, strike out the words and figures "seven hundred ninety-one thousand four hundred twenty dollars $791,420.00", and insert in lieu thereof the following: "eight hundred thirty-seven thousand seven hundred thirty-five and sixty one-hundredths dollars $837,735 60".

Amendment No. 43.

On page 14, lines 25 and 26, of the printed bill, strike out the words and figures "two hundred thirty-two thousand six hundred fifteen dollars $232,615.00", and insert in lieu thereof the following "two hundred forty-seven thousand seventy-nine and ninety one-hundredths dollars $247,079 90".

Amendment No. 44.

On page 14, lines 32 and 33, of the printed bill, strike out the words and figures "four hundred thirty thousand six hundred fifty-six dollars $430,656 00", and insert in lieu thereof the following: "four hundred fifty-seven thousand one hundred twelve and thirty-six one-hundredths dollars $457,112 36".

Amendment No. 45.

On page 14, lines 42, 43 and 44, of the printed bill, strike out the words and figures "one hundred seventeen thousand seven hundred seventy-eight dollars $117,778.00", and insert in lieu thereof the following: "one hundred twenty-seven thousand thirty-seven and fifty-six one-hundredths dollars $127,037.56".

Amendment No. 46.

On page 15, lines 9, 10, and 11, of the printed bill, strike out the words and figures "one million two hundred five thousand one hundred forty-three dollars $1,205,143.00", and insert in lieu thereof the following: "one million three hundred eight thousand five hundred sixty-six and forty-two one-hundredths dollars $1,308,566.42".

Amendment No. 47.

On page 15, lines 14 and 15, of the printed bill, strike out the words and figures "forty-two thousand dollars $42,000 00", and insert in lieu thereof the following: "eighty-two thousand dollars $82,000 00".

Amendment No. 48.

On page 15, lines 17, 18 and 19, of the printed bill, strike out the words and figures "two million, ninety-eight thousand, seven hundred fifty-five dollars $2,098,755.00", and insert in lieu thereof the following: "two million two hundred ninety thousand seven hundred forty and 40/100 dollars $2,290,740 40".

Amendment No. 49.

On page 15 of the printed bill, following line 19, insert the following: "Item 143½. For additional support of State Prison at San Quentin four hundred eighteen thousand dollars, to become available on executive order of the Director of Finance when the average prison population within said prison exceeds four thousand six hundred eighty (4680) prisoners during the eighty-seventh fiscal year or five thousand two hundred forty-three (5243) prisoners during the eighty-eighth fiscal year, $418,000.00".

Amendment No. 50.

On page 15, lines 25, 26 and 27, of the printed bill, strike out the words and figures "one hundred fifty-two thousand eight hundred seventeen dollars $152,817.00", and insert in lieu thereof the following: "one hundred sixty-two thousand two hundred eighty-four and 90/100 dollars, provided, in the event Senate Constitutional Amendment No. 21, submitted by the fifty-first session of the Legislature is adopted by the people, the balance remaining in this item of appropriation on the effective date of said amendment shall be for the support of the California Institution for Women, $162,284.80".

Amendment No. 51.

On page 15, lines 34, 35 and 36, of the printed bill, strike out the words and figures "ninety-six thousand nine hundred ten dollars $96,910 00", and insert in lieu thereof the following: "one hundred twelve thousand nine hundred sixty dollars $112,960.00".

Amendment No. 52.

On page 15 of the printed bill, after line 36, insert the following: "Item 147½ For deportation of aliens convicted of felonies, Parole Department, Board of Prison Directors, fifteen thousand dollars $15,000.00".

Amendment No. 53.

On page 16, lines 10, 11 and 12, of the printed bill, strike out the following: "three hundred four thousand eight hundred ninety dollars", and insert in lieu thereof the following: "three hundred forty thousand two hundred seventy dollars".

Amendment No. 54.

On page 16, line 15, of the printed bill, strike out the figure "$304,890.00", and insert in lieu thereof the following: "340,270 00".

Amendment No. 55.

On page 16, lines 21, 22 and 23, of the printed bill, strike out the following: "five hundred fifteen thousand one hundred ninety dollars", and insert in lieu thereof the following: "five hundred fifty-three thousand seven hundred fifty dollars".

Amendment No. 56.

On page 16, line 38, of the printed bill, strike out the figure "$515,190 00", and insert in lieu thereof the following: "553,750 00".

Amendment No. 57.

On page 16, lines 32, 33 and 34, of the printed bill, strike out the following: "one hundred ninety-seven thousand four hundred sixty dollars", and insert in lieu thereof the following, "two hundred eleven thousand two hundred fifty dollars".

Amendment No. 58.

On page 16, line 38, of the printed bill, strike out the figure "$197,460 00", and insert in lieu thereof the following: "$211,250 00".

Amendment No. 59.

On page 16, lines 44, 45 and 46, of the printed bill, strike out the following: "four hundred thirty-seven thousand one hundred twenty dollars", and insert in lieu thereof the following: "five hundred five thousand three hundred five dollars".

Amendment No. 60.

On page 16, line 50, of the printed bill, strike out the figure "$437,120 00", and insert in lieu thereof the following: "$505,305 00"

Amendment No. 61.

On page 17, lines 6, 7 and 8, of the printed bill, strike out the following: "four hundred fifty-four thousand three hundred fifty dollars", and insert in lieu thereof the following: "five hundred twenty-two thousand five hundred fifty dollars".

Amendment No. 62.

On page 17, line 12, of the printed bill, strike out the figure "454,350 00", and insert in lieu thereof the following: "$522,550 00".

Amendment No. 63.

On page 17, lines 19, 20 and 21, of the printed bill, strike out the following: "six hundred twenty-two thousand three hundred fifty dollars", and insert in lieu thereof the following: "six hundred fifty-eight thousand six hundred seventy-five dollars".

Amendment No. 64.

On page 17, line 24, of the printed bill, strike out the figure: "$622,350 00", and insert in lieu thereof the following: "658,675 00".

Amendment No. 65.

On page 17, lines 30, 31 and 32, of the printed bill, strike out the following: "two hundred eighty-two thousand one hundred sixty dollars", and insert in lieu thereof the following: "three hundred twenty-one thousand seventy dollars".

Amendment No. 66.

On page 17, line 36, of the printed bill, strike out the figure "$282,160.00", and insert in lieu thereof the following: "321,070.00".

Amendment No. 67.

On page 17, lines 42, 43 and 44 of the printed bill, strike out the words and figures "one hundred fifty-six thousand seven hundred fifty-one and 20/100 dollars $156,751 20", and insert in lieu thereof the following: "one hundred sixty-two thousand nine hundred fifty-seven and 70/100 dollars $162,957.70".

Amendment No. 68.

On page 18, lines 6, 7, and 8, of the printed bill, strike out the following: "three hundred sixty-four thousand eighty-five and 80/100 dollars $364,085 80", and insert in lieu thereof the following: "three hundred seventy-eight thousand three hundred thirteen and 30/100 dollars $378,313.30".

Amendment No. 69.

On page 18, line 17, of the printed bill, strike out the words and figures "twenty-five thousand dollars $25,000 00", and insert in lieu thereof the following: "sixty-five thousand dollars $65,000 00".

Amendment No. 70.

On page 18 of the printed bill, after line 21, insert the following:

"Item 174½—For additional support of California Polytechnic School forty-nine thousand one hundred dollars, payable out of the balance of any moneys remaining in the "Fair and exposition fund" after the deductions have been made, as provided in section 13 of Chapter 769, Statutes of 1933, or as the same may be amended, $49,100.00".

Amendment No. 71.

On page 18, lines 27, 28 and 29, of the printed bill, strike out the following: "eleven million nine hundred seventy-four thousand one hundred thirty-three dollars", and insert in lieu thereof the following: "twelve million nine hundred three thousand four hundred ninety-eight dollars".

Amendment No. 72.

On page 18, line 35, of the printed bill, strike out the figure "$11,974,133.00", and insert in lieu thereof the following. "$12,903,498.00".

Amendment No. 73.

On page 18, line 46, of the printed bill, strike out the semicolon and the following: "provided, how-", and strike out all of lines 47 to 52, inclusive, and insert in lieu thereof the figures "$1,918,450 00".

Amendment No. 74.

On page 19 of the printed bill, between lines 16 and 17, insert the word "miscellaneous".

Amendment No. 75.

On page 19 of the printed bill, strike out all of lines 19 to 22, inclusive, and insert in lieu thereof the following: "three million one hundred fifty-two thousand twenty-four and 82/100 dollars, payable from San Francisco Harbor improvement fund $3,152,024.82".

Amendment No. 76.

On page 19, line 39, of the printed bill, strike out the words "five hundred thousand".

Amendment No. 77.

On page 19, line 42, of the printed bill, strike out the comma and insert in lieu thereof a semicolon, and after the word "provided", insert a comma.

Amendment No. 78.

On page 19, line 43, of the printed bill, after the word "made", insert the following. "from the emergency fund".

Amendment No. 79.

On page 19, line 48, of the printed bill, strike out the figure "$1,500,000.00", and insert in lieu thereof the figure "$1,000,000.00".

Amendment No. 80.

On page 19 of the printed bill, after line 33, insert the following:

"Item 185½. For special emergency fund, five hundred dollars $500,000.00 exempt from section 4 of this act" to be expended only on written authorization of the State Department of Finance for augmentation of the appropriations for support of the State prisons, State hospitals, and other State institutions, when and if commodity prices increase during the eighty-seventh and eighty-eighth fiscal years."

Amendment No. 81.

On page 20, line 8, of the printed bill, strike out the figure "677a", and insert in lieu thereof the following: "677.5".

Amendment No. 82.

On page 20, line 14, of the printed bill, strike out the following: "80 and 82 of the Military Code", and insert in lieu thereof the following: "190 and 192 of the Military and Veterans Code".

Amendment No. 83.

On page 21, line 8, of the printed bill, strike out the figure "677a", and insert in lieu thereof the following: "677 5".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Messages from the Governor.

The following messages from the Governor were received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 22, 1935.

To the Honorable Members of the Assembly, State of California, Sacramento, California.

GREETINGS: I am returning herewith, without my approval, Assembly Bill No. 298—An act to repeal section 4 768, relating to reports of attendance in joint elementary school districts.

I am informed by those who advise me regarding the legal status of the various bills presented for consideration, that Assembly Bill No 298 is unconstitutional, for the reason the title of the bill fails to set out the particular code of which section

4.768 is repealed Hence, the bill would be wholly ineffective It is impossible to see how the court could supply the code designation, which is entirely missing

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No 298 ordered on unfinished business file.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 22, 1935

To the Honorable Members of the Assembly, State of California, Sacramento, California.

GREETINGS: I am returning herewith, without my approval, Assembly Bill No. 314—An act to amend sections 2.203 and 2.204 of the School Code and to add a new section to said code to be numbered 2.314, all relating to the formation of elementary school districts.

This bill amends sections 2.203 and 2 204 of the School Code, and undertakes to add thereto section 2.314 relating to the formation of elementary school districts It provides that an elementary school district may be formed from territory lying within a union or joint union elementary school district, and that when such territory is formed into a new elementary school district that territory shall cease to be a part of such union or joint union elementary school district.

Section 2 314 as added to this bill relates to the formation of elementary school districts from territory lying within a union or joint union elementary school district.

There is already in the School Code a section 2 314, and this addition would make two sections with the same number. Present section 2.314 relates to the election for the purpose of forming a consolidated school district. Section 2 314 as added by this bill does not relate to consolidated school districts, and does not seem to be in its proper place in the code

The new section added, No. 2 314, is in error. I understand the intention was to add section 2 134.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California

Assembly Bill No 314 ordered on unfinished business file.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 22, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 585—An act to amend section 3663b of the Political Code, relating to the assessment of property by the State Board of Equalization and to provide that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 22, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 42—Relative to approving certain amendments to the charter of the city of Monterey.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Concurrent Resolution No. 42 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 22, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 326—An act to amend section 3714 of the Political Code, relating to the preparation, submission and adoption of county road district and special district budgets and to the levy of taxes and prescribing limitations on county expenditures;

Also: Senate Bill No. 525—An act to amend section 2 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to the transportation of persons or property for hire or compensation;

Also: Senate Bill No. 428—An act to authorize the Governor of the State of California to execute and deliver deeds or other conveyances of lands, rights of way or other easements granted to the United States of America in aid of public work, relief or other projects aiding recovery.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 326 read first time, and referred to Committee on County Government.

Senate Bill No. 525 read first time, and referred to Committee on Public Utilities.

Senate Bill No. 428 read first time, and referred to Committee on Governmental Efficiency and Economy.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2260—An act to limit the jurisdiction of courts over matters arising out of or involving labor disputes—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

LYON, Chairman

The above reported bill ordered on file for second reading.

Also.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 244—An act to amend section 653e of the Penal Code, relating to the blacklisting of employees—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LYON, Chairman.

The above reported bill ordered on file for second reading.

Withdrawal of Assembly Bills.

By order of the Speaker, the following bills were stricken from the file, and ordered re-referred to committees:

Assembly Bill No. 2261 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 1295 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 1294 ordered re-referred to Committee on Motor Vehicles.

Assembly Bill No 1041 ordered re-referred to Committee on Motor Vehicles.

Assembly Bill No. 900 ordered re-referred to Committee on Social Service and Welfare.

Special Order.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

Further Consideration of Assembly Bill No. 122 and Amendments Pending.

Assembly Bill No. 122—An act to amend sections 5 and 7 of the Retail Sales Tax of 1933, relating to the rate of tax and exemptions, including refunds.

Bill read third time.

The question being on the amendments submitted by Mr. Hunt.

Substitute Amendments.

The following amendments were submitted by Mr. Lyon as substitute amendments for those submitted by Mr. Hunt on May 21st:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "5 and 7", and insert in lieu thereof the following: "3 and 5".

Amendment No. 2.

On page 1, lines 2 and 3 of the title of the printed bill, as amended, strike out "including refunds.", and insert in lieu thereof the following: "and to provide that this act shall take effect immediately."

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out lines 1 and 2, and insert in lieu thereof the following:

"SECTION 1. Section 3 of the Retail Sales Tax Act of 1933 is hereby amended to read as follows:

Sec. 3. For the privilege of selling tangible personal property at retail a tax is hereby imposed upon retailers at the rate of two and one-half per cent of the gross receipts of any such retailer from the sale of all tangible personal property sold at retail in this State on and after August 1, 1933, and to and including June 30, 1935; and at the rate of three per cent of the gross receipts of any such retailer from the sale of all tangible personal property sold at retail in this State on and after July 1, 1935. Such tax shall be paid at the time and in the manner hereinafter provided and shall be in addition to any and all other taxes

SEC. 2. Section 5 of said act is hereby amended to read as follows:".

Amendment No. 3-a.

On page 1 of the printed bill, as amended, strike out lines 23 and 24, also on page 2, strike out lines 1 and 2, and insert in lieu thereof the following:

"(e) The gross receipts from the sale of food products for human consumption. "Food products" as used herein includes cereals and cereal products,".

Amendment No. 4.

On page 2, line 4, of the printed bill, as amended, strike out ", except shell fish".

Amendment No. 5.

On page 2, line 6, of the printed bill, as amended, strike out "spice", and insert in lieu thereof the following: "spices".

Amendment No. 6.

On page 2 of the printed bill, as amended, strike out lines 12 to 15, inclusive, and insert in lieu thereof the following: "with, nor does the term "food products" including the furnishing, preparing or serving for a consideration of any tangible personal property consumed on the premises of the person furnishing, preparing or serving such tangible personal property.

SEC. 3. If any of the provisions of section 2 of this act be declared unconstitutional such decision shall invalidate all of the provisions of this act.

SEC. 4. This act, inasmuch as it provides for a tax levy for the usual current expenses of the State, shall, under the provisions of section 1 of Article IV of the Constitution, take effect immediately."

The question being on the substitute amendments submitted by Mr. Lyon.

Motion to Continue.

Mr. Jones moved that all matters on unfinished business file be continued until the next legislative day.

Motion lost.

Motion to Adjourn.

Mr. Jones moved that the Assembly adjourn until ten o'clock a.m., Thursday, May 23, 1935.

Mr. Jones withdrew his motion.

Motion to Lay Substitute Amendments on the Table.

Mr. Patterson moved to table the substitute amendments submitted by Mr. Lyon.

Mr. Patterson withdrew his motion.

Motion to Set Special Order.

Mr. Desmond moved that further consideration of Assembly Bill No. 122, and all amendments pending thereto, be made a special order for Friday, May 24, 1935, at two o'clock and thirty minutes p m.

Substitute Motion.

Mr Lyon moved, as a substitute motion, that the whole matter be made a special order for Thursday, May 23, 1935, at eleven o'clock a m.

Demand for Previous Question.

Messrs. Evans, Ralph W., Morgan, Wallace, Lore and Fisher demanded the previous question.

The question being put: Shall the main question be now put?

Mr. Evans, Ralph W., withdrew his motion for previous question.

The question being on the substitute motion submitted by Mr. Lyon, to set a special order for the consideration of Assembly Bill No. 122, and amendments pending.

Request for Roll Call.

On request of Messrs Hornblower, Dawson and Morgan, the Speaker ordered a roll call taken on the motion by Mr. Lyon to set special order.

The roll was called, and the motion was carried by the following vote.

AYES—Anderson, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hawkins, Heisinger, Hunt, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—63.

NOES—Breed, Crowley, Dawson, Flint, Geyer, Gilbert, Hornblower, Johnson, Jones, Laughlin, McMurray, Meehan, Reaves, Richie, and Wallace—15.

Unfinished Business—(Resumed).

Motion to Reconsider Assembly Bill No. 2392 Continued.

Mr. Flint moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2392 was passed be continued until the next legislative day.

Request for Roll Call.

On request of Messrs. Evans, Ralph W., Flint and Jones, the Speaker ordered a roll call taken on the motion to continue reconsideration of Assembly Bill No. 2392.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Boyle, Burns, Chatters, Clark, Cronin, Crowley, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Latham, Laughlin, Lore, Martin, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Rosenthal, Turner, Utt, Voigt, Wagner, Waters, Wright, and Mr. Speaker—49.

NOES—Breed, Brennan, Cassidy, Corwin, Cottrell, Dawson, DeLap, Evans, Herbert J., Fisher, Frazier, Garibaldi, Johnson, Kallam, Lyon, Maloney, Mayo, McBride, Minard, Peyser, Redwine, Robertson, Scudder, Stream, Thorp, Walker, Wallace, Weber, and Welsh—28.

Reconsideration of Assembly Bill No 2392 continued until next legislative day.

Reconsideration of Assembly Bill No. 1219 Waived.

Mr Kallam waived his notice to reconsider the vote whereby Assembly Bill No 1219 was passed.

Assembly Bill No 1219 ordered transmitted to the Senate.

Motion to Reconsider Assembly Bill No. 2120 Continued.

Mr Patterson moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2120 was refused passage be continued until the next legislative day

Motion carried.

Motion to Continue Reconsideration of Assembly Bill No. 618.

Mr. Patterson moved that the consideration of his motion to reconsider the vote whereby the Assembly concurred in Senate amendment to Assembly Bill No. 618 be continued until the next legislative day.

Motion.

Mr. Hornblower moved that the reconsideration of the vote whereby the Assembly concurred in Senate amendment to Assembly Bill No. 618, be taken up at this time.

Substitute Motion.

Mr. Morgan moved, as a substitute motion, that the record whereby the Assembly concurred in Senate amendment to Assembly Bill No. 618 be expunged from the record, and the action rescinded.

Substitute Motion.

Mr. Patterson moved, as a substitute motion, that the reconsideration of the vote whereby the Assembly concurred in Senate amendment to Assembly Bill No. 618 be taken up immediately.

Substitute Motion.

Mr. Evans, Ralph W., moved, as a substitute motion, that the reconsideration of the vote whereby the Assembly concurred in Senate amendment to Assembly Bill No. 618 be continued until the next legislative day.

Motion to Adjourn.

Mr. Lyon moved that the Assembly adjourn this day until ten o'clock a.m., Thursday, May 23, 1935.

Motion carried.

Adjournment.

At eleven o'clock and forty minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m , Thursday, May 23, 1935, out of respect to the memory of the late Jane Addams.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, May 23, 1935.

At ten o'clock a m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower,

Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—80.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Pelletier, its further reading was dispensed with.

Privilege of Floor of Assembly Extended.

On request of Mr. Thorp, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the trustee, teacher and pupils of the Terminous School, San Joaquin County, as follows: Eleanor Chambers, teacher; Florence M. Lyons, trustee, and Esther Whaples, Venice Clark, Doris Cater, Dorothy Shima, Natsume Yonezume, Chizuko Kato, Ernest Perry, Haruo Monji, John Coelho, Ervin Schopp, Louis Perry, Tsugio Kubota, Tsuneki Ichiki, Tetsuo Kato, Roy Takamune, Italo Michelotti, Joe Correia, Yoshiyuki Matsumota, and Billie Shelton, pupils.

On request of Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. Z. T. Malaby of Pasadena

On request of Mr Dawson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Clara K. Bartlett.

On request of Mr. Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Carl Kamp of San Francisco, and Mary McGinn, daughter of Mrs. Hulda McGinn of San Francisco.

ASSISTANT CLERK OLIVER READING.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1935

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1304—An act to amend the title and sections 1, 2, 3, 4, 5, 6 and 7 of an act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores, and spotting, sponging, and/or pressing establishments, or agencies thereof, and private schools and colleges of spotting, sponging, and/or pressing; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violations," approved May 28, 1931, relating to cleaning and dyeing—and reports that the same has been correctly re-engrossed

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 46—An act to amend section 3766 of the Political Code, relating to the publication of delinquent tax lists,

Also Assembly Bill No. 617—An act making an appropriation to pay the claim of the disbursing officer of the Department of Industrial Relations against the State of California;

Also: Assembly Bill No 1208—An act to amend section 3 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933, relating to taxation, and to provide that this act shall take effect immediately;

Also: Assembly Bill No 2160—An act to amend sections 117d and 117q of the Code of Civil Procedure, relating to small claims courts,

And reports that the same have been correctly engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 767—An act to amend sections 2, 2½, 3, 4, 10, 13, 14, 18½ and 21, to add section 24, and to repeal sections 5 and 9 of the Old Age Security Act of the State of California, relating to aid to the aged—and reports that the same has been correctly re-re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1935

MR SPEAKER Your Committee on Roads and Highways, to which was referred Assembly Bill No 2471—An act to add to Division I of the Streets and Highways Code a new Chapter 3a, comprising sections 750 to 754, inclusive, to provide for the conservation, development and maintenance of the scenic value along State highways and important county highways—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

STREAM, Chairman.

The above reported bill ordered on file for second reading.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Gilmore:

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows

An act relating to taxation, providing for a tax upon certain vehicles, providing for the collection thereof and the enforcement of this act, and providing for the repeal of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933.

Referred to Committee on Introduction of Bills.

Second Reading of Assembly Bills.

Assembly Bill No. 1831—An act to add section 586.5 to the Vehicle Code, relating to the control of traffic upon the public highways of the State of California, whether situated within unincorporated or incorporated territory.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 1579—An act to amend section 911 of the Insurance Code, relating to insurance practice regarding financial statements of insurers, and matters incidental thereto

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No 1589—An act to amend sections 12562 of the Insurance Code, relating to mortgage insurance.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 444—An act to amend section 13 of the Motor Vehicle Fuel License Tax Act relating to apportionment of the tax fund.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No 2013—An act to add section 379.5 to the Vehicle Code, relating to seizure and sale of vehicles.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, as amended, strike out "Any sheriff, chief of police or any"; also strike out all of lines 5 to 12, inclusive, and insert in lieu thereof the following: "Any member of the California Highway Patrol or any person regularly employed in the Division of Registration of the department as a branch office manager, engine verifier or nonresident registration clerk may seize a vehicle or motor when he has reasonable grounds to believe that such vehicle or motor has been stolen, or when he finds that the motor, serial or other identification number on a vehicle has been removed, defaced, obliterated or changed and the person in possession of said vehicle or motor is unable to show that he is entitled to the possession thereof."

Amendment No. 2.

On page 1, line 13, of the printed bill, as amended, after the word "any", insert the following: "foreign".

Amendment No. 3.

On page 1 of the printed bill, as amended, between lines 16 and 17, insert the following.

"If a registered or legal owner of record of the vehicle so seized or a person having any interest therein or lawfully entitled to the possession thereof, is ascertained by the department, in this or any other State, the department shall give notice of such seizure and holding of the vehicle, by registered mail, to such person.'

Amendment No. 4.

On page 1, line 20, of the printed bill, as amended, after "auction", insert the following: "to the highest bidder".

Amendment No. 5.

On page 1 of the printed bill, as amended, strike out all of lines 24 and 25, and on page 2, strike out all of lines 1 to 9, inclusive, and insert in lieu thereof the following: "The sale shall be conducted by the department and the proceeds thereof shall be held in a special account by the department for a period of one year from the date of sale Said amount, after said period of one year, shall be paid into the Department of Motor Vehicles fund If any person, within one year after such sale, shall establish that prior to the date of such sale he was the registered or legal owner of the vehicle or has any interest therein or is entitled to the possession thereof and produces evidence of such ownership or interest therein, satisfactory to the department, the proceeds of such sale, less the costs of seizure and sale, shall be paid to said person.

No claim shall be valid unless it is presented to the department within one year after such sale"

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 2466—An act to define motor transportation broker; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out "of", where it first appears in the line, and insert in lieu thereof the following: "or"

Amendment No. 2.

On page 1, lines 6 and 7, of the printed bill, strike out ", as common carriers or otherwise,".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 8 to 11, inclusive, and insert in lieu thereof the following: "pensation;".

Amendment No. 4.

On page 2, line 3, of the printed bill, strike out "of", and insert in lieu thereof the following: "or".

Amendment No. 5.

On page 2, line 4, of the printed bill, strike out ", as a common carrier or otherwise,".

Amendment No. 6.

On page 2, line 6, of the printed bill, strike out ", without holding a", and strike out all of lines 7 to 10, inclusive, and insert in lieu thereof a period.

Amendment No. 7.

On page 2 of the printed bill, strike out lines 11 to 15, inclusive, and insert in lieu thereof the following:

"This act shall not apply to the officers, agents or employees of any carrier operating for compensation over the public highways of this State who is under the jurisdiction of the Railroad Commission"

Amendment No. 8.

On page 2 of the printed bill, set up lines 16, 17 and 18, as a paragraph.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2455—An act to add sections 18 and 19 to an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, relating to concealable weapons.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out line 9, and in line 10, strike out "authorities for", and insert in lieu thereof the following: "for the use of peace officers in"

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1605—An act to amend sections 2.1223, 6.523, 6.561½, 6.260, 6.262, 6.264, 6.274, 6.275, and 6.276 of the School Code, relating to the public school system

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, beginning in line 1 of the title, strike out the following: "2.1223, 6.523, 6.561½, 6.260, 6.262, 6.264, 6.274, 6.275, and 6.276", and insert in lieu thereof the following "3.330, 3.331, 3.332, 3.333, 3.334, 3.335, and 3.337".

Amendment No. 2.

On page 1, line 3 of the title of the printed bill, strike out the following: "public school system", and insert in lieu thereof the following: "attendance of pupils residing in California upon the public schools of adjoining States".

Amendment No. 3.

On page 1, line 1, of the printed bill, after the period, insert the following: "Section 3.330 of the School Code is hereby amended to read as follows:

3.330. The average daily attendance of pupils residing in any county of this State and attending an elementary school or high school in an adjoining State which is contiguous to such county shall be reported by the county superintendent of schools in his annual report to the Superintendent of Public Instruction who shall include such average daily attendance in all the duly established elementary schools and high schools in the State for the last preceding school year certified by him to the State Controller as provided in this code

The Superintendent of Public Instruction, in making the apportionments of State school moneys, shall apportion to each county on account of the average daily attendance of pupils residing in such county and attending an elementary school or a high school in an adjoining State which is contiguous to such county an amount equal to that apportioned to the elementary school districts and high school districts of this State on account of the average daily attendance in such districts during the preceding school year. The amounts apportioned to a county under the provisions of this section on account of pupils attending elementary schools shall be deposited in the county treasury to the credit of the county elementary school tuition fund; and the amounts apportioned to a county under the provisions of this section on account of pupils attending high schools shall be deposited in the county treasury to the credit of the county high school tuition fund.

SEC. 2. Section 3.331 of the School Code is hereby amended to read as follows:

3.331. The board of supervisors of each county in which pupils reside who are attending an elementary school or a high school in an adjoining State which is contiguous to such county, on the approval of the county superintendent of schools of the county in which they live, shall levy a tax on the taxable property of the county to be known as the county school tuition tax. The minimum amount of the tax thereby raised shall be an amount which, when added to the amount to be apportioned to the county elementary and high school tuition funds during the school year by the Superintendent of Public Instruction on account of the average daily attendance of pupils residing therein who attended an elementary or a high school in such adjoining State during the preceding school year will provide an amount sufficient to pay the tuition, and also the transportation not to exceed ten dollars per pupil per month, of any pupil or pupils residing in the county who attended an elementary school or a high school during the preceding school year in such adjoining State

SEC. 3. Section 3.332 of the School Code is hereby amended to read as follows:

3.332. The tuition payable, exclusive of costs of transportation, per unit of average daily attendance of pupils residing in California and attending an elemen-

tary or a high school in an adjoining State which is contiguous to such county shall be the average current expenditure, exclusive of all transportation expenditures, per unit of average daily attendance for elementary or high schools as the case may be in the district attended by such pupils during the preceding school year.

SEC 4. Section 3 333 of the School Code is hereby amended to read as follows:

3 333. The county superintendent of schools of each county shall secure from the principal of any elementary or high school in an adjoining State which is contiguous to such county attended by pupils residing in such county a report on blanks furnished by the Superintendent of Public Instruction of the State of California showing such facts relative to the attendance and cost of education and transportation of such pupils as shall be outlined in the blank report.

SEC 5. Section 3 334 of the School Code is hereby amended to read as follows

3.334. The auditor of any county in which a county elementary or high school tuition tax is levied shall report to the county superintendent of schools the amount of money paid into the county elementary or high school fund from the tax levied.

SEC 6 Section 3 335 of the School Code is hereby amended to read as follows:

3 335. On receiving the report from the county auditor the superintendent of schools shall draw an order in favor of the county treasurer of the county and State in which the elementary or high school educating the children is located, and shall transmit the same by registered mail to said county treasurer, to be placed to the credit of the elementary or high school district educating such children, together with a statement, showing the names and average daily attendance of pupils whose tuition is to be paid

SEC. 7. Section 3 336 of the School Code is hereby amended to read as follows:

3.336. The county superintendent of schools of any county in lieu of payment to a district in an adjoining State which is contiguous to such county for the transportation of pupils residing in such county, may pay from the county elementary or high school tuition fund to the parent or guardian of such pupils an amount not to exceed ten dollars per month per pupil certified by such parent or guardian as the actual cost incurred by such parent or guardian for the transportation of such pupils to school in such adjoining State."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 2183—An act to be known as the "Inheritance Tax Act of 1935," to establish a tax on gifts, legacies, inheritances, bequests, devises, successions, transfers, joint tenancies and insurance, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under any act hereby repealed; to provide penalties for failure to comply with the provisions of this act; and to repeal Chapter 821 of the laws of the session of the Legislature of California of 1921, approved June 3, 1921, known as the "Inheritance Tax Act." and all amendments thereto, and to repeal all acts and parts of acts in conflict with this act, and providing this act shall take effect immediately

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 6 of the title of the printed bill, as amended, immediately following the word "insurance", strike out the comma, and insert in lieu thereof a semicolon.

Amendment No. 2.

On page 1, line 2, of the printed bill, as amended, immediately following the period, insert "".

Amendment No. 3.

On page 5 of the printed bill, as amended, immediately following line 23, add a new paragraph as follows

"(d) The aggregate proceeds of all policies designated in paragraphs (b) and (c) of this subdivision (9) of section 2, up to and including a total of fifty thousand

dollars, shall not be subject to the provisions of this act. Said fifty thousand dollar exemption shall be prorated among all beneficiaries under such policies in proportion to the amount of such insurance payable to each of them, and shall be in addition to all other exemptions provided for in this act."

Amendment No. 4.

On page 10, line 26, of the printed bill, as amended, strike out the words "eighteen months", and insert in lieu thereof the words "two years".

Amendment No. 5.

On page 10, line 34, of the printed bill, as amended, strike out the words "eighteen months", and insert in lieu thereof the words "two years".

Amendment No. 6.

On page 10, line 37, of the printed bill, as amended, strike out the word "eighteen", and insert in lieu thereof the word "two".

Amendment No. 7.

On page 10, line 38, of the printed bill, as amended, strike out the word "months", and insert in lieu thereof the word "years".

Amendment No. 8.

On page 10, line 47, of the printed bill, as amended, strike out the words "eighteen months", and insert in lieu thereof the words "two years".

Amendment No. 9.

On page 10, line 49, of the printed bill, as amended, strike out the words "eighteen months", and insert in lieu thereof the words "two years".

Amendment No. 10.

On page 12, line 31, of the printed bill, as amended, strike out the words "eighteen months", and insert in lieu thereof the words "two years".

Amendment No. 11.

On page 25, line 42, of the printed bill, as amended, strike out the word "May", and insert in lieu thereof the word "June".

Amendment No. 12.

On page 25, line 42, of the printed bill, as amended, strike out the word "December", and insert in lieu thereof the word "January".

Amendment No. 13.

On page 25, line 46, of the printed bill, as amended, strike out the word "June", and insert in lieu thereof the word "July".

Amendment No. 14.

On page 25, line 46, of the printed bill, as amended, strike out the word "January", and in lieu thereof insert the word "February".

Amendments adopted

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1551—An act relating to taxation, for State purposes, of vessels which are exempt from taxation except for State purposes, and providing for the assessment, levy, collection and enforcement thereof.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out the word "dollar", and insert in lieu thereof "$100."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1915—An act making an appropriation to dredge Alamitos Bay.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the printed bill, after "Section 1", insert the following "There is hereby appropriated out of any other money in the State treasury not otherwise appropriated the sum of fifty thousand dollars for the purpose of dredging Alamitos Bay.

The money hereby appropriated shall be expended under the supervision of the Department of Public Works"

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1200—An act requiring the licensing of certain vehicles used for the transportation of persons or property in this State, defining such vehicles, providing for the imposition, collection, and distribution of licenses taxes for the privilege of operating such vehicles in this State, making appropriations for the purposes of this act, prescribing penalties for the violation of this act, repealing an act entitled, "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle, and provided that this act shall take effect immediately," approved May 15, 1933, subject to certain conditions.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 9 and 10, of the printed bill, as amended in Assembly April 29, 1935, strike out "wholly on its own structure"

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out all of line 11 after "(d)", and all of lines 12 to 16, both inclusive; and on page 2, strike out all of lines 1 and 2, and insert in lieu thereof the following: "The term "tractor" shall include every motor vehicle which is so designed that some part of the weight of a trailer and of the load of such trailer rests upon or is carried by such motor vehicle."

Amendment No. 3.

On page 2, line 24, of the printed bill, as amended, after "vehicle", strike out ", semitrailer".

Amendment No. 4.

On page 2, lines 30 and 31, of the printed bill, as amended, strike out "and for any semitrailer drawn by any motor vehicle so propelled".

Amendment No. 5.

On page 2, line 43, of the printed bill, as amended, strike out "$0.001", and insert in lieu thereof "$0.00075"; in line 44, strike out ".002", and insert in lieu thereof ".0015"; in line 45, strike out ".0025", and insert in lieu thereof ".002"; in line 46, strike out ".003", and insert in lieu thereof ".0025"; in line 47, strike out ".0035", and insert in lieu thereof ".003"; in line 48, strike out ".004", and insert in lieu thereof ".0035"; in line 49, strike out ".0045", and insert in lieu thereof ".004".

Amendment No. 6.

On page 2, line 52, of the printed bill, as amended, after "tons", insert the following: "nor shall any such license tax be required for any vehicle of the type described in this section unless such vehicle is designed, used or maintained primarily for the transportation of passengers for hire, or for the transportation of property".

Amendment No. 7.

On page 3, line 8, of the printed bill, as amended, strike out "$0.002", and insert in lieu thereof "$0.0015"; in line 9, strike out ".003", and insert in lieu thereof ".0025"; in line 10, strike out ".004", and insert in lieu thereof ".0035"; in line 11, strike out ".005", and insert in lieu thereof ".0045"; in line 12, strike

out ".0055", and insert in lieu thereof ".005"; in line 13, strike out ".006", and insert in lieu thereof ".0055"; in line 14, strike out ".0065", and insert in lieu thereof ".006".

Amendment No. 8.

On page 3 of the printed bill, as amended, at the beginning of line 21, strike out "or semitrailer,"; and at the end of said line, and at the beginning of line 22, strike out ", or semitrailer,".

Amendment No. 9.

On page 3, lines 43 and 44, of the printed bill, as amended, insert a period after "State", and strike out ", or to any semitrailer drawn by a motor vehicle so propelled"

Amendment No. 10.

On page 4, lines 26 and 27, of the printed bill, as amended, strike out "and semitrailer".

Amendment No. 11.

On page 4, line 30, of the printed bill, as amended, strike out "$7 50", and insert in lieu thereof "$5.40"; in line 31, strike out "15.00", and insert in lieu thereof "12.00"; in line 38, strike out "18 00, and insert in lieu thereof "15.00"; in line 39, strike out "24.00", and insert in lieu thereof "18.00"; in line 40, strike out "27 00", and insert in lieu thereof "22 50"; in line 41, strike out "30 00", and insert in lieu thereof "26 25"; in line 42, strike out "33 00", and insert in lieu thereof "30 00".

Amendment No. 12.

On page 5, line 3, of the printed bill, as amended, strike out "$15 00", and insert in lieu thereof "$12.00"; in line 4, strike out "22 50", and insert in lieu thereof "18.00"; in line 5, strike out "30.00", and insert in lieu thereof "26.25"; in line 6, strike out "37 50", and insert in lieu thereof "33 00"; in line 11, strike out "42.00", and insert in lieu thereof "36 00", in line 12, strike out "45.00", and insert in lieu thereof "42.00"; in line 13, strike out "48.00", and insert in lieu thereof "45.00".

Amendment No. 13.

On page 5, line 16, of the printed bill, as amended, strike out "or semitrailer".

Amendment No. 14.

On page 5, line 46, of the printed bill, as amended, after "be", insert the following: 'declared by the operator and, pursuant to such declaration.", after "board.", insert the following "In determining the gross weight of a tractor the board shall add to the unladen weight thereof such part of the weight of the trailer and its load as the board finds will rest upon such tractor and shall make a corresponding deduction from what would otherwise be the gross weight of such trailer."

Amendment No. 15.

On page 7, line 20, of the printed bill, as amended, after "Equalization", insert the following: "; provided, however, that any motor unit composed of a tractor so constructed as not to carry any independent load and a semitrailer permanently joined to the tractor shall require but one such mileage recording device".

Amendment No. 16.

On page 13, line 16, of the printed bill, as amended, strike out "ten", and insert in lieu thereof "six".

Amendment No. 17.

On page 13 of the printed bill, as amended, strike out lines 25 to 28, inclusive, and in line 29, strike out the word "municipality", and insert in lieu thereof the following:

"(c) The sum of one hundred seventy-five thousand dollars quarterly to be transferred to the State highway fund for allocation and expenditure by the State Department of Public Works, Division of Highways, within the cities of this State in the manner provided by the Streets and Highways Code The appropriation hereby made shall be expended on streets of major importance within cities other than State highways. The Department of Public Works shall delegate the expenditures thereof to the governing body of the city if the department is satisfied that such city is equipped to conduct the particular work in an efficient and economic manner. The sum hereby appropriated shall be apportioned in an equal share to each city except that any city"

Amendment No. 18.

On page 13, line 32, of the printed bill, as amended, strike out the word "municipality", and insert in lieu thereof the following: "city".

Amendment No. 19.

On page 13, line 35, of the printed bill, as amended, strike out the word "municipality", and insert in lieu thereof the word "city".

Amendment No. 20.

On page 13, line 39, of the printed bill, as amended, strike out the word "municipality", and insert in lieu thereof the word "city".

Amendment No. 21.

On page 13, line 39, of the printed bill, as amended, after the word "shall", insert the following: "not".

Amendment No. 22.

On page 13, line 40, of the printed bill, as amended, strike out the period following the word "appropriation", and insert in lieu thereof the following: "and each such city shall be excluded in apportioning the quarterly sums among the cities of this State"

Amendment No. 23.

On page 13, line 41, of the printed bill, as amended, strike out the word "municipalities", and insert in lieu thereof the following: "cities".

Amendment No. 24.

On page 13, line 44, of the printed bill, as amended, strike out the words "the gov-", and strike out lines 45 to 52, inclusive, and on page 14, strike out lines 1 to 4, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1963—An act relating to licensing and taxing of vehicles, including certain license fees based upon value in lieu of taxation according to value, and providing for the administration and enforcement thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, as amended, strike out "tax", and insert in lieu thereof the following: "fee".

Amendment No. 2.

On page 2, line 2, of the printed bill, as amended, strike out "one and three quarters per cent (1¾%)", and insert in lieu thereof the following: "one and one-quarter per cent (1¼%)".

Amendment No. 3.

On page 2, line 5, of the printed bill, as amended, strike out "one and 20/100 dollars ($1.20)", and insert in lieu thereof the following: "one dollar ($1.00)".

Amendment No. 4.

On page 2, line 10, of the printed bill, as amended, strike out "tax", and insert in lieu thereof the following: "fee".

Amendment No. 5.

On page 2, line 14, of the printed bill, as amended, strike out "tax", and insert in lieu thereof the following: "fee".

Amendment No. 6.

On page 3 of the printed bill, as amended, following line 40, insert the following: "Out of the moneys from the license fees provided for by this act there shall be first set apart sufficient moneys in the amount of the principal and interest paid or necessarily to be paid during the eighty-seventh and eighty-eighth fiscal years on the bonds of the State issued under:

(a) The "State Highways Act," approved by the Governor March 22, 1909, and by a majority of the electors at the general election held November 8, 1910;

(b) The "State Highways Act of 1915," approved by the Governor May 20, 1915, and by a majority of the electors at the general election held November 7, 1916.

(c) Section 2 of Article XVI of the Constitution as approved by a majority of the electors at a special election held July 1, 1919; and

(d) Section 3 of Article XVI of the Constitution, as approved by a majority of the electors at the general election held November 2, 1920."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No 1918—An act to add section 10½ to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to hospital records of persons receiving compensation thereunder.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out "hospital".

Amendment No. 2.

On page 1, line 4, of the printed bill, after "hospital", insert the following: ", clinic, sanitarium, physician, surgeon, or other person or institution"

Amendment No. 3.

On page 1, line 11, of the printed bill, after the period, add the following "Violation of any of the provisions of this section shall constitute a misdemeanor."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2053—An act to amend the Building and Loan Association Act and the title thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "Act", strike out "and"; also strike out line 2, and insert in lieu thereof the following: "by adding a new section thereto to be number 6.01a, relating to withdrawal claims maturing in installments."

Amendment No. 2.

On page 1, line 1, of the printed bill, after the period, insert the following:

"A new section is hereby added to the act cited in the title hereof, to be numbered section 6 01a, and to read as follows:

Sec. 6 01a Withdrawal claims maturing in installments. Notwithstanding anything to the contrary contained in this act, withdrawal claims on behalf of any one investor in an association or by two or more investors in an association holding shares or investment certificates in common or in joint tenancy, shall mature in installments if such claims shall be for any sum greater than two hundred fifty dollars, the first of such installments being hereinafter referred to as the "initial installment" and the remaining installment or installments being hereinafter referred to as the "successive installments." Withdrawal claims maturing in installments shall be matured withdrawal claims, within the meaning of this act, only to the extent that such claims are matured as provided in this section, notwithstanding anything to the contrary contained in this act.

The initial installment shall mature: (1) in the case of withdrawal claims filed pursuant to section 3.05 and 6 01 of this act, when the notice of intention of withdrawal shall have matured; (2) in the case of withdrawal of definite term investment certificates (excepting solely in the case where pursuant to section 6.01 of this act a notice of intention to withdraw may be filed with respect thereto prior to the express date of its maturity), upon the express date of maturity of such certificates; (3) in the case of notices of modification given pursuant to section 5 07 of this act, upon the date of the expiration of the period of such notices of modification; and (4) in the case of maturity of shares pursuant to section 3 03 of this act, upon the declaration of such maturity by the board of directors of the association. The first successive installment shall mature sixty days after the payment of the initial installment, and the other successive installments shall mature respectively sixty days after the payment of the next preceding successive installment

In the case of withdrawal claims representing investment certificates or shares having a value in excess of two hundred and fifty dollars but not greater than one thousand dollars, each installment shall be two hundred and fifty dollars, or the portion of the claim remaining unpaid at the time such installment matures, whichever is lesser; in the case of withdrawal claims representing investment certificates or shares having a value in excess of one thousand dollars but not greater than twenty thousand dollars, each installment shall be one quarter of such value at the time the initial installment matures or the portion of such claim remaining unpaid at the time

such installment falls due, whichever is lesser; and in the case of claims representing investment certificates or shares having a value greater than twenty thousand dollars, each installment shall be five thousand dollars, or the portion of the claim remaining unpaid at the time such installment matures, whichever is lesser"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 2054—An act to amend the Building and Loan Association Act and the title thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "Act", strike out "and"; also strike out line 2, and insert in lieu thereof the following: "by adding a new section thereto to be numbered 8.11, relating to evidence of investment in building and loan associations."

Amendment No. 2.

On page 1, line 1, of the printed bill, after the period, insert the following. "A new section is hereby added to the act cited in the title hereof, to be numbered section 8 11 and to read as follows:

Sec. 8.11. Issuance of shares and investment certificates without provision for definite return thereon. From and after the date this section takes effect no association may issue shares or investment certificates with provision for a definite rate of return thereon, provided, however, that nothing contained in this section shall be deemed to forbid any association from (a) issuing shares or investment certificates with provision for a definite rate of return thereon in lieu of shares or certificates theretofore outstanding and providing for a definite rate of return; (b) receiving additional funds upon installment shares, accumulative shares, installment investment certificates or accumulative investment certificates, outstanding at the date this section takes effect, or upon shares or certificates issued in lieu thereof; (c) issuing shares or certificates providing that the return thereon shall not exceed a maximum figure specified therein; nor (d) issuing installment shares or installment certificates providing for an additional rate of return for the investor in excess of the rate of return paid by such association to its shareholders or certificate holders generally, and conditioned upon the faithful performance of such installment contract by the shareholder or certificate holder The rate or rates of return on shares or investment certificates, or both, issued pursuant to the provisions of this section without a definite rate of return stated therein shall be fixed and determined in the manner provided in section 8 10 of this act."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2063—An act to amend the Building and Loan Association Act and the title thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "Act", strike out "and"; also strike out line 2, and insert in lieu thereof the following: "by adding section 9.07a thereto, relating to restrictions as to lending territory."

Amendment No. 2.

On page 1, line 1, of the printed bill, after the period, insert the following. "A new section is hereby added to the act cited in the title hereof, to be numbered section 9.07a and to read as follows:

Sec. 9 07a. Restrictions as to lending territory. The commissioner may forbid any association from making any further loans within any geographical area as specified in such order of the commissioner, when in the opinion of the commissioner the

making of further loans within such specified geographical area would constitute unsound business practice."

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 2064—An act to amend the Building and Loan Association Act and the title thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "Act", strike out "and"; also strike out line 2, and insert in lieu thereof the following: "by adding section 12.04b thereto, relating to foreign associations."

Amendment No. 2.

On page 1, line 1, of the printed bill, after the period, insert the following. "A new section is hereby added to the act cited in the title hereof, to be numbered section 12.04b and to read as follows:

Sec. 12.04b. New foreign associations prohibited. No foreign association shall hereafter conduct a building and loan business in this State, unless it shall be (a) an association licensed to transact such business at the date this section takes effect, or (b) an association arising out of the rehabilitation, readjustment, consolidation, merger or reorganization of such an association."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2065—An act to amend the Building and Loan Association Act and the title thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "Act", strike out "and"; also strike out all of line 2, and insert in lieu thereof the following: "by amending section 9.15 thereof relating to limitation on single loans."

Amendment No. 2.

On page 1, line 1, of the printed bill, after the period, insert the following: "Section 9.15 of the act cited in the title hereof, is hereby amended to read as follows:

Sec. 9.15. Limitation on Single Loans. Except with the consent of the commissioner no association shall hereafter make any one loan in an amount exceeding one per cent of the book value of its assets; but the provisions of this section shall not apply to any loans which do not exceed ten thousand dollars principal each."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2066—An act to amend the Building and Loan Association Act and the title thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "Act", strike out "and"; also strike out line 2, and insert in lieu thereof the following. "by adding section 6.01b thereto, relating to period of notice of intention to withdraw."

Amendment No. 2.

On page 1, line 1, of the printed bill, after the period, insert the following "A new section is hereby added to the act cited in the title hereof to be numbered 6.01b and to read as follows.

Sec. 6.01b Period of notice of intention to withdraw. The period of notice of intention to withdraw to be prescribed by each association pursuant to section 6.01 of this act, shall be six months in the case of all shares or investment certificates issued after the effective date of this section; provided that nothing contained in this section shall be deemed to forbid an association from (a) issuing shares or investment certificates prescribing the same period of notice of intention to withdraw as prescribed in shares or certificates theretofore outstanding, if such new shares or investment certificates are issued in lieu of such shares or certificates theretofore outstanding; nor (b) receiving additional funds upon installment shares, accumulative shares, installment investment certificates or accumulative investment certificates, outstanding at the date this section takes effect, or upon shares or certificates issued in lieu thereof."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2067—An act to amend the Building and Loan Association Act and the title thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "Act", strike out "and"; also strike out line 2, and insert in lieu thereof the following: "by amending section 12.06 thereof, relating to advertising by building and loan associations."

Amendment No. 2.

On page 1, line 1, of the printed bill, after the period, insert the following: "Section 12.06 of the act cited in the title hereof is hereby amended to read as follows.

12.06 Restrictions on Advertising No association shall issue or publish, or cause or permit to be issued or published, any advertisement that it is doing or permitted to do any business which is prohibited by law to an association, or any advertisement which shall misrepresent the nature of the shares, stock or investment certificates of such association, or the rights of investors in respect thereto. Any association whose corporate name does not include the words "building and loan" or "building-loan" shall in all advertisements state "This is a building and loan association" or words to that effect. The commissioner shall have power to require any or all associations, before issuing, circulating or publishing any advertisement, to file a true copy of the proposed text thereof in the office of the commissioner, at least one day prior thereto, and if the commissioner shall have made the aforesaid requirement as to any association, such association shall comply therewith and shall not issue, circulate or publish any advertisement after notice in writing from the commissioner that in his opinion the same is unauthorized, false, misleading or otherwise likely to deceive a reader or hearer thereof. No association in any advertisement shall state or refer to the fact that investment certificates are a legal investment for the funds of executors, administrators, guardians, receivers or trustees, or for the funds of insurance companies, unless it shall also state, at least as conspicuously, that such fact does not constitute a recommendation or indorsement thereof by the State of California. No association in any advertisement shall state that it is under State supervision or control, or shall include in any advertisement or in any instrument used by it, a replica of the Great Seal of the State of California."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1904—An act to amend sections 3, 6, 7, 9, 10, and 14 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regula-

tion, licensing and supervision of said horse racing and wagering thereon, to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provision," approved June 5, 1933, relating to the powers of the California Horse Racing Board.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 12, of the printed bill, after the period, insert the following: "A wager made inside an enclosure under the pari-mutuel system for a principal who is not within the enclosure shall be considered a wager made within the enclosure for the purpose of this act and any activity of the principal in connection with such wager shall not be considered a wager made outside the enclosure."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 715—An act to provide, in accordance with the provisions of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," for the allocation and apportionment of balances in the "Fair and exposition fund" for the benefit of State institutions of learning providing vocational training in agriculture, animal husbandry and kindred subject.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "provide, in accordance with the provisions", and insert in lieu thereof the following, "amend sections 12, 13 and 16".

Amendment No. 2.

On page 1, line 9 of the title of the printed bill, strike out "for", and insert in lieu thereof the following "relating to"

Amendment No. 3.

On page 1, line 11 of the title of the printed bill, after "fund", insert a period and strike out the balance of line 11, and all of lines 12 and 13 of the title.

Amendment No. 4.

On page 1, line 1, of the printed bill, after "Section 1.", insert the following: "Section 12 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 12 The license fee to be paid by licensees shall be four per cent of all money handled in the pari-mutuel pools, payment of same shall be made by said licensee, daily, during each racing meeting each application for a license to conduct such racing meeting shall be accompanied by a certified check payable to the Treasurer of the State of California, as ex officio treasurer of the Racing Board in either of the following sums, dependent upon the classification of the county where the said meeting is to be held.

Counties of the first class.....$10,000
Counties of the second class..... 10,000
Counties of the third class, at the rate of fifty dollars ($50) per day for such race meeting

When the meeting for which said license is granted has terminated, and the licensee has fully paid said four per cent of said money handled in said pools, the said sum so deposited with such application for a license shall be returned to said licensee; in the event said licensee fails, refuses or neglects to pay said four per cent of said money handled in said pools, the amount thereof shall be deducted from said sum so deposited with such application for a license and the balance if any shall be returned to said licensee.

If by reason of any cause beyond control, and through no fault or neglect of any licensee, and when such licensee is not in default, it should become impossible for such licensee to hold or conduct racing upon any date or dates licensed by the board, the board in its discretion and at the request of such licensee shall have power to return the fees paid by such licensee for racing upon the days upon which it is impossible for such licensee to hold or conduct racing or to specify any other day or days which may replace the days omitted and to take their place. No deposit shall be required for horse race meetings conducted by a State or county fair or by a district agricultural association.

SEC. 2. Section 13 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 13. All fees, commissions and other moneys received by the board shall be paid into the State treasury immediately upon receipt of the same and credited to a special fund hereby created to be known as the "Fair and exposition fund." All such moneys to the amount of twenty-five thousand dollars annually, are hereby appropriated to be used to defray the expenses of the board and pay the salaries and expenses of the officers and employees provided for herein. The balance of all moneys in said fund are hereby annually appropriated as follows: $125,000 thereof for the support of the California State fair; and $100,000 thereof for payment to and use of the Los Angeles County fair; of the balance of said moneys after all of the above deductions have been made two per cent for payment to and use of the Sixth District Agricultural Association for the purpose of holding a permanent exposition and exhibition of citrus products and of all the industries and industrial enterprises, resources and products of every kind or nature of the State; five per cent of the balance thereof for payment to and use of those certain citrus fruit fairs and expositions described and defined in section 94 of the Agricultural Code, but not including any district agricultural association or any county fair, said five per cent to be apportioned between such citrus fruit fairs and expositions upon the basis of the population of the several counties in which such fairs and expositions, respectively, are held, and if only one such fair and exposition is held, then it shall receive all of said five per cent; twenty-five per cent of such balance after the deductions for the support of the board and the support of the California State fair and for payment to and use of the Los Angeles County fair, for the encouragement of county, district or combined county and district agricultural fairs (exclusive of the Los Angeles County fair, the Sixth District Agricultural Association and such citrus fruit fairs and expositions), to be apportioned by and expended under the supervision of the State Department of Finance in the manner and for the purpose prescribed in section 92 of the Agricultural Code and other applicable provisions of law, but no such county, district or combined county and district agricultural fair shall in any one year receive a sum greater than forty thousand dollars from the fair and exposition fund. If in any year said twenty-five per cent of such balance is less than sixty per cent of the amount of said twenty-five per cent of such balance in the year 1935, then during said year the apportionment to all fairs shall be made in the manner and upon the basis prescribed by section 13 of Chapter 769 of the Statutes of 1933 and by section 92 of the Agricultural Code. The balance of said moneys after all of the above deductions have been made is hereby transferred to the credit of the general fund in the State treasury and is hereby appropriated for the benefit permanent improvements and support at State educational institutions devoted to agricultural and vocational training in animal husbandry and for the purpose of unemployment relief. One-third of such funds is hereby appropriated, allocated and apportioned to the State Emergency Relief Administration for the relief of unemployment within the State of California; one-third of such funds is hereby appropriated, allocated and apportioned to the California Polytechnic School; one-third of such funds is hereby appropriated, allocated and apportioned to the University of California.

The funds hereby appropriated, allocated and apportioned for the relief of unemployment within the State of California and for the benefit of the California Polytechnic School and the University of California are in addition to any other funds heretofore or hereafter appropriated for such purposes and for such institutions.

SEC. 3. Section 16 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 16. No license or excise tax or fee in excess of one hundred dollars ($100) for each racing day, except as provided in this act, shall be assessed or collected from any licensee by the State or by any town, district, city, township, village or any other body having the power to assess or collect a tax, license or fee; and no tax, license or fee shall be assessed or collected from any State district agricultural

association or any county fair conducting horse race meetings, except when such meetings are conducted for such district agricultural association or county fair by a private person, firm or corporation."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 2469—An act to add section 590 to the Vehicle Code, relating to warning devices.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of line 10, and insert in lieu thereof the following: "mately two hundred feet in advance of, and two hundred feet to the rear of such".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 244—An act to amend section 653e of the Penal Code, relating to the blacklisting of employees.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2260—An act to limit the jurisdiction of courts over matters arising out of or involving labor disputes.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "to limit the jurisdiction of courts over matters arising", also strike out all of line 2 of said title, and insert in lieu thereof the following "relating to employment contracts and applications for employment."

Amendment No. 2.

On page 1, line 1, of the printed bill, after "SECTION 1.", insert the following: "As used in this act "applicant" means an applicant for employment

SEC 2 If an employee or applicant is required to sign an application for employment, the employer shall file in the office of the Division of Labor Statistics and Law Enforcement a copy of the form of such application.

SEC 3. If an employee or applicant signs any instrument relating to the obtaining or holding of employment he shall be given a copy of the instrument

SEC 4 Any person violating this act is guilty of a misdemeanor"

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No 1098—An act to add section 1334 to the Penal Code, relating to the securing of the attendance of witnesses in criminal prosecutions, and to make uniform the law with reference thereto.

Bill read second time, and ordered on file for third reading

Senate Bill No. 933—An act to amend section 473 of the Penal Code, relating to punishment for forgery.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 874—An act to add a new article to the Agricultural Code, to be numbered Article 5, Chapter 1, Division 3, relating to horse, mule, burro and sheep marks and brands

Bill read second time, and ordered on file for third reading.

Senate Bill No. 482—An act to amend section 1370 of the Insurance Code, relating to the assets of reciprocal insurers.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 483—An act to add a new chapter to the Insurance Code, to be numbered Chapter 13 of Part 2 of Division 2 thereof, comprising sections 11525 to 11533, inclusive, relating to the voluntary mutualization of incorporated life insurers or life and disability insurers having a share capital and issuing nonassessable policies on a reserve basis.

Bill read second time, and ordered on file for third reading.

Senate Bill No 424—An act granting to the city of Richmond and its successors certain salt marsh, tide and submerged land of the State of California, including the right to wharf out therefrom and grant franchises and leases thereon and regulating the management, use and control thereof, also including the right of said city to collect the rents, issues and profits in any manner hereafter arising from the lands or wharf-out privileges hereby granted.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, strike out lines 46, 47 and 48, and insert in lieu thereof the following:

"(e) There is excepted and reserved to the State of California all deposits of mineral, including oil and gas, in said lands."

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No 888—An act to amend sections 3 330, 3.331, 3.332, 3 333, 3.334, 3 335, and 3 337 and to add a new section to the School Code to be numbered 3 339, relating to the attendance of pupils residing in California upon the public schools of adjoining States, and the attendance of pupils residing in adjoining States upon the public schools of California.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee.

Amendment No. 1.

On page 1 of the printed bill, as amended, beginning in line 1 of the title, strike out the following: "amend sections 3 330, 3.331, 3.332, 3.333, 3.334, 3.335, and 3 337 and to".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, as amended, strike out the following: "a new section", and insert in lieu thereof the following: "two new sections".

Amendment No. 3.

On page 1, line 3 of the title of the printed bill, as amended, after the number "3.339", insert the following, "and 3.402".

Amendment No. 4.

On page 1 of the printed bill, as amended, strike out all of lines 4 to 6, inclusive, of the title.

Amendment No. 5.

On page 1 of the printed bill, as amended, beginning in line 7 of the title, strike out the following, "residing in adjoining States".

Amendment No. 6.

On page 1 of the printed bill, as amended, strike out all of lines 1 to 20, inclusive, and on page 2, strike out all of lines 1 to 52, inclusive, and on page 3, strike out all of lines 1 to 41, inclusive, and insert in lieu thereof the following.

"SECTION 1. A new section is hereby added to the School Code to be".

Amendment No. 7.

On page 4 of the printed bill, as amended, after line 5, insert the following:

"SEC. 2. A new section is hereby added to the School Code to be numbered 3.402 and to read as follows:

3.402. Notwithstanding any other provision in this code, the governing board of a junior college district shall not require any tuition fee of any student enrolled in any junior college of the district who is a resident of California or who has lived in California for one year."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 609—An act to amend section 669 of the Penal Code, relating to terms of imprisonment.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 6, of the printed bill, before the word "judgment", insert the following: "second or other subsequent".

Amendment No. 2.

On page 1, line 14, of the printed bill, after the period, insert the following: "In the event that the court at the time of pronouncing the second or other judgment upon such person had no knowledge of a prior existing judgment or judgments, then, upon such prior judgment or judgments being brought to the attention of the court at any time prior to the expiration of sixty days from and after the actual commencement of imprisonment upon the said second or other subsequent judgment, the court shall determine how the term of imprisonment upon said second or other subsequent judgment shall run with reference to the prior incompleted term or terms of imprisonment. The State Board of Prison Directors shall advise the court pronouncing the second or other subsequent judgment of the existence of all prior judgments against the defendant, the terms of imprisonment upon which have not been completely served."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 492—An act to add sections 9.4 and 9.5 to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to liability.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, as amended, after "liability", strike out: ", other than for death benefits,".

Amendment No. 2.

On page 1, line 5, of the printed bill, as amended, after "disability", insert the following: "or death".

Amendment No. 3.

On page 1, line 9, of the printed bill, as amended, after "act,", strike out the balance of the line, and all of line 10, and insert in lieu thereof the following: "to a

total cost not to exceed ten thousand dollars The reasonableness of the items making up such total cost shall be subject to the approval of the Industrial Accident Commission and if the commission shall disapprove the same in any respect such item shall not be included in such cost."

Amendment No. 4.

On page 1, line 14, of the printed bill, as amended, after "to", strike out "pulmonary diseases", and insert in lieu thereof the following: "silicosis or asbestosis".

Amendment No. 5.

On page 1 of the printed bill, as amended, strike out line 15, and insert in lieu thereof the following: "tory amount as provided in section 9 4, on".

Amendment No. 6.

On page 2, line 5, of the printed bill, as amended, strike out the period at the end of said line, and insert in lieu thereof a semicolon and the following: "provided that such five year limitation shall not apply if prior to employment an employee shall have been examined at the instance of the employer or upon entering the employment the employee presents to the employer a doctor's certificate showing that such employee is not then suffering from tuberculosis"

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 471—An act to amend section 100 of the Insurance Code, to add section 106a thereto, and to add a new chapter to Part 2 of Division 2 of said code, to be numbered Chapter 13, comprising sections 11526 to 11545, inclusive, all relating to medical and hospital service insurers.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee·

Amendment No. 1.

On page 2, line 11, of the printed bill, as amended, after "thereof", strike out the period, and insert in lieu thereof the following: ", excluding dentistry."

Amendment No. 2.

On page 2, line 13, of the printed bill, as amended, strike out "dentists"

Amendment No. 3.

On page 5, line 6, of the printed bill, as amended, strike out "Professional", and strike out lines 7, 8, and 9, and in line 10, strike out "or D.M D."

Amendment No. 4.

On page 5 of the printed bill, as amended, strike out lines 23 to 28, inclusive, and insert in lieu thereof the following· "or D O This chapter shall not authorize any person".

Amendment No. 5.

On page 5 of the printed bill, as amended, after line 34, add the following:

"The provisions of this chapter shall not apply to nor in any manner affect or relate to the practice of dentistry All provisions of that certain act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended, are continued in full force and effect and no provision of this act shall be deemed to apply thereto"

Amendment No. 6.

On page 5, line 34, of the printed bill, as amended, after the words "holds the degree of D.O.", add a new paragraph reading as follows. "It is a misdemeanor for any person to operate a medical and hospital service insurance business without complying with the provisions of this chapter."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 347—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the

following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, as amended, by amending sections numbered 1.01 relating to definitions, 12 07 relating to bonds of officers and employees, 13.16 relating to liquidation by the Building and Loan Commissioner, 13 17 relating to assessments for salaries and expenses, 6 06 relating to payments entitled to preference, 12.04 relating to foreign associations, 13 13 relating to the commissioner's powers upon taking possession and 13.15 relating to schedules of property; and adding to said act new sections to be numbered 8.09 relating to dividends, 12.04a relating to foreign building and loan associations and 14.09 relating to liability for acts done or omitted in conformity with any rule, regulation, approval, consent, order, direction or other act of the Building and Loan Commissioner.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2 of the title of the printed bill, as amended in Senate May 15, 1935, at the end of line 6 thereof, strike out "8 09", and insert in lieu thereof "8 09a".

Amendment No. 2.

On page 6, line 19, of the printed bill, as amended in Senate May 15, 1935, strike out ", investors or other persons", and insert in lieu thereof "and persons other than investors".

Amendment No. 3.

On page 5, line 44, of the printed bill, strike out the word "two", and insert in lieu thereof the word "six".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Appointment of Select Committee.

The Speaker announced the appointment of Messrs. Anderson, McBride, Cunningham, Corwin, and Wallace to carry out the provisions of the resolution submitted by Mr Anderson to study health insurance and the investigation of the high cost of sickness, as printed in the Journal of Saturday, May 18, 1935, page 18.

Resolution.

The following resolution was offered

By Mr. Jones:

Assembly Resolution.

WHEREAS, There has been presented to this body a petition by the Los Angeles Bar Association asking the removal by concurrent resolution of one of the judicial officers of this State; and

WHEREAS, The said petition was referred to the Judiciary Committee and that committee has appointed a subcommittee consisting of Messrs. Jones, Wallace, Welsh, Williamson, and O'Donnell, for the purpose of conducting a preliminary investigation to determine what action should be taken upon the said petition; and

WHEREAS, Such action will entail some expense; now, therefore, be it

Resolved, That the said subcommittee be authorized by the Assembly to conduct the said investigation and to report back to the Judiciary Committee its findings and recommendations and for the purpose mentioned each member of the committee is authorized to subpena witnesses, administer oaths, and take testimony material to the said investigation, and that the sum of $250 is hereby appropriated for the purpose of defraying expenses of the committee and of the said investigation and for the employment of such clerical and other assistance as may be necessary to fully carry out its functions, said sum to be paid from the contingent fund of the Assembly, and the State Controller is hereby authorized and directed to draw his warrant in favor of the person entitled thereto for such expenditures as may be certified to him from time to time by the chairman of said committee and the State Treasurer is hereby authorized and directed to pay the claim.

Resolution by Mr. Jones read.

Mr. Jones moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cunningham, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Morgan, O'Donnell, Pelletier, Peterson, Peyser, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—58

NOES—None.

Motion to Rush Printing of Assembly Bill No. 715.

Mr. Williamson moved that the Chief Clerk instruct the State Printer to rush printing of Assembly Bill No. 715.

Motion carried.

Motion to Re-refer Assembly Bill No. 1618.

Mr. Utt moved that Assembly Bill No. 1618 be withdrawn from the file, and ordered re-referred to Committee on Financial Institutions.

The question being on re-referring Assembly Bill No. 1618 to the Committee on Financial Institutions.

Motion carried.

Assembly Bill No. 1618 ordered re-referred to Committee on Financial Institutions

Motion to Withdraw Assembly Bill No. 2415.

Mr. McCarthy moved that Assembly Bill No. 2415 be withdrawn from Committee on Ways and Means, and placed on file for second reading.

The question being on the motion by Mr. McCarthy to withdraw Assembly Bill No. 2415 from Committee on Ways and Means, and place on file for second reading.

Mr. McCarthy withdrew his motion.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 127—An act to add sections 139.1, 139.2, 139.3, 139.4, 139.5, 139.6, and 139.7 to the Agricultural Code, relating to the registration of fruit trees.

Bill read third time.

Motion to Lay Assembly Bill No. 127 on the Table.

Mr. Garibaldi moved that Assembly Bill No. 127 be laid on the table.

The question being on the motion to lay on the table.

Roll Call.

The speaker ordered a roll call taken on the motion by Mr. Garibaldi that Assembly Bill No. 127 be laid on the table.

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Boyle, Brennan, Cassidy, Clark, Corwin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fulcher, Garibaldi, Geyer, Gilbert, Glover, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Maloney, Martin, McCarthy, McMurray, Meehan, Minard, Morgan, Pelletier, Reaves, Riley, Rosenthal, Voigt, Wallace, Waters, and Williamson—40.

NOES—Andreas, Burns, Chatters, Evans, Herbert J., Field, Fisher, Flint, Hawkins, Kallam, Mayo, O'Donnell, Patterson, Peyser, Phillips, Redwine, Richie, Robertson, Scudder, Stream, Utt, Wagner, Walker, Wright, and Mr. Speaker—24.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 127 refused passage by the following vote:

AYES—Andreas, Evans, Herbert J., Flint, Martin, Miller, Peyser, Phillips, Redwine, Utt, Walker, Wright, and Mr. Speaker—12.

NOES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, McCarthy, McMurray, Meehan, Minard, Morgan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Voigt, Wagner, Wallace, Waters, and Williamson—53

Assembly Bill No. 1126—An act to amend sections 3, 6, and 8 of an act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act," approved May 15, 1933, relating to regulation of outdoor advertising.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Hawkins:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "6, and 8", and insert in lieu thereof the following "and 6".

Amendment No. 2.

On page 3, line 2, of the printed bill, as amended, strike out "An adver-"; also strike out all of lines 3 to 15, inclusive; and in line 16, strike out "together with a fee of one dollar."

Amendment No. 3.

On page 3, line 28, of the printed bill, as amended, after "sign", and before the hyphen, insert the following: "in excess of six square feet".

Amendment No. 4.

On page 3 of the printed bill, as amended, strike out lines 29 and 30, and insert in lieu thereof the following

"(b) For each advertising structure—one cent per square foot of space designed for advertising matter in excess of six square feet of such space but not less than one dollar for each structure."

Amendment No. 5.

On page 3 of the printed bill, as amended, strike out lines 31 to 52, inclusive; and strike out all of page 4.

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Motion to Re-refer Assembly Bill No. 2099.

Mr. O'Donnell moved that Assembly Bill No. 2099 be withdrawn from the file, and ordered re-referred to Committee on Live Stock and Dairies.

The question being on re-referring Assembly Bill No. 2099 to the Committee on Live Stock and Dairies.

Motion carried.

Assembly Bill No. 2099 ordered re-referred to Committee on Live Stock and Dairies.

Assembly Bill No. 43—An act to add a new section to the Penal Code to be numbered 496bb, relating to buying, receiving, concealing or withholding stolen property, and prescribing penalties for violation of the provisions thereof.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Lyon:

Amendment No. 1.

On page 2 of the printed bill, immediately following line 17, insert the following paragraph.

"The provisions of paragraphs two and three of this section shall not apply to any person or agent or representative of such person engaged in a business as set forth in paragraph two hereof which is licensed by a city or county and is required to report to a police department or sheriff's office, as the case may be, at certain prescribed times on the daily business conducted."

The question being on the amendment submitted by Mr. Lyon to Assembly Bill No 43.

Demand for Previous Question.

Messrs Martin, Fisher, Lore, Cunningham and Cottrell demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the amendment submitted by Mr. Lyon.

Roll Call.

The Speaker ordered a roll call taken on the amendment submitted by Mr. Lyon.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Anderson, Evans, Herbert J., Hornblower, Jones, Lyon, Thorp, Utt, and Voigt—8.

NOES—Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—62.

Third Reading of Assembly Bill No. 43.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 43 passed by the following vote:

AYES—Boyle, Breed, Burns, Chatters, Corwin, Cottrell, Cunningham, Dawson, DeLap, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilmore, Heisinger, Kallam, Latham, Laughlin, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Phillips, Redwine, Scudder, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—46.

NOES—Anderson, Andreas, Cassidy, Clark, Crowley, Donihue, Donnelly, Hawkins Hornblower, Hunt, Johnson, Jones, Lore, Lyon, Maloney, McCarthy, Meehan, Patterson, Reaves, Richie, Riley, Robertson, Rosenthal, and Voigt—24.

Title read and approved.

Bill ordered transmitted to the Senate.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1935.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act relating to taxation, providing for a tax upon certain vehicles, providing for the collection thereof and the enforcement of this act, and providing for the repeal of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933.

CUNNINGHAM, Chairman.

Report of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Utt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr Speaker—66.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced, and referred as indicated:

By Mr Gilmore: Assembly Bill No. 2474—An act relating to taxation, providing for a tax upon certain vehicles, providing for the collection thereof and the enforcement of this act, and providing for the

repeal of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933.

Bill read first time, and referred to Committee on Revenue and Taxation.

Motion to Rush Printing of Assembly Bill No. 2474.

Mr. Kallam moved that the Chief Clerk be instructed to place a rush order on the printing of Assembly Bill No. 2474.

Motion carried.

Recess.

At twelve o'clock and five minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until two o'clock p.m., of this day.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1935.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1170—An act relating to the Department of Professional and Vocational Standards and defining its powers and duties in relation to and providing for the adoption and registration of names and marks or other devices on garments, towels, table linen and other linen supplies used in the rendition of a rental service as indicia of ownership and to protect the owners thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 2461—An act to amend section 71 of the Penal Code, relating to contracts, sales and purchases by public officers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

FIELD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 505—An act to amend section 535 of the Political Code, relating to purchase of machinery or equipment for the State printing plant—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 959—An act to amend section 675 of the Political Code, relating to the power of the Director of the Department of Finance—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1470—An act to amend an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, relating to municipal utility districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FIELD, Chairman.

The above reported bill ordered on file for second reading

Also:

MR. SPEAKER. Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 627—An act to provide for the retirement with retirement allowance, of Justices of the Supreme Court and of the District Courts of Appeal, and of judges of the superior courts in counties in which the provisions of section 26 of Article VI of the Constitution shall be adopted as applicable to such judge or judges—has had the same under consideration, and respectfully reports the same back without recommendation, to be re-referred to Committee on Ways and Means.

FIELD, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No 2407—An act to establish a State Board of Industrial Relations, to provide for the selection of members thereof and setting forth their powers and duties; to provide for the establishment of county industrial relations boards by the State Board of Industrial Relations, to provide for the selection of members of county industrial relations boards and to set forth their powers and duties—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1935.

MR. SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 887—An act to amend the titles of Articles IV and IVa of Chapter IV of Part I of Division VI of the School Code, to amend sections 6.210 and 6 211 of the School Code and to add a new section to the School Code to be numbered 6 213, all relating to the disposition of buildings, structures or fixtures of school districts when the boundaries of such districts are altered, declaring the urgency thereof and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

CHATTERS, Chairman

The above reported bill ordered on file for second reading.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1935

MR SPEAKER Your Committee on County Government, to which was referred Senate Bill No. 77—An act to add section 3a to an act entitled "An act to provide for the establishment and maintenance of a Bureau of Tuberculosis under the direction of the State Board of Health; defining its powers and duties; providing for the granting of State aid to cities, counties, cities and counties and groups of counties for the support and care of persons affected with tuberculosis; making an appropriation therefor; and repealing certain acts of the Legislature of the State of California," approved June 12, 1915, relating to agreements between counties and deposits of funds;

Also: Senate Bill No. 325—An act to amend sections 1026, 1550, 1551, and 1552 of, and to repeal sections 1600 to 1605, inclusive, of the Streets and Highways Code, relating to road district taxes and the expenditure from county general funds of moneys for road district purposes by the board of supervisors;

Also, Senate Bill No. 326—An act to amend section 3714 of the Political Code, relating to the preparation, submission and adoption of county road district and special district budgets and to the levy of taxes and prescribing limitations on county expenditures;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

DELAP, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1559—An act to amend section 4245 of the Political Code, relating to the compensation of county officers in counties of the sixteenth class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

DELAP, Chairman

The above reported bill ordered on file for second reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 23, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Free Conference on Senate Bill No. 81—An act to add a new section to be numbered section 8a, to an act entitled "An act establishing a State Mining Bureau, creating the office of State Mineralogist, fixing his salary and prescribing his powers and duties; providing for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution for defrauding, swindling and cheating therein, creating a State Mining Bureau fund for the purpose of carrying out the provisions of this act and repealing an act entitled 'An act to provide for the establishment, maintenance and support of a bureau, to be known as the State Mining Bureau, and for the appointment and duties of a board of trustees, to be known as the Board of Trustees of the State Mining Bureau, who shall have the direction, management and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction and supervision of the Board of Trustees of the State Mining Bureau,' approved March 23, 1893, and all acts amendatory thereof and supplemental thereto or in conflict herewith," approved June 16, 1914, relating to mining on State property—the following Senators Seawell, McCormack, and Pierovich, to meet with a like committee from your honorable body

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 23, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Free Conference on Senate Bill No. 443—An act to add a new section to the Political Code to be numbered 3720, relating to the filing by county clerks with county assessors and the State Board of Equalization of certifications of new districts and changes in the boundaries of existing districts—the following Senators: Edwards, Biggar, and Deuel, to meet with a like committee from your honorable body

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 23, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No. 1034—An act to amend sections 3817d, 3817f, 3817g and 3817h of, and to add sections 3817b3 and 3817c3 to, the Political Code, relating to taxation, including tax delinquencies, tax penalties and costs, tax redemption for tax sales and declaring the urgency thereof, to take effect immediately—and appointed Senators Fletcher, Hays, and Olson, as a Committee on Conference, to meet a like committee from the Assembly.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Appointment of Committee on Free Conference Concerning Assembly Bill No. 1034.

The Speaker announced the appointment of Messrs Riley, Martin and Phillips, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Assembly Bill No. 1034.

Also:

SENATE CHAMBER, SACRAMENTO, May 23, 1935

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending sections 1, 4, 4b, 4c, 10, 18, 23, and 24 of Article VI, and by adding sections 4d, 4e, and 4f to said Article VI of the Constitution, relating to the judicial power of the State

J. A. BEEK, Secretary of Senate.
By CARL A SHIPKEY, Assistant Secretary.

Senate Constitutional Amendment No. 13 read first time, and referred to Committee on Constitutional Amendments.

Also:

SENATE CHAMBER, SACRAMENTO, May 23, 1935

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 277—An act to amend section 164 of the Civil Code, relating to community property.

Also: Senate Bill No 464—An act to amend section 3051 of the Civil Code, relating to liens

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bills Nos. 277 and 464 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, May 23, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 37—Approving a certain amendment to the charter of the city of Santa Barbara, a municipal corporation in the county of Santa Barbara, State of California, duly voted for and ratified by the qualified electors of said city at an election held therein on the seventh day of May, 1935;

Also Senate Concurrent Resolution No. 38—Relative to leaves of absence of the Governor, Lieutenant Governor, and the members of the Senate and Assembly.

J. A BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Concurrent Resolution No 37 read.

Senate Concurrent Resolution No 38 read first time, and referred to Committee on Rules

Request for Unanimous Consent.

Mr. Robertson asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No 37, at this time, without reference to committee or file.

Consideration of Senate Concurrent Resolution No. 37.

Senate Concurrent Resolution No 37—Approving a certain amendment to the charter of the city of Santa Barbara, a municipal corporation in the county of Santa Barbara, State of California, duly voted for and ratified by the qualified electors of said city at an election held therein on the seventh day of May, 1935.

Senate Concurrent Resolution No. 37 read.

Mr Robertson moved the adoption of Senate Concurrent Resolution No. 37.

The question being on the adoption of Senate Concurrent Resolution No. 37.

The roll was called, and Senate Concurrent Resolution No. 37 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Cronin, Crowley, Dawson, DeLap, Donahue, Donnelly, Fisher, Fulcher, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 37 ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 106—An act to add section 3.54 to and to amend section 6.750 of the School Code, relating to activities of a seditious nature in connection with the public school system.

Bill read third time

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Redwine:

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to amend section 6.750 of the School Code, relating to the use of school buildings for activities of a seditious nature."

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out all of lines 1 to 14, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 6.750 of the School Code is hereby amended to read as follows:".

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Special Order Set for Assembly Bill No. 2459.

On motion of Mr. Redwine, the consideration of Assembly Bill No. 2459 was made a special order for Friday, May 24, 1935, at two o'clock p.m.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2118—An act in furtherance of the purposes and to facilitate the operation of Article XXV of the Constitution of the State of California, the "Property Relief and Gross Income Tax Law," providing for the collection and enforcement thereof, authorizing and directing the State Board of Equalization to receive and collect the tax imposed thereunder, prescribing such penalties for failure to pay the tax imposed thereby, prescribing penalties for violation of the provisions of this act, and making an appropriation for the enforcement hereof.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Messrs Donihue, Stream, Peterson, Field, Desmond, Andreas, and Wright:

Amendment No. 1.

On page 16 of the printed bill, as amended, strike out lines 50 to 52, both inclusive, and insert in lieu thereof the following: "Every person taxable hereunder shall be allowed a credit against his gross receipts in the amount of two hundred and fifty dollars for each quarterly period."

Amendment No. 2.

On page 17 of the printed bill, as amended, strike out lines 1 and 2.

Amendment No. 3.

On page 25, line 51, of the printed bill, as amended, after "State", insert the following: "until the amounts transferred to the general fund from the "Gross receipts tax fund," together with all other amounts credited to or paid into the general fund, are equal to the total appropriations made by the Legislature for the current biennium; moneys and remittances thereafter credited to the gross receipts tax fund are hereby appropriated for distribution to each of the counties and cities and counties of this State upon a per capita basis In the months of January, April, July and October of each year, the Controller shall ascertain the amounts in the "Gross receipts tax fund" available for distribution under the provisions of this section to each county and city and county, and thereupon the Controller shall draw his warrant upon the "Gross receipts tax fund" in favor of each county and city and county in the State for the amount to which each such county and city and county is entitled All such amounts shall be deposited by each county or city and county in a special fund and shall be applied to the payment of the general expenses of each such county or city and county".

Amendment No. 4.

On page 26, line 23 of the printed bill, as amended after the parenthesis, insert the following: ", the Motor Vehicle Transportation License Tax Act (Chapter 339, Statutes of 1933) and the Beverage Tax Act (Chapter 178, Statutes of 1933)".

Amendment No. 5.

On page 26, line 24, of the printed bill, as amended, strike out "act", and insert in lieu thereof "acts".

Amendment No. 6.

On page 26, line 26, of the printed bill, as amended, strike out "act", and insert in lieu thereof "acts".

Amendment No. 7.

On page 26, line 27 of the printed bill, as amended, strike out "act", and insert in lieu thereof "acts"

Amendments adopted.

Bill read, ordered to reprint, re-re-re-engrossment, and third reading.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 21, 1935.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 561—An act to amend sections 194, 195, 196, 197, 198, and 188 of, and to add new sections to be numbered 199, 200, 201, 202, 203, and 204 to, the Streets and Highways Code, relating to allocation and expenditure of moneys from the State highway fund within cities, and providing a procedure therefor.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No 561 read first time

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 17, 1935

To the Honorable Members of the Assembly,
State of California, Sacramento, California

GREETINGS Senate Bill No. 561—An act to amend sections 194, 195, 196, 197, 198, and 188 of, and to add new sections to be numbered 199, 200, 201, 202, 203, and 232—19120

204 to, the Streets and Highways Code, relating to allocation and expenditure of moneys from the State highway fund within cities, and providing a procedure therefor.

In my opinion said Senate Bill No. 561 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted

FRANK F. MERRIAM, Governor of California.

Request for Unanimous Consent.

Mr. Boyle asked for, and was granted, unanimous consent to take up Senate Bill No. 561, at this time, without reference to committee or file.

Consideration of Senate Bill No. 561.

Senate Bill No. 561—An act to amend sections 194, 195, 196, 197, and 198 of the Streets and Highways Code, relating to the allocation and expenditure of State highway funds.

Case of Urgency.

The following resolution was offered:

By Mr. Boyle:

Resolved, That Senate Bill No. 561 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Mr. Boyle moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Chatters, Cronin, Crowley, Dawson, DeLap, Domhue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—61.

NOES—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 561.

Second Reading of Senate Bill No. 561.

Senate Bill No. 561—An act to amend sections 194, 195, 196, 197 and 198 of the Streets and Highways Code, relating to the allocation and expenditure of state highway funds.

Bill read second time

Motion.

Mr. Patterson moved, seconded by Mr. Kallam, that Senate Bill No. 561 be re-referred to Committee on Roads and Highways.

The question being on the motion by Mr. Patterson to re-refer Senate Bill No. 561 to Committee on Roads and Highways

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr Patterson to re-refer Senate Bill No. 561 to Committee on Roads and Highways.

The roll was called, and the motion was lost by the following vote:

AYES—Kallam, Patterson, Turner, and Walker—4

NOES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Don-

nelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Voigt, Wagner, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—67.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 561 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—74.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Special Order.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

Further Consideration of Assembly Bill No. 122 and Amendments Pending.

Assembly Bill No 122—An act to amend sections 5 and 7 of the Retail Sales Tax Act of 1933, relating to the rate of tax and exemptions, including refunds

Motion to Substitute.

Mr. Lyon moved that Assembly Bill No. 1208 be substituted for Assembly Bill No 122 as the special order.

Motion carried.

Assembly Bill No. 122 ordered on file for third reading

Consideration of Assembly Bill No. 1208.

Assembly Bill No. 1208—An act to amend section 3 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violation of the provisions hereof, and providing this act shall take effect immediately"

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Messrs. Lyon and Hunt:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "section 3 of", and insert in lieu thereof the following: "sections 3 and 5 of, and to repeal section 7 of,".

Amendment No. 2.

On page 1 of the printed bill, as amended, between lines 13 and 14, insert the following:

"SEC 2 Section 5 of said act is hereby amended to read as follows:

Sec. 5 There are hereby specifically exempted from the provisions of this act and from the computation of the amount of tax levied, assessed or payable under this act the following:

(a) The gross receipts from sales of tangible personal property which this State is prohibited from taxing under the Constitution or laws of the United States of America or under the Constitution of this State.

(b) The gross receipts from the sales, furnishing, or service of gas, electricity, and water, when delivered to consumers through mains, lines, or pipes.

(c) The gross receipts from the sale of gold bullion or gold concentrates or gold precipitates by the producer or refiner thereof

(d) The gross receipts from sales of tangible personal property used for the performance of a contract on public works executed prior to the effective date of this act.

(e) The gross receipts from the sale of food products for human consumption. "Food products" as used herein includes cereals and cereal products, milk and milk products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products other than candy and confectionery, coffee and coffee substitutes, tea, cocoa and cocoa products other than candy and confectionery. "Food products" does not include spirituous, malt or vinous liquors, soft drinks, sodas or beverages such as are ordinarily dispensed at bars and soda fountains or in connection therewith, nor does the term "food products" include the furnishing, preparing or serving for a consideration of any tangible personal property consumed on the premises of the person furnishing, preparing or serving such tangible personal property.

SEC 3. Section 7 of said act is hereby repealed."

Amendment No. 3.

On page 1, line 14, of the printed bill, as amended, strike out "2.", and insert in lieu thereof the following: "4."

Amendment No. 4.

"SEC. 3 If any of the provisions of section 2 of this act be declared unconstitutional such decision shall invalidate all of the provisions of this act."

The question being on the amendments submitted by Messrs. Lyon and Hunt to Assembly Bill No 1208.

Substitute Amendments.

Mr Rosenthal moved, seconded by Mr Hornblower, that the following amendments be substituted for those submitted by Messrs. Lyon and Hunt:

By Messrs. Rosenthal and Hornblower:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "section 3 of", and insert in lieu thereof the following: "sections 3 and 5 of, and to repeal section 7 of,".

Amendment No. 2.

On page 1 of the printed bill, as amended, between lines 13 and 14, insert the following:

"SEC. 2 Section 5 of said act is hereby amended to read as follows:

Sec. 5. There are hereby specifically exempted from the provisions of this act and from the computation of the amount of tax levied, assessed or payable under this act the following:

(a) The gross receipts from sales of tangible personal property which this State is prohibited from taxing under the Constitution or laws of the United States of America or under the Constitution of this State.

(b) The gross receipts from the sales, furnishing, or service of gas, electricity, and water, when delivered to consumers through mains, lines, or pipes.

(c) The gross receipts from the sale of gold bullion or gold concentrates or gold precipitates by the producer or refiner thereof

(d) The gross receipts from sales of tangible personal property used for the performance of a contract on public works executed prior to the effective date of this act.

(e) The gross receipts from the sale of food products for human consumption, except the following: Candy and confectioneries; soft drink beverages and bottled water; malt and alcoholic beverages.

SEC. 3. Section 7 of said act is hereby repealed."

Amendment No. 3.

On page 1, line 14, of the printed bill, as amended, strike out "2.", and insert in lieu thereof the following: "4."

The question being on the substitute amendments submitted by Messrs. Rosenthal and Hornblower to Assembly Bill No. 1208.

Roll Call.

The Speaker ordered a roll call taken on the substitute amendments submitted by Messrs. Rosenthal and Hornblower.

The roll was called, and the substitute amendments were refused adoption by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Clark, Cronin, Dawson, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, McCarthy, McMurray, Meehan, Nielsen, Patterson, Pelletier, Peterson, Reaves, Richie, Rosenthal, Voigt, Wagner, and Weber—34.

NOES—Andreas, Breed, Brennan, Chatters, Corwin, Cottrell, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, O'Donnell, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—45.

The question being on the amendments submitted by Messrs. Lyon and Hunt to Assembly Bill No. 1208.

Request for Roll Call.

On request of Messrs. Wright, Riley and Peterson, the Speaker ordered a roll call taken on the amendments submitted by Messrs. Lyon and Hunt to Assembly Bill No. 1208.

The roll was called, and the amendments were adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—75.

NOES—None.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 1208, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 1208, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Frazier.

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, strike out after the word "Sec.", the numeral "3", and insert in lieu thereof the numeral "2".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out all of lines 14, 15, 16 and 17.

Amendment No. 3.

On page 1 of the printed bill, as amended, after the period in line 13, insert the following:

"SEC. 3 Excepting as provided in section 10 of this act, the tax hereby imposed shall be paid by the consumer to the vendor in every instance, and it shall be the duty of each vendor to collect from the consumer the full and exact amount of the tax payable in respect of each taxable sale, and to evidence the payment of

the tax in each case by canceling prepaid tax receipts, equal in face value to the amount thereof, in the manner and at the times provided in this section, to wit:

(a) If the price is, at or prior to the delivery of possession of the thing sold, to the consumer, paid in currency passed from hand to hand by the consumer or his agent to the vendor or his agent, the vendor or his agent shall:

1. Collect the tax with and at the same time as the price.

2. Immediately cancel in the presence of the buyer by immediately tearing into two parts a prepaid tax receipt or receipts of the proper face value, deliver one part of each such canceled prepaid tax receipt to the consumer or his agent, and retain the other part thereof.

(b) If the price is otherwise paid or to be paid, the vendor or his agent shall, at or prior to the delivery of possession of the thing sold, to the consumer, cancel or cause to be canceled by tearing into two parts prepaid tax receipts equal in face value to the amount of the tax imposed by this act. Thereupon and thereby the amount of the tax with respect to such sale, payment of which to the State is evidenced by such cancellation, shall become a legal charge in favor of the vendor and against the consumer, which shall in every case be collected by the vendor, as herein provided, in addition to the price, and at or immediately after such collection, the vendor shall deliver one part of each such canceled prepaid tax receipt to the consumer and retain the other part thereof.

SEC. 4. Prepaid tax receipts required by this act shall be issued by the board in such denominations as the board may deem necessary. They shall be printed on durable paper, be of different design and distinctly different coloring for each of such denominations represented thereby.

SEC. 5. The board shall design and procure the prepaid tax receipts herein provided for. The board shall enforce and administer the provisions of this act. It shall have power to adopt and promulgate such rules and regulations as it may deem necessary to carry out the provisions of this act, and without prejudice to the generality of the powers of the board by virtue of the foregoing provisions, the board may:

(a) Prescribe the form and manner of canceling prepaid tax receipts consistent with the provisions of this act.

(b) Authorize a vendor to prepay the tax levied by this act upon sales of things produced or distributed by such vendor and waive the collection of the tax from the consumer in the manner otherwise provided in this act; but no such authority shall be granted or exercised except upon application to the board and unless the board shall, after hearing, advance notice of which must be given by the board to all vendors in the same general classification as the applicant, find that the conditions of the applicant's business are such as to render impracticable the collection of the tax in the manner otherwise provided by this act and upon the applicant furnishing a bond payable to the State of California in such amount as the board may determine to be sufficient to secure the prepayment of the taxes levied by this act in the manner desired, with surety to the satisfaction of the State Controller, with whom such bond shall be filed; nor shall the authority so granted be exercised nor the vendor or vendors actually selling such products be exempted from the other provisions of this act by virtue thereof unless the person to whom such authority is granted shall print plainly upon the product sold or offered for sale, a statement to the effect that the tax levied by this act has been paid in advance.

(c) Upon written request of a vendor, authorize the use of mechanical devices or meters approved by it, in lieu of prepaid tax receipts, for the purpose of establishing the accountability for the tax collected and providing a tax receipt to consumers.

SEC. 6. In the event prepaid purchases are returned to the vendor by the consumer after the tax imposed by this act has been collected or charged to the account of the consumer, the vendor shall be entitled to reimbursement of the amount of the tax so collected or charged by him either through the cancellation of prepaid tax receipts paid for by the consumer, or through the canceling of prepaid tax receipts paid for by the vendor and charged to the account of the consumer, in the manner herein provided. Upon receipt of a sworn statement by the vendor as to the gross amount of such refunds during the period covered by such sworn statement, which period shall not be longer than sixty days, the board shall issue to the vendor an official credit memorandum equal to the net amount paid by the vendor for such canceled prepaid tax receipts. Such memorandum shall be accepted by any county treasurer or by any agent of the board at full face value, from the vendor to whom it is issued, in the purchase of prepaid tax receipts under the provisions of section 12 of this act.

SEC. 7. The board shall be responsible for the custody and distribution of the prepaid tax receipts provided for herein. It may appoint agents for the sale of prepaid tax receipts at such places in the State as it may deem expedient, fix their compensation, payable from any appropriation made for the purpose of administering the provisions of this act, and require of each agent such bond or other security as it may deem necessary. It shall deliver to each county treasurer such number and denomination of prepaid tax receipts as in its judgment may be required

for sale in each county or city and county, pursuant to this act, and may prescribe such regulations and forms of receipts and reports as it may deem necessary and advisable for the transaction of the business of selling such prepaid tax receipts.

SEC. 8. Each county treasurer shall pay, on the first business day of each week, to the board all moneys arising from the sale of prepaid tax receipts by him during the preceding week. At the same time each county treasurer shall transmit a report showing all sales, the names of purchasers and the aggregate face value purchased by each.

Each such county treasurer shall retain for the use of the general fund of the county or city and county, an amount equal to one-tenth of one per centum of the proceeds of such sales. All the powers and duties hereby imposed upon the county treasurer shall be deemed and considered to be within the scope of his office as county treasurer for all purposes

The agents appointed by the board for the sale of prepaid tax receipts shall transmit all moneys received by them at such times and in such manner as the board may direct

SEC. 9. The board, its agents, and the several county treasurers shall sell prepaid tax receipts only to licensed vendors. All such prepaid tax receipts shall be sold and accounted for at a discount of not to exceed three per centum of the face value thereof, as a commission for handling and canceling such prepaid tax receipts. The board shall by regulation, fix within the limitations herein prescribed the rate of discount applicable to the sale of prepaid tax receipts to such classes of licensed vendors as it may establish.

SEC. 10 The county treasurers shall redeem and pay for any unused or spoiled tax receipts at the net value thereof on written verified request made by any licensed vendor, his administrators, executors, sucessors or assigns Such payments shall be made from current collections Each county treasurer shall be entitled to deduct from the amount transmitted by him to the board any amounts so paid by him, upon the delivery to the board of such unused or spoiled tax receipts accompanied by the written verified request provided for herein

SEC. 11. Within five days after the issuance of his license, it shall be the duty of each such licensed vendor to purchase and have on hand at all times prepaid tax receipts in suitable denominations and in amount sufficient to supply the normal requirements of his business. A licensed vendor shall procure prepaid tax receipts only from the board, or its agents authorized to sell such receipts, or the treasurer of the county in which he is licensed

SEC. 12 After July 1, 1935, no person shall engage in making retail sales as herein defined, as a business, without having a license therefor, excepting that in the case of the dissolution of a partnership by death, the surviving partner or partners may operate under the license of the partnership for a period of sixty days, and the heirs or legal representatives of deceased persons, and receivers and trustees in bankruptcy, appointed by any competent authority, may operate under the license of the person so succeeded in possession by such heir, representative, receiver, or trustee in bankruptcy, and excepting further that two or more persons constituting a single "vendor" as defined by section 2 of this act may operate a single retail establishment under one license, and in such case neither the retirement of one or more such persons from business in such establishment, nor the entrance of one or more thereinto, under an existing arrangement, shall affect the license or require the issuance of a new license

SEC 13. Every person desiring to engage in or transact business as a vendor of tangible personal property within this State shall file with the board an application for a permit or permits. Every application for such a permit shall be made upon a form prescribed by the board and shall set forth the name under which the applicant transacts or intends to transact business, the location of his place or places of business, and such other information as the board may require The application shall be signed by the owner if a natural person, in the case of an association or partnership, by a member or partner thereof, in the case of a corporation, by an executive officer thereof or some person specifically authorized by the corporation to sign the application, to which shall be attached the written evidence of his authority. Any person who engages in the business of selling tangible personal property at retail in this State without a permit or permits or after a permit has been suspended, and the officers of any corporation which shall so sell, shall be guilty of a misdemeanor.

SEC 14. At the time of making such application, the applicant shall pay to the board a permit fee of one dollar for each permit, and the applicant must have a permit for each place of business

SEC. 15. Upon the payment of the permit fee or fees herein required, the board shall grant and issue to each applicant a permit for each place of business within the State A permit is not assignable and shall be valid only for the person in whose name it is issued and for the transaction of business at the place designated therein. It shall at all times be conspicuously displayed at the place for which issued

SEC 16 Permits issued under the provisions of this act shall be valid and effective without further payment of fees until suspended or revoked by the board

The board shall charge a fee of one dollar for the renewal of issuance of a permit to a retailer whose permit has been previously suspended or revoked

SEC 17 Whenever the holder of a permit fails to comply with any of the provisions of this act or any rules or regulations of the board prescribed and adopted under this act, the board upon hearing after giving ten days notice in writing of the time and place of the hearing to show cause why his permit should not be revoked, may revoke or suspend the permit

SEC. 18. Each vendor shall keep such records of sales together with invoices, bills of lading, retained parts of canceled prepaid tax receipts, and such other pertinent documents, in such form as the board may by regulation require Such records and other documents shall be open at any time during business hours to the inspection of the board and shall be preserved for a period of three years, unless the board shall in writing consent to their destruction within that period, or by order require that they be kept longer.

SEC 19 In case any vendor fails to collect the tax herein imposed, or, having *collected the tax, fails to cancel the prepaid tax receipts in the manner prescribed* by this act and by the regulations of the board, he shall be personally liable for such amount as he failed to collect or for the amount of the prepaid tax receipts which he failed to cancel In such case the board shall have power to make an assessment against such vendor based upon any information within its possession or that may come into its possession If any part of the deficiency for which such assessment is imposed is due to negligence or intentional disregard of this act or authorized rules and regulations thereunder, a penalty of five per cent of the amount of such assessment shall be added. If any part of the deficiency for which such assessment is imposed is due to fraud or an intent to evade the tax, a penalty of twenty-five per cent of the amount of such assessment shall be added The board shall give to the vendor written notice of such assessment. Such notice may be served upon the vendor personally or by mail; if by mail, service shall be made in the manner prescribed by section 1013 of the Code of Civil Procedure and addressed to the vendor at his address as the same appears in the records of the board. The vendor shall have the right to petition for reassessment of any such tax found, determined and declared by the board pursuant to and in accordance with the provisions of this section

SEC. 20. Any vendor against whom an assessment is made by the board under the provisions of section 24 hereof may petition for a reassessment thereof within fifteen days after service upon the vendor of notice thereof If a petition for reassessment is not filed within said fifteen day period the amount of the assessment becomes final at the expiration thereof

If a petition for reassessment is filed within said fifteen day period the board shall reconsider the assessment, and if the vendor has so requested in his petition shall grant said vendor an oral hearing and shall give the vendor ten days' notice of the time and place thereof The board shall have power to continue the hearing from time to time as may be necessary.

The order or decision of the board upon a petition for reassessment shall become final sixty days after service upon the vendor of notice thereof unless the retailer brings a proceeding for the review thereof under the provisions of section 38 hereof

Any notice required by this section shall be served personally or by mail in the same manner as prescribed for service of notice by the provisions of section 24 hereof.

SEC. 21 Except in the case of a fraudulent return, or neglect or refusal to make a return, every notice of additional tax proposed to be assessed hereunder shall be mailed to the vendor within three years after the return was filed

SEC. 22. All assessments made by the board under the provisions of section 24 hereof shall become due and payable at the time they become final and if not paid when due and payable there shall be added thereto a penalty of five per cent of the amount of the tax and interest on the amount of the tax at the rate of one per cent per month, or fraction thereof, from that date until the date of payment

SEC. 23. The board shall report to the Controller every assessment made under this act, and he shall keep a record thereof

SEC 24 In any case in which any tax interest or penalty imposed under this act is not paid when due the board may file for record in the recorder's office of any county a notice of lien specifying the amount of the tax, interest or penalty due and the name of the vendor liable for the same From the time of filing any such notice the amount of the tax specified in such notice shall have the force and effect of the lien of a judgment against the vendor named in said notice of lien for the amount specified in such notice Such lien may be released by filing for record in the office of the county recorder of a release thereof executed by the board upon payment of the tax, interest and penalties or upon receipt by the board of security sufficient to secure payment thereof, but no such release shall be deemed a waiver of any tax interest or penalty levied or assessed under this act and due and payable or to become due and payable by such vendor.

In the event that any vendor is delinquent in the payment of the tax herein provided for the board may give notice of the amount of such delinquency by registered mail to all persons having in their possession, or under their control, any credits or other personal property belonging to such vendor, or owing any debts to such vendor at the time of receipt by them of such notice and thereafter any person so notified shall neither transfer nor make any other disposition of such credits, other personal property, or debts until the board shall have consented to a transfer or disposition, or until twenty days shall have elapsed from and after the receipt of such notice All persons so notified must, within five days after receipt of such notice, advise the board of any and all such credits, other personal property or debts, in their possession, under their control or owing by them, as the case may be

At any time within two years after any vendor is delinquent in the payment of the tax herein provided for, the board may proceed forthwith to collect the tax due from the vendor in the following manner. The board shall seize any property, real or personal, subject to the lien of said tax, and thereafter sell at public auction such property so seized, or a sufficient portion thereof, to pay the tax due hereunder, together with any interest or penalties imposed hereby for such delinquency, and any and all costs that may have been incurred on account of such seizure and sale Notice of such intended sale and the time and place thereof, shall be given to such delinquent vendor and to all persons appearing of record to have an interest in such property in writing at least ten days before the date set for such sale by enclosing such notice in an envelope addressed to such vendor at his last known residence or place of business in this State if any, and in the case of any person appearing of record to have an interest in such property addressed to each person at the last known place of residence, if any, and depositing the same in the United States mail, postage prepaid, and by publication for at least ten days before the date set for such sale in a newspaper of general circulation published in the county or city and county in which the property seized is to be sold, provided, that if there be no newspaper of general circulation in such county or city and county, then by the posting of such notice in three public places in such county or city and county ten days prior to the date set for such sale The said notice shall contain a description of the property to be sold, together with a statement of the amount of the taxes, interest, penalties and costs, the name of the vendor, and the further statement that unless such taxes, interest and penalties and costs are paid on or before the time fixed in said notice for such sale, said property, or so much thereof as may be necessary, will be sold in accordance with law and said notice

At any such sale, the property shall be sold by the board in accordance with law and said notice, and the board shall deliver to the purchaser a bill of sale for the personal property, and a deed for any real property so sold, and such bill of sale or deed shall vest the interest or title of the vendor in the purchaser. The unsold portion of any property so seized may be left at the place of sale at the risk of the vendor If, upon any such sale, the moneys so received shall exceed the amount of all taxes, interest, penalties and costs due the State from such vendor, any such excess shall be returned to the vendor, and his receipt therefor obtained; provided, however, that if any person having an interest or lien upon the property has filed with the board prior to any such sale notice of such interest or lien the board shall withhold any such excess pending a determination of the rights of the respective parties thereto by a court of competent jurisdiction If, for any reason, the receipt of such vendor shall not be available, the board shall deposit such excess moneys with the State Treasurer, as trustee for such owner, subject to the order of such vendor, his heirs, successors or assigns

It is expressly provided that the foregoing remedies of the State shall be cumulative and that no action taken by the board or Attorney General shall be construed to be an election on the part of the State or any of its officers to pursue any remedy hereunder to the exclusion of any other remedy for which provision is made in this act

SEC 25. At any time within three years after the delinquency of any tax, the board may bring an action in a court of competent jurisdiction in the name of the people of the State of California to collect the amount delinquent, together with penalties The Attorney General must prosecute such action, and the provisions of the Code of Civil Procedure, relating to service of summons, pleadings, proofs, trials and appeals are applicable to the proceedings herein provided for. In such action a writ of attachment may issue, and no bond or affidavit previous to the issuing of said attachment is required. In such action a certificate by the board showing the delinquency shall be prima facie evidence of the levy of the tax, of the delinquency and of compliance by the board with all provisions of this act in relation to the computation and levy of the tax.

SEC 26 No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against this State or against any officer thereof to prevent or enjoin under this act the collection of any tax sought to be collected; but after payment of any such tax under protest, duly verified and setting forth the grounds of objection to the legality of such tax, the vendor paying such tax may bring an action against the State Treasurer in a court of competent jurisdiction in the county of Sacramento for the recovery of the tax so

paid under protest No such action may be instituted more than sixty days after the tax becomes due and payable, and failure to bring suit within said sixty days shall constitute waiver of any and all demands against this State on account of alleged overpayment of taxes hereunder. No grounds of illegality of the tax shall be considered by the court other than those set forth in the protest filed at the time of the payment of the tax.

If in any such action judgment is rendered for the plaintiff, the amount of the judgment shall first be credited on any taxes due from the plaintiff under this act, and the balance of the judgment shall be refunded to the plaintiff. In any such judgment, interest shall be allowed at the rate of six per cent per annum upon the amount of tax found to have been illegally collected from the date of payment of such tax to the date of allowance of credit on account of such judgment or to a date preceding the date of the refund warrant by not more than thirty days, such date to be determined by the Controller

In no case shall any judgment be rendered in favor of the plaintiff in any action brought against the State Treasurer to recover any tax paid hereunder, when such action is brought by or in the name of an assignee of the vendor paying said tax, or by any person other than the vendor who has paid such tax.

SEC. 27. Whoever falsely or fraudulently makes, forges, alters, or counterfeits any prepaid tax receipt prescribed by the board under the provisions of this act, or knowingly and wilfully utters, publishes, passes, or tenders as true, any such false, altered, forged or counterfeited receipt shall be imprisoned in the State prison for a term of not less than one year or more than ten years.

SEC 28 Whoever being a vendor, as defined in this act, fails, neglects, or refuses to collect the full and exact tax as required by this act, or fails, neglects, or refuses to comply with the provisions of this act and the rules and regulations of the board with respect to the cancellation of prepaid tax receipts, or excepting as expressly authorized pursuant to this act, refunds, remits or rebates to a consumer, either directly or indirectly and by whatsoever means, all or any part of the tax levied by this act, or makes in any form of advertising, verbal or otherwise, any statements which might infer that he is absorbing the tax or paying the tax for the consumer by an adjustment of prices, or at a price including the tax, or in any other manner whatsoever shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than twenty-five dollars nor more than one hundred dollars, and upon conviction for a second or other subsequent offense, shall, if a corporation, be fined not less than one hundred dollars nor more than five hundred dollars, or if an individual or a member of a partnership, firm or association, be fined not less than twenty-five dollars nor more than one hundred dollars, or imprisoned in the county jail, not more than sixty days, or both

SEC. 29. Whoever violates any provision of this act or any lawful rule or regulation promulgated by the board under authority of this act for the violation of which no penalty is otherwise expressly provided by law, shall be fined not less than twenty-five dollars nor more than one hundred dollars.

SEC. 30. It shall be unlawful for the board, or any person having an administrative duty under this act to divulge or to make known in any manner whatever, the business affairs, operations, or information obtained by an investigation of records and equipment of any vendor visited or examined in the discharge of official duty, or the amount or source of income, profits, losses, expenditures or any particular thereof, set forth or disclosed in any return, or to permit any return or any copy thereof or any book containing any abstract or particulars thereof to be seen or examined by any person except as provided by law; provided, however, that the Governor may authorize examination of such returns by other State officers, by tax officers of another State, or the Federal Government, if a reciprocal arrangement exists, and any other persons the Governor may so authorize.

Any violations of the provisions of this section shall be a misdemeanor and be punished by a fine not exceeding one thousand dollars, or by imprisonment not exceeding one year, or both, at the discretion of the court.

SEC. 31. Any vendor failing or refusing to furnish any return hereby required to be made, or failing or refusing to furnish a supplemental return or other data required by the board, or rendering a false or fraudulent return, shall be guilty of a misdemeanor and subject to a fine of not exceeding five hundred dollars for each such offense.

SEC 32. Any person required to make, render, sign or verify any report as aforesaid, who makes any false or fraudulent return, with intent to defeat or evade the assessment required by law to be made, shall be guilty of a misdemeanor, and shall for each such offense be fined not less than three hundred dollars and not more than five thousand dollars or be imprisoned not exceeding one year in the county jail or be subject to both said fine and imprisonment in the discretion of the court.

SEC. 33 Every order, decision or other official act of the board shall be subject to review in accordance with the provisions of Chapter I, Title I of Part III of the Code of Civil Procedure if the proceeding is brought within sixty days after service of notice of such order, decision or other official act. Upon such review the court shall be limited to a consideration and determination of the question whether there has been an abuse of discretion on the part of the board in making such order, decision or other official act. The person petitioning for a review of any order, decision

or other official act of the board shall pay the cost of the preparation of any transcript or transcripts of the records or proceedings of the board that the board may be required to furnish in the proceeding instituted by the vendor under the provisions of this section.

SEC. 34. All fees, taxes, interest and penalties imposed under this act must be paid to the board in the form of remittances payable to the Treasurer of the State of California, and said board shall transmit such payments daily to the State Treasurer to be deposited in the State treasury to the credit of the "Retail sales tax fund," which fund is hereby created.

SEC 35 For expenditure by the board in carrying out the provisions of this act there is hereby appropriated a sum of money equal to _____ dollars plus _____ per cent, or so much thereof as may be necessary, of all other moneys deposited in the retail sales tax fund; said _____ dollars being payable out of moneys in the general fund not otherwise appropriated being payable out of the retail sales tax fund; provided, that, out of said two per cent of said other moneys deposited in the retail sales tax fund and on or before June 30, 1937, the sum of _____ dollars shall be returned into the general fund.

For expenditure by the Controller in carrying out the provisions of this act there is hereby appropriated out of the retail sales tax fund the sum of _____ dollars or so much thereof as may be necessary.

The balance of the moneys in the retail sales tax fund shall, upon order of the State Controller, be drawn therefrom for the purpose of refunding to the taxpayers hereunder or be transferred to the general fund of the State.

SEC. 36 If any section, subsection, clause, sentence or phrase of this act which is reasonably separable from the remaining portions of this act is for any reason held to be unconstitutional, such decision shall not affect the remaining portions of this act. The Legislature hereby declares that it would have passed the remaining portions of this act irrespective of the fact that any such section, subsection, clause, sentence or phrase of this act be declared unconstitutional.

SEC 37. This act, inasmuch as it provides for a tax levy for the usual current expenses of the State, shall, under the provisions of section 1 of Article IV of the Constitution, take effect immediately.

The question being on the amendments submitted by Mr. Frazier to Assembly Bill No 1208.

Withdrawal of Amendments.

Mr. Frazier withdrew his amendments.

Assembly Bill No. 1208, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Clark:

Amendment No. 1.

On page 1, line 8, of the printed bill, as amended, strike out "three", and insert in lieu thereof the following: "1 99"

The question being on the amendment submitted by Mr. Clark to Assembly Bill No. 1208.

Roll Call.

The Speaker ordered a roll call taken on the amendment submitted by Mr. Clark.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Clark, Crowley, Dawson, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Jones, Laughlin, Lore, McCarthy, McMurray, Meehan, Patterson, Pelletier, Reaves, Richie, Rosenthal, Voigt, and Wagner—29.

NOES—Andreas, Breed, Brennan, Chatters, Corwin, Cottrell, Cronin, Cunningham, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Heisinger, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, O'Donnell, Peterson, Pevser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Tuner, Utt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—49

Assembly Bill No 1208, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Anderson:

Amendment No. 1.

In section 5 of the printed bill, add a new subsection "f", to read as follows: "Drugs and medicines".

The question being on the amendment submitted by Mr. Anderson to Assembly Bill No. 1208.

Roll Call.

The Speaker ordered a roll call taken on the amendment submitted by Mr. Anderson.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Clark, Cronin, Dawson, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Jones, Laughlin, Lore, Mayo, McCarthy, McMurray, Meehan, Patterson, Pelletier, Reaves, Richie, Rosenthal, Voigt, Wagner, and Wallace—31.

NOES—Andreas, Breed, Brennan, Chatters, Corwin, Cottrell, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Johnson, Kallam, Latham, Lyon, Maloney, Martin, McBride, Miller, Minard, Morgan, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—44.

Third Reading of Assembly Bill No. 1208, as Amended.

Assembly Bill No. 1208, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1208, as amended, passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Heisinger, Hunt, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Turner, Utt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—54.

NOES—Anderson, Cassidy, Clark, Dawson, Desmond, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Hornblower, Jones, Laughlin, Lore, McCarthy, Patterson, Pelletier, Reaves, Richie, Rosenthal, Thorp, Voigt, and Wagner—25

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 1208.

Mr. Rosenthal gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1208 was this day passed.

Unfinished Business—(Resumed).

Reconsideration of Assembly Bill No. 530 Waived.

Mr. Redwine waived his notice to reconsider the vote whereby Assembly Bill No. 530 was passed.

Assembly Bill No. 530 ordered transmitted to the Senate.

Recess.

At five o'clock and five minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until nine o'clock p.m. of this day.

Reassembled.

At nine o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 23, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 166—An act to amend section 1 of an act entitled "An act relating to the safety of design and construction of public school buildings, providing for regulation, inspection, and supervision of the construction, reconstruction or alteration of or addition to public school buildings and for the inspection of existing school buildings, defining the powers and duties of the State Division of Architecture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act to take effect immediately," approved April 10, 1933, relating to the buildings and work subject to the provisions of said act;

Also: Assembly Bill No. 285—An act to amend section 1361 of the Political Code, relating to counting boards to canvass absent voter ballots in counties having a population of one million persons or more;

Also: Assembly Bill No 762—An act to add a new section to the School Code to be numbered 2.123-1, relating to the payment of the cost of food and lodging for certain elementary school pupils from the unapportioned county elementary school fund;

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos 166, 285 and 762 ordered on unfinished business file

Also:

SENATE CHAMBER, SACRAMENTO, May 23, 1935

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 1977—An act to add section 5.28 to the School Code, relating to vacations of teachers, officers and employees of State teachers colleges, State colleges, the California School for the Deaf, the California School for the Blind and the California Polytechnic School;

Also: Assembly Bill No 816—An act relating to shares of insured Federal savings and loan associations, and building and loan associations, as legal investments for trust and other funds;

Also: Assembly Bill No 1656—An act to amend the Vehicle Code by adding thereto section 416, relating to vehicles;

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos 1977, 816 and 1656 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 23, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 400—An act to amend section 4293 of the Political Code, relating to the disposition of county and township officers' fee records;

Also: Assembly Bill No. 920—An act to amend sections 1261, 1263, 1264, 1265, 1267, 1268, 1269, 1273, of and to add a new section to be numbered 1268 5 to the Agricultural Code, relating to persons licensed to deal in farm products;

Also: Assembly Bill No. 650—An act to add two new sections to Article 2 of Chapter 3 of Division I of the Streets and Highways Code, relating to franchises in highways;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 400, 920 and 650 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 23, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 1526—An act to add a new section to be numbered 18.5 to the "Improvement Act of 1911," approved

April 7, 1911, relating to contributions of moneys or materials, declaring the urgency thereof and providing that this act shall take effect immediately

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 1526 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 23, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 614—An act to amend section 1680 of the Streets and Highways Code, relating to extending county aid to cities;

Also: Assembly Bill No. 1056—An act to amend section 200 of the Code of Civil Procedure, relating to exemptions from jury duty;

Also: Assembly Bill No. 439—An act to add a new section to the School Code to be numbered 6.492, relating to the payment by school districts of subscriptions to periodicals;

Also: Assembly Bill No. 1792—An act validating the purchase of bonds by municipalities under the Improvement Act of 1911 and the Improvement Act of 1915 from the proceeds of the delinquent street assessment fund provided for in said act;

Also: Assembly Bill No. 622—An act to amend sections 1.72 and 1.73-1 of the School Code, relating to the transportation of public school pupils

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 614, 1056, 439, 1792 and 622 ordered to enrollment.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1540—An act to amend section 4 of and to add section 8 to an act entitled "An act creating a commission to codify, consolidate, revise or compile the statutes of California and to report thereon to the Legislature, and making an appropriation therefor, and authorizing State departments, boards, bureaus and commissions to contract for the revision of certain laws," approved June 10, 1929, relating to reports and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means

Assembly Bill No. 1540 ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 329—An act relating to codes of fair competition for certain trades and industries within this State, to declare the urgency thereof, and to provide that this act shall take effect immediately,

Also: Assembly Bill No. 2160—An act to amend sections 117d and 117q of the Code of Civil Procedure, relating to small claims courts;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

LYON, Chairman.

The above reported bills ordered on file for second reading.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 834—An act relating to and imposing limitations on expenditures by counties, cities and counties, districts and other political subdivisions, under authority of section 20 of Article XI of the Constitution of the State—and reports that the same has been correctly re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 703—An act to establish the Southern California Prison under the management and control of the State Board of Prison Directors; to provide for purchase or acquirement of farm lands by unconditional gift or use of lands owned by the State therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor;

Also: Assembly Bill No. 1957 An act to amend sections 13 and 32 of the Public Utilities Act;

Also Assembly Bill No 2068—An act to amend section 76a of the Improvement Act of 1911, relating to foreclosure of bonds;

And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 715—An act to amend sections 12, 13 and 16 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," relating to the allocation and apportionment of balances in the "Fair and exposition fund.";

Also: Assembly Bill No. 2066—An act to amend the Building and Loan Association Act by adding section 6 01b thereto, relating to period of notice of intention to withdraw;

Also: Assembly Bill No. 2472—An act to amend section 2955 of the Civil Code, relating to mortgages on personal property;

Also: Assembly Bill No 2473—An act to add section 269 to the Political Code, relating to officers of the Senate and Assembly;

And reports that the same have been correctly engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1935.

MR SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 785—An act to amend the title, sections 1, 2, 3, 4 and 5 of, and to add a new section, to be numbered section 6, to an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for violation thereof," approved February 28, 1905 (Stats. 1905, Chap. 34), relating to the hours of drug clerks, requiring the keeping of records and posting schedules of such hours, providing for the enforcement of the act by the Chief of the Division of Labor Statistics and Law Enforcement and providing that all fines for violation of the provisions hereof shall be paid into the State treasury to the credit of the general fund;

Also: Assembly Bill No. 1022—An act to add section 17 to an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof." approved May 21, 1915;

Also: Assembly Bill No. 1023—An act to amend section 6 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

CRONIN, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 1925—An act to amend sections 4 and 7 of "An act to prevent the unauthorized use and disposition of, and traffic in human bodies, to

prescribe the keeping of proper records, to promote medical education and public health by regulating the disposition and utilization of the unclaimed dead, to provide penalties for the violation of this act and to repeal sections 3094 and 3095 of the Political Code and all other acts or portions of acts in conflict with this act," approved May 18, 1927, relating to the use of dead bodies—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

CRONIN, Chairman.

The above reported bill ordered on file for second reading.

On Building and Construction.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1935.

MR. SPEAKER: Your Committee on Building and Construction, to which was referred Assembly Bill No 2217—An act to amend section 402c of the Penal Code relating to safety measures—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

PEYSER, Chairman

The above reported bill ordered on file for second reading

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1935

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No 1294—An act to amend section 515 of the Vehicle Code, relating to motor vehicles;

Also, Assembly Bill No. 1295—An act to amend section 702 of the Vehicle Code, relating to motor vehicles;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

HORNBLOWER, Chairman.

The above reported bills ordered on file for second reading.

On Irrigation.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1935.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 2456—An act to amend sections 3454 and 3455 of and to add sections 3454a and 3454b to the Political Code, relating to reclamation districts, declaring the urgency thereof and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1935.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Senate Bill No. 468—An act to amend the title and to add a new section numbered 18a to the State Medical Practice Act, approved June 2, 1913, as amended, relating to remedies for violations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

CRONIN, Chairman.

The above reported bill ordered on file for second reading

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1935.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 1075—An act authorizing the Director of Natural Resources to receive and hold land for future development for forestry purposes, to manage such land and dispose of the products thereof, and providing for the distribution of revenue therefrom, and to acquire land for development for State forestry purposes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

FIELD, Chairman.

The above reported bill ordered on file for second reading.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1935

MR SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 2464—An act to provide for the payment of delinquent taxes with farm products—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1935.

MR SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Senate Bill No. 90—An act to add Chapter 3 to Division III of the Agricultural Code—re ownership of stockyards by packers—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

THORP, Chairman.

The above reported bill ordered on file for second reading.

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1935.

MR SPEAKER: Your Committee on Rules, to which was referred Senate Concurrent Resolution No 38—Relative to leaves of absence of the Governor, Lieutenant Governor, and the members of the Senate and Assembly—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

WALLACE, Chairman.

Senate Concurrent Resolution No. 38 ordered on file for adoption

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1935

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 244—An act to amend section 653e of the Penal Code, relating to the blacklisting of employees,

Also: Assembly Bill No 700—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately;

And reports that the same have been correctly engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Unfinished Business—(Resumed).

Reconsideration of Assembly Bill No. 1464 Lapsed.

Assembly Bill No. 1464—An act to amend section 182 of the Penal Code, relating to punishment for criminal conspiracy.

Reconsideration lapsed.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 23, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 662—An act to provide for the refunding of bonds issued under the "Improvement Bond Act of 1915" and for the levy of reassessments and the extension of liens of assessments and the collection and enforcement of such assessments and reassessments and the payment of said bonds;

Also: Assembly Bill No 961—An act to amend sections 5 400, 5 402, 5.403, 5.408, 5.420, 5.500, 5 502, 5.503, 5 510, 5.520, 5.521, 5 640, 5 680, 5 690, 5 691, 5 710, 5 711 and 5 712 of the School Code, relating to tenure, and to add four new sections to the School Code, to be numbered 5.409, 5 505, 5.506, 5 666 and 5.667, all

relating to the employment, classification, dismissal and resignation of persons employed in school districts in positions requiring certification qualifications; And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos 662 and 961 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 23, 1935.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 427—An act authorizing the legislative body of a municipality to vacate, abandon and close any public street, highway, road, boulevard, avenue, alley, way, lane, court or place, or any part thereof, either to the whole extent of the public right therein or to any partial extent, and prescribing a procedure therefor;

Also: Assembly Bill No. 541—An act to amend section 9 of an act entitled "An act for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, relating to city owned bonds;

Also: Assembly Bill No. 59—An act to add section 5 5 to an act entitled "An act to provide for the formation, powers, government, operation, and dissolution of garbage disposal districts to facilitate the disposal of garbage and other refuse matter, and annexation thereto, and to provide for the assessment, levy, collection and disbursement of taxes therein," approved April 20, 1927, relating to contracts for collection and disposal of garbage;

Also: Assembly Bill No 988—An act to amend sections 5 125 and 5.161 of the School Code, relating to the issuance of high school credentials and certificates

J. A. BEEK, Secretary of Senate.

Assembly Bills Nos. 427, 541, 59, and 988 ordered to enrollment

Also:

SENATE CHAMBER, SACRAMENTO, May 23, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 962—An act to amend the School Code by amending sections 5.650, 5.651, 5.652, 5 653, 5 654, 5 661, and by repealing sections 5 655, 5.656, 5.657, 5 658, 5 659, 5.660, 5 662 5 663, all relating to the employment and dismissal of persons employed in school districts in positions requiring certification qualifications;

Also: Assembly Bill No. 660—An act authorizing public and private corporations of and in the State of California to make applications for the right to establish, operate and maintain, and to establish, operate and maintain foreign-trade zones in or adjacent to ports of entry in this State.

J. A. BEEK, Secretary of Senate.

Assembly Bills Nos. 962 and 660 ordered to enrollment

Also:

SENATE CHAMBER, SACRAMENTO, May 23, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 2434—An act to amend the Los Angeles County Flood Control Act by adding thereto a new section to be numbered 15a, relating to compliance with requirements of the United States or any department or agency thereof, in the performance of public work financed in whole or in part from Federal funds, and declaring the urgency thereof, the act to take effect immediately.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 2434 ordered to enrollment.

Withdrawal of Assembly Bill No. 703.

By order of the Speaker, Assembly Bill No. 703 was withdrawn from the file, and referred to Committee on Ways and Means.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Richie:

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1935.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making an appropriation to pay the claim of Fred Froehlinger against the State of California.

Referred to Committee on Introduction of Bills

By Mr. Rosenthal:

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1935

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add section 24 5 to the State Bar Act, relating to examinations for admission to practice law

Referred to Committee on Introduction of Bills.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced:

By Messrs Voigt, Lyon, Morgan, and Evans, Ralph W.: Assembly Joint Resolution No. 62—Relative to memorializing the Federal Relief Administrator to make available funds for the extension of the highway through the Venice and Santa Monica Bay areas.

Introduced.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 62, at this time, without reference to printer, committee, or file, and that same be considered engrossed.

Consideration of Assembly Joint Resolution No. 62.

Assembly Joint Resolution No. 62—Relative to memorializing the Federal Relief Administrator to make available funds for the extension of the highway through the Venice and Santa Monica Bay areas.

Assembly Joint Resolution No. 62 read.

Mr. Lyon moved the adoption of Assembly Joint Resolution No. 62.

The question being on the adoption of Assembly Joint Resolution No. 62.

The roll was called, and Assembly Joint Resolution No 62 adopted by the following vote:

AYES—Andreas, Brennan, Cassidy, Clark, Cronin, Cunningham, DeLap, Desmond, Donahue, Evans, Ralph W., Field, Fisher, Flint, Frazier, Garibaldi, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Peyser, Reaves, Redwine, Richie, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Williamson, Wright, and Mr Speaker—52

NOES—Pelletier—1.

Title read and approved.

Assembly Joint Resolution No. 62 ordered transmitted to the Senate.

Assembly Joint Resolution No. 62.

Relative to memorializing the Federal Relief Administrator to make available funds for the extension of Highway Route No. 163 through the Venice and Santa Monica Bay areas.

WHEREAS, In and about the vicinity of Venice and Santa Monica Bay areas in southern California there is no through highway which approaches adequate standards with relation to width and roadbed; and

WHEREAS, The traffic through this area is congested at all times and particularly so during the vacation season; and

WHEREAS, The existing "speedway" which traverses this area is solidly lined on both sides by dwellings and business establishments, and

WHEREAS, These circumstances create an extraordinarily serious condition and subject all persons and property in this vicinity to a most critical fire hazard, and

WHEREAS, This fire hazard is greatly increased during the summer months when many additional thousands of persons come to this beach area for vacations; and

WHEREAS, Aside from the question of fire hazard the traffic along the "speedway" has for many years justified a wider and straighter highway with an improved roadbed; now, therefore be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the State of California, through its Legislature, hereby respectfully urges that the Federal Relief Administrator make available, from the funds recently appropriated by the Congress, a sufficient amount to permit the immediate construction of the secondary State Highway Route No 163, from Colorado Street in Santa Monica through Ocean Park, Venice, Playa del Rey, El Segundo, Manhattan Beach, Hermosa Beach and Redondo Beach, and be it further

Resolved, That the Governor of California is requested to transmit copies of this resolution to the Federal Relief Administrator, and to the Senators and Representatives of the State of California in Congress

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 212—An act to amend sections 137, 138 and 166 of the Fish and Game Code and to add two new sections to be numbered 171 and 172.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 212 passed by the following vote:

AYES—Andreas, Breed, Brennan, Cassidy Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Patterson, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Walker, Wallace, Williamson, Wright, and Mr Speaker—57.

NOES—Pelletier—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Withdrawal of Assembly Bill No. 2160.

By order of the Speaker, Assembly Bill No. 2160 was withdrawn from the file, and referred to Committee on Judiciary.

Assembly Bill No 162—An act to limit the jurisdiction of courts over matters arising out of or involving labor disputes.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Anderson:

Amendment No. 1.

On page 3, line 31, of the printed bill, after the comma following the word "unavoidable", strike out all the rest of the paragraph, and insert in lieu thereof the following: "such a temporary restraining order may be issued upon testimony under oath, sufficient, if sustained, to justify the court in issuing a temporary injunction upon a hearing after a notice"

Amendment adopted.

Request for Unanimous Consent.

Mr. Cronin asked for, and was granted, unanimous consent to take up Assembly Bill No. 162, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 162, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Frazier:

Amendment No. 1.

On page 6, line 13, of the printed bill, add the following:

"SEC 14 Nothing in this act shall apply to labor disputes where perishable crops are involved"

The question being on the amendment submitted by Mr Frazier to Assembly Bill No. 162.

Withdrawal of Amendment.

Mr. Frazier withdrew his amendment.

Assembly Bill No. 162, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 162, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Cronin, Crowley, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Laughlin, Lore, Maloney, Mayo, McCarthy, McMurray, Meehan, Miller, Morgan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Riley, Rosenthal, Scudder, Thorp, Turner, Voigt, Wagner, Waters, Weber, Williamson, and Mr Speaker—51

NOES—Breed, Corwin, Cottrell, Cunningham, Dawson, Field, Fisher, Frazier, Garibaldi, Johnson, Lyon, Martin, Minard, Peyser, Phillips, Redwine, Robertson, Stream, Utt, Walker, Wallace, and Wright—22.

Title read and approved.

Bill ordered transmitted to the Senate.

Explanation of Vote.

In explanation of my vote on Assembly Bill No 162, I wish to record in the Journal that I came into the chamber just as the vote was being taken, and understood that the vote was on the Anderson amendments and not on the bill. Otherwise I would have voted "No" on the bill.

JOHN H. O'DONNELL.

Unfinished Business—(Resumed).

Reconsideration of Assembly Bill No. 2392.

Assembly Bill No. 2392—An act to ratify and approve an interstate compact to conserve oil and gas, signed at Dallas, Texas, February 16, 1935, and declaring the urgency hereof.

In compliance with his notice given on a previous day, Mr. Flint moved that the vote whereby Assembly Bill No 2392 was passed be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Anderson, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—68.

NOES—None.

Request for Unanimous Consent.

Mr. Minard asked for, and was granted, unanimous consent to take up Assembly Bill No 2392, at this time, without reference to file.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Flint:

Amendment No. 1.

On page 4, line 43, of the printed bill, as amended, after the period, add the following: "However, the provisions of this act and the ratification hereunder is for the sole purpose of authorizing the appointment of a representative from California to the Interstate Compact Commission, and no order, rule or regulation of said commission shall have any force or effect unless and until appropriate law is enacted by this State with respect to any such order, rule or regulation."

Amendment adopted.

Request for Unanimous Consent.

Mr. Minard asked for, and was granted, unanimous consent to take up Assembly Bill No 2392, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed

Assembly Bill No 2392, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Hornblower:

Amendment No. 1.

On page 1 of the printed bill, in the title, strike out "ratify and approve an Interstate Compact to conserve oil and gas, signed at Dallas, Texas, February 16, 1935, providing for the appointment of a representative of the State of California to the Interstate Oil Compact Commission, and prescribing his powers and duties", and insert in lieu thereof the following: "appoint a representative to confer with representatives of Texas, Oklahoma, California, Kansas and New Mexico for the purpose of conferring with said States on the conservation of oil and gas and making recommendations to the Legislature."

The question being on the amendment, submitted by Mr. Hornblower, to Assembly Bill No. 2392.

Request for Roll Call.

On request of Messrs. Flint, Minard and Hornblower, the Speaker ordered a roll call taken on the amendment submitted by Mr. Hornblower:

The roll was called, and the amendment was adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Clark, Cronin, Dawson, Donahue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, Martin, McCarthy, McMurray, Meehan, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Richie, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, and Waters—40.

NOES—Breed, Brennan, Corwin, Cottrell, Cunningham, DeLap, Desmond, Field, Fisher, Frazier, Fulcher, Garibaldi, Johnson, Kallam, Latham, Lyon, Maloney, Mayo, McBride, Miller, Minard, Morgan, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Utt, Walker, Wallace, Weber, Welsh, Williamson, Wright, and Mr. Speaker—36

Amendment adopted.

Bill read, ordered to reprint, re-re-engrossment, and third reading.

Notice of Reconsideration of Amendment to Assembly Bill No. 2392.

Mr. Minard gave notice that on the next legislative day he would move to reconsider the vote whereby the amendment submitted by Mr. Hornblower to Assembly Bill No 2392, was this day adopted.

Point of Order.

Mr. Patterson arose to the following point of order: Stating that Mr. Minard did not vote on the prevailing side.

Ruling by the Speaker.

The Speaker ruled the point of order well taken.

Report of Committee on Free Conference.

The following report of Committee on Free Conference was received and read.

Concerning Senate Bill No. 81.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1935.

MR SPEAKER: Your Committee on Free Conference concerning Senate Bill No. 81 —An act to add a new section to be numbered section 8a, to an act entitled "An act establishing a State Mining Bureau, creating the office of State Mineralogist, fixing his salary and prescribing his powers and duties; providing for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution for defrauding, swindling and cheating therein, creating a State Mining Bureau fund for the purpose of carrying out the provisions of this act and repealing an act entitled 'An act to provide for the establishment, maintenance and support of a bureau, to be known as the State Mining Bureau, and for the appointment and duties of a board of trustees, to be known as the board of trustees of the State Mining Bureau, who shall have the direction, management and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction and supervision of the board of trustees of the State Mining Bureau,' approved March 23, 1893, and all acts amendatory thereof and supplemental thereto or in conflict herewith," approved June 16, 1914, relating to mining on State property—reports that it has met a like committee of the Senate, consisting of Senators Seawell, Pierovich, and McCormack, and reports that the Committee on Free Conference has agreed to recommend the following: That the Senate concur in the Assembly amendments, and that the bill be further amended as follows:

Amendment No. 1.

On page 2, line 3, of the printed bill, as amended, strike out "property deeded to the State for nonpay-"; also strike out lines 4 to 7, inclusive, and insert in lieu thereof the following: "any land owned by the State, including land deeded to the State for nonpayment of taxes but excluding lands granted by the United States to this State for the support of schools, for the".

Amendment No. 2.

On page 2 of the printed bill, as amended, after line 21, add the following "It is not the intent of this section to authorize and it shall not be construed as attempting to authorize the leasing of any land of the State, for the extraction of minerals, which it is not competent for the State to lease for such purpose under the Constitution of this State or under the Constitution and laws of the United States."

DONNELLY,
MAYO,
CHATTERS,
Assembly Committee on Free Conference.

PIEROVICH,
McCORMACK,
SEAWELL,
Senate Committee on Free Conference.

Report of Committee on Free Conference concerning Senate Bill No. 81 read.

Mr. Mayo moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riche, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—68.

NOES—None.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1935

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to add section 24.5 to the State Bar Act, relating to examinations for admission to practice law.

CUNNINGHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act making an appropriation to pay the claim of Fred Froehlinger against the State of California.

CUNNINGHAM, Chairman.

Reports of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the reports.

The question being on the adoption of the reports.

The roll was called, and the reports adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—74.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

By Mr. Richie: Assembly Bill No. 2475—An act making an appropriation to pay the claim of Fred Froehlinger against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Rosenthal: Assembly Bill No. 2476—An act to add section 24.5 to the State Bar Act, relating to examinations for admission to practice law.

Bill read first time, and referred to Committee on Judiciary.

Order to Print in Journal.

By order of the Speaker, the following proposed amendments to the Standing Rules were ordered printed in the Journal:

By Mr. Wallace:

Reconsideration of Vote.

Amend Rule 94 of the Standing Rules of the Assembly as follows

On line 3 after the word "or", insert "joint or concurrent."

Paragraph 2. In line 2, strike out the word "measure", and insert in lieu thereof the words "bill, constitutional amendment, joint or concurrent resolution."

Paragraph 2. In line 5, strike out the word "meausre", and insert in lieu thereof the words "bill, constitutional amendment, joint or concurrent resolution."

Paragraph 2. After the period after the word "Assembly", insert "the notice of motion to reconsider may be called up by any member on the next legislative day after the notice of reconsideration of the bill, constitutional amendment, joint or concurrent resolution has been given"

Add a new paragraph following paragraph 2 to read as follows:

"Any member voting on any motion, amendment, concurrence, recedence, Assembly resolution or proposition other than a bill, constitutional amendment, joint or con-

current resolution, may give notice of reconsideration of the vote whereby the same was passed or refused passage on the same day such vote to be reconsidered was taken, which notice shall suspend all further consideration until the next legislative day; provided, however, that a motion to reconsider on the same day the notice was given shall take precedence over and above such notice and upon demand of any member must be put to an immediate vote. A motion to reconsider any proposition other than a bill, constitutional amendment, joint or concurrent resolution shall require an affirmative recorded vote of the majority of the members elected."

Notice of Reconsideration of Amendments to Assembly Bill No. 2392.

Mr. Stream gave notice that on the next legislative day he would move to reconsider the vote whereby the amendment submitted by Mr. Hornblower to Assembly Bill No. 2392 was this day adopted.

Motion to Adjourn.

Mr Jones moved that the Assembly do now adjourn until Friday, May 24, 1935, at ten o'clock a m.

Request for Roll Call.

On request of Messrs. Field, Minard and Fisher, the Speaker ordered a roll call taken on the motion by Mr. Jones to adjourn.

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Clark, Crowley, Donihue, Donnelly, Evans, Ralph W., Geyer, Gilbert, Glover, Hawkins, Jones, Laughlin, Lore, Patterson, Pelletier, Reaves, Rosenthal, Voigt, and Mr. Speaker—19.

NOES—Breed, Brennan, Burns, Cassidy, Chatters, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilmore, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Wright—53.

The question being on the motion by Mr. Stream to reconsider the amendment, submitted by Mr. Hornblower, to Assembly Bill No. 2392

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Stream to reconsider the amendment to Assembly Bill No. 2392.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Chatters, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Heisinger, Hornblower, Johnson, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Weber, Welsh, Williamson, Wright, and Mr. Speaker—57.

NOES—Boyle, Cassidy, Clark, Crowley, Donihue, Donnelly, Evans, Ralph W., Gilbert, Hawkins, Hunt, Jones, Laughlin, Patterson, Pelletier, Reaves, Rosenthal, and Voigt—17.

Reconsideration of amendment by Mr Hornblower to Assembly Bill No. 2392 continued until next legislative day.

Unfinished Business—(Resumed).

Motion to Reconsider Assembly Bill No. 2120 Continued.

Mr. Patterson moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2120 was refused passage be continued until the next legislative day.

Motion carried.

Request for Unanimous Consent.

Mr. Patterson asked for unanimous consent to take up the resolution submitted by him, at this time, without reference to file.

Unanimous consent witheld.

Motion to Adjourn.

Mr. Lyon moved that the Assembly adjourn this day until ten o'clock a m., Friday, May 24, 1935.

Motion carried.

Adjournment.

At eleven o'clock and twenty-five minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Friday, May 24, 1935

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, May 24, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names.

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—80.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Fisher, its further reading was dispensed with.

Leave of Absence.

On motion of Mr Richie, Mr Wallace was granted leave of absence for the balance of this legislative day.

Privilege of Floor of Assembly Extended.

On request of Mr. Mayo, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the history teacher and students of Jackson High School, as follows Dorothy Sargent, history teacher; Jack Smallfield, Arthur Heu, Glenn Pruitt, Carl Beck, Milton Harvey, Jack Cuneo, Bart Sutton, Robert Smallfield, Dan Prlia, Leon Christison, Jacob Becker, Edward Tofanelli, Edward Dalenski, Robert Shea, Betty Thompson, Dorothy Nelson, Lola Hamrick, Catherine Obrad, Loretta Cioni, Dolores Danilovich, Joyce Sauer, Virginia Young, Barbara Lee Sargent, Marguerite McGhan, Dorothy McGhan, Eva McGhan, and Irene Smedberg, pupils.

On request of Mr. Boyle, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. H. A. Glass.

Presentation of Petition.

The following petition was presented, and ordered printed in the Journal:

By Mr. Speaker:

From the brokers and salesmen of Sunset Beach and vicinity, Orange County, opposing an ad valorem tax.

ASSISTANT CLERK OLIVER READING.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 174—An act to amend the title of Part I of Division V of the School Code, and to amend sections 5.1, 5.2, 5.10, 5.61 and 5.101 thereof, relating to State colleges

Also: Assembly Bill No. 1122—An act to accept the provisions of an act of the Congress of the United States effective June 6, 1933, entitled "An act to provide for the establishment of a National employment system and for cooperation with the States in the promotion of such system, and for other purposes.";

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-fourth day of May, 1935, at nine o'clock a.m.

WATERS, Chairman.

On Contingent Expenses.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1935.

MR. SPEAKER: Your Committee on Contingent Expenses, to which was referred the following two resolutions by Mr. Walker:

Resolved, That the Controller be and is hereby authorized and directed to draw his warrants on the contingent fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Miss Eleanor Miller (expenses Mother's Day Program) ----------$1 69

Also:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of Hon. C. C. Cottrell, Chairman of the Ways and Means Committee, in the sum of $83 79 to cover expenses incurred during the legislative recess in connection with the work of said committee, and the State Treasurer is hereby authorized to pay the same;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted.

WALKER, Chairman.

Report and resolutions of Committee on Contingent Expenses read

Mr Walker moved the adoption of the report and resolutions.

The question being on the adoption of the report and resolutions.

The roll was called, and the report and resolutions adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Evans, Herbert J., Fisher, Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Morgan, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—58.

NOES—None.

Reports of Committees on Free Conference.

The following reports of Committees on Free Conference were received and read:

Concerning Senate Bill No. 353.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1935.

MR. SPEAKER. Your Committee on Free Conference concerning Senate Bill No. 353—An act to establish legislative standards in relation to the rehabilitation of agriculture, etc.—reports that it has met a like committee of the Senate, consisting of Senators Crittenden, McCormack and Duval, and reports that the Committee on Free Conference has agreed to recommend the following: That the Senate concur in the Assembly amendments, and that the bill be further amended as follows by the nine attached amendments:

Amendment No. 1.

On page 6, line 4, of the printed bill, as amended, after the second word "license", add the following: "or amendment".

Amendment No. 2.

On page 6, line 13, of the printed bill, as amended, after the word "license", add the following: "or amendment".

Amendment No. 3.

On page 7 of the printed bill, as amended, strike out line 32, and insert in lieu thereof the following: "produced within this State for market of the agricultural".

Amendment No. 4.

On page 7, line 41, of the printed bill, as amended, after the word "license", strike out the period and add the following: ", provided there also then exists a corresponding State marketing agreement regulating the particular agricultural product or commodity or the particular trade or industry regulated by such license."

Amendment No. 5.

On page 11 of the printed bill, as amended, strike out lines 5 to 7, both inclusive.

Amendment No. 6.

On page 11 of the printed bill, as amended, strike out lines 33 to 40, both inclusive, and insert in lieu thereof the following:

"(2) The Director of Agriculture and his duly authorized agents shall enforce this act and are hereby vested with like powers while enforcing this act as are given by section 6 of the Agricultural Code to any person in whom the enforcement of any provision of said code is vested."

Amendment No. 7.

On page 12 of the printed bill, as amended, strike out lines 18 to 21, both inclusive, and insert in lieu thereof the following:

"SEC. 16a. (a) The provisions of this act shall have no application to the voluntary donation or contribution of agricultural products for charitable purposes nor to the barter or exchange of such products for human labor where no commercial sale of such donated, contributed, bartered or exchanged product is made.

(b) The provisions of this act shall not apply to shipments handled by a common carrier operating over a regular route or between fixed termini where such shipment is made by such common carrier in good faith and in accordance with its duties as a common carrier and where a record of every such shipment within or from this State is kept by such common carrier showing the date of shipment, character and quantity of shipment, origin and destination of such shipment, and the names of the consignor and consignee. Such record shall be open to inspection at all reasonable hours by or on the written order of the official or administrative authority charged with the enforcement of this act or any State or Federal marketing agreement or license."

Amendment No. 8.

On page 12 of the printed bill, as amended, strike out lines 33 to 35, both inclusive, and insert in lieu thereof the following:

"SEC. 20. (a) Every State marketing agreement approved hereunder and every State license issued hereunder shall cease to be in effect on such date as the corresponding Federal marketing agreement or license ceases to be in effect.

(b) This act shall cease to be in effect on such date as the National Agricultural Adjustment Act ceases to be in effect."

Amendment No. 9.

On page 4, line 49, of the printed bill, as amended, after the word "State.", add a new subsection as follows:

"(4) Provided that no Federal license regulating the sale or distribution of milk within an area located wholly in the State of California shall become operative under the terms of this section until such license has been accepted and approved in writing by the signatures of not less than sixty-five per cent of the persons who are then engaged in producing milk commercially for distribution or sale in such area specified

in such Federal license, and by the signatures of persons who are then producing not less than sixty-five per cent of the total volume of milk then being produced commercially for distribution or sale within such area specified in such Federal license.

This subsection 4 is separable and distinct from all other portions of this act and is not a consideration or inducement for the enactment of the whole or any other portion of this act. If any of the provisions of this subsection be for any reason declared invalid, the remainder of this act shall be in full force and effect and as completely operative as if this subsection had not been included herein."

PHILLIPS,
CORWIN,
DESMOND,
Assembly Committee on Free Conference.

McCORMACK,
CRITTENDEN,
DUVAL,
Senate Committee on Free Conference.

Report of Committee on Free Conference concerning Senate Bill No. 353 read.

Mr. Phillips moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donahue, Evans, Herbert J., Fisher, Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Morgan, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Thorp, Voigt, Walker, Waters, Williamson, Wright, and Mr. Speaker—54

NOES—None.

Also:

Concerning Assembly Constitutional Amendment No. 58.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1935.

MR. SPEAKER: Your Committee on Free Conference concerning Assembly Constitutional Amendment No. 58—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 8 of Article XI thereof, relating to the preparation and adoption of charters by cities, counties and cities and counties—reports that it has met a like committee of the Senate, consisting of Senators Deuel, Knowland, and Olson, and reports that the Committee on Free Conference has agreed to recommend the following: That the Assembly concur in the Senate amendments, and that the measure be further amended as follows:

Amendment No. 1.

On page 1, line 5 of the title of the printed measure, as amended, strike out ", counties".

Amendment No. 2.

On page 1, line 8, of the printed measure, as amended, strike out ", county".

Amendment No. 3.

On page 1, line 14, of the printed measure, as amended, strike out ", county".

Amendment No. 4.

On page 1, line 17, of the printed measure, as amended, strike out ", county".

Amendment No. 5.

On page 1, line 20, of the printed measure, as amended, strike out ", county".

Amendment No. 6.

On page 2, line 1, of the printed measure, as amended, strike out ", county".

Amendment No. 7.

On page 2, line 4, of the printed measure, as amended, strike out ", county".

Amendment No. 8.

On page 2, line 8, of the printed measure, as amended, strike out ", county".

Amendment No. 9.

On page 2, line 13, of the printed measure, as amended, strike out ", county".

Amendment No. 10.

On page 2, line 17, of the printed measure, as amended, before "voted", insert the following: "be".

Amendment No. 11.

On page 2, line 29, of the printed measure, as amended, strike out "(1)".

Amendment No. 12.

On page 2, line 31, of the printed measure, as amended, strike out ", county".

Amendment No. 13.

On page 2, line 34, of the printed measure, as amended, strike out ", county".

Amendment No. 14.

On page 2, line 35, of the printed measure, as amended, strike out ", county".

Amendment No. 15.

On page 2, line 36, of the printed measure, as amended, strike out "(15)".

Amendment No. 16.

On page 2, line 38, of the printed measure, as amended, strike out ", county".

Amendment No. 17.

On page 2, line 41, of the printed measure, as amended, strike out ", county".

Amendment No. 18.

On page 2, line 43, of the printed measure, as amended, strike out ", county".

Amendment No. 19.

On page 2, line 47, of the printed measure, as amended, strike out ", county".

Amendment No. 20.

On page 2, line 50, of the printed measure, as amended, strike out ", county".

Amendment No. 21.

On page 3, line 2, of the printed measure, as amended, strike out ", county".

Amendment No. 22.

On page 3, line 8, of the printed measure, as amended, after "city", strike out the comma; also in line 9, strike out the first 'county".

Amendment No. 23.

On page 3, line 10, of the printed measure, as amended, strike out "new".

Amendment No. 24.

On page 3, line 17, of the printed measure, as amended, strike out ", county".

Amendment No. 25.

On page 3, line 28, of the printed measure, as amended, strike out ", county".

Amendment No. 26.

On page 3, line 34, of the printed measure, as amended, strike out "county or"

Amendment No. 27.

On page 3, line 35, of the printed measure, as amended, strike out "county or".

Amendment No. 28.

On page 3, line 38, of the printed measure, as amended, strike out ", county".

Amendment No. 29.

On page 3, line 45, of the printed measure, as amended, strike out ", county".

Amendment No. 30.

On page 3, line 50, of the printed measure, as amended, strike out ", county".

Amendment No. 31.

On page 4, line 1, of the printed measure, as amended, strike out ", county".

Amendment No. 32.

On page 4, line 8, of the printed measure, as amended, strike out ", county".

Amendment No. 33.

On page 4, lines 28 and 29, of the printed measure, as amended, strike out "or county".

Amendment No. 34.

On page 4 line 32, of the printed measure, as amended, strike out ", county".

Amendment No. 35.

On page 4, line 35, of the printed measure, as amended, strike out "or county".

Amendment No. 36.

On page 4, line 37, of the printed measure, as amended, strike out ", county".

Amendment No. 37.

On page 4, line 42, of the printed measure, as amended, strike out ", county".

Amendment No. 38.

On page 4, line 46, of the printed measure, as amended, strike out the first "county".

CUNNINGHAM,
JOHNSON,
DELAP,
Assembly Committee on Free Conference.

KNOWLAND,
DEUEL,
OLSON,
Senate Committee on Free Conference.

Report of Committee on Free Conference concerning Assembly Constitutional Amendment No. 58 read.

Mr. Johnson moved the adoption of the report

The question being on the adoption of the report

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Evans, Herbert J., Fisher, Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Morgan, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Wallace, Waters, Weber, Williamson, and Mr. Speaker—57.

NOES—None.

Also:

Concerning Senate Bill No. 443.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1935.

MR SPEAKER: Your Committee on Free Conference concerning Senate Bill No. 443—An act to add a new section to the Political Code to be numbered 3720, relating to the filing by county clerks with county assessors and the State Board of Equalization of certifications of new districts and changes in the boundaries of existing districts—reports that it has met a like committee of the Senate, consisting of Senators Edwards, Duval, and Biggar, and reports that the Committee on Free Conference has agreed to recommend the following: That the Senate concur in the Assembly amendments, and that the bill be further amended as follows:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out "the filing by county clerks with", and also strike out lines 3 to 5, inclusive, of the title, and insert in lieu thereof the following: "taxation".

UTT,
WALKER,
LAUGHLIN,
Assembly Committee on Free Conference.

EDWARDS,
BIGGAR,
DEUEL,
Senate Committee on Free Conference

Report of Committee on Free Conference concerning Senate Bill No. 443 read.

Mr. Utt moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Evans, Herbert J., Fisher, Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Morgan, O'Donnell, Pelletier, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Waters, Weber, Williamson, and Mr. Speaker—54.

NOES—None.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 42—Approving certain amendments to the charter of the city of Monterey—and reports that the same has been correctly enrolled, and presented the same to the Governor on this twenty-fourth day of May, 1935, at eleven o'clock a.m.

WATERS, Chairman

On Federal Relations.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1935.

MR SPEAKER: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 11—Relative to the disposition of revenues received from the lease of marginal lands in the Tule Lake division of the Klamath project—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

TURNER, Chairman.

Senate Joint Resolution No. 11 ordered on file for adoption.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1935.

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1540—An act to amend section 4 of and to add section 8 to an act entitled "An act creating a commission to codify, consolidate, revise or compile the statutes of California and to report thereon to the Legislature, and making an appropriation therefor, and authorizing State departments, boards, bureaus and commissions to contract for the revision of certain laws," approved June 10, 1929, relating to reports and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1935.

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 535—An act to amend the title and sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20, of an act entitled "An act to create a flood control district to be called 'Los Angeles County Flood Control District'; to provide for the control and conservation of flood and storm waters, and for the protection of harbors, waterways, public highways and property in said district from damage from such waters, and for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness, and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district; to provide for the government and control of said district, and to define the powers and duties of the officers thereof," approved June 12, 1915, as amended, and by adding three new sections to said act to be numbered sections 3a, 3b, and 3c, relating to and providing for the government and control of said district by a board of directors, defining the powers and duties of said board and for the appointment of certain officers by said board, and dividing said district into five divisions for the election of a director from each of such divisions, and providing for the performance of certain duties by Los Angeles County officers for said district—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 659—An act to amend sections 76 and 76a of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property within municipalities, and upon property and rights of way owned by municipalities, or of which a municipality has possession and the rights of way under the provisions of section 14 of Article I of the Constitution, and for establishing and changing the grades of any

such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and provide for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds,' approved April 7, 1911, relating to the foreclosure of bonds and to the treasurer's list of bonds upon which payments have not been made—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1935.

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 264—An act to amend section 737m of the Political Code, relating to the salaries of the judges of the superior court in and for the county of Imperial—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1482—An act making appropriation for the elimination of camel's thorn out of certain moneys heretofore appropriated for that purpose—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 707—An act to amend sections 12, 13 and 16 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing—has had the same under consideration and respectfully reports the same back, and recommends that it do pass as amended

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 927—An act to provide for the further development of vocational education in California by accepting the provisions and benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled and approved May 21, 1934, entitled "An act to provide for the further development of vocational education in the several States and Territories"; and making an appropriation therefor; and declaring the urgency thereof and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1011—An act providing employment for inmates of State prisons and reformatories and to establish a prison farm under the management and control of the State Board of Prison Directors; to provide for the purchase of land therefor, and the construction of buildings and other improvements in connection therewith; for the transfer of prisoners thereto and therefrom; and for the employment of prisoners therein; and to make an appropriation therefor—has had the same under

consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2415—An act to authorize the State Treasurer to accept, on behalf of the State of California, the sum of one million dollars, together with any interest that may be due thereon, and other sums from the California Olympiad Commission, or any committee thereof, for the benefit of State hospitals and inmates thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

COTTRELL, Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No 100—An act making an appropriation for the support of Napa State Farm, to take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1935.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 2162—An act to add section 629 to the Streets and Highways Code, establishing a secondary State highway—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

STREAM, Chairman.

The above reported bill ordered on file for second reading.

Senate Messages.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 23, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 568—An act to amend section 4305 of the Political Code, relating to the salary fund of counties;

Also: Assembly Bill No. 1165—An act to amend the title and sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, and 16 of, and to add section 14½ to, an act entitled "An act providing an additional and/or alternative method for financing the acquirement, construction, development, improvement, reconstruction, extension and repair of waterworks systems by any political subdivision or public agency of the State authorized by law to own and operate such waterworks systems by the issuance and sale to the United States Government or any agency of said government of revenue bonds payable solely out of the revenue derived or to be derived therefrom, providing for the operation of such systems in case of deficiencies in revenues, providing for a statutory lien on works acquired, constructed, improved, reconstructed, extended or repaired under the provisions of this act; providing for the use of the power of eminent domain by political subdivisions or public agency proceeding under this act; defining the terms political subdivisions and public agencies as included herein, and providing a time for the expiration of said act." approved May 27, 1933, relating to publicly-owned public utilities;

Also: Assembly Bill No 1741—An act relating to the Sixth District Agricultural Association.

J. A. BEEK, Secretary of Senate.
By CARL A SHIPKEY, Assistant Secretary.

Assembly Bills Nos 568, 1165 and 1741 ordered to enrollment.

Introduction and Reference of Bills.

The following bill was introduced:

By Messrs. Voigt and Chatters: Assembly Concurrent Resolution No. 43—Relative to a Commission on Interstate Cooperation.

Introduced.

Request for Unanimous Consent.

Mr. Voigt asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 43, at this time, without reference to printer, committee or file, and that same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 43.

Assembly Concurrent Resolution No. 43—Relative to a Commission on Interstate Cooperation.

Assembly Concurrent Resolution No. 43 read

Mr. Voigt moved the adoption of Assembly Concurrent Resolution No. 43.

The question being on the adoption of Assembly Concurrent Resolution No. 43.

The roll was called, and Assembly Concurrent Resolution No. 43 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Donahue, Evans, Herbert J., Fisher, Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, McBride, McMurray, Meehan, Miller, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr Speaker—59.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 43 ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 43.

Relating to a Commission on Interstate Cooperation.

Resolved by the Assembly, the Senate concurring, That there is hereby established a California Commission on Interstate Cooperation, whose function it shall be to perfect the participation of this State in the Council of State Government, for the purpose of establishing and maintaining governmental machinery to facilitate communication, negotiation, understanding, and cooperation between the State of California and the other States of the Union, both regionally and Nationally;

The commission shall report to the Governor and to the Legislature on the first day of each regular session of the Legislature, and at such other times as it deems proper;

The members of the commission shall serve without compensation.

The commission shall be composed of 15 members as follows: Five members of the Senate to be appointed by the President of the Senate, five members of the Assembly to be appointed by the Speaker of the Assembly, and five officials of the State to be appointed by the Governor, one of whom shall be designated by him as the chairman of the commission;

The members appointed from the Senate and from the Assembly shall constitute a standing committee of their respective houses and shall function during the regular sessions of the Legislature, and also during the interim periods between such sessions, their members shall serve until their successors are designated and they shall constitute the California Councils of the American Legislators Association; and, be it further

Resolved, That the Secretary of State be, and he is hereby directed to communicate the text of this measure to the Governor and to the Legislature of each of the other States of the Union, with the respectful request that each Legislature shall enact a measure similar to this resolution, thus establishing a similar commission with like duties and powers and thus joining with this State in the common cause of reducing the burdens which are imposed upon our citizens by governmental confusion, competition, and conflict.

Second Reading of Assembly Bills.

Assembly Bill No. 2471—An act to add to Division I of the Streets and Highways Code a new Chapter 3a, comprising sections 750 to 754, inclusive, to provide for the conservation, development and mainte-

nance of the scenic value along State highways and important county highways

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1170—An act relating to the Department of Professional and Vocational Standards and defining its powers and duties in relation to and providing for the adoption and registration of names and marks or other devices on garments, towels, table linen and other linen supplies used in the rendition of a rental service as indicia of ownership and to protect the owners thereof.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 2461—An act to amend section 71 of the Penal Code, relating to contracts, sales and purchases by public officers

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 1470—An act to amend an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, relating to municipal utility districts

Committee Amendments.

During second reading of the bill the following amendments were submitted by the committee·

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "an act entitled", and insert in lieu thereof the following. "section 10 of"

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 7, inclusive, and insert in lieu thereof the following·

"SECTION 1. Section 10 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 10 The acts of the board of directors shall be expressed by motion, resolution or ordinance; provided, no ordinance shall be passed by said board on the day of its introduction, nor within three days thereafter, nor at any time other than a regular or adjourned regular meeting No ordinance, resolution or motion shall have any validity or effect unless passed by the affirmative votes of at least three directors. Except as elsewhere in this act specifically provided all ordinances shall be published at least once in a daily or weekly newspaper of general circulation printed or published or circulated in such district

The enacting clause of all ordinances shall be as follows

"Be it enacted by the board of directors of _____ municipal utility district·"

All ordinances shall be signed by the president of the board of directors, or vice president, and be attested by the secretary."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1559—An act to amend section 4245 of the Political Code, relating to the compensation of county officers in counties of the sixteenth class.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee·

Amendment No. 1.

On page 1, line 3, of the printed bill, after "class, the", insert the following: "following".

Amendment No. 2.

On page 1 of the printed bill, after line 5, insert the following:

"1. The district attorney, five thousand dollars per annum for all services. The district attorney shall devote his entire time during office hours to the duties of his office and shall not engage in private practice of the law during his term of office.

2. The auditor, four thousand dollars per annum.

3. Each supervisor for all services required of him as supervisor and ex officio road commissioner, one thousand five hundred dollars per annum and twenty cents per mile for traveling from his residence to the county seat to attend meetings of the board of supervisors. Where necessary official business requires any supervisor to travel beyond the boundaries of the county, he shall receive actual necessary traveling expenses incurred therefor. No other mileage or remuneration and no other traveling expenses shall be allowed.

4. The fees of grand jurors shall be three dollars per diem and the fees of trial jurors in the superior court shall be three dollars in civil and criminal actions, and the fees of trial jurors in courts of justices of the peace shall be two dollars in civil and criminal actions, for each day's attendance. In addition, mileage fees shall be allowed all jurors to be computed at the rate of fifteen cents per mile for each mile traveled in attending court or in attending sessions of the grand jury, in going only."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2407—An act to establish a State Board of Industrial Relations, to provide for the selection of members thereof and setting forth their powers and duties; to provide for the establishment of county industrial relations boards by the State Board of Industrial Relations, to provide for the selection of members of county industrial relations boards and to set forth their powers and duties.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 3, lines 29 and 30, of the printed bill, strike out "shall have power to", and insert in lieu thereof the following: "may, at the request of any party involved in an industrial dispute".

Amendment No. 2.

On page 3, line 30, of the printed bill, strike out "all industrial disputes", and insert in lieu thereof the following: "such industrial dispute".

Amendment No. 3.

On page 3, line 32, of the printed bill, strike out "for this purpose", and insert in lieu thereof a comma and the following: "upon such request.".

Amendment No. 4.

On page 3, line 37, of the printed bill, strike out "shall have power to", and insert in lieu thereof the following: "may, upon the request of any party involved in a threatened industrial dispute,"

Amendment No. 5.

On page 3, line 38, of the printed bill, strike out "any", and insert in lieu thereof the following: "such".

Amendment No. 6.

On page 3, line 42, of the printed bill, strike out "shall", and insert in lieu thereof the following: "may".

Amendment No. 7.

On page 3, line 44, of the printed bill, after "authorize", insert a comma and the following: "at the request of any party involved,".

Amendment No. 8.

On page 4, line 33, of the printed bill, strike out "by either employer or employees".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 785—An act to amend the title, sections 1, 2, 3, 4 and 5 of, and to add a new section, to be numbered section 6, to an act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for violation thereof," approved February 28, 1905 (Stats 1905, Chap. 34), relating to the hours of drug clerks, requiring the keeping of records and posting schedules of such hours, providing for the enforcement of the act by the Chief of the Division of Labor Statistics and Law Enforcement and providing that all fines for violation of the provisions hereof shall be paid into the State treasury to the credit of the general fund.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 1022—An act to add section 17 to an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No 1023—An act to amend section 6 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 2217—An act to amend section 402c of the Penal Code, relating to safety measures

Bill read second time, ordered to engrossment, and third reading

Assembly Bill No 1925—An act to amend sections 4 and 7 of "An act to prevent the unauthorized use and disposition of, and traffic in human bodies, to prescribe the keeping of proper records, to promote medical education and public health by regulating the disposition and utilization of the unclaimed dead, to provide penalties for the violation of this act and to repeal sections 3094 and 3095 of the Political Code and all other acts or portions of acts in conflict with this act," approved May 18, 1927, relating to the use of dead bodies.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1294—An act to amend section 515 of the Vehicle Code, relating to motor vehicles.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 1295—An act to amend section 702 of the Vehicle Code, relating to motor vehicles

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 2456—An act to amend sections 3454 and 3455 of and to add sections 3454a and 3454b to the Political Code, relating to reclamation districts, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 2464—An act to provide for the payment of delinquent taxes with farm products and declaring the urgency thereof to take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, after "products", insert the following: ", creating the California Farm Delinquent Tax Adjustment Commission, defining its powers and duties".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 26, inclusive, and all of page 2, and insert in lieu thereof the following:

"SECTION 1. A commission is hereby created to be known as the California Farm Delinquent Tax Adjustment Commission. The commission is to consist of fifteen members to be appointed by and to serve at the pleasure of the Governor. The members of the commission shall serve without compensation.

SEC. 2. The commission shall meet immediately after its appointment and select one of its members as chairman.

SEC. 3. It shall be the duty of the commission to assist in the adjustment of farm tax delinquencies by enabling any farmer who is delinquent in the payment of taxes upon real property used in connection with his farm, to dispose of his farm products to the State Emergency Relief Administration for a memorandum of credit which shall be honored as payment of such delinquent taxes, by any officer in this State charged with the duty of collecting taxes.

SEC. 4. Such memoranda of credit shall be applicable only to farm property, taxes upon which have become delinquent prior to April 21, 1935.

SEC. 5. The commission created by this act shall make and enforce rules not inconsistent with this act for the administration of its provisions.

SEC. 6. This act is declared to be an emergency measure and shall expire April 20, 1937.

SEC. 7. Unless otherwise apparent from the context, as used in this act the term "farm products" includes all agricultural, horticultural, viticultural and vegetable products of the soil, poultry and poultry products, live stock and live stock products, honey, timber and timber products, milk and milk products, hay, field grains, dried beans and seeds.

SEC. 8. This act is declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety under section 1 of Article IV of the State Constitution and shall therefore go into immediate effect.

The facts constituting the emergency are as follows:

Due to economic difficulties, many farmers have been unable to pay their taxes and have allowed them to go delinquent and to be taken from the tax rolls. In order that these farmers may not be deprived of their farms and homes, and in order to relieve the burden on the rest of the taxpayers by replacing these properties on the tax rolls before further taxes become delinquent next July, it is necessary that this act go into immediate effect."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 329—An act relating to codes of fair competition for certain trades and industries within this State, to declare the urgency thereof, and to provide that this act shall take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 3 and 4 of the title, and insert in lieu thereof the following: "State."

Amendment No. 2.

On page 3 of the printed bill, as amended, strike out lines 21 and 22, and insert in lieu thereof the following: "and industries herein enumerated as follows: barber shop, beauty shop, cleaning and dyeing, rug cleaning, and hat renovating industries, and does not apply to the business of, or to the operating forces of hotels, office or loft buildings, or apartment houses"

Amendment No. 3.

On page 3 of the printed bill, as amended, strike out lines 24 to 29, inclusive, and insert in lieu thereof the following: "used herein shall only include barber shop, beauty shop, cleaning and dyeing, rug cleaning and hat renovating industries."

Amendment No. 4.

On page 7 of the printed bill, as amended, strike out all of lines 16 to 30, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No 2160—An act to amend sections 117d and 117q of the Code of Civil Procedure, relating to small claims courts.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee·

Amendment No. 1.

On page 1, line 15, of the printed bill, strike out the word "more", following the word "nor", and substitute in lieu thereof the word "less".

Amendment No. 2.

On page 1, line 22, of the printed bill, strike out the word "all."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Second Reading of Senate Bills.

Senate Concurrent Resolution No. 38—Relative to leaves of absence of the Governor, Lieutenant Governor, and the members of the Senate and Assembly.

Committee Amendment.

During reading of Senate Concurrent Resolution No. 38, the following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 11, of the printed measure, strike out the initial "P", following the word "John".

Amendment adopted.

Senate Concurrent Resolution No. 38 ordered to reprint, and on file for adoption.

Senate Bill No. 505—An act to amend section 535 of the Political Code, relating to purchase of machinery or equipment for the State printing plant.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 77—An act to add section 3a to an act entitled "An act to provide for the establishment and maintenance of a Bureau of Tuberculosis under the direction of the State Board of Health; defining its powers and duties; providing for the granting of State aid to cities, counties, cities and counties and groups of counties for the support and care of persons affected with tuberculosis; making an appropriation therefor; and repealing certain acts of the Legislature of the State of California," approved June 12, 1915, relating to agreements between counties and deposits of funds.

Bill read second time, and ordered on file for third reading.

Senate Bill No 325—An act to amend sections 1026, 1550, 1551, and 1552 of, and to repeal sections 1600 to 1605, inclusive, of the Streets and Highways Code, relating to road district taxes and the expenditure from county general funds of moneys for road district purposes by the board of supervisors.

Bill read second time, and ordered on file for third reading.

Senate Bill No 326—An act to amend section 3714 of the Political Code, relating to the preparation, submission and adoption of county road district and special district budgets and to the levy of taxes and prescribing limitations on county expenditures.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 959—An act to amend section 675 of the Political Code, relating to the power of the Director of the Department of Finance.

Bill read second time, and ordered on file for third reading.

Senate Bill No 887—An act to amend the titles of Articles IV and IVa of Chapter IV of Part I of Division VI of the School Code, to amend sections 6 210 and 6 211 of the School Code and to add a new section to the School Code to be numbered 6 213, all relating to the disposition of buildings, structures or fixtures of school districts when the boundaries of such districts are altered, declaring the urgency thereof and providing that this act shall take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 6 of the title of the printed bill, strike out the word "All".

Amendment No. 2.

On page 1 line 1, of the printed bill, after "SECTION 1.", insert the following: "The title to Article IV of Chapter IV of Part I of Division VI of the School Code is hereby amended to read as follows.".

Amendment No. 3.

On page 2, line 20, of the printed bill, after the word "for", strike out "a", and insert in lieu thereof "or".

Amendment No. 4.

On page 2, line 22, of the printed bill, after "SEC. 4.", insert the following: "The title to".

Amendment No. 5.

On page 2, line 32, of the printed bill, strike out "cantains", and insert in lieu thereof the word "contains"

Amendment No. 6.

On page 3, line 7, of the printed bill, strike out the word "district", and insert in lieu thereof the word "districts".

Amendments adopted

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 468—An act to amend the title and to add a new section numbered 18a to the State Medical Practice Act, approved June 2, 1913, as amended, relating to remedies for violations.

Bill read second time, and ordered on file for third reading.

Senate Bill No 1075—An act authorizing the Director of Natural Resources to receive and hold land for future development for forestry purposes, to manage such land and dispose of the products thereof,

and providing for the distribution of revenue therefrom, and to acquire land for development for State forestry purposes.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out all of lines 10 to 15, inclusive.

Amendment No. 2.

On page 2, line 16, of the printed bill, as amended, strike out the figure "4", and insert in lieu thereof the figure "3"

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 90—An act to add Chapter 3 to Division III of the Agricultural Code, to consist of sections 430 to 433, inclusive, relating to ownership or control of stockyards by packers.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 20, of the printed bill, after the comma, strike out "January 1, 1936", and insert in lieu thereof "July 1, 1937."

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Resolutions.

The following resolutions were offered:

By Mr. Lore:

Assembly Resolution.

WHEREAS, It is alleged by certain persons subject to the provisions of various statutes enforced by the State Department of Public Health that said department has indulged in certain practices not in conformity with the statutes so enforced by said department; now, therefore, be it

Resolved by the Assembly of the State of California, That the Speaker of the Assembly appoint an interim committee composed of three Assemblymen, to be known as the "Assembly Interim Committee to Investigate the State Department of Public Health," to investigate the functions and operation of the State Department of Public Health and to report thereon to the Assembly at its fifty-second session, including in its report such recommendations for legislation and such legislative bills and resolutions as the committee may find appropriate to carry into effect its recommendation; and be it further

Resolved, That the committee shall proceed to organize by the election of one of its members as chairman and thereupon proceed with the investigation in such manner as it shall determine; and be it further

Resolved, That the committee is authorized to hold hearings at any and all places and to investigate all matters and things pertinent to the subject of this resolution; and be it further

Resolved, That the committee is hereby authorized and empowered to require the production of books, agreements, documents, records, accounts and papers of every kind; to issue subpenas, to compel the attendance of witnesses and to procure testimony and so far as practicable to have material testimony reported so that the same may be available for use by the Legislature; each member of the committee is authorized to administer oaths and all of the provisions of Article VIII of Chapter II of Title I of Part III of the Political Code relating to the attendance and assemblage of witnesses before the Legislature and committees thereof shall apply to the committee appointed under this resolution and it shall be the duty of all officers and employees of the State or of any county, city, city and county, or political subdivision of the State to furnish such reports, information and evidence upon request of the committee as may be pursuant to the purposes herein stated, and be it further

Resolved, That the sum of $1,000, or so much thereof as may be necessary for the purpose of defraying the expenses of the committee and the cost of its investigation, is hereby made available and appropriated for the use of the committee out of the contingent fund of the Assembly, and the State Controller is authorized and directed to

draw his warrants in favor of the person or persons entitled thereto for such expenditures as may be certified to him from time to time by the chairman of the committee and the State Treasurer is hereby authorized and directed to pay the same.

Resolution read, and referred to Committee on Rules.

By Mr. Morgan:

WHEREAS, The Federal Government has issued orders permitting blind persons to establish news stands in public buildings; and

WHEREAS, Such procedure offers an excellent means of self-help and self-support for a worthy group of handicapped people; and

WHEREAS, This State Capitol Building is not now supplied with any stand for the sale of papers, candy, postcards and similar small items; now, therefore, be it

Resolved, That the Assembly Committee on Social Service and Welfare be instructed to consider the suitability of installing such a news stand in this State Capitol under the management of a qualified and suitable blind person, and that the committee be instructed to report as soon as convenient.

Resolution read and adopted.

Motion to Withdraw Senate Bill No. 127.

Mr. Donnelly moved that Senate Bill No. 127 be withdrawn from Committee on Elections, and placed on file for second reading.

The question being on the motion by Mr. Donnelly to withdraw Senate Bill No. 127 from Committee on Elections, and place on file for second reading.

Demand for Previous Question.

Messrs. Lore, Pelletier, Heisinger, DeLap and Hawkins demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion by Mr. Donnelly to withdraw Senate Bill No. 127 from Committee on Elections, and place on file for second reading.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Donnelly to withdraw Senate Bill No. 127 from Committee on Elections, and place on file for second reading.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donahue, Donnelly, Evans, Ralph W., Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Laughlin, Lore, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Richie, Riley, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Welsh, and Mr. Speaker—50

NOES—Breed, Brennan, Dawson, DeLap, Fisher, Johnson, Latham, Lyon, Maloney, McMurray, Peyser, Robertson, Scudder, Utt, Weber, Williamson, and Wright—17.

Senate Bill No. 127 ordered on file for second reading.

Resolution.

The following resolution was offered:

By Mr. Utt:

Assembly Resolution.

WHEREAS, There are now pending before the Legislature several measures designed to tax chain stores; and

WHEREAS, Several other States have enacted measures designed to regulate chain stores through the indirect means of taxation and their experience would be of assistance to the Legislature of California in the formulation of chain store legislation, and

WHEREAS, It is believed by many that the abuses of chain stores should be corrected through the enactment of Fair Trade Acts; now, therefore, be it

Resolved by the Assembly of the State of California, That the Speaker of the Assembly appoint an interim committee, composed of five Assemblymen, to be

known as the "Assembly Interim Committee to Investigate the Subject of Chain Store Regulation", to investigate the subject of chain store regulation, its feasibility and practicability, and to report thereon to the fifty-second session of the Assembly, including in its report such legislative bills, resolutions, and constitutional amendments as the committee may find appropriate to carry into effect its recommendations; and be it further

Resolved, That the committee shall proceed to organize by the election of one of its members as chairman and thereupon proceed with the investigation in such manner as it shall determine; and be it further

Resolved, That the committee is authorized to hold hearings at any and all places and to investigate all matters and things pertinent to the subject of this resolution; and be it further

Resolved, That the committee is hereby authorized and empowered to require the production of books, agreements, documents, records, accounts and papers of every kind; to issue subpenas, to compel the attendance of witnesses and to procure testimony and so far as practicable to have material testimony reported so that the same may be available for use by the Legislature; each member of the committee is authorized to administer oaths and all of the provisions of Article VIII of Chapter II of Title I of Part III of the Political Code relating to the attendance and assemblage of witnesses before the Legislature and committees thereof shall apply to the committee appointed under this resolution and it shall be the duty of all officers and employees of the State or of any county, city, city and county, or political subdivision of the State to furnish such reports, information and evidence upon request of the committee as may be pursuant to the purposes herein stated; and be it further

Resolved, That the sum of $2,500, or so much thereof as may be necessary for the purpose of defraying the expenses of the committee and the cost of its investigation, is hereby made available and appropriated for the use of the committee out of the contingent fund of the Assembly, and the State Controller is authorized and directed to draw his warrants in favor of the person or persons entitled thereto for such expenditures as may be certified to him from time to time by the chairman of the committee and the State Treasurer is hereby authorized and directed to pay the same.

Resolution by Mr Utt read.

Motion.

Mr. Cronin moved, seconded by Mr. Voigt, that the resolution by Mr. Utt be referred to Committee on Revenue and Taxation.

The question being on the motion by Mr. Cronin to refer the resolution by Mr. Utt to Committee on Revenue and Taxation.

Substitute Motion to Lay on the Table.

Mr. Clark moved, as a substitute motion, that the resolution be laid on the table.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Clark to lay the resolution on the table.

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Brennan, Burns, Cassidy, Clark, Cronin, Crowley, Donihue, Evans, Ralph W., Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Johnson, Jones, Kallam, Laughlin, Maloney, McCarthy, McMurray, Meehan, Miller, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Riley, Rosenthal, Stream, Thorp, Voigt, and Wagner—40.

NOES—Andreas, Boyle, Cottrell, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Fisher, Frazier, Hunt, Latham, Lore, Lyon, Martin, Mayo, McBride, Minard, Nielsen, Phillips, Redwine, Robertson, Scudder, Utt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—32.

The question being on the motion by Mr. Cronin to refer the resolution to Committee on Revenue and Taxation.

Motion carried.

Resolution by Mr. Utt ordered referred to Committee on Revenue and Taxation.

Resolution.

The following resolution was offered:

By Mr. Jones:

Assembly Resolution.

WHEREAS, Since the enactment of the National Industrial Recovery Act, the emblem of the Blue Eagle has become the emblem throughout this Nation of ethical, fair and just business activities, and also the emblem of justice to the laboring and working classes; and

WHEREAS, Some time ago, the executive in charge of the State Building very appropriately caused the effigies of the great American Eagle, which adorned the entrance to the Capitol Building, to be painted blue as an indication of the patriotism of the people of this State and the spirit of cooperation which exists between our State Government and the National Government; and

WHEREAS, One member of this body in a misguided, narrow-minded and unpatriotic manner and inspired by motives of insane political prejudice succeeded in causing the said eagles to be restored to their original golden color by the detestable means of trading his vote upon an important matter in exchange for such action; and

WHEREAS, This is a most reprehensible procedure and a direct affront to the Federal Government; now, therefore, be it

Resolved, That the Assembly hereby condemns any such action on the part of any of its members and upon the part of the State executive; and be it further

Resolved, That the Assembly does hereby tender its apology to the Federal Government and the people of this State, whom we represent, for the action above referred to and request that the Superintendent of Buildings and Grounds forthwith cause the said eagles to be restored to the color of blue.

Resolution read.

Mr. Jones moved the adoption of the resolution.

The question being on the adoption of the resolution.

Motion to Refer Resolution.

Mr. Breed moved that the resolution by Mr. Jones be referred to Committee on Building and Construction.

Roll Call.

The Speaker ordered a roll call taken on the motion to refer the resolution to Committee on Building and Construction.

The roll was called, and the motion was carried by the following vote:

AYES—Andreas, Breed, Brennan, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Fisher, Fulcher, Garibaldi, Heisinger, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Mayo, McCarthy, Miller, Morgan, Nielsen, Peterson, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—46.

NOES—Anderson, Boyle, Cassidy, Clark, Evans, Ralph W., Flint, Frazier, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Jones, Laughlin, Lore, Martin, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Rosenthal, Turner, Voigt, and Wagner—26.

Resolution by Mr. Jones ordered referred to Committee on Building and Construction.

Resolution.

The following resolution was offered:

By Mr. Maloney:

Assembly Resolution.

WHEREAS, The blessed event of the century materialized fifty-four years ago today, bringing into this world a handsome bouncing baby boy; and

WHEREAS, With the arrival of the stork at the doorstep of the mother and father of this cute little youngster brought joy to those who looked forward to his coming into this universe and we are reliably informed that the neighbors came from miles around to see him; and

WHEREAS, The first expression on his face, after that gentle little tap by the attending physician, brought forth a cunning little smile; and

WHEREAS, As this youngster grew into boyhood and manhood that smile continues to be the outstanding asset to the one who wears it; and

WHEREAS, The kind disposition and big heart of this lovable character has been endeared and loved by all who know him; and

WHEREAS, His kind deeds toward our own mascot and pet of the Assembly, Domingo, further makes him an outstanding person in the hearts of the members of this Assembly; and

WHEREAS, We the members of the Assembly are appreciative to his dear parents for giving this lovable son to us; now, therefore, be it

Resolved, That when we adjourn today, we do so honoring our own Jack Frazier and congratulating him on his fifty-fourth birthday; and be it further

Resolved, That it is the wish of this Assembly that God spares him and his dear wife for many years to come and that we, the members of the fifty-first session of the California State Legislature, wish him God's speed, good luck, health and happiness in all of his undertakings.

Resolution read, and adopted unanimously.

Motion to Set Special Order for Assembly Bill No. 700.

Mr Cottrell moved that the consideration of Assembly Bill No. 700 be made a special order for Monday, May 27, 1935, at two o'clock and thirty minutes p.m.

The question being on the motion by Mr. Cottrell to set Assembly Bill No. 700 as a special order for Monday, May 27, 1935, at two o'clock and thirty minutes p.m.

Substitute Motion.

Mr. Hornblower moved, as a substitute motion, that the consideration of Assembly Bill No. 700 be made a special order for this day, May 24, 1935, at two o'clock and thirty minutes p m.

The question being on the substitute motion by Mr. Hornblower to set Assembly Bill No. 700 as a special order for this day, May 24, 1935, at two o'clock and thirty minutes p.m.

Roll Call.

The Speaker ordered a roll call taken on the substitute motion by Mr. Hornblower.

The roll was called, and the motion was lost by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Chatters, Cronin, Cunningham, Dawson, DeLap, Fisher, Fulcher, Garibaldi, Hornblower, Johnson, Latham, Mayo, Meehan, Miller Minard, Peterson, Peyser, Redwine Robertson, Utt, Wallace, Waters, Williamson, and Mr Speaker—28

NOES—Anderson, Boyle, Cassidy, Clark, Corwin, Cottrell, Crowley, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Richie, Riley, Rosenthal, Scudder, Stream Thorp, Turner, Voigt, Wagner, Walker, Weber, and Welsh—48.

The question being on the motion by Mr Cottrell to set Assembly Bill No. 700 as a special order for Monday, May 27, 1935, at two o'clock and thirty minutes p m.

Demand for Previous Question.

Messrs Martin, Cunningham, Fisher, Redwine and Robertson demanded the previous question.

The question being put· Shall the main question be now put?

Request for Roll Call.

On request of Messrs. Jones, Wagner, and Evans, Ralph W., the Speaker ordered a roll call taken on the demand for the previous question.

The roll was called, and the demand for previous question sustained by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cronin, Cunningham, Dawson, DeLap, Donihue, Evans, Herbert J., Fisher, Frazier,

Fulcher, Garibaldi, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—48

NOES—Anderson, Clark, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, McCarthy, McMurray, Meehan, Patterson, Pelletier, Reaves, Richie, Rosenthal, Voigt, Wagner, and Williamson—27.

The question being on the motion by Mr. Cottrell to set Assembly Bill No. 700 as a special order for Monday, May 27, 1935, at two o'clock and thirty minutes p.m

The Speaker ordered a roll call taken on the motion to set special order.

The roll was called.

Motion for Call of the House.

Pending the announcement of the vote, Mr. Jones moved a call of the House.

Motion lost.

The roll was called.

Motion for Call of the House.

Pending the announcement of the vote, Mr. Cottrell moved a call of the House.

Motion lost.

The roll was called, and the motion to set special order for Assembly Bill No. 700 was lost by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—51.

NOES—Anderson, Boyle, Cassidy, Clark, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Lore, McCarthy, Meehan, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, and Weber—27.

Statement by Mr. William B. Hornblower on Motion to Set Assembly Bill No. 700, the Budget Bill, for Special Order of Business at Two O'clock and Thirty Minutes P.M. Monday.

I had made a substitute motion to substitute the bill for hearing at two o'clock and thirty minutes today so as to cause no unnecessary delay in the passage of the budget. Those that are opposed to the budget did not want any specified time set and were for a delay in the passage of the budget The substitute motion was defeated by those that are supporting the budget as well as those opposed to the budget, therefore, when the substitute motion was defeated I changed my vote on the original motion against continuing the budget for hearing on Monday at two o'clock and thirty minutes. I believe that the budget should be taken up immediately or, if not, it should follow its place in file so that the same will be given every consideration and passed without unnecessary delay. It is my belief that the continuance of this budget for any time certain will merely delay its passage and for that reason I stood on the principle that we should take immediate action giving everybody an opportunity to be heard and go to a final roll call on the matter

I believe that immediate passage of the budget is necessary for the purpose of permitting those bills relating to the social economic conditions of our State be passed immediately so as to render assistance to those people in need. The delay of the passage of the budget delays the passage of these bills and, in fact, might jeopardize their passage in the Senate by reason of the fact that the Senate and Assembly will adjourn within a few days.

WILLIAM B. HORNBLOWER.

Recess.

At twelve o'clock and twenty-five minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until two o'clock p.m., of this day.

Reassembled.

At two o'clock p.m., the Assembly reconvened. Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1935.

MR SPEAKER: Your committee on Engrossment and Enrollment has examined Assembly Bill No. 106—An act to amend section 6.750 of the School Code, relating to the use of school buildings for activities of a seditious nature;

Also: Assembly Bill No. 1126—An act to amend sections 3 and 6 of an act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns, to provide for the securing and issuance of permits and fees therefor, to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder, to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act," approved May 15, 1933, relating to regulation of outdoor advertising;

Also: Assembly Bill No. 1963—An act relating to licensing and taxing of vehicles, including certain license fees based upon value in lieu of taxation according to value, and providing for the administration and enforcement thereof;

Also: Assembly Bill No. 2013—An act to add section 379.5 to the Vehicle Code, relating to seizure and sale of vehicles;

And reports that the same have been correctly re-engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your committee on Engrossment and Enrollment has examined Assembly Bill No. 1551—An act relating to taxation, for State purposes, of vessels which are exempt from taxation except for State purposes, and providing for the assessment, levy, collection and enforcement thereof;

Also: Assembly Bill No. 1605—An act to amend sections 3.330, 3.331, 3.332, 3.333, 3.334, 3.335 and 3.337 of the School Code, relating to the attendance of pupils residing in California upon the public schools of adjoining States;

Also: Assembly Bill No. 1915—An act making an appropriation to dredge Alamitos Bay;

Also: Assembly Bill No. 1918—An act to add section 10½ to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to records of persons receiving compensation thereunder;

Also: Assembly Bill No. 1925—An act to amend sections 4 and 7 of "An act to prevent the unauthorized use and disposition of, and traffic in human bodies, to prescribe the keeping of proper records, to promote medical education and public health by regulating the disposition and utilization of the unclaimed dead, to provide penalties for the violation of this act and to repeal sections 3094 and 3095 of the Political Code and all other acts or portions of acts in conflict with this act," approved May 18, 1927, relating to the use of dead bodies;

Also: Assembly Bill No. 2053—An act to amend the Building and Loan Association Act by adding a new section thereto to be numbered 6.01a, relating to withdrawal claims maturing in installments;

Also: Assembly Bill No. 2054—An act to amend the Building and Loan Association Act by adding a new section thereto to be numbered 8.11, relating to evidence of investment in building and loan associations;

Also: Assembly Bill No. 2063—An act to amend the Building and Loan Association Act by adding section 9.07a thereto, relating to restrictions as to lending territory;

And reports that the same have been correctly engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2064—An act to amend the Building and Loan Association Act by adding section 12.04b thereto, relating to foreign associations;

Also: Assembly Bill No. 2065—An act to amend the Building and Loan Association Act by amending section 9.15 thereof, relating to limitation on single loans;

Also: Assembly Bill No. 2067—An act to amend the Building and Loan Association Act by amending section 12.06 thereof, relating to advertising by building and loan associations;

Also: Assembly Bill No. 2217—An act to amend section 402c of the Penal Code, relating to safety measures;

Also: Assembly Bill No. 2260—An act relating to employment contracts and applications for employment;

Also: Assembly Bill No. 2455—An act to add sections 18 and 19 to an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases, to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person, to provide for licensing retail dealers in such firearms and regulating sales thereunder, and to repeal Chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, relating to concealable weapons;

And reports that the same have been correctly engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2456—An act to amend sections 3454 and 3455 of and to add sections 3454a and 3454b to the Political Code, relating to reclamation districts, declaring the urgency thereof and providing that this act shall take effect immediately;

Also: Assembly Bill No. 2461—An act to amend section 71 of the Penal Code, relating to contracts, sales and purchases by public officers;

Also: Assembly Bill No. 2469—An act to add section 590 to the Vehicle Code, relating to warning devices;

Also: Assembly Bill No. 2471—An act to add to Division I of the Streets and Highways Code a new Chapter 3a, comprising sections 750 to 754, inclusive, to provide for the conservation, development and maintenance of the scenic value along State highways and important county highways;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

On Building and Construction.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1935.

MR. SPEAKER: Your Committee on Building and Construction, to which was referred Assembly Bill No. 1462—An act to amend sections 1 and 4 of the act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931, relative to the definition of public contract work and the payment of the general prevailing rate therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

PEYSER, Chairman

The above reported bill ordered on file for second reading

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1935

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 1639—An act to amend Article VII of Chapter I of Part III of Division VI of the School Code—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

CHATTERS, Chairman.

The above reported bill ordered on file for second reading.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1935.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 788—An act to amend the Vehicle Code by amending sections 511, 517, 526, 527, 530, 531, 543, 544, 552, 570, 571, 585, 586, 587, 596, 600, 694, and 696; by repealing sections 534 and 589; by adding sections 542, 588 and 603, relating to vehicles;

Also: Senate Bill No. 789—An act to amend the Vehicle Code by amending sections 113, 114, 115, 121, 123, 124, 135, 451, and 680, relating to vehicles;

Also: Senate Bill No. 626—An act to add a new section, to be numbered 715.5, to the Vehicle Code, relating to weights of vehicles on certain highways;

Also: Assembly Bill No. 273—An act to amend section 372 of the Vehicle Code relating to registration of certain vehicles used for the transportation of persons or property in this State;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass

HORNBLOWER, Chairman.

The above reported bills ordered on file for second reading

Also:

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 800—An act to amend the Vehicle Code, relating to vehicles;

Also: Assembly Bill No. 1289—An act to amend section 372 of the Vehicle Code, and to add thereto section 776.1, relating to motor vehicles;

Also: Assembly Bill No. 74—An act to amend sections 147, 158, and 164 of the Vehicle Code and to add thereto sections 144, 158.4, 158.5, 158.6, 177.5, and 209, relating to license plates;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended

HORNBLOWER, Chairman.

The above reported bills ordered on file for second reading

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 23, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 248—An act to amend sections 3051, 3051a and 3052 of the Civil Code, relating to liens on aircraft and other personal property;

Also: Assembly Bill No. 336—An act to amend sections 396, 396a, 399, 539, 540, 542, 581, 594, 618, 629, 650, 659a, 667a, 689, 953a, 978a, 980, 983, 983a, 988a 988b, 988c, 988h, 989, 990, 1005 and 1010 of the Code of Civil Procedure, and to add section 655 thereto, all relating to civil actions.

Also: Assembly Bill No. 442—An act to amend section 1270 of the Fish and Game Code and to repeal sections 1271, 1271.5, and 1272, relating to deer;

Also: Assembly Bill No. 665—An act to amend an act originally entitled "An act authorizing the common council, board of trustees, or other governing body of any incorporated city or town other than cities of the first class to refund its indebtedness, to issue bonds therefor, and to provide for the payment of the same," approved March 9, 1897, and the title of which was amended by act approved May 26, 1933, to read as follows: "An act authorizing the common council, board of trustees, or other governing body of any incorporated city or town other than cities of the first class to refund indebtedness thereof, or of any department, board or agency thereof, and to issue bonds therefor and to provide for the payment of the same," by amending sections 1, 2, and 3 thereof relating to refunding bonds and to the use of Federal courts in municipal bankruptcy or refunding proceedings;

Also: Assembly Bill No. 667—An act to provide for the refunding of bonds issued under an act entitled "An act to provide for the formation of districts

within municipalities for the acquisition or construction of public improvements, works and public utilities, for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition or construction of such improvements," approved April 20, 1915, and bonds issued under the Municipal Improvement District Act of 1927, and providing procedure therefor; And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 248, 336, 442, 665 and 667 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 23, 1935

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 670—An act to establish a board to be known as the Rector Dam Authority; to prescribe its duties, powers, functions and jurisdiction; to authorize the authority to construct a dam in Rector Canyon to impound the waters of Rector Creek and to sell and distribute said waters, to authorize the authority to issue and sell revenue bonds to provide funds for the acquisition and construction of said dam and to provide for the redemption thereof from the revenues received from the sale and distribution of such waters, authorizing the department of public works of the State of California to operate and maintain such dam and all property appurtenant thereto, authorizing the board to acquire and hold real property necessary for its purposes, and to enter into agreements with State, Federal, and local officers and agencies, and political subdivisions, municipalities, and public districts,

Also, Assembly Bill No 848—An act to amend section 2 60 of the School Code, relating to the correction and relocation of boundaries of school districts;

Also· Assembly Bill No. 1263—An act to add a new section to the Political Code of the State of California, to be numbered 4041 27, authorizing boards of supervisors to provide for the creation and operation of a system of insurance for the benefit of physicians, nurses and other persons employed in county institutions and in county health departments, to procure group insurance for the benefit of such employees, and to provide for the payment of premiums therefor.

And respectfully requests your honorable body to concur in said amendments.

J A BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 670, 848 and 1263 ordered on unfinished business file.

Motion to Approve Journals.

Mr Lyon moved that the Assembly Journals of Friday, May 3, 1935; Monday, May 6, 1935; Tuesday, May 7, 1935; Wednesday, May 8, 1935, and Thursday, May 9, 1935, be approved as corrected by the Minute Clerk.

Motion carried

Unfinished Business.

Consideration of Senate Amendments to Assembly Bill No. 961.

Assembly Bill No. 961—An act to amend sections 5.400, 5.402, 5.403, 5 408, 5.420, 5.500, 5 502, 5.503, 5.510, 5.520, 5.521, 5.640, 5.680, 5.690, 5.691, 5.710, 5.711 and 5.712 of the School Code, relating to tenure, and to add four new sections to the School Code, to be numbered 5 409, 5.505, 5 506, 5 666 and 5.667, all relating to the employment, classification, dismissal and resignation of persons employed in school districts in positions requiring certification qualifications.

The question being put· Shall the Assembly concur in the following Senate amendments to Assembly Bill No 961?

Amendment No. 1.

On page 3, line 42, of the printed bill, as amended, strike out the word "certificated", and insert in lieu thereof the word "permanent".

Amendment No. 2.

On page 4, line 28, of the printed bill, as amended, after the comma, insert the following "or if a permanent employee has reached the age of sixty-five years,".

The roll was called, and Senate amendments to Assembly Bill No. 961 were concurred in by the following vote

AYES—Anderson, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Hornblower, Johnson, Jones, Latham, Lore, Maloney, Martin, Mayo, Meehan, Miller, Morgan, O'Donnell, Pelletier, Peyser, Reaves, Richie, Riley, Rosenthal, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—47.

NOES—None.

Assembly Bill No. 961 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 2437.

Assembly Bill No. 2437—An act to recognize certain corporations as agencies and instrumentalities of the United States, declaring the urgency thereof, and providing for the taking effect immediately thereof.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2437?

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out "substantially", and insert in lieu thereof the following: "or under an act of the Congress of the United States, by any agency of the United States Government,".

Amendment No. 2.

On page 1, line 4, of the printed bill, after "is", insert the following: "beneficially".

Amendment No. 3.

On page 1, line 11, of the printed bill, strike out the period, and insert in lieu thereof the following: "as agencies of the United States Government."

The roll was called, and Senate amendments to Assembly Bill No. 2437 were concurred in by the following vote:

AYES—Anderson, Brennan, Burns, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Johnson, Jones, Latham, Laughlin, Maloney, Martin, Mayo, Miller, Morgan, O'Donnell, Pelletier, Peyser, Reaves, Richie, Riley, Rosenthal, Thorp, Turner, Voigt, Wagner, Walker, Waters, Williamson, Wright, and Mr Speaker—45.

NOES—None.

Assembly Bill No 2437 ordered to enrollment.

Consideration of Governor's Veto to Assembly Bill No. 314.

Assembly Bill No. 314—An act to amend sections 2.203 and 2.204 of the School Code and to add a new section to said code to be numbered 2.314, all relating to the formation of elementary school districts.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Ralph W., Fisher, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Hornblower, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Morgan, Pelletier, Peyser, Reaves, Richie, Riley, Robertson, Rosenthal, Thorp, Turner, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—48.

Consideration of Senate Amendments to Assembly Bill No. 285.

Assembly Bill No. 285—An act to amend section 1361 of the Political Code, relating to counting boards to canvass absent voter ballots in counties having a population of one million persons or more

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 285?

Amendment No. 1.

On page 1, line 20, of the printed bill, after the word "held", strike out the word "shall", and insert in lieu thereof the word "may".

Amendment No. 2.

On page 1 of the printed bill, strike out the rest of line 24 after the words "and provided further that".

Amendment No. 3.

On page 1, line 25, of the printed bill, strike out the following words: "of one million persons or more,".

The roll was called, and Senate amendments to Assembly Bill No. 285 were concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donahue, Donnelly, Evans, Ralph W. Fisher, Flint, Fulcher, Geyer, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Morgan, Pelletier, Peterson, Peyser, Reaves, Richie, Riley, Robertson, Thorp, Turner, Voigt, Wagner, Walker, Waters, Williamson, Wright, and Mr. Speaker—53.

NOES—None

Assembly Bill No. 285 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 816.

Assembly Bill No. 816—An act relating to shares of insured Federal savings and loan associations as legal investments for trust and other funds.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 816?

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended in Assembly May 11, 1935, after the word "associations", insert the following: ", and building and loan associations.".

Amendment No. 2.

On page 1 of the printed bill, as amended in Assembly May 11, 1935, strike out all of lines 1 to 12, inclusive, and insert in lieu thereof the following:

"SECTION 1. All shares issued by any duly chartered Federal savings and loan association shall be legal investments for the funds of executors, administrators, guardians, and trustees of every kind and nature and for the funds of all insurance companies, cemetery associations and savings banks; provided such association shall be an "insured institution" as defined in Title IV of the National Housing Act."

Amendment No. 3.

On page 1 of the printed bill, as amended in Assembly May 11, 1935, between lines 12 and 13, insert a new section to be known as section 2, to read as follows:

"SEC. 2. All shares issued by any building and loan association duly licensed to transact business by the Building and Loan Commissioner of this State shall be legal investments for the funds of executors, administrators, guardians, and trustees of every kind and nature and for the funds of all insurance companies and of all cemetery associations; provided such association shall be an "insured institution" as defined in Title IV of the National Housing Act; and, provided further, that such association shall not have any investment certificates outstanding issued or assumed by such association."

Amendment No. 4.

On page 1, line 13, of the printed bill, as amended in Assembly May 11, 1935, strike out the numeral "2", and insert in lieu thereof the numeral "3".

Amendment No. 5.

On page 1, line 18, of the printed bill, as amended in Assembly May 11, 1935, after the comma following "panies", insert the following: "cemetery associations".

Amendment No. 6.

On page 1, line 22, of the printed bill, as amended in Assembly May 11, 1935, strike out the numeral "3", and insert in lieu thereof the numeral "4".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 816 by the following vote:

AYES—Hornblower, Wallace, and Williamson—3.

NOES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Pelletier, Peyser, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Wagner, Walker, Waters, Wright, and Mr. Speaker—61.

Consideration of Senate Amendment to Assembly Bill No. 1656.

Assembly Bill No. 1656—An act to amend the Vehicle Code by repealing sections 414 and 415; by adding sections 414, 415, and 416, relating to vehicles.

The question being put. Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1656?

Amendment No. 1.

On page 4 of the printed bill, as amended, strike out lines 17 to 23, inclusive, and insert in lieu thereof the following:

"(b) The trial court may order the payment of a judgment in installments only upon the written consent of the judgment creditor. Such order shall fix the amounts and times of payment of the installments and shall be without prejudice to any other legal remedies available to the judgment creditor."

The roll was called, and Senate amendment to Assembly Bill No. 1656 was concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, DeLap, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Williamson, Wright, and Mr. Speaker—61.

NOES—Wallace—1.

Assembly Bill No. 1656 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 400.

Assembly Bill No. 400—An act to amend section 4293 of the Political Code, relating to the disposition of county and township officers' fee records.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 400?

Amendment No. 1.

On page 1, line 11, of the printed bill, after the word "deliver", strike out the words "to his successor".

Amendment No. 2.

On page 1, line 12, of the printed bill, strike out the words "and by his predecessors", and after striking out the period appearing in said line, add the words "to the county".

Amendment No. 3.

On page 1, line 13, of the printed bill, after striking out the period, insert a comma and add the following "except that in counties of the first class all such records kept by him and his predecessors in office shall be delivered to his duly qualified successor in office."

The roll was called, and Senate amendments to Assembly Bill No 400 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Rosenthal, Thorp, Turner, Voigt, Wagner, Walker, Waters, Williamson, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 400 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 920.

Assembly Bill No. 920—An act to amend section 1261 of the Agricultural Code, relating to produce dealers.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 920?

Amendment No. 1.

On page 2, line 10, of the printed bill, as amended in Assembly May 10, 1935, strike out the word "retailers", and insert in lieu thereof the following: "retail merchants having a fixed or established place of business in this State".

Amendment No. 2.

On page 4, line 33, of the printed bill, as amended in Assembly May 10, 1935, strike out the word "credits", and insert in lieu thereof the word "creditors"

The roll was called, and Senate amendments to Assembly Bill No 920 were concurred in by the following vote.

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Morgan, Nielsen, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Stream, Thorp, Turner, Wagner, Walker, Waters, Williamson, Wright, and Mr. Speaker—61.

NOES—None.

Assembly Bill No 920 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 650.

Assembly Bill No 650—An act to amend the title of and section 8 of an act entitled "An act regulating the making of openings or the placing of structures or the change or renewal of any structure and the planting or removal of trees or shrubs or the placing of obstructions in or on State roads and highways; providing for the issuance of permits by the State Department of Public Works relative thereto, and for the laying or placing pipes, conduits, sewers, poles, wires, railways, obstructions and other objects, and for the planting, trimming or removal of trees or shrubs in or on State roads and highways; providing for the requirement of bonds from applicants before the issuance of such permits; and prescribing the penalty for violations of the provisions of this act," approved April 23, 1915, as amended, to provide for the relative rights of the State and cities, cities and counties, and counties in respect to franchises granted in highways subsequently declared to be State highways.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 650?

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out the title, and insert in lieu thereof the following:

"An act to add two new sections to Article 2 of Chapter 3 of Division I of the Streets and Highways Code, relating to franchises in highways."

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out all of line 1 following the words "SECTION 1.", and strike out lines 2 to 12, inclusive, and on page 2, strike out lines 1 to 8, inclusive, and insert in lieu thereof the following: "A new section is hereby added to Article 2 of Chapter 3 of Division I of the Streets and Highways Code, to be numbered 680, and to read as follows:

680. Whenever a franchise shall have been granted by any county or city in any public highway which has been or is subsequently constituted a State highway, the department may enforce any obligations of the grantee or holder of such franchise in respect to the repair of the highway. The department may require any person who has placed and maintained any pole, pole line, pipe, pipe line, conduit, street railroad or railroad tracks, or other structures or facilities upon any State highway, whether under such or any franchise, to move the same at his own cost and expense to such different location in the highway as is specified in a written demand of the department, which demand may be made by the department whenever necessary to insure the safety of the traveling public or to permit of the improvement of the highway. The department shall specify in the demand a reasonable time within which the work of relocation must be commenced and the grantee or owner must commence such relocation within the time specified in said demand and thereafter diligently prosecute the same to completion.

The department may likewise serve such a demand on the owner of any encroachment to require its removal entirely from the right of way, where the owner does not have an existing franchise right to place and maintain the same therein.

In case the owner fails to comply with any such demand, the encroachments specified in the demand become subject to the provisions of Article 3 of this chapter."

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out lines 9 to 47, inclusive, and insert in lieu thereof the following:

"SEC. 2. A new section is hereby added to Article 2 of Chapter 3 of Division I of the Streets and Highways Code, to be numbered 681, and to read as follows:

681. Whenever a franchise shall have been granted by any county or city in any public highway heretofore or hereafter constituted a State highway, all of the rights of the grantor under such franchise, including the right to collect and receive tolls, charges or payments thereunder other than the rights transferred to the department by section 680, are reserved to such county or city."

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 650 by the following vote.

AYES—Riley—1.

NOES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Reaves, Rosenthal, Stream, Thorp, Turner, Voigt, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—60.

Reconsideration of Assembly Bill No. 1208.

Assembly Bill No. 1208—An act to amend section 3 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violation of the provisions hereof, and providing this act shall take effect immediately."

In compliance with his notice given on a previous day, Mr. Rosenthal moved that the vote whereby Assembly Bill No. 1208 was passed be reconsidered

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Rosenthal moved a call of the House.

Motion carried.

Time, two o'clock p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—71.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Unfinished Business—(Resumed).

Consideration of Governor's Veto to Assembly Bill No. 298.

Assembly Bill No. 298—An act to repeal section 4.768, relating to reports of attendance in joint elementary school districts.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Stream, Thorp, Turner, Voigt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—68

Consideration of Senate Amendment to Assembly Bill No. 762.

Assembly Bill No. 762—An act to add a new section to the School Code to be numbered 2.123-1, relating to the payment of the cost of food and lodging for certain elementary school pupils from the unapportioned county elementary school fund.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 762?

Amendment No. 1.

On page 1 of the printed bill, strike out all of line 3, and in line 4, strike out the following: "2.123 of this code, the", and insert in lieu thereof the following: "2.123-1. The".

The roll was called, and Senate amendment to Assembly Bill No. 762 was concurred in by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones,

Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 762 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 166.

Assembly Bill No 166—An act to amend section 1 of an act entitled "An act relating to the safety of design and construction of public school buildings, providing for regulation, inspection, and supervision of the construction, reconstruction or alteration of or addition to public school buildings and for the inspection of existing school buildings, defining the powers and duties of the State Division of Architecture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act to take effect immediately," approved April 10, 1933, relating to the buildings and work subject to the provisions of said act.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 166?

Amendment No. 1.

On page 1, line 7, of the printed bill, as amended, strike out "two thousand ($2,000)", and insert in lieu thereof the following: "four thousand ($4,000)".

The roll was called, and Senate amendment to Assembly Bill No. 166 was concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Corwin, Cronin, Crowley, Cunningham, DeLap, Donnelly, Evans, Herbert J., Fisher, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Richie, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Walker, Waters, Wright, and Mr Speaker—52.

NOES—Clark, Evans, Ralph W., Flint, Geyer, Lore, Morgan, Peyser, Reaves, Riley, and Weber—10

Assembly Bill No. 166 ordered to enrollment.

Further Proceedings Under Call of the House Dispensed With.

At three o'clock and ten minutes p m., further proceedings under the call of the House were dispensed with, on motion of Mr. Rosenthal.

The roll of absentees was called, and the motion to reconsider Assembly Bill No. 1208 was lost by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Clark, Crowley, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Jones, Laughlin, Lore, Mayo, McCarthy, McMurray, Meehan, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Thorp, Voigt, and Wagner—34

NOES—Andreas, Breed, Brennan, Chatters, Corwin, Cottrell, Cronin, Cunningham, DeLap, Evans, Herbert J, Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hunt, Johnson, Kallam, Latham, Lyon, Maloney, Martin, McBride, Miller, Morgan, Peterson, Peyser, Phillips, Riley, Robertson, Stream, Turner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—40.

Assembly Bill No. 1208 ordered transmitted to the Senate.

Unfinished Business—(Resumed).

Reconsideration of Assembly Bill No. 2120.

Assembly Bill No. 2120—An act to add a new section to be numbered section 29½ to the Public Utilities Act, approved April 23, 1915,

relating to reports of salaries and expenses of officers and employees of public utilities, and determination of rates.

In compliance with his notice given on a previous day, Mr. Patterson moved that the vote whereby Assembly Bill No. 2120 was refused passage be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Chatters, Clark, Cronin, Crowley, Donihue, Donnelly, Evans, Ralph W., Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Laughlin, Lore, Martin, Mayo, McCarthy, McMurray, Meehan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Richie, Rosenthal, Thorp, Turner, Voigt, Wagner, and Walker—42.

NOES—Andreas, Breed, Brennan, Corwin, Cunningham, DeLap, Evans, Herbert J. Field, Fisher, Fulcher, Hornblower, Latham, Lyon, Maloney, McBride, Miller, Morgan, Phillips, Riley, Robertson, Stream, Wallace, Waters, Weber, Wright, and Mr. Speaker—26.

Assembly Bill No. 2120 ordered on file for third reading.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 735—An act to amend sections 4 and 10 of an act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision," approved May 18, 1917, relating to the operation of the business of industrial loan companies.

Bill read third time

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Martin:

Amendment No. 1.

On page 1, line 8, of the printed bill, as amended, after the word "shall", insert the following: "at the discretion of the Corporation Commissioner of the State of California, issue and".

Amendment No. 2.

On page 2 of the printed bill, following line 34, add the following paragraph:

"The commissioner shall have the power to establish such rules and regulations as may be reasonable or necessary to carry out the purposes and provisions of this act."

Amendments adopted.

Request for Unanimous Consent.

Mr. Martin asked for, and was granted, unanimous consent to take up Assembly Bill No. 735, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 735, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. McCarthy:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "of", insert the following: ", and to add sections 13, 14, 15 and 16 to,".

Amendment No. 2.

On page 1, line 3, of the printed bill, as amended, strike out "provision", and insert in lieu thereof the following: "provisions".

Amendment No. 3.

On page 1, line 4, of the printed bill, as amended, strike out the colon.

Amendment No. 4.

On page 2, line 5, of the printed bill, as amended, strike out the period, and insert in lieu thereof a comma and the following: "provided, that no charges including interest, fees, bonuses, commissions, discounts, brokerage or other compensation shall

exceed in the aggregate a sum larger than that amount arrived at by computing interest at the rate of twelve per cent per annum on the actual amount outstanding for the period it remains unpaid, and when payments on account are made such interest shall be figured on the balances remaining from time to time."

Amendment No. 5.

On page 2 of the printed bill, as amended, after line 34, add the following:

"SEC. 3. Section 13 is hereby added to said act to read as follows:

Sec. 13. No corporation under the provisions of this act shall make any loan in connection with which said corporation knows or has reasonable cause to believe a fee, commission or other compensation is paid or is promised to be paid by the borrower or at his expense to any third party for services rendered in procuring said loan. Any loan made in violation of this section shall be void and the lender shall have no right to collect or receive any principle, interest or charges whatsoever thereon

SEC. 4. Section 14 is hereby added to said act to read as follows:

Sec. 14. Any person who negotiates, arranges or procures any loan made or to be made by any corporation under the provisions of this act shall, for the purposes of regulation under this act, and notwithstanding any agreement to the contrary, be deemed to be the agent of the corporation which makes the loan, and any fee, commission, bonus or other compensation paid by the borrower at his expense at any time to any person for services rendered in negotiating, arranging or procuring any loan made or to be made by any such corporation shall be deemed to have been paid for the use and benefit of such corporation.

SEC. 5. Section 15 is hereby added to said act to read as follows:

Sec. 15. Any corporation under the provisions of this act, and the several members, officers, directors, agents and employees thereof, who shall violate any of the provisions of this act shall be guilty of a misdemeanor, and shall be punished by a fine of not more than three hundred dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment.

SEC. 6. Section 16 is hereby added to said act to read as follows:

Sec. 16. Every corporation under the provisions of this act, which for any loan or forbearance of money, goods or things in action, shall have paid or delivered any greater sum or value than is allowed to be received under provisions of this act, may by its personal representative recover in an action at law against the person, firm, corporation, association or partnership who shall have taken or received the same, or his or its personal representative, treble the amount of the money so paid, or value delivered in violation of this act, providing such action shall be brought within one year after such payment or delivery."

Further Consideration Deferred.

Further consideration of Assembly Bill No. 735, and amendments pending, deferred.

Assembly Bill No. 276—An act to amend sections 1, 10, 12, 21, 22, 23, 24 and 25 of an act entitled the "Direct Primary Law," relating to nonpartisan offices.

Bill read third time.

Demand for Previous Question.

Messrs. Boyle, Reaves, Morgan, Pelletier and Fisher demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 276 refused passage by the following vote:

AYES—Anderson, Brennan, Chatters, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Gilmore, Hornblower, Maloney, Mayo, Nielsen, Patterson, Peyser, Robertson, Thorp, Waters, Weber, and Williamson—23.

NOES—Andreas, Boyle, Breed, Cassidy, Clark, Corwin, DeLap, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Walker, Wallace, Wright, and Mr. Speaker—51.

Notice of Reconsideration of Assembly Bill No. 276.

Mr. Robertson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 276 was this day refused passage.

Assembly Bill No. 2447—An act to amend section 4041.13 of, and to add sections 4041.13a to 4041.13i, inclusive, to the Political Code, relating to county purchasing agent and assistants.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2447 passed by the following vote:

AYES—Anderson, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Herbert J. Evans, Ralph W., Field, Fisher, Flint, Frazier, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1956—An act to amend Streets and Highways Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1956 passed by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Wallace, Weber, Williamson, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 516—An act directing the Department of Public Works to lay out and construct as a part of the State highway system a road and bridge from the city of Needles easterly over and across the Colorado River and declaring the same to be a public highway and a part of the State highway system, requiring the maintenance thereof and prescribing the manner in which the cost of such construction and maintenance shall be paid.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 516 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donnelly, Evans, Ralph W., Field, Fisher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Don-

nell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Scudder, Stream, Thorp, Turner, Utt, Voigt, Weber, Williamson, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1324—An act to amend sections 1, 3, 4 and 5 of an act entitled "An act to reduce the fire hazards of clothes cleaning establishments, providing for the enforcement thereof by the division of fire safety in the Department of Industrial Relations, providing ways and means for enforcement and providing penalties for violations," approved June 3, 1927, relating to clothes cleaning establishments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1324 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Geyer, Glover, Hawkins, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Peyser, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Walker, Weber, Williamson, Wright, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2385—An act to add section 96a to the Penal Code, relating to jurors and court officers and employees exploiting their participation in a trial.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 2385 refused passage by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Evans, Herbert J., Field, Fulcher, Gilmore, Johnson, Kallam, Latham, Lore, McMurray, Miller, Minard, Patterson, Peterson, Peyser, Reaves, Riley, Robertson, Scudder, Stream, Thorp, Utt, Wagner, Walker, Weber, Williamson, Wright, and Mr. Speaker—38

NOES—Boyle, Brennan, Cassidy, Clark, Donihue, Evans, Ralph W., Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Laughlin, Maloney, Martin, Mayo, McCarthy, Morgan, Pelletier, Richie, and Rosenthal—21.

Notice of Reconsideration of Assembly Bill No. 2385.

Mr. Burns gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2385 was this day refused passage.

Assembly Bill No. 937—An act to amend section 400 of the Vehicle Code, relating to liability of State and governmental agencies arising out of ownership of motor vehicles.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Williamson:

Amendment No. 1.

On page 1, line 10, of the printed bill, as amended, after "employee", insert the following: "when acting within the scope of his office, agency or employment,".

Amendment adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 2173—An act relating to the escheat to the State of California unclaimed moneys deposited with public utilities, and providing for the collection, use and disposition thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Crowley moved a call of the House.

Motion carried.

Time, four o'clock and fifty minutes p m

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Weber, Williamson, Wright, and Mr Speaker—69

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER SACRAMENTO, May 24, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No 1055—An act to amend sections 400 and 401 of the Vehicle Code, relating to tort liability of drivers of police, fire and other emergency vehicles maintained by governmental bodies—and appointed Senators Olson, Seawell and Hays, as a Committee on Conference, to meet a like committee from the Assembly.

J. A. BEEK, Secretary of Senate.
By CARL A SHIPKEY, Assistant Secretary

Assembly Bill No 1055 ordered on unfinished business file.

Appointment of Committee on Free Conference Concerning Assembly Bill No. 1055.

The Speaker announced the appointment of Messrs. Lyon, Minard and Williamson as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Assembly Bill No. 1055.

Also:

SENATE CHAMBER SACRAMENTO, May 24, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference concerning Senate Bill No. 81—An act to add a new section to be numbered section 8a, to an act entitled "An act establishing a State Mining Bureau, creating the office of State Mineralogist, fixing his salary and prescribing his powers and duties; providing for the employment of officers and employees of said bureau, making it the duty of persons in charge of mines, mining operations and quarries to make certain reports, providing for the investigation of mining operations, dealings and transactions and the prosecution for defrauding, swindling and cheating therein, creating a State Mining Bureau fund for the purpose of carrying out the provisions of this act and repealing an act entitled 'An act to provide for the establishment, maintenance and support of a bureau, to be known as the State Mining Bureau, and for the appointment and duties of a board of trustees, to be known as the board of trustees of the State Mining Bureau, who shall have the direction, management and control of said State Mining Bureau, and to provide for the appointment, duties, and compensation of a State Mineralogist, who shall perform the duties of his office under the control, direction and supervision of the board of trustees of the State Mining Bureau,' approved March 23, 1893, and all acts amendatory thereof and supplemental thereto or in conflict herewith," approved June 16, 1914, relating to mining on State property;

Also Senate Bill No 443—An act to add a new section to the Political Code to be numbered 3720, relating to the filing by county clerks with county assessors and the State Board of Equalization of certifications of new districts and changes in the boundaries of existing districts;

Also: Senate Bill No 353—An act to establish legislative standards in relation to the rehabilitation of agriculture and the regulation of producers, packers, distributors, shippers, marketers, handlers, processors and others dealing in agricultural, viticultural, horticultural, animal and poultry products and of any competing commodity or product thereof; to recognize, make effective and provide for the enforcement in this State of marketing agreements and licenses issued or prescribed by the Secretary of Agriculture of the United States under the National Agricultural Adjustment Act, being Public Act No 10 of the Seventy-third Congress of the United States; to provide for the issuance, administration and enforcement of State marketing agreements and State licenses in connection therewith; to prescribe the powers, duties and jurisdiction of the State Director of Agriculture in relation thereto; to provide that said State and Federal marketing agreements and licenses shall be and establish standards of fair competition in this State; to suspend all antitrust and unfair competition laws of this State in conflict herewith and therewith; to repeal Chapter 1029 of the Statutes of 1933; to prescribe remedies, rights, duties and penalties with respect to violations hereof and thereof; to provide ways, means and moneys for the administration and enforcement of said State and Federal marketing agreements and licenses; to limit the effective period of this act; to declare the existence of a State and National agricultural emergency and the urgency of this act and that this act shall take effect immediately.

J A BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER SACRAMENTO, May 24, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference concerning Assembly Constitutional Amendment No. 58—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 8 of Article XI thereof, relating to the preparation and adoption of charters by cities, counties and cities and counties

J. A. BEEK, Secretary of Senate.
By CARL A SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER SACRAMENTO, May 24, 1935.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No 361—An act to add a new section to the Code of Civil Procedure, to be numbered 675b, relating to the discharge of a bankrupt from judgment;

Also: Senate Bill No. 1113—An act to add section 487 5 to the Fish and Game Code, relating to the use of certain bait to take fish, and declaring the urgency thereof, and that this act shall take effect immediately;

Also: Senate Bill No. 1101—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, by adding a new section thereto numbered section 2a, providing for securing the written consent of political subdivisions owning sixty per cent or more in area or value of the lands to be incorporated;

Also Senate Bill No. 790—An act to amend the Vehicle Code by amending sections 37, 38, 66, 67, 73 and 135, by repealing section 44; by adding sections 44 73.5 and 76, relating to vehicles.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 23, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 668—An act to provide for the refunding of the bonded indebtedness of special improvement districts, the bonds of which are payable from taxes or from special assessments levied wholly or partly in accordance with the assessed value of lands and for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts and the cancellation of unpaid taxes and assessments of such districts, and for the levy of assessments and reassessments to pay such refunding bonds and to enforce the liens of such assessments and reassessments, and to provide for contributions of public funds to assist in such refunding or the payment of refunding bonds, and for proceedings to test the validity of such refunding and assessment or reassessment proceedings and the use of the bankrupt laws of the United States of America in any refunding—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 668 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 22, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1104—An act granting certain tidelands and submerged lands of the State of California to the county of Santa Cruz.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 1104 read first time, and referred to Committee on Commerce and Navigation.

Also:

SENATE CHAMBER, SACRAMENTO, May 24, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 642—An act to add section 21.4 to the Fish and Game Code relating to damages for destruction of fish and game.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 642 read first time, and referred to Committee on Fish and Game

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2393—An act to be known and cited as the Yacht and Ship Brokers Act, to define yacht and ship brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create the office of yacht and ship brokers commissioner; and to provide for the enforcement of said act and penalties for the violation thereof.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lyon:

Amendment No. 1.

On page 1, line 4 of the title of the printed bill, after the word "commissioner", strike out the semicolon, and insert the following: "within the Department of Professional and Vocational Standards;".

Amendment No. 2.

On page 1, line 19, of the printed bill, strike out the word "Department", and insert in lieu thereof the following: "Commission".

Amendment No. 3.

On page 1, line 20, of the printed bill, strike out the word "Department", and insert in lieu thereof the following: "Commission".

Amendment No. 4.

On page 2 of the printed bill, commencing with line 10, strike out all of lines 10 to 21, inclusive, and insert in lieu thereof the following:

"SEC 4. There is hereby created in the Department of Professional and Vocational Standards a Yacht and Ship Brokers Commission. For the purpose of administering the provisions of this act, the director of the department shall, with the approval of the Governor, appoint a Yacht and Ship Brokers Commissioner No person shall be appointed as such commissioner who shall not have been for five years a yacht and ship broker actively engaged as such in California The director shall fix the salary of the commissioner, which, in no case, shall exceed three thousand six hundred dollars per annum. Within fifteen days from the time he is notified of his appointment, the commissioner shall take his oath of office and file a bond in such penal sum as the director may determine."

Amendment No. 5.

On page 2, line 22, of the printed bill, after the word "commissioner", insert the following: "with the approval of the director".

Amendment No. 6.

On page 2, line 25, of the printed bill, after the word "act", insert the following: "to prescribe rules and regulations to carry into effect the provisions hereof".

Amendment No. 7.

On page 2, line 48, of the printed bill, strike out the word "week", and insert in lieu thereof the following: "month".

Amendment No. 8.

On page 3, line 3, of the printed bill, after the word "fund", strike out the remainder of said line, and all of line 4, and insert in lieu thereof the following: "in such an amount as he may determine, subject to the approval of the director of the department"

Amendment No. 9.

On page 3, line 19, of the printed bill, strike out the word "department", and insert in lieu thereof the following: "commission".

Amendment No. 10.

On page 4, line 1, of the printed bill, spell the word "annual" correctly.

Amendment No. 11.

On page 4, line 10, of the printed bill, strike out all of line 10.

Amendment No. 12.

On page 4 of the printed bill, between lines 14 and 15, insert the following:

"Every license issued under the provisions of this act shall expire on December 31st of each year after its original issuance. Every person, firm, copartnership or corporation licensed under the provisions of this act shall renew his or its license on or before the first day of January of each year, and if each such license is not renewed by February 1st of each year a penalty equal to one hundred per cent of the annual renewal fee, hereinbefore set forth, shall be added to said renewal fee and paid to the commissioner before said license shall be renewed. Failure to renew said license by February 1st of each year shall ipso facto work a forfeiture of said license, and same shall be restored only upon the filing of an application and the payment of all accrued fees and penalties."

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Assembly Constitutional Amendment No. 76—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 9 of Article IX thereof, relating to a board of higher education.

Assembly Constitutional Amendment No. 76 read.

Floor Amendments.

During reading of Assembly Constitutional Amendment No. 76, the following amendments were submitted by Mr. Anderson:

Amendment No. 1.

On page 1, line 16, of the printed measure, as amended, strike out "control by the Legislature", and insert in lieu thereof the following: "such legislative control

as may be necessary to insure compliance with the terms of the endowments of the several units and the security of their funds"

Amendment No. 2.

On page 2, line 3, of the printed measure, as amended, strike out "ten", and insert in lieu thereof the following: "twenty".

Amendment No. 3.

On page 2 of the printed measure, as amended, strike out lines 5 to 36, inclusive, and insert in lieu thereof the following:

"As to the twenty members appointed by the Governor, one member shall be appointed from the territory comprising each of the now existing congressional districts in the State of California and as a term expires or as a vacancy arises the new appointee must at the time of his appointment be a resident in the same Congressional District as his predecessor was at the time of such predecessor's appointment.

The members of said board shall be appointed for ten-year terms, except as hereinafter provided, the term of each member to commence on the first day of January next succeeding his appointment. In the event of a vacancy on the board, the Governor shall appoint a member to serve until the conclusion of the unexpired term"

Amendments adopted.

Assembly Constitutional Amendment No 76 ordered to reprint, engrossment, and on file for adoption.

Assembly Bill No. 76—An act to amend section 2924½ of the Civil Code, relating to mortgages and trust deeds.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Johnson:

Amendment No. 1.

On page 1, line 11, of the printed bill, after the period, insert the following: "This section shall be effective until September 1, 1938."

Amendment No. 2.

On page 1 of the printed bill, after line 13, insert the following:

"SEC. 2. This act is declared to be an emergency measure designed to meet the present unusual economic condition of distress"

Amendments adopted.

Request for Unanimous Consent.

Mr. Johnson asked for, and was granted, unanimous consent to take up Assembly Bill No. 76, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 76, as Amended.

Assembly Bill No. 76, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 76, as amended, passed by the following vote.

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Stream, Turner, Utt, Wagner, Walker, Weber, Williamson, Wright, and Mr Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No 1765—An act to amend section 649, 649a, 651a, 651b, 651c, and 651d of the Civil Code, relating to colleges and seminaries of learning.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1765 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J, Evans, Ralph W., Field, Fisher, Flint, Frazier, Geyer, Gilmore, Glover, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Riley, Robertson, Rosenthal, Utt, Wagner, Walker, Weber, Williamson, Wright, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Further Proceedings Under Call of the House Dispensed With.

At five o'clock and ten minutes p m., further proceedings under the call of the House were dispensed with, on motion of Mr. Crowley.

The roll of absentees was called, and Assembly Bill No. 2173 was passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Ralph W., Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Voigt, Wagner, Walker, Waters, Weber, and Wright—62

NOES—Breed, Donihue, Evans, Herbert J, Field, Fisher, Johnson, Lyon, Miller, Redwine, Utt, Williamson, and Mr. Speaker—12.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 2173.

Mr. Field gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2173 was this day passed.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1881—An act to add a new section, section 563d, to the Penal Code, prohibiting false rumors regarding corporations.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Williamson:

Amendment No. 1.

On page 4, line 26, of the printed bill, strike out the comma after the word "act", and the balance of the line

Amendment No. 2.

On page 4, line 26, of the printed bill, strike out the first four words.

Amendment No. 3.

On page 4, line 27, of the printed bill, strike out the word and figure "five (5)", and insert in lieu thereof "two (2)".

Amendments adopted

Further consideration of Assembly Bill No. 1881 deferred

Resolution.

The following resolution was offered:

By Mr. Morgan and seventy-eight others:

WHEREAS, This twenty-fourth day of May is the first anniversary of the day on which Assemblyman C. Don Field had the grand and glorious good fortune to marry Mrs C. Don Field, and

WHEREAS, There is every reason to believe that this first year of married life has brought unbounded joy and happiness to both the happy pair; and

WHEREAS, There is equal reason to hope for many added years of equally devoted companionship for bride and groom; now, therefore, be it

Resolved, That this Assembly hereby extends its heartiest congratulations and good wishes to Mr. and Mrs. C Don Field; and be it further

Resolved, That we especially congratulate C Don Field on his good fortune, and we commend his inspiring example to the attention of the bachelor members of this Legislature.

Resolution read, and adopted unanimously

Special Order Set for Assembly Bill No. 2459.

On motion of Mr. Redwine, the consideration of Assembly Bill No. 2459 was made a special order for Tuesday, May 28, 1935, at eleven o'clock a m.

Withdrawal of Bills.

By order of the Speaker, the following bills were withdrawn from the file, and re-referred to committees as follows:

Assembly Bill No. 1915 ordered re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1963 ordered re-referred to Committee on Motor Vehicles.

Assembly Bill No. 1918 ordered re-referred to Committee on Insurance.

Assembly Bill No. 715 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 2260 ordered re-referred to Committee on Judiciary.

Withdrawal of Assembly Bill No. 1915.

By order of the Speaker, Assembly Bill No 1915 was withdrawn from Committee on Revenue and Taxation, and re-referred to Committee on Ways and Means

Adjournment.

At five o'clock and twenty-five minutes p m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day, honoring the birthday of Assemblyman John E Frazier, until nine o'clock and thirty minutes a.m., Saturday, May 25, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,

SACRAMENTO, Saturday, May 25, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A Ohnimus, and the following members answered to their names

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Colwin, Cronin, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Herbert J, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Riche, Riley, Robertson, Rosenthal Scudder, Stream,

Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—73

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Heisinger, its further reading was dispensed with.

Leaves of Absence.

On motion of Mr Donnelly, Mr. Desmond was granted leave of absence for the day.

On motion of Mr. O'Donnell, Messrs. Cottrell and Crowley were granted leave of absence for the day.

On motion of Mr. Richie, Mr. Wallace was granted leave of absence for the day.

On motion of Mr. Utt, Mr. Welsh was granted leave of absence for the day.

On motion of Mr. Flint, Mr. Jones was granted leave of absence for the day.

Privilege of Floor of Assembly Extended.

On request of Mr Breed, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the teachers and pupils of the Technical High School, Oakland, as follows: Bertha W. Brown, Anna D. Campbell, Estelle P. Carter, and Ruth A. Brauer, teachers; Erma Veretto, Armanda Stella, Carmello Yaccarino, Lucille Judd, Helen Lorentzen, Lucille Faretta, Lucille De Maria and Olga Battistini, pupils.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. A D. Schneider, principal of Hughson Grammar School, and Frederick Schneider of Hughson.

On request of Speaker Craig, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. W. D. Shaffer of Brea.

On request of Mr Cassidy, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Alice T. Landgraff and Miss Alice M. Landgraff of Oakland

On request of Mr. Geyer, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. Chas. McQuarrie of Los Angeles.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr Speaker:

From Civil and Structural Engineers Association of Long Beach, favoring passage of Assembly Bill No 1054 and opposing Senate Bill No. 535

From Board of Water Commissioners of Long Beach, favoring passage of Assembly Bill No. 1054 and opposing Senate Bill No. 535

From American Association of Engineers, favoring Assembly Bill No. 1054 and opposing Senate Bill No. 535

From the Property of Owner's Division, relative to balancing the budget

From the Property Owners Association of California; Los Angeles Division, relative to balancing the budget.

ASSISTANT CLERK COOLIDGE READING

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1904—An act to amend sections 3, 6, 7, 9, 10, and 14 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provision," approved June 5, 1933, relating to the powers of the California Horse Racing Board;

Also: Assembly Bill No. 2466—An act to define motor transportation broker; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof;

And reports that the same have been correctly engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1200—An act requiring the licensing of certain vehicles used for the transportation of persons or property in this State, defining such vehicles, providing for the imposition, collection, and distribution of license taxes for the privilege of operating such vehicles in this State, making appropriations for the purposes of this act, prescribing penalties for the violation of this act, repealing an act entitled, "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle, and provided that this act shall take effect immediately," approved May 15, 1933, subject to certain conditions;

Also: Assembly Bill No. 2183—An act to be known as the "Inheritance Tax Act of 1935" to establish a tax on gifts, legacies, inheritances, bequests, devices, successions, transfers, joint tenancies and insurance, to provide for its collection and to direct the disposition of its proceeds, to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under any act hereby repealed, to provide penalties for failure to comply with the provisions of this act; and to repeal Chapter 821 of the laws of the session of the Legislature of California of 1921, approved June 3, 1921, known as the "Inheritance Tax Act," and all amendments thereto, and to repeal all acts and parts of acts in conflict with this act, and providing this act shall take effect immediately;

And reports that the same have been correctly re-engrossed

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2118—An act imposing an excise tax measured by gross receipts, providing for the registration of taxpayers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, repealing the Retail Sales Tax Act of 1933, and providing this act shall take effect immediately—and reports that the same has been correctly re-re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1935

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 1107—An act to amend the title and sections 1, 2, 3, 4 and 5 of, and to add section 6 to, an act entitled "An act to authorize municipal corporations to issue bonds, for the purpose of investing the proceeds arising from the sale

thereof, in other bonds issued for public improvements," approved April 26, 1909, relating to the issuance, sale, or exchange and payment of the bonds issued under this act, and the acquisition, collection and payment of bonds acquired, declaring the urgency hereof and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

WRIGHT, Chairman

The above reported bill ordered on file for second reading

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 24, 1935

Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: I am returning herewith, without my approval, Assembly Bill No. 851—An act to add a new chapter to Part III of Division IV of the School Code to be known as Chapter IV, relating to sinking funds in school districts for the replacement, reconstruction or alteration of buildings

The bill authorizes the governing board of any school district to establish a sinking fund for the replacement, reconstruction or alteration of buildings owned by the district. If the governing board establishes such a fund, and in the event the inclusion of any such amount in the budget exceeds the levy of a tax rate in excess of the maximum school district tax rate prescribed in the School Code, then the limitations as prescribed in the School Code shall not apply in making such levy.

The sinking fund so established may be expended at any time in the discretion of the governing board of the district for the replacement, reconstruction or alteration of buildings of the district existing at the time of the expenditure In case, however, it is not so expended or is only partially expended, such sinking fund may be discontinued at any time by the governing board of the district and when discontinued the moneys remaining in the sinking fund shall be credited by the county treasurer to such other funds of the district as the governing board may direct

This bill if enacted into law, will permit the governing board of a district to exceed the maximum school tax rate in the collection of a fund, and in the discretion of the governing board discontinue such sinking fund at any time, crediting the money to such other funds of the district as the governing board may direct

Such a provision may be used for the purpose of exceeding the maximum school district tax rate in a district

Respectfully submitted

FRANK F MERRIAM Governor of California.

The above message ordered on unfinished business file.

Second Reading of Assembly Bills.

Assembly Bill No. 1540—An act to amend section 4 of and to add section 8 to an act entitled "An act creating a commission to codify, consolidate, revise or compile the statutes of California and to report thereon to the Legislature, and making an appropriation therefor, and authorizing State departments, boards, bureaus and commissions to contract for the revision of certain laws," approved June 10, 1929, relating to reports and making an appropriation therefor.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, in the last line of the title, strike out "therefor", and insert in lieu thereof the following "to carry out the provisions of the act".

Amendment No. 2.

On page 1, line 15, of the printed bill, in the blank, insert the following: "twenty-seven thousand five hundred".

Amendment No. 3.

On page 1, line 17, of the printed bill, after the period in said line, insert the following: "Said sum of twenty-seven thousand five hundred dollars is appropriated out of and payable from certain moneys and funds, as follows:

Out of the insurance fund five thousand dollars; out of the retail sales tax fund five thousand dollars; out of the petroleum and gas fund two thousand five hundred dollars, out of the motor vehicle fuel fund two thousand five hundred dollars, to be deducted by the State Controller from the first apportionment hereafter made from said fund to the counties and cities and counties; out of the State highway fund two thousand five hundred dollars, to be charged by the Department of Public Works against the moneys apportioned under section 194 of the Streets and Highways Code, and the remainder out of moneys in the general fund not otherwise appropriated."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 659—An act to amend sections 76 and 76a of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property within municipalities, and upon property and rights of way owned by municipalities, or of which a municipality has possession and the rights of way under the provisions of section 14 of Article I of the Constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and provide for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, relating to the foreclosure of bonds and to the treasurer's list of bonds upon which payments have not been made.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended April 18th, strike out the words and numbers "sections 76 and 76a", and insert in lieu thereof the word and number "section 76".

Amendment No. 2.

On page 1, lines 14 and 15 of the title of the printed bill, as amended April 18th, strike out "the foreclosure of bonds and to"

Amendment No. 3.

On page 1 of the printed bill, as amended April 18th, strike out all of line 1 following the word and number "Section 1", and strike out the remainder of page 1, and strike out all of pages 2, 3, 4 and 5 and on page 6, strike out lines 1 to 13, inclusive, and in line 14, strike out "Sec. 2."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 264—An act to amend section 737m of the Political Code, relating to the salaries of the judges of the superior court in and for the county of Imperial.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1482—An act making appropriation for the elimination of camel's thorn out of certain moneys heretofore appropriated for that purpose.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 707—An act to amend sections 12, 13 and 16 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 26, of the printed bill, as amended, after the word "Twenty", insert the following: "five".

Amendment No. 2.

On page 3, line 6, of the printed bill, as amended, strike out the following: "The balance of all said", and strike out all of lines 7 to 13, inclusive, and insert in lieu thereof the following: "If in any year said forty per cent of such balance is less than sixty per cent of the amount of said forty per cent of such balance in the year 1935, then during said year the apportionment to all fairs shall be made in the manner and upon the basis prescribed by section 13 of Chapter 769 of the Statutes of 1933 and by section 92 of the Agricultural Code. The balance of said moneys in said fund after all of the above deductions have been made is hereby transferred to the credit of the general fund in the State treasury and is hereby appropriated for the benefit of permanent improvements and support at State educational institutions devoted to agricultural and vocational training in animal husbandry and for the purpose of unemployment relief."

Amendment No. 3.

On page 3 of the printed bill, as amended, strike out lines 27 to 31, inclusive.

Amendment No. 4.

On page 3, line 42, of the printed bill, as amended, after "conducted", insert the following: "for such district agricultural association or county fair".

Amendments adopted.

Bill read second time, ordered to reprint, re-re-engrossment, and third reading.

Assembly Bill No 927—An act to provide for the further development of vocational education in California by accepting the provisions and benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled and approved May 21, 1934; entitled "An act to provide for the further development of vocational education in the several States and Territories"; and making an appropriation therefor; and declaring the urgency thereof and providing that this act shall take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of lines 10 to 15, inclusive, and in line 16, strike out the following: "for,", and insert in lieu thereof the following:

"SEC. 2. Subject to the provisions of Article X of Chapter I of Part IV of Division III of the School Code and of Chapter V of Part I of Division IV of the said code".

Amendment No. 2.

On page 1, line 18, of the printed bill, after the word "of", insert the following: "one hundred and three thousand two hundred fifty-five dollars and ninety-nine cents for each of the eighty-sixth, eighty-seventh and eighty-eighth fiscal years

Of the sum so appropriated for each such fiscal years there may be expended for use during such fiscal year".

Amendment No. 3.

On page 2, line 3, of the printed bill, strike out the comma and the following: "for each of the eighty-sixth.", and strike out all of line 4, and insert in lieu thereof a period.

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1041—An act providing employment for inmates of State prisons and reformatories and to establish a prison farm under the management and control of the State Board of Prison Directors; to provide for the purchase of land therefor, and the construction of buildings and other improvements in connection therewith; for the transfer of prisoners thereto and therefrom; and for the employment of prisoners therein; and to make an appropriation therefor.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 100—An act making an appropriation for the support of Napa State Farm, to take effect immediately.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 2162—An act to add section 629 to the Streets and Highways Code, establishing a secondary State highway.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 4 and 5, and insert in lieu thereof the following: "new route or portion of route from Route 4, San Fernando Road, at Verdugo Road and Eagle Rock Boulevard to Figueroa Street via Cypress Avenue."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2415—An act to authorize the State Treasurer to accept, on behalf of the State of California, the sum of one million dollars, together with any interest that may be due thereon, and other sums from the California Olympiad Commission, or any committee thereof, for the benefit of State hospitals and inmates thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 5 and 6 of the title of the printed bill, strike out the comma, and "for the benefit of State hospitals and inmates thereof".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 13 to 22, inclusive, and insert in lieu thereof the following: "sums shall be deposited in the general fund of the State."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1639—An act to amend Article VII of Chapter I of Part III of Division VI of the School Code.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, beginning in line 1 of the title, strike out the following: "Article VII of Chapter I of Part III of", and strike out all of line 2, and insert in lieu thereof the following: "sections 2 203 and 2 204 of the School Code and to add a new section thereto to be numbered 2.134, all relating to the formation of elementary school districts."

Amendment No. 2.

On page 1, line 1, of the printed bill, after the period, insert the following: "Section 2.203 of the School Code is hereby amended to read as follows:

2.203 *Excepting as otherwise provided in this article, joint elementary school* districts shall be formed in the same manner as is prescribed by Article III of Chapter II of this part for the formation of elementary school districts.

SEC. 2. Section 2.204 of the School Code is hereby amended to read as follows:

2.204. All the provisions of this article relative to the formation of joint districts shall be by concurrent action of the superintendent of schools and the board of supervisors of each county affected. By concurrent action of the board of supervisors and the county superintendents of schools, contiguous school districts or parts of such school districts lying in different counties may, on proper petitions and the approval thereof as required by this article be united to form a joint school district.

SEC. 3. A new section is hereby added to the School Code to be numbered 2 134, and to read as follows:

2 134. A new elementary school district may be formed in whole or in part from territory lying within a union or joint union elementary school district. Territory lying within a union or joint union elementary school district when formed in whole or in part into a new elementary school district shall thereupon cease to be a part of such union or joint union elementary school district."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 273—An act to amend section 372 of the Vehicle Code, relating to registration of certain vehicles used for the transportation of persons or property in this State.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 800—An act to amend the Vehicle Code, relating to vehicles.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "amend", insert the following: "section 705 of".

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, after "vehicles", insert the following: "and the weight and loading thereof".

Amendment No. 3.

On page 1, line 1, of the printed bill, after "Section 1.", add the following: "Section 705 of the Vehicle Code is hereby amended to read as follows:

705. Ratio of Weight to Length. The gross weight of any combination of vehicles coupled together and any load or loads thereon shall not exceed sixty-eight thousand pounds. With respect to length, the gross weight shall not be more than the total of one thousand seven hundred fifty pounds multiplied by (L plus eight) in which L is the distance in feet between the first and last axle of a vehicle or of a combination of vehicles coupled together and operated upon the highway. The gross weight of any motor truck and load shall not exceed three *times the unladen weight of such vehicle, and the gross weight of any trailer*

or semitrailer and load shall not exceed four times the unladen weight of such vehicle. In no case shall the weight of a vehicle or of a vehicle and load exceed the maximum weight limit prescribed therefor by any applicable provision of this code"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1289—An act to amend section 372 of the Vehicle Code, and to add thereto section 776.1, relating to motor vehicles.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of lines 20 to 26, inclusive; all of lines 1 to 51, inclusive, on page 2; and all of lines 1 to 18, inclusive, on page 3; and insert the following:

"(1) Except as otherwise provided herein, commercial vehicles which are equipped with not more than two axles, trailers which are equipped with not more than two axles and semitrailers equipped with not more than one axle, shall pay the following fees:

Unladen weight From	*To*	*Fee*
750 lbs	2,999	$3 00
3,000	3,499	5 75
3,500	3,999	7 00
4,000	4,499	9 25
4,500	4,999	11 50
5,000	5,499	13 50
5,500	5,999	16 50
6,000	6,499	20 75
6,500	6,999	25 00
7,000	7,499	30 00
7,500	7,999	35 00
8,000	8,499	40 00
8,500	8,999	45 50
9,000	9,499	51 25
9,500	9,999	57 00
10,000	10,499	64 00
11,500 and over		103 00"

(2) Commercial vehicles whose unladen weight is less than three thousand pounds and trailers and semitrailers whose unladen weight is less than seven hundred fifty pounds shall pay only the registration fee prescribed in section 370.

(3) Commercial vehicles and trailers which are equipped with not less than three axles, and semitrailers which are equipped with not less than two axles shall pay the following fees:

Unladen weight From	*To*	*Fee*
Under 6000 pounds		$42 75
6,000 lbs	6,499	47 75
6,500	6,999	51 25
7,000	7,499	54 75
7,500	7,999	58 50
8,000	8,499	62 00
8,500	8,999	65 50
9,000	9,499	70 50
9,500	9,999	77 00
10,000	10,499	83 25
10,500	10,999	89 75
11,000	11,499	96 00
11,500 and over		103 00"

Amendment No. 2.

On page 3, line 19, of the printed bill, strike out "(e)", and insert in lieu thereof "(d)".

Amendments adopted.

Bill read second time, ordered to reprint, re-re-engrossment, and third reading.

Assembly Bill No. 74—An act to amend sections 147, 158, and 164 of the Vehicle Code and to add thereto sections 144, 158.4, 158.5, 158.6, 177.5, and 209, relating to license plates

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "147, 158, and 164", and insert in lieu thereof the following: "147 and 158".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out "144, 158.4, 158.5, 158.6, 177.5," and insert in lieu thereof the following: "158.4, 177.5, 177.6".

Amendment No. 3.

On page 1, line 8, of the printed bill, strike out "seal", and insert in lieu thereof the following: "device".

Amendment No. 4.

On page 1, line 22, of the printed bill, strike out "must", and insert in lieu thereof "may".

Amendment No. 5.

On page 1 of the printed bill, strike out line 23, and insert in lieu thereof the following: "with a device approved by the Department of Motor Vehicles. Such device".

Amendment No. 6.

On page 1, line 26, of the printed bill, strike out "seals", and insert in lieu thereof the following: "devices"

Amendment No. 7.

On page 1 of the printed bill, strike out lines 27 to 29, inclusive

Amendment No. 8.

On page 2 of the printed bill, strike out lines 1 to 26, inclusive.

Amendment No. 9.

On page 2, line 27, of the printed bill, strike out "Sec. 5", and insert in lieu thereof the following: "Sec. 3"

Amendment No. 10.

On page 2, line 29, of the printed bill, strike out "seal", and insert in lieu thereof the following: "device".

Amendment No. 11.

On page 2, line 31, of the printed bill, strike out "seal", and insert in lieu thereof the following: "device".

Amendment No. 12.

On page 2 of the printed bill, strike out lines 33 to 41, inclusive.

Amendment No. 13.

On page 2, line 42, of the printed bill, strike out "Sec. 8", and insert in lieu thereof the following: "Sec. 4".

Amendment No. 14.

On page 2, line 46, of the printed bill, after "break", insert the following: "or destroy".

Amendment No. 15.

On page 2 of the printed bill, strike out line 47, and insert in lieu thereof the following "device affixed to the license plates on such vehicle"

Amendment No. 16.

On page 2 of the printed bill, between lines 47 and 48, insert the following "SEC. 5. Section 177.6 is hereby added to the Vehicle Code to read as follows 177.6. A fee of not to exceed fifteen cents shall be paid to the Department of Motor Vehicles for each such approved device"

Amendment No. 17.

On page 2, line 48, of the printed bill, strike out "Sec. 9", and insert in lieu thereof the following: "Sec. 6".

Amendment No. 18.

On page 2, line 51, of the printed bill, strike out "seals", and insert in lieu thereof the following: "devices".

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1462—An act to amend sections 1 and 4 of the act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931, relative to the definition of public contract work and the payment of the general prevailing rate therefor.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the words: "amend sections 1 and 4 of", and insert in lieu thereof the following: "add section 4a to".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out everything beginning with the words "SECTION 1", down to and including the words "public funds" on page 3, line 49, and insert in lieu thereof the following:

"SECTION 1. A new section, to be numbered 4a is hereby added to the act cited in the title hereof, said new section to read as follows:

Sec. 4a The penalties and remedies provided for in this act shall be the sole and exclusive penalties and remedies, either civil or criminal, for any violation of this act or of the provisions inserted in any call for bids, specifications or contracts pursuant to the provisions hereof.

SEC. 2. There is hereby added to the act cited in the title hereof section 4a, for the purpose of clarifying the original intent of said act. This act is not intended as a declaration that any penalties or remedies other than those provided for in said act now exist under said act or the provisions inserted in any call for bids, specifications or contracts pursuant to the provisions thereof."

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading

Second Reading of Senate Bills.

Senate Bill No. 535—An act to amend the title and sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20, of an act entitled "An act to create a flood control district to be called 'Los Angeles County Flood Control District'; to provide for the control and conservation of flood and storm waters, and for the protection of harbors, waterways, public highways and property in said district from damage from such waters, and for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness, and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district; to provide for the government and control of

said district, and to define the powers and duties of the officers thereof," approved June 12, 1915, as amended, and by adding three new sections to said act to be numbered sections 3a, 3b, and 3c, relating to and providing for the government and control of said district by a board of directors, defining the powers and duties of said board and for the appointment of certain officers by said board, and dividing said district into five divisions for the election of a director from each of such divisions, and providing for the performance of certain duties by Los Angeles County officers for said district.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 3 of the printed bill, as amended in Senate May 14, 1935, following line 41, insert the following

"7a. In addition to the powers given in the next preceding subsection, to borrow money from the United States of America, any agency or department thereof, or from any nonprofit corporation, organized under the laws of this State, to which the Reconstruction Finance Corporation, a corporation organized and existing under and by virtue of an act of Congress, entitled "Reconstruction Finance Corporation Act," or other agency, or department of the United States Government, has authorized, or shall hereafter authorize, a loan to enable such nonprofit corporation to lend money to said Los Angeles County Flood Control District, for any flood control work authorized under this act, and to repay the same, in annual installments, over a period of not to exceed twenty (20) years, with interest at a rate of not to exceed four and one-fourth per centum (4¼%) per annum, payable semiannually, and, without the necessity of an election when authorized by resolution of the board of directors. As evidences of such indebtedness, said district is hereby authorized to execute and deliver a note, or a series of notes, or bonds, or other evidences of indebtedness, signed by the president of the board of directors of said district, which notes, bonds, or other evidences of indebtedness, shall be negotiable instruments if so declared in said resolution of the board of directors providing for their issuance, and said notes, bonds, or other evidences of indebtedness, may have interest coupons attached to evidence interest payments, signed by the facsimile signature of said president of said board. All applications for such loans shall specify the particular flood control work or projects for which the funds will be expended, and when received, the money shall be deposited in a special fund, and shall be expended for those purposes only which are described and referred to in the applications. If a surplus remains after the completion of said work, such surplus shall be applied to the payment of the note, notes, bonds, or other evidences of indebtedness, executed as aforesaid, for the loan including interest coupons. The board of directors shall annually, levy a tax upon the taxable real property of said district, clearly sufficient to pay the interest and installments of principal, as the same shall become due and payable, under any loan made pursuant to the authority of this section, and to create and maintain a reserve fund to assure the prompt payment thereof, as may be provided by said resolution of the board of directors; provided, however, that the amount of taxes levied in any year, pursuant to the provisions of this subsection, shall, pro tanto, reduce the authority of the board of directors, during any such year, to levy taxes under section 14 of this act, but this proviso shall not be a limitation upon the power and duty to levy and collect taxes under this subsection.

Notwithstanding anything in this subsection 7a to the contrary, the total amount which said district may borrow under the authority of any or all of the provisions of this subsection is limited to and shall not exceed in the aggregate the sum of four million five hundred thousand dollars.

7b. The power granted in the next preceding subsection is hereby extended to authorize the issuance and sale of bonds or other evidences of indebtedness of said district to the county of Los Angeles and the purchase thereof by said county in accordance with "An act authorizing the investment and reinvestment and disposition of any surplus moneys in the treasury of any county, city and county, incorporated city or town or municipal utility district or flood control district," approved April 23, 1913, as amended; all subject to the provisions and limitations of the next preceding subsection relative to the disposition and use of funds, interest rate, period of repayment, tax rate and mode of issuance. The total amount of bonds or other evidence of indebtedness, in the aggregate, which the district may issue and sell under the authority of subsection 7a and of this subsection is limited to and shall not exceed four million five hundred thousand dollars."

Amendment No. 2.

On page 1 of the printed bill, as amended in the Senate May 14, 1935, amend the title by striking out the word "three" in line 14, and inserting in lieu thereof the word "nine"

Amendment No. 3.

On page 1, line 15 of the title of the printed bill, as amended in the Senate May 14, 1935, strike out the word "and", following "3b", and in line 16 of the title, following "3c", insert "5a, 5b, 5c, 5d, 5e and 15a"

Amendment No. 4.

On page 1, line 17 of the title of the printed bill, as amended in the Senate May 14, 1935, after the comma following the words "board of directors", insert the following: "relating to and providing for a civil service system for said district,".

Amendment No. 5.

On page 2, line 19, of the printed bill, as amended in the Senate May 14, 1935, after the word "board", insert the following: 'providing for a civil service system for said district"

Amendment No. 6.

On page 3, line 3, of the printed bill, as amended in the Senate May 14, 1935, strike out the word "district", and insert in lieu thereof the word "districts".

Amendment No. 7.

On page 3, line 45, of the printed bill, as amended in the Senate May 14, 1935, strike out the words "and to employ labor"

Amendment No. 8.

On page 10, line 29, of the printed bill, as amended in the Senate May 14, 1935, strike out one word "any".

Amendment No. 9.

On page 11 of the printed bill, as amended in the Senate May 14, 1935, strike out lines 9 to 19, inclusive, and insert in lieu thereof the following: "provide by ordinance for the creation and establishment of any and all necessary offices which shall include the offices of chief engineer, controller and clerk; to provide by ordinance for the number of engineers, attorneys, clerks, attaches and employees of said district and prescribe the duties and fix the compensation of all officers, agents, and employees, to require and fix the amount of bond to be given by any officer, agent or employee of the district to secure faithful performance of his duties and to pay the premiums on all such bonds; and to perform all other acts".

Amendment No. 10.

On page 14, line 31, of the printed bill, as amended in the Senate May 14, 1935, insert the following:

"SEC 5a Said act is hereby amended by adding thereto five new numbered sections designated as 5a, 5b, 5c, 5d and 5e, reading as follows

Sec. 5a. The board shall appoint all of the officers, engineers, assistants, deputies, clerks, attaches and other persons employed by said district as the number thereof is fixed and from time to time changed by said board.

Sec 5b. The civil service commission of the county of Los Angeles and the civil service department of said county shall be ex officio the civil service commission and ex officio the civil service department of the Los Angeles County Flood Control District, and said commission and the members of said department shall perform all of the duties herein prescribed without additional compensation except that said commissioners may be reimbursed by said district for necessary additional expenses incurred by them by reason of their performance of duties for said district, and provided further, that the cost to the county of the performance of said duties by said civil service commission and civil service department for said district shall be reimbursed to the county by said district.

Sec. 5c. All of the provisions of Article IX, sections 30 to 44 inclusive of the charter of the county of Los Angeles, except section 32, paragraphs (a), (b), (c), (d), (e), (f) and (g), inclusive of section 33, and section 37 thereof, relating to civil service, and the rules of the county of Los Angeles as the same now exist or may hereafter be changed or amended, are hereby adopted by reference for the purposes of this act, provided, that certain words used in said Article IX of said county charter and in said rules of the civil service commission shall, for the purpose of this act, be construed as follows: The word "county" or "Los Angeles County" shall be construed as referring to the Los Angeles County Flood Control District; the word "commission" or "commissioner" shall be construed as referring to the commission or commissioner of the civil service commission or civil service commissioner of the Los Angeles County Flood Control District; the words "chief examiner" and "secretary" shall be construed as referring to the chief examiner and secretary of the civil service commission of the Los Angeles County Flood Control District.

All persons employed by the Los Angeles County Flood Control District shall be appointed and shall hold his or her respective position and shall be subject to suspension, reduction or discharge in the same manner and under the same terms and conditions as in the case of persons employed in the classified civil service of the county of Los Angeles, and shall constitute the classified civil service of the Los Angeles County Flood Control District.

The classified civil service of the Los Angeles County Flood Control District shall be separate and distinct from the classified service of the county of Los Angeles. Nothing in this act shall be deemed to authorize appointment from the eligible lists of the classified civil service of the county to positions in the classified service of the district, nor from eligible lists of the classified civil service of the district to positions in the classified service of the county, nor shall any transfers be made from one civil service system to the other

Sec. 5d. The chief engineer, clerk and controller and all other persons employed by said district shall be appointed from the appropriate civil service list, for either permanent or temporary service, provided, however, that the appointment of experts, consultants, or technical or other advisers may be made by the board without reference to such eligible lists.

Sec. 5e. All persons in the service of the Los Angeles County Flood Control District at the time this amendment establishing a civil service system for said district shall take effect, shall be deemed to hold his or her respective position for a probationary period of six months from and after the effective date of said amendment, and during said period said probationer may be discharged or reduced with the consent of the civil service commission, or at the end of said period shall be deemed a permanent employee without examination."

Amendment No. 11.

On page 23, line 46, of the printed bill, as amended in Senate May 14, 1935, insert the following:

"SEC. 18a. A new section numbered 15a is hereby added to said act, reading as follows:

Sec. 15a. The board of directors of said district shall have full authority to cause to be inserted in specifications and contracts for any flood control work financed or paid for in whole or in part out of moneys obtained from the United States of America or any department or agency thereof as a loan, grant or appropriation, such provisions or terms as may be prescribed by the United States of America or such department or agency as a condition upon which such Federal funds are loaned, granted or appropriated."

Amendment No. 12.

On page 11, following line 31, of the printed bill, as amended in the Senate May 14, 1935, insert the following:

"In the event that the board of directors shall at any time appoint or employ an attorney or attorneys for said district, the county counsel of Los Angeles County shall not thereafter during the period of such appointment or employment act as attorney for said district, except that with respect to litigation pending at the time of such appointment or employment, the county counsel shall continue to act as attorney for the district until the final determination thereof; and provided, further, that nothing contained herein shall prohibit the employment of special counsel to assist the county counsel in the conduct of such pending litigation."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No 127—An act to regulate the conduct of election campaigns, to provide penalties for corrupt practices defined therein, to repeal an act entled "An act to regulate the conduct of election campaigns, and repealing an act entitled 'An act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,' approved February 23, 1893," approved March 19, 1907, and to repeal an act entitled "An act providing for publicity of contributions and expenditures made for the purpose of influencing electors for or against any proposition voted upon throughout the State and providing penalties for violation of the provisions hereof," approved May 31, 1921.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 788—An act to amend the Vehicle Code by amending sections 511, 517, 526, 527, 530, 531, 543, 544, 545, 552, 570, 571, 585, 586, 587, 596, 600, 694, and 696; by repealing sections 534 and 589; by adding sections 542, 588 and 603, relating to vehicles

Bill read second time, and ordered on file for third reading.

Senate Bill No 789—An act to amend the Vehicle Code by amending sections 113, 114, 115, 121, 123, 124, 135, 451, and 680, relating to vehicles.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 626—An act to add a new section, to be numbered 715.5, to the Vehicle Code, relating to weights of vehicles on certain highways.

Bill read second time, and ordered on file for third reading.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Gilbert:

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1935

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows.

An act to add a new section to the Code of Civil Procedure, to be numbered section 1255b, relating to the abandonment of condemnation proceedings by initiative or referendum measures adopted by the electors or legislative bodies of certain municipalities as defined herein, defining certain terms used herein, and for other purposes.

Referred to Committee on Introduction of Bills.

Speech Delivered March 15, 1935, by Assemblyman Henry Meehan.

The following St. Patrick's Day speech delivered by Mr. Meehan on March 15, 1935, was ordered printed in the Journal:

One of the queerest stories of modern history is the steady growth of the popularity of Saint Patrick's Day The name day of a great Saint of Ireland has grown through the years to have become the name day of everybody's Saint. The reason for this, no doubt, is based on the fact that the Irish people, to whom Saint Patrick brought the saving message of Christianity, have wandered far and wide from their native hearth, and have carried with them their customs, their memories and their culture.

And so, in this day and age, Saint Patrick's Day has come to assume in every English speaking country the aspect of a National holiday. The great Saint of Erin, most successful of all the Apostles of the early Middle Ages, little realized the magnitude of the work, the foundations of which he laid so well. And it is about the effects of Patrick's work of which we are to speak this morning.

Wander where you will in this wide world, in the words of Kipling "you'll find that breed everywhere" In the New World, in the Old, the East and the West, the North and the South—everywhere you will find an Irishman. The disciples of Saint Patrick emulated their great master. As he came to them from a foreign land, so they too went forth from their own homes The Faith of Christ was brought to Germany by an Irishman, Saint-Boniface; it was brought to Switzerland by an Irishman, Saint Columbanus, it was brought to Scotland by an Irishman. Saint Columban, or Columbkille, as he is familiarly known.

In the field of culture, Irishmen were far beyond their contemporaries of Europe. Schools of learning were established even in the days of Saint Patrick which were filled to overflowing by Irish youths and maidens eager to capture and hold the mysteries of knowledge. Their literature was far beyond the depth of the average continental, and the great studies of the Norwegian and German historians of the past century have brought out the fact that Ireland had a glorious literature and cultural background before Europe had overcome the influences of the barbarian invasions.

In the field of social science, so much emphasized and discussed today, Ireland led the way. In the days when Charles Dickens was ridiculing the workhouses and orphanages of England and calling the attention of his contemporaries to the appalling conditions, Ireland was raising up two great women, Mother Mary Aiken-

head, the founder of the Sisters of Charity, and Mother Catherine McAuley, the founder of the Sisters of Mercy, whose sole objective was to alleviate the sufferings of the sick, the imprisoned and the orphan. The first statue raised to a woman in the United States was that to Margaret Haughery, known as the "Mother of the Orphans" in New Orleans, an Irishwoman, a native of County Cavan.

In the armies of the world, you could always find Irishmen, for of the Irish it has always been said that they could fight better for others than they could for themselves; but of that I am not so certain. Our own country owes a debt of gratitude to them untold in the annals of the Nation. Washington had nearly 23,000 Irishmen fighting in the Revolutionary Army, and was himself a great friend and benefactor of the famous society, the Sons of Saint Patrick. When the Father of his Country was forced to retreat from Long Island in the early stages of the war, he chose five Irishborn Colonels to command the regiments covering the retreat. Captain John Brady, the scout, Timothy Murphy, the flaming light of Saratoga, Major Jack Kelly who saved the army in the retreat from Trenton; Lieutenant Jimmy Gibbons and Captain Billy O'Neill who stopped the British at the Battle of Brandywine—all names to conjure with. John McKinley, a native of Ireland, was Governor of Delaware in 1776. The first mayor of New York was the son of an Irishman, James Duane; Thomas Rutledge and Thomas Burke, both born in Ireland, were Governors of South Carolina during the Revolution; Arthur Dobbs of Carrickfergus was Governor of North Carolina; Thomas Dongan, the Earl of Limerick, had been civil governor of New York. The famous Pennsylvania line in the revolutionary army was nicknamed the "line of Ireland" by General Henry Lee, who commanded it, because of the large number of Irishmen. And, last but not least, General Lafayette on September 25, 1779, at a banquet proposed the toast, "May the Kingdom of Ireland merit a stripe in the American Standard".

In the line of medicine, our country owes the Irish much. Doctor John B. Murphy, the famous Chicago surgeon, was undoubtedly by all the testimony of the greatest doctors of the nineteenth and twentieth centuries, the greatest surgeon of the past 300 years. Dr. Charles McBurney of New York was probably responsible more than any other for the proper treatment of the appendicitis problem. Dr. Joseph O'Dwyer of New York, who spent his life combating the early death of children, despite much opposition and laughter of his colleagues, and who finally succeeded in overcoming the terrible ravages of diphtheria, was a native of Ireland.

In the newspaper field, we find among American journalists such names as these to conjure with, all Irishmen: Hugh Gaine founded the New York Mercury in 1775; John Dunlap founded the first daily paper in Philadelphia; John Daly Burke founded the first daily paper in Boston; William Coleman, founder of the New York "Evening Post" was the son of an Irish rebel of 1798; Thomas Fitzgerald founded the Philadelphia "Item"; Thomas Gill, the New York "Evening Star"; Patrick Walsh, the Augusta "Chronicle"; Joseph Medill, the Chicago "Tribune".

In the field of telegraph, John Mackay, an Irishman, is the founder of the Postal Telegraph Company. Morse, the inventor of the telegraph was the grandson of an Irishman, as was Henry O'Reilly, who built the first telegraph line in the United States. Theodore Vail, to whose development the Bell Telephone System owes more than to any other, and Carthy, chief engineer of the system, are both Irishmen. William Thompson, afterwards Lord Kelvin, did more than any other man to bring about the success of the Atlantic cable, and Marconi of our day, who has made wireless telegraph and telephone and the radio and television and the Lord knows how many other things of this kind possible, is the son of an Irish mother.

We could go on and on and relate the glories of the sons and grandsons of Ireland, but the foregoing gives but a brief glimpse into the glories of the Irish people. They are essentially a poetical people, very hard-hearted when practical, but of a loving and kind disposition. They have suffered much and it must always be remembered that no one can understand an Irishman until he knows the background of that country. The Irish suffered simply and solely for their Faith. Try to destroy a man's religious convictions, be they intense or less so, and you step into a situation best left alone. Hatred of the Irish at times has brought about strange results, such as the betrayal of his country by Benedict Arnold, a fact proven from documents now resting in the Library of Congress, in which it is shown that because of his hatred of Washington, who favored Irish officers in his appointments, he sacrificed honor and loyalty and common decency. Saint Patrick's Day means much to the Irish because of their long defense of their religious convictions, may it be permitted for me to say here that a light-hearted race such as they are furnish the reason why when their cherished ideals are attacked they fight the hardest. To all the world they have gone and to all the world they have carried their faith, their joyful disposition, their love of family and children and fireside, their love of God and neighbor, their willingness to labor for others at the cost of their own satisfaction, their songs and their poems and their history and their ideals. Nowhere in the world do you find others like them. They are unique in world annals. The world's debt to them can not be written. It is beyond all human calculation, and beyond any price.

And so I say to the people assembled here today, members of the Legislature and others who are friends of the Irish. We appreciate your coming here, because we are proud of the blood that courses through our veins, as sons of Irish emigrants we consider it an honor to respect the noble history and sing the praises of a people who came to this land out of choice and have made such good citizens. We point with pride to their achievements in the fields of culture and science. The love of liberty has been deeply embedded in their hearts. At all times have they been willing and ready to lay down their lives on the noble battle field for freedom's holy cause and for the uplifting of suffering humanity. They have "cemented the cornerstone of this Nation and watered the tree of liberty with their blood." From Valley Forge to Flanders Field they have answered the call, they have fought and bled for every Star and Stripe in the greatest flag that floats over any Nation, the Flag of the U. S. A.

Unfinished Business.

Consideration of Senate Amendments to Assembly Bill No. 662.

Assembly Bill No. 662—An act to provide for the refunding of bonds issued under the "*Improvement Bond Act of 1915*," and for the levy of reassessments and the extension of liens of assessments and the collection and enforcement of such assessments and reassessments and the payment of said bonds

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 662?

Amendment No. 1.

On page 2, line 17, of the printed bill, as amended, strike out all of the language following the period, and strike out all of lines 18 to 27, both inclusive; and on page 2, line 39, strike out the comma.

Amendment No. 2.

On page 2, line 46, of the printed bill, as amended, following the words "amount of", strike out the word "the", and insert in lieu thereof the word "each".

Amendment No. 3.

On page 2, line 47, of the printed bill, as amended, strike out the language down to and including the period, and insert in lieu thereof the following: "upon which such reassessment is proposed to be levied. The amount of the reassessment upon any lot, piece or parcel of land shall be computed in the following manner: Subtract from the total amount of unpaid assessments including interest and penalties thereon, if any, on all lands to be reassessed, the amount of the total proposed reassessment, and prorate the amount of the remainder so ascertained by subtraction, among the respective parcels to be reassessed in accordance with the amounts assessed against each of said parcels in the original assessment. The amount so prorated upon any lot, piece or parcel of land shall be subtracted from the total amount of the unpaid assessment, with interest and penalties thereon, if any, on the said parcel and the remainder shall constitute the proposed reassessment on such parcel."

Amendment No. 4.

On page 3, line 5, of the printed bill, as amended, strike out the words "liable for the payment of the refunding bonds" and insert in lieu thereof the words "upon which reassessments are proposed to be levied,".

Amendment No. 5.

On page 3, line 8, of the printed bill, as amended, following the period, insert the following: "Said resolution shall state the total amount of the outstanding bonds, the amount of the due and unpaid interest coupons, the total amount of unpaid assessments including therein interest and penalties on unpaid installments, if any, the amount of the proposed public contribution, if any, the total amount of the proposed reassessment, the time the refunding bonds shall run, the rate or rates of interest thereon, and shall refer all parties interested to the report on file with the city clerk for the amount of the reassessment proposed to be levied on each lot, piece or parcel of land and for further details."

Amendment No. 6.

On page 3, line 27, of the printed bill, as amended, following the period, insert the following: "Such notice must describe the property upon which the owner elects to continue to pay sufficiently to identify the same. In the event any property owner or owners so elect to continue to pay assessments, the proposed reassessment upon any lot, piece or parcel of land as set forth in the statement on file shall be marked "Not to be levied" and no reassessment shall be levied on such parcel in the refunding proceeding. The assessments upon property upon which such written notice has been given shall be paid and collected with interest and penal-

ties thereon as provided by the proceedings and statute under which the bonds to be refunded were issued, and outstanding bonds payable serially as the assessments are payable, and in principal amount equal to the principal of the assessments included in said written notices shall not be canceled in the refunding proceeding but, with interest, shall be payable as provided in the original proceedings. If in order that the principal amount of bonds payable annually and interest thereon shall equal the principal amount of such assessments payable annually and interest thereon, it is necessary to reduce the amount of any bond or interest coupon, an appropriate notation showing the amount of such reduction shall be written, printed or stamped upon the face of each bond or coupon reduced in amount, and the remaining amount of such bond or coupon shall be payable, collectible and enforceable in accordance with the provisions of said Improvement Bond Act of 1915."

Amendment No. 7.

On page 3, line 30, of the printed bill, as amended, following the period, insert the following: "Any owner of land subject to reassessment may file his consent in writing to the refunding and reassessment upon substantially the terms stated in said resolution. Such consent need not be in any particular form and no error or informality thereof shall in any manner vitiate the proceedings. Owners of land within the meaning of this section are those and those only who appear to be such upon the records in the office of the county recorder of the county in which the district is situated on the day that said consents are filed with the clerk of said legislative body. Executors, administrators, special administrators and guardians may consent for any property of the estate represented by them. Any trustee of an express trust of land other than as security for the payment of money may consent for all or any part of the land held in such trust. A trustee in bankruptcy may consent for all or any part of the property of the bankrupt. Such executors, administrators, guardians and trustees are deemed owners of land within the meaning of this act. The written consent of the owners of a majority in area of the lands subject to reassessment must be filed with the clerk of the legislative body before said legislative body shall have jurisdiction to confirm any reassessment under this act. At the hearing herein provided said legislative body shall determine whether the written consent of the owners of a majority in area of the lands subject to reassessment has been filed or not and if it determines that such consent has been filed it shall have jurisdiction to confirm the reassessment.

The validity, sufficiency or genuineness of said consents, or any thereof, or the finding and determination of the legislative body thereon, shall not be contested in any action, suit or proceeding unless the same shall be commenced within three months after the determination of said legislative body has been made and thereafter no person in any action, suit or proceeding may plead or prove that said consents, or any thereof, or the finding and determination of the legislative body thereon, was in any way defective, invalid or insufficient."

Amendment No. 8.

On page 3, line 43, of the printed bill, as amended, strike out all of the language beginning with the parenthesis, and in line 44, strike out all of the language down to and including the close of the parenthesis.

Amendment No. 9.

On page 3, line 46, of the printed bill, as amended, following the word "confirmed", insert the words "by resolution entered upon the minutes", and in the same line, following the period, insert the following: "The resolution of confirmation shall designate by reassessment number or other appropriate designation or description the lots, pieces or parcels of land in the statement on file with the city clerk upon which the reassessments are confirmed and levied."

Amendment No. 10.

On page 4, line 12, of the printed bill, as amended, strike out the word "assessment", and insert in lieu thereof the word "assessments"; in the same line following the word "levied", insert the word "thereon"; in the same line, following the word "and", strike out the words "the assessment", and insert in lieu thereof the words "such assessments".

Amendment No. 11.

On page 4, line 14, of the printed bill, as amended, strike out the word "reassessment", and insert in lieu thereof the word "reassessments"; on the same page, line 18, strike out the word "reassessment", and insert in lieu thereof the word "reassessments"; on the same page, line 20, strike out the word "reassessment", and insert in lieu thereof the word "reassessments".

Amendment No. 12.

On page 4, lines 29 to 36, inclusive, of the printed bill, as amended, strike out the sentence which begins in line 29, with the words "Such reassessments".

Amendment No. 13.

On page 4 of the printed bill, as amended, strike out the language in line 37, following the figure "7."; strike out all of lines 38 and 39, and in line 40, strike out the words "day period, bonds", and insert in lieu thereof the word "Bonds"; in the same line, strike out the word "unpaid"; and on page 4, line 41, strike out the word "unpaid".

Amendment No. 14.

On page 5, line 8, of the printed bill, as amended, following the period, insert the following: "Said refunding bonds and the interest thereon shall be paid at the office of the city treasurer. Said treasurer shall keep a redemption fund designated by the name of said bonds, into which he shall place all sums received by him from the collection of the reassessments made for such refunding and upon the security of which the said refunding bonds are issued and all interest and penalties thereon From such fund he shall disburse and pay the said refunding bonds and the interest due thereon upon presentation of the proper bonds and coupons, and under no circumstances shall said bonds or the interest thereon be paid out of any other fund. Said treasurer shall keep a register in his office which shall show the series, number, date, amount, rate of interest and last known holder of each bond and the number and amount of each interest coupon paid by him and shall cancel and file each bond and coupon so paid."

Amendment No. 15.

On page 6, line 44, of the printed bill, as amended, following the word "bonds", insert the following: ", except as to any sum payable from assessments which property owners have by written notice elected to pay.".

Amendment No. 16.

On page 7 of the printed bill, as amended, following line 11, insert the following

"In the event that the holders of one or more of the outstanding bonds do not enter any contract to refund the same, nevertheless, if the holders of seventy-five per cent or more of the outstanding bonds do contract for the refunding of the bonds owned or held by them the city shall have authority to refund all of the outstanding bonds of said issue under the provisions of this act, but in such event prior to recording the reassessment levied under this act sufficient moneys to adequately provide for the retirement or payment of the bonds of the nonconsenting holders must be provided and set aside in the proper fund for that purpose. The city which is conducting the refunding proceedings may make an advancement or contribution or an additional contribution in order to provide moneys to pay or retire the bonds of such nonconsenting holders In the event the city makes all or any part of such advancement it may reimburse itself entirely or partially by taking all or any part of such refunding bonds at par. If any person or corporation advances money to provide for the payment or retirement of the bonds of nonconsenting holders the legislative body may deliver at par all or any portion of the refunding bonds which are not to be delivered to consenting bondholders to the person or corporation making such advance or advances or may sell at par all or any part of such refunding bonds not to be delivered to consenting bondholders and from the proceeds thereof reimburse such person or corporation and may contract to make such sale or delivery. Any other methods of raising funds for the payment or retirement of the bonds of nonconsenting holders which will prior to the time the assessment is recorded under this act adequately provide the moneys necessary for such payment or retirement is hereby authorized Whenever any moneys are placed in any fund for the retirement or payment of the bonds of nonconsenting holders the said money shall be used only for that purpose and after all of the bonds of said nonconsenting holders have been paid or retired any sum remaining in said fund shall be returned to the city, person or corporation which advanced the same.

In the event that the discharge of the bonds of any nonconsenting holders at less than the par value thereof has been authorized by any final decree or order confirming a plan of readjustment under any bankruptcy laws of the United States of America in any proceedings initiated under the authority of this act or otherwise said legislative body is authorized to do and perform all acts and things necessary for the discharge of such bonds in accordance with said decree or order. The reassessment shall not be recorded until adequate provision has been made in accordance with the terms of this section for the payment or retirement of bonds of nonconsenting holders"

Amendment No. 17.

On page 7 of the printed bill, as amended, following line 47, insert the following:

"SEC 11. (a) In the event of such refunding bonds being so issued, then the reassessments and any reassessments which may be issued thereon or in lieu thereof, together with interest thereon, shall remain and constitute a trust fund for the redemption and payment of said refunding bonds and for the interest which may be due thereon Such reassessments and each installment thereof and the interest and penalties thereon shall be and shall continue to constitute a lien against the lots and parcels of land on which made, until the same be paid, but for a period not exceeding the time within which an action might be brought on the last series of refunding

bonds issued upon the security of such unpaid reassessments; provided, however, that unmatured installments, interest and penalties shall not be deemed to be within the terms of any general warranty of title. Any foreclosure of said reassessment lien or sale of property for said lien shall convey the said property to the purchaser free and clear of all encumbrances except such taxes and special assessment liens as are by law equal or superior to said reassessment lien. Such lien shall be superior to and have priority over all special assessment liens created against the same property subsequent to the date of recordation of the reassessment.

(b) In the event of nonpayment of any reassessment or installment thereof or of any interest thereon, together with any penalties and other charges accruing under the laws or ordinances of the city and not later than four years after the due date of the last installment of principal, as a cumulative remedy, the same when due and delinquent may by order of the legislative body be collected by suit brought in the superior court to foreclose the lien thereof. The costs shall be fixed and allowed by the court and shall include a reasonable attorneys' fee, interest, penalties and other charges and advances as herein provided, and when so fixed and allowed by the court shall be included in the judgment. The court shall have the power to adjudge and decree a lien against the lot or parcel of land covered by the reassessment for the amount of the judgment and to order said premises to be sold on execution as in other cases of the sale of real estate by the process of said court, with the same rights of redemption. On appeal, the appellate courts shall have the same power to adjudge and decree a lien and order such premises to be sold on execution as is herein provided for the superior court The foreclosure suit shall be governed and regulated by the provisions hereof, and also where not in conflict herewith by the codes of this State The city shall have the right to advance and pay county or other taxes wherever necessary to protect its interest in property against which there is a delinquent reassessment. It may also at its discretion temporarily transfer moneys into the redemption fund from other funds in which such moneys are not *immediately needed, the moneys so transferred to be used to pay sums due from such* redemption fund and to be retransferred therefrom out of the first available receipts. Upon the ordering of any such foreclosure suits the tax collector shall be credited upon the assessment roll then in his hands with the amount charged against him on account of such reassessments ordered to suit and be relieved of further duty in regard thereto.

(c) Such action shall be brought in the name of the city and may be brought at any time prior to the expiration of four years subsequent to the date of delinquency of the last installment of reassessment due or to become due thereunder. The complaint may be brief and include substantially only the following allegations with reference to the reassessments sought to be collected: That on a date stated the *legislative body passed its resolution or ordinance determining* to refund certain bonds which had been issued for certain improvement work (the improvement work need not be described); that a reassessment for the purpose of refunding said bonds was duly given and made; that said reassessment was recorded on a stated date; that certain property (describing it) was therein reassessed a stated amount; that bonds upon the security of such reassessment were duly issued, giving the date of said bonds, the interest rate and the number of years the last installment of same were to run, and that the same were duly issued under this act, but it shall be unnecessary to state the amount, number, denomination or other term thereof; that on a date stated a certain sum came due on said property on said reassessment and had not been paid and that the legislative body had directed the action to foreclose. The amount of penalties, costs and interest due shall be calculated as hereinafter set forth in sections 13 and 15 hereof up to the date of judgment. In such action plaintiff upon recovering judgment shall be entitled to reasonable counsel fees to be allowed by the court and taxed as costs

SEC. 12. Interest on all unpaid reassessments shall begin to run from the date of recordation of the reassessment and shall be computed at the same rate or rates as is specified in the bonds secured by such reassessments. Such interest shall be payable annually or semiannually according as the city taxes on real property with which the reassessments are collected are payable annually or semiannually For each year the interest shall be computed and collected up to the next second day of July succeeding, no deduction being made by reason of any installment of such reassessment being due or paid prior thereto in such year

Whenever it shall appear to the legislative body that according to the dates when taxes are collected in the city there will be an insufficient amount on hand to pay the interest then due, according to the method of collection provided in this act, then said legislative body may direct that such interest or some portion of the same be collected *in the year preceding that in which the same would* otherwise be collected under this act, and thereupon such interest or portion thereof shall be extended on the rolls for such preceding year and be due and collected therein.

SEC 13. A copy of the resolution of the legislative body confirming the reassessments upon the security of which the refunding bonds are issued, shall be filed in the office of the auditor of the city. The auditor shall keep a record in his office

showing the several installments of principal and interest on said reassessments which are to be collected in each year during the term of said bonds. The auditor shall annually enter in his assessment roll on which taxes will next become due, opposite each lot or parcel of land affected in a space marked "public improvement assessment," or by other suitable designation, the several installments of such reassessment coming due during the fiscal year covered by such assessment roll, including in each case the interest due on such total unpaid reassessments as herein provided, and also including a percentage of one-fourth of one per cent of the amount of such installments and of such interest so entered. Such percentages when collected shall belong to the city and shall cover the expenses and compensation of the city treasurer incurred in the collection of such reassessments, and of the interest and penalties thereon. No other percentage shall be claimed for any such collections. In the event that such collections are made by the county officials the county auditor shall at the close of the tax collecting season promptly render to the city auditor a detailed report showing the amounts of such installments, interest, penalties and percentages so collected on each proceeding and from what property collected, and also giving a statement of the percentages retained for the expenses of making such collections. Taxpayers shall have the like right to pay such reassessment as so entered with interest, and any penalties thereon, under protest as they have to pay general municipal taxes under protest, but in making such payment under protest must accompany the payment with their written protest. In the event of the lot or parcel of land affected by any reassessment not being separately assessed on said roll so that the installment to be collected can be conveniently entered thereon, then said auditor shall enter on said roll a description of the lot or parcel affected, with the name of the owners if known, but otherwise described as "unknown owners," and extend the proper installment opposite same.

SEC. 14. Any interested owner may release and pay any such unpaid reassessment by depositing with the treasurer of the city the total unpaid balance of any such reassessment together with the total interest which would become due on such reassessment were it paid in the regular way; provided, that if and when such funds are used for the purchase or call of a bond the person paying such assessment shall be entitled to credit and reimbursement of his proportion of the interest saved by such purchase or call, less his proportion of any costs incurred for publishing or serving any notice of purchase or call for redemption.

SEC. 15. If the refunding bonds are payable in annual series such reassessments shall be payable in annual series corresponding in number to the number of series of bonds issued and an even annual proportion of each reassessment shall be payable in each year preceding the date of maturity of each of the several series of bonds so issued. If the refunding bonds all mature in one year, the unpaid reassessment shall be payable annually and an even annual proportion of each reassessment shall be payable and become delinquent at the same times and in the same proportion of each reassessment coming due in any year, together with the annual interest on such reassessment, shall in turn be payable in annual or semiannual installments according as the general taxes of such city on real property are payable in annual or semiannual installments, and such installments and said annual interest shall be payable and become delinquent at the same times and in the same proportionate amounts and bear the same proportionate penalties and interest after delinquency as do the general taxes on real property of said city. Upon default in payment, the lands securing such installments and reassessments shall be sold in the same manner in which real property in such city is sold, for the nonpayment of general taxes, and be subject to redemption within one year from date of sale in the same manner as such real property is redeemed from such delinquent sale, and upon failure of such redemption shall in like manner pass to the purchaser. The city must be the purchaser at any delinquent sale in like manner in which it becomes or may become the purchaser of property sold for nonpayment of the general property tax, and shall pay and transfer into said redemption fund the amount of the delinquent reassessment and of the delinquent interest thereon upon which said sale is made. In cases where the municipal property tax is collected by county officials and sales for nonpayment of such taxes are made to the State, the State shall be the purchaser at any such sale hereunder, but shall hold the title acquired at such sale upon behalf of the city and shall account to the city for any moneys received upon redemption or from the sale of such property, the city, for the purposes of this act, being deemed the real purchaser. In the event of there being no available funds in the treasury with which to make such payment, the tax collector shall delay the entry of the certificate of sale until such funds are available, making demand in the meantime upon the legislative body that a suitable amount be included in the next tax levy for the purpose of providing funds with which to make such payment; provided, however, that the period of redemption from such tax sale shall not be extended thereby nor the rights or privileges of the property owner be thereby in anywise affected. In the event of such purchase being made by the city and of any succeeding installment of such reassessment or of such interest not being paid in any future year the property shall not be sold unless there has previously been a redemption from such sale or unless under the law it is then being sold for

delinquent taxes. The city shall nevertheless, unless a resale has been made by it, from time to time, when due pay and transfer into said redemption fund the amount of any such future delinquent reassessment and interest pending redemption, and no redemption shall be made until any such subsequent payments, with interest and penalties, shall also be paid The purchaser, whether at tax collector's sale or at resale by the city in the event of the city having become the purchaser, or at foreclosure sale by order of court, shall take the property subject to all unpaid installments, interest and penalties under the same proceeding.

SEC. 16. The legislative body may, and in the event of demand by the tax collector therefor as provided in section 15 hereof must, at the time of fixing the annual tax rate and levying the taxes to be collected for general municipal purposes, levy a special tax upon the taxable property in the city for the purpose of paying for the lands purchased or to be purchased at such tax sales, or for the purpose of paying installments of the reassessment or of interest which the city is required to pay under the provisions of section 15 hereof, but not to exceed for each district, the bonds of which are refunded, ten cents on each one hundred dollars of assessable property. Such special tax shall be in addition to all other taxes levied for municipal purposes and shall be computed, entered and collected in the same manner and by the same persons and at the same time and with the same penalties and interest as are other taxes of the city.

As to all lands of which any city is deemed the real purchaser under the provisions of this section, such city and all of the officials thereof shall have all of the rights, powers, duties and obligations granted, authorized or imposed by this act.

SEC. 17. In the event of sale by the tax collector of any lot or parcel of land for nonpayment of taxes and of any installment of the reassessment thereon, or of the penalties, interest or costs on same, or for nonpayment of any installment, penalties, interest or costs, then any certificate of such sale or any deed issued is primary evidence of the regularity of all proceedings theretofore had, and shall be conclusive evidence of all things of which bonds issued upon the security thereof are conclusive evidence, and prima facie evidence of the regularity of all proceedings subsequent to the issuance of the bonds, and such deed conveys to the grantee the absolute title to the lands described therein, free of all encumbrances except unpaid installments, interest and penalties under the same proceeding and except taxes and public improvement assessments which by law are equal or prior to the reassessment on which sale is made."

Amendment No. 18.

On page 7, line 48, of the printed bill, as amended, strike out the figures "11", and insert in lieu thereof the figures "18".

Amendment No. 19.

On page 9, line 3, of the printed bill, as amended, strike out the figure "2", and insert in lieu thereof the figure "5", and on page 9, lines 3 and 4, strike out the words and figures "the Improvement Bond Act of 1915", and insert in lieu thereof the words "this act".

Amendment No. 20.

On page 9 of the printed bill, as amended, following line 26, insert the following "The validity of any refunding bonds issued under this act shall not be contested in any action, suit or proceeding unless such action, suit or proceeding shall have been brought within three months after the issuance of such bonds."

Amendment No. 21.

On page 9, line 27, of the printed bill, as amended, strike out the figure "2", and insert in lieu thereof the figure "9", and on the same page, following line 33, insert the following:

"No defect in the form of any reassessment levied hereunder and no statutory defect in any of the proceedings relating to the reassessment and refunding shall in any way invalidate any reassessment or any refunding bond and any and every action or determination made necessary by reason of constitutional requirements or otherwise, or any action or determination which is convenient in the making of the reassessment, or in the refunding and reassessment proceedings, which is not expressly set forth in this statute is hereby authorized and the same when made shall be valid and sufficient.

The incidental expenses of any refunding and reassessment herein authorized shall be paid by the city in which the district lies.

No bond, coupon, assessment or installment thereof or of the interest or penalties thereon, and no certificate of sale or deed shall be held invalid for error in the computation of the proper amount due on same, provided the error be found to be comparatively negligible or be found to be in favor of the owner of real property affected thereby.

The term "city auditor" as used in this act shall be held to mean and include any person who, under whatever name or title, is charged with the duty of extending taxes upon the assessment rolls and lists. The term "tax collector" as used in this act shall be held to mean and include any person who, under whatever name or title, is charged with the duty of collecting taxes, advertising delinquent lists of unpaid taxes, selling lands thereunder and executing certificates of sale and deeds thereon."

Amendment No. 22.

On page 9, line 34, of the printed bill, as amended, strike out the word "Any", and insert in lieu thereof the following:

"Whenever the owners of a majority in area of the lands to be reassessed in any proceeding hereunder have consented to the refunding and reassessment any".

The roll was called, and Senate amendments to Assembly Bill No. 662 were concurred in by the following vote.

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Chatters, Clark, Corwin, Cunningham, DeLap, Domhue, Evans, Herbert J., Frazier, Fulcher, Glover, Hawkins, Heisinger, Latham, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Williamson, and Mr. Speaker—46

NOES—None

Assembly Bill No. 662 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1977.

Assembly Bill No 1977—An act to amend Chapters I, II, III, IV, V, VI, VII, VIII, IX, X and XI of Part I, Division II, of the School Code.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1977?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "5 27", and insert in lieu thereof the following: 5 28".

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, as amended, strike out "5 27", in lieu thereof the following "5 28".

Amendment No. 3.

On page 1, line 3, of the printed bill, as amended, strike out "5 27", and insert in lieu thereof the following "5.28"

The roll was called, and Senate amendments to Assembly Bill No. 1977 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Chatters, Clark, Corwin, Cunningham, DeLap, Domhue, Flint, Frazier, Fulcher, Glover, Hawkins, Heisinger, Latham, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Riley, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Williamson, and Mr. Speaker—41

NOES—None.

Assembly Bill No. 1977 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 665.

Assembly Bill No 665—An act to amend an act originally entitled "An act authorizing the common council, board of trustees, or other governing body of any incorporated city or town other than cities of the first class to refund its indebtedness, to issue bonds therefor, and to provide for the payment of the same." approved March 9, 1897, and the title of which was amended by act approved May 26, 1933, to read as follows: "An act authorizing the common council, board of trustees, or other governing body of any incorporated city or town other than cities of the first class to refund indebtedness thereof, or of any department, board or agency thereof, and to issue bonds therefor and to provide for the payment of the same," by amending sections 1, 2, and 3 thereof relating to refunding bonds and to the use of Federal courts in municipal bankruptcy or refunding proceedings.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 665?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "originally entitled "An act author-", and strike out all of lines 2 to 7, inclusive, of the title, and in line 8 of said title, strike out "follows:", and insert in lieu thereof the following: "entitled".

Amendment No. 2.

On page 1, line 13 of the title of the printed bill, as amended, immediately before "by", insert "approved March 9, 1897,".

The roll was called, and Senate amendments to Assembly Bill No. 665 were concurred in by the following vote:

AYES—Anderson, Boyle, Breed, Chatters, Corwin, Cunningham, DeLap, Donihue, Evans, Herbert J., Flint, Frazier, Fulcher, Geyer, Glover, Hawkins, Heisinger, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Reaves, Redwine, Riley, Robertson, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Williamson, and Mr. Speaker—42.

NOES—None.

Assembly Bill No. 665 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 667.

Assembly Bill No. 667—An act to provide for the refunding of bonds issued under an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition or construction of such improvements," approved April 20, 1915, and bonds issued under the Municipal Improvement District Act of 1927, and providing procedure therefor.

The question being put. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 667?

Amendment No. 1.

On page 1, line 12, of the printed bill, as amended, preceding the word "indebtedness", strike out the word "the", and insert in lieu thereof the word "any".

Amendment No. 2.

On page 2, line 2, of the printed bill, as amended, following the word "recite", insert the following: "the amount of the principal of the bonds to be refunded,".

Amendment No. 3.

On page 2, line 24, of the printed bill, as amended, following the word "levy", insert a comma; and on the same page, line 28, following the word "year", insert a comma; and on the same page, line 40, following the word "bonds", insert a comma.

Amendment No. 4.

On page 3 of the printed bill, as amended, strike out all of lines 4 to 9, inclusive; and on the same page, line 10, strike out the figure "5", and insert in lieu thereof the figure "4".

The roll was called, and Senate amendments to Assembly Bill No. 667 were concurred in by the following vote.

AYES—Anderson, Boyle, Breed, Brennan, Chatters, Corwin, Cunningham, DeLap, Donihue, Evans, Herbert J., Flint, Frazier, Fulcher, Geyer, Glover, Hawkins, Heisinger, Latham, Laughlin, Lore, Maloney, Martin, McCarthy, McMurray, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Williamson, and Mr. Speaker—45.

NOES—None.

Assembly Bill No. 667 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1263.

Assembly Bill No. 1263—An act to add a new section to the Political Code of the State of California, to be numbered 4041 27, authorizing boards of supervisors to provide for the creation and operation of a system of insurance for the benefit of physicians, nurses and other persons employed in county institutions and in county health departments, to procure group insurance for the benefit of such employees, and to provide for the payment of premiums therefor.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1263?

Amendment No. 1.

On page 1, line 4 of the title of the printed bill, as amended in Assembly April 10, 1935, after the word "insurance", strike out the words "and pensions".

Amendment No. 2.

On page 1, line 6, of the printed bill, as amended in Assembly April 10, 1935, after the word "insurance", strike out the words "and pensions".

The roll was called, and Senate amendments to Assembly Bill No 1263 were concurred in by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Chatters, Corwin, DeLap, Donihue, Evans, Herbert J., Evans, Ralph W., Flint, Frazier, Fulcher, Geyer, Glover, Hawkins, Hunt, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Walker, Waters, Weber, Williamson, and Mr Speaker—48.

NOES—None.

Assembly Bill No 1263 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 668.

Assembly Bill No. 668—An act to provide for the refunding of the bonded indebtedness of special improvement districts, the bonds of which are payable from special assessments levied wholly or partly in accordance with the assessed value of lands and for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts and the cancellation of unpaid taxes and assessments of such districts, and for the levy of assessments and reassessments to pay such refunding bonds and to enforce the liens of such assessments and reassessments, and to provide for contributions of public funds to assist in such refunding or the payment of refunding bonds, and for proceedings to test the validity of such refunding and assessment or reassessment proceedings and the use of the bankrupt laws of the United States of America in any refunding.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 668?

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, as amended, following the word "from", insert the words "taxes or from", and on page 1, line 1, strike out all of the language following the period; strike out all of lines 2 to 10, inclusive, and in line 11, strike out the language preceding the period, and insert in lieu thereof the following: "Any bonded indebtedness consisting of outstanding unpaid bonds and outstanding unpaid interest coupons of bonds issued by or for any special improvement district the bonds of which are payable from special taxes or special assessments levied wholly or partly in accordance with the assessed value of lands may be funded or refunded under and pursuant to the provisions of this act."

Amendment No. 2.

On page 2, line 2, of the printed bill, as amended, following the word "refunded", insert the following: ", and the rate of interest on the refunding bonds shall not exceed the rate of interest on the bonds to be refunded"; and on page 2, line 2,

strike out the word "said", and in the same line, following the word "body", insert the following: "of the city or county or city and county which conducts the refunding proceedings"; and on page 2, line 11, following the period, insert the following: "In refunding such indebtedness under this act, the total amount of the assessments to be levied under this act plus contributions, if any, of public money to aid in such refunding shall be less than the total amount of unpaid bonds and due and unpaid interest coupons to be refunded."

On page 2, line 33, strike out all of the language following the words "state the", and strike out all of lines 34 to 45, inclusive, and insert in lieu thereof the following: "total amount of the outstanding indebtedness to be refunded, and shall state the amount of the principal of bonds included therein, and the amount of due and unpaid interest coupons included therein, all as of the date said resolution is adopted. No error or mistake in the computation of the amount of unpaid principal or unpaid interest shall affect the validity of the refunding proceedings, and no error or mistake in any statement of the amount of such principal or interest in any notice, resolution or order in the course of the proceedings shall invalidate in any way the assessment or the refunding bonds or the refunding proceedings; provided, *that the total sum of the assessment levied in the refunding proceeding, plus any* contribution or contributions of public funds made to aid in such refunding, shall not exceed the sum of the principal amount of the bonds to be refunded and the amount of the due and unpaid interest coupons to be refunded.

Said resolution shall also contain a date, hour, and place for the hearing of objections to said refunding, and the date fixed for said hearing shall not be less than twenty (20) days nor more than sixty (60) days subsequent to the date of adoption of said resolution. Said resolution shall also contain a statement that the refunding shall not be authorized unless the written consent of the owners of a majority in area of the land in the district subject to assessment to pay the principal and interest of the outstanding bonds is filed with the clerk of the legislative body, and that any owner of land in said district may file his written consent to such refunding at any time prior to the adoption of the resolution ordering the refunding."

Amendment No. 3.

On page 3, line 45, of the printed bill, as amended, following the word "mailing", insert the words "or posting"

On page 3, line 52, following the period, insert the following: "The date of the first publication of the resolution of intention, the date of the posting of copies of such resolution, and the date of mailing copies of such resolution (which dates need not be the same) shall be at least twenty (20) days prior to the date of hearing fixed in said resolution."

On page 3, strike out all of line 1, and in line 2, strike out the words "prior thereto any", and insert in lieu thereof the word "Any".

On page 3, line 12, strike out ", and an", and strike out all of lines 13 to 17, inclusive, and insert in lieu thereof the following: ". Executors, administrators, special administrators, and guardians may consent for any property of the estate represented by them. Any trustee of an express trust in land other than as security for the payment of money, may consent for all or any part of the land held in such trust. A trustee in bankruptcy may consent for all or any part of the property of the bankrupt. Such executors, administrators, guardians and trustees are deemed owners of land within the meaning of this act. The written consent of the owners of a majority in area of the lands in the district subject to assessment in the refunding proceedings shall be binding upon the owners of the minority in area of the lands in such district."

On page 3, line 18, strike out all of the language following the figure "4"; strike out all of lines 19 to 25, inclusive; and on page 4, strike out lines 1 to 11, inclusive, and insert in lieu thereof the following. "At any time not later than the hour set for hearing objections to the proposed refunding, any person interested and any owner of property which is subject to assessment in the refunding proceeding may file his written objection against the proposed refunding with the clerk of the legislative body. Such objection must contain a description of the property in which each signer thereof is interested sufficient to identify the same, and shall set forth the nature of each signer's interest therein, and shall be delivered to the clerk of said legislative body at or before the time set for hearing, and no other protests or objections shall be considered. At the time and place fixed for the hearing of objections, or at any time to which the hearing thereof may be adjourned, the legislative body shall hear and consider all objections so filed. The hearing may be continued from time to time, by order of the legislative body to be entered upon its minutes. Any objection or protest to such refunding not made at the time and in the manner hereinbefore provided shall be deemed to be waived voluntarily by any person who might have made such protest or objection, and such person shall be deemed to have consented to the proposed refunding. The legislative body may sustain or deny any or all objections and protests and its determination thereon shall be entered upon the minutes and shall be final and conclusive. Said legislative body shall also at said hearing, as originally fixed or as adjourned, by

order or resolution entered upon the minutes, determine whether the written consent of the owners of a majority in area of the lands in the district subject to assessment has been filed or not, and if it determines that such consent has been filed it shall thereupon acquire jurisdiction to proceed further under this act

The validity, sufficiency, or genuineness of said consents, or any thereof, or the finding and determination of the legislative body thereon, shall not be contested in any action, suit or proceeding unless the same shall be commenced within three months after the determination of said legislative body has been made, and thereafter no person in any action, suit or proceeding may plead or prove that said consents or any thereof, or the finding or determination of the legislative body thereon, was in any way defective, invalid, or insufficient

After the legislative body has determined that the written consent of the owners of such majority in area has been filed, it may by resolution entered upon the minutes order the refunding and reassessment."

Amendment No. 4.

On page 5, line 17, of the printed bill, as amended, strike out the word "made", and insert in lieu thereof the word "levied"

On the same page, line 21, strike out the word "would", and insert in lieu thereof the words "are subject to".

Also, on page 5, line 21, strike out the words "under the original", and in line 22, strike out the word "proceedings", and in line 23, strike out the words "issued thereunder".

On page 5, line 26, strike out the word "made", and insert in lieu thereof the word "levied".

On page 5, line 29, following the word "district", insert the following: "on or prior to the date the resolution of intention in the refunding proceeding was adopted,".

On page 5, line 30, following the word "land", insert the words "subject to assessment in the refunding proceeding".

On page 5, line 35, strike out the word "would", and insert in lieu thereof the words "are subject to", and in the same line, strike out the language "under the original "pro-", and in line 36, strike out the letters "ceedings", and strike out the word "issued", and in line 37, strike out the word "thereunder", and insert in lieu thereof the words "to be refunded".

Amendment No. 5.

On page 6, line 5, of the printed bill, as amended, strike out the word "theretofore".

On page 6, line 6, following the word "district", insert the words "on or prior to the date of adoption of the resolution of intention in the refunding proceeding,".

On page 6, line 6, following the word "assessment", insert the words "or special tax".

On page 6, line 10, following the word "assessment", insert the words "or special tax".

On page 6, following line 16, insert the words "and special taxes".

On page 6, line 22, following the word "assessment", insert the words "to be levied"

On page 6, line 23, strike out the words "or ordinance", and insert in lieu thereof the words "or intention".

On page 7, line 46, strike out the words "confirmation and".

On page 8, line 46, strike out the letters "before".

Amendment No. 6.

On page 9, line 13, of the printed bill, as amended, following the period, insert the following "If, at the hearing, it appears that the owners of more than one-half of the area of the lands assessed in the refunding proceeding have filed protest or objection to the refunding as proposed, in its entirety, the legislative body shall, by resolution to be entered upon its minutes, so find, and shall abandon such refunding, and no resolution of intention for the refunding of the indebtedess of said district under this act may be adopted within a period of six months from the date of such abandonment. In order that such protests or objections operate as a bar they must specifically state that the objection is to the refunding in its entirety."

On page 9, line 15, strike out the word "said", and insert in lieu thereof the word "the", and following the word "assessment", in line 15, strike out the word "and", and in line 16, strike out the word "refunding".

On page 9, strike out the sentence which begins in line 39 with the words "Any resolution", and which ends in line 42 with the words "legally taken."

Amendment No. 7.

On page 10, line 19, of the printed bill, as amended, following the period, insert the following: "The assessment shall not be recorded until the holders of all outstanding bonds and coupons have contracted to exchange such bonds and coupons in the refunding proceeding, or if all holders of outstanding bonds and coupons do not

so contract, the assessment shall not be recorded until adequate provision has been made as required in this act for the retirement or payment of the bonds and coupons of nonconsenting holders."

On page 10, line 32, strike out the word "such", and in the same line, following the word "and", insert the word "such".

On the same page, line 33, following the word "liens", strike out the words "are by law", and insert in lieu thereof a comma

On the same page, line 34, following the first word "lien", insert the following: ", are by law".

Amendment No. 8.

On page 11, line 2, of the printed bill, as amended, strike out the word "unpaid", and in the same line, following the word "assessments", insert the following: "remaining unpaid after said thirty days"

On page 12, line 17, strike out the word "recording", and insert in lieu thereof the word "confirmation".

On page 12, line 49, following the word "year", insert the following: "until the whole is paid, the first series or installment being payable on the second day of July next".

On page 12, lines 50 and 51, strike out the words "until the whole is paid".

On page 13, line 9, of the printed bill, as amended, following the period, insert the following "The bonds shall be dated as of the date of the recordation of the assessment."

On page 15, lines 9 and 10 strike out the following: "and shall be issued in series as herein provided".

Amendment No. 9.

On page 15 of the printed bill, as amended, strike out all of the language contained in section 18, and on page 16, strike out the first three lines, and in line 4, strike out the word "delivered", and insert in lieu thereof the following: "If the holders of all of the outstanding bonds agree to refund their bonds as proposed in the refunding proceeding, then all refunding bonds all moneys collected on the assessments levied in the refunding proceeding, and all public contributions (if any) shall be paid and delivered to the holders of the outstanding bonds, in such amounts and proportions as may be fixed by contract with such bondholders. Any contract with the holder of any bond may provide such terms and conditions of exchange as may be agreed upon by the holder and the legislative body, and may contain such terms and conditions relating to time of performance, conditions precedent thereto, and the method and mode of performance, as may be agreed upon by said parties. Whenever the refunding bonds and moneys, if any, are delivered to said bondholders, said bondholders must concurrently deliver to the legislative body or its representative the outstanding unpaid bonds which are refunded and all outstanding unpaid interest coupons, constituting the entire indebtedness of said district, and the same shall forthwith be canceled

In the event that the holders of one or more of the outstanding bonds do not enter any contract with the legislative body to refund the same, nevertheless if the holders of seventy-five per cent or more of the outstanding bonds do contract with the legislative body which conducts the refunding proceedings for the refunding of the bonds owned or held by them, said legislative body shall have authority to refund all of the bonds of said district under the provisions of this act, but in such event, prior to recording the assessment levied under this act, sufficient moneys to adequately provide for the retirement or payment of the bonds of the nonconsenting holders must be provided and set aside in the proper fund for that purpose. Any city or county or city and county which is authorized under this act to appropriate moneys to aid in refunding the bonds of the district, may make an advancement or contribution or an additional contribution in order to provide moneys to pay or retire bonds of such nonconsenting holders. Whenever any city or county or city and county or any person or corporation advances moneys to provide for the payment or retirement of the bonds of nonconsenting holders, the legislative body may deliver at par all or any portion of the refunding bonds which are not to be delivered to consenting bondholders to the person, corporation, city, county or city and county making such advance or advances, or sell at par all or any part of such refunding bonds not to be delivered to consenting bondholders, and from the proceeds thereof reimburse such person, corporation, city, county or city and county entirely or partially, and may contract to make such sale or delivery If the legislative body makes all or any part of such advancement it may reimburse the city, county or city and county of which it is the legislative body, entirely or partially by taking all or any part of such refunding bonds at par. Any cash collected on assessments and not required to pay consenting bondholders may also be used to reimburse in whole or in part any person, corporation, city, county or city and county making such advance or advances, and the legislative body may contract to so apply such cash. Any other method of raising funds for the payment or retirement of the bonds of nonconsenting bondholders which will prior to the time the assessment is recorded under this act adequately provide the moneys necessary for such payment or retirement is hereby authorized.

Wherever any moneys are placed in any fund for the retirement or payment of the bonds of nonconsenting holders the said moneys shall be used only for that purpose and after all of the bonds of said nonconsenting holders have been paid or retired any sum remaining in said fund shall be returned to the city or county or city and county which advanced the same.

If the contract with the bondholders so provides, said legislative body may sell all of the refunding bonds for cash and pay said bondholders in cash at a price to be fixed in said contract.

In the event that the discharge of the bonds of any nonconsenting holders at less than the par value thereof has been authorized by any final decree or order confirming a plan of readjustment under any bankruptcy law of the United States of America in any proceedings initiated under the authority of this act, said legislative body is authorized to do and perform all acts and things necessary for the discharge of such bonds in accordance with said decree or order.

Wherever the words "bond" or "bonds" are used hereinbefore in this section in referring to the outstanding bonds the words shall be deemed to include and shall be construed to mean also any outstanding unpaid interest coupon or coupons of any bond or bonds of the district and the words "bondholder" or "bondholders" as used hereinbefore in this section shall be deemed to include and shall be construed as meaning also any holder or holders of outstanding unpaid interest coupons of bonds of the district.

After the date of the adoption of the resolution of intention in the refunding proceeding all sums paid for any parcel of land into the interest and sinking fund for the payment of principal and interest of the bonds to be refunded shall be credited upon the assessment levied in the refunding proceeding upon such parcel and shall be applied as moneys paid upon such assessment.

Upon the recordation of the assessment in the refunding proceeding".

On page 16, line 14, strike out all of the language following the period, and strike out all of lines 15 to 23, inclusive

On page 16, lines 45 and 46, strike out the words "at a price in excess of", and insert in lieu thereof the words "unless the purchase price is less than".

Amendment No. 10.

On page 17, line 35, of the printed bill, as amended, strike out the words "are by law", and insert in lieu thereof a comma.

On the same page, line 36, following the words "said lien", insert the following: ", are by law".

On the same page, line 40, strike out the word "thereof", and insert in lieu thereof the word "hereof".

On page 18, line 25, strike out the comma.

Amendment No. 11.

On page 19, line 38, of the printed bill, as amended, strike out the following language: ", and also", and insert in lieu thereof a period; and strike out all of lines 39 to 44, inclusive, and strike out all of the language in line 45, down to and including the period, also, on page 19, line 49, following the word "interest", strike out the comma, and insert in lieu thereof the word "and"; and in lines 49 and 50, strike out the words "and percentages".

On page 19, line 51, strike out the comma and all of the language following the word "collected", and in line 52, strike out all of the words preceding the period.

Amendment No. 12.

On page 20, line 51, of the printed bill, as amended, strike out the word "may", and insert in lieu thereof the word "must".

On page 21, lines 2 and 3, strike out the language "in the event of its so becoming the purchaser".

On page 21, line 3, following the word "fund", insert the words "in lawful money".

On page 21, lines 16 to 20, inclusive, strike out the sentence which begins with the words "In other cases", in line 16, and ends with the words "no other purchaser".

Amendment No. 13.

On page 22, line 1, of the printed bill, as amended, following the word "sales", insert the following: ", or for the purpose of paying installments of the assessment or of interest which the city or county is required to pay under the provisions of section 24 hereof,".

Amendment No. 14.

On page 24, line 12, of the printed bill, as amended, strike out the word "sixty", and insert in lieu thereof the word "ninety"; and in the same line, strike out the word "recording", and insert in lieu thereof the word "confirmation".

On page 24, line 27, following the word "is", insert the words "or is to be".

On page 24, line 51, strike out the word "recorded", and insert in lieu thereof the word "confirmed".

Amendment No. 15.

On page 25, line 41, of the printed bill, as amended, following the word "which", insert the words "taxes or".

On page 26, line 1, following the word "to", insert the words "tax or".

On page 26, line 4, following the word "all", insert the words "taxes upon land and all".

On the same page, line 14, following the word "such", insert the words "taxes upon land and all".

On page 26, following line 22, insert the following: "Special improvement district bonded indebtedness which is payable from taxes levied upon all property or upon all taxable property in the improvement district may be refunded under this act. The proceeding for refunding such indebtedness shall be the same as for refunding other indebtedness under this act and in making the assessment hereunder, to the total sum of the proposed assessment shall be added the total sum of all of the amounts (including such penalties and interest as go into such fund) paid into the interest and sinking fund of the district on or prior to the date the resolution of intention in the refunding proceeding is adopted upon taxes levied upon any lot, piece or parcel of land subject to assessment in the refunding proceeding to raise funds to pay principal or interest of the bonds to be refunded, and the total of the two sums shall be apportioned upon the lands subject to assessment according to benefits as hereinbefore provided in this act and from the amounts so apportioned to any lot, piece or parcel of land shall be deducted any sum paid into the interest and sinking fund of the district on or prior to the date said resolution of intention is adopted upon any tax levied upon such lot, piece or parcel of land to pay principal or interest of the bonds to be refunded."

On page 26, following line 31, insert the following language:

"The word "improvement" where used in the phrase "special improvement district" in this act shall mean any public improvement of any nature whatsoever, including any acquisition of lands, rights of way or easements for public use, any acquisition or construction of buildings, structures or public works of any kind or nature, or a combination of any or all of the foregoing, and the word shall be given its broadest and most liberal construction as including all acquisitions of land and all acquisition and construction of public works authorized under any law of the State of California, including particularly the Acquisition and Improvement Act of 1925, the Road District Improvement Act of 1907 and the Municipal Improvement District Acts of 1915 and 1927.

This act shall be known as and whenever mentioned, cited, referred to or amended may be designated as the "Refunding Assessment Bond Act of 1935" and by such designation shall be sufficiently identified in any proceeding hereunder or in any court action or proceeding, and whenever under the procedure set forth in this act the title of the act is to be stated in any resolution, notice or order, it shall be sufficient to designate the act as provided in this paragraph."

Amendment No. 16.

On page 26 of the printed bill, as amended, following line 48, insert the following:

"The legislative body which conducts the refunding proceeding is authorized to pay any incidental expenses of such proceeding from any available funds of the city or county, or city and county, but no such incidental expenses of such proceeding shall be assessed upon lands in the district."

On page 27, line 20, following the language "taxes,", insert the following: "and so that property owners may be given relief".

The roll was called, and Senate amendments to Assembly Bill No. 668 were concurred in by the following vote:

AYES—Anderson, Boyle, Breed, Chatters, Corwin, Cunningham, DeLap, Donihue, Evans, Herbert J., Evans, Ralph W., Flint, Frazier, Geyer, Heisinger, Hunt, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Williamson, and Mr. Speaker—45.

NOES—None.

Assembly Bill No. 668 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 336.

Assembly Bill No. 336—An act to amend sections 396, 396a, 399, 539, 540, 542, 581, 594, 618, 629, 650, 659a, 667a, 689, 953a, 978a, 980, 983, 983a, 988a, 988b, 988c, 988h, 989, 990, 1005 and 1010 of the Code of

Civil Procedure, and to add section 655 thereto, all relating to civil actions.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 336?

Amendment No. 1.

On page 15, line 41, of the printed bill, as amended, after "after", insert the following: "the clerk has given notice to the stenographic reporter that".

Amendment No. 2.

On page 15, line 46, of the printed bill, as amended, after the semicolon, insert the following: "provided, however, that said twenty (20) day period shall not commence to run until appellant has fully complied with the provisions of section 953b of this code. The stenographic reporter shall not postpone the filing of the transcript except upon order of the court, upon affidavits filed with the court by the reporter, stating facts and not conclusions, which affidavits before any continuance is granted shall be served upon the attorneys appearing in said cause, which service shall be made by United States mail, postage prepaid, addressed to said attorneys at their respective offices, not less than three (3) days, unless the court shall otherwise order, prior to the making of said order of continuance."

Amendment No. 3.

On page 15, line 47, of the printed bill, as amended, strike out "upon the same", and insert in lieu thereof the following: "Upon the transcript".

Amendment No. 4.

On page 16, line 16, of the printed bill, as amended, after the period, insert the following: "Said bill of exceptions so settled and allowed shall be printed and filed with the clerk of the court to which the appeal is taken, within twenty days after said bill is settled and allowed."

The roll was called, and Senate amendments to Assembly Bill No. 336 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Chatters, Corwin, Cunningham, DeLap, Donihue, Evans, Herbert J., Evans, Ralph W., Frazier, Fulcher, Geyer, Glover, Hawkins, Heisinger, Hunt, Johnson, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, and Mr. Speaker—52.

NOES—None

Assembly Bill No. 336 ordered to enrollment.

Third Reading of Assembly Bills.

Assembly Bill No. 2330—An act to amend sections 62 and 93 of the "Fish and Game Code," approved April 11, 1933, relating to fish and game and other wild life

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2330 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Chatters, Corwin, Cunningham, DeLap, Donihue, Evans, Herbert J., Evans, Ralph W., Flint, Frazier, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Vogt, Wagner, Walker, Waters, Weber, Wilhamson, and Mr. Speaker—59

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2448—An act to amend section 407 of the Streets and Highways Code, relating to State highways.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2448 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Chatters, Clark, Corwin, Cunningham, DeLap, Donihue, Evans, Ralph W., Fisher, Flint, Frazier, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Williamson, and Mr. Speaker—54.

NOES—Hunt—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 758—An act to repeal section 52a of the California Irrigation District Act, relating to the payment of assessments with matured bonds and coupons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 758 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—57.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1492—An act to amend section 9 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation, and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts in cities or cities and counties of the second and one-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1492 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Cunningham, DeLap, Donnelly, Evans, Herbert J., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Hawkins, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—56.

NOES—Heisinger—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 898—An act to amend section 488a of the Agricultural Code, relating to Grade A milk.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 898 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Cunningham, DeLap, Donnelly, Evans, Herbert J., Fisher, Frazier, Fulcher, Garibaldi, Heisinger, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Williamson, Wright, and Mr Speaker—47

NOES—Flint, Geyer, Hunt, and McCarthy—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2288—An act to amend the title of, and to add a new section to be numbered 4c to "An act to provide for the government of irrigation districts having an area of more than five hundred thousand acres and to enable such irrigation districts to construct levees and to protect the lands within such districts from damage resulting from floods and the overflow of rivers and for that purpose to provide additional powers for boards of directors within such irrigation districts," approved January 21, 1915, relating to irrigation districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 2288 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Wright, and Mr. Speaker—56

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 21, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 598—An act to provide for the revision of the Constitution of this State, including the election of delegates to the convention, the proceedings, powers, duties, and matters incidental to the convention, the submission of the revised Constitution to the people and matters incidental thereto, and making an appropriation therefor.

In my opinion said Assembly Bill No. 598 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 598—An act to provide for the revision of the Constitution of this State, including the election of delegates to the convention, the proceedings, powers, duties, and matters incidental to the convention, the submission of the revised Constitution to the

people and matters incidental thereto, and making an appropriation therefor.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Rosenthal:

Amendment No. 1.

On page 1, line 6, of the printed bill, strike out "Legislature", and insert in lieu thereof "State Assembly and shall be eighty in number".

The question being on the amendment submitted by Mr. Rosenthal to Assembly Bill No. 598.

Demand for Previous Question.

Messrs. Morgan, Frazier, McBride, Pelletier and Flint demanded the previous question.

The question being put. Shall the main question be now put?

Request for Roll Call.

On request of Messrs. Evans, Ralph W., Boyle and Cunningham, the Speaker ordered a roll call taken on the demand for the previous question.

The roll was called, and the demand for previous question was sustained by the following vote:

AYES—Andreas, Boyle, Breed, Cassidy, Corwin, Cunningham, Dawson, DeLap, Donihue, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Hunt, Johnson, Lore, Lyon, Maloney, Martin, McMurray, Miller, Minard, Morgan, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Voigt, Walker, Waters, Weber, and Wright—39.

NOES—Anderson, Clark, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Laughlin, Mayo, McCarthy, O'Donnell, Patterson, Peterson, Rosenthal, Turner, Wagner, and Mr. Speaker—21.

The question being on the amendment submitted by Mr. Rosenthal to Assembly Bill No. 598.

Roll Call.

The Speaker ordered a roll call taken on the amendment submitted by Mr. Rosenthal.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Anderson, Boyle, Clark, Cronin, Cunningham, Evans, Ralph W., Field, Flint, Geyer, Gilbert, Glover, Hawkins, Hunt, Latham, Laughlin, Lore, Maloney, McCarthy, McMurray, Meehan, Patterson, Pelletier, Reaves, Richie, Riley, Rosenthal, Voigt, Wagner, Waters, and Wright—30.

NOES—Andreas, Breed, Brennan, Cassidy, Chatters, Corwin, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Heisinger, Hornblower, Johnson, Kallam, Lyon, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, O'Donnell, Peterson, Phillips, Redwine, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Weber, and Mr Speaker—41.

Motion to Set Special Order for Assembly Bill No. 598.

Mr. Hornblower moved that the further consideration of Assembly Bill No. 598 be made a special order for Monday, May 27, 1935, at ten o'clock and thirty minutes a m

Motion carried.

Assembly Bill No. 2453—An act to add section 5 533 to the School Code, relating to teachers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2453 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Cassidy, Clark, Cronin, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Latham, Laughlin, Lore, Lyon, Maloney, McBride, McCarthy, Meehan, Morgan, Nielsen, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, Walker, Waters, and Mr. Speaker—45.

NOES—Chatters, Field, Frazier, Johnson, Kallam, Martin, Miller, Phillips, Redwine, Riley, Stream, and Utt—12.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2455—An act to add sections 18 and 19 to an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, relating to concealable weapons.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Cunningham.

Amendment No 1.

On page 1, line 8, of the printed bill, as amended, strike out the words "metal knuckles."

Amendment adopted.

Request for Unanimous Consent.

Mr. Cunningham asked for, and was granted, unanimous consent to take up Assembly Bill No. 2455, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2455, as Amended.

Assembly Bill No 2455, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2455, as amended, passed by the following vote:

AYES—Anderson, Andreas, Burns, Chatters, Clark, Corwin, Cronin, Cunningham, DeLap, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Garibaldi, Glover, Heisinger, Hornblower, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Phillips, Richie, Riley, Stream, Turner, Utt, Voigt, Walker, Waters, and Mr. Speaker—45.

NOES—Cassidy, Donihue, Flint, Fulcher, Geyer, Gilbert, Hunt, McCarthy, Meehan, Reaves, and Wagner—11.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 24, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 36—Relating to the termination of the probationary period of all persons employed on the staff of the State Board of Equalization and mentioned in subdivision (e) of Article XXIV of the Constitution of this State.

J. A BEEK. Secretary of Senate.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 36, at this time, without reference to committee or file.

Consideration of Senate Concurrent Resolution No. 36.

Senate Concurrent Resolution No. 36—Relating to the termination of the probationary period of all persons employed on the staff of the State Board of Equalization and mentioned in subdivision (e) of Article XXIV of the Constitution of this State.

Senate Concurrent Resolution No. 36 read.

Mr. Lyon moved the adoption of Senate Concurrent Resolution No. 36.

The question being on the adoption of Senate Concurrent Resolution No 36.

The roll was called, and Senate Concurrent Resolution No. 36 adopted by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Chatters, Corwin, Cronin, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J. Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Turner, Utt, Voigt, Wagner, Walker, Waters, Wright, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Notice of Reconsideration of Senate Concurrent Resolution No. 36.

Mr Hunt gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Concurrent Resolution No. 36 was this day adopted.

Introduction and Reference of Bills.

The following bill was introduced:

By Mr. Johnson. Assembly Concurrent Resolution No. 44—Relative to the termination of the probationary period of all persons employed by the various departments of the State and mentioned in subdivision (e) of Article XXIV of the Constitution of this State.

Introduced.

Request for Unanimous Consent.

Mr Johnson asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No 44, at this time, without ref-

erence to printer, committee or file, and that same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 44.

Assembly Concurrent Resolution No. 44—Relative to the termination of the probationary period of all persons employed by the various departments of the State and mentioned in subdivision (e) of Article XXIV of the Constitution of this State.

Assembly Concurrent Resolution No 44 read.

Mr. Johnson moved the adoption of Assembly Concurrent Resolution No. 44.

The question being on the adoption of Assembly Concurrent Resolution No. 44.

The roll was called, and Assembly Concurrent Resolution No. 44 adopted by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Chatters, Corwin, Cronin, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Turner, Utt, Voigt, Walker, Waters, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Notice of Reconsideration of Assembly Concurrent Resolution No. 44.

Mr. McCarthy gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Concurrent Resolution No. 44 was this day adopted.

Assembly Concurrent Resolution No. 44.

Relating to the termination of the probationary period of all persons employed by the various departments of the State and mentioned in subdivision (e) of Article XXIV of the Constitution of this State

WHEREAS, There are many persons employed by the various departments of the State, holding positions subject to the provisions of Article XXIV of the Constitution for more than six months immediately preceding the effective date of said article, viz, December 20, 1934, who have now been continuously in the State service for a minimum period of at least eleven months; and

WHEREAS, All such persons hold such positions subject to a probationary term commencing on December 20, 1934, of not less than two months nor more than eight months, in the class or grade assigned, as the State Personnel Board may fix; and

WHEREAS, All such persons have now been in the State service for a period almost twice the length of the normal and usual probationary term of six months; and

WHEREAS, It is deemed in the best interests of the State of California that such probationary term should be forthwith terminated; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the State Personnel Board be requested to fix the probationary term of each of such employees commencing December 20, 1934, at a period of five months, to wit, a period ending May 20, 1935 to the end that all such persons be given permanent status from and after the date last mentioned, and be it further

Resolved, That the Secretary of the Senate is directed to send copies of this resolution to the members of the State Personnel Board and the executive officer thereof.

Resolution.

The following resolution was offered:

By Mr. Hornblower:

Assembly Resolution.

WHEREAS, The Advisory Committee on Motor Vehicle Legislation is composed of persons thoroughly conversant with the sale, equipment, and regulation of motor vehicles; and

WHEREAS, The activity of this committee has led to many constructive suggestions with relation to the motor vehicle laws, and

WHEREAS, It is desirable to continue the functions of such committee to the end that other desirable legislation relating to motor vehicles may be suggested; now, therefore, be it

Resolved, That the Speaker of the Assembly appoint a committee of three members of the Assembly to cooperate with such Advisory Committee on Motor Vehicle Legislation to the end that any necessary modifications in the motor vehicle laws may be ascertained and suggested to the Legislature at the next regular session thereof.

Resolution by Mr. Hornblower read.

Mr. Hornblower moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Turner, Utt, Voigt, Wagner, Walker, Waters, Wright, and Mr. Speaker—58.

NOES—None

Report of Committee on Free Conference.

The following report of Committee on Free Conference was received and read:

Concerning Assembly Bill No. 81.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1935.

MR. SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 81—An act to amend section 11 of the Motor Vehicle Fuel License Tax Act, relating to refunds of license taxes—reports that it has met a like committee of the Senate, consisting of Senators Scollan, Hays and Olson, and reports that the Committee on Free Conference has agreed to recommend the following:

That the Assembly concur in the Senate amendments, and that the bill be further amended as follows:

Amendment No. 1.

On page 1, line 10, of the printed bill, as amended in Senate April 29, 1935, after the word "mail", insert the following: "and Special Delivery Mail".

LYON,
BURNS,
JOHNSON,
Assembly Committee on Free Conference.

OLSON,
SCOLLAN,
HAYS,
Senate Committee on Free Conference.

Report of Committee on Free Conference concerning Assembly Bill No. 81 read.

Mr. Lyon moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Burns, Cassidy, Chatters, Corwin, Cronin, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell Patterson, Pelletier, Peterson, Phillips, Redwine, Richie, Riley, Robertson, Stream, Turner, Utt, Voigt, Wagner, Walker, Waters, Wright, and Mr. Speaker—56.

NOES—Boyle, Clark, Flint, Hunt, Lore, Reaves, and Rosenthal—7.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1935.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred Assembly Bill No. 2240—An act relating to aid to needy children; prescrib-

ing rules of eligibility for aid; empowering the State Department of Social Welfare to supervise the enforcement of this act; making an appropriation for the carrying out of the provisions of this act, and prescribing penalties for the violation hereof; and repealing Chapter 2a of Part 3, Title V, of the Political Code, comprising sections 2283 to 2290, inclusive; and to repeal Chapter 2a of Article 3, Part 3, Title V, of the Political Code—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BRENNAN, Chairman.

The above reported bill ordered on file for second reading.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1935.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No. 149—An act to amend section 1250 of the Fish and Game Code, relating to fully protected mammals—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

FISHER, Chairman.

The above reported bill ordered on file for second reading.

On Exhibitions and Fairs.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1935.

MR. SPEAKER: Your Committee on Exhibitions and Fairs, to which was referred Assembly Bill No. 814—An act to amend section 92 of, and to add section 95 to the Agricultural Code, relating to and providing for the exhibition of California products—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FULCHER, Chairman

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1935

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 277—An act to amend section 164 of the Civil Code, relating to community property—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LYON, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1922—An act to amend sections 2283 to 2290, inclusive, of the Political Code, relating to State aid to orphans, half orphans, abandoned children, and children of fathers not able to pursue a gainful occupation—has had the same under consideration, and respectfully reports the same back with recommendation it do pass, as amended, and be re-referred to Committee on Ways and Means

LYON, Chairman.

The above reported bill ordered on file for second reading.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1935

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 718—An act to amend section 990 of the Fish and Game Code, and to add thereto section 990.4, relating to commercial fishing—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

FISHER, Chairman.

The above reported bill ordered on file for second reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 24, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 78—An act to authorize the creation and establishment of a public utilities commission within

any city, city and county, county, local governmental agency, society, associations, authority or entity rendering service to the public, and to authorize the issuance and sale of revenue bonds for the purpose of defraying costs of construction or acquisition of public utilities and extension, repairs, replacements and improvements to public utilities; for the acquisition, production, purchase, sale and distribution of products, commodities, energy or services of such public utilities, providing for the payment of such bonds and the interest thereon.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 24, 1935.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 386—An act to amend section 472a of the Code of Civil Procedure, relating to demurrers;

Also: Assembly Bill No. 904—An act to amend section 600 of the Probate Code, relating to inventory and appraisement of estates;

Also: Assembly Bill No. 1141—An act to add section 11a to and to amend section 23 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts;

Also: Assembly Bill No. 1269—An act authorizing and empowering any county, city and county, or city in the State of California to donate, convey, and grant to the State of California, or to district agricultural associations thereof, any real property owned, held and used by it for fair ground and exposition purposes, or which it may hereafter acquire, hold and use for such purposes.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 386, 904, 1141 and 1269 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 24, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1770—An act establishing and validating the organization and existence of water districts;

Also: Assembly Bill No. 1771—An act to repeal section 109a of "The California Irrigation District Act," approved March 31, 1897, relating to name of irrigation districts;

Also: Assembly Bill No. 2104—An act to amend the County Water District Act, approved June 10, 1913, as amended, by adding to said act, as amended, a new section, to be numbered 4a, providing for the election of directors by divisions, instead of at large, if authorized by election;

Also: Assembly Bill No. 2421—An act to amend sections 1, 2, 3, and 4 of an act entitled "An act to establish salesrooms and industrial workshops for the blind, providing for the management, government and administration thereof, and making an appropriation for the establishment of a revolving fund therefor," approved June 18, 1929, relating to salesrooms and workshops for blind and physically handicapped persons.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1770, 1771, 2104 and 2421 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 24, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 624—An act to amend section 61 of the Bank Act, making flood control bonds legal for savings bank investments;

Also: Assembly Bill No. 630—An act to amend sections 71, 72, 73, 104, 135, 136, 160 and 194, to add sections 100.5, 101.5, 104.5, 136.5 and 233 to, to add a new chapter, to be numbered 5, to Division I, and to repeal section 112 of the Streets and Highways Code, relating to public ways;

Also: Assembly Bill No. 739—An act to amend section 1702 of the Streets and Highways Code, to define "maintenance" as including illumination;

Also: Assembly Bill No. 999—An act to add a new article to Chapter IX of Part III of Division V of the School Code, to be known as Article IV, consisting

of sections 5.792 to 5.799b inclusive, relating to a merit system for employees in positions other than those requiring certification qualifications.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 624, 630, 739 and 999 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 24, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 61—An act to amend section 2 of an act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act," approved May 15, 1933, relating to exemptions;

Also: Assembly Bill No. 527—An act to provide for the creation, organization and government of river port districts in one or more counties, to enumerate the powers thereof; to authorize the incurring of indebtedness, the borrowing of money and the issuance of bonds, and other evidences of indebtedness of such district and to provide for the mortgaging, pledging, or hypothecation of property of such districts and the issuance of revenue notes, certificates or warrants payable solely and exclusively from the revenues to be realized from a particular utility or property acquired or to be acquired with the proceeds of such obligations; to provide for the levy and collection of taxes by such districts and the allocation, mortgage, pledge, or hypothecation of the revenues of such districts or any property of such districts; to authorize river port districts to enter into agreement with the State of California or any political subdivisions therein or with the United States of America; and to authorize river port districts to do and perform all acts and things necessary or appropriate to carry out the purposes of this act;

Also: Assembly Bill No. 1009—An act to amend section 9 of "An act defining clinics and dispensaries, providing for the operation, conduct, maintenance, examination and regulation thereof, requiring permits therefor, providing for the issuance and revocation of such permits by the State Board of Public Health, fixing the amount of and providing for the collection and disposition of annual fees for such permits, creating the clinic and dispensary fund, prescribing the powers and duties of the State Board of Public Health and of the Director of Public Health in reference to such clinics and dispensaries, and prescribing penalties for the violation of the provisions of this act," approved June 5, 1933, relating to annual fee for permits.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 61, 527 and 1009 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 24, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1340—An act authorizing the Governor to execute a compact with the State of Nevada, for the purpose of promoting comity and good will between California and Nevada with reference to the Boulder Canyon Project, and of adjusting matters pertaining to the proposed taxation of property located in Nevada and owned by the State of California or any political subdivision thereof;

Also: Assembly Bill No. 1550—An act to add section 32a to "An act creating a State Land Settlement Board, and defining its powers and duties, and making an appropriation in aid of its operations," approved June 1, 1917, as amended, and to ratify and confirm certain acts of the Director of Finance with respect to the disposition of properties at the Delhi State Land Settlement and Durham State Land Settlement;

Also: Assembly Bill No. 1929—An act to amend section 4041k of the Political Code;

Also: Assembly Bill No. 2130—An act amending section 4076 of the Political Code, relating to county government

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1340, 1550, 1929 and 2130 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 24, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1754—An act to amend sections 4.962, 4.963, 4.964, 4.1010, and to add new sections to be known as 4.967 and 4.968 of the School Code, relating to bond elections.

Also: Assembly Bill No. 1132—An act to amend sections 1093, 1127, 1323, and 1439 of the Penal Code, relating to instructions and comment in criminal cases;

Also: Assembly Bill No. 456—An act to amend sections 830, 834 and 1533 of the Probate Code, relating to the borrowing of money by executors, administrators and guardians and the execution by them of mortgages, deeds of trust and pledges to secure the same and the limitation upon recovery on deficiency judgments in such cases;

Also: Assembly Bill No. 291—An act to add a new chapter to Title XIV of Part IV of Division Third of the Civil Code to be known as Chapter III-A thereof, in relation to trust receipts and pledges of personal property unaccompanied by possession in the pledgee and to make uniform the law relating thereto and to amend section 2988 of the Civil Code relative to the lien of the pledgee; And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1754, 1132, 456 and 291 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 24, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 305—An act to amend section 1357 of the Political Code, relating to absentee voters;

Also: Assembly Bill No. 710—An act to establish a Military and Veterans Code, thereby revising and consolidating the law relating to the armed forces and militia of the State and relating to military and veterans' affairs, aid and welfare, institutions, a buildings and to repeal certain acts and parts of acts therein specified;

Also: Assembly No. 2416—An act to regulate the caravaning of motor vehicles upon the highways of this State, defining the term "caravaning" and providing for nsing of motor vehicles in caravan and imposing penalties for violation th.

Also: Assembly No. 2268—An act to amend section 1 of an act entitled "An act providing fo. the supervision and regulation of the transportation of property for compensation over any public highway by auto trucks; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, relating to the determination of the operation of auto trucks by transportation companies;

Also: Assembly Bill No. 2180—An act to amend section 17 of the Public Utilities Act, relating to discrimination in relation to transportation by common carriers; And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A SHIPKEY, Assistant Secretary.

Assembly Bills Nos 305, 710, 2416, 2268 and 2180 ordered on unfinished business file

Also:

SENATE CHAMBER, SACRAMENTO, May 24, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1332—An act to add section 3306a to the Civil Code, relating to breach of contract to deliver a quitclaim deed;

Also: Assembly Bill No. 1344—An act providing for the grant of certain lands to the United States of America for the creation of a National park or monument;

Also. Assembly Bill No. 2232—An act to amend section 4295 of the Political Code, relating to official services without fees;
And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1332, 1344 and 2232 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 24, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 390—An act to amend section 15a of and to add sections 15aa and 25 to an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths, the appointment of State and local registrars of vital statistics, to prescribe the powers and duties of registrars, coroners physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act, to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, relating to vital statistics;

Also: Assembly Bill No. 823—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 18, 1883, as amended, by amending section 862 of, and to add sections 862.1 to 862.6, inclusive, to the act, relating to the powers of sixth class cities;

Also: Assembly Bill No 944—An act regulating the use of public highways by motor vehicles operated thereon for the transportation of property for compensation; conferring powers upon the Railroad Commission with respect thereto; providing penalties for the violations of this act and repealing all acts inconsistent with the provisions of this act,

Also: Assembly Bill No. 1236—An act to amend the title and sections 1, 2, 3, 4 and 5, and to add section 6 to an act entitled "An act to authorize municipal corporations to issue bonds, for the purpose of investing the proceeds arising from the sale thereof, in other bonds issued for public improvements," approved April 26, 1909, relating to the issuance, sale, or exchange, and payment of the bonds issued under this act, and the acquisition, collection and payment of bonds acquired;
And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 390, 823, 944 and 1236 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 24, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 521—An act to amend sections 83 and 883 of the Fish and Game Code, relating to fishing in district 15

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No 521 read first time, and referred to Committee on Fish and Game.

Also:

SENATE CHAMBER, SACRAMENTO, May 24, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day, May 24, 1935, adopted the report of the Committee on Free Conference concerning Assembly Bill No 81—An act to amend section 11 of the Motor Vehicle Fuel License Tax Act, relating to refunds of license taxes

J. A. BEEK, Secretary of Senate
By CARL A SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 24, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 55—Relative to memorializing Congress to erect a memorial to Mrs. A. Sherman Hoyt.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Joint Resolution No. 55 ordered to enrollment.

Motion to Re-refer Assembly Bill No. 1795.

Mr. Lore moved that Assembly Bill No. 1795 be withdrawn from file, and ordered re-referred to Committee on Labor and Capital.

The question being on re-referring Assembly Bill No. 1795 to Committee on Labor and Capital.

Motion carried.

Assembly Bill No. 1795 ordered re-referred to Committee on Labor and Capital.

Resolution.

The following resolution was offered:

By Messrs. Fisher and Burns:

Resolution.

WHEREAS, The Klamath River is one of the last remaining rivers in the State of California where salmon and steelhead run; and

WHEREAS, The upper reaches of the Klamath River including its tributaries furnish an essential area for the breeding and propagation of salmon and steelhead; and

WHEREAS, There are individuals and organizations engaged in the industry of mining in and about the said Klamath River and its tributaries; and

WHEREAS, Hydroelectric power is developed in the upper reaches of said Klamath River; and

WHEREAS, General controversy exists between those engaging in mining and in hydroelectric power development in and about said Klamath River and its tributaries, and the sportsmen, recreationists and conservationists of the State; now, therefore, be it

Resolved, That the Speaker of the Assembly appoint a committee of three members of the Assembly to investigate and report on the matters set forth in the premises; and be it further

Resolved, That said committee is authorized to hold hearings at any and all places, and is authorized and empowered to require the production of books, agreements, documents, records, accounts and papers of every kind; also to issue subpenas to compel the attendance of witnesses; and be it further

Resolved, That said committee report its findings to the Assembly at the fifty-second session thereof, together with such recommended legislation as the committee may deem necessary; and be it further

Resolved, That the sum of $600, or so much thereof as may be necessary for the purpose of defraying the expenses of the committee and the cost of its investigation, is hereby made available and appropriated for the use of the committee, and the State Controller is authorized and directed to draw his warrants in favor of the person or persons entitled thereto for such expenditures as may be certified to him from time to time by the chairman of the committee, and the State Controller is hereby authorized and directed to pay the same.

Resolution by Messrs Fisher and Burns read.

Mr. Fisher moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cunningham, DeLap, Donahue, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Redwine, Richie, Robertson, Scudder, Stream, Thorp, Utt, Wagner, Walker, Waters, and Mr. Speaker—53

NOES—Flint, Latham, Reaves, and Wright—4.

Resolution.

The following resolution was offered:

By Mr. Voigt:

Assembly Resolution.

WHEREAS, Irreconcilable differences exist between factions in the Legislature regarding ways and means of extracting revenue from the people to meet the State budget; and

WHEREAS, The controversy may prolong the present session of the Legislature for the balance of the year; and

WHEREAS, The amount of money provided under the Constitution is insufficient to sustain the members during a prolonged session and in fact, has been expended; now be it therefore

Resolved, That a Committee on Quarters and Subsistence be appointed to consist of five members, such committee shall procure the loan of National Guard camping equipment and select a suitable camp site and be empowered to do all things necessary to provide for quarters and subsistence for the members of the Legislature and their families for the balance of the present legislative session

Resolution by Mr. Voigt read, and ordered referred to Committee on Military Affairs.

Third Reading of Senate Bills.

Senate Bill No. 127—An act to regulate the conduct of election campaigns, to provide penalties for corrupt practices defined therein, to repeal an act entitled "An act to regulate the conduct of election campaigns, and repealing an act entitled 'An act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,' approved February 23, 1893." approved March 19, 1907, and to repeal an act entitled "An act providing for publicity of contributions and expenditures made for the purpose of influencing electors for or against any proposition voted upon throughout the State and providing penalties for violation of the provisions hereof," approved May 31, 1921.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Donnelly:

Amendment No. 1.

On page 2, line 1, of the printed bill, as amended, before the comma after "corporation", insert the following "either public or private".

Amendment No. 2.

On page 3, line 24, of the printed bill, as amended, strike out "charges", and insert in lieu thereof a comma and the following "including newspaper, radio and other recognized forms of advertising".

Amendment No. 3.

On page 3 of the printed bill, as amended, strike out lines 32 and 33.

Amendment No. 4.

On page 4 of the printed bill, as amended, between lines 11 and 12, insert the following

"Nothing herein contained shall prevent the functioning of State Central Committees or other official party committees; provided the treasurers of such committees must file statements of expenditures as herein provided."

Amendment No. 5.

On page 5, line 11, of the printed bill, as amended, strike out "paid", and insert in lieu thereof the following: "political".

Amendments adopted.

Bill read, ordered to reprint, and on file for third reading.

Motion to Continue Unfinished Business.

Mr. Lyon moved that all unfinished business on the Daily Calendar be continued to the next legislative day.

Motion carried.

Withdrawal of Bills.

By order of the Speaker, the following bills were withdrawn from the file, and re-referred to committees as follows:

Assembly Bill No. 1200 ordered re-referred to Committee on Revenue and Taxation.

Senate Bill No. 90 ordered re-referred to Committee on Live Stock and Dairies.

Adjournment.

At twelve o'clock and thirty minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Monday, May 27, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, May 27, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—80.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. DeLap, its further reading was dispensed with.

Privilege of Floor of Assembly Extended.

On request of Mr. Cottrell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the teacher and students of the San Jose State College, San Jose, as follows: Elizabeth M. Jenks, head of speech department; and Eleanor Yates, Dorothy Vierra, Blanche Corrivean, Jewel Welch, Lois Lack, Eveline Rudin, Arline Rudin, Anne Isakson, Joel Carter, Otis Cobb, James Strauss, Irving Allen, Marvin Hockabout and Ray Ruf, pupils.

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Tom Pleasants, Anna Kyle and the following school children: Sebastian Lopez, Annika Lopez, Carmen Lopez, Frances Fernandez and Jesus Lopez.

On request of Mr. Chatters, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Agnes Webb of Lindsay.

On request of Mr. Hunt, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Chief Little Wolf.

On request of Mr. Breed, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Horace H. Breed, brother of Assemblyman Breed, and Victor Moitoret.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the principal and pupils of the Sutterville Heights School, Sacramento County, as follows: Alice Vest, principal; and Jean Cleghorn, Mitsuka Yokata, Vernon Williams, Charlett Young, Alice Kubo, Takaji Kubo, Joe Jiral, William Moody, Arthur Kattenhorn, John Ceccarelli, Louie Grab, John Anery, K. Calkins, Elmo Talbot, Rudy Cernicky, Keiji Kubo, Govo Yasuda, Thomas Burrus, and Elizabeth Frank, seventh and eighth grade pupils.

On request of Mr. Mayo, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the teacher and students of the history class of the Calaveras Union High School, San Andreas, as follows: Mrs. Margaret McFall, teacher; and Floris Reinking, Gwenola Rentz, Eveline Markwood, Helen Gifford, Elsie Sandoz, Iris Shira, Maude Shira, Bonnie Skinner, Frances Genochio, Marian Laraway, Victoria Bongiovanni, Gladys Mellin, Pauline Pozar, Wilma Hunt, Ramona Winkler, Jacqueline McFall, Helen Hagquist, Tennessee Hayes, Mary Lloyd, Violet Trengove, Ernestina Mendga, Mabel Pettengill, Edna Harrison, Elizabeth Gunig, and Esther Fox, history class students.

Presentation of Petition.

The following petition was presented, and ordered printed in the Journal:

By Mr. Speaker:

From city clerk of Los Angeles, memorializing the Senate and Assembly to approve the substitution of Burbank Boulevard for Moorpark Street in the secondary system of State highways.

ASSISTANT CLERK COOLIDGE READING.

Reports of Standing Committees.

The following reports of standing committee were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1935

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 457—An act to amend sections 10 and 17 of, and to add sections 3a, 5a, 18a and 21a to, the Improvement Act of 1911, relating to an alternative procedure for the doing of work under said act by receiving contributions of labor, materials or equipment from the United States Government or other governmental agencies, declaring the urgency thereof and providing that this act shall take effect immediately;

Also: Assembly Bill No. 928—An act to amend sections 4.280b and 4.281b of the School Code, relating to revolving funds of school districts for warehouse stock;

Also: Assembly Bill No. 1135—An act to add Chapter 11 to Division IV of the Agricultural Code, relating to the production and marketing of manufactured dairy products;

Also. Assembly Bill No. 1497—An act to amend section 6 of an act entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department and to assess and collect taxes, from time to time, for such purpose, and to create a board of fire commissioners," approved March 4, 1881, as amended, relating to the conduct of elections;

Also: Assembly Bill No. 1631—An act to provide for the registration of bonds and interest coupons unpaid for want of funds and the preference and payment thereof in the order of such registration, when funds are available;

Also: Assembly Bill No. 1763—An act to amend sections 699, 702, 703, 708, 709, 711 and 712 of the Fish and Game Code, relating to fish in district 4¼;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-seventh day of May, 1935, at nine o'clock a m

WATERS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 154—An act to amend the title and sections 8, 14, 32 and 33 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the extension of the provisions of said act to the companies taxable hereunder and their franchises, other than insurance companies and their franchises, specified in section 14 of Article XIII of the Constitution of this State;

Also: Assembly Bill No. 155—An act to amend the title and sections 4, 4a, 5, 8, 10, 11, 12, 13, 15, 16, 18, 19, 20, 21, 23, 24, 25, 26, 27, 29, 30, 31 and 35 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the extension of the provisions of said act to the companies taxable hereunder and their franchises, other than insurance companies and their franchises, specified in section 14 of Article XIII of the Constitution of this State;

Also: Assembly Bill No 231—An act to amend section 10 of an act entitled "An act to limit the amount of special assessments for public improvements and acquisitions of property for public purposes; to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or part by special assessments; to provide a basis for valuation of property for the purpose of establishing a special assessment limitation, and to authorize the payment of a part of the cost of such public improvements and acquisitions of property from any available public fund where a part of such cost is paid by special assessment on benefited property, and to provide that a majority protest shall be a bar to any proceeding," approved June 8, 1931, relating to limitations on assessments;

Also: Assembly Bill No. 365—An act to amend section 423 of the Agricultural Code, relating to live stock on highways;

Also: Assembly Bill No. 366—An act to amend section 4041.11 of the Political Code, relating to powers and duties of boards of supervisors;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-seventh day of May, 1935, at nine o'clock a.m

WATERS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 74—An act to amend sections 147 and 158 of the Vehicle Code and to add thereto sections 158 4, 177 5, 177.6 and 209, relating to license plates;

Also: Assembly Bill No. 264—An act to amend section 737m of the Political Code, relating to the salaries of the judges of the superior court in and for the county of Imperial;

Also: Assembly Bill No. 800—An act to amend section 705 of the Vehicle Code, relating to vehicles and the weight and loading thereof;

Also: Assembly Bill No. 1462—An act to add section 4a to the act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931, relative to the definition of public contract work and the payment of the general prevailing rate therefor;

Also: Assembly Bill No 1470—An act to amend section 10 of "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal

and interest thereon," approved May 23, 1921, as amended, relating to municipal utility districts;

Also: Assembly Bill No. 1482—An act making appropriation for the elimination of camel's thorn out of certain moneys heretofore appropriated for that purpose;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1540—An act to amend section 4 of and add section 8 to an act entitled "An act creating a commission to codify, consolidate, revise or compile the statutes of California and to report thereon to the Legislature, and making an appropriation therefor, and authorizing State departments, boards, bureaus and commissions to contract for the revision of certain laws," approved June 10, 1929, relating to reports and making an appropriation to carry out the provisions of the act;

Also: Assembly Bill No. 1559—An act to amend section 4245 of the Political Code, relating to the compensation of county officers in counties of the sixteenth class;

Also: Assembly Bill No. 2162—An act to add section 629 to the Streets and Highways Code, establishing a secondary State highway;

Also: Assembly Bill No. 2407—An act to establish a State Board of Industrial Relations, to provide for the selection of members thereof and setting forth their powers and duties, to provide for the establishment of county industrial relations boards by the State Board of Industrial Relations, to provide for the selection of members of county industrial relations boards and to set forth their powers and duties;

Also: Assembly Bill No. 2415—An act to authorize the State Treasurer to accept, on behalf of the State of California, the sum of one million dollars, together with any interest that may be due thereon, and other sums from the California Olympiad Commission, or any committee thereof;

Also: Assembly Bill No. 2464—An act to provide for the payment of delinquent taxes with farm products, creating the California Farm Delinquent Tax Adjustment Commission, defining its powers and duties and declaring the urgency thereof to take effect immediately;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 329—An act relating to codes of fair competition for certain trades and industries within this State;

Also: Assembly Bill No. 659—An act to amend section 76 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property within municipalities, and upon property and rights of way owned by municipalities, or of which a municipality has possession and the rights of way under the provisions of section 14 of Article I of the Constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and provide for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, relating to the treasurer's list of bonds upon which payments have not been made;

Also: Assembly Bill No. 735—An act to amend sections 4 and 10 of an act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision," approved May 18, 1917, relating to the operation of the business of industrial loan companies;

Also: Assembly Bill No. 2160—An act to amend sections 117d and 117q of the Code of Civil Procedure, relating to small claims courts;

Also: Assembly Bill No. 2393—An act to be known and cited as the Yacht and Ship Brokers Act, to define yacht and ship brokers and salesmen; to provide for the regulation, supervision and licensing thereof, to create the office of Yacht and Ship Brokers Commissioner within the Department of Professional and Voca-

tional Standards; and to provide for the enforcement of said act and penalties for the violation thereof:
And reports that the same have been correctly re-engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.
Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 707—An act to amend sections 12, 13 and 16 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing;
Also: Assembly Bill No. 937—An act to amend section 400 of the Vehicle Code, relating to liability of State and governmental agencies arising out of ownership of motor vehicles;
Also: Assembly Bill No. 1289—An act to amend section 372 of the Vehicle Code, and to add thereto section 776 1, relating to motor vehicles;
And reports that the same have been correctly re-re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.
Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 76—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 9 of Article IX thereof, relating to a board of higher education—and reports that the same has been correctly re-re-engrossed.

WATERS, Chairman.

Assembly Constitutional Amendment No. 76 ordered on file for adoption.

Second Reading of Assembly Bills.

Assembly Bill No. 2240—An act relating to aid to needy children; prescribing rules of eligibility for aid; empowering the State Department of Social Welfare to supervise the enforcement of this act; making an appropriation for the carrying out of the provisions of this act, and prescribing penalties for the violation hereof; and repealing Chapter 2a of Part 3, Title V, of the Political Code, comprising sections 2283 to 2290, inclusive; and to repeal Chapter 2a of Article 3, Part 3, Title V, of the Political Code.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

Strike out the title of the printed bill, and insert in lieu thereof the following.
"An act to amend sections 2285 and 2290 of the Political Code, relating to State aid to children."

Amendment No. 2.

On page 1, line 1, of the printed bill, after "SECTION 1.", insert the following.
"Section 2285 of the Political Code is hereby amended to read as follows.
2285. Every institution, county, city and county, city, or town entitled to aid under this chapter must keep the following records, which at all times must be open to the State Board of Control or to any person appointed by them to examine the same or to any committee of the Legislature, or to any clerk or officer thereof duly authorized to make such examination
1. A record on which must be entered the date of admission, name, age, sex, and place of birth of each and every orphan, half orphan and abandoned child, who is or may hereafter be received or admitted into such institution, or to county aid, and the date of discharge of any child, when such discharge is made, the parentage, if known; the estate, if any, to which the child is heir, and the

insurance, if any, on the father's or mother's life; so far as can be ascertained, the place where either parent or both died, the nativity of the parents, where married, the marriage certificate, where recorded, when they came to California, place of residence in California, and habits of sobriety.

2. A book entitled "monthly accounts." In it must be entered on the debtor side, all the moneys received from any and all sources segregated under the proper heads; on the credit side must be entered all disbursements made, specifying for what purposes made, and the amount entered in detail so disbursed, segregated under their proper heads.

3. A pay roll of the employees, and the amounts disbursed to each

4. A book in which must be entered in detail the amounts paid for the specific support of every orphan, half orphan, or abandoned child and the date of such payments

5. A transcript of the books and pay roll, verified under oath by the manager or person in charge of such institution entitled to, or claiming State aid under this chapter, must, when demanded by the State Board of Control, be made and forwarded to the said board at the time of presenting claim for State aid.

SEC. 2. Section 2290 of the Political Code is hereby amended to read as follows:

2290. The provisions herein made for the support or orphans, half orphans, abandoned children, or children of a father who is incapacitated for gainful work by permanent physical disability, or is suffering from tuberculosis in such a state that he can not pursue a gainful occupation, shall be held to include children of a parent who has been deprived of civil rights by reason of commitment to a State or Federal hospital or to any prison, whether of this or any other State or of the United States, and foundlings and other dependent illegitimate infants who may have been or shall become dependent upon any regularly established foundling asylum or county, without regard to the time in which such infants have been dependent upon such institution or county; and the relief herein provided shall be given for any fraction of a year, pro rata; and provided, further that for each abandoned or dependent illegitimate infant, who now is or shall become dependent upon such foundling asylum or county there shall be paid by the State the sum of fifteen dollars per month from the time it becomes dependent upon such institution or county until such infant's decease, or until it is adopted or reaches the age of two years, after which age such institution or county shall receive the same sum for such infants as for full orphans."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 814—An act to amend section 92 of, and to add section 95 to the Agricultural Code, relating to and providing for the exhibition of California products.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 1922—An act to amend sections 2283 to 2290, inclusive, of the Political Code, relating to State aid to orphans, half orphans, abandoned children, and children of fathers not able to pursue a gainful occupation

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "to 2290, inclusive,", and insert in lieu thereof a comma and the following: "2284, 2285, 2287, 2289 and 2290".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out "orphans, half orphans", and insert in lieu thereof the following: "children".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 3 and 4 of the title.

Amendment No. 4.

On page 1 of the printed bill, after line 2, insert the following:

"2283. There is hereby appropriated out of any money in the State treasury not otherwise appropriated to each and every institution in this State conducted

for the support and maintenance of needy minor orphans, half orphans, abandoned or dependent children, or the child or children of a father who is incapacitated for gainful work by permanent physical or mental disability, or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, and to each and every county, city and county, city, or town maintaining orphans, half orphans, abandoned or dependent children, or the child or children of a father who is incapacitated for gainful work by permanent physical or mental disability, or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, or any or all of such classes of persons, and not in excess of the sum of one hundred twenty dollars per annum for each such orphan, half orphan, abandoned or dependent child, or child of a father who is incapacitated for gainful work by permanent physical or mental disability, or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, supported and maintained in such institution or by such county, city and county, city, or town; but each abandoned or dependent child maintained by an institution must have been an inmate thereof for one year prior to such institution receiving aid therefor, as provided in this chapter; provided, however, that upon receiving such aid such institution shall also be entitled to reimbursement from the State for said year in a sum not in excess of one hundred twenty dollars per annum for each such abandoned or dependent child where proof of abandonment or dependency sufficient to demonstrate the genuineness of the claim is presented to the State Board of Control; provided, further, that in addition to the amount paid by the State for each orphan, half orphan, abandoned or dependent child, or child of a father who is incapacitated for gainful work by permanent physical or mental disability or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, maintained in a private home or in an institution, the county, city and county, city, or town may pay for the support of such orphan, half orphan, abandoned or dependent child, or child of a father who is incapacitated for gainful work by permanent physical or mental disability or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, an amount equal to the sum paid by the State; and provided, further, that in any case where any such orphan, half orphan, abandoned or dependent child, or child of a father who is incapacitated for gainful work by permanent physical or mental disability or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, is denied aid by the county, upon a petition setting forth the facts in full as to the necessity of aid, verified by five reputable citizens of the county, city and county, city, or town, the applicant in any such case shall have the right of appeal direct to the State Board of Control for aid for such child and should this appeal be sustained by said board, payment must be made for the child as above provided.

SEC. 2. Section 2284 of the Political Code is hereby amended to read as follows:

2284. The aid herein granted must be paid in quarterly installments commencing on the first Monday in January, April, July and October of each year.

SEC. 3. Section 2285 of the Political Code is hereby amended to read as follows:

2285. Every institution, county, city and county, city, or town entitled to aid under this chapter must keep the following records, which at all times must be open to the State Board of Control or to any person appointed by them to examine the same or to any committee of the Legislature, or to any clerk or officer thereof duly authorized to make such examination:

1. A record on which must be entered the date of admission, name, age, sex, and place of birth of each and every orphan, half orphan and abandoned or dependent child, who is or may hereafter be received or admitted into such institution, or to county aid, and the date of discharge of any child, when such discharge is made, the parentage, if known; the estate, if any, to which the child is heir, and the insurance, if any, on the father's or mother's life; so far as can be ascertained, the place where either parent or both died, the nativity of the parents, where married, the marriage certificate, where recorded, when they came to California, place of residence in California, and habits of sobriety.

2. A book entitled "monthly accounts." In it must be entered on the debtor side, all the moneys received from any and all sources segregated under the proper heads; on the credit side must be entered all disbursements made, specifying for what purposes made, and the amount entered in detail so disbursed, segregated under their proper heads.

3. A pay roll of the employees, and the amounts disbursed to each.

4. A book in which must be entered in detail the amounts paid for the specific support of every orphan, half orphan, or abandoned or dependent child and the date of such payments.

5. A transcript of the books and pay roll, verified under oath by the manager or person in charge of such institution entitled to, or claiming State aid under this chapter, must, when demanded by the State Board of Control, be made and forwarded to the said board at the time of presenting claim for State aid.

6. A list of all the inmates other than employees or orphans supported wholly or in part by any institution presenting a claim for State aid under this chapter, must also be forwarded with such claim for aid.

SEC. 4. Section 2287 of the Political Code is hereby amended to read as follows:

2287. Every claim for aid under this chapter must be presented to the State Board of Control for audit and approval. Such claim must contain:

1. The name and location of the institution making the claim, or the name of the county.

2. The name of the person or persons having charge or control of the institution or of the child.

3. The number of orphans, half orphans, abandoned or dependent children, or children of a father who is incapacitated for gainful work by permanent physical or mental disability, or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, therein, in the case of an institution.

4. The amount, if any, that the institution is receiving for the specific support of any orphan, half orphan, abandoned or dependent child, or child of a father who is incapacitated for gainful work by permanent physical or mental disability or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, therein. Such claim, and the statements therein contained, must be verified by the person or persons, or some of them, in charge, of such institution, or in the case of counties, by the county officers in charge of the distribution of aid, and the State Board of Control may, in its discretion, require the production of the books of such institution or county in support of such claim.

SEC. 5. Section 2289 of the Political Code is hereby amended to read as follows:

2289. In order that the provisions of this chapter shall be not abused, it is hereby declared:

1. That until September 1, 1937, no child over the age of eighteen years, and after September 1, 1937, no child over the age of sixteen years shall be deemed a minor orphan, half orphan, abandoned or dependent child, or child of a father who is incapacitated for gainful work by permanent physical or mental disability or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, within the intent and meaning of this chapter.

2. That no child for whose specific support there is paid to any such institution the sum of twenty dollars or more per month shall be deemed a minor orphan, half orphan, abandoned or dependent child, or child of a father who is incapacitated for gainful work by permanent physical or mental disability or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, within the intent and meaning of this chapter.

3. That no child maintained in an institution for whom a suitable bona fide offer of a proper home has been made shall be considered eligible for further State aid; *and it is further provided, that no institution shall be required to surrender a* child to any person of religious faith different from that of the child or the parents of the child.

4. That a child who has not resided in this State for a period of at least one year prior to the application for aid shall not be eligible to receive State aid unless such child is born in this State; provided, further, that no child born without the State who is brought into or kept within this State by any person in violation of any law of the United States or of this State shall be eligible to receive State aid, regardless of the length of time such child may have been within the State.

SEC. 6. Section 2290 of the Political Code is hereby amended to read as follows:

2290. The provisions herein made for the support of orphans, half orphans, abandoned or dependent children, or children of a father who is incapacitated for gainful work by permanent physical or mental disability, or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, shall be held to include children of a parent who has been deprived of civil rights by reason of commitment to a State or Federal hospital or to any prison, whether of this or any other State or of the United States, and foundlings and other dependent illegitimate infants who may have been or shall become dependent upon any regularly established foundling asylum or county, without regard to the time in which such infants have been dependent upon such institution or county; and the relief herein provided shall be given for any fraction of a year, pro rata; and provided, further, that for each abandoned or dependent or illegitimate infant, who now is or shall become dependent upon such foundling asylum or county there shall be paid by the State the sum of fifteen dollars per month from the time it becomes dependent upon such institution or county until such infant's decease, or until it is adopted or reaches the age of two years, after which age such institution or county shall receive the same sum for such infants as for full orphans."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 718—An act to amend section 990 of the Fish and Game Code, and to add thereto section 990.4, relating to commercial fishing.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 14, section 1 of the printed bill, after the words "is authorized to do business in this State.", strike out the period, and insert a comma, and add thereto the following: "or to captains and engineers of commercial fishing boats maintaining crews of not less than eight persons upon each such boat."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 1107—An act to amend the title and sections 1, 2, 3, 4 and 5 of, and to add section 6 to, an act entitled "An act to authorize municipal corporations to issue bonds, for the purpose of investing the proceeds arising from the sale thereof, in other bonds issued for public improvements," approved April 26, 1909, relating to the issuance, sale, or exchange and payment of the bonds issued under this act, and the acquisition, collection and payment of bonds acquired, declaring the urgency hereof and providing that this act shall take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 7, of the printed bill, after the comma, insert the following: "or bonds issued by or for districts therein".

Amendment No. 2.

On page 2 of the printed bill, strike out lines 3 to 5, inclusive, and insert in lieu thereof the following: "improvements, or the issuance of bonds to represent or be secured by assessments levied for such work or improvements, including any bonds issued".

Amendment No. 3.

On page 2, line 49, of the printed bill, strike out "5", and insert in lieu thereof the following: "4".

Amendment No. 4.

On page 3, line 27, of the printed bill, after "bonds," insert the following: "as".

Amendment No. 5.

On page 3, line 32, of the printed bill, after "on", insert the following: "a cash basis"

Amendment No. 6.

On page 5, line 43, of the printed bill, after "intended", insert the following: "to and does provide an alternative system".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 149—An act to amend section 1250 of the Fish and Game Code, relating to fully protected mammals.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 277—An act to amend section 164 of the Civil Code, relating to community property.

Bill read second time, and ordered on file for third reading.

Unfinished Business.

Consideration of Senate Amendments to Assembly Bill No. 248.

Assembly Bill No. 248—An act to amend sections 3051, 3051a and 3052 of the Civil Code, relating to liens on aircraft and other personal property.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 248?

Amendment No. 1.

On page 1, line 7, of the printed bill, as amended, strike out "thereto", and insert in lieu thereof the following: "thereon".

Amendment No. 2.

On page 1, line 8, of the printed bill, as amended, strike out the semicolon and "a", and insert in lieu thereof a period and the following: "A".

Amendment No. 3.

On page 1, lines 13 and 14, of the printed bill, as amended, strike out the semicolon and "and delivery", and insert in lieu thereof a period and the following: "Livery".

Amendment No. 4.

On page 1, line 17, of the printed bill, as amended, strike out the semicolon and "and laundry", and insert in lieu thereof a period and the following: "Laundry".

Amendment No. 5.

On page 1, line 21, of the printed bill, as amended, strike out the semicolon and "and veterinary", and insert in lieu thereof a period and the following: "Veterinary".

Amendment No. 6.

On page 1, line 22, of the printed bill, as amended, strike out "shall".

Amendment No. 7.

On page 2, line 1, of the printed bill, as amended, strike out the semicolon and "and keepers", and insert in lieu thereof a period and the following: "Keepers".

Amendment No. 8.

On page 2, line 2, of the printed bill, as amended, strike out "shall".

Amendment No. 9.

On page 2, line 7, of the printed bill, as amended, strike out "shall".

Amendment No. 10.

On page 2, line 16, of the printed bill, as amended, strike out the semicolon and "provided, further, that", and insert in lieu thereof a comma and the following: "but".

Amendment No. 11.

On page 2, line 20, of the printed bill, as amended, before "loss", insert the following: "time of".

Amendment No. 12.

On page 2, line 28, of the printed bill, as amended, after "commencing", insert the following: "any".

Amendment No. 13.

On page 2, line 34, of the printed bill, as amended, strike out the comma and "as", and insert in lieu thereof the following: "to be".

Amendment No. 14.

On page 2, line 38, of the printed bill, as amended, strike out "section 57", and insert in lieu thereof the following: "sections 438 and 439".

Amendment No. 15.

On page 2, line 39, of the printed bill, as amended, strike out "'California Vehicle Act'", and insert in lieu thereof the following: "Vehicle Code".

Amendment No. 16.

On page 2, line 43, of the printed bill, as amended, strike out "as", and insert in lieu thereof the following: "to be the".

Amendment No. 17.

On page 2 of the printed bill, as amended, strike out lines 50 and 51, and insert in lieu thereof the following: "or any place of registration of aircraft in this State which may be".

Amendment No. 18.

On page 3, line 8, of the printed bill, as amended, strike out "and by", and insert in lieu thereof the following: "after".

Amendment No. 19.

On page 3, line 15, of the printed bill, as amended, strike out the semicolon and "provided, however, that prior", and insert in lieu thereof a period and the following: "Prior".

Amendment No. 20.

On page 3, line 18, of the printed bill, as amended, after "such", insert the following: "vehicle or aircraft,".

Amendment No. 21.

On page 3, line 37, of the printed bill, as amended, strike out "through", and insert in lieu thereof the following: "to".

Amendment No. 22.

On page 3 of the printed bill, as amended, strike out lines 38 and 39, and insert in lieu thereof the following: "Department of Motor Vehicles, by registered letter. In the case of aircraft licensed, registered or identified".

Amendment No. 23.

On page 3, line 43, of the printed bill, as amended, strike out "Division", and insert in lieu thereof the following: "Department".

Amendment No. 24.

On page 3, line 47, of the printed bill, as amended, strike out the semicolon and "and providing, further that within", and insert in lieu thereof a period and the following: "Within".

Amendment No. 25.

On page 4, line 2, of the printed bill, as amended, after "sale", insert the following: "of any property sold under this section".

The roll was called, and Senate amendments to Assembly Bill No. 248 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Cottrell, Cronin, Cunningham, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Patterson, Pelletier, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Utt, Wagner, Wallace, Waters, Welsh, and Mr. Speaker—46.

NOES—None.

Assembly Bill No. 248 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1754.

Assembly Bill No. 1754—An act to amend sections 4.962, 4.963, 4.964, 4.1010, and to add new sections to be known as 4.967 and 4.968 of the School Code, relating to school district bonds.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1754?

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, as amended, strike out "bond elections", and insert in lieu thereof the following: "school district bonds".

Amendment No. 2.

On page 2, line 20, of the printed bill, as amended, strike out "of the School Code is hereby amended", and insert in lieu thereof the following: "is hereby added to the School Code".

Amendment No. 3.

On page 2, line 29, of the printed bill, as amended, strike out "of the School Code is hereby amended", and insert in lieu thereof the following: "is hereby added to the School Code".

The roll was called, and Senate amendments to Assembly Bill No. 1754 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Clark, Cottrell, Cronin, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Flint, Fulcher, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hunt, Latham, Laughlin, Lore, Lyon, Maloney, Martin,

McBride, McCarthy, McMurray, Meehan, Miller, Minard, Patterson, Pelletier, Peterson, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Utt, Wagner, Walker, Welsh, and Mr. Speaker—48.
NOES—None.

Assembly Bill No. 1754 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 456.

Assembly Bill No. 456—An act to amend sections 830, 834 and 1533 of the Probate Code, relating to the borrowing of money by executors, administrators and guardians and the execution by them of mortgages, deeds of trust and pledges to secure the same and the limitation upon recovery and deficiency judgments in such cases.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 456?

Amendment No. 1.

On page 2, line 4, of the printed bill, as amended, strike out "or interest", and insert in lieu thereof the following: "or interests".

The roll was called, and Senate amendment to Assembly Bill No 456 was concurred in by the following vote:

AYES—Andreas, Boyle, Brennan, Burns, Cassidy, Clark, Cronin, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fulcher, Gilmore, Glover, Hawkins, Heisinger, Hunt, Latham, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Pelletier, Peterson, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Utt, Wagner, Walker, Wallace, Welsh, and Mr Speaker—44.
NOES—None.

Assembly Bill No. 456 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 848.

Assembly Bill No. 848—An act to amend section 2.60 of the School Code, relating to the correction and relocation of boundaries of school districts.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 848?

Amendment No. 1.

On page 1, line 17, of the printed bill, as amended, strike out "location", and insert in lieu thereof the following: "relocation".

Amendment No. 2.

On page 1, lines 19 and 20, of the printed bill, as amended, strike out "location or fixing of said boundary lines.", and insert in lieu thereot the following: "district in which such parcel or property shall be located."

The roll was called, and Senate amendments to Assembly Bill No. 848 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Clark, Cottrell, Cronin, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Latham, Laughlin, Lore, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Wagner, Walker, Wallace, Waters, Welsh, and Mr. Speaker—48.
NOES—None.

Assembly Bill No. 848 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1332.

Assembly Bill No 1332—An act to add section 3306a to the Civil Code, relating to breach of contract to deliver a quitclaim deed.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1332?

Amendment No. 1.

On page 1, line 3, of the printed bill, after the first word "the", insert the word "minimum".

Amendment No. 2.

On page 1, line 7, of the printed bill, after the word "expenses", insert the word "which".

Amendment No. 3.

On page 1, line 7, of the printed bill, strike out the word "also".

Amendment No. 4.

On page 1, line 8, of the printed bill, strike out the word "to", and insert the word "shall".

The roll was called, and Senate amendments to Assembly Bill No. 1332 were concurred in by the following vote:

AYES—Anderson, Boyle, Brennan, Burns, Cassidy, Clark, Cottrell, Cronin, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Latham, Laughlin, Lore, Maloney, Martin, McBride, McMurray, Miller, Morgan, Patterson, Pelletier, Peterson, Reaves, Redwine, Riley, Robertson, Rosenthal, Stream, Thorp, Wagner, Walker, Waters, Welsh, and Mr. Speaker—45.

NOES—None.

Assembly Bill No. 1332 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 2268.

Assembly Bill No. 2268—An act to amend section 1 of an act entitled "An act providing for the supervision and regulation of the transportation of property for compensation over any public highway by auto trucks, defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, relating to the determination of the operation of auto trucks by transportation companies.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2268?

Amendment No. 1.

On page 2, line 13, of the printed bill, after the word "fact", add the following: "and the findings of the Railroad Commission thereon shall be subject to review."

The roll was called, and Senate amendment to Assembly Bill No. 2268 was concurred in by the following vote.

AYES—Anderson, Brennan, Burns, Cassidy, Cottrell, Cronin, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J, Field, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hunt, Latham, Laughlin, Lore, Maloney, Martin, McBride, McMurray, Meehan, Miller, Morgan, Patterson, Pelletier, Peterson, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Thorp, Wagner, Walker, Wallace, Welsh, and Mr. Speaker—44.

NOES—None.

Assembly Bill No. 2268 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 823.

Assembly Bill No. 823—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 18, 1883, as amended, by amending section 862 of, and to add sections 862.1 to 862.27 inclusive, to the act, relating to the powers of sixth class cities.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 823?

Amendment No. 1.

On page 1, line 5 of the title of the printed bill, as amended, strike out "862 6", and insert in lieu thereof the following: "862.27".

Amendment No. 2.

On page 6, line 13, of the printed bill, as amended, strike out "property tax levy", and insert in lieu thereof the following: "moneys accruing to the general fund".

Amendment No. 3.

On page 6, line 14, of the printed bill, as amended, strike out "one".

The roll was called, and Senate amendments to Assembly Bill No. 823 were concurred in by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Clark, Cottrell, Cronin, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Garibaldi, Geyer, Gilmore, Hawkins, Heisinger, Hunt, Latham, Laughlin, Lore, Maloney, Martin, McBride, McMurray, Meehan, Miller, Morgan, Pelletier, Peterson, Peyser, Reaves, Redwine, Riley, Robertson, Rosenthal, Stream, Thorp, Wagner, Walker, Waters, Welsh, and Mr. Speaker—47.

NOES—None.

Assembly Bill No. 823 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1236.

Assembly Bill No. 1236—An act to amend the title and sections 1, 2, 3, 4 and 5, and to add section 6 to an act entitled "An act to authorize municipal corporations to issue bonds, for the purpose of investing the proceeds arising from the sale thereof, in other bonds issued for public improvements," approved April 26, 1909, relating to the issuance, sale, or exchange, and payment of the bonds issued under this act, and the acquisition, collection and payment of bonds acquired.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1236?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, following the word "amend", insert the words "the title and sections 1, 2, 3, 4 and 5, and to add section 6 to"; and in lines 5 and 6 of the title, strike out the following: "by amending the title and sections 1, 2 and 3 thereof,"; and in line 6 of the title, strike out the words "bonds to be purchased and the use of", and in line 7, strike out the words "the funds", and insert in lieu thereof the following: "the issuance, sale, or exchange, and payment of the bonds issued under this act, and the acquisition, collection and payment of bonds acquired".

Amendment No. 2.

On page 1, line 4, of the printed bill, as amended, strike out all of the line following the word "of", and strike out all of lines 5 to 8, inclusive, and insert in lieu thereof the following: "acquiring other general obligation bonds of the municipal corporation, or bonds issued by or for districts therein or bonds issued for street work or other public improvements, and providing for acquiring such bonds, and the levy or collection of taxes and assessments to pay principal and interest of bonds acquired, the use of funds derived from bonds issued under this act or acquired under this act and the payment of bonds issued under this act."

Amendment No. 3.

On page 1, line 12, of the printed bill, as amended, strike out the words "provide a fund", strike out all of line 13, and in line 14, strike out the words "be invested or reinvested in", and insert in lieu thereof the word "acquire"; and on the same page, line 15, preceding the word "any", insert the words "by or for"; and on the same page, line 16, following the word "improvements", insert the words "in the municipal corporation"; and on the same page, line 18, following the word "improvements", insert the following: ", or the issuance of bonds to represent or be secured by assessments levied for such work or improvements,".

Amendment No. 4.

On page 2, line 4, of the printed bill, as amended, strike out the word "pyramiding", and insert in lieu thereof the word "increasing"; and on the same page, line 7, following the word "districts", insert the following: ", or for the purpose of providing means whereby district indebtedness or assessments represented by or securing bonds may be reduced".

On the same page, line 10, strike out the word "The", and insert in lieu thereof the following: "Except as herein modified, the"; and on page 2, following line 18, *insert the following:* "The interest rate on the bonds need not be the same during the entire term thereof but different rates may be fixed for one or more interest payments on such bonds"

On page 2, lines 19 and 20, strike out the words "provide funds for the purchase of", and insert in lieu thereof the word "acquire".

On page 2, line 33, following the word "act", insert the following: "; provided, however, that where any issue of bonds under this act is to mature at one time the amount of the taxes to be levied annually shall be as provided in section 5 of this act".

On page 2, line 39, following the word "all", insert the word "other".

On page 2, line 40, following the word "funds", insert the words "in a fund to be called "'General improvement fund,'".

On page 2, line 45, following the word "to", insert the words "acquire or to".

On page 2, line 52, following the word "act", insert the words "for the purpose of acquiring such outstanding bonds".

Amendment No. 5.

On page 3, line 6, of the printed bill, as amended, strike out the words "as aforesaid", and insert in lieu thereof the following: ", or, where under the provisions hereinbefore in this section contained such reinvestment is not permitted, shall be used to pay principal and interest of the bonds issued under this act for the purpose of acquiring the bonds so sold".

Amendment No. 6.

On page 3 of the printed bill, as amended, all of the language following the period in line 6, shall be placed in a new section which shall be added hereto and headed as follows.

"SEC. 5. Section 4 of said act is hereby amended to read as follows:

Sec. 4."

On page 3 of the printed bill, as amended, following line 18, insert the following:

"Where any bonds acquired pursuant to the provisions of this act are acquired at less than the par value thereof, the legislative body may, in its discretion, reduce the total principal amount of any issue of bonds so acquired and held by it to a total principal amount which it may fix by ordinance; provided such reduced total principal amount of any issue shall not be less at par than the total purchase price of the total principal amount of the bonds of such issue acquired by said legislative body. The ordinance shall designate the issue of bonds to be so reduced, the total principal amount of the bonds of such issue acquired, the purchase price paid therefor, the principal amount of the proposed reduction, the numbers, denominations and maturity dates of the bonds to be canceled and the time and place of the proposed cancellation. Such ordinance shall be subject to referendum as are other ordinances of the city. At the time and place fixed, unless prevented by referendum, the bonds shall be publicly canceled and the city clerk shall enter on the minutes of the legislative body a record of the bonds canceled sufficient to identify the same and the fact and date of the cancellation thereof If the bonds canceled are issued under the Improvement Bond Act of 1915 the legislative body shall reduce the principal amount of the assessments securing such bonds to the total principal amount of the unpaid and uncanceled bonds of the same issue. Such reduction of assessments shall be carried out by canceling such proportion of the assessments as may be necessary therefor and the legislative body is empowered to provide procedure for such cancellation in compliance with constitutional requirements. The uncanceled portion of the assessments shall be valid and collected in accordance with the terms of the statutes under which the original assessments were levied and bonds issued

SEC 6 Section 5 of said act is hereby amended to read as follows:

Sec. 5. Any issue of bonds under this act may in the discretion of the legislative body of the city be made to mature at one time, provided such time shall not exceed twenty years from the date of issue of such bonds In the event that the bonds mature at one time the annual tax levy shall be sufficient to pay the interest on such bonds as it comes due and to create a sinking fund for the payment of the principal thereof on or before maturity The sum to be raised each year and placed in the sinking fund for the payment of the principal of the bonds shall not be less than an amount obtained by dividing the total principal amount of the bonds issued by the total number of years the bonds are to run In the event the entire issue of bonds is to mature at one time, such bonds may be called for redemption in numerical

order at par and accrued interest on any interest payment date prior to their fixed maturity, and a statement to that effect must be set forth in each bond. No bond issued hereunder shall be callable or redeemable prior to its fixed maturity date unless a statement that the bond is callable is contained in the bond. At least once each year, within sixty days prior to an interest payment date, if the sinking fund contains sufficient available moneys to call one or more of the outstanding bonds, the legislative body shall, by notice published once a week for two successive weeks in some newspaper published in the city, and, in its discretion, in any other newspaper or newspapers, invite sealed proposals for the sale to the city of any bonds for payment of which the sinking fund was created. Said notice shall state the amount available for the redemption of said bonds and shall specify the time when and the place where such proposals will be opened. At such time and place all proposals shall be opened in public. Any or all of such proposals may be rejected in the discretion of the legislative body. No proposal shall be accepted unless the sale price is less than par and accrued interest. If no proposals are received or if those received are rejected or are insufficient to exhaust the moneys available for the redemption of bonds, the legislative body shall call in numerical order such outstanding bonds as can be redeemed from the moneys available for that purpose. Notice of the call of such bonds for redemption shall be published once a week for two weeks in a newspaper of general circulation in said city. The first publication shall be not less than thirty days prior to the date fixed for such redemption. Upon the date fixed for such redemption the bonds so called shall be redeemed at par and accrued interest to that date. If any bonds so called are not presented for redemption on the date fixed therefor, then on the day following said date a sum sufficient for the payment of the principal of such bonds and accrued interest to said date of redemption shall be placed in a special fund for that purpose and interest on the bonds for which such provision is made shall cease on said redemption date.

SEC. 7. A new section is hereby added to said act, to be numbered section 6, and to read as follows:

Sec. 6. This act shall in nowise affect any other act or acts now existing or which may hereafter be passed covering the same subject matter, or apply to any proceedings thereunder, but is intended to and does provide an alternative system for the issuance of bonds, and, when in the discretion of any legislative body proceedings are commenced under this act, the provisions of this act shall govern all procedure to be taken.

This act and all of its provisions shall be liberally construed to the end that the purposes hereof may be made effective. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this act. The Legislature hereby declares that it would have passed this act irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases thereof be declared unconstitutional or invalid."

The roll was called, and Senate amendments to Assembly Bill No. 1236 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Corwin, Cottrell, Cronin, DeLap, Donahue, Evans, Herbert J., Field, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Morgan, Patterson, Pelletier, Peterson, Peyser, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Voigt, Walker, Waters, Welsh, and Mr. Speaker—48

NOES—None.

Assembly Bill No. 1236 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 305.

Assembly Bill No. 305—An act to amend section 1357 of the Political Code, relating to absentee voters

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 305?

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out line 8, and insert in lieu thereof the following: "any general or special municipal election (including any district elec-".

Amendment No. 2.

On page 1, line 9, of the printed bill, as amended, after "town," insert the following: "or any election conducted in a district by district officers,".

Amendment No. 3.

On page 1, line 17, of the printed bill, as amended, after "residence," insert the following: "or in case of a district election from the officer or board charged with the duty of conducting the election,".

Amendment No. 4.

On page 1, line 18, of the printed bill, as amended, after the period, insert the following: "In the case of a district election, the duties imposed by this section upon the county clerk, registrar of voters, or city clerk shall be performed by the officer or board charged with the duty of conducting such district election."

Amendment No. 5.

On page 3, line 2, of the printed bill, as amended, after "officer", insert the following: "of this State".

The roll was called, and Senate amendments to Assembly Bill No. 305 were concurred in by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Corwin, Cottrell, Cronin, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hunt, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Morgan, Patterson, Peterson, Peyser, Redwine, Riley, Robertson, Stream, Thorp, Wagner, Walker, Welsh, and Mr. Speaker—44.

NOES—Boyle—1.

Assembly Bill No. 305 ordered to enrollment.

Special Order Set for Assembly Bill No. 834.

On motion of Mr. Wright, the consideration of Assembly Bill No. 834 was made a special order for Tuesday, May 28, 1935, at two o'clock, p.m.

Unfinished Business—(Resumed).

Reconsideration of Senate Concurrent Resolution No. 36 Waived.

Mr. Hunt waived his notice to reconsider the vote whereby Senate Concurrent Resolution No. 36 was adopted.

Senate Concurrent Resolution No. 36 ordered transmitted to the Senate.

Third Reading of Assembly Bills.

Assembly Bill No. 1319—An act to amend section 27 of the "State Civil Service Act," relating to preference to veterans and the widows of veterans.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1319 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Corwin, Cottrell, Cronin, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Morgan, Patterson, Pelletier, Peyser, Phillips, Redwine, Robertson, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Welsh, Wright, and Mr. Speaker—54.

NOES—Breed and Reaves—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1830—An act to amend sections 803, 804, 810, 813, 814 and 815 of the Military Code, relating to the extension of veterans' rights for loan grants on homes and farms.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1830 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Corwin, Cottrell, Cronin, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, Meehan, Miller, Morgan, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Welsh, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 2303—An act to amend sections 425, 426, 427 and 428 of the Vehicle Code, relating to liens on vehicles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2303 passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Clark, Cottrell, Cronin, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fulcher, Geyer, Gilmore, Glover, Heisinger, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Rosenthal Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Welsh, and Mr Speaker—47.

NOES—Corwin, Cunningham, Evans, Ralph W., Flint, Garibaldi, Hunt, Jones, Latham, Morgan, Phillips, Robertson, and Wright—12.

Title read and approved

Notice of Reconsideration of Assembly Bill No. 2303.

Mr. Cunningham gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2303 was this day passed.

Assembly Bill No. 2429—An act to provide for the formation, management, alteration of boundaries, and dissolution of storm drain maintenance districts, defining the powers of the board of supervisors and the county surveyor relative to such districts and providing for the levy and collection of taxes to defray the expenses thereof.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Glover:

Amendment No. 1.

On page 5, line 13, of the printed bill, after the word "otherwise", strike out the word "be", and insert the word "by".

Amendment adopted.

Request for Unanimous Consent.

Mr. Glover asked for, and was granted, unanimous consent to take up Assembly Bill No. 2429, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2429, as Amended.

Assembly Bill No. 2429, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 2429, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Corwin, Cronin, Cunningham, DeLap, Domhue, Donnelly, Evans, Herbert J, Field, Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Morgan, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Wright, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 700—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Motion.

Mr. Cottrell moved that the Assembly resolve itself into the Committee of the Whole for the purpose of consideration of Assembly Bill No. 700.

Motion carried.

In Committee of the Whole.

Speaker Craig in the chair.

Assembly Bill No. 700 considered.

Mr. Lyon moved that the committee do now rise, and report back to the Assembly.

In Assembly.

Speaker Craig in the chair.

Report of Committee of the Whole.

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1935.

GENTLEMEN: Your Committee of the Whole, which has had under consideration Assembly Bill No. 700—does now respectfully report the same back.

CRAIG, Chairman.

Recess.

At twelve o'clock m., on motion of Mr. Lyon, the Assembly was declared at recess until one o'clock and thirty minutes p.m., of this day.

Reassembled.

At one o'clock and thirty minutes p m., the Assembly reconvened. Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1165—An act to amend the title and sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, and 16 of, and to add section 14½ to, an act entitled "An act providing an additional and/or alternative method for financing the acquirement, construction, development, improvement, reconstruction, extension and repair of waterworks systems by any political subdivision or public agency of the State authorized

by law to own and operate such waterworks systems by the issuance and sale to the United States Government or any agency of said government of revenue bonds payable solely out of the revenue derived or to be derived therefrom; providing for the operation of such systems in case of deficiencies in revenues, providing for a statutory lien on works acquired, constructed, improved, reconstructed, extended or repaired under the provisions of this act, providing for the use of the power of eminent domain by political subdivisions or public agency proceeding under this act, defining the terms political subdivisions and public agencies as included herein, and providing a time for the expiration of said act," approved May 27, 1933, relating to publicly-owned public utilities—and reports that the same has been correctly enrolled, and presented the same to the Governor on this twenty-seventh day of May, 1935, at ten o'clock and thirty minutes a m.

WATERS, Chairman.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1935.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2376—An act making an appropriation for the support of the Legislative Counsel Bureau and declaring the urgency thereof, the act to take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 755—An act making an appropriation to the State Board of Control to pay certain claims against State of California, and repealing an act herein specified—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 605—An act providing for the acquisition of lands for, and the construction, maintenance and operation of a building at the Pacific Exposition to be held in the county of Los Angeles, State of California, providing for the exhibiting of products, resources of and other matters pertaining to the State of California at said Pacific Exposition, creating the California Pacific Exposition Commission and defining its powers and duties, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

On Building and Construction.

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1935.

MR. SPEAKER: Your Committee on Building and Construction, to which was referred Assembly Bill No. 98—An act providing for the establishment, organization, operation and dissolution of municipal housing authorities, vesting them with authority to clear, replan and reconstruct areas in municipalities in which unsanitary and substandard housing conditions exist, to provide and maintain decent, safe and sanitary dwelling accommodations, in said areas and elsewhere for persons of low income, to acquire property therefor by purchase, option or lease, or by condemnation in the exercise of the power of eminent domain, to sell or lease their projects, to borrow money, and defining the duties and powers of such municipal housing authorities in the exercise of the authority so vested in them and authorizing any city or city and county establishing a municipal housing authority to give it financial assistance and to issue bonds therefor, and otherwise to aid, assist and cooperate with such municipal housing authority, and declaring the measure an urgency measure within the meaning of section 1 of Article IV of the Constitution and providing accordingly for the act to take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

PEYSER, Chairman.

The above reported bill ordered on file for second reading.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Phillips:

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add a new section to the Streets and Highways Code, to be numbered 1582, relating to county highway fund

Referred to Committee on Introduction of Bills.

Withdrawal of Bills.

By order of the Speaker, the following bills were withdrawn from the file, and re-referred to committees as follows:

Assembly Bill No. 2162 ordered re-referred to Committee on Roads and Highways.

Assembly Bill No. 2464 ordered re-referred to Committee on Agriculture.

Assembly Bill No. 2407 ordered re-referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 535 ordered re-referred to Committee on Municipal Corporations.

Motion.

Mr. Cottrell moved that the Assembly resolve itself into the Committee of the Whole for the purpose of consideration of Assembly Bill No. 700.

Motion carried.

In Committee of the Whole.

Speaker Craig in the chair.

Assembly Bill No. 700 considered.

Mr. Lyon moved that the committee do now rise, and report back to the Assembly.

In Assembly.

Speaker Craig in the chair.

Report of Committee of the Whole.

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1935.

GENTLEMEN: Your Committee of the Whole, which has had under consideration Assembly Bill No. 700—does now respectfully report the same back.

CRAIG, Chairman.

Further Consideration of Assembly Bill No. 700.

Assembly Bill No. 700 read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Crowley:

Amendment No. 1.

On page 15, line 27, of the printed bill, as amended, insert the following.

"Item 116a—For major construction, improvements, and equipment at Napa State Hospital, seven hundred and fifty thousand dollars $750,000.00".

The question being on the amendment submitted by Mr. Crowley to Assembly Bill No. 700.

Roll Call.

The Speaker ordered a roll call taken on the amendment submitted by Mr. Crowley.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Anderson, Burns, Cassidy, Clark, Crowley, Desmond, Donihue, Donnelly, Flint, Frazier, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, McCarthy, McMurray, Meehan, Patterson, Pelletier, Reaves, Richie, Rosenthal, Voigt, and Wagner—29.

NOES—Andreas, Boyle, Breed, Brennan, Chatters, Corwin, Cottrell, Cunningham, Dawson, DeLap, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Gilmore, Hornblower, Johnson, Kallam, Latham, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—45.

Assembly Bill No. 700 read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Donihue:

Amendment No. 1.

On page 4 of the printed bill, as amended, strike out all of lines 20 and 21, and insert in lieu thereof the following: "six hundred eight thousand, eight hundred eighty dollars $608,880.00".

Amendment No. 2.

On page 5, lines 15, 16, and 17, of the printed bill, as amended, strike out the words "eight hundred ninety-six thousand, one hundred twenty-four and 80/100 dollars $896,124.80", and insert in lieu thereof the following "seven hundred fifty-six thousand, one hundred twenty-four and 80/100 dollars $756,124.80".

The question being on the amendments submitted by Mr. Donihue to Assembly Bill No. 700.

Roll Call.

The Speaker ordered a roll call taken on the adoption of the amendments submitted by Mr. Donihue

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Anderson, Burns, Cassidy, Clark, Dawson, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, McCarthy, Meehan, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, and Wagner—27.

NOES—Andreas, Boyle, Breed, Chatters, Corwin, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Johnson, Kallam, Latham, Lyon, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—45.

Assembly Bill No. 700 read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Reaves:

Amendment No. 1.

On page 3 of the printed bill, as amended strike out "Item 20", lines 35 to 39, inclusive, and insert in lieu thereof the following:

"Item 20—For the erection of Governor's mansion twenty-five thousand dollars ($25,000) or as much thereof as may be necessary less the amount to be received from the sale of the present mansion."

The question being on the amendment submitted by Mr. Reaves to Assembly Bill No. 700.

Substitute Amendment.

Mr. Desmond offered the following amendment as a substitute amendment to the amendment submitted by Mr. Reaves to Assembly Bill No. 700:

Substitute Amendment No. 1.

On page 3 of the printed bill, as amended, between lines 39 and 40, insert the following:

"Item 20½—For construction of Governor's residence in eastern portion of State Capitol grounds in Sacramento, thirty-five thousand dollars $35,000".

The question being on the substitute amendment submitted by Mr. Desmond to Assembly Bill No. 700.

Roll Call.

The Speaker ordered a roll call on the substitute amendment submitted by Mr. Desmond.

The roll was called, and the substitute amendment was refused adoption by the following vote:

AYES—Anderson, Boyle, Clark, Cronin, Crowley, Desmond, Donihue, Evans, Ralph W., Flint, Fulcher, Gilbert, Glover, Hornblower, Jones, Lore, Maloney, McCarthy, Nielsen, Patterson, Pelletier, Reaves, Richie, Rosenthal, Thorp, Turner, Voigt, Wagner, and Weber—28.

NOES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cunningham, Dawson, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Garibaldi, Geyer, Gilmore, Hawkins, Hunt, Johnson, Latham, Laughlin, Lyon, Martin, Mayo, McBride, Miller, Morgan, Peterson, Peyser, Redwine, Riley, Robertson, Scudder, Stream, Utt, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—41.

The question being on the amendment submitted by Mr. Reaves to Assembly Bill No. 700.

Roll Call.

The Speaker ordered a roll call taken on the amendment submitted by Mr. Reaves.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Anderson, Clark, Cronin, Desmond, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hornblower, Jones, Lore, Maloney, Nielsen, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, and Weber—24.

NOES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cunningham, Dawson, DeLap, Donnelly, Evans, Herbert J., Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hawkins, Hunt, Johnson, Latham, Laughlin, Lyon, Martin, Mayo, McBride, Miller, Morgan, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—46.

Assembly Bill No. 700 read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Patterson:

Amendment No. 1.

On page 12, line 12, of the printed bill, as amended, after the word "dollars", add "$50,000 for a cost survey for water conservation in Salinas River Valley to place this project before the Federal Government to conserve the water resources of the Salinas River Valley watershed, to aid unemployment and water conservation in this section of the State".

The question being on the amendment submitted by Mr. Patterson to Assembly Bill No 700.

Roll Call.

The Speaker ordered a roll call taken on the amendment submitted by Mr. Patterson.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Anderson, Clark, Crowley, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hunt, Jones, Laughlin, Lore, Mayo, McCarthy, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, and Weber—24.

NOES—Andreas, Breed, Brennan, Burns, Cassidy, Cottrell, Cronin, Dawson, DeLap, Evans, Herbert J., Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Johnson, Latham, Lyon, Maloney, Martin, McBride, Miller, Morgan, Nielsen, Peterson, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—40.

Assembly Bill No 700 read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Voigt:

Amendment No. 1.

On page 22 of the printed bill, add a new section as follows:

"Item 176A The sum of five hundred thousand dollars or as much thereof as may be necessary, for the construction and maintenance of two radio broadcasting stations for the extension department of the university, one station to be located on the campus at Berkeley and one to be located on the campus of the University of California at Los Angeles."

The question being on the amendment submitted by Mr. Voigt to Assembly Bill No. 700.

Roll Call.

The Speaker ordered a roll call taken on the amendment submitted by Mr. Voigt.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Anderson, Clark, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hunt, Jones, Laughlin, McCarthy, Patterson, Pelletier, Reaves, Richie, Robertson, Rosenthal, Turner, Voigt, and Wagner—21

NOES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Donnelly, Evans, Herbert J., Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Heisinger, Hornblower, Johnson, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Morgan Nielsen, Peyser Phillips, Redwine, Riley, Scudder, Stream, Utt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—48.

Assembly Bill No. 700 read third time.

Demand for Previous Question.

Messrs. Flint, Breed, Morgan, Wallace and Voigt demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr Cottrell moved a call of the House.

Request for Roll Call.

On request of Messrs. Field, Cunningham and Wallace, the Speaker ordered a roll call taken on the motion for the call of the House.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J, Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard,

Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—54.

NOES—Cassidy, Clark, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Hunt, Jones, Laughlin, Lore, Patterson, Pelletier, Reaves, Richie, Rosenthal, and Wagner—19.

Time, five o'clock and ten minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—73.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Motion to Dispense With Call of the House.

Mr. Jones moved that further proceedings under call of the House be dispensed with.

Request for Roll Call.

On request of Messrs. Redwine, Geyer and Peterson, the Speaker ordered a roll call taken on the motion to dispense with further proceedings under call of the House

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Cassidy, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Hunt, Jones, Laughlin, Lore, McCarthy, Patterson, Pelletier, Reaves, Richie, Rosenthal, Voigt, and Wagner—21.

NOES—Andreas, Brennan, Burns, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Gilmore, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, McBride, Meehan, Miller, Minard, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—43.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Commerce and Navigation.

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1935

MR SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 2457—An act to amend section 363i of the Political Code, relating to the administration of certain bays, ports and harbors—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MALONEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 1108—An act ceding to the United States of America certain tide and submerged lands of the State of California upon certain trusts and condi-

tions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MALONEY, Chairman.

The above reported bill ordered on file for second reading.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1935.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 1835—An act to amend an act entitled "An act relating to the safety of design and construction of public school buildings, providing for regulation, inspection and supervision of the construction, reconstruction or alteration of or addition to public school buildings, and for the inspection of existing school buildings, defining the powers and duties of the State Division of Agriculture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act, to take effect immediately," approved April 10, 1933, relating to the regulation and inspection of the construction of public school buildings—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

CHATTERS, Chairman.

The above reported bill ordered on file for second reading.

On Federal Relations.

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1935

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 61—Relative to memorializing Congress to repeal "An act to amend the Tariff Act of 1930," approved June 12, 1934—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

TURNER, Chairman.

Assembly Joint Resolution No. 61 ordered to engrossment, and on file for adoption.

On Public Health and Quarantine.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1935

MR SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 2441—An act to provide for the regulation and control of the sale of certain drugs or chemicals known as dinitrophenol and thyroid, to provide penalties for the violation of this act and to provide for the enforcement hereof by the California State Board of Pharmacy—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

KALLAM, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1267—An act to amend the title and to add three new sections, to be numbered 2a, 2b and 2c, to an act entitled "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed, regulating the health of persons by whom the materials from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of the same, making violations of this act misdemeanors; and providing for the punishment of the same," approved March 6, 1909, relating to the use of closed containers and providing for the sterilization of used bottles and containers used for foods, drugs and liquors—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

KALLAM, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 2295—An act to amend an act entitled "An act to provide for the inspection, quarantine and registration of aviaries and other places where shell parrakeets are sold, offered for sale, trade or barter; and to provide for the inspection of all birds which may be kept in such places; to declare the urgency thereof and provide that this act shall take effect immediately," approved by the

Governor May 26, 1933—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

KALLAM, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1935.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 1097—An act to amend sections 2 and 3 of an act entitled "An act for the preservation of the public health of the people of the State of California and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907, amended April 1, 1911, June 13, 1913, and May 24, 1917, so as to prevent the construction and use of sewer wells extending into subterranean water-bearing strata used or intended to be used, or suitable for, a source of water supply for domestic purposes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

KALLAM, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1935.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1367—An act validating the formation and organization of county sanitation districts under the provisions of an act of the Legislature of the State of California, approved May 29, 1923, as amended February 2, 1925, April 18, 1927, April 22, 1927, May 22, 1929 and June 9, 1931, and entitled, as amended, "An act authorizing the creation, government, maintenance and dissolution of county sanitation districts, the annexation of contiguous territory to such districts, the issuance of bonds by such districts and the powers thereof," and validating bonds of such districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

KALLAM, Chairman.

The above reported bill ordered on file for second reading.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1639—An act to amend sections 2.203 and 2.204 of the School Code and to add a new section thereto to be numbered 2.134, all relating to the formation of elementary school districts—and reports that the same has been correctly engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Motion.

Mr. Jones moved that all persons other than Senators, Assemblymen, their families and newspapermen be excluded from the Assembly.

Substitute Motion.

Mr. Latham moved, as a substitute motion, that all persons be excluded from the floor of the Assembly.

The question being on the substitute motion by Mr. Latham to exclude all persons from the Assembly Chamber.

Request for Roll Call.

On request of Messrs Robinson, Flint and Williamson, the Speaker ordered a roll call taken on the substitute motion to exclude all persons from the Assembly Chamber.

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Flint, Geyer, Hunt, Patterson, Pelletier, Voigt, and Wallace—8.

NOES—Andreas, Brennan, Cassidy, Chatters, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Gilmore, Glover, Hawkins, Heisinger, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Nielsen,

Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Weber, Welsh, Williamson, and Mr. Speaker—51.

The question being on the motion by Mr. Jones to exclude all persons other than Senators, Assemblymen, their families, and newspapermen be excluded from the Assembly.

Motion to Lay Motion on the Table.

Mr. Waters moved that the motion by Mr. Jones be laid on the table.

The question being on the motion to lay on the table.

Request for Roll Call.

On request of Messrs. Jones, Fisher, and Wallace, the Speaker ordered a roll call taken on the motion to lay on the table.

The roll was called, and the motion was carried by the following vote:

AYES—Andreas, Brennan, Burns, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Heisinger, Hornblower, Johnson, Latham, Lyon, Maloney, Martin, McBride, Miller, Minard, Nielsen, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—45.

NOES—Anderson, Boyle, Breed, Cassidy, Clark, Desmond, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Hunt, Jones, Kallam, Laughlin, Lore, Mayo, McCarthy, Meehan, Patterson, Pelletier, Reaves, Rosenthal, Turner, Voigt, Wagner, and Wallace—29

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Robertson:

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend the title and sections 1, 2 and 5 and to repeal sections 4 and 6 of an act entitled "An act to create the office of public defender, to provide for the election of such officers and prescribe their duties and compensation," approved May 26, 1921, relating to public defenders.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1935

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend the title and sections 1, 2 and 5 and to repeal sections 4 and 6 of an act entitled "An act to create the office of public defender, to provide for the election of such officers and prescribe their duties and compensation," approved May 26, 1921, relating to public defenders.

CUNNINGHAM, Chairman

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to add a new section to the Code of Civil Procedure, to be numbered section 1255b, relating to the abandonment of condemnation proceedings by initiative or referendum measures adopted by the electors or legislative bodies of certain municipalities as defined herein, defining certain terms used herein, and for other purposes.

CUNNINGHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to add a new section, to be numbered 1582, to the Streets and Highways Code, relating to county highway funds.

CUNNINGHAM, Chairman.

Reports of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the reports.

The question being on the adoption of the reports.

The roll was called, and the reports adopted by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—67.

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

By Mr. Robertson: Assembly Bill No. 2477—An act to amend the title and sections 1, 2 and 5, and to repeal sections 4 and 6 of an act entitled "An act to create the office of public defender, to provide for the election of such officers, and prescribing their duties and compensation," approved May 26, 1921, relating to public defenders.

Bill read first time, and referred to Committee on County Government.

By Mr. Gilbert: Assembly Bill No. 2478—An act to add a new section to the Code of Civil Procedure, to be numbered section 1255b, relating to the abandonment of condemnation proceedings by initiative or referendum measures adopted by the electors or legislative bodies of certain municipalities as defined herein, defining certain terms used herein, and for other purposes.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Phillips: Assembly Bill No. 2479—An act to add a new section, to be numbered 1582, to the Streets and Highways Code, relating to county highway funds.

Bill read first time, and referred to Committee on Roads and Highways.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 707—An act to amend sections 12, 13 and 16 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Lyon:

Amendment No. 1.

On page 2, line 26, of the printed bill, as amended, strike out "Twenty-five", and insert in lieu thereof the following: "Twenty".

Amendment adopted.

Bill read, ordered to reprint, re-re-engrossment, and third reading.

Assembly Bill No. 1904—An act to amend sections 3, 6, 7, 9, 10, and 14 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provision," approved June 5, 1933, relating to the powers of the California Horse Racing Board.

Bill read third time

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Hornblower:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "sections 3, 6, 7, 9, 10, and 14", and insert in lieu thereof the following: "section 3".

Amendment No. 2.

In line 10 of the title of the printed bill as amended, after "to", insert the following: "wagering and to".

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out lines 51 and 52, and strike out all of pages 3 to 5, inclusive

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 2020—An act to add a new section to the Penal Code to be numbered 476b, relating to printing, duplicating or imitating blank checks.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Phillips:

Amendment No. 1.

On page 1, lines 6 and 7, of the printed bill, as amended, strike out the following: "fictitious and nonexistent".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 8 and 9, and insert in lieu thereof the following: "drawer thereof, without".

Amendment No. 3.

On page 1, line 10, of the printed bill, as amended, strike out the following: "and the drawee".

Amendments adopted.

Bill read, ordered to reprint, re-re-engrossment, and third reading.

Third Reading of Senate Bills.

Senate Bill No. 326—An act to amend section 3714 of the Political Code, relating to the preparation, submission and adoption of county road district and special district budgets and to the levy of taxes and prescribing limitations on county expenditures.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Chatters.

Amendment No. 1.

On page 1, line 7, of the printed bill, strike out the word "and", and insert in lieu thereof a comma.

Amendment No. 2.

On page 1, line 8, of the printed bill, after the word "reclamation", insert the following: "municipal utility and metropolitan water districts,".

Amendments adopted.

Bill read, ordered to reprint, and on file for third reading.

Senate Bill No. 277—An act to amend section 164 of the Civil Code, relating to community property.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Hornblower:

Amendment No. 1.

On page 1 of the printed bill, as amended, before line 1, insert the following: "SECTION 1. Section 164 of the Civil Code is hereby amended to read as follows:".

Amendment No. 2.

On page 1, line 23, of the printed bill, as amended, strike out "Limitation of actions."

Amendments adopted.

Bill read, ordered to reprint, and on file for third reading.

Senate Bill No. 77—An act to add section 3a to an act entitled "An act to provide for the establishment and maintenance of a Bureau of Tuberculosis under the direction of the State Board of Health; defining its powers and duties; providing for the granting of State aid to cities, counties, cities and counties and groups of counties for the support and care of persons affected with tuberculosis; making an appropriation therefor; and repealing certain acts of the Legislature of the State of California," approved June 12, 1915, relating to agreements between counties and deposits of funds.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Chatters:

Amendment No. 1.

On page 1 of the printed bill, as amended, in the last two lines of the title, strike out "agreements between counties and deposits of funds", and insert in lieu thereof the following: "hospital central committees".

Amendment No. 2.

On page 2 of the printed bill, as amended, strike out lines 40 to 44, inclusive, and insert in lieu thereof the following: "offices."

Amendments adopted.

Bill read, ordered to reprint, and on file for third reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 27, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 34—An act to add section 903 to the Fish and Game Code, relating to nets.

Also: Senate Bill No. 436—An act to add section 490.5 to the Fish and Game Code, and to amend sections 651, 652, 653 and 655 thereof, relating to fish;

Also Senate Bill No. 734—An act to amend sections 108, 709, 1584, and 1640 of the Insurance Code, relating to insurance principles, practice, and business and matters incidental thereto;

Also: Senate Bill No 718—An act to amend section 439 of the Vehicle Code, relating to stored vehicles.

J A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bills Nos. 34 and 436 read first time, and referred to Committee on Fish and Game.

Senate Bill No 734 read first time, and referred to Committee on Insurance

Senate Bill No 718 read first time, and referred to Committee on Motor Vehicles.

Also:

SENATE CHAMBER, SACRAMENTO, May 27, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 545—An act to amend section 26 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations,'" approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities.

J A. BEEK, Secretary of Senate.
By CARL A SHIPKEY, Assistant Secretary.

Senate Bill No. 545 read first time, and referred to Committee on Financial Institutions

Unfinished Business.

Consideration of Senate Amendments to Assembly Bill No. 944.

Assembly Bill No. 944—An act regulating the use of public highways by motor vehicles operated thereon for the transportation of property for compensation; conferring powers upon the Railroad Commission with respect thereto; providing penalties for the violations of this act and repealing all acts inconsistent with the provisions of this act.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 944?

Amendment No. 1.

On page 2, line 17, of the printed bill, after the word "city", add the words "or city and county".

Amendment No. 2.

On page 2, line 39, of the printed bill, after the word "permit", add the words "not exercised".

Amendment No. 3.

On page 3, line 47, of the printed bill, after the words "any carrier", add the words "subject to this act", and strike out the rest of line 47, all of lines 48 and 49, and strike out line 1 on page 4.

The roll was called, and Senate amendments to Assembly Bill No. 944 were concurred in by the following vote:

AYES—Andreas, Cassidy, Chatters, Clark, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Maloney, Martin, McBride, Meehan, Miller, Nielsen, Patterson, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, Welsh, Wright, and Mr. Speaker—51.
NOES—None.

Assembly Bill No. 944 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 2232.

Assembly Bill No. 2232—An act to amend section 4295 of the Political Code, relating to official services without fees.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 2232?

Amendment No. 1.

On page 3 of the printed bill, after line 22, insert a new subsection to read as follows:

"(5) No county or city and county or any public officer, board or body acting in his or its official capacity on behalf of any such county or city and county shall collect, demand or receive any fee or compensation for the recording or filing of any abstract or transcript of judgment rendered in any case in which relief is granted to or in favor of the United States of America."

The roll was called, and Senate amendment to Assembly Bill No. 2232 was concurred in by the following vote:

AYES—Andreas, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Herbert J., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, McBride, Meehan, Miller, Nielsen, Peyser, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—55.
NOES—None.

Assembly Bill No. 2232 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 1344.

Assembly Bill No. 1344—An act providing for the grant of certain lands to the United States of America for the creation of a National park or monument.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1344?

Amendment No. 1.

On page 2, line 22, of the printed bill, after the word "beginning", insert the following: "excepting therefrom and reserving to the State of California all mineral and oil in or contained in said lands, together with the right to enter, extract and take the same, and excepting and reserving to the State of California title to each and every section within the boundaries hereinbefore described in which mineral or oil is discovered within a period of twenty years from the date of the adoption of this act and reserving and excepting therefrom all lands which the State of California shall have heretofore contracted to sell or dispose of".

The roll was called, and Senate amendment to Assembly Bill No. 1344 was concurred in by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Evans, Herbert J., Field, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Lore, Maloney, Martin, McBride, Meehan, Miller, Minard, Nielsen, Patterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder,

Stream, Thorp, Turner, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—55

NOES—None.

Assembly Bill No. 1344 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 390.

Assembly Bill No. 390—An act to amend section 15a of and to add sections 15aa and 25 to an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, relating to vital statistics

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 390?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "sections 15b and", and insert in lieu thereof the following: "section".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, as amended, strike out "section", and insert in lieu thereof the following: "sections 15aa and".

Amendment No. 3.

On page 2, line 13, of the printed bill, as amended, strike out "15b", and insert in lieu thereof the following: "15aa".

Amendment No. 4.

On page 2, line 15, of the printed bill, strike out "15b", and insert in lieu thereof the following: "15aa".

The roll was called, and Senate amendments to Assembly Bill No. 390 were concurred in by the following vote.

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Evans, Herbert J., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Heisinger, Hornblower, Hunt, Johnson, Lore, Maloney, Martin, Mayo, McBride, Meehan, Miller, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—57.

NOES—None.

Assembly Bill No. 390 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 710.

Assembly Bill No. 710—An act to establish a Military and Veterans Code, thereby revising and consolidating the law relating to the armed forces and militia of the State and relating to military and veterans' affairs, aid and welfare, institutions, and buildings and to repeal certain acts and parts of acts therein specified.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 710?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "Military", insert the following: "and Veterans".

Amendment No. 2.

On page 1, line 3, of the printed bill, after "Military", insert the following: "and Veterans".

The roll was called, and Senate amendments to Assembly Bill No. 710 were concurred in by the following vote:

AYES—Boyle, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, Miller, Minard, Nielsen, Patterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 710 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 670.

Assembly Bill No. 670—An act to establish a board to be known as the Rector Dam Authority; to prescribe its duties, powers, functions and jurisdiction; to authorize the authority to construct a dam in Rector Canyon to impound the waters of Rector Creek and to sell and distribute said waters; to authorize the authority to issue and sell revenue bonds to provide funds for the acquisition and construction of said dam and to provide for the redemption thereof from the revenues received from the sale and distribution of such waters; authorizing the Department of Public Works of the State of California to operate and maintain such dam and all property appurtenant thereto; authorizing the board to acquire and hold real property necessary for its purposes, and to enter into agreements with State, Federal, and local officers and agencies, and political subdivisions, municipalities, and public districts.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 670?

Amendment No. 1.

On page 2, line 39, of the printed bill, as amended, after the word "bonds", insert the following: "to the Federal Government."

Amendment No. 2.

On page 2, line 43, of the printed bill, as amended, strike out the period, and add the following: "or to accept gifts, grants or donations to assist in the construction of said dam."

The roll was called, and Senate amendments to Assembly Bill No. 670 were concurred in by the following vote:

AYES—Breed, Brennan, Burns, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Herbert J., Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, Miller, Minard, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 670 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 2416.

Assembly Bill No. 2416—An act to regulate the caravaning of motor vehicles upon the public highways of this State, defining the

term "caravaning" and providing for the licensing of motor vehicles in caravan and imposing penalties for violation thereof.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2416?

Amendment No. 1.

On page 2, line 4, of the printed bill, as amended, section 3, strike out the words "twenty-five", after the word "of", and insert in lieu thereof the word "fifteen".

Amendment No. 2.

On page 2, line 43, of the printed bill, as amended, after the word "Treasury.", add the following:

"Said department shall file with the Controller on or before February 1st and August 1st of each year a detailed account of the receipts of said department from this source for the six months next preceding. The moneys so derived by the State are intended to reimburse the State treasury for the added expense which the State may incur in the administration and enforcement of this act and the added expense of policing the highways over which such caravaning may be conducted, so as to provide for the safety of traffic on such highways where caravaning is being conducted."

The roll was called, and Senate amendments to Assembly Bill No. 2416 were concurred in by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Clark, Corwin, Cronin, Crowley, Cunningham, DeLap, Donihue, Evans, Herbert J., Fisher, Fulcher, Garibaldi, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, Miller, Minard, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 2416 ordered to enrollment.

Reconsideration of Assembly Concurrent Resolution No. 44 Waived.

Mr. McCarthy waived his notice to reconsider the vote whereby Assembly Concurrent Resolution No. 44 was adopted.

Assembly Concurrent Resolution No. 44 ordered transmitted to the Senate.

Consideration of Senate Amendment to Assembly Bill No. 1132.

Assembly Bill No 1132—An act to amend sections 1093, 1127, 1323, and 1439 of the Penal Code, relating to instructions and comment in criminal cases.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1132?

Amendment No. 1.

On page 2, line 14, of the printed bill, after the period, insert the following: "All instructions given (except such as may incidentally be given during the admission of evidence) shall be in writing, unless both parties request the giving of an oral instruction, or consent thereto."

The roll was called, and Senate amendment to Assembly Bill No. 1132 was concurred in by the following vote:

AYES—Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Evans, Ralph W., Field, Fisher, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, Miller, Minard, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Wagner, Walker, Waters, Williamson, Wright, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 1132 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 2180.

Assembly Bill No. 2180—An act to amend section 17 of the Public Utilities Act, relating to discrimination in relation to transportation by common carriers.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2180?

Amendment No. 1.

On page 3, line 8, of the printed bill, strike out the word "shall", and insert the word "may".

Amendment No. 2.

On page 3, line 9, of the printed bill, strike out the word "shall", and insert the word "may".

Amendment No. 3.

On page 3, lines 12 and 13, of the printed bill, strike out the words "shall not exceed the current fare", and insert in lieu thereof the words "may be fixed at not to exceed the current fare for an individual".

The roll was called, and Senate amendments to Assembly Bill No. 2180 were concurred in by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Scudder, Stream, Thorp, Wagner, Walker, Waters, Williamson, Wright, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 2180 ordered to enrollment

Motion.

Mr. Jones moved that the Sergeant-at-Arms be instructed to provide sandwiches and coffee for the members and their families.

The question being on the motion by Mr. Jones to bring in refreshments.

Motion to Lay on the Table.

Mr. Martin moved that the motion be laid on the table.

The question being on the motion by Mr. Martin to lay the motion by Mr. Jones on the table.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Martin to lay the motion by Mr. Jones on the table.

The roll was called, and the motion to table was carried by the following vote:

AYES—Breed, Brennan, Burns, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Heisinger, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, McBride, Meehan, Miller, Minard, Nielsen, Patterson, Peyser, Phillips, Richie, Riley, Robertson, Scudder, Thorp, Turner, Utt, Walker, Waters, Welsh, Wright, and Mr. Speaker—46

NOES—Anderson, Cassidy, Clark, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Hunt, Jones, Laughlin, Lore, Mayo, McCarthy, Pelletier, Reaves, Rosenthal, Wagner, and Wallace—20.

Motion to Dispense With Call of the House.

Mr. Hunt moved that further proceedings under call of the House be dispensed with.

The question being on the motion to dispense with further proceedings under call of the House.

Request for Roll Call.

On request of Messrs. Hunt, Field and Fisher, the Speaker ordered a roll call taken on the motion by Mr. Hunt to dispense with call of the House.

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Boyle, Cassidy, Clark, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, McCarthy, Meehan, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, and Wagner—27.

NOES—Breed, Brennan, Burns, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Nielsen, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—46.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1579—An act to amend section 911 of the Insurance Code, relating to insurance practice regarding financial statements of insurers, and matters incidental thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1579 passed by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Johnson, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Nielsen, Pelletier, Peyser, Redwine, Richie, Riley, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—56.

NOES—Evans, Ralph W., Flint, Hunt, McCarthy, Patterson, Reaves, and Rosenthal—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1589—An act to amend sections 12562 of the Insurance Code, relating to mortgage insurance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1589 passed by the following vote:

AYES—Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Frazier, Fulcher, Garibaldi, Gilmore, Heisinger, Hornblower, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, Miller, Nielsen, Pelletier, Peyser, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Wagner, Waters, Weber, Williamson, Wright, and Mr. Speaker—50.

NOES—Clark, Evans, Ralph W., Flint, Geyer, Hunt, McCarthy, Reaves, Rosenthal, and Voigt—9.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2013—An act to add section 379.5 to the Vehicle Code, relating to seizure and sale of vehicles.

Bill read third time.

The question being on the passage of the bill,

The roll was called, and Assembly Bill No. 2013 passed by the following vote:

AYES—Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Miller, Minard, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Weber, Williamson, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 1022—An act to add section 17 to an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1022 passed by the following vote:

AYES—Anderson, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, Meehan Miller, Minard, Nielsen, Pelletier, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2217—An act to amend section 402c of the Penal Code, relating to safety measures.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2217 passed by the following vote:

AYES—Brennan, Burns, Chatters, Clark, Cronin, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Lore, Lyon, Maloney, Martin, McCarthy, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—53

NOES—Garibaldi—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 1925—An act to amend sections 4 and 7 of "An act to prevent the unauthorized use and disposition of, and traffic in human bodies, to prescribe the keeping of proper records, to promote medical education and public health by regulating the disposition and utilization of the unclaimed dead, to provide penalties for the violation of this act and to repeal sections 3094 and 3095 of the Political Code

and all other acts or portions of acts in conflict with this act," approved May 18, 1927, relating to the use of dead bodies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1925 passed by the following vote:

AYES—Brennan, Burns, Clark, Cronin, Dawson, DeLap, Donihue, Donnelly, Field, Fisher, Flint, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Johnson, Lore, Maloney, Martin, McCarthy, Meehan, Minard, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Weber, and Mr. Speaker—43.
NOES—Fulcher, Garibaldi, and Hunt—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 1294—An act to amend section 515 of the Vehicle Code, relating to motor vehicles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1294 passed by the following vote:

AYES—Brennan, Burns, Clark, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—56.
NOES—Cassidy, Flint, Geyer, and Hunt—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1295—An act to amend section 702 of the Vehicle Code, relating to motor vehicles.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Gilmore:

Amendment No. 1.

On page 1, line 11, of the printed bill, as amended, strike out the word "seven-", and in line 12, the letters "teen", and insert in lieu thereof the word "eighteen"

Amendment adopted.

Request for Unanimous Consent.

Mr Gilmore asked for, and was granted, unanimous consent to take up Assembly Bill No 1295, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1295, as Amended.

Assembly Bill No. 1295, as amended, read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1295, as amended, passed by the following vote:

AYES—Brennan, Burns, Cassidy, Clark, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley,

Robertson, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced:

By Mr. Lyon: Assembly Joint Resolution No. 63—Relative to memorializing the President of the United States to make ample provision for the encouragement of the artistic, cultural, humane, patriotic and sentimental phases of our American National life in the Federal Works Plan.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No 63, at this time, without reference to printer, committee or file, and that same be considered engrossed.

Consideration of Assembly Joint Resolution No. 63.

Assembly Joint Resolution No. 63—Relative to memorializing the President of the United States to make ample provision for the encouragement of the artistic, cultural, humane, patriotic and sentimental phases of our American National life in the Federal Works Plan.

Assembly Joint Resolution No. 63 read.

Mr. Lyon moved the adoption of Assembly Joint Resolution No. 63

The question being on the adoption of Assembly Joint Resolution No. 63.

The roll was called, and Assembly Joint Resolution No. 63 adopted by the following vote:

AYES—Anderson, Brennan, Burns, Cassidy, Corwin, Cronin, Cunningham, Dawson, DeLap, Desmond, Donahue, Evans, Herbert J., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 63 ordered transmitted to the Senate.

Assembly Joint Resolution No. 63.

Relative to memorializing the President of the United States to make ample provision for the encouragement of the artistic, cultural, humane, patriotic and sentimental phases of our American National life in the Federal Works Plan

WHEREAS, The Congress of the United States has approved the appropriation of huge sums to be expended under the direction of the President of the United States in a comprehensive Federal Works Plan; and

WHEREAS, The President of the United States has announced the tentative proportions of said sums as to their disbursement, which includes an amount allocated to so-called "white collar" workers; and

WHEREAS, The State of California is taking steps and has made provisions for numerous enterprises which may be of general benefit because of their inspirational and educational value, such as fairs, expositions, conventions, industrial and housing exhibitions, and celebrations to mark high attainment in the world of construction and engineering; and

WHEREAS, The State of California and several other of the sovereign States of our Union, are nearing the completion of certain such construction projects that bespeak the initiative and industry of our present generation, the accomplishment and achievement of which can be properly perpetuated as imperishable monuments, and fittingly recorded by employing the services of the "white collar" workers; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the President of the United States is hereby memorialized to make ample provision for the encouragement of the artistic, cultural, humane, patriotic and sentimental phases of our American National life in the great Federal Works Plan by the employment of "white collar" workers; and be it further

Resolved, That the Governor of the State of California is hereby requested, empowered and authorized to (1) transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives and to each Senator and member of the House of Representatives from California in the Congress of the United States, and to the National Director of the Federal Work Relief Administration; and (2) designate and select the State department, official, agent or director to initiate projects for the employment of "white collar" workers to carry out the purpose of this resolution; and be it further

Resolved, That all departments of the State of California cooperate with the department designated by the Governor and aid in developing an appreciation of culture, beauty, science, history, arts and achievement

Motion to Re-refer Assembly Bill No. 1617.

Mr. Mayo moved that Assembly Bill No. 1617 be withdrawn from the file, and ordered re-referred to Committee on Roads and Highways.

The question being on re-referring Assembly Bill No. 1617 to the Committee on Roads and Highways.

Motion carried.

Assembly Bill No. 1617 ordered re-referred to Committee on Roads and Highways

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2134—An act to amend section 6.2 of the School Code, relating to school property.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Pelletier:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "amend section 6.2 of", and insert in lieu thereof the following: "add section 6.2a to".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, as amended, after "property", insert the following: "fire losses".

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out lines 1 to 9, inclusive, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the School Code to be numbered 6.2a and to read as follows:

6.2a. In districts situ-"

Amendment No. 4.

On page 1, line 12, of the printed bill, as amended, strike out "such insurance", and insert in lieu thereof the following: "the insurance specified in section 6.2".

Amendments adopted.

Request for Unanimous Consent.

Mr. Pelletier asked for, and was granted, unanimous consent to take up Assembly Bill No. 2134, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2134, as Amended.

Assembly Bill No. 2134, as amended, read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 2134, as amended, passed by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Clark, Corwin, Crowley, DeLap, Desmond, Donihue, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt,

Johnson, Kallam, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Riley, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Weber, Williamson, and Mr. Speaker—57.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1304—An act to amend sections 1, 2, 3, 4, 5, 6 and 7 of an act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores, and spotting, sponging, and/or pressing establishments, or agencies thereof, and private schools and colleges of spotting, sponging, and/or pressing; providing for the registration or licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violations," approved June 3, 1927, relating to cleaning and dyeing.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1304 passed by the following vote:

AYES—Boyle, Brennan, Burns, Cassidy, Clark, Corwin, Cronin, Crowley, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Rosenthal, Scudder, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Further Proceedings Under Call of the House Dispensed With.

At six o'clock and forty-five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Cottrell.

The roll of absentees was called, and Assembly Bill No. 700 was passed by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, O'Donnell, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—52

NOES—Anderson, Boyle, Cassidy, Clark, Crowley, Domhue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, McCarthy, McMurray, Meehan, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, and Wagner—28.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 700.

Mr. Cottrell gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 700 was this day passed.

Explanation of Vote.

I can not vote for the adoption of this budget which spends millions of dollars and fails to provide any relief for the Napa State Hospital. Failure to make an

appropriation to take care of patients crowded into buildings condemned as fire-traps, while providing for other less worthy objects, is criminal.

ERNEST C. CROWLEY.

Explanation of Vote.

In explanation of my vote on Assembly Bill No 700, I voted for the passage of the bill upon the assurance by Mr Cottrell, chairman of the Committee on Ways and Means, that the Legislature would stay in session until sufficient revenue measures were passed to guarantee the balancing of the budget as proposed without the levy of an ad valorem tax and had I failed to receive this assurance, I would not have voted for the Budget Bill at this time as I am definitely against a State ad valorem tax and shall insist that the Legislature remain in session until sufficient revenues have been raised to meet the expenditures as provided in the proposed budget

EARL D. DESMOND.

Explanation of Vote.

My vote on this Budget Bill is what I believe to be for the best interests of the taxpayers of my district and the State

I believe we should not make this vast appropriation without funds to meet it

I believe we should have a fair and equitable income and inheritance tax to help pay these expenditures.

This bill will without doubt force an ad valorem tax upon the people, and therefore, I can not vote for it

S. L HEISINGER

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 308—An act to amend section 330a of the Penal Code, relating to the possession or control of gambling devices.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 308 passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Cronin, Crowley, Dawson, Donahue, Evans, Herbert J. Fulcher, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Jones, Kallam, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Pelletier, Peyser, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Wagner, Weber, Welsh, and Williamson—41.

NOES—Chatters, Corwin, Cottrell, Cunningham, DeLap, Desmond, Evans, Ralph W., Field, Fisher, Geyer, Johnson, Latham, Laughlin, Lore, Mayo, McCarthy, Miller, Minard, Nielsen, Patterson, Peterson, Phillips, Redwine, Scudder, Utt, Walker, Wallace, Waters, Wright, and Mr. Speaker—30.

Title read and approved.

Bill ordered transmitted to the Senate.

Motion to Continue Unfinished Business.

Mr. Lyon moved that all unfinished business on the Daily Calendar be continued to the next legislative day.

Motion carried.

Adjournment.

At six o'clock and fifty minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Tuesday, May 28, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,

SACRAMENTO, Tuesday, May 28, 1935.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—80

Quorum present

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Garibaldi, its further reading was dispensed with.

Privilege of Floor of Assembly Extended.

On request of Mr. Frazier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sister Superior, Sister Sylvester and pupils of the Notre Dame School, Chico, California, as follows: Audrey Winters, Kathlene Long, Johana Honodel, Jean Brattan, Joe Brattan, Enrico Cinquini, Lawrence Gianelli, Fred Rabo, Paul Hoefling, Tommy Kunze and Tommy Hollinger, and Mrs. J. Brattan, Mrs. J. Honodel, Mrs. F. M. Long and Clifford Long.

ASSISTANT CLERK OLIVER READING.

Second Reading of Assembly Bills.

Assembly Bill No. 2376—An act making an appropriation for the support of the Legislative Counsel Bureau and declaring the urgency thereof, the act to take effect immediately.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, in the blank space after "of", insert the following: "three thousand".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 755—An act making an appropriation to the State Board of Control to pay certain claims against State of California, and repealing an act herein specified.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill strike out all of the title, and insert in lieu thereof the following:

"An act to amend section 1 of an act entitled "An act making an appropriation to the State Board of Control to pay claims against the State of California" approved June 16, 1933, relating to claims against the State."

Amendment No. 2.

On page 1, lines 2 and 3, of the printed bill, strike out the following "159 in the California Vehicle Act of 1933", and insert in lieu thereof the following: "778 of the Vehicle Code".

Amendment No. 3.

On page 1, line 4, of the printed bill, strike out the word "four", and insert in lieu thereof the word "five", and strike out the figure "400,000", in said line, and insert in lieu thereof the figure "500,000".

Amendment No. 4.

On page 1, line 16, of the printed bill, after the word "this", insert the word "amended".

Amendment No. 5.

On page 2, line 5, of the printed bill, strike out the following: "159 of the California Vehicle Act", and insert in lieu thereof the following: "778 of the Vehicle Code".

Amendment No. 6.

On page 2 of the printed bill, strike out all of lines 19 and 20.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 605—An act providing for the acquisition of lands for, and the construction, maintenance and operation of a building at the Pacific Exposition to be held in the county of Los Angeles, State of California, providing for the exhibiting of products, resources of and other matters pertaining to the State of California at said Pacific Exposition, creating the California Pacific Exposition Commission and defining its powers and duties, and making an appropriation therefor.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 33, of the printed bill, strike out the figures "$500,000 00", and insert in lieu thereof "$25,000.00".

Amendment adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 98—An act providing for the establishment, organization, operation and dissolution of municipal housing authorities, vesting them with authority to clear, replan and reconstruct areas in municipalities in which unsanitary and substandard housing conditions exist, to provide and maintain decent, safe and sanitary dwelling accommodations, in said areas and elsewhere for persons of low income, to acquire property therefor by purchase, option or lease, or by condemnation in the exercise of the power of eminent domain, to sell or lease their projects, to borrow money, and defining the duties and powers of such municipal housing authorities in the exercise of the authority so vested in them and authorizing any city or city and county establishing a municipal housing authority to give it financial assistance and to issue bonds therefor, and otherwise to aid, assist and cooperate with such municipal housing authority, and declaring the measure an urgency measure within the meaning of section 1 of Article IV of the Constitution and providing accordingly for the act to take effect immediately.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2457—An act to amend section 363i of the Political Code, relating to the administration of certain bays, ports and harbors.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1835—An act to amend an act entitled "An act relating to the safety of design and construction of public school buildings, providing for regulation, inspection and supervision of the construction, reconstruction or alteration of or addition to public school buildings, and for the inspection of existing school buildings, defining the powers and duties of the State Division of Agriculture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act, to take effect immediately," approved April 10, 1933, relating to the regulation and inspection of the construction of public school buildings.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "amend", insert the following: "sections 2 and 9 of, and to add sections 10 and 11 to,".

Amendment No. 2.

On page 1, line 7 of the title of the printed bill, as amended, strike out "Agriculture", and insert in lieu thereof the following "Architecture".

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out lines 1 to 18, inclusive, and strike out all of pages 2, 3, 4, 5 and 6, and insert in lieu thereof the following:

"SECTION 1. Section 2 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 2. For such purposes it is the duty of the Division of Architecture to pass upon and approve or reject all plans for such school buildings or for the construction, reconstruction, or alteration thereof or addition thereto To enable it to do so, all district boards of trustees, city boards of education and other appropriate school authorities before adopting any such plans for a school building must submit the same to the Division of Architecture for approval, and are hereby authorized and directed to pay the fees hereinafter in this section prescribed. Before letting any contract or contracts for any such construction, reconstruction or alteration of or addition to any school building, the written approval of such plans, as to safety of design and construction, by the Division of Architecture, must be first had and obtained; provided, that the authority herein vested shall be with respect to the structural features only of such work, and shall not be applicable to repairs nor nonstructural alterations not altering, affecting, nor replacing the structural elements of the building; provided, also, that the Division of Architecture shall approve plans and specifications for any reconstruction or alteration of or addition to any existing building, when such plans and specifications in themselves comply with the requirements as to safety of design and construction fixed by the said division, if such reconstruction, alteration, or addition does not diminish or impair the structural safety or safety factor of the existing building or any portion thereof with respect to either vertical or horizontal forces, as shown by evidence submitted to the division, but such approval shall be deemed to apply only to the new work as described, and not to the safety of the building as a whole In each case the application for approval of such plans must be accompanied by the plans and full, complete and accurate specifications, and structural design computations, and estimates of cost, which must comply in every respect with any and all requirements therefor prescribed by the Division of Architecture. The application shall also be accompanied by a filing fee based on the estimated cost and according to the following schedule: For the first two hundred fifty thousand dollars, a fee of one-half of one per cent of the estimated cost and for all costs in excess of two hundred fifty thousand dollars a fee of one-fourth of one per cent, the minimum fee in any case to be fifty dollars. If the actual cost exceeds the estimated cost by more than ten per cent a further fee shall be paid to the Division of Architecture. Such further fee shall be one-half of one per cent of the amount by which the actual cost exceeds the amount of the estimated cost. All such fees shall be paid into the State treasury and credited to the Division of Architecture public building fund, which fund is hereby created, and are hereby made available without regard to fiscal years for the use of the Division of Architecture, subject to approval of the Department of Finance, in carrying out the

provisions of this act. All such plans, specifications and estimates must be prepared by a certified architect holding a valid license under the State act regulating the practice of architecture or by a structural engineer holding a valid certificate to use the title structural engineer under the law regulating the practice of civil engineering and the supervision of the work of construction, reconstruction, alteration or addition shall be under the responsible charge of such an architect or structural engineer.

SEC. 2. Section 9 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 9. There is hereby created a Board of Review of the Division of Architecture, which board shall possess all necessary power, and whose duty it shall be to determine all matters of reasonable fact not otherwise established or accepted, as such may relate to the technical or structural rules, regulations, or requirements of the said division pertaining to the administration of this act. The said board shall consist of six appointive members to be appointed by the Governor as hereafter provided, and one ex officio member who shall be the Chief of the Division of Schoolhouse Planning of the Department of Education. Of the appointive members, four shall be legally qualified structural engineers; one shall be a certified architect, and one shall be a seismologist of recognized standing in that science. Of the members first appointed, one shall serve for a term of one year; two for a term of two years; one for a term of three years, and two for a term of four years, the terms in each case to be determined by lot. Thereafter members shall be appointed for a term of four years. The Governor shall make all the appointments provided herein within thirty days, and shall convene the board within forty-five days after the effective date of this act. At such first meeting the board shall elect its officers, adopt rules of procedure, and transact any proper business presented for its consideration. Thereafter, the board shall convene upon the call of the chairman thereof, as may in his judgment be necessary to perform its obligations under this act. The chairman of the board may, in his discretion, designate three members to act for the board in any single appeal or matter presented; provided, however, that when three members are so designated, at least two shall be selected from the structural engineer members of the board. The board members shall be reimbursed from the fund defined in section 2 of this act for their reasonable actual expenses in attending meetings of the board, but shall receive no compensation for their services.

SEC. 3. A new section, to be numbered section 10, is hereby added to the act cited in the title hereof and to read as follows:

Sec. 10. It shall be the duty of the division, upon receipt of a formal application, accompanied by supporting data or arguments, for a new ruling or regulation, or an amendment of an existing ruling or regulation regarding any construction material, type of construction or building, to transmit promptly such application and exhibits, together with the division's proposed ruling or arguments, if any, to the State Architect for submission to the Board of Review for its decision thereon; provided, however, that the said board shall have the power to initiate rulings and hearings in connection therewith at any called meeting of the board, as may in its judgment be necessary; and provided further, that all rulings (whether or not initiated by the formal application hereinabove specified) shall be submitted to the board for comment or approval, without which no ruling shall be valid, and when such approval is given, the ruling shall be made public at once in such a way as may make it available to all who may be interested therein. All decisions of the board, within the limits of the jurisdiction herein set forth, shall be binding upon the Division of Architecture and any other parties at interest, except as recourse may be had to competent courts of law.

SEC. 4. A new section to be numbered section 11 is hereby added to the act cited in the title hereof and to read as follows:

Sec. 11. The Division of Architecture is hereby directed to cooperate and coordinate its activities with those of the Division of Schoolhouse Planning, as may promote the public interest and convenience without undue expense to the said division. If and when the legally authorized activities of the Division of Schoolhouse Planning require or may advantageously employ a structural engineer, the duly qualified officers or employees of the Division of Architecture may, by mutual agreement of these two offices, act in such capacity."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 2441—An act to provide for the regulation and control of the sale of certain drugs or chemicals known as dinitrophenol and thyroid, to provide penalties for the violation of this act and to provide for the enforcement hereof by the California State Board of Pharmacy.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 1 to 9, inclusive, and insert in lieu thereof the following:

"SECTION 1. It is unlawful for any person to sell, vend, furnish or give away any quantity of the chemical known as dinitrophenol and/or any tablet, granule, capsule, pill or powder containing more than one-half grain of the drug known as thyroid, or any compound, preparation, derivative or form thereof, including all such substances as are or may hereafter be trade-marked, or copyrighted proprietary medicines registered in the United States Patent Office, or for which trade-marks have been or hereafter are filed with the Secretary of State of California, except as hereinafter provided."

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1267—An act to amend the title and to add three new sections, to be numbered 2a, 2b and 2c, to an act entitled "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and which food is distributed; regulating the health of persons by whom the materials from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors; and providing for the punishment of the same," approved March 6, 1909, relating to the use of closed containers and providing for the sterilization of used bottles and containers used for foods, drugs and liquors.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 3 of the printed bill, as amended in Assembly May 16, 1935, strike out all wording from lines 18 to 22, inclusive, and insert in lieu thereof the following:

"SEC. 4. A new section is hereby added to the above entitled act, to be numbered 2c and to read as follows:

Sec. 2c. It is unlawful to use secondhand tin plate for manufacturing food containers for the packing of hermetically sealed canned food products intended to be used for human consumption."

Amendment adopted.

Bill read second time, ordered to reprint, re-re-re-engrossment, and third reading.

Assembly Bill No. 2295—An act to amend an act entitled "An act to provide for the inspection, quarantine and registration of aviaries and other places where shell parrakeets are sold, offered for sale, trade or barter; and to provide for the inspection of all birds which may be kept in such places; to declare the urgency thereof and provide that this act shall take effect immediately," approved by the Governor May 26, 1933.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title and insert in lieu thereof the following:

"An act to provide for the inspection, quarantine and registration of aviaries and other places where shell parrakeets are sold, offered for sale, trade or barter, or otherwise distributed, and to provide for the inspection of all birds which may be kept in such places; to repeal an act entitled "An act to provide for the inspection, quarantine and registration of aviaries and other places where shell parrakeets are sold, offered for sale, trade or barter; and to provide for the inspection of all birds which may be kept in such places, to declare the urgency thereof and provide that this act shall take effect immediately," approved May 26, 1933; to declare the urgency thereof and provide that this act shall take effect immediately."

Amendment No. 2.

On page 1, line 1, of the printed bill, after "SECTION 1", insert the following: "No person or persons, firm, association or corporation, shall hereafter maintain or conduct in this State an aviary, or other place as hereinafter described, where shell parrakeets are kept, without first obtaining a certificate of registration, in writing, from the State Department of Public Health

SEC. 2. All aviaries and other places where shell parrakeets are kept, sold, offered for sale, trade, barter or other distribution, shall be open to inspection at all times to inspectors of the State Department of Public Health

SEC. 3 No shell parrakeets shall be sold, offered for sale, traded, bartered or otherwise distributed from such places unless the person or persons, firm, association or corporation conducting such aviary or other such place has first obtained such certificate of registration.

SEC. 4. A Class 1 aviary as hereinafter defined shall pay an annual fee of five dollars for such certificate of registration

A Class 2 aviary, as hereinafter defined, shall be required to pay an annual fee of one dollar for such certificate of registration

All fees collected under the provisions of this act shall be paid into the State treasury to the credit of the "Aviary inspection fund," which fund is hereby created. All moneys in the aviary inspection fund shall be paid out in accordance with law to pay the salaries of inspectors employed by the Department of Public Health to enforce the provisions of this act, and also to pay all other necessary expenses incurred in the enforcement of this act.

SEC. 5. A Class 1 aviary is a place where shell parrakeets are kept or propagated for sale, trade, barter, or other distribution

A Class 2 aviary is a place where shell parrakeets are maintained, and from which no birds are offered for sale, trade barter or other distribution This class includes only places where not less than five (5) nor more than twenty (20) shell parrakeets are kept

SEC 6 If an aviary, or other such place where shell parrakeets are maintained, is found to contain birds infected with psittacosis, such an aviary is hereby declared to be a public nuisance, and shall be abated as such.

SEC 7 It is unlawful to transport any shell parrakeets from one locality to another within this State, except for purposes of laboratory tests for psittacosis by the State Department of Public Health, until a certificate has first been secured from the said State Department of Public Health, or an authorized representative thereof, stating that the aviary from which such birds are transported is free from the disease known as psittacosis or parrot fever

SEC 8. All shell parrakeets sold, offered for sale, trade, barter or transportation, must be banded with an identification band bearing a code number of the breeder of such parrakeets and insignia of the State of California, such bands to be furnished by the State Department of Public Health. It is unlawful for any person or persons, firm, corporation or association to use in this manner any band other than those described in this section A fee of three cents per bird shall be charged for inspection for each bird so banded. A further fee of three cents per bird shall be charged to the shipper for the issuance of certificates as required by the United States Public Health Service for shipment of such birds interstate

SEC 9 If any clause, sentence, paragraph or part of this chapter shall for any reasons be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph or part thereof, directly involved in the controversy in which such judgment shall have been rendered.

SEC. 10. Any person or persons, firm, corporation or association, who violates any section of this act, or who fails to comply with any of the provisions thereof, is guilty of a misdemeanor.

SEC. 11. An act entitled "An act to provide for the inspection, quarantine and registration of aviaries and other places where shell parrakeets are sold, offered for sale, trade or barter; and to provide for the inspection of all birds which may be kept in such places; to declare the urgency thereof and provide that this act shall take effect immediately," approved May 26, 1933, is hereby repealed.

SEC. 12. This act is hereby declared to be an urgency measure, necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution of the State of California, and shall take effect immediately. The following is a statement of the facts constituting such urgency:

There is now prevalent in the State of California a disease known as psittacosis (parrot fever), which disease is carried and spread by certain birds of the psittacine family. In order to effectively control the contraction and spread of this disease, and thus properly safeguard the health of the people of this State, it is necessary that the transportation and sale of said birds be controlled and regulated by the proper State authority. To this end it is imperative that legislation be immediately adopted providing for the licensing and regulation of persons, firms and corporations selling, trading, bartering or otherwise distributing such birds"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1367—An act validating the formation and organization of county santitation districts under the provisions of an act of the Legislature of the State of California, approved May 29, 1923, as amended February 2, 1925, April 18, 1927, April 22, 1927, May 22, 1929, and June 9, 1931, and entitled, as amended, "An act authorizing the creation, government, maintenance and dissolution of county sanitation districts, the annexation of contiguous territory to such districts, the issuance of bonds by such districts and the powers thereof," and validating bonds of such districts.

Bill read second time, ordered to engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 1108—An act ceding to the United States of America certain tide and submerged lands of the State of California upon certain trusts and conditions.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1097—An act to amend sections 2 and 3 of an act entitled "An act for the preservation of the public health of the people of the State of California and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907, amended April 1, 1911, June 13, 1913, and May 24, 1917, so as to prevent the construction and use of sewer wells extending into subterranean water-bearing strata used or intended to be used, or suitable for, a source of water supply for domestic purposes.

Bill read second time, and ordered on file for third reading.

Unfinished Business.

Consideration of Senate Amendments to Assembly Bill No. 291.

Assembly Bill No. 291—An act to add a new chapter to Title XIV of Part IV of Division III of the Civil Code to be known as Chapter III-a thereof, in relation to trust receipts and pledges of personal property unaccompanied by possession in the pledgee and to make

uniform the law relating thereto and to amend section 2988 of the Civil Code relative to the lien of the pledgee.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 291?

Amendment No. 1.

On page 1, line 10, of the printed bill, as amended, strike out "Short Title."

Amendment No. 2.

On page 1, line 12, of the printed bill, as amended, strike out "Definitions."

Amendment No. 3.

On page 1, line 18, of the printed bill, as amended, strike out "of", and insert in lieu thereof the following: "or".

Amendment No. 4.

On page 3, lines 30 and 31, of the printed bill, as amended, strike out "What constitutes trust receipt transaction and trust receipt."

Amendment No. 5.

On page 3, line 32, of the printed bill, as amended, put parentheses around "1".

Amendment No. 6.

On page 3, line 38, of the printed bill, as amended, after "to", insert the following: "the".

Amendment No. 7.

On page 4, line 15, of the printed bill, as amended, put parentheses around "2".

Amendment No. 8.

On page 4, line 21, of the printed bill, as amended, put parentheses around "3".

Amendment No. 9.

On page 4, lines 38 and 39, of the printed bill, as amended, strike out "Attempted creation or continuance of pledge without delivery or retention of possession", and put parentheses around "1".

Amendment No. 10.

On page 5, line 3, of the printed bill, as amended, put parentheses around "2".

Amendment No. 11.

On page 5, line 7, of the printed bill, as amended, put parentheses around "3".

Amendment No. 12.

On page 5, line 14, of the printed bill, as amended, strike out "Contract to Give Trust Receipt.", and put parentheses around "1".

Amendment No. 13.

On page 5, line 22, of the printed bill, as amended, put parentheses around "2".

Amendment No. 14.

On page 5, line 27, of the printed bill, as amended, strike out "Validity Between the Parties."

Amendment No. 15.

On page 5, line 33, of the printed bill, as amended, strike out "Repossession, and Entruster's Rights on Default."

Amendment No. 16.

On page 5, line 34, of the printed bill, as amended, put parentheses around "1".

Amendment No. 17.

On page 5, line 37, of the printed bill, as amended, put parentheses around "2".

Amendment No. 18.

On page 5, line 41, of the printed bill, as amended, put parentheses around "3".

Amendment No. 19.

On page 6, line 12, of the printed bill, as amended, put parentheses around "4".

Amendment No. 20.

On page 6, line 15, of the printed bill, as amended, put parentheses around "5".

Amendment No. 21.

On page 6, lines 26 and 27, of the printed bill, as amended, strike out "General Effect of Entruster's Filing or Taking Possession.", and put parentheses around "1".

Amendment No. 22.

On page 6, line 39, of the printed bill, as amended, put parentheses around "2".

Amendment No. 23.

On page 6, line 43, of the printed bill, as amended, strike out "Validity Against Creditors.", and put parentheses around "1".

Amendment No. 24.

On page 7, line 5, of the printed bill, as amended, put parentheses around "2".

Amendment No. 25.

On page 7, line 9, of the printed bill, as amended, put parentheses around "3".

Amendment No. 26

On page 7, lines 19 and 20, of the printed bill, as amended, strike out "Limitations on Entruster's Protection Against Purchasers", and put parentheses around "1".

Amendment No. 27.

On page 7, line 41, of the printed bill, as amended, put parentheses around "2".

Amendment No. 28.

On page 8, line 23, of the printed bill, as amended, put parentheses around "3".

Amendment No. 29.

On page 8, line 31, of the printed bill, as amended, strike out "Entruster's Right to Proceeds."

Amendment No. 30.

On page 9, line 4, of the printed bill, as amended, strike out "Liens in Course of Business Good Against Entruster."

Amendment No. 31.

On page 9, line 14, of the printed bill, as amended, strike out "Entruster Not Responsible on Sale By Trustee."

Amendment No. 32.

On page 9, lines 20 and 21, of the printed bill, as amended, strike out "Filing and Refiling Concerning Trust Receipt Transactions Covering Documents or Goods.", and put parentheses around "1".

Amendment No. 33.

On page 9, line 36, of the printed bill, as amended, put parentheses around "2".

Amendment No. 34.

On page 10, line 1, of the printed bill, as amended, put parentheses around "3".

Amendment No. 35.

On page 10, line 8, of the printed bill, as amended, put parentheses around "4".

Amendment No. 36.

On page 10, line 16, of the printed bill, as amended, put parentheses around "5".

Amendment No. 37.

On page 10, line 27, of the printed bill, as amended, strike out "Limitations on Extent of Obligation Secured."

Amendment No. 38.

On page 10, line 36, of the printed bill, as amended, strike out "Chapter Not Applicable to Certain Transactions."

Amendment No. 39.

On page 10, line 48, of the printed bill, as amended, strike out "Election Among Filing Statutes."

Amendment No. 40.

On page 11, line 7, of the printed bill, as amended, strike out "Cases Not Provided For."

Amendment No. 41.

On page 11, line 12, of the printed bill, as amended, strike out "Uniformity of Interpretation."

Amendment No. 42.

On page 11, line 15, of the printed bill, as amended, strike out "Constitutionality"

Amendment No. 43.

On page 11, line 21, of the printed bill, as amended, strike out "Provisions of Chapter Controlling."

The roll was called, and Senate amendments to Assembly Bill No. 291 were concurred in by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Fisher, Flint,

Fulcher, Garibaldi, Gilbert, Glover, Hawkins, Heisinger, Johnson, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, Nielsen, Patterson, Pelletier, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Wagner, Walker, Waters, Weber, Williamson, and Mr. Speaker—46

NOES—None.

Assembly Bill No. 291 ordered to enrollment

Consideration of Governor's Veto to Assembly Bill No. 851.

Assembly Bill No. 851—An act to add a new chapter to Part III of Division IV of the School Code to be known as Chapter IV, relating to sinking funds in school districts for the replacement, reconstruction or alteration of buildings.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Crowley, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Johnson, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Waters, Weber, Williamson, and Mr. Speaker—50.

Third Reading of Assembly Bills.

Assembly Bill No. 2183—An act to be known as the "Inheritance Tax Act of 1935," to establish a tax on gifts, legacies, inheritances, bequests, devises, successions, transfers, joint tenancies and insurance, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under any act hereby repealed; to provide penalties for failure to comply with the provisions of this act; and to repeal Chapter 821 of the laws of the session of the Legislature of California of 1921, approved June 3, 1921, known as the "Inheritance Tax Act," and all amendments thereto, and to repeal all acts and parts of acts in conflict with this act, and providing this act shall take effect immediately.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. McCarthy:

Amendment No. 1.

On page 7, line 18, of the printed bill, as amended, strike out "five", and insert in lieu thereof the following: "six".

Amendment No. 2.

On page 7, line 23, of the printed bill, as amended, strike out "six", and insert in lieu thereof the following: "eight".

Amendment No. 3.

On page 7, line 29, of the printed bill, as amended, strike out "seven", and insert in lieu thereof the following: "ten".

Amendment No. 4.

On page 7, line 45, of the printed bill, as amended, strike out "four", and insert in lieu thereof the following: "eight".

Amendment No. 5.

On page 7, line 47, of the printed bill, as amended, strike out "seven", and insert in lieu thereof the following: "fourteen".

Amendment No. 6.

On page 7, line 50, of the printed bill, as amended, strike out "nine", and insert in lieu thereof the following: "eighteen".

Amendment No. 7.

On page 8, line 2, of the printed bill, as amended, strike out "ten", and insert in lieu thereof the following: "twenty".

Amendment No. 8.

On page 8, line 8, of the printed bill, as amended, strike out "seven", and insert in lieu thereof the following. "twelve".

Amendment No. 9.

On page 8, line 10, of the printed bill, as amended, strike out "ten", and insert in lieu thereof the following: "eighteen".

Amendment No. 10.

On page 8, line 13, of the printed bill, as amended, strike out "twelve", and insert in lieu thereof the following: "twenty-four".

Amendment No. 11.

On page 8, line 19, of the printed bill, as amended, strike out "nine", and insert in lieu thereof the following: "sixteen".

Amendment No. 12.

On page 8, line 21, of the printed bill, as amended, strike out "twelve", and insert in lieu thereof the following: "twenty".

Amendment No. 13.

On page 8, line 24, of the printed bill, as amended, strike out "twelve", and insert in lieu thereof the following. "twenty-four".

Amendment No. 14.

On page 8, line 30, of the printed bill, as amended, strike out "ten", and insert in lieu thereof the following: "twenty".

Amendment No. 15.

On page 8, line 31, of the printed bill, as amended, strike out "twelve", and insert in lieu thereof the following: "twenty-four".

Amendment No. 16.

On page 9, line 27, of the printed bill, as amended, strike out "twenty-four", and insert in lieu thereof the following. "fifteen".

The question being on the amendments submitted by Mr. McCarthy to Assembly Bill No. 2183.

Demand for Previous Question.

Messrs. Scudder, Morgan, Cunningham, Wright and Maloney demanded the previous question.

The question being put: Shall the main question be now put?

Roll Call.

The Speaker ordered a roll call taken on the demand for the previous question.

The roll was called, and the demand for previous question lost by the following vote:

AYES—Andreas, Breed, Brennan, Corwin, Cottrell, Cunningham, Domhue, Evans, Herbert J., Fisher, Fulcher, Garibaldi, Johnson, Latham, Lyon, Maloney, McBride, Miller, Morgan, Peterson, Phillips, Riley, Scudder, Stream, Thorp, Utt, Waters, Weber, Williamson, Wright, and Mr. Speaker—30.

NOES—Boyle, Burns, Cassidy, Chatters, Clark, Crowley, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Laughlin, Lore, Martin, Mayo, McCarthy, Meehan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, and Walker—31.

The question being on the amendments submitted by Mr. McCarthy to Assembly Bill No. 2183.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Jones moved a call of the House.

Roll Call.

The Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Cottrell, Crowley, Cunningham, Donahue, Donnelly, Evans, Ralph W., Flint, Fulcher, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, Maloney, Mayo, McCarthy, McMurray, Meehan, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Rosenthal, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, Welsh, and Williamson—44.

NOES—Brennan, DeLap, Evans, Herbert J., Field, Fisher, Garibaldi, Kallam, Latham, Lyon, Martin, Miller, Riley, Scudder, Stream, Utt, Wallace, and Mr. Speaker—17.

Time, eleven o'clock a m

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll

The roll was called, and the following answered to their names:

Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Crowley, Cunningham, DeLap, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr Speaker—61.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2469—An act to add section 590 to the Vehicle Code, relating to warning devices.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 2469 passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Donahue, Donnelly, Evans, Herbert J, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Phillips, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Weber, Welsh, Williamson, Wright, and Mr. Speaker—63.

NOES—Field, Flint, Gilmore, Patterson, and Reaves—5

Title read and approved.

Bill ordered transmitted to the Senate.

Point of Order.

Mr. Latham arose to the following point of order: Stating that the special order, previously set, had precedence over all other matter

Ruling by the Speaker.

The Speaker ruled the point of order well taken.

Special Order.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 598.

Assembly Bill No. 598—An act to provide for the revision of the Constitution of this State, including the election of delegates to the convention, the proceedings, powers, duties, and matters incidental to the convention, the submission of the revised Constitution to the people and matters incidental thereto, and making an appropriation therefor.

Bill read third time.

Motion.

Mr. Evans, Ralph W., moved that the Assembly resolve itself into Committee of the Whole for the purpose of consideration of Assembly Bill No. 598.

Roll Call.

The Speaker ordered a roll call taken on the motion that the Assembly resolve itself into Committee of the Whole.

The roll was called, and the motion was carried by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Weber, Welsh, Williamson, Wright, and Mr. Speaker—67.

NOES—Robertson—1.

In Committee of the Whole.

Speaker Craig in the chair.

Assembly Bill No. 598 considered.

Mr. Latham moved that the committee do now rise, and report back to the Assembly.

In Assembly.

Speaker Craig in the chair.

Report of Committee of the Whole.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1935

GENTLEMEN: Your Committee of the Whole, which has had under consideration Assembly Bills Nos. 598 and 1493—does now respectfully report Assembly Bill No. 598 back.

CRAIG, Chairman.

Further Consideration of Assembly Bill No. 598.

Assembly Bill No. 598 read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Messrs. Minard and Hornblower:

Motion to Expunge Record.

Mr Minard moved that the vote taken on the amendments submitted by Messrs. Minard and Hornblower to Assembly Bill No 598 be expunged from the record, and the action rescinded.

Roll Call.

The Speaker ordered a roll call taken on the motion to expunge the record

The roll was called, and the motion to expunge was carried by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Clark, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J.,

Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hornblower, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Thorp, Utt, Voigt Wagner, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—62.

NOES—Evans, Ralph W., Flint, Hunt, and Robertson—4.

Further Proceedings Under Call of the House Dispensed With.

At twelve o'clock and twelve minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Jones.

The roll of absentees was called, and the amendments submitted by Mr. McCarthy to Assembly Bill No. 2183 were refused adoption by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Clark, Cronin, Crowley, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, McBride, McCarthy, McMurray, Meehan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Turner, Voigt, Wagner, Wallace, and Welsh—35.

NOES—Andreas, Breed, Brennan, Chatters, Corwin, Cottrell, Cunningham, Dawson, DeLap, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—45.

Notice of Reconsideration of Amendments to Assembly Bill No. 2183.

Mr. Rosenthal gave notice that on the next legislative day he would move to reconsider the vote whereby the amendments submitted by Mr. McCarthy to Assembly Bill No. 2183 were this day refused adoption.

Motion.

Mr. Hornblower moved that the reconsideration of the vote whereby the amendments submitted by Mr. McCarthy to Assembly Bill No. 2183 were refused adoption be taken up immediately.

Point of Order.

Mr. Evans, Ralph W., arose to the following point of order: Stating that according to Rule 94 the motion was out of order.

Ruling by the Speaker.

The Speaker ruled Mr. Evans, Ralph W., out of order.

Appeal from Decision of the Chair.

Mr Evans, Ralph W., arose to appeal from the decision of the Chair.

Motion to Lay Appeal on the Table.

Mr. Lyon moved that the appeal by Mr. Evans, Ralph W., be laid on the table.

The question being on the motion to lay on the table.

Roll Call.

The Speaker ordered a roll call taken on the motion to lay on the table.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Hornblower, Hunt, Johnson, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Walker, Wallace, Weber, Welsh, Williamson, Wright, and Mr. Speaker—49.

NOES—Anderson, Burns, Cassidy, Clark, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Jones, Laughlin, Lore, McCarthy,

Morgan, Patterson, Pelletier, Reaves, Rosenthal, Turner, Voigt, Wagner, and Waters—25.

The question being on the motion by Mr Hornblower that reconsideration of the vote whereby the amendments submitted by Mr. McCarthy to Assembly Bill No. 2183 were refused adoption be taken up immediately.

Substitute Motion.

Mr. Evans, Ralph W., moved, as a substitute motion, that the reconsideration of the vote whereby the amendments submitted by Mr. McCarthy were refused adoption be continued to the next legislative day.

The question being on the motion by Mr. Evans, Ralph W., to continue the reconsideration of the vote whereby the amendments submitted by Mr. McCarthy were refused adoption.

Roll Call.

The Speaker ordered a roll call taken on the substitute motion by Mr. Evans, Ralph W., to continue reconsideration.

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Clark, Cronin, Crowley, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, Mayo McCarthy, McMurray, Meehan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, and Wagner—35.

NOES—Andreas, Breed, Brennan, Chatters, Corwin, Cottrell, Cunningham, DeLap, Evans, Herbert J, Fisher, Frazier, Fulcher, Garibaldi, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, McBride, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—43.

The question being on the motion by Mr. Hornblower that reconsideration of the vote whereby the amendments submitted by Mr. McCarthy to Assembly Bill No. 2183 were refused adoption be taken up immediately.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Hornblower to take up notice of reconsideration immediately.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Clark, Cronin, Crowley, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Thorp, Turner, Voigt, Wagner, Wallace, and Welsh—42.

NOES—Andreas, Breed Brennan, Chatters, Corwin, Cottrell, Cunningham, DeLap, Evans, Herbert J, Field, Fisher, Frazier, Fulcher, Garibaldi, Johnson, Kallam, Latham, Lyon, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Utt, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—37.

Motion to Defer Further Consideration of Assembly Bill No. 2183.

Mr. Lyon moved that further consideration of Assembly Bill No 2183, and amendments pending, be deferred until the hour of two o'clock and fifteen minutes p.m., of this day.

Motion carried.

Recess.

At twelve o'clock and forty minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until two o'clock and fifteen minutes p.m., of this day.

Reassembled.

At two o'clock and fifteen minutes p m., the Assembly reconvened. Speaker Craig in the chair.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1935

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No 58—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 8 of Article XI thereof, relating to the preparation and adoption of charters by cities, and cities and counties—and reports that the same has been correctly enrolled, and presented the same to the Governor on this twenty-eighth day of May, 1935, at two o'clock and thirty minutes p m

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 166—An act to amend section 1 of an act entitled "An act relating to the safety of design and construction of public school buildings, providing for regulation, inspection, and supervision of the construction, reconstruction or alteration of or addition to public school buildings and for the inspection of existing school buildings, defining the powers and duties of the State Division of Architecture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act to take effect immediately," approved April 10, 1933, relating to the buildings and work subject to the provisions of said act,

Also: Assembly Bill No 603—An act to amend section 4223 of the Political Code, relating to admission to county hospitals,

Also: Assembly Bill No. 1526—An act to add a new section to be numbered 18 5 to the "Improvement Act of 1911," approved April 7, 1911, relating to contributions of moneys or materials, declaring the urgency thereof and providing that this act shall take effect immediately;

Also: Assembly Bill No. 2406—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to sessions of the superior court;

Also: Assembly Bill No. 2434—An act to amend the Los Angeles County Flood Control Act by adding thereto a new section to be numbered 15a, relating to compliance with requirements of the United States or any department or agency thereof, in the performance of public work financed in whole or in part from Federal funds, and declaring the urgency thereof, the act to take effect immediately;

Also: Assembly Bill No. 2437—An act to recognize certain corporations as agencies and instrumentalities of the United States, declaring the urgency thereof, and providing for the taking effect immediately thereof

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-eighth day of May, 1935, at two o'clock and thirty minutes p m.

WATERS, Chairman.

Also:

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 61—Relative to memorializing Congress to repeal "An act to amend the Tariff Act of 1930," approved June 12, 1934—and reports that the same has been correctly engrossed

WATERS, Chairman.

Assembly Joint Resolution No 61 ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 157—An act to add a new section to the Penal Code, to be numbered 368b, relating to the safe manning of railroad engines;

Also: Assembly Bill No 927—An act to provide for the further development of vocational education in California by accepting the provisions and benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled and approved May 21, 1934; entitled "An act to provide for the further development of vocational education in the several States and terri-

tories"; and making an appropriation therefor, and declaring the urgency thereof and providing that this act shall take effect immediately,
And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 98—An act providing for the establishment, organization, operation and dissolution of municipal housing authorities, vesting them with authority to clear, replan and reconstruct areas in municipalities in which unsanitary and substandard housing conditions exist, to provide and maintain decent, safe and sanitary dwelling accommodations, in said areas and elsewhere for persons of low income, to acquire property therefor by purchase, option or lease, or by condemnation in the exercise of the power of eminent domain, to sell or lease their projects, to borrow money, and defining the duties and powers of such municipal housing authorities in the exercise of the authority so vested in them and authorizing any city and county establishing a municipal housing authority to give it financial assistance and to issue bonds therefor, and otherwise to aid, assist and cooperate with such municipal housing authority, and declaring the measure an urgency measure within the meaning of section 1 of Article IV of the Constitution and providing accordingly for the act to take effect immediately;

Also: Assembly Bill No. 718—An act to amend section 990 of the Fish and Game Code, and to add thereto section 990.4, relating to commercial fishing;

Also: Assembly Bill No. 1367—An act validating the formation and organization of county sanitation districts under the provisions of an act of the Legislature of the State of California, approved May 29, 1923, as amended February 2, 1925, April 18, 1927, April 22, 1927, May 22, 1929 and June 9, 1931, and entitled, as amended, "An act authorizing the creation, government, maintenance and dissolution of county sanitation districts, the annexation of contiguous territory to such districts, the issuance of bonds by such districts and the powers thereof," and validating bonds of such districts;

Also Assembly Bill No. 1922—An act to amend sections 2283, 2284, 2285, 2287, 2289 and 2290 of the Political Code, relating to State aid to children;

Also Assembly Bill No. 2240—An act to amend sections 2285 and 2290 of the Political Code, relating to State aid to children,
And reports that the same have been correctly engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2457—An act to amend section 3631 of the Political Code, relating to the administration of certain bays, ports and harbors—and reports that the same has been correctly engrossed

WATERS, Chairman.

The above reported bill ordered on file for third reading.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1935.

MR SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 2468—An act to amend sections 6 and 11 of, to repeal section 7 of, and to add section 33 to, an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919, relating to sanitary districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DELAP, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1935.

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2260—An act relating to employment contracts and applications for employment—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LYON, Chairman.

The above reported bill ordered on file for second reading.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1935.

MR SPEAKER Your Committee on Ways and Means, to which was referred Assembly Bill No 703—An act to establish the Southern California Prison under the management and control of the State Board of Prison Directors; to provide for purchase or acquirement of farm lands owned by the State therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom, to provide for the equipment, conduct and management thereof, and to make an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.
Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 93—An act to amend section 7 of the "California Nautical School Act," approved June 3, 1929, as amended, relating to the payment by pupils enrolled in the California Nautical School of fees and other charges and the disposition thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.
Also:

MR. SPEAKER. Your Committee on Ways and Means, to which was referred Assembly Bill No. 1314—An act to amend sections 1a, 3, 4, 9b, 10a, 10b, 11a, 11c, 11d, 11e, and 12 of, and to add new sections 11f and 11g to an act entitled "An act to regulate land surveying and to define the duties of and to license land surveyors, to provide for the revocation of such licenses and the restoration thereof, to make certain acts misdemeanors and to provide penalties therefor, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 16, 1907," approved May 24, 1933—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.
Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 86—An act to establish a system of unemployment reserves for this State, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.
Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No 2396—An act to create the California Rural Rehabilitation Authority, to provide for its organization, define its powers and duties and to make an appropriation in aid of its operation—has had the same under consideration, and respectfully reports the same back, without recommendation, as amended.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

On Hospitals and Asylums.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1935.

MR. SPEAKER: Your Committee on Hospitals and Asylums, to which was referred Senate Bill No 534—An act relating to persons in private psychopathic institutions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

CORWIN, Chairman.

The above reported bill ordered on file for second reading.

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1935.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred Assembly Bill No. 2239—An act relating to aid to needy children prescribing rules of eligibility for aid empowering the State Department of Social Welfare to supervise the enforcement of this act, making an appropriation for the carrying out of the provisions of this act, and prescribing penalties for the violation hereof; and repealing Chapter 2a of Part 3, Title V, of the Political Code, comprising sections 2283 to 2290, inclusive; and to repeal Chapter 2a of Article 3, Part 3, Title V, of the Political Code—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BRENNAN, Chairman.

The above reported bill ordered on file for second reading.

Further Consideration of Assembly Bill No. 598.

Assembly Bill No 598, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Phillips:

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, strike out "first Monday in February, 1937", and insert in lieu thereof the following: "first Monday in January, 1936".

Amendment No. 2.

On page 1, line 4, of the printed bill, as amended, strike out "Sec. 2."

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out lines 7 to 20, inclusive; and on page 2, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following:

"SEC. 2. A special election is hereby called to be consolidated with the first special election occurring after the adjournment of the fifty-first session of the Legislature of this State. Such special election so called and consolidated shall be a primary election for the nomination of delegates to the convention. Such primary election shall be held in the same manner, and the same laws shall be applicable thereto, as in the case of a regular August primary election under the Direct Primary Law, except that as to such special primary election:

(a) The only candidates to be nominated at such election shall be candidates for the office of delegate to such convention from each district of the State from which a member of the Assembly is elected and also from each district of the State from which a member of the State Senate is elected.

(b) On the ballot at such election the only designation of the office to be the subject of nomination shall be the following: "Delegate to the Constitutional Convention," followed by a designation of the Senatorial or Assembly District

SEC. 3. A special election to elect delegates to the Constitutional Convention called by this act shall be held on the first Tuesday after the first Monday in October, in the year 1935. The candidate nominated at the primary election specified in section 2 of this act shall appear on the ballot at such election and one delegate shall be elected from each district of this State from which a member of the Assembly is elected and one delegate shall also be elected from each district of this State from which a member of the State Senate is elected Such special election shall be held and the same laws shall be applicable thereto as in the case of a general election except that as to such special election.

(a) The officer to be elected shall be a delegate to the convention from each district of the State as to which the election is held.

(b) On the ballot the only designation of the office to be the subject of election shall be the following: "Delegate to the Constitutional Convention," followed by a designation of the district as to which the election is held

(c) Whenever in the laws applicable to general elections the term "member of Assembly" or similar designation appears, or "State Senator" or similar designation appears, referring to members of the Assembly, or the Senate, of this State, such terms shall be taken to refer to the delegate to the Constitutional Convention, according to the district from which elected."

Amendment No. 4.

On page 2, line 7, of the printed bill, as amended, strike out "February, 1937", and insert in lieu thereof the following: "January, 1936".

Amendment No. 5.

On page 2 of the printed bill, as amended, strike out lines 17 to 21, inclusive and insert in lieu thereof the following: "its session in that building The convention shall complete its deliberations and adjourn on or before June 1, 1936."

Amendment No. 6.

On page 4 of the printed bill, after line 51, add the following:

"SEC. 20 Inasmuch as this act calls an election, it shall, under the provisions of section 1 of Article IV of the Constitution of this State, take effect immediately."

The question being on the amendments submitted by Mr. Phillips to Assembly Bill No. 598.

Withdrawal of Amendments.

Mr. Phillips withdrew his amendments.

Assembly Bill No. 598, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Heisinger:

Amendment No. 1.

On page 1, line 16, of the printed bill, as amended May 17, 1935, following the word "office", strike out the period, and insert the following: "provided that the nominees of each of the political parties for Senators and Assemblymen shall be the nominees for the Constitutional Convention period"

Amendment No. 2.

On page 2, line 7, of the printed bill, strike out "first Monday of February, 1937,", and insert in lieu thereof the following: "second Monday following the general election in 1936,".

Amendment No. 3.

On page 2, line 8, of the printed bill, strike out the words "viva voca vote", and insert in lieu thereof the following: "a majority vote by ballot".

The question being on the amendments submitted by Mr. Heisinger to Assembly Bill No 598.

Withdrawal of Amendments.

Mr. Heisinger withdrew his amendments.

Assembly Bill No. 598, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Cottrell:

Amendment No. 1.

On page 4 of the printed bill, after line 51, add the following new section, to be numbered section 22:

"SEC. 22 A commission of nine members is hereby created for the purpose of making an inquiry and furnishing information to the State Constitutional Convention on the subjects pertaining to the content of a proposed new State Constitution. The commission shall report to the presiding officer of the convention, as soon as it convenes, its findings and conclusions and any recommendations it may have as to the changes in the substance and content of the State Constitution.

SEC. a. The Governor is hereby empowered and directed to request the presidents of the University of California, Stanford University, the University of Southern California, the California Institute of Technology, the University of San Francisco and such other educational institutions as he may desire, to nominate a panel of 20 citizens of the State of California from which he shall appoint

nine persons to serve as members of the commission, and to designate one of the members as chairman of the commission. Any State, county, or municipal officer

(b) On the ballot the only designation of the office to be the subject of election with the approval of the Civil Service Commission, may employ and fix the compensation of a temporary secretary and such other temporary assistants as shall be necessary to enable it to make the investigation and report hereby authorized. The members shall serve as such without compensation, but shall be allowed their actual and necessary expenses incurred in the performance of their duties as members of the commission.

SEC. b. The Commission is empowered to require reports and testimony from all State, county, and municipal officers as to matters appertaining to their respective offices, and to examine the records and papers of any such official."

The question being on the amendment submitted by Mr. Cottrell to Assembly Bill No. 598.

Roll Call.

The Speaker ordered a roll call taken on the amendment submitted by Mr. Cottrell.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Clark, Corwin, Cottrell, Crowley, DeLap, Evans, Ralph W., Fisher, Gever, Heisinger, Johnson, Latham, Laughlin, Lore, Phillips, Reaves, Riley, Robertson, Rosenthal, Stream, Thorp, Utt, Voigt, Williamson, Wright, and Mr. Speaker—30.

NOES—Cassidy, Chatters, Cronin, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Herbert J., Flint, Fulcher, Garibaldi, Gilbert, Glover, Hawkins, Hornblower, Hunt, Jones, Kallam, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Richie, Wagner, Walker, Wallace, Waters, and Weber—39.

Motion to Continue Further Consideration of Assembly Bill No. 598.

Mr. Hornblower moved that the further consideration of Assembly Bill No. 598, as amended, and all amendments pending, be continued until three o'clock and forty-five minutes p.m. of this day.

Motion carried.

Special Order.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 834.

Assembly Bill No. 834—An act relating to and imposing limitations on expenditures by counties, cities and counties, districts and other political subdivisions, under authority of section 20 of Article XI of the Constitution of the State.

Bill read third time.

Motion.

Mr. Wright moved that the Assembly resolve itself into the Committee of the Whole for the purpose of consideration of Assembly Bill No. 834.

Motion carried.

In Committee of the Whole.

Speaker Craig in the chair.

Assembly Bill No. 834 considered.

Mr. Hornblower moved that the committee do now rise, and report back to the Assembly.

In Assembly.

Speaker Craig in the chair.

Report of Committee of the Whole.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1935.

GENTLEMEN: Your Committee of the Whole, which has had under consideration Assembly Bill No. 834—does now respectfully report the same back.

CRAIG, Chairman.

Further Consideration of Assembly Bill No. 834.

Assembly Bill No. 834, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Wright:

Amendment No. 1.

On page 2 of the printed bill, as amended, between lines 11 and 12, insert the following.

"The limitations imposed by this act shall expire June 30, 1939."

The question being on the amendment submitted by Mr. Wright to Assembly Bill No. 834.

Withdrawal of Amendment.

Mr. Wright withdrew his amendment.

Assembly Bill No. 834, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Williamson:

Amendment No. 1.

On page 2, line 4, of the printed bill, as amended, add the following new sentence: "The limitation upon expenditures imposed or authorized by this act shall be effective until June 30, 1937."

The question being on the amendment submitted by Mr. Williamson to Assembly Bill No. 834.

Roll Call.

The Speaker ordered a roll call taken on the amendment submitted by Mr. Williamson.

The roll was called, and the amendment was adopted by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—71.

NOES—Crowley, Evans, Ralph W., and Gilbert—3.

Request for Unanimous Consent.

Mr. Wright asked for, and was granted, unanimous consent to take up Assembly Bill No. 834, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed

Assembly Bill No. 834, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Chatters:

Amendment No. 1.

On page 2, line 17, of the printed bill, as amended, after the word "districts", and before the word "reclamation", insert the following: "water districts, water conservation districts,".

The question being on the amendment submitted by Mr. Chatters to Assembly Bill No. 834.

Roll Call.

The Speaker ordered a roll call taken on the amendment submitted by Mr. Chatters.

The roll was called, and the amendment was adopted by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—75

NOES—None.

Request for Unanimous Consent.

Mr. Wright asked for, and was granted, unanimous consent to take up Assembly Bill No. 834, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 834, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Hornblower:

Amendment No. 1.

On page 2, line 11, of the printed bill, as amended May 16, 1935, after the word "provide.", insert a new paragraph to section 1 of said bill, to read as follows, to wit:

"The term expenditures as used in this act shall be construed and defined to mean the expenditure of moneys raised by taxation on real and personal property."

The question being on the amendment submitted by Mr. Hornblower to Assembly Bill No. 834.

Roll Call.

The Speaker ordered a roll call taken on the amendment submitted by Mr. Hornblower.

The roll was called, and the amendment was adopted by the following vote:

AYES—Boyle, Cassidy, Chatters, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, Maloney, Mayo, McCarthy, McMurray, Meehan, Minard, Morgan, Pelletier, Peterson, Peyser, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, Walker, Weber, and Williamson—46

NOES—Andreas, Brennan, Burns, Corwin, Cunningham, Field, Johnson, Kallam, Latham, Lyon, Martin, Miller, Nielsen, O'Donnell, Patterson, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Utt, Wallace, Waters, Welsh, Wright, and Mr. Speaker—27.

Request for Unanimous Consent.

Mr. Wright asked for, and was granted, unanimous consent to take up Assembly Bill No. 834, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 834, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Jones:

Amendment No. 1.

On page 1, line 10, of the printed bill, after the word "year", insert the following: ", irrespective of the source from which these funds expended are derived."

Amendment No. 2.

On page 2, line 4, of the printed bill, following the period, insert the following: "the word "expenditure" as used herein, shall mean and be construed to mean, the total amount provided in the budget of the county, city and county, municipality, district or other political subdivision of the State and its expenditures for the ensuing year; excepting expenditures to pay interest and redemption charges upon bonds, irrespective of the source from which the revenues to meet such expenditures may be derived".

The question being on the amendments submitted by Mr. Jones to Assembly Bill No. 834.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Jones.

The roll was called, and the amendments were adopted by the following vote:

AYES—Andreas, Boyle, Brennan, Cassidy, Chatters, Clark, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Laughlin, Lore, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Turner, Voigt, Wagner, Waters, Weber, Welsh, and Williamson—55.

NOES—Burns, Corwin, Crowley, Field, Fisher, Heisinger, Johnson, Kallam, Latham, Martin, Miller, Morgan, Phillips, Redwine, Scudder, Walker, Wallace, Wright, and Mr. Speaker—19

Request for Unanimous Consent.

Mr. Wright asked for, and was granted, unanimous consent to take up Assembly Bill No. 834, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 834, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Mayo:

Amendment No. 1.

On page 1, line 10, of the printed bill, as amended, after "by", insert the following: "a unanimous vote of the governing body".

Amendment No. 2.

On page 1, line 13, of the printed bill, as amended, strike out "a majority vote of the electors".

Amendment No. 3.

On page 1, lines 15 and 16, of the printed bill, as amended, strike out "or unless previously authorized by the State Board of Equalization".

Amendment No, 4.

On page 2 of the printed bill, strike out lines 9 to 11, inclusive, and insert in lieu thereof the following: "quent year."

Amendment No. 5.

On page 2 of the printed bill, as amended, strike out lines 24 to 45, inclusive.

Amendment No. 6.

On page 2, line 46, of the printed bill, as amended, strike out "4", and insert in lieu thereof the following: "3".

The question being on the amendments submitted by Mr. Mayo to Assembly Bill No. 834, as amended.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Mayo.

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Breed, Clark, Dawson, Donihue, Geyer, Gilbert, Hawkins, Hornblower, Lore, Mayo, McCarthy, McMurray, Patterson, Peyser, Reaves, Richie, Turner, Voigt, Wagner, Weber, and Williamson—21.

NOES—Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Garibaldi, Glover, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lyon, Maloney, Martin, Meehan, Miller, Minard, Morgan, Nielsen Pelletier, Peterson, Phillips, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Utt, Walker, Waters, Welsh, Wright, and Mr. Speaker—49.

Assembly Bill No. 834, as amended, read third time.

Motion to Continue Further Consideration of Assembly Bill No. 834, as Amended.

Mr. Lyon moved that further consideration of Assembly Bill No. 834, as amended, be continued until nine o'clock p.m., this day.

Motion carried.

Recess.

At five o'clock p.m., by order of the Speaker, the Assembly was declared at recess until nine o'clock p.m., of this day.

Reassembled.

At nine o'clock p. m., the Assembly reconvened.

Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1935.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1922—An act to amend sections 2283 to 2290, inclusive, of the Political Code, relating to State aid to orphans, half orphans, abandoned children, and children of fathers not able to pursue a gainful occupation—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2476—An act to add section 24.5 to the State Bar Act, relating to examinations for admission to practice law—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

LYON, Chairman
BRENNAN.
CRONIN.
McCARTHY.
WELSH.
ROBERTSON.
JONES.
DAWSON.
WILLIAMSON.
CROWLEY.
WATERS.
CUNNINGHAM.

The above reported bill ordered on file for second reading.

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1935.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred Assembly Bill No. 2238—An act to provide for the needy blind persons not inmates of any institution supported in whole or part by the State or any of its

subdivisions; prescribing rules of eligibility for such aid, empowering the chief of the Division for Blind of the State Department of Social Welfare to supervise the enforcement of this act; making appropriation therefor, and prescribing penalties for the violation of the provisions of this act, and to repeal an act entitled "An act to provide for needy blind persons, not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, making appropriation therefor and prescribing penalties for the violation of the provisions of the act," approved May 28, 1929—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BRENNAN, Chairman.

The above reported bill ordered on file for second reading.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1935.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Senate Bill No. 90—An act to add Chapter 3 to Division III of the Agricultural Code, to consist of sections 430 to 433, inclusive, relating to ownership or control of stockyards by packers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

THORP, Chairman.

The above reported bill ordered on file for second reading.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1935

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 641—An act to add a new section to be numbered 611, to an act entitled "An act to establish a Streets and Highways Code, thereby consolidating and revising the law relating to public ways and all appurtenances thereto, and to repeal certain acts and parts of acts specified herein;

Also: Assembly Bill No. 1378—An act to amend section 2 of an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, relating to the maintenance of State highways;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

STREAM, Chairman.

The above reported bills ordered on file for second reading.

On Labor and Capital.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1935.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 1828—An act relating to regulating working conditions of labor, in public and private enterprises—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

BURNS, Chairman.

The above reported bill ordered on file for second reading.

On Drainage, Swamp and Overflowed Lands.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1935.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 2470—An act for the relief of purchasers of swamp and overflowed lands, declaring the urgency thereof and that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

DESMOND, Chairman.

The above reported bill ordered on file for second reading.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 707—An act to amend sections 12, 13 and 16 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and

to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing;

Also: Assembly Bill No. 1267—An act to amend the title and to add three new sections, to be numbered 2a, 2b and 2c, to an act entitled "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the health of persons by whom the materials from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors; and providing for the punishment of the same," approved March 6, 1909, relating to the use of closed containers and providing for the sterilization of used bottles and containers used for foods, drugs and liquors;

And reports that the same has been correctly re-re-re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 605—An act providing for the acquisition of lands for, and the construction, maintenance and operation of a building at the Pacific Exposition to be held in the county of Los Angeles, State of California, providing for the exhibiting of products, resources of and other matters pertaining to the State of California at said Pacific Exposition, creating the California Pacific Exposition Commission and defining its powers and duties, and making an appropriation therefor;

Also: Assembly Bill No. 1904—An act to amend section 3 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provision," approved June 5, 1933, relating to wagering and to the powers of the California Horse Racing Board;

Also: Assembly Bill No. 2020—An act to add a new section to the Penal Code to be numbered 476b, relating to printing, duplicating or imitating blank checks;

And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2376—An act making an appropriation for the support of the Legislative Counsel Bureau and declaring the urgency thereof, the act to take effect immediately;

Also: Assembly Bill No. 2441—An act to provide for the regulation and control of the sale of certain drugs or chemicals known as dinitrophenol and thyroid, to provide penalties for the violation of this act and to provide for the enforcement hereof by the California State Board of Pharmacy;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 28, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2400—An act to add a new section to be numbered 30.5 to the General Cemetery Act, relating to reincorporation of cemetery associations, and prescribing the procedure therefor;

Also: Assembly Bill No. 466—An act to add a new section to be numbered 2931a to the Civil Code, providing for making the State a party to an action to foreclose mortgages and other liens upon property upon which there may exist a lien securing State taxes;

Also: Assembly Bill No. 2350—An act validating the formation, organization, existence or proceedings of municipal utility districts.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 2400, 466 and 2350 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 28, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 771—An act authorizing counties to contract with cities and towns, to assume and carry on certain municipal functions thereof, providing for transfers of employees and assumption of pensions, and authorizing cities to transfer such functions to counties and to enter into contracts in relation thereto—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 771 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 28, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 514—An act to add sections 135d to 135d12, inclusive, to the Bank Act, relating to the administration and liquidation of banks.

J A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 514 read first time, and referred to Committee on Banking.

Also:

SENATE CHAMBER, SACRAMENTO, May 28, 1935.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 919—An act to license, regulate and control the manufacture, transportation, sale, purchase, possession and disposition of alcoholic beverages; to levy an excise tax on the sale of alcoholic beverages; to provide for the licensing of the manufacture, distribution and sale of alcoholic beverages; to prescribe penalties for the violation of this act; to make an appropriation for the enforcement of this act, to take effect immediately;

Also. Senate Bill No. 1111—An act to amend section 1 of an act entitled "An act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution of and punishment of offenses under the same," approved May 19, 1927, relating to the price for the sale of jute bags.

J. A BEEK, Secretary of Senate.
By CARL A SHIPKEY, Assistant Secretary.

Senate Bill No. 919 read first time, and referred to Committee on Public Morals

Senate Bill No. 1111 read first time, and referred to Committee on Prisons and Reformatories.

Also:

SENATE CHAMBER, SACRAMENTO, May 28, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XVI thereof a new section to be numbered 11, relating to a bond issue for certain major construction and improvements.

J A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Constitutional Amendment No. 26 referred to Committee on Constitutional Amendments.

Also:

SENATE CHAMBER, SACRAMENTO, May 28, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No. 1034—An act to amend sections 3817d, 3817f, 3817g and 3817h of, and to add sections 3817b3 and 3817c3 to, the Political Code, relating to taxation,

including tax delinquencies, tax penalties and costs, tax redemption for tax sales and declaring the urgency thereof, to take effect immediately.

J. A. BEEK, Secretary of Senate.
By CARL A SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 28, 1935.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 1105—An act to amend section 1207 of the Agricultural Code, relating to the removal of officers and directors of nonprofit cooperative marketing associations, declaring the urgency thereof to take effect immediately.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 1105 read first time, and referred to Committee on Agriculture.

Also:

SENATE CHAMBER, SACRAMENTO, May 28, 1935.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 847—An act to amend section 31 and to amend and renumber sections 51a and 51b as added by Chapter 999 of the Statutes of 1933 and to add a new section to be numbered section 5 1 to an act entitled of "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to public utility districts in unincorporated territory;

Also Senate Bill No. 1110—An act to amend sections 611.6, 613, 738.5, 957, and 1343 of the Fish and Game Code, relating to fish

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 847 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 1110 read first time, and referred to Committee on Fish and Game.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 273—An act to amend section 372 of the Vehicle Code, relating to registration of certain vehicles used for the transportation of persons or property in this State.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lyon:

Amendment No. 1.

On page 14, lines 30 and 31, of the printed bill, as amended, strike out "when equipped wholly with pneumatic tires"

Amendment No. 2.

On page 14 of the printed bill, as amended, strike out lines 33 to 45, inclusive, and insert in lieu thereof the following:

"(1) Except as otherwise provided herein, commercial vehicles which are equipped with not more than two axles, trailers which are equipped with not more than two

axles and semitrailers equipped with not more than one axle, shall pay the following fees.

Unladen Weight *From*	*To*	*Fee*
750 lbs.	2999	$3.00
3000	3499	5.75
3500	3999	7.00
4000	4499	9.25
4500	4999	11.50
5000	5499	13.50
5500	5999	16.50
6000	6499	20.75
6500	6999	25.00
7000	7499	30.00
7500	7999	35.00
8000	8499	40 00
8500	8999	45.50
9000	9499	51.25
9500	9999	57.00
10000	10499	64.00
10500 and over		71.00

(2) Commercial vehicles whose unladen weight is less than three thousand pounds and trailers and semitrailers whose unladen weight is less than seven hundred and fifty pounds shall pay only the registration fee prescribed in section 370.

(3) Commercial vehicles and trailers which are equipped with not less than three axles, and semitrailers which are equipped with not less than two axles shall pay the following fees:

Unladen Weight *From*	*To*	*Fee*
Under 6000 lbs		$42.75
6000	6499	47.75
6500	6999	51.25
7000	7499	54 75
7500	7999	58 50
8000	8499	62 00
8500	8999	65 50
9000	9499	70.50
9500	9999	77.00
10000	10499	83.25
10500	10999	89.75
11000	11499	96 00
11500 and over		103 00."

Amendment No. 3.

On page 14, lines 49 and 50, of the printed bill, as amended, strike out "when equipped wholly with pneumatic tires"

Amendment No. 4.

On page 15 of the printed bill, as amended, strike out lines 14 to 19, inclusive.

Amendment No. 5.

On page 15, line 20, of the printed bill, as amended, strike out "(f)", and insert in lieu thereof the following: "(d)".

Amendments adopted.

Bill ordered to reprint, re-engrossment, and third reading.

Third Reading of Senate Bills.

Senate Joint Resolution No. 21—Relative to exemption from taxation of bonds issued by governmental agencies and memorializing the President and Congress of the United States to take immediate steps for the termination of the exemption of such securities from taxation.

Senate Joint Resolution No 21 read.

Floor Amendment.

During reading of Senate Joint Resolution No. 21, the following amendment was submitted by Mr. Stream:

Amendment No. 1.

On page 1, line 20, of the printed measure, after "legislation", insert the following: "and to propose such amendment or amendments to the Constitution of the United States".

Amendment adopted.

Senate Joint Resolution No 21 ordered to reprint, and on file for adoption.

Report of Committee on Free Conference.

The following report of Committee on Free Conference was received and read:

Concerning Assembly Bill No. 1034.

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1935.

MR. SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 1034—An act to amend sections 3817d, 3817f, 3817g, and 3817h of, and to add sections 3817b3 and 3817c3 to, the Political Code, relating to taxation, including tax delinquencies, tax penalties and costs, tax redemption for tax sales and declaring the urgency thereof, to take effect immediately—reports that it has met a like committee of the Senate, consisting of Senators Fletcher, Olson and Hays, and reports that the Committee on Free Conference has agreed to recommend the following: That the Assembly concur in the Senate amendments and that the bill be further amended as follows:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out "and 3817c3", and insert in lieu thereof the following: ", 3817c3, 3817j, 3817k, 3817l, and 3817m".

Amendment No. 2.

On page 1, line 4 of the title of the printed bill, as amended, strike out the word "for", and insert in lieu thereof the following: "from".

Amendment No. 3.

On page 1, line 3 of the title of the printed bill, as amended, following the word "taxation", insert the following: ", and assessment".

Amendment No. 4.

On page 1, line 14, of the printed bill, as amended, strike out "axes", and insert in lieu thereof the following: "taxes".

Amendment No. 5.

On page 2, line 4, of the printed bill, as amended, strike out "six", and insert in lieu thereof the following: "seven".

Amendment No. 6.

On page 2, line 42, of the printed bill, as amended strike out "six", and insert in lieu thereof the following: "seven".

Amendment No. 7.

On page 4, line 3, of the printed bill, as amended, strike out "or 1936", and insert in lieu thereof the following: ", 1936 or 1937".

Amendment No. 8.

On page 4, line 12, of the printed bill, as amended, strike out "1937", and insert in lieu thereof the following: "1938".

Amendment No. 9.

On page 4, line 17, of the printed bill, as amended, strike out the words "or resale at auction to the public", and insert in lieu thereof the following: "of property in accordance with the provisions of section 3897 of this code".

Amendment No. 10.

On page 4, line 18, of the printed bill, as amended, strike out all from and including the word "prior", down to and including the word "has", in line 19, on said page 4, and insert in lieu thereof the following: "has been deeded or shall have".

Amendment No. 11.

On page 4, line 20, of the printed bill, as amended, strike out the word "taxing", and insert in lieu thereof the following: "public".

Amendment No. 12.

On page 4, line 20, of the printed bill, as amended, after the word "to", insert the words: ", and is held by,".

Amendment No. 13.

On page 4 of the printed bill, between line 22 and line 23, insert the following: "Nothing in this section shall be construed to prohibit any agreement or sale made under the provisions of section 3897d of this code."

Amendment No. 14.

On page 4, line 23, of the printed bill, as amended, strike out "and 1936", and insert in lieu thereof the following: ", 1936 and 1937".

Amendment No. 15.

On page 4, line 27, of the printed bill, as amended, strike out "and 1936", and insert in lieu thereof the following: ", 1936 and 1937"

Amendment No. 16.

On page 5, lines 10 and 11, of the printed bill, as amended, strike out "3817c, 3817c2 or 3817i".

Amendment No. 17.

On page 5, line 14, of the printed bill, as amended, after "code, or", insert the following: "who has made or shall make a payment on account of delinquent taxes in accordance with the provisions of sections 3817a, 3817c, 3817c2 or 3817i of this code and who, in addition, shall elect".

Amendment No. 18.

On page 5, line 18, of the printed bill, as amended, after "amount", insert the following: ", without an allowance for interest thereon,".

Amendment No. 19.

On page 5 of the printed bill, as amended, strike out lines 23 to 28, inclusive, and insert in lieu thereof the following: "Sections 3817a, 3817c, 3817c2 or 3817i. In the".

Amendment No. 20.

On page 5, line 45, of the printed bill, as amended, after "without", insert the following: "an allowance of".

Amendment No. 21.

On page 5 of the printed bill, as amended, strike out lines 47 to 51, inclusive, and insert in lieu thereof the following: "with the provisions of sections 3817c or 3817c2."

Amendment No. 22.

On page 6 of the printed bill, as amended, between lines 33 and 34, insert the following:

"SEC. 7. Section 3817j is hereby added to the Political Code to read as follows:

3817j. The word "taxes" wherever used in this section, includes all taxes and assessments and annual installments of assessments, charged on the tax rolls.

In all cases where real estate has been sold to the State for delinquent taxes on or before July 6, 1934, and the State has not disposed of the same, the person whose estate has been or may hereafter be sold, his heirs, executors, administrators or other successors in interest, at any time on or prior to September 1, 1935, shall have the right to redeem such real estate, without penalties for delinquency, costs or redemption penalties or interest of whatever name or description, by paying on or before said date to the county treasurer of the county wherein such real estate is situate, the amount of taxes thereon at the time of sale, and also all taxes that were a lien upon said real property at the time said taxes became delinquent and also all unpaid taxes of every description assessed against the property for each year since the sale, as shown on the delinquent rolls in the then permanent custody of the county auditor of such county; or, if not so assessed, then upon the value of the property as assessed in the year nearest the time of such redemption.

SEC. 8. A new section is hereby added to the Political Code to be numbered 3817k and to read as follows:

3817k. In the event a person has elected to pay in installments delinquent taxes which are a lien upon any real estate, in accordance with the provisions of section 3817c, 3817c2 or 3817i of this code, and he, his heirs, executors, administrators or other successors in interest, elects to make final redemption of the same real estate under the provisions of section 3817j of this code, there shall be deducted from the amount necessary to effect such final redemption under section 3817j, a credit equal to the total amount theretofore paid by such person, his heirs, executors, administrators and other successors in interest, under section 3817a, 3817c, 3817c2 or 3817i, including therein all installments, interest, taxes and penalties paid thereunder.

SEC 9. *Section 3817l is hereby added to the Political Code to read as follows:*

3817l. Whenever the county auditor notifies the county assessor that payment of delinquent taxes under sections 3817c, 3817c2, 3817c3 or 3817i has been started, and the property upon which the taxes are being paid does not appear on the assessment roll, the county assessor shall be required to make an assessment according to the current values and to place the property on the current assessment roll for that year and for each year thereafter so long as payments under such sections are kept up. The property when so returned to the assessment rolls shall be assessed in the name of the holder of the fee title immediately prior to the deed to the State.

SEC 10. Section 3817m is hereby added to the Political Code to read as follows:

3817m. Whenever property is being redeemed under sections 3817, 3817c, 3817c2, 3817c3, 3817i or 3817j of the Political Code and does not appear on the assessment roll, the county auditor shall furnish the county assessor with a list of the years for which no assessment has been made and the assessor shall place a valuation on the property which the auditor shall use in computing the tax for the years when the property was not assessed."

Amendment No. 23.

On page 6, line 34, of the printed bill, as amended strike out "7", and insert in lieu thereof the following: "11".

Amendment No. 24.

On page 6, line 45, of the printed bill, as amended, after the period, insert the following:

"It is also necessary in order to redeem much of this property which does not at the present time appear on the assessment rolls that it be assessed according to present day values. If this is not done immediately taxpayers whose property does not now appear on the assessment rolls will be unable to take advantage of the rights granted by this act."

MARTIN,
PHILLIPS,
RILEY
Assembly Committee on Free Conference

FLETCHER,
HAYS,
OLSON,
Senate Committee on Free Conference.

Report of Committee on Free Conference concerning Assembly Bill No. 1034 read.

Mr. Riley moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Boyle, Brennan, Clark, Cunningham, Dawson, DeLap, Donihue, Donnelly, Frazier, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Latham, Laughlin, Maloney, Martin, Meehan, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr Speaker—42.

NOES—None.

Record Expunged.

On motion of Mr. Riley, on May 29, 1935, the vote whereby the report of the Committee on Free Conference concerning Assembly Bill No. 1034 was this day adopted, was expunged from the record, and the action rescinded. (See Assembly Journal of May 29th, page 62.)

Introduction and Reference of Bills.

The following bill was introduced:

By Mr Turner: Assembly Concurrent Resolution No. 45—Relative to adjournment for Memorial Day.

Introduced.

Request for Unanimous Consent.

Mr. Turner asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 45, at this time, without ref-

erence to printer, committee of file, and that same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 45.

Assembly Concurrent Resolution No. 45—Relative to adjournment for Memorial Day.

Assembly Concurrent Resolution No. 45 read.

Mr. Turner moved the adoption of Assembly Concurrent Resolution No. 45.

The question being on the adoption of Assembly Concurrent Resolution No. 45.

Motion to Refer.

Mr Cunningham moved that Assembly Concurrent Resolution No. 45 be referred to Committee on Rules.

The question being on the motion to refer Assembly Concurrent Resolution No. 45 to Committee on Rules.

Demand for Previous Question.

Messrs. DeLap, Brennan, Peyser, Williamson and Peterson demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion to refer Assembly Concurrent Resolution No. 45 to Committee on Rules.

Request for Roll Call.

On request of Messrs. Robertson, Frazier and Brennan, the Speaker ordered a roll call taken on the motion to refer Assembly Concurrent Resolution No. 45 to Committee on Rules.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Brennan, Cassidy, Chatters, Corwin, Cottrell, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Frazier, Geyer, Heisinger, Johnson, Lore, Martin, McMurray, Meehan, Miller, Morgan, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—43.

NOES—Boyle, Clark, Evans, Ralph W., Flint, Garibaldi, Glover, Hawkins, Hunt, Jones, Latham, Laughlin, McCarthy, Rosenthal, and Turner—14

Assembly Concurrent Resolution No 45 ordered referred to Committee on Rules.

Withdrawal of Bills.

By order of the Speaker, the following bills were withdrawn from the file, and re-referred to committees as follows:

Assembly Bill No. 718 ordered re-referred to Committee on Fish and Game.

Assembly Bill No. 1922 ordered re-referred to Committee on Ways and Means.

Further Consideration of Assembly Bill No. 834, as Amended.

Assembly Bill No 834, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Frazier:

Amendment No. 1.

On page 2, line 48, of the printed bill, as amended, insert the following:
"SEC. 5. The provisions of this act shall not apply to any county of the "second class." "

The question being on the amendment submitted by Mr. Frazier to Assembly Bill No. 834.

Roll Call.

The Speaker ordered a roll call taken on the amendment submitted by Mr. Frazier.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Boyle, Brennan, Cassidy, Cronin, Crowley, Dawson, Donihue, Evans, Ralph W., Frazier, Fulcher, Gilbert, Hawkins, Hornblower, Maloney, Mayo, McMurray, Meehan, Miller, Peyser, Weber, and Williamson—21.

NOES—Anderson, Andreas, Breed, Clark, Corwin, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Martin, McBride, McCarthy, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Turner, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—52.

Assembly Bill No. 834, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Dawson:

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out the last two words, viz: "whether or".

The question being on the amendment submitted by Mr. Dawson to Assembly Bill No 834.

Roll Call.

The Speaker ordered a roll call taken on the amendment submitted by Mr. Dawson.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Brennan, Clark, Cronin, Dawson, Donihue, Frazier, Geyer, Gilbert, Hawkins, Hornblower, Lore, Maloney, McMurray, Meehan, Peterson, Peyser, Reaves, Rosenthal, Weber, and Williamson—20.

NOES—Anderson, Andreas, Breed, Cassidy, Chatters, Corwin, Crowley, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Gilmore, Glover, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Martin, Mayo, McBride, McCarthy, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Redwine, Richie, Riley, Robertson, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—54.

Third Reading of Assembly Bill No. 834, as Amended.

Assembly Bill No. 834, as amended, read third time.

Demand for Previous Question.

Messrs. DeLap, Dawson, Weber, Peterson and Robertson demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 834, as amended, passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Chatters, Corwin, Cunningham, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Heisinger, Johnson, Kallam, Latham, Laughlin, Lyon, Martin, McBride, McCarthy, Miller, Minard, Morgan, Nielsen, Peterson, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—42.

NOES—Anderson, Brennan, Cassidy, Clark, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donahue, Evans, Ralph W., Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Lore, Maloney, Mayo, McMurray, Meehan, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, and Weber—38

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 834.

Mr. Patterson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 834 was this day passed.

Explanation of Vote.

The action of a number of the members on the floor, has indicated that they would vote to continue in effect this limitation and said action presupposes the bill's passage. With that confronting me, I offered an amendment which would keep this limitation extention, down to the shortest possible period, namely June, 1937.

The offer of the author to accept my amendment, if I would vote for the bill was, by me, accepted.

In principle, I am opposed to this legislation because it interferes with my city's "pay as it goes" policy; but if we are going to have it forced on us by the vote of this Assembly, then I want it extended only to the shortest possible date. My amendment did that.

The acceptance of my amendment by the author, and its adoption by the Assembly, made it necessary for me to vote for the bill

RAY WILLIAMSON.

Resolution.

The following resolution was offered:

By Messrs. Fisher and Nielsen:

Assembly Resolution.

WHEREAS, Thursday, May 30th is Memorial Day, a National holiday, which said day has been set aside in reverence to the Nation's dead; and

WHEREAS, The people of the Nation have for many years uniformly observed this holiday; now, therefore, be it

Resolved, That the Assembly of the State of California remain in recess during said Memorial Day in reverence to the dead of our Nation

Resolution by Messrs. Fisher and Nielsen read.

The question being on the adoption of the resolution by Messrs. Fisher and Nielsen.

Motion to Refer.

Mr. Frazier moved that the resolution be referred to Committee on Rules.

The question being on the motion by Mr. Frazier to refer the resolution by Messrs. Fisher and Nielsen to Committee on Rules.

Demand for Previous Question.

Messrs. Flint, Pelletier, Frazier, DeLap and Johnson demanded the previous question.

The question being put: Shall the main question be now put?

Request for Roll Call.

On request of Messrs. Fisher, Nielsen and Frazier, the Speaker ordered a roll call taken on the demand for the previous question.

The roll was called, and the demand for the previous question lost by the following vote:

AYES—Brennan, Burns, Crowley, Cunningham, Dawson, DeLap, Desmond, Frazier, Heisinger, Hornblower, Johnson, Latham, Maloney, Mayo, McCarthy, Miller, Minard, O'Donnell, Patterson, Reaves, Scudder, Stream, Thorp, Turner, Waters, Williamson, and Wright—27.

NOES—Anderson, Andreas, Cassidy, Chatters, Clark, Corwin, Cronin, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Jones, Kallam, Laughlin, Lore, Lyon, Martin, McBride, McMurray, Morgan, Nielsen, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Robertson, Rosenthal, Utt, Voigt, Wagner, Walker, Wallace, Weber, Welsh, and Mr. Speaker—48

The question being on the motion by Mr. Frazier to refer the resolution by Messrs. Fisher and Nielsen to Committee on Rules.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Frazier to refer the resolution to Committee on Rules.

The roll was called, and the motion was lost by the following vote:

AYES—Brennan, Burns, Cassidy, Cunningham, Dawson, DeLap, Donihue, Frazier, Heisinger, Hornblower, Johnson, Latham, Maloney, Mayo, McCarthy, Meehan, Minard O'Donnell, Patterson, Reaves, Scudder, Stream, Thorp, Turner, Wallace, Waters, Williamson, and Wright—28.

NOES—Anderson, Andreas, Boyle, Chatters, Clark, Corwin, Cottrell, Cronin, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Kallam, Laughlin, Lore, Lyon, Martin, McMurray, Miller, Morgan, Nielsen, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Robertson, Rosenthal, Utt, Voigt, Wagner, Walker, Weber, Welsh, and Mr Speaker—48

The question being on the adoption of the resolution by Messrs. Fisher and Nielsen.

Roll Call.

The Speaker ordered a roll call taken on the resolution by Messrs. Fisher and Nielsen.

The roll was called, and the resolution was refused adoption by the following vote:

AYES—Andreas, Boyle, Cassidy, Chatters, Clark, Corwin, Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Glover, Hawkins, Hunt, Jones, Laughlin, Lore, Martin, McBride, McMurray, Meehan, Miller, Nielsen, Pelletier, Peterson, Phillips, Redwine, Riley, Rosenthal, Utt, Voigt, Walker, Weber, and Mr. Speaker—34.

NOES—Anderson, Breed, Brennan, Burns, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Flint, Frazier, Geyer, Gilbert, Gilmore, Heisinger, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Mayo, McCarthy, Minard, Morgan, O'Donnell, Patterson, Peyser, Reaves, Richie, Robertson, Scudder, Stream, Thorp, Turner, Wagner, Wallace, Waters, Welsh, Williamson, and Wright—46.

Further Consideration of Assembly Bill No. 598, as Amended.

Assembly Bill No. 598, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Minard:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 17 to 20, inclusive

Amendment No. 2.

On page 2 of the printed bill, as amended, strike out lines 18 to 35, inclusive, and insert in lieu thereof the following:

"Every member of the Assembly and every member of the State Senate shall, without other nomination be a candidate for the office of Delegate to the Constitutional Convention, except as provided in section 3 of this act.

SEC. 3. If any such member desires not to be such candidate, he shall, on or before October 1, 1935, file with the Secretary of State a statement under oath that he will not be a candidate for the office of Delegate to the Constitutional Convention.

Any other person desiring to become a candidate for such office in any district of this State from which a member of the State Senate or a member of the Assembly is elected, shall become such candidate, and the election of delegates to the convention shall be had, in a manner prescribed by the Legislature, or by an amendment to the Constitution upon the adoption thereof by the people."

Amendment No. 3.

On page 5 of the printed bill, as amended, between lines 36 and 37, insert the following:

"SEC. 19. The Legislative Counsel of this State and the California Code Commission shall make such preliminary studies and investigations as to them seem advisable and shall submit to the convention a draft of the Constitution of this State, containing the substance of the existing provisions thereof, restated without major substantive change, but with such clarification and elimination of ambiguities and obsolete and inoperative provisions thereof as to them seem advisable. The Legislative Counsel and the California Code Commission may submit such draft in alternative forms whenever in their opinion such alternative forms seem advisable. They may also submit other drafts and proposals, whether or not recommended by them in such form and in such manner as may be requested by State officers, members of the Legislature, or delegates to the convention."

Amendment No. 4.

On page 5 of the printed bill, as amended, strike out lines 37 to 40, inclusive, and insert in lieu thereof the following:

SEC. 20. This act shall take effect upon the adoption by the people of a constitutional amendment legalizing, ratifying and making the same fully effective."

The question being on the amendments submitted by Mr. Minard to Assembly Bill No. 598.

Demand for Previous Question.

Messrs. Martin, Welsh, Cottrell, Burns and Frazier demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the amendments submitted by Mr. Minard to Assembly Bill No. 598.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Minard.

The roll was called, and the amendments were adopted by the following vote:

AYES—Boyle, Breed, Brennan, Cottrell, Cronin, Dawson, Desmond, Domhue, Donnelly, Evans, Herbert J., Fisher, Frazier, Fulcher, Gilmore, Hornblower, Latham, Lore, Maloney, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Robertson, Thorp, Utt, Walker, Weber, Welsh, Williamson, Wright, and Mr. Speaker—37.

NOES—Anderson, Andreas, Burns, Cassidy, Clark, Cunningham, DeLap, Evans, Ralph W., Field, Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lyon, Martin, Mayo, McCarthy, Morgan, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Voigt, Wagner, Wallace, and Waters—36.

Record Expunged.

On motion of Mr. Latham, on May 29, 1935, the vote whereby the amendments submitted by Mr Minard to Assembly Bill No. 598 were this day adopted, was expunged from the record and the action rescinded. (See Assembly Journal of May 29th, page 34.)

Special Order Set for Assembly Bill No. 598.

On motion of Mr. Latham, the further consideration of Assembly Bill No. 598 and amendments pending, was made a special order for Wednesday, May 29, 1935, at eleven o'clock a.m.

Motion to Rush Printing of Assembly Bill No. 598, as Amended.

Mr. Minard moved that the Chief Clerk instruct the State Printer to rush printing of Assembly Bill No. 598, as amended.

Motion carried.

Motion to Print Assembly Bill No. 1300.

Mr. Scudder moved that the Chief Clerk be instructed to place an order for the printing of 1000 additional copies of Assembly Bill No. 1300.

Motion carried.

Unfinished Business—(Resumed).

Reconsideration of Assembly Bill No. 2173 Waived.

Mr. Field waived his notice to reconsider the vote whereby Assembly Bill No. 2173 was passed.

Assembly Bill No. 2173 ordered transmitted to the Senate.

Special Order Set for Assembly Bill No. 2459.

On motion of Mr. Redwine, the consideration of Assembly Bill No. 2459 was made a special order for Wednesday, May 29, 1935, at eleven o'clock a.m.

Resolution.

The following resolution was offered:

By Mr. Williamson:

Resolved, That the hour of eleven o'clock and thirty minutes a.m., on Thursday, May 30, 1935, Memorial Day, be set aside as a proper time for the fitting observance of a memorial program, and that this Assembly be at recess from said hour until two p.m. of said day and the Speaker is hereby directed to appoint a Committee of Three for the necessary arrangements.

Resolution read and adopted.

Appointment of Select Committee.

The Speaker announced the appointment of Messrs. Williamson and Morgan, and Miss Miller to carry out the provisions of the resolution submitted by Mr. Williamson.

Motion to Continue Unfinished Business.

Mr. Lyon moved that all unfinished business on the Daily Calendar be continued to the next legislative day.

Motion carried.

Adjournment.

At eleven o'clock and fifty minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m. Wednesday, May 29, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, May 29, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—80.

Quorum present.

Prayer.

Prayer was offered by Rev. Father T. H. Markham of the Catholic Welfare Bureau, Sacramento.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Robertson, its further reading was dispensed with.

Privilege of Floor of Assembly Extended.

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the principal and students of the Crystal School, Suisun, as follows: Mr. J J. Finney, principal; Olive Dowdell, Dorothy Mae Cooper, Elsada Chadbourne, Lorraine Harry, Yoshiko Osada, Donald Tomasini, Bill Sadler, George Enkojo, Marjorie Chadbourne, Bob Jones, Drussila Chadbourne, Mary Jeanne Sherman, Betty Ann McInnis, Leora McGann, Ray Newkirk, Geneva Netherton, and Barbara Roney, students, and Mrs. Rutherford H. Chadbourne, Suisun; Mr. and Mrs A Tomasini, Mrs. B. McGann, Mrs. Finney, Oliver Dowdell, and Miss Doris Watts of Sacramento.

On request of Mr. Fisher, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Willis L. Beeson.

On request of the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Bert McMurray, son of Assemblyman Patrick McMurray, and his wife, Lee McMurray, and daughter, Marylee McMurray, all of San Francisco; and Mrs. George Ryder, Mr. James Buckley and Mr. James Smythe, all of San Francisco.

Presentation of Petition.

The following petition was presented, and ordered printed in the Journal:

By Mr. Speaker:

From California State Federation of Labor, opposing passage of Assembly Bill No. 834.

Communication.

The following communication was received, and ordered printed in the Journal:

SAN FRANCISCO, CALIFORNIA, May 28, 1935.

Hon. Edward H. Craig, Speaker of the Assembly,
State Capitol.

We are informed that telegram supposed to be signed by the American Can Company has been sent to all members of the Assembly urging passing of bill 471.

This company has not sent any such telegram. Please have this telegram printed in your Journal.

A. C. WEBB.

ASSISTANT CLERK OLIVER READING.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 28, 1935

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 774—An act to amend section 1197 of the Political Code, relating to election ballots;

Also: Assembly Bill No. 1753—An act to amend sections 2.876, 2.877, 2.878, 2.885, 2.890, 2.891, and to repeal 2.868 of the School Code, relating to school district elections;

Also: Assembly Bill No. 1769—An act to amend sections 1, 14, 18 and 41 of the "California Water District Act," approved June 13, 1913, relating to water districts, the purposes and administration thereof, to take effect immediately and declaring the urgency thereof;

Also: Assembly Bill No. 1794—An act to amend the title of "An act to amend an act entitled "An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same, reenacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the 'Water Conservation Act of 1929,' and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred" (Chapter 1020, Statutes of 1931), to repeal sections 51 to 54 inclusive, and to add new sections to be numbered 51 to 80 inclusive, relating to exclusion of lands from water conservation districts and to improvement districts within water conservation districts," approved June 12, 1933 (Chapter 906, Statutes of 1933), to amend sections 18, 36 and 53 of the act amended by said act and to add a new section to said amended act to be known as section 36a relating to water conservation districts;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 774, 1753, 1769 and 1794 ordered on unfinished business file.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1935

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 708—An act relating to the borrowing of money by the State in anticipation of taxes and revenues, and making an appropriation—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

RILEY, Chairman.

Senate Bill No. 708 ordered re-referred to Committee on Ways and Means.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1935.

MR SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1286—An act to add a new section to the Fish and Game Code, to be known as section 788.5, relating to the possession of crabs—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FISHER, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No. 172—An act to add section 662.5 to, the Fish and Game Code, relating to salmon;

Also: Senate Bill No. 642—An act to add section 21.4 to the Fish and Game Code, relating to damages for destruction of fish and game;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

FISHER, Chairman.

The above reported bills ordered on file for second reading

Also:

MR SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 941—An act to amend section 428 of the Fish and Game Code and to add thereto sections 428.5 and 428.6, relating to sporting fishing licenses, and the disposition of fees therefrom;

Also: Assembly Bill No. 2176—An act to amend section 1065 of the Fish and Game Code, relating to sardines,

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

FISHER, Chairman

The above reported bills ordered on file for second reading

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1935

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1581—An act to amend the Insurance Code, relating to insurance principles, practice and business, and matters incidental thereto;

Also: Senate Bill No. 734—An act to amend sections 108, 709, 1584, and 1640 of the Insurance Code, relating to insurance principles, practice, and business and matters incidental thereto;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

MINARD, Chairman.

The above reported bills ordered on file for second reading

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1935

MR SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 1105—An act to amend section 1207 of the Agricultural Code, relating to the removal of officers and directors of nonprofit cooperative marketing associations, declaring the urgency thereof, to take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1935

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 997—An act to add Chapter 8 to Division VI of the Agricultural Code, relating to proration programs with respect to agricultural crops—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1935.

MR SPEAKER Your Committee on Municipal Corporations, to which was referred Senate Bill No 1094—An act to add section 19a to the Public Utilities Act, relating to charges for heat, light, or power by a public utility—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WRIGHT, Chairman

The above reported bill ordered on file for second reading.

On Crime Problems.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1935.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 20—An act relating to the advocacy of the overflow of the existing form of government by force or other unlawful means—has had the same under considera-

tion, and respectfully reports the same back, and recommends that it do pass as amended.

MILLER, Chairman.

The above reported bill ordered on file for second reading.

On Attaches.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1935.

MR. SPEAKER: Your Committee on Attaches respectfully begs to report that it has carefully considered the applications for the various positions and desires to submit the following resolution:

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same:

Commencing May 27th	*Per day (Sundays excepted)*
Ed Harrison, Assistant Sergeant-at-Arms	$5 00
Ray Zeimantz, Page	2 50

Be it further

Resolved, That the following named persons be stricken from the list of Assembly attaches, and their names be stricken from the pay roll of the Assembly to take effect on completion of work:

May 27th—
Anna Medbury, Stenographer $5 00

June 2d—
Ed Harrison, Assistant Sergeant-at-Arms 5 00

Report and resolution of Committee on Attaches read.

Mr. Utt moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Andreas, Boyle, Brennan, Burns, Clark, Corwin, Cunningham, DeLap, Donnelly, Evans, Herbert J., Fisher, Flint, Geyer, Glover, Heisinger, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Morgan, Nielsen, Pelletier, Peterson, Peyser, Phillips, Reaves, Riley, Robertson, Rosenthal, Stream, Thorp, Wagner, Walker, Waters, Weber, Williamson, and Mr. Speaker—45.

NOES—None.

Second Reading of Assembly Bills.

Assembly Bill No. 2468—An act to amend sections 6 and 11 of, to repeal section 7 of, and to add section 33 to, an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919, relating to sanitary districts.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2260—An act relating to employment contracts and applications for employment.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 703—An act to establish the Southern California Prison under the management and control of the State Board of Prison

Directors; to provide for purchase or acquirement of farm lands by unconditional gift or use of lands owned by the State therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor.

Bill read second time, ordered to re-re-engrossment, and third reading.

Assembly Bill No. 2239—An act relating to aid to needy children prescribing rules of eligibility for aid empowering the State Department of Social Welfare to supervise the enforcement of this act, making an appropriation for the carrying out of the provisions of this act, and prescribing penalties for the violation hereof; and repealing Chapter 2a of Part 3, Title V, of the Political Code, comprising sections 2283 to 2290, inclusive; and to repeal Chapter 2a of Article 3, Part 3, Title V, of the Political Code.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to add section 2289a to the Political Code, relating to State aid to children."

Amendment No. 2.

On page 1, line 1, of the printed bill, after "SECTION 1", insert the following: "A new section to be numbered section 2289a is hereby added to the Political Code to read as follows:

2289a. State aid to children, as provided in section 2283 of this code, shall include a dependent child as defined in the Federal Social Security Act, H. R. 7260, of the Seventy-fourth Congress, which child meets all other requirements for eligibility to State aid. State aid shall not be denied on the grounds of insufficient residence to any child otherwise eligible, if such child has resided in the State for one year, or if such child was born in this State

The provisions of this section shall be effective only during such time as the Federal funds are made available to this State for aid to dependent children

If and when grants for dependent children are received from the Federal Government, or any department or agency thereof, the State shall reimburse the counties, or city and counties, their proportionate share of the Federal aid, prorated according to the amount which the county, or city and county, has granted to eligible children."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1314—An act to amend sections 1a, 3, 4, 9b, 10a, 10b, 11a, 11b, c, d, e, and 12 of, and to add new sections 11f and g to an act entitled "An act to regulate land surveying and to define the duties of and to license land surveyors, to provide for the revocation of such licenses and the restoration thereof, to make certain acts misdemeanors and to provide penalties therefor, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 16, 1907," approved May 24, 1933.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "9b, 10a, 10b, 11a, 11b, c," also strike out line 2, and insert in lieu thereof the following: "9, 10, 11 and 12 of, and to add new sections to be numbered 11.1, 11.2, 11.3, 11.4, 11.5 and 11.6 to an".

Amendment No. 2.

On page 1, line 9 of the title of the printed bill, as amended, strike out the period, and insert in lieu thereof a comma and the following: "relating to land surveyors."

Amendment No. 3.

On page 2, line 49, of the printed bill, as amended, strike out "SEC. 5. Section 9b", and insert in lieu thereof the following: "SEC. 4. Section 9".

Amendment No. 4.

On page 2 of the printed bill, as amended, between lines 50 and 51, insert the following

"SEC. 9. (a) Except as provided for in section 8 hereof, any license issued under the provisions of this act shall remain in effect until the thirtieth (30th) day of June following the date of its issuance"

Amendment No. 5.

On page 2, line 51, of the printed bill, as amended, strike out "Sec. 9b.", and insert in lieu thereof the following: "(b)".

Amendment No. 6.

On page 3, line 8, of the printed bill, as amended, after "restored", insert a comma

Amendment No. 7.

On page 3, line 21, of the printed bill, as amended, strike out "SEC. 6 Section 10-a", and insert in lieu thereof the following: "SEC. 5. Section 10".

Amendment No. 8.

On page 3 of the printed bill, as amended, strike out lines 37 and 38, and in line 39, strike out "Sec. 10b", and insert in lieu thereof the following: "(b)"

Amendment No. 9.

On page 4, line 5, of the printed bill, as amended, strike out "SEC 8. Section 11a", and insert in lieu thereof the following: "SEC. 6 Section 11".

Amendment No. 10.

On page 4, line 7, of the printed bill, as amended, strike out "11a", and insert in lieu thereof the following: "11".

Amendment No. 11.

On page 4 of the printed bill, as amended, strike out lines 11 and 12; and in line 13, strike out "Sec. 11b", and insert in lieu thereof the following

"SEC. 7. A new section to be numbered 11.1 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 11.1."

Amendment No. 12.

On page 4 of the printed bill, as amended, strike out lines 24 and 25; and in line 26, strike out "Sec. 11c", and insert in lieu thereof the following:

"SEC 8 A new section to be numbered 11.2 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 11.2."

Amendment No. 13.

On page 4 of the printed bill, as amended, strike out lines 41 and 42; and in line 43, strike out "Sec 11d", and insert in lieu thereof the following

"SEC. 9. A new section to be numbered 11.3 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 11.3."

Amendment No. 14.

On page 5 of the printed bill, as amended, strike out lines 13 and 14; and in line 15, strike out "Sec. 11e", and insert in lieu thereof the following:

"SEC. 10 A new section to be numbered 11.4 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 11.4."

Amendment No. 15.

On page 5 of the printed bill, as amended, strike out lines 40 and 41, and in line 42, strike out "Sec. 11f.", and insert in lieu thereof the following:

"SEC 11 A new section to be numbered 11.5 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 11.5."

Amendment No. 16.

On page 6 of the printed bill, as amended, strike out lines 10 and 11; and in line 12, strike out "Sec. 11g.", and insert in lieu thereof the following:

"SEC. 12. A new section to be numbered 11.6 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 11.6."

Amendment No. 17.

On page 6, line 20, of the printed bill, as amended, strike out "15", and insert in lieu thereof the following: "13".

Amendment No. 18.

On page 6, line 19, of the printed bill, after the period following the word "title", insert the following: "This section shall not apply to monuments set by the State Division of Highways to mark State highway boundaries."

Amendment No. 19.

On page 5, line 43, of the printed bill, as amended, after the comma, insert the following: "or eighteen by thirteen inches, as required by the county recorder with whom filed,".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 86—An act to establish a system of unemployment reserves for this State, and making an appropriation therefor.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee.

Amendment No. 1.

On page 1 of the printed bill, as amended, after line 27, add the following:

"SEC. 2. This act is enacted as a part of a National Plan of Unemployment Reserves and Social Security, and for the purpose of assisting in the stabilization of employment conditions The imposition of the tax herein imposed upon California industry alone, without a corresponding tax be imposed upon all industry in the United States, would, by the corresponding penalty upon California industry, defeat the very purposes of this act set forth in section 1 Therefore this act shall only be effective during such period as the tax herein imposed, or a portion not less than seventy-five per cent, sixty per cent thereof, may be credited against a tax imposed by the United States Government upon the basis of pay rolls."

Amendment No. 2.

On page 3, line 12, of the printed bill, as amended, after "subdivisions", insert a comma and the following: "or in the employ of any unit or agency of government, whether of a governmental or a proprietary nature, or service as a public officer".

Amendment No. 3.

On page 3, line 16, of the printed bill, as amended, after the comma, insert the following: "or for the prevention of cruelty to children or animals,".

Amendment No. 4.

On page 3, line 33, of the printed bill, as amended, strike out the period, and insert in lieu thereof a colon

Amendment No. 5.

On page 3, line 50, of the printed bill, as amended, strike out "twenty", and insert in lieu thereof the following: "thirteen".

Amendment No. 6.

On page 4, line 1, of the printed bill, as amended, strike out "ten", and insert in lieu thereof the following: "four".

Amendment No. 7.

On page 4, line 22, of the printed bill, as amended, strike out "willing to", and insert in lieu thereof the following: "available for".

Amendment No. 8.

On page 5 of the printed bill, as amended, strike out lines 29 to 51, inclusive; and on page 6, strike out lines 1 to 52, inclusive; and on page 7, strike out lines 1 to 16, inclusive, and insert in lieu thereof the following:

"SEC 18. There is hereby created the unemployment fund in the State treasury, to be administered by the commission without liability on the part of the State beyond the amounts paid into and earned by the fund. This fund shall consist of all contributions and moneys paid into and received by the fund as provided by this act, of property and securities acquired by and through the use of moneys belonging to the fund, and of interest earned upon the moneys belonging to the fund.

SEC. 19. The unemployment fund shall be administered in trust and used solely to pay benefits, upon vouchers drawn on the fund by the commission pursuant to general commission rules and no other disbursement shall be made therefrom. Such rules shall be governed by and consistent with any applicable constitutional requirement, but the procedure prescribed by such rules shall be deemed to satisfy and shall be in lieu of any

and all statutory requirements of specific appropriation or other form of release by State officers of State moneys prior to their expenditure which might otherwise be applicable to withdrawals from the fund

SEC. 20. The State Treasurer shall be the treasurer of the fund and he shall pay all vouchers duly drawn upon the fund, in such manner as the commission prescribes. He shall have custody of all moneys belonging to the fund and not otherwise held or deposited or invested pursuant to this act. The official bond of the State Treasurer shall cover the faithful performance of his duties as treasurer of the fund. The treasurer shall deposit and invest, and otherwise deal with the fund under the supervision and control of the commission, subject to the provisions of this act.

SEC. 21. All taxes paid under this act shall upon collection be deposited in or invested in the obligations of the "Unemployment trust fund" of the United States Government or its authorized agent, so long as such said trust fund exists, notwithstanding any other statutory provision to the contrary. The commission shall requisition from the unemployment trust fund necessary amounts from time to time.

SEC. 22. There is hereby created the "Unemployment administration fund," to consist of all the moneys received by the State or by the commission for the administration of this act. This administration fund shall be in the State treasury and shall be handled by the State Treasurer as other State moneys are handled; but it shall be expended solely for the purposes herein specified, and its balances shall not lapse at any time but shall remain continuously available to the commission for expenditures consistent herewith.

All Federal moneys allotted or apportioned to the State by the Federal Social Security Board or other agency for the administration of this act shall be paid into the unemployment administration fund.

A special "Employment service account" shall be maintained as part of the unemployment administration fund.

SEC. 23. The commission shall classify the employers and employees contributing to the fund into industrial groups Contributions to the fund received from employers and employees of each such group, and interest or other income earned thereon shall constitute an account in the fund. Each such account shall be known as the (name of the industrial group) reserve account, out of which shall be paid, to the extent of such account, benefit liabilities arising in the contributing industries, before resorting to other reserve accounts in the fund Whenever benefit liabilities arising out of industries contributing to any particular reserve account are such, together with other charges, as to exhaust the assets in such account, without completely satisfying such benefit liabilities, then the unpaid remainder of such benefit liabilities shall be paid by levy upon all other reserve accounts in the fund. Such levy shall be satisfied by such other reserve accounts through payment out of each unexhausted account of such proportion of such unpaid benefit liability as the aggregate of the money and assets in each such account bears to the total, in excess of benefit liabilities, of the moneys and assets of the fund at the date of the levy."

Amendment No. 9.

On page 7, line 17, of the printed bill, as amended, strike out "23", and insert in lieu thereof the following: "24".

Amendment No. 10.

On page 7, line 21, of the printed bill, as amended, strike out "and".

Amendment No. 11.

On page 7 of the printed bill, as amended, strike out lines 25 to 36, inclusive.

Amendment No. 12.

On page 7 of the printed bill, as amended, strike out lines 37 to 43, inclusive, and insert in lieu thereof the following:

"SEC. 25. All moneys requisitioned from the unemployment trust fund in the United States treasury for the payment of benefits under the provisions of this act shall be so requisitioned by the Unemployment Reserves Commission by and through the State Treasurer as agent thereof."

Amendment No. 13.

On page 7, line 44, of the printed bill, as amended, strike out "27", and insert in lieu thereof the following: "26".

Amendment No. 14.

On page 8, line 6, of the printed bill, as amended, strike out "28", and insert in lieu thereof the following: "27".

Amendment No. 15.

On page 8, line 13, of the printed bill, as amended, strike out "29. Each", and insert in lieu thereof the following: "28. Unless other procedure is prescribed by the United States Government or agency thereof as a condition precedent to the crediting of the tax pursuant to section 2 of this act, each".

Amendment No. 16.

On page 8, line 20, of the printed bill, as amended, strike out "withdrawn", and insert in lieu thereof the following: "requisitioned".

Amendment No. 17.

On page 8, line 25, of the printed bill, as amended, after the period, insert as beginning a new paragraph the following: "SEC. 29."

Amendment No. 18.

On page 10 of the printed bill, as amended, strike out lines 20 to 32, inclusive, and insert in lieu thereof the following:

"SEC. 41. As to every such employer, such contribution, with respect to payments of wages, shall be three per cent of all wages paid by him in employments subject to this act."

Amendment No. 19.

On page 10 of the printed bill, as amended, between lines 36 and 37, insert the following:

"SEC. 43. On and after January 1, 1936, contributions to the unemployment fund shall accrue and become payable by every employee subject to this act, and in accordance with its provisions.

Thereafter, every such employee shall pay into the fund a sum equal to one per cent of all wages received by him during the year 1936 in each employment, the wages for which are computed as a part of those upon the basis upon which the employer's contribution is calculated, and shall pay into the fund one and one-half per cent of all such wages received by him in each employment during the year 1937 and thereafter.

The contributions due from employees shall be deducted from their wages by each employer and paid to the commission at the same time as in his own tax prescribed by this act, and in such manner as the commissioner by rule prescribes.

SEC. 44. At the beginning of any calendar year, after the close of the year 1941, if the commission finds that, as a result of a consistent yearly excess of contributions to any reserve account in the fund of disbursements for all purposes from that account, there is a substantial surplus in such account, and that such reduction would not imperil the stability of the unemployment fund or its adequacy for the purposes of this act, the contributions of such reserve account shall abate, by a uniform percentage reduction to all contributors in an amount for that year which, in the opinion of the commission, will not reduce the total contributions during that year below the probable disbursements during the same period for all purposes from such account, but such reduction shall not reduce any contribution of an employer below 2.70 per cent of the wages upon the basis of which the contributions are calculated."

Amendment No. 20.

On page 10, line 37, of the printed bill, as amended, strike out "43", and insert in lieu thereof the following: "45"

Amendment No. 21.

On page 10, line 46, of the printed bill, as amended, strike out "44", and insert in lieu thereof the following: "46"

Amendment No. 22.

On page 11 of the printed bill, as amended, strike out lines 37 to 49, inclusive, and insert in lieu thereof the following:

"SEC. 54. The waiting period under this act shall be four weeks during the period from January 1, 1938, to December 31, 1939, inclusive, and thereafter shall be three weeks. No benefit shall be or become payable for this required waiting period, but not more than the total time of the waiting period per employer shall be required of any employee in any twelve successive calendar months in order to establish his eligibility for total unemployment benefit.

An employee is deemed totally unemployed in any calendar week in which he performs no services whatsoever for his current employer. In such cases such unemployed employee is eligible for benefit for total unemployment for each week of total unemployment occurring subsequent to the waiting period.

SEC 55. The waiting period prescribed by section 54 shall not apply, but in the cases specified in this section the waiting period shall be eight weeks during the period from January 1, 1938, to December 31, 1939, inclusive, and thereafter shall be six weeks:

(a) If the employee has lost his employment through misconduct.

(b) If the employee has left his employment voluntarily without cause attributable to the employer."

Amendment No. 23.

On page 12 of the printed bill, as amended, strike out lines 3 to 5, inclusive, and in line 6, strike out "(c)", and insert in lieu thereof the following: "(a)".

Amendment No. 24.

On page 12 of the printed bill, as amended, strike out lines 10 and 11

Amendment No. 25.

On page 12, line 12, of the printed bill, as amended, strike out "(e)", and insert in lieu thereof the following: "(b)".

Amendment No. 26.

On page 12, line 16, of the printed bill, as amended, strike out "(f)", and insert in lieu thereof the following: "(e)".

Amendment No. 27.

On page 12, line 20, of the printed bill, as amended, strike out "(g)", and insert in lieu thereof the following: "(d)".

Amendment No. 28.

On page 12, line 21, of the printed bill, as amended, immediately before "preceding", insert the following: "immediately".

Amendment No. 29.

On page 12, line 24, of the printed bill, as amended, strike out "(h)", and insert in lieu thereof the following: "(e)".

Amendment No. 30.

On page 12 of the printed bill, as amended, strike out lines 25 and 26, and insert in lieu thereof the following: "(e)".

Amendment No. 31.

On page 12, line 28, of the printed bill, as amended, strike out "this subdivision or subdivision (g)", and insert in lieu thereof the following "subdivision (d)".

Amendment No. 32.

On page 12, line 29, of the printed bill, as amended, strike out "the case of", and insert in lieu thereof the following: "case".

Amendment No. 33.

On page 12, line 31, of the printed bill, as amended, after "systems", insert the following: "are in effect".

Amendment No. 34.

On page 12 of the printed bill, as amended, strike out line 32, and insert in lieu thereof the following: "commission with the".

Amendment No. 35.

On page 13 of the printed bill, as amended, strike out lines 18 to 25, inclusive, and insert in lieu thereof the following:

"(1) For each previous four weeks of employment for which contributions were made—one week of benefit.

(2) For fifty-two weeks or more, not exceeding one hundred three weeks, of previous employment for which contributions were made—thirteen weeks of benefit in twelve consecutive months.

(3) For more than one hundred three weeks of employment for which contributions were made—twenty weeks of benefit in twelve consecutive months."

Amendment No. 36.

On page 13 of the printed bill, as amended, between lines 40 and 41, insert the following:

"SEC. 59. In any case where, by reason of change of employment, an employee is, during the one hundred four weeks prior to becoming unemployed, employed by employers contributing to different reserve accounts, payment of benefits out of each reserve account shall be that proportion of the total number of weeks of employment during which contribution was made to the particular reserve account which such total number bears to the total number of weeks of employment in that period during which contributions were made.

SEC. 60. An employee who for reasons personal to himself is unable or unwilling to work usual full-time and who customarily works less than the full-time prevailing in his place of employment shall register as a short-time worker in such manner as the commission prescribes. The time which such employee normally works in any calendar week shall be deemed his week of full-time employment and the wages which he earns in such week shall be deemed his full-time weekly wages.

The commission shall fix the proportionate number of days of employment required to qualify for benefit in place of the provisions of section 58 of this act and the proportionate maximum and minimum benefits in lieu of the maximum and minimum amount provided in section 58 of this act."

Amendment No. 37.

On page 13, line 41, of the printed bill, as amended, strike out "59", and insert in lieu thereof the following: "61".

Amendment No. 38.

On page 13, line 43, of the printed bill, as amended, strike out "60", and insert in lieu thereof the following: "62".

Amendment No. 39.

On page 13, line 49, of the printed bill, as amended, strike out "61", and insert in lieu thereof the following: "63".

Amendment No. 40.

On page 14, line 26, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "so far as designated for the purpose by the commission."

Amendment No. 41.

On page 14, line 38, of the printed bill, as amended, strike out "against either party".

Amendment No. 42.

On page 15 of the printed bill, as amended, strike out lines 11 and 12, and insert in lieu thereof the following: "the commission shall each receive the sum of ten dollars as compensation for each and every day devoted to the actual performance of their duties under the provisions of this act, not exceeding the sum of one thousand two hundred dollars per annum, and shall each receive their".

Amendment No. 43.

On page 15, line 50, of the printed bill, as amended, strike out "exempt from the Civil Service Laws".

Amendment No. 44.

On page 15 of the printed bill, as amended, strike out line 52; and on page 16, strike out line 1, and insert in lieu thereof the following. "of the department of employment. The commission may".

Amendment No. 45.

On page 16 of the printed bill, as amended, strike out lines 7 to 20, inclusive, and insert in lieu thereof the following: "fund."

Amendment No. 46.

On page 17 of the printed bill, as amended, between lines 27 and 28, insert the following:

"The State of California hereby accepts the provisions of the Wagner-Peyser Act, approved June 6, 1933, passed by the Congress of the United States, and entitled "An act to provide for the establishment of a National Employment System and for cooperation with the States in the promotion of such system, and for other purposes," in conformity with section 4 thereof, and will observe and comply with the requirements of said act of Congress.

The Division of State Employment Agencies in the Department of Employment shall be the agency of this State for the purposes of said act.

Said division by and through its chief shall have full power to cooperate with all the authorities of the United States having powers and duties under said act of Congress and, with the approval of the commission, to do and perform all things necessary to secure to this State the benefits of that act of Congress in the promotion and maintenance of a system of public employment offices.

All moneys made available by or received by this State under that act of Congress shall be paid into a special "Employment service account" in the unemployment administration fund, and all such moneys are hereby appropriated without regard to fiscal year, and shall be expended in accordance with law by the Division of State Employment Agencies as provided by this act and by that act of Congress."

Amendment No. 47.

On page 19 of the printed bill, as amended, strike out lines 16 to 22, inclusive, and insert in lieu thereof the following:

"Article 9—Appropriation.

SEC. 105. Out of any money in the State treasury not otherwise appropriated there is hereby appropriated the sum of ten thousand dollars to be expended in accordance with law without regard to fiscal year by the Unemployment Reserves Commission in the administration of this act.

Article 10—General Provisions.

SEC. 110. All the rights, privileges, or immunities conferred by this act or by acts deemed pursuant thereto shall exist subject to the power of the Legislature to amend or repeal this act at any time.

SEC. 111. If any provision of this act, or the application thereof to any person or circumstance, is held invalid, the remainder of the act and the application of such provision, to other persons or circumstances shall not be affected thereby."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 2396—An act to create the California Rural Rehabilitation Authority to provide for its organization, define its powers and duties and to make an appropriation in aid of its operation

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 1, of the printed bill, strike out "eight", and insert in lieu thereof the following: "five".

Amendment No. 2.

On page 2, line 4, of the printed bill, strike out the period, and insert in lieu thereof the following: ", payable out of the money received under this act."

Amendment No. 3.

On page 2, line 11, of the printed bill, strike out "six", and insert in lieu thereof the following: "four".

Amendment No. 4.

On page 2, line 14, of the printed bill, strike out "six", and insert in lieu thereof the following: "four".

Amendment No. 5.

On page 2, line 38, of the printed bill, strike out "borrow or".

Amendment No. 6.

On page 2 of the printed bill, strike out lines 49 and 50, and insert in lieu thereof a period.

Amendment No. 7.

On page 3 of the printed bill, strike out lines 24 to 26, inclusive, and insert in lieu thereof the following: "appraiser with not less than five years experience."

Amendment No. 8.

On page 3 of the printed bill, strike out lines 40 and 41, and insert in lieu thereof the following: "or which may hereafter be appropriated by the Federal Government, and may accept donations from any private source to".

Amendment No. 9.

On page 3, line 43, of the printed bill, strike out "fifty", and insert in lieu thereof the following: "fifteen".

Amendment No. 10.

On page 3 of the printed bill, after line 48, insert the following:

"SEC. 12. The authority shall report quarterly to the Governor all its proceedings, its receipts and disbursements, the amount of land and personal property acquired, with the names of all purchasers."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1922—An act to amend sections 2283, 2284, 2285, 2287, 2289 and 2290 of the Political Code, relating to State aid to children.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 2476—An act to add section 24.5 to the State Bar Act, relating to examinations for admission to practice law

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2238—An act to provide for the needy blind persons not inmates of any institution supported in whole or part by the State or any of its subdivisions; prescribing rules of eligibility for such aid, empowering the Chief of the Division for Blind of the State Department of Social Welfare to supervise the enforcement of this act; making appropriation therefor, and prescribing penalties for the violation of the provisions of this act, and to repeal an act entitled "An

act to provide for needy blind persons, not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, making appropriation therefor and prescribing penalties for the violation of the provisions of the act," approved May 28, 1929.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 1 to 8, inclusive, of the title, and insert in lieu thereof the following. "An act to add a new section to be numbered section 17 to "An act".

Amendment No. 2.

On page 1, line 13, of the title of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "relating to aid to the needy blind."

Amendment No. 3.

On page 1, line 1, of the printed bill, after "SECTION 1.", insert the following: "A new section to be numbered section 17 is hereby added to the act cited in the title hereof and to read as follows:

Sec. 17. During such time as funds are made available to the State by the Federal Government or by any department or agency thereof for aid to the blind, and only during such time, the residence requirement for eligibility to receive aid as provided in section 3 hereof shall not be effective, and State aid to the blind shall not be denied to any person otherwise eligible who has resided within the State for five years during the nine years immediately preceding the application for such aid.

This section shall take effect and remain in effect during such time that the State receives funds and aid from the Federal Government which are or will be made available by the Federal Government according to requirements proposed by the Federal Government and accepted for and in behalf of the State by the Governor; provided, that this section shall be in force and effect only during the time the State receives Federal Government aid as aforesaid."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 641—An act to add a new section to be numbered 611, to an act entitled "An act to establish a Streets and Highways Code, thereby consolidating and revising the law relating to public ways and all appurtenances thereto, and to repeal certain acts and parts of acts specified herein.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 3 and 4, and insert in lieu thereof the following:

"611. From Route 14 to Route 75 via Ashby Avenue"

Amendment adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1378—An act to amend section 2 of an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, relating to the maintenance of State highways.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out all of the title after the word "section" in line 1, and insert in lieu thereof the following: "27 of the Streets and Highways Code, relating to the maintenance of highways."

Amendment No. 2.

On page 1, line 1, of the printed bill, after the period, strike out the balance of line 1, and all of lines 2 to 18, inclusive, and insert in lieu thereof the following: "Section 27 of the Streets and Highways Code is hereby amended to read as follows:

27. As used in the general provisions and in Divisions I and II of this code, "maintenance" includes:

(a) The preservation and keeping of rights of way, and each type of roadway, structure, and facility, in the safe and usable condition to which it has been improved or constructed, but does not include reconstruction or other improvement.

(b) The necessary provision for special safety conveniences and devices.

(c) The general utility services such as roadside planting and weed control.

(d) The special or emergency maintenance or repair necessitated by accidents or by storms or other weather conditions, slides, settlements or other unusual or unexpected damage to a roadway, structure or facility.

The degree and type of maintenance for each highway, or portion thereof, shall be determined in the discretion of the authorities charged with the maintenance thereof, taking into consideration traffic requirements and moneys available therefor."

Amendment No. 3.

On page 2 of the printed bill, strike out all of lines 1 to 30, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1828—An act relating to regulating working conditions of labor, in public and private enterprises.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the comma at the end of the line, and strike out all of line 2 of said title, and insert in lieu thereof the following: "on locomotives in this State."

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out everything except "Section 1.", and strike out all of line 2, and insert in lieu thereof the following. "No electric or gas locomotive shall be operated in this State unless the crew of such locomotive includes one man whose duties are to act solely as trolley man. Violation of the provisions of this section shall constitute a misdemeanor."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2470—An act for the relief of purchasers of swamp and overflowed lands, declaring the urgency thereof and that this act shall take effect immediately.

Bill read second time, ordered to engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 93—An act to amend section 7 of the "California Nautical School Act," approved June 3, 1929, as amended, relating to the payment by pupils enrolled in the California Nautical School of fees and other charges and the disposition thereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 534—An act relating to persons in private psychopathic institutions

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, as amended, strike out "or", where it first occurs in said line, and insert in lieu thereof a comma

Amendment No. 2.

On page 1, line 4, of the printed bill, as amended, after "sanitarium", insert a comma and the following: "department or ward"

Amendment No. 3.

On page 1, line 7, of the printed bill, as amended, after "in", insert the following: "nor membership on the paid regular or consultant staff of"

Amendment No. 4.

On page 1, line 8, of the printed bill, as amended, after the comma following "institution", insert the following: "hospital, sanitarium, department or ward,".

Amendment No. 5.

On page 1, lines 11 and 12, of the printed bill, as amended, strike out "or sanitarium", and insert in lieu thereof a comma and the following: "sanitarium, department or ward".

Amendment No. 6.

On page 1, lines 13 and 14, of the printed bill, as amended, strike out "communication", and insert in lieu thereof the following: "communications".

Amendment No. 7.

On page 1, line 17, of the printed bill, as amended, strike out "communication", and insert in lieu thereof the following: "communications"

Amendment No. 8.

On page 1, line 23, of the printed bill, as amended, strike out "deliver", and insert in lieu thereof the following: "send".

Amendment No. 9.

On page 1, line 23, of the printed bill, as amended, strike out "communication", and insert in lieu thereof the following: "communications".

Amendment No. 10.

On page 2, line 13, of the printed bill, as amended, strike out "or sanitorium,", and insert in lieu thereof the following: "sanitarium, department or ward".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 90—An act to add Chapter 3 to Division III of the Agricultural Code, to consist of sections 430 to 433, inclusive, relating to ownership or control of stockyards by packers.

Bill read second time.

Floor Amendment.

During second reading of the bill, the following amendment was submitted by Mr. Frazier:

Amendment No. 1.

On page 1, line 20, of the printed bill, as amended, strike out "July 1, 1937", and insert in lieu thereof the following: "January 1, 1938".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr Morgan:

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to authorize the operation of vending stands in State buildings by blind persons.

Referred to Committee on Introduction of Bills.

Resolution.

The following resolution was offered:

By Messrs. Stream, Wallace and Richie:

Assembly Resolution.

WHEREAS, The fifth day of July, 1935, has been designated as Legislators' Day at the California Pacific International Exposition at San Diego, and it has been suggested that appropriate steps be taken to provide for participation by the Assembly of California and its members in the celebration and program planned for that day; now, therefore, be it

Resolved, by the Assembly of the State of California, That the Speaker appoint a committee of five members of the Assembly to make suitable arrangements for participation on the part of the Assembly and its members in the celebration and program for Legislators' Day at the California Pacific International Exposition.

Resolution by Messrs. Stream, Wallace and Richie read.

Mr. Morgan moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Crowley, Cunningham, Donihue, Donnelly, Evans, Herbert J., Fisher, Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Patterson, Pelletier, Peterson, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr Speaker—53.

NOES—None.

Motion to Print in the Journal.

Mr. Wagner moved that his statement be printed in the Journal.

The question being on the motion by Mr. Wagner to print statement in the Journal.

Motion to Lay on the Table.

Mr. Johnson moved that the motion by Mr Wagner be laid on the table.

The question being on the motion to lay on the table.

Roll Call.

The Speaker ordered a roll call taken on the motion to lay on the table.

The roll was called, and the motion was carried by the following vote:

AYES—Boyle, Breed, Brennan, Chatters, Corwin, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Fisher, Flint, Fulcher, Garibaldi, Hawkins, Johnson, Latham, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, O'Donnell, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—41.

NOES—Anderson, Burns, Cassidy, Crowley, Geyer, Gilbert, Glover, Heisinger, Hunt, Laughlin, Lore, McCarthy, Pelletier, Reaves, and Wagner—15.

Resolution.

The following resolution was offered:

By Mr. Brennan:

Assembly Resolution.

WHEREAS, The Government of the United States of America has made funds available for expenditure in California for relief of hardship and destitution due to and caused by unemployment, conditioned upon the State of California making funds available for the same purpose, and

WHEREAS, In furthering this purpose and in meeting this responsibility it is necessary for the State to vest broad powers of administration and of enforcement in appropriate State and local agencies, and new problems constantly arise owing

to changes and developments in the nature and character of the relief problem with which State and Nation are confronted; and

WHEREAS, Because of these facts changes in the law may be needed and it is necessary that the members of the Legislature have immediately available complete information as to all such facts and circumstances in order that they may advisedly consider needed changes in the law; now, therefore, be it

Resolved by the Assembly of the State of California, That a Special Assembly Committee on Unemployment Relief, consisting of seven members of the Assembly, be appointed by the Speaker of the Assembly to gather information and to conduct investigations concerning the subject of this resolution, including the operation and effect, and the administration and enforcement of any and all provisions of law concerning, relating to or in any wise touching upon the relief of hardship and destitution due to or caused by unemployment and any and all matters in any wise connected therewith or related thereto, and to report thereon together with its recommendations to the Assembly at the fifty-second session thereof, and at any special session of the Legislature that may be called to convene prior to the date of commencement of the fifty-second session of the Legislature; and be it further

Resolved, That in appointing said committee it is recommended that the Speaker consider the advisability of appointing three members thereof from the membership of the Assembly standing Committee on Social Service and Welfare and three members thereof from the Assembly standing Committee on Unemployment; and be it further

Resolved, That the committee upon the appointment of its members shall organize, and may appoint a secretary and such other clerical and technical assistants as it may deem necessary; and be it further

Resolved, That the committee shall determine the rules of its procedure, including the determination of its own quorum and the number of votes necessary to take action upon any matter before it; and be it further

Resolved, That all officers and employees of the State shall furnish to the committee such assistance, reports, information and evidence concerning any matter under consideration by the committee as the committee shall request; and be it further

Resolved, That the committee is authorized to do any and all things necessary to make a full and complete investigation of the matters herein referred to and to require the production of books, agreements, documents, reports, accounts, and papers of every kind, to issue subpenas to compel the attendance of witnesses and to procure testimony. Each member of the committee is hereby authorized to administer oaths and all the provisions of Article VIII of Chapter II of Title I of Part III of the Political Code, relating to the attendance and assemblage of witnesses before the Legislature and committees thereof shall apply to the committee created by this resolution, and said committee is hereby given leave to sit during the session of the Legislature and during the interval between sessions thereof, at any place or places in the State as the committee shall from time to time determine, and be it further

Resolved, That for the purpose of paying the expenses of the committee and the members thereof, the sum of $2,500, or so much thereof as may be necessary, is hereby set apart reserved and appropriated out of the contingent fund of the Assembly, payments therefrom to be made from time to time by warrants of the State Controller drawn against said contingent fund upon written orders of the chairman of the committee, which warrants the State Treasurer is hereby directed to pay.

Resolution by Mr. Brennan read.

The question being on the adoption of the resolution by Mr. Brennan.

Motion to Refer Resolution.

Mr. Donihue moved that the resolution by Mr. Brennan be referred to Committee on Social Service and Welfare.

The question being on the motion by Mr. Donihue to refer the resolution to Committee on Social Service and Welfare.

Demand for Previous Question.

Messrs. DeLap, Dawson, Garibaldi, Breed and Cunningham demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion by Mr. Donihue to refer the resolution to Committee on Social Service and Welfare

Roll Call.

The Speaker ordered a roll call taken on the motion to refer the resolution to Committee on Social Service and Welfare.

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Burns, Cassidy, Clark, Crowley, Donihue, Donnelly, Evans, Ralph W., Flint, Fulcher, Geyer, Gilbert, Glover, Heisinger, Latham, Laughlin, Lore, Martin, McCarthy, McMurray, Pelletier, Richie, Robertson, Rosenthal, Turner, Wagner, Williamson, and Wright—28.

NOES—Boyle, Breed, Brennan, Chatters, Corwin, Cunningham, Dawson, DeLap, Evans, Herbert J., Fisher, Frazier, Garibaldi, Hunt, Johnson, Maloney, Mayo, McBride, Miller, Minard, Morgan, O'Donnell, Peterson, Peyser, Reaves, Redwine, Riley, Scudder, Stream, Thorp, Utt, Walker, Waters, Weber, and Mr Speaker—34.

The question being on the adoption of the resolution by Mr. Brennan.

Demand for Previous Question.

Messrs DeLap, Morgan, Johnson, Garibaldi and Fisher demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of the resolution by Mr. Brennan.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Boyle, Brennan, Burns, Cassidy, Chatters, Corwin, Dawson, DeLap, Desmond, Fisher, Frazier, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, Miller, Morgan, Nielsen, Pelletier, Phillips, Reaves, Richie, Riley, Rosenthal, Stream, Thorp, Utt, Wagner, Walker, Weber, and Mr Speaker—44.

NOES—Breed, Crowley, Donnelly, Evans, Herbert J., Flint, Fulcher, Kallam, Latham, Redwine, Robertson, Williamson, and Wright—12.

Resolution.

The following resolution was offered:

By Mr. Turner:

Assembly Resolution.

WHEREAS, Every modern invention and labor-saving device has been installed in the Assembly during the present session in order to save time and expedite business; and

WHEREAS, This has been the longest session in number of consecutive days ever in the history of the California Legislature; therefore, be it

Resolved, That this Assembly hereby requests the Speaker of the Assembly to have the public address system disconnected in order that we may adjourn sine die before the coming winter.

Resolution read.

The question being on the adoption of the resolution by Mr. Turner.

Motion to Lay the Resolution on the Table.

Mr. Waters moved that the resolution be laid on the table.

The question being on the motion to lay on the table.

Roll Call.

The Speaker ordered a roll call taken on the motion to lay on the table.

The roll was called, and the motion lost by the following vote:

AYES—Breed, Chatters, Corwin, Crowley, Dawson, DeLap, Donnelly, Evans, Herbert J., Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Johnson, Jones, Kallam, Lore, Martin, Miller, Minard, Morgan, O'Donnell, Peterson, Phillips, Reaves, Richie, Rosenthal, Stream, Thorp, Voigt, Walker, Waters, Weber, and Wright—38.

NOES—Boyle, Burns, Cassidy, Clark, Desmond, Hunt, Latham, Laughlin, Lyon, McCarthy, McMurray, Pelletier, Peyser, Riley, Robertson, Turner, Utt, Williamson, and Mr. Speaker—19.

The question being on the adoption of the resolution by Mr. Turner.

Demand for Previous Question.

Messrs. DeLap, Minard, Dawson, Garibaldi and Fisher demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of the resolution by Mr. Turner.

Point of Order.

Mr. Latham arose to the following point of order: Stating that the special order, previously set, had precedence over all other matter.

Ruling by the Speaker.

The Speaker ruled the point of order well taken.

Motion to Withdraw Assembly Bill No. 1034 from Enrollment.

Mr. Riley moved that Assembly Bill No. 1034 be withdrawn from enrollment.

Motion carried.

Special Order.

The hour of eleven o'clock a.m., having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 2459.

Assembly Bill No 2459—An act to prevent the entry into California of paupers, vagabonds, indigent persons, persons likely to become public charges, and persons affected with contagious or infectious diseases, providing means for enforcing the same and prescribing penalties for the violation thereof, declaring the urgency thereof, and providing it shall take effect immediately.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Anderson:

Amendment No. 1.

On page 1, lines 20 and 21, of the printed bill, strike out the following: "and persons likely to become public charges".

The question being on the amendment submitted by Mr. Anderson to Assembly Bill No. 2459.

Motion to Lay Amendment on the Table.

Mr. Flint moved that the amendment submitted by Mr. Anderson to Assembly Bill No. 2459 be laid on the table.

The question being on the motion to lay on the table

Roll Call.

The Speaker ordered a roll call taken on the motion to lay on the table.

The roll was called, and the motion was lost by the following vote:

AYES—Boyle, Brennan, Burns, Cassidy, Clark, DeLap, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Glover, Heisinger, Hornblower, Johnson, Laughlin, Lore, McCarthy, Meehan, Morgan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Voigt, and Williamson—28.

NOES—Anderson, Breed, Chatters, Cottrell, Cronin, Cunningham, Dawson, Evans, Herbert J., Frazier, Garibaldi, Gilmore, Hunt, Jones, Kallam, Lyon, Maloney, Martin, Mayo, McBride, Miller, Peterson, Peyser, Phillips, Redwine, Riley, Robertson,

Scudder, Stream, Thorp, Utt, Wagner, Walker, Weber, Welsh, Wright, and Mr. Speaker—36.

The question being on the amendment submitted by Mr. Anderson to Assembly Bill No. 2459.

Demand for Previous Question.

Messrs. Reeves, Glover, Flint, Frazier and Mayo demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the amendment submitted by Mr. Anderson to Assembly Bill No. 2459.

Amendment adopted.

Request for Unanimous Consent.

Mr. Redwine asked for, and was granted, unanimous consent to take up Assembly Bill No. 2459, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 2459, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Anderson:

Amendment No. 2.

On page 2, line 52, of the printed bill, strike out "July 1, 1939", and insert in lieu thereof "February 1, 1937".

Amendment adopted.

Request for Unanimous Consent.

Mr. Jones asked for, and was granted, unanimous consent to take up Assembly Bill No. 2459, as amended, at this time, without reference to reprint or file, and that the same be considered re-engrossed.

Assembly Bill No. 2459, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Anderson:

Amendment No. 3.

On page 1, lines 21 and 22, of the printed bill, strike out "and all persons affected with a contagious or infectious disease".

Amendment adopted.

Request for Unanimous Consent.

Mr. Jones asked for, and was granted, unanimous consent to take up Assembly Bill No. 2459, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 2459, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Geyer:

Amendment No. 1.

On page 1, line 1, of the printed bill, after the word "person", insert a comma and the word "millionaire".

The question being on the amendment submitted by Mr. Geyer to Assembly Bill No. 2459.

Motion to Lay Motion on the Table.

Mr. Frazier moved that the amendment by Mr. Geyer be laid on the table.

The question being on the motion to lay on the table.

Roll Call.

The Speaker ordered a roll call taken on the motion to lay on the table.

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Clark, DeLap, Donihue, Evans, Ralph W., Flint, Frazier, Geyer, Glover, Hawkins, Hornblower, Laughlin, Lore, McCarthy, Patterson, Reaves, Richie, Voigt, Wallace, and Williamson—23

NOES—Brennan, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, Desmond, Donnelly, Evans, Herbert J., Garibaldi, Gilmore, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Pelletier, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Utt, Wagner, Walker, Weber, Welsh, Wright, and Mr. Speaker—44.

The question being on the amendment submitted by Mr. Geyer.

Amendment refused adoption.

Assembly Bill No. 2459, as amended, read third time.

Further Consideration Deferred.

Further consideration of Assembly Bill No. 2459, as amended, and amendments pending, deferred.

Third Reading of Senate Bills.

Senate Bill No. 1106—An act making an appropriation for contingent expenses of the Senate and declaring that this act shall take effect immediately.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—73.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1106 finally passed by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Red-

wine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Welsh, Williamson, and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Recess.

At twelve o'clock and five minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until one o'clock and thirty minutes p.m., of this day.

Reassembled.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Craig in the chair.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 28, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 1185—An act authorizing the Board of State Harbor Commissioners to make application for the privilege of establishing, maintaining and operating a foreign trade zone on property now or which may hereafter be under the jurisdiction and control of said board in the City and County of San Francisco, and to establish, maintain and operate such zone, pursuant to the act of Congress of June 18, 1934 (48 U S Statutes at Large, Chapter 590);

Also: Assembly Bill No. 1677—An act to add section 8a to an act entitled "An act to provide for the formation, management and dissolution of county water works districts, for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county water works district bonds and the payment thereof," approved June 13, 1913, relating to refunding bonds,

Also Assembly Bill No 2422—An act accepting a retrocession of jurisdiction over the rights of way of the Golden Gate Bridge and Highway District through the Presidio of San Francisco military reservation and Fort Baker military reservation in Marin County;

Also Assembly Bill No. 2426—An act to amend section 1326 of the Penal Code, relating to the issuing and signing of subpenas for the attendance of witnesses in criminal prosecutions

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos 1185, 1677, 2422, and 2426 ordered to enrollment.

Also:

SENATE CHAMBER SACRAMENTO, May 29, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No. 650—An act to add two new sections to Article 2 of Chapter 3 of Division I of the Streets and Highways Code, relating to franchises in highways—and appointed Senators Olson, Edwards and Difani, as a Committee on Free Conference, to meet a like committee from the Assembly.

J. A. BEEK, Secretary of Senate.

Assembly Bill No 650 ordered on unfinished business file.

Appointment of Committee on Free Conference Concerning Assembly Bill No. 650.

The Speaker announced the appointment of Messrs Hunt, Jones and Breed, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Assembly Bill No. 650.

Also:

SENATE CHAMBER, SACRAMENTO, May 29, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on May 28, 1935, passed Senate Bill No 1118—An act to call a special election to be held on the thirtieth day of July, 1935, for the purpose of submitting to the qualified electors of this State certain amendments to the Constitution of this State proposed

by the Legislature at its fifty-first regular session, and to provide that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No 1118 read first time, and referred to Committee on Constitutional Amendments.

Also:

SENATE CHAMBER, SACRAMENTO, May 29, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 438—An act to carry into effect the provisions of section 20 of Article XI of the Constitution, relating to limitations upon the expenditures and tax levies of counties, cities and counties, municipalities, districts and other political subdivisions of this State and to repeal section 3714b of the Political Code;

Also, Senate Bill No. 727—An act requiring the licensing of certain vehicles used for the transportation of persons or property in this State, defining such vehicles, providing for the imposition, collection, and distribution of license taxes for the privilege of operating such vehicles in this State, making appropriations for the purposes of this act, prescribing penalties for the violation of this act, repealing an act entitled, "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle, and provided that this act shall take effect immediately," approved May 15, 1933 subject to certain conditions.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bills Nos 438 and 727 read first time, and referred to Committee on Revenue and Taxation

Further Consideration of Assembly Bill No. 2459, as Amended.

Assembly Bill No. 2459, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Hawkins:

Amendment No. 1.

On page 1, lines 3 and 4 of the title of the printed bill, strike out ", and persons affected with contagious or infectious diseases".

Amendment No. 2.

On page 1, lines 17 and 18, of the printed bill, strike out ", or persons affected with contagious or infectious diseases".

Amendment No. 3.

On page 3, line 41, of the printed bill, strike out "It is also essential to the public"; also strike out all of line 42, and in line 43, strike out "infectious diseases be allowed to enter"

Amendment No. 4.

On page 3, lines 47 and 48, of the printed bill, strike out ", or persons affected with contagious or infectious diseases".

Amendments adopted.

Request for Unanimous Consent.

Mr. Redwine asked for, and was granted, unanimous consent to take up Assembly Bill No 2459, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No 2459, as amended, read third time.

Demand for Previous Question.

Messrs Lore, Pelletier, Flint, Morgan, and Burns demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained

The question being on the passage of Assembly Bill No. 2459, as amended.

Motion to Lay Assembly Bill No. 2459, as Amended, on the Table.

Mr. Clark moved that Assembly Bill No. 2459, as amended, be laid on the table

The question being on the motion to lay on the table.

Roll Call.

The Speaker ordered a roll call taken on the motion to lay on the table.

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Clark, DeLap, Donihue, Evans, Ralph W., Flint, Fulcher, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Laughlin, Lore, Maloney, McCarthy, Meehan, Morgan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Voigt, and Wallace—30.

NOES—Brennan, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Donnelly, Evans, Herbert J., Field, Fisher, Garibaldi, Johnson, Jones, Kallam, Latham, Lyon, Martin, Mayo, McBride, McMurray, Miller, Nielsen, Phillips, Redwine, Riley, Scudder, Stream, Thorp, Wagner, Walker, Weber, Williamson, and Mr Speaker—35.

Motion to Re-refer Assembly Bill No. 2459.

Mr. Hawkins moved that Assembly Bill No. 2459, as amended, be re-referred to Committee on Judiciary.

The question being on the motion by Mr. Hawkins to re-refer Assembly Bill No. 2459, as amended, to Committee on Judiciary.

Roll Call.

The Speaker ordered a roll call taken on the motion to re-refer Assembly Bill No. 2459 to Committee on Judiciary.

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Clark, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Flint, Fulcher, Geyer, Hawkins, Heisinger, Hornblower, Hunt, Lore, Maloney, Mayo, McBride, McCarthy, Meehan, Morgan, Patterson, Pelletier, Reaves, Richie, Rosenthal, Voigt, and Wallace—31.

NOES—Breed, Brennan, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Evans, Herbert J. Field, Fisher, Garibaldi, Gilbert, Glover, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Martin, Miller, Nielsen, Peyser, Phillips, Redwine, Riley, Scudder, Stream, Thorp, Wagner, Walker, Weber, Williamson, Wright, and Mr. Speaker—36.

Third Reading of Assembly Bill No. 2459, as Amended.

Assembly Bill No 2459, as amended, read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Redwine moved a call of the House.

Roll Call.

The Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Breed, Brennan, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Johnson, Jones, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, Miller, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Scudder, Stream, Thorp, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr Speaker—46

NOES—Boyle, Burns, Cassidy, Dawson, Evans, Ralph W. Flint, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Kallam, Lore, McCarthy, McMurray, Morgan, Patterson, Pelletier, Reaves, Richie, Rosenthal, Voigt, and Wallace—24

Time, two o'clock and thirty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—70.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Unfinished Business.

Consideration of Senate Amendments to Assembly Bill No. 2048.

Assembly Bill No. 2048—An act to amend the title and sections 1 and 2 of an act entitled "An act prohibiting the issuance as payment for wages of any evidence of indebtedness unless the same is negotiable and payable without discount, and providing that the same must be payable upon demand," approved March 1, 1911 (Stats. 1911, Chap. 92), as amended, providing that evidences of indebtedness for wages must be payable upon demand and issued against sufficient funds or credit to cover the same and providing penalties for violation of the provisions thereof.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2048?

Amendment No. 1.

On page 1, line 8 of the title of the printed bill, as amended, after "demand", insert the following: "and issued against sufficient funds or credit to cover the same".

Amendment No. 2.

On page 1, line 5, of the printed bill, as amended, strike out "both paid and".

Amendment No. 3.

On page 1, line 6, of the printed bill, as amended, before the first word in the line, insert the following: "providing that such evidence of indebtedness must be issued against sufficient funds or credit to cover same".

Amendment No. 4.

On page 1, line 13, of the printed bill, as amended, before "memorandum", insert the following: "draft, note,".

Amendment No. 5.

On page 1, line 14, of the printed bill, as amended, strike out "both".

Amendment No. 6.

On page 1, line 15, of the printed bill, as amended, strike out "and paid".

Amendment No. 7.

On page 1, lines 16 and 17, of the printed bill, as amended, strike out "and no person, firm, association, or corporation", and insert in lieu thereof the following: "and the name and address of the drawee shall appear upon the face of the order, check, draft, note, memorandum, or other acknowledgment of indebtedness. At the time of the issuance of same the maker or drawer shall have sufficient funds in,

or credit with the bank or other drawee for the payment of same Where such order, check, draft, note, memorandum, or other acknowledgment of indebtedness is protested or dishonored, on the ground of insufficiency of funds or credit, the notice or memorandum of protest or dishonor thereof shall be admissible as proof of presentation, nonpayment and protest and shall be presumptive evidence of knowledge of insufficiency of funds or credit with such drawee.

The word "credit" as used herein shall be construed to mean an arrangement or understanding with the bank or other drawee for the payment of such order, check, draft, note, memorandum, or other acknowledgment of indebtedness.

No person, firm, association or corporation, or agent or officer thereof.".

Amendment No. 8.

On page 2, line 9, of the printed bill, as amended, strike out ", provided, however, that the", and insert in lieu thereof a period and the following: "The".

Amendment No. 9.

On page 2, line 16, of the printed bill, as amended, after the word "violate", insert the following: "or omit to comply with".

Amendment No. 10.

On page 2, line 23, of the printed bill, as amended, before the first word in the line, insert the following: "draft, note,".

Amendment No. 11.

On page 2, lines 24 and 25, of the printed bill, as amended, strike out "was dishonored if made payable at such latter place", and insert in lieu thereof the following: "is made payable".

The roll was called, and Senate amendments to Assembly Bill No. 2048 were concurred in by the following vote:

AYES—Brennan, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—54

NOES—None.

Assembly Bill No. 2048 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 442.

Assembly Bill No. 442—An act to amend section 1270 of the Fish and Game Code and to repeal sections 1271, 1271.5 and 1272, relating to deer

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 442?

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, as amended, strike out "repeal section 1270, 1271, 1271.5 and 1272 of the Fish and Game Code, and to".

Amendment No. 2.

On page 1, line 3, of the printed bill, as amended, strike out "2¾".

Amendment No. 3.

On page 1, line 7, of the printed bill, as amended, after "State", insert a comma and the following: "except as otherwise provided in this section,".

Amendment No. 4.

On page 1, line 8, of the printed bill, as amended, at the end of the line insert the following: "In Humboldt County in district 1½, and in district 2¾, deer may be taken between September 1st and October 15th."

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 442 by the following vote:

AYES—None.

NOES—Anderson, Breed, Brennan, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Morgan, Nielsen,

Patterson, Pelletier, Peyser, Phillips, Reaves, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—63.

Report of Committee on Free Conference.

The following report of Committee on Free Conference was received and read:

Concerning Assembly Bill No. 1055.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1935.

MR. SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 1055—An act to amend sections 400 and 401 of the Vehicle Code, relating to tort liability of drivers of police, fire and other emergency vehicles maintained by governmental bodies—reports that it has met a like committee of the Senate, consisting of Senators Olson, Seawell and Hays, and reports that the Committee on Free Conference has agreed to recommend the following: That the Assembly concur in the Senate amendments, and that the bill be further amended as follows

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out "of drivers of police,", and strike out lines 3 and 4, and insert in lieu thereof a period

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out line 21; and on page 2, strike out lines 1 and 2, and insert in lieu thereof the following "and one thousand dollars"

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out lines 29 to 36, inclusive.

Amendment No. 4.

On page 2, line 47, of the printed bill, as amended, after "district", insert the following: ", or owned by such officer, member, or employee".

Amendment No. 5.

On page 2 of the printed bill, as amended, strike out lines 48 and 49, and insert in lieu thereof the following: "to emergency calls, in traffic patrol duty, in the immediate pursuit of an actual or suspected violator of the law or in responding to but not upon returning from a fire alarm"

Amendment No. 6.

On page 2, line 52, of the printed bill, as amended, after "officer", strike out "or publicly owned".

Amendment No. 7.

On page 3, line 2, of the printed bill, as amended, after "calls", strike out the period, and insert in lieu thereof the following: ", in responding to but not upon returning from a fire alarm, or in traffic patrol duty."

LYON,
WILLIAMSON,
MINARD,
Assembly Committee on Free Conference

SEAWELL,
HAYS,
Senate Committee on Free Conference.
I am opposed to the committee report.
OLSON.

Report of Committee on Free Conference concerning Assembly Bill No. 1055 read.

Mr. Lyon moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Herbert J., Field, Frazier, Fulcher, Garibaldi, Gilmore, Heisinger, Hornblower, Johnson, Jones, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Peyser, Phillips, Riley, Scudder, Stream, Thorp, Voigt, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—51.

NOES—Anderson, Clark, Geyer, Gilbert, Glover, Hawkins, Hunt, Lore, McCarthy, Pelletier, Reaves, Rosenthal, and Wagner—13.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1904—An act to amend sections 3, 6, 7, 9, 10, and 14 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provision," approved June 5, 1933, relating to the powers of the California Horse Racing Board.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Hornblower:

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, after "Sec.", insert the following: "3."

Amendment No. 2.

On page 2, line 15, of the printed bill, as amended, strike out "; provided"; and strike out all of lines 16 to 18, inclusive, and insert in lieu thereof a period.

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out line 25, and insert in lieu thereof the following: "in".

Amendments adopted.

Request for Unanimous Consent.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Assembly Bill No. 1904, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1904, as Amended.

Assembly Bill No. 1904, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1904, as amended, passed by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Cassidy, Corwin, Cronin, Crowley, Dawson, Desmond, Evans, Herbert J., Fulcher, Garibaldi, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Scudder, Thorp, Turner, Wagner, Walker, Weber, and Williamson—45.

NOES—Anderson, Chatters, Clark, Cottrell, Cunningham, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Geyer, Gilbert, Glover, Johnson, Latham, Laughlin, McCarthy, Miller, Morgan, Reaves, Riley, Robertson, Rosenthal, Stream, Utt, Voigt, Wallace, Waters, Welsh, Wright, and Mr. Speaker—33.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1170—An act relating to the Department of Professional and Vocational Standards and defining its powers and duties in relation to and providing for the adoption and registration of names and marks or other devices on garments, towels, table linen and other linen supplies used in the rendition of a rental service as indicia of ownership and to protect the owners thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1170 passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Phillips, Reaves, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—64.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1470—An act to amend an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, relating to municipal utility districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1470 passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—71.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1559—An act to amend section 4245 of the Political Code, relating to the compensation of county officers in counties of the sixteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1559 passed by the following vote:

AYES—Anderson, Breed, Burns, Cassidy, Corwin, Cronin, Crowley, Cunningham, DeLap, Desmond, Donnelly, Field, Fisher, Flint, Frazier, Fulcher, Gilmore, Glover, Hawkins, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—59.
NOES—Geyer, and Reaves—2.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 785—An act to amend the title, sections 1, 2, 3, 4 and 5 of, and to add a new section, to be numbered section 6, to an

act entitled "An act to regulate the work and hours of employees engaged in selling, at retail, drugs and medicines, and compounding physicians' prescriptions, and providing a penalty for violation thereof," approved February 28, 1905 (Stats. 1905, Chap. 34), relating to the hours of drug clerks, requiring the keeping of records and posting schedules of such hours, providing for the enforcement of the act by the Chief of the Division of Labor Statistics and Law Enforcement and providing that all fines for violation of the provisions hereof shall be paid into the State treasury to the credit of the general fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 785 passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Pelletier, Peterson, Peyser, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1023—An act to amend section 6 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1023 passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—76.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2456—An act to amend sections 3454 and 3455 of and to add sections 3454a and 3454b to the Political Code, relating to reclamation districts, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber Welsh, Williamson, Wright, and Mr. Speaker—73.
NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2456 passed by the following vote:

AYES—Anderson, Boyle, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Field, Fisher, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—69.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2160—An act to amend sections 117d and 117q of the Code of Civil Procedure, relating to small claims courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2160 passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J. Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Weber, Welsh, Williamson, Wright, and Mr. Speaker—69.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the House Dispensed With.

At three o'clock and fifteen minutes p m., further proceedings under the call of the House were dispensed with, on motion of Mr. Redwine.

The roll of absentees was called, and the urgency clause to Assembly Bill No. 2459 was refused adoption by the following vote:

AYES—Andreas, Breed, Brennan, Chatters, Corwin, Cottrell, Crowley, Cunningham, Dawson, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Johnson Jones, Kallam, Latham, Lore, Lyon, Martin, Mayo, McBride, Miller, Minard, Nielsen, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—52

NOES—Anderson, Boyle, Burns, Cassidy, Cronin, DeLap, Donihue, Evans, Ralph W., Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Laughlin, Maloney, McCarthy, McMurray, Meehan, Morgan, O'Donnell, Patterson, Richie, Rosenthal, Voigt, and Wallace—28.

Assembly Bill No. 2459, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2459, as amended, passed by the following vote:

AYES—Andreas, Breed, Brennan, Chatters, Corwin, Cottrell, Crowley, Cunningham, Dawson, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Johnson, Jones, Kallam, Latham, Lyon, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Scudder, Stream, Utt, Wagner, Walker, Welsh, Williamson, Wright, and Mr. Speaker—43.

NOES—Anderson, Boyle, Burns, Cassidy, Clark, Cronin, DeLap, Donihue, Flint, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Laughlin, Lore, Maloney, McCarthy, Meehan, Patterson, Pelletier, Reaves, Richie, Robertson, Rosenthal, Thorp, Turner, Voigt, Wallace, and Weber—32.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 2459.

Mr Richie gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2459 was this day passed.

Notice of Reconsideration of Urgency Clause.

Mr. Redwine gave notice that on the next legislative day he would move to reconsider the vote whereby the urgency clause to Assembly Bill No. 2459 was this day refused adoption.

Motion to Expunge Record.

Mr. Latham moved that the vote taken on the amendments submitted by Mr. Minard to Assembly Bill No. 598 be expunged from the record, and the action, as printed in the Assembly Journal of May 28, 1935, page 40, be rescinded.

Motion carried.

Unfinished Business—(Resumed).

Reconsideration of Assembly Bill No. 700.

Assembly Bill No. 700—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

In compliance with his notice given on a previous day, Mr. Cottrell moved that the vote whereby Assembly Bill No. 700 was passed be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Breed, Brennan, Burns, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Gilmore, Heisinger, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller, Morgan, Nielsen, O'Donnell, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—50.

NOES—Anderson, Boyle, Cassidy, Clark, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Hunt, Laughlin, Lore, McCarthy, McMurray, Meehan, Patterson, Pelletier, Reaves, Rosenthal, Turner, Voigt, and Wagner—24.

Request for Unanimous Consent.

Mr. Cottrell asked for, and was granted, unanimous consent to take up Assembly Bill No. 700, at this time, without reference to file.

Third Reading of Assembly Bill No. 700.

Assembly Bill No. 700—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

Assembly Bill No. 700 read third time.

Demand for Previous Question.

Messrs. Utt, Dawson, Fisher, Breed, and Morgan demanded the previous question.

The question being put: Shall the main question be now put?

Roll Call.

The Speaker ordered a roll call taken on the demand for the previous question.

The roll was called, and the demand for the previous question was lost by the following vote:

AYES—Breed, Brennan, Burns, Chatters, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Fisher, Frazier, Fulcher, Garibaldi, Johnson, Kallam, Maloney, Mayo, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Redwine, Richie, Robertson, Scudder, Thorp, Utt, Walker, Wallace, Waters, Weber, Welsh, and Mr. Speaker—36.

NOES—Anderson, Cassidy, Clark, Corwin, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, Lyon, Martin, McBride, McCarthy, Meehan, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Riley, Rosenthal, Stream, Turner, Voigt, Wagner, and Wright—39.

Assembly Bill No. 700 read third time.

Demand for Previous Question.

Messrs. Cunningham, Wallace, Redwine, Robertson, and Fisher demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Redwine moved a call of the House.

Motion carried.

Time, four o'clock and fifty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser,

Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—75.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 264—An act to amend section 737m of the Political Code, relating to the salaries of the judges of the superior court in and for the county of Imperial.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 264 passed by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Weber, Williamson, Wright, and Mr. Speaker—62.

NOES—Geyer, Hunt, and Reaves—3.

Title read and approved.

Bill ordered transmitted to the Senate

Motion to Strike Assembly Bill No. 659 from File.

Mr. Martin moved that Assembly Bill No. 659 be stricken from the file.

Motion carried.

Assembly Bill No. 659 ordered stricken from the file.

Assembly Bill No. 1639—An act to amend Article VII of Chapter I of Part III of Division VI of the School Code

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1639 passed by the following vote:

AYES—Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilmore, Hawkins, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin McCarthy, Miller, Minard, Morgan, Nielsen, Pelletier, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Wagner, Walker, Williamson, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 800—An act to amend the Vehicle Code, relating to vehicles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 800 passed by the following vote:

AYES—Anderson, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J.,

Field, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Miller, Minard, Morgan, Nielsen, Pelletier, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—56

NOES—McCarthy and Reaves—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 61—Relative to memorializing Congress to repeal "An act to amend the Tariff Act of 1930," approved June 12, 1934.

Assembly Joint Resolution No 61 read.

Mr. Phillips moved the adoption of Assembly Joint Resolution No. 61.

The question being on the adoption of Assembly Joint Resolution No. 61.

The roll was called, and Assembly Joint Resolution No. 61 adopted by the following vote:

AYES—Boyle, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McCarthy, Miller, Minard, Morgan, Nielsen, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 61 ordered transmitted to the Senate.

Assembly Joint Resolution No. 61.

Relative to memorializing Congress to repeal "An act to amend the Tariff Act of 1930," approved June 12, 1934.

WHEREAS, The economic growth and well-being of California has been built on tariff protection openly arrived at by Congress; and

WHEREAS, This policy has made possible the production and distribution of California's quality products in the home market at prices which permit American standards of living; and

WHEREAS, Reciprocal trade agreements, secretly arrived at, threaten to destroy this American standard of living and keep business in a condition of uncertainty and retard recovery; and

WHEREAS, These secret negotiations are un-American and will be disastrous to business recovery; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That Congress be hereby memorialized to repeal "An act to amend the Tariff Act of 1930," approved June 12, 1934, by which these reciprocal trading pacts are being secretly negotiated; and be it further

Resolved, That copies hereof be sent to the President of the United States, the President of the Senate, the Speaker of the House of Representatives, the Senators from California, and all members of the California delegation in Congress.

Assembly Bill No. 98—An act providing for the establishment, organization, operation and dissolution of municipal housing authorities, vesting them with authority to clear, replan and reconstruct areas in municipalities in which unsanitary and substandard housing conditions exist, to provide and maintain decent, safe and sanitary dwelling accommodations, in said areas and elsewhere for persons of low income, to acquire property therefor by purchase, option or lease, or by condemnation in the exercise of the power of eminent domain, to sell or lease their projects, to borrow money, and defining the duties and powers of such municipal housing authorities in the exercise of the authority so vested in them and authorizing any city or city and county establishing a municipal housing authority to give it financial assistance and to issue bonds therefor, and otherwise to aid, assist and cooperate with

such municipal housing authority, and declaring the measure an urgency measure within the meaning of section 1 of Article IV of the Constitution and providing accordingly for the act to take effect immediately.

Bill read third time.

Urgency clause read

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, Miller, Minard, Morgan, Nielsen, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—63.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 98 passed by the following vote:

AYES—Anderson, Brennan, Burns, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, Miller, Minard, Morgan, Nielsen, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Waters, Weber, Williamson, and Wright—58.

NOES—Robertson and Mr. Speaker—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2457—An act to amend section 363i of the Political Code, relating to the administration of certain bays, ports and harbors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2457 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, Miller, Minard, Morgan, Nielsen, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1367—An act validating the formation and organization of county sanitation districts under the provisions of an act of the Legislature of the State of California, approved May 29, 1923, as amended February 2, 1925, April 18, 1927, April 22, 1927, May 22, 1929, and June 9, 1931, and entitled, as amended, "An act authorizing the creation, government, maintenance and dissolution of county sanitation

districts, the annexation of contiguous territory to such districts, the issuance of bonds by such districts and the powers thereof,'' and validating bonds of such districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1367 passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, Miller, Morgan, Nielsen, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—58

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2068—An act to provide for attorney's fees in suits to foreclose bonds or assessments of any special assessment district.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lore:

Amendment No. 1.

On page 2, line 16, of the printed bill, as amended, strike out "bonds", and insert in lieu thereof the following "bond".

Amendment No. 2.

On page 2, line 21, of the printed bill, as amended, after "making", insert the following: "of".

Amendment No. 3.

On page 2, line 35, of the printed bill, as amended, strike out "suits", and insert the following. "suit".

Amendment No. 4.

On page 3, line 35, of the printed bill, as amended, strike out "to", and insert in lieu thereof the following: "of".

Amendment No. 5.

On page 3, line 42, of the printed bill, as amended, strike out "after", and insert in lieu thereof a period and the following: "After".

Amendments adopted.

Request for Unanimous Consent.

Mr. Lore asked for, and was granted, unanimous consent to take up Assembly Bill No. 2068, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2068, as Amended.

Assembly Bill No. 2068, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2068, as amended, passed by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, Miller, Morgan, Nielsen, Pelletier, Phillips, Reaves, Richie, Riley, Scudder, Stream, Thorp, Turner, Utt, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Motion to Re-refer Assembly Bill No. 1227.

Mr. Hornblower moved that Assembly Bill No. 1227 be withdrawn from Committee on Exhibitions and Fairs, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 1227 to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 1227 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 959—An act to amend section 59 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to referees of the Industrial Accident Commission.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Johnson:

Amendment No. 1.

On page 2, line 17, of the printed bill, strike out the period after the word "equal", and insert in lieu thereof a comma, followed by these words: "commencing not later than July 1, 1937."

Amendment adopted.

Request for Unanimous Consent.

Mr. Johnson asked for, and was granted, unanimous consent to take up Assembly Bill No. 959, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 959, as Amended.

Assembly Bill No. 959, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 959, as amended, passed by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, Miller, Morgan, Nielsen, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1957—An act to amend Public Utilities Act.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Kallam:

Amendment No. 1.

On page 1 of the printed bill, as amended, in the title, after the word "amend", strike out the rest of the line, and insert in lieu thereof the following: "the Public Utilities Act by adding two new sections numbered sections 13½ and 32½, relating to public utilities"

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out all of lines 1 and 2, and insert in lieu thereof the following: "A new section is hereby added to the Public Utilities Act reading as follows:".

Amendment No. 3.

On page 1, line 3, of the printed bill, as amended, strike out "Sec. 13 (d)", and insert in lieu thereof the following:
"Sec. 13½".

Amendment No. 4.

On page 1 of the printed bill, as amended, strike out all of lines 21 and 22, and insert in lieu thereof the following: "A new section is hereby added to the Public Utilities Act reading as follows:".

Amendment No. 5.

On page 1, line 23, of the printed bill, as amended, strike out the following: "Sec. 32 (d)", and insert in lieu thereof the following:
"Sec. 32½."

Amendment No. 6.

On page 2, line 5, of the printed bill, as amended, after the word "that", insert the following: "when in the judgment of the Railroad Commission a differential is necessary to preserve equality of competitive transportation conditions".

Amendments adopted.

Bill read, ordered to reprint, re-re-engrossment, and third reading.

Assembly Bill No. 2359—An act to amend sections 238, 814, 815, and 1261 of, and to add section 395.5 to the Military Code, relating to military and veterans' affairs.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Nielsen:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after the comma after "238", insert the following. "804".

Amendment No. 2.

On page 1, line 3 of the title of the printed bill, as amended, after "Military", insert the following: "and Veterans".

Amendment No. 3.

On page 1, line 1, of the printed bill, as amended, after "Military", insert the following: "and Veterans".

Amendment No. 4.

On page 1, line 14, of the printed bill, as amended, after "Military", insert the following: "and Veterans".

Amendment No. 5.

On page 1 of the printed bill, as amended, between lines 20 and 21, insert the following:
"SEC. 3. Section 804 of the Military and Veterans Code is hereby amended to read as follows:
804. No veteran shall receive the benefits hereof who, in the case of the purchase of a farm would thereby become the holder of real estate exceeding in value twelve thousand five hundred dollars or who in case of the purchase of a home would thereby become the holder of real estate exceeding in value seven thousand five hundred dollars."

Amendment No. 6.

On page 1, line 21, of the printed bill, as amended, strike out "SEC. 3. Section 814 of the Military Code", and insert in lieu thereof the following: "SEC. 4. Section 814 of the Military and Veterans Code".

Amendment No. 7.

On page 2, line 4, of the printed bill, as amended, strike out "SEC. 4. Section 815 of the Military Code", and insert in lieu thereof the following. "SEC. 5. Section 815 of the Military and Veterans Code".

Amendment No. 8.

On page 2, line 17, of the printed bill, as amended, strike out "SEC. 5. Section 1261 of the Military", and insert in lieu thereof the following. "SEC. 6. Section 1261 of the Military and Veterans".

Amendments adopted

Request for Unanimous Consent.

Mr. Nielsen asked for, and was granted, unanimous consent to take up Assembly Bill No 2359, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2359, as Amended.

Assembly Bill No. 2359, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2359, as amended, passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the House Dispensed With.

At five o'clock and thirty-five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Hornblower.

The roll of absentees was called, and Assembly Bill No. 700 was passed by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—54.

NOES—Anderson, Boyle, Cassidy, Clark, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Laughlin, Lore, McCarthy, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, and Wagner—23.

Title read and approved.

Bill ordered transmitted to the Senate.

Explanation of Vote.

I submitted an amendment to the budget to take care of the deplorable conditions in the Napa State Hospital because I felt that such conditions should not exist in any civilized State and should be remedied immediately. Upon rejection of my amendment, I felt it my duty to vote against any Budget Bill which committed such an injustice to the unfortunates of that institution. Since my vote, however, certain unfortunate publicity labeled the appropriation a "plum" in return for a vote for the administration and I now feel that to insist upon the proper amendment might discredit the most worthy amendment which I offered by branding it as a political or pork-barrel measure and rather than have any suggestion of that kind discredit work which I feel is the mainifest duty of this State, I shall vote to reconsider the Budget Bill and for passage of said bill. If the plea of these unfortunate persons fall upon deaf ears and receive no heed from the Governor and this Legislature, may the burden rest on their souls, not mine.

ERNEST C. CROWLEY.

Recess.

At five o'clock and thirty-seven minutes p.m., by order of the Speaker, the Assembly was declared at recess until nine o'clock p.m., of this day.

Reassembled.

At nine o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1935.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 2473—An act to add section 269 to the Political Code, relating to officers of the Senate and Assembly—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

FIELD, Chairman.

The above reported bill ordered re-referred to Committee on Ways and Means.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 55—Relative to memorializing Congress to erect a memorial to Mrs. A. Sherman Hoyt—and reports that the same has been correctly enrolled, and presented the same to the Governor on this twenty-ninth day of May, 1935, at two o'clock and thirty minutes p m

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 768—An act to amend section 11 of an act entitled "An act prescribing the terms upon which licenses or certificates of registration may be issued to practitioners of barbering, creating the State Board of Barber Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved May 31, 1927, relating to admissions to practice;

Also: Assembly Bill No. 2268—An act to amend section 1 of an act entitled "An act providing for the supervision and regulation of the transportation of property for compensation over any public highway by auto trucks; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, relating to the determination of the operation of auto trucks by transportation companies;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twenty-ninth day of May, 1935, at two o'clock and thirty minutes p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 17—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending section 34a of Article IV and section 15 of Article XIII thereof, relating to taxes on real property according to the value thereof;

Also: Assembly Constitutional Amendment No. 85—A resolution proposing to the people of the State of California an amendment of sections 2, 23, and 34 of Article IV, and of section 9 of Article V of the Constitution of the State of California, all relating to sessions of the Legislature, and procedure therein;

Also: Assembly Constitutional Amendment No. 87—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XVIII thereof, a new section to be numbered 3, relating to a constitutional convention in said State;

And reports the same have been correctly engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 273—An act to amend section 372 of the Vehicle Code, relating

to registration of certain vehicles used for the transportation of persons or property of this State—and reports the same has been correctly re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1935.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 919—An act to license, regulate and control the manufacture, transportation, sale, purchase, possession and disposition of alcoholic beverages; to levy an excise tax on the sale of alcoholic beverages, to provide for the licensing of the manufacture, distribution and sale of alcoholic beverages; to prescribe penalties for the violation of this act; to make an appropriation for the enforcement of this act; to take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1935

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No. 421—An act to amend sections 782 and 786 of the Fish and Game Code, relating to lobsters—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FISHER, Chairman.

The above reported bill ordered on file for second reading.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1935.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 28—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 8 of and adding section 8a to Article I thereof, relating to grand juries—has had the same under consideration, and respectfully reports the same back without recommendation, and be re-referred to Committee on Judiciary.

LATHAM, Chairman

Assembly Constitutional Amendment No. 28 ordered re-referred to Committee on Judiciary.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending sections 1, 4, 4b, 4c, 10, 18, 23, and 24 of Article VI, and by adding sections 4d, 4e, and 4f to said Article VI of the Constitution, relating to the judicial power of the State—has had the same under consideration, and respectfully reports the same back without recommendation, and be re-referred to Committee on Judiciary.

LATHAM, Chairman.

Senate Constitutional Amendment No. 13 ordered re-referred to Committee on Judiciary.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 17—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending section 34a of Article IV and section 15 of Article XIII thereof, relating to taxes on real property according to the value thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

LATHAM, Chairman.

Assembly Constitutional Amendment No. 17 ordered to engrossment.

Also:

MR. SPEAKER. Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XVI thereof a new section to be numbered 11, relating to a bond issue for certain major construction and improvements—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

LATHAM, Chairman

Senate Constitutional Amendment No 26 ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 87—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XVIII thereof, a new section to be numbered 3, relating to a constitutional convention in said State—has had the same under consideration, and respectfully reports the same back without recommendation.

LATHAM, Chairman

Assembly Constitutional Amendment No. 87 ordered to engrossment.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No 82—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State by amending section 12 of Article XI, and by amending section 1 of Article XIII, relating to taxation—has had the same under consideration, and respectfully reports the same back, and recommends that same be adopted as amended.

LATHAM, Chairman.

Assembly Constitutional Amendment No. 82 ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XIII thereof, a new section to be numbered 17, relating to the power of the Legislature to provide for the borrowing of money to meet appropriations made by law, in anticipation of the collection of taxes and revenues—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

LATHAM, Chairman.

Senate Constitutional Amendment No. 18 ordered on file for adoption.

Also:

MR. SPEAKER. Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article II thereof a new section to be numbered section 7, relating to the registration of voters—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

LATHAM, Chairman.

Senate Constitutional Amendment No. 1 ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 85—A resolution proposing to the people of the State of California an amendment of sections 2, 23, and 34 of Article IV, and of section 9 of Article V of the Constitution of the State of California, all relating to sessions of the Legislature, and procedure therein—has had the same under consideration, and respectfully reports the same back without recommendation.

LATHAM, Chairman.

Assembly Constitutional Amendment No. 85 ordered to engrossment.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1935

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Constitutional Amendment No 13—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending sections 1, 4, 4b, 4c, 10, 18, 23, and 24 of Article VI, and by adding sections 4d, 4e, and 4f to said Article VI of the Constitution, relating to the judicial power of the State—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LYON, Chairman

Senate Constitutional Amendment No. 13 ordered on file for adoption.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1935.

MR SPEAKER Your Committee on Ways and Means, to which was referred Assembly Bill No 1227—An act relating to the holding of the San Francisco Bay Bridge Exposition in the City and County of San Francisco, in the State of California, providing for the issuance and sale of State bonds to be known as "San Francisco Bay Bridge Exposition Bonds," providing for the payment and retirement of said bonds, providing for and creating a fund for the carrying out of the purposes of this act, authorizing the expenditures of moneys in said fund for such purpose, creating a commission to be known as the "San Francisco Bay Bridge Exposition Commission," creating an interest and sinking fund for the payment of interest on said bonds, and the redemption of the same, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1935.

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No 318—An act to amend section 11 of the State Contract Act, relating to qualification of bidders—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1935.

MR SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2470—An act for the relief of purchasers of swamp and overflowed lands, declaring the urgency thereof and that this act shall take effect immediately;

Also, Assembly Bill No 2476—An act to add section 24 5 to the State Bar Act, relating to examinations for admission to practice law;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 755—An act to amend section 1 of an act entitled "An act making an appropriation to the State Board of Control to pay claims against the State of California" approved June 16, 1933, relating to claims against the State;

Also: Assembly Bill No. 2295—An act to provide for the inspection, quarantine and registration of aviaries and other places where shell parrakeets are sold, offered for sale, trade or barter, or otherwise distributed, and to provide for the inspection of all birds which may be kept in such places; to repeal an act entitled "An act to provide for the inspection, quarantine and registration of aviaries and other places where shell parrakeets are sold, offered for sale, trade or barter; and to provide for the inspection of all birds which may be kept in such places; to declare the urgency thereof and provide that this act shall take effect immediately," approved May 26, 1933; to declare the urgency thereof and provide that this act shall take effect immediately;

Also: Assembly Bill No. 2468—An act to amend sections 6 and 11 of, to repeal section 7 of, and to add section 33 to, an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts, the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919, relating to sanitary districts;
And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1835—An act to amend sections 2 and 9 of, and to add sections 10 and 11 to, an act entitled "An act relating to the safety of design and construction of public school buildings, providing for regulation, inspection and supervision of the construction, reconstruction or alteration of or addition to public school buildings, and for the inspection of existing school buildings, defining the powers and duties of the State Division of Architecture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act, to take effect immediately," approved April 10, 1933, relating to the regulation and inspection of the construction of public school buildings—and reports that the same has been correctly re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1935

MR. SPEAKER: Your Committee on Public Morals, to which was referred Senate Bill No 919—An act to license, regulate and control the manufacture, transportation, sale, purchase, possession and disposition of alcoholic beverages, to levy an excise tax on the sale of alcoholic beverages; to provide for the licensing of the manufacture, distribution and sale of alcoholic beverages; to prescribe penalties for the violation of this act; to make an appropriation for the enforcement of this act; to take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to the Committee on Ways and Means.

GARIBALDI, Chairman.

Senate Bill No. 919 ordered re-referred to Committee on Ways and Means.

Third Reading of Senate Bills.

Senate Bill No. 888—An act to amend sections 3.330, 3.331, 3.332, 3.333, 3.334, 3.335, and 3.337 and to add a new section to the School Code to be numbered 3.339, relating to the attendance of pupils residing in California upon the public schools of adjoining States, and the attendance of pupils residing in adjoining States upon the public schools of California.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Chatters:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out the word "two", and insert in lieu thereof the word "three".

Amendment No. 2.

On page 1, line 3 of the title of the printed bill, as amended, after the word "numbered", insert the following: "3.106-1,".

Amendment No. 3.

On page 3 of the printed bill, as amended, after line 25, insert the following:

"SECTION 1. A new section is hereby added to the School Code to be numbered 3.106-1 and to read as follows:

3.106-1. Notwithstanding any provision of this article to the contrary, a pupil, residing in a junior college district or residing in a high school district maintaining junior college courses, may not attend junior college in a junior college district or high school district maintaining junior college courses, other than the district in which he resides, except with the consent of the governing board of the district in which he resides and the governing board of the district in which he desires to attend. The governing board of the district in which such pupil desires to attend may, before permitting such pupil to attend therein, require the governing board of the district in which such pupil resides to enter into an agreement providing for the payment by the governing board of the district in which such pupil resides of such tuition as may be agreed upon for the attendance of such pupil, but such contract shall not be effective unless approved by the county superintendent of schools having jurisdiction over the district in which such pupil desires to attend."

Amendment No. 4.

On page 3, line 26, of the printed bill, as amended, strike out the following: "SECTION 1", and insert in lieu thereof the following:

"SEC. 2".

Amendment No. 5.

On page 3, line 43, of the printed bill, as amended, strike out the following: "SEC. 2", and insert in lieu thereof the following:

"SEC. 3".

Amendment No. 6.

On page 3 of the printed bill, as amended, after line 49, insert the following:

"SEC. 4. Section 1 of this act shall not take effect in the event an act entitled "An act to repeal sections 2.21, 3.174, 3.301, 3.302, 3.306, 3.308, 3.309, 3.415 and 3.416 of the School Code, to amend sections 3.304 and 3.305 of said code, to add to Part I of Division III of the said code a new chapter to be known as Chapter VIII, and to add to said code a new section to be numbered 3.306, all relating to the attendance of pupils upon the public schools," as passed by the fifty-first session of the Legislature, does not take effect."

Amendments adopted.

Bill read, ordered to reprint, and on file for third reading.

Third Reading of Assembly Bills—(Resumed).

Assembly Constitutional Amendment No. 76—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 9 of Article IX thereof, relating to a board of higher education

Assembly Constitutional Amendment No. 76 read.

Floor Amendments.

During reading of Assembly Constitutional Amendment No. 76, the following amendments were submitted by Messrs. Redwine and Martin:

Amendment No. 1.

On page 1, lines 4 and 5 of the title of the printed measure, as amended, strike out "relating to a board of higher education", and insert in lieu thereof the following "relating to the Board of Regents of the University of California".

Amendment No. 2.

On page 1 of the printed measure, as amended, strike out lines 9 to 24, inclusive; also strike out all of pages 2, 3 and 4, and insert in lieu thereof the following:

"SEC. 9. The University of California shall constitute a public trust, to be administered by the existing corporation known as "The Regents of the University of California," with full powers of organization and government over each of its several units, and subject only to such legislative control as may be necessary to insure compliance with the terms of the endowments of the university and the security of its funds. Said corporation shall be in form a board composed of ex officio members as follows: The Governor, the Lieutenant Governor, the Speaker of the Assembly, the Superintendent of Public Instruction, the President of the Alumni Association of the University of California at Berkeley, the President of the Alumni Association of the University of California at Los Angeles, with full voting rights, and appointive members equal in numbers to the number of congressional districts in the State, one to be appointed from each congressional

district in the State. Such appointive members shall be appointed by the Governor and upon such appointments being made the term of all of the present appointive members shall thereupon terminate. One-fourth of the appointive members shall be appointed for the term of two years, one-fourth for the term of four years, one-fourth for the term of six years, and one-fourth for the term of eight years. Upon the expiration of the term of such appointive members the successor of each shall be appointed for the term of eight years, and as a term expires or as a vacancy arises the new appointee must at the time of his appointment be a resident of the same congressional district as his predecessor was at the time of his predecessor's appointment.

In the event of the permanent change of residence to the territory comprising another congressional district, or to another State or country of an appointive member of the board, a vacancy shall exist and the Governor shall appoint a person to fill the unexpired term.

No officer of any private or endowed university or college shall be eligible for appointment as a member of the Board of Regents.

After any reapportionment of congressional districts the Legislature shall fix the number of appointive members according to the number of congressional districts then existing, and shall provide for the expiration of terms in such a way that the terms of one-fourth of the appointive members as nearly as may be shall expire every two years.

Said corporation shall be vested with the legal title and the management and disposition of the property of the University of California or branches thereof, and of property held for their benefit and shall have the power to take and hold, either by purchase, or by donation, or gift, testamentary or otherwise, or in any other manner, without restriction, all real and personal property for the benefit of the University of California or branches thereof and incidental to their conduct. Said corporation shall also have all the powers necessary or convenient for the effective administration of its trust, including the power to sue and be sued, to use a seal, and to delegate to its committees or the faculty of the university, or to others, such authority or functions as it may deem necessary; provided, that all moneys derived from the sale of public lands donated to this State by act of Congress approved July 2, 1862 (and the several acts amendatory thereof) shall be invested as provided by said acts of Congress and the income from said moneys shall be appropriated only to the endowment, support and maintenance of one or more colleges of agriculture, where the leading subject shall be (without excluding other scientific and practical studies and including military tactics) to teach such branches of learning as are related to scientific and practical agriculture and mechanical arts, in accordance with the requirements and provisions of said act of Congress, the Legislature shall provide that if, through neglect, misappropriation, or any other contingency, any portion of the funds so set apart shall be diminished or lost, the State shall replace such portion so lost or misappropriated, so that the principal thereof shall remain forever undiminished. The University of California or branches thereof shall be entirely independent of all political or sectarian influences and kept free therefrom in the administration of the affairs of the university or universities and in the appointment of the Board of Regents, and no person shall be debarred admission to any department of the university or ineligible to membership on the Board of Regents or faculty on account of sex.

The Board of Regents shall have the power in its discretion to establish one or more branches of the University of California at such locations and under such conditions as it may deem necessary, and to set up an independent administration for any existing branch of the University of California or for any branch that may hereafter be created or established."

Amendments adopted.

Assembly Constitutional Amendment No. 76 read, ordered to reprint, re-re-engrossment, and on file for adoption.

Resolutions.

The following resolutions were offered:

By Messrs. Richie, Wallace and Stream:

Assembly Resolution.

WHEREAS, The city of San Diego on behalf of the State of California will be host to the world at the California Pacific International Exposition, which is scheduled to open on this day in the city of San Diego; and

WHEREAS, Among the worthy objects of said exposition may be listed the portrayal of cultural, educational, and industrial achievement throughout California, the nations and the world; the gathering together of representative leaders in these several fields; the promotion of unity and understanding, locally and Nationally, and inter-

nationally; the affording of an opportunity for relaxation, enjoyment, and education for residents, citizens, and visitors from far and near; and

WHEREAS, The exposition will afford in particular a demonstration of California's greatness, achievements and allurements; and

WHEREAS, It is highly fitting that the California Legislature concur in these worthy objectives; now, therefore, be it

Resolved, That the Assembly on this day send greetings and approval to the California Pacific International Exposition at San Diego; and be it further

Resolved, That a copy of this resolution be sent to the California Pacific International Exposition.

Resolution read, and adopted unanimously.

By Mr. Weber:

WHEREAS, May the thirtieth is Nationally observed as Memorial Day and it is our custom to pay tributes of respect to our dead; and

WHEREAS, The Assembly will on that day participate in a fitting ceremony appropriate to the occasion; and

WHEREAS, During the present session one of our own members passed away to his eternal reward; now, therefore, be it

Resolved, That it is fitting that this Assembly show its respect to the memory of our departed member, the late Dana P. Eicke, by decorating his grave with flowers, and that the Chief Clerk be instructed to purchase the same and carry out the provisions of this resolution.

Resolution read, and adopted unanimously.

By Mr. Morgan:

WHEREAS, The program which is being planned for Memorial Day requires the use of a piano; now, therefore, be it

Resolved, That the Chief Clerk of the Assembly be and he hereby is directed to arrange for the use of a piano in the Assembly chamber during the said Memorial Day program on Thursday, May 30th, at eleven o'clock and thirty minutes a m., and that the cost thereof be paid from the contingent fund of the Assembly.

Resolution by Mr. Morgan read.

Mr. Morgan moved the adoption of the resolution.

The question being on the adoption of the resolution

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Field, Frazier, Garibaldi, Gilbert, Gilmore, Glover, Hunt, Johnson, Jones, Kallam, Latham, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Peterson, Reaves, Redwine, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—54.

NOES—None.

Motion to Print Names on Handbooks.

Mr Field moved that the Chief Clerk instruct the State Printer to print names on the balance of the handbooks allotted to the members

Motion carried.

Special Order.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 598.

Assembly Bill No 598—An act to provide for the revision of the Constitution of this State, including the election of delegates to the convention, the proceedings, powers, duties, and matters incidental to the convention, the submission of the revised Constitution to the people and matters incidental thereto, and making an appropriation therefor.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Minard:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 3 to 6, inclusive, and insert in lieu thereof the following: "mento on the first Monday in January, 1936."

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 7 to 19, inclusive; also on page 2, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following:

"SEC. 2. Every member of the Assembly and every member of the State Senate shall, without another nomination, be a candidate for the office of Delegate to the Constitutional Convention, except as provided in section 3 of this act.

SEC 3. If any such member desires not to be such candidate, he shall, on or before October 1, 1935, file with the Secretary of State a statement under oath that he will not be a candidate for the office of Delegate to the Constitutional Convention

Any other person desiring to become a candidate for such office in any district of this State from which a member of the State Senate or a member of the Assembly is elected, shall become such candidate, and the election of delegates to the convention shall be had, in a manner prescribed by the Legislature, or by an amendment to the Constitution upon the adoption thereof by the people."

Amendment No. 3.

On page 2 line 8, of the printed bill, as amended, strike out "February, 1937," and insert in lieu thereof the following: "January, 1936,".

Amendment No. 4.

On page 2 of the printed bill, as amended, strike out lines 18 to 22, inclusive, and insert in lieu thereof the following: "its session in that building."

Amendment No. 4.

On page 2 of the printed bill, as amended, strike out lines 23 to 52, inclusive, and insert in lieu thereof the following:

"SEC. 7. The delegates to the convention shall receive the sum of ten dollars a day during each day the convention meets and the same mileage for one journey to Sacramento and return as members of the Legislature. No compensation shall be received by the delegates for any time in session after the expiration of one hundred days during which the convention is actually in session. The amount of compensation shall be certified to the State Controller by the president of the convention, and shall be paid in the same manner as compensation of members of the Legislature is paid.

SEC. 8. It shall be the duty of the Governor to attend the convention at the opening thereof, to administer the oath of office to the delegates, and to preside at all meetings of the convention until a president has been elected and has".

Amendment No. 5.

On page 5 of the printed bill, as amended, strike out lines 11 to 16, inclusive.

The question being on the amendments submitted by Mr. Minard to Assembly Bill No 598.

Demand for Previous Question.

Messrs DeLap, Welsh, Dawson, Robertson, and Morgan demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the amendments submitted by Mr. Minard to Assembly Bill No. 598.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Minard.

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Andreas, Boyle, Corwin, Cottrell, Cronin, Crowley, Dawson, Desmond, Donnelly, Fisher, Frazier, Fulcher, Gilmore, Hornblower, Hunt, Meehan, Miller, Minard, Patterson, Phillips, Thorp, Walker, Weber, Welsh, Williamson, and Mr. Speaker—26.

NOES—Breed, Cassidy, Chatters, Clark, Cunningham, DeLap, Donihue, Evans, Herbert J, Evans, Ralph W, Field, Flint, Garibaldi, Geyer, Gilbert, Glover, Hei-

singer, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Morgan, Pelletier, Peterson, Reaves, Redwine, Riley, Robertson, Rosenthal, Stream, Turner, Voigt, Wagner, Waters, and Wright—41.

Motion to Appoint Select Committee.

Mr Mayo moved, seconded by Mr. Welsh, that the Speaker appoint a Select Committee of Five for the consideration of Assembly Bill No. 598.

The question being on the motion by Mr. Mayo to appoint Select Committee of Five for the consideration of Assembly Bill No. 598.

Withdrawal of Motion.

Mr Mayo withdrew his motion.

Assembly Bill No. 598 read third time.

Motion to Pass Assembly Bill No. 598 on File.

Mr. Lore moved that Assembly Bill No. 598 be passed on file

Substitute Motion to Set Special Order for Assembly Bill No. 598.

Mr. Latham moved, as a substitute motion, that Assembly Bill No. 598 be made a special order for Thursday, May 30, 1935, at two o'clock p.m.

Motion carried.

Motion to Rush Printing of Assembly Bill No. 598.

Mr. Martin moved that the Chief Clerk instruct the State Printer to rush printing of Assembly Bill 598, as amended

Motion carried.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2183—An act to be known as the "Inheritance Tax Act of 1935," to establish a tax on gifts, legacies, inheritances, bequests, devises, successions, transfers, joint tenancies and insurance, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under any act hereby repealed; to provide penalties for failure to comply with the provisions of this act, and to repeal Chapter 821 of the laws of the session of the Legislature of California of 1921, approved June 3, 1921, known as the "Inheritance Tax Act," and all amendments thereto, and to repeal all acts and parts of acts in conflict with this act, and providing this act shall take effect immediately.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. McCarthy:

Amendment No. 1.

On page 7, line 18, of the printed bill, as amended, strike out "five", and insert in lieu thereof the following: "six".

Amendment No. 2.

On page 7, line 23, of the printed bill, as amended, strike out "six", and insert in lieu thereof the following "eight".

Amendment No. 3.

On page 7, line 29, of the printed bill, as amended, strike out "seven", and insert in lieu thereof the following: "ten".

Amendment No. 4.

On page 7, line 45, of the printed bill, as amended, strike out "four", and insert in lieu thereof the following: "eight".

Amendment No. 5.

On page 7, line 47, of the printed bill, as amended, strike out "seven", and insert in lieu thereof the following: "fourteen".

Amendment No. 6.

On page 7, line 50, of the printed bill, as amended, strike out "nine", and insert in lieu thereof the following: "eighteen".

Amendment No. 7.

On page 8, line 2, of the printed bill, as amended, strike out "ten", and insert in lieu thereof the following: "twenty".

Amendment No. 8.

On page 8, line 8, of the printed bill, as amended, strike out "seven", and insert in lieu thereof the following: "twelve".

Amendment No. 9.

On page 8, line 10, of the printed bill, as amended, strike out "ten", and insert in lieu thereof the following: "eighteen".

Amendment No. 10.

On page 8, line 13, of the printed bill, as amended, strike out "twelve", and insert in lieu thereof the following: "twenty-four".

Amendment No. 11.

On page 8, line 19, of the printed bill, as amended, strike out "nine", and insert in lieu thereof the following: "sixteen".

Amendment No. 12.

On page 8, line 21, of the printed bill, as amended, strike out "twelve", and insert in lieu thereof the following: "twenty".

Amendment No. 13.

On page 8, line 24, of the printed bill, as amended, strike out "twelve", and insert in lieu thereof the following: "twenty-four".

Amendment No. 14.

On page 8, line 30, of the printed bill, as amended, strike out "ten", insert in lieu thereof the following: "twenty".

Amendment No. 15.

On page 8, line 31, of the printed bill, as amended, strike out "twelve", and insert in lieu thereof the following: "twenty-four".

Amendment No. 16.

On page 9, line 27, of the printed bill, as amended, strike out "twenty-four", and insert in lieu thereof the following: "fifteen".

The question being on the amendments submitted by Mr. McCarthy to Assembly Bill No. 2183.

Roll Call.

The Speaker ordered a roll call taken on the adoption of the amendments submitted by Mr. McCarthy.

The roll was called.

Motion for Call of the House.

Pending the announcement of the vote, Mr. Welsh moved a call of the House.

Motion lost.

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Boyle, Cassidy, Clark, Crowley, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Lore, McCarthy, McMurray, Meehan, Patterson, Pelletier, Reaves, Richie, Turner, Wagner, Wallace, and Welsh—25.

NOES—Andreas, Breed, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Garibaldi, Gilmore, Hornblower, Johnson, Kallam, Latham, Laughlin, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Waters, Weber, Williamson, Wright, and Mr. Speaker—41.

Assembly Bill No. 2183 read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Rosenthal:

Amendment No. 1.

On page 7, line 50, of the printed bill, as amended, strike out "nine", and insert in lieu thereof the following: "ten".

Amendment No. 2.

On page 8, line 2, of the printed bill, as amended, strike out "ten", and insert in lieu thereof the following: "twelve".

Amendment No. 3.

On page 8, line 12, of the printed bill, as amended, after "dollars", strike out the comma, and insert in lieu thereof the following: "and up to two hundred thousand dollars,".

Amendment No. 4.

On page 8 of the printed bill, as amended, between lines 13 and 14, insert the following:

"(d) Upon all in excess of two hundred thousand dollars and up to five hundred thousand dollars, fifteen per centum of such excess.

(e) Upon all in excess of five hundred thousand dollars, eighteen per centum of such excess."

Amendment No. 5.

On page 8, line 23, of the printed bill, as amended, after "dollars", insert the following: "and up to two hundred thousand dollars".

Amendment No. 6.

On page 8, line 24, of the printed bill, as amended, strike out "twelve", and insert in lieu thereof the following: "fifteen".

Amendment No. 7.

On page 8 of the printed bill, as amended, between lines 24 and 25, insert the following:

"(d) Upon all in excess of two hundred thousand dollars, twenty per centum of such excess."

Amendment No. 8.

On page 8, line 31, of the printed bill, as amended, strike out the comma, and strike out "twelve", and insert in lieu thereof the following: "and up to one hundred thousand dollars, fifteen".

Amendment No. 9.

On page 8 of the printed bill, as amended, between lines 32 and 33, insert the following:

"(c) Upon all in excess of one hundred thousand dollars, twenty per centum of such excess."

The question being on the amendments submitted by Mr. Rosenthal to Assembly Bill No. 2183.

Demand for Previous Question.

Messrs. Morgan, Wallace, Utt, Fisher, and Johnson demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the amendments submitted by Mr. Rosenthal to Assembly Bill No. 2183.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Rosenthal.

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Clark, Cronin, Crowley, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Laughlin, Lore, McCarthy, Meehan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Wagner, and Welsh—30.

NOES—Andreas, Breed, Brennan, Chatters, Corwin, Cottrell, Cunningham, Dawson, DeLap, Evans, Herbert J., Field, Fisher, Frazier, Garibaldi, Gilmore, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller,

Minard, Morgan, Peterson, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr Speaker—43.

Motion to Expunge Record.

Mr. Hunt moved that the vote taken on the amendments submitted by Mr. McCarthy to Assembly Bill No. 2183 be expunged from the record and the action rescinded

Motion lost.

Assembly Bill No. 2183 read third time

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Messrs. Hornblower and Maloney:

Amendment No. 1.

On page 7, line 43, of the printed bill, as amended, strike out "four", and insert in lieu thereof the following: "three".

Amendment No. 2.

On page 8, line 12, of the printed bill, as amended, after "dollars", insert the following: "and up to three hundred thousand dollars".

Amendment No. 3.

On page 8, between lines 13 and 14, of the printed bill, as amended, insert the following:

"(d) Upon all in excess of three hundred thousand dollars and up to five hundred thousand dollars, fourteen per centum of such excess.

(e) Upon all in excess of five hundred thousand dollars, fifteen per centum of such excess."

Amendment No. 4.

On page 8, line 23, of the printed bill, as amended, after "dollars", insert the following: "and up to three hundred thousand dollars".

Amendment No. 5.

On page 8 of the printed bill, as amended, between lines 24 and 25, insert the following:

"(d) Upon all in excess of three hundred thousand dollars, fifteen per centum of such excess."

Amendment No. 6.

On page 8, line 31, of the printed bill, as amended, after "dollars", insert the following: "and up to three hundred thousand dollars".

Amendment No. 7.

On page 8 of the printed bill, as amended, between lines 32 and 33, insert the following:

"(c) Upon all in excess of three hundred thousand dollars up to five hundred thousand dollars, fifteen per centum of such excess.

(d) Upon all in excess of five hundred thousand dollars, sixteen per centum of such excess."

The question being on the amendments submitted by Messrs. Hornblower and Maloney to Assembly Bill No. 2183.

Demand for Previous Question.

Messrs. Minard, Dawson, Weber, Fisher and Brennan demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the amendments submitted by Messrs. Hornblower and Maloney to Assembly Bill No. 2183.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Messrs. Hornblower and Maloney.

The roll was called, and the amendments were adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans,

Herbert J., Evans, Ralph W., Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Utt, Wagner, Walker, Waters, Weber, Welsh, Wright, and Mr. Speaker—68.

NOES—Breed, Kallam, Robertson, Wallace, and Williamson—5.

Request for Unanimous Consent.

Mr. Riley asked for, and was granted, unanimous consent to take up Assembly Bill No. 2183, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 2183, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Jones:

Amendment No. 1.

On page 7 of the printed bill, as amended, strike out lines 4 to 6, inclusive, and insert in lieu thereof the following: "interest in such property shall be the wife, minor lineal issue of the decedent, or any minor child adopted as such in conformity with the laws of this State, or any minor child to".

Amendment No. 2.

On page 7 of the printed bill, as amended, between lines 13 and 14, insert the following:

"(1a) Where the person or persons entitled to any beneficial interest in such property shall be the husband, lineal ancestor, adult lineal issue of the decedent, or any adult child adopted as such in conformity with the laws of this State, or any adult child to whom such decedent for not less than ten years prior to such transfer stood in the mutually acknowledged relation of a parent (provided, however, such relationship began at or before the child's fifteenth birthday and was continuous for said ten years thereafter), or any lineal issue of such adopted or mutually acknowledged adult child, at the rate of three per centum of the clear value of such interest in such property."

Amendment No. 3.

On page 7, line 18, of the printed bill, as amended, strike out "five", and insert in lieu thereof the following: "seven".

Amendment No. 4.

On page 7, line 23, of the printed bill, as amended, strike out "six", and insert in lieu thereof the following: "nine".

Amendment No. 5.

On page 7, line 29, of the printed bill, as amended, strike out "seven", and insert in lieu thereof the following: "eleven".

Amendment No. 6.

On page 7, line 43, of the printed bill, as amended, strike out "four", and insert in lieu thereof the following: "three".

Amendment No. 7.

On page 7, line 50, of the printed bill, as amended, strike out "five", and insert in lieu thereof the following: "three".

Amendment No. 8.

On page 7 of the printed bill, as amended, after line 51, insert the following:

"(e) Upon all in excess of three hundred thousand dollars and up to five hundred thousand dollars, ten per centum of such excess."

Amendment No. 9.

On page 8, line 1, of the printed bill, as amended, strike out "(e)", and insert in lieu thereot the following "(f)".

Amendment No. 10.

On page 8, line 2, of the printed bill, as amended, strike out "ten", and insert in lieu thereof the following: "eleven".

Amendment No. 11.

On page 8 of the printed bill, as amended, between lines 2 and 3, insert the following:

"(1a) When the market value of such property or interest passed or transferred to any of the persons mentioned in subdivision (1a) of section 4 exceeds twenty-five thousand dollars, the rates of tax upon such excess shall be as follows:

(a) Upon all in excess of twenty-five thousand dollars and up to fifty thousand dollars four per centum of such excess

(b) Upon all in excess of fifty thousand dollars and up to one hundred thousand dollars, five per centum of such excess

(c) Upon all in excess of one hundred thousand dollars and up to two hundred thousand dollars, eight per centum of such excess.

(d) Upon all in excess of two hundred thousand dollars and up to three hundred thousand dollars, ten per centum of such excess.

(e) Upon all in excess of three hundred thousand dollars and up to five hundred thousand dollars, twelve per centum of such excess

(f) Upon all in excess of five hundred thousand dollars, thirteen per centum of such excess."

Amendment No. 12.

On page 8, line 8 of the printed bill, as amended, strike out "seven", and insert in lieu thereof the following: "nine".

Amendment No. 13.

On page 8, line 10, of the printed bill, as amended, strike out "ten", and insert in lieu thereof the following: "eleven".

Amendment No. 14.

On page 8 of the printed bill, as amended, strike out lines 12 and 13, and insert in lieu thereof the following:

"(c) Upon all in excess of one hundred thousand dollars and up to two hundred thousand dollars twelve per centum of such excess.

(d) Upon all in excess of two hundred thousand dollars and up to three hundred thousand dollars fourteen per centum of such excess.

(e) Upon all in excess of three hundred thousand dollars and up to five hundred thousand dollars, sixteen per centum of such excess.

(f) Upon all in excess of five hundred thousand dollars, eighteen per centum of such excess."

Amendment No. 15.

On page 8, line 19, of the printed bill, as amended, strike out "nine", and insert in lieu thereof the following: "eleven".

Amendment No. 16.

On page 8, line 21, of the printed bill, as amended, strike out "twelve", and insert in lieu thereof the following: "thirteen"

Amendment No. 17.

On page 8 of the printed bill, as amended, strike out lines 23 and 24, and insert in lieu thereof the following:

"(c) Upon all in excess of one hundred thousand dollars and up to two hundred thousand dollars, fifteen per centum of such excess.

(d) Upon all in excess of two hundred thousand dollars and up to three hundred thousand dollars, seventeen per centum of such excess.

(e) Upon all in excess of three hundred thousand dollars and up to five hundred thousand dollars, nineteen per centum of such excess.

(f) Upon all in excess of five hundred thousand dollars, twenty-one per centum of such excess."

Amendment No. 18.

On page 8, line 30, of the printed bill, as amended, strike out "ten", and insert in lieu thereof the following: "thirteen".

Amendment No. 19.

On page 8 of the printed bill, as amended, strike out lines 31 and 32, and insert in lieu thereof the following:

"(b) Upon all in excess of fifty thousand dollars and up to one hundred thousand dollars, fifteen per centum of such excess.

(c) Upon all in excess of one hundred thousand dollars and up to two hundred thousand dollars, seventeen per centum of such excess.

(d) Upon all in excess of two hundred thousand dollars and up to three hundred thousand dollars, nineteen per centum of such excess.

(e) Upon all in excess of three hundred thousand dollars and up to five hundred thousand dollars, twenty-one per centum of such excess.

(f) Upon all in excess of five hundred thousand dollars, twenty-three per centum of such excess"

The question being on the amendments submitted by Mr. Jones to Assembly Bill No. 2183.

Demand for Previous Question.

Messrs. Weber, Dawson, Mayo, Fisher and Scudder demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the amendments submitted by Mr. Jones to Assembly Bill No. 2183.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Jones.

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Anderson, Cassidy, Clark, Crowley, Donnelly, Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, McCarthy, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Wagner, and Welsh—24.

NOES—Andreas, Boyle, Breed, Brennan, Burns, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Evans, Herbert J., Field, Fisher, Garibaldi, Gilmore, Hornblower, Johnson, Latham, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, Nielsen, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Utt, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—45.

Third Reading of Assembly Bill No. 2183, as Amended.

Assembly Bill No. 2183, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2183, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—73.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Message.

The following message was received:

MR. SPEAKER: I have the honor to transmit to you herewith a copy of a resolution adopted by the Senate on May 22, 1935, which I will ask you to be so kind as to hand to one of your distinguished members, former Senator Thomas A. Maloney.

J. A. BEEK, *Secretary of Senate.*

Communications.

The following communications were received, and ordered printed in the Journal:

By Mr. Speaker:

CALIFORNIA STATE EMPLOYEES' ASSOCIATION,
HOTEL SACRAMENTO, SACRAMENTO, CALIFORNIA, May 29, 1935.

Hon. Edward Craig, Speaker, California State Assembly,
State Capitol, Sacramento, California.

DEAR MR. CRAIG: It has come to our attention that several members of the Assembly have received telegrams from the California Federation of Civil Service Association, signed Ivan Flamm, president.

The telegrams state that the organization represented by Mr. Flamm are opposed to Assembly Bill No. 834, and that the organization represents Federal, State, county and city civil service as well as teachers' organizations.

Will you kindly inform the members of the Assembly that the California State Employees Association is in no way affiliated with the organization of which Mr. Flamm is president nor has Mr. Flamm any authority whatever to speak for the California State Employees Association. Further, the information contained in the telegrams does not in any way express the attitude of the California State Employees Association. Our position is neutral as we feel that such matters should be handled entirely by the members of the Legislature who are elected to represent the taxpayers of the State.

Thanking you for your consideration in this matter.

Very truly yours,

HARRY P. ROYER, Executive Manager.

SAN FRANCISCO, CALIFORNIA, May 29, 1935.

Edward Craig, Sacramento, California.

As stated in letter of May 25th, California Federation of Civil Service Association is most emphatically opposed to Assembly Bill No 834. The California Federation of Civil Service Association represent Federal, State, county, city civil service and teachers organization Urge that you vote for reconsideration and against the bill when reconsidered.

IVAN FLAMM, President.

Unfinished Business—(Resumed).

Reconsideration of Assembly Bill No. 834.

Assembly Bill No. 834—An act relating to and imposing limitations on expenditures by counties, cities and counties, districts and other political subdivisions, under authority of section 20 of Article XI of the Constitution of the State.

In compliance with his notice given on a previous day, Mr. Patterson moved that the vote whereby Assembly Bill No. 834 was passed be reconsidered.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Patterson moved a call of the House.

Request for Roll Call.

On request of Messrs. Latham, Wallace and Mayo, the Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Boyle, Brennan, Burns, Cassidy, Clark, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Lore, Maloney, Mayo, McCarthy, Meehan, Minard, Nielsen, Patterson, Pelletier, Reaves, Richie, Robertson, Rosenthal, Turner, Utt, Voigt, Wagner, Waters, Weber, and Williamson—43.

NOES—Breed, Corwin, Cottrell, Cunningham, Evans, Herbert J., Field, Fisher, Heisinger, Johnson, Latham, Lyon, Martin, McBride, Miller, Morgan, Phillips, Redwine, Riley, Scudder, Stream, Walker, Wallace, Welsh, Wright, and Mr Speaker—25.

Time, eleven o'clock and twenty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—68.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Resolutions.

The following resolutions were offered:

By Mr. Walker:

Assembly Resolution.

Resolved, That the Controller be and is hereby authorized and directed to draw his warrants on the contingent fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Bureau of Purchases (supplies)	$171 13
The C. C Langevin Company (rental public address system—May 4 to June 3)	160 00
Department of Finance (prorate telephone service May)	23 85
Pacific Telephone and Telegraph Company (tolls)	4 00
Virginia Crossan (illuminating memorials)	27 50

Resolution read, and ordered referred to Committee on Contingent Expenses.

By Mr. Walker:

Assembly Resolution.

Resolved, That in order to pay the necessary expenses for the disposition of the closing business of this Assembly after adjournment, and for the payment of all bills, such as supplies from the Purchasing Department, telephoning, telegraphing, expressage, postage and incidental expenses of the Chief Clerk's office, and for such other bills that may be presented, accompanied by proper vouchers covering such expenses, the State Controller is hereby authorized and directed to draw his warrant in favor of Arthur A. Ohnimus, Chief Clerk of the Assembly, upon the contingent fund of the Assembly in the sum of six hundred fifty dollars ($650) or such portion of said amount as may be necessary to carry out the above, and the State Treasurer is hereby directed to pay the same.

Resolution read, and ordered referred to Committee on Contingent Expenses

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No 46—An act to amend section 3766 of the Political Code, relating to the publication of delinquent tax lists.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 46 passed by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Minard, Morgan, Pelletier, Peyser, Phillips, Reaves, Richie, Riley, Scudder, Stream, Turner, Utt Voigt, Wagner, Walker, Wallace, Waters, Weber, and Mr. Speaker—55

NOES—McCarthy, Redwine, and Welsh—3

Title read and approved.

Bill ordered transmitted to the Senate.

Motion to Expunge Record.

Mr. Riley moved that the vote taken on the adoption of the report of the Committee on Free Conference concerning Assembly Bill No. 1034, as printed in the Assembly Journal of May 28, 1935, page 35, be expunged from the record, and the action rescinded.

Motion carried.

Consideration of Urgency Clause to Assembly Bill No. 1034.

The question being on the adoption of the urgency clause, as amended, to Assembly Bill No. 1034.

The roll was called, and the urgency clause, as amended, was adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—64.

NOES—None.

Consideration of Report of Free Conference Concerning Assembly Bill No. 1034.

Report of Committee on Free Conference concerning Assembly Bill No. 1034 read.

Mr. Riley moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 1034 ordered to enrollment.

Unfinished Business—(Resumed).

Motion to Reconsider Assembly Bill No. 2385 Continued.

Mr. Burns moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2385 was refused passage be continued until the next legislative day.

Motion carried.

Motion to Reconsider Assembly Bill No. 276 Continued.

Mr. Robertson moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 276 was refused passage be continued until the next legislative day.

Motion carried.

Reconsideration of Assembly Bill No. 2303.

Assembly Bill No. 2303—An act to amend sections 425, 426, 427 and 428 of the Vehicle Code, relating to liens on vehicles.

In compliance with his notice given on a previous day, Mr. Cunningham moved that the vote whereby Assembly Bill No. 2303 was passed be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Boyle, Brennan, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Latham, Lore, Maloney, Martin, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Robertson, Rosenthal, Stream, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, and Williamson—53.

NOES—Anderson, Breed, Burns, Cassidy, Donihue, Donnelly, Johnson, Wagner, and Mr. Speaker—9.

Further Proceedings Under Call of the House Dispensed With.

At eleven o'clock and fifty-five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Latham.

The roll of absentees was called, and the motion by Mr. Patterson to reconsider Assembly Bill No. 834 was carried by the following vote:

AYES—Anderson, Boyle, Brennan, Cassidy, Clark, Cronin, Crowley, Dawson, DeLap, Desmond, Donahue, Evans, Ralph W., Flint, Frazier, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Laughlin, Lore, Maloney, Mayo, McCarthy, McMurray, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Turner, Voigt, Wagner, Weber, Welsh, and Williamson—42.

NOES—Breed, Burns, Chatters, Corwin, Cottrell, Cunningham, Donnelly, Evans, Herbert J., Field, Fisher, Heisinger, Johnson, Kallam, Latham, Lyon, Martin, McBride, Meehan, Miller, Minard, Morgan, Nielsen, Phillips, Redwine, Riley, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Wright, and Mr. Speaker—34.

Assembly Bill No. 834 ordered on file for third reading.

Second Reading of Senate Bills—(Resumed).

Senate Bill No. 919—An act to carry into effect the provisions of Article XX, section 22 of the Constitution of California, as adopted by the voters at the general election held November 6, 1934, relating to the control of the liquor traffic in the State of California and prescribing penalty for the violation thereof.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 4, line 49, of the printed bill, as amended, strike out the figure "1,000", and insert in lieu thereof "10,000".

Amendment No. 2.

On page 8, line 18, of the printed bill, as amended, strike out the comma, and insert in lieu thereof a period.

Amendment No. 3.

On page 12, line 43, of the printed bill, as amended, after "importer,", insert "or by a subsidiary of a licensed manufacturer or importer,".

Amendment No. 4.

On page 27, line 37, of the printed bill, as amended, after the word "person", insert the following: "Provided that this section shall not prohibit the holders of manufacturer's, rectifier's or wholesaler's licenses from employing and paying salesmen engaged in selling or soliciting sales for alcoholic beverages on a commission basis".

Amendment No. 5.

On page 27, between lines 37 and 38, of the printed bill, as amended, insert the following:

"Every person who violates the provisions of this section shall be guilty of a misdemeanor."

Amendment No. 6.

On page 27, line 44, of the printed bill, as amended, after the word "person", insert the words "engaged in the business of selling or serving alcoholic beverages".

Amendment No. 7.

On page 27, line 45, of the printed bill, as amended, after the word "beverage", insert the words "for consumption on the premises".

Amendment No. 8.

On page 28, line 20, of the printed bill, as amended, strike out the words "or adjacent".

Amendment No. 9.

On page 8, line 14, of the printed bill, as amended, after the word "No", add the word "retail".

Amendment No. 10.

On page 8, line 18, of the printed bill, as amended, after the word "municipality," add the following: "unless such premises had been used in the exercise of such

rights and privileges at a time prior to the effective date of any such valid zoning ordinance."

Amendment No. 11.

On page 15 of the printed bill, as amended, strike out all of lines 41 to 51, inclusive.

Amendment No. 12.

On page 16 of the printed bill, as amended, strike out lines 1 to 3, inclusive, and insert in lieu thereof the following:

"SEC. 32. Any action to recover any excise tax levied pursuant to this act and paid under protest must be instituted within sixty days after the payment of such excise tax, and failure to bring suit within said sixty".

Amendment No. 13.

On page 26, line 18, of the printed bill, as amended, after the word "realty", add the words "hereafter acquired"

Amendment No. 14.

On page 26, line 19, of the printed bill, as amended, after the word "maintained", add the words "unless the holding of such interest is permitted in accordance with regulations of the board".

Amendment No. 15.

On page 26, line 26, of the printed bill, as amended, after the word "misdemeanor", add the following: "provided, however, that the provisions of this section shall not apply to any equipment, fixtures or supplies furnished, given, lent or sold prior to the passage of this act so long as such equipment, fixtures or supplies remain in the premises in which installed prior to such time, nor shall the provisions of this act apply to carbonic acid gas or tapping accessories if sold at the reasonable open market value and the aggregate cost of tapping accessories furnished to any one person does not exceed five dollars in any one calendar year"

Amendment No. 16.

On page 26, line 31, of the printed bill, as amended, after the word "shall", strike out the words "be maintained, erected, used or placed", and insert in lieu thereof the words "after the passage of this act be installed, erected, placed and used".

Amendment No. 17.

On page 26, line 35, of the printed bill, as amended, strike out the word "within", and insert in lieu thereof the words "used in connection with".

Amendment No. 18.

On page 26, line 38, of the printed bill, as amended, after the word "manner", insert the words "contrary to the rules or regulations of said board".

Amendment No. 19.

On page 27, lines 45 and 46, of the printed bill, as amended, strike out the words "on any part of any day set apart for any general or special election,".

Amendment No. 20.

On page 27 of the printed bill, as amended, strike out all of lines 50 to 52, inclusive, and on page 28, strike out all of lines 1 to 3, inclusive, and insert in lieu thereof the following:

"SEC. 60. Except as otherwise provided in this section, no person licensed to manufacture, import or wholesale any alcoholic beverage shall deliver or cause to be delivered any beer to or for any person holding an on-sale or off-sale license except between the hours of six a.m. and eight p.m. and no such delivery of any alcoholic beverage shall be made or caused to be made by any such licensee on Sunday. Alcoholic beverages may".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Adjournment.

At eleven o'clock and fifty-seven minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day, honoring the birthdays of Senator J. C. Garrison and Assemblyman Thomas A. Maloney, until ten o'clock a.m., Thursday, May 30, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, May 30, 1935.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J. Evans, Ralph W. Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan Miller, Mmard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—80.

Quorum present.

Prayer.

Prayer was offered by Rev Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Walker, its further reading was dispensed with.

Leave of Absence.

On motion of Mr. Geyer, Mr. Laughlin was granted leave of absence for the balance of this legislative day.

Privilege of Floor of Assembly Extended.

On request of Mr. Breed, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr and Mrs. Maitland Pennington

On request of Mr. McBride, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Vernon E. Hebel

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Retail Petroleum Dealers Association, Inc., of Los Angeles, opposing the so-called California Oil Conservation Act

From the Board of Water Commissioners of Los Angeles, favoring Assembly Bill No. 1054 and opposing the passage of Senate Bill No. 535

Communication.

The following communication was received, and ordered printed in the Journal:

STATE OF CALIFORNIA, EMERGENCY RELIEF ADMINISTRATION,
SAN FRANCISCO, CALIFORNIA, May 29, 1935.

Hon. Edward Craig, Speaker of the Assembly.
California Legislature, Fifty-first Regular Session,
Assembly Chamber, State Capitol, Sacramento, California.

Re: Assembly Bill No. 2459.

DEAR MR. SPEAKER: The Relief Commission at its meeting in Los Angeles on May 25, 1935, resolved "vigorous opposition" to the passage of Assembly Bill

No. 2459, and as reasons therefore, approved in substance the objections set forth in a communication addressed to the Subcommittee on Legislation of the commission by Reuben B. Resnick, chairman of the Committe on Social Legislation, Council of Social Agencies in Los Angeles.

These objections are as follows:

"1. Legal—The bill, as it is presented, is couched in terms which attempt to make it a valid police power measure. It is the proponents' hope to sustain its constitutionality on this score and if this is a valid police power measure other constitutional restrictions will have to yield to the police power of this State. The question then arises, is this such a police power measure that is not 'unreasonable, arbitrary or capricious'?

There is much in the bill to indicate that the legislation is not a valid police power measure. There is an inherent uncertainty about many of its terms. The question arises, who are 'indigent persons, or persons likely to become public charges'?

There is much to indicate that this measure is a denial of the privileges and immunities of persons of several States. May California restrict citizens of other States from going and coming as they like? In this connection it is interesting to note that Nevada and Florida attempted somewhat similar legislation several years ago, but both legislative measures were held unconstitutional. For more elaborate discussion of this point and similar points, reference should be made to the famous 'Passenger' cases. (Smith vs. Turner, Norris vs. State of Washington, 48 U. S. 283, also Railroads vs. Husen, 95 U. S. 471.)

The constitutionality of this bill can also be questioned on the ground that this is an improper interference with a power of Congress which has the sole right to control and regulate interstate commerce. In other words, can persons who are agricultural laborers, selling their services in Arizona, Oregon and other agricultural States, be prevented from coming into this State and selling their services? They are dealing in a commodity, labor, selling it from State to State.

The bill also indicates that 'The Governor may likewise handle such rules and regulations from time to time.' This section may contemplate the delegation of legislative power in the hands of the Governor who clearly has only executive power.

In conclusion it should be said that there is an uncertainty and confusion of terms in the bill, such terms as 'pauper labor' are employed. The question has been asked if a laborer is a pauper; it may be because the wages are too low and not because he is of a pauper class, which is supposed to cling to idleness and refuse labor opportunities.

2. Social and Social Work Implication—The bill contemplates methods of enforcement which of necessity will have to be set up at various points on the State border It contemplates further that those stationed at the State border will have adequate means of determining who are 'paupers, vagabonds, indigent persons, persons likely to become public charges, and persons affected with contagious and infectious diseases.' It needs no astute economist or social worker to observe the difficulties that are inherent in a set-up of this kind. It is quite conceivable that X family, with four members in it and with $100 will not become public charges, and Y family, with the same number of persons in it, and with the same or even more resources, would after a short residence in this State become a public charge. The set-up would require altogether too many trained budget experts, physicians, social workers and others to administer it adequately and properly.

The bill itself is, in its underlying standpoint, a policing measure similar to the scope and function of our immigration officers at the Canadian and Mexican borders. The problems revolving around the exclusion of persons who are supposed to be, or are likely to be indigent, are not necessarily a policing matter but primarily a matter for consideration by social workers and other highly specialized professions.

The bill, if it means to exclude persons who are affected with contagious and infectious diseases, contemplates the set-up of custody for persons afflicted with these illnesses—a matter altogether too complicated to be handled with temporary facilities.

The matter of expense involved in enforcing the measures of this bill, together with cost of custody and deportation, is a serious problem to be considered, before this measure should receive favorable consideration.

3 Administrative Policy—Finally the matter of administrative policy arises. Is this bill opposed to the policy of the Federal Emergency Relief Administration in caring for transients and indigents coming from other States? In view of the comprehensive program of the Federal Transient Service, it seems that the policy of the Government is to provide adequate measure for caring for indigent nonresidents.

There is another serious matter of policy which has already been brought to the State Administrator, namely, that agricultural interests of the State

might be embarrassed by the exclusion of migratory workers from Arizona, through California to Oregon. There is also the possibility that this measure might cause retaliatory measures in other States.

In conclusion it may be said that this bill is a hastily conceived measure which attempts by what it regards as a simple device, namely, exclusion, to cope with a problem which has many complicated factors. They can not be solved in the manner set forth in Assembly Bill No. 2459"

In addition to the statements heretofore quoted from Mr Reuben B Resnick's report, the following facts with reference to the care of transients in California are recited

(a) The Emergency Relief Act of 1933 made available funds to the State of California to aid needy persons who had no legal settlement in any one State or community.

(b) To meet conditions in California 15 central intake bureaus were opened to care for transient families, women and girls, and intake bureaus in the principal cities to register transient men and boys.

Fifteen city shelters provide for the emergency housing for transient men, with mandatory physical examination required at time of registration. Sixty camps have been built in localities throughout the State, adjacent to work progress of a public nature.

(c) During the month of April, 1935, 80,909 transients including 3791 State homeless were given care with 43,402 cases closed during the month. The registration on May 11, 1935, was 37,507 individuals.

Expenditure by the Federal Government during April, 1935, for the maintenance of the transients in the State, including the administration of the program, amounted to $515,290.28, virtually all of which was spent in California.

Should you desire any further information on the subject of the care of transients in California, we will be glad to furnish it upon your request.

Yours very truly,

FRANK Y. McLAUGHLIN, Administrator.

ASSISTANT CLERK COOLIDGE READING.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1935.

MR SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No 708—An act relating to the borrowing of money by the State in anticipation of taxes and revenues, and making an appropriation—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2351—An act authorizing the use of convict labor in the State parks, forests, game preserves, and National forests or parks in the State of California, providing for the compensation of such convict labor and for the payment thereof to their dependents; providing for forfeiture of such compensation; providing the manner of payment of such compensation to paroled, released or discharged convicts; authorizing the allowance of extra good time credits to such convicts; and providing penalties for interference with such convict labor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Ways and Means, to which was referred Assembly Bill No. 1735—An act to add a new section to the Political Code, to be numbered 689a, relating to use of the State's teletype system—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1091—An act making an appropriation for the enforcement of standards, quality and identity, covering the manufacture and sale of California wines and brandy—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 994—An act to add section 690 11 to the Political Code, relating to the disposition of fees received under the provisions of section 690.10 of the Political Code, relating to the construction, alteration or maintenance of groins, jetties, seawalls, breakwaters, and/or bulkheads upon, across, or over any of the swamp, overflowed, marsh, tide or submerged lands of the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 916—An act to add section 15a to "The California Agricultural Adjustment Act of 1935," relating to ways, means, and moneys, and providing and appropriating moneys, for the administration and enforcement thereof and of State and Federal marketing agreements and licenses and the regulation of producers, packers, distributors, shippers, marketers, handlers, processors, and others dealing in agricultural, viticultural, horticultural, animal, and poultry products and of any competing commodity or product thereof thereunder, and under the legislative standards in relating to the rehabilitation of agriculture therein specified, and declaring the existence of a State and National agricultural emergency and the urgency of this act and that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER. Your Committee on Ways and Means, to which was referred Assembly Bill No 754—An act to make an appropriation from unemployment relief money for construction work by agricultural districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 97—An act making an appropriation to pay the claim of the city of Coronado against the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1935

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1053—An act requiring the compilation and publication of reports relative to the financial condition of the municipal corporations within the State—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

WRIGHT, Chairman

The above reported bill ordered on file for second reading.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1935.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 2479—An act to add a new section, to be numbered 1582, to the Streets and Highways Code, relating to county highway funds—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

STREAM, Chairman.

The above reported bill ordered on file for second reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 29, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1130—An act to amend section 3444 of the Political Code, to empower the Director of Finance to promulgate rules and regulations governing the use of certain State lands and the enforcement of such rules and regulations.

Also: Assembly Bill No. 902—An act to amend section 9 of and to add section 9a to an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith, providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, relating to the powers of the Surveyor General now the Chief of the Division of State Lands; for the purpose of taking gold or other minerals from and granting of easements to recover gold or other minerals from the beds of tide and submerged lands, and of navigable rivers and streams;

Also: Assembly Bill No. 1816—An act to amend sections 19 and 20 of the "State Liquor Control Act" approved June 3, 1933, relating to licenses.

Also: Assembly Bill No. 1774—An act to amend the title and sections 2 and 3e and to amend and to renumber section 20k of, and to add sections 19a and 20*l* to the California Real Estate Act, relating to the regulation and licensing of real estate brokers and salesmen, and to the inspection and regulation of subdivisions, to provide for the enforcement of said act and penalties for the violation thereof.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1130, 902, 1816, and 1774 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 29, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1345—An act to amend the County Water District Act, approved June 10, 1913, as amended, by amending sections numbered 5, 7, 12 and 25, and repealing section 52, thereof, and adding sections 16a, 25a, 25b, 52, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64 and 65 thereto, relating to county water districts—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 1345 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 29, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2172—An act to add section 987a to the Penal Code, relating to the compensation of counsel appointed to defend persons charged with crime.

Also: Assembly Bill No. 828—An act to amend sections 23 and 66 of an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article 1 of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments

for the cost thereof, and providing a method for the payment of such bonds,' approved April 7, 1911, as amended, relating to priority of liens and bonds;
And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 2172 and 828 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 29, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2365—An act requiring licenses for the operation, maintenance or establishment of stores in this State, prescribing the license and filing fees to be paid therefor; providing for penalties for the violation of this act, providing for the enforcement of this act—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 2365 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 27, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1123—An act providing for the submission at the general election to be held in November, 1936, of a certain question herein provided, for the purpose of ascertaining the wish of the people of the State relative to the licensing of stores in this State

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 1123 read first time, and referred to Committee on Revenue and Taxation.

Also:

SENATE CHAMBER, SACRAMENTO, May 29, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 40—Relative to reports of the department encampment and the annual convention of the United Spanish-American War Veterans.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Request for Unanimous Consent.

Mr. Chatters asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 40, at this time, without reference to committee or file.

Consideration of Senate Concurrent Resolution No. 40.

Senate Concurrent Resolution No. 40—Relative to reports of the department encampment and the annual convention of the United Spanish-American War Veterans.

Senate Concurrent Resolution No. 40 read

Mr. Chatters moved the adoption of Senate Concurrent Resolution No. 40.

The question being on the adoption of Senate Concurrent Resolution No. 40.

The roll was called, and Senate Concurrent Resolution No. 40 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Fulcher, Glover, Hawkins, Heisinger, Johnson, Kallam, Latham, Lore, Lyon, Maloney, McCarthy, Meehan, O'Donnell, Patterson, Pelletier, Reaves, Redwine,

Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, and Mr. Speaker—48

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 40 ordered transmitted to the Senate.

Senate Concurrent Resolution No. 40.

Relative to reports of the department encampment and the annual convention of the United Spanish-American War Veterans.

Resolved by the Senate, the Assembly concurring, That there shall be printed as a public document 500 copies of the session of the department encampment of California of the United Spanish War Veterans for the year 1935 and of each succeeding department encampment, together with illustrations, copies of general orders of the department and of the official roll, 250 copies for the use of the Senate and 250 copies for the use of the Assembly. Annual cost of same not to exceed $350 payable from the legislative printing appropriation.

Second Reading of Assembly Bills.

Assembly Bill No. 20—An act relating to the advocacy of the overthrow of the existing form of government by force or other unlawful means.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 25, of the printed bill, after the first "to", strike out "teach or to".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 997—An act to add Chapter 8 to Division VI of the Agricultural Code, relating to proration programs with respect to agricultural crops.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "to add Chapter 8 to Division VI of the Agricultural", and also strike out lines 2 and 3 of said title, and insert in lieu thereof the following: "to amend section 21 of an act entitled "An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission, fixing the term of office of the members of said commission; prescribing the powers, duties and authority of said commission and the members thereof; providing for the institution of proration programs with respect to agricultural crops; providing for the enforcement of such programs, providing penalties for violation of such programs; providing for the creation of funds for the purposes of said act and providing for the collection thereof; and making an appropriation therefor," approved June 5, 1933, relating to fees."

Amendment No. 2.

On page 1 of the printed bill, strike out all of lines 1 to 27, inclusive, and strike out all of pages 2 to 7, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 21 of said act is hereby amended to read as follows:

SEC. 21. The agent under each zone program shall collect for each certificate issued to the producers, a reasonable and proportional fee to be fixed by the program committee so calculated as to produce the expenses of the administration of the program, the costs of the institution of the program, and a proper proportion of the cost of the maintenance of the commission which shall be fifteen per cent of the fees collected for certificates, by the agent of the zone unless the commission determines that a lesser percentage will provide sufficient revenue for its maintenance.

All such fees shall be used under rules and regulations prescribed by the commission only for the purpose of defraying the expenses of the organization, administration and enforcement of the program under which they were collected and, to the extent herein prescribed, for the support of the commission Not to exceed fifteen per cent of the fees collected for certificates shall be remitted weekly to the commission and shall be paid monthly by the commission into the State treasury to the credit of the "Agricultural Prorate Commission fund" which fund is hereby created All moneys credited to such fund shall be used for the support of the commission At the end of each marketing season and after payment of all of the costs of the operation of the program, if the funds collected during the season and still remaining for the use of the program committee exceed ten per cent of the fees collected during the season, such funds shall be disbursed to the producers who contributed thereto in proportion to their contribution."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1581—An act to amend the Insurance Code, relating to insurance principles, practice and business, and matters incidental thereto.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee.

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "amend", insert the following: "section 38 of".

Amendment No. 2.

Strike out lines 2 and 3 of the title of the printed bill and insert in lieu thereof the following: "practice in relation to mailing of notice."

Amendment No. 3.

On page 1, line 1, of the printed bill, after the period, insert the following: "Section 38 of the Insurance Code is hereby amended to read as follows.

38. Unless expressly otherwise provided, any notice required to be given to any person by any provision of this code may be given by mailing notice, postage prepaid, addressed to the person to be notified, at his residence or principal place of business in this State. The affidavit of the person who mailed the notice, stating the facts of such mailing, is prima facie evidence that the notice was duly given."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No 1286—An act to add a new section to the Fish and Game Code, to be known as section 788.5, relating to the possession of crabs.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 941—An act to amend section 428 of the Fish and Game Code and to add thereto sections 428.5 and 428.6, relating to sporting fishing licenses, and the disposition of fees therefrom.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 18, of the printed bill, strike out "who is a resident of this State,".

Amendment No. 2.

On page 1, line 25, of the printed bill, strike out "abalone, crab, lobster and cockles", and insert in lieu thereof the following: "abalone and lobster".

Amendments adopted

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2176—An act to amend section 1065 of the Fish and Game Code, relating to sardines

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out "20,".

Amendment No. 2.

On page 1, line 6, of the printed bill, after "State", insert a comma and the following: "except in district 20,".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Constitutional Amendment No. 82—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State by amending section 12 of Article XI, and by amending section 1 of Article XIII, relating to taxation.

Committee Amendments.

During reading of Assembly Constitutional Amendment No. 82, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 4 and 5 of the title of the printed measure, strike out "and by amending section 1 of Article XIII,".

Amendment No. 2.

On page 1 of the printed measure, strike out lines 18 to 27, inclusive, and strike out all of page 2 of said measure.

Amendments adopted.

Assembly Constitutional Amendment No. 82 ordered to reprint, engrossment, and on file for adoption.

Assembly Bill No. 1227—An act relating to the holding of the San Francisco Bay Bridge Exposition in the City and County of San Francisco, in the State of California, providing for the issuance and sale of State bonds to be known as "San Francisco Bay Bridge Exposition Bonds," providing for the payment and retirement of said bonds, providing for and creating a fund for the carrying out of the purposes of this act, authorizing the expenditures of moneys in said fund for such purpose, creating a commission to be known as the "San Francisco Bay Bridge Exposition Commission," creating an interest and sinking fund for the payment of interest on said bonds, and the redemption of the same, and making an appropriation therefor.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, as amended, strike out "providing for the issu-".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 4 to 8, inclusive, of the title.

Amendment No. 3.

On page 1, line 9 of the title of the printed bill, as amended, strike out "fund for such purpose,".

Amendment No. 4.

On page 1 of the printed bill, as amended, strike out lines 11 and 12 of the title, and insert in lieu thereof the following: "sion," ".

Amendment No. 5.

On page 1, line 13 of the title of the printed bill, as amended, strike out "the same,".

Amendment No. 6.

On page 1 of the printed bill, as amended, strike out lines 4 to 12, inclusive, and insert in lieu thereof the following: "to be appointed by the Governor, one of whom shall be selected from the membership of the Board of Directors of the State Agricultural Society and another one from the membership of the State Board of Agriculture Each member, within thirty days after his appointment, shall execute an official bond to the State of California in the penal sum of $10,000 conditioned upon the faithful performance of his duties, the premium thereof to be paid from the fund hereinafter appropriated The members of the commission shall serve without compensation, but shall receive their actual traveling expenses incurred in the performance of their duties hereunder. The Governor shall designate the chairman of the committee and shall fill vacancies in the membership thereof

SEC 2. The commission is hereby authorized to construct, operate and maintain a building at the San Francisco Bay Bridge Exposition to be held in the City and County of San Francisco, and to acquire all lands necessary therefor, said building to be known as the "California State Building," to acquire, collect, transport and maintain exhibits of the resources and products of the State of California, and exhibits and other things in anywise pertaining to the State of California, including matters of an educational, scientific or historical nature, said exhibits and other things to be kept and maintained in the building The commission shall have power to employ and fix the compensation of a secretary and such other assistants as it may deem necessary to carry out and perform the duties hereby imposed upon it.

The commission shall have the exclusive charge and control of the expenditure of all moneys appropriated by the State of California for the purposes hereof, and shall have power to make and execute all contracts necessary to carry out the purposes of this act All contracts made by the commission shall be executed in triplicate, signed by the chairman thereof, and one copy shall be immediately filed with the State Controller. The commission through the chairman, shall audit all claims or demands for money expended by it, or for the expenditure of money which they have authorized in writing, and shall certify such claims and demands to the State Controller, who shall thereupon draw his warrants therefor upon the State Treasurer payable out of money appropriated by the State of California for the purposes hereof and payment shall be made by the State Treasurer

SEC. 3. The commission shall have power to insure all persons, employees or assistants under its control and all property under its control against such risks and hazards as are incident to the work conducted by the commission and may pay the cost of such insurance out of the money appropriated for the use of the commission.

SEC. 4. Out of money in the State treasury not otherwise appropriated, the sum of $25,000 is hereby appropriated to be expended by the commission in carrying out the provisions of this act. All expenditures hereunder shall be exempt from the provisions of section 669 of the Political Code."

Amendment No. 7.

Strike out all of pages 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11 of the printed bill, as amended

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 1094—An act to add section 19a to the Public Utilities Act, relating to charges for heat, light, or power by a public utility.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1105—An act to amend section 1207 of the Agricultural Code, relating to the removal of officers and directors of nonprofit cooperative marketing associations, declaring the urgency thereof to take effect immediately.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 734—An act to amend sections 108, 709, 1584, and 1640 of the Insurance Code, relating to insurance principles, practice, and business and matters incidental thereto.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, after "Code", insert the following: "and to add sections 716, 1668 5, 1711 5 and 1778.5 thereto".

Amendment No. 2.

On page 2 of the printed bill, as amended, between lines 31 and 32, insert the following:

"SEC. 3. A new section is hereby added to Article 3 of Chapter 1 of Part 2 of Division 1 of the Insurance Code to be numbered 716 and to read as follows:

716. Whenever the commissioner revokes the certificate of authority theretofore granted to any insurer or refuses to grant a certificate of authority to any insurer, any interested person or insurer may commence an action against the commissioner for the purpose of reviewing the facts and the law pertinent to the controversy and for the purpose of obtaining the relief refused or canceling the action of the commissioner. In any such action the court shall have full power to investigate all of the facts de novo without regard to the determination previously made by the commissioner. In the trial of such actions all of the provisions of the Code of Civil Procedure not inconsistent herewith, shall be applicable"

Amendment No. 3.

On page 2, line 32, of the printed bill, as amended, strike out "Sec. 3", and insert in lieu thereof the following: "Sec. 4".

Amendment No. 4.

On page 2, line 40, of the printed bill, as amended, strike out "Sec. 4", and insert in lieu thereof the following: "Sec. 5".

Amendment No. 5.

On page 3 of the printed bill, as amended, after line 8, add the following:

"SEC. 6 A new section is hereby added to Article 1 of Chapter 5 of Part 2 of Division 1 of the Insurance Code to be numbered 1668 5 and to read as follows:

1668.5. Whenever the commissioner revokes the license theretofore issued to an insurance agent, broker or solicitor licensed under this article, or refuses to grant such a license, the applicant, or the insurance agent, broker or solicitor, may commence an action in the superior court against the commissioner for the purpose of reviewing the facts pertinent to the controversy and for the purpose of obtaining relief or canceling the act of the commissioner. In any such action the court shall have full power to investigate all the facts de novo without regard to the determination previously made by the commissioner. All of the provisions of the Code of Civil Procedure not inconsistent herewith shall be applicable to such action.

SEC. 7. A new section is hereby added to Article 2 of Chapter 5 of Part 2 of Division 1 of the Insurance Code to be numbered 1711.5 and to read as follows:

1711.5. Whenever the commissioner revokes or suspends the license theretofore issued to any life agent, or refuses to grant such a license, the applicant or agent may commence an action against the commissioner for the purpose of revoking the facts pertinent to the controversy and for the purpose of obtaining relief or canceling the act of the commissioner. In any such action the court shall have full power to investigate all the facts de novo without regard to the determination previously made by the commissioner. All the provisions of the Code of Civil Procedure not inconsistent herewith shall be applicable to such section.

SEC. 8. A new section is hereby added to Chapter 6 of Part 2 of Division 1 of the Insurance Code, to be numbered 1778 5 and to read as follows:

1778.5. Whenever the commissioner revokes the license theretofore issued to any surplus line broker, or refuses to issue such license, any interested person may commence an action against the commissioner for the purpose of reviewing the facts and the law pertinent to the controversy and for the purpose of obtaining the relief refused or canceling the act of the commissioner. In any such action the court shall have full power to investigate all of the facts de novo without regard to the determination previously made by the commissioner. In the trial of such actions all of the provisions of the Code of Civil Procedure not inconsistent herewith, shall be applicable."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 172—An act to add section 662.5 to, the Fish and Game Code, relating to salmon.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 642—An act to add section 21 4 to the Fish and Game Code, relating to damages for destruction of fish and game.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 421—An act to amend sections 782 and 786 of the Fish and Game Code, relating to lobsters.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1. line 4, of the printed bill, as amended, strike out "October 15", and insert in lieu thereof the following · "October 1".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 318—An act to amend section 11 of the State Contract Act, relating to qualification of bidders.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 22, of the printed bill, strike out the comma, and insert in lieu thereof the word "and"

Amendment No. 2.

On page 1, line 21, of the printed bill, after "a", insert the following. "reasonable and".

Amendment No. 3.

On page 1 of the printed bill, strike out line 23, and in line 24, strike out the words "public works of the State", and insert in lieu thereof the following: "rience in performing work similar to that for which the bidder is to be prequalified."

Amendment No. 4.

On page 2, line 6, of the printed bill, strike out "two", and insert in lieu thereof the following: "five".

Amendment No. 5.

On page 2, line 7, of the printed bill, strike out "opening", and insert in lieu thereof the following "publicly opening sealed"

Amendments adopted.

Bill read second time, ordered to reprint, and third reading

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1935.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to authorize the operation of vending stands in State buildings by blind persons.

CUNNINGHAM, Chairman.

Report of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, DeLap, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Heisinger, Johnson, Kallam, Latham, Lore, Lyon, Maloney, Mayo, McBride, McCarthy, Meehan, Miller, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—63.

NOES—None.

Introduction and Reference of Bills.

The following bill was introduced:

By Mr Morgan: Assembly Bill No. 2480—An act to authorize the operation of vending stands in State buildings by blind persons.

Bill read first time.

Request for Unanimous Consent.

Mr. Morgan asked for, and was granted, unanimous consent to take up Assembly Bill No. 2480, as amended, at this time, without reference to reprint or file, and that same be considered engrossed.

Case of Urgency.

The following resolution was offered:

By Mr. Morgan:

Resolved, That Assembly Bill No. 2480 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Mr. Morgan moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Johnson, Kallam, Latham, Maloney, Mayo, Meehan, Miller, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—59.

NOES—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 2480.

Second Reading of Assembly Bill No. 2480.

Assembly Bill No 2480—An act to authorize the operation of vending stands in State buildings by blind persons.

Assembly Bill No. 2480 read second time.

Third Reading of Assembly Bill No. 2480.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2480 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Johnson, Kallam, Latham, Maloney, Mayo, McCarthy, Meehan, Miller, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder,

Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—55.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Unfinished Business.

Consideration of Senate Amendments to Assembly Bill No. 1769.

Assembly Bill No. 1769—An act to amend sections 1, 14, 18 and 41 of the "California Water District Act," approved June 13, 1913, relating to water districts, the purposes and administration thereof, to take effect immediately and declaring the urgency thereof.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1769?

Amendment No. 1.

On page 2, line 4, of the printed bill, as amended, strike out "(Stats. 1927, p. 1535.)".

Amendment No. 2.

On page 2, line 52, of the printed bill, as amended, after "Secretary.", insert quotation marks.

Amendment No. 3.

On page 3, line 37, of the printed bill, as amended, strike out "(Stats. 1929, p. 1473.)".

Amendment No. 4.

On page 4, line 21, of the printed bill, as amended, strike out "4", and insert in lieu thereof the following: "5".

Amendment No. 5.

On page 4, line 29, of the printed bill, as amended, strike out "rainy".

The roll was called, and Senate amendments to Assembly Bill No 1769 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Maloney, Mayo, McBride, McCarthy, Meehan, Miller, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, and Mr. Speaker—59.
NOES—None

Assembly Bill No. 1769 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1794.

Assembly Bill No. 1794—An act to amend the title of "An act to amend an act entitled "An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same, reenacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the 'Water Conservation Act of 1929,' and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred" (Chapter 1020, Statutes of 1931), to repeal sections 51 to 54 inclusive, and to add new sections to be numbered 51 to 80 inclusive, relating to exclusion of lands from water conservation districts and to improvement districts within water conservation districts," approved June 12, 1933 (Chapter 906, Statutes of 1933), to amend sections 18, 36 and 53 of the act amended by said act and to add a new

section to said amended act to be known as section 36a, relating to water conservation districts.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1794?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "of", insert the following. ""An act to amend".

Amendment No. 2.

On page 1, line 16 of the title of the printed bill, as amended, after "districts" ", insert a comma and the following: "approved June 12, 1933".

Amendment No. 3.

On page 1, line 18 of the title of the printed bill, as amended, strike out "said act", and insert in lieu thereof the following. "the act amended by said act".

Amendment No. 4.

On page 1, line 19 of the title of the printed bill, as amended, before "act", insert the following: "amended".

Amendment No. 5.

On page 1 of the printed bill, as amended, in the last line of the title, strike out "revenue bonds", and insert in lieu thereof the following: "water conservation districts".

Amendment No. 6.

On page 2, line 5, of the printed bill, as amended, after "relating", insert the following: "to bonds,".

Amendment No. 7.

On page 2, line 6, of the printed bill, as amended, strike out "improve", and insert in lieu thereof the following: "improvement".

Amendment No. 8.

On page 2, lines 7 and 8, of the printed bill, as amended, strike out "(Chapter 906, Statutes of 1933)".

The roll was called, and Senate amendments to Assembly Bill No. 1794 were concurred in by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Maloney, Mayo, McBride, McCarthy, Meehan, Miller, O'Donnell, Patterson, Peyser, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, and Mr. Speaker—55

NOES—None.

Assembly Bill No. 1794 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 771.

Assembly Bill No. 771—An act authorizing counties to contract with cities and towns, to assume and carry on certain municipal functions thereof, providing for transfers of employees and assumption of pensions, and authorizing cities to transfer such functions to counties and to enter into contracts in relation thereto.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 771?

Amendment No. 1.

On page 2, line 40, of the printed bill, as amended, strike out the period, and insert in lieu thereof a semicolon and the following. "nor shall this act be deemed to repeal or affect any other act authorizing agreements or contracts between counties and cities, nor shall it affect any such agreements or contracts."

The roll was called, and Senate amendment to Assembly Bill No. 771 was concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Fulcher,

Geyer, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Maloney, Mayo, McBride, McCarthy, Meehan, Miller, O'Donnell, Patterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Walker, Weber, Welsh, Williamson, and Mr. Speaker—49.

NOES—None.

Assembly Bill No. 771 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1753.

Assembly Bill No. 1753—An act to amend sections 2 876, 2 877, 2 878, 2.885, 2.890, 2.891, and to repeal 2 868 of the School Code, relating to school district elections.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1753?

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out line 5, and insert in lieu thereof the following: "vices as such election officer, such sum as the governing board or board of education".

Amendment No. 2.

On page 1, line 6, of the printed bill, as amended, strike out "districts governed by boards of education".

Amendment No. 3.

On page 1, lines 8 and 9, of the printed bill, as amended, strike out ", and in all other districts not exceed three dollars to each officer".

The roll was called, and Senate amendments to Assembly Bill No 1753 were concurred in by the following vote.

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Lyon, Maloney, Mayo, McBride, McCarthy, Meehan, Miller, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 1753 ordered to enrollment.

Motion to Reconsider Assembly Bill No. 276 Continued.

Mr. Robertson moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 276 was refused passage be continued until the next legislative day.

Motion carried

Motion to Reconsider Urgency Clause to Assembly Bill No. 2459 Continued.

Mr. Redwine moved that the consideration of his motion to reconsider the vote whereby the urgency clause to Assembly Bill No 2459 was refused adoption be continued until the next legislative day.

Motion carried

Motion to Reconsider Assembly Bill No. 2459 Continued.

Mr. Richie moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2459 was passed be continued until the next legislative day.

Motion carried.

Resolution.

The following resolution was offered:

By Mr. Lyon:

Assembly Resolution.

WHEREAS, The Assembly has appointed a committee to hold Decoration Day services and an appropriate program has been arranged therefor; now, therefore, be it

Resolved by the Assembly of the State of California, That an invitation is hereby extended to the Senate to attend and meet with the Assembly between the hours of eleven o'clock and thirty minutes a.m., and twelve o'clock m. today, for the purpose of observing the day with proper ceremony.

Resolution read, and adopted unanimously.

Appointment of Select Committee.

The Speaker announced the appointment of Messrs. Lyon, Burns and Walker as the Select Committee to carry out the provisions of the resolution by Mr. Lyon.

Report of Select Committee.

The Select Committee appointed by the Speaker reported that the provision of the resolution by Mr. Lyon had been carried out, and that the Senate had accepted the invitation of the Assembly to participate in the Memorial Day exercises.

Motion to Set Special Order for Assembly Bill No. 1551.

Mr. Hunt moved that the consideration of Assembly Bill No. 1551 be made a special order of business for Friday, May 31, 1935, at two o'clock p.m.

The question being on the motion by Mr. Hunt to set special order for Assembly Bill No. 1551.

Request for Roll Call.

On request of Messrs. Utt, Fisher, and Wallace, the Speaker ordered a roll call taken on the motion to set special order for Assembly Bill No. 1551.

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Andreas, Cassidy, Clark, Corwin, Evans, Ralph W., Flint, Geyer, Glover, Hawkins, Hunt, Jones, Lore, Lyon, Maloney, McBride, McCarthy, Meehan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Rosenthal, Thorp, Turner, Voigt, Wagner, and Welsh—32.

NOES—Boyle, Breed, Brennan, Burns, Chatters, Cottrell, Cronin, Cunningham, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Heisinger, Johnson, Kallam, Latham, Mayo, Miller, Minard, Morgan, Peterson, Redwine, Riley, Robertson, Scudder, Stream, Utt, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—36.

Third Reading of Assembly Bills.

Assembly Bill No. 1551—An act relating to taxation, for State purposes, of vessels which are exempt from taxation except for State purposes, and providing for the assessment, levy, collection and enforcement thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1551 refused passage by the following vote:

AYES—Andreas, Cassidy, Clark, Crowley, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, McCarthy, Meehan, Reaves, Richie, Rosenthal, Turner, Wagner, Wallace, and Welsh—22.

NOES—Anderson, Boyle, Breed, Brennan, Burns, Chatters, Corwin, Cottrell, Cronin, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Johnson, Kallam, Latham, Maloney, Mayo, McBride, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Voigt, Walker, Waters, Weber, Wright, and Mr. Speaker—42.

Notice of Reconsideration of Assembly Bill No. 1551.

Mr. Flint gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1551 was this day refused passage.

Assembly Bill No 1605—An act to amend sections 2.1223, 6 523, 6.561½, 6.260, 6.262, 6.264, 6.274, 6 275, and 6 276 of the School Code, relating to the public school system.

Bill read third time

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Nielsen:

Amendment No. 1.

On page 3, line 22, of the printed bill, as amended, strike out the number "3.336", and insert in lieu thereof the number "3.337".

Amendment No. 2.

On page 3, line 24, of the printed bill, as amended, strike out the number "3.336", and insert in lieu thereof the number "3.337".

Amendments adopted.

Request for Unanimous Consent.

Mr. Nielsen asked for, and was granted, unanimous consent to take up Assembly Bill No. 1605, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1605, as Amended.

Assembly Bill No. 1605, as amended, read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1605, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, DeLap, Donnelly, Evans, Herbert J., Evans, Ralph W, Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2466—An act to define motor transportation broker; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Kallam:

Amendment No. 1.

On page 2, line 15, of the printed bill, after the words "be transported", add the following: "or to a passenger stage corporation as the same is defined in section 2¼ of the Public Utilities Act engaged in transporting express when such transportation is incidental to the transportation of passengers."

Amendment adopted.

Request for Unanimous Consent.

Mr. Kallam asked for, and was granted, unanimous consent to take up Assembly Bill No. 2466, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2466, as Amended.

Assembly Bill No. 2466, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2466, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W, Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Glover, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Lore, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, and Mr. Speaker—61.

NOES—Donihue, Hawkins, Jones, McCarthy, Reaves, and Rosenthal—6.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2053—An act to amend the Building and Loan Association Act and the title thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2053 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Chatters, Corwin, Cottrell, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Glover, Hornblower, Johnson, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Minard, Morgan, O'Donnell, Peterson, Phillips, Reaves, Riley, Scudder, Stream, Turner, Utt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—46.

NOES—Brennan, Burns, Cassidy, Clark, Cronin, Donihue, Evans, Ralph W., Flint, Geyer, Hawkins, Heisinger, Hunt, Jones, McCarthy, Patterson, Pelletier, Richie, Rosenthal, and Voigt—19.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2054—An act to amend the Building and Loan Association Act and the title thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2054 passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Chatters, Corwin, Cronin, Crowley, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Hornblower, Johnson, Latham, Maloney, Martin, Mayo, McBride, Minard, Morgan, O'Donnell, Peterson, Phillips, Reaves, Riley, Robertson, Scudder, Stream, Turner, Utt, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—43.

NOES—Anderson, Cassidy, Clark, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Heisinger, Hunt, Jones, Kallam, McCarthy, Meehan, Patterson, Pelletier, Richie, Rosenthal, Wagner, and Wallace—20.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2063—An act to amend the Building and Loan Association Act and the title thereof

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2063 passed by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Chatters, Cottrell, Cronin, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Hornblower, Johnson, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Nielson, O'Donnell, Patterson, Peterson, Reaves, Richie, Riley, Robertson, Scudder, Stream, Turner, Utt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—47.

NOES—Anderson, Boyle, Cassidy, Clark, Crowley, Donihue, Evans, Ralph W., Flint, Garibaldi, Geyer, Gilbert, Heisinger, Hunt, Jones, McCarthy, Pelletier, Rosenthal, Voigt, and Wagner—19.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2064—An act to amend the Building and Loan Association Act and the title thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2064 passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Chatters, Cottrell, Cronin, Cunningham, DeLap, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Gilmore, Hornblower, Hunt, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielson, Peterson, Phillips, Riley, Robertson, Scudder, Stream, Utt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—43.

NOES—Anderson, Burns, Cassidy, Clark, Crowley, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Heisinger, Jones, Lore, McCarthy, Meehan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Voigt, and Wagner—24.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Senate Bills.

Senate Bill No. 919—An act to license, regulate and control the manufacture, transportation, sale, purchase, possession and disposition of alcoholic beverages; to levy an excise tax on the sale of alcoholic beverages; to provide for the licensing of the manufacture, distribution and sale of alcoholic beverages; to prescribe penalties for the violation of this act; to make an appropriation for the enforcement of this act; to take effect immediately.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Lyon:

Amendment No. 1.

On page 26, lines 20 and 21, of the printed bill, as amended, strike out the words "six hundred thirty", and insert in lieu thereof the words "seven hundred twenty".

Amendment adopted.

Bill read, ordered to reprint, and on file for third reading.

Recess.

At eleven o'clock and thirty minutes a.m., by order of the Speaker, the Assembly was declared at recess for the purpose of conducting memorial exercises.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Motion to Print in Journal.

Mr. Williamson moved that the Memorial Day program, arranged for and conducted by the committee in the Assembly Chamber, to which the Senate, the Assembly, and the wives and mothers of the members were invited and attended, be printed in the Journal.

Motion carried unanimously.

Program—Memorial Day, May 30th.

Ray Williamson, Chairman.

1. "AMERICA"—By assemblage, standing.
2. SALUTE TO THE FLAG—Directed by Col. Henry H Brown.
3. INVOCATION—Rev. Father John E. Tumulty, Chaplain of Assembly.
4. READING—"Old Glory," by James Whitcomb Riley—Miss Eleanor Miller
5. SOLO—"The Star Spangled Banner"—Mrs. Wessie Fisher; accompanist, Mrs. Leonard Difani.
6. INTRODUCTION OF GUESTS—
   J D Baker, Past Commander, Camp 24, Sons of Civil War Veterans.
   Col. Henry H. Brown, Reserve Officer
   Sam J. Rippon, Commander, Post 67, Veterans of Foreign Wars.
7. ADDRESS—Martin A Loop, Commander, Sumner Post No. 3, G. A. R. (93 years young.)
8. SOLO—Mrs. Fisher.
9. ADDRESS—Geoffrey F. Morgan.
10. MUSIC—McNeill Glee Club, under direction of Thomas H. Scott.
    a. Guide Us, O Thou Great Jehovah.
    b. The Blind Plowman.
    c. Abide With Me.
11. BENEDICTION—Dr. Newton E Moats, Chaplain of the Senate.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1935.

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1286—An act to add a new section to the Fish and Game Code, to be known as section 788 5, relating to the possession of crabs.

Also: Assembly Bill No. 1828—An act relating to regulating working conditions of labor on locomotives in this State;

Also: Assembly Bill No. 2238—An act to add a new section to be numbered section 17 to "An act to provide for needy blind persons, not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, *making appropriation therefor and prescribing penalties for the violation of the* provisions of the act," approved May 28, 1929, relating to aid to the needy blind,

Also: Assembly Bill No. 2239—An act to add section 2289a to the Political Code, relating to State aid to children;

Also: Assembly Bill No. 2396—An act to create the California Rural Rehabilitation Authority, to provide for its organization define its powers and duties and to make an appropriation in aid of its operation;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 641—An act to add a new section to be numbered 611, to an act entitled "An act to establish a Streets and Highways Code, thereby consolidating and revising the law relating to public ways and all appurtenances thereto, and to repeal certain acts and parts of acts specified herein;

Also: Assembly Bill No 1314—An act to amend sections 1a, 3, 4, 9, 10, 11 and 12 of, and to add new sections to be numbered 11.1, 11.2, 11.3, 11.4, 11.5 and 11.6 to an act entitled "An act to regulate land surveying and to define the duties of and to license land surveyors, to provide for the revocation of such licenses and the restoration thereof, to make certain acts misdemeanors and to provide penalties therefor, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 16, 1907." approved May 24, 1933, relating to land surveyors;

Also: Assembly Bill No. 1378—An act to amend section 27 of the Streets and Highways Code, relating to the maintenance of highways;
And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1957—An act to amend the Public Utilities Act by adding two new sections numbered sections 13½ and 32½, relating to public utilities—and reports that the same has been correctly re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1935.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 2477—An act to amend the title and sections 1, 2 and 5, and to repeal sections 4 and 6 of an act entitled "An act to create the office of public defender, to provide for the election of such officers, and prescribing their duties and compensation," approved May 26, 1921, relating to public defenders—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DELAP, Chairman.

The above reported bill ordered on file for second reading.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1935.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 718—An act to amend section 439 of the Vehicle Code, relating to stored vehicles—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 518—An act to amend the title of the act establishing a Probate Code, approved May 11, 1931, and to add Division IIIa thereto, relating to missing persons.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Frazier:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out "IIIa" and insert in lieu thereof the following: "IIa".

Amendment No. 2.

On page 1, line 11, of the printed bill, as amended, strike out "IIIa", and insert in lieu thereof the following: "IIa".

Amendment No. 3.

On page 1, line 14, of the printed bill, as amended, strike out "IIIa", and insert in lieu thereof the following: "IIa".

Amendment No. 4.

On page 2, line 44, of the printed bill, as amended, after "personal", insert the following: "or real".

Amendment No. 5.

On page 2, line 45, of the printed bill, as amended, after "erty", insert the following: "or mortgage or give a deed of trust upon any of the real property".

Amendment No. 6.

On page 2, line 49, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: ", mortgage, or deed of trust."

Amendment No. 7.

On page 3, line 15, of the printed bill, as amended, strike out "and if", and insert in lieu thereof the following: "mortgage, or deed of trust. If".

Amendment No. 8.

On page 3, line 17, of the printed bill, as amended, after "sale", insert the following: ", mortgage, or deed of trust".

Amendment No. 9.

On page 3, line 18, of the printed bill, as amended, between "property", and the comma, insert the following: ", real, personal or both, or to mortgage or give a deed of trust upon any of said real property".

Amendment No. 10.

On page 3, line 19, of the printed bill, as amended, after 'sales", insert the following: ", mortgages, or deeds of trust".

Amendment No. 11.

On page 3, line 20, of the printed bill, as amended, strike out "sales shall govern the sales", and insert in lieu thereof the following: "sale, mortgage or deed of trust shall govern the sale, mortgage or deed of trust".

Amendment No. 12.

On page 3, line 21, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: ", including the provisions concerning confirmation of the sales by the court; provided, however, that any such sale of real property shall not take place before the expiration of eight months from the date of the appointment and qualification of the trustee."

Amendment No. 13.

On page 6, line 32, of the printed bill, as amended, strike out "in section 281".

Amendment No. 14.

On page 7 of the printed bill, as amended, after line 23, insert the following:

"SEC. 3. Sections 1822, 1822a, 1822b, and 1822bb of the Code of Civil Procedure are hereby repealed."

Amendments adopted.

Bill read, ordered to reprint, and on file for third reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 30, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 153—An act to amend sections 1 and 2 of "An act to provide for the taxation of Massachusetts or business trusts, and providing that this act shall take effect immediately," approved May 1, 1933, relating to the taxation of Massachusetts or business trusts, and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 153 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 30, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1125—An act adding a new section to the Civil Code of the State of California, to be numbered 734, relating to the control of municipal property by the legislative body thereof and the right of access and use of municipal property by members of the public;

Also: Assembly Bill No. 825—An act to provide for the formation of sewer districts within counties, cities and counties and municipalities for the acquisition or construction of sanitary sewage works or improvements, for the issuance, sale and payment of bonds of such districts, for the acquisition, construction, maintenance and operation of such improvements, and for the fixing, collecting and application of revenues, rates and charges for the use of the sewage works or improvements;

Also: Assembly Bill No. 951—An act relating to the securing of Federal aid in connection with the funding or refunding of outstanding bonds and/or assessments of assessment districts in the State of California;

Also: Assembly Bill No. 1339—An act to add a new division to the Vehicle Code, to be numbered IXa, relating to vehicular crossings constructed or owned by the State, the control and policing thereof, and the regulation of traffic thereon.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1125, 825, 951 and 1339 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 30, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2354—An act to amend sections 146 and 154 of the Vehicle Code, and to add sections 146.5, 180.5, and 371.5 to said Vehicle Code, all relating to vehicles previously registered outside this State, and the registration and transfer thereof within this State—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 2354 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 30, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 438—An act to amend sections 640, 641, 642, 645, 646, 771, 1530, 1531 and 1534 of the Probate Code, relating to estates;

Also: Assembly Bill No. 663—An act to amend the title and sections 1, 2, 6, 9, 11, 12, 13, 15, 30, 31 and 32 and to add section 33 to an act entitled "An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments, reassessments, to provide for the proceedings to test the validity of such refunding and reassessment, and to provide for contributions of public funds to assist in such refunding," approved June 5, 1933, relating to the refunding of bonds payable from taxes or from special assessments levied wholly or partly in accordance with the assessed value of lands;

Also: Assembly Bill No. 223—An act to amend section 3649 of the Political Code, relating to taxation;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 438, 663 and 223 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 30, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted as amended, Assembly Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to section 7½a of Article XI of the Constitution of the State of California, relating to local government—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Constitutional Amendment No. 3 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 30, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 259—An act to amend sections 223, 228, and 231 of and to add section 228.1 to the Agricultural Code, relating to bovine tuberculosis

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 259 read first time, and referred to Committee on Live Stock and Dairies.

Also:

SENATE CHAMBER, SACRAMENTO, May 30, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 228—An act to add section 8.09b to the Building and Loan Association Act, relating to building and loan associations.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 228 read first time, and referred to Committee on Building and Loan Associations.

Also:

SENATE CHAMBER, SACRAMENTO, May 30, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 446—An act relating to contracts between companies and public agencies for the delivery or sale of water, gas or electrical energy by the former to the latter; providing for the regulation, supervision and licensing of such companies; and providing for the enforcement of this act and penalties for the violation thereof;

Also: Senate Bill No. 486—An act to amend section 8 of the Inheritance Tax Act, relating to estates;

Also: Senate Bill No. 955—An act to amend section 373j of the Political Code, relating to the Department of Natural Resources;

Also: Senate Bill No. 1008—An act to amend an act entitled "An act to amend section 11 of "The California Districts Securities Commission Act," relating to the levy of annual assessments by irrigation districts, providing that said section shall remain in effect until November 1, 1937, and declaring this act an emergency measure enacted under the police power, approved April 8, 1935, by adding a new section thereto to be numbered section 3, relating to refunding bonds of irrigation districts issued pursuant to a plan or readjustment confirmed in any proceedings under the Federal Bankruptcy Act, and authorizing the levy of assessments in accordance with the terms of such refunding bonds

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 446 read first time, and referred to Committee on Public Utilities.

Senate Bill No. 486 read first time, and referred to Committee on Revenue and Taxation.

Senate Bill No. 955 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1008 read first time, and referred to Committee on Irrigation.

Also:

SENATE CHAMBER, SACRAMENTO, May 30, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 1106—An act making an appropriation for contingent expenses of the Senate, and declaring that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Introduction and Reference of Bills.

The following bill was introduced:

By Messrs Field and Nielsen: Assembly Joint Resolution No. 64—Relative to memorializing the President and Congress of the United States to make amends to those disabled war veterans who have been deprived of their just and lawful compensation.

Introduced.

Request for Unanimous Consent.

Mr. Field asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No 64, at this time, without reference to printer, committee or file, and that same be considered engrossed.

Consideration of Assembly Joint Resolution No. 64.

Assembly Joint Resolution No. 64—Relative to memorializing the President and Congress of the United States to make amends to those disabled war veterans who have been deprived of their just and lawful compensation.

Assembly Joint Resolution No 64 read.

Mr. Field moved the adoption of Assembly Joint Resolution No. 64.

The question being on the adoption of Assembly Joint Resolution No 64.

The roll was called, and Assembly Joint Resolution No. 64 adopted by the following vote:

AYES—Andreas, Boyle, Brennan, Cassidy, Corwin, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Flint, Fulcher, Gever, Gilbert, Gilmore, Hawkins, Hunt, Johnson, Jones, Latham, Lore, Maloney, Martin McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Phillips, Reaves, Richie, Riley, Scudder, Stream, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr Speaker—49.

NOES—None

Title read and approved.

Assembly Joint Resolution No. 64 ordered transmitted to the Senate.

Assembly Joint Resolution No. 64.

Relative to memorializing the President and Congress of the United States to make amends to those disabled war veterans who have been deprived of their just and lawful compensation.

WHEREAS, The Supreme Court of the United States has rendered a decision declaring unconstitutional certain National legislation providing for the establishment of codes of fair competition; and

WHEREAS, Similar legislation has deprived many disabled war veterans of the United States of their just and lawful compensation which in the light of this decision may also be proven to be equally unconstitutional; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the President and the Congress of the United States is hereby memorialized to make immediate and complete restitution of all deductions heretofore made from the legal and established compensation of our disabled war veterans in accordance with certain legislation and executive orders pursuant thereto, which legislation in the light of a recent decision of the United States Supreme Court is clearly indicated to be unconstitutional; and be it further

Resolved, That the Governor of the State of California is hereby requested to forward a copy of this resolution to the President and Vice President of the United States, Speaker of the House of Representatives, and to each Senator and member of the House of Representatives from California in the Congress of the United States

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2065—An act to amend the Building and Loan Association Act and the title thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 2065 passed by the following vote:

AYES—Andreas, Boyle, Brennan, Cassidy, Chatters, Corwin, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Flint, Fulcher, Gilmore, Hawkins, Hunt, Johnson, Jones, Latham, Lore, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, O'Donnell, Pelletier, Phillips, Reaves, Richie, Riley, Scud-

der, Stream, Utt, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—45.
NOES—Geyer, McCarthy, Robertson, and Wagner—4.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2066—An act to amend the Building and Loan Association Act and the title thereof.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 2066 passed by the following vote:

AYES—Andreas, Boyle, Chatters, Corwin, Cunningham, Dawson, DeLap, Donnelly, Evans, Herbert J. Field, Fisher, Fulcher, Gilmore, Hunt, Johnson, Jones, Kallam, Latham, Lore, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, O'Donnell, Phillips, Reaves, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Waters, Weber, Welsh, Williamson, and Mr. Speaker—44.
NOES—Cassidy, Clark, Donihue, Geyer, McCarthy, Pelletier, and Wagner—7.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2067—An act to amend the Building and Loan Association Act and the title thereof.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 2067 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Chatters, Clark, Corwin, Cronin, Cunningham, Dawson, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Gilmore, Hunt, Johnson, Kallam, Latham, Lore, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, O'Donnell, Phillips, Reaves, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—47
NOES—Cassidy, Donihue, Geyer, Gilbert, Jones, McCarthy, Pelletier, Rosenthal, and Wagner—9

Title read and approved.
Bill ordered transmitted to the Senate.

Special Order.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 598.

Assembly Bill No. 598—An act to provide for the revision of the Constitution of this State, including the election of delegates to the convention, the proceedings, powers, duties, and matters incidental to the convention, the submission of the revised Constitution to the people and matters incidental thereto, and making an appropriation therefor.

Motion to Re-refer Assembly Bill No. 598.

Mr. Williamson moved that Assembly Bill No. 598 be re-referred to Committee on Judiciary.
The question being on the motion by Mr. Williamson to re-refer Assembly Bill No. 598 to Committee on Judiciary.

Substitute Motion to Appoint Select Committee.

Mr. Phillips moved, seconded by Mr. Robertson, that a Select Committee of Five, including the Chairman of the Committee on Judiciary,

be appointed to consider Assembly Bill No. 598, and all matter pertaining thereto.

Mr. Williamson accepted the substitute motion.

Substitute motion adopted.

Appointment of Select Committee.

The Speaker appointed Messrs. Lyon, Lore, Latham, Williamson and Donnelly as such Select Committee of Five to consider Assembly Bill No. 598, and all matter pertaining thereto, and report back to the Assembly.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2392—An act to ratify and approve an interstate compact to conserve oil and gas, signed at Dallas, Texas, February 16, 1935, and declaring the urgency hereof.

Further Consideration of Amendments Submitted by Mr. Hornblower.

The question being on the amendments submitted by Mr. Hornblower to Assembly Bill No. 2392.

Mr. Hornblower withdrew his amendments.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Clark:

Amendment No. 1.

On page 5 of the printed bill, as amended, after line 11, insert the following:

"SEC. 6. It is understood that this compact or any regulations or orders issued under its authority shall not at any time limit the domestic production of crude petroleum in the State of California below the total demand for all oils in and from said State, as officially reported in the monthly petroleum statement of the United States Bureau of Mines, or such other department of the United States Government as may be charged with the duty of making such determinations."

The question being on the amendment submitted by Mr. Clark to Assembly Bill No. 2392.

The roll was called.

Roll Call.

The Speaker ordered a roll call taken on the amendment submitted by Mr. Clark.

Motion for Call of the House.

Pending the announcement of the vote, Mr. Minard moved a call of the House.

Motion lost.

The roll was called, and the amendment was adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Cronin, Crowley, Cunningham, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Lore, Lyon, Martin, McCarthy, McMurray, Meehan, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Riley, Rosenthal, Turner, Voigt, Wagner, Walker, Waters, Weber, and Mr. Speaker—46.

NOES—Breed, Brennan, Corwin, Cottrell, DeLap, Desmond, Field, Fisher, Johnson, Latham, Maloney, Mayo, McBride, Miller, Minard, Peyser, Phillips, Robertson, Scudder, Stream, Thorp, Utt, Wallace, Welsh, Williamson, and Wright—26.

Request for Unanimous Consent.

Mr. Minard asked for, and was granted, unanimous consent to take up Assembly Bill No. 2392, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 2392, as amended, read third time.

Motion to Re-refer Assembly Bill No. 2392, as Amended.

Mr Minard moved that Assembly Bill No. 2392, as amended, be re-referred to Committee on Oil Industries

Motion carried.

Assembly Bill No. 2392, as amended, ordered re-referred to Committee on Oil Industries.

Assembly Bill No. 2461—An act to amend section 71 of the Penal Code, relating to contracts, sales and purchases by public officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2461 passed by the following vote:

AYES—Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Evans, Herbert J., Field, Frazier, Fulcher, Glover, Hornblower, Latham, Lyon, Maloney, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Redwine, Scudder, Stream, Thorp, Turner, Voigt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—44

NOES—Anderson, Clark, Domhue, Evans, Ralph W, Fisher, Geyer, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Jones, Lore, Martin, McCarthy, O'Donnell, Pelletier, Riley, Rosenthal, and Wagner—20.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 2461.

Mr. Clark gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2461 was this day passed.

Assembly Bill No. 2120—An act to add a new section to be numbered section 29½ to the Public Utilities Act, approved April 23, 1915, relating to reports of salaries and expenses of officers and employees of public utilities, and determination of rates.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Anderson:

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out the word "fifteen", and insert in lieu thereof "twenty-five".

Amendment No. 2.

On page 1, line 7, of the printed bill, strike out the word "fifteen", and insert in lieu thereof "twenty-five".

The question being on the amendments submitted by Mr. Anderson to Assembly Bill No 2120.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Anderson.

The roll was called, and the amendments were adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J, Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Riley, Rosenthal, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—63

NOES—Robertson—1.

Request for Unanimous Consent.

Mr. Patterson asked for, and was granted, unanimous consent to take up Assembly Bill No. 2120, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2120, as Amended.

Assembly Bill No. 2120, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2120, as amended, passed by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Desmond, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Martin, Mayo, McCarthy, McMurray, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Redwine, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Waters, Weber, Wright, and Mr Speaker—53.

NOES—Brennan, DeLap, Evans, Herbert J., Lyon, Maloney, McBride, Minard, Peyser, Robertson, Wallace, and Williamson—11.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 74—An act to amend sections 147, 158, and 164 of the Vehicle Code and to add thereto sections 144, 158.4, 158.5, 158.6, 177.5, and 209, relating to license plates.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 74 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Cassidy, Clark, Cronin, Crowley, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr Speaker—59.

NOES—Chatters, Corwin, Cottrell, Field, Morgan, and Redwine—6.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 74.

Mr. Field gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 74 was this day passed.

Assembly Bill No. 273—An act to amend section 372 of the Vehicle Code, relating to registration of certain vehicles used for the transportation of persons or property in this State.

Motion.

Mr. Phillips moved that Assembly Bill No. 273 be re-referred to Committee on Revenue and Taxation.

The question being on the motion by Mr. Phillips to re-refer Assembly Bill No. 273 to Committee on Revenue and Taxation.

Demand for Previous Question.

Messrs. Morgan, Heisinger, Stream, Garibaldi and DeLap demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion by Mr. Phillips to re-refer Assembly Bill No. 273 to Committee on Revenue and Taxation.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Phillips to re-refer Assembly Bill No. 273 to Committee on Revenue and Taxation.

The roll was called, and the motion was lost by the following vote:

AYES—Field, Fisher, Gilbert, Hunt, Lore, Phillips, Redwine, Riley, Robertson, Rosenthal, Turner, and Wallace—12.

NOES—Anderson, Andreas, Boyle, Brennan, Cassidy, Clark, Corwin, Cronin, Crowley, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Jones, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Waters, Weber, Williamson, and Mr. Speaker—49.

Assembly Bill No. 273 read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lore:

Amendment No. 1.

On page 1, line 15, of the printed bill, strike out "$50.00", and insert in lieu thereof "$25.00".

Amendment No. 2.

On page 1, line 16, of the printed bill, strike out "$70.00", and insert in lieu thereof "$65.00".

Amendment No. 3.

On page 1, line 17, of the printed bill, strike out "$90.00", and insert in lieu thereof "$85.00".

The question being on the amendments submitted by Mr. Lore to Assembly Bill No. 273.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Lore.

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Anderson, Cassidy, Clark, Donihue, Evans, Ralph W., Flint, Geyer, Glover, Hawkins, Heisinger, Jones, Lore, Mayo, McCarthy, Meehan, Nielsen, Patterson, Pelletier, Reaves, Rosenthal, Thorp, and Voigt—22.

NOES—Andreas, Boyle, Breed, Brennan, Chatters, Corwin, Cronin, Crowley, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J., Field Fisher, Fulcher, Garibaldi, Gilmore, Hornblower, Hunt, Johnson, Kallam, Latham, Lyon, Maloney, Martin, McBride, McMurray, Morgan, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—43

Third Reading of Assembly Bill No. 273.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 273 passed by the following vote.

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Fisher, Frazier, Fulcher, Gilmore, Glover, Heisinger, Hornblower, Hunt, Kallam, Latham, Lyon, Maloney, Mayo, McBride, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Peterson, Peyser, Reaves, Redwine, Robertson, Stream, Thorp, Voigt, Wagner, Wallace, Waters, Weber, Williamson, and Mr. Speaker—51.

NOES—Corwin, Evans, Ralph W., Flint, Geyer, Hawkins, Johnson, Jones, Lore, Martin, McCarthy, O'Donnell, Pelletier, Phillips, Riley, Scudder, Turner, Walker, and Wright—18.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 273.

Mr Jones gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 273 was this day passed.

Unfinished Business—(Resumed).

Motion to Reconsider Assembly Bill No. 2385 Continued.

Mr. Burns moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2385 was refused passage be continued until the next legislative day.

Motion carried.

Motion to Adjourn.

Mr. Lyon moved that the Assembly adjourn this day until ten o'clock a.m., Friday, May 31, 1935.

Roll Call.

The Speaker ordered a roll call taken on the motion to adjourn.

The roll was called, and the motion to adjourn was lost by the following vote:

AYES—Anderson, Andreas, Corwin, Cottrell, Desmond, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Glover, Hunt, Jones, Kallam, Lyon, Maloney, Martin, McBride, McMurray, Nielsen, O'Donnell, Redwine, Riley, Rosenthal, Thorp, Voigt, Walker, Williamson, Wright, and Mr Speaker—31.

NOES—Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Cronin, Crowley, Cunningham, Dawson, DeLap, Donahue, Donnelly, Frazier, Geyer, Gilmore, Hawkins, Heisinger, Hornblower, Johnson, Latham, Lore, Mayo, McCarthy, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Reaves, Scudder, Stream, Turner, Wagner, Wallace, Waters, and Weber—40

Motion to Adjourn.

Mr. Hunt moved that the Assembly adjourn this day until ten o'clock a.m., Friday, May 31, 1935.

Roll Call.

The Speaker ordered a roll call taken on the motion to adjourn.

The roll was called, and the motion to adjourn was lost by the following vote:

AYES—Andreas, Corwin, Cottrell, Desmond, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Hunt, Jones, Kallam, Lyon, Maloney, Martin, McBride, McMurray, Nielsen, O'Donnell, Redwine, Riley, Rosenthal, Voigt, Walker, Williamson, and Mr. Speaker—27

NOES—Anderson, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Cronin, Crowley, Cunningham, Dawson, DeLap, Donahue, Donnelly, Flint, Frazier, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Latham, Lore, Mayo, McCarthy, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Reaves, Scudder, Stream, Thorp, Turner, Wagner, Wallace, Waters, and Wright—42.

Motion to Recess.

Mr. Brennan moved that the Assembly recess until the hour of eight o'clock p.m.

Roll Call.

The Speaker ordered a roll call taken on the motion to recess.

The roll was called, and the motion to recess was carried by the following vote:

AYES—Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Cronin, Crowley, Cunningham, Dawson, DeLap, Donahue, Donnelly, Flint, Frazier, Fulcher, Geyer, Gil-

more, Glover, Hawkins, Heisinger, Hornblower, Johnson, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Reaves, Scudder, Stream, Turner, Wagner, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—50

NOES—Anderson, Andreas, Corwin, Cottrell, Desmond, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Garibaldi, Hunt, Jones, Kallam, Nielsen, Riley, Rosenthal, Voigt, and Walker—18.

Recess.

At five o'clock and five minutes p.m., the Speaker declared the Assembly at recess until eight o'clock p.m of this day.

Reassembled.

At eight o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Absence of Quorum Suggested.

Mr. Evans, Herbert J., suggested the absence of a quorum.

The roll was called, and the following answered to their names:

Anderson, Andreas, Breed, Brennan, Cassidy, Chatters, Clark, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Flint, Geyer, Glover, Heisinger, Hornblower, Hunt, Jones, Kallam, Lore, Lyon, Maloney, Martin, Miller, Morgan, Nielsen, O'Donnell, Patterson, Peyser, Reaves, Riley, Rosenthal, Stream, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—45.

Quorum present.

Motion to Adjourn.

Mr. Hunt moved that the Assembly do now adjourn until ten o'clock a.m., Friday, May 31, 1935.

The question being on the motion to adjourn.

The roll was called.

Motion to Expunge Record.

Mr. Hornblower moved that the vote taken on the motion by Mr. Hunt to adjourn be expunged from the record, and the action rescinded

Motion carried.

The question being on the motion to adjourn

Request for Roll Call.

On request of Messrs Flint, Voigt and Nielsen, the Speaker ordered a roll call taken on the motion to adjourn.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr Hunt moved a call of the House.

Motion carried.

Time, seven o'clock and ten minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Flint, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Morgan, Nielson, O'Donnell, Patterson, Peterson, Peyser, Reaves, Riley, Robertson, Rosenthal, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr Speaker—58.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Objection to Proceedings Under Call of the House.

Mr. Utt objected to unanimous consent.

Withdrawal of Objection.

Mr. Utt withdrew his objection to unanimous consent.

Proceedings Under Call of the House by Unanimous Consent. Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1462—An act to amend sections 1 and 4 of the act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931, relative to the definition of public contract work and the payment of the general prevailing rate therefor.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr Johnson:

Amendment No. 1.

On page 3, line 39, of the printed bill, as amended on May 25th, after the comma following the word "criminal", add the following: "against any contractor or subcontractor".

Amendment No. 2.

On page 3, line 46, of the printed bill, as amended on May 25th, after the word "exist", add the following "against any contractor or subcontractor".

Amendments adopted.

Request for Unanimous Consent.

Mr. Johnson asked for, and was granted, unanimous consent to take up Assembly Bill No. 1462, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1462, as Amended.

Assembly Bill No. 1462, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1462, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Crowley, Cunningham, Dawson DeLap Donahue, Donnelly, Evans, Ralph W., Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard Morgan, Nielson, O'Donnel, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Riley, Robertson, Rosenthal.

Scudder, Stream, Utt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—62.
NOES—Wagner—1.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 814—An act to amend section 92 of, and to add section 95 to the Agricultural Code, relating to and providing for the exhibition of California products.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 814 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Crowley, Cunningham, Dawson, DeLap, Donnelly, Evans, Ralph W., Field, Flint, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—57.
NOES—Donihue, McCarthy, and Wagner—3.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2441—An act to provide for the regulation and control of the sale of certain drugs or chemicals known as dinitrophenol and thyroid, to provide penalties for the violation of this act and to provide for the enforcement hereof by the California State Board of Pharmacy.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2441 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Chatters, Clark, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Flint, Garibaldi, Geyer, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—62.
NOES—None.

Title read and approved
Bill ordered transmitted to the Senate.

Assembly Bill No. 2476—An act to add section 24.5 to the State Bar Act, relating to examinations for admission to practice law.

Bill read third time.

Demand for Previous Question.

Messrs. Morgan, Flint, Peterson, Hunt and Pelletier demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2476 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Cassidy, Chatters, Clark, Cronin, Crowley, Cunningham, Dawson, Donahue, Donnelly, Evans, Ralph W., Field, Flint, Frazier, Gever, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Reaves, Riley, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Waters, Welsh, Wright, and Mr. Speaker—58

NOES—Breed, DeLap, Garibaldi, Johnson, Minard, Peyser, Robertson, Wallace, and Williamson—9.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 703—An act to establish the Southern California Prison under the management and control of the State Board of Prison Directors; to provide for purchase or acquirement of farm lands by unconditional gift or use of lands owned by the State therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Martin:

Amendment No. 1.

On page 3, line 1, of the printed bill, as amended, after the comma following the word "Governor", insert the following: "or representative designated by him,".

Amendment No. 2.

On page 3, lines 5 and 6, of the printed bill, as amended, strike out the words "and constructing and equipping suitable buildings and structures thereon".

Amendment No. 3.

On page 3, lines 17 and 18 of the printed bill, as amended, strike out "Prior to the expiration of six months from and after the effective date of this act, the", and insert in lieu thereof the word "The".

Amendment No. 4.

On page 3, line 21, of the printed bill, as amended, strike out "before the expiration of said six months period,".

Amendment No. 5.

On page 3 of the printed bill, as amended, between lines 23 and 24, insert the following:

"SEC. 13 Upon the site thus selected and acquired by said commission, the Board of Prison Directors shall construct and equip, in accordance with law, suitable buildings, structures, and facilities for a prison."

Amendment No. 6.

On page 3, line 25, of the printed bill, as amended, strike out the figure "13", and insert in lieu thereof the figure "14".

Amendment No. 7.

On page 3, line 31, of the printed bill, as amended, strike out the figure "14", and insert in lieu thereof the figure "15".

Amendment No. 8.

On page 3, line 36, of the printed bill, as amended, strike out the figure "15", and insert in lieu thereof the figure "16".

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Flint:

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1935

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 1255a of the Code of Civil Procedure, relating to eminent domain.

Referred to Committee on Introduction of Bills.

By Mr. Dawson:

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1935

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 13 of an act entitled "An act to protect trade-mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a distinguished trade-mark, brand or name," approved May 8, 1931, relating to unfair competition.

Referred to Committee on Introduction of Bills.

Further Proceedings Under Call of the House Dispensed With.

At nine o'clock and twenty minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Hunt.

The roll of absentees was called, and the motion by Mr. Hunt to adjourn was carried by the following vote:

AYES—Andreas, Boyle, Breed, Cassidy, Chatters, Clark, Cunningham, Dawson, Donahue, Evans, Herbert J., Evans, Ralph W., Field, Flint, Garibaldi, Gilbert, Gilmore, Hawkins, Hunt, Johnson, Jones, Kallam, Latham, Lyon, Martin, Mayo, McBride, McMurray, Meehan, Minard, Nielsen, Pelletier, Peterson, Phillips, Redwine, Riley, Robertson, Rosenthal, Scudder, Turner, Utt, Voigt, Walker, Welsh, Wright, and Mr. Speaker—45.

NOES—Anderson, Brennan, Cronin, Crowley, DeLap, Donnelly, Frazier, Geyer, Glover, Heisinger, Hornblower, Lore, Maloney, McCarthy, Miller, Morgan, O'Donnell, Patterson, Peyser, Reaves, Stream, Wagner, Wallace, Waters, and Williamson—25.

Adjournment.

At nine o'clock and twenty-five minutes p m, on motion of Mr. Hunt, the Speaker declared the Assembly adjourned this day until nine o'clock and forty-five minutes a.m, Friday, May 31, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, May 31, 1935.

At ten o'clock a.m, pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt,

Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—80.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Maloney, its further reading was dispensed with.

Privilege of Floor of Assembly Extended.

On request of Mr. Cottrell, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. John A. Corotto, Grand Treasurer of the Native Sons of the Golden West.

On request of Mr. Cassidy, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Frank G. Lukey.

On request of Messrs. Williamson and Welsh, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Frances M. Woods and Miss June B. Woods of Los Angeles, constituents of Assemblyman Ralph Welsh.

On request of Mr. Riley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Ray Hunter of Sacramento.

ASSISTANT CLERK COOLIDGE READING.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 86—An act to establish a system of unemployment reserves for this State, and making an appropriation therefor—and reports that the same has been correctly re-engrossed.

WATERS, Chairman

The above reported bill ordered on file for third reading.

On Elections.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1935.

MR. SPEAKER: Your Committee on Elections, to which was referred Senate Bill No. 793—An act to amend section 1094 of the Political Code, relating to elections—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DAWSON, Chairman.

The above reported bill ordered on file for second reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 30, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 915—An act to amend "An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission, providing for the appointment of members of said commission; prescribing the powers, duties and authority of said commission and the members thereof; providing for the institution of proration programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for

violation of such programs; providing for the creation of funds for the purposes of said act and providing for the collection thereof; and making an appropriation therefor," approved June 5, 1933, by amending sections 2, 5, 8, 9, 10, 11, 16, 18, 19, 20, 21, 22, 23, 24, 25 and 26, and adding new sections numbered 27, 28, 29—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 915 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 30, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 84—An act to create the Commemoration Commission to succeed to the Spanish War Commemoration Commission; to prescribe the powers, duties, functions, and purposes thereof; to provide for the cooperation of State and local agencies and political subdivisions therewith; to make an appropriation, and to provide for the repayment thereof—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 84 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 30, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 545—An act to add a new section to be numbered 17.5 to an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, relating to cases in which common carriers may grant free or reduced rates, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 1608—An act to amend sections 1, 4, 5, 10, 12, 13 and 15 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," as approved May 25, 1921, as amended, relating to the issuance, transfer, terms of, and rights under prospecting permits, leases, and sales of State mineral lands.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 545 and 1608 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 30, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 64—Relative to memorializing the President and Congress of the United States to make amends to those disabled war veterans who have been deprived of their just and lawful compensation.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Joint Resolution No. 64 ordered to enrollment.

Resolution.

The following resolution was offered:

By Mr. Utt:

Resolution.

WHEREAS, The members of the Assembly will desire to have shipped to their various places of residence, their bill files, books of codes, stationery and other printed matter, at the end of the session; therefore, be it

Resolved, That the Sergeant-at-Arms, Joseph Moloney, be authorized to procure such boxes, packing and other material as are necessary for the purpose of shipping same, properly packed, to said members, and the State Controller is hereby authorized to draw his warrant on the contingent expense fund of the Assembly in favor of said Joseph Moloney, in the sum not to exceed eight hundred dollars ($800), and the State Treasurer is hereby directed to pay the same; and it is further directed that Joseph Moloney furnish to the Controller vouchers and receipts for all expenditures made by him

Resolution by Mr Utt read.

Mr. Utt moved the adoption of the resolution

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Cottrell, Cunningham, Dawson, DeLap, Donihue, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Gever, Gilbert, Glover, Hawkins Hunt, Johnson, Maloney, Martin, Mayo, McBride, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Waters, Williamson, Wright, and Mr. Speaker—46

NOES—None.

Motion to Withdraw Assembly Bill No. 2098.

Mr. O'Donnell moved that Assembly Bill No. 2098 be withdrawn from Committee on Public Utilities, and placed on file for second reading

The question being on the motion by Mr. O'Donnell to withdraw Assembly Bill No. 2098 from Committee on Public Utilities, and place on file for second reading.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. O'Donnell to withdraw Assembly Bill No. 2098 from Committee on Public Utilities, and place on file.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. O'Donnell moved a call of the House

Motion carried.

Time, ten o'clock and fifteen minutes a m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll

The roll was called, and the following answered to their names:

Andreas, Breed, Brennan Burns, Cassidy, Chatters, Clark, Cottrell, Crowley, Cunningham, Dawson, DeLap Donihue Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Gever, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Lore, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Weber, Williamson, Wright, and Mr Speaker—57.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Resolution.

The following resolution was offered:

By Mr. Gilbert:

Assembly Resolution.

WHEREAS, The Assembly Daily Calendar has upon it a great number of matters to be acted upon by the Assembly; and

WHEREAS, There are a great number of matters to come before this Assembly from the Senate; and

WHEREAS, This Assembly has been in session for a longer period than any other previous session; now, therefore, be it

Resolved, That in order to expedite the business of this Assembly, that no member shall speak upon a measure or matter before the Assembly for a time longer than five minutes, except that any other member may yield his time to the member speaking not to exceed one minute for each member so yielding.

The question being on adoption of the resolution by Mr. Gilbert, amending the Standing Rules of the Assembly.

Demand for Previous Question.

Messrs. Chatters, Burns, Fisher, Dawson and DeLap demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of the resolution by Mr. Gilbert, amending the Standing Rules of the Assembly.

Roll Call.

The Speaker ordered a roll call taken on the resolution by Mr. Gilbert, amending the Standing Rules of the Assembly.

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cunningham, Dawson, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Garibaldi, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Latham, Lore, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—53.

NOES—Crowley, Evans, Ralph W., Geyer, McCarthy, and Wagner—5.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1935.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 1½ of an act entitled "An act to protect trade-mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a distinguished trade-mark, brand or name," approved May 8, 1931, relating to unfair competition.

CUNNINGHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 1255a of the Code of Civil Procedure, relating to eminent domain.

CUNNINGHAM, Chairman.

Reports of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the reports.

The question being on the adoption of the reports.

The roll was called, and the reports adopted by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Johnson, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Wagner, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—60.

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

By Mr. Flint: Assembly Bill No. 2481—An act to amend section 1255a of the Code of Civil Procedure, relating to eminent domain.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Dawson: Assembly Bill No 2482—An act to amend section 1½ of an act entitled "An act to protect trade-mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a distinguished trademark, brand or name," approved May 8, 1931, relating to unfair competition.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Patterson: Assembly Constitutional Amendment No. 88—Proposed amendment to Article VI, section 1, of the Constitution, relative to the judicial powers of the courts.

Introduced.

Request for Unanimous Consent.

Mr. Patterson asked for, and was granted, unanimous consent to take up Assembly Constitutional Amendment No 88, at this time, without reference to printer, committee or file, and that same be considered engrossed.

Consideration of Assembly Constitutional Amendment No. 88.

Assembly Constitutional Amendment No. 88—Proposed amendment to Article VI, section 1, of the Constitution, relative to the judicial powers of the courts.

Assembly Constitutional Amendment No. 88 read.

Mr. Patterson moved the adoption of Assembly Constitutional Amendment No. 88.

Demand for Previous Question.

Messrs Garibaldi, Minard, Dawson, Chatters and Brennan demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of Assembly Constitutional Amendment No. 88.

The roll was called, and Assembly Constitutional Amendment No. 88 was refused adoption by the following vote:

AYES—Geyer, Gilbert, Glover, Lore, Patterson, Pelletier, Reaves, and Wagner—8.
NOES—Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Heisinger, Hunt, Johnson, Jones, Latham, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Utt, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—52.

Second Reading of Assembly Bills.

Assembly Bill No. 1053—An act requiring the compilation and publication of reports relative to the financial condition of the municipal corporations within the State.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 1 to 12, inclusive, and insert in lieu thereof the following:
"SECTION 1. Within sixty days after the close of each fiscal year".

Amendment No. 2.

On page 1 of the printed bill, strike out line 13, and insert in lieu thereof the following: "the officers of each city or city and county shall prepare a full and true report setting".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 15 to 17, inclusive, and insert in lieu thereof the following: "the taxable real and personal property in such city or city and county, which became due and payable during the fiscal year next preceding the".

Amendment No. 4.

On page 1 of the printed bill, strike out line 20, and insert in lieu thereof the following: "erty collected by, or on behalf of, such city or city and county during the fiscal year".

Amendment No. 5.

On page 1, line 21, of the printed bill, strike out "months period".

Amendment No. 6.

On page 1, line 23, of the printed bill, strike out "municipal corporation", and insert in lieu thereof the following: "city or city and county".

Amendment No. 7.

On page 2, line 2, of the printed bill, strike out "municipal corporation", and insert in lieu thereof the following: "city or city and county".

Amendment No. 8.

On page 2 of the printed bill, strike out line 4, and insert in lieu thereof the following: "such expenditures were made by administrative departments and the amount expended by".

Amendment No. 9.

On page 2, line 5, of the printed bill, strike out "purpose", and insert in lieu thereof the following: "department".

Amendment No. 10.

On page 2, line 8, of the printed bill, strike out "municipal corporations", and insert in lieu thereof the following: "city or city and county".

Amendment No. 11.

On page 2, line 9, of the printed bill, strike out the semicolon, and insert in lieu thereof the following: ", or if the officers of the county in which the city is situated has collected on behalf of such city the general taxes levied by the city for the fiscal year, then the assessed valuation of all taxable real and personal property in such city as set forth on the assessment rolls of such county equalized for the fiscal year;".

Amendment No. 12.

On page 2, line 11, of the printed bill, strike out "municipal corporations", and insert in lieu thereof the following "city or city and county payable from a general tax levy".

Amendment No. 13.

On page 2, line 14, of the printed bill, before "which", insert the following: "of the city or city and county payable from a general tax levy".

Amendment No. 14.

On page 2, lines 17 and 18, of the printed bill, strike out "municipal corporations", and insert in lieu thereof the following: "city or city and county"

Amendment No. 15.

On page 2, line 20, of the printed bill, strike out "municipal corporations", and insert in lieu thereof the following: "city or city and county".

Amendment No. 16.

On page 2, line 26, of the printed bill, strike out "3", and insert in lieu thereof the following: "2".

Amendment No. 17.

On page 2 of the printed bill, strike out line 27, and insert in lieu thereof the following: "legislative body of the city or city and county shall cause copies of such".

Amendment No. 18.

On page 2, line 28, of the printed bill, strike out "printed", and insert in lieu thereof the following: "prepared".

Amendment No. 19.

On page 2, line 29, of the printed bill, after the period, insert the following "The legislative body of the city or city and county may impose a charge not to exceed twenty-five cents for each copy of the report so furnished"

Amendment No. 20.

On page 2 of the printed bill, strike out line 30, and insert in lieu thereof the following:

"SEC. 3 Any officer of a city or city and county who wilfully".

Amendment No. 21.

On page 2, line 32, of the printed bill, strike out "municipal corporation", and insert in lieu thereof the following "city or city and county".

Amendment No. 22.

On page 2, line 33, of the printed bill, strike out "fail,".

Amendment No. 23.

On page 2, line 34, of the printed bill, strike out "neglect or".

Amendment No. 24.

On page 2 of the printed bill, strike out lines 35 to 38, inclusive, and insert in lieu thereof the following: "is guilty of a misdemeanor."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2351—An act authorizing the use of convict labor in the State parks, forests, game preserves, and National forests or parks in the State of California; providing for the compensation of such convict labor and for the payment thereof to their dependents; providing for forfeiture of such compensation; providing the manner of payment of such compensation to paroled, released or discharged convicts; authorizing the allowance of extra good time credits to such convicts; and providing penalties for interference with such convict labor.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No 1735—An act to add a new section to the Political Code, to be numbered 689a, relating to use of the State's teletype system.

Bill read second time, ordered to re-re-re-engrossment, and third reading.

Assembly Bill No. 1091—An act making an appropriation for the enforcement of standards, quality and identity, covering the manufacture and sale of California wines and brandy.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 994—An act to add section 690.11 to the Political Code, relating to the disposition of fees received under the provisions of section 690.10 of the Political Code, relating to the construction, alteration or maintenance of groins, jetties, seawalls, breakwaters, and/or bulkheads upon, across, or over any of the swamp, overflowed, marsh, tide or submerged lands of the State of California.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 6 of the title of the printed bill, as amended, strike out "relating to", and strike out all of lines 7 to 11, inclusive, of the title, and insert in lieu thereof a period.

Amendment adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No 916—An act to add section 15a to "The California Agricultural Adjustment Act of 1935," relating to ways, means, and moneys, and providing and appropriating moneys, for the administration and enforcement thereof and of State and Federal marketing agreements and licenses and the regulation of producers, packers, distributors, shippers, marketers, handlers, processors, and others dealing in agricultural, viticultural, horticultural, animal, and poultry products and of any competing commodity or product thereof, thereunder, and under the legislative standards in relating to the rehabilitation of agriculture therein specified, and declaring the existence of a State and National agricultural emergency and the urgency of this act and that this act shall take effect immediately.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No 754—An act to make an appropriation from unemployment relief money for construction work by agricultural districts.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 5 of the title of the printed bill, as amended, strike out "agricultural districts", and insert in lieu thereof the following: "fairs under State control".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 6 to 21, inclusive, and insert in lieu thereof the following "two million eight hundred and fifteen thousand dollars for the construction of buildings and appurtenances for the State Agricultural

Society and district agricultural associations to be constructed with the approval of the Department of Finance Said money to be allocated as follows.

Dist.	County	Amount
1	Alameda	$75,000
1a	San Francisco and San Mateo	600,000
2.	San Joaquin	50,000
4.	Sonoma and Marin	50,000
5	Santa Clara	65,000
6.	Los Angeles	600,000
7.	Monterey	25,000
9	Humboldt	24,000
10.	Siskiyou	14,000
12.	Lake and Mendocino	17,000
13.	Sutter and Yuba	16,000
15.	Kern	40,000
16	San Luis Obispo	17,000
20.	Placer	14,000
21.	Fresno and Madera	75,000
22.	San Diego	75,000
23.	Contra Costa	35,000
24	Tulare and Kings	50,000
25.	Napa	13,000
27.	Shasta	10,000
28.	San Bernardino	65,000
30.	Tehama	10,000
31.	Ventura	28,000
32	Orange	60,000
35	Merced and Mariposa	20,000
37.	Santa Barbara	35,000
38.	Stanislaus	30,000
41.	Del Norte	6,000
42.	Glenn	8,000
43.	Lassen	8,000
45.	Imperial	40,000
46.	Riverside	40,000
	California State Fair	600,000
		$2,815,000

Within thirty days after the effective date of this act any organization to whom an allocation is made pursuant to this act shall file with the Department of Finance a notice of intention to participate, and, within ninety days after filing such notice shall file an application for an allocation not exceeding the sum allocated hereunder, together with such information as to the proposed expenditure as the Department of Finance may require Any moneys not disposed of pursuant to the terms of this act shall revert to the credit of the fund from which they are derived.

SEC 2 In the event any money becomes available for construction of public works for relief purposes from the Federal Government or any agency thereof, which is not deposited in the State treasury, it is the intention of the Legislature that such money, or so much thereof as may be available or necessary therefor, shall be used for the purposes enumerated in section 1 of this act."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 97—An act making an appropriation to pay the claim of the city of Coronado against the State of California.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2479—An act to add a new section, to be numbered 1582, to the Streets and Highways Code, relating to county highway funds.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No 2477—An act to amend the title and sections 1, 2 and 5, and to repeal sections 4 and 6 of an act entitled "An act to create the office of public defender, to provide for the election of such officers,

and prescribing their duties and compensation," approved May 26, 1921, relating to public defenders

Bill read second time, ordered to engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 708—An act relating to the borrowing of money by the State in anticipation of taxes and revenues, and making an appropriation.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out all of lines 20 to 23, inclusive, and insert in lieu thereof the following: "Legislature, the board is hereby authorized, to borrow money in anticipation of the collection of taxes and revenues,".

Amendment No. 2.

On page 1, line 25, of the printed bill, as amended, strike out the following: "such estimated anticipated taxes and revenue", and insert in lieu thereof the following: "the amount of all taxes and revenues paid into the general fund during the preceding fiscal year"

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out all of lines 26 and 27, and insert in lieu thereof the following "The board shall fix and determine the form of such notes or other evidences of indebtedness of the State, provide for the execution thereof, fix the numbers and denominations, interest or discount rates, not to exceed five per cent, and the dates of issuance and maturity thereof."

Amendment No. 4.

On page 2, line 1, of the printed bill, as amended, strike out the word "cent".

Amendment No. 5.

On page 2, line 1, of the printed bill, as amended, following the word "notes", insert the following: "or other evidences of indebtedness"

Amendment No. 6.

On page 2, line 6, of the printed bill, as amended, following the word "notes", insert the following: "or other evidences of indebtedness".

Amendment No. 7.

On page 2, line 9, of the printed bill, as amended, strike out the figure "5", and insert in lieu thereof the figure "4".

Amendment No. 8.

On page 2, line 10, of the printed bill, as amended, strike out the following: "to be paid", and insert in lieu thereof the following: "or discount".

Amendment No. 9.

On page 2, line 12, of the printed bill, as amended, following the word "notes" insert the following: "or other evidences of indebtedness".

Amendment No. 10.

On page 2, line 14, of the printed bill, as amended, after the word "notes", insert the following "together with interest thereon".

Amendment No. 11.

On page 2, line 18, of the printed bill, as amended, following the period, insert the following: "All of such notes or other evidence of indebtedness shall constitute negotiable instruments".

Amendment No. 12.

On page 2 of the printed bill, as amended, following line 18, insert the following: "SEC. 5. The State of California shall never contest the validity or payment of any notes or evidences of indebtedness issued hereunder after payment therefor has been actually made by the State Treasurer. All recitals in such notes or evidences of indebtedness for which payment has in fact been made to the State Treasurer shall be binding and conclusive upon the State of California and each and every taxpayer thereof."

Amendment No. 13.

On page 2, line 19, of the printed bill, as amended, following the word "notes", insert the following: "or other evidences of indebtedness".

Amendment No. 14.

On page 2, line 23, of the printed bill, as amended, following the word "thereof", insert a comma and the following: "in which event interest at the rate specified in such notes, if any, shall be paid up to and including the date of payment of such notes, provided that if such notes are issued in discount form and are not paid at maturity, the State shall pay interest thereon from the date of maturity until paid, at the rate of five per cent per annum".

Amendment No. 15.

On page 2, line 24, of the printed bill, as amended, after the word "notes", insert the following: "or other evidences of indebtedness".

Amendment No. 16.

On page 2, line 26, of the printed bill, as amended, following the word "notes", insert the following: "or other evidences of indebtedness".

Amendment No. 17.

On page 2, line 27, of the printed bill, as amended, strike out the following: "payment of", and insert in lieu thereof the following: "State Treasurer to pay", and strike out the word "by", in said line, and insert in lieu thereof the following: "thereon".

Amendment No. 18.

On page 2, line 28, of the printed bill, as amended, strike out the first three words "the State Treasurer".

Amendment No. 19.

On page 2, line 31, of the printed bill, as amended, following the word "treasury", insert the following: "as herein above and in said notes or other evidences of indebtedness provided".

Amendment No. 20.

On page 2, line 32, of the printed bill, as amended, strike out the figure "9", and insert in lieu thereof the figure "8".

Amendment No. 21.

On page 2, line 34, of the printed bill, as amended, strike out the following: "interest on", and insert in lieu thereof the following: "the".

Amendment No. 22.

On page 2, line 35, of the printed bill, as amended, following the word "act", insert a comma and the following: "together with interest thereon".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 718—An act to amend section 439 of the Vehicle Code, relating to stored vehicles

Bill read second time, and ordered on file for third reading.

Motion.

Mr. Lyon moved that the Chief Clerk be instructed to purchase a stop watch not to exceed the cost of $25, for the Speaker to time the debate of members.

Motion carried.

Third Reading of Assembly Bills.

Assembly Bill No. 2470—An act for the relief of purchasers of swamp and overflowed lands, declaring the urgency thereof and that this act shall take effect immediately.

Bill read third time

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Crowley, Dawson, DeLap, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—60.
NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

Motion to Expunge Record.

Mr. McCarthy moved that the vote whereby Assembly Bill No. 2470 was passed be expunged from the record, and the action rescinded.

Roll Call.

The Speaker ordered a roll call taken on the motion to expunge the record whereby Assembly Bill No. 2470 was passed.

The roll was called, and the motion was carried by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Lore, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Richie, Rosenthal, Turner, Walker, Wallace, Waters, Weber, and Mr. Speaker—50.
NOES—Cottrell, Evans, Herbert J., Fisher, Garibaldi, Johnson, Latham, Riley, Robertson, and Wright—9.

Assembly Bill No. 2470 read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. McCarthy:

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out "May 1, 1911", and insert in lieu thereof the following: "January 1, 1930".

Amendment adopted.

Request for Unanimous Consent.

Mr. Voigt asked for, and was granted, unanimous consent to take up Assembly Bill No. 2470, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2470, as Amended.

Assembly Bill No. 2470, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2470, as amended, passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Lore, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielson, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr Speaker—64.
NOES—Latham—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 85—A resolution proposing to the people of the State of California an amendment of sections 2, 23, and 34 of Article IV, and of section 9 of Article V of the Constitution of the State of California, all relating to sessions of the Legislature, and procedure therein.

Assembly Constitutional Amendment No 85 read.

Mr. Boyle moved the adoption of Assembly Constitutional Amendment No. 85.

The question being on the adoption of Assembly Constitutional Amendment No. 85.

The roll was called, and Assembly Constitutional Amendment No. 85 refused adoption by the following vote:

AYES—Andreas, Boyle, Chatters, Clark, Cottrell, Crowley, Cunningham, Desmond, Flint, Geyer, Gilbert, Glover, Hawkins, Hunt, Jones, Lore, Martin, McCarthy, Miller, Morgan, Nielsen, Patterson, Pelletier, Phillips, Reaves, Riley, Rosenthal, Stream, Turner, Utt, Voigt, Wagner, Walker, and Waters—34.

NOES—Breed, Brennan, Burns, Cassidy, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Johnson, Latham, Lyon, Maloney, Mayo, Meehan, Minard, Peyser, Redwine, Robertson, Scudder, Thorp, Weber, Williamson, Wright, and Mr. Speaker—30.

Assembly Bill No 1054—An act to add section 3a to and to amend sections 3, 4, 5, 6, 7, 8, 10, 14, 15, 16, 17, 18, and 19 of the "Los Angeles County Flood Control Act," relating to the government and control of the district and the powers and duties of the board of directors thereof.

Bill read third time.

Demand for Previous Question.

Messrs. Stream, Cottrell, Wallace, Andreas and Fisher demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1054 passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Chatters, Clark, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, Miller, Morgan, Nielsen, Patterson, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—60.

NOES—Cassidy, Evans, Ralph W., Gilbert, McCarthy, Meehan, Pelletier, Rosenthal, and Wagner—8.

Title read and approved

Bill ordered transmitted to the Senate

Motion to Re-refer Assembly Bill No. 539.

Mr. Jones moved that Assembly Bill No. 539 be withdrawn from file, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Assembly Bill No. 539 to Committee on Judiciary.

Motion carried.

Assembly Bill No. 539 ordered re-referred to Committee on Judiciary.

Motion to Re-refer Assembly Bill No. 937.

Mr. Williamson moved that Assembly Bill No. 937 be withdrawn from file, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Assembly Bill No. 937 to Committee on Judiciary.

Motion carried.

Assembly Bill No. 937 ordered re-referred to Committee on Judiciary.

Further Proceedings Under Call of the House Dispensed With.

At eleven o'clock and thirty minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. O'Donnell.

The roll of absentees was called, and the motion to withdraw Assembly Bill No. 2098 from Committee on Judiciary was adopted by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Crowley, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Kallam, Lore, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Richie, Rosenthal, Thorp, Turner, Voigt, Wagner, Walker, and Waters—44

NOES—Breed, Brennan, Cottrell, Cunningham, Dawson, DeLap, Evans, Herbert J., Field, Fisher, Gilmore, Johnson, Latham, Lyon, McBride, Minard, Morgan, Peterson, Peyser, Redwine, Riley, Robertson, Scudder, Stream, Utt, Wallace, Weber, Williamson, Wright, and Mr. Speaker—29.

Assembly Bill No. 2098 ordered on file for second reading.

Motion to Print in Journal.

Mr. Lyon moved that the following statement concerning Assembly Bill No. 1273 be printed in the Journal:

Motion carried.

U. S. Webb, Attorney General.

STATE OF CALIFORNIA, LEGAL DEPARTMENT,
SACRAMENTO, May 23, 1935

Hon. Dewell L. Pierce,
Secretary, State Board of Equalization,
Sacramento, California.

DEAR MR. PIERCE: In a recent letter you called my attention to the provisions of Assembly Bill No. 1273, as amended in the Assembly on May 1, 1935, defining a "retail sale", or "sale at retail" to mean:

> "A sale to a consumer or to any person for any purpose other than for resale in the form of tangible personal property, except that the expressions 'transfer of possession,' 'lease,' and 'rental' as used in subdivision (b) of this section shall mean and include only such transactions as the board finds are in lieu of sales as herein otherwise defined."

You further directed my attention to the fact that subdivision (b) of section 2 of the Retail Sales Tax Act would be amended by this bill to define a "sale" as including any transfer of title or possession, lease or rental, etc., so that this, read in connection with the language above quoted, would make transfers of possession, leases or rentals taxable when the board finds that they are in lieu of what would normally have been a sale. You say that it has been suggested that under this language it might be possible to extend application of the Retail Sales Tax Act to the rentals of moving picture films to an exhibitor who uses such films for exhibition in his moving picture theater for a period of a few days or a week, and inquire as to my opinion on this point.

I do not believe that the proposed legislation could be so construed, but in order to clarify any doubt which might arise with respect to the scope of the amendment and the authority of your board thereunder, I suggest that the definition of a "retail sale" or "sale at retail" as incorporated in the bill might be revised to read as follows:

> "A sale to a consumer or to any person for any purpose other than for resale in the form of tangible personal property except that the expressions 'transfer of possession,' 'lease,' and 'rental' as used in subdivision (b) of this section shall mean and include only such transactions as the board, *upon investigation*, finds *to be* in lieu of sales as herein otherwise defined."
> (New language underscored, and "to be" substituted for "are.")

With this slight change in the wording of the proposed law, I am of the opinion that there would be no reasonable basis upon which your board could predicate a tax upon the gross receipts from rentals of moving picture films as above described, since it would appear impossible for you to make an investigation sustaining a finding that a transaction of this character is actually intended to replace what would otherwise have been a sale. The intent of the law would clearly limit the board to findings supported by appropriate inquiry, and would preclude any arbitrary determination on your part to the effect that a transaction of such a character would be in lieu of a sale as that term is otherwise understood.

Very truly yours,

U. S. WEBB.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No 1273—An act to amend the title and sections 2, 9, 15, 17, 18, 20, 21, 22, 23, 24, 26, 27, 30 and 33 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933; to repeal sections 7 and 19 of said act; to add sections 7 and 19 to said act; all relating to the taxation of the privilege of selling tangible personal property; and to provide that this act shall take effect immediately.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lyon:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out line 38, and insert in lieu thereof the following: ", upon investigation, finds to be in lieu of sales as defined in subdivision (b) of this section without the words "lease or rental"."

Amendment No. 2.

On page 4, line 29, of the printed bill, as amended, strike out "May 31", and insert in lieu thereof the following: "June 30"

Amendment No. 3.

On page 4, line 34, of the printed bill, as amended, strike out "June", and insert in lieu thereof the following "July".

Amendment No. 4.

On page 11 of the printed bill, as amended, between lines 16 and 17, insert the following:

"Sec. 18. The amendments to the Retail Sales Tax Act of 1933 effected by this act become operative on July 1, 1935, except that the amendment hereby effected to section 15 of said act becomes operative immediately"

Amendment No. 5.

On page 11, line 17, of the printed bill, as amended, strike out "18", and insert in lieu thereof the following: "19".

Amendments adopted.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 1273, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1273, as Amended.

Assembly Bill No. 1273, as amended, read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1273, as amended, passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cottrell, Cunningham, Dawson, DeLap, Desmond, Evans, Herbert J., Field, Fisher, Flint, Fulcher, Garibaldi, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—58.

NOES—Cassidy, Evans, Ralph W., Geyer, McCarthy, Meehan, and Rosenthal—6.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1957—An act to amend Public Utilities Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1957 passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Chatters, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Gilmore, Heisinger, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, O'Donnell, Peyser, Phillips, Redwine, Riley, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Weber, Williamson, and Mr. Speaker—46.

NOES—Cassidy, Clark, Donihue, Evans, Ralph W., Flint, Gilbert, Glover, Hawkins, Hunt, Jones, Lore, McCarthy, Pelletier, Reaves, Richie, Robertson, Rosenthal, and Wagner—18

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 1957.

Mr. Evans, Ralph W., gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1957 was this day passed.

Assembly Bill No. 704—An act to regulate and limit residential zones, subdivisions, districts and lots or plots, upon which it shall be permissible to erect buildings for human habitation, and an act preventing the erection of buildings for human habitation in subdivisions, districts, lots or plots, known to be in old river beds, water courses or in the path of possible flood streams or in flood stream areas, and repealing all acts and parts of acts in conflict with this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 704 passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Weber, Williamson, Wright, and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 31, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day directed me to respectfully request your honorable body to return Senate Bill No 727—An act requiring the licensing of certain vehicles used for the transportation of persons or property in this State, defining such vehicles, providing for the imposition, collection, and distribution of license taxes for the privilege of operating such vehicles in this State, making appropriations for the purposes of this act, prescribing penalties for the violation of this act, repealing an act entitled, "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle, and provided that this act shall take effect immediately," approved May 15, 1933, subject to certain conditions—for further consideration by the Senate.

J. A. BEEK, Secretary of Senate.

Motion.

On motion of Mr. Riley, Senate Bill No. 727 was ordered returned to the Senate for further consideration.

Recess.

At twelve o'clock m, on motion of Mr. Lyon, the Assembly was declared at recess until one o'clock and forty-five minutes p m, of this day.

Reassembled.

At one o'clock and forty-five minutes p m., the Assembly reconvened. Speaker Craig in the chair.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 31, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 236—An act to amend section 4307 of the Political Code, relating to county charges;

Also, Assembly Bill No. 2369—An act to add sections 9a to 9d, inclusive, to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to disability of members of the California Highway Patrol;

Also, Assembly Bill No 1837—An act to amend sections 269 and 271 of the Code of Civil Procedure, relating to the appointment, duties and compensation of phonographic reporters;

Also: Assembly Bill No. 1007—An act to amend section 29 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to compensation insurance;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 236, 2369, 1837 and 1007 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 31, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 465—An act to provide for the establishment of a code or codes of fair competition for the meat industry;

Also: Senate Bill No. 700—An act to amend sections 1015 and 1016 of the Fish and Game Code and to add thereto sections 670 and 1016 5, relating to fish

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 465 read first time, and referred to Committee on Agriculture.

Senate Bill No. 700 read first time, and referred to Committee on Fish and Game.

Withdrawal of Assembly Bills.

By order of the Speaker, the following bills were stricken from the file, and ordered re-referred to committees:

Assembly Bill No. 1828 ordered re-referred to Committee on Labor and Capital.

Assembly Bill No 2396 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 2295 ordered re-referred to Committee on Public Health and Quarantine.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1935

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 745—An act to establish a system of planned economy in the State of California to the end of supplying human needs and comforts through the utilization of the natural resources of the State, the machinery of production, distribution and finance; providing for the administration and enforcement of this act; to provide penalties for the violation hereof; and to repeal all acts or parts of acts inconsistent herewith—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1935.

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 440—An act to amend section 18a of the "Street Opening Act of 1903," relating to assessments and contribution of costs by municipalities;

Also: Assembly Bill No. 527—An act to provide for the creation, organization and government of river port districts in one or more counties; to enumerate the powers thereof; to authorize the incurring of indebtedness, the borrowing of money and the issuance of bonds, and other evidences of indebtedness of such district and to provide for the mortgaging, pledging, or hypothecating of property of such districts and the issuance of revenue notes, certificates or warrants payable solely and exclusively from the revenues to be realized from a particular utility or property acquired or to be acquired with the proceeds of such obligations; to provide for the *levy and collection of taxes by such districts and the allocation, mortgage, pledge,* or hypothecation of the revenues of such districts or any property of such districts; to authorize river port districts to enter into agreement with the State of California or any political subdivisions therein or with the United States of America; and to authorize river port districts to do and perform all acts and things necessary or appropriate to carry out the purposes of this act;

Also: Assembly Bill No. 944—An act regulating the use of certain public highways by motor vehicles operated thereon for the transportation of property for compensation; conferring powers upon the Railroad Commission with respect thereto; providing penalties for the violations of this act and repealing all acts inconsistent with the provisions of this act;

Also: Assembly Bill No. 1034—An act to amend sections 3817d, 3817f, 3817g and 3817h of, and to add sections 3817b3, 3817c3, 3817j, 3817k, 3817*l*, and 3817m to, the Political Code, relating to taxation, and assessment including tax delinquencies, *tax penalties and costs, tax redemption from tax sales and declaring the urgency* thereof, to take effect immediately;

Also: Assembly Bill No. 1770—An act establishing and validating the organization and existence of water districts;

Also: Assembly Bill No 1771—An act to repeal section 109a of "The California Irrigation District Act," approved March 31, 1897, relating to name of irrigation districts;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this thirty-first day of May, 1935, at two o'clock and thirty minutes p m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 20—An act relating to the advocacy of the overthrow of the existing form of government by force or other unlawful means;

Also: Assembly Bill No. 97—An act making an appropriation to pay the claim of the city of Coronado against the State of California;

Also: Assembly Bill No. 941—An act to amend section 428 of the Fish and Game Code and to add thereto sections 428.5 and 428.6, relating to sporting fishing licenses, and the disposition of fees therefrom;

Also: Assembly Bill No. 1091—An act making an appropriation for the enforcement of standards, quality and identity, covering the manufacture and sale of California wines and brandy;

Also: Assembly Bill No. 1581—An act to amend section 38 of the Insurance Code, relating to insurance practice in relation to mailing of notice;

Also: Assembly Bill No. 2176—An act to amend section 1065 of the Fish and Game Code, relating to sardines;

Also: Assembly Bill No. 2477—An act to amend the title and sections 1, 2 and 5, and to repeal sections 4 and 6 of an act entitled "An act to create the office of public defender, to provide for the election of such officers, and prescribing their duties and compensation," approved May 26, 1921, relating to public defenders;

Also: Assembly Bill No. 2479—An act to add a new section, to be numbered 1582, to the Streets and Highways Code, relating to county highway funds;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 82—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State by amending section 12 of Article XI, relating to taxation—and reports that the same has been correctly engrossed

WATERS, Chairman.

Assembly Constitutional Amendment No. 82 ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 76—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 9 of Article IX thereof, relating to the Board of Regents of the University of California—and reports that the same has been correctly re-re-re-engrossed.

WATERS, Chairman.

Assembly Constitutional Amendment No. 76 ordered on file for adoption.

On Commerce and Navigation.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1935.

MR SPEAKER: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 1104—An act granting certain tidelands and submerged lands of the State of California to the county of Santa Cruz—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MALONEY, Chairman.

The above reported bill ordered on file for second reading.

On Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1935.

MR. SPEAKER: Your Committee on Corporations, to which was referred Senate Bill No. 533—An act to add Title XXV to Part IV, Division I, of the Civil Code, relating to the incorporation of cooperative corporations, who may organize, purpose and powers, distribution of benefits, and vote and consisting of sections 653.1 to 653.16—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

BREED, Chairman.

The above reported bill ordered on file for second reading.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1935.

MR SPEAKER. Your Committee on Fish and Game, to which was referred Senate Bill No. 437—An act to amend section 618 of the Fish and Game Code, relating to

trout—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FISHER, Chairman.

The above reported bill ordered on file for second reading.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1935.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2473—An act to add section 269 to the Political Code, relating to officers of the Senate and Assembly—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 106—An act to add section 3.54 to and to amend section 6.750 of the School Code, relating to activities of a seditious nature in connection with the public school system.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Voigt:

Amendment No. 1.

On page 2, line 13, of the printed bill, after the word "suffered", add "provided, however, that nothing in this act shall be construed to prohibit the advocacy by any individual, society, group or organization of collective ownership of the means of production and distribution."

The question being on the amendment submitted by Mr. Voigt to Assembly Bill No. 106.

Demand for Previous Question.

Messrs. Lore, Dawson, Garibaldi, Robertson and Wallace demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the amendment submitted by Mr. Voigt to Assembly Bill No. 106.

Roll Call.

The Speaker ordered a roll call taken on the amendment submitted by Mr. Voigt.

The roll was called.

Motion for Call of the House.

Pending the announcement of the vote, Mr. Redwine moved a call of the House.

Motion lost.

The roll was called, and the amendment was adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Clark, Cronin, Crowley, Dawson, Donihue, Evans, Ralph W., Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, McCarthy, Meehan, Morgan, Patterson, Pelletier, Reaves, Redwine, Richie, Rosenthal, Turner, Voigt, Wagner, and Wallace—41.

NOES—Cottrell, Cunningham, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Garibaldi, Latham, Lyon, Martin, McBride, McMurray, Miller, Minard, Nielsen, Peterson, Peyser, Phillips, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Waters, Williamson, Wright, and Mr. Speaker—30.

Request for Unanimous Consent.

Mr Redwine asked for, and was granted, unanimous consent to take up Assembly Bill No. 106, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 106, as amended, read third time.

Motion to Re-refer Assembly Bill No. 106.

Mr. Morgan moved that Assembly Bill No. 106, as amended, be re-referred to Committee on Education.

The question being on the motion by Mr. Morgan to re-refer Assembly Bill No. 106, as amended, to Committee on Education.

Demand for Previous Question.

Messrs. Dawson, Johnson, Wallace, Fisher and Desmond demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion by Mr. Morgan to re-refer Assembly Bill No. 106, as amended, to Committee on Education.

Roll Call.

On request of Messrs. Lyon, Field and Redwine, the Speaker ordered a roll call taken on the motion by Mr. Morgan to re-refer Assembly Bill No. 106 to Committee on Education.

The roll was called..

Call of the House.

Pending the announcement of the vote, Mr. Redwine moved a call of the House.

Request for Roll Call.

On request of Messrs. Redwine, Field and Lyon, the Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Breed, Burns, Cottrell, Cronin, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Latham, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Waters, Williamson, Wright, and Mr. Speaker—41.

NOES—Boyle, Clark, Dawson, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Hunt, Johnson, Jones, Laughlin, Lore, McCarthy, Morgan, Patterson, Pelletier, Reaves, Richie, Rosenthal, Voigt, Wagner, and Wallace—25.

Time, two o'clock and thirty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Boyle, Breed, Burns, Clark, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr Speaker—66.

The Chief Clerk announced the absentees

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent. Motion to Adjourn.

Mr. Lyon moved that when the Assembly adjourn on Saturday, June 1st, they do so from five o'clock p.m., Saturday, June 1, 1935, until ten o'clock a.m , Monday, June 3, 1935

Substitute Motion.

Mr. Patterson moved, as a substitute motion, that the Assembly convene on Sunday.

Withdrawal of Substitute Motion.

Mr. Patterson withdrew his motion.

Substitute Motion.

Mr. Field moved, as a substitute motion, that the Assembly recess from Friday until Monday.

The question being on the substitute motion by Mr. Field to recess from Friday until Monday.

Demand for Previous Question.

Messrs. Burns, Peterson, Johnson, Fisher and Cottrell demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the substitute motion that the Assembly recess from Friday until Monday.

Roll Call.

The Speaker ordered a roll call taken on the substitute motion by Mr. Field.

The roll was called, and the substitute motion was lost by the following vote:

AYES—Boyle, Breed, Burns, Clark, Crowley, Dawson, Desmond, Evans, Herbert J., Evans, Ralph W., Field, Flint, Garibaldi, Hawkins, Hunt, Johnson, Jones, Kallam, Laughlin, Lyon, Martin, Mayo, McMurray, Meehan, Nielsen, Peterson, Peyser, Phillips, Redwine, Utt, Walker, and Wright—31.

NOES—Anderson, Andreas, Brennan, Cassidy, Cottrell, Cronin, Cunningham, DeLap, Donihue, Donnelly, Fisher, Frazier, Fulcher, Geyer, Gilbert, Glover, Heisinger, Hornblower, Latham, Lore, Maloney, McBride, McCarthy, Miller, Minard, Morgan, Patterson, Pelletier, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Wallace, Waters, Welsh, Williamson, and Mr. Speaker—44.

The question being on the motion by Mr. Lyon to adjourn from five o'clock p.m., Saturday, June 1, 1935, until ten o'clock a.m., Monday, June 3, 1935.

Demand for Previous Question.

Messrs. Pelletier, Fisher, Morgan, Robertson and Flint demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion to adjourn from five o'clock p.m., Saturday, June 1, 1935, until ten o'clock a.m., Monday, June 3, 1935.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Lyon to adjourn.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer,

Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—69.

NOES—Donnelly, Hawkins, McBride, Patterson, Reaves, Robertson, and Rosenthal—7.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 607—An act relating to the holding of the Pacific Exposition and the San Francisco Bay Exposition in California, providing for the issuance and sale of State bonds to be known as "California Exposition Bonds," providing for the payment and retirement of said bonds, providing for and creating funds for the carrying out of the purposes of this act, authorizing the expenditure of moneys in said funds for such purposes, creating two commissions, one to be known as the "Pacific Exposition Commission" and the other to be known as "San Francisco Bay Exposition Commission," creating an interest and sinking fund for the payment of interest on said bonds and the redemption of the same, and making appropriation therefor, making an appropriation of two thousand dollars for the expense of printing, lithographing and selling said bonds, designating the name by which this act shall be known and fixing the time at which this act shall be and become effective.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lyon:

Amendment No. 1.

On page 8, line 39, of the printed bill, as amended, after the second word "in", insert the words "or about".

Amendment No. 2.

On page 9, line 2, of the printed bill, as amended, after the word "in", insert the words "or about".

Amendment No. 3.

On page 10, line 15, of the printed bill, as amended, after the word "California", strike out the balance of the line; and also lines 16, 17, 18 and 19; and also the following words in line 20: "bonds sold by said commission then".

Amendment No. 4.

On page 10, line 36, of the printed bill, as amended, after the period, strike out the balance of the line, and also all of lines 37, 38 and 39, and the words "this paragraph.", in line 40.

Amendment No. 5.

On page 11, line 28, of the printed bill, as amended, before the word "shall", insert the word "Commission".

Amendment No. 6.

On page 11, line 32, of the printed bill, as amended, after the word "California", strike out the balance of the line, and also lines 33, 34, 35 and 36, and the words "bonds sold by said commission then", in line 37.

Amendment No. 7.

On page 12, line 1, of the printed bill, as amended, after the period, strike out the balance of the line, and also all of lines 2, 3 and 4, and the word "provision", in line 5.

Amendment No. 8.

On page 12, line 7, of the printed bill, as amended, after the word "Exposition", strike out the word "Corporation".

Amendment No. 9.

On page 13, line 20, of the printed bill, as amended, after the word "execute", strike out the word "the".

Amendments adopted.

Bill read, ordered to reprint, re-re-engrossment, and third reading.

Assembly Bill No. 1482—An act making appropriation for the elimination of camel's thorn out of certain moneys heretofore appropriated for that purpose.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Walker:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, strike out the period, and insert in lieu thereof the following "declaring the urgency hereof, to take effect immediately."

Amendment No. 2.

On page 1 of the printed bill, after line 6, insert the following:

SEC. 2 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of Article IV of the Constitution and therefore shall go into immediate effect. The facts constituting such necessity are as follows:

The appropriation made for the eradication of camel's thorn in 1931 has not all been expended, but is needed for the purpose. This appropriation will expire on August 14, 1935, unless the balance is reappropriated by this act Camel's thorn is a destructive agricultural pest and it is necessary that its eradication be continued."

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No 1625—An act to prevent fraud, deception and imposition in the solicitation within the State of California of the deposit of bonds, notes, debentures and other evidences of indebtedness under, and/or the consent of the holders or owners of such securities, to a protective committee agreement, and to prevent fraud, deception and imposition in the operations and activities of protective committees organized within the State of California to act for and in behalf of the holders or owners of such securities, and for such purposes to create a commission to regulate and supervise the establishment and the operations of protective committees, depositaries under protective committee agreements, and solicitors for protective committee agreements; to prescribe the powers and duties of such commission; to license members of protective committees, depositaries under protective committee agreements and solicitors for protective committee agreements; and to prescribe penalties for violation of this act.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1625 refused passage by the following vote:

AYES—Anderson, Andreas, Breed, Clark, Corwin, Cottrell, Donnelly, Fulcher, Garibaldi, Kallam, Latham, Minard, Morgan, Nielsen, Phillips, Reaves, Robertson, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Weber, Welsh, Williamson, and Wright—28.

NOES—Boyle, Brennan, Burns, Cassidy, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Gilbert, Hawkins, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, O'Donnell, Patterson, Peyser, Redwine, Richie, Riley, Rosenthal, Wallace, Waters, and Mr. Speaker—42

Notice of Reconsideration of Assembly Bill No. 1625.

Mr. Phillips gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1625 was this day refused passage.

Further Proceedings Under Call of the House Dispensed With.

At three o'clock and twenty-five minutes p.m, further proceedings under the call of the House were dispensed with, on motion of Mr. Redwine.

The roll of absentees was called, and the motion by Mr. Morgan to re-refer Assembly Bill No. 106 to Committee on Education was lost by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Clark, Cronin, Dawson, DeLap, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, Mayo, McCarthy, McMurray, Meehan, Morgan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Voigt, Wagner, Wallace, and Welsh—39.

NOES—Breed, Brennan, Corwin, Cottrell, Crowley, Cunningham, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Kallam, Latham, Lyon, Martin, McBride, Miller, Minard, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—39.

Reconsideration of Amendment to Assembly Bill No. 106.

Mr. Redwine moved to reconsider the vote whereby the amendment submitted by Mr. Voigt to Assembly Bill No. 106 was this day adopted.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Redwine to reconsider the amendment by Mr. Voigt.

The roll was called, and the reconsideration of the amendment refused by the following vote:

AYES—Andreas, Breed, Brennan, Corwin, Cottrell, Cunningham, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Kallam, Latham, Lyon, Martin, McBride, Miller, Minard, Nielsen, Peterson, Peyser, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—37.

NOES—Anderson, Boyle, Burns, Cassidy, Clark, Cronin, Crowley, Dawson, Desmond, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, Mayo, McCarthy, McMurray, Meehan, Morgan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, Wallace, and Welsh—40

Request for Unanimous Consent.

Mr Redwine asked for, and was granted, unanimous consent to take up Assembly Bill No 106, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No 106, as amended, read third time

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Anderson:

Amendment No. 1.

On page 2, lines 7, 8 and 9, of the printed bill, strike out "or is affiliated with any group, society, or organization which has as its object or one of its objects"

The question being on the amendment submitted by Mr. Anderson to Assembly Bill No 106.

Roll Call.

The Speaker ordered a roll call taken on the amendment submitted by Mr. Anderson.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Anderson, Boyle, Burns, Donihue, Flint, Geyer, Gilbert, Glover, Hawkins, Hunt, Johnson, Jones, Laughlin, Lore, McCarthy, McMurray, Morgan, Patterson, Pelletier, Reaves, Richie, Rosenthal, Voigt, Wagner, Wallace, and Welsh—26.

NOES—Andreas, Breed, Brennan, Cassidy, Cottrell, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Heisinger, Hornblower, Kallam, Latham, Lyon, Maloney, Martin, Mayo, Miller, Minard, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—43

Assembly Bill No. 106, as amended, read third time

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Richie:

Amendment No. 1.

On page 1, line 15, of the printed bill, after the word "suffered", strike out the period, insert a semicolon, and add the words, "provided, however, that any individual, society, group or organization shall alone be competent to state whether it has as its object or one of its objects the overthrow or the advocacy of the overthrow of the present form of government of the United States or of the State of California by force or violence or other unlawful means."

Motion to Lay Amendment on the Table.

Mr. Flint moved that the amendment be laid on the table

The question being on the motion by Mr. Flint to lay the amendment submitted by Mr. Ritchie on the table

Roll Call.

The Speaker ordered a roll call taken on the motion to table the amendment submitted by Mr. Ritchie.

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Boyle, Clark, Cronin, Donahue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Hunt, Johnson, Jones, Laughlin, Lore, McCarthy, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Voigt, Wagner, Wallace, and Welsh—27.

NOES—Andreas, Breed, Brennan, Burns, Cassidy, Corwin, Cottrell, Cunningham, Dawson, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Heisinger, Hornblower, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—48.

The question being on the amendment submitted by Mr. Richie to Assembly Bill No. 106.

Roll Call.

The Speaker ordered a roll call taken on the amendment submitted by Mr. Richie.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Clark, Donahue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Hunt, Jones, Laughlin, Lore, McCarthy, Meehan, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, Wallace, and Welsh—28

NOES—Andreas, Breed, Brennan, Corwin, Cronin, Cunningham, Dawson, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—43

Assembly Bill No. 106, as amended, read third time

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Geyer:

Amendment No. 1.

On page 2 of the printed bill, as amended, immediately following line 13, insert the following: "For the purpose of this section any individual or group of individuals who will take an oath of allegiance in substantially the following form shall not be considered as advocating the overthrow of the present form of government of the United States or the State of California by force or violence or unlawful means:

"I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation, indivisible, with liberty and justice for all." "

The question being on the amendment submitted by Mr. Geyer to Assembly Bill No. 106.

Roll Call.

The Speaker ordered a roll call taken on the amendment submitted by Mr. Geyer.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Clark, Dawson, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Hawkins, Hunt, Johnson, Jones, Laughlin, Lore, McCarthy, McMurray, Meehan, Morgan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, Wallace, Weber, and Welsh—33

NOES—Andreas, Breed, Brennan, Corwin, Cottrell, Cronin, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Waters, Williamson, Wright, and Mr. Speaker—42.

Motion to Re-refer Assembly Bill No. 106.

Mr. Burns moved that Assembly Bill No. 106 be re-referred to Committee on Labor and Capital.

The question being on the motion by Mr. Burns to re-refer Assembly Bill No 106 to Committee on Labor and Capital

Roll Call.

The Speaker ordered a roll call taken on the motion to re-refer Assembly Bill No. 106 to Committee on Labor and Capital.

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Boyle, Cassidy, Clark, Dawson, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Lore, McCarthy, McMurray, Meehan, Morgan, Patterson, Pelletier, Reaves, Richie, Rosenthal, Voigt, Wagner, Wallace, Weber, and Welsh—31.

NOES—Andreas, Breed, Brennan, Burns, Corwin, Cottrell, Cronin, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Waters, Williamson, Wright, and Mr. Speaker—44.

Assembly Bill No. 106, as amended, read third time.

Demand for Previous Question.

Messrs. Lore, Johnson, Garibaldi, DeLap and Brennan demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 106, as amended, passed by the following vote:

AYES—Andreas, Breed, Brennan, Corwin, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Waters, Williamson, Wright, and Mr Speaker—44

NOES—Anderson, Boyle, Burns, Cassidy, Clark, Cronin, Dawson, Donihue, Evans, Ralph W, Flint, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt,

Johnson, Jones, Laughlin, Lore, McCarthy, McMurray, Meehan, Patterson, Pelletier, Reaves, Richie, Rosenthal, Voigt, Wagner, Wallace, Weber, and Welsh—33.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 106.

Mr. Jones gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 106 was this day passed.

Recess.

At four o'clock and thirty minutes p.m, the Speaker declared the Assembly at recess until eight o'clock p m. of this day.

Reassembled.

At eight o'clock p.m, the Assembly reconvened.

Speaker Craig in the chair.

Absence of Quorum Suggested.

Mr. Hunt suggested the absence of a quorum.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Hunt moved a call of the House.

Motion carried.

Time, eight o'clock and five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Brennan, Cassidy, Corwin, Cottrell, Crowley, Cunningham, Dawson, Evans, Herbert J., Evans, Ralph W., Hawkins, Heisinger, Hunt, Jones, Latham, Laughlin, Lore, Martin, Mayo, McCarthy, Meehan, Miller, Morgan, Nielsen, Pelletier, Peterson, Phillips, Reaves, Rosenthal, Scudder, Thorp, Turner, Voigt, Wagner, Walker, and Mr. Speaker—38.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Further Proceedings Under Call of the House Dispensed With.

At eight o'clock and ten minutes p.m, further proceedings under the call of the House were dispensed with, on motion of Mr. Hunt.

The roll of absentees was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Domhue, Evans, Herbert J., Evans, Ralph W., Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Morgan, Nielsen, Pelletier, Peterson, Peyser, Phillips, Reaves, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Voigt, Wagner, Walker, Waters, Wright, and Mr. Speaker—54.

The Speaker declared a quorum present.

Leave of Absence.

On motion of Mr. Cottrell, Mr. Chatters was granted leave of absence for the balance of this legislative day.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO May 31, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1227—An act relating to the holding of the San Francisco Bay Bridge Exposition in the City and County of San Francisco, in the State of California, creating a commission to be known as the San Francisco Bay Bridge Exposition Commission, and making an appropriation therefor—and reports that the same has been correctly re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 703—An act to establish the Southern California Prison under the management and control of the State Board of Prison Directors, to provide for purchase or acquirement of farm lands by unconditional gift or use of lands owned by the State therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor—and reports that the same has been correctly re-re-engrossed

WATERS, Chairman

The above reported bill ordered on file for third reading.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1935.

MR SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Senate Bill No. 259—An act to amend sections 223, 228, and 231 of and to add section 228 1 to the Agricultural Code, relating to bovine tuberculosis—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

THORP, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2482—An act to amend section 1½ of an act entitled "An act to protect trade-mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a distinguished trade-mark, brand or name," approved May 8, 1931, relating to unfair competition—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LYON, Chairman.

The above reported bill ordered on file for second reading.

On Oil Industries.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1935.

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No 2392—An act to ratify and approve an Interstate Compact to Conserve Oil and Gas, signed at Dallas, Texas, February 16, 1935, providing for the appointment of a representative of the State of California to the Interstate Oil Compact Commission, and prescribing his powers and duties—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

McBRIDE, Chairman.

The above reported bill ordered on file for second reading.

On Prisons and Reformatories.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1935.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to which was referred Senate Bill No. 1111—An act to amend section 1 of an act entitled "An act fixing the price, terms and conditions of sale at which jute goods shall be sold by the

State, and providing for prosecution of and punishment of offenses under the same," approved May 19, 1927, relating to the price for the sale of jute bags—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MARTIN, Chairman.

The above reported bill ordered on file for second reading.

On Irrigation.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1935.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Senate Bill No 1008—An act to amend section 2 of and to add section 2a to "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, relating to collection agencies and the regulation, supervision and licensing thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

Motion to Approve Journals.

Mr. Lyon moved that the Journals of May 10, 1935; May 11, 1935; May 13, 1935; May 14, 1935; May 15, 1935; and May 16, 1935, be approved as corrected by the Minute Clerk.

Motion carried.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 652—An act to add section 11b to the Motor Vehicle Fuel License Tax Act, relating to fuel used in unemployment cooperative relief work.

Bill read third time.

Demand for Previous Question.

Messrs. Kallam, Peterson, Garibaldi, Minard and Morgan demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 652 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, Donahue, Donnelly, Evans, Herbert J. Evans, Ralph W. Frazier, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Turner, Utt, Voigt, Wagner, Walker, Waters, Welsh, Wright, and Mr. Speaker—55.

NOES—Breed, DeLap, Fulcher, Minard, Peyser, Robertson, and Scudder—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 735—An act to amend sections 4 and 10 of an act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision," approved May 18, 1917, relating to the operation of the business of industrial loan companies.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. McCarthy:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "of", insert the following: ", and to add sections 13, 14, 15 and 16 to,".

Amendment No. 2.

On page 1, line 3, of the printed bill, as amended, strike out "provision", and insert in lieu thereof the following: "provisions"

Amendment No. 3.

On page 1, line 4, of the printed bill, as amended, strike out the colon

Amendment No. 4.

On page 2, line 5, of the printed bill, as amended, strike out the period, and insert in lieu thereof a comma, and the following: "provided, that no charges including interest, fees, bonuses, commissions, discounts, brokerage or other compensation shall exceed in the aggregate a sum larger than that amount arrived at by computing interest at the rate of twelve per cent per annum on the actual amount outstanding for the period it remains unpaid, and when payments on account are made such interest shall be figured on the balances remaining from time to time."

Amendment No. 5.

On page 2 of the printed bill, as amended, after line 34, add the following:

SEC. 3. Section 13 is hereby added to said act to read as follows:

Sec. 13. No corporation under the provisions of this act shall make any loan in connection with which said corporation knows or has reasonable cause to believe a fee, commission or other compensation is paid or is promised to be paid by the borrower or at his expense to any third party for services rendered in procuring said loan. Any loan made in violation of this section shall be void and the lender shall have no right to collect or receive any principle, interest or charges whatsoever thereon.

SEC. 4 Section 14 is hereby added to said act to read as follows

Sec. 14. Any person who negotiates, arranges or procures any loan made or to be made by any corporation under the provisions of this act shall, for the purposes of regulation under this act, and notwithstanding any agreement to the contrary, be deemed to be the agent of the corporation which makes the loan, and any fee, commission, bonus or other compensation paid by the borrower at his expense at any time to any person for services rendered in negotiating, arranging or procuring any loan made or to be made by any such corporation shall be deemed to have been paid for the use and benefit of such corporation.

SEC. 5. Section 15 is hereby added to said act to read as follows

Sec. 15. Any corporation under the provisions of this act, and the several members, officers, directors, agents and employees thereof, who shall violate any of the provisions of this act shall be guilty of a misdemeanor, and shall be punished by a fine of not more than three hundred dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment.

SEC 6 Section 16 is hereby added to said act to read as follows

Sec 16. Every corporation under the provisions of this act, which for any loan or forbearance of money, goods or things in action, shall have paid or delivered any greater sum or value than is allowed to be received under provisions of this act, may by its personal representative recover in an action at law against the person, firm, corporation, association or partnership who shall have taken or received the same, or his or its personal representative, treble the amount of the money so paid, or value delivered in violation of this act, providing such action shall be brought within one year after such payment or delivery"

The question being on the amendments submitted by Mr. McCarthy to Assembly Bill No. 735.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. McCarthy.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Evans, Ralph W., moved a call of the House

Request for Roll Call.

On request of Messrs Turner, Gilbert and Geyer, the Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Andreas, Cassidy, Clark, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Laughlin, Maloney, Mayo, McCarthy, Morgan, O'Donnell, Patterson, Peter-

son, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Turner, Voigt, Wagner, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—48.

NOES—DeLap, Evans, Herbert J., Hornblower, Latham, Lore, Lyon, Martin, Miller, Minard, Pelletier, Phillips, Riley, Scudder, Stream, Utt, and Walker—16.

Time, nine o'clock p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Cassidy, Clark, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—64.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent. Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1606—An act to amend section 8 of and to add section 8a to the Sewer Revenue Bond Act, relating to acquisition and operation of sewerage disposal works

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Nielsen:

Amendment No. 1.

On page 2, line 38, of the printed bill, as amended, strike out all of said line except "Sec. 8a.", and strike out lines 39 to 44, inclusive.

Amendment No. 2.

On page 2, line 46, of the printed bill, as amended, strike out "twenty-five", and insert in lieu thereof the following: "ten".

Amendment No. 3.

On page 3, line 4, of the printed bill, as amended, strike out "an action may be", and strike out all of lines 5 to 8, inclusive, and in line 9, strike out "awarded the plaintiff. Third,".

Amendment No. 4.

On page 3, line 14, of the printed bill, as amended, strike out ", and in case of nonpayment of the", and strike out all of lines 15 to 25, inclusive.

Amendments adopted.

Request for Unanimous Consent.

Mr. Latham asked for, and was granted, unanimous consent to take up Assembly Bill No. 1606, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1606, as Amended.

Assembly Bill No. 1606, as amended, read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 1606, as amended, passed by the following vote:

AYES—Anderson, Andreas, Cassidy, Clark, Cottrell, Cronin, Crowley, DeLap, Desmond, Donihue, Donnelly, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan,

O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Weber, Welsh, Williamson, Wright, and Mr. Speaker—57.

NOES—Lore—1

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No 2412—An act to provide for the regulation and licensing of establishments for wagering or betting upon the results of horse races; to provide penalties for the violation of the provisions of this act and making an appropriation for the enforcement thereof.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Turner:

Amendment No. 1.

On page 3 of the printed bill, as amended, after line 52, add the following:

"SEC 8. No such licensee may advertise or publish, or cause to be advertised or published, through any medium or in any manner, that such licensee is engaged in the business of, or is conducting an establishment for wagering or betting on the results of horse races, or that such licensee wagers or bets or accepts wagers or bets on the results of horse races."

Amendment No. 2.

On page 4, line 1, of the printed bill, as amended, strike out "8", and insert in lieu thereof the following: "9".

Amendments adopted

Request for Unanimous Consent.

Mr. Turner asked for, and was granted, unanimous consent to take up Assembly Bill No. 2412, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2412, as Amended.

Assembly Bill No. 2412, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2412, as amended, was refused passage by the following vote:

AYES—Andreas, Boyle, Dawson, Desmond, Fulcher, Garibaldi, Hornblower, Hunt, Jones, Kallam, Maloney, McMurray, Meehan, Pelletier, Peterson, Peyser, Reaves, Rosenthal, Turner, Wagner, and Williamson—21.

NOES—Anderson, Breed, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Fisher, Frazier, Geyer, Gilmore, Glover, Hawkins, Johnson, Latham, Laughlin, Lore, Lyon, Martin, McBride, Miller, Minard, Morgan, O'Donnell, Patterson, Phillips, Redwine, Richie, Riley, Scudder, Stream, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—46.

Notice of Reconsideration of Assembly Bill No. 2412.

Mr. Turner gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 2412 was this day refused passage

Assembly Bill No 2444—An act to require security for the payment of wages of persons engaged in the canning industry and providing penalties for violation of the provisions thereof.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 2444 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Her-

bert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—70.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No. 1198—An act to repeal sections 2.1223 and 6 523 of the School Code, relating to reports of books purchased for any school district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1198 passed by the following vote:

AYES—Andreas, Boyle, Breed, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, and Mr. Speaker—64

NOES—None

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No 2435—An act to add section 642 to the Streets and Highways Code, establishing an additional secondary State highway.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Miss Miller

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, between "to", and "the", insert the following ", and to repeal section 486 of."

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out line 2 of the title, and insert in lieu thereof the following "relating to secondary State highways."

Amendment No. 3.

On page 1, line 1, of the printed bill, as amended, after "SECTION 1.", insert the following: "Section 486 of the Streets and Highways Code is hereby repealed. SEC. 2."

Amendments adopted.

Request for Unanimous Consent.

Miss Miller asked for, and was granted, unanimous consent to take up Assembly Bill No. 2435, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No 2435, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Gilbert:

Amendment No. 1.

On page 1 of the printed bill, after line 9, add the following

"SEC. 2. If in acquiring the rights of way for the establishment of the highway created by this act it is necessary to obtain rights of way through any public park in

the Arroyo Seco, the State Department of Public Works must pay the value of such right of way to the city in which any such park lies and the amount thus paid to the city shall be used in the reduction of outstanding special assessments levied or to be levied for the purpose of establishing, building or maintaining such park."

The question being on the amendment to Assembly Bill No. 2435 submitted by Mr. Gilbert

Roll Call.

The Speaker ordered a roll call taken on the amendment submitted by Mr. Gilbert.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Anderson, Cassidy, Donihue, Geyer, Gilbert, Hawkins, Jones, Lore, McMurray, Meehan, Patterson, Pelletier, Reaves, Rosenthal, Turner, and Voigt—16.

NOES—Andreas, Breed, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J. Field, Fisher, Frazier, Garibaldi, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—51.

Third Reading of Assembly Bill No. 2435.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 2435 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—63.

NOES—Cassidy, Donihue, Lore, McCarthy, and Meehan—5.

Title read and approved

Bill ordered transmitted to the Senate.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 31, 1935.

MR. SPEAKER: I am directed to return to your honorable body Assembly Bill No. 1462—An act to add section 4a to the act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931, relative to the definition of public contract work and the payment of the general prevailing rate therefor—previously transmitted to the Senate this day, and to respectfully request your honorable body to have the same printed in its amended form in order that it may conform to the provisions of section 15 of Article 4 of the Constitution of the State of California which provides that: "No law shall be passed except by bill. *Nor shall any bill be put upon its final passage until the same, with the amendments thereto,* shall have been printed for the use of the members; * * *"

J. A. BEEK, Secretary of the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 96—An act to add section 429 5 to the Fish and Game Code, relating to fishing licenses.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 96 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Cassidy, Corwin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—59.

NOES—Cottrell, Field, Fisher, Fulcher, and Redwine—5.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2440—An act to amend sections 721 and 722 of the Fish and Game Code, and to repeal section 724 thereof, relating to fish.

Bill read third time.

Demand for Previous Question.

Messrs. Robertson, Dawson, DeLap, Weber and Fisher demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2440 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Cassidy, Clark, Corwin, Cunningham, Dawson, DeLap, Donnelly, Evans, Herbert J., Evans, Ralph W., Flint, Frazier, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Turner, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, and Wright—56.

NOES—Donihue, Field, Fisher, Fulcher, Garibaldi, Johnson, Mayo, Scudder, Utt, Wallace, and Mr. Speaker—11.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2439—An act to amend section 50 of the "State Housing Act," approved June 15, 1923, relating to the character and construction of fire escapes.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Anderson:

Amendment No. 1.

On page 2 of the printed bill, strike out line 11, and insert in lieu thereof the following: "matic stairway or with an automatic ladder. Said automatic stairway or automatic ladder shall be so equipped".

Amendment No. 2.

On page 2 of the printed bill, strike out lines 16 to 22, inclusive, and insert in lieu thereof the following: "automatic stairway or automatic ladder shall be attached to said lowest balcony or to an iron frame connected therewith in such a manner

that when released the automatic stairway or automatic ladder shall reach the ground or street and, if a stairway, shall be so arranged and equipped that when the base of said stairway strikes the ground or street, it shall be inclined or it will automatically incline itself so that said stairway shall have an inclination from said balcony of not less than four inches nor more than six inches for each twelve inches of vertical height. Said counterbalance stairs".

The question being on the amendments to Assembly Bill No. 2439 submitted by Mr. Anderson.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Anderson.

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Anderson, Clark, Desmond, Donihue, Field, Flint, Fulcher, Geyer, Hunt, Jones, Kallam, Lore, Miller, Nielsen, Patterson, Richie, Riley, Rosenthal, Turner, Utt, and Wallace—21.

NOES—Andreas, Breed, Cassidy, Corwin, Cronin, Crowley, Cunningham, Dawson, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Frazier, Garibaldi, Gilmore, Glover, Hornblower, Johnson, Laughlin, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Minard, Morgan, Pelletier, Peyser, Phillips, Reaves, Redwine, Robertson, Scudder, Stream, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—43.

Third Reading of Assembly Bill No. 2439.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2439 passed by the following vote:

AYES—Andreas, Boyle, Breed, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Frazier, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Laughlin, Lore, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Reaves, Redwine, Rosenthal, Scudder, Stream, Turner, Voigt, Wagner, Walker, Waters, Weber, Welsh, Wright, and Mr. Speaker—56

NOES—Anderson, Donihue, Field, Flint, Fulcher, Geyer, Jones, Latham, Martin, Phillips, Richie, Riley, Robertson, Utt, Wallace, and Williamson—16.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 360—An act to amend section 10 of an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, relating to length of residence.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 360 passed by the following vote:

AYES—Breed, Cassidy, Corwin, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—56

NOES—Flint, Geyer, Glover, McCarthy, Peterson, Reaves, Richie, Wagner, and Wallace—9.

Title read and approved

Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the House Dispensed With.

At ten o'clock and thirty minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. McCarthy.

The roll of absentees was called, and the amendments submitted by Mr. McCarthy to Assembly Bill No. 735 were refused adoption by the following vote:

AYES—Anderson, Boyle, Cassidy, Clark, Crowley, Dawson, Desmond, Donihue, Evans, Ralph W, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, McCarthy, McMurray, Meehan, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, Wallace, and Mr. Speaker—34.

NOES—Andreas, Breed, Corwin, Cottrell, Cronin, Cunningham, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Gilmore, Hornblower, Johnson, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Utt, Walker, Waters, Weber, Welsh, Williamson, and Wright—42.

Third Reading of Assembly Bill No. 735.

Assembly Bill No. 735 read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 735 passed by the following vote:

AYES—Anderson, Andreas, Breed, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—61.

NOES—Boyle, Evans, Ralph W., Fisher, Johnson, McCarthy, Peterson, and Reaves—7

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1030—An act defining unlawful gas, prohibiting dealing in and transporting by pipe of unlawful gas, requiring certain corporations, individuals and associations of individuals engaged in the business of buying lawful gas and transporting the same by pipe line to be common purchasers of such gas, and fixing penalties for violations of the act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1030 passed by the following vote:

AYES—Boyle, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Richie, Riley, Rosenthal, Turner, Wagner, Walker, and Waters—51.

NOES—Andreas, Dawson, DeLap, Field, Kallam, Latham, McBride, Minard, Redwine, Robertson, Scudder, Stream, Utt, Wallace, Weber, Williamson, Wright, and Mr. Speaker—18

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 1030.

Mr. Robertson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 1030 was this day passed.

Assembly Bill No. 880—An act to amend section 726 of the Code of Civil Procedure, relating to foreclosure of mortgages

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Heisinger:

Amendment No. 1.

On page 4 of the printed bill, after line 47, insert the following:

"No deficiency judgment may be rendered on real property, or on real property in combination with other property which fully secured the obligation at the time it was incurred."

The question being on the amendment to Assembly Bill No. 880 submitted by Mr. Heisinger.

Roll Call.

The Speaker ordered a roll call taken on the amendment submitted by Mr. Heisinger.

The roll was called, and the amendment was adopted by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Cronin, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Riley, Rosenthal, Scudder, Stream, Turner, Wagner, Walker, Waters, and Weber—50.

NOES—Andreas, Breed, Corwin, Cottrell, Cunningham, DeLap, Evans, Herbert J., Field, Johnson, Latham, Lyon, Minard, Phillips, Redwine, Robertson, Utt, Wallace, Williamson, Wright, and Mr. Speaker—20

Request for Unanimous Consent.

Mr. DeLap asked for, and was granted, unanimous consent to take up Assembly Bill No. 880, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 880, as Amended.

Assembly Bill No. 880, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 880, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—73

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Messages.

The following messages from the Senate were taken up and read.

SENATE CHAMBER, SACRAMENTO, May 31, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No. 442—An act to amend section 1270 of the Fish and Game Code and to repeal sections 1271, 1271.5 and 1272, relating to deer—and appointed Senators Powers, Biggar and Perry, as a Committee on Conference, to meet a like committee from the Assembly.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Appointment of Committee on Free Conference Concerning Assembly Bill No. 442.

The Speaker announced the appointment of Messrs Mayo, Chatters and Scudder, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Assembly Bill No. 442.

Also:

SENATE CHAMBER, SACRAMENTO, May 31, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2438—An act to amend sections 13, 14, 14a and 14b of, to add sections 21, 22, 23, 24 and 25 to, and to repeal sections 15 and 16 of, The Planning Act, relating to State, regional, county, and city planning;

Also: Assembly Bill No 1959—An act to add sections 306 and 306a to the Penal Code, relating to minors;

Also: Assembly Bill No. 2012—An act to amend the Vehicle Code by adding a new section to be numbered 135.5, relating to investigation of accidents;

Also: Assembly Bill No. 1395—An act to amend sections 5 1100, 5 1101, 5.1110, 5.1120, 5.1121, 5.1122, 5.1132, 5 1135, 5.1136, 5 1138 of the School Code, relating to the retirement of teachers and employees by school districts, and to add a new section to be numbered section 5.1139 to the School Code;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 2438, 1959, 2012 and 1395, ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 31, 1935.

MR SPEAKER I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No. 2420—An act to provide for reduction of salaries of officers and employees of the State in the State civil service which are in excess of the maximum salary limits of the respective positions —and respectfully asks your honorable body to concur in said amendments.

J A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No 2420 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 31, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 1755—An act to amend sections 1466, 1467, 1468 and 1469 of the Penal Code, and to repeal sections 1468a and 1470 of the Penal Code, all relating to appeals to the superior court in criminal cases;

Also: Assembly Bill No. 1111—An act to provide for the formation, government, operation and dissolution of library districts;

Also: Assembly Bill No 301—An act to amend section 7 of an act entitled "An act to provide for the formation, management, consolidation and dissolution of county fire protection districts, annexations thereto, and withdrawals therefrom, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 23, 1923, relating to taxes of such districts;

Also: Assembly Bill No. 2252—An act to amend section 5.773 of the School Code, relating to employees of school districts other than persons employed in positions requiring certification qualifications;

Also: Assembly Bill No. 2452—An act to add section 1238 5 to the Code of Civil Procedure, relating to eminent domain,

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1755, 1111, 301, 2252, and 2452 ordered to unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 31, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1756—An act to add two new sections, to be

numbered 1000a and 1000b, to Chapter III of Title XIV of Part II of the Code of Civil Procedure, relating to admissions;

Also: Assembly Bill No. 1426—An act to amend section 3820 of the Political Code, relating to assessor to collect taxes not secured by real property;

Also: Assembly Bill No. 1833—An act to amend section 1 of "An act to regulate the construction of buildings in the State of California, in respect to resistance to horizontal forces, providing penalties for the violation thereof and providing that this act become effective immediately," approved May 26, 1933, relating to construction of buildings;

Also: Assembly Bill No 1192—An act to amend section 80 of to the Agricultural Code, relating to agricultural districts and including provision for the exhibition of live stock in southern California;

Also: Assembly Bill No. 1614—An act to amend section 135 of the Vehicle Code, relating to the California Highway Patrol;

Also: Assembly Bill No 1364—An act authorizing the State Franchise Tax Commissioner to destroy certain tax returns.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1756, 1426, 1833, 1192, 1614, and 1364 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, May 31, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 2432—An act to amend section 2 of the "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, relating to powers of the district, declaring the urgency hereof and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 2432 ordered to enrollment.

Third Reading of Senate Bills.

Senate Bill No. 491—An act to amend section 3 of, and to add section 11.5 to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to definitions and the limitation of actions.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Johnson:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "section 11 5", and insert in lieu thereof the following: "sections 11.5 and 11.6".

Amendment No. 2.

On page 2, line 27, of the printed bill, as amended, strike out the comma after "section", and insert in lieu thereof the following: "of this".

Amendment No. 3.

On page 2, line 31, of the printed bill, as amended, after the period strike out "Proceedings for the col-", and all of lines 32 to 39, inclusive, and insert in lieu thereof the following:

"SEC. 3 A new section is hereby added to the Workmen's Compensation, Insurance and Safety Act of 1917, to be numbered 11 6 and to read as follows.

Sec. 11 6. Subject to the provisions of subsection (2) (b) of section 11 of this act, no employer shall be liable for the said benefits provided by section 9 when the employee has left the service of such employer more than seven years prior to the commencement of proceedings for the collection of said benefits."

Amendments adopted.

Bill read, ordered to reprint, and on file for third reading.

Senate Bill No. 492—An act to add sections 9.4 and 9.5 to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to liability.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr Johnson:

Amendment No. 1.

On page 2, lines 8 and 9, of the printed bill, as amended, strike out "prior to employment an employee shall have been examined at the instance of the employer or".

Amendment No. 2.

On page 2 of the printed bill, as amended, immediately following line 12, insert the following:

"SEC. 3. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional."

Amendments adopted

Bill read, ordered to reprint, and on file for third reading

Senate Constitutional Amendment No 26—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XVI thereof a new section to be numbered 11, relating to a bond issue for certain major construction and improvements

Senate Constitutional Amendment No. 26 read.

Floor Amendment.

During the reading of Senate Constitutional Amendment No. 26, the following amendment was submitted by Mr. Riley

Amendment No. 1.

On page 1, line 15, of the printed measure, after the word "million", insert the following "nine hundred fifty thousand"

Amendment adopted.

Senate Constitutional Amendment No 26 ordered to reprint, and on file for adoption.

Senate Constitutional Amendment No 18—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XIII thereof, a new section to be numbered 17, relating to the power of the Legislature to provide for the borrowing of money to meet appropriations made by law, in anticipation of the collection of taxes and revenues.

Senate Constitutional Amendment No. 18 read.

Floor Amendments.

During reading of Senate Constitutional Amendment No. 18, the following amendments were submitted by Mr. Riley:

Amendment No. 1.

On page 1, line 14, of the printed measure, as amended, strike out the following: "such anticipated", and insert in lieu thereof the following: "all".

Amendment No. 2.

On page 1, line 15, of the printed measure, as amended, following the word "revenues", insert the following: "paid into the general fund during the preceding year".

Amendment No. 3.

On page 1, line 16, of the printed measure, as amended, following the word "revenues", insert the following: "together with interest thereon".

Amendment No. 4.

On page 1, line 17, of the printed measure, as amended, strike out "of the receipt of", and following the word "money", in said line, insert the following: "was borrowed".

Amendment No. 5.

On page 2, line 1, of the printed measure, as amended, following the comma after the word "revenues", insert the following: "and making an appropriation."; and following the quotation marks in said line, insert a comma.

Amendments adopted.

Senate Constitutional Amendment No. 18 ordered to reprint, and on file for adoption.

Senate Bill No. 919—An act to license, regulate and control the manufacture, transportation, sale, purchase, possession and disposition of alcoholic beverages; to levy an excise tax on the sale of alcoholic beverages; to provide for the licensing of the manufacture, distribution and sale of alcoholic beverages; to prescribe penalties for the violation of this act; to make an appropriation for the enforcement of this act; to take effect immediately.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lyon:

Amendment No. 1.

On page 10 of the printed bill, as amended, strike out line 38, and insert in lieu thereof the following: "board a".

Amendment No. 2.

On page 10 of the printed bill, as amended, strike out lines 42 to 45, inclusive, and insert in lieu thereof the following: "the State of California, conditioned upon the payment of all excise taxes and penalties assessed against or imposed upon such person, arising out of this act.

The bond shall contain the provisions and be in the form substantially as follows: "Know all men by these presents:

That we, _____, as principal, and _____ a corporation, duly organized and doing business under and by virtue of the laws of _____, and duly licensed for the purpose of making, guaranteeing or becoming sole security upon bonds or undertakings required or authorized by the laws of the State of California, as surety, are held and firmly bound unto the people of the State of California in the sum of _____ dollars ($_____), lawful money of the United States of America, for the payment whereof well and truly to be made, we bind ourselves, our heirs, executors, successors and assigns, jointly and severally, firmly by these present.

The condition of the foregoing obligation is such that:

WHEREAS, The above bounden principal has made application to the State Board of Equalization of the State of California for a license authorizing said principal to engage in business as a manufacturer or importer of beer or wine within the meaning of the Alcohol Beverage Control Act and amendments thereto; and

WHEREAS, Under the terms of said act a bond is required of said principal and good and sufficient surety, payable to the people of the State of California, conditioned upon the payment to the State of California of all of the excise taxes, penalties and fines assessed against or imposed upon said principal arising out of said act.

Now therefore, if the above bounden principal shall pay all excise taxes and penalties assessed against or imposed upon said principal arising out of said act, and if the board, within thirty days after any default by said principal in the payment of any such tax or penalty shall notify the surety thereof, personally or by registered mail, then this obligation shall be null and void: otherwise to remain in full force and effect

That said bond shall remain in force and effect until the surety or sureties are released from liability by said board or until said bond is canceled by said surety or sureties.

The surety herein reserves the right to withdraw as such surety, except as to any liability already incurred or accrued hereunder, and may do so upon giving written notice of such withdrawal to the State Board of Equalization; provided, however, that no withdrawal shall be effective for any purpose until thirty days shall have elapsed from and after receipt of such notice by said board; and further provided,

that no withdrawal shall in anywise affect the liablity of said surety arising out of any sale of beverage made by the principal herein prior to the expiration of such period of thirty days, regardless of whether or not the excise tax based upon such sale shall have been due prior to the expiration of such period.

Signed and sealed this _____ day of _____, 193____.

_____
Principal

By_____

_____
Surety.

By_____""

Amendment No. 3.

On page 23 of the printed bill, as amended, strike out lines 15 to 31, both inclusive, and insert in lieu thereof the following:

"SEC 46. The action of the board upon a petition for a license, a protest, complaint, or a petition for reconsideration shall be subject to review by any court of competent jurisdiction.

SEC. 47 The filing of a petition for reconsideration with the board shall not be a bar to any application to the courts for relief and shall not prevent a court from reviewing or setting aside the action of the board upon a petition for a license, protest or complaint."

Amendments adopted.

Bill read, ordered to reprint, and on file for third reading.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 927—An act to provide for the further development of vocational education in California by accepting the provisions and benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled and approved May 21, 1934; entitled "An act to provide for the further development of vocational education in the several States and Territories"; and making an appropriation therefor; and declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Phillips:

Amendment No. 1.

On page 2, line 4, of the printed bill, as amended, strike out "fifty-five", and insert in lieu thereof the following: "thirty-five".

Amendment No. 2.

On page 2, line 6, of the printed bill, as amended, strike out "years", and insert in lieu thereof the following: "year".

Amendment No. 3.

On page 2, lines 12 and 13, of the printed bill, as amended, strike out ", for each of the eighty-sixth".

Amendments adopted.

Bill read, ordered to reprint, re-re-engrossment, and third reading.

Assembly Bill No 1607—An act creating a State Board of Eugenics and defining the powers and duties thereof; and providing for the care, protection, and decrease of the State's defectives, and lowering of the expenses therefor.

Bill read third time.

Demand for Previous Question.

Messrs. Peterson, DeLap, Dawson, Fisher and Lyon demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1607 passed by the following vote:

AYES—Anderson, Breed, Clark, Corwin, Cottrell, Cunningham, DeLap, Donihue, Evans, Herbert J., Evans, Ralph W., Fisher, Frazier, Fulcher, Geyer, Glover, Hawkins, Heisinger, Johnson, Latham, Laughlin, Lore, Lyon, Martin, Mayo, McCarthy, Miller, Minard, Morgan, Patterson, Peyser, Phillips, Reaves, Redwine, Riley, Rosenthal, Scudder, Stream, Utt, Walker, Wallace, Wright, and Mr. Speaker—42.

NOES—Andreas, Boyle, Burns, Cassidy, Cronin, Crowley, Dawson, Desmond, Donnelly, Field, Garibaldi, Gilbert, Gilmore, Hornblower, Hunt, Jones, Kallam, Maloney, McBride, McMurray, Meehan, Nielsen, O'Donnell, Pelletier, Peterson, Richie, Robertson, Voigt, Wagner, Waters, Weber, and Williamson—32.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 1607.

Mr. Desmond gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1607 was this day passed.

Motion to Continue Unfinished Business.

Mr. Lyon moved that all unfinished business on the Daily Calendar be continued to the next legislative day.

Motion carried.

Adjournment.

At eleven o'clock and forty minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Saturday, June 1, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Saturday, June 1, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—80.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Weber, its further reading was dispensed with.

Leave of Absence.

On motion of Mr. Johnson, Mr Breed was granted leave of absence for this day.

Privilege of Floor of Assembly Extended.

On request of Mr. Meehan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. James Gerard of Berkeley.

On request of Mr. Donihue, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Lawrence R. Conklin and Mrs. Hulda R. Conklin.

On request of Mr. Johnson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Charles W. Porter.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From the Building Owners and Managers Association Incorporated, of Los Angeles, urging the passage of Assembly Bill No. 834 and Senate Bill No. 438.

From Grand Parlor, Native Sons of the Golden West, requesting the Assembly to exert necessary legislation to prevent paupers, vagabonds and indigent persons from entering the State.

ASSISTANT CLERK COOLIDGE READING.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1935

MR SPEAKER. Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1901—An act relating to real estate transactions and imposing a tax thereon and providing for the enforcement and collection of the tax, this act to take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

RILEY, Chairman

The above reported bill ordered on file for second reading.

On Military Affairs.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1935

MR SPEAKER: Your Committee on Military Affairs, to which was referred Assembly Bill No. 1744—An act to amend sections 37, 76, 101, 102, 115 and 382 of the Military Code—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

BOYLE, Chairman.

The above reported bill ordered on file for second reading.

On Contingent Expenses.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1935

MR. SPEAKER. Your Committee on Contingent Expenses, to which was referred the following two resolutions by Mr. Walker.

Resolved, That the Controller be and is hereby authorized and directed to draw his warrants on the contingent fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and

as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Bureau of Purchases (supplies)	$171 13
The C. C. Langevin Company (rental public address system—May 4 to June 3)	160 00
Department of Finance (pro rate telephone service May)	23 85
Pacific Telephone and Telegraph Company (tolls)	4 00
Virginia Crossan (illuminating memorials)	27 50

Also:

Resolved, That in order to pay the necessary expenses for the disposition of the closing business of this Assembly after adjournment, and for the payment of all bills, such as supplies from the Purchasing Department, telephoning, telegraphing, expressage, postage and incidental expenses of the Chief Clerk's office, and for such other bills that may be presented, accompanied by proper vouchers covering such expenses, the State Controller is hereby authorized and directed to draw his warrant in favor of Arthur A. Ohnimus, Chief Clerk of the Assembly, upon the contingent fund of the Assembly in the sum of six hundred fifty dollars ($650) or such portion of said amount as may be necessary to carry out the above, and the State Treasurer is hereby directed to pay the same.

Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted.

WALKER, Chairman.

Report and resolutions of Committee on Contingent Expenses read.

Mr. Walker moved the adoption of the report and resolutions.

The question being on the adoption of the report and resolutions.

The roll was called, and the report and resolutions adopted by the following vote:

AYES—Andreas, Boyle, Brennan, Cassidy, Chatters, Corwin, Cottrell, Dawson, DeLap, Donahue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Kallam, Laughlin, Lore, Maloney, Martin, Meehan, Miller, Morgan, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—51

NOES—None.

Senate Messages.

The following messages from the Senate were taken up and read.

SENATE CHAMBER, SACRAMENTO, May 31, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1654—An act to amend sections 459, 465 and 471 of, and to add a new section to be numbered 466 to, the Vehicle Code, relating to highways and the regulation thereof—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 1654 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 31, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 41—Relative to the Report of the Spanish War Commemoration Commission.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Concurrent Resolution No. 41 referred to Committee on Rules.

Also:

SENATE CHAMBER, SACRAMENTO, June 1, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day directed me to respectfully request your honorable body to return Senate Bill No. 955—An act to amend section 373j of the Political Code, relating to the Department of Natural Resources—for further consideration by the Senate.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Motion to Withdraw Senate Bill No. 955.

Mr. Field moved that Senate Bill No. 955 be withdrawn from Committee on Governmental Efficiency and Economy, and returned to the Senate for further consideration.

Motion carried.

Senate Bill No 955 ordered transmitted to the Senate.

Second Reading of Assembly Bills.

Assembly Bill No. 2098—An act to amend section 13 of the Public Utilities Act, relating to public utility charges.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 2473—An act to add section 269 to the Political Code, relating to officers of the Senate and Assembly.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 745—An act to establish a system of planned economy in the State of California to the end of supplying human needs and comforts through the utilization of the natural resources of the State, the machinery of production, distribution and finance; providing for the administration and enforcement of this act; to provide penalties for the violation hereof; and to repeal all acts or parts of acts inconsistent herewith

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 2 to 7 of the title, and insert in lieu thereof the following: "of California, to create a Department of State to be known as the Prorate Department and creating a Prorate Board and setting forth the powers and duties thereof, and making an appropriation in support thereof."

Amendment No. 2.

On page 1, line 1, of the printed bill, after "SECTION 1.", insert the following: "In view of the fact that the natural resources of our country provide an abundance of the raw materials of production, and the further fact that modern science discovery and invention have provided extremely efficient machines and processes of production and distribution, and the still further fact that our schools and colleges have provided ample technical knowledge and skill and there being in addition an abundance of common labor, we, therefore, live in the very midst of potential abundance and security. And also while we live in the midst of potential abundance and security we live in the very presence of actual scarcity, poverty, and insecurity. This great fault can be attributed to no other cause than unsound incoordinated prorating of the activities of the various elements of our economic mechanism. This makes pertectly apparent the imperative need of a general coordinating prorating authority.

It is self-evident that without goods and services human needs can not be supplied and distress and revolution follow Without man hours plus technical knowledge and skill and common labor goods and services are impossible Without purchasing power, goods and services can not be procured, exchanged, or distributed, therefore, the coordinating prorating of production, man hours and purchasing power becomes a basic necessity to a successful mechanized civilization.

SEC. 2. A department of the government of the State of California, to be known as the Prorate Department, is hereby created The department shall be under the control of a governing body designated the Prorate Board The board shall consist of three members appointed by the Governor with the advice and consent of the Senate and of the Assembly from a list of eligible persons to be furnished by the State Personnel Board.

The term of each member of the Prorate Board shall be four years, except that of the members first appointed hereunder the Governor shall designate one to serve until December 15, 1939, one until December 15, 1938, and one until December 15, 1937 Each member of the board shall receive a salary of twenty-four hundred dollars per annum, this sum to be paid out of funds as provided in Section 10. The board shall annually elect one of its members chairman of the board.

SEC. 3. Except as in this act otherwise prescribed, the provisions of article two of chapter three of title one of part three of the Political Code shall govern and apply to the conduct of this department in every respect the same as if such provisions were herein set forth at length, and wherever in said article two the term "head of department", "head of a department" or similar designation occurs the same shall for the purpose of this article mean the Prorate Board.

SEC. 4. For the purpose of administration, the Prorate Department shall be forthwith organized by the governing body thereof in such manner as it shall deem necessary properly to segregate and conduct the work of the department. The work of the department is hereby divided into at least three divisions to be known respectively as the Production Division, the Man Power Division and the Purchasing Power Division. Each of these three divisions shall be in charge of a member of the Prorate Board as chief of the division. The governing body of the department may create such other divisions and subdivisions as may be necessary and change or abolish the same from time to time.

SEC. 5. A majority of the members of the Prorate Board shall constitute a quorum for the transaction of any business, for the performance of any duty or for the exercise of any power of the department. The board shall assign to each of the chiefs of divisions such duties as may be necessary effectively to carry out the purposes of this act. No vacancies in the board shall impair the right of the remaining members to exercise all of the powers thereof.

SEC. 6. The purpose of the prorating authority shall be, and is, to so direct and coordinate the various elements or units of our industrial and financial system as set forth under the provision of this act and assign to each element or unit its necessary activity to the end that the entire system shall sustain a reciprocal and efficient whole and the means of producing, distributing, purchasing and consuming the means of life shall be made available to every citizen of the State of California and that every legal enterprise and occupation may be made secure and profitable and every dependent person provided with safety and plenty.

SEC. 7. The Division of Production. It shall be the authority and function of the Division of Production to so prorate production and distribution of commodities, goods and services in kind, quantity and flow as to supply the needs and comforts of all the people. The Division of Production shall coordinate and cooperate with the various units of agricultural, manufacturing, professional and other means of producing the means of life and comfort to the end that all shall work jointly, reciprocally and efficiently together in producing the goods and services required to supply the needs and comforts of all the people of the State of California.

SEC. 8. The Division of Man Hours. It shall be the authority and function of the Division of Man Hours to so prorate man hours as to distribute equitably among all the able-bodied adults of the State, the required man hours to operate the agriculture, manufacturing, financial and other elements or units of the means of producing the means of life and comfort by coordinating and cooperating employer and employee groups and individuals contributing to or controlling labor or professional service.

SEC. 9. The Division of Purchasing Power. It shall be the function and authority of the Division of Purchasing Power to so prorate wages, salaries, service charges, profits, pensions, interest, dividends and other incomes in quantity, apportionment and flow so as to distribute purchasing power to all consumers complying with the provisions of the department, sufficient to procure the means of life and comfort.

SEC. 10. Out of any moneys in the State treasury not otherwise appropriated, the sum of fifty thousand dollars is hereby appropriated, to be expended in accordance with law for the support and maintenance of the Prorate Department and for carrying out the provisions and purposes hereof."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2392—An act to ratify and approve an interstate compact to conserve oil and gas, signed at Dallas, Texas, February 16, 1935, providing for the appointment of a representative of the State of California to the Interstate Oil Compact Commission, and prescribing his powers and duties.

Bill read second time, ordered to re-re-re-engrossment, and third reading.

Assembly Bill No. 2482—An act to amend section 1½ of an act entitled "An act to protect trade-mark owners, distributors and the public

against injurious and uneconomic practices in the distribution of articles of standard quality under a distinguished trade-mark, brand or name," approved May 8, 1931, relating to unfair competition.

Bill read second time, ordered to engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 793—An act to amend section 1094 of the Political Code, relating to elections.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 437—An act to amend section 618 of the Fish and Game Code, relating to trout.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, as amended, strike out "but excluding", and insert in lieu thereof the following: "and including".

Amendment No. 2.

On page 1, line 5, of the printed bill, as amended, after the word "stream", insert the following: "or its tributaries".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 533—An act to add Title XXV to Part IV, Division I, of the Civil Code, relating to the incorporation of cooperative corporations, who may organize, purpose and powers, distribution of benefits, and vote and consisting of sections 653 1 to 653 16.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1104—An act granting certain tidelands and submerged lands of the State of California to the county of Santa Cruz.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1111—An act to amend section 1 of an act entitled "An act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution of and punishment of offenses under the same," approved May 19, 1927, relating to the price for the sale of jute bags.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 259—An act to amend sections 223, 228, and 231 of and to add section 228 1 to the Agricultural Code, relating to bovine tuberculosis.

Bill read second time, and ordered on file for third reading.

Senate Bill No 1008—An act to amend an act entitled "An act to amend section 11 of "The California Districts Securities Commission Act," relating to the levy of annual assessments by irrigation districts, providing that said section shall remain in effect until November 1, 1937, and declaring this act an emergency measure enacted under the police power, approved April 8, 1935, by adding a new section thereto to be numbered section 3, relating to refunding bonds of irrigation districts issued pursuant to a plan or readjustment confirmed in any proceedings

under the Federal Bankruptcy Act, and authorizing the levy of assessments in accordance with the terms of such refunding bonds.

Bill read second time, and ordered on file for third reading.

Resolution.

The following resolution was offered:

By Mr. Garibaldi:

Assembly Resolution.

Resolved by the Assembly of the State of California, That the Controller be and is hereby authorized and directed to draw his warrant on the contingent fund in favor of Joseph E Pipher for the sum of forty-nine dollars and ninety cents, for furnishing certain stenographic records, and the State Treasurer is hereby authorized and directed to pay the same.

Resolution by Mr. Garibaldi read.

Mr. Garibaldi moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Brennan, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Glover, Hawkins, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, Meehan, Miller, Morgan, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Utt, Wagner, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—54.

NOES—None.

Resolution.

The following resolution was offered:

By Mr. Heisinger:

Assembly Resolution.

WHEREAS, The California Teachers' Association is composed of thousands of teachers, many of whom are reported to have been practically coerced into joining the association in order to avail themselves of the political pull to obtain teaching positions; and

WHEREAS, One Roy W. Cloud is the executive secretary of the association who seems to direct its affairs with the power of a Hitler or a Mussolini; and

WHEREAS, The political and lobbying actions of the said Roy W. Cloud are not always in the best interests of the schools of California, and

WHEREAS, The California Teachers' Association obtains from the teachers of California sufficient fees to pay Roy W. Cloud a salary reputed to be more than the salary of the Governor of the State; and

WHEREAS, The said Roy W Cloud is not always in sympathy with California labor because in a public statement before the Governmental Efficiency and Economy Committee he said that the publication of any textbooks by our state-owned printery would be taking that much work away from the eastern book concerns which hire men there to do the work; and

WHEREAS, These actions of Roy W Cloud are not in accord with the best interests of the California schools nor with California labor, and may indicate that he might be collaborating with the so-called eastern school textbook trust; now, therefore, be it

Resolved, That the Speaker of the Assembly appoint a committee of three members of the Assembly to make an investigation, before the regular session of the Legislature convenes in 1937, of all matter mentioned in this resolution or that may be in connection therewith, and to make a report of its findings to the 1937 session of the Legislature; and be it further

Resolved, That the committee is hereby authorized and empowered to require the production of books, agreements, documents, records, accounts and papers of every kind; to issue subpenas, to compel the attendance of witnesses and to procure testimony and so far as practicable to have material testimony reported so that the same may be available for use by the Legislature; each member of the committee is authorized to administer oaths and all of the provisions of Article VIII of Chapter II of Title I of Part III of the Political Code relating to the attendance and assemblage of witnesses before the committee; and be it further

Resolved, That the sum of $300, or so much thereof as may be necessary for the purpose of defraying the expenses of the committee and the cost of its investigation, is hereby made available and appropriated for the use of the committee out of the contingent fund of the Assembly, and the State Controller is authorized and directed to draw his warrants in favor of the person or persons entitled thereto for such

expenditures as may be certified to him from time to time by the chairman of the committee and the State Treasurer is hereby authorized and directed to pay the same.

Resolution by Mr. Heisinger read.

Mr. Heisinger moved the adoption of the resolution.

Motion to Lay Resolution on the Table.

Mr. Williamson moved, seconded by Mr. Field, that the resolution submitted by Mr. Heisinger be laid on the table.

The question being on the motion to lay on the table.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Williamson to lay the resolution submitted by Mr. Heisinger on the table.

The roll was called, and the motion to table was carried by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Gilbert, Gilmore, Hornblower, Hunt, Johnson, Kallam, Latham, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Morgan, Nielsen, O'Donnell, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Utt, Wagner, Walker, Waters, Williamson, and Mr Speaker—47

NOES—Cassidy, Crowley, Desmond, Donihue, Donnelly, Glover, Hawkins, Heisinger, Laughlin, Lore, Mayo, Meehan, Pelletier, Reaves, Richie, Rosenthal, Thorp, Turner, Weber, and Wright—20

Unfinished Business.

Consideration of Senate Amendments to Assembly Bill No. 774.

Assembly Bill No 774—An act to amend section 1197 of the Political Code, relating to election ballots.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 774?

Amendment No. 1.

On page 1 of the printed bill, as amended, between lines 20 and 21, insert the following

"The name of the incumbent shall appear first upon a list of all candidates for any office and if two or more positions are to be filled at the same time and more than one incumbent is running, the name of each of the incumbents shall appear in alphabetical order for that Assembly district which is lowest in numerical order of any Assembly districts in which such candidates are to be voted on; and thereafter for each succeeding Assembly district in which such candidates are to be voted on the name appearing first for such office in the last preceding district shall be placed last, the order of the other names remaining unchanged.

The names of all other candidates for election for any office shall appear subsequent to the names of all incumbents and shall be determined in the following manner:".

Amendment No. 2.

On page 2, line 7, of the printed bill, as amended, after the last word in the line, insert the following: "other".

Amendment No. 3.

On page 10 of the printed bill, as amended, in the first column of the ballot, under the heading "State", strike out the word "Incumbent", under the name of "Walter Perry, Democrat".

Amendment No. 4.

On page 10 of the printed bill, as amended, in the third column of the ballot, under the heading "Legislative", under the name "M. B. Harris, Republican, Progressive,", strike out the word "realtor", and insert in lieu thereof the following: "Incumbent".

Amendment No. 5.

On page 10 of the printed bill, as amended, in the third column of the ballot, under the heading "Legislative", under the name "Samuel Murphy, Democrat", strike out "Incumbent".

Amendment No. 6.

On page 10 of the printed bill, as amended, in the third column of the ballot, under the heading "Member of the Assembly Seventy-second District", under the name "Frederick Head, Prohibition,", strike out "Incumbent".

Amendment No. 7.

On page 11 of the printed bill, as amended, in the first column of the ballot, under the heading "Secretary of State", under the name "Arch Denny, Socialist", strike out "Incumbent".

Amendment No. 8.

On page 11 of the printed bill, as amended, in the first column of the ballot, under the heading "Controller", under the name "John Madison, People's Party", strike out "Incumbent".

Amendment No. 9.

On page 11 of the printed bill, as amended, in the first column of the ballot, under the heading "Treasurer", under the name "Frederick Lukens, Republican, Democrat,", strike out "Incumbent".

Amendment No. 10.

On page 11 of the printed bill, as amended, in the second column of the ballot, under the heading "Attorney General", under the name "John Masters, Socialist", strike out the word "Incumbent".

The roll was called, and Senate amendments to Assembly Bill No. 774 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Waters, Williamson, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 774 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 2172.

Assembly Bill No. 2172—An act to add section 987a to the Penal Code, relating to the compensation of counsel appointed to defend persons charged with crime.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2172?

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 10 to 14, inclusive, and insert in lieu thereof the following: "such counsel, upon recommendation of the court or a judge thereof, may receive a reasonable compensation, the amount of which shall be left to the discretion of the supervisors, to be paid out of the general fund of the county."

The roll was called, and Senate amendment to Assembly Bill No. 2172 was concurred in by the following vote:

AYES—Anderson, Andreas, Brennan, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Vogt, Walker, Waters, Williamson, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 2172 ordered to enrollment

Consideration of Senate Amendments to Assembly Bill No. 828.

Assembly Bill No. 828—An act to amend sections 23 and 66 of an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution

within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relating to priority of liens and bonds.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 828?

Amendment No. 1.

On page 1, line 6 of the title of the printed bill, strike out the figures "14", and insert in lieu thereof the word "fourteen"; and in line 6 of the title, strike out the figure "1", and insert in lieu thereof the word "one".

Amendment No. 2.

On page 1, line 9, of the printed bill, change the word "issued" to "issue".

Amendment No. 3.

On page 1, line 1 of the title of the printed bill, as amended in Senate, following the word "amend", insert the words and figures: "sections 23 and 66 of".

Amendment No. 4.

On page 1, in the last two lines of the title of the printed bill, as amended in Senate, strike out the following: "by amending section 23 thereof,".

Amendment No. 5.

On page 2 of the printed bill, as amended in Senate, following line 11, insert the following:

"SEC. 2. Section 66 of said act is hereby amended to read as follows:

Sec. 66. The bonds so issued by said treasurer shall be payable to the party to whom they issue, or order, and shall be serial bonds, as is hereinbefore described, and shall bear interest at the rate specified in the resolution of intention to do said work. They shall have annual coupons attached thereto, payable in annual order, on the second day of January of every year after the next October fifteenth following the date of the bond, until all are paid, and each coupon shall be for an even annual proportion of the principal of the bond. They shall have semi-annual interest coupons thereto attached, as set forth in section 60 hereof. The city treasurer shall, in addition to his other duties in the premises, keep a record of all bonds issued by him, of all payments on said bonds with the dates thereof and of all penalties accruing thereon; and he shall report all payments of coupons or penalties upon said bonds, with the dates thereof, to the street superintendent, who shall forthwith indorse the same upon the margin of the record of the assessment to the credit of which the same are paid, and said assessment shall be a lien upon the property affected thereby, with priority as fixed in section 23 of this act, until the bond issued to represent the assessment and which it is hereby declared does represent the assessment, and the accrued interest thereon and the penalties, if any, shall be fully paid according to the terms thereof. Said bonds, by their issuance, shall be conclusive evidence of the regularity of all proceedings thereto under this act."

The roll was called, and Senate amendments to Assembly Bill No. 828 were concurred in by the following vote.

AYES—Anderson, Boyle, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Turner, Utt, Voigt, Walker, Waters, Williamson, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 828 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 84.

Assembly Bill No. 84—An act to create the Commemoration Commission to succeed to the Spanish War Commemoration Commission; to

prescribe the powers, duties, functions, and purposes thereof; to provide for the cooperation of State and local agencies and political subdivisions therewith, to make an appropriation, and to provide for the repayment thereof.

The question being put Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 84?

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out line 4 of the title, and insert in lieu thereof the following: "and to provide for the cooperation of Federal, State and local agencies".

Amendment No. 2.

On page 1, lines 5 and 6 of the title of the printed bill, as amended, strike out "; to make an appropriation, and to provide for the repayment thereof".

The roll was called, and Senate amendments to Assembly Bill No. 84 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Williamson, and Mr Speaker—64.

NOES—None.

Assembly Bill No 84 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 2369.

Assembly Bill No. 2369—An act to add sections 9a to 9d, inclusive, to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to disability of members of the California Highway Patrol.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2369?

Amendment No. 1.

On page 1, line 22, of the printed bill, as amended, strike out "or other compensation", and insert in lieu thereof the following: ", in lieu of disability payments under section 9 of this act,".

The roll was called, and Senate amendment to Assembly Bill No. 2369 was concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Turner, Utt, Wagner, Walker, Waters, and Mr. Speaker—61

NOES—None.

Assembly Bill No. 2369 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 1837.

Assembly Bill No. 1837—An act to amend sections 269 and 271 of the Code of Civil Procedure, relating to the appointment, duties and compensation of phonographic reporters.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1837?

Amendment No. 1.

On page 2 of the printed bill, as amended, at the end of line 6, insert the following: "In the event of the conviction of a crime of a defendant who has requested a daily

transcript the defendant shall be civilly liable to the county for the cost of the preparation of said transcript."

The roll was called.

Motion to Expunge Record.

Mr. Hornblower moved that the vote taken on the concurrence in Senate amendment to Assembly Bill No. 1837 be expunged from the record, and the action rescinded.

Motion carried.

Assembly Bill No. 1837 passed on file.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, May 31, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, Assembly Bill No. 700—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 1826—An act to amend section 865 of the Fish and Game Code, relating to fish, declaring the urgency thereof to take effect immediately;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 1826 ordered on unfinished business file.

Consideration of Senate Amendments to Assembly Bill No. 700.

Assembly Bill No. 700—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 700?

Amendment No. 1.

On page 2, line 45, of the printed bill, as amended, strike out the word "Counsel", and insert in lieu thereof the word "Council".

Amendment No. 2.

On page 3, line 26, of the printed bill, as amended, strike out the figure "677a", and insert in lieu thereof the figure "677.5".

Amendment No. 3.

On page 3, line 33, of the printed bill, as amended, strike out the figure "677a", and insert in lieu thereof the figure "677 5".

Amendment No. 4.

On page 3, line 37, of the printed bill, as amended, strike out the figure "677a", and insert in lieu thereof the figure "677 5".

Amendment No. 5.

On page 3 of the printed bill, as amended, strike out all of lines 46 and 47, and insert in lieu thereof the following: "three hundred nineteen thousand one hundred twenty dollars $319,120 00".

Amendment No. 6.

On page 5 of the printed bill, as amended, following line 17, insert the following: "Item 37½. For part purchase price of certain real property situated on the southwest corner of Ninth and L Streets in the city of Sacramento in liquidation of assets at Delhi State Land Settlement and Durham State Land Settlement, State Department of Finance, thirty-two thousand dollars, payable from the Land Settlement Fund $32,000.00".

Amendment No. 7.

On page 5, line 21, of the printed bill, as amended, after the word "Finance", insert a comma.

Amendment No. 8.

On page 5, line 50, of the printed bill, as amended, strike out the words "premiums for".

Amendment No. 9.

On page 6, line 2, of the printed bill, as amended, after the word "for", insert the following: "premiums for".

Amendment No. 10.

On page 10 of the printed bill, as amended, strike out all of lines 38, 39 and 40, and insert in lieu thereof the following: "two million thirty-four thousand one hundred ninety-nine dollars, payable from fish and game preservation fund; provided, that no money hereby appropriated shall be used for salary and expenses of a publicist or public relations employee or person employed for the purpose of compiling or disseminating data or information for publicity purposes, $2,034,199 00".

Amendment No. 11.

On page 10 of the printed bill, as amended, following line 40, insert the following: "Item 81. For predatory animal control, Division of Fish and Game, Department of Natural Resources, eighty thousand dollars, payable from the fish and game preservation fund, $80,000.00".

Amendment No. 12.

On page 11, line 1, of the printed bill, as amended, after the word "ment", insert a comma.

Amendment No. 13.

On page 11, line 3, of the printed bill, as amended, strike out the word "eighty", and insert in lieu thereof the following: "twenty-eight".

Amendment No. 14.

On page 11, line 6, of the printed bill, as amended, strike out the figure "$180,000 00", and insert in lieu thereof the figure "$128,000 00".

Amendment No. 15.

On page 15, line 7, of the printed bill, as amended, strike out the figure "21/100", and insert in lieu thereof the figure "20/100".

Amendment No. 16.

On page 15, line 31, of the printed bill, as amended, strike out the figure "41/100", and insert in lieu thereof the figure "40/100".

Amendment No. 17.

On page 17, line 4, of the printed bill, as amended, after the word "two", insert the word "hundred".

Amendment No. 18.

On page 17, line 49, of the printed bill, as amended, strike out the word "fifty-six", and insert in lieu thereof the word "sixty-six".

Amendment No. 19.

On page 18, line 43, of the printed bill, as amended, strike out the figure "$162,-284.80", and insert in lieu thereof the figure "$162,284 90".

Amendment No. 20.

On page 18, line 48, of the printed bill, as amended, after the word "dollars", insert a semicolon, and the following: "except that if Senate Constitutional Amendment Number Twenty-one, submitted by the fifty-first session of the Legislature, is adopted by the people, the balance remaining in this item of appropriation on the effective date of said amendment shall be for minor construction, improvements, and equipment at the California Institution for Women,".

Amendment No. 21.

On page 19, line 8, of the printed bill, as amended, strike out the following: "five thousand dollars $5,000.00", and insert in lieu thereof the following: "seven thousand four hundred dollars $7,400 00".

Amendment No. 22.

On page 19, line 35, of the printed bill, as amended, after the word "dollars" insert a comma.

Amendment No. 23.

On page 19, line 49, of the printed bill, as amended, after the word "dollars' insert a comma.

Amendment No. 24.

On page 20, line 13, of the printed bill, as amended, after the word "dollars", insert a comma

Amendment No. 25.

On page 20, line 26, of the printed bill, as amended, after the word "dollars", insert a comma

Amendment No. 26.

On page 21, line 6, of the printed bill, as amended, after the word "lars", insert a comma

Amendment No. 27.

On page 23, line 35, of the printed bill, as amended, after the word "dollars", insert a comma and the following "payable from San Francisco Harbor improvement fund,".

Amendment No. 28.

On page 24, line 20, of the printed bill, as amended, after the word "hundred", insert the word "thousand".

Amendment No. 29.

On page 18, lines 17 and 18, of the printed bill, as amended, strike out the word "average".

Amendment No. 30.

On page 3, lines 41 and 42, of the printed bill, as amended, strike out the following: "eight thousand eight hundred fifty dollars $8,850 00", and insert in lieu thereof the following. "twelve thousand four hundred fifty dollars $12,450.00".

Amendment No. 31.

On page 5 of the printed bill, as amended, strike out all of lines 9 to 13, inclusive, and insert in lieu thereof the following: "Item 36 For relief of hardship and destitution due to and caused by unemployment and the administration thereof, State Relief Administrator and the State Relief Commission, twenty-four million dollars (exempt from section 4 of this act) including not to exceed four hundred ninety-four thousand dollars ($494,000 00) for the administrative expenses of the State Controller in connection therewith $24,000,000 00".

Amendment No. 32.

On page 4 of the printed bill, as amended, strike out all of lines 45 to 48, inclusive, and insert in lieu thereof the following. "three million dollars; payable from retail sales tax fund; provided, that should the Retail Sales Tax Act make no provision for food exemptions the amount hereby appropriated shall be reduced to two million four hundred thousand dollars ($2,400,000 00) $3,000,000.00".

Amendment No. 33.

On page 5, line 24, of the printed bill, as amended, after the word "of", insert the following "Senate and".

Amendment No. 34.

On page 5, line 25, of the printed bill, as amended, after the word "rooms", insert the following: "and offices of the members of the Senate".

Amendment No. 35.

On page 5, lines 27 and 28, of the printed bill, as amended, strike out the following: "thirteen thousand five hundred dollars $13,500 00", and insert in lieu thereof the following. "thirty-six thousand dollars $36,000 00"

Amendment No. 36.

On page 9 of the printed bill, as amended, following line 38, insert the following: "Item 74½. In addition to any other money available by law for predatory animal control, State Department of Agriculture, nine thousand eight hundred dollars $9,800 00".

Amendment No. 37.

On page 9 of the printed bill, as amended, following line 47, insert the following: "Item 75½. For support of the Agricultural Prorate Commission, to be repaid to the general fund from the Agricultural Prorate Commission fund in ten equal annual payments without interest, ten thousand dollars $10,000 00".

Amendment No. 38.

On page 9 of the printed bill, as amended, strike out all of lines 16 and 17, and insert in lieu thereof the following: "hundred twenty-seven thousand three hundred twenty dollars $427,320.00".

Amendment No. 39.

On page 12 of the printed bill, as amended, strike out all of lines 9 and 10, and insert in lieu thereof the following: "seven thousand five hundred twenty dollars $707,520.00".

Amendment No. 40.

On page 14, line 28, of the printed bill, as amended, following the comma, insert the following "Department of Institutions."

Amendment No. 41.

On page 22 of the printed bill, as amended, strike out all of lines 45 and 46, and insert in lieu thereof the following: "sixteen thousand six hundred twenty-five dollars $16,625.00".

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Hornblower moved a call of the House

Motion carried.

Time, eleven o'clock, a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names.

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, and Mr. Speaker—74.

The Chief Clerk announced the absentees

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Special Order Set for Assembly Bill No. 2365.

On motion of Mr. Lyon, the consideration of Assembly Bill No. 2365 was made a special order for Tuesday, June 4, 1935, at eleven o'clock, a.m.

Unfinished Business—(Resumed).

Consideration of Senate Amendments to Assembly Bill No. 1345.

Assembly Bill No. 1345—An act to amend the County Water District Act, approved June 10, 1913, as amended, by amending sections numbered 5, 7, 12 and 25, and repealing section 52, thereof, and adding sections 16a, 25a, 25b, 52, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64 and 65 thereto, relating to county water districts

The question being put Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1345?

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 4 to 18, inclusive, of the title, and insert in lieu thereof a comma and the following: "and repealing section 52, thereof and adding sections 16a, 25a, 25b, 52 thereto, relating to county water districts."

Amendment No. 2.

On page 15, line 38 of the printed bill, after the sentence ending in the word "notice", insert the following

"The secretary shall, within two days after first publication of said notice, send a copy thereof by mail to each person who has not signed the petition, to whom any lands proposed to be added to the district were assessed on the last equalized county assessment roll, at the address of such person appearing on said assessment

roll. Irregularity or defect in mailing, or failure to mail such copies shall not in any manner impair nor invalidate the addition of such lands to the district."

Amendment No. 3.

On page 15, line 39, of the printed bill, after the word "publication", insert the words "and mailing".

Amendment No. 4.

On page 15, line 42, of the printed bill, after the word "publish", insert the words "nor mail".

Amendment No. 5.

On page 1 of the printed bill, as amended in Senate May 23, 1935, in the next to the last line of the title, strike out "AND 52", and insert in lieu thereof the following: "52, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64 and 65".

Amendment No. 6.

On page 13 of the printed bill, as amended in Senate May 23, 1935, immediately following line 21, insert the following:

"SEC. 9. Section 54 is hereby added to the act cited in the title hereof to read as follows:

Sec. 54 Districts May Be Consolidated. Two or more districts organized or existing under this act may be consolidated, as hereinafter provided, whether their boundaries are contiguous or not, and when so consolidated the consolidated district shall possess all the powers and be governed by and be subject to all of the provisions of this act (except as hereinafter otherwise provided) as though originally organized under this act.

SEC. 10. Section 55 is hereby added to the act cited in the title hereof to read as follows.

Sec. 55. Petition. When in the judgment of the board of directors of a county water district it is for the best interests of such district that it be consolidated with one or more other districts organized or existing under this act, or when there is presented to said board a petition signed by signers equal in number and possessing the qualifications required by this act for a petition for the organization of a county water district, said board must pass a resolution reciting such facts and declaring the advisability of such consolidation and its willingness to consolidate, and forward to the State Engineer a copy thereof, duly certified to be such by the president or secretary of the district.

SEC. 11. Section 56 is hereby added to the act cited in the title hereof to read as follows.

Sec. 56 Investigation by State Engineer. Upon the receipt of a certified copy of such resolution adopted by two or more of such districts, the State Engineer shall forthwith make or cause to be made such investigation as he may deem necessary.

SEC. 12. Section 57 is hereby added to the act cited in the title hereof to read as follows:

Sec. 57. Report by State Engineer; Recommendation; Report Favorable Upon the completion of such examination, but not more than ninety (90) days after the receipt by him of a copy of the resolution from the board last adopting the same, the State Engineer shall submit to the board of directors of each of said districts his report thereon.

In case said State Engineer shall consider the elimination of a portion of the lands included in any of the original districts advisable, he shall recommend the same in his report, stating his reasons therefor He shall also set out the boundaries of the consolidated district recommended.

SEC. 13. Section 58 is hereby added to the act cited in the title hereof to read as follows:

Sec. 58. Election. Within ten (10) days after receiving said report, if the State Engineer deems such consolidation desirable, the board of directors of each of said districts must make an order calling a special election at which shall be submitted to the electors of such district possessing the qualifications required of electors under this act the question whether or not said consolidation shall be effected, which said election shall be conducted and returns canvassed so far as practicable in accordance with the requirements for the general county water district elections provided for in this act. The boards of directors of each of the two or more districts proposed to be consolidated shall fix a date upon which said election shall be held for the purpose of voting upon such consolidation within their respective districts, provide for the holding of such election on the day so fixed, and give notice of the holding of such election, which notice shall contain the resolution calling the election adopted by such boards of directors of said county water districts. Said boards of directors shall also each fix the boundaries of voting precincts within their respective districts, the location of polling places, and the names of the officers selected to conduct the election, who shall consist of one judge, one inspector and two clerks in each precinct. Notice of such election shall be given for the time and in the manner, and the holding thereof shall be, so near as may be, in accordance with the provisions for the holding of elections for the issuance of bonded indebtedness, as provided by section 15 of this act. The ballots shall contain the words "Consolidation—Yes" and "Consoli-

dation—No,", or words equivalent thereto, and if a majority of the votes cast in each district are "Consolidation—Yes", then such districts shall be consolidated

At such election there shall also be elected the directors of the consolidated district, who shall be nominated and voted for as herein provided as to the nomination and election of directors of a county water district.

SEC. 14. Section 59 is hereby added to the act cited in the title hereof to read as follows:

Sec. 59. Report of State Engineer Unfavorable; Action by Board After receiving said report, if said State Engineer deems such consolidation not desirable, or if no report is received from said engineer within ninety (90) days after the submission to him of said copy of said resolution from the board last adopting the same, said boards of directors, if they shall determine and declare by resolution that the proposed consolidation is desirable, shall make an order calling a special election in the same manner as provided in section 5 hereof, which said election shall be conducted in the same manner and upon the same notice as provided therein.

SEC. 15. Section 60 is hereby added to the act cited in the title hereof to read as follows:

Sec. 60. Officers. Upon the voters of said districts consolidating said districts as herein provided, the directors then elected shall thereupon become the directors of such consolidated district and shall qualify, organize and elect officers in the manner provided for a newly organized district.

SEC. 16. Section 61 is hereby added to the act cited in the title hereof to read as follows:

Sec. 61. Indebtedness. The report of said engineer shall recommend the apportionment to the lands of the respective districts any outstanding indebtedness that he deems equitable, and the board of directors of the consolidated district, if such consolidation be made, shall, within sixty (60) days after such consolidation, act upon such recommendation and shall apportion to the lands of said consolidated district any outstanding indebtedness as it deems equitable.

SEC. 17. Section 62 is hereby added to the act cited in the title hereof to read as follows:

Sec. 62. Name and Powers of District. In the original resolution of consolidation, the said boards of directors of the several districts shall specify the name agreed upon for said consolidated district, and, if such consolidation is adopted at such election, then said consolidation shall be immediately effective and the districts consolidated shall cease to exist and shall be superseded by the consolidated district and the consolidated district under the said name shall immediately succeed to all of the rights, privileges, functions and properties of all of the districts participating in such consolidation and shall be deemed to assume and be subject to all of the indebtedness, bonded and otherwise, thereof, as so respectively apportioned, and all future assessments necessary shall be levied in accordance with such apportionment

Within ten (10) days after said consolidation is made, the board of directors of said consolidated district shall make an order declaring such consolidation effective and setting out the date that the same became effective and the boundaries of said consolidated district. A copy of said order, duly certified by the president and secretary thereof, shall be forthwith filed with the Secretary of State and a like copy shall be forthwith recorded in the office of the county recorder of each county in which any lands of said consolidated district are situate.

SEC. 18. Section 63 is hereby added to the act cited in the title hereof to read as follows:

Sec. 63. Sale of Bonds. Any bonds of any county water district or districts participating in such consolidation pursuant to the provisions of this act which have been authorized by the electors of such district or districts prior to such consolidation, but which have not been issued, may, by order of the board of directors of the consolidated district, be sold or disposed of in the manner required by said County Water District Act and the proceeds thereof applied to the purpose for which such bonds were authorized.

SEC. 19. Section 64 is hereby added to the act cited in the title hereof to read as follows:

Sec. 64. Informality Not to Invalidate. No informality in any proceeding nor informality in the conducting of any election, not substantially affecting adversely the legal rights of any citizen, shall be held to invalidate the consolidation of two or more county water districts, and any proceedings, where the validity of such consolidation is denied, shall be commenced within three (3) months from the date of the recording of the order of the board of directors of the consolidated district declaring such consolidation effective; otherwise said consolidation and the legal existence of said consolidated county water district and all proceedings in respect thereto shall be held to be valid and in every respect legal and incontestable

SEC. 20. Section 65 is hereby added to the act cited in the title hereof to read as follows:

Sec. 65. Rights of Creditors. Nothing herein contained shall operate, or be deemed, to impair the rights of bondholders or other creditors, and each such

creditor shall be entitled to enforce against and through the consolidated district all his rights against any district consolidated hereunder in the same manner and with the same effect, except for the substitution of the consolidated district for the districts consolidated, as if the consolidation had never been effected."

The roll was called, and Senate amendments to Assembly Bill No. 1345 were concurred in by the following vote.

AYES—Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Scudder, Stream, Thorp, Turner, Utt, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 1345 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 915.

Assembly Bill No. 915—An act to amend "An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission; prescribing the powers, duties and authority of said commission and the members thereof; providing for the institution of proration programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purposes of said act and providing for the collection thereof; and making an appropriation therefor," approved June 5, 1933, by amending sections 2, 5, 8, 9, 10, 11, 16, 18, 19, 20, 21, 22, 23, 24, 25 and 26, and adding new sections numbered 27, 28, 29.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 915?

Amendment No. 1.

Strike out the title of bill, and insert in lieu thereof the following:

"An act to amend sections 1 to 20 inclusive and sections 22, 23, 24 and 25 of, and to add new sections to be numbered 18 1, 19 1, 22 5, 25 1 and 27 to, "An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission; prescribing the powers, duties and authority of said commission and the members thereof; providing for the institution of proration programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purposes of said act and providing for the collection thereof; and making an appropriation therefore," approved June 5, 1933, relating to the conservation of agricultural wealth and the prevention of agricultural waste and providing for the Agricultural Prorate Commission"

Amendment No. 2.

On page 2, line 43, of the printed bill, as amended, strike out the period, and add the following: "to the extent of at least one producing factor as hereinafter defined"

Amendment No. 3.

On page 3 of the printed bill, as amended, strike out all of lines 4 to 7, inclusive, and insert in lieu thereof the following:

"(k) The term "producing factor" means the unit of one acre unless the commission finds a smaller unit is required to assure reasonable control of the commodity, in which case the commission may determine the "producing factor" to be either one-half or one-fourth of an acre. In a case of a prorate program for live stock or poultry or the products thereof the producing factor shall be specified in the petition."

Amendment No. 4.

On page 4, line 34, of the printed bill, as amended, strike out the words "each month", and insert in lieu thereof the words "every ninety days".

Amendment No. 5.

On page 5, line 2, of the printed bill, as amended, strike out the words "a majority", and insert in lieu thereof the words "at least three members".

Amendment No. 6.

On page 5, line 32, of the printed bill, as amended, strike out the words "Agricultural marketing proration", and insert in lieu thereof the following: "An agricultural prorated marketing".

Amendment No. 7.

On page 5 of the printed bill, as amended, strike out line 52, and on page 6, strike out lines 1 to 3, inclusive and insert in lieu thereof the following: "sion, the signatures of not less than two-thirds of the qualified producers of said kind or variety of agricultural commodity and of the owners of not less than fifty-one per cent of the producing factors within".

Amendment No. 8.

On page 6, line 19, of the printed bill, as amended, strike out the word "separate", and insert in lieu thereof the word "other"

Amendment No. 9.

On page 6, line 35, of the printed bill, as amended, after the word "obtain", insert the following: "or prevent".

Amendment No. 10.

On page 8, line 19, of the printed bill, as amended, strike out the word "two-thirds", and in lieu thereof insert the following "fifty-one per cent".

Amendment No. 11.

On page 10 of the printed bill, as amended, at the end of line 35, insert the following: "Each such zone shall constitute a separate entity and its affairs shall be managed by a Program Committee appointed as hereinafter provided"

Amendment No. 12.

On page 10, line 47, of the printed bill, as amended, strike out the word "proration", and insert in lieu thereof the word "marketing".

Amendment No. 13.

On page 10, line 48, of the printed bill, as amended, strike out the word "marketing", and insert in lieu thereof the word "proration".

Amendment No. 14.

On page 10, line 50, of the printed bill, as amended, strike out the semicolon, and insert in lieu thereof a period.

Amendment No. 15.

On page 11 of the printed bill, as amended, strike out all of line 7, and "a processor except that" in line 8, and insert in lieu thereof the following "an employee or officer of a handler or processor, except that a nonprofit cooperative organization may be represented by officers or directors who are producers, providing that no more than three such producer members of the Prorate Program Committee shall be members of the same nonprofit cooperative organization".

Amendment No. 16.

On page 11, line 20, of the printed bill, as amended, after the word "committee", insert a period, and strike out the words "but the", and also strike out all of lines 21 to 27, inclusive.

Amendment No. 17.

On page 12, line 1, of the printed bill, as amended, strike out the words "and each and every employee"; also in line 2, strike out the words "authorized by this act".

Amendment No. 18.

On page 12, line 13, of the printed bill, as amended, after the word "hearing", first appearing, insert the following: "upon any such program proposed by petitioners at the hearing".

Amendment No. 19.

On page 13, line 40, of the printed bill, as amended, strike out the word "through", and insert in lieu thereof the following: "by cooperating with the proper agencies in".

Amendment No. 20.

On page 14 of the printed bill, as amended, strike out all of lines 32 to 52, inclusive, and on page 15, strike out all of lines 1 to 6, inclusive

Amendment No. 21.

On page 15 of the printed bill, as amended, strike out all of lines 40 to 42, inclusive, and insert in lieu thereof the following:

"The provisions of this act shall not apply to shipments handled by a common carrier operating over a regular route or between fixed termini where such shipment is made by such common carrier in good faith and in accordance with its duties as common carrier and where a record of every such shipment within or from this State is kept by such common carrier showing the date of shipment, character and quantity of shipment, origin and destination of such shipment, and the names of consignor and consignee. Such record shall be open to inspection at all reasonable hours by or on the written order of the official or administrative authority charged with the enforcement of this act or any marketing program instituted thereunder."

Amendment No. 22.

On page 16 of the printed bill, as amended, at the end of line 6, add the following:

"In such case, the cost of conducting such hearing shall be paid from the funds of the program to the extent that they are available and thereafter from the undertaking. In the event the petition be found insufficiently signed, the entire cost of conducting such hearing shall be paid from the undertaking. In the event of the termination of a program, any funds remaining for the use of the program committee not otherwise disposed of by the provisions of this act shall be deposited in the State treasury to the credit of the Agricultural Prorate Commission fund."

Amendment No. 23.

On page 17 of the printed bill, as amended, strike out all of lines 22 to 28, inclusive.

Amendment No. 24.

On page 17, line 29, of the printed bill, as amended, after "Sec.", at the beginning of the line, strike out the numeral "32", and insert in lieu thereof the numeral "29"; and after "section", near the end of the line, strike out the numeral "28", and insert in lieu thereof the numeral "27".

Amendment No. 25.

On page 17, line 32, of the printed bill, as amended, after "Sec.", strike out the numeral "28", and insert in lieu thereof the numeral "27".

Amendment No. 26.

On page 15, line 7, of the printed bill, as amended, after "Sec.", strike out the numeral "24", and insert in lieu thereof the numeral "23".

Amendment No. 27.

On page 15, line 24, of the printed bill, as amended, after "Sec.", strike out the numeral "25", and insert in lieu thereof the numeral "24".

Amendment No. 28.

On page 15, line 43, of the printed bill, as amended, after "Sec.", strike out the numeral "26", and insert in lieu thereof the numeral "25".

Amendment No. 29.

On page 16, line 14, of the printed bill, as amended, after "Sec.", strike out the numeral "27", and insert in lieu thereof the numeral "26".

Amendment No. 30.

On page 16, line 20, of the printed bill, as amended, after "Sec.", strike out the numeral "28", and insert in lieu thereof the numeral "27".

Amendment No. 31.

On page 16, line 40, of the printed bill, as amended, after "Sec.", strike out the numeral "29", and insert in lieu thereof the numeral "28".

The roll was called, and Senate amendments to Assembly Bill No. 915 were concurred in by the following vote:

AYES—Andreas, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Waters, Weber, Williamson, Wright, and Mr. Speaker—56.

NOES—Donahue, and Wallace—2.

Assembly Bill No. 915 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 236.

Assembly Bill No. 236—An act to amend section 4307 of the Political Code, relating to county charges.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 236?

Amendment No. 1.

On page 1 of the printed bill, strike out lines 14 and 15, and insert in lieu thereof the following: "meanors by the Vehicle Code."

Amendment No. 2.

On page 2, line 19, of the printed bill, as amended in Senate May 23, 1935, after "taxation", insert a comma and the following: "or exempted in whole or in part from taxation".

The roll was called, and Senate amendments to Assembly Bill No. 236 were concurred in by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Scudder, Stream, Thorp, Utt, Voigt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—60.

NOES—None

Assembly Bill No 236 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1007.

Assembly Bill No. 1007—An act to amend section 29 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to compensation insurance.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1007?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "California".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, after "Act", and before the comma, insert the following: "of 1917".

Amendment No. 3.

On page 3, lines 17 and 18, of the printed bill, strike out ", and his deputies, of contractors", and insert in lieu thereof the following: "of contractors, and his deputies,".

Amendment No. 4.

On page 3, line 14, of the printed bill, add a new sentence as follows: "The Industrial Accident Commission and all deputies and agents thereof, the Chief of the Division of Labor Statistics and his deputies, the Registrar of Contractors and his deputies and all district attorneys and city prosecutors in the State of California are hereby empowered to prosecute any employer who fails to secure payment of compensation as hereinbefore provided."

The roll was called, and Senate amendments to Assembly Bill No. 1007 were concurred in by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hornblower, Hunt, Johnson, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 1007 ordered to enrollment.

Motion to Reconsider Assembly Bill No. 2385 Continued.

Mr. Burns moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2385 was refused passage be continued until the next legislative day.

Motion carried

Motion to Reconsider Assembly Bill No. 276 Continued.

Mr. Robertson moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 276 was refused passage be continued until the next legislative day.

Motion carried.

Consideration of Senate Amendments to Assembly Bill No. 438.

Assembly Bill No. 438—An act to amend sections 640, 641, 642, 645, 646, 771, 1530, 1531 and 1534 of the Probate Code, relating to estates

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 438?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "and 646", and insert in lieu thereof the following: ", 646, 771, 1530, 1531 and 1534".

Amendment No. 2.

On page 3 of the printed bill, after line 8, insert the following:

"SEC. 6. Section 771 of the Probate Code is hereby amended to read as follows:

771. Stocks or bonds may be sold and title thereto passed without the necessity for confirmation, upon obtaining an order of the court. A petition for such an order shall be filed with the clerk, who shall set the same for hearing by the court and shall give notice thereof for the period and in the manner required by section 1200 of this code, but the court or judge may order the notice to be given for a shorter period or dispensed with The order shall fix the terms and conditions of sale, and when the minimum selling price is fixed or when the securities are to be sold upon an established stock or bond exchange, no notice of sale need be given.

SEC 7. Section 1530 of the Probate Code is hereby amended to read as follows:

1530. If the income of an estate under guardianship is insufficient for the support, maintenance and education of the ward and of such members of his family as he is legally obligated to support and maintain, including his care, treatment and support, if confined in a State hospital for the insane, or if the personal estate and the income from the real estate is insufficient to pay his debts, his guardian may sell any of his real or personal property, or mortgage or give a deed of trust upon any of his real property for that purpose, or exchange any of such real or personal property, whenever it appears it is for the advantage, benefit and best interests of the ward and such members of his family as he is legally bound to support and maintain, subject to authorization, or confirmation or direction by the court as hereinafter provided.

SEC. 8 Section 1531 of the Probate Code is hereby amended to read as follows:

1531. When it will benefit a ward to sell any of his real or personal property and to put out the proceeds at interest or invest the same in some productive stocks or bonds, or in the improvement or security of any other real property of the ward, his guardian may sell the same for that purpose, subject to confirmation by the court, or authorization in the case of stocks or bonds, as hereinafter provided The order confirming the sale, or authorizing the sale of stocks or bonds, must specify the particular disposition to be made of the proceeds, or it may direct the deposit of the whole or any portion thereof in a savings account with one or more banks, in which case the money so deposited may be invested from time to time under further directions of the court.

SEC. 9. Section 1534 of the Probate Code is hereby amended to read as follows:

1534 Sales by guardians may be at public auction or private sale, as the guardian deems best. All proceedings concerning sales by guardians, giving notice of sale, reselling the same property, return of sale and application for confirmation thereof, notice and hearing of such application, making orders authorizing the sale of stocks or bonds, rejecting or confirming sales and reports of sales, ordering and making conveyances of property sold, and allowance of commissions, must conform, as nearly as may be, to the provisions of this code concerning sales by administrators, unless otherwise specially provided in this chapter."

The roll was called, and Senate amendments to Assembly Bill No 438 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond,

Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—71.

NOES—None.

Assembly Bill No. 438 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 663.

Assembly Bill No. 663—An act to amend the title and sections 1, 2, 6, 9, 11, 12, 13, 15, 30, 31 and 32 and to add section 33 to an act entitled "An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments, reassessments, to provide for the proceedings to test the validity of such refunding and reassessment, and to provide for contributions of public funds to assist in such refunding," approved June 5, 1933, relating to the refunding of bonds payable from taxes or from special assessments levied wholly or partly in accordance with the assessed value of lands

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 663?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out the words and figures "Sec. 15", and insert in lieu thereof the words and figures "sections 1, 2, 6, 9, 11, 12, 13, 15, 30, 31 and 32"

Amendment No. 2.

On page 2 of the printed bill, as amended, following line 9, insert the following:

SEC. 2 Section 1 of the act designated in the title hereof is hereby amended to read as follows.

Section 1. All bonded indebtedness consisting of outstanding unpaid bonds and outstanding unpaid interest coupons of bonds issued by or for any special improvement district the bonds of which are payable from taxes or special assessments levied wholly or partly in accordance with the assessed value of lands may be funded or refunded under and pursuant to the provisions of this act. At least two of the interest coupons on the refunding bonds must be at a rate of interest less than the interest rate on the bonds to be refunded, and the rate of interest on the refunding bonds shall not exceed the rate of interest on the bonds to be refunded. The legislative body of the city or county or city and county which conducts the refunding proceedings may negotiate and contract with the holders of bonds for such refunding and to aid in such refunding may appropriate moneys from the general fund or from any available fund of the city or county or city and county Also, any county in which the district lies, whether the district be entirely or partly within a city or cities, or entirely or partially within unincorporated territory of the county, is hereby authorized to appropriate moneys from its general fund, road fund or any available fund to assist in such refunding In refunding such indebtedness under this act, the total amount of the reassessments to be levied under this act plus contributions, if any, of public money to aid in such refunding shall be less than the total amount of the outstanding unpaid bonds and the outstanding due and unpaid interest coupons which are to be refunded

SEC. 3. Section 2 of the act designated in the title hereof is hereby amended to read as follows

Sec. 2 Whenever the legislative body of any city or county or city and county of this State determines by resolution that the public interest, convenience or necessity require the refunding of the indebtedness of any special improvement district which it is given jurisdiction to refund under the provisions of this act, said legislative body shall by resolution declare its intention to refund such bonds and shall determine the total maximum principal amount for which a reassessment shall be levied in the refunding proceedings, and shall determine the term of any refunding

bonds to be issued to represent unpaid reassessments as herein provided and the rate or rates of interest of such bonds. The rate of interest during the entire term of such bonds need not be the same but different rates may be stated for one or more interest payments of such bonds. If such different rates of interest are proposed, each rate and the time during which such rate shall be paid shall be designated in such resolution. The amount of any proposed contribution of public funds to be made to assist in such refunding shall be stated in such resolution, but this shall not prevent said legislative body making additional contributions thereto at any time. In said resolution said legislative body shall state the total amount of the outstanding indebtedness to be refunded (which shall be deemed to be the principal amount of outstanding unpaid bonds and the amount of due and unpaid interest coupons), the amount of the principal of bonds included therein, and the amount of due and unpaid interest coupons included therein, all as of the date said resolution is adopted. No error or mistake in the computation of the amount of unpaid principal or unpaid interest shall affect the validity of the refunding proceedings, and no error or mistake in any statement of the amount of such principal or interest in any notice, resolution or order in the course of the proceedings shall invalidate in any way the reassessment or the refunding bonds or the refunding proceedings; provided that the total sum of the reassessment levied in the refunding proceeding, plus any contribution or contributions of public funds made to aid in such refunding, shall not exceed the sum of the principal amount of the bonds to be refunded and the amount of the due and unpaid interest coupons to be refunded. Said resolution shall contain a statement that for any reassessment not paid within thirty days from the date of recordation thereof a bond will issue in the manner and form provided in this act (designating the act by title or other suitable reference).

Said resolution shall also contain a date, hour, and place for the hearing of objections to said refunding, and the date fixed for said hearing shall not be less than twenty (20) days nor more than sixty (60) days subsequent to the date of adoption of said resolution. Said resolution shall also contain a statement that the refunding shall not be authorized unless the written consent of the owners of a majority in area of the land in the district subject to assessment to pay the principal and interest of the outstanding bonds is filed with the clerk of the legislative body, and that any owner of land in said district may file his written consent to such refunding at any time prior to the adoption of the resolution ordering the refunding.

SEC. 4. Section 3 of the act designated in the title hereof is hereby amended to read as follows:

Sec. 3. The resolution shall be published once a week for at least two (2) weeks in a newspaper of general circulation in the city (if the refunding proceedings are conducted by the legislative body of a city) or in the county (if the refunding proceedings are conducted by the legislative body of a county). In the event no newspaper of general circulation is published in the city, then publication may be made in any newspaper of general circulation published in the county. Copies of such resolution headed "Notice of refunding and reassessment" shall also be posted upon all open streets within the district of lands proposed to be reassessed in the refunding proceedings Such notices shall be not more than three hundred (300) feet in distance apart and not less than three (3) of such notices shall be posted. The heading upon such posted notices must be in letters at least one inch in height and such notices shall be posted on or before the date of the first publication of said notice. A copy of the resolution as published shall be mailed, postage prepaid, by the clerk of the legislative body to each person to whom land in the assessment district is assessed as shown on the last equalized assessment roll of the county in which said district lies, at his address as shown upon such roll, and to any person, whether owner in fee or having a lien upon or legal or equitable interest in any land within said district, whose name and address and a designation of the land in which he is interested is on file in the office of said clerk. No error, failure or mistake in the mailing or posting of such notices or any of them and no failure of any owner or person interested in any land within the district to receive such mailed notice shall in any way affect the validity of the proceedings hereunder and the clerk's affidavit of mailing shall be conclusive evidence that all notices have been mailed as required by this act. Affidavits of publication, posting and mailing shall be filed in the office of the clerk of the legislative body The date of the first publication of the resolution of intention, the date of the posting of copies of such resolution, and the date of mailing of such resolution (which dates need not be the same) shall be at least twenty (20) days prior to the date of hearing fixed in said resolution.

Any owner of land within the district subject to tax or assessment for payment of the principal and interest of the outstanding bonds may file his consent in writing to the refunding and reassessment upon the terms stated in said resolution. Such consent need not be in any particular form and no error or informality thereof shall in any manner vitiate the proceedings. Owners of land within the meaning of this section are those, and those only, who appear to be such upon the records in the office of the county recorder of the county in which the district is situated on

the day that said consents are filed with the clerk of said legislative body. Executors, administrators, special administrators, and guardians may consent for any property of the estate represented by them. Any trustee of an express trust in land, other than as security for the payment of money, may consent for all or any part of the land held in such trust. A trustee in bankruptcy may consent for all or any part of the property of the bankrupt. Such executors, administrators, guardians and trustees are deemed owners of land within the meaning of this act. The written consent of the owners of a majority in area of the lands in the district subject to reassessment in the refunding proceedings shall be binding upon the owners of the minority in area of the lands in such district.

At any time not later than the hour set for hearing objections to the proposed refunding, any person interested and any owner of property which is subject to reassessment in the refunding proceeding may file his written objection against the proposed refunding with the clerk of the legislative body. Such objection must contain a description of the property in which each signer thereof is interested, sufficient to identify the same, and shall set forth the nature of each signer's interest therein, and shall be delivered to the clerk of said legislative body at or before the time set for hearing, and no other protests or objections shall be considered. At the time and place fixed for the hearing of objections, or at any time to which the hearing thereof may be adjourned, the legislative body shall hear and consider all objections so filed. The hearing may be continued from time to time, by order of the legislative body to be entered upon its minutes. Any objection or protest to such refunding not made at the time and in the manner hereinbefore provided shall be deemed to be waived voluntarily by any person who might have made such protest or objection, and such person shall be deemed to have consented to the proposed refunding. The legislative body may sustain or deny any or all objections and protests and its determination thereon shall be entered upon the minutes and shall be final and conclusive. Said legislative body shall also at said hearing, as originally fixed or as adjourned, by resolution entered upon the minutes, determine whether the written consent of the owners of a majority in area of the lands in the district subject to reassessment has been filed or not, and if it determines that such consent has been filed it shall thereupon acquire jurisdiction to proceed further under this act.

The validity, sufficiency, or genuineness of said consents, or any thereof, or the finding and determination of the legislative body thereon, shall not be contested in any action, suit or proceeding unless the same shall be commenced within three months after the determination of said legislative body has been made, and thereafter no person in any action, suit or proceeding may plead or prove that said consents or any thereof, or the finding or determination of the legislative body thereon, was in any way defective, invalid, or insufficient.

After the legislative body has determined that the written consent of the owners of such majority in area has been filed, it may by resolution entered upon the minutes order the refunding and reassessment.

SEC. 4. Section 6 of the act designated in the title hereof is hereby amended to read as follows:

Sec. 6. The total amount for which said reassessment shall be levied shall not exceed the total principal amount of such reassessment as stated in the resolution of intention; but may be for a smaller amount. Said reassessment shall be made upon all such lots, pieces or parcels of land within the assessment district as are subject to tax or assessment to pay the principal and interest of the outstanding bonds to be refunded. The total amount to be reassessed shall be apportioned upon said lots, pieces and parcels of land in the manner hereinafter set forth, to wit: To the total principal amount of the reassessment proposed to be levied shall be added the total sum of all of the amounts (including such interest and penalties as go into such fund) paid into the interest and sinking fund of such district on or prior to the date the resolution of intention in the refunding proceedings was adopted, upon taxes or assessments levied upon any lot, piece or parcel of land subject to reassessment in the refunding proceeding to raise funds to pay the principal and/or interest of the bonds of said district which are to be refunded. The total amount of the two sums shall be apportioned as an assessment upon all such lots, pieces or parcels of land within the assessment district as are subject to tax or assessment to pay the principal and interest of the bonds to be refunded. The person making the reassessment shall proceed to estimate upon the lots, pieces or parcels of land within the assessment district and, subject to reassessment under the terms of this act, the benefits arising from the acquisition or improvement, or acquisition and improvement, for which the bonds to be refunded were issued and to be received by each such lot, piece or parcel of land, and shall thereupon reassess upon and against the said lands the total amount of the two sums hereinbefore in this section mentioned and in so doing shall assess the said total amount upon the several lots, pieces or parcels of land in said assessment district subject to reassessment in the manner following, to wit:

Upon each lot, piece or parcel of land, respectively, in proportion to the estimated benefits received by each such lot, piece or parcel of land from the acquisition or

improvement, or the acquisition and improvement, for which the bonds to be refunded were issued.

When said total amount has been assessed upon each of the lots, pieces or parcels of land to be reassessed there shall be deducted from the amount so assessed upon any lot, piece or parcel of land any sum (including interest and penalties, if any) paid into the interest and sinking fund of the district on or prior to the date of adoption of the resolution of intention in the refunding proceeding upon a tax or assessment levied upon any such lot, piece or parcel of land to pay the principal and interest on bonds of said district. In case any such lot, piece or parcel of land was a portion of a larger parcel of land for which a payment was made, the portion of such payment to be deducted from the amount assessed against such smaller lot, piece or parcel of land shall be that proportion of such payment which the amount assessed against said smaller lot, piece or parcel of land bears to the total amount assessed against all of the parcels which comprised said larger parcel of land. After all of the amounts of taxes and assessments, including any penalties and interest paid into the interest and sinking fund, have been deducted from the amount assessed to each such lot, piece or parcel of land, the amounts remaining assessed against each such lot, piece or parcel of land shall be deemed reassessments and shall comprise the total reassessment to be levied and shall in total amount be the sum stated in said resolution of intention or a smaller sum. If in any case the amount paid as ad valorem taxes or assessments upon any parcel of land should exceed the amount assessed as benefits against said parcel, no refund shall be made to any property owner.

SEC. 5. Section 9 of the act designated in the title hereof is hereby amended to read as follows:

Sec. 9. When said reassessment has been filed with the clerk, the legislative body shall direct said clerk to give notice of the filing of said reassessment and of the time and place when and where all persons interested in any such reassessment will be heard by said legislative body. Said notice shall be in substantially the following form:

(Fill in blanks)

Notice of hearing on proposed reassessment for refunding of bonds of _____ District No. _____ of (city or county) of _____

Notice is hereby given that a reassessment for the refunding of the bonds of the above entitled district has been filed with the clerk of the _____ (name of legislative body) of _____ (city or county) of _____ and may be examined by any person interested. The acquisition or improvement, or acquisition and improvement (use whichever of the foregoing words applies), to pay the costs and expenses of which said bonds were issued, was made pursuant to _____ (ordinance or resolution) of intention No. _____ (if numbered) adopted _____, 19____, and reference is hereby made to such _____ (ordinance or resolution) of intention for a description of the _____ (acquisition or improvement or acquisition and improvement).

The district of lands benefited by said acquisition or improvement, or acquisition and improvement (using the appropriate words), is described in general terms as follows: (Here insert a description in general terms of the district as shown upon the plat or diagram attached to the reassessment, excepting therefrom any lands not to be reassessed.)

Reference is hereby made to the diagram contained in said reassessment for the boundaries and extent of the said assessment district, and said diagram shall govern for all details as to the extent thereof. Said diagram shows each lot, piece or parcel of land reassessed and said reassessment shows the amount proposed to be reassessed upon each lot, piece or parcel of land.

Notice is further given that it is proposed to levy said reassessment for the refunding of the bonds of said district. The total amount of the proposed reassessment is the sum of $_____

Notice is further given that on the _____ day of _____, 19____, at the hour of _____ o'clock, ____m., at the chambers of the _____ (designating the legislative body) of the _____ (city or county) in the city of _____ is the time and place the said _____ (designating legislative body) will hold the hearing on said reassessment. Protests or objections to said reassessment or to any proceedings taken in the refunding of said bonds and the levying of a reassessment therefor or to any part of such proceedings or to any specific reassessment upon any ground whatsoever must be filed in writing with the clerk of _____ (designating legislative body) at or before the time of said hearing. Upon the recording of said reassessment, the respective amounts reassessed shall be immediately due and payable. The reassessment proceedings are under and serial bonds shall be issued in the manner and form provided in (here set out the title of this act and its date of approval or refer to the act by other appropriate reference) to represent each reassessment remaining unpaid after the expiration of thirty days from the date of recording said reassessment. Said bonds shall bear interest at the rate (or rates) of _____ per cent from the date of recording of such reassessment and shall be payable in _____ installments extending

over a period of _____ years from the second day of January next succeeding the fifteenth day of next November following their date

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(Clerk of the (designate legislative body)

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of (designate name of city or county).

SEC. 6 Section 11 of the act designated in the title hereof is hereby amended to read as follows:

Sec. 11 Protests or objections to the said reassessment or to any of the reassessments upon the respective lots pieces or parcels of land reassessed or to any action or determination in the making of said reassessment or in the proceedings for said reassessment and refunding, including objections to the amounts of the reassessments, or to the validity or legality of any of the proceedings for said reassessment and refunding must be made in writing and filed with the clerk of said legislative body at or before the time fixed for the hearing on said reassessment Such protests or objections may be made by any person interested in the reassessment and refunding proceedings It is the intent of this section that protests or objections upon any ground whatsoever not theretofore waived may be made as provided by this section Such protests or objections need not be in any particular form, but if protest against or objection to the regularity or legality of the proceedings for the reassessment or refunding is made, such protest must clearly set forth the particular alleged irregularities or invalidities. Any objection or protest upon any ground whatsoever not made at the time and in the manner herein provided shall be deemed to be waived voluntarily by any person who might have made such a protest or objection, and the proceedings for the said reassessment and refunding may not thereafter be attacked upon any ground not stated in an objection or protest so filed, and any land owner or any person otherwise interested in any lands within the said district or in the reassessment and refunding proceedings shall be estopped to attack the said reassessment and refunding proceedings upon any ground not stated in a protest filed by him in accordance with the provisions of this section At the time fixed for the hearing any person interested may appear and be heard upon any of the matters set forth in his protest or objection. Protests and objections may be taken up in such order as the legislative body deems advisable and any evidence offered thereon by any property owner or person otherwise interested in the proceedings for said reassessment and refunding shall be heard by said legislative body Said legislative body may also hear any evidence offered in support of the said reassessment and refunding proceedings If, at the hearing, it appears that the owners of more than one-half of the area of the lands assessed in the refunding proceeding have filed protest or objection to the refunding as proposed, in its entirety, the legislative body shall, by resolution to be entered upon its minutes, so find, and shall abandon such refunding, and no resolution of intention for the refunding of the indebtedness of said district under this act may be adopted within a period of six months from the date of such abandonment In order that such protests or objections operate as a bar they must specifically state that the objection is to the refunding in its entirety. The determination of said legislative body upon any of the matters presented in any of said protests or objections and upon all matters involved in said reassessment and refunding proceedings and upon the reassessment shall be final and conclusive Said hearing may be adjourned from time to time by an order entered upon the minutes of the legislative body; provided, that the hearing must be finally completed within sixty days from the date thereof stated in the published notice of hearing At the said hearing said legislative body shall have power to revise, correct or modify the said reassessment in such manner as may be just and in accordance with the facts and so that the assessment may be apportioned according to benefits Said reassessment may be confirmed as filed or as revised, corrected or modified. Confirmation of said reassessment shall be made by resolution of the legislative body entered upon its minutes and such resolution shall declare the findings of said legislative body. If no changes are made in any of the matters contained in said reassessment, it shall be sufficient in said resolution to declare that said reassessment is confirmed, but if any changes are made such changes shall be mentioned in said resolution of confirmation and said resolution shall declare that the said reassessment as revised, corrected or modified by the said changes is confirmed. Said legislative body shall also have power at said hearing to correct any of its previous actions, determinations, resolutions or orders and any of the proceedings for the reassessment and refunding The findings and determinations of said legislative body upon all matters herein mentioned and upon all matters in connection with said reassessment and refunding proceedings shall be final and conclusive upon all persons and in all actions or proceedings as to all matters expressly found and determined and as to the regularity and sufficiency of the reassessment and refunding proceedings, and said resolution confirming the said reassessment shall be conclusive evidence that said reassessment and all proceedings prior thereto are valid and sufficient. No defect in the form of such reassessment and no omission, failure or neglect of, or action or determination

of any officer, body or person in the reassessment and refunding proceedings and no error in the amounts to be reassessed upon any of the lots, pieces or parcels of land shall invalidate the said reassessment or any of the reassessments therein contained, and each of the reassessments in said reassessment shall become a lien upon the property upon which the same is levied, notwithstanding any error, defect or omission therein or in any of the proceedings therefor and notwithstanding that the proceedings for the making of said reassessment are not in full conformity with the requirements of this statute, and any action or determination necessary or convenient in the making of said reassessment or in the refunding and reassessment proceedings not expressly set forth in this statute is hereby authorized and the same when made shall be valid and sufficient.

SEC. 7. Section 12 of the act designated in the title hereof is hereby amended to read as follows:

Sec. 12. If the refunding proceedings are conducted by the legislative body of a city, said reassessment as confirmed shall be recorded with the superintendent of streets of said city. If the refunding proceedings are conducted by the legislative body of a county, said reassessment as confirmed shall be recorded with the county surveyor of said county. The reassessment shall not be recorded until the holders of all outstanding bonds and coupons have contracted to exchange such bonds and coupons in the refunding proceedings, or, if all holders of outstanding bonds and coupons do not so contract, the reassessment shall not be recorded until adequate provision has been made as required in this act for the retirement or payment of the bonds and coupons of nonconsenting holders. When so recorded, the several amounts reassessed upon the lots, pieces or parcels of land in said reassessment shall be a lien thereon as of the date of such recordation. Such lien shall continue until said reassessment and all interest and penalties thereon are paid or until it is discharged of record. The lien of said reassessment shall be superior to and have priority over all special assessment liens created against the same property subsequent to the date of such recordation. Any foreclosure of said reassessment lien or sale of property for said lien shall convey the said property to the purchaser free and clear of all encumbrances except taxes, and such special assessment liens, as at the date of the creation of said lien, are by law equal or superior to said reassessment lien. From and after the date of the said recording of said reassessment all persons shall be deemed to have notice of the contents thereof. The amounts assessed in said reassessment shall be payable to the said superintendent of streets or county surveyor with whom said reassessment is recorded, and said superintendent of streets or county surveyor is authorized to receive the amount due upon any reassessment and give a good and sufficient discharge therefor, provided a bond has not been issued to represent such reassessment. The officer with whom said reassessment is recorded shall give notice by publication for ten days in a daily newspaper of general circulation printed and published in the county in which the lands reassessed lie or by three successive insertions in a weekly newspaper of general circulation printed in such county that said reassessment has been recorded in his office and that all sums assessed therein became due and payable upon the recordation of said reassessment, stating the date of such recordation and that the payment of the said sums is to be made to him within thirty days after the date of such recordation. Said notice shall also contain a statement that for any reassessment not paid before the expiration of said thirty days, a bond will issue in the manner and form provided in this act and shall state the period over which said bond shall extend and the rate of interest which shall be payable thereon. Notice shall also be given by mailing a post card to the owner of each lot, piece or parcel of land reassessed according to the name and address appearing on the last equalized assessment roll for county taxes prior thereto or as known to the superintendent or surveyor; provided that a failure of the superintendent or surveyor to give such notice by mailing or of the person addressed to receive the same shall not affect the validity of the proceedings or the validity of the lien of any reassessment or of any bond issued thereon. Upon payment of any reassessment, the superintendent of streets or the county surveyor with which the said reassessment is recorded shall mark upon the said reassessment note of the said payment and shall cancel the said reassessment, and upon request, said superintendent of streets or county surveyor shall also give a receipt to the person paying the said reassessment. Any reassessment upon public property shall be paid by the officer or board having charge of the disbursement of the funds of the owner of such property, and said reassessment shall be an enforceable obligation against the owner of or the governing body controlling the said property. If for any reason there are no moneys available for the payment of said reassessment, then the board or officer whose duty it is to levy taxes for the said owner of said public property shall include in the next tax levy an amount, in addition to moneys for all other purposes, sufficient to pay said reassessment and the interest thereon from the date the reassessment is recorded at the rate to be stated in the refunding bonds, and when the moneys received from said tax levy are available, said reassessment and such interest thereon shall be paid by the officer or board having charge of the disbursement of the funds of the owner of such land. Any reassess-

ment upon public property not in use in the performance of a public function may be foreclosed in the manner provided in section 27 of the "Improvement Act of 1911" as amended; provided, however, that the notice to be given upon the tax bill need not be given or made and that such action may be brought at any time after thirty days after the recording of such reassessment, and in any such foreclosure action the said reassessment and diagram with proof of nonpayment shall be prima facie evidence of the right of plaintiff to recover in the action. Said action shall be brought in the name of the city or county the legislative body of which levied said reassessment upon the request of any person entitled to any portion of the moneys to be derived from said reassessment. The person requesting that said foreclosure action be brought must advance the plaintiff's costs and expenses thereof and said action may be brought by any competent attorney appointed by the legislative body which levied said reassessment. In any case in which the reassessment is levied by the legislative body of a county, the same shall be foreclosed as hereinafter provided, except that the various officers designated in said section 27 shall be the corresponding county officers as designated in the County Improvement Act of 1921 as amended. No refunding bond shall issue against public property, and the list of unpaid reassessments to be filed with the treasurer shall not include any unpaid reassessment upon public property.

SEC 8. Section 13 of the act designated in the title hereof is hereby amended to read as follows:

Sec. 13 No action, suit or proceeding to set aside, cancel, avoid, annul or correct any reassessment hereunder or to review any of the proceedings, acts or determinations made in the proceedings for said reassessment and refunding or to question the validity of or enjoin the collection of said reassessment or any reassessment therein or to enjoin the issuance of any bond or bonds to represent the same shall be maintained by any person unless such action or actions shall have been commenced within ninety days after the date of confirmation of said reassessment, and thereafter all persons shall be barred from any such action, suit or proceeding or any defense of the invalidity of said reassessment or any of the reassessments therein contained or any bonds issued thereon.

In any action, suit, or proceeding brought after said ninety days has expired, to enforce any reassessment or bond issued to represent said reassessment no person may urge, plead or prove the invalidity of any reassessment or bond issued to represent said reassessment and in any action to foreclose a bond issued hereunder, said bond shall be conclusive evidence of the regularity and validity of the reassessment proceedings and reassessment, and the bond."

Amendment No. 3.

On page 2, line 10, of the printed bill, as amended, strike out the figure "2", and insert in lieu thereof the figure "9".

Amendment No. 4.

On page 2, line 12, of the printed bill, as amended, strike out all of the language following "15.", and strike out all of lines 13 to 49, inclusive, and insert in lieu thereof the following.

"If the holders of all of the outstanding bonds agree to refund their bonds as proposed in the refunding proceeding, then all refunding bonds, all moneys collected on the reassessments levied in the refunding proceeding, and all public contributions (if any) shall be paid and delivered to the holders of the outstanding bonds, in such amounts and proportions as may be fixed by contract with such bondholders. Any contract with the holder of any bond may provide such terms and conditions of exchange as may be agreed upon by the holder and the legislative body, and may contain such terms and conditions relating to time of performance, conditions precedent thereto, and the method and mode of performance, as may be agreed upon by said parties Whenever the refunding bonds and moneys, if any, are delivered to said bondholders, said bondholders must concurrently deliver to the legislative body or its representative the outstanding unpaid bonds which are refunded and all outstanding unpaid interest coupons, constituting the entire indebtedness of said district, and the same shall forthwith be canceled.

In the event that the holders of one or more of the outstanding bonds do not enter any contract with the legislative body to refund the same, nevertheless if the holders of seventy-five per cent or more of the outstanding bonds do contract with the legislative body which conducts the refunding proceedings for the refunding of the bonds owned or held by them, said legislative body shall have authority to refund all of the bonds of said district under the provisions of this act, but in such event, prior to recording the reassessment levied under this act, sufficient moneys to adequately provide for the retirement or payment of the bonds of the nonconsenting holders must be provided and set aside in the proper fund for that purpose Any city or county or city and county which is authorized under this act to appropriate moneys to aid in refunding the bonds of the district, may make an advancement or contribution or an additional contribution in order to provide moneys to pay or retire bonds of such nonconsenting holders. Whenever any city or county or city

and county or any person or corporation advances moneys to provide for the payment or retirement of the bonds of nonconsenting holders, the legislative body may deliver at par all or any portion of the refunding bonds which are not to be delivered to consenting bondholders to the person, corporation, city, county or city and county making such advance or advances, or sell at par all or any part of such refunding bonds not to be delivered to consenting bondholders, and from the proceeds thereof reimburse such person, corporation, city, county or city and county entirely or partially, and may contract to make such sale or delivery. If the legislative body makes all or any part of such advancement it may reimburse the city, county or city and county of which it is the legislative body, entirely or partially by taking all or any part of such refunding bonds at par. Any cash collected on reassessments and not required to pay consenting bondholders may also be used to reimburse in whole or in part any person, corporation, city, county or city and county making such advance or advances, and the legislative body may contract to so apply such cash. Any other method of raising funds for the payment or retirement of the bonds of nonconsenting bondholders which will prior to the time the reassessment is recorded under this act adequately provide the moneys necessary for such payment or retirement is hereby authorized. Wherever any moneys are placed in any fund for the retirement or payment of the bonds of nonconsenting holders the said moneys shall be used only for that purpose and after all of the bonds of said nonconsenting holders have been paid or retired any sum remaining in said fund shall be returned to the city or county or city and county which advanced the same.

If the contract with the bondholders so provides, said legislative body may sell all of the refunding bonds for cash and pay said bondholders in cash at a price to be fixed in said contract.

In the event that the discharge of the bonds of any nonconsenting holders at less than the par value thereof has been authorized by any final decree or order confirming a plan of readjustment under any bankruptcy law of the United States of America in any proceedings initiated under the authority of this act, said legislative body is authorized to do and perform all acts and things necessary for the discharge of such bonds in accordance with said decree or order.

Wherever the word "bond" or "bonds" is used hereinbefore in this section in referring to the outstanding bonds the word shall be deemed to include and shall be construed to mean also any outstanding unpaid interest coupon or coupons of any bond or bonds of the district, and the word "bondholder" or "bondholders" as used hereinbefore in this section shall be deemed to include and shall be construed as meaning also any holder or holders of outstanding unpaid interest coupons of bonds of the district.

After the date of the adoption of the resolution of intention in the refunding proceeding all sums paid for any parcel of land into the interest and sinking fund for the payment of principal and interest of the bonds to be refunded shall be credited upon the reassessment levied in the refunding proceeding upon such parcel and shall be applied as moneys paid upon such reassessment.

Upon the recordation of the reassessment in the refunding proceeding all unpaid taxes or special assessment taxes levied to pay principal and interest of the bonds refunded and all penalties and interest thereon shall be deemed canceled and annulled, and the clerk of the legislative body which conducted such refunding proceedings shall notify the proper city officials or the proper county officials, or both, as the case may be, that the bonds of said district have been refunded and that said taxes or said special assessment taxes, penalties and interest are canceled and annulled and such officials shall thereupon proceed to make the necessary entries showing the cancellation thereof."

Amendment No. 5.

On page 2 of the printed bill as amended, following line 49, insert the following:

"SEC. 10. Section 30 of the act designated in the title hereof is hereby amended to read as follows:

Sec. 30. At any time within ninety days after the confirmation of the reassessment, any person interested in any of the bonds to be refunded or in any of the lands reassessed may bring an action in the superior court of the county the legislative body of which conducted the refunding proceedings, or the county in which the city the legislative body of which conducted the refunding proceedings lies, to determine the validity or invalidity of such reassessment. Such action shall be in the nature of a proceeding in rem and jurisdiction of all parties interested may be had by publication of summons for at least once a week for four weeks in some newspaper of general circulation published in the county where the action is pending, such paper to be designated by the court having jurisdiction of the proceedings. Said summons shall contain a general description of the boundaries of the district of the lands upon which said reassessment is or is to be levied. Jurisdiction shall be complete within ten days after the full publication of such summons in the manner herein provided. Anyone interested may at any time before the expiration of said ten days appear and by proper proceedings contest the validity of such reassessment or uphold the same. Such action shall be speedily tried and judgment rendered declaring such matter so contested either valid or invalid. Either party shall have the right to appeal to the

Supreme Court at any time within thirty days after the rendition of such judgment, which appeal must be heard and determined within three months from the time of taking such appeal. The motion for a new trial of any such proceeding must be heard and determined within ten days from the filing of the notice of intention

The court hearing the said proceeding, in inquiring into the regularity, legality or correctness of such reassessment, must disregard any error, irregularity or omission which does not affect the substantial rights of the parties to said action or proceeding. The rules of pleading and practice provided by the Code of Civil Procedure which are not inconsistent with the provisions of this act are applicable to the proceeding herein provided for. The costs of the legal proceedings provided for in this section may be allowed and apportioned between the parties or taxed to the losing party in the discretion of the court After said reassessment has been confirmed, it shall not be contested in any way other than at the time and in the manner specified in this section, and in any such action all findings, conclusions and determinations of the legislative body which conducted the reassessment proceedings shall be conclusive in the absence of actual fraud.

If any reassessment or any refunding bond is held illegal or invalid in any action, suit or proceeding upon any ground which would apply to the entire reassessment or the entire issue of refunding bonds, then the unpaid bonds refunded, remain in full force and effect, and if said unpaid bonds have been canceled, the treasurer of the city or county which conducted the invalid refunding or reassessment proceeding shall issue new bonds of the same tenor, force and effect as such canceled unpaid bonds, and all of the provisions of the act under which the original bonds were issued (notwithstanding that said act may have been repealed in whole or in part subsequent to the issuance of such bonds) relative to the payment of the bonds issued thereunder and the levy, collection and enforcement of taxes or special assessment taxes therefore shall apply to such unpaid bonds, and to any bonds issued to replace such unpaid bonds Until all unpaid bonds which might be refunded hereunder have been fully paid or funds set aside for their payment in full or have been legally refunded, it shall be and remain the duty of the legislative body empowered and directed to levy taxes or the special assessment taxes for the payment of such bonds to proceed under the provisions of the act under which said bonds were issued to levy the said taxes or special assessment taxes provided in said act in accordance with the provisions of said act. The validity of any refunding bonds issued under this act shall not be contested in any action, suit or proceeding unless such action, suit or proceeding shall have been brought within three months after the issuance of such bonds.

SEC. 11. Section 31 of the act designated in the title hereof is hereby amended to read as follows

Sec 31 Wherever all or any part of the lands in any district, the bonds of which are proposed to be refunded, lie in another district which has outstanding bonds payable by taxes or assessments levied wholly or partly in accordance with the assessed value of the lands therein, one reassessment may be levied and one issue of refunding bonds issued under the provisions of this act to refund the indebtedness of all of said districts It is the intent of this section to permit but not to require the refunding in one proceeding of the indebtedness of all districts which wholly or partially overlap. Such refunding shall be had and the reassessment shall be levied under the provisions of this act as in this section modified Said districts need not be formed under the same act, but if formed under any act under which taxes or assessments are levied wholly or partly in accordance with the assessed value of the lands, may refund their indebtedness in one reassessment proceeding hereunder The total amount of the reassessment shall be fixed by the legislative body. If the owners of a majority in area of the lands included within the exterior boundaries of the area which comprises the said several districts the bonds of which are to be refunded shall in writing agree to such refunding as provided in this act, then the legislative body shall be authorized to proceed with such refunding and to make a reassessment therefor as in this act provided. The reassessment shall be spread over all lands subject to tax or assessment for the bonds refunded in the area comprising all of the districts To the total sum of the reassessment shall be added the total sum of all taxes upon land and all assessments including interest and penalties paid into the interest and sinking fund of any of the districts for the payment of principal and/or interest of any bonds of the same issue as the bonds to be refunded The total amount thus ascertained shall be assessed against all of the lands in the area comprised by the districts in accordance with the benefits derived from the acquisitions or improvements or acquisitions and improvements to pay for which the said bonds to be refunded were issued From the assessment thus made upon each lot, piece or parcel of land shall be deducted the amounts of such taxes upon land and all assessments including interest and penalties, if any, levied upon such lot, piece or parcel of land to pay principal and/or interest of any bonds of the same issue as the bonds refunded as have been paid into the interest and sinking fund of any of said districts. The amounts remaining after such deductions have been made shall be and constitute the reassessments and the total amount of such reassessments shall be the total sum of the reassessment stated in the landowner's assent, or a smaller sum.

SEC. 12. Section 32 of the act designated in the title hereof is hereby amended to read as follows

SEC. 32 Special improvement district bonded indebtedness which is payable from taxes levied upon all property or upon all taxable property in the improvement district may be refunded under this act. The proceeding for refunding such indebtedness shall be the same as for refunding other indebtedness under this act and in making the reassessment hereunder, to the total sum of the proposed reassessment shall be added the total sum of all of the amounts (including such penalties and interest as go into such fund) paid into the interest and sinking fund of the district on or prior to the date the resolution of intention in the refunding proceeding is adopted upon taxes levied upon any lot, piece or parcel of land subject to reassessment in the refunding proceeding to raise funds to pay principal or interest of the bonds to be refunded, and the total of the two sums shall be apportioned upon the lands subject to reassessment according to benefits as hereinbefore provided in this act and from the amounts so apportioned to any lot, piece or parcel of land shall be deducted any sum paid into the interest and sinking fund of the district on or prior to the date said resolution of intention is adopted upon any tax levied upon such lot, piece or parcel of land to pay principal or interest of the bonds to be refunded."

Amendment No. 6.

On page 2, line 50, of the printed bill, as amended, strike out the figure "3", and insert in lieu thereof the figures "13".

Amendment No. 7.

On page 3, line 1, of the printed bill, as amended, strike out all of the language following "33.", and strike out all of lines 2 to 17, inclusive, and insert in lieu thereof the following

"The word "improvement" where used in the phrase "special improvement district" in this act shall mean any public improvement of any nature whatsoever, including *any acquisition of lands, rights of way or easements for public use, any acquisition or* construction of buildings, structures or public works of any kind or nature, or a combination of any or all of the foregoing, and the word shall be given its broadest and most liberal construction as including all acquisitions of land and all acquisition and construction of public works authorized under any law of the State of California, including particularly the Acquisition and Improvement Act of 1925, the Road District Improvement Act of 1907 and the Municipal Improvement District Acts of 1915 and 1927.

This act shall be known as and whenever mentioned, cited, referred to or amended may be designated as the "Assessment Bond Refunding Act of 1933" and by such designation shall be sufficiently identified in *any proceeding hereunder or in any court action or proceeding, and whenever under the procedure set forth in this act the* title of the act is to be stated in any resolution, notice or order, it shall be sufficient to designate the act as provided in this paragraph

The legislative body which conducts the refunding proceedings is authorized to pay any incidental expenses of such proceedings from any available funds of the city or county, or city and county, but no such incidental expenses of such proceedings shall be assessed upon lands in the district

This act shall in no wise affect any other act or acts now existing or which may hereafter be passed covering the same subject matter, or apply to any proceedings thereunder, but is intended to and does provide an alternative system for the refunding of bonds, and, when in the discretion of any legislative body proceedings are commenced under this act the provisions of this act only shall apply thereto.

Whenever the requisite number of property owners in any district or districts have filed their written consent to the refunding of the indebtedness of such district any city or county, or city and county, is authorized to file a petition and take all proceedings required under any bankruptcy law or laws of the United States of America *now or hereafter enacted, for any district, the bonds of which are authorized to be* refunded under this act, or to bring any action, suit or proceeding authorized under the equity powers of any court for the purpose of refunding the bonds of such district

No bond, coupon, reassessment or installment thereof or of the interest or penalties thereon, and no certificate of sale or deed shall be held invalid for error in the computation of the proper amount due on same, provided the error be found to be comparatively negligible or be found to be in favor of the owner of real property affected thereby

The bonded indebtedness of special assessment districts payable from ad valorem assessments is so great in many instances that the refinancing of such indebtedness is one of the most important problems of this State. In many of such districts both *general taxes and special assessments are delinquent and have been delinquent for* several years The property can not be sold for a sufficient sum to pay the delinquent taxes in view of the large amounts of delinquent special assessments thereon, which are on a parity with the general taxes

The accumulation of delinquent assessments, penalties and interest, and delinquent taxes, penalties and interest, has discouraged the owners of property in such districts

and such property has become almost entirely unproductive of revenue for school, city and county purposes. The immediate refinancing of the obligations of these districts and the restoration of the property to the tax rolls so that it may bear its just burden of city, county and school taxes and so that property owners may be given relief is declared to be the policy of this State.

This act and all of its provisions shall be liberally construed to the end that the purposes hereof may be made effective. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this act. The Legislature hereby declares that it would have passed this act irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases thereof be declared unconstitutional."

Amendment No. 8.

On page 1, line 1 of the title of the printed bill, as amended in Senate May 17, 1935, after "2", insert the following: "3,".

Amendment No. 9.

On page 2, line 23, of the printed bill, as amended in the Senate on May 17, 1935, strike out the following: "its general fund, road".

Amendment No. 10.

On page 2, line 24, of the printed bill, as amended in the Senate on May 17, 1935, after the word "fund", add a comma and insert the following: "except the general fund,".

Amendment No. 11.

On page 2, line 28, of the printed bill, as amended in the Senate on May 17, 1935, strike out the following: "its general fund, road".

Amendment No. 12.

On page 2, line 29, of the printed bill, as amended in the Senate on May 17, 1935, strike out the words "fund of", found at the beginning of said line, and after the words "available fund", add a comma and insert the following "except the general fund,".

The roll was called, and Senate amendments to Assembly Bill No. 663 were concurred in by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—70.

NOES—None.

Assembly Bill No. 663 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 223.

Assembly Bill No. 223—An act to amend section 3649 of the Political Code, relating to taxation.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 223?

Amendment No. 1.

On page 2, line 5, of the printed bill, after the word "roll", insert the following: "and taxed at the current tax rate".

Amendment No. 2.

On page 2, line 12, of the printed bill, after the word "levied", strike out the period and insert the following "and no further penalty shall be added to said taxes."

The roll was called, and Senate amendments to Assembly Bill No. 223 were concurred in by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cronin, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Pelletier, Peterson, Pey-

ser, Phillips, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—61.
NOES—None.

Assembly Bill No. 223 ordered to enrollment.

Consideration of Senate Amendments to Assembly Constitutional Amendment No. 3.

Assembly Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to section 7½a of Article XI of the Constitution of the State of California, relating to local government.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No. 3?

Amendment No. 1.

On page 3, line 18, of the printed measure, strike out "may", and insert in lieu thereof the following: "shall".

Amendment No. 2.

On page 3, line 25, of the printed measure, strike out "Or said board of free-", and strike out lines 26 to 49, inclusive.

Amendment No. 3.

On page 4, line 4, of the printed measure, strike out "The board of freeholders shall there-", and strike out line 5, and in line 6, strike out "visors as hereinafter provided."

Amendment No. 4.

On page 4 of the printed measure, strike out lines 44 to 52, inclusive, and strike out all of page 5.

Amendment No. 5.

On page 6 of the printed measure, strike out lines 1 to 30, inclusive, and in line 31, strike out "whole of said county at a".

Amendment No. 6.

On page 6, lines 32 and 33, of the printed measure, strike out "after the adjournment of the board of freeholders", and insert in lieu thereof the following: "thereafter".

Amendment No. 7.

On page 6, lines 34 and 35, of the printed measure, strike out "after the adjournment of the said board of freeholders", and insert in lieu thereof the following: "thereafter".

Amendment No. 8.

On page 6, line 44, of the printed measure, after "become", insert a comma and the following: "notwithstanding the provisions of section 7½b of this article,".

Amendment No. 9.

On page 6 of the printed measure, strike out lines 51 and 52, and strike out all of pages 7, 8 and 9, and on page 10, strike out lines 1 to 37, inclusive.

Amendment No. 10.

On page 10, line 43, of the printed measure, after "officers", insert a comma and the following: "which shall include those officers required to be provided for in a county charter".

Amendment No. 11.

On page 11 of the printed measure, strike out lines 22 to 43, inclusive, and in line 44, strike out "4", and insert in lieu thereof the following "3".

Amendment No. 12.

On page 11, line 49, of the printed measure, strike out "5", and insert in lieu thereof the following: "4"

Amendment No. 13.

On page 11, line 51, of the printed measure, after "commissioners", insert a comma and the following: "if any,".

Amendment No. 14.

On page 12, line 2, of the printed measure, strike out "municipal", and insert in lieu thereof the following. "city and county".

Amendment No. 15.

On page 12, line 3, of the printed measure, strike out "6", and insert in lieu thereof the following: "5".

Amendment No. 16.

On page 12, line 4, of the printed measure, strike out "municipal", and insert in lieu thereof the following: "city and county".

Amendment No. 17.

On page 12, line 11, of the printed measure, before "It", insert the following: "6."

Amendment No. 18.

On page 12, line 14, of the printed measure, after "article", insert the following: "and, in regard to the powers and duties of officers performing county functions, subject to general law as to those functions".

Amendment No. 19.

On page 12, line 19, of the printed measure, strike out "of the superior court", and insert in lieu thereof the following: "and justices".

Amendment No. 20.

On page 12, line 21, of the printed measure, after "pensation", insert the following: "or the fixing thereof, including judges and justices of inferior courts".

Amendment No. 21.

On page 12, line 22, of the printed measure, strike out "and for", and insert in lieu thereof the following: "or the fixing thereof, and for or the fixing of".

Amendment No. 22.

On page 12 of the printed measure, strike out lines 34 and 35, and insert in lieu thereof the following: "may".

Amendment No. 23.

On page 12, line 45, of the printed measure, strike out the comma after "taxation", and strike out lines 46 to 51, inclusive, and insert in lieu thereof a period.

Amendment No. 24.

On page 13 of the printed measure, strike out lines 11 to 52, inclusive, and strike out all of page 14, and on page 15, strike out lines 1 to 29, inclusive.

Amendment No. 25.

On page 15, line 46, of the printed measure, strike out the semicolon and "nor", and strike out lines 47 to 49, inclusive, and in line 50, strike out "holders' charter".

Amendment No. 26.

On page 16, line 3, of the printed measure, strike out the comma, and strike out lines 4 to 8, inclusive, and insert in lieu thereof a period.

Amendment No. 27.

On page 4, line 7, of the printed measure, as amended, after "county,", insert the following: "if there be two, or in the one such newspaper if there be but one, or if there be no such newspaper then in a daily newspaper of general circulation in the county,".

Amendment No. 28.

On page 4, line 33, of the printed measure, as amended, after "county,", insert the following: "or if there be no such newspaper, then in a daily newspaper of general circulation in the county,".

Amendment No. 29.

On page 6, line 36, of the printed measure, as amended, before "county,", insert the following: "unincorporated territory of the county, and in each incorporated city and town in the".

Amendment No. 30.

On page 6, lines 43 and 44, of the printed measure, as amended, strike out the comma and "notwithstanding the provisions of section 7½b of this article,".

Amendment No. 31.

On page 6, line 50, of the printed measure, as amended, after the period, insert the following: "No consolidation shall take place under the provisions of this section unless a majority of the qualified electors voting thereon in every incorporated city and town in the county and in the unincorporated territory thereof, vote in favor of such consolidation, and the votes cast in each city and town and in the unincorporated territory, shall accordingly be separately tabulated to show the results."

Amendment No. 32.

On page 12, line 5, of the printed measure, as amended, after "for", insert the following: "the".

Amendment No. 33.

On page 13, line 9, of the printed measure, as amended, strike out "either", and insert in lieu thereof the following: "any".

The roll was called, and Senate amendments to Assembly Constitutional Amendment No. 3 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Garibaldi, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Walker, Waters, Weber, Wright, and Mr. Speaker—63.

NOES—None.

Assembly Constitutional Amendment No. 3 ordered to enrollment.

Motion to Reconsider Assembly Bill No. 1551 Continued.

Mr. Flint moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No 1551 was refused passage be continued until the next legislative day.

Motion carried.

Motion to Reconsider Assembly Bill No. 2461 Continued.

Mr. Clark moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2461 was passed be continued until the next legislative day.

Motion carried

Motion to Reconsider Assembly Bill No. 74 Continued.

Mr. Field moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 74 was passed be continued until the next legislative day.

Motion carried.

Further Proceedings Under Call of the House Dispensed With.

At eleven o'clock and thirty minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Hornblower.

The roll of absentees was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 700 by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—66.

NOES—Anderson, Clark, Evans, Ralph W., Flint, Geyer, Heisinger, Jones, McCarthy, Patterson, Rosenthal, Voigt, and Wagner—12.

Assembly Bill No. 700 ordered to enrollment.

Explanation of Vote.

June 1, 1935.

To Whom It May Concern.

My vote recorded "No." on the Budget Bill, Assembly Bill No. 700, was in protest of insufficient funds to carry on relief work for two years and that the direct tax provisions had not been presented by the Committee on Revenue and Taxation and that a definite plan for social security had not been presented for consideration to be considered in the budget.

Sincerely submitted.

CHARLES J. WAGNER.

Unfinished Business—(Resumed).

Reconsideration of Assembly Bill No. 273.

Assembly Bill No. 273—An act to amend section 372 of the Vehicle Code, relating to registration of certain vehicles used for the transportation of persons or property in this State.

In compliance with his notice given on a previous day, Mr. Jones moved that the vote whereby Assembly Bill No. 273 was passed be reconsidered

The roll was called, and the same was reconsidered by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Field, Flint, Frazier, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 273 read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Messrs. Lyon and Waters:

Amendment No. 1.

On page 1, line 15, of the printed bill, as amended, strike out the following: "$50 00", and insert in lieu thereof the following: "$28 25".

Amendment No. 2.

On page 1, line 16, of the printed bill, as amended, strike out the following "$70 00", and insert in lieu thereof the following: "$40.00".

Amendment No. 3.

On page 1, line 16, of the printed bill, as amended, strike out the following: "$90.00", and insert in lieu thereof the following: "$60.00".

Amendment No. 4.

On page 4 of the printed bill, as amended, after line 13, insert the following: "SEC. 2. This act shall not take effect until midnight of December 31, 1935."

Amendments adopted.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No 273, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 273, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Scudder:

Amendment No. 1.

On page 3, line 17, of the printed bill, as amended, strike out "$25.00", and insert in lieu thereof the following: "$62 50".

Amendment No. 2.

On page 3, line 21, of the printed bill, as amended, strike out "$65 00", and insert in lieu thereof the following: "$162 50".

Amendment No. 3.

On page 3, line 24, of the printed bill, as amended, strike out "$85.00", and insert in lieu thereof the following: "$212 50".

Amendment No. 4.

On page 3, line 27, of the printed bill, as amended, strike out "$125.00", and insert in lieu thereof the following. "$312.50".

The question being on the amendments submitted by Mr. Scudder to Assembly Bill No. 273.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Scudder.

The roll was called.

Record Expunged.

The Speaker ordered the vote taken on the amendments by Mr. Scudder to Assembly Bill No. 273, as amended, expunged from the record, and the action rescinded.

The question being on the amendments submitted by Mr. Scudder to Assembly Bill No. 273.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Scudder.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Hornblower moved a call of the House.

Motion carried.

Time, eleven o'clock and fifty-five minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—69.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Unfinished Business—(Resumed).

Motion to Reconsider Assembly Bill No. 1957 Continued.

Mr. Evans, Ralph W., moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1957 was passed be continued until the next legislative day.

Motion carried.

Consideration of Senate Amendments to Assembly Bill No. 2438.

Assembly Bill No. 2438—An act to amend sections 13, 14, 14a and 14b of, to add sections 21, 22, 23, 24 and 25 to, and to repeal sections 15 and 16 of, The Planning Act, relating to State, regional, county, and city planning.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2438?

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out lines 36 to 39, inclusive, and insert in lieu thereof the following:

"SEC. 24. Each agency of the State Government having authority over any public improvements or projects may furnish to the State Planning Board plans of such public improvements or projects When plans of such public improvements or projects are so furnished, the State Planning Board shall implant such plans on the master plans of regional planning districts."

Amendment No. 2.

On page 3, line 24, of the printed bill, as amended, after the period, insert the following: "Each such map shall be recorded in the office of the county recorder and notice of the recording thereof shall be given by posting and publication. The notice shall contain a reference to the map and where it is recorded in the recorder's office and shall indicate the general area affected The notice shall briefly state the effect of the filing of the map. Posting shall be made within five days of the date of the recording in conspicuous places along the proposed right of way at intervals of not to exceed two hundred feet, if the proposed right of way lies within the boundaries of a municipal corporation. If such proposed right of way is in unincorporated territory, one posting shall be made on each parcel of real property abutting on or contained in such right of way.

Publication shall be made at least once a week for three consecutive weeks in a newspaper of general circulation published in the city in which the proposed right of way is located, or in the event such proposed right of way is not within a city, within the county in which such proposed right of way is located. In the event the proposed right of way is in a city and there is no newspaper in such city, such publication shall be made in a newspaper of general circulation published in the county The first publication shall be made within ten days of the date of the recording"

The roll was called, and Senate amendments to Assembly Bill No. 2438 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Corwin, Cottrell, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J, Evans, Ralph W., Field, Fisher, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Mayo, McBride, McMurray, Miller, Morgan, Patterson, Pelletier, Peyser, Redwine, Richie, Riley, Stream, Thorp, Turner, Utt, Wagner, Walker, Weber, Williamson, Wright, and Mr. Speaker—51.

NOES—None.

Assembly Bill No 2438 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 2012.

Assembly Bill No. 2012—An act to amend the Vehicle Code by adding a new section to be numbered 135.5 relating to investigation of accidents.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2012?

Amendment No. 1.

On page 1, line 7, of the printed bill, following the period, strike out the following: "All information obtained from such investigations shall be held as confidential until it has been used in a criminal prosecution."

The roll was called, and Senate amendment to Assembly Bill No. 2012 was concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Corwin, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Weber, Williamson, and Mr. Speaker—63.

NOES—None

Assembly Bill No. 2012 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 2420.

Assembly Bill No 2420—An act to provide for reduction of salaries of officers and employees of the State in the State civil service which are in excess of the maximum salary limits of the respective positions.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2420?

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out "and in effect upon April 1, 1935", and insert in lieu thereof the following: "by the State Personnel Board".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out line 5, and insert in lieu thereof the following: "and in effect upon April 1, 1935."

The roll was called, and Senate amendments to Assembly Bill No. 2420 were concurred in by the following vote:

AYES—Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Garibaldi, Gilmore, Glover, Heisinger, Hornblower, Johnson, Latham, Laughlin, Maloney, Martin, Mayo, McMurray, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Riley, Stream, Thorp, Utt, Wagner, Walker, Weber, Williamson, and Mr. Speaker—50.

NOES—Gilbert, Hunt, Jones, Lore, and Rosenthal—5.

Assembly Bill No. 2420 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 1755.

Assembly Bill No. 1755—An act to amend sections 1466, 1467, 1468 and 1469 of the Penal Code, and to repeal sections 1468a and 1470 of the Penal Code, all relating to appeals to the superior court in criminal cases.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1755?

Amendment No. 1.

On page 1 of the printed bill, strike out everything beginning with the words "SECTION 1", in line 1, down to and including the word "taken" in line 31 on page 2, and insert in lieu thereof the following:

"SECTION 1. Section 1466 of the Penal Code is hereby amended to read as follows:

1466. An appeal may be taken from a judgment or order of a justice's or police court or of a municipal court, in a criminal case, to the superior court of the county in which such inferior court is located, in the following cases:

1. By the people:

(a) From an order or judgment dismissing or otherwise termination the action without a trial.

(b) From an order granting a new trial.

(c) From an order arresting judgment.

(d) From any order made after judgment affecting the substantial rights of the people.

2. By a defendant:

(a) From a final judgment of conviction.

(b) From any order made after judgment affecting his substantial rights.

SEC. 2. Section 1467 of the Penal Code is hereby amended to read as follows:

1467. An appeal to the superior court may be taken by filing written notice of appeal with the court wherein the judgment or order appealed from is rendered, within five days after the rendition of such judgment or order.

SEC. 3. Section 1468 of the Penal Code is hereby amended to read as follows:

1468. Appeals to the superior courts shall be heard and determined, the decisions thereon shall be remitted to the inferior courts, and the records on such appeals shall be made up and filed in such time and manner as shall be prescribed in rules to be promulgated by the Judicial Council. Until such rules are promulgated, the time and the manner provided by statute in force on January 1, 1935, shall govern.

SEC. 4. Section 1469 of the Penal Code is hereby amended to read as follows:

1469. Upon appeal by the people the superior court may review any question of law involved in any ruling affecting the judgment or order appealed from, without exception having been taken in the trial court. Upon an appeal by a defendant the

court may, without exception having been taken in the trial court, review any question of law involved in any ruling, order, instruction, or thing whatsoever said or done at the trial or prior to or after judgment, which thing was said or done after objection made in and considered by the trial court and which affected the substantial rights of the defendant. The court may also review any instruction given, refused or modified, even though no objection was made thereto in the trial court if the substantial rights of the defendant were affected thereby. The superior court may reverse, affirm or modify the judgment or order appealed from, and may set aside, affirm or modify any or all of the proceedings subsequent to, or dependent upon, such judgment or order, and may, if proper, order a new trial. If a new trial is ordered upon appeal, it must be had in the superior court unless the appeal is from a municipal court or from a justice's court of Class A in which case the new trial must be had in the court from which the appeal is taken."

The roll was called, and Senate amendment to Assembly Bill No. 1755 was concurred in by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Turner, Utt, Voigt, Wagner, Walker, Weber, Williamson, Wright, and Mr Speaker—61.

NOES—None.

Assembly Bill No. 1755 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1111.

Assembly Bill No. 1111—An act to provide for the formation, government, operation and dissolution of library districts.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1111?

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out line 7, and in line 8, strike out "this act, the proceeding for", and insert in lieu thereof the following: "at least fifty per cent of the number of votes cast in the territory comprising the proposed district at the last preceding general State election at which a Governor was elected. The proceeding for the".

Amendment No. 2.

On page 8 of the printed bill, as amended, after line 33, insert the following:

"SEC. 40 Anything in the County Free Library Act to the contrary notwithstanding, the property in any library district created under this act is subject to taxation for county free library purposes just as though such library district had not been created."

The roll was called, and Senate amendments to Assembly Bill No. 1111 were concurred in by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Turner, Utt, Wagner, Walker, Weber, Williamson, Wright, and Mr. Speaker—62.

NOES—None.

Assembly Bill No 1111 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 301.

Assembly Bill No. 301—An act to amend section 7 of an act entitled "An act to provide for the formation, management, consolidation and dissolution of county fire protection districts, annexations thereto, and withdrawals therefrom, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts

to defray the expenses thereof," approved May 23, 1923, relating to taxes of such districts.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 301?

Amendment No. 1.

On page 2, line 26, of the printed bill, after "Sec.", strike out "2", and insert in lieu thereof "7".

Amendment No. 2.

On page 2, line 32, of the printed bill, strike out "improvements".

Amendment No. 3.

On page 2, line 33, of the printed bill, after the word "thereon", strike out "or affixed thereto".

The roll was called, and Senate amendments to Assembly Bill No 301 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Turner, Utt, Wagner, Walker, Weber, Williamson, Wright, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 301 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 2452.

Assembly Bill No. 2452—An act to add section 1238.5 to the Code of Civil Procedure, relating to eminent domain.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2452?

Amendment No. 1.

On page 1, line 8, of the printed bill, strike out "regional, county, or city planning," and insert in lieu thereof the following: "region, county or city,".

Amendment No. 2.

On page 1, line 8, of the printed bill, as amended, after "county", insert a comma and the following: "city and county,".

Amendment No. 3.

On page 1, line 9, of the printed bill, as amended, after "county,", insert the following: "city,".

The roll was called, and Senate amendments to Assembly Bill No. 2452 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Utt, Walker, Weber, Williamson, Wright, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 2452 ordered to enrollment.

Motion to Reconsider Assembly Bill No. 1607 Continued.

Mr. Desmond moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1607 was passed be continued until the next legislative day.

Motion carried.

Motion to Reconsider Assembly Bill No. 1030 Continued.

Mr. Robertson moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1030 was passed be continued until the next legislative day.

Motion carried.

Motion to Reconsider Assembly Bill No. 2412 Continued

Mr. Turner moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2412 was refused passage be continued until the next legislative day.

Motion carried.

Further Proceedings Under Call of the House Dispensed With.

At twelve o'clock and six minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Lyon.

The roll of absentees was called, and the amendments submitted by Mr. Scudder to Assembly Bill No. 273 were refused adoption by the following vote:

AYES—Breed, Burns, Chatters, Corwin, Crowley, Desmond, Donihue, Evans, Ralph W., Field, Fulcher, Glover, Latham, Mayo, Meehan, Miller, Nielsen, O'Donnell, Phillips, Redwine, Scudder, Thorp, Turner, Utt, Walker, Wright, and Mr. Speaker—26.

NOES—Anderson, Andreas, Boyle, Brennan, Cassidy, Clark, Cottrell, Cronin, Cunningham, DeLap, Donnelly, Evans, Herbert J., Fisher, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lyon, Maloney, Martin, McBride, McMurray, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Voigt, Wagner, Wallace, Waters, Weber, and Williamson—48.

Third Reading of Assembly Bill No. 273, as Amended.

Assembly Bill No. 273, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 273, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Utt, Voigt, Wagner, Wallace, Waters, Weber, Williamson, and Mr. Speaker—67.

NOES—O'Donnell—1.

Title read and approved.

Bill ordered transmitted to the Senate

Recess.

At twelve o'clock and ten minutes p m , on motion of Mr. Lyon, the Assembly was declared at recess until two o'clock p.m., of this day.

Reassembled.

At two o'clock p.m., the Assembly reconvened

Speaker Craig in the chair.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 1, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1066—An act to amend section 1238 of the Civil Code, relating to homesteads;

Also: Assembly Bill No 212—An act to amend sections 137, 138 and 166 of the Fish and Game Code and to add two new sections to be numbered 171 and 172, relating to districts;

Also: Assembly Bill No 246—An act for the regulation and control of corporations organized for the purpose of operating nonprofit hospital service plans;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos 1066, 212 and 246 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 1, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 287—An act to amend section 4041 16 of the Political Code, relating to county care of indigents;

Also: Assembly Bill No. 450—An act to add Article VIA to Chapter I of Part III of Division IV of the School Code, embracing sections 4 355 to 4.359, inclusive, relating to an optional plan for payments from district funds;

Also: Assembly Bill No. 606—An act to add a new section to the Streets and Highways Code, to be numbered 982, authorizing the temporary closing of any public highway, road, street, avenue, alley, lane or place for exposition or fair purposes.

Also: Assembly Bill No 1188—An act to add a new article to Chapter I of Part III of Division IV of the School Code, and to add a new chapter to Part III of Division IV of the School Code to be known as Chapter IV, all to be known as Article XI, relating to school district funds;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 287, 450, 606, and 1188 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 1, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Constitutional Amendment No. 33—A resolution to propose to the people of the State of California that the Constitution of said State be amended by adding to Article XI thereof a new section to be numbered 18a providing for the issuance of bonds by the county of Los Angeles in an amount not to exceed five million dollars for the purpose of providing a fund to be used and disbursed for the Pacific Exposition to be held in California.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Constitutional Amendment No. 33 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 1, 1935

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 604—An act to add a new section to the Political Code, to be numbered 4052d, authorizing boards of supervisors to grant temporary use, possession, management and control of public parks for exposition and fair purposes;

Also: Assembly Bill No. 1382—An act to amend section 5.682 of the School Code, relating to tenure of position for teachers;

Also: Assembly Bill No. 720—An act to amend section 1058 of the Code of Civil Procedure, relating to the giving of bonds or undertakings in civil actions or proceedings by the State or counties or officers thereof.

Also: Assembly Bill No 2308—An act to amend section 170 of the Civil Code, relating to husband and wife.

J. A. BEEK, Secretary of Senate.

Assembly Bills Nos. 604, 1382, 720 and 2308 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 1, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 238—An act to add section 791 6 to the Fish and Game Code, relating to crabs;

Also: Assembly Bill No. 2288—An act to add a new section to be numbered 4c to "An act to provide for the government of irrigation districts having an area of more than five hundred thousand acres and for elections and the qualification of electors therein and to enable such irrigation districts to construct levys and to protect the lands within such districts from damage resulting from floods and the overflow of rivers and for that purpose to provide additional powers for boards of directors within such irrigation districts," approved January 21, 1915, relating to irrigation districts.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 238 and 2288 ordered to enrollment.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1769—An act to amend sections 1, 14, 18 and 41 of the "California Water District Act," approved June 13, 1913, relating to water districts, the purposes and administration thereof, to take effect immediately and declaring the urgency thereof—and reports that the same has been correctly enrolled, and presented the same to the Governor on this first day of June, 1935, at nine o'clock and thirty minutes a m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 754—An act to make an appropriation from unemployment relief money for construction work by fairs under State control,

Also: Assembly Bill No. 994—An act to add section 690.11 to the Political Code, relating to the disposition of fees received under the provisions of section 690 10 of the Political Code;

Also: Assembly Bill No. 1482—An act making appropriation for the elimination of camel's thorn out of certain moneys heretofore appropriated for that purpose declaring the urgency hereof, to take effect immediately;

And reports that the same have been correctly re-engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 997—An act to amend section 21 of an act entitled "An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission, fixing the term of office of the members of said commission, prescribing the powers, duties and authority of said commission and the members thereof; providing for the institution of proration programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purposes of said act and providing for the collection thereof; and making an appropriation therefor," approved June 5, 1933, relating to fees,

Also: Assembly Bill No. 2482—An act to amend section 1½ of an act entitled "An act to protect trade-mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a distinguished trade-mark, brand or name," approved May 8, 1931, relating to unfair competition;

And reports that the same have been correctly engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

On Social Service and Welfare.

ASSEMBLY CHAMBER SACRAMENTO, June 1, 1935

MR SPEAKER: Your Committee on Social Service and Welfare, to which was referred Assembly Bill No. 2161—An act to provide for the aid and rehabilitation of citizens of the State of California who are the victims of economic and business depression—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

Social Service and Welfare Committee—Assemblymen Brennan, Chairman, Anderson, Cassidy, Crowley, Donihue, Fisher, Gilmore, Morgan, and Thorp.

GENTLEMEN. I have just received a phone call from the board of supervisors of Los Angeles County, asking me to get this bill, Assembly Bill No. 2161, out of committee. I will accept any reasonable amendments in order to secure its passage. If you can vote this out do pass, as amended, kindly sign your name below.

(Signed out of committee)

ANDERSON.
CASSIDY.
CROWLEY.
DONIHUE.
FISHER
GILMORE.
MORGAN.

The above reported bill ordered on file for second reading.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Frazier.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1935.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making an appropriation to pay the claim of Harvey B. Whitten against the State of California.

Referred to Committee on Introduction of Bills.

Motion to Expunge Record.

Mr. Patterson moved that the vote whereby the Assembly concurred in Senate amendments to Assembly Bill No 915 be expunged from the record, and the action rescinded

The question being on the motion by Mr Patterson to expunge the record whereby the Assembly concurred in Senate amendments to Assembly Bill No. 915.

Demand for Previous Question.

Messrs. Johnson, Weber, Peyser, Morgan and Wallace demanded the previous question.

The question being put. Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion by Mr. Patterson to expunge the record whereby the Assembly concurred in Senate amendments to Assembly Bill No 915

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Patterson to expunge the record.

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Boyle, Burns, Clark, Cottrell, Cronin, Crowley, Donihue, Evans, Ralph W., Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Laughlin, Lore, Maloney, McCarthy, Patterson, Pelletier, Peterson, Reaves, Richie, Voigt, Wagner, Walker, and Wallace—29.

NOES—Brennan, Cassidy, Chatters, Corwin, Cunningham, DeLap, Desmond, Donnelly, Field, Fisher, Fulcher, Garibaldi, Johnson, Kallam, Latham, Lyon, Martin, McBride, Meehan, Miller, Morgan, Nielsen, O'Donnell, Phillips, Redwine, Riley, Stream, Thorp, Turner, Utt, Waters, Weber, Wright, and Mr. Speaker—34.

Unfinished Business—(Resumed).

Consideration of Senate Amendment to Assembly Bill No. 1837.

Assembly Bill No. 1837—An act to amend sections 269 and 271 of the Code of Civil Procedure, relating to the appointment, duties and compensation of phonographic reporters.

The question being put Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1837?

Amendment No. 1.

On page 2 of the printed bill, as amended, at the end of line 6, insert the following: "In the event of the conviction of a crime of a defendant who has requested a daily transcript the defendant shall be civilly liable to the county for the cost of the preparation of said transcript."

The roll was called, and the Assembly refused to concur in Senate amendment to Assembly Bill No 1837 by the following vote:

AYES—None.

NOES—Anderson, Andreas, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—61.

Reconsideration of Assembly Bill No. 2459.

Assembly Bill No 2459—An act to prevent the entry into California of paupers, vagabonds, indigent persons, persons likely to become public charges, and persons affected with contagious or infectious diseases, providing means for enforcing the same and prescribing penalties for the violation thereof, declaring the urgency thereof, and providing it shall take effect immediately.

In compliance with his notice given on a previous day, Mr. Richie moved that the vote whereby Assembly Bill No. 2459 was passed be reconsidered.

Demand for Previous Question.

Messrs Peterson, Peyser, Utt, Morgan and Cunningham demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the reconsideration of Assembly Bill No. 2459.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Richie moved a call of the House.

Request for Roll Call.

On request of Messrs. Hunt, Richie, and Pelletier, the Speaker ordered a roll call taken on the motion for a call of the House.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Boyle, Cassidy, Clark, Cronin, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Geyer, Gilbert Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Laughlin, Lore, McCarthy, McMurray, Meehan, Miller, Morgan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Scudder, Turner, Voigt, Wagner, Wallace, Waters, Weber, and Welsh—40

NOES—Andreas, Chatters, Corwin, Cunningham, DeLap, Evans, Herbert J., Field, Fulcher, Garibaldi, Kallam, Latham, Lyon, Martin, McBride, Nielsen, Peterson, Redwine, Riley, Utt, Walker, and Mr. Speaker—21.

Time, three o'clock p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Cassidy, Chatters, Clark, Corwin, Cronin, Cunningham, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J. Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Redwine, Richie, Riley, Scudder, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, and Mr. Speaker—61.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 767—An act to amend sections 2, 2½, 3,.4, 10, 13, 14, 18½ and 21 and to repeal sections 5 and 9 of the Old Age Security Act of the State of California, relating to aid to the aged.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Hornblower:

Amendment No. 1.

On page 3, of the printed bill, as amended, strike out lines 33 to 44, inclusive, and insert in lieu thereof the following:

"In any case in which aid shall be granted to any person owning real property, the board of supervisors may cause a notice of such aid, giving the name of such person, to be recorded in the office of the county recorder and from the time of such recording such notice shall have the force, effect and priority of a lien of a judgment against said person, an abstract of which has been recorded, for the amount of aid theretofore or thereafter granted to such person. Such lien shall be deemed security for reimbursement to the State and county of the amount of aid paid to such person and in the event of the discontinuance of said aid or upon the death of such person, the board of supervisors may take such legal action as may be necessary to recover the amount of said aid paid to such person and to enforce said lien."

Amendment No. 2.

On page 5, line 5, of the printed bill, as amended, after the period, insert the following:

"No county shall receive any apportionment of funds from the State unless it is complying with all orders of the department made pursuant to this section"

Amendments adopted.

Request for Unanimous Consent.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Assembly Bill No. 767, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 767, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Anderson:

Amendment No. 1.

On page 3, line 9, of the printed bill, reinsert that portion of the line which reads: "less than twenty-five dollars nor".

Amendment adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 393—An act to amend sections 2171, 2172, 2173, 2174, 2175a, 2177, 2185c, 2186, and 2188 of the Political Code, relating

to insane persons, and to add a new section thereto to be numbered 2189a.

Motion to Strike Assembly Bill No. 393 from the File.

Mr. Fisher moved that Assembly Bill No. 393 be stricken from the file.

Motion carried.

Assembly Bill No. 1565—An act to amend section 5 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property and providing for permits to retailers, providing for the revenue, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for the violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933, relating to exemptions on certain personal property.

Motion to Strike Assembly Bill No. 1565 from the File.

Mr. Peyser moved that Assembly Bill No. 1565 be stricken from the file.

Motion carried.

Assembly Bill No. 2467—An act to add to the Probate Code a new section, to be numbered 201a, and amending section 220 of the Probate Code, both relating to the laws of succession.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Johnson:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out "201a", and insert in lieu thereof the following: "201.5".

Amendment No. 2.

On page 1, line 2, of the printed bill, strike out "201a", and insert in lieu thereof the following: "201.5".

Amendment No. 3.

On page 1, line 3, of the printed bill, strike out "201a", and insert in lieu thereof the following: "201.5."

Amendment No. 4.

On page 1, line 17, of the printed bill, strike out "201a", and insert in lieu thereof the following: "201.5".

Amendments adopted.

Request for Unanimous Consent.

Mr. Johnson asked for, and was granted, unanimous consent to take up Assembly Bill No. 2467, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2467, as Amended.

Assembly Bill No. 2467, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2467, as amended, passed by the following vote:

AYES—Anderson, Boyle, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, DeLap, Dombue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine,

Riley, Scudder, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 2465—An act to add section 1156 to the Agricultural Code, relating to the marketing of agricultural products.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Donnelly:

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out "any commission,", and insert in lieu thereof the following: "or allow any".

Amendment No. 2.

On page 1, line 5, of the printed bill, strike out "allowance", and insert in lieu thereof the following: "or other credit".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 6 to 9, inclusive, and insert in lieu thereof the following: "for variation in quality, condition, or quantity, or any other form of compensation or credit by a seller to a buyer, or to an agent, employee, subsidiary or affiliate of a buyer who buys to sell at retail and which is not paid, given or allowed in like circumstances to all other buyers or to the agents, employees, subsidiaries or affiliates of other buyers, whether the same is paid or allowed directly or indirectly, is hereby declared to be".

Amendment No. 4.

On page 1, line 10, of the printed bill, strike out the period, and insert in lieu thereof a semicolon and the following: "provided that advertising allotments or discounts by a seller to a buyer for bona fide advertising expenditures are not included."

Amendments adopted

Request for Unanimous Consent.

Mr. Donnelly asked for, and was granted, unanimous consent to take up Assembly Bill No. 2465, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2465, as Amended.

Assembly Bill No. 2465, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2465, as amended, passed by the following vote:

AYES—Anderson, Andreas, Cassidy, Chatters, Clark, Cronin, Crowley, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Gilbert, Glover, Hawkins, Heisinger, Horublower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Martin, Mayo, McBride, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Riley, Rosenthal, Scudder, Thorp, Turner, Utt, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—53

NOES—Donahue, Flint, McCarthy, and Williamson—4.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 2465.

Mr. Williamson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2465 was this day passed.

Message from the Governor.

The following message from the Governor was received and read:

(Duplicate.)

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, May 31, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 2458—An act to add Chapter 9, embracing sections 725 to 734, inclusive, to Division IV of the Agricultural Code, relating to dairies and dairy products

In my opinion said Assembly Bill No. 2458 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure

Respectfully submitted

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 2458—An act to add Chapter 9, embracing sections 725 to 734, inclusive, to Division IV of the Agricultural Code, relating to dairies and dairy products.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2458 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Scudder, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—61.

NOES—Donihue, Evans, Ralph W., Flint, Hawkins, McCarthy, and Rosenthal—6.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1831—An act to add section 586.5 to the Vehicle Code, relating to the control of traffic upon the public highways of the State of California, whether situated within unincorporated or incorporated territory.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Crowley:

Amendment No. 1.

On page 1, line 5, of the printed bill, after the words "motor vehicle", insert the following: "designed and equipped for and exclusively"

Amendment No. 2.

On page 1, line 11, of the printed bill, after the word "of", insert the word "such".

Amendments adopted.

Request for Unanimous Consent.

Mr. Crowley asked for, and was granted, unanimous consent to take up Assembly Bill No. 1831, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1831, as Amended.

Assembly Bill No. 1831, as amended, read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1831, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Wright, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Special Order Set for Assembly Bill No. 2118.

On motion of Mr. Latham the consideration of Assembly Bill No. 2118 was made a special order for Monday, June 3, 1935, at eleven o'clock a.m.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2468—An act to amend sections 6 and 11 of, to repeal section 7 of, and to add section 33 to, an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein, the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919, relating to sanitary districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2468 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Riley, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 641—An act to add a new section to be numbered 611, to an act entitled "An act to establish a Streets and Highways Code, thereby consolidating and revising the law relating to public ways and all appurtenances thereto, and to repeal certain acts and parts of acts specified herein.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Fisher:

Amendment No. 1.

On page 1, line 5, of the printed bill, strike out the figures "14", and insert in lieu thereof the figures "69".

Amendment adopted.

Request for Unanimous Consent.

Mr. Fisher asked for, and was granted, unanimous consent to take up Assembly Bill No. 641, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 641, as Amended.

Assembly Bill No. 641, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 641, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donahue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Pevser, Phillips, Reaves, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—65.

NOES—Kallam—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1378—An act to amend section 2 of an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, relating to the maintenance of State highways.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1378 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donahue, Evans, Herbert J. Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Pevser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2303—An act to amend sections 425, 426, 427 and 428 of the Vehicle Code, relating to liens on vehicles.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Peyser:

Amendment No. 1.

On page 1, line 20, of the printed bill, as amended, between the words "lien", and "as", insert the following: "and it shall be enforceable when said vehicle is returned"

Amendment No. 2.

On page 2, line 5, of the printed bill, as amended, after the period, add the following:

"(b) That portion of such lien in excess of one hundred dollars, for any work, services, supplies, care, or safe-keeping rendered or performed at the request of any person other than the holder of the legal title, where the legal owner and the registered owner are not the same, is invalid, unless prior to commencing any such work, service, supplies, care, or safe-keeping, the person claiming such lien gives notice in writing to the department and the department shall notify the legal owner as of record. If any portion of a lien includes storage charges upon a vehicle for a period in excess of sixty days, the portion of the lien for storage which accrued after the expiration of such period is invalid unless the provisions of sections 438 and 439 have been complied with by the holder of said lien.

3. Section 427 of the Vehicle Code is hereby amended to read as follows:

427. Sale to Satisfy Liens. If the lienholder is not paid the amount due, and upon which the lien arises within ten days after the same becomes due, then such lienholder may proceed to sell said property, or so much thereof as may be necessary at public auction to the highest bidder to satisfy said lien and costs of sale.

4. Section 428 of the Vehicle Code is hereby amended to read as follows:

428. Notice of Sale; Disposition of Proceeds. Prior to any such sale said lienholder shall give notice of such sale by a publication thereof at least ten days in advance of the sale in some newspaper published in the county in which said property is situated; or if there is no newspaper printed in such county, then by posting notice of sale in three of the most public places in the town or place where such property is to be sold, for ten days previous to the date of the sale. Prior to the sale of any vehicle to satisfy any such lien, ten days' notice by registered mail shall be given to the legal owner and to the registered owner of said vehicle, if registered in this State, as the same appear in the registration certificate, and also to the department by registered letter. The department shall, in like manner immediately notify the legal owner and the registered owner of the proposed sale, but failure on the part of said department to give such notice shall not affect the validity of any such sale. The proceeds of the sale must be applied to the discharge of the lien and the cost of keeping and selling the property. The remainder, if any, shall be paid to the legal owner, if any, in the amount necessary to satisfy any chattel mortgage or encumbrance and any balance to be paid to the registered owner, person, or persons entitled thereto"

Amendments adopted.

Request for Unanimous Consent.

Mr. Peyser asked for, and was granted, unanimous consent to take up Assembly Bill No. 2303, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2303, as Amended.

Assembly Bill No. 2303, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2303, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Riley, Rosenthal, Thorp, Turner, Utt, Wagner, Walker, Wallace, Weber, Welsh, Williamson, Wright, and Mr. Speaker—63

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No 2260—An act relating to employment contracts and applications for employment.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Hunt:

Amendment No. 1.

Add a new section to the printed bill, as amended, to read as follows:

"SEC. 5. The provisions of this act shall not apply to applications for employment filed with common carriers by railroad subject to the act of Congress known as the Railway Labor Act."

Amendment adopted

Request for Unanimous Consent.

Mr Hunt asked for, and was granted, unanimous consent to take up Assembly Bill No. 2260, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2260, as Amended.

Assembly Bill No. 2260, as amended, read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2260, as amended, passed by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Johnson, Kallam, Laughlin, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr Speaker—58

NOES—Field—1.

Title read and approved

Bill ordered transmitted to the Senate.

Unfinished Business—(Resumed).

Reconsideration of Urgency Clause to Assembly Bill No. 2459 Waived.

Mr. Redwine waived his notice to reconsider the vote whereby the urgency clause to Assembly Bill No. 2459 was refused adoption.

Further Proceedings Under Call of the House Dispensed With.

At three o'clock and fifty-five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Richie.

The roll of absentees was called, and the motion by Mr. Richie to reconsider Assembly Bill No 2459 was lost by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Clark, Cronin, DeLap, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Laughlin, Lore, Maloney, McCarthy, McMurray, Meehan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wallace, and Weber—35

NOES—Andreas, Brennan, Chatters, Corwin, Cottrell, Crowley, Cunningham, Desmond, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Johnson, Jones, Kallam, Latham, Lyon, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—43

Assembly Bill No. 2459 ordered transmitted to the Senate

Unfinished Business—(Resumed).

Motion to Reconsider Assembly Bill No. 106 Continued.

Mr. Jones moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 106 was passed be continued until the next legislative day.

Motion carried.

Motion to Reconsider Assembly Bill No. 1625 Continued.

Mr. Phillips moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1625 was refused passage be continued until the next legislative day.

Motion carried.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1935.

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act making an appropriation to pay the claim of Harvey B. Whitten against the State of California.

CUNNINGHAM, Chairman.

Report of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—69.

NOES—None.

Introduction and Reference of Bills.

The following bill was introduced and referred as indicated:

By Mr. Frazier: Assembly Bill No. 2483—An act making an appropriation to pay the claim of Harvey B. Whitten against the State of California.

Bill read first time, and referred to Committee on Ways and Means.

Resolution.

The following resolution was offered:

By Mr. Phillips:

MOVED, That the State Printer be instructed to print and supply 800 additional copies of the Legislative Handbook and supply each member of the State Assembly with 10 copies;

ALSO, That the State Printer be instructed to print names upon any or all of these handbooks as may be requested by the members, and that the Chief Clerk be authorized and instructed to pay the cost of these books from the contingent fund.

Resolution by Mr Phillips read.

Mr. Phillips moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi,

Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—65.

NOES—None.

Motion to Print in Journal.

Mr. Lyon moved that the following reports and suggestions be printed in the Journal:

Motion carried.

Proposed Constitutional Amendment by Mr. Latham:

Assembly Constitutional Amendment No. ------.

A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XVIII thereof a new section to be numbered section 3, relating to a constitutional convention in said State.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its regular session commencing on the seventh day of January, 1935, two-thirds of the members elected to each of the two houses of the said Legislature voting therefor, hereby proposes to the people of the State of California, that the Constitution of said State be amended by adding to Article XVIII thereof, a new section to be numbered 3, and to read as follows:

SEC 3 An act entitled "An act to provide for the revision of the Constitution of this State, including the election of delegates to the convention, the proceedings, powers, duties, and matters incidental to the convention, the submission of the revised Constitution to the people and matters incidental thereto, and making an appropriation therefor," enacted at the fifty-first session of the Legislature of this State, is hereby legalized, ratified, adopted, and made fully effective.

Proposed Constitutional Amendment by Mr. Lyon:

A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XVIII thereof a new section to be numbered section 3, relating to a constitutional convention in said State and preparation therefor

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its regular session commencing on the seventh day of January, 1935, two-thirds of the members elected to each of the two houses of the said Legislature voting therefor, hereby proposes to the people of the State of California, that the Constitution of said State be amended by adding to Article XVIII thereof, a new section to be numbered 3, and to read as follows:

SEC. 3 An act entitled "An act to provide for the revision of the Constitution of this State, including the election of delegates to the convention, the proceedings, powers, duties, and matters incidental to the convention, the submission of the revised Constitution to the people and matters incidental thereto, and making an appropriation therefor," enacted at the fifty-first session of the Legislature of this State, is hereby legalized, ratified, adopted, and made fully effective

Assembly Resolution No ------, passed by the Assembly and Senate at the fifty-first session of the Legislature of this State is hereby legalized, ratified, validated and adopted and made fully effective as a law of this State.

Proposed Concurrent Resolution by Mr. Lyon:

Assembly Concurrent Resolution No. ------.

Relating to a committee to study the Constitution of this State and submit a draft thereof.

WHEREAS, The social economic and political development of this State has been such that the Constitution adopted by the people in the year 1879 no longer is a satisfactory organic law of this State; and

WHEREAS, At the election on November 6, 1934, the electors of this State indicated their desire for a constitutional convention to revise said Constitution; and

WHEREAS, In the matter of any constitutional changes it is highly advisable that the people of this State have the benefit of the legislative experience and familiarity with lawmaking offered by the services of legislators in connection with such revision; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That a committee of thirteen members, consisting of eight members of the Assembly and five members of the Senate, be appointed by the Speaker of the

Assembly and the President of the Senate respectively, to make any necessary studies of the Constitution of this State and of other States and prepare and submit a draft of such revised Constitution; and be it further

Resolved, That said committee shall submit such draft to the constitutional convention when such convention meets; and be it further

Resolved, That if no such convention meets in this State before the next session of the Legislature, that such draft be submitted to the fifty-second session of the Legislature; and be it further

Resolved, That the Legislative Counsel and the Attorney General of this State, respectively, are hereby directed to assist the said committee in its deliberations and labors; and be it further

Resolved, That each member of the said committee shall receive compensation in the sum of $10 for each day actually devoted to service on said committee, together with the same mileage as in the case of members of the Legislature during sessions of the Legislature; and be it further

Resolved, That out of any moneys in the treasury not otherwise appropriated, there is hereby appropriated the sum of $10,000 to be expended in accordance with law by the committee in paying the expense of its operation pursuant to this resolution; and be it further

Resolved, That this resolution shall take effect upon the adoption by the people of a constitutional amendment legalizing, ratifying and validating the same and making the same fully effective.

Proposed amendments by Mr. Latham:

Proposed Amendments to Assembly Bill No. 598, as Amended in Assembly May 28, 1935.

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, strike out "February, 1937", and insert in lieu thereof the following "October, 1936"

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 4 to 19, inclusive, and on page 2, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following:

"The delegates to such convention shall have the same qualifications as members of the Legislature, except that no person shall be eligible for the office of delegate to the Constitutional Convention unless, at the time of election thereto, he has continuously resided in this State for at least five years immediately prior to such election.

SEC. 2 Candidates for the office of delegates to the Constitutional Convention shall be nominated in every Assembly District and in every Senatorial District of this State, and one delegate shall be elected to such convention from each such district.

SEC. 3. Candidates for such office shall be nominated in each such district in the manner prescribed by section 1188 of the Political Code for nomination otherwise than at a primary on a nonpartisan basis, except that the nomination papers need be signed by only fifty electors residing within the district as to which the candidate is being nominated.

A special election is hereby called to be held at the same time as and to be consolidated with the presidential primary election in May, 1936. At such special election a delegate to the Constitutional Convention shall be elected from every Senatorial District and from every Assembly District in this State. The candidates in each district shall be the persons nominated as prescribed in this section. The general election laws shall, so far as applicable, apply to such special election in the same manner as in the case of a general election except that

(a) The officer to be elected shall be a delegate to the Constitutional Convention from each district of the State from which a member of the State Senate or a member of the Assembly is elected

(b) On the ballot the only designation of the office to be the subject of election shall be the following: "Delegate to the Constitutional Convention," followed by a designation of the Assembly District"

Amendment No. 3.

On page 2, line 8, of the printed bill, as amended, strike out "February, 1937", and insert in lieu thereof the following: "October, 1936".

Amendment No. 4.

On page 2 of the printed bill, as amended, strike out lines 37 to 52, inclusive, and insert in lieu thereof the following: "pleted its deliberations before January 1, 1937, it may adjourn on or prior to that date until such time as may be determined by the convention.

SEC 7 The delegates to the convention shall receive the sum of $10 a day during each day the convention meets, but not exceeding the total sum of $1,500 to any delegate for the total time in attendance on the convention, and shall also receive the same mileage for one journey to Sacramento and return as members of the Legis-

lature The amount of compensation shall be certified to the State Controller by the president of the convention, and shall be paid in the same manner as compensation of members of the Legislature is paid.

SEC. 8 It shall be the duty of the Governor to attend the convention at the opening thereof, to administer the oath of office to the delegates, and to preside at all meetings of the convention until a president has been elected and has"

Amendment No. 5.

On page 4, line 35, of the printed bill, as amended, strike out "any other", and insert in lieu thereof the following: "the first".

Amendment No. 6.

On page 5 of the printed bill, as amended, strike out lines 17 to 34, inclusive, and insert in lieu thereof the following:

"SEC. 20 There is hereby called a special election, to be consolidated with and to be held at the same time as the first special election following the adjournment sine die of the fifty-first session of the Legislature At such special election there shall be submitted to the electors for adoption or rejection Assembly Constitutional Amendment No. ------ as adopted by the Legislature and proposed to the people at the fifty-first session of the Legislature of this State.

SEC. 21. Section 19 of this act, since it calls an election, shall take effect immediately All other provisions of this act shall take effect upon the adoption by the people of a constitutional amendment legalizing, ratifying, and adopting the same and making the same fully effective."

Proposed amendments by Mr. Donnelly:

Proposed Amendments to Assembly Bill No. 598, as Amended in Assembly May 28, 1935.

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, strike out "February, 1937", and insert in lieu thereof the following: "October, 1936".

Amendment No. 2.

On page 1 of the printed bill, as amended, between lines 3 and 4, insert the following:

"The provisions of section 2, subdivision (a), of this act shall be in effect if a majority of the voters voting at the special election called by section 20 of this act vote in favor of the proposition contained in said section 2, subdivision (b), for the selection of delegates to the convention. In such case the provisions of section 3 of this act shall not be operative.

In the event a majority of such voters shall not vote in favor thereof, then section 3 of this act shall be in effect and shall govern the selection of delegates to the convention, and the provisions of section 2, subdivision (a), shall be inoperative."

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out lines 4 to 19, inclusive; also on page 2, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following

"SEC 2. (a) Every member of the Assembly and every member of the State Senate shall be the delegate from his respective district to the Constitutional Convention. In the event of a vacancy, the provisions relating to vacancies in office of members of the Senate and Assembly shall operate and the Senator or Assemblyman so selected shall be the delegate from his particular district to the convention.

(b) At the special election called by the provisions of section 20 of this act, there shall be submitted to the voters for adoption or rejection the proposition of whether or not the provisions of subdivision (a) of this section shall be operative, or whether the delegates to the convention shall be selected under the provisions of section 3 of this act. Such proposition shall be submitted on the ballot in the following form and shall be printed on the ballot in the manner of a question submitted under section 1197, subdivision (9), of the Political Code:

Shall the members of the Legislature be the delegates to the Constitutional Convention?

SEC. 3. The delegates to such convention shall have the same qualifications as members of the Legislature, except that no person shall be eligible for the office of delegate to the Constitutional Convention unless, at the time of election thereto, he has continuously resided in this State for at least five years immediately prior to such election.

SEC 3. Candidates for the office of delegates to the Constitutional Convention shall be nominated in every Assembly District and in every Senatorial District of this State, and one delegate shall be elected to such convention from each such district.

Candidates for such office shall be nominated in each such district in the manner prescribed by section 1188 of the Political Code for nomination otherwise than

at a primary on a nonpartisan basis, except that the nomination papers need be signed by only fifty electors residing within the district as to which the candidate is being nominated.

A special election is hereby called to be held at the same time as and to be consolidated with the presidential primary election in May, 1936. At such special election a delegate to the Constitutional Convention shall be elected from every Senatorial District and from every Assembly District in this State. The condidates in each district shall be the persons nominated as prescribed in this section. The general election laws shall, so far as applicable, apply to such special election in the same manner as in the case of a general election except that:

(a) The officer to be elected shall be a delegate to the Constitutional Convention from each district of the State from which a member of the State Senate or a member of the Assembly is elected.

(b) On the ballot the only designation of the office to be the subject of election shall be the following: "Delegate to the Constitutional Convention," followed by a designation of the Assembly District."

Amendment No. 4.

On page 2, line 8, of the printed bill, as amended, strike out "February, 1937", and insert in lieu thereof the following "October, 1936".

Amendment No. 5.

On page 2 of the printed bill, as amended, strike out lines 37 to 52, inclusive, and insert in lieu thereof the following: "pleted its deliberations before January 1, 1937, it may adjourn on or prior to that date until such time as may be determined by the convention.

SEC. 7. The delegates to the convention shall receive the sum of $10 a day during each day the convention meets, but not exceeding the total sum of $1,500 to any delegate for the total time in attendance on the convention, and shall also receive the same mileage for one journey to Sacramento and return as members of the Legislature. The amount of compensation shall be certified to the State Controller by the president of the convention, and shall be paid in the same manner as compensation of members of the Legislature is paid.

SEC. 8. It shall be the duty of the Governor to attend the convention at the opening thereof, to administer the oath of office to the delegates, and to preside at all meetings of the convention until a president has been elected and has".

Amendment No. 6.

On page 4, line 35, of the printed bill, as amended, strike out "any other", and insert in lieu thereof the following "the first".

Amendment No. 7.

On page 5 of the printed bill, as amended, strike out lines 17 to 34, inclusive, and insert in lieu thereof the following:

"SEC. 20. There is hereby called a special election to be consolidated with and to be held at the same time as the first special election following the adjournment sine die of the fifty-first session of the Legislature. At such special election there shall be submitted to the electors for adoption or rejection Assembly Constitutional Amendment No. ___ as adopted by the Legislature and proposed to the people at the fifty-first session of the Legislature of this State, and at such special election there shall also be submitted to the electors for adoption or rejection the proposition set forth in section 2, subdivision (b) of this act, and in the manner and with the effect therein set forth.

SEC. 21. Section 20 of this act, since it calls an election, shall take effect immediately. All other provisions of this act shall take effect upon the adoption by the people of a constitutional amendment, legalizing, ratifying, and adopting the same, and making the same fully effective."

Order to Print in Journal.

The Speaker ordered the following program printed in the Journal:

Program of Presentation for Frank Laughlin's Present.

1. Just before the recess is declared, have the following named persons on the platform: Jimmy Utt, Joe Moloney, Lee E. Geyer
2. Speaker asks for Assemblyman Laughlin and wife to advance to platform.
3. Speaker asks Frank to present his wife.
4. Speaker presents Joe Moloney, who will give third house's present.
5. Speaker presents Jimmy Utt, who presents attache's present.
6. Speaker presents Assemblyman Geyer, who presents Assembly's present.
7. Any remarks that the Speaker deems appropriate on dismissal.

LEE E. GEYER.

Adjournment.

At four o'clock and five minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Monday, June 3, 1935, honoring Mr. and Mrs. Frank D. Laughlin.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, June 3, 1935.

At ten o'clock a m, pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Robertson, its further reading was dispensed with.

Leaves of Absence.

On motion of Mr. Peyser, Mr. Cronin was granted leave of absence for the day.

On motion of Mr. Welsh, Mr. Utt was granted leave of absence for the balance of this legislative day.

Privilege of Floor of Assembly Extended.

On request of Mr Lyon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Jane Romeyn.

On request of Mr. Field, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. W. S. Kellogg of Glendale.

On request of Mr. Jones, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Bede A. Johnson of Los Angeles.

On request of Messrs. Latham and Martin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Robert M. Lawson of Pasadena.

On request of Messrs Cunningham and Brennan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended

to Hon. Henry G. Bodkin, grand trustee of the Native Sons of the Golden West and former governor of the State Bar of California, from Los Angeles

On request of Mr Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Etel G. Swenson, Mrs Marjorie Kimbal, and Mrs Isabel Fox

Presentation of Petition.

The following petition was presented, and ordered printed in the Journal:

By Mr. Speaker:

From Relief and Public Works Employees Association, Santa Ana, urging support of all measures that would outlaw or suppress the activities of the Communist party in the State of California.

ASSISTANT CLERK OLIVER READING.

Reports of Standing Committees.

The following reports of standing committee were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1935

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 745—An act to establish a system of planned economy in the State of California, to create a department of State to be known as the Prorate Department and creating a Prorate Board and setting forth the powers and duties thereof, and making an appropriation in support thereof;

Also: Assembly Bill No 1053—An act requiring the compilation and publication of reports relative to the financial condition of the municipal corporations within the State;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 607—An act relating to the holding of the Pacific Exposition and the San Francisco Bay Exposition in California, providing for the issuance and sale of State bonds to be known as "California exposition bonds," providing for the payment and retirement of said bonds, providing for and creating funds for the carrying out of the purposes of this act, authorizing the expenditure of moneys in said funds for such purposes, creating two commissions, one to be known as the "Pacific Exposition Commission" and the other to be known as "San Francisco Bay Exposition Commission," creating an interest and sinking fund for the payment of interest on said bonds and the redemption of the same, and making appropriation therefor, making an appropriation of two thousand dollars for the expense of printing, lithographing and selling said bonds, designating the name by which this act shall be known and fixing the time at which this act shall be and become effective;

Also: Assembly Bill No 927—An act to provide for the further development of vocational education in California by accepting the provisions and benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled and approved May 21, 1934; entitled "An act to provide for the further development of vocational education in the several States and Territories"; and making an appropriation therefor; and declaring the urgency thereof and providing that this act shall take effect immediately;

And reports that the same have been correctly re-re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 1, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 2336—An act to amend section 1293 of the Fish and Game Code, relating to destructive mammals;

Also: Assembly Bill No. 2092—An act to amend section 4935 of the Fish and Game Code, and to add thereto section 7415, relating to fish;

Also: Assembly Bill No. 1233—An act to amend sections 799 and 800 of the Fish and Game Code, relating to abalones;

Also: Assembly Bill No. 1083—An act to amend section 924 of the Fish and Game Code, relating to district 16;

Also: Assembly Bill No. 2265—An act to add section 6606 to the Fish and Game Code, relating to salmon.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 2336, 2092, 1233, 1083, and 2265 ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, June 1, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 464—An act to amend section 820 of the Agricultural Code, relating to tomatoes—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 464 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 1, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1362—An act to amend section 3669e of the Political Code of the State of California, relating to powers of State Board of Equalization;

Also: Assembly Bill No. 2460—An act to amend section 612 of the Fish and Game Code, relating to steelhead trout;

Also: Assembly Bill No. 1323—An act to add Article 3a to Chapter 1 of Division III of the Agricultural Code, relating to the sale, purchase, transportation and marketing of poultry;

Also: Assembly Bill No. 1216—An act to amend section 818 of the Agricultural Code, relating to potatoes.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1362, 2460, 1323, and 1216 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 1, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1134—An act to amend section 2 and section 3 of an act entitled, "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled "An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau defining his duties and qualifications and powers, providing for the appointment of a clerk of said bureau and fixing his qualifications, fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office," approved March 20, 1905," approved May 31, 1917, as amended, relating to the organization of said bureau and defining its powers and duties.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 1134 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 1, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1480—An act to amend sections 137 and 140 of, and to add section 1085 to, the Agricultural Code, relating to pest control and abatement—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 1480 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 1, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1896—An act to add a new section to the Political Code, to be numbered section 1143, relating to boards of election;

Also: Assembly Bill No. 1243—An act to amend sections 828 and 829 of the Agricultural Code, relating to fruits, nuts and vegetables;

Also: Assembly Bill No. 924—An act to amend sections 781, 783, 784, 785, 787, 788, and 822 and to add sections 784.1, 784.2, 784.3, 784.4, 784.5, 784.6 and 784.7 to the Agricultural Code, relating to fruits, nuts and vegetables;

Also: Assembly Bill No. 895—An act to add a new chapter, to be numbered 1a, to Division V of the Agricultural Code, relating to the standardization of tomatoes;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1896, 1243, 924, and 895 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 1, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1919—An act to add section 3a to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to definitions;

Also: Assembly Bill No. 1167—An act authorizing the Director of Finance to provide for the sale of certain lands situated in county of Yolo, State of California;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1919 and 1167 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 1, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, Assembly Bill No. 2386—An act to add Chapter 8 to Division VI of the Agricultural Code, relating to the marketing of milk and other dairy products;

Also: Assembly Bill No. 2433—An act to provide for the administration of highway work for or in cooperation with the United States by the State of California, amending the Streets and Highways Code in accordance therewith, and declaring the urgency thereof;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.

Assembly Bills Nos. 2386 and 2433 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 1, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted as amended, Assembly Constitutional Amendment No. 77—A resolution to propose to the people of the State of California an amendment to section 14 of Article I of the Constitution of said State, relating to the rights of private property;

Also: Assembly Constitutional Amendment No. 32—A resolution to propose to the people of the State of California that the Constitution of said State be amended by adding to Article XI thereof a new section to be numbered 8b authorizing the city of Los Angeles to amend its charter in certain particulars;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Constitutional Amendments Nos. 77 and 32 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 1, 1935.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 678—An act to amend section 1203 6 of the Fish and Game Code, relating to pheasants.

J. A BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 1, 1935.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day refused adoption to Assembly Concurrent Resolution No. 43—Relating to a Commission on Interstate Cooperation.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Resolution.

The following resolution was offered:

By Messrs. Fisher, Craig, Lyon, Jones, and Cronin:

Assembly Resolution.

WHEREAS, The American Legislators' Association offers a service of great value to the various State legislatures, and through them to the people of the States; and

WHEREAS, There is included in such service the furnishing of important information bearing on legislation and legislative methods and whenever desired the establishing of contacts with authoritative sources of such information, and

WHEREAS, There is also included in such service the furnishing of a monthly magazine, known as "State Government," which contains material of special interest to legislators and which is of considerable significance and assistance in the preparation of legislation and in the efficient functioning of the Legislature; and

WHEREAS, There is further included in such service the holding of annual conferences of State legislators, which conferences may be attended by any member of a State Legislature, to the end that there may be an exchange of ideas and a comparison of practices, as well as the establishment of reciprocal relationships engendering a cooperative and friendly attitude of inestimable value in the solution of legislative problems; now, therefore, be it

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly is hereby directed to subscribe to such service for the calendar years 1935 and 1936, and there is hereby set aside for that purpose the sum of $500 from the contingent fund of the Assembly, so that each member of the Assembly of the fifty-first session of the Legislature will be entitled to the services above mentioned.

Resolution by Messrs. Fisher, Craig, Lyon, Jones, and Cronin read.

Mr. Fisher moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Chatters, Clark, Corwin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Morgan, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, Wagner, Walker, Waters, Wright, and Mr. Speaker—50.

NOES—Brennan and Turner—2.

Resolution.

The following resolution was offered:

By Messrs. Fisher, Craig, Lyon, Jones, and Cronin:

Assembly Resolution.

WHEREAS, The Legislative Reference Conference held annually under the auspices of the American Legislators' Association, fosters cooperative effort among the legislative reference and counsel bureaus of the several States, to the great benefit of such bureaus, and of the legislatures which they serve; and

WHEREAS, Said conference also furnishes an exceptional opportunity for the discussion of mutual problems and the comparison of methods of such bureaus, contributing thereby to the efficiency of such bureaus and developing the service rendered by them to the various legislatures; now, therefore, be it

Resolved by the Assembly of the State of California, That the Legislative Counsel of the State of California is hereby urged to attend the 1935 and 1936 sessions of said Legislative Reference Conference.

Resolution by Messrs Fisher, Craig, Lyon, Jones, and Cronin read.

Mr. Fisher moved the adoption of the resolution.

The question being on the adoption of the resolution

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Chatters, Clark, Corwin, Cunningham, Dawson, DeLap, Domhue, Donnelly, Fisher, Flint, Frazier, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Morgan, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Walker, Waters, Wright, and Mr. Speaker—51.

NOES—None.

Resolution.

The following resolution was offered:

By Mr Turner:

Assembly Resolution.

Resolved, That when the previous question has been affirmatively voted on, there shall be no further debate or questions allowed, except the author of a measure may have five minutes in which to close.

Withdrawal of Resolution.

Mr. Turner withdrew his resolution.

Motion.

Mr. Lyon moved that Assembly Bill No 674 be recalled from the Senate for further consideration.

Motion carried unanimously.

Motion to Expunge Record.

Mr. Lyon moved that the vote whereby Assembly Bill No. 674 was passed by the Assembly on May 13, 1935, be expunged from the record, and the action rescinded.

Motion carried unanimously.

Second Reading of Assembly Bills.

Assembly Bill No. 1744—An act to amend sections 37, 76, 101, 102, 115 and 382 of the Military Code.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "amend sections 37, 76, 101, 102, 115 and 382 of", and insert in lieu thereof the following "add sections 644.1 and 644.2 to".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, after "Military", insert the following: "and Veterans".

Amendment No. 3.

On page 1, line 1, of the printed bill, after "Section 1", strike out the balance of line 1, and all of lines 2 and 3, and insert in lieu thereof the following. "Section 644.1 is hereby added to the Military and Veterans Code to read as follows:

644.1. A service medal shall be issued for a total of ten years' service in the active National Guard and the inactive National Guard in any combination of years. A bar shall be issued for each five year period thereafter. This medal shall be similar to the service medal authorized by section 644, except that it shall be suspended from a bar upon which shall appear the word "Inactive". The service ribbon denoting this medal shall be prescribed by the Adjutant General. Such medal or bar shall be issued to any person entitled thereto upon application.

SEC. 2. Section 644.2 is hereby added to the Military and Veterans Code to read as follows:

644.2. A State veterans medal is hereby authorized for veterans of the Spanish-American War and for veterans of the World War who at the time of their entry into the service of the United States were residents of this State. Immediately following the effective date of this section the Veterans Welfare Department shall notify the Department Commander of the United Spanish War Veterans, American Legion, Veterans of Foreign Wars, Disabled American Veterans, and other veterans' associations of the authorization of the State veterans medal. When the department has received not less than three hundred applications for said medal, each accompanied by a fee of one and one-half dollars to cover the cost of manufacture, it shall thereupon proceed to cause said medals to be manufactured and to fill the applications therefor. Thereafter, new applications may be filled and new medals manufactured quarterly in each year. The lettering on the medal shall indicate whether the medal is for service in the Spanish-American War or in the World War; and a suitable service ribbon shall be prescribed by the Adjutant General. No person shall be eligible for the State veterans medal the severance of whose connection with the armed forces of this State or of the United States was other than honorable."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1901—An act relating to real estate transactions and imposing a tax thereon and providing for the enforcement and collection of the tax, this act to take effect immediately.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 2161—An act to provide for the aid and rehabilitation of citizens of the State of California who are the victims of economic and business depression.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out "Shall", and insert in lieu thereof "May".

Amendment No. 2.

On page 1, line 22, of the printed bill, after the word "California", add a new clause, to read as follows: "wherein such departments are instituted".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Unfinished Business.

Consideration of Senate Amendment to Assembly Bill No. 1066.

Assembly Bill No. 1066—An act to amend section 1238 of the Civil Code, relating to homesteads

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1066?

Amendment No. 1.

On page 1, lines 11 and 12, of the printed bill, strike out "section", and insert in lieu thereof the following: "title".

The roll was called, and Senate amendment to Assembly Bill No. 1066 was concurred in by the following vote:

AYES—Anderson, Andreas, Chatters, Corwin, Cottrell, Cunningham, Dawson, DeLap, Donlhue, Donnelly, Evans, Herbert J., Field, Flint, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal,

Scudder, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—54.
NOES—None.

Assembly Bill No. 1066 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 212.

Assembly Bill No. 212—An act to amend sections 137, 138 and 166 of the Fish and Game Code and to add two new sections to be numbered 171 and 172, relating to districts.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 212?

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, as amended, strike out the period, and insert in lieu thereof a comma and the following "relating to districts"

The roll was called, and Senate amendment to Assembly Bill No. 212 was concurred in by the following vote:

AYES—Anderson, Andreas, Brennan, Chatters, Corwin, Cunningham, Dawson, DeLap, Donahue, Donnelly, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Hawkins, Heisinger, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McCarthy, McMurray, Meehan, Morgan, O'Donnell, Patterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—53.
NOES—None.

Assembly Bill No. 212 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 450.

Assembly Bill No. 450—An act to add Article VIa to Chapter I of Part III of Division IV of the School Code, embracing sections 4.355 to 4.359, inclusive, relating to an optional plan for payments from district funds.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 450?

Amendment No. 1.

On page 2 of the printed bill, beginning in line 10, strike out the following: "at least two members", and insert in lieu thereof the following: "a majority".

Amendment No. 2.

On page 3 of the printed bill, after line 24, insert the following:

"4.333. Whenever any warrant legally drawn on the funds of a school district shall be lost or destroyed before the same shall have been paid by the county treasurer, the amount due thereon may be recovered by the legal owner or custodian thereof, by filing with the county auditor:

First—An affidavit setting forth the fact of the loss or destruction of such warrant, giving the number, date, amount and name of the payee, together with all material facts relative to the loss or destruction of the same.

Second—A bond of indemnity, with two good and sufficient sureties, in double the amount of the face of the particular warrant, which bond shall be referred to the county auditor and to the district attorney, county counsel, or other officer who is the legal advisor of the governing board of the school district, for approval or rejection.

It shall be the duty of the county auditor and of the district attorney, county counsel or other officer who is the legal advisor of the governing board of the school district to examine and to pass upon the sufficiency of said bond and to approve or reject the same within thirty days after it shall have been filed with the county auditor.

Upon the filing of the approved bond, the county auditor is hereby authorized and directed to issue and deliver to the legal owner or claimant, on demand, a duplicate warrant for the full amount of the original warrant, and the county treasurer is hereby authorized and directed to pay the duplicate, in lieu of the original warrant.

The auditor and the treasurer shall each make the proper entries on their books, showing such warrants to have been lost or destroyed and the issuance of duplicate warrants in lieu thereof."

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out the title, and insert in lieu thereof the following:

"An act to add Article VIa to Chapter I of Part III of Division IV of the School Code, embracing sections 4.355 to 4.359, inclusive, relating to an optional plan for payments from district funds."

Amendment No. 4.

On page 1 of the printed bill, as amended, strike out lines 1 to 16, inclusive, and insert in lieu thereof the following:

"SECTION 1. A new article to be number VIa is hereby added to Chapter I of Part III of Division IV of the School Code to read as follows:

Article VIa—Optional Plan for Payments from District Funds.

4.355 In lieu of the provisions of Article V and Article VI of this chapter, any county or city and county may by resolution by its board of supervisors and with the approval of the county superintendent of schools adopt the provisions of this article for payments from district funds."

Amendment No. 5.

On page 1, line 17, of the printed bill, as amended, strike out "4.321", and insert in lieu thereof the following: "4.355a".

Amendment No. 6.

On page 2, line 5, of the printed bill, as amended, strike out "4.322", and insert in lieu thereof the following: "4.355b".

Amendment No. 7.

On page 2, line 14, of the printed bill, as amended, strike out "4.323", and insert in lieu thereof the following: "4.355c".

Amendment No. 8.

On page 2, line 17, of the printed bill, as amended, strike out "4.324", and insert in lieu thereof the following: "4.355d".

Amendment No. 9.

On page 2, line 19, of the printed bill, as amended, strike out "4.325", and insert in lieu thereof the following: "4.355e".

Amendment No. 10.

On page 2, line 22, of the printed bill, as amended, strike out "4.326", and insert in lieu thereof the following: "4.356".

Amendment No. 11.

On page 2, line 26, of the printed bill, as amended, strike out "4.327", and insert in lieu thereof the following: "4.357".

Amendment No. 12.

On page 2, line 29, of the printed bill, as amended, strike out "4.328", and insert in lieu thereof the following: "4.357a".

Amendment No. 13.

On page 2, line 33, of the printed bill, as amended, strike out "4.329", and insert in lieu thereof the following: "4.357b".

Amendment No. 14.

On page 2, line 40, of the printed bill, as amended, strike out "4.330", and insert in lieu thereof the following: "4.358".

Amendment No. 15.

On page 2, line 46, of the printed bill, as amended, strike out "4.331", and insert in lieu thereof the following: "4.358a".

Amendment No. 16.

On page 3, line 1, of the printed bill, as amended, strike out "4.332", and insert in lieu thereof the following "4.359".

Amendment No. 17.

On page 3 of the printed bill, as amended, strike out lines 11 to 41, inclusive.

The roll was called, and Senate amendments to Assembly Bill No. 450 were concurred in by the following vote:

AYES—Anderson, Brennan, Chatters, Dawson, DeLap, Donihue, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—51.

NOES—None.

Assembly Bill No. 450 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 606.

Assembly Bill No. 606—An act to add a new section to the Streets and Highways Code, to be numbered 982, authorizing the temporary closing of any public highway, road, street, avenue, alley, lane or place for exposition or fair purposes.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 606?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "Political", and insert in lieu thereof the following: "Streets and Highways".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out "2699", and insert in lieu thereof the following: "982".

Amendment No. 3.

On page 1, line 4 of the title of the printed bill, after "exposition", insert the following: "or fair".

Amendment No. 4.

On page 1, line 1, of the printed bill, strike out "Political", and insert in lieu thereof the following: "Streets and Highways".

Amendment No. 5.

On page 1, line 2, of the printed bill, strike out "2699", and insert in lieu thereof the following: "982".

Amendment No. 6.

On page 1, line 3, of the printed bill, strike out "2699.", and insert in lieu thereof the following: "982."

Amendment No. 7.

On page 1 line 4, of the printed bill, after "close", insert the following: "all or any part of".

Amendment No. 8.

On page 1, lines 5 and 6, of the printed bill, strike out ", or any part of any such road, street, avenue, alley, lane or place.".

Amendment No. 9.

On page 1, line 3 of the title of the printed bill, as amended, strike out "boards of supervisors to temporarily close", and insert in lieu thereof the following: "the temporary closing of".

Amendment No. 10.

On page 1, line 4, of the printed bill, as amended, strike out "The", and insert in lieu thereof the following: "Except as provided in this section, the".

Amendment No. 11.

On page 1, line 16, of the printed bill, as amended, after the period, add the following: "As to State highways, the exercise of any power granted hereby shall be subject to the approval of the department."

The roll was called, and Senate amendments to Assembly Bill No. 606 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Chatters, Cottrell, Cunningham, Dawson, DeLap, Donihue, Donnelly, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Morgan, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal,

Scudder, Stream, Thorp. Turner, Voigt, Wagner, Walker, Waters, Williamson, Wright, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 606 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1188.

Assembly Bill No. 1188—An act to add a new article to Chapter I of Part III of Division IV of the School Code, and to add a new chapter to Part III of Division IV of the School Code to be known as Chapter IV, all to be known as Article XI, relating to school district funds.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1188?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the following: "Chapter II of Part II", and insert in lieu thereof the following: "Chapter I of Part III".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, after the second comma, insert the following: "and to add a new chapter to Part III of Division IV of the School Code to be known as Chapter IV, all".

Amendment No. 3.

On page 1 of the printed bill, beginning in line 1, strike out the following: "Chapter II of Part II", and insert in lieu thereof the following: "Chapter I of Part III".

Amendment No. 4.

On page 2 of the printed bill, strike out all of lines 10 to 14, inclusive, and insert in lieu thereof the following "theless, be continued and expenditures may thereafter be made therefrom at any time for any of the purposes specified in this chapter

SEC. 2 A new chapter is hereby added to Part III of Division IV of the School Code to be known as Chapter IV, and to read as follows

Chapter IV—School District Sinking Fund

4.450 The governing board of any school district shall have the power to establish a sinking fund for the replacement or reconstruction of buildings owned by such district

4.451 Should the governing board of a school district establish a sinking fund as hereinbefore provided, it shall at the time of preparing the budget of the district for each ensuing school year thereafter include therein as an amount necessary to be raised for the sinking fund of the district an amount which shall not exceed five per cent of the original cost of the buildings of the district, or, if such original cost is not known, then of the estimated original cost of such buildings as estimated by the governing board of the district.

4.452. In the event the inclusion of such amount in the budget of the district necessitates the levy of a tax rate in excess of the maximum school district tax rates hereinbefore prescribed in section 4.375 of this code, the provisions of said section shall not apply in the levy of the tax rate for the district

4.453. The amount of money provided for in the budget for the sinking fund of the district shall, when raised, be paid into the county treasury to the credit of the district and placed in a fund to be known as the "_____ (insert name) district sinking fund" Should the sinking fund of a school district, or any part thereof be placed at interest by the county treasurer in accordance with law, all interest accruing thereon shall be credited by the county treasurer to the sinking fund of the school district.

4.454. The sinking fund hereinbefore provided for may be expended at any time, at the discretion of the governing board of the district, for the replacement or reconstruction of buildings of the district existing at the time of such expenditure.

4.455 The governing board of the district may at any time discontinue the raising of funds for the sinking fund of the district, but in such event the moneys in such fund shall continue to be available for expenditure for any or all of the purposes specified in this chapter."

The roll was called.

Motion to Expunge Record.

Mr. Desmond moved that the vote whereby the Assembly concurred in Senate amendments to Assembly Bill No. 1188 be expunged from the record, and the action rescinded.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Desmond to expunge the record whereby the Assembly concurred in Senate amendments to Assembly Bill No. 1188.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 1188 ordered on unfinished business file.

Reconsideration of Assembly Bill No. 276 Waived.

Mr. Robertson waived his notice to reconsider the vote whereby Assembly Bill No. 276 was refused passage.

Reconsideration of Assembly Bill No. 74 Waived.

Mr. Field waived his notice to reconsider the vote whereby Assembly Bill No. 74 was passed.

Assembly Bill No. 74 ordered transmitted to the Senate.

Consideration of Assembly Bill No. 598.

Assembly Bill No. 598—An act to provide for the revision of the Constitution of this State, including the election of delegates to the convention, the proceedings, powers, duties, and matters incidental to the convention, the submission of the revised Constitution to the people and matters incidental thereto, and making an appropriation therefor.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Latham:

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, strike out "February, 1937", and insert in lieu thereof the following: "October, 1936".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 4 to 19, inclusive, and also on page 2, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following:

"The delegates to such convention shall have the same qualifications as members of the Legislature, except that no person shall be eligible for the office of Delegate to the Constitutional Convention unless, at the time of election thereto, he has continuously resided in this State for at least five years immediately prior to such election.

SEC. 2. Candidates for the office of Delegates to the Constitutional Convention shall be nominated in every Assembly District and in every Senatorial District of this State, and one delegate shall be elected to such convention from each such district.

SEC. 3. Candidates for such office shall be nominated in each such district in the manner prescribed by section 1188 of the Political Code for nomination otherwise than at a primary on a nonpartisan basis, except that the nomination papers need be signed by only fifty electors residing within the district as to which the candidate is being nominated.

A special election is hereby called to be held at the same time as and to be consolidated with the presidential primary election in May, 1936. At such special election a delegate to the Constitutional Convention shall be elected from every Senatorial District and from every Assembly District in this State. The candidates in each district shall be the persons nominated as prescribed in this section. The general election laws shall, so far as applicable, apply to such special election in the same manner as in the case of a general election except that:

(a) The officer to be elected shall be a Delegate to the Constitutional Convention from each district of the State from which a member of the State Senate or a member of the Assembly is elected.

(b) On the ballot the only designation of the office to be the subject of election shall be the following: "Delegate to the Constitutional Convention," followed by a designation of the Assembly District."

Amendment No. 3.

On page 2, line 8, of the printed bill, as amended, strike out "February, 1937", and insert in lieu thereof the following: "October, 1936".

Amendment No. 4.

On page 2 of the printed bill, as amended, strike out lines 37 to 52, inclusive, and insert in lieu thereof the following: "pleted its deliberations before January 1, 1937, it may adjourn on or prior to that date until such time as may be determined by the convention.

SEC. 7. The delegates to the convention shall receive the sum of ten dollars a day during each day the convention meets, but not exceeding the total sum of fifteen *hundred dollars to any delegate for the total time in attendance on the convention,* and shall also receive the same mileage for one journey to Sacramento and return as members of the Legislature. The amount of compensation shall be certified to the State Controller by the president of the convention, and shall be paid in the same manner as compensation of members of the Legislature is paid.

SEC. 8. It shall be the duty of the Governor to attend the convention at the opening thereof, to administer the oath of office to the delegates, and to preside at all meetings of the convention until a president has been elected and has".

Amendment No. 5.

On page 4, line 35, of the printed bill, as amended, strike out "any other", and insert in lieu thereof the following: "the first".

Amendment No. 6.

On page 5 of the printed bill, as amended, strike out lines 17 to 34, inclusive, and insert in lieu thereof the following:

"SEC. 20. There is hereby called a special election, to be consolidated with and to be held at the same time as the first special election following the adjournment sine die of the fifty-first session of the Legislature. At such special election there shall be submitted to the electors for adoption or rejection Assembly Constitutional Amendment No _____as adopted by the Legislature and proposed to the people at the fifty-first session of the Legislature of this State.

SEC. 21. Section 19 of this act, since it calls an election, shall take effect immediately. All other provisions of this act shall take effect upon the adoption by the people of a constitutional amendment legalizing, ratifying, and adopting the same and making the same fully effective."

The question being on the amendments submitted by Mr. Latham to Assembly Bill No. 598.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Latham.

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Andreas, Brennan, Cottrell, Dawson, Evans, Herbert J., Garibaldi, Latham, Lyon, Peterson, Redwine, Robertson, Scudder, Stream, Utt, Wright, and Mr. Speaker—16.

NOES—Anderson, Boyle, Breed, Clark, Cunningham, DeLap, Desmond, Donahue, Donnelly, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, Meehan, Minard, Morgan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Voigt, Wagner, Waters, and Williamson—43.

Assembly Bill No. 598 read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Donnelly:

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, strike out "February, 1937", and insert in lieu thereof the following: "October, 1936".

Amendment No. 2.

On page 1 of the printed bill, as amended, between lines 3 and 4, insert the following:

"The provisions of section 2, subdivision (a), of this act shall be in effect if a majority of the voters voting at the special election called by section 20 of this act vote in favor of the proposition contained in said section 2, subdivision (b), for the selection of delegates to the convention In such case the provisions of section 3 of this act shall not be operative

In the event a majority of such voters shall not vote in favor thereof, then section 3 of this act shall be in effect and shall govern the selection of delegates to the convention, and the provisions of section 2, subdivision (a), shall be inoperative"

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out lines 4 to 19, inclusive; also on page 2, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following:

"SEC. 2. (a) Every member of the Assembly and every member of the State Senate shall be the delegate from his respective district to the Constitutional Convention. In the event of a vacancy, the provisions relating to vacancies in office of members of the Senate and Assembly shall operate and the Senator or Assemblyman so selected shall be the delegate from his particular district to the convention

(b) At the special election called by the provisions of section 20 of this act, there shall be submitted to the voters for adoption or rejection the proposition of whether or not the provisions of subdivision (a) of this section shall be operative, or whether the delegates to the convention shall be selected under the provisions of section 3 of this act. Such proposition shall be submitted on the ballot in the following form and shall be printed on the ballot in the manner of a question submitted under section 1197, subdivision (9), of the Political Code:

Shall the members of the Legislature be the delegates to the Constitutional Convention?

SEC. 3. The delegates to such convention shall have the same qualifications as members of the Legislature, except that no person shall be eligible for the office of delegate to the Constitutional Convention unless, at the time of election thereto, he has continuously resided in this State for at least five years immediately prior to such election.

SEC 3. Candidates for the office of delegates to the Constitutional Convention shall be nominated in every Assembly district and in every Senatorial district of this State, and one delegate shall be elected to such convention from each such district.

Candidates for such office shall be nominated in each such district in the manner prescribed by section 1188 of the Political Code for nomination otherwise than at a primary on a nonpartisan basis, except that the nomination papers need be signed by only fifty electors residing within the district as to which the candidate is being nominated

A special election is hereby called to be held at the same time as and to be consolidated with the presidential primary election in May, 1936. At such special election a delegate to the Constitutional Convention shall be elected from every Senatorial district and from every Assembly district in this State. The candidates in each district shall be the persons nominated as prescribed in this section. The general election laws, shall so far as applicable, apply to such special election in the same manner as in the case of a general election except that:

(a) The officer to be elected shall be a delegate to the Constitutional Convention from each district of the State from which a member of the State Senate or a member of the Assembly is elected.

(b) On the ballot the only designation of the office to be the subject of election shall be the following: "Delegate to the Constitutional Convention," followed by a designation of the Assembly district."

Amendment No. 4.

On page 2, line 8, of the printed bill, as amended, strike out "February, 1937", and insert in lieu thereof the following: "October, 1936".

Amendment No. 5.

On page 2 of the printed bill, as amended, strike out lines 37 to 52, inclusive, and insert in lieu thereof the following: "pleted its deliberations before January 1, 1937, it may adjourn on or prior to that date until such time as may be determined by the convention.

SEC. 7. The delegates to the convention shall receive the sum of ten dollars a day during each day the convention meets, but not exceeding the total sum of fifteen hundred dollars to any delegate for the total time in attendance on the convention, and shall also receive the same mileage for one journey to Sacramento and return as members of the Legislature. The amount of compensation shall be certified to the State Controller by the president of the convention, and shall be paid in the same manner as compensation of members of the Legislature is paid.

SEC. 8. It shall be the duty of the Governor to attend the convention at the opening thereof, to administer the oath of office to the delegates, and to preside at all meetings of the convention until a president has been elected and has".

Amendment No. 6.

On page 4, line 35, of the printed bill, as amended, strike out "any other", and insert in lieu thereof the following: "the first".

Amendment No. 7.

On page 5 of the printed bill, as amended, strike out lines 17 to 34, inclusive, and insert in lieu thereof the following:

"SEC 20. There is hereby called a special election to be consolidated with and to be held at the same time as the first special election following the adjournment sine die of the fifty-first session of the Legislature. At such special election there shall be submitted to the electors for adoption or rejection Assembly Constitutional Amendment No. _____ as adopted by the Legislature and proposed to the people at the fifty-first session of the Legislature of this State, and at such special election there shall also be submitted to the electors for adoption or rejection the proposition set forth in section 2, subdivision (b) of this act, and in the manner and with the effect therein set forth.

SEC. 21. Section 20 of this act, since it calls an election, shall take effect immediately. All other provisions of this act shall take effect upon the adoption by the people of a constitutional amendment, legalizing, ratifying, and adopting the same, and making the same fully effective."

The question being on the amendments submitted by Mr. Donnelly to Assembly Bill No 598

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Donnelly.

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Andreas, Boyle, Cassidy, Corwin, Cottrell, Cunningham, Desmond, Donnelly, Latham, Mayo, McMurray, Miller, Minard, Peterson, Peyser, Phillips, Redwine, Stream, Utt, Williamson, Wright, and Mr. Speaker—22.

NOES—Breed, Brennan, Chatters, Clark, Dawson, DeLap, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, Meehan, Morgan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Robertson, Rosenthal, Scudder, Thorp, Turner, Voigt, Wagner, Walker, Wallace, and Welsh—46.

Assembly Bill No. 598 read third time.

Motion to Lay Assembly Bill No. 598 on the Table.

Mr Scudder moved that Assembly Bill No 598 be laid on the table

The question being on the motion by Mr Scudder to lay Assembly Bill No 598 on the table.

Roll Call.

The Speaker ordered a roll call taken on the motion to lay Assembly Bill No. 598 on the table.

The roll was called, and the motion lost by the following vote:

AYES—Boyle, Breed, Brennan, Chatters, Corwin, Desmond, Donnelly, Fisher, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Johnson, Kallam, Lore, Maloney, Mayo, McMurray, Meehan, Patterson, Pelletier, Peterson, Reaves, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Walker, Williamson, and Wright—35.

NOES—Anderson, Andreas, Burns, Cassidy, Cunningham, DeLap, Donihue, Evans, Herbert J., Field, Hawkins, Heisinger, Hunt, Latham, Laughlin, Lyon, Martin, Miller, Minard, Morgan, Peyser, Phillips, Redwine, Richie, Utt, Wagner, Wallace, Waters, Welsh, and Mr. Speaker—29

Third Reading of Assembly Bill No. 598.

Assembly Bill No. 598 read third time.

Demand for Previous Question.

Messrs. Kallam, Brennan, Wallace, Johnson and Boyle demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 598 was refused passage by the following vote:

AYES—Cottrell, Cunningham, DeLap, Evans, Herbert J., Field, Frazier, Latham, Lyon, Martin, Minard, O'Donnell, Patterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Utt, Wallace, Waters, Welsh, Wright, and Mr. Speaker—26.

NOES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Laughlin, Lore, Maloney, Mayo, McCarthy, McMurray, Meehan, Morgan, Nielsen, Pelletier, Peterson, Rosenthal, Scudder, Thorp, Turner, Voigt, Wagner, Walker, and Williamson—48.

Notice of Reconsideration of Assembly Bill No. 598.

Mr. Heisinger gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 598 was this day refused passage.

Explanation of Vote.

I voted "No" on Assembly Bill No. 598, providing for the calling of a Constitutional Convention and setting up the machinery for the election of delegates thereto for the following reasons:

I believe there are some changes needed in our present Constitution but believe this is not the time for drafting a new Constitution on account of the present unsettled economic conditions.

I have made a thorough study of this bill in its original form and as it came before the Assembly and I desired to submit amendments to it. However, when the bill came up for final consideration it was so badly mutilated, and its provisions were so impractical, and could not be amended to be made practical, I could not vote for it.

EARL D. DESMOND.

Consideration of Senate Amendments to Assembly Bill No. 1395.

Assembly Bill No. 1395—An act to amend sections 5.1100, 5.1101, 5.1110, 5.1120, 5.1121, 5.1122, 5.1132, 5.1135, 5.1136, 5.1138 of the School Code, relating to the retirement of teachers and employees by school districts, and to add a new section to be numbered section 5.1139 to the School Code.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1395?

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out "5 1136, 5.1138 of the School Code," and insert in lieu thereof the following: "and 5.1136 of the School Code, and to add a new section to be numbered section 5.1139,".

Amendment No. 2.

On page 1, lines 4 and 5 of the title of the printed bill, as amended, strike out the comma and "and to add a new section to be numbered section 5.1139 to the School Code".

The roll was called, and Senate amendments to Assembly Bill No. 1395 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie,

Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Welsh, Williamson, and Mr. Speaker—68.
NOES—None.

Assembly Bill No. 1395 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 2252.

Assembly Bill No. 2252—An act to amend section 5.773 of the School Code, relating to employees of school districts other than persons employed in positions requiring certification qualifications.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2252?

Amendment No. 1.

On page 1, lines 4 and 5, of the printed bill, as amended, strike out the following: "chartered city having the population of a".

The roll was called, and Senate amendment to Assembly Bill No. 2252 was concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Scudder, Stream, Thorp, Utt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—65.
NOES—None.

Assembly Bill No. 2252 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1826.

Assembly Bill No. 1826—An act to amend section 865 of the Fish and Game Code, relating to fish, declaring the urgency thereof to take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1826?

Amendment No. 1.

On page 1, lines 4 and 5 of the title of the printed bill, as amended, strike out "and to add thereto section 865.5,".

Amendment No. 2.

On page 1, line 5 of the title of the printed bill, as amended, strike out the period after "fish", and insert in lieu thereof a comma and the following: "declaring the urgency thereof to take effect immediately."

Amendment No. 3.

On page 1, line 11, of the printed bill, as amended, strike out ", except as provided in section 865.5".

Amendment No. 4.

On page 1 of the printed bill, as amended, strike out lines 17 to 21, inclusive.

Amendment No. 5.

On page 2 line 1, of the printed bill, as amended, strike out "3", and insert in lieu thereof the following: "2".

Amendment No. 6.

On page 1, line 14, of the printed bill, as amended, strike out the period, and insert in lieu thereof a comma and the following: "between February 15th and May 15th."

Amendment No. 7.

On page 1, line 14, of the printed bill, as amended, strike out the period, and insert in lieu thereof a comma and the following: "between February 15 and May 15"

The roll was called, and Senate amendments to Assembly Bill No. 1826 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Herbert J., Field,

Fisher, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—64

NOES—None.

Assembly Bill No. 1826 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1654.

Assembly Bill No. 1654—An act to amend sections 459, 465 and 471 of, and to add a new section to be numbered 466 to, the Vehicle Code, relating to highways and the regulation thereof.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1654?

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 12 to 14, and insert in lieu thereof the following:

"(c) Regulating traffic by means of traffic officers.

(d) Regulating traffic by means of semaphores or other traffic control signaling devices."

Amendment No. 2.

On page 1, line 15, of the printed bill, as amended, strike out "(d)", and insert in lieu thereof "(e)".

Amendment No. 3.

On page 1, line 18, of the printed bill, as amended, strike out "(e)", and insert in lieu thereof "(f)".

Amendment No. 4.

On page 1, line 21, of the printed bill, as amended, strike out "(f)", and insert in lieu thereof "(g)".

Amendment No. 5.

On page 2, line 1, of the printed bill, as amended, strike out "(g)", and insert in lieu thereof "(h)".

Amendment No. 6.

On page 2, line 4, of the printed bill, as amended, strike out "(d)".

Amendment No. 7.

On page 2, line 5, of the printed bill, as amended, strike out "or (g)", and insert in lieu thereof the following: ", (g) or (h)".

Amendment No. 8.

On page 2, line 12, of the printed bill, as amended, strike out "or (g)", and insert in lieu thereof the following: ", (g) or (h)".

Amendment No. 9.

On page 2, line 32, of the printed bill, as amended, after "and", and before "control", insert the following: ", subject to the provisions of section 466, such stop signs, semaphores and".

Amendment No. 10.

On page 2 of the printed bill, as amended, strike out lines 36 to 43, inclusive.

Amendment No. 11.

On page 2, line 44, of the printed bill, as amended, strike out "(d)", and insert in lieu thereof "(c)".

Amendment No. 12.

On page 2, line 47, of the printed bill, as amended, strike out "(e)", and insert in lieu thereof "(d)".

Amendment No. 13.

On page 3, line 4, of the printed bill, as amended, after "sign", insert the following: ", semaphore or other traffic control signaling device".

The roll was called, and Senate amendments to Assembly Bill No. 1654 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Kallam, Latham, Laughlin, Lore, Lyon, Maloney,

Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Waters, Welsh, Williamson, Wright, and Mr Speaker—63.

NOES—Flint, Johnson, Peterson, Reaves, and Wagner—5.

Assembly Bill No. 1654 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 287.

Assembly Bill No. 287—An act to amend section 4041.16 of the Political Code, relating to county care of indigents.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 287?

Amendment No. 1.

On page 2, line 1, of the printed bill, immediately after the word "taxation", insert the following: "or exempted in whole or in part from taxation".

The roll was called, and Senate amendment to Assembly Bill No. 287 was concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 287 ordered to enrollment.

Reconsideration of Assembly Bill No. 1030.

Assembly Bill No. 1030—An act defining unlawful gas, prohibiting dealing in and transporting by pipe of unlawful gas, requiring certain corporations, individuals and associations of individuals engaged in the business of buying lawful gas and transporting the same by pipe line to be common purchasers of such gas, and fixing penalties for violations of the act.

In compliance with his notice given on a previous day, Mr. Robertson moved that the vote whereby Assembly Bill No. 1030 was passed be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Breed, Brennan, Corwin, Cottrell, Dawson, DeLap, Desmond, Field, Fisher, Frazier, Hornblower, Kallam, Mayo, McBride, Minard, Peterson, Phillips, Redwine, Richie, Robertson, Stream, Utt, Wallace, Welsh, Wright, and Mr. Speaker—26.

NOES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Riley, Rosenthal, Turner, Voigt, Wagner, Walker, and Waters—43.

Assembly Bill No 1030 ordered transmitted to the Senate.

Appointment of Select Committee.

The Speaker appointed Messrs. Stream, Riley, Morgan, Maloney and Jones as the Select Committee to carry out the provisions of the resolution offered by Messrs. Stream, Wallace and Richie, as printed in the Journal of May 29, 1935, page 17, relative to Legislative Day at the California Pacific International Exposition.

Unfinished Business—(Resumed).

Reconsideration of Assembly Bill No. 1607 Waived.

Mr. Desmond waived his notice to reconsider the vote whereby Assembly Bill No. 1607 was passed.

Assembly Bill No 1607 ordered transmitted to the Senate.

Motion to Appoint Select Committee.

Mr. Lyon moved that a Select Committee of Three be appointed by the Speaker to call on the Division of Personnel in behalf of Assembly Concurrent Resolution No. 44 and Senate Concurrent Resolution No. 36.

Motion carried.

Appointment of Select Committee.

The Speaker appointed Messrs. Lyon, Turner and Burns, as such Select Committee, to carry out the provisions of the motion by Mr. Lyon.

Recess.

At twelve o'clock and twenty minutes p.m., on the motion of Mr. Lyon, the Assembly was declared at recess until two o'clock p.m. this day.

Reconvened.

At two o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 700—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 1344—An act providing for the grant of certain lands to the United States of America for the creation of a National park or monument;

Also: Assembly Bill No. 1554—An act to amend sections 1, 2, 3, 4, 6, 7, 8 and 14 of "An act to authorize the counties of the State of California to establish systems for the retirement and pension of certain county and township officers and employees, namely county peace officers as defined in the act, and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax," approved May 5, 1931, relating to the composition of the retirement board; time of meeting; manner of transacting business; the duties of said board and time for annual report; computation of time for retirement privilege; interest rate on contributions and deposits; time for payments; refund of sums in excess of sum necessary for prior service credit, and revising the arrangement of certain portions of said act;

Also: Assembly Bill No. 2411—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the county of Contra Costa, State of California;

Also: Assembly Bill No. 509—An act providing for State planning and a State Planning Board, and prescribing the powers, duties and jurisdiction thereof;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this third day of June, 1935, at ten o'clock a.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1784—An act to add section 675 5 to the Vehicle Code, relating to glass—and reports that the same has been correctly enrolled, and presented the same to the Governor on this third day of June, 1935, at three o'clock p.m.

WATERS, Chairman.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1935.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 486—An act to amend section 8 of the Inheritance Tax Act, relating to estates—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

On Banking.

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1935.

MR. SPEAKER: Your Committee on Banking, to which was referred Senate Bill No. 514—An act to add sections 135d to 135d12, inclusive, to the Bank Act, relating to the administration and liquidation of banks—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

WILLIAMSON, Chairman.

The above reported bill ordered on file for second reading.

Second Reading of Senate Bills.

Senate Bill No. 486—An act to amend section 8 of the Inheritance Tax Act, relating to estates.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 514—An act to add sections 135d to 135d12, inclusive, to the Bank Act, relating to the administration and liquidation of banks.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out the figure "5", both times it appears, and insert in lieu thereof the figure "6".

Amendment No. 2.

On page 1, line 4, of the printed bill, as amended, strike out the figure "5", both times it appears and insert in lieu thereof the figure "6".

Amendment No. 3.

On page 1, line 6, of the printed bill, as amended, strike out the figure "5", and insert in lieu thereof the figure "6".

Amendment No. 4.

On page 1, line 8, of the printed bill, as amended, strike out all of said line 8, and insert in lieu thereof the following: "holders of sixty-six and two-thirds per cent, both in amount and number, of the aggregate".

Amendment No. 5.

On page 1, line 13, of the printed bill, as amended, strike out the figure "5", and insert in lieu thereof the figure "6".

Amendment No. 6.

On page 1, line 20, of the printed bill, as amended, strike out the figure "5", and insert in lieu thereof the figure "6".

Amendment No. 7.

On page 2, line 5, of the printed bill, as amended, strike out the figure "5" both times it appears, and insert in lieu thereof the figure "6".

Amendment No. 8.

On page 2, line 6, of the printed bill, as amended, strike out the figure "5", and insert in lieu thereof the figure "6".

Amendment No. 9.

On page 2, line 14, of the printed bill, as amended, strike out the figure "5", and insert in lieu thereof the figure "6".

Amendment No. 10.

On page 2, line 22, of the printed bill, as amended, strike out the figure "5", and insert in lieu thereof the figure "6".

Amendment No. 11.

On page 2, line 33, of the printed bill, as amended, strike out the figure "5", and insert in lieu thereof the figure "6".

Amendment No. 12.

On page 2, line 42, of the printed bill, as amended, strike out the figure "5", and insert in lieu thereof the figure "6".

Amendment No. 13.

On page 2, line 48, of the printed bill, as amended, strike out the figure "5", and insert in lieu thereof the figure "6".

Amendment No. 14.

On page 3, line 1, of the printed bill, as amended, strike out the figure "5", and insert in lieu thereof the figure "6".

Amendment No. 15.

On page 3, line 14, of the printed bill, as amended, strike out the figure "5", and insert in lieu thereof the figure "6".

Amendment No. 16.

On page 3, line 18, of the printed bill, as amended, strike out the figure "5", both times it appears, and insert in lieu thereof the figure "6".

Amendment No. 17.

On page 3, line 22, of the printed bill, as amended, strike out the figure "5", and insert in lieu thereof the figure "6".

Amendment No. 18.

On page 3, line 24, of the printed bill, as amended, strike out the figure "5", and insert in lieu thereof the figure "6".

Amendment No. 19.

On page 3, line 25, of the printed bill, as amended, strike out the figure "5", and insert in lieu thereof the figure "6".

Amendment No. 20.

On page 3, line 26, of the printed bill, as amended, strike out the figure "5", and insert in lieu thereof the figure "6".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 3, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No. 816—An act relating to shares of insured Federal savings and loan associations, and building and loan associations, as legal investments for trust and other funds—and appointed Senators Fletcher, Knowland, and Olson, as a Committee on Conference, to meet a like committee from the Assembly.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Appointment of Committee on Free Conference Concerning Assembly Bill No. 816.

The Speaker announced the appointment of Messrs. Martin, Walker and Scudder, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Assembly Bill No. 816.

Also:

SENATE CHAMBER, SACRAMENTO, June 3, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day, pursuant to your request, returns herewith Assembly Bill No. 674—An act prescribing the terms upon which certificates of registration of inspectors

and/or sanitary officers as "registered sanitarians" shall be issued; prescribing a course and minimum amount of schooling or training to be possessed by applicants therefor after one (1) year from date of approval of this act; authorizing the State Board of Public Health to certify approved schools, conduct examinations and issue "registered sanitarian" certificates; prescribing the powers and duties of the State board; prescribing conditions under which the title "registered sanitarian" or the placing of the initials "R S." may be used after the names of the certificate holders; providing penalties for violations hereof; and grounds for the suspension, cancellation, denial or revocation of such certificates of registration.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 674 ordered on file for third reading.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 674—An act prescribing the terms upon which certificates of registration of inspectors and/or sanitary officers as "registered sanitarians" shall be issued; prescribing a course and minimum amount of schooling or training to be possessed by applicants therefor after one (1) year from date of approval of this act; authorizing the State Board of Public Health to certify approved schools, conduct examinations and issue "registered sanitarian" certificates, prescribing the powers and duties of the State board; prescribing conditions under which the title "registered sanitarian" or the placing of the initials "R S." may be used after the names of certificate holders; providing penalties for violations hereof; and grounds for the suspension, cancellation, denial or revocation of such certificates of registration.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lyon:

Amendment No. 1.

On page 2, line 35, of the printed bill, following the word "Health", strike out the comma and the balance of said line, and strike out all of line 36, and insert in lieu thereof a period.

Amendment No. 2.

On page 2, lines 43 and 44, of the printed bill, strike out "'Fund for the examination and registration of sanitary inspectors or officers,'" and insert in lieu thereof the following: "'Registered sanitarians fund'".

Amendment No. 3.

On page 2, lines 45 and 46, of the printed bill, strike out "All amounts paid into this fund shall be held subject to the order of", and insert in lieu thereof the following: "All moneys in said fund are hereby appropriated to".

Amendment No. 4.

On page 2, lines 49 and 50, of the printed bill, strike out "approved by the State Board of Public Health and".

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 28, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 287—An act relating to the adoption of codes of fair competition for certain trades and industries within this State.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 287 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, June 3, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 602—An act to amend section 30 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to the powers of said districts and the acquisition of utility property;

Also: Senate Bill No. 1001—An act to amend section 348 of the Agricultural Code, relating to licenses and moneys collected for inspection of marks and brands;

Also: Senate Bill No. 1124—An act to amend sections 1193, 1217, 1228, 1239 and 1243 of the Penal Code, relating to persons convicted of the commission of crime.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 602 read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 1001 read first time, and referred to Committee on Live Stock and Dairies.

Senate Bill No. 1124 read first time, and referred to Committee on Crime Problems.

Also:

SENATE CHAMBER, SACRAMENTO, May 30, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate *amended, and on this day passed, as amended,* Assembly Bill No. 1129—An act amending sections 3897 and 3898 and repealing section 3774 of the Political Code, relating to the procedure for the sale of property deeded to the State in payment of delinquent taxes, if not otherwise disposed of under section 3897a or section 3897b of the Political Code, declaring the urgency thereof, and providing that this act shall take effect immediately—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 1129 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, May 17, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 121—An act, to be known as the Rehabilitation Act, declaring the policy of the State of California in relieving hardship and destitution caused by unemployment one of rehabilitation by cooperative self-help, production for consumption and exchange of labor for surplus commodities; prescribing duties of State Relief Administrator hereunder; providing funds for administration of relief hereunder; directing cooperative activity be noncompetitive; fixing status of cooperative institutions and their members; fixing title to property hereunder; providing for its constitutional construction; repealing conflicting laws

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Resolution.

The following resolution was offered:

By Mr. Walker:

Assembly Resolution.

Resolved, That the Controller be and is hereby authorized and directed to draw his warrants on the contingent fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and

as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Daily Pacific Builder (advertising bids for electrical roll call system)	$30 60
Southwest Builder and Contractor (advertising bids for electrical roll call system)	29 05
Ellas Marx Music Co. (piano furnished Memorial Day)	12 00
Tom B. Monk Co (stop watch for Speaker)	20 00
Cascade Towel Supply Co (towel service, May)	96 88
McNeil Taxi Service (taxi service, Sergeant-at-Arms)	2 25

Resolution read, and referred to Committee on Contingent Expenses.

Unfinished Business—(Resumed).

Motion to Reconsider Assembly Bill No. 1625 Continued.

Mr. Phillips moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1625 was refused passage be continued until the next legislative day.

Motion carried.

Motion to Reconsider Assembly Bill No. 2412 Continued.

Mr. Turner moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2412 was refused passage be continued until the next legislative day.

Motion carried.

Motion to Reconsider Assembly Bill No. 2385 Continued.

Mr. Burns moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2385 was refused passage be continued until the next legislative day.

Motion carried.

Motion to Reconsider Assembly Bill No. 2416 Continued.

Mr. Clark moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2416 was passed be continued until the next legislative day.

Motion carried.

Motion to Reconsider Assembly Bill No. 1551 Continued.

Mr. Flint moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1551 was refused passage be continued until the next legislative day.

Motion carried.

Reconsideration of Assembly Bill No. 106.

Assembly Bill No 106—An act to add section 3.54 to and to amend section 6.750 of the School Code, relating to activities of a seditious nature in connection with the public school system.

In compliance with his notice given on a previous day, Mr. Jones moved that the vote whereby Assembly Bill No. 106 was passed be reconsidered.

Demand for Previous Question.

Messrs. Brennan, Minard, Robertson, Fisher and Cunningham demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the reconsideration of Assembly Bill No. 106.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Clark, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore,

McCarthy, Morgan, Patterson, Pelletier, Reaves, Richie, Rosenthal, Voigt, Wagner, Wallace, and Welsh—29

NOES—Andreas, Breed, Brennan, Chatters, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Gilmore, Heisinger, Kallam, Latham, Lyon, Maloney, Martin, McBride, Miller, Minard, Nielsen, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Turner, Utt, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—43.

Assembly Bill No. 106 ordered transmitted to the Senate.

Explanation of Vote.

MR SPEAKER: Upon the motion to reconsider the passage of Assembly Bill No. 106 I voted "No."

I did so in error, as I am much opposed to such legislation restricting the activities of the teachers in our public schools.

S. L. HEISINGER.

Reconsideration of Assembly Bill No. 1957.

Assembly Bill No. 1957—An act to amend Public Utilities Act.

In compliance with his notice given on a previous day, Mr. Evans, Ralph W., moved that the vote whereby Assembly Bill No. 1957 was passed, be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Anderson, Boyle, Cassidy, Clark, Crowley, Donahue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, McCarthy, Meehan, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, and Waters—28.

NOES—Andreas, Breed, Brennan, Chatters, Corwin, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Johnson, Kallam, Latham, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, Peyser, Redwine, Riley, Robertson, Scudder, Utt, Walker, Wallace, Weber, Welsh, Williamson, Wright, and Mr. Speaker—41.

Assembly Bill No. 1957 ordered transmitted to the Senate.

Consideration of Senate Amendments to Assembly Bill No. 2354.

Assembly Bill No. 2354—An act to amend sections 146 and 154 of the Vehicle Code, and to add sections 146.5, 180 5, and 371.5 to said Vehicle Code, all relating to vehicles previously registered outside this State, and the registration and transfer thereof within this State.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2354?

Amendment No. 1.

On page 1, line 4, of the printed bill, as amended, after the period, insert the following: "(a)".

Amendment No. 2.

On page 1, line 14, of the printed bill, as amended, after "and", insert a comma and the following: "except as provided in subdivision (b) of this section,".

Amendment No. 3.

On page 1 of the printed bill, as amended, between lines 17 and 18, insert the following:

"(b) No nonresident entering this State and subject to registration under the provisions of subdivision (b) of section 216, shall be required to surrender the evidences of foreign registration mentioned in subdivision (a) of this section."

Amendment No. 4.

On page 2, line 24, of the printed bill, as amended, after "department", insert a comma and the following: "but the foregoing limitations in this sentence shall not apply to commercial vehicles operating in interstate transportation nor affect the right of the department to grant temporary permits under section 147".

The roll was called, and Senate amendments to Assembly Bill No. 2354 were concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Her-

bert J., Fisher, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Riley, Robertson, Rosenthal, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—62.

NOES—Boyle—1.

Assembly Bill No. 2354 ordered to enrollment.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1516—An act to amend sections 6.240, 6.251, 6.252, 6 260, 6.262, 6.263, 6.264, 6 265, 6 270, 6.274, 6.275, 6 291, 6.292, 6.294, 6.295, 6.296, 6.300, 6 301, 6.305, 6.307, 6.320, 6.322, 6.330, 6.332, 6.340, 6.341 of the School Code and to repeal Article VI of Chapter III of Part II of Division VI thereof, relating to supplementary textbooks, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Heisinger:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, as amended, strike out "6.300, 6 301, 6.305, 6.307,".

Amendment No. 2.

On page 1, lines 7 and 8 of the title of the printed bill, as amended, strike out the comma and the following: "declaring the urgency thereof and providing that this act shall take effect immediately".

Amendment No. 3.

On page 3, line 31, of the printed bill, as amended, strike out "and/or supplementary textbooks".

Amendment No. 4.

On page 3, line 47, of the printed bill, as amended, strike out "needed", and insert in lieu thereof the following: "adopted by the State Board of Education".

Amendment No. 5.

On page 5 of the printed bill, as amended, strike out lines 25 to 51, inclusive.

Amendment No. 6.

On page 6 of the printed bill, as amended, strike out lines 1 to 19, inclusive.

Amendment No. 7.

On page 6, line 20, of the printed bill, as amended, strike out "19", and insert in lieu thereof the following: "15".

Amendment No. 8.

On page 6, line 35, of the printed bill, as amended, strike out "20", and insert in lieu thereof the following: "16".

Amendment No. 9.

On page 6, line 43, of the printed bill, as amended, strike out "21", and insert in lieu thereof the following: "17".

Amendment No. 10.

On page 6, line 50, of the printed bill, as amended, strike out "22", and insert in lieu thereof the following: "18".

Amendment No. 11.

On page 7, line 5, of the printed bill, as amended, strike out "23" and insert in lieu thereof the following: "19".

Amendment No. 12.

On page 7, line 13, of the printed bill, as amended, strike out "24", and insert in lieu thereof the following: "20".

Amendment No. 13.

On page 7, line 15, of the printed bill, as amended, strike out "25", and insert in lieu thereof the following: "21".

Amendment No. 14.

On page 7 of the printed bill, as amended, strike out lines 23 to 38, inclusive.

Amendments adopted.

Bill read, ordered to reprint, re-re-re-re-engrossment, and third reading.

Assembly Bill No. 834—An act relating to and imposing limitations on expenditures by counties, cities and counties, districts and other political subdivisions, under authority of section 20 of Article XI of the Constitution of the State.

Bill read third time.

Demand for Previous Question.

Messrs. Brennan, Lore, Robertson, Breed and Wallace demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 834 passed by the following vote:

AYES—Andreas, Breed, Burns, Chatters, Corwin, Cunningham, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Heisinger, Johnson, Kallam, Latham, Laughlin, Lyon, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Peterson, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—45.

NOES—Anderson, Boyle, Brennan, Cassidy, Clark, Cottrell, Crowley, Dawson, DeLap, Desmond, Evans, Ralph W., Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Lore, Maloney, McMurray, Patterson, Pelletier, Peyser, Reaves, Richie, Rosenthal, Turner, Voigt, and Williamson—33.

Title read and approved.

Bill ordered transmitted to the Senate.

Explanation of Vote.

June 3, 1935.

TO WHOM IT MAY CONCERN: Explaining my vote against Assembly Bill No. 834, by Wright, on the 5 per cent Limitation Bill.

I believe that this bill will not allow political subdivisions to carry on relief and SERA worthy constructive projects which must be matched with Federal funds. Political subdivisions will have to vote bonds for relief if the Board of Equalization denies the expenditures.

Sincerely submitted. CHAS. J. WAGNER.

Assembly Bill No. 941—An act to amend section 428 of the Fish and Game Code and to add thereto sections 428.5 and 428.6, relating to sporting fishing licenses, and the disposition of fees therefrom.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Hornblower:

Amendment No. 1.

On page 2, line 7, of the printed bill, after the comma, strike out the comma, and all of line 8, and insert a period.

Amendment adopted.

Request for Unanimous Consent.

Mr. Redwine asked for, and was granted, unanimous consent to take up Assembly Bill No. 941, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 941, as Amended.

Assembly Bill No. 941, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 941, as amended, passed by the following vote:

AYES—Anderson, Andreas, Breed, Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller, Morgan, Nielsen, O'Donnell, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Turner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—46.

NOES—Boyle, Burns, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Heisinger, Hunt, Jones, Laughlin, Lore, McCarthy, McMurray, Meehan, Patterson, Pelletier, Reaves, Richie, Rosenthal, Voigt, Wagner, and Weber—23.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2176—An act to amend section 1065 of the Fish and Game Code, relating to sardines.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2176 passed by the following vote:

AYES—Anderson, Breed, Burns, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—65.

NOES—Flint, McCarthy, and Richie—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2477—An act to amend the title and sections 1, 2 and 5, and to repeal sections 4 and 6 of an act entitled "An act to create the office of public defender, to provide for the election of such officers, and prescribing their duties and compensation," approved May 26, 1921, relating to public defenders.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 2477 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Assembly Bill No. 2479—An act to add a new section, to be numbered 1582, to the Streets and Highways Code, relating to county highway funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2479 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—73.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 745—An act to establish a system of planned economy in the State of California to the end of supplying human needs and comforts through the utilization of the natural resources of the State, the machinery of production, distribution and finance; providing for the administration and enforcement of this act; to provide penalties for the violation hereof; and to repeal all acts or parts of acts inconsistent herewith.

Withdrawal of Assembly Bill No. 745.

By order of the Speaker, Assembly Bill No. 745 was withdrawn from the file, and referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 716—An act to amend section 6 of, and to add section 24 to the act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or town; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act," approved May 15, 1933, relating to outdoor advertising.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 716 refused passage by the following vote:

AYES—Breed, Cassidy, Cottrell, DeLap, Fisher, Geyer, Gilbert, Hawkins, Johnson, Lore, Mayo, Turner, Wallace, Williamson, and Mr. Speaker—15.

NOES—Anderson, Andreas, Boyle, Brennan, Burns, Chatters, Corwin, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Flint, Frazier, Fulcher, Garibaldi, Glover, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lyon, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen,

O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Voigt, Wagner, Walker, Waters, Weber, and Wright—51.

Assembly Bill No 1126—An act to amend sections 3, 6, and 8 of an act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act," approved May 15, 1933, relating to regulation of outdoor advertising.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1126 refused passage by the following vote:

AYES—Anderson, Donihue, Fisher, Flint, Geyer, Gilbert, Glover, Hawkins, Johnson, Latham, Laughlin, Lore, Meehan, Miller, Nielsen, Patterson, Pelletier, Reaves, Richie, Robertson, Rosenthal, Thorp, Turner, Voigt, Wagner, and Wallace—26.

NOES—Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Fulcher, Garibaldi, Heisinger, Hornblower, Hunt, Kallam, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Morgan, O'Donnell, Peterson, Phillips, Redwine, Riley, Stream, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—41.

Assembly Bill No. 20—An act relating to the advocacy of the overthrow of the existing form of government by force or other unlawful means.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Martin:

Amendment No. 1.

On page 2 of the printed bill, as amended in the Assembly May 30, 1935, strike out all from line 5 to line 9, inclusive.

Amendment No. 2.

On page 2, line 10, of the printed bill, as amended in the Assembly May 30, 1935, change "(b)", to "(a)".

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 157—An act to add a new section to the Penal Code, to be numbered 368b, relating to the safe manning of railroad engines.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Hornblower:

Amendment No. 1.

On page 1, line 11, of the printed bill, as amended, after the word "company", strike out the comma, and insert in lieu thereof the following: "operating as a common carrier and subject to regulation by the Railroad Commission of the State of California and every".

Amendment No. 2.

On page 1, line 12, of the printed bill, as amended, after the word "of", strike out the word "a", and insert in lieu thereof the word "such".

The question being on the amendments submitted by Mr. Hornblower to Assembly Bill No. 157.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Hornblower.

The roll was called, and the amendments were adopted by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Crowley, Dawson, DeLap, Desmond, Donnelly, Fisher, Fulcher, Glover, Hornblower, Johnson, Lore, Lyon, Maloney, Mayo, McBride, McMurray, Meehan, Morgan, Nielsen, O'Donnell, Peterson, Riley, Roberston, Stream, Thorp, Walker, Waters, Weber, Williamson, and Mr. Speaker—39.

NOES—Anderson, Cunningham, Donihue, Flint, Garibaldi, Geyer, Gilbert, Hawkins, Heisinger, Hunt, Jones, Kallam, Latham, Laughlin, Martin, McCarthy, Patterson, Pelletier, Reaves, Rosenthal, Turner, Wagner, Wallace, and Wright—24.

Request for Unanimous Consent.

Mr. Hunt asked for, and was granted, unanimous consent to take up Assembly Bill No. 157, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 157, as Amended.

Assembly Bill No. 157, as amended, read third time.

The question being on the passage of the bill.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Hunt moved a call of the House.

Motion carried.

Time, four o'clock and fifty-five minutes p m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—73.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Latham:

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add section 331 to the Political Code, relating to the construction of statutes fixing or authorizing the fixing of salaries.

Referred to Committee on Introduction of Bills.

By Mr. Utt:

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend sections 105, 106, 109 and 111 of the Vehicle Code, relating to the Department of Motor Vehicles.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1935.

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend sections 105, 106, 109 and 111 of the Vehicle Code, relating to the Department of Motor Vehicles.

CUNNINGHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to add section 331 to the Political Code, relating to the construction of statutes fixing or authorizing the fixing of salaries.

CUNNINGHAM, Chairman.

Reports of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the reports.

The question being on the adoption of the reports.

The roll was called, and the reports adopted by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Cassidy, Corwin, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riche, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—63.

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

By Mr. Utt: Assembly Bill No. 2484—An act to amend sections 105, 106, 109 and 111 of the Vehicle Code, relating to the Department of Motor Vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Mr. Latham: Assembly Bill No. 2485—An act to add section 331 to the Political Code, relating to the construction of statutes fixing or authorizing the fixing of salaries.

Bill read first time, and referred to Committee on Judiciary.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1609—An act to repeal section 645 of the Penal Code, relating to carnal abuse.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1609 passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Cassidy, Cottrell, Cunningham, Dawson, DeLap, Domhue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Robertson, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Motion to Strike Assembly Bill No. 2216 from File.

Mr. Richie moved that Assembly Bill No. 2216 be stricken from the file.

Motion carried.

Assembly Bill No. 2216 ordered stricken from the file.

Assembly Bill No. 1581—An act to amend the Insurance Code, relating to insurance principles, practice and business, and matters incidental thereto.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Scudder:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "section 38 of", and insert in lieu thereof the following: "sections 38 and 11741 of, and to add section 11557.5 to,".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 3 and 4 of the title, and insert in lieu thereof the following: "principles, practice and business, and matters incidental thereto, particularly including notice, and revocation and suspension of certificates of authority."

Amendment No. 3.

On page 1 of the printed bill, as amended, after line 9, add the following:

"SEC. 2. A new section is hereby added to the Insurance Code, to be numbered 11557.5 and to read as follows:

11557.5. Whenever the liability or compensation loss reserves of any insurer, computed pursuant to this article, are insufficient in value to conform to the requirements of this article, the commissioner shall suspend or revoke the certificate of authority of such insurer.

SEC. 3. Section 11741 of the Insurance Code is hereby amended to read as follows:

11741. The commissioner shall, after hearing, suspend or revoke any insurer's certificate of authority to write liability, workmen's compensation and common carrier liability insurance for violating any of the provisions of this article."

Amendments adopted.

Request for Unanimous Consent.

Mr. Scudder asked for, and was granted, unanimous consent to take up Assembly Bill No. 1581, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1581, as Amended.

Assembly Bill No. 1581, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1581, as amended, passed by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Cassidy, Corwin, Cottrell, Crowley, Dawson, DeLap, Donihue, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Glover, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Redwine, Riley, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—53.

NOES—Evans, Ralph W., Flint, Geyer, Lore, McCarthy, and Reaves—6.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2240—An act relating to aid to needy children; prescribing rules of eligibility for aid; empowering the State Department of Social Welfare to supervise the enforcement of this act; making an appropriation for the carrying out of the provisions of this act, and prescribing penalties for the violation hereof; and repealing Chapter 2a of Part 3, Title V, of the Political Code, comprising sections 2283 to 2290, inclusive; and to repeal Chapter 2a of Article 3, Part 3, Title V, of the Political Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2240 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1053—An act requiring the compilation and publication of reports relative to the financial condition of the municipal corporations within the State.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. DeLap:

Amendment No. 1.

On page 1, line 13, of the printed bill, as amended, after the word "Within", strike out the word "sixty", and insert in lieu thereof the word "ninety".

Amendment adopted.

Request for Unanimous Consent.

Mr. DeLap asked for, and was granted, unanimous consent to take up Assembly Bill No. 1053, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1053, as Amended.

Assembly Bill No. 1053, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1053, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Corwin, Cottrell, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Field, Fisher, Fulcher, Garibaldi, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Rosenthal, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—60.

NOES—O'Donnell—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the House Dispensed With.

At five o'clock and twenty minutes p m., further proceedings under the call of the House were dispensed with, on motion of Mr. Hunt.

The roll of absentees was called, and Assembly Bill No. 157, as amended, refused passage by the following vote:

AYES—Anderson, Burns, Cassidy, Chatters, Clark, Crowley, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Thorp, Turner, Voigt, Wagner, Welsh, and Williamson—39.

NOES—Andreas, Boyle, Breed, Brennan, Corwin, Cottrell, Cunningham, Dawson, DeLap, Desmond, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Johnson, Kallam, Latham, Lyon, McBride, McMurray, Minard, Morgan, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Stream, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—37

Notice of Reconsideration of Assembly Bill No. 157.

Mr. Hunt gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 157 was this day refused passage.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Financial Institutions.

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1935.

MR SPEAKER: Your Committee on Financial Institutions, to which was referred Assembly Bill No. 2442—An act relating to rates of interest—has had the same under consideration, and respectfully reports the same back without recommendation, as amended

UTT, Chairman.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2442—An act relating to rates of interest.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after the word "interest", add the following "and charges which may be made in connection with loans."

Amendment No. 2.

On page 1, line 2, of the printed bill, after the word "partnerships", insert the following: ", and the classes and kinds of business".

Amendment No. 3.

On page 1, line 3, of the printed bill, strike out the following: "excepting pawn", and strike out all of lines 4, 5, 6, 7 and 8, and insert in lieu thereof the following: "shall not charge or receive from".

Amendment No. 4.

On page 1, line 9, of the printed bill, after the word "more", insert the word "interest".

Amendment No. 5.

On page 1, line 10, of the printed bill, after the period, add the following

"Other than such interest, the said exempted classes shall not directly or indirectly charge or receive any fee, bonus, commission, discount, brokerage, or other compensation in connection with any such loan or forbearance.

SEC. 2 *In those instances, however, where real property is offered as security* and the lender requires an appraisal thereof a charge may be made against the borrower for any appraisal actually made but such charge when made by the lender shall not exceed the actual cost thereof to the lender less any rebates, commissions, or other compensation moving from the appraiser to the lender in connection with said appraisal, and when a charge is made by the appraiser against the borrower, the appraiser shall not pay to the lender and the lender shall not receive, any commission, rebate or other compensation in connection therewith

SEC 3. In those instances where the lender requires insurance in connection with a loan, a charge may be made against the borrower for the premiums on any insurance policy actually written and delivered but such charge when made by the lender shall not exceed the actual cost thereof to the lender less any rebates, commissions or other compensation moving to the lender in connection therewith, and when a charge for such insurance premium is made against the borrower by any person other than the lender, such other person shall not pay to the lender and the lender shall not receive any commission, rebate or other compensation in connection therewith."

Amendment No. 6.

On page 1 of the printed bill, strike out all of lines 11 to 27, inclusive.

Amendment No. 7.

On page 2, line 29, of the printed bill, after the period, add the following: "The lender shall have no right to collect the principal, interest, or any charges whatsoever on any loan made in violation of the terms of this act."

Amendment No. 8.

On page 2 of the printed bill, at the end of the bill, add the following:

"SEC. 7 If any law or laws have been or shall be passed after January 1, 1935, special and peculiar to any one or more of the persons, firms, corporations, associations and partnerships or the various classes and kinds of business exempted from the limitations and restrictions of section 22 of Article XX of the Constitution and such law or laws fix limitations or restrictions different from those provided herein, then such special and peculiar laws shall control over the provisions hereof. However, in the event of a violation of the limitations or restrictions contained in any such special or peculiar law or laws, the rights, remedies and penalties provided in sections 5 and 6 hereof shall be applicable and be accumulative and in addition to all other rights, remedies and penalties by law provided.

SEC 8 If any section, subsection, paragraph, sentence, clause, phrase or the rate of interest contained in this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No 2454—An act to add sections 4060 to 4060.53 inclusive, to the Political Code, and to amend section 3714 of said code, relating to the fiscal affairs of counties, cities and counties, and districts, including budgeting, accounting, reporting and auditing.

Committee Amendments.

During third reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out the words "school districts", and the word "other".

Amendment No. 2.

On page 1, line 13, of the printed bill, strike out the words "school districts", and the word "other".

Amendment No. 3.

On page 1, line 20, of the printed bill, following the period, insert the following "It is expressly provided that school districts shall be governed by the provisions of this act solely for the purpose of incorporating in the tabulation of county and district finances required to be published as stipulated in this act, the probable revenues to be derived by each district from each source, and the proposed disbursements to be made by the district for each major classification of said disbursements, as indicated in the budget of the district submitted for the school year on the budget forms prescribed by the Superintendent of Public Instruction as required by the School Code."

Amendment No. 4.

On page 2, line 22, of the printed bill, following the first comma, insert the words "school districts".

Amendment No. 5.

On page 2, line 23, of the printed bill, strike out the words "school districts, other".

Amendment No. 6.

On page 2, line 27, of the printed bill, strike out the period, and in lieu thereof insert a comma, and add the following: "provided, however, that the term "office" or "agency" shall not be understood to mean any revenue producing utility district as defined in section 3714b of the Political Code, nor shall the provisions of this act apply to said districts, nor to water districts or water conservation districts It is expressly provided that the provisions of this article shall apply to school districts solely for the purpose specified in section 1 of this act."

Amendment No. 7.

On page 3, line 22, of the printed bill, strike out the words "estimates shall be", and strike out all of lines 23 to 27, inclusive, and insert in lieu thereof the following: "the approved budget shall be filed by the county superintendent of schools in accordance with the requirements of the School Code."

Amendment No. 8.

On page 4, line 22, of the printed bill, strike out the period, and insert in lieu thereof the following: "; provided, that in the case of school districts the tabulation shall include the amounts of estimated income and proposed expenditures according to the major classifications included in the school district budget form prescribed by the Superintendent of Public Instruction for use in all school districts as required by the School Code."

Amendment No. 9.

On page 4, line 23, of the printed bill, following the word "tabulation", insert the following: "including data relating to such school districts as may have filed budgets with the county superintendent of schools on or before this date,".

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Recess.

At five o'clock and twenty-five minutes p.m., on motion of Mr. Cottrell, the Assembly was declared at recess until eight o'clock and thirty minutes p.m. of this day.

Reassembled.

At eight o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Craig in the chair.

Motion to Print in Journal.

The following resolution was ordered printed in the Journal:

(COPY)

The following resolution was presented to and passed by the 32nd Annual Encampment delegates of the United Spanish War Veterans, Department of California, May 22, 1935.

WHEREAS, Rector Canyon Dam is the source of the water supply for four (4) State institutions located in the Napa Valley, i. e., the State Farm, the State Game Farm, the Veterans' Home, and the Napa State Hospital for the Insane; and

WHEREAS, For several years extensions and additions to these institutions have been a drain on this water supply, until it is now inadequate to fully meet the demands upon it; and

WHEREAS, The water shortage at these institutions creates a fire hazard because buildings of wooden construction of many years ago are used and occupied as dormitories by human beings; and

WHEREAS, Plans have been prepared, submitted, and approved for increasing the water capacity of Rector Canyon Dam, but the necessary appropriation has not been made by the State Legislature for such necessary construction work; now therefore, be it

Resolved, That the United Spanish War Veterans in Department Encampment assembled at Berkeley, California, May 19-22, do most urgently appeal to the State Legislature now in session at Sacramento, to appropriate the necessary moneys to construct such necessary additions to Rector Canyon Dam, to insure an adequate water supply to meet the requirements of the State institutions dependent upon the source of water supply; and be it further

Resolved, That copies of this resolution be sent to Governor Frank F. Merriam, State Senator Frank Gordon and Assemblyman Ernest Crowley, the two local representatives of the district in which these State Institutions are located.

M. W. SELLER,
Past Department Commander, U. S. W. V.
FRANK J. ZIEGLER, Department Commander.
A. C. MUNSON, Adjutant.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 767—An act to amend sections 2, 2½, 3, 4, 10, 13, 14, 18½ and 21, to add section 24, and to repeal sections 5 and 9 of the Old Age Security Act of the State of California, relating to aid to the aged—and reports that the same has been correctly re-re-re-re-engrossed.

FRANK J. WATERS, Chairman.

The above reported bill ordered on file for third reading.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1935.

MR SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 2464—An act to provide for the payment of delinquent taxes with farm products—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No 465—An act to provide for the establishment of a code or codes of fair competition for the meat industry—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading.

On Public Health and Quarantine.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1935.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 263—An act to add section 6a to an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, relating to habit-forming, narcotic and other dangerous drugs—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

KALLAM, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1935

MR SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 287—An act relating to the adoption of codes of fair competition for certain trades and industries within this State;

Also: Senate Bill No. 464—An act to amend section 3051 of the Civil Code, relating to liens;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

LYON, Chairman.

The above reported bills ordered on file for second reading.

On Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1935.

MR. SPEAKER: Your Committee on Corporations, to which was referred Assembly Bill No. 1663—An act to amend sections 21, 25 and 26 of, to add sections 26a and 26b to, and to repeal section 28 of the Corporate Securities Act, relating to taxation, fees and the disposition of moneys—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

BREED, Chairman.

The above reported bill ordered on file for second reading.

Leave of Absence.

On motion of Mr. Evans, Ralph W., Mr. O'Donnell was granted leave of absence for the balance of this legislative day.

Second Reading of Senate Bills—(Resumed).

Senate Bill No. 405—An act to provide for the establishment of a code or codes of fair competition for the meat industry.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 263—An act to add section 6a to an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, relating to habit-forming, narcotic and other dangerous drugs.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 287—An act relating to the adoption of codes of fair competition for certain trades and industries within this State.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 464—An act to amend section 3051 of the Civil Code, relating to liens.

Bill read second time, and ordered on file for third reading.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2464—An act to provide for the payment of delinquent taxes with farm products, creating the California Farm Delinquent Tax Adjustment Commission, defining its powers and duties and declaring the urgency thereof to take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 14, of the printed bill, as amended, strike out "fifteen members to be", and insert in lieu thereof the following: "seven members, including the Director of Agriculture, the State Controller, and the State Relief Administrator serving ex officio and four members to be".

Amendment No. 2.

On page 2, line 17, of the printed bill, as amended, strike out the period, and insert in lieu thereof a comma and the following: "but shall be allowed their actual necessary traveling expenses arising out of performance of their duties as members of the commission."

Amendment No. 3.

On page 2, line 21, of the printed bill, as amended, strike out "enabling", and insert in lieu thereof the following: "allowing".

Amendment No. 4.

On page 2, line 33, of the printed bill, as amended, after the period, insert the following: "The commission may call upon any and all officers, agencies, departments, bureaus, boards and commissions of the State for information or assistance in performing its duties pursuant to this act, and all such officers, agencies, departments, bureaus, boards and commissions shall render such assistance pursuant to such call."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading:

Assembly Bill No. 1663—An act to amend sections 21, 25, and 26 of, to add sections 26a and 26b to, and to repeal section 28 of the Corporate Securities Act, relating to taxation, fees and the disposition of moneys.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following.

"An act to amend section 26 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations,'" approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities", relating to fees."

Amendment No. 2.

On page 1 of the printed bill, strike out all of lines 1 to 26, inclusive.

Amendment No. 3.

On page 2 of the printed bill, strike out all of lines 1 and 2.

Amendment No. 4.

On page 2, line 3, of the printed bill, preceding the word "Section", strike out "3", and insert in lieu thereof "1".

Amendment No. 5.

On page 2 of the printed bill, strike out all of lines 5, 6 and 7, and insert in lieu thereof the following:

"SEC. 26. The commissioner shall charge and collect the following fees ".

Amendment No. 6.

On page 2, line 8, of the printed bill, strike out the word "Filing", and insert in lieu thereof the following: "For filing".

Amendment No. 7.

On page 2, line 9, of the printed bill preceding the word "dollars", strike out the following ", ten", and insert in lieu thereof the following: "(except certificates of deposit or any guarantee of any security, both of which are covered in paragraphs ten and eleven of this section 26), fifteen".

Amendment No. 8.

On page 2, line 10, of the printed bill, strike out the words "One-twentieth", and insert in lieu thereof the following: "Fifteen one-hundredths".

Amendment No. 9.

On page 2, line 12, of the printed bill, following the word "over", strike out the word "twenty", and insert in lieu thereof the following: "five".

Amendment No. 10.

On page 2, line 14, of the printed bill, strike out the words "One twenty-fifth", and insert in lieu thereof the following: "Five one-hundredths".

Amendment No. 11.

On page 2, line 17, of the printed bill, strike out the words "One-fiftieth", and insert in lieu thereof the following: "Three one-hundredths".

Amendment No. 12.

On page 2, line 22, of the printed bill, following the word "above", strike out the word "tax", and insert in lieu thereof the following: "fees".

Amendment No. 13.

On page 2, line 34, of the printed bill, following the word "therefor", strike out the following: ". Until", and insert in lieu thereof the following: "; provided, however, until".

Amendment No. 14.

On page 3, line 4, of the printed bill, preceding the word "as", strike out the words "Having the commissioner act", and insert in lieu thereof the following: "For acting".

Amendment No. 15.

On page 3, line 7, of the printed bill, preceding the word "any", strike out the word "Filing", and insert in lieu thereof the following: "For filing".

Amendment No. 16.

On page 3, line 9, of the printed bill, preceding the word "after", strike out the word "If", and insert in lieu thereof the following: "Provided, however, that if".

Amendment No. 17.

On page 3, line 14, of the printed bill, following the words "payment of a", strike out the word "tax", and insert in lieu thereof the word "fee".

Amendment No. 18.

On page 3, line 22, of the printed bill, following the words "procedure and", strike out the word "tax", and insert in lieu thereof the word "fee".

Amendment No. 19.

On page 3, line 28, of the printed bill, preceding the word "any", strike out the word "Filing", and insert in lieu thereof the following: "For filing".

Amendment No. 20.

On page 3 of the printed bill, following line 29, insert the following:

"5. For any examination, audit, or investigation, the actual amount of the salary or other compensation paid to the person or persons making the examination, audit or investigation plus the actual amount of expenses, reasonably incurred in the performance of such work

6. For copies of papers and records not required to be certified or otherwise authenticated by the commissioner, ten cents for each folio.

7. For certified copies of official documents, orders and other papers filed in his office; for making and mailing copies of process served upon him under the provisions of section 24 of this act, and for transcript on appeal, fifteen cents for each folio and one dollar for each certificate under seal affixed thereto.

8. For certificate of service and mailing of process served upon the commissioner under the provisions of section 24 of this act, two dollars."

Amendment No. 21.

On page 3, line 47, of the printed bill, preceding the word "any", strike out the following: "5. Filing", and insert in lieu thereof the following: "9. For filing".

Amendment No. 22.

On page 4 of the printed bill, following line 2, insert the following:

"10. For filing any application for a permit to issue certificates of deposit, twenty-five dollars, plus a sum, as estimated by the commissioner, to cover the actual expense of noticing and holding any hearing held in connection therewith.

11. For filing any application for a permit to execute or issue any guarantee of any security, twenty-five dollars. No fees shall be charged or collected for copies of papers, records, or official documents furnished to public officers for use in their official capacity or for the reports of the commissioner in the ordinary course of distribution; but the commissioner may fix a reasonable charge for the publications issued under his authority."

Amendment No. 23.

On page 4 of the printed bill, strike out all of lines 9 and 10.

Amendment No. 24.

On page 4, line 11, of the printed bill, following the word "All", strike out the word "taxes", and insert in lieu thereof the following: "fees".

Amendment No. 25.

On page 4, line 12, of the printed bill, following the word "paid", strike out the word "monthly", and insert in lieu thereof the following: "at least once each week, accompanied by a detailed statement thereof,".

Amendment No. 26.

On page 4, line 14, of the printed bill, following the word "of", strike out the following: "the general", and insert in lieu thereof the following: "a"; and following the word "fund", insert the following: "to be known as the "Corporation Commission fund, which fund is hereby created."

Amendment No. 27.

On page 4, line 15, of the printed bill, strike out the words "in the", and strike out all of line 16.

Amendment No. 28.

On page 4 of the printed bill, strike out lines 17 to 51, inclusive.

Amendment No. 29.

On page 5 of the printed bill, strike out lines 1 to 10, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Explanation of Vote.

The following explanation of vote was ordered printed in the Journal:

June 3, 1935.

The undersigned members of the Assembly voted against concurrence in the Senate amendments to the Budget Bill for the following reasons:

One of the amendments added by the Senate was $24,000,000 to take care of estimated unemployment relief requirements for one year. Our government is run on a biennium basis and the budget is supposed to cover the expenditures necessary for two years.

Further, we have been informed by the Controller that in his opinion the administration taxation program will fall short of all requirements for the biennium by $50,000,000 to $60,000,000. In the face of these conditions, namely, insufficient provision for unemployment relief and an insufficient and, what we consider to be, an unfair, unjust taxation program, we could not lend our approval to what is being done in those respects.

We are opposed to the practice of later holding extra special sessions of the Legislature to raise revenues known to be necessary at the current regular session, on the grounds that such piecemeal imposition of the taxes can be only for the purpose of misleading the public as to the true extent of the tax burden it must bear.

We predict that before the expiration of the next fiscal biennium, additional taxes, most objectionable in their nature, will be levied under the plausible but false excuse that they are necessary to meet an unexpected, unforeseen, emergency condition

(Signed) WM. MOSELEY JONES.
LEE E. GEYER.
S. L. HEISINGER.
BEN ROSENTHAL.
RALPH W. EVANS.
H. DEWEY ANDERSON.
ERNEST O. VOIGT.
JOHN D. MCCARTHY.
JOHN GEE CLARK.
GENE FLINT.
ELLIS E. PATTERSON.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, May 30, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1112—An act to amend section 3627a of the Political Code, relating to the taxation of securities and solvent credits;

Also: Senate Bill No. 1115—An act to add section 1106b to the Political Code, relating to registration of voters.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 1112 read first time, and referred to Committee on Revenue and Taxation.

Senate Bill No. 1115 read first time, and referred to Committee on Elections.

Also:

SENATE CHAMBER, SACRAMENTO, June 1, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1780—An act to amend section 86 of the Agricultural Code, relating to agricultural fairs.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 1780 ordered to enrollment.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2020—An act to add a new section to the Penal Code to be numbered 476b, relating to printing, duplicating or imitating blank checks.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Chatters:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out all of lines 10 to 12, inclusive, and in line 13, the following: "cating or imitating be".

The question being on the amendment submitted by Mr. Chatters to Assembly Bill No. 2020.

Roll Call.

The Speaker ordered a roll call taken on the amendment submitted by Mr. Chatters.

The roll was called, and the amendment was adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Dawson, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Kallam, Lore, Maloney, Mayo, McCarthy, McMurray, Meehan, Miller, Nielsen, Patterson, Reaves, Richie, Robertson, Rosenthal, Scudder, Thorp, Voigt, Wagner, Walker, Wallace, Weber, Welsh, Williamson, Wright, and Mr. Speaker—49.

NOES—Cunningham, DeLap, Evans, Herbert J., Field, Geyer, Latham, Laughlin, Martin, Minard, Morgan, Phillips, Redwine, Riley, Stream, Turner, and Waters—16.

Request for Unanimous Consent.

Mr. Field asked for, and was granted, unanimous consent to take up Assembly Bill No. 2020, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2020, as Amended.

Assembly Bill No. 2020, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2020, as amended, passed by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—53

NOES—Boyle, Donihue, Evans, Ralph W., Flint, Geyer, Heisinger, Patterson, Reaves, Richie, Rosenthal, Voigt, and Welsh—12.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 76—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 9 of Article IX thereof, relating to a board of higher education.

Assembly Constitutional Amendment No. 76 read.

Floor Amendment.

During reading of Assembly Constitutional Amendment No. 76, the following amendment was submitted by Mr. Redwine:

Amendment No. 1.

On page 5 of the printed measure, as amended, strike out lines 24 to 29, inclusive.

Amendment adopted.

Request for Unanimous Consent.

Mr. Anderson asked for, and was granted, unanimous consent to take up Assembly Constitutional Amendment No. 76, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Constitutional Amendment No. 76, as amended, read.

Mr. Anderson moved the adoption of Assembly Constitutional Amendment No. 76, as amended.

Demand for Previous Question.

Messrs. Frazier, Dawson, Brennan, Fisher and Johnson demanded the previous question.

The question being put. Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of Assembly Constitutional Amendment No. 76, as amended.

The roll was called, and Assembly Constitutional Amendment No. 76, as amended, refused adoption by the following vote:

AYES—Anderson, Boyle, Clark, Cunningham, Evans, Ralph W., Field, Flint, Geyer, Gilbert, Glover, Hawkins, Jones, Latham, Laughlin, Lore, Lyon, Martin, McCarthy, Miller, Morgan, Patterson, Pelletier, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Turner, Voigt, Wagner, and Wright—33.

NOES—Andreas, Breed, Brennan, Cassidy, Chatters, Corwin, Cottrell, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Heisinger, Hornblower, Johnson, Kallam, Maloney, Mayo, McBride, McMurray, Meehan, Minard, Nielsen, Peterson, Peyser, Phillips, Scudder, Thorp, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—41.

Explanation of Vote.

June 3, 1935.

TO WHOM IT MAY CONCERN: My vote on the congressional representation on the Board of University Regents was based on the idea that our congressional districts are allocated on population representation.

I do know that many districts have no representation and pay the taxes to support these institutions.

I believe that we should have laymen and farm interests represented and not special political interests in control of our universities.

Sincerely submitted.

CHARLES J. WAGNER.

Assembly Bill No. 1074—An act to amend section 3617 of the Political Code, relating to the definition of terms for purposes of taxation.

Bill read third time.

Demand for Previous Question.

Messrs. Morgan, Wallace, Desmond, McMurray and DeLap demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Fisher moved a call of the House.

Roll Call.

The Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Desmond, Donahue, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Rosenthal, Thorp, Turner, Wagner, Walker, Wallace, Waters, Weber, and Welsh—54.

NOES—Brennan, Dawson, DeLap, Field, Frazier, Kallam, Latham, McBride, Minard, Robertson, Scudder, Stream, Voigt, Williamson, Wright, and Mr. Speaker—16.

Time, ten o'clock and thirty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Dawson, DeLap, Desmond, Donahue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—70

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Motion to Withdraw Assembly Bill No. 2019.

Mr. Peyser moved that the Assembly withdraw Assembly Bill No. 2019 from the Senate for further consideration.

Motion carried.

Third Reading of Assembly Bills—(Resumed).

Assembly Constitutional Amendment No. 17—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending section 34a of Article IV and section 15 of Article XIII thereof, relating to taxes on real property according to the value thereof.

Assembly Constitutional Amendment No. 17 read.

Mr. Waters moved the adoption of Assembly Constitutional Amendment No. 17.

The question being on the adoption of Assembly Constitutional Amendment No. 17.

The roll was called, and Assembly Constitutional Amendment No. 17 refused adoption by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Corwin, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fulcher, Garibaldi, Heisinger, Hunt, Latham, Lyon, Martin, Morgan, Nielsen, Patterson, Pelletier, Phillips, Redwine, Riley, Stream, Thorp, Walker, Waters, Wright, and Mr. Speaker—36.

NOES—Anderson, Chatters, Clark, Dawson, Fisher, Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Mayo, McCarthy, McMurray, Miller, Minard, Peyser, Reaves, Richie, Robertson, Rosenthal, Scudder, Turner, Wagner, Wallace, Weber, Welsh, and Williamson—34.

Notice of Reconsideration of Assembly Constitutional Amendment No. 17.

Mr. Waters gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 17 was this day refused adoption.

Assembly Bill No. 2403—An act to amend sections 737j and 737bbb of the Political Code, relating to salaries of superior court judges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2403 passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Chatters, Corwin, Crowley, Cunningham, Dawson, DeLap, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Gilmore, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Pelletier, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—48.

NOES—Anderson, Cassidy, Cottrell, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, McCarthy, Reaves, Richie, and Rosenthal—20

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2415—An act to authorize the State Treasurer to accept, on behalf of the State of California, the sum of one million dollars, together with any interest that may be due thereon, and other sums from the California Olympiad Commission, or any committee thereof, for the benefit of State hospitals and inmates thereof.

Bill read third time.

Demand for Previous Question.

Messrs. Lore, Morgan, Wallace, Boyle and Flint demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2415 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Tur-

ner, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—71.
NOES—Latham and Lyon—2.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2471—An act to add to Division I of the Streets and Highways Code a new chapter 3a, comprising sections 750 to 754, inclusive, to provide for the conservation, development and maintenance of the scenic value along State highways and important county highways.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2471 passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Garibaldi, Gilmore, Heisinger, Hornblower, Johnson, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—58.
NOES—Anderson, Evans, Ralph W., Flint, Geyer, Hawkins, Jones, Lore, McCarthy, and Pelletier—9.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1874—An act to amend section 26 of an act entitled "An act to control, license, and regulate the manufacture, transportation, sale, purchase, possession and disposition of wine, beer, and intoxicating liquor; to make an appropriation therefor; and to provide penalties for the violation thereof," approved June 3, 1933, relating to persons holding an interest in "on sale" or "off sale" licenses.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Boyle:

Amendment No. 1.

On page 1, line 10, of the printed bill, strike out "or "off sale," ".

Amendment No. 2.

On page 1 of the printed bill, after line 14, add the following:
"No person who owns any interest in any business or occupation in respect to which a brewery or distillery license is issued, or who is an officer, employee or agent thereof, and no importer or wholesale dealer, or any officer, director or employee of such importer or wholesale dealer or any person who owns any interest in the business of such importer or wholesale dealer shall acquire, hold or have any interest either directly or indirectly in the business of any "off sale" licensee, nor in the furniture and fixtures on the premises wherein the business of such licensee is conducted; nor shall any such person indorse, guarantee or stand surety for a lease or any other obligation of such licensee."

Amendments adopted.

Request for Unanimous Consent.

Mr. Boyle asked for, and was granted, unanimous consent to take up Assembly Bill No. 1874, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1874, as Amended.

Assembly Bill No. 1874, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1874, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Wagner, Walker, Wallace, Weber, Welsh, Williamson, Wright, and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the House Dispensed With.

At eleven o'clock and thirty-five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Fisher.

The roll of absentees was called, and Assembly Bill No. 1074 was refused passage by the following vote:

AYES—Anderson, Andreas, Burns, Chatters, Clark, Corwin, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Johnson, Jones, Laughlin, Lore, McCarthy, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, Walker, Wallace, and Waters—37.

NOES—Boyle, Breed, Brennan, Cassidy, Cottrell, Crowley, Cunningham, Dawson, DeLap, Evans, Herbert J., Field, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Hunt, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Minard, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Weber, Welsh, Williamson, Wright, and Mr. Speaker—40.

Third Reading of Senate Bills—(Resumed).

Senate Joint Resolution No. 21—Relative to exemption from taxation of bonds issued by governmental agencies and memorializing the President and Congress of the United States to take immediate steps for the termination of the exemption of such securities from taxation.

Senate Joint Resolution No. 21 read.

Mr. Stream moved the adoption of Senate Joint Resolution No. 21.

The question being on the adoption of Senate Joint Resolution No. 21.

The roll was called, and Senate Joint Resolution No. 21 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—63.

NOES—Breed—1.

Title read and approved.

Senate Joint Resolution No. 21 ordered transmitted to the Senate.

Senate Joint Resolution No. 21.

Relative to exemption from taxation of bonds issued by governmental agencies and memorializing the President and Congress of the United States to take immediate steps for the termination of the exemption of such securities from taxation.

WHEREAS, The exemption from taxation of bonds issued by the Federal, State and local governments has progressed to such a point that there are now outstanding tax exempt securities of this character amounting to the aggregate par value of approximately $45,000,000,000; and

WHEREAS, Such securities are owned and held by a very small percentage of the population of the country and there results a great and most unjust disproportion in the bearing of the cost of government as between the owners and holders of various types and classes of property; and

WHEREAS, It is a fundamental principle of government that one group or class should not be favored as are the owners of these tax exempt securities, and all persons enjoying the order and protection which government affords should share fairly equally and equitably in bearing the cost of government; now, therefore, be it

Resolved by the Senate and Assembly of the State of California jointly, That the Legislature of this State hereby memorialize the President and Congress of the United States to consider and enact such legislation and to propose such amendment or amendments to the Constitution of the United States as may be found suitable and appropriate effectively to prevent the further exemption from taxation of any and all bonds and other evidences of indebtedness issued by the Federal, State and local governments, to the fullest extent that the President and the Congress may have power so to do, and that the members of the Senate and of the House of Representatives from California are hereby urged and requested to use all honorable means in furtherance of the consideration and enactment of such legislation; and be it further

Resolved, That copies of this resolution be forthwith transmitted to the President of the United States, the President of the Senate, the Speaker of the House of Representatives and the members of the House and Senate from the State of California.

Report of Committee on Free Conference.

The following report of Committee on Free Conference was received and read:

Concerning Assembly Bill No. 816.

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1935.

MR. PRESIDENT. Your Committee on Free Conference concerning Assembly Bill No. 816—An act relating to shares of insured Federal savings and loan associations, and building and loan associations, as legal investments for trust and other funds—reports that it has met a like committee of the Senate, consisting of Senators Fletcher, Knowland and Olson, and reports that the Committee on Free Conference has agreed to recommend that the Assembly concur in the Senate amendments.

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended in Assembly May 11, 1935, after the word "associations", insert the following: ", and building and loan associations,".

Amendment No. 2.

On page 1 of the printed bill, as amended in Assembly May 11, 1935, strike out all of lines 1 to 12, inclusive, and insert in lieu thereof the following:

"SECTION 1. All shares issued by any duly chartered Federal savings and loan association shall be legal investments for the funds of executors, administrators, guardians, and trustees of every kind and nature and for the funds of all insurance companies, cemetery associations and savings banks; *provided such association shall* be an "insured institution" as defined in Title IV of the National Housing Act."

Amendment No. 3.

On page 1 of the printed bill, as amended in Assembly May 11, 1935, between lines 12 and 13, insert a new section to be known as section 2, to read as follows:

"SEC. 2. All shares issued by any building and loan association duly licensed to transact business by the Building and Loan Commissioner of this State shall be legal investments for the funds of executors, administrators, guardians, and trustees of every kind and nature and for the funds of all insurance companies and of all cemetery associations; provided such association shall be an "insured institution" as defined in Title IV of the National Housing Act; and, provided further, that such association shall not have any investment certificates outstanding issued or assumed by such association."

Amendment No. 4.

On page 1, line 13, of the printed bill, as amended in Assembly May 11, 1935, strike out the numeral "2", and insert in lieu thereof the numeral "3".

Amendment No. 5.

On page 1, line 18, of the printed bill, as amended in Assembly May 11, 1935 after the comma following "panics", insert the following: "cemetery associations".

Amendment No. 6.

On page 1, line 22, of the printed bill, as amended in Assembly May 11, 1935, strike out the numeral "3", and insert in lieu thereof the numeral "4".

MARTIN.
SCUDDER.
WALKER.
Assembly Committee on Free Conference.

FLETCHER.
KNOWLAND.
Senate Committee on Free Conference

Report of Committee on Free Conference concerning Assembly Bill No. 816 read.

Mr. Martin moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report was refused adoption by the following vote:

AYES—Burns, Chatters, Corwin, Cottrell, Cunningham, DeLap, Evans, Herbert J., Field, Frazier, Fulcher, Garibaldi, Hunt, Latham, Maloney, Martin, McBride, Miller, Minard, Morgan, Nielsen, Peterson, Phillips, Redwine, Riley, Stream, Walker, Williamson, Wright, and Mr. Speaker—29.

NOES—Anderson, Boyle, Breed, Cassidy, Clark, Crowley, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Jones, Laughlin, Lore, McCarthy, McMurray, Meehan, Patterson, Pelletier, Peyser, Reaves, Richie, Robertson, Rosenthal, Turner, Voigt, Wagner, Wallace, Waters, and Weber—40.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced:

By Messrs. Maloney, Hornblower, Peyser, Cronin, Brennan, McMurray, Dawson, Williamson, and DeLap: Assembly Concurrent Resolution No. 46—Relative to adjournment out of respect to the memory of James Rolph, Jr.

Request for Unanimous Consent.

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 46, at this time, without reference to printer, committee or file, and that same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 46.

Assembly Concurrent Resolution No. 46—Relative to adjournment out of respect to the memory of James Rolph, Jr.

Resolution read, and adopted unanimously.

Assembly Concurrent Resolution No. 46.

WHEREAS, On June 2, 1934, one year ago, there was taken from this earthly sphere of activity, one who was honored and loved by the people of California; and

WHEREAS, His kindly spirit, respect for humanity, and his love for his fellow man, won for him the esteem and confidence of the citizens of the City and County of San Francisco, his birthplace, and the people of this great State; and

WHEREAS, While it was God's wish that he be taken from this world, to receive his just reward for his many kind deeds toward his fellow man while living; now, therefore, be it

Resolved, by the Assembly of the State of California, the Senate concurring, That when we adjourn today, we do so out of respect to the memory of the late Governor of the State of California, James Rolph, Jr.; and be it further

Resolved, That a suitably engrossed copy of this resolution be sent to the family of the late Governor James Rolph, Jr.

Adjournment.

At eleven o'clock and fifty-five minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until twelve o'clock and one minute a.m., Tuesday, June 4, 1935, out of respect to the memory of the late Governor James Rolph, Jr.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, June 4, 1935.

At twelve o'clock and one minute a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—78.

Quorum present.

Prayer.

Prayer was offered by Miss Eleanor Miller, member of the Assembly.

Oh God, our Father, we come to Thee at this midnight hour, with the opening of this, another day, to give Thee thanks for Thy protecting care over our lives and to pray for Thy guidance as we proceed with the work which has been committed into our hands. Help us that we may do all as in Thy sight. We ask it in the name of Christ, our Redeemer. Amen.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Hornblower, its further reading was dispensed with.

Leave of Absence.

On motion of Mr. Welsh, Mr. Utt was granted leave of absence for the day.

Privilege of Floor of Assembly Extended.

On request of Mr. Gilbert, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Earl E. Jensen of Los Angeles.

Third Reading of Assembly Bills.

Assembly Bill No. 244—An act to amend section 653e of the Penal Code, relating to the blacklisting of employees.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Hornblower:

Amendment No. 1.

On page 2, line 7, of the printed bill, after the word "be", insert the following: "Substantial".

Amendment adopted.

Request for Unanimous Consent.

Mr. McMurray asked for, and was granted, unanimous consent to take up Assembly Bill No. 244, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 244, as Amended.

Assembly Bill No. 244, as amended, read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 244, as amended, passed by the following vote:

AYES—Anderson, Boyle, Brennan, Chatters, Clark, Cottrell, Crowley, Cunningham, DeLap, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Heisinger, Hornblower, Hunt, Jones, Kallam, Laughlin, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Morgan, Nielsen, Patterson, Peterson, Reaves, Redwine, Richie, Robertson, Stream, Turner, Voigt, Wagner, Walker, Waters, Williamson, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Senate Bills.

Senate Bill No. 720—An act to amend the Vehicle Code by amending sections 223, 225, 226, and 296; by repealing sections 292, 293, and 304; by adding sections 292, 298, and 304, relating to vehicles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 720 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Chatters, Clark, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Garibaldi, Geyer, Gilbert, Glover, Heisinger, Hornblower, Hunt, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Phillips, Redwine, Richie, Robertson, Stream, Turner, Voigt, Wagner, Walker, Waters, Williamson, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 788—An act to amend the Vehicle Code by amending sections 511, 517, 526, 527, 530, 531, 543, 544, 545, 552, 570, 571, 585, 586, 587, 596, 600, 694, and 696; by repealing sections 534 and 589; by adding sections 542, 588 and 603, relating to vehicles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 788 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Chatters, Clark, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Heisinger, Hornblower, Hunt,

Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Walker, Waters, Weber, Williamson, and Mr. Speaker—58.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 789—An act to amend the Vehicle Code by amending sections 113, 114, 115, 121, 123, 124, 135, 451, and 680, relating to vehicles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 789 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Chatters, Clark, Cottrell, Crowley, Dawson, DeLap, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Heisinger, Hornblower, Hunt, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, Williamson, and Mr. Speaker—59.
NOES—None.

Title read and approved
Bill ordered transmitted to the Senate.

Senate Bill No. 552—An act to amend section 4220 and add sections 4220a and 4220b of the Political Code, relating to duties of county surveyors, declaring the urgency thereof and providing the same shall take effect immediately.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Crowley, Dawson, DeLap, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Garibaldi, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—63.
NOES—Flint and Geyer—2.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 552 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Crowley, Dawson, DeLap, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Garibaldi, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—61.
NOES—Flint, Geyer, and Rosenthal—3.

Title read and approved
Bill ordered transmitted to the Senate.

Senate Bill No. 384—An act to add section 133 to the Civil Code, relating to entry of final judgment in divorce cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 384 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Domhue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 668—An act to amend section 12905 of the Insurance Code, relating to the Insurance Commissioner.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 668 finally passed by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, Desmond, Domhue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Stream, Thorp, Wagner, Walker, Wallace, Waters, Weber, Welsh, and Mr. Speaker—54.

NOES—Anderson, Flint, Garibaldi, Geyer, Glover, McCarthy, and Richie—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 734—An act to amend sections 108, 709, 1584, and 1640 of the Insurance Code, relating to insurance principles, practice, and business and matters incidental thereto.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Minard:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, after "Code", insert the following: ", to amend and renumber section 10880 of Article 14 of Chapter 8 of Part 2 of Division 2 of said code,".

Amendment No. 2.

On page 4 of the printed bill, as amended, after line 12, add the following:

"SEC. 5. Section 10880 of Article 14 of Chapter 8 of Part 2 of Division 2 of the Insurance Code is hereby amended and renumbered to read as follows:

10780. Any such association or any officer or agent thereof refusing to comply with or violating any provision of this chapter is, except as otherwise provided, guilty of a misdemeanor."

Amendments adopted.

Request for Unanimous Consent.

Mr. Minard asked for, and was granted, unanimous consent to take up Senate Bill No. 734, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 734, as Amended.

Senate Bill No. 734, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 734, as amended, finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 617—An act to amend section 1168 of the Penal Code and to add thereto sections 969c and 1158a, relating to crimes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 617 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 614—An act to amend section 644 of the Penal Code, relating to habitual criminals.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Brennan:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out lines 7 to 10, inclusive, and insert in lieu thereof the following: "cases, at any time not later than sixty days after the actual commencement of imprisonment, the court may, in its discretion, provide that the defendant is not an habitual criminal, and in such case the defendant shall not be subject to the provisions of this section. Nothing in this act shall abro-".

Amendment adopted.

Request for Unanimous Consent.

Mr. Brennan asked for, and was granted, unanimous consent to take up Senate Bill No. 614, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 614, as Amended.

Senate Bill No. 614, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 614, as amended, finally passed by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Wagner, Walker, Waters, Weber, Welsh, Williamson, and Mr. Speaker—62.
NOES—Flint, and Reaves—2

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 488—An act to amend the Code of Civil Procedure by adding a new section thereto to be numbered 954a, relating to abandonment and withdrawal of appeals.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 488 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Voigt, Walker, Waters, Weber, Welsh, Williamson, and Mr. Speaker—63.
NOES—Flint—1.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 489—An act to amend section 1053 of the Penal Code, relating to substitution of judges in criminal actions.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 489 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, and Mr. Speaker—64
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 490—An act to amend section 1029 of the Penal Code, relating to trial of a judge of the superior court.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 490 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans,

Ralph W., Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 596—An act to amend sections 1, 2, 3, 4, 6 and 9a of, and to add section 3½ to "An act providing for the registration of contractors, and defining the term contractor; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, as amended, relating to contractors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 596 finally passed by the following vote:

AYES—Boyle, Breed, Brennan, Cassidy, Chatters, Corwin, Cottrell, Crowley, DeLap, Desmond, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Garibaldi, Glover, Hornblower, Johnson, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Riley, Robertson, Scudder, Stream, Voigt, Walker, Wallace, Waters, Weber, and Welsh—45.

NOES—Donnelly, Flint, Geyer, Gilbert, Hawkins, Heisinger, Hunt, Jones, Latham, Laughlin, Lore, McCarthy, Rosenthal, Wagner, and Mr. Speaker—15.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1091—An act to add a new section to be numbered 8.5 to an act entitled "An act for the formation, management and dissolution of county fire protection districts composed of lands within one or more counties and annexations to such districts; to set forth the powers of such districts and to provide for levying and collecting taxes on property in such districts to defray the expenses thereof," approved June 12, 1931, relating to the incurring of a bonded indebtedness and the sale and payment thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1091 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Crowley, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 172—An act to add section 662.5 to, the Fish and Game Code, relating to salmon.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 172 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, and Mr. Speaker—63.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1078—An act to amend sections 1 and 2 of an act entitled "An act to require tax clearance by assessors and the State Controller as a prerequisite for the registration by the Motor Vehicle Department," approved May 15, 1933, relating to taxes on motor vehicles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1078 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Garibaldi, Geyer, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, and Mr. Speaker—61.

NOES—Glover, Johnson, and Reaves—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 262—An act to amend sections 6, 10, 17 and 18 of, and to add section 24 to, an act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act," approved May 15, 1933, relating to outdoor advertising and the regulation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 262 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Garibaldi, Geyer, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Voigt, Walker, Wallace, Waters, Weber, Williamson, and Mr. Speaker—56.

NOES—Desmond, Fisher, Flint, Glover, Johnson, Martin, McCarthy, Pelletier, and Reaves—9.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1098—An act to add section 1334 to the Penal Code, relating to the securing of the attendance of witnesses in criminal prosecutions, and to make uniform the law with reference thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1098 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Voigt, Walker, Wallace, Waters, Weber, Williamson, and Mr. Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 315—An act relating to a contract by the Department of Finance, concerning the waters of Rector Creek.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 315 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Waters, Weber, Williamson, and Mr. Speaker—69.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1010—An act to amend section 737bb of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Napa

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1010 finally passed by the following vote:

AYES—Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Garibaldi, Gilmore, Glover, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Scudder, Stream, Wagner, Walker, Waters, Weber, Williamson, and Mr Speaker—55.

NOES—Anderson, Flint, Geyer, Heisinger, McCarthy, Reaves, Robertson, and Voigt—8.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 589—An act to add section 2540a to Civil Code, relating to contract of minors for life, health and accident insurance and annuity contracts.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Crowley:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "2540a to Civil", and insert in lieu thereof the following: "10112 to the Insurance".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out the comma, also strike out "health and accident", and insert in lieu thereof the following: "insurance and disability".

Amendment No. 3.

On page 1, line 1, of the printed bill, strike out "Civil", and insert in lieu thereof the following: "Insurance".

Amendment No. 4.

On page 1, line 2, of the printed bill, strike out "2540a", and insert in lieu thereof the following: "10112".

Amendment No. 5.

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof the following: "10112. In respect of life or disability insurance, or".

Amendments adopted.

Further Consideration Deferred.

Further consideration of Senate Bill No. 589 deferred.

Senate Bill No. 1107—An act to amend the title and sections 1, 2, 3, 4 and 5 of, and to add section 6 to, an act entitled "An act to authorize municipal corporations to issue bonds, for the purpose of investing the proceeds arising from the sale thereof, in other bonds issued for public improvements," approved April 26, 1909, relating to the issuance, sale, or exchange and payment of the bonds issued under this act, and the acquisition, collection and payment of bonds acquired, declaring the urgency hereof and providing that this act shall take effect immediately.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Gilmore,

Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Stream, Thorp, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, and Mr. Speaker—66.

NOES—Anderson, and Robertson—2.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1107 finally passed by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Thorp, Wagner, Walker, Waters, Weber, Welsh, Williamson, and Mr. Speaker—67.

NOES—Anderson, and Robertson—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1082—An act to authorize boards of supervisors to pay certain claims.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1082 finally passed by the following vote:

AYES—Anderson, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—64.

NOES—McCarthy—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 437—An act to amend section 618 of the Fish and Game Code, relating to trout.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 437 finally passed by the following vote:

AYES—Anderson, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Stream, Thorp, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 845—An act to amend section 51 of the Bank Act, relating to deposits by order of court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 845 finally passed by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Wagner, Walker, Waters, Weber, Williamson, and Mr. Speaker—63.

NOES—Lore—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 846—An act to amend section 91 of the Bank Act, relating to deposits by order of court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 846 finally passed by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Gever, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Stream, Thorp, Wagner, Walker, Waters, Weber, Williamson, and Mr. Speaker—64

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 358—An act to amend sections 1, 3, 4 and 10 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within the State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933, and to add a new section to said act numbered 9a.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Field:

Amendment No. 1.

On page 2, lines 41 and 42, of the printed bill, strike out the following: "as to security and interest".

Amendment adopted.

Request for Unanimous Consent.

Mr Field asked for, and was granted, unanimous consent to take up Senate Bill No. 358, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 358, as Amended.

Senate Bill No. 358, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 358, as amended, finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Domihue, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—55.

NOES—Clark, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, McCarthy, Pelletier, Richie, Rosenthal, and Wagner—18.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 237—An act to amend section 487 of, to add section 641 to, and to amend section 493 of, the Streets and Highways Code, relating to State highways.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 237 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Desmond, Domihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Minard, Morgan, Nielsen, Patterson, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 231—An act to amend sections 3.3 and 3.170 of the School Code, relating to attendance upon the public schools of Indian children, and children of Chinese, Japanese or Mongolian parentage.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 231 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Dawson, DeLap, Domihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, and Mr. Speaker—67.

NOES—Crowley—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 887—An act to amend the titles of Articles IV and IVa of Chapter IV of Part I of Division VI of the School Code, to amend sections 6.210 and 6.211 of the School Code and to add a new section to the

School Code to be numbered 6.213, all relating to the disposition of buildings, structures or fixtures of school districts when the boundaries of such districts are altered, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—72.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 887 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 77—An act to add section 3a to an act entitled "An act to provide for the establishment and maintenance of a Bureau of Tuberculosis under the direction of the State Board of Health; defining its powers and duties; providing for the granting of State aid to cities, counties, cities and counties and groups of counties for the support and care of persons affected with tuberculosis; making an appropriation therefor; and repealing certain acts of the Legislature of the State of California," approved June 12, 1915, relating to agreements between counties and deposits of funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 77 finally passed by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream,

Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—71.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 325—An act to amend sections 1026, 1550, 1551, and 1552 of, and to repeal sections 1600 to 1605, inclusive, of the Streets and Highways Code, relating to road district taxes and the expenditure from county general funds of moneys for road district purposes by the board of supervisors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 325 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—69.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 326—An act to amend section 3714 of the Political Code, relating to the preparation, submission and adoption of county road district and special district budgets and to the levy of taxes and prescribing limitations on county expenditures.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 326 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—69.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 888—An act to amend sections 3.330, 3.331, 3.332, 3.333, 3.334, 3.335, and 3.337 and to add a new section to the School Code to be numbered 3.339, relating to the attendance of pupils residing in California upon the public schools of adjoining States, and the attendance of pupils residing in adjoining States upon the public schools of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 888 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—67.
NOES—Heisinger—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 663—An act to add a new section to the School Code to be numbered 1.91, relating to the construction, design, operation, equipment and color of school buses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 663 finally passed by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—70.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 38—Relative to leaves of absence of the Governor, Lieutenant Governor, and the members of the Senate and Assembly.

Senate Concurrent Resolution No. 38 read.

Mr. Frazier moved the adoption of Senate Concurrent Resolution No. 38.

The question being on the adoption of Senate Concurrent Resolution No. 38.

The roll was called, and Senate Concurrent Resolution No. 38 adopted by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—64.
NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 38 ordered transmitted to the Senate.

Senate Concurrent Resolution No. 38.

Relative to leaves of absence of the Governor, Lieutenant Governor, and the members of the Senate and Assembly.

Resolved by the Senate, the Assembly concurring, That leave of absence from the State for a longer period than 60 days during their terms of office, is hereby granted to His Excellency Frank F. Merriam, Governor of the State of California; to George J. Hatfield, Lieutenant Governor of the State of California; and to the following members of the Senate and Assembly of the fifty-first session of the Legislature of the State of California:

Senators: George M Biggar, Bradford S. Crittenden, Charles H. Deuel, Leonard Joseph Difani, Walter H. Duval, Nelson T. Edwards, Ed Fletcher, J. C. Garrison, Frank L. Gordon, Ray W. Hays, Ben Hulse, Chris N. Jespersen, Karl P. Keough, Charles King, William F. Knowland, John B. McColl, Thomas McCormack, Walter McGovern, Henry McGuinness, D. Jack Metzger, Frank W. Mixter, Culbert L. Olson, Harry L. Parkman, Harry A. Perry, A L. Pierovich, Harold J. Powers, Charles F. Reindollar, W. P. Rich, Andrew R. Schottky, Thomas P. Scollan, Jerrold L Seawell, William Richard Sharkey, Herbert W. Slater, Bert B. Snyder, Edgar W. Stow, Ralph E. Swing, Edward H. Tickle, J. I. Wagy, Dan E. Williams, and Sanborn Young.

Assemblymen: H. Dewey Anderson, Godfrey A. Andreas, James J. Boyle, Arthur H. Breed, Jr., James F. Brennan, Michael J. Burns, James M. Cassidy, Ford A. Chatters, John G. Clark, Gordon W. Corwin, C. C. Cottrell, Edward Craig, Melvyn I. Cronin, Ernest C. Crowley, Thomas J. Cunningham, Kennett B. Dawson, T. H. DeLap, Earl D. Desmond, Leon M. Donihue, Hugh P. Donnelly, Herbert J. Evans, Ralph W. Evans, C. Don Field, Charles W. Fisher, Gene Flint, J. E. Frazier, Clinton J. Fulcher, James D. Garibaldi, Lee E. Geyer, Wilbur F. Gilbert, Joseph P. Gilmore, A. Franklin Glover, Augustus F. Hawkins, S L. Heisinger, William B. Hornblower, Charles A. Hunt, Gardiner Johnson, Wm. Moseley Jones, Clifford R. Kallam, E. V. Latham, Frank D. Laughlin, Elmer E Lore, Charles W. Lyon, J. J. McBride, John D. McCarthy, Patrick J. McMurray, Thomas A Maloney, Frank G. Martin, Jesse M. Mayo, Henry P. Meehan, Eleanor Miller, Claude Minard, Geoffrey F. Morgan, Roy J. Nielsen, John H O'Donnell, Ellis E Patterson, John B. Pelletier, Frederick Peterson, Jefferson E. Peyser, John Phillips, Fred Reaves Kent H. Redwine, Paul A. Richie, Harry B. Riley, Alfred W. Robertson, Ben Rosenthal, Hubert B. Scudder, Charles W. Stream, James E. Thorp, Rodney L. Turner, James B. Utt, Ernest O. Voigt, Charles J. Wagner, Clarence R. Walker, Ralph W. Wallace, Frank J. Waters, Ralph L. Welsh, Ray Williamson, Frank W. Wright, and Charles M. Weber.

Withdrawal of Senate Bill No. 90.

By order of the Speaker, Senate Bill No. 90 was withdrawn from the file, and referred to Committee on Live Stock and Dairies.

Senate Bill No. 149—An act to amend section 1250 of the Fish and Game Code, relating to fully protected mammals.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 149 finally passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—65.

NOES—Fulcher—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 421—An act to amend sections 782 and 786 of the Fish and Game Code, relating to lobsters.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 421 finally passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1075—An act authorizing the Director of Natural Resources to receive and hold land for future development for forestry purposes, to manage such land and dispose of the products thereof, and providing for the distribution of revenue therefrom, and to acquire land for development for State forestry purposes

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1075 finally passed by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—67.

NOES—McCarthy—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 415—An act to add a new section to the Political Code to be numbered 3887, relating to the priority of the State of California for taxes.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Robertson:

Amendment No. 1.

On page 2, line 14, of the printed bill, as amended, strike out "due", and insert in lieu thereof "a lien".

Amendment adopted.

Request for Unanimous Consent.

Mr. Robertson asked for, and was granted, unanimous consent to take up Senate Bill No. 415, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 415, as Amended.

Senate Bill No. 415, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 415, as amended, finally passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly,

Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Voigt, Walker, Wallace, Waters, Weber, Welsh, and Mr. Speaker—61.

NOES—Desmond, Flint, Gilbert, Jones, Wagner, and Williamson—6.

Title read and approved.

Bill ordered transmitted to the Senate.

Motion to Recess.

Mr. Clark moved that the Assembly recess until ten o'clock this day.

The question being on the motion by Mr. Clark to recess.

Roll Call.

The Speaker ordered a roll call taken on the motion to recess.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Chatters, Clark, Corwin, Crowley, Cunningham, Dawson, Desmond, Donahue, Evans, Ralph W., Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Maloney, Mayo, McCarthy, Meehan, Miller, Morgan, Nielsen, Patterson, Richie, Rosenthal, Voigt, Wagner, Walker, Wallace, Welsh, Williamson, and Mr. Speaker—45.

NOES—Cassidy, Cottrell, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Hawkins, Lore, Lyon, Martin, McBride, McMurray, Minard, Pelletier, Peyser, Phillips, Redwine, Riley, Robertson, Stream, Thorp, Waters, and Weber—24.

Recess.

At one o'clock and fifty minutes a.m., the Speaker declared the Assembly at recess until ten o'clock a m. this day.

Reassembled.

At ten o'clock a.m., the Assembly reconvened.

Speaker Craig in the chair.

Communication.

The following communication was received, and ordered printed in the Journal:

673 LEXINGTON AVENUE, STOCKTON, CAL.,
June 3, 1935

DEAR MR OHNIMUS: I want to express my appreciation to the Assembly for spray of red gladiolus sent to be placed on Mr Eicke's grave

The Valley Floral sent me the message, and I went out to the cemetery that I might see them

Sincerely,

FLORENCE EICKE.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1935.

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1884—An act to amend section 13 and to add a new section to be numbered 13a to "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle, and providing that this act shall take effect immediately," approved May 15, 1933, relating to the disposition and control of moneys received under said act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER. Your Committee on Ways and Means, to which was referred Assembly Bill No. 1747—An act to add section 3a to "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 26, 1913, relating to codification and compilation of county and city ordinances and resolutions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 922—An act to amend section 1300 2 of the Agricultural Code, relating to produce dealers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 379—An act to amend section 410 of the Political Code, relating to the duties of the Secretary of State, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 327—An act making an appropriation for the control of Bang's disease in cattle under the provisions of Article 2, Chapter 3, Division II of the Agricultural Code, and declaring the urgency hereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1935.

MR SPEAKER: Your Committee on County Government, to which was referred Senate Bill No. 69—An act to amend section 4260 of the Political Code, relating to compensation of county and township officers in counties of the thirty-first class—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DELAP, Chairman.

The above reported bill ordered on file for second reading.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1935

MR SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No 502—An act to add section 653 to, and to repeal section 486 of, the Streets and Highways Code, establishing an additional secondary State highway—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

STREAM, Chairman.

The above reported bill ordered on file for second reading.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1935.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 234—An act creating a commission for the coordination of State and local governments, defining its powers and duties, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2485—An act to add section 331 to the Political Code, relating to the construction of statutes fixing or authorizing the fixing of salaries—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LYON, Chairman

The above reported bill ordered on file for second reading.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1935.

MR. SPEAKER: Your committee on Engrossment and Enrollment has examined Assembly Bill No 20—An act relating to the advocacy of the overthrow of the existing form of government by force or other unlawful means—and reports that the same has been correctly re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 3, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No. 816—An act relating to shares of insured Federal savings and loan associations, and building and loan associations, as legal investments for trust and other funds.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, May 30, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1684—An act to amend section 23, and to repeal section 24 of "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to the granting of leases and easements to extract oil, gas and other hydrocarbons by means of wells drilled from littoral or adjacent lands into State lands—and respectfully requests your honorable body to concur in said amendments.

J. A BEEK, Secretary of Senate.

Assembly Bill No. 1684 ordered on unfinished business file

Also:

SENATE CHAMBER, SACRAMENTO, June 4, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No. 1837—An act to amend sections 269 and 271 of the Code of Civil Procedure, relating to the appointment, duties and compensation of phonographic reporters—and appointed Senators Pierovich, McGovern, and Schottky, as a Committee on Conference, to meet a like committee from the Assembly.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Appointment of Committee on Free Conference Concerning Assembly Bill No. 1837.

The Speaker announced the appointment of Messrs. O'Donnell, Cronin and Hornblower, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Assembly Bill No. 1837.

Second Reading of Assembly Bills.

Assembly Bill No. 1747—An act to add section 3a to "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 26, 1913, relating to codification and compilation of county and city ordinances and resolutions.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 1884—An act to amend section 13 and to add a new section to be numbered 13a to "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle, and providing that this act shall take effect immediately," approved May 15, 1933, relating to the disposition and control of moneys received under said act.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 922—An act to amend section 1300.2 of the Agricultural Code, relating to produce dealers.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 327—An act making an appropriation for the control of Bang's disease in cattle under the provisions of Article 2, Chapter 3, Division II of the Agricultural Code, and declaring the urgency hereof.

Bill read second time, ordered to re-engrossment, and third reading

Assembly Bill No. 2485—An act to add section 331 to the Political Code, relating to the construction of statutes fixing or authorizing the fixing of salaries.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 234—An act creating a commission for the coordination of State and local governments, defining its powers and duties, and making an appropriation therefor.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the printed bill, as amended, after the word "purpose," insert the word "only."

Amendment No. 2.

On page 1, line 17, of the printed bill, as amended, strike out the words "California League of", and insert in lieu thereof the words "League of California."

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out all of lines 1 and 2.

Amendment No. 4.

On page 2 of the printed bill, as amended, strike out all of section 4, and insert in lieu thereof the following:

"SEC. 4. The members of the commission shall serve without compensation from the State, excepting in the case of State officers serving ex officio on the commission, whose expenses shall be borne by their respective offices or departments, and in the case of members of the Legislature, their necessary expenses shall be paid out of the contingent funds of their respective houses."

Amendment No. 6.

On page 2, line 18, of the printed bill, as amended, strike out the word "three", and insert in lieu thereof the word "six."

Amendment No. 7.

On page 2, line 39, of the printed bill, strike out all of section 10.

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 502—An act to add section 653 to, and to repeal section 486 of, the Streets and Highways Code, establishing an additional secondary State highway.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out line 1 of the title, and insert in lieu thereof the following:
"An act to amend section 461".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, as amended, strike out the following: "section 486".

Amendment No. 3.

On page 1, line 3 of the title of the printed bill, as amended, strike out the words: "an additional", and insert in lieu thereof the following: "and changing the route of an existing".

Amendment No. 4.

On page 1 of the printed bill, as amended, strike out lines 1 to 9, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 461 of the Streets and Highways Code is hereby amended to read as follows:

461. Route 161 is from:

(a) Route 2 near Wilbur Avenue to Route 4 near Burbank.

(b) Route 4 near Glendale to Route 9 near Monrovia."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 379—An act to amend section 410 of the Political Code, relating to the duties of the Secretary of State, and making an appropriation therefor.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out "to the duties of the Secretary of State", and insert in lieu thereof the following: "to the publication and distribution of the laws, resolutions and Journals of the Legislature".

Amendment No. 2.

On page 1, line 20, of the printed bill, as amended, following the word "sold", insert the words: "by the State Printer".

Amendment No. 3.

On page 1, line 22, of the printed bill, as amended, beginning with "Sec. 2", strike out all of section 2.

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 69—An act to amend section 4260 of the Political Code, relating to compensation of county and township officers in counties of the thirty-first class.

Bill read second time, and ordered on file for third reading.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1314—An act to amend sections 1a, 3, 4, 9b, 10a, 10b, 11a, 11b, c, d, e, and 12 of, and to add new sections 11f and g to an act entitled "An act to regulate land surveying and to define the duties of and to license land surveyors, to provide for the revocation of such licenses and the restoration thereof, to make certain acts misdemeanors and to provide penalties therefor, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 16, 1907," approved May 24, 1933.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Cunningham:

Amendment No. 1.

On page 6, line 2, of the printed bill, as amended, after "cloth,", insert the following: "size 18 x 26 inches,".

Amendment No. 2.

On page 6, line 3, of the printed bill, as amended, strike out "size 18 x 26 inches,".

Amendment No. 3.

On page 6, line 16, of the printed bill, as amended, strike out "subsection (b)", and insert in lieu thereof the following: "section 11.1".

Amendment No. 4.

On page 6, lines 17 and 18, of the printed bill, as amended, strike out "subsection (c)", and insert in lieu thereof the following: "section 11.2".

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 1271—An act imposing an excise tax on the storage, use or other consumption in this State of tangible personal property, providing for the registration of retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof and providing that this act shall take effect immediately.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lyon:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out all of lines 20, 21 and 22, and in lieu thereof insert the following: "in the business of making sales for storage, use or other consumption; provided, however,".

Amendment No. 2.

On page 2 of the printed bill, as amended, between lines 36 and 37, insert the following:

"(i) "Business" includes any activity engaged in by any person or caused to be engaged in by him with the object of gain, benefit or advantage, either direct or indirect."

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out all of line 39, following "retailer", and insert in lieu thereof "on or after July 1, 1935, for storage, use or other consumption in this State at the rate of three".

Amendment No. 4.

On page 2 of the printed bill, as amended, strike out lines 45 to 48, both inclusive, and insert in lieu thereof the following: "State; provided, however, that a receipt from a retailer maintaining a place of business in this State, given to the purchaser in accordance with the provisions of section 6 hereof, shall be sufficient to relieve the purchaser from further liability for the tax to which such receipt may refer; provided further, that the board may by rule and regulation provide that a receipt from a retailer who does not maintain a place of business in this State shall also be sufficient to relieve the purchaser from further liability for the tax to which such receipt may refer."

Amendment No. 5.

On page 3 of the printed bill, as amended, between lines 19 and 20, insert the following:

"(g) Food products purchased for human consumption. "Food products" as used herein includes cereals and cereal products, milk and milk products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products other than candy and confectionery, coffee and coffee substitutes, tea, cocoa and cocoa products other than candy and confectionery. "Food products" does not include spirituous, malt or vinous liquors, soft drinks, sodas or beverages such as are ordinarily dispensed at bars and soda fountains or in connection therewith.

The exemption of food products set forth herein is made subject to the condition that the gross receipts from retail sales of food products be exempted from the computation of the tax imposed by the Retail Sales Tax Act of 1933, and any amendments thereto; provided, however, that should the gross receipts from retail sales of food products not be exempted from the computation of the tax imposed by said act and any amendments thereto, or should the exemption of the gross receipts from sales of food products from the computation of the tax imposed by said act and any amendments thereto be declared unconstitutional or should the exemption of food products set forth herein be declared unconstitutional then the rate of tax set forth in section 3 hereof shall be two per cent on and after July 1, 1935."

Amendment No. 6.

On page 3, line 25, of the printed bill, as amended, after "offices", insert "or other places of business".

Amendment No. 7.

On page 3, line 27, of the printed bill, as amended, after "retailer", insert "maintaining a place of business in this State and".

Amendment No. 8.

On page 3, line 45, of the printed bill, as amended, strike out "Sec. 7."

Amendment No. 9.

On page 3, line 47, of the printed bill, as amended, insert a period after the word "State", and strike out "and", after "State", and insert in lieu thereof: "SEC. 7. The tax imposed by this act".

Amendment No. 10.

On page 3, line 47, of the printed bill, as amended, strike out "by the retailer".

Amendment No. 11.

On page 3 of the printed bill, as amended, strike out lines 51 and 52, and insert in lieu thereof: "first day of July, 1935, and ending on the thirtieth day of September, 1935. Every retailer maintaining a place of business in this State shall on or before the fifteenth".

Amendment No. 12.

On page 4 of the printed bill, as amended, between lines 19 and 20, insert the following:

"Every person storing, using or consuming tangible personal property purchased from a retailer who does not maintain a place of business in this State shall on or before the fifteenth day of the month following the close of the first quarterly period as above defined, and on or before the fifteenth day of the month following each subsequent quarterly period of three months, file with the board a return for the preceding quarterly period in such form as may be prescribed by the board showing the total sales price of the tangible personal property purchased by such person during such preceding quarterly period, the storage, use or consumption of which is subject to

the tax imposed by this act, and such other information as the board may deem necessary for the proper administration of this act. The return shall be accompanied by a remittance of the amount of tax herein imposed during the period covered by the return. The board, if it deems it necessary in order to insure payment to the State of the amount of such tax may require returns and payment for other than quarterly periods. Returns shall be signed by the person liable for the tax or his duly authorized agent but need not be verified by oath."

Amendment No. 13.

On page 4, line 40, of the printed bill, as amended, strike out "five", and insert in lieu thereof "ten".

Amendment No. 14.

On page 4, lines 45 and 46, of the printed bill, as amended, strike out "collected by any retailer", and insert in lieu thereof "paid to the State by any person".

Amendment No. 15.

On page 4, lines 47 and 48, of the printed bill, as amended, strike out "collected by such retailer", and insert in lieu thereof "paid".

Amendment No. 16.

On page 4, lines 50 and 51, of the printed bill, as amended, strike out "from retailers".

Amendment No. 17.

On page 5, line 2, of the printed bill, as amended, strike out "during", and insert in lieu thereof "for".

Amendment No. 18.

On page 5, line 3, of the printed bill, as amended, strike out "collected by the retailers", and insert in lieu thereof "reported to the board".

Amendment No. 19.

On page 5, line 7, of the printed bill, as amended, strike out "five", and insert in lieu thereof "ten"

Amendment No. 20.

On page 5, line 13, of the printed bill, as amended, after "retailer", insert "or person storing, using or consuming tangible personal property".

Amendment No. 21.

On page 5, line 14, of the printed bill, as amended, strike out "upon the retailer".

Amendment No. 22.

On page 5, line 17, of the printed bill, as amended, after "retailer", insert "or person storing, using or consuming tangible personal property".

Amendment No. 23.

On page 5 of the printed bill, as amended, strike out lines 19 to 44, both inclusive, and insert in lieu thereof the following:

"SEC. 10. If any person neglects or refuses to make a return required to be made by this act, the board shall make an estimate for the period or periods in respect to which such person failed to make a return, based upon any information in its possession or that may come into its possession, of the amount of the total sales price of tangible personal property sold or purchased by such person, the storage, use or other consumption of which in this State is subject to the tax imposed by this act, and upon the basis of said estimate compute and determine the amount required to be paid to the State, adding to the sum thus arrived at a penalty equal to ten per cent thereof All amounts determined to be due under the provisions of this section shall bear interest at the rate of one-half of one per cent per month, or fraction thereof, from the fifteenth day after the close of the period or periods, as the case may be, for which such amounts were required to be reported to the board until paid. If the neglect or refusal of any person to file a return as required by this act was due to fraud or an intent to evade this act or rules and regulations hereunder, a penalty of twenty-five per cent of the amount required to be paid by such person shall be added, plus interest as above provided Promptly thereafter the board shall give to such person written notice of such estimate, determination and penalty, the notice to be served personally or by mail in the same manner as prescribed for service of notice by the provisions of section 9 hereof."

Amendment No. 24.

On page 5, line 48, of the printed bill, as amended, strike out "for", and insert in lieu thereof "of".

Amendment No. 25.

On page 5, line 49, of the printed bill, as amended, strike out "or the amount of tax".

Amendment No. 26.

On page 5, line 49, of the printed bill, as amended, after "collected,", insert "together with".

Amendment No. 27.

On page 6 of the printed bill, as amended, strike out lines 10 to 34, both inclusive, and insert in lieu thereof the following:

"SEC. 12. Any person from whom an amount is determined to be due under the provisions of section 9 or 10 hereof may petition for a redetermination thereof within fifteen days after service upon such person of notice thereof. If a petition for redetermination is not filed within said fifteen day period, the amount determined to be due becomes final at the expiration thereof. If a petition for redetermination is filed within said fifteen day period, the board shall reconsider the amount determined to be due, and if such person has so requested in his petition, shall grant such person an oral hearing and shall give such person ten days' notice of the time and place thereof. The board shall have power to continue the hearing from time to time as may be necessary.

The order or decision of the board upon a petition for redetermination shall become final sixty days after service upon such person of notice thereof unless such person brings a proceeding for the review thereof under the provisions of section 32 hereof.

All amounts determined to be due by the board under the provisions of section 9 or 10 hereof shall become due and payable at the time of service of notice thereof. If the amount determined to be due, interest and penalty, if any, specified in any determination is not paid prior to the time the determination becomes final, there shall be added thereto a penalty of 10 per cent of the amount determined to be due."

Amendment No. 28.

On page 7, lines 5 and 6, of the printed bill, as amended, strike out "to the retailer".

Amendment No. 29.

On page 7 of the printed bill, as amended, strike out lines 20 to 23, both inclusive, and insert in lieu thereof the following: "due from such person under this act and the balance shall be refunded to such person, or his successors, administrators, executors or assigns, but no such credit or".

Amendment No. 30.

On page 7, line 39, of the printed bill, as amended, strike out "retailer", and insert in lieu thereof "person".

Amendment No. 31.

On page 7, line 42, of the printed bill, as amended, strike out "a retailer", and insert in lieu thereof "any person".

Amendment No. 32.

On page 7, line 46, of the printed bill, as amended, strike out "the retailer", and insert in lieu thereof "such person".

Amendment No. 33.

On page 7, line 47, of the printed bill, as amended, strike out "the retailer", and insert in lieu thereof "any person".

Amendment No. 34.

On page 8, line 2, of the printed bill, as amended, strike out "the retailer", and insert in lieu thereof "such person".

Amendment No. 35.

On page 8 of the printed bill, as amended, strike out lines 8 to 23, both inclusive, and insert in lieu thereof the following:

"SEC. 20 In any case in which any amount required to be paid to the State in accordance with the provisions of this act, is not paid when due the board may file in the office of the county clerk of Sacramento County, or any other county, a certificate specifying the amount required to be paid, interest and penalty due, the name and last known address of the retailer or other person liable for the same, that the board has complied with all the provisions of this act in relation to the determination of the amount herein required to be paid and a request that judgment be entered against the retailer or other person in the amount herein required to be paid, together with interest and penalty as set forth in the certificate. The county clerk immediately upon the filing of such certificate shall enter a judgment for the people of the State of California against the retailer or other person in the amount herein required to be paid, together with interest and penalty as set forth in this".

Amendment No. 36.

On page 8, lines 29 and 30, of the printed bill, as amended, strike out "collected,", and insert in lieu thereof "paid, together with".

Amendment No. 37.

On page 8, line 31, of the printed bill, as amended, after "retailer", insert the following: "or other person liable for the tax, interest or penalty".

Amendment No. 38.

On page 8, line 45, of the printed bill, as amended, after "successor,", insert "successors or assigns,".

Amendment No. 39.

On page 9, line 3, of the printed bill, as amended, strike out "the former owner", and in lieu thereof insert "any former owner, owners or assignors".

Amendment No. 40.

On page 9, line 4, of the printed bill, as amended, strike out "retailer", and insert in lieu thereof "person".

Amendment No. 41.

On page 9, line 5, of the printed bill, as amended, strike out "collected", and insert in lieu thereof "paid".

Amendment No. 42.

On page 9, line 9, of the printed bill, as amended, strike out "retailer", before ", or owing", and insert in lieu thereof "person"; and strike out "retailer", before "at", and insert in lieu thereof "person".

Amendment No. 43.

On page 9 of the printed bill, as amended, strike out lines 20 to 25, both inclusive, and insert in lieu thereof the following:

"At any time within three years after any person is delinquent in the payment of any amount herein required to be paid, the board may proceed forthwith to collect such amount in the following manner: The board shall seize any property, real or personal, of such person and thereafter sell".

Amendment No. 44.

On page 9, line 32, of the printed bill, as amended, strike out "retailer", and insert in lieu thereof "person".

Amendment No. 45.

On page 9, line 34, of the printed bill, as amended, strike out "retailer", and insert in lieu thereof "person".

Amendment No. 46.

On page 9, line 45, of the printed bill, as amended, strike out "retailer", and insert in lieu thereof "person from whom due".

Amendment No. 47.

On page 10, line 5, of the printed bill, as amended, after "retailer", insert "or other person liable for the tax".

Amendment No. 48.

On page 10, line 8, of the printed bill, as amended, after "retailer", insert "or other person liable for the tax".

Amendment No. 49.

On page 10 of the printed bill, as amended, strike out lines 9 to 11, both inclusive, and insert in lieu thereof the following: "exceed the total of all amounts including interest, penalties and costs due the State. Any such excess shall be returned to the retailer, or other person liable for the tax, and his receipt".

Amendment No. 50.

On page 10, line 17, of the printed bill, as amended, after "retailer", insert "or other person liable for the tax".

Amendment No. 51.

On page 10, line 20, of the printed bill, as amended, after "retailer", insert "or other person liable for the tax,".

Amendment No. 52.

On page 10, line 30, of the printed bill, as amended, after "retailer", insert "maintaining a place of business in this State".

Amendment No. 53.

On page 11, line 36, of the printed bill, as amended, before "Any refund", insert "SEC. 24.".

Amendment No. 54.

On page 11 of the printed bill, as amended, strike out lines 47 to 52, both inclusive.

Amendment No. 55.

On page 12 of the printed bill, as amended, strike out lines 1 to 52, both inclusive.

Amendment No. 56.

On page 13 of the printed bill, as amended, strike out lines 1 to 46, both inclusive.

Amendment No. 57.

On page 14, line 36, of the printed bill, as amended, strike out "collected and".

Amendment No. 58.

On page 14, line 41, of the printed bill, as amended, strike out " "Use tax", and insert in lieu thereof "retail sales tax fund."

Amendment No. 59.

On page 14 of the printed bill, as amended, strike out lines 42 to 52, both inclusive, and insert in lieu thereof the following:

"There is hereby appropriated, in addition to any other moneys appropriated, the sum of one hundred forty-one thousand five hundred dollars out of the "retail sales tax fund"; of such amount one hundred thousand dollars may be expended by the Board of Equalization, twenty-five thousand dollars may be expended by the Controller, ten thousand dollars may be expended by the State Department of Finance and six thousand five hundred dollars may be expended by the State Treasurer."

Amendment No. 60.

On page 15 of the printed bill, as amended, strike out lines 1 to 11, both inclusive.

Amendment No. 61.

On page 15, line 12, of the printed bill, as amended, strike out "sary.", and strike out "in the use", and insert in lieu thereof "paid under this act and deposited in the retail sales."

Amendments adopted.

Bill read, ordered to reprint, re-re-re-engrossment, and third reading.

Unfinished Business—(Resumed).

Consideration of Senate Amendments to Assembly Bill No. 1684.

Assembly Bill No. 1684—An act to amend section 23, and to repeal section 24 of "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to the granting of leases and easements to extract oil, gas and other hydrocarbons by means of wells drilled from littoral or adjacent lands into State lands.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1684?

Amendment No. 1.

On pages 1 and 2 of the printed bill, as amended, strike out the title, and insert in lieu thereof the following: "An act to amend section 23, and to repeal section 24 of "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals, to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to the granting of leases and easements to extract oil, gas and other hydrocarbons by means of wells drilled from littoral or adjacent lands into State lands."

Amendment No. 2.

On pages 2 to 6, inclusive, strike out all of the matter following the enacting clause, and insert in lieu thereof the following:

"SECTION 1. Section 23 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 23. The State, any political subdivision of the State, any city of the State, any city and county of the State, or any official, or any or either of them, is hereby prohibited from granting any privilege or right of any kind whatsoever to conduct prospecting operations, or to drill for oil, gas or other hydrocarbons, or to take, extract or drain oil or gas or other hydrocarbons, by means of structures and/or

machinery erected or constructed upon the surface of the tidelands, whether filled or unfilled, submerged lands, overflowed lands, or beds of navigable rivers or lakes; provided, that the Surveyor General, when it appears to be to the best interests of the State, subject only to the provisions of this section, may grant a lease or easement to a littoral owner, successor, assignee or authorized person of such littoral owner, to take and extract oil, gas or other hydrocarbons for a term not to exceed thirty (30) years, by means of wells drilled from the surface of the littoral lands, or lands adjacent thereto, with provision that the tops of any such wells, structures and machinery shall be upon littoral lands or lands adjacent thereto, into the tidelands, whether filled or unfilled, submerged lands, overflowed lands, beds of navigable rivers and lakes, of the State, whether granted or ungranted, upon such terms, consideration and royalty as shall be determined by the Surveyor General to be just and reasonable to the State, but in no event shall such royalty or other compensation to the State be less than sixteen and two-thirds (16⅔) per centum in amount or value of all oil, gas or other hydrocarbons produced and saved.

Any lease or easement so granted shall be free of any and all restrictions contained in this act and shall be subject only to the provisions of this section, except that the Surveyor General shall have power to promulgate proper rules and regulations to make effective the purposes of this section. Prior to granting any such lease or easement, the Surveyor General shall require a bond which in his judgment will protect the State; in lieu of such bond, the Surveyor General may accept negotiable security which shall be deposited in the custody of the State Treasurer who shall be responsible for the safekeeping thereof.

SEC 2. Section 24 of this act is hereby repealed."

Motion to Set Special Order for Consideration of Senate Amendments to Assembly Bill No. 1684.

Mr. McCarthy moved that the consideration of concurrence in Senate amendments to Assembly Bill No. 1684 be made a special order for Wednesday, June 5, 1935, at two o'clock p.m.

Roll Call.

The Speaker ordered a roll call taken on the motion to set special order for consideration of concurrence in Senate amendments to Assembly Bill No. 1684.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. McCarthy moved a call of the House.

Roll Call.

The Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Boyle, Brennan, Burns, Clark, Corwin, Desmond, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Latham, Laughlin, Lore, Martin, McBride, O'Donnell, Pelletier, Peterson, Reaves, Redwine, Richie, Robertson, Rosenthal, Thorp, Turner, Wagner, Walker, Welsh, and Wright—37.

NOES—Andreas, Cottrell, Cunningham, DeLap, Evans, Herbert J., Fisher, Garibaldi, Johnson, Lyon, Mayo, McCarthy, Miller, Morgan, Phillips, Riley, Stream, and Mr. Speaker—17.

Time, ten o'clock and thirty-five minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Brennan, Burns, Clark, Corwin, Cottrell, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Martin, Mayo, McBride, McCarthy, Miller, Morgan, O'Donnell, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Wagner, Walker, Welsh, Wright, and Mr. Speaker—54.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Resolution.

The following resolution was offered:

By Messrs. Fisher, Craig, Lyon, Jones, and Cronin:

Assembly Resolution.

WHEREAS, The Interstate Assembly, sponsored by the American Legislators' Association serves by its annual meetings as a practical and appropriate medium for the discussion of matters relating to legislation of primary importance in the relations of the various States of the United States; and

WHEREAS, Said Assembly is also of value in determining the policy to be followed in the adoption of uniform State laws; and

WHEREAS, Said assembly in bringing together the members of the Legislatures of the various States of the United States contributes immeasurably to mutual understanding and encourages cooperative effort in the solution of interstate problems; now, therefore, be it

Resolved by the Assembly of the State of California, That a member of the Assembly be appointed by the Speaker to attend the 1935 and 1936 annual meetings of said Interstate Assembly, as a representative of the Assembly from the State of California; and be it further

Resolved, That the sum of $500 or so much thereof as may be necessary for the purpose of defraying the expenses of the member of the Assembly appointed pursuant to this resolution in attending the meetings of said Interstate Assembly is hereby made available and appropriated out of the contingent fund of the Assembly and the State Controller is authorized and directed to draw his warrants in favor of the person entitled thereto and the State Treasurer is hereby authorized and directed to pay the same.

Resolution by Messrs. Fisher, Craig, Lyon, Jones, and Cronin read.

Mr. Fisher moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cunningham, DeLap, Evans, Ralph W., Fisher, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Lore, Maloney, Martin, Mayo, Miller, Morgan, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Voigt, Wagner, Walker, and Mr. Speaker—41.

NOES—Donnelly, Evans, Herbert J., Garibaldi, Geyer, Laughlin, Lyon, McBride, Thorp, and Turner—9.

Resolution.

The following resolution was offered:

By Miss Miller:

Assembly Resolution.

WHEREAS, The Reverend Father ~~John Tumulty~~, Chaplain of the Assembly, during the fifty-first session, has, by his prayers each morning, brought to this body valuable inspiration, and has reminded the members of their obligation not only to their God but to their fellow men, to the State, and the Nation; and

WHEREAS, His intellectual attainments have compelled the admiration of all within his hearing and have won the personal regard of all the members; now, therefore, be it

Resolved, That the Chief Clerk of the Assembly be and he hereby is authorized and instructed to have printed two hundred fifty (250) booklets containing the prayers offered at this session, and that he send one of said booklets to each member of the Assembly and to each desk clerk of the Assembly, and the remaining booklets to Reverend Father ~~John Tumulty~~.

Resolution by Miss Miller read.

Miss Miller moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans,

Ralph W., Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Miller, Morgan, Patterson, Pelletier, Peyser, Phillips, Redwine, Richie, Robertson, Rosenthal, Scudder, Thorp, Turner, Voigt, Wagner, Walker, Williamson, and Mr. Speaker—52.

NOES—None.

Resolution.

The following resolution was offered:

By Mr. Phillips:

Assembly Resolution.

WHEREAS, Agriculture is one of the basic industries of the State of California and a proper solution of the problems facing agriculture, and particularly problems connected with the marketing of agricultural products is of vital importance to the State; and

WHEREAS, This is a problem of equal interest to both producer and consumer; and

WHEREAS, Certain marketing laws have been in effect both in California and in the United States, during the past two years, and there are many regulations affecting the marketing of agricultural products, many of which are experimental; and

WHEREAS, It is necessary that accurate information regarding present laws and regulations be secured and that amendments to existing laws, as well as future laws, be prepared before the next session of the California Legislature; and

WHEREAS, On May 14, 1935, the Senate of California adopted a resolution by Senators Crittenden and Metzger, and approved the appointment of a special committee to investigate the matters hereinabove set forth, therefore, be it

Resolved, By the Assembly of the State of California that the Speaker appoint a committee of seven (7) members with wide powers to investigate the problems connected with the proper marketing of agricultural products; to determine the effects of laws and regulations now in effect, or hereafter to become effective, relating to the marketing of agricultural products and the differential between the price paid to the producer and the price paid by the consumer and the prices paid to California producers as compared with the prices paid in the local markets and in other markets, to study cooperative marketing in this State and other States, and to report not later than the first week of the next ensuing session of the Legislature, with recommendations as to needed legislation; and be it further

Resolved, That said committee shall be and is hereby authorized and empowered to do all things necessary to make a full and complete investigation of the matters hereinbefore set forth in order to enable the Assembly to act judiciously and advisedly upon such matters, and the said committee shall hereby be empowered to summon and subpena witnesses, require the production of papers, books, accounts, reports and records of every kind; to issue subpenas and to take all necessary means to compel the attendance of witnesses and to procure testimony; the members of such committee are, and each of them is, hereby authorized to administer oaths, all of the provisions of Article VIII of Chapter II, Title I, Part III, of the Political Code of this State, relative to the attendance and examination of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution, and said committee shall have the power therein specified; the Sergeant-at-Arms of the Assembly is hereby authorized and directed to serve any and all subpenas and orders or other process that may be issued by said committee, when directed so to do by the chairman thereof, and do and perform any other service required of him by said committee, and that said committee be, and it is hereby given leave, to sit during the sessions of the Legislature of 1935 and the sessions of 1937, and between said times to hold meetings throughout the State at such places as may be convenient to the committee, and to the witnesses and parties interested. Said committee may hold a public or executive meeting as may be necessary or desired; and be it further

Resolved, That the sum of $2,500 be and the same is hereby made available for the purpose of defraying the expenses of such committee, said sum to be paid from the contingent fund of the Assembly, and the State Controller is hereby authorized and directed to draw his warrants in favor of the chairman of said committee for such expenditures as may be certified to him from time to time by the chairman of the said committee, and the State Treasurer is hereby authorized and directed to pay the same; and be it further

Resolved, That it is the desire of the Assembly, that this Assembly Committee on Marketing work in cooperation with the Senate Committee appointed under authority of the Senate resolution of May 14, 1935.

Resolution by Mr. Phillips read.

Mr. Phillips moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Clark, Colwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W, Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—61.

NOES—Reaves—1.

Resolution.

The following resolution was offered:

By Mr. Heisinger:

Assembly Resolution.

WHEREAS, The California Teachers' Association and affiliated organizations are composed of thousands of teachers, many of whom are reported to have joined the associations in order to avail themselves of political influence to obtain teaching positions; and

WHEREAS, As revealed by letters and by verbal statements, much money is being paid by the teachers, sometimes unwillingly, for other purposes, some of which other purposes are for lobbying in the Legislature for or against proposed legislation; and

WHEREAS, It is rumored that the executive secretary of the association received an excessive salary, which if so, together with other expenses of the association, all fall upon the teachers of California; and

WHEREAS, All these expenses are a considerable burden upon the teachers; and

WHEREAS, Some of these things do not appear to be for the best interests of the schools of the State; and

WHEREAS, Much lobbying in the Legislature seems to be in opposition to our system of State printed textbooks, which in fact is in opposition to the employment of California labor in the preparation of said books; now, therefore, be it

Resolved, That the Speaker of the Assembly appoint a committee of three members of the Assembly to make an investigation, before the regular session of the Legislature convenes in 1937, of all matter mentioned in this resolution or that may be in connection therewith, and to make a report of its findings to the 1937 session of the Legislature; and be it further

Resolved, That the committee is hereby authorized and empowered to require the production of books, agreements, documents, records, accounts and papers of every kind, to issue subpenas, to compel the attendance of witnesses and to procure testimony and so far as practicable to have material testimony reported so that the same may be available for use by the Legislature; each member of the committee is authorized to administer oaths and all of the provisions of Article VIII of Chapter II of Title I of Part III of the Political Code relating to the attendance and assemblage of witnesses before the committee; and be it further

Resolved, That the sum of $500, or so much thereof as may be necessary for the purpose of defraying the expenses of the committee and the cost of its investigation, is hereby made available and appropriated for the use of the committee out of the contingent fund of the Assembly, and the State Controller is authorized and directed to draw his warrants in favor of the person or persons entitled thereto for such expenditures as may be certified to him from time to time by the chairman of the committee and the State Treasurer is hereby authorized and directed to pay the same.

Resolution by Mr. Heisinger read.

The question being on the adoption of the resolution by Mr. Heisinger.

Motion to Refer Resolution.

Mr. Williamson moved that the resolution by Mr. Heisinger be referred to Committee on Education

Substitute Motion to Lay Resolution on the Table.

Mr. Evans, Herbert J., moved, as a substitute motion, that the resolution by Mr. Heisinger be laid on the table.

The question being on the motion to lay on the table.

Roll Call.

The Speaker ordered a roll call taken on the substitute motion to lay resolution on the table.

The roll was called, and the substitute motion was lost by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Evans, Herbert J., Field, Fisher, Garibaldi, Johnson, Lyon, Maloney, Martin, Mayo, McBride, Morgan, Nielsen, Patterson, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Stream, Walker, Wallace, Welsh, Williamson, and Mr. Speaker—38.

NOES—Anderson, Cassidy, Crowley, Desmond, Donihue, Donnelly, Flint, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, McCarthy, Miller, O'Donnell, Pelletier, Reaves, Richie, Rosenthal, Thorp, Turner, Voigt, Wagner, Waters, Weber, and Wright—29.

The question being on the motion by Mr. Williamson that the resolution by Mr. Heisinger be referred to Committee on Education.

Roll Call.

The Speaker ordered a roll call taken on the motion to refer the resolution to Committee on Education.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Clark, Corwin, Cottrell, Cronin, Cunningham, DeLap, Desmond, Donihue, Evans, Herbert J., Fisher, Garibaldi, Gilbert, Hawkins, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, McBride, McMurray, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Riley, Robertson, Rosenthal, Scudder, Voigt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—48.

NOES—Cassidy, Chatters, Crowley, Donnelly, Field, Geyer, Glover, Heisinger, Hunt, Laughlin, Mayo, McCarthy, Miller, Reaves, Redwine, Thorp, Turner, and Wagner—18.

Resolution by Mr. Heisinger ordered referred to Committee on Education.

Resolution.

The following resolution was offered:

By Mr. Flint:

Assembly Resolution.

WHEREAS, The Senate of the State of California has heretofore appointed a committee to investigate tideland drilling for oil in the State of California; and,

WHEREAS, A certain group of oil producers, namely, the Oil Producers Agency of California, has been actively engaged in furthering legislation before the fifty-first session of the Legislature;

Resolved by the Assembly of the State of California, That this body respectfully requests the Senate Committee on Tideland Drilling in the State of California to include in their investigations and deliberations an investigation of the activities of said Oil Producers Agency of California, and to include in its report such matters as said committee may deem advisable in connection with such investigation; and be it further

Resolved, That a copy of this resolution be transmitted to the Senate of the State of California.

Resolution by Mr. Flint read, and referred to Committee on Oil Industries.

Unfinished Business—(Resumed).

Consideration of Senate Amendment to Assembly Bill No. 246.

Assembly Bill No. 246—An act for the regulation and control of corporations organized for the purpose of operating nonprofit hospital service plans.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 246?

Amendment No. 1.

On page 1, line 10, of the printed bill, as amended May 8, 1935, after the word "hospitals", strike out the following: "incorporated under the laws of this State for hospital purposes."

The roll was called, and Senate amendment to Assembly Bill No. 246 was concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 246 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1188.

Assembly Bill No. 1188—An act to add a new article to Chapter I of Part III of Division IV of the School Code, and to add a new chapter to Part III of Division IV of the School Code to be known as Chapter IV, all to be known as Article XI, relating to school district funds.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1188?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the following: "Chapter II of Part II", and insert in lieu thereof the following: "Chapter I of Part III".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, after the second comma, insert the following: "and to add a new chapter to Part III of Division IV of the School Code to be known as Chapter IV, all".

Amendment No. 3.

On page 1 of the printed bill, beginning in line 1, strike out the following: "Chapter II of Part II", and insert in lieu thereof the following: "Chapter I of Part III".

Amendment No. 4.

On page 2 of the printed bill, strike out all of lines 10 to 14, inclusive, and insert in lieu thereof the following: "theless, be continued and expenditures may thereafter be made therefrom at any time for any of the purposes specified in this chapter.

SEC. 2. A new chapter is hereby added to Part III of Division IV of the School Code to be known as Chapter IV, and to read as follows:

Chapter IV—School District Sinking Fund.

4.450. The governing board of any school district shall have the power to establish a sinking fund for the replacement or reconstruction of buildings owned by such district.

4.451. Should the governing board of a school district establish a sinking fund as hereinbefore provided, it shall at the time of preparing the budget of the district for each ensuing school year thereafter include therein as an amount necessary to be raised for the sinking fund of the district an amount which shall not exceed five per cent of the original cost of the buildings of the district, or, if such original cost is not known, then of the estimated original cost of such buildings as estimated by the governing board of the district.

4.452. In the event the inclusion of such amount in the budget of the district necessitates the levy of a tax rate in excess of the maximum school district tax rates hereinbefore prescribed in section 4.375 of this code, the provisions of said section shall not apply in the levy of the tax rate for the district.

4.453. The amount of money provided for in the budget for the sinking fund of the district shall, when raised, be paid into the county treasury to the credit of the district and placed in a fund to be known as the "_____ (insert name) district

sinking fund." Should the sinking fund of a school district, or any part thereof be placed at interest by the county treasurer in accordance with law, all interest accruing thereon shall be credited by the county treasurer to the sinking fund of the school district.

4454. The sinking fund hereinbefore provided for may be expended at any time, at the discretion of the governing board of the district, for the replacement or reconstruction of buildings of the district existing at the time of such expenditure.

4455. The governing board of the district may at any time discontinue the raising of funds for the sinking fund of the district, but in such event the moneys in such fund shall continue to be available for expenditure for any or all of the purposes specified in this chapter."

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1188 by the following vote:

AYES—Latham and Patterson—2.

NOES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Phillips, Reaves, Riley, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—61.

Motion to Reconsider Assembly Bill No. 2385 Continued.

Mr. Burns moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2385 was refused passage be continued until the next legislative day.

Motion carried.

Motion to Reconsider Assembly Bill No. 2412 Continued.

Mr. Turner moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2412 was refused passage be continued until the next legislative day.

Motion carried.

Consideration of Senate Amendments to Assembly Bill No. 1480.

Assembly Bill No. 1480—An act to amend sections 137 and 140 of, and to add section 108.5 to, the Agricultural Code, relating to pest control and abatement.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1480?

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, as amended in Assembly April 19, 1935, insert a comma after the word "of", and insert the following: "and to add section 108.5 to,".

Amendment No. 2.

On page 2 of the printed bill, as amended in Assembly April 19, 1935, between lines 27 and 28, insert the following:

"SECTION 1. A new section to be numbered 108.5 is hereby added to the Agricultural Code, to read as follows:

108.5. Whenever the director determines that a particular pest can not be eradicated or effectively controlled by recognized ordinary means or that it is impractical to eradicate or control such pest without the destruction in whole or in part of uninfected or uninfested host plants, the director may issue a proclamation declaring a host-free period or a host-free district or both, describing the host or hosts and the district wherein the planting, growing, cultivating or maintenance in any manner of any plants capable of continuing the particular pest is prohibited during a specified period of time and until the menace therefrom no longer exists."

Amendment No. 3.

On page 2, line 28 of the printed bill, as amended in Assembly April 19, 1935, strike out "1", and insert in lieu thereof "2".

Amendment No. 4.

On page 2, line 49, of the printed bill, as amended in Assembly April 19, 1935, strike out "2", and insert in lieu thereof "3".

The roll was called, and Senate amendments to Assembly Bill No. 1480 were concurred in by the following vote:

AYES—Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Pelletier, Peterson, Phillips, Reaves, Riley, Rosenthal, Scudder, Stream, Turner, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 1480 ordered to enrollment.

Further Proceedings Under Call of the House Dispensed With.

At eleven o'clock and thirty minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. McCarthy.

The roll of absentees was called, and the motion by Mr. McCarthy to set the consideration of concurrence in Senate amendments to Assembly Bill No. 1684 as a special order was lost by the following vote:

AYES—Anderson, Boyle, Cassidy, Clark, Cronin, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Latham, Laughlin, Lore, McCarthy, McMurray, O'Donnell, Pelletier, Reaves, Richie, Turner, Voigt, Wagner, and Wright—30.

NOES—Andreas, Breed, Brennan, Burns, Chatters, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Johnson, Kallam, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, Nielsen, Peterson, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Walker, Waters, Weber, Welsh, Williamson, and Mr. Speaker—43.

Further Consideration of Senate Amendments to Assembly Bill No. 1684.

The question being put: Shall the Assembly concur in Senate amendments to Assembly Bill No. 1684?

Demand for Previous Question.

Messrs. Evans, Herbert J., Lyon, Morgan, Cunningham, and Fisher demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the concurrence in Senate amendments to Assembly Bill No. 1684.

The roll was called, and Senate amendments to Assembly Bill No. 1684 were concurred in by the following vote:

AYES—Breed, Brennan, Burns, Chatters, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Evans, Herbert J., Field, Fisher, Frazier, Garibaldi, Hunt, Johnson, Kallam, Latham, Laughlin, Lyon, Maloney, Mayo, McMurray, Miller, Minard, Morgan, Nielsen, Peterson, Pevser, Phillips, Redwine, Riley, Robertson, Stream, Thorp, Walker, Wallace, Welsh, Williamson, Wright, and Mr. Speaker—43.

NOES—Anderson, Andreas, Boyle, Cassidy, Clark, Cronin, Donihue, Donnelly, Evans, Ralph W., Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Jones, Lore, Martin, McCarthy, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, Waters, and Weber—32.

Explanation of Vote.

In voting on Assembly Bill No. 1684 I desired to vote "aye," but inadvertently voted "no" by pressing the wrong buttom.

CHARLES M. WEBER.

Notice of Reconsideration of Concurrence in Senate Amendments to Assembly Bill No. 1684.

Mr. Laughlin gave notice that on the next legislative day he would move to reconsider the vote whereby the Assembly this day concurred in Senate amendments to Assembly Bill No. 1684.

Substitute Motion to Reconsider Concurrence in Senate Amendments to Assembly Bill No. 1684 Immediately.

Mr. Lyon moved, as a substitute motion, that the reconsideration of the vote whereby the Assembly this day concurred in Senate amendments to Assembly Bill No 1684 be taken up immediately.

The question being on the substitute motion by Mr. Lyon to reconsider concurrence in Senate amendments to Assembly Bill No. 1684 immediately.

Demand for Previous Question.

Messrs. Utt, Peyser, Lyon, Morgan and Redwine demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the substitute motion by Mr. Lyon to reconsider concurrence in Senate amendments to Assembly Bill No. 1684 immediately.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Lyon to reconsider concurrence in Senate amendments to Assembly Bill No. 1684 immediately.

The roll was called, and the motion was lost by the following vote:

AYES—Andreas, Boyle, Cassidy, Clark, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, McCarthy, O'Donnell, Patterson, Pelletier, Reaves, Rosenthal, Vogt, and Wagner—24

NOES—Breed, Brennan, Burns, Chatters, Corwin, Cronin, Crowley, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Johnson, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—47.

Assembly Bill No. 1684 ordered to enrollment.

Leave of Absence.

On motion of Mr. Cassidy, Mr. Meehan was granted leave of absence for the balance of this legislative day.

Appointment of a Second Committee on Free Conference Concerning Assembly Bill No. 816.

The Speaker announced the appointment of Messrs. Redwine, Fisher and Thorp as a second Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Assembly Bill No 816.

Recess.

At twelve o'clock and twenty minutes p.m., on the motion of Mr. Lyon, the Assembly was declared at recess until two o'clock p.m. this day.

Reconvened.

At two o'clock p m., the Assembly reconvened
Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2432—An act to amend section 2 of the "Los Angeles County

Flood Control Act," approved June 12, 1915, as amended, relating to powers of the district, declaring the urgency hereof and providing that this act shall take effect immediately—and reports that the same has been correctly enrolled, and presented the same to the Governor on this fourth day of June, 1935, at eleven o'clock a.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 33—A resolution to propose to the people of the State of California that the Constitution of said State be amended by adding to Article XI thereof a new section to be numbered 18a providing for the issuance of bonds by the county of Los Angeles in an amount not to exceed five million dollars for the purpose of providing a fund to be used and disbursed for the Pacific Exposition to be held in California—and reports that the same has been correctly enrolled, and presented the same to the Governor on this fourth day of June, 1935, at eleven o'clock a.m.

WATERS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 153—An act to amend sections 1 and 2 of "An act to provide for the taxation of Massachusetts or business trusts, and providing that this act shall take effect immediately," approved May 1, 1933, relating to the taxation of Massachusetts or business trusts, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 545—An act to add a new section to be numbered 17 5 to an act entitled "An act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, relating to cases in which common carriers may grant free or reduced rates, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 610—An act amending section 1463 of the Penal Code, relating to the disposition of fines collected in municipal courts;

Also: Assembly Bill No. 1111—An act to provide for the formation, government, operation and dissolution of library districts;

Also: Assembly Bill No. 1192—An act to amend section 80 of the Agricultural Code, relating to agricultural districts and including provision for the exhibition of live stock in southern California;

Also: Assembly Bill No. 1816—An act to amend sections 19 and 20 of the "State Liquor Control Act," approved June 3, 1933, relating to licenses;

Also: Assembly Bill No. 1833—An act to amend section 1 of "An act to regulate the construction of buildings in the State of California, in respect to resistance to horizontal forces, providing penalties for the violation thereof and providing that this act become effective immediately," approved May 26, 1933, relating to construction of buildings;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fourth day of June, 1935, at eleven o'clock a.m.

WATERS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 64—Relative to memorializing the President and Congress of the United States to make amends to those disabled war veterans who have been deprived of their just and lawful compensation—and reports that the same has been correctly enrolled, and presented the same to the Governor on this fourth day of June, 1935, at eleven o'clock a.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1663—An act to amend Section 26 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations,'" approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities," relating to fees;

Also: Assembly Bill No. 1744—An act to add sections 644.1 and 644.2 to the Military and Veterans Code;

Also: Assembly Bill No 2161—An act to provide for the aid and rehabilitation of citizens of the State of California who are the victims of economic and business depression;

Also: Assembly Bill No. 2485—An act to add section 331 to the Political Code, relating to the construction of statutes fixing or authorizing the fixing of salaries;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1516—An act to amend sections 6 240, 6 251, 6 252, 6 260, 6.262, 6.263, 6.265, 6.270, 6 274, 6.275, 6 292, 6 294, 6.295, 6.296, 6.320, 6 330, 6 332, 6.340, 6.341 of the School Code and to repeal Article VI of Chapter III of Part II of Division VI thereof, relating to textbook and supplementary textbooks—and reports that the same has been correctly re-re-re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 674—An act prescribing the terms upon which certificates of registration of inspectors and/or sanitary officers as "registered sanitarians" shall be issued; prescribing a course and minimum amount of schooling or training to be possessed by applicants therefor after one (1) year from date of approval of this act; authorizing the State Board of Public Health to certify approved schools, conduct examinations and issue "registered sanitarian" certificates; prescribing the powers and duties of the State board; prescribing conditions under which the title "registered sanitarian" or the placing of the initials "R. S." may be used after the names of the certificate holders; providing penalties for violations hereof; and grounds for the suspension, cancellation, denial or revocation of such certificates of registration—and reports that the same has been correctly re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1935.

MR SPEAKER: Your Committee on Constitutional Amendments, to which was referred Senate Bill No 1118—An act to call a special election to be held on the thirtieth day of July, 1935, for the purpose of submitting to the qualified electors of this State certain amendments to the Constitution of this State proposed by the Legislature at its fifty-first regular session, and to provide that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LATHAM, Chairman.

The above reported bill ordered on file for second reading.

On Public Utilities.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1935.

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Senate Bill No. 732—An act to amend section 14 of "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to vehicles exempt from the provisions of said act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

EVANS, HERBERT J., Chairman.

The above reported bill ordered on file for second reading.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1935.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Senate Bill No. 236—An act amending section 3 of an act entitled: "An act to regulate contracts on behalf of the State in relation to the erection, construction, altera-

tion, repair, or improvement of any State structure, building, road, or other State improvement of any kind, and to repeal an act entitled 'An act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876'," relative to bidding on public contracts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

STREAM, Chairman.

The above reported bill ordered on file for second reading.

Second Reading of Senate Bills—(Resumed).

Senate Bill No. 1118—An act to call a special election to be held on the thirtieth day of July, 1935, for the purpose of submitting to the qualified electors of this State certain amendments to the Constitution of this State proposed by the Legislature at its fifty-first regular session, and to provide that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 732—An act to amend section 14 of "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to vehicles exempt from the provisions of said act.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 236—An act amending section 3 of an act entitled: "An act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair, or improvement of any State structure, building, road, or other State improvement of any kind, and to repeal an act entitled 'An act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,' " relative to bidding on public contracts.

Bill read second time, and ordered on file for third reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 4, 1935

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1360—An act to add sections 54a and 54b to the Civil Code, relating to the right of privacy of persons, and to provide a method by which such right of privacy may be enforced—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 1360 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 4, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 197—An act granting in trust to the City and County of San Francisco the interest of the State in and to, and the control and management of the harbor of San Francisco, as described in the act; providing for the disposition of revenues derived from the operation of said harbor; providing for the sale of bonds authorized but not sold; providing for the payment of interest on bonds, and for the redemption of bonds; fixing the terms and conditions of the grant; providing for the issuance of a proclamation by the Governor; providing for the continuation in service of employees and entitling them to the benefits of civil service provisions of the charter of the City and County of San Francisco; providing that the members of the State Board of Harbor Commissioners shall be continued in office as members of the board, commission or public

officers vested with the management of said harbor until their respective terms as members of the State Board of Harbor Commissioners shall expire

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 4, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on June 1, 1935, passed Senate Bill No. 236—An act amending section 3 of an act entitled. "An act to regulate contracts on behalf of the State in relation to the election, construction, alteration, repair, or improvement of any State structure, building, road, or other State improvement of any kind, and to repeal an act entitled 'An act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876.'" relative to bidding on public contracts.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 236 read first time, and referred to Committee on Roads and Highways.

Also:

SENATE CHAMBER, SACRAMENTO, June 4, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed as a second Committee on Free Conference on Assembly Bill No. 816—An act relating to shares of insured Federal savings and loan associations, and building and loan associations, as legal investments for trust and other funds—the following Senators Duval Edwards, and Reindollar, to meet with a like committee from your honorable body.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Withdrawal of Assembly Bill No. 1663.

By order of the Speaker, Assembly Bill No. 1663 was withdrawn from the file, and referred to Committee on Corporations.

Withdrawal of Senate Bill No. 514.

By order of the Speaker, Senate Bill No. 514 was withdrawn from the file, and referred to Committee on Banking.

Unfinished Business—(Resumed).

Consideration of Senate Amendment to Assembly Bill No. 895.

Assembly Bill No. 895—An act to add a new chapter, to be numbered 1a, to Division V of the Agricultural Code, relating to the standardization of tomatoes.

The question being put. Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 895?

Amendment No. 1.

On page 1, line 13, of the printed bill, as amended, strike out the period after the word "purposes", replacing it with a comma, and add the words: "and except in the case of the pear or plum types shall be vine-ripened".

The roll was called, and Senate amendment to Assembly Bill No. 895 was concurred in by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Crowley, Desmond, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Hunt, Jones, Kallam, Latham, Maloney, Martin, Mayo, McBride, McCarthy, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Walker, Waters, and Mr. Speaker—44.
NOES—None.

Assembly Bill No. 895 ordered to enrollment

Consideration of Senate Amendment to Assembly Bill No. 1167.

Assembly Bill No. 1167—An act authorizing the Director of Finance to provide for the sale of certain lands situated in county of Yolo, State of California.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1167?

Amendment No. 1.

On page 1, line 22, of the printed bill, insert after the figures "20°", the following: "12'".

The roll was called, and Senate amendment to Assembly Bill No. 1167 was concurred in by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Crowley, Desmond, Donihue, Donnelly, Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hunt, Jones, Kallam, Latham, Laughlin, Maloney, Martin, Mayo, McBride, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Richie, Robertson, Scudder, Stream, Thorp, Turner, Voigt, Walker, Waters, Williamson, and Mr. Speaker—48.

NOES—None.

Assembly Bill No. 1167 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 2433.

Assembly Bill No. 2433—An act to provide for the administration of highway work for or in cooperation with the United States by the State of California, amending the Streets and Highways Code in accordance therewith, and declaring the urgency thereof.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2433?

Amendment No. 1.

On page 3, lines 22 and 23, of the printed bill, as amended, strike out the words "not allocated under any cooperative highway agreement and", and insert in lieu thereof the following: "allocated".

Amendment No. 2.

On page 3, line 52, of the printed bill, as amended, strike out the figure "2", and insert in lieu thereof the figure "4".

The roll was called, and Senate amendments to Assembly Bill No. 2433 were concurred in by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunningham, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Williamson, and Mr. Speaker—52.

NOES—None.

Assembly Bill No. 2433 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1243.

Assembly Bill No. 1243—An act to amend sections 828 and 829 of the Agricultural Code, relating to fruits, nuts and vegetables

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1243?

Amendment No. 1.

On page 2, line 50, of the printed bill, as amended in Assembly April 22, 1935, strike out the words 'Standard artichoke lug", and insert in lieu thereof "Special lug box".

Amendment No. 2.

On page 5, line 1, of the printed bill, as amended in Assembly April 22, 1935, strike out ", 22, or 30", and insert in lieu thereof "or 22".

The roll was called, and Senate amendments to Assembly Bill No. 1243 were concurred in by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Donihue, Donnelly, Evans, Ralph W., Field, Fulcher, Gari-

baldi, Geyer, Gilbert, Glover, Heisinger, Hornblower, Hunt, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Williamson, and Mr. Speaker—51.

NOES—None.

Assembly Bill No. 1243 ordered to enrollment

Consideration of Senate Amendments to Assembly Bill No. 924.

Assembly Bill No. 924—An act to amend sections 781, 783, 784, 785, 787, 788, and 822 and to add sections 784.1, 784.2, 784.3, 784.4, 784.5, 784.6, and 784.7 to the Agricultural Code, relating to fruits, nuts and vegetables.

The question being put. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 924?

Amendment No. 1.

On page 3 of the printed bill, as amended in Assembly April 19, 1935, between lines 40 and 41, insert the following:

"The commissioner of each county, his deputies and inspectors holding valid certificates of eligibility for the office to which they have been appointed, are hereby authorized upon request to issue certificates stating that the fruits, nuts or vegetables inspected meet all of the requirements of this chapter or the requirements of the State or country of intended destination other than this State.

The board of supervisors of the county may at their option establish a schedule of fees for such certificates to be paid by owners, shippers or other interested parties requesting such certificates. The schedule of fees established for such certificates shall be based upon the approximate cost of the inspection necessary to determine that the fruits, nuts or vegetables have met such requirements. In no case shall the maximum charge for each certificate on any one consignment, shipment or bill of lading consisting of ten or less separate packages, parcels, boxes, crates or other containers on an inspection made at one time and place exceed twenty-five cents and in no other case fifty cents for each certificate except for certificates on truck load or carlot inspections."

Amendment No. 2.

On page 1, lines 2 and 3 of the title of the printed bill, as amended, strike out "and 784.6", and insert in lieu thereof a comma and the following: "784.6 and 784.7".

The roll was called, and Senate amendments to Assembly Bill No. 924 were concurred in by the following vote:

AYES—Andreas, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Voigt, Wagner, Walker, Waters, Williamson, and Mr. Speaker—50.

NOES—None

Assembly Bill No. 924 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1129.

Assembly Bill No. 1129—An act amending sections 3897 and 3898 and repealing section 3774 of the Political Code, relating to the procedure for the sale of property deeded to the State in payment of delinquent taxes, if not otherwise disposed of under section 3897a or section 3897b of the Political Code, declaring the urgency thereof, and providing that this act shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1129?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "section 3897", and insert in lieu thereof the following: "sections 3897 and 3898 and repealing section 3774".

Amendment No. 2.

On page 1, line 9, of the printed bill, as amended, after the comma, insert the following: "and upon the written authorization of the State Controller".

Amendment No. 3.

On page 1, line 10, of the printed bill, as amended, before the first word in the line, insert the following: "private sale or".

Amendment No. 4.

On page 2, line 1, of the printed bill, as amended, strike out "or reclamation", and insert in lieu thereof the following: "including reclamation".

Amendment No. 5.

On page 2, line 2, of the printed bill, as amended, after "district", insert the following: "county, or city".

Amendment No. 6.

On page 2 of the printed bill, as amended, between lines 6 and 7, insert the following:

"(2) In case it is sought to sell such property at private sale under the provisions hereof, after the State Controller has authorized such sale, the tax collector shall, as a condition to the authority to sell at private sale, either for cash or by contract, first obtain the consent of the board of supervisors of the county, or city and county, in which the lands, or any part thereof, are located, to the proposed sale, and to that end the tax collector shall transmit to such board a notice in writing, of his intention to make such sale, which notice shall contain a description of the property to be sold, and the price in lawful money of the United States, at which it is proposed to sell the same, and also whether such price is to be paid in full at time of purchase or in annual installments as herein provided.

Upon the receipt of said notice by said board, it shall be its duty, by resolution either to consent to the proposed sale of the property as set forth in said notice, or withhold its consent thereto. In either event the said board shall, within five days after its action in the premises, transmit to said tax collector, a certified copy of its said resolution Failure of the board to adopt such resolution or to transmit the same within the time prescribed, however, shall not make either void or voidable, a sale made pursuant to such consent.

If said board of supervisors shall approve said proposed sale as aforesaid, and upon receipt of the copy of said resolution by the tax collector, it shall be the duty of the tax collector to give written notice to the party to whom the land was last assessed nearest before the sale, of such intended sale, by mailing said notice to him, postage thereon prepaid and registered, at his last known post-office address, at least twenty-one days before the date of said intended sale. The board of supervisors may, in their discretion, direct the tax collector to publish the notice of the intended sale once in a newspaper published in the county, or if there be no such newspaper then in a newspaper of general circulation in the county. Said notice shall contain the time and place of said intended sale, a description of the property to be sold, sufficient for identification, together with a statement that if redemption of said property is not effected according to law, prior to said date of sale, that all right of redemption shall cease

At the time and place fixed for said intended sale, if no redemption of said property to be sold has been effected according to law, prior to said date so fixed for said intended sale, the tax collector shall sell and convey said property at private sale on the day and hour fixed therefor, or at any time not more than three months thereafter, for the price and the terms fixed in said notice to the board of supervisors, in lawful money of the United States."

Amendment No. 7.

On page 2, line 7, of the printed bill, as amended, strike out "2", and insert in lieu thereof the following: "3".

Amendment No. 8.

On page 2, line 7, of the printed bill, as amended, strike out "He", and insert in lieu thereof the following: "In case it is sought to sell such property at public auction under the provisions hereof, the tax collector".

Amendment No. 9.

On page 2 of the printed bill, as amended, strike out line 31, and insert in lieu thereof the following: "agency, including reclamation, irrigation, drainage or levee district, or county or city".

Amendment No. 10.

On page 2, line 34, of the printed bill, as amended, strike out "3", and insert in lieu thereof the following: "4".

Amendment No. 11.

On page 2 of the printed bill, as amended, strike out lines 41 to 46, inclusive, and insert in lieu thereof the following: "thereof shall be filed with the county auditor. The amount of expenses so reported".

Amendment No. 12.

On page 2, line 49, of the printed bill, as amended, strike out "4", and insert in lieu thereof the following: "5".

Amendment No. 13.

On page 2, lines 49 and 50, of the printed bill, as amended, strike out "and such confirmation by the board of supervisors."

Amendment No. 14.

On page 3, line 8, of the printed bill, as amended, strike out "5", and insert in lieu thereof the following: "6".

Amendment No. 15.

On page 3, line 10, of the printed bill, as amended, strike out "or reclamation", and insert in lieu thereof the following: "including reclamation".

Amendment No. 16.

On page 3, line 11, of the printed bill, as amended, after "district", insert the following: "or county, or city,".

Amendment No. 17.

On page 3, line 14, of the printed bill, as amended, strike out the word "first".

Amendment No. 18.

On page 3, line 26, of the printed bill, as amended, strike out the word "first".

Amendment No. 19.

On page 3, line 37, of the printed bill, as amended, strike out "6", and insert in lieu thereof the following: "7".

Amendment No. 20.

On page 3, line 46, of the printed bill, as amended, after the period, insert the following:

"Nothing in this section contained shall be deemed to nullify or amend the provisions of section 12 of "Improvement Bond Act of 1915" or of any provisions amendatory thereof or supplemental thereto with reference to the title acquired by a purchaser at a tax collector's sale or at a resale by the city."

Amendment No. 21.

On page 3, line 47, of the printed bill, as amended, strike out "7", and insert in lieu thereof the following: "8".

Amendment No. 22.

On page 4 of the printed bill, as amended, strike out lines 6 to 8, inclusive.

Amendment No. 23.

On page 4, lines 10 and 11, of the printed bill, as amended, strike out "sections 3774 or", and insert in lieu thereof the following: "section".

Amendment No. 24.

On page 4 of the printed bill, as amended, strike out lines 12 and 13, and insert in lieu thereof the following:

"SEC. 2. Section 3898 of the Political Code is hereby amended to read as follows.

3898. 1. The moneys received from sales made under the provisions of section 3897 of this code shall be distributed as follows: The tax collector, in case of a sale at public auction, shall deduct the penalties, costs and other amounts received as expenses of such sale in such cases as the property so sold shall have been sold for a sum not less than the amount of all taxes levied thereon and all interest, costs, penalties and expenses up to the date of such sale, but where the property so sold shall have been sold for a sum less than said amount, the tax collector shall deduct only the amounts received as expenses attending such sale, and the balance shall be distributed among the State, county, city, and other taxing agencies including reclamation, irrigation, drainage or levee districts to which taxes or assessments may be due, in the proportion that the amount of taxes and penalties due the State bears to the amount of taxes and penalties due to each of the other taxing agencies. The tax collector shall pay all amounts into the county treasury, and the treasurer shall account to the State for its portion in the settlement required by section 3865, and section 3866. In cases of private sales by the tax collector the amounts paid to the county treasurer shall be disposed of as in this section provided. The State's portion from such sales shall be paid into the State treasury to the credit of the general fund. The tax land fund is hereby abolished and the funds therein are hereby transferred to the general fund.

2. On receiving the purchase price at sales under the provisions of section 3897 of the Political Code, the tax collector must execute a deed to the purchaser at such sale, which deed shall be in substance, and may be in form as follows:

"This indenture made the _____ day of _____, 19____, between _____ tax collector of the county of _____, State of California, first party, and _____, of the county of_____, State of California, second party,

Witnesseth:

That whereas the real property hereinafter described was duly sold and conveyed to the State of California for the nonpayment of taxes which had been legally levied and which were a lien upon said property under and in accordance with law, and

Whereas in conformity with law, the State of California, acting by and through _____, tax collector as aforesaid, did sell said property, hereinafter described, at a private sale to the said second party, for _____ dollars, (or in case of a sale at public auction) did offer said property hereinafter described, for sale at public auction to the highest bidder at which sale second party became the purchaser of the whole thereof for the sum of _____ dollars.

Now, therefore, the said first party in consideration of the premises and in pursuance of the statute in such cases made and provided, does hereby grant to the second party, his heirs and assigns, that certain real property hereinbefore referred to and situate in the county of _____, State of California, more particularly described as follows, to wit:

In witness whereof, said first party has hereunto set his hand the day and year first above written.

_____

Tax Collector of the County of

_____, State of California."

No other matters need be recited in the said deed than those provided for in the above form. No charge shall be made by the tax collector for the making of any such deed, and the acknowledgment of all such deeds when executed by the tax collector shall be taken by the county clerk free of charge.

3. Within ten days after each sale, as provided in section 3897 of the Political Code, the tax collector shall report to the assessor and recorder of the county in which the lands sold are situated, giving the name or names of all persons to whom deeds have been issued under the provisions of this section, and said section 3897, together with the dates of such deeds, the amount for which the property was sold, the description of the property conveyed, together with the numbers and dates of the certificates of sale and of the tax deeds by which title to such property so granted was conveyed to the State.

4 The recorder shall note on the margin of each certificate of sale and of each tax deed involved in the sale, and transfer of such property, the name of the purchaser, the date of the deed to the purchaser, and the consideration named therein. The assessor shall use such report in his determination of the ownership of such property for assessment purposes.

5. Upon the completion of the sale, the tax collector shall report to the State Controller the date of sale, the description of the property, the name of the purchaser, and the amount of money received for the property sold.

6. (a) Whenever in any action at law it has been, or shall be determined by a court that the sale and conveyance provided for in this section and section 3897 of the Political Code, or in section 3771 of the Political Code, heretofore or hereafter made, are void for any reason, and that the purchaser from the State may not be finally awarded the property so purchased, no decree of the court shall be given declaring a forfeiture of the property until the former owner or other party in interest shall have repaid to the purchaser the full amount of taxes, penalties, and costs, paid out and expended by him, to be determined by the court, in pursuit of the State's title to the property so sold. The said purchaser may, within one year after such decree becomes final, also present a claim against the county in the manner provided by law for a refund of the amount paid into the county treasury as the purchase price of such property in excess of the amount for which he may have been reimbursed for taxes, penalties and costs, as herein provided, and such excess shall be refunded in accordance with section 3804 of this code.

(b) Whenever it shall be determined to the satisfaction of the board of supervisors of the county in which the land is situated that any land belonging to the United States Government or to this State, a municipality or other political subdivision of this State has been erroneously sold and conveyed under the provisions of this section or section 3897, or section 3771 of this code, and the said land should not have been so sold, the purchaser at said sale may present a claim against the county in the manner provided by law for a refund of the amount so paid into the county treasury by reason of such sale and such claim shall be paid by the county treasurer as provided in section 3804 of the Political Code of the State of California.

SEC. 3. Section 3774 of the Political Code is hereby repealed."

Amendment No. 25.

On page 4, line 14, of the printed bill, strike out "3. (10)", and insert in lieu thereof the following: "4."

The roll was called, and Senate amendments to Assembly Bill No. 1129 were concurred in by the following vote:

AYES—Andreas, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Desmond, Domhue, Donnelly, Evans, Herbert J., Field, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Wagner, Walker, Waters, Williamson, and Mr. Speaker—51.
NOES—None.

Assembly Bill No. 1129 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 464.

Assembly Bill No. 464—An act to amend section 820 of the Agricultural Code, relating to tomatoes.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 464?

Amendment No. 1.

On page 1, line 5, of the printed bill, as amended in Assembly May 14, 1935, strike out the word "insect", and insert in lieu thereof the following: "visible evidence of pin worm injury such as open borings or presence of frass; insect".

Amendment No. 2.

On page 1 of the printed bill, as amended in Assembly May 14, 1935, strike out all of lines 18 to 24, inclusive.

Amendment No. 3.

On page 2, line 1, of the printed bill, as amended in Assembly May 14, 1935, after the word "puffiness", insert the following: ", visible evidence of pin worm injury".

Amendment No. 4.

On page 2, line 2, of the printed bill, as amended in Assembly May 14, 1935, strike out the word "weight", and insert in lieu thereof the word "count".

Amendment No. 5.

On page 2, line 7, of the printed bill, as amended in Assembly May 14, 1935, strike out the word "weight", and insert in lieu thereof the word "count".

Amendment No. 6.

On page 2, line 10, of the printed bill, as amended in Assembly May 14, 1935, at the end of the paragraph, insert the following: "In the case of visible evidence of pin worm injury not more than twenty per cent, by count, of the tomatoes in any one container or bulk lot may be below these requirements."

The roll was called, and Senate amendments to Assembly Bill No. 464 were concurred in by the following vote:

AYES—Andreas, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Desmond, Domhue, Donnelly, Field, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, Miller, Morgan, Nielsen, Patterson, Peterson, Reaves, Riley, Robertson, Scudder, Thorp, Turner, Utt, Wagner, Walker, Williamson, and Mr. Speaker—48.
NOES—None.

Assembly Bill No. 464 ordered to enrollment.

Reconsideration of Assembly Bill No. 157 Waived.

Mr. Hunt waived his notice to reconsider the vote whereby Assembly Bill No. 157 was refused passage.

Special Order.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Senate Amendments to Assembly Bill No. 2365.

Assembly Bill No 2365—An act requiring licenses for the operation, maintenance or establishment of stores in this State, prescribing the

license and filing fees to be paid therefor; providing for penalties for the violation of this act, providing for the enforcement of this act.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2365?

Amendment No. 1.

On page 2 of the printed bill, as amended, between lines 9 and 10, insert the following:

"(c) This act shall not be construed to apply to nor include any place or places of business commonly known as theaters, motion picture theaters or cinemas.'

Amendment No. 2.

On page 2, line 10, of the printed bill, as amended, after "of", strike out the balance of the line, and insert the following "October, 1935,".

Amendment No. 3.

On page 2, line 31, of the printed bill, as amended, after "section", insert the following "6".

Amendment No. 4.

On page 1, line 15, of the printed bill, as amended, strike out the period, and insert in lieu thereof a comma and the following: "and provided further that the term "store" shall not include any place or places of business commonly known as filling stations, or gasoline bulk plants, engaged primarily in the sale or distribution of gasoline or other petroleum products"

Amendment No. 5.

On page 1, line 15, of the printed bill, as amended, strike out the period following Amendment No. 4, and add a semicolon and the following: "and provided further, the term "store" shall not apply to any branch, depot, warehouse, or other facility owned and maintained by a manufacturer of ice for distribution of his product to consumers"

Amendment No. 6.

On page 2, line 9, of the printed bill, as amended, strike out the period, and insert in lieu thereof a semicolon and the following: "nor shall the provisions of this act apply to any shop, store, or establishment engaged in the sale of goods, wares or merchandise of any kind sold at retail which is merely incidental to the rendering of personal services.'

Amendment No. 7.

On page 2, line 4, of the printed bill, as amended, strike out the semicolon, and insert in lieu thereof a comma.

Amendment No. 8.

On page 2, line 5, of the printed bill, as amended, strike out "or to", and insert in lieu thereof the following: "nor shall it apply to or include (b)".

The question being put: Shall the Assembly concur in Senate amendments to Assembly Bill No. 2365?

Demand for Previous Question.

Messrs. Flint, Wallace, Weber, Reaves, and Geyer demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the concurrence in Senate amendments to Assembly Bill No. 2365.

The roll was called, and Senate amendments to Assembly Bill No. 2365 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, DeLap, Desmond, Dimmick, Donnelly, Evans, Ralph W., Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Mayo, McBride, McCarthy, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Rosenthal, Scudder, Turner, Utt, Voigt, Wagner, Wallace, Weber, Wright, and Mr. Speaker—55.

NOES—Breed, Corwin, Cunningham, Evans, Herbert J., Field, Fulcher, Lyon, Martin, McMurray, Minard, Redwine, Thorp, Walker, Waters, and Williamson—15.

Assembly Bill No. 2365 ordered to enrollment.

Explanation of Vote.

I voted for concurrence in Senate amendments to Assembly Bill No. 2365, not because I favored the exemption of the oil stations, but because I felt that if I did not concur, the bill would be lost, and all its benefits would be lost. To throw the bill into Free Conference at this late time, in my opinion, would mean the defeat of the bill.

JAMES D. GARIBALDI.

Explanation of Vote.

Having a previous engagement to be present at the Governor's office at three o'clock p.m., to witness his signature to the State College Bill, in which I was deeply interested, I regret that I was absent when the vote was taken on concurrence in Senate amendments to Assembly Bill No. 2365. Had I been present, I would have voted "Aye."

MICHAEL J. BURNS.

Unfinished Business—(Resumed).

Reconsideration of Assembly Constitutional Amendment No. 17.

Assembly Constitutional Amendment No. 17—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending section 34a of Article IV and section 15 of Article XIII thereof, relating to taxes on real property according to the value thereof.

In compliance with his notice given on a previous day, Mr. Waters moved that the vote whereby Assembly Constitutional Amendment No. 17 was refused adoption be reconsidered.

Demand for Previous Question.

Messrs. Utt, Cottrell, Robertson, Johnson and Redwine demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the reconsideration of Assembly Constitutional Amendment No. 17.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Corwin, Crowley, Cunningham, Desmond, Donahue, Donnelly, Evans, Herbert J., Field, Frazier, Garibaldi, Gilmore, Heisinger, Hornblower, Hunt, Kallam, Latham, Lyon, Martin, Miller, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Walker, Waters, Wright, and Mr. Speaker—40.

NOES—Anderson, Brennan, Chatters, Clark, Cottrell, Cronin, DeLap, Evans, Ralph W., Fisher, Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Johnson, Jones, Laughlin, Lore, Maloney, Mayo, McBride, McCarthy, McMurray, Minard, Peyser, Reaves, Richie, Rosenthal, Turner, Utt, Voigt, Wallace, and Williamson—34.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1935

MR. SPEAKER: Your Committee on Corporations, to which was referred Assembly Bill No. 1663—An act to amend section 26 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities, providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations,'" approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities," relating to fees—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be referred to Committee on Ways and Means.

BREED, Chairman.

Assembly Bill No. 1663 ordered to Committee on Ways and Means.

Special Order.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Senate Bill No. 919.

Senate Bill No. 919—An act to license, regulate and control the manufacture, transportation, sale, purchase, possession and disposition of alcoholic beverages; to levy an excise tax on the sale of alcoholic beverages; to provide for the licensing of the manufacture, distribution and sale of alcoholic beverages; to prescribe penalties for the violation of this act; to make an appropriation for the enforcement of this act; to take effect immediately.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lyon:

Amendment No. 1.

On page 7 of the printed bill, as amended, between lines 24 and 25, insert the following:

"For failure to reapply for a license prior to the time when any license expires, the board may by regulation prescribe that in addition to the license fees specified in section 5 hereof a penalty of not to exceed twenty-five per cent of such fees must be paid."

Amendment No. 2.

On page 10, line 19, of the printed bill, as amended, strike out the words "upon the premises of such manufacturers and", and in lieu thereof insert the following: "unless proven to the satisfaction of the board".

Amendment No. 3.

On page 10, line 27, of the printed bill, as amended, strike out "cent", and insert in lieu thereof "cents".

Amendment No. 4.

On page 11, line 9, of the printed bill, as amended, strike out the word "security", and insert in lieu thereof the word "surety".

Amendment No. 5.

On page 11, line 16, of the printed bill, as amended, strike out the word "present", and insert in lieu thereof the word "presents".

Amendment No. 6.

On page 11, line 22, of the printed bill, as amended, strike out the word "Alcohol", and insert in lieu thereof the word "Alcoholic".

Amendment No. 7.

On page 11, lines 27 and 28, of the printed bill, as amended, strike out "taxes, penalties and fines", and insert in lieu thereof "taxes and penalties".

Amendment No. 8.

On page 11, line 32, of the printed bill, as amended, strike out the word "and", and insert in lieu thereof the word "or".

Amendment No. 9.

On page 11, line 34, of the printed bill, as amended, after the word "shall", insert the words "fail to".

Amendment No. 10.

On page 11, line 35, of the printed bill, as amended, strike out the word "registered".

Amendment No. 11.

On page 11, line 39, of the printed bill, as amended, after the word "sureties", insert "as hereinafter provided".

Amendment No. 12.

On page 16, line 13, of the printed bill, as amended, after the word "purchaser", add the following: "subject to a right of redemption as prescribed in the Code of Civil Procedure upon sales of real estate on execution".

Amendment No. 13.

On page 19 of the printed bill, as amended, between lines 13 and 14, insert the following:

"On and after July 1, 1935, it shall be unlawful for any manufacturer, rectifier, importer or wholesaler of distilled spirits to deliver to any premises for which an on or off-sale distilled spirits license is issued under this act or an on-sale license for liquor other than beer or wine is issued under the State Liquor Control Act, and it shall be unlawful for any such on or off-sale licensee to sell at the premises for which any such license is issued distilled spirits in packages containing more than one gallon."

Amendment No. 14.

On page 19, line 43, of the printed bill, as amended, strike out the words "by the board".

Amendment No. 15.

On page 19, lines 46 and 47, of the printed bill, as amended, strike out "There is hereby appropriated from said fund", and insert in lieu thereof the following: "All moneys in said fund are hereby appropriated as follows:".

Amendment No. 16.

On page 20, line 3, of the printed bill, as amended, strike out the words "per biennium".

Amendment No. 17.

On page 20 of the printed bill, as amended, between lines 12 and 13, insert the following:

"5. Ten thousand dollars for expenditure by the State Department of Finance in auditing the revenues and expenditures resulting from the provisions of this act,".

Amendment No. 18.

On page 20, line 13, of the printed bill, as amended, strike out "5", and insert in lieu thereof "6".

Amendment No. 19.

On page 20, line 13, of the printed bill, as amended, strike out the word "license".

Amendment No. 20.

On page 20, line 23, of the printed bill, as amended, strike out "6", and insert in lieu thereof "7".

Amendment No. 21.

On page 20, lines 23 and 24, of the printed bill, as amended, strike out "and 4", and insert in lieu thereof "4 and 5".

Amendment No. 22.

On page 20, line 25, of the printed bill, as amended, strike out the word "license".

Amendment No. 23.

On page 20, line 26, of the printed bill, as amended, strike out the word "license".

Amendment No. 24.

On page 20, line 29, of the printed bill, as amended, strike out "7", and insert in lieu thereof "8".

Amendment No. 25.

On page 20, line 31, of the printed bill, as amended, strike out "8", and insert in lieu thereof "9".

Amendment No. 26.

On page 27, line 33, of the printed bill, as amended, after the word "shall", strike out the words "after the passage of this act be installed, erected, placed and used", and insert in lieu thereof the following, "be maintained, erected, used or placed".

Amendment No. 27.

On page 24 of the printed bill, as amended, strike out lines 23 to 27, inclusive, and insert in lieu thereof the following: "a petition for reconsideration the board shall itself rehear the entire matter de novo and shall thereupon and within said thirty days either affirm, modify or set aside its original order."

Amendments adopted.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Senate Bill No 919, as amended, at this time, without reference to reprint or file.

Senate Bill No. 919, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Cassidy:

Amendment No. 1.

On page 26 of the printed bill, as amended, strike out lines 45 to 51, inclusive.

Amendment No. 2.

On page 27 of the printed bill, as amended, strike out lines 1 and 2.

Amendment No. 3.

On page 27 of the printed bill, as amended, commencing in line 4, after the word "fixtures", strike out the following: "signs, except signs for interior use mentioned in subdivision (d) herein".

Amendment No. 4.

On page 27, line 43, of the printed bill, as amended, after the word "street", add the following:

"The manufacturer, distributor or wholesaler of alcoholic beverages may furnish to retail dispensers signs which are not prohibited from being displayed by the provisions of this section."

Amendment No. 5.

On page 27 of the printed bill, as amended, strike out lines 29 to 37, inclusive, and insert in lieu thereof the following:

"SEC. 55 There shall not be displayed on the windows of, or on, or in front of premises for which any "on sale" license has been issued, any sign or other advertisement stating or implying that a saloon, bar, cocktail bar or lounge is operated or maintained upon the premises or that alcoholic beverages are sold upon the premises in any manner or fashion in violation of the law or the rules and regulations of the board; provided that this regulation shall not prohibit "on sale" licensees from displaying signs reading, "Beer", "Wine", "Liquor" and similar signs."

The question being on the amendments submitted by Mr. Cassidy to Senate Bill No. 919.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Cassidy.

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Burns, Cassidy, Crowley, DeLap, Desmond, Donihue, Hornblower, Lore, Maloney, Nielsen, Patterson, Peterson, Turner, Wagner, and Williamson—15

NOES—Anderson, Andreas, Breed, Brennan, Chatters, Corwin, Cottrell, Cunningham, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Latham, Laughlin, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, O'Donnell, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Utt, Voigt, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—51.

Floor Amendments.

During third reading of the bill, amendments were submitted by Mr. Phillips.

Motion to Expunge Record.

Mr. Lyon moved that the vote taken on the amendments submitted by Mr. Phillips to Senate Bill No. 919 be expunged from the record, and the action rescinded.

Roll Call.

The Speaker ordered a roll call taken on the motion to expunge the record.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson,

Rosenthal, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, and Mr. Speaker—66.

NOES—Johnson, Latham, Patterson, and Wright—4.

Senate Bill No. 919, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Cassidy:

Amendment No. 1.

On page 5, line 10, of the printed bill, as amended, strike out "75.00", and insert in lieu thereof the following: "50.00".

The question being on the amendment submitted by Mr. Cassidy to Senate Bill No. 919.

Roll Call.

The Speaker ordered a roll call taken on the amendment submitted by Mr. Cassidy.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Anderson, Boyle, Cassidy, Donihue, Lore, Patterson, Rosenthal, and Wagner—8

NOES—Andreas, Breed, Brennan, Burns, Chatters, Clark, Cottrell, Cronin, Crowley, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Pelletier, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Scudder, Stream, Turner, Utt, Voigt, Walker, Wallace, Weber, Wright, and Mr. Speaker—56.

Senate Bill No. 919, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Phillips:

Amendment No. 1.

On page 29, lines 2 and 3, of the printed bill, strike out "person engaged in the business of selling or serving alcoholic beverages", and insert in lieu thereof the following: "on or off-sale licenses".

Amendment No. 2.

On page 29, line 4, of the printed bill, as amended, strike out "for consumption on the premises.".

The question being on the amendments submitted by Mr. Phillips to Senate Bill No. 919.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Phillips.

The roll was called, and the amendments were adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Geyer, Gilbert, Heisinger, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Martin, McCarthy, McMurray, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Phillips, Riley, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Wright, and Mr. Speaker—52

NOES—Desmond, Donihue, Flint, Hawkins, Hornblower, Hunt, Jones, Maloney, Mayo, Nielsen, Reaves, Robertson, and Weber—13.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Senate Bill No. 919, as amended, at this time, without reference to reprint or file

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 27, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Senate Bill No. 919—An act to license, regulate and control the manufacture, transportation, sale, purchase, possession and disposition of alcoholic beverages, to levy an excise tax on the sale of alcoholic beverages; to provide for the licensing of the manufacture, distribution and sale of alcoholic beverages; to prescribe penalties for the violation of this act; to make an appropriation for the enforcement of this act; to take effect immediately.

In my opinion said Senate Bill No. 919 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Third Reading of Senate Bill No. 919, as Amended.

Senate Bill No. 919, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 919, as amended, finally passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—69.

NOES—Anderson—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Messages.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, June 4, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day, pursuant to request, returns herewith Assembly Bill No. 2019—An act to amend section 2289 of the Political Code, relating to State aid to indigent orphans.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Motion to Expunge Record.

Mr. Peyser moved that the vote whereby the Assembly passed Assembly Bill No. 2019 on May 14, 1935, be expunged from the record, and the action rescinded.

Roll Call.

The Speaker ordered a roll call taken on the motion to expunge record.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Domhue, Donnelly, Field, Fisher, Fulcher, Garibaldi, Geyer, Gilmore, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Robertson, Scudder, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 2019 ordered on file for third reading.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

By Messrs. Jones and Wallace: Assembly Concurrent Resolution No. 47—Relative to proceedings for the removal of Gavin W. Craig as an Associate Justice of the District Court of Appeal of the State of California under and pursuant to the provisions of section 10, Article VI of the Constitution of the State of California.

Introduced, and referred to Committee on Judiciary.

By Messrs. Jones and Wallace: Assembly Concurrent Resolution No. 48—Relative to proceedings for the removal of Gavin W. Craig as an Associate Justice of the District Court of Appeal of the State of California under and pursuant to the provisions of section 10, Article VI of the Constitution of the State of California, setting a date and the time for hearing on said removal.

Introduced.

Leave of Absence.

On motion of Mr. Hawkins, Mr. Andreas was granted leave of absence for the balance of this legislative day.

Privilege of Floor of Assembly Extended.

On request of Mr. Fisher, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Minna McGanley and Mrs. Beatrice Isenberg.

Motion to Re-refer Senate Bill No. 525.

Mr. Evans, Herbert J., moved that Senate Bill No. 525 be withdrawn from Committee on Public Utilities, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Senate Bill No. 525 to Committee on Ways and Means.

Motion carried.

Senate Bill No. 525 ordered re-referred to Committee on Ways and Means.

Motion to Re-refer Assembly Bill No. 1234.

Mr. O'Donnell moved that Assembly Bill No. 1234 be withdrawn from Committee on Public Utilities, and ordered re-referred to Committee on Motor Vehicles.

The question being on re-referring Assembly Bill No. 1234 to Committee on Motor Vehicles.

Motion carried.

Assembly Bill No. 1234 ordered re-referred to Committee on Motor Vehicles.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2454—An act to add sections 4060 to 4060.53 inclusive, to the Political Code, and to amend section 3714 of said code, relating to the fiscal affairs of counties, cities and counties, and districts, including budgeting, accounting, reporting and auditing.

Also: Assembly Bill No. 2464—An act to provide for the payment of delinquent taxes with farm products, creating the California Farm Delinquent Tax Adjustment

Commission, defining its powers and duties and declaring the urgency thereof to take effect immediately;
And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1271—An act imposing an excise tax on the storage, use or other consumption in this State of tangible personal property, providing for the registration of retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof and providing that this act shall take effect immediately—and reports that the same has been correctly re-re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

On Drainage, Swamp and Overflowed Lands.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1935.

MR SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 2310—An act authorizing trustees of reclamation districts to make refunds where wrongful assessments have been made—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

DESMOND, Chairman.

The above reported bill ordered on file for second reading.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1935.

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1234—An act to amend section 9 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to adjustment of gross receipts taxes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 2484—An act to amend sections 105, 106, 109 and 111 of the Vehicle Code, relating to the Department of Motor Vehicles—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2310—An act authorizing trustees of reclamation districts to make refunds where wrongful assessments have been made.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "act", insert the following: "to add section 3462a to the Political Code,".

Amendment No. 2.

On page 1, line 1, of the printed bill, after "SECTION", insert the following "Section 3462a is hereby added to the Political Code, to read as follows:

3462a. Any assessment erroneously made by reason of inadvertence or clerical mistake may be refunded at any time after payment thereof upon the order of the board of trustees of the district."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1234—An act to amend section 9 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to adjustment of gross receipts taxes.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, add an "s" to "section", and insert thereafter the following: "1, 2, 4, 7"; and after "9", insert "12 and 13."

Amendment No. 2.

On page 1, line 6 of the title of the printed bill, after "relating to", insert "persons taxable thereunder, license fees, reports required of such persons, powers and duties of the State Board of Equalization".

Amendment No. 3.

On page 1, in the last line of the title of the printed bill, after "taxes", insert ", and penalties for failure to comply with the provisions of said act".

Amendment No. 4.

On page 1, line 1, of the printed bill, strike out "9", and insert in lieu thereof "1".

Amendment No. 5.

On page 1 of the printed bill, between lines 6 and 7, insert the following.

"SECTION 1. The words and phrases used in this act shall be construed for the purposes of said act, unless such construction be contrary to or inconsistent with the context thereof, as follows:

(a) The word "operator" shall include all persons, firms, associations and corporations who operate motor vehicles upon any public highway in this State and thereby engage in the transportation of persons or property for hire or compensation, either directly or indirectly, or who agree to transport or to have transported persons or property in motor vehicles upon any public highway in this State for compensation, either directly or indirectly, regardless of the registered or legal ownership of such vehicles. The word "operator" shall exclude any person engaged in husbandry who occasionally transports property for neighboring farmers and whose sole compensation for such transportation is an exchange of like services, labor, or services or things of value other than money; nor shall the word "operator" include any person whose sole transportation of persons or property for hire or compensation consists of the transportation of children to and from any public elementary or secondary school and whose total compensation from all sources for providing such transportation does not exceed fifty dollars ($50) per month

(b) The term "registration certificate" shall include any and all certificates of registration of a motor vehicle issued by the Department of Motor Vehicles of the State of California.

(c) The term "motor vehicle" shall include all vehicles, automobiles, trucks, or trailers, not exempt from registration fees under the laws of this State, operated upon or over public highways of this State, whether the same be propelled or operated by steam or electricity, or propelled or operated by combustion of gasoline, distillate or other volatile and inflammable liquid fuels.

(d) The term "gross receipts from operation" shall include all receipts from the operation of such motor vehicle or motor vehicles beginning and ending entirely within this State and a proportion based upon the proportion of the mileage within this State to the entire mileage over which such business is done of gross receipts of such operator on all business passing through, into or out of this State, or partly within and partly without this State, and shall include all that portion of the compensation received by any person, firm, association or corporation found by the State Board of Equalization to have been paid to such person, firm, association or corporation as compensation for the transportation of persons or property by motor

vehicles, regardless of whether or not such compensation for transportation is separately stated in the contract or agreement between the operator and the person, firm, association or corporation for whom the transportation services are performed.

SEC. 2. Section 2 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 2. Each operator of a motor vehicle within this State who transports or desires to transport for compensation or hire persons or property upon or over any public highway within this State shall make application to the State Board of Equalization, on such forms as said board may prescribe, for a license to operate motor vehicles for the transportation of persons or property for hire or compensation over public highways in this State.

All applications for licenses must be accompanied by a fee of twelve dollars; provided, however, that if such application is made after the beginning of the calendar year by an operator not previously taxable during such year, the fee required hereunder shall be reduced by one-twelfth for each calendar month which shall have elapsed since the beginning of such year. Upon the receipt of the application of any such operator, accompanied by such fee, the State Board of Equalization shall issue to such applicant a license to transport for compensation or hire persons or property upon or over any public highway within this State; provided, that no license issued in pursuance of this act shall be construed to authorize the operation of any vehicle over or upon the public highways of this State contrary to the laws now or hereafter in effect regulating the operation of motor vehicles. No license issued hereunder shall be assignable by operation of law or otherwise.

All licenses issued under the provisions of this act shall expire on the thirty-first day of December next succeeding the date upon which they are issued. Licenses issued hereunder must be renewed annually upon application made to the State Board of Equalization on such forms as it may prescribe. If any person, firm, association or corporation shall become an operator within the meaning of this act without first securing the license for which provision is made in this section, or shall fail to renew any such license previously held, and shall continue to engage in transportation taxable hereunder, then and in that event there shall be added to the license fee to be charged to any such person, firm, association or corporation an amount of ten dollars not subject to any proration or deduction during the calendar year

SEC. 3. Section 4 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 4. On or before the tenth day of the second month after the effective date of this act, and on or before the tenth day of each calendar month thereafter each operator shall file with the State Board of Equalization a report upon a form to be prescribed by said board, showing the gross receipts from operation of said operator for the preceding calendar month, and such other information relating to his or its operations as said board may require to enable the board to make the assessment for which provision is herein made. A license tax equal to three per cent of gross receipts from operation derived on and after the first day of the month after the effective date of this act, shall be levied and assessed by said board.

If any operator shall fail, neglect or refuse to file said report within the time prescribed herein, the State Board of Equalization must note such failure, neglect or refusal upon the tax roll hereinafter described, and must estimate the gross receipts from operation of said operator, assessing the license tax thereon, adding to said license tax a penalty of twenty-five per cent thereof for failure, neglect or refusal to report, and said operator shall be estopped from complaining of the amount of said estimate. Said penalty for failure to report shall not be in lieu of the penalty for delinquency prescribed by section 5 of this act.

The State Board of Equalization shall, on or before the first day of the third month after the effective date of this act, and on or before the first day of each calendar month thereafter, assess the license tax due hereunder, and prepare and complete an assessment roll showing the amount of the license tax assessed against each operator and immediately deliver said assessment roll to the State Controller.

SEC. 4. Section 7 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 7. The State Board of Equalization shall have the power, and it is hereby authorized, to prescribe the forms of all reports of gross receipts from operation, to prescribe the forms for keeping records of gross receipts from operation, and to make any and all such examinations of the records of operators and such other investigations as it may deem necessary in carrying out the provisions of this act. If such examinations or investigations made by said board shall disclose that any reports of operators theretofore filed with said board by said operators pursuant to the requirements of this act, have shown incorrectly the gross receipts from operation of such operators, said board shall have the power, and is hereby authorized, to make such changes in subsequent assessments of said operators under this act as it may deem necessary to correct the errors disclosed by its examination of the records of said operators or its investigations as hereinbefore authorized.

The State Board of Equalization may appoint accountants, auditors, investigators and such other expert and clerical assistants as it may from time to time deem necessary to enforce its powers and perform its duties under this act.

SEC. 5. Section 9 of the act cited in the title hereof is hereby amended to read as follows:".

Amendment No. 6.

On page 2 of the printed bill, after line 48, add the following:

"SEC. 6 Section 12 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 12. Any person, firm, association or corporation who shall use any public highway in this State for the transportation of persons or property for hire or compensation without first obtaining the license for which provision is herein made, or without carrying upon each motor vehicle so used the number plates or emblems for which provision is herein made, or who fails, neglects or refuses to make any return required hereunder or any report required by the State Board of Equalization, or who makes any false return, or who refuses to permit said board or any of its representatives to make the examination which said board is authorized to make, or who fails to keep records of gross receipts from operation as may be prescribed by said board, or who violates any other provision of this act shall be guilty of a misdemeanor, unless such act is by any other law of this State declared to be a felony, and upon conviction thereof shall be punished by a fine of not more than five hundred dollars, or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment.

The State Board of Equalization shall have the power to revoke or suspend the license of any operator refusing or neglecting to comply with the provisions of this act. The provisions of section 11 of this act relating to suspension of license shall apply to suspensions made under this section.

SEC. 7. Section 13 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 13. All sums paid to the State Controller or to the State Board of Equalization under and by virtue of this act shall be deposited in the State treasury to the credit of the motor transportation license fund, which fund is hereby created. After allowing refunds for which provision is made in section 9 hereof, and after deducting the appropriations for the support of the State Board of Equalization and the State Controller, out of said motor transportation license fund, the balance of the amounts so deposited shall be transferred by the State Controller to the general fund of this State and is hereby appropriated to pay interest and redemption charges on bonds heretofore issued by the State of California for State highway construction

SEC 8. Section 2 of this act shall not become operative until January 1, 1936"

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2484—An act to amend sections 105, 106, 109 and 111 of the Vehicle Code, relating to the Department of Motor Vehicles.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "sections", insert the following: "61, 62, 101, 102, 103,".

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, strike out "109 and 111", and insert in lieu thereof the following: "108, 109 and 110".

Amendment No. 3.

On page 1, line 2 of the title of the printed bill, after "to the", insert the following: "transfer of the".

Amendment No. 4.

On page 1, line 2 of the title of the printed bill, strike out the period after "Vehicles", and insert in lieu thereof the following, "to the Department of Finance and creating therein the Division of Motor Vehicles."

Amendment No. 5.

On page 1 of the printed bill, after the enacting clause, and before line 1 on said page, insert the following:

"SECTION 1. Section 61 of the Vehicle Code is hereby amended to read as follows

61. "Department" The "Department" is the Division of Motor Vehicles in the Department of Finance of the State of California

SEC. 2. Section 62 of the Vehicle Code is hereby amended to read as follows:

62. "Director." The "Director" is the Director of Finance.

SEC. 3. Section 101 of the Vehicle Code is hereby amended to read as follows:

101. Division Created. There is hereby created in the Department of Finance an additional division to be known as the Division of Motor Vehicles.

SEC. 4. Section 102 of the Vehicle Code is hereby amended to read as follows:

102. Department of Finance Successor to Certain State Agencies. The Department of Finance shall succeed to and is hereby vested with all of the powers, duties, purposes, responsibilities and jurisdiction now or hereafter vested by law in the Department of Motor Vehicles, the California Highway Patrol, the Motor Vehicle Department, the Motor Vehicle Department of California, the Division of Motor Vehicles of the Department of Public Works, and all other State agencies of similar designation, or in the several heads, members, officers and employees of each thereof.

SEC. 5. Section 103 of the Vehicle Code is hereby amended to read as follows:

103. Department of Finance Has Possession of Records and Property. The Department of Finance shall have possession and control of all records, books, papers, offices, equipment, moneys, funds, appropriations, and all other property, real, personal and mixed, now or hereafter held for the benefit or use of the Department of Motor Vehicles or of any other State agency hereinbefore in this chapter mentioned."

Amendment No. 6.

On page 1, line 1, of the printed bill, strike out "tion 1", and insert in lieu thereof a period and the following: "6".

Amendment No. 7.

On page 1 of the printed bill, strike out lines 3 to 13, inclusive, and insert in lieu thereof the following:

"105. Office of Chief Created. The division shall be under the control of the director of the department. The term director as used in this code shall be construed to mean and refer to the Director of the Department of Finance as Chief of the Division of Motor Vehicles."

Amendment No. 8.

On page 1, line 14, of the printed bill, strike out "2", and insert in lieu thereof the following: "7".

Amendment No. 9.

On page 1, line 17, of the printed bill, strike out ", with the approval of the Department of Finance,".

Amendment No. 10.

On page 1 of the printed bill, between lines 22 and 23, insert the following:

"SEC. 8. Section 108 of the Vehicle Code is hereby amended to read as follows:

108. Organization of Department. The director with the approval of the Governor shall organize the department in such manner as he may deem necessary properly to segregate and conduct the work of the department. The work of the department is hereby divided into at least two bureaus, to be known respectively as the Bureau of Registration and the Bureau of Enforcement, to be known as the California Highway Patrol. The terms Division of Registration and Division of Enforcement as used in this code shall mean respectively Bureau of Registration and Bureau of Enforcement."

Amendment No. 11.

On page 1, line 23, of the printed bill, strike out "3", and insert in lieu thereof the following: "9".

Amendment No. 12.

On page 1 of the printed bill, strike out lines 25 to 29, inclusive, and on page 2, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following:

"109. Office of Registrar of Vehicles Created. The Bureau of Registration shall be under the control of a civil executive officer to be known as the Registrar of Vehicles, which office is hereby created. The Registrar of Vehicles shall be appointed by the director, subject to the approval of the Governor, and shall receive an annual salary of five thousand dollars. The Registrar of Vehicles shall execute and deliver, as provided by law, an official bond in the sum of twenty-five thousand dollars."

Amendment No. 13.

On page 2 of the printed bill, strike out lines 5 to 17, inclusive, and insert in lieu thereof the following:

"SEC. 10. Section 110 of the Vehicle Code is hereby amended to read as follows:

110. Registrar to Appoint Subordinates. The Registrar of Vehicles with the approval of the director may appoint a deputy registrar, a secretary, and such investigators as may be necessary, whose salaries shall be fixed by the director."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 546—An act to amend sections 1104, 1108, 1143, 1144, 1146 and 1147 of Chapter 8 of Division V of the Agricultural

Code, relating to the administration of standards for eggs and egg products.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Scudder:

Amendment No. 1.

On page 1, lines 10 and 11, of the printed bill, as amended, strike out the following: "by the Department of Agriculture".

Amendment No. 2.

On page 2, lines 6 and 7, of the printed bill, as amended, strike out the following "to the Department of Agriculture for payment".

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out all of lines 11 to 16 inclusive, and insert in lieu thereof the following:

"1147. The director and the county agricultural commissioners shall and the Department of Public Health, the other city, county and State officers may enforce the provisions of Articles 1 and 3 of this chapter, and the Department of Public Health shall enforce the provisions of Article 4 of this chapter. The Department of Agriculture and the Department of Public Health shall make and enforce all necessary rules and regulations in relation to those articles which each respectively must enforce."

Amendments adopted.

Bill read, ordered to reprint, and on file for third reading.

Request for Unanimous Consent.

Mr. Jones asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 48, at this time, without reference to printer, committee or file, and that same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 48.

Assembly Concurrent Resolution No. 48—Relative to proceedings for the removal of Gavin W. Craig as an Associate Justice of the District Court of Appeal of the State of California under and pursuant to the provisions of section 10, Article VI of the Constitution of the State of California, setting a date and the time for hearing on said removal.

Assembly Concurrent Resolution No. 48 read.

Consideration of Assembly Concurrent Resolution No. 48 Deferred.

Consideration of Assembly Concurrent Resolution No. 48 ordered deferred until nine o'clock p.m.

Recess.

At five o'clock and thirty-five minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until nine o'clock p.m., of this day.

Reassembled.

At nine o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 4, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, as a case of urgency, Assembly Bill No. 313—An act to add section 444.5 to the Political Code, relating to the repayment of moneys withdrawn from funds in the State treasury and providing

that this act shall take effect immediately—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 313 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 4, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 727—An act requiring the licensing of certain vehicles used for the transportation of persons or property in this State, defining such vehicles, providing for the imposition, collection, and distribution of license taxes for the privilege of operating such vehicles in this State, making appropriations for the purposes of this act, prescribing penalties for the violation of this act, repealing an act entitled, "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle, and provided that this act shall take effect immediately," approved May 15, 1933, subject to certain conditions.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 727 read first time, and referred to Committee on Revenue and Taxation.

Also:

SENATE CHAMBER, SACRAMENTO, June 4, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1208—An act to amend sections 3 and 5 of, and to repeal section 7 of, an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933, relating to taxation, and to provide that this act shall take effect immediately—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 1208 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 4, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2183—An act to be known as the "Inheritance Tax Act of 1935," to establish a tax on gifts, legacies, inheritances, bequests, devises, successions, transfers, joint tenancies and insurance; to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under any act hereby repealed; to provide penalties for failure to comply with the provisions of this act; and to repeal Chapter 821 of the laws of the session of the Legislature of California of 1921, approved June 3, 1921, known as the "Inheritance Tax Act," and all amendments thereto, and to repeal all acts and parts of acts in conflict with this act, and providing this act shall take effect immediately—and respectively requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 2183 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 4, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 940—An act relating to the relief of hardship and destitution due to and caused by unemployment, setting forth the powers and duties of the Relief Commission and the Relief Administrator and making an appropriation for the purposes thereof and providing for the expenditure of

unexpended balances heretofore appropriated for such purposes, setting forth certain acts to be misdemeanors and providing for the punishment and penalties therefor.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 940 read first time, and referred to Committee on Revenue and Taxation.

Unfinished Business—(Resumed).

Consideration of Senate Amendments to Assembly Bill No. 313.

Assembly Bill No. 313—An act to amend section 444 of the Political Code, relating to the transfer of money from one fund to another in the State treasury.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 313?

Amendment No. 1.

On page 1, lines 2 and 3 of the title of the printed bill, as amended, strike out the words "transfers of money from one fund to another", and insert in lieu thereof the following: "repayment of moneys withdrawn from funds".

Amendment No. 2.

On page 2, line 6, of the printed bill, as amended, strike out the words "so much of the moneys therein", and insert in lieu thereof the following: "such amounts".

Amendment No. 3.

On page 2, line 7, of the printed bill, as amended, strike out the word "Such", and insert in lieu thereof the following: "Except as otherwise provided in this section, such".

Amendment No. 4.

On page 2, line 14, of the printed bill, as amended, strike out the words "It is the intention", and strike out line 15, and in line 16, strike out the words "for priority of such repayments."

Amendment No. 5.

On page 2, lines 19 and 20, of the printed bill, as amended, strike out the words "were set apart.", and insert in lieu thereof the following: "so set apart are then unpaid.

In the event that any claim against any appropriation made from any special fund for the support of any State department, office, board, commission, or other State agency, can not be paid out of such special fund by reason of the depletion of such special fund as a result of any such setting apart of revenues therefrom, or of revenues which would otherwise have been paid thereinto, such claim or claims shall be paid from the appropriation hereby made out of the general fund to the extent only of the sum or sums so set apart. It is the intention of the Legislature to provide to the fullest extent of its power for priority of such repayments and to prevent the interruption of the performance of any State function by providing an alternative method of repayment by use of general fund registered warrants, when and if necessary."

The roll was called, and Senate amendments to Assembly Bill No. 313 were concurred in by the following vote:

AYES—Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, McMurray, Miller, Minard, Morgan, Nielsen, Pelletier, Peyser, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Wagner, Walker, Wallace, Waters, Wright, and Mr. Speaker—59.
NOES—None.

Assembly Bill No. 313 ordered to enrollment.

Further Consideration of Assembly Concurrent Resolution No. 48.

Assembly Concurrent Resolution No. 48—Relative to proceedings for the removal of Gavin W. Craig as an Associate Justice of the District Court of Appeal of the State of California under and pursuant

to the provisions of section 10, Article VI of the Constitution of the State of California, setting a date and the time for hearing on said removal.

Assembly Concurrent Resolution No. 48 read.

Mr. Jones moved the adoption of Assembly Concurrent Resolution No. 48.

The question being on the adoption of Assembly Concurrent Resolution No. 48.

Demand for Previous Question.

Messrs. Patterson, Wagner, Kallam, Dawson and Brennan demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question was not sustained.

Demand for Previous Question.

Messrs. Frazier, Peterson, Thorp, Wagner, and Heisinger demanded the previous question.

The question being put: Shall the main question be now put?

Roll Call.

The Speaker ordered a roll call taken on the demand for the previous question.

The roll was called, and the demand was not sustained by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Chatters, Cronin, Dawson, DeLap, Donihue, Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Heisinger, Johnson, Kallam, Latham, Laughlin, Lore, Morgan, Patterson, Peterson, Peyser, Reaves, Riley, Robertson, Rosenthal, Scudder, Thorp, and Voigt—31.

NOES—Boyle, Cassidy, Clark, Corwin, Crowley, Cunningham, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Geyer, Glover, Hawkins, Hornblower, Hunt, Jones, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Nielsen, O'Donnell, Pelletier, Phillips, Redwine, Richie, Stream, Turner, Wagner, Walker, Wallace, Waters, Welsh, and Mr. Speaker—39.

The question being on the adoption of Assembly Concurrent Resolution No. 48.

Demand for Previous Question.

Messrs. Robertson, Weber, Dawson, Brennan, and Cottrell demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of Assembly Concurrent Resolution No. 48.

The roll was called, and Assembly Concurrent Resolution No. 48 was refused adoption by the following vote:

AYES—Anderson, Boyle, Brennan, Chatters, Corwin, Cunningham, Dawson, DeLap, Desmond, Donihue, Field, Fisher, Flint, Frazier, Geyer, Glover, Hunt, Johnson, Jones, Laughlin, Lore, Martin, Mayo, Minard, Nielsen, O'Donnell, Phillips, Reaves, Redwine, Richie, Voigt, Walker, Wallace, Waters, and Welsh—35

NOES—Breed, Burns, Cassidy, Clark, Cottrell, Cronin, Crowley, Donnelly, Evans, Herbert J., Evans, Ralph W., Fulcher, Garibaldi, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Kallam, Latham, Lyon, Maloney, McBride, McCarthy, McMurray, Miller, Morgan, Patterson, Pelletier, Peterson, Peyser, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Weber, Wright, and Mr. Speaker—42.

Third Reading of Assembly Bills—(Resumed).

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 4, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 1271—An act imposing an excise tax on the storage, use or other consumption in this State of tangible personal property, providing for the registration of retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof and providing that this act shall take effect immediately.

In my opinion said Assembly Bill No. 1271 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 1271—An act imposing an excise tax on the storage, use or other consumption in this State of tangible personal property, providing for the registration of retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1271 passed by the following vote:

AYES—Breed, Burns, Chatters, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Gilmore, Glover, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—54.

NOES—Anderson, Boyle, Clark, Dawson, Donihue, Flint, Geyer, Gilbert, Hawkins, Hornblower, McCarthy, Patterson, Richie, Rosenthal, and Wagner—15.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 792—An act to prohibit child labor.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Hawkins:

Amendment No. 1.

On page 1, line 1, of the printed bill, as amended, strike out "sixteen", and insert in lieu thereof the following: "fourteen".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 7 to 9, inclusive, and insert in lieu thereof the following: "agricultural labor, but it shall not apply to the sale or distribution of newspapers and periodicals between five and nine o'clock in the morning or three and eight o'clock in the evening, but in no event to exceed seven hours in any one day."

Amendment No. 3.

On page 1, line 11, of the printed bill, as amended, strike out "sixteen (16)", and insert in lieu thereof the following, "fourteen".

Amendments adopted.

Request for Unanimous Consent.

Mr. Pelletier asked for, and was granted, unanimous consent to take up Assembly Bill No. 792, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 792, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Anderson:

Amendment No. 1.

On page 1, lines 6 and 7, of the printed bill, strike out "and also to all kinds of agricultural labor".

Withdrawal of Amendment.

Mr. Anderson withdrew his amendment.

Third Reading of Assembly Bill No. 792, as Amended.

Assembly Bill No. 792, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 792, as amended, passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—74.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Explanation of My Amendments to Assembly Bill No. 792.

These amendments submitted by consent of the author. I am in favor of the bill unamended but we feel that at least an opening wedge is desirable. We desire to get the best bill out of this Legislature we possibly can.

AUGUSTUS F. HAWKINS.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 767—An act to amend sections 2, 2½, 3, 4, 10, 13, 14, 18½ and 21 and to repeal sections 5 and 9 of the Old Age Security Act of the State of California, relating to aid to the aged.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Hornblower:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "14," insert the following: "15,".

Amendment No. 2.

On page 3 of the printed bill, as amended, strike out lines 49 to 52, inclusive.

Amendment No. 3.

On page 4 of the printed bill, as amended, strike out lines 1 to 6, inclusive.

Amendment No. 4.

On page 5 of the printed bill, as amended, between lines 42 and 43, insert the following:

"SEC 8 Section 15 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 15. The clerk of the board of supervisors of each county and city and county shall report monthly to the said State department in such manner and form as the latter may prescribe, the number of applications granted, and the grants of aid changed, revoked or suspended under this act by the board during the preceding calendar month, together with copies of all applications received and a statement of the action of the board thereon, and shall report the amount of aid to aged paid out under this act by said county or city and county during said period. Claims for State aid granted under this act shall be presented by the respective counties and city and county semiannually in January and July of each year Such claims shall be audited by the State Department of Social Welfare and the State Controller and, when approved, the State Controller shall draw the necessary warrants and the State Treasurer shall pay to the treasurer of said county or city and county a sum equal to one-half of the total amount of payments made by said county or city and county to aged citizens as aid under the provisions of this act during the period for which said claim is made. The State shall reimburse the county or city and county the full amount of aid granted any person otherwise qualified who has resided in the State for the required period and who has no county residence and whose application has been filed in the county or city and county in which he resides, provided, that if, when and during such time as grants in aid are provided or made available by the United States Government for aid to the aged in this State, and accepted by this State, the State shall reimburse the county or city and county, in addition to the sums hereinbefore provided in this section, one-half of the total amount of payments made to the State by the United States for or in respect to aid for aged citizens who receive aid under the provisions of this act."

Amendment No. 5.

On page 5, line 43, of the printed bill, as amended, strike out "Sec. 8.", and insert in lieu thereof the following: "Sec. 9."

Amendment No. 6.

On page 6, line 6, of the printed bill, as amended, strike out "Sec 9.", and insert in lieu thereof the following: "Sec. 10"

Amendment No. 7.

On page 6, line 15, of the printed bill, as amended, after "county", insert the following: "There is hereby further appropriated to each and every county and city and county within this State for the purpose of maintaining or supporting aged persons who come within the provisions of this act and who have no county residence as provided in this act, aid not in excess of four hundred twenty dollars per annum for each such aged person."

Amendment No. 8.

On page 6, line 17, of the printed bill, as amended, strike out "Sec. 10.", and insert in lieu thereof the following. "Sec 11."

Amendment No. 9.

On page 6, line 31, of the printed bill, as amended, strike out "Sec. 11.", and insert in lieu thereof the following: "Sec 12."

Amendments adopted.

Bill read, ordered to reprint, re-re-re-engrossment, and third reading

Motion to Strike Assembly Bill No. 6 from File.

Mr. Martin moved that Assembly Bill No. 6 be stricken from the file.

Motion carried.

Assembly Bill No. 6 ordered stricken from the file.

Unfinished Business—(Resumed).

Reconsideration of Assembly Bill No. 1625.

Assembly Bill No. 1625—An act to prevent fraud, deception and imposition in the solicitation within the State of California of the deposit of bonds, notes, debentures and other evidences of indebtedness under, and/or the consent of the holders or owners of such securities, to a protective committee agreement, and to prevent fraud, deception and imposition in the operations and activities of protective committees

organized within the State of California to act for and in behalf of the holders or owners of such securities, and for such purposes to create a commission to regulate and supervise the establishment and the operations of protective committees, depositaries under protective committee agreements, and solicitors for protective committee agreements; to prescribe the powers and duties of such commission; to license members of protective committees, depositaries under protective committee agreements and solicitors for protective committee agreements; and to prescribe penalties for violation of this act.

In compliance with his notice given on a previous day, Mr. Phillips moved that the vote whereby Assembly Bill No. 1625 was refused passage be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Brennan, Cassidy, Chatters, Corwin, Cottrell, Cunningham, Dawson, Desmond, Donnelly, Evans, Herbert J., Field, Frazier, Garibaldi, Hunt, Kallam, Lyon, Mayo, McBride, McMurray, Miller, Morgan, Nielsen, Pelletier, Phillips, Reaves, Stream, Thorp, Turner, Walker, Weber, Welsh, and Mr. Speaker—32.

NOES—Anderson, Boyle, Burns, Cronin, Crowley, DeLap, Donihue, Evans, Ralph W., Fisher, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hornblower, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, McCarthy, Minard, O'Donnell, Peyser, Redwine, Richie, Riley, Robertson, Rosenthal, Wagner, Waters, and Wright—35.

Consideration of Senate Amendments to Assembly Bill No. 2386.

Assembly Bill No 2386—An act to add Chapter 8 to Division VI of the Agricultural Code, relating to the marketing of milk and other dairy products.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2386?

Amendment No. 1.

On page 6 of the printed bill, as amended, after line 32, add a new section reading as follows:

"SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of public peace, health and safety within the meaning of section 1 of Article IV of the Constitution and shall therefore go into immediate effect. The statement of the facts constituting such necessity is as follows:

The economic conditions of fluid milk producers throughout the State are such as to require immediate relief if their purchasing power and taxpaying ability are to continue and their morale and standard of living are not to be undermined. Such relief can be afforded only by the orderly production and marketing of fluid milk and fluid cream. The provisions herein contained are necessary in order to prevent the further demoralization of the fluid milk and fluid cream industries."

The roll was called, and Senate amendment to Assembly Bill No. 2386 was concurred in by the following vote:

AYES—Anderson, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—63.

NOES—McCarthy—1.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2386?

Amendment No. 1.

On page 3 of the printed bill, as amended, strike out all of lines 44 to 49, inclusive.

Amendment No. 2.

On page 3, line 50, of the printed bill, as amended, strike out "(o)", and insert in lieu thereof "(n)".

Amendment No. 3.

On page 2, line 2, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "commercially."

The roll was called, and Senate amendments to Assembly Bill No. 2386 were concurred in by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Garibaldi, Gilmore, Heisinger, Hornblower, Johnson, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, Miller, Morgan, Nielsen, O'Donnell, Patterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Weber, Wright, and Mr. Speaker—51.

NOES—Anderson, Clark, Cunningham, Donihue, Evans, Ralph W., Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Hunt, Jones, Laughlin, McCarthy, McMurray, Minard, Pelletier, Peterson, Richie, Rosenthal, Wagner, Wallace, Waters, and Welsh—25.

Assembly Bill No. 2386 ordered to enrollment.

Resolution.

The following resolution was offered:

By Messrs. Maloney, Hornblower, Dawson, Peyser, Williamson, McMurray, Cronin, and Brennan:

Assembly Resolution.

WHEREAS, Twenty-three years ago today, there was united in marriage a member of this House, who has served California with distinction during the past six years; and

WHEREAS, The blushing bride of 23 years ago, since the beginning of this fifty-first session of the Legislature, has graciously won the friendship of the members and their families of this Assembly; and

WHEREAS, Through the happy event that happened twenty-three years ago today, there is also in attendance with us in this session of the Legislature a very charming young daughter of this lovable couple; now, therefore, be it

Resolved, That the Assembly this day, through the medium of this resolution, convey to Assemblyman Joseph Gilmore and his dear wife our congratulations on this their twenty-third year of happy married life; and be it further

Resolved, That the wishes of this Assembly are also conveyed to their daughter, May Gilmore; and be it further

Resolved, That a suitably engrossed copy be presented by the Chief Clerk of the Assembly to Mr. and Mrs. Joseph Gilmore on this, their twenty-third wedding anniversary.

Resolution read, and adopted unanimously.

Motion to Expunge Record.

Mr. O'Donnell moved that the vote whereby Senate Bill No. 90 was this day ordered re-referred to Committee on Live Stock and Dairies be expunged from the record, and the action be rescinded.

Roll Call.

The Speaker ordered a roll call taken on the motion to expunge the record.

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Boyle, Burns, Chatters, Clark, Desmond, Donnelly, Evans, Ralph W., Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Kallam, Laughlin, Lore, Mayo, McMurray, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Rosenthal, Turner, Wagner, and Weber—30.

NOES—Breed, Brennan, Cassidy, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donihue, Evans, Herbert J., Field, Fisher, Frazier, Hornblower, Hunt, Johnson, Jones, Lyon, Maloney, Martin, McBride, McCarthy, Miller, Minard, Morgan, Peterson, Peyser, Phillips, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Welsh, Wright, and Mr. Speaker—39.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1935.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 940—An act relating to the relief of hardship and destitution due to and caused by unemployment, setting forth the powers and duties of the Relief Commission and the Relief Administrator and making an appropriation for the purposes thereof and providing for the expenditure of unexpended balances heretofore appropriated for such purposes, setting forth certain acts to be misdemeanors and providing for the punishment and penalties therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

RILEY, Chairman.

Senate Bill No. 940 ordered re-referred to Committee on Ways and Means.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1935.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 940—An act relating to the relief of hardship and destitution due to and caused by unemployment, setting forth the powers and duties of the Relief Commission and the Relief Administrator and making an appropriation for the purposes thereof and providing for the expenditure of unexpended balances heretofore appropriated for such purposes, setting forth certain acts to be misdemeanors and providing for the punishment and penalties therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Second Reading of Senate Bills—(Resumed).

Senate Bill No. 940—An act making an appropriation and providing for the expenditure of moneys received by the State from taxes levied specifically for financing unemployment relief.

Bill read second time, and ordered on file for third reading.

Motion to Continue Unfinished Business.

Mr. Lyon moved that all unfinished business on the Daily Calendar be continued to the next legislative day.

Motion carried.

Adjournment.

At twelve o'clock p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Wednesday, June 5, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, June 5, 1935.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue,

Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—80.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Wagner, its further reading was dispensed with.

Presentation of Petition.

The following petition was presented, and ordered printed in the Journal:

By Mr. Speaker:

From United Spanish War Veterans, Department of California, favoring passage of Assembly Bill No. 1744 and Senate Bill No. 343.

ASSISTANT CLERK COOLIDGE READING.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 313—An act to add section 444.5 to the Political Code, relating to the repayment of moneys withdrawn from funds in the State treasury and providing that this act shall take effect immediately;

Also: Assembly Bill No. 1684—An act to amend section 23, and to repeal section 24 of "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands, to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to the granting of leases and easements to extract oil, gas and other hydrocarbons by means of wells drilled from littoral or adjacent lands into State lands;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifth day of June, 1935, at ten o'clock a.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 379—An act to amend section 410 of the Political Code, relating to the publication and distribution of the laws, resolutions and Journals of the Legislature, and making an appropriation therefor;

Also. Assembly Bill No. 502—An act to amend section 461 of, the Streets and Highways Code, establishing and changing the route of an existing secondary State highway;

And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2442—An act relating to rates of interest and charges **which may**

be made in connection with loans—and reports that the same has been correctly engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 234—An act creating a commission for the coordination of State and local governments, defining its powers and duties, and making an appropriation therefor—and reports that the same has been correctly re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

On Contingent Expenses.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1935.

MR SPEAKER: Your Committee on Contingent Expenses, to which was referred the following resolution by Mr. Walker:

Resolved, That the Controller be and is hereby authorized and directed to draw his warrants on the contingent fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Daily Pacific Builder (advertising bids for electrical roll call system)	$30 60
Southwest Builder and Contractor (advertising bids for electrical roll call system)	29 05
Ellas Marx Music Co. (piano furnished Memorial Day)	12 00
Tom B. Monk Co. (stop watch for Speaker)	20 00
Cascade Towel Supply Co. (towel service, May)	96 88
McNeil Taxi Service (taxi service, Sergeant-at-Arms)	2 25

Has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

WALKER, Chairman.

Report and resolution of Committee on Contingent Expenses read.

Mr. Walker moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Brennan, Cunningham, DeLap, Donihue, Evans, Herbert J., Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Martin, McBride, McCarthy, Meehan, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Robertson, Rosenthal, Scudder, Stream, Thorp, Wagner, Walker, Waters, and Mr. Speaker—41.

NOES—None.

On Attaches.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1935.

MR SPEAKER: Your Committee on Attaches respectfully begs to report that it has carefully considered the applications for the various positions and desires to submit the following resolution:

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same:

	Per day (Sundays excepted)
Commencing May 30th—	
Paul S. Farrelle, Assistant Sergeant-at-Arms	$5 00
Commencing June 3d—	
Ed Harrison, Assistant Sergeant-at-Arms	$5 00
Dewey Baker, Page	$2 50

Be it further

Resolved, That the following named persons be stricken from the list of Assembly attaches, and their names be stricken from the pay roll of the Assembly to take effect on completion of work:

June 1st—

Billie Boyle, Page ----------$2 50

June 8th—

Ed Harrison, Assistant Sergeant-at-Arms ----------$5 00

UTT, Chairman.

Report and resolution of Committee on Attaches read.

Mr. Utt moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Brennan, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Martin, McBride, McCarthy, Meehan, Miller, Morgan, O'Donnell, Patterson, Pelletier, Reaves, Robertson, Rosenthal, Scudder, Thorp, Voigt, Wagner, Walker, Waters, Welsh, and Mr. Speaker—41.

NOES—None.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1935.

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Bill No 438—An act to carry into effect the provisions of section 20 of Article XI of the Constitution, relating to limitations upon the expenditures and tax levies of counties, cities and counties, municipalities, districts and other political subdivisions of this State and to repeal section 3714b of the Political Code—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 2474—An act relating to taxation, providing for a tax upon certain vehicles, providing for the collection thereof and the enforcement of this act, and providing for the repeal of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, as amended, and be re-referred to Committee on Ways and Means.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

On Crime Problems.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1935.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Senate Bill No. 1124—An act to amend sections 1193, 1217, 1228, 1239 and 1243 of the Penal Code, relating to persons convicted of the commission of crime—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

MILLER, Chairman.

The above reported bill ordered on file for second reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 4, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1120—An act to provide for certain major construction and improvements by the State, including the construction of a State prison,

certain other construction and improvements and the issue of bonds therefor and making an appropriation.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 1120 read first time, and referred to Committee on Ways and Means.

Second Reading of Assembly Bills.

Assembly Bill No. 2474—An act relating to taxation, providing for a tax upon certain vehicles, providing for the collection thereof and the enforcement of this act, and providing for the repeal of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "taxation, providing for a tax", and insert in lieu thereof the following: "fees and taxes for and".

Amendment No. 2.

On page 1, line 1, of the printed bill, after "imposed", insert the following: "in addition to any other tax provided for by law".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 4 to 14, inclusive, and insert in lieu thereof the following:

"(a) Upon each commercial vehicle, except trailers and semitrailers, the unladen weight of which is less than three thousand pounds $1.00.

(b) Upon each trailer and semitrailer, the unladen weight of which is more than seven hundred fifty pounds and less than three thousand pounds $3.00.

(c) Upon each commercial vehicle, the unladen weight of which is three thousand pounds or more and less than five thousand pounds $3.00.

(d) Upon each commercial vehicle the unladen weight of which is five thousand pounds or more, and less than seven thousand pounds $7.00.

(e) Upon each commercial vehicle the unladen weight of which is seven thousand pounds or more $9.00.

SEC. 2. In addition to any other fees provided for by law a fee of ten dollars per annum shall be paid for the registration of each vehicle of a type subject to registration used or maintained for the transportation of persons or property for hire, other than such vehicles operated exclusively within incorporated cities and towns or operated between incorporated cities and towns where no portion of public highway outside of the corporate limits of said cities or towns is traversed in said operation.

SEC. 3. In addition to the fees provided for in sections 370, 371 and 372 of the Vehicle Code, a fee of fifty cents shall be paid for the registration of each vehicle of a type subject to registration, except that a fee of one dollar shall be paid for each truck, trailer or semitrailer, subject to the payment of the fee provided for in this section, the unladen weight of which is seven hundred fifty pounds or more."

Amendment No. 4.

On page 1, line 13, of the printed bill, strike out "SEC. 3. The tax imposed by the act", and insert in lieu thereof the following:

"SEC. 4. The tax imposed and fees provided for by this act".

Amendment No. 5.

On page 1, line 19, of the printed bill, strike out "4", and insert in lieu thereof the following: "5".

Amendment No. 6.

On page 1, lines 20 and 21, of the printed bill, strike out "for the transportation of property", and insert in lieu thereof the following: "and".

Amendment No. 7.

On page 1, line 21, of the printed bill, after "tax", insert the following: "or fees".

Amendment No. 8.

On page 2, lines 1 and 2, of the printed bill, strike out ", unless such act is by any other law of this State declared to be a felony,".

Amendment No. 9.

On page 2, line 3, of the printed bill, after "punished", insert the following: "by imprisonment in the county jail for not exceeding six months or".

Amendment No. 10.

On page 2, line 4, of the printed bill, strike out the period after "dollars", and insert in lieu thereof a comma and the following: "or by both such fine and imprisonment."

Amendment No. 11.

On page 2, line 9, of the printed bill, strike out "5", and insert in lieu thereof the following: "6".

Amendment No. 12.

On page 2, line 15, of the printed bill, strike out "6", and insert in lieu thereof the following: "7".

Amendment No. 13.

On page 2, line 20, of the printed bill, strike out the period after "repealed", and insert in lieu thereof a comma and the following: "effective midnight December 31, 1935. The terms of the act, the title of which is quoted in the preceding sentence after the effective date of its repeal, shall continue in full force and effect in respect to all license fees due thereunder and penalties on account of operations of vehicles subject thereto, to the end that the State may take any and all steps necessary to collect the amount of such license fees and penalties."

Amendment No. 14.

On page 2, line 21, of the printed bill, strike out "7", and insert in lieu thereof the following: "8".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 438—An act to carry into effect the provisions of section 20 of Article XI of the Constitution, relating to limitations upon the expenditures and tax levies of counties, cities and counties, municipalities, districts and other political subdivisions of this State and to repeal section 3714b of the Political Code.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 940—An act relating to the relief of hardship and destitution due to and caused by unemployment, setting forth the powers and duties of the Relief Commission and the Relief Administrator and making an appropriation for the purposes thereof and providing for the expenditure of unexpended balances heretofore appropriated for such purposes, setting forth certain acts to be misdemeanors and providing for the punishment and penalties therefor.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1124—An act to amend sections 1193, 1217, 1228, 1239 and 1243 of the Penal Code, relating to persons convicted of the commission of crime.

Bill read second time, and ordered on file for third reading.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

By Mr. Voigt: Assembly Constitutional Amendment No. 89—Proposed amendment to Article XI of the Constitution by adding section 8c

thereto, relative to authorizing a local election to reestablish the city of Venice.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Scudder: Assembly Concurrent Resolution No. 49—Relative to submission of proposition for Constitutional Convention.

Introduced, and referred to Committee on Constitutional Amendments.

By Mr. Mayo: Assembly Concurrent Resolution No. 50—Relative to the California Highway Patrol.

Introduced.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were received:

By Mr. Hornblower:

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to repeal section 5 of Chapter 656 of the Statutes of 1933 entitled "An act to add section 484.5 to the Fish and Game Code, to amend section 665, and to repeal sections 863, 876, 887 and 942 thereof, relating to fish and game and making an appropriation for the purchase of certain property used in connection with the fishing industry," approved June 2, 1933, relating to an appropriation.

Referred to Committee on Introduction of Bills.

By Mr. Riley:

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to appropriate the sum of $1,000,000 for flood control work by the Los Angeles County Flood Control District, and to provide for the manner of expending such appropriation.

Referred to Committee on Introduction of Bills

Unfinished Business.

Consideration of Senate Amendments to Assembly Bill No. 1896.

Assembly Bill No. 1896—An act to add a new section to the Political Code, to be numbered section 1143, relating to boards of election.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1896?

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out "the third class", and insert in lieu thereof the following, "over three hundred thousand and under five hundred fifty thousand population".

Amendment No. 2.

On page 1, line 9, of the printed bill, strike out "contained", and insert in lieu thereof the following: "provided".

The roll was called, and Senate amendments to Assembly Bill No. 1896 were concurred in by the following vote:

AYES—Brennan, Chatters, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Fisher, Flint, Frazier, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Johnson, Latham, Lore, Lyon, Martin, McCarthy, McMurray, Meehan, Miller, Morgan, O'Donnell, Pelletier, Peyser, Reaves, Redwine, Robertson, Rosenthal, Thorp, Voigt, Wagner, Walker, Waters, Weber, Welsh, and Mr Speaker—43

NOES—Gilbert, Hunt, and Jones—3.

Assembly Bill No. 1896 ordered to enrollment.

Motion to Reconsider Assembly Bill No. 598 Continued.

Mr. Heisinger moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 598 was refused passage be continued until the next legislative day.

Motion carried.

Request for Unanimous Consent.

Mr. Mayo asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 50, at this time, without reference to printer, committee, or file, and that same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 50.

Assembly Concurrent Resolution No. 50—Relative to the California Highway Patrol.

Assembly Concurrent Resolution No. 50 read.

Mr. Mayo moved the adoption of Assembly Concurrent Resolution No. 50.

The question being on the adoption of Assembly Concurrent Resolution No. 50.

The roll was called, and Assembly Concurrent Resolution No. 50 adopted by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Cassidy, Chatters, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fulcher, Garibaldi, Glover, Heisinger, Hunt, Johnson, Jones, Latham, Lore, Maloney, Martin, Mayo, McMurray, Miller, Morgan, Pelletier, Peterson, Peyser, Reaves, Redwine, Riley, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Wright, and Mr. Speaker—46.

NOES—Geyer, Gilbert, Hawkins, and Rosenthal—4

Title read and approved.

Assembly Concurrent Resolution No. 50 ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 50.

Relative to the California Highway Patrol.

WHEREAS, The California Highway Patrol is a state-wide police body inaugurated for the protection of the health, peace, and safety of the people of California in the enforcement of the motor vehicle laws; and

WHEREAS, There are approximately 600 members of this State body who engage in a hazardous occupation in the enforcement of motor vehicle laws of this State; and

WHEREAS, More than 484 minor accidents and 435 serious accidents and 16 fatal accidents occurred in this department during the past five years; and

WHEREAS, This occupation is made doubly hazardous due to certain type of equipment used by this department; and

WHEREAS, There are 44 officers incapacitated from motorcycle duty at this time in this department; and

WHEREAS, This appalling accident rate seriously disrupts the morale of the officers of this department and creates a serious situation in this important work of our State government in the high cost of compensation insurance, and the severe handicap in the efficiency of this department; and

WHEREAS, Statistics prove conclusively that almost all minor or fatal accidents are caused by the use of motorcycles upon the highways of this State by the Highway Patrol; now, therefore, be it

Resolved, That the Assembly of the fifty-first session of the Legislature, and the Senate, thereof, concurring, Hereby request and urge the Director of the Department of Motor Vehicles and the Chief of the California Highway Patrol to seriously consider the advisability of discontinuing the use of motorcycles in this department and only permit their use in only very necessary and extraordinary cases.

Third Reading of Assembly Bills.

Assembly Bill No. 2417—An act to amend section 844 of the Fish and Game Code, relating to nets.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Utt:

Amendment No. 1.

On page 1, line 9, of the printed bill, after the word "oceanwards", strike out "three", and insert in lieu thereof "two".

Amendment adopted.

Request for Unanimous Consent.

Mr. Utt asked for, and was granted, unanimous consent to take up Assembly Bill No. 2417, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2417, as Amended.

Assembly Bill No. 2417, as amended, read third time.

Demand for Previous Question.

Messrs. Lore, Peterson, Fisher, Heisinger, and Peyser demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2417, as amended, passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Crowley, Cunningham, DeLap, Desmond, Donnelly, Field, Fisher, Flint, Fulcher, Garibaldi, Heisinger, Johnson, Latham, Lore, Martin, Mayo, Meehan, Miller, Minard, Morgan, Peterson, Redwine, Richie, Robertson, Stream, Turner, Utt, Voigt, Wagner, Walker, Waters, Welsh, Wright, and Mr. Speaker—42.

NOES—Dawson, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Jones, Lyon, Maloney, McCarthy, McMurray, Patterson, Pelletier, Reaves, and Rosenthal—16.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 2417.

Mr. Hornblower gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2417 was this day passed.

Assembly Bill No. 1286—An act to add a new section to the Fish and Game Code, to be known as section 788.5, relating to the possession of crabs.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Gilmore moved a call of the House.

Motion carried.

Time, eleven o'clock and fifteen minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—73.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1744—An act to amend sections 37, 76, 101, 102, 115 and 382 of the Military Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1744 passed by the following vote:

AYES—Anderson, Breed, Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2485—An act to add section 331 to the Political Code, relating to the construction of statutes fixing or authorizing the fixing of salaries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2485 passed by the following vote:

AYES—Anderson, Breed, Brennan, Cassidy, Chatters, Corwin, Cottrell, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Unfinished Business—(Resumed).

Consideration of Senate Amendment to Assembly Constitutional Amendment No. 32.

Assembly Constitutional Amendment No. 32—A resolution to propose to the people of the State of California that the Constitution of said State be amended by adding to Article XI thereof a new section to be

numbered 8b authorizing the city of Los Angeles to amend its charter in certain particulars.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Constitutional Amendment No. 32?

Amendment No. 1.

On page 1, line 17, of the printed measure, as amended, strike out "and staging".

The roll was called, and Senate amendment to Assembly Constitutional Amendment No. 32 was concurred in by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Minard, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—64.

NOES—McCarthy—1.

Assembly Constitutional Amendment No. 32 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1919.

Assembly Bill No. 1919—An act to add section 3a to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to definitions.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1919?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "sections 3 and 6", and insert in lieu thereof the following: "section 3".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 3 and 4 of the title, and insert in lieu thereof the following: "definitions."

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out lines 14 to 52, inclusive; and on page 3, strike out lines 1 to 28.

Amendment No. 4.

On page 1, line 18, of the printed bill, as amended, strike out "all".

Amendment No. 5.

On page 1, line 1 of the title of the printed bill, as amended, strike out "amend section 3 of", and insert in lieu thereof the following: "add section 3a to".

Amendment No. 6.

On page 1 of the printed bill, as amended, strike out lines 1 to 20, inclusive; and on page 2, strike out lines 1 to 17, inclusive, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the act cited in the title hereof, to be numbered section 3a and to read as follows:

Sec. 3a. In the case of members of police or fire departments of cities, counties, districts or other public or municipal corporations or political subdivisions, whether such members are volunteer, partly paid, or fully paid, and in the case of active fire fighting members of the Division of Forestry of the State Department of Natural Resources, or of any county forestry or fire fighting department or unit, whether voluntary, fully paid, or partly paid, the term "injury" as used in this act includes hernia when any part of the hernia first develops or manifests itself during a period while such member is in active service in such division, department or unit. In the case of regular salaried county peace officers, the term "injury" also includes any hernia which first manifests itself or develops during a period while the officer is in active service. The compensation to be awarded for such hernia shall include full hospital, surgical, medical treatment, disability indemnity, and death benefits as provided by the Workmen's Compensation Laws of this State."

Amendment No. 7.

On page 2, line 29, of the printed bill, as amended May 14, 1935, strike out "first".

Amendment No. 8.

On page 2, line 33, of the printed bill, as amended May 14, 1935, strike out "first".

Amendment No. 9.

On page 1, line 21, of the printed bill, as amended, after the period, insert the following: "Such hernia so developing or manifesting itself in such cases shall be conclusively presumed to arise out of and in the course of the employment. In all other cases the term "injury" includes hernia and there shall be a disputable presumption that a hernia developing or manifesting itself during the course of the employment arises out of the employment."

Amendment No. 10.

On page 1, line 5, of the printed bill, as amended, after the comma following the word "counties", insert the following: "cities and counties,".

Amendment No. 11.

On page 1, line 15, of the printed bill, as amended, after "county", insert the following: "or city and county".

Amendment No. 12.

On page 2, line 2, of the printed bill, as amended, strike out "to be", and insert in lieu thereof the following: "which is".

Amendment No. 13.

On page 2, line 7, of the printed bill, as amended, strike out "conclusively".

Amendment No. 14.

On page 2, line 8, of the printed bill, as amended, strike out the period after "employment", and strike out "in all other cases the term "injury" ", and strike out all of lines 9 to 11, inclusive, on said page, and insert in lieu thereof the following: "unless there is evidence to the contrary."

The roll was called, and Senate amendments to Assembly Bill No. 1919 were concurred in by the following vote:

AYES—Anderson, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Minard, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 1919 ordered to enrollment.

Motion to Reconsider Assembly Bill No. 2461 Continued.

Mr. Clark moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2461 was passed, be continued until the next legislative day.

Motion carried.

Consideration of Senate Amendments to Assembly Constitutional Amendment No. 77.

Assembly Constitutional Amendment No. 77—A resolution to propose to the people of the State of California an amendment to section 14 of Article I of the Constitution of said State, relating to the rights of private property.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No. 77?

Amendment No. 1.

On page 1 of the printed measure, strike out all of lines 8 to 27, inclusive, and insert in lieu thereof the following:

"Sec. 14. Private property shall not be taken or damaged for public use without just compensation having first been made to, or paid into court for the owner, and

no right of way or lands to be used for reservoir purposes shall be appropriated to the use of any corporation, except a municipal corporation or a county or the State or metropolitan water district, municipal utility district, municipal water district, drainage, irrigation, levee, reclamation or water conservation district, or similar public corporation or district until full compensation therefor be first made in money or ascertained and paid into court for the owner, irrespective of any benefits from any improvement proposed by such corporation, which compensation shall be ascertained by a jury, unless a jury be waived, as in other civil cases in a court of record, as shall be prescribed by law; provided, that in any proceeding in eminent domain brought by the State, or a county, or a municipal corporation, or metropolitan water district, municipal utility district, municipal water district, drainage, irrigation, levee, reclamation or water conservaton district, or similar public corporation or district, or corporation operating, managing and controlling any exposition or fair in aid of which the granting of public moneys or other things of value have been authorized by the Constitution or laws of this State, the aforesaid State or municipality or county or public corporation or district or corporation aforesaid may take immediate possession and use of any right of way or property or lands required for a public use whether the fee thereof or an".

Amendment No. 2.

On page 2, line 9, of the printed bill, as amended, after the word "or", and before the word "public", strike out the word "similar", and in the same line, after the word "district", and before the word "until", insert the following: "or State agency".

Amendment No. 3.

On page 2, line 19, of the printed bill, as amended, after the word "or", and before the word "public", strike out the word "similar".

Amendment No. 4.

On page 2, line 20, of the printed bill, as amended, after the word "district", and before the word "or", strike out the comma, and insert the following: "or State agency,".

Amendment No. 5.

On page 2, line 25, of the printed bill, as amended, after the word "district", and before the word "or", insert the following: "or State agency".

The roll was called, and Senate amendments to Assembly Constitutional Amendment No. 77 were concurred in by the following vote:

AYES—Anderson, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—67.

NOES—None.

Assembly Constitutional Amendment No. 77 ordered to enrollment

Consideration of Senate Amendment to Assembly Bill No. 1360.

Assembly Bill No. 1360—An act to add sections 54a and 54b to the Civil Code, relating to the right of privacy of persons, and to provide a method by which such right of privacy may be enforced.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1360?

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, after "not", insert the following: "intentionally".

Amendment No. 2.

On page 1, line 6, of the printed bill, as amended, strike out "written", and insert in lieu thereof the following: "express or implied".

Amendment No. 3.

On page 1, line 10, of the printed bill, as amended, after "is", insert the following: "intentionally".

Amendment No. 4.

On page 1, line 12, of the printed bill, as amended, strike out "written", and insert in lieu thereof the following: "express or implied".

Amendment No. 5.

On page 1 of the printed bill, as amended, strike out lines 17 to 19, inclusive, and insert in lieu thereof the following: "use and the jury,".

Amendment No. 6.

On page 2, line 18, of the printed bill, as amended, strike out the period, and insert in lieu thereof a comma and the following: "while such a candidate, or while holding such office, in connection with such candidacy or holding of office; or from using the name, portrait or picture of any person or persons in any newsreel or in the news columns of any newspaper, or from using the portrait or picture of any person or persons as a part of a group of persons in any photoplay or other motion picture, or in the exploitation thereof, provided such photoplay or other motion picture is not in itself intended to advertise any other product."

Amendment No. 7.

On page 2, line 14, of the printed bill, as amended May 8, 1935, after the word "with", insert the following: "the sale of".

Amendment No. 8.

On page 2 of the printed bill, following line 25, insert the following: "No person, firm or corporation engaged in the business of publishing or displaying advertising shall be liable under this or the preceding section as the result of a publication or display of any advertising copy or advertisement created, designed or originated by the advertiser, his representative or his agent, and delivered or furnished to such person, firm or corporation for publication or display."

The roll was called, and Senate amendments to Assembly Bill No. 1360 were concurred in by the following vote:

AYES—Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Dunihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Minard, Morgan, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Rosenthal, Scudder, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—66.

NOES—Anderson, McCarthy, Patterson, Reaves, and Robertson—5.

Assembly Bill No. 1360 ordered to enrollment.

Further Proceedings Under Call of the House Dispensed With.

At eleven o'clock and thirty-five minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Gilmore.

The roll of absentees was called, and Assembly Bill No. 1286 was passed by the following vote:

AYES—Anderson, Boyle, Chatters, Cronin, Cunningham, Desmond, Fisher, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Mayo, McMurray, Meehan, Miller, Patterson, Pelletier, Phillips, Reaves, Redwine, Riley, Rosenthal, Scudder, Stream, Thorp, Utt, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—42.

NOES—Breed, Brennan, Cassidy, Clark, Corwin, Cottrell, Crowley, Dawson, DeLap, Dunihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Garibaldi, Glover, Hornblower, Hunt, Jones, Lyon, Martin, McBride, McCarthy, Minard, Morgan, O'Donnell, Peterson, Peyser, Richie, Robertson, Turner, Voigt, Wagner, and Walker—35.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 1286.

Mr. Lyon gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1286 was this day passed.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2473—An act to add section 269 to the Political Code, relating to officers of the Senate and Assembly.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Lyon:

Amendment No. 1.

On page 1 of the printed bill, after line 5, insert the following section:

"Sec. 2. Inasmuch as this act provides for the payment of usual current expenses of the State and there is urgent need for adequate provision for the prompt completion of the records of this session of the Legislature, this act is hereby declared to be an urgency measure within the meaning of section 1 of Article IV of the Constitution and as such shall take effect immediately."

Amendment adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 2161—An act to provide for the aid and rehabilitation of citizens of the State of California who are the victims of economic and business depression.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2161 passed by the following vote:

AYES—Anderson, Boyle, Brennan, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—66.

NOES—None.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 2161.

Mr. Lyon gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2161 was this day passed.

Assembly Bill No. 686—An act to amend an act entitled "An act to protect the natural resources of water, petroleum and gas from damage, waste and destruction; relating to the creation of a division in the Department of Natural Resources for the prevention of such damage, waste and destruction; providing for the appointment of a State Oil and Gas Supervisor, prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purpose of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; providing for bonds required of drillers of oil and gas wells; and making an appropriation for the purpose of this act, approved June 10, 1915, as amended, by adding thereto section 18a, relating to slanting wells.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Heisinger:

Amendment No. 1.

On page 2, line 22, of the printed bill, as amended, after the word "Supervisor", strike out "from time", and all of lines 23 to 28, inclusive, and insert in lieu thereof the following: "upon completion of the well or before it is placed on production, a subsurface directional survey to enable him to determine the subsurface location of the productive intake of the well."

Amendment adopted.

Request for Unanimous Consent.

Mr. Cronin asked for, and was granted, unanimous consent to take up Assembly Bill No. 686, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No 686, as amended, read third time.

The question being on the passage of the bill.

Motion to Lay Assembly Bill No. 686 on the Table.

Mr. Riley moved that Assembly Bill No. 686 be laid on the table.

The question being on the motion by Mr. Riley to lay Assembly Bill No 686 on the table.

Roll Call.

The Speaker ordered a roll call taken on the motion to lay Assembly Bill No. 686 on the table

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Clark, Cottrell, Crowley, Dawson, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, Meehan, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Rosenthal, Stream, Thorp, Voigt, Wagner, Walker, and Mr. Speaker—48.

NOES—Chatters, Corwin, Cronin, Cunningham, Desmond, Fisher, Fulcher, Gilmore, Johnson, Minard, Peyser, Robertson, Scudder, Turner, Wallace, Waters, Weber, Welsh, and Wright—19.

Recess.

At twelve o'clock and five minutes p.m., on the motion of Mr. Cottrell, the Assembly was declared at recess until one o'clock and forty-five minutes p.m this day.

Reassembled.

At one o'clock and forty-five minutes p m, the Assembly reconvened. Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1314—An act to amend sections 1a, 3, 4, 9, 10, 11, and 12 of, and to add new sections to be numbered 11 1, 11.2, 11 3, 11.4, 11 5 and 11 6 to an act entitled "An act to regulate land surveying and to define the duties of and to license land surveyors, to provide for the revocation of such licenses and the restoration thereof, to make certain acts misdemeanors and to provide penalties therefor, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 16, 1907," approved May 24, 1933, relating to land surveyors—and reports that the same has been correctly re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2310—An act to add section 3462a to the Political Code, authorizing trustees of reclamation districts to make refunds where wrongful assessments have been made;

Also: Assembly Bill No. 2483—An act making an appropriation to pay the claim of Harvey B. Whitten against the State of California;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to section 7½a of Article XI of the Constitution of the State of California, relating to local government—and reports that the same has been correctly enrolled, and presented the same to the Governor on this fifth day of June, 1935, at ten o'clock a.m.

WATERS, Chairman.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1935.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No. 422—An act to add section 432.5 to the Fish and Game Code, relating to licenses;

Also: Senate Bill No. 436—An act to add section 490 5 to the Fish and Game Code, and to amend sections 651, 652, 653 and 655 thereof, relating to fish;

Also: Senate Bill No. 766—An act to add section 495 to the Fish and Game Code, relating to the taking of fish;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass as amended.

FISHER, Chairman.

The above reported bills ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No. 434—An act to amend section 400 of the Fish and Game Code, relating to licenses;

Also: Senate Bill No. 700—An act to amend sections 1015 and 1016 of the Fish and Game Code and to add thereto sections 670 and 1016.5, relating to fish;

Also: Senate Bill No. 1110—An act to amend sections 611.6, 613, 738.5, 957, and 1343 of the Fish and Game Code, relating to fish;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

FISHER, Chairman.

The above reported bills ordered on file for second reading.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1935.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1663—An act to amend section 26 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State corporation department and the office of 'Commissioner of Corporations,'" approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities," relating to fees—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2483—An act making an appropriation to pay the claim of

Harvey B. Whitten against the State of California—has had the same under consideration, and respectfully reports the same back without recommendation.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 900—An act providing for an investigation and report by a California Tax Research Commission on the subject of gross receipts taxes for the State of California and for any or all of its governmental units, making an appropriation therefor, and declaring this act to be an urgency measure to go into immediate effect—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2396—An act to create the California Rural Rehabilitation Authority, to provide for its organization, define its powers and duties and to make an appropriation in aid of its operation—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced, and referred as indicated:

By Mr. Crowley: Assembly Constitutional Amendment No. 90—Proposed amendment to section 12, Article XVI of the Constitution, relative to the Rector Canyon Dam Project.

Introduced, and referred to Committee on Constitutional Amendments.

Second Reading of Senate Bills—(Resumed).

Senate Bill No. 766—An act to add section 495 of the Fish and Game Code, relating to the taking of fish.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, following the word "unlawful", insert the following: "in district 4½".

Amendment No. 2.

On page 1, line 4, of the printed bill, following the word "fish", insert a period, and strike out all of the balance of lines 4 and 5.

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 422—An act to add section 432.5 to the Fish and Game Code, relating to licenses.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out the word "licenses", and insert in lieu thereof the following: "permits and reports"

Amendment No. 2.

On page 1, line 4, of the printed bill, as amended, strike out that portion of the line following the word "persons", and preceding the word "to".

Amendment No. 3.

On page 1, line 5, of the printed bill, as amended, strike out the word "license", and insert in lieu thereof the word "permit".

Amendment No. 4.

On page 1, line 7, of the printed bill, as amended, strike out the word "license", and insert in lieu thereof the word "permit".

Amendment No. 5.

On page 1, line 9, of the printed bill, as amended, strike out all that portion of the line following the word "of", and all of line 10, and insert in lieu thereof the following: "one dollar. Such permit shall be accounted for by the commission in the same manner as sporting fishing licenses."

Amendment No. 6.

On page 1 of the printed bill, as amended, between lines 10 and 11, insert the following:

"The holder of the permit provided for in this section must keep a true record in the English language of all fish taken by fishermen transported by him and must comply with such regulations as the commission is hereby authorized to prescribe."

Amendment No. 7.

On page 1, line 12, of the printed bill, as amended, strike out the words "license prescribed herein", and insert in lieu thereof the following "permit prescribed herein or who fails to keep the records or to comply with the regulations prescribed".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 436—An act to add section 490.5 to the Fish and Game Code, and to amend sections 651, 652, 653 and 655 thereof, relating to fish.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out "and 655", and insert in lieu thereof the following: ", 655 and 651.6".

Amendment No. 2.

On page 1, line 3, of the printed bill, as amended, after "spear", insert the following: ", except as otherwise provided in this code,".

Amendment No. 3.

On page 1 of the printed bill, as amended, between lines 23 and 24, insert the following:

"SEC. 3. Section 651.6 of the Fish and Game Code is hereby amended to read as follows:

651.6. In that portion of the San Joaquin River from its mouth to the Mendota Weir, at or near Mendota, in that portion of the Tuolumne River from its mouth to the highway bridge opposite Waterford, and in that portion of the Stanislaus River from its mouth to the Santa Fe Railroad bridge opposite Riverbank, salmon may be taken with hook and line between April 1st and December 31st, and with spear between May 29th and October 31st."

Amendment No. 4.

On page 1, line 24, of the printed bill as amended, strike out "3", and insert in lieu thereof the following: "4".

Amendment No. 5.

On page 2, line 4, of the printed bill, as amended, strike out "4", and insert in lieu thereof the following: "5".

Amendment No. 6.

On page 2, line 10, of the printed bill, as amended, strike out "5", after "Sec.", and insert in lieu thereof the following: "6".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 1110—An act to amend sections 611.6, 613, 738.5, 957, and 1343 of the Fish and Game Code, relating to fish.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 700—An act to amend sections 1015 and 1016 of the Fish and Game Code and to add thereto sections 670 and 1016.5, relating to fish.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 434—An act to amend section 400 of the Fish and Game Code, relating to licenses.

Bill read second time, and ordered on file for third reading.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1663—An act to amend section 26 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations,' " approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities," relating to fees.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No 900—An act providing for an investigation and report by a California Tax Research Commission on the subject of gross receipts taxes for the State of California and for any or all of its governmental units, making an appropriation therefor, and declaring this act to be an urgency measure to go into immediate effect.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 2396—An act to create the California Rural Rehabilitation Authority, to provide for its organization, define its powers and duties and to make an appropriation in aid of its operation.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly No 2483—An act making an appropriation to pay the claim of Harvey B. Whitten against the State of California.

Bill read second time, ordered to engrossment, and third reading.

Reports of Committees on Free Conference.

The following reports of Committees on Free Conference were received and read:

Concerning Assembly Bill No. 816.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1935

MR. SPEAKER: Your Committee on Free Conference concerning Assembly Bill No 816—An act relating to shares of insured Federal savings and loan associations, and building and loan associations, as legal investments for trust and other funds—reports that it has met a like committee of the Senate, consisting of Senators Edwards, Reindollar and Duval, and reports that the Committee on Free Conference has agreed to recommend the following: That the Assembly concur in Senate amendments, and that the bill be further amended as follows:

Amendment No. 1.

On page 1 of the printed bill, lines 2 and 3 of the title, strike out "and building and loan associations,".

Amendment No. 2.

Strike out all of section 2 of the printed bill.

Amendment No. 3.

On page 2, line 3, of the printed bill, strike out "3", and insert in lieu thereof "2".

Amendment No. 4.

On page 2, line 9, of the printed bill, strike out "4", and insert in lieu thereof "3".

REDWINE,
THORP,
FISHER,
Assembly Committee on Free Conference.

DUVAL,
EDWARDS,
REINDOLLAR,
Senate Committee on Free Conference.

Report of Committee on Free Conference concerning Assembly Bill No. 816 read.

Mr. Martin moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Andreas, Brennan, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Fisher, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Johnson, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Rosenthal, Stream, Thorp, Voigt, Walker, Williamson, Wright, and Mr. Speaker—47.

NOES—None.

Concerning Assembly Bill No. 442.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1935.

MR SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 442—An act to amend section 1270 of the Fish and Game Code and to repeal sections 1271, 1271.5 and 1272, relating to deer—reports that it has met a like committee of the Senate, consisting of Senators Powers, Biggar, and Perry, and reports that the Committee on Free Conference has agreed to recommend the following: That the Assembly concur in the Senate amendments, and that the bill be further amended as follows:

Amendment No. 1.

On page 1, line 4 of the title of the printed bill, as amended, after "deer", insert a comma and the following: "declaring the urgency thereof, and providing that this act shall take effect immediately".

Amendment No. 2.

On page 1 of the printed bill, as amended, after line 13, insert the following:

"SEC. 3. *This act is hereby declared to be an urgency measure necessary for the* immediate preservation of the public peace, health and safety, within the meaning of section 1 of Article IV of the Constitution. The facts constituting such necessity are as follows

In the southern portion of the State, the present law opens the deer season on August 16th. This act opens the season in that area one month later Unless this act takes effect immediately, the shooting of deer will be extended for approximately an additional month over the season which is contemplated, and will result in undue depletion of deer."

MAYO,
CHATTERS,
SCUDDER,
Assembly Committee on Free Conference.

POWERS,
BIGGAR,
PERRY,
Senate Committee on Free Conference.

Report of Committee on Free Conference concerning Assembly Bill No. 442 read.

Consideration of Urgency Clause.

The question being put: Shall the Assembly adopt the following urgency clause amendment to Assembly Bill No. 442 submitted by Committee on Free Conference?

Amendment No. 1.

On page 1 of the printed bill, as amended, after line 13, insert the following:
"SEC. 3 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety, within the meaning of section 1 of Article IV of the Constitution."

The roll was called, and the urgency clause amendment to Assembly Bill No. 442 was adopted by the following vote:

AYES—Anderson, Andreas, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Fulcher, Geyer, Gilmore, Hawkins, Heisinger, Johnson, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Rosenthal, Stream, Thorp, Turner, Voigt, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—55.
NOES—None.

Consideration of Report of Committee on Free Conference.

Report of Committee on Free Conference concerning Assembly Bill No 442 read.

Mr. Mayo moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Andreas, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donnelly, Evans, Ralph W., Fisher, Fulcher, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Johnson, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Rosenthal, Stream, Thorp, Turner, Voigt, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—52.
NOES—None.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, June 4, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 239—An act to amend the title and sections 4, 4a, 5, and 23 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the extension of the provisions of said act to the companies taxable hereunder and their franchises, other than insurance companies and their franchises, specified in section 14 of Article XIII of the Constitution of this State, and to provide that this act shall take effect immediately—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 239 ordered on unfinished business file.

Withdrawal of Assembly Bills Nos. 502 and 2442.

By order of the Speaker, Assembly Bill No. 502 was withdrawn from the file, and referred to Committee on Roads and Highways.

By order of the Speaker, Assembly Bill No. 2442 was withdrawn from the file, and referred to Committee on Financial Institutions.

Communication.

The following communication was received, and ordered printed in the Journal:

CALIFORNIA CONGRESS OF PARENTS AND TEACHERS, INC.,
SACRAMENTO, CALIFORNIA, June 5, 1935.

Hon. Edward Craig, Speaker of the Assembly,
California Legislature, Sacramento, California.

DEAR SIR: It has been brought to our attention that members of the Assembly are being approached with regard to Senate Bill No. 471 by persons using the name of the California Congress of Parents and Teachers.

As the chairman of legislation of this organization, I wish to state that we at no time have taken any action on this bill.

The undersigned is the accredited representative of the California Congress of Parents and Teachers at this Legislature. If you are approached by anyone in the Parent-Teacher name, we would appreciate your asking for their credentials. Only a person indorsed by the president and State board of managers is considered as being duly accredited.

Respectfully yours,

(MRS. P. D.) MILDRED E. BEVIL,
2800 Castro Way, Sacramento, California.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1935.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to appropriate the sum of $1,000,000 for flood control work by the Los Angeles County Flood Control District, and to provide for the manner of expending such appropriation.

CUNNINGHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to repeal section 5 of Chapter 656 of the Statutes of 1933 entitled "An act to add section 484.5 to the Fish and Game Code, to amend section 665, and to repeal sections 863, 876, 887 and 942 thereof, relating to fish and game and making an appropriation for the purchase of certain property used in connection with the fishing industry," approved June 2, 1933, relating to an appropriation.

CUNNINGHAM, Chairman.

Reports of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the reports.

The question being on the adoption of the reports.

The roll was called, and the reports adopted by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Phillips, Reaves, Richie, Riley, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—62.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

By Mr. Hornblower: Assembly Bill No. 2486—An act to repeal section 5 of Chapter 656 of the Statutes of 1933 entitled "An act to add section 484.5 to the Fish and Game Code, to amend section 665, and to repeal sections 863, 876, 887 and 942 thereof, relating to fish and game and making an appropriation for the purchase of certain property used in connection with the fishing industry," approved June 2, 1933, relating to an appropriation.

Bill read first time, and referred to Committee on Fish and Game.

By Mr. Riley: Assembly Bill No. 2487—An act to appropriate the sum of $1,000,000 for flood control work by the Los Angeles County Flood Control District, and to provide for the manner of expending such appropriation.

Bill read first time, and referred to Committee on Ways and Means.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 20—An act relating to the advocacy of the overthrow of the existing form of government by force or other unlawful means.

Bill read third time.

Motion to Re-refer Assembly Bill No. 20.

Mr. Johnson moved that Assembly Bill No. 20 be re-referred to Committee on Judiciary.

The question being on the motion by Mr. Johnson to re-refer Assembly Bill No. 20 to Committee on Judiciary.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Johnson to re-refer Assembly Bill No. 20 to Committee on Judiciary.

The roll was called.

Motion for Call of the House.

Pending the announcement of the vote, Mr. Martin moved a call of the House.

The question being on the motion for a call of the House.

Roll Call.

The Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the motion was lost by the following vote:

AYES—Andreas, Chatters, Corwin, Cunningham, Field, Fisher, Fulcher, Gilmore, Latham, Martin, Mayo, Meehan, Miller, Nielsen, Peyser, Phillips, Redwine, Riley, Stream, Thorp, Walker, Waters, and Mr. Speaker—23.

NOES—Anderson, Boyle, Brennan, Burns, Cassidy, Clark, Cronin, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, McCarthy, Minard, Morgan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Robertson, Rosenthal, Turner, Voigt, Wagner, Wallace, and Weber—41.

The question being on the motion by Mr. Johnson to re-refer Assembly Bill No. 20 to Committee on Judiciary.

The roll was called, and the motion by Mr. Johnson to re-refer Assembly Bill No. 20 to Committee on Judiciary was carried by the following vote:

AYES—Anderson, Boyle, Brennan, Burns, Cassidy, Clark, Cottrell, Cronin, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, McCarthy, Meehan, Minard, Morgan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Robertson, Rosenthal, Turner, Voigt, Wagner, Wallace, and Weber—42.

NOES—Andreas, Chatters, Corwin, Crowley, Cunningham, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Kallam, Latham, Martin, Mayo, McBride, Miller, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Stream, Thorp, Utt, Walker, Waters, Wright, and Mr. Speaker—29.

Assembly Bill No 20 ordered re-referred to Committee on Judiciary.

Motion to Withdraw Assembly Bill No. 2442.

Mr. Evans, Ralph W., moved that Assembly Bill No. 2442 be withdrawn from Committee on Financial Institutions, and placed on file for second reading.

The question being on the motion by Mr. Evans, Ralph W., to withdraw Assembly Bill No. 2442 from Committee on Financial Institutions.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Evans, Ralph W., to withdraw Assembly Bill No. 2442 from Committee on Financial Institutions.

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Brennan, Burns, Cassidy, Clark, Dawson, Donihue, Donnelly, Evans, Ralph W., Field, Geyer, Gilbert, Glover, Hawkins, Heisinger, Johnson, Jones, Laughlin, Lore, McCarthy, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Thorp, Turner, Voigt, Wagner, Wallace, Waters, and Weber—36

NOES—Andreas, Boyle, Breed, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Evans, Herbert J., Fisher, Frazier, Fulcher, Garibaldi, Hunt, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Minard, Peterson, Peyser, Phillips, Redwine, Riley, Robertson Stream, Utt, Walker, Welsh, Williamson, Wright, and Mr. Speaker—39.

Unfinished Business—(Resumed).

Consideration of Senate Amendments to Assembly Bill No. 1208.

Assembly Bill No. 1208—An act to amend sections 3 and 5 of, and to repeal section 7 of, an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933, relating to taxation, and to provide that this act shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1208?

Amendment No. 1.

On page 2 of the printed bill, as amended, between lines 33 and 34, insert the following:

"SEC. 4. The provisions of this act effecting amendments to the Retail Sales Tax Act of 1933 become operative July 1, 1935."

Amendment No. 2.

On page 2, line 34, of the printed bill, as amended, strike out "4", and insert in lieu thereof the following: "5".

Amendment No. 3.

On page 2, line 38, of the printed bill, as amended, strike out "5", and insert in lieu thereof the following: "6".

The roll was called, and Senate amendments to Assembly Bill No. 1208 were concurred in by the following vote:

AYES—Andreas, Brennan, Burns, Corwin, Cottrell, Cronin, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Wagner, Walker, Waters, Weber, Williamson, and Mr. Speaker—52.

NOES—Anderson, Cassidy, Clark, Dawson, Hawkins, McCarthy, Patterson, Rosenthal, and Voigt—9.

Assembly Bill No. 1208 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 2183.

Assembly Bill No. 2183—An act to be known as the "Inheritance Tax Act of 1935," to establish a tax on gifts, legacies, inheritances, bequests, devises, successions, transfers, joint tenancies and insurance; to provide for its collection and to direct the disposition of its proceeds; to provide

for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under any act hereby repealed; to provide penalties for failure to comply with the provisions of this act; and to repeal Chapter 821 of the laws of the session of the Legislature of California of 1921, approved June 3, 1921, known as the "Inheritance Tax Act," and all amendments thereto, and to repeal all acts and parts of acts in conflict with this act, and providing this act shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2183?

Amendment No. 1.

On page 5, line 40, of the printed bill, as amended, strike out "and due and payable".

Amendment No. 2.

On page 9, line 34, of the printed bill, as amended, strike out the word "where", and in lieu thereof insert the word "were".

Amendment No. 3.

On page 14, line 33, of the printed bill, as amended, strike out the words "The Insurance", and all of lines 34, 35, 36, 37, 38, 39, 40, 41 and 42, and in line 43, the words "therein is correct".

The roll was called, and Senate amendments to Assembly Bill No. 2183 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—70.

NOES—None.

Assembly Bill No. 2183 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 239.

Assembly Bill No. 239—An act to amend the title and sections 4, 4a, 5, and 23 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the rates thereof and the extension thereof to companies, other than insurance companies, specified in section 14 of Article XIII of the Constitution of this State.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 239?

Amendment No. 1.

On page 3, line 25, of the printed bill, as amended, strike out the word "nine", and insert in lieu thereof the following: "eight".

Amendment No. 2.

On page 1, line 5, of the printed bill, as amended, after the word "California", add a comma.

Amendment No. 3.

On page 1, line 10, of the printed bill, as amended, after the word "State", add a comma.

Amendment No. 4.

On page 2, line 14, of the printed bill, as amended, after the word "its", insert the following: "corporate".

Amendment No. 5.

On page 3, line 10, of the printed bill, as amended, strike out the period following the number "27", and insert in lieu thereof the following: "of this act."

Amendment No. 6.

On page 3, line 13, of the printed bill, as amended, strike out the word "National", and insert in lieu thereof the following "national".

Amendment No. 7.

On page 4, line 10, of the printed bill, as amended, strike out the word "National", and insert in lieu thereof the following "national".

Amendment No. 8.

On page 4, line 19, of the printed bill, as amended, strike out the word "National", and insert in lieu thereof the following "national".

Amendment No. 9.

On page 4, line 28, of the printed bill, as amended, after the word "income", insert a semicolon.

Amendment No. 10.

On page 4, line 28, of the printed bill, as amended, after the word "except", insert a comma.

Amendment No. 11.

On page 4, line 40, of the printed bill, as amended, after the word "bank", insert a comma.

Amendment No. 12.

On page 4, line 49, of the printed bill, as amended, after the word "bank", insert a comma

Amendment No. 13.

On page 2, line 40, of the printed bill, as amended, after "hereof.", add the following:

"Taxes under this section shall be in lieu of all ad valorem taxes and assessments of every kind and nature upon the general corporate franchises of the corporations taxable hereunder but shall not be in lieu of any taxes or assessments upon special franchises owned, held or used by said corporations. All such special franchises shall be assessed annually by the State Board of Equalization (at their actual value) in the same manner as is provided for the assessment of other property to be assessed by said board under section 14 of Article XIII of the Constitution of this State, and shall be subject to taxation to the same extent and in the same manner as other property so assessed by said board Said board is hereby authorized and directed to assess said special franchises as of the first Monday in March of 1935 and annually thereafter."

Motion to Defer Consideration.

Mr. Jones moved that the consideration of the concurrence in Senate amendments to Assembly Bill No. 239 be continued until the next legislative day.

The question being on the motion by Mr. Jones to defer consideration of the concurrence in Senate amendments to Assembly Bill No. 239.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Jones to defer consideration of Senate amendments to Assembly Bill No. 239.

The roll was called.

Motion for Call of the House.

Pending the announcement of the vote, Mr. Jones moved a call of the House.

Request for Roll Call.

On request of Messrs. Jones, McCarthy, and Flint, the Speaker ordered a roll call taken on the motion for a call of the House.

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Clark, Crowley, Donihue, Donnelly, Evans, Ralph W., Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Hunt, Jones, Laughlin, Lore, McCarthy, McMurray, Meehan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Thorp, Turner, Wagner, and Walker—33.

NOES—Breed, Brennan, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Evans, Herbert J., Field, Fisher, Frazier, Garibaldi, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard,

Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Stream, Utt, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—41.

The question being on the motion by Mr. Jones to defer consideration of the concurrence in Senate amendments to Assembly Bill No. 239.

The roll was called, and the motion to defer was lost by the following vote:

AYES—Anderson, Boyle, Brennan, Burns, Cassidy, Clark, Cronin, Dawson, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, Mayo, McCarthy, McMurray, Meehan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, Weber, and Welsh—37.

NOES—Andreas, Breed, Chatters, Corwin, Cottrell, Crowley, Cunningham, DeLap, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Johnson, Kallam, Latham, Lyon, Maloney, Martin, McBride, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Stream, Thorp, Utt, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—40.

The question being put: Shall the Assembly concur in Senate amendments to Assembly Bill No. 239?

The roll was called, and Senate amendments to Assembly Bill No. 239 were concurred in by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Gilmore, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Stream, Thorp, Utt, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—46.

NOES—Anderson, Cassidy, Clark, Donihue, Donnelly, Evans, Ralph W., Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hunt, Jones, Laughlin, Lore, McCarthy, McMurray, Meehan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Wagner, Wallace, and Welsh—29.

Assembly Bill No. 239 ordered to enrollment.

Resolution.

The following resolution was offered:

By the San Francisco delegation:

Resolution.

WHEREAS, Today marks the wedding anniversary of one of our esteemed members of the Assembly; and

WHEREAS, Twenty-eight years ago today there walked down the aisle of St. James' Church in San Francisco, this smiling young Irish-American with his blushing bride-to-be; and

WHEREAS, The distance from the curbstone to the altar on that night seemed miles apart to this adorable couple; and

WHEREAS, Before the fatal words "I do" were exclaimed by this couple, they fully realized the responsibility of the years that were to follow; and

WHEREAS, That responsibility of the years to come only made love more binding on the bride and groom; now, therefore, be it

Resolved, That the Assembly today do congratulate and express to Mr. and Mrs. Patrick J. McMurray, our heartiest congratulations on this, their twenty-eighth year of happy married life; and be it further

Resolved, That it is only the wish of the members of this Assembly that they be spared for many, many years to come to continue in the good things that this life has in store for them; and be it further

Resolved, That the best wishes of this Assembly be also extended to the two children of Mr. and Mrs. McMurray, Bertram and Marie McMurray, and to the granddaughter, Mary Lee, who have proven themselves worthy of the care that has been given to them by their good father and mother; and be it further

Resolved, That a suitably engrossed copy of this resolution be transmitted by the Chief Clerk of this Assembly to Assemblyman Patrick J. McMurray and his wife on this, their twenty-eighth wedding anniversary.

Resolution read, and adopted unanimously.

Unfinished Business—(Resumed).

Motion to Reconsider Assembly Bill No. 2412 Continued.

Mr. Turner moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2412 was refused passage be continued until the next legislative day.

Motion carried.

Reconsideration of Assembly Bill No. 2385 Waived.

Mr. Burns waived his notice to reconsider the vote whereby Assembly Bill No. 2385 was refused passage.

Special Order Set for Assembly Bill No. 767.

On motion of Mr. Hornblower, the consideration of Assembly Bill No. 767 was made a special order for tonight, June 5, 1935, at nine o'clock p.m.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, June 5, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 100—An act to amend the "Reclamation Board Act," approved December 24, 1911, as amended, by amending section 37a thereof relating to the application of moneys released, reimbursed, or appropriated under and pursuant to Chapter 176 California Statutes of 1925 and the War Department Appropriations Act of Congress of the United States for the fiscal year ending June 30, 1930, being Public Law No. 843, Seventieth Congress, approved February 28, 1929;

Also: Senate Bill No 1125—An act to amend sections 376a and 376b of the Political Code, relating to the Department of Penology;

Also: Senate Bill No. 1086—An act to establish legislative standards in relation to the rehabilitation of agriculture and the regulation of producers, packers, distributors, shippers, marketers, handlers, processors and others dealing in agricultural, viticultural, horticultural, and poultry products and of any competing commodity or product thereof; to provide for the issuance, administration and enforcement of State marketing agreements and State licenses; to prescribe the powers, duties and jurisdiction of the State Director of Agriculture in relation thereto; to suspend all antitrust and unfair competition laws of this State in conflict herewith and therewith; to prescribe remedies, rights, duties and penalties with respect to violations hereof and thereof; to provide ways, means and moneys for the administration and enforcement of said State marketing agreements and licenses; to limit the effective period of this act; to declare the existence of a State and National agricultural emergency.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 100 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Senate Bill No. 1125 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1086 read first time, and referred to Committee on Agriculture.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 794—An act to amend sections 5.802, 5.804, 5.890, 5.894, 5.900, 5.901, 5.904, 5.910, 5.911, 5 921, 5.962, 5,970, 5.980, 5.990, 5.993, 5.1003, 5.1004, 5.1009, 5.1023, 5.1030, 5.1031, 5.1032, 5.1040, 5.1041, 5.1047, 5.1048, 5.1060, 5.1061, 5.1062, 5.1080 and 5.1083 of the School Code; to amend the titles of Chapter III, of Articles IV, V and VII of Chapter III, of Chapter VI, of Articles II, III and V of Chapter VI, all of Part IV of Division V of said code; to repeal sections 5.1042 to 5 1046, both inclusive, of said code and to repeal Article IV of Chapter VI of Part IV of Division V of said code; to add six new

sections to said code to be numbered 5.971, 5.972, 5.981, 5.1004½, 5.1010 and 5.1111 and to add Chapter III of Part IV of Division V of said code a new article to be known as Article VIII; to add to Chapter V of Part IV of Division V of said code a new article to be known as Article V; and to add to Chapter VI of Part IV of Division V of said code a new article to be known as Article IV, all relating to the payment of retirement salaries and retirement annuities to persons serving the State, counties and school districts in positions having to do with teaching or other employment in, and/or the superintending, administration and supervision of colleges, schools, and classes maintained by the State and/or the school districts thereof.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Clark:

Amendment No. 1.

On page 1, in line 2 of the title of the printed bill, as amended, strike out the following: "5 921,".

Amendment No. 2.

On page 2, line 31, of the printed bill, as amended, strike out the word "incapaciated" and insert in lieu thereof the word "incapacitated".

Amendment No. 3.

On page 3, line 16, of the printed bill, as amended, beginning in line 16, strike out the comma and the following: "or who has attained age sixty-five,".

Amendment No. 4.

On page 3 of the printed bill, as amended, after line 19, insert the following: "Any permanent employee of a school district who is required by this part to contribute to the public school teachers permanent fund and who is dismissed from the service of a school district under any provision of this code by reason of having reached an age at which the classification of such person as a permanent employee of such district ceases and who at the time of such dismissal has not become entitled to receive a retirement salary under the provisions of Article III of this chapter shall, for the purposes of this part, be deemed to have been retired by reason of being physically incapacitated and notwithstanding anything in this article to the contrary shall be entitled to an annual retirement salary computed as hereinafter provided for in this article; provided such person shall have served in the public schools of California for at least ten years immediately preceding his retirement."

Amendment No. 5.

On page 6, line 26, of the printed bill, as amended, strike out "It", and strike out all of lines 27 to 32, inclusive, and in line 33 strike out "power of school districts."

Amendments adopted.

Request for Unanimous Consent.

Mr. Clark asked for, and was granted, unanimous consent to take up Assembly Bill No. 794, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No 794, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Patterson:

Amendment No. 1.

On page 2, line 46, of the printed bill, strike out the words "six hundred", and insert in lieu thereof the words "seven hundred twenty."

Amendment No. 2.

On page 3, line 42, of the printed bill, strike out the words "six hundred", and insert in lieu thereof the words "seven hundred twenty."

Amendment No. 3.

On page 4, line 12, of the printed bill, strike out the words "six hundred", and insert in lieu thereof the words "seven hundred twenty."

Amendment No. 4.

On page 4, line 24, of the printed bill, strike out the words "six hundred", and insert in lieu thereof the words "seven hundred twenty."

Amendment No. 5.

On page 5, line 45, of the printed bill, strike out the words "one-half", and insert in lieu thereof the words "one-third."

Amendment No. 6.

On page 5, line 48, of the printed bill, strike out the words "twenty-four", and insert in lieu thereof the words "thirty-six."

Amendment No. 7.

On page 5, line 51, of the printed bill, strike out the words "one-half", and insert in lieu thereof the words "one-third."

Amendment No. 8.

On page 6, line 11, of the printed bill, strike out the words, "one-half", and insert in lieu thereof the words "one-third."

Amendment No. 9.

On page 6, line 14, of the printed bill, strike out the period after the word "greater", and insert in lieu thereof a semicolon and the following: "but in any event the contribution by the State to the public school teachers' permanent fund shall be at least twelve dollars per year for each person subject to the burdens of this part."

Amendment No. 10.

On page 8, line 47, of the printed bill, strike out the words "twenty-four", and insert in lieu thereof the words "thirty-six."

Amendment No. 11.

On page 9, lines 15 and 16, of the printed bill, strike out the words "twenty-four", and insert in lieu thereof the words "thirty-six."

Amendment No. 12.

On page 9, line 17, of the printed bill, strike out the words "twenty-four", and insert in lieu thereof the words "thirty-six."

Amendment No. 13.

On page 9, line 30, of the printed bill, strike out the words "twenty-four", and insert in lieu thereof the words "thirty-six."

Amendment No. 14.

On page 9, line 33, of the printed bill, strike out the words "twenty-four", and insert in lieu thereof the words "thirty-six."

Amendment No. 15.

On page 10, line 6, of the printed bill, strike out the words "twenty-four", and insert in lieu thereof the words "thirty-six."

Amendment No. 16.

On page 10, line 12, of the printed bill, strike out the words "twenty-four", and insert in lieu thereof the words "thirty-six."

Amendment No. 17.

On page 10, line 19, of the printed bill, strike out the words "twenty-four", and insert in lieu thereof the words "thirty-six."

Amendment No. 18.

On page 10, lines 24 and 25, of the printed bill, strike out the words "twenty-four", and insert in lieu thereof the words "thirty-six."

Amendment No. 19.

On page 10, lines 33 and 34, of the printed bill, strike out the words "seven hundred twenty", and insert in lieu thereof the words "ten hundred eighty."

Amendment No. 20.

On page 10, line 42, of the printed bill, strike out the word "five", and insert in lieu thereof the word "ten."

Amendment No. 21.

On page 10, line 44, of the printed bill, strike out the word "four", and insert in lieu thereof the word "eight."

Amendment No. 22.

On page 11, line 1, of the printed bill, strike out the words "seven hundred twenty", and insert in lieu thereof the words "ten hundred eighty."

Amendment No. 23.

On page 15, line 13, of the printed bill, strike out the word "two", and insert in lieu thereof the word "three."

Amendment No. 24.

On page 2, line 33, of the printed bill, strike out the word "or", and insert in lieu thereof the word "of."

The question being on the amendments submitted by Mr. Patterson to Assembly Bill No. 794.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Patterson.

Demand for Previous Question.

Messrs. Dawson, Robertson, Brennan, Fisher and Andreas demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the amendments submitted by Mr. Patterson.

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Anderson, Andreas, Boyle, Cassidy, Donihue, Evans, Ralph W., Fisher, Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Hunt, Johnson, Jones, Laughlin, Lore, Meehan, Miller, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, Wallace, and Weber—31.

NOES—Breed, Brennan, Chatters, Clark, Colwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donnelly, Evans, Herbert J., Field, Frazier, Garibaldi, Gilmore, Hornblower, Kallam, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Minard, Morgan, Peterson, Phillips, Redwine, Robertson, Stream, Thorp, Utt, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—40.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 4, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 794—An act to amend sections 5.802, 5.804, 5.890, 5.891, 5.894, 5.900, 5.901, 5.904, 5.910, 5.911, 5.921, 5.962, 5.970, 5.980, 5.990, 5.993, 5.1003, 5.1004, 5.1009, 5.1023, 5.1030, 5.1031, 5.1032, 5.1040, 5.1041, 5.1047, 5.1048, 5.1060, 5.1061, 5.1062, 5.1080 and 5.1083 of the School Code; to amend the titles of Chapter III, of Articles IV, V and VII of Chapter III, of Chapter VI, of Articles II, III and V of Chapter VI, all of Part IV of Division V of said code, to repeal sections 5.1042 to 5.1046, both inclusive, of said code and to repeal Article IV of Chapter VI of Part IV of Division V of said code; to add eight new sections to said code to be numbered 5.886, 5.971, 5.972, 5.981, 5.986, 5.1004½, 5.1010 and 5.1011 and to add Chapter III of Part IV of Division V of said code a new article to be known as Article VIII; to add to Chapter V of Part IV of Division V of said code a new article to be known as Article V; and to add to Chapter VI of Part IV of Division V of said code a new article to be known as Article IV, all relating to the payment of retirement salaries and retirement annuities to persons serving the State, counties and school districts in positions having to do with teaching or other employment in, and/or the superintending, administration and supervision of colleges, schools, and classes maintained by the State and/or the school districts thereof.

In my opinion said Assembly Bill No. 794 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted

FRANK F. MERRIAM, Governor of California

Third Reading of Assembly Bill No. 794, as Amended.

Assembly Bill No. 794, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 794, as amended, passed by the following vote:

AYES—Anderson, Andreas, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2239—An act relating to aid to needy children, prescribing rules of eligibility for aid empowering the State Department of Social Welfare to supervise the enforcement of this act, making an appropriation for the carrying out of the provisions of this act, and prescribing penalties for the violation hereof; and repealing Chapter 2a of Part 3, Title V, of the Political Code, comprising sections 2283 to 2290, inclusive; and to repeal Chapter 2a of Article 3, Part 3, Title V, of the Political Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2239 passed by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Hawkins, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Richie, Riley, Stream, Turner, Utt, Voigt, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Motion to Re-refer Senate Bill No. 874.

Mr. Garibaldi moved that Senate Bill No. 874 be withdrawn from file, and ordered re-referred to Committee on Live Stock and Dairies.

The question being on re-referring Senate Bill No. 874 to Committee on Live Stock and Dairies.

Motion carried.

Senate Bill No. 874 ordered re-referred to Committee on Live Stock and Dairies.

Third Reading of Assembly Bills—(Resumed).

Assembly Constitutional Amendment No. 82—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State by amending section 12 of Article XI, and by amending section 1 of Article XIII, relating to taxation.

Assembly Constitutional Amendment No. 82 read.

Floor Amendment.

During reading of Assembly Constitutional Amendment No. 82, the following amendment was submitted by Mr. Kallam:

Amendment No. 1.

On page 1, line 13, of the printed measure, strike out "or other public or municipal corporations".

Amendment adopted.

Request for Unanimous Consent.

Mr. Kallam asked for, and was granted, unanimous consent to take up Assembly Constitutional Amendment No. 82, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Constitutional Amendment No. 82, as amended, read.

Mr. Kallam moved the adoption of Assembly Constitutional Amendment No. 82.

The question being on the adoption of Assembly Constitutional Amendment No. 82.

The roll was called, and Assembly Constitutional Amendment No. 82 was refused adoption by the following vote:

AYES—Andreas, Boyle, Cassidy, Cottrell, Donahue, Field, Kallam, Latham, Thorp, Utt, Wagner, Walker, Welsh, and Mr. Speaker—14.

NOES—Anderson, Brennan, Burns, Chatters, Clark, Crowley, Cunningham Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Voigt, Waters, Weber, and Williamson—51.

Motion to Re-refer Senate Bill No. 486.

Mr. Minard moved that Senate Bill No. 486 be withdrawn from file, and ordered re-referred to Committee on Revenue and Taxation.

The question being on re-referring Senate Bill No. 486 to Committee on Revenue and Taxation.

Motion carried.

Senate Bill No. 486 ordered re-referred to Committee on Revenue and Taxation.

Motion to Strike Assembly Bill No. 2454 from File.

Mr. Breed moved that Assembly Bill No 2454 be stricken from the file.

Motion carried.

Assembly Bill No. 2454 ordered stricken from the file.

Recess.

At four o'clock and thirty-five minutes p.m , on motion of Mr. Cottrell, the Assembly was declared at recess until nine o'clock p.m., of this day.

Reassembled.

At nine o'clock p.m.. the Assembly reconvened.

Speaker Craig in the chair.

Leaves of Absence.

On motion of Mr. Minard, Mr. Garibaldi was granted leave of absence for the balance of this legislative day.

On motion of Mr. Martin, Mr. Corwin was granted leave of absence for the balance of this legislative day.

Privilege of Floor of Assembly Extended.

On request of Mr. McBride, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. R. O. Robinson, Jr., of Sacramento.

On request of Mr. Glover, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Henry G. Pfau, president of Peoples Legislative League of California and Guaranty Building and Loan Depositors Investors Protective Association.

On request of Mr. Frazier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Julia Entzman, mother-in-law of Assemblyman Frazier.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1935

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2473—An act to add section 269 to the Political Code, relating to officers of the Senate and Assembly—and reports that the same has been correctly re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 767—An act to amend sections 2, 2½, 3, 4, 10, 13, 14, 15, 18½ and 21, to add section 24, and to repeal sections 5 and 9 of the Old Age Security Act of the State of California, relating to aid to the aged—and reports that the same has been correctly re-re-re-re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1935

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1234—An act to amend sections 1, 2, 4, 7, 9, 12 and 13 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to persons taxable thereunder, license fees, reports required of such persons, powers and duties of the State Board of Equalization adjustment of gross receipts taxes, and penalties for failure to comply with the provisions of said act;

Also: Assembly Bill No. 2484—An act to amend sections 61, 62, 101, 102, 103, 105, 106, 108, 109 and 110 of the Vehicle Code, relating to the transfer of the Department of Motor Vehicles to the Department of Finance and creating therein the DIVISION of Motor Vehicles;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1935.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 847—An act to amend section 31 and to amend and renumber sections 51a and 51b as added by Chapter 999 of the Statutes of 1933 and to add a new section to be numbered section 5.1 to an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers,"

approved May 31, 1921, relating to public utility districts in unincorporated territory—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 602—An act to amend section 30 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to the powers of said districts and the acquisition of utility property—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

WRIGHT, Chairman.

The above reported bill ordered on file for second reading.

On Financial Institutions.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1935.

MR. SPEAKER: Your Committee on Financial Institutions, to which was referred Assembly Bill No. 1618—An act to amend an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, so as to classify, license and regulate the business of personal property brokers, and to prescribe, fix, limit and regulate their charges and interest rates; and to authorize and regulate assignments of wages, salaries, commissions or earnings, earned or to be earned, when given to a personal property broker as security for a loan of, or as consideration for the payment of, $300 or less; and to repeal all acts and portions of acts inconsistent herewith; and declaring this measure an urgency measure within the meaning of section 1 of Article IV of the Constitution, and providing accordingly for the act to take effect immediately—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

UTT, Chairman.

The above reported bill ordered on file for second reading.

On Building and Loan Associations.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1935

MR. SPEAKER: Your Committee on Building and Loan Associations, to which was referred Assembly Bill No. 2061—An act to amend the Building and Loan Association Act and the title thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

SCUDDER, Chairman.

The above reported bill ordered on file for second reading.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1935.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 428—An act to authorize the Governor of the State of California to execute and deliver deeds or other conveyances of lands, rights of way or other easements granted to the United States of America in aid of public work, relief or other projects aiding recovery—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced, and referred as indicated:

By Mr. Kallam: Assembly Constitutional Amendment No. 91—Proposed amendment to Article XIII of the Constitution by adding a

new section 18 thereto, relative to revenues from taxes on motor vehicle fuel and motor vehicle registration and operation.

Introduced, and referred to Committee on Constitutional Amendments.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 4, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California

GREETINGS: Assembly Bill No. 767—An act to amend sections 2, 2½, 3, 4, 10, 13, 14, 18½ and 21, to add section 24, and to repeal sections 5 and 9 of the Old Age Security Act of the State of California, relating to aid to the aged.

In my opinion said Assembly Bill No. 767 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Special Order.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Assembly Bill No. 767.

Assembly Bill No. 767—An act to amend sections 2, 2½, 3, 4, 10, 13, 14, 18½ and 21 and to repeal sections 5 and 9 of the Old Age Security Act of the State of California, relating to aid to the aged.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Mayo:

Amendment No. 1.

On page 3, line 10, of the printed bill, as amended, strike out "thirty-five", and insert in lieu thereof the following: "fifty".

Amendment No. 2.

On page 3, line 15, of the printed bill, as amended, strike out "thirty-five", and insert in lieu thereof the following: "fifty".

The question being on the amendments submitted by Mr. Mayo to Assembly Bill No. 767.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Mayo.

Demand for Previous Question.

Messrs. Frazier, Gilmore, Robertson, DeLap, and Cottrell demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the amendments submitted by Mr. Mayo.

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Anderson, Boyle, Cassidy, Cunningham, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Laughlin, Lore, Mayo, McCarthy, McMurray, Meehan, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, Waters, Welsh, and Williamson—30

NOES—Andreas, Breed, Burns, Chatters, Cottrell, Cronin, Crowley, Dawson, DeLap, Donnelly, Evans, Herbert J., Fisher, Frazier, Fulcher, Gilmore, Hornblower, Johnson, Kallam, Latham, Maloney, Martin, McBride, Miller, Minard, Morgan, Niel-

sen, O'Donnell, Peterson, Peyser, Phillips, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Weber, Wright, and Mr. Speaker—41.

Assembly Bill No. 767 read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Clark:

Amendment No. 1.

On page 3 of the printed bill, as amended, strike out lines 5 to 15, inclusive, and insert in lieu thereof the following

"SEC 3. The amount of aid to which any such person shall be entitled shall be fixed with due regard to the conditions existing in each case, but in no case shall it be less than an amount which, when added to the income of the applicant from all sources, shall total fifty dollars per month"

Amendment No. 2.

On page 3, line 46, of the printed bill, as amended, after the period, add the following

"No lien shall be enforced against any real estate of a beneficiary while it is occupied by the beneficiary or the surviving spouse of the beneficiary and while such surviving spouse remains unmarried"

Amendment No. 3.

On page 6 of the printed bill, as amended, strike out lines 41 to 52, inclusive, and on page 7, strike out lines 1 to 3, inclusive, and insert in lieu thereof the following:

"SEC 21. There is hereby appropriated out of any moneys in the State treasury not otherwise appropriated to each and every county and city and county maintaining or supporting aged persons who come within the provisions of this act, and not in excess of four hundred twenty dollars per annum for each such aged person maintained or supported by such county or city and county. Payments of such aid shall be made in the manner provided in section 15 of this act."

Motion to Consider Amendments Separately.

Mr. Clark moved that the amendments be voted on separately.

Motion carried.

Consideration of Amendment No. 2.

On page 3, line 46, of the printed bill, as amended, after the period, add the following:

"No lien shall be enforced against any real estate of a beneficiary while it is occupied by the beneficiary or the surviving spouse of the beneficiary and while such surviving spouse remains unmarried."

The question being on Amendment No. 2 submitted by Mr. Clark to Assembly Bill No. 767.

Demand for Previous Question.

Messrs. DeLap, Weber, Minard, Robertson and Meehan demanded the previous question.

The question being put. Shall the main question be now put?

Demand for previous question sustained

The question being on Amendment No. 2 submitted by Mr. Clark.

Roll Call.

The Speaker ordered a roll call taken on Amendment No. 2 submitted by Mr. Clark.

The roll was called, and Amendment No 2 was refused adoption by the following vote:

AYES—Anderson, Boyle, Cassidy, Clark, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Hunt, Laughlin, Lore, McCarthy, Meehan, Patterson, Pelletier, Reaves, Richie, Riley, Rosenthal, Turner, Voigt, and Wagner—25

NOES—Andreas, Breed, Brennan, Burns, Chatters, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Gilmore, Heisinger, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Peterson, Peyser, Phillips, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Weber, Williamson, Wright, and Mr Speaker—48.

Consideration of Amendments Nos. 1 and 3.

Amendment No. 1.

On page 3, strike out lines 5 to 15, inclusive, of the printed bill, as amended, and insert in lieu thereof the following:

"SEC. 3. The amount of aid to which any such person shall be entitled shall be fixed with due regard to the conditions existing in each case, but in no case shall it be less than an amount which, when added to the income of the applicant from all sources, shall total fifty dollars per month."

Amendment No. 3.

On page 6 of the printed bill, as amended, strike out lines 41 to 52, inclusive, and on page 7, strike out lines 1 to 3, inclusive, and insert in lieu thereof the following:

"SEC. 21. There is hereby appropriated out of any moneys in the State treasury not otherwise appropriated to each and every county and city and county maintaining or supporting aged persons who come within the provisions of this act, aid not in excess of four hundred twenty dollars per annum for each such aged person maintained or supported by such county or city and county. Payments of such aid shall be made in the manner provided in section 15 of this act."

The question being on Amendments Nos. 1 and 3 submitted by Mr. Clark to Assembly Bill No. 767.

Demand for Previous Question.

Messrs. Minard, Weber, DeLap, Dawson and Burns demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on Amendments Nos. 1 and 3 submitted by Mr. Clark.

Roll Call.

The Speaker ordered a roll call taken on Amendments Nos. 1 and 3 submitted by Mr. Clark.

The roll was called, and Amendments Nos. 1 and 3 were refused adoption by the following vote:

AYES—Anderson, Boyle, Cassidy, Clark, Cunningham, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Laughlin, Lore, Mayo, McCarthy, Meehan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Riley, Rosenthal, Voigt, Wagner, and Waters—29.

NOES—Andreas, Breed, Brennan, Burns, Chatters, Cottrell, Cronin, Dawson, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Gilmore, Hornblower, Johnson, Latham, Lyon, Maloney, Martin, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—42.

Assembly Bill No. 767, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Rosenthal:

Amendment No. 1.

On page 3, line 9, of the printed bill, as amended, strike out "twenty-five", and insert in lieu thereof the following: "thirty-five".

Amendment No. 2.

On page 3, line 10, of the printed bill, as amended, strike out "thirty-five", and insert in lieu thereof the following: "forty-five".

Amendment No. 3.

On page 3, line 15, of the printed bill, as amended, strike out "thirty-five", and insert in lieu thereof the following: "forty-five".

The question being on the amendments submitted by Mr. Rosenthal to Assembly Bill No. 767.

Demand for Previous Question.

Messrs Robertson, Scudder, DeLap, Dawson and Frazier demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the amendments submitted by Mr. Rosenthal.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Rosenthal

The roll was called.

Motion for Call of the House.

Pending the announcement of the vote, Mr Rosenthal moved a call of the House.

Motion lost.

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Anderson, Boyle, Cassidy, Clark, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Laughlin, Lore, Mayo, McCarthy, McMurray, Meehan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Riley, Rosenthal, Voigt, Wagner, Welsh, and Williamson—30.

NOES—Andreas, Breed, Brennan, Burns, Chatters, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Gilmore, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, McBride, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—46.

Assembly Bill No. 767, as amended, read third time.

The question being on the passage of the bill.

The roll was called.

Motion to Expunge Record.

Mr. Cottrell moved that the vote whereby the Assembly passed Assembly Bill No. 767, as amended, be expunged from the record, and the action rescinded.

Motion carried.

Third Reading of Assembly Bill No. 767, as Amended.

Assembly Bill No. 767, as amended, read third time.

The question being on the passage of the bill

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Anderson moved a call of the House.

Motion carried.

Time, ten o'clock and fifty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder,

Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—75.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1267—An act to amend the title and to add three new sections, to be numbered 2a, 2b and 2c, to an act entitled "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and which food is distributed; regulating the health of persons by whom the materials from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors; and providing for the punishment of the same," approved March 6, 1909, relating to the use of closed containers and providing for the sterilization of used bottles and containers used for foods, drugs and liquors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1267 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Senate Bills.

Senate Concurrent Resolution No. 33—Relative to prevention of accidental deaths and injuries in the home, in industry, in public places and on the streets and highways.

Senate Concurrent Resolution No. 33 read.

Mr. Andreas moved the adoption of Senate Concurrent Resolution No. 33.

The question being on the adoption of Senate Concurrent Resolution No. 33.

The roll was called, and Senate Concurrent Resolution No. 33 adopted by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp,

Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—72.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 33 ordered transmitted to the Senate.

Senate Concurrent Resolution No. 33.

Relative to prevention of accidental deaths and injuries in the home, in industry, in public places and on the streets and highways.

WHEREAS, The California State Department of Public Health reports that during the calendar year 1934, there were 5566 accidental deaths in California, 414 of which were occupational, 1025 occurred in public places "not motor vehicle accidents," 1292 occurred in the home, and 2798 were due to the use of motor vehicles, and 37 were from type of accidents unknown; and

WHEREAS, It has been definitely proved through cooperation of employers and employees in industry, that industrial accidents can be greatly reduced; and

WHEREAS, The citizens of some cities have greatly reduced their deaths and injuries from motor vehicles through intensive cooperation between individuals, groups and city authorities; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That every citizen be urged to cooperate with Governor Merriam and the groups that are sponsoring the Western Safety Conference to be held in the Civic Auditorium, San Francisco, on June 11, 12, and 13, 1935; and

WHEREAS, It is realized that many citizens who should like to do so are unable to attend this meeting, but would gladly cooperate in a local community safety council; now, therefore, be it further

Resolved, That the entire population of the State of California be urged to cooperate in both the Western Safety Conference and in the organization and operation of community safety councils throughout the State.

Senate Bill No. 739—An act to amend section 4300a of the Political Code, relating to fees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 739 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Nielsen, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—70.

NOES—O'Donnell, and Patterson—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 92—An act to add section 614.5 to the Fish and Game Code, relating to trout.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Crowley:

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out "August 1", and insert in lieu thereof the following: "September 30".

Amendment adopted.

Request for Unanimous Consent.

Mr. Crowley asked for, and was granted, unanimous consent to take up Senate Bill No. 92, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 92, as Amended.

Senate Bill No. 92, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 92, as amended, finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 913—An act to amend section 459 of the Fish and Game Code, as added by Chapter 374, Statutes of 1933, and to renumber said section to be section 460, relating to the transportation of fish and game into this State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 913 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—72.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the House Dispensed With.

At eleven o'clock and ten minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Anderson.

The roll of absentees was called, and Assembly Bill No. 767, as amended, was passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—78.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Statement by Mr. Garibaldi.

I wish to make the statement that, due to the necessity of my being at the phone at the time of the roll call on Assembly Bill No. 767, I could not vote on this measure, and it was my wish that I be recorded as voting "Aye".

JAMES D GARIBALDI.

Statement by Mr. Corwin.

I wish to make the statement that, due to the necessity of my being at the phone at the time of the roll call on Assembly Bill No. 767, I could not vote on this measure and it was my wish that I be recorded as voting "Aye".

GORDON CORWIN.

Motion to Rush Printing of Assembly Bill No. 794.

Mr. Clark moved that the Chief Clerk be instructed to place a rush order on the printing of Assembly Bill No. 794.

Motion carried.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 499—An act to add a new section, to be numbered 14a, to an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the enforcement of said act

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 499 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Frazier, Fulcher, Gilmore, Glover, Heisinger, Hunt, Jones, Kallam, Laughlin, Maloney, Martin, Mayo, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—57.

NOES—Donihue, Fisher, Geyer, Johnson, and Lore—5

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 155—An act to amend section 10 of the State Medical Practice Act, approved June 2, 1913, as amended, relating to courses of study required of applicants for certification under said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 155 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Gilmore, Glover, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—61.

NOES—Geyer, Gilbert, Lore, Pelletier, Reaves, and Richie—6.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 399—An act relating to the liability of irrigation districts, their officers and employees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 399 finally passed by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Chatters, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field,

Fisher, Fulcher, Gilbert, Gilmore, Glover, Heisinger, Jones, Kallam, Latham, Laughlin, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Waters, Weber, Welsh, Wright, and Mr. Speaker—54.

NOES—Anderson, Clark, Geyer, Hunt, Johnson, Lore, Richie, and Wallace—8

Title read and approved.

Bill ordered transmitted to the Senate

Senate Bill No. 229—An act to amend sections 1, 1a, 1b, 1c, 3, 10c, 11 and 15 of, and to add sections 11.5, 11.6 and 18 to, "An act to regulate the sale, possession, distribution and use of habit-forming, narcotic and other dangerous drugs and substances, and providing penalties for the violation thereof," approved May 4, 1929, relating to habit-forming, narcotic and other dangerous drugs and substances.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 229 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—63

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 207—An act to amend sections 4239, 4239d, 4239h and 4239*l*, and to repeal sections 4239a, 4239b, 4239c, 4239e, 4239f, 4239g, 4239i, 4239j, 4239k, 4239m, 4239n, 4239o, 4239p, 4239q, 4239r, 4239s, 4239t, 4239u, 4239v and 4239w of the Political Code, relating to the compensation of county and township officers in counties of the tenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 207 finally passed by the following vote:

AYES—Anderson, Breed, Brennan, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Fisher, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Scudder, Stream, Thorp, Utt, Wagner, Walker, Waters, Weber, Welsh, Wright, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 156—An act to amend section 4041f of the Political Code of the State of California, relating to leasing and subleasing of veterans' buildings.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Kallam:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, after "Military", insert the following: "and Veterans".

Amendment No. 2.

On page 1, line 2, of the printed bill, as amended, after "Military", insert the following: "and Veterans".

Amendment No. 3.

On page 2, line 39, of the printed bill, as amended, strike out "improve, preserve", and insert in lieu thereof the following: "provide custodians".

Amendments adopted.

Bill read, ordered to reprint, and on file for third reading.

Senate Bill No. 406—An act to amend section 610 of the Fish and Game Code, relating to trout and whitefish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 406 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Gilmore, Glover, Heisinger, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Walker, Waters, Weber, Welsh, and Wright—57.

NOES—Donihue, Geyer, Gilbert, Hunt, and Mr. Speaker—5.

Title read and approved.

Bill ordered transmitted to the Senate

Senate Bill No. 587—An act to repeal sections 3664, 3664a, 3664a-1, 3664aa, 3664c, 3664d, 3664e, 3665a, 3665b, 3665c, 3666, 3666b, 3667, 3667a, 3667b, 3669c, 3670, 3670b, 3670bb, 3670c, 3670cc, 3670d, 3671, 3671a, and 3671b of the Political Code, Chapter 154 of the Statutes of 1921, to amend sections 3664b, 3664b-1, 3664b-4, 3668, 3668a, 3668b, 3668c, 3669, and 3669c of the Political Code, all relating to the carrying into effect of the provisions of section 14 of Article XIII of the Constitution of the State of California.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 587 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Robertson, Scudder, Stream, Thorp, Voigt, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 213—An act to authorize the State Treasurer to accept, on behalf of the State of California, the sum of one million

dollars, together with any interest that may be due thereon, and other sums from the California Olympiad Commission, or any committee thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 213 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, DeLap, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 870—An act to amend sections 1, 14, 18 and 41 of the "California Water District Act," approved June 13, 1913, relating to water districts, the purposes and administration thereof, to take effect immediately and declaring the urgency thereof.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Anderson:

Amendment No. 1.

On page 1, line 12, of the printed bill, as amended, strike out the two parentheses.

Amendment No. 2.

On page 4, line 22, of the printed bill, as amended, strike out "4.", and insert in lieu thereof the following: "5."

Amendment No. 3.

On page 4, line 30, of the printed bill, as amended, strike out "rainy".

Amendments adopted.

Request for Unanimous Consent.

Mr. Anderson asked for, and was granted, unanimous consent to take up Senate Bill No. 870, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 870, as Amended.

Senate Bill No. 870, as amended, read third time

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr Speaker—65.

NOES—Hunt, and Pelletier—2.

Senate Bill No. 870, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 870, as amended, finally passed by the following vote:

AYES—Anderson, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—63.
NOES—Hunt—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 634—An act to amend section 23 of the District Investigation Act of 1933, relating to exemptions, declaring the urgency hereof and providing that this act shall take effect immediately.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—61.
NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 634 finally passed by the following vote:

AYES—Anderson, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—62
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 275—An act to amend section 426 of the Code of Civil Procedure, relating to complaints in civil actions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 275 finally passed by the following vote:

AYES—Burns, Cassidy, Chatters, Cottrell, Cronin, Crowley, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips,

Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Wagner, Walker, Waters, Weber, Wright, and Mr. Speaker—57.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Motion to Approve Journals.

Mr. Lyon moved that the Journals of May 17, 1935; May 18, 1935; May 20, 1935; May 21, 1935, May 22, 1935; May 23, 1935; be approved as corrected by the Minute Clerk.
Motion carried.

Second Reading of Senate Bills—(Resumed).

Senate Bill No. 847—An act to amend section 31 and to amend and renumber sections 51a and 51b as added by Chapter 999 of the Statutes of 1933 and to add a new section to be numbered section 5.1 to an act entitled of "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to public utility districts in unincorporated territory
Bill read second time, and ordered on file for third reading.

Senate Bill No. 602—An act to amend section 30 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to the powers of said districts and the acquisition of utility property.
Bill read second time, and ordered on file for third reading.

Senate Bill No. 428—An act to authorize the Governor of the State of California to execute and deliver deeds or other conveyances of lands, rights of way or other easements granted to the United States of America in aid of public work, relief or other projects aiding recovery.
Bill read second time, and ordered on file for third reading.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1618—An act to classify, license and regulate the business of personal property brokers, and to prescribe, fix, limit and regulate their charges and interest rates; to authorize and regulate assignments of wages, salaries, commissions or earnings, earned or to be earned, when given to a personal property broker as security for a loan of, or as consideration for the payment of, three hundred dollars or less; to repeal all acts and portions of acts inconsistent herewith.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out the title, and insert in lieu thereof the following:

"An act to classify, license and regulate the business of personal property brokers and brokers, and to prescribe, fix, limit, and regulate their charges and interest rates; to regulate assignments of wages, salaries, commissions or earnings when given as consideration for the payment of five hundred dollars ($500) or less; to provide penalties for violation hereof, and to repeal all acts or portions of acts inconsistent herewith."

Amendment No. 2.

On page 2 of the printed bill, as amended, strike out lines 10 and 11, and insert in lieu thereof the following

"(c) The word "broker" as used in this act shall be deemed to include all who (as agent of the borrower and not as the agent or employee of the personal property broker making the loan) arrange, negotiate or procure for compensation a loan or loans to be made by such personal property broker."

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out line 13, and insert in lieu thereof the following: "broker or broker duly licensed under this act."

Amendment No. 4.

On page 2 of the printed bill, as amended, between lines 23 and 24, insert the following:

"(g) The term "personal property broker" and the word "broker" as herein defined shall not include employees of the "personal property broker" or a "broker" regularly employed by such "personal property broker" or "broker" at the particular location specified in the license of such "personal property broker" or "broker.""

Amendment No. 5.

On page 2 of the printed bill, as amended, strike out lines 50 to 52, inclusive, and insert in lieu thereof the following:

"SEC. 4. No broker shall arrange, negotiate or procure any loan to be made by a personal property broker, and charge, contract for, or receive at any time from or at the expense of the borrower any compensation for services in arranging, negotiating or procuring any such loan, unless such broker has previously obtained a license from the commissioner as hereinafter provided, nor unless any such loan is made in accordance with the provisions of this act and the rules and regulations of the commissioner hereunder."

Amendment No. 6.

On page 3 of the printed bill, as amended, strike out lines 1 to 41, inclusive, and insert in lieu thereof the following.

"SEC. 5 No personal property broker shall by charging any interest, fee, bonus, commission, discount, or other compensation receive from a borrower more than ten per cent (10%) per annum upon any loan or forbearance of any money, goods, or things in action, unless such personal property broker has previously obtained a license from the commissioner as hereinafter provided, nor unless such loan or forbearance is made in accordance with the provisions of this act and the rules and regulations issued by the commissioner hereunder.

SEC. 6 Application for license as a personal property broker or broker shall be in writing."

Amendment No. 7.

On page 4, line 2, of the printed bill, as amended, after the figures "($200)", insert the words "if a personal property broker or one hundred dollars ($100) if a broker,".

Amendment No. 8.

On page 4, line 7, of the printed bill, as amended, after the figures "($100)", strike out the period, and insert the words "if a personal property broker or fifty dollars ($50) if a broker."

Amendment No. 9.

On page 4, line 8, of the printed bill, as amended, strike out the word "licensee,", and insert in lieu thereof the words "personal property broker or broker".

Amendment No. 10.

On page 4, line 29, of the printed bill, as amended, strike out the word "licensee", and insert in lieu thereof the words "personal property broker or broker".

Amendment No. 11.

On page 4, line 38, of the printed bill, as amended, after the word "act," insert the words "that allowing such applicant to engage in business will promote the convenience and advantage of the community in which the business of the applicant is to be conducted,".

Amendment No. 12.

On page 5, line 3, of the printed bill, as amended, strike out the word "licensee", and in lieu thereof insert the words "personal property broker or broker".

Amendment No. 13.

On page 5, line 24, of the printed bill, as amended, after the figures "($200)", insert the words "if a personal property broker or one hundred dollars ($100) if a broker".

Amendment No. 14.

On page 5 of the printed bill, as amended, strike out lines 35 to 52, inclusive, and on page 6, strike out lines 1 to 25, inclusive, and insert in lieu thereof the following:

"SEC. 12 Every personal property broker licensed under this act may lend any sum of money and charge, contract for and receive thereon a rate of interest not exceeding ten per cent (10%) per annum; provided, however, that on any loan of five hundred dollars ($500) or less, or on the first five hundred dollars ($500) or less of any loan in excess of that amount, such personal property broker may charge, contract for and receive thereon a sum (which shall include the fees, bonus, brokerage commissions, discounts, and other compensations, and all interest permitted by or authorized under that section of Article XX of the Constitution of California which was adopted at the general election of November 6, 1934, pursuant to Assembly Constitutional Amendment No. 79) which sum is in this act referred to in the aggregate as "charges," and which sum may equal but shall not exceed an amount computed at the rate of three and one-half per cent (3½%) per month on that part of the unpaid principal balance of the loan not in excess of one hundred fifty dollars ($150), two and one-half per cent (2½%) per month on that part of the unpaid principal balance in excess of one hundred fifty dollars ($150) and up to and including three hundred dollars ($300), two per cent (2%) per month on that part of the unpaid principal balance in excess of three hundred dollars ($300) and up to and including five hundred dollars ($500). Charges shall be computed only on unpaid principal balances, shall not be compounded, and shall not be paid, deducted or received in advance For the purpose of computing charges for a fraction of any month, one day shall be considered one thirtieth of a month. No personal property broker shall induce or permit any husband and wife or any other borrower or borrowers, to split up or divide any loan or loans, or to become obligated under more than one contract of loan at the same time, for the purpose or with the result of obtaining higher charges than would otherwise be permitted under this act No personal property broker shall by directly or indirectly charging any fee, bonus, commission, discount, brokerage, or other compensation receive from or at the expense of the borrower more than the charges herein provided for; but nothing herein contained shall be construed to deny to any personal property broker the right to charge, contract for and receive from any borrower the lawful expenses, if any, actually paid by the personal property broker to any public officer for acknowledging, filing, recording and releasing in any public office any instrument securing the loan or the right to collect such expenses when the loan is made or at any time thereafter, nor the right of any party litigant under the laws of California to recover costs in any suit and to recover reasonable attorney's fees when authorized by the contract of loan. If the total amount charged, contracted for or received is in excess of that permitted under this section, the contract of loan shall be void and no person shall have any right to collect or receive any principal, interest or charges whatsoever thereon."

Amendment No. 15.

On page 6, line 26, of the printed bill as amended, strike out the words and figures "three hundred dollars ($300)", and insert in lieu thereof the words and figures "five hundred dollars ($500)".

Amendment No. 16.

On page 7 of the printed bill, as amended, strike out lines 10 to 52, inclusive, and insert in lieu thereof the following

"SEC. 14 The personal property broker making any loan or the broker who arranges, negotiates or procures it for the borrower shall:

(a) Deliver to the borrower at the time the loan is made a statement in the English language showing in clear and distinct terms the amount and date of the loan and of its maturity, the nature of the security for the loan, the name and address of the borrower, the broker (if any) and the personal property broker, and all agreed charges.

(b) Give to the borrower a plain and complete receipt for all payments made on account of any such loan at the time such payments are made, specifying the amount applied to charges and the amount, if any, applied to principal balance, if any, of such loan.

(c) Permit payment of any amount to be made at any time in advance of date due on any contract of loan, but any such payment may be applied first to all agreed charges up to the date of such payment.

(d) Upon payment of the loan in full, plainly mark every obligation and security signed by the borrower with the word "Paid" or "Canceled" and release all security, and cancel and return any note, chattel mortgage, and any assignment or order signed by the borrower unless same are a part of the court record in any action."

Amendment No. 17.

On page 8 of the printed bill, as amended, strike out lines 1 to 52, inclusive, and insert in lieu thereof the following:

"SEC. 15. No personal property broker or broker shall:

(a) Take any confession of judgment or any power of attorney, or any note, promise to pay, or security that does not accurately disclose the actual amount of the loan, the time for which it is made, and the agreed rate of charge or charges, nor any instrument in which blanks are left to be filled in after execution.

(b) Take a lien upon real estate as security for any loan made under the provisions of this act, except such lien as is created by law upon the recording of a judgment.

SEC 16. No broker shall charge, contract for, or receive at any time from or at the expense of any borrower as brokerage or otherwise on or in connection with a loan made or to be made by a personal property broker, any amount or consideration which, when combined with that paid or to be paid to the personal property broker by or at the expense of the borrower, shall make the total cost of the loan to the borrower more than the total amount now permitted to be charged, contracted for or received under section 12 of this act."

Amendment No. 18.

On page 9 of the printed bill, as amended, strike out lines 1 to 35, inclusive, and insert in lieu thereof the following:

"SEC. 17. Every licensee hereunder shall, on or before the twentieth day of each December, pay to the commissioner the sum of two hundred dollars ($200) if a personal property broker, or the sum of one hundred dollars ($100) if a broker, as the annual license fee for the succeeding calendar year and in full payment of all expenses for examinations under and for administration of this act. Every licensee shall at the same time file with the commissioner a bond in the same amount and of the same character as required by section 7 of this act

SEC. 18. (a) If any personal property broker or broker refers in any advertising matter to the rate of interest, charge or charges upon loans to be made by him or it, the commissioner may require such personal property broker or broker to state such rate fully and clearly in such manner as the commissioner may deem necessary to prevent misunderstanding thereof by prospective borrowers.

(b) The commissioner may require any personal property broker or broker to submit and secure the approval of advertising copy before used, and may order any personal property broker or broker to discontinue the further use of any objectionable advertising at any time.

(c) No personal property broker or broker shall advertise, print, display, publish, distribute, or broadcast or cause or permit to be advertised, printed, displayed, published, distributed, or broadcast, in any manner whatsoever, any statement or representation with regard to the rates, terms or conditions for arranging, negotiating or procuring loans or for the lending of money or credit, which is false, misleading, or deceptive

SEC 19. (a) Each personal property broker and broker shall:

(1) File with the commissioner for each place of business a full and accurate schedule of the maximum charges to be currently made at each such place of business

(2) Submit to the commissioner sample copies of each written instrument to be used by each such personal property broker or broker in evidencing loan or credit transactions or fixing contractual rights as regulated by this act; and no such instrument shall be used until approved by the commissioner, and shall be subject to the rules and regulations established by him.

(3) Keep and use such books, accounts and records as will properly enable the commissioner to determine whether each personal property broker or broker is complying with the provisions of this act and with all rules and regulations made by the commissioner hereunder; and such books, accounts and records shall be preserved for at least two years after making the final entry on any loan recorded therein.

(4) On or before the fifteenth day of April of each year, file a report with the commissioner giving such relevant information as the commissioner reasonably may require concerning the business and operations during the preceding calendar year of each place of business conducted by each personal property broker or broker within the State. Such report shall be made under oath and shall be in the form prescribed by the commissioner, who shall make and publish annually an analysis and recapitulation of such reports.

(b) The commissioner shall make an examination of the affairs, business, office, and records of each licensee at least once each year.

(c) It shall be the duty of the commissioner and he shall have the power, jurisdiction and authority to investigate the conditions with reference to personal property brokers and brokers and report thereon biennially to the Legislature and make such recommendations as he may deem wise for legislation to remedy evils thereby disclosed and relating otherwise to the subject matter of this act."

Amendment No. 19.

On page 9, line 39, of the printed bill, as amended, after the words "property brokers", insert the words "and brokers".

Amendment No. 20.

On page 9, line 42, of the printed bill, as amended, strike out the words "personal property broker", and insert the word "licensee".

Amendment No. 21.

On page 9, line 46, of the printed bill as amended, strike out the words "personal property broker", and insert in lieu thereof the word "licensee".

Amendment No. 22.

On page 10, line 1, of the printed bill, as amended, strike out the words "personal property broker", and insert in lieu thereof the word "licensee".

Amendment No. 23.

On page 10, line 14, of the printed bill, as amended, strike out the words "personal property broker", and insert in lieu thereof the word "licensee".

Amendment No. 24.

On page 10, line 15, of the printed bill, as amended, strike out the words "personal property broker", and insert in lieu thereof the word "licensee".

Amendment No. 25.

On page 10, line 17, of the printed bill, as amended, strike out the words "personal property broker", and insert in lieu thereof the word "licensee".

Amendment No. 26.

On page 10, line 20, of the printed bill, as amended, strike out the words "personal property broker's", and insert in lieu thereof the word 'licensee's".

Amendment No. 27.

On page 10, line 25 of the printed bill, as amended, strike out the words "personal property broker", and insert in lieu thereof the word "licensee".

Amendment No. 28.

On page 10, line 32, of the printed bill, as amended, after the word "broker", insert the words "or broker".

Amendment No. 29.

On page 10, line 37, of the printed bill, as amended, strike out the words "personal property broker", and insert in lieu thereof the word "licensee".

Amendment No. 30.

On page 10, line 42, of the printed bill, as amended, strike out the words "personal property broker", and insert in lieu thereof the word "licensee".

Amendment No. 31.

On page 10, line 50, of the printed bill, as amended, after the word "broker," insert the words "or broker".

Amendment No. 32.

On page 10, line 51, of the printed bill, as amended, after the word "money", strike out the comma, and insert in lieu thereof the words "or arranging, negotiating or procuring loans,".

Amendment No. 33.

On page 11, line 27, of the printed bill, as amended, strike out the word "wherever", and insert in lieu thereof the word "whenever".

Amendment No. 34.

On page 11, line 28, of the printed bill, as amended, strike out the words "personal property broker", and insert in lieu thereof the word "person".

Amendment No. 35.

On page 11, line 30, of the printed bill, as amended, strike out the word "personal", and insert the word "person", and in line 31, strike out the words "property broker".

Amendment No. 36.

On page 12 of the printed bill, as amended, strike out lines 7 to 19, inclusive, and insert in lieu thereof the following: "shall violate any of the provisions of section 4, 5, 12, 13, 14, 15, 16, 18, or 19 of this act, shall be guilty of a misdemeanor.

SEC. 25. All investigating, license and other fees collected by the commissioner under this act shall be paid at least once each week, accompanied by a detailed statement thereof, into the treasury of the State to the credit of the fund to be known as the "Personal property brokers fund," which fund is hereby created All money paid to the commissioner, as in this act provided, shall be paid by him into the State treasury and credited to the personal property brokers fund, and all such moneys are hereby appropriated to be used by the commissioner in carrying out the provisions of this act; and the Comptroller shall draw his warrant on said fund from time to time in favor of the commissioner for the amounts expended under his direction, and the Treasurer shall pay the same. The commissioner may, with the consent of the Board of Control, withdraw from said fund a sum not exceeding one thousand five hundred dollars ($1,500), to be used as a revolving fund where cash advances are necessary, and the commissioner must account for such sums so withdrawn for said revolving fund at any time upon demand of the Board of Control.

SEC 26. Any personal property broker or broker having a license issued by the commissioner for the calendar year 1935 under "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, in force when this act becomes effective, may surrender such license to the commissioner, and upon the payment to the commissioner (before this act becomes effective) of one hundred dollars ($100) if a personal property broker or fifty dollars ($50) if a broker, the commissioner shall issue a new license".

Amendment No. 37.

On page 12, line 37, of the printed bill, as amended, after the word "broker", insert the words "or broker".

Amendment No. 38.

On page 12, line 40, of the printed bill, as amended, after the word "broker", insert the words "or broker".

Amendments adopted.

Bill read second time, ordered to reprint, re-re-re-re-engrossment, and third reading

Assembly Bill No. 2061—An act to amend the Building and Loan Association Act and the title thereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, after "Act", strike out "and", also strike out line 2, and insert in lieu thereof the following: "by amending section 13.12 thereof, relating to actions against the Building and Loan Commissioner."

Amendment No. 2.

On page 1, line 1, of the printed bill, after the period, insert the following. "Section 13 12 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 13 12 Court application by association aggrieved. Whenever any association of whose property, business and assets the commissioner has taken possession, as aforesaid, deems itself aggrieved thereby it may at any time within thirty days after such taking possession apply to the superior court of the county in which the principal office of such association is located, to enjoin further proceedings; and said court after citing the commissioner to show cause why further proceedings should not be enjoined, and hearing the allegations and proofs of the parties and determining the facts, may upon the merits dismiss such application or enjoin the commissioner from further proceedings and direct him to surrender such business, property and assets to such association. The costs and expenses incurred by the commissioner in any such proceeding and also, in any appeal therefrom, including attorney's fees in an amount fixed by said court, shall be paid out of the assets of such association, whether or not such application shall be dismissed or the commissioner shall be enjoined from further proceedings. In no event, however, shall any costs, expenses or attorney's fees incurred by the aggrieved association or any of its officers or directors in connection with any such hearing or proceeding, or any appeal therefrom, be paid out of the assets of such association unless the commissioner shall be enjoined from further proceedings and directed to surrender such business, property

and assets to such association. An appeal from such judgment enjoining the commissioner from further proceedings and directing him to surrender such business, property and assets to such association shall not operate as a stay thereof, unless the trial court in its discretion shall so order and no bond need be given if such appeal be taken by the commissioner; but if such judgment dismisses such application an appeal therefrom shall not operate as a stay thereof but the court rendering such judgment may, in its discretion, enjoin the commissioner, pending the appeal, from further proceedings and direct him, pending the appeal, to surrender such business, property and assets to such association, provided a bond shall be given as required by section 943 of the Code of Civil Procedure."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Motion to Continue Unfinished Business.

Mr. Lyon moved that all unfinished business on the Daily Calendar be continued to the next legislative day.

Motion carried.

Adjournment.

At twelve o'clock p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until nine o'clock and thirty minutes a.m., Thursday, June 6, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, June 6, 1935.

At nine o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—80.

Quorum present.

Prayer.

Prayer was offered by Miss Eleanor Miller, member of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Crowley, its further reading was dispensed with.

Privilege of Floor of Assembly Extended.

On request of Mr. Cunningham, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Wendell S. Hayes of Los Angeles.

On request of the San Francisco delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to James Rolph, III, son of the late Governor of California, James Rolph, Jr.

On request of Mr. McBride, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Elizabeth Topping, county librarian of Ventura, and Miss Sadie Swisher, county librarian of Santa Barbara.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 56—An act to add section 3.43 to the School Code, relating to required instruction in the schools;

Also, Assembly Bill No 2369—An act to add sections 9a to 9d, inclusive, to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to disability of members of the California Highway Patrol;

Also: Assembly Bill No 2416—An act to regulate the caravaning of motor vehicles upon the public highways of this State, defining the term "caravaning" and providing for the licensing of motor vehicles in caravan and imposing penalties for violation thereof;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this sixth day of June, 1935, at ten o'clock a.m.

WATERS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2474—An act relating to fees and taxes for and upon certain vehicles, providing for the collection thereof and the enforcement of this act, and providing for the repeal of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933—and reports that the same has been correctly engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1935.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 1112—An act to amend section 3627a of the Political Code, relating to the taxation of securities and solvent credits—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 588—An act levying a tax upon the privilege of severing, processing, or severing and processing all natural resources from the soil or water, including all forms of timber and other forest products, minerals, and oil and gas—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended, and be re-referred to Committee on Ways and Means

RILEY, Chairman.

The above reported bill ordered on file for second reading.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1935.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No 90—Proposed amendment to section 12, Article XVI of the Constitution, relative to the Rector Canyon Dam

Project—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

LATHAM, Chairman.

Assembly Constitutional Amendment No. 90 ordered to engrossment.

ASSISTANT CLERK COOLIDGE READING.

Unfinished Business.

Reconsideration of Assembly Bill No. 2461.

Assembly Bill No. 2461—An act to amend section 71 of the Penal Code, relating to contracts, sales and purchases by public officers.

In compliance with his notice given on a previous day, Mr. Clark moved that the vote whereby Assembly Bill No. 2461 was passed be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Anderson, Andreas, Boyle, Clark, Corwin, Cunningham, Donnelly, Evans, Herbert J. Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Kallam, Latham, Laughlin, Lore, Martin, Meehan, Miller, Morgan, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Turner, Wagner, Walker, Waters, Welsh, Wright, and Mr. Speaker—42

NOES—Breed, Brennan, Cottrell, Crowley, DeLap, Frazier, Fulcher, Mayo, McBride, Nielsen, Patterson, Redwine, Utt, and Wallace—14

Assembly Bill No. 2461 ordered on file for third reading.

Motion to Reconsider Assembly Bill No. 598 Continued.

Mr. Heisinger moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 598 was refused passage be continued until the next legislative day.

Motion carried.

Motion to Strike Assembly Bill No. 1063 from File.

Mr. Redwine moved that Assembly Bill No. 1063 be stricken from the file.

Motion carried.

Assembly Bill No. 1063 ordered stricken from the file.

Third Reading of Assembly Bills.

Assembly Bill No. 2310—An act authorizing trustees of reclamation districts to make refunds where wrongful assessments have been made.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No 2310 passed by the following vote:

AYES—Anderson, Andreas, Breed, Cassidy, Chatters, Cottrell, Crowley, DeLap, Donnelly, Evans, Herbert J., Evans, Ralph W., Frazier, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Martin, Mayo, McCarthy, Meehan, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Utt, Wagner, Walker, Waters, Weber, Welsh, Wright, and Mr Speaker—50

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Senate Bills.

Senate Bill No. 556—An act to amend section 6.2 of the School Code, relating to powers of boards of school trustees and city boards of education.

Bill read third time.

Demand for Previous Question.

Messrs. Lore, Garibaldi, Breed, Weber, and O'Donnell demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Cottrell moved a call of the House.

Motion carried.

Time, ten o'clock and fifty minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—66.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 669—An act to amend section 11716 of the Insurance Code, relating to the Insurance Commissioner.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 669 finally passed by the following vote:

AYES—Boyle, Breed, Cassidy, Chatters, Clark, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Herbert J., Evans, Ralph W., Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Phillips, Reaves, Richie, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Weber, Williamson, Wright, and Mr. Speaker—53.

NOES—None.

Title read.

Amendment to Title.

During reading of the title, the following amendment was submitted by Mr. Minard:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 2 and 3 of the title and insert in lieu thereof the following: "relating to insurance practice in respect to deposits of cash or security by workmen's compensation insurers"

Amendment adopted.

Title, as amended, read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 910—An act to amend sections the Insurance Code, by adding Article 8a to Chapter 1 of Part 2 of Division 1 of said code, comprising section 870, all relating to the deposit of funds by investment in policies, or otherwise, with an insurer.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 910 finally passed by the following vote:

AYES—Boyle, Breed, Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Denahue, Donnelly, Evans, Herbert J., Fisher, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Phillips, Richie, Robertson, Scudder, Stream, Thorp, Turner, Voigt, Walker, Waters, Weber, Williamson, Wright, and Mr Speaker—52

NOES—Evans, Ralph W., Flint, Gilbert, Hunt, McCarthy, Patterson, and Reaves—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 424—An act granting to the city of Richmond and its successors certain salt marsh, tide and submerged land of the State of California, including the right to wharf out therefrom and grant franchises and leases thereon and regulating the management, use and control thereof, also including the right of said city to collect the rents, issues and profits in any manner hereafter arising from the lands or wharf-out privileges hereby granted.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. DeLap:

Amendment No. 1.

On page 2 of the printed bill, add the following

"(f) This grant is made subject to the rights of any and all persons under any title derived from the State of California in or to any part of said lands."

Amendment adopted.

Request for Unanimous Consent.

Mr. DeLap asked for, and was granted, unanimous consent to take up Senate Bill No. 424, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 424, as Amended.

Senate Bill No. 424, as amended, read third time.

The question being on the passage of the bill.

The roll was called.

Motion to Expunge Record.

Mr. Patterson moved that the vote taken on Senate Bill No. 424 be expunged from the record, and the action rescinded.

Motion carried.

Senate Bill No. 424, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 424, as amended, finally passed by the following vote:

AYES—Andreas, Boyle, Breed, Cassidy, Chatters, Corwin, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J, Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Latham, Maloney, Martin, Mayo, Meehan, Miller, Minard, Morgan, O'Donnell, Pelletier, Peterson, Phillips, Richie, Riley, Robertson, Scudder, Stream, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—53.

NOES—Anderson, Evans, Ralph W, Flint, Geyer, Gilbert, Hunt, Laughlin, Lore, McCarthy, Patterson, and Reaves—11.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 884—An act to add section 321 5 to the Agricultural Code, relating to meat inspection.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 884 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J, Evans, Ralph W, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, June 4, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS Senate Bill No. 940—An act making an appropriation and providing for the expenditure of moneys received by the State from taxes levied specifically for financing unemployment relief

In my opinion said Senate Bill No. 940 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F MERRIAM, Governor of California

Senate Bill No. 940—An act making an appropriation and providing for the expenditure of moneys received by the State from taxes levied specifically for financing unemployment relief.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 940 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—69.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No 11—Relative to the disposition of revenues received from the lease of marginal lands in the Tule Lake Division of the Klamath Project.

Senate Joint Resolution No 11 read.

Mr. Fulcher moved the adoption of Senate Joint Resolution No. 11

The question being on the adoption of Senate Joint Resolution No. 11.

The roll was called, and Senate Joint Resolution No 11 adopted by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Corwin, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Minard, Morgan, Patterson, Pelletier Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Senate Joint Resolution No 11 ordered transmitted to the Senate.

Senate Joint Resolution No. 11.

Relative to the disposition of revenues received from the lease of marginal lands in the Tule Lake Division of the Klamath Project

WHEREAS, The Honorable Franklin D. Roosevelt, President of the United States, did, on the seventh day of January, 1935, recommend in his budget message to the Congress of the United States the enactment of certain measures designed to provide refunds to lessees of marginal lands in the Tule Lake Division of the Klamath Project; and

WHEREAS, The Klamath Project is under the jurisdiction of the Secretary of the Interior of the United States, acting through the Bureau of Reclamation, and was designed to reclaim marsh lands in the Tule Lake Division of the Klamath Project, and thereby add to the productive agricultural use in the State of California; and

WHEREAS, The refunding of such moneys to such lessees will result in a diversion of funds now available for the completion of the Tule Lake Division of the Klamath Project and will eventually result in the abandonment of said project, thereby causing a depressed market of land values in said region; and

WHEREAS, Such lands would no longer be a safe collateral for outstanding loans because of the reduced land values; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California urge the assistance and the support of Congress in order to preserve the present use of funds accruing from leases of marginal lands in the Tule Lake Division of the Klamath Project; and be it further

Resolved, That a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, and the Speaker of the House of Representatives.

Senate Bill No. 505—An act to amend section 535 of the Political Code, relating to purchase of machinery or equipment for the State printing plant.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 505 finally passed by the following vote:

AYES—Anderson, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the House Dispensed With.

At twelve o'clock m., further proceedings under the call of the House were dispensed with, on motion of Mr. Cottrell.

The roll of absentees was called, and Senate Bill No. 556 was passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Dawson, Donihue, Donnelly, Evans, Ralph W., Field, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Johnson, Kallam, Laughlin, Lore, Mayo, McBride, McCarthy, O'Donnell, Patterson, Pelletier, Reaves, Richie, Robertson, Rosenthal, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Weber, and Welsh—43.

NOES—Boyle, Corwin, Crowley, Cunningham, DeLap, Desmond, Evans, Herbert J., Fisher, Frazier, Fulcher, Gilmore, Hornblower, Hunt, Latham, Lyon, Maloney, Martin, Meehan, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Scudder, Stream, Utt, Waters, Williamson, Wright, and Mr. Speaker—33.

Title read and approved.

Notice of Reconsideration of Senate Bill No. 556.

Mr. O'Donnell gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 556 was this day passed.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 588—An act levying a tax upon the privilege of severing, processing, or severing and processing all natural resources from the soil or water, including all forms of timber and other forest products, minerals, and oil and gas.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "", processing,"; also strike out lines 2 to 4, inclusive, of the title, and insert in lieu thereof the following: "petroleum, natural gas, natural or casing head gasoline and other hydrocarbon substances from the earth, providing for the issuance of permits to producers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof and providing that the act shall take effect immediately."

Amendment No. 2.

On page 1, line 2, of the printed bill, immediately preceding "Severance", insert the following: "Oil and Gas".

Amendment No. 3.

On page 1, line 8, of the printed bill, strike out "or any group or combination acting"; also strike out all of lines 9 to 26, inclusive, on said page, and all of pages 2 to 11, inclusive, and insert in lieu thereof a comma and the following: "this State, any county, city and county, municipality, district or other political subdivision thereof, or any other group or combination acting as a unit, and the plural as well as the singular number.

(b) "Natural resources" means and includes petroleum, natural gas, natural or casing head gasoline and other hydrocarbon substances.

(c) "Producer" includes every person engaged in severing any natural resource from the earth, whether as owner, lessee concessionaire, contractor, processor or otherwise.

(d) "Severing" means extracting, separating, detaching, producing, cutting, mining, removing or in any manner gathering natural resources from the earth.

(e) "Gross value" means the actual market value of the natural resources at the time and place of the severance thereof, and there shall be considered, among other factors, in determining such value any bonus or premium paid or which the natural resources will reasonably bring.

(f) "Time of severance" means the time immediately after the natural resources are brought to or upon the surface of the earth; provided, however, that the time of the severance of natural gasoline from natural gas shall be at the time of the extraction or processing thereof.

(g) "Board" means the State Board of Equalization.

SEC. 3. For the privilege of severing natural resources from the earth, a tax is hereby imposed upon producers at the following rates:

Upon producers of petroleum, natural gas, natural gasoline and other hydrocarbon substances at the rate of four per cent of the gross value thereof.

The tax herein provided shall become effective April 1, 1935, and shall be paid at the time and in the manner hereinafter provided and shall be in addition to any and all other taxes

SEC. 4 The tax levied hereunder shall be due and payable in monthly installments on or before the fifteenth day of the month next succeeding each monthly period commencing with April 1, 1935, and ending on the thirtieth day of April, 1935. The producer shall on or before the fifteenth day of the month following the close of the first monthly period as above defined, and on or before the fifteenth day of each month thereafter make a return for the preceding monthly period in such form as may be prescribed by the board, showing the gross value of natural resources severed from the earth, the amount of tax for the period covered by such return and such other information as the board may deem necessary for the proper administration of the tax. The producer shall deliver the return, together with a remittance of the amount of tax due to the office of the board If the board deems it necessary in order to insure the payment of the tax imposed by this act, it may require returns and payment of the tax to be made for other than monthly periods. The board for good cause may extend for not to exceed thirty days the time for making any return required under the provisions of this act.

SEC. 5 Any person failing to pay any tax or assessment within the time required by this act shall pay in addition to the tax or assessment a penalty of ten per cent of the amount thereof

SEC. 6. Thirty days after the effective date of this act it shall be unlawful for any person to engage in or transact business as a producer within this State, unless a permit shall have been issued to him as herein prescribed. Every person desiring to engage in or conduct business as a producer in this State shall file with this board an application for a permit. Each application for such a permit shall be made upon a form prescribed by the board and shall set forth such information as the board may require Any person who engages in business as a producer in this State without a permit or after a permit has been suspended, and the officers of any corporation which so engage in business as a producer, shall be guilty of a misdemeanor.

SEC. 7. At the time of making such application, the applicant shall pay to the board a permit fee of five dollars. A producer need obtain only one permit

SEC. 8. Upon the payment of the permit fee herein required, the board shall grant and issue to each applicant a permit. A permit is not assignable and shall be valid only for the person in whose name it is issued.

SEC. 9. Permits issued under the provisions of this act shall be valid and effective without further payment of fees until suspended or revoked by the board. The board shall charge a fee of five dollars for the renewal or issuance of a permit to a producer whose permit has been previously suspended or revoked

SEC. 10. Whenever the holder of a permit fails to comply with any of the provisions of this act or any rules or regulations of the board prescribed and adopted under this act, the board upon hearing after giving ten days' notice in writing of the time and place of the hearing to show cause why his permit should not be revoked, may revoke or suspend the permit

SEC. 11. If the board is not satisfied with the return and payment of tax made by any producer, it is hereby authorized and empowered to make an additional assessment of tax due from such producer based upon the facts contained in the return or upon any information within its possession or that shall come into its possession. The board shall give to the producer written notice of such additional assessment, together with written notice of the time and place where the producer may be heard on a petition by him for reassessment. Such notice may be served

upon the producer personally or by mail, if by mail, service shall be made in the manner prescribed by section 1013 of the Code of Civil Procedure and addressed to the producer at his address as the same appears in the records of the board.

SEC. 12. If a producer neglects or refuses to make a return and payment as required by this act, the board shall make an estimate based upon any information in its possession or that may come into its possession, of the amount of the gross receipts of the delinquent for the period in respect to which he failed to make return and payment, and upon the basis of said estimated amount compute and assess the tax payable by the delinquent, adding to the sum thus arrived at a penalty equal to ten per cent thereof. Promptly thereafter the board shall give to the delinquent written notice of such estimate, tax and penalty, the notice to be served personally or by mail in the same manner as prescribed for service of notice by the provisions of section 11 hereof. But the delinquent shall have the right to petition for reassessment of any such tax found, determined and declared by the board pursuant to and in accordance with the provisions of this section.

SEC. 13 Any producer against whom an assessment is made by the board under the provisions of section 11 or 12 hereof may petition for a reassessment thereof within fifteen days after service upon the producer of notice thereof. If a petition for reassessment is not filed within said fifteen day period, the amount of the assessment becomes final at the expiration thereof.

If a petition for reassessment is filed within said fifteen day period, the board shall reconsider the assessment, and if the producer has so requested in his petition, shall grant said producer an oral hearing before the board or a representative thereof and shall give the producer ten days' notice of the time and place thereof. The board shall have power to continue the hearing from time to time as may be necessary.

The order or decision of the board upon a petition for reassessment shall become final sixty days after service upon the producer of notice thereof unless the producer brings a proceeding for the review thereof under the provisions of section 26 hereof.

All assessments made by the board under the provisions of section 11 or 12 hereof shall become due and payable at the time they become final Any notice required by this section shall be served personally or by mail in the same manner as prescribed for service of notice by the provisions of section 11 hereof.

SEC. 14. Except in the case of a fraudulent return, or neglect or refusal to make a return, every notice of additional tax proposed to be assessed hereunder shall be mailed to the producer within three years after the return was filed.

SEC. 15. All taxes or assessments not paid to the board by the producer on the date when the same become due and payable shall bear interest at the rate of one per cent per month, or fraction thereof, from and after such date until paid.

SEC. 16. If the board determines that any tax, penalty or interest has been paid more than once, or has been erroneously or illegally collected or computed, the board shall set forth that fact in the records of the board and shall certify to the State Board of Control the amount collected in excess of what was legally due, from whom it was collected, or by whom paid, and if approved by that board the same shall be credited on any taxes then due from the producer under this act and the balance shall be refunded to the producer, or his successors, administrators, executors or assigns, but no such credit or refund shall be allowed after three years from the date of overpayment.

Any refund or any portion thereof which is erroneously made and any credit or any portion thereof which is erroneously allowed, may be recovered in an action brought by the Controller of the State in a court of competent jurisdiction in the county of Sacramento, in the name of the people of the State of California and such action shall be tried in the county of Sacramento unless the court with the consent of the Attorney General, orders a change of place of trial. The Attorney General must prosecute such action, and the provisions of the Code of Civil Procedure relating to service of summons, pleadings, proofs, trials and appeals are applicable to the proceedings herein provided for.

In the event that a tax has been illegally levied against a producer the board shall certify such fact to the State Board of Control and said board shall authorize the cancellation of the tax upon the records of the board.

SEC. 17. If fraud or evasion on the part of a producer is discovered by the board, it shall determine the amount by which the State has been defrauded, shall add to the amount so determined a penalty equal to twenty-five per cent thereof, and shall assess the same against the producer The amount so assessed shall be immediately due and payable, and if not paid within ten days after the service upon the retailer of notice of the assessment, the delinquency penalty provided in section 5 hereof shall attach to the amount of the tax specified therein.

SEC. 18. The tax, interest and penalties herein provided for shall be a lien upon all property, real or personal, of the producer, upon the real property from which the natural resources were severed and upon the natural resources severed, attaching at the time of the severance of the natural resources, having the effect of an execution duly levied against all such property and remaining until the tax,

interest and penalties herein provided for are paid, or the property sold in payment thereof.

At any time within three years after any producer is delinquent in the payment of the tax herein provided for, the board may proceed forthwith to collect the tax due from the producer in the following manner: The board shall seize any property, real or personal, subject to the lien herein provided and thereafter sell at public auction such property so seized, or a sufficient portion thereof, to pay the tax due hereunder, together with any interest or penalties imposed hereby for such delinquency and any and all costs that may have been incurred on account of such seizure and sale. Notice of such intended sale and the time and place thereof, shall be given to such delinquent producer in writing at least ten days before the date set for such sale by enclosing a form of such notice in an envelope addressed to said producer at his last known place of business in this State, if any, and depositing the same in the United States mail, postage prepaid, and by publication for at least ten days before the date set for such sale in a newspaper of general circulation published in the county or city and county in which the property seized is to be sold; provided, however, that if there be no newspaper of general circulation in such county or city and county, then by the posting of such notice in three public places in such county or city and county for said ten day period. The said notice shall contain a description of the property to be sold, together with a statement of the amount of the taxes, interest, penalties and costs, the name of the producer, and the further statement that, unless such taxes, interest, penalties and costs are paid on or before the time fixed in said notice for such sale, said property, or so much thereof as may be necessary, will be sold in accordance with law and said notice.

At any such sale, the property shall be sold by the board or its duly authorized agent in accordance with law and said notice, and the board shall deliver to the purchaser a bill of sale for the personal property, and a deed for any real property so sold, and such bill of sale or deed shall vest title in the purchaser. The unsold portion of any property so seized may be left at the place of sale at the risk of the producer. If, upon any such sale, the moneys so received shall exceed the amount of all license taxes, interest, penalties and costs due the State from such producer, and such excess shall be returned to the producer, and his receipt therefor obtained. If, for any reason, the receipts of such producer shall not be available, the board shall deposit such excess moneys with the State Treasurer, as trustee for such owner, subject to the order of such producer, his heirs, successors or assigns.

In the event that any producer is delinquent in the payment of the tax herein provided for the board may give notice of the amount of such delinquency by registered mail to all persons having in their possession, or under their control, any credits or other personal property belonging to such producer, or owing any debts to such producer at the time of receipt of them of such notice and thereafter any person so notified shall neither transfer nor make any other disposition of such credits, other personal property, or debits until the board shall have consented to a transfer or disposition, or until twenty days shall have elapsed from and after the receipt of such notice. All persons so notified must, within five days after receipt of such notice, advise the board of any and all such credits, other personal property or debts, in their possession, under their control or owing by them, as the case may be.

It is expressly provided that the foregoing remedies of the State shall be cumulative and that no action taken by the board or the Attorney General shall be or be construed to be an election on the part of the State or any of its officers to pursue any remedy hereunder to the exclusion of any other remedy for which provision is made in this act.

SEC. 19. At any time within three years after the delinquency of any tax, the board may bring an action in a court of competent jurisdiction in the name of the people of the State of California to collect the amount delinquent, together with penalties. The Attorney General must prosecute such action, and the provisions of the Code of Civil Procedure relating to service of summons, pleadings, proofs, trials, and appeals are applicable to the proceedings herein provided for. In such action a writ of attachment may issue, and no bond or affidavit previous to the issuing of said attachment is required. In such action a certificate by the board showing the delinquency shall be prima facie evidence of the levy of the tax, of the delinquency and of compliance by the board with all the provisions of this act in relation to the computation and levy of the tax.

SEC. 20. Every producer shall keep such records, receipts, invoices and other pertinent papers in such form as the board may require. The board or its representatives are hereby authorized to examine the books, papers, records and equipment of any producer, carrier, pipe line company or any other person in order to verify the accuracy of any return made, or if no return was made by the producer, to ascertain and assess the tax imposed by this act. The board is also hereby authorized to require the furnishing of such information or reports by carriers, pipe line companies or other persons as may be deemed necessary for the administration of this act.

SEC. 21 The board is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe, adopt and enforce rules and regulations relating to the administration and enforcement of the provisions of this act and to employ such valuation engineers, accountants, auditors, investigators, assistants and clerks as may be determined to be necessary for the efficient administration of this act.

SEC. 22 All fees, taxes, interest and penalties imposed under this act must be paid to the board in the form of remittances payable to the Treasurer of the State of California, and said board shall transmit such payments daily to the State Treasurer to be deposited in the State treasury to the credit of the "Severance tax fund," which fund is hereby created For expenditure by the board in carrying out the provisions of this act there is hereby appropriated a sum of money equal to twenty-five thousand dollars plus the amount of permit fees paid hereunder and two per cent, or so much thereof as may be necessary, of all other moneys deposited in the severance tax fund; said twenty-five thousand dollars being payable out of moneys from the general fund not otherwise appropriated, the remainder of the moneys hereby appropriated being payable out of the severance tax fund; provided, that out of said two per cent of said other moneys deposited in the severance tax fund and on or before June 30, 1935, the sum of twenty-five thousand dollars shall be returned into the general fund. The balance of the moneys in the severance tax fund shall, upon order of the State Controller, be drawn therefrom for the purpose of refunding to the producers hereunder or be transferred to the general fund of the State.

SEC 23 No injunction of writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against this State or against any officer thereof to prevent or enjoin under this act the collection of any tax sought to be collected; but after payment of any such tax under protest, duly verified and setting forth the grounds of objection to the legality of such tax, the producer paying such tax may bring an action against the State Treasurer in a court of competent jurisdiction in the county of Sacramento for the recovery of tax so paid under protest. No such action may be instituted more than sixty days after the tax becomes due and payable, and failure to bring suit within said sixty days shall constitute waiver of any and all demands against this State on account of alleged overpayment of taxes hereunder No grounds of illegality of the tax shall be considered by the court other than those set forth in the protest filed at the time of the payment of the tax

If in any such action judgment is rendered for the plaintiff, the amount of the judgment shall first be credited on any taxes due from the plaintiff under this act, and the balance of the judgment shall be refunded to the plaintiff. In any such judgment, interest shall be allowed at the rate of six per cent per annum upon the amount of tax found to have been illegally collected from the date of payment of such tax to the date of allowance of credit on account of such judgment or to a date preceding the date of the refund warrant by not more than thirty days, such date to be determined by the Controller.

In no case shall any judgment be rendered in favor of the plaintiff in any action brought against the State Treasurer to recover any tax paid hereunder, when such action is brought by or in the name of an assignee of the producer paying said tax, or by any person other than the person who has paid such tax.

SEC. 24. Any producer failing or refusing to furnish any return hereby required to be made, or failing or refusing to furnish a supplemental return or other data required by the board, or rendering a false or fraudulent return, shall be guilty of a misdemeanor and subject to a fine of not exceeding five hundred dollars ($500) for each such offense

Any person required to make, render, sign or verify any report as aforesaid, who makes any false or fraudulent return, with intent to defeat or evade the assessment required by law to be made, shall be guilty of a misdemeanor, and shall for each such offense be fined not less than three hundred dollars ($300) and not more than five thousand dollars ($5,000) or be imprisoned not exceeding one year in the county jail or be subject to both said fine and imprisonment in the discretion of the court.

SEC 25. Any violation of the provisions of this act, except as otherwise herein provided, shall be a misdemeanor and punishable as such.

SEC 26 Every order, decision or other official act of the board shall be subject to review if such proceeding is brought within sixty days after notice of the rendering of such order, decision or other official act in accordance with the provisions of Chapter I, Title I of Part III of the Code of Civil Procedure. Upon such review the court shall be limited to a consideration and determination of the question whether there has been an abuse of discretion on the part of the board in making such order, decision or other official act.

SEC 27 If any section, subsection, clause, sentence or phrase of this act which is reasonably separable from the remaining portions of this act is for any reason held to be unconstitutional, such decision shall not affect the remaining portions of this act The Legislature hereby declares that it would have passed the remaining portions of this act irrespective of the fact that any such section, subsection, clause, sentence or phrase of this act be declared unconstitutional.

SEC 28. This act, inasmuch as it provides for a tax levy for the usual current expenses of the State, shall, under the provisions of section 1 of Article IV of the Constitution, take effect immediately."

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Third Reading of Senate Bills.

Senate Bill No. 1112—An act to amend section 3627a of the Political Code, relating to the taxation of securities and solvent credits.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 13, of the printed bill, as amended, after "aforesaid", insert a comma and the following: "except solvent credits,".

Amendment No. 2.

On page 1, line 18, of the printed bill, as amended, strike out "solvent credits,".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Recess.

At twelve o'clock and five minutes p.m., on the motion of Mr. Lyon, the Assembly was declared at recess until two o'clock p.m. this day.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 915—An act to amend sections 1 to 20 inclusive and sections 22, 23, 24 and 25 of, and to add new sections to be numbered 18.1, 19.1, 22.5, 25.1 and 27 to, "An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission, providing for the appointment of members of said commission; prescribing the powers, duties and authority of said commission and the members thereof; providing for the institution of proration programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purposes of said act and providing for the collection thereof; and making an appropriation therefor," approved June 5, 1933, relating to the conservation of agricultural wealth and the prevention of agricultural waste and providing for the Agricultural Prorate Commission;

Also: Assembly Bill No. 1826—An act to amend section 865 of the Fish and Game Code, relating to fish, declaring the urgency thereof to take effect immediately; And reports that the same have been correctly enrolled, and presented the same to the Governor on this sixth day of June, 1935, at eleven o'clock and thirty minutes a.m.

WATERS, Chairman

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1935

MR. SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 1086—An act to establish legislative standards in relation to the rehabilitation of agriculture and the regulation of producers, packers, distributors, shippers, marketers, handlers, processors and others dealing in agricultural, viticultural, horticultural, animal and poultry products and of any competing commodity or product thereof; to provide for the issuance, administration and enforcement of State marketing agreements and State licenses, to prescribe the powers, duties and jurisdiction of the State Director of Agriculture in relation thereto; to suspend all antitrust and

unfair competition laws of this State in conflict herewith and therewith; to prescribe remedies, rights, duties and penalties with respect to violations hereof and thereof, to provide ways, means and moneys for the administration and enforcement of said State marketing agreements and licenses; to declare the existence of a State and National agricultural emergency—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

PHILLIPS, Chairman.

The above reported bill ordered on file for second reading.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1935.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Senate Bill No. 874—An act to add a new article to the Agricultural Code, to be numbered Article 5, Chapter 1, Division 3, relating to horse, mule, burro and sheep marks and brands—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

THORP, Chairman

The above reported bill ordered on file for second reading.

On Banking.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1935.

MR. SPEAKER: Your Committee on Banking, to which was referred Senate Bill No. 514—An act to add sections 136d to 136d12, inclusive, to the Bank Act, relating to the administration and liquidation of banks—has had the same under consideration, and respectfully reports the same back with recommendation do pass as amended.

WILLIAMSON, Chairman

The above reported bill ordered on file for second reading

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 5, 1935

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No 46—Relative to adjournment out of respect to the memory of James Rolph, Jr;

Also: Assembly Joint Resolution No 62—Relative to memorializing the Federal Relief Administrator to make available funds for the extension of Highway Route No. 163 through the Venice and Santa Monica Bay areas.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Concurrent Resolution No. 46 and Assembly Joint Resolution No. 62 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 5, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 398—An act to amend sections 4 and 5 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, relating to the extension of prospecting permits for oil and gas which were in effect October 1, 1933, and upon which has been expended fifty thousand dollars or more in the prospecting for oil and gas;

Also: Senate Bill No. 955—An act to amend section 373j of the Political Code, relating to the Department of Natural Resources.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 398 read first time, and referred to Committee on Oil Industries.

Senate Bill No 955 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, June 5, 1935

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Constitutional Amendment No 27—A resolution to propose to the people of the State of California an amendment to section 2 of Article IV of the State Constitution, relating to the introduction of legislative bills,

Also: Senate Concurrent Resolution No 42—Providing for the appointment of a joint legislative committee to consult with the Department of Finance regarding the remodeling and refurnishing of legislative committee rooms and offices for the members in the State Capitol.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Constitutional Amendment No 27 referred to Committee on Constitutional Amendments.

Senate Concurrent Resolution No. 42 referred to Committee on Rules

Also:

SENATE CHAMBER, SACRAMENTO, June 5, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted as amended, Assembly Constitutional Amendment No. 63—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 22 of Article XII of the Constitution of said State, relating to the creation and powers of the Public Service Commission—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Constitutional Amendment No. 63 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 5, 1935

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 36—An act to amend the Agricultural Code by adding to Division VI thereof a new chapter to be numbered 9 and to include sections 1299 18 and 1300 to 1300.6 inclusive, defining and pertaining to processors of farm products and the licensing thereof;

Also: Assembly Bill No. 896—An act to amend sections 508, 510, 581, 585, 590, 591, 593, 632, and 673 of the Agricultural Code, relating to dairies and dairy products,

Also. Assembly Bill No. 958—An act to amend section 4190 of the Political Code, relating to establishment and government and the creation of a fund for law library;

Also: Assembly Bill No. 1532—An act to amend the Political Code by amending sections 3456, 3466a and 3491, relating to reclamation districts;

Also: Assembly Bill No 733—An act to amend section 1032 of the Code of Civil Procedure, relating to costs in civil actions,

Also. Assembly Bill No. 1067—An act to amend section 1007 of the Civil Code, relating to title by prescription and adverse possession;

Also: Assembly Bill No 2052—An act to amend section 1428a of the Penal Code, relating to minute books of municipal courts,

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 36, 896, 958, 1532, 733, 1067 and 2052 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 5, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 1491—An act establishing municipal courts in cities and cities and counties of the second and one-fourth class, prescribing a constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein;

Also Assembly Bill No. 1492—An act to amend section 9 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation, and for the selection of jurors therein," approved May

23, 1925, relating to municipal courts in cities or cities and counties of the second and one-fourth class.

Also: Assembly Bill No. 413—An act to amend sections 60 and 62 of an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, Statutes 1911, page 730, as amended, relating to bonds and assessments;

Also: Assembly Bill No. 2050—An act amending section 1428 of the Penal Code, relating to keeping of minutes;

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1491, 1492, 413 and 2050 ordered on unfinished business file

Also:

SENATE CHAMBER, SACRAMENTO, June 5, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2156—An act to amend a new section numbered 3819a, relating to the redemption of property from sale for nonpayment of taxes in counties of the first and second classes—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 2156 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 6, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 358—An act to amend sections 1, 3, 4 and 10 of an act entitled, "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within the State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933, and to add a new section to said act numbered 9a;

Also, Senate Bill No. 384—An act to add section 133 to the Civil Code, relating to entry of final judgment in divorce cases;

Also, Senate Bill No. 663—An act to add a new section to the School Code to be numbered 1 91, relating to the construction, design, operation, equipment and color of school buses;

Also, Senate Bill No. 887—An act to amend the titles of Articles IV and IVa of Chapter IV of Part I of Division VI of the School Code, to amend sections 6 210 and 6 211 of the School Code and to add a new section to the School Code to be numbered 6 213, relating to the disposition of buildings, structures or fixtures of school districts when the boundaries of such districts are altered, declaring the urgency thereof and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 6, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 415—An act to add a new section to an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933, to be numbered 26½, relating to the priority of the State of California for taxes;

Also: Senate Bill No. 421—An act to amend sections 782 and 786 of the Fish and Game Code, relating to lobsters;

Also: Senate Bill No. 437—An act to amend section 618 of the Fish and Game Code, relating to trout;

Also: Senate Bill No 237—An act to add section 641 to, and to amend section 493 of, the Streets and Highways Code, relating to State highways;

Also Senate Bill No 77—An act to add section 3a to an act entitled "An act to provide for the establishment and maintenance of a Bureau of Tuberculosis under the direction of the State Board of Health; defining its powers and duties; providing for the granting of State aid to cities, counties, cities and counties and groups of counties for the support and care of persons affected with tuberculosis; making an appropriation therefor; and repealing certain acts of the Legislature of the State of California." approved June 12, 1915, relating to hospital central committees;

Also: Senate Bill No. 326—An act to amend section 3714 of the Political Code, relating to the preparation, submission and adoption of county road district and special district budgets and to the levy of taxes and prescribing limitations on county expenditures.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 5, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 919—An act to license, regulate and control the manufacture, transportation, sale, purchase, possession and disposition of alcoholic beverages, to levy an excise tax on the sale of alcoholic beverages; to provide for the licensing of the manufacture, distribution and sale of alcoholic beverages; to prescribe penalties for the violation of this act; to make an appropriation for the enforcement of this act, to take effect immediately

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary

Also:

SENATE CHAMBER, SACRAMENTO, June 5, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day, June 5, 1935, adopted the report of the second Committee on Free Conference concerning Assembly Bill No 816—An act relating to shares of insured Federal savings and loan associations, and building and loan associations, as legal investments for trust and other funds.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 816 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 6, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day, June 6, 1935, adopted the report of the Committee on Free Conference concerning Assembly Bill No. 442—An act to amend section 1270 of the Fish and Game Code and to repeal sections 1271, 1271.5 and 1272, relating to deer.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 442 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 5, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 2051—An act amending section 1461a of the Penal Code, relating to municipal court procedure;

Also: Assembly Bill No. 2217—An act to amend section 402c of the Penal Code, relating to safety measures;

Also: Assembly Bill No. 2218—An act to amend section 484 of the Penal Code, relating to thefts and fraud;

Also: Assembly Bill No. 2219—An act to amend section 1 of an act entitled "An act to require employers to pay the cost of bonds and photographs required of and furnished by employees or applicants for employment," approved April 20, 1917, relating to property as a substitute for a bond;

Also: Assembly Bill No. 2448—An act to amend section 407 of the Streets and Highways Code, relating to State highways.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 2051, 2217, 2218, 2219, and 2448 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 5, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1219—An act to amend section 133 of the Streets and Highways Code, relating to the Department of Public Works.

Also: Assembly Bill No 925—An act to amend section 8305 of the Agricultural Code, relating to transportation of fruits, nuts, and vegetables.

Also: Assembly Bill No. 758—An act to repeal section 52a of the California Irrigation District Act, relating to the payment of assessments with matured bonds and coupons;

Also: Assembly Bill No. 626—An act to amend sections 86 and 87 of the Fish and Game Code, relating to fish and game districts;

Also: Assembly Bill No. 510—An act to amend section 143 of the Agricultural Code, pertaining to abandoned orchards;

Also: Assembly Bill No. 43—An act to add a new section to the Penal Code to be numbered 496bb, relating to buying, receiving, concealing or withholding stolen property, and prescribing penalties for violation of the provisions thereof;

Also: Assembly Bill No. 104—An act to amend section 103 of, and to add sections 103.1, 103.2, 103.3, 103.4, 103.5, 103.6, 103.7 and 103.8 to, the Code of Civil Procedure, relating to courts of justice.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1219, 925, 758, 626, 510, 43, and 104 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 5, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 142—An act to amend section 32 of the Penal Code, relating to the definition of an accessory;

Also Assembly Bill No. 384—An act for the relief of special assessment districts and for the adjustment, refunding or cancellation of the bonded indebtedness of such districts, and for the purpose of empowering legislative bodies of such districts to adjust, refund or cancel said indebtedness and to make available to such districts the provisions of the Federal bankruptcy laws and any and all laws of the State of California for the relief of special assessment districts, and to declare the urgency of this act to take effect immediately;

Also: Assembly Bill No 455—An act to amend section 1305 of the Penal Code, to require certain entries in court minutes relating to bail, and to amend sections 1281a and 1310 of the Penal Code, and to add thereto a new section to be designated 1280e, authorizing the court, judge or magistrate to inquire into the financial condition of a corporation offering a bond as bail and to approve or reject said bond;

Also: Assembly Bill No 882—An act to amend section 338 of the Code of Civil Procedure, relating to limitation of actions;

Also: Assembly Bill No 943—An act to amend section 688 of the Political Code, relating to claims against the State of California in respect to damages inflicted by vehicles;

Also: Assembly Bill No 1298—An act to amend section 1238 of the Code of Civil Procedure, relating to the exercise of the right of eminent domain;

Also: Assembly Bill No 1804—An act validating, ratifying, approving and confirming bonds and other instruments or obligations heretofore issued by public bodies of this State for public works projects.

J. A BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos 142, 384, 455, 882, 943, 1298, and 1804 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 5, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 2455—An act to add sections 18 and 19 to an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State, to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person, to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the

ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, relating to concealable weapons;

Also: Assembly Bill No. 1952—An act to amend section 810 of the Agricultural Code, relating to artichoke standards;

Also: Assembly Bill No. 1400—An act to amend section 667 of the Penal Code, relating to the punishment of petty theft after a prior conviction of a felony;

Also: Assembly Bill No. 1259—An act to amend the title of and add a new section to "An act to provide for the creation of a board of parole commissioners for each county in this State, for the paroling of prisoners confined in county jails, and authorizing and empowering such boards to make rules and regulations in relation thereto," approved March 25, 1909, as amended, relating to the unconditional release by the county board of parole commissioners of alien prisoners who consent to return or to be returned to their native country and providing for the payment of the expenses of such return by counties.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 2455, 1952, 1400, and 1259 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 6, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 846—An act to amend sections 56 1 and 91 of the Bank Act, relating to the definition and regulation of the business of banking;

Also: Senate Bill No. 1107—An act to amend the title and sections 1, 2, 3, 4 and 5 of, and to add section 6 to, an act entitled "An act to authorize municipal corporations to issue bonds, for the purpose of investing the proceeds arising from the sale thereof, in other bonds issued for public improvements," approved April 26, 1909, relating to the issuance, sale, or exchange and payment of the bonds issued under this act, and the acquisition, collection and payment of bonds acquired, declaring the urgency hereof and providing that this act shall take effect immediately;

Also: Senate Bill No. 1010—An act to amend section 737bb of the Political Code, relating to the compensation of the judge of the superior court in and for the county of Napa

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 468—An act to amend the title and to add a new section numbered 18a to the State Medical Practice Act, approved June 2, 1913, as amended, relating to remedies for violations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 468 finally passed by the following vote:

AYES—Andreas, Boyle, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W. Fulcher, Hawkins, Heisinger, Hunt, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Minard, Nielsen, O'Donnell, Patterson, Phillips, Redwine, Richie, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, and Mr. Speaker—44

NOES—Brennan, Dawson, Geyer, Glover, Johnson, Lore, and Reaves—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1108—An act ceding to the United States of America certain tide and submerged lands of the State of California upon certain trusts and conditions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1108 finally passed by the following vote:

AYES—Andreas, Boyle, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Wagner, Walker, Waters, Weber, Williamson, and Mr. Speaker—54

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1097—An act to amend sections 2 and 3 of an act entitled "An act for the preservation of the public health of the people of the State of California and empowering the State Board of Health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907, amended April 1, 1911, June 13, 1913, and May 24, 1917, so as to prevent the construction and use of sewer wells extending into subterranean water-bearing strata used or intended to be used, or suitable for, a source of water supply for domestic purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1097 finally passed by the following vote:

AYES—Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Frazier, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Latham, Lyon, Maloney, Mayo, McBride, McCarthy, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Wagner, Walker, Waters, Weber, Williamson, and Mr. Speaker—54.

NOES—Martin—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 534—An act relating to persons in private psychopathic institutions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 534 finally passed by the following vote:

AYES—Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Richie, Riley, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2382—An act to regulate the practice of structural pest control; to create the Structural Pest Control Board; to provide for the registration and licensing of persons engaged in such practice, and for the protection of the public in the practice of structural pest control.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Miss Miller:

Amendment No. 1.

On page 1, line 10, of the printed bill, strike out all of lines 10, 11 and 12.

Amendment No. 2.

On page 2, line 2, of the printed bill, strike out the word "other".

Amendment No. 3.

On page 2 of the printed bill, after section 2, subsection D, insert the following:
"(e) Licensed architects or licensed civil or structural engineers, acting solely within their professional capacity."

Amendment No. 4.

On page 2, line 27, of the printed bill, strike out lines 27, 28, 29, 30 and 31, and insert in lieu thereof the words, "Each member of the board shall serve without compensation, and".

Amendment No. 5.

On page 2, line 44, of the printed bill, between the words "board", and "shall", insert the following: ", by and with the approval of the Director of the Department of Professional and Vocational Standards,".

Amendment No. 6.

On page 2, line 51, of the printed bill, strike out the comma after the word "necessary," and insert a period, and strike out the remainder of lines 51 and 52, and lines 1, 2 and 3 on page 3 of the printed bill.

Amendment No. 7.

On page 3, line 37, of the printed bill, after the words "a fee of", strike out the words "twenty-five dollars," and insert in lieu thereof the words "ten dollars,".

Amendment No. 8.

On page 4, line 1, of the printed bill, after the words "in the amount of", strike out the words "twenty-five dollars," and insert in lieu thereof the words "ten dollars."

Amendment No. 9.

On page 4, line 6, of the printed bill, after the words "a penalty of", strike out the words "twenty-five dollars", and insert in lieu thereof the words "ten dollars".

Amendment No. 10.

On page 5 of the printed bill, between lines 10 and 11, insert the following:
"(12) Failure to comply in the sale or use of insecticides or fungicides with the provisions of Article 3, Chapter 7, Division V of the Agricultural Code."

Amendment No. 11.

On page 6 of the printed bill, strike out all of lines 17, 18, 19, 20, 21 and 22.

Amendment No. 12.

On page 6, line 23, of the printed bill, strike out the words "Sec. 19", and insert in lieu thereof the following: "Sec. 18".

Amendment No. 13.

On page 6, line 30, of the printed bill, after the words "the provisions of this act.", add the following sentence:
"The Director of the Department of Professional and Vocational Standards shall, within thirty days prior to each regular session of the Legislature, submit to the Governor a full and true report of the operations of the board during the preceding biennium, including a complete statement of receipts and expenditures."

Amendment No. 14.

On page 6, line 31, of the printed bill, strike out the words "Sec. 20", and insert in lieu thereof the words "Sec. 19".

Amendment No. 15.

On page 6 of the printed bill, after line 35, insert the following:

"SEC. 20. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional."

Amendments adopted.

Bill read, ordered to reprint, re-re-re-engrossment, and third reading.

Withdrawal of Assembly Bill No. 2483.

By order of the Speaker, Assembly Bill No. 2483 was withdrawn from the file, and referred to Committee on Ways and Means.

Assembly Bill No. 2484—An act to amend sections 105, 106, 109 and 111 of the Vehicle Code, relating to the Department of Motor Vehicles.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Utt:

Amendment No. 1.

On page 1, line 4 of the title of the printed bill, as amended, strike out the word "Finance", and insert in lieu thereof "Public Works".

Amendment No. 2.

On page 1, line 4, of the printed bill, as amended, strike out the word "Finance", and insert in lieu thereof "Public Works".

Amendment No. 3.

On page 1, line 9, of the printed bill, as amended, strike out the word "Finance", and insert in lieu thereof "Public Works".

Amendment No. 4.

On page 1, line 13, of the printed bill, as amended, strike out the word "Finance", and insert in lieu thereof "Public Works".

Amendment No. 5.

On page 1, line 17, of the printed bill, as amended, strike out the word "Finance", and insert in lieu thereof "Public Works".

Amendment No. 6.

On page 1, line 18, of the printed bill, as amended, strike out the word "Finance", and insert in lieu thereof "Public Works".

Amendment No. 7.

On page 1, line 24, of the printed bill, as amended, after "Works," insert the following: "the Division of Motor Vehicles of the Department of Finance,".

Amendment No. 8.

On page 2, line 5, of the printed bill, as amended, strike out the word "Finance", and insert in lieu thereof "Public Works".

Amendment No. 9.

On page 2, line 6, of the printed bill, as amended, strike out the word "Finance", and insert in lieu thereof "Public Works".

Amendment No. 10.

On page 2, line 10, of the printed bill, as amended, strike out the word "Department", and insert in lieu thereof "Division".

Amendment No. 11.

On page 2, line 11, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: ", and the same shall be used in carrying out the powers, duties and jurisdiction vested in the Department of Public Works under section 102"

Amendment No. 12.

On page 2, line 24, of the printed bill, as amended, strike out the word "Finance", and insert in lieu thereof "Public Works".

Amendment No. 13.

On page 2, line 39, of the printed bill, as amended, strike out the words "at least".

Amendment No. 14.

On page 3 of the printed bill, as amended, after line 28, add the following: "SEC. 11. Section 111 of the Vehicle Code is hereby amended to read as follows:".

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Third Reading of Senate Bills—(Resumed).

Senate Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article II thereof a new section to be numbered section 7, relating to the registration of voters.

Senate Constitutional Amendment No. 1 read.

Mr. DeLap moved the adoption of Senate Constitutional Amendment No. 1.

Demand for Previous Question.

Messrs. Voigt, Robertson, Heisinger, Morgan and McCarthy demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of Senate Constitutional Amendment No. 1.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Hornblower moved a call of the House.

Motion carried.

Time, three o'clock and twenty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—74.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 1105—An act to amend section 1207 of the Agricultural Code, relating to the removal of officers and directors of nonprofit

cooperative marketing associations, declaring the urgency thereof to take effect immediately.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Clark, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Field, Flint, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Walker, Waters, Weber, Williamson, Wright, and Mr Speaker—54

NOES—None

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1105 finally passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Clark, Cronin, Crowley, Dawson, DeLap, Desmond, Field, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Latham, Maloney, Martin, McCarthy, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—53

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 642—An act to add section 21.4 to the Fish and Game Code, relating to damages for destruction of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 642 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Ralph W, Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr Speaker—61.

NOES—Reaves—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the House Dispensed With.

At three o'clock and forty minutes p m., further proceedings under the call of the house were dispensed with, on motion of Mr. DeLap.

The roll of absentees was called, and Senate Constitutional Amendment No. 1 was refused adoption by the following vote:

AYES—Breed, Brennan, Burns, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—48

NOES—Anderson, Andreas, Boyle, Cassidy, Clark, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, McCarthy, Meehan, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, and Welsh—30.

Notice of Reconsideration of Senate Constitutional Amendment No. 1.

Mr. DeLap gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Constitutional Amendment No. 1 was this day refused adoption.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 318—An act to amend section 11 of the State Contract Act, relating to qualification of bidders.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 318 finally passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Johnson, Kallam, Latham, Maloney, Martin, Mayo, McBride, Miller, Minard, Nielsen, Pelletier, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Voigt, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—46

NOES—Anderson, Burns, Cassidy, Desmond, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Laughlin, Lore, McCarthy, Patterson, Reaves, Richie, Rosenthal, and Wagner—21.

Title read and approved.

Notice of Reconsideration of Senate Bill No. 318.

Mr. Patterson gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 318 was this day passed.

Senate Bill No. 626—An act to add a new section, to be numbered 715.5, to the Vehicle Code, relating to weights of vehicles on certain highways.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Heisinger:

Amendment No. 1.

On page 2, line 4, of the printed bill, after the word "pounds", insert the word "net".

The question being on the amendment submitted by Mr. Heisinger to Senate Bill No. 626.

Roll Call.

The speaker ordered a roll call taken on the amendment submitted by Mr. Heisinger.

The roll was called, and the amendment was adopted by the following vote:

AYES—Anderson, Brennan, Burns, Cassidy, Clark, Crowley, Desmond, Donihue, Donnelly, Field, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Kallam, Laughlin, Mayo, McCarthy, Meehan, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, Walker, Wallace, and Weber—34.

NOES—Andreas, Corwin, Cronin, Dawson, Evans, Ralph W., Fisher, Hornblower, Hunt, Johnson, Latham, Lore, Lyon, Maloney, Martin, Miller, Morgan, Nielsen, O'Donnell, Peterson, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Welsh, Wright, and Mr. Speaker—29.

Request for Unanimous Consent.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Senate Bill No. 626, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 626, as Amended.

Senate Bill No. 626, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 626, as amended, finally passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Ralph W., Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Wright, and Mr Speaker—67.

NOES—Field, and Robertson—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Unfinished Business—(Resumed).

Reconsideration of Assembly Bill No. 2161 Waived.

Mr. Lyon waived his notice to reconsider the vote whereby Assembly Bill No. 2161 was passed.

Assembly Bill No. 2161 ordered transmitted to the Senate.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 533—An act to add Title XXV to Part IV, Division I, of the Civil Code, relating to the incorporation of cooperative corporations, who may organize, purpose and powers, distribution of benefits, and vote and consisting of sections 653.1 to 653.16.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Clark:

Amendment No. 1.

On page 2, line 6, of the printed bill, as amended, strike out "a certificate", and insert in lieu thereof the following: "articles".

Amendment No. 2.

On page 2, line 14, of the printed bill, as amended, strike out "or", and insert in lieu thereof the following: "and/or".

Amendment No. 3.

On page 2, line 30, of the printed bill, as amended, strike out "associations", and insert in lieu thereof the following: "corporations".

Amendment No. 4.

On page 2, line 39, of the printed bill, as amended, strike out "or", and insert in lieu thereof the following: "and/or".

Amendment No. 5.

On page 2, line 42, of the printed bill, as amended, strike out "stock or", and insert in lieu thereof the following: "shares of stock and/or".

Amendment No. 6.

On page 2, line 43, of the printed bill, as amended, strike out "stock and membership", and insert in lieu thereof the following: "shares of stock and/or memberships".

Amendment No. 7.

On page 2, line 44, of the printed bill, as amended, immediately before "members", insert the following: "shareholders and/or".

Amendment No. 8.

On page 2, line 45, of the printed bill, as amended, after "shareholders", insert the following: "and/or members".

Amendment No. 9.

On page 2, line 52, of the printed bill, as amended, strike out "or", and insert in lieu thereof the following: "and/or".

Amendment No. 10.

On page 3, line 8, of the printed bill, as amended, after "shareholders", insert the following: "and/or members".

Amendment No. 11.

On page 3, line 12, of the printed bill, as amended, after "shareholders", insert the following: "and/or members"

Amendment No. 12.

On page 3, line 13, of the printed bill, as amended, after "shareholders", insert the following. "and/or members".

Amendment No. 13.

On page 3, line 14 of the printed bill, as amended, after "shareholders", insert the following: "and/or members".

Amendment No. 14.

On page 3, line 18, of the printed bill, as amended, strike out "certificate" and insert in lieu thereof the following "articles".

Amendment No. 15.

On page 3, line 20, of the printed bill, as amended, after "shares", strike out "and", and insert in lieu thereof the following: "and/or".

Amendment No. 16.

On page 3, line 25, of the printed bill, as amended, strike out "certificates", and insert in lieu thereof the following "articles".

Amendment No. 17.

On page 3, line 26, of the printed bill, as amended, after "shareholder", insert the following: "and/or member".

Amendment No. 18.

On page 3, line 27, of the printed bill, as amended, after "shares", insert the following: "and/or memberships".

Amendment No. 19.

On page 3, line 31, of the printed bill, as amended, strike out "or", and insert in lieu thereof the following: "and/or".

Amendment No. 20.

On page 3, line 32, of the printed bill, as amended, after "stock", strike out "or", and insert in lieu thereof the following: "and/or".

Amendment No. 21.

On page 3, lines 34 and 35, of the printed bill, as amended, strike out "held by any member", and insert in lieu thereof the following: "and/or memberships held by any shareholder and/or member".

Amendment No. 22.

On page 3, line 42, of the printed bill, as amended, strike out "or", and insert in lieu thereof the following. "and/or".

Amendment No. 23.

On page 3, line 43, of the printed bill, as amended, strike out the comma; also strike out "or members", and insert in lieu thereof the following: "and/or members,".

Amendment No. 24.

On page 3, line 49, of the printed bill, as amended, after "shareholders", insert the following: "and/or members".

Amendment No. 25.

On page 3, line 52, of the printed bill, as amended, after "shareholders", insert the following: "and/or members".

Amendment No. 26.

On page 4, line 1, of the printed bill, as amended, strike out "or member", and insert in lieu thereof the following: "and/or members".

Amendment No. 27.

On page 4, line 2, of the printed bill, as amended, strike out "or", and insert in lieu thereof the following: "and/or".

Amendment No. 28.

On page 4, line 10, of the printed bill, as amended, strike out the comma; also strike out "or", and insert in lieu thereof the following: "and/or".

Amendment No. 29.

On page 4, line 13, of the printed bill, as amended, after "holders", insert the following: "and/or members".

Amendment No. 30.

On page 4, line 14, of the printed bill, as amended, strike out "or", and insert in lieu thereof the following: "and/or".

Amendment No. 31.

On page 4, line 17, of the printed bill, as amended, strike out "stock", and insert in lieu thereof the following: "shares of stock and/or memberships".

Amendment No. 32.

On page 4, lines 29 and 30, of the printed bill, as amended, strike out "or membership", and insert in lieu thereof the following "and/or memberships".

Amendment No. 33.

On page 4, line 35, of the printed bill, as amended, after "shareholders", insert the following: "and/or members".

Amendment No. 34.

On page 4, line 41, of the printed bill, as amended, after "shareholders", insert the following: "and/or members".

Amendment No. 35.

On page 5, line 8, of the printed bill, as amended, strike out the comma, also strike out "or members", and insert in lieu thereof the following: "and/or members,".

Amendment No. 36.

On page 5, line 5, of the printed bill, as amended, after "shareholders", insert the following: "and/or members".

Amendment No. 37.

On page 5, line 8, of the printed bill, as amended, strike out the comma; also strike out "or", and insert in lieu thereof the following: "and/or".

Amendment No. 38.

On page 5, line 9, of the printed bill, as amended, after "nonshareholders", insert the following: "and/or nonmembers".

Amendment No. 39.

On page 5, line 15, of the printed bill, as amended, after "to", insert the following "nonshareholders and/or".

Amendment No. 40.

On page 5, line 17, of the printed bill, as amended, strike out "or", and insert in lieu thereof the following: "and/or".

Amendment No. 41.

On page 5, line 29, of the printed bill, as amended, strike out "or", and insert in lieu thereof the following: "and/or".

Amendment No. 42.

On page 5, line 34, of the printed bill, as amended, strike out "certificate", and insert in lieu thereof the following: "articles of incorporation".

Amendment No. 43.

On page 5, line 35, of the printed bill, as amended, after "law", insert the following: ", so far as inconsistent with this title,".

Amendment No. 44.

On page 5, lines 46 and 47, of the printed bill, as amended, strike out "section 653a of the Civil Code", and insert in lieu thereof the following: "Chapter 4 of Division VI of the Agricultural Code".

Amendments adopted.

Request for Unanimous Consent.

Mr. Clark asked for, and was granted, unanimous consent to take up Senate Bill No. 533, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 533, as Amended.

Senate Bill No. 533, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 533, as amended, finally passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Kallam, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1104—An act granting certain tidelands and submerged lands of the State of California to the county of Santa Cruz.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1104 finally passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Wright, and Mr. Speaker—61.

NOES—McCarthy—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1111—An act to amend section 1 of an act entitled "An act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution of and punishment of offenses under the same," approved May 19, 1927, relating to the price for the sale of jute bags.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 1111 finally passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Wright, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 259—An act to amend sections 223, 228, and 231 of and to add section 228.1 to the Agricultural Code, relating to bovine tuberculosis.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 259 finally passed by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—62

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Leave of Absence.

On motion of Mr. Lyon, Mr Evans, Herbert J., was granted leave of absence for the balance of this legislative day.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 1008—An act to amend an act entitled "An act to amend section 11 of "The California Districts Securities Commission Act," relating to the levy of annual assessments by irrigation districts, providing that said section shall remain in effect until November 1, 1937, and declaring this act an emergency measure enacted under the police power, approved April 8, 1935, by adding a new section thereto to be numbered section 3, relating to refunding bonds of irrigation districts issued pursuant to a plan or readjustment confirmed in any proceedings under the Federal Bankruptcy Act, and authorizing the levy of assessments in accordance with the terms of such refunding bonds

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 1008 finally passed by the following vote:

AYES—Andreas, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Wright, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 465—An act to provide for the establishment of a code or codes of fair competition for the meat industry.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 465 finally passed by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly,

Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—63.

NOES—Stream—1.

Title read and approved.

Bill ordered transmitted to the Senate

Senate Bill No. 287—An act relating to the adoption of codes of fair competition for certain trades and industries within this State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 287 finally passed by the following vote:

AYES—Anderson, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Evans, Ralph W., Field, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Welsh, Williamson, and Mr. Speaker—60.

NOES—Breed, Fisher, Johnson, Wallace, and Wright—5.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 69—An act to amend section 4260 of the Political Code, relating to compensation of county and township officers in counties of the thirty-first class.

Bill read third time

The question being on the passage of the bill

The roll was called, and Senate Bill No 69 finally passed by the following vote:

AYES—Anderson, Breed, Brennan, Cassidy, Chatters, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1118—An act to call a special election to be held on the thirtieth day of July, 1935, for the purpose of submitting to the qualified electors of this State certain amendments to the Constitution of this State proposed by the Legislature at its fifty-first regular session, and to provide that this act shall take effect immediately.

Bill read third time

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Crowley:

Amendment No. 1.

On page 1 of the printed bill, between lines 16 and 17, insert the following:

"Assembly Constitutional Amendment No. 90—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by

adding to Article XVI thereof a new section to be numbered 12, relating to the Rector Canyon Dam project."

Amendment adopted.

Further Consideration Deferred.

Further consideration of Senate Bill No. 1118 deferred.

Third Reading of Senate Bills—(Resumed).

Senate Bill No 732—An act to amend section 14 of "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to vehicles exempt from the provisions of said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 732 finally passed by the following vote:

AYES—Anderson, Breed, Brennan, Cassidy, Chatters, Clark, Cottrell, Crowley, Cunningham, Dawson, DeLap, Domhue, Donnelly, Field, Fisher, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—57.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 236—An act amending section 3 of an act entitled: "An act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair, or improvement of any State structure, building, road, or other State improvement of any kind, and to repeal an act entitled 'An act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876'," relative to bidding on public contracts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 236 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover Hawkins, Heisinger, Hornblower, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 422—An act to add section 432.5 to the Fish and Game Code, relating to licenses.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 422 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Donnelly, Evans, Ralph W, Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—66.
NOES—Heisinger—1.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 436—An act to add section 490.5 to the Fish and Game Code, and to amend sections 651, 652, 653 and 655 thereof, relating to fish.

Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 436 finally passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Dawson, DeLap, Donnelly, Evans, Ralph W., Field, Fisher, Fulcher Garibaldi, Gilmore, Glover, Heisinger, Hornblower, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—59.
NOES—Anderson, Flint, Geyer, Hawkins, McCarthy, Reaves, and Robertson—7.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 766—An act to add section 495 of the Fish and Game Code, relating to the taking of fish.

Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No 766 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Phillips, Redwine, Richie, Riley, Scudder, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—63.
NOES—Reaves, and Robertson—2.

Title read and approved.

Notice of Reconsideration of Senate Bill No. 766.

Mr. Reaves gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 766 was this day passed.

Senate Bill No. 434—An act to amend section 400 of the Fish and Game Code, relating to licenses.

Bill read third time.
The question being on the passage of the bill.

The roll was called, and Senate Bill No. 434 finally passed by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, Donihue, Donnelly, Field, Fisher, Fulcher, Garibaldi, Geyer, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Martin, Mayo, McBride, Miller, Minard, O'Donnell, Patterson, Redwine, Riley, Scudder, Stream, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—42.

NOES—Andreas, Boyle, Dawson, DeLap, Evans, Ralph W., Flint, Glover, Hawkins, Heisinger, Hornblower, Maloney, McCarthy, Meehan, Morgan, Pelletier, Reaves, and Robertson—17.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1110—An act to amend sections 611.6, 613, 738.5, 957, and 1343 of the Fish and Game Code, relating to fish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1110 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Hornblower, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—62.

NOES—Clark—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 847—An act to amend section 31 and to amend and renumber sections 51a and 51b as added by Chapter 999 of the Statutes of 1933 and to add a new section to be numbered section 5.1 to an act entitled of "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to public utility districts in unincorporated territory.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Mayo:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 3 and 4 of the title, and insert in lieu thereof the following: "of 1933,".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 1 to 13, inclusive, and on page 2, strike out lines 1 to 6, inclusive.

Amendment No. 3.

On page 2, line 7, of the printed bill, as amended, immediately before "Section", insert the following: "Section 1."

Amendment No. 4.

On page 6, line 9, of the printed bill, as amended, strike out "Sec. 3.", and insert in lieu thereof the following: "Sec. 2."

Amendment No. 5.

On page 9, line 26, of the printed bill, as amended, strike out "Sec. 4.", and insert in lieu thereof the following: "Sec. 3."

Amendments adopted.

Request for Unanimous Consent.

Mr. Mayo asked for, and was granted, unanimous consent to take up Senate Bill No. 847, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 847, as Amended.

Senate Bill No. 847, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 847, as amended, finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Hornblower, Johnson, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Turner, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—60

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 428—An act to authorize the Governor of the State of California to execute and deliver deeds or other conveyances of lands, rights of way or other easements granted to the United States of America in aid of public work, relief or other projects aiding recovery.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 428 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Turner, Voigt, Wagner, Walker, Wallace, Weber, Welsh, Williamson, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Recess.

At five o'clock p.m., by order of the Speaker, the Assembly was declared at recess for the purpose of hearing from Alfred Aram, representative of the State Grange, Farm Bureau and Farmers Union.

Reassembled.

At five o'clock and five minutes p.m., the Assembly reconvened. Speaker Craig in the chair.

Second Reading of Senate Bills—(Resumed).

Senate Bill No. 1086—An act to establish legislative standards in relation to the rehabilitation of agriculture and the regulation of producers, packers, distributors, shippers, marketers, handlers, processors and others dealing in agricultural, viticultural, horticultural, and poultry products and of any competing commodity or product thereof; to provide for the issuance, administration and enforcement of State marketing agreements and State licenses; to prescribe the powers, duties and jurisdiction of the State Director of Agriculture in relation thereto; to suspend all antitrust and unfair competition laws of this State in conflict herewith and therewith; to prescribe remedies, rights, duties and penalties with respect to violations hereof and thereof; to provide ways, means and moneys for the administration and enforcement of said State marketing agreements and licenses; to limit the effective period of this act; to declare the existence of a State and National agricultural emergency.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 874—An act to add a new article to the Agricultural Code, to be numbered Article 5, Chapter 1, Division 3, relating to horse, mule, burro and sheep marks and brands.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Thorp:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended in Assembly May 15, 1935, strike out "3", and insert in lieu thereof "III".

Amendment No. 2.

On page 1 of the printed bill, as amended in Assembly May 15, 1935, strike out all of lines 1 to 3, inclusive, and insert in lieu thereof the following:

"SECTION 1. A new article is hereby added to Chapter 1, Division III of the Agricultural Code to be numbered Article 5, and to read as follows:".

Amendment No. 3.

On page 7, line 34, of the printed bill, as amended in Assembly May 15, 1935, strike out the word "burroos", and insert in lieu thereof the word "burros".

Amendment No. 4.

On page 8, line 45, of the printed bill, as amended in Assembly May 15, 1935, strike out the words "or brand", and insert in lieu thereof the words "or brands".

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Bill No. 514—An act to add sections 136d to 136d12, inclusive, to the Bank Act, relating to the administration and liquidation of banks.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the figure "12", following the letter "d", and insert in lieu thereof the figure "5".

Amendment No. 2.

On page 1, lines 2 and 3 of the title of the printed bill, strike out the words "administration and liquidation of banks", and insert in lieu thereof the following: "reorganization of banks in liquidation".

Amendment No. 3.

On page 1, line 12, of the printed bill, strike out "for the pur-", and all of line 13.

Amendment No. 4.

On page 1 of the printed bill, strike out all of lines 21, 22, 23 and 24.

Amendment No. 5.

On page 2 of the printed bill, strike out all of lines 1 to 19, inclusive.

Amendment No. 6.

On page 2, line 20, of the printed bill, strike out the figure "5", following the letter "d", and insert in lieu thereof the figure "2".

Amendment No. 7.

On page 2, lines 20 and 21, of the printed bill, strike out the words "in cooperation with a claimants' committee,".

Amendment No. 8.

On page 2, line 22, of the printed bill, after the word "plan", strike out the words "for the purposes herein stated".

Amendment No. 9.

On page 2, line 23, of the printed bill, strike out the word "such", preceding the word "claimants".

Amendment No. 10.

On page 2, line 30, of the printed bill, strike out the figure "6", following the letter "d", and insert in lieu thereof the figure "3".

Amendment No. 11.

On page 2, lines 36 and 37, of the printed bill, strike out the words "upon the front door of the bank", and insert in lieu thereof the following: "in three public places".

Amendment No. 12.

On page 2, line 39, of the printed bill, strike out the figure "7", following the letter "d", and insert in lieu thereof the figure "4".

Amendment No. 13.

On page 2, line 43, of the printed bill, after the word "approving", insert the following: "or rejecting".

Amendment No. 14.

On page 2, line 43, of the printed bill, after the word "plan", insert a period, and strike out the balance of line 43, and all of lines 44 to 49, inclusive, and insert in lieu thereof the following:

"Sec. 136d5 Unless notice of appeal has been served on the State Superintendent of Banks within ten days from the date of the order of court approving the plan no appeal shall thereafter be taken from such order."

Amendment No. 15.

On page 2, line 50, of the printed bill, strike out the figure "9", following the letter "d", and insert in lieu thereof the figure "6".

Amendment No. 16.

On page 3, line 3, of the printed bill, strike out the word "any", and insert in lieu thereof the word "all".

Amendment No. 17.

On page 3, line 3, of the printed bill, following the word "assets", strike out the words "to which", and insert in lieu thereof the word "of".

Amendment No. 18.

On page 3, line 3, of the printed bill, insert a period after the word "bank", the second time it appears, and strike out the word "is", and all of line 4 to and including the period after the word "plan".

Amendment No. 19.

On page 3 of the printed bill, strike out all of lines 10 to 33, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Recess.

At five o'clock and ten minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until eight o'clock and thirty minutes p.m., of this day.

Reassembled.

At eight o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Craig in the chair.

Privilege of Floor of Assembly Extended.

On request of Mr. Hawkins, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Jane Dunlop.

On request of Mr. Glover, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. and Mrs. J. W. Lynn.

Leave of Absence.

On motion of Mr. O'Donnell, Mr. Cottrell was granted leave of absence for the balance of this legislative day.

Second Reading of Senate Bills—(Resumed).

Senate Bill No 1090—An act to amend section 50 of the "State Housing Act," approved June 15, 1923, relating to the character and construction of fire escapes.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, as amended, between lines 27 and 28, insert the following:

"No building which habitually has more than fifty occupants or employees, or more than fifty occupants and employees combined, may use an automatic ladder."

Amendment adopted.

Bill read second time, ordered to reprint, and third reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 6, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 1075—An act authorizing the Director of Natural Resources to receive and hold land for future development for forestry purposes, to manage such land and dispose of the products thereof, and providing for the distribution of revenue therefrom, and to acquire land for development for State forestry purposes;

Also: Senate Bill No. 552—An act to add sections 980, 981, 1029 and 1030 to the Streets and Highways Code, relating to powers and duties of county boards of supervisors with respect to county highways;

Also: Senate Bill No. 596—An act to amend sections 1, 2, 3, 4, 6 and 9a of, and to add section 3½ to "An act providing for the registration of contractors and defining the term contractor; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, as amended, relating to contractors;

Also: Senate Bill No. 614—An act to amend section 644 of the Penal Code, relating to habitual criminals;

Also: Senate Bill No. 617—An act to amend section 1168 of the Penal Code and to add thereto sections 969c and 1158a, relating to crimes;

Also: Senate Bill No 888—An act to add three new sections to the School Code to be numbered 3 106-1, 3 339 and 3 402, relating to the attendance of pupils upon the public schools of California.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 6, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 315—An act to amend section 284 of the Code of Civil Procedure, relating to substitution of attorneys and fees of same;

Also: Assembly Bill No. 516—An act establishing and authorizing an additional secondary State highway from the city of Needles easterly to the Arizona-California State line, including a bridge over the Colorado River, providing for the construction, maintenance and ownership of such bridge jointly by the States of California and Arizona, and amending the Streets and Highways Code in conformance therewith.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 315 and 516 ordered to enrollment.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2484—An act to amend sections 61, 62, 101, 102, 103, 105, 106, 108, 109 and 110 of the Vehicle Code, relating to the transfer of the Department of Motor Vehicles to the Department of Public Works and creating therein the Division of Motor Vehicles—and reports that the same has been correctly re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 90—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XVI thereof a new section to be numbered 12, relating to the Rector Canyon Dam project—and reports that the same has been correctly engrossed.

WATERS, Chairman.

Assembly Constitutional Amendment No. 90 ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2061—An act to amend the Building and Loan Association Act by amending section 13 12 thereof, relating to actions against the Building and Loan Commissioner—and reports that the same has been correctly engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

On Building and Construction.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1935.

MR. SPEAKER: Your Committee on Building and Construction, to which was referred Senate Bill No. 1090—An act to amend section 50 of the "State Housing Act," approved June 15, 1923, relating to the character and construction of fire escapes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MARTIN, Vice Chairman.

The above reported bill ordered on file for second reading.

Resolution.

The following resolution was offered:

By Mr. Walker:

Assembly Resolution.

Resolved, That the Controller be and is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of the persons or

firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Bureau of Purchases (supplies)	$77 09
Department of Finance (additional prorate telephone service—June)	4 80
Supervisor of Documents (800 Handbooks, 85 cents each)	680 00
Valley Floral Company (wreath Eicke's grave)	12 30
Tom B Monk Company (engraving gavel for Miss Miller)	4 50

Resolution read, and referred to Committee on Contingent Expenses.

Motion to Re-refer Assembly Bill No. 2484.

Mr. Hornblower moved that Assembly Bill No. 2484 be withdrawn from file, and ordered re-referred to Committee on Motor Vehicles.

The question being on re-referring Assembly Bill No. 2484 to Committee on Motor Vehicles.

Motion carried.

Assembly Bill No. 2484 ordered re-referred to Committee on Motor Vehicles.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 703—An act to establish the Southern California Prison under the management and control of the State Board of Prison Directors; to provide for purchase or acquirement of farm lands by unconditional gift or use of lands owned by the State therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Martin:

Amendment No. 1.

On page 3, line 35, of the printed bill, as amended, strike out "reformatory", and insert in lieu thereof the following: "prison".

Amendment No. 2.

On page 3, line 37, of the printed bill, as amended, strike out "general", and insert in lieu thereof the following: "other".

Amendment No. 3.

On page 3, lines 37 and 38, of the printed bill, as amended, strike out "such reformatory", and insert in lieu thereof the following: "the prison provided for in this act".

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Unfinished Business—(Resumed).

Motion to Reconsider Assembly Bill No. 1551 Continued.

Mr. Flint moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1551 was refused passage be continued until the next legislative day.

Motion carried.

Reconsideration of Assembly Bill No. 2417 Waived.

Mr. Hornblower waived his notice to reconsider the vote whereby Assembly Bill No. 2417 was passed.

Assembly Bill No. 2417 ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1516—An act to amend sections 6.240, 6.251, 6.252, 6.260, 6 262, 6.263, 6 264, 6.265, 6.270, 6.274, 6.275, 6.291, 6.292, 6.294, 6.295, 6.296, 6.300, 6.301, 6.305, 6.307, 6.320, 6 322, 6.330, 6.332, 6.340, 6.341 of the School Code and to repeal Article VI of Chapter III of Part II of Division VI thereof, relating to supplementary textbooks, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Cunningham:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "sections 6 240, 6 251, 6 252, 6 260, 6 262, 6 263," and strike out all of lines 2 and 3 of the title, and insert in lieu thereof the following: "section 6 270 of the".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out all of lines 4 to 7 of the title and insert in lieu thereof the following: "School Code, relating to textbooks".

Amendment No. 3.

On page 1 of the printed bill, as amended, strike out lines 1 to 17, inclusive, and strike out all of page 2.

Amendment No. 4.

On page 3 of the printed bill, as amended, strike out lines 1 to 14, inclusive.

Amendment No. 5.

On page 3, line 15 of the printed bill, as amended, strike out "Sec. 8", and insert in lieu thereof the following: "Section 1".

Amendment No. 6.

On page 3, lines 21 and 22, of the printed bill, as amended, strike out "supplementary textbooks".

Amendment No. 7.

On page 3, line 26, of the printed bill, as amended, strike out "and/or supplementary textbooks".

Amendment No. 8.

On page 3, lines 31 and 32, of the printed bill, as amended, strike out "and/or supplementary textbooks".

Amendment No. 9.

On page 3 of the printed bill, as amended, strike out lines 33 to 37, inclusive, and insert in lieu thereof the following: "evening schools of this State. If the State Board of Educa-".

Amendment No. 11.

On page 3 of the printed bill, as amended, strike out all of lines 42 to 51, inclusive, and strike out all of pages 4, 5, 6 and 7.

The question being on the amendments submitted by Mr. Cunningham to Assembly Bill No. 1516.

Motion to Lay Amendments on the Table.

Mr. Johnson moved, seconded by Mr. Fisher, that the amendments submitted by Mr. Cunningham be laid on the table.

The question being on the motion by Mr. Johnson to lay the amendments submitted by Mr. Cunningham on the table.

Roll Call.

The Speaker ordered a roll call taken on the motion that the amendments submitted by Mr. Cunningham be laid on the table.

The roll was called, and the motion was lost by the following vote:

AYES—Breed, Dawson, DeLap, Field, Fisher, Garibaldi, Johnson, Kallam, Latham, Lyon, Martin, McBride, Minard, Peyser, Phillips, Redwine, Riley, Robertson, Stream, and Walker—20.

NOES—Anderson, Boyle, Burns, Cassidy, Chatters, Clark, Crowley, Cunningham, Donnelly, Evans, Ralph W., Flint, Geyer, Glover, Heisinger, Hornblower, Hunt, Laughlin, Lore, Maloney, Mayo, McCarthy, Meehan, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Scudder, Turner, Voigt, Wagner, Weber, and Mr. Speaker—36.

The question being on the amendments submitted by Mr. Cunningham to Assembly Bill No. 1516.

Demand for Previous Question.

Messrs. Robertson, Dawson, Morgan, Wallace, and Fisher demanded the previous question.

The question being put: Shall the main question be now put?

Roll Call.

The Speaker ordered a roll call taken on the demand for the previous question.

The roll was called, and the demand for previous question was sustained by the following vote:

AYES—Andreas, Boyle, Breed, Corwin, Cronin, Cunningham, Dawson, DeLap, Field, Fisher, Frazier, Garibaldi, Glover, Hunt, Johnson, Kallam, Latham, Lore, Martin, McBride, Minard, Morgan, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—39

NOES—Anderson, Burns, Cassidy, Chatters, Crowley, Donnelly, Flint, Geyer, Gilbert, Gilmore, Heisinger, Laughlin, Maloney, Mayo, McCarthy, McMurray, Meehan, Miller, Nielsen, O'Donnell, Pelletier, Richie, Rosenthal, Turner, Voigt, Wagner, and Williamson—27.

The question being on the amendments submitted by Mr. Cunningham to Assembly Bill No. 1516.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Cunningham.

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Andreas, Boyle, Breed, Corwin, Cunningham, Dawson, DeLap, Field, Fisher, Frazier, Garibaldi, Johnson, Kallam, Latham, Lyon, Martin, McBride, Minard, Morgan, Peterson, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, and Mr. Speaker—33

NOES—Anderson, Burns, Cassidy, Chatters, Clark, Cronin, Crowley, Donihue, Donnelly, Evans, Ralph W., Flint, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, Maloney, Mayo, McCarthy, McMurray, Meehan, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Rosenthal, Turner, Voigt, Wagner, Williamson, and Wright—38

Assembly Bill No. 1516 read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Cunningham:

Amendment No. 10.

On page 3, line 39, of the printed bill, as amended, after "section", and before the comma, insert the following: "before two months of the time that any appropriation made for the purchase of textbooks lapses".

Amendment adopted.

Request for Unanimous Consent.

Mr. Heisinger asked for, and was granted, unanimous consent to take up Assembly Bill No. 1516, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 1516, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Field:

Amendment No. 1.

On page 4, line 27, of the printed bill, strike out "If", and all of lines 28, 29, 30, 31 and 32.

Amendment adopted.

Request for Unanimous Consent.

Mr. Heisinger asked for, and was granted, unanimous consent to take up Assembly Bill No. 1516, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1516, as Amended.

Assembly Bill No. 1516, as amended, read third time.

Demand for Previous Question.

Messrs. Lore, Robertson, Fisher, DeLap, and Morgan demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1516, as amended, passed by the following vote:

AYES—Boyle, Burns, Cassidy, Chatters, Cronin, Crowley, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Fulcher, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Kallam, Lore, Maloney, Mayo, McCarthy, McMurray, Meehan, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Thorp, Turner, Voigt, Wagner, Walker, Weber, Williamson, Wright, and Mr. Speaker—42.

NOES—Anderson, Andreas, Breed, Corwin, Cunningham, DeLap, Field, Fisher, Garibaldi, Johnson, Latham, Laughlin, Lyon, Martin, McBride, Minard, Morgan, Peterson, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Utt, and Waters—27.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 1516.

Mr. Morgan gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1516 was this day passed.

Leave of Absence.

On motion of Mr. Utt, Mr. Welsh was granted leave of absence for the balance of this legislative day.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1835—An act to amend an act entitled "An act relating to the safety of design and construction of public school buildings, providing for regulation, inspection and supervision of the construction, reconstruction or alteration of or addition to public school buildings, and for the inspection of existing school buildings, defining the powers and duties of the State Division of Agriculture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act, to take effect immediately," approved April 10, 1933, relating to the regulation and inspection of the construction of public school buildings.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. O'Donnell:

Amendment No. 1.

On page 7 of the printed bill, as amended, strike out the last word of line 26, and all of lines 27 to 33, inclusive, and insert in lieu thereof the following: "three shall be legally qualified structural engineers, appointed initially for terms of two, three, and four years, respectively, two shall be certified architects, appointed initially for terms of one and three years, respectively; and one shall be a seismologist of recognized standing in that science, appointed initially for a term of two years. At the expiration of these terms, all appointments shall be for a term of four years."

Amendment No. 2.

On page 7 of the printed bill, as amended, strike out all of lines 43, 44, and 45, and the first four words of line 46, and insert in lieu thereof the following: "as a subcommittee to study and report back to the board upon any single appeal or matter presented thereto, but the affirmative vote of at least four members of the board, two of whom must be structural engineers, present at a called meeting, shall be required for the passage of any ruling or resolution thereof"

Amendment No. 3.

On page 8, line 15, of the printed bill, as amended, after the word "which", insert the following: "approval".

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Unfinished Business—(Resumed).

Motion to Reconsider Assembly Bill No. 2412 Continued.

Mr. Turner moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2412 was refused passage be continued until the next legislative day.

Motion carried.

Reconsideration of Assembly Bill No. 1286.

Assembly Bill No. 1286—An act to add a new section to the Fish and Game Code, to be known as section 788.5, relating to the possession of crabs.

In compliance with his notice given on a previous day, Mr. Lyon moved that the vote whereby Assembly Bill No. 1286 was passed be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Andreas, Cassidy, Corwin, Crowley, Cunningham, DeLap, Desmond, Donnelly, Field, Flint, Fulcher, Garibaldi, Glover, Hornblower, Hunt, Kallam, Latham, Laughlin, Lyon, Martin, McBride, McCarthy, Minard, O'Donnell, Patterson, Peterson, Reaves, Robertson, Turner, Voigt, and Walker—31.

NOES—Anderson, Boyle, Breed, Burns, Chatters, Clark, Cronin, Donahue, Evans, Ralph W., Fisher, Geyer, Gilmore, Hawkins, Heisinger, Johnson, Lore, Maloney, Mayo, McMurray, Meehan, Morgan, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Utt, Wagner, Wallace, Waters, Weber, Williamson, and Mr. Speaker—34.

Assembly Bill No. 1286 ordered transmitted to the Senate.

Reconsideration of Senate Bill No. 766 Waived.

Mr. Reaves waived his notice to reconsider the vote whereby Senate Bill No. 766 was passed.

Senate Bill No. 766 ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 328—An act to promote the safety of employees and travelers upon railroads by compelling common carriers by rail-

road adequately to man their gas, gas-electric, diesel, or diesel-electric cars and locomotives.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Desmond:

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out the words after the comma "any car, or", and in line 4, strike out the word "locomotive", and insert in lieu thereof the following: "a train of three or more cars".

Amendment adopted.

Request for Unanimous Consent.

Mr. Anderson asked for, and was granted, unanimous consent to take up Assembly Bill No. 328, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 328, as Amended.

Assembly Bill No. 328, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 328, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Cronin, Crowley, Cunningham, DeLap, Desmond, Domihue, Donnelly, Evans, Ralph W., Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Mayo, McCarthy, McMurray, Meehan, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, Waters, Williamson, and Mr. Speaker—43.

NOES—Breed, Corwin, Dawson, Field, Fisher, Garibaldi, Johnson, Martin, McBride, Miller, Minard, Morgan, O'Donnell, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Utt, Walker, Wallace, Weber, and Wright—24.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 328.

Mr. McBride gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 328 was this day passed.

Assembly Bill No. 2473—An act to add section 269 to the Political Code, relating to officers of the Senate and Assembly.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Domihue, Donnelly, Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—63.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2473 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Wright, and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 418—An act to add a new section to the Political Code to be numbered 3663c, relating to the correction of errors by the State Board of Equalization in assessments made by said board.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 418 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Voigt, Walker, Weber, Williamson, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 546—An act to amend sections 1104, 1108, 1143, 1144, 1146 and 1147 of Chapter 8 of Division V of the Agricultural Code, relating to the administration of standards for eggs and egg products.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 546 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Field, Fisher, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—61.

NOES—Donihue, Evans, Ralph W., Fulcher, Hawkins, Hunt, McCarthy, and O'Donnell—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 771—An act to add sections 5a and 7 to "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public

body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931, relating to the employment of apprentices.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Burns:

Amendment No. 1.

On page 2, line 11, of the printed bill, as amended, strike out "The", and insert in lieu thereof the following: "When apprentices are to be employed, the".

Amendment adopted.

Request for Unanimous Consent.

Mr. Desmond asked for, and was granted, unanimous consent to take up Senate Bill No. 771, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 771, as Amended.

Senate Bill No. 771, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 771, as amended, finally passed by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 606—An act to amend section 26 of the Public Utilities Act, relating to foreign corporations which may transact public utility business.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 606 finally passed by the following vote:

AYES—Andreas, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Dawson, DeLap, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr Speaker—62

NOES—Lore—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 610—An act to add section 1203c to the Penal Code, relating to filing of reports by probation officers with the State Board of Prison Directors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 610 finally passed by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Weber, Williamson, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 482—An act to amend section 1370 of the Insurance Code, relating to the assets of reciprocal insurers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 482 finally passed by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Corwin, Cronin, Crowley, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Phillips, Reaves, Riley, Robertson, Stream, Turner, Utt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—59.

NOES—McCarthy and Voigt—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 483—An act to add a new chapter to the Insurance Code, to be numbered Chapter 13 of Part 2 of Division 2 thereof, comprising sections 11525 to 11533, inclusive, relating to the voluntary mutualization of incorporated life insurers or life and disability insurers having a share capital and issuing nonassessable policies on a reserve basis.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 483 finally passed by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Chatters, Corwin, Cronin, Crowley, Dawson, DeLap, Desmond, Donahue, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Riley, Rosenthal, Stream, Turner, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 442—An act to amend section 652 of the Civil Code and to add four new sections thereto to be numbered sections 652.1,

652.2, 652.3 and 652.4, all relating to the consolidation and government of colleges and institutions of higher education.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 442 finally passed by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Chatters, Corwin, Cronin, Crowley, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 618—An act to amend subsection 1, section 1203, of the Penal Code, relating to probation and probation officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 618 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 263—An act to add section 6a to an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, relating to habit-forming, narcotic and other dangerous drugs.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 263 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Cassidy, Chatters, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 518—An act to amend the title of the act establishing a Probate Code, approved May 11, 1931, and to add Division IIIa thereto, relating to missing persons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 518 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Cassidy, Chatters, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1103—An act to add section 1083b to the Political Code, relating to petitions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1103 finally passed by the following vote:

AYES—Anderson, Breed, Cassidy, Chatters, Corwin, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Heisinger, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peyser, Phillips, Richie, Riley, Robertson, Scudder, Stream, Turner, Utt, Walker, Weber, Williamson, Wright, and Mr. Speaker—48.

NOES—Clark, Cunningham, Flint, Gilbert, Glover, Hawkins, Hunt, Jones, Lore, McCarthy, Pelletier, Reaves, Rosenthal, Wagner, and Waters—15.

Title read and approved.

Notice of Reconsideration of Senate Bill No. 1103.

Mr. Lore gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 1103 was this day passed.

Senate Bill No. 1094—An act to add section 19a to the Public Utilities Act, relating to charges for heat, light, or power by a public utility.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1094 finally passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Minard, Morgan, Nielsen, Patterson, Peyser, Phillips, Reaves, Richie, Riley, Rosenthal, Scudder, Stream, Utt, Walker, Waters, Weber, and Mr. Speaker—51.

NOES—Flint, Gilbert, Jones, Miller, Pelletier, and Wagner—6.

Title read and approved.

Notice of Reconsideration of Senate Bill No. 1094.

Mr. Anderson gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 1094 was this day passed.

Motion to Re-refer Senate Bill No. 761.

Mr. Anderson moved that Senate Bill No. 761 be withdrawn from file, and ordered re-referred to the Committee on Education.

The question being on re-referring Senate Bill No. 761 to Committee on Education.

Motion carried.

Senate Bill No. 761 ordered re-referred to Committee on Education.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 588—An act levying a tax upon the privilege of severing petroleum, natural gas, natural or casing head gasoline and other hydrocarbon substances from the earth, providing for the issuance of permits to producers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof and providing that the act shall take effect immediately—and reports that the same has been correctly engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1935.

MR. SPEAKER: Your Committee on Rules, to which was referred Senate Concurrent Resolution No. 41—Relative to the report of the Spanish War Commemoration Commission—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

WALLACE, Chairman.

Consideration of Senate Concurrent Resolution No. 41.

Senate Concurrent Resolution No. 41—Relative to the report of the Spanish War Commemoration Commission.

Senate Concurrent Resolution No. 41 read.

Mr. Lyon moved the adoption of Senate Concurrent Resolution No. 41.

The question being on the adoption of Senate Concurrent Resolution No. 41.

The roll was called, and Senate Concurrent Resolution No. 41 adopted by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Wagner, Walker, Waters, Weber, Williamson, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 41 ordered transmitted to the Senate.

Senate Concurrent Resolution No. 41.

Relative to the Report of the Spanish War Commemoration Commission.

WHEREAS, The record of the work accomplished by the Spanish War Commemoration Commission, created by Senate Joint Resolution No. 8, Chapter 29, Resolutions of 1933, contains documents and results of patriotic and educational value to the people of the State of California; and

WHEREAS, A substantial portion of said records were obtained with the aid of Federal funds through a commemorative art survey project which produced information of an inspirational and cultural nature, all of which may be made a part of the archives of the Legislature; now, therefore, be it

Resolved, by the Senate of the State of California, the Assembly thereof concurring, That there shall be printed as a public document not to exceed 250 copies of the complete report of the Spanish War Commemoration Commission for the respective years of 1933, 1934 and part of 1935, together with illustrations, copies of awards, drawing of honor scroll, reproduction of citation and all proclamations issued by the Governors of the various States, and other official or inclusive matter, 125 copies for the use of the Senate and 125 copies for the use of the Assembly. The costs shall not exceed the sum of $500 payable from the legislative printing appropriation.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 588—An act levying a tax upon the privilege of severing, processing, or severing and processing all natural resources from the soil or water, including all forms of timber and other forest products, minerals, and oil and gas.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Kallam:

Amendment No. 1.

On page 12, line 7, of the printed bill, after the word "lessee", add a comma.

Amendment No. 2.

On page 16, line 36, of the printed bill, after the comma, strike out the word "and".

Amendment No. 3.

On page 18, line 17, of the printed bill, after the word 'injunction", strike out the word "of", and insert in lieu thereof the word "or".

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Unfinished Business—(Resumed).

Reconsideration of Assembly Bill No. 318 Waived.

Mr. Patterson waived his notice to reconsider the vote whereby Assembly Bill No. 318 was passed.

Assembly Bill No. 318 ordered transmitted to the Senate.

Adjournment.

At eleven o'clock and fifty-nine minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Friday, June 7, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, June 7, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—79.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Heisinger, its further reading was dispensed with.

Leave of Absence.

On motion of Mr. Utt, Mr. Welsh was granted leave of absence for the day.

Privilege of Floor of Assembly Extended.

On request of Mr. Riley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Fred Pursell of Sacramento.

On request of Mr. Geyer, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. John Anson Ford, county supervisor, and Mr. Edward Stickney.

On request of Mr. Williamson, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Edward P. Luby and Miss Josephine Luby.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From members of the photo engraving industry of Southern California, urging the passage of Assembly Bill No. 1.

From the city clerk of Los Angeles, urging the passage of Senate Bill No. 1119.

ASSISTANT CLERK COOLIDGE READING.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1935

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 84—An act to create the Commemoration Commission to succeed to the Spanish War Commemoration Commission; to prescribe the powers, duties, functions, and purposes thereof; and to provide for the cooperation of Federal, State and local agencies and political subdivisions therewith;

Also, Assembly Bill No. 670—An act to establish a board to be known as the Rector Dam Authority; to prescribe its duties, powers, functions and jurisdiction; to authorize the authority to construct a dam in Rector Canyon to impound the waters of Rector Creek and to sell and distribute said waters; to authorize the authority to issue and sell revenue bonds to provide funds for the acquisition and construction of said dam and to provide for the redemption thereof from the revenues received from the sale and distribution of such waters, authorizing the department of public works of the State of California to operate and maintain such dam and all property appurtenant thereto; authorizing the board to acquire and hold real property necessary for its purposes, and to enter into agreements with State, Federal, and local officers and agencies, and political subdivisions, municipalities, and public districts;

Also: Assembly Bill No. 1201—An act to add section 2.391 to the School Code, relating to severance of joint schools;

Also: Assembly Bill No. 2433—An act to provide for the administration of highway work for or in cooperation with the United States by the State of California, amending the Streets and Highways Code in accordance therewith, and declaring the urgency thereof;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this seventh day of June, 1935, at ten o'clock and thirty minutes a.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1618—An act to classify, license and regulate the business of personal property brokers and brokers, and to prescribe, fix, limit, and regulate their charges and interest rates; to regulate assignments of wages, salaries, commissions or earnings when given as consideration for the payment of five hundred dollars ($500) or less; to provide penalties for violation hereof; and to repeal all acts or portions of acts inconsistent herewith—and reports that the same have been correctly re-re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1935.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 2486—An act to repeal section 5 of Chapter 656 of the Statutes of 1933 entitled "An act to add section 484.5 to the Fish and Game Code, to amend section 665, and to repeal sections 863, 876, 887 and 942 thereof, relating to fish and game and making an appropriation for the purchase of certain property used in connection with the fishing industry," approved June 2, 1933, relating to an appropriation—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FISHER, Chairman.

The above reported bill ordered on file for second reading.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1935.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2474—An act relating to fees and taxes for and upon certain vehicles, providing for the collection thereof and the enforcement of this act, and providing for the repeal of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Second Reading of Assembly Bills.

Assembly Bill No. 2474—An act relating to fees and taxes for and upon certain vehicles, providing for the collection thereof and the enforcement of this act, and providing for the repeal of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2486—An act to repeal section 5 of Chapter 656 of the Statutes of 1933 entitled "An act to add section 484.5 to the Fish and Game Code, to amend section 665, and to repeal sections 863, 876, 887 and 942 thereof, relating to fish and game and making an appropriation for the purchase of certain property used in connection with the fishing industry," approved June 2, 1933, relating to an appropriation

Bill read second time, ordered to engrossment, and third reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 7, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on June 5, 1935, passed Assembly Bill No. 2021—An act to amend section 42 of the Probate Code, relating to bequests and devises.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 2021 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 7, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 479—An act to amend section 2179 of the Political Code, relating to guardianship and administration of estates of incompetents.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 479 ordered to enrollment.

Withdrawal of Assembly Bill No. 1618.

By order of the Speaker, Assembly Bill No. 1618 was withdrawn from the file, and referred to Committee on Financial Institutions.

Resolution.

The following resolution was offered:

By Mr. Fulcher:

Assembly Resolution.

WHEREAS, In the northern part of the State there are National and State parks, National and State forests, set aside and administered by governmental agencies for the benefit of the people; and

WHEREAS, The United States Forest Service has administered and protected the timber and recreational areas within its domain for the benefit of the lumbering and recreational advantages of all the people for all time as the prime purpose of its existence; and

WHEREAS, It has come to the attention of the people of the second assembly district that certain private interests have approached the United States Forest Service for the purpose of acquiring certain valuable forest lands now controlled by the government, by trading or exchanging for them lands now owned by said private interests, so that said government land and adjoining land now owned by said private interests may be consolidated into a large private tract of great recreational value, from which the public will be forever excluded; and

WHEREAS, Information indicates that the region in question is also valuable for its mineral rights, water rights and timber growth, which is valuable to the State as a whole; and

WHEREAS, It is for the best interests of the State that such attempts of private interests to obtain valuable lands now owned by the government be fully investigated to the end that this Assembly be informed as to all the facts and circumstances surrounding such attempts; now, therefore, be it

Resolved, That a special Assembly committee to investigate the attempted exchange of National and State forest lands for other lands be appointed and be known as the Assembly Committee for the Investigation of National and State Lands, consisting of three members of the Assembly to be appointed by the Speaker of the Assembly to gather information and conduct investigations concerning the subject of this resolution and to report thereon, together with its recommendations, to the Assembly at the fifty-second session thereof; and, be it further

Resolved, That the committee on the appointment of its members shall organize and may appoint such clerical and technical assistants as it may deem necessary; and, be it further

Resolved, That the committee is authorized to do any and all things necessary to make a full and complete investigation of the matters herein referred to and to require the production of books, agreements, documents, reports, accounts, and papers of every kind, to issue subpenas to compel the attendance of witnesses and to procure testimony. Each member of the committee is hereby authorized to administer oaths and all the provision of Article VIII of Chapter II, Title I of Part III of the Political Code, relating to the attendance and assemblage of witnesses before the Legislature and committees thereof shall apply to the committee created by this

resolution and said committee is hereby given leave to sit during the interim between the fifty-first and fifty-second sessions of the Legislature at any place or places in the State as the committee from time to time shall determine; and, be it further

Resolved, That for the purposes of paying the expenses of the committee and the members thereof, the sum of five hundred dollars ($500) or as much thereof as may be necessary is hereby set apart, reserved and appropriated out of the contingent fund of the Assembly, payments therefrom to be made from time to time by warrants of the State Controller drawn against said contingent fund upon written orders of the chairman of the committee, which warrants the State Treasurer is hereby directed to pay.

Resolution by Mr. Fulcher read.

Mr. Fulcher moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Boyle, Breed, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donnelly, Evans, Ralph W., Fisher, Geyer, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Kallam, Lore, Maloney, Martin, McCarthy, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—47.

NOES—None.

Resolution.

The following resolution was offered:

By Mr. Hunt:

Assembly Resolution.

Resolved by the Assembly of the State of California, That the Special Assembly Committee on Unemployment Relief, appointed pursuant to a resolution adopted by the Assembly on May 29, 1935, shall, in addition to the powers specified in said resolution, have power to gather information and to conduct investigations concerning the administration and enforcement, whether by the State or by any county or local authority, of all provisions of law relating to or in any way touching upon social welfare, including aid to the aged, orphan aid and aid to indigents, and to report thereon, together with its recommendations, to the Assembly at the fifty-second session thereof, and at any special session of the Legislature that may be called to convene prior to the date of commencement of the fifty-second session of the Legislature; and be it further

Resolved, That in carrying out the above objects such committee is authorized to use all of the powers and authority conferred upon it by said resolution adopted May 29, 1935; and be it further

Resolved, That for the purpose of paying the expenses of said committee and the members thereof, and in addition to any other sum set apart, reserved and appropriated, the sum of $7,500, or so much thereof as may be necessary, is hereby set apart, reserved and appropriated out of the contingent fund of the Assembly, payments therefrom to be made from time to time by warrants of the State Controller drawn against said contingent fund upon written orders of the chairman of the committee, which warrants the State Treasurer is hereby directed to pay.

Resolution by Mr. Hunt read.

Floor Amendment.

During the reading of the resolution, the following amendment was submitted by Mr. Heisinger:

Amendment No. 1.

Amend the resolution to read "$2,500", in lieu of "$7,500".

The question being on the amendment submitted by Mr. Heisinger.

Roll Call.

The Speaker ordered a roll call taken on the amendment submitted by Mr. Heisinger.

The roll was called, and the amendment was adopted by the following vote:

AYES—Andreas, Breed, Corwin, Cottrell, Cronin, DeLap, Desmond, Donnelly, Evans, Ralph W., Fisher, Garibaldi, Glover, Heisinger, Johnson, Kallam, Latham, Martin, Mayo, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, Peterson,

Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—41.

NOES—Anderson, Geyer, Gilbert, Hawkins, Hunt, Jones, Laughlin, Lore, Maloney, Patterson, Pelletier, Reaves, Rosenthal, and Turner—14.

Resolution by Mr. Hunt, as amended, read.

Mr. Hunt moved the adoption of the resolution, as amended.

The question being on the adoption of the resolution by Mr. Hunt, as amended.

Roll Call.

The Speaker ordered a roll call taken on the resolution by Mr. Hunt.

The roll was called.

Motion for Call of the House.

Pending the announcement of the vote, Mr. Hunt moved a call of the House.

Motion lost.

The roll was called, and the resolution was refused adoption by the following vote:

AYES—Anderson, Boyle, Cassidy, Chatters, Cronin, Crowley, Fisher, Geyer, Gilbert, Glover, Hawkins, Hunt, Jones, Laughlin, Lore, Mayo, Nielsen, Pelletier, Peterson, Phillips, Reaves, Rosenthal, Stream, Turner, Utt, Wagner, Walker, and Mr. Speaker—28.

NOES—Andreas, Breed, Corwin, Cottrell, DeLap, Donnelly, Evans, Ralph W., Garibaldi, Heisinger, Johnson, Kallam, Latham, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Patterson, Redwine, Richie, Riley, Robertson, Scudder, Thorp, Voigt, Waters, Weber, Williamson, and Wright—33.

Motion to Withdraw Assembly Bill No. 2442.

Mr. Evans, Ralph W., moved that Assembly Bill No. 2442 be withdrawn from Committee on Financial Institutions, and placed on file for second reading.

The question being on the motion by Mr. Evans, Ralph W., to withdraw Assembly Bill No. 2442 from Committee on Financial Institutions.

Demand for Previous Question.

Messrs. DeLap, Peterson, Fisher, Brennan, and Robertson demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion by Mr. Evans, Ralph W., to withdraw Assembly Bill No. 2442 from Committee on Financial Institutions.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Evans, Ralph W., to withdraw Assembly Bill No. 2442 from Committee on Financial Institutions.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Evans, Ralph W., moved a call of the House.

Roll Call.

The Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the motion was carried by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Clark, Cottrell, Crowley, Cunningham, Dawson, Donahue, Donnelly, Evans, Ralph W., Fisher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Johnson, Laughlin, Lore, Maloney, Martin,

McCarthy, McMurray, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Weber, and Williamson—44.

NOES—Corwin, Cronin, Evans, Herbert J., Fulcher, Garibaldi, Hunt, Kallam, Lyon, Minard, Phillips, Redwine, Riley, Robertson, Wright, and Mr Speaker—15.

Time, eleven o'clock and five minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Weber, Williamson, Wright, and Mr. Speaker—59.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Request for Permisison to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Waters:

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act authorizing any county, city and county, city, town, district, or any political subdivision of the State, or any public or municipal corporation of the State, in the letting of contracts for public work, or the doing of such work, to comply with requirements of Federal laws and of regulations and orders issued under authority thereof with respect to the awarding of contracts, hours of labor, employment preferences, and other matters covered thereby, and imposed as a condition or prerequisite to the loan or grant of Federal funds or the funds of any Federal corporation or agency in aid of such public work, and declaring this act to be an urgency measure, and providing that it take effect immediately.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read.

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1935

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act authorizing any county, city and county, city, town, district, or any political subdivision of the State, or any public or municipal corporation of the State, in the letting of contracts for public work, or the doing of such work, to comply with requirements of Federal laws and of regulations and orders issued under authority thereof with respect to the awarding of contracts, hours of labor, employment preferences, and other matters covered thereby, and imposed as a condition or prerequisite to the loan or grant of Federal funds or the funds of any Federal corporation or agency in aid of such public work, and declaring this act to be an urgency measure, and providing that it take effect immediately

CUNNINGHAM, Chairman.

Report of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—68.

NOES—None.

Introduction and Reference of Bills.

The following bill was introduced:

By Mr. Waters: Assembly Bill No. 2488—An act authorizing any county, city and county, city, town, district, or any political subdivision of the State, or any public or municipal corporation of the State, in the letting of contracts for public work, or the doing of such work, to comply with requirements of Federal laws and of regulations and orders issued under authority thereof with respect to the awarding of contracts, hours of labor, employment preferences, and other matters covered thereby, and imposed as a condition or prerequisite to the loan or grant of Federal funds or the funds of any Federal corporation or agency in aid of such public work, and declaring this act to be an urgency measure, and providing that it take effect immediately.

Bill read first time.

Request for Unanimous Consent.

Mr. Waters asked for, and was granted, unanimous consent to take up Assembly Bill No. 2488, at this time, without reference to printer, committee or file, and that same be considered engrossed.

Consideration of Assembly Bill No. 2488.

Assembly Bill No. 2488—An act authorizing any county, city and county, city, town, district, or any political subdivision of the State, or any public or municipal corporation of the State, in the letting of contracts for public work, or the doing of such work, to comply with requirements of Federal laws and of regulations and orders issued under authority thereof with respect to the awarding of contracts, hours of labor, employment preferences, and other matters covered thereby, and imposed as a condition or prerequisite to the loan or grant of Federal funds or the funds of any Federal corporation or agency in aid of such public work, and declaring this act to be an urgency measure, and providing that it take effect immediately.

Case of Urgency.

The following resolution was offered:

By Mr. Waters:

Resolved, That Assembly Bill No. 2488 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

Mr. Waters moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Fisher, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Voigt, Wagner, Waters, Weber, Williamson, Wright, and Mr. Speaker—62.

NOES—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 2488.

Second Reading of Assembly Bill No. 2488.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—64.

NOES—None.

Third Reading of Assembly Bill No. 2488.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2488 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Geyer, Hawkins, Heisinger, Hunt, Johnson, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Motion to Adjourn.

Mr. Lyon moved that when the Assembly adjourns on Saturday, it do so from Saturday, June 8, 1935, at five o'clock p.m., until Monday, June 10, 1935, at ten o'clock a m.

Substitute Motion.

Mr. Rosenthal moved, as a substitute motion, that the Assembly adjourn from Saturday, June 8, 1935, at five o'clock p.m , until Tuesday, June 11, 1935, at ten o'clock a m.

Roll Call.

The Speaker ordered a roll call taken on the substitute motion by Mr. Rosenthal.

The roll was called, and the motion was lost by the following vote:

AYES—Clark, Hawkins, Latham, McCarthy, McMurray, Richie, and Rosenthal—7.
NOES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Geyer, Glover, Heisinger, Hornblower, Hunt, Johnson, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Williamson, Wright, and Mr. Speaker—57.

The question being on the motion by Mr. Lyon to adjourn.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Lyon to adjourn.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Herbert J., Field, Fisher, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Voigt, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—60.
NOES—Brennan, Donnelly, Latham, Peterson, Reaves, Rosenthal, and Wagner—7.

Amendment to Standing Rules of the Assembly.

The following amendment to the Standing Rules of the Assembly was offered:

By Mr. Lyon:

Amendment No. 1.

In Rule 3 of the Standing Rules of the Assembly, change the order of business to read as follows:

Assembly Order of Business.

1. Roll Call.
2. Prayer by the Chaplain.
3. Reading of the Previous Day's Journal.
4. Presentation of Petitions.
5. Reports of Committees.
6. Messages from the Governor.
7. Messages from the Senate.
8. Introduction and Reference of Bills.
9. Business on Daily Calendar.
10. Motions and Resolutions.
11. Announcement of Committee Meetings.
12. Adjournment.

Request for Unanimous Consent.

Mr. Lyon asked for unanimous consent for the consideration of the amendment to the Standing Rules of the Assembly, at this time, without reference to committee or file.

Objection to Unanimous Consent.

Mr. Geyer objected to unanimous consent to the consideration of the amendment.

The Speaker ordered the proposed amendment by Mr. Lyon printed in the Journal.

Unfinished Business.

Consideration of Senate Amendments to Assembly Constitutional Amendment No. 63.

Assembly Constitutional Amendment No. 63—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 22 of Article XII of the Constitution of said State, relating to the creation and powers of the Public Service Commission.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No. 63?

Amendment No. 1.

On page 1 of the printed measure, strike out the last line of the title, and insert in lieu thereof the following: "to the creation and powers of the Public Service Commission."

Amendment No. 2.

On page 1, line 6, of the printed measure, after "that", insert the following: "section 22 of Article XII of".

Amendment No. 3.

On page 1, line 16, of the printed measure, strike out "three".

Amendment No. 4.

On page 1, line 17, of the printed measure, strike out "section", and insert in lieu thereof the following: "amendment".

Amendment No. 5.

On page 1 of the printed measure, strike out lines 18 to 25, inclusive, and insert in lieu thereof the following: "were appointed. Whenever".

Amendment No. 6.

On page 2, line 29, of the printed measure, after "commission", insert the following: "and".

Amendment No. 7.

On page 2, line 43, of the printed measure, strike out "to hear and determine", and strike out line 44, and in line 45, strike out "nies;".

Amendment No. 8.

On page 2, line 49, of the printed measure, strike out "; the", and insert in lieu thereof a period and "The".

Amendment No. 9.

On page 3 of the printed measure, strike out lines 12 to 21, inclusive, and insert in lieu thereof the following: "herewith, and whenever in this Constitution or the laws of this State the term "Railroad Commission" is used, it shall be understood to refer to the Public Service Commission"

The roll was called, and Senate amendments to Assembly Constitutional Amendment No. 63 were concurred in by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Corwin, Cronin, Crowley, Dawson, DeLap, Donahue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Glover, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Stream, Voigt, Weber, Williamson, Wright, and Mr. Speaker—48

NOES—Geyer, Lore, McCarthy, Patterson, Pelletier, and Rosenthal—6.

Assembly Constitutional Amendment No. 63 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 896.

Assembly Bill No. 896—An act to amend sections 508, 510, 581, 585, 590, 591, 593, 632, and 673 of the Agricultural Code, relating to dairies and dairy products.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 896?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "479.".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 1 to 24, inclusive, and on page 2, strike out lines 1 and 2.

Amendment No. 3.

On page 2, line 3, of the printed bill, as amended, strike out "SEC. 2.", and insert in lieu thereof the following: "SECTION 1"

Amendment No. 4.

On page 2, line 47, of the printed bill, as amended, strike out "SEC 3.", and insert in lieu thereof the following: "SEC. 2"

Amendment No. 5.

On page 3, line 28, of the printed bill, as amended, strike out "SEC. 4.", and insert in lieu thereof the following: "SEC 3."

Amendment No. 6.

On page 3, line 45, of the printed bill, as amended, strike out "SEC. 5.", and insert in lieu thereof the following: "SEC. 4."

Amendment No. 7.

On page 5, line 1, of the printed bill, as amended, strike out "SEC. 6.", and insert in lieu thereof the following: "SEC. 5."

Amendment No. 8.

On page 5, line 23, of the printed bill, as amended, strike out "SEC 7.", and insert in lieu thereof the following: "SEC. 6."

Amendment No. 9.

On page 5, line 25, of the printed bill, as amended, strike out "SEC. 8.", and insert in lieu thereof the following: "SEC. 7."

Amendment No. 10.

On page 6, line 10, of the printed bill, as amended, strike out "SEC. 9.", and insert in lieu thereof the following: "SEC. 8."

Amendment No. 11.

On page 7, line 20, of the printed bill, as amended, strike out "SEC. 10.", and insert in lieu thereof the following: "SEC. 9."

The roll was called, and Senate amendments to Assembly Bill No. 896 were concurred in by the following vote:

AYES—Andreas, Breed, Burns, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—58.

NOES—Rosenthal—1.

Assembly Bill No. 896 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 958.

Assembly Bill No. 958—An act to amend section 4190 of the Political Code, relating to establishment and government and the creation of a fund for law library.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 958?

Amendment No. 1.

On page 2, lines 11 and 12, of the printed bill, as amended May 2, 1935, strike out the words: "and maintain branches of the county law library".

Amendment No. 2.

On page 2 of the printed bill, as amended, strike out all of lines 15, 16 and 17.

Amendment No. 3.

On page 1, line 26, of the printed bill, as amended, after the word "establish", *insert the following*: "*and maintain a branch of the county law library in any city* having a population of thirty thousand or more, other than the county seat in the same county, which branch shall be in all respects a part of the county law library and shall be established, managed, controlled, regulated and maintained as a part of the county law library."

The roll was called, and Senate amendments to Assembly Bill No. 958 were concurred in by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cronin, Crowley, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier,

Peterson, Peyser, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Weber, Williamson, Wright, and Mr. Speaker—62.
NOES—None.

Assembly Bill No. 958 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1532.

Assembly Bill No. 1532—An act to amend the Political Code by amending sections 3456, 3466a and 3491, relating to reclamation districts.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1532?

Amendment No. 1.

On page 5, line 17, of the printed bill, strike out the period, and insert in lieu thereof the following: ", and the expenses of county treasurer as hereinafter provided."

Amendment No. 2.

On page 7, line 6, of the printed bill, following the period, add the following: "Said installment when called by the board of trustees shall constitute a lien on the bonds and shall bear interest from the date of delinquency at the rate of seven per cent per annum."

Amendment No. 3.

On page 3, line 1, of the printed bill, as amended, after "that", insert the following: "(after the period of redemption has expired)".

Amendment No. 4.

On page 5, lines 10 and 11, of the printed bill, as amended, strike out ", approved by the board of supervisors,".

Amendment No. 5.

On page 7, line 8, of the printed bill, as amended, strike out "bonds", and insert in lieu thereof the following: "lands".

The roll was called, and Senate amendments to Assembly Bill No. 1532 were concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Reaves, Redwine, Riley, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, and Mr. Speaker—59.
NOES—None.

Assembly Bill No. 1532 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 733.

Assembly Bill No. 733—An act to amend section 1032 of the Code of Civil Procedure, relating to costs in civil actions.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 733?

Amendment No. 1.

On page 2 of the printed bill, after line 5, add a new paragraph as follows:
"(bb) To the prevailing party on a third party hearing under section 689 of this code."

The roll was called, and Senate amendment to Assembly Bill No. 733 was concurred in by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves,

Redwine, Richie, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—67.
NOES—None.

Assembly Bill No. 733 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1067.

Assembly Bill No. 1067—An act to amend section 1007 of the Civil Code, relating to title by prescription and adverse possession.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1067?

Amendment No. 1.

On page 1, line 13, of the printed bill, as amended, after "corporation", insert a comma and the following: "irrigation district,".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, as amended, strike out "against the", and strike out all of lines 3 and 4, and insert in lieu thereof a period.

Amendment No. 3.

On page 1, line 10, of the printed bill, as amended, before "public", insert the following: "irrigation district,".

The roll was called, and Senate amendments to Assembly Bill No. 1067 were concurred in by the following vote:

AYES—Anderson, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Domhue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Williamson, and Mr. Speaker—61
NOES—None.

Assembly Bill No. 1067 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 2052.

Assembly Bill No. 2052—An act to amend section 1428a of the Penal Code, relating to minute books of municipal courts

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2052?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "amending", and insert in lieu thereof the following: "to amend".

Amendment No. 2.

On page 1, line 1, of the printed bill, after "1428a", insert the following: "of the Penal Code".

The roll was called, and Senate amendments to Assembly Bill No. 2052 were concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Domhue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Williamson, and Mr. Speaker—60.
NOES—None.

Assembly Bill No. 2052 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1491.

Assembly Bill No. 1491—An act establishing municipal courts in cities and cities and counties of the second and one-fourth class, prescribing a constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges,

clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1491?

Amendment No. 1.

On page 2 of the printed bill, as amended, between lines 42 and 43, insert the following:

"One chief deputy clerk, who shall receive two hundred dollars per month,".

Amendment No. 2.

On page 2, line 44, of the printed bill, as amended, strike out "sixty-five", and insert in lieu thereof the following: "seventy-five".

Amendment No. 3.

On page 2, line 46, of the printed bill, as amended, strike out "sixty-five", and insert in lieu thereof the following: "seventy-five".

Amendment No. 4.

On page 3, line 10, of the printed bill, as amended, strike out "January 1, 1936", and insert in lieu thereof the following: "September 1, 1935".

The roll was called, and Senate amendments to Assembly Bill No. 1491 were concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Herbert J. Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 1491 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1492.

Assembly Bill No. 1492—An act to amend section 9 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation, and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts in cities or cities and counties of the second and one-fourth class.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1492?

Amendment No. 1.

On page 1 of the printed bill, as amended, between lines 13 and 14, insert the following: "one chief deputy clerk, who shall receive two hundred dollars per month;".

Amendment No. 2.

On page 1, line 15, of the printed bill, as amended, strike out "sixty-five", and insert in lieu thereof the following: "seventy-five".

Amendment No. 3.

On page 1, line 18, of the printed bill, as amended, strike out "sixty-five", and insert in lieu thereof the following: "seventy-five".

The roll was called, and Senate amendments to Assembly Bill No. 1492 were concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Herbert J., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Kallam, Laughlin, Lore, Maloney, Martin,

Mayo, McMurray, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 1492 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 413.

Assembly Bill No. 413—An act to amend sections 60 and 62 of an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, Statutes 1911, page 730, as amended, relating to bonds and assessments.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 413?

Amendment No. 1.

On page 1 of the printed bill, in the last line of the title, strike out the period, and insert in lieu thereof the following: ", relating to bonds and assessments."

Amendment No. 2.

On page 3, line 21, of the printed bill, after the word "assessments", insert a period.

The roll was called, and Senate amendments to Assembly Bill No. 413 were concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Dawson, Donihue, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, Miller, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 413 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 2050.

Assembly Bill No. 2050—An act amending section 1428 of the Penal Code, relating to keeping of minutes.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2050?

Amendment No. 1.

On page 1, line 3, of the printed bill, after "the", insert the following: "municipal judge,".

The roll was called, and Senate amendment to Assembly Bill No. 2050 was concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins,

Heisinger, Hornblower, Hunt, Johnson, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 2050 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 2156.

Assembly Bill No. 2156—An act to amend a new section numbered 3819a, relating to the redemption of property from sale for nonpayment of taxes in counties of the first and second classes.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2156?

Amendment No. 1.

On page 1, line 7 of the title of the printed bill, as amended, before "A", insert the following: "by adding".

The roll was called, and Senate amendment to Assembly Bill No. 2156 was concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 2156 ordered to enrollment.

Reconsideration of Assembly Bill No. 1551.

Assembly Bill No. 1551—An act relating to taxation, for State purposes, of vessels which are exempt from taxation except for State purposes, and providing for the assessment, levy, collection and enforcement thereof.

In compliance with his notice given on a previous day, Mr. Flint moved that the vote whereby Assembly Bill No. 1551 was refused passage be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Clark, Cronin, Crowley, Donihue, Evans, Ralph W., Flint, Fulcher, Geyer, Gilbert, Glover, Hunt, Laughlin, Lore, McCarthy, Morgan, O'Donnell, Pelletier, Reaves, Rosenthal, Turner, Utt, Voigt, and Wagner—23.

NOES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Cottrell, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Garibaldi, Gilmore, Hornblower, Johnson, Kallam, Latham, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—47.

Motion to Reconsider Assembly Bill No. 598 Continued.

Mr. Heisinger moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 598 was refused passage be continued until the next legislative day.

Motion carried.

Reconsideration of Senate Bill No. 1094 Waived.

Mr. Anderson waived his notice to reconsider the vote whereby Senate Bill No. 1094 was passed.

Senate Bill No. 1094 ordered transmitted to the Senate.

Motion to Reconsider Senate Bill No. 1103 Continued.

Mr. Turner moved that the consideration of his motion to reconsider the vote whereby Senate Bill No. 1103 was passed be continued until the next legislative day.

Motion carried.

Consideration of Senate Amendments to Assembly Bill No. 36.

Assembly Bill No. 36—An act to amend the Agricultural Code by adding to Division VI thereof a new chapter to be numbered 9 and to include sections 1299.18 and 1300 to 1300.6, inclusive, defining and pertaining to processors of farm products and the licensing thereof.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 36?

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out "8", and insert in lieu thereof the following: "9".

Amendment No. 2.

On page 1, line 3 of the title of the printed bill, as amended, strike out "1299", and insert in lieu thereof the following: "1299.18 and 1300 to"

Amendment No. 3.

On page 1, line 3, of the printed bill, as amended, strike out "8", and insert in lieu thereof the following: "9".

Amendment No. 4.

On page 1, line 3, of the printed bill, as amended, strike out "1299", and insert in lieu thereof the following: "1299.18 and 1300".

Amendment No. 5.

On page 1, line 6, of the printed bill, as amended, strike out "8", and insert in lieu thereof the following: "9".

Amendment No. 6.

On page 1, line 8, of the printed bill, as amended, strike out "1299", and insert in lieu thereof the following: "1299.18".

Amendment No. 7.

On page 3 of the printed bill, as amended, strike out lines 15 to 23, inclusive, and insert in lieu thereof the following: "upon the request of any interested person. All license fees collected under the provisions of this act shall be paid into the State treasury monthly and shall be credited to the Department of Agriculture fund and expended in carrying out the provisions of this chapter. The director shall, within thirty days prior to the regular session of the Legislature, submit to the Governor a full and true report of the transactions under this chapter during the preceding biennium, including a complete statement of receipts and expenditures during the period."

The roll was called, and Senate amendments to Assembly Bill No. 36 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Horublower, Hunt, Johnson, Kallam, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Voigt, Walker, Waters, Weber, Williamson, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 36 ordered to enrollment.

Report of Committee on Free Conference.

The following report of Committee on Free Conference was received and read:

Concerning Assembly Bill No. 650.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1935

MR SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 650—An act to add two new sections to Article 2 of Chapter 3 of Division I of the Streets and Highways Code, relating to franchises in highways—reports that it has met a like committee of the Senate, consisting of Senators Olson, Difani and Edwards, and reports that the Committee on Free Conference has agreed to recommend the following: That the bill be further amended as follows:

Amendment No. 1.

On page 2, line 21, of the printed bill, as amended, strike out the words "or railroad".

Amendment No. 2.

On page 2, line 25, of the printed bill, as amended May 16, 1935, after the comma after the word "department", strike out the following: "which demand may be made by the department".

Amendment No. 3.

On page 2, line 27, of the printed bill, as amended May 16, 1935, after the word "highway", add the following: "provided that no such change of location shall be required for a temporary purpose".

HUNT,
JONES,
BREED,
Assembly Committee on Free Conference.

EDWARDS,
DIFANI,
OLSON,
Senate Committee on Free Conference.

Report of Committee on Free Conference concerning Assembly Bill No 650 read.

Mr. Hunt moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Weber, Williamson, Wright, and Mr. Speaker—67.

NOES—None.

Further Proceedings Under Call of the House Dispensed With.

At eleven o'clock and fifty-seven minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Evans, Ralph W.

The roll of absentees was called, and the motion by Mr. Evans, Ralph W., to withdraw Assembly Bill No. 2442 from committee was lost by the following vote:

AYES—Anderson, Boyle, Brennan, Burns, Cassidy, Clark, Crowley, Dawson, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Laughlin, Lore, McCarthy, McMurray, Meehan, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, Waters, and Williamson—36.

NOES—Andreas, Breed, Chatters, Corwin, Cottrell, Cronin, Cunningham, DeLap, Desmond, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Weber, Wright, and Mr. Speaker—41.

Leave of Absence.

On motion of Mr. Boyle, Mr. Wallace was granted leave of absence for the balance of this legislative day.

Recess.

At twelve o'clock and five minutes p.m., on the motion of Mr. Kallam, the Assembly was declared at recess until one o'clock and forty-five minutes p.m., this day.

Reassembled.

At one o'clock and forty-five minutes p.m., the Assembly reconvened. Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1935.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 1302—An act to amend sections 2, 3, 7, 12 and 18 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to pharmacy—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

CRONIN, Chairman

The above reported bill ordered on file for second reading.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1935.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 213—An act to add section 172 to the Fish and Game Code, relating to game refuges—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FISHER, Chairman.

The above reported bill ordered on file for second reading

On Contingent Expenses.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1935

MR. SPEAKER: Your Committee on Contingent Expenses, to which was referred the following resolution by Mr. Walker:

Resolved, That the Controller be and is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Bureau of Purchases (supplies)	$77 09
Department of Finance (additional prorate telephone service—May)	4 80
Supervisor of Documents (800 handbooks, 85 cents each)	680 00
Valley Floral Company (wreath, Ficke's grave)	12 30
Tom B. Monk Company (engraving gavel for Miss Miller)	4 50

Has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

WALKER, Chairman

Report and resolution read.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins,

Heisinger, Hornblower, Johnson, Kallam, Lore, Maloney, Martin, Mayo, McBride, Meehan, Minard, Morgan, Nielsen, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Weber, and Mr. Speaker—56.

NOES—None.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1302—An act to amend sections 2, 3, 7, 12 and 18 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to pharmacy.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "and 18" and insert in lieu thereof a comma and the following: "18 and 20".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 13 to 15, inclusive, and insert in lieu thereof the following: "United States, or if eligible for such citizenship and".

Amendment No. 3.

On page 1 of the printed bill, as amended, at the end of line 20, insert the following: "Any person registered as an assistant pharmacist in this State prior to the effective date of this act is hereby expressly exempted from compliance with the foregoing requirement as to citizenship."

Amendment No. 4.

On page 2, line 25, of the printed bill, as amended, strike out "thirty", and insert in lieu thereof the following: "thirty-six".

Amendment No. 5.

On page 2, line 32, of the printed bill, as amended, after "thousand", insert the following: "two hundred".

Amendment No. 6.

On page 2, line 34, of the printed bill, as amended, strike out "of not less than eight", and strike out line 35, and insert in lieu thereof the following: "such three thousand two hundred hour curriculum to be distributed over a period of four years of not less than eight calendar months each The provisions of this paragraph shall not apply to any person otherwise qualified who is a graduate of a school or college of pharmacy, or department of pharmacy of a university recognized and approved by the California State Board of Pharmacy, and whose matriculation in such institution took place prior to January 1, 1936"

Amendment No. 7.

On page 4, line 43, of the printed bill, as amended, after "permit", insert a comma and the following: "suffer, or allow".

Amendment No. 8.

On page 6 of the printed bill, as amended, strike out lines 9 to 13, inclusive, and insert in lieu thereof the following:

"SEC. 6. Section 20 of said act is hereby amended to read as follows:

Sec. 20. If any section, subsection, clause or phrase of this act, or any part thereof is, for any reason, held unconstitutional, such decision shall not affect the validity of the remaining portions of this act. It is hereby expressly declared that this act, and each section, subsection, clause or phrase, or part thereof would have been enacted by the Legislature irrespective of the fact that any one or more of the sections, subsections, clauses or phrases, or parts thereof be declared unconstitutional."

Amendment No. 9.

On page 6, line 5, of the printed bill, as amended, after the word "prosecution", insert a period, and strike out the balance of the line; also strike out lines 6, 7 and 8.

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 213—An act to add section 172 to the Fish and Game Code, relating to game refuges.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "add section 172", and insert in lieu thereof the following: "amend sections 137, 138, and 166 of, and to add sections 171 and 172".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 25, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 137 of the Fish and Game Code is hereby amended to read as follows:

137. District 1G. The following shall constitute fish and game district 1G. All that area within the county of Tehama within the following boundaries. Beginning at a point where Deer Creek crosses the west township line of township twenty-five north, range two east; thence north along said township line and along the west township line of township twenty-six north, range two east to its intersection with Boatgunwale Creek; thence down Boatgunwale Creek to Mill Creek; thence up Mill Creek to the Pape Trail, thence following the Peligreen Road to the Ponderosa Truck Trail; thence following the Ponderosa Truck Trail to its intersection with North Antelope Creek; thence up North Antelope Creek to its intersection with the Lyonsville Trail, thence following the Lyonsville Trail to its intersection with the Turner Mountain Trail; thence following the Turner Mountain Trail to the township line, between township twenty-eight north and township twenty-nine north, thence due east on the township line to the Red Bluff-Susanville Highway; thence following the Red Bluff-Susanville Highway to its junction with the Big Bend Road; thence following the Big Bend Road to Mill Creek; thence down Mill Creek to its intersection with the old Butte Meadows-Round Valley Trail; thence to its intersection with Round Valley Creek, thence down Round Valley Creek to Deer Creek; and down Deer Creek to point of beginning

SEC. 2. Section 138 of the Fish and Game Code is hereby amended to read as follows:

138. District 1H. The following shall constitute fish and game district 1H. All that area within the county of Plumas within the following boundaries: Beginning at a point on the Western Pacific Railway known as Quincy Junction; thence following northerly the westerly side of the Old Road to Taylorsville; thence westerly along the southerly side of the County Road to a point on the State Control Road, approximately one and one-half miles southerly from Crescent Mills; thence southerly along the easterly side of said State Control Road to its intersection with the Feather River Highway; thence southerly along the easterly side of said Feather River Highway to the County Road which intersects said Feather River Highway near the Feather River Experiment Station; thence easterly along the northerly side of said County Road to the point of beginning

SEC. 3. Section 166 of the Fish and Game Code is hereby amended to read as follows:

166. District 4G. The following shall constitute fish and game district 4G. Beginning at the northeast corner of township four south, range three east, San Bernardino base and meridian; thence on section lines, west one mile, north one mile, west two miles, north one mile and west three miles to the northwest corner of section thirty, township three south, range three east, San Bernardino base and meridian; thence south on the range line between ranges two and three east, about seven and three-fourths miles to the crest of the divide forming the northwesterly boundary of Strawberry Creek watershed, thence southwesterly along said divide to a point on the northerly boundary of section twenty-eight in township five south, range two east, San Bernardino base and meridian, thence southwesterly in a straight line to the junction of Strawberry Creek and the South Fork of the San Jacinto River; thence southeasterly and northeasterly along the crest of the divide between the waters of Strawberry Creek and the waters of the South Fork of the San Jacinto River and its tributaries to the northeasterly side of the right of way of the Pines to Palms Highway; thence southeasterly along the said northeasterly side of the right of way of the Pines to Palms Highway to the right bank of Hurkey Creek; thence northerly along the right bank of Hurkey Creek through sections nine and four in township six south, range three east, and through sections thirty-three, twenty-eight, twenty-one, the southeast quarter of section sixteen, the west one-half of section fifteen, the east half of section ten and the northwest quarter of section eleven to the crest of the divide between the waters of Hurkey Creek and Murray Canyon; thence southeasterly along the crest of the divide between the waters flowing west into the San Jacinto River and the waters flowing east into Coachella

Valley to a point on the south boundary of section twenty-four in township five south, range three east, San Bernardino base and meridian; thence east on said south line of section twenty-four to the southeast corner thereof; thence north on the line to the point of beginning

SEC 4 Section 171 is hereby added to the Fish and Game Code to read as follows.

171. District 1U. The following shall constitute fish and game district 1U. All that area within the county of Siskiyou within the following boundaries: beginning at the summit of Buckhorn Mountain; thence northerly following the Buckhorn Mountain-Cold Spring Trail to Cold Spring; thence easterly following a branch of Grider Creek to Grider Creek; thence northerly following Grider Creek to where the divide between Grider Creek and a stream flowing into Grider Creek in section sixteen, township forty-five north, range twelve east, meets said Grider Creek; thence following the ridge of said divide easterly to its intersection with Lake Mountain Summit Trail; thence southeasterly following the Lake Mountain Summit Trail to its intersection with a trail following the ridge between Middle Creek and Kelsey Creek, thence southerly following said trail to its junction with Kelsey Creek Trail; thence westerly following Kelsey Creek Trail to its junction with Turk Lake-Buckhorn Mountain Trail; thence northwesterly following Turk Lake-Buckhorn Mountain Trail to point of beginning at summit of Buckhorn Mountain.

SEC. 5. Section 172 is hereby added to the Fish and Game Code to read as follows:

172. District IV. The following shall constitute fish and game district 1V. All that area within the county of Plumas within the following boundaries: Beginning at the point where the Willow Creek Road leaves the Feather River Highway between Blairsden and Portola; thence following northerly the easterly side of said Willow Creek Road to the Three Mile Ranger Station; thence easterly following the southerly side of the new U. S. Forest Service Road into Grizzly Valley to its intersection with the Walker Mine Road; thence southerly following the westerly line of said Walker Mine Road to the Feather River Highway; thence westerly following the northerly side of the Feather River Highway to the point of beginning."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 7, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1182—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and to provide for the disposition of the revenues therefrom, and to provide that this act shall take effect immediately—and respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 1182 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 7, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 229—An act to amend sections 1, 1a, 1b, 1c, 3, 4, 6, 7, 10c, 11 and 15 of, and to add sections 11.5, 11.6 and 18 to, "An act to regulate the sale, possession, distribution and use of habit-forming, narcotic and other dangerous drugs and substances, and providing penalties for the violation thereof," approved May 4, 1929, relating to habit-forming, narcotic and other dangerous drugs and substances;

Also Senate Bill No 734—An act to amend sections 108, 709, 1584, and 1640 of the Insurance Code, to amend and renumber section 10880 of Article 14 of Chapter 8 of Part 2 of Division 2 of said code, and to add sections 716, 1668.5, 1711.5 and 1778.5 thereto, relating to insurance principles, practice, and business and matters incidental thereto;

Also, Senate Bill No. 92—An act to add section 614.5 to the Fish and Game Code, relating to trout;

Also: Senate Bill No 207—An act to amend sections 4239, 4239d, 4239h, 4239*l*, 4239r, 4239s, and to repeal sections 4239a, 4239b, 4239c, 4239e, 4239f, 4239g, 4239i, 4239j, 4239k, 4239m, 4239n, 4239o, 4239p, 4239q, 4239t, 4239u, 4239v and 4239w of the Political Code, relating to the compensation of county and township officers in counties of the tenth class;

Also: Senate Bill No. 399—An act relating to the liability of irrigation districts, their officers and employees;

Also: Senate Bill No. 870—An act to amend sections 1, 14, 18 and 41 of the "California Water District Act," approved June 13, 1913, relating to water districts, the purposes and administration thereof, to take effect immediately and declaring the urgency thereof;

Also: Senate Bill No. 913—An act to amend section 459 of the Fish and Game Code, as added by Chapter 374 Statutes of 1933, and to renumber said section to be section 460, relating to the transportation of fish and game into this State.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 7, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 264—An act to amend section 737m of the Political Code, relating to the salaries of the judges of the superior court in and for the county of Imperial;

Also: Assembly Bill No. 638—An act to amend sections 997, 1009, 1116, 1117, 1166, 1188, 1262, 1297, 1302, 1371, and 1384, of the Penal Code, relating to refund of money deposited in lieu of bail, and to repeal conflicting acts and parts of acts;

Also: Assembly Bill No. 919—An act to amend section 1261 of Chapter 6, Division VI, of the Agricultural Code, relating to produce dealers;

Also: Assembly Bill No. 1559—An act to amend section 4245 of the Political Code, relating to the compensation of county officers in counties of the sixteenth class.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 264, 638, 919, and 1559 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 7, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1974—An act to amend section 11 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation, and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts in cities or cities and counties of the second and three-fourths class;

Also: Assembly Bill No. 1268—An act to validate the formation, organization and existence of county water districts, and to validate the acts of the board of directors of such districts in the inclusion of land therein or exclusion of land therefrom, and to validate the proceedings of such directors taken for the creation of a bonded indebtedness;

Also: Assembly Bill No. 1260—An act to add section 1140.5 to the Probate Code, relating to the duties of the public administrator and providing for the management, control, rental and sale by the public administrator of properties of indigent or other aliens returned to their native lands by or at the request of counties.

J. A. BEEK, Secretary of Senate.

Assembly Bills Nos. 1974, 1268, and 1260 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 7, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 385—An act to provide for the acquisition and cancellation of bonds heretofore issued under the provisions of that certain act of the Legislature of the State of California designated and known as the "Acquisition and Improvement Act of 1925"; providing for the cancellation of unpaid assessments levied for the purpose of paying the principal and interest of such bonds and of the interest and penalties thereon; providing for the issuance and payment of assessment readjustment bonds to represent certain assessments for the cost of acquisition of such outstanding bonds, including all costs and incidental expenses of proceedings under this act for the issuance of such assessment readjustment bonds; providing a method for the payment of such assessment readjustment bonds; providing a means whereby landowners and bondowners may consent and agree to such proceedings and to the modification of any contract between them involved in such proceedings; providing a method for the redemption of lost or otherwise unobtainable bonds of the issue or issues to be acquired and canceled and for the protection of the owners of such bonds; authorizing proceedings

under the bankruptcy laws of the United States of America in connection with any proceedings hereunder; repealing the "Assessment Readjustment Act of 1933"; and to declare the urgency of this act, to take effect immediately.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 385 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 7, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted as amended, Assembly Concurrent Resolution No. 44—Relating to the termination of the probationary period of all persons employed by the various departments of the State and mentioned in subdivision (e) of Article XXIV of the Constitution of this State—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Concurrent Resolution No. 44 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 7, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1666—An act to amend sections 2 and 7 of "An act to define motor carrier transportation agent, to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof," approved June 5, 1931, and all acts or define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof,' approved June 5, 1931, and all acts or parts of acts inconsistent with the provisions of this act," approved May 15, 1933, relating to motor carrier transportation agents;

Also: Assembly Bill No. 2408—An act to add a new section to the Code of Civil Procedure to be numbered 349¾, relating to the limitation of the time within which actions, for trespass, use or occupancy of real property by oil or gas wells, and for damages by reason thereof, and for the conversion or for the taking or removing of oil, gas or other liquid or fluids by means of any such well, may be commenced, fixing the measure of damages in certain of such cases, and defining oil and gas for the purposes of this act;

And respectfully requests your honorable body to concur in said amendments.

J. A BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos 1666 and 2408 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 7, 1935.

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1270—An act to add section 9½ to "An act to provide for the aid and relief of indigents," approved June 5, 1933, relating to the sale of personal property of such persons upon their death;

Also: Assembly Bill No. 1324—An act to amend sections 1, 3, 4 and 5 of an act entitled "An act to reduce the fire hazards of clothes cleaning establishments, providing for the enforcement thereof by the Division of Fire Safety in the Department of Industrial Relations, providing ways and means for enforcement and providing penalties for violations," approved June 3, 1927, relating to clothes cleaning establishments;

Also: Assembly Bill No 128—An act to add section 488a to the Penal Code, relating to the punishment for theft in certain cases;

Also Assembly Bill No 845—An act to amend the title and sections 1, 2, 3, 4, 5, 6, 7, 9, 10, 15, 16, 17, 20 22 and 24½ and to repeal section 3½ of an act entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department and to assess and collect taxes, from time to time, for such purpose, and

to create a board of fire commissioners," approved March 4, 1881, as amended, relating to fire departments in unincorporated towns and villages;
And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1270, 1324, 128, and 845 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 7, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No. 1188—An act to add a new article to Chapter I of Part III of Division IV of the School Code and to add a new chapter to Part III of Division IV of the School Code to be known as Chapter IV, all to be known as Article XI, relating to school district funds—and appointed Senators Scollan, Jespersen, and Young, as a Committee on Conference, to meet a like committee from the Assembly.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Appointment of Committee on Free Conference Concerning Assembly Bill No. 1188.

The Speaker announced the appointment of Messrs. McMurray, Desmond, and Fulcher, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Assembly Bill No. 1188.

Unfinished Business—(Resumed).

Consideration of Senate Amendments to Assembly Bill No. 1182.

Assembly Bill No. 1182—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and to provide for the disposition of the revenues therefrom, and to provide that this act shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1182?

Amendment No. 1.

On page 3 of the printed bill, as amended, between lines 17 and 18, insert the following:

"(o) The words "trade or business" include the performance of the functions of a public office."

Amendment No. 2.

On page 5 of the printed bill, as amended, strike out lines 31 to 48, inclusive, and insert in lieu thereof the following:

"(a) There shall be levied, collected and paid for each taxable year upon the entire net income of every resident of this State and upon the net income of every nonresident which is derived from sources within this State, a normal tax of eight-tenths of one per centum of the amount of net income in excess of credits against net income provided in section 10.

(b) As used in this subsection the term "surtax net income" means the amount of the net income in excess of credits against net income provided in section 10.

There shall be levied, collected and paid for each taxable year upon the entire surtax net income of every resident of this State and upon the surtax net income of every nonresident which is derived from sources within this State a surtax as follows:

Upon a surtax net income of $4,000 there shall be no surtax; upon surtax net incomes in excess of $4,000 and not in excess of $6,000, .8 per centum of such excess.

$16 upon surtax net incomes of $6,000; and upon surtax net incomes in excess of $6,000 and not in excess of $8,000, 1 per centum in addition of such excess.

$36 upon surtax net incomes of $8,000; and upon surtax net incomes in excess of $8,000 and not in excess of $10,000, 1.2 per centum in addition of such excess.

$60 upon surtax net incomes of $10,000; and upon surtax net incomes in excess of $10,000 and not in excess of $12,000, 1.4 per centum in addition of such excess.

$88 upon surtax net incomes of $12,000; and upon surtax net incomes in excess of $12,000 and not in excess of $14,000, 1.6 per centum in addition of such excess.

$120 upon surtax net incomes of $14,000; and upon surtax net incomes in excess of $14,000 and not in excess of $16,000, 1.8 per centum in addition of such excess.

$156 upon surtax net incomes of $16,000; and upon surtax net incomes in excess of $16,000 and not in excess of $18,000, 2.2 per centum in addition of such excess.

$200 upon surtax net incomes of $18,000; and upon surtax net incomes in excess of $18,000 and not in excess of $20,000, 2.6 per centum in addition of such excess.

$252 upon surtax net incomes of $20,000; and upon surtax net incomes in excess of $20,000 and not in excess of $22,000, 3 per centum in addition of such excess.

$312 upon surtax net incomes of $22,000; and upon surtax net incomes in excess of $22,000 and not in excess of $26,000, 3.4 per centum in addition of such excess.

$448 upon surtax net incomes of $26,000, and upon surtax net incomes in excess of $26,000 and not in excess of $32,000, 3.8 per centum in addition of such excess.

$676 upon surtax net incomes of $32,000; and upon surtax net incomes in excess of $32,000 and not in excess of $38,000, 4.2 per centum in addition of such excess.

$928 upon surtax net incomes of $38,000; and upon surtax net incomes in excess of $38,000 and not in excess of $44,000, 4.8 per centum in addition of such excess.

$1,216 upon surtax net incomes of $44,000; and upon surtax net incomes in excess of $44,000 and not in excess of $50,000, 5.4 per centum in addition of such excess.

$1,540 upon surtax net incomes of $50,000; and upon surtax net incomes in excess of $50,000 and not in excess of $56,000, 6 per centum in addition of such excess.

$1,900 upon surtax net incomes of $56,000; and upon surtax net incomes in excess of $56,000 and not in excess of $62,000, 6.6 per centum in addition of such excess.

$2,296 upon surtax net incomes of $62,000; and upon surtax net incomes in excess of $62,000 and not in excess of $68,000, 7.2 per centum in addition of such excess.

$2,728 upon surtax net incomes of $68,000; and upon surtax net incomes in excess of $68,000 and not in excess of $74,000, 7.8 per centum in addition of such excess.

$3,196 upon surtax net incomes of $74,000; and upon surtax net incomes in excess of $74,000 and not in excess of $80,000, 8.4 per centum in addition of such excess.

$3,700 upon surtax net incomes of $80,000; and upon surtax net incomes in excess of $80,000 and not in excess of $90,000, 9 per centum in addition of such excess.

$4,600 upon surtax net incomes of $90,000; and upon surtax net incomes in excess of $90,000 and not in excess of $100,000, 10 per centum in addition of such excess.

$5,600 upon surtax net incomes of $100,000; and upon surtax net incomes in excess of $100,000 and not in excess of $150,000, 10.4 per centum in addition of such excess.

$10,800 upon surtax net incomes of $150,000; and upon surtax net incomes in excess of $150,000 and not in excess of $200,000, 10.6 per centum in addition of such excess.

$16,100 upon surtax net incomes of $200,000; and upon surtax net incomes in excess of $200,000 and not in excess of $300,000, 10.8 per centum in addition of such excess.

$26,900 upon surtax net incomes of $300,000; and upon surtax net incomes in excess of $300,000 and not in excess of $400,000, 11 per centum in addition of such excess.

$37,900 upon surtax net incomes of $400,000; and upon surtax net incomes in excess of $400,000 and not in excess of $500,000, 11.2 per centum in addition of such excess.

$49,100 upon surtax net incomes of $500,000; and upon surtax net incomes in excess of $500,000 and not in excess of $750,000, 11.4 per centum in addition of such excess.

$77,600 upon surtax net incomes of $750,000; and upon surtax net incomes in excess of $750,000 and not in excess of $1,000,000, 11.6 per centum in addition of such excess.

$106,600 upon surtax net incomes of $1,000,000; and upon surtax net incomes in excess of $1,000,000, 11.8 per centum in addition of such excess."

Amendment No. 3.

On page 6, line 42, of the printed bill, as amended, strike out "of", and insert in lieu thereof the following: "or".

Amendment No. 4.

On page 8 of the printed bill, as amended, strike out lines 1 to 8, inclusive, and insert in lieu thereof the following:

"(b) All interest paid or accrued within the taxable year on indebtedness of the taxpayer; provided, however, in the case of any taxpayer the deduction permitted by this subdivision shall not be allowed if, and to the extent that such deduction is

connected with income not taxable under this act; and provided further, no such deduction shall be allowed or taken for interest paid or accrued within the taxable year on indebtedness incurred or continued to purchase or carry obligations, the interest upon which is wholly exempt from taxes imposed by this act. The proper apportionment and allocation of such deductions with respect to taxable and non-taxable income shall be determined under rules and regulations to be prescribed by the commissioner".

Amendment No. 5.

On page 10 of the printed bill, as amended, make a separate paragraph of the sentence in lines 43 to 51, inclusive.

Amendment No. 6.

On page 10, lines 45 and 46, of the printed bill, as amended, strike out "subsection 8 (1)", and insert in lieu thereof the following: "this subsection".

Amendment No. 7.

On page 10, line 50, of the printed bill, as amended, strike out "subsection 8 (1)", and insert in lieu thereof the following: "this subsection".

Amendment No. 8.

On page 11, line 2, of the printed bill, as amended, strike out "subdivision", and insert in lieu thereof the following: "subsection".

Amendment No. 9.

On page 11, lines 9 and 10, of the printed bill, as amended, strike out "subdivision (b)", and insert in lieu thereof the following: "subsection (f)".

Amendment No. 10.

On page 12, line 28, of the printed bill, as amended, strike out "Credit", and insert in lieu thereof the following: "Credits".

Amendment No. 11.

On page 12, line 31, of the printed bill, as amended, strike out "credit", and insert in lieu thereof the following: "credits".

Amendment No. 12.

On page 12 of the printed bill, as amended, between lines 31 and 32, insert the following:

"(1) All dividends allowed as a credit for the purpose of the normal tax under the Revenue Act of 1934."

Amendment No. 13.

On page 12, line 33, of the printed bill, as amended, strike out "(1)", and insert in lieu thereof the following: "(2)".

Amendment No. 14.

On page 12, line 36, of the printed bill, as amended, strike out "(2)", and insert in lieu thereof the following: "(3)".

Amendment No. 15.

On page 14, line 7, of the printed bill, as amended, strike out "where", and insert in lieu thereof the following: "when".

Amendment No. 16.

On page 15, line 20, of the printed bill, as amended, strike out "subdivisions", and insert in lieu thereof the following: "subsections".

Amendment No. 17.

On page 15, lines 37, 39, 41, 43, 45, 47 and 49, of the printed bill, as amended, strike out small letters in parentheses, and insert in lieu thereof corresponding capital letters in parentheses.

Amendment No. 18.

On page 16, line 40, of the printed bill, as amended, strike out "division", and insert in lieu thereof the following: "section".

Amendment No. 19.

On page 17, line 13, of the printed bill, as amended, strike out the period following "(1)", and insert in lieu thereof the following: ", and, if no part of the income of the estate or trust is included in computing the net income of any legatee, heir, or beneficiary, then in addition the same credit against net income for dividends as is allowed by section 10 (a) (1).

(2) If any part of the income of an estate or trust is included in computing the net income of any legatee, heir, or beneficiary, such legatee, heir, or beneficiary shall, for the purpose of the normal tax, be allowed as a credit against his net income, in addition to the credits allowed to him under section 10, his proportionate share of

such amounts of dividends specified under section 10 (a) (1) as are, under this section, required to be included in computing his net income. Any remaining portion of such dividends specified in section 10 (a) (1) shall, for the purpose of the normal tax, be allowed as a credit to the estate or trust".

Amendment No. 20.

On page 17, line 31, of the printed bill, as amended, strike out "subdivision", and insert in lieu thereof the following: "subsection".

Amendment No. 21.

On page 17, line 45, of the printed bill, as amended, after the period following the word "him", insert the following: "Such distributees shall, for the purpose of the normal tax, be allowed as credits against net income such part of the amount so distributed or made available as represents the item of dividends specified in section 10 (a) (1)".

Amendment No. 22.

On page 19, line 2, of the printed bill, as amended, strike out "subdivision", and insert in lieu thereof the following: "subsection".

Amendment No. 23.

On page 20, line 16, of the printed bill, as amended, strike out "subdivision", and insert in lieu thereof the following: "subsection".

Amendment No. 24.

On page 20, line 37, of the printed bill, as amended, strike out "subdivision", and insert in lieu thereof the following: "subsection".

Amendment No. 25.

On page 20, line 39, of the printed bill, as amended, strike out "subdivision", and insert in lieu thereof the following: "subsection".

Amendment No. 26.

On page 20, lines 44 and 45, of the printed bill, as amended, strike out "subdivisions", and insert in lieu thereof the following. "subsections".

Amendment No. 27.

On page 20, line 46, of the printed bill, as amended, strike out "subdivisions", and insert in lieu thereof the following: "subsections".

Amendment No. 28.

On page 21, line 18, of the printed bill, as amended, strike out "subdivisions (b)", and insert in lieu thereof the following: "subsections (d)".

Amendment No. 29.

On page 21, line 45, of the printed bill, as amended, strike out "subdivision", and insert in lieu thereof the following: "subsection".

Amendment No. 30.

On page 22, line 1, of the printed bill, as amended, strike out "subdivision", and insert in lieu thereof the following: "subsection".

Amendment No. 31.

On page 22, line 11, of the printed bill, as amended, strike out "subdivisions", and insert in lieu thereof the following: "subsections".

Amendment No. 32.

On page 22, line 14, of the printed bill, as amended, strike out "subdivision", and insert in lieu thereof the following: "subsection".

Amendment No. 33.

On page 22, line 19, of the printed bill, as amended, strike out "subdivision", and insert in lieu thereof the following: "subsection".

Amendment No. 34.

On page 22, line 28, of the printed bill, as amended, strike out "section 16 of this act", and insert in lieu thereof the following: "subsection (a) of this section".

Amendment No. 35.

On page 25, line 31, of the printed bill, as amended, strike out "tax was paid", and insert in lieu thereof the following· "return was filed by the taxpayer or within two years from the time the tax was paid, whichever period expires the later, unless before the expiration of such period a claim therefor is filed by the taxpayer. If no return is filed by the taxpayer, then no credit or refund shall be allowed or made after two years from the time the tax was paid".

Amendment No. 36.

On page 28 of the printed bill, as amended, between lines 26 and 27, insert the following:

"(f) The partner shall, for the purpose of the normal tax, be allowed as a credit against his net income, in addition to the credits allowed to him under section 10, his proportionate share (not in excess of the net income of the partnership) of dividends specified in section 10 (a) (1) as are received by the partnership".

Amendment No. 37.

On page 29, line 8, of the printed bill, as amended, before "The", insert the following: "(e)".

Amendment No. 38.

On page 29, line 29, of the printed bill, as amended, after "bution", insert a comma.

Amendment No. 39.

On page 35, line 25, of the printed bill, as amended, strike out "statues", and insert in lieu thereof the following: "statutes".

Amendment No. 40.

On page 36, line 5, of the printed bill, as amended, before the word "This", insert the following: "(a)".

Amendment No. 41.

On page 36 of the printed bill, as amended, strike out lines 8 to 10, inclusive, and insert in lieu thereof the following: "immediately, and shall apply to one-half the net income of taxpayers taxable hereunder received or accrued during the calendar year 1934, with ratable adjustment in the case of taxpayers filing returns on a fiscal year basis, **and thereafter to the full amount of the net income of taxpayers taxable hereunder.**

(b) The first return to be made hereunder covering the calendar year 1934, or a fiscal year ended in 1934, or a fiscal year ended in 1935 prior to the effective date of this act, shall be filed on or before the fifteenth day of the fourth month following such effective date and the full amount of the tax shall be paid when such return is filed. Thereafter the time for filing returns and the time and method of payment of tax shall be as provided in sections 13 and 14 hereof."

Amendment No. 42.

On page 7 of the printed bill, as amended, between lines 32 and 33, insert the following:

"(g) Salaries, wages and pensions, received from the United States by officials or employees thereof, whether active or retired, including persons in the Military or Naval forces of the United States of America."

Amendment No. 43.

On page 1, line 5, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 44.

On page 1, line 8, of the printed bill, as amended, strike out the words "Bank and Corporation Franchise Tax Commissioner", and insert in lieu thereof "State Board of Equalization".

Amendment No. 45.

On page 1 of the printed bill, as amended, strike out all of lines 9 and 10

Amendment No. 46.

On page 1, line 11, of the printed bill, as amended, strike out "(c)", and insert in lieu thereof "(b)".

Amendment No. 47.

On page 1, line 13, of the printed bill, as amended, strike out "(d)", and insert in lieu thereof "(c)".

Amendment No. 48.

On page 1, line 14, of the printed bill, as amended, strike out "(e)", and insert in lieu thereof "(d)".

Amendment No. 49.

On page 1, line 18, of the printed bill, as amended, strike out "(f)", and insert in lieu thereof "(e)".

Amendment No. 50.

On page 1, line 20, of the printed bill, as amended, strike out "(g) ", and insert in lieu thereof "(f)".

Amendment No. 51.

On page 2, line 6, of the printed bill, as amended, strike out "(h)", and insert in lieu thereof "(g)".

Amendment No. 52.

On page 2, line 9, of the printed bill, as amended, strike out "(i)", and insert in lieu thereof "(h)".

Amendment No. 53.

On page 2, line 17, of the printed bill, as amended, strike out "(j)", and insert in lieu thereof "(i)".

Amendment No. 54.

On page 2, line 20, of the printed bill, as amended, strike out "(k)", and insert in lieu thereof "(j)".

Amendment No. 55.

On page 2, line 23, of the printed bill, as amended, strike out "(l)", and insert in lieu thereof "(k)".

Amendment No. 56.

On page 2, line 29, of the printed bill, as amended, strike out "(m)", and insert in lieu thereof "(l)".

Amendment No. 57.

On page 2, line 34, of the printed bill, as amended, strike out "(n)", and insert in lieu thereof "(m)".

Amendment No. 58.

On page 2, line 37, of the printed bill, as amended, strike out "(o)", and insert in lieu thereof "(n)".

Amendment No. 59.

On page 2, line 15, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 60.

On page 2, line 40, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board"

Amendment No. 61.

On page 3, line 38, of the printed bill, as amended, strike out "commissioner" and insert in lieu thereof "board".

Amendment No. 62.

On page 7, line 24, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 63.

On page 7, line 27, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board"

Amendment No. 64.

On page 7, line 50, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 65.

On page 8, line 22, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 66.

On page 8, line 43, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 67.

On page 9, line 20, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 68.

On page 9, line 22, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 69.

On page 9, line 23, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 70.

On page 9, line 39, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 71.

On page 9, line 46, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 72.

On page 10, line 18, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board"

Amendment No. 73.

On page 11, line 29, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 74.

On page 12, line 16, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 75.

On page 14, line 18, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 76.

On page 14, line 24, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 77.

On page 14, line 38, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 78.

On page 15, line 14, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 79.

On page 15, line 15, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 80.

On page 16, line 27, of the printed bill, as amended, strike out "commissioner" and insert in lieu thereof "board"

Amendment No. 81.

On page 16, line 34, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 82.

On page 18, line 48, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 83.

On page 18, line 49, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 84.

On page 18, line 50, of the printed bill, as amended, strike out "his", and insert in lieu thereof "its".

Amendment No. 85.

On page 18, line 51, of the printed bill, as amended, strike out "he", and insert in lieu thereof "it".

Amendment No. 86.

On page 18, line 51, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 87.

On page 19, line 10, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 88.

On page 19, line 11, of the printed bill, as amended, strike out "he", and insert in lieu thereof "it".

Amendment No. 89.

On page 19, line 14, of the printed bill, as amended, strike out "his", and insert in lieu thereof "its".

Amendment No. 90.

On page 19, line 33, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 91.

On page 19, line 38, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 92.

On page 19, line 38, of the printed bill, as amended, strike out "his", and insert in lieu thereof "its".

Amendment No. 93.

On page 19, line 42, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 94.

On page 19, line 51, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 95.

On page 20, line 9, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 96.

On page 20, line 10, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 97.

On page 20, line 11, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 98.

On page 20, line 19, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 99.

On page 20, line 38, of the printed bill, as amended, strike out "commissioner" and insert in lieu thereof "board".

Amendment No. 100.

On page 21, line 13, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 101.

On page 21, line 45, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 102.

On page 21, line 51, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 103.

On page 22, line 15, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 104.

On page 22, line 27, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 105.

On page 23, line 12, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 106.

On page 23, line 15, of the printed bill, as amended, strike out "he", and insert in lieu thereof "it".

Amendment No. 107.

On page 23, line 22, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 108.

On page 23, line 23, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 109.

On page 23, line 25, of the printed bill, as amended, strike out "he", and insert in lieu thereof "it".

Amendment No. 110.

On page 23, line 26, of the printed bill, as amended, strike out "him", and insert in lieu thereof "it".

Amendment No. 111.

On page 23, line 30, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 112.

On page 23, line 34, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 113.

On page 23, line 40, of the printed bill, as amended, strike out "commissioner" and insert in lieu thereof "board".

Amendment No. 114.

On page 23, line 51, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 115.

On page 23, line 52, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 116.

On page 24, line 3, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 117.

On page 24, line 4, of the printed bill, as amended, strike out "he", and insert in lieu thereof "it".

Amendment No. 118.

On page 24, line 8, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 119.

On page 24, line 14, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 120.

On page 24, line 18, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 121.

On page 24, line 19, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 122.

On page 24, line 20, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 123.

On page 24, line 22, of the printed bill, as amended, strike out "his", and insert in lieu thereof "its".

Amendment No. 124.

On page 24, line 22, of the printed bilil, as amended, strike out "he", and insert in lieu thereof "it".

Amendment No. 125.

On page 24, line 27, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 126.

On page 24, line 33, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 127.

On page 24, line 36, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 128.

On page 24, line 38, of the printed bill, as amended, strike out "commissioner's", and insert in lieu thereof "board's".

Amendment No. 129.

On page 24, line 39, of the printed bill, as amended, strike out "he", and insert in lieu thereof "it".

Amendment No. 130.

On page 24, line 40, of the printed bill, as amended, strike out "his", and insert in lieu thereof "its".

Amendment No. 131.

On page 24, line 40, of the printed bill, as amended, strike out ", unless within that thirty-", and insert in lieu thereof a period.

Amendment No. 132.

On page 24 of the printed bill, as amended, strike out all of lines 41 to 51, both inclusive.

Amendment No. 133.

On page 25 of the printed bill, as amended, strike out lines 1 and 2.

Amendment No. 134.

On page 25, line 4, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 135.

On page 25, line 5, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 136.

On page 25, line 18, of the printed bill, as amended, strike out ", as the".

Amendment No. 137.

On page 25, line 19, of the printed bill, as amended, strike out "case may be,".

Amendment No. 138.

On page 25, line 38, of the printed bill, as amended, strike out "commissioner, or State".

Amendment No. 139.

On page 25, line 38, of the printed bill, as amended, strike out ", as".

Amendment No. 140.

On page 25, line 39, of the printed bill, as amended, strike out "the case may be,".

Amendment No. 141.

On page 25, line 41, of the printed bill, as amended, strike out "commissioner or said".

Amendment No 142.

On page 25, line 45, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 143.

On page 26, line 8 of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof 'board".

Amendment No. 144.

On page 26, line 8, of the printed bill, as amended, strike out "he", and insert in lieu thereof "it".

Amendment No. 145.

On page 26, line 10, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof 'board".

Amendment No. 146.

On page 26, line 13, of the printed bill, as amended, strike out "commissioner's", and insert in lieu thereof "board's".

Amendment No. 147.

On page 26, line 14, of the printed bill, as amended, strike out ", unless within such thirty day period", and insert in lieu thereof a period.

Amendment No. 148.

On page 26 of the printed bill, as amended, strike out all of lines 15 to 27, both inclusive.

Amendment No. 149.

On page 26, line 39, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 150.

On page 26, line 45, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof 'board".

Amendment No. 151.

On page 26, line 49, of the printed bill, as amended, strike out "Franchise Tax Counsel".

Amendment No. 152.

On page 26, line 50, of the printed bill, as amended, strike out "or the".

Amendment No. 153.

On page 27, line 4, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 154.

On page 27, line 18, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 155.

On page 27, line 19, of the printed bill, as amended, strike out "; and provided further,", and insert in lieu thereof a period.

Amendment No. 156.

On page 27 of the printed bill, as amended, strike out all of lines 20 to 24, both inclusive.

Amendment No. 157.

On page 27, line 27, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 158.

On page 27, line 32, of the printed bill, as amended, strike out "commissioner's", and insert in lieu thereof "board's".

Amendment No. 159.

On page 27, line 34, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 160.

On page 27, line 35, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 161.

On page 27, line 35, of the printed bill, as amended, strike out "; provided, that no action shall be filed if the taxpayer', and insert in lieu thereof a period.

Amendment No. 162.

On page 27 of the printed bill, as amended, strike out all of lines 36 and 37.

Amendment No. 163.

On page 27, line 45, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 164.

On page 27, line 49, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 165.

On page 27, line 52, of the printed bill, as amended, strike out "Franchise Tax Counsel or the".

Amendment No. 166.

On page 28 of the printed bill, as amended, strike out all of lines 4 to 18, both inclusive.

Amendment No. 167.

On page 28, line 31, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 168.

On page 29, line 15, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 169.

On page 29, line 17, of the printed bill, as amended, strike out "him", and insert in lieu thereof "it".

Amendment No. 170.

On page 29, line 32, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 171.

On page 29, line 32, of the printed bill, as amended, strike out "he", and insert in lieu thereof "it".

Amendment No. 172.

On page 29, line 34, of the printed bill, as amended, strike out "him", and insert in lieu thereof "it".

Amendment No. 173.

On page 29, line 44, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 174.

On page 29, line 50, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 175.

On page 29, line 52, of the printed bill, as amended, strike out "he", and insert in lieu thereof "it".

Amendment No. 176.

On page 30, line 39, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board'.

Amendment No. 177.

On page 30, line 47, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 178.

On page 30, line 48, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 179.

On page 30, line 52, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 180.

On page 31, line 6, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 181.

On page 31, line 14, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 182.

On page 31, line 23, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 183.

On page 31, line 27, of the printed bill, as amended, strikeout"commissioner", and insert in lieu thereof "board".

Amendment No. 184.

On page 31, line 46, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 185.

On page 31, line 49, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 186.

On page 32, line 1, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 187.

On page 32, line 4, of the printed bill, as amended, strike out "Franchise Tax".

Amendment No. 188.

On page 32, line 5, of the printed bill, as amended, strike out "Counsel or the".

Amendment No. 189.

On page 32, line 11, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 190.

On page 32, line 13, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 191.

On page 32, line 13, of the printed bill, as amended, strike out "and the State".

Amendment No. 192.

On page 32, line 14, of the printed bill, as amended, strike out "Board".

Amendment No. 193.

On page 32, line 18, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 194.

On page 32, line 32, of the printed bill, as amended, strike out "Franchise Tax Counsel or the".

Amendment No. 195.

On page 32, line 38, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 196.

On page 32, line 44, of the printed bill, as amended, strike out "the Franchise Tax".

Amendment No. 197.

On page 32, line 45, of the printed bill, as amended, strike out "Counsel or".

Amendment No. 198.

On page 32, line 51, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board"

Amendment No. 199.

On page 33, line 3, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 200.

On page 33, line 10, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 201.

On page 33, line 11, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 202.

On page 33, line 19, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 203.

On page 33, line 21, of the printed bill, as amended, strike out "three", and insert in lieu thereof "two".

Amendment No. 204.

On page 33, line 27, of the printed bill, as amended, strike out "three", and insert in lieu thereof "two".

Amendment No. 205.

On page 33, line 42, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 206.

On page 33, line 43, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 207.

On page 33, line 44, of the printed bill, as amended, strike out "he", and insert in lieu thereof "it".

Amendment No. 208.

On page 33, line 49, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 209.

On page 34, line 1, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 210.

On page 34, line 5, of the printed bill, as amended, strike out "him", and insert in lieu thereof "it".

Amendment No. 211.

On page 34, line 10, of the printed bill, as amended, strike out "his", and insert in lieu thereof "its".

Amendment No. 212.

On page 34, line 12, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 213.

On page 34, line 14, of the printed bill, as amended, strike out "he", and insert in lieu thereof "it".

Amendment No. 214.

On page 34, line 16, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 215.

On page 34, line 21, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 216.

On page 34, line 21, of the printed bill, as amended, strike out "he", and insert in lieu thereof "it".

Amendment No. 217.

On page 34, line 22, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 218.

On page 34, line 25, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 219.

On page 34, line 26, of the printed bill, as amended, strike out "he", and insert in lieu thereof "it".

Amendment No. 220.

On page 34, line 28, of the printed bill, as amended, strike out "he", and insert in lieu thereof "it".

Amendment No. 221.

On page 34, line 29, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 222.

On page 34, line 31, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 223.

On page 34, line 31, of the printed bill, as amended, strike out "he", and insert in lieu thereof "it".

Amendment No. 224.

On page 34, line 35, of the printed bill, as amended, strike out "commissioner" and insert in lieu thereof "board".

Amendment No. 225.

On page 34, line 39, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 226.

On page 34, line 40, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 227.

On page 35, line 1, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 228.

On page 35, line 2, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 229.

On page 35, line 6, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 230.

On page 18, line 5, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof "board".

Amendment No. 231.

On page 25, line 18, of the printed bill, as amended, strike out "commissioner or of said".

Amendment No. 232.

On page 4 of the printed bill, as amended, strike out lines 2 to 51, inclusive, and all of page 5, and insert in lieu thereof the following:

"(a) There shall be levied, collected and paid for each taxable year upon the entire net income of every resident of this State and upon the net income of every nonresident which is derived from sources within this State, a normal tax of one per centum of the amount of net income in excess of credits against net income provided in section 10.

(b) As used in this subsection the term "surtax net income" means the amount of the net income in excess of credits against net income provided in section 10.

There shall be levied, collected and paid for each taxable year upon the entire surtax net income of every resident of this State and upon the surtax net income of every nonresident which is derived from sources within this State a surtax as follows:

Upon a surtax net income of $4,000 there shall be no surtax; upon surtax net incomes in excess of $4,000 and not in excess of $6,000, 1 per centum of such excess.

$20 upon surtax net incomes of $6,000; and upon surtax net incomes in excess of $6,000 and not in excess of $8,000, 1 25 per centum in addition of such excess.

$45 upon surtax net incomes of $8,000; and upon surtax net incomes in excess of $8,000 and not in excess of $10,000, 1 5 per centum in addition of such excess.

$75 upon surtax net incomes of $10,000; and upon surtax net incomes in excess of $10,000 and not in excess of $12,000, 1 75 per centum in addition of such excess.

$110 upon surtax net incomes of $12,000; and upon surtax net incomes in excess of $12,000 and not in excess of $14,000, 2 per centum in addition of such excess.

$150 upon surtax net incomes of $14,000; and upon surtax net incomes in excess of $14,000 and not in excess of $16,000, 2 25 per centum in addition of such excess.

$195 upon surtax net incomes of $16,000; and upon surtax net incomes in excess of $16,000 and not in excess of $18,000, 2.75 per centum in addition of such excess.

$250 upon surtax net incomes of $18,000; and upon surtax net incomes in excess of $18,000 and not in excess of $20,000, 3 25 per centum in addition of such excess.

$315 upon surtax net incomes of $20,000; and upon surtax net incomes in excess of $20,000 and not in excess of $22,000, 3.75 per centum in addition of such excess.

$390 upon surtax net incomes of $22,000; and upon surtax net incomes in excess of $22,000 and not in excess of $26,000, 4 25 per centum in addition of such excess.

$560 upon surtax net incomes of $26,000; and upon surtax net incomes in excess of $26,000 and not in excess of $32,000, 4.75 per centum in addition of such excess.

$845 upon surtax net incomes of $32,000; and upon surtax net incomes in excess of $32,000 and not in excess of $38,000, 5.25 per centum in addition of such excess.

$1,160 upon surtax net incomes of $38,000; and upon surtax net incomes in excess of $38,000 and not in excess of $44,000, 6 per centum in addition of such excess.

$1,520 upon surtax net incomes of $44,000; and upon surtax net incomes in excess of $44,000 and not in excess of $50,000, 6 75 per centum in addition of such excess.

$1,925 upon surtax net incomes of $50,000; and upon surtax net incomes in excess of $50,000 and not in excess of $56,000, 7.5 per centum in addition of such excess.

$2,375 upon surtax net incomes of $56,000; and upon surtax net incomes in excess of $56,000 and not in excess of $62,000, 8 25 per centum in addition of such excess.

$2,870 upon surtax net incomes of $62,000, and upon surtax net incomes in excess of $62,000 and not in excess of $68,000, 9 per centum in addition of such excess.

$3,410 upon surtax net incomes of $68,000; and upon surtax net incomes in excess of $68,000 and not in excess of $74,000, 9 75 per centum in addition of such excess.

$3,995 upon surtax net incomes of $74,000; and upon surtax net incomes in excess of $74,000 and not in excess of $80,000, 10.5 per centum in addition of such excess.

$4,625 upon surtax net incomes of $80,000; and upon surtax net incomes in excess of $80,000 and not in excess of $90,000, 11 25 per centum in addition of such excess.

$5,750 upon surtax net incomes of $90,000; and upon surtax net incomes in excess of $90,000 and not in excess of $100,000, 12 5 per centum in addition of such excess

$7,000 upon surtax net incomes of $100,000; and upon surtax net incomes in excess of $100,000 and not in excess of $150,000, 13 per centum in addition of such excess.

$13,500 upon surtax net incomes of $150,000; and upon surtax net incomes in excess of $150,000 and not in excess of $200,000, 13 25 per centum in addition of such excess.

$20,125 upon surtax net incomes of $200,000; and upon surtax net incomes in excess of $200,000 and not in excess of $300,000, 13 5 per centum in addition of such excess.

$33,625 upon surtax net incomes of $300,000; and upon surtax net incomes in excess of $300,000 and not in excess of $400,000, 13 75 per centum in addition of such excess.

$47,375 upon surtax net incomes of $400,000; and upon surtax net incomes in excess of $400,000 and not in excess of $500,000, 14 per centum in addition of such excess.

$61,375 upon surtax net incomes of $500,000; and upon surtax net incomes in excess of $500,000 and not in excess of $750,000, 14.25 per centum in addition of such excess.

$97,000 upon surtax net incomes of $750,000; and upon surtax net incomes in excess of $750,000 and not in excess of $1,000,000, 14.5 per centum in addition of such excess.

$133,250 upon surtax net incomes of $1,000,000; and upon surtax net incomes in excess of $1,000,000, 14.75 per centum in addition of such excess."

Amendment No. 233.

On page 35 of the printed bill, as amended, strike out lines 13 to 26, inclusive, and insert in lieu thereof the following: "immediately, and shall apply to the net income of persons taxable hereunder received or accrued on and after January 1, 1935."

Amendment No. 234.

On page 33, line 13, of the printed bill, as amended, strike out the word "and".

Amendment No. 235.

On page 33, line 17, of the printed bill, as amended, following the word "necessary", strike out the period, and insert in lieu thereof a comma and the following: "and for expenditure by the Department of Finance in auditing the revenues and expenditures resulting from the provisions of this act there is hereby appropriated out of the personal income tax fund the sum of ten thousand dollars or so much thereof as may be necessary."

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1182 by the following vote:

AYES—Andreas, Cottrell, Kallam, Robertson, and Scudder—5.

NOES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, Cunningham, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Field, Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Lore, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Turner, Voigt, Wagner, Walker, Weber, Williamson, and Mr. Speaker—52.

Reconsideration of Assembly Bill No. 1516 Waived.

Mr. Morgan waived his notice to reconsider the vote whereby Assembly Bill No. 1516 was passed.

Assembly Bill No. 1516 ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Motion to Re-refer Assembly Constitutional Amendment No. 87.

Mr. Hornblower moved that Assembly Constitutional Amendment No. 87 be withdrawn from file, and ordered re-referred to Committee on Constitutional Amendments.

The question being on re-referring Assembly Constitutional Amendment No. 87 to Committee on Constitutional Amendments.

Motion carried.

Assembly Constitutional Amendment No. 87 ordered re-referred to Committee on Constitutional Amendments.

Motion to Strike Assembly Bill No. 2482 from File.

Mr. Dawson moved that Assembly Bill No. 2482 be stricken from the file.

Motion carried.

Assembly Bill No. 2482 ordered stricken from the file.

Assembly Bill No. 2461—An act to amend section 71 of the Penal Code, relating to contracts, sales and purchases by public officers.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Clark:

Amendment No. 1.

On page 1 of the printed bill, strike out line 12, and insert in lieu thereof the following: "this section shall not apply to any officer, person, or employee who owns not to exceed five per cent of the stocks or bonds of a corporation contracting or dealing in a manner prohibited to such officer, person or employee, nor to any contract in an amount not to exceed one hundred dollars upon which bids are not required, but in all cases such term shall be construed to mean such an interest as may".

Amendment adopted.

Request for Unanimous Consent.

Mr. Robertson asked for, and was granted, unanimous consent to take up Assembly Bill No. 2461, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2461, as Amended.

Assembly Bill No. 2461, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2461, as amended, passed by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—62

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2061—An act to amend the Building and Loan Association Act and the title thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. McBride moved a call of the House.

Roll Call.

The Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J., Fisher, Fulcher, Garibaldi, Gilbert, Hawkins, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Martin, Mayo, McBride, McMurray, Morgan, Patterson, Pelletier, Peterson, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, Wright, and Mr. Speaker—51.

NOES—Anderson, Dawson, Donihue, Evans, Ralph W., Flint, Geyer, Glover, Heisinger, Hornblower, Hunt, Jones, McCarthy, Meehan, Minard, and Reaves—15.

Time, two o'clock and fifty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Patterson, Pelletier, Peterson, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, Wright, and Mr. Speaker—66.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Third Reading of Assembly Bills—(Resumed).

Assembly Constitutional Amendment No 90—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XVI thereof a new section to be numbered 12, relating to the Rector Canyon Dam project.

Assembly Constitutional Amendment No. 90 read.

Mr Crowley moved the adoption of Assembly Constitutional Amendment No. 90

The question being on the adoption of Assembly Constitutional Amendment No 90.

The roll was called, and Assembly Constitutional Amendment No. 90 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Flint, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell,

Patterson, Pelletier, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Assembly Constitutional Amendment No. 90 ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 90.

A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XVI thereof a new section to be numbered 12, relating to the Rector Canyon Dam project.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its regular session commencing on the seventh day of January, 1935, two-thirds of the members elected to each of the two houses of the said Legislature voting therefor, hereby proposes to the people of the State of California, that the Constitution of said State be amended by adding to Article XVI thereof a new section to be numbered 12, and to read as follows:

Sec. 12. Notwithstanding any other provisions of this Constitution, the Director of Finance is hereby authorized on behalf of the State of California to enter into a contract with the Rector Dam Authority for the delivery or furnishing of water by said authority to any State institution or institutions, or other agencies supported in whole or in part by public funds, upon such terms and conditions as the director shall prescribe, and to pledge the credit of the State for that purpose in an amount not exceeding the sum heretofore or hereafter agreed to be paid by the Rector Dam Authority to the United States of America or any agency or department thereof, over a period of not to exceed fifty years, for any loan made to and accepted by the authority in accordance with law. The making of said contract shall be contingent upon the granting to the Rector Dam Authority by the United States of America or any agency or department thereof of a grant or loan or grant and loan for the erection of the dam and the construction of a system for the distribution of the water of Rector Creek in the county of Napa, State of California, and the Rector Dam Authority is hereby authorized to enter into the above mentioned contract with the Department of Finance, to negotiate and accept in the name of the State such grant or loan, and to construct and maintain said dam and system of distribution.

The provisions of this section are self-executing, and require no legislative action in furtherance thereof, but the Legislature may provide by law for the carrying out of the provisions of this section.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 28—An act to amend section 1881 of the Code of Civil Procedure, relating to privileged communications.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Kallam:

Amendment No. 1.

On page 2, line 43, of the printed bill, strike out "examined", and insert in lieu thereof the following: "adjudged in contempt by".

Amendment No. 2.

On page 2, line 44, of the printed bill, strike out "before".

Amendment No. 3.

On page 2, line 44, of the printed bill, strike out "as", and insert in lieu thereof the following: "for refusing to disclose".

Amendment No. 4.

On page 2, line 45, of the printed bill, strike out "to".

Amendments adopted.

Request for Unanimous Consent.

Mr. Kallam asked for, and was granted, unanimous consent to take up Senate Bill No. 28, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 28, as Amended.

Senate Bill No. 28, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 28, as amended, finally passed by the following vote:

AYES—Andreas, Boyle, Brennan, Burns, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Garibaldi, Hawkins, Heisinger, Hornblower, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, O'Donnell, Patterson, Peterson, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Voigt, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—51.

NOES—Anderson, Cassidy, Donahue, Flint, Geyer, Gilbert, Glover, Lore, Morgan, Pelletier, Richie, Rosenthal, and Wagner—13.

Title read and approved.

Notice of Reconsideration of Senate Bill No. 28.

Mr. Heisinger gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 28 was this day passed.

Senate Bill No. 45—An act to amend section 2051 of the Code of Civil Procedure, relating to the impeachment of witnesses convicted of certain misdemeanors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 45 was refused passage by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Corwin, Cottrell, Donnelly, Evans, Herbert J., Field, Fisher, Garibaldi, Heisinger, Kallam, Latham, Miller, Peterson, Phillips, Redwine, Riley, Scudder, Thorp, Utt, Wright, and Mr. Speaker—24.

NOES—Brennan, Cassidy, Clark, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Evans, Ralph W., Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Minard, Morgan, O'Donnell, Patterson, Pelletier, Reaves, Robertson, Rosenthal, Stream, Turner, Voigt, Wagner, Walker, Waters, Weber, and Williamson—45.

Unfinished Business—(Resumed).

Reconsideration of Senate Bill No. 28 Waived.

Mr. Heisinger waived his notice to reconsider the vote whereby Senate Bill No. 28 was passed.

Senate Bill No. 28 ordered transmitted to the Senate.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 161—An act to amend sections 421 and 811 of the Fish and Game Code, relating to cockle clams.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Kallam:

Amendment No. 1.

On page 2, line 5, of the printed bill, following the word "cockles", insert the following: "of legal size as hereinafter provided when".

Amendment adopted.

Request for Unanimous Consent.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Senate Bill No. 161, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 161, as Amended.

Senate Bill No. 161, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 161, as amended, finally passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, Williamson, and Mr. Speaker—67.

NOES—Pelletier—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 49—An act to amend section 10 of "An act to provide for the indicating of the net quantity of foodstuffs and stuffs intended to be used or prepared for use as food for human beings, and medicine, and other commodities when sold or offered or exposed for sale in containers and providing for the indicating of quantity in the sale of commodities in respect to which there exists a definite trade custom, and providing penalties for the violation thereof," approved May 24, 1913, relating to false or raised bottoms of containers.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Desmond:

Amendment No. 1.

On page 1, line 16, of the printed bill, strike out the words "or raised".

The question being on the amendment submitted by Mr. Desmond to Senate Bill No. 49.

Motion to Lay Amendment on the Table.

Mr. Scudder moved that the amendment submitted by Mr. Desmond be laid on the table.

The question being on the motion by Mr. Scudder to lay the amendment submitted by Mr. Desmond on the table.

Roll Call.

The Speaker ordered a roll call on the motion to lay the amendment on the table.

The roll was called, and the motion was lost by the following vote:

AYES—Burns, Lore, Robertson, and Scudder—4.

NOES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Turner, Utt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—64.

The question being on the adoption of the amendment submitted by Mr. Desmond to Senate Bill No. 49.

Roll Call.

The Speaker ordered a roll call taken on the amendment submitted by Mr. Desmond.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Cronin, Dawson, DeLap, Desmond, Donohue, Donnelly, Evans, Ralph W., Fisher, Fulcher, Garibaldi, Geyer, Gilmore, Heisinger, Johnson, McBride, McCarthy, McMurray, Minard, O'Donnell, Patterson, Peterson, Richie, Robertson, Scudder, Thorp, Weber, and Williamson—32.

NOES—Boyle, Brennan, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Evans, Herbert J., Field, Flint, Gilbert, Glover, Hawkins, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Miller, Morgan, Pelletier, Peyser, Phillips, Reaves, Redwine, Riley, Rosenthal, Stream, Turner, Utt, Voigt, Wagner, Walker, Waters, Wright, and Mr. Speaker—42.

Senate Bill No. 49 read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Crowley:

Amendment No. 1.

On page 1, line 16, of the printed bill, as amended, after the period at the end of said line, add the following: "Nothing contained in this section shall apply or be construed to apply to any container or receptacle used for the packaging of wine".

Amendment adopted.

Request for Unanimous Consent.

Mr. Cunningham asked for, and was granted, unanimous consent to take up Senate Bill No. 49, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 49, as Amended.

Senate Bill No. 49, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 49, as amended, finally passed by the following vote:

AYES—Andreas, Brennan, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Evans, Herbert J., Field, Flint, Frazier, Gilbert, Heisinger, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, Miller, Morgan, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Redwine, Riley, Rosenthal, Stream, Utt, Voigt, Wagner, Walker, Waters, Wright, and Mr. Speaker—43.

NOES—Anderson, Boyle, Burns, Cassidy, Cronin, Dawson, Desmond, Donohue, Donnelly, Evans, Ralph W., Fisher, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Johnson, McBride, McCarthy, McMurray, Meehan, Minard, Patterson, Reaves, Richie, Robertson, Scudder, Thorp, Weber, and Williamson—30.

Title read and approved.

Notice of Reconsideration of Senate Bill No. 49.

Mr. Desmond gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 49 was this day passed.

Further Proceedings Under Call of the House Dispensed With.

At four o'clock and ten minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. McBride.

The roll of absentees was called and Assembly Bill No. 2061 was passed by the following vote:

AYES—Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Heisinger, Johnson, Kallam, Latham, Lyon, Maloney, Martin, McBride, McMurray, Miller, Minard, Morgan,

Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Robertson, Scudder, Stream, Thorp, Utt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—51.

NOES—Anderson, Breed, Clark, Crowley, Donahue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Jones, Laughlin, Lore, Mayo, McCarthy, Meehan, O'Donnell, Reaves, Richie, Riley, Rosenthal, Turner, and Voigt—26.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Senate Bills—(Resumed).

Senate Bill No 233—An act repealing section 365e½ of the Political Code and section 133 of the Streets and Highways Code, relating to the California Highway Commission.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Turner:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "repealing section 365e½ of the Political Code and", and insert in lieu thereof the following: "to amend".

Amendment No. 2.

On page 1, line 3 of the title of the printed bill, as amended, strike out "the California Highway Commission", and insert in lieu thereof the following: "highways".

Amendment No. 3.

On page 1, line 1, of the printed bill, as amended, after "Section 1.", strike out the balance of line 1, and all of line 2, and insert in lieu thereof the following. "Section 133 of the Streets and Highways Code is hereby amended to read as follows:

133. As used in this section, the term "high-type paving" includes only asphalt concrete pavement and Portland cement concrete pavement as designed by the Division of Highways.

Whenever any high-type paving work is to be done by contract under the direction and control of the department, and such work is to be paid for in whole or in part with moneys coming out of the State highway fund, unless the department believes that the public interest will be subserved by specifying a particular type of pavement, the department shall cause to be prepared alternate plans and specifications contemplating the use of asphalt concrete pavement and Portland cement concrete pavement. The department shall then advertise and call for bids for the doing of such work based on the use of such alternate types of pavement and upon receipt of bids shall proceed to the award of a contract to the lowest qualified bidder, irrespective of the type of pavement upon which the low bid is submitted, unless all bids are rejected."

Further Consideration Deferred.

Further consideration of Senate Bill No. 233 and amendments pending deferred.

Recess.

At five o'clock p m, on motion of Mr Lyon, the Assembly was declared at recess until eight o'clock p.m., of this day.

Reassembled.

At eight o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, June 7, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to Senate Bill

No. 406—An act to amend section 610 of the Fish and Game Code, relating to trout and whitefish—and requests that your honorable body recede therefrom.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 406 ordered on unfinished business file.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Wright:

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend sections 105, 109 and 111 of the Vehicle Code, relating to the Department of Motor Vehicles.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1935.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend sections 105, 109 and 111 of the Vehicle Code, relating to the Department of Motor Vehicles.

CUNNINGHAM, Chairman.

Report of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Clark, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donahue, Donnelly, Field, Fisher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Williamson, Wright, and Mr. Speaker—60.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

By Mr. Wright: Assembly Bill No. 2489—An act to amend sections 105, 109 and 111 of the Vehicle Code, relating to the Department of Motor Vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Messrs. Maloney and Williamson: Assembly Joint Resolution No. 65—Relative to memorializing the Public Works Administration to furnish aid in the construction of certain improvements in San Francisco Bay and the vicinity thereof.

Introduced.

Request for Unanimous Consent

Mr. Williamson asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 65, at this time, without reference to printer, committee or file, and that same be considered engrossed.

Consideration of Assembly Joint Resolution No. 65.

Assembly Joint Resolution No. 65—Relative to memorializing the Public Works Administration to furnish aid in the construction of certain improvements in San Francisco Bay and the vicinity thereof.

Assembly Joint Resolution No. 65 read.

Mr Williamson moved the adoption of Assembly Joint Resolution No. 65.

The question being on the adoption of Assembly Joint Resolution No. 65.

The roll was called, and Assembly Joint Resolution No 65 adopted by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Cassidy, Clark, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donahue, Donnelly, Fisher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Johnson, Jones, Kallam, Latham, Lore, Maloney, Martin, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Phillips, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Williamson, Wright, and Mr. Speaker—45

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 65 ordered transmitted to the Senate

Assembly Joint Resolution No. 65.

Relative to memorializing the Public Works Administration to furnish aid in the construction of certain improvements in San Francisco Bay and the vicinity thereof.

WHEREAS, The building of certain sea walls, fills, locks and canals in the waters of San Francisco Bay to develop what is known as San Francisco Bay Project or Upper San Francisco Bay Project, will result in permanent improvements to the entire San Francisco Bay region, to the State of California and to the United States; and

WHEREAS, Said improvements include the creation of a great naval base for the United States fleet on the Pacific Coast, the conservation of millions of acre feet of fresh water now flowing unused and lost into the ocean, will add many miles of deep water wharfage to the San Francisco Bay region and result in immeasurable aid to navigation in San Francisco Bay and the navigable rivers of California; and

WHEREAS, Said improvements will result in aids of immense value to land transportation in the San Francisco Bay region, will result in the reclamation of thousands of acres of lands in California, and will be of advantage to existing industries in said region, and an invitation to additional industries to be established therein; and

WHEREAS, Said improvements will supply waters to the urban, suburban industrial and agricultural needs of the San Francisco Bay region, and

WHEREAS, The construction of these improvements will employ thousands of workers and decrease unemployment in the State of California; and

WHEREAS, Said improvements will be of great value to the Army and Navy and Air Corps of the United States in peace time and of inestimable value in time of emergency; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the President of the United States and the Congress thereof, and the Public Works Administration are hereby respectfully urged to consider favorably the undertaking of the aforesaid project; and be it further

Resolved, That the Governor of the State of California forward a copy of this resolution and maps of the proposed project to the President of the United States and to the Public Works Administration, and offer the services of the Engineering Department of the State of California to the Federal Government in the forwarding of this project or projects

Unfinished Business—(Resumed).

Motion to Reconsider Assembly Bill No. 2412 Continued.

Mr. Turner moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2412 was refused passage be continued until the next legislative day.

Motion carried.

Further Consideration of Senate Bill No. 233.

The question being on the adoption of the amendments submitted by Mr. Turner to Senate Bill No. 233.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Turner.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Phillips moved a call of the House.

Roll Call.

The Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Breed, Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Hawkins, Hunt, Johnson, Jones, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Minard, Nielsen, O'Donnell, Peterson, Peyser, Phillips, Redwine, Richie, Scudder, Stream, Thorp, Wagner, Walker, Wallace, Waters, Weber, Williamson, and Wright—51.

NOES—Anderson, Evans, Ralph W., Gilbert, Heisinger, McBride, McCarthy, Meehan, Riley, Robertson, Rosenthal, Turner, Voigt, and Mr. Speaker—13.

Time, nine o'clock and fifteen minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Breed, Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—64.

The Chief Clerk announced the absentees

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.
Third Reading of Senate Bills—(Resumed).

Senate Bill No. 569—An act to amend section 2 802 of the School Code, relating to judgments against school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 569 finally passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Cottrell, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Peyser, Reaves, Redwine, Riley, Robertson,

Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—55.
NOES—Dawson, Donihue, and Jones—3.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 933—An act to amend section 473 of the Penal Code, relating to punishment for forgery.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 933 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Peyser, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr Speaker—62.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the House Dispensed With.

At nine o'clock and thirty minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Phillips

The roll of absentees was called, and the amendments by Mr. Turner to Senate Bill No. 233 were refused adoption by the following vote:

AYES—Anderson, Burns, Chatters, Clark, DeLap, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Geyer, Gilbert, Glover, Heisinger, Johnson, Latham, Lore, McBride, McCarthy, Meehan, Minard, Nielsen, O'Donnell, Patterson, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Turner, Utt, Voigt, Wagner, Wallace, Wright, and Mr. Speaker—36.
NOES—Andreas, Boyle, Breed, Brennan, Cassidy, Corwin, Cottrell, Crowley, Cunningham, Dawson, Desmond, Donihue, Field, Frazier, Fulcher, Garibaldi, Gilmore, Hawkins, Hunt, Jones, Kallam, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Morgan, Peterson, Peyser, Phillips, Redwine, Scudder, Thorp, Walker, Waters, Weber, and Williamson—38.

Senate Bill No. 233 read third time.

The question being on the passage of the bill.

The roll was called.

Motion to Expunge Record.

Mr. Phillips moved that the vote whereby Senate Bill No 233 was passed be expunged from the record, and the action rescinded.

Motion carried.

Roll Call.

The Speaker ordered a roll call taken on the motion to expunge the record.

The roll was called, and the motion was carried by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Cassidy, Corwin, Cottrell, Cunningham, Dawson, Desmond, Donihue, Evans, Herbert J., Field, Fulcher, Garibaldi, Gilmore, Hawkins, Hunt, Jones, Kallam, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Morgan, O'Donnell, Peterson, Peyser, Phillips, Redwine, Richie, Scudder, Stream, Thorp, Walker, Wallace, Waters, Weber, and Williamson—41.

NOES—Anderson, Burns, Chatters, Clark, Crowley, DeLap, Donnelly, Evans, Ralph W., Fisher, Geyer, Gilbert, Glover, Heisinger, Johnson, Latham, Lore, McBride, McCarthy, Meehan, Minard, Nielsen, Patterson, Reaves, Riley, Robertson, Rosenthal, Turner, Voigt, Wagner, Wright, and Mr. Speaker—31.

Third Reading of Senate Bill No. 233.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Phillips moved a call of the House.

Roll Call.

The Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the motion was carried by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunningham, Dawson, Desmond, Domhue, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hawkins, Hunt, Jones, Kallam, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Morgan, O'Donnell, Peterson, Peyser, Phillips, Redwine, Richie, Scudder, Thorp, Walker, Wallace, Waters, Weber, and Williamson—44.

NOES—Anderson, Burns, DeLap, Donnelly, Evans, Ralph W., Geyer, Gilbert, Glover, Heisinger, Johnson, Latham, Lore, McBride, McCarthy, Minard, Nielsen, Patterson, Reaves, Riley, Robertson, Rosenthal, Stream, Turner, Voigt, Wagner, Wright and Mr. Speaker—27.

Time, nine o'clock and forty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—71.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 332—An act to amend section 1 of an act entitled "An act relating to the doing of public work by day's labor or force account, except emergency and maintenance work and work costing less than ten thousand dollars; requiring the State Highway Engineer, State Engineer, the State Architect, county engineers, county surveyors, city and county engineers, county highway engineers, road commissioners, city engineers, commissioners of public works, superintendents of streets, harbor engineers, flood control engineers and the engineers of any reclamation, irrigation or other districts, political subdivisions or agencies of the State directing, supervising or superintending such work, or in charge of the engineering for or in connection therewith,

to keep the costs, prepare and file plans, specifications and estimates of cost, and, upon completion, prepare and file certificates of cost thereof; and providing for the keeping of such plans, specifications and certificates as public records," approved June 21, 1923, relating to the doing of public work by day's labor or force account.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Anderson:

Amendment No. 1.

On page 3, line 31, of the printed bill, as amended, after "district", insert the following: ", water district or water conservation district, or to the construction work of any water district or water conservation district,".

Amendment adopted.

Request for Unanimous Consent.

Mr Lyon asked for, and was granted, unanimous consent to take up Senate Bill No. 332, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 332, as Amended.

Senate Bill No. 332, as amended, read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No 332, as amended, finally passed by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Patterson, Peyser, Phillips, Reaves, Redwine, Robertson, Stream, Thorp, Turner, Voigt, Walker, Wallace, Weber, Williamson, Wright, and Mr Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 219—An act to amend section 94 of the Agricultural Code, relating to citrus fairs.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 219 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donnelly, Evans, Herbert J, Field, Fisher, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Latham, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Peyser, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Voigt, Walker, Wallace, Waters, Weber, and Mr. Speaker—54.

NOES—Evans, Ralph W., McCarthy, Reaves, and Robertson—4.

Title read and approved.

Notice of Reconsideration of Senate Bill No. 219.

Mr. Robertson gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 219 was this day passed.

Senate Bill No. 609—An act to amend section 669 of the Penal Code, relating to terms of imprisonment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 609 finally passed by the following vote:

AYES—Brennan, Burns, Cassidy, Clark, Corwin, Crowley, Dawson, DeLap, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Latham, Lore, Lyon, Maloney, Martin, Meehan, Miller, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Williamson, Wright, and Mr. Speaker—48.

NOES—Cottrell, Donihue, Field, Reaves, and Redwine—5.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 7, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 2488—An act authorizing any county, city and county, city, town, district, or any political subdivision of the State, or any public or municipal corporation of the State, in the letting of contracts for public work, or the doing of such work, to comply with requirements of Federal laws and of regulations and orders issued under authority thereof with respect to the awarding of contracts, hours of labor, employment preferences, and other matters covered thereby, and imposed as a condition or prerequisite to the loan or grant of Federal funds or the funds of any Federal corporation or agency in aid of such public work.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

The above reported bill ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 7, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No. 1182—*An act to provide for the levy and collection of a tax upon the incomes* of individuals, estates and trusts, and to provide for the disposition of the revenues therefrom, and to provide that this act shall take effect immediately—and appointed Senators Knowland, Parkman, and Powers, as a Committee on Conference, to meet a like committee from the Assembly.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Appointment of Committee on Free Conference Concerning Assembly Bill No. 1182.

The Speaker announced the appointment of Messrs. Redwine, Williamson, and Cottrell, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Assembly Bill No. 1182.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 718—An act to amend section 439 of the Vehicle Code, relating to stored vehicles.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Peyser:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "section", and insert in lieu thereof the following: "sections 384 and".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, as amended, strike out "stored", and insert in lieu thereof the following: "the registration and storage of".

Amendment No. 3.

On page 4 of the printed bill, as amended, between lines 2 and 3, insert the following:

"SECTION 1. Section 384 of the Vehicle Code is hereby amended to read as follows

384. Credit for Fees Paid Whenever any registered vehicle used or maintained for the transportation of persons for hire, compensation or profit for which fees have been paid under section 372 is withdrawn from service in this State before the expiration of such registration the owner may surrender the registration certificate and license plates previously issued for such vehicle to the department and make application for the registration of another vehicle which is subject to the fees specified in section 372 In such event and upon a proper showing of the facts the department upon determining the fees payable hereunder shall allow as credit thereon the amount of the fee paid under section 372 for the unexpired portion of the previous registration but in addition to fees otherwise payable hereunder less any such credit shall charge and collect an additional fee of two dollars for issuance of such new registration."

Amendment No. 4.

On page 4, line 3, of the printed bill, as amended, strike out "Section 1.", and insert in lieu thereof the following: "Sec. 2."

Amendments adopted

Request for Unanimous Consent.

Mr. Peyser asked for, and was granted, unanimous consent to take up Senate Bill No. 718, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 718, as Amended.

Senate Bill No. 718, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 718, as amended, finally passed by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Latham, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Morgan, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—63.

NOES—Donihue—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 464—An act to amend section 3051 of the Civil Code, relating to liens.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Donnelly:

Amendment No. 1.

On page 1, line 15, of the printed bill, as amended, after "stable", insert the following: "or feed yard".

Amendment adopted.

Request for Unanimous Consent.

Mr. O'Donnell asked for, and was granted, unanimous consent to take up Senate Bill No. 464, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 464, as Amended.

Senate Bill No. 464, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 464, as amended, finally passed by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W, Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Lore, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Waters, Weber, Wright, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1086—An act to establish legislative standards in relation to the rehabilitation of agriculture and the regulation of producers, packers, distributors, shippers, marketers, handlers, processors and others dealing in agricultural, viticultural, horticultural, and poultry products and of any competing commodity or product thereof; to provide for the issuance, administration and enforcement of State marketing agreements and State licenses; to prescribe the powers, duties and jurisdiction of the State Director of Agriculture in relation thereto; to suspend all antitrust and unfair competition laws of this State in conflict herewith and therewith; to prescribe remedies, rights, duties and penalties with respect to violations hereof and thereof; to provide ways, means and moneys for the administration and enforcement of said State marketing agreements and licenses; to limit the effective period of this act; to declare the existence of a State and National agricultural emergency.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1086 finally passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Morgan, Nielsen, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—60

NOES—Clark and Geyer—2

Title read and approved.

Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the House Dispensed With.

At eleven o'clock and thirty-five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Phillips.

The roll of absentees was called, and Senate Bill No. 233 finally passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donahue, Field, Frazier, Fulcher, Garibaldi, Gilmore, Hunt, Jones, Kallam, Lyon, Maloney, Martin, Mayo, McMurray,

Meehan, Miller, Minard, Morgan, Peterson, Peyser, Phillips, Redwine, Scudder, Stream, Thorp, Walker, Waters, Weber, and Williamson—41.

NOES—Anderson, Burns, Chatters, Clark, DeLap, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Johnson, Latham, Lore, McBride, McCarthy, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Richie, Riley, Robertson, Rosenthal, Turner, Utt, Voigt, Wagner, Wallace, Wright, and Mr. Speaker—35.

Title read.

Amendment to Title.

During reading of the title, the following amendment was submitted by Mr. Phillips:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, as amended, strike out "the California Highway Commission.", and insert in lieu thereof the following: "high-type paving"

Amendment adopted.

Title, as amended, read and approved.

Notice of Reconsideration of Senate Bill No. 233.

Mr. Turner gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 233 was this day passed.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 491—An act to amend section 3 of, and to add section 11.5 to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to definitions and the limitation of actions.

Bill read third time.

Motion to Lay Senate Bill No. 491 on the Table.

Mr. Glover moved that Senate Bill No. 491 be laid on the table.

The question being on the motion by Mr. Glover to lay Senate Bill No. 491 on the table.

Roll Call.

The Speaker ordered a roll call taken on the motion to lay Senate Bill No. 491 on the table.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donahue, Donnelly, Evans, Ralph W., Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Kallam, Lore, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Turner, Voigt, Wagner, Waters, and Williamson—46

NOES—Andreas, Boyle, Breed, Corwin, DeLap, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Johnson, Lyon, Mayo, McBride, Minard, Morgan, Peyser, Phillips, Redwine, Scudder, Thorp, Utt, Walker, Weber, Wright, and Mr. Speaker—27.

Senate Bill No. 492—An act to add sections 9.4 and 9.5 to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to liability.

Bill read third time.

Motion to Lay Senate Bill No. 492 on the Table.

Mr. Anderson moved that Senate Bill No. 492 be laid on the table.

The question being on the motion by Mr. Anderson to lay Senate Bill No. 492 on the table.

Roll Call.

The Speaker ordered a roll call taken on the motion to lay Senate Bill No. 492 on the table.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Ralph W., Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Kallam, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—57.

NOES—Boyle, Breed, Dawson, DeLap, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Johnson, Mayo, Minard, O'Donnell, Phillips, and Utt—16

Explanation of Vote.

The explanation of my vote on Senate Bill No. 492, I wish to state that I was called from the Chamber and thought that the vote was on final passage of the bill, and not on the motion to table the bill.

JOHN H. O'DONNELL

Senate Bill No. 356—An act to amend sections 1, 3, 4 and 5 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, and to add a new section thereto numbered 9a.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 356 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Johnson, Kallam, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—64

NOES—Gilbert, Hawkins, Hunt, Jones, McBride, McCarthy, and Patterson—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 347—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by

other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, as amended, by amending sections numbered 1.01 relating to definitions, 12.07 relating to bonds of officers and employees, 13.16 relating to liquidation by the Building and Loan Commissioner, 13.17 relating to assessments for salaries and expenses, 6.06 relating to payments entitled to preference, 12.04 relating to foreign associations, 13 13 relating to the commissioner's powers upon taking possession and 13.15 relating to schedules of property; and adding to said act new sections to be numbered 8.09 relating to dividends, 12.04a relating to foreign building and loan associations and 14.09 relating to liability for acts done or omitted in conformity with any rule, regulation, approval, consent, order, direction or other act of the Building and Loan Commissioner.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Scudder:

Amendment No. 1.

On page 3 of the printed bill, as amended, strike out line 15, and insert in lieu thereof the following: "investment certificates or any thereof, shall not be limited to".

Amendment adopted.

Request for Unanimous Consent.

Mr. Scudder asked for, and was granted, unanimous consent to take up Senate Bill No. 347, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 347, as Amended.

Senate Bill No. 347, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 347, as amended, finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1935.

MR. SPEAKER: Your committee on Engrossment and Enrollment has examined Assembly Bill No. 2486—An act to repeal section 5 of Chapter 656 of the Statutes of 1933 entitled "An act to add section 484.5 to the Fish and Game Code, to amend section 665, and to repeal sections 863, 876, 887 and 942 thereof, relating to fish

and game and making an appropriation for the purchase of certain property used in connection with the fishing industry," approved June 2, 1933, relating to an appropriation—and reports that the same has been correctly engrossed

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your committee on Engrossment and Enrollment has examined Assembly Bill No. 588—An act levying a tax upon the privilege of severing petroleum, natural gas, natural or casing head gasoline and other hydrocarbon substances from the earth, providing for the issuance of permits to producers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof and providing that the act shall take effect immediately—and reports that the same has been correctly re-engrossed.

WATERS, Chairman

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 703—An act to establish the Southern California Prison under the management and control of the State Board of Prison Directors; to provide for purchase or acquirement of farm lands by unconditional gift or use of lands owned by the State therefor, and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom, to provide for the equipment, conduct and management thereof; and to make an appropriation therefor—and reports that the same has been correctly re-re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1835—An act to amend sections 2 and 9 of, and to add sections 10 and 11 to, an act entitled "An act relating to the safety of design and construction of public school buildings, providing for regulation, inspection and supervision of the construction, reconstruction or alteration of or addition to public school buildings, and for the inspection of existing school buildings, defining the powers and duties of the State Division of Architecture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act, to take effect immediately," approved April 10, 1933, relating to the regulation and inspection of the construction of public school buildings—and reports that the same has been correctly re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1935.

MR. SPEAKER: Your Committee on Rules, to which was referred Senate Concurrent Resolution No. 42—Providing for the appointment of a joint legislative committee to consult with the Department of Finance regarding the remodeling and refurnishing of legislative committee rooms and offices for the members in the State Capitol—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

WALLACE, Chairman.

Senate Concurrent Resolution No. 42 ordered on file for adoption.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1935.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 955—An act to amend section 373j of the Political Code, relating to the Department of Natural Resources—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Second Reading of Senate Bills—(Resumed).

Senate Bill No. 955—An act to amend section 373j of the Political Code, relating to the Department of Natural Resources.

Bill read second time, and ordered on file for third reading.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 1090—An act to amend section 50 of the "State Housing Act," approved June 15, 1923, relating to the character and construction of fire escapes.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Utt:

Amendment No. 1.

On page 2, line 8, of the printed bill, as amended, after "balcony", strike out ", and when not in use it", also strike out lines 9 and 10, inclusive, and in line 11, strike out "at least twenty-one inches in width".

Amendment No. 2.

On page 2 of the printed bill, as amended, strike out lines 26, 27 and 28.

Amendments adopted.

Bill read, ordered to reprint, and on file for third reading.

Senate Bill No. 959—An act to amend section 675 of the Political Code, relating to the power of the director of the Department of Finance.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lyon:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out "power", and insert in lieu thereof the following: "powers and duties".

Amendment No. 2.

On page 1, line 3, of the printed bill, as amended, strike out "power", and insert in lieu thereof the following: "the following powers and duties".

Amendment No. 3.

On page 2 of the printed bill, as amended, after line 44, add the following:

"11. To lease in the name of, and upon behalf of, the State of California, and he shall, and is instructed to, lease, notwithstanding any act or acts inconsistent herewith, to the Gilmore Exploration Company for the production and extraction of oil, gas and other hydrocarbons therefrom, those certain tide, overflowed and submerged lands belonging to the State, situate in Orange County, described as follows, to wit:

Commencing at the point of intersection of the southwesterly prolongation of the center line of 10th Street of the city of Huntington Beach, Orange County, California, with the line of ordinary high tide of the Pacific Ocean, thence northwesterly along the line of ordinary high tide of the Pacific Ocean to the west line of section 3, township 6 S R 11W SBB & M; thence continuing along said line of ordinary high tide to the west line of section 33, township 5 south range 11 west SBB & M, thence continuing along the said line of ordinary high tide to the southeasterly line (or its prolongation northwesterly) of State prospecting permit No. 194 granted to Matilda Shallemiller the fourth day of November, 1929; thence southwesterly along the southeasterly line of said permit and its prolongation southwesterly one mile to a point in the Pacific Ocean; thence southeasterly parallel to the above described line of ordinary high tide to a point on the southwesterly prolongation of the center line of the above described 10th Street, said point being one mile southwesterly from the intersection of said center line of 10th Street and the said line of ordinary high tide; thence northeasterly along the prolongation of the center line of said 10th Street to the point of beginning:

if such lease, in addition to other things, provides:

a. A royalty to the State of twenty per centum (20%) in value or amount of all oil, gas or other hydrocarbons produced and saved, until the lessee shall have received from the proceeds of eighty per cent of all oil, gas or other hydrocarbons, all such costs, expenses, charges and liabilities, incurred by lessee in developing and operating such property, as shall be approved by the director, and thereafter a royalty of thirty per centum (30%).

b. That all drilling shall be done from islands constructed by the lessee and that the lessee shall not construct any island within five hundred feet of the line of ordinary high tide of the Pacific Ocean.

c. That the term of the lease shall be thirty years.

d. That the State reserves the right to grant to littoral owners, and to the successor, assignee, or authorized person of such littoral owner, a lease or easement to operate wells already slant drilled into the leased lands and also to drill new wells therein.

e. That the lessee will operate two strings of tools until it has drilled twelve wells and thereafter one string until it has drilled eighteen additional wells or a total of thirty wells, with the right in the lessee to drill as many additional wells as it desires.

f. All such other provisions, agreements and conditions as in the judgment of the director shall be proper to fully safeguard and protect the interests of the State.

All acts or parts of acts inconsistent herewith are hereby repealed in so far as the same may be necessary to make said lease legal and valid."

Amendments adopted.

Bill read, ordered to reprint, and on file for third reading.

Leave of Absence.

On motion of Mr. Rosenthal, Mr. Latham was granted leave of absence for the balance of this legislative day.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 7, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: I am returning herewith, without my approval, Assembly Bill No. 1165—An act to amend the title and sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14 and 16 of, and to add section 14½ to, an act entitled "An act providing an additional and/or alternative method for financing the acquirement, construction, development, improvement, reconstruction, extension and repair of waterworks systems by any political subdivision or public agency of the State authorized by law to own and operate such waterworks systems by the issuance and sale to the United States Government or any agency of said government of revenue bonds payable solely out of the revenue derived or to be derived therefrom; providing for the operation of such systems in case of deficiencies in revenues, providing for a statutory lien on works acquired, constructed, improved, reconstructed, extended or repaired under the provisions of this act; providing for the use of the power of eminent domain by political subdivisions or public agency proceeding under this act; defining the terms political subdivisions and public agencies as included herein, and providing a time for the expiration of said act," approved May 27, 1933, relating to publicly-owned public utilities.

This bill requires only a majority vote of the electors as a condition to authorizing an issue of bonds. The State Constitution has always forbidden the State or counties, cities, towns, townships, boards of education, or school districts to incur any indebtedness or liability exceeding in any year the income and revenue provided for such year without the assent of two-thirds of the qualified electors voting at an election to be held for that purpose. This is a salutary and precautionary restriction.

The huge volume of bond debt now outstanding against the State and such subdivisions indicates no substantial difficulty in persuading two-thirds of the electors to approve general obligation bonds when there is real need for borrowing. The effect of this bill would be to make public borrowing and spending easier by getting around the constitutional requirement. Public borrowing and spending should not be made easier.

California's experiences with the bond debt of irrigation and reclamation districts teaches us that public debt is not to be lightly incurred. Reports show that at the beginning of the year 1934, the total sum of bonds and interest in default,

together with outstanding registered warrants in irrigation and reclamation districts, amounted to many millions of dollars.

The bill fails to protect the expenditure of funds provided by the sale of the proposed bonds, in that there is no limitation of the amounts which may be expended for underwriting and promotional expenses, nor does it prescribe the minimum percentage of the proceeds of the bond sales that must actually go into the construction or improvements. The lack of such a wise provision and necessary limitations justified the rejection of the measure.

The bill also makes the bonds to be issued legal investments for all trust funds, State school funds, and funds of insurance companies and banks, and legal security for public deposits.

This may be done without any restriction, investigation, or approval of particular issues, either as to safety or legality, by the Commissioner of Corporations, the Bank Superintendent, or any other State officer or agency. The credit of the political subdivision issuing these bonds is not pledged for the payment of them. Payment depends, according to their terms, upon the success of a business enterprise. Certainly bank deposits and public money should not be subject to such hazardous investment.

Recent elections in this State indicate that the people are opposed to this type of financing. At the election held in the city of Los Angeles, on April 2d of this year, 86,001 people voted in favor of an amendment to the charter of the city of Los Angeles permitting the issuance of revenue bonds by various city departments and 138,855 voted against them.

In the city of San Francisco, on May 2d of this year, 50,306 votes were cast in favor of an amendment to the San Francisco city charter authorizing the issuance of revenue bonds by a majority vote of the people. Seventy-two thousand one hundred six votes were cast against this enactment. This was the third time that the people of San Francisco had rejected an amendment to its city charter authorizing the issuance of revenue bonds.

In November, 1934, a revenue bond amendment was voted into the charter of the city of Alameda by a narrow majority of 143 votes. Within four months thereafter the people of Alameda amended their charter by a majority of 2,406 votes to provide that no revenue or other bonds shall be issued, except on a two-thirds vote of the electors.

Probably the effect of this bill is to write into the organic law of political subdivisions such as San Francisco, Los Angeles and Alameda, permissive provisions respecting revenue bonds which the voters of those subdivisions have rejected I do not think such legislation should be thrust on the people of any community against their will.

The question of public ownership is not involved in this bill. I have and do now favor public ownership. This has been especially demonstrated in my support of the Central Valley Water Project and efforts to promote its realization. However, neither public ownership nor private ownership should be permitted to violate the fundamental principles of sound economics and well established constitutional limitations.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 1165 ordered on unfinished business file.

Motion to Continue Unfinished Business.

Mr. Lyon moved that all unfinished business on the Daily Calendar be continued to the next legislative day.

Motion carried

Adjournment.

At eleven o'clock and fifty-five minutes p.m , on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Saturday, June 8, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Saturday, June 8, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—79.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Garibaldi, its further reading was dispensed with.

Leave of Absence.

On motion of Mr. Utt, Mr. Welsh was granted leave of absence for the day.

Privilege of Floor of Assembly Extended.

On request of Mr. Weber, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. F. S. Marnell of Stockton.

ASSISTANT CLERK OLIVER READING.

Introduction and Reference of Bills.

The following bill was introduced:

By Messrs. Meehan and Fisher: Assembly Concurrent Resolution No. 51—Relative to the establishment of a free employment bureau in the city of Oakland.

Introduced.

Request for Unanimous Consent.

Mr. Fisher asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 51, at this time, without reference to printer, committee or file, and that same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 51.

Assembly Concurrent Resolution No 51—Relative to the establishment of a free employment bureau in the city of Oakland.

Assembly Concurrent Resolution No. 51 read.

Mr. Fisher moved the adoption of Assembly Concurrent Resolution No. 51.

The question being on the adoption of Assembly Concurrent Resolution No. 51.

The roll was called, and Assembly Concurrent Resolution No. 51 adopted by the following vote:

AYES—Anderson, Andreas, Brennan, Chatters, Corwin, Cunningham, DeLap, Evans, Herbert J., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Hawkins, Heisinger, Hunt, Laughlin, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Morgan,

Nielsen, O'Donnell, Pelletier, Phillips, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Utt, Wagner, Walker, Waters, Williamson, and Mr. Speaker—41.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 51 ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 51.

Relative to the establishment of a free employment bureau in the city of Oakland.

WHEREAS, In the area of the city of Oakland west of Market Street and south of Twentieth Street, there is a great industrial community and a large portion of the city's laborers; and

WHEREAS, The Legislature deems it advisable that the Chief of the Division of Labor Statistics and Law Enforcement establish a free employment agency in that district; now therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That it be recommended to the Chief of the Division of Labor Statistics and Law Enforcement that he, under the authority vested in him by "An act to establish free employment bureaus under the control of the Commissioner of the Bureau of Labor Statistics and making an appropriation therefor," approved May 17, 1915, establish a free employment agency in the city of Oakland to be located within the area lying west of Market Street and south of Twentieth Street; and be it further

Resolved, That a copy of this resolution be forwarded by the Chief Clerk of the Assembly to the Chief of the Division of Labor Statistics and Law Enforcement.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Walker:

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1935.

MR SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 526 of the Political Code, relating to State printing.

Referred to Committee on Introduction of Bills.

Resolution.

The following resolution was offered:

By Messrs. Wagner, Anderson, Morgan, Thorp, Donihue, Brennan, Crowley, Cassidy, Gilmore, and Fisher:

Assembly Resolution.

Resolved by the Assembly of the State of California, That the Special Assembly Committee on Unemployment Relief, appointed pursuant to a resolution adopted by the Assembly on May 29, 1935, shall, in addition to the powers specified in said resolution, have power to gather information and to conduct investigations concerning the administration and enforcement, whether by the State or by any county or local authority, of all provisions of law relating to or in any way touching upon social welfare, including aid to the aged, orphan aid and aid to indigents, and to report thereon, together with its recommendations, to the Assembly at the fifty-second session thereof, and at any special session of the Legislature that may be called to convene prior to the date of commencement of the fifty-second session of the Legislature; and be it further

Resolved, That in carrying out the above objects such committee is authorized to use all of the powers and authority conferred upon it by said resolution adopted May 29, 1935.

Resolution by Messrs. Wagner, Anderson, Morgan, Thorp, Donihue, Brennan, Crowley, Cassidy, Gilmore, and Fisher read.

Mr. Wagner moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Chatters, Clark, Corwin, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J. Fisher, Flint, Fulcher, Garibaldi,

Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Latham, Laughlin, Maloney, Martin, Mayo, McBride, McMurray, Miller, Morgan, Nielsen, Pelletier, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Voigt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—50.

NOES—None.

Explanation of Vote.

We, the undersigned, members of the San Francisco delegation, do hereby declare that in voting for a resolution to investigate Social Welfare Department and SERA in California we voted for same with no thought in mind of investigating the activities of the Social Welfare Department located in the City and County of San Francisco.

WM. B. HORNBLOWER,
THOMAS A. MALONEY,
MELVYN I. CRONIN,
JOSEPH P. GILMORE,
P. J. McMURRAY.

Motion to Withdraw Assembly Constitutional Amendment No. 9.

Mr. Heisinger moved that Assembly Constitutional Amendment No. 9 be withdrawn from Committee on Constitutional Amendments, and placed on file for adoption.

The question being on the motion by Mr. Heisinger to withdraw Assembly Constitutional Amendment No. 9 from Committee on Constitutional Amendments.

Demand for Previous Question.

Messrs. Mayo, Brennan, Morgan, Boyle, and Robertson demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion by Mr. Heisinger to withdraw Assembly Constitutional Amendment No. 9 from Committee on Constitutional Amendments.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Heisinger to withdraw Assembly Constitutional Amendment No. 9 from Committee on Constitutional Amendments.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Rosenthal moved a call of the House.

Roll Call.

The Speaker ordered a roll call taken on the motion for a call of the House.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Boyle, Clark, Donahue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, Martin, McCarthy, McMurray, Miller, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, Walker, and Weber—28.

NOES—Breed, Brennan, Chatters, Corwin, Cunningham, Dawson, DeLap, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Hornblower, Johnson, Latham, Lyon, Maloney, Mayo, Minard, Morgan, Robertson, Scudder, Stream, Thorp, Utt, Wright, and Mr. Speaker—27

Time, ten o'clock and forty-five minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Boyle, Breed, Brennan, Chatters, Clark, Corwin, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson,

Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, Pelletier, Reaves, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Weber, Wright, and Mr. Speaker—55.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent. Motion to Re-refer Assembly Bill No. 2131.

Mr. Scudder moved that Assembly Bill No. 2131 be withdrawn from Committee on Conservation, and ordered re-referred to Committee on Ways and Means

The question being on re-referring Assembly Bill No. 2131 to Committee on Ways and Means.

Motion carried

Assembly Bill No. 2131 ordered re-referred to Committee on Ways and Means.

Motion to Set Special Order for Assembly Bill No. 1289.

On motion of Mr. Gilmore, the consideration of Assembly Bill No. 1289 was made a special order of business for Monday, June 10, 1935, at eleven o'clock a.m.

Motion to Set Special Order for Assembly Bill No. 2474.

On motion of Mr. Gilmore, the consideration of Assembly Bill No. 2474 was made a special order of business for Monday, June 10, 1935, at eleven o'clock and one minute a.m.

Reports of Standing Committees.

The following reports of standing committee were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1426—An act to amend section 3820 of the Political Code, relating to assessor to collect taxes not secured by real property;

Also: Assembly Bill No. 1550—An act to add section 32a to "An act creating a State Land Settlement Board, and defining its powers and duties, and making an appropriation in aid of its operations," approved June 1, 1917, as amended, and to ratify and confirm certain acts of the Director of Finance with respect to the disposition of properties at the Delhi State Land Settlement and Durham State Land Settlement;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighth day of June, 1935, at ten o'clock and thirty minutes a.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 305—An act to amend section 1357 of the Political Code, relating to absentee voters;

Also: Assembly Bill No. 1792—An act validating the purchase of bonds by municipalities under the Improvement Act of 1911 and the Improvement Act of 1915 from the proceeds of the delinquent street assessment fund provided for in said act;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eighth day of June, 1935, at ten o'clock a.m.

WATERS, Chairman.

Report of Committee on Free Conference.

The following report of Committee on Free Conference was received and read:

Concerning Assembly Bill No. 1188.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1935.

MR. SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 1188—An act to add a new article to Chapter I of Part III of Division IV of

the School Code to be known as Article XI, and to add a new chapter to Part III of Division IV of the School Code to be known as Chapter IV, all relating to school district funds—reports that it has met a like committee of the Senate, consisting of Senators Scollan, Jespersen, and Young, and reports that the Committee on Free Conference has agreed to recommend the following: That the Assembly concur in the Senate amendments, and that the bill be further amended as follows:

Amendment No. 1.

On page 2, line 22, of the printed bill, as amended, strike out the word "chapter", and insert in lieu thereof the word "article".

McMURRAY,
FULCHER,
DESMOND,
Assembly Committee on Free Conference.

SCOLLAN,
YOUNG,
JESPERSEN,
Senate Committee on Free Conference.

Report of Committee on Free Conference concerning Assembly Bill No. 1188 read.

Mr. McMurray moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Chatters, Clark, Corwin, Cunningham, Dawson, DeLap, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Garibaldi, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Reaves, Redwine, Richie, Robertson, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 1188 ordered to enrollment.

Unfinished Business.

Consideration of Senate Amendment to Assembly Bill No. 1324.

Assembly Bill No. 1324—An act to amend sections 1, 3, 4 and 5 of an act entitled "An act to reduce the fire hazards of clothes cleaning establishments, providing for the enforcement thereof by the Division of Fire Safety in the Department of Industrial Relations, providing ways and means for enforcement and providing penalties for violations," approved June 3, 1927, relating to clothes cleaning establishments.

The question being put. Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1324?

Amendment No. 1.

On page 13, line 20, of the printed bill, as amended, after "solvents", insert the following "of the chlorinated hydrocarbon type".

The roll was called, and Senate amendment to Assembly Bill No. 1324 was concurred in by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Chatters, Clark, Corwin, Dawson, Donihue, Evans, Ralph W., Field, Fisher, Flint, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Reaves, Redwine, Richie, Robertson, Scudder, Stream, Thorp, Turner, Utt, Wagner, Waters, Weber, Williamson, Wright, and Mr Speaker—50

NOES—None

Assembly Bill No 1324 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 128.

Assembly Bill No. 128—An act to add section 488a to the Penal Code, relating to the punishment for theft in certain cases.

The question being put. Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 128?

Amendment No. 1.

On page 1, line 17, of the printed bill, after the word "avocados", insert the following: "or citrus fruit".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, as amended, strike out "of certain amounts of avocados", and insert in lieu thereof the following: "in certain cases".

Amendment No. 3.

On page 1, line 4, of the printed bill, as amended, before "fruit", insert the following. "or deciduous".

The roll was called, and Senate amendments to Assembly Bill No. 128 were concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Cassidy, Chatters, Corwin, Cottrell, Cronin, Dawson, DeLap, Donihue, Evans, Herbert J., Field, Fisher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Reaves, Redwine, Richie, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Weber, Williamson, Wright, and Mr. Speaker—52.

NOES—Evans, Ralph W., and Lore—2.

Assembly Bill No. 128 ordered to enrollment.

Consideration of Senate Amendment to Assembly Concurrent Resolution No. 44.

Assembly Concurrent Resolution No. 44—Relating to the termination of the probationary period of all persons employed by the various departments of the State and mentioned in subdivision (e) of Article XXIV of the Constitution of this State.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Concurrent Resolution No. 44?

Amendment No. 1.

On page 1, line 4 of the title of the printed measure, after "(e)", insert the following: "of section 5".

The roll was called, and Senate amendment to Assembly Concurrent Resolution No. 44 was concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Dawson, DeLap, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Reaves, Redwine, Richie, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Weber, Wright, and Mr. Speaker—55.

NOES—None.

Assembly Concurrent Resolution No. 44 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 1270.

Assembly Bill No. 1270—An act to add section 9½ to "An act to provide for the aid and relief of indigents," approved June 5, 1933, relating to the sale of personal property of such persons upon their death.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1270?

Amendment No. 1.

On page 1, line 7, of the printed bill, strike out the word "said", and insert in lieu thereof the following: "any such indigent".

The roll was called, and Senate amendment to Assembly Bill No. 1270 was concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Corwin, Cottrell, DeLap, Donihue, Evans, Herbert J., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Weber, Williamson, Wright, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 1270 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 845.

Assembly Bill No. 845—An act to amend the title and sections 1, 2, 3, 4, 5, 6, 7, 9, 10, 15, 16, 17, 20, 22 and 24½ and to repeal section 3½ of an act entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department and to assess and collect taxes, from time to time, for such purpose, and to create a board of fire commissioners," approved March 4, 1881, as amended, relating to fire departments in unincorporated towns and villages.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 845?

Amendment No. 1.

On page 7 of the printed bill, as amended, between lines 37 and 38, insert the following:

"Where any lot or parcel of land containing more than five acres is included within the fire limits of the district, the board of supervisors, upon application of the owner or owners of such lot or parcel, shall exclude from such district and from the taxable property therein, all of said lot or parcel in excess of five acres thereof, which five acres shall include all portions of said lot or parcel on which are situated any buildings or improvements."

The roll was called, and Senate amendment to Assembly Bill No. 845 was concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Dawson, DeLap, Desmond, Donihue, Evans, Herbert J., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hunt, Johnson, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Weber, Williamson, and Mr. Speaker—56.

NOES—None.

Assembly Bill No 845 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 2408.

Assembly Bill No 2408—An act to add a new section to the Code of Civil Procedure to be numbered 349¾, relating to the limitation of the time within which actions, for trespass, use or occupancy of real property by oil or gas wells, and for damages by reason thereof, and for the conversion or for the taking or removing of oil, gas or other liquid or fluids by means of any such well, may be commenced, fixing the measure of damages in certain of such cases, and defining oil and gas for the purposes of this act.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2408?

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out the word "ninety", and insert in lieu thereof the following: "one hundred and eighty".

Amendment No. 2.

On page 2, line 17, of the printed bill, strike out the word "ninety", and insert in lieu thereof the following: "one hundred and eighty".

Amendment No. 3.

On page 2, line 18, of the printed bill, strike out the word "ninety", and insert in lieu thereof the following: "one hundred and eighty".

Amendment No. 4.

On page 3, line 3, of the printed bill, strike out the word "ninety", and insert in lieu thereof the following: "one hundred and eighty".

Amendment No. 5.

On page 3, line 5, of the printed bill, strike out the word "ninety", and insert in lieu thereof the following: "one hundred and eighty".

The roll was called, and Senate amendments to Assembly Bill No. 2408 were concurred in by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donahue, Field, Fisher, Flint, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Weber, Williamson, Wright, and Mr. Speaker—58.

NOES—Lore—1

Assembly Bill No 2408 ordered to enrollment.

Motion to Reconsider Assembly Bill No. 2412 Continued.

Mr. Turner moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2412 was refused passage be continued until the next legislative day.

Motion carried.

Motion to Reconsider Assembly Bill No. 1103 Continued.

Mr. Lore moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 1103 was passed be continued until the next legislative day.

Motion carried.

Consideration of Senate Amendments to Assembly Bill No. 1666.

Assembly Bill No. 1666—An act to amend sections 2 and 7 of "an act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof," and repealing an act entitled "An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof,' approved June 5, 1931, and all acts or parts of acts inconsistent with the provisions of this act.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1666?

Amendment No. 1.

On page 2 of the printed bill, after line 47, add the following new section to read as follows:

"SEC. 3. The provisions of these amendments to the act cited in the title hereof shall not be, or become, effective until January 1, 1936."

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, as amended, after "7 of", strike out "an", and insert in lieu thereof quotation marks and the following: "An".

Amendment No. 3.

On page 1 of the printed bill, as amended, in the last line of the title, strike out the period, and insert in lieu thereof a comma, quotation marks, and the following: "approved May 15, 1933, relating to motor carrier transportation agents."

The roll was called, and Senate amendments to Assembly Bill No. 1666 were concurred in by the following vote:

AYES—Anderson, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Field, Flint, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr Speaker—59

NOES—None.

Assembly Bill No 1666 ordered to enrollment.

Reconsideration of Senate Bill No. 219 Waived.

Mr. Robertson waived his notice to reconsider the vote whereby Senate Bill No. 219 was passed.

Senate Bill No. 219 ordered transmitted to the Senate.

Third Reading of Assembly Bills.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, June 7, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 707—An act to amend sections 12, 13 and 16 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon, to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing.

In my opinion said Assembly Bill No. 707 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F MERRIAM, *Governor of California.*

Assembly Bill No 707—An act to amend sections 12, 13 and 16 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon, to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Lyon:

Amendment No. 1.

On page 2, line 16, of the printed bill, as amended, strike out "possible", and insert in lieu thereof the following, "impossible".

Amendment adopted.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No 707, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 707, as Amended.

Assembly Bill No 707, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 707, as amended, passed by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Crowley, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Gilmore, Glover, Hawkins Hornblower, Hunt, Johnson, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Minard, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—55.

NOES—Geyer, Lore, McCarthy, and Morgan—4.

Title read and approved

Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the House Dispensed With.

At eleven o'clock and twenty minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Rosenthal.

The roll of absentees was called, and the motion by Mr. Heisinger to withdraw Assembly Constitutional Amendment No. 9 from Committee on Constitutional Amendments was carried by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Clark, Cronin, Crowley, Cunningham, Dawson, Domhue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, Martin, McCarthy, McMurray, Meehan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Riley, Rosenthal, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, and Williamson—43.

NOES—Breed, Brennan, Chatters, Corwin, DeLap, Desmond, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Hornblower, Johnson, Latham, Lyon, Maloney, Mayo, McBride, Miller, Minard, Morgan, Nielsen, Peterson, Phillips, Redwine, Robertson, Scudder, Stream, Utt, Weber, Wright, and Mr. Speaker—32.

Assembly Constitutional Amendment No. 9 ordered on file for adoption.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2486—An act to repeal section 5 of Chapter 656 of the Statutes of 1933 entitled "An act to add section 484.5 to the Fish and Game Code, to amend section 665, and to repeal sections 863, 876, 887 and 942 thereof, relating to fish and game and making an appropriation for the purchase of certain property used in connection with the fishing industry," approved June 2, 1933, relating to an appropriation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2486 passed by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Gilbert, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, O'Donnell, Pelletier, Peterson, Phillips, Reaves, Redwine.

Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Weber, Williamson, Wright, and Mr Speaker—58.
NOES—McCarthy—1.

Title read and approved.
Bill ordered transmitted to the Senate.

Third Reading of Senate Bills.

Senate Bill No. 834—An act to amend the title and sections 1, 7, and 12 of, to repeal section 15 of, and to add section 17 to an act entitled "An act to establish an institution for the confinement, care and reformation of women misdemeanants, and women convicted of a felony the punishment for which is less than death; to provide for its maintenance, conduct and government, and to make an appropriation therefor, approved May 9, 1929, relating to the California Institution for Women."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 834 finally passed by the following vote:

AYES—Anderson, Andreas, Breed, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Evans, Herbert J., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wright, and Mr Speaker—55.
NOES—Brennan, Cassidy, Cottrell, Desmond, Donnelly, Lore, O'Donnell, Richie, Wallace, Weber, and Williamson—11

Title read and approved
Bill ordered transmitted to the Senate.

Senate Bill No. 835—An act to add section 1168a to the Penal Code, relating to the California Institution for Women.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 835 finally passed by the following vote:

AYES—Anderson, Andreas, Breed, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Hunt, Johnson, Jones, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Miller, Minard, Morgan, O'Donnell, Pelletier, Peterson, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Weber, Wright, and Mr. Speaker—56.
NOES—Cassidy, Lore, and Williamson—3

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No 836—An act to amend sections 1202a, 1572, 1576, and 1586, of the Penal Code, relating to the State prisons

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 836 finally passed by the following vote:

AYES—Anderson, Andreas, Breed, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Johnson, Jones, Laughlin, Maloney, Martin, Mayo, McBride,

McMurray, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Weber, Wright, and Mr. Speaker—57.

NOES—Cassidy, Hunt, Lore, O'Donnell, Richie, and Williamson—6.

Title read and approved.

Bill ordered transmitted to the Senate.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1935.

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 526 of the Political Code, relating to State printing.

CUNNINGHAM, Chairman.

Report of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Anderson Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hunt, Johnson, Jones, Laughlin, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Weber, Williamson, Wright, and Mr. Speaker—64.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced

By Mr. Walker: Assembly Bill No. 2490—An act to amend section 526 of the Political Code, relating to State printing.

Bill read first time.

Request for Unanimous Consent.

Mr Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No 2490, at this time, without reference to printer, committee or file, and that same be considered engrossed.

Consideration of Assembly Bill No. 2490.

Assembly Bill No. 2490—An act to amend section 526 of the Political Code, relating to State printing.

Case of Urgency.

The following resolution was offered.

By Mr. Lyon:

Resolved, That Assembly Bill No. 2490 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read

The question being on the adoption of the resolution.

The roll was called, and the resolution was adopted by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J,

Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Heisinger, Johnson, Jones, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Voigt, Wagner, Wallace, Weber, Williamson, and Mr. Speaker—57.

NOES—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 2490.

Second Reading of Assembly Bill No. 2490.

Assembly Bill No. 2490 read second time.

Third Reading of Assembly Bill No. 2490.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2490 passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Voigt, Wagner, Wallace, Weber, Williamson, Wright, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1314—An act to amend sections 1a, 3, 4, 9b, 10a, 10b, 11a, 11b, c, d, e, and 12 of, and to add new sections 11f and g to an act entitled "An act to regulate land surveying and to define the duties of and to license land surveyors, to provide for the revocation of such licenses and the restoration thereof, to make certain acts misdemeanors and to provide penalties therefor, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 16, 1907," approved May 24, 1933.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Cunningham:

Amendment No. 1.

On page 5, line 5, of the printed bill, as amended, strike out "recorder", and insert in lieu thereof the following: "surveyor".

Amendment No. 2.

On page 5, line 7, of the printed bill, as amended, strike out "Provided, however, that such record of survey", and insert in lieu thereof the following: "Such record of survey, however".

Amendment No. 3.

On page 5, line 18, of the printed bill, as amended, strike out "recorder", and insert in lieu thereof the following: "surveyor".

Amendment No. 4.

On page 5, line 24, of the printed bill, as amended, strike out "recorder", and insert in lieu thereof the following: "surveyor".

Amendment No. 5.

On page 5, line 26, of the printed bill, as amended, after "thereof", insert a comma and the following: "and shall present said map to the county recorder for filing".

Amendment No. 6.

On page 5, line 30, of the printed bill, as amended, strike out "recorder", and insert in lieu thereof the following: "surveyor".

Amendment No. 7.

On page 5, line 45, of the printed bill, as amended, strike out "inches,".

Amendment No. 8.

On page 5, line 46, of the printed bill, as amended, strike out the comma and "a", and insert in lieu thereof a period and the following: "A".

Amendments adopted.

Bill read, ordered to reprint, re-re-re-engrossment, and third reading.

Motion to Print Assembly Bill No. 2365.

Mr. Cronin moved that the Chief Clerk instruct the State Printer to print 1,000 copies of Assembly Bill No 2365.

Motion carried.

Recess.

At twelve o'clock and five minutes p.m., on the motion of Mr. Lyon, the Assembly was declared at recess until one o'clock and forty-five minutes p.m., this day.

Reassembled.

At one o'clock and forty-five minutes p.m , the Assembly reconvened. Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 213—An act to amend sections 137, 138, and 166 of, and to add sections 171 and 172 to the Fish and Game Code, relating to game refuges;

Also Assembly Bill No 2489—An act to amend sections 105, 109 and 111 of the Vehicle Code, relating to the Department of Motor Vehicles,

And reports that the same have been correctly engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No 9—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State by adding to Article XIII thereof, a new section to be numbered 5, relating to taxation—and reports that the same has been correctly engrossed

WATERS, Chairman

Assembly Coustitutional Amendment No 9 ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2382—An act to regulate the practice of structural pest control; to create the Structural Pest Control Board; to provide for the registration and licensing of persons engaged in such practice, and for the protection of the public in the practice of structural pest control—and reports that the same has been correctly re-re-re-engrossed

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1302—An act to amend sections 2, 3, 7, 12, 18 and 20 of an act entitled "An act to regulate the practice of pharmacy in the State of California,

and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to pharmacy—and reports that the same has been correctly re-engrossed.

WATERS, Chairman

The above reported bill ordered on file for third reading.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1935.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 1125—An act to amend sections 376a and 376b of the Political Code, relating to the Department of Penology—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

FIELD, Chairman

The above reported bill ordered on file for second reading.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1935.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 2489—An act to amend sections 105, 109 and 111 of the Vehicle Code, relating to the Department of Motor Vehicles—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

HORNBLOWER, Chairman.

The above reported bill ordered on file for second reading.

Second Reading of Senate Bills.

Senate Bill No. 1125—An act to amend sections 376a and 376b of the Political Code, relating to the Department of Penology.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 6 and 7, of the printed bill, strike out the words "the membership of the State Board of Prison Directors.".

Amendment No. 2.

On page 1, line 6, of the printed bill, after the word "from", insert the words "the chiefs of the divisions of the department,".

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

Second Reading of Assembly Bills.

Assembly Bill No. 2489—An act to amend sections 105, 109 and 111 of the Vehicle Code, relating to the Department of Motor Vehicles.

Bill read second time, ordered to engrossment, and third reading

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 8, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 847—An act to amend section 31 and to amend and renumber sections 51a and 51b as added by Chapter 999 of the Statutes of 1933, of "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to public utility districts in unincorporated territory;

Also. Senate Bill No. 884—An act to add section 321 5 to the Agricultural Code, relating to meat inspection;

Also: Senate Bill No. 533—An act to add Title XXV to Part IV, Division I, of the Civil Code, relating to the incorporation of cooperative corporations, who may organize, purpose and powers, distribution of benefits, and vote and consisting of sections 653.1 to 653.16;

Also: Senate Bill No. 771—An act to add sections 5a and 7 to "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931, relating to the employment of apprentices

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 8, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 518—An act to amend the title of the act establishing a Probate Code, approved May 11, 1931, and to add Division IIa thereto, relating to missing persons;

Also. Senate Bill No. 468—An act to amend the title and to add a new section numbered 18a to the State Medical Practice Act, approved June 2, 1913, as amended, relating to remedies for violations;

Also: Senate Bill No 669—An act to amend section 11716 of the Insurance Code, relating to insurance practice in respect to deposits of cash or security by workmen's compensation insurers.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 8, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to Senate Bill No. 626—An act to add a new section, to be numbered 715 5, to the Vehicle Code, relating to weights of vehicles on certain highways—and requests that your honorable body recede therefrom.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 626 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 8, 1935.

MR SPEAKER. I am directed to inform your honorable body that the Senate amended and on this day passed as amended, Assembly Bill No. 1189—An act to amend sections 81, 116, 116b, 274c, 437c, 477, 594, 632, 639, 652, 655, 664, 667a, 668, 670, 675, 973, 1033, 1052, 1134 and 1135 of the Code of Civil Procedure, and to add section 35 thereto, relating to civil actions;

Also: Assembly Bill No 437—An act to amend section 112 of, and to add section 112a to, the Code of Civil Procedure, relating to the jurisdiction of justices' courts. And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos 1189 and 437 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 8, 1935.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 205—An act to amend section 702 of the Code of Civil Procedure, relating to redemption interest;

Also: Assembly Bill No. 827—An act to validate the organization and bonds of municipal improvement districts formed under the Municipal Improvement District Act of 1927 and providing for the levy of special assessment taxes to pay said bonds.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary

Assembly Bills Nos 205 and 827 ordered to enrollment

Also:

SENATE CHAMBER, SACRAMENTO, June 8, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1127—An act to amend section 378 of the Fish and Game Code and to add thereto section 375.5, relating to migratory bird reservations.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 1127 read first time, and referred to Committee on Fish and Game.

Also:

SENATE CHAMBER, SACRAMENTO, June 8, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 53—Relative to approving a certain amendment to the charter of the city of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of June, 1935.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Concurrent Resolution No. 53 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 8, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 534—An act relating to persons in private psychopathic institutions.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced:

By Mr. Wagner: Assembly Concurrent Resolution No. 52—Relative to the establishment of a free employment bureau in the city of Alameda.

Introduced.

Request for Unanimous Consent.

Mr. Wagner asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 52, at this time, without reference to printer, committee or file, and that same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 52.

Assembly Concurrent Resolution No. 52—Relative to the establishment of a free employment bureau in the city of Alameda.

Assembly Concurrent Resolution No. 52 read.

Mr. Wagner moved the adoption of Assembly Concurrent Resolution No. 52.

The question being on the adoption of Assembly Concurrent Resolution No. 52.

The roll was called, and Assembly Concurrent Resolution No. 52 adopted by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Clark, Corwin, Cronin, Cunningham, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hunt, Laughlin, Lore, Martin, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Rosenthal, Scudder, Stream, Thorp, Wagner, Walker, Waters, Weber, Wright, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 52 ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 52.

Relative to the establishment of a free employment bureau in the city of Alameda.

WHEREAS, Within the boundaries of the city of Alameda there is a great industrial community and a large number of persons seeking employment therein; and

WHEREAS, The Legislature deems it advisable that the Chief of the Division of Labor Statistics establish a free employment agency in that district; now, therefore be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That it be recommended to the Chief of the Division of Labor Statistics and Law Enforcement that, under the authority vested in him by "An act to establish free employment bureaus under the control of the Commissioner of the Bureau of Labor Statistics and making an appropriation therefor," approved May 17, 1915, he establish a free employment agency in the city of Alameda; and be it further

Resolved, That a copy of this resolution be forwarded by the Chief Clerk of the Assembly to the Chief of the Division of Labor Statistics and Law Enforcement.

Motion.

Mr. DeLap moved, seconded by Mr. Wagner, that the Chief Clerk be instructed to send flowers to Mr. Welsh at the Sutter Hospital.

Motion carried.

Third Reading of Senate Bills—(Resumed).

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 4, 1935

To the Honorable Members of the Assembly.
State of California, Sacramento, California.

GREETINGS: Senate Bill No 955—An act to amend section 373j of the Political Code, relating to the Department of Natural Resources.

In my opinion said Senate Bill No 955 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Senate Bill No 955—An act to amend section 373j of the Political Code, relating to the Department of Natural Resources.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 955 finally passed by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Clark, Corwin, Cottrell, Cunningham, DeLap, Domhue, Donnelly, Field, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hunt, Jones, Latham, Laughlin, Lore, Martin, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Rosenthal, Scudder, Stream, Thorp, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—45.

NOES—Evans, Ralph W, and Flint—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Leave of Absence.

On motion of Mr. Johnson, Mr. Breed was granted leave of absence for the balance of this legislative day.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 821—An act to amend section 605 of the Probate Code, relating to appointment of appraisers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 821 finally passed by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hunt, Johnson, Jones, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Reaves, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—55.

NOES—Cronin—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Motion by Mr. Lyon.

Mr. Lyon moved that pages 52 to 57, inclusive, of the Assembly Journal of June 4, 1935, be corrected and approved to show that the amendments as offered by Mr. Lyon, and others, to Senate Bill No. 919 be correctly numbered, and that the following amendments, Nos. 26 and 27, as adopted by the Assembly on June 4th, and omitted from the Journal of that day, be noted therein; and that said Journal of June 4th, relative to said Senate Bill No. 919, be and the same is hereby corrected to read as follows:

Special Order.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration

Consideration of Senate Bill No. 919.

Senate Bill No. 919—An act to license, regulate and control the manufacture, transportation, sale, purchase, possession and disposition of alcoholic beverages; to levy an excise tax on the sale of alcoholic beverages; to provide for the licensing of the manufacture, distribution and sale of alcoholic beverages; to prescribe penalties for the violation of this act; to make an appropriation for the enforcement of this act; to take effect immediately.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lyon:

Amendment No. 1.

On page 7 of the printed bill, as amended, between lines 24 and 25, insert the following:

"For failure to reapply for a license prior to the time when any license expires, the board may by regulation prescribe that in addition to the license fees specified in section 5 hereof a penalty of not to exceed twenty-five per cent of such fees must be paid."

Amendment No. 2.

On page 10, line 19, of the printed bill, as amended, strike out the words "upon the premises of such manufacturers and", and in lieu thereof insert the following: "unless proven to the satisfaction of the board".

Amendment No. 3.

On page 10, line 27, of the printed bill, as amended, strike out "cent", and insert in lieu thereof "cents".

Amendment No. 4.

On page 11, line 9, of the printed bill, as amended, strike out the word "security", and insert in lieu thereof the word "surety".

Amendment No. 5.

On page 11, line 16, of the printed bill, as amended, strike out the word "present", and insert in lieu thereof the word "presents".

Amendment No. 6.

On page 11, line 22, of the printed bill, as amended, strike out the word "Alcohol", and insert in lieu thereof the word "Alcoholic".

Amendment No. 7.

On page 11, lines 27 and 28, of the printed bill, as amended, strike out "taxes, penalties and fines", and insert in lieu thereof "taxes and penalties".

Amendment No. 8.

On page 11, line 32, of the printed bill, as amended, strike out the word "and", and insert in lieu thereof the word "or".

Amendment No. 9.

On page 11, line 34, of the printed bill, as amended, after the word "shall", insert the words "fail to".

Amendment No. 10.

On page 11, line 35, of the printed bill, as amended, strike out the word "registered".

Amendment No. 11.

On page 11, line 39, of the printed bill, as amended, after the word "sureties", insert "as hereinafter provided".

Amendment No. 12.

On page 16, line 13, of the printed bill, as amended, after the word "purchaser", add the following: "subject to a right of redemption as prescribed in the Code of Civil Procedure upon sales of real estate on execution".

Amendment No. 13.

On page 19 of the printed bill, as amended, between lines 13 and 14, insert the following:

"On and after July 1, 1935, it shall be unlawful for any manufacturer, rectifier, importer or wholesaler of distilled spirits to deliver to any premises for which an on or off-sale distilled spirits license is issued under this act or an on-sale license for liquor other than beer or wine is issued under the State Liquor Control Act, and it shall be unlawful for any such on or off-sale licensee to sell at the premises for which any such license is issued distilled spirits in packages containing more than one gallon."

Amendment No. 14.

On page 19, line 43, of the printed bill, as amended, strike out the words "by the board".

Amendment No. 15.

On page 19, lines 46 and 47, of the printed bill, as amended, strike out "There is hereby appropriated from said fund", and insert in lieu thereof the following: "All moneys in said fund are hereby appropriated as follows:".

Amendment No. 16.

On page 20, line 3 of the printed bill, as amended, strike out the words "per biennium".

Amendment No. 17.

On page 20 of the printed bill, as amended, between lines 12 and 13, insert the following:

"5 Ten thousand dollars for expenditure by the State Department of Finance in auditing the revenues and expenditures resulting from the provisions of this act;".

Amendment No. 18.

On page 20, line 13, of the printed bill, as amended, strike out "5", and insert in lieu thereof "6".

Amendment No. 19.

On page 20, line 13, of the printed bill, as amended, strike out the word "license".

Amendment No. 20.

On page 20, line 23, of the printed bill, as amended, strike out "6", and insert in lieu thereof "7".

Amendment No. 21.

On page 20, lines 23 and 24, of the printed bill, as amended, strike out "and 4", and insert in lieu thereof "4 and 5"

Amendment No. 22.

On page 20, line 25, of the printed bill, as amended, strike out the word "license".

Amendment No. 23.

On page 20, line 26, of the printed bill, as amended, strike out the word "license".

Amendment No. 24.

On page 20, line 29, of the printed bill, as amended, strike out "7", and insert in lieu thereof "8".

Amendment No. 25.

On page 20, line 31, of the printed bill, as amended, strike out "8", and insert in lieu thereof "9".

Amendment No. 26.

On page 27, line 33, of the printed bill, as amended, after the word "shall", strike out the words "after the passage of this act be installed, erected, placed and used", and insert in lieu thereof the following: "be maintained, erected, used or placed".

Amendment No. 27.

On page 24 of the printed bill, as amended, strike out lines 23 to 27, inclusive, and insert in lieu thereof the following: "a petition for reconsideration the board shall itself rehear the entire matter de novo and shall thereupon and within said thirty days either affirm, modify or set aside its original order."

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Senate Bill No. 919, as amended, at this time, without reference to reprint or file.

Senate Bill No. 919, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Cassidy:

Amendment No. 1.

On page 26 of the printed bill, as amended, strike out lines 45 to 51, inclusive.

Amendment No. 2.

On page 27 of the printed bill, as amended, strike out lines 1 and 2.

Amendment No. 3.

On page 27 of the printed bill, as amended, commencing in line 4, after the word "fixtures", strike out the following: "signs, except signs for interior use mentioned in subdivision (d) herein".

Amendment No. 4.

On page 27, line 43, of the printed bill, as amended, after the word "street", add the following:

"The manufacturer, distributor or wholesaler of alcoholic beverages may furnish to retail dispensers signs which are not prohibited from being displayed by the provisions of this section."

Amendment No. 5.

On page 27 of the printed bill, as amended, strike out lines 29 to 37, inclusive, and insert in lieu thereof the following

"SEC. 55. There shall not be displayed on the windows of, or on, or in front of premises for which any "on sale" license has been issued, any sign or other advertisement stating or implying that a saloon, bar, cocktail bar or lounge is operated or maintained upon the premises or that alcoholic beverages are sold upon the premises in any manner or fashion in violation of the law or the rules and regulations of the board; provided that this regulation shall not prohibit "on sale" licensees from displaying signs reading, "Beer," "Wine," "Liquor" and similar signs."

The question being on the amendments submitted by Mr. Cassidy to Senate Bill No. 919.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Cassidy.

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Burns, Cassidy, Crowley, DeLap, Desmond, Donihue, Hornblower, Lore, Maloney, Nielsen, Patterson, Peterson, Turner, Wagner, and Williamson—15

NOES—Anderson, Andreas, Breed, Brennan, Chatters, Corwin, Cottrell, Cunningham, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Latham, Laughlin, Lyon, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, O'Donnell, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Utt, Voigt, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—51.

Senate Bill No. 919, as amended, read third time.

Floor Amendments.

During third reading of the bill, amendments were submitted by Mr. Phillips.

Motion to Expunge Record.

Mr. Lyon moved that the vote taken on the amendments submitted by Mr. Phillips to Senate Bill No. 919 be expunged from the record, and the action rescinded.

Roll Call.

The Speaker ordered a roll call taken on the motion to expunge the record.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, and Mr. Speaker—66.

NOES—Johnson, Latham, Patterson, and Wright—4.

Senate Bill No. 919, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Cassidy:

Amendment No. 1.

On page 5, line 10, of the printed bill, as amended, strike out "75.00", and insert in lieu thereof the following: "50.00".

The question being on the amendment submitted by Mr. Cassidy to Senate Bill No 919.

Roll Call.

The Speaker ordered a roll call taken on the amendment submitted by Mr. Cassidy.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Anderson, Boyle, Cassidy, Donihue, Lore, Patterson, Rosenthal, and Wagner—8.

NOES—Andreas, Breed, Brennan, Burns, Chatters, Clark, Cottrell, Cronin, Crowley, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Pelletier,

Peyser, Phillips, Reaves, Richie, Riley, Robertson, Scudder, Stream, Turner Utt, Voigt, Walker, Wallace, Weber, Wright, and Mr. Speaker—56.

Senate Bill No. 919, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Phillips:

Amendment No. 1.

On page 29, lines 2 and 3, of the printed bill, strike out "person engaged in the business of selling or serving alcoholic beverages", and insert in lieu thereof the following: "on or off-sale licenses".

Amendment No. 2.

On page 29, line 4, of the printed bill, as amended, strike out "for consumption on the premises,".

The question being on the amendments submitted by Mr. Phillips to Senate Bill No 919.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Phillips.

The roll was called, and the amendments were adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Geyer, Gilbert, Heisinger, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Martin, McCarthy, McMurray, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Phillips, Riley, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Wright, and Mr. Speaker—52.

NOES—Desmond, Donihue, Flint, Hawkins, Hornblower, Hunt, Jones, Maloney, Mayo, Nielsen, Reaves, Robertson, and Weber—13.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, May 27, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS. Senate Bill No. 919—An act to license, regulate and control the manufacture, transportation, sale, purchase, possession and disposition of alcoholic beverages; to levy an excise tax on the sale of alcoholic beverages; to provide for the licensing of the manufacture, distribution and sale of alcoholic beverages; to prescribe penalties for the violation of this act; to make an appropriation for the enforcement of this act; to take effect immediately.

In my opinion said Senate Bill No. 919 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Senate Bill No. 919, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 919, as Amended.

Senate Bill No. 919, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 919, as amended, finally passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, DeLap, Desmond, Donihue, Donnelly,

Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—69.

NOES—Anderson—1.

Title read and approved.

Bill ordered transmitted to the Senate.

The foregoing motion by Mr. Lyon unanimously carried.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced:

By Mr. Riley: Assembly Concurrent Resolution No. 53—Relative to approving a certain amendment to the charter of the city of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of June, 1935.

Introduced.

Request for Unanimous Consent.

Mr. Riley asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 53, at this time, without reference to printer, committee or file, and that same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 53.

Assembly Concurrent Resolution No. 53—Relative to approving a certain amendment to the charter of the city of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of June, 1935.

Assembly Concurrent Resolution No. 53 read.

Mr. Riley moved the adoption of Assembly Concurrent Resolution No. 53.

The question being on the adoption of Assembly Concurrent Resolution No. 53.

The roll was called, and Assembly Concurrent Resolution No. 53 adopted by the following vote:

AYES—Anderson, Burns, Cassidy, Corwin, Cottrell, Cronin, Cunningham, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Reaves, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 53 ordered transmitted to the Senate.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 393—An act to amend section 692 of the Code of Civil Procedure, relating to giving notice of sales under execution.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

Motion to Expunge Record.

Mr. Clark moved that the vote taken on Senate Bill No. 393 be expunged from the record, and the action rescinded.

The question being on the motion by Mr. Clark to expunge record.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Clark to expunge record.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Phillips, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Waters, Weber, Wright, and Mr. Speaker—59.

NOES—None.

Senate Bill No. 393 ordered on file for third reading.

Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XIII thereof, a new section to be numbered 17, relating to the power of the Legislature to provide for the borrowing of money to meet appropriations made by law, in anticipation of the collection of taxes and revenues.

Senate Constitutional Amendment No 18 read.

Floor Amendments.

During reading of Senate Constitutional Amendment No. 18, the following amendments were submitted by Mr. Latham:

Amendment No. 1.

On page 1, line 19, of the printed measure, as amended, strike out the word "was", and insert in lieu thereof the word "is".

Amendment No. 2.

On page 2, line 3, of the printed measure, as amended, strike out the quotation marks following the comma after the word "revenues", and insert quotation marks after the word "appropriation" in said line.

Amendments adopted.

Request for Unanimous Consent.

Mr. McBride asked for, and was granted, unanimous consent to take up Senate Constitutional Amendment No. 18, as amended, at this time, without reference to reprint or file.

Consideration of Senate Constitutional Amendment No. 18.

Senate Constitutional Amendment No. 18 read.

Mr. McBride moved the adoption of Senate Constitutional Amendment No. 18.

The question being on the adoption of Senate Constitutional Amendment No. 18.

The roll was called, and Senate Constitutional Amendment No. 18 adopted by the following vote:

AYES—Andreas, Brennan, Burns, Cassidy, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Reaves,

Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Voigt, Walker, Waters, Weber, Wright, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Senate Constitutional Amendment No. 18 ordered transmitted to the Senate.

Senate Constitutional Amendment No. 18.

A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XIII thereof, a new section to be numbered 17, relating to the power of the Legislature to provide for the borrowing of money to meet appropriations made by law, in anticipation of the collection of taxes and revenues.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California at its regular session commencing on the seventh day of January, 1935, two-thirds of the members elected to each of the two houses of the said Legislature voting therefor, hereby proposes to the people of the State of California, that the Constitution of said State be amended by adding to Article XIII thereof a new section to be numbered 17, and to read as follows:

Sec. 17. Notwithstanding any other provision of this Constitution, the State may borrow money to meet appropriations from the general fund in the State treasury in anticipation of the collection of taxes and revenues which by law are payable into the general fund in the State treasury, up to 50 per cent of the amount of all taxes and revenues paid into the general fund during the preceding year. All moneys borrowed in anticipation of taxes and revenues together with interest thereon shall be paid from the general fund within one year from the date such money was borrowed by the State.

The provisions of an act entitled "An act relating to the borrowing of money by the State in anticipation of taxes and revenues," and making an appropriation, passed at the fifty-first session of the Legislature, are hereby confirmed, ratified and declared to be fully and completely effective; but said act may at any time be amended or repealed by the Legislature.

Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending sections 1, 4, 4b, 4c, 10, 18, 23, and 24 of Article VI, and by adding sections 4d, 4e, and 4f to said Article VI of the Constitution, relating to the judicial power of the State.

Senate Constitutional Amendment No. 13 read.

Floor Amendments.

During reading of Senate Constitutional Amendment No. 13, the following amendments were submitted by Mr. Cronin:

Amendment No. 1.

On page 3, line 30, of the printed bill, as amended, after the word "decision", insert the following:

"In any case decided by the Court of Criminal Appeals wherein the Court of Criminal Appeals has directly passed upon the validity of any law or statute of this State, the Supreme Court shall have power to order such cause to be heard and determined by the Supreme Court. The order last mentioned may only be made within fifteen days after the judgment of the Court of Criminal Appeals has become final pursuant to the rules of said Court of Criminal Appeals. In any cause so transferred to the Supreme Court from the Court of Criminal Appeals, the Supreme Court shall only have power to pass upon the validity of such law or statute of this State and shall not determine any other question."

Amendment No. 2.

On page 6 of the printed bill, as amended, strike out lines 19 to 52, inclusive, and on page 7, strike out lines 1 to 14, inclusive, and insert in lieu thereof the following:

"SEC 4f. The salaries of the justices of the Court of Criminal Appeals shall be paid by the State at the times and in the manner that the salaries of the justices of the Supreme Court are paid

The Clerk of the Supreme Court, the Chief Deputy Clerk of the Supreme Court, and the deputy clerks of the Supreme Court shall respectively be the Clerk of the Court of Criminal Appeals, the Chief Deputy Clerk of the Court of Criminal Appeals and the deputy clerks of the Court of Criminal Appeals The Clerk of the Court of Criminal Appeals must perform such duties as are now prescribed by law to be performed by the Clerk of the Supreme Court and such additional duties as may be required of him by

the rules and practice of the Court of Criminal Appeals. The Legislature shall provide for the speedy publication of such opinions of the Court of Criminal Appeals as such court may deem expedient, and all opinions shall be free for publication by any person The reporter and assistant reporters of the decisions of the Supreme Court shall be the reporter and assistant reporters of the decisions of the Court of Criminal Appeals. All reports of decisions of the Court of Criminal Appeals shall be published in the same manner and under the same conditions as the reports of the decisions of the Supreme Court, and all provisions of law relative to the publication of the reports of the Supreme Court now in effect or hereinafter adopted shall apply to the publication of the reports of the Court of Criminal Appeals. The Supreme Court and the Court of Criminal Appeals shall each have power and authority to appoint and employ during its pleasure such phonographic reporters, assistants, secretaries, and other employees as it may deem necessary for the performance of the duties and exercise of the powers conferred by law upon each of said courts and the members thereof and to determine the duties and fix and pay the compensation of all such officers and employees. Each of the District Courts of Appeal shall have power and authority to appoint and employ during its pleasure a clerk, as provided in section 21 of this article, and such deputy clerks, phonographic reporters and bailiffs and at the salaries as shall be provided by law; and each of the District Courts of Appeal shall have power and authority to appoint and employ during its pleasure such other officers and employees as it may deem necessary for the performance of the duties and exercise of the powers conferred by law upon the said courts and the members thereof and to determine the duties and fix and pay the compensation of all such other officers and employees. All salaries and expenses so fixed and incurred by the Supreme Court or by the Court of Criminal Appeals or by any District Court of Appeal, under the provisions of this section, shall be paid from the funds appropriated for the use of said court when approved by the order or orders of said court and audited by the Board of Control. The State shall supply proper rooms in which to hold the Court of Criminal Appeals and for the accommodation of the officers thereof together with furniture, fuel, lights, and stationery suitable and sufficient for the transaction of business and if such things are not provided by the State the court, or any three justices thereof, may direct the Clerk of the Court of Criminal Appeals to provide such rooms, furniture, fuel, lights, and stationery and the expenses thereof certified by any three justices to be correct shall be paid out of the State treasury for which expenses a sufficient sum shall be annually appropriated out of any funds in the State treasury not otherwise appropriated."

Amendments adopted.

Senate Constitutional Amendment No. 13 ordered to reprint, and on file for adoption

Motion to Strike Senate Bill No. 1090 from File.

Mr. Utt moved that Senate Bill No. 1090 be stricken from the file.

Motion carried.

Senate Bill No. 1090 ordered stricken from the file.

Record Expunged.

On motion of Mr. McMurray, on June 13, 1935, the record of the vote whereby Senate Bill No. 1090 was this day stricken from file was expunged, and the action rescinded. (See Assembly Journal of June 13th, pages 6 and 10.)

Senate Bill No. 700—An act to amend sections 1015 and 1016 of the Fish and Game Code and to add thereto sections 670 and 1016.5, relating to fish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 700 refused passage by the following vote:

AYES—Boyle, Burns, Cassidy, Field, Fisher, Fulcher, Johnson, Laughlin, Martin, McBride, Miller, Morgan, Richie, Stream, Thorp, Walker, Wright, and Mr. Speaker—18.

NOES—Anderson, Andreas, Brennan, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Latham, Lore, Lyon, Maloney, McCarthy, McMurray, Meehan, Minard, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Robertson, Rosenthal, Voigt, Wagner, Waters, and Weber—44.

Notice of Reconsideration of Senate Bill No. 700.

Mr. Burns gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 700 was this day refused passage.

Senate Concurrent Resolution No. 42—Providing for the appointment of a joint legislative committee to consult with the Department of Finance regarding the remodeling and refurnishing of legislative committee rooms and offices for the members in the State Capitol.

Senate Concurrent Resolution No. 42 read.

Mr. Desmond moved the adoption of Senate Concurrent Resolution No. 42.

The question being on the adoption of Senate Concurrent Resolution No. 42.

The roll was called, and Senate Concurrent Resolution No. 42 adopted by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Phillips, Reaves, Richie, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Weber, and Mr. Speaker—57.

NOES—Boyle, Geyer, McCarthy, Pelletier, and Robertson—5.

Title read and approved.

Senate Concurrent Resolution No. 42 ordered transmitted to the Senate.

Senate Concurrent Resolution No. 42.

Providing for the appointment of a joint legislative committee to consult with the Department of Finance regarding the remodeling and refurnishing of legislative committee rooms and offices for the members in the State Capitol.

WHEREAS, Certain repairs, additions and improvements to the State Capitol are contemplated to be made during the coming biennium; and

WHEREAS, It is desirable that the needs and requirements of the Legislature be properly presented to the Department of Finance in this connection; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That a committee of six members be created to consist of three members of the Senate, to be appointed by the President of the Senate, and three members of the Assembly, to be appointed by the Speaker of the Assembly, to consult with the Department of Finance and the State Building Commission in making arrangements and suggestions for the proper remodeling and refurnishing of legislative committee rooms and offices for the members of the Legislature, in connection with any appropriation of moneys made available for such purposes; and be it further

Resolved, That the committee shall proceed to organize by the election of one of its members as chairman and by the election of a secretary; and be it further

Resolved, That the committee shall do all things necessary to carry out the purposes of this resolution and to report thereon to the fifty-second session of the Legislature.

Senate Bill No. 367—An act to amend section 1 of "An act regulating the hours of labor of the operators of certain motor vehicles," approved June 10, 1933, relating to operators of vehicles.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 367 finally passed by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney,

Martin, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Richie, Robertson, Rosenthal, Scudder, Stream, Utt, Voigt, Wagner, Waters, Weber, Wright, and Mr. Speaker—57.

NOES—Walker—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 297—An act to add a new section to an act entitled, An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act, approved June 16, 1913, as amended, relating to persons seeking nomination.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lore:

Amendment No. 1.

On page 2, line 12, of the printed bill, as amended, after "law", insert the following "as affiliated with the party whose nomination he seeks".

Amendment No. 2.

On page 2 of the printed bill, as amended, after line 14, insert the following: "The provisions of this section requiring six months affiliation with a political party immediately preceding the filing of a declaration of candidacy, do not apply to persons seeking nomination by a newly organized political party qualified within six months of the first day upon which a declaration of candidacy may be filed."

Motion.

Mr. Lore moved that the amendments be voted upon separately.

Motion carried.

Consideration of Amendment No. 1.

The question being on Amendment No. 1, submitted by Mr. Lore, to Senate Bill No 297.

Demand for Previous Question.

Messrs. Minard, Brennan, Fisher, Frazier, and Dawson demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on Amendment No. 1, submitted by Mr. Lore, to Senate Bill No. 297.

Motion to Lay Amendment No. 1 on the Table.

Mr. Frazier moved that Amendment No. 1 be laid on the table.

The question being on the motion to lay on the table.

Roll Call.

The Speaker ordered a roll call taken on the motion to table Amendment No. 1.

The roll was called, and the motion was lost by the following vote:

AYES—Brennan, Burns, Cronin, Crowley, Dawson, DeLap, Fisher, Frazier, Fulcher, Garibaldi, Hornblower, Johnson, Martin, McBride, Minard, Peterson, Robertson, and Thorp—18.

NOES—Anderson, Andreas, Boyle, Cassidy, Clark, Corwin, Cunningham, Evans, Herbert, J., Evans, Ralph W., Field, Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, Lyon, McCarthy, McMurray, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Richie, Riley, Rosenthal, Stream, Voigt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—42.

The question being on Amendment No. 1, submitted by Mr. Lore, to Senate Bill No. 297.

Roll Call.

The Speaker ordered a roll call taken on Amendment No. 1, submitted by Mr. Lore.

The roll was called, and Amendment No. 1 was adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Cassidy, Clark, Corwin, Cunningham, Evans, Herbert J., Evans, Ralph W., Field, Flint, Geyer, Gilbert, Glover, Hawkins, Hunt, Jones, Laughlin, Lore, Lyon, Martin, McCarthy, McMurray, Meehan, Miller, Morgan, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Richie, Riley, Rosenthal, Stream, Voigt, Wagner, Walker, Wallace, Waters, Wright, and Mr. Speaker—42.

NOES—Brennan, Burns, Cronin, Crowley, Dawson, DeLap, Donnelly, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Johnson, Maloney, McBride, Minard, Nielsen, Peterson, Robertson, Thorp, Utt, and Weber—23.

Request for Unanimous Consent.

Mr. Stream asked for unanimous consent to take up Senate Bill No. 297, as amended, at this time, without reference to reprint or file.

Objection to Unanimous Consent.

Mr. Hornblower objected to unanimous consent to the consideration of Senate Bill No. 297.

Motion to Suspend Rules.

Mr. Stream moved that the rules be suspended for the purpose of considering Senate Bill No. 297, at this time.

The question being on the motion to suspend the rules.

Roll Call.

The Speaker ordered a roll call taken on the motion to suspend the rules.

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Boyle, Cassidy, Clark, Corwin, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Geyer, Gilbert, Glover, Hawkins, Hunt, Jones, Latham, Laughlin, Lore, Martin, McCarthy, Meehan, Miller, Morgan, Patterson, Pelletier, Phillips, Reaves, Riley, Rosenthal, Stream, Voigt, Wagner, and Wright—34

NOES—Brennan, Burns, Cronin, Crowley, Cunningham, Dawson, DeLap, Fisher, Frazier, Fulcher, Gilmore, Hornblower, Johnson, Maloney, McBride, Minard, Nielsen, Peterson, Richie, Robertson, Scudder, Thorp, Utt, Walker, Wallace, Weber, and Mr. Speaker—27.

Senate Bill No. 297 ordered to reprint, and on file for third reading.

Motion to Set Special Order for Senate Bill No. 297.

Mr. Stream moved that the consideration of Senate Bill No. 297 be made a special order of business for Monday, June 10, 1935, at eleven o'clock and two minutes a.m.

The question being on the motion by Mr. Stream to set special order for Senate Bill No. 297.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Stream to set special order for Senate Bill No. 297.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Andreas, Boyle, Cassidy, Clark, Corwin, Cronin, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Geyer, Gilbert,

Glover, Hawkins, Hunt, Jones, Latham, Laughlin, Lore, Lyon, Martin, McCarthy, McMurray, Meehan, Miller, Morgan, Patterson, Pelletier, Phillips, Reaves, Richie, Riley, Rosenthal, Stream, Utt, Voigt, Wagner, Walker, Waters, Wright, and Mr. Speaker—45.

NOES—Brennan, Burns, Crowley, Dawson, DeLap, Fisher, Hornblower, Johnson, Maloney, McBride, Minard, Nielsen, O'Donnell, Peterson, Robertson, Scudder, Thorp, Wallace, and Weber—19.

Senate Bill No. 297 set as special order of business for Monday, June 10, 1935, at eleven o'clock and two minutes a.m.

Senate Bill No. 127—An act to regulate the conduct of election campaigns, to provide penalties for corrupt practices defined therein, to repeal an act entitled "An act to regulate the conduct of election campaigns, and repealing an act entitled 'An act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,' approved February 23, 1893," approved March 19, 1907, and to repeal an act entitled "An act providing for publicity of contributions and expenditures made for the purpose of influencing electors for or against any proposition voted upon throughout the State and providing penalties for violation of the provisions hereof," approved May 31, 1921.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Donnelly:

Amendment No. 1.

On page 1, line 12, of the printed bill, as amended, after the comma following "vate", insert the following: "operating for profit,".

Amendment No. 2.

On page 3, of the printed bill, as amended, strike out lines 4 to 7, inclusive, and insert in lieu thereof the following: "any money or make any contribution or contributions, either directly or indirectly, in behalf of or against the interests of one or more candidates, propositions, or political parties, which in the aggregate shall exceed the sum of two hundred dollars during any one calendar year."

Amendment No. 3.

On page 4, line 31, of the printed bill, as amended, strike out "ten", and insert in lieu thereof the following: "one hundred".

Amendment No. 4.

On page 5 of the printed bill, as amended, strike out lines 13 to 17, inclusive, and insert in lieu thereof the following:

"SEC. 16. Every act or omission of a committee not complying with the provisions of this act, which has been approved by a member of the committee, shall be considered the personal act or omission of such member."

Amendment No. 5.

On page 5, line 23, of the printed bill, as amended, strike out the period, and insert in lieu thereof a comma and the following: "excepting contributions for the expenses of the meetings of such person, organization, company or committee."

Amendment No. 6.

On page 5 of the printed bill, as amended, between lines 23 and 24, insert the following: "Provided, that a voluntary offering of money by a public assemblage not in excess of five hundred dollars in the aggregate shall not be a corrupt practice within the meaning of this act."

Amendments adopted.

Bill read, ordered to reprint, and third reading.

Motion to Continue Unfinished Business.

Mr. Minard moved that all unfinished business, including reconsideration of Nos. 18, 19, 20, 22 and 25 on file, be continued until the next legislative day.

Demand for Previous Question.

Messrs. Fisher, Johnson, Wallace, Robertson, and Boyle demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion by Mr. Minard to continue all unfinished business until the next legislative day.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Minard to continue all unfinished business.

The roll was called, and the motion was carried by the following vote:

AYES—Andreas, Boyle, Brennan, Cassidy, Chatters, Corwin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hornblower, Johnson, Latham, Laughlin, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Peterson, Phillips, Riley, Robertson, Scudder, Stream, Utt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—49

NOES—Anderson, Burns, Clark, Cottrell, Evans, Ralph W, Geyer, Gilbert, Hawkins, Hunt, Jones, Lore, McCarthy, Morgan, O'Donnell, Pelletier, Reaves, Richie, Rosenthal, Voigt, and Wagner—20.

Resolution.

The following resolution was offered:

By Messrs. Lyon, Hunt, and Maloney:

Assembly Resolution.

WHEREAS, There came into this great and glorious State of California in the year 1904, a real handsome good-looking young youth from the State of what Amos and Andy would call OH-10 (meaning Ohio); and

WHEREAS, In looking forward to the great fortunes that California had in store for him, by his own fortitude went to work in a boiler shop and, during his few spare minutes, started to educate himself to become a part of the legal fraternity of this State of California; and

WHEREAS, In 1927 with his years of study behind him, he was admitted to practice law in California; and

WHEREAS, As soon as he was admitted, the sparkle of love entered into his most gracious anatomy and the fair countenance of a charming young lady continually was before him and took away from him the progress which he had worked so hard to attain; and

WHEREAS, So as to overcome this obstacle, this good-looking young man finally realized that he should have a companion in life to carry him through the road to success that he had not attained, and

WHEREAS, Both this young man and his wife have been received by the members of the Legislature and their families in a most gracious way because they with their kind dispositions and their thought for their fellow beings, imbued the hearts of the members of the Assembly with love and esteem for this couple, now therefore, be it

Resolved, That the Assembly of the State of California do this day express to William Moseley Jones and his loving wife, Frances D Jones, our heartiest congratulations on this, their sixth wedding anniversary; and be it further

Resolved, That it is only the wish of the members of this Assembly that their troubles be little ones and further wish them all the luck and success and happiness in the years to follow, and be it further

Resolved, That a suitable copy of this resolution be presented to the Honorable William Moseley Jones and his charming wife, Frances D. Jones.

Resolution read, and adopted unanimously.

Unfinished Business—(Resumed).

Reconsideration of Assembly Bill No. 598 Waived.

Mr. Heisinger waived his notice to reconsider the vote whereby Assembly Bill No 598 was passed.

Assembly Bill No. 598 ordered transmitted to the Senate.

Adjournment.

At four o'clock and forty-five minutes p.m., on motion of Mr. Minard, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Monday, June 10, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Monday, June 10, 1935

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr Speaker—79

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Brennan, its further reading was dispensed with.

Leave of Absence.

On motion of Mr. Utt, Mr. Welsh was granted leave of absence for the day.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Halsey H. Fink, mayor of the city of Hawthorne, expressing appreciation upon the passage of Senate Bill No. 561.

From the Commonwealth of Pennsylvania, Department of State, relative to a joint legislative commission on interstate cooperation.

Communications.

The following communications were received, and ordered printed in the Journal:

By Mr. Speaker:

LOS ANGELES, June 4, 1935

Hon. Edward Craig, Speaker of the Assembly,
State Capitol, Sacramento, California.

Re: Constitutional Convention.

DEAR SIR: This committee which drafted a bill for the calling of a Constitutional Convention in accordance with the mandate of the electors of the State of California as expressed at the November, 1934, election, and which has conferred extensively

thereon with Assemblyman Latham, desires to enter a vigorous dissent from the action of the Assembly in refusing to pass any enabling statute, thereby nullifying the expressed will of the people of California.

Freedom in a democracy can not endure and free institutions can not flourish if the will of the people as expressed in elections is made a futile and idle act. We can not believe that the Assembly will strike such a blow at constitutional government We ask that this letter be read from the desk and we appeal to the patriotism of the members that they should put aside all personal or partisan feelings and carry out the duty commanded of them by the people of the State of California.

Respectfully yours,

CHARLES A. SON, Chairman.
THOS. C. RIDGEWAY.
N. W. THOMPSON.
JOHN F. KEOGH.

P. S. For the information of your honorable body, the members of this committee are the following: Thomas C. Ridgeway, Newton W. Thompson, Ivan Kelso, Joe Crail, Wm. Jennings Bryan, Jr., Elmer P. Bromley, S. B. Robinson, Ralph Clock, L. L. Larrabee, and John F Keogh.

NOTE.—Owing to lack of time nonsigning members have not been polled hereon.

Also:

CITY OF SACRAMENTO, STATE OF CALIFORNIA, May 22, 1935.

Mr. Eugene A. Sullivan, Legislative Ball Committee,
Assembly Post Office, State Capitol, Sacramento, California.

MY DEAR MR. SULLIVAN: On behalf of the Ann Land Memorial Commission I desire to acknowledge and to express our appreciation for the generous contribution of $158.61 made to this commission from the proceeds of the legislative ball held at Memorial Auditorium on May 8th. I can give you my personal assurance that this splendid addition to our relief fund will serve a worthy cause.

Again thanking you, I am

Sincerely yours,

JAS S DEAN, President,
Ann Land Memorial Commission

ASSISTANT CLERK OLIVER READING.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 62—Relative to memorializing the Federal Relief Administrator to make available funds for the extension of Highway Route No. 163 through the Venice and Santa Monica Bay areas—and reports that the same has been correctly enrolled, and presented the same to the Governor on this tenth day of June, 1935, at ten o'clock a m.

WATERS, Chairman.

Also:

MR. SPEAKER Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No 46—Relative to adjournment out of respect to the memory of James Rolph, Jr—and reports that the same has been correctly enrolled, and presented the same to the Governor on this tenth day of June, 1935, at ten o'clock a.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 32—A resolution to propose to the people of the State of California that the Constitution of said State be amended by adding to Article XI thereof a new section to be numbered 8b authorizing the city of Los Angeles to amend its charter in certain particulars;

Also: Assembly Constitutional Amendment No 77—A resolution to propose to the people of the State of California an amendment to section 14 of Article I of the Constitution of said State, relating to the rights of private property;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this tenth day of June, 1935, at ten o'clock a m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 239—An act to amend the title and sections 4, 4a, 5, and 23 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the extension of the provisions of said act to the companies taxable hereunder and their franchises, other than insurance companies and their franchises, specified in section 14 of Article XIII of the Constitution of this State, and to provide that this act shall take effect immediately;

Also: Assembly Bill No. 384—An act for the relief of special assessment districts and for the adjustment, refunding or cancellation of the bonded indebtedness of such districts, and for the purpose of empowering legislative bodies of such districts to adjust, refund or cancel said indebtedness and to make available to such districts the provisions of the Federal bankruptcy laws and any and all laws of the State of California for the relief of special assessment districts, and to declare the urgency of this act to take effect immediately;

Also: Assembly Bill No. 442—An act to amend section 1270 of the Fish and Game Code and to repeal sections 1271, 1271.5 and 1272, relating to deer, declaring the urgency thereof, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 1129—An act amending sections 3897 and 3898 and repealing section 3774 of the Political Code, relating to the procedure for the sale of property deeded to the State in payment of delinquent taxes, if not otherwise disposed of under section 3897a or section 3897b of the Political Code, declaring the urgency thereof, and providing that this act shall take effect immediately;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this tenth day of June, 1935, at ten o'clock a m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1208—An act to amend sections 3 and 5 of, and to repeal section 7 of, an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933, relating to taxation, and to provide that this act shall take effect immediately;

Also: Assembly Bill No. 2183—An act to be known as the "Inheritance Tax Act of 1935," to establish a tax on gifts, legacies, inheritances, bequests, devises, successions, transfers, joint tenancies and insurance; to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under any act hereby repealed; to provide penalties for failure to comply with the provisions of this act; and to repeal Chapter 821 of the laws of the session of the Legislature of California of 1921, approved June 3, 1921, known as the "Inheritance Tax Act," and all amendments thereto, and to repeal all acts and parts of acts in conflict with this act, and providing this act shall take effect immediately;

Also: Assembly Bill No 2386—An act to add Chapter 8 to Division VI of the Agricultural Code, relating to the marketing of milk and other dairy products;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this tenth day of June, 1935, at ten o'clock a m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1314—An act to amend sections 1a, 3, 4, 9, 10, 11 and 12 of, and to add new sections to be numbered 11.1, 11.2, 11.3, 11.4, 11.5 and 11.6 to an act entitled "An act to regulate land surveying and to define the duties of and to license land surveyors, to provide for the revocation of such licenses and the restoration thereof, to make certain acts misdemeanors and to provide penalties therefor, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 16, 1907," approved May 24, 1933, relating to land surveyors—and reports that the same has been correctly re-re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

On Commerce and Navigation.

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1935.

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 936—An act to repeal section 2610 of the Political Code

as added by Chapter 992 of the fiftieth session of the Legislature and to add a new section to the Political Code to be numbered section 2610a, relating to a Board of State Harbor Commissioners for the bay of San Diego—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

MALONEY, Chairman.

The above reported bill ordered on file for second reading.

Second Reading of Senate Bills.

Senate Bill No. 936—An act to repeal section 2610 of the Political Code as added by Chapter 992 of the fiftieth session of the Legislature and to add a new section to the Political Code to be numbered section 2610a, relating to a Board of State Harbor Commissioners for the bay of San Diego.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 7, of the printed bill, as amended, strike out " * * * ", and insert in lieu thereof the following: "reestablished and created. The members of said board".

Amendment No. 2.

On page 1 of the printed bill, as amended, after line 24, add the following "SEC. 3. Said section 2610a is a reenactment of said section 2610, which is hereby repealed, and is to be construed as a continuation of the provisions of said section 2610."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 7, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 50—An act making an appropriation to meet a deficiency in the appropriation for subsidies of the Bureau of Tuberculosis of the Department of Public Health, declaring the urgency thereof and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 50 read first time.

Also:

SENATE CHAMBER, SACRAMENTO, June 8, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 43—Providing a rule for the Legislative Counsel Bureau, relating to opinions upon pending legislative measures.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Request for Unanimous Consent.

Mr. Wallace asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 43, at this time, without reference to committee or file.

Consideration of Senate Concurrent Resolution No. 43.

Senate Concurrent Resolution No. 43—Providing a rule for the Legislative Counsel Bureau, relating to opinions upon pending legislative measures.

Senate Concurrent Resolution No. 43 read.

Mr. Wallace moved the adoption of Senate Concurrent Resolution No. 43.

The question being on the adoption of Senate Concurrent Resolution No. 43.

The roll was called, and Senate Concurrent Resolution No. 43 adopted by the following vote:

AYES—Andreas, Boyle, Brennan, Corwin, Cronin, Cunningham, DeLap, Desmond, Donahue, Donnelly, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Latham, Laughlin, Maloney, Martin, Mayo, McMurray, Meehan, Morgan, Nielsen, Pelletier, Peterson, Peyser, Phillips, Reaves, Riley, Robertson, Rosenthal, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Wright, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 43 ordered transmitted to the Senate.

Senate Concurrent Resolution No. 43.

Providing a rule for the Legislative Counsel Bureau, relating to opinions upon pending legislative measures.

Resolved by the Senate of the State of California, the Assembly concurring, That whenever the Legislative Counsel issues, to a person other than the author, an opinion as to the constitutionality, operation or effect of a pending bill, constitutional amendment, resolution or other legislative measure, he is hereby authorized and instructed to deliver a copy of the opinion to the author of such measure.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

By Mr. Frazier: Assembly Concurrent Resolution No. 54—Relative to leave of absence of Richard E. Collins, member of the State Board of Equalization.

Introduced.

By Messrs. Jones, Wallace and Welsh—Assembly Concurrent Resolution No. 55—Relative to proceedings for the removal of Gavin W. Craig as an Associate Justice of the District Court of Appeal of the State of California under and pursuant to the provisions of section 10, Article VI of the Constitution of the State of California.

Introduced, and referred to Committee on Judiciary.

Request for Unanimous Consent.

Mr. Frazier asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 54, at this time, without reference to printer, committee or file, and that same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 54.

Assembly Concurrent Resolution No. 54—Relative to leave of absence of Richard E. Collins, member of the State Board of Equalization.

Assembly Concurrent Resolution No. 54 read.

Mr. Frazier moved the adoption of Assembly Concurrent Resolution No. 54.

The question being on the adoption of Assembly Concurrent Resolution No. 54.

The roll was called, and Assembly Concurrent Resolution No. 54 adopted by the following vote:

AYES—Andreas, Boyle, Brennan, Corwin, Cronin, Cunningham, DeLap, Desmond, Donahue, Donnelly, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Latham, Laughlin, Maloney, Martin, Mayo, McMurray, Meehan, Morgan, Nielsen, Pelletier, Peterson, Peyser,

Phillips, Reaves, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Wright, and Mr. Speaker—49.
NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 54 ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 54.

Relative to leave of absence of Richard E. Collins, member of the State Board of Equalization.

Resolved by the Assembly, the Senate concurring, That leave of absence from the State for a longer period than sixty days, to wit: A period not exceeding six months, during his term of office, is hereby granted to Richard E. Collins, member of the State Board of Equalization for the Third Equalization District.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills, were presented:

By Mr. Clark:

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add section 24 to "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, relating to the taking of oil, gas and other hydrocarbons from State lands

Referred to Committee on Introduction of Bills.

By Mr. Cronin:

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 38 of the "Alcoholic Beverage Control Act," relating to powers of the board and the persons employed by the board.

Referred to Committee on Introduction of Bills.

Motion to Approve Journals.

Mr. Lyon moved that the Journals of May 24, 1935; May 25, 1935; May 27, 1935; May 28, 1935; May 29, 1935; May 30, 1935; be approved as corrected by the Minute Clerk.

Motion carried.

Resolution.

The following resolution was offered:

By Mr. Pelletier:

Assembly Resolution.

WHEREAS, By Article IV of Chapter I of Part II of Division I of the School Code the superintendent of schools of any city or city and county or of any county, is given authority to issue permits to work to certain minors; and

WHEREAS, Many thousands of school children are employed in violation of said provisions of the School Code; and

WHEREAS, Child labor in this State exists at an appalling rate; and

WHEREAS, It is the sense of this Assembly that child labor in this State should be kept at a minimum, and that permits to work for minors should not be granted so as to deprive any adult who is ready and willing to work of employment; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly respectfully requests all county and city and county and city school officials to enforce with utmost diligence the provisions of the School Code referred to in this resolution; and be it further

Resolved, That the State Board of Education is requested to use utmost diligence in having said provisions of the School Code enforced; and be it further

Resolved, That said Board of Education and said county and city and county and city officials charged with the duties of enforcing the provisions of the School Code referred to in this resolution, enforce said provisions to the end that child labor in this State shall be reduced to the minimum; and be it further

Resolved, That a copy of this resolution be sent by the Clerk of the Assembly to the State Board of Education and to the governing boards of each school district in the State.

Resolution by Mr. Pelletier read.

Mr. Pelletier moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Boyle, Brennan, Chatters, Corwin, Cronin, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Morgan, Nielsen, Pelletier, Peyser, Phillips, Reaves, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Wright, and Mr. Speaker—55.

NOES—None.

Resolution.

The following resolution was offered:

By Messrs. Garibaldi, Field, Craig, Waters, Cunningham, Hunt, Wright, Martin, Walker, Burns, Peterson, Desmond, Fulcher, Crowley, Boyle, Meehan, Andreas, Phillips, McBride, Donnelly, Stream, Latham, Kallam, Patterson, Thorp, Heisinger, Cassidy, Donihue, Morgan, Corwin, and Frazier:

Assembly Resolution.

WHEREAS, Practically every member of this Legislature advised his constituents and campaigned on a platform of relief to distressed, overtaxed common property taxpayers; and

WHEREAS, There appears to be a well-planned attempt by various minority groups aided by certain tax supported groups to force this Assembly to vote for the levying of an ad valorem tax for State purposes, something that has not been done for more than 24 years; and

WHEREAS, Homes, farms and real estate in general are the chief support and backbone of revenues for counties, cities and districts; and

WHEREAS, Home owners through contributions to local governments now pay more than 70 per cent of all the tax revenues collected in California; and

WHEREAS, Throughout the State there is an unparalleled and continuing property tax delinquency due to the heavy and increasing costs of government and other public functions, including unemployment, old age pensions, relief to the widows and orphans; and

WHEREAS, Because of the present heavy delinquency in collection of real estate taxes it is obvious that this source of revenue could not reasonably be expected to actually yield any additional substantial revenue; and

WHEREAS, There is no source of revenue, other than real estate, whose owners are losing their property to the State because of excessive taxation; now, therefore, be it

Resolved by the Assembly of the State of California, That we earnestly protest and will oppose the adoption of any legislation providing for additional ad valorem taxation on the common property taxpayers of California, and furthermore that we will not support any tax program for State purposes that includes an ad valorem tax on common property.

The question being on the adoption of the resolution submitted by Messrs. Garibaldi and others.

Motion to Refer.

Mr. Evans, Ralph W., moved that the resolution by Messrs. Garibaldi and others be referred to Committee on Revenue and Taxation.

Demand for Previous Question.

Messrs. Johnson, Wallace, Fisher, Peterson, and Robertson demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion by Mr. Evans, Ralph W., to refer the resolution by Messrs. Garibaldi and others to Committee on Revenue and Taxation.

Roll Call.

The Speaker ordered a roll call taken on the motion to refer the resolution to Committee on Revenue and Taxation.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Cassidy, Chatters, Clark, Cronin, DeLap, Donahue, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Nielsen, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Rosenthal, Scudder, Turner, Wagner, and Wallace—45.

NOES—Breed, Corwin, Cunningham, Desmond, Donnelly, Fulcher, Garibaldi, Heisinger, Hunt, Kallam, Latham, Martin, Meehan, Morgan, Patterson, Peyser, Robertson, Stream, Thorp, Utt, Walker, Waters, Wright, and Mr. Speaker—24.

Resolution by Messrs Garibaldi and others referred to Committee on Revenue and Taxation.

Resolution.

The following resolution was offered:

By Messrs. Maloney, and Mayo:

Assembly Resolution.

WHEREAS, One of the most serious problems facing the present Legislature are bills affecting the Compensation Insurance Fund and the insurance carriers and the employee relative to a disease known as (Silicosis); and

WHEREAS, In the meeting held before the Insurance Committee of the Assembly of the State of California, arguments by the opponents and the proponents of three bills known as the Silicosis bills were hotly contested; and

WHEREAS, Court decisions, decisions by the Industrial Accident Commission have left a wide-open field for information as to the seriousness of this disease; and

WHEREAS, It is only fair, just and proper in view of the existing cases of Silicosis now pending before the Industrial Accident Commission that a proper investigation be made as to its seriousness, now, therefore, be it

Resolved, That the Speaker of the Assembly be and is hereby empowered to appoint a Committee of Five members to make an investigation of the disease known as Silicosis and that the said committee is hereby empowered to seek the cooperation of all parties interested: and be it further

Resolved, That pending the aforesaid investigation and action thereon by this State Assembly, the Industrial Accident Commission of the State of California is hereby directed and instructed to enforce to the fullest possible extent its safety laws, rules and regulations; and be it further

Resolved, That the sum of $1,000 out of the contingent expenses of the Assembly be appropriated or such amount of that appropriation that may be needed, be spent to carry out the proper and necessary expenses of this committee; and be it further

Resolved, That said committee investigating the disease known as Silicosis be instructed to submit its report to the fifty-second session of the California Legislature in 1937; and be it further

Resolved, That the committee shall be directed to hold meetings and conduct hearings anywhere in California and that they are vested with full power to subpena witnesses, administer oaths and to demand the production before such committee of any records which they may require to conduct such investigation. The Legislative Counsel Bureau shall, at the request of the committee, cooperate with and aid the committee in the investigation.

Resolution by Messrs. Maloney and Mayo read.

Mr. Maloney moved the adoption of the resolution

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cronin, Cunningham, DeLap, Desmond, Donihue, Evans, Herbert J., Fisher, Frazier, Fulcher, Garibaldi, Glover, Hawkins, Heisinger, Hornblower, Johnson, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Riley, Robertson, Stream, Thorp, Wagner, Walker, Wallace, and Mr. Speaker—53.

NOES—Flint, Geyer, Hunt, Jones, and Rosenthal—5.

Motion to Strike Assembly Bill No. 1959 from File.

Mr. Walker moved that Assembly Bill No. 1959 be stricken from the file.

Motion carried.

Assembly Bill No. 1959 ordered stricken from the file.

Unfinished Business.

Reconsideration of Senate Constitutional Amendment No. 1.

In compliance with his notice given on a previous day, Mr. DeLap moved that the vote whereby Senate Constitutional Amendment No. 1 was refused adoption be reconsidered.

Senate Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article II thereof a new section to be numbered section 7, relating to the registration of voters.

Demand for Previous Question.

Messrs. Flint, Wallace, Brennan, Robertson and Reaves demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the reconsideration of Senate Constitutional Amendment No. 1.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. DeLap moved a call of the House.

Roll Call.

The Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Clark, Corwin, Cronin, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Glover, Heisinger, Johnson, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Patterson, Peterson, Riley, Robertson, Scudder, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Wright, and Mr. Speaker—47.

NOES—Flint, Gilbert, Jones, Pelletier, Reaves, and Rosenthal—6.

Time, ten o'clock and fifty-five minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Clark, Corwin, Cronin, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint,

Frazier, Fulcher, Garibaldi, Gilbert, Glover, Heisinger, Johnson, Jones, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Reaves, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Wright and Mr. Speaker—53.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Consideration of Senate Amendments to Assembly Bill No. 1189.

Assembly Bill No. 1189—An act to amend sections 81, 116, 116b, 274c, 437c, 477, 594, 632, 639, 652, 655, 664, 667a, 668, 670, 675, 973, 1033, 1052, 1134 and 1135 of the Code of Civil Procedure, and to add section 35 thereto, relating to civil actions.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1189?

Amendment No. 1.

On page 1 line 2 of the title of the printed bill, as amended, after "sections", insert the following: "81,".

Amendment No. 2.

On page 1, line 5 of the title of the printed bill, as amended, strike out "sections 35 and 982a", and insert in lieu thereof the following: "section 35".

Amendment No. 3.

On page 1, line 4, of the printed bill, as amended, strike out "A", and insert in lieu thereof the following: "LA".

Amendment No. 4.

On page 1, line 14, of the printed bill, as amended, strike out "A.", and insert in lieu thereof the following: "LA."

Amendment No. 5.

On page 1 of the printed bill, as amended, between lines 14 and 15, insert the following:

"SEC. 1a. Section 81 of the Code of Civil Procedure is hereby amended to read as follows:

81. Justices' courts in cities, towns and judicial townships having a population of thirty thousand, or more, in counties having a population of less than nine hundred thousand, shall be known and may be designated as "Justices' courts of Class A."

Justices' courts in cities, towns and judicial townships having a population of thirty thousand, or more, in counties having a population of nine hundred thousand or over, shall be known and may be designated as "Justices' courts of Class LA."

Justices' courts in cities, towns and judicial townships having a population of less than thirty thousand shall be known and may be designated as "Justices' courts of Class B."

For the purpose of determining the jurisdiction of any justice's court therein, the population of a judicial township shall be deemed to be above or below thirty thousand as may have been found by the Supreme Court of this State to be the fact in any proceeding in mandamus, prior to January 1, 1931, to compel the justices of such townships to exercise original jurisdiction in certain causes; otherwise such population shall be deemed to be as shown by the last preceding census taken under the direction of the Congress of the United States."

Amendment No. 6.

On page 1, line 17, of the printed bill, as amended, after "of", insert the following: "Class A or".

Amendment No. 7.

On page 2, line 6, of the printed bill, as amended, strike out "of", and insert in lieu thereof the following: "or".

Amendment No. 8.

On page 2, line 25, of the printed bill, as amended, after "of", insert the following: "Class A or".

Amendment No. 9.

On page 2, line 34, of the printed bill, as amended, strike out "A", and insert in lieu thereof the following: "LA".

Amendment No. 10.

On page 2, line 41, of the printed bill, as amended, after "civil", insert the following: "action or".

Amendment No. 11.

On page 3, line 7, of the printed bill, as amended, strike out "A.", and insert in lieu thereof the following: "LA"

Amendment No. 12.

On page 3, line 11, of the printed bill, as amended, strike out "A", and insert in lieu thereof the following: "LA"

Amendment No. 13.

On page 3, line 34, of the printed bill, as amended strike out "detandant", and insert in lieu thereof the following: "defendant".

Amendment No. 14.

On page 4, line 8, of the printed bill, as amended, after "of", insert the following: "Class A or".

Amendment No. 15.

On page 4, line 12, of the printed bill, as amended, strike out "A", and insert in lieu thereof the following: "LA"

Amendment No. 16.

On page 4, line 15, of the printed bill, as amended, strike out "direct", and insert in lieu thereof the following: "directs".

Amendment No. 17.

On page 4, line 21, of the printed bill, as amended, after "of", insert the following: "Class A and".

Amendment No. 18.

On page 4, line 35, of the printed bill, as amended, after "plaintiff", strike out "------,".

Amendment No. 19.

On page 4, line 37, of the printed bill, as amended, strike out "defendant.", and on the right side of said line, immediately under "vs.", insert the following: "------, defendant"

Amendment No. 20.

On page 5, line 5, of the printed bill, as amended, immediately before "shall", insert the following: "he".

Amendment No. 21.

On page 5, line 33, of the printed bill, as amended, strike out "A", and insert in lieu thereof the following: "LA".

Amendment No. 22.

On page 5, line 40, of the printed bill, as amended, strike out "A", and insert in lieu thereof the following: "LA".

Amendment No. 23.

On page 6, line 1, of the printed bill, as amended, after "of", insert the following: "Class A or".

Amendment No. 24.

On page 6, line 6, of the printed bill, as amended, after "of", insert the following: "Class A and".

Amendment No. 25.

On page 6, line 35, of the printed bill, as amended, strike out "A", and insert in lieu thereof the following: "LA".

Amendment No. 26.

On page 7, line 2, of the printed bill, as amended, after "of", insert the following: "Class A or".

Amendment No. 27.

On page 7, line 8, of the printed bill, as amended, after "of", insert the following: "Class A and".

Amendment No. 28.

On page 7, line 15, of the printed bill, as amended, strike out "A", and insert in lieu thereof the following: "LA".

Amendment No. 29.

On page 7, line 18, of the printed bill, as amended, immediately before "Class", insert the following: "Class A or".

Amendment No. 30.

On page 7, line 24, of the printed bill, as amended, immediately before "Class", insert the following: "Class A and".

Amendment No. 31.

On page 7, line 26, of the printed bill, as amended, after "signed", insert the following: "by the clerk or".

Amendment No. 32.

On page 7, line 27, of the printed bill, as amended, after the comma and before "notice", insert the following: "such".

Amendment No. 33.

On page 7, line 36, of the printed bill, as amended, strike out "and", and insert in lieu thereof the following: "with".

Amendment No. 34.

On page 7, line 45, of the printed bill, as amended, strike out "A", and insert in lieu thereof the following: "LA".

Amendment No. 35.

On page 8, line 1, of the printed bill, as amended, after "of", insert the following: "Class A and".

Amendment No. 36.

On page 8, line 6, of the printed bill, as amended, strike out "A", and insert in lieu thereof the following: "LA".

Amendment No. 37.

On page 8, line 46, of the printed bill, as amended, strike out "A", and insert in lieu thereof the following: "LA".

Amendment No. 38.

On page 8, line 47, of the printed bill, as amended, immediately before "Class", insert the following: "Class A or".

Amendment No. 39.

On page 9, line 1, of the printed bill, as amended, after "of", insert the following: "Class A or".

Amendment No. 40.

On page 9, line 8, of the printed bill, as amended, strike out "A", and insert in lieu thereof the following: "LA"

Amendment No. 41.

On page 9, line 12, of the printed bill, as amended, strike out "A", in the two places in which it appears in said line, and insert in lieu thereof, in each of said two places, the following: "LA".

Amendment No. 42.

On page 9, line 19, of the printed bill, as amended, after "1033.", insert the following: "1. In justices' courts of Class A or Class B the justice must tax and include in the judgment the costs allowed by law to the prevailing party.
2."

Amendment No. 43.

On page 9, line 20, of the printed bill, as amended, after "courts", insert the following: "of Class LA".

Amendment No. 44.

On page 9, line 48, of the printed bill, as amended, strike out "A", and insert in lieu thereof the following: "LA".

Amendment No. 45.

On page 9, line 49, of the printed bill, as amended, strike out "He", and insert in lieu thereof the following "They".

Amendment No. 46.

On page 10, line 3, of the printed bill, as amended, after "of", insert the following: "Class A or".

Amendment No. 47.

On page 10, line 11, of the printed bill, as amended, after "of", insert the following: "Class A or".

Amendment No. 48.

On page 9, line 16, of the printed bill, as amended, strike out ", or by his indorsement", and insert in lieu thereof the following: "or assignee of record, or by indorsement by the judgment creditor or assignees of record".

Amendment No. 49.

On page 9 of the printed bill, as amended, between lines 26 and 27, insert the following:

"Whenever an abstract of the judgment has been recorded with the recorder of any county, satisfaction thereof made in the manner of an acknowledgment of a conveyance of real property may be recorded, or an entry thereof may be made in the

margin of the recorder's record, signed by the judgment creditor or assignee of record or by the attorney, unless a revocation of his authority is recorded. Said signature to the marginal release must be signed in the presence of the recorder who must certify to the same as provided in section 2938 of the Civil Code for satisfaction of a mortgage."

The roll was called, and Senate amendments to Assembly Bill No. 1189 were concurred in by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Thorp, Utt, Walker, Waters, Williamson, Wright, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 1189 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 437.

Assembly Bill No. 437—An act to amend section 112 of, and to add section 112a to, the Code of Civil Procedure, relating to the jurisdiction of justices' courts.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 437?

Amendment No. 1.

On page 1, line 11, of the printed bill, as amended, after "involve", insert the following: "the title or possession of real estate or".

Amendment No. 2.

On page 2, line 39, of the printed bill, as amended, strike out "; to appoint receivers in the cases mentioned in", and strike out all of lines 40 to 42, inclusive, and insert in lieu thereof a period.

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 437 by the following vote:

AYES—O'Donnell, and Wright—2

NOES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Williamson, and Mr. Speaker—59.

Further Proceedings Under Call of the House Dispensed With.

At eleven o'clock and five minutes a m., further proceedings under the call of the House were dispensed with, on motion of Mr. DeLap.

The roll of absentees was called.

Call of the House.

Pending the announcement of the vote, Mr. DeLap moved a call of the House.

Point of Order.

Mr. Jones arose to the following point of order: Stating that the motion for a call of the House was irregular.

Ruling by the Speaker.

The Speaker ruled the point of order not well taken.

The question being on the motion for call of the House.

Roll Call.

The Speaker ordered a roll call taken on the motion for a call of the House.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hornblower, Johnson, Latham, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Waters, Williamson, Wright, and Mr. Speaker—50.

NOES—Clark, Evans, Ralph W., Flint, Geyer, Gilbert, Hawkins, Heisinger, Hunt, Jones, Kallam, Laughlin, Lore, McCarthy, O'Donnell, Pelletier, Richie, Rosenthal, and Wagner—18.

Time, eleven o'clock and ten minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Williamson, Wright, and Mr. Speaker—68

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Unfinished Business—(Resumed).

Consideration of Assembly Amendments to Senate Bill No. 626.

Senate Bill No. 626—An act to add a new section, to be numbered 715.5, to the Vehicle Code, relating to weights of vehicles on certain highways.

The question being: Shall the Assembly recede from Assembly amendments to Senate Bill No. 626?

The roll was called, and the Assembly receded from Assembly amendments to Senate Bill No. 626 by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cunningham, Dawson, DeLap, Donihue, Evans, Herbert J., Evans, Ralph W., Frazier, Hornblower, Kallam, Latham, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Peterson, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Wallace, Waters, Wright, and Mr. Speaker—41.

NOES—Anderson, Clark, Cronin, Donnelly, Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Laughlin, Lore, Patterson, Pelletier, Rosenthal, Turner, Wagner, Walker, and Williamson—27.

Third Reading of Assembly Bills.

Assembly Bill No. 213—An act to amend sections 137, 138, and 166 of, and to add sections 171 and 172 to the Fish and Game Code, relating to game refuges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 213 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert,

Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Special Order Reset for Assembly Bill No. 1289.

On motion of Mr. Gilmore, the consideration of Assembly Bill No. 1289 was made a special order for Tuesday, June 11, 1935, at eleven o'clock a.m.

Special Order Reset for Assembly Bill No. 2474.

On motion of Mr. Gilmore, the consideration of Assembly Bill No. 2474 was made a special order for Tuesday, June 11, 1935, at eleven o'clock and one minute a.m.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2489—An act to amend sections 105, 109 and 111 of the Vehicle Code, relating to the Department of Motor Vehicles.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2489 passed by the following vote:

AYES—Andreas, Breed, Brennan, Cassidy, Chatters, Corwin, Cottrell, Cunningham, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Gilmore, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Morgan, Nielsen, O'Donnell, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—49.

NOES—Anderson, Clark, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, McCarthy, Pelletier, Reaves, Richie, and Rosenthal—18.

Title read and approved.

Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the House Dispensed With.

At eleven o'clock and twenty-five minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr DeLap.

The roll of absentees was called.

Motion for Call of the House.

Pending the announcement of the vote, Mr. DeLap moved a call of the House.

Point of Order.

Mr. Jones arose to the following point of order: Stating that the call of the House was irregular.

Ruling by the Speaker.

The Speaker ruled the point of order not well taken.

The question being on the motion for call of the House.

Roll Call.

The Speaker ordered a roll call taken on the motion for a call of the House.

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Clark, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Kallam, Laughlin, Lore, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Thorp, Turner, Wagner, and Walker—35.

NOES—Andreas, Breed, Brennan, Chatters, Corwin, Cottrell, Cunningham, Dawson, DeLap, Desmond, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Hornblower, Johnson, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Utt, Wallace, Waters, Williamson, Wright, and Mr. Speaker—38.

The roll of absentees was called, and reconsideration of Senate Constitutional Amendment No. 1 was granted by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Heisinger, Hornblower, Johnson, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—55.

NOES—Anderson, Clark, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Hunt, Jones, Kallam, Laughlin, Lore, McCarthy, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, and Wagner—21.

Senate Constitutional Amendment No. 1 ordered on file for adoption.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No 916—An act to add section 15a to "The California Agricultural Adjustment Act of 1935," relating to ways, means, and moneys, and providing and appropriating moneys, for the administration and enforcement thereof and of State and Federal marketing agreements and licenses and the regulation of producers, packers, distributors, shippers, marketers, handlers, processors, and others dealing in agricultural, viticultural, horticultural, animal, and poultry products and of any competing commodity or product thereof, thereunder, and under the legislative standards in relating to the rehabilitation of agriculture therein specified, and declaring the existence of a State and National agricultural emergency and the urgency of this act and that this act shall take effect immediately.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Phillips:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "section 15a", and insert in lieu thereof the following: "sections 3a, 15a and 20a".

Amendment No. 2.

On page 2 of the printed bill, as amended, strike out lines 1 and 2 of the title, and insert in lieu thereof the following: "thereof and of"

Amendment No. 3.

On page 10 of the printed bill, as amended, strike out line 46, and insert in lieu thereof the following:

"SECTION 1 Section 3a is hereby added to the California Agricultural Adjustment Act of 1935, to read as follows:

Sec. 3a. When used in this act the term or words "Federal license" shall mean a license, order or other method of regulation issued to or imposed upon processors, associations of producers or others engaged in the handling of any agricultural commodity or product thereof by the Secretary of Agriculture of the United States under the provisions of the National Agricultural Adjustment Act specifying the terms and conditions under which such handling may be engaged in.

SEC. 2 Section 15a is hereby added to the Califor-".

Amendment No. 4.

On page 10, line 51, of the printed bill, as amended, strike out "California", and all of line 52, and insert in lieu thereof the following 'Department of Agriculture fund."

Amendment No. 5.

On page 11 of the printed bill, as amended, strike out lines 1 to 16, and insert in lieu thereof the following: "All moneys paid into said fund hereunder are hereby appropriated for the use of said director to be expended in accordance with law and in like manner as other moneys in said fund solely in carrying out the provisions hereof."

Amendment No. 6.

On page 11, line 43, of the printed bill, as amended, strike out the parenthesis and figure "(3)", and insert in lieu thereof parenthesis and figure "(2)".

Amendment No. 7.

On page 11 of the printed bill, as amended, after line 52, add the following:

"SEC. 20a. (a) Notwithstanding any provision of this act heretofore enacted, *all provisions of this act, save as hereinafter provided, shall continue, be and remain* in full force, effect and operation when and while there exists any Federal regulation of any agricultural business, trade or industry as to matters and transactions in the current of interstate or foreign commerce, subject to the following limitations.

1. Such Federal regulation must be within, under or to accomplish the same or similar, even though more specific, standards and purposes as heretofore existed under the National Agricultural Adjustment Act herein mentioned; and

2. In all cases and at all times corresponding State regulation of such agricultural business, trade or industry as to matters or transactions in the current of intrastate commerce within this State must be within, under and pursuant to the State legislative standards and purposes in sections 1 and 2 of this act mentioned and declared.

(b) Subject to said limitations, the term "Federal regulation" as used in subdivision (a) of this section is hereby defined to embrace all such Federal regulation now or hereafter to be enacted of whatever kind, type or form, including:

1. *Specific Federal legislative provisions and regulations;*

2 All orders, rules, licenses as that term was heretofore used in this act, licenses as defined in section 3a hereof, marketing agreements or regulations duly made, issued or approved by the Secretary of Agriculture under the National Agricultural Adjustment Act or any amendment thereof or any other Federal act; and

3. All orders, rules or regulations duly made or promulgated by any officer, board, commission or committee under the terms or authority of any order, rule, license, marketing agreement or regulation in paragraph 2 of this subdivision mentioned.

No enumeration in this subdivision contained shall be construed to exclude any other ways, means or methods of imposing, effecting or administering such Federal regulation.

(c) Whenever in any other sections of this act mention or reference is made of or to Federal laws or regulations, or of or to Federal licenses as defined in section 3a hereof, or of or to Federal licenses as that term was heretofore used in this act *or amendments thereof or orders, rules and regulations thereunder, the same shall* be construed to refer to, include, mean and relate to any Federal regulation as that term is defined in this section.

(d) It is the true intent and purpose of this section that, subject to said limitations:

1. All Federal regulation as defined in this section now or when hereafter enacted, shall be or by the State Director of Agriculture shall be made correspondingly hereunder applicable to, regulatory of, and violations thereof unfair competition in all dealings in, such agricultural business, trade or industry as to matters and transactions in the current of intrastate commerce within this State.

2. This act within the standards and purposes herein mentioned shall be given its utmost possible scope and operation with respect to any such Federal regulation in this section defined.

(e) To further accomplish the intent and purpose of this section, no change in *administrative provisions, features or details of the Federal law shall render this* act or any provision thereof inoperative but the provisions hereof shall continue as aforesaid with like corresponding change so far as possible in administrative provisions, features or details hereof.

(f) Section 20 hereof shall be subject to the provisions of this section but corresponding State regulation of any given agricultural business, trade or industry shall cease when and while all Federal regulation in this section defined of said given agricultural business, trade or industry ceases to be in effect.

(g) However, this section 20a is separate and distinct from all other portions of this act or of this amendatory act and is not a consideration or inducement for the enactment or retention of the whole or any other portion of this act or of this amendatory act. If any of the provisions of this section be for any reason declared invalid, the remainder of this act and of this amendatory act shall be in full force and effect and as completely operative as if this section had not been included herein."

Amendment No. 8.

On page 12, line 1, of the printed bill, as amended, strike out the figure "2", and insert in lieu thereof the figure "3".

Amendment No. 9.

On page 12 of the printed bill, as amended, between lines 21 and 22, add the following:

"(c) Recent court decisions may after the adjournment of this Legislature result in changes in the administrative features or other details of the now existing National Agricultural Adjustment Act while continuing Federal regulation within the general purposes and standards and to accomplish like objects as are now specified in said act. To meet the now existing emergency upon an emergency resulting from such court decisions the provisions of section 20a of this act are indispensable to provide for a corresponding State regulation of intrastate business as to agricultural products and commodities as may exist with respect to interstate transactions thereof."

Amendment No. 10.

On page 12, line 22, of the printed bill, as amended, strike out "(c)", and insert in lieu thereof "(d)".

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 8, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 61—Relative to memorializing Congress to repeal "An act to amend the Tariff Act of 1930," approved June 12, 1934.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Joint Resolution No. 61 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 8, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 63—Relative to memorializing the President of the United States to make ample provision for the encouragement of the artistic, cultural, humane, patriotic and sentimental phases of our American National life in the Federal Works Plan.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Joint Resolution No. 63 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 8, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 955—An act to amend the title and sections 1 and 24, and to add section 8a to the "Storm-water District Act of 1909," approved March 13, 1909, as amended, relating to the formation of districts for the purpose of controlling soil erosion and protecting the lands in such district from damage by storm-water or other waters;

Also: Assembly Bill No. 1398—An act to amend section 1 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State, to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violation of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, and relating to penalties for violations of this act;

Also: Assembly Bill No. 1170—An act relating to the Department of Professional and Vocational Standards and defining its powers and duties in relation to and providing for the adoption and registration of names and marks or other devices on garments, towels, table linen and other linen supplies used in the rendition of a rental service as indicia of ownership and to protect the owners thereof;

Also: Assembly Bill No. 1294—An act to amend Section 515 of the Vehicle Code, relating to motor vehicles.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 955, 1398, 1170 and 1294 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 8, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1579—An act to amend section 911 of the Insurance Code, relating to insurance practice regarding financial statements of insurers, and matters incidental thereto;

Also: Assembly Bill No. 1586—An act to repeal sections 12051 and 12052 of the Insurance Code, relating to surety insurers;

Also: Assembly Bill No. 735—An act to amend sections 4 and 10 of an act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision," approved May 18, 1917, relating to the operation of the business of industrial loan companies.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1579, 1586 and 735 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 8, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2470—An act for the relief of purchasers of swamp and overflowed lands, declaring the urgency thereof and that this act shall take effect immediately;

Also: Assembly Bill No. 2458—An act to add Chapter 9, embracing sections 725 to 734, inclusive, to Division IV of the Agricultural Code, relating to dairies and dairy products;

Also: Assembly Bill No. 2305—An act to add section 9a to the State Medical Practice Act, relating to chiropody;

Also: Assembly Bill No. 2122—An act to postpone proceedings to enforce any guaranty of any special assessment or special assessment tax, or arising out of the issuance of any special assessment bond, or ad valorem district bonds or direct assessment district bonds, levied or issued to pay the cost of the improvement or acquisition of property for public purposes, in cases in which proceedings to enforce such assessments, bonds, or taxes are postponed by law, declaring the urgency thereof, and providing that it shall take effect immediately;

Also: Assembly Bill No. 1921—An act to amend section 1461 of the Probate Code, relating to guardians of insane or incompetent persons;

Also: Assembly Bill No. 1589—An act to amend section 12562 of the Insurance Code, relating to mortgage insurance;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 2470, 2458, 2305, 2122, 1921, and 1589 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 8, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1765—An act to amend section 649, 649a, 651a, 651b, 651c, and 651d of the Civil Code, relating to colleges and seminaries of learning;

Also: Assembly Bill No. 1904—An act to amend section 3 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to wagering and to the powers of the California Horse Racing Board.

Also: Assembly Bill No. 1906—An act to add section 987b to the Penal Code, relating to the office of public defender;

Also: Assembly Bill No. 1987—An act to amend section 3 of "An act relating to the liability in damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property, and alleged to be due to the negligence or carelessness of such officers; prescribing the duties of claimants in such cases, and authorizing the State and such public or quasi public corporations to take out and pay for insurance to protect their officers against such liability," approved June 19, 1931, relating to insurance;

Also: Assembly Bill No. 2043—An act to add a new section to be known as section 5.724 to the School Code, relating to resignations, dismissals and leaves of absence of certificated employees.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1765, 1904, 1906, 1987, and 2043 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 8, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2068—An act to amend section 76a of the Improvement Act of 1911, relating to foreclosure of bonds;

Also: Assembly Bill No. 2260—An act relating to employment contracts and applications for employment;

Also: Assembly Bill No. 2435—An act to add section 642 to, and to repeal section 486 of, the Streets and Highways Code, relating to secondary State highway.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 2068, 2260, and 2435 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 8, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1304—An act to amend the title and sections 1, 2, 3, 4, 5, 6 and 7 of an act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores, and spotting, sponging, and/or pressing establishments, or agencies thereof, and private schools and colleges of spotting, sponging, and/or pressing; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violations," approved May 28, 1931, relating to cleaning and dyeing;

Also: Assembly Bill No. 1462—An act to add section 4a to the act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931, relative to the definition of public contract work and the payment of the general prevailing rate therefor;

Also: Assembly Bill No. 1470—An act to amend section 10 of "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, relating to municipal utility districts;

Also: Assembly Bill No. 1581—An act to amend sections 38 and 11741 of, and to add section 11557.5 to, the Insurance Code, relating to insurance principles,

practice and business, and matters incidental thereto, particularly including notice, and revocation and suspension of certificates of authority.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1304, 1462, 1470, and 1581 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 8, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 522—An act to amend section 400 of the Vehicle Code, relative to the liability of governmental agencies;

Also: Assembly Bill No. 814—An act to amend section 92 of, and to add section 95 to the Agricultural Code, relating to and providing for the exhibition of California products;

Also: Assembly Bill No. 898—An act to amend section 488 of the Agricultural Code, relating to Grade A milk;

Also: Assembly Bill No. 941—An act to amend section 428 of the Fish and Game Code and to add thereto sections 428.5 and 428.6, relating to sporting fishing licenses, and the disposition of fees therefrom;

Also: Assembly Bill No. 973—An act to amend section 803 of the Agricultural Code, relating to peaches;

Also: Assembly Bill No. 978—An act to amend section 12 of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to civil engineers;

Also: Assembly Bill No. 1836—An act to amend section 622 of the Agricultural Code, relating to dairies and dairy products.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 522, 814, 898, 941, 973, 978, and 1836 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 8, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1500—An act relating to money appropriated for the encouragement of county and district agricultural fairs, declaring the urgency hereof and providing that this act shall go into immediate effect;

Also: Assembly Bill No. 1346—An act to amend section 107 of the Penal Code, relating to punishment for escape of a prisoner;

Also: Assembly Bill No. 1295—An act to amend section 702 of the Vehicle Code, relating to motor vehicles;

Also: Assembly Bill No. 976—An act to amend section 806 of the Agricultural Code, relating to plums and fresh prunes;

Also: Assembly Bill No. 975—An act to amend section 804 of the Agricultural Code, relating to pears;

Also: Assembly Bill No. 972—An act to amend section 791 of the Agricultural Code, relating to apricots;

Also: Assembly Bill No. 959—An act to amend section 59 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to referees of the Industrial Accident Commission;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1500, 1346, 1295, 976, 975, 972, and 959 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 8, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 812—An act to amend section 226 of the Civil Code, relating to proceedings on adoption;

Also: Assembly Bill No. 800—An act to amend section 705 of the Vehicle Code, relating to vehicles and the weight and loading thereof;

Also: Assembly Bill No. 338—An act to add section 731a to the Code of Civil Procedure, relating to the use of the injunction in industrial or commercial zones;

Also: Assembly Bill No. 240—An act to amend section 362 of the Streets and Highways Code and to add section 603 thereto, relating to State highways;

Also: Assembly Bill No. 88—An act to add section 762 to the Political Code, relating to the office hours of clerks of the District Courts of Appeal;
Also: Assembly Bill No. 2457—An act to amend section 363i of the Political Code, relating to the administration of certain bays, ports and harbors;
And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 812, 800, 338, 240, 88, and 2457 ordered on unfinished business file.

Unfinished Business—(Resumed).

Reconsideration of Assembly Bill No. 328.

Assembly Bill No. 328—An act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad adequately to man their gas, gas-electric, diesel, or diesel-electric cars and locomotives.

In compliance with his notice given on a previous day, Mr. McBride moved that the vote whereby Assembly Bill No. 328 was passed be reconsidered.

Demand for Previous Question.

Messrs. Chatters, Peterson, Fisher, Robertson, and Anderson demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the reconsideration of Assembly Bill No. 328.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Breed, Brennan, Corwin, Cottrell, Cronin, Cunningham, Dawson, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Johnson, Kallam, Latham, Lyon, Martin, McBride, Miller, Minard, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Wright, and Mr. Speaker—36.

NOES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, Maloney, Mayo, McCarthy, McMurray, Meehan, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Scudder, Voigt, Wagner, and Williamson—41.

Assembly Bill No. 328 ordered transmitted to the Senate.

Recess.

At twelve o'clock and five minutes p.m., on the motion of Mr. Cottrell, the Assembly was declared at recess until one o'clock and forty-five minutes p.m., this day.

Reassembled.

At one o'clock and forty-five minutes p.m., the Assembly reconvened. Speaker Craig in the chair.

Unfinished Business—(Resumed).

Motion to Reconsider Senate Bill No. 700 Continued.

Mr. Burns moved that the consideration of his motion to reconsider the vote whereby Senate Bill No. 700 was refused passage be continued until the next legislative day.

Motion carried.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 10, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 834—An act relating to and imposing limitations on expenditures by counties, cities and counties, districts and other political subdivisions, under authority of section 20 of Article XI of the Constitution of the State—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 834 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 10, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to Senate Bill No. 436—An act to add section 4905 to the Fish and Game Code, and to amend sections 651, 652, 653, 655 and 6516 thereof, relating to fish;

Also: Senate Bill No. 718—An act to amend sections 384 and 439 of the Vehicle Code, relating to the registration and storage of vehicles;

Also: Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XIII thereof, a new section to be numbered 17, relating to the power of the Legislature to provide for the borrowing of money to meet appropriations made by law, in anticipation of the collection of taxes and revenues;

And requests that your honorable body recede therefrom.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bills Nos. 436 and 718, and Senate Constitutional Amendment No. 18 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 10, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 357—An act to repeal section 452a of the Political Code, relating to the safe-keeping of bonds deposited with treasurers;

Also: Senate Bill No. 1038—An act to amend sections 1240 and 1241 of the Code of Civil Procedure, relating to condemnation;

Also: Senate Bill No. 1129—An act to add section 4093.5 to the Political Code, relating to transmission of moneys to counties by State officers and employees;

Also: Senate Bill No. 95—An act to amend sections 356, 407, 448 and 422 of, and to add sections 601, 602, 602.5, 602.6, 602.7, 604, 610, 612, 615, 617, 618, 621, 624, 625, 626, 627, 632, 637, 639, 639.1, 639.2, 639.3, 644, 645, 646, 648, 649, 650 and 651 to the Streets and Highways Code, establishing additional secondary State highways.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bills Nos. 357 and 1038 read first time, and referred to Committee on Judiciary.

Senate Bill No. 1129 read first time, and referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 95 read first time, and referred to Committee on Roads and Highways.

Also:

SENATE CHAMBER, SACRAMENTO, June 10, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, as a case of urgency, Assembly Bill No. 2102—An act providing for the formation of nonprofit membership corporations to be known as electric membership corporations; authorizing such corporations to acquire, sell and distribute energy to the inhabitants of the State at the lowest cost consistent with sound economy and the prudent management of the business of such corporations; authorizing such corporations to construct or otherwise acquire, own, operate, maintain, extend and improve works, plants and systems for the acquisition, production, transmission or distribution of energy; authorizing such corporation to exercise the right of eminent domain and otherwise providing for the rights, powers

and duties of such corporations; authorizing and regulating the issuance of revenue obligations by such corporations and providing for the payment of such obligations and the rights of the holders thereof; and providing that this act shall take immediate effect—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 2102 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 10, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No. 650—An act to add two new sections to Article 2 of Chapter 3 of Division I of the Streets and Highways Code, relating to franchises in highways,

Also. Assembly Bill No. 1055—An act to amend section 401 of the Vehicle Code, relating to tort liability of drivers of police, fire and other emergency vehicles maintained by governmental bodies.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 10, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2429—An act to provide for the formation, management, alteration of boundaries, and dissolution of storm drain maintenance districts, defining the powers of the board of supervisors and the county surveyor relative to such districts and providing for the levy and collection of taxes to defray the expenses thereof—and respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 2429 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 10, 1935

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 2134—An act to add section 6.2a to the School Code, relating to school property fire losses;

Also. Assembly Bill No. 98—An act providing for the establishment, organization, operation and dissolution of municipal housing authorities, vesting them with authority to clear, replan and reconstruct areas in municipalities in which unsanitary and substandard housing conditions exist, to provide and maintain decent, safe and sanitary dwelling accomodations, in said areas and elsewhere for persons of low income, to acquire property therefor by purchase, option or lease, or by condemnation in the exercise of the power of eminent domain, to sell or lease their projects, to borrow money, and defining the duties and powers of such municipal housing authorities in the exercise of the authority so vested in them and authorizing any city or city and county establishing a municipal housing authority to give it financial assistance and to issue bonds therefor, and otherwise to aid, assist and cooperate with such municipal housing authority, and declaring the measure an urgency measure within the meaning of section 1 of Article IV of the Constitution and providing accordingly for the act to take effect immediately.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 2134 and 98 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 10, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 424—An act granting to the city of Richmond and its successors certain salt marsh, tide and submerged land of the State of California, including the right to wharf out therefrom and grant franchises and leases thereon and regulating the management, use and control thereof, also including the right of said city to collect the rents, issues and profits in any manner hereafter arising from the lands or wharf-out privileges hereby granted;

Also: Senate Bill No 464—An act to amend section 3051 of the Civil Code, relating to liens;

Also: Senate Bill No. 536—An act to license, regulate and control the manufacture, transportation, sale, purchase, possession and disposition of alcoholic beverages, to make an appropriation for the enforcement of this act; and to prescribe penalties for the violation of this act;

Also: Senate Bill No. 28—An act to amend section 1881 of the Code of Civil Procedure, relating to privileged communications;

Also Senate Bill No 161—An act to amend sections 421, 806 and 811 of the Fish and Game Code, relating to Pismo clams and cockle clams;

Also. Senate Bill No. 332—An act to amend section 1 of an act entitled "An act relating to the doing of public work by day's labor or force account, except emergency and maintenance work and work costing less than ten thousand dollars; requiring the State Highway Engineer, State Engineer, the State Architect, county engineers, county surveyors, city and county engineers, county highway engineers, road commissioners, city engineers, commissioners of public works, superintendents of streets, harbor engineers, flood control engineers and the engineers of any reclamation, irrigation or other districts, political subdivisions or agencies of the State directing, supervising or superintending such work, or in charge of the engineering for or in connection therewith, to keep the costs, prepare and file plans, specifications and estimates of cost, and, upon completion, prepare and file certificates of cost thereof; and providing for the keeping of such plans, specifications and certificates as public records," approved June 21, 1923, relating to public work.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 679—An act to repeal section 363n, of the Political Code, relating to State contracts for architectural services.

Bill read third time.

Demand for Previous Question.

Messrs. Garibaldi, Robertson, Heisinger, Weber and Scudder demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 679 refused passage by the following vote:

AYES—Anderson, Cassidy, Clark, Dawson, Desmond, Donnelly, Evans, Ralph W., Hawkins, Heisinger, Jones, Kallam, Lore, Mayo, McCarthy, McMurray, Nielsen, Patterson, Pelletier, Reaves, Utt, and Wagner—21.

NOES—Andreas, Boyle, Brennan, Burns, Chatters, Corwin, Cottrell, Cunningham, DeLap, Donahue, Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Glover, Hunt, Johnson, Latham, Maloney, Martin, McBride, Meehan, Miller, Minard, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Voigt, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—42.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 5, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS. Senate Bill No 50—An act making an appropriation to meet a deficiency in the appropriation for subsidies of the Bureau of Tuberculosis of the Department of Public Health, declaring the urgency thereof and providing that this act shall take effect immediately.

In my opinion said Senate Bill No. 50 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Request for Unanimous Consent.

Mr. Stream asked for, and was granted, unanimous consent to take up Senate Bill No. 50, at this time, without reference to committee or file.

Consideration of Senate Bill No. 50.

Senate Bill No. 50—An act making an appropriation to meet a deficiency in the appropriation for subsidies of the Bureau of Tuberculosis of the Department of Public Health, declaring the urgency thereof and providing that this act shall take effect immediately.

Case of Urgency.

The following resolution was offered:

By Mr. Stream:

Resolved, That Senate Bill No 50 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

Mr. Stream moved the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—62.

NOES—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 50.

Second Reading of Senate Bill No. 50.

Bill read second time.

Third Reading of Senate Bill No. 50.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 50 finally passed by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Special Order.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Senate Bill No. 297.

Senate Bill No. 297—An act to add a new section to an act entitled, An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911,

known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act, approved June 16, 1913, as amended, relating to persons seeking nomination.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Lore:

Amendment No. 1.

On page 2 of the printed bill, as amended, after line 11, insert the following.

"The provisions of this section requiring six months affiliation with a political party immediately preceding the filing of a declaration of candidacy, do not apply to persons seeking nomination by a newly organized political party which has qualified within six months of the first day upon which a declaration of candidacy may be filed."

Amendment adopted.

Request for Unanimous Consent.

Mr. Stream asked for, and was granted, unanimous consent to take up Senate Bill No. 297, as amended, at this time, without reference to reprint or file.

Senate Bill No. 297, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Brennan:

Amendment No. 1.

On page 2, line 10, of the printed bill, as amended, strike out the words "six months", and insert in lieu thereof the words "four years".

The question being on the adoption of the amendment submitted by Mr. Brennan to Senate Bill No. 297.

Motion to Lay the Amendment to Senate Bill No. 297 on the Table.

Mr. Chatters moved that the amendment submitted by Mr. Brennan to Senate Bill No. 297 be laid on the table.

The question being on the motion by Mr Chatters to lay the amendment submitted by Mr Brennan to Senate Bill No. 297 on the table.

Roll Call.

The Speaker ordered a roll call taken on the motion to table the amendment submitted by Mr. Brennan.

The roll was called, and the motion was lost by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Chatters, Dawson, DeLap, Donnelly, Evans, Herbert J., Fisher, Garibaldi, Gilmore, Johnson, Kallam, Maloney, Martin, Mayo, Minard, Peyser, Robertson, Scudder, Wagner, Weber, and Williamson—24.

NOES—Anderson, Boyle, Cassidy, Clark, Corwin, Cottrell, Cunningham, Douihue, Evans, Ralph W., Flint, Frazier, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Latham, Laughlin, Lore, McCarthy, McMurray, Meehan, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Thorp, Turner, Voigt, Walker, Wallace, Waters, Wright, and Mr. Speaker—45.

Motion to Re-refer Senate Bill No. 297, as Amended.

Mr. Peyser moved that Senate Bill No. 297, as amended, and amendment pending, be re-referred to Committee on Judiciary.

The question being on the motion by Mr. Peyser to re-refer Senate Bill No. 297, as amended, and amendment pending, to Committee on Judiciary.

Roll Call.

The Speaker ordered a roll call taken on the motion to re-refer Senate Bill No. 297, as amended, and amendment pending, to Committee on Judiciary.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Peyser moved a call of the House.

Roll Call.

The Speaker ordered a roll call taken on the motion for a call of the House.

The roll was called, and the motion was carried by the following vote:

AYES—Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, DeLap, Desmond, Donnelly, Fisher, Frazier, Garibaldi, Heisinger, Johnson, Kallam, Maloney, Mayo, McMurray, Meehan, Miller, Minard, Patterson, Peyser, Robertson, Scudder, Thorp, Turner, Walker, Waters, Weber, and Williamson—34.

NOES—Anderson, Andreas, Boyle, Clark, Dawson, Evans, Herbert J., Evans, Ralph W., Field, Flint, Geyer, Gilbert, Glover, Hawkins, Hunt, Jones, Latham, Laughlin, Lore, Lyon, Martin, McCarthy, Nielsen, Pelletier, Phillips, Reaves, Richie, Rosenthal, Stream, Voigt, Wagner, Wallace, Wright, and Mr. Speaker—33.

Time, two o'clock and thirty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—67.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Third Reading of Senate Bills—(Resumed).

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, June 4, 1935.

To the Honorable Members of the Assembly, State of California, Sacramento, California.

GREETINGS: Senate Bill No. 708—An act relating to the borrowing of money by the State in anticipation of taxes and revenues, and making an appropriation.

In my opinion said Senate Bill No. 708 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Senate Bill No. 708—An act relating to the borrowing of money by the State in anticipation of taxes and revenues, and making an appropriation.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. McBride:

Amendment No. 1.

On page 1, line 8, of the printed bill, as amended, after the word "Whenever", insert the following: "in the judgment of the board".

Amendment No. 2.

On page 1, line 9, of the printed bill, as amended, after the word "appropriations", insert the following: "made by law".

Amendment No. 3.

On page 1, lines 9, 10, 11, and 12, of the printed bill, as amended, strike out the following: "by the Legislature".

Amendment No. 4.

On page 1, line 12, of the printed bill, as amended, after the word "board", insert the following: ", with the approval of the Governor,", and strike out the comma following the word "authorized".

Amendment No. 5.

On page 1, line 13, of the printed bill, as amended, following the word "revenues", strike out the following: ", by law", and insert in lieu thereof the following: "which by law are payable into the general fund,".

Amendment No. 6.

On page 1 of the printed bill, as amended, strike out all of lines 14, 15 and 16, and insert in lieu thereof the following: "to an amount not to exceed".

Amendment No. 7.

On page 2, line 4, of the printed bill, as amended, after the word "notes", insert the following: "or other evidences of indebtedness".

Amendment No. 8.

On page 2, line 15, of the printed bill, as amended, after the word "thereof", insert the following: ", but if not so paid the same shall, nevertheless, continue to be payable from the general fund".

Amendment No. 9.

On page 2, line 20, of the printed bill, as amended, after the word "payment", insert the following: "of the purchase price".

Amendment No. 10.

On page 2, line 21, of the printed bill, as amended, strike out the word "by", and insert in lieu thereof the word "to".

Amendment No. 11.

On page 2, line 32, of the printed bill, as amended, after the word "notes", insert the following: "or other evidences of indebtedness", and strike out the word "of", in said line, and insert in lieu thereof the word "when".

Amendment No. 12.

On page 2 of the printed bill, as amended, strike out all of line 33, and insert in lieu thereof the following: "such notes or other evidences of indebtedness are called for payment; provided, that if such notes or other evidences or indebtedness are issued".

Amendment No. 13.

On page 2, line 35, of the printed bill, as amended, strike out the word "paid", and insert in lieu thereof the following: "such notes or other evidences of indebtedness are called for payment".

Amendment No. 14.

On page 2, line 46, of the printed bill, as amended, after the period, insert the following: "Warrants for such payment shall be drawn by the State Controller upon the request of the State Treasurer."

Amendments adopted.

Further Consideration Deferred.

Further consideration of Senate Bill No. 708 deferred.

Senate Bill No. 1124—An act to amend sections 1193, 1217, 1228, 1239 and 1243 of the Penal Code, relating to persons convicted of the commission of crime.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Garibaldi:

Amendment No. 1.

On page 1, line 14, of the printed bill, strike out "imposed", and insert in lieu thereof the following: "reimposed".

Amendment adopted.

Request for Unanimous Consent.

Mr. Garibaldi asked for, and was granted, unanimous consent to take up Senate Bill No. 1124, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 1124, as Amended.

Senate Bill No. 1124, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1124, as amended, finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—73.

NOES—Cassidy—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Statement on Senate Bill No. 1124.

I wish to state that, while I handled Senate Bill No. 1124 in the Assembly, it was largely through the assistance of Assemblyman Hawkins that this bill was passed.

JAMES D. GARIBALDI.

Explanation of Vote.

I am supporting this bill to insure the passage of legislation in case my own bill is defeated. But I do not thereby indorse the action of the special investigating committee of Lieutenant Governor Hatfield in "white-washing" the Rush Griffin case at the expense of the honor and safety of my district; or in refusing to extend legislative courtesy to me. Humanity should come before political ambition.

AUGUSTUS F. HAWKINS.

Further Proceedings Under Call of the House Dispensed With.

At two o'clock and fifty-six minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Peyser.

The roll of absentees was called, and the motion to re-refer Senate Bill No. 297, as amended, and amendment pending, to Committee on Judiciary was carried by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Heisinger, Hornblower, Johnson, Kallam, Lyon, Maloney, Mayo, McBride, Meehan, Minard, Nielsen, O'Donnell, Patterson, Peterson, Peyser, Phillips, Riley, Robertson, Scudder, Thorp, Turner, Utt, Waters, Weber, and Williamson—48.

NOES—Anderson, Clark, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Hunt, Jones, Latham, Laughlin, Lore, Martin, McCarthy, McMurray, Miller, Pelletier, Reaves, Richie, Rosenthal, Stream, Wagner, Walker, Wallace, Wright, and Mr. Speaker—28.

Senate Bill No 297, as amended, and amendment pending, ordered re-referred to Committee on Judiciary.

Unfinished Business—(Resumed).

Reconsideration of Senate Bill No. 556.

Senate Bill No. 556—An act to amend section 6.2 of the School Code, relating to powers of boards of school trustees and city boards of education.

In compliance with his notice given on a previous day, Mr. O'Donnell moved that the vote whereby Senate Bill No. 556 was passed be reconsidered.

Demand for Previous Question.

Messrs. Mayo, Peterson, Chatters, Robertson, and Johnson demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the reconsideration of Senate Bill No. 556.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Scudder moved a call of the House.

Roll Call.

The Speaker ordered a roll call taken on the motion for a call of the House.

The roll was called, and the motion was carried by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Johnson, Latham, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Waters, Weber, Williamson, Wright, and Mr Speaker—48.

NOES—Anderson, Clark, Dawson, Donihue, Flint, Geyer, Heisinger, Hunt, Jones, Kallam, Laughlin, Lore, Patterson, Pelletier, Reaves, Richie, Rosenthal, Voigt, and Wagner—19.

Time, three o'clock and forty minutes p.m

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—67.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Motion to Re-refer Senate Bill No. 874.

Mr. Garibaldi moved that Senate Bill No. 874 be withdrawn from file, and ordered re-referred to Committee on Live Stock and Dairies.

The question being on re-referring Senate Bill No. 874 to Committee on Live Stock and Dairies.

Motion carried.

Senate Bill No. 874 ordered re-referred to Committee on Live Stock and Dairies.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1302—An act to amend sections 2, 3, 7, 12, 18 and 20 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to pharmacy.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Patterson:

Amendment No. 1.

On page 5 of the printed bill, as amended, strike out all of lines 35 and 36, and the words "Patent Office," in line 37, and insert in lieu thereof the following "Nor does this act apply to the manufacture or sale of harmless nonhabit forming patent or proprietary medicines when labeled in accordance with the provisions of the Federal Food and Drug Act or the food and/or drug acts of this State,".

The question being on the amendment submitted by Mr. Patterson to Assembly Bill No. 1302.

Roll Call.

The Speaker ordered a roll call taken on the amendment submitted by Mr. Patterson.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Brennan, Burns, Cassidy, Clark, Crowley, Dawson, Donihue, Evans, Ralph W., Frazier, Geyer, Laughlin, Lyon, McCarthy, McMurray, Meehan, Patterson, Robertson, Stream, and Thorp—19.

NOES—Anderson, Andreas, Boyle, Breed, Corwin, Cronin, Cunningham, Donnelly, Field, Fisher, Flint, Fulcher, Gilbert, Gilmore, Hawkins, Hunt, Johnson, Jones, Kallam, Lore, Maloney, Martin, Mayo, Miller, Minard, Nielsen, Pelletier, Peyser, Phillips, Reaves, Richie, Riley, Rosenthal, Turner, Utt, Wagner, Walker, Wallace, Weber, Wright, and Mr. Speaker—40.

Third Reading of Assembly Bill No. 1302.

Assembly Bill No. 1302 read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1302 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Charters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—65.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 10, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 754—An act to make an appropriation from unemployment relief money for construction work by fairs under State control.

In my opinion said Assembly Bill No 754 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 754—An act to make an appropriation from unemployment relief money for construction work by agricultural districts.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lyon:

Amendment No. 1.

On page 1, line 19, of the printed bill, as amended, strike out the word "fifteen", and insert in lieu thereof the words "seventy-two".

Amendment No. 2.

On page 2 of the printed bill, as amended, after line 7, insert the following: "3. Butte ------ 18,000".

Amendment No. 3.

On page 2 of the printed bill, as amended, after line 15, insert the following: "14. Santa Cruz ------ 19,000".

Amendment No. 4.

On page 2 of the printed bill, as amended, after line 29, insert the following: "36. Solano ------ 20,000".

Amendment No. 5.

On page 2, line 39, of the printed bill, as amended, strike out the following. "$2,815,000", and insert in lieu thereof "$2,872,000".

Amendments adopted.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 754, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 754, as Amended.

Assembly Bill No. 754, as amended, read third time.

Demand for Previous Question.

Messrs. Brennan, DeLap, Garibaldi, Johnson, and Wallace demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 754, as amended, passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Redwine, Riley,

Robertson, Rosenthal, Stream, Thorp, Utt, Voigt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—56.

NOES—Cassidy, Clark, Donihue, Evans, Ralph W., Flint, Geyer, Glover, Hawkins, Laughlin, Lore, McCarthy, Reaves, Richie, and Wagner—14.

Title read and approved.

Bill ordered transmitted to the Senate.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1935.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to add section 24 to "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, relating to the taking of oil, gas and other hydrocarbons from State lands

CUNNINGHAM, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1935.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 38 of the "Alcoholic Beverage Control Act", relating to powers of the board and the persons employed by the board.

CUNNINGHAM, Chairman.

Reports of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the reports.

The question being on the adoption of the reports.

The roll was called, and the reports adopted by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Minard, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, and Mr. Speaker—63.

NOES—None

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

By Mr. Clark: Assembly Bill No. 2491—An act to add section 24 to "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such mineral; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, relating to the taking of oil, gas and other hydrocarbons from State lands.

Bill read first time, and referred to Committee on Oil Industries.

By Mr. Cronin: Assembly Bill No. 2492—An act to amend section 38 of the "Alcoholic Beverage Control Act," relating to powers of the board and the persons employed by the board.

Bill read first time, and referred to Committee on Public Morals.

Third Reading of Assembly Bills—(Resumed).

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 10, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 2368—An act to amend sections 5, 13, 65, 78, 83, 85, 86, 100, 101 and 109 of, and to add sections 28a, 65a, 65b, 65c, 65d, 83a, 85a, 100a and 100b to an act entitled "An act to provide for the creation, establishment and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to retirement of members of the California Highway Patrol.

In my opinion said Assembly Bill No. 2368 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 2368—An act to amend sections 5, 13, 65, 78, 83, 85, 86, 100, 101 and 109 of, and to add sections 28a, 65a, 65b, 65c, 65d, 83a, 85a, 100a and 100b to an act entitled "An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to retirement of members of the California Highway Patrol.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2368 passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—74.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Withdrawal of Assembly Bill No. 588.

By order of the Speaker, Assembly Bill No. 588 was withdrawn from the file, and referred to Committee on Ways and Means.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 704—An act to provide for the development of electric power by irrigation districts and providing for the acquisition, construction, maintenance and operation of electric power plants and providing for the levying of assessments and the collection of funds, for

the issuance and sale of bonds, and providing for the control and distribution of electric energy.

Bill read third time.

Demand for Previous Question.

Messrs Brennan, Dawson, Pelletier, Mayo, and Flint demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 704 finally passed by the following vote:

AYES—Anderson, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Ralph W., Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Laughlin, Lore, Maloney, Mayo, McCarthy, McMurray, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Richie, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, and Williamson—53.

NOES—Andreas, Breed, Cunningham, Evans, Herbert J., Field, Fisher, Frazier, Johnson, Kallam, Latham, Lyon, Martin, McBride, Redwine, Riley, Robertson, Scudder, Wright, and Mr. Speaker—19

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 706—An act to amend the California Irrigation District Act by adding a new section thereto, to be known as section 15½, authorizing irrigation districts, heretofore or hereafter organized, and existing under and by virtue of the provisions of the California Irrigation District Act, or any act amendatory thereof or supplemental thereto, to develop and distribute electrical power or energy by the use of any waters under the control of such district and by contract to acquire and maintain any necessary equipment therefor and to provide for the management of such operations and the financing thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 706 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, DeLap, Desmond, Domhue, Donnelly, Evans, Ralph W., Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Laughlin, Lore, Maloney, Mayo, McCarthy, McMurray, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Richie, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, and Williamson—55.

NOES—Breed, Evans, Herbert J., Field, Fisher, Johnson, Kallam, Latham, Lyon, Martin, Redwine, Robertson, Scudder, Wright, and Mr Speaker—14.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 705—An act to extend to irrigation districts organized and existing under the California Irrigation District Act, the power and privilege to develop hydroelectrical power and to acquire equipment, including stand-by plants, for development and distribution of electrical energy and creating of irrigation district power districts to be managed, operated and controlled under the provisions of the California Irrigation District Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 705 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Laughlin, Lore, Maloney, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Richie, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, and Wright—57.

NOES—Breed, Cunningham, Evans, Herbert J., Field, Fisher, Johnson, Kallam, Lyon, Martin, Robertson, and Mr. Speaker—11.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 10, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 1562—An act to amend sections 1, 2, 5, 6, 7, 8, 9 and 14 of an act entitled "An act to regulate the manufacture and sale of upholstered furniture, providing for the labeling of the same, providing for the licensing of persons manufacturing, selling or repairing upholstered furniture, and creating the upholstered furniture inspection fund," approved May 9, 1927, relating to the administration thereof by the Bureau of Furniture and Bedding Inspection of the Department of Professional and Vocational Standards.

In my opinion said Assembly Bill No. 1562 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 1562—An act to amend sections 1, 2, 5, 6, 7, 8, 9 and 14 of an act entitled "An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling or repairing upholstered furniture; and creating the upholstered furniture inspection fund," approved May 9, 1927, relating to the administration thereof by the Bureau of Furniture and Bedding Inspection of the Department of Professional and Vocational Standards.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Maloney:

Amendment No. 1.

On page 4, line 13, of the printed bill, as amended, after "shall be", insert the following: "paid into the State treasury and".

Amendment No. 2.

On page 4 of the printed bill, as amended, strike out lines 19 to 21, inclusive, and insert in lieu thereof the following: "revolving fund to carry out the provisions of this act. The Chief of the Bureau of Furniture and Bedding Inspection shall, within thirty days prior to the regular session of the Legislature, submit to the Governor a full and true report of transactions under this law during the preceding biennium, including a complete statement of receipts and expenditures during the period."

Amendments adopted.

Request for Unanimous Consent.

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Bill No. 1562, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1562, as Amended.

Assembly Bill No. 1562, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1562, as amended, passed by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Thorp, Voigt, Wagner, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Record Expunged.

On motion of Mr. Maloney, on June 12, 1935, the vote whereby Assembly Bill No. 1562 was this day passed, was expunged from the record, and the action rescinded. (See Assembly Journal of June 12th, page 3.)

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 10, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 1561—An act to amend sections 3, 3a, 3b, 10, 13, 17, and 18 of an act entitled "An act defining mattresses; regulating the making, remaking, and sale thereof; prohibiting the use of unsanitary and unhealthy materials therein; requiring that materials used shall be accurately described, and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled, and making the violation of any of the provisions of this act a misdemeanor, and repealing legislation inconsistent with this act," approved June 7, 1915, and to add thereto a new section to be numbered section 21, all relating to the administration of said act by the Bureau of Furniture and Bedding Inspection and the powers and duties of the officers thereof.

In my opinion said Assembly Bill No. 1561 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 1561—An act to amend sections 3, 3a, 3b, 10, 13, 17, and 18 of an act entitled "An act defining mattresses; regulating the making, remaking, and sale thereof; prohibiting the use of unsanitary and unhealthy materials therein; requiring that materials used shall be accurately described, and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled; and making the violation of any of the provisions of this act a misdemeanor, and repealing legislation inconsistent with this act," approved June 7, 1915, and to add thereto a new section to be numbered section 21, all relating to the administration of said act by

the Bureau of Furniture and Bedding Inspection and the powers and duties of the officers thereof.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Maloney:

Amendment No. 1.

On page 3, line 29, of the printed bill, as amended, after "shall be", insert the following: "paid into the State treasury and".

Amendment No. 2.

On page 3 of the printed bill, as amended, strike out lines 35 to 37, inclusive, and insert in lieu thereof the following: "the provisions of this act. The Chief of the Bureau of Furniture and Bedding Inspection shall, within thirty days prior to the regular session of the Legislature, submit to the Governor a full and true report of transactions under this law during the preceding biennium, including a complete statement of receipts and expenditures during the period."

Amendments adopted.

Request for Unanimous Consent.

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Bill No. 1561, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1561, as Amended.

Assembly Bill No. 1561, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1561, as amended, passed by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Record Expunged.

On motion of Mr. Maloney, on June 12, 1935, the vote whereby Assembly Bill No. 1561 was this day passed, was expunged from the record, and the action rescinded. (See Assembly Journal of June 12th, page 3.)

Assembly Bill No. 997—An act to add Chapter 8 to Division VI of the Agricultural Code, relating to proration programs with respect to agricultural crops.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Phillips:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, as amended, strike out "section 21", and insert in lieu thereof the following: "sections 18 and 21".

Amendment No. 2.

On page 8, line 18, of the printed bill, as amended, strike out "21", and insert in lieu thereof the following: "18".

Amendment No. 3.

On page 8 of the printed bill, as amended, between lines 19 and 20, insert the following:

"Sec. 18. In the event of the institution of a marketing program in a proration zone, it shall be the duty of the commission to forthwith select a proration program committee of five producers and two handlers operating within the zone. The producer members of said program committee shall be chosen by the commission from a group of fifteen nominees who are to be nominated by the producers. The commission in the selection of the program committee, shall take cognizance of and, in so far as possible, give representation upon such committee to the various geographical areas or districts coming under the proration program. No producer member of the program committee shall be a handler or processor or an employee or officer of a handler or processor, except that a nonprofit cooperative organization may be represented by officers or directors who are producers, providing that no more than three such producer members of the prorate program committee shall be members of the same nonprofit cooperative organization In the case of commodities, the bulk of which is processed before consumption, one of the producer members of said program committee shall be a processor. In the event that the commission shall be of the opinion that a committee of seven will not afford adequate representation to all of the factors in the industry concerned, it may appoint a program committee of six producers and three handlers provided said producers are selected from the list of nominees selected by the growers as provided for herein. The members of such program committee shall not be entitled to compensation but may be reimbursed their actual and necessary traveling expenses. Such prorating program may be altered or modified from time to time by such committee.

Upon request of petitioners for the institution of a program or of a program committee therefor, the commission shall also appoint in the same manner as the program committee was appointed an alternate for each member of the committee. Such alternate shall be entitled to sit as a regular member of the committee in case the member for whom he is an alternate fails for any reason to attend any meeting of the committee.

Vacancies on the program committee occasioned by the death or resignation of any member, or by removal for incompetence or inattention or neglect of duties as a member of the program committee by the commission, or by a member ceasing to qualify as a producer or handler of the commodity concerned, shall be filled in the same manner as the original appointments were made.

The program committee shall appoint an agent, who shall administer the proration program under the direction of the program committee and who may be removed from office in the same manner as he was appointed.

Pending action by the commission on the approval of any such agent, he shall act as such and shall appoint such deputy agents and other assistants as may be necessary to properly direct the program. Such agent shall appoint such deputy agents and other assistants as may be necessary to direct the program which appointments shall be subject to the approval of the program committee. The salary and/or compensation received by the secretary shall not exceed the sum of five thousand ($5,000) dollars per annum from all sources and no officer or employee shall receive compensation based on a percentage of volume involved in a prorate program, or in any manner that would lend encouragement to the promotion of a proration program for the purpose of increasing salaries and income

SEC. 2. Section 21 of the act cited in the title hereof is hereby amended to read as follows:".

Amendment No. 4.

On page 9, line 4, of the printed bill, as amended, after the period, insert the following: "No person, committee or commission shall have or receive any funds whatever under the provisions of this act until there shall have been filed and maintained with the Secretary of State in the manner prescribed by law by such person, committee or commission, individually or as a whole, an official bond or bonds in such penal sum or sums as may be prescribed by the commission."

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 444—An act to amend section 13 of the Motor Vehicle Fuel License Tax Act, relating to apportionment of the tax fund.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Mayo:

Amendment No. 1.

On page 2, line 19, of the printed bill, as amended, strike out the period, and strike out "Such fund shall", and strike out all of lines 20 to 51, inclusive, and insert in lieu thereof the following: "and expended as provided by law."

Amendment No. 2.

On page 3 of the printed bill, as amended, strike out line 18, and insert in lieu thereof the following: "as required by law."

Amendment No. 3.

On page 3 of the printed bill, as amended, strike out lines 19 to 26, inclusive, and in line 27, strike out "such report", and insert in lieu thereof the following. "Whenever the annual report by any board of supervisors".

Amendment No. 4.

On page 3 of the printed bill, as amended, strike out line 28, and insert in lieu thereof the following: "form provided by law and at or before the time specified by law,".

Amendment No. 5.

On page 3, line 34, of the printed bill, as amended, strike out ", and shall be", and strike out all of lines 35 to 49, inclusive, and on page 4, strike out lines 1 to 5, inclusive, and insert in lieu thereof a period and the following.

"All money thus paid into the State highway fund is appropriated to the Department of Public Works to be expended in accordance with law for the payment of all necessary charges incurred in carrying out the provisions of the Streets and Highways Code, and of any other law relating to the acquisition of real property for and the construction, maintenance or improvement of highways"

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 53—Approving a certain amendment to the charter of the city of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of June, 1935—and reports that the same has been correctly enrolled, and presented the same to the Governor on this tenth day of June, 1935, at two o'clock and thirty minutes p.m.

WATERS, Chairman

On Drainage, Swamp and Overflowed Lands.

ASSEMBLY CHAMBER, SACRAMENTO June 10, 1935.

MR SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 100—An act to amend the "Reclamation Board Act," approved December 24, 1911, as amended, by amending section 37a thereof relating to the application of moneys released, reimbursed, or appropriated under and pursuant to Chapter 176 California Statutes of 1925 and the War Department Appropriations Act of Congress of the United States for the fiscal year ending June 30, 1930, being Public Law No. 843, Seventieth Congress, approved February 28, 1929—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DESMOND, Chairman.

The above reported bill ordered on file for third reading.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1935.

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2040—An act making an appropriation to pay the claim of the Superintendent of Accounts of the Department of Finance against the State of

California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Second Reading of Senate Bills—(Resumed).

Senate Bill No. 100—An act to amend the "Reclamation Board Act," approved December 24, 1911, as amended, by amending section 37a thereof relating to the application of moneys released, reimbursed, or appropriated under and pursuant to Chapter 176 California Statutes of 1925 and the War Department Appropriations Act of Congress of the United States for the fiscal year ending June 30, 1930, being Public Law No. 843, Seventieth Congress, approved February 28, 1929.

Bill read second time, and ordered on file for third reading.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2040—An act making an appropriation to pay the claim of the Superintendent of Accounts of the Department of Finance against the State of California

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 1 and 2, of the printed bill, strike out the following: "eleven thousand five hundred forty-three and 8/100 dollars ($11,543.81)", and insert in lieu thereof the following: "one hundred thirty-three thousand nine hundred ninety-eight and 81/100 dollars ($133,998.81)".

Amendment No. 2.

On page 1, line 4, of the printed bill, strike out the words "Superintendent of Accounts", and insert in lieu thereof the following: "chief accounting officer".

Amendment No. 3.

On page 1 of the printed bill, strike out all of lines 6 to 17, inclusive, and insert in lieu thereof the following:

"SEC. 2. The sum of one hundred thirty-three thousand nine hundred ninety-eight and 81/100 dollars ($133,998.81) shall be paid as follows: One hundred four thousand nine hundred thirty-eight and 77/100 dollars ($104,938.77) out of any money in the State treasury not otherwise appropriated; one thousand one hundred ninety-four and 82/100 dollars ($1,194.82) out of any money in the motor vehicle fund in the State treasury; one thousand five hundred sixteen and 76/100 dollars ($1,516.76) out of any money in the fish and game preservation fund in the State treasury; six thousand three hundred forty-three and 95/100 dollars ($6,343.95) out of any money in the State highway fund in the State treasury; fifteen thousand eight hundred seventy-one and 86/100 dollars ($15,871.86) out of the Corporation Commission fund in the State treasury; one thousand seven hundred fifty-four dollars ($1,754) out of any money in the retail sales tax fund in the State treasury; seven hundred fifty-five and 75/100 dollars ($755.75) out of any money in the San Francisco Harbor improvement fund in the State treasury; five hundred twenty-five dollars ($525) out of any money in the license tax fund in the State treasury; one thousand ninety-seven and 90/100 dollars ($1,097.90) out of any money in the estates of deceased persons fund in the State treasury."

Amendment No. 4.

On page 1, lines 1 and 2 of the title of the printed bill, strike out the words: "Superintendent of Accounts", and insert in lieu thereof the following: "chief accounting officer".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Motion to Withdraw Senate Constitutional Amendment No. 69.

Mr. Patterson moved that Senate Constitutional Amendment No. 69 be withdrawn from Committee on Constitutional Amendments and placed on file for adoption.

The question being on the motion by Mr Patterson to withdraw Senate Constitutional Amendment No. 69 from Committee on Constitutional Amendments, and place on file for adoption.

Demand for Previous Question.

Messrs. Peterson, Brennan, Dawson, Maloney, and Mayo demanded the previous question.

The question being put Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion by Mr. Patterson to withdraw Senate Constitutional Amendment No 69 from Committee on Constitutional Amendments, and place on file for adoption.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Patterson to withdraw Senate Constitutional Amendment No 69 from Committee on Constitutional Amendments.

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Boyle, Clark, Cronin, Cunningham, Donahue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Hunt, Jones, Laughlin, Lore, McCarthy, McMurray, Meehan, Patterson, Pelletier, Reaves, Richie, Rosenthal, Voigt, Wagner, and Waters—27

NOES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Crowley, Dawson DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Nielsen, Peyser, Phillips, Redwine, Riley, Robertson, Stream, Thorp, Walker, Wallace, Weber, Williamson, Wright, and Mr Speaker—44.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Attaches.

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1935.

MR SPEAKER: Your Committee on Attaches respectfully begs to report that it has carefully considered the application for the various positions and desires to submit the following resolution:

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same:

Commencing June 10th	*Per day (Sundays excepted)*
Louie Desmond, Page	$2 50
Richard Desmond, Page	2 50
Daniel Anderson, Page	2 50
Tommie Boyle, Page	2 50
Jack Pettis, Assistant Sergeant-at-Arms	5 00

Be it further

Resolved, That the following named persons be stricken from the list of Assembly attaches, and their names be stricken from the pay roll of the Assembly to take effect on completion of work:

June 11th	*Per day (Sundays excepted)*
Richard Desmond, Page	$2 50
Louie Desmond, Page	2 50
Daniel Anderson, Page	2 50
Tommie Boyle, Page	2 50

UTT, Chairman.

Report and resolution of Committee on Attaches read.

Mr. Utt moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Rosenthal, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—69.

NOES—None.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, June 10, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day requests the return of Assembly Bill No. 1836—An act to amend section 622 of the Agricultural Code, relating to dairies and dairy products—for further consideration by the Senate.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Motion.

Mr. O'Donnell moved that Assembly Bill No. 1836 be withdrawn from enrollment, and returned to the Senate for further consideration.

The question being on the motion by Mr. O'Donnell to withdraw Assembly Bill No. 1836 from enrollment, and return same to the Senate.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. O'Donnell to return Assembly Bill No. 1836 to the Senate.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 1836 ordered withdrawn from enrollment and transmitted to the Senate.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, June 10, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day requests the return of Senate Bill No. 1038—An act to amend sections 1240 and 1241 of the Code of Civil Procedure, relating to condemnation—for further consideration by the Senate.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Motion.

Mr. Lyon moved that Senate Bill No. 1038 be withdrawn from the Committee on Judiciary, and returned to the Senate for further consideration.

The question being on the motion by Mr. Lyon to withdraw Senate Bill No. 1038 from Committee on Judiciary and return same to the Senate.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Lyon to return Senate Bill No. 1038 to the Senate.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—69.

NOES—None.

Senate Bill No 1038 ordered withdrawn from Committee on Judiciary and transmitted to the Senate.

Motion to Withdraw Assembly Bill No. 387.

Mr. Jones moved that Assembly Bill No. 387 be withdrawn from enrollment, and placed on the Assembly Calendar for further consideration.

Motion carried.

Leave of Absence.

On motion of Miss Miller, Mr. Morgan was granted leave of absence for the balance of this legislative day.

Further Proceedings Under Call of the House Dispensed With.

At five o'clock and twenty minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Scudder.

The roll of absentees was called, and the motion to reconsider Senate Bill No. 556 was lost by the following vote:

AYES—Boyle, Breed, Brennan, Corwin, Cronin, Crowley, Cunningham, DeLap, Desmond, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Hornblower, Johnson, Latham, Lyon, Maloney, Mayo, Meehan, Miller, Minard, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Utt, Weber, Williamson, Wright, and Mr. Speaker—38

NOES—Anderson, Andreas, Burns, Cassidy, Chatters, Clark, Cottrell, Dawson, Donihue, Donnelly, Evans, Ralph W., Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Kallam, Laughlin, Lore, Martin, McBride, McCarthy, McMurray, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Thorp, Turner, Voigt, Wagner, Walker, Wallace, and Waters—40.

Senate Bill No. 556 ordered transmitted to the Senate.

Recess.

At five o'clock and thirty minutes p m., on motion of Mr. Lyon, the Assembly was declared at recess until nine o'clock p m., of this day.

Reassembled.

At nine o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Resolution.

The following resolution was offered:

By Mr. Stream:

Assembly Resolution.

WHEREAS, There is before the Congress of the United States a measure known as Senate Bill No. 1793 which has been passed by the United States Senate, which measure if enacted into law will provide relief for the Indians of California by which they may recover lands taken from them by the United States in California, and which provides that the courts shall determine the value of personal property, rights and improvements mentioned in unratified treaties entered into in the years 1851 and 1852; and

WHEREAS, The Assembly of the State of California feels strongly that the Indians of the State of California are entitled to the simple justice which this measure will afford them; now, therefore, be it

Resolved, That we most earnestly urge and respectfully petition the President of the United States to give this measure his favorable consideration in order that California Indians may have their case come to an early trial and the good name of the United States of America be associated with fair and honest transactions with the Indians; and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to forward a copy of this resolution to His Excellency, Franklin D. Roosevelt, President of the United States, and to the Speaker of the House of Representatives and the Senators and members of Congress representing the State of California in Congress.

Resolution by Mr Stream read.

Mr. Stream moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution was adopted by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donahue, Donnelly, Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Latham, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—60.

NOES—None.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 112—An act to amend sections 2, 13 and 17 of the Orange County Water District Act, approved June 14, 1933, relating to powers and duties of the board of directors, the establishment of an office therefor and declaring and limiting their powers as to the district budget and the levy of assessments.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Corwin:

Amendment No. 1.

On page 3, line 22, of the printed bill, before the period after the word "purpose", insert a semicolon and the following: "providing, however, that neither said district nor its board of directors shall have power to enter in or upon the Mojave River or any of its tributaries or appropriate, take or condemn any of the water or the right to the use of any of the water of said Mojave River or any of its tributaries; nor shall anything in this act be deemed as authorizing or empowering said district or its board of directors to so do."

The question being on the amendment submitted by Mr. Corwin to Senate Bill No. 112.

Roll Call.

The Speaker ordered a roll call taken on the amendment submitted by Mr. Corwin.

The roll was called, and the amendment was adopted by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Minard, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, and Wright—56.

NOES—Breed, Field, Fisher, Flint, Fulcher, Heisinger, Hunt, Kallam, McBride, Robertson, Utt, and Mr. Speaker—12.

Request for Unanimous Consent.

Mr. Utt asked for, and was granted, unanimous consent to take up Senate Bill No. 112, as amended, at this time, without reference to reprint or file.

Senate Bill No. 112, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Utt:

Amendment No. 1.

On page 3, line 5, of the printed bill, as amended, after the word "beneficial," strike out "use or to", and insert in lieu thereof "or".

Amendment adopted.

Request for Unanimous Consent.

Mr. Utt asked for, and was granted, unanimous consent to take up Senate Bill No. 112, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 112, as Amended.

Senate Bill No. 112, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 112, as amended, finally passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—70.

NOES—Clark—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 797—An act to add a new section to the School Code to be numbered 6.53, relating to the duties, powers and liability of governing boards of school districts and members thereof in connection with school district buildings.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Cronin:

Amendment No. 1.

On page 1, line 9, of the printed bill, as amended, after "Works,", insert the following: "or any licensed structural engineer or licensed architect".

The question being on the amendment submitted by Mr. Cronin to Senate Bill No. 797.

Demand for Previous Question.

Messrs Weber, Peyser, Minard, DeLap and Frazier demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the amendment submitted by Mr. Cronin to Senate Bill No. 797.

Roll Call.

The Speaker ordered a roll call taken on the amendment submitted by Mr. Cronin.

The roll was called.

Motion for Call of the House.

Pending the announcement of the vote, Mr. Geyer moved a call of the House.

Roll Call.

The Speaker ordered a roll call taken on the motion for a call of the House.

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Cassidy, Clark, Cunningham, Dawson, Desmond, Donohue, Donnelly, Evans, Ralph W., Geyer, Gilbert, Glover, Hawkins, Heisinger, Jones, Latham, Laughlin, Lore, Martin, McMurray, Meehan, Nielsen, Patterson, Pelletier, Phillips, Reaves, Richie, Rosenthal, Wagner, Walker, and Waters—31

NOES—Andreas, Boyle, Breed, Brennan, Burns, Cottrell, Cronin, Crowley, DeLap, Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hunt, Johnson, Kallam, Lyon, Maloney, McBride, Miller, Minard, Peterson, Peyser, Redwine, Riley, Robertson, Stream, Thorp, Turner, Utt, Wallace, Weber, Williamson, Wright, and Mr. Speaker—37.

The roll was called, and the amendment by Mr. Cronin was adopted by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donohue, Field, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Kallam, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Peterson, Peyser, Redwine, Riley, Robertson, Stream, Thorp, Utt, Waters, Weber, Williamson, Wright, and Mr. Speaker—39.

NOES—Anderson, Brennan, Clark, Dawson, Desmond, Donnelly, Evans, Ralph W., Fisher, Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, Walker, and Wallace—33.

Request for Unanimous Consent.

Mr. Geyer asked for, and was granted, unanimous consent to take up Senate Bill No. 797, as amended, at this time, without reference to reprint or file.

Senate Bill No. 797, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Fisher:

Amendment No. 1.

On page 1, line 17, of the printed bill, after the word "may", insert the word "be".

Amendment adopted.

Request for Unanimous Consent.

Mr. Geyer asked for, and was granted, unanimous consent to take up Senate Bill No. 797, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 797, as Amended.

Senate Bill No 797, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 797, as amended, finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves Richie, Riley, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Motion to Re-refer Senate Bill No. 593.

Mr. McBride moved that Senate Bill No. 593 be withdrawn from the file, and ordered re-referred to Committee on Governmental Revenues and Expenditures.

The question being on re-referring Senate Bill No. 593 to Committee on Governmental Revenues and Expenditures.

Motion carried.

Senate Bill No. 593 ordered re-referred to Committee on Governmental Revenues and Expenditures.

Motion to Re-refer Senate Bill No. 594.

Mr. McBride moved that Senate Bill No. 594 be withdrawn from the file, and ordered re-referred to Committee on Governmental Revenues and Expenditures.

The question being on re-referring Senate Bill No. 594 to Committee on Governmental Revenues and Expenditures.

Motion carried.

Senate Bill No. 594 ordered re-referred to Committee on Governmental Revenues and Expenditures.

Senate Bill No. 577—An act to amend section 3780 of the Political Code, relating to the redemption of property sold to the State for delinquent taxes and limiting the same to a period of three years from and after the date of the deed to the State pursuant to section 3785 of the Political Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 577 finally passed by the following vote:

AYES—Andreas, Breed, Brennan, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, McBride, McMurray, Minard, O'Donnell, Peyser, Phillips, Redwine, Riley, Robertson, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—41.

NOES—Anderson, Boyle, Burns, Cassidy, Clark, Dawson, Donihue, Donnelly, Evans, Ralph W, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, Martin, Meehan, Miller, Nielsen, Patterson, Pelletier, Peterson, Reaves, Richie, Rosenthal, Turner, Voigt, and Wagner—31.

Title read.

Amendment to Title.

During the reading of the title, the following amendment was submitted by Mr. Robertson:

Amendment No. 1.

Strike out lines 3 to 6 of the title of the printed bill, and insert in lieu thereof the following: "quent taxes."

Amendment adopted.

Title, as amended, read and approved.

Notice of Reconsideration of Senate Bill No. 577.

Mr. Geyer gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 577 was this day passed.

Senate Bill No. 604—An act to add sections 476, 477, 478 and 479 to the Political Code, relating to the powers and duties of the Attorney General.

Bill read third time.

Motion to Re-refer Senate Bill No. 604.

Mr. Jones moved that Senate Bill No. 604, withdrawn from the file, be re-referred to Committee on Judiciary.

The question being on the motion by Mr. Jones to re-refer Senate Bill No. 604 to Committee on Judiciary.

Demand for Previous Question.

Messrs. Dawson, Brennan, Fisher, Robertson, and DeLap demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion by Mr. Jones to re-refer Senate Bill No. 604 to Committee on Judiciary.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Jones to re-refer Senate Bill No. 604 to Committee on Judiciary.

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Boyle, Brennan, Burns, Clark, Crowley, Dawson, Donihue, Donnelly, Evans, Ralph W, Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Laughlin, Love, Maloney, Patterson, Pelletier, Peterson, Reaves, Richie, Rosenthal, Voigt, and Wagner—31.

NOES—Andreas, Breed, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, DeLap, Field, Fisher, Frazier, Fulcher, Heisinger, Johnson, Kallam, Latham, Lyon, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Nielsen, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—43.

Senate Bill No. 604 read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. DeLap:

Amendment No. 1.

On page 1, line 7, of the printed bill, as amended, after the word "investigators", insert a comma and the following: "not exceeding ten in number,".

Amendment adopted.

Bill read, ordered to reprint, and on file for third reading.

Senate Bill No. 522—An act to add a new section to the Probate Code of the State of California, to be known as section 1028, relating

to the ratable, partial, and final distribution of estates of deceased persons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 522 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Hawkins, Hornblower, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Nielsen, Pelletier, Peterson, Peyser Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—62.

NOES—Flint, Geyer, Glover, Hunt, Jones, Patterson, Reaves, and Wagner—8.

Title read and approved.

Bill ordered transmitted to the Senate.

Unfinished Business—(Resumed).

Motion to Reconsider Assembly Bill No. 2412 Continued.

Mr. Turner moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2412 was refused passage be continued until the next legislative day.

Motion carried.

Motion to Reconsider Senate Bill No. 233 Continued.

Mr. Turner moved that the consideration of his motion to reconsider the vote whereby Senate Bill No 233 was passed be continued until the next legislative day.

Motion carried.

Reconsideration of Senate Bill No. 1103.

Senate Bill No. 1103—An act to add section 1083b to the Political Code, relating to petitions.

In compliance with his notice given on a previous day, Mr. Lore moved that the vote whereby Senate Bill No. 1103 was passed be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—65.

NOES—Robertson and Stream—2.

Request for Unanimous Consent.

Mr. Lore asked for, and was granted, unanimous consent to take up Senate Bill No. 1103, at this time, without reference to file.

Senate Bill No. 1103 read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Chatters:

Amendment No. 1.

On page 1 of the title of the printed bill, strike out "1083b", and insert in lieu thereof the following: "1083c".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out "1083b", and insert in lieu thereof the following: "1083c".

Amendment No. 3.

On page 1, line 3, of the printed bill, strike out "1083b", and insert in lieu thereof the following: "1083c".

Amendment No. 4.

On page 1, line 9, of the printed bill, strike out "ninety days", and insert in lieu thereof the following: "six months".

Amendment No. 5.

On page 1, line 10, of the printed bill, strike out the period, and insert a comma and the following: "unless such petition has been filed with the officer or officers with whom such petition must be filed in accordance with the provisions of law relating to the filing of such petitions."

Amendments adopted.

Request for Unanimous Consent.

Mr. Chatters asked for, and was granted, unanimous consent to take up Senate Bill No. 1103, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 1103, as Amended.

Senate Bill No. 1103, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1103, as amended, finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—65.

NOES—Clark, Gilbert, Hunt, Jones, Rosenthal, and Stream—6.

Title read and approved.

Bill ordered transmitted to the Senate.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1935.

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1001—An act to authorize the Division of Water Resources of the Department of Public Works to gather and correlate information and data pertinent to an annual forecast of seasonal water crop, including the making of snow surveys, and to cooperate with other agencies in such work, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 95—An act making an appropriation for the control and conservation of flood waters in San Diego County—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.
(Under protest)

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 856—An act to appropriate money for flood control, including conservation and the relief of unemployment, in San Bernardino County and the Santa Ana River Basin—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

COTTRELL, Chairman.
(Under protest)

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 548—An act appropriating money in furtherance of the objects of flood control in the Santa Ana River Basin—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.
(Under protest)

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2487—An act to appropriate the sum of one million dollars for flood control work by the Los Angeles County Flood Control District, and to provide for the manner of expending such appropriation—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman
(Under protest)

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1915—An act making an appropriation to dredge Alamitos Bay—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.
(Under protest.)

The above reported bill ordered on file for second reading.

On Oil Industries.

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1935.

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Senate Bill No. 398—An act to amend sections 4 and 5 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, relating to the extension of prospecting permits for oil and gas which were in effect October 1, 1933, and upon which has been expended fifty thousand dollars or more in the prospecting for oil and gas—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

McBRIDE, Chairman.

The above reported bill ordered on file for second reading.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1935.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1084—An act providing for completion of investigation and report by Division of Water Resources, Department of Public Works on flood control, hydroelectric development and conservation and utilization of water supply

of Salinas River Basin—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended

COTTRELL, Chairman.
(Under protest.)

The above reported bill ordered on file for second reading.

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1935.

MR. SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 2492—An act to amend section 38 of the "Alcoholic Beverage Control Act," relating to powers of the board and the persons employed by the board—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out)

GARIBALDI, Chairman.
MALONEY.
UTT.
PHILLIPS.
RILEY.
LYON.
CUNNINGHAM.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 357—An act to repeal section 452a of the Political Code, relating to the safe-keeping of bonds deposited with treasurers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LYON, Chairman.

The above reported bill ordered on file for second reading.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 95—An act making an appropriation for the control and conservation of flood waters in San Diego County;

Also: Assembly Bill No. 548—An act appropriating money in furtherance of the objects of flood control in the Santa Ana Flood Control;

Also: Assembly Bill No. 856—An act to appropriate money for flood control, including conservation and the relief of unemployment, in San Bernardino County and the Santa Ana River Basin;

Also: Assembly Bill No. 1001—An act to authorize the Division of Water Resources of the Department of Public Works to gather and correlate information and data pertinent to an annual forecast of seasonal water crop, including the making of snow surveys, and to cooperate with other agencies in such work, and making an appropriation therefor;

Also: Assembly Bill No. 2487—An act to appropriate the sum of one million dollars for flood control work by the Los Angeles County Flood Control District, and to provide for the manner of expending such appropriation;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1001—An act to authorize the Division of Water Resources of the Department of Public Works to gather and correlate information and data pertinent to an annual forecast of seasonal water crop, including the making of snow surveys, and to cooperate with other agencies in such work, and making an appropriation therefor.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 95—An act making an appropriation for the control and conservation of flood waters in San Diego County.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 856—An act to appropriate money for flood control, including conservation and the relief of unemployment, in San Bernardino County and the Santa Ana River Basin.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 548—An act appropriating money in furtherance of the objects of flood control in the Santa Ana Flood Control.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2487—An act to appropriate the sum of one million dollars for flood control work by the Los Angeles County Flood Control District, and to provide for the manner of expending such appropriation.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1915—An act making an appropriation to dredge Alamitos Bay.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1084—An act providing for completion of investigation and report by Division of Water Resources, Department of Public Works on flood control, hydroelectric development and conservation and utilization of water supply of Salinas River Basin.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out "fifty", and insert in lieu thereof "twenty".

Amendment adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Second Reading of Senate Bills—(Resumed).

Senate Bill No. 398—An act to amend sections 4 and 5 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, relating to the extension of prospecting permits for oil and gas which were in effect October 1, 1933, and upon which has been expended fifty thousand dollars or more in the prospecting for oil and gas.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, strike out everything except "Sec. 4."

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 8 to 12, inclusive, and insert in lieu thereof the following: "grant (a) to any person or association of persons, who are citizens of the United States or who have declared their intention of becoming such, or who are eligible to citizenship under the laws of the United States and are citizens of any country, dependency, colony or province, the laws, customs and regulations of which permit grant of similar or like privileges to citizens of the United States, or (b) to any corporation ninety per cent or more of the stock of which is owned by citizens of the United States or by citizens of any such country, dependency, colony or province whose citizens are eligible to citizenship under the laws of the United States, a prospecting permit, as hereinafter described; provided, however, that the Surveyor General is hereby authorized to issue such a prospecting permit to any alien person entitled thereto by virtue of any treaty between the United States and the nation or country of which such alien person is a citizen or subject. Such prospecting permit shall give".

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out line 41, and in line 42, strike out "posting of notices. Recording notices."

Amendment No. 4.

On page 3 of the printed bill, as amended, strike out line 9, and strike out all of line 10 except "The applicant shall".

Amendment No. 5.

On page 4, line 7, of the printed bill, as amended, strike out "Lease. Royalty."

Amendment No. 6.

On page 4, line 37, of the printed bill, as amended, after "lease", insert the following: "or permit".

Amendment No. 7.

On page 4, line 43, of the printed bill, as amended, strike out "the bonus", and strike out all of lines 44 to 47, inclusive, and insert in lieu thereof the following: "including the right of renewal as prescribed in section 8 hereof, the bonus and royalty to be determined by competitive bidding or fixed by such other method as the Surveyor General may by regulations prescribe; provided, that the Surveyor General shall have the right to reject any and all bids."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 357—An act to repeal section 452a of the Political Code, relating to the safe-keeping of bonds deposited with treasurers.

Bill read second time, and ordered on file for third reading.

Unfinished Business—(Resumed).

Reconsideration of Senate Bill No. 49.

Senate Bill No. 49—An act to amend section 10 of "An act to provide for the indicating of the net quantity of foodstuffs and stuffs intended to be used or prepared for use as food for human beings, and medicine, and other commodities when sold or offered or exposed for sale in containers and providing for the indicating of quantity in the sale of commodities in respect to which there exists a definite trade custom, and providing penalties for the violation thereof," approved May 24, 1913, relating to false or raised bottoms of containers.

In compliance with his notice given on a previous day, Mr. Desmond moved that the vote whereby Senate Bill No. 49 was passed be reconsidered.

Demand for Previous Question.

Messrs Peterson, Weber, Brennan, Dawson and DeLap demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the reconsideration of Senate Bill No. 49.

The roll was called, and the same was reconsidered by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, McMurray, Meehan, Minard, Nielsen, O'Donnell, Peterson, Reaves, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Weber, Williamson, and Mr. Speaker—52.

NOES—Cottrell, Cunningham, Flint, Hunt, Kallam, Martin, Miller, Pelletier, Phillips, Rosenthal, Utt, Wallace, Waters, and Wright—14.

Senate Bill No. 49 ordered on file for third reading.

Motion to Strike Assembly Bill No. 1387 from File.

Mr. Utt moved that Assembly Bill No. 1387 be stricken from the file.

Motion carried.

Assembly Bill No. 1387 ordered stricken from the file.

Motion to Rush Printing of Senate Bill No. 604.

Mr. Johnson moved that the Chief Clerk be instructed to place a rush order on the printing of Senate Bill No. 604.

Motion carried.

Motion to Set Special Order for Senate Bill No. 127.

Mr. Donnelly moved that the consideration of Senate Bill No. 127 be made a special order for Tuesday, June 11, 1935, at two o'clock and thirty minutes p.m.

Motion to Lay Senate Bill No. 127 on the Table.

Mr. Brennan moved that Senate Bill No. 127 be laid on the table.

The question being on the motion by Mr. Brennan to lay Senate Bill No. 127 on the table.

Roll Call.

The Speaker ordered a roll call taken on the motion to lay Senate Bill No. 127 on the table.

The roll was called, and the motion was lost by the following vote:

AYES—Boyle, Breed, Brennan, Cottrell, Cunningham, Dawson, Field, Fisher, Flint, Frazier, Fulcher, Gilbert, Gilmore, Johnson, Lyon, McMurray, Peyser, Redwine, Robertson, Scudder, Stream, Utt, Wallace, Waters, Williamson, and Wright—26.

NOES—Anderson, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, DeLap, Donihue, Donnelly, Evans, Ralph W., Geyer, Glover, Hawkins, Heisinger, Hunt, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, Meehan, Miller, Minard, Nielsen, O'Donnell, Pelletier, Phillips, Reaves, Richie, Rosenthal, Thorp, Turner, Voigt, Wagner, Walker, Weber, and Mr. Speaker—41.

Adjournment.

At eleven o'clock and fifty-nine minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Tuesday, June 11, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, June 11, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J. Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—79.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Wagner, its further reading was dispensed with.

Leave of Absence.

On motion of Mr. Utt, Mr. Welsh was granted leave of absence for the day.

Privilege of Floor of Assembly Extended.

On request of Mr. Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the teacher and pupils of the Crocker School, Sacramento, as follows: E. Pauline Olson, teacher, and Harriet Ann Womack, Eva Chapen, Barbra Gomes, Mary Dee Womack, Harriette Taylor, Eloise Aguirre, Marsha Iki, Mary Alice Hamilton, Ralph Crook, George Bulfan, Wallace Turpen, Melvin Kelly, Marvin Silva, Robert Akins, Itsuji Ishida, Masa Narahara, Lorraine Kelly, Joyce Hancock, Bessie Wescott, Mary Anne Scarlett, Patsy Thayer, Bobby Wheeler, Bobby West, Geraldine Bowers, Betty Lance, Patricia Sitts, Harriet Wood, Mavis Kurtz, Helen Bakke, Rolland Lewis, Alexander Fahn, Sammy Kahn, Mabel Vernatchi, Lois Reynolds and Beth Lennon, high sixth grade pupils.

ASSISTANT CLERK COOLIDGE READING.

Motion.

Mr. Patterson moved to have the State Printer instructed to have the resolution of May 22d, thanking State of Virginia for voting equipment, "suitably illuminated."

Motion carried.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 10, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 285—An act to amend sections 12, 13, and 16 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the

provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions" relating to horse racing.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 285 read first time, and referred to Committee on Public Morals.

Also:

SENATE CHAMBER, SACRAMENTO, June 10, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1038—An act to amend sections 1240 and 1241 of the Code of Civil Procedure, relating to condemnation.

J. A. BEEK, Secretary of Senate.

Senate Bill No. 1038 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, June 11, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 782—An act to repeal an act entitled "An act to prevent fraud or misrepresentation in the distribution or sale of gasoline, distillate and lubricating oil; regulating the distribution or sale of such products; defining the powers and duties of the Division of Weights and Measures, Superintendent of Weights and Measures, Department of Agriculture and officers and employees thereof in relation thereto; prescribing penalties for the violation of the provisions hereof; repealing acts and parts of acts inconsistent herewith and making an appropriation to carry out the provisions of this act," approved June 5, 1929.

J. A. BEEK, Secretary of Senate.

Senate Bill No. 782 read first time, and referred to Committee on Oil Industries.

Also:

SENATE CHAMBER, SACRAMENTO, June 11, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 780—An act to amend the title and sections 2, 3, 4, 5, 6 and 7 of an act entitled "An act prohibiting the bringing in, sale and distribution in this State of crude petroleum oil illegally produced and of gasoline, distillate, kerosene, gas oil or other motor fuel extracted, manufactured, distilled or compounded in whole or in part, from crude petroleum oil or gas illegally produced; providing for certificates to be filed with the State Superintendent of Weights and Measures, Department of Agriculture, at the time of bringing into this State of any crude petroleum oil, gasoline, distillate, kerosene, gas oil or other motor fuel, certifying that such crude petroleum oil was not illegally produced or that such gasoline, distillate, kerosene, gas oil or other motor fuel was not extracted, manufactured, distilled or compounded from oil or gas illegally produced, and providing for a permit for taking delivery of such crude petroleum oil, gasoline, distillate, kerosene, gas oil or other motor fuel, and the fee to be paid therefor, and prescribing penalties for violation of this act," approved June 5, 1933, and to provide for the succession to the duties, powers and funds thereunder of the Division of Weights and Measures of the State Department of Agriculture, by the State Board of Equalization;

Also: Senate Bill No. 781—An act to amend the title and sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 14a, 15, 16, 17, and 18 of an act entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures, of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of the provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, as amended, and to provide for the succession to the duties, powers and funds thereunder of the Division of Weights and Measures of the Department of Agriculture by the State Board of Equalization.

J. A. BEEK, Secretary of Senate.

Senate Bills Nos. 780 and 781 read first time, and referred to Committee on Oil Industries.

Unfinished Business.

Consideration of Governor's Veto to Assembly Bill No. 1165.

Assembly Bill No. 1165—An act to amend an act entitled "An act providing an additional and/or alternative method for financing the acquirement, construction, development, improvement, reconstruction, extension and repair of water works systems by any political subdivision or public agency of the State authorized by law to own and operate such water works systems by the issuance and sale to the United States Government or any agency of said government of revenue bonds payable solely out of the revenue derived or to be derived therefrom; providing for the operation of such systems in case of deficiencies in revenues, providing for a statutory lien on works acquired, constructed, improved, reconstructed, extended or repaired under the provisions of this act; providing for the use of the power of eminent domain by political subdivisions or public agency proceeding under this act; defining the terms political subdivisions and public agencies as included herein, and providing a time for the expiration of said act," approved May 27, 1933, by amending sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 14 thereof; adding a new section thereto to be numbered section 14½, and repealing section 16 thereof.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

Demand for Previous Question.

Messrs. Fisher, Minard, Brennan, Weber and Heisinger demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Nielsen moved a call of the House.

Roll Call.

The Speaker ordered a roll call taken on the motion for a call of the House.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—65.

NOES—None.

Time, eleven o'clock and twenty minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gil-

more, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—65.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Motion to Re-refer Assembly Bill No. 674.

Mr. Lyon moved that Assembly Bill No. 674 be withdrawn from file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 674 to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 674 ordered re-referred to Committee on Ways and Means.

Unfinished Business—(Resumed).

Consideration of Senate Amendment to Assembly Bill No. 88.

Assembly Bill No. 88—An act to add section 762 to the Political Code, relating to the office hours of clerks of the District Courts of Appeal.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 88?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "amend section 762 of", and insert in lieu thereof the following: "add section 762 to".

The roll was called, and Senate amendment to Assembly Bill No. 88 was concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cronin, Crowley, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 88 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 240.

Assembly Bill No. 240—An act to amend section 362 of the Streets and Highways Code and to add section 603 thereto, relating to State highways.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 240?

Amendment No. 1.

On page 1 of the printed bill, strike out all of lines 12, 13, 14, 15, and insert in lieu thereof the following: "a new route or portion of route from the east city limits of Los Angeles on Valley Boulevard to Route 26 near El Monte via Valley Boulevard and Pomona Boulevard".

The roll was called, and Senate amendment to Assembly Bill No. 240 was concurred in by the following vote:

AYES—Breed, Brennan, Burns, Chatters, Corwin, Cronin, Crowley, Dawson, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Frazier, Fulcher, Gari-

baldi, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Richie, Robertson, Rosenthal, Scudder, Thorp, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 240 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 338.

Assembly Bill No. 338—An act to add section 731a to the Code of Civil Procedure, relating to the use of the injunction in industrial or commercial zones.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 338?

Amendment No. 1.

On page 1, line 10, of the printed bill, strike out the word "positive".

The roll was called, and Senate amendment to Assembly Bill No. 338 was concurred in by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Donihue, Donnelly, Evans, Herbert J., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Rosenthal, Thorp, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—60.

NOES—Evans, Ralph W.—1.

Assembly Bill No. 338 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 800.

Assembly Bill No. 800—An act to amend section 705 of the Vehicle Code, relating to vehicles and the weight and loading thereof.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 800?

Amendment No. 1.

On page 1 of the printed bill, strike out lines 12 to 14, inclusive, and insert in lieu thereof the following: "three times the unladen weight of such vehicle. In no case shall".

The roll was called, and Senate amendment to Assembly Bill No. 800 was concurred in by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilmore, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Riley, Rosenthal, Scudder, Thorp, Voigt, Walker, Waters, Weber, Wright, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 800 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 812.

Assembly Bill No. 812—An act to amend section 226 of the Civil Code, relating to proceedings on adoption.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 812?

Amendment No. 1.

On page 1, line 18, of the printed bill, as amended in Assembly April 26, 1935, strike out the words "one hundred and eighty days", and insert in lieu thereof the words "ninety days".

Amendment No. 2.

On page 1, line 19, of the printed bill, as amended in Senate May 29, 1935, strike out "ninety", and insert in lieu thereof the following: "one hundred eighty".

Amendment No. 3.

On page 2, line 33, of the printed bill, as amended in Senate June 3, 1935, strike out "ninety", and insert in lieu thereof the following: "one hundred eighty".

The roll was called, and Senate amendments to Assembly Bill No. 812 were concurred in by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Heisinger, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Scudder, Thorp, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr Speaker—59.
NOES—Flint, Glover, Hawkins, and Hunt—4.

Assembly Bill No. 812 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 959.

Assembly Bill No. 959—An act to amend section 59 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to referees of the Industrial Accident Commission.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 959?

Amendment No. 1.

On page 2, line 2, of the printed bill, as amended May 29, 1935, strike out the word "later", and insert in lieu thereof the following: "earlier".

The roll was called, and Senate amendment to Assembly Bill No. 959 was concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Redwine, Richie, Riley, Scudder, Utt, Wagner, Walker, Williamson, and Mr. Speaker—57.
NOES—None.

Assembly Bill No. 959 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 972.

Assembly Bill No. 972—An act to amend section 791 of the Agricultural Code, relating to apricots.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 972?

Amendment No. 1.

On page 1, line 17, of the printed bill, as amended in Assembly April 9, 1935, strike out the word "Apricots", and insert in lieu thereof "Packed apricots".

The roll was called, and Senate Amendment to Assembly Bill No. 972 was concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, and Mr. Speaker—66.
NOES—None.

Assembly Bill No. 972 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 975.

Assembly Bill No. 975—An act to amend section 804 of the Agricultural Code, relating to pears.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 975?

Amendment No. 1.

On page 2, line 4, of the printed bill, as amended in Assembly April 9, 1935, strike out the word "Pears", and insert in lieu thereof "Packed pears".

The roll was called, and Senate amendment to Assembly Bill No. 975 was concurred in by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Utt, Wagner, Walker, Weber, Williamson, Wright, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 975 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 976.

Assembly Bill No. 976—An act to amend section 806 of the Agricultural Code, relating to plums and fresh prunes.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 976?

Amendment No. 1.

On page 1, line 15, of the printed bill, as amended in Assembly April 9, 1935, strike out the word "Plums", and insert in lieu thereof "Packed plums".

The roll was called, and Senate amendment to Assembly Bill No. 976 was concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Utt, Wagner, Walker, Weber, Williamson, Wright, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 976 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 1295.

Assembly Bill No. 1295—An act to amend section 702 of the Vehicle Code, relating to motor vehicles.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1295?

Amendment No. 1.

On page 1, line 11, of the printed bill, as amended, strike out the word "eighteen", and insert in lieu thereof the following: "seventeen".

The roll was called, and Senate amendment to Assembly Bill No. 1295 was concurred in by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilmore, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Patterson, Pelletier, Peterson, Peyser, Phillips,

Richie, Riley, Scudder, Stream, Thorp, Utt, Wagner, Walker, Waters, Williamson, Wright, and Mr. Speaker—57.
NOES—Glover—1.

Assembly Bill No. 1295 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1346.

Assembly Bill No. 1346—An act to amend section 107 of the Penal Code, relating to punishment for escape of a prisoner.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1346?

Amendment No. 1.

On page 1, line 5, of the printed bill, after "hospital", insert the following: "or industrial farm or industrial road camp".

Amendment No. 2.

On page 1, lines 6 and 7, of the printed bill, strike out "or industrial farm or industrial road camp".

Amendment No. 3.

On page 1, lines 9 and 10, of the printed bill, strike out "or county hospital", and insert in lieu thereof the following: ", county hospital, industrial farm or industrial road camp".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1346 by the following vote:

AYES—None.
NOES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Wagner, Walker, Waters, Williamson, Wright, and Mr. Speaker—67.

Consideration of Senate Amendments to Assembly Bill No. 1500.

Assembly Bill No 1500—An act relating to money appropriated for the encouragement of county and district agricultural fairs, declaring the urgency hereof and providing that this act shall go into immediate effect.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1500?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "to add section 92.5 to the Agricultural Code,".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 1 and 2

Amendment No. 3.

On page 1, lines 8 and 9, of the printed bill, as amended, strike out "92.5. Whenever an agricultural fair has received an allotment during the preceding year," and insert in lieu thereof the following:
"SECTION 1. Whenever any fair entitled to receive money under the provisions of section 92 of the Agricultural Code has held a fair between August 1, 1934, and July 31, 1935,".

Amendment No. 4.

On page 1, line 14, of the printed bill, as amended, after "92", strike out the period, and insert in lieu thereof the following: "of the Agricultural Code."

Amendment No. 5.

On page 1, line 15, of the printed bill, as amended, after "under", insert the following: "said".

The roll was called, and Senate amendments to Assembly Bill No. 1500 were concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Field, Flint, Fulcher, Garibaldi, Gilmore, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Rosenthal, Scudder, Stream, Thorp, Utt, Walker, Waters, Williamson, Wright, and Mr. Speaker—56.
NOES—Evans, Ralph W., Geyer, Gilbert, Glover, and Wagner—5.

Assembly Bill No. 1500 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1589.

Assembly Bill No. 1589—An act to amend section 12562 of the Insurance Code, relating to mortgage insurance.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1589?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "sections", and insert in lieu thereof the following: "section".

Amendment No. 2.

On page 1, line 1, of the printed bill, as amended, insert the following:
"SECTION 1. Section 12562 of the Insurance Code is hereby amended to read as follows:".

The roll was called, and Senate amendments to Assembly Bill No. 1589 were concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Fisher, Fulcher, Garibaldi, Gilmore, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Scudder, Stream, Thorp, Utt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—58.
NOES—Flint, Geyer, and Glover—3.

Assembly Bill No. 1589 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1921.

Assembly Bill No. 1921—An act to amend section 1461 of the Probate Code, relating to guardians of insane or incompetent persons.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1921?

Amendment No. 1.

On page 1, line 8, of the printed bill, as amended, strike out "; which said", and insert in lieu thereof a period and the following: "Said".

Amendment No. 2.

On page 1, line 11, of the printed bill, as amended, strike out "; and such", and insert in lieu thereof a period and the following: "Such".

The roll was called, and Senate amendments to Assembly Bill No. 1921 were concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard,

Morgan, O'Donnell, Patterson, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Utt, Wagner, Walker, Waters, Weber, Williamson, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 1921 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 2102.

Assembly Bill No. 2102—An act providing for the formation of nonprofit membership corporations to be known as electric membership corporations; authorizing such corporations to acquire, sell and distribute energy to the inhabitants of the State at the lowest cost consistent with sound economy and the prudent management of the business of such corporations; authorizing such corporations to construct or otherwise acquire, own, operate, maintain, extend and improve works, plants and systems for the acquisition, production, transmission or distribution of energy; authorizing such corporation to exercise the right of eminent domain and otherwise providing for the rights, powers and duties of such corporations; authorizing and regulating the issuance of revenue obligations by such corporations and providing for the payment of such obligations and the rights of the holders thereof; and providing that this act shall take immediate effect.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2102?

Amendment No. 1.

On page 4, line 13, of the printed bill, as amended, strike out "majority", and insert in lieu thereof the following: "two-thirds".

Amendment No. 2.

On page 4, line 19, of the printed bill, as amended, strike out the period, and insert in lieu thereof a comma and the following: "and in no case shall the fees or commissions for engineering and legal expense exceed those established by the Railroad Commission of the State of California or the Federal Public Works Administration."

Amendment No. 3.

On page 5, line 40, of the printed bill, as amended, strike out the period, and insert in lieu thereof a semicolon and the following: "provided, however, that before proceeding with any improvement a similar economic survey shall be made as that provided for under the Public Works Administration to determine the feasibility of the project and the resources supporting the security issue."

The roll was called, and Senate amendments to Assembly Bill No. 2102 were concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 2102 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 2122.

Assembly Bill No. 2122—An act to postpone proceedings to enforce any guaranty of any special assessment or special assessment tax, or arising out of the issuance of any special assessment bond, or ad valorem district bonds or direct assessment district bonds, levied or issued to pay the cost of the improvement or acquisition of property for public purposes, in cases in which proceedings to enforce such

assessments, bonds, or taxes are postponed by law, declaring the urgency thereof, and providing that it shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2122?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the words "the lien, or".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out the following: "in connection therewith arising out of the levy".

Amendment No. 3.

On page 1, line 7 of the title of the printed bill, following the word "purposes", insert the following: "in cases in which proceedings to enforce such assessments, bonds, or taxes are postponed by law".

Amendment No. 4.

On page 1 of the printed bill, strike out all of lines 1 to 18, inclusive, and insert in lieu thereof the following:

"SECTION 1. No suit, action or other proceeding shall be begun or prosecuted upon or to enforce any guaranty of the payment of all or any portion of any special assessment, special assessment tax, special assessment bond, or other assessment or tax, levied to pay the cost of the construction of any public improvement or the acquisition of any property for public use, during the time that any proceeding, act or other remedy provided for the enforcement of any such assessment, tax or bond is postponed, delayed or prohibited by any statute or other provision of law; and, no suit, action or other proceeding shall be begun or prosecuted upon or to enforce any guaranty of the payment of any instrument or bond issued to represent or which is secured by any such assessment, tax or bond during the time that any proceeding, act or other remedy provided for the enforcement of any such assessment, tax or bond is postponed, delayed or prohibited by any statute or other provision of law.

SEC. 2. The periods of time prescribed by sections 581, 581a, 581b and 583 of the Code of Civil Procedure or prescribed by any other provision of law for the commencement of any action or proceeding to foreclose or enforce any special assessment, special assessment tax, special assessment bond or other assessment or tax levied or issued to pay the cost of the construction of any public improvement or the acquisition of any property for public use and the periods of time prescribed by any of said sections of the Code of Civil Procedure or other provisions of law for the commencement of any action to enforce any guaranty of the payment of any such special assessment, special assessment tax, special assessment bond or other assessment or tax of any bond or other instrument issued to represent or which is secured by any such assessments or tax, is hereby extended for such period of time as any proceeding, action or other remedy provided for the enforcement of any such assessment tax or bond is postponed, delayed or prohibited by any statute or other provision of law."

Amendment No. 5.

On page 2, line 13, of the printed bill, as amended, strike out the words "or which is secured by".

Amendment No. 6.

On page 2, line 31, of the printed bill, as amended, strike out the words "or which is secured by".

Amendment No. 7.

On page 1 of the printed bill, as amended, in the next to the last line of the title, insert a comma after "law".

Amendment No. 8.

On page 2, line 41, of the printed bill, as amended, after the period, insert the following: "When a moratorium is declared upon such payments, it would be grossly inequitable and would cause financial ruin to guarantors not to extend to them similar relief."

The roll was called, and Senate amendments to Assembly Bill No. 2122 were concurred in by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine,

Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Williamson, and Mr. Speaker—67.
NOES—None.

Assembly Bill No. 2122 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 2429.

Assembly Bill No. 2429—An act to provide for the formation, management, alteration of boundaries, and dissolution of storm drain maintenance districts, defining the powers of the board of supervisors and the county surveyor relative to such districts and providing for the levy and collection of taxes to defray the expenses thereof.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2429?

Amendment No. 1.

On page 3, line 51, of the printed bill, as amended in the Assembly May 27, 1935, strike out the word "three", and insert in lieu thereof the word "one".

The roll was called, and Senate amendment to Assembly Bill No. 2429 was concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr Speaker—69.
NOES—None.

Assembly Bill No. 2429 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 2457.

Assembly Bill No. 2457—An act to amend section 363i of the Political Code, relating to the administration of certain bays, ports and harbors.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2457?

Amendment No. 1.

On page 1, line 23, of the printed bill, strike out "respective".

Amendment No. 2.

On page 1, line 24, of the printed bill, strike out "each such", and insert in lieu thereof the following: "the".

The roll was called, and Senate amendments to Assembly Bill No. 2457 were concurred in by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Turner, Utt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—62.
NOES—None.

Assembly Bill No. 2457 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 2458.

Assembly Bill No. 2458—An act to add Chapter 9, embracing sections 725 to 734, inclusive, to Division IV of the Agricultural Code, relating to dairies and dairy products.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 2458?

Amendment No. 1.

On page 3 of the printed bill, strike out all of lines 33 to 42, inclusive, and insert in lieu thereof the following: "endar year. All licenses may be renewed each successive year, if the plant for which a previous license was issued or the business thereof shall have been conducted in accordance with the requirements of this chapter during the year next preceding that for which renewal is requested. The renewal fee due January 1st shall be forwarded during the first week of December."

The roll was called, and Senate amendment to Assembly Bill No. 2458 was concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—62.

NOES—None.

Assembly Bill No 2458 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 834.

Assembly Bill No. 834—An act relating to and imposing limitations on expenditures by counties, cities and counties, districts and other political subdivisions, under authority of section 20 of Article XI of the Constitution of the State.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 834?

Amendment No. 1.

On page 1, lines 10 and 11, of the printed bill, as amended, strike out "irrespective of the source from which these funds expended are derived,".

Amendment No. 2.

On page 1, line 14, of the printed bill, as amended, strike out the word "of", and insert in lieu thereof the word "or".

Amendment No. 3.

On page 2, line 7, of the printed bill, as amended, after "centum", insert the following: "; provided, further, that any county, city and county, municipality, district, or other political subdivision of this State that has decreased or that decreases the amount of its expenditures in any year or years since the year 1933 or fiscal years ended during such year may increase, in any subsequent year or years, the amount of its expenditures by the amount, or any fraction thereof, so reduced, or by an amount not more than five per centum of the amount expended in the year immediately preceding".

Amendment No. 4.

On page 2 of the printed bill, as amended, strike out lines 10 to 17, both inclusive.

Amendment No. 5.

On page 2, line 27, of the printed bill, as amended, after "property", insert the following: "; provided that this act shall not prevent any county, city and county, municipality, district or other political subdivision from expending as much as it would be permitted to expend if the term expenditures included expenditures out of State apportionments for the support of the public school system."

Amendment No. 6.

On page 3, line 6, of the printed bill, as amended, after "application," insert "or within twenty days after this act becomes effective in the case of applications filed prior to the effective date of this act,".

The roll was called, and Senate amendments to Assembly Bill No. 834 were concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J. Field, Fisher,

Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Heisinger, Johnson, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—57.

NOES—Evans, Ralph W., Flint, Glover, Hunt, Jones, Lore, Rosenthal, and Wagner—8.

Assembly Bill No. 834 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 2470.

Assembly Bill No. 2470—An act for the relief of purchasers of swamp and overflowed lands, declaring the urgency thereof and that this act shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2470?

Amendment No. 1.

On page 1, line 12, of the printed bill, as amended, strike out the period, and insert in lieu thereof a semicolon and the following: "provided, that none of the provisions of this act shall apply to nor be construed as affecting any application to purchase filed with the Division of State Lands subsequent to January 1, 1935, or any of the lands therein described, against which a contest has been initiated and which has been referred to any superior court of this State for determination by said Division of State Lands, and all such applications shall be proceeded with by said superior court and the Division of State Lands as though this act had not been adopted."

The roll was called, and Senate amendment to Assembly Bill No. 2470 was concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 2470 ordered to enrollment.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1935.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 89—A resolution to propose to the people of the State of California an amendment of Article XI of the Constitution of the State, by adding section 8c thereto, authorizing a local election to reestablish the city of Venice—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

LATHAM, Chairman.

Assembly Constitutional Amendment No. 89 ordered to engrossment.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to section 2 of Article IV of the State Constitution, relating to the introduction of legislative bills—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

LATHAM, Chairman.

Senate Constitutional Amendment No. 27 ordered on file for adoption.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 626—An act to amend sections 86 and 87 of the Fish and Game Code, relating to fish and game districts;

Also: Assembly Bill No. 710—An act to establish a Military and Veterans Code, thereby revising and consolidating the law relating to the armed forces and Militia of the State and relating to military and veterans' affairs, aid and welfare, institutions, and buildings and to repeal certain acts and parts of acts therein specified;

Also: Assembly Bill No. 1394—An act amending section 14, of an act entitled: "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, relating to officers;

Also: Assembly Bill No. 1677—An act to add section 8a to an act entitled "An act to provide for the formation, management and dissolution of county waterworks districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county waterworks district bonds and the payment thereof," approved June 13, 1913, relating to refunding bonds;

Also: Assembly Bill No. 2448—An act to amend section 407 of the Streets and Highways Code, relating to State highways;

Also: Assembly Bill No. 246—An act for the regulation and control of corporations organized for the purpose of operating nonprofit hospital service plans;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this eleventh day of June, 1935, at ten o'clock a.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 63—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 22 of Article XII of the Constitution of said State, relating to the creation and powers of the Public Service Commission—and reports that the same has been correctly enrolled, and presented the same to the Governor on this eleventh day of June, 1935, at ten o'clock a.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1084—An act providing for completion of investigation and report by Division of Water Resources, Department of Public Works on flood control, hydro-electric development and conservation and utilization of water supply of Salinas River Basin—and reports that the same has been correctly re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2040—An act making an appropriation to pay the claim of the chief accounting officer of the Department of Finance against the State of California;

Also: Assembly Bill No. 2492—An act to amend section 38 of the "Alcoholic Beverage Control Act," relating to powers of the board and the persons employed by the board;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 997—An act to amend sections 18 and 21 of an act entitled "An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission, fixing the term of office of the members of said commisssion; prescribing the powers, duties and

authority of said commission and the members thereof; providing for the institution of proration programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purposes of said act and providing for the collection thereof; and making an appropriation therefor," approved June 5, 1933, relating to fees;

Also: Assembly Bill No. 916—An act to add sections 3a, 15a and 20a to "The California Agricultural Adjustment Act of 1935," relating to ways, means, and moneys, and providing and appropriating moneys, for the administration and enforcement thereof and of regulation of producers, packers, distributors, shippers, marketers, handlers, processors, and others dealing in agricultural, viticultural, horticultural, animal, and poultry products and of any competing commodity or product thereof thereunder, and under the legislative standards in relating to the rehabilitation of agriculture therein specified, and declaring the existence of a State and National agricultural emergency and the urgency of this act and that this act shall take effect immediately;

And reports that the same have been correctly re-engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 89—A resolution to propose to the people of the State of California an amendment of Article XI of the Constitution of the State, by adding section 8c thereto, authorizing a local election to reestablish the city of Venice—and reports that the same has been correctly engrossed

WATERS, Chairman.

Assembly Constitutional Amendment No. 89 ordered on file for adoption.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1935.

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2483—An act making an appropriation to pay the claim of Harvey B. Whitten against the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2111—An act making an appropriation to be expended by and under the direction of the Department of Public Works for the purpose of rectifying, improving and protecting the channel of the Pajaro River, and providing flood protection for adjacent lands, in Santa Cruz and Monterey counties—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 525—An act to amend section 2 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to the transportation of persons or property for hire or compensation—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2475—An act making an appropriation to pay the claim of Fred

Froehlinger against the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 588—An act levying a tax upon the privilege of severing petroleum, natural gas, natural or casing head gasoline and other hydrocarbon substances from the earth, providing for the issuance of permits to producers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof and providing that the act shall take effect immediately —has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No 2131—An act making an appropriation for the improvement of flood conditions at the mouth of the Klamath River—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1935.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Senate Bill No. 192—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any joint highway district, and directing the levy and collection of a tax sufficient to pay the principal and interest thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

STREAM, Chairman.

The above reported bill ordered on file for second reading.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1935.

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 674—An act prescribing the terms upon which certificates of registration of inspectors and/or sanitary officers as "registered sanitarians" shall be issued; prescribing a course and minimum amount of schooling or training to be possessed by applicants therefor after one (1) year from date of approval of this act; authorizing the State Board of Public Health to certify approved schools, conduct examinations and issue "registered sanitarian" certificates; prescribing the powers and duties of the State board; prescribing conditions under which the title "registered sanitarian" or the placing of the initials "R S." may be used after the names of the certificate holders; providing penalties for violations hereof; and grounds for the suspension, cancellation, denial or revocation of such certificates of registration—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Second Reading of Assembly Bills.

Assembly Bill No. 2492—An act to amend section 38 of the "Alcoholic Beverage Control Act," relating to powers of the board and the persons employed by the board.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2483—An act making an appropriation to pay the claim of Harvey B. Whitten against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 2111—An act making an appropriation to be expended by and under the direction of the Department of Public Works for the purpose of rectifying, improving and protecting the channel of the Pajaro River, and providing flood protection for adjacent lands, in Santa Cruz and Monterey counties.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 2131—An act making an appropriation for the improvement of flood conditions at the mouth of the Klamath River.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "for the improvement of flood"; also strike out line 2 of the title, and insert in lieu thereof the following: "to pay the claim of the disbursing officer of the Fish and Game Commission against the State of California."

Amendment No. 2.

On page 1, lines 1 and 2, of the printed bill, strike out "in the State treasury not otherwise appropriated", and insert in lieu thereof the following: "in the fish and game preservation fund".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 3 to 5, inclusive, and insert in lieu thereof the following: "of five thousand dollars to pay the claim of the disbursing officer of the Fish and Game Commission against the State of California."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 588—An act levying a tax upon the privilege of severing petroleum, natural gas, natural or casing head gasoline and other hydrocarbon substances from the earth, providing for the issuance of permits to producers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof and providing that the act shall take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 2 and 3 of the title of the printed bill, as amended, strike out "and other hydrocarbon substances".

Amendment No. 2.

On page 1, line 2, of the printed bill, as amended, before "Oil", insert a quotation mark.

Amendment No. 3.

On page 1, line 2, of the printed bill, as amended, following "Gas", strike out the quotation mark.

Amendment No. 4.

On page 1 of the printed bill, as amended, strike out all of lines 12 to 14, both inclusive.

Amendment No. 5.

On page 1, line 15, of the printed bill, as amended, strike out "(c)", and insert in lieu thereof "(b)".

Amendment No. 6.

On page 1, line 16, of the printed bill, as amended, strike out "any natural resource", and insert in lieu thereof the following: "petroleum, natural gas or natural or casing head gasoline".

Amendment No. 7.

On page 2, line 1, of the printed bill, as amended, strike out "(d)", and insert in lieu thereof "(c)".

Amendment No. 8.

On page 2, line 2, of the printed bill, as amended, strike out "cutting, mining,".

Amendment No. 9.

On page 2, line 3, of the printed bill, as amended, strike out "natural resources", and insert in lieu thereof the following: "petroleum, natural gas, natural or casing head gasoline".

Amendment No. 10.

On page 2 of the printed bill, as amended, strike out all of lines 4 to 13, both inclusive.

Amendment No. 11.

On page 2, line 14, of the printed bill, as amended, strike out "(g)", and insert in lieu thereof "(d)".

Amendment No. 12.

On page 2, line 15, of the printed bill, as amended, strike out "natural resources", and insert in lieu thereof the following: "petroleum, natural gas or natural or casing head gasoline".

Amendment No. 13.

On page 2 of the printed bill, as amended, strike out all of lines 18 to 20, both inclusive, and insert in lieu thereof the following:

"Petroleum of below fifteen degrees gravity A.P.I, two and five-tenth cents per barrel of forty-two gallons.

Petroleum of fifteen degrees gravity A.P.I. up to but not including nineteen degrees gravity A.P.I., two and nine hundred ninety-five thousandths cents per barrel of forty-two gallons.

Petroleum of nineteen degrees gravity A.P.I. up to but not including twenty-three degrees gravity A.P.I., three and five-tenths cents per barrel of forty-two gallons.

Petroleum of twenty-three degrees gravity A.P.I. up to but not including twenty-eight degrees gravity A.P.I., four and one hundred thirty-six thousandths cents per barrel of forty-two gallons.

Petroleum of twenty-eight degrees gravity A.P.I. up to but not including thirty-four degrees gravity A P I., four and nine hundred nine thousandths cents per barrel of forty-two gallons.

Petroleum of thirty-four degrees gravity A.P.I. and above, five and eight hundred sixty-four thousandths cents per barrel of forty-two gallons.

Natural gas, four-tenths cents per one thousand cubic feet.

Natural or casing head gasoline, two-tenths cents per gallon."

Amendment No. 14.

On page 2, line 21, of the printed bill, as amended, strike out "April", and insert in lieu thereof "July".

Amendment No. 15.

On page 2, line 24, of the printed bill, as amended, following "hereunder", insert "shall be a direct obligation of the producer and".

Amendment No. 16.

On page 2 of the printed bill, as amended, strike out all of line 27, and insert in lieu thereof the following: "with the first day of July, 1935, and ending on the thirty-first day of July,".

Amendment No. 17.

On page 2, line 33, of the printed bill, as amended, strike out "gross value of natural resources", and insert in lieu thereof the following: "amount of petroleum, natural gas and natural or casing head gasoline".

Amendment No. 18.

On page 3, line 4, of the printed bill, as amended, after the period, insert the following: "The application shall be signed by the owner if a natural person; in the case of an association or partnership, by a member or partner thereof; in the case of a corporation by an executive officer thereof or some person specifically authorized by the corporation to sign the application, to which shall be attached the written evidence of his authority."

Amendment No. 19.

On page 3, line 35, of the printed bill, as amended, strike out ", together", and insert in lieu thereof a period.

Amendment No. 20.

On page 3 of the printed bill, as amended, strike out all of lines 36 and 37, and insert in lieu thereof "Such".

Amendment No. 21.

On page 3, line 44, of the printed bill, as amended, strike out "and payment".

Amendment No. 22.

On page 3 of the printed bill, as amended, strike out all of lines 47 and 48, and insert in lieu thereof the following: "petroleum, natural gas and natural or casing head gasoline produced by the delinquent during the period in respect to which he failed to make a return, and upon the".

Amendment No. 23.

On page 4, line 17, of the printed bill, as amended, strike out "or a representative".

Amendment No. 24.

On page 4, line 18, of the printed bill, as amended, strike out "thereof".

Amendment No. 25.

On page 4, line 25, of the printed bill, as amended, strike out "26", and insert in lieu thereof "28".

Amendment No. 26.

On page 4, line 28, of the printed bill, as amended, strike out "they become final", and insert in lieu thereof the following: "of service of notice thereof".

Amendment No. 27.

On page 5, line 28, of the printed bill, as amended, following "a", insert "first and paramount".

Amendment No. 28.

On page 5, line 29, of the printed bill, as amended, strike out "natural", and insert in lieu thereof the following: "petroleum, natural gas or natural or casing head gasoline".

Amendment No. 29.

On page 5 of the printed bill, as amended, strike out all of line 30, and insert in lieu thereof the following: "were severed and upon the petroleum, natural gas and natural or casing head gasoline severed,".

Amendment No. 30.

On page 6 of the printed bill, as amended, between lines 49 and 50, insert the following:

"SEC. 19. The board, whenever it deems it necessary to insure compliance with the provisions of this act, may require any person subject to the tax imposed hereunder to deposit with it such security as the board may determine. The same may be sold by the board at public sale if it becomes necessary so to do in order to recover any tax, interest or penalty due. Notice of such sale may be served upon the person who deposited such securities personally or by mail; if by mail, service shall be made in the manner prescribed by section 1013 of the Code of Civil Procedure and addressed to the person at his address as the same appears in the records of the board. Upon any such sale, the surplus, if any, above the amounts due under this act shall be returned to the person who deposited the security."

Amendment No. 31.

On page 6, line 50, of the printed bill, as amended, strike out "19", and insert in lieu thereof "20".

Amendment No. 32.

On page 7, line 13, of the printed bill, as amended, strike out "20", and insert in lieu thereof "21".

Amendment No. 33.

On page 7, line 18, of the printed bill, as amended, following "person", insert "or any department or office of the State".

Amendment No. 34.

On page 7, line 24, of the printed bill, as amended, strike out "21", and insert in lieu thereof "22".

Amendment No. 35.

On page 7, line 28, of the printed bill, as amended, strike out "valuation".

Amendment No. 36.

On page 7 of the printed bill, as amended, between lines 31 and 32, insert the following:

"SEC. 23. It shall be unlawful for the board, or any person having an administrative duty under this act to divulge or to make known in any manner whatever, the business affairs, operations, or information obtained by an investigation of the records and equipment of any producer visited or examined in the discharge of official duty, or the amount or source of income, profits, losses, expenditures or any particular thereof, set forth or disclosed in any return, or to permit any return or copy thereof or any book containing any abstract or particulars thereof to be seen

or examined by any person except as provided by law; provided, however, that the Governor may authorize examination of such returns by other State officers, by tax officers of another State, or the Federal Government, if a reciprocal arrangement exists, and any other persons the Governor may so authorize.

Any violation of the provisions of this section shall be a misdemeanor and be punished by a fine not exceeding one thousand dollars, or by imprisonment not exceeding one year, or both, at the discretion of the court."

Amendment No. 37.

On page 7, line 32, of the printed bill, as amended, strike out "22", and insert in lieu thereof "24".

Amendment No. 38.

On page 7, line 34, of the printed bill, as amended, strike out "Treasurer of the State of California", and insert in lieu thereof the following: "State Board of Equalization".

Amendment No. 39.

On page 7, line 48, of the printed bill, as amended, strike out "1935", and insert in lieu thereof "1936".

Amendment No. 40.

On page 7, line 50, of the printed bill, as amended, following the period, insert the following: "For expenditure by the Controller in carrying out the provisions of this act there is hereby appropriated out of the severance tax fund the sum of five thousand dollars or so much thereof as may be necessary."

Amendment No. 41.

On page 8, line 3, of the printed bill, as amended, strike out "23", and insert in lieu thereof "25".

Amendment No. 42.

On page 8, line 37, of the printed bill, as amended, strike out "24", and insert in lieu thereof "26".

Amendment No. 43.

On page 9, line 1, of the printed bill, as amended, strike out "25", and insert in lieu thereof "27".

Amendment No. 44.

On page 9, line 4, of the printed bill, as amended, strike out "26", and insert in lieu thereof "28".

Amendment No. 45.

On page 9, line 13, of the printed bill, as amended, strike out "27", and insert in lieu thereof "29".

Amendment No. 46.

On page 9, line 21, of the printed bill, as amended, strike out "28", and insert in lieu thereof "30".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 2475—An act making an appropriation to pay the claim of Fred Froehlinger against the State of California.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 1, of the printed bill, strike out the word "five", and insert in lieu thereof the word "two".

Amendment adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 525—An act to amend section 2 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing

that this act shall take effect immediately," approved May 15, 1933, relating to the transportation of persons or property for hire or compensation.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 192—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any joint highway district, and directing the levy and collection of a tax sufficient to pay the principal and interest thereof.

Bill read second time, and ordered on file for third reading.

Third Reading of Assembly Bills.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 10, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 2393—An act to be known and cited as the Yacht and Ship Brokers Act, to define yacht and ship brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create the office of Yacht and Ship Brokers Commissioner, within the Department of Professional and Vocational Standards; and to provide for the enforcement of said act and penalties for the violation thereof.

In my opinion said Assembly Bill No 2393 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 2393—An act to be known and cited as the Yacht and Ship Brokers Act, to define yacht and ship brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create the office of Yacht and Ship Brokers Commissioner; and to provide for the enforcement of said act and penalties for the violation thereof.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Lyon:

Amendment No. 1.

On page 4 of the printed bill, as amended, between lines 46 and 47, insert the following:

"The commissioner shall, within thirty days prior to each regular session of the Legislature, submit to the Governor a full and true report of transactions under this act during the current biennium, including a complete statement of receipts and expenditures during that period."

Amendment adopted.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 2393, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2393, as Amended.

Assembly Bill No. 2393, as amended, read third time.

The question being on the passage of the bill.

The roll was called.

Motion to Expunge Record.

Mr. Lyon moved that the vote whereby Assembly Bill No. 2393 was this day passed be expunged from the record, and the action rescinded.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Lyon to expunge the record of vote on Assembly Bill No. 2393.

The roll was called, and the motion was carried by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—69.

NOES—None.

Third Reading of Assembly Bill No. 2393.

Assembly Bill No. 2393 read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2393 passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—73.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 10, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 1212—An act to amend section 7 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the regulation of the practice of optometry.

In my opinion Assembly Bill No. 1212 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 1212—An act to amend section 7 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the regulation of the practice of optometry.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Lyon:

Amendment No. 1.

On page 2 of the printed bill, after line 27, add the following:
"The Director of Professional and Vocational Standards shall, within thirty days prior to each regular session of the Legislature, submit to the Governor a full and true report of transactions under this act during the current biennium, including a complete statement of receipts and expenditures during that period."

Amendment adopted.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 1212, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1212, as Amended.

Assembly Bill No. 1212, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1212, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Riley, Rosenthal, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—61.
NOES—Evans, Ralph W., and Geyer—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1348—An act to amend section 690.10 of the Political Code, relating to rights in and upon swamp, overflowed, marsh, tide and submerged lands.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Clark:

Amendment No. 1.

On page 4 of the printed bill, as amended, beginning at line 47, add the following:
"(10) The provisions of this act shall not apply to any swamp, overflowed, marsh, tide or submerged lands embracing deposits of oil and/or gas."

Amendment adopted.

Bill read, ordered to reprint, re-re-engrossment, and third reading.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 10, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 607—An act relating to the holding of the Pacific Exposition and the San Francisco Bay Exposition in California, providing for the issuance and sale of State bonds to be known as "California exposition bonds," providing for the payment and retirement of said bonds, providing for and creating funds for the carrying out of the purposes of this act, authorizing the expenditure of moneys in said funds for such purposes, creating two commissions, one to be known as the "Pacific Exposition Commission" and the other to be known as "San Francisco Bay Exposition Commission," creating an interest and sinking fund for

the payment of interest on said bonds and the redemption of the same, and making appropriation therefor, making an appropriation of $2,000 for the expense of printing, lithographing and selling said bonds, designating the name by which this act shall be known and fixing the time at which this act shall be and become effective.

In my opinion Assembly Bill No. 607 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 607—An act relating to the holding of the Pacific Exposition and the San Francisco Bay Exposition in California, providing for the issuance and sale of State bonds to be known as "California Exposition Bonds," providing for the payment and retirement of said bonds, providing for and creating funds for the carrying out of the purposes of this act, authorizing the expenditure of moneys in said funds for such purposes, creating two commissions, one to be known as the "Pacific Exposition Commission" and the other to be known as "San Francisco Bay Exposition Commission," creating an interest and sinking fund for the payment of interest on said bonds and the redemption of the same, and making appropriation therefor, making an appropriation of $2,000 for the expense of printing, lithographing and selling said bonds, designating the name by which this act shall be known and fixing the time at which this act shall be and become effective.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 607 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Fisher, Fulcher, Garibaldi, Gilmore, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Pelletier, Peyser, Reaves, Redwine, Riley, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—57.

NOES—Crowley, Evans, Ralph W., Flint, Gilbert, Glover, Kallam, McCarthy, Patterson, and Phillips—9.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 329—An act relating to codes of fair competition for certain trades and industries within this State, to declare the urgency thereof, and to provide that this act shall take effect immediately.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Rosenthal:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out lines 15 and 16, and insert in lieu thereof the following: "of this act."

Amendment No. 2.

On page 2, line 28, of the printed bill, as amended, strike out "and/or", and insert in lieu thereof the following: "or".

Amendment No. 3.

On page 3, line 10, of the printed bill, as amended, strike out "and/or", and insert in lieu thereof the following: "and".

Amendment No. 4.

On page 3, line 46, of the printed bill, as amended, strike out "2", and insert in lieu thereof the following: "3".

Amendments adopted.

Request for Unanimous Consent.

Mr. Rosenthal asked for, and was granted, unanimous consent to take up Assembly Bill No. 329, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 329, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Rosenthal:

Amendment No. 1.

On page 1, line 19, of the printed bill, as amended, after the comma after "rug cleaning", insert the following: "automotive, custom pleating, hemstitching, laundry and laundry linen supply".

Amendment No. 2.

On page 2, line 9, of the printed bill, as amended, after "rug cleaning", insert the following: ", automotive, custom pleating, hemstitching, laundry and laundry linen supply".

Amendment No. 3.

On page 4, line 23, of the printed bill, as amended, strike out "National and".

Amendment No. 4.

On page 4, line 30, of the printed bill, as amended, strike out "A judgment"; also strike out lines 31 to 36, inclusive.

Amendment No. 5.

On page 5 of the printed bill, as amended, strike out lines 16 to 19, inclusive, and insert in lieu thereof the following: "act, the Governor is hereby authorized to utilize such State and local officers and employees as".

Amendment No. 6.

On page 5, line 22, of the printed bill, as amended, after the period in said line, insert the following: "The Governor shall have the power to prescribe such orders, rules and regulations as he finds necessary to provide for the defraying of the cost of administration and the carrying out of the purposes and provisions of this act."

Amendments adopted.

Request for Unanimous Consent.

Mr. Rosenthal asked for, and was granted, unanimous consent to take up Assembly Bill No. 329, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 329, as Amended.

Assembly Bill No. 329, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 329, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser,

Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Waters, Weber, Williamson, and Mr. Speaker—68.

NOES—None.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 329.

Mr. Peyser gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 329 was this day passed.

Further Proceedings Under Call of the House Dispensed With.

At twelve o'clock and thirty minutes p.m , further proceedings under the call of the House were dispensed with, on motion of Mr. Nielsen.

The roll of absentees was called, and the veto of the Governor on Assembly Bill No. 1165 was sustained by the following vote:

AYES—Boyle, Burns, Cassidy, Chatters, Clark, Cronin, Crowley, Cunningham, Desmond, Donahue, Donnelly, Evans, Ralph W., Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, Maloney, Mayo, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Thorp, Turner, Voigt, Wagner, Walker, Waters, and Weber—46.

NOES—Anderson, Andreas, Breed, Brennan, Corwin, Cottrell, Dawson, DeLap, Evans, Herbert J., Field, Fisher, Frazier, Johnson, Kallam, Latham, Lyon, Martin, McBride, Minard, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Utt, Wallace, Williamson, Wright, and Mr. Speaker—32.

Explanation of Vote.

The people of California as shown by their votes are so favorable to the Central Valley Project, and the vote of both houses of the Legislature so overwhelmingly passed two separate revenue bond measures which would, if enacted, materially assist in the ultimate and beneficial use of the Central Valley Project; and inasmuch as the Governor has vetoed one bill and gives as one reason that a majority of the people should not be given such power; therefore, in voting to override the veto of the Governor I desire to say that our Democracy is predicated upon the majority rule of the people.

Our State Constitution properly may be changed upon a majority of those voting, and I am proud to vote, to enact this legislation regardless of the Governor's veto, as I think the people would vote had they an opportunity.

S. L. HEISINGER.

Explanation of Vote.

Since the passage of Assembly Bill No. 1165, I have become convinced that the Governor is justified in his refusal to approve this measure for the reasons set forth in his veto message to the Assembly. Although I am in accord with the general principle of public ownership, I am of the opinion that the so-called "Revenue bonds" are unsound because their issuance is predicated upon a practice of "counting chickens before they are hatched." To require a two-thirds majority for the approval of the issuance of revenue bonds, is but a fair restriction and protection against hasty and ill-advised financial schemes. In voting to sustain the veto, I feel that I am acting in accord with the mandate of the voters of San Francisco as expressed at a recent special election, at which time, San Francisco, by a large majority, voted against the issuance of such bonds

KENNETT B. DAWSON,
Assemblyman, Twenty-second District.

Notice of Reconsideration of Governor's Veto.

Mr. Anderson gave notice that on the next legislative day he would move to reconsider the vote whereby the Governor's veto to Assembly Bill No. 1165 was this day sustained.

Motion.

Mr. Cunningham moved, seconded by Mr. Wagner, that the Chief Clerk be instructed to send flowers to Mrs. McCarthy at the Mercy Hospital.

Motion carried unanimously.

Recess.

At twelve o'clock and thirty-five minutes p.m., on the motion of Mr. Lyon, the Assembly was declared at recess until two o'clock and fifteen minutes p.m., this day.

Reassembled.

At two o'clock and fifteen minutes p.m., the Assembly reconvened. Speaker Craig in the chair.

Third Reading of Assembly Bills—(Resumed).

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 927—An act to provide for the further development of vocational education in California by accepting the provisions and benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled and approved May 21, 1934; entitled "An act to provide for the further development of vocational education in the several States and territories"; and making an appropriation therefor; and declaring the urgency thereof and providing that this act shall take effect immediately.

In my opinion said Assembly Bill No. 927 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 927—An act to provide for the further development of vocational education in California by accepting the provisions and benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled and approved May 21, 1934; entitled "An act to provide for the further development of vocational education in the several States and territories"; and making an appropriation therefor; and declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Clark, Corwin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Flint, Frazier, Fulcher, Geyer, Gilbert, Hawkins, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, Miller, Minard, Morgan, Patterson, Pelletier, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—54.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 927 passed by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Her-

bert J., Evans, Ralph W., Flint, Frazier, Fulcher, Geyer, Gilbert, Hawkins, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Wright, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 10, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 1540—An act to amend section 4 of and to add section 8 to an act entitled "An act creating a commission to codify, consolidate, revise or compile the statutes of California and to report thereon to the Legislature, and making an appropriation therefor, and authorizing State departments, boards, bureaus and commissions to contract for the revision of certain laws," approved June 10, 1929, relating to reports and making an appropriation to carry out the provisions of the act.

In my opinion said Assembly Bill No. 1540 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 1540—An act to amend section 4 of and to add section 8 to an act entitled "An act creating a commission to codify, consolidate, revise or compile the statutes of California and to report thereon to the Legislature, and making an appropriation therefor, and authorizing State departments, boards, bureaus and commissions to contract for the revision of certain laws," approved June 10, 1929, relating to reports and making an appropriation therefor.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Lyon:

Amendment No. 1.

On page 1, line 10, of the printed bill, as amended, after the period, insert the following: "The commission shall, within thirty days prior to each regular session of the Legislature, submit to the Governor a full and true report of transactions under this law during the current biennium, including a complete statement of receipts and expenditures during that period."

Amendment adopted.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 1540, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1540, as Amended.

Assembly Bill No. 1540, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1540, as amended, passed by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, DeLap, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Flint, Frazier, Fulcher, Geyer, Gilbert, Hawkins, Hunt, Johnson, Jones, Kallam,

Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Weber, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 10, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 605—An act providing for the acquisition of lands for, and the construction, maintenance and operation of a building at the Pacific Exposition to be held in the county of Los Angeles, State of California, providing for the exhibiting of products, resources of and other matters pertaining to the State of California at said Pacific Exposition, creating the California Pacific Exposition Commission and defining its powers and duties, and making an appropriation therefor.

In my opinion said Assembly Bill No. 605 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 605—An act providing for the acquisition of lands for, and the construction, maintenance and operation of a building at the Pacific Exposition to be held in the county of Los Angeles, State of California, providing for the exhibiting of products, resources of and other matters pertaining to the State of California at said Pacific Exposition, creating the California Pacific Exposition Commission and defining its powers and duties, and making an appropriation therefor.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Lyon:

Amendment No. 1.

On page 2, line 42, of the printed bill, as amended, after the period, insert the following: "The commission shall, within thirty days prior to the regular session of the Legislature, submit to the Governor a full and true report of transactions under this act during the current biennium, including a complete statement of receipts and expenditures during that period."

Amendment adopted.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 605, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 605, as Amended.

Assembly Bill No. 605, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 605, as amended, passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Hawkins, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patter-

son, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Turner, Utt, Voigt, Walker, Wallace, Williamson, Wright, and Mr. Speaker—61.
NOES—Evans, Ralph W., Gilbert, McCarthy, Robertson, Thorp, and Wagner—6.

Title read and approved.
Bill ordered transmitted to the Senate.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 10, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No 703—An act to establish the Southern California Prison under the management and control of the State Board of Prison Directors; to provide for purchase or acquirement of farm lands by unconditional gift or use of lands owned by the State therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor.

In my opinion said Assembly Bill No 703 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 703—An act to establish the Southern California Prison under the management and control of the State Board of Prison Directors; to provide for purchase or acquirement of farm lands by unconditional gift or use of lands owned by the State therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 703 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J. Evans, Ralph W., Field, Flint, Frazier, Geyer, Gilbert, Hawkins, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—63.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA. GOVERNOR'S OFFICE,
SACRAMENTO, June 6, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 86—An act to establish a system of unemployment reserves for this State, and making an appropriation therefor.

In my opinion said Assembly Bill No. 86 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State

of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 86—An act to establish a system of unemployment reserves for this State, and making an appropriation therefor.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Burns:

Amendment No. 1.

On page 2, line 17, of the printed bill, as amended, strike out "not less than seventy-five per cent".

Amendment No. 2.

On page 6 of the printed bill, as amended, strike out lines 15 to 29, inclusive.

Amendment No. 3.

On page 7, line 28, of the printed bill, as amended, strike out "the fund", and insert in lieu thereof the following: "the unemployment fund".

Amendment No. 4.

On page 14 of the printed bill, as amended, strike out lines 50 to 52, inclusive; also on page 15, strike out lines 1 and 2.

Amendment No. 5.

On page 15, lines 46 and 49, of the printed bill, as amended, strike out the comma; also strike out "and shall be Director of the Department of Employment".

Amendment No. 6.

On page 16 of the printed bill, as amended, strike out lines 1 to 6, inclusive.

Amendment No. 7.

On page 16 of the printed bill, as amended, strike out lines 50 to 52, inclusive; also on page 17, strike out lines 1 to 40, inclusive.

Amendment No. 8.

On page 18, line 34, of the printed bill, as amended, strike out "Department", and insert in lieu thereof the following: "Division".

Amendment No. 9.

On page 19, line 7, of the printed bill, as amended, strike out "commissioner", and insert in lieu thereof the following: "commission".

Amendment No. 10.

On page 19 of the printed bill, as amended, strike out lines 21 to 27, inclusive.

The question being on the amendments submitted by Mr. Burns to Assembly Bill No. 86.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Burns.

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Clark, Crowley, Desmond, Fulcher, Lore, McBride, Meehan, Nielsen, Patterson, Stream, and Turner—16

NOES—Brennan, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, Peterson, Peyser, Phillips, Reaves, Redwine, Robertson, Wagner, Walker, Waters, Weber, Wright, and Mr. Speaker—46.

Assembly Bill No. 86 read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Patterson:

Amendment No. 1.

On page 3, line 29, of the printed bill, as amended, strike out "four", and insert in lieu thereof the following: "one".

Amendment No. 2.

On page 9 of the printed bill, as amended, between lines 33 and 34, insert the following:

"Contributions shall be paid by means of revenue stamps hereinafter referred to as unemployment insurance stamps affixed to or impressed upon books or cards hereinafter referred to as unemployment books or unemployment cards respectively, and the preparation, issue and use of such stamps shall be regulated by orders published by the commissioner."

Amendment No. 3.

On page 10 of the printed bill, as amended, between lines 14 and 15, insert the following: "An employee by paying two per cent of his wages becomes entitled to work relief, and shall have his contributions and those of his employer placed to a separate account in the employment fund."

Amendment No. 4.

On page 13 of the printed bill, as amended, after line 11, insert the following:

"(e) In order to provide continuous benefits to those persons whose economic, domestic, or financial condition require such benefits, it is hereby provided that notwithstanding any other provisions of this act, that any eligible person within the meaning of this act desiring to have continuous benefits during a time of unemployment and until they can regain their normal occupation shall.

(1) Pay into the "unemployment fund" a weekly sum equal to two per cent of their average weekly earnings, such payments to be made in the manner prescribed by this act.

(2) On becoming unemployed, shall immediately register at the nearest office established under this act.

(f) In the event that private employment can not be found for such person within seven days he (or she) shall be assigned to work on public projects conducted for the relief of unemployment, by the State, or any county, city, city and county, or by any agency of the United States, or of the State or any political subdivision thereof.

In making such assignments, due consideration shall be given to the person's physical condition, previous occupation and the like.

Persons subject to the provisions of this act shall only be assigned to work on such public works as do not compete with then existing private industrial projects, nor take the place of projects that can be properly financed by other public funds.

Materials and equipment required for such projects shall be furnished by the political subdivision receiving the benefits of such respective project

(g) Each such person shall receive payments as under Schedule D:

Each single person shall receive, per day one dollar and fifty cents; per week ten dollars.

Each married person with a dependent spouse shall receive, per day two dollars and twenty-five cents; per week fifteen dollars; and, in addition, for each of two dependent minor children, three dollars per week, and for each dependent minor child in excess of two, per week two dollars.

Each married person whose spouse is employed, shall receive per day one dollar and fifty cents, per week ten dollars.

(h) Except as provided in subdivision (c) of section 56 of this act, each employer and each employee is subject to the provisions hereof."

Amendment No. 5.

On page 13 of the printed bill, after line 36, insert the following: "Any employee who has contributed two per cent of his wages for "work relief" shall become entitled to benefits six months after continuous contributions into the fund."

Motion.

Mr. Patterson moved that the amendments be voted upon separately. Motion carried.

Consideration of Amendment No. 1.

The question being on Amendment No. 1 submitted by Mr. Patterson to Assembly Bill No. 86.

Roll Call.

The Speaker ordered a roll call taken on Amendment No. 1, submitted by Mr. Patterson.

The roll was called, and Amendment No. 1 was refused adoption by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Clark, Cunningham, Evans, Ralph W., Flint, Fulcher, Geyer, Gilbert, Gilmore, Hawkins, Hunt, Jones, Laughlin, Lore, Martin, McCarthy, McMurray, Meehan, Morgan, Nielsen, Patterson, Pelletier, Peterson, Reaves, Richie, Riley, Rosenthal, Stream, Turner, Voigt, Wagner, and Wallace—35.

NOES—Andreas, Breed, Brennan, Chatters, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Garibaldi, Heisinger, Johnson, Kallam, Latham, Lyon, Maloney, Mayo, McBride, Miller, Minard, Peyser, Phillips, Redwine, Robertson, Thorp, Utt, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—39.

Consideration of Amendment No. 2.

The question being on Amendment No. 2 submitted by Mr. Patterson to Assembly Bill No. 86.

Roll Call.

The Speaker ordered a roll call taken on Amendment No. 2 submitted by Mr. Patterson.

The roll was called, and Amendment No. 2 was refused adoption by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Clark, Corwin, Cunningham, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Hawkins, Hunt, Jones, Latham, Laughlin, Lore, Martin, McCarthy, McMurray, Meehan, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Rosenthal, Turner, Voigt, and Wagner—35.

NOES—Andreas, Breed, Brennan, Chatters, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Heisinger, Johnson, Kallam, Lyon, Maloney, Mayo, McBride, Miller, Minard, O'Donnell, Peyser, Redwine, Riley, Robertson, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—41.

Consideration of Amendments Nos. 3 and 4.

The question being on Amendments Nos. 3 and 4, submitted by Mr. Patterson to Assembly Bill No. 86.

Roll Call.

The Speaker ordered a roll call taken on Amendments Nos. 3 and 4, submitted by Mr. Patterson.

The roll was called, and Amendments Nos. 3 and 4 were refused adoption by the following vote:

AYES—Anderson, Boyle, Burns, Clark, Cunningham, Dawson, Evans, Ralph W., Geyer, Gilbert, Hawkins, Latham, Laughlin, Lore, Martin, McCarthy, McMurray, Meehan, Morgan, Patterson, Pelletier, Phillips, Reaves, Richie, Rosenthal, Wagner, and Weber—26.

NOES—Andreas, Breed, Brennan, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Heisinger, Hunt, Johnson, Jones, Kallam, Lyon, Maloney, Mayo, McBride, Miller, Minard, Nielsen, Peterson, Peyser, Redwine, Riley, Robertson, Scudder, Thorp, Walker, Wallace, Waters, Williamson, and Mr. Speaker—44.

Consideration of Amendment No. 5.

The question being on Amendment No. 5 by Mr. Patterson to Assembly Bill No. 86.

Withdrawal of Amendment No. 5.

Mr. Patterson withdrew Amendment No. 5.

Third Reading of Assembly Bill No. 86.

Assembly Bill No. 86 read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 86 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Wagner, Walker, Wallace, Waters, Weber, Williamson, and Mr. Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2351—An act authorizing the use of convict labor in the State parks, forests, game preserves, and National forests or parks in the State of California; providing for the compensation of such convict labor and for the payment thereof to their dependents; providing for forfeiture of such compensation; providing the manner of payment of such compensation to paroled, released or discharged convicts; authorizing the allowance of extra good time credits to such convicts; and providing penalties for interference with such convict labor.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Hawkins:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, as amended, strike out "authorizing", and insert in lieu thereof the following: "relating to".

Amendment No. 2.

On page 1, line 4 of the title of the printed bill, as amended, before "game", insert the following: "public lands and fish and".

Amendment No. 3.

On page 1, line 6 of the title of the printed bill, as amended, strike out the semicolon and "providing for", and strike out the remainder of the title, and insert in lieu thereof a period.

Amendment No. 4.

On page 1, line 12, of the printed bill, as amended, strike out "of watersheds, the construction", and insert in lieu thereof the following: "and development of water sheds, the construction and maintenance".

Amendment No. 5.

On page 2, line 5, of the printed bill, as amended, after "serves", insert a comma and the following: "including the propagation and breeding of game birds,".

Amendment No. 6.

On page 2, line 7, of the printed bill, as amended, strike out "preserves", and insert in lieu thereof the following: "resources".

Amendment No. 7.

On page 2, line 8, of the printed bill, as amended, after "into", insert the following: "contracts with the State Board of Prison Directors for such purposes, and may also make".

Amendment No. 8.

On page 2, lines 16 and 17, of the printed bill, as amended, strike out the comma after "are", and strike out "in the judgment of the wardens," and insert in lieu thereof the following: "in its judgment".

Amendment No. 9.

On page 2, line 24, of the printed bill, as amended, strike out "and return".

Amendment No. 10.

On page 2, line 26, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "who effects such capture, but no such reward can be claimed or paid more than four years after the escape to which it relates."

Amendment No. 11.

On page 2 of the printed bill, as amended, strike out line 47, and insert in lieu thereof the following: "either by contract with the".

Amendment No. 12.

On page 2, line 51, of the printed bill, as amended, strike out "all".

Amendment No. 13.

On page 2, line 52, of the printed bill, as amended, strike out "_____", and insert in lieu thereof the following: "two dollars and fifty".

Amendment No. 14.

On page 3, line 1, of the printed bill, as amended, after "day", insert the following: "to each convict".

Amendment No. 15.

On page 3 of the printed bill, as amended, strike out lines 6 and 7, and insert in lieu thereof the following:

"(a) For the setting up of an account for each convict which shall be credited monthly with an amount computed by multiplying the daily rate by the number of days such convict actually performed labor during the month, and which shall be debited monthly with such convict's expenses for transportation, his drawings from the commissary, such as clothing and toilet articles, and his proportionate share of all expenses for the proper maintenance of the camp, including the expenses for food, medicine, medical attendance, clerical help, and the pro rata cost of reward for capturing escapes from the camp; but no convict's account shall be credited with more than seventy-five cents over and above the debits to his account for any day's labor performed by him, and in computing the debits to be made to the convicts' accounts, the board may add not to exceed ten per cent on all items except transportation and awards for escapes."

Amendment No. 16.

On page 3, line 8, of the printed bill, as amended, strike out "sums so", and insert in lieu thereof the following: "net sums".

Amendment No. 17.

On page 3, line 9, of the printed bill, as amended, strike out "or convicts".

Amendment No. 18.

On page 3, line 10, of the printed bill, as amended, strike out "or", and strike out all of lines 11 and 12, and insert in lieu thereof the following: "are not obtaining State aid, then not to exceed two-thirds of such sums to such dependents as the convict may direct."

Amendment No. 19.

On page 3, line 14, of the printed bill, as amended, before "payments", insert the following: "debits and".

Amendment No. 20.

On page 3, line 20, of the printed bill, as amended, strike out the semicolon, and insert in lieu thereof a period.

Amendment No. 21.

On page 3, line 25, of the printed bill, as amended, strike out the semicolon, and insert in lieu thereof a period.

Amendment No. 22.

On page 3, line 39, of the printed bill, as amended, after the period, insert the following: "Any surplus resulting from the employment of convicts, including all sums set aside for awards for escapes and unclaimed for four years, shall also be deposited in said fund."

Amendment No. 23.

On page 4, line 1, of the printed bill, as amended, strike out "the State prison forestry camps", and insert in lieu thereof the following: "a State prison forestry camp".

Amendment No. 24.

On page 4, line 9, of the printed bill, as amended, strike out "provisions", and insert in lieu thereof the following: "provision".

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 10, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 674—An act prescribing the terms upon which certificates of registration of inspectors and/or sanitary officers as "registered sanitarians" shall be issued; prescribing a course and minimum amount of schooling or training to be possessed by applicants therefor after one (1) year from date of approval of this act; authorizing the State Board of Public Health to certify approved schools, conduct examinations and issue "registered sanitarian" certificates, prescribing the powers and duties of the State board, prescribing conditions under which the title "registered sanitarian" or the placing of the initials "R S." may be used after the names of the certificate holders; providing penalties for violations hereof; and grounds for the suspension, cancellation, denial or revocation of such certificates of registration.

In my opinion said Assembly Bill No. 674 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 674—An act prescribing the terms upon which certificates of registration of inspectors and/or sanitary officers as "registered sanitarians" shall be issued; prescribing a course and minimum amount of schooling or training to be possessed by applicants therefor after one (1) year from date of approval of this act; authorizing the State Board of Public Health to certify approved schools, conduct examinations and issue "registered sanitarian" certificates; prescribing the powers and duties of the State board; prescribing conditions under which the title "registered sanitarian" or the placing of the initials "R S." may be used after the names of the certificate holders; providing penalties for violations hereof; and grounds for the suspension, cancellation, denial or revocation of such certificates of registration.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Lyon:

Amendment No. 1.

On page 2 of the printed bill, as amended, after line 52, add the following:

"The State Board of Public Health shall, within thirty days prior to the regular session of the Legislature, submit to the Governor a full and true report of transactions under this act during the current biennium, including a complete statement of receipts and expenditures during that period."

Amendment adopted.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 674, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 674, as Amended.

Assembly Bill No. 674, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 674, as amended, passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Crowley, Cunningham, Dawson, DeLap, Donihue, Evans, Herbert J., Evans.

Ralph W., Field, Fisher, Flint, Frazier, Garibaldi, Gilbert, Hawkins, Hornblower, Hunt, Johnson, Jones, Lyon, Maloney, Martin, Meehan, Miller, Minard, Morgan, Nielsen, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—54.

NOES—Anderson, Burns, Cronin, Donnelly, Fulcher, Geyer, Gilmore, Kallam, Lore, Mayo, McCarthy, McMurray, O'Donnell, Patterson, Phillips, Utt, Wagner, and Williamson—18.

Title read and approved.

Bill ordered transmitted to the Senate.

Motion to Strike Assembly Bill No. 387 from File.

Mr. Jones moved that Assembly Bill No. 387 be stricken from the file.

Motion carried.

Assembly Bill No. 387 ordered stricken from the file.

Motion.

Mr. Maloney moved that Assembly Bills Nos. 1561 and 1562 be recalled from the Senate for further consideration by the Assembly.

Motion carried.

Unfinished Business—(Resumed).

Consideration of Senate Amendments to Assembly Bill No. 2305.

Assembly Bill No. 2305—An act to add section 9a to the State Medical Practice Act, relating to chiropody.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2305?

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out the word "admitted", and substitute in lieu thereof the word "licensed".

Amendment No. 2.

On page 1, line 5, of the printed bill, after the word "years", insert the following: "and who is in good standing with the licensing board of said State".

Amendment No. 3.

On page 1, line 6, of the printed bill, after the word "upon", and before the word "application", insert the word "an".

Amendment No. 4.

On page 1, line 6, of the printed bill, after the word "application", and before the word "and", insert the following; "filed prior to September 1, 1935, on a printed form furnished by the Board of Medical Examiners of this State".

Amendment No. 5.

On page 1, line 6, of the printed bill, strike out the words "necessary fees", and insert in lieu thereof "application fees prescribed in this act."

The roll was called, and Senate amendments to Assembly Bill No. 2305 were concurred in by the following vote:

AYES—Anderson, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Garibaldi, Gilbert, Gilmore, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—59.

NOES—Kallam—1.

Assembly Bill No. 2305 ordered to enrollment.

Third Reading of Assembly Bills—(Resumed).

Motion to Re-refer Assembly Bill No. 2464.

Mr. Rosenthal moved that Assembly Bill No. 2464 be withdrawn from file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 2464 to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 2464 ordered re-referred to Committee on Ways and Means.

Motion to Re-refer Assembly Bill No. 2238.

Mr. Fisher moved that Assembly Bill No. 2238 be withdrawn from file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bill No. 2238 to Committee on Ways and Means.

Motion carried.

Assembly Bill No. 2238 ordered re-referred to Committee on Ways and Means.

Leave of Absence.

On motion of Mr. Flint, Mr. Glover was granted leave of absence for the balance of this legislative day.

Report of Committee on Free Conference.

The following report of Committee on Free Conference was received and read:

Concerning Assembly Bill No. 1182.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1935

MR. SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 1182—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and to provide for the disposition of the revenues therefrom, and to provide that this act shall take effect immediately—reports that it has met a like committee of the Senate, consisting of Senators Knowland, Parkman and Powers, and reports that the Committee on Free Conference has agreed to recommend the following: That the Assembly concur in the Senate amendments, and that the bill be further amended as follows:

Amendment No. 1.

On page 1, line 5, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 2.

On page 1, line 8, of the printed bill, as amended, strike out the words "State Board of Equalization", and insert in lieu thereof the following: "Bank and Corporation Franchise Tax Commissioner".

Amendment No. 3.

On page 2, line 14, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 4.

On page 2 of the printed bill, as amended, between lines 38 and 39, insert the following:

"(o) The words "personal holding company" means any corporation (other than a corporation exempt from taxation under section 101 of the Federal Revenue Act of 1934, and other than a bank or trust company incorporated under the laws of the United States or of any State or Territory, a substantial part of whose business is the receipt of deposits, and other than a life insurance company or surety company) if (1) at least eighty per centum of its gross income for the taxable year is derived from royalties, dividends, interest, annuities, and (except in the case of regular dealers in stock or securities) gains from the sale of stock or securities, and (2) at any time during the last half of the taxable year more than fifty per centum in value of its outstanding stock is owned, directly or indirectly, by or for not more than five individuals. For the purpose of determining the ownership of stock in a personal holding company—(3) stock owned, directly or indirectly, by a corporation, partnership, estate, or trust shall be considered as being owned proportionately by its shareholders, partners, or beneficiaries; (4) an individual shall be considered as owning, to the exclusion of any other individual, the stock owned, directly or indirectly, by his family, and this rule shall be applied in such manner as to produce the smallest possible number of individuals owning, directly or indirectly, more than fifty per centum in value of the outstanding stock; and (5)

the family of an individual shall include only his brothers and sisters (whether by the whole or half blood) spouse, ancestors, and lineal descendants.

(p) The words "State board" mean the State Board of Equalization."

Amendment No. 5.

On page 2, line 40, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 6.

On page 3, line 38, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 7.

On page 5 of the printed bill, as amended, strike out lines 49 to 52, inclusive, and strike out all of pages 6, 7 and 8; and on page 9, strike out lines 1 and 2, and insert in lieu thereof the following:

"(a) There shall be levied, collected and paid for each taxable year ending December 31, 1936, or prior thereto, upon the entire net income of every resident of this State and upon the net income of every nonresident which is derived from sources within this State, taxes in the following amounts and at the following rates upon the amount of net income in excess of credits against net income provided in section 10:

Upon net incomes not in excess of five thousand dollars, one per centum of such net incomes.

Fifty dollars upon net incomes of five thousand dollars; and upon net incomes in excess of five thousand dollars and not in excess of ten thousand dollars, two per centum in addition of such excess.

One hundred fifty dollars upon net incomes of ten thousand dollars; and upon net incomes in excess of ten thousand dollars and not in excess of fifteen thousand dollars, three per centum in addition of such excess.

Three hundred dollars upon net incomes of fifteen thousand dollars; and upon net incomes in excess of fifteen thousand dollars and not in excess of twenty thousand dollars, four per centum in addition of such excess.

Five hundred dollars upon net incomes of twenty thousand dollars; and upon net incomes in excess of twenty thousand dollars and not in excess of twenty-five thousand dollars, five per centum in addition of such excess.

Seven hundred fifty dollars upon net incomes of twenty-five thousand dollars; and upon net incomes in excess of twenty-five thousand dollars and not in excess of thirty thousand dollars, six per centum in addition of such excess

One thousand fifty dollars upon net incomes of thirty thousand dollars; and upon net incomes in excess of thirty thousand dollars and not in excess of forty thousand dollars, seven per centum in addition of such excess.

One thousand seven hundred fifty dollars upon net incomes of forty thousand dollars; and upon net incomes in excess of forty thousand dollars and not in excess of fifty thousand dollars, eight per centum in addition of such excess.

Two thousand five hundred fifty dollars upon net incomes of fifty thousand dollars; and upon net incomes in excess of fifty thousand dollars and not in excess of sixty thousand dollars, nine per centum in addition of such excess.

Three thousand four hundred fifty dollars upon net incomes of sixty thousand dollars; and upon net incomes in excess of sixty thousand dollars and not in excess of seventy thousand dollars, ten per centum in addition of such excess

Four thousand four hundred fifty dollars upon net incomes of seventy thousand dollars; and upon net incomes in excess of seventy thousand dollars and not in excess of eighty thousand dollars, eleven per centum in addition of such excess

Five thousand five hundred fifty dollars upon net incomes of eighty thousand dollars, and upon net incomes in excess of eighty thousand dollars and not in excess of one hundred thousand dollars, twelve per centum in addition of such excess.

Seven thousand nine hundred fifty dollars upon net incomes of one hundred thousand dollars; and upon net incomes in excess of one hundred thousand dollars and not in excess of one hundred fifty thousand dollars, thirteen per centum in addition of such excess.

Fourteen thousand four hundred fifty dollars upon net incomes of one hundred fifty thousand dollars; and upon net incomes in excess of one hundred fifty thousand dollars and not in excess of two hundred fifty thousand dollars, fourteen per centum in addition of such excess

Twenty-eight thousand four hundred fifty dollars upon net incomes of two hundred fifty thousand dollars; and upon net incomes in excess of two hundred fifty thousand dollars, fifteen per centum in addition of such excess."

Amendment No. 8.

On page 9 of the printed bill, as amended, strike out line 40, and insert in lieu thereof the following: "act in respect of such annuity increased by the amount which would have been excluded from gross income in respect of such annuity had this act been in effect continuously from and after the date at which payments under such annuity were first received equals"

Amendment No. 9.

On page 10, line 12, of the printed bill as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 10.

On page 10, line 15, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 11.

On page 10, line 37, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 12.

On page 10 of the printed bill, as amended, strike out lines 38 to 41, inclusive, and insert in lieu thereof the following:

"(g) (1) The term "dividend" when used in this act means any distribution made by a corporation to its shareholders, whether in money or in other property, out of its earnings or profits accumulated after February 28, 1913.

(2) For the purposes of this act every distribution is made out of earnings or profits to the extent thereof, and from the most recently accumulated earnings or profits. Any earnings or profits accumulated, or increase in value of property accrued, before March 1, 1913, may be distributed exempt from tax, after the earnings and profits accumulated after February 28, 1913, have been distributed, but any such tax-free distribution shall be applied against and reduce the adjusted basis of the stock provided in section 9.

(3) Amounts distributed in complete liquidation of a corporation shall be treated as in full payment in exchange for the stock, and amounts distributed in partial liquidation of a corporation shall be treated as in part or full payment in exchange for the stock. The gain or loss to the distributee resulting from such exchange shall be determined under section 7, but shall be recognized only to the extent provided in section 8. Despite the provisions of subsection (a) of this section, one hundred per centum of the gain so recognized shall be taken into account in computing net income. In the case of amounts distributed (whether before January 1, 1934, or on or after such date) in partial liquidation (other than a distribution within the provisions of subdivision 8 of this subsection or stock or securities in connection with a reorganization) the part of such distribution which is properly chargeable to capital account shall not be considered a distribution of earnings or profits within the meaning of subdivision 2 of this subsection for the purpose of determining the taxability of subsequent distributions by the corporation.

(4) If any distribution (not in partial or complete liquidation) made by a corporation to its shareholders is not out of increase in value of property accrued before March 1, 1913, and is not out of earnings or profits, then the amount of such distribution shall be applied against and reduce the adjusted basis of the stock provided in section 9, and if in excess of such basis, such excess shall be taxable in the same manner as a gain from the sale or exchange of property.

(5) Any distribution made by a corporation, which was classified as a personal service corporation under the provisions of the Federal Revenue Act of 1918 or the Federal Revenue Act of 1921, out of its earnings or profits which were taxable in accordance with the provisions of section 218 of the Federal Revenue Act of 1921, shall be exempt from tax to the distributees.

(6) A stock dividend shall not be subject to tax.

(7) If a corporation cancels or redeems its stock (whether or not such stock was issued as a stock dividend) at such time and in such manner as to make the distribution and cancellation or redemption in whole or in part essentially equivalent to the distribution of a taxable dividend, the amount so distributed in redemption or cancellation of the stock, to the extent that it represents a distribution of earnings or profits accumulated after February 28, 1913, shall be treated as a taxable dividend.

(8) The distribution before January 1, 1934, in pursuance of a plan of reorganization, by or on behalf of a corporation a party to the reorganization, of its stock or securities or stock or securities in a corporation a party to the reorganization, if no gain to the distributee from the receipt of such stock or securities was recognized under the Federal Revenue Act applicable to such distribution shall not be considered a distribution of earnings or profits within the meaning of this subsection for the purpose of determining the taxability of subsequent distributions by the corporation. As used in this subdivision, the terms "reorganization" and "party to the reorganization" shall have the meanings assigned to such terms in section 112 of the Federal Revenue Act of 1932.

(9) As used in this subsection the term "amount distributed in partial liquidation" means a distribution by a corporation in complete cancellation or redemption of a part of its stock, or one of a series of distributions in complete cancellation or redemption of all or a portion of its stock."

Amendment No. 13.

On page 11, line 9, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 14.

On page 11, line 22, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner"

Amendment No. 15.

On page 11, line 30, of the printed bill, as amended, after "than", insert the following: "estate, inheritance, legacy, succession and gift taxes, and other than".

Amendment No. 16.

On page 11, line 51, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 17.

On page 12, line 1, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 18.

On page 12, line 18, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following. "commissioner".

Amendment No. 19.

On page 12, line 25, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following. "commissioner".

Amendment No. 20.

On page 12, line 48, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 21.

On page 13, line 52, of the printed bill, as amended, strike out the semicolon, and insert in lieu thereof a period, and strike out "to an amount which in all the", and insert in lieu thereof the following "The deductions under this subsection shall be allowed to an amount which in all the".

Amendment No. 22.

On page 14, line 5, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following. "commissioner".

Amendment No. 23.

On page 14, line 43, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 24.

On page 15 of the printed bill, as amended, strike out lines 40 to 52, inclusive; and on page 16, strike out lines 1 to 26, inclusive, and insert in lieu thereof the following. "There shall be allowed for the purpose of the tax herein imposed:".

Amendment No. 25.

On page 16, line 27, of the printed bill, as amended, strike out "(1)", and insert in lieu thereof the following: "(a)".

Amendment No. 26.

On page 16, line 35, of the printed bill, as amended, strike out "(2)", and insert in lieu thereof the following. "(b)".

Amendment No. 27.

On page 16, line 40, of the printed bill, as amended, strike out "(3)", and insert in lieu thereof the following: "(c)".

Amendment No. 28.

On page 16, line 44, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 29.

On page 16, line 50, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 30.

On page 17, line 12, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 31.

On page 17, line 40, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 32.

On page 19, line 2, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 33.

On page 19, line 9, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 34.

On page 20 of the printed bill, as amended, strike out lines 1 to 19, inclusive, and insert in lieu thereof the following:

"(d) For the purpose of the tax herein imposed, the estate or trust shall be allowed the same personal exemption as is allowed to a single person under section 10 (a)."

Amendment No. 35.

On page 20 of the printed bill, as amended, strike out lines 37 to 40, inclusive.

Amendment No. 36.

On page 21, line 21, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 37.

On page 21, line 23, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 38.

On page 21, line 23, of the printed bill, as amended, strike out "its", and insert in lieu thereof the following: "his".

Amendment No. 39.

On page 21, line 23, of the printed bill, as amended, strike out "it", and insert in lieu thereof the following: "he".

Amendment No. 40.

On page 21, line 24, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 41.

On page 21, line 35, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 42.

On page 21, line 35, of the printed bill, as amended, strike out "it", and insert in lieu thereof the following: "he".

Amendment No. 43.

On page 21, line 39, of the printed bill, as amended, strike out "its", and insert in lieu thereof the following: "his".

Amendment No. 44.

On page 22, line 6, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 45.

On page 22, line 11, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 46.

On page 22, line 11, of the printed bill, as amended, strike out "its", and insert in lieu thereof the following: "his".

Amendment No. 47.

On page 22, line 14, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 48.

On page 22, line 24, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 49.

On page 22, line 34, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 50.

On page 22, line 36, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 51.

On page 22, line 44, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 52.

On page 23, line 11, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 53.

On page 23, line 36, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 54.

On page 24, line 16, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 54-a.

On page 24, line 18, of the printed bill, as amended, strike out "(J)", and insert in lieu thereof the following: "(i)".

Amendment No. 55.

On page 24, line 22, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 56.

On page 24, line 37, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commission".

Amendment No. 57.

On page 24 of the printed bill, as amended, strike out lines 50 to 52, inclusive; and on page 25, strike out lines 1 to 5, inclusive.

Amendment No. 58.

On page 25, line 34, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 59.

On page 25, line 37, of the printed bill, as amended, strike out "it", and insert in lieu thereof the following: "he".

Amendment No. 60.

On page 25, line 44, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 61.

On page 25, line 45, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 62.

On page 25, line 46, of the printed bill, as amended, strike out "it", and insert in lieu thereof the following: "he".

Amendment No. 63.

On page 25, line 47, of the printed bill, as amended, strike out "it", and insert in lieu thereof the following: "him".

Amendment No. 64.

On page 25, line 52, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 65.

On page 26, line 4, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 66.

On page 26, line 10, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 67.

On page 26, line 22, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 68.

On page 26, line 25, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 69.

On page 26, line 26, of the printed bill, as amended, strike out "it", and insert in lieu thereof the following: "he".

Amendment No. 70.

On page 26, line 30, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 71.

On page 26, line 36, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 72.

On page 26, line 40, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 73.

On page 26, line 42, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 74.

On page 26, line 43, of the printed bill, as amended, strike out "its", and insert in lieu thereof the following: "his".

Amendment No. 75.

On page 26, line 44, of the printed bill, as amended, strike out "it", and insert in lieu thereof the following: "he".

Amendment No. 76.

On page 26, line 48, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 77.

On page 27, line 1, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 78.

On page 27, line 4, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 79.

On page 27, line 6, of the printed bill, as amended, strike out "board's", and insert in lieu thereof the following: "commissioner's".

Amendment No. 80.

On page 27, line 7, of the printed bill, as amended, strike out "it", and insert in lieu thereof the following: "he".

Amendment No. 81.

On page 27, line 8, of the printed bill, as amended, strike out "its", and insert in lieu thereof the following: "his".

Amendment No. 82.

On page 27, line 8, of the printed bill, as amended, after the word "taxpayer", strike out the period, and insert in lieu thereof the following: ", unless within that thirty-day period the taxpayer appeals in writing from the action of the commissioner to the State board. The appeal must be addressed and mailed to the State Board of Equalization at Sacramento, California, and a copy of the appeal addressed and mailed at the same time to the commissioner at Sacramento, California. Said board shall hear and determine the same and thereafter shall forthwith notify the taxpayer and the commissioner of its determination, and the reasons therefor. Such determination shall be final, unless, within sixty days from the time of such determination, the commissioner shall apply to the Supreme Court of the State for a writ of certiorari or review for the purpose of having the lawfulness of the decision of said board inquired into and determined."

Amendment No. 83.

On page 27, line 10, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 84.

On page 27, line 24, of the printed bill, as amended, strike out the word "board", and insert in lieu thereof the following: "commissioner or of said board, as the case may be,".

Amendment No. 85.

On page 27, line 44, of the printed bill, as amended, strike out the word "board", and insert in lieu thereof the following: "commissioner, or State board, as the case may be,".

Amendment No. 86.

On page 27, line 46, of the printed bill, as amended, after the word "the", insert the following: "commissioner or said".

Amendment No. 87.

On page 27, line 50, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 88.

On page 28, line 12, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 89.

On page 28, line 12, of the printed bill, as amended, strike out "it", and insert in lieu thereof the following: "he".

Amendment No. 90.

On page 28, line 14, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 91.

On page 28, line 17, of the printed bill, as amended, strike out "board's", and insert in lieu thereof the following: "commissioner's".

Amendment No. 92.

On page 28, line 17, of the printed bill, as amended, strike out the period after the word "final", and insert in lieu thereof the following: ", unless within such thirty-day period the taxpayer appeals in writing from the action of the commissioner to the State board. The appeal must be addressed to the State Board of Equalization at Sacramento, California, and a copy of the appeal addressed and mailed at the same time to the commissioner at Sacramento, California. Said board shall hear and determine the same and thereafter shall forthwith notify the taxpayer and the commissioner of its determination. Such determination shall be final, unless, within sixty days from the time of such determination, the commissioner shall apply to the Supreme Court of the State for a writ of certiorari or review for the purpose of having the lawfulness of the decision of said board inquired into and determined."

Amendment No. 93.

On page 28, line 29, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 94.

On page 28, line 35, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 95.

On page 28, line 39, of the printed bill, as amended, after the word "The", add the following: "Franchise Tax Counsel or the".

Amendment No. 96.

On page 28, line 45, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 97.

On page 29, line 7, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 98.

On page 29, line 8, of the printed bill, as amended, strike out the period after the word "section", and insert in lieu thereof the following: "; and provided further, that no action shall be brought to recover any deficiency assessment, or any part thereof, if the taxpayer has at any time appealed to the State board from the action of the commissioner in overruling the taxpayer's protest to the commissioner's proposal of the said deficiency assessment."

Amendment No. 99.

On page 29, line 11, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 100.

On page 29, line 16, of the printed bill, as amended, strike out "board's", and insert in lieu thereof the following: "commissioner's".

Amendment No. 101.

On page 29, line 18, of the printed bill, as amended, strike out the word "board", and the period, and insert in lieu thereof the following: "commissioner: provided, that no action shall be filed if the taxpayer has appealed to the State board from the action of the commissioner with respect to any refund claim."

Amendment No. 102.

On page 29, line 26, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 103.

On page 29, line 30, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 104.

On page 29, line 33, of the printed bill, as amended, after the word "The", insert the following: "Franchise Tax Counsel or the".

Amendment No. 105.

On page 29 of the printed bill, as amended, between lines 36 and 37, add, as a separate paragraph, the following:

"Within sixty days after the determination of the State board of any appeal from the action of the commissioner the appellant may apply to the Supreme Court of the State for a writ of certiorari or review for the purpose of having the lawfulness of the decision or order of the State board inquired into and determined. Such writ shall be made returnable not later than thirty days after the date of the issuance thereof, and shall direct the State board to certify its record in the case to the court. On the return day, the cause shall be heard by the Supreme Court, unless for a good reason the same be continued. The State board and each party to the proceeding before such board shall appear in the review proceeding. The provisions of the Code of Civil Procedure of this State relating to the writs of review shall apply to proceedings instituted in the Supreme Court under the provisions of this section."

Amendment No. 106.

On page 29 of the printed bill, as amended, strike out lines 46 to 50, inclusive.

Amendment No. 107.

On page 29, line 51, of the printed bill, as amended, strike out "(d)", and insert in lieu thereof the following: "(c)".

Amendment No. 108.

On page 30, line 7, of the printed bill, as amended, strike out "(e)", and insert in lieu thereof the following: "(d)".

Amendment No. 109.

On page 30 of the printed bill, as amended, strike out lines 13 to 18, inclusive.

Amendment No. 110.

On page 30, line 33, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 111.

On page 30, line 35, of the printed bill, as amended, strike out "it", and insert in lieu thereof the following: "him".

Amendment No. 112.

On page 30, line 50, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 113.

On page 30, line 50, of the printed bill, as amended, strike out "it", and insert in lieu thereof the following: "he".

Amendment No. 114.

On page 30, line 52, of the printed bill, as amended, strike out "it", and insert in lieu thereof the following: "him".

Amendment No. 115.

On page 31, line 10, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 116.

On page 31, line 16, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 117.

On page 31, line 18, of the printed bill, as amended, strike out "it", and insert in lieu thereof the following: "he".

Amendment No. 118.

On page 32, line 5, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 119.

On page 32, line 13, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 120.

On page 32, line 18, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 121.

On page 32, line 24, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 122.

On page 32, line 32, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 123.

On page 32, line 41, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 124.

On page 32, line 45, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 125.

On page 33, line 13, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 126.

On page 33, line 16, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 127.

On page 33, line 18, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 128.

On page 33, line 21, of the printed bill, as amended, after the word "The", insert the following: "Franchise Tax Counsel or the".

Amendment No. 129.

On page 33, line 27, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 130.

On page 33, line 29, of the printed bill, as amended, strike out the word "board", and insert in lieu thereof the following: "commissioner and the State board".

Amendment No. 131.

On page 33, line 34, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 132.

On page 33, line 48, of the printed bill, as amended, after the first "the", insert the following: "Franchise Tax Counsel or the".

Amendment No. 133.

On page 34, line 2, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 134.

On page 34, line 8, of the printed bill, as amended, after the word "the", insert the following: "Franchise Tax Counsel or the".

Amendment No. 135.

On page 34, line 15, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 136.

On page 34, line 19, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 137.

On page 34, line 26, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 138.

On page 34, line 35, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 139.

On page 34, line 37, of the printed bill, as amended, strike out "two", and insert in lieu thereof the following: "three".

Amendment No. 140.

On page 34, line 43, of the printed bill, as amended, strike out "two", and insert in lieu thereof the following: "three".

Amendment No. 141.

On page 35, line 11, of the printed bill, as amended, strike out "Board", and insert in lieu thereof "Commissioner".

Amendment No. 142.

On page 35, line 12, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 143.

On page 35, line 13, of the printed bill, as amended, strike out "it", and insert in lieu thereof the following: "he".

Amendment No. 144.

On page 35, line 18, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 145.

On page 35, line 20, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 146.

On page 35, line 24, of the printed bill, as amended, strike out "it", and insert in lieu thereof the following: "him".

Amendment No. 147.

On page 35, line 29, of the printed bill, as amended, strike out "its", and insert in lieu thereof the following: "his".

Amendment No. 148.

On page 35, line 31, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 149.

On page 35, line 33, of the printed bill, as amended, strike out "it", and insert in lieu thereof the following: "he".

Amendment No. 150.

On page 35, line 34, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 151.

On page 35, line 39, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 152.

On page 35, line 39, of the printed bill, as amended, strike out "it", and insert in lieu thereof the following: "he".

Amendment No. 153.

On page 35, line 40, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 154.

On page 35, line 43, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 155.

On page 35, line 44, of the printed bill, as amended, strike out "it", and insert in lieu thereof the following: "he".

Amendment No. 156.

On page 35, line 46, of the printed bill, as amended, strike out "it", and insert in lieu thereof the following: "he".

Amendment No. 157.

On page 35, line 47, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 158.

On page 35, line 49, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner"

Amendment No. 159.

On page 35, line 49, of the printed bill, as amended, strike out "it", and insert in lieu thereof the following: "he".

Amendment No. 160.

On page 36, line 2, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 161.

On page 36, line 6, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 162.

On page 36, line 19, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 163.

On page 36, line 24, of the printed bill, as amended, strike out "board", and insert in lieu thereof the following: "commissioner".

Amendment No. 164.

On page 36, line 24, of the printed bill, as amended, strike out the word "Board", after "the", and insert in lieu thereof the following: "Commissioner".

Amendment No. 165.

On page 36 of the printed bill, as amended, between lines 38 and 39, insert the following:

"SEC. 34 Personal Holding Companies. For the purpose of this act a personal holding company whether or not organized under the laws of this State shall not be recognized as a legal entity separate and distinct from the shareholders thereof. Any such company having more than one shareholder shall be deemed a partnership."

Amendment No. 166.

On page 36, line 39, of the printed bill, as amended, strike out "34", and insert in lieu thereof the following. "35".

Amendment No. 167.

On page 36, line 49, of the printed bill, as amended, strike out "35", and insert in lieu thereof the following: "36".

Amendment No. 168.

On page 36, line 50, of the printed bill, as amended, strike out "(a)".

WILLIAMSON,
COTTRELL,
REDWINE,
Assembly Committee on Free Conference.

KNOWLAND,
PARKMAN,
POWERS,
Senate Committee on Free Conference.

Report of Committee on Free Conference concerning Assembly Bill No. 1182 read.

Mr. Williamson moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Breed, Brennan, Chatters, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Gilmore, Hornblower, Johnson, Latham, Lyon, Maloney, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Redwine, Riley, Robertson, Stream, Thorp, Utt, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—43.

NOES—Anderson, Boyle, Burns, Cassidy, Clark, Donihue, Evans, Ralph W., Flint, Fulcher, Garibaldi, Geyer, Gilbert, Hawkins, Heisinger, Hunt, Jones, Kallam, Lore, Martin, McCarthy, Meehan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, and Wagner—30.

Opinion of Legislative Counsel.

Mr. Lyon moved that the following opinion of the Legislative Counsel be printed in the Journal, and explained that when the appropriation comes from special funds, only 41 votes are required to pass the measure.

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL,
SACRAMENTO, CALIFORNIA, June 11, 1935.

Hon. Charles W. Lyon, Assembly Chamber,
State Capitol, Sacramento, California.

DEAR MR. LYON: This is to confirm oral statement that in our opinion a majority vote is sufficient for adoption of the Free Conference report on Assembly Bill No. 1182, the Income Tax Bill.

We base this opinion upon the fact that the same situation obtained in 1933 in relation to the Sales Tax Act, and said act has been sustained by the courts.

Even if the bill should not take effect immediately, it will take effect in due course and in such case we believe it would be operative substantially in the same manner as if immediately effective, primarily because the returns under the act are not required to be filed until April, 1936

Very sincerely yours,

FRED B. WOOD, Legislative Counsel.

Motion to Re-refer Senate Bill No. 438.

Mr. Wright moved that Senate Bill No. 438 be withdrawn from file, and ordered re-referred to Committee on Revenue and Taxation.

The question being on re-referring Senate Bill No. 438 to Committee on Revenue and Taxation.

Motion carried.

Senate Bill No. 438 ordered re-referred to Committee on Revenue and Taxation.

Motion to Rush Printing of Assembly Bill No. 2136.

Mr. Jones moved that the Chief Clerk instruct the State Printer to rush printing of Assembly Bill No. 2136, as amended.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Financial Institutions.

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1935.

MR. SPEAKER: Your Committee on Financial Institutions, to which was referred Assembly Bill No. 2442—An act relating to rates of interest and charges which may be made in connection with loans—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

UTT, Chairman.

The above reported bill ordered on file for second reading.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2442—An act relating to rates of interest and charges which may be made in connection with loans.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out the period and hyphen after the word "interest".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, after the word "loans", strike out the period, and add the following: "in the business of industrial loan companies, pawnbrokers, and personal property brokers."

Amendment No. 3.

On page 1, line 1, of the printed bill, after "Section 1.", strike out the remainder of the line, and strike out all of line 2, and in line 3, strike out the following: "exempted from the restrictions", and insert in lieu thereof the following: "Industrial loan companies, pawnbrokers, and personal property brokers, within the meaning".

Amendment No. 4.

On page 2, line 5, of the printed bill, before the word "Other", insert "Sec. 2."

Amendment No. 5.

On page 2, line 5, of the printed bill, strike out the word "exempted", and insert in lieu thereof the word "three"; and in the same line, after the word "classes", insert the following: "of lenders".

Amendment No. 6.

On page 2, line 6, of the printed bill, strike out the word "change", and insert in lieu thereof the word "charge".

Amendment No. 7.

On page 2, line 8, of the printed bill, after the period, begin a new paragraph with and insert the following:

"Any charge made against the borrower either by the lender or by a third party to a loan transaction for services rendered by such third party in negotiating, arranging, or procuring the loan or for any other services in connection with such loan transaction, shall be deemed to be an indirect additional charge by the lender in violation of the terms hereof whenever the making or collection of such charge is with the cooperation, collusion, or connivance, of the lender and such third party for the purpose of attempting to violate the restrictions herein imposed. Any party to a loan transaction other than the lender or borrower shall be presumed to be the agent of the lender until the contrary is proven."

Amendment No. 8.

On page 2 of the printed bill, strike out all of lines 9 to 19, inclusive.

Amendment No. 9.

On page 2, line 20, of the printed bill, after the word "instances", insert the following: ", however,".

Amendment No. 10.

On page 2, line 23, of the printed bill, after the word "charge", strike out the following: "when made by the", and insert in lieu thereof the following: "shall not be extraordinary in amount or be surcharged for the purpose of circumventing the other limitations herein imposed."

Amendment No. 11.

On page 2 of the printed bill, strike out all of lines 24 to 43, inclusive.

Amendment No. 12.

On page 2, line 44, of the printed bill, strike out the numeral "5", and insert in lieu thereof the numeral "4".

Amendment No. 13.

On page 2, line 51, of the printed bill, strike out the numeral "6", and insert in lieu thereof the numeral "5".

Amendment No. 14.

On page 3, line 13, of the printed bill, strike out the numeral "7", and insert in lieu thereof the numeral "6".

Amendment No. 15.

On page 3, line 27, of the printed bill, strike out the numeral "8", and insert in lieu thereof the numeral "7".

Amendment No. 16.

On page 3, line 14, of the printed bill, strike out the following: "any one or more", and insert in lieu thereof the following: "the business of industrial loan companies, pawnbrokers, or personal property brokers.".

Amendment No. 17.

On page 3 of the printed bill, strike out lines 15, 16, and 17, inclusive, and in line 18, strike out the following: "of the Constitution".

Amendment No. 18.

On page 3, line 24, of the printed bill, strike out the numerals "5" and "6", and insert in lieu thereof respectively, the numerals "4" and "5".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment, and third reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 10, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 487—An act to amend section 692 of, and to add a new section to be numbered 692a to the Code of Civil Procedure, relating to sales of property under execution or under power contained in a deed of trust;

Also Assembly Bill No. 707—An act to amend sections 12, 13 and 16 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions" approved June 5, 1933, relating to horse racing;

Also: Assembly Bill No. 1213—An act to amend section 10½ of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the regulation of the practice of optometry;

Also: Assembly Bill No. 2054—An act to amend the Building and Loan Association Act by adding a new section thereto to be numbered 8.11, relating to evidence of investment in Building and Loan Associations.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 487, 707, 1213, and 2054 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 10, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2063—An act to amend the Building and Loan Association Act by adding section 9.07a thereto, relating to restrictions as to lending territory;

Also: Assembly Bill No. 2064—An act to amend the Building and Loan Association Act by adding section 12.04b thereto, relating to foreign associations;

Also: Assembly Bill No. 2065—An act to amend the Building and Loan Association Act by amending section 9.15 thereof, relating to limitation on single loans;

Also. Assembly Bill No. 2066—An act to amend the Building and Loan Association Act by adding section 6.01b thereto, relating to period of notice of intention to withdraw;

Also: Assembly Bill No 2067—An act to amend the Building and Loan Association Act by amending section 12 06 thereof, relating to advertising by building and loan associations.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 2063, 2064, 2065, 2066, and 2067 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 10, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted as amended, Assembly Constitutional Amendment No. 42—A resolution to propose to the people of the State of California, an amendment to Article XIII of the Constitution of the State, by amending section 9a thereof, relating to the computation of taxes on unsecured property—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Constitutional Amendment No. 42 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 10, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2480—An act to authorize the operation of stands in State buildings by blind persons;

Also: Assembly Bill No. 2479—An act to add a new section, to be numbered 1582, to the Streets and Highways Code, relating to county highway funds;

Also: Assembly Bill No. 2441—An act to provide for the regulation and control of the sale of certain drugs or chemicals known as dinitrophenol and thyroid, to provide penalties for the violation of this act and to provide for the enforcement hereof by the California State Board of Pharmacy;

Also: Assembly Bill No. 2285—An act to amend section 1626 of the Streets and Highways Code, relating to relief to special assessment districts;

Also: Assembly Bill No. 2160—An act to amend sections 117d and 117q of the Code of Civil Procedure, relating to small claims courts;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 2480, 2479, 2441, 2285, and 2160 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 10, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2087—An act to add section 171b to the Code of Civil Procedure, relating to the qualification of judges;

Also: Assembly Bill No. 2053—An act to amend the Building and Loan Association Act by adding a new section thereto to be numbered 6 01a, relating to withdrawal claims maturing in installments;

Also: Assembly Bill No. 1282—An act to amend the title and to amend sections 2, 3, 4, 6, 12, 13, 15, 19 and 21 of, and to add section 6a to an act entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, as amended, relating to the adulteration, mislabeling, misbranding, advertising and sale of drugs and devices and to the powers of the State Board of Public Health in relation thereto;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 2087, 2053, and 1282 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 11, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 5—Providing for the appointment of a joint legislative committee to investigate and report upon the feasibility and practicability of the centralization of public ownership of public utilities in the State of California;

Also: Senate Concurrent Resolution No. 44—Calling for the appointment by the Governor of a commission of ten, to investigate the advisability of commemorating the four-hundredth anniversary of the discovery of California, by causing the creation

of an appropriate memorial to the memory of John Rodriguez Cabrillo and his compatriots.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Concurrent Resolution No. 5 referred to Committee on Public Utilities.

Senate Concurrent Resolution No. 44 referred to Committee on Governmental Efficiency and Economy.

Also:

SENATE CHAMBER, SACRAMENTO, June 10, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 2468—An act to amend sections 6 and 11 of, to repeal section 7 of, and to add section 33 to, an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919, relating to sanitary districts;

Also: Assembly Bill No. 2485—An act to add section 331 to the Political Code, relating to the construction of statutes fixing or authorizing the fixing of salaries;

Also: Assembly Bill No 1569—An act to amend section 4 of an act entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled "An act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof," approved June 12, 1913, relating to schools of nursing.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 2468, 2485, and 1569 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 10, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1022—An act to add section 17 to an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915;

Also Assembly Bill No. 1186—An act to add two new sections to the School Code to be numbered 2 807 and 5 533, relating to liability for the death of, or injury to, pupils enrolled in the public schools;

Also: Assembly Bill No. 1198—An act to repeal sections 2.1223 and 6 523 of the School Code, relating to reports of books purchased for any school district;

Also Assembly Bill No. 2039—An act to add a new section to the Civil Code, to be numbered section 1972, relative to transportation expenses and return transportation expenses for workers brought into or sent out of the State to render personal services;

Also: Assembly Bill No. 2144—An act to amend section 4242 of the Political Code, and to add thereto sections 4242.1, 4242.2, 4242.3, relating to the compensation of county and township officers in counties of the thirteenth class;

Also: Assembly Bill No. 2444—An act to require security for the payment of wages of persons engaged in the canning industry and providing penalties for violation of the provisions thereof.

J. A. BEEK, Secretary of Senate.
By CARL A SHIPKEY, Assistant Secretary.

Assembly Bills Nos 1022, 1186, 1198, 2039, 2144 and 2444 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 11, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 54—Relative to leave of absence of Richard E. Collins, member of the State Board of Equalization.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Concurrent Resolution No. 54 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 10, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No 406—An act to add a new article to Chapter I of Part I of Division I of the School Code to be known as Article VII, embracing section 1.45, relating to the participation of pupils in public exhibitions.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 11, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2136—An act relating to the relief of debtors and guarantors; permitting postponement of sales conferred by mortgages, deeds of trust, or contracts of purchase of real property, or chattels attached to real property, or postponement of forfeitures and terminations under such contracts of purchase, or extensions of periods for redemption, or reduction of moneys to be paid on redemption; regulating the appointment of receivers in certain cases; repealing Chapter 1, Statutes of the Extra Session of 1934, and Chapter 7 of the Statutes of 1935; declaring the urgency hereof, and providing that it shall take effect immediately—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A SHIPKEY, Assistant Secretary.

Assembly Bill No. 2136 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 10, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 106—An act to amend section 6.750 of the School Code, relating to the use of school buildings for activities of a seditious nature;

Also: Assembly Bill No. 2469—An act to add section 590 to the Vehicle Code, relating to warning devices;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 106 and 2469 ordered on unfinished business file.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 127—An act to regulate the conduct of election campaigns, to provide penalties for corrupt practices defined therein, to repeal an act entitled "An act to regulate the conduct of election campaigns, and repealing an act entitled 'An act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,' approved February 23, 1893," approved March 19, 1907, and to repeal an act entitled "An act providing for publicity of contributions and expenditures made for the purpose of influencing electors for or against any proposition voted upon throughout the State and providing penalties for violation of the provisions hereof," approved May 31, 1921.

Motion to Re-refer Senate Bill No. 127.

Mr. Flint moved that Senate Bill No. 127 be re-referred to Committee on Elections.

The question being on the motion by Mr. Flint to re-refer Senate Bill No. 127 to Committee on Elections.

Substitute Motion.

Mr. Brennan moved, as a substitute motion, that Senate Bill No. 127 be re-referred to Committee on Judiciary.

The question being on the substitute motion by Mr. Brennan to re-refer Senate Bill No. 127 to Committee on Judiciary.

Roll Call.

The Speaker ordered a roll call taken on the substitute motion by Mr. Brennan to re-refer Senate Bill No. 127 to Committee on Judiciary.

The roll was called, and the motion was carried by the following vote:

AYES—Andreas, Breed, Brennan, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Johnson, Kallam, Latham, Lyon, McBride, Meehan, Minard, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Utt, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—41.

NOES—Anderson, Cassidy, Chatters, Clark, Crowley, Donihue, Donnelly, Evans, Ralph W., Geyer, Gilbert, Hawkins, Hunt, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Morgan, O'Donnell, Patterson, Pelletier, Reaves, Rosenthal, Voigt, and Wagner—27.

Senate Bill No. 127 ordered re-referred to Committee on Judiciary.

Recess.

At five o'clock p.m., on motion of Mr. Lyon, the Assembly was declared at recess until nine o'clock p.m., of this day.

Reassembled.

At nine o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Report of Committee on Free Conference.

The following report of Committee on Free Conference was received and read:

Concerning Assembly Bill No. 1837.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1935.

MR. SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 1837—An act to amend sections 269 and 271 of the Code of Civil Procedure, relating to the appointment, duties and compensation of phonographic reporters—reports that it has met a like committee of the Senate, consisting of Senators Pierovich, McGovern and Schottky, and reports that the Committee on Free Conference has agreed to recommend the following: That the Senate recede from the Senate amendments.

O'DONNELL,
CRONIN.
HORNBLOWER,
Assembly Committee on Free Conference.

PIEROVICH,
McGOVERN,
SCHOTTKY,
Senate Committee on Free Conference.

Report of Committee on Free Conference concerning Assembly Bill No. 1837 read.

Mr. O'Donnell moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Breed, Chatters, Clark, Cottrell, Cronin, Crowley, DeLap, Desmond, Donihue, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer,

Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, O'Donnell, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Walker, Wallace, Williamson, Wright, and Mr. Speaker—53.

NOES—None.

Resolutions.

The following resolutions were offered:

By Mr. Walker:

Assembly Resolution.

Resolved, That the Controller be and is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Joseph P. Gilmore (flowers to Ralph Welsh)	$10 25
Virginia Crossan (illuminating memorials)	12 50
Joseph P. Gilmore (flowers to Mrs. John McCarthy)	10 25
Joseph P. Moloney (taxi fare)	75

Resolution read, and referred to Committee on Contingent Expenses.

Also:

By Mr. Walker:

Assembly Resolution.

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred fifty dollars ($150), said amount being for the payment of postage, telegraphing, expressage, and incidental expenses of the Chief Clerk's office.

Resolution read, and referred to Committee on Contingent Expenses.

Unfinished Business—(Resumed).

Consideration of Assembly Amendments to Senate Bill No. 436.

Senate Bill No. 436—An act to add section 490.5 to the Fish and Game Code, and to amend sections 651, 652, 653, 655 and 651.6 thereof, relating to fish.

The question being: Shall the Assembly recede from Assembly amendments to Senate Bill No. 436?

The roll was called, and the Assembly refused to recede from Assembly amendments to Senate Bill No. 436 by the following vote:

AYES—Desmond, Fisher, Latham, Martin, Redwine, Richie, Robertson, Scudder, Utt, and Wallace—10.

NOES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Domhue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Mayo, McCarthy, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Rosenthal, Stream, Thorp, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—61.

Appointment of Committee on Free Conference Concerning Senate Bill No. 436.

The Speaker announced the appointment of Messrs. Donnelly, Hornblower and Redwine, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Senate Bill No. 436.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 269—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment.

Bill read third time.

Demand for Previous Question.

Messrs. Peterson, Brennan, Dawson, Fisher, and Weber demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 269 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Cunningham, Dawson, DeLap, Donihue, Evans, Ralph W., Field, Fisher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Mayo, McBride, McMurray, Meehan, Miller, Nielsen, Patterson, Peterson, Peyser, Phillips, Reaves, Richie, Robertson, Rosenthal, Scudder, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—55.

NOES—Burns, Cottrell, Cronin, Desmond, Donnelly, Evans, Herbert J., Frazier, Fulcher, Gilmore, Lyon, Martin, McCarthy, Minard, Morgan, Redwine, Stream, and Utt—17.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 604—An act to add sections 476, 477, 478 and 479 to the Political Code, relating to the powers and duties of the Attorney General.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 604 finally passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Chatters, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Evans, Herbert J, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hunt, Johnson, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—52.

NOES—Cassidy, Clark, Donihue, Evans, Ralph W., Geyer, Gilbert, Glover, Heisinger, Hornblower, Jones, Lore, McCarthy, Patterson, Pelletier, Reaves, Richie, Rosenthal, and Wagner—18.

Title read and approved.

Notice of Reconsideration of Senate Bill No. 604.

Mr. Jones gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 604 was this day passed.

Senate Bill No. 15—An act to add a new section to the Penal Code to be numbered 159b, relating to the solicitation of law business.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Brennan:

Amendment No. 1.

One page 1, line 7, of the printed bill, as amended, after the word "any", strike out balance of line 7, and thereafter strike out lines 8 to 12, inclusive, and insert in lieu thereof the following: "law business of any kind or character either for himself or for any other person for any purpose whatsoever."

The question being on the amendment submitted by Mr. Brennan to Senate Bill No. 15.

Roll Call.

The Speaker ordered a roll call taken on the amendment submitted by Mr. Brennan.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Andreas, Boyle, Brennan, Dawson, Donihue, Evans, Ralph W., Flint, Frazier, Garibaldi, Geyer, Glover, Heisinger, Hornblower, Hunt, Jones, Kallam, *Laughlin*, *Lore*, *Maloney*, *Martin*, *Patterson*, *Pelletier*, *Richie*, *Riley*, *Rosenthal*, Stream, Turner, Wagner, Wallace, Weber, and Wright—31.

NOES—Anderson, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Gilmore, Johnson, Latham, Lyon, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Reaves, Redwine, Robertson, Scudder, Thorp, Voigt, Walker, Waters, Williamson, and Mr. Speaker—43.

Senate Bill No. 15 read third time.

The question being on the passage of the bill.

Demand for Previous Question.

Messrs. Wright, Flint, Riley, Morgan, and Stream demanded the previous question.

The question being put: Shall the main question be now put?

Roll Call.

The Speaker ordered a roll call taken on the demand for the previous question.

The roll was called, and the demand for the previous question was sustained by the following vote:

AYES—Anderson, Boyle, Breed, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Fisher, Fulcher, Geyer, Glover, *Johnson*, *Latham*, *Laughlin*, *Lore*, *Martin*, *Miller*, *Minard*, *Morgan*, *Patterson*, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Walker, Waters, Wright, and Mr. Speaker—43.

NOES—Andreas, Brennan, Burns, Cronin, Dawson, Desmond, Evans, Ralph W., Flint, Frazier, Garibaldi, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Lyon, Maloney, McBride, McMurray, Meehan, Peyser, Rosenthal, Voigt, Wagner, Wallace, Weber, and Williamson—29.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 15 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, DeLap, Donnelly, Evans, Herbert, J., Evans, Ralph W., Field, Fisher, Fulcher, Gilmore, Johnson, Jones, Kallam, Latham, Lore, Lyon, Martin Mayo, McMurray, *Miller*, *Minard*, *Morgan*, O'Donnell, Pelletier, *Peterson*, Peyser, *Phillips*, Redwine, Riley, Robertson, Scudder, Turner, Voigt, Walker, Wallace, Waters, and Williamson—45.

NOES—Andreas, Brennan, Cassidy, Crowley, Dawson, Desmond, Donihue, Flint, *Frazier*, *Garibaldi*, *Geyer*, *Gilbert*, *Glover*, *Hawkins*, *Heisinger*, *Hornblower*, *Hunt*, Laughlin, Maloney, McBride, McCarthy, Meehan, Reaves, Richie, Rosenthal, Stream, Thorp, Utt, Wagner, Weber, Wright, and Mr. Speaker—32.

Title read and approved.

Notice of Reconsideration of Senate Bill No. 15.

Mr. Brennan gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 15 was this day passed.

Senate Bill No. 589—An act to add section 2540a to Civil Code, relating to contract of minors for life, health and accident insurance and annuity contracts.

Bill read third time.

Demand for Previous Question.

Messrs. Hunt, Johnson, Robertson, Pelletier, and Lore demanded the previous question.

The question being put. Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 589 finally passed by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Chatters, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donnelly, Evans, Herbert J., Field, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Latham, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Minard, Morgan, O'Donnell, Peterson, Peyser, Phillips, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Waters, Williamson, Wright, and Mr. Speaker—42

NOES—Anderson, Boyle, Cassidy, Clark, Dawson, Donahue, Evans, Ralph W., Fisher, Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, McCarthy, Miller, Patterson, Pelletier, Reaves, Richie, Riley, Rosenthal, Wagner, Wallace, and Weber—31.

Title read and approved.

Bill ordered transmitted to the Senate.

Resolution.

The following resolution was offered:

By Mr. Cunningham:

Assembly Resolution.

WHEREAS, During this fifty-first session of the California Legislature, the members have enjoyed the companionship of a great many of their wives, and their friends, and

WHEREAS One of these wives, today, is enjoying her (?) birthday in this fair city of Sacramento; and

WHEREAS, This shining jewel with her winning smile, and her hospitable characteristics is loved by all of the members and their families; and

WHEREAS It is a happy sight to the members of the Assembly to see associated with this good wife and mother on her (?) birthday, her loving husband and two children; now, therefore, be it

Resolved by the Assembly of the State of California, That we extend to Mrs. Ruth Boyle, wife of Assemblyman Jimmy Boyle, our congratulations on this her (?) birthday, and be it further

Resolved, That it is the wish of the members of the Assembly, that God spares Mrs. Boyle and her family for many years to come, and that they enjoy all of the good things this life has in store for them, and be it further

Resolved, That a suitable copy of this resolution be presented to Mrs. Ruth Boyle.

Resolution read, and adopted unanimously.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 959—An act to amend section 675 of the Political Code, relating to the power of the Director of the Department of Finance.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Clark:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out lines 47 to 49, inclusive, and insert in lieu thereof the following "California, notwithstanding any act or acts inconsistent herewith, to the highest responsible bidder for the production and extraction of".

Amendment No. 2.

On page 3 of the printed bill, as amended, strike out lines 25 to 32, inclusive, and insert in lieu thereof the following

"a. A royalty to the State as determined by the highest bid in value or amount of oil, gas or other hydrocarbons produced and saved, but in no case shall the amount of said bid be less than twenty-five per cent (25%)."

Amendment No. 3.

On page 4 of the printed bill, as amended, between lines 3 and 4, insert the following:

"The Director of Finance shall give notice of intent to lease any said land in this subdivision mentioned by publishing three successive notices in any daily paper of general circulation in the county of Orange."

Amendment No. 4.

On page 4, line 5, of the printed bill, as amended, after "make", insert the following: "any".

The question being on the amendments submitted by Mr. Clark to Senate Bill No. 959.

Demand for Previous Question.

Messrs. Fisher, Robertson, Scudder, Morgan and Wallace demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the amendments submitted by Mr. Clark to Senate Bill No. 959.

Motion to Set Special Order for Senate Bill No. 959.

Mr. Evans, Ralph W., moved that further consideration of Senate Bill No. 959 be made a special order for Wednesday, June 12, 1935, at eleven o'clock a.m.

The question being on the motion by Mr. Evans, Ralph W., to set special order for Senate Bill No. 959.

Roll Call.

The Speaker ordered a roll call taken on the motion to set special order for Senate Bill No. 959.

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Andreas, Cassidy, Clark, Cunningham, Desmond, Donihue, Donnelly, Evans, Ralph W., Geyer, Gilmore, Glover, Hawkins, Heisinger, Kallam, Laughlin, Lore, McCarthy, O'Donnell, Pelletier, Reaves, Richie, Rosenthal, Voigt, and Wagner—25.

NOES—Boyle, Breed, Burns, Chatters, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Evans, Herbert J., Fisher, Frazier, Fulcher, Garibaldi, Hornblower, Hunt, Johnson, Jones, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Peterson, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—48.

The question being on the amendments submitted by Mr. Clark to Senate Bill No. 959.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Clark.

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Anderson, Breed, Clark, Cunningham, Donihue, Donnelly, Evans, Ralph W., Fisher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Johnson, Latham, Laughlin, Lore, Mayo, McCarthy, Miller, Morgan, Patterson, Pelletier, Reaves, Richie, Riley, Rosenthal, Scudder, Thorp, Voigt, Wagner, Walker, Wallace, and Wright—34.

NOES—Andreas, Boyle, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Evans, Herbert J., Frazier, Fulcher, Garibaldi, Hornblower, Hunt, Jones, Kallam, Lyon, Maloney, Martin, McMurray, Meehan, Minard, O'Donnell, Peterson, Peyser, Phillips, Redwine, Robertson, Stream, Turner, Utt, Waters, Weber, Williamson, and Mr. Speaker—40.

Senate Bill No. 959 read third time.

Further Consideration Deferred.

Further consideration of Senate Bill No. 959 deferred.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 11, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1870—An act to amend an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, relating to unfair discriminations, and declaring the urgency thereof, to take effect immediately;

Also: Assembly Bill No. 1309—An act to regulate the location, construction, occupancy and operation of hat cleaning and blocking establishments, or agencies thereof, and private schools and colleges of hat cleaning and blocking; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement; and providing penalties for violations;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1870 and 1309 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 11, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day, pursuant to request, returns herewith Assembly Bill No. 1561—An act to amend sections 3, 3a, 3b, 10, 13, 17, and 18 of an act entitled "An act defining mattresses, regulating the making, remaking, and sale thereof; prohibiting the use of unsanitary and unhealthy materials therein; requiring that materials used shall be accurately described, and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled; and making the violation of any of the provisions of this act a misdemeanor, and repealing legislation inconsistent with this act," approved June 7, 1915, and to add thereto a new section to be numbered section 21, all relating to the administration of said act by the Bureau of Furniture and Bedding Inspection and the powers and duties of the officers thereof;

Also: Assembly Bill No. 1562—An act to amend sections 1, 2, 5, 6, 7, 8, 9 and 14 of an act entitled "An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling or repairing upholstered furniture; and creating the upholstered furniture inspection fund," approved May 9, 1927, relating to the administration thereof by the Bureau of Furniture and Bedding Inspection of the Department of Professional and Vocational Standards.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos 1561 and 1562, recalled from Senate, ordered on file for third reading.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1348—An act to amend section 690.10 of the Political Code, relating to rights in and upon swamp, overflowed, marsh, tide and submerged lands—and reports that the same has been correctly re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 444—An act to amend section 13 of the Motor Vehicle Fuel License Tax Act, relating to apportionment of the tax fund—and reports that the same has been correctly re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 2131—An act making an appropriation to pay the claim of the disbursing officer of the Fish and Game Commission against the State of California;

Also: Assembly Bill No. 2475—An act making an appropriation to pay the claim of Fred Froehlinger against the State of California;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1935.

MR SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No 633—An act to add section 3343 to the Civil Code, relating to damages in connection with fraud and deceit—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LYON, Chairman.

The above reported bill ordered on file for third reading.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1935.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 1120—An act to provide for certain major construction and improvements by the State, including the construction of a State prison, certain other construction and improvements and the issue of bonds therefor and making an appropriation—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2238—An act to add a new section to be numbered section 17 to "An act to provide for needy blind persons, not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, making appropriation therefor and prescribing penalties for the violation of the provisions of the act," approved May 28, 1929, relating to aid to the needy blind—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for third reading.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1935.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Senate Bill No. 95—An act to amend sections 356, 407, 448 and 422 of, and to add sections 601, 602, 602 5, 602.6, 602 7, 604, 610, 612, 615, 617, 618, 621, 624, 625, 626, 627, 632, 637, 639, 639.1, 639.2, 639 3, 644, 645, 646, 648, 649, 650 and 651 to the Streets and Highways Code, establishing additional secondary State highways—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

STREAM, Chairman.

The above reported bill ordered on file for second reading.

On Oil Industries.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1935.

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Senate Bill No. 780—An act to amend the title and sections 2, 3, 4, 5, 6 and 7 of an act entitled "An act prohibiting the bringing in, sale and distribution in this State of crude petroleum oil illegally produced and of gasoline, distillate, kerosene, gas oil or other motor fuel extracted, manufactured, distilled or compounded in whole or in part, from crude petroleum oil or gas illegally produced; providing for certificates to be filed with the State Superintendent of Weights and Measures, Department of Agriculture, at the time of bringing into this State of any crude petroleum oil, gasoline, distillate, kerosene, gas oil or other motor fuel, certifying that such crude petroleum oil was not illegally produced or that such gasoline, distillate, kerosene, gas oil or other motor fuel was not extracted, manufactured, distilled or compounded from oil or gas illegally produced, and providing for a permit for taking delivery of such crude petroleum oil, gasoline, distillate, kerosene, gas oil or other motor fuel, and the fee to be paid therefor, and prescribing penalties for violation of this act," approved June 5, 1933, and to provide for the succession to the duties, powers and funds thereunder of the Division of Weights and Measures of the State Department of Agriculture, by the State Board of Equalization—has had the same under consideration, and respectfully reports the same back without recommendation.

McBRIDE, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Senate Bill No. 781—An act to amend the title and sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 14a, 15, 16, 17, and 18 of an act entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures, of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of the provisions hereof; and repealing acts and parts of acts inconsistent herewith." approved June 5, 1931, as amended, and to provide for the succession to the duties, powers and funds thereunder of the Division of Weights and Measures of the Department of Agriculture by the State Board of Equalization—has had the same under consideration, and respectfully reports the same back without recommendation, and be re-referred to Committee on Ways and Means.

McBRIDE, Chairman.

Senate Bill No. 781 ordered re-referred to Committee on Ways and Means.

Also:

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Senate Bill No. 782—An act to repeal an act entitled "An act to prevent fraud or misrepresentation in the distribution or sale of gasoline, distillate and lubricating oil; regulating the distribution or sale of such products; defining the powers and duties of the Division of Weights and Measures, Superintendent of Weights and Measures, Department of Agriculture and officers and employees thereof in relation thereto; prescribing penalties for the violation of the provisions hereof; repealing acts and parts of acts inconsistent herewith and making an appropriation to carry out the provisions of this act." approved June 5, 1929—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

McBRIDE, Chairman.

The above reported bill ordered on file for third reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Concurrent Resolution No. 55—Relative to proceedings for the removal of Gavin W. Craig as an associate justice of the District Court of Appeal of the State of California under and pursuant to the provisions of section 10, Article VI of the Con-

stitution of the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted, as amended.

LYON, Chairman.

Assembly Concurrent Resolution No. 55 ordered to engrossment, and on file for adoption.

Second Reading of Senate Bills—(Resumed).

Senate Bill No. 95—An act to amend sections 356, 407, 448 and 422 of, and to add sections 601, 602, 602 5, 602.6, 602.7, 604, 610, 612, 615, 617, 618, 621, 624, 625, 626, 627, 632, 637, 639, 639.1, 639.2, 639.3, 644, 645, 646, 648, 649, 650 and 651 to the Streets and Highways Code, establishing additional secondary State highways.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 15, of the printed bill, as amended, strike out "Freemont's", and insert in lieu thereof the following: "Fremont's".

Amendment No. 2.

On page 3, line 31, of the printed bill, as amended, strike out "outlet creek", and insert in lieu thereof the following: "Outlet Creek".

Amendment No. 3.

On page 5 of the printed bill, as amended, strike out lines 11 to 13, inclusive.

Amendment No. 4.

On page 5, line 14, of the printed bill, as amended, at the first of said line, insert the following "(f)".

Amendment No. 4-a.

On page 5, line 17, of the printed bill, as amended, strike out "Divisidero", and insert in lieu thereof the following: "Divisadero".

Amendment No. 4-b.

On page 5 of the printed bill, as amended, strike out lines 37 to 39, inclusive.

Amendment No. 5.

On page 6, line 14, of the printed bill, as amended, strike out "portions", and insert in lieu thereof the following: "portion".

Amendment No. 6.

On page 7, line 8, of the printed bill, as amended, at the first of said line, insert the following: "(a)".

Amendment No. 7.

On page 7, line 10, of the printed bill, as amended, at the first of said line, insert the following: "(b)".

Amendment No. 8.

On page 7, line 11, of the printed bill, as amended, at the first of said line, insert the following: "(c)".

Amendment No. 9.

On page 7, line 12, of the printed bill, as amended, at the first of said line, insert the following: "(d)".

Amendment No. 10.

On page 7, line 15, of the printed bill, as amended, at the first of said line, insert the following: "(e)".

Amendment No. 11.

On page 7, line 18, of the printed bill, as amended, at the first of said line, strike out "(a)", and insert in lieu thereof the following: "(f)".

Amendment No. 12.

On page 7, line 21, of the printed bill, as amended, strike out "(b)", and insert in lieu thereof the following: "(g)".

Amendment No. 13.

On page 7, line 23, of the printed bill, as amended, strike out "(c)", and insert in lieu thereof the following: "(h)".

Amendment No. 14.

On page 3, line 19, of the printed bill, as amended, strike out "is", and insert in lieu thereof the following: "are".

Amendment No. 15.

On page 3, line 21, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "and another new route or portion of route from State highway at Watsonville to Route 2 near Dumbarton."

Amendment No. 15-a.

On page 1, line 7, of the printed bill, after the word "Carmel", add a comma, and insert the following: "Castroville, Watsonville".

Amendment No. 16.

On page 1, line 1 of the title of the printed bill, as amended, after "356,", insert the following: "401,".

Amendment No. 17.

On page 1 of the printed bill, as amended, between lines 11 and 12, insert the following:

"SEC. 1a. Section 401 of the Streets and Highways Code is hereby amended to read as follows:

401. Route 101 is from Birds Landing to Route 7 near Dixon."

Amendment No. 18.

On page 5 of the printed bill, as amended, between lines 50 and 51, insert the following:

"(e) From Route 74 near Vallejo to Sears Point Toll Road."

Amendment No. 19.

On page 6 of the printed bill, as amended, strike out lines 7 and 8, and insert in lieu thereof the following:

"(c) From Route 41 near Crows Landing to Route 4 near Modesto.

(d) From Route 41 near Newman to Route 4 near Livingston."

Amendment No. 20.

On page 6, line 9, of the printed bill, as amended, strike out "(d)", and insert in lieu thereof the following: "(e)".

Amendment No. 21.

On page 2 of the printed bill, as amended, between lines 16 and 17, insert the following:

"(c) Route 68 near Redwood City to Route 55 via Woodside."

Amendment No. 22.

On page 1, line 3 of the title of the printed bill, as amended, after "621,", insert the following: "623,".

Amendment No. 23.

On page 3 of the printed bill, as amended, between lines 47 and 48, insert the following:

"SEC. 13. Section 623 is hereby added to the Streets and Highways Code, to read as follows:

623. There is hereby added to the State highway system a new route or portion of route from San Pablo Avenue, Route 14, to Castro Point via Panhandle Boulevard and Cutting Boulevard."

Amendment No. 24.

On page 1, line 4 of the title of the printed bill, as amended, strike out "and 651", and insert in lieu thereof the following: ", 651 and 654".

Amendment No. 25.

On page 7 of the printed bill, as amended, after line 24, add the following:

"SEC. 27. Section 654 is hereby added to the Streets and Highways Code, to read as follows:

654. The following new routes or portions of routes are hereby added to the State highway system:

(a) From State highway at Famosa easterly to Route 142.

(b) From Kernville through the county of Kern to the Kern-Tulare County line."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 1120—An act to provide for certain major construction and improvements by the State, including the construction of a State prison, certain other construction and improvements and the issue of bonds therefor and making an appropriation.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, lines 2 and 3, of the printed bill, as amended, strike out the following: "by the State Building Commission created by this act".

Amendment No. 2.

On page 1, lines 4 and 5, of the printed bill, as amended, strike out the following: "by said commission".

Amendment No. 3.

On page 1, line 12, of the printed bill, as amended, after the word "construction", insert the following: ", improvement, and equipment"; and after the word "thereon", in said line, insert the following: ", to be expended under the provisions of an act entitled "An act to establish the Southern California Prison under the management and control of the State Board of Prison Directors; to provide for purchase or acquirement of farm lands by unconditional gift or use of lands owned by the State therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor", passed at the fifty-first session of the Legislature, in the amount and in lieu of the appropriation therein contained; provided, that should said act not become effective, then to be expended under the provisions of section 3 of this act".

Amendment No. 4.

On page 1 of the printed bill, as amended, between lines 18 and 19, insert the following:

"(5) In the event that the moneys hereby appropriated or otherwise made available for expenditure under the provisions of this act shall exceed the amount required under paragraphs numbered (1) to (4) of this section, the commission may, if it deems it in the best interests of the State, expend such excess for the construction or improvement of buildings for institutions supported in whole or in part by the State"

Amendment No. 5.

On page 2, line 1, of the printed bill, as amended, after the word "Institutions", insert the following: ", the Director of Public Works"; and strike out the following words in said line: "one member", and insert in lieu thereof the following: "two members".

Amendment No. 6.

On page 2, line 2, of the printed bill, as amended, strike out the following: "Unless otherwise", and strike out all of lines 3 to 6, inclusive.

Amendment No. 7.

On page 2, line 7, of the printed bill, as amended, strike out the following: "For the purposes of", and insert in lieu thereof the following. "To carry out the provisions of section 3 of".

Amendment No. 8.

On page 2, line 8, of the printed bill, as amended, strike out the following: "a superintendent of construction".

Amendment No. 9.

On page 2, line 9, of the printed bill, as amended, strike out the words "and such", and insert in lieu thereof the following: "such clerical and other".

Amendment No. 10.

On page 2, line 10, of the printed bill, as amended, strike out the word "Act".

Amendment No. 11.

On page 2, line 20, of the printed bill, as amended, strike out the word "The", and insert in lieu thereof the following: "Subject to the provisions of section 1, subdivision 2, of this act, the".

Amendment No. 12.

On page 3 of the printed bill, as amended, strike out all of lines 4 to 10, inclusive, and insert in lieu thereof the following: 'The commission shall carry out construction or improvement, or any part thereof, through the Department of Public Works in accordance with the provisions of the State Contract Act, and other laws governing erection of State buildings"

Amendment No. 13.

On page 3, line 18, of the printed bill, as amended, strike out the following: "and the State Controller".

Amendment No. 14.

On page 3 of the printed bill, as amended, strike out all of line 19, and insert in lieu thereof the following: "repayment of such money or any part thereof to the general fund is not required in the best interests of the State and".

Amendment No. 15.

On page 3, line 22, of the printed bill, as amended, strike out the following: "and the State Controller".

Amendment No. 16.

On page 3 of the printed bill, as amended, strike out all of line 32, and insert in lieu thereof the following: "upon heads of departments by the provisions of section".

Amendment No. 17.

On page 3, line 48, of the printed bill, as amended, after the word "fifty", insert the word "thousand".

Amendment No. 18.

On page 5, line 41, of the printed bill, as amended, strike out the word "specific", and insert in lieu thereof the following: "State building fund".

Amendment No. 19.

On page 5 of the printed bill, as amended, strike out all of lines 42 and 43.

Amendment No. 20.

On page 5, line 44, of the printed bill, as amended, strike out the following: "of this act".

Amendment No. 21.

On page 5, line 52, of the printed bill, as amended, strike out the word "committee", and insert in lieu thereof the word "commission".

Amendment No. 22.

On page 6 of the printed bill, as amended, strike out all of line 44, and insert in lieu thereof the following: "the State building fund in".

Amendment No. 23.

On page 7, line 2, of the printed bill, as amended, strike out the word "committee", and insert in lieu thereof the word "commission".

Amendment No. 24.

On page 7, line 13, of the printed bill, as amended, strike out the following: "respective appropriation or", and insert in lieu thereof the following: "general".

Amendment No. 25.

On page 7 of the printed bill, as amended, strike out all of line 14, and insert in lieu thereof a period.

Amendment No. 26.

On page 8 of the printed bill, as amended, strike out all of lines 15 and 16, and insert in lieu thereof the following: "be paid out of the State building fund, upon approval of the State Department".

Amendment No. 27.

On page 8, line 21, of the printed bill, as amended, strike out the following: ", and", and insert in lieu thereof a period.

Amendment No. 28.

On page 8 of the printed bill, as amended, strike out all of lines 22 to 24, inclusive, and insert in lieu thereof the following: "All books".

Amendment No. 29.

On page 8 of the printed bill, as amended, between lines 29 and 30, insert the following:

"SEC 20 Whenever the United States Government or any officer or agency thereof shall provide funds for the construction of public works at State institutions supported in whole or in part by the State, cooperation by the State therewith and therein is hereby authorized in such manner and to such extent as the State Building Commission may deem to be for the best interests of the State, and the funds herein appropriated shall become available for such purpose."

Amendment No. 30.

On page 8, line 30, of the printed bill, as amended, strike out the figure "20", and insert in lieu thereof "21".

Amendment No. 31.

On page 8, line 35, of the printed bill, as amended, strike out the figure "21", and insert in lieu thereof "22".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 780—An act to amend the title and sections 2, 3, 4, 5, 6 and 7 of an act entitled "An act prohibiting the bringing in, sale and distribution in this State of crude petroleum oil illegally produced and of gasoline, distillate, kerosene, gas oil or other motor fuel extracted, manufactured, distilled or compounded in whole or in part, from crude petroleum oil or gas illegally produced; providing for certificates to be filed with the State Superintendent of Weights and Measures, Department of Agriculture, at the time of bringing into this State of any crude petroleum oil, gasoline, distillate, kerosene, gas oil or other motor fuel, certifying that such crude petroleum oil was not illegally produced or that such gasoline, distillate, kerosene, gas oil or other motor fuel was not extracted, manufactured, distilled or compounded from oil or gas illegally produced, and providing for a permit for taking delivery of such crude petroleum oil, gasoline, distillate, kerosene, gas oil or other motor fuel, and the fee to be paid therefor, and prescribing penalties for violation of this act," approved June 5, 1933, and to provide for the succession to the duties, powers and funds thereunder of the Division of Weights and Measures of the State Department of Agriculture, by the State Board of Equalization.

Bill read second time, and ordered on file for third reading.

Third Reading of Assembly Bills—(Resumed).

Assembly Concurrent Resolution No. 55—Relative to proceedings for the removal of Gavin W. Craig as an associate justice of the District Court of Appeal of the State of California under and pursuant to the provisions of section 10, Article VI of the Constitution of the State of California.

Committee Amendment.

During reading of Assembly Concurrent Resolution No. 55, the following amendment was submitted by the committee:

Amendment No. 1.

On page 3 of the original typewritten bill, in that paragraph commencing with the word "resolved", after the word "unsuccessful", in line 3 of the said paragraph, insert the following: "and in the event the judgment whereby the said Gavin W. Craig was convicted shall be affirmed and become final,".

Amendment adopted.

Assembly Concurrent Resolution No. 55 ordered to reprint, engrossment, and on file for adoption.

Motion to Continue Unfinished Business.

Mr. Lyon moved that all unfinished business on the Daily Calendar be continued to the next legislative day.

Motion carried.

Adjournment.

At eleven o'clock and fifty-nine minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until twelve o'clock and one minute a.m., Wednesday, June 12, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, June 12, 1935.

At twelve o'clock and one minute a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—77.

Quorum present.

Prayer.

Prayer was offered by Miss Miller, member of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Hornblower, its further reading was dispensed with.

Leave of Absence.

On motion of Mr. Utt, Mr. Welsh was granted leave of absence for the day.

Privilege of Floor of Assembly Extended.

On request of Mr. Riley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Howard Hall of Sacramento.

On request of Mr. Clark, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. June T. Hoyman of Woodland.

Presentation of Petition.

The following petition was presented, and ordered printed in the Journal.

By Mr. Speaker:

From California Society of Certified Public Accountants, urging the amending of Assembly Bill No. 1182.

Third Reading of Senate Bills.

Senate Bill No. 959—An act to amend section 675 of the Political Code, relating to the powers and duties of the Director of the Department of Finance.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Hornblower moved a call of the House.

Roll Call.

The Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Boyle, Breed, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donohue, Evans, Herbert J., Evans, Ralph W., Field, Fulcher, Garibaldi, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Redwine, Richie, Rosenthal, Scudder, Stream, Turner, Utt, Wagner, Walker, Waters, Weber, Williamson, and Mr. Speaker—52.

NOES—Anderson, Flint, Geyer, Glover, Kallam, Laughlin, Lore, Minard, Patterson, Phillips, Reaves, Riley, Robertson, Wallace, and Wright—15.

Time, twelve o'clock and twenty minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donohue, Evans, Herbert J., Evans, Ralph W., Field, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—67.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Motion to Expunge Record on Assembly Bills Nos. 1561 and 1562.

Mr. Maloney moved that the vote taken on Assembly Bills Nos. 1561 and 1562 on June 10, 1935 (pages 37 and 39 of Assembly Journal), be expunged from the record, and the action rescinded.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Maloney to expunge record on Assembly Bills Nos. 1561 and 1562.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Andreas, Burns, Chatters, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Donohue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, O'Donnell, Patterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Utt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr Speaker—53.

NOES—None.

Motion to Re-refer Assembly Bills Nos. 1561 and 1562.

Mr. Maloney moved that Assembly Bills Nos. 1561 and 1562 be re-referred to Committee on Ways and Means.

The question being on re-referring Assembly Bills Nos. 1561 and 1562 to Committee on Ways and Means.

Motion carried.

Assembly Bills Nos. 1561 and 1562 ordered re-referred to Committee on Ways and Means.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 1125—An act to amend sections 376a and 376b of the Political Code, relating to the Department of Penology.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1125 finally passed by the following vote:

AYES—Breed, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Evans, Herbert J., Evans, Ralph W., Fisher, Fulcher, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Phillips, Reaves, Redwine, Riley, Rosenthal, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—54.

NOES—Geyer—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 514—An act to add sections 136d to 136d12, inclusive, to the Bank Act, relating to the administration and liquidation of banks.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Williamson:

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out the figure "12", and insert in lieu thereof the following: "5".

Amendment No. 2.

On page 2 of the printed bill, strike out all of line 6, and the balance of the page, and insert in lieu thereof the following:

"SEC. 136d. When a bank is being liquidated by the Superintendent of Banks under the provisions of this act, the holders of at least sixty-six and two-thirds per cent, both in amount and number, of the aggregate of the depositors' and the unsecured creditors' claims against the bank may execute a plan for the reorganization of such bank which plan shall be known as the "Claimants" plan for such reorganization, which plan when so executed shall be presented to the Superintendent of Banks.

SEC. 136d1. Upon receipt of such plan the Superintendent of Banks shall determine the sufficiency of such plan and, if he finds it executed by the holders of the requisite number of depositors' and unsecured creditors' claims against said bank, and if he further finds that the plan proposed is satisfactory to him, he shall approve the same.

SEC. 136d2. Upon the approval of said plan said Superintendent of Banks shall forthwith apply to the superior court of the State of California in and for the county or city and county in which the principal office of said bank is located for the approval by such court of such plan, and for such purpose shall file with the clerk of said court a written application for the approval of said plan together with a copy of said plan.

SEC. 136d3. Upon such application being so filed said superior court shall fix a day for the hearing of said application to approve said plan. Notice of such hearing shall be given by publication in a newspaper of general circulation published in the county or city and county in which the bank is located at least once each week for not less than two consecutive weeks immediately preceding the date fixed for the hearing of said application, and by posting a copy of the notice of hearing in three public places in said county or city and county. The court may adjourn such hearing from time to time without further notice.

SEC. 136d4. Upon the date of said hearing, or of any adjournment thereof, the court shall take testimony and, if it appears to said court that it is for the best interest of the depositors, creditors, stockholders and all other persons interested in said bank and its assets and in the public interest that said plan become effective, it may make an order approving said plan; otherwise said court shall disapprove said plan. Said order, when it becomes final, shall be binding and conclusive upon all persons interested in said bank or its assets or any part thereof. An appeal from

said order of said court approving or disapproving said plan shall be taken not more than ten days after the entry of such order.

SEC. 136d5. *Said superior court shall retain jurisdiction of said proceeding until* said plan for reorganization of said bank so approved by it shall become effective, whereupon it shall order the Superintendent of Banks to turn over to the reorganized bank all of the then remaining assets of said bank. Upon applying for such order the Superintendent of Banks shall file with said court the receipt for such assets executed by the chief executive officer and either the secretary or treasurer of the reorganized bank, whereupon said Superintendent of Banks and the State of California shall be forthwith released from all further liability with respect to such assets or any part thereof."

Amendment No. 3.

Strike out the entire page 2 of the printed bill.

Amendment No. 4.

Strike out the entire page 3 of the printed bill.

Amendments adopted.

Bill read, ordered to reprint, and on file for third reading.

Motion to Rush Printing of Senate Bill No. 514.

Mr. Williamson moved that the Chief Clerk be instructed to place a rush order on the printing of Senate Bill No. 514.

Motion carried.

Senate Bill No. 936—An act to repeal section 2610 of the Political Code as added by Chapter 992 of the fiftieth session of the Legislature and to add a new section to the Political Code to be numbered section 2610a, relating to a Board of State Harbor Commissioners for the Bay of San Diego.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 936 finally passed by the following vote.

AYES—Anderson, Andreas, Breed, Chatters, Clark, Corwin, Cronin, Crowley, Dawson, DeLap, Desmond, Donahue, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Miller, Morgan, Nielsen, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Utt, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Motion to Strike Senate Bill No. 364 from File.

Mr. DeLap moved that Senate Bill No. 364 be stricken from the file.

Motion carried.

Senate Bill No. 364 ordered stricken from the file.

Senate Bill No. 365—An act to reenact, in order to continue the same in effect subsequent to September 1, 1936, section 2924 of the Civil Code, relating to recording of notice of default and to giving notice of sale under deeds of trust and mortgages with power of sale; and to reenact, in order to continue the same in effect subsequent to September 1, 1936, section 2924b of the Civil Code, relating to giving of notice of recording of notice of default and of time and place of sale under deeds of trust or mortgages with power of sale; and to reenact, in order to continue the same in effect subsequent to September 1, 1936, section 2924c of the Civil Code, relating to reinstate-

ment of loans when due date of principal sum has been accelerated; and to reenact, in order to continue the same in effect subsequent to September 1, 1936, section 580b of the Code of Civil Procedure prohibiting deficiency judgements on purchase money mortgages and deeds of trust; and to reenact, in order to continue the same in effect subsequent to September 1, 1936, section 580e of the Code of Civil Procedure, limiting the trustee's or attorney's fees which a mortgagor or trustor may be required to pay; and to reenact, in order to continue the same in effect subsequent to September 1, 1936, section 725a of the Code of Civil Procedure, permitting the beneficiary or trustee named in a deed of trust to bring suit to foreclose the same in the manner of a mortgage; and to amend section 2924½ of the Civil Code, relating to mortgages and deeds of trust, all relating to the hypothecation of real property and to obligations secured thereby.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. DeLap:

Amendment No. 1.

On page 1, line 13 of the title of the printed bill, after the semicolon, insert the following: "and to reenact, in order to continue the same in effect subsequent to September 1, 1936, section 580a of the Code of Civil Procedure, limiting amount of deficiency judgments and the time within which actions therefor may be commenced;".

Amendment No. 2.

On page 1, line 25 of the title of the printed bill, strike out the semicolon, and in lines 26 and 27, strike out the following: "and to amend section 2924½ of the Civil Code relating to mortgages and deeds of trust".

Amendment No. 3.

On page 4, line 49, of the printed bill, after the period, insert the following:

"SEC. 4. Section 580a of the Code of Civil Procedure is hereby reenacted to read as follows:

580a. Whenever a money judgment is sought for the balance due upon an obligation for the payment of which a deed of trust or mortgage with power of sale upon real property or any interest therein was given as security, following the exercise of the power of sale in such deed of trust or mortgage, the plaintiff shall set forth in his complaint the entire amount of the indebtedness which was secured by said deed of trust or mortgage at the time of sale, the amount for which such real property or interest therein was sold and the fair market value thereof at the date of sale and the date of such sale. Upon the application of either party made at least ten days before the time of trial the court shall, and upon its own motion the court at any time may, appoint one of the inheritance tax appraisers provided for by law to appraise the property or the interest therein sold as of the time of sale. Such appraiser shall file his appraisal with the clerk and the same shall be admissible in evidence. Such appraiser shall take and subscribe an oath to be attached to the appraisal that he has truly, honestly and impartially appraised the property to the best of his knowledge and ability. Any appraiser so appointed may be called and examined as a witness by any party or by the court itself. The court must fix the compensation of such appraiser, not to exceed five dollars per day, and expenses for the time actually engaged in such appraisal, which may be taxed and allowed in like manner as other costs. Before rendering any judgment the court shall find the fair market value of the real property, or interest therein sold, at the time of sale. The court may render judgment for not more than the amount by which the entire amount of the indebtedness due at the time of sale exceeded the fair market value of the real property or interest therein sold at the time of sale with interest thereon from the date of the sale; provided, however, that in no event shall the amount of said judgment, exclusive of interest after the date of sale, exceed the difference between the amount for which the property was sold and the entire amount of the indebtedness secured by said deed of trust or mortgage. Any such action must be brought within three months of the time of sale under such deed of trust or mortgage. No judgment shall be rendered in any such action until the real property or interest therein has first been sold pursuant to the terms of such deed of trust or mortgage, unless such real property or interest therein has become valueless."

Amendment No. 4.

On page 4, line 50, of the printed bill, strike out "4", and insert in lieu thereof "5".

Amendment No. 5.

On page 5, line 4, of the printed bill, strike out "5", and insert in lieu thereof "6".

Amendment No. 6.

On page 5, line 16, of the printed bill, strike out "6", and insert in lieu thereof "7".

Amendment No. 7.

On page 5 of the printed bill, strike out all of lines 24 to 35, inclusive.

Amendment No. 8.

On page 5, line 45, of the printed bill, after the word "sections", insert the following: "580a".

Amendment No. 9.

On page 5, line 51, of the printed bill, strike out all of said line, and on page 6, strike out all of line 1 and the words, "by this act" in line 2, and insert in lieu thereof the following: "sections 2924, 2924b, and 2924c of the Civil Code and sections 580a, 580b, 580c, and 725a of the Code of Civil Procedure".

Amendments adopted.

Request for Unanimous Consent.

Mr. DeLap asked for, and was granted, unanimous consent to take up Senate Bill No. 365, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 365, as Amended.

Senate Bill No. 365, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 365, as amended, finally passed by the following vote:

AYES—Anderson, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Fulcher, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McMurray, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Scudder, Thorp, Voigt, Wagner, Walker, Waters, Weber, Williamson, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 277—An act to amend section 164 of the Civil Code, relating to community property.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

Motion to Expunge Record.

Mr. Cronin moved that the vote taken on Senate Bill No. 277 be expunged from the record, and the action rescinded.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Cronin to expunge the record on Senate Bill No. 277.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy,

McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Peyser, Redwine, Richie, Robertson, Rosenthal, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, and Mr. Speaker—56.

NOES—None.

Senate Bill No. 277 read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Hornblower:

Amendment No. 1.

On page 1, line 5, of the printed bill, as amended, strike out the comma after "State".

Amendment No. 2.

On page 1, line 8, of the printed bill, as amended, after "State", insert a comma.

Amendment No. 3.

On page 1, line 11, of the printed bill, as amended, after "writing", insert a comma.

Amendment No. 4.

On page 1, line 16, of the printed bill, as amended, strike out "provided, however," and insert in lieu thereof the following: "except".

Amendment No. 5.

On page 1, line 21, of the printed bill, as amended, strike out "and the", and insert in lieu thereof a period and the following: "The".

Amendment No. 6.

On page 1, line 23, of the printed bill, as amended, strike out the comma after "woman".

Amendment No. 7.

On page 2, line 7, of the printed bill, as amended, strike out the comma after "property", and also strike out "as follows As to conveyances heretofore made," and also strike out all of line 8, and in line 9, strike out "this act, and as to conveyances hereafter made,".

Amendments adopted.

Request for Unanimous Consent.

Mr. Cronin asked for, and was granted, unanimous consent to take up Senate Bill No. 277, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 277, as Amended.

Senate Bill No. 277, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 277, as amended, finally passed by the following vote:

AYES—Anderson, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Thorp, Voigt, Walker, Wallace, Waters, Weber, Williamson, and Mr. Speaker.—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Welsh: ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 1 of, and to add section 1.5 to an act entitled "An act relating to the Department of Professional and Vocational Standards and defining

its powers and duties in relation to and providing for the adoption and registration of names and marks or other devices on garments, towels, table linen and other linen supplies used in the rendition of a rental service as indicia of ownership and to protect the owners thereof," passed at the fifty-first session of the Legislature of the State of California, relating to registration of names and marks or other devices on garments, towels, table linen or other articles.

Referred to Committee on Introduction of Bills.

By Mr. Stream:

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 22 of the Bank and Corporation Franchise Tax Act, relating to the appointment of the Franchise Tax Commissioner.

Referred to Committee on Introduction of Bills.

By Mr. Flint:

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act making an appropriation for the contingent expenses of the Assembly at its fifty-first session, and declaring that this act shall take effect immediately.

Referred to Committee on Introduction of Bills.

By Mr. McMurray:

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 10 of the Political Code, relating to holidays.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees.

The following reports of standing committee were received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1935.

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 22 of the Bank and Corporation Franchise Tax Act, relating to the appointment of the Franchise Tax Commissioner.

CUNNINGHAM, Chairman.

Also:

MR SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it The title of said bill is as follows:

An act making an appropriation for the contingent expenses of the Assembly at its fifty-first session, and declaring that this act shall take effect immediately.

CUNNINGHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 1 of, and to add section 1.5 to an act entitled "An act relating to the Department of Professional and Vocational Standards and defining its powers and duties in relation to and providing for the adoption and registration of names and marks or other devices on garments, towels, table linen and other linen supplies used in the rendition of a rental service as indicia of ownership and to protect the owners thereof," passed at the fifty-first session of the Legislature of the State of California, relating to registration of names and marks or other devices on garments, towels, table linen or other articles.

CUNNINGHAM, Chairman

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 10 of the Political Code, relating to holidays.

CUNNINGHAM, Chairman

Reports of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the reports.

The question being on the adoption of the reports.

The roll was called, and the reports adopted by the following vote:

AYES—Anderson, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hersinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Scudder, Stream, Thorp, Voigt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—63

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

By Mr. Welsh: Assembly Bill No. 2493—An act to amend section 1 of, and to add section 1.5 to an act entitled "An act relating to the Department of Professional and Vocational Standards and defining its powers and duties in relation to and providing for the adoption and registration of names and marks or other devices on garments, towels, table linen and other linen supplies used in the rendition of a rental service as indicia of ownership and to protect the owners thereof," passed at the fifty-first session of the Legislature of the State of California, relating to registration of names and marks or other devices on garments, towels, table linen or other articles.

Bill read first time, and referred to Committee on Governmental Efficiency and Economy.

By Mr. Stream: Assembly Bill No. 2494—An act to amend section 22 of the Bank and Corporation Franchise Tax Act, relating to the appointment of the Franchise Tax Commissioner.

Bill read first time, and referred to Committee on Banking.

By Mr. Flint: Assembly Bill No. 2495—An act making an appropriation for the contingent expenses of the Assembly at its fifty-first session, and declaring that this act shall take effect immediately.

Bill read first time.

By Mr. McMurray: Assembly Bill No. 2496—An act to amend section 10 of the Political Code, relating to holidays.

Bill read first time, and referred to Committee on Judiciary.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 2495, at this time, without reference to printer, committee, or file, and that same be considered engrossed.

Consideration of Assembly Bill No. 2495.

Assembly Bill No. 2495—An act making an appropriation for the contingent expenses of the Assembly at its fifty-first session, and declaring that this act shall take effect immediately.

Case of Urgency.

The following resolution was offered:

By Mr. Flint:

Resolved, That Assembly Bill No. 2495 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Mr. Lyon moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Thorp, Utt, Voigt, Wagner, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—63.

NOES—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 2495.

Second Reading of Assembly Bill No. 2495.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, and Mr. Speaker—63.

NOES—None.

Third Reading of Assembly Bill No. 2495.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2495 passed by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Walker, Wallace, Waters, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills.

Assembly Bill No. 1570—An act to add two new sections to the Public Utilities Act, to be numbered $2\frac{3}{4}$ and $50\frac{3}{4}$, defining highway common carriers and providing for the regulation thereof and requiring the

issuance of certificates of public convenience and necessity therefor, and to repeal Chapter 213 of the Statutes of 1917, approved May 10, 1917, and amendments thereto.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Kallam:

Amendment No. 1.

On page 1, line 20, of the printed bill, after "auto truck", add the following: "or other self-propelled vehicle".

Amendment No. 2.

On page 1, line 22, of the printed bill, after the word "irregular", add the following: "Whether or not any auto truck or other self-propelled vehicle is operated by a highway common carrier "between fixed termini or over a regular route" within the meaning of this act shall be a question of fact and the findings of the commission thereon shall be subject to review".

Amendment No. 3.

On page 2, line 36, of the printed bill, after the words "auto truck", add the following: ", or other self-propelled vehicle,".

Amendment No. 4.

On page 3, line 2, of the printed bill, add the following: "No such certificate may be granted to a foreign corporation. Without the express approval of the commission, no certificate of public convenience and necessity issued to any highway common carrier under the provisions of this section, or heretofore issued by the commission for the transportation of property by auto truck or self-propelled vehicle, nor any operative right founded upon operations actually conducted in good faith on July 26, 1917, shall be combined, united or consolidated with another such certificate or operative right so as to permit through service between any point or points served under any such separate certificate or operative right, on the one hand, and any point or points served under another such certificate or operative right, on the other hand; nor, without the express approval of the commission, shall any through route or joint, through, combination, or proportional rate be established by any highway common carrier between any point or points which it serves under any such certificate or operative right, and any point or points which it serves under any other such certificate or operative right".

Amendment No. 5.

On page 3, line 15, of the printed bill, after the word "power", add the following: "after a hearing".

Amendment No. 6.

On page 3 of the printed bill, strike out all of lines 20 to 35, inclusive.

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Motion.

Mr. McCarthy moved that the Assembly request the Governor to return Assembly Bill No. 1684 to the Assembly for further consideration.

Substitute Motion.

Mr. Williamson moved, as a substitute motion, that Messrs. McCarthy and Evans, Ralph W., wait upon the Governor for the return of Assembly Bill No. 1684 for further consideration.

The question being on the substitute motion.

Roll Call.

The Speaker ordered a roll call taken on the substitute motion by Mr. Williamson.

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Boyle, Cassidy, Clark, Donnelly, Evans, Ralph W., Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Jones, Laughlin, Lore, Martin, Mayo, McCarthy, O'Donnell, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, Walker, and Waters—29.

NOES—Andreas, Breed, Burns, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Evans, Herbert J., Field, Fisher, Fulcher, Gilmore, Hunt, Johnson, Kallam, Lyon, Maloney, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Wallace, Weber, Williamson, and Mr. Speaker—42.

Further Proceedings Under Call of the House Dispensed With.

At one o'clock and fifteen minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Lyon.

The roll of absentees was called, and Senate Bill No. 959 was passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Corwin, Cronin, Dawson, Desmond, Donihue, Donnelly, Evans, Herbert J., Flint, Fulcher, Garibaldi, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Laughlin, Lyon, Maloney, McBride, McMurray, Meehan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Rosenthal, Thorp, Turner, Utt, Voigt, Waters, and Williamson—41.

NOES—Anderson, Chatters, Clark, Cottrell, Crowley, Cunningham, DeLap, Evans, Ralph W., Field, Fisher, Frazier, Geyer, Gilmore, Johnson, Latham, Lore, Martin, Mayo, McCarthy, Miller, Minard, Morgan, Patterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Wagner, Walker, Wallace, Weber, Wright, and Mr. Speaker—37.

Title read and approved.

Notice of Reconsideration of Senate Bill No. 959.

Mr. Hornblower gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 959 was this day passed.

Unfinished Business.

Reconsideration of Senate Bill No. 233 Waived.

Mr. Turner waived his notice to reconsider the vote whereby Senate Bill No. 233 was passed.

Senate Bill No. 233 ordered transmitted to the Senate.

Further Consideration of Motion by Mr. McCarthy.

The question being on the motion by Mr. McCarthy to recall Assembly Bill No. 1684 from the Governor.

Motion to Recess.

Mr. Heisinger moved that the Assembly recess until ten o'clock a.m. of this day.

Motion carried.

Recess.

At one o'clock and thirty minutes a.m., on motion of Mr. Heisinger, the Assembly was declared at recess until ten o'clock a.m., of this day.

Reassembled.

At ten o'clock a.m., the Assembly reconvened.

Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1919—An act to add section 3a to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to definitions;

Also: Assembly Bill No. 2205—An act to add section 599.5 to the Vehicle Code, relating to unlawful displays on vehicles;

Also: Assembly Bill No. 2488—An act authorizing any county, city and county, city, town, district, or any political subdivision of the State, or any public or

municipal corporation of the State, in the letting of contracts for public work, or the doing of such work, to comply with requirements of Federal laws and of regulations and orders issued under authority thereof with respect to the awarding of contracts, hours of labor, employment preferences, and other matters covered thereby, and imposed as a condition or prerequisite to the loan or grant of Federal funds or the funds of any Federal corporation or agency in aid of such public work, and declaring this act to be an urgency measure, and providing that it take effect immediately;

Also: Assembly Bill No. 2421—An act to amend sections 1, 2, 3, and 4 of an act entitled "An act to establish salesrooms and industrial worshops for the blind, providing for the management, government and administration thereof, and making an appropriation for the establishment of a revolving fund therefor." approved June 18, 1929, relating to salesrooms and workshops for blind and physically handicapped persons;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twelfth day of June, 1935, at ten o'clock a.m.

WATERS, Chairman.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 11, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No 1182—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and to provide for the disposition of the revenues therefrom, and to provide that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No 1182 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 11, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 767—An act to amend sections 2, 2½, 3, 4, 10, 13, 14, 15, 18½ and 21, to add section 24, and to repeal sections 5 and 9 of the Old Age Security Act of the State of California, relating to aid to the aged;

Also: Assembly Bill No. 819—An act to amend sections 2167, 2167a, 2169, 2172 and 2175 of, to repeal sections 2168, 2170, 2171 and 2185c of, and to add new sections numbered 2168, 2168.1, 2168.2, 2168 3, 2168.4, 2168.5, 2168.6, 2168.7, 2168.8, 2171, 2185.1, 2185 2, 2185 3, 2185 4, 2185.5 2185 6 and 2185.7 to the Political Code, relating to persons mentally disordered or otherwise incompetent;

Also: Assembly Bill No. 1271—An act imposing an excise tax on the storage, use or other consumption in this State of tangible personal property, providing for the registration of retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof and providing that this act shall take effect immediately;

Also: Assembly Bill No. 1273—An act to amend the title and sections 2, 9, 15, 17, 18, 20, 21, 22, 23, 24, 26, 27, 29, 30 and 33 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933; to repeal section 19 of said act; to add sections 9½ and 19 to said act; all relating to the taxation of the privilege of selling renting or leasing tangible personal property; and to provide that this act shall take effect immediately;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 767, 819, 1271, and 1273 ordered on unfinished business file.

Resolution.

The following resolution was offered:

By Mr. Donihue:

Assembly Resolution.

WHEREAS, The subject of finances is at the present time one of the most important subjects confronting the State; and

WHEREAS, A check on the expenditure of State money is equally as important as the raising of State money; and

WHEREAS, The State auditing is now done by the Department of Finance and the head of that department is appointed by the Governor; and

WHEREAS, The heads of the various departments to be audited also are appointed by the Governor with the result that the auditing department is directly under the control of the executive who, through his appointive powers, is responsible for the administration of the various departments to be audited; and

WHEREAS, It is generally recognized and conceded that every audit in private as well as State business should be absolutely independent and free from any superior control or influence; and further

WHEREAS, Under the system now in effect auditing of some of the departments of the State is done only after intervals of two to six years time, which is a condition that should be changed; now, therefore, be it

Resolved by the Assembly, That a Special Assembly Committee on Auditing, consisting of five members of the Assembly, be appointed by the Speaker to study the financial affairs and auditing systems and conditions of the State and its various departments and to report thereon to the Legislature at its fifty-second regular session; and be it further

Resolved, That the committee upon appointment shall elect a secretary and appoint such other clerical and technical assistants, including auditors, as it may deem necessary; and be it further

Resolved, That all officers and employees of the State shall furnish to the committee such assistance, information and access to records as the committee request; and be it further

Resolved, That the committee is authorized to do all things necessary to make a complete investigation of the matters herein referred to and to require the production of, and access to, books, documents, reports, accounts, and papers of every kind, to issue subpenas to compel the attendance of witnesses and to procure testimony. Each member of the committee is hereby authorized to administer oaths and all the provisions of Article XIII of Chapter II of Title I of Part III of the Political Code, relating to the attendance and assemblage of witnesses before the Legislature and committees thereof shall apply to the committee created by this resolution, and the committee is hereby authorized to sit during the session of the Legislature and during the interval between sessions, at such places in the State as the committee shall from time to time determine; and be it further

Resolved, That for the purpose of paying the expenses of the committee and the members thereof, the sum of $5,000, or so much thereof as may be necessary is hereby set apart, reserved and appropriated out of the contingent fund of the Assembly, payments to be made by warrants of the State Controller drawn against the contingent fund upon written order of the chairman of the committee.

Resolution by Mr. Donihue read.

Mr. Donihue moved the adoption of the resolution.

The question being on the adoption of the resolution.

Motion to Refer Resolution.

Mr. Chatters moved that the resolution by Mr. Donihue be referred to Committee on Governmental Efficiency and Economy.

The question being on the motion by Mr. Chatters to refer the resolution by Mr. Donihue to Committee on Governmental Efficiency and Economy.

Motion to Lay Resolution on the Table.

Mr. Evans, Herbert J., moved that the resolution by Mr. Donihue be laid on the table.

The question being on the motion by Mr. Evans, Herbert J., to lay the resolution by Mr. Donihue on the table.

Roll Call.

The Speaker ordered a roll call taken on the motion to lay the resolution on the table.

The roll was called, and the motion to table was lost by the following vote:

AYES—Breed, Cottrell, Evans, Herbert J., Latham, Maloney, Martin, Minard, Peterson, Phillips, Riley, Robertson, Scudder, Stream, Thorp, Williamson, and Wright—16.

NOES—Anderson, Burns, Cassidy, Clark, Corwin, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Mayo, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Pelletier, Reaves, Richie, Rosenthal, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, and Mr. Speaker—44.

The question being on the motion by Mr. Chatters to refer the resolution by Mr. Donihue to Committee on Governmental Efficiency and Economy.

Roll Call.

The Speaker ordered a roll call taken on the motion to refer the resolution to Committee on Governmental Efficiency and Economy.

The roll was called, and the motion was lost by the following vote:

AYES—Brennan, Chatters, Corwin, Cottrell, Evans, Herbert J., Fisher, Fulcher, Johnson, Kallam, Latham, Lyon, Maloney, Minard, Nielsen, Peterson, Phillips, Riley, Stream, Williamson, and Wright—20.

NOES—Anderson, Breed, Burns, Cassidy, Clark, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Hunt, Jones, Laughlin, Lore, Martin, Mayo, McCarthy, Meehan, Miller, Morgan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Robertson, Rosenthal, Thorp, Turner, Utt, Voigt, Wagner, Walker, Weber, and Mr. Speaker—41.

The question being on the adoption of the resolution by Mr. Donihue

Roll Call.

The Speaker ordered a roll call taken on the adoption of the resolution by Mr. Donihue.

The roll was called, and the resolution was adopted by the following vote:

AYES—Anderson, Breed, Burns, Cassidy, Clark, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Laughlin, Lore, Mayo, McCarthy, Meehan, Morgan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Riley, Robertson, Rosenthal, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, and Mr. Speaker—44.

NOES—Brennan, Chatters, Corwin, Cottrell, Crowley, Evans, Herbert J., Kallam, Latham, Lyon, Maloney, Martin, Miller, Minard, Nielsen, Peterson, Phillips, Scudder, Stream, Weber, Williamson, and Wright—21.

Resolution.

The following resolution was offered:

By Mr. Heisinger:

Assembly Resolution.

WHEREAS, There are several teachers organizations in California which together have many thousands of teachers as members; and

WHEREAS, Letters and telegrams have been addressed to members of the Legislature reciting what are claimed to be abuses of power upon the part of the heads of some such organization; and

WHEREAS, In some such letters and telegrams the claim is made that some teachers have had salaries withheld until such teachers would join certain teachers organizations; and

WHEREAS, It appears from such letters, telegrams and verbal statements that some such organizations assess certain parts of teachers salaries aside from the regular dues to help defray the expenses of the said organizations; and

WHEREAS, Our teachers are a very useful, vital and necessary part of the State's well-being; and

WHEREAS, Anything which might tend to break the morale of the teachers would be to a great disadvantage to our whole social system; now, therefore, be it

Resolved, That the Speaker of the Assembly appoint a committee of three members of the Assembly to make an investigation, before the regular session of the

Legislature convenes in 1937, of all matter mentioned in this resolution or that may be in connection therewith in any manner pertaining to any and all expenses of such organizations and their activities relative to any matters relating to school affairs.

Resolved, That the committee is hereby authorized and empowered to require the production of books, agreements, documents, records, accounts and papers of every kind; to issue subpenas, to compel the attendance of witnesses and to procure testimony and so far as practicable to have material testimony reported so that the same may be available for use by the Legislature; each member of the committee is authorized to administer oaths and all of the provisions of Article VIII of Chapter II of Title I of Part III of the Political Code, relating to the attendance and assemblage of witnesses before the committee; and be it further

Resolved, That the sum of $500, or so much thereof as may be necessary for the purpose of defraying the expenses of the committee and the cost of its investigation, is hereby made available and appropriated for the use of the committee out of the contingent fund of the Assembly, and the State Controller is authorized and directed to draw his warrants in favor of the person or persons entitled thereto for such expenditures as may be certified to him from time to time by the chairman of the committee and the State Treasurer is hereby authorized and directed to pay the same.

Resolution by Mr. Heisinger read.

Mr. Heisinger moved the adoption of the resolution.

The question being on the adoption of the resolution.

Motion to Lay the Resolution on the Table.

Mr. Morgan moved that the resolution by Mr. Heisinger be laid on the table.

The question being on the motion by Mr. Morgan to lay the resolution by Mr. Heisinger on the table.

Roll Call.

The Speaker ordered a roll call taken on the motion to lay the resolution on the table.

The roll was called, and the motion to table was lost by the following vote:

AYES—Breed, Brennan, Cunningham, Fisher, Johnson, Latham, Lyon, Martin, Minard, Morgan, Nielsen, Peterson, Phillips, Redwine, Robertson, Scudder, and Wallace—17.

NOES—Anderson, Boyle, Cassidy, Crowley, DeLap, Desmond, Donihue, Donnelly, Flint, Fulcher, Geyer, Glover, Hawkins, Heisinger, Hunt, Kallam, Laughlin, Lore, Maloney, McCarthy, McMurray, Meehan, Miller, Pelletier, Richie, Rosenthal, Thorp, Wagner, Walker, Weber, and Mr. Speaker—31.

The question being on the adoption of the resolution by Mr. Heisinger.

Demand for Previous Question.

Messrs. Morgan, Fisher, Robertson, Lore and Hunt demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of the resolution by Mr. Heisinger.

Roll Call.

The Speaker ordered a roll call taken on the adoption of the resolution by Mr. Heisinger.

The roll was called, and the resolution was refused adoption by the following vote:

AYES—Anderson, DeLap, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Lore, McCarthy, Meehan, Pelletier, Reaves, Richie, Rosenthal, Scudder, Thorp, Turner, Voigt, Wagner, Wright, and Mr. Speaker—25.

NOES—Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, Evans, Herbert J., Fisher, Johnson, Kallam, Latham, Maloney, Martin, Mayo, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Stream, Walker, Wallace, Waters, and Weber—36.

Resolution.

The following resolution was offered:

By Mr. Flint:

Assembly Resolution.

Relative to traffic control in the city of Sacramento

WHEREAS, It appears to the members of the Legislature that persons driving vehicles in the city of Sacramento are especially reckless and discourteous; and

WHEREAS, It appears that an inordinate number of traffic accidents occur in the city of Sacramento; and

WHEREAS, This condition seems to be due to lack of enforcement of traffic regulations, leading to disregard of even elemental courtesies on the part of drivers of vehicles in the city; now, therefore, be it

Resolved by the Assembly of the State of California, That the city of Sacramento is hereby requested to provide adequate policing of the traffic in said city and particularly to eliminate reckless and discourteous driving for the proper protection of pedestrians and to facilitate the safe movement of vehicles; and be it further

Resolved, That this resolution be communicated to the city council and to the commissioner and chief of police of the city of Sacramento by the Chief Clerk of the Assembly.

Resolution read, and adopted unanimously.

Communication.

The following communication was received, and ordered printed in the Journal:

To the Members of the Assembly: June 11, 1935.

I respectfully desire to place charges against of misconduct in the nature of making misstatements before a Senate Committee on Insurance which in my opinion caused Assembly Bill No. 875 to be finally tabled and killed.

The person concerned is Mr. D. W. Toffelmier, lobbyist of the canning interests.

I respectfully request that the usual method of hearing on such charges be instituted.

Respectfully submitted.

CHAS. J. WAGNER,
Member Fourteenth Assembly District.

Communication read, and referred to Committee on Judiciary.

Motion to Withdraw Senate Bill No. 127.

Mr. Donnelly moved that Senate Bill No. 127 be withdrawn from Committee on Judiciary, and placed on file for second reading.

The question being on the motion by Mr. Donnelly to withdraw Senate Bill No. 127 from Committee on Judiciary, and place on file for second reading.

Roll Call.

The Speaker ordered a roll call taken on the motion to withdraw Senate Bill No. 127 from Committee on Judiciary.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Reaves, Richie, Robertson, Rosenthal, Scudder, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, and Mr. Speaker—55.

NOES—Andreas, Boyle, Brennan, Dawson, Fisher, Frazier, Maloney, Riley, Wallace, and Wright—10.

Senate Bill No. 127 ordered on file for second reading.

Motion to Withdraw Assembly Bill No. 2491.

Mr. Clark moved that Assembly Bill No. 2491 be withdrawn from Committee on Oil Industries and placed on file for second reading.

The question being on the motion by Mr. Clark to withdraw Assembly Bill No. 2491 from Committee on Oil Industries, and place on file for second reading.

Demand for Previous Question.

Messrs. Lore, Robertson, Morgan, Weber, and Lyon demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion by Mr. Clark to withdraw Assembly Bill No. 2491 from Committee on Oil Industries, and place on file for second reading.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Clark to withdraw Assembly Bill No. 2491 from Committee on Oil Industries.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Clark moved a call of the House.

Roll Call.

The Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Johnson, Jones, Kallam, Laughlin, Maloney, Martin, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Rosenthal, Turner, Voigt, Wagner, Walker, Wallace, Weber, and Mr. Speaker—50.

NOES—Hunt—1.

Time, eleven o'clock and forty minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Maloney, Martin, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Rosenthal, Turner, Voigt, Wagner, Walker, Wallace, Weber, and Mr. Speaker—51.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Unfinished Business.

Consideration of Senate Amendments to Assembly Constitutional Amendment No. 42.

Assembly Constitutional Amendment No. 42—A resolution to propose to the people of the State of California, an amendment to Article XIII of the Constitution of the State, by amending section 9a thereof, relating to the computation of taxes on unsecured property.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No. 42?

Amendment No. 1.

On page 1, line 4 of the title of the printed measure, strike out "to computation", and insert in lieu thereof the following: "to the computation of".

Amendment No. 2.

On page 1, line 5 of the title of the printed measure, strike out "refunding and collection of excess and deficiency".

Amendment No. 3.

On page 1, line 6 of the title of the printed measure, strike out "real".

Amendment No. 4.

On page 1, line 10, of the printed measure, strike out the second "upon".

Amendment No. 5.

On page 1, line 11, of the printed measure, strike out the first "of", and insert in lieu thereof the following: "upon".

Amendment No. 6.

On page 1, line 13, of the printed measure, strike out "where the same", and insert in lieu thereof the following: "which".

Amendment No. 7.

On page 1, line 14, of the printed measure, strike out "the", and insert in lieu thereof the following: "their".

Amendment No. 8.

On page 1 of the printed measure, strike out line 15, and insert in lieu thereof the following: ", shall be based upon the rates for taxes".

The roll was called, and Senate amendments to Assembly Constitutional Amendment No. 42 were concurred in by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cunningham, Dawson, DeLap, Domhue, Evans, Herbert J., Fisher, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Pelletier, Peterson, Peyser, Redwine, Richie, Rosenthal, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—52.
NOES—None.

Assembly Constitutional Amendment No. 42 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 2480.

Assembly Bill No. 2480—An act to authorize the operation of stands in State buildings by blind persons.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2480?

Amendment No. 1.

On page 1, line 3, of the printed bill, strike out "persons", and insert in lieu thereof the following: "residents, to be operated in person by such residents,".

Amendment No. 2.

On page 2 of the printed bill, after line 12, insert the following:

"SEC. 9. Every stand operated under the provisions of this act shall be exempt from any license fee by the county, city and county or city in which it is located."

The roll was called, and Senate amendments to Assembly Bill No. 2480 were concurred in by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cunningham, Dawson, DeLap, Domhue, Evans, Herbert J., Evans, Ralph W., Fisher, Frazier, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Minard, Morgan, Peterson, Peyser, Redwine, Rosenthal, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—50.
NOES—O'Donnell—1.

Assembly Bill No. 2480 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 2160.

Assembly Bill No. 2160—An act to amend sections 117d and 117q of the Code of Civil Procedure, relating to small claims courts.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2160?

Amendment No. 1.

On page 1, line 5, of the printed bill, as amended, strike out "thirteen", and insert in lieu thereof the following: "fifteen".

Amendment No. 2.

On page 1, line 15, of the printed bill, as amended, strike out "thirteen", and insert in lieu thereof the following: "fifteen".

The roll was called, and Senate amendments to Assembly Bill No. 2160 were concurred in by the following vote:

AYES—Anderson, Breed, Burns, Cassidy, Chatters, Cottrell, Cunningham, Dawson, DeLap, Evans, Herbert J., Evans, Ralph W., Fisher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Mayo, McMurray, Miller, Morgan, Pelletier, Peterson, Peyser, Reaves, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Weber, Williamson, and Mr. Speaker—46.

NOES—None.

Assembly Bill No. 2160 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 2087.

Assembly Bill No. 2087—An act to add section 171b to the Code of Civil Procedure, relating to the qualification of judges.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2087?

Amendment No. 1.

On page 1, line 7, of the printed bill, as amended, after the word "been", insert the following: "subsequently,".

Amendment No. 2.

On page 1, line 7, of the printed bill, as amended, after the word "readmitted", insert the following: ", or admitted as the case may be,".

Amendment No. 3.

On page 1, line 8, of the printed bill, as amended, strike out the period after the word "office", and add a comma and the following: "provided that the foregoing shall not apply to anyone elected and in office at the time this section becomes effective, and shall not apply so as to prevent any future election of anyone now in office."

The roll was called, and Senate amendments to Assembly Bill No. 2087 were concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Cassidy, Chatters, Corwin, Cottrell, Crowley, Dawson, DeLap, Desmond, Donihue, Evans, Herbert J., Evans, Ralph W., Fisher, Frazier, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, Miller, Morgan, Nielsen, Peterson, Peyser, Redwine, Riley, Robertson, Rosenthal, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—53

NOES—None.

Assembly Bill No. 2087 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 2285.

Assembly Bill No. 2285—An act to amend section 1626 of the Streets and Highways Code, relating to relief to special assessment districts.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2285?

Amendment No. 1.

On page 1, line 5, of the printed bill, after the word "discount", insert the following: ", and may at any time in their discretion cancel or retire,".

Amendment No. 2.

On page 1, line 7, of the printed bill, after "ments", insert the following: ", levied wholly or partly in accordance with the assessed value of lands, or levied by direct assessment,".

The roll was called, and Senate amendments to Assembly Bill No. 2285 were concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans,

Ralph W., Frazier, Fulcher, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, Meehan, Miller, Morgan, O'Donnell, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 2285 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 1282.

Assembly Bill No. 1282—An act to amend the title and to amend sections 2, 3, 4, 6, 12, 13, 15, 19 and 21 of, and to add section 6a to an act entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, as amended, relating to the adulteration, mislabeling, misbranding, advertising and sale of drugs and devices and to the powers of the State Board of Public Health in relation thereto.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1282?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "12", insert a comma and the following: "13, 15,".

The roll was called, and Senate amendment to Assembly Bill No. 1282 was concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Crowley, Dawson, DeLap, Desmond, Donihue, Evans, Herbert J., Fisher, Frazier, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Thorp, Turner, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 1282 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 2469.

Assembly Bill No. 2469—An act to add section 590 to the Vehicle Code, relating to warning devices.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2469?

Amendment No. 1.

On page 1, line 6, of the printed bill, strike out the period after the word "reflectors", and insert the following: ", which reflectors shall be of a type approved by the department."

The roll was called, and Senate amendment to Assembly Bill No 2469 was concurred in by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, Nielsen, Pelletier, Peterson, Peyser, Reaves, Redwine, Robertson, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 2469 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1870.

Assembly Bill No. 1870—An act to amend an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, relating to unfair discriminations, and declaring the urgency thereof, to take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1870?

Amendment No. 1.

On page 2, line 30, of the printed bill, as amended in Assembly May 14, 1935, strike out "Every", and insert in lieu thereof the following: "It shall be unlawful for any".

Amendment No. 2.

On page 2, line 32, of the printed bill, as amended in Assembly May 14, 1935, strike out "who shall", and insert in lieu thereof the following: "to".

Amendment No. 3.

On page 2, line 27, of the printed bill, as amended in Assembly May 14, 1935, strike out "shall be deemed", and insert in lieu thereof the following: "and shall also be".

Amendment No. 4.

On page 3, line 18, of the printed bill, as amended in Assembly May 14, 1935, after "In", insert the following: "any injunction proceeding or in".

Amendment No. 5.

On page 2, line 28, of the printed bill, as amended in Senate June 4, 1935, after "and", insert the following: "he or it".

Amendment No. 6.

On page 2, line 40, of the printed bill, as amended in Senate June 4, 1935, strike out the period, and insert in lieu thereof the following. "for any such act".

Amendment No. 7.

On page 2, line 28, of the printed bill, as amended in Senate June 7, 1935, strike out "he or it".

Amendment No. 8.

On page 2, line 39, of the printed bill, as amended in Senate June 7, 1935, after "and", as it appears the first time in said line, insert the following: "he or it".

The roll was called, and Senate amendments to Assembly Bill No. 1870 were concurred in by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Ralph W., Fisher, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 1870 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 2441.

Assembly Bill No. 2441—An act to provide for the regulation and control of the sale of certain drugs or chemicals known as dinitrophenol and thyroid, to provide penalties for the violation of this act and to provide for the enforcement hereof by the California State Board of Pharmacy.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2441?

Amendment No. 1.

On page 1, line 13. of the printed bill, as amended, strike out "one-half", and insert in lieu thereof the following: "one-tenth".

Amendment No. 2.

On page 2, line 11, of the printed bill, as amended, strike out "unless", and insert in lieu thereof the following: "and".

Amendment No. 3.

On page 2, line 12, of the printed bill, as amended, strike out "bears", and insert in lieu thereof the following. "shall bear".

The roll was called, and Senate amendments to Assembly Bill No. 2441 were concurred in by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—64.

NOES—Fisher—1.

Assembly Bill No. 2441 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1271.

Assembly Bill No. 1271—An act imposing an excise tax on the storage, use or other consumption in this State of tangible personal property, providing for the registration of retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof and providing that this act shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1271?

Amendment No. 1.

On page 2 of the printed bill, as amended, between lines 41 and 42, insert the following:

"(j) "In this State" or "in the State" means within the exterior limits of the State of California, and includes all territory within such limits owned by or ceded to the United States of America."

Amendment No. 2.

On page 13, line 6, of the printed bill, as amended, after "State", strike out ". Any", and in lieu thereof insert ", any".

Amendment No. 3.

On page 14 of the printed bill, as amended, strike out line 13, and in lieu thereof insert "of service of notice thereof. If the amount of the tax, interest and penalty, if any, specified in any assessment is not paid prior to the time the assessment becomes final, there".

Amendment No. 4.

On page 18 of the printed bill, as amended, between lines 39 and 40, insert the following:

"In any action brought under the provisions of this act process may be served according to the provisions of the Code of Civil Procedure and the Civil Code of this State or may be served upon any agent or clerk in this State employed by any retailer in a place of business maintained by such retailer in this State, in which case a copy of the process shall forthwith be sent by registered mail to the retailer at his principal or home office."

The roll was called.

Motion to Expunge Record.

Mr. Lyon moved that the vote whereby the Assembly concurred in Senate amendments to Assembly Bill No. 1271, be expunged from the record, and the action rescinded.

Roll Call.

The Speaker ordered a roll call taken on the motion to expunge the record on Assembly Bill No. 1271.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Chatters, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Fisher, Frazier, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hetsinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—61.

NOES—McCarthy—1.

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1271 by the following vote:

AYES—Cunningham—1.

NOES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Cottrell, Crowley, Dawson, DeLap, Desmond, Donnelly, Fisher, Frazier, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—58.

Consideration of Senate Amendments to Assembly Bill No. 1273.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1273?

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, after "27.", insert "29,".

Amendment No. 2.

On page 3 of the printed bill, as amended, between lines 27 and 28, insert the following:

"(i) "In this State" or "in the State" means within the exterior limits of the State of California and includes all territory within such limits owned by or ceded to the United States of America."

Amendment No. 3.

On page 10 of the printed bill, as amended, between lines 30 and 31, insert the following:

SEC. 16. Section 29 of said act is hereby amended to read as follows:

Sec. 29. All fees, taxes, interest and penalties imposed under this act must be paid to the board in the form of remittances payable to the State Board of Equalization of the State of California, and said board shall transmit such payments to the State Treasurer to be deposited in the State treasury to the credit of the "Retail sales tax fund." For expenditure by the board in carrying out the provisions of this act in addition to any other appropriations, there is hereby appropriated the amount of permit fees paid hereunder from the effective date of said act to and including June 30, 1936. All moneys in the retail sales tax fund, unless otherwise appropriated shall, upon order of the State Controller, be drawn therefrom for the purpose of refunding to the retailers hereunder or be transferred to the general fund of the State."

Amendment No. 4.

On page 10, line 31, of the printed bill, as amended, strike out "16", and insert in lieu thereof "17".

Amendment No. 5.

On page 10, line 48, of the printed bill, as amended, strike out "17", and insert in lieu thereof "18".

Amendment No. 6.

On page 11, line 12, of the printed bill, as amended, strike out "18", and insert in lieu thereof "19".

Amendment No. 7.

On page 11, line 16, of the printed bill, as amended, strike out "19", and insert in lieu thereof "20".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1273, by the following vote:

AYES—None.

NOES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly,

Evans, Herbert J., Evans, Ralph W., Fisher, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—67.

Motion to Print Assembly Bill No. 1182.

Mr. Chatters moved that the Chief Clerk instruct the State Printer to print 1000 enrolled copies of Assembly Bill No. 1182.

Motion carried.

Unfinished Business—(Resumed).

Consideration of Assembly Amendments to Senate Bill No. 718.

Senate Bill No. 718—An act to amend sections 384 and 439 of the Vehicle Code, relating to the registration and storage of vehicles.

The question being: Shall the Assembly recede from Assembly amendments to Senate Bill No. 718?

The roll was called, and the Assembly refused to recede from Assembly amendments to Senate Bill No. 718 by the following vote:

AYES—Kallam—1.

NOES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Fisher, Frazier, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—64.

Appointment of Committee on Free Conference Concerning Senate Bill No. 718.

The Speaker announced the appointment of Messrs. Peyser, Lyon and Kallam as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Senate Bill No. 718.

Consideration of Senate Amendments to Assembly Bill No. 2479.

Assembly Bill No. 2479—An act to add a new section, to be numbered 1582, to the Streets and Highways Code, relating to county highway funds.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2479?

Amendment No. 1.

On page 1 of the printed bill, strike out line 5, and insert in lieu thereof the following: "expend during the period from July 1 to December 31 in any election year".

Amendment No. 2.

On page 1 of the printed bill, strike out line 11, and insert in lieu thereof the following: "funds be expended during the period from July 1 to December 31 of any such".

The roll was called, and Senate amendments to Assembly Bill No. 2479 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Herbert J., Fisher, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Weber, Williamson, Wright, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 2479 ordered to enrollment.

Reconsideration of Senate Bill No. 15.

Senate Bill No. 15—An act to add a new section to the Penal Code to be numbered 159b, relating to the solicitation of law business.

In compliance with his notice given on a previous day, Mr. Brennan moved that the vote whereby Senate Bill No. 15 was passed be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Cassidy, Chatters, Corwin, Crowley, Dawson, Desmond, Donihue, Evans, Ralph W., Frazier, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Nielsen, O'Donnell, Peterson, Richie, Riley, Robertson, Rosenthal, Stream, Turner, Voigt, Wagner, Wallace, and Weber—45.

NOES—Breed, Burns, Cottrell, Cronin, Cunningham, DeLap, Donnelly, Evans, Herbert J., Fisher, Fulcher, Gilmore, Johnson, Miller, Minard, Morgan, Pelletier, Peyser, Phillips, Reaves, Redwine, Scudder, Thorp, Utt, Walker, Waters, Williamson, Wright, and Mr. Speaker—28.

Senate Bill No. 15 ordered on file for third reading.

Further Proceedings Under Call of the House Dispensed With.

At twelve o'clock and twenty minutes p m., further proceedings under the call of the House were dispensed with, on motion of Mr. Clark.

The roll of absentees was called, and the motion by Mr. Clark to withdraw Assembly Bill No. 2491 from Committee on Oil Industries was lost by the following vote:

AYES—Anderson, Burns, Cassidy, Clark, Cronin, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Latham, Laughlin, Lore, McCarthy, Meehan, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Richie, Riley, Rosenthal, Turner, Voigt, Wagner, Walker, Waters, and Wright—37.

NOES—Andreas, Breed, Brennan, Chatters, Corwin, Cottrell, Dawson, DeLap, Evans, Herbert J., Fisher, Frazier, Fulcher, Gilmore, Hunt, Johnson, Jones, Kallam, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Minard, Morgan, Peterson, Peyser, Phillips, Redwine, Robertson, Scudder, Stream, Thorp, Utt, Wallace, Weber, Williamson, and Mr. Speaker—38.

Recess.

At twelve o'clock and twenty minutes p.m., on the motion of Mr. Lyon, the Assembly was declared at recess until two o'clock p.m., this day.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 11, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day requests the return of Senate Bill No. 780—An act to amend the title and sections 2, 3, 4, 5, 6 and 7 of an act entitled "An act prohibiting the bringing in, sale and distribution in this State of crude petroleum oil illegally produced and of gasoline, distillate, kerosene, gas oil or other motor fuel extracted, manufactured, distilled or compounded in whole or in part, from crude petroleum oil or gas illegally produced; providing for certificates to be filed with the State Superintendent of Weights and Measures, Department of Agriculture, at the time of bringing into this State of any crude petroleum oil, gasoline, distillate, kerosene, gas oil or other motor fuel, certifying that such crude petroleum oil was not illegally produced or that such gasoline, distillate, kerosene, gas oil or other motor fuel was not extracted, manufactured, distilled or compounded from oil or gas illegally produced, and providing for a permit for taking delivery of such crude petroleum oil, gasoline, distillate,

kerosene, gas oil or other motor fuel, and the fee to be paid therefor, and prescribing penalties for violation of this act," approved June 5, 1933, and to provide for the succession to the duties, powers and funds thereunder of the Division of Weights and Measures of the State Department of Agriculture, by the State Board of Equalization;

Also: Senate Bill No. 781—An act to amend the title and sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 14a, 15, 16, 17, and 18 of an act entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures, of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of the provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, as amended, and to provide for the succession to the duties, powers and funds thereunder of the Division of Weights and Measures of the Department of Agriculture by the State Board of Equalization;

Also: Senate Bill No. 782—An act to repeal an act entitled "An act to prevent fraud or misrepresentation in the distribution or sale of gasoline, distillate and lubricating oil; regulating the distribution or sale of such products; defining the powers and duties of the Division of Weights and Measures, Superintendent of Weights and Measures, Department of Agriculture and officers and employees thereof in relation thereto; prescribing penalties for the violation of the provisions hereof; repealing acts and parts of acts inconsistent herewith and making an appropriation to carry out the provisions of this act," approved June 5, 1929;

For further consideration by the Senate

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bills Nos. 780, 781 and 782 ordered transmitted to the Senate.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 2409—An act to add sections 1217.5 and 1243.5 to the Penal Code, relating to capital punishment.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 11, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day, pursuant to request, returns herewith Assembly Bill No. 329—An act relating to codes of fair competition for certain trades and industries within this State.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 329 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on June 10, 1935, passed as amended, Assembly Bill No. 46—An act to amend section 3766 of the Political Code, relating to the publication of delinquent tax lists—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 46 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 11, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1639—An act to amend sections 2.203 and 2.204 of the School Code and to add a new section thereto to be numbered 2.134, all relating to the formation of elementary school districts;

Also: Assembly Bill No. 1053—An act requiring the compilation and publication of reports relative to the financial condition of the municipal corporations within the State;

Also: Assembly Bill No. 2456—An act to amend sections 3454 and 3455 of and to add sections 3454a and 3454b to the Political Code, relating to reclamation districts, declaring the urgency thereof and providing that this act shall take effect immediately;

Also: Assembly Bill No. 1367—An act validating the formation and organization of county sanitation districts under the provisions of an act of the Legislature of the State of California, approved May 29, 1923, as amended February 2, 1925, April 18, 1927, April 22, 1927, May 22, 1929 and June 9, 1931, and entitled, as amended, "An act authorizing the creation, government, maintenance and dissolution of county sanitation districts, the annexation of contiguous territory to such districts, the issuance of bonds by such districts and the powers thereof," and validating bonds of such districts.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1639, 1053, 2456, and 1367 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 11, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2176—An act to amend section 1065 of the Fish and Game Code, relating to sardines—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 2176 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 11, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on June 7, 1935, passed Assembly Bill No. 2445—An act to amend section 788 of the Fish and Game Code, relating to the crab season in California.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 2445 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 11, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1063—An act to provide for the revision of the Constitution of this State, including the election of delegates to the convention, the proceedings, powers, duties, and matters incidental to the convention, the submission of the revised Constitution to the people and matters incidental thereto, and making an appropriation therefor.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 1063 read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, June 11, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 12—An act to amend sections 2, 3, 4, 5, 6, 7, 10, 14, 15 and 21 and to repeal sections 9 and 18½ of the Old Age Security Act of the State of California, relating to aid to the aged

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 12 read first time, and referred to Committee on Social Service and Welfare.

Also:

SENATE CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on June 11, 1935, passed Senate Bill No. 780—An act to amend the title and sections 2, 3, 4, 5, 6 and 7 of an act entitled "An act prohibiting the bringing in, sale and distribution in this State of crude petroleum oil illegally produced and of gasoline, distillate, kerosene, gas oil or other motor fuel extracted, manufactured, distilled or compounded in whole or in part, from crude petroleum oil or gas illegally produced; providing for certificates to be filed with the State Superintendent of Weights and

Measures, Department of Agriculture, at the time of bringing into this State of any crude petroleum oil, gasoline, distillate, kerosene, gas oil or other motor fuel, certifying that such crude petroleum oil was not illegally produced or that such gasoline, distillate, kerosene, gas oil or other motor fuel was not extracted, manufactured, distilled or compounded from oil or gas illegally produced, and providing for a permit for taking delivery of such crude petroleum oil, gasoline, distillate, kerosene, gas oil or other motor fuel, and the fee to be paid therefor, and prescribing penalties for violation of this act," approved June 5, 1933, and to provide for the succession to the duties, powers and funds thereunder of the Division of Weights and Measures of the State Department of Agriculture, by the State Board of Equalization;

Also Senate Bill No. 781—An act to amend the title and sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 14a, 15, 16, 17, and 18 of an act entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures, of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; *prescribing penalties for the violation of the provisions hereof; and* repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, as amended, and to provide for the succession to the duties, powers and funds thereunder of the Division of Weights and Measures of the Department of Agriculture by the State Board of Equalization;

Also, Senate Bill No. 782—An act to repeal an act entitled "An act to prevent fraud or misrepresentation in the distribution or sale of gasoline, distillate and lubricating oil; regulating the distribution or sale of such products; defining the powers and duties of the Division of Weights and Measures, Superintendent of Weights and Measures, Department of Agriculture and officers and employees thereof in relation thereto; prescribing penalties for the violation of the provisions hereof; repealing acts and parts of acts inconsistent herewith and making an appropriation to carry out the provisions of this act," approved June 5, 1929.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 780 ordered on file for third reading.
Senate Bill No. 781 referred to Committee on Ways and Means.
Senate Bill No. 782 ordered on file for third reading.
Also:

SENATE CHAMBER, SACRAMENTO, June 11, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 318—An act to amend section 11 of the State Contract Act, relating to qualifications of bidders;

Also: Senate Bill No. 422—An act to add section 432 5 to the Fish and Game Code, relating to permits and reports;

Also: Senate Bill No 546—An act to amend sections 1104, 1108 and 1147 of Chapter 8 of Division V of the Agricultural Code, relating to the administration of standards for eggs and egg products;

Also: Senate Bill No 347—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies, and duties of the commissioner and his assistants and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith," approved May 5, 1931, as amended, by amending sections numbered 1.01 relating to definitions, 12 07 relating to bonds of officers and employees, 13 16 relating to liquidation by the Building and Loan Commissioner, 13 17 relating to assessments for salaries and expenses, 6 06 relating to payments entitled to preference, 12 04 relating to foreign associations, 13.13 relating to the commissioner's powers upon taking possession and

13 15 relating to schedules of property; and adding to said act new sections to be numbered 8.09a relating to dividends, 12 04a relating to foreign building and loan associations and 14 09 relating to liability for acts done or omitted in conformity with any rule, regulation, approval, consent, order, direction or other act of the Building and Loan Commissioner.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 11, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 609—An act to amend section 669 of the Penal Code, relating to terms of imprisonment;

Also: Senate Bill No. 618—An act to amend section 1203 of, and to add sections 1203.1 to 1203.12, inclusive to of the Penal Code, relating to probation and probation officers;

Also: Senate Bill No. 1103—An act to add section 1083c to the Political Code, relating to petitions.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 11, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to Senate Bill No. 766—An act to add section 495 of the Fish and Game Code, relating to the taking of fish—and requests that your honorable body recede therefrom.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 766 ordered on unfinished business file.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced, and referred as indicated:

By Mr. Reaves: Assembly Constitutional Amendment No. 92—Proposed amendment to Article XVI of the Constitution, by adding section 10c thereto, relative to the bond issue for assistance to unemployed cooperative groups.

Introduced, and referred to Committee on Constitutional Amendments.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Free Conference on Senate Bill No. 436—An act to add section 490.5 to the Fish and Game Code, and to amend sections 651, 652, 653, 655 and 651.6 thereof, relating to fish—the following Senators: Scollan, Young, and Garrison, to meet with a like committee from your honorable body.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No. 1837—An act to amend sections 269 and 271 of the Code of Civil Procedure, relating to the appointment, duties and compensation of phonographic reporters.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 1837 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 93—An act to amend section 69 of the Civil Code, relating to marriage licenses.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 93 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted as amended, Assembly Constitutional Amendment No. 90—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XVI thereof a new section to be numbered 12, relating to the Rector Canyon Dam Project—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Constitutional Amendment No. 90 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 704—An act to provide for the development of electric power by irrigation districts and providing for the acquisition, construction, maintenance and operation of electric power plants and providing for the levying of assessments and the collection of funds, for the issuance and sale of bonds, and providing for the control and distribution of electric energy;

Also: Senate Bill No. 705—An act to extend to irrigation districts organized and existing under the California Irrigation District Act, the power and privilege to develop hydro-electrical power and to acquire equipment, including stand-by plants, for development and distribution of electrical energy and creating of irrigation district power districts to be managed, operated and controlled under the provisions of the California Irrigation District Act;

Also: Senate Bill No. 706—An act to amend the California Irrigation District Act by adding a new section thereto, to be known as section 15½, authorizing irrigation districts, heretofore or hereafter organized, and existing under and by virtue of the provisions of the California Irrigation District Act, or any act amendatory thereof or supplemental thereto, to develop and distribute electrical power or energy by the use of any waters under the control of such district and by contract to acquire and maintain any necessary equipment therefor and to provide for the management of such operations and the financing thereof;

Also: Senate Bill No. 797—An act to add a new section to the School Code to be numbered 6 53, relating to the duties, powers and liability of governing boards of school districts and members thereof in connection with school district buildings;

Also: Senate Bill No. 1124—An act to amend sections 1193, 1217, 1228, 1239 and 1243 of the Penal Code, relating to persons convicted of the commission of crime.

J. A. BEEK, Secretary of Senate.
By CARL A SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 405—An act to add a new section to the Civil Code to be numbered 2934a, relating to substitution of trustees in trust deeds;

Also: Assembly Bill No. 1957—An act to amend the Public Utilities Act by adding two new sections numbered sections 13½ and 32½, relating to public utilities; And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 405 and 1957 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 653—An act to provide for the creation in counties and cities and counties of departments of rehabilitation declaring the urgency thereof and providing that this act shall take effect immediately;

Also: Assembly Bill No. 2427—An act to amend sections 1, 7, 8 and 9 of an act entitled "An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act; to provide for their appointment and

define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, and all other acts or parts of acts in conflict herewith," approved May 5, 1927, relating to practice of veterinary medicine.

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 653 and 2427 ordered on unfinished business file.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1935

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 385—An act to provide for the acquisition and cancellation of bonds heretofore issued under the provisions of that certain act of the Legislature of the State of California designated and known as the "Acquisition and Improvement Act of 1925"; providing for the cancellation of unpaid assessments levied for the purpose of paying the principal and interest of such bonds and of the interest and penalties thereon; providing for the issuance and payment of assessment readjustment bonds to represent certain assessments for the cost of acquisition of such outstanding bonds, including all costs and incidental expenses of proceedings under this act for the issuance of such assessment readjustment bonds; providing a method for the payment of such assessment readjustment bonds; providing a means whereby landowners and bondowners may consent and agree to such proceedings and to the modification of any contract between them involved in such proceedings; providing a method for the redemption of lost or otherwise unobtainable bonds of the issue or issues to be acquired and canceled and for the protection of the owners of such bonds; authorizing proceedings under the bankruptcy laws of the United States of America in connection with any proceedings hereunder; repealing the "Assessment Readjustment Act of 1933"; and to declare the urgency of this act, to take effect immediately;

Also: Assembly Bill No. 2435—An act to add section 642 to, and to repeal section 486 of, the Streets and Highways Code, relating to secondary State highways: And reports that the same have been correctly enrolled, and presented the same to the Governor on this twelfth day of June, 1935, at two o'clock and thirty minutes p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 44—Relating to the termination of the probationary period of all persons employed by the various departments of the State and mentioned in subdivision (e) of section 5 of Article XXIV of the Constitution of this State—and reports that the same has been correctly enrolled, and presented the same to the Governor on this twelfth day of June, 1935, at two o'clock and thirty minutes p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 61—Relative to memorializing Congress to repeal "An act to amend the Tariff Act of 1930," approved June 12, 1934;

Also: Assembly Joint Resolution No. 63—Relative to memorializing the President of the United States to make ample provision for the encouragement of the artistic, cultural, humane, patriotic and sentimental phases of our American National life in the Federal Works Plan;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this twelfth day of June, 1935, at two o'clock and thirty minutes p.m.

WATERS, Chairman

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: Your Committee on Public Morals, to which was referred Senate Bill No. 285—An act to amend sections 12, 13, and 16 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon;

to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," relating to horse racing—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

(Signed out) GARIBALDI, Chairman.
PHILLIPS.
MALONEY.
LYON.
RILEY.
CUNNINGHAM.

The above reported bill ordered on file for second reading.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1935.

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1871—An act to amend the title of the Retail Sales Tax Act of 1933, approved July 31, 1933, and to amend section 8½ of said act, relating to the collection of the tax—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1871—An act to amend the title of the Retail Sales Tax Act of 1933, approved July 31, 1933, and to amend section 8½ of said act, relating to the collection of the tax.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "the title", and insert in lieu thereof "Section 8½".

Amendment No. 2.

On page 1, lines 2 and 3 of the title of the printed bill, strike out "and to amend section 8½ of said act,"

Amendment No. 3.

Strike out all of the printed bill following the enacting clause, and insert in lieu thereof the following:

"SECTION 1. Section 8½ of the Retail Sales Tax Act of 1933, is hereby amended to read as follows.

Sec. 8½. The tax hereby imposed shall be collected by the retailer from the consumer in so far as the same can be done. The board, in order to aid in the collection of the tax from the consumer, shall create a system of issuing tokens, whereby the tax may be collected from the consumer upon every purchase no matter what the amount. This section is hereby declared to be separable and distinct from all other portions of this act, and shall not be deemed a consideration or inducement for the enactment of the whole or any portion of this act. If this section be for any reason declared invalid, the remainder of this act shall remain in full force and effect and shall be as completely operative as though this section had not been included therein."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Second Reading of Senate Bills—(Resumed).

Senate Bill No. 285—An act to amend sections 12, 13, and 16 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and

to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," relating to horse racing.

Bill read second time.

Floor Amendment.

During second reading of the bill, the following amendment was submitted by Mr. Thorp:

Amendment No. 1.

On page 2, line 31, of the printed bill, as amended, strike out the period, and insert in lieu thereof a comma and the following: "and all such moneys, to the amount of twenty-five thousand dollars ($25,000) annually for five years, to the board to be expended for the purpose of encouraging the breeding industry in California and improving the breed of horses foaled in California."

Amendment adopted.

Bill read, ordered to reprint, and third reading.

Third Reading of Assembly Bills—(Resumed).

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 2449—An act creating the California Farm Debt Adjustment Commission, defining its powers and duties and making an appropriation therefor.

In my opinion said Assembly Bill No. 2449 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 2449—An act creating the California Farm Debt Adjustment Commission, defining its powers and duties and making an appropriation therefor.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Lore:

Amendment No. 1.

On page 1, line 22, of the printed bill, after the word "act", insert the following: "The California Farm Debt Adjustment Commission shall, within thirty days prior to the regular session of the Legislature, submit to the Governor a full and true report of transactions under this law during the preceding biennium, including a complete statement of receipts and expenditures during the period."

Amendment adopted.

Request for Unanimous Consent.

Mr. Lore asked for, and was granted, unanimous consent to take up Assembly Bill No. 2449, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2449, as Amended.

Assembly Bill No. 2449, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2449, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donihue, Evans, Ralph W., Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Horn-

blower, Hunt, Johnson, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 89—A resolution to propose to the people of the State of California an amendment of Article XI of the Constitution of the State, by adding section 8c thereto, authorizing a local election to reestablish the city of Venice.

Assembly Constitutional Amendment No. 89 read.

Mr Voigt moved the adoption of Assembly Constitutional Amendment No. 89.

The question being on the adoption of Assembly Constitutional Amendment No. 89.

The roll was called, and Assembly Constitutional Amendment No. 89 adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cronin, Crowley, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Kallam, Latham, Laughlin, Lyon, Maloney, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Peyser, Phillips, Reaves, Richie, Robertson, Rosenthal, Scudder, Stream, Voigt, Wagner, Walker, Wallace, Weber, Wright, and Mr. Speaker—54

NOES—Cottrell, Cunningham, Fisher, Flint, Hunt, Johnson, Lore, Martin, McBride, Pelletier, Redwine, Utt, and Waters—13.

Title read and approved.

Assembly Constitutional Amendment No. 89 ordered transmitted to the Senate.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, June 11, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 234—An act creating a commission for the coordination of State and local governments, defining its powers and duties, and making an appropriation therefor.

In my opinion said Assembly Bill No. 234 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 234—An act creating a commission for the coordination of State and local governments, defining its powers and duties, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Breed moved a call of the House.

Roll Call.

The Speaker ordered a roll call taken on the motion for a call of the House.

The roll was called, and the motion was carried by the following vote:

AYES—Boyle, Breed, Brennan, Cassidy, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donnelly, Field, Flint, Fulcher, Garibaldi, Hawkins, Heisinger, Hunt, Johnson, Kallam, Laughlin, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Scudder, Stream, Wagner, Wallace, Waters, Weber, Wilhamson, Wright, and Mr. Speaker—40.

NOES—Geyer, Gilbert, Glover, Lore, Reaves, and Rosenthal—6.

Time, three o'clock p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Boyle, Breed, Brennan, Cassidy, Cottrell, Cronin, Crowley, Dawson, DeLap, Donnelly, Field, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Reaves, Rosenthal, Scudder, Stream, Wagner, Wallace, Waters, Weber, Wilhamson, Wright, and Mr. Speaker—46.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1825—An act to add section 929 to the Fish and Game Code, relating to and regulating the subject of fishing within the jurisdiction of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1825 passed by the following vote:

AYES—Anderson, Andreas, Brennan, Cassidy, Cottrell, Crowley, Dawson, DeLap, Donnelly, Evans, Herbert J., Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Laughlin, Lyon, Maloney, McCarthy, McMurray, Meehan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Richie, Rosenthal, Thorp, Turner, Walker, Wallace, Waters, and Weber—41

NOES—Boyle, Breed, Burns, Chatters, Clark, Corwin, Cronin, Cunningham, Donihue, Evans, Ralph W., Field, Fisher, Fulcher, Johnson, Kallam, Latham, Lore, Martin, Mayo, McBride, Miller, Minard, Morgan, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Utt, Voigt, Wagner, Williamson, Wright, and Mr. Speaker—35.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 1825.

Mr. Fisher gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1825 was this day passed.

Further Proceedings Under Call of the House Dispensed With.

At three o'clock and thirty-five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Breed.

The roll of absentees was called, and Assembly Bill No. 234 was passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Lyon, Maloney, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Pelletier, Peterson, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—58.

NOES—Anderson, Burns, Clark, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Laughlin, Lore, Martin, Mayo, McCarthy, O'Donnell, Patterson, Reaves, Rosenthal, and Voigt—19.

Title read.

Amendment to Title.

During reading of the title, the following amendment was submitted by Mr. Breed:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out the following: ", and", and insert in lieu thereof a period, and strike out all of line 3 of said title.

Amendment adopted.

Title, as amended, read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1901—An act relating to real estate transactions and imposing a tax thereon and providing for the enforcement and collection of the tax, this act to take effect immediately.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lyon:

Amendment No. 1.

On page 1, line 9, of the printed bill, as amended, strike out "paid or received," and insert in lieu thereof the following: "therefor or the value of the interest or property conveyed,".

Amendment No. 2.

On page 2, of the printed bill as amended, strike out lines 7 to 47, and insert in lieu thereof the following:

"SEC. 2. Payment of the tax imposed by this act shall be evidenced by affixing adhesive stamps to each deed, instrument, or writing by which the title to any real property in this State is granted, assigned, transferred or otherwise conveyed. The person using or affixing such stamps shall write or stamp, or cause to be written or stamped thereon the initials of his or its name and the date on which the same is attached or used, so that the same may not again be used. The commissioner may, however, prescribe such other method for the cancellation of such stamps as he may deem expedient.

SEC. 3. The Franchise Tax Commissioner, herein designated commissioner, shall cause to be prepared and distributed for the payment of the tax imposed by this act suitable stamps denoting the tax on the document to which the same may be affixed, and shall prescribe such method for the affixing of said stamps in substitution for or in addition to the method provided in this act as he may deem expedient.

SEC. 4. The commissioner shall furnish the recorder of each county a suitable quantity of such stamps to be kept on sale by the several county recorders of the State. The duty of handling and selling such stamps and accounting for the proceeds thereof is hereby imposed upon the several county recorders of this State. The commissioner may require each county recorder to file with him a corporate surety bond, in such sum as the commissioner shall designate, conditioned upon the faithful performance of the duties imposed upon such county recorder by this act, and all premiums on such bonds shall be paid by the commissioner out of moneys appropriated for the administration of this act. Each county recorder shall deposit the receipts from the sale of stamps to the credit of and render accounts to the commissioner at such times and in such forms as the latter may by regulation prescribe. The records of stamps received and sold by each county recorder shall be subject to audit by the commissioner or his

representative at all times All moneys and remittances received under this act by the commissioner shall be transmitted promptly to the Treasurer of the State of California for deposit to the credit of the general fund, and copies of the schedules covering such transmittals shall be furnished at the same time to the State Controller.

SEC. 5. Whoever makes, signs, issues, or accepts, or causes to be made, signed, issued, or accepted, any deed, instrument, document or writing without the full amount of tax thereon being duly paid is guilty of a misdemeanor and in addition thereto, shall be liable to the State of California for three times the amount of any tax required by this act to be paid At any time within three years from the date of recordation of any such deed, instrument, document, or writing, action may be commenced in the name of the people of the State of California in any court of competent jurisdiction for the recovery of the penalty imposed by this section. The Attorney General must prosecute such action In such action a writ of attachment may issue and no bond or affidavit previous to the issuing of said attachment is required.

SEC. 6 Whoever makes use of any adhesive stamp to denote any tax imposed by this act without cancelling or obliterating such stamp as prescribed in section 2 hereof, is guilty of a misdemeanor.

SEC 7. Any person who makes any transfer, for security or otherwise, for the purpose of evading the payment of the tax imposed by this act is guilty of a misdemeanor.

SEC. 8. Any person who knowingly removes or alters any cancellation mark on any stamp, or who uses or has in his possession any restored, washed, altered, forged, or counterfeit stamp, or who fraudulently removed any stamp affixed pursuant to the requirements of this act, is punishable by a fine of not less than one thousand dollars or by imprisonment in the State prison for not less than one year, or both.

SEC. 9. The sum of _____ dollars is hereby appropriated out of any moneys in the State treasury not otherwise appropriated, for the use of the Franchise Tax Commissioner in carrying out the provisions of this act and for the payment of refunds for spoiled or unused stamps.

SEC. 10. The commissioner may employ such personnel as he may require to properly administer this act, and the salaries of such personnel shall be such as he may prescribe in the manner provided by law, and the commissioner and such personnel shall be allowed any reasonable and necessary traveling and other expenses incurred in the performance of their duties. The commissioner may require any employees he may designate to give bond for the faithful performance of their duties in such sum and such sureties as he may determine, and all premiums on such bonds shall be paid by the commissioner out of moneys appropriated for the administration of this act

SEC. 11. Inasmuch as this act provides for a tax levy for the usual current expenses of the State, it shall, under the provisions of section 1 of Article IV of the Constitution of this State, take effect immediately."

Amendment No. 3.

On page 2, line 2, of the printed bill, as amended, strike out "nor (e)", and insert in lieu thereof the following: "(e) to any deed, instrument or writing by which any real property or interest therein is transferred or conveyed to the State of California to be used as a right of way for highway purposes, nor (f)".

Amendments adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Assembly Bill No. 2492—An act to amend section 38 of the "Alcoholic Beverage Control Act," relating to powers of the board and the persons employed by the board.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2492 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 378—An act to amend section 274 of the Penal Code, relating to the crime of abortion.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 378 finally passed by the following vote.

AYES—Anderson, Boyle, Breed, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, DeLap, Desmond, Donihue, Evans, Herbert J., Field, Fisher, Fulcher, Garibaldi, Gever, Gilmore, Glover, Hawkins, Heisinger, Hunt, Kallam, Latham, Laughlin, Maloney, Martin, Mayo, McBride, McCarthy, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Wright, and Mr Speaker—55

NOES—Cassidy, Evans, Ralph W, Flint, Frazier, Hornblower, Johnson, Jones, Lore, McMurray, Meehan, Patterson, Peyser, Rosenthal, and Williamson—14.

Title read and approved.

Notice of Reconsideration of Senate Bill No. 378.

Mr. Williamson gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 378 was this day passed.

Senate Bill No. 471—An act to amend section 100 of the Insurance Code, to add section 106a thereto, and to add a new chapter to Part 2 of Division 2 of said code, to be numbered Chapter 13, comprising sections 11526 to 11545, inclusive, all relating to medical and hospital service insurers.

Bill read third time

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Maloney:

Amendment No. 1.

On page 2 of the printed bill, as amended in the Assembly May 23, 1935, strike out lines 36 and 37, and insert in lieu thereof the following.

"(d) Nonprofit hospitals, hospital associations or hospital departments, any of which hospitals, associations or departments are chiefly maintained by dues or other".

Amendment adopted.

Request for Unanimous Consent.

Mr. Maloney asked for, and was granted, unanimous consent to take up Senate Bill No. 471, as amended, at this time, without reference to reprint or file.

Senate Bill No. 471, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Garibaldi.

Amendment No. 1.

On page 1, line 11, of the printed bill, as amended, strike out the words "medical and".

Amendment No. 2.

On page 2 of the printed bill, as amended, section 2, strike out lines 7 to 16, inclusive, and insert in lieu thereof the following:

"106a Hospital service insurance includes the contracting by way of insurance for the furnishing or procuring of maintenance, bed and board in hospital, nursing care, drugs, medicines, transportation and material appliances required by reason of illness, injury or disablement."

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out lines 20 to 51, inclusive, and insert in lieu thereof,

"Chapter 13. Hospital Service Insurers.

11526. The provisions of this chapter shall not apply to or affect hospital service furnished or procured by:

(a) Employers, whether directly or by means of workmen's compensation insurance, to their employees in full or partial compliance with workmen's compensation laws.

(b) Hospital departments any of which are chiefly maintained by dues or contributions from employees of a common employer or of a group of affiliated employers, the services of which are confined to such employees, disabled in or by reason of the operations of the employer or group of employers."

Amendment No. 4.

On page 3 of the printed bill, as amended, strike out lines 1 to 4, inclusive.

Amendment No. 5.

On page 3, line 8, of the printed bill, as amended, strike out the words "medical and".

Amendment No. 6.

On page 3, line 18, of the printed bill, as amended, strike out the words "and above", and insert in lieu thereof "to six thousand inclusive"; and between lines 18 and 19, insert the following: "and an additional two thousand five hundred dollars of capital for each one thousand persons over six thousand".

Amendment No. 7.

On page 3, line 20, of the printed bill, as amended, strike out the words "medical and".

Amendment No. 8.

On page 3, line 23, of the printed bill, as amended, strike out the words "medical and".

Amendment No. 9.

On page 3, line 29, of the printed bill, as amended, strike out the words "medical and".

Amendment No. 10.

On page 3, line 34, of the printed bill, as amended, after the word "annually", insert the following: "All premium charges, however, shall be regulated by the commissioner to the end that no hospital service insurer shall charge or receive any premium for hospital service in excess of that reasonably required to maintain its paid-in capital and a reasonable reserve and no hospital service insurer shall operate for profit."

Amendment No. 11.

On page 3 of the printed bill, as amended, after line 41, insert the following:

"11535a. No hospital service insurance policy shall be issued or delivered to any person in this State:

(a) Unless the entire consideration therefor is expressed in the policy;

(b) Unless the times at which the insurance takes effect and terminates are stated in a portion of the policy above the evidence of its execution by the insurer;

(c) If the policy purports to insure more than one person;

(d) Unless every printed portion and any indorsements or attached papers are plainly printed in type of which the face is not smaller than ten point;

(e) Unless the exceptions of the policy are printed with the same prominence as the benefits to which they apply;

(f) Unless if any portion of such policy purports by reason of the circumstances under which a loss is incurred to reduce any hospital service to less than that provided for the same service occurring under ordinary circumstances, such portion is printed in bold face type and with greater prominence than any other portion of the text of the policy;

(g) If it contains any provisions purporting to make any portion of the charter, constitution or by-laws of the insurer a part of the policy unless such portion is set forth in full in the policy;

(h) Unless such policy provides that at least the following service shall be furnished to the insured under the terms of the policy: Ward bed and board in hospital and such nursing care as may be prescribed by the insured's attending physician *for not less than twenty-one days; such essential drugs and medicines* necessary for the insured as may be prescribed by the insured's attending physician; such material appliances necessary for the care and treatment of the insured as may be prescribed by the insured's attending physician; and no indorsement or attached papers shall reduce or minimize the requirements of this subparagraph.

(i) Every policy for hospital service insurance shall contain in black face type not less than ten point the following provision: Nothing in this policy contained

shall in any way or manner restrict or interfere with the right of the insured hereunder to make a free choice of his attending physician who shall be the holder of a valid and unrevoked physician's and surgeon's certificate entitling him to practice medicine and surgery in the State of California, and who shall have the right to attend the insured professionally in any hospital furnishing hospital service provided by this policy."

Amendment No. 12.

On page 4, line 2, of the printed bill, as amended, strike out the words "medical and".

Amendment No. 13.

On page 4, line 8, of the printed bill, as amended, strike out the words "medical and".

Amendment No. 14.

On page 4, line 13, of the printed bill, as amended, strike out the words "medical and".

Amendment No. 15.

On page 4, line 18, of the printed bill, as amended, strike out the words "medical and".

Amendment No. 16.

On page 4, line 52, of the printed bill, as amended, strike out the words "professional services of".

Amendment No. 17.

On page 4 of the printed bill, as amended, after line 52, insert the following:

"11544a. The State Board of Health shall have power to investigate, regulate and control the operations and affairs of all insurers operating pursuant to the provisions of this chapter with respect to the furnishing or procuring of hospital maintenance, bed and board, nursing care, drugs, medicines, transportation and material appliances for or on behalf of an insured. In the event that the board shall find that the insurer's operations and activities are not fair, just and equitable or that the services rendered by the insurer are not for the benefit of the public health and welfare, the board shall thereupon notify the commissioner in writing to that effect. Upon receipt of such notice, it shall be the duty of the commissioner to revoke the certificate of authority of such insurer to transact hospital service insurance in this State."

Amendment No. 18.

On page 5 of the printed bill, as amended, strike out lines 1 to 34, inclusive, and insert in lieu thereof the following:

"11545. This chapter shall not authorize, and nothing in this chapter shall be construed as authorizing any corporation or any insurer licensed hereunder, or any person other than the holder of a valid and unrevoked physician's and surgeon's certificate to practice medicine and surgery directly or indirectly or to furnish the professional services of physicians and surgeons."

Consideration of Amendment No. 6.

The question being on Amendment No. 6 submitted by Mr. Garibaldi to Senate Bill No. 471.

Roll Call.

The Speaker ordered a roll call taken on Amendment No. 6 submitted by Mr. Garibaldi.

The roll was called, and Amendment No. 6 was adopted by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Chatters, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Garibaldi, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Mayo, McBride, McMurray, Nielsen, O'Donnell, Patterson, Peterson, Peyser, Redwine, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—47.

NOES—Anderson, Andreas, Cassidy, Clark, Donihue, Evans, Ralph W., Fulcher, Geyer, Gilbert, Laughlin, Lore, Maloney, Martin, McCarthy, Meehan, Miller, Morgan, Pelletier, Reaves, Richie, Rosenthal, and Wagner—22.

Request for Unanimous Consent.

Mr. Maloney asked for, and was granted, unanimous consent to take up Senate Bill No. 471, as amended, at this time, without reference to reprint or file.

Senate Bill No. 471, as amended, read third time.

Consideration of Amendment No. 10.

The question being on Amendment No. 10 submitted by Mr. Garibaldi to Senate Bill No. 471.

Roll Call.

The Speaker ordered a roll call taken on Amendment No. 10 submitted by Mr. Garibaldi.

The roll was called, and Amendment No. 10 was adopted by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Garibaldi, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Mayo, McMurray, Miller, Nielsen, O'Donnell, Patterson, Peterson, Peyser, Phillips, Redwine, Robertson, Scudder, Stream, Walker, Wallace, Waters, Wright, and Mr. Speaker—48.

NOES—Anderson, Andreas, Cassidy, Clark, Donihue, Fulcher, Geyer, Laughlin, Lore, Maloney, Martin, McCarthy, Meehan, Morgan, Pelletier, Reaves, Richie, Riley, Rosenthal, Thorp, and Wagner—21.

Request for Unanimous Consent.

Mr. Maloney asked for, and was granted, unanimous consent to take up Senate Bill No. 471, as amended, at this time, without reference to reprint or file.

Senate Bill No. 471, as amended, read third time.

Consideration of Amendment No. 11.

The question being on Amendment No. 11 submitted by Mr. Garibaldi to Senate Bill No. 471.

Roll Call.

The Speaker ordered a roll call taken on Amendment No. 11 submitted by Mr. Garibaldi.

The roll was called, and Amendment No. 11 was adopted by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Garibaldi, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Mayo, McBride, McMurray, Miller, Nielsen, Patterson, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Utt, Wagner, Walker, Wallace, Waters, Weber, and Mr. Speaker—49.

NOES—Anderson, Andreas, Cassidy, Clark, Donihue, Fulcher, Geyer, Laughlin, Lore, Maloney, Martin, McCarthy, Meehan, Morgan, Pelletier, Reaves, Richie, Rosenthal, and Thorp—19.

Request for Unanimous Consent.

Mr. Maloney asked for, and was granted, unanimous consent to take up Senate Bill No. 471, as amended, at this time, without reference to reprint or file.

Senate Bill No. 471, as amended, read third time.

Consideration of Amendment No. 2.

The question being on Amendment No. 2 submitted by Mr. Garibaldi to Senate Bill No. 471.

Roll Call.

The Speaker ordered a roll call taken on Amendment No. 2 submitted by Mr. Garibaldi.

The roll was called, and Amendment No. 2 was adopted by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Garibaldi, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lyon, Mayo, McBride, McMurray, Miller, Nielsen,

O'Donnell, Pelletier, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Utt, Walker, Wallace, Waters, Wright, and Mr. Speaker—51.

NOES—Anderson, Andreas, Cassidy, Clark, Donihue, Fulcher, Geyer, Gilbert, Glover, Laughlin, Lore, Maloney, Martin, Meehan, Morgan, Patterson, Reaves, Richie, Thorp, Wagner, and Williamson—21.

Request for Unanimous Consent.

Mr. Maloney asked for, and was granted, unanimous consent to take up Senate Bill No. 471, as amended, at this time, without reference to reprint or file.

Senate Bill No. 471, as amended, read third time.

Consideration of Amendments Nos. 1, 3, 4, 5, 7, 8, 9, 12, 13, 14, 15, 16, 17, and 18.

The question being on Amendments Nos. 1, 3, 4, 5, 7, 8, 9, 12, 13, 14, 15, 16, 17, and 18 to Senate Bill No. 471.

Amendments Nos. 1, 3, 4, 5, 7, 8, 9, 12, 13, 14, 15, 16, 17, and 18 adopted.

Request for Unanimous Consent.

Mr. Maloney asked for, and was granted, unanimous consent to take up Senate Bill No. 471, as amended, at this time, without reference to reprint or file.

Senate Bill No. 471, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Geyer:

Amendment No. 1.

On page 2, lines 11 and 12, of the printed bill, as amended, strike out ", excluding dentistry".

Amendment No. 2.

On page 2, line 14, of the printed bill, as amended, after "osteopaths," insert the following: "dentists".

Amendment No. 3.

On page 5, line 6, of the printed bill, as amended, after "D.O.", insert the following: "Professional services of dentists rendered hereunder shall be rendered only by doctors of dental surgery holding an unrevoked license to practice dentistry in this State and a degree either of D.D.S. or D.M.D."

Amendment No. 4.

On page 5 of the printed bill, as amended, after line 22, insert the following: "or D.O. This chapter shall not authorize any person to write medical and hospital service insurance including the professional services of dentists or services appertaining to dentistry unless such person holds an unrevoked license to practice dentistry in this State and also holds the degree either of D.D.S. or D.M.D. This chapter shall not authorize any person".

Amendment No. 5.

On page 5 of the printed bill, as amended, strike out line 29, and insert in lieu thereof the following: "to".

Amendment No. 6.

On page 5 of the printed bill, as amended, strike out lines 35 to 45, inclusive, and insert in lieu thereof the following: "holds the degree of D.O."

Withdrawal of Amendments.

Mr. Geyer withdrew his amendments.

Senate Bill No. 471, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Johnson:

Amendment No. 1.

On page 5, line 15, of the printed bill, as amended May 23, 1935, after the word "corporation", add the following: "organized for profit".

Amendment adopted.

Bill read, ordered to reprint, and third reading.

Motion to Re-refer Senate Bill No. 100.

Mr. Desmond moved that Senate Bill No. 100 be withdrawn from file, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Senate Bill No. 100 to Committee on Ways and Means.

Motion carried.

Senate Bill No. 100 ordered re-referred to Committee on Ways and Means.

Recess.

At five o'clock and ten minutes p.m., on motion of Mr. Cottrell, the Assembly was declared at recess until nine o'clock p.m., of this day.

Reassembled.

At nine o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Privilege of Floor of Assembly Extended.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. H. D. Channing of Turlock.

Unfinished Business—(Resumed).

Motion to Reconsider Assembly Bill No. 2412 Continued.

Mr. Turner moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No 2412 was passed be continued until the next legislative day.

Motion carried.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No. 437—An act to amend section 112 of, and to add section 112a to, the Code of Civil Procedure, relating to the jurisdiction of justices' courts—and appointed Senators Knowland, Olson, and Hays, as a Committee on Conference, to meet a like committee from the Assembly.

J. A. BEEK, Secretary of Senate.
By CARL A SHIPKEY, Assistant Secretary.

Appointment of Committee on Free Conference Concerning Assembly Bill No. 437.

The Speaker announced the appointment of Miss Miller and Messrs. Wright and Cunningham, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Assembly Bill No. 437.

Also:

SENATE CHAMBER, SACRAMENTO, June 12, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No. 1346—An act to amend section 107 of the Penal Code, relating to punishment for escape of a prisoner—and appointed Senators Knowland, Young, and Difani as a Committee on Conference, to meet a like committee from the Assembly.

J A BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Appointment of Committee on Free Conference Concerning Assembly Bill No. 1346.

The Speaker announced the appointment of Messrs. Phillips, Corwin, and Martin, as a Committee on Free Conference, to meet with a like

committee from the Senate for the consideration of Assembly Bill No. 1346.

Also:

SENATE CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1119—An act relating to licensing and taxing of vehicles, including certain license fees based upon value in lieu of taxation according to value, and providing for the administration and enforcement thereof.

J. A. BEEK, Secretary of Senate.
By CARL A SHIPKEY, Assistant Secretary.

Senate Bill No. 1119 read first time.

Request for Unanimous Consent.

Mr. Lyon asked for unanimous consent to take up Senate Bill No. 1119, at this time, without reference to committee or file.

Objection to Unanimous Consent.

Mr. Flint objected to unanimous consent to the consideration of Senate Bill No. 1119.

Motion to Suspend the Rules.

Mr. Lyon moved that the rules be suspended for purpose of considering Senate Bill No. 1119 at this time.

The question being on the motion by Mr. Lyon to suspend the rules.

The roll was called.

Motion for Call of the House.

Pending the announcement of the vote, Mr. Flint moved a call of the House.

Motion lost.

The question being on the motion of Mr. Lyon to suspend the rules.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Lyon to suspend the rules.

The roll was called, and the motion was carried by the following vote:

AYES—Andreas, Brennan, Dawson, DeLap, Donihue, Evans, Herbert J., Field, Frazier, Fulcher, Gilmore, Johnson, Kallam, Latham, Lyon, Maloney, Marin, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Phillips, Reaves, Riley, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—36.

NOES—Anderson, Crowley, Flint, Geyer, Gilbert, Glover, Hawkins, Laughlin, Lore, Mayo, O'Donnell, Rosenthal, Turner, and Wagner—14.

Consideration of Senate Bill No. 1119.

Senate Bill No. 1119—An act relating to licensing and taxing of vehicles, including certain license fees based upon value in lieu of taxation according to value, and providing for the administration and enforcement thereof.

Case of Urgency.

The following resolution was offered:

By Mr. Lyon:

Resolved, That Senate Bill No. 1119 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Mr. Lyon moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Frazier moved a call of the House.

Motion carried.

Time, nine o'clock and twenty minutes p m

The Speaker directed the Sergeant-at-Arms to close the doors

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Reaves, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—66.

The Chief Clerk announced the absentees

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Motion to Re-refer Senate Bill No. 156.

Mr. Kallam moved that Senate Bill No. 156 be withdrawn from file, and ordered re-referred to Committee on County Government.

The question being on re-referring Senate Bill No. 156 to Committee on County Government.

Motion carried.

Senate Bill No. 156 ordered re-referred to Committee on County Government.

Motion to Strike House Resolution by Messrs. Turner et al. from File.

Mr. Turner moved that the House resolution by Messrs. Turner et al. be stricken from the file.

Motion carried.

House resolution by Messrs. Turner et al. ordered stricken from the file.

Motion to Re-refer Assembly Bill No. 2118.

Mr. Latham moved that Assembly Bill No. 2118 be withdrawn from file, and ordered re-referred to Committee on Revenue and Taxation.

The question being on re-referring Assembly Bill No. 2118 to Committee on Revenue and Taxation.

Motion carried.

Assembly Bill No. 2118 ordered re-referred to Committee on Revenue and Taxation.

Further Proceedings Under Call of the House Dispensed With.

At nine o'clock and thirty-five minutes p m., further proceedings under the call of the House were dispensed with, on motion of Mr. Lyon.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Lyon moved a call of the House.

Motion carried.

Time, nine o'clock and thirty-six minutes p.m

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—71.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Contingent Expenses.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: Your Committee on Contingent Expenses, to which was referred the following resolutions by Mr. Walker:

Assembly Resolution.

Resolved, That the Controller be and is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Joseph P. Gilmore (flowers to Ralph Welsh)	$10 25
Virginia Crossan (illuminating memorials)	12 50
Joseph P. Gilmore (flowers to Mrs. John McCarthy)	10 25
Joseph P. Moloney (taxi fare)	75

Resolution read, and referred to Committee on Contingent Expenses.

Also:

Assembly Resolution.

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred fifty dollars ($150), said amount being for the payment of postage, telegraphing, expressage, and incidental expenses of the Chief Clerk's office.

Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted.

WALKER, Chairman.

Report and resolutions of Committee on Contingent Expenses read.

Mr. Walker moved the adoption of the report and resolutions.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolutions adopted by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Cassidy, Chatters, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Fisher, Flint, Frazier,

Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, Patterson, Pelletier, Reaves, Riley, Rosenthal, Scudder, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—51.

NOES—None.

Reports of Committees on Free Conference.

The following reports of Committees on Free Conference were received and read:

Concerning Senate Bill No. 436.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: Your Committee on Free Conference concerning Senate Bill No. 436—An act to add section 490.5 to the Fish and Game Code, and to amend sections 651, 652, 653, 655 and 651.6 thereof, relating to fish—reports that it has met a like committee of the Senate, consisting of Senators Scollan, Garrison and Young, and reports that the Committee on Free Conference has agreed to recommend the following:

That the Senate concur in the Assembly amendments, and that the bill be further amended as follows:

Amendment No. 1.

On page 1, line 5, of the printed bill, as amended, strike out "broad bill swordfish,".

Amendment No. 2.

On page 2, lines 3 and 4, of the printed bill, as amended, strike out "from its mouth to the Mendota Weir, at or near Mendota", and insert in lieu thereof the following: "lying within the boundaries of Stanislaus County".

DONNELLY,
HORNBLOWER,
REDWINE,
Assembly Committee on Free Conference.

SCOLLAN,
GARRISON,
YOUNG,
Senate Committee on Free Conference.

Report of Committee on Free Conference concerning Senate Bill No. 436 read.

Mr. Hornblower moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—64.

NOES—None.

Concerning Assembly Bill No. 1346.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1935

MR. SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 1346—An act to amend section 107 of the Penal Code, relating to punishment for escape of a prisoner—reports that it has met a like committee of the Senate, consisting of Senators Knowland, Difani and Young, and reports that the Committee on Free Conference has agreed to recommend the following:

That the Assembly concur in the Senate amendments, and that the bill be further amended as follows:

Amendment No. 1.

On page 1, line 4, of the printed bill, as amended, after "prison or", insert the following: "who is".

Amendment No. 2.

On page 1, line 17, of the printed bill, as amended, strike out "fined", and insert in lieu thereof the following: "by a fine".

PHILLIPS,
CORWIN,
MARTIN,
Assembly Committee on Free Conference.

KNOWLAND,
DIFANI,
YOUNG,
Senate Committee on Free Conference.

Report of Committee on Free Conference concerning Assembly Bill No. 1346 read.

Mr. Phillips moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Peterson, Phillips, Reaves, Redwine, Rosenthal, Scudder, Thorp, Turner, Utt, Wagner, Walker, Wallace, Weber, Welsh, Wright, and Mr. Speaker—58.

NOES—None.

Unfinished Business—(Resumed).

Consideration of Assembly Amendments to Senate Bill No. 406.

Senate Bill No. 406—An act to amend section 610 of the Fish and Game Code, relating to trout and whitefish.

The question being: Shall the Assembly recede from Assembly amendments to Senate Bill No. 406?

The roll was called, and the Assembly refused to recede from Assembly amendments to Senate Bill No. 406 by the following vote:

AYES—None.

NOES—Anderson, Andreas, Breed, Brennan, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Phillips, Reaves, Redwine, Riley, Rosenthal, Scudder, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—61.

Consideration of Senate Amendment to Assembly Bill No. 2053.

Assembly Bill No. 2053—An act to amend the Building and Loan Association Act by adding a new section thereto to be numbered 6.01a, relating to withdrawal claims maturing in installments.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2053?

Amendment No. 1.

On page 2 of the printed bill, as amended, immediately following line 30, insert the following:

"The provisions of this section shall govern the withdrawal and other rights of the holders of all shares and investment certificates whether heretofore or hereafter issued, and whether or not withdrawal claims shall have heretofore been filed unless such previously filed claims shall have heretofore matured."

The roll was called, and Senate amendment to Assembly Bill No. 2053 was concurred in by the following vote:

AYES—Andreas, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Fisher, Flint, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Maloney,

Martin, Mayo, McBride, McMurray, Miller, Minard, Nielsen, Pelletier, Peterson, Redwine, Riley, Rosenthal, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—54.

NOES—None.

Assembly Bill No 2053 ordered to enrollment.

Consideration of Assembly Amendments to Senate Constitutional Amendment No. 18.

Senate Constitutional Amendment No 18—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XIII thereof, a new section to be numbered 17, relating to the power of the Legislature to provide for the borrowing of money to meet appropriations made by law, in anticipation of the collection of taxes and revenues.

The question being: Shall the Assembly recede from Assembly amendments to Senate Constitutional Amendment No. 18?

The roll was called, and the Assembly refused to recede from Assembly amendments to Senate Constitutional Amendment No. 18, by the following vote:

AYES—Gilbert and Rosenthal—2.

NOES—Breed, Brennan, Cassidy, Clark, Corwin, Cronin, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Herbert J., Fisher, Flint, Fulcher, Garibaldi, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Redwine, Riley, Thorp, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—54.

Third Reading of Assembly Bills—(Resumed).

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 755—An act to amend section 1 of an act entitled "An act making an appropriation to the State Board of Control to pay claims against the State of California," approved June 16, 1933, relating to claims against the State.

In my opinion said Assembly Bill No. 755 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 755—An act making an appropriation to the State Board of Control to pay certain claims against State of California, and repealing an act herein specified.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 755 passed by the following vote:

AYES—Andreas, Breed, Brennan, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Herbert J., Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Thorp, Wagner, Walker, Wallace, Weber, Welsh, Wright, and Mr. Speaker—58.

NOES—Flint—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 916—An act to add sections 3a, 15a and 20a to "The California Agricultural Adjustment Act of 1935," relating to ways, means, and moneys, and providing and appropriating moneys, for the administration and enforcement thereof and of regulation of producers, packers, distributors, shippers, marketers, handlers, processors, and others dealing in agricultural, viticultural, horticultural, animal, and poultry products and of any competing commodity or product thereof thereunder, and under the legislative standards in relating to the rehabilitation of agriculture therein specified, and declaring the existence of a State and National agricultural emergency and the urgency of this act and that this act shall take effect immediately.

In my opinion said Assembly Bill No. 916 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 916—An act to add section 15a to "The California Agricultural Adjustment Act of 1935," relating to ways, means, and moneys, and providing and appropriating moneys, for the administration and enforcement thereof and of State and Federal marketing agreements and licenses and the regulation of producers, packers, distributors, shippers, marketers, handlers, processors, and others dealing in agricultural, viticultural, horticultural, animal, and poultry products and of any competing commodity or product thereof, thereunder, and under the legislative standards in relating to the rehabilitation of agriculture therein specified, and declaring the existence of a State and National agricultural emergency and the urgency of this act and that this act shall take effect immediately.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Scudder, Thorp, Utt, Wagner, Walker, Waters, Weber, Welsh, Wright, and Mr. Speaker—61.

NOES—McCarthy, and Wallace—2

Assembly Bill No. 916 read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Phillips:

Amendment No. 1.

On page 1, line 7, of the printed bill, as amended, after "handling", insert the following: "or marketing".

Amendment No. 2.

On page 1, line 11, of the printed bill, as amended, after "handling", insert the following: "or marketing".

Amendment No. 3.

On page 2, line 8, of the printed bill, as amended, strike out "Agricultural", and insert in lieu thereof the following: "Agriculture".

Amendment No. 4.

On page 2 of the printed bill, as amended, between lines 38 and 39, insert the following:

"SEC. 3. Section 20a is hereby added to the act cited in the title hereof, to read as follows:".

Amendment No. 5.

On page 4, line 10, of the printed bill, as amended, strike out "3", and insert in lieu thereof the following: "4".

Amendments adopted.

Request for Unanimous Consent.

Mr. Phillips asked for, and was granted, unanimous consent to take up Assembly Bill No. 916, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 916, as Amended.

Assembly Bill No. 916, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 916, as amended, passed by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Scudder, Thorp, Utt, Wagner, Walker, Waters, Weber, Welsh, Wright, and Mr. Speaker—61.

NOES—McCarthy and Wallace—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 2040—An act making an appropriation to pay the claim of the chief accounting officer of the Department of Finance against the State of California.

In my opinion said Assembly Bill No. 2040 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 2040—An act making an appropriation to pay the claim of the Superintendent of Accounts of the Department of Finance against the State of California.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Cottrell:

Amendment No. 1.

On page 1, lines 2, 3, and 4, of the printed bill, as amended, strike out the following: "one hundred thirty-three thousand nine hundred ninety-eight and eighty-one one-hundredths dollars ($133,998.81)", and insert in lieu thereof the following: "one hundred thirty-six thousand three hundred forty-one and eighty-one one-hundredths dollars ($136,341.81)".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out all of lines 20 to 23, inclusive, and insert in lieu thereof the following:

"SEC. 2. The sum of one hundred thirty-six thousand three hundred forty-one and eighty-one one-hundredths dollars ($136,341.81) shall be paid as follows: one hundred seven thousand two hundred eighty-one and seventy-seven one-hundredths dollars ($107,281.77) out of any".

Amendments adopted.

Request for Unanimous Consent.

Mr. Cottrell asked for, and was granted, unanimous consent to take up Assembly Bill No. 2040, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2040, as Amended.

Assembly Bill No. 2040, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2040, as amended, passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—69.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the House Dispensed With.

At ten o'clock and twenty minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Lyon.

The roll of absentees was called, and the resolution to suspend the Constitution for purpose of consideration of Senate Bill No. 1119 was adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—75.

NOES—Patterson, Richie, and Rosenthal—3.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 1119.

Second Reading of Senate Bill No. 1119.

Senate Bill No. 1119 read second time.

Senate Bill No. 1119 read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lyon:

Amendment No. 1.

On page 4 of the printed bill, as amended, between lines 22 and 23, insert the following:

"(c) Twelve and one-half per cent of said remainder of such moneys shall be paid quarterly during the eighty-seventh and eighty-eighth fiscal years to the counties

and cities and counties of the State in the proportion that the population of each such county or city and county bears to the total population of all the counties and cities and counties of the State, as certified by the department. For the purpose of this subsection, the population of each county or city and county is that determined by the last Federal census."

Amendment No. 2.

On page 4, line 23, of the printed bill, as amended, strike out "(c)", and insert in lieu thereof the following: "(d)".

Amendments read.

Motion.

Mr. Lyon moved that the Assembly resolve itself into the Committee of the Whole for the purpose of consideration of Senate Bill No. 1119 and amendments pending.

Motion carried.

In Committee of the Whole.

Speaker Craig in the chair.

Senate Bill No. 1119 and amendments pending considered.

Mr. Lyon moved that the committee do now rise, and report back to the Assembly.

In Assembly.

Speaker Craig in the chair.

Report of Committee of the Whole.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1935

GENTLEMEN: Your Committee of the Whole, which has had under consideration Senate Bill No. 1119, and amendments pending—does now respectfully report the same back.

CRAIG, Chairman.

Motion to Set Special Order for Senate Bill No. 1119.

Mr. Lyon moved that the consideration of Senate Bill No. 1119, and amendments pending, be made a special order for Thursday, June 13, 1935, at ten o'clock a.m.

Motion carried.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1935.

The Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: I am herewith returning Assembly Bill No. 1771, without my approval, the same being—An act to repeal section 109a of "The California Irrigation District Act," approved March 31, 1897, relating to name of irrigation districts.

This bill proposes to repeal section 109a of the "California Irrigation District Act", which section provides that any district organized under the act shall contain the words "Irrigation district" or "Water conservation district".

As explained to me, the intention of the author was only to delete the words "Water conservation district" while the bill as passed would also delete "Irrigation district".

It seems to me very necessary to retain in the name of the district the words "Irrigation district" as such districts have heretofore been designated and identified both in law and in finances.

Since the words "Water conservation district" have been used little, if at all, in designating such districts, there could be no objection to the repeal of that particular term.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 1771 ordered on unfinished business file.

Unfinished Business—(Resumed).

Reconsideration of Assembly Bill No. 329.

Assembly Bill No. 329—An act relating to codes of fair competition for certain trades and industries within this State, to declare the urgency thereof, and to provide that this act shall take effect immediately.

In compliance with his notice given on a previous day, Mr. Peyser moved that the vote whereby Assembly Bill No. 329 was passed be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Chatters, Clark, Corwin, Crowley, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Mayo, McBride, McMurray, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Weber, Wright, and Mr. Speaker—59.

NOES—None.

Request for Unanimous Consent.

Mr. Peyser asked for, and was granted, unanimous consent to take up Assembly Bill No. 329, at this time, without reference to file.

Assembly Bill No. 329 read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Peyser:

Amendment No. 1.

On page 5 of the printed bill, as amended, strike out all of section 17, and in lieu thereof insert the following:

"SEC. 17. This act shall not apply or be deemed to apply to the hotel industry, nor to the newspaper publishing industry nor to the public utilities as defined in the Public Utilities Act of the State of California, or to any other intrastate trade and/or industry except those to which this act is made specifically applicable and which are enumerated herein."

Amendment adopted.

Request for Unanimous Consent.

Mr. Peyser asked for, and was granted, unanimous consent to take up Assembly Bill No. 329, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 329, as Amended.

Assembly Bill No. 329, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 329, as amended, passed by the following vote:

AYES—Andreas, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, McBride, McMurray, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, and Mr. Speaker—53.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1935.

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1561—An act to amend sections 3, 3a, 3b, 10, 13, 17, and 18 of an act entitled "An act defining mattresses; regulating the making, remaking, and sale thereof; prohibiting the use of unsanitary and unhealthy materials therein; requiring that materials used shall be accurately described, and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled; and making the violation of any of the provisions of this act a misdemeanor, and repealing legislation inconsistent with this act," approved June 7, 1915, and to add thereto a new section to be numbered section 21, all relating to the administration of said act by the Bureau of Furniture and Bedding Inspection and the powers and duties of the officers thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1562—An act to amend sections 1, 2, 5, 6, 7, 8, 9 and 14 of an act entitled "An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling or repairing upholstered furniture; and creating the upholstered furniture inspection fund," approved May 9, 1927, relating to the administration thereof by the Bureau of Furniture and Bedding Inspection of the Department of Professional and Vocational Standards—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 100—An act to amend the "Reclamation Board Act," approved December 24, 1917, as amended, by amending section 37a thereof relating to the application of moneys released, reimbursed, or appropriated under and pursuant to Chapter 176 California Statutes of 1925 and the War Department Appropriations Act of Congress of the United States for the fiscal year ending June 30, 1930, being Public Law No. 843, Seventieth Congress, approved February 28, 1929—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2103—An act providing for an investigation of and report on the feasibility and desirability, from the standpoint of the public interest, of acquisition by the State of California of the existing facilities for the generation and distribution of electric power in California, whether now under private or public ownership, providing for a commission therefor, and the appointment of such commission, defining the powers, duties and compensation of such commission in respect thereto, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: Your Commitee on Fish and Game, to which was referred Senate Bill No. 1127—An act to amend section 378 of the Fish and Game Code and to add thereto section 375.5, relating to migratory bird reservations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FISHER, Chairman.

The above reported bill ordered on file for second reading.

On Financial Institutions.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: Your Committee on Financial Institutions, to which was referred Assembly Bill No. 2443—An act to define, license and regulate the business of personal property brokers who are engaged in the business of making loans on vehicles of a type required to be registered with the Department of Motor Vehicles, and to define, license and regulate the business of negotiating loans for borrowers on such vehicles; to prescribe the maximum rate which may be charged, contracted for or received by all who are engaged in such business; and to provide for the administration and enforcement of this act and providing penalties for violation hereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

UTT, Chairman.

The above reported bill ordered on file for second reading.

Also:

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 1129—An act to add section 4093.5 to the Political Code, relating to transmission of moneys to counties by State officers and employees—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

FIELD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Concurrent Resolution No. 44—Calling for the appointment by the Governor of a commission of ten, to investigate the advisability of commemorating the four-hundredth anniversary of the discovery of California, by causing the creation of an appropriate memorial to the memory of John Rodriguez Cabrillo and his compatriots—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

FIELD, Chairman

Senate Concurrent Resolution No. 44 ordered on file for adoption.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 2493—An act to amend section 1 of, and to add section 1.5 to an act entitled "An act relating to the Department of Professional and Vocational Standards and defining its powers and duties in relation to and providing for the adoption and registration of names and marks or other devices on garments, towels, table linen and other linen supplies used in the rendition of a rental service as indicia of ownership and to protect the owners thereof," passed at the fifty-first session of the Legislature of the State of California, relating to registration of names and marks or other devices on garments, towels, table linen or other articles—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FIELD, Chairman.

The above bill ordered on file for second reading.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 55—Relative to proceedings for the removal of Gavin W. Craig as an associate justice of the District Court of Appeal of the State of California under and pursuant to the provisions of section 10, Article VI of the Constitution of the State of California—and reports that the same has been correctly engrossed.

WATERS, Chairman.

Assembly Concurrent Resolution No. 55 ordered on file for adoption.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 588—An act levying a tax upon the privilege of severing petroleum, natural gas, natural or casing head gasoline from the earth, providing for

the issuance of permits to producers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof and providing that the act shall take effect immediately—and reports that the same has been correctly re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1570—An act to add two new sections to the Public Utilities Act, to be numbered 2¾ and 50¾, defining highway common carriers and providing for the regulation thereof and requiring the issuance of certificates of public convenience and necessity therefor, and to repeal Chapter 213 of the Statutes of 1917, approved May 10, 1917, and amendments thereto;

Also: Assembly Bill No. 2351—An act relating to the use of convict labor in the State parks, forests, public lands and fish and game preserves, and National forests or parks in the State of California;

Also: Assembly Bill No. 2442—An act relating to rates of interest and charges which may be made in connection with loans in the business of industrial loan companies, pawnbrokers, and personal property brokers;

And reports that the same have been correctly re-engrossed

WATERS, Chairman.

The above reported bills ordered on file for third reading.

Also:

MR. SPEAKER: Your committee on Engrossment and Enrollment has examined Assembly Bill No 1901—An act relating to real estate transactions and imposing a tax thereon and providing for the enforcement and collection of the tax, this act to take effect immediately—and reports that the same has been correctly re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your committee on Engrossment and Enrollment has examined Assembly Bill No. 2103—An act providing for an investigation of and report on the feasibility and desirability, from the standpoint of the public interest, of acquisition by the State of California of the existing facilities for the generation and distribution of electric power in California, whether now under private or public ownership, providing for a commission therefor, and the appointment of such commission, defining the powers, duties and compensation of such commission in respect thereto, and making an appropriation therefor;

Also. Assembly Bill No. 2493—An act to amend section 1 of, and to add section 1.5 to an act entitled "An act relating to the Department of Professional and Vocational Standards and defining its powers and duties in relation to and providing for the adoption and registration of names and marks or other devices on garments, towels, table linen and other linen supplies used in the rendition of a rental service as indicia of ownership and to protect the owners thereof," passed at the fifty-first session of the Legislature of the State of California, relating to registration of names and marks or other devices on garments, towels, table linen or other articles;

And reports that the same have been correctly engrossed.

WATERS, Chairman

The above reported bills ordered on file for third reading.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1276—An act to provide for the investigation and study of the control and suppression of blackbirds, coots, linnets, horned larks and other birds or animals in relation to damage to agricultural crops and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FISHER, Chairman.

The above reported bill ordered on file for second reading.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2443—An act to define, license and regulate the business of personal property brokers who are engaged in the business

of making loans on vehicles of a type required to be registered with the Department of Motor Vehicles, and to define, license and regulate the business of negotiating loans for borrowers on such vehicles; to prescribe the maximum rate which may be charged, contracted for or received by all who are engaged in such business; and to provide for the administration and enforcement of this act and providing penalties for violation hereof.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 4 of the title of the printed bill, after the word "Vehicles", strike out the following: ", and to define,".

Amendment No. 2.

On page 1 of the printed bill, strike out all of line 5 of the title.

Amendment No. 3.

On page 1, line 6 of the title of the printed bill, strike out the words "borrowers on such vehicles".

Amendment No. 4.

On page 1, line 7, of the printed bill, strike out the word "Corporation", and insert in lieu thereof the word "Corporations".

Amendment No. 5.

On page 1, line 12, of the printed bill, strike out the word "'mortgagee'", and insert in lieu thereof the word "'licensee'".

Amendment No. 6.

On page 1 of the printed bill, strike out all of lines 18 and 19, inclusive.

Amendment No. 7.

On page 2 of the printed bill, strike out all of lines 1 and 2, inclusive.

Amendment No. 8.

On page 2, line 3, of the printed bill, strike out "(e)", and insert in lieu thereof the following "(d)".

Amendment No. 9.

On page 2, line 11, of the printed bill, strike out the words "and/or", and insert in lieu thereof the following: "and".

Amendment No. 10.

On page 2, line 12, of the printed bill, after the word "contract", strike out the period, and add the following "and trust receipts."

Amendment No. 11.

On page 2, line 14, of the printed bill, strike out the word "mortgagee", and insert in lieu thereof the following: "licensee".

Amendment No. 12.

On page 2 of the printed bill, strike out all of lines 19 to 22, inclusive.

Amendment No. 13.

On page 2, line 23, of the printed bill, strike out "6", and insert in lieu thereof the following: "5".

Amendment No. 14.

On page 2 of the printed bill, strike out all of lines 26 to 32, inclusive.

Amendment No. 15.

On page 2, line 33, of the printed bill, strike out "8. (a)", and insert in lieu thereof the following: "6".

Amendment No. 16.

On page 2, line 34, of the printed bill, strike out the following: "and the acceptance of such".

Amendment No. 17.

On page 2, line 35, of the printed bill, strike out the word "bond".

Amendment No. 18.

On page 2, line 41, of the printed bill, strike out the following: "and the employees of any".

Amendment No. 19.

On page 2, line 42, of the printed bill, strike out the following: "applicant".

Amendment No. 20.

On page 2 of the printed bill, strike out all of lines 51 and 52.

Amendment No. 21.

On page 3 of the printed bill, strike out all of lines 1 to 22, inclusive.

Amendment No. 22.

On page 3, line 23, of the printed bill, strike out "10", and insert in lieu thereof the following: "7".

Amendment No. 22-a.

On page 3, line 25, of the printed bill, strike out "11", and insert in lieu thereof the following: "8".

Amendment No. 23.

On page 3 of the printed bill, strike out all of line 29, and insert in lieu thereof the following: "SEC. 9. Each license".

Amendment No. 24.

On page 3, line 33, of the printed bill, strike out ", either as a mortgagee or as a broker,".

Amendment No. 25.

On page 3, line 38, of the printed bill, strike out "13", and insert in lieu thereof the following: "10".

Amendment No. 26.

On page 3, line 47, of the printed bill, strike out "14", and insert in lieu thereof the following: "11".

Amendment No. 27.

On page 4, line 7, of the printed bill, strike out "15", and insert in lieu thereof the following: "12".

Amendment No. 28.

On page 4, line 18, of the printed bill, strike out "16", and insert in lieu thereof the following: "13".

Amendment No. 29.

On page 5, line 1, of the printed bill, strike out "17", and insert in lieu thereof the following: "14".

Amendment No. 30.

On page 5, line 7, of the printed bill, strike out "18", and insert in lieu thereof the following: "15".

Amendment No. 31.

On page 5 of the printed bill, strike out all of lines 15 to 43, inclusive, and insert in lieu thereof the following:

"SEC. 16. The commissioner shall charge and collect the sum of two hundred dollars as an annual license fee for an original or renewal application for a license under this act for each location for which a license is applied for, provided however that if an application for an original license is filed after June 30th of any calendar year the license fee shall be one hundred dollars.

SEC. 17. Any licensee hereunder may charge for any loan or forbearance of money, goods or things in action a rate not to exceed two and three-tenths per centum per month, which rate shall include the fees, bonus, brokerage, commissions and all interest permitted by or authorized under that section of Article XX of the Constitution of California which was adopted at the general election of November 6, 1934, pursuant to Assembly Constitutional Amendment No. 79. Charges shall be computed only on unpaid principal balances, shall not be compounded, and shall not be paid, deducted or received in advance, but a uniform schedule of monthly payments may be agreed upon.

SEC. 18. No further or other charges or amounts shall be directly or indirectly charged, contracted for or received except the following:".

Amendment No. 32.

On page 5, line 44, of the printed bill, strike out the word "mortgagee", and insert in lieu thereof the following: "licensee".

Amendment No. 33.

On page 6, line 2, of the printed bill, strike out the word "mortgagee", and insert in lieu thereof the following: "licensee".

Amendment No. 34.

On page 6, line 3, of the printed bill, strike out the semicolon, and insert a period

Amendment No. 35.

On page 6 of the printed bill, strike out lines 4 to 32, inclusive, and insert in lieu thereof the following:

"SEC. 19. No broker shall charge, contract for, receive at any time from or at the expense of any borrower as brokerage or otherwise on or in connection with a loan made or to be made by a licensee, any amount or consideration which, when combined with that paid or to be paid to the licensee by or at the expense of the borrower, shall make the total cost of the loan to the borrower more than the total amount now permitted to be charged, contracted for or received under this act."

Amendment No. 36.

On page 6, line 33, of the printed bill, strike out "24", and insert in lieu thereof the following: "20".

Amendment No. 37.

On page 6, line 36, of the printed bill, strike out "'Corporation Commission Fund'", and insert in lieu thereof the following: "'personal property broker's fund'".

Amendment No. 38.

On page 6, line 39, of the printed bill, strike out "Corporation Commission Fund", and insert in lieu thereof the following: "personal property broker's fund".

Amendment No. 39.

On page 7, line 1, of the printed bill, strike out "25", and insert in lieu thereof the following: "21".

Amendment No. 40.

On page 7, line 5, of the printed bill, strike out "'26'", and insert in lieu thereof the following: "22".

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Assembly Bill No. 1561—An act to amend sections 3, 3a, 3b, 10, 13, 17, and 18 of an act entitled "An act defining mattresses; regulating the making, remaking, and sale thereof; prohibiting the use of unsanitary and unhealthy materials therein; requiring that materials used shall be accurately described, and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled; and making the violation of any of the provisions of this act a misdemeanor, and repealing legislation inconsistent with this act," approved June 7, 1915, and to add thereto a new section to be numbered section 21, all relating to the administration of said act by the Bureau of Furniture and Bedding Inspection and the powers and duties of the officers thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1562—An act to amend sections 1, 2, 5, 6, 7, 8, 9 and 14 of an act entitled "An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling or repairing upholstered furniture; and creating the upholstered furniture inspection fund," approved May 9, 1927, relating to the administration thereof by the Bureau of Furniture and Bedding Inspection of the Department of Professional and Vocational Standards.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 2103—An act providing for an investigation of and report on the feasibility and desirability, from the standpoint of the public interest, of acquisition by the State of California of the existing facilities for the generation and distribution of electric power in California, whether now under private or public ownership, providing

for a commission therefor, and the appointment of such commission, defining the powers, duties and compensation of such commission in respect thereto, and making an appropriation therefor.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 2493—An act to amend section 1 of, and to add section 1.5 to an act entitled "An act relating to the Department of Professional and Vocational Standards and defining its powers and duties in relation to and providing for the adoption and registration of names and marks or other devices on garments, towels, table linen and other linen supplies used in the rendition of a rental service as indicia of ownership and to protect the owners thereof," passed at the fifty-first session of the Legislature of the State of California, relating to registration of names and marks or other devices on garments, towels, table linen or other articles.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1276—An act to provide for the investigation and study of the control and suppression of blackbirds, coots, linnets, horned larks and other birds or animals in relation to damage to agricultural crops and making an appropriation therefor.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 5 of the title of the printed bill, strike out "and making an appropriation therefor".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following:

"SECTION 1 The College of Agriculture of the University of California is hereby authorized to make an investigation and".

Amendment No. 3.

On page 1, line 9, of the printed bill, immediately preceding "University", insert the following: "College of Agriculture of the".

Amendment No. 4.

On page 1, line 11, of the printed bill, strike out "and to", and strike out all of lines 12 and 13, and insert in lieu thereof a period.

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Second Reading of Senate Bills—(Resumed).

Senate Bill No. 1127—An act to amend section 378 of the Fish and Game Code and to add thereto section 375.5, relating to migratory bird reservations.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1129—An act to add section 4093.5 to the Political Code, relating to transmission of moneys to counties by State officers and employees.

Bill read second time, and ordered on file for third reading.

Senate Concurrent Resolution No. 44—Calling for the appointment by the Governor of a commission of ten, to investigate the advisability of commemorating the four-hundredth anniversary of the discovery of

California, by causing the creation of an appropriate memorial to the memory of John Rodriguez Cabrillo and his compatriots.

Senate Concurrent Resolution No. 44 ordered on file for adoption

Third Reading of Senate Bills—(Resumed).

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 4, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Senate Bill No. 100—An act to amend the "Reclamation Board Act," approved December 24, 1911, as amended, by amending section 37a thereof relating to the application of moneys released, reimbursed, or appropriated under and pursuant to Chapter 176 California Statutes of 1925 and the War Department Appropriations Act of Congress of the United States for the fiscal year ending June 30, 1930, being Public Law No. 843, Seventieth Congress, approved February 28, 1929.

In my opinion said Senate Bill No. 100 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure

Respectfully submitted

FRANK F. MERRIAM, Governor of California

Senate Bill No. 100—An act to amend the "Reclamation Board Act," approved December 24, 1911, as amended, by amending section 37a thereof relating to the application of moneys released, reimbursed, or appropriated under and pursuant to Chapter 176 California Statutes of 1925 and the War Department Appropriations Act of Congress of the United States for the fiscal year ending June 30, 1930, being Public Law No. 843, Seventieth Congress, approved February 28, 1929.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 100 finally passed by the following vote

AYES—Andreas, Breed, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donibue, Donnelly, Evans, Herbert J. Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Redwine, Riley, Rosenthal, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—58

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to Senate Bill No. 112—An act to amend sections 2, 13 and 17 of the Orange County Water District Act, approved June 14, 1933, relating to powers and duties of the board of directors, the establishment of an office therefor and declaring and limiting their powers as to the district budget and the levy of assessments—and requests that your honorable body recede therefrom.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 112 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day, pursuant to request, returns herewith Assembly Bill No. 1836—An act to amend section 622 of the Agricultural Code, relating to dairies and dairy products.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 1836, recalled from the Senate, ordered on third reading file.

Also:

SENATE CHAMBER, SACRAMENTO, June 12, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day refused adoption to Assembly Constitutional Amendment No. 15—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending sections 3, 4 and 5 of Article IV of the Constitution, relating to the legislative department.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 75—An act making an appropriation to meet a deficiency in the appropriation for the support of the California Nautical School for the eighty-fifth and eighty-sixth fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 75 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1093—An act to add section 398 to the Political Code, relating to the Lieutenant Governor.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 1093 read first time, and referred to Committee on Governmental Efficiency and Economy.

Also:

SENATE CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1029—An act making an appropriation to pay the claim of Anthony Caminetti, Jr., against the State of California;

Also: Senate Bill No. 120—An act making an appropriation to pay the claim of Pacific Transfer Van and Truck Company against the State of California;

Also: Senate Bill No. 403—An act making an appropriation to pay the claim of Modoc County Fair Association against the State of California;

Also: Senate Bill No. 487—An act making an appropriation to pay the claim of the Western Union Telegraph Company against the State of California.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bills Nos. 1029, 120, 403 and 487 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 576—An act to amend section 3773 of the Political Code, relating to lands sold for taxes, and making an appropriation in relation thereto;

Also: Senate Bill No. 527—An act to add a new article to Division III, Chapter 1, of the Agricultural Code to be numbered 1a, relating to establishments slaughtering or processing animals for purposes other than human consumption, and rendering establishments;

Also: Senate Bill No. 48—An act making an appropriation to pay the claim of Index Investment Corporation, a corporation, against the State of California;

Also. Senate Bill No. 163—An act requiring the licensing of certain vehicles used for the transportation of persons or property in this State, defining such vehicles, providing for the imposition, collection, and distribution of license taxes for the privilege of operating such vehicles in this State, making appropriations for the purposes of this act, prescribing penalties for the violation of this act, and providing that this act shall take effect immediately;

Also: Senate Bill No. 114—An act to amend section 737aaa of the Political Code, relating to the salary of the superior judge, in and for Trinity County.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 576 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 527 read first time, and referred to Committee on Live Stock and Dairies.

Senate Bill No. 48 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 163 read first time, and referred to Committee on Motor Vehicles.

Senate Bill No. 114 read first time, and referred to Committee on Governmental Efficiency and Economy.

Also:

SENATE CHAMBER, SACRAMENTO, June 12, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 984—An act to amend sections 4.52 and 4.942 of the School Code, relating to junior college districts;

Also: Senate Bill No. 1027—An act making an appropriation for the clearing and cleaning of Ellis Creek;

Also. Senate Bill No 920—An act appropriating money for the restoration and rehabilitation of Marshall's cabin at Coloma;

Also: Senate Bill No. 20—An act to authorize the purchase of certain real property for the people of the State of California by the Director of Institutions and making an appropriation therefor.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 984 read first time, and referred to Committee on Education.

Senate Bills Nos. 1027, 920, and 20 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 801—An act to amend sections 2 and 3 of an act entitled "An act creating an Advisory Pardon Board; defining and prescribing the powers and duties thereof; and making an appropriation therefor," approved May 17, 1915, as amended, relating to the powers and duties of the board;

Also: Senate Bill No. 1055—An act to appropriate the sum of twenty-four thousand dollars to be used in construction, renewal, and repair of works for restraining, impounding and control of debris resulting from mining operations and other causes along the Yuba River, to provide for the manner of expending such appropriation, to create the Yuba River Debris Control fund, and to provide for the deposit in said fund of any unexpended balances of previous appropriations made for this purpose;

Also: Senate Bill No. 258—An act to lease adequate facilities for the establishment and operation of a telephone-typewriter system of communication between certain cities, and to make an appropriation therefor;

Also: Senate Bill No 425—An act to add a new section to the Agricultural Code, to be numbered 1079, relating to the disposal of funds received under the

provisions of Chapter 7 of Division V of said code, to declare the urgency thereof, and to provide that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bills Nos. 801, 1055, and 258 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 425 read first time, and referred to Committee on Agriculture.

Also:

SENATE CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1130—An act to add a new article to the Agricultural Code, to be numbered Article 5, Chapter 1, Division 3, relating to horse, mule, burro and sheep marks and brands.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 1130 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 791—An act making an appropriation to reimburse the "Corporation Commission fund" for the excess moneys withdrawn and expended from that fund pursuant to Chapter 805, Statutes of 1929 and for necessary expenditures made pursuant to Chapter 1037, Statutes of 1933;

Also: Senate Bill No. 339—An act making an appropriation for the armed forces of the State when called on active service;

Also: Senate Bill No. 1003—An act making an appropriation to pay the claim of Mrs. G. Field against the State of California;

Also: Senate Bill No. 392—An act relating to the conduct of clinical laboratories and the licensing of clinical laboratory technologists and clinical laboratory technicians and the issuance of permits to physicians and surgeons conducting clinical laboratories for the purpose of protecting the public health and defining a clinical laboratory, clinical laboratory technologist, and a clinical laboratory technician, authorizing the State Board of Health to make rules and regulations, thereunder, to hold examinations and to issue licenses and to provide penalties for the violation of the provisions of this act;

Also: Senate Bill No. 550—An act to provide for the cooperation of State officers and agencies, and stockmen's associations with the Federal Government in relation to grazing lands, and for the disposition of money received from the Federal Government in relation thereto.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bills Nos. 791, 339, and 1003 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 392 read first time, and referred to Committee on Medical and Dental Laws.

Senate Bill No. 550 read first time, and referred to Committee on Live Stock and Dairies.

Also:

SENATE CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 45—Relative to adjournment sine die.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Concurrent Resolution No. 45 referred to Committee on Ways and Means.

Motion to Continue Unfinished Business.

Mr. Lyon moved that all unfinished business on the Daily Calendar be continued to the next legislative day.

Motion carried.

Adjournment.

At eleven o'clock and forty minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Thursday, June 13, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Thursday, June 13, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J. Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—79.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Cronin, its further reading was dispensed with.

Privilege of Floor of Assembly Extended.

On request of Mr. McMurray, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. M. Gaffey of San Francisco, Miss Rose Lawlor of Sutter Creek, and Mrs. James Kelly of Inglewood.

On request of Mr. Donnelly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. H. D. Channing of Turlock.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From the council of the city of Berkeley, favoring the passage of Senate Bill No. 1119

From M. B. Martin, relative to impeachment.

The above petition ordered referred to Committee on Judiciary.

ASSISTANT CLERK OLIVER READING

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Garibaldi:

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add section 4041 22a to the Political Code, relating to the payment of fees to private persons, firms and corporations.

Referred to Committee on Introduction of Bills.

By Mr. Reaves:

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to provide for rehabilitation of unemployed persons through cooperative self-help groups to be administered by the State Relief Commission, the issue of bonds therefor, and making an appropriation.

Referred to Committee on Introduction of Bills.

By Mr. Peyser:

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to prohibit under certain conditions, sales under certain chattel mortgages, to extend the Statute of Limitations upon such obligations, to make voidable at the instance of the owner any sale made in violation of the act, to prescribe the time within which an action to avoid such a sale may be brought, and to declare the urgency thereof, and to provide that this act take effect immediately.

Referred to Committee on Introduction of Bills.

Introduction and Reference of Bills.

The following bill was introduced:

By Mr. Lyon: Assembly Joint Resolution No. 66—Relative to memorializing the President of the United States, the Federal Emergency Relief Administrator, and the State Relief Administrator, to lessen the burdens upon counties for unemployment relief.

Introduced.

Request for Unanimous Consent.

Mr. Phillips asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 66, at this time, without reference to printer, committee or file, and that same be considered engrossed.

Consideration of Assembly Joint Resolution No. 66.

Assembly Joint Resolution No. 66—Relative to memorializing the President of the United States, the Federal Emergency Relief Administrator, and the State Relief Administrator, to lessen the burdens upon counties for unemployment relief.

Assembly Joint Resolution No 66 read.

Mr. Lyon moved the adoption of Assembly Joint Resolution No. 66

The question being on the adoption of Assembly Joint Resolution No. 66.

The roll was called, and Assembly Joint Resolution No. 66 adopted by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Corwin, Cronin, DeLap, Donnelly, Evans, Herbert J., Fisher, Flint, Fulcher, Garibaldi, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin,

Lore, Lyon, Martin, Mayo, McBride, McCarthy, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 66 ordered transmitted to the Senate.

Assembly Joint Resolution No. 66.

Relative to memorializing the President of the United States, the Federal Emergency Relief Administrator, and the State Relief Administrator, to lessen the burdens upon counties for unemployment relief.

WHEREAS, The counties of the State of California have heretofore participated to their utmost ability in the relief of destitution due to unemployment; and

WHEREAS, New Federal regulations have been proposed which would threaten to throw back to the counties a further portion of unemployment relief which is totally beyond the ability of the counties to pay; and

WHEREAS, The proposed new burdens are not county responsibilities; and

WHEREAS, Such regulations would result in a state of chaos and would exhaust the resources of the taxpayers in the many counties of this State; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California hereby memorializes and petitions the President of the United States and the Federal Emergency Relief Administrator, together with the State Relief Administrator and the State Relief Commission to rescind any rules and regulations for unemployment relief which would in any way tend to increase the burdens upon the counties; and be it further

Resolved, That a copy of this joint resolution be transmitted to the President of the United States, to the Federal Emergency Relief Administrator, to the State Relief Administrator and the State Relief Commission.

Motion to Re-refer Senate Bill No. 1093.

Mr. Garibaldi moved that Senate Bill No. 1093 be withdrawn from Committee on Governmental Efficiency and Economy, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Senate Bill No. 1093 to Committee on Ways and Means.

Motion carried.

Senate Bill No. 1093 ordered re-referred to Committee on Ways and Means.

Motion to Withdraw Senate Concurrent Resolution No. 5.

Mr. Mayo moved that Senate Concurrent Resolution No. 5 be withdrawn from Committee on Public Utilities, and placed on file for adoption.

The question being on the motion by Mr. Mayo to withdraw Senate Concurrent Resolution No. 5 from Committee on Public Utilities and place on file for adoption.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Mayo to withdraw Senate Concurrent Resolution No. 5.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Rosenthal, Thorp, Turner, Wagner, Walker, Waters, Weber, and Welsh—52.

NOES—Evans, Herbert J., Latham, Lyon, Redwine, Robertson, Stream, Wallace, and Mr. Speaker—8.

Senate Concurrent Resolution No. 5 ordered on file for adoption.

Motion to Expunge Record on Assembly Bill No. 1836.

Mr. O'Donnell moved that the vote whereby Assembly Bill No. 1836 was passed be expunged from the record, and the action rescinded.

The question being on the motion by Mr. O'Donnell to expunge record on Assembly Bill No. 1836.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. O'Donnell to expunge record.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donahue, Donnelly, Evans, Herbert J., Fisher, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Riley, Robertson, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 1836 ordered on file for third reading.

Motion to Expunge Record on Senate Bill No. 1090.

Mr. McMurray moved that the vote whereby Senate Bill No. 1090 was stricken from the file on June 8, 1935 (page 29 of Assembly Journal), be expunged from the record, and the action rescinded.

The question being on the motion by Mr. McMurray to expunge record.

Roll Call.

The Speaker ordered a roll call taken on the motion to expunge record.

The roll was called.

Motion to Expunge Record on Senate Bill No. 1090.

Mr. Utt moved that the vote whereby the Assembly this day expunged the record on Senate Bill No. 1090, be expunged from the record, and the action rescinded.

The question being on the motion by Mr. Utt to expunge the record whereby the record on Senate Bill No. 1090 was this day expunged and action rescinded.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Utt to expunge record.

The roll was called.

Motion to Expunge Record on Senate Bill No. 1090.

Mr. McMurray moved that the record whereby Senate Bill No. 1090 was stricken from the file, be expunged and the action rescinded.

The question being on the motion by Mr. McMurray to expunge record.

Roll Call.

The Speaker ordered a roll call taken on the motion to expunge record.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. McMurray moved a call of the House.

Motion carried.

Time, eleven o'clock a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Herbert J., Fisher, Fulcher, Geyer, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—64.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced:

By Mr. Patterson: Assembly Joint Resolution No. 67—Relative to memorializing the Congress of the United States to enact legislation authorizing employment of SERA labor on mission restoration work.

Introduced.

Request for Unanimous Consent.

Mr. Patterson asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 67, at this time, without reference to printer, committee or file, and that same be considered engrossed.

Consideration of Assembly Joint Resolution No. 67.

Assembly Joint Resolution No. 67—Relative to memorializing the Congress of the United States to enact legislation authorizing employment of SERA labor on mission restoration work.

Assembly Joint Resolution No. 67 read.

Mr. Patterson moved the adoption of Assembly Joint Resolution No. 67.

The question being on the adoption of Assembly Joint Resolution No. 67.

The roll was called, and Assembly Joint Resolution No. 67 adopted by the following vote:

AYES—Anderson, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, DeLap, Donihue, Donnelly, Evans, Herbert J., Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Riley, Rosenthal, Stream, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Wright, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 67 ordered transmitted to the Senate.

Assembly Joint Resolution No. 67.

Relative to memorializing the Congress of the United States to enact legislation authorizing employment of SERA labor on mission restoration work.

WHEREAS, The most historical landmarks of this State and other States wherein the old Mexican and Spanish missions are located, are rapidly becoming heaps of mud; and

WHEREAS, The organizations owning this property have no funds to retrieve for civilization these valuable historical missions; and

WHEREAS, The State of California is desirous of preserving for the Nation and for civilization, one of the most interesting, romantic and courageous eras in its State and National existence, particularly pertaining to the great Southwest; and

WHEREAS, Immediate action in the restoration of the missions is desirable if these historical landmarks are to be preserved for future generations; therefore, be it

Resolved, By the Legislature of the State of California, That the Assembly and the Senate of the State of California, jointly, memorializes the honorable body of the Congress of the United States to enact legislation authorizing the employment of SERA labor on mission restoration work

Resolution.

The following resolution was offered:

By Mr. Hawkins:

Assembly Resolution.

WHEREAS, The United States of America has established camps for American youths to which all qualified individuals are admitted without regard to race or color; and

WHEREAS, There has been some friction in some of such camps and in particular the Civilian Conservation Corps camps near Chico, California, at which place on or about May 23, 1935, certain members of the camp attacked certain other members of the camp who were of a different race, causing disorder, which resulted in a near riot, and which might easily have resulted in an unfortunate consequence; now, therefore, be it

Resolved by the Assembly, That the Congress of the United States is hereby earnestly requested and urged to investigate conditions prevailing in Civilian Conservation Corps camps as to discrimination against and abuse of members of such camps; and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to transmit copies of this resolution to the President of the United States and to the members of the Congress of the United States from California.

Resolution read, and adopted.

Reports of Standing Committees—(Resumed).

The following reports of standing committee were received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1935.

MR SPEAKER. Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it The title of said bill is as follows:

An act to prohibit under certain conditions, sales under certain chattel mortgages, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale made in violation of the act, to prescribe the time within which an action to avoid such a sale may be brought, and to declare the urgency thereof, and to provide that this act take effect immediately.

CUNNINGHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to provide for rehabilitation of unemployed persons through cooperative self-help groups to be administered by the State Relief Commission, the issue of bonds therefor, and making an appropriation.

CUNNINGHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to add section 4041.22a to the Political Code, relating to the payment of fees to private persons, firms and corporations.

CUNNINGHAM, Chairman.

Reports of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the reports.

The question being on the adoption of the reports.

The roll was called, and the reports adopted by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Fisher, Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Weber, Wright, and Mr. Speaker—62.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

By Mr. Garibaldi: Assembly Bill No. 2497—An act to add section 4041.22a to the Political Code, relating to the payment of fees to private persons, firms and corporations.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Reaves: Assembly Bill No. 2498—An act to provide for rehabilitation of unemployed persons through cooperative self-help groups to be administered by the State Relief Commission, the issue of bonds therefor, and making an appropriation.

Bill read first time, and referred to Committee on Unemployment.

By Mr. Peyser: Assembly Bill No. 2499—An act to prohibit under certain conditions, sales under certain chattel mortgages, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale made in violation of the act, to prescribe the time within which an action to avoid such a sale may be brought, and to declare the urgency thereof, and to provide that this act take effect immediately.

Bill read first time.

Request for Unanimous Consent.

Mr. Peyser asked for, and was granted, unanimous consent to take up Assembly Bill No. 2499, at this time, without reference to printer, committee, or file, and that same be considered engrossed.

Consideration of Assembly Bill No. 2499.

Assembly Bill No. 2499—An act to prohibit under certain conditions, sales under certain chattel mortgages, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale made in violation of the act, to prescribe the time within which an action to avoid such a sale may be brought, and to declare the urgency thereof, and to provide that this act take effect immediately.

Case of Urgency.

The following resolution was offered:

By Mr. Peyser:

Resolved, That Assembly Bill No. 2499 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

Mr. Peyser moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Crowley, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—61.

NOES—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 2499.

Second Reading of Assembly Bill No. 2499.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Fisher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—60.

NOES—None.

Third Reading of Assembly Bill No. 2499.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2499 passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Donihue, Donnelly, Fisher, Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Maloney, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the House Dispensed With.

At eleven o'clock and twenty minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. McMurray.

The roll of absentees was called, and the motion by Mr. McMurray to expunge the record whereby Senate Bill No 1090 was stricken from file was carried by the following vote:

AYES—Boyle, Brennan, Burns, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Donnelly, Evans, Ralph W., Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Mayo, McCarthy, McMurray, Meehan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Rosenthal, Thorp, Turner, Wagner, Waters, and Weber—42.

NOES—Anderson, Andreas, Breed, Corwin, DeLap, Donihue, Evans, Herbert J., Fisher, Fulcher, Johnson, Latham, Martin, Miller, Minard, Morgan, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Utt, Voigt, Walker, Wallace, Welsh, Wright, and Mr. Speaker—28.

Senate Bill No 1090 ordered on file for third reading.

Unfinished Business.

Appointment of Committee on Free Conference Concerning Senate Constitutional Amendment No. 18.

The Speaker announced the appointment of Messrs. McBride, Riley and Latham, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Senate Constitutional Amendment No. 18.

Reconsideration of Senate Bill No. 700.

Senate Bill No. 700—An act to amend sections 1015 and 1016 of the Fish and Game Code and to add thereto sections 670 and 1016.5, relating to fish.

In compliance with his notice given on a previous day, Mr. Burns moved that the vote whereby Senate Bill No. 700 was refused passage be reconsidered.

Demand for Previous Question.

Messrs. Donnelly, Mayo, Heisinger, Garibaldi and DeLap demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the reconsideration of Senate Bill No. 700.

The roll was called, and the same was reconsidered by the following vote:

AYES—Anderson, Breed, Burns, Chatters, Clark, Corwin, Cronin, Cunningham, Desmond, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Geyer, Gilmore, Glover, Hawkins, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Martin, Mayo, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Reaves, Redwine, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, and Mr. Speaker—47.

NOES—Cottrell, Crowley, Dawson, DeLap, Donihue, Garibaldi, Heisinger, Hornblower, Lyon, Maloney, Meehan, O'Donnell, Pelletier, Peterson, Phillips, Rosenthal, Wagner, Weber, and Wright—19.

Request for Unanimous Consent.

Mr. Burns asked for, and was granted, unanimous consent to take up Senate Bill No. 700, at this time, without reference to file.

Third Reading of Senate Bill No. 700.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 700 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Desmond, Donihue, Evans, Herbert J., Evans, Ralph W., Fisher, Frazier, Fulcher, Geyer, Gilmore, Glover, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Martin, Mayo, McMurray, Meehan, Miller, Minard,

Morgan, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—57.

NOES—Crowley, Dawson, DeLap, Garibaldi, Hawkins, Heisinger, Hornblower, Maloney, McCarthy, Nielsen, Peterson, and Phillips—12.

Title read and approved.

Bill ordered transmitted to the Senate

Report of Committee on Free Conference.

The following report of Committee on Free Conference was received and read:

Concerning Assembly Bill No. 437.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 437—An act to amend section 112 of, and to add section 112a to, the Code of Civil Procedure, relating to the jurisdiction of justices' courts—reports that it has met a like committee of the Senate, consisting of Senators Knowland, Hays and Olson, and reports that the Committee on Free Conference has agreed to recommend the following: That the Assembly concur in the Senate amendments, and that the bill be further amended as follows:

Amendment No. 1.

On page 1, lines 5 and 6, of the printed bill, as amended, strike out "A in counties having a population of nine hundred thousand or over", and insert in lieu thereof the following: "LA".

Amendment No. 2.

On page 2, line 15, of the printed bill, as amended, strike out "A", and insert in lieu thereof the following: "LA".

Amendment No. 3.

On page 2, line 19, of the printed bill, as amended, strike out "A", and insert in lieu thereof the following: "LA".

Amendment No. 4.

On page 2, lines 43 and 44, of the printed bill, as amended, strike out "in counties having a population of less than nine hundred thousand".

Amendment No. 5.

On page 3, line 23, of the printed bill, as amended, strike out the comma, and strike out all of line 24, and in line 25, strike out "thousand,".

Amendment No. 6.

On page 4, line 15, of the printed bill, as amended, strike out "or".

MILLER,
CUNNINGHAM,
WRIGHT,
Assembly Committee on Free Conference.

KNOWLAND,
HAYS,
OLSON,
Senate Committee on Free Conference.

Report of Committee on Free Conference concerning Assembly Bill No. 437 read.

Miss Miller moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—68.

NOES—None.

Unfinished Business—(Resumed).

Reconsideration of Senate Bill No. 577 Waived.

Mr. Geyer waived his notice to reconsider the vote whereby Senate Bill No. 577 was passed.

Senate Bill No. 577 ordered transmitted to the Senate.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER. Your Committee on Judiciary, to which was referred Assembly Bill No. 2496—An act to amend section 10 of the Political Code, relating to holidays—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LYON, Chairman.

The above reported bill ordered on file for second reading.

On Financial Institutions.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1935.

MR SPEAKER: Your Committee on Financial Institutions, to which was referred Assembly Bill No 1618—An act to classify, license and regulate the business of personal property brokers and brokers, and to prescribe, fix, limit, and regulate their charges and interest rates; to regulate assignments of wages, salaries, commissions or earnings when given as consideration for the payment of five hundred dollars ($500) or less; to provide penalties for violation hereof, and to repeal all acts or portions of acts inconsistent herewith—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

UTT, Chairman.

The above reported bill ordered on file for second reading.

Second Reading of Assembly Bills.

Assembly Bill No. 2496—An act to amend section 10 of the Political Code, relating to holidays.

Bill read second time, ordered to engrossment, and third reading.

Assembly Bill No. 1618—An act to classify, license and regulate the business of personal property brokers and brokers, and to prescribe, fix, limit, and regulate their charges and interest rates; to regulate assignments of wages, salaries, commissions or earnings when given as consideration for the payment of five hundred dollars ($500) or less; to provide penalties for violation hereof; and to repeal all acts or portions of acts inconsistent herewith.

Bill read second time, and ordered on file for third reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Free Conference on Senate Bill No. 718—An act to amend sections 384 and 439 of the Vehicle Code, relating to the registration and storage of vehicles—the following Senators: Snyder, Deuel, and Difani, to meet with a like committee from your honorable body.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Free Conference on Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XIII thereof,

a new section to be numbered 17, relating to the power of the Legislature to provide for the borrowing of money to meet appropriations made by law, in anticipation of the collection of taxes and revenues—the following Senators Duval, Edwards, and Schottky, to meet with a like committee from your honorable body.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day requests the return of Assembly Bill No. 1957—An act to amend the Public Utilities Act by adding two new sections numbered sections 13½ and 32½, relating to public utilities—for further consideration by the Senate.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Request granted unanimously, and Assembly Bill No. 1957 ordered transmitted to the Senate.

Also:

SENATE CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 754—An act to make an appropriation from unemployment relief money for construction work by fairs under State control—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.

Assembly Bill No. 754 ordered on unfinished business file.

Motion to Re-refer Assembly Bill No. 1504.

Mr. Chatters moved that Assembly Bill No. 1504 be withdrawn from Committee on Judiciary, and ordered re-referred to Committee on Irrigation.

The question being on re-referring Assembly Bill No. 1504 to Committee on Irrigation.

Motion carried.

Assembly Bill No. 1504 ordered re-referred to Committee on Irrigation.

Unfinished Business—(Resumed).

Consideration of Senate Amendments to Assembly Bill No. 2136.

Assembly Bill No. 2136—An act relating to the relief of debtors and guarantors; permitting postponement of sales conferred by mortgages, deeds of trust, or contracts of purchase of real property, or chattels attached to real property, or postponement of forfeitures and terminations under such contracts of purchase, or extensions of periods for redemption, or reduction of moneys to be paid on redemption; regulating the appointment of receivers in certain cases; repealing Chapter 1, Statutes of the Extra Session of 1934, and Chapter 7 of the Statutes of 1935; declaring the urgency hereof, and providing that it shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2136?

Amendment No. 1.

On page 8, line 35, of the printed bill, as amended, strike out the words "November 1", and insert in lieu thereof the words "July 1".

Amendment No. 2.

On page 8, line 39, of the printed bill, as amended, after the word "sale", add the following: "who is not in default in his obligation to pay taxes and insurance premiums and not more than six months in arrears in payment of interest,".

Amendment No. 3.

On page 8, line 44, of the printed bill, as amended, following the period, insert the following: "A trustor or mortgagor who has elected to pay delinquent taxes in

installments as provided by statute and who is not in default in the payment of such installments shall not be deemed in default in his obligation to pay such taxes for the purpose of this act."

Amendment No. 4.

On page 9, line 24, of the printed bill, as amended, strike out the words "February 1, 1937", and insert in lieu thereof the words "October 1, 1936".

Amendment No. 5.

On page 9, line 29, of the printed bill, as amended, strike out the words "February 1, 1937", and insert in lieu thereof the words "October 1, 1936".

Amendment No. 6.

On page 10, line 9, of the printed bill, as amended, after the word "redemption", insert the following: "who is not in default in his obligation to pay taxes and insurance premiums and not more than six months in arrears in payment of interest,".

Amendment No. 7.

On page 10, line 10, of the printed bill, as amended, strike out the words "November 1", and insert in lieu thereof the words "July 1".

Amendment No. 8.

On page 10, line 43, of the printed bill, as amended, strike out the words "February 1, 1937", and insert in lieu thereof the words "October 1, 1936".

Amendment No. 9.

On page 11 of the printed bill, as amended, strike out the paragraph beginning in line 33, and ending in line 44.

Amendment No. 10.

On page 11 of the printed bill, as amended, strike out lines 51 and 52; also strike out all of pages 12 and 13, and on page 14, strike out all of lines 1 to 12, inclusive.

Amendment No. 11.

On page 14, line 13, of the printed bill, as amended, strike out the figure "21", and insert in lieu thereof the figure "14".

Amendment No. 12.

On page 14, line 17, of the printed bill, as amended, strike out the words "February 1, 1937", and insert in lieu thereof the words "October 1, 1936".

Amendment No. 13.

On page 14, line 20, of the printed bill, as amended, strike out the words "February 1, 1937", and insert in lieu thereof the words "October 1, 1936".

Amendment No. 14.

On page 14, line 31, of the printed bill, as amended, strike out the words "February 1, 1937", and insert in lieu thereof the words "October 1, 1936".

Amendment No. 15.

On page 14, line 36, of the printed bill, as amended, strike out the figure "22", and insert in lieu thereof the figure "15".

Amendment No. 16.

On page 15, line 3, of the printed bill, as amended, strike out the figure "23", and insert in lieu thereof the figure "16", and in line 18, strike out the figure "24", and insert in lieu thereof the figure "17".

Amendment No. 17.

On page 15 of the printed bill, as amended, strike out all of lines 26 to and including line 40.

Amendment No. 18.

On page 15, line 41, of the printed bill, as amended, strike out the figure "26", and insert in lieu thereof the figure "18".

Amendment No. 19.

On page 16, line 3, of the printed bill, as amended, strike out the figure "27", and insert in lieu thereof the figure "19".

Amendment No. 20.

On page 16 of the printed bill, as amended, between lines 16 and 17, insert the following:

"(d) Any mortgage or deed of trust securing an obligation in default at the time the owner or owners acquired title, subject thereto".

Amendment No. 21.

On page 16, line 17, of the printed bill, as amended, strike out the figure "28", and insert in lieu thereof the figure "20".

Amendment No. 22.

On page 16, line 27, of the printed bill, as amended, strike out the comma, and insert a period, and in line 27, strike out the following: "but for the execution of the mortgage or of an agree-", and strike out all of line 28.

Amendment No. 23.

On page 16, line 29, of the printed bill, as amended, strike out the figure "29", and insert in lieu thereof the figure "21".

Amendment No. 24.

On page 16, line 42, of the printed bill, as amended, strike out the figure "30", and insert in lieu thereof the figure "22".

Amendment No. 25.

On page 16, line 50, of the printed bill, as amended, strike out the figure "31", and insert in lieu thereof the figure "23".

Amendment No. 26.

On pages 17 and 18 of the printed bill, as amended, strike out all of sections 32, 33 and 37.

Amendment No. 27.

On page 17, line 26, of the printed bill, as amended, strike out the figure "34", and insert in lieu thereof the figure "24".

Amendment No. 28.

On page 17, line 33, of the printed bill, as amended, strike out the figure "35", and insert in lieu thereof the figure "25".

Amendment No. 29.

On page 17, line 38, of the printed bill, as amended, strike out the figure "36", and insert in lieu thereof the figure "26".

Amendment No. 30.

On page 18, line 35, of the printed bill, as amended, strike out the figure "38", and insert in lieu thereof the figure "27".

Amendment No. 31.

On page 18, line 37, of the printed bill, as amended, strike out the figure "39", and insert in lieu thereof the figure "28".

Amendment No. 32.

On page 2, line 39, of the printed bill, as amended, strike out the word "thirty", and insert in lieu thereof the word "ninety".

Amendment No. 33.

On page 2, line 41, of the printed bill, as amended, following the words "Civil Code", insert the following: "or at any time within thirty days after the effective date of this act,".

Amendment No. 34.

On page 2, line 41, of the printed bill, as amended, strike out the words and figures "July 1, 1936", and insert in lieu thereof the following: "January 1, 1937".

Amendment No. 35.

On page 2, line 46, of the printed bill, as amended, strike out the word "and" at the end of said line 46, and also strike out all of line 47.

Amendment No. 36.

On page 2, lines 45 and 46, of the printed bill, as amended, strike out the following: "who is not in default in his obligation to pay taxes and insurance premiums".

Amendment No. 37.

On page 3 of the printed bill, as amended, strike out all of lines 1 to 5, both inclusive.

Amendment No. 38.

On page 3 line 37, of the printed bill, as amended, strike out "October 1, 1936", and insert in lieu thereof "February 1, 1937".

Amendment No. 39.

On page 3, line 42, of the printed bill, as amended, strike out "October 1, 1936", and insert in lieu thereof "February 1, 1937".

Amendment No. 40.

On page 4, line 20, of the printed bill, as amended, strike out the words "who is not in", and strike out all of lines 21 and 22, and in line 23, strike out "est" and the comma.

Amendment No. 41.

On page 4, line 23, of the printed bill, as amended, strike out "July 1, 1936", and insert in lieu thereof the following: "January 1, 1937".

Amendment No. 42.

On page 5, line 4, of the printed bill, as amended, strike out "October 1, 1936", and insert in lieu thereof the following: "February 1, 1937".

Amendment No. 43.

On page 8 of the printed bill, as amended, between lines 25 and 26, insert the following:

"SEC 14. In any decree hereafter rendered, prior to February 1, 1936, foreclosing a mortgage or deed of trust upon real property, the court may provide that the sale of the property shall not be held until on or after such date as the court considers just and equitable, but in no event later than February 1, 1936 If the court provides in such decree that the sale shall not be held until on or after such date as it shall fix, it shall determine the reasonable value of the income from such property, or if the property has no income, then the reasonable rental value of such property, or if the property is unimproved, a reasonable sum to be paid by the trustor or mortgagor as determined by the court, and shall require the trustor or mortgagor to pay all or at least a reasonable part of such income, rental value, or sum so determined by the court, in or toward the payment of taxes, insurance, interest, or principal of the indebtedness at such times and in such manner determined to be just and equitable under the circumstances. The court may include in such order provisions requiring maintenance and repair, regulating the disposition of any income from the property, and such other provisions as it deems just and equitable for the protection of the security."

Amendment No. 44.

On page 8, line 26, of the printed bill, as amended, strike out "14", and insert in lieu thereof "15".

Amendment No. 45.

On page 8, line 30, of the printed bill, as amended, strike out "October 1, 1936", and insert in lieu thereof "February 1, 1937".

Amendment No. 46.

On page 8, line 33, of the printed bill, as amended, strike out "October 1, 1936", and insert in lieu thereof "February 1, 1937".

Amendment No. 47.

On page 8, line 45, of the printed bill, as amended, strike out "October 1, 1936", and insert in lieu thereof "February 1, 1937".

Amendment No. 48.

On page 8, line 51, of the printed bill, as amended, strike out "15", and insert in lieu thereof "16".

Amendment No. 49.

On page 9, line 4, of the printed bill, as amended, strike out "referred to in section 17 of", and insert in lieu thereof "or order rendered pursuant to".

Amendment No. 50.

On page 9, line 18, of the printed bill, as amended, strike out "16", and insert in lieu thereof "17".

Amendment No. 51.

On page 9, line 28, of the printed bill, as amended, strike out the first "of such".

Amendment No. 52.

On page 9, line 33, of the printed bill, as amended, strike out "17", and insert in lieu thereof "18".

Amendment No. 53.

On page 10, line 4, of the printed bill, as amended, strike out "18", and insert in lieu thereof "19".

Amendment No. 54.

On page 10, line 17, of the printed bill, as amended, strike out "19", and insert in lieu thereof "20".

Amendment No. 55.

On page 10, lines 32 and 33, of the printed bill, as amended, strike out the comma and the words "subject thereto", and insert in lieu thereof: "by purchase subsequent to the effective date of this act".

Amendment No. 56.

On page 10, line 34, of the printed bill, as amended, strike out "20", and insert in lieu thereof "21".

Amendment No. 57.

On page 10, line 46, of the printed bill, as amended, strike out "21", and insert in lieu thereof "22".

Amendment No. 58.

On page 11, line 7, of the printed bill, as amended, strike out "22", and insert in lieu thereof "23".

Amendment No. 59.

On page 11, line 15, of the printed bill, as amended, strike out "23", and insert in lieu thereof "24".

Amendment No. 60.

On page 11 of the printed bill, as amended, following line 17, insert the following:

"SEC. 25. Until February 1, 1937, no receiver shall be appointed at the instance of the mortgagee of any mortgage or the trustee or beneficiary of any deed of trust, with respect to real property or chattels attached to real property subject to mortgage or deed of trust, except in a suit or action for the foreclosure of such mortgage or deed of trust or for the enforcement of the covenants, or any thereof, contained in such mortgage or deed of trust, or in a proceeding ancillary to any such suit or action, or until after recording notice of default"

Amendment No. 61.

On page 11 of the printed bill, as amended, immediately preceding line 43, insert *the following:*

"SEC. 26 If any section, clause or part of this act, or the application thereof to any person or circumstance, is finally determined by the courts to be unconstitutional, such section, clause or part shall no longer be effective or such application shall no longer control, but all other sections, clauses or parts or the application thereof to other persons and circumstances shall continue in full force and effect; it being the intent of the Legislature to make this act as effective as possible to relieve debtors in the manner herein provided."

Amendment No. 62.

On page 11, line 43, of the printed bill, as amended, strike out "24", and insert in lieu thereof "27".

Amendment No. 63.

On page 11, line 50, of the printed bill, as amended, strike out "25", and insert in lieu thereof "28".

Amendment No. 64.

On page 12, line 3, of the printed bill, as amended, strike out "26", and insert in lieu thereof "29".

Amendment No. 65.

On page 12, line 51, of the printed bill, as amended, strike out "27", and insert in lieu thereof "30".

Amendment No. 66.

On page 13, line 1, of the printed bill, as amended, strike out "28", and insert in lieu thereof "31".

The roll was called, and Senate amendments to Assembly Bill No. 2136 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—75.

NOES—None.

Assembly Bill No. 2136 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 106.

Assembly Bill No 106—An act to amend section 6.750 of the School Code, relating to the use of school buildings for activities of a seditious nature.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 106.

Amendment No. 1.

On page 2, line 1, of the printed bill, after the word "suffered", strike out the balance of the line.

Amendment No. 2.

On page 2 of the printed bill, strike out all of lines 2, 3 and 4.

The roll was called, and Senate amendments to Assembly Bill No. 106 were concurred in by the following vote:

AYES—Andreas, Breed, Brennan, Chatters, Corwin, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donnelly, Evans, Herbert J., Fisher, Frazier, Fulcher, Garibaldi, Kallam, Latham, Lyon, Martin, Mayo, McBride, Miller, Minard, Nielsen, Peterson, Peyser, Phillips, Redwine, Richie, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Waters, Wright, and Mr. Speaker—41.

NOES—Anderson, Boyle, Burns, Cassidy, Clark, Cronin, Dawson, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, McCarthy, McMurray, Meehan, Morgan, O'Donnell, Patterson, Pelletier, Reaves, Rosenthal, Wagner, Wallace, Weber, and Welsh—36.

Notice of Reconsideration of Concurrence in Senate Amendments to Assembly Bill No. 106.

Mr. Voigt gave notice that on the next legislative day he would move to reconsider the vote whereby the Assembly concurred in Senate amendments to Assembly Bill No. 106.

Motion.

Mr. Cunningham moved that the Assembly take up the reconsideration of the vote whereby the Assembly concurred in Senate amendments to Assembly Bill No. 106 immediately.

Motion to Recess.

Mr. Hunt moved that the Assembly recess until two o'clock p.m., this day.

Roll Call.

The Speaker ordered a roll call taken on the motion to recess.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Clark, Cronin, Crowley, Dawson, Donihue, Donnelly, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, Maloney, Mayo, McCarthy, McMurray, Meehan, Morgan, O'Donnell, Patterson, Pelletier, Reaves, Rosenthal, Utt, Voigt, Wagner, Wallace, Weber, and Welsh—41.

NOES—Breed, Chatters, Corwin, Cottrell, Cunningham, Evans, Herbert J., Fisher, Fulcher, Johnson, Kallam, Latham, Lyon, Martin, McBride, Miller, Minard, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Walker, Waters, Wright, and Mr. Speaker—31.

Recess.

At twelve o'clock and ten minutes p m., on the motion of Mr. Hunt, the Assembly was declared at recess until two o'clock p.m., this day.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 514—An act to add sections 136d to 136d12, inclusive, to the Bank Act, relating to the administration and liquidation of banks.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Williamson:

Amendment No. 1.

On page 1 of the printed bill, strike out all of line 6, and the balance of the page.

Amendment adopted.

Bill read, ordered to reprint, and third reading.

Unfinished Business—(Resumed).

Consideration of Senate Amendments to Assembly Bill No. 1309.

Assembly Bill No. 1309—An act to regulate the location, construction, occupancy and operation of hat cleaning and blocking establishments, or agencies thereof, and private schools and colleges of hat cleaning and blocking; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement; and providing penalties for violations.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1309?

Amendment No. 1.

On page 4, line 23, of the printed bill, as amended in Assembly, after "employees", insert a comma and the following: "subject to the Civil Service Laws,".

Amendment No. 2.

On page 7, line 24, of the printed bill, as amended in Assembly, strike out "twenty", and insert in lieu thereof the following: "ten"

Amendment No. 3.

On page 7, line 16, of the printed bill, as amended in Senate, strike out "The fee shall be retained by the board."

The roll was called, and Senate amendments to Assembly Bill No. 1309 were concurred in by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Crowley, Cunningham, DeLap, Donnelly, Field, Fisher, Flint, Fulcher, Garibaldi, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Latham, Lore, Lyon, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Weber, and Mr. Speaker—49.

NOES—None.

Assembly Bill No. 1309 ordered to enrollment.

Withdrawal of Assembly Bill No. 2442.

By order of the Speaker, Assembly Bill No. 2442 was withdrawn from the file, and referred to Committee on Financial Institutions.

Withdrawal of Senate Bill No. 1120.

By order of the Speaker, Senate Bill No. 1120 was withdrawn from the file, and referred to Committee on Ways and Means.

Unfinished Business—(Resumed).

Appointment of Committee on Free Conference Concerning Senate Bill No. 406.

The Speaker announced the appointment of Messrs. Desmond, Scudder and Redwine, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Senate Bill No. 406.

Reconsideration of Senate Bill No. 959.

Senate Bill No. 959—An act to amend section 675 of the Political Code, relating to the power of the director of the Department of Finance.

In compliance with his notice given on a previous day, Mr. Hornblower moved that the vote whereby Senate Bill No. 959 was passed be reconsidered.

Demand for Previous Question.

Messrs. Cottrell, Peterson, Heisinger, DeLap and Thorp demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the reconsideration of Senate Bill No. 959.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Minard moved a call of the House.

Roll Call.

The Speaker ordered a roll call taken on the motion for a call of the House.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Brennan, Burns, Chatters, Clark, Corwin, DeLap, Evans, Ralph W., Field, Fisher, Geyer, Gilbert, Johnson, Latham, Lore, Mayo, McCarthy, Minard, Morgan, Patterson, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—36.

NOES—Andreas, Breed, Cassidy, Cottrell, Crowley, Dawson, Desmond, Donnelly, Evans, Herbert J., Flint, Fulcher, Garibaldi, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Laughlin, Lyon, Maloney, McBride, McMurray, Meehan, Miller, Nielsen, O'Donnell, Pelletier, Peterson, Reaves, Turner and Utt—33.

Time, three o'clock and fifteen minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—69.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Unfinished Business—(Resumed).

Reconsideration of Senate Bill No. 604 Waived.

Mr. Jones waived his notice to reconsider the vote whereby Senate Bill No. 604 was passed.

Senate Bill No 604 ordered transmitted to the Senate.

Consideration of Senate Amendment to Assembly Bill No. 819.

Assembly Bill No. 819—An act to amend sections 2167, 2167a, 2169, 2172 and 2175 of, to repeal sections 2168, 2170, 2171 and 2185c of, and to add new sections numbered 2168, 2168.1, 2168.2, 2168.3, 2168.4, 2168.5, 2168.6, 2168.7, 2168 8. 2171, 2185.1, 2185.2, 2185.3, 2185.4, 2185.5, 2185.6 and 2185.7 to the Political Code, relating to persons mentally disordered or otherwise incompetent.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 819?

Amendment No. 1.

On page 4 of the printed bill, as amended, strike out lines 44 to 47, inclusive, and in line 48, strike out "ordered notice", and insert in lieu thereof the following:

"2168.6. When the report of the medical examiners recommends care and treatment in a State hospital and such report is received by the judge of the superior court, the person alleged mentally disordered must be taken before said judge who must then personally inform such person, and in addition serve or cause to be served upon him a notice in writing,".

The roll was called, and Senate amendment to Assembly Bill No. 819 was concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donnelly, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Mayo, McBride, McMurray, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Weber, Welsh, Wright, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 819 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 46.

Assembly Bill No. 46—An act to amend section 3766 of the Political Code, relating to the publication of delinquent tax lists.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 46?

Amendment No. 1.

On page 1, line 7, of the printed bill, as amended, strike out "therefore", and insert in lieu thereof the following: "therefor".

Amendment No. 2.

On page 1, line 10, of the printed bill, as amended, after "county,", strike out "the", and insert in lieu thereof the following: "then".

The roll was called, and Senate amendments to Assembly Bill No. 46 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Mayo, McBride, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Weber, Wright, and Mr. Speaker—62.

NOES—McCarthy—1.

Assembly Bill No. 46 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 2176.

Assembly Bill No. 2176—An act to amend section 1065 of the Fish and Game Code, relating to sardines.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2176?

Amendment No. 1.

On page 1, line 11, of the printed bill, strike out the semicolon, and insert in lieu thereof a period; and strike out "provided, that in a", and strike out all of lines 12 and 13

Amendment No. 2.

On page 1, line 11, of the printed bill, as amended, strike out the period, and insert a comma and the following: "provided, that in a ten-ounce can, fish of a size of not less than eight fish to the can may be used. Sardines may be packed in their own natural oil."

The roll was called, and Senate amendments to Assembly Bill No. 2176 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 2176 ordered to enrollment.

Consideration of Assembly Amendments to Senate Bill No. 766.

Senate Bill No. 766—An act to add section 495 of the Fish and Game Code, relating to the taking of fish.

The question being: Shall the Assembly recede from Assembly amendments to Senate Bill No. 766?

The roll was called, and the Assembly refused to recede from Assembly amendments to Senate Bill No. 766 by the following vote:

AYES—Burns, Crowley, Garibaldi, and Maloney—4.

NOES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Fisher, Frazier, Fulcher, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Mayo, McBride, McMurray, Meehan, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Thorp, Turner, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—58.

Appointment of Committee on Free Conference Concerning Senate Bill No. 766.

The Speaker announced the appointment of Messrs. Mayo, Crowley and Thorp, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Senate Bill No. 766.

Reconsideration of Assembly Bill No. 1825 Waived.

Mr. Fisher waived his notice to reconsider the vote whereby Assembly Bill No. 1825 was passed.

Assembly Bill No. 1825 ordered transmitted to the Senate.

Consideration of Senate Amendment to Assembly Constitutional Amendment No. 90.

Assembly Constitutional Amendment No. 90—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XVI thereof a new section to be numbered 12, relating to the Rector Canyon Dam project.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Constitutional Amendment No. 90?

Amendment No. 1.

On page 1, line 16, of the printed measure, strike out "a sum"; also strike out all of lines 17 and 18, and insert in lieu thereof the following: "an amount not

exceeding the sum heretofore or hereafter agreed to be paid by the Rector Dam Authority to the United States of America or any agency or department thereof, over a period of not to exceed fifty years, for any loan made to and accepted by the authority in accordance with law."

The roll was called, and Senate amendment to Assembly Constitutional Amendment No. 90 was concurred in by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Weber, Welsh, Wright, and Mr. Speaker—62.

NOES—Boyle—1.

Assembly Constitutional Amendment No. 90 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 405.

Assembly Bill No. 405—An act to add a new section to the Civil Code to be numbered 2934a, relating to substitution of trustees in trust deeds.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 405?

Amendment No. 1.

On page 1, line 3, of the printed bill, after the word "beneficiary", add the following: "or beneficiaries"

Amendment No. 2.

On page 1, line 7, of the printed bill, strike out "notice of".

Amendment No. 3.

On page 1, line 8, of the printed bill, strike out "notice", and insert in lieu thereof the following: "substitution".

Amendment No. 4.

On page 1, line 10, of the printed bill, strike out "description of the property secured by the deed", and in line 11, strike out "of trust", and insert in lieu thereof the following: "the book and page where the trust deed is recorded."

Amendment No. 5.

On page 1 of the printed bill, as amended in Senate June 5, 1935, strike out all of lines 4 and 5, and insert in lieu thereof the following: "upon real property securing an indebtedness may".

Amendment No. 6.

On page 1, line 13, of the printed bill, as amended in Senate June 5, 1935, strike out the word "notice", and insert in lieu thereof the following: "substitution."

Amendment No. 7.

On page 1, line 9, of the printed bill, as amended in Senate June 6, 1935, after the period, insert the following: "The said beneficiary or beneficiaries who elect to substitute trustee or trustees must give notice to the trustor or his successor in interest, by mailing a copy of the substitution hereinafer mentioned, to the last known address of the trustor or his successor in interest, by registered United States mail."

Amendment No. 8.

On page 1, line 12, of the printed bill, as amended in Senate June 6, 1935, strike out the period after the word "trustee", and insert in lieu thereof a comma and the following: "and affidavit attached to said substitution to the effect that notice as hereinabove required, has been given to the trustor or his successor in interest."

Amendment No. 9.

On page 1 of the printed bill, as amended in Senate June 8, 1935, strike out lines 3 to 6, inclusive, and in line 7, strike out the word "trustee", and substitute in lieu thereof the following:

"The trustee under a trust deed upon real property given to secure an obligation to pay money and conferring no other duties upon the trustee than those which are incidental to the exercise of the power of sale therein conferred, may be substituted by the recording in the county in which the property is located of a substitution executed and acknowledged by all of the beneficiaries under such trust deed, or their successors in interest."

Amendment No. 10.

On page 1 of the printed bill, as amended in Senate June 8, 1935, between lines 17 and 18, insert the following:

"The substitution shall also contain an acknowledgment signed and acknowledged by the trustee named in the trust deed of a receipt of a copy thereof, or an affidavit of service of a copy thereof."

Amendment No. 11.

On page 1, line 19, of the printed bill, as amended in Senate June 8, 1935, strike out the word "and", and insert in lieu thereof a comma.

Amendment No. 12.

On page 1, line 19, of the printed bill, as amended in Senate June 8, 1935, after the word "authority", insert the following: "and title".

Amendment No. 13.

On page 1 of the printed bill, as amended in Senate June 10, 1935, at the beginning of line 7, insert the following: "2934a."

Amendment No. 14.

On page 1 of the printed bill, as amended in Senate June 10, 1935, commencing in line 14, strike out the following: "The said beneficiary or beneficiaries who elect to substitute trustee or trustees must give notice to the trustor or his successor in interest, by mailing a copy of the substitution hereinafter mentioned, to the last known address of the trustor or his successor in interest, by registered United States mail", and insert in lieu thereof the following:

"The beneficiary or beneficiaries who elect to substitute trustees hereunder shall cause a copy of such substitution to be mailed, prior to the recording thereof, in the manner provided in section 2924b of this Code, to all persons to whom a copy of the notice of default would be required to be mailed by the provisions of section 2924b of this code."

Amendment No. 15.

On page 2 of the printed bill, as amended in Senate June 10, 1935, commencing in line 4, strike out the following: "as hereinabove required, has been given to the trustor or his successor in interest", and insert in lieu thereof the following: "has been given to the persons and in the manner above required"

The roll was called, and Senate amendments to Assembly Bill No. 405 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, O'Donnell, Patterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr Speaker—66.

NOES—None

Assembly Bill No. 405 ordered to enrollment.

Further Proceedings Under Call of the House Dispensed With.

At three o'clock and twenty-five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Minard.

The roll of absentees was called, and Senate Bill No. 959 was refused reconsideration by the following vote:

AYES—Anderson, Breed, Brennan, Chatters, Clark, DeLap, Evans, Ralph W., Field, Fisher, Frazier, Geyer, Johnson, Latham, Lore, McBride, McCarthy, Minard, Morgan, Patterson, Phillips, Richie, Riley, Robertson, Scudder, Stream, Voigt, Wagner, Wallace, Weber, Welsh, Wright, and Mr. Speaker—32.

NOES—Andreas, Boyle, Burns, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donnelly, Evans, Herbert J., Flint, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Laughlin, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Reaves, Redwine, Rosenthal, Thorp, Turner, Utt, Walker, and Waters—46.

Senate Bill No. 959 ordered transmitted to the Senate.

Special Order.

The hour having arrived, the special order heretofore set for this hour was taken up for consideration.

Consideration of Senate Bill No. 1119.

Senate Bill No. 1119—An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the motor vehicle license fee fund, and making an appropriation of the moneys therein.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lyon:

Amendment No. 1.

On page 4 of the printed bill, as amended, between lines 22 and 23, insert the following:

"(c) Twelve and one-half per cent of said remainder of such moneys shall be paid quarterly during the eighty-seventh and eighty-eighth fiscal years to the counties and cities and counties of the State in the proportion that the population of each such county or city and county bears to the total population of all the counties and cities and counties of the State, as certified by the department. For the purpose of this subsection, the population of each county or city and county is that determined by the last Federal census."

Amendment No. 2.

On page 4, line 23, of the printed bill, as amended, strike out "(c)", and insert in lieu thereof the following: "(d)".

Amendments adopted.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Senate Bill No. 1119, as amended, at this time, without reference to reprint or file.

Senate Bill No. 1119, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Welsh:

Amendment No. 1.

On page 4, line 22, of the printed bill, as amended in Senate June 8, 1935, after the word "trol", insert the following: "and fire protection".

Amendment adopted.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Senate Bill No. 1119, as amended, at this time, without reference to reprint or file.

Senate Bill No. 1119, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Gilbert:

Amendment No. 1.

On page 2, line 35, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "nor to any vehicle having such actual market value of one hundred dollars or less."

Amendment No. 2.

On page 2 of the printed bill, as amended, strike out lines 25 and 26, and insert in lieu thereof the following: "mined by the department. The depart-".

Consideration of Amendment No. 1.

The question being on Amendment No. 1 submitted by Mr Gilbert to Senate Bill No. 1119.

Roll Call.

The Speaker ordered a roll call taken on Amendment No. 1 submitted by Mr. Gilbert

The roll was called, and Amendment No. 1 was refused adoption by the following vote:

AYES—Anderson, Boyle, Burns, Clark, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, McCarthy, Meehan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, and Wagner—26.

NOES—Andreas, Breed, Brennan, Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Fisher, Fulcher, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Scudder, Stream, Utt, Walker, Wallace, Weber, Welsh, Wright, and Mr. Speaker—42.

Consideration of Amendment No. 2.

The question being on Amendment No 2 submitted by Mr. Gilbert to Senate Bill No. 1119.

Roll Call.

The Speaker ordered a roll call taken on Amendment No. 2 by Mr. Gilbert.

The roll was called, and Amendment No. 2 was refused adoption by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Clark, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, McCarthy, Meehan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, Walker, and Wallace—30.

NOES—Andreas, Breed, Brennan, Chatters, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Fisher, Frazier, Fulcher, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, Miller, Minard, Morgan, Nielsen, Peyser, Phillips, Redwine, Riley, Stream, Utt, Weber, Welsh, Wright, and Mr. Speaker—36.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 4, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Senate Bill No. 1119—An act relating to licensing and taxing of vehicles, including certain license fees based upon value in lieu of taxation according to value, and providing for the administration and enforcement thereof.

In my opinion said Senate Bill No 1119 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted

FRANK F. MERRIAM, Governor of California.

Third Reading of Senate Bill No. 1119.

Senate Bill No. 1119, as amended, read third time.

The question being on the passage of the bill.

The roll was called

Call of the House.

Pending the announcement of the vote, Mr. Lyon moved a call of the House.

Roll Call.

The Speaker ordered a roll call taken on the motion for a call of the House.

The roll was called, and the motion was carried by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Kallam, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peyser, Redwine, Richie, Riley, Robertson, Scudder, Stream, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—59.

NOES—Gilbert, Hawkins, Lore, McCarthy, Reaves, and Rosenthal—6.

Time, four o'clock and forty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—64.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Unfinished Business—(Resumed).

Consideration of Governor's Veto to Assembly Bill No. 1771.

Assembly Bill No. 1771—An act to repeal section 109a of "The California Irrigation District Act," approved March 31, 1897, relating to name of irrigation districts.

The question being put: Shall the bill become a law notwithstanding the veto of the Governor?

The roll was called, and the veto of the Governor sustained by the following vote:

AYES—None.

NOES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, Donihue, Donnelly, Field, Fisher, Frazier, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—59.

Third Reading of Assembly Bills—(Resumed).

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California

GREETINGS: Assembly Bill No. 2395—An act to provide for the compilation, printing, binding, publishing, and distribution of a Legislative Manual and State Blue Book, or Roster, repealing all conflicting acts and making an appropriation to carry out the provisions hereof.

In my opinion said Assembly Bill No. 2395 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 2395—An act to provide for the compilation, printing, binding, publishing, and distribution of a Legislative Manual and State Blue Book, or Roster, repealing all conflicting acts and making an appropriation to carry out the provisions hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2395 passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Laughlin, Lore, Lyon, Maloney, Martin, McBride, Meehan, Miller, Minard, Morgan, Nielsen, Pelletier, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 2080—An act to provide for the acquisition of the Muir Wood Toll Road by the State, and the inclusion thereof in the State highway system, and making an appropriation therefor.

In my opinion said Assembly Bill No. 2080 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 2080—An act to provide for the acquisition of the Muir Wood Toll Road by the State, and the inclusion thereof in the State Highway system, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2080 passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donnelly, Field, Fisher, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Wright, and Mr. Speaker—58.

NOES—Reaves—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1037—An act to safeguard the public health, to regulate the diagnosis and treatment of human ailments by means of

X-rays and the use, ownership and possession of X-ray appliances for said purposes; providing for the licensing of persons operating X-ray appliances and laboratories, declaring the treatment of human ailments by means of X-rays to constitute the practice of medicine; prescribing penalties for violation of the act; declaring the possession, maintenance or operation of X-ray appliances in violation of the provisions of the act to constitute a public nuisance, and otherwise providing for the enforcement of the act.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Peyser:

Amendment No. 1.

On page 7 of the printed bill, as amended, between lines 50 and 51, insert the following: "The State Board of Health shall, within thirty days prior to each regular session of the Legislature, submit to the Governor a full and true report of transactions under this law during the current biennium, including a complete statement of receipts and expenditures during the period."

Amendment adopted.

Request for Unanimous Consent.

Mr. Peyser asked for, and was granted, unanimous consent to take up Assembly Bill No. 1037, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 1037, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Brennan:

Amendment No. 1.

On page 7, line 52, of the printed bill, as amended, after "dealers", insert the following: "and manufacturers' representatives".

Amendment No. 2.

On page 8, line 7, of the printed bill, as amended, after "dealers", insert the following: "and manufacturers' representatives".

Amendment No. 3.

On page 8 of the printed bill, as amended, between lines 9 and 10, insert the following: "Nothing herein shall be construed as prohibiting the use in retail shoe stores or department stores of special X-ray machines and devices which are designed and utilized to produce a fluoroscopic image of the human foot for the purpose of demonstrating whether or not the contour of the shoe is such as to properly fit the subject's foot"

The question being on the amendments submitted by Mr. Brennan to Assembly Bill No. 1037.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Brennan.

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Brennan, Clark, Dawson, Garibaldi, Heisinger, Hunt, Jones, Lore, Martin, Miller, O'Donnell, Patterson, Pelletier, Richie, Robertson, Stream, Weber, and Welsh—18.

NOES—Boyle, Breed, Cassidy, Corwin, Cottrell, Cunningham, DeLap, Desmond, Evans, Ralph W., Fisher, Flint, Gilmore, Hawkins, Hornblower, Johnson, Kallam, Laughlin, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Morgan, Peyser, Reaves, Redwine, Utt, Voigt, Wagner, Walker, Wallace, and Mr. Speaker—34.

Assembly Bill No. 1037, as amended, read third time.

Further Consideration Deferred.

Further consideration of Assembly Bill No. 1037, as amended, deferred.

Further Proceedings Under Call of the House Dispensed With.

At five o'clock and five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Lyon.

The roll of absentees was called, and Senate Bill No. 1119 was refused passage by the following vote:

AYES—Andreas, Breed, Brennan, Chatters, Corwin, Cottrell, Cunningham, Dawson, DeLap, Field, Fisher, Frazier, Fulcher, Gilmore, Johnson, Kallam, Latham, Lyon, Maloney, Mayo, McBride, McMurray, Minard, Morgan, Nielsen, Peterson, Poyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Utt, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—41.

NOES—Anderson, Boyle, Burns, Cassidy, Clark, Cronin, Crowley, Desmond, Donahue, Donnelly, Evans, Ralph W., Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, Martin, McCarthy, Meehan, Miller, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Thorp, Turner, Voigt, and Wagner—37.

Notice of Reconsideration of Assembly Bill No. 1119.

Mr. Lyon gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No 1119 was this day refused passage.

Motion to Print in Journal.

Mr. Cottrell moved that the following message from the Governor, regarding passage of Assembly Bill No. 1885, as passed March 15, 1935, be printed in the Journal:

Motion carried.

STATE OF CALIFORNIA GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1935

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 1885—An act to amend section 91.5 of the Agricultural Code, relating to the Sixth Agricultural Association fund.

In my opinion said Assembly Bill No 1885 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Communications.

The following communications were received, and ordered printed in the Journal:

By Messrs. Redwine, Nielsen and Fields:

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL,
SACRAMENTO, CALIFORNIA, June 13, 1935.

Honorables Kent H. Redwine, Roy Nielsen and Don Fields,
Assembly Chamber, State Capitol, Sacramento, California.

Subject: Senate Bill No. 1119.

DEAR MR. REDWINE: You ask as to the legal effect of a suggested amendment to this bill as amended June 8, 1935, to insert therein a section reading as follows:

"Vehicles to the value of $1,000 owned by a person of the classes mentioned in section 1¼ of Article XIII of the Constitution of this State are exempt from the license fee imposed by this act. Any such person desiring such exemption shall file with the department such documentary evidence in proof of eligibility as the department may require."

If the charge imposed by this bill is a property tax then in our opinion the $1,000 property tax exemption accorded to veterans under the provisions of section 1¼ of Article XIII of the State Constitution will be available to the veteran in respect to this charge equally as it is to the county property tax and the Legislature can

not by this bill or any other bill deprive him of his right to claim his exemption in regard thereto. That is, he would get his exemption under the Constitution with the bill silent on the subject. Mention in the bill of such an exemption would add nothing to the legal effect and availability of the exemption.

However, it is our opinion that this bill in fact and in law imposes a license or privilege fee and not a property tax even though the measure of the fee is based upon the value of the vehicle.

Section 2 declares that the fee is imposed for the "privilege" of operating the vehicle.

Section 5 exempts from all property taxes according to value (State, county or municipal) any vehicle in respect to which this bill imposes a license fee.

To insert in a license fee measure an exemption in the nature of a property tax exemption (based on section 1¼ of Article XIII) in our opinion would be legally inappropriate and would import into the bill a serious element of confusion both as to its interpretation and application.

If we are correct in viewing this as a license or privilege fee and if the proposed exemption were valid, then the exemption would be separate from and in addition to the exemption allowed under the Constitution; i.e., the veteran would have a vehicle license fee exemption up to $1,000 under the bill, in addition to his $1,000 property tax exemption under the Constitution.

But we do not see upon what legal theory such an exemption in respect to a license or privilege fee could be upheld. It bears no direct relation to the use of the highways nor to the situation presented by the bill. The principle enunciated in Bacon Service Corporation vs. Huss, 199 Cal. 21, seems applicable. In that case the court held invalid a license fee exemption running in favor of operators of sightseeing motor vehicles carrying passengers for hire; likewise as to operators deriving up to 15 per cent of their gross receipts from U. S. mail contracts. The court was of the view that neither of such exemptions rested upon a natural or intrinsic basis.

Very truly yours,

FRED B. WOOD, Legislative Counsel.

By Mr. Utt:

June 13, 1935.

Assemblyman James B. Utt, Assembly Chamber,
State Capitol, Sacramento, California.

Subject: Assembly Bill No. 1300—(Chapter 163, Statutes 1935)

MY DEAR MR UTT: At the request of the Assembly Committee to Investigate the Building and Loan Association situation, I was assigned as counsel to the committee and acted as such counsel during the constitutional recess of this session.

You have asked that I state whether in my opinion, as such counsel, Assembly Bill No. 1300 (now chaptered as Chapter 163 of the Statutes of 1935) appears to be calculated to improve the conditions which I observed existed in the building and loan field while in the course of that investigation.

You have requested that this opinion be based upon my observations in the course of the investigation made by the committee and my study of Assembly Bill No. 1300.

Some of the practices most complained of which came to light during the investigation appeared to be the following:

(a) Relatively unregulated certificate trading, that is, the exchange of property of the associations for investment certificates or shares in the association under conditions which the investors appeared to feel were inequitable and worked unreasonably to the advantage of the association at the expense of its investors.

(b) The rigid operation of the emergency period requirements as to withdrawals, which investors appeared to feel allowed the associations to avoid the payments on their investment certificates without proper adjustment in cases of distress.

(c) The inability of the investor to get information which he considered satisfactory or reliable in relation to the association in which he had invested.

Assembly Bill No. 1300, in my opinion, should improve the situation existing in each of these cases by reason of the increased control given to the commissioner over certificate trading and over the use of the moratory provisions relating to withdrawals of moneys and distress payments, and by authorizing the commissioner at the expense of an association to inform its investors of the association's condition when he felt it advisable.

Another condition which the associations were facing was the possibility of procuring insurance to the investor by the Federal Government of the value of his investment in the association, that is, so far as investment certificates and shares were concerned. To procure such insurance it was necessary that the association produce sound assets equal to the amount of investment insured. The provisions of Assembly Bill No. 1300, by permitting "federalization" of associations and by permitting reorganization of such associations under the control of the commissioner, should make it possible for many associations to secure this insurance at least as to a portion of their investors' accounts and as to new accounts. This should result in greater public confidence in the associations securing such insurance and a consequent increase in the availability of mortgage money, assuming other factors remained unchanged.

In my opinion, therefore, based upon my observations of the building and loan situation (so far as the intensive but necessarily brief investigation made by the Assembly committee permitted of accurate observation) Assembly Bill No. 1300 (Chapter 163 of the Statutes of 1935), represents a considerable improvement in the law governing building and loan associations, both from the standpoint of the investor and from the standpoint of the association.

Yours very truly,

HAROLD B. HAAS,
Counsel for the Select Committee of the Assembly for Investigating Building and Loan Situation in the State of California.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 66—Relative to memorializing the President of the United States, the Federal Emergency Relief Administrator, and the State Relief Administrator, to lessen the burdens upon counties for unemployment relief.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Joint Resolution No. 66 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1133—An act to amend section 737*ll* of the Political Code, relating to salaries of the judges of the superior court of the City and County of San Francisco.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 1133 read first time, and referred to Committee on Governmental Efficiency and Economy.

Also:

SENATE CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No. 1271—An act imposing an excise tax on the storage, use or other consumption in this State of tangible personal property, providing for the registration of retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof and providing that this act shall take effect immediately—and appointed Senators Duval, Knowland, and Mixter, as a Committee on Conference, to meet a like committee from the Assembly.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Appointment of Committee on Free Conference Concerning Assembly Bill No. 1271.

The Speaker announced the appointment of Messrs. Lyon, McBride, and Redwine, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Assembly Bill No. 1271.

Also:

SENATE CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No. 1273—An act to amend the title and sections 2, 9, 15, 17, 18, 20, 21, 22, 23, 24, 26, 27, 29, 30 and 33 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933; to repeal section 19 of said act, to add sections 9½ and 19 to said act; all relating to the taxation of the privilege of selling, renting or leasing tangible

personal property; and to provide that this act shall take effect immediately—and appointed Senators Duval, Knowland, and Mixter, as a Committee on Conference to meet a like committee from the assembly.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Appointment of Committee on Free Conference Concerning Assembly Bill No. 1273.

The Speaker announced the appointment of Messrs. Lyon, McBride, and Redwine, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Assembly Bill No. 1273.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 764—An act to amend section 818 and to repeal sections 819 and 820 of the Penal Code, relating to the issuance of warrants;

Also: Assembly Bill No. 878—An act to amend section 1005 of the Code of Civil Procedure, relating to notice of motion;

Also: Assembly Bill No. 906—An act confirming the formation, organization and existence of municipal utility districts;

Also: Assembly Bill No. 923—An act to amend section 1283 of the Agricultural Code, relating to deciduous fruit dealers;

Also: Assembly Bill No. 1519—An act to amend section 271 of the Penal Code, relating to desertion of children;

Also: Assembly Bill No. 1657—An act to amend the Vehicle Code by amending sections 253, 257, 267, 268, 269, 270, 272, 273, 314, 315, 316, and 338; by repealing sections 350, 351, 352, 353, and 354; by adding sections 254, 271 5, 350, 351, 352, 253, and 354, relating to vehicles;

Also: Assembly Bill No. 2209—An act to add section 428 5 to the Vehicle Code, relating to the sale of vehicles by a lienholder;

Also: Assembly Bill No. 2302—An act to amend section 439 of the Vehicle Code, relating to reports of stored vehicles;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this thirteenth day of June, at ten o'clock a.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 98—An act providing for the establishment, organization, operation and dissolution of municipal housing authorities, vesting them with authority to clear, replan and reconstruct areas in municipalities in which unsanitary and substandard housing conditions exist, to provide and maintain decent, safe and sanitary dwelling accommodations in said areas and elsewhere for persons of low income, to acquire property therefor by purchase, option or lease, or by condemnation in the exercise of the power of eminent domain, to sell or lease their projects, to borrow money, and defining the duties and powers of such municipal housing authorities in the exercise of the authority so vested in them and authorizing any city or city and county establishing a municipal housing authority to give it financial assistance and to issue bonds therefor, and otherwise to aid, assist and cooperate with such municipal housing authority, and declaring the measure an urgency measure within the meaning of section 1 of Article IV of the Constitution and providing accordingly for the act to take effect immediately;

Also: Assembly Bill No. 128—An act to add section 488a to the Penal Code, relating to the punishment for theft in certain cases;

Also: Assembly Bill No. 735—An act to amend sections 4 and 10 of an act entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision," approved May 18, 1917, relating to the operation of the business of industrial loan companies;

Also: Assembly Bill No. 845—An act to amend the title and sections 1, 2, 3, 4, 5, 6, 7, 9, 10, 15, 16, 17, 20, 22 and 24½ and to repeal section 3½ of an act entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department and to assess and collect taxes, from time to time, for such purpose, and to create a board of fire commissioners," approved March 4, 1881, as amended, relating to fire departments in unincorporated towns and villages;

Also: Assembly Bill No. 1055—An act to amend sections 400 and 401 of the Vehicle Code, relating to tort liability;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this thirteenth day of June, 1935, at eleven o'clock and thirty minutes a.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1083—An act to amend section 924 of the Fish and Game Code, relating to district 16—and reports that the same has been correctly enrolled, and presented the same to the Governor on this thirteenth day of June, 1935, at eleven o'clock and thirty minutes a.m.

WATERS, Chairman.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 984—An act to amend sections 4.52 and 4.942 of the School Code, relating to junior college districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

CHATTERS, Chairman.

The above reported bill ordered on file for second reading.

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1935.

MR SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Senate Bill No. 392—An act relating to the conduct of clinical laboratories and the licensing of clinical laboratory technologists and clinical laboratory technicians and the issuance of permits to physicians and surgeons conducting clinical laboratories for the purpose of protecting the public health and to provide penalties for the violation of the provisions of this act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

CRONIN, Chairman.

Senate Bill No. 392 ordered re-referred to Committee on Ways and Means.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1182—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and to provide for the disposition of the revenues therefrom, and to provide that this act shall take effect immediately—and reports that the same has been correctly enrolled, and presented the same to the Governor on this thirteenth day of June, 1935, at three o'clock and thirty minutes p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1276—An act to provide for the investigation and study of the control and suppression of blackbirds, coots, linnets, horned larks and other birds or animals in relation to damage to agricultural crops;

Also: Assembly Bill No. 2496—An act to amend section 10 of the Political Code, relating to holidays;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 1120—An act to provide for certain major construction and improvements by the State, including the construction of a State prison, certain other construction and improvements, and the issue of bonds therefor and making an appropriation—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Senate Bill No. 1038—An act to amend sections 1240 and 1241 of the Code of Civil Procedure,

relating to condemnation—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

LYON, Chairman.

The above reported bill ordered on file for second reading.

Second Reading of Senate Bills—(Resumed).

Senate Bill No. 984—An act to amend sections 4.52 and 4.942 of the School Code, relating to junior college districts.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1120—An act to provide for certain major construction and improvements by the State, including the construction of a State prison, certain other construction and improvements and the issue of bonds therefor and making an appropriation.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, strike out "twelve", and insert in lieu thereof the following: "thirteen".

Amendment No. 2.

On page 2, line 7, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "and for the construction and equipment of a wing or wings to the State Building in Los Angeles, or for the improvement of said building."

Amendment No. 3.

On page 4, line 30, of the printed bill, as amended, strike out "twelve", and insert in lieu thereof the following: "thirteen".

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 1038—An act to amend sections 1240 and 1241 of the Code of Civil Procedure, relating to condemnation.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2, line 2, of the printed bill, as amended May 23, 1935, after "highway district," insert the following: "water district, water conservation district, metropolitan water district, municipal utility district,".

Amendment No. 2.

On page 2, line 10, of the printed bill, as amended May 23, 1935, after "highway district," insert the following: "water district, water conservation district, metropolitan water district, municipal utility district,".

Amendment No. 3.

On page 2, line 19, of the printed bill, as amended May 23, 1935, after "highway district," insert the following: "water district, water conservation district, metropolitan water district, municipal utility district,".

Amendment No. 4.

On page 2, line 30, of the printed bill, as amended May 23, 1935, after the comma, after the word "appropriated", strike out the word "in", and also strike out all of lines 31, 32, 33, 34 and 35, and insert in lieu thereof the following: "provided, that private property located within any incorporated city and sought to be taken by such city shall be deemed not to be appropriated to the use of the county or district within which such city is located."

Amendment No. 5.

On page 3, line 28, of the printed bill, as amended May 23, 1935, after "water district", insert a comma and the following: "water conservation district, metropolitan water district, municipal utility district,".

Amendment No. 6.

On page 3, line 34, of the printed bill, as amended May 23, 1935, after "water district," insert the following "water conservation district, metropolitan water district, or municipal utility district,".

Amendment No. 7.

On page 3, lines 46 and 47, of the printed bill, as amended May 23, 1935, strike out the following: "public utility, or water district," and insert in lieu thereof the following: "or public utility district,".

Amendment No. 8.

On page 4, line 6, of the printed bill, as amended May 23, 1935, after "utility district," insert the following: "a water conservation district, a metropolitan water district, a municipal water district,".

Amendment No. 9.

On page 4, line 16, of the printed bill, as amended May 23, 1935, after "trict," insert the following: "a water conservation district, a metropolitan water district, a municipal utility district,".

Amendment No. 10.

On page 4, line 20, of the printed bill, as amended May 23, 1935, after "utility district," insert the following: "a water conservation district, a metropolitan water district, a municipal utility district,".

Amendment No. 11.

On page 4, line 26, of the printed bill, as amended May 23, 1935, after the words "public use;" add the word "or".

Amendment No. 12.

On page 4, line 29, of the printed bill, as amended May 23, 1935, after the words "public use", strike out the following words appearing in lines 29 and 30: "; to furnish such a supply or provide vided for or".

Amendment No. 13.

On page 4, line 33, of the printed bill, as amended May 23, 1935, after "utility district," insert the following: "a water conservation district, a metropolitan water district, a municipal utility district,".

Amendment No. 14.

On page 4, line 39, of the printed bill, strike out the word "on", and insert in lieu thereof the word "or".

Amendment No. 15.

On page 4, line 40, of the printed bill, as amended May 23, 1935, after "utility district," insert the following: "a water conservation district, a metropolitan water district, a municipal utility district,".

Amendment No. 16.

On page 4, line 44, of the printed bill, as amended May 23, 1935, after "utility districts," insert the following: "water conservation districts, metropolitan water districts, municipal utility districts,".

Amendment No. 17.

On page 5, line 1, of the printed bill, after the comma, after the word "appropriated", strike out the words "in any case"; and on page 5, strike out all of lines 2 to 7, inclusive, and insert in lieu thereof the following: "provided, that private property located within any incorporated city and sought to be taken by such city shall be deemed not to be appropriated to the use of the county or district within which such city is located."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 127—An act to regulate the conduct of election campaigns, to provide penalties for corrupt practices defined therein, to repeal an act entitled "An act to regulate the conduct of election campaigns, and repealing an act entitled 'An act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,' approved February 23, 1893," approved March 19, 1907, and to repeal an act

entitled "An act providing for publicity of contributions and expenditures made for the purpose of influencing electors for or against any proposition voted upon throughout the State and providing penalties for violation of the provisions hereof," approved May 31, 1921.

Bill read second time, and ordered on file for third reading.

Recess.

At five o'clock and ten minutes p.m., on motion of Mr. Cottrell, the Assembly was declared at recess until nine o'clock p.m., of this day.

Reassembled.

At nine o'clock p.m, the Assembly reconvened.

Speaker Craig in the chair.

Privilege of Floor of Assembly Extended.

On request of Messrs. Waters and Pelletier, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Maurice Norcop and Mrs. A. D. Norcop.

On request of Mr. McMurray, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Tom Mitchell. On their honeymoon, stopped over in Sacramento to visit Uncle Patrick McMurray.

On request of Mr. Cronin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Miss Josephine Cronin of San Francisco, sister of Assemblyman Cronin.

Senate Messages—(Resumed).

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No. 437—An act to amend section 112 of, and to add section 112a to, the Code of Civil Procedure, relating to the jurisdiction of justices' courts;

Also: Assembly Bill No. 1346—An act to amend section 107 of the Penal Code, relating to punishment for escape of a prisoner.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 437 and 1346 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day sustained the Governor's veto of Senate Bill No. 153—An act to amend section 5 of an act entitled "An act to regulate motor boats of less than fifteen gross tons capacity, operating in California waters and carrying passengers for hire and providing a penalty for violation thereof," approved June 19, 1931, relating to boats unequipped with propelling machinery.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 277—An act to amend section 164 of the Civil Code, relating to community property;

Also: Senate Bill No. 589—An act to add section 10112 to the Insurance Code, relating to contract of minors for life insurance and disability and annuity contracts;

Also: Senate Bill No. 269—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment;

Also: Senate Bill No. 365—An act to reenact, in order to continue the same in effect subsequent to September 1, 1936, section 2924 of the Civil Code, relating to recording of notice of default and to giving notice of sale under deeds of trust and

mortgages with power of sale; and to reenact, in order to continue the same in effect subsequent to September 1, 1936, section 2924b of the Civil Code, relating to giving of notice of recording of notice of default and of time and place of sale under deeds of trust or mortgages with power of sale; and to reeneact, in order to continue the same in effect subsequent to September 1, 1936, section 2924c of the Civil Code, relating to reinstatement of loans when due date of principal sum has been accelerated; and to reenact, in order to continue the same in effect subsequent to September 1, 1936, section 580a of the Code of Civil Procedure, limiting amount of deficiency judgments and the time within which actions therefor may be commenced; and to reenact, in order to continue the same in effect subsequent to September 1, 1936, section 580b of the Code of Civil Procedure, prohibiting deficiency judgments on purchase money mortgages and deeds of trust; and to reenact, in order to continue the same in effect subsequent to September 1, 1936, section 580c of the Code of Civil Procedure, limiting the trustee's or attorney's fees which a mortgagor or trustor may be required to pay; and to reenact, in order to continue the same in effect subsequent to September 1, 1936, section 725a of the Code of Civil Procedure, permitting the beneficiary or trustee named in a deed of trust to bring suit to foreclose the same in the manner of a mortgage; and to amend section 2924½ of the Civil Code relating to mortgages and deeds of trust, all relating to the hypothecation of real property and to obligations secured thereby.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 936—An act to repeal section 2610 of the Political Code as added by Chapter 992 of the fiftieth session of the Legislature and to add a new section to the Political Code to be numbered section 2610a, relating to a Board of State Harbor Commissioners for the Bay of San Diego;

Also: Senate Bill No 1125—An act to amend sections 376a and 376b of the Political Code, relating to the Department of Penology.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 13, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2403—An act to amend sections 737j and 737bbb of the Political Code, relating to salaries of superior court judges;

Also: Assembly Bill No. 1606—An act to amend section 8 of and to add section 8a to the Sewer Revenue Bond Act, relating to acquisition and operation of sewerage disposal works.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 2403 and 1606 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 22—Relative to Pacific Exposition;

Also: Assembly Joint Resolution No. 23—Relative to the Pacific Exposition.

J. A. BEEK, Secretary of Senate.
By CARL A SHIPKEY, Assistant Secretary.

Assembly Joint Resolution No. 22 and Assembly Joint Resolution No. 23 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 826—An act to add a new section to the Code of Civil Procedure to be numbered 336a and to amend section 337 thereof, relating to the periods prescribed for the commencement of actions;

Also: Assembly Bill No 1744—An act to add section 644.5 to the Military and Veterans Code relating to military decorations;

Also: Assembly Bill No. 1861—An act to add section 76 to the Agricultural Code and to repeal section 694da of the Political Code, relating to the State Agricultural Society contingent fund;

Also: Assembly Bill No. 2465—An act to add section 1156 to the Agricultural Code, relating to the marketing of agricultural products;
And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 826, 1744, 1861 and 2465 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 13, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 150—An act granting to the City and County of San Francisco certain lands of the State of California located in the City and County of San Francisco upon certain trusts and conditions;

Also: Assembly Bill No. 794—An act to amend sections 5.802, 5 804, 5.890, 5 891, 5.894, 5 900, 5 901, 5 904, 5.910, 5.911, 5 962, 5.970, 5 980, 5.990, 5 993, 5 1009, 5.1023, 5.1030, 5.1031, 5 1032, 5.1040, 5.1041, 5.1047, 5.1048, 5 1060, 5.1061, 5 1062, 5.1080 and 5 1083 of the School Code; to amend the titles of Chapter III, of Articles IV, V and VII of Chapter III, of Chapter VI, of Articles II, III and V of Chapter VI, all of Part IV of Division V of said code; to repeal sections 5.1042 to 5.1046, both inclusive, of said code and to repeal Article IV of Chapter VI of Part IV of Division V of said code; to add eight new sections to said code to be numbered 5.886, 5.971, 5 972, 5.981, 5 986, 5.1004½, 5.1010 and 5.1011 and to add Chapter III of Part IV of Division V of said code a new article to be known as Article VIII; to add to Chapter V of Part IV of Division V of said code a new article to be known as Article V; and to add to Chapter VI of Part IV of Division V of said code a new article to be known as Article IV, all relating to the payment of retirement salaries and retirement annuities to persons serving the State, counties and school districts in positions having to do with teaching or other employment in, and/or the superintending, administration and supervision of colleges, schools, and classes maintained by the State and/or the school districts thereof;

Also: Assembly Bill No 2013—An act to add section 379.5 to the Vehicle Code, relating to seizure and sale of vehicles;

Also: Assembly Bill No. 2467—An act to add to the Probate Code a new section, to be numbered 201 5, and amending sections 201 and 220 of the Probate Code, all relating to the laws of succession.

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos 150, 794, 2013 and 2467 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted as amended, Assembly Constitutional Amendment No. 39—A resolution to propose to the people of the State of California, an amendment to Article IV of the Constitution of the State, by amending section 31 thereof, relating to paying the principal and interest on bonds issued by city, county, city and county, district or other political subdivision whose funds are in the custody of the treasurer of any city, county, or city and county—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Constitutional Amendment No. 39 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 154—An act to amend section 14 of the State Medical Practice Act, relating to refusal to issue certificates, suspension and revocation of certificates and probation of certificate holders;

Also: Senate Bill No. 404—An act to add section 159a to the Agricultural Code, relating to the elimination of Austrian field cress, and to make an appropriation therefor;

Also: Senate Bill No. 1126—An act to amend sections 105, 109 and 111 of the Vehicle Code, relating to the Department of Motor Vehicles.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No 154 read first time, and referred to Committee on Medical and Dental Laws.

Senate Bill No. 404 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 1126 read first time, and referred to Committee on Motor Vehicles.

Also:

SENATE CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 1131—An act to make an appropriation for emergency reclamation and flood control work on the San Joaquin River, declaring the urgency thereof and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 1131 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 1132—An act relating to the status in the State civil service of those persons mentioned in subdivision (f) of section 5 of Article XXIV of the State Constitution, providing for examinations to determine the eligibility of such persons and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 1132 read first time, and referred to Committee on Civil Service.

Also:

SENATE CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 46—Relative to requesting the State Relief Commission and State Relief Administrator to provide employment on public works for persons over the age of 60 years and those only partially disabled.

J. A. BEEK, Secretary of Senate

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 46, at this time, without reference to committee or file.

Consideration of Senate Concurrent Resolution No. 46.

Senate Concurrent Resolution No. 46—Relative to requesting the State Relief Commission and State Relief Administrator to provide employment on public works for persons over the age of 60 years and those only partially disabled.

Senate Concurrent Resolution No. 46 read.

Mr. Lyon moved the adoption of Senate Concurrent Resolution No. 46.

The question being on the adoption of Senate Concurrent Resolution No. 46.

The roll was called, and Senate Concurrent Resolution No. 46 adopted by the following vote:

AYES—Andreas, Boyle, Clark, Cronin, Crowley, Dawson, DeLap, Donihue, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, McBride, Meehan, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Riley, Rosenthal, Stream, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 46 ordered transmitted to the Senate.

Senate Concurrent Resolution No. 46.

A resolution relative to the Relief Commission and Relief Administrator and requesting the same to provide employment for persons over 60 years of age and others only partially disabled in order to save the counties the expense of caring for and supporting such persons

WHEREAS, The Legislature did in and by Senate Bill No. 940 appropriate the sum of $48,000,000 to aid and relieve hardship and destitution resulting from unemployment upon the assumption that every able-bodied adult person, irrespective of age, would be given employment and that no age discrimination would be made; and

WHEREAS, The Legislature has reduced the age limit of those entitled to participate under the State Old Age Pension Act (so-called) from 70 years to 65 years, thereby making aid under such act available to more than 20,000 additional persons within this State; and

WHEREAS, Such addition will add additional burdens to the counties and to the taxpayers thereof in that the counties will be required to cooperate in the care of such aged persons; and

WHEREAS, In addition thereto, counties are required to provide and care for all indigent persons unable to work and the combined costs of all such obligations so imposed upon the counties will be such that the taxpayers of said counties will be taxed to their maximum ability to pay; and

WHEREAS, It is reported to this Legislature that the Relief Commission and Relief Director are considering the adoption of a rule whereby persons over the age of 60 years and others only partially disabled will be refused employment and, as a result thereof, all such persons will likewise be forced onto the counties for care and support; and

WHEREAS, Such burden can not be borne by the taxpayers of the respective counties without the imposition of unjust and unfair additional tax burdens; now, therefore, be it

Resolved, by the Senate of the State of California, the Assembly concurring, That the Relief Commission and Relief Administrator be and each is hereby requested not to adopt or enforce any rule or regulation which would deprive or prevent any person over the age of 60 years or who may be only partially disabled from being employed and obtaining relief under the appropriation heretofore made from hardships and destitution due to unemployment; and be it further

Resolved, That said Relief Commission and Relief Administrator be and each is hereby requested to make provision and provide work for all such persons herein referred to so that they will not become an additional burden and charge upon the respective counties of the State but will be cared and provided for under the act appropriating said $48,000,000; and be it further

Resolved, That the Secretary of the Senate is directed to immediately forward copies of this resolution to such Relief Commission and Relief Administrator.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2473—An act to add section 269 to the Political Code, relating to officers of the Senate and Assembly—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Consideration of Senate Amendments to Assembly Bill No. 2473.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2473?

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out "Senate and".

Amendment No. 2.

On page 1, line 4, of the printed bill, as amended, after "named", insert the following: "of the Assembly".

Amendment No. 3.

On page 1, line 2 of the title of the printed bill, as amended in Senate June 12, 1935, strike out the period and insert the following: "and declaring the urgency thereof."

The roll was called, and Senate amendments to Assembly Bill No. 2473 were concurred in by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Chatters, Clark, Cronin, Crowley, Dawson, DeLap, Donihue, Field, Frazier, Garibaldi, Geyer, Gilmore, Glover, Hornblower, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Riley, Rosenthal, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Williamson, Wright and Mr. Speaker—49.
NOES—None.

Assembly Bill No. 2473 ordered to enrollment.

Reports of Committees on Free Conference.

The following reports of Committees on Free Conference were received and read:

Concerning Senate Bill No. 718.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: Your Committee on Free Conference concerning Senate Bill No. 718—An act to amend sections 384 and 439 of the Vehicle Code, relating to the registration and storage of vehicles—reports that it has met a like committee of the Senate, consisting of Senators Snyder, Deuel and Difani, and reports that the Committee on Free Conference has agreed to recommend the following: That the Senate concur in the Assembly amendments, and that the bill be further amended as follows:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "amend sections 384 and", and insert in lieu thereof the following: "add section 384 to, and amend section".

Amendment No. 2.

On page 1, lines 1 and 2, of the printed bill, as amended, strike out "of the Vehicle Code is hereby amended", and insert in lieu thereof the following: "is hereby added to the Vehicle Code,".

LYON,
KALLAM,
PEYSER,
Assembly Committee on Free Conference.

DIFANI,
SNYDER,
DEUEL.
Senate Committee on Free Conference.

Report of Committee on Free Conference concerning Senate Bill No. 718 read.

Mr. Hornblower moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Breed, Burns, Chatters, Cronin, Crowley, Cunningham, Dawson, DeLap, Donnelly, Field, Frazier, Garibaldi, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Redwine, Riley, Rosenthal, Thorp, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—48.
NOES—Donihue, and Reaves—2.

Concerning Senate Constitutional Amendment No. 18.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: Your Committee on Free Conference concerning Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article

XIII thereof, a new section to be numbered 17, relating to the power of the Legislature to provide for the borrowing of money to meet appropriations made by law, in anticipation of the collection of taxes and revenues—reports that it has met a like committee of the Senate, consisting of Senators Duval, Edwards and Schottky, and reports that the Committee on Free Conference has agreed to recommend the following: That the Senate concur in the Assembly amendments, and that the bill be further amended as follows:

Amendment No. 1.

On page 1, line 15, of the printed measure, as amended, after the word "preceding", insert the following: "fiscal".

Amendment No. 2.

On page 1, line 19, of the printed measure, as amended, after the word "State", insert the following: ", but if not so paid, shall, nevertheless, continue to be payable from the general fund".

McBRIDE,
LATHAM,
RILEY,
Assembly Committee on Free Conference.

SCHOTTKY,
EDWARDS,
DUVAL,
Senate Committee on Free Conference.

Report of Committee on Free Conference concerning Senate Constitutional Amendment No. 18 read.

Mr. McBride moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Chatters, Cronin, Crowley, Cunningham, Dawson, DeLap, Dominue, Donnelly, Evans, Ralph W., Field, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Riley, Rosenthal, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—55.

NOES—None.

Concerning Assembly Bill No. 1271.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 1271—An act imposing an excise tax on the storage, use or other consumption in this State of tangible personal property, providing for the registration of retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof and providing that this act shall take effect immediately—reports that it has met a like committee of the Senate, consisting of Senators Duval, Knowland and Mixter, and reports that the Committee on Free Conference has agreed to recommend the following. That the Assembly concur in the Senate amendments, and that the bill be further amended as follows:

Amendment No. 1.

On page 11, line 44, of the printed bill, as amended, after the period, insert the following: "All such assessments shall bear interest at the rate of one-half of one per cent per month, or fraction thereof, from the fifteenth day after the close of the period or periods, as the case may be, for which the amount of tax should have been paid to the State until the date of payment.".

Amendment No. 2.

On page 11, line 49, of the printed bill, as amended, after "tax", insert ", interest".

Amendment No. 3.

On page 12 of the printed bill, as amended, strike out all of lines 27 to 30, both inclusive, and insert in lieu thereof "be added thereto a penalty of ten per cent of the amount of the tax.".

LYON,
McBRIDE,
REDWINE,
Assembly Committee on Free Conference.

KNOWLAND,
MIXTER,
DUVAL,
Senate Committee on Free Conference.

Report of Committee on Free Conference concerning Assembly Bill No. 1271 read.

Mr. Lyon moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Chatters, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Field, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hornblower, Johnson, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Riley, Scudder, Stream, Thorp, Turner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—49.

NOES—Evans, Ralph W., Geyer, Gilbert, Hawkins, Heisinger, Lore, McCarthy, Rosenthal, and Wagner—9.

Concerning Assembly Bill No. 1273.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: Your Committee on Free Conference concerning Assembly Bill No. 1273—An act to amend the title and sections 2, 9, 15, 17, 18, 20, 21, 22, 23, 24, 26, 27, 29, 30 and 33 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933; to repeal section 19 of said act; to add sections 9½ and 19 to said act; all relating to the taxation of the privilege of selling, renting or leasing tangible personal property; and to provide that this act shall take effect immediately—reports that it has met a like committee of the Senate, consisting of Senators Duval, Knowland and Mixter, and reports that the Committee on Free Conference has agreed to recommend the following:

That the Assembly concur in the Senate amendments, and that the bill be further amended as follows:

Amendment No. 1.

On page 4, line 29, of the printed bill, as amended, strike out "March", and insert in lieu thereof "April", and also strike out "June 30", and insert in lieu thereof "July 31".

Amendment No. 2.

On page 4, line 34, of the printed bill, as amended, strike out "July", and insert in lieu thereof "August".

LYON,
McBRIDE
REDWINE,
Assembly Committee on Free Conference.

MIXTER,
KNOWLAND,
DUVAL,
Senate Committee on Free Conference.

Report of Committee on Free Conference concerning Assembly Bill No. 1273 read.

Mr. Lyon moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Breed, Burns, Chatters, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Field, Frazier, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Riley, Scudder, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—51.

NOES—Evans, Ralph W., Geyer, Gilbert, Hawkins, Lore, McCarthy, and Rosenthal—7.

Communication.

The following communication was received, and ordered printed in the Journal:

By Mr. Speaker:

June 13, 1935.

Honorable Edward Craig, Speaker of the Assembly,
Capitol Building, Sacramento, California.

MY DEAR MR. CRAIG: May I transmit to you the attached communication from the State Printer, George H. Moore, showing the disposition and sale of copies of the Fiscal Budget and other legislative publications.

Also acknowledged is receipt of a check from the State Printer in the sum of six hundred thirty-four and twelve-one hundredths dollars ($634.12), which check represents the amount of money to be placed to the credit of the legislative printing fund.

This check has been transmitted to the State Controller's office for deposit with the State Treasurer, said deposit to be credited to the legislative printing account.

Yours very truly,

ARTHUR A. OHNIMUS, Chief Clerk.

STATE OF CALIFORNIA, BUREAU OF PRINTING,
SACRAMENTO, June 10, 1935.

Hon. Arthur Ohnimus, Chief Clerk of the Assembly,
State Capitol.

DEAR SIR: I have the pleasure of rendering you a statement of accounts, showing our disposition and sale of copies of the Fiscal Budget, Legislative Bills, Journals, Histories or other material, under rules of the fifty-first Legislature.

By accounts to May 31, 1935:	*Subscribers*	*@*	
Daily Service (all bills, etc.)	209	$35 00 each	$7,315 00
History and Journal service (daily)	1	17 50 each	17 50
Chaptered Law service (daily)	80	5 00 each	400 00
Reprints (various bills, subject lists, enrolled bills)	77		419 85
Fiscal Budget	325	50 each	162 50
Total			$8,314 85

By expenses in operation:		
Salaries, administrative costs, coverage, postage, etc.—		
January, 1935	$710 98	
February	951 83	
March	2,174 11	
April	1,064 95	
May (estimated)	1,225 40	
June (estimated)	919 35	
Total	$7,046 62	7,046 62
Net Surplus		$1,268 23
By our check to order of the Assembly	$634 12	
By order on us from the Senate (24 Vols. California Constitution)	18 00	
By our check to order of Senate	616 11	
Total	$1,268 23	$1,268 23

Actual expenses for May and June will be shown when our annual report is made on Juy 1, 1935. In addition further net surplus will accrue before the business is concluded and a margin of about 25 per cent net surplus is anticipated over all expenses

Our check for $634 12 is inclosed for your order and we are likewise rendering check for $616.11 to the Secretary of the Senate.

Respectfully submitted.

GEORGE H. MOORE, State Printer.

Resolutions.

The following resolutions were offered:

By Mr. Peyser, and the San Francisco Delegation:

Assembly Resolution.

WHEREAS, There has come to the attention of the members of the San Francisco Delegation that among other events of National significance that have occurred on this thirteenth day of June, 1935, 37 years ago, probably the most important is that there was brought into this world a smiling and genial soul, a Native Son of the Golden West; and

WHEREAS, This baby boy, has over this period of years, developed into a man of splendid character and outstanding ability and also has retained the smile and geniality that was his upon birth; and

WHEREAS, Not only has this individual grown into splendid manhood, but in addition has contributed to the development of California and has stood for those things which make for clean and wholesome government and has inbued the Legislature of the State of California for many years with a progressive spirit; now, therefore, be it

Resolved, That the Assembly of the State of California does tender and extend to Assemblyman Melvyn I. Cronin heartiest congratulations on this natal day and

does express the wish that he may be spared in good health for many years of continued active service; and be it further

Resolved, That this Assembly does further express the wish that Assemblyman Melvyn I. Cronin and Mrs. Cronin may enjoy many years of happiness and bring to a fruition those ideals and ambitions which they may have; and be it further

Resolved, That a suitable copy of this resolution be presented to Assemblyman Melvyn I. Cronin.

Resolution read, and adopted unanimously.

By Messrs. Scudder and Maloney:

Assembly Resolution.

WHEREAS, It is with profound sorrow that the members of the Assembly have learned today of the death of Mrs. Charles Reindollar, wife of our esteemed colleague, Senator Charles Reindollar, and

WHEREAS, The passing out of this life of this good wife and mother, is a severe loss to the people of the community where she lived, and to all who knew her; and

WHEREAS, During her life, her kind deeds and humanitarian acts toward those in need in her community, made this kind woman an outstanding neighbor and citizen in Marin County; now, therefore, be it

Resolved, by the Assembly of the State of California, That when we adjourn today, we do so out of the respect of the memory of Mrs. Charles Reindollar; and be it further

Resolved, That we express to Senator Charles Reindollar and his children our deepest sympathy in their hour of bereavement, and be it further

Resolved, That the Chief Clerk be and is hereby instructed to have prepared a suitable copy of this resolution and same be sent to the family of Mrs. Charles Reindollar.

Resolution read and adopted unanimously.

Appointment of Select Committee.

The Speaker announced the appointment of Messrs. Scudder, Maloney and Lyon as a Select Committee to attend the funeral services of the late Mrs. Charles Reindollar.

Motion.

Mr. Williamson moved that the Chief Clerk be instructed to send flowers for the funeral of the late Mrs. Charles Reindollar.

Motion carried unanimously.

Further Consideration of Assembly Bill No. 1037.

Assembly Bill No. 1037—An act to safeguard the public health, to regulate the diagnosis and treatment of human ailments by means of X-rays and the use, ownership and possession of X-ray appliances for said purposes; providing for the licensing of persons operating X-ray appliances and laboratories, declaring the treatment of human ailments by means of X-rays to constitute the practice of medicine; prescribing penalties for violation of the act; declaring the possession, maintenance or operation of X-ray appliances in violation of the provisions of the act to constitute a public nuisance, and otherwise providing for the enforcement of the act.

Assembly Bill No. 1037, as amended, read third time.

Demand for Previous Question.

Messrs. Frazier, Morgan, Boyle, Johnson, and Fisher demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1037, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Chatters, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donahue, Donnelly, Evans, Ralph W.,

Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Morgan, Nielsen, Patterson, Peterson, Peyser, Redwine, Richie, Riley, Scudder, Stream, Turner, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—55.

NOES—Clark, Dawson, Geyer, McCarthy, Meehan, O'Donnell, Pelletier, Phillips, Reaves, Rosenthal, Thorp, Voigt, and Williamson—13.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 1037.

Mr. Dawson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1037 was this day passed.

Third Reading of Assembly Bills—(Resumed).

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 2382—An act to regulate the practice of structural pest control, to create the Structural Pest Control Board; to provide for the registration and licensing of persons engaged in such practice, and for the protection of the public in the practice of structural pest control

In my opinion said Assembly Bill No. 2382 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 2382—An act to regulate the practice of structural pest control; to create the Structural Pest Control Board; to provide for the registration and licensing of persons engaged in such practice, and for the protection of the public in the practice of structural pest control.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Miss Miller:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out lines 20, 21, and "tive." in line 22, and insert in lieu thereof the following:

"SEC. 5. Within thirty days after this act becomes effective, the members of the State board shall be appointed by and to serve at the pleasure of the Governor."

Amendment No. 2.

On page 2, lines 28 and 29, of the printed bill, as amended, strike out the words "for incompetency, misconduct or neglect of duty.", and insert in lieu thereof a period.

Amendment No. 3.

On page 3 of the printed bill, as amended, strike out lines 23, 24, and 25.

Amendment No. 4.

On page 3 of the printed bill, as amended, strike out lines 26, 27 and 28, and insert in lieu thereof the following

"SEC. 13. Upon the application of any person who is a resident of the State, the board shall determine by examination the".

Amendment No. 5.

On page 3 of the printed bill, as amended, strike out lines 36, 37, 38, 39, 40, 41, and 42.

Amendment No. 6.

On page 3, lines 44 and 45, of the printed bill, as amended, strike out the words "which fee is to be retained by the board", and insert in lieu thereof a period.

Amendments adopted.

Request for Unanimous Consent.

Miss Miller asked for, and was granted, unanimous consent to take up Assembly Bill No. 2382, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2382, as Amended.

Assembly Bill No. 2382, as amended, read third time.

Demand for Previous Question.

Messrs. Morgan, Fisher, Johnson, Cunningham and Evans, Ralph W., demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

The roll was called.

Call of the House.

Pending the announcement of the vote, Miss Miller moved a call of the House.

Roll Call.

The Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Chatters, Clark, Cronin, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hunt, Johnson, Kallam, Laughlin, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Peterson, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Turner, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—53.

NOES—Lore, and Pelletier—2.

Time, ten o'clock and twenty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Boyle, Breed, Burns, Chatters, Clark, Cronin, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Frazier, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hunt, Johnson, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—56.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Unfinished Business—(Resumed).

Consideration of Senate Amendments to Assembly Bill No. 754.

Assembly Bill No. 754—An act to make an appropriation from unemployment relief money for construction work by fairs under State control.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 754?

Amendment No. 1.

On page 1, line 7, of the printed bill, after the word "associations", insert the following: "including the association defined in section 94 of the Agricultural Code".

Amendment No. 2.

On page 2 of the printed bill, between lines 12 and 13, insert the following:
"The sum last above mentioned shall be expended for construction of buildings and appurtenances of the association mentioned in section 94 of the Agricultural Code."

Amendment No. 3.

On page 2 of the printed bill, following line 46, add the following:
"SEC. 3. For the purposes of this act, the association defined in section 94 of the Agricultural Code shall be deemed a district agricultural association and shall be entitled as such to participate under the provisions of this act."

Amendment No. 4.

On page 1, line 7, of the printed bill, as amended in Senate June 11, 1935, after the word "associations", insert the following: "including the association defined in section 94 of the Agricultural Code".

Amendment No. 5.

On page 2 of the printed bill, as amended in Senate June 11, 1935, between lines 12 and 13, insert the following:
"The sum last above mentioned shall be expended for construction of buildings and appurtenances of the association mentioned in section 94 of the Agricultural Code."

Amendment No. 6.

On page 2 of the printed bill, as amended in Senate June 11, 1935, following line 46, add the following:
"SEC. 3. For the purposes of this act, the association defined in section 94 of the Agricultural Code shall be deemed a district agricultural association and shall be entitled as such to participate under the provisions of this act."

Amendment No. 7.

On page 1, line 5, of the printed bill, as amended in Senate June 11, 1935, strike out "seventy-two", and insert in lieu thereof the words "seventy-seven".

Amendment No. 8.

On page 1, line 5, of the printed bill, as amended in Senate June 11, 1935, after the word "construction", insert the words "and repair".

Amendment No. 9.

On page 2 of the printed bill, as amended in Senate June 11, 1935, after line 16, insert the following:
"34. Modoc ---------- 5,000".

Amendment No. 10.

On page 2, line 28, of the printed bill, as amended in Senate June 11, 1935, strike out "$2,872,000", and insert in lieu thereof the following: "$2,877,000".

The roll was called and the Assembly refused to concur in Senate amendments to Assembly Bill No. 754, by the following vote:

AYES—Boyle—1.
NOES—Anderson, Andreas, Breed, Burns, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Turner, Voigt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—57.

Resolution.

The following resolution was offered:
By Messrs. Cassidy and Morgan:

Assembly Resolution.

WHEREAS, The American flag, the National emblem of our country, symbolizes unity, freedom and democracy; and

WHEREAS, June 14th of each year is set apart as the day when the citizens of every State of the United States should pay especial respect to the American flag; and

WHEREAS, The Assembly of the State of California will have on June 14, 1935, its first opportunity to celebrate Flag Day in a body; now, therefore, be it

Resolved by the Assembly of the State of California, That at some time during the course of business on that day the Speaker of the Assembly instruct that body to cease its activities for a short period to enable all members to renew their allegiance to the flag; and be it further

Resolved, That the Chief Clerk and Sergeant-at-Arms of the Assembly are hereby directed to provide and place flags in the Assembly Chamber in commemoration of this event.

Resolution read and adopted.

Appointment of Select Committee.

The Speaker appointed Messrs. Cassidy, Morgan and Frazier as a Select Committee to carry out the provisions of the resolution by Messrs. Cassidy and Morgan.

Unfinished Business—(Resumed).

Consideration of Senate Amendments to Assembly Bill No. 767.

Assembly Bill No. 767—An act to amend sections 2, 2½, 3, 4, 10, 13, 14, 15, 18½ and 21, to add section 24, and to repeal sections 5 and 9 of the Old Age Security Act of the State of California, relating to aid to the aged.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 767?

Amendment No. 1.

On page 3, line 9, of the printed bill, as amended, strike out "-five".

Amendment No. 2.

On page 3, line 43, of the printed bill, as amended, after "aid", insert the following: "by reason of fraud".

Demand for Previous Question.

Messrs. Maloney, Peyser, Dawson, Weber and DeLap demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being put: Shall the Assembly concur in the Senate amendments to Assembly Bill No. 767?

The roll was called, and Senate amendments to Assembly Bill No. 767 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—69.

NOES—Evans, Ralph W., Flint, Geyer, Lore, Pelletier, and Rosenthal—6.

Assembly Bill No. 767 ordered to enrollment.

Withdrawal of Assembly Bill No. 1901.

By order of the Speaker, Assembly Bill No. 1901 was withdrawn from the file, and referred to Committee on Ways and Means.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 588—An act levying a tax upon the privilege of severing petroleum, natural gas, natural or casing head gasoline and

other hydrocarbon substances from the earth, providing for the issuance of permits to producers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof and providing that the act shall take effect immediately.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Anderson:

Amendment No. 1.

On page 2, line 21, of the printed bill, as amended, strike out "2.5", and in lieu thereof insert "4.0".

Amendment No. 2.

On page 2, line 24, of the printed bill, as amended, strike out "2.995", and in lieu thereof insert "4.727".

Amendment No. 3.

On page 2, line 26, of the printed bill, as amended, strike out "3.5", and in lieu thereof insert "5.6".

Amendment No. 4.

On page 2, line 28, of the printed bill, as amended, strike out "4.136", and in lieu thereof insert "6.618".

Amendment No. 5.

On page 2, line 30, of the printed bill, as amended, strike out "4.909", and in lieu thereof insert "7.854".

Amendment No. 6.

On page 2, line 31, of the printed bill, as amended, strike out "5.864", and in lieu thereof insert "9.382".

Amendment No. 7.

On page 2, line 33, of the printed bill, as amended, strike out "0.4", and in lieu thereof insert "0.6".

Amendment No. 8.

On page 2, line 34, of the printed bill, as amended, strike out "0.2", and in lieu thereof insert "0.3".

The question being on the amendments submitted by Mr. Anderson to Assembly Bill No. 588.

Roll Call.

The Speaker ordered a roll call taken on the amendments by Mr. Anderson.

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Anderson, Boyle, Clark, Cronin, Donihue, Donnelly, Evans, Ralph W., Geyer, Gilbert, Hawkins, Heisinger, Hunt, Latham, Laughlin, Lore, McCarthy, McMurray, Meehan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Voigt, Wagner, Wallace, and Wright—28.

NOES—Andreas, Breed, Burns, Chatters, Cottrell, Cunningham, Dawson, DeLap, Fisher, Flint, Frazier, Fulcher, Gilmore, Johnson, Kallam, Lyon, Maloney, Martin, Mayo, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Turner, Utt, Walker, Waters, Weber, Welsh, Williamson, and Mr. Speaker—38.

Assembly Bill No. 588 read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Rosenthal:

Amendment No. 1.

On page 2 of the printed bill, between lines 34 and 35, insert the following:

"(b) Upon producers of limestone, silica, alumina and other materials from which lime and cement are made, and of salines, including borates and potash, from which salt, soda, borax and other products are made, at the rate of five per cent of the gross value of the products made from such raw materials.

(c) Upon producers of ores containing gold, silver, copper, lead, quicksilver, chromium, molybdenum, tungsten and platinum, at the rate of five per cent of the gross value of the refined products made from such ores."

Amendment No. 2.

On page 2, line 14, of the printed bill, after the numeral "3", add an "(a)".

The question being on the amendments submitted by Mr. Rosenthal to Assembly Bill No. 588.

Roll Call.

The Speaker ordered a roll call taken on the amendments by Mr. Rosenthal.

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Anderson, Brennan, Clark, Cottrell, Desmond, Donnelly, Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Latham, Laughlin, Lore, McBride, McCarthy, Minard, O'Donnell, Patterson, Pelletier, Reaves, Richie, Riley, Rosenthal, Stream, Turner, Voigt, Wallace, Welsh, Wright, and Mr. Speaker—32.

NOES—Andreas, Boyle, Breed, Burns, Chatters, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Hunt, Johnson, Kallam, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Robertson, Scudder, Thorp, Utt, Wagner, Walker, Waters, Weber, and Williamson—45.

Further Proceedings Under Call of the House Dispensed With.

At eleven o'clock and forty-five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Miss Miller.

The roll of absentees was called, and Assembly Bill No. 2382 was passed by the following vote:

AYES—Anderson, Andreas, Boyle, Clark, Corwin, Cronin, Crowley, Cunningham, DeLap, Desmond, Donnelly, Field, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Welsh, Williamson, and Wright—57.

NOES—Breed, Burns, Chatters, Cottrell, Dawson, Donihue, Evans, Ralph W., Fisher, Frazier, Johnson, Kallam, McCarthy, Minard, O'Donnell, Richie, Robertson, Voigt, Wallace, and Mr. Speaker—19.

Title read and approved.

Bill ordered transmitted to the Senate.

Further Consideration of Assembly Bill No. 588.

Assembly Bill No. 588 read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Heisinger:

Amendment No. 1.

On page 2 of the printed bill, strike out lines 14 to 34, inclusive, and substitute in lieu thereof the following:

"SEC. 3. For the privilege of severing the natural resources hereinafter specified from the earth, a tax is hereby imposed on producers thereof at the following rates:

(a) On petroleum from wells producing 500 barrels or less per well per month, one per cent of the value thereof at the place of severance; on petroleum from wells producing more than 500 and not more than 1000 barrels per well per month, two per cent of said value; on petroleum from wells producing more than 1000 and not more than 2000 barrels per well per month, three per cent of said value; on petroleum from wells producing more than 2000 and not more than 3000 barrels per well per month, four per cent of said value; and on petroleum from wells producing more than 3000 barrels per well per month, five per cent of said value. Forty-two gallons of petroleum shall constitute one barrel

(b) On natural, or casing head, gasoline, 0.5 cents per gallon.

(c) On natural gas, at the rate of 3 cents per 1000 cubic feet of the commercial, or "dry", gas taken therefrom, measured at a pressure of 14.74 pounds per square inch at a temperature of 60 degrees Fahrenheit

Further Consideration Deferred.

Further consideration of Assembly Bill No. 588 and amendments pending deferred.

Unfinished Business—(Resumed).

Motion to Reconsider Assembly Bill No. 2412 Continued.

Mr. Turner moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2412 was passed be continued until the next legislative day.

Motion carried.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2417—An act to amend section 844 of the Fish and Game Code, relating to nets.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 2417 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2264—An act to amend section 658 of the Fish and Game Code, relating to salmon;

Also: Assembly Bill No. 1957—An act to amend the public utilities act by adding two new sections numbered sections 13½ and 32½, relating to public utilities;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 2264 and 1957 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Free Conference on Senate Bill No. 406—An act to amend section 610 of the Fish and Game Code, relating to trout and whitefish—the following Senators: Scollan, Gordon, and Biggar, to meet with a like committee from your honorable body.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 730—An act to amend section 1 of an act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931 (Statutes 1931, Chapter 397), relative to the definition of public contract work and payment of the prevailing rate therefor.

J. A. BEEK, Secretary of Senate.
Also: By CARL A. SHIPKEY, Assistant Secretary.

SENATE CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, and as a case of urgency, Assembly Bill No. 669—An act to add section 3817½ to the Political Code, relating to taxation,

declaring the urgency hereof and providing that this act shall take immediate effect—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 669 ordered on unfinished business file.

Also: SENATE CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 105—An act to amend section 1092 of the Agricultural Code, relating to a tax upon commercial feeding stuffs;

Also: Senate Bill No. 355—An act relating to fees to be paid to the Railroad Commission by railroad corporations, express corporations, freight forwarders, persons or corporations operating vessels, and persons or corporations owning or operating motor vehicles in the transportation of property for hire upon the public highways under the jurisdiction of the Railroad Commission of the State of California, providing for the collection thereof by the Railroad Commission, and providing penalties for the violation of this act;

Also: Senate Bill No. 872—An act to amend section 109a of "The California Irrigation District Act," approved March 31, 1897, relating to name of irrigation districts;

Also: Senate Bill No. 1128—An act relating to the borrowing of money by the State in anticipation of taxes and revenues, and making an appropriation.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 105 read first time, and referred to Committee on Ways and Means.

Senate Bill No. 355 read first time, and referred to Committee on Public Utilities.

Senate Bill No. 872 read first time, and referred to Committee on Irrigation.

Senate Bill No. 1128 read first time, and referred to Committee on Ways and Means.

Also: SENATE CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 731—An act providing for an investigation of and report on the feasibility and desirability, from the standpoint of the public interest, of acquisition by the State of California of the existing facilities for the generation and distribution of electric power in California, whether now under private or public ownership, providing for a committee therefor, and the appointment of such committee, defining the powers, duties of such committee in respect thereto, and making an appropriation therefor.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 731 read first time, and referred to Committee on Public Utilities.

Also: SENATE CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1018—An act to amend sections 649, 657, 776, 777 and 779 and to repeal section 778 of the Vehicle Code, relating to funds;

Also: Senate Bill No. 1071—An act to provide for the inspection, quarantine and registration of aviaries and other places where shell parrakeets are sold, offered for sale, trade or barter, or otherwise distributed, and to provide for the inspection of all birds which may be kept in such places; to repeal an act entitled "An act to provide for the inspection, quarantine and registration of aviaries and other places where shell parrakeets are sold, offered for sale, trade or barter; and to provide for the inspection of all birds which may be kept in such places; to declare the urgency thereof and provide that this act shall take effect immediately," approved May 26, 1933; to declare the urgency thereof and provide that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 1018 read first time, and referred to Committee on Motor Vehicles.

Senate Bill No. 1071 read first time, and referred to Committee on Public Health and Quarantine.

Also:

SENATE CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to recede from its amendments to Assembly Bill No. 754—An act to make an appropriation from unemployment relief money for construction work by fairs under State control—and appointed Senators Swing, Knowland, and Sharkey, as a Committee on Conference, to meet a like committee from the Assembly.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 1027—An act making an appropriation for the clearing and cleaning of Ellis Creek—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 1093—An act to add section 398 to the Political Code, relating to the Lieutenant Governor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 1029—An act making an appropriation to pay the claim of Anthony Caminetti, Jr., against the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 1130—An act to add a new article to the Agricultural Code, to be numbered Article 5, Chapter 1, Division 3, relating to horse, mule, burro and sheep marks and brands—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 920—An act appropriating money for the restoration and rehabilitation of Marshall's cabin at Coloma—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 801—An act to amend sections 2 and 3 of an act entitled "An act creating an Advisory Pardon Board, defining and prescribing the powers and duties thereof; and making an appropriation therefor," approved May 17, 1915, as amended, relating to the powers and duties of the board—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 791—An act making an appropriation to reimburse the "Corporation Commission fund" for the excess moneys withdrawn and expended from that fund pursuant to Chapter 805, Statutes of 1929 and for necessary expenditures made pursuant to Chapter 1037, Statutes of 1933—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 576—An act to amend section 3773 of the Political Code, relating to lands sold for taxes, and making an appropriation in relation thereto—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 403—An act making an appropriation to pay the claim of Modoc County Fair Association against the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 392—An act relating to the conduct of clinical laboratories and the licensing of clinical laboratory technologists and clinical laboratory technicians and the issuance of permits to physicians and surgeons conducting clinical laboratories for the purpose of protecting the public health and to provide penalties for the violation of the provisions of this act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 258—An act to lease adequate facilities for the establishment and operation of a telephone-typewriter system of communication between certain cities, and to make an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 120—An act making an appropriation to pay the claim of Pacific Transfer Van and Truck Company against the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 75—An act making an appropriation to meet a deficiency in the appropriation for the support of the California Nautical School for the eighty-fifth and eighty-sixth fiscal years, declaring the urgency thereof, and providing that this

act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 20—An act to authorize the purchase of certain real property for the people of the State of California by the Director of Institutions and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2464—An act to provide for the payment of delinquent taxes with farm products, creating the California Farm Delinquent Tax Adjustment Commission, defining its powers and duties and declaring the urgency thereof to take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 627—An act to provide for the retirement with retirement allowance, of Justices of the Supreme Court and of the District Courts of Appeal, and of judges of the superior courts in counties in which the provisions of section 26 of Article VI of the Constitution shall be adopted as applicable to such judge or judges—has had the same under consideration, and respectfully reports the same back without recommendation.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Senate Bill No. 1001—An act to amend section 348 of the Agricultural Code, relating to licenses and moneys collected for inspection of marks and brands—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

THORP, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Senate Bill No. 874—An act to add a new article to the Agricultural Code, to be numbered Article 5, Chapter 1, Division III, relating to horse, mule, burro and sheep marks and brands—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

THORP, Chairman.

The above reported bill ordered on file for second reading.

On Irrigation.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Senate Bill No. 872—An act relating to the taxation of incomes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1901—An act relating to real estate transactions and imposing a tax thereon and providing for the enforcement and collection of the tax, this act to take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Senate Bill No. 527—An act to add a new article to Division III, Chapter 1, of the Agricultural Code, to be numbered 1a, relating to establishments slaughtering or processing animals for purposes other than human consumption, and rendering establishments—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

THORP, Chairman.

The above reported bill ordered on file for second reading.

Second Reading of Senate Bills—(Resumed).

Senate Bill No. 1130—An act to add a new article to the Agricultural Code, to be numbered Article 5, Chapter 1, Division III, relating to horse, mule, burro and sheep marks and brands.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1093—An act to add section 398 to the Political Code, relating to the Lieutenant Governor.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1029—An act making an appropriation to pay the claim of Anthony Caminetti, Jr., against the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1027—An act making an appropriation for the clearing and cleaning of Ellis Creek.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 920—An act appropriating money for the restoration and rehabilitation of Marshall's cabin at Coloma.

Bill read second time, and ordered on file for third reading.

Senate Bill No 801—An act to amend sections 2 and 3 of an act entitled "An act creating an advisory pardon board; defining and prescribing the powers and duties thereof; and making an appropriation therefor," approved May 17, 1915, as amended, relating to the powers and duties of the board.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 791—An act making an appropriation to reimburse the "Corporation Commission fund" for the excess moneys withdrawn and expended from that fund pursuant to Chapter 805, Statutes of 1929, and for necessary expenditures made pursuant to Chapter 1037, Statutes of 1933.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 576—An act to amend section 3773 of the Political Code, relating to lands sold for taxes, and making an appropriation in relation thereto.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 403—An act making an appropriation to pay the claim of Modoc County Fair Association against the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 392—An act relating to the conduct of clinical laboratories and the licensing of clinical laboratory technologists and clinical laboratory technicians and the issuance of permits to physicians and surgeons conducting clinical laboratories for the purpose of protecting the public health and to provide penalties for the violation of the provisions of this act.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 258—An act to lease adequate facilities for the establishment and operation of a telephone-typewriter system of communication between certain cities, and to make an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 120—An act making an appropriation to pay the claim of Pacific Transfer Van and Truck Company against the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 75—An act making an appropriation to meet a deficiency in the appropriation for the support of the California Nautical School for the eighty-fifth and eighty-sixth fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 20—An act to authorize the purchase of certain real property for the people of the State of California by the Director of Institutions and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1001—An act to amend section 348 of the Agricultural Code, relating to licenses and moneys collected for inspection of marks and brands.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 874—An act to add a new article to the Agricultural Code, to be numbered Article 5, Chapter 1, Division III, relating to horse, mule, burro and sheep marks and brands.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 872—An act to amend section 109a of "The California Irrigation District Act," approved March 31, 1897, relating to name of irrigation districts.

The above reported bill ordered on file for third reading.

Senate Bill No. 527—An act to add a new article to Division III, Chapter 1, of the Agricultural Code to be numbered 1a, relating to

establishments slaughtering or processing animals for purposes other than human consumption, and rendering establishments.

Bill read second time, and ordered on file for third reading.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2464—An act to provide for the payment of delinquent taxes with farm products, creating the California Farm Delinquent Tax Adjustment Commission, defining its powers and duties and declaring the urgency thereof to take effect immediately.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 627—An act to provide for the retirement with retirement allowance, of Justices of the Supreme Court and of the District Courts of Appeal, and of judges of the superior courts in counties in which the provisions of section 26 of Article VI of the Constitution shall be adopted as applicable to such judge or judges.

Bill read second time, ordered to re-engrossment, and third reading.

Assembly Bill No. 1901—An act relating to real estate transactions and imposing a tax thereon and providing for the enforcement and collection of the tax, this act to take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 3 of the printed bill, as amended, strike out lines 31 to 35, inclusive, and insert in lieu thereof the following: "sentative at all times. One-half of one per cent of all moneys and remittances received under this act by the commissioner shall be transmitted to the State Treasurer for deposit to the credit of the real estate transfer tax fund, which fund is hereby created, and the moneys in said fund are hereby appropriated for the purpose of carrying out the provisions of this act and for the payment of refunds for spoiled or unused stamps. The balance of all such moneys and remittances received under this act shall be transmitted to the State Treasurer for deposit to the credit of the general fund. Copies of the schedules covering all such transmittals to the State Treasurer shall be furnished at the".

Amendment No. 2.

On page 4 of the printed bill as amended, strike out lines 13 to 17, inclusive.

Amendment No. 3.

On page 4, line 18, of the printed bill, as amended, strike out "10", and insert in lieu thereof the following: "9".

Amendment No. 4.

On page 4, line 29, of the printed bill, as amended, strike out "11", and insert in lieu thereof the following: "10".

Amendments adopted.

Bill read second time, ordered to reprint, re-engrossment and third reading.

Motion to Continue Unfinished Business.

Mr. Lyon moved that all unfinished business on the Daily Calendar be continued to the next legislative day.

Motion carried.

Adjournment.

At eleven o'clock and fifty-five minutes p m , on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until twelve o'clock and one minute a.m., Friday, June 14, 1935, out of respect to the memory of the late Mrs. Charles Reindollar.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Friday, June 14, 1935.

At twelve o'clock and one minute a m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—80.

Quorum present.

Prayer.

Prayer was offered by Miss Miller, member of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Minard, its further reading was dispensed with.

Privilege of Floor of Assembly Extended.

On request of Mr. Scudder, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Col. John A. Jordan and Mrs. John A. Jordan of San Rafael.

On request of Mr. Donihue, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Joseph A. Freitas, State organizer of U. P. E. C., of Oakland.

Further Consideration of Assembly Bill No. 588.

Assembly Bill No. 588—An act levying a tax upon the privilege of severing petroleum, natural gas, natural or casing head gasoline and other hydrocarbon substances from the earth, providing for the issuance of permits to producers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof and providing that the act shall take effect immediately.

Further Consideration of Amendment by Mr. Heisinger.

Amendment No. 1.

On page 2 of the printed bill, strike out lines 14 to 34, inclusive, and substitute in lieu thereof the following:

"SEC. 3. For the privilege of severing the natural resources hereinafter specified from the earth, a tax is hereby imposed on producers thereof at the following rates:

(a) On petroleum from wells producing five hundred barrels or less per well per month, one per cent of the value thereof at the place of severance; on petroleum from wells producing more than five hundred and not more than one thousand barrels per well per month, two per cent of said value; on petroleum from wells producing more than one thousand and not more than two thousand barrels per well per month, three per cent of said value; on petroleum from wells producing more than two thousand and not more than three thousand barrels per well per month, four per cent of said value; and on petroleum from wells producing more than three thousand barrels per well per month, five per cent of said value. Forty-two gallons of petroleum shall constitute one barrel.

(b) On natural, or casing head, gasoline, five-tenths cents per gallon.

(c) On natural gas, at the rate of three cents per 1,000 cubic feet of the commercial, or "dry", gas taken therefrom, measured at a pressure of fourteen and seventy-four hundredths pounds per square inch at a temperature of sixty degrees Fahrenheit"

Request.

Mr. Heisinger requested that the amendment be voted upon according to sections.

Request granted.

The question being on the amendment section (a) submitted by Mr. Heisinger to Assembly Bill No. 588.

Roll Call.

The Speaker ordered a roll call taken on amendment section (a) submitted by Mr. Heisinger.

The roll was called, and the amendment section (a) submitted by Mr. Heisinger was refused adoption by the following vote:

AYES—Anderson, DeLap, Donnelly, Geyer, Hawkins, Heisinger, Laughlin, Lore, McCarthy, Miller, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, and Wagner—18

NOES—Andreas, Breed, Burns, Chatters, Cottrell, Crowley, Cunningham, Donihue, Evans, Ralph W., Field, Fisher, Frazier, Glover, Hornblower, Hunt, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—40.

The question being on the amendment section (b) submitted by Mr. Heisinger to Assembly Bill No. 588.

Roll Call.

The Speaker ordered a roll call taken on amendment section (b) by Mr Heisinger.

The roll was called, and the amendment section (b) was refused adoption by the following vote:

AYES—Anderson, Clark, DeLap, Donnelly, Geyer, Glover, Heisinger, Hornblower, Laughlin, Lore, McCarthy, Miller, Minard, Patterson, Pelletier, Reaves, Richie, Rosenthal, and Wagner—19.

NOES—Andreas, Breed, Burns, Cassidy, Cottrell, Donihue, Evans, Ralph W, Field, Fisher, Frazier, Fulcher, Hunt, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—36.

The question being on the amendment section (c) submitted by Mr. Heisinger to Assembly Bill No. 588.

Roll Call.

The Speaker ordered a roll call taken on the amendment section (c) submitted by Mr. Heisinger.

The roll was called, and the amendment section (c) was refused adoption by the following vote:

AYES—Anderson, Cassidy, Clark, Donnelly, Evans, Ralph W., Flint, Geyer, Glover, Hawkins, Heisinger, Laughlin, Maloney, McCarthy, Minard, Patterson, Pelletier, Reaves, Richie, Rosenthal, and Wagner—20

NOES—Andreas, Breed, Burns, Cottrell, Crowley, Cunningham, DeLap, Donihue, Field, Fisher, Frazier, Fulcher, Hornblower, Hunt, Johnson, Kallam, Latham, Lore, Lyon, Martin, Miller, Morgan, Peterson, Peyser, Phillips, Riley, Robertson, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—38.

Assembly Bill No 588 read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Kallam:

Amendment No. 1.

On page 2, line 16, of the printed bill, as amended, following "tax", insert the following: "predicated upon the quantities severed from the earth".

Amendment No. 2.

On page 2, line 41, of the printed bill, as amended, strike out "fifteenth", and insert in lieu thereof the following: "twentieth".

Amendment No. 3.

On page 2, lines 43 and 44, of the printed bill, as amended, strike out "first day", and insert in lieu thereof the following: "month".

Amendment No. 4.

On page 2, lines 44 and 45, of the printed bill, as amended, strike out the comma following "1935"; and strike out "and ending on the thirty-first day of July, 1935".

Amendment No. 5.

On page 2, line 45, of the printed bill, as amended, strike out "fifteenth", and insert in lieu thereof the following: "twentieth".

Amendment No. 6.

On page 2, line 47, of the printed bill, as amended, strike out "fifteenth", and insert in lieu thereof the following: "twentieth".

Amendment No. 7.

On page 3, line 19, of the printed bill, as amended, strike out "this", and insert in lieu thereof the following: "the".

Amendment No. 8.

On page 3, line 30, of the printed bill, as amended, strike out "engage", and insert in lieu thereof the following: "engages".

Amendment No. 9.

On page 4, line 11, of the printed bill, as amended, following "Such", insert the following: "notice may be served upon the producer personally or by".

Amendment No. 10.

On page 6, line 10, of the printed bill, as amended, strike out "natural resources", and insert in lieu thereof the following: "petroleum, natural gas or natural or casing head gasoline".

Amendment No. 11.

On page 7, line 15, of the printed bill, as amended, strike out "debits", and insert in lieu thereof the following: "debts".

Amendments adopted.

Request for Unanimous Consent.

Mr. Kallam asked for, and was granted, unanimous consent to take up Assembly Bill No. 588, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 588, as amended, read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Welsh:

Amendment No. 1.

On page 2, line 38, of the printed bill, strike out the period, and insert the following: "provided further, that the taxes herein levied shall not apply to any oil produced from wells having an average daily production during any calendar month of less than 10 barrels per day."

The question being on the amendment submitted by Mr. Welsh to Assembly Bill No. 588.

Roll Call.

The Speaker ordered a roll call taken on the amendment submitted by Mr. Welsh.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Heisinger, Lore, Minard, Pelletier, Riley, Robertson, Utt, Weber, and Welsh—9.

NOES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, McCarthy, Meehan, Miller, Morgan, O'Donnell, Patterson, Peterson, Peyser, Phillips, Reaves, Richie, Rosenthal, Scudder, Stream, Thorp, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—57.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 13, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 588—An act levying a tax upon the privilege of severing petroleum, natural gas, natural or casing head gasoline from the earth, providing for the issuance of permits to producers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof and providing that the act shall take effect immediately.

In my opinion Assembly Bill No. 588 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Third Reading of Assembly Bill No. 588, as Amended.

Assembly Bill No. 588, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 588, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, and Wright—68.

NOES—DeLap, McBride, Minard, Riley, Robertson, Turner, Utt, Weber, and Mr. Speaker—9.

Title read and approved

Bill ordered transmitted to the Senate.

Explanation of Vote.

MR SPEAKER: I am supporting this Severence Tax Bill because I believe the natural resources should pay a just share of the State tax, but I believe this bill is a discriminatory measure as it, in my opinion, fixes too much tax upon the small producing wells and not sufficient upon natural gas and gasoline.

S. L. HEISINGER.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, June 5, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS Assembly Bill No. 444—An act to amend section 13 of the Motor Vehicle Fuel License Tax Act, relating to apportionment of the tax fund.

In my opinion said Assembly Bill No. 444 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 444—An act to amend section 13 of the Motor Vehicle Fuel License Tax Act, relating to apportionment of the tax fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 444 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—70.

NOES—Field and Latham—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 1482—An act making appropriation for the elimination of camel's thorn out of certain moneys heretofore appropriated for the purpose, declaring the urgency hereof, to take effect immediately.

In my opinion said Assembly Bill No. 1482 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 1482—An act making appropriation for the elimination of camel's thorn out of certain moneys heretofore appropriated for that purpose.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Riley, Robertson,

Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Wright, and Mr. Speaker—68.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1482 passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—73.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California

GREETINGS: Assembly Bill No 2376—An act making an appropriation for the support of the Legislative Counsel Bureau and declaring the urgency thereof, the act to take effect immediately.

In my opinion said Assembly Bill No. 2376 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 2376—An act making an appropriation for the support of the Legislative Counsel Bureau and declaring the urgency thereof, the act to take effect immediately.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—73.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2376 passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 2238—An act to add a new section to be numbered section 17 to "An act to provide for needy blind persons, not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, making appropriation therefor and prescribing penalties for the violation of the provisions of the act," approved May 28, 1929, relating to aid to the needy blind.

In my opinion said Assembly Bill No. 2238 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 2238—An act to provide for the needy blind persons not inmates of any institution supported in whole or in part by the State or any of its subdivisions; prescribing rules of eligibility for such aid, empowering the Chief of the Division for Blind of the State Department of Social Welfare to supervise the enforcement of this act; making appropriation therefor, and prescribing penalties for the violation of the provisions of this act, and to repeal an act entitled "An act to provide for needy blind persons, not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, making appropriation therefor and prescribing penalties for the violation of the provisions of this act," approved May 28, 1929.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Fisher:

Amendment No. 1.

Strike out lines 1 and 2 of the title of the printed bill, as amended, and insert in lieu thereof the following: "An act to amend sections 3 and 9 of, and to add sections 17 and 18 to "An act to provide for".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 1 to 10, inclusive.

Amendment No. 3.

On page 2 of the printed bill, as amended, strike out lines 1 to 10, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 3 of the act cited in the title hereof is hereby amended to read as follows:

SEC 3. In order that any person who may have become blind while a resident of the State of California may be entitled to aid under the provisions of this act, such person must be sixteen years of age and a resident of the county or city and county in

which his application is filed for a period of six months immediately preceding the filing of his application; and in order that any person, who became blind while he was not a resident of the State of California, may be entitled to aid under the provisions of this act, such person must be sixteen years of age and a resident of the county or city and county, in which his application is filed, for a period of one year immediately preceding the filing of his application and a resident of the State of California for a period of ten years immediately preceding the filing of his application; provided, that if, when and during such time as grants in aid are provided by the United States Government for such aid in this State, and accepted by this State, aid may be granted under this act to any person otherwise eligible who resides in the State of California and has so resided continuously for at least one year immediately preceding the date of application and for at least five years within the nine years immediately preceding the date of such application; provided, however, that no applicant shall receive such aid while he is an inmate of any institution supported in whole or in part by the State or any of its political subdivisions; provided, however, that if any applicant receiving aid under the provisions of this act, have residing within the State a spouse, parent, adult child, grandparent or adult grandchild pecuniarily able to support said applicant, the district attorney, or other civil legal officer of the county or city and county granting aid may, on behalf of said county or city and county, maintain an action in the superior court of the county or city and county granting such aid, against said relatives, in the order named, to recover for said county or city and county such portion of said aid granted as the court may find said relative or relatives pecuniarily able to pay; provided, that the receipt of aid by the applicant hereunder shall not be contingent upon such recovery by said legal officer. Such sums so recovered shall be credited by the county in its semiannual settlement with the State; and provided further, that no one shall receive aid under this act who owns property, the county assessed valuation of which, less all encumbrances thereon of record, is in excess of three thousand dollars; and provided further, that in estimating the income of an applicant under this act property owned by such applicant not bearing an income nor used as his actual residence shall be deemed to yield an income of five per cent per annum on its valuation as determined by the county assessor or assessors less all encumbrances thereon of record; and provided further, that no person shall be eligible to receive aid under this act who publicly solicits alms in any part of the State. The term "publicly solicits" shall be construed to mean either the wearing, carrying or exhibiting of signs denoting blindness for the securing of alms, or the carrying of receptacles, for the purpose of securing alms or the doing of the same by proxy; or stationary or house to house begging; or any other means of publicly seeking alms; and provided, however, that no applicant shall be denied the aid provided for in this act by reason of the fact that such applicant is attending or intends to attend any public high school in this State, the University of California, or any other institution of higher learning in this State.

SEC. 2. Section 9 of the act cited in the title hereof is hereby amended to read as follows:

SEC. 9. The board of supervisors of each county or city and county shall, at times to be named by the State Department of Social Welfare, certify to said department the sums of money paid out to blind persons under the provisions of this act during the preceding six months. Such certified claims shall be audited by the State Department of Social Welfare and the State Controller. The State Controller shall draw warrants therefor in the sum of one-half the amount paid out by said county or city and county to blind persons under the provisions of this act during the period for which the claim is made, and the amount of such warrants shall be paid by the State Treasurer to the treasurer of said county or city and county; provided, that if, when and during such time as funds are provided or made available by the United States Government for aid to the needy blind in this State, the State, in addition to said sum equal to one-half of the total amount of payments made by the county or city and county, shall pay to each county or city and county one-half of the total amount of payments made to the State by the United States for or in respect to aid for the needy blind who receive aid under the provisions of this act, exclusive of the five per cent granted by the Federal Government for administration costs. Any claim certified by the county board of supervisors pursuant to this act shall be disallowed only on the ground that the aid was granted contrary to the provisions of this act.

SEC. 3. A new section to be numbered section 17 is hereby added to the act cited in the title hereof and to read as follows:

SEC. 17. No aid to needy blind shall be given under the provisions of this act to any individual who receives aid under the Old Age Security Act of the State of California.

SEC. 4. A new section to be numbered section 18 is hereby added to the act cited in the title hereof and to read as follows:

SEC. 18. The acceptance of aid for the needy blind by the State from the Federal Government or any department or agency thereof under this act shall not be deemed to reduce the maximum amount of aid to the blind which may be granted under the provisions of this act."

Amendments adopted.

Request for Unanimous Consent.

Mr. Fisher asked for, and was granted, unanimous consent to take up Assembly Bill No. 2238, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2238, as Amended.

Assembly Bill No. 2238, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2238, as amended, passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—73.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 13, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 1227—An act relating to the holding of the San Francisco Bay Bridge Exposition in the City and County of San Francisco, in the State of California, creating a commission to be known as the "San Francisco Bay Bridge Exposition Commission," and making an appropriation therefor.

In my opinion Assembly Bill No. 1227 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 1227—An act relating to the holding of the San Francisco Bay Bridge Exposition in the City and County of San Francisco, in the State of California, providing for the issuance and sale of State bonds to be known as "San Francisco Bay Bridge Exposition Bonds," providing for the payment and retirement of said bonds, providing for and creating a fund for the carrying out of the purposes of this act, authorizing the expenditures of moneys in said fund for such purpose, creating a commission to be known as the "San Francisco Bay Bridge Exposition Commission," creating an interest and sinking fund for the payment of interest on said bonds, and the redemption of the same, and making an appropriation therefor.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Hornblower:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out the word "Bridge", and in line 10 of the title, strike out the word "Bridge".

Amendment No. 2.

On page 11, line 42, of the printed bill, strike out the word "Bridge".

Amendments adopted.

Request for Unanimous Consent.

Mr. Hornblower asked for, and was granted, unanimous consent to take up Assembly Bill No. 1227, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1227, as Amended.

Assembly Bill No. 1227, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1227, as amended, passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—71.

NOES—Evans, Ralph W., and McCarthy—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 994—An act to add section 690.11 to the Political Code, relating to the disposition of fees received under the provisions of section 690.10 of the Political Code.

In my opinion said Assembly Bill No. 994 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No 994—An act to add section 690.11 to the Political Code, relating to the disposition of fees received under the provisions of section 690.10 of the Political Code, relating to the construction, alteration or maintenance of groins, jetties, seawalls, breakwaters, and/or bulkheads upon, across, or over any of the swamp, overflowed, marsh, tide or submerged lands of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 994 passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Robertson, Rosenthal, Scudder, Stream,

Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—71.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, June 12, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 97—An act making an appropriation to pay the claim of the city of Coronado against the State of California.

In my opinion said Assembly Bill No. 97 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 97—An act making an appropriation to pay the claim of the city of Coronado against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 97 passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Richie, Riley, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—66.

NOES—Flint, Reaves, and Robertson—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 922—An act to amend section 1300.2 of the Agricultural Code, relating to produce dealers.

In my opinion said Assembly Bill No. 922 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 922—An act to amend section 1300.2 of the Agricultural Code, relating to produce dealers.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 922 passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Don-

nelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—71.

NOES—None

Title read.

Amendment to Title.

During the reading of the title, the following amendment was submitted by Mr. Phillips:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out "produce dealers", and insert in lieu thereof the following: "processors of agricultural products".

Title, as amended, read and approved.

Bill ordered transmitted to the Senate.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, June 12, 1935

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 379—An act to amend section 410 of the Political Code, relating to the publication and distribution of the laws, resolutions and Journals of the Legislature, and making an appropriation therefor.

In my opinion said Assembly Bill No. 379 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted,

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 379—An act to amend section 410 of the Political Code, relating to the duties of the Secretary of State, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 379 passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—71.

NOES—None.

Title read.

Amendment to Title.

During the reading of the title, the following amendment was submitted by Mr. Phillips:

Amendment No. 1.

On page 1, line 5, of the title of the printed bill, as amended, following the word "Legislature", strike out the comma, and insert in lieu thereof a period; and strike out "and making an appropriation therefor."

Title, as amended, read and approved.

Bill ordered transmitted to the Senate.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 2019—An act to amend section 2289 of the Political Code, relating to State aid to indigent orphans.

In my opinion said Assembly Bill No. 2019 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 2019—An act to amend section 2289 of the Political Code, relating to State aid to indigent orphans.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2019 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—70.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 1663—An act to amend section 26 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations,'" approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities," relating to fees.

In my opinion said Assembly Bill No. 1663 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 1663—An act to amend section 26 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations.'" approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies,

brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities," relating to fees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1663 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—71.

NOES—Flint and Reaves—2

Title read and approved.

Bill ordered transmitted to the Senate.

Message from the Governor.

The following message from the Governor was received and read·

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 11, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 900—An act providing for an investigation and report by a California Tax Research Commission on the subject of gross receipts taxes for the State of California and for any or all of its governmental units, making an appropriation therefor, and declaring this act to be an urgency measure to go into immediate effect.

In my opinion said Assembly Bill No. 900 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No 900—An act providing for an investigation and report by a California Tax Research Commission on the subject of gross receipts taxes for the State of California and for any or all of its governmental units, making an appropriation therefor, and declaring this act to be an emergency measure to go into immediate effect.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Riley:

Amendment No. 1.

On page 2, line 10, of the printed bill, as amended, after the period after "1937", insert the following: "In making the final report to the Legislature the commission shall include a full and true report of all transactions under this law including a complete itemized statement of receipts and expenditures during the period."

Amendment adopted.

Request for Unanimous Consent.

Mr. Riley asked for, and was granted, unanimous consent to take up Assembly Bill No. 900, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 900 read third time.

Urgency clause read.

Demand for Previous Question.

Messrs. DeLap, Minard, Dawson, Morgan, and Mayo demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause refused adoption by the following vote:

AYES—Andreas, Breed, Cassidy, Chatters, Cottrell, Desmond, Donihue, Field, Glover, Hunt, Kallam, Latham, Maloney, Martin, Mayo, McBride, Miller, Morgan, Peterson, Phillips, Reaves, Redwine, Riley, Stream, Thorp, Utt, Wagner, Walker, Wright, and Mr. Speaker—30.

NOES—Anderson, Boyle, Brennan, Burns, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Donnelly, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Johnson, Lore, Lyon, McCarthy, McMurray, Meehan, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Richie, Robertson, Rosenthal, Scudder, Turner, Voigt, Wallace, Waters, Weber, Welsh, and Williamson—45.

Notice of Reconsideration of Urgency Clause to Assembly Bill No. 900.

Mr. Lyon gave notice that on the next legislative day he would move to reconsider the vote whereby the urgency clause to Assembly Bill No. 900 was this day refused adoption.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 2396—An act to create the California Rural Rehabilitation Authority, to provide for its organization, define its powers and duties and to make an appropriation in aid of its operation.

In my opinion said Assembly Bill No. 2396 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 2396—An act to create the California Rural Rehabilitation Authority, to provide for its organization, define its powers and duties and to make an appropriation in aid of its operation.

Bill read third time.

Demand for Previous Question.

Messrs. Morgan, Minard, Dawson, Cunningham and DeLap demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2396 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Cronin, Cunningham, Dawson, DeLap, Donihue, Evans, Ralph W., Field, Fisher, Frazier, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Lore, Lyon, Maloney, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—57.

NOES—Breed, Corwin, Cottrell, Crowley, Desmond, Donnelly, Kallam, Martin, McCarthy, Phillips, Richie, Robertson, Wagner, Walker, and Wright—15.

Title read and approved.

Bill ordered transmitted to the Senate.

Requests for Permission to Introduce Bills.

The following requests for permission to introduce bills were presented:

By Mr. Waters:

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 4322 of the Political Code, relating to county officers and employees.

Referred to Committee on Introduction of Bills.

By Mr. Hunt:

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to amend section 3 of an act entitled "An act to repeal section 1120 to 1140, inclusive, of the Fish and Game Code, relating to the State Fish Exchange, and disposing of the property and funds thereof," approved June 10, 1933, and defining the powers and duties of the Department of Natural Resources and the Division of Fish and Game thereof in relation thereto.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees.

The following reports of standing committee were received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 3 of an act entitled "An act to repeal section 1120 to 1140 inclusive of the Fish and Game Code, relating to the State Fish Exchange, and disposing of the property and funds thereof," approved June 10, 1933, and defining the powers and duties of the Department of Natural Resources and the Division of Fish and Game thereof in relation thereto.

CUNNINGHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to amend section 4322 of the Political Code, relating to county officers and employees.

CUNNINGHAM, Chairman.

Reports of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the reports.

The question being on the adoption of the reports.

The roll was called, and the reports adopted by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Herbert J., Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Gilmore, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—67.

NOES—None.

Introduction and Reference of Bills.

The following bills were introduced, and referred as indicated:

By Mr. Waters. Assembly Bill No. 2500—An act to amend section 4322 of the Political Code, relating to county officers and employees.

Bill read first time, and referred to Committee on County Government.

By Mr. Hunt: Assembly Bill No. 2501—An act to amend section 3 of an act entitled "An act to repeal sections 1120 to 1140, inclusive, of the Fish and Game Code, relating to the State Fish Exchange, and disposing of the property and funds thereof," approved June 10, 1933, and defining the powers and duties of the Department of Natural Resources and the Division of Fish and Game thereof in relation thereto.

Bill read first time, and referred to Committee on Ways and Means.

Motion to Re-refer Senate Bill No. 425.

Mr. Phillips moved that Senate Bill No. 425 be withdrawn from Committee on Agriculture, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Senate Bill No. 425 to Committee on Ways and Means.

Motion carried.

Senate Bill No. 425 ordered re-referred to Committee on Ways and Means.

Recess.

At one o'clock and fifty-five minutes a.m., on motion of Mr. Lyon, the Assembly was declared at recess until ten o'clock a.m., of this day.

Reassembled.

At ten o'clock a.m., the Assembly reconvened.

Speaker Craig in the chair.

Presentation of Petitions.

The following petitions were presented, and ordered printed in the Journal:

By Mr. Speaker:

From Property Owners' Division, Los Angeles Realty Board, relative to balancing the budget.

From the Venice of America Independence Associations, approving a constitutional amendment by Mr. Voigt and thanking him for his efforts.

ASSISTANT CLERK OLIVER READING.

Second Reading of Senate Bills.

Senate Bill No. 1090—An act to amend section 50 of the "State Housing Act," approved June 15, 1923, relating to the character and construction of fire escapes.

Bill read second time, and ordered on file for third reading.

Resolution.

The following resolution was offered:

By Mr. Peyser:

Assembly Resolution.

WHEREAS, It is common knowledge that automobile finance and loan companies are guilty of charging exorbitant rates of interest for financing automobile purchase contracts; and

WHEREAS, It is reported that, in addition to such interest rates, further excessive charges are imposed upon the public in the form of service fees, brokerage and insurance premiums; and

WHEREAS, It is reported that such finance companies through subterfuge charge rates far in excess of those permitted by usury laws in refinancing contracts and lending money on automobiles; and

WHEREAS, It is necessary and desirable that the Assembly and its members have accurate, detailed and complete information available concerning the operation and practices of automobile finance and loan companies to the end that the Assembly and its members may act advisedly in the consideration of needed changes in the law respecting such companies; now, therefore, be it

Resolved by the Assembly of the State of California, That a Special Assembly Committee on Automobile Finance Companies, consisting of three members of the Assembly, be appointed by the Speaker of the Assembly to gather information and to conduct investigations concerning the subject of this resolution and of the law and on matters incidental thereto and to report thereon, together with its recommendations to the Assembly at its fifty-second session thereof; and be it further

Resolved, That the committee upon the appointment of its members shall organize by electing a chairman from its membership and may appoint a secretary and such other clerical and technical assistants as it may deem necessary; and be it further

Resolved, That all officers and employees of the State shall furnish to the committee such assistance, reports, information and evidence concerning any matter under consideration by the committee as the committee shall request; and be it further

Resolved, That the committee is authorized to do any and all things necessary to make a full and complete investigation of the matters herein referred to and to require the production of books, agreements, documents, reports, accounts and papers of every kind, to issue subpenas to compel the attendance of witnesses and to procure testimony. Each member of the committee is hereby authorized to administer oaths and all the provisions of Article VIII of Chapter II of Title I of Part III of the Political Code relating to the attendance and assemblage of witnesses before the Legislature and committees thereof shall apply to the committee created by this resolution, and said committee is hereby given leave to sit during the session of the Legislature and during the interval between session thereof, at any place or places within the State as the committee shall from time to time determine; and be it further

Resolved, That for the purpose of paying the expenses of the committee and the members thereof, the sum of $2,500, or so much thereof as may be necessary, is hereby set apart, reserved and appropriated out of the contingent fund of the Assembly, payments therefrom to be made from time to time by warrants of the State Controller drawn against said contingent fund for such expenses as the chairman of the committee shall certify to him from time to time, and which warrants the State Treasurer is hereby directed to pay.

Resolution by Mr. Peyser read.

Mr. Peyser moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Clark, Corwin, Cunningham, DeLap, Donahue, Donnelly, Fisher, Flint, Fulcher, Geyer, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Lore, Maloney, Martin, McBride, Miller, Minard, Morgan, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Williamson, Wright, and Mr. Speaker—47.

NOES—None.

Motion to Withdraw Assembly Bill No. 2442.

Mr. Evans, Ralph W., moved that Assembly Bill No. 2442 be withdrawn from Committee on Financial Institutions, and placed on file.

The question being on the motion by Mr. Evans, Ralph W., to withdraw Assembly Bill No. 2442 from Committee on Financial Institutions, and place on file.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Evans, Ralph W., to withdraw Assembly Bill No. 2442 from Committee on Financial Institutions.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Evans, Ralph W., moved a call of the House.

Roll Call.

The Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Burns, Cassidy, Clark, Corwin, Cunningham, DeLap, Donihue, Donnelly, Evans, Ralph W., Fisher, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Lore, Maloney, McCarthy, Pelletier, Peterson, Reaves, Richie, Robertson, Rosenthal, Scudder, Thorp, Turner, Wagner, Walker, and Waters—35.

NOES—Riley, Stream, Williamson, Wright, and Mr. Speaker—5.

Time, ten o'clock and forty minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Burns, Cassidy, Clark, Corwin, Cunningham, DeLap, Donihue, Donnelly, Evans, Ralph W., Fisher, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Lore, Maloney, McCarthy, Pelletier, Peterson, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Waters, Williamson, Wright, and Mr. Speaker—40.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Motion to Re-refer Senate Bill No. 355.

Mr. Minard moved that Senate Bill No. 355 be withdrawn from Committee on Public Utilities, and ordered re-referred to Committee on Ways and Means.

The question being on re-referring Senate Bill No. 355 to Committee on Ways and Means.

Motion carried.

Senate Bill No. 355 ordered re-referred to Committee on Ways and Means.

Unfinished Business.

Consideration of Senate Amendments to Assembly Bill No. 653.

Assembly Bill No. 653—An act to provide for the creation in counties and cities and counties of departments of rehabilitation, declaring the urgency thereof and providing that this act shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 653?

Amendment No. 1.

On page 2, line 20, of the printed bill, as amended, after "city and county", insert the following: "having a population in excess of nine hundred thousand".

Amendment No. 2.

On page 2, line 24, of the printed bill, as amended, strike out the second "the", and insert in lieu thereof the following: "such".

Amendment No. 3.

On page 2, line 25, of the printed bill, as amended, strike out the second "the", and insert in lieu thereof the following: "such".

Amendment No. 4.

On page 2, line 34, of the printed bill, as amended, after "Every", strike out "county and", and insert in lieu thereof the following: "such county or".

Amendment No. 5.

On page 2, line 38, of the printed bill, as amended, strike out "statute" and insert in lieu thereof the following: "act".

The roll was called, and Senate amendments to Assembly Bill No. 653 were concurred in by the following vote:

AYES—Anderson, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, DeLap, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, McBride, McCarthy, Meehan, Morgan, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Thorp, Utt, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—50.

NOES—None.

Assembly Bill No. 653 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 2427.

Assembly Bill No. 2427—An act to amend sections 1, 8 and 9 of an act entitled "An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act; to provide for their appointment and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, and all other acts or parts of acts in conflict herewith," approved May 5, 1927, relating to practice of veterinary medicine.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2427?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended in Assembly May 14, 1935, strike out "7"

Amendment No. 2.

On page 2, line 50, of the printed bill, as amended in Assembly May 14, 1935, after "Agriculture", insert the following: "or city or county veterinarians

Amendment No. 3.

On page 2, line 28, of the printed bill, as amended in Senate June 4, 1935 strike out "or veterinarians employed full time by the Califor-", and strike out all of line 29.

Amendment No. 4.

On page 2 of the printed bill, as amended in Senate June 10, 1935, after the comma in line 28, insert the following: 'or veterinarians employed full time by the California Department of Agriculture in meat inspection".

The roll was called, and Senate amendments to Assembly Bill No. 2427 were concurred in by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Clark, Corwin, Cronin, Cunningham, DeLap, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Geyer, Gilbert, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, McBride, Meehan, Minard, Morgan, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Scudder, Thorp, Utt, Wagner, Walker, Weber, Williamson, and Mr. Speaker—47.

NOES—None.

Assembly Bill No. 2427 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 826.

Assembly Bill No. 826—An act to add a new section to the Code of Civil Procedure to be numbered 336a and to amend section 337 thereof, relating to the periods prescribed for the commencement of actions.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 826?

Amendment No. 1.

On page 1, line 11, of the printed bill, as amended, after the period, insert the following: "Nothing in this section shall apply to bonds or other evidences of indebtedness of a public district or corporation."

The roll was called, and Senate amendment to Assembly Bill No. 826 was concurred in by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Clark, Corwin, Cronin, Cunningham, Donahue, Donnelly, Fisher, Flint, Fulcher, Geyer, Gilbert, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, Meehan, Minard, Morgan, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Voigt, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—51.

NOES—None

Assembly Bill No. 826 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 2465.

Assembly Bill No. 2465—An act to add section 1156 to the Agricultural Code, relating to the marketing of agricultural products.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2465?

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, after "contract", insert the following "made for the purpose of injuring competitors and destroying competition".

The roll was called, and Senate amendment to Assembly Bill No. 2465 was concurred in by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Clark, Corwin, Cronin, Cunningham, Donahue, Donnelly, Fisher, Flint, Fulcher, Geyer, Gilbert, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, Meehan, Miller, Minard, Morgan, Pelletier, Peterson, Peyser, Phillips, Reaves, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Voigt, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—51.

NOES—None

Assembly Bill No. 2465 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 150.

Assembly Bill No. 150—An act granting to the City and County of San Francisco certain lands of the State of California located in the City and County of San Francisco upon certain trusts and conditions.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 150?

Amendment No. 1.

On page 1, line 8, of the printed bill, strike out all of the description commencing with the word "Beginning", and ending with the word "beginning" in line 21, and insert in lieu thereof the following

"Beginning at a point on the westerly line of Lyon Street, if produced in a northerly direction, said line being the easterly boundary of the Presidio U. S. Military Reservation, distant thereon six hundred nine and sixty-two hundredths feet northerly from the northerly line of Marina Boulevard and running thence easterly in a straight line, and parallel with the northerly line of Marina Boulevard, three thousand six hundred forty-eight feet nine inches, more or less, to the westerly line of Webster Street if produced northerly; thence northerly along said line of

Webster Street produced one thousand feet; thence at a right angle westerly three thousand six hundred forty-eight feet nine inches, more or less, to the westerly line of Lyon Street produced, and thence southerly along said line of Lyon Street produced one thousand feet, more or less, to the point of beginning."

Amendment No. 2.

On page 2, line 5, of the printed bill, strike out the word "educational", and insert in lieu thereof the word "aquatic".

Amendment No. 3.

On page 2, line 6, of the printed bill, after the period following the word "purposes", insert the following:

"Provided, however, that said City and County of San Francisco shall have power to set apart and assign, or lease, any of said property hereinbefore described for a period not to exceed ten years, to any corporation, club or association organized for the purpose of developing and promoting aquatic sport; provided, that no part of said property shall be set apart and assigned, or leased to any corporation, club or association the object of which is pecuniary profit."

Amendment No. 4.

On page 2 of the printed bill, as amended May 30, 1935, between lines 10 and 11, insert the following, to wit:

"Reserving, however, unto the State of California all rents due or to become due under the terms and conditions of any existing lease or leases of all, or any part of the hereinabove described real property heretofore entered into by the State of California, or by any board or commission of the State of California, and which said rent is payable to the State of California or to any board or commission of the State of California."

The roll was called, and Senate amendments to Assembly Bill No. 150 were concurred in by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Clark, Corwin, Cronin, Cunningham, DeLap, Donahue, Donnelly, Fisher, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, McBride, Meehan, Miller, Minard, Morgan, Pelletier, Peterson, Peyser, Reaves, Riche, Rosenthal, Scudder, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—51.

NOES—None.

Assembly Bill No. 150 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 794.

Assembly Bill No. 794—An act to amend sections 5.802, 5.804, 5.890, 5.891, 5.894, 5.900, 5.901, 5.904, 5.910, 5.911, 5.962, 5.970, 5.980, 5.990, 5.993, 5.1009, 5.1023, 5.1030, 5.1031, 5.1032, 5.1040, 5.1041, 5.1047, 5.1048, 5.1060, 5.1061, 5.1062, 5.1080 and 5.1083 of the School Code, to amend the titles of Chapter III, of Articles IV, V and VII of Chapter III, of Chapter VI, of Articles II, III and V of Chapter VI, all of Part IV of Division V of said code; to repeal sections 5.1042 to 5.1046, both inclusive, of said code and to repeal Article IV of Chapter VI of Part IV of Division V of said code; to add eight new sections to said code to be numbered 5.886, 5.971, 5.972, 5.981, 5.986, 5.1004½, 5.1010 and 5.1011 and to add Chapter III of Part IV of Division V of said code a new article to be known as Article VIII; to add to Chapter V of Part IV of Division V of said code a new article to be known as Article V; and to add to Chapter VI of Part IV of Division V of said code a new article to be known as Article IV, all relating to the payment of retirement salaries and retirement annuities to persons serving the State, counties and school districts in positions having to do with teaching or other employment in, and/or the superintending, administration and supervision of colleges, schools, and classes maintained by the State and/or the school districts thereof.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 794?

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, as amended, strike out the following: "5.1003, 5.1004,".

Amendment No. 2.

On page 4, line 20, of the printed bill, as amended, strike out the following: "Sec. 2a", and insert in lieu thereof the following: "Sec. 3".

Amendment No. 3.

On page 4, line 33, of the printed bill, as amended, strike out the following: "Sec. 2b", and insert in lieu thereof the following: "Sec. 4".

Amendment No. 4.

On page 4, line 45, of the printed bill, as amended, strike out the following: "Sec. 3", and insert in lieu thereof the following: "Sec. 5".

Amendment No. 5.

On page 5, line 3, of the printed bill, as amended, strike out the following: "Sec. 4", and insert in lieu thereof the following: "Sec. 6".

Amendment No. 6.

On page 5, line 10, of the printed bill, as amended, strike out the following: "Sec. 5", and insert in lieu thereof the following: "Sec. 7".

Amendment No. 7.

On page 5, line 23, of the printed bill, as amended, strike out the following: "Sec. 6", and insert in lieu thereof the following: "Sec. 8".

Amendment No. 8.

On page 5 of the printed bill, as amended, strike out lines 30 to 32, inclusive.

Amendment No. 9.

On page 6 of the printed bill, as amended, strike out lines 1 to 6, inclusive.

The roll was called, and Senate amendments to Assembly Bill No. 794 were concurred in by the following vote:

AYES—Andreas, Burns, Cassidy, Clark, Corwin, Cronin, Cunningham, DeLap, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, McCarthy, Meehan, Miller, Minard, Morgan, Peterson, Peyser, Phillips, Reaves, Redwine, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Walker, Waters, Weber, and Mr. Speaker—49.
NOES—None.

Assembly Bill No. 794 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 2467.

Assembly Bill No. 2467—An act to add to the Probate Code a new section, to be numbered 201.5, and amending sections 201 and 220 of the Probate Code, all relating to the laws of succession.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2467?

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended in Assembly, strike out "section", and insert in lieu thereof the following: "sections 201 and".

Amendment No. 2.

On page 1, line 3 of the title of the printed bill, as amended in Assembly, strike out "both", and insert in lieu thereof the following: "all".

Amendment No. 3.

On page 1, line 3, of the printed bill, as amended in Assembly, strike out "the husband", and insert in lieu thereof the following: "either husband or wife".

Amendment No. 4.

On page 1, line 8, of the printed bill, as amended in Assembly, strike out "wife", and insert in lieu thereof the following: "spouse".

Amendment No. 5.

On page 1, line 9, of the printed bill, as amended in Assembly, strike out "husband", and insert in lieu thereof the following: "decedent".

Amendment No. 6.

On page 1, line 10, of the printed bill, as amended in Assembly, strike out "wife.", and insert in lieu thereof the following: "spouse, subject to the debts of the decedent and to administration and disposal under the provisions of Division III of this code."

Amendment No. 7.

On page 1 of the printed bill, as amended in Assembly, between lines 10 and 11, insert the following:

"SEC. 2. Section 201 of the Probate Code is hereby amended to read as follows:

201. Upon the death of either husband or wife, one-half of the community property belongs to the surviving spouse; and the other half is subject to the testamentary disposition of the decedent, and in the absence thereof goes to the surviving spouse, subject to the provisions of sections 202 and 203 of this code."

Amendment No. 8.

On page 1, line 11, of the printed bill, as amended in Assembly, strike out "2", and insert in lieu thereof the following: "3".

Amendment No. 9.

On page 1, line 18, of the printed bill, as amended in Senate June 11, 1935, strike out "and".

The roll was called, and Senate amendments to Assembly Bill No. 2467 were concurred in by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Clark, Corwin, Cronin, Cunningham, DeLap, Donahue, Donnelly, Evans, Ralph W., Fisher, Fulcher, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Meehan, Miller, Minard, Morgan, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Williamson, and Mr. Speaker—49.

NOES—None.

Assembly Bill No. 2467 ordered to enrollment.

Consideration of Senate Amendment to Assembly Constitutional Amendment No. 39.

Assembly Constitutional Amendment No. 39—A resolution to propose to the people of the State of California, an amendment to Article IV of the Constitution of the State, by amending section 31 thereof, relating to paying the principal and interest on bonds issued by city, county, city and county, district or other political subdivision whose funds are in the custody of the treasurer of any city, county, or city and county.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Constitutional Amendment No. 39?

Amendment No. 1.

On page 2, line 10, of the printed measure, after "districts", insert the following: ", water districts and water conservation districts".

The roll was called, and Senate amendment to Assembly Constitutional Amendment No 39 was concurred in by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Clark, Cronin, Cunningham, DeLap, Donahue, Donnelly, Fisher, Fulcher, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Miller, Minard, Morgan, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Walker, Waters, Weber, Wright, and Mr. Speaker—46.

NOES—None.

Assembly Constitutional Amendment No. 39 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 2264.

Assembly Bill No. 2264—An act to amend section 658 of the Fish and Game Code, relating to salmon.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2264?

Amendment No. 1.

On page 1, line 4, of the printed bill, strike out "May 1", and insert in lieu thereof the following: "February 1".

Amendment No. 2.

On page 1, line 5, of the printed bill, strike out "May 1 and August 20", and insert in lieu thereof the following: "February 1 and March 15 and June 15 and August 30".

Amendment No. 3.

On page 1 of the printed bill, as amended in Senate June 6, 1935, strike out lines 4 to 7, inclusive, and insert in lieu thereof the following: "hook and line between May 1 and August 30. There is no bag limit. Between Septem-".

The roll was called, and Senate amendments to Assembly Bill No. 2264 were concurred in by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Clark, Cronin, Cunningham, DeLap, Domhue, Donnelly, Fisher, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, McBride, Miller, Minard, Morgan, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Weber, Williamson, Wright, and Mr. Speaker—49.

NOES—Hunt—1.

Assembly Bill No. 2264 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1744.

Assembly Bill No. 1744—An act to add section 644.5 to the Military and Veterans Code, relating to military decorations.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1744?

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, as amended, strike out "sections 644.1 and 644.2", and insert in lieu thereof the following: "section 644.5".

Amendment No. 2.

On page 1, line 3 of the title of the printed bill, as amended, strike out the period at the end of said line, and insert the following: ", relating to military decorations."

Amendment No. 3.

On page 1, line 2, of the printed bill, as amended, strike out "644.1", and insert in lieu thereof the following: "644.5".

Amendment No. 4.

On page 1 of the printed bill, as amended, strike out lines 4 to 16, inclusive.

Amendment No. 5.

On page 1, line 17, of the printed bill, as amended, strike out "644.2", and insert in lieu thereof the following: "644.5".

Amendment No. 6.

On page 1, line 20, of the printed bill, as amended, after "State", and before the period, insert the following: "as shown by the records of the War Department".

Amendment No. 7.

On page 1, lines 21 and 22, of the printed bill, as amended, strike out "Veterans' Welfare Department", and insert in lieu thereof the following: "Adjutant General".

Amendment No. 8.

On page 2, line 3, of the printed bill, as amended, strike out "one", and insert in lieu thereof the following: "two".

The roll was called, and Senate amendments to Assembly Bill No. 1744 were concurred in by the following vote:

AYES—Anderson, Andreas, Clark, Corwin, Cronin, Cunningham, DeLap, Donihue, Evans, Ralph W., Fisher, Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Munard, Morgan, Nielsen, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 1744 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1861.

Assembly Bill No. 1861—An act to add section 76 to the Agricultural Code and to repeal section 694da of the Political Code, relating to the State Agricultural Society contingent fund.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1861?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "amend", and insert in lieu thereof the following: "add section 76 to the Agricultural Code and to repeal".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, strike out "Agriculture", and insert in lieu thereof the following: "Agricultural".

Amendment No. 3.

On page 1 of the printed bill, strike out line 2, and insert in lieu thereof the following: "repealed

Sec. 2. Section 76 is hereby added to the Agricultural Code, to read as follows:".

Amendment No. 4.

On page 1, line 3, of the printed bill, strike out "694da", and insert in lieu thereof the following: "76"

Amendment No. 5.

On page 1 of the printed bill, strike out lines 12 to 21, inclusive, and insert in lieu thereof the following: "California State Fair, including the construction, improvement, and, with the approval of the Department of Finance, the purchase of lands in connection therewith. All moneys heretofore or hereafter appropriated, whether at the fiftieth session of the Legislature or otherwise, for the support of the State Agricultural Society, including moneys appropriated for permanent revolving fund to be used for support of said agency, are hereby transferred to said contingent fund and shall be expended without return thereof to the general fund, in the same manner as any other moneys in said contingent fund"

Amendment No. 6.

On page 1 of the printed bill, as amended, strike out lines 1 and 2.

Amendment No. 7.

On page 1, line 3, of the printed bill, as amended, strike out "Sec. 2", and insert in lieu thereof the following: "Section 1".

Amendment No. 8.

On page 1, line 16, of the printed bill, as amended, after "including", strike out "the"

Amendment No. 9.

On page 1, line 17, of the printed bill, as amended, after "struction", strike out the comma and "improvement", and insert in lieu thereof the following: "and improvements".

Amendment No. 10.

On page 1, line 22, of the printed bill, as amended, after "appropriated for", insert the following: "the".

Amendment No. 11.

On page 2, line 1, of the printed bill, as amended, before "support", insert the following: "the".

Amendment No. 12.

On page 2 of the printed bill, as amended, after line 4, insert the following: "SEC. 2. Section 694da of the Political Code is hereby repealed."

The roll was called, and Senate amendments to Assembly Bill No. 1861 were concurred in by the following vote:

AYES—Anderson, Andreas, Cassidy, Clark, Corwin, Cottrell, Cronin, Cunningham, DeLap, Donihue, Evans, Ralph W. Fisher, Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—54.

NOES—McCarthy—1.

Assembly Bill No. 1861 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 2013.

Assembly Bill No. 2013—An act to add section 379.5 to the Vehicle Code, relating to seizure and sale of vehicles.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2013?

Amendment No. 1.

On page 1, line 3, of the printed bill, after the word "of", strike out the balance of the line, and insert in lieu thereof the following: "Stolen or Abandoned Vehicles."

Amendment No. 2.

On page 1 of the printed bill, strike out all of line 4.

Amendment No. 3.

On page 1, line 20, of the printed bill, after the word "is", strike out the balance of the line, and strike out all of line 21, and insert in lieu thereof the following: "not the legal or registered owner of such vehicle or motor or is unable to show that he is entitled to the possession thereof"

Amendment No. 4.

On page 1 of the printed bill, strike out all of lines 22 to 25, inclusive, and insert in lieu thereof the following: "Any vehicle or motor so seized may be held until the person in possession thereof is able to show, to the satisfaction of the department, the reason for the alteration, removal, change or defacement of the motor, serial or other identification number or verifies the ownership of the vehicle or motor or his right to the possession thereof."

Amendment No. 5.

On page 2, line 1, of the printed bill, after the word "vehicle", insert the following: "or motor".

Amendment No. 6.

On page 2, line 6, of the printed bill, after the word "person", strike out the period, and insert the following: "and the department shall relinquish such vehicle or motor upon demand of the legal or registered owner or person entitled to the possession thereof"

Amendment No. 7.

On page 2, line 7, of the printed bill, after the word "vehicle", insert the following: "or motor".

Amendment No. 8.

On page 2, line 33, of the printed bill, after the word "vehicle", insert the following: "or motor".

Amendment No. 9.

On page 2, line 21, of the printed bill, as amended in Senate, strike out the words "Department of Motor Vehicles", and insert in lieu thereof the following: "Motor vehicle support".

The roll was called, and Senate amendments to Assembly Bill No. 2013 were concurred in by the following vote:

AYES—Andreas, Cassidy, Clark, Corwin, Cottrell, Cronin, Donihue, Flint, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, Nielsen, Pelle-

tier, Peterson, Peyser, Redwine, Riley, Robertson, Rosenthal, Stream, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—45.
NOES—None.

Assembly Bill No. 2013 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1957.

Assembly Bill No. 1957—An act to amend the public utilities act by adding two new sections numbered sections 13½ and 32½, relating to public utilities.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1957?

Amendment No. 1.

On page 1, line 7, of the printed bill, as amended, after "rate", insert the following: "for the transportation of property".

Amendment No. 2.

On page 1, line 11, of the printed bill, as amended, after "rate", insert the following: "for the transportation of property".

Amendment No. 3.

On page 2, line 5, of the printed bill, as amended, strike out ", fare or toll", and insert in lieu thereof the following: "or toll for the transportation of property".

Amendment No. 4.

On page 2, line 9, of the printed bill, as amended, after "rates", insert the following: "for the transportation of property".

Amendment No. 5.

On page 2, line 14, of the printed bill, as amended, after "water", insert the following: "for the transportation of property".

Amendment No. 6.

On page 1, line 1, of the printed bill, as amended in Senate June 7, 1935, before "A", insert the following: "SECTION 1."

Amendment No. 7.

On page 1, line 2, of the printed bill, as amended in Senate June 7, 1935, before "reading", insert the following: "numbered 13½ and".

Amendment No. 8.

On page 1, line 7, of the printed bill, as amended in Senate June 7, 1935, strike out the semicolon and "provided", and insert in lieu thereof a period and the following: "However,".

Amendment No. 9.

On page 1, line 11, of the printed bill, as amended in Senate June 7, 1935, strike out "or", and insert in lieu thereof the following, "of".

Amendment No. 10.

On page 1, lines 16 and 17, of the printed bill, as amended in Senate June 7, 1935, strike out "provided, however, that", and insert in lieu thereof the following, "but".

Amendment No. 11.

On page 2, line 1, of the printed bill, as amended in Senate June 7, 1935, before "A", insert the following: "SEC. 2."

Amendment No. 12.

On page 2, line 2, of the printed bill, as amended in Senate June 7, 1935, before "reading", insert the following: "numbered 32½ and"

Amendment No. 13.

On page 2, lines 11 and 12, of the printed bill, as amended in Senate June 7, 1935, strike out the semicolon and "provided, however, that when", and insert in lieu thereof a period and the following: "When"

The roll was called, and Senate amendments to Assembly Bill No. 1957 were concurred in by the following vote:

AYES—Andreas, Breed, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, DeLap, Desmond, Donihue, Donnelly, Fulcher, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, Nielsen, Pelletier, Peterson, Peyser,

Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—54.
NOES—McCarthy—1.

Assembly Bill No. 1957 ordered to enrollment.

Third Reading of Assembly Bills—(Resumed).

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 997—An act to amend sections 18 and 21 of an act entitled "An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission, fixing the term of office of the members of said commission; prescribing the powers, duties and authority of said commission and the members thereof; providing for the institution of proration programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purposes of said act and providing for the collection thereof; and making an appropriation therefor,' approved June 5, 1933, relating to fees.

In my opinion said Assembly Bill No. 997 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 997—An act to add Chapter 8 to Division VI of the Agricultural Code, relating to proration programs with respect to agricultural crops.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 997 passed by the following vote:

AYES—Andreas, Breed, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Domhue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—59.
NOES—McCarthy, Reaves, and Wallace—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 11, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 1001—An act to authorize the Division of Water Resources of the Department of Public Works to gather and correlate information and data pertinent to an annual forecast of seasonal water crop, including the making of snow surveys, and to cooperate with other agencies in such work, and making an appropriation therefor

In my opinion said Assembly Bill No. 1001 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the

State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No 1001—An act to authorize the Division of Water Resources of the Department of Public Works to gather and correlate information and data pertinent to an annual forecast of seasonal water crop, including the making of snow surveys, and to cooperate with other agencies in such work, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1001 passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Donihue, Donnelly, Fisher, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, Meehan, Miller, Minard, Nielsen, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—56

NOES—Latham—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 55—Relative to proceedings for the removal of Gavin W. Craig as an Associate Justice of the District Court of Appeal of the State of California under and pursuant to the provisions of section 10, Article VI of the Constitution of the State of California.

Assembly Concurrent Resolution No 55 read.

Mr. Jones moved the adoption of Assembly Concurrent Resolution No. 55.

The question being on the adoption of Assembly Concurrent Resolution No. 55.

The roll was called, and Assembly Concurrent Resolution No. 55 adopted by the following vote:

AYES—Boyle, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Thorp, Turner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—59

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No 55 ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 55.

Relative to proceedings for the removal of Gavin W. Craig as an associate justice of the District Court of Appeal of the State of California under and pursuant to the provisions of section 10, Article VI of the Constitution of the State of California.

WHEREAS, Gavin W. Craig is now and at all times hereinafter mentioned was an associate justice of the District Court of Appeal of the State of California, being an associate justice of Division Two of the Second Appellate District of the State of California; and

WHEREAS, On or about the fourteenth day of March, 1935, the said Gavin W. Craig was indicted by a Federal grand jury at Los Angeles, California, which said indictment recites among other things:

"That heretofore, to wit: On the fifteenth day of December, 1931, there was pending and undetermined in the United States District Court, in the county of Los Angeles, within and for the Central Division of the Southern District of California, an indictment and criminal prosecution in which one John McKeon, and divers other persons therein named, were charged with violations of sections 37 and 215 of the Federal Penal Code, to wit: a case entitled United States of America vs. Alfred G. Wilkes, et al, No. 10,679-M Criminal in said above named court;

That Gavin W. Craig, Helen Werner and Joseph Weinblatt, hereinafter called the defendants, whose full and true names are, and the full and true name of each of whom is, other than as herein stated, to the grand jurors unknown, each late of the Central Division of the Southern District of California, with full knowledge and notice that said indictment and criminal prosecution was so pending and undetermined in said United States District Court in the county of Los Angeles, State, division and district aforesaid, did, on or about December 15, 1931, and at all times thereafter up to and including the date of the finding and presentation of this indictment, in the county of Los Angeles, State, division and district aforesaid, and within the jurisdiction of the United States and of this Honorable Court, knowingly, wilfully, unlawfully, corruptly and feloniously conspire, combine, confederate, arrange and agreed together and with each other, and with John McKeon and Fred L. Wilke, said John McKeon and Fred L. Wilke being not indicted herein, and whose names, other than as herein stated, are to the grand jurors unknown, and with divers other persons whose names are to the grand jurors unknown, to corruptly endeavor to influence, obstruct, impede, hinder, and to corruptly influence, obstruct, impede, hinder and embarrass the due administration of justice in said criminal proceeding pending in said court and district aforesaid"; and

WHEREAS, On the thirtieth day of April, 1935, the said Gavin W. Craig and the other persons mentioned in said indictment were brought to trial before a jury in the District Court of the United States for the Southern District of California, Central Division, sitting at Los Angeles, the Honorable Charles G. Briggle, judge thereof presiding, in that certain case known as the United States of America, plaintiff, versus Gavin W. Craig, Helen Werner and Joseph Weinblatt, defendants, No. 12,337-H Criminal; and

WHEREAS, On the eighth day of May, 1935, the jury in said case rendered a verdict finding the said Gavin W. Craig guilty of the charge as hereinabove set forth; and

WHEREAS, On the tenth day of May, 1935, the said Honorable Charles G. Briggle denied the motion of said Gavin W. Craig for a new trial, and on said day sentenced the said Gavin W. Craig to pay a fine of one thousand dollars ($1,000) and committed him to the custody of the Attorney General of the United States for confinement in a jail for a period of one (1) year; and

WHEREAS, There have been filed with the Judiciary Committee of the Assembly affidavits seriously impeaching the integrity of said Gavin W. Craig and indicating that he has been involved in extra-judicial proceedings unbecoming a judicial officer of the State of California; and

WHEREAS, The said Gavin W. Craig, as a result of the matters hereinabove set forth, has completely lost his usefulness as a judicial officer and that his continuance in office serves to seriously affect the administration of justice, detract from the respect due courts and judicial officers and constitute a serious reflection upon the judiciary as a whole; and

WHEREAS, Quo warranto proceedings have been instituted by the Attorney General of this State for the purpose of determining whether or not the said Gavin W. Craig is lawfully entitled to occupy the judicial position he now holds; and

WHEREAS, There is some question as to whether such proceedings will be successful; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That in the event the said quo warranto proceedings be unsuccessful, that it is the sense of this Legislature that an extraordinary session should be convened at the call of the Governor for the purpose of determining whether the said Gavin W. Craig should continue to occupy the office he now holds, and that at such extraordinary session the Legislature determine the truth or falsity of all such charges in order that the said Gavin W. Craig may be either exonerated of the charges against him, or in the event that said charges appear to be true, that he be removed from office; and be it further

Resolved, That a copy of this resolution be transmitted to the Governor of this State, and another copy hereof be filed with the Secretary of this State.

Assembly Bill No. 1289—An act to amend section 372 of the Vehicle Code, and to add thereto section 776.1, relating to motor vehicles.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Gilmore:

Amendment No. 1.

On page 4 of the printed bill, after line 32, add the following:
"SEC. 2. This act shall not take effect until midnight December 31, 1935."

Amendment adopted.

Request for Unanimous Consent.

Mr. Gilmore asked for, and was granted, unanimous consent to take up Assembly Bill No. 1289, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 1289, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Waters:

Amendment No. 1.

On page 1, line 14, of the printed bill, strike out the following: "$50 00", and insert in lieu thereof the following: "$30.00".

Amendment No. 2.

On page 1, line 15, of the printed bill, strike out the following: "$70.00", and insert in lieu thereof the following: "$50.00".

Amendment No. 3.

On page 1, line 16, of the printed bill, strike out the following: "$90.00", and insert in lieu thereof the following: "$70 00".

Amendments adopted.

Request for Unanimous Consent.

Mr. Gilmore asked for, and was granted, unanimous consent to take up Assembly Bill No. 1289, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1289, as Amended.

Assembly Bill No. 1289, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1289, as amended, passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donahue, Donnelly, Evans, Ralph W., Fisher, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Thorp, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 10, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 1836—An act to amend section 622 of the Agricultural Code, relating to dairies and dairy products

In my opinion said Assembly Bill No. 1836 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the

State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 1836—An act to amend section 622 of the Agricultural Code, relating to dairies and dairy products.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1836 passed by the following vote:

AYES—Andreas, Breed, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, DeLap, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1561—An act to amend sections 3, 3a, 3b, 10, 13, 17 and 18 of an act entitled "An act defining mattresses; regulating the making, remaking, and sale thereof; prohibiting the use of unsanitary and unhealthy materials therein; requiring that materials used shall be accurately described, and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled; and making the violation of any of the provisions of this act a misdemeanor, and repealing legislation inconsistent with this act," approved June 7, 1915, and to add thereto a new section to be numbered section 21, all relating to the administration of said act by the Bureau of Furniture and Bedding Inspection and the powers and duties of the officers thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1561 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1562—An act to amend sections 1, 2, 5, 6, 7, 8, 9 and 14 of an act entitled "An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling or repairing upholstered furniture; and creating the upholstered furniture inspection fund," approved May 9, 1927, relating to the administration

thereof by the Bureau of Furniture and Bedding Inspection of the Department of Professional and Vocational Standards.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1562 passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, DeLap, Donahue, Donnelly, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Senate Bills.

Senate Bill No. 5—An act to amend sections 1 and 2 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to persons exempt from tax.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 5 finally passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donahue, Donnelly, Fisher, Fulcher, Garibaldi, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Mayo, Meehan, Miller, Morgan, Nielsen, O'Donnell, Pelletier, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—54.

NOES—Flint, Hunt, and Reaves—3

Title read and approved.

Bill ordered transmitted to the Senate.

Withdrawal of Senate Bill No. 471.

By order of the Speaker, Senate Bill No. 471 was withdrawn from the file, and referred to Committee on Insurance.

Senate Bill No. 357—An act to repeal section 452a of the Political Code, relating to the safe-keeping of bonds deposited with treasurers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 357 finally passed by the following vote:

AYES—Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donahue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—60

NOES—McCarthy—1.

Title read and approved.

Bill ordered transmitted to the Senate

Motion to Strike Senate Bill No. 393 from File.

Mr. Scudder moved that Senate Bill No. 393 be stricken from the file.

Motion carried.

Senate Bill No. 393 ordered stricken from the file.

Senate Bill No. 192—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any joint highway district, and directing the levy and collection of a tax sufficient to pay the principal and interest thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 192 finally passed by the following vote:

AYES—Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 633—An act to add section 3343 to the Civil Code, relating to damages in connection with fraud and deceit.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Minard:

Amendment No. 1.

On page 1 of the printed bill, as amended, after line 8, insert the following:

"Nothing herein contained shall be deemed to deny to any person having a cause of action for fraud or deceit any legal or equitable remedies to which such person may be entitled."

Amendment adopted.

Request for Unanimous Consent.

Mr. Williamson asked for, and was granted, unanimous consent to take up Senate Bill No. 633, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 633, as Amended.

Senate Bill No. 633, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 633, as amended, finally passed by the following vote:

AYES—Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Nielsen, O'Donnell, Pelletier, Peterson, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—60.

NOES—None

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 15—An act to add a new section to the Penal Code to be numbered 159b, relating to the solicitation of law business.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Johnson:

Amendment No. 1.

On page 1, line 12, of the printed bill, after the word "corporation", add the following: ", or to solicit in any manner whatsoever any other kind of law practice or law business for himself or for any other person for any compensation, direct or indirect."

Amendment adopted.

Request for Unanimous Consent.

Mr. Johnson asked for, and was granted, unanimous consent to take up Senate Bill No. 15, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 15, as Amended.

Senate Bill No. 15, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 15, as amended, finally passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Ralph W., Fisher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Love, Lyon, Maloney, Martin, Mayo, McCarthy, Miller, Minard, Morgan, Nielsen, Pelletier, Peterson, Peyser, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 95—An act to amend sections 356, 407, 448 and 422 of, and to add sections 601, 602, 602 5, 602 6, 602.7, 604, 610, 612, 615, 617, 618, 621, 624, 625, 626, 627, 632, 637, 639, 639.1, 639 2, 639 3, 644, 645, 646, 648, 649, 650 and 651 to the Streets and Highways Code, establishing additional secondary State highways.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lyon:

Amendment No. 1.

On page 7 of the printed bill, as amended, between lines 17 and 18, insert the following: "from the terminus of Route 163 in Venice to Route 60 in Seal Beach via Manhattan Beach, Hermosa Beach, Redondo Beach, Point Vincent, Point Fermin, Terminal Island and Long Beach."

Amendment No. 2.

On page 7 of the printed bill, as amended, between lines 30 and 31, insert the following: "from Route 2 (Boyle Avenue in the city of Los Angeles) to Route 162 in Beverly Hills via First Street and Beverly Boulevard".

Amendment No. 3.

On page 7 of the printed bill, as amended, strike out lines 28, 29, and 30, and insert in lieu thereof the following: "from Route 2 near Boyle Avenue to Route 60 in the city of Santa Monica via Wilshire Boulevard and Sixth Street".

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Flint:

Amendment No. 1.

On page 7 of the printed bill, as amended, between lines 30 and 31, insert the following: "from Route 167 to Route 158 via Slauson Avenue".

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Rosenthal:

Amendment No. 1.

On page 1 of the printed bill, in line 5 of the title, as amended, strike out "and 654", and insert in lieu thereof the following: ", 654 and 655 to".

Amendment No. 2.

On page 7 of the printed bill, as amended, after line 44, add the following:

"SEC. 28. Section 655 is hereby added to the Streets and Highways Code, to read as follows:

655. There is hereby added to the State highway system a new route or portion of route comprising Whittier Boulevard from the easterly end of the Sixth Street viaduct in Los Angeles to Indiana Avenue."

Amendment No. 3.

On page 7 of the printed bill, as amended, between lines 30 and 31, insert the following: "from Huntington Drive south to Slauson Avenue in Huntington Park via Soto Street".

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Laughlin:

Amendment No. 1.

On page 7 of the printed bill, as amended, between lines 30 and 31, insert the following: "from Route 173 to Route 165 via Hoover Street in the city of Los Angeles".

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Hornblower:

Amendment No. 1.

On page 5 of the printed bill, as amended, between lines 46 and 47, insert the following:

"(g) An extension of Skyline Boulevard easterly along the Santa Clara-Santa Cruz County line to Hecker Highway at or near the summit."

Bill read third time

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lore:

Amendment No. 1.

On page 1, line 4 of the title of the printed bill, as amended, strike out "651", and insert in lieu thereof the following: "650.5, 651, 653".

Amendment No. 2.

On page 7 of the printed bill, as amended, between lines 15 and 16, insert the following:

"SEC. 25.5. Section 650.5 is hereby added to the Streets and Highways Code, to read as follows:

650.5. The following new routes or portions of routes are hereby added to the State highway system:

(a) From Route 9 near Sunland to Route 2 in the city of Los Angeles near Cahuenga Pass, via Sunland Boulevard, Clybourne Street and Barham Boulevard.

(b) From Route 4 in Burbank to Route 2 near Wilbur Avenue in Los Angeles, via Burbank Boulevard.

(c) From Route 2 in Cahuenga Pass to Route 2 near Calabasas via Mulholland Highway.
(d) From Route 154 to Route 60 via Reseda Boulevard.
SEC. 25.6. Section 653 is hereby added to the Streets and Highways Code, to read as follows:
653. There is hereby added to the State highway system a new route or portion of route from Route 61 near Red Box to Route 23 near Vincent."

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Morgan:

Amendment No. 1.

On page 7 of the printed bill, as amended, between lines 30 and 31, insert the following: "from Route 2 at its intersection with Van Nuys Boulevard to Route 173 via South Sherman Way and Beverley Glen Boulevard."

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Fulcher:

Amendment No. 1.

On page 6 of the printed bill, as amended, strike out all of lines 25 to 27, inclusive, and insert in lieu thereof the following: "State highway Route 82 at Montague to State highway Route 72 near Delaney via Little Shasta."

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Voigt:

Amendment No. 1.

On page 7 of the printed bill, as amended, between lines 30 and 31, insert the following: "from Route 158 to Wilshire Boulevard via Centinela Avenue".

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Weber:

Amendment No. 1.

On page 6 of the printed bill, as amended, between lines 24 and 25, insert the following:
"(dd) From Route 75 near Farmington to Route 13 near Knight's Ferry."

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Frazier:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, as amended, after "627," insert the following. "628,".

Amendment No. 2.

On page 4 of the printed bill, as amended, between lines 30 and 31, insert the following:
"SEC. 13c. Section 628 is hereby added to the Streets and Highways Code, to read as follows:
628. There is hereby added to the State highway system a new route or portion of route from Route 3 near Gridley easterly to Route 87."

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Redwine:

Amendment No. 1.

On page 7, line 22, of the printed bill, as amended, strike out the words "in the city of Los Angeles", and insert in lieu thereof the following: "from Route 2

to Route 60 in the city of Los Angeles, county of Los Angeles and city of Beverly Hills."

Amendment No. 2.

On page 7 of the printed bill, as amended, between lines 30 and 31, insert the following: "from Route 2 in Hollywood to Route 174 in Inglewood via Vine Street and Crenshaw Boulevard".

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. McBride:

Amendment No. 1.

On page 3 of the printed bill, as amended, between lines 17 and 18, insert the following:

"(m) Piru Creek Road from the limits of the town of Piru to Route 4."

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Voigt:

Amendment No. 1.

On page 7 of the printed bill, as amended, between lines 37 and 38, insert the following:

"(i) From Route 163 at Windward Avenue to Playa del Rey."

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Phillips:

Mr. Phillips moved to amend Senate Bill No. 95 as follows:

Amendment No. 1.

On page 3 of the printed bill, as amended, strike out lines 32, 33, 34.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Cunningham:

Amendment No. 1.

On page 7 of the printed bill, as amended, between lines 21 and 22, insert the following:

"(aa) From Route 4 at Burbank to Route 165 via Riverside Drive."

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Mayo:

Amendment No. 1.

On page 7 of the printed bill, as amended, between lines 22 and 23, insert the following:

"(bb) From Route 163 to Alameda Street in the city of Los Angeles, via Century Boulevard."

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Evans, Ralph W.:

Amendment No. 1.

On page 7 of the printed bill, as amended, between lines 30 and 31, insert the following. "from the terminus of Route 163 in Venice to Route 60 in Seal Beach via Manhattan Beach, Hermosa Beach, Redondo Beach, Point Vincent, Point Fermin, Terminal Island and Long Beach."

Amendment No. 2.

On page 7 of the printed bill, as amended, between lines 30 and 31, insert the following: "from Route 2 in Hollywood to Route 158 via La Brea Avenue and La Tijera Boulevard".

Amendment No. 3.

On page 7 of the printed bill, as amended, between lines 30 and 31, insert the following: "from Route 167 to Vista del Mar in Playa del Rey via Century Boulevard".

Amendment No. 4.

On page 7 of the printed bill, as amended, between lines 37 and 38, insert the following:

"(j) From the junction of Routes 60 and 175 to Hermosa Avenue."

Amendment No. 5.

On page 7 of the printed bill, as amended, between lines 30 and 31, insert the following: "from Route 167 to Vista del Mar in Playa del Rey via Imperial Highway".

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Hawkins:

Amendment No. 1.

On page 7 of the printed bill, as amended, between lines 30 and 31, insert the following: "from Route 167 to Route 163 via Washington Boulevard".

Amendment No. 2.

On page 7 of the printed bill, as amended, between lines 30 and 31, insert the following: "from Route 2 to Seventh Street in San Pedro via Los Angeles Street, San Pedro Street and Avalon Boulevard".

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Fisher:

Amendment No. 1.

On page 1, line 4 of the title of the printed bill, as amended, after "651", insert a comma and the following: ", 652".

Amendment No. 2.

On page 7 of the printed bill, as amended, between lines 37 and 38, insert the following:

"SEC. 26a. Section 652 is hereby added to the Streets and Highways Code, to read as follows:

652. There is hereby added to the State highway system a new route or portion of route from Route 69 via Lake Temescal to Route 5."

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Utt:

Amendment No. 1.

On page 7 of the printed bill, as amended, between lines 37 and 38, insert the following:

"(i) From Route 2 near County Hospital to Route 171 via Chapman Avenue.

(j) From Route 43 south of Tustin to Route 182 near El Modena.

(k) From Route 170 near Norwalk to Route 62 west of La Habra."

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Scudder:

Amendment No. 1.

On page 6, line 10, of the printed bill, as amended, at the first of said line, insert the following: "(e)".

Amendment No. 2.

On page 6 of the printed bill, as amended, between lines 10 and 11, insert the following:

"(f) From Route 1 north of Santa Rosa to Route 49 near Calistoga via Petrified Forest.

(g) From Freestone to Route 104 at Monte Rio.

(h) From Route 56 near Tomales to Route 1 near Petaluma."

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Hunt:

Amendment No. 1.

On page 7, line 23, of the printed bill, as amended, strike out "in the county of Los Angeles", and insert in lieu thereof the following: "from Route 165 (Figueroa Street) to Route 161 (Verdugo Road) in the city of Los Angeles".

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Pelletier:

Amendment No. 1.

On page 7 of the printed bill, as amended, between lines 30 and 31, insert the following: "from Route 26 at its intersection with Route 2 to Route 165 via Alhso Street and Temple Street in the city of Los Angeles".

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Fulcher:

Amendment No. 1.

On page 7 of the printed bill, as amended, between lines 5 and 6, insert the following:

"(d) From Route 28 near Bieber to State line near Hatfield.

(e) From Route 28 near Canby to a connection with the road described in subdivision (d) of this section near Spaulding Ranch.

(f) From Route 29 near Susanville to Route 28 near Adin."

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Field:

Amendment No. 1.

On page 7 of the printed bill, as amended, between lines 33 and 34, insert the following:

"(ff) From Route 161 to Route 4 in Burbank via Olive Avenue."

Amendment No. 2.

On page 7 of the printed bill, as amended, strike out lines 31, 32 and 33, and insert in lieu thereof the following: "from Route 9 at its intersection with Osborne Avenue in the city of Los Angeles to Route 165 in Los Angeles via Stonehurst Avenue, Glenoaks Boulevard, Brand Boulevard, Glendale Boulevard and Second Street."

Amendment No. 3.

On page 7 of the printed bill, as amended, strike out lines 31 to 33, inclusive, and insert in lieu thereof the following:

"(f) From Route 9 at its intersection with Osborne Avenue to the south city limits of Glendale at Glendale Avenue, via Stonehurst Avenue, Glenoaks Boulevard and Brand Boulevard."

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Cunningham:

Amendment No. 1.

On page 7 of the printed bill, as amended, between lines 21 and 22, insert the following:

"(aa) From Route 4 at Burbank to Route 165 via Riverside Drive."

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Gilbert:

Amendment No. 1.

On page 7 of the printed bill, as amended, between lines 30 and 31, insert the following:

"(ee) From Route 161 to Glendale Boulevard via Allesandro Street in the city of Los Angeles."

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Welsh:

Amendment No. 1.

On page 7 of the printed bill, as amended, between lines 30 and 31, insert the following: "from Main Street in Los Angeles to Route 162 via Exposition Boulevard and Overland Avenue".

Amendment No. 2.

On page 7 of the printed bill, as amended, between lines 30 and 31, insert the following: "from Alameda Street to Vermont Avenue via Adams Street in the city of Los Angeles".

Amendment No. 3.

On page 7 of the printed bill, as amended, between lines 30 and 31, insert the following: "from Route 2 to Route 174 via Normandie Avenue in the city of Los Angeles".

Amendment No. 4.

On page 7 of the printed bill, as amended, between lines 30 and 31, insert the following: "from Route 165 to Crenshaw Boulevard in Los Angeles via Santa Barbara Avenue".

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Chatters:

Amendment No. 1.

On page 6 of the printed bill, as amended, between lines 26 and 27, insert the following:

"(f) From Route 132 near Orosi westerly via Sultana and Dinuba to Route 4 near Fowler.

(g) From Route 10 near Hanford to Route 4 near Kingsburg."

Amendments adopted.

Bill read, ordered to reprint, and on file for third reading.

Further Proceedings Under Call of the House Dispensed With.

At eleven o'clock and fifty-five minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Evans, Ralph W.

The roll of absentees was called, and the motion by Mr. Evans, Ralph W., to withdraw Assembly Bill No. 2442 from Committee on Financial Institutions was lost by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Cronin, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt,

Johnson, Jones, Laughlin, Lore, McCarthy, Nielsen, O'Donnell, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, Wallace, Waters, and Weber—35.

NOES—Andreas, Chatters, Corwin, Cottrell, Crowley, Cunningham, DeLap, Fisher, Fulcher, Garibaldi, Hornblower, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Peterson, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Welsh, Williamson, and Mr. Speaker—34.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Oil Industries.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1935.

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 465—An act to amend section 675 of the Political Code, relating to the powers of the Director of Finance in respect to public lands—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

McBRIDE, Chairman.

The above reported bill ordered on file for second reading.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 425—An act to add a new section to the Agricultural Code, to be numbered 1079, relating to the disposal of funds received under the provisions of Chapter 7 of Division V of said code, to declare the urgency thereof, and to provide that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1935.

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 1123—An act providing for the submission at the general election to be held in November, 1936, of a certain question herein provided, for the purpose of ascertaining the wish of the people of the State relative to the licensing of stores in this State—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

RILEY, Chairman.

The above reported bill ordered on file for second reading.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Senate Bill No. 550—An act to provide for the cooperation of State officers and agencies, and stockmen's associations with the Federal Government in relation to grazing lands, and for the disposition of money received from the Federal Government in relation thereto—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

THORP, Chairman.

The above reported bill ordered on file for second reading.

Second Reading of Assembly Bills.

Assembly Bill No. 465—An act to amend section 675 of the Political Code, relating to the powers of the Director of Finance in respect to public lands.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

Strike out all of the title of the printed bill, as amended, and insert in lieu thereof the following:

"An act to add section 675.2 to the Political Code relating to the powers of the Director of Finance in respect to public lands."

Amendment No. 2.

Strike out all of pages 2, 3, and 4 of the printed bill, as amended, and insert in lieu thereof the following

"SECTION 1. Section 675.2 is hereby added to the Political Code to read as follows:

675.2. The Director of Finance shall have power (1) to execute grants to any real property belonging to the State of California in the name of and upon behalf of the State of California, with the consent of the State agency, if any, concerned, to the United States of America, in exchange for lands of the latter, or for such other consideration, as may appear to the Director of Finance to be to the best interests of the State; any real property acquired by the State of California by exchange pursuant to the provisions of this section shall be subject to the laws governing real property of the class to which such acquired real property belongs; (2) to withdraw from sale any and all of the public lands belonging to the State of California, by executive order, with the approval of the Governor, and by like procedure, to return any or all of any such lands so withdrawn for the purpose of sale or other disposition in accordance with law."

Amendment No. 3.

On page 4 of the printed bill, as amended, strike out lines 12 to 31, inclusive.

Amendments adopted.

Bill read second time, ordered to reprint, re-re-engrossment, and third reading.

Second Reading of Senate Bills—(Resumed).

Senate Bill No. 1123—An act providing for the submission at the general election to be held in November, 1936, of a certain question herein provided, for the purpose of ascertaining the wish of the people of the State relative to the licensing of stores in this State

Bill read second time, and ordered on file for third reading.

Senate Bill No. 425—An act to add a new section to the Agricultural Code, to be numbered 1079, relating to the disposal of funds received under the provisions of Chapter 7 of Division V of said code, to declare the urgency thereof, and to provide that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 550—An act to provide for the cooperation of State officers and agencies, and stockmen's associations with the Federal Government in relation to grazing lands, and for the disposition of money received from the Federal Government in relation thereto.

Bill read second time, and ordered on file for third reading.

Motion to Print Assembly Bill No. 465.

Mr. Utt moved that the Chief Clerk be instructed to place a rush order on the printing of Assembly Bill No. 465.

Motion carried.

Recess.

At twelve o'clock m., on the motion of Mr. Cottrell, the Assembly was declared at recess until two o'clock p.m., this day.

Reassembled.

At two o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Third Reading of Senate Bills—(Resumed).

Senate Concurrent Resolution No. 44—Calling for the appointment by the Governor of a commission of ten, to investigate the advisability of commemorating the four-hundredth anniversary of the discovery

of California, by causing the creation of an appropriate memorial to the memory of John Rodriguez Cabrillo and his compatriots.

Senate Concurrent Resolution No. 44 read.

Mr. Hornblower moved the adoption of Senate Concurrent Resolution No. 44.

The question being on the adoption of Senate Concurrent Resolution No. 44.

The roll was called, and Senate Concurrent Resolution No. 44 adopted by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Clark, Corwin, Cottrell, Crowley, Dawson, DeLap, Desmond, Donnelly, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Kallam, Latham, Lore, Maloney, Martin, McMurray, Meehan, Miller, Minard, Morgan, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Stream, Thorp, Utt, Voigt, Walker, Wallace, Weber, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 44 ordered transmitted to the Senate.

Senate Concurrent Resolution No. 44.

Calling for the appointment by the Governor of a commission of ten, to investigate the advisability of commemorating the four-hundredth anniversary of the discovery of California, by causing the creation of an appropriate memorial to the memory of John Rodriguez Cabrillo and his compatriots.

WHEREAS, John Rodriguez Cabrillo, a native of Portugal, discovered California on Thursday, September 28, 1542, while in the service of the King of Spain; and

WHEREAS, The Senate and the Assembly of California have heretofore, by an appropriate concurrent resolution, requested the Governor to call upon the people of this State to observe the twenty-eighth day of September of each year, as Cabrillo Day, by appropriate patriotic observances, and

WHEREAS, September 28, 1942, will be the four-hundredth anniversary of the discovery of California by John Rodriguez Cabrillo; and

WHEREAS, It is suitable and proper that the four-hundredth anniversary of the discovery of California be observed by special exercises and by the creation of some fitting memorial to the memory of John Rodriguez Cabrillo and to his compatriots; now, therefore, be it

Resolved by the Senate, the Assembly concurring, as follows: That the Governor is requested to appoint a commission of ten members, residents of California, whose duty it shall be to study the advisability of holding a special observance, in this State, on September 28, 1942, commemorating the four-hundredth anniversary of the discovery of California, and to make a further study of the advisability of creating a memorial in honor of the said John Rodriguez Cabrillo, discoverer of California, and his compatriots.

Senate Bill No. 1127—An act to amend section 378 of the Fish and Game Code and to add thereto section 375.5, relating to migratory bird reservations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1127 finally passed by the following vote:

AYES—Anderson, Breed, Brennan, Cassidy, Clark, Corwin, Cottrell, Crowley, Dawson, DeLap, Desmond, Donahue, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McMurray, Meehan, Miller, Minard, Morgan, Pelletier, Peyser, Redwine, Richie, Riley, Stream, Thorp, Utt, Voigt, Walker, Wallace, Weber, Welsh, Wright, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, June 13, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Senate Bill No. 791—An act making an appropriation to reimburse the "Corporation Commission fund" for the excess moneys withdrawn and expended from that fund pursuant to Chapter 805, Statutes of 1929 and for necessary expenditures made pursuant to Chapter 1037, Statutes of 1933.

In my opinion Senate Bill No. 791 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Senate Bill No. 791—An act making an appropriation to reimburse the "Corporation Commission fund" for the excess moneys withdrawn and expended from that fund pursuant to Chapter 805, Statutes of 1929, and for necessary expenditures made pursuant to Chapter 1037, Statutes of 1933.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 791 finally passed by the following vote:

AYES—Anderson, Andreas, Brennan, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Flint, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Wallace, Waters, Weber, Welsh, Wright and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 13, 1935.

Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Senate Bill No. 801—An act to amend sections 2 and 3 of an act entitled "An act creating an Advisory Pardon Board; defining and prescribing the powers and duties thereof; and making an appropriation therefor," approved May 17, 1915, as amended, relating to the powers and duties of the board.

In my opinion Senate Bill No. 801 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Senate Bill No. 801—An act to amend sections 2 and 3 of an act entitled "An act creating an Advisory Pardon Board; defining and prescribing the powers and duties thereof; and making an appropriation therefor," approved May 17, 1915, as amended, relating to the powers and duties of the board.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 801 finally passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Flint, Fulcher, Garibaldi, Geyer, Gilmore, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—59.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 13, 1935.

Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Senate Bill No. 1093—An act to add section 398 to the Political Code, relating to the Lieutenant Governor.

In my opinion Senate Bill No. 1093 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California

Senate Bill No. 1093—An act to add section 398 to the Political Code, relating to the Lieutenant Governor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1093 finally passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Fulcher, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Minard, Morgan, Pelletier, Peyser, Phillips, Redwine, Richie, Riley, Rosenthal, Stream, Thorp, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—54.
NOES—Reaves—1.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 1001—An act to amend section 348 of the Agricultural Code, relating to licenses and moneys collected for inspection of marks and brands.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1001 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Corwin, Cottrell, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Field, Flint, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Phillips, Reaves,

Redwine, Richie, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—58.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Motion to Re-refer Senate Bill No. 874.

Mr. Fulcher moved that Senate Bill No. 874 be withdrawn from file, and ordered re-referred to Committee on Live Stock and Dairies.

The question being on re-referring Senate Bill No. 874 to Committee on Live Stock and Dairies.

Motion carried.

Senate Bill No. 874 ordered re-referred to Committee on Live Stock and Dairies.

Senate Bill No. 872—An act to amend section 109a of "The California Irrigation District Act," approved March 31, 1897, relating to name of irrigation districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 872 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, McMurray, Miller, Minard, Nielsen, O'Donnell, Pelletier, Reaves, Redwine, Richie, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Weber, Welsh, Williamson, Wright, and Mr. Speaker—57.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 527—An act to add a new article to Division III, Chapter 1, of the Agricultural Code to be numbered 1a, relating to establishments slaughtering or processing animals for purposes other than human consumption, and rendering establishments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 527 finally passed by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Chatters, Corwin, Cronin, Cunningham, Dawson, DeLap, Donihue, Donnelly, Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—61.
NOES—Cassidy, Fisher, and Johnson—3.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 127—An act to regulate the conduct of election campaigns, to provide penalties for corrupt practices defined therein, to repeal an act entitled "An act to regulate the conduct of election campaigns, and repealing an act entitled 'An act to promote the purity of elections by regulating the conduct thereof, and to support the privilege

of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,' approved February 23, 1893,'' approved March 19, 1907, and to repeal an act entitled ''An act providing for publicity of contributions and expenditures made for the purpose of influencing electors for or against any proposition voted upon throughout the State and providing penalties for violation of the provisions hereof,'' approved May 31, 1921.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Frazier:

Amendment No. 1.

On page 2, line 40, of the printed bill, strike out all of section 4.

The question being on the amendment submitted by Mr. Frazier to Senate Bill No. 127.

Roll Call.

The Speaker ordered a roll call taken on the amendment by Mr. Frazier.

The roll was called, and the amendment was adopted by the following vote:

AYES—Andreas, Boyle, Brennan, Burns, Cassidy, Corwin, Cunningham, Dawson, Field, Fisher, Flint, Frazier, Fulcher, Gilmore, Hornblower, Hunt, Johnson, Kallam, Latham, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Morgan, Peterson, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—42.

NOES—Breed, Cottrell, Crowley, DeLap, Desmond, Donihue, Donnelly, Geyer, Gilbert, Glover, Hawkins, Heisinger, Jones, Laughlin, Lore, Mayo, Minard, Patterson, Pelletier, Peyser, Reaves, Rosenthal, Voigt, Wagner, and Walker—25.

Motion to Print Senate Bill No. 127.

Mr. Frazier moved that Senate Bill No. 127, as amended, be sent to reprint.

Motion carried.

Motion to Suspend Rules.

Mr. Donnelly moved that the Rules be suspended and that the Assembly take up Senate Bill No. 127 for further consideration immediately.

Roll Call.

The Speaker ordered a roll call taken on the motion to suspend the Rules.

The roll was called, and the motion was lost by the following vote:

AYES—Boyle, Burns, Cassidy, Cronin, Crowley, Desmond, Donihue, Donnelly, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Jones, Kallam, Laughlin, Lore, Mayo, Miller, Minard, O'Donnell, Peyser, Reaves, Richie, Rosenthal, Thorp, Voigt, Wagner, and Walker—31.

NOES—Andreas, Breed, Brennan, Corwin, Cunningham, Dawson, DeLap, Field, Fisher, Flint, Frazier, Fulcher, Hornblower, Hunt, Johnson, Latham, Maloney, Martin, Morgan, Pelletier, Peterson, Redwine, Riley, Stream, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—31.

Bill read, ordered to reprint, and third reading.

Motion to Rush Printing of Senate Bill No. 127.

Mr. Donnelly moved that the Chief Clerk instruct the State Printer to rush printing of Senate Bill No. 127.

Motion carried.

Senate Concurrent Resolution No. 5—Providing for the appointment of a joint legislative committee to investigate and report upon the feasibility and practicability of the centralization of public ownership of public utilities in the State of Calfornia.

Senate Concurrent Resolution No. 5 read.

Floor Amendments.

During reading of Senate Concurrent Resolution No. 5, the following amendments were submitted by Mr. Mayo:

Amendment No. 1.

On page 2, line 13, of the printed measure, as amended, strike out "six", and insert in lieu thereof the following: "ten".

Amendment No. 2.

On page 2, line 14, of the printed measure, as amended, strike out "three", and insert in lieu thereof the following: "five".

Amendment No. 3.

On page 2, line 15, of the printed measure, as amended, strike out "three", and insert in lieu thereof the following: "five".

Amendment No. 4.

On page 3, line 6, of the printed measure, as amended, strike out "five", and insert in lieu thereof the following: "twenty".

Amendments adopted.

Request for Unanimous Consent.

Mr. Mayo asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 5, as amended, at this time, without reference to reprint or file.

Senate Concurrent Resolution No. 5, as amended, read.

Floor Amendments.

During reading of Senate Concurrent Resolution No. 5, the following amendments were submitted by Mr. Heisinger:

Amendment No. 1.

On page 3, line 10, of the printed measure, strike out "ten", and insert in lieu thereof the word "five".

Amendment No. 2.

On page 3, line 12, of the printed measure, strike out the word "ten", and insert in lieu thereof the word "five".

The question being on the amendments submitted by Mr. Heisinger to Senate Concurrent Resolution No. 5.

Roll Call.

The Speaker ordered a roll call taken on the amendments by Mr. Heisinger.

Demand for Previous Question.

Messrs. Welsh, Weber, Dawson, Morgan, and Brennan demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the amendments submitted by Mr. Heisinger to Senate Concurrent Resolution No. 5.

The roll was called, and the amendments were adopted by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Crowley, Donnelly, Field, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Kallam, Latham, Laughlin, McBride, Nielsen, O'Donnell, Pelletier, Reaves, Redwine, Richie, Riley, Rosenthal, Turner, Wagner, Wallace, Weber, Williamson, Wright, and Mr. Speaker—35.

NOES—Brennan, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Fisher, Frazier, Gilmore, Hornblower, Johnson, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Phillips, Robertson, Scudder, Stream, Thorp, Utt, Walker, and Waters—33.

Request for Unanimous Consent.

Mr. Mayo asked for unanimous consent to take up Senate Concurrent Resolution No. 5, as amended, at this time, without reference to reprint or file.

Objection to Unanimous Consent.

Mr. McCarthy objected to unanimous consent to the consideration of Senate Concurrent Resolution No. 5.

Motion to Suspend Rules.

Mr. Mayo moved that the rules be suspended for purpose of considering Senate Concurrent Resolution No. 5, as amended, at this time.

Roll Call.

The Speaker ordered a roll call taken on the motion to suspend the rules.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Mayo moved a call of the House.

Roll Call.

The Speaker ordered a roll call taken on the motion for a call of the House.

The roll was called, and the motion was carried by the following vote:

AYES—Andreas, Breed, Brennan, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Minard, Morgan, Nielsen, Peterson, Redwine, Richie, Riley, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—50.

NOES—Flint, Geyer, Gilbert, Glover, Lore, Patterson, Pelletier, Reaves, Robertson, Rosenthal, Stream, and Voigt—12.

Time, three o'clock and forty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Breed, Brennan, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—62.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 14, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to Senate Bill No. 959—An

act to amend section 675 of the Political Code, relating to the power of the Director of the Department of Finance—and requests that your honorable body recede therefrom.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 959 ordered on unfinished business file.

Further Proceedings Under Call of the House Dispensed With.

At four o'clock and five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Mayo.

The roll of absentees was called, and the motion by Mr. Mayo to suspend the Rules for consideration of Senate Concurrent Resolution No. 5, as amended, was carried by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Hunt, Johnson, Kallam, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—54.

NOES—Anderson, Burns, Cassidy, Clark, Evans, Ralph W., Field, Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Jones, Latham, Laughlin, Lore, McBride, McCarthy, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, and Voigt—25.

Further Consideration of Senate Concurrent Resolution No. 5.

Senate Concurrent Resolution No. 5, as amended, read.

Mr. Mayo moved the adoption of Senate Concurrent Resolution No. 5, as amended.

Demand for Previous Question.

Messrs. Morgan, Weber, Fisher, Wallace and Mayo demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of Senate Concurrent Resolution No. 5, as amended.

The roll was called, and Senate Concurrent Resolution No. 5, as amended, was refused adoption by the following vote:

AYES—Brennan, Cottrell, Cronin, Crowley, DeLap, Donnelly, Fisher, Fulcher, Mayo, Miller, Minard, Morgan, Peyser, Phillips, Robertson, Thorp, Weber, and Welsh—18.

NOES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Clark, Corwin, Cunningham, Dawson, Desmond, Donihue, Evans, Ralph W., Field, Flint, Frazier, Geyer, Gilbert, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—56.

Notice of Reconsideration of Senate Concurrent Resolution No. 5.

Mr. Mayo gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Concurrent Resolution No. 5 was this day refused adoption.

Unfinished Business—(Resumed).

Consideration of Assembly Amendments to Senate Bill No. 959.

Senate Bill No. 959—An act to amend section 675 of the Political Code, relating to the power of the Director of the Department of Finance.

The question being: Shall the Assembly recede from Assembly amendments to Senate Bill No. 959?

Demand for Previous Question.

Messrs. Cottrell, Peterson, Fisher, Dawson and Frazier demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being: Shall the Assembly recede from Assembly amendments to Senate Bill No. 959?

The roll was called, and the Assembly receded from Assembly amendments to Senate Bill No. 959 by the following vote:

AYES—Anderson, Breed, Brennan, Clark, Cottrell, Cunningham, DeLap, Evans, Ralph W., Field, Fisher, Geyer, Gilbert, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, Miller, Minard, Morgan, Patterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—42.

NOES—Andreas, Boyle, Burns, Cassidy, Chatters, Corwin, Cronin, Crowley, Dawson, Desmond, Donihue, Donnelly, Flint, Fulcher, Garibaldi, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, McMurray, Meehan, Nielsen, O'Donnell, Pelletier, Peterson, Reaves, Thorp, Turner, and Wagner—33.

Senate Bill No. 959 ordered transmitted to the Senate.

Statement of Vote in Not Receding from Amendments to Senate Bill No. 959.

My reason in not receding from amendments to Senate Bill No. 959 is for the reason that if this bill is referred to a Conference Committee I would offer the following amendments which would meet the objections raised by the opponents of this bill:

Amendment No. 1.

On page 2, line 48, of the printed bill, as amended, strike out "to the Gilmore Exploration Company", and insert in lieu thereof, "to the highest bidder who furnishes and files with his bid a surety bond in the amount of one hundred thousand dollars in favor of the State of California guaranteeing faithful performance,".

Amendment No. 2.

On page 3, line 25, of the printed bill, as amended, strike out all of the amended bill to and including line 32, and insert in lieu thereof the following: "It shall be provided that no bid shall be accepted which does not provide a royalty to the State of twenty per centum (20%) in value or amount of all oil, gas or other hydrocarbons produced and saved, until the lessee shall have received from the proceeds all such costs, as shall be approved by the director, and thereafter a royalty of not less than forty per centum (40%)".

Amendment No. 3.

On page 3, line 47, of the printed bill, as amended, begin line 48 as follows: "f. All offers and bids shall be duly noticed and filed with the director pursuant to the rules, regulations and laws made and provided for competitive bidding on State contracts as are now in force and effect in the Department of Finance."

WILLIAM B. HORNBLOWER.

Motion to Print in Journal.

Mr. Lyon moved that the following statement be printed in the Journal.

Motion carried.

I asked you to recede from the Assembly amendment to Senate Bill No. 959 and concur in the Senate's action in amending our amendment from the bill. My reasons for this recommendation are as follows:

First, that I supported the amendment and supported it because I believed that by means of a lease to the Gilmore Exploration Company the State would be getting the largest possible revenue from its Huntington Beach tidelands pool. I recognize that offset drilling is customary and practical and that, since the Legislature had passed a measure allowing slant drilling into this pool from the uplands with a royalty of 16⅔ per cent, this opportunity to secure a tremendous revenue to the State by a 30 per cent royalty was desirable.

I had also been led to believe that the administration wanted such a bill passed.

I learn now that the representations to me that the Governor favored 959 were apparently not well founded or at least that he had not said he would approve the bill. I am familiar with the ocean front at Huntington Beach and I know that the city is not a summer resort but that the chief activity is the production of oil.

In making this motion I have also become convinced that an overwhelming number of the citizens of southern California are opposed to tideland drilling and have not accepted the contention that "island" drilling can be made safe, with reliable protection against pollution of the beaches. There is possibly a danger because of the existence of what appears to be a live earthquake fault beneath the submerged area off Huntington Beach that at some time an earthquake might occur that would cause the loss of control of these oil wells and that might cause incalculable damage to the beaches.

I realize the tremendous sentiment of our people against ocean drilling and for the reasons stated above I am asking you to recede and permit this bill to go to the Governor without any reference to tideland drilling as set forth in the amendment. Although I believe the State would lose a large amount of revenue, it is probably a better course to pursue under all the circumstances and will do away with any possible danger to other sections of the coast line where the people now enjoy themselves in this chain of playgrounds. CHARLES W. LYON.

Reconsideration of Senate Bill No. 1119.

Senate Bill No. 1119—An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the motor vehicle license fee fund, and making an appropriation of the moneys therein.

In compliance with his notice given on a previous day, Mr. Lyon moved that the vote whereby Senate Bill No. 1119 was refused passage be reconsidered.

Demand for Previous Question.

Messrs. Fisher, Dawson, Weber, Peyser and Cottrell demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the reconsideration of Senate Bill No. 1119.

The roll was called, and the same was reconsidered by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Field, Fisher, Frazier, Fulcher, Gilmore, Hornblower, Johnson, Latham, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—50.

NOES—Anderson, Cassidy, Clark, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, McCarthy, Patterson, Pelletier, Reaves, Rosenthal, Turner, and Wagner—25.

Request for Unanimous Consent.

Mr. Lyon asked or, and was granted, unanimous consent to take up Senate Bill No. 1119, at this time, without reference to file.

Senate Bill No. 1119 read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lyon:

Amendment No. 1.

On page 2 of the printed bill, as amended in the Senate June 8, 1935, strike out the comma and all of the words in line 25, after the word "department", and insert in lieu thereof a period.

Amendment No. 2.

On page 2 of the printed bill, as amended in the Senate June 8, 1935, strike out all of line 26 to and including the period.

The question being on the amendments submitted by Mr. Lyon to Senate Bill No. 1119.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Lyon.

The roll was called, and the amendments were adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Voigt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—65.

NOES—Fisher, Hornblower, Johnson, McCarthy, Rosenthal, Thorp, and Wagner—7.

Request for Unanimous Consent.

Mr. Lyon asked for unanimous consent to take up Senate Bill No. 1119, as amended, at this time, without reference to reprint or file.

Objection to Unanimous Consent.

Mr. Voigt objected to unanimous consent to the consideration of Senate Bill No. 1119

Motion to Suspend the Rules.

Mr. Lyon moved that the rules be suspended for purpose of considering Senate Bill No. 1119, as amended, at this time.

Roll Call.

The Speaker ordered a roll call taken on the motion to suspend the rules.

The roll was called, and the motion was carried by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Field, Fisher, Frazier, Fulcher, Gilmore, Hornblower, Hunt, Johnson, Latham, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—52.

NOES—Anderson, Cassidy, Clark, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Jones, Laughlin, Lore, McCarthy, Patterson, Reaves, Rosenthal, Turner, Voigt, and Wagner—24.

Third Reading of Senate Bill No. 1119, as Amended.

Senate Bill No. 1119, as amended, read third time.

Demand for Previous Question.

Messrs. Dawson, Weber, Peyser, Garibaldi, and Utt demanded the previous question.

The question being put. Shall the main question be now put?

Roll Call.

The Speaker ordered a roll call taken on the demand for previous question.

The roll was called, and the demand was sustained by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Chatters, Corwin, Cottrell, Cronin, Dawson, DeLap, Donihue, Donnelly, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Latham, Laughlin, Lyon, Maloney, Martin, McBride, Meehan, Miller, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Stream, Thorp, Utt, Wallace, Weber, Welsh, Wright and Mr. Speaker—41

NOES—Anderson, Cassidy, Crowley, Cunningham, Desmond, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam,

Lore, Mayo, McCarthy, Minard, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Scudder, Turner, Voigt, Wagner, Walker, and Waters—32.

The question being on the passage of Senate Bill No. 1119, as amended.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Lyon moved a call of the House.

Roll Call.

The Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the motion was carried by the following vote:

AYES—Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, DeLap, Desmond, Donahue, Donnelly, Field, Fisher, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Peterson, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—60.

NOES—Anderson, Evans, Ralph W., Jones, Lore, McCarthy, Patterson, Pelletier, Reaves, and Rosenthal—9.

Time, five o'clock and fifty minutes p m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, DeLap, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—70.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2474—An act relating to fees and taxes for and upon certain vehicles, providing for the collection thereof and the enforcement of this act, and providing for the repeal of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Gilmore:

Amendment No. 1.

On page 2, line 13, of the printed bill, as amended, after "than", insert the following: "such vehicles used in connection with the rendering of casual trans-

portation services as an accomodation and not in the usual or ordinary course of business, and".

Amendment No. 2.

On page 2, line 44, of the printed bill, as amended, strike out "All sums so paid"; also strike out lines 45 to 47, inclusive.

Amendments adopted.

Request for Unanimous Consent.

Mr. Gilmore asked for, and was granted, unanimous consent to take up Assembly Bill No. 2474, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed

Assembly Bill No. 2474, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Williamson:

Amendment No. 1.

On page 1, line 21, of the printed bill, strike out the numerals "$3.00", and insert in lieu thereof the numerals "$4 00".

Amendment No. 2.

On page 2, line 3, of the printed bill, strike out the numerals "$3.00", and insert in lieu thereof the numerals "$4 00".

Amendment No. 3.

On page 2, line 6, of the printed bill, strike out the numerals "$7.00", and insert in lieu thereof the numerals "$8 00".

Amendment No. 4.

On page 2, line 8, of the printed bill, strike out the numerals "$9.00", and insert in lieu thereof the numerals "$10.00".

Amendment No. 5.

On page 2, line 10, of the printed bill, after the words "fee of", strike out the word "ten", and insert in lieu thereof the word "twenty".

Amendment No. 6.

On page 2, line 20, of the printed bill, after the word "each", strike out the word "vehicle", and insert in lieu thereof the words "commercial vehicle".

Amendment No. 7.

On page 2, line 22, of the printed bill, after the word "each", strike out the words "truck, trailer or semitrailer", and insert in lieu thereof the words "commercial vehicle".

The question being on the amendments submitted by Mr. Williamson to Assembly Bill No. 2474.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Williamson.

The roll was called, and the amendments were adopted by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Corwin, Cottrell, Cronin, Cunningham, Donihue, Donnelly, Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Stream, Utt, Vogt, Wagner, Walker, Wallace, Waters, Weber, Williamson, and Mr. Speaker—56.

NOES—Evans, Ralph W., O'Donnell, and Rosenthal—3.

Request for Unanimous Consent.

Mr. Gilmore asked for unanimous consent to take up Assembly Bill No. 2474, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed

Objection to Unanimous Consent.

Mr. Phillips objected to unanimous consent to the consideration of Assembly Bill No. 2474.

Motion to Suspend the Rules.

Mr. Gilmore moved that the rules be suspended for purpose of considering Assembly Bill No. 2474, as amended, at this time.

Roll Call.

The Speaker ordered a roll call taken on the motion to suspend the rules.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Cunningham, DeLap, Desmond, Donnelly, Field, Fisher, Flint, Frazier, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Redwine, Riley, Robertson, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—54.

NOES—Corwin, Donihue, Evans, Ralph W., Fulcher, Geyer, Gilbert, Glover, Jones, McCarthy, Meehan, O'Donnell, Peterson, Phillips, Reaves, Richie, Rosenthal, Scudder, Turner, and Voigt—19.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 2474—An act relating to fees and taxes for and upon certain vehicles, providing for the collection thereof and the enforcement of this act, and providing for the repeal of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933.

In my opinion said Assembly Bill No. 2474 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 2474, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2474, as amended, passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Corwin, Cottrell, Cronin, Cunningham, DeLap, Desmond, Donnelly, Field, Frazier, Gilmore, Hawkins, Heisinger, Hunt, Johnson, Kallam, Latham, Lore, Lyon, Maloney, Martin, McBride, McMurray, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Phillips, Redwine, Riley, Scudder, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—49.

NOES—Anderson, Chatters, Clark, Donihue, Evans, Ralph W., Fisher, Flint, Fulcher, Geyer, Gilbert, Glover, Hornblower, Jones, Mayo, McCarthy, Meehan, Nielsen, O'Donnell, Reaves, Richie, Rosenthal, Turner, and Voigt—23.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 2474.

Mr. Reaves gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2474 was this day passed.

Request for Permission to Introduce Bill.

The following request for permission to introduce a bill was presented:

By Mr. Cunningham:

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1935.

MR. SPEAKER: I ask permission to introduce the accompanying bill, the title of which reads as follows:

An act to add a new section to the School Code, to be numbered 2.972, relating to city boards of education in cities in the first and one-half class.

Referred to Committee on Introduction of Bills.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Introduction of Bills.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1935.

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it. The title of said bill is as follows:

An act to add a new section to the School Code, to be numbered 2.972, relating to city boards of education in cities in the first and one-half class.

CUNNINGHAM, Chairman.

Report of Committee on Introduction of Bills read.

Mr. Cunningham moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, DeLap, Donihue, Donnelly, Field, Fisher, Flint, Fulcher, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—60.

NOES—None.

Introduction and Reference of Bills—(Resumed).

The following bill was introduced:

By Mr. Cunningham: Assembly Bill No. 2502—An act to add a new section to the School Code, to be numbered 2.972, relating to city boards of education in cities in the first and one-half class.

Bill read first time.

Request for Unanimous Consent.

Mr. Cunningham asked for, and was granted, unanimous consent to take up Assembly Bill No. 2502, at this time, without reference to printer, committee or file, and that same be considered engrossed.

Consideration of Assembly Bill No. 2502.

Assembly Bill No. 2502—An act to add a new section to the School Code, to be numbered 2.972, relating to city boards of education in cities in the first and one-half class

Case of Urgency.

The following resolution was offered:

By Mr. Cunningham:

Resolved, That Assembly Bill No. 2502 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is

hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Mr. Cunningham moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, DeLap, Donahue, Donnelly, Field, Fisher, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr Speaker—58.

NOES—None.

Second Reading of Assembly Bill No. 2502.

Bill read second time.

Third Reading of Assembly Bill No. 2502.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2502 passed by the following vote:

AYES—Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, DeLap, Donahue, Donnelly, Field, Fisher, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—59.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Motion to Rush Printing of Assembly Bill No. 2502.

Mr. Cunningham moved that the Chief Clerk be instructed to place a rush order on the printing of Assembly Bill No. 2502.

Motion carried.

Motion to Print Assembly Bill No. 2480.

Mr. Morgan moved that the Chief Clerk instruct the State Printer to print 200 additional copies of Assembly Bill No. 2480.

Motion carried.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No. 754—An act to make an appropriation from unemployment relief money for construction work by fairs under State control.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Report of Committee on Free Conference.

The following report of Committee on Free Conference was received and read:

Concerning Assembly Bill No. 754.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1935.

MR SPEAKER. Your Committee on Free Conference concerning Assembly Bill No 754—An act to make an appropriation from unemployment relief money for construction work by fairs under State control—reports that it has met a like committee of the Senate, consisting of Senators Swing, Sharkey and Knowland, and

reports that the Committee on Free Conference has agreed to recommend the following: That the Assembly concur in the Senate amendments, and that the bill be further amended as follows:

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, as amended, strike out "unemployment relief money", and insert in lieu thereof the following: "money available for relief of hardship and destitution due to and caused by unemployment,".

Amendment No. 2.

On page 1, line 3, of the printed bill, as amended, strike out "unemployment relief", and insert in lieu thereof the following: "relief of hardship and destitution due to and caused by unemployment".

Amendment No. 3.

On page 1, lines 4 and 5, of the printed bill, as amended, strike out "two million eight hundred seventy-seven", and insert in lieu thereof the following: "three million two".

Amendment No. 4.

On page 1, lines 8 and 9, of the printed bill, as amended, strike out "to be constructed", and insert in lieu thereof the following: ", said work to be done".

Amendment No. 5.

On page 1, line 10, of the printed bill, as amended, strike out "to", and insert in lieu thereof the following: "shall".

Amendment No. 6.

On page 1, line 13, of the printed bill, as amended, strike out "$75,000", and insert in lieu thereof the following: "$200,000".

Amendment No. 7.

On page 2, line 35, of the printed bill, as amended, strike out "$2,877,000", and insert in lieu thereof the following: "$3,002,000".

LYON,
FISHER,
UTT,
Assembly Committee on Free Conference.

SWING,
KNOWLAND,
SHARKEY,
Senate Committee on Free Conference.

Report of Committee on Free Conference concerning Assembly Bill No. 754 read.

Mr. Lyon moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Cunningham, DeLap, Donihue, Field, Fisher, Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—52.

NOES—None.

Assembly Bill No. 754 ordered to enrollment.

Request for Unanimous Consent.

Mr. Peyser asked for, and was granted, unanimous consent for the consideration of Senate Bill No. 1090, at this time, without reference to file, for purpose of amending.

Senate Bill No. 1090—An act to amend section 50 of the "State Housing Act," approved June 15, 1923, relating to the character and construction of fire escapes.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Peyser:

Amendment No. 1.

On page 2, line 13, of the printed bill, as amended, after the period, insert the following: "Said automatic stairway or automatic ladder shall be so constructed

that when not in use as such stairway or ladder it will completely close the opening in the balustrade around said balcony at least to the same height as the rest of the balustrade."

Amendment No. 2.

On page 2 of the printed bill, as amended, between lines 27 and 28, insert the following:

"A building which habitually has more than fifty-one occupants or employees, or which habitually has more than fifty-one occupants and employees combined, shall not use an automatic ladder."

Amendments adopted.

Bill read, ordered to reprint, and on file for third reading.

Motion to Rush Printing of Senate Bill No. 95.

Mr. Mayo moved that the Chief Clerk be instructed to place a rush order on the printing of Senate Bill No. 95.

Motion carried.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 1129—An act to add section 4093.5 to the Political Code, relating to transmission of moneys to counties by State officers and employees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1129 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, DeLap, Donihue, Donnelly, Field, Fisher, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peyser, Reaves, Redwine, Richie, Riley, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Senate Bill No. 1027—An act making an appropriation for the clearing and cleaning of Ellis Creek.

In my opinion said Senate Bill No. 1027 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Senate Bill No. 1027—An act making an appropriation for the clearing and cleaning of Ellis Creek.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1027 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Cunningham, DeLap, Donihue, Donnelly, Field, Fisher, Fulcher, Geyer, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Latham, Lore,

Maloney, Martin, Mayo, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—56

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California

GREETINGS: Senate Bill No 403—An act making an appropriation to pay the claim of Modoc County Fair Association against the State of California.

In my opinion said Senate Bill No 403 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California

Senate Bill No. 403—An act making an appropriation to pay the claim of Modoc County Fair Association against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 403 finally passed by the following vote:

AYES—Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cronin, Cunningham, DeLap, Donahue, Donnelly, Field, Fisher, Flint, Fulcher, Geyer, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr Speaker—57

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1935

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Senate Bill No 920—An act appropriating money for the restoration and rehabilitation of Marshall's cabin at Coloma.

In my opinion said Senate Bill No 920 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California

Senate Bill No. 920—An act appropriating money for the restoration and rehabilitation of Marshall's cabin at Coloma.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 920 finally passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Cunningham, DeLap, Donahue, Donnelly, Field, Fisher, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Redwine, Richie, Riley, Rosenthal, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—59.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California

GREETINGS: Senate Bill No. 1029—An act making an appropriation to pay the claim of Anthony Caminetti, Jr., against the State of California.

In my opinion said Senate Bill No. 1029 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California

Senate Bill No. 1029—An act making an appropriation to pay the claim of Anthony Caminetti, Jr., against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1029 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, DeLap, Donahue, Donnelly, Field, Fisher, Fulcher, Geyer, Gilmore, Glover, Hornblower, Hunt, Johnson, Jones, Kallam, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Stream, Thorp, Wagner, Walker, Wallace, Waters, Weber, Williamson, and Mr. Speaker—54
NOES—Heisinger, McCarthy, and Voigt—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Motion to Withdraw Senate Bill No. 1131.

Mr. Weber moved that Senate Bill No. 1131 be withdrawn from Committee on Ways and Means, and placed on file.

The question being on the motion by Mr. Weber to withdraw Senate Bill No. 1131 from Committee on Ways and Means and place on file.

Roll Call.

The Speaker ordered a roll call taken on the motion to withdraw Senate Bill No. 1131 from Committee on Ways and Means.

The roll was called, and the motion was carried by the following vote:

AYES—Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, DeLap, Desmond, Donahue, Donnelly, Field, Fisher, Flint, Fulcher, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lore, Maloney, Martin, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson,

Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Thorp, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—53.
NOES—None.

Request for Unanimous Consent.

Mr. Weber asked for, and was granted, unanimous consent to take up Senate Bill No. 1131, at this time, without reference to file.

Consideration of Senate Bill No. 1131.

Senate Bill No. 1131—An act to make an appropriation for emergency reclamation and flood control work on the San Joaquin River, declaring the urgency thereof and providing that this act shall take effect immediately.

Case of Urgency.

The following resolution was offered:

By Mr. Weber:

Resolved, That Senate Bill No. 1131 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third time and placed upon its passage.

Mr. Weber moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, DeLap, Desmond, Donihue, Donnelly, Field, Fisher, Fulcher, Geyer, Gilmore, Glover, Hawkins, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Scudder, Stream, Thorp, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—56.
NOES—None.

Second Reading of Senate Bill No. 1131.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, DeLap, Desmond, Donihue, Donnelly, Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Scudder, Stream, Thorp, Wagner, Walker, Wallace, Weber, Williamson, and Mr. Speaker—55.
NOES—None.

Third Reading of Senate Bill No. 1131.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1131 finally passed by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cronin, Cunningham, DeLap, Desmond, Donihue, Donnelly, Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilmore, Glover, Hawkins, Hornblower, Johnson, Jones, Kallam, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Redwine, Richie, Riley, Stream, Thorp, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—54.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the House Dispensed With.

At seven o'clock and thirty minutes p m , further proceedings under the call of the House were dispensed with, on motion of Mr. Lyon.

The roll of absentees was called.

Call of the House.

Pending the announcement of the vote, Mr. Lyon moved a call of the House.

Roll Call.

The Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the motion was carried by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, DeLap, Donihue, Field, Fisher, Frazier, Fulcher, Heisinger, Hunt, Johnson, Kallam, Latham, Lyon, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Scudder, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—48

NOES—Anderson, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Jones, Lore, Reaves, Richie, Rosenthal, and Voigt—13.

Time, seven o'clock and thirty-one minutes p m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, DeLap Donihue, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—61.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Further Proceedings Under Call of the House Dispensed With.

At eight o'clock and twenty minutes p.m , further proceedings under the call of the House were dispensed with, on motion of Mr. Lyon

The roll of absentees was called, and Senate Bill No. 1119 was passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Evans, Herbert J., Field, Fisher, Frazier, Fulcher, Gilmore, Hornblower, Hunt, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—54.

NOES—Anderson, Burns, Cassidy, Clark, Donihue, Donnelly, Evans, Ralph W., Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Jones, Laughlin, Lore, McCarthy, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, and Wagner—26.

Title read and approved.

Notice of Reconsideration of Senate Bill No. 1119.

Mr Patterson gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 1119 was this day passed.

Explanation of Vote.

During the call of the House I received a call from the representative of the Los Angeles police and fire department, who has informed me that the bill, as amended, is now satisfactory to his organizations and so far as he knows to the city and county of Los Angeles. The members of his organization are the only ones who have ever openly opposed this bill. To me, now that their opposition has been withdrawn, I feel that I have no further reason for opposing same. Councilman Davis, president of the Los Angeles city council, and the members of the city council have also withdrawn their objection to this legislation.

I feel that if this bill fails to pass it will place the Old Age Security Act and the unemployment relief funds in jeopardy.

CHARLES A. HUNT,
Assemblyman, Forty-fifth District.

Explanation of Vote.

I consider Senate Bill No. 1119, which transfers the taxes of automobiles and trucks from the counties to the State, to be an indirect ad valorem tax upon the homes and farms of the people of California. I consider it to be a deception, and unjustifiable and unworthy of the dignity of the Governor and the Legislature to foist it upon the common people who are already overtaxed.

I believe the forced passage of this bill will delay for a year, if not permanently, the passage of a just and equitable severance tax upon the rich who are well able to pay their fair share of State taxes. Therefore in justice to the common people, I feel more than justified in voting "No" on this bill.

S. L. HEISINGER.

Explanation of Vote.

June 13, 1935.

TO WHOM IT MAY CONCERN: I desire to explain my attitude and vote on the in lieu tax, Senate Bill No. 1119. The Progressive group helped secure a 12½ per cent to the counties and one-eighth per cent to the cities, total $7,500,000.

My change to a "No" vote was for the reason that the severance tax failure of passing in the Senate would jeopardize the old age pension.

Sincerely submitted.

CHARLES J. WAGNER.

Reconsideration of Senate Bill No. 1119 Waived.

Mr. Patterson waived his notice to reconsider the vote whereby Senate Bill No. 1119 was passed.

Senate Bill No. 1119 ordered transmitted to the Senate.

Recess.

At eight o'clock and twenty-five minutes p.m., on motion of Mr. Cottrell, the Assembly was declared at recess until ten o'clock p.m., of this day.

Reassembled.

At ten o'clock p.m., the Assembly reconvened.

Speaker Craig in the chair.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 13, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1215—An act to amend section 11 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the regulation of the practice of optometry;

Also: Assembly Bill No. 2292—An act to amend sections 18 and 23 of the California Barber Law, relating to restrictions upon barber shops or colleges in this State;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1215 and 2292 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 13, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 50—Relative to the California Highway Patrol.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Concurrent Resolution No. 50 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 787—An act to amend sections 1, 2, 10, 13a and 14 of the "Motor Vehicle Fuel License Tax Act," approved May 30, 1923, as amended, relating to definitions of terms and phrases, applications for licenses and fees required in connection therewith, nontaxable sales and exemption certificates in connection therewith, revolving funds, penalties for violation of said act, and providing that this act shall take effect immediately

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 787 read first time, and referred to Committee on Revenue and Taxation.

Also:

SENATE CHAMBER, SACRAMENTO, June 14, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 577—An act to amend section 3780 of the Political Code relating to the redemption of property sold to the State for delinquent taxes and limiting the same to a period of three years from and after the date of the deed to the State pursuant to section 3785 of the Political Code.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 14, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference concerning Assembly Bill No. 1271—An act imposing an excise tax on the storage, use or other consumption in this State of tangible personal property, providing for the registration of retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof and providing that this act shall take effect immediately;

Also: Assembly Bill No. 1273—An act to amend the title and sections 2, 9, 15, 17, 18, 20, 21, 22, 23, 24, 26, 27, 29, 30 and 33 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933; to repeal section 19 of said act; to add sections 9½ and 19 to said act, all relating to the taxation of the privilege of selling renting or leasing tangible personal property; and to provide that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1271 and 1273 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 14, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Free Conference concerning Senate Bill No. 436—An act to add section 490.5 to the Fish and Game Code, and to amend sections 651, 652, 653, 655 and 651.6 thereof, relating to fish.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 465—An act to add section 675.2 to the Political Code, relating to the powers of the Director of Finance in respect to public lands—and reports that the same has been correctly engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1935.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No. 1014—An act to add section 1412.5 to the Fish and Game Code, relating to the cost of keeping persons imprisoned for violating any provision of said code—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FISHER, Chairman.

The above reported bill ordered on file for second reading.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1935.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 1018—An act to amend sections 776, 777, 779 and 781 and to repeal section 778 of the Vehicle Code, relating to funds—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means.

HORNBLOWER, Chairman.

Senate Bill No. 1018 ordered re-referred to Committee on Ways and Means.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1935.

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No. 114—An act to amend section 737aaa of the Political Code, relating to the salary of the superior judge, in and for Trinity County—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Senate Bill No 1133—An act to amend section 737*lll* of the Political Code, relating to salaries of the judges of the superior court of the City and County of San Francisco—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

FIELD, Chairman.

The above reported bill ordered on file for second reading.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1935.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 2500—An act to amend section 4322 of the Political Code, relating

to county officers and employees—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

DELAP, Chairman.

The above reported bill ordered on file for second reading.

On Irrigation.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1935.

MR SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No 1329—An act authorizing and empowering irrigation districts, reclamation districts, municipal utility districts, public utility districts, municipalities, and any and all public and municipal corporations, districts and State agencies of whatsoever kind and character, organized and existing, or which may be hereafter organized under and by virtue of the laws of the State of California, or which may hereafter be formed under similar acts which may be enacted in the future, to enter into contract with the Water Project Authority of the State of California for any and all purposes and objects of the Central Valley Project Act of 1933, and enabling and empowering any and all such organizations to execute any contract for the purchase or use of water, electric energy or any other facilities to be made available by the Central Valley Project and to comply with any and all terms and conditions of any such contract and particularly to enable and empower such organizations to segregate and allocate revenues derived from the use, distribution or sale of any such facilities and to deposit any such revenues, or any taxes or assessments levied upon the lands or property within such organization for the purpose of raising funds to meet any and all payments under any such contract, into a special account; and enabling and empowering any and all such organizations to constitute any and all moneys and funds so deposited in such special account a trust fund to be used solely for the purpose of making payments to said Water Project Authority under any such contract, and authorizing and empowering any such organization to grant to said Water Project Authority, in any such contract, a special lien upon any and all funds of any such organization available for the payment of operation and maintenance of such organization, to said Water Project Authority as security for the payment of any amounts due under any such contract—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

Second Reading of Senate Bills—(Resumed).

Senate Bill No. 1014—An act to add section 1412.5 to the Fish and Game Code, relating to the cost of keeping persons imprisoned for violating any provision of said code.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 114—An act to amend section 737aaa of the Political Code, relating to the salary of the superior judge, in and for Trinity County.

Bill read second time, and ordered on file for third reading.

Senate Bill No 1133—An act to amend section 737*ll* of the Political Code, relating to salaries of the judges of the superior court of the City and County of San Francisco.

Bill read second time, and ordered on file for third reading.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1329—An act authorizing and empowering irrigation districts, reclamation districts, municipal utility districts, public utility districts, municipalities, and any and all public and municipal corporations, districts and State agencies of whatsoever kind and character, organized and existing, or which may be hereafter organized under and by virtue of the laws of the State of California, or which may hereafter be formed under similar acts which may be enacted in the future, to enter into contract with the Water Project Authority of the State

of California for any and all purposes and objects of the Central Valley Project Act of 1933, and enabling and empowering any and all such organizations to execute any contract for the purchase or use of water, electric energy or any other facilities to be made available by the Central Valley Project and to comply with any and all terms and conditions of any such contract and particularly to enable and empower such organizations to segregate and allocate revenues derived from the use, distribution or sale of any such facilities and to deposit any such revenues, or any taxes or assessments levied upon the lands or property within such organization for the purpose of raising funds to meet any and all payments under any such contract, into a special account; and enabling and empowering any and all such organizations to constitute any and all moneys and funds so deposited in such special account a trust fund to be used solely for the purpose of making payments to said Water Project Authority under any such contract; and authorizing and empowering any such organization to grant to said Water Project Authority, in any such contract, a special lien upon any and all funds of any such organization available for the payment of operation and maintenance of such organization, to said Water Project Authority as security for the payment of any amounts due under any such contract.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out all of said line after the word "authorizing", and strike out all the rest of the title, and insert in lieu thereof the following:

"Any irrigation district, reclamation district, municipal utility district, public utility district, municipality, water district, water storage district, and any public or municipal corporation, political subdivision, district, State agency or authority, to enter into and execute appropriate contracts with the Water Project Authority of the State of California, created in and by the Central Valley Project Act of 1933, under the provisions of Chapter 1042 of the Statutes of 1933, and authorizing any such agency or entity to comply with the provisions of any such contract; and authorizing any such agency or entity to segregate, allocate, devote and pledge revenues derived from the sale, use or distribution of facilities received from said water project authority under any such contract, for the purpose of securing payments under such contract; and authorizing any such agency or entity to establish a special account for the purposes of such contract, funds accruing to which shall be and constitute a trust fund for the purpose of making payments under such contract to said Water Project Authority."

Amendment No. 2.

On page 2 of the printed bill, strike out all of line 1 beginning with the word "The", and strike out all of lines 2 to 6, inclusive, and insert in lieu thereof the following:

"For the purposes of this act, "State agency" shall mean and include any irrigation district, reclamation district, municipal utility district, public utility district, municipality, water district, water storage district, and any public or municipal corporation, political subdivision, district, State agency or authority, now organized, or which may hereafter be organized, under and by virtue of the laws of the State of California, now in effect or which may hereafter be enacted.

SEC. 2. In addition to the powers conferred by law, and not in derogation or in limitation thereof, any State agency is hereby authorized, enabled and empowered to enter into and execute appropriate contracts with the Water Project Authority of the State of California, a body politic and corporate, created in and by the Central Valley Project Act of 1933, Chapter 1042 of the Statutes of 1933, for any and all the purposes and objects of the said act and as provided and contemplated therein; and any such State agency is hereby authorized, enabled and empowered to comply with any and all the terms, provisions and conditions of any such contract.

SEC. 3. Any such State agency may, in any such contract, provide therein for the segregation and allocation of any and all revenues received by any such State agency from the sale, use or distribution of any water, use of water, electric energy or other facilities to be received, used or distributed by any such State agency under

such contract with the said Water Project Authority; and, pursuant to the terms and provisions of any such contract, may segregate, allocate and devote any such revenues, in whole or in part, solely for the purpose of making payments to said Water Project Authority, for such water, use of water, electric energy or other facilities to be received, used or distributed under any such contract; and any such State agency may further provide in any such contract for the pledge, in whole or in part, of any such revenues for the purpose of securing to the said Water Project Authority any payments which may become due under any such contract, and may, pursuant to the terms of any such contract, so pledge such revenues, in whole or in part, for any such purpose.

SEC 4. Any such State agency may further, in any such contract, promise and agree to and with said Water Project Authority to establish and maintain a special account to be created in and from its general fund, or other appropriate fund, and may, pursuant thereto, create, establish and maintain such special account, and any and all funds accruing to said special account, or deposited therein, in compliance with the terms and provisions of any such contract shall be and constitute a trust fund for the purpose of making payments to said Water Project Authority, as may be provided in such contract.

SEC. 5. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, void or inoperative, the unconstitutionality or invalidity of such section, subsection, sentence, clause or phrase, shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional, void or inoperative."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 14, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 863—An act to amend the title and sections 1, 2, 3, 4, 5, 6, 7, and 8 of an act entitled "An act to provide for the proper sanitary condition of factories and workshops, and the preservation of the health of employees," approved February 6, 1889 (Stats. 1889, Chap 5), as amended, relative to the sanitation, lighting and ventilation of factories, workshops and other places of employment, providing for the enforcement thereof by the Chief of the Division of Labor Statistics and Law Enforcement and providing penalties for the violation thereof;

Also: Assembly Bill No. 1989—An act to amend sections 677 and 689, and to repeal section 686a of, and to add sections 686.5 and 689.1 to, the Political Code, relating to State accounting;

Also: Assembly Bill No 2359—An act to amend sections 804, 814, 815, 1010, 1018, 1020 and 1261 of, and to add section 395 5 to the Military and Veterans Code, relating to military and veterans' affairs;

Also: Assembly Bill No 2466—An act to define motor transportation broker; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 863, 1989, 2359, and 2466 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 14, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No 755—An act to amend section 1 of an act entitled "An act making an appropriation to the State Board of Control to pay claims against the State of California," approved June 16, 1933, relating to claims against the State;

Also: Assembly Bill No. 1035—An act to amend sections 713, 715, 731, 733 5, 867 and 868 of 930 and the Fish and Game Code, relating to the protection of fish;

Also: Assembly Bill No. 2495—An act making an appropriation for the contingent expenses of the Assembly at its fifty-first session, and declaring that this act shall take effect immediately;

Also: Assembly Bill No. 934—An act to amend section 5 63 of the School Code, relating to admission of nonresident students to State teachers colleges;

Also: Assembly Bill No. 1925—An act to amend sections 1, 3, 4, 6 and 7 of "An act to prevent the unauthorized use and disposition of, and traffic in human bodies, to prescribe the keeping of proper records, to promote medical education and public health by regulating the disposition and utilization of the unclaimed dead, to provide penalties for the violation of this act and to repeal sections 3094 and 3095 of the Political Code and all other acts or portions of acts in conflict with this act," approved May 18, 1927, relating to the use of dead bodies;
And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 755, 1035, 2495, 934, and 1925 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 14, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2020—An act to add a new section to the Penal Code, to be numbered 476b, relating to printing, duplicating or imitating blank checks;

Also: Assembly Bill No. 1023—An act to amend section 6 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, relating to persons eligible to examination;

Also: Assembly Bill No. 422—An act to amend section 690 of the Code of Civil Procedure, and to add sections 690.1 to 690.4, inclusive, 690.6 to 690.24, inclusive, and 690.50, thereto, relating to property exempt from execution or attachment;
And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 2020, 1023, and 422 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 14, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 2120—An act to add a new section to be numbered section 29½ to the Public Utilities Act, approved April 23, 1915, relating to reports of salaries and expenses of officers and employees of public utilities, and determination of rates.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 14, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2490—An act to amend section 526 of the Political Code, relating to State printing;

Also: Assembly Bill No. 2310—An act to add section 3462a to the Political Code, authorizing trustees of reclamation districts to make refunds where wrongful assessments have been made;

Also: Assembly Bill No. 2492—An act to amend section 38 of the "Alcoholic Beverage Control Act," relating to powers of the board and the persons employed by the board;

Also: Assembly Bill No. 1609—An act to repeal section 645 of the Penal Code, relating to carnal abuse;

Also: Assembly Bill No. 1885—An act to amend section 91.5 of the Agricultural Code, relating to the Sixth District Agricultural Association fund.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 2490, 2310, 2492, 1609, and 1885 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 14, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1831—An act to add section 586.5 to the Vehicle Code, relating to the control of traffic upon the public highways of the State of California, whether situated within unincorporated or incorporated territory;

Also: Assembly Bill No. 2425—An act to add a new section to the Political Code, to be numbered 363m, relating to the Division of Water Resources revolving fund.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1831 and 2425 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 14, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 213—An act to amend sections 137, 138, and 166 of, and to add sections 171 and 172 to the Fish and Game Code, relating to game refuges;

Also: Assembly Bill No. 641—An act to add a new section to be numbered 611, to an act entitled "An act to establish a Streets and Highways Code, thereby consolidating and revising the law relating to public ways and all appurtenances thereto, and to repeal certain acts and parts of acts specified herein;

Also: Assembly Bill No. 927—An act to provide for the further development of vocational education in California by accepting the provisions and benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled and approved May 21, 1934; entitled "An act to provide for the further development of vocational education in the several States and Territories"; and making an appropriation therefor; and declaring the urgency thereof and providing that this act shall take effect immediately;

Also: Assembly Bill No. 1281—An act to amend sections 4, 6, 13, 14, 20 and 21 of, and to add a new section to be numbered 8a to, an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, as amended, relating to adulteration, mislabeling, misbranding, false advertising and sale of food and the powers of the State Board of Health in relation thereto;

Also: Assembly Bill No. 1540—An act to amend section 4 of and to add section 8 to an act entitled "An act creating a commission to codify, consolidate, revise or compile the statutes of California and to report thereon to the Legislature, and making an appropriation therefor, and authorizing State departments, boards bureaus and commissions to contract for the revision of certain laws," approved June 10, 1929, relating to reports and making an appropriation to carry out the provisions of the act.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary

Assembly Bills Nos. 213, 641, 927, 1281, and 1540 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 14, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and adopted as amended, Assembly Constitutional Amendment No. 86—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 23a of Article IV thereof, relating to legislative printing—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Constitutional Amendment No. 86 ordered to unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 14, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 52—Relative to the establishment of a free employment bureau in the city of Alameda.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary

Assembly Concurrent Resolution No. 52 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 14, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 56—Relating to memorializing the

President and the Congress to enact legislation proposed by H. R. 6984, providing benefits to persons who served in the Quartermaster's Corps or under the Quartermaster General during certain wars.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary

Assembly Joint Resolution No. 56 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 14, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on June 14, 1935, adopted the report of the Committee on Free Conference concerning Senate Bill No. 718—An act to amend sections 384 and 439 of the Vehicle Code, relating to the registration and storage of vehicles.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 14, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on June 14, 1935, adopted the report of the Committee on Free Conference concerning Assembly Bill No. 1188—An act to add a new article to Chapter I of Part III of Division IV of the School Code, and to add a new chapter to Part III of Division IV of the School Code to be known as Chapter IV, all to be known as Article XI, relating to school district funds.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO June 14, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on June 14, 1935, adopted the report of the Committee on Free Conference concerning Senate Constitutional Amendment No 18—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XIII thereof, a new section to be numbered 17, relating to the power of the Legislature to provide for the borrowing of money to meet appropriations made by law, in anticipation of the collection of taxes and revenues.

J. A BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 14, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 206—An act to amend section 1 of Chapter 339 of the Statutes of 1933, entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to the construction of certain words and phrases used in said act—and respectfully requests your honorable body to concur in said amendments.

J A BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary

Assembly Bill No. 206 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 14, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day refused adoption to Assembly Constitutional Amendment No. 60—A resolution to propose to the people of the State of California amendments to Article XI of the Constitution of said State by adding sections 4 and 7½ thereto, relating to the consolidation of counties, cities and counties, and cities

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 14, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 935—An act to amend section 5 350 of the School Code, relating to fees for credentials and certificates;

Also: Assembly Bill No 2461—An act to amend section 71 of the Penal Code, relating to contracts, sales and purchases by public officers

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary

Assembly Bills Nos. 935 and 2461 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 14, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1085—An act to amend sections 25 and 32 of the "Water Commission Act," approved June 16, 1913, relating to the adjudication of water rights.

J. A. BEEK, Secretary of Senate.

Senate Bill No. 1085 read first time, and referred to Committee on Irrigation.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1901—An act relating to real estate transactions and imposing a tax thereon and providing for the enforcement and collection of the tax, this act to take effect immediately—and reports that the same has been correctly re-re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

On Civil Service.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1935.

MR. SPEAKER: Your Committee on Civil Service, to which was referred Senate Bill No. 1132—An act relating to the status in the State civil service of those persons mentioned in subdivision (f) of section 5 of Article XXIV of the State Constitution, providing for examinations to determine the eligibility of such persons and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

NIELSEN, Chairman.

The above reported bill ordered on file for second reading.

On Irrigation.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1935.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Senate Bill No. 1085—An act to amend sections 25 and 32 of the "Water Commission Act," approved June 16, 1913, relating to the adjudication of water rights—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

FRAZIER, Chairman.

The above reported bill ordered on file for second reading.

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 42—A resolution to propose to the people of the State of California, an amendment to Article XIII of the Constitution of the State, by amending section 9a thereof, relating to the computation of taxes on unsecured property—and reports that the same has been correctly enrolled, and presented the same to the Governor on this fourteenth day of June, 1935, at eleven o'clock and thirty minutes a.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 322—An act to amend "An act to establish free employment bureaus under the control and management of the Commissioner of the Bureau of Labor Statistics, and making an appropriation therefor," approved May 17, 1915, by adding section 2a thereto, relating to free employment bureaus;

Also: Assembly Bill No. 800—An act to amend section 705 of the Vehicle Code, relating to vehicles and the weight and loading thereof;

Also: Assembly Bill No. 1294—An act to amend section 515 of the Vehicle Code, relating to motor vehicles;

Also: Assembly Bill No. 1295—An act to amend section 702 of the Vehicle Code, relating to motor vehicles;

Also: Assembly Bill No. 1500—An act relating to money appropriated for the encouragement of county and district agricultural fairs, declaring the urgency hereof and providing that this act shall go into immediate effect;

Also: Assembly Bill No. 2102—An act providing for the formation of nonprofit membership corporations to be known as electric membership corporations; authorizing such corporations to acquire, sell and distribute energy to the inhabitants of the State at the lowest cost consistent with sound economy and the prudent management of the business of such corporations; authorizing such corporations to construct or otherwise acquire, own, operate, maintain, extend and improve works, plans and systems for the acquisition, production, transmission or distribution of energy; authorizing such corporations to exercise the right of eminent domain and otherwise providing for the rights, powers and duties of such corporations; authorizing and regulating the issuance of revenue obligations by such corporations and providing for the payment of such obligations and the rights of the holders thereof; and providing that this act shall take immediate effect;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fourteenth day of June, 1935, at eleven o'clock and thirty minutes a.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2122—An act to postpone proceedings to enforce any guaranty of any special assessment or special assessment tax, or arising out of the issuance of any special assessment bond, or ad valorem district bonds or direct assessment district bonds, levied or issued to pay the cost of the improvement or acquisition of property for public purposes, in cases in which proceedings to enforce such assessments, bonds, or taxes are postponed by law, declaring the urgency thereof, and providing that it shall take effect immediately;

Also: Assembly Bill No. 2470—An act for the relief of purchasers of swamp and overflowed lands, declaring the urgency thereof and that this act shall take effect immediately;

Also: Assembly Bill No. 2420—An act to provide for reduction of salaries of officers and employees of the State in the State civil service which are in excess of the maximum salary limits of the respective positions;

Also: Assembly Bill No. 2473—An act to add section 269 to the Political Code, relating to officers of the Assembly and declaring the urgency thereof;

Also: Assembly Bill No. 1870—An act to amend an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, relating to unfair discriminations, and declaring the urgency thereof, to take effect immediately;

Also: Assembly Bill No. 2456—An act to amend sections 3454 and 3455 of and to add sections 3454a and 3454b to the Political Code, relating to reclamation districts, declaring the urgency thereof and providing that this act shall take effect immediately;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fourteenth day of June, 1935, at eleven o'clock and thirty minutes a.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 54—Relative to leave of absence of Richard E. Collins, member of the State Board of Equalization—and reports that the same has been correctly enrolled, and presented the same to the Governor on this fourteenth day of June, 1935, at eleven o'clock and thirty minutes a.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 240—An act to amend section 362 of the Streets and Highways Code and to add section 603 thereto, relating to State highways;

Also: Assembly Bill No. 834—An act relating to and imposing limitations on expenditures by counties, cities and counties, districts and other political subdivisions, under authority of section 20 of Article XI of the Constitution of the State;

Also: Assembly Bill No. 1794—An act to amend the title of "An act to amend an act entitled "An act to provide for the creation, organization and government of water conservation districts defining their powers and prescribing the method of exercising the same, reenacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the 'Water Conservation Act of 1929,' and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred" (Chapter 1020 Statutes of 1931), to repeal sections 51 to 54 inclusive, and to add new sections to be numbered 51 to 80 inclusive, relating to exclusion of lands from water conservation districts and to improvement districts within water conservation districts," approved June 12, 1933 (Chapter 906, Statutes of 1933), to amend sections 18, 36 and 53 of the act amended by said act and to add a new section to said amended act to be known as section 36a, relating to water conservation districts;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fourteenth day of June, 1935, at eleven o'clock and thirty minutes a m.

WATERS, Chairman.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1935.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 355—An act relating to fees to be paid to the Railroad Commission by railroad corporations, express corporation, freight forwarders, persons or corporations operating vessels, and persons or corporations owing or operating motor vehicles in the transportation of property for hire upon the public highways under the jurisdiction of the Railroad Commission of the State of California, providing for the collection thereof by the Railroad Commission, and providing penalties for the violation of this act—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2501—An act to amend section 3 of an act entitled "An act to repeal sections 1120 to 1140 inclusive of the Fish and Game Code, relating to the State Fish Exchange, and disposing of the property and funds thereof," approved June 10, 1933, and defining the powers and duties of the Department of Natural Resources and the Division of Fish and Game thereof in relating thereto—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

COTTRELL, Chairman.

The above reported bill ordered on file for second reading

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 1018—An act to amend sections 779 and 781 and to repeal section 778 of the Vehicle Code, relating to funds—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER. Your Committee on Ways and Means, to which was referred Senate Bill No. 1055—An act to appropriate the sum of $24,000 to be used in construction, renewal, and repair of works for restraining, impounding and control of debris resulting from mining operations and other causes along the Yuba River, to provide for the manner of expending such appropriation, to create the Yuba River debris control fund and to provide for the deposit in said fund of any unexpended balances of previous appropriations made for this purpose—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman

The above reported bill ordered on file for second reading.

Also:

MR SPEAKER Your Committee on Ways and Means, to which was referred Senate Bill No. 1128—An act relating to the borrowing of money by the State in anticipation of taxes and revenues, and making an appropriation—has had the

same under consideration, and respectfully reports the same back, and recommends that it do pass COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 339—An act making an appropriation for the armed forces of the State when called on active service—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 404—An act to add section 159a to the Agricultural Code, relating to the elimination of Austrian field cress, and to make an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass. COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 1003—An act making an appropriation to pay the claim of Mrs. G. Field against the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass

COTTRELL, Chairman

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 105—An act to amend section 1092 of the Agricultural Code, relating to a tax upon commercial feeding stuffs—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1935.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred the following Assembly resolution by Mr. Utt—Relative to chain stores:

Assembly Resolution.

WHEREAS, There are now pending before the Legislature several measures designed to tax chain stores; and

WHEREAS, Several other States have enacted measures designed to regulate chain stores through the indirect means of taxation and their experience would be of assistance to the Legislature of California in the formulation of chain store legislation; and

WHEREAS, It is believed by many that the abuses of chain stores should be corrected through the enactment of fair trade acts, now, therefore, be it

Resolved by the Assembly of the State of California, That the Speaker of the Assembly appoint an interim committee, composed of five Assemblymen, to be known as the "Assembly Interim Committee to Investigate the Subject of Chain Store Regulation", to investigate the subject of chain store regulation, its feasibility and practicability, and to report thereon to the fifty-second session of the Assembly, including in its report such legislative bills, resolutions, and constitutional amendments as the committee may find appropriate to carry into effect its recommendations; and be it further

Resolved, That the committee shall proceed to organize by the election of one of its members as chairman and thereupon proceed with the investigation in such manner as it shall determine, and be it further

Resolved, That the committee is authorized to hold hearings at any and all places and to investigate all matters and things pertinent to the subject of this resolution, and be it further

Resolved, That the committee is hereby authorized and empowered to require the production of books, agreements, documents, records, accounts and papers

of every kind, to issue subpenas, to compel the attendance of witnesses and to procure testimony and so far as practicable to have material testimony reported so that the same may be available for use by the Legislature; each member of the committee is authorized to administer oaths and all of the provisions of Article VIII of Chapter II of Title I of Part III of the Political Code relating to the attendance and assemblage of witness before the Legislature and committees thereof shall apply to the committee appointed under this resolution and it shall be the duty of all officers and employees of the State or of any county, city, city and county, or political subdivision of the State to furnish such reports, information and evidence upon request of the committee as may be pursuant to the purposes herein stated; and be it further

Resolved, That the sum of $2,500, or so much thereof as may be necessary for the purpose of defraying the expenses of the committee and the cost of its investigation, is hereby made available and appropriated for the use of the committee out of the contingent fund of the Assembly, and the State Controller is authorized and directed to draw his warrants in favor of the person or persons entitled thereto for such expenditures as may be certified to him from time to time by the chairman of the committee and the State Treasurer is hereby authorized and directed to pay the same,

Has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted. RILEY, Chairman.

Assembly resolution by Mr. Utt ordered on file for adoption.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No 465—An act to add section 675 2 to the Political Code relating to the powers of the Director of Finance in respect to public lands

Assembly Bill No. 465 read second time

Floor Amendments.

During second reading of the bill, the following amendments were submitted by Mr. Utt:

Amendment No. 1.

On page 1 of the printed bill, in line 2 of the title, as amended June 14, 1935, after the word "powers", insert "and duties".

Amendment No. 2.

On page 3, line 23, of the printed bill, as amended June 14, 1935, after the word "have", strike out "power", and insert in lieu thereof "the following powers and duties".

Amendment No. 3.

On page 3, line 38, of the printed bill, as amended June 14, 1935, after the word "law", strike out the period, and insert the following: ", (3) to lease in the name of, and upon behalf of, the State of California, and he shall, and is instructed to, lease, notwithstanding any act or acts inconsistent herewith, to the Gilmore Exploration Company for the production and extraction of oil, gas and other hydrocarbons therefrom, those certain tide, overflowed and submerged lands belonging to the State, situate in Orange County, described as follows, to wit

Commencing at the point of intersection of the southwesterly prolongation of the center line of Tenth Street of the city of Huntington Beach, Orange County, California, with the line of ordinary high tide of the Pacific Ocean, thence northwesterly along the line of ordinary high tide of the Pacific Ocean to the west line of section 3, township 6 S R 11W SBB & M; thence continuing along said line of ordinary high tide to the west line of section 33 Township 5 south range 11W SBB & M, thence continuing along the said line of ordinary high tide to the southeasterly line (or its prolongation northwesterly) of State prospecting permit No. 194 granted to Matilda Shallemiller the fourth day of November, 1929; thence southwesterly along the southeasterly line of said permit and its prolongation southwesterly one mile to a point in the Pacific Ocean; thence southeasterly parallel to the above described line of ordinary high tide to a point on the southwesterly prolongation of the center line of the above described Tenth Street, said point being one mile southwesterly from the intersection of said center line of Tenth Street and the said line of ordinary high tide; thence northeasterly along the prolongation of the center line of said Tenth Street to the point of beginning: if such lease, in addition to other things, provides:

a. A royalty to the State of twenty per centum (20%) in value or amount of all oil, gas or other hydrocarbons produced and saved, until the lessee shall have received from the proceeds of eighty per cent of all oil, gas or other hydrocarbons, all such costs, expenses, charges and liabilities, incurred by lessee in developing and

operating such property, as shall be approved by the director, and thereafter a royalty of thirty per centum (30%).

b. That all drilling shall be done from islands constructed by the lessee and that the lessee shall not construct any island within 500 feet of the line of ordinary high tide of the Pacific Ocean

c That the term of the lease shall be 30 years.

d. That the State reserves the right to grant to littoral owners, and to the successor, assignee, or authorized person of such littoral owner, a lease or easement to operate wells already slant drilled into the leased lands and also to drill new wells therein.

e. That the lessee will operate two strings of tools until it has drilled twelve wells and thereafter one string until it has drilled eighteen additional wells or a total of thirty wells, with the right in the lessee to drill as many additional wells as it desires.

f All such other provisions, agreements and conditions as, in the judgment of the director shall be proper to fully safeguard and protect the interests of the State."

Amendments adopted.

Bill read second time, ordered to reprint, re-re-engrossment, and third reading.

Second Reading of Senate Bills—(Resumed).

Senate Bill No 1132—An act relating to the status in the State civil service of those persons mentioned in subdivision (f) of section 5 of Article XXIV of the State Constitution, providing for examinations to determine the eligibility of such persons and providing that this act shall take effect immediately.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 1, line 5, of the printed bill, as amended, after "who", insert the following "either".

Amendment No. 1-a.

On page 1, line 7, of the printed bill, as amended, strike out "has had no opportunity", and insert in lieu thereof the following. "or otherwise, has had no opportunity subsequent to said date".

Amendment No. 1-b.

On page 1, lines 13 and 14, of the printed bill, as amended, strike out "as soon as practical", and insert in lieu thereof the following. "within fifteen days".

Amendment No. 2.

On page 1, line 15, of the printed bill, as amended, after "mailed", insert a comma and the following: "at least seven days before the date of the examination,".

Amendment No. 3.

On page 1, line 19, of the printed bill, as amended, after the period, insert the following: "The State Personnel Board shall, within ten days after the date of such examination, mail to each such person a notice indicating his standing as the result of such examination."

Amendment No. 4.

On page 2, line 10, of the printed bill, as amended, after "SEC. 4.", insert the following: "If any provision of this act, or the application thereof to any person or circumstance, is held invalid, the remainder of this act, or the application of such provision to other persons or circumstances, shall not be affected thereby.

SEC. 5."

Amendments adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 355—An act relating to fees to be paid to the Railroad Commission by railroad corporations, express corporations, freight forwarders, persons or corporations operating vessels, and persons or corporations owning or operating motor vehicles in the transportation

of property for hire upon the public highways under the jurisdiction of the Railroad Commission of the State of California, providing for the collection thereof by the Railroad Commission, and providing penalties for the violation of this act

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1018—An act to amend sections 776, 777, 779 and 781 and to repeal section 778 of the Vehicle Code, relating to funds.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 2, line 19, of the printed bill, as amended, following the period after the word "fund", add the following: "Except as provided in this section, all salaries and expenses of the department shall be paid from the motor vehicle support fund."

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Senate Bill No. 1055—An act to appropriate the sum of $24,000 to be used in construction, renewal, and repair of works for restraining, impounding and control of debris resulting from mining operations and other causes along the Yuba River, to provide for the manner of expending such appropriation, to create the Yuba River debris control fund, and to provide for the deposit in said fund of any unexpended balances of previous appropriations made for this purpose.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1128—An act relating to the borrowing of money by the State in anticipation of taxes and revenues, and making an appropriation.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 339—An act making an appropriation for the armed forces of the State when called on active service.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 404—An act to add section 159a to the Agricultural Code, relating to the elimination of Austrian field cress, and to make an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1003—An act making an appropriation to pay the claim of Mrs. G. Field against the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 105—An act to amend section 1092 of the Agricultural Code, relating to a tax upon commercial feeding stuffs.

Bill read second time, and ordered on file for third reading.

Unfinished Business—(Resumed).

Consideration of Senate Amendments to Assembly Bill No. 422.

Assembly Bill No. 422—An act to amend section 690 of the Code of Civil Procedure, and to add sections 690.1 to 690.4, inclusive, 690.6 to 690.24, inclusive, and 690.50, thereto, relating to property exempt from execution or attachment.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 422?

Amendment No. 1.

On page 4, line 51, of the printed bill, as amended in Assembly May 21, 1935, strike out the words "five hundred,", and insert in lieu thereof the words "one thousand."

Amendment No. 2.

On page 5, line 3, of the printed bill, as amended in Assembly May 21, 1935, strike out the words "five hundred,", and insert in lieu thereof the words "one thousand."

Amendment No. 3.

On page 4, line 51, of the printed bill, as amended in Senate May 31, 1935, strike out the word "one", and also strike out the word "thousand", in line 52, and in lieu thereof insert the following: "five hundred".

Amendment No. 4.

On page 5, line 3, of the printed bill, as amended in Senate May 31, 1935, strike out the words "one thousand", and insert in lieu thereof the following: "five hundred".

Amendment No. 5.

On page 1, line 2 of the title of the printed bill, as amended in Senate June 5, 1935, strike out the figures "690.23", and insert in lieu thereof "690.24".

Amendment No. 6.

On page 1, line 3, of the printed bill, as amended in Senate June 5, 1935, strike out the figures "690.23", and insert in lieu thereof "690.24".

Amendment No. 7.

On page 5, line 39, of the printed bill, as amended in Senate June 5, 1935, after the word "benefits", add a new section as follows.

"Sec. 24 Section 690.24 is hereby added to the Code of Civil Procedure, to read as follows

690.24. One motor vehicle of a value not exceeding one hundred dollars."

Amendment No. 8.

On page 5, line 40, of the printed bill, as amended in Senate June 5, 1935, strike out the figures "24", and insert in lieu thereof the following: "25".

Amendment No. 9.

On page 5, line 43, of the printed bill, as amended in Senate June 5, 1935, strike out the figures "690.23", and insert in lieu thereof the following: "690.24".

The roll was called, and Senate amendments to Assembly Bill No. 422 were concurred in by the following vote:

AYES—Anderson, Andreas, Brennan, Cassidy, Clark, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Fisher, Flint, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Johnson, Jones, Latham, Laughlin, Lore, Maloney, McBride, McMurray, Meehan, Patterson, Pelletier, Reaves, Richie, Rosenthal, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Williamson, and Mr. Speaker—43.

NOES—Donnelly—1.

Assembly Bill No. 422 ordered to enrollment.

Third Reading of Assembly Bills—(Resumed).

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 13, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 2430—An act to make an appropriation to pay the claim of the chief accounting officer of the State Department of Public Health against the State of California.

In my opinion Assembly Bill No. 2430 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No 2430—An act to make an appropriation to pay the claim of the chief accounting officer of the State Department of Public Health against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Geyer moved a call of the House.

Motion carried

Time, ten o'clock and fifteen minutes p m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Cassidy, Cronin, Crowley, Cunningham, Dawson, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Heisinger, Hornblower, Johnson, Laughlin, Lore, McMurray, Morgan, Patterson, Pelletier, Reaves, Richie, Rosenthal, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Williamson, and Mr. Speaker—33.

The Chief Clerk announced the absentees

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Further Proceedings Under Call of the House Dispensed With.

At ten o'clock and forty-two minutes p m., further proceedings under the call of the House were dispensed with, on motion of Mr. Geyer.

The roll of absentees was called, and Assembly Bill No. 2430 was passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Morgan, Patterson, Pelletier, Peterson, Reaves, Richie, Riley, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Williamson, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1181—An act to amend sections 4.770, 4.771, 4.773, 4.785, 4.796, and 4.797 of the School Code and to add thereto two new sections to be numbered 4 774 and 4.484, all relating to the apportionment of State funds for public school purposes

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Burns:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after the word "sections", insert the following: "4 222,".

Amendment No. 2.

On page 1, line 2 of the title of the printed bill, as amended, strike out the following: "4 871 and 4.884", and insert in lieu thereof the following: "4 872, 4.883 and 4.886-1".

Amendment No. 3.

On page 1, line 3 of the title of the printed bill, as amended, strike out the word 'two", and insert in lieu thereof the word "four".

Amendment No. 4.

On page 1, line 3 of the title of the printed bill, as amended, after the word "numbered", insert a comma and the following: "4.223,".

Amendment No. 5.

On page 1, line 3 of the title of the printed bill, as amended, strike out the word "and", and insert in lieu thereof a comma.

Amendment No. 6.

On page 1, line 4 of the title of the printed bill, as amended, after the comma, insert the following: "and 4 874-1,".

Amendment No. 7.

On page 1 of the printed bill, as amended, strike out line 1, and insert in lieu thereof the following:

"SECTION 1. Section 4 222 of the School Code is hereby amended to read as follows.

4.222. In those counties in which no high school is maintained the county superintendent of schools may submit to the Superintendent of Public Instruction an estimate of the amount of money needed for the unapportioned county high school fund of his county in order to meet the expenses charged in the School Code against such fund for the payment of the transportation and/or tuition of pupils residing within the county and attending high school in other counties in the State, and for such other purposes as may be specified in the School Code. The amount of such estimate shall be subject to the approval of the Superintendent of Public Instruction.

SEC. 1a. A new section is hereby added to the School Code to be numbered 4 223, and to read as follows:

4.223. The Superintendent of Public Instruction shall apportion to the unapportioned county high school fund in those counties in which no high school district is located, from the State high school fund, one-third of the approved amount estimated as needed for such unapportioned county high school fund, and from the State general fund he shall apportion the remaining two-thirds of the amount estimated as needed for such unapportioned county high school fund

SEC. 1b Section 4 770 of the School Code is hereby".

Amendment No. 8.

On page 2 of the printed bill, as amended, strike out all of lines 39 to 52, inclusive, and on page 3, strike out all of lines 1 to 6, inclusive.

Amendment No. 9.

On page 3 of the printed bill, as amended, following line 23, insert the following:

"SEC. 9. Section 4 872 of the School Code is hereby amended to read as follows.

4.872 He shall apportion two thousand two hundred dollars to each high school district during the first school year in which its organization becomes effective.

SEC. 10. A new section is hereby added to the School Code to be numbered 4.874-1 and to read as follows:

4.874-1. He shall apportion to the unapportioned county high school fund of each county in which no high school district is located an amount equal to one-third of the approved amount estimated as needed for such fund as provided elsewhere in this code.

SEC. 11 Section 4.883 of the School Code is hereby amended to read as follows:

4.883. The Superintendent of Public Instruction shall allow one thousand dollars for each high school district during the first school year in which its organization becomes effective.

SEC. 12. Section 4.886-1 of the School Code is hereby amended to read as follows:

4.886-1. He shall allow to the unapportioned county high school fund of each county an amount equal to the sum estimated by the county superintendent of schools as the amount of the unapportioned county high school fund for the current school year as provided in this code; except that in the case of each county in which no high school district is located he shall allow to the unapportioned county high school fund an amount equal to two-thirds of the approved amount estimated as needed for such fund as provided elsewhere in this code."

Amendments adopted.

Request for Unanimous Consent.

Mr. Burns asked for, and was granted, unanimous consent to take up Assembly Bill No. 1181, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1181, as Amended.

Assembly Bill No. 1181, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1181, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donnelly, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Morgan, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Williamson, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 183—An act repealing sections 367a, 367b, and 367c of the Political Code, renumbering sections 367d to 367g, inclusive, thereof, to be sections 367q to 367t, inclusive, and adding sections 367a to 367p thereto, relating to the Department of Social Welfare.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Hornblower:

Amendment No. 1.

On page 4, line 19, of the printed bill, after the word "investigate", and the comma, strike out the following: "and make reports upon and approve all plans of any"; and insert in lieu thereof the following: "and give advice on all plans of any".

Amendment adopted.

Request for Unanimous Consent.

Mr Fisher asked for, and was granted, unanimous consent to take up Assembly Bill No. 183, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 183, as amended, read third time.

Demand for Previous Question.

Messrs. Lore, Morgan, Voigt, Welsh, and Martin demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question was not sustained.

Assembly Bill No. 183, as amended, read third time.

Demand for Previous Question.

Messrs. Morgan, Cottrell, Frazier, Dawson, and DeLap demanded the previous question

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 183, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Cottrell, Cronin, Cunningham, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Glover, Hawkins, Hunt, Johnson, Kallam, Laughlin, Lore, Lyon, Martin, Mayo, Meehan, Miller, Morgan, Nielsen, Patterson, Peyser, Reaves, Rosenthal, Scudder, Thorp, Turner, Walker, Waters, and Mr. Speaker—41

NOES—Burns, Corwin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Garibaldi, Heisinger, Hornblower, Jones, Latham, Maloney, 298—19120

McBride, McCarthy, McMurray, Minard, O'Donnell, Pelletier, Phillips, Richie, Riley, Stream, Voigt, Wagner, Wallace, Weber, and Wright—30.

Title read and approved.

Notice of Reconsideration of Assembly Bill No. 183.

Mr. Minard gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 183 was this day passed.

Unfinished Business—(Resumed).

Motion to Reconsider Assembly Bill No. 2412 Continued.

Mr. Turner moved that the consideration of his motion to reconsider the vote whereby Assembly Bill No. 2412 was passed be continued until the next legislative day.

Motion carried.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 265—An act to add section 364k to the Political Code, relating to the Division of the Deaf in the Department of Industrial Relations, and making an appropriation therefor.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Gilbert:

Amendment No. 1.

On page 2 of the printed bill, as amended, between lines 7 and 8, insert the following:

"SEC. 2. As used in this act the term "deaf person" shall not include any person who is able to hear with the aid of any artificial device."

Amendment No. 2.

On page 2, line 8, of the printed bill, as amended, strike out "2", and insert in lieu thereof the following: "3".

Amendments adopted.

Request for Unanimous Consent.

Mr. Gilbert asked for, and was granted, unanimous consent to take up Assembly Bill No. 265, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Assembly Bill No. 265, as amended, read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Heisinger:

Amendment No. 1.

On page 1, line 6, of the printed bill, after the word "be", add "a deaf person."

Amendment No. 2.

On page 1, line 16, of the printed bill, strike out the word "death", and insert in lieu thereof the word "deaf".

The question being on the amendments submitted by Mr. Heisinger to Assembly Bill No. 265.

Further Consideration Deferred.

Further consideration of Assembly Bill No. 265 and amendments pending, deferred.

Motion to Continue Unfinished Business.

Mr. Lyon moved that all unfinished business on the Daily Calendar be continued to the next legislative day.

Motion carried.

Adjournment.

At eleven o'clock and fifty-nine minutes p.m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until ten o'clock a.m., Saturday, June 15, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Saturday, June 15, 1935.

At ten o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr Speaker—79.

Quorum present.

Prayer.

Prayer was offered by Rev. Father John E. Tumulty, Chaplain of the Assembly.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Garibaldi, its further reading was dispensed with.

Leave of Absence.

On motion of Mr. Lyon, Mr. Evans, Herbert J., was granted leave of absence for this day.

Presentation of Petition.

The following petition was presented, and ordered printed in the Journal:

By Mr. Speaker:

From the Guaranty Building and Loan Depositors and Investors Association of Southern California, approving the efforts of the Assembly in liquidation of certain building and loan associations in this State, and commending the Honorable Frederick Peterson, chairman, and members of the Select Committee of the Assembly Investigating the Building and Loan Associations.

ASSISTANT CLERK OLIVER READING.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 14, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2368—An act to amend sections 5, 13, 65, 78, 83, 85, 86, 100, 101 and 109 of, and to add sections 28a, 65a, 65b, 65c, 65d, 83a, 85a, 100a and 100b to an act entitled "An act to provide for the creation, establishment

and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to retirement of members of the California Highway Patrol;

Also: Assembly Bill No. 2449—An act creating the California Farm Debt Adjustment Commission, defining its powers and duties and making an appropriation therefor.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 2368 and 2449 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 14, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2040—An act making an appropriation to pay the claim of the chief accounting officer of the Department of Finance against the State of California—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 2040 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 14, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Constitutional Amendment No. 62—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new section to be numbered section 16 of Article IX, relating to the management and control of museums and art galleries.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary

Assembly Constitutional Amendment No. 62 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 14, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 703—An act to establish the Southern California Prison under the management and control of the State Board of Prison Directors; to provide for purchase or acquirement of farm lands by unconditional gift or use of lands owned by the State therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor;

Also: Assembly Bill No. 1302—An act to amend sections 2, 3, 7, 12, 18 and 20 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to pharmacy.

Also: Assembly Bill No. 1212—An act to amend section 7 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the regulation of the practice of optometry.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 703, 1302 and 1212 ordered to enrollment.

Communications.

The following communications were received, and ordered printed in the Journal:

June 14, 1935.

Mr. Arthur A. Ohnimus, Chief Clerk of the Assembly,
State Capitol Building, Sacramento, California.

DEAR MR. OHNIMUS: I want to thank you and the Assembly for your kind expression of sympathy. The flowers were beautiful and John and I feel very happy to know that we have so many friends in the Assembly.

Although I have a broken ankle and a nasty cut on my forehead, it won't get me down, and if you stay in session a little while longer, I shall drag out the old wheel chair and come down again to watch you fellows work.

Seriously, however, I want to say I thank you very much.

Sincerely, GEORGIANIA McCARTHY.

June 15, 1935.

The following teletype message was received by me at ten o'clock and twenty minutes a m., this date.

SARGE CLARK, Bookkeeper.

Hon. Ted Craig, Speaker of the Assembly.

Please extend to members of the California Assembly the deep appreciation of my sons and myself for their kind and thoughtful remembrance of ourselves during our hour of bereavement

My ten years' membership in the Assembly has left in my consciousness a love and respect for the Assembly which can never be effaced.

Again extending our grateful thanks, I remain,

Yours sincerely,

(Signed) C. F. REINDOLLAR.

PALS CLUB, HOTEL SACRAMENTO,
SACRAMENTO, CALIFORNIA, June 15, 1935.

DEAR MR. SPEAKER AND MEMBERS OF THE ASSEMBLY: The members of the Pals Club desire to thank your honorable body for your courtesy in allowing us the privilege of the reserved seats in the Assembly Chamber at this session.

Observing the "Legislature in action" has been both interesting and enjoyable and we are grateful to you for the use of the "easy chairs."

Again thanking you and wishing each member continued health and happiness, —'Til we meet again in '37.

Sincerely,

MRS. C. DON FIELD,
Secretary, Pals Club.

SACRAMENTO, CALIFORNIA, June 15, 1935.

Mr Speaker and Members of the Assembly.

Your Committee on Judiciary, to whom were referred certain accusations as a basis upon which impeachment proceedings are requested against a superior court judge of the State of California, in and for the county of Los Angeles, have reviewed the documentary evidence and beg to report our conclusions as follows:

We feel that the accusations are unfounded, untrue, and not worthy of further attention by this honorable Assembly, and without any basis whatsoever.

Therefore, we recommend that the petition be denied.

CHARLES W. LYON,
Chairman Judiciary Committee.

Resolution.

The following resolution was offered:

By Messrs. Cottrell and Anderson:

Assembly Resolution.

Providing for the appointment of a committee to investigate and report on the dismissal from service in the Motor Vehicle Department of Captain John Pacheco, formerly of the Santa Clara County squad, and the method of trial employed in connection with alleged charges of misconduct and rumors of irregularities in connection with said charges and trial.

WHEREAS, Said John Pacheco has heretofore been dismissed from the service on charges preferred on or about the twenty-ninth day of January, 1932, for alleged misconduct at Salinas, California, on July 21, 1931; and

WHEREAS, At the trial of Captain Pacheco, the press and others attended the hearing and sent out dispatches that the evidence was preponderant in proof of his innocence; and

WHEREAS, The decision of the trial vote was a distinct shock to the community of Santa Clara County and vicious rumors of undue influence and political pressure have been made and circulated in connection with the trial and dismissal of John Pacheco; and

WHEREAS, Said rumors and charges have demoralized the traffic squad of that county and have caused unfavorable reflections upon various State officials; and

WHEREAS, It would be beneficial to the Motor Highway Patrol to investigate and clarify the rumors of undue influence in said trial and clear certain State officials of suspicion and report any irregularities in conduct on the part of State officials; now, therefore, be it

Resolved, by the Assembly of the State of California, That a committee consisting of three members of the Assembly to investigate the aforesaid charges and rumors and report back its finding to any recessed session of this Legislature or to any special session of the Legislature that may be called, or to the next regular session of the Legislature meeting in 1937; and be it further

Resolved, That said committee shall proceed at once by the election of one of its members as chairman, and by the selection of a secretary, and shall proceed with

said investigation in the manner to be determined by said committee; and be it further

Resolved, That said committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters and objects hereinabove referred to, said committee is hereby authorized and empowered to require the production of persons, books, agreements, documents, records and papers of every kind, to issue subpenas, and to take all necessary means to compel the attendance of witnesses, and to procure testimony, and the members of said committee are and each of them is hereby authorized to administer oaths; and all of the provisions of Article VIII of Chapter II, Title I, Part III of the Political Code of the State relative to the attendance and assemblage of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution. That said committee be and is hereby given leave to sit during the Legislature and during the recess and during the interim either at the Capitol or at such other place, or places, as said committee shall from time to time designate; and be it further

Resolved, That the sum of $250 or so much thereof as may be necessary, is hereby appropriated and made available for the actual, necessary expenses of the committee, and the members thereof, incurred in the performance of duty hereunder, payable out of the contingent fund of the Assembly, to be disbursed upon Controller warrants drawn upon the order of the chairman of the committee.

Resolution by Messrs. Cottrell and Anderson read.

Mr. Cottrell moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, DeLap, Donihue, Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hunt, Johnson, Jones, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Morgan, Patterson, Pelletier, Phillips, Redwine, Riley, Robertson, Rosenthal, Stream, Thorp, Utt, Walker, Wallace, Waters, Welsh, and Mr. Speaker—47.

NOES—None.

Resolution.

The following resolution was offered:

By Mr. Phillips:

Assembly Resolution.

Resolved, by the Assembly of the State of California, That the Legislative Counsel is hereby directed to prepare a summary digest of all bills passed at the fifty-first session of the Legislature, together with a subject list of such bills, copies of the same to be mailed to the members of the Legislature as soon after the expiration of the "bill signing period" as possible; and be it further

Resolved, That the Chief Clerk is hereby instructed to have 1500 copies of said digest and list printed, the cost thereof to be payable from the legislative printing appropriation.

Resolution by Mr. Phillips read.

Mr. Phillips moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Breed, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Maloney, McBride, McCarthy, McMurray, Meehan, Miller, O'Donnell, Patterson, Pelletier, Phillips, Redwine, Richie, Robertson, Rosenthal, Stream, Turner, Walker, Wallace, Waters, Welsh, and Mr. Speaker—47.

NOES—None.

Resolution.

The following resolution was offered:

By Mr. Jones:

Assembly Resolution.

WHEREAS, The Assembly has heretofore constituted a committee made up of Messrs. Jones, Minard, Rosenthal, Frazier and Phillips for the purpose of investigating and reporting back as to the most advantageous manner of developing the oil-bearing tidelands of this State and for the further purpose of determining what legislation is necessary to obtain for the State the largest amount of royalty from such tidelands; and

WHEREAS, The said committee has heretofore filed a preliminary report and there are further studies to be made by the committee; and

WHEREAS, It is desirable that the committee be authorized to continue its existence during the interim and to work in conjunction with the proper State officials in the administration of laws heretofore passed pertaining to such tideland development; now, therefore, be it

Resolved, That the said committee be authorized to continue its studies during the adjournment of the Legislature; that the said committee and all of the members thereof have the same powers as previously authorized, including the power to hold both public and private hearings at any place in the State, to issue subpenas, compel the attendance of witnesses, the production of books and papers, to administer oaths and to report back to the fifty-second session of the Legislature; and be it further

Resolved, That in addition to the money heretofore appropriated, the further sum of $1,500 or so much thereof as may be necessary is hereby appropriated from the contingent fund of the Assembly for the purpose of defraying the expenses of the committee and of said investigation and for the employment of such clerical and other assistance as may be necessary fully to carry out its functions, said sum to be paid from the contingent fund of the Assembly and the State Controller is hereby authorized and directed to draw his warrant in favor of the person entitled thereto for such expenditures as may be certified to him from time to time by the chairman of said committee, and the State Treasurer is hereby authorized and directed to pay the claim.

Resolution by Mr. Jones read.

Mr. Jones moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Brennan, Chatters, Corwin, Cunningham, DeLap, Desmond, Domhue, Donnelly, Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hunt, Johnson, Jones, Lyon, Maloney, Mayo, McMurray, Meehan, Morgan, Nielsen, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Robertson, Rosenthal, Voigt, Wagnet, Wallace, Weber, and Mr. Speaker—41.

NOES—Anderson, Breed, Clark, Evans, Ralph W., Glover, Latham, Laughlin, Martin, McBride, McCarthy, Miller, O'Donnell, Patterson, Riley, Scudder, Stream, Turner, Walker Waters, Welsh, Williamson, and Wright—22.

Report of the Committee on the Electrical Roll Call and Voting System.

The Committee for the Installation of the Electrical Voting System has examined the specifications and the contracts and the bids and hereby accepts and approves the contracts submitted by the State of California to the American Signal Corporation and hereby approves all the items contained therein, and order its installation as per contract.

Approved by committee

PATTERSON, Chairman.
PHILLIPS
MAYO.
SCUDDER.
WRIGHT.

Report of Committee for Electrical Roll Call and Voting System read.

Mr. Patterson moved the adoption of the report.

The question being on the adoption of the report

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Andreas, Breed, Chatters, Clark, Corwin, Cunningham, DeLap, Domhue, Donnelly, Evans, Ralph W., Fisher, Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Rosenthal, Scudder, Stream, Voigt, Walker, Wallace, Waters, Welsh, and Mr Speaker—49.

NOES—Field, McBride, and Wright—3.

Motion to Print in Journal.

Mr. Lyon moved that all the estimates, contracts, and transactions pertaining to the electrical voting system be printed in the Journal.

Motion carried unanimously.

Specifications for Electrical Roll Call and Page Call Systems, Assembly Chamber, California State Capitol, Sacramento, California, Division of Architecture, State Department of Public Works, Sacramento, California.

SECTION I—GENERAL CONDITIONS OF THE CONTRACT.

1. SPECIAL REQUIREMENTS:

Scope of Work—Work includes the complete installation of electrical roll call and page call systems in the Assembly Chamber in the California State Capitol at Sacramento, California, and all related work required in accordance with the plan for same and this specification.

Location of Site—The site for the work is located in the Assembly Chamber of the State Capitol, Sacramento, California.

Time of Completion—The contractor is obligated to complete all of the work of this contract within the number of working days set forth in the proposal. See Article 8, page 3, for important conditions governing time of work and damages.

Contract Documents—The drawing referred to by the specifications is entitled, "Electrical roll call and page call systems, State Capitol, Assembly Chamber, No E-1," which together with these specifications, sections I and II and the agreement form the contract documents.

Prevailing Wage Scale—The contractor shall comply fully with the provisions of Chapter 397, Statutes of 1931, in regard to the payment of the general prevailing rate of wages to workmen, laborers and mechanics employed on the work. The contractor shall forfeit to the State a penalty of ten dollars ($10) per day for each laborer, workman or mechanic employed by it or by any subcontractor under it on the work who is compensated at less than the minimum hourly rate for each craft set forth in the following list:

Carpenters	$1 10
Carpet and linoleum layers	1 10
Electrical workers	1 25
Laborers, building	69
Lathers, metal	1 25
Painters	1 10
Plasterers	1 50
Plasterer's hod carriers	1 10

Foremen not less than $1 00 more per eight-hour day than wage for the particular craft. For any craft not included in list, the minimum wage shall be the general prevailing wage for the locality and shall not be less than $0.60 per hour. Double time shall be paid for work on Sundays and holidays. One and one-half time shall be paid for overtime.

N. I. R. A.—The contractor shall comply fully with the provisions of Chapter 1039, Statutes of 1933, entitled, "An act to extend to production, manufacture, trade and commerce conducted within the State of California the provisions of Title I of the National Industrial Recovery Act, et seq."

No contract will be let to any contractor who has not signed and complied with the applicable code or codes of fair competition approved under Title I of the N. I. R. A., for the trade or industry or subdivision thereof, to which the work relates, or if there be no approved code of fair competition for such trade or industry or subdivision, who has not signed and complied with the President's Reemployment Agreement

Contractors are required under this act to give a preference of 15 per cent to supplies, articles, and materials mined, produced, manufactured or supplied in observance of any code of fair competition.

2. DEFINITIONS:

The following words, or variations thereof, as used in these documents shall have meanings as indicated:

"State," State of California, represented by the Division of Architecture, Department of Public Works, which is in full charge of this construction or work; "contractor," party or parties contracting directly with the State to perform and be responsible for all of the work (subcontractors are only agents of the contractor); "superintendent" or "inspector," personal representative of the State at the work; "work," material and labor therewith in part or in whole, incorporated or to be incorporated in this construction; "called for," "shown," "indicated," as called for, shown and/or indicated in specifications or drawings; "directed," as directed by the State; "approved," "proper," "equal," "required," "satisfactory," "suitable," "necessary," as considered approved, proper, equal, required, satisfactory, suitable or necessary in the judgment of the State.

3. PREQUALIFICATION OF BIDDERS:

Contractors desiring to bid on duly advertised public work shall first qualify with the State by filing a "contractor's statement of experience and financial condition," fully filled out and certified to. Such statement shall be on a form which will be supplied by the State and shall be filed at least once each year or oftener, as the

State may require. Plans and specifications for public work will not be issued to contractors unless such statement indicates their fitness to handle satisfactorily the work advertised. Bids received from contractors to whom plans and specifications have not been issued will be disregarded.

Plans and specifications will be issued only to contractors who are licensed to do business in the State in accordance with Chapter 791-29, providing for the registration of contractors.

4. CONDITIONS OF SITE:

Before bidding, contractors shall examine the site or have full knowledge of all facilities and difficulties affecting the work which may not be set forth herein. No allowance will be made because of lack of such examination or knowledge.

5. BIDS

Bids must be submitted on proposal forms supplied by the State, properly and fully filled out. Deposit and bid shall be in a separate envelope without other matter contained therein and marked plainly in accordance with instructions on proposal form

The State reserves the right to reject any or all bids and to waive any informality in any bid, or in receiving same.

Bids for the work complete as shown and specified, shall be termed main or normal bids

Bids for alternates shall be termed alternate bids.

6. BIDDER'S DEPOSIT:

With each bid there must be deposited cash, or a cashier's check, or a certified check made payable to the Director of Public Works in an amount equal to at least 10 per cent of the amount of the bid Bidder's bonds will only be acceptable in lieu of cash or checks when so specified in the notice to contractors

After opening bids, such deposits as the State deems advisable will be retained and others will be returned immediately. Retained deposits will be returned when the contract has been executed, or immediately in case bids are rejected.

Failure of the bidder to whom the contract is awarded to enter into the contract when and as hereinafter provided, will be cause for forfeiture to the State of the bidder's deposit. All retained bids and deposits will be held valid and binding until the contract is approved

7. CONTRACT AND BONDS:

The bidder to whom the contract is awarded shall, within five days after being notified by the State, enter into the contract for this work, and thereafter shall be termed the contractor.

The contractor shall furnish two bonds acceptable to the State, each being 50 per cent of the contract price, one for the faithful performance of the contract and one to insure payment for labor and materials. Each bid must include the cost of bonds furnished by a surety company approved by the State.

The contractor shall sign a complete set of specifications and drawings before work is started for recording or filing with the contract documents in the office of the State Architect.

8. TIME OF WORK AND DAMAGES:

The State will designate the starting day of the contract, when the contractor shall immediately begin and diligently prosecute the work to completion. The contractor obligates himself to make his work complete and satisfactory on or before the date to be determined from the number of working days stated in the agreement, plus such days as may be properly allowed. If the work contracted for is not completed within the time agreed to it is provided and the contractor agrees to forfeit to the State a sum not exceeding fifty dollars ($50.00) per day as will be stated in the agreement for each day during which the work remains uncompleted. This forfeiture shall not be considered as a penalty, but as liquidated damages which the State would suffer on account of the work not being completed.

Days lost due to strikes, riots, stress of weather, or other extraordinary circumstances beyond the control of the contractor may be added to dates for starting or completion of the work, provided a written request is made at, or before, time of each delay and the request is approved by the State.

9 PROGRESS SCHEDULE:

Within three weeks after the contractor has been notified to start work, he shall submit to the superintendent on a chart form a schedule of operations giving the estimated date that each part or branch of the work will be started and completed. Forms will be supplied by the State The schedule shall conform to the working time set forth in the agreement and shall be subject to the approval of and/or modification by the State.

When in the judgment of the State it becomes necessary to accelerate the work, the contractor when ordered shall cease work at any particular point and concentrate his forces at such other point or points as directed, and execute such portions of his work as may be required to enable others to hasten and properly engage and carry on their work.

10 WORKING DAYS—30-HOUR WEEK:

The contractor is subject to the provisions of sections 653c and 653c-1, Penal Code of California, regarding the employment of labor and working days. Every calendar day except Saturdays, Sundays, and legal holidays is counted a full working day in figuring the working days allowed under the contract and work may proceed only on working days. Under the Penal Code sections above referred to, the time of service of any laborer, workman, or mechanic is limited to a maximum of 8 hours in any one calendar day, and to 30 hours in any one calendar week. The contractor will be required to pay a penalty of $10.00 per day per man for each violation of working conditions.

11. LABOR:

The contractor shall observe strictly that each and every kind of work shall be performed by workmen, laborers, or mechanics especially skilled in the class of work required and that workmanship shall be of the best regardless of the quality of material.

The contractor shall provide at all times sufficient competent labor to properly carry on the work and to insure completion of each part in accordance with schedule and within the time agreed to.

The contractor shall retain a competent superintendent to direct the work constantly during construction and to represent the contractor at all times in connection with the contract.

No alien or convict labor shall be employed by the contractor nor by any subcontractor, and the contractor shall forfeit a penalty of $10.00 per day for each violation of the statutes in this regard.

Any person the State may deem incompetent or disorderly shall be promptly discharged and not reemployed.

12. CHANGE ORDERS:

The State shall be at liberty to order changes in plans and specifications, or alterations, additions or omissions in the work at any time and such changes shall in no way affect or make void the contract. No change or deviation from the original plans and specifications or in the work shall be made unless such change be ordered by the State in writing on standard change order forms, properly filled out with a complete description of the change and with the agreed price for the change written on the face thereof, all properly approved.

Work called for by change order shall be performed fully and completely and in accordance with the original contract drawings and specifications except for the specific change mentioned in the change order. Drawings accompanying change orders shall be deemed a part of the change order.

Responsibility for any change or deviation from drawings and specifications without the authority of an approved change order shall rest entirely with the contractor.

The cost of extra work called for by change order shall be estimated at reasonable market values for materials and labor, comparable to estimated costs for similar work in the contractor's original estimate, or at actual costs for similar work performed. Complete detailed estimates for proposed changes shall be submitted for approval, and if demanded the contractor shall submit his original estimate for comparison. Prices offered by subcontractors shall likewise be subject to comparison with open market prices. The contractor will be allowed a reasonable cost for the extra work plus 10 per cent for profit.

In case of dispute regarding the cost of proposed changes, the contractor shall, upon written demand of the State, proceed with the work and the proper costs and charges therefor will be determined by actual cost on a time and material basis or failing in agreement by this method, by a board comprising a representative of the State and a representative of the contractor, these two to select a third outside member. The judgings of this board shall be final and binding on both parties.

13. SUPPLEMENTARY CONTRACTS:

Any change order or number of change orders aggregating a change in the contract amount in excess of $500 shall be covered by supplementary contract executed in the manner of the original contract to which it shall be attached and become a part. Bonds to cover increased amounts of contracts shall be furnished with supplementary contracts and same shall be furnished before any claim for acceptance will be passed for payment.

14. SUBCONTRACTS

Assignment of interest in or subletting the whole or any part of the contract shall be made only upon the State's approval of written request by the contractor.

The State will deal only with the contractor who shall be responsible for the proper execution of the whole work.

No subcontractor shall interfere with the work of others and if, in the judgment of the State, there is unnecessary interference, the contractor shall see that he

adjusts and arranges to carry on his work as directed. He shall also make adjustments and arrangements as directed, should the State deem the progress unnecessarily delayed by him.

The specifications are in "sections" divided and arranged according to various trades. No obligation is inferred to sublet the work as divided, nor is the contractor relieved of fully performing and completing any part of the work.

15. REGULATIONS AND PROTECTION:

The contractor shall keep informed of and observe, and comply with and cause all of his agents and employees to observe and comply with all prevailing Federal, State and municipal laws, ordinances, rules, and regulations, which in any way affect the conduct of the work of this contract If any conflict arises between provisions of the plans and specifications and any such law above referred to, then the contractor shall notify the State at once in writing The contractor shall protect and indemnify the State or any of its officer agents, and servants against any claim or liability arising from or based on the violation of any such law, ordinance, rule or regulation, whether by himself or his agents or employees

The contractor shall be responsible for and provide and maintain all proper temporary walks, roads, guards, railings, lights and warning signs and take all precautions at all times to avoid injury or damage to any persons or any property, and upon completion of the work or at proper times as directed, replace premises and adjacent property in proper condition. Watchmen, when required shall be employed by the contractor.

No signs, other than warnings, or advertising of any description will be permitted in or about the work except by order of the State

Strict prohibition against committing any nuisance in or about the work must be maintained Conveniences shall be provided for employees and maintained in sanitary condition

16 NONRESPONSIBILITY OF THE STATE:

The State shall not be responsible for damage or loss from any cause to the work or site, or other property, or for injury or loss of life to persons employed, or to the public. Contractor shall take out and pay for all accident, compensation, and fire insurance necessary according to law and assume all risk and responsibility until the work is finally accepted by the State

The contractor upon demand shall file certificates of such insurance with the State and same shall be subject to the State's approval for adequacy of protection.

Indebtedness incurred for any cause in connection with this work must be paid by the contractor and the State is hereby relieved at all times from any indebtedness or claim other than the contract sum

The contractor shall indemnify the State against any expense on account of anything used in the work being or being claimed, infringements of letters of patent.

17. FAILURE OF CONTRACTOR:

Should the contractor at any time refuse, neglect or be unable from any cause to properly carry on the work, it shall be lawful for the State, after giving five days written notice to the contractor, to complete the work and to deduct the costs thereof from the sum otherwise due the contractor, any remainder to be paid to the contractor; if costs exceed said sum, the contractor and/or his sureties shall pay the excess amount to the State.

18 DRAWINGS AND SPECIFICATIONS:

Interpretation—Figured dimensions on the drawings shall govern, but work not dimensioned shall be as directed Work not particularly shown or specified shall be same as similar parts that are shown or specified, or as directed Full size details shall take precedence over scale drawings as to shape and details of construction, and specifications shall govern as to materials Scale drawings, full size details and specifications are intended to agree but should any discrepancy or apparent error occur in plans and specifications or should any error in the work of others affecting this work, the contractor shall notify the State at once; if the contractor proceeds with the work affected without instruction from the State, he shall make good any resultant damage or defect

All misunderstandings of drawings and specifications shall be clarified by the State, whose decision shall be final

Any work called for by the drawings and not mentioned in the specifications, or vice versa, is to be furnished as though fully set forth by both. Where not specifically stated otherwise all work and materials necessary for each unit of construction, including special construction for any specific brand or shape of material called for, even though only briefly mentioned or indicated, shall be furnished and installed fully and completely as a part of the contract

Lists, rules and regulations referred to are recognized printed standards and shall be considered as one and a part of these specifications within the limits specified

All drawings and specifications are State property and must be returned when ordered.

"General conditions" apply with equal force to all of the work, including extra work authorized.

Details—The State may furnish additional details to more fully explain the work and same shall be considered part of the contract.

Any work done by the contractor before receipt of such details, if not in accordance with same, shall be removed and replaced or adjusted at his own expense. Should any details be, in the opinion of the contractor, more elaborate than warranted, written notice thereof must be given the State within five days of receipt of same. The State will then consider the claim, and if justified, the drawings will be amended or the extra work authorized. Nonreceipt of such notice relieves the State of any claim.

Shop and Diagram Drawings—For structural steel, reinforcing steel and iron work the contractor shall submit five copies of blue prints of shop or diagram drawings. For other work requiring shop drawings he shall submit four copies. The approval and corrections of the State will cover the general layout only, and will not relieve the contractor for errors or failure to indicate his work to conform to the drawings of the State and conditions existing in the work. The diagrams or drawings must show completely the work to be done and any errors or omissions shall be made good by the contractor at his own expense, even though erected in place.

19. CONDUCT OF WORK:

The contractor shall observe that the State reserves the right to do other work in connection with the project by contract or otherwise and he shall at all times conduct his work so as to impose no hardship on the State or others engaged in the work. He shall adjust, correct, and coordinate his work with the work of others so that no discrepancies shall result in the whole work. The contractor shall provide at his own cost and risk, all tools, machinery, scaffolding, false work, forms and centers for the execution of the work. Equipment shall be adequate and as approved. The contractor shall obtain all necessary measurements from the work and shall check dimensions, levels and construction and lay out and supervise the construction, for correctness of all of which he shall be responsible. Where work of one trade joins or is on other work there shall be no discrepancy when same is completed. In engaging work with other materials, marring or damaging same will not be permitted. Should improper work of any trade be covered by another which results in damage or defects, the whole work affected shall be made good without expense to the State. The contractor must anticipate relation of all parts of the work and at the proper time furnish and set anchorage, blocking or bedding as required. Anchorage and blocking necessary for each trade shall be a part of same, except where stated otherwise. Assistance required by the State in obtaining measurements or information on the work, shall be furnished accurately and fully without cost by the contractor.

20. MATERIALS:

All materials or unmanufactured articles, or supplies furnished for use under this contract, shall have been mined or produced in the United States of America, and all manufactured articles, materials, or supplies for use under this contract shall have been manufactured in the United States of America, substantially all from articles, materials and supplies mined, produced, or so manufactured, as the case may be, in the United States of America.

Price, fitness, and quality being equal, preference shall be given to products of the State of California.

Materials shall be new and of a quality equal to that specified. When the quality or kind of material or articles shown and required under the contract, is not particularly specified, the contractor shall estimate that the State will require articles or materials representing the best of its class or kind or at least equal to the class or quality of similar articles or materials that are specified.

Where articles or materials are specified by brand or trade name, the use of such name is for descriptive purposes only and does not imply that a particular make has any preference. Any material or article equal to that specified, in the opinion of the State, will be approved provided the request for approval comes from the contractor in writing. If the contractor requests a substitution, the request shall be accompanied by complete data or information pertaining to show the equality of the material or article offered and the request shall be made in ample time to permit investigation without delaying the work. Unless substitutions are requested, no deviation from the specification will be allowed.

Materials shall be furnished in ample quantities and at such times to insure uninterrupted progress of the work. Same shall be stored properly and protected as required. The contractor shall be entirely responsible for damage or loss by weather or other cause.

21. SAMPLES AND TESTS:

Materials or work requiring tests are so specified. Other material may be tested but only at the discretion of the State. All samples for testing will be taken by the superintendent from material delivered, unless otherwise directed, and tests will be under the supervision of, as directed by, and at such points as may be convenient to the State.

All costs of tests other than expenses of State employees and laboratory shall be borne by the contractor.

Material requiring test shall be delivered in ample time before intended use, to allow for testing and none may be used before receipt of approval. All approvals or decisions will be rendered in writing. Samples that are of value after testing shall remain the property of the contractor.

22. REJECTION:

Should any portion of the work be done, or any materials be delivered, which fails to comply with requirements of the specifications or the drawings, same will be rejected and the contractor shall immediately make same satisfactory to the State.

Any materials which are condemned shall immediately be removed from the premises.

23. PRESERVATION AND CLEANING:

The contractor shall properly preserve and clean the work as it progresses At regular intervals, or when directed, rubbish shall be collected and removed, and at completion, the whole work shall be cleaned and all tools, false work, equipment and rubbish shall be removed from the site, all being left in clean and proper condition as directed.

24. ACCEPTANCE:

The work will be accepted in writing when the whole shall have been completed satisfactorily to the State. In judging the work, no allowance for deviations from the original plans and specifications will be made unless already approved in writing at proper times and in manner as called for herein.

Should it become necessary due to developed conditions, to occupy any portion of the work before contract is fully completed, such occupancy shall not constitute acceptance.

25. PAYMENTS:

Unless otherwise stated payments will be made for work up to and including the last Saturday of preceding month on the fifteenth of each month, during progress of the work, on estimates made by the State.

The estimate will be made of the labor performed and materials furnished and will show the amounts of preceding estimates. The estimate will cover 45 per cent of the value of materials delivered, but not incorporated and ninety per cent of the value of the construction accomplished, less previous payments.

When the work of the contract is accepted, the State, after the receipt of all guarantees required, will pay ninety per cent of the total due the contractor. Thirty-five days after acceptance the 10 per cent retained balance will be paid. The payment of the final 10 per cent or any previous payment will not constitute acceptance of any defective work which may develop during the guarantee period.

26. GUARANTEES:

All guarantees shall be properly and fully executed on the standard form of the State, copy of which follows.

Besides guarantees required elsewhere, the contractor shall guarantee the work in general for one year. Where the detail specifications call for guarantees and no specific time is mentioned, this general guarantee shall cover the special features called for All guarantees must be submitted to the State before the acceptance estimate will be passed for payment.

Guarantee for_____

We hereby guarantee that the_____which we have installed in the_____ at _____ for _____ years in accordance with the guarantee required in the specification. We agree to repair or replace any or all such work, together with any other work which may be displaced in so doing, that may prove defective in workmanship or materials within the period from date of acceptance without expense whatsoever to State of California, ordinary wear and tear and unusual abuse or neglect excepted

In the event of our failure to comply with the above mentioned conditions within a reasonable time after being notified in writing, we collectively or separately do hereby authorize said State to proceed to have the defects

repaired and made good at our expense and will pay the costs and charges therefor immediately upon demand.

(Signature of Subcontractor)

Date ·----------

(Signature of Contractor)

SECTION II—ELECTRICAL ROLL CALL AND PAGE CALL SYSTEMS.

1. SCOPE OF WORK:

The contractor for this work shall furnish all transportation, all skilled and common labor, all apparatus and material required for the complete installation in every detail of electrical roll call and page call systems in the Assembly Chamber in the California State Capitol at Sacramento, California, all as herein described and specified and as required by drawing entitled, "Electrical roll call and page call systems, E-1," accompanying these specifications.

2. RELATED WORK:

This contractor shall remove the existing pine floor from the Assembly Chamber proper in the total area occupied by desks inside of the railing separating the Assembly Chamber from the foyer. He shall also remove the desks, carpet, and all other equipment or furniture. After the installation of the necessary conduit system, the contractor shall furnish all material and labor to completely reinstall the flooring and shall reinstall the carpet, desks and all other furniture or equipment which has been removed during construction.

Wherever cutting or patching of walls, foyer floor or furniture is required, this contractor shall supply all labor and material for same. All work shall be performed in the manner required by the State and shall meet the approval of the State.

3. DRAWING:

The plan submitted with these specifications and the specifications, are intended to mutually explain each other and anything which is shown on the plan and not mentioned or referred to in the specifications, or which is referred to in the specifications and not shown on the plan, shall be considered as being both so shown and mentioned and shall be done and performed accordingly without extra charge.

In case the plan and specifications are in any part deficient or not clearly understood, the bidder shall apply to the State for the required information before such bids are submitted.

The plan and specifications shall be fulfilled in the true spirit and intent and any apparatus or appliance essential to the proper and convenient operation of the system, shall be supplied and installed even though not specially called for.

4. GUARANTEE·

This contractor shall be responsible for all work done and material installed under this plan and specifications and shall repair or replace as may be necessary, any defective work, material or part which may show itself within four years of the date of final completion, if in the opinion of the State, said defect is due to imperfections of workmanship or material.

This guarantee must be submitted in writing and approved by the State before the date of final payment.

On failure to comply with the above guarantee within a reasonable length of time after notification is given, the State shall proceed to have the repairs made at the contractor's expense.

The contractor shall furnish a guarantee bond executed by an approved surety company, said bond shall be in favor of the State of California in amount of $4,000.00 and shall cover the requirements of the guarantee hereinabove stated.

5. CODE RULES AND SAFETY ORDERS:

All work and materials shall be in full accordance with the latest rules of the National Board of Fire Underwriters and the State of California's Industrial Accident Commission's safety orders.

6. SUPERVISION AND INSPECTION:

This contractor shall personally or through an authorized and competent representative, constantly supervise the work from its beginning to its completion and acceptance. He shall, so far as possible, keep the same foreman and workmen on the work from its commencement to its completion.

During its progress, the work shall be subject to inspection by representatives of the State at which times the contractor shall assist the inspector in ascertaining any information that may be required.

7. TESTS:

The State will conduct from time to time, such tests of any part of the equipment delivered by this contractor to the building, or already installed, as they consider necessary to determine if in accordance with the specifications. This contractor shall extend to the State all facilities to this end and shall furnish any skilled or unskilled help required.

When the entire specified installation is completed in a manner satisfactory to the State, a complete test of the entire installation shall be made. This test shall be made by the contractor and witnessed by an authorized representative of the State.

8. LIST OF MATERIALS AND SUBSTITUTIONS:

When specific names are used in connection with materials they are mentioned as standards but this implies no right upon the part of the contractor to substitute other materials or methods without permission of the State. The decision of the State shall govern as to what materials may be substituted for that specified but the burden of proof as to the equality of any proposed material shall be upon the contractor. If any tests are necessary to determine the equality of the proposed substitution, such tests shall be made at the expense of the contractor by an unbiased laboratory satisfactory to the State.

Before the installation of any material or equipment, this contractor shall submit to the State a complete list in triplicate of all materials and equipment to be installed under this contract, giving in the case of each item of material to be used, the name of the manufacturer and the trade name and catalogue number of the article. Samples in duplicate of materials, tagged with complete description of the same, shall be submitted if requested by the State. No work affected by any article shall be proceeded with until the same shall have been approved in writing by the State.

9. DESCRIPTION OF REQUIRED FUNCTIONS:

The electrical roll call system and the Page call system shall be energized from the same power source and may in part be connected physically in regard to the assembly of operating switches, etc., of both systems, in a unit assembly; however, functionally, these two systems shall be distinct.

The roll call system shall consist of the following major equipment:

a—A terminal frame or distributing panel.
b—Two wall indicator boards.
c—81 voting stations.
d—One motor generator set sufficient to furnish necessary electrical current to the roll call and Page call systems.
e—A recording machine.
f—A miniature indicator board for Speaker's desk.
g—One visual vote register.
h—One vote register keyboard.
i—One Veeder counter.
j—One starting button.
k—One starting gong.

The roll call system shall function as follows:

Until the Speaker of the Assembly calls for a vote and sets the system in operation by the operation of a push button installed at his desk for the purpose, no votes can be recorded by the operation of buttons at the voting stations. When the Speaker operates the start button, a starting gong immediately sounds and the roll call system is cleared electrically for the recording of votes. Each individual voting station may then be operated, either singly or simultaneously, and the indication of the operation of each and every voting station shall be shown by appropriate lights on the two indicator boards and also upon the miniature indicator board. The recorder shall be such a piece of equipment as will set up the votes cast from each and every voting station. A Veeder counter or equal, shall indicate the total number of votes cast whenever operated during the period of voting.

This indication shall give the number of "Nays," the number of "Ayes" and likewise the number of voting stations not voting. A vote register transmitter shall be of such character that by the operation of keys thereon, the vote indicated on the Veeder counter may be transmitted and shown in light on the vote register.

The operation of the voting stations must be as follows:

Should a "Nay" vote be indicated by the operation of the "Nay" button on the voting station and it thereafter during the voting period be desired to change the vote to "Aye" then it must be possible that the "Nay" vote be eliminated on the indicator boards and in the recorder by the operation of a release button at the voting station, and it must then be possible to operate the "Aye" button on the voting station to record the "Aye" vote on the indicator boards and the recorder. The voting station must be equipped with a key lock so arranged that when the vote has been accurately made, the station can be locked so that no change can be made in the vote indication from that station.

When the period of voting is terminated, the operation of a switch must lock the system electrically so that no changes in records or indications can be made after the voting period is ended.

The recorder shall be capable of recording the vote as indicated upon the indicator boards, showing the name of the member and his vote, whether "Aye" or "Nay" or "Not voting," and shall give on the record roll call sheet, the total of the votes cast, "Nays," "Ayes," and "Not voting."

The system must remain electrically locked until the release for the next vote by the Speaker as above mentioned.

The Page call system shall consist of an annunciator arranged identical with the arrangement of the desks, and call buttons installed at each voting station and also at the Chief Clerk's and Reading Clerk's desks. The operation of the Page call button at any station shall give the indication of the particular station on the Page call annunciator.

10. DISTRIBUTING PANEL AND TERMINAL FRAME:

The distributing panel and terminal frame shall be installed as a free standing unit where indicated on the drawing. This panel shall contain all switches, relays, protective equipment and panel lighting necessary for the complete and satisfactory operation of the roll call system. The terminal frame shall be arranged in such a manner that all voting circuits from the individual voting stations be terminated at permanent plugs; also that all circuits from indicator boards be terminated at permanent plugs and so arranged that by plugs and cords, the various voting stations may be connected to appropriate positions on the indicator boards. This is important in that the members' names will appear on the indicator boards in alphabetical order.

The seating arrangement will change during various legislative sessions and the personnel of the members will also vary; therefore, it is important that the transfer plug cord arrangement specified above be infinitely flexible

The distributing panel and terminal frame shall be installed in a No. 10 gauge sheet metal cabinet. The finish of the cabinet shall meet with approval of the State.

11. WALL INDICATOR BOARDS:

Two wall indicator boards shall be furnished and installed. These indicator boards shall be flush mounted into the wall in locations as shown on the plan. The exact locations of these boards shall be as indicated by the State. The boards shall be dimensioned so that the outside dimensions of the trim shall be not greater than 4 feet 10 inches wide and 11 feet long

Each board shall be arranged with two columns of names and signals, 40 names and signals in each column, or a total of 80 names and signals on each board

The indicator boards shall be arranged with white letters on black background, the letters to be 2 inches high and with vertical spacing approximately 1¼ inches.

The fronts of the boards shall be arranged as hinged doors in order that the rear wiring may be made accessible by the operation of the front hinged sections.

After each name on the board there shall be two indicator lights one for "Ayes" and one for "Nays." The "Aye" indicators shall be equipped with green lights and the "Nay" indicators with red lights.

The finish of the face of the boards shall meet the approval of the State.

12. MINIATURE INDICATOR BOARD:

The miniature indicator board shall be arranged with the names and two voting lamps for each name, for eighty voting stations. This board shall be flushed into the top of the Speaker's desk and its size and shape shall be that best suited for such installation. Drawings and dimensions of this installation shall be furnished by the contractor for the State's approval before installation is made.

13. VOTING STATIONS:

There shall be eighty-one (81) voting stations installed as indicated upon the plan, one for each member's desk and one at the Speaker's desk. Each voting station shall be wired to appropriate permanent plugs at the terminal frame by its own individual circuit. Each voting station shall be flushed into the desk and the assembly and wiring connections shall be such that the voting station may readily be disconnected from the circuit and removed from the desk.

In addition to the above, this contractor shall furnish three (3) voting stations which will not be installed but held by the State as spares

Each voting station shall be comprised of one "Aye" button and one "Nay" button, a release button and a Yale lock; also in the same assembly shall be included a button for Page call. It must be possible that the voting station shall allow either an "Aye" vote or a "Nay" vote to be made By the release button, however, it must allow either an "Aye" vote to be changed to a "Nay" vote, or vice versa. The Yale lock must function in such a manner as to lock the entire voting station.

14. RECORDING MACHINE:

The recording machine shall be housed in a hardwood case finished to meet the approval of the State and shall be installed as indicated on the plan, on the reading

clerk's desk. This machine shall be so arranged as to set up the votes as they are cast by the individual voting stations. At the end of the voting period, by the operation of the necessary electrical switch, this machine will lock the voting system and record the vote, indicating on the record the vote of each member as it appears on the indicator board; also indicating the members not voting and indicating also the total vote cast, segregating the total into total "Ayes," total "Nays" and total "Not voting."

15. VEEDER COUNTER:

There shall be installed adjacent to the recorder on the reading clerk's desk, as shown on the plan, a Veeder counter, or equal. This counter shall be flushed into the surface of the reading clerk's desk. This counter shall be arranged in such manner and connected by wiring to the roll call electrical system in such a manner, that the total votes cast and the number of stations not voting, shall show on the counter whenever said counter is operated. The indicators on this counter shall be for "Ayes", "Nays" and "Not voting."

The finish of this equipment and the exact position of its installation shall be at the approval of the State.

16. VOTE REGISTER SET:

There shall be installed flushed in the wall to the rear of the Speaker's desk in a position approved by the State and as indicated on the plan, a visual vote register. This equipment shall be arranged so that wiring can be made accessible by removing the front plate and shall be finished to meet the approval of the State. The register shall indicate by red and white lights flashed in rectangular openings, the total vote in "Ayes" and "Nays" whenever operated.

Working in conjunction with the vote register and for the purpose of transmitting the total count to the register, a vote register key-board shall be installed adjacent to the Veeder counter on the reading clerk's desk as indicated on the plan. This key-board shall be flushed into the top of the desk. It shall be arranged with keys and switches in such a manner that the count indicated on the Veeder counter may be transmitted to the visual vote register by the operation of appropriate buttons and switches on the vote register key-board.

17. STARTING BUTTON AND GONG:

There shall be installed flushed into the top of the Speaker's desk, a starting button the operation of which will simultaneously sound the starting gong and release the electrical roll call system.

The starting gong shall be for 110 volts, D C operation, single stroke, and of such size as to sound an adequate starting signal throughout the Assembly Chamber and the foyer. This gong shall be mounted at the distributing panel cabinet.

18 MOTOR GENERATOR SET:

The motor generator set shall be furnished and installed in the attic space above the Assembly Chamber. This set shall consist of a 5 horsepower, 220 volt, 3 phase, 60 cycle motor and a 3 kilowatt, 110 volt, D. C. generator. The motor and generator shall be mounted upon a common bed plate and the equipment shall be furnished and installed complete with all necessary control equipment.

The starting switch for the motor shall be located in the closet at the rear of the foyer as indicated on the plan.

Electrical A. C. energy is available at the proposed location of the motor generator set. All wiring required for the connecting of the motor to the existing A. C. outlet, shall be done by this contractor.

19. PAGE CALL ANNUNCIATOR:

A page call annunciator shall be furnished and installed by this contractor in the location as indicated on the plan The mounting height and exact location to be determined by the State. The annunciator shall be mounted flush in the wall. It shall be arranged with numbered lights corresponding to the call button locations; the arrangement of the lights shall be identical with the arrangement of the desks. The finish shall be as approved by the State.

20. PAGE CALL STATIONS:

The page call stations or buttons shall be installed, one on each member's desk, one on the Speaker's desk, one on the Chief Clerk's desk, and two on the reader's desk, as indicated on the plan. The stations on the eighty (80) members' desks and the Speaker's desk, shall be incorporated in the roll call station. The buttons on the Chief Clerk's and reading clerk's desks, shall be single buttons. Each button (except the two on the reading clerk's desk) shall operate its individual signal on the annunciator. The two buttons on the reading clerk's desk shall be so wired as to actuate the same signal on the annunciator The exact location of the buttons on the Chief Clerk's and the reading clerk's desks, shall be as required by the State.

21. CONDUIT:

All wiring shall be installed in iron pipe conduit except that portion of the wiring which will extend above the floor to the voting stations in the desks, which shall be installed in flexible metallic conduit.

All rigid conduit shall be full weight rigid iron galvanized or sherardized, and shall be delivered to the site of construction in their original bundles. Each length of conduit shall bear the label of the National Board of Fire Underwriters. All conduit subjected to rough usage while on the job before installation and not acceptable to the State, shall be removed from the premises upon notice.

All conduit shall be Sherarduct, Walker, G. E. White, Buckeye, Triangle, or equal.

The use of running threads is absolutely prohibited and where some such device is necessary, R and L or Erickson couplings must be used. All conduit must be kept dry and free from water or debris with approved pipe plugs or caps.

All conduits where they enter panel boxes, pull boxes or outlet boxes, shall be secured in place by galvanized locknuts and bushings—one locknut inside and one locknut outside of box with bushing on end of conduit.

The heating of any conduit for the purpose of bending is absolutely prohibited.

22. WIRE:

All wire used shall be of approved manufacture and shall conform to the requirements of the National Board of Fire Underwriters.

All wire shall be of the fire-resistive and moisture-proof type.

No wire shall be drawn into conduit until all work of any nature that may cause injury is completed. No blocks, tackle or other mechanical means shall be used in pulling in wires and care shall be taken in pulling in wires that no damage occurs to the insulation or wire. Powdered soapstone or "Flaxoap" will be the only lubricant permitted.

No joints will be permitted in the wiring except in outlet boxes, pull boxes and in panelboard gutters.

23. GROUNDING OF CONDUITS:

All conduit systems must be permanently and effectually grounded by means of approved ground clamps in accordance with the Electrical Safety Orders of the California Industrial Accident Commission.

The contractor shall exercise every precaution to obtain good contact at panel boxes, pull boxes, etc. Where it is not possible to obtain good contact, the conduit shall be bonded around the boxes with a No. 6 B&S gauge rubber covered double braided wire with ground clamps.

24. CONDUIT OUTLETS THROUGH FLOOR:

Where the conduit system rises through floor at desk locations, the positions of the conduit stubs shall be such as to fall within the two sides of the front right hand desk legs. Great care shall be exercised in locating these risers in order that the desks may be set in proper symmetrical position and that when properly set, the conduit risers will be covered from view by the desk legs.

Rigid conduit risers shall terminate approximately 1 inch above the top of the new floor. These 1-inch stubs will be connected by means of approved flexible to rigid conduit connectors, to the flexible conduit which will extend from the rigid conduit stubs to the equipment in the desks. An approved connection shall be installed between the flexible conduit and the desk equipment.

25. FLOOR:

The existing floor in the Assembly Chamber consists of 1¼ inch Oregon pine flooring on 4 x 4 sleepers, spaced approximately 15 inches centers. This contractor shall remove the entire existing flooring in the Assembly Chamber. All removed flooring shall be removed from the Assembly Chamber and stored where directed by the State.

When the conduit system has been completely installed between existing sleepers, this contractor shall furnish and install a new floor complete over the entire area of the Assembly Chamber from which the existing flooring has been removed. New flooring shall be 1¼ inch x 4 inch No. 3 clear vertical grain T&G Oregon pine flooring.

All flooring shall be driven up tight with blocks and blind nailed at each sleeper with 8d nails. Butt joints shall be top nailed with finish nails.

Floor shall be scraped and then machine sanded to a perfect plane.

In all other places outside of the Assembly Chamber proper, such as the foyer, where openings must be made in the floor for installation of conduit, the flooring must be repaired to its original condition by this contractor by the use of flooring similar to that which has been removed, and in a manner satisfactory to the State.

26. CARPET, DESKS, ETC.:

This contractor shall remove all desks and other furniture from the Assembly Chamber and carefully store and preserve same while work of construction progresses. At the proper time the contractor shall reinstall all such pieces of furniture

in their proper locations and make all electrical connections thereto as covered by this specification. After the furniture has been removed, the existing carpet shall be carefully removed by experienced carpet layers, carefully rolled and preserved, and at the proper time, shall be relaid, stretched and tacked in place. The carpet shall be accurately fitted around all conduit stubs in the floor.

27. PROTECTION AND CLEANING.

During construction all work embodied in this specification shall be properly protected from damage by accident or otherwise and upon completion all broken, damaged or otherwise defective parts shall be repaired or replaced by this contractor at his expense and the entire work left in a condition satisfactory to the State.

This contractor shall properly protect from damage by accident or otherwise, all existing construction and equipment and upon completion of his work, shall repair or replace at his expense any broken or damaged construction, equipment or furniture, in a manner satisfactory to the State.

All rubbish, surplus material and debris resulting from this work shall be cleaned out and removed from the building and premises by the contractor at completion.

28. INFORMATION REQUIRED FROM BIDDERS:

The bidder with his bid, shall submit full information concerning the function and description of the installation proposed. Such information should include cuts, manufacturer's name for all pieces of equipment and material proposed, and full information as to the manner in which equipment operates.

29. CONTRACTOR'S DRAWINGS:

Before installation of any portion of the equipment this contractor shall submit to the State detailed drawings of the equipment to be installed and such samples as may be requested by State. No work shall be proceeded with until such drawings have been approved in writing by the State.

30. EXPERIENCE:

Bidders shall submit with their proposals a statement indicating not less than two successful installations of such equipment as they offer in their proposals. These installations to be of similar character and purpose as described in these specifications and shall have been in successful operation for at least one year.

31 PATENTS:

The contractor shall covenant with the State that it has the legal right to sell to the State of California the system above specified including any unit or units thereof, and that it will at its own expense defend all suits against the State of California and its officers, agents or employees, for infringement of any patent or patents covering or purporting to cover the said system or any unit thereof, as the same is furnished by the contractor, or any methods inherent in the normal operation thereof, where such infringement suits are based on the use of said system or any unit thereof, as so furnished, for the purpose and in the manner contemplated by this agreement; and the contractor further agrees that it will pay all sums which may be assessed by final judgment or decree in any such suit against the State of California and its officers, agents and employees.

Agreement—Division of Architecture of the Department of Public Works of the State of California with American Signal Corporation for Electrical Roll Call and Page Call Systems—Assembly Chamber, California State Capitol, Sacramento, California.

ARTICLES OF AGREEMENT made the sixth day of June in the year 1935

By and between the Department of Public Works of the State of California, party of the first part, and American Signal Corporation, a corporation existing under and by virtue of the laws of the State of Delaware, party of the second part (hereinafter designated the contractor):

That the contractor, in consideration of the covenants and agreements herein contained on the part of the party of the first part, covenants, promises and agrees with the said party of the first part as follows:

1. That the contractor, within five days after receipt of written notice from the party of the first part and at a point to be designated by said first party, shall and will, for the consideration hereinafter mentioned, commence electrical roll call and page call systems, Assembly Chamber, California State Capitol, Sacramento, California, conformable to the plans and specifications hereto annexed and made a part hereof, and shall and will continuously and with all possible dispatch, prosecute the said work until the same shall have been completed, and said contractor shall and will well and sufficiently carry on and finish said work as aforesaid, conformable to the said plans and specifications hereunto annexed, in a good, workmanlike and substantial manner, to the satisfaction of the Department of Public Works, and as provided in said plans, descriptions, bills, and specifications, and also shall and will find, furnish and provide such good, proper and sufficient materials of all kinds whatsoever as shall be needful, proper and sufficient for the completing of the whole and every part of the said work herein contracted for, comformable in all respects

to said plans and specifications, and said work shall be performed and completed at such time and in such manner as to create no hindrance to or interference with other work to be done on said Assembly Chamber, California State Capitol, Sacramento, California, and so that said work shall be completed as fast as possible and as other work thereon progresses. And said contractor shall receive therefor the sum of nineteen thousand eight hundred and no/100 ($19,800.00) dollars, gold coin of the United States, to be paid as hereinafter provided.

2. And it is hereby further stipulated and agreed by and between the said parties: The specifications and plans are intended to cooperate, so that any works exhibited in the plans and not mentioned in the specifications, or vice versa, are to be executed the same as if mentioned in the specifications and set forth in the drawings to the true meaning and intention of said drawings and specifications, and in case of conflict between any of the provisions of this agreement, including drawings and specifications, the contractor shall submit the question to the Department of Public Works for decision as provided hereinafter in Article 4.

3. That said contractor at his or its own proper costs and charges is to provide all manner of materials and labor, scaffolding, implements, tools, molds and cartage, and all things necessary to the due and proper completion of the work; and also shall and will save harmless the said party of the first part from or on account of any claim, demand or action for damages against said party of the first part by reason of any negligence of said contractor, or his or its agents or servants, in or about said construction of the work herein contracted for.

4. Should it appear that the work hereby intended to be done, or any of the matters relative thereto, are not sufficiently detailed or explained on the said drawings or in the said specifications, the contractor shall apply to the Department of Public Works for such further drawings or explanations as may be necessary, and shall conform to the same as part of this contract, so far as may be consistent with the original drawings, and in the event of any conflict, doubt or question arising respecting the true meaning of the drawings or specifications, reference shall be made to the Department of Public Works, whose decision thereon shall be final and conclusive.

5. The contractor shall permit the party of the first part, and all persons appointed by it, to visit and inspect the said work, or any part thereof, at all times and places during the progress of the same, and shall provide sufficient, safe and proper facilities for such inspection.

6. The contractor shall, within 24 hours after receiving written notice from the Department of Public Works to that effect, proceed to remove from the grounds, building or structure all materials condemned by said Department of Public Works, whether worked or unworked, and remove all portions of the work which the said Department of Public Works shall condemn as unsound or improper, or as in any way failing to conform to the drawings and specifications, and shall cover, protect and exercise due diligence to secure the work from injury, and all damage happening to the same shall be made good by the contractor.

7. Should said party of the first part, at any time during the progress of said construction, request any alterations or deviations, additions, or omissions, from the said specifications, plans, descriptions or bills of materials, said party shall be at liberty to do so and the same shall in no way affect or make void this contract, but will be added to or deducted from the amount of the said contract price, as the case may be, by a fair and reasonable valuation.

Provided, that the amount of such change in the contract, plans, estimate, bills of materials, or specifications shall not in the aggregate increase or decrease the cost of construction of said electrical roll call and page call systems more than the sum of $500.00; and provided, further, that any change that increases or decreases the cost in excess of $500.00 after said plans, estimate, bills of materials and specifications shall have been filed with the Department of Public Works as provided in the act entitled, "An act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any State structure, building, road, or other State improvement of any kind," approved March 22, 1909, and all acts amendatory thereof, and until such proposed change shall have received the approval of the Director of Public Works, and when so approved the plan or plans of such change, with the description thereof, and the specifications of the work and bills of materials and estimate, shall be filed with the Department of Public Works in the same manner as required before such change was made; and no allowance whatever shall be made for the work performed or materials furnished under such change of plan or plans, or descriptions or specifications or bills of materials, unless before such labor is performed and materials furnished, a contract or contracts therefor be made in writing, which contract or contracts shall show distinctly the nature of such change and shall be subject to the approval of the Attorney General as in the said act provided, and all changes in the contract in excess of $500.00 shall be by contracts in writing, with full specifications and estimates and shall become a part of the original contract, and shall be filed with the original contract in the Department of Public Works.

8 Whenever in the opinion of the said party of the first part the said work is neglected by the said contractor or the same is not prosecuted with the diligence and force specified, meant and intended in and by the terms of this contract, said party of the first part may make a requisition upon such contractor for said additional specific force or such additional specific material to be brought into the work under this contract, or to remove improper material from the grounds, as in the judgment of said party of the first part this contract and its due and faithful fulfillment require, of which action of said party of the first part due notice in writing of not less than five days shall be served upon said contractor or his or its agent having charge of the work personally, or by mail in the manner prescribed by law, and if said contractor fails to comply with such requisition within five days, it shall be lawful for the party of the first part to employ upon such work the additional force or supply of materials as specifically required as aforesaid, and such party of the first part shall be paid by the State Controller. And the amount paid for such additional force or material shall be charged against the contractor and be deducted from his or its next subsequent estimate and payment, or the same or any part thereof not so deducted may be recovered from the said contractor or his or its sureties.

9 The contractor shall not cause any unnecessary delay or hindrance to other contractors on said work, and shall bear all damages done to the work of such other contractors by his or its employees.

Should the contractor be obstructed or delayed in the prosecution or completion of the work by the neglect, delay or default of any other contractor, or by alterations which may be required in said work, or by any damage which may happen thereto by fire, or by the unusual action of the elements, or by the abandonment of the work by the employees, through no fault of the contractor, then there shall be an allowance of additional time beyond the date set for the completion of the said work, but no such allowance shall be made unless a claim is presented in writing at the time of such obstruction or delay. The Department of Public Works shall award and certify the amount of additional time to be allowed, in which case the contractor shall be released from the payment of stipulated damages for the additional time so certified and no more.

10 It is further stipulated and agreed between the respective parties that the contractor shall complete this contract at the expiration of two hundred sixty (260) working days from date of the commencement of the work, as directed by the party of the first part, and said work involved in the construction of said electrical roll call and page call systems shall be fully completed and in first-class working order within two hundred sixty (260) working days from the date thereof, and ready for acceptance by the party of the first part

Time is expressly made the essence of this contract, and should the contractor not finish or complete this contract and said work involved in the construction of said Assembly Chamber, California State Capitol, Sacramento, California, at the expiration of said period of two hundred sixty (260) working days as last provided, he or it shall forfeit the sum of fifty and no/100 ($50.00) dollars per day for each and every day during which said completion is delayed or retarded, and the sum or sums hereby forfeited shall not be considered as a penalty, but as liquidated damages due by said contractor for such delay or retardation in the completion of said work and loss of the use of said completed work by the party of the first part.

11. The party of the first part will not, in any manner, be answerable or accountable for any loss or damage that shall or may happen to the said work or any part thereof, respectively, or for any of the materials or other things used or employed in finishing and completing the said work; or for injury to any person or persons, either workmen or the public, or for damage to adjoining property, from any cause which might have been prevented by the contractor, or his workmen, or by any one employed by him, against all of which injuries or damages to persons and property the contractor having control over such work must properly guard, and must make good all damage from whatever cause, being strictly responsible for the same Where there are different contractors employed on the work, each shall be responsible to the other for all damage to work, person, or property, or for loss caused by neglect or failure to finish work at proper time, thus preventing each portion of the work being finished by the several contractors at the date named herein for completion, or from any other cause.

12 The contractor will insure the work to cover his or its interest in the same from time to time as required; and for any loss to the contractor by fire or earthquake the party of the first part will not under any circumstances be answerable or accountable.

13 Contractor shall not let, assign or transfer this contract, or any interest therein, without the written consent of the Department of Public Works.

14 It is hereby stipulated and agreed, that after the execution of this contract and during and after the construction of the work hereunder according to the terms hereof, the party of the first part will well and truly cause to be drawn, in the manner provided by law, warrants upon the State treasury for the payment of said contractor or his or its legal representatives, or assigns, in sums aggregating in

amount the sum of nineteen thousand eight hundred and no/100 ($19,800.00) dollars, at the time and in the manner following, to wit:

On the fifteenth day of each month hereafter during the progress of said work, payments shall be made to said contractor on account of said contract, which payments shall be for work done and materials furnished up to and including the last Saturday of the preceding month At the times herein named for said payments to be made to said contractor, said party of the first part shall make or cause to be made full estimates of labor performed and materials furnished under this contract, and the amount due in the aggregate, which estimate shall be based upon actual measurement of the labor so performed and the materials so furnished, which estimate shall in all cases give the amounts of the preceding estimate or estimates, provided that upon all estimates of acceptable materials furnished and delivered, and not actually having entered into and become part of said work, there shall not be paid, until the same shall be incorporated into and become a part of said work, an amount exceeding 45 per centum of such estimated value; and provided, further, that 10 per centum of the estimated value of the work done and construction accomplished shall be retained for 35 days after final completion and acceptance of the work as an additional security for the faithful performance of this contract by said contractor and shall be forfeited to the State of California, in the event of the failure of said contractor to conform in good faith to the terms and conditions of this contract; provided, however, that when the labor to be performed and materials to be furnished under this contract shall have been fully performed and furnished, and said work under this contract shall have been fully completed, the Department of Public Works of the State of California shall, after the receipt of all guarantees required by the specifications to be furnished by the contractor, make an estimate covering the total payment due the contractor, less than 10 per centum retained for the faithful performance of the contract and previous payments made to the contractor.

It is further understood and agreed that this contract, before the same shall become effective, is subject to the approval of the Attorney General of the State of California, and this contract shall be of force only in the event that the same shall have been approved by the said Attorney General and after such approval shall actually be had

15. This contract is made under and is subject to an act of the Legislature of the State of California, approved June 10, 1933, entitled, "An act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any State structure, building, road, or other State improvement of any kind"; also, an act entitled, "An act to provide for the payment of not less than the general prevailing rate of wages on public work," approved May 29, 1931; also an act entitled, "An act to secure the payment of the claims of persons employed by contractors upon public works, and the claims of persons who furnish materials, supplies, teams, implements or machinery used or consumed by such contractors in the performance of such works, and prescribing the duties of certain public officers with respect thereto," approved May 10, 1919; also an act entitled, "An act to prohibit the employment of aliens by contractors and subcontractors on public works," approved May 25, 1931; also the provisions of sections 653c, 653c-1 and 653d of the Penal Code of the State of California; also an act entitled, "An act to create for the State of California a Department of Engineering," etc., approved March 11, 1907; also an act entitled, "An act * * * relating to a Department of Public Works," etc., approved June 1, 1921, and all acts and sections amendatory to any of the foregoing acts or sections.

16 It is further agreed that the said contractor, shall, before entering on the performance of the work herein provided, furnish a bond as required by the terms of an act entitled, "An act to secure the payment of the claims of persons employed by contractors upon public works, and the claims of persons who furnish materials, supplies, teams, implements or machinery used or consumed by such contractors in the performance of such works and prescribing the duties of certain public officers with respect thereto," approved May 10, 1919, and any amendment or amendments thereof

17 It is further stipulated and agreed between the respective parties hereto that the said contractor shall not employ or cause or allow to be employed any alien upon work under this contract

18. It is further stipulated and agreed between the respective parties hereto that the said contractor shall pay and cause all subcontractors under it to pay to each laborer, workman or mechanic employed on work under this contract not less than the general prevailing rate of per diem wages, as set forth in the schedule of wages, marked Exhibit "C" and annexed hereto

19 It is further stipulated and agreed between the respective parties hereto that no laborer workman or mechanic employed by the contractor or by any subcontractor under it, in the execution of this contract, shall be caused or permitted to labor more than eight hours in one calendar day, or more than 30 hours in one calendar week.

20. It is further stipulated and agreed between the respective parties hereto that the contractor shall forfeit as a penalty to the State of California $10 per day for each laborer, workman, or mechanic who is caused or permitted to labor more

than eight hours in one calendar day, or more than 30 hours in one calendar week, or for each laborer, workman, or mechanic who shall be compensated at less than the general prevailing wage rate per day, or for each laborer, workman, or mechanic employed who is not a born or fully naturalized citizen of the United States of America.

21. It is further expressly agreed by and between the parties hereto, that should there be any conflict between the terms of this instrument and the bid or proposal of said contractor, marked Exhibit "B" and annexed hereto, then this instrument shall control and nothing herein shall be considered as an acceptance of the said terms of said proposal conflicting herewith

22 It is mutually agreed between the parties hereto, that no certificate given or payment made under this contract, except the final certificate or final payment, shall be conclusive evidence of the performance of this contract, either wholly or in part, against any claim of the party of the first part, and then not until the lapse of 35 days after acceptance of the work by the party of the first part, and no payment shall be construed to be an acceptance of any defective work or improper materials.

23. The said party of the first part hereby promises and agrees with the said contractor to employ, and does hereby employ, the said contractor to provide the materials and to do the work according to the terms and conditions herein contained and referred to, for the price aforesaid, and hereby contracts to pay the same at the time, in the manner and upon the conditions above set forth; and the said parties for themselves, their heirs, executors, administrators, successors and assigns, do hereby agree to the full performance of the covenants herein contained.

24 Should the contractor become insolvent or refuse or neglect to supply a sufficiency of properly skilled workmen, or of materials of the proper qualities, except in case of strikes or lockouts, or when prevented by the unusual action of the elements, or fail in the performance of any of his obligations under this contract, or formally notify the party of the first part of his intention to abandon said contract, then the party of the first part may, in addition to the proceeding outlined in paragraph 8 hereof, notify said contractor by written notice served personally upon the contractor, or his agent, upon the premises where the work is being done, or delivered at his last known address, that unless the terms of said contract are complied with and the work transacted in the manner in said contract required, within five days after receipt of said notice, then the party of the first part will terminate the employment of said contractor for such work, and for the purpose of completing the work the said party of the first part may enter upon the premises and take possession thereof, and of all materials, tools, appliances and other things upon the premises employed in said work, and may employ any other person or persons to finish the work by day labor, and may provide materials therefor, or may relet the said work by contract. In case of such discontinuance of the employment of the contractor, he shall not be entitled to receive any further payment until the said work shall be wholly finished, unless the Department of Public Works determines that such payments can be made without injury to the rights of the subcontractors, repairers or materialmen performing labor or furnishing materials for said contractor When said contract is completed (or at an earlier date as hereinabove specified), there shall then be paid to said contractor any unpaid balance of the contract price in excess of the expenses incurred by the party of the first part in finishing the work, but if such expenses shall exceed such unpaid balance the contractor and his or its sureties shall pay the difference to the party of the first part.

IN WITNESS WHEREOF, The parties to these presents have hereunto set their hands the year and date first above written.

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS

Director of Public Works

Contractor

Approved ---

Administrative Assistant, Division of Architecture
Approved as to Funds.

Deputy Director of Public Works
Approved as to Form and Procedure.

Chief of Division of Contracts and Rights of Way

I hereby certify that I have examined the within contract and find the same to be in accordance with the provisions of the State Contract Act, Chapter 788, Statutes of 1933, and all acts or parts of acts amendatory thereof.

_____
Attorney General of the State of California

Dated _____

EXHIBIT C—SCHEDULE OF WAGES.

NOTE.—The hourly rate of wages scheduled herein is in each case the minimum hourly rate of wages that shall be paid to workmen, laborers and mechanics on work under this contract.

Carpenters	$1 10
Carpet and linoleum layers	1 10
Electrical workers	1 25
Laborers, building	69
Lathers, metal	1 25
Painters	1 10
Plasterers	1 50
Plasterer's hod carriers	1 10

Foremen not less than $1.00 more per 8-hour day than wage for the particular craft. For any craft not included in list, the minimum wage shall be the general prevailing wage for the locality and shall not be less than $0.60 per hour. Double time shall be paid for work on Sundays and holidays. One and one-half time shall be paid for overtime.

KNOW ALL MEN BY THESE PRESENTS:

That American Signal Corporation, a corporation existing under and by virtue of the laws of the State of Delaware, (Hereinafter designated the contractor) as principal, and as surety, are held and firmly bound unto the State of California in the sum of nine thousand nine hundred and no/100 ($9,900.00) dollars, to be paid to the State of California, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

Sealed with our seals.

Dated the_____day of_____A. D. 19____.

The condition of the above obligation is such that—

WHEREAS, The said contractor has been awarded a contract by the Department of Public Works of the State of California, in the State of California, for furnishing all necessary labor and materials, including tools, implements and appliances required, and performing and completing in a workmanlike manner all the electrical roll call and page call systems. Assembly Chamber, California State Capitol, Sacramento, California, in the county of Sacramento, California, as will more fully appear by the said contract bearing the date of the sixth day of June, 1935; and

WHEREAS, The total amount payable by the terms of said contract is the sum of nineteen thousand, eight hundred and no/100 ($19,800.00) dollars; and

WHEREAS, The said contractor is about to enter upon the performance of such work and is desirous of giving bond in pursuance of the provisions of the act entitled "An act to secure the payment of the claims of persons employed by contractors upon public works, and the claims of persons who furnish materials, supplies, teams, implements or machinery used or consumed by such contractors in the performance of such works, and prescribing the duties of certain public officers with respect thereto," approved May 10, 1919, as amended by Chapter 321 of the Statutes of 1925 of the State of California.

Now, if the said contractor, person, company, or corporation, or his or its subcontractor, fails to pay for any materials, provisions, provender, or other supplies, or teams used in, upon, for or about the performance of the work contracted to be done by him in connection with the electrical roll call and page call systems as more fully set forth in the contract to which this is attached, or for any work or labor done thereon, or in connection therewith, of any kind, then the above named sureties will pay for the same in or to an amount not exceeding the said sum of nine thousand, nine hundred and no/100 ($9,900.00) dollars; and also, in case suit is brought upon this bond, a reasonable attorney's fee, to be fixed by the court; and until such payment shall be made, the above obligation shall be and remain in full force and virtue, otherwise (that is to say, if the said contractor shall not fail to pay for such materials, supplies, work and labor) the above obligation shall be void.

This bond shall inure to the benefit of any and all persons, companies, and corporations entitled to file claims under said act approved May 10, 1919, hereinbefore specifically referred to so as to give a right of action to them or their assignees, in any suit brought upon said bond

_____[SEAL]
_____[SEAL]
_____[SEAL]
_____[SEAL]
_____[SEAL]

KNOW ALL MEN BY THESE PRESENTS:

That American Signal Corporation, a corporation existing under and by virtue of the laws of the State of Delaware, (Hereinafter designated the contractor) as principal, and as surety, are held and firmly bound unto the State of California in the sum of nine thousand nine hundred and no/100 ($9,900.00) dollars, to be paid to the State of California, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

Sealed with our seals.

Dated the_____day of_____A. D. 19____.

The condition of the above obligation is such that—

WHEREAS, The said contractor has been awarded a contract by the Department of Public Works of the State of California, in the State of California, for furnishing all necessary labor and materials, including tools, implements and appliances required, and performing and completing in a workmanlike manner all the electrical roll call and page call systems, Assembly Chamber, California State Capitol, Sacramento, California, as will more fully appear by said contract between the said Department of Public Works of the State of California and said contractor bearing date the sixth day of June, 1935.

Now, If the said contractor, American Signal Corporation, shall faithfully perform the said contract on his part, then the above obligation shall be void, otherwise shall be and remain in full force and virtue.

_____[SEAL]
_____[SEAL]
_____[SEAL]
_____[SEAL]
_____[SEAL]

May, 1935.

EXHIBIT B—PROPOSAL FOR ELECTRICAL ROLL CALL AND PAGE CALL SYSTEMS, ASSEMBLY CHAMBER, CALIFORNIA STATE CAPITOL, SACRAMENTO, CALIFORNIA, DIVISION OF ARCHITECTURE, DEPARTMENT OF PUBLIC WORKS, SACRAMENTO, CALIFORNIA.

The undersigned hereby proposes to furnish all equipment, materials, and labor and to perform all work required for the furnishing and installation of electrical roll call and page call systems, Assembly Chamber, California State Capitol, Sacramento, California, in accordance with drawings and specifications, for the sum of nineteen thousand eight hundred dollars ($19,800.00).

The above sum includes the cost of bonds, insurance, sales tax and every other item of expense incident to the contract.

If awarded the contract, the undersigned agrees to commence the work when notified, and to complete the work on or before November 1, 1936

(Cash) (Cashier's check) (Certified check) in the sum of $1,980 00 is herewith enclosed.

Corporation's address: 210 W. Michigan St., Milwaukee, Wis

(Signed) AMERICAN SIGNAL CORPORATION,
By MARSHALL F. THOMPSON, V. P.,

Address: Sacramento Hotel, Sacramento, California.

Date: May 27, 1935.

Status of firm must be given, whether individual, partnership, or corporation. (If partnership, give full names of partners, if corporation, give State in which incorporated.)

A corporation, incorporated in Delaware in 1926.

Rules for bidding: Bids shall be filed in the State Architect's office at Sacramento, on or before two p m., Tuesday, May 28, 1935, to be publicly opened thereafter on said day Enclose bid in plain envelope and mark: "Proposal for Electrical Roll Call and Page Call Systems, California State Capitol." Bids may be mailed or delivered direct and shall be addressed "Geo B McDougall, State Architect, Public Works Building, 11th and "P" Streets, Sacramento"

Motion to Withdraw Assembly Bill No. 419.

Mr. Hunt moved that Assembly Bill No. 419 be withdrawn from Committee on Judiciary, and placed on file.

The question being on the motion by Mr. Hunt to withdraw Assembly Bill No. 419 from Committee on Judiciary, and place on file.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Hunt to withdraw Assembly Bill No 419 from Committee on Judiciary.

Demand for Previous Question.

Messrs. DeLap, Mayo, Johnson, Fisher, and Robertson demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion by Mr. Hunt to withdraw Assembly Bill No 419 from Committee on Judiciary, and place on file.

The roll was called, and the motion was lost by the following vote.

AYES—Anderson, Andreas, Boyle, Cassidy, Clark, Donihue, Evans, Ralph W., Flint, Geyer, Gilbett, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, Maloney, McCarthy, McMurray, Meehan, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, Welsh, and Williamson—31.

NOES—Breed, Chatters, Corwin, Cunningham, DeLap, Desmond, Donnelly, Field, Fisher, Garibaldi, Johnson, Kallam, Latham, Lyon, Martin, Mayo, McBride, Miller, Minard, Morgan, Nielsen, O'Donnell, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Utt, Walker, Wallace, Waters, Wright, and Mr. Speaker—35.

Motion to Withdraw Assembly Bill No. 2491.

Mr. Clark moved that Assembly Bill No. 2491 be withdrawn from Committee on Oil Industries, and placed on file.

The question being on the motion by Mr Clark to withdraw Assembly Bill No. 2491 from Committee on Oil Industries, and place on file.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Clark to withdraw Assembly Bill No. 2491 from Committee on Oil Industries.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Clark moved a call of the House.

Roll Call.

The Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Andreas, Cassidy, Clark, Corwin, Cunningham, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Miller, Morgan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Riley, Rosenthal, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, and Welsh—42.

NOES—Breed, Chatters, DeLap, Field, Fisher, Garibaldi, Hunt, Johnson, Kallam, Mayo, Minard, Redwine, Robertson, Scudder, Stream, Thorp, Williamson, Wright, and Mr. Speaker—19.

Time, eleven o'clock and five minutes a.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Andreas, Breed, Cassidy, Chatters, Clark, Corwin, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—61.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Introduction and Reference of Bills.

The following bill was introduced:

By Mr. Riley: Assembly Concurrent Resolution No. 56—Relative to approving a certain amendment to the charter of the city of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of June, 1935.

Introduced.

Request for Unanimous Consent.

Mr. Riley asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 56, at this time, without reference to printer, committee or file, and that same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 56.

Assembly Concurrent Resolution No. 56—Relative to approving a certain amendment to the charter of the city of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of June, 1935.

Assembly Concurrent Resolution No. 56 read.

Mr. Riley moved the adoption of Assembly Concurrent Resolution No. 56.

The question being on the adoption of Assembly Concurrent Resolution No. 56.

The roll was called, and Assembly Concurrent Resolution No. 56 adopted by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Cassidy, Chatters, Corwin, Cottrell, Cunningham, DeLap, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 56 ordered transmitted to the Senate.

Resolution.

The following resolution was offered:

By Mr. Hornblower:

Assembly Resolution.

Relative to Tideland Oil Drilling.

WHEREAS, It is a matter of common knowledge that one of the most extensive and valuable oil and gas pools in the State of California lies underneath the state-owned tidelands in and about Huntington Beach, in Orange County; and

WHEREAS, It has been frequently reported that many millions of barrels of oil and many billions of cubic feet of gas have been extracted from said pool, the value of which oil and gas aggregates an amount running into many millions of dollars; and

WHEREAS, It is reported that the State Director of Finance and the Chief of the Division of State Lands, State Department of Finance, are entering into negotiations for a settlement of the State's claim based on such extractions from these state-owned tidelands; and

WHEREAS, The Assembly and Senate have passed Assembly Bill No. 1684, which permits the taking of oil from such oil and gas pools located at Huntington Beach, without competitive bidding and at a price far below a reasonable price for such oil; and

WHEREAS, There will undoubtedly be many bills presented at the next session of the Legislature relating to this general subject, just as there were at this session, and

WHEREAS, The Legislature should have before it all of the facts relating to the State's interest in this great oil and gas reserve and its right to the oil and gas, and the proceeds thereof, and full information in regard to any pending proceedings and proposed settlements with reference thereto; now, therefore, be it

Resolved by the Assembly of the State of California That a "Special Assembly Interim Committee on Tideland Oil Drilling" of five Assemblymen be appointed by the Speaker of the Assembly to make a full and complete investigation of all operations and proceedings, past and present, of any and all persons, firms, associations or corporations in connection with the abstraction of oil and gas from tidelands belonging to the State and all actions of the Department of Finance and of the Attorney General with respect thereto, and all and singular the facts, information and data as to the amount of oil and gas, if any, taken from tidelands belonging to the State in the vicinity of the city of Huntington Beach, county of Orange, State of California, and the market value of such oil and gas as of the time of its production, and of any and all proceedings taken in respect thereto by the Department of Finance and the Attorney General, and the circumstances, terms and conditions of any proposed settlement by the Department of Finance, or any division thereof, of the claims of the State of California with reference thereto, and into such additional facts and circumstances as said committee may deem proper to enable the Legislature to fully protect the rights of the State in the premises and in the oil and gas underlying tidelands and other lands belonging to the State; and be it further

Resolved, That said special interim committee is hereby authorized to hold public meetings at any place in the State of California; and be it further

Resolved, That said special committee in making said investigation is hereby authorized and empowered to require the production of books, agreements, documents and papers of every kind and description; to issue subpenas to compel the attendance of witnesses and the production of testimony, and to do any and all things necessary to make a full and complete investigation of the matters herein mentioned. Each member of said special committee is hereby authorized to administer oaths, and all of the provisions of Article VIII of Chapter II, Title I, Part III of the Political Code, relative to the attendance and assemblage of witnesses before the Legislature and committees thereof, shall apply to said special interim committee. Said committee is authorized to report back to the Assembly with recommendations at the next session of the Legislature, and be it further

Resolved, That the sum of two thousand five hundred dollars ($2,500), or so much thereof as may be necessary for the purpose of defraying the expenses of the committee and the cost of this investigation, is hereby made available and appropriated out of the contingent fund of the Assembly, and the State Controller is authorized and directed to draw his warrants in favor of the person or persons entitled thereto for such expenditures as may be certified to him from time to time by the chairman of the committee, and the State Treasurer is hereby authorized and directed to pay the same.

Resolution by Mr. Hornblower read.

Mr. Hornblower moved the adoption of the resolution.

Demand for Previous Question.

Messrs. Robertson, Fisher, Wallace, Mayo and Frazier demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Boyle, Cassidy, Corwin, Cottrell, Cunningham, Dawson, Desmond, Donahue, Donnelly, Evans, Ralph W., Flint, Garibaldi, Gever, Gilbert, Glover, Heisinger, Hornblower, Hunt, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, Miller, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Reaves, Richie, Rosenthal, Thorp, Turner, Voigt, Wagner, Walker, and Waters—42.

NOES—Brennan, Burns, DeLap, Field, Fisher, Frazier, Johnson, Latham, Meehan, Minard, Morgan, Phillips, Robertson, Scudder, Stream, Utt, Wallace, Weber, Welsh, and Mr. Speaker—20.

Explanation of Vote.

Hornblower Resolution on "Tideland Drilling."

My vote on this resolution would have been "Aye," had I not been called to the Senate on legislative matters, and was therefore not present to vote at the time of roll call.

AUGUSTUS F HAWKINS.

Resolution.

The following resolution was offered.

By Mr. Walker:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same.

The C C. Langevin Company (rental public address system June 4th to June 18th, inc.)	$80 00
Department of Finance (prorate telephone service—June)	28 65
Hub Florists (floral design to Mrs Reindollar)	20 50
Bureau of Purchases (supplies)	32 07

Resolution by Mr. Walker read, and referred to Committee on Contingent Expenses.

Further Proceedings Under Call of the House Dispensed With.

At eleven o'clock and thirty-five minutes a.m., further proceedings under the call of the House were dispensed with, on motion of Mr. Clark.

The roll of absentees was called, and the motion by Mr. Clark to withdraw Assembly Bill No. 2491 from Committee on Oil Industries was lost by the following vote:

AYES—Anderson, Burns, Cassidy, Clark, Cunningham, Desmond, Donohue, Donnelly, Evans, Ralph W., Flint, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Latham, Laughlin, Lore, McCarthy, McMurray, Meehan, Miller, O'Donnell, Patterson, Pelletier, Reaves, Richie, Riley, Rosenthal, Thorp, Turner, Voigt, Wagner, Walker, and Waters—39.

NOES—Andreas, Boyle, Breed, Brennan, Chatters, Corwin, Cottrell, Dawson, DeLap, Field, Fisher, Frazier, Hornblower, Johnson, Kallam, Lyon, Maloney, Martin, Mayo, McBride, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Robertson, Scudder, Stream, Utt, Wallace, Weber, Welsh, Williamson, Wright and Mr. Speaker—37.

Motion to Withdraw Assembly Bill No. 2446.

Mr. Boyle moved that Assembly Bill No 2446 be withdrawn from Committee on Oil Industries, and placed on file.

The question being on the motion by Mr. Boyle to withdraw Assembly Bill No. 2446 from Committee on Oil Industries and place on file.

Demand for Previous Question.

Messrs. Robertson, Welsh, Wallace, Morgan and Fisher demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the motion by Mr. Boyle to withdraw Assembly Bill No. 2446 from Committee on Oil Industries, and place on file.

Roll Call.

The Speaker ordered a roll call taken on the motion to withdraw Assembly Bill No. 2446 from Committee on Oil Industries.

The roll was called, and the motion was lost by the following vote:

AYES—Andreas, Boyle, Burns, Cassidy, Desmond, Donohue, Donnelly, Flint, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Jones, Kallam, Laughlin, Lore, Meehan, Miller, O'Donnell, Patterson, Pelletier, Richie, Turner, Voigt, and Wagner—28.

NOES—Brennan, Chatters, Clark, Corwin, Cunningham, Dawson, DeLap, Evans, Ralph W., Field, Fisher, Frazier, Geyer, Hornblower, Johnson, Latham, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Minard, Morgan, Nielsen, Peterson, Peyser, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—41.

Unfinished Business.

Reconsideration of Assembly Bill No. 2474.

Assembly Bill No. 2474—An act relating to fees and taxes for and upon certain vehicles, providing for the collection thereof and the enforcement of this act, and providing for the repeal of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933.

In compliance with his notice given on a previous day, Mr. Reaves moved that the vote whereby Assembly Bill No. 2474 was passed be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Cassidy, Chatters, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Jones, Laughlin, Lore, McCarthy, Meehan, Pelletier, Phillips, Reaves, Richie, Rosenthal, Scudder, Turner, and Wagner—25.

NOES—Andreas, Boyle, Breed, Corwin, Cottrell, Cunningham, Dawson, DeLap, Desmond, Field, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Hunt, Johnson, Kallam, Latham, Maloney, Martin, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Peyser, Riley, Robertson, Stream, Utt, Voigt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr Speaker—41.

Assembly Bill No. 2474 ordered transmitted to the Senate.

Reconsideration of Assembly Bill No. 1037 Waived.

Mr. Dawson waived his notice to reconsider the vote whereby Assembly Bill No. 1037 was passed.

Assembly Bill No. 1037 ordered transmitted to the Senate.

Third Reading of Assembly Bills.

Assembly Bill No. 1234—An act to amend section 9 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to adjustment of gross receipts taxes.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. O'Donnell:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "9".

Amendment No. 2.

On page 4 of the printed bill, as amended, strike out lines 33 to 51, inclusive; also on page 5, strike out lines 1 to 20, inclusive.

Amendment No. 3.

On page 5, line 21, of the printed bill, as amended, strike out "6", and insert in lieu thereof the following: "5".

Amendment No. 4.

On page 5, line 47, of the printed bill, as amended, strike out "7", and insert in lieu thereof the following: "6".

Amendment No. 5.

On page 6, line 10, of the printed bill, as amended, strike out "8", and insert in lieu thereof the following: "7".

Amendments adopted.

Request for Unanimous Consent.

Mr. O'Donnell asked for, and was granted, unanimous consent to take up Assembly Bill No 1234, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1234, as Amended.

Assembly Bill No 1234, as amended, read third time.

The question being on the passage of the bill.

The roll was called.

Motion for Call of the House.

Pending the announcement of the vote, Mr. O'Donnell moved a call of the House.

Roll Call.

The Speaker ordered a roll call taken on the motion for a call of the House.

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Burns, Cassidy, Chatters, Corwin, Cottrell, Evans, Ralph W., Fisher, Flint, Geyer, Gilbert, Glover, Heisinger, Jones, Laughlin, Lore, Mayo, McCarthy, Meehan, Nielsen, O'Donnell, Peterson, Reaves, Riley, Rosenthal, Turner, Wagner, Walker, and Waters—29.

NOES—Breed, Brennan, Cronin, Cunningham, Dawson, DeLap, Donihue, Field, Frazier, Fulcher, Garibaldi, Gilmore, Hawkins, Hunt, Johnson, Kallam, Latham, Maloney, Martin, McBride, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Richie, Robertson, Stream, Utt, Wallace, Weber, Welsh, Williamson, Wright, and Mr. Speaker—36.

The question being on the passage of Assembly Bill No. 1234, as amended.

The roll was called, and Assembly Bill No. 1234 was refused passage by the following vote:

AYES—Anderson, Breed, Burns, Cassidy, Chatters, Donihue, Donnelly, Evans, Ralph W. Fisher, Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Jones, Laughlin, Lore, Mayo, McCarthy, Meehan, O'Donnell, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Turner, Voigt, and Walker—31.

NOES—Andreas, Boyle, Brennan, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Field, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Hunt, Johnson, Kallam, Latham, Lyon, Maloney, Martin, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Stream, Thorp, Utt, Wagner, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—43.

Unfinished Business—(Resumed).

Reconsideration of Assembly Bill No. 183 Waived.

Mr. Minard waived his notice to reconsider the vote whereby Assembly Bill No. 183 was passed.

Withdrawal of Waiver.

Mr. Minard withdrew his waiver.

Reconsideration of Assembly Bill No. 183.

Assembly Bill No. 183—An act repealing sections 367a, 367b, and 367c of the Political Code, renumbering sections 367d to 367g, inclusive, to be sections 367q to 367t, inclusive, and adding sections 367a to 367p thereto, relating to the Department of Social Welfare.

In compliance with his notice given on a previous day, Mr. Minard moved that the vote whereby Assembly Bill No 183 was passed be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Dawson, Donihue, Donnelly, Garibaldi, Jones, and Rosenthal—6

NOES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Cottrell, Cronin, Cunningham, DeLap, Field, Fisher, Frazier, Fulcher, Geyer, Hawkins,

Hornblower, Hunt, Kallam, Lore, Lyon, Martin, Mayo, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Redwine, Richie, Robertson, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright and Mr. Speaker—47.

Motion to Strike Assembly Bill No. 2392 from File.

Mr. Minard moved that Assembly Bill No. 2392 be stricken from the file.

Motion carried.

Assembly Bill No. 2392 ordered stricken from the file.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2496—An act to amend section 10 of the Political Code, relating to holidays.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Lyon:

Amendment No. 1.

On page 1 of the printed bill, strike out lines 8 to 28, inclusive; and on page 2, strike out lines 1 to 38, inclusive, and insert in lieu thereof the following: "to be known as "Columbus Day," eleventh day of November, known as "Armistice Day," twenty-fifth day of December, every day on which an election is held throughout the State, and every day appointed by the President of the United States or by the Governor of this State for a public fast, thanksgiving or holiday; provided that on any day appointed by the President or by the Governor as a special or limited holiday all courts, public schools and public offices of this State and of any city, county, city and county, township, district, or political subdivision thereof shall be open and shall function in their normal and usual manner and all other public functions shall be performed as on days which are not holidays and all contracts shall be performed and business transacted as usual except only as to or by the particular class of business or persons expressly limited or restricted by the provisions of the proclamation appointing or declaring such special or limited holiday. A special or limited holiday is hereby defined as a holiday applying only to a special class or classes of business, or a special class or classes of persons, and not appointed to be generally observed throughout the State by all classes of business and all classes of persons.

If the first day of January, twelfth day of February, twenty-second day of February, the thirtieth day of May, the fourth day of July, the ninth day of September, the twelfth day of October, the eleventh day of November or the twenty-fifth day of December falls upon a Sunday, the Monday following is a holiday.

Good Friday from twelve noon to three o'clock and every Saturday from twelve o'clock noon until twelve o'clock midnight is a holiday as regards the transaction of business in the public offices of this State, and also in political divisions thereof where laws, ordinances or charters provide that public offices shall be closed on holidays; provided, this shall not be construed to prevent or invalidate the issuance, filing, service, execution or recording of any legal process or written instrument whatever on such Saturday afternoon; and provided further, that the public schools of this State shall close on Saturday, Sunday, the first day of January, the thirtieth day of May, the fourth day of July, the ninth day of September, eleventh day of November, the twenty-fifth day of December, and on every day appointed by the President of the United States or the Governor of this State for a public fast, thanksgiving or holiday; provided still further, that the governing board of any junior college may provide for the maintenance of classes on Saturday. Said public schools shall continue in session on all other legal holidays and shall hold proper exercises commemorating the day. Boards of school trustees and city boards of education shall have power to declare a holiday in the public schools under their jurisdiction when good reason exists therefor.

All public offices of the State and all State institutions, including the State University and all public schools in the State shall be closed on the ninth day of September of each year, known as "Admission Day." All public offices of the State and all State institutions, except the State University, shall be closed on the eleventh day of November of each year, known as "Armistice Day." "

Amendment adopted.

Bill read, ordered to reprint, re-engrossment, and third reading.

Motion to Print in Journal.

Mr. Field moved that the following report be printed in the Journal: Motion carried.

The Report of a Special Committee.

To the Honorable Edward Craig, Speaker of the Assembly, and to the Assembly of the State of California:

Pursuant to the authority conferred by Assembly resolution as printed in the Journal on page 6 of March 26, 1935, directing an investigation of the activities of one Nathan J. Elliott, which charges involved alleged unethical conduct of said Nathan J. Elliott in regard to certain truck regulatory legislation pending before the Senate and the Assembly and particularly with respect to certain charges of alleged influence said Elliott claimed to have and exerted over certain members of the Assembly, your committee met in the State Capitol Building on March 29th, April 1st, April 3rd and April 8th in the year 1935, for the purpose of hearing and taking testimony in reference to said charges.

The investigation was limited and restricted to the specific charges hereinbefore referred to and did not intend to and did not involve in any way the merits or demerits of any truck regulatory bills pending before either house of the Legislature.

This report has been purposely delayed by your committee until final disposal of the truck regulatory legislation mentioned herein in order that this report could not be used to influence that legislation one way or the other.

At the times and places above stated, all available witnesses were called and heard, and in addition, the sworn testimony before the Senate committee of this Legislature was introduced and read into the record of this Assembly investigation and the substance of the testimony and records introduced in this hearing leads your committee to the following findings and conclusions:

1. That the said Nathan J. Elliott was charged with making various statements to the effect that "I control the votes of 27 or 28 legislators" (referring to members of the Assembly) and that "I hold the votes of 27 members of the Southern California delegation in the palm of my hand" and that "I have already gone to the expense of paying the railroad fare of many members of the Assembly."

The witnesses called before your committee were Harvey H. Sanborn, Harold Frasher, Al Meyers, Howard Lang, Rowe Sanderson, O. H. Scott, W. D. Burnett, C. R. Boyer and Nathan J. Elliott. The testimony produced before your committee concerned certain alleged conversations had with the said Nathan J. Elliott by various members testifying before your committee upon five different occasions, to wit:

1. At Pier Five on the water front at Sacramento at which Mr. Elliott was present.

2. At the Senator Hotel on or shortly after the first day of March, 1935, in the Elliott suite in which Mr. Sanborn, Mr. Elliott, Chas. R. Boyer and Mr. W. D. Burnett were present.

3. Meeting number three was at the Athletic Club in Los Angeles on the third day of January, 1935.

4. Meeting number four was at the Jonathan Club in Los Angeles, January 5, 1935.

5. The fifth meeting was an informal meeting on the State highway between Los Angeles and Fresno, following the January 5th meeting at Los Angeles.

At the meeting referred to herein as meeting number 1, which was in the office of W. P. Dwyer, president of the River Lines, on January 14, 1935, there were present, Mr. Dwyer, Mr. Burke and Nathan J. Elliott. The conclusion of the testimony with respect to the conversations at the meeting was that the said Nathan J. Elliott demanded that the sum of $35,000 be raised by those interests favoring a bill that would give the Railroad Commission power to regulate the trucking industry, or he would kill the bill.

At the meeting in the Elliott suite in the Hotel Senator on or shortly after the first day of March, 1935, it is charged that Nathan J. Elliott made the boast that he had a large number of votes (referring to votes in the Assembly) in his vest pocket and further that he controlled 27 or 28 votes from southern California. The witness, W. D Burnett, testified before your committee on behalf of Mr. Elliott and denied that any such conversation took place in the meeting in the Hotel Senator.

The third meeting discussed before your committee, took place in the Athletic Club in Los Angeles on the third day of January, 1935, in which Mr. Elliott, Mr. Meyers, Mr. Duntley, Howard Lang, Dick Cantlay, Frank Daugharty, Milo Bekins and E. J. Anthony, among others were present. The testimony was overwhelming to the effect that Mr. Elliott suggested that those interested in passing the truck regulatory bill giving the Railroad Commission power to regulate the trucking interests, should raise $33,000 for his use with his association and for

legislative purposes It was our conclusion that Nathan J. Elliott, in this meeting made the statement that he controlled 27 or 28 Assemblymen of the southern California delegation. It must be our conclusion that the sum of $33,000 was frequently mentioned as the sum to be raised for the use of Mr Elliott for the Truck Regulatory Bill and that no adequate explanation was made by Mr. Elliott as to why such a large sum of money was needed or how it was to be spent.

The next meeting between those interested in truck regulatory legislation was at the Jonathan Club in Los Angeles, January 5, 1935, in which meeting there was present, in addition to Mr Elliott, Al Meyers, Ben Morris, Gus Lynn, Harold Frasher, C. G. Anthony, Floyd Bekins, Rowe Sanderson, Mr Halvorsen, Mr. Cassanay, George Coburn, Dick Cantlay and George Duntley, among others. At this meeting, it is our conclusion that the question of raising the sum of $33,000 was again suggested by Nathan J. Elliott for the purpose of influencing legislation as well as for the purpose of changing the attitude of the Independent Truck Owners' Association with respect to control by the Railroad Commission. It is also our conclusion at the same meeting Mr Elliott again made the statement that he controlled a bloc of 27 Assemblymen and that he was in a position to pass or defeat *any truck regulation at this session of the Legislature.*

The fifth meeting took place on the State highway between Fresno and Los Angeles subsequent to the two Los Angeles meetings, when the automobile that Mr. Elliott was driving overtook the automobile containing some of the same individuals who had attended the meetings in Los Angeles. At this meeting on the highway, it is our finding that substantially similar statements and threats were made by said Nathan J Elliott, claiming that he controlled a bloc of approximately 27 votes in the Assembly. It is the unanimous opinion of this committee that the said Nathan J. Elliott did upon the occasions mentioned, make the claim and make the boast that he controlled 27 or 28 votes of the southern California delegation in the Assembly and that he would swing this bloc of votes whichever way he desired, and it is further our unanimous finding that he demanded the sum of $33,000 for use in connection with the Independent Truck Owners' Association and for his use in the Legislature for the purpose of passing certain truck regulatory bills.

It is our unanimous finding and conclusion that although said Nathan J. Elliott made such statements, that they were figments of his own imagination, created by ideas of grandeur that he holds with respect to his own power and influence, and it is our unanimous conclusion and finding, that the said Nathan J. Elliott does not control a single vote or a single member of the Assembly, north or south, but that he did make such boasts, brags and statements for the purpose of promoting financial contributions to the Independent Truck Owners' Association of which he was the head.

Only one witness of all those who testified, defended Mr. Elliott in any particular. That witness was W. D. Burnett, an attorney for the Monolith Portland Cement Company. Mr. Burnett was present at the meeting, to wit: At the Elliott suite in the Hotel Senator, Sacramento, California. He denied that Mr. Elliott had made any statement at that meeting to the effect that he controlled any votes and also added that he never at any time heard Mr. Elliott make any such claims or statements.

Mr. Burnett voluntarily criticised the Investigating Committee as being unfair and biased against Mr. Elliott and claimed that the appointment of the committee was solely for the purpose of discrediting Mr Elliott and for the purpose of obtaining passage of truck regulatory legislation that would place the control of trucks in the hands of the Railroad Commission. Mr. Burnett admitted the payment of $2,000 *to Mr. Elliott and/or to the Independent Truck Owners' Association for* the purpose of defeating regulation by the Railroad Commission.

Mr. Burnett was asked to introduce proof of his charges that the committee was prejudiced against Mr. Elliott, but wholly failed to substantiate any of his charges *and admitted that he did not have any proof and that his charges* were based entirely upon his personal belief. The committee calls your attention to the fact that Mr. Burnett is an attorney-at-law, well able to protect himself and that his testimony was so weak and so prejudiced as to cause your committee to attach no weight whatsoever to it.

It is our further conclusion that the statements of influence and control alleged to have been made by Nathan J. Elliott, were not so much a reflection upon the Legislature and particularly upon the members of the Assembly, as it is a reflection upon the gullibility of business that seems ready to believe and assume that votes can be controlled at Sacramento by the use of money. If business was as willing to pay its taxes to the State of California as it is to contribute to funds for lobbyists, the State's financial problems could be easily solved. It is this gullibility of business that permits leeches such as Mr. Elliott, to hang on to the backs of industry and business and obtain for themselves a very lucrative livelihood without the contribution of mental or physical effort.

It is our conclusion that Nathan J. Elliott made the boasts that he controlled 27 or 28 votes of the Assembly, and attempted by this control to badger the sum of $33,000 from the trucking and allied industries.

In view of this unethical conduct, it is our recommendation that said Nathan J. Elliott be barred from attendance at all regular sessions of the Assembly during this legislative session and at any recessed or special session thereof and that he be barred from appearing before any and all interim committees authorized by this Legislature. It is our further recommendation that the continuance of this committee with power to act and investigate similar charges and accusations during the balance of this legislative biennium, will have a beneficial effect.

Respectfully submitted.

FIELD, Chairman.
COTTRELL.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1899—An act to add section 1314a to the Penal Code, relating to undertaking on bail and cash bail same amount—and reports that the same has been correctly engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1871—An act to amend section 8½ of the Retail Sales Tax Act of 1933, approved July 31, 1933, relating to the collection of the tax;

Also: Assembly Bill No. 2443—An act to define, license and regulate the business of personal property brokers who are engaged in the business of making loans on vehicles of a type required to be registered with the Department of Motor Vehicles; to prescribe the maximum rate which may be charged, contracted for or received by all who are engaged in such business; and to provide for the administration and enforcement of this act and providing penalties for violation hereof;

And reports that the same have been correctly engrossed.

WATERS, Chairman.

The above reported bills ordered on file for third reading.

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1899—An act to add section 1314a to the Penal Code, relating to undertaking on bail and cash bail same amount—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

LYON, Chairman.

The above reported bill ordered on file for second reading.

Second Reading of Assembly Bills.

Assembly Bill No. 1899—An act to add section 1314a to the Penal Code, relating to undertaking on bail and cash bail same amount.

Bill read second time, ordered to engrossment, and third reading.

Recess.

At twelve o'clock and ten minutes p.m., on the motion of Mr. Lyon, the Assembly was declared at recess until one o'clock and thirty minutes p.m., this day.

Reassembled.

At one o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Craig in the chair.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2493—An act to amend section 1 of, and to add section 1.5 to an act entitled "An act relating to the Department of

Professional and Vocational Standards and defining its powers and duties in relation to and providing for the adoption and registration of names and marks or other devices on garments, towels, table linen and other linen supplies used in the rendition of a rental service as indicia of ownership and to protect the owners thereof." passed at the fifty-first session of the Legislature of the State of California, relating to registration of names and marks or other devices on garments, towels, table linen or other articles

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2493 passed by the following vote:

AYES—Brennan, Cassidy, Corwin, Cronin, Crowley, Cunningham, DeLap, Donihue, Fisher, Flint, Fulcher, Geyer, Gilbert, Heisinger, Hunt, Johnson, Laughlin, Lore, Mayo, McCarthy, Miller, Minard, Morgan, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—41.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Unfinished Business—(Resumed).

Consideration of Senate Amendments to Assembly Bill No. 669.

Assembly Bill No. 669—An act to add section 3817½ to the Political Code, relating to taxation, declaring the urgency hereof and providing that this act shall take immediate effect.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 669?

Amendment No. 1.

On page 2, line 33, of the printed bill, as amended in Assembly May 21, 1935, after "showing,", insert the following: "and with the approval of the State Controller,".

Amendment No. 2.

On page 2 of the printed bill, as amended in Assembly May 21, 1935, strike out lines 40 to 43, inclusive, and insert in lieu thereof the following: "of the county, but such".

Amendment No. 3.

On page 3 of the printed bill, as amended in Assembly May 21, 1935, strike out lines 28 to 32, and insert in lieu thereof the following: "before set forth for redemption by the applicant."

Amendment No. 4.

On page 1, line 7, of the printed bill, as amended in Senate June 7, 1935, after the word "Executor", insert the word "or", and strike out the words "or other successors in", and in line 8, strike out the word "interest".

Amendment No. 5.

On page 2, line 26, of the printed bill, as amended in Senate June 10, 1935, after the period, insert the following "If at the hearing the applicant offers an amount equal to the highest amount offered by any other person accompanied by a deposit of cash or certified check in an amount equal to ten per cent of such offer, he shall have preference over all other persons in the redemption of the property. The deposits of all other persons shall thereupon be returned to them by the clerk of the board of supervisors."

Amendment No. 6.

On page 3 of the printed bill, as amended in Senate June 10, 1935, between lines 19 and 20, insert the following:

"The provisions of section 3817e of the Political Code, relating to suits to quiet title, are hereby made expressly applicable to this section"

The roll was called, and Senate amendments to Assembly Bill No. 669 were concurred in by the following vote:

AYES—Andreas, Breed, Brennan, Cassidy, Corwin, Cronin, DeLap, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Geyer, Gilbert, Heisinger, Hunt,

Johnson, Laughlin, Lore, Mayo, McBride, McCarthy, Miller, Minard, Morgan, Pelletier, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Wallace, Wright, and Mr. Speaker—41.

NOES—None.

Assembly Bill No. 669 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 863.

Assembly Bill No. 863—An act to amend the title and sections 1, 2, 3, 4, 5, 6, 7, and 8 of an act entitled "An act to provide for the proper sanitary condition of factories and workshops, and the preservation of the health of employees," approved February 6, 1889 (Stats. 1889, Chap. 5), as amended, relative to the sanitation, lighting and ventilation of factories, workshops and other places of employment, providing for the enforcement thereof by the Chief of the Division of Labor Statistics and Law Enforcement and providing penalties for the violation thereof.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 863?

Amendment No. 1.

On page 1, lines 8 and 9 of the title of the printed bill, strike out the words "Chief of the Division of Labor Statistics and Law Enforcement", and insert in lieu thereof the following: "Division of Industrial Accidents and Safety".

Amendment No. 2.

On page 1, lines 6 and 7, of the printed bill, strike out the words "Chief of the Division of Labor Statistics and Law Enforcement,", and insert in lieu thereof the following: "Division of Industrial Accidents and Safety".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 11 and 12, and insert in lieu thereof the following: "Every place of employment, as defined in the Workmen's Compensation, Insurance and Safety Act,".

Amendment No. 4.

On page 2 of the printed bill, strike out lines 6 and 7, and insert in lieu thereof the following: "Every place of employment, as defined in the Workmen's Compensation, Insurance and Safety Act,".

Amendment No. 5.

On page 2, line 13, of the printed bill, after the word "any", insert the following: "work,".

Amendment No. 6.

On page 2, lines 18 and 19, of the printed bill, strike out the words "Chief of the Division of Labor Statistics and Law Enforcement", and insert in lieu thereof the following: "Division of Industrial Accidents and Safety".

Amendment No. 7.

On page 2, lines 21 and 22, of the printed bill, strike out the following: "workshop, factory, or place or business in which any person or persons shall be employed", and insert in lieu thereof the following "place of employment, as defined in the Workmen's Compensation, Insurance and Safety Act".

Amendment No. 8.

On page 2, line 25, of the printed bill, strike out the following: "factory, workshop, or other establishment", and insert in lieu thereof the following: "place of employment, as defined in the Workmen's Compensation, Insurance and Safety Act,".

Amendment No. 9.

On page 2, line 31, of the printed bill, strike out the following: "factory, workshop or other establishment", and insert in lieu thereof the following: "place of employment".

Amendment No. 10.

On page 2, lines 40 and 41, of the printed bill, strike out the following: "factory, workshop or other establishment where persons are employed", and insert in lieu thereof the following: "place of employment".

Amendment No. 11.

On page 2 of the printed bill strike out lines 44 and 45, and insert in lieu thereof the following: "Every place of employment, as defined by the Workmen's Compensation Insurance and Safety Act,".

Amendment No. 12.

On page 3, lines 9 and 10, of the printed bill, strike out the words "Chief of the Division of Labor Statistics and Law Enforcement", and insert in lieu thereof the following: "Division of Industrial Accidents".

Amendment No. 13.

On page 1, lines 10 and 11 of the title of the printed bill, as amended, strike out "Division of Industrial Accidents and Safety", and insert in lieu thereof the following: "Chief of the Division of Labor Statistics and Law Enforcement".

Amendment No. 14.

On page 1, lines 7 and 8, of the printed bill, as amended, strike out "Division of Industrial Accidents and Safety", and insert in lieu thereof the following: "Chief of the Division of Labor Statistics and Law Enforcement".

Amendment No. 15.

On page 1, line 14, of the printed bill, as amended, at the beginning of the line, insert the following: "Section 1."

Amendment No. 16.

On page 2 of the printed bill, as amended, strike out line 13, and insert in lieu thereof the following:

"SEC. 2. Every place of employment, as defined in the Workmen's".

Amendment No. 17.

On page 2, lines 26 and 27, of the printed bill, as amended, strike out "Division of Industrial Accidents and Safety", and insert in lieu thereof the following: "Chief of the Division of Labor Statistics and Law Enforcement".

Amendment No. 18.

On page 3 of the printed bill, as amended, strike out line 7, and insert in lieu thereof the following:

"SEC. 5. Every place of employment, as defined by the Workmen's".

Amendment No. 19.

On page 3, lines 22 and 23, of the printed bill, as amended, strike out "Division of Industrial Accidents", and insert in lieu thereof the following: "Chief of the Division of Labor Statistics and Law Enforcement".

Amendment No. 20.

On page 1, line 1 of the title of the printed bill, as amended, strike out "5,".

Amendment No. 21.

On page 1, lines 12 and 13, of the printed bill, as amended, strike out ", as defined in the Workmen's Compensation, Insurance and Safety Act," and insert in lieu thereof the following: "where five or more persons are employed".

Amendment No. 22.

On page 2, lines 13 and 14, of the printed bill, as amended, strike out ", as defined in the Workmen's Compensation, Insurance and Safety Act," and insert in lieu thereof the following: "where five or more persons are employed".

Amendment No. 23.

On page 2, lines 33 and 34, of the printed bill, as amended, strike out ", as defined in the Workmen's Compensation, Insurance and Safety Act," and insert in lieu thereof the following "where five or more persons are employed".

Amendment No. 24.

On page 2 of the printed bill, as amended, strike out lines 50 to 52, inclusive.

Amendment No. 25.

On page 3 of the printed bill, as amended, strike out lines 1 to 5, inclusive.

Amendment No. 26.

On page 3, line 6, of the printed bill, as amended, strike out "7", and insert in lieu thereof the following: "6".

Amendment No. 27.

On page 3, line 14, of the printed bill, as amended, strike out "8", and insert in lieu thereof the following: "7".

Amendment No. 28.

On page 3, line 21, of the printed bill, as amended, strike out "9", and insert in lieu thereof the following: "8".

The roll was called, and Senate amendments to Assembly Bill No. 863 were concurred in by the following vote:

AYES—Andreas, Breed, Brennan, Cassidy, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Geyer, Gilbert, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Maloney, McBride, Minard, Morgan, Pelletier, Peterson, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—49

NOES—None.

Assembly Bill No. 863 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 755.

Assembly Bill No. 755—An act to amend section 1 of an act entitled "An act making an appropriation to the State Board of Control to pay claims against the State of California," approved June 16, 1933, relating to claims against the State.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 755?

Amendment No. 1.

On page 1, line 1, of the printed bill, as amended, strike out the balance of the line after "SECTION 1.", and insert in lieu thereof the following: "Section 1 of the act cited in the title hereof is hereby amended to read as follows:

Section 1. Out of the net receipts of the motor vehicle".

Amendment No. 2.

On page 2, line 2 of the printed bill, as amended, after "claim", insert the following: "to the State Board of Control".

Amendment No. 3.

On page 2, line 7, of the printed bill, as amended, strike out "and/or taxes", and insert in lieu thereof the following: "and taxes relating to motor vehicles or the use thereof".

Amendment No. 4.

On page 2, line 12, of the printed bill, as amended, strike out "subdivision", and strike out all of line 13, and insert in lieu thereof the following: "section 779 of the".

Amendment No. 5.

On page 2, line 15, of the printed bill, as amended, strike out "subdivi-", and strike out all of line 16, and insert in lieu thereof the following: "section 781 of the Vehicle Code into the State highway".

Amendment No. 6.

On page 2, line 21, of the printed bill, as amended, strike out "maintenance".

The roll was called, and Senate amendments to Assembly Bill No. 755 were concurred in by the following vote:

AYES—Andreas, Breed, Brennan, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donahue, Donnelly, Evans, Ralph W., Fisher, Fulcher, Geyer, Gilbert, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, Meehan, Minard, Morgan, Pelletier, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—50.

NOES—None.

Assembly Bill No. 755 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1035.

Assembly Bill No. 1035—An act to amend sections 713, 715, 731, 733.5, 867 and 868 of, and to add sections 930 and 717.5 to the Fish and Game Code, relating to the protection of fish.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1035?

Amendment No. 1.

On page 1, line 4, of the printed bill, as amended, strike out "gill net and".

Amendment No. 2.

On page 1, line 12, of the printed bill, as amended, after "taken", insert the following: "with hook and line".

Amendment No. 3.

On page 1, lines 15 and 16, of the printed bill, as amended, strike out "and gill nets".

Amendment No. 4.

On page 2, line 7, of the printed bill, as amended, strike out ", except a gill net,".

Amendment No. 5.

On page 2, line 8, of the printed bill, as amended, after "take", insert the following: "yellow-tail".

Amendment No. 6.

On page 2, line 8, of the printed bill, as amended, strike out "set", and insert in lieu thereof the following: "sea".

Amendment No. 7.

On page 2, line 16, of the printed bill, as amended, strike out "June 30", and insert in lieu thereof the following: "August 31".

Amendment No. 8.

On page 2, line 20, of the printed bill, as amended, strike out "June 30", and insert in lieu thereof the following: "August 31".

Amendment No. 9.

On page 2 of the printed bill, as amended, at the end of line 26, insert the following: "Between May 1 and August 31, not more than two thousand five hundred pounds of yellow-tail, barracuda or white sea bass may be possessed on any boat, barge or vessel at any one time."

The roll was called, and Senate amendments to Assembly Bill No. 1035 were concurred in by the following vote:

AYES—Andreas, Breed, Brennan, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Fisher, Flint, Fulcher, Geyer, Gilbert, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Minard, Morgan, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—52.
NOES—None.

Assembly Bill No. 1035 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 2495.

Assembly Bill No. 2495—An act making an appropriation for the contingent expenses of the Assembly at its fifty-first session, and declaring that this act shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2495?

Amendment No. 1.

On page 1, line 4, of the printed bill, after the word "Legislature", insert the following: "and interim committees thereof".

The roll was called, and Senate amendment to Assembly Bill No. 2495 was concurred in by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Corwin, Cottrell, Cronin, Cunningham, DeLap, Desmond, Donihue, Evans, Ralph W., Fisher, Flint, Fulcher, Geyer, Gilbert, Heisinger, Hornblower, Hunt, Johnson, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, Minard, Morgan, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—52.
NOES—None.

Assembly Bill No. 2495 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1925.

Assembly Bill No. 1925—An act to amend sections 1, 3, 4, 6 and 7 of "An act to prevent the unauthorized use and disposition of, and

traffic in human bodies, to prescribe the keeping of proper records, to promote medical education and public health by regulating the disposition and utilization of the unclaimed dead, to provide penalties for the violation of this act and to repeal sections 3094 and 3095 of the Political Code and all other acts or portions of acts in conflict with this act," approved May 18, 1927, relating to the use of dead bodies.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1925?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, between the word "sections", and the numeral "4", insert the following: "1, 3,".

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, between the numeral "4", and the word "and", insert the following: ", 6".

Amendment No. 3.

On page 1, line 1, of the printed bill, strike out the numeral "4", and insert in lieu thereof the numeral "1".

Amendment No. 4.

On page 1 of the printed bill, at lines 3 to 9, strike out all of said lines 3 to 9, inclusive, and insert in lieu thereof the following:

"SECTION 1. It shall be the duty of every sheriff, coroner, keeper of a county poorhouse or reformatory, public hospital or asylum, county jail, State prison, or city or county undertaker, or any and all State, county, town and city officers having knowledge of the existence of and possession, charge or control of bodies to be buried at public expense, or the legally constituted representatives of any or all of these, to use due diligence to notify the relatives of the deceased and in the absence of any known relative of deceased desiring to direct the disposition of the body in a manner other than in this act provided, and upon written request of the State Board of Health or the duly authorized agent of same to the effect that such notices are required for a definite period which shall be specified in the request, to notify by telegraph collect, immediately after the lapse of twenty-four hours after death, the State Board of Health or the duly authorized agent of the same, stating, whenever possible, the name, age, sex, and cause of death of any such person or persons required to be buried at public expense and without a known relative desiring to direct the disposition of the body in a manner other than in this act provided."

Amendment No. 5.

On page 1, line 10, of the printed bill, strike out the numeral "7", and insert in lieu thereof the numeral "3".

Amendment No. 6.

On page 1 of the printed bill, strike out lines 12 to 22, inclusive, and insert in lieu thereof the following:

"SEC 3. The unclaimed dead retained by the State Board of Health for scientific or educational purposes within the State shall be embalmed according to directions of said board, and disposed of in accordance with the instructions, of the said board or duly authorized officer or agent of same; provided, however, that such unclaimed dead shall be held for a period of thirty days by those to whom they may have been assigned for scientific or educational purposes, subject to claim and identification by any authenticated relative of the deceased for purpose of burial or other disposition in accordance with the directions of such relative."

Amendment No. 7.

On page 1, line 22, of the printed bill, after the word and period "State.", insert new paragraphs as follows:

SEC. 3. Section 4 of the act cited in the title hereof is hereby amended to read as follows:

"Sec. 4 The bodies of the unclaimed dead so retained shall be used solely for the purpose of instruction and study in the promotion of medical and chiropractic education and science within the State of California, and any person or persons found guilty of the unlawful disposition, use or sale of the body or bodies of the unclaimed dead or violating any of the provisions of this act shall be guilty of misdemeanor."

SEC. 4. Section 6 of the act cited in the title hereof is hereby amended to read as follows:

"Sec. 6. Whenever, through the failure of any person to duly notify, or to promptly deliver into the custody of the scientific or educational institutions at the place of death, the body of a deceased indigent as required by this act, such body

shall become unfit for scientific or educational purposes, the duly authorized officer or agent of said State Board of Health shall so certify and such body shall be buried at the expense of those guilty of noncompliance with such provisions of this act."

SEC 5. Section 7 of the act cited in the title hereof is hereby amended to read as follows:

"Sec. 7. All persons authorized by law with the performance of post mortem examinations are hereby authorized and directed to permit with the consent of relatives or in the absence of such relatives, with the consent of the State Board of Health or the duly authorized agent of the same, any representative of the anatomical or pathological departments of properly incorporated medical, chiropractic, or osteopathic departments, schools or colleges to obtain at the time of necropsy or inquest, such material in the recent state as may be needed for scientific purposes, if said material is not required for the legal purposes of the State."

The roll was called, and Senate amendments to Assembly Bill No. 1925 were concurred in by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Evans, Ralph W., Fisher, Flint, Fulcher, Geyer, Gilbert, Heisinger, Hornblower, Hunt, Johnson, Laughlin, Lore, Maloney, Martin, Mayo, McBride, Meehan, Minard, Morgan, Pelletier, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Wright, and Mr. Speaker—50.

NOES—None.

Assembly Bill No. 1925 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1023.

Assembly Bill No. 1023—An act to amend section 6 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, relating to persons eligible to examination.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1023?

Amendment No. 1.

On page 1 of the printed bill, as amended, in the last line of the title, strike out the period, and insert in lieu thereof a comma and the following: "relating to persons eligible to examination."

Amendment No. 2.

On page 1, line 17, of the printed bill, as amended, strike out "the passage of this act", and insert in lieu thereof the following: "this section, as amended, goes into effect".

The roll was called, and Senate amendments to Assembly Bill No. 1023 were concurred in by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Ralph W., Fisher, Fulcher, Geyer, Gilbert, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Pelletier, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Wright, and Mr. Speaker—52.

NOES—None.

Assembly Bill No. 1023 ordered to enrollment.

Consideration of Senate Amendments to Assembly Constitutional Amendment No. 86.

Assembly Constitutional Amendment No 86—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 23a of Article IV thereof, relating to legislative printing.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No. 86?

Amendment No. 1.

On page 1, line 23, of the printed measure, strike out the words "and printing".

Amendment No. 2.

On page 1, line 24, of the printed measure after the comma following the word "house", insert the following: "indexing the same and, pursuant to legislative rules, supplying the public with full information as to such measures and, upon application, with copies thereof, and for the further purpose of correcting and indexing".

Amendment No. 3.

On page 1, line 26, of the printed measure, strike out the words "any regular session", and insert in lieu thereof the following: "sessions of the Legislature".

The roll was called, and Senate amendments to Assembly Constitutional Amendment No. 86 were concurred in by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Geyer, Gilmore, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Minard, Morgan, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Wright, and Mr. Speaker—52.

NOES—None.

Assembly Constitutional Amendment No. 86 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 2040.

Assembly Bill No. 2040—An act making an appropriation to pay the claim of the chief accounting officer of the Department of Finance against the State of California.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2040?

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out all of lines 3 and 4, and insert in lieu thereof the following: "one hundred thirty-eight thousand five hundred thirty-three and sixty-two one-hundredths dollars ($138,533.62) is hereby appropriated to be paid".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out all of lines 12 to 22, inclusive, and insert in lieu thereof the following:

"SEC. 2. The sum of one hundred thirty-eight thousand five hundred thirty-three and sixty-two one-hundredths dollars ($138,533.62) shall be paid as follows: one hundred eight thousand seven hundred thirty-one and seventy-seven one-hundredths dollars ($108,731.77) out of any money in the State treasury not otherwise appropriated; one thousand fifty-one and thirty-two one-hundredths dollars ($1051.32) out of any money in that fund, or portion of such fund, in the State treasury, out of which the Department of Motor Vehicles is supported; one hundred forty-three and fifty one-hundredths dollars ($143.50) out of any money in the motor vehicle fuel fund in the State treasury; one thousand five hundred sixteen and seventy-six one-hundredths dollars ($1516.76) out of any money in the fish and game preservation fund in the State treasury; seven thousand eighty-five and seventy-six one-hundredths dollars ($7085.76) out".

The roll was called, and Senate amendments to Assembly Bill No. 2040 were concurred in by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Field, Fisher, Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Minard, Morgan, O'Donnell, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 2040 ordered to enrollment.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2501—An act to amend section 3 of an act entitled "An act to repeal sections 1120 to 1140, inclusive, of the Fish and Game Code, relating to the State Fish Exchange, and disposing of the property and funds thereof," approved June 10, 1933, and defining the powers and duties of the Department of Natural Resources and the Division of Fish and Game thereof in relation thereto.

Bill read second time, ordered to engrossment, and third reading.

Motion to Strike Assembly Bill No. 1803 from File.

Mr. Waters moved that Assembly Bill No. 1803 be stricken from the file.

Motion carried.

Assembly Bill No. 1803 ordered stricken from the file.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1570—An act to add two new sections to the Public Utilities Act, to be numbered $2\frac{3}{4}$ and $50\frac{3}{4}$, defining highway common carriers and providing for the regulation thereof and requiring the issuance of certificates of public convenience and necessity therefor, and to repeal Chapter 213 of the Statutes of 1917, approved May 10, 1917, and amendments thereto.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Kallam:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out all that part of line 50 beginning with the word "is", and ending with "1917", and substitute in lieu thereof the following: "was actually operating as a highway common carrier on July 26, 1917, and in good faith continuously thereafter."

Amendment adopted.

Request for Unanimous Consent.

Mr. Kallam asked for, and was granted, unanimous consent to take up Assembly Bill No. 1570, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1570, as Amended.

Assembly Bill No. 1570, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1570, as amended, passed by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, DeLap, Donihue, Donnelly, Field, Fisher, Fulcher, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Minard, Morgan, Nielsen, Pelletier, Peterson, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Turner, Voigt, Wagner, Walker, Wallace, Weber, Wright, and Mr. Speaker—47.

NOES—Evans, Ralph W., Geyer, Gilbert, Heisinger, Lore, McCarthy, O'Donnell, Reaves, Richie, and Rosenthal—10.

Title read and approved.

Bill ordered transmitted to the Senate.

Motion to Strike Assembly Bill No. 1348 from File.

Mr. Fisher moved that Assembly Bill No. 1348 be stricken from the file.

Motion carried.

Assembly Bill No. 1348 ordered stricken from the file.

Assembly Bill No. 265—An act to add section 364k to the Political Code, relating to the Division of the Deaf in the Department of Industrial Relations, and making an appropriation therefor.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Heisinger:

Amendment No. 1.

On page 1, line 6, of the printed bill, after the word "be", add "a deaf person"

Amendment No. 2.

On page 1, line 16, of the printed bill, strike out the word "death", and insert in lieu thereof the word "deaf".

The question being on the amendments submitted by Mr. Heisinger to Assembly Bill No. 265.

Demand for Previous Question.

Messrs. Minard, Brennan, Heisinger, Morgan, and DeLap demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the amendments submitted by Mr. Heisinger to Assembly Bill No. 265.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Heisinger.

The roll was called, and the amendments were adopted by the following vote:

AYES—Andreas, Burns, Cassidy, Clark, Cronin, Crowley, DeLap, Donlhue, Donnelly, Evans, Ralph W., Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Johnson, Jones, Laughlin, Lore, Maloney, McBride, McCarthy, Meehan, Morgan, Patterson, Pelletier, Reaves, Richie, Riley, Robertson, Rosenthal, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—45.

NOES—Breed, Chatters, Corwin, Cottrell, Field, Hunt, Kallam, Martin, Minard, Redwine, Scudder, and Thorp—12

Request for Unanimous Consent.

Mr. Gilbert asked for, and was granted, unanimous consent to take up Assembly Bill No. 265, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 265, as Amended.

Assembly Bill No. 265, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 265, as amended, passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donlhue, Donnelly, Evans, Ralph, W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—69.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2208—An act requiring marine architects to be certified as such, specifying qualifications, rules and regulations therefor, creating a board, establishing a fund, and providing penalties.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Clark:

Amendment No. 1.

On page 3, line 6, of the printed bill, as amended, strike out "twenty-five", and insert in lieu thereof the following: "fifty".

Amendment No. 2.

On page 4, line 6, of the printed bill, as amended, strike out "twenty-five", and insert in lieu thereof the following: "fifty".

Amendment No. 3.

On page 4, line 14, of the printed bill, as amended, strike out "ten", and insert in lieu thereof the following: "fifty".

Amendment No. 4.

On page 1, line 18, of the printed bill, as amended, after the word "created", and before the period following said word, insert the following: ", which board shall be a division of the State Department of Professional and Vocational Standards as provided for in Chapter III of Title I of Part III of the Political Code".

Amendments adopted.

Request for Unanimous Consent.

Mr Clark asked for, and was granted, unanimous consent to take up Assembly Bill No. 2208, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2208, as Amended.

Assembly Bill No. 2208, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2208, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Ralph W., Flint, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Minard, O'Donnell, Patterson, Pelletier, Peterson, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1881—An act to add a new section, section 563d, to the Penal Code, prohibiting false rumors regarding corporations.

Bill read third time.

Point of Order.

Mr. Evans, Ralph W., arose to the following point of order: Stating that the bill offered was not germane to the title as originally introduced, and therefore, according to Rule No. 44, should be stricken from the file

The question being on the point of order raised by Mr. Evans, Ralph W.

Roll Call.

The Speaker ordered a roll call taken on the point of order raised by Mr. Evans, Ralph W.

The roll was called.

Motion for Call of the House.

Pending the announcement of the vote, Mr. Evans, Ralph W., moved a call of the House.

Roll Call.

The Speaker ordered a roll call taken on the motion for a call of the House.

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Brennan, Cassidy, Clark, Corwin, Geyer, Gilbert, Glover, Heisinger, Lore, Lyon, Maloney, Meehan, Morgan, Patterson, Reaves, Richie, Rosenthal, Turner, Voigt, and Waters—21.

NOES—Breed, Cottrell, DeLap, Desmond, Fisher, Garibaldi, Gilmore, Hornblower, Hunt, Johnson, Martin, Minard, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Utt, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—25.

The question being on the point of order raised by Mr. Evans, Ralph W.

The roll was called, and the point of order was not sustained by the following vote:

AYES—Andreas, Boyle, Breed, Cassidy, Corwin, Cottrell, Cronin, Cunningham, DeLap, Desmond, Fisher, Fulcher, Garibaldi, Gilmore, Johnson, Lyon, Maloney, Martin, McBride, McMurray, Minard, O'Donnell, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Utt, Walker, Wallace, Welsh, Williamson, and Mr. Speaker—34.

NOES—Anderson, Brennan, Chatters, Clark, Crowley, Donahue, Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Latham, Laughlin, Lore, McCarthy, Meehan, Morgan, Patterson, Pelletier, Peterson, Reaves, Richie, Rosenthal, Thorp, Turner, Voigt Wagner, Waters, Weber, and Wright—36.

Motion to Strike Assembly Bill No. 1881 from File.

Mr. Williamson moved that Assembly Bill No. 1881 be stricken from the file.

Motion carried.

Assembly Bill No 1881 ordered stricken from the file.

Assembly Bill No. 2146—An act to provide for the payment of rewards to persons who supply the State with information enabling it to recover lands or interests therein, owned by the State, or the issues and profits thereof, or the value of oil and gas or minerals reserved to the State, where such lands or interests therein, or oil and gas or minerals are illegally, fraudulently or adversely held or claimed by another; creating a land fraud recovery funds.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Rosenthal:

Amendment No. 1.

On page 1, line 8 of the title of the printed bill, as amended, strike out the word "funds", and insert in lieu thereof the word "fund."

Amendment No. 2.

On page 2 of the printed bill, as amended, between lines 7 and 8, insert the following:

"(d) A statement showing whether or not the land has been deeded to the State of California for the nonpayment of delinquent taxes."

Amendment No. 3.

On page 2, line 8, of the printed bill, as amended, strike out "(d)", and insert in lieu thereof the following: "(e)".

Amendment No. 4.

On page 2, line 14, of the printed bill, as amended, after the period, insert the following:

"If, however, such lands have been deeded to the State for the nonpayment of delinquent taxes, a copy of such receipt and affidavit shall be transmitted by the Attorney General to the State Controller."

Amendment No. 5.

On page 2, line 34, of the printed bill, as amended, after "Finance", insert the following: "or the State Controller, as the case may be".

Amendment No. 6.

On page 2, line 35, of the printed bill, as amended, strike out "its", and insert in lieu thereof the following: "a".

Amendment No. 7.

On page 2, line 40, of the printed bill, as amended, strike out "department", and insert in lieu thereof the following: "Department of Finance or the State Controller, as the case may be,".

Amendment No. 8.

On page 2, line 41, of the printed bill, as amended, strike out "its", and insert in lieu thereof the following: "a".

Amendment No. 9.

On page 2, line 49, of the printed bill, as amended, after "Finance", insert the following: "or the State Controller, in case such lands have been deeded to the State for nonpayment of delinquent taxes,".

Amendment No. 10.

On page 3, line 6, of the printed bill, as amended, strike out "department", and insert in lieu thereof the following: "Department of Finance or the State Controller, as the case may be,".

Amendment No. 11.

On page 3, line 7, of the printed bill, as amended, strike out "its", and insert in lieu thereof the following: "a".

Amendments adopted.

Request for Unanimous Consent.

Mr. Rosenthal asked for, and was granted, unanimous consent to take up Assembly Bill No. 2146, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2146, as Amended.

Assembly Bill No. 2146, as amended, read third time.

Demand for Previous Question.

Messrs. Brennan, DeLap, Garibaldi, Wallace and Morgan demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Rosenthal moved a call of the House.

Roll Call.

The Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the motion was carried by the following vote:

AYES—Boyle, Clark, Corwin, Cunningham, Geyer, Glover, Hawkins, Hornblower, Jones, Latham, Laughlin, Lore, Maloney, Mayo, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Rosenthal, Turner, Wagner, Walker, Waters, and Wright—27.

NOES—Breed, Brennan, Chatters, Cottrell, DeLap, Desmond, Fisher, Garibaldi, Hunt, Johnson, Martin, Minard, Riley, Robertson, Scudder, Stream, Utt, Wallace, and Mr. Speaker—19.

Time, two o'clock and fifty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Boyle, Breed, Brennan, Chatters, Clark, Corwin, Cottrell, Cunningham, DeLap, Desmond, Fisher, Garibaldi, Geyer, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Wagner, Walker, Wallace, Waters, Wright, and Mr. Speaker—46.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1117—An act to add section 5.64 to the School Code, relating to State teachers colleges.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

Motion to Expunge Record.

Mr. Johnson moved that the vote taken on Assembly Bill No. 1117 be expunged from the record, and the action rescinded.

Roll Call.

The Speaker ordered a roll call taken on the motion to expunge the record.

The roll was called, and the motion was carried by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Desmond, Donihue, Fisher, Fulcher, Geyer, Gilbert, Glover, Hawkins, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Richie, Riley, Robertson, Rosenthal, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Wright, and Mr Speaker—51.

NOES—Donnelly, Garibaldi, Heisinger, McCarthy, Minard, Scudder, and Thorp—7.

Assembly Bill No. 1117 ordered on file for third reading.

Assembly Bill No. 617—An act making an appropriation to pay the claim of the disbursing officer of the Department of Industrial Relations against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 617 passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, DeLap, Desmond, Donihue, Donnelly, Fisher, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Scudder, Stream, Turner, Voigt, Wagner, Walker, Wallace, Waters, Williamson, Wright, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Motion to Strike Assembly Bill No. 122 from File.

Mr. Hunt moved that Assembly Bill No. 122 be stricken from the file.

Motion carried.

Assembly Bill No. 122 ordered stricken from the file.

Further Proceedings Under Call of the House Dispensed With.

At three o'clock and ten minutes p m., further proceedings under the call of the House were dispensed with, on motion of Mr. Rosenthal.

The roll of absentees was called, and Assembly Bill No. 2146 was refused passage by the following vote:

AYES—Anderson, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Donnelly, Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Jones, Latham, Laughlin, Lore, Mayo, McMurray, Meehan, Morgan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Utt, Voigt, and Wagner—33.

NOES—Andreas, Boyle, Breed, Brennan, Colwin, DeLap, Desmond, Domhue, Evans, Ralph W, Fisher, Fulcher, Garibaldi, Hornblower, Hunt, Johnson, Lyon, Maloney, Martin, McBride, McCarthy, Minard, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—37

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1493—An act providing for the calling of a Constitutional Convention in the State of California.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Evans, Ralph W.:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 11 to 20, inclusive, and insert in lieu thereof the following:

"(a) The only candidates at such election should be candidates for the office of delegate to such convention The four persons receiving the highest number of votes at such primary election as candidates for the nomination of a political party for the office shall be the candidates of that party for such office and the names of such candidates shall be placed on the official ballot voted at the election specified in section 3 of this act.

(b) On the ballot at such election the only designation of the office to be the subject of nomination shall be the following: "Delegate to the Constitutional Convention," followed by a designation of the congressional district. There shall be placed on such ballot an instruction, in the form prescribed by the Secretary of State, to the voter to vote for four candidates; but no ballot shall be affected nor shall the effect of any vote in any such ballot be changed by reason of the elector voting for less than four candidates".

Amendment No. 2.

On page 2, line 2, of the printed bill, as amended, strike out "one"; also strike out lines 3 and 4, and insert in lieu thereof the following: "four delegates shall be elected from each district of this State from which a member of the House of Representatives of the Congress of the United States is elected. Such special".

Amendment No. 3.

On page 2 of the printed bill, strike out lines 8 to 10, inclusive, and insert in lieu thereof the following:

"(a) The officers to be elected shall be four delegates to the convention from each district of the State from which a member of the House of Representatives of the Congress of the United States is elected".

Amendment No. 4.

On page 2 of the printed bill, as amended, strike out line 14, and insert in lieu thereof the following. "Congressional District. The ballot shall contain an instruction to the voter to vote for four delegates. Such instruction shall be in such form as the Secretary of State prescribes, but no ballot shall be affected nor shall the effect of any vote be changed if the voter votes for less than four."

Amendment No. 5.

On page 2 of the printed bill, as amended, strike out lines 15 to 19, inclusive.

Amendment No. 6.

On page 1, line 22, of the printed bill, strike out the words "as members of", and insert in lieu thereof the following: "as are required of candidates for membership in".

Amendment No. 7.

On page 2, line 39, of the printed bill, strike out the words "twenty-five", and insert in lieu thereof "twenty".

Amendment No. 8.

On page 3, lines 21 and 22, of the printed bill, strike out "Not less than_____ copies", and insert in lieu thereof "Copies".

Amendment No. 9.

On page 3, lines 23 and 24, of the printed bill, strike out the following: "prescribed", and insert in lieu thereof the following: "equal to the cost thereof as determined".

Amendment No. 10.

On page 3, line 31, of the printed bill, strike out the words "a majority", and insert in lieu thereof the word "two-thirds".

Amendment No. 11.

On page 3, line 32, of the printed bill, strike out the words "the public welfare requires secrecy.", and insert in lieu thereof the following: "a different rule should be enforced."

Amendment No. 12.

On page 3, lines 39, 40 and 41, inclusive, of the printed bill, strike out the following "and to punish its members, officers and employees for disorderly behavior, by imprisonment or otherwise;".

Amendment No. 13.

On page 4 of the printed bill, strike out all of lines 6 and 7, inclusive.

Amendment No. 14.

On page 4 of the printed bill, strike out all of lines 20, 21 and 22, inclusive.

Amendment No. 15.

On page 4, line 23, of the printed bill, strike out the letter "(d)", and insert in lieu thereof the letter "(c)".

The question being on the amendments submitted by Mr. Evans, Ralph W., to Assembly Bill No. 1493.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Evans, Ralph W.

The roll was called, and the amendments were adopted by the following vote:

AYES—Breed, Cassidy, Clark, Cronin, Crowley, Cunningham, Donihue, Evans, Ralph W., Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Latham, Laughlin, Lore, Martin, McBride, McCarthy, Morgan, O'Donnell, Patterson, Pelletier, Reaves, Richie, Riley, Rosenthal, Utt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—41

NOES—Burns, Colwin, DeLap, Desmond, Donnelly, Fisher, Frazier, Johnson, Lyon, Maloney, Mayo, McMurray, Minard, Nielsen, Peterson, Peyser, Robertson, Scudder, Stream, and Turner—20.

Request for Unanimous Consent.

Mr. Evans, Ralph W., asked for unanimous consent to take up Assembly Bill No. 1493, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Objection to Unanimous Consent.

Mr. Garibaldi objected to unanimous consent to the consideration of Assembly Bill No. 1493.

Motion to Suspend Rules.

Mr. Evans, Ralph W., moved that the Rules be suspended for purpose of considering Assembly Bill No. 1493 at this time.

Roll Call.

The Speaker ordered a roll call taken on the motion to suspend the Rules

The roll was called, and the motion was lost by the following vote:

AYES—Andreas, Burns, Cassidy, Clark, Cronin, Cunningham, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Hawkins, Hunt, Jones, Latham, Laughlin,

Lore, Martin, McBride, McCarthy, McMurray, Morgan, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Richie, Rosenthal, Wagner, Walker, Wallace, Waters, Welsh, and Mr. Speaker—36.

NOES—Breed, Chatters, Corwin, Crowley, Dawson, DeLap, Fisher, Garibaldi, Heisinger, Johnson, Lyon, Maloney, Mayo, Minard, Nielsen, Peterson, Peyser, Riley, Robertson, Scudder, Stream, Thorp, Turner, Weber, and Williamson—25.

Assembly Bill No. 1493 ordered to reprint, re-engrossment, and on file for third reading.

Motion to Rush Printing of Assembly Bill No. 1493.

Mr. Kallam moved that the Chief Clerk be instructed to place a rush order on the printing of Assembly Bill No. 1493.

Motion carried.

Further Consideration of Assembly Bill No. 1117.

Assembly Bill No. 1117—An act to add section 5.64 to the School Code, relating to State teachers colleges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1117 passed by the following vote:

AYES—Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Ralph W., Fisher, Frazier, Fulcher, Garibaldi, Heisinger, Hunt, Jones, Latham, Lyon, Maloney, Martin, Mayo, McBride, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—50.

NOES—Donihue, Geyer, Glover, Hawkins, Johnson, Lore, McMurray, Patterson, Reaves, Richie, Rosenthal, and Wallace—12.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Motion to Re-refer Assembly Bill No. 1278.

Mr. Frazier moved that Assembly Bill No. 1278 be withdrawn from file, and ordered re-referred to Committee on Judiciary.

The question being on re-referring Assembly Bill No. 1278 to Committee on Judiciary.

Motion carried.

Assembly Bill No. 1278 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 1041—An act providing employment for inmates of State prisons and reformatories and to establish a prison farm under the management and control of the State Board of Prison Directors; to provide for the purchase of land therefor, and the construction of buildings and other improvements in connection therewith; for the transfer of prisoners thereto and therefrom; and for the employment of prisoners therein: and to make an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1041 passed by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donihue, Donnelly, Fisher, Frazier, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves,

Redwine, Richie, Riley, Robertson, Rosenthal, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—61.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 100—An act making an appropriation for the support of Napa State Farm, to take effect immediately.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 100 passed by the following vote:

AYES—Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Fisher, Garibaldi, Glover, Hawkins, Hunt, Johnson, Jones, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, and Mr. Speaker—57.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1835—An act to amend an act entitled "An act relating to the safety of design and construction of public school buildings, providing for regulation, inspection and supervision of the construction, reconstruction or alteration of or addition to public school buildings, and for the inspection of existing school buildings, defining the powers and duties of the State Division of Agriculture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act, to take effect immediately," approved April 10, 1933, relating to the regulation and inspection of the construction of public school buildings.
Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Phillips:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out lines 4, 5, 6, 7 and the suffix "ing", at the beginning of line 8, and insert in lieu thereof the following: "that the Division of Architecture shall base its approval or disapproval of such plans upon the structural features only of such work, and that nothing in this act applies to repairs nor nonstructural alterations not altering, affecting, nor replacing the structural elements of the building, when done independently and not in connection with work affecting the structural condition of the building."

Amendment No. 2.

On page 2, line 17, of the printed bill, as amended, strike out "submitted to", and insert in lieu thereof the following: "required by".

Amendment No. 3.

On page 2, line 21, of the printed bill, as amended, strike out the word "plans,", and insert in lieu thereof the following: "complete plans for the building or portion thereof, including all permanent service installations therein,".

Amendment No. 4.

On page 2, line 26, of the printed bill, as amended, after the word "cost,", insert the following: "of the entire work covered by the said complete plans and specifications,".

Amendments adopted.

Request for Unanimous Consent.

Mr. O'Donnell asked for, and was granted, unanimous consent to take up Assembly Bill No. 1835, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1835, as Amended.

Assembly Bill No. 1835, as amended, read third time..

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1835, as amended, passed by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Fisher, Frazier, Fulcher, Garibaldi, Glover, Hawkins, Hunt, Johnson, Jones, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Turner, Utt, Voigt, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—57.

NOES—Donahue—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1314—An act to amend sections 1a, 3, 4, 9b, 10a, 10b, 11a, 11b, c, d, e, and 12 of, and to add new sections 11f and g to an act entitled "An act to regulate land surveying and to define the duties of and to license land surveyors, to provide for the revocation of such licenses and the restoration thereof, to make certain acts misdemeanors and to provide penalties therefor, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 16, 1907," approved May 24, 1933.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1314 passed by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donnelly, Evans, Ralph W., Fisher, Garibaldi, Glover, Hawkins, Heisinger, Hunt, Johnson, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—58.

NOES—Desmond, Donahue, and Geyer—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Motion to Strike Assembly Bill No. 1922 from File.

Mr. Walker moved that Assembly Bill No. 1922 be stricken from the file.

Motion carried.

Assembly Bill No. 1922 ordered stricken from the file.

Assembly Bill No. 2351—An act authorizing the use of convict labor in the State parks, forests, game preserves, and National forests or parks in the State of California; providing for the compensation of such convict labor and for the payment thereof to their dependents; providing for forfeiture of such compensation; providing the manner of payment of such compensation to paroled, released or discharged convicts; authorizing the allowance of extra good time credits to such

convicts; and providing penalties for interference with such convict labor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2351 passed by the following vote:

AYES—Andreas, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Frazier, Fulcher, Garibaldi, Geyer, Glover, Heisinger, Hunt, Johnson, Jones, Lore, Lyon, Maloney, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Turner, Utt, Wagner, Walker, Wallace, Weber, Williamson, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1735—An act to add a new section to the Political Code, to be numbered 689a, relating to use of the State's teletype system.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1735 passed by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Frazier, Fulcher, Garibaldi, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Minard, Morgan, Patterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—56.

NOES—Geyer, and Pelletier—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1091—An act making an appropriation for the enforcement of standards, quality and identity, covering the manufacture and sale of California wines and brandy.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Garibaldi:

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, strike out "covering", and insert in lieu thereof the following: "in".

Amendment No. 2.

On page 1, line 4, of the printed bill, strike out "the enforcement bureau of".

Amendment No. 3.

On page 1, line 6, of the printed bill, strike out "covering", and insert in lieu thereof the following: "in".

Amendments adopted.

Request for Unanimous Consent.

Mr. Garibaldi asked for, and was granted, unanimous consent to take up Assembly Bill No. 1091, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1091, as Amended.

Assembly Bill No. 1091, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1091, as amended, passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Fisher, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1901—An act relating to real estate transactions and imposing a tax thereon and providing for the enforcement and collection of the tax, this act to take effect immediately.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Waters:

Amendment No. 1.

On page 2, line 5, of the printed bill, as amended June 12, 1935, immediately following the words "State of California", insert the following: "or to any political subdivision or municipal or public corporation thereof,".

Amendment No. 2.

On page 2, line 6, of the printed bill, as amended June 12, 1935, strike out the following: "as a right of way".

Amendment No. 3.

On page 2, line 6, of the printed bill, as amended June 12, 1935, immediately following the word "highway", insert the following: "or other public".

The question being on the amendments submitted by Mr. Waters to Assembly Bill No. 1901.

Motion to Defer Further Consideration.

Mr. Jones moved that further consideration of Assembly Bill No. 1901 be deferred.

Substitute Motion to Lay Amendments on the Table.

Mr. Scudder moved, as a substitute motion, that the amendments submitted by Mr. Waters be laid on the table.

The question being on the motion by Mr. Scudder to lay the amendments submitted by Mr. Waters on the table.

Roll Call.

The Speaker ordered a roll call taken on the motion to table the amendments.

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Clark, Corwin, Crowley, Donihue, Donnelly, Evans, Ralph W., Flint, Geyer, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, Martin, McCarthy, Meehan, Minard, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wallace, and Wright—38.

NOES—Breed, Brennan, Cassidy, Chatters, Cottrell, Cronin, Cunningham, Dawson, DeLap, Fisher, Fulcher, Hornblower, Johnson, Lyon, Maloney, Mayo, McMurray, Morgan, Nielsen, Peyser, Redwine, Robertson, Utt, Wagner, Walker, Waters, Weber, Williamson, and Mr. Speaker—29.

The question being on the amendments submitted by Mr. Waters to Assembly Bill No. 1901.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Waters.

The roll was called, and the amendments were adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Clark, Cunningham, Donnelly, Evans, Ralph W., Flint, Geyer, Glover, Hawkins, Hunt, Laughlin, Lore, Martin, Mayo, McCarthy, Meehan, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Voigt, Walker, Waters, and Mr. Speaker—35.

NOES—Breed, Cottrell, Crowley, Dawson, DeLap, Donihue, Fulcher, Heisinger, Hornblower, Johnson, Jones, Lyon, Maloney, Minard, Robertson, Utt, Wagner, Wallace, Williamson, and Wright—20.

Request for Unanimous Consent.

Mr. Lyon asked for unanimous consent to take up Assembly Bill No. 1901, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Objection to Unanimous Consent.

Mr. Hornblower objected to unanimous consent to the consideration of Assembly Bill No. 1901.

Motion to Suspend Rules.

Mr. Lyon moved that the rules be suspended for purpose of consideration of Assembly Bill No. 1901, at this time.

The question being on the motion by Mr. Lyon to suspend the rules.

The Speaker ordered a roll call taken on the motion to suspend the rules.

The roll was called, and the motion was lost by the following vote:

AYES—Boyle, Chatters, Cottrell, DeLap, Donnelly, Johnson, Lyon, Maloney, Mayo, Nielsen, Redwine, Riley, Robertson, Stream, Thorp, Utt, Wallace, Williamson and Mr. Speaker—19

NOES—Anderson, Burns, Cassidy, Clark, Corwin, Crowley, Dawson, Desmond, Donihue, Fulcher, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, Martin, McCarthy, McMurray, Meehan, Minard, Patterson, Pelletier, Peterson, Reaves, Richie, Rosenthal, Scudder, Turner, Voigt, Wagner, Walker, and Wright—36.

Assembly Bill No. 1901 ordered to reprint, re-engrossment, and on file for third reading.

Motion to Rush Printing of Assembly Bill No. 1901.

Mr. Lyon moved that the Chief Clerk be instructed to place a rush order on the printing of Assembly Bill No. 1901.

Motion carried.

Assembly Bill No. 1884—An act to amend section 13 and to add a new section to be numbered 13a to "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle, and providing that this act shall take effect immediately," approved May 15, 1933, relating to the disposition and control of moneys received under said act.

Bill read third time

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Cottrell:

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, strike out "and to add a new section to be numbered 13a to", and insert in lieu thereof the following: 'of".

Amendment No. 2.

On page 1, the last line of the title of the printed bill, after "act", insert the following: 'and to provide for certain appropriations in connection therewith".

Amendment No. 3.

On page 1 of the printed bill, strike out lines 7 to 11, inclusive, and insert in lieu thereof the following:

'SEC. 2 Any moneys in the "Motor transportation license fund" when this act goes into effect are hereby transferred to the general fund, and the unexpended balances of any specific appropriations made from said fund are hereby appropriated from the general fund for the same purposes."

Amendments adopted.

Request for Unanimous Consent.

Mr. Cottrell asked for, and was granted, unanimous consent to take up Assembly Bill No. 1884, as amended, at this time, without reference to reprint or file.

Third Reading of Assembly Bill No. 1884, as Amended.

Assembly Bill No. 1884, as amended, read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1884, as amended, passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Evans, Ralph W., Frazier, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, and Mr. Speaker—65.

NOES—None.

Title read and approved

Bill ordered transmitted to the Senate.

Assembly Bill No 1747—An act to add section 3a to "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 26, 1913, relating to codification and compilation of county and city ordinances and resolutions.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1747 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Domhue, Donnelly, Frazier, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—61

NOES—Richie and Wallace—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Motion to Strike Assembly Bill No. 17 from File.

Mr. Scudder moved that Assembly Bill No. 17 be stricken from the file

Motion carried

Assembly Bill No. 17 ordered stricken from the file.

Assembly Bill No 327—An act making an appropriation for the control of Bang's disease in cattle under the provisions of Article 2, Chapter 3, Division II of the Agricultural Code, and declaring the urgency hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 327 passed by the following vote:

AYES—Anderson, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—62

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 9—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State by adding to Article XIII thereof, a new section to be numbered 5, relating to taxation.

Assembly Constitutional Amendment No. 9 read.

Floor Amendment.

During reading of Assembly Constitutional Amendment No. 9, the following amendment was submitted by Mr. Cronin:

Amendment No. 1.

On page 1, line 11, of the printed bill, strike out the words "one thousand dollars", and insert in lieu thereof "five hundred dollars."

The question being on the amendment submitted by Mr. Cronin to Assembly Constitutional Amendment No. 9.

Roll Call.

The Speaker ordered a roll call taken on the amendment by Mr. Cronin.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Andreas, Breed, Burns, Cronin, DeLap, Garibaldi, Johnson, McMurray, Minard, Nielsen, Peterson, Peyser, Robertson, Stream, Williamson, and Mr. Speaker—16.

NOES—Anderson, Boyle, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Geyer, Glover, Hawkins, Heisinger, Hunt, Jones, Lore, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Morgan, Patterson, Pelletier, Reaves, Richie, Riley, Rosenthal, Thorp, Turner, Utt, Wagner, Walker, Wallace, and Waters—42.

Assembly Constitutional Amendment No. 9 read.

Mr. Heisinger moved the adoption of Assembly Constitutional Amendment No. 9.

Demand for Previous Question.

Messrs. Peyser, Brennan, Dawson, Cronin and DeLap demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of Assembly Constitutional Amendment No. 9.

Assembly Constitutional Amendment No. 9 read.

Floor Amendment.

During reading of Assembly Constitutional Amendment No. 9, the following amendment was submitted by Mr. Geyer:

Amendment No. 1.

On page 1, line 11, of the printed bill, strike out the word "one", and insert in lieu thereof "two".

The question being on the amendment submitted by Mr. Geyer to Assembly Constitutional Amendment No. 9.

Roll Call.

The Speaker ordered a roll call taken on the amendment submitted by Mr. Geyer.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Burns, Cassidy, Clark, Donihue, Evans, Ralph W., Flint, Geyer, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, Meehan, Nielsen, Patterson, Pelletier, Reaves, Richie, Riley, Rosenthal, Turner, Utt, and Wagner—25.

NOES—Andreas, Boyle, Breed, Brennan, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Fisher, Frazier, Fulcher, Garibaldi, Hornblower, Johnson, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Minard, Morgan, Peterson, Peyser, Redwine, Robertson, Scudder, Stream, Thorp, Walker, Wallace, Weber, Williamson, Wright, and Mr Speaker—39.

Assembly Constitutional Amendment No 9 read.

The question being on the adoption of Assembly Constitutional Amendment No. 9.

The roll was called, and Assembly Constitutional Amendment No. 9 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Morgan, Nielsen, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr Speaker—58.

NOES—Breed, DeLap, Johnson, Lyon, Minard, Robertson, Scudder, Thorp, and Utt—9.

Title read and approved.

Assembly Constitutional Amendment No. 9 ordered transmitted to the Senate.

Assembly Bill No. 95—An act making an appropriation for the control and conservation of flood waters in San Diego County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 95 passed by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Cunningham, Dawson, DeLap, Desmond, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones,

Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Redwine, Richie, Riley, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—60.

NOES—Boyle, Breed, Cottrell, Crowley, Donihue, Donnelly, Evans, Ralph W., Flint, Johnson, McCarthy, Reaves, Robertson, and Rosenthal—13.

Title read and approved.

Bill ordered transmitted to the Senate.

Motion to Strike Assembly Bill No. 548 from File.

Mr. Andreas moved that Assembly Bill No 548 be stricken from the file.

Motion carried.

Assembly Bill No. 548 ordered stricken from the file.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 856—An act to appropriate money for flood control, including conservation and the relief of unemployment, in San Bernardino County and the Santa Ana River Basin

In my opinion said Assembly Bill No. 856 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Assembly Bill No. 856—An act to appropriate money for flood control, including conservation and the relief of unemployment, in San Bernardino County and the Santa Ana River Basin.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 856 passed by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Hawkins, Hornblower, Hunt, Jones, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—59.

NOES—Anderson, Cottrell, Donihue, Evans, Ralph W., Glover, Johnson, Lore, McCarthy, Robertson, Rosenthal, and Wallace—11.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1084—An act providing for completion of investigation and report by Division of Water Resources, Department of Public Works on flood control, hydroelectric development and conservation and utilization of water supply of Salinas River Basin.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1084 passed by the following vote:

AYES—Anderson, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Ralph W,

Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Hornblower, Hunt, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Rosenthal, Stream, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Williamson, and Mr. Speaker—59.

NOES—Breed, Cottrell, Donihue, Johnson, Robertson, and Wallace—6.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1915—An act making an appropriation to dredge Alamitos Bay.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1915 passed by the following vote:

AYES—Anderson, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Geyer, Glover, Hornblower, Hunt, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Riley, Rosenthal, Scudder, Stream, Turner, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—55.

NOES—Breed, Cottrell, Donihue, Johnson, Redwine, Richie, Robertson, and Wallace—8.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2487—An act to appropriate the sum of one million dollars for flood control work by the Los Angeles County Flood Control District, and to provide for the manner of expending such appropriation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2487 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Cunningham, Dawson, DeLap, Donnelly, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—61.

NOES—Breed, Cottrell, Donihue, Johnson, O'Donnell, Robertson, and Wallace—7.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2475—An act making an appropriation to pay the claim of Fred Froehlinger against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2475 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pel-

letier, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, and Mr. Speaker—61.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2131—An act making an appropriation for the improvement of flood conditions at the mouth of the Klamath River.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 2131 passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Donahue, Donnelly, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Redwine, Richie, Riley, Scudder, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—59.
NOES—Robertson, and Wallace—2

Title read and approved.
Bill ordered transmitted to the Senate.

Assembly Bill No. 2111—An act making an appropriation to be expended by and under the direction of the Department of Public Works for the purpose of rectifying, improving and protecting the channel of the Pajaro River, and providing flood protection for adjacent lands, in Santa Cruz and Monterey counties.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 2111 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Chatters, Clark, Corwin, Cronin, Cunningham, Dawson, DeLap, Desmond, Donnelly, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Rosenthal, Scudder, Turner, Voigt, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—58.
NOES—Breed, Cottrell, Crowley, Donahue, Fisher, Johnson, O'Donnell, Redwine, Robertson, Thorp, and Wallace—11.

Title read and approved.
Bill ordered transmitted to the Senate.

Motion to Strike Assembly Bill No. 2103 from File.

Mr. Phillips moved that Assembly Bill No. 2103 be stricken from the file.
Motion carried.
Assembly Bill No. 2103 ordered stricken from the file.

Assembly Bill No 1276—An act to provide for the investigation and study of the control and suppression of blackbirds, coots, linnets, horned larks and other birds or animals in relation to damage to agricultural crops and making an appropriation therefor.
Bill read third time.
The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1276 passed by the following vote:

AYES—Anderson, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Thorp, Turner, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2496—An act to amend section 10 of the Political Code, relating to holidays.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2496 passed by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Redwine, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—60.

NOES—Flint, Geyer, Morgan, Reaves, and Wallace—5.

Title read and approved.

Bill ordered transmitted to the Senate.

Motion to Strike Assembly Bill No. 1618 from File.

Mr. Cronin moved that Assembly Bill No. 1618 be stricken from the file.

Motion carried.

Assembly Bill No. 1618 ordered stricken from the file.

Assembly Bill No. 2464—An act to provide for the payment of delinquent taxes with farm products, creating the California Farm Delinquent Tax Adjustment Commission, defining its powers and duties and declaring the urgency thereof to take effect immediately.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Rosenthal:

Amendment No. 1.

On page 1, line 4 of the title of the printed bill, as amended, after "duties", insert a comma and the following: "making an appropriation therefor.".

Amendment No. 2.

On page 2 of the printed bill, as amended, between lines 11 and 12, insert the following:

"SEC. 6. Out of any moneys in the State treasury not otherwise appropriated, the sum of ten thousand dollars or so much thereof as may be necessary is hereby appropriated to be expended in accordance with law to pay the expenses of the commission and of the members thereof in carrying out the provisions of this act."

Amendment No. 3.

On page 2, line 12, of the printed bill, as amended, strike out "6", and insert in lieu thereof the following: "7".

Amendment No. 4.

On page 2, line 14, of the printed bill, as amended, strike out "7", and insert in lieu thereof the following: "8".

Amendment No. 5.

On page 2, line 20, of the printed bill, as amended, strike out "8", and insert in lieu thereof the following: "9".

Amendments adopted.

Request for Unanimous Consent.

Mr. Rosenthal asked for, and was granted, unanimous consent to take up Assembly Bill No. 2464, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2464, as Amended.

Assembly Bill No. 2464, as amended, read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, Desmond, Donihue, Donnelly, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Morgan, Nielsen, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Wallace, Waters, Weber, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 2464, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2464, as amended, passed by the following vote:

AYES—Anderson, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W, Fisher, Flint, Frazier, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Richie, Riley, Rosenthal, Thorp, Turner, Voigt, Wagner, Waters, Weber, and Williamson—56.

NOES—Breed, Fulcher, Johnson, Minard, Robertson, Stream, Utt, Wallace, Wright, and Mr. Speaker—10.

Title read and approved.

Bill ordered transmitted to the Senate.

Second Reading of Senate Bills.

Senate Bill No. 1085—An act to amend sections 25 and 32 of the "Water Commission Act," approved June 16, 1913, relating to the adjudication of water rights.

Committee Amendment.

During second reading of the bill, the following amendment was submitted by the committee:

Amendment No. 1.

On page 1, line 3, of the printed bill, as amended, strike out "its own initiative or upon".

Amendment adopted.

Bill read second time, ordered to reprint, and on file for third reading.

Second Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2500—An act to amend section 4322 of the Political Code, relating to county officers and employees.

Bill read second time, ordered to engrossment, and third reading.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Engrossment and Enrollment.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2500—An act to amend section 4322 of the Political Code, relating to county officers and employees—and reports that the same has been correctly engrossed.

WATERS, Chairman.

Request for Unanimous Consent.

Mr. Waters asked for, and was granted, unanimous consent for the consideration of Assembly Bill No. 2500, at this time, without reference to file.

Consideration of Assembly Bill No. 2500.

Assembly Bill No. 2500—An act to amend section 4322 of the Political Code, relating to county officers and employees.

Case of Urgency.

The following resolution was offered:

By Mr. Waters:

Resolved, That Assembly Bill No. 2500 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Mr. Waters moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Weber, Wright, and Mr. Speaker—66.

NOES—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 2500.

Third Reading of Assembly Bill No. 2500.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

Motion to Expunge Record on Assembly Bill No. 2500.

Mr. Waters moved that the vote whereby Assembly Bill No. 2500 was refused passage be expunged from the record, and the action rescinded.

The question being on the motion to expunge record.

Roll Call.

The Speaker ordered a roll call taken on the motion to expunge record on Assembly Bill No. 2500

The roll was called, and the motion to expunge was carried by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Weber, Wright, and Mr. Speaker—66.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2500 passed by the following vote:

AYES—Anderson, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donihue, Donnelly, Fisher, Flint, Fulcher, Garibaldi, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Redwine, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—60.

NOES—Breed, Crowley, McBride, Peterson, and Richie—5.

Title read and approved.

Bill ordered transmitted to the Senate

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1329—An act authorizing and empowering irrigation districts, reclamation districts, municipal utility districts, public utility districts, municipalities, and any and all public and municipal corporations, districts and State agencies of whatsoever kind and character, organized and existing, or which may be hereafter organized under and by virtue of the laws of the State of California, or which may hereafter be formed under similar acts which may be enacted in the future, to enter into contract with the Water Project Authority of the State of California for any and all purposes and objects of the Central Valley Project Act of 1933, and enabling and empowering any and all such organizations to execute any contract for the purchase or use of water, electric energy or any other facilities to be made available by the Central Valley Project and to comply with any and all terms and conditions of any such contract and particularly to enable and empower such organizations to segregate and allocate revenues derived from the use, distribution or sale of any such facilities and to deposit any such revenues, or any taxes or assessments levied upon the lands or property within such organization for the purpose of raising funds to meet any and all payments under any such contract, into a special account; and enabling and empowering any and all such organizations to constitute any and all moneys and funds so deposited in such special account a trust fund to be used solely for the purpose of making payments to said Water Project Authority under any such contract; and authorizing and empowering any such organization to grant to said Water Project Authority, in any such contract, a special lien upon any and all funds of any such organization available for the payment of operation and maintenance of such organization, to said

Water Project Authority as security for the payment of any amounts due under any such contract.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1329 passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Garibaldi, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Voigt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—68.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1871—An act to amend the title of the Retail Sales Tax Act of 1933, approved July 31, 1933, and to amend section 8½ of said act, relating to the collection of the tax.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Heisinger:

Amendment No. 1.

On page 2, line 8, of the printed bill, strike out the words "no matter what the amount", and insert in lieu thereof "of ten cents or more".

The question being on the amendment submitted by Mr. Heisinger to Assembly Bill No. 1871.

Roll Call.

The Speaker ordered a roll call taken on the amendment by Mr. Heisinger.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Cassidy, Crowley, Dawson, Desmond, Donihue, Donnelly, Gilbert, Glover, Heisinger, Lyon, McBride, Meehan, Miller, Morgan, O'Donnell, Pelletier, Rosenthal, Thorp, Turner, Voigt, and Wagner—21.

NOES—Anderson, Boyle, Breed, Brennan, Chatters, Clark, Corwin, Cottrell, Cronin, DeLap, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Gilmore, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Minard, Nielsen, Patterson, Reaves, Redwine, Richie, Robertson, Stream, Utt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—47

Third Reading of Assembly Bill No. 1871.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1871 passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Donihue, Donnelly, Field, Fisher, Frazier, Fulcher, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Richie, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—58.

NOES—Desmond, Evans, Ralph W., Geyer, and McCarthy—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Explanation of Vote.

Through an error in the voting machine I am registered as voting "No" on Assembly Bill No 1871. It was my intention to vote "Aye" on this bill, and I did not know that I had voted "No" until after the vote had been announced, and it was too late to change. I intended to vote "Aye" on this bill, and would have been recorded "Aye" had it not been for the error.

EARL D. DESMOND.

Further Consideration of Assembly Bill No. 1899.

Assembly Bill No. 1899—An act to add section 1314a to the Penal Code, relating to undertaking on bail and cash bail same amount.

Case of Urgency.

The following resolution was offered:

By Mr. Lyon:

Resolved, That Assembly Bill No. 1899 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Mr. Lyon moved the adoption of the resolution.

The question being on the adoption of the resolution

The roll was called, and the resolution adopted by the following vote:

AYES—Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donahue, Evans, Ralph W., Fisher, Frazier, Fulcher, Garibaldi, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Voigt, Walker, Waters, Weber, Williamson, Wright, and Mr Speaker—58.

NOES—McCarthy, Rosenthal, and Wagner—3.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 1899.

Second Reading of Assembly Bill No. 1899.

Assembly Bill No. 1899 read second time.

Third Reading of Assembly Bill No. 1899.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1899 refused passage by the following vote:

AYES—Corwin, DeLap, Garibaldi, Hornblower, Lyon, Maloney, Martin, Minard, Thorp, Voigt, and Walker—11.

NOES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Dawson, Donahue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, McCarthy, Meehan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Richie, Riley, Rosenthal, Scudder, Stream, Utt, Wagner, Wallace, Weber, Wright, and Mr. Speaker—46

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 15, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 162—An act to limit the jurisdiction of courts over matters arising out of or involving labor disputes.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1935.

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1329—An act authorizing any irrigation district, reclamation district, municipal utility district, public utility district, municipality, water district, water storage district, and any public or municipal corporation, political subdivision, district, State agency or authority, to enter into and execute appropriate contracts with the Water Project Authority of the State of California, created in and by the Central Valley Project Act of 1933, under the provisions of Chapter 1042 of the Statutes of 1933, and authorizing any such agency or entity to comply with the provisions of any such contract; and authorizing any such agency or entity to segregate, allocate, devote and pledge revenues derived from the sale, use or distribution of facilities received from said Water Project Authority under any such contract, for the purpose of securing payments under such contract; and authorizing any such agency or entity to establish a special account for the purposes of such contract, funds accruing to which shall be and constitute a trust fund for the purpose of making payments under such contract to said Water Project Authority—and reports that the same has been correctly engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2501—An act to amend section 3 of an act entitled "An act to repeal sections 1120 to 1140, inclusive, of the Fish and Game Code, relating to the State Fish Exchange, and disposing of the property and funds thereof," approved June 10, 1933, and defining the powers and duties of the Department of Natural Resources and the Division of Fish and Game thereof in relation thereto—and reports that the same has been correctly engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 488—An act to add a new section to the Insurance Code of the State of California to be numbered 12629, relating to mortgage insurers, including but not being limited to the rehabilitation, readjustment or reorganization of mortgage insurers or of all or of any part of the business, properties and assets of such insurers, and to the revision, modification or termination of mortgage participation trusts, mortgage participation certificates and policies of mortgage insurance and to the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of, and persons interested in, such insurers or trusts; to provision for the kinds of securities issuable in connection therewith and exempting such securities from the provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurers, banks, banking institutions and trust companies and officers of the State of California to consent to a plan, as defined in said section, to exchange mortgage participation certificates, shares of stock, bonds, notes, debentures or other rights or claims for securities issued pursuant to such plan and to continue to hold as legal investment any securities so received;

Also: Assembly Bill No. 489—An act to add a new section to the Civil Code of the State of California, to be numbered section 453.15, relating to the rehabilitation, readjustment or reorganization of mortgage insurance companies or of all or of any part of the business, properties and assets of such companies, and to the revision, modification or termination of mortgage participation trusts, mortgage participation certificates and policies of mortgage insurance and to the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of, and persons interested in, such companies or trusts; providing for the kinds of securities issuable in connection therewith and exempting such securities from the provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies, banks, banking institutions and trust companies and officers of the State of California to consent to a plan, as defined in said section, to exchange mortgage participation certificates, shares of stock, bonds, notes, debentures or other rights or claims for securities issued pursuant to such plan and to continue to hold as legal investment any securities so received;

Also: Assembly Bill No. 512—An act to amend section 274 of the Agricultural Code, relating to bee diseases;
And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eleven o'clock a.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 532—An act to amend sections 578, 587, 860, 1201, 1240, 1501, 1515, 1540 and 1630 of the Probate Code and to add new sections thereto to be numbered 588, and 1516, relating to estates of decedents and estates of persons under guardianship;

Also: Assembly Bill No. 621—An act to amend sections 2240 and 2255 of the Political Code, relating to the clothing, transportation, dental work, eye care, operations and hospitalization of pupils enrolled in the California School for the Deaf and the California School for the Blind;

Also: Assembly Bill No. 655—An act to amend section 15b of the California Irrigation District Act, relating to the duties and powers of boards of directors and providing for the use of water for any beneficial purposes;

Also: Assembly Bill No. 1036—An act to amend section 1418 of the Penal Code, relating to the pardoning or commutation of sentence of convicts twice convicted of felony;

Also: Assembly Bill No. 1301—An act to amend section 718 of the Civil Code and section 842 of the Probate Code and to add a new section numbered 1538 5 to the Probate Code, relating to the leasing of property of a minor, insane or incompetent person, or of a decedent;

Also: Assembly Bill No. 1343—An act to repeal sections 2.21, 3.174, 3.301, 3.302, 3.306, 3 308, 3 309, 3 415 and 3 416 of the School Code, to amend sections 3 304 and 3.305 of said code, to add to Part I of Division III of the said code a new chapter to be known as Chapter VIII, and to add to said code a new section to be numbered 3.306, all relating to the attendance of pupils upon the public schools;

Also: Assembly Bill No. 1377—An act to provide for the custody and disposition of money and other property belonging to inmates of county institutions;
And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eleven o'clock a.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1481—An act providing for the organization and government of horticultural protection districts for the purpose of protecting horticultural products and the vines, trees and shrubs whereon the same are grown against diseases, insects and pests; defining the powers of such districts and authorizing any such district to eradicate, remove or prevent the spread of any disease, insect or pest injurious to the horticultural product which such district is organized to protect; to provide for the levying and collection of taxes to pay the costs and expenses of administering such districts and carrying on their operations; defining the duties and powers of county agricultural commissioners, and other county officers in connection with such districts; to provide for including lands within and excluding lands from any such district, and to provide a method of dissolving such districts;

Also: Assembly Bill No. 1650—An act to amend sections 480, 481, 482, 483, 503, 505, 736, 737, 738 and 743 of the Vehicle Code, to repeal sections 502 and 739 of said code and to add sections 500, 501, 502, 506, 739, 743.5 and 743.6 to said code, relating to accidents involving motor vehicles, the duty of drivers of such vehicles to stop, render aid and give certain information, defining the crime of negligent homicide and prescribing penalties therefor, also relating to persons driving motor vehicles while under the influence of liquor or narcotic drugs, to the stealing or unlawful taking of motor vehicles, and the reckless driving of such vehicles, to the taking of persons arrested before magistrates, and the duties of arresting officers in connection with said persons, to the procedure to be followed where the person arrested is either taken before a magistrate or is given a notice to appear in court, to changes of venue in prosecutions for violations of said code, and to the procedure to be followed upon the arrest of all persons violating said code;

Also: Assembly Bill No. 1651—An act to amend the Vehicle Code by amending sections 618, 621, 623, 625, 633, 634, 635, 637, 639, 640, and 670; to renumber section 663 to be section 664; to repeal Chapter 4 of Division X embracing sections 645 to 658 inclusive, sections 661, 662 and 677; to add sections 623.5, 638, 677, a new Chapter 4 to Division X, embracing sections 645 to 656 inclusive, 660, 661, 662, 663 and 692, relating to vehicles;

Also: Assembly Bill No 1760—An act to amend sections 146 and 216 of the Vehicle Code, relating to the registration of vehicles of nonresidents;
And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eleven o'clock a.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1880—An act to amend sections 5.930 and 5 931 of the School Code, both relating to balances due deceased recipients of annuities from the public school teachers' retirement salary fund;

Also. Assembly Bill No. 1883—An act to amend section 472a of the Political Code, relating to the defense of State officers and employees;

Also. Assembly Bill No. 2035—An act to add a new section to the Civil Code, to be numbered section 2005, relative to the basis of figuring wages for a portion of a month and a portion of a week;

Also Assembly Bill No. 2404—An act to add section 2181c to the Political Code, relating to moneys of insane or feeble-minded persons committed to State hospitals and homes for feeble-minded;

Also: Assembly Bill No. 252—An act to amend section 499b of the Penal Code, relating to the unauthorized taking for temporary use or operation of aircraft, automobiles, bicycles, motorcycles or other vehicles,

Also: Assembly Bill No 258—An act to amend sections 453 2, 453 3, 453.5, 453 6, and 453 12 of the Civil Code, all relating to mortgage insurance companies;

Also: Assembly Bill No. 260—An act to amend sections 12422, 12423, 12427, 12442, 12484, 12486, 12488 and 12543 of the Insurance Code and to add a new section to said code to be numbered 12490, all relating to mortgage insurers;

Also. Assembly Bill No 283—An act to amend section 852 of, and to add a new section to be numbered 852c to an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities of the sixth class;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eleven o'clock a m

WATERS, Chairman

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 286—An act to amend section 10 of an act entitled "An act to provide for and regulate municipal elections in the cities of the fifth and sixth class," approved May 27, 1919, relating to registrations;

Also· Assembly Bill No 310—An act to amend School Code section 4 928, relating to the apportionment of funds to high school districts;

Also: Assembly Bill No. 341—An act to amend sections 21 1, 53, 54, 63, 64, 105, 133, 135d and 139 of the Bank Act, and to add two new sections thereto to be numbered 16d and 51.1;

Also· Assembly Bill No. 451—An act to add section 303 to the Penal Code, relating to alcoholic beverages;

Also: Assembly Bill No. 496—An act to amend section 692 of the Agricultural Code, relating to places where milk or milk products are handled or kept for sale;

Also: Assembly Bill No. 497—An act to amend sections 457 and 637 of the Agricultural Code, relating to testing of milk, cream or products thereof;

Also: Assembly Bill No. 523—An act to add Article XI to Chapter I of Part I of Division II of the School Code, relating to district elections;

Also: Assembly Bill No. 542—An act to amend sections 4225 and 4225a of the Political Code, both relating to the powers and duties of county health officers;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eleven o'clock a m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 550—An act to amend section 2337 of the Political Code, relating to the care of children;

Also· Assembly Bill No. 724—An act to add a new section to the Political Code of the State of California to be numbered 3466h, relating to assessments of reclamation districts;

Also: Assembly Bill No. 842—An act validating certificates of sale and deeds based thereon issued by irrigation districts;

Also: Assembly Bill No 843—An act to repeal section 73a of the California Irrigation District Act, relating to the procedure by which property owners may be relieved from obligations of the district;

Also· Assembly Bill No 844—An act to amend section 33 of the California Irrigation District Act, relating to the payment of bonds and interest thereon;

Also: Assembly Bill No 918—An act to amend sections 798 and 830 of the Agricultural Code, relating to fruits, nuts and vegetables;

Also: Assembly Bill No. 1093—An act to authorize and empower boards of supervisors to levy a tax for advertising, exploiting, promoting and aiding measures designed to preserve, aid or develop the agricultural, horticultural, viticultural

and water resources and advantages of their several counties and repealing Chapter 135 of the Statutes of 1929;

Also: Assembly Bill No. 1150—An act to amend section 4 of an act entitled "An act to permit the consolidation of elections and to provide a procedure therefor," approved June 11, 1913, relating to canvassing returns;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eleven o'clock a.m.

WATERS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1203—An act to add two sections to the Bank Act numbered 67 1 and 80 1, relating to loans of the character prescribed by section 13b of the Federal Reserve Act or by section 5d of the Reconstruction Finance Corporation Act;

Also: Assembly Bill No 1277—An act to add a new section to the Political Code to be numbered 3454½, relating to reclamation districts and requiring that in all actions against a reclamation district or any person sued by reason of his connection therewith the board of trustees must be made parties defendant;

Also: Assembly Bill No. 1485—An act to amend section 4014 of the Political Code of the State of California, relating to township officers;

Also. Assembly Bill No. 1498—An act to add a new section to be numbered section 17½ to an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, as amended, relating to elections,

Also: Assembly Bill No. 1546—An act to add section 4 to an act entitled "An act limiting the liability of supervisors, city trustees, city councils, boards of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances," approved June 13, 1923, relating to the liability of counties, municipalities and school districts;

Also: Assembly Bill No. 1658—An act to amend sections 468, 474, 515, 516, 713 and 714 of, and to add a new section to be numbered 693 to, the Vehicle Code, relating to highways, bridges and structures thereon, and the regulation of speeds and weight of vehicles;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eleven o'clock a.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1664—An act to amend section 2 of an act entitled "An act to create a reclamation district to be called 'Reclamation District No 1660,' and providing for the control and management thereof," approved June 1, 1915, relating to the management and control of said district;

Also Assembly Bill No. 1702—An act to amend section 788 of the Agricultural Code, relating to containers,

Also: Assembly Bill No. 1751—An act to amend section 4 923 of the School Code, relating to computation of pupils' attendance;

Also Assembly Bill No 1752—An act to amend section 5 500 of the School Code, relating to teachers' tenure;

Also: Assembly Bill No. 2045—An act to amend section 14a of the California Irrigation District Act;

Also: Assembly Bill No. 2047—An act to amend section 1197 of the Code of Civil Procedure, relative to executions in mechanics' lien actions;

Also: Assembly Bill No. 2135—An act to amend an act entitled "An act to authorize the counties of the State of California to establish retirement systems for their employees," approved May 20, 1919 (Statutes 1919, page 782), by amending sections 1 and 6 thereof, relating to county employee retirement systems;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eleven o'clock a m

WATERS, Chairman.

Also:

MR SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2306—An act to amend sections 630 and 631 of the Probate Code, relating to estates under one thousand dollars.

Also: Assembly Bill No 2383—An act to prohibit and declare void certain contracts, conditions, agreements and understandings in connection with the sale or contract to sell motor vehicles by manufacturers or wholesale distributors thereof, and prohibiting the giving or payment of any thing or service of value by any manufacturer or wholesale distributor of motor vehicles to any one engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles, and the acceptance or receipt thereof by any such person when competition in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles may be lessened or eliminated, or a monopoly created or tended to be created, and prohibiting from doing business in this State any one engaged in the business of financing the purchase or sale of motor vehicles or of buying conditional sales contracts, chattel mortgages or leases on motor vehicles who so accepts or receives any thing or service of value from any manufacturer or wholesale distributor of motor vehicles, and prescribing penalties, forfeitures, and recoveries for the violation thereof;
And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eleven o'clock a.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1360—An act to add sections 54a and 54b to the Civil Code, relating to the right of privacy of persons, and to provide a method by which such right of privacy may be enforced—and reports that the same has been correctly enrolled, and presented the same to the Governor on this tenth day of June, 1935, at ten o'clock a.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 46—An act to amend section 3766 of the Political Code, relating to the publication of delinquent tax lists,

Also Assembly Bill No. 2417—An act to amend section 844 of the Fish and Game Code, relating to nets;
And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at four o'clock p m

WATERS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 248—An act to amend sections 3051, 3051a and 3052 of the Civil Code, relating to liens on aircraft and other personal property,

Also: Assembly Bill No. 291—An act to add a new chapter to Title XIV of Part IV of Division Third of the Civil Code to be known as Chapter III-A thereof, *in relation to trust receipts and pledges of personal property unaccompanied* by possession in the pledgee and to make uniform the law relating thereto and to amend section 2988 of the Civil Code relative to the lien of the pledgee;

Also: Assembly Bill No. 390—An act to amend section 15a of and to add sections 15aa and 25 to an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics, the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act, to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all act and parts of acts in conflict herewith," approved May 19, 1915, relating to vital statistics;

Also: Assembly Bill No 466—An act to add a new section to be numbered 2931a to the Civil Code, providing for making the State a party to an action to foreclose mortgages and other liens upon property upon which there may exist a lien securing State taxes;

Also: Assembly Bill No. 602—An act to provide for the refunding of bonds issued under the "Improvement Bond Act of 1915" and for the levy of reassessments and the extension of liens of assessments and the collection and enforcement of such assessments and reassessments and the payment of said bonds;

Also: Assembly Bill No. 771—An act authorizing counties to contract with cities and towns, to assume and carry on certain municipal functions thereof, providing for transfers of employees and assumption of pensions, and authorizing cities to

transfer such functions to counties and to enter into contracts in relation thereto; And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at three o'clock p.m.

WATERS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 823—An act to amend an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 18, 1883, as amended, by amending section 862 of, and to add sections 862 1 to 862 27 inclusive, to the act, relating to the powers of sixth class cities;

Also: Assembly Bill No. 902—An act to amend section 9 of and to add section 9a to an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights, to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, relating to the powers of the Surveyor General now the Chief of the Division of State Lands, for the purpose of taking gold or other minerals from and granting of easements to recover gold or other minerals from the beds of tide and submerged lands, and of navigable rivers and streams;

Also Assembly Bill No 999—An act to add a new article to Chapter IX of Part III of Division V of the School Code, to be known as Article IV, consisting of sections 5.792 to 5 799b inclusive relating to a merit system for employees in positions other than those requiring certification qualifications;

Also: Assembly Bill No 1130—An act to amend section 3444 of the Political Code, to empower the Director of Finance to promulgate rules and regulations governing the use of certain State lands and the enforcement of such rules and regulations;

Also Assembly Bill No 1132—An act to amend sections 1093, 1127, 1323, and 1439 of the Penal Code, relating to instructions and comment in criminal cases;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at three o'clock p m

WATERS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1185—An act authorizing the Board of State Harbor Commissioners to make application for the privilege of establishing, maintaining and operating a foreign trade zone on property now or which may hereafter be under the jurisdiction and control of said board in the City and County of San Francisco, and to establish, maintain and operate such zone, pursuant to the act of Congress of June 18, 1934 (48 U S Statutes at Large, Chapter 590);

Also: Assembly Bill No 1236—An act to amend the title and sections 1, 2, 3, 4 and 5, and to add section 6 to an act entitled "An act to authorize municipal corporations to issue bonds, for the purpose of investing the proceeds arising from the sale thereof, in other bonds issued for public improvements," approved April 26, 1909, relating to the issuance sale, or exchange, and payment of the bonds issued under this act, and the acquisition, collection and payment of bonds acquired;

Also: Assembly Bill No 1774—An act to amend the title and sections 2 and 3e and to amend and to renumber section 20k of, and to add sections 19a, and 20l to the California Real Estate Act, relating to the regulation and licensing of real estate brokers and salesmen, and to the inspection and regulation of subdivisions, to provide for the enforcement of said act and penalties for the violation thereof;

Also: Assembly Bill No. 2048—An act to amend the title and sections 1 and 2 of an act entitled "An act prohibiting the issuance as payment for wages of any evidence of indebtedness unless the same is negotiable and payable without discount, and providing that the same must be payable upon demand," approved March 1, 1911 (Stats. 1911, Chap 92), as amended, providing that evidences of indebtedness for wages must be payable upon demand and issued against sufficient funds or credit to cover the same and providing penalties for violation of the provisions thereof;

Also: Assembly Bill No 2180—An act to amend section 17 of the Public Utilities Act, relating to discrimination in relation to transportation by common carriers;

Also: Assembly Bill No 2232—An act to amend section 4295 of the Political Code, relating to official services without fees;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at three o'clock p m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2350—An act validating the formation, organization, existence or proceedings of Municipal Utility Districts;

Also: Assembly Bill No. 2400—An act to add a new section to be numbered 30.5 to the General Cemetery Act, relating to reincorporation of cemetery associations, and prescribing the procedure therefor;

Also: Assembly Bill No. 2422—An act accepting a retrocession of jurisdiction over the rights of way of the Golden Gate Bridge and Highway District through the Presidio of San Francisco military reservation and Fort Baker military reservation in Marin County;

Also: Assembly Bill No. 2426—An act to amend section 1326 of the Penal Code, relating to the issuing and signing of subpoenas for the attendance of witnesses in criminal prosecutions;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at three o'clock p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 29—An act to amend section 1657 of the Probate Code, relating to accounts of guardian;

Also: Assembly Bill No. 64—An act to amend sections 1206 and 1207 of the Code of Civil Procedure, relating to preferred claims for work or personal services;

Also: Assembly Bill No. 70—An act to add section 3757 to the Political Code providing for the rejection of all fractions of a cent by auditors and tax collectors when computing taxes, penalties for delinquencies or interest and percentages on redemption;

Also: Assembly Bill No. 78—An act granting to the city of Sacramento certain lands lying within the city of Sacramento;

Also: Assembly Bill No. 99—An act to add a new section to the Code of Civil Procedure to be known as section 1872 thereof, requiring persons bringing actions for damages for personal injuries to submit to an examination of their persons;

Also: Assembly Bill No. 336—An act to amend sections 396, 396a, 399, 530, 540, 542, 581, 594, 618, 629, 650, 659a, 667a, 689, 953a, 978a, 980, 983, 983a, 988a, 988b, 988c, 988h, 989, 990, 1005 and 1010 of the Code of Civil Procedure, and to add section 655 thereto, all relating to civil actions;

Also: Assembly Bill No. 340—An act to amend section 691.6 of the Fish and Game Code, relating to bass;

Also: Assembly Bill No. 386—An act to amend section 472a of the Code of Civil Procedure, relating to demurrers;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at three o'clock p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 395—An act to amend Chapter 286, Statutes of 1927, entitled "An act authorizing the Department of Finance to appropriate waters in connection with the utilization and conservation of the water resources of the State in the development of a general or coordinated plan; authorizing the State Department of Finance to release or assign such appropriations; authorizing the State Department of Finance to request other departments of the State or State officers to furnish service or assistance to make investigations in connection with the development of a general or coordinated plan for the utilization or conservation of the water resources of the State," approved April 29, 1927, as amended, by amending section 1 thereof, relating to appropriation of waters by the State Department of Finance;

Also: Assembly Bill No. 397—An act to provide for the levy and collection of taxes and assessments for the purpose of creating a fund for capital outlays by cities, counties, cities and counties or districts;

Also: Assembly Bill No. 429—An act to provide that school authorities of certain public and private schools shall be equipped to render first medical aid to injured children and students, and providing a penalty for violation thereof;

Also: Assembly Bill No. 490—An act to amend section 1357 of the Political Code, relating to absent voters;

Also: Assembly Bill No. 495—An act to amend sections 460, 504, 585 and 621 of the Agricultural Code, relating to dairy products;

Also: Assembly Bill No. 525—An act to add sections 285, 285.1, 285.2, 285.3, and 285.4 to the Agricultural Code, relating to brands to be used on apiary equipment;

Also. Assembly Bill No. 576—An act to repeal section 924 of the Political Code, relating to certain affidavits of public officers;
And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at three o'clock p.m.

WATERS, Chairman

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 620—An act to amend section 4307 of the Political Code, relating to county charges;

Also. Assembly Bill No. 713—An act to amend section 1 of an act entitled "An act authorizing the use of convict labor on State highways or State roads; providing for the compensation of such convict labor; regulating the handling of such convict labor; providing for payment of compensation to the dependents of such convicts; providing for a forfeiture of such compensation; providing for creation of prisoners recreation and educational fund; providing for manner of payment of compensation to said convicts upon release on parole or release or discharge from prison; authorizing allowance of extra good time credits for such labor; providing penalties for interference with such convict labor and repealing all acts or parts of acts in conflict herewith," approved June 9, 1923, as amended, relating to convict labor;

Also. Assembly Bill No. 729—An act to amend section 1382 of the Penal Code relating to the dismissal of prosecutions;

Also: Assembly Bill No. 838—An act to amend the Streets and Highways Code, by adding to Division I thereof a new chapter, to be numbered 6, relating to proceedings to change the grade or to establish the boundaries of State highways, and other proceedings affecting private property;
And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at three o'clock p.m.

WATERS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 840—An act to amend an act entitled "An act to authorize irrigation districts to cooperate and contract with the United States under the provisions of the Federal reclamation laws for a water supply, or the construction, operation or maintenance of works, including drainage works, or for the assumption by the district of indebtedness to the United States on account of district lands, and to provide the manner and method of payments to the United States under such contract, and for the apportionment of assessments, and the levy thereof, upon the lands of the district to secure revenue for such payments, and to provide for the judicial revenue and determination of the validity of the proceedings in connection with such contract, and to provide for construction of works by the district; to provide for the borrowing or procuring of money from the United States or any agency thereof and the entering into contracts, and/or the issuance of bonds, warrants or other evidence of indebtedness for the repayment thereof, approved May 5, 1917, as amended, by amending the title thereof and amending sections 1 and 11 thereof, relating to powers and adding a new section, to be numbered 6a, thereto;

Also: Assembly Bill No. 865—An act to amend section 797 of the Fish and Game Code, relating to abalone;

Also: Assembly Bill No. 877—An act to amend section 662 of the Code of Civil Procedure, relating to motions for new trial;

Also: Assembly Bill No. 879—An act to add a new section to the Code of Civil Procedure, to be numbered 597, relating to the separate trial of any one or more of the issues joined;

Also: Assembly Bill No. 897—An act to amend section 487 of the Agricultural Code, relating to guaranteed milk;

Also: Assembly Bill No. 992—An act to amend section 11 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the definition of dentistry;
And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at three o'clock p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1194—An act amending the title and sections 31, 32 and 33, of the "Improvement Act of 1911," approved April 7, 1911, as amended, relating to public improvements and the repair and reconstruction of portions of improved streets, avenues, lanes, alleys, courts or places, bulkheads, retaining walls or other works for the protection of the same and to the payment of the costs thereof and establishing a procedure for the same;

Also: Assembly Bill No. 1205—An act to add a new part to Division II of the School Code to be known as Part VI, relating to the formation, government, support, control, functions, maintenance, and administration of unified school districts created from elementary and high school districts, and of elementary, high school and junior college districts having coterminous boundaries and governing boards of identical personnel;

Also: Assembly Bill No. 1242—An act to add Chapter 2a to Division V of the Agricultural Code, to consist of sections 840, 841, 841.1, 842, 842.1, 842.2, 842.3, 842.4, 842.5, 843, 843.1, 843.2, 843.3, 844, 845, 845.1, and 845.2, inclusive, relating to the standardization of, and standards for, honey;

Also: Assembly Bill No. 1262—An act to amend section 1 of an act entitled "An act authorizing the investment and reinvestment and dispositions of any surplus moneys in the treasury of any county, city and county, incorporated city or town, or municipal utility district, or flood control district," approved April 23, 1913, relating to the investment of surplus money;

Also: Assembly Bill No. 1264—An act to add a new section to the Political Code of the State of California, to be numbered 3719, authorizing the temporary borrowing of money by counties, cities and school districts upon the credit of revenue in course of collection, and the issuing of tax anticipation notes or warrants as evidence of such indebtedness;

Also: Assembly Bill No. 1337—An act to amend section 4300g of the Political Code, relating to witness fees;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at three o'clock p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1342—An act to amend section 1429 of the Penal Code; relating to the entering of pleas by a defendant,

Also: Assembly Bill No. 1486—An act authorizing suit against the State of California to quiet title against it to certain real property in the city of Newport Beach, California;

Also: Assembly Bill No. 1487—An act to establish the line of ordinary high tide in and for a part of Newport Bay in the city of Newport Beach, Orange County, California, and to establish and declare that the land adjacent to said line was upland on and prior to May 25, 1919, and was not tidelands or submerged lands on said date, but was situated above the line of mean high tide of the Pacific Ocean on said date,

Also: Assembly Bill No. 1531—An act to amend section 3491 of the Political Code, relating to reclamation districts;

Also: Assembly Bill No. 1819—An act to add a new section to the Probate Code, to be numbered 1558, providing for allowances by the court to next of kin of insane or incompetent person out of surplus income of said insane or incompetent person;

Also: Assembly Bill No. 1977—An act to add section 5.28 to the School Code, relating to vacations of teachers, officers and employees of State teachers colleges, State colleges, the California School for the Deaf, the California School for the Blind and the California Polytechnic School;

Also: Assembly Bill No. 2030—An act to amend sections 1625.5 and 1626 of the Streets and Highways Code, relating to expenditures by boards of supervisors of moneys received by the counties from the motor vehicle fuel fund or from moneys received by the county for vehicle registration license fees and authorizing contributions to ad valorem special assessment proceedings, or the purchase, cancellation and retirement of bonds issued in any ad valorem acquisition or improvement district;

Also: Assembly Bill No. 2294—An act to repeal sections 327, 330, 331, 332, 333, 334 and 335 of the Fish and Game Code, relating to game refuges;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at three o'clock p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 59—An act to add section 5.5 to an act entitled "An act to provide for the formation, powers, government, operation, and dissolution of garbage disposal districts to facilitate the disposal of garbage and other refuse matter, and annexation thereto, and to provide for the assessment, levy, collection and disbursement of taxes therein," approved April 20, 1927, relating to contracts for collection and disposal of garbage;

Also: Assembly Bill No. 61—An act to amend section 2 of an act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance

of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works, to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act," approved May 15, 1933, relating to exemptions;

Also: Assembly Bill No. 81—An act to amend section 11 of the Motor Vehicle Fuel License Tax Act, relating to refunds of license taxes;

Also: Assembly Bill No. 285—An act to amend section 1361 of the Political Code, relating to counting boards to canvass absent voter ballots;

Also: Assembly Bill No. 400—An act to amend section 4293 of the Political Code, relating to the disposition of county and township officers' fee records,

Also: Assembly Bill No. 427—An act authorizing the legislative body of a municipality to vacate, abandon and close any public street, highway, road, boulevard, avenue, alley, way, lane, court or place, or any part thereof, either to the whole extent of the public right therein or to any partial extent, and prescribing a procedure therefor;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at three o'clock p m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 439—An act to add a new section to the School Code to be numbered 6.492, relating to the payment by school districts of subscriptions to periodicals;

Also: Assembly Bill No. 456—An act to amend sections 830, 834, and 1533 of the Probate Code, relating to the borrowing of money by executors, administrators and guardians and the execution by them of mortgages, deeds of trust and pledges to secure the same and the limitation upon recovery on deficiency judgments in such cases;

Also: Assembly Bill No. 541—An act to amend section 9 of an act entitled "An act for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, relating to city owned bonds,

Also: Assembly Bill No. 568—An act to amend section 4305 of the Political Code, relating to the salary fund of counties;

Also: Assembly Bill No 614—An act to amend section 1680 of the Streets and Highways Code, relating to extending county aid to cities;

Also: Assembly Bill No 622—An act to amend sections 1 72 and 1 73-1 of the School Code, relating to the transportation of public school pupils;

Also: Assembly Bill No. 624—An act to amend section 61 of the Bank Act, making flood control bonds legal for savings bank investments;

Also: Assembly Bill No. 630—An act to amend sections 71, 72, 73, 104, 135, 136, 160, and 194, to add sections 100 5, 101.5, 104 5, 136 5 and 233 to, to add a new chapter, to be numbered 5, to Division 1, and to repeal section 112 of the Streets and Highways Code, relating to public ways,

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at three o'clock p.m

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 660—An act authorizing public and private corporations of and in the State of California to make applications for the right to establish, operate and maintain, and to establish, operate and maintain foreign-trade zones in or adjacent to ports of entry in this State;

Also Assembly Bill No. 665—An act to amend an act entitled "An act authorizing the common council, board of trustees, or other governing body of any incorporated city or town other than cities of the first class to refund indebtedness thereof, or of any department, board or agency thereof, and to issue bonds therefor and to provide for the payment of the same." approved March 9, 1897, by amending sections 1, 2, and 3 thereof relating to refunding bonds and to the use of Federal courts in municipal bankruptcy or refunding proceedings;

Also: Assembly Bill No 667—An act to provide for the refunding of bonds issued under an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements, and for the acquisition or construction of such

improvements," approved April 20, 1915, and bonds issued under the Municipal Improvement District Act of 1927, and providing procedure therefor;

Also: Assembly Bill No. 668—An act to provide for the refunding of the bonded indebtedness of special improvement districts, the bonds of which are payable from taxes or from special assessments levied wholly or partly in accordance with the assessed value of lands and for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts and the cancellation of unpaid taxes and assessments of such districts, and for the levy of assessments and reassessments to pay such refunding bonds and to enforce the liens of such assessments and reassessments, and to provide for contributions of public funds to assist in such refunding or the payment of refunding bonds, and for proceedings to test the validity of such refunding and assessment or reassessment proceedings and the use of the bankrupt laws of the United States of America in any refunding.

Also: Assembly Bill No. 739—An act to amend section 1702 of the Streets and Highways Code, to define "maintenance" as including illumination;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at three o'clock p.m.

WATERS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 762—An act to add a new section to the School Code to be numbered 2.123-1, relating to the payment of the cost of food and lodging for certain elementary school pupils from the unapportioned county elementary school fund;

Also: Assembly Bill No. 848—An act to amend section 2 60 of the School Code, relating to the correction and relocation of boundaries of school districts,

Also: Assembly Bill No. 904—An act to amend section 600 of the Probate Code, relating to inventory and appraisement of estates,

Also: Assembly Bill No. 920—An act to amend sections 1261, 1263, 1264, 1265, 1267, 1268, 1269, 1273, of and to add a new section to be numbered 1268.5 to the Agricultural Code, relating to persons licensed to deal in farm products;

Also: Assembly Bill No. 961—An act to amend sections 5 400, 5 402, 5.403, 5 408, 5.420, 5 500, 5.502, 5 503, 5.510, 5 520, 5 521, 5.640, 5 680, 5.690, 5 691, 5.710, 5.711 and 5.712 of the School Code, and to add new sections to the School Code, to be numbered 5.409, 5.505, 5.506, 5.666 and 5.667, all relating to the employment, classification, dismissal and resignation of persons employed in school districts in positions requiring certification qualifications;

Also: Assembly Bill No. 962—An act to amend the School Code by amending sections 5.650, 5.651, 5.652, 5 653, 5 654, 5.661, and by repealing sections 5 655, 5.656, 5 658, 5 659, 5.660, 5.662, 5 663, all relating to the employment and dismissal of persons employed in school districts in positions requiring certification qualifications;

Also: Assembly Bill No. 988—An act to amend sections 5.125 and 5.161 of the School Code, relating to the issuance of high school credentials and certificates;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at three o'clock p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1009—An act to amend section 9 of "An act defining clinics and dispensaries, providing for the operation, conduct, maintenance, examination and regulation thereof, requiring permits therefor, providing for the issuance and revocation of such permits by the State Board of Public Health, fixing the amount of and providing for the collection and disposition of annual fees for such permits, creating the clinic and dispensary fund, prescribing the powers and duties of the State Board of Public Health and of the Director of Public Health in reference to such clinics and dispensaries, and prescribing penalties for the violation of the provisions of this act," approved June 5, 1933, relating to annual fee for permits;

Also. Assembly Bill No. 1056—An act to amend section 200 of the Code of Civil Procedure, relating to exemptions from jury duty;

Also: Assembly Bill No. 1141—An act to add section 11a to and to amend section 23 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts;

Also: Assembly Bill No 1263—An act to add a new section to the Political Code of the State of California, to be numbered 4041 27, authorizing boards of supervisors to provide for the creation and operation of a system of insurance for the benefit of physicians, nurses and other persons employed in county institutions and in county health departments, to procure group insurance for the benefit of such employees, and to provide for the payment of premiums therefor;

Also: Assembly Bill No 1269—An act authorizing and empowering any county, city and county, or city in the State of California to donate, convey, and grant to the State of California, or to district agricultural associations thereof, any real property owned, held and used by it for fair ground and exposition purposes, or which it may hereafter acquire, hold and use for such purposes;

Also: Assembly Bill No. 1332—An act to add section 3306a to the Civil Code, relating to breach of contract to deliver a quitclaim deed;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at three o'clock p.m.

WATERS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1340—An act authorizing the Governor to execute a compact with the State of Nevada, for the purpose of promoting comity and good will between California and Nevada with reference to the Boulder Canyon Project, and of adjusting matters pertaining to the proposed taxation of property located in Nevada and owned by the State of California or any political subdivision thereof;

Also: Assembly Bill No 1656—An act to amend the Vehicle Code by adding thereto section 416, relating to vehicles;

Also: Assembly Bill No. 1741—An act relating to the Sixth District Agricultural Association;

Also: Assembly Bill No. 1754—An act to amend sections 4.962, 4.963, 4.964, 4.1010, and to add new sections to be known as 4.967 and 4.968 of the School Code, relating to School district bonds;

Also: Assembly Bill No. 1929—An act to amend section 4041k of the Political Code, relating to easements;

Also: Assembly Bill No. 2104—An act to amend the County Water District Act, approved June 10, 1913, as amended, by adding to said act, as amended, a new section, to be numbered 4a, providing for the election of directors by divisions, instead of at large, if authorized by election;

Also: Assembly Bill No. 2130—An act amending section 4076 of the Political Code, relating to county government;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at three o'clock p.m.

WATERS, Chairman.

Recess.

At five o'clock and thirty minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until eight o'clock and thirty minutes p.m., of this day.

Reassembled.

At eight o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Craig in the chair.

Resolution.

The following resolution was offered:

By Mr. Phillips:

WHEREAS, Frank A. Miller, of Riverside, California, master of the Mission Inn, exponent and inspiration in matters of world peace and international good will, was one of the outstanding leaders, not only in his own community and his own county, but in the entire State; and

WHEREAS, The vision of Frank A. Miller and the personality, courage and ability which made it possible for him to translate this vision into reality, made him a reputation which was international and which reflected honor to the State in which he exerted such influence for so many years; and

WHEREAS, The news has just reached the Assembly of the death of Frank A. Miller in his seventy-seventh year; therefore be it

Resolved by the Assembly of the State of California assembled in its fifty-first session, That it express its profound sorrow at the death of one of its most outstanding citizens; that it pause for a moment in respect for his memory and that it adjourn on this fifteenth day of June, 1935, in the honor of Frank A. Miller, and be it further

Resolved, That this resolution be included in the Journal of this day; and that copies thereof be sent to Mrs. Frank A. Miller; Mrs Alice Richardson; and Mr. and Mrs. DeWitt Hutchings.

Resolution read, and adopted unanimously.

Unfinished Business—(Resumed).

Consideration of Senate Amendment to Assembly Bill No. 1215.

Assembly Bill No. 1215—An act to amend section 11 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the regulation of the practice of optometry.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1215?

Amendment No. 1.

On page 2 of the printed bill, strike out all of line 11, commencing with "advertising", and all of lines 12 to 20, inclusive.

The roll was called, and the Assembly refused to concur in Senate amendment to Assembly Bill No. 1215 by the following vote:

AYES—Mayo—1.

NOES—Breed, Brennan, Cassidy, Chatters, Cronin, Crowley, Cunningham, DeLap, Donahue, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Lore, Lyon, Martin, McCarthy, Meehan, Nielsen, O'Donnell, Pelletier, Phillips, Reaves, Redwine, Thorp, Turner, Utt, Wagner, Walker, Weber, Wright, and Mr. Speaker—41.

Consideration of Senate Amendments to Assembly Bill No. 2359.

Assembly Bill No. 2359—An act to amend sections 804, 814, 815, 1010, 1018, 1020 and 1261 of, and to add section 395.5 to the Military and Veterans Code, relating to military and veterans' affairs.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2359?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "815", insert the following: "1010, 1018, 1020".

Amendment No. 2.

On page 2 of the printed bill, as amended, between lines 22 and 23, insert the following:

"SEC. 6. Section 1010 of the Military and Veterans Code is hereby amended to read as follows:

1010. As used in this chapter:

(a) "Home" means the Veterans' Home of California.

(b) "Board" means the board of directors of the home.

(c) "Veteran" means a member of the home.

SEC. 7. Section 1018 of the Military and Veterans Code is hereby amended to read as follows:

1018. The commandant, surgeon, quartermaster, adjutant, finance officer, chaplain, and assistant surgeons in office at the time this chapter takes effect shall remain in office until the expiration of their respective terms. Thereafter the board shall appoint, subject to civil service, qualified persons to fill such offices for terms of two years, none of whom shall be members of the board. Vacancies shall be filled by the board for the unexpired terms.

SEC. 8. Section 1020 of the Military and Veterans Code is hereby amended to read as follows:

1020. The board, subject to civil service, may appoint employees of the home, and shall prescribe the duties and compensation of all officers and employees."

Amendment No. 3.

On page 2, line 23, of the printed bill, as amended, strike out "6", and insert in lieu thereof the following: "9".

Amendment No. 4.

On page 1, line 1 of the title of the printed bill, as amended, strike out "238,".

Amendment No. 5.

On page 1 of the printed bill, as amended, strike out lines 1 to 11, inclusive.

Amendment No. 6.

On page 1, line 12, of the printed bill, as amended, strike out "Sec. 2", and insert in lieu thereof the following: "Section 1".

Amendment No. 7.

On page 1, line 19, of the printed bill, as amended, strike out "Sec. 3", and insert in lieu thereof the following: "Sec. 2".

Amendment No. 8.

On page 2, line 1, of the printed bill, as amended, strike out "Sec. 4", and insert in lieu thereof the following: "Sec. 3".

Amendment No. 9.

On page 2, line 8, of the printed bill, as amended, strike out "Sec. 5", and insert in lieu thereof the following: "Sec. 4".

Amendment No. 10.

On page 2, line 21, of the printed bill, as amended, strike out "Sec. 6", and insert in lieu thereof the following: "Sec. 5".

Amendment No. 11.

On page 2, line 27, of the printed bill, as amended, strike out "Sec. 7", and insert in lieu thereof the following: "Sec. 6".

Amendment No. 12.

On page 2, line 31, of the printed bill, as amended, strike out "Sec. 8", and insert in lieu thereof the following: "Sec. 7".

Amendment No. 13.

On page 2, line 42, of the printed bill, as amended, strike out "Sec. 9", and insert in lieu thereof the following: "Sec. 8".

The roll was called, and Senate amendments to Assembly Bill No. 2359 were concurred in by the following vote:

AYES—Anderson, Breed, Brennan, Cassidy, Chatters, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Lore, Lyon, Martin, Mayo, McCarthy, Meehan, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Phillips, Reaves, Redwine, Robertson, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Wright, and Mr. Speaker—51.

NOES—None.

Assembly Bill No. 2359 ordered to enrollment.

Reconsideration of Assembly Bill No. 1165 Waived.

Mr. Anderson waived his notice to reconsider the vote whereby Assembly Bill No. 1165 was passed.

Assembly Bill No. 1165 ordered transmitted to the Senate.

Consideration of Senate Amendment to Assembly Bill No. 2020.

Assembly Bill No. 2020—An act to add a new section to the Penal Code to be numbered 476b, relating to printing, duplicating, or imitating blank checks.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2020?

Amendment No. 1.

On page 1, line 7, of the printed bill, as amended, after the word "drawer", add the following: "thereof, without securing from the prospective drawer or drawee, the authorization, in writing, so to do, shall be guilty of a misdemeanor; provided, that if such printing, duplicating or imitating be".

The roll was called, and Senate amendment to Assembly Bill No. 2020 was concurred in by the following vote:

AYES—Anderson, Breed, Brennan, Cassidy, Chatters, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Field, Fisher, Fulcher, Garibaldi, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Lore, Lyon, Mayo, Meehan, Minard, Nielsen, Pelletier, Peyser, Reaves, Robertson, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Wright, and Mr. Speaker—43.

NOES—None.

Assembly Bill No. 2020 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 206.

Assembly Bill No. 206—An act to amend section 1 of Chapter 339 of the Statutes of 1933 entitled "An act imposing a license fee or tax for transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to the construction of certain words and phrases used in said act.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 206?

Amendment No. 1.

On page 1 of the printed bill, beginning in line 1 of the title, strike out the following: "of Chapter 339 of the Statutes of 1933,", and insert in lieu thereof the following: "an Act".

Amendment No. 2.

On page 1 of the printed bill, strike out all of lines 1 to 6, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 1 of the act cited in the title hereof is hereby".

Amendment No. 3.

On page 2, line 8, of the printed bill, beginning in said line 8, strike out the following: "or propelled or operated by steam or electricity,".

Amendment No. 4.

On page 2, line 4, of the printed bill, as amended, after the period, insert the following: "The word "operator" excludes any person engaged in husbandry who occasionally transports property for neighboring farmers, compensation for which is in exchange for like services, labor or other services or things of value other than money or where the compensation received is in the form of money, the amount of which for any one haul is not in excess of fifty dollars."

The roll was called, and Senate amendments to Assembly Bill No. 206 were concurred in by the following vote:

AYES—Anderson, Breed, Brennan, Cassidy, Chatters, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Martin, Mayo, McBride, Meehan, Minard, Morgan, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Robertson, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Wright, and Mr. Speaker—50.

NOES—None.

Assembly Bill No. 206 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 2466.

Assembly Bill No. 2466—An act to define motor transportation broker; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2466?

Amendment No. 1.

On page 2, line 4, of the printed bill, as amended, strike out "or to a passenger stage corporation as the same is"; also strike out all of lines 5 to 7, inclusive.

Amendment No. 2.

On page 2, line 11, of the printed bill, as amended, strike out the period after "Commission", and insert in lieu thereof a comma and the following: "or to a passenger stage corporation as the same is defined in section 2¼ of the Public Utilities Act engaged in transporting express when such transportation is incidental to the transportation of passengers."

Amendment No. 3.

On page 6, line 17, of the printed bill, as amended, strike out "Of", and insert in lieu thereof the following "If".

Amendment No. 4.

On page 3, line 52, of the printed bill, as amended, strike out the word "conditions", and substitute therefor the word "conditioned".

Amendment No. 5.

On page 4 of the printed bill, between lines 12 and 13, as amended in Senate June 7, 1935, insert the following paragraphs as additions to section 8:

"Nothing in this act shall be construed to impose upon the surety on any such bond a greater liability than the total amount thereof or the amount remaining unextinguished by any prior recovery or recoveries as the case may be.

No suit or action against the surety on any such bond shall be brought later than one year from the accrual of the cause of action thereon. The surety may terminate its liability under such bond by giving thirty days' written notice thereof, served either personally or by registered mail, to the principal and to the Railroad Commissioner of the State of California; and upon giving such notice the surety shall be discharged from all liability under such bond for any act or omission of the principal occurring after the expiration of thirty days from the date of service of such notice. Unless on or before the expiration of such period the principal shall duly file a new bond in like amount and conditioned as the original in substitution of the bond so terminated, the license of the principal shall likewise terminate upon the expiration of such period."

The roll was called, and Senate amendments to Assembly Bill No. 2466 were concurred in by the following vote:

AYES—Anderson, Breed, Brennan, Cassidy, Chatters, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donihue, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Martin, Mayo, Minard, Morgan, Pelletier, Peyser, Phillips, Reaves, Redwine, Robertson, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Wright, and Mr. Speaker—46.

NOES—None

Assembly Bill No. 2466 ordered to enrollment.

Reconsideration of Assembly Bill No. 2412.

Assembly Bill No. 2412—An act to provide for the regulation and licensing of establishments for wagering or betting upon the results of horse races; to provide penalties for the violation of the provisions of this act and making an appropriation for the enforcement thereof.

In compliance with his notice given on a previous day, Mr. Turner moved that the vote whereby Assembly Bill No. 2412 was refused passage, be reconsidered.

Demand for Previous Question.

Messrs. Robertson, Welsh, Heisinger, Utt, and Redwine demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the reconsideration of Assembly Bill No. 2412.

The roll was called, and the same was reconsidered by the following vote:

AYES—Breed, Burns, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Nielsen, O'Donnell, Pelletier, Reaves, Thorp, Turner, Utt, Voigt, Wagner, Walker, Welsh, and Williamson—41.

NOES—Anderson, Brennan, Cassidy, Chatters, Cottrell, Cronin, Johnson, Latham, Minard, Morgan, Peterson, Peyser, Phillips, Redwine, Robertson, Stream, Wallace, Waters, Wright, and Mr. Speaker—20.

Assembly Bill No. 2412 ordered on file for third reading.

Reconsideration of Senate Bill No. 378 Waived.

Mr. Williamson waived his notice to reconsider the vote whereby Senate Bill No. 378 was passed.

Senate Bill No. 378 ordered transmitted to the Senate.

Reconsideration of Assembly Bill No. 106.

Assembly Bill No. 106—An act to amend section 6.750 of the School Code, relating to the use of school buildings for activities of a seditious nature.

In compliance with his notice given on a previous day, Mr. Voigt moved that the vote whereby the Assembly concurred in Senate amendment to Assembly Bill No. 106, be reconsidered.

The roll was called, and the same was refused reconsideration by the following vote:

AYES—Anderson, Cassidy, Donihue, Flint, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Lore, McCarthy, Morgan, O'Donnell, Pelletier, Reaves, Thorp, Voigt, Wagner, Wallace, and Welsh—21.

NOES—Breed, Brennan, Chatters, Cottrell, Crowley, Cunningham, Field, Fisher, Frazier, Fulcher, Garibaldi, Hornblower, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Minard, Nielsen, Peterson, Phillips, Redwine, Stream, Utt, Walker, Waters, Wright, and Mr. Speaker—31.

Assembly Bill No. 106 ordered to enrollment.

Statement of Wm. B. Hornblower on Assembly Bill No. 106.

I voted to concur in the Senate amendments to Assembly Bill No. 106 because I believed that I had been mistaken in voting against Assembly Bill No. 106 on previous occasions.

My reason for voting against this bill originally was because it permitted public schools to be used for political purposes. This bill only prohibited schoolhouses from being used by people who advocated the overthrow of our government by force and violence. It permits them to use school buildings to advocate a change in government by other means which I believe should be advocated in other places than our public school buildings. However, after learning that the real purpose of Assembly Bill No 106 was to prohibit communists from using our school buildings to advocate their cause, I supported the Senate amendments and would have supported the bill.

HORNBLOWER.

Withdrawal of Assembly Bill No. 2443.

By order of the Speaker, Assembly Bill No. 2443 was withdrawn from the file, and referred to Committee on Financial Institutions.

Unfinished Business—(Resumed).

Reconsideration of Assembly Bill No. 900.

Assembly Bill No. 900—An act providing for an investigation and report by a California Tax Research Commission on the subject of gross receipts taxes for the State of California and for any or all of its governmental units, making an appropriation therefor, and declaring this act to be an emergency measure to go into immediate effect.

In compliance with his notice given on a previous day, Mr. Lyon moved that the vote whereby the urgency clause to Assembly Bill No. 900 was refused adoption be reconsidered.

The roll was called, and the same was reconsidered by the following vote:

AYES—Breed, Brennan, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, DeLap, Desmond, Donihue, Evans, Ralph W. Field, Fisher, Frazier, Fulcher, Garibaldi, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Minard, Peterson, Peyser, Phillips, Reaves, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Welsh, Wright, and Mr. Speaker—46.

NOES—Anderson, Hawkins, Lore, McCarthy, Nielsen, O'Donnell, Wallace, and Williamson—8.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent for the consideration of Assembly Bill No. 900, at this time, without reference to file.

Assembly Bill No. 900 read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lyon:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "for", insert the following "the creation of and".

Amendment No. 2.

On page 1, line 1 of the title of the printed bill, as amended, strike out "a", and insert in lieu thereof the following: "the".

Amendment No. 3.

On page 1, line 4 of the title of the printed bill, as amended, strike out "making an appropriation there-", and insert in lieu thereof a period, and also strike out all of lines 5 and 6.

Amendment No. 4.

On page 1 of the printed bill, as amended, strike out lines 4 to 7, inclusive, and insert in lieu thereof the following. "local revenues, the California Tax Research Commission is hereby created."

Amendment No. 5.

On page 1, line 11, of the printed bill, as amended, strike out "a", and insert in lieu thereof the following. "the".

Amendment No. 6.

On page 1, line 13, of the printed bill, as amended, strike out the comma after "members", and insert in lieu thereof the following: "to be".

Amendment No. 7.

On page 2 of the printed bill, as amended, strike out lines 4 to 34, inclusive, and insert in lieu thereof the following:

"SEC. 4. It is hereby made the duty of any State, county or municipal officer and of any corporation or individual, to report promptly to the commission when requested to do so as to any matters not inconsistent with the purposes of this act. Failure to make such report shall constitute a misdemeanor."

The question being on the amendments submitted by Mr. Lyon to Assembly Bill No. 900.

Demand for Previous Question.

Messrs. Frazier, Welsh, Morgan, Dawson and Fisher demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the amendments submitted by Mr. Lyon to Assembly Bill No. 900.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Lyon.

The roll was called, and the amendments were adopted by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Corwin, Cottrell, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Field, Frazier, Fulcher, Garibaldi, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Latham, Lyon, Maloney, Martin, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—51.

NOES—Donnelly, Johnson, Lore, and Mayo—4.

Request for Unanimous Consent.

Mr. Lyon asked for unanimous consent to take up Assembly Bill No. 900, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Objection to Unanimous Consent.

Mr. McCarthy objected to unanimous consent to the consideration of Assembly Bill No. 900.

Motion to Suspend Rules.

Mr. Lyon moved that the rules be suspended for purpose of considering Assembly Bill No. 900, at this time.

Roll Call.

The Speaker ordered a roll call taken on the motion to suspend the rules.

The roll was called, and the motion was carried by the following vote:

AYES—Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donihue, Donnelly, Field, Flint, Frazier, Fulcher, Garibaldi, Glover, Heisinger, Hornblower, Hunt, Jones, Kallam, Latham, Lyon, Maloney, Martin, Mayo, Meehan, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Reaves, Redwine, Stream, Thorp, Voigt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—47.

NOES—Anderson, Desmond, Hawkins, Johnson, Lore, McCarthy, and Wallace—7.

Assembly Bill No. 900, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 900, as amended, passed by the following vote:

AYES—Breed, Brennan, Burns, Cassidy, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Glover, Heisinger, Hornblower, Hunt, Kallam, Latham, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Minard, Morgan, Nielsen, Pelletier, Peterson, Peyser, Phillips, Reaves, Robertson, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Welsh, Wright, and Mr. Speaker—50.

NOES—Anderson, Chatters, Donnelly, Evans, Ralph W., Hawkins, Johnson, Jones, Lore, Mayo, McCarthy, O'Donnell, Voigt, Wallace, and Williamson—14.

Title read and approved.

Bill ordered transmitted to the Senate.

Motion.

Mr. Morgan moved, seconded by Mr. McMurray, that the Chief Clerk be instructed to send flowers to James Clancy, Page of the Assembly.

Motion carried unanimously.

Motion to Expunge Record.

Mr. McCarthy moved that the vote whereby the Assembly passed Assembly Bill No. 900, be expunged from the record, and the action rescinded.

Roll Call.

The Speaker ordered a roll call taken on the motion to expunge the record on Assembly Bill No. 900.

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Cassidy, Cronin, Donnelly, Fisher, Johnson, Jones, Lore, McCarthy, McMurray, Meehan, Nielsen, and Wallace—13.

NOES—Brennan, Chatters, Corwin, Cottrell, Cunningham, Dawson, DeLap, Donihue, Field, Flint, Frazier, Fulcher, Glover, Hawkins, Heisinger, Hornblower, Hunt, Kallam, Latham, Lyon, Maloney, Martin, Minard, Morgan, Pelletier, Peterson, Peyser, Reaves, Robertson, Stream, Utt, Voigt, Wagner, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—39.

Unfinished Business—(Resumed).

Consideration of Senate Amendments to Assembly Bill No. 934.

Assembly Bill No. 934—An act to amend section 5.63 of the School Code, relating to admission of nonresident students to State teachers colleges.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 934?

Amendment No. 1.

On page 1, line 2 of the title of the printed bill, after the word "students", insert the following: "to State teachers colleges".

Amendment No. 2.

On page 1 of the printed bill, strike out all of lines 3 to 24, inclusive, and insert in lieu thereof the following:

"5 63. Any person submitting evidence of proper qualifications and not a resident of the State of California may be admitted to a State teachers college upon payment of the nonresident tuition fee. Each such nonresident student is required to pay a tuition fee of seventy-five dollars for the first semester or part of a semester for which he registers; and a fee of thirty-seven dollars and fifty cents for each semester attended consecutively thereafter. In any State teachers college in which the school year is divided into three periods, commonly referred to as quarters, each such nonresident student must be required to pay a tuition fee of thirty-seven dollars and fifty cents for each such period or part of a period, except that the tuition fee for each nonresident student who has attended and paid tuition fees for three such periods consecutively shall thereafter be twenty-five dollars for each such period."

The roll was called, and Senate amendments to Assembly Bill No. 934 were concurred in by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Glover, Hawkins, Hunt, Johnson, Jones, Kallam, Latham, Lore, Martin, Mayo, McMurray, Minard, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Robertson, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 934 ordered to enrollment.

Reconsideration of Senate Concurrent Resolution No. 5 Waived.

Mr. Mayo waived his notice to reconsider the vote whereby Senate Concurrent Resolution No. 5 was passed.

Senate Concurrent Resolution No. 5 ordered transmitted to the Senate.

Motion to Strike Senate Concurrent Resolution No. 10 from File.

Mr. Mayo moved that Senate Concurrent Resolution No. 10 be stricken from the file.

Motion carried.

Senate Concurrent Resolution No. 10 ordered stricken from the file.

Request for Unanimous Consent.

Mr. Hunt asked for, and was granted, unanimous consent to take up Assembly Bill No 2501, at this time, without reference to file, and that same be considered engrossed.

Consideration of Assembly Bill No. 2501.

Assembly Bill No. 2501—An act to amend section 3 of an act entitled "An act to repeal sections 1120 to 1140, inclusive, of the Fish and Game Code, relating to the State Fish Exchange, and disposing of the property and funds thereof," approved June 10, 1933, and defining the powers and duties of the Department of Natural Resources and the Division of Fish and Game thereof in relation thereto.

Case of Urgency.

The following resolution was offered:

By Mr. Hunt:

Resolved, That Assembly Bill No. 2501 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that

section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Mr. Hunt moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote.

AYES—Anderson, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—58.

NOES—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 2501.

Third Reading of Assembly Bill No. 2501.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2501 passed by the following vote:

AYES—Anderson, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Welsh, Williamson, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2483—An act making an appropriation to pay the claim of Harvey B. Whitten against the State of California.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Frazier:

Amendment No. 1.

On page 1, line 4, of the printed bill, after the period, add the following: "So much of said sum as may be available for the purposes hereof shall be paid out of the "relief fund" which was created by the provisions of section 10 of Article XVI of the State Constitution and the entire remainder of said sum shall be paid out of the general fund of the State treasury."

Amendment adopted.

Request for Unanimous Consent.

Mr. Frazier asked for, and was granted, unanimous consent to take up Assembly Bill No. 2483, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2483, as Amended.

Assembly Bill No. 2483, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2483, as amended, passed by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Glover, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Rosenthal, Stream, Thorp, Walker, Waters, Welsh, Williamson, Wright, and Mr. Speaker—54.

NOES—Evans, Ralph W., McCarthy, Pelletier, Wagner, and Wallace—5.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2098—An act to amend section 13 of the Public Utilities Act, relating to public utility charges.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. O'Donnell:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out all of line 11 following the period, and all of lines 12 to 17, inclusive, and all of line 18 preceding the period, and insert in lieu thereof the following: "In prescribing such charges for any public utility, the commission shall adjust them so that such utility will, under honest, efficient and economical management and with reasonable expenditures for maintenance and operation, earn a net operating income equal, as nearly as may be, to a fair return upon the value of the property used by such utility in the service of the public."

Amendment adopted.

Request for Unanimous Consent.

Mr. O'Donnell asked for, and was granted, unanimous consent to take up Assemlby Bill No. 2098, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2098, as Amended.

Assembly Bill No. 2098, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2098, as amended, passed by the following vote:

AYES—Brennan, Burns, Cassidy, Chatters, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donihue, Donnelly, Evans, Ralph W, Fisher, Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Morgan, Nielsen, O'Donnell, Pelletier, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Wallace, Welsh, Wright, and Mr. Speaker—53.

NOES—Dawson, Field, Minard, and Utt—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 465—An act to add section 675.2 to the Political Code, relating to the powers and duties of the Director of Finance in respect to public lands—and reports that the same has been correctly re-re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 465—An act to amend numbers section 675 of the Political Code, relating to the powers of the Director of Finance in respect to public lands.

Bill read third time.

Demand for Previous Question.

Messrs. Minard, DeLap, Fisher, Johnson and Robertson demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

Motion to Re-refer Assembly Bill No. 465.

Mr. Evans, Ralph W., moved that Assembly Bill No. 465 be re-referred to Committee on Governmental Efficiency and Economy.

Substitute Motion to Lay Assembly Bill No. 465 on the Table.

Mr. Field moved, as a substitute motion, that Assembly Bill No. 465 be laid on the table.

The question being on the motion to lay on the table.

Roll Call.

The Speaker ordered a roll call taken on the motion to lay Assembly Bill No. 465 on the table.

The roll was called, and the motion to table was carried by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Chatters, Clark, Cunningham, DeLap, Donihue, Evans, Ralph W., Field, Fisher, Frazier, Johnson, Latham, Lore, Lyon, Martin, Mayo, McBride, McCarthy, Miller, Minard, Morgan, Pelletier, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Voigt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—41.

NOES—Andreas, Boyle, Cassidy, Colwin, Cronin, Crowley, Dawson, Desmond, Donnelly, Flint, Fulcher, Garibaldi, Gevei, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Kallam, Laughlin, Maloney, McMurray, Meehan, Nielsen, O'Donnell, Peterson, Reaves, Richie, Rosenthal, Turner, Utt, and Wagner—34.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 798—An act to amend section 2 of an act entitled "An act relating to the safety of design and construction of public school buildings, providing for regulation, inspection and supervision of the construction, reconstruction or alteration of or addition to public school buildings, and for the inspection of existing school buildings, defining the powers and duties of the State Division of Architecture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act, to take effect immediately," approved April 10, 1933, relating to the powers and duties of the State Division of Architecture in connection with the erection, reconstruction, alteration of, or addition to school buildings.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Anderson:

Amendment No. 1.

On page 2, lines 8 and 9, of the printed bill, strike out the words "basic requirements", and insert in lieu thereof "requirements as to safety of design and construction".

The question being on the amendment submitted by Mr. Anderson to Senate Bill No. 798.

Motion to Lay on Table.

Mr. Scudder moved that the whole matter be laid on the table.

Roll Call.

The Speaker ordered a roll call on the motion to lay on the table.

The roll was called, and the motion to table was lost by the following vote:

AYES—Boyle, Breed, Burns, Dawson, Field, Fisher, Frazier, Hunt, Lyon, Martin, McMurray, Minard, Redwine, Stream, Wallace, Waters, Weber, Williamson, and Wright—19

NOES—Anderson, Brennan, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, DeLap, Donahue, Donnelly, Evans, Ralph W., Fulcher, Garibaldi, Geyer, Gilbert, Glover, Heisinger, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Mayo, McCarthy, Meehan, Miller, Pelletier, Peyser, Phillips, Reaves, Rosenthal, Thorp, Voigt, Wagner, Walker, and Mr. Speaker—38.

The question being on amendment submitted by Mr. Anderson to Senate Bill No. 798.

Roll Call.

The Speaker ordered a roll call taken on the amendment submitted by Mr. Anderson.

The roll was called, and the amendment was adopted by the following vote.

AYES—Anderson, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Minard, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Wagner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—51.

NOES—Breed, Crowley, Morgan, Pelletier, Thorp, and Wallace—6

Request for Unanimous Consent.

Mr. Anderson asked for unanimous consent to take up Senate Bill No. 798, as amended, at this time, without reference to reprint or file.

Objection to Unanimous Consent.

Mr. Garibaldi objected to unanimous consent to the consideration of Senate Bill No. 798.

Motion to Suspend Rules.

Mr. Anderson moved that the rules be suspended for purpose of considering Senate Bill No. 798, at this time.

Roll Call.

The Speaker ordered a roll call taken on the motion to suspend the Rules.

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Cassidy, Clark, Crowley, Desmond, Donahue, Donnelly, Evans, Ralph W., Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Johnson, Jones, Kallam, Laughlin, Lore, McCarthy, Meehan, Pelletier, Richie, Robertson, Rosenthal, Voigt, Wagner, and Wright—28

NOES—Boyle, Breed, Brennan, Burns, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Field, Fisher, Frazier, Fulcher, Gilmore, Hunt, Lyon, Maloney, Martin, McMurray, Miller, Minard, Morgan, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Scudder, Stream, Thorp, Walker, Wallace, Waters, Weber, Williamson, and Mr. Speaker—38.

Senate Bill No 798 read, ordered to reprint, and on file for third reading.

Senate Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to section 1 of

Article IV of the Constitution of said State, relating to amendments to initiative acts and initiative constitutional amendments.

Senate Constitutional Amendment No. 8 read.

Mr. Garibaldi moved the adoption of Senate Constitutional Amendment No. 8.

Demand for Previous Question.

Messrs. Dawson, Frazier, Martin, DeLap and Wallace demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of Senate Constitutional Amendment No. 8.

The roll was called, and Senate Constitutional Amendment No. 8 refused adoption by the following vote:

AYES—Cassidy, Corwin, Cottrell, Cronin, Crowley, Donnelly, Fulcher, Garibaldi, Kallam, Lyon, McBride, O'Donnell, Thorp, Walker, and Mr. Speaker—15.

NOES—Anderson, Boyle, Chatters, Clark, Cunningham, Dawson, DeLap, Donihue, Evans, Ralph W., Fisher, Frazier, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Riley, Robertson, Rosenthal, Voigt, Wagner, Wallace, Waters, Weber, Williamson, and Wright—49.

Unfinished Business—(Resumed).

Consideration of Senate Amendments to Assembly Bill No. 2292.

Assembly Bill No. 2292—An act to amend sections 18 and 23 of the California Barber Law, relating to restrictions upon barber shops or colleges in this State.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2292?

Amendment No. 1.

On page 2, line 51, of the printed bill, add the following: "Nothing in this section shall be deemed to apply to barber shops operated by or in hotels and resorts for the accommodation of guests."

Amendment No. 2.

On page 3 of the printed bill, as amended, strike out lines 1, 2 and 3 of subdivision (j).

Amendment No. 3.

On page 3, line 1, of the printed bill, as amended, strike out "section", and insert in lieu thereof the following: "subsection".

Amendment No. 4.

On page 3 of the printed bill, as amended, immediately following line 24, insert the following:

"SEC. 3. If any section, subsection, sentence, clause, or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this act. The Legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional."

The roll was called, and Senate amendments to Assembly Bill No. 2292 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Stream, Thorp, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr Speaker—64.

NOES—Voigt—1.

Assembly Bill No. 2292 ordered to enrollment.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 875—An act to carry into effect the provisions of section 22 of Article XX of the Constitution of the State of California as added at the general election held on November 6, 1934, relating to the business of loaning money on pledges of personal property known as pawnbroking, and providing penalties for the violation hereof.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. McCarthy:

Amendment No. 1.

On page 1, line 5, of the printed bill, as amended, strike out "three", and insert in lieu thereof the following: "two".

Amendment No. 2.

On page 1, line 6, of the printed bill, as amended, strike out "on loans not exceeding three hundred dol-", and strike out all of line 7, and in line 8, strike out "of three hundred dollars".

The question being on the amendments submitted by Mr. McCarthy to Senate Bill No. 875.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. McCarthy.

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Anderson, Clark, Crowley, Evans, Ralph W., Geyer, Gilbert, Glover, Hawkins, Hunt, Jones, Laughlin, Lore, McCarthy, O'Donnell, Patterson, Richie, Rosenthal, Turner, Wagner, and Wallace—20.

NOES—Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Fisher, Fulcher, Garibaldi, Heisinger, Hornblower, Johnson, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Reaves, Stream, Thorp, Waters, Weber, Wright, and Mr. Speaker—40.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 875 finally passed by the following vote:

AYES—Anderson, Brennan, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donnelly, Fisher, Frazier, Fulcher, Gilmore, Hornblower, Hunt, Jones, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Reaves, Redwine, Scudder, Stream, Thorp, Turner, Walker, Waters, Weber, Williamson, Wright, and Mr. Speaker—45.

NOES—Burns, Clark, Donihue, Evans, Ralph W., Geyer, Gilbert, Glover, Hawkins, Heisinger, Johnson, Kallam, Laughlin, Lore, McCarthy, Patterson, Pelletier, Richie, Rosenthal, Voigt, Wagner, and Wallace—21.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 1493—An act providing for the calling of a constitutional convention in the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1493 refused passage by the following vote:

AYES—Anderson, Cassidy, Clark, Cunningham, Donihue, Evans, Ralph W., Geyer, Gilbert, Glover, Hawkins, Hunt, Latham, Laughlin, Lore, McCarthy, Morgan, Pat-

terson, Pelletier, Richie, Riley, Rosenthal, Voigt, Wagner, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—29.

NOES—Andreas, Breed, Brennan, Burns, Chatters, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donnelly, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Heisinger, Hornblower, Johnson, Kallam, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Nielsen, Peterson, Peyser, Scudder, Thorp, Turner, and Walker—37.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 95—An act to amend sections 356, 407, 448 and 422 of, and to add sections 601, 602, 602.5, 602.6, 602.7, 604, 610, 612, 615, 617, 618, 621, 624, 625, 626, 627, 632, 637, 639, 639.1, 639.2, 639.3, 644, 645, 646, 648, 649, 650 and 651 to the Streets and Highways Code, establishing additional secondary State highways.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Messrs. Fisher, Meehan and Johnson:

Amendment No. 1.

On page 1, line 5 of the title of the printed bill, as amended, strike out "and 654", and insert in lieu thereof the following: ", 654 and 654.5".

Amendment No. 2.

On page 7 of the printed bill, as amended, immediately following line 44, insert the following:

"SEC. 28. Section 654.5 is hereby added to the Streets and Highways Code to read as follows:

654.5. The following new routes or portions of routes are hereby added to the State highway system:

(a) From Route 14 at Ashby Avenue to Route 105.

(b) From Route 75 to Moss Avenue in Oakland via Moraga Road and Richmond Boulevard.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. O'Donnell:

Amendment No. 1.

On page 7, line 4, of the printed bill, as amended, after "easterly", insert the following: "via Netherland Road".

Amendment No. 2.

On page 7 of the printed bill, as amended, between lines 5 and 6, insert the following:

"(d) From Route 15 near Colusa to Route 45 near Butte City."

Floor Amendment.

During third reading of the bill, the following amendments were submitted by Mr. Rosenthal:

Amendment No. 1.

On page 7 of the printed bill, as amended, between lines 30 and 31, insert the following:

"Florence Avenue from Central Avenue to Atlantic Boulevard."

Amendment No. 2.

On page 7 of the printed bill, as amended, between lines 30 and 31, insert the following:

"Pacific Boulevard from Fruitland Avenue to Santa Ana Avenue."

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Redwine:

Amendment No. 1.

On page 8 of the printed bill, as amended, strike out lines 9 and 10.

Amendment No. 2.

On page 8, line 41, of the printed bill, as amended, after the word "Boulevard", insert the following: "from Route 2 to Route 60 in the city of Los Angeles, county of Los Angeles and city of Beverly Hills."

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Patterson:

Amendment No. 1.

On page 2 of the printed bill, as amended, between lines 46 and 47, insert the following:

"(g) From Route 2 at Kings City to Route 56 at the mouth of Mill Creek via Jolon and Mission San Antonio.

(h) From Route 2 at Kings City to the boundary of the Pinnacles National Monument via Colburn.

(i) From Route 2 at Greenfield to Route 56 at Carmel via Arroyo Seco River and Jamesberg.

(j) From Route 2 at Kings City to Route 119 via Lonoak."

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Latham:

Amendment No. 1.

On page 8 of the printed bill, as amended, between lines 30 and 31, insert the following: "from Route 161 near Arcadia to Seventh Street in Los Angeles via Huntington Drive and Mission Road".

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Rosenthal:

Amendment No. 1.

On page 8 of the printed bill, as amended, between lines 46 and 47, insert the following: "from the east city boundary of Los Angeles to Mission Road in Los Angeles via Valley Boulevard".

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lore:

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, after "448", insert a comma and the following. "461".

Amendment No. 2.

On page 2 of the printed bill, as amended, between lines 4 and 5, insert the following:

"SEC. 2a. Section 461 of the Streets and Highways Code is hereby amended to read as follows:

461. Route 161 is from:

(a) Route 2 near Wilbur Avenue to Route 4 in Burbank.

(b) Route 4 near Glendale to Route 9 near Monrovia."

Amendment No. 3.

On page 7 of the printed bill, as amended, strike out lines 46 and 47.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. O'Donnell:

Amendment No. 1.

On page 7, line 4, of the printed bill, as amended, after "easterly", insert the following: "via Netherland Road".

Amendment No. 2.

On page 7 of the printed bill, as amended, between lines 5 and 6, insert the following:

"(d) From Route 15 near Colusa to Route 45 near Butte City."

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Donnelly:

Amendment No. 1.

On page 6 of the printed bill, as amended, strike out lines 32 and 33.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Pelletier:

Amendment No. 1.

On page 8 of the printed bill, as amended, between lines 46 and 47, insert the following:

"From Riverside Drive in the city of Los Angeles to Route 173, via Chavez Ravine Road, Castelar Street and Hill Street".

Amendments adopted.

Request for Unanimous Consent.

Mr. Mayo asked for, and was granted, unanimous consent to take up Senate Bill No. 95, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 95, as Amended.

Senate Bill No 95, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 95, as amended, finally passed by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, DeLap, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Waters, Weber, Welsh, Wright, and Mr. Speaker—60.

NOES—Breed, Corwin, Desmond, Donihue, Heisinger, Johnson, Kallam, Walker, and Wallace—9.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, being an amendment of section 1 of Article II of said Constitution, relative to elections and eligibility of voters, disabilities and absent voters.

Senate Constitutional Amendment No. 2 read.

Mr. Crowley moved the adoption of Senate Constitutional Amendment No. 2.

Demand for Previous Question.

Messrs. Peterson, Frazier, Burns, Mayo and Fisher demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of Senate Constitutional Amendment No. 2.

The roll was called, and Senate Constitutional Amendment No. 2 refused adoption by the following vote:

AYES—Breed, Brennan, Chatters, Corwin, Crowley, DeLap, Field, Frazier, Gilmore, Hornblower, Kallam, Latham, Lyon, Maloney, Martin, McBride, McCarthy, Minard, Phillips, Redwine, Scudder, Stream, Thorp, Utt, Walker, Wright, and Mr. Speaker—27

NOES—Anderson, Burns, Cassidy, Clark, Cronin, Cunningham, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Laughlin, Lore, Mayo, McMurray, Meehan, Miller, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Riley, Rosenthal, Turner, Voigt, Wagner, Wallace, Weber, and Welsh—43.

Explanation of Vote.

I am recorded as voting "yes" on Senate Constitutional Amendment No. 2 when it was my intention to vote "no," and I request to be so recorded.

ASSEMBLYMAN JOHN D. McCARTHY.

Senate Bill No. 93—An act to amend section 7 of the "California Nautical School Act," approved June 3, 1929, as amended, relating to the payment by pupils enrolled in the California Nautical School of fees and other charges and the disposition thereof.

Bill read third time.

Demand for Previous Question.

Messrs. Morgan, Fisher, Lyon, Burns and Martin demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question was not sustained.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 93 finally passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, Desmond, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Hunt, Jones, Kallam, Latham, Lyon, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Peyser, Phillips, Reaves, Richie, Riley, Scudder, Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—54

NOES—Anderson, Cottrell, DeLap, Donahue, Donnelly, Geyer, Gilbert, Glover, Hawkins, Heisinger, Johnson, Laughlin, Lore, Maloney, McCarthy, Meehan, Pelletier, Peterson, Rosenthal, Voigt, and Wagner—21.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, June 15, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to Senate Bill No. 95—An act to amend sections 356, 401, 407, 448 and 422 of, and to add sections 601, 602, 602.5, 602.6, 602.7, 604, 610, 612, 615, 617, 618, 621, 623, 624, 625, 626, 627, 628, 632, 637, 639, 639.1, 639.2, 639.3, 644, 645, 646, 648, 649, 650, 650.5, 651, 652, 653, 654 and 655 to the Streets and Highways Code, establishing additional secondary State highways—and requests that your honorable body recede therefrom.

J. A. BEEK, Secretary of Senate.

Consideration of Assembly Amendments to Senate Bill No. 95.

The question being: Shall the Assembly recede from Assembly amendments to Senate Bill No. 95?

The roll was called, and the Assembly refused to recede from Assembly amendments to Senate Bill No. 95 by the following vote:

AYES—Breed, Lyon, Wallace, and Williamson—4.

NOES—Anderson, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Wright, and Mr. Speaker—65.

Appointment of Committee on Free Conference Concerning Senate Bill No. 95.

The Speaker announced the appointment of Messrs. Mayo, Kallam and Stream, as a Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Senate Bill No. 95.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 1120—An act to provide for certain major construction and improvements by the State, including the construction of a State prison, certain other construction and improvements and the issue of bonds therefor and making an appropriation.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Reaves:

Amendment No. 1.

On page 1, line 3 of the title of the printed bill, as amended, after "improvements", insert the following: "and to provide for aid to self-help cooperative groups of unemployed".

Amendment No. 2.

On page 1, line 3, of the printed bill, as amended, strike out "twelve", and insert in lieu thereof the following: "seventeen".

Amendment No. 3.

On page 2, line 14, of the printed bill, as amended, strike out "of this act", and insert in lieu thereof the following: "subdivisions 1 to 4, inclusive, of this section".

Amendment No. 4.

On page 2, line 15, of the printed bill, as amended, immediately before "commission", insert the following: "State Building".

Amendment No. 5.

On page 2 of the printed bill, as amended, strike out lines 19 to 23, inclusive, and insert in lieu thereof the following:

"(6) To the extent of five million dollars thereof for direct grants to cooperative groups of unemployed persons in the discretion of and subject to administration by the State Relief Commission created by section 10 of Article XVI of the Constitution of this State. Such grants may be made subject to such conditions and pursuant to such rules and regulations as the State Relief Commission promulgates and the diversion or appropriation of any moneys so granted in violation of any such rule, regulation or condition shall constitute the crime of theft to the extent of the amount so diverted or appropriated.

SEC. 2. The administration of the expenditures and of the provisions relating to the matters set forth in subdivisions 1 to 5 of section 1 of this act shall be vested with the State Building Commission. The administration of the expenditures and of the matters set forth in subdivision 6 of section 1 of this act shall be vested in the State Relief Commission. For the purposes of this act the word "commission" whenever used herein, with relation to any of the matters set forth in subdivisions 1 to 5 of section 1 of this act, refers to the State Building Commission created by this act. Whenever used in respect to the matters set forth in subdivision 6 of section 1 of this act the word "commission" refers to the State Relief Commission created by section 10 of Article XVI of the Constitution of this State. The State Building Commission is hereby created and shall consist of the Director of".

Amendment No. 6.

On page 2, line 32, of the printed bill, as amended, immediately preceding "commission", insert the following: "State Building".

Amendment No. 7.

On page 2, line 36, of the printed bill, as amended, immediately preceding "commission", insert the following: "State Building".

Amendment No. 8.

On page 2, line 40, of the printed bill, as amended, immediately preceding "commission", insert the following: "State Building".

Amendment No. 9.

On page 4, line 10, of the printed bill, as amended, immediately before "commission", insert the following: "State Building Commission and State Relief".

Amendment No. 10.

On page 4, line 30, of the printed bill, as amended, strike out "twelve", and insert in lieu thereof the following: "seventeen".

Amendment No. 11.

On page 6, line 5, of the printed bill, as amended, strike out "State building fund", and insert in lieu thereof the following: "specific funds into which the proceeds from the sale of said bonds shall be respectively covered in accordance with the provisions of this act".

Amendment No. 12.

On page 6, line 12, of the printed bill, as amended, strike out "State Building".

Amendment No. 13.

On page 6 of the printed bill, as amended, strike out lines 39 to 41, inclusive, and insert in lieu thereof the following: "the State building fund if the issue and sale is pursuant to a resolution of the State Building Commission as prescribed in section 15 of this act, or into the unemployment cooperative fund if the issue and sale is pursuant to a resolution of the State Relief Commission as prescribed in said section 15. The State building fund is hereby created in the State treasury to be paid out and expended in accordance with law by the State Building Commission in carrying out the provisions of this act relating to the matters set forth in subdivisions 1 to 5, inclusive, in section 1 of this act. The unemployment cooperative fund is hereby created in the State treasury, to be paid out and expended in accordance with law in carrying out the provisions of this act relating to subdivision 6 of section 1 of this act."

Amendment No. 14.

On page 6, line 45, of the printed bill, as amended, after "fund", insert the following: "or unemployment cooperative fund".

Amendment No. 15.

On page 7, line 2, of the printed bill, as amended, strike out "State Building".

Amendment No. 16.

On page 7, line 22, of the printed bill, as amended, after "Commission", insert the following: "the State Relief Commission,".

Amendment No. 17.

On page 7, line 24, of the printed bill, as amended, strike out "State Building".

Amendment No. 18.

On page 8 of the printed bill, as amended, strike out line 16, and insert in lieu thereof the following: "Building Finance Committee in respect to matters arising out of the provisions of this act relating to subdivision 6 of section 1 of this act shall be paid out of the unemployment cooperative fund and all such actual and necessary expenses arising out of the provisions of this act in respect to the matters set forth in subdivisions 1 to 5, inclusive, of section 1 of this act shall".

Amendment No. 19.

On page 8, line 19, of the printed bill, as amended, strike out the comma, and insert in lieu thereof a period and the following: "All such payments shall be made".

Amendment No. 20.

On page 8, line 41, of the printed bill, as amended, after "priated", insert the following: "for the purposes set forth in subdivisions 1 to 5, inclusive, of section 1 of this act".

The question being on the amendments submitted by Mr. Reaves to Senate Bill No. 1120.

Demand for Previous Question.

Messrs. DeLap, Frazier, Brennan, Fisher, and Weber demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the amendments submitted by Mr. Reaves to Senate Bill No. 1120.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Reaves.

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Anderson, Boyle, Burns, Cassidy, Clark, Crowley, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Heisinger, Hunt, Laughlin, Lore, McCarthy, Patterson, Pelletier, Reaves, Richie, Turner, and Wagner—23.

NOES—Andreas, Breed, Brennan, Chatters, Corwin, Cottrell, Cronin, Dawson, DeLap, Desmond, Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Johnson, Kallam, Latham, Lyon, Maloney, Martin, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Peyser, Phillips, Robertson, Scudder, Thorp, Walker, Wallace, and Mr. Speaker—38.

Third Reading of Senate Bill No. 1120.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1120 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Richie, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, and Mr. Speaker—63.

NOES—Flint and Reaves—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XVI thereof a new section to be numbered 11, relating to a bond issue for certain major construction and improvements.

Senate Constitutional Amendment No. 26 read.

Floor Amendment.

During reading of Senate Constitutional Amendment No. 26, the following amendment was submitted by Mr. Desmond:

Amendment No. 1.

On page 1, line 15, of the printed measure, as amended, strike out "twelve", and insert in lieu thereof the following: "thirteen".

Amendment adopted.

Request for Unanimous Consent.

Mr. Desmond asked for, and was granted, unanimous consent to take up Senate Constitutional Amendment No. 26, at this time, without reference to reprint or file.

Senate Constitutional Amendment No. 26 read.

Floor Amendments.

During reading of Senate Constitutional Amendment No. 26, the following amendments were submitted by Mr. Reaves:

Amendment No. 1.

On page 1, line 6 of the title of the printed measure, strike out the period, and insert in lieu thereof the following: "and for unemployment rehabilitation."

Amendment No. 2.

On page 1, line 15, of the printed measure, strike out "twelve", and insert in lieu thereof the following: "seventeen".

Amendment No. 3.

On page 1, line 17, of the printed measure, after "improvements", insert the following: "and for unemployment rehabilitation".

The question being on the amendments submitted by Mr. Reaves to Senate Constitutional Amendment No. 26.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Reaves.

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Anderson, Burns, Cassidy, Clark, Crowley, Donihue, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Jones, Laughlin, Lore, Patterson, Pelletier, Reaves, Richie, Rosenthal, and Wagner—21.

NOES—Breed, Brennan, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Field, Fisher, Frazier, Fulcher, Garibaldi, Hornblower, Johnson, Latham, Lyon, Maloney, Martin, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Peyser, Phillips, Scudder, Thorp, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—37.

Senate Constitutional Amendment No. 26 read.

Mr. Desmond moved the adoption of Senate Constitutional Amendment No. 26.

The question being on the adoption of Senate Constitutional Amendment No. 26.

The roll was called, and Senate Constitutional Amendment No. 26 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Riley, Rosenthal, Scudder, Thorp, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Senate Constitutional Amendment No. 26 ordered transmitted to the Senate.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1493—An act providing for the calling of a constitutional convention in the State of California—and reports that the same has been correctly re-re-engrossed.

WATERS, Chairman.

The above reported bill ordered on file for third reading.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 43—An act to add a new section to the Penal Code to be numbered 496bb, relating to buying, receiving, concealing or withholding stolen property, and prescribing penalties for violation of the provisions thereof;

Also Assembly Bill No. 104—An act to amend section 103 of, and to add sections 103 1, 103 2, 103 3, 103.4, 103 5, 103.6, 103 7 and 103.8 to, the Code of Civil Procedure, relating to courts of justice.

Also Assembly Bill No 142—An act to amend section 32 of the Penal Code, relating to the definition of an accessory.

Also: Assembly Bill No. 205—An act to amend section 702 of the Code of Civil Procedure, relating to redemption interest;

Also: Assembly Bill No. 264—An act to amend section 737m of the Political Code, relating to the salaries of the judges of the superior court in and for the county of Imperial;

Also: Assembly Bill No. 315—An act to amend section 284 of the Code of Civil Procedure, relating to substitution of attorneys and fees of same;

Also: Assembly Bill No. 413—An act to amend sections 60 and 62 of an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section 14 of Article I of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, Statutes 1911, page 730, as amended, relating to bonds and assessments;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eight o'clock p m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 455—An act to amend section 1305 of the Penal Code, to require certain entries in court minutes relating to bail, and to amend sections 1281a and 1310 of the Penal Code, and to add thereto a new section to be designated 1280c, authorizing the court, judge or magistrate to inquire into the financial condition of a corporation offering a bond as bail and to approve or reject said bond;

Also: Assembly Bill No. 479—An act to amend section 2179 of the Political Code, relating to guardianship and administration of estates of incompetents;

Also: Assembly Bill No. 510—An act to amend section 143 of the Agricultural Code, pertaining to abandoned orchards.

Also: Assembly Bill No. 516—An act establishing and authorizing an additional secondary State highway from the city of Needles easterly to the Arizona-California State line, including a bridge over the Colorado River, providing for the construction, maintenance and ownership of such bridge jointly by the States of California and Arizona, and amending the Streets and Highways Code in conformance therewith;

Also: Assembly Bill No. 638—An act to amend sections 997, 1009, 1116, 1117, 1166, 1188, 1262, 1297, 1302, 1371, and 1384, of the Penal Code, relating to refund of money deposited in lieu of bail, and to repeal conflicting acts and parts of acts;

Also: Assembly Bill No. 733—An act to amend section 1032 of the Code of Civil Procedure, relating to costs in civil actions;

Also: Assembly Bill No. 758—An act to repeal section 52a of the California Irrigation District Act, relating to the payment of assessments with matured bonds and coupons,

Also: Assembly Bill No. 816—An act relating to shares of insured Federal savings and loan associations, as legal investments for trust and other funds;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eight o'clock p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 827—An act to validate the organization and bonds of municipal improvement districts formed under the Municipal Improvement District Act of 1927 and providing for the levy of special assessment taxes to pay said bonds;

Also: Assembly Bill No 882—An act to amend section 338 of the Code of Civil Procedure, relating to limitation of actions;

Also: Assembly Bill No. 895—An act to add a new chapter, to be numbered 1a, to Division V of the Agricultural Code, relating to the standardization of tomatoes;

Also: Assembly Bill No. 896—An act to amend sections 508, 510, 581, 585, 590, 591, 593, 632, and 673 of the Agricultural Code, relating to dairies and dairy products;

Also: Assembly Bill No. 919—An act to amend section 1261 of Chapter 6, Division VI, of the Agricultural Code, relating to produce dealers;

Also: Assembly Bill No. 924—An act to amend sections 781, 783, 784, 785, 787, 788, and 822 and to add sections 784 1, 784 2, 784 3, 784 4, 784 5, 784.6 and 784.7 to the Agricultural Code, relating to fruits, nuts and vegetables;

Also: Assembly Bill No 925—An act to amend section 830 5 of the Agricultural Code, relating to transportation of fruits, nuts, and vegetables;

Also: Assembly Bill No. 943—An act to amend section 688 of the Political Code, relating to claims against the State of California in respect to damages inflicted by vehicles;

Also: Assembly Bill No. 958—An act to amend section 4190 of the Political Code, relating to establishment and government and the creation of a fund for law library;
And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eight o'clock p m.

WATERS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1067—An act to amend section 1007 of the Civil Code, relating to title by prescription and adverse possession,

Also: Assembly Bill No. 1167—An act authorizing the Director of Finance to provide for the sale of certain lands situated in county of Yolo, State of California;

Also: Assembly Bill No. 1219—An act to amend section 133 of the Streets and Highways Code, relating to the Department of Public Works;

Also: Assembly Bill No. 1243—An act to amend sections 828 and 829 of the Agricultural Code, relating to fruits, nuts and vegetables;

Also: Assembly Bill No 1259—An act to amend the title of and add a new section to "An act to provide for the creation of a board of parole commissioners for each county in this State, for the paroling of prisoners confined in county jails, and authorizing and empowering such boards to make rules and regulations in relation thereto," approved March 25, 1909, as amended, relating to the unconditional release by the county board of parole commissioners of alien prisoners who consent to return or to be returned to their native country and providing for the payment of the expenses of such return by counties;

Also: Assembly Bill No 1260—An act to add section 1140.5 to the Probate Code, relating to the duties of the public administrator and providing for the management, control, rental and sale by the public administrator of properties of indigent or other aliens returned to their native lands by or at the request of counties;

Also: Assembly Bill No. 1268—An act to validate the formation, organization and existence of county water districts, and to validate the acts of the board of directors of such districts in the inclusion of land therein or exclusion of land therefrom, and to validate the proceedings of such directors taken for the creation of a bonded indebtedness;
And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eight o'clock p.m

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1270—An act to add section 9¼ to "An act to provide for the aid and relief of indigents," approved June 5, 1933, relating to the sale of personal property of such persons upon their death;

Also: Assembly Bill No. 1298—An act to amend section 1238 of the Code of Civil Procedure, relating to the exercise of the right of eminent domain;

Also: Assembly Bill No. 1400—An act to amend section 667 of the Penal Code, relating to the punishment of petty theft after a prior conviction of a felony;

Also: Assembly Bill No. 1491—An act establishing municipal courts in cities and cities and counties of the second and one-fourth class, prescribing a constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein;

Also: Assembly Bill No. 1492—An act to amend section 9 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation, and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts in cities or cities and counties of the second and one-fourth class;

Also: Assembly Bill No 1532—An act to amend the Political Code by amending sections 3456, 3466a and 3491, relating to reclamation districts;

Also: Assembly Bill No 1559—An act to amend section 4245 of the Political Code, relating to the compensation of county officers in counties of the sixteenth class;
And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eight o'clock p.m.

WATERS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1666—An act to amend sections 2 and 7 of "An act to define motor carrier transportation agent; to provide for the regulation, supervision and

licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof, and repealing an act entitled 'An act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof,' approved June 5, 1931, and all acts or parts of acts inconsistent with the provisions of this act," approved May 15, 1933, relating to motor carrier transportation agents,

Also: Assembly Bill No. 1804—An act validating, ratifying, approving and confirming bonds and other instruments or obligations heretofore issued by public bodies of this State for public works projects,

Also: Assembly Bill No. 1896—An act to add a new section to the Political Code, to be numbered section 1143, relating to boards of election;

Also: Assembly Bill No. 1952—An act to amend section 810 of the Agricultural Code, relating to artichoke standards;

Also: Assembly Bill No. 1974—An act to amend section 11 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation, and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts in cities or cities and counties of the second and three-fourths class;

Also: Assembly Bill 2021—An act to amend section 42 of the Probate Code, relating to bequests and devises;

Also: Assembly Bill No. 2050—An act amending section 1428 of the Penal Code, relating to keeping of minutes;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eight o'clock p m

WATERS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2051—An act amending section 1461a of the Penal Code, relating to municipal court procedure;

Also: Assembly Bill No. 2052—An act to amend section 1428a of the Penal Code, relating to minute books of municipal courts;

Also: Assembly Bill No. 2156—An act to amend the Political Code by adding a new section numbered 3819a, relating to the redemption of property from sale for nonpayment of taxes in counties of the first and second classes;

Also: Assembly Bill No. 2217—An act to amend section 402c of the Penal Code, relating to safety measures;

Also: Assembly Bill No. 2218—An act to amend section 484 of the Penal Code, relating to thefts and fraud;

Also: Assembly Bill No. 2219—An act to amend section 1 of an act entitled "An act to require employers to pay the cost of bonds and photographs required of and furnished by employees or applicants for employment," approved April 20, 1917, relating to property as a substitute for a bond;

Also: Assembly Bill No. 2455—An act to add sections 18 and 19 to an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons, to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, relating to concealable weapons;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eight o'clock p m

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 36—An act to amend the Agricultural Code by adding to Division VI thereof a new chapter to be numbered 9 and to include sections 1299 18 and 1300 to 1300 6 inclusive, defining and pertaining to processors of farm products and the licensing thereof;

Also: Assembly Bill No. 338—An act to add section 731a to the Code of Civil Procedure, relating to the use of the injunction in industrial or commercial zones;

Also: Assembly Bill No. 487—An act to amend section 692 of, and to add a new section to be numbered 692a to the Code of Civil Procedure, relating to sales of property under execution or under power contained in a deed of trust;

Also: Assembly Bill No. 522—An act to amend section 400 of the Vehicle Code, relative to the liability of governmental agencies;

Also: Assembly Bill No. 650—An act to add two new sections to Article 2 of Chapter 3 of Division I of the Streets and Highways Code, relating to franchises in highways;

Also: Assembly Bill No. 707—An act to amend sections 12, 13 and 16 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing;

Also: Assembly Bill No. 812—An act to amend section 226 of the Civil Code, relating to proceedings on adoption;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eight o'clock p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 814—An act to amend section 92 of, and to add section 95 to the Agricultural Code, relating to and providing for the exhibition of California products;

Also: Assembly Bill No. 898—An act to amend section 488 of the Agricultural Code, relating to Grade A milk;

Also: Assembly Bill No. 941—An act to amend section 428 of the Fish and Game Code and to add thereto sections 428.5 and 428.6, relating to sporting fishing licenses, and the disposition of fees therefrom;

Also: Assembly Bill No. 955—An act to amend the title and sections 1 and 24, and to add section 8a to the "Storm-water District Act of 1909," approved March 13, 1909, as amended, relating to the formation of districts for the purpose of controlling soil erosion and protecting the lands in such district from damage by storm-water or other waters;

Also: Assembly Bill No. 959—An act to amend section 59 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to referees of the Industrial Accident Commission;

Also: Assembly Bill No. 973—An act to amend section 803 of the Agricultural Code, relating to peaches;

Also: Assembly Bill No. 975—An act to amend section 804 of the Agricultural Code, relating to pears;

Also: Assembly Bill No. 978—An act to amend section 12 of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to civil engineers;

Also: Assembly Bill No. 1189—An act to amend sections 81, 116, 116b, 274c, 437c, 477, 594, 632, 639, 652, 655, 664, 667a, 668, 670, 675, 973, 1033, 1052, 1134 and 1135 of the Code of Civil Procedure, and to add section 35 thereto, relating to civil actions;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eight o'clock p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1213—An act to amend section 10½ of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the regulation of the practice of optometry;

Also: Assembly Bill No. 1304—An act to amend the title and sections 1, 2, 3, 4, 5, 6 and 7 of an act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores, and spotting, sponging, and/or pressing establishments, or agencies thereof, and private schools and colleges of spotting, sponging, and/or pressing; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violations," approved May 28, 1931, relating to cleaning and dyeing;

Also: Assembly Bill No. 1324—An act to amend sections 1, 3, 4 and 5 of an act entitled "An act to reduce the fire hazards of clothes cleaning establishments, providing for the enforcement thereof by the Division of Fire Safety in the Department of Industrial Relations, providing ways and means for enforcement and providing

penalties for violations," approved June 3, 1927, relating to clothes cleaning establishments;

Also: Assembly Bill No. 1398—An act to amend section 1 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violation of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, and relating to penalties for violations of this act;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eight o'clock p m

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1462—An act to add section 4a to the act entitled "An act to provide for the payment of not less than the general prevailing rate of wages on public works, and not less than the general prevailing rate of wages for legal holiday and overtime work on public works, providing for the ascertainment of such general prevailing rate by the public body awarding the contract and its insertion in the contract and call for bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture of each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof," approved May 25, 1931, relative to the definition of public contract work and the payment of the general prevailing rate therefor;

Also: Assembly Bill No. 1470—An act to amend section 10 of "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, relating to municipal utility districts;

Also: Assembly Bill No. 1579—An act to amend section 911 of the Insurance Code, relating to insurance practice regarding financial statements of insurers, and matters incidental thereto;

Also: AssemblyBill No. 1581—An act to amend sections 38 and 11741 of, and to add section 11557.5 to, the Insurance Code, relating to insurance principles, practice and business, and matters incidental thereto, particularly including notice, and revocation and suspension of certificates of authority;

Also: Assembly Bill No. 1586—An act to repeal sections 12051 and 12052 of the Insurance Code, relating to surety insurers;

Also: Assembly Bill No. 1589—An act to amend section 12562 of the Insurance Code, relating to mortgage insurance;

Also: Assembly Bill No. 1765—An act to amend section 649, 649a, 651a, 651b, 651c, and 651d of the Civil Code, relating to colleges and seminaries of learning;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eight o'clock p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1904—An act to amend section 3 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to wagering and to the powers of the California Horse Racing Board;

Also: Assembly Bill No. 1906—An act to add section 987b to the Penal Code, relating to the office of public defender;

Also: Assembly Bill No. 1987—An act to amend section 3 of "An act relating to the liability in damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property, and alleged to be due to the negligence

or carelessness of such officers; prescribing the duties of claimants in such cases, and authorizing the State and such public or quasi public corporations to take out and pay for insurance to protect their officers against such liability," approved June 19, 1931, relating to insurance;

Also: Assembly Bill No. 2043—An act to add a new section to be known as section 5.724 to the School Code, relating to resignations, dismissals and leaves of absence of certified employees;

Also: Assembly Bill No. 2064—An act to amend the Building and Loan Association Act by adding section 12.04b thereto, relating to foreign associations;

Also: Assembly Bill No. 2066—An act to amend the Building and Loan Association Act by adding section 6.01b thereto, relating to period of notice of intention to withdraw;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eight o'clock p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2067—An act to amend the Building and Loan Association Act by amending section 12.06 thereof, relating to advertising by building and loan associations;

Also: Assembly Bill No. 2068—An act to amend section 76a of the Improvement Act of 1911, relating to foreclosure of bonds;

Also: Assembly Bill No. 2134—An act to add section 6.2a to the School Code, relating to school property fire losses;

Also: Assembly Bill No. 2260—An act relating to employment contracts and applications for employment;

Also: Assembly Bill No. 2408—An act to add a new section to the Code of Civil Procedure to be numbered 349¼, relating to the limitation of the time within which actions, for trespass, use or occupancy of real property by oil or gas wells, and for damages by reason thereof, and for the conversion or for the taking or removing of oil, gas or other liquid or fluids by means of any such well, may be commenced, fixing the measure of damages in certain of such cases, and defining oil and gas for the purposes of this act;

Also: Assembly Bill No. 2429—An act to provide for the formation, management, alteration of boundaries, and dissolution of storm drain maintenance districts, defining the powers of the board of supervisors and the county surveyor relative to such districts and providing for the levy and collection of taxes to defray the expenses thereof;

Also: Assembly Bill No. 2458—An act to add Chapter 9, embracing sections 725 to 734, inclusive, to Division IV of the Agricultural Code, relating to dairies and dairy products;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eight o'clock p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2441—An act to provide for the regulation and control of the sale of certain drugs or chemicals known as dinitrophenol and thyroid, to provide penalties for the violation of this act and to provide for the enforcement hereof by the California State Board of Pharmacy;

Also: Assembly Bill No. 2444—An act to require security for the payment of wages of persons engaged in the canning industry and providing penalties for violation of the provisions thereof;

Also: Assembly Bill No. 2445—An act to amend section 788 of the Fish and Game Code, relating to the crab season in California;

Also: Assembly Bill No. 2457—An act to amend section 3631 of the Political Code, relating to the administration of certain bays, ports and harbors;

Also: Assembly Bill No. 2469—An act to add section 590 to the Vehicle Code, relating to warning devices;

Also: Assembly Bill No. 2479—An act to add a new section, to be numbered 1582, to the Streets and Highways Code, relating to county highway funds;

Also: Assembly Bill No. 2480—An act to authorize the operation of stands in State buildings by blind persons;

Also: Assembly Bill No. 2485—An act to add section 331 to the Political Code, relating to the construction of statutes fixing or authorizing the fixing of salaries;

Also: Assembly Bill No. 618—An act to provide for the regulation and licensing of greyhound racing and race meetings, and to permit wagering on the results thereof; to create the California Greyhound Racing Board for the regulation, licensing and supervision of greyhound racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to make an appropriation therefor;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eight o'clock p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 223—An act to amend section 3649 of the Political Code, relating to taxation;

Also: Assembly Bill No. 236—An act to amend section 4307 of the Political Code, relating to county charges;

Also: Assembly Bill No. 238—An act to add section 791.6 to the Fish and Game Code, relating to crabs;

Also: Assembly Bill No. 301—An act to amend section 7 of an act entitled "An act to provide for the formation, management, consolidation and dissolution of county fire protection districts, annexations thereto, and withdrawals therefrom, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 23, 1923, relating to taxes of such districts;

Also: Assembly Bill No. 438—An act to amend sections 640, 641, 642, 645, 646, 771, 1530, 1531 and 1534 of the Probate Code, relating to estates;

Also: Assembly Bill No. 604—An act to add a new section to the Political Code, to be numbered 4052d, authorizing boards of supervisors to grant temporary use, possession, management and control of public parks for exposition and fair purposes;

Also: Assembly Bill No. 720—An act to amend section 1058 of the Code of Civil Procedure, relating to the giving of bonds or undertakings in civil actions or proceedings by the State or counties or officers thereof;

Also: Assembly Bill No. 774—An act to amend section 1197 of the Political Code, relating to election ballots;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eight o'clock p.m.

WATERS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 825—An act to provide for the formation of sewer districts within counties, cities and counties and municipalities for the acquisition or construction of sanitary sewage works or improvements, for the issuance, sale and payment of bonds of such districts, for the acquisition, construction, maintenance and operation of such improvements, and for the fixing, collecting and application of revenues, rates and charges for the use of the sewage works or improvements;

Also: Assembly Bill No. 828—An act to amend sections 23 and 66 of an act entitled "An act to provide for work in and upon public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, and other public property and rights of way, in whole or in part, including property over which possession and right of use has been obtained under the provisions of section fourteen of Article one of the Constitution within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities, and for establishing and changing the grades of any such public streets, avenues, lanes, alleys, courts, places, sidewalks, highways, roads, properties or rights of way; and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, as amended, relating to priority of liens and bonds;

Also: Assembly Bill No. 951—An act relating to the securing of Federal aid in connection with the funding or refunding of outstanding bonds or assessments in the State of California;

Also: Assembly Bill No. 1007—An act to amend section 29 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to compensation insurance;

Also: Assembly Bill No. 1125—An act adding a new section to the Civil Code of the State of California, to be numbered 734, relating to the control of municipal property by the legislative body thereof and the right of access and use of municipal property by members of the public;

Also: Assembly Bill No. 1339—An act to add a new division to the Vehicle Code, to be numbered IXa, relating to vehicular crossings constructed or owned by the State, the control and policing thereof, and the regulation of traffic thereon;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eight o'clock p m

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1364—An act authorizing the State Franchise Tax Commissioner to destroy certain tax returns;

Also: Assembly Bill No. 1382—An act to amend section 5.682 of the School Code, relating to tenure of position for teachers;

Also Assembly Bill No 1608—An act to amend sections 1, 4, 5, 10, 12, 13 and 15 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals, to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," as approved May 25, 1921, as amended, relating to the issuance, transfer, terms of, and rights under prospecting permits, leases, and sales of State mineral lands,

Also: Assembly Bill No. 1614—An act to amend section 135 of the Vehicle Code, relating to the California Highway Patrol,

Also Assembly Bill No. 1753—An act to amend sections 2 876, 2 877, 2.878, 2 885, 2 890, 2.891, and to repeal 2 886 of the School Code, relating to school district elections;

Also. Assembly Bill No. 1756—An act to add two new sections, to be numbered 1000a and 1000b, to Chapter III of Title XIV of Part II of the Code of Civil Procedure, relating to admissions;

Also: Assembly Bill No. 2012—An act to amend the Vehicle Code by adding a new section to be numbered 135 5 relating to investigation of accidents,

Also, Assembly Bill No. 2308—An act to amend section 170 of the Civil Code, relating to husband and wife;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eight o'clock p m.

WATERS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 212—An act to amend sections 137, 138 and 166 of the Fish and Game Code and to add two new sections to be numbered 171 and 172, relating to districts;

Also: Assembly Bill No 287—An act to amend section 4041.16 of the Political Code, relating to county care of indigents;

Also: Assembly Bill No 450—An act to add Article VIa to Chapter I of Part III of Division IV of the School Code, embracing sections 4 355 to 4.359, inclusive, relating to an optional plan for payments from district funds;

Also: Assembly Bill No. 464—An act to amend section 820 of the Agricultural Code, relating to tomatoes;

Also: Assembly Bill No. 606—An act to add a new section to the Streets and Highways Code, to be numbered 982, authorizing the temporary closing of any public highway, road, street, avenue, alley, lane or place for exposition of fair purposes,

Also Assembly Bill No. 663—An act to amend the title and sections 1, 2, 3, 6, 9, 11, 12, 13, 15, 30, 31 and 32 and to add section 33 to an act entitled "An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments, reassessments, to provide for the proceedings to test the validity of such refunding and reassessment, and to provide for contributions of public funds to assist in such refunding," approved June 5, 1933, relating to the refunding of bonds payable from taxes or from special assessments levied wholly or partly in accordance with the assessed value of lands;

Also: Assembly Bill No. 1066—An act to amend section 1238 of the Civil Code, relating to homesteads;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eight o'clock p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1134—An act to amend section 2 and section 3 of an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof," and repealing an act entitled "An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications, fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office," approved March 20, 1905," approved May 31, 1917, as amended, relating to the organization of said bureau and defining its powers and duties;

Also: Assembly Bill No. 1216—An act to amend section 818 of the Agricultural Code, relating to potatoes;

Also: Assembly Bill No. 1233—An act to amend sections 799 and 800 of the Fish and Game Code, relating to abalones;

Also: Assembly Bill No. 1323—An act to add article 3a to Chapter 1 of Division III of the Agricultural Code, relating to the sale, purchase, transportation and marketing of poultry;

Also: Assembly Bill No. 1345—An act to amend the County Water District Act, approved June 10, 1913, as amended, by amending sections numbered 5, 7, 12 and 25, and repealing section 52, thereof, and adding sections 16a, 25a, 25b, 52, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64 and 65 thereto, relating to county water districts;

Also: Assembly Bill No. 1362—An act to amend section 3669e of the Political Code of the State of California, relating to powers of State Board of Equalization;

Also: Assembly Bill No. 1395—An act to amend sections 5.1100, 5.1101, 5.1110, 5.1120, 5.1121, 5.1122, 5.1132, 5.1135 and 5.1136, of the School Code, and to add a new section to be numbered 5.1139, relating to the retirement of teachers and employees by school districts;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eight o'clock p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1480—An act to amend sections 137 and 140 of, and to add section 108.5 to, the Agricultural Code, relating to pest control and abatement;

Also: Assembly Bill No. 1654—An act to amend sections 459, 465 and 471 of, and to add a new section to be numbered 466 to, the Vehicle Code, relating to highways and the regulation thereof;

Also: Assembly Bill No. 1755—An act to amend sections 1466, 1467, 1468 and 1469 of the Penal Code, and to repeal sections 1468a and 1470 of the Penal Code, all relating to appeals to the superior court in criminal cases;

Also: Assembly Bill No. 1780—An act to amend section 86 of the Agricultural Code, relating to agricultural fairs;

Also: Assembly Bill No. 2092—An act to amend section 493.5 of the Fish and Game Code, and to add thereto section 741.5, relating to fish;

Also: Assembly Bill No. 2172—An act to add section 987a to the Penal Code, relating to the compensation of counsel appointed to defend persons charged with crime;

Also: Assembly Bill No. 2252—An act to amend section 5.773 of the School Code, relating to employees of school districts other than persons employed in positions requiring certification qualifications;

Also: Assembly Bill No. 2265—An act to add section 660.6 to the Fish and Game Code, relating to salmon;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eight o'clock p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2288—An act to add a new section to be numbered 4c to "An act to provide for the government of irrigation districts having an area of more than five hundred thousand acres and for elections and the qualification of electors therein and to enable such irrigation districts to construct levees and to protect the lands within such districts from damage resulting from floods and the overflow of rivers and for that purpose to provide additional powers for boards of directors within such irrigation districts," approved January 21, 1915, relating to irrigation districts;

Also: Assembly Bill No. 2336—An act to amend section 1293 of the Fish and Game Code, relating to destructive mammals;

Also: Assembly Bill No. 2354—An act to amend sections 146 and 154 of the Vehicle Code, and to add sections 146.5, 180.5, and 371.5 to said Vehicle Code, all relating to vehicles previously registered outside this State, and the registration and transfer thereof within this State;

Also: Assembly Bill No. 2438—An act to amend sections 13, 14, 14a and 14b of, to add sections 21, 22, 23, 24 and 25 to, and to repeal sections 15 and 16 of, The Planning Act, relating to State, regional, county, and city planning;

Also: Assembly Bill No. 2452—An act to add section 1238.5 to the Code of Civil Procedure, relating to eminent domain;

Also: Assembly Bill No. 2460—An act to amend section 612 of the Fish and Game Code, relating to steelhead trout;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eight o'clock p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 88—An act to add section 762 to the Political Code, relating to the office hours of clerks of the District Courts of Appeal;

Also: Assembly Bill No. 93—An act to amend section 69 of the Civil Code, relating to marriage licenses;

Also: Assembly Bill No. 972—An act to amend section 791 of the Agricultural Code, relating to apricots;

Also: Assembly Bill No. 976—An act to amend section 806 of the Agricultural Code, relating to plums and fresh prunes;

Also: Assembly Bill No. 1022—An act to add section 17 to an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915;

Also: Assembly Bill No. 1053—An act requiring the compilation and publication of reports relative to the financial condition of the municipal corporations within the State;

Also: Assembly Bill No. 1170—An act relating to the Department of Professional and Vocational Standards and defining its powers and duties in relation to and providing for the adoption and registration of names and marks or other devices on garments, towels, table linen and other linen supplies used in the rendition of a rental service as indicia of ownership and to protect the owners thereof;

Also: Assembly Bill No. 1186—An act to add two new sections to the School Code to be numbered 2.807 and 5.533, relating to liability for the death of, or injury to, pupils enrolled in the public schools;

Also: Assembly Bill No. 1198—An act to repeal sections 2.1223 and 6.523 of the School Code, relating to reports of books purchased for any school district;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eight o'clock p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1282—An act to amend the title and to amend sections 2, 3, 4, 6, 12, 13, 15, 19 and 21 of, and to add section 6a to an act entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, as amended, relating to the adulteration, mislabeling, misbranding, advertising and sale of drugs and devices and to the powers of the State Board of Public Health in relation thereto;

Also: Assembly Bill No. 1367—An act validating the formation and organization of county sanitation districts under the provisions of an act of the Legislature of the State of California, approved May 29, 1923, as amended February 2, 1925, April 18, 1927; April 22, 1927; May 22, 1929 and June 9, 1931, and entitled, as amended, "An act authorizing the creation, government, maintenance and dissolution of county sanitation districts, the annexation of contiguous territory to such districts, the issuance of bonds by such districts and the powers thereof," and validating bonds of such districts;

Also: Assembly Bill No. 1569—An act to amend section 4 of an act entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled "An act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof," approved June 12, 1913, relating to schools of nursing;

Also: Assembly Bill No. 1639—An act to amend sections 2.203 and 2.204 of the School Code and to add a new section thereto to be numbered 2.134, all relating to the formation of elementary school districts;

Also: Assembly Bill No. 1921—An act to amend section 1461 of the Probate Code, relating to guardians of insane or incompetent persons;

Also: Assembly Bill No. 2039—An act to add a new section to the Civil Code, to be numbered section 1972, relative to transportation expenses and return transportation expenses for workers brought into or sent out of the State to render personal services;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eight o'clock p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2053—An act to amend the Building and Loan Association Act by adding a new section thereto to be numbered 6 01a, relating to withdrawal claims maturing in installments;

Also: Assembly Bill No. 2054—An act to amend the Building and Loan Association Act by adding a new section thereto to be numbered S 11, relating to evidence of investment in building and loan associations;

Also: Assembly Bill No. 2063—An act to amend the Building and Loan Association Act by adding section 9.07a thereto, relating to restrictions as to lending territory;

Also: Assembly Bill No 2065—An act to amend the Building and Loan Association Act by amending section 9.15 thereof, relating to limitation on single loans;

Also: Assembly Bill No 2087—An act to add section 171b to the Code of Civil Procedure, relating to the qualification of judges;

Also: Assembly Bill No. 2144—An act to amend section 4242 of the Political Code, and to add thereto sections 4242.1, 4242 2, 4242.3, relating to the compensation of county and township officers in counties of the thirteenth class;

Also: Assembly Bill No. 2160—An act to amend sections 117d and 117q of the Code of Civil Procedure, relating to small claims courts;

Also: Assembly Bill No. 2285—An act to amend section 1626 of the Streets and Highways Code, relating to relief to special assessment districts.

Also: Assembly Bill No. 2305—An act to add section 9a to the State Medical Practice Act, relating to chiropody;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eight o'clock p m.

WATERS, Chairman.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 15, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1010—An act to amend sections 1, 2, 3, 4 and 5 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulation, to provide rules regulating the proper sanitation of canneries, under the State Board of Health," approved May 23, 1925, as amended, relating to the inspection of canneries, the State Board of Public Health and to the power and duties thereof—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 1010 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 15, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 607—An act relating to the holding of the Pacific Exposition and the San Francisco Bay Exposition in California, providing for the issuance and sale of State bonds to be known as "California exposition bonds," providing for the payment and retirement of said bonds, providing for and creating funds for the carrying out of the purposes of this act, authorizing the expenditure of moneys in said funds for such purposes, creating two commissions, one to be known as the "Pacific Exposition Commission" and the other to be known as "San Francisco Bay Exposition Commission," creating an interest and sinking fund for the payment of interest on said bonds and the redemption of the same, and making appropriation therefor, making an appropriation of two thousand dollars for the expense of printing, lithographing and selling said bonds, designating the name by which this act shall be known and fixing the time at which this act shall be and become effective;

Also: Assembly Bill No. 2459—An act to prevent the entry into California of paupers and vagabond, indigent persons, persons likely to become public charges, providing means for enforcing the same and prescribing penalties for the violation thereof, declaring the urgency thereof, and providing it shall take effect immediately.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 15, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 2393—An act to be known and

cited as the Yacht and Ship Brokers Act, to define yacht and ship brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create the office of Yacht and Ship Brokers Commissioner within the Department of Professional and Vocational Standards; and to provide for the enforcement of said act and penalties for the violation thereof.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Also: SENATE CHAMBER, SACRAMENTO, June 15, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 56—Relative to approving a certain amendment to the charter of the city of Long Beach, State of California, ratified by the qualified electors of said city at a special election held therein on the seventh day of June, 1935.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Concurrent Resolution No. 56 ordered to enrollment.

Also: SENATE CHAMBER, SACRAMENTO, June 15, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 65—Relative to memorializing the Public Works Administration to furnish aid in the construction of certain improvements in San Francisco Bay and the vicinity thereof.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Joint Resolution No. 65 ordered to enrollment.

Also: SENATE CHAMBER, SACRAMENTO, June 15, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2330—An act to amend sections 62 and 93 of the Fish and Game Code, approved April 11, 1933, relating to fish and game and other wild life—and respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 2330 ordered on unfinished business file.

Also: SENATE CHAMBER, SACRAMENTO, June 15, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day requests the return of Senate Bill No. 1018—An act to amend section 1211 of the Code of Civil Procedure, relating to contempt of court—for further consideration by the Senate.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 1018 ordered transmitted to the Senate.

Also: SENATE CHAMBER, SACRAMENTO, June 15, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day requests the return of Assembly Bill No. 1989—An act to amend sections 677 and 689, and to repeal section 686a of, and to add sections 686.5 and 689.1 to, the Political Code, relating to State accounting—for further consideration by the Senate.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 1989 ordered transmitted to the Senate.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Motor Vehicles.

SENATE CHAMBER, SACRAMENTO, June 15, 1935.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 1126—An act to amend sections 105, 109 and 111 of the Vehicle Code, relating to the Department of Motor Vehicles—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Ways and Means. HORNBLOWER, Chairman.

Senate Bill No. 1126 ordered re-referred to Committee on Ways and Means.

Motion to Continue Unfinished Business.

Mr. Lyon moved that all unfinished business on the Daily Calendar be continued to the next legislative day.

Motion carried.

Adjournment.

At eleven o'clock and fifty minutes p m., on motion of Mr. Lyon, the Speaker declared the Assembly adjourned this day until twelve o'clock and thirty minutes a.m., Sunday, June 16, 1935.

CHARLES H. ERB, Minute Clerk.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
SACRAMENTO, Sunday, June 16, 1935.

At twelve o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Edward Craig, Speaker of the Assembly, in the chair.

Roll Call.

The roll was called by Chief Clerk Arthur A. Ohnimus, and the following members answered to their names:

Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—79.

Quorum present.

Prayer.

Prayer was offered by Miss Miller, member of the Assembly.

Our God and Father, we come to Thee in this closing hour of our work together in this Assembly to thank Thee for the opportunities which Thou hast brought to us during these days of labor for the welfare of the people of our beloved State.

We pray that Thou wilt prosper that which is right and good, and bring to naught any evil that has crept into our deliberations.

We thank Thee for the friendships which we have formed and pray that the sweet memories they bring throughout the years may serve to give inspiration and courage in the difficult and lonely situations of life.

May we go from here with renewed resolutions to live more useful lives, lives that will redound to Thy Name's honor and glory.

And now we pray the prayer which Thou hast taught us—"Our Father, Which art in heaven, hallowed be Thy name. Thy kingdom come, Thy will be done in earth, as it is in heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil, for Thine is the kingdom, and the power, and the glory forever. Amen.

Reading of the Journal.

During the reading of the Journal, on motion of Mr. Phillips, its further reading was dispensed with.

Privilege of Floor of Assembly Extended.

On request of Miss Miller, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Bertha A. Briggs, Hollister, Past Grand President, Native Daughters of the Golden

West; Mrs. W. W. Black, Hollister; Mrs. Hazel B. Hansen, Glendale, Grand Trustee; Mrs. Nellie M. Cline, City Clerk, Placentia, Grand Trustee; Mattie M. Edwards, Fullerton; Gladys K. Edwards, Fullerton; E. Muriel Bray, Santa Ana; and Grace S. Stoermer, Los Angeles, Past Grand President, Native Daughters of the Golden West, and former Secretary of the Senate.

On request of Mr. Cronin, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. D. H. McCarthy, Kathleen McCarthy of Oakland, and Miss Helen Finnegan of San Francisco.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 13, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 24—Relative to memorializing Congress to permit State Emergency Relief Administration funds and Federal Emergency Relief Administration funds to be used in the restoration of California missions.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Joint Resolution No. 24 ordered on file for adoption.

Also:

SENATE CHAMBER, SACRAMENTO, June 15, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 1134—An act to repeal sections 4a and 4b of an act entitled "An act to provide for the government of irrigation districts having an area of more than 500,000 acres and to enable such irrigation districts to construct levees and to protect the lands within such districts from damage resulting from floods and the overflow of rivers and for that purpose to provide additional powers for boards of directors within such irrigation districts," approved January 21, 1915, relating to elections and to qualification of electors, this act to take effect immediately.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Bill No. 1134 read first time, and ordered on file.

Also:

SENATE CHAMBER, SACRAMENTO, June 15, 1935.

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 970—An act to supplement the "State Civil Service Act," relating to the status in the State civil service of those persons mentioned in subdivision (f) of section 5 of Article XXIV of the State Constitution, providing for examinations to determine the eligibility of such persons and providing that this act shall take effect immediately;

Also: Senate Bill No. 1018—An act to amend sections 776, 777, 779 and 781 and to repeal section 778 of the Vehicle Code, relating to funds.

J. A. BEEK, Secretary of Senate.

Senate Bill No. 970 read first time, and ordered on file.

Senate Bill No. 1018 read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, June 14, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 23—Relative to the application to Congress to propose an amendment to the Constitution of the United States relating to the power of the Congress to regulate hours, wages, terms and conditions of employment of labor.

J. A. BEEK Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Joint Resolution No. 23 ordered on file for adoption.

Also:

SENATE CHAMBER, SACRAMENTO, June 14, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 22—Relative to the application to Congress to propose an amendment to the Constitution of the United States relating to tax exempt securities.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Senate Joint Resolution No. 22 ordered on file for adoption.

Also:

SENATE CHAMBER, SACRAMENTO, June 15, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 360—An act to amend section 10 of an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, relating to length of residence.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 15, 1935.

MR. SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1267—An act to amend the title and to add three new sections, to be numbered 2a, 2b and 2c, to an act entitled "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the health of persons by whom the materials from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors; and providing for the punishment of the same," approved March 6, 1909, relating to the use of closed containers and providing for the sterilization of used bottles and containers used for foods, drugs and liquors—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 1267 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 15, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day requests the return of Assembly Bill No. 2393—An act to be known and cited as the Yacht and Ship Brokers Act, to define yacht and ship brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create the office of Yacht and Ship Brokers Commissioner within the Department of Professional and Vocational Standards; and to provide for the enforcement of said act and penalties for the violation thereof—for further consideration by the Senate.

J. A. BEEK, Secretary of Senate.

Assembly Bill No. 2393 ordered transmitted to the Senate.

Also:

SENATE CHAMBER, SACRAMENTO, June 15, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended and passed as amended Assembly Bill No. 2499—An act to prohibit under certain conditions, sales under certain chattel mortgages, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale made in violation of the act, to prescribe the time within which an action to avoid such a sale may be brought, and to declare the urgency thereof, and to provide that this act take effect immediately—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 2499 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 15, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 86—An act to establish a system of unemployment reserves for this State, and making an appropriation therefor—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 86 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 15, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Free Conference on Senate Bill No. 95—An act to amend sections 356, 401, 407, 448 and 422 of, and to add sections 601, 602, 602 5, 602.6, 602 7, 604, 610, 612, 615, 617, 618, 621, 623, 624, 625, 626, 627, 628, 632, 637, 639, 639.1, 639.2, 639 3, 644, 645, 646, 648, 649, 650, 650 5, 651, 652, 653, 654 and 655 to the Streets and Highways Code, establishing additional secondary State highways—the following Senators: Seawell, Shottky, and Pierovich to meet with a like committee from your honorable body.

J. A. BEEK, Secretary of Senate.

Also:

SENATE CHAMBER, SACRAMENTO, June 15, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No 1119—An act relating to licensing and taxing of vehicles, providing for license fees for the privilege of operating certain vehicles, providing for the exemption of such vehicles from all taxes according to value for State, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the motor vehicle license fee fund, and making an appropriation of the moneys therein;

Also, Senate Bill No. 233—An act repealing section 365e½ of the Political Code and section 133 of the Streets and Highways Code, relating to the California Highway Commission;

Also, Senate Bill No. 5—An act to amend section 1 and 2 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to persons exempt from tax.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Reports of Standing Committees.

The following reports of standing committees were received and read:

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1166—An act making an appropriation to the Department of Agriculture—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, as amended, and be re-referred to Committee on Ways and Means

PHILLIPS, Chairman.

Assembly Bill No. 1166 ordered re-referred to Committee on Ways and Means.

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1935.

MR SPEAKER: Your Committee on Social Service and Welfare, to which was referred Assembly Bill No. 1097—An act to provide for the establishment and administration of a system of health insurance, including the establishment of a Health Service Insurance Commission and prescribing the powers, duties and functions thereof, the establishing of a health service insurance fund and providing for certain payments thereto, the prescribing of methods and conditions under which professional or other services may be rendered, the regulation of certain persons, firms, associations, and corporations, the making of an appropriation, the enforce-

ment of the provisions hereof, penalties for the violation of the provisions hereof, and repealing acts in conflict herewith—has had the same under consideration, and respectfully reports the same back without recommendation, as amended.

BRENNAN, Chairman.

The above reported bill ordered on file for second reading.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1935.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Senate Bill No. 90—An act to add Chapter 3 to Division III of the Agricultural Code, to consist of sections 430 to 433, inclusive, relating to ownership or control of stockyards by packers—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

THORP, Chairman.

The above reported bill ordered on file for second reading.

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1935.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Senate Bill No. 154—An act to amend section 14 of the State Medical Practice Act, relating to refusal to issue certificates, suspension and revocation of certificates and probation of certificate holders—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

CRONIN, Chairman.

The above reported bill ordered on file for second reading.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1935.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 48—An act making an appropriation to pay the claim of Index Investment Corporation, a corporation, against the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 1126—An act to amend sections 105, 109 and 111 of the Vehicle Code, relating to the Department of Motor Vehicles—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

The above reported bill ordered on file for second reading.

Second Reading of Assembly Bills.

Assembly Bill No. 1097—An act to provide for the establishment and administration of a system of health insurance, including the establishment of a Health Service Insurance Commission and prescribing the powers, duties and functions thereof, the establishing of a health service insurance fund and providing for certain payments thereto, the prescribing of methods and conditions under which professional or other services may be rendered, the regulation of certain persons, firms, associations, and corporations, the making of an appropriation, the enforcement of the provisions hereof, penalties for the violation of the provisions hereof, and repealing acts in conflict herewith.

Committee Amendments.

During second reading of the bill, the following amendments were submitted by the committee:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out lines 25 to 27, inclusive, and insert in lieu thereof the following: "care in hospital, nursing care, drugs, medicines,".

Amendment No. 2.

On page 3 of the printed bill, as amended, strike out lines 3 to 52, inclusive, and on page 4, strike out lines 1 to 31, inclusive, and insert in lieu thereof the following:

"SEC. 11. "Employee" means every person while he is actually in this State, except as expressly excluded herein, who is in the service of an employer, as defined in this act, under any appointment or contract of hire or apprenticeship, express or implied, oral or written, whether lawfully or unlawfully employed and who is receiving a wage at a rate which will yield a total amount not more than twenty-four hundred dollars a year and whose net income together with that of his spouse is not in excess of twenty-four hundred dollars a year.

The word "person" includes aliens and minors.

Workmen associating themselves under a partnership agreement, the principal purpose of which is the performance of the labor on a particular piece of work, shall be deemed employees of the person having such work executed.

The phrase "appointment or contract of hire" includes the conditions of engagement of elected and appointed paid public officers and of elected and appointed paid officers of quasi-public and private corporations who render actual services to such corporation for such pay. It shall not be a defense to the commission or to any health service insurance association that a person with respect to whom any benefit is claimed was not lawfully employed by reason of the violation of any civil service or other law, rule, or regulation respecting the hiring of employees.

An employee is a "casual" employee if, (a) in the usual and normal course of his employer's trade, business, profession, or occupation, the particular work to which said employee is assigned is begun and concluded within nine successive calendar days; or (b) his employment is not in the course of the trade, business, profession, occupation, or domestic establishment of his employer. The phrase "course of trade, business, profession or occupation of his employer" shall be taken to include all services tending toward the preservation, maintenance or operation of the business, business premises or business property of the employer. The words "trade, business, profession or occupation of his employer," shall be taken to include any undertaking actually engaged in by the employer with some degree of regularity, the trade name, articles of incorporation or principal business of the employer to the contrary notwithstanding.

Subject to the condition of constitutionality expressed in this section the following persons shall be deemed to be excluded from the meaning of "employee":

(a) A member of a qualified health service insurance association which elects to obtain directly from its members the means of conferring benefits upon its members;

(b) Any person engaged in vending, selling, offering for sale, or delivering directly to the public, any newspaper, magazine or periodical if the title to such newspaper, magazine or periodical has passed to the person so engaged;

(c) Any person holding an appointment as a deputy clerk, deputy sheriff or deputy constable, or other deputy, appointed for the convenience of such appointee, who receives no compensation from the county, township or municipal corporation or from the citizens thereof for services as such deputy;

(d) An independent contractor. The term "independent contractor" shall be taken to mean, for the purposes of this act, any person who renders service, other than manual labor, for a specified recompense for a specified result, under the control of his principal as to the result of his work only and not as to the means by which such result is accomplished.

Each of the provisions herein relating to exclusions from the meaning of "employee" is hereby declared to be separable and distinct from all other portions or provisions of this section or of this act. If any such provision be, for any reason, declared invalid, the remainder of this act shall remain in full force and effect and shall be as completely operative as though such provision had not been included herein; and the Legislature hereby declares that no such provision was a consideration or inducement for the enactment of the whole or any portion of this act but that it would have passed this act, and every portion thereof, irrespective of the presence or absence in the act of any such provision declared unconstitutional."

Amendment No. 3.

On page 4 of the printed bill, as amended, strike out lines 33 to 37, inclusive, and insert in lieu thereof the following: "furnishing of benefits to persons in need thereof when such benefits are furnished under any contract, plan or system whereby such persons are entitled to receive such benefits. It".

Amendment No. 4.

On page 5 of the printed bill, as amended, strike out lines 22 to 24, inclusive, and insert in lieu thereof the following:

"SEC. 20. "Member" means any person entitled to benefits provided by any health service insurance association."

Amendment No. 5.

On page 5 of the printed bill, as amended, strike out lines 42 to 44, inclusive, and insert in lieu thereof the following: "least a total of ten years two of whom shall be physicians who have held the degree of doctor of medicine for not less than ten years."

Amendment No. 6.

On page 6, line 51, of the printed bill, as amended, strike out "financial".

Amendment No. 7.

On page 7 of the printed bill, as amended, strike out lines 2 and 3, and insert in lieu thereof the following: "thereof."

Amendment No. 8.

On page 7 of the printed bill, as amended, strike out lines 4 to 9, inclusive.

Amendment No. 9.

On page 7, line 24, of the printed bill, as amended, strike out "Subcommissions"; also strike out lines 25 to 29, inclusive, and insert in lieu thereof the following: "Only subcommissions having at least one professional member may be assigned to conduct, hear, and determine investigations, inquiries, hearings, or reviews relating to professional standards and service The report of a sub-".

Amendment No. 10.

On page 7, line 34, of the printed bill, as amended, strike out the semicolon; also strike out lines 35 to 38, inclusive, and insert in lieu thereof a period.

Amendment No. 11.

On page 12, line 23, of the printed bill, as amended, strike out "receipt of any other", and insert in lieu thereof the following: "receipt of any greater".

Amendment No. 12.

On page 12 of the printed bill, as amended, strike out lines 34 to 36, inclusive, and insert in lieu thereof the following: "ber of members."

Amendment No. 13.

On page 12, line 47, of the printed bill, as amended, strike out "The provisions"; also strike out lines 48 and 49.

Amendment No. 14.

On page 13 of the printed bill, as amended, strike out lines 19 and 20, inclusive, and insert in lieu thereof the following: "visions of this act."

Amendment No. 15.

On page 13, line 25, of the printed bill, as amended, after "Medical Examiners", insert the following: ", State Board of Osteopathic Examiners,".

Amendment No. 16.

On page 13 of the printed bill, as amended, strike out lines 38 to 40, inclusive, and insert in lieu thereof the following: "having employee members may elect to obtain means of conferring benefits upon such members in".

Amendment No. 17.

On page 13, line 50, of the printed bill, as amended, strike out "collect", and insert in lieu thereof the following: "collected".

Amendment No. 18.

On page 14 of the printed bill, as amended, strike out lines 5 and 6, and insert in lieu thereof the following: "bers."

Amendment No. 19.

On page 14 of the printed bill, as amended, strike out lines 11 and 12, and insert in lieu thereof the following: "case may be. Any employer who operates a qualified health service insurance association for all of his employees and who prior to May 1, 1935, had in effect any plan of apportionment among employees of amounts to be contributed by them for the providing of benefits may elect to make deductions from the wages of his employees at rates proportional to the rates in such plan of apportionment. But the total amount thus deducted from the aggregate wages of all employees shall not be less than the amount which would otherwise be payable under section 176 of this act."

Amendment No. 20.

On page 14 of the printed bill, as amended, between lines 12 and 13, insert the following:

"A qualified health service insurance association having members who would be employees but for membership in such association may elect to receive the means of furnishing benefits directly from such members If it so elects it shall furnish the commission, at such reasonable intervals as the commission may prescribe, with a list of such members and their several employers The commission shall thereupon

furnish each such employer with a list of such members as are in his service Upon receipt of such list each employer shall, until further notice, cease making the deductions from the wages of such members which he would otherwise be under a duty to make."

Amendment No. 21.

On page 14 of the printed bill, as amended, strike out lines 13 to 16, inclusive, and insert in lieu thereof the following:

"SEC. 115 Any person, group of persons, firm or association operating in such a manner as to be a health service insurance association, as herein defined, must obtain a certificate of compliance or a preliminary certificate of compliance from the commission as a condition to continuing in health service insurance practice. Written application for such certificate must be made to the commission. Such application shall".

Amendment No. 22.

On page 14 of the printed bill, as amended, strike out lines 23 to 25, inclusive, and insert in lieu thereof the following:

"(a) A description of the benefits to be received by employee members and by members who are not employees."

Amendment No. 23.

On page 14 of the printed bill, as amended, strike out line 32, and insert in lieu thereof the following: "imposed upon members who are employees and upon members who are not employees and a statement of the fees,".

Amendment No. 24.

On page 14, line 46, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "and that applicant is not engaged in, and does not propose to engage in, solicitation, directly or through agents, of members, subscribers or beneficiaries. Published statements of fact concerning applicant's operations shall not be deemed to be solicitation."

Amendment No. 25.

On page 15 of the printed bill, as amended, strike out lines 4 to 8, inclusive, and insert in lieu thereof the following:

"(c) If the application is made by an applicant having or intending to have employee members that applicant:

(1) Is able to provide and will provide to all its employee members benefits that are equal or superior in kind to the primary benefits provided for employees in this act and to provide such benefits to such members in amounts not less than those specified in this act; and

(2) Will charge rates to such employee members not less than the contributions required of employees by this act."

Amendment No. 26.

On page 15, line 17, of the printed bill, as amended, strike out "license", and insert in lieu thereof the following: "certificate".

Amendment No. 27.

On page 15 of the printed bill, as amended, strike out lines 34 to 52, inclusive.

Amendment No. 28.

On page 16, line 1, of the printed bill, as amended, strike out "granting any license", and insert in lieu thereof the following: "issuing any certificate".

Amendment No. 29.

On page 16, line 17, of the printed bill, as amended, strike out "licensee must renew its license", and insert in lieu thereof the following: "certificate holder must renew its certificate".

Amendment No. 30.

On page 16, line 18, of the printed bill, as amended, strike out "license", and insert in lieu thereof the following: "certificate".

Amendment No. 31.

On page 16, line 44, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "if such inmate or person is entitled to the like benefits, without cost to himself or his family, rendered by the staff and facilities of such institution."

Amendment No. 32.

On page 17, line 1, of the printed bill, as amended, after the comma, insert the following: "except as otherwise provided in this act,".

Amendment No. 33.

On page 17 of the printed bill, as amended, strike out lines 4 to 6, inclusive.

Amendment No. 34.

On page 17 of the printed bill, as amended, between lines 15 and 16, insert the following:

"Class Three: The services of a dentist, who is a professional service practitioner, for the extraction of teeth, for which services he shall be chosen by the patient; and for the treatment of acute infections of the teeth, gums, and alveolar processes, and bone adjacent thereto, or fractures of the jaws, which services may be rendered at the request of the patient or by reference of the patient by an attending physician."

Amendment No. 35.

On page 17, line 16, of the printed bill, as amended, strike out "three", and insert in lieu thereof the following: "four".

Amendment No. 36.

On page 17, line 19, of the printed bill, as amended, strike out "four", and insert in lieu thereof the following: "five".

Amendment No. 37.

On page 17 of the printed bill, as amended, strike out lines 24 to 27, inclusive.

Amendment No. 38.

On page 17 of the printed bill, as amended, between lines 33 and 34, insert the following: "Class Three: Thirteen weeks"

Amendment No. 39.

On page 17, line 34, of the printed bill, as amended, strike out "three", and insert in lieu thereof the following: "four".

Amendment No. 40.

On page 17, line 36, of the printed bill, as amended, strike out "four", and insert in lieu thereof the following: "five".

Amendment No. 41.

On page 17 of the printed bill, as amended, strike out lines 49 to 51, inclusive.

Amendment No. 42.

On page 18 of the printed bill, as amended, between lines 33 and 34, insert the following:

"(e) Health supervision and preventive medical care for children under fourteen years of age in addition to treatment in cases of illness or injury."

Amendment No. 43.

On page 19, line 2, of the printed bill, as amended, after "has", insert the following: "a".

Amendment No. 44.

On page 19 of the printed bill, as amended, strike out lines 3 to 6, inclusive, and in line 7, strike out "or against any other", and insert in lieu thereof the following: "pensation or damages against any"

Amendment No. 45.

On page 19, line 47, of the printed bill, as amended, strike out "an employee himself", and insert in lieu thereof the following: "a beneficiary himself, or anyone acting on his behalf,".

Amendment No. 46.

On page 20 of the printed bill, as amended, strike out lines 29 to 31, inclusive, and insert in lieu thereof the following:

"(d) That he is not, at the time of application, a constrained inmate of, or under sentence or order of commitment to, any penal institution, institution for the insane, or institution for the feeble-minded"

Amendment No. 47.

On page 20, line 33, of the printed bill, as amended, after "for", insert the following: "primary".

Amendment No. 48.

On page 21, line 19, of the printed bill, as amended, after "of", insert the following: "primary".

Amendment No. 49.

On page 21, line 39, of the printed bill, as amended, strike out "average", also strike out lines 40 to 43, inclusive, and insert in lieu thereof the following: "annual net income of the beneficiary and his spouse or, if the beneficiary is a minor child dependent upon his parents, directly proportional to the annual net income of his parents; except that the premium shall not be less in any case than the premium determined with respect to a net income of eight hundred dollars a year."

Amendment No. 50.

On page 21, line 46, of the printed bill, as amended, after "spouse", insert the following: "or of the parents of a dependent minor child".

Amendment No. 51.

On page 21 of the printed bill, as amended, strike out lines 48 to 52, inclusive, and on page 22, strike out lines 1 to 3, inclusive, and insert in lieu thereof the following: "year and shall be deemed to be the sum of the following enumerated items:

(1) The net income during the said year of such person and spouse computed on the basis of those provisions of the Revenue Act of 1934, by which the United States Government levies a tax upon the annual net income of natural persons; plus

(2) Their income from all sources, realized in money, that is:

(a) Not taxable by the United States; or

(b) Taxable but not taxed by the United States under the said revenue act. When the annual net income of natural persons is made the".

Amendment No. 52.

On page 22, line 5, of the printed bill, as amended, after "spouse", insert the following: "or of the parents of a dependent minor child".

Amendment No. 53.

On page 22 of the printed bill, as amended, strike out line 8, and insert in lieu thereof the following: "law levying the tax plus their income from all sources, realized in money, that is either:

(1) Not taxable by the State; or

(2) Taxable by the State but not taxed under the act levying the said general State tax."

Amendment No. 54.

On page 22, line 9, of the printed bill, as amended, strike out the comma; also strike out "if", and also strike out lines 10 to 12, inclusive, and insert in lieu thereof the following: "or of the parents of a dependent minor child be deemed, for the purpose of determining any voluntary premium for primary benefits, to be less than eight hundred dollars a year."

Amendment No. 55.

On page 22 of the printed bill, as amended, between lines 37 and 38, insert the following: "Any State officer, board or commission entrusted with the duty of enforcing or administering any general State tax on the annual net income of natural persons shall make available to the commission, upon its request and upon the tender therefor of a reasonable service fee, any or all reports, tax returns, books, records or other data relating to the net income of any person subject to this act."

Amendment No. 56.

On page 24, line 49, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "but, in any one month in which such employee has any employment, such amount shall not be less than one dollar nor more than three dollars."

Amendment No. 57.

On page 25, line 19, of the printed bill, as amended, strike out "permit", and insert in lieu thereof the following: "payment".

Amendment No. 58.

On page 25, line 22, of the printed bill, as amended, strike out "Sacramento", and insert in lieu thereof the following: "his residence or his place of business".

Amendment No. 59.

On page 26, line 17, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "unless he reimburses the commission for its payment for such refused treatment or disobeyed instruction. Such reimbursement may be made in such reasonable manner and at such reasonable time as prescribed by the commission."

Amendment No. 60.

On page 26 of the printed bill, as amended, strike out lines 43 to 47, inclusive

Amendment No. 61.

On page 27, line 4, of the printed bill, as amended, after "fund", insert the following: "or by a health service insurance association".

Amendment No. 62.

On page 27, line 6, of the printed bill, as amended, strike out "the benefits", and insert in lieu thereof the following: "any benefit included or".

Amendment No. 63.

On page 27 of the printed bill, as amended, between lines 24 and 25, insert the following:

"SEC. 199. The operations of professional service practitioners and of health service insurance associations shall not be deemed or be construed to be insurance business. The laws of this State regulating the conduct of insurance business shall not be applicable to professional service practitioners or to health service insurance associations."

Amendment No. 64.

On page 28 of the printed bill, as amended, strike out lines 11 to 21, inclusive, and insert in lieu thereof the following:

"SEC. 206. As a guide to the interpretation and application of this act the basis of this act and the public policy of this State are hereby declared to be as follows:

(a) Individual illnesses and injuries are unpredictable both as to character, time of occurrence, duration, and cost of treatment. By reason of this individually unbudgetable character of these costs many people die prematurely or become gravely impaired in health and vitality for want of ability to pay the irreducible costs of timely, proper, and adequate services. Many others become impoverished by reason of prolonged illnesses. Experience has shown, beyond all possibility of informed doubt, that these conditions prevail even in the most prosperous times. In times of depression, when those thus harmed become much more numerous and their suffering is augmented by the increased incidence of illness due to privation, many lose confidence in our social and political institutions and become resentful against them. There is a basis of fact for this resentment; for other populations with lesser resources have long since proved that agencies of the kinds provided in this act are efficient remedies to these conditions.

The present numbers, proficiency, and geographical distribution of those licensed to practice medicine; surgery and dentistry, are all adequate for the needful care of all illnesses and injuries at all times for the present population. The service capacity of existing hospitals, laboratories and other facilities is greater than any past or present utilization of them. Many such licensed practitioners and many of those who operate hospitals are either wholly unemployed, or partially or inadequately employed by reason of their patients' inability to pay currently the amounts necessary to bear the irreducible costs of rendering the services. Many fully occupied practitioners, even in prosperous times, are unable to obtain incomes which, in view of the costly and prolonged period of training, will serve as an inducement to attract sufficient numbers of able young men and women to enter these indispensable professions.

Both common experience and scientific investigation have shown beyond the possibility of informed doubt that the health, vitality and the life itself of every member of the population of California are dependent upon many variable conditions. These conditions include: the standards and practices of agencies of the State, its political subdivisions and its instrumentalities in administering the laws relating to health and sanitation; the conditions under which gainful occupations are carried on; the economic conditions that affect the stability of incomes available for maintenance of households; and those conditions of living imposed by the increasing complexity of our industrial and social organization. No agency less powerful than the State is competent to deal effectively in the public interest with such conditions.

Experience has shown that the aggregate of needed health service does not greatly change from year to year in relation to the total numbers of the population in the lower ranges of income. Current, regular contributions which persons of small and moderate income can afford to pay will, if pooled and budgeted, suffice to defray the costs of all or nearly all needful sevices of the kind in question Such funds equitably distributed among those practicing under this act will suffice both to enable these indispensable public servants to maintain themselves and render their services and to assure appropriate recruitments to their ranks. Experience has shown that only by common pooling of the risks by large numbers and by common, current budgeting of the cost can the continuity and the adequacy of these services be assured.

Experience has shown that in times of depression the increase of cost burden of these benefits upon the general funds of political subdivisions and instrumentalities of this State overburdens those general funds at a time at which revenues are most needed for emergency requirements and at which taxpayers are least able to increase their contributions The reserve principle of this act tends to eliminate this improper fluctuation of general revenue burden by making the health services self-financing.

(b) The following severally declared statements of public policy are hereby declared, for the purposes of this act, to be the public policy of the State of California They shall be given precedence in the order of the following enumeration:

(1) The preventable death, disability or impairment either of health or vitality of any member of its population is an irreparable damage to all persons in the State of California.

(2) The loss of confidence in self and resultant impairment of morale because of the preventable death, disability or impairment of health or vitality of an immediate dependent of any person in California is an irreparable damage to all persons in California.

(3) The loss of confidence in our social and political institutions by those unable by themselves to prevent avoidable impairment of health or vitality of themselves and of their families is a damage to the stability of the social and political institutions of the State of California.

(4) The determination by the medical profession of the standards of and the necessity for the treatment and care of the sick person, and the preservation of the relation of utmost mutual good faith between physician and patient, and of the responsibility of the physician for his treatment of the patient, are necessary to the most effective conservation of the life and health of the people of California.

(5) Insufficient and inequitably distributed compensation of those licensed to render medical, surgical and dental services tends toward intolerable lowering of the standards of practice in these indispensable public services in the State of California.

(6) The reserve principle is a necessary adjunct to the rendering of adequate health services and is an important means of protecting the credit of the State of California and of its political subdivisions and instrumentalities."

Amendment No. 65.

On page 28 of the printed bill, as amended, strike out line 24, and insert in lieu thereof the following: "or any medical practice act or any dental practice act or any public health act of this State."

Amendment No. 66.

On page 28 of the printed bill, as amended, strike out lines 25 to 52, inclusive; also on page 29, strike out lines 1 to 11, inclusive."

Amendments adopted.

Bill read second time, ordered to reprint, engrossment, and third reading.

Second Reading of Senate Bills.

Senate Bill No. 90—An act to add Chapter 3 to Division III of the Agricultural Code, to consist of sections 430 to 433, inclusive, relating to ownership or control of stockyards by packers.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 154—An act to amend section 14 of the State Medical Practice Act, relating to refusal to issue certificates, suspension and revocation of certificates and probation of certificate holders.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 48—An act making an appropriation to pay the claim of Index Investment Corporation, a corporation, against the State of California.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1126—An act to amend sections 105, 109 and 111 of the Vehicle Code, relating to the Department of Motor Vehicles.

Bill read second time, and ordered on file for third reading.

Third Reading of Senate Bills.

Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending sections 1, 4, 4b, 4c, 10, 18, 23, and 24 of Article VI, and by adding sections 4d, 4e, and 4f to said Article VI of the Constitution, relating to the judicial power of the State.

Senate Constitutional Amendment No. 13 read.

Floor Amendments.

During reading of Senate Constitutional Amendment No. 13, the following amendments were submitted by Mr. Cronin:

Amendment No. 1.

On page 1, line 4 of the title of the printed bill, as amended in the Assembly June 8, 1935, after the word "VI", insert the following: "and amending section 19 of Article IV".

Amendment No. 2.

On page 3, line 24, of the printed bill, as amended in the Assembly June 8, 1935, after the word "the", strike out "court of criminal appeals", and insert in lieu thereof the following: "Court of Criminal Appeals".

Amendment No. 3.

On page 5, line 38, of the printed bill, as amended in the Assembly June 8, 1935, after the word "the", strike out "court of criminal appeals", and insert in lieu thereof "Court of Criminal Appeals".

Amendments adopted.

Request for Unanimous Consent.

Mr. Cronin asked for, and was granted, unanimous consent to take up Senate Constitutional Amendment No. 13, as amended, at this time, without reference to reprint or file.

Consideration of Senate Constitutional Amendment No. 13, as Amended

Senate Constitutional Amendment No. 13, as amended, read.

Mr. Cronin moved the adoption of Senate Constitutional Amendment No. 13, as amended.

The question being on the adoption of Senate Constitutional Amendment No. 13, as amended.

The roll was called, and Senate Constitutional Amendment No. 13, as amended, adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Frazier, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Scudder, Stream, Thorp, Turner, Ult, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—66.

NOES—Gilbert—1.

Title read and approved.

Senate Constitutional Amendment No. 13 ordered transmitted to the Senate.

Senate Constitutional Amendment No. 13.

A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending sections 1, 4, 4b, 4c, 10, 18, 23, and 24 of Article VI, and by adding sections 4d, 4e, and 4f to said Article VI of the Constitution, relating to the judicial power of the State

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its fifty-first session, commencing on the seventh day of January, 1935, two-thirds of all members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State of California that sections 1, 4, 4b, 4c, 10, 18, 23 and 24 of Article VI of the Constitution be amended, and sections 4d, 4e and 4f be added to said Article VI, to read as follows:

First. Section 1 of Article VI is hereby amended to read as follows:

Section 1 The judicial power of the State shall be vested in the Senate, sitting as a court of impeachment, in a Supreme Court, Court of Criminal Appeals, District Courts of Appeal, superior courts, such municipal courts as may be established in any city or city and county, and such inferior courts as the Legislature may establish in any incorporated city or town, township, county or city and county.

Second. Section 4 of Article VI is hereby amended to read as follows:

Sec. 4. The Supreme Court shall have appellate jurisdiction on appeal from the superior courts in all cases in equity, except such as arise in municipal or justices' courts; also, in all cases at law which involve the title or possession of real estate, or the legality of any tax, impost, assessment, toll, or municipal fine; also, in all such probate matters as may be provided by law; also, on questions of law alone, in all criminal cases, where judgment of death has been rendered, wherein an appeal has been taken to said Supreme Court prior to the forty-fifth day after the adoption by the people of this section by amendment; the said court shall also have appellate jurisdiction in all cases, matters and proceedings pending before a District Court of Appeal, which shall be ordered by the Supreme Court to be transferred to itself for hearing and decision, as hereinafter provided. The said court shall also have power to issue writs of mandamus, certiorari, prohibition, and habeas corpus, and all other writs necessary or proper to the complete exercise of its appellate jurisdiction. Each of the justices shall have power to issue writs of habeas corpus to any part of the State, upon petition by or on behalf of any person held in actual custody, other than being held in custody pursuant to any writ, warrant, or process in a criminal case or action or for a violation of a criminal statute of this State, and may make such writs returnable before himself or the Supreme Court or before any District Court of Appeal, or before any justice thereof, or before any superior court in the State, or before any judge thereof.

Third. Section 4b of Article VI is hereby amended to read as follows:

Sec. 4b. The District Courts of Appeal shall have appellate jurisdiction on appeal from the superior courts (except in cases in which appellate jurisdiction is given to the Supreme Court) in all cases at law in which the superior courts are given original jurisdiction; also, in all cases of forcible or unlawful entry or detainer (except such as arise in municipal, or in justices' or other inferior courts); in proceedings in insolvency; in actions to prevent or abate a nuisance; in proceedings of mandamus, certiorari, prohibition, usurpation of office, removal from office, contesting elections, eminent domain, and in such other special proceedings as may be provided by law; also, on questions of law alone, in all criminal cases prosecuted by indictment or information, except where judgment of death has been rendered, wherein an appeal has been taken to a District Court of Appeal prior to the forty-fifth day after the adoption by the people of this section by amendment.

The said courts shall also have appellate jurisdiction in all cases, matters and proceedings pending before the Supreme Court which shall be ordered by the Supreme Court to be transferred to a District Court of Appeal for hearing and decision. The said courts shall also have power to issue writs of mandamus, certiorari, prohibition and habeas corpus, and all other writs necessary or proper to the complete exercise of their appellate jurisdiction. Each of the justices thereof shall have power to issue writs of habeas corpus to any part of his appellate district upon petition by or on behalf of any person held in actual custody, and may make such writs returnable before himself or the District Court of Appeal of his district, or before any superior court within his district, or before any judge thereof.

Fourth. Section 4c of Article VI is hereby amended to read as follows:

Sec. 4c. The Supreme Court shall have power to order any cause pending before the Supreme Court to be heard and determined by a District Court of Appeal, and to order any cause pending before a District Court of Appeal to be heard and determined by the Supreme Court. The order last mentioned may be made before judgment has been pronounced by a District Court of Appeal, or within fifteen days in criminal cases, or thirty days in all other cases, after such judgment shall have become final therein. The judgment of the District Courts of Appeal shall become final therein upon the expiration of fifteen days in criminal cases, or thirty days in all other cases, after the same shall have been pronounced. Provided, that in any criminal case where a judgment has been pronounced by a District Court of Appeal after this section has been adopted by the people by amendment such criminal cause shall not be transferred for hearing to the Supreme Court but the court of criminal appeals shall have power, in such instances, to order such cause to be transferred to the Court of Criminal Appeals for hearing and determination within thirty days after such judgment shall have become final in such District Court of Appeal.

The Supreme Court shall have power to order causes pending before a District Court of Appeal for one district to be transferred to the District Court of Appeal for another district, or from one division thereof to another, for hearing and decision.

Fifth. A new section to be numbered 4d of Article VI is hereby added to said Constitution to read as follows:

Sec 4d. The Court of Criminal Appeals shall consist of a chief justice and four associate justices. The court shall always be open for the transaction of business. The presence of three justices shall be necessary to transact any business, except such as may be done at chambers and the concurrence of three justices shall be necessary to pronounce a judgment The chief justice may convene the court at any time and shall be the presiding justice of the court when so convened. The concurrence of three justices present at the argument shall be necessary to pronounce a judgment; but if three justices so present do not concur in a judgment then all

the justices qualified to sit in the cause shall hear the argument; but to render a judgment a concurrence of three justices shall be necessary, provided, however, that if less than the five justices shall sit at the argument of any cause and it be stipulated that the absent justices may participate in the decision then and in that event the concurrence of three justices shall be sufficient to render a judgment irrespective of whether any one or more of such justices was not present at the argument. In the determination of causes all decisions of the court shall be given in writing and grounds of decision shall be stated In case of the absence of the chief justice from the place at which the court is held, or his inability to act, the associate justices shall select one of their own number to perform the duties and exercise the powers of the chief justice during such absence or inability to act Upon the adoption by the people of this section the Governor shall forthwith appoint one person to act as chief justice and four persons to act as associate justices of the Court of Criminal Appeals.

The term of office of each justice of the Court of Criminal Appeals shall be twelve years from and after the first Monday after the first day of January next succeeding their election or selection; provided, that the term of office of the chief justice of said court first appointed by the Governor hereunder shall be and shall continue *until the first Monday after the first day of January following the sixth general* election next after his appointment and the term of office of two of said associate justices first appointed by the Governor hereunder shall be and continue until the first Monday after the first day of January following the second general election next after their appointment and the term of office of the remaining two associate justices hereunder shall be and continue until the first Monday after the first day of January following the fourth general election next after their appointment After *the appointment of the first chief justice and the first four associate justices of the* Court of Criminal Appeals by the Governor and the qualifying of such appointees, vacancies thereafter occurring in the office of justice of the Court of Criminal Appeals shall be filled and successors to such justices so first appointed shall be selected and elected, including the right of any justice to succeed himself, in the manner now provided by section 26 of Article VI of this Constitution for the selection and election of justices of the Supreme Court and filling of vacancies in *the office of justice of the Supreme Court.*

The salary of the chief justice of the Court of Criminal Appeals and the salaries of the associate justices of the Court of Criminal Appeals shall at all times be the same as the respective salaries of the chief justice and associate justices of the Supreme Court. Whenever any justice of the Court of Criminal Appeals is for any reason disqualified or unable to act in a cause pending before it, the remaining justices may select one of the justices of a District Court of Appeal to act pro *tempore in the place of the justice so disqualified or unable to act*

Sixth. A new section to be numbered 4e of Article VI is hereby added to said Constitution to read as follows:

Sec. 4e. The Court of Criminal Appeals shall have appellate jurisdiction on appeal from the superior courts, on questions of law alone, in all criminal cases prosecuted by indictment or information, wherein an appeal has been taken on or after the forty-fifth day from the adoption by the people of this section. The *said court shall also have power to issue, in aid of its appellate jurisdiction,* writs of mandamus, certiorari, prohibition and habeas corpus and all other writs necessary or proper to the complete exercise of its appellate jurisdiction Each of the justices shall have power to issue writs of habeas corpus to any part of the State, upon petition by or on behalf of any person held in actual custody pursuant to any writ, warrant, or process in a criminal case or action or for a violation of a criminal statute of this State and may make such writs returnable before himself or the Court of Criminal Appeals or before any District Court of Appeal or before any judge thereof or before any superior court in the State or before any judge thereof. Said court shall have the power to adopt rules for the regulation of the procedure before said court and for the manner in which appeals may be taken and perfected to said court, provided that until the adoption of such rules appeals may be taken to said court in the same manner that appeals in criminal cases are now taken to the Supreme Court. In all matters arising under the provisions of section 1506 of the Penal Code where an appeal in habeas corpus proceedings is allowed to the Supreme Court or an application for hearing in the Supreme Court is allowed such appeal shall be taken to and such application for hearing shall be made in the Court of Criminal Appeals instead of said Supreme Court. The Court of Criminal Appeals shall hold regular sessions for the hearing of causes at the Capitol of the State, at the City and County of San Francisco, at the city of Los Angeles, and at the city of Fresno, the times to be fixed by an order of said court and special sessions at either of the above named places or at any other place in the State of California as the interest of justice may require at such times as may be prescribed by the justices thereof. The Court of Criminal Appeals shall be a court of record.

The Court of Criminal Appeals shall have appellate jurisdiction on appeal from the judgments of appellate departments of the superior courts in criminal cases where the validity of any law or statute of the State, or any municipal, county or

city and county ordinance is directly involved and for a violation of which the case was originally instituted; provided, the validity of such law, statute or ordinance was raised before the appellate department of the superior court and further provided that on such appeal the Court of Criminal Appeals shall not determine any other question except the validity of such law, statute or ordinance.

It shall be the duty of the justices of the Court of Criminal Appeals to report to the Legislature at the opening of each regular session any conflicts between or inconsistencies in the laws relating to crimes, the punishment of crimes, procedure or evidence in criminal cases, that has come to their attention, and also any proposed changes in such laws which, in their opinion, should be made in the interests of justice.

In any case where the defendant has been convicted of a crime which by law is divided into degrees or which has necessarily included within such crime one or more lesser or other crimes of which the defendant could have been convicted upon his trial the Court of Criminal Appeals, if no other reversible error appears in the record, and if it determines that the evidence was insufficient to justify the conviction and further determines that the evidence was sufficient to justify a conviction of said crime in a lesser degree or to justify a conviction of a lesser or other crime necessarily included within the one the defendant was convicted of committing and for which he could have been convicted upon his trial, may modify the judgment by reducing the conviction to such crime in a lesser degree or to such lesser or other crime. In such event, the judgment shall be affirmed as modified and no new trial shall be had of the cause.

Seventh. A new section to be numbered 4f of Article VI is hereby added to said Constitution to read as follows:

Sec. 4f. The salaries of the justices of the Court of Criminal Appeals shall be paid by the State at the times and in the manner that the salaries of the justices of the Supreme Court are paid.

The clerk of the Supreme Court, the chief deputy clerk of the Supreme Court, and the deputy clerks of the Supreme Court shall respectively be the clerk of the Court of Criminal Appeals, the chief deputy clerk of the Court of Criminal Appeals and the deputy clerks of the Court of Criminal Appeals. The clerk of the Court of Criminal Appeals must perform such duties as are now prescribed by law to be performed by the clerk of the Supreme Court and such additional duties as may be required of him by the rules and practice of the Court of Criminal Appeals. The Legislature shall provide for the speedy publication of such opinions of the Court of Criminal Appeals as such court may deem expedient, and all opinions shall be free for publication by any person. The reporter and assistant reporters of the decisions of the Supreme Court shall be the reporter and assistant reporters of the decisions of the Court of Criminal Appeals. All reports of decisions of the Court of Criminal Appeals shall be published in the same manner and under the same conditions as the reports of the decisions of the Supreme Court, and all provisions of law relative to the publication of the reports of the Supreme Court now in effect or hereinafter adopted shall apply to the publication of the reports of the Court of Criminal Appeals. The Court of Criminal Appeals shall have power and authority to appoint and employ during its pleasure such phonographic reporters, assistants, secretaries, and other employees as it may deem necessary for the performance of the duties and exercise of the powers conferred by law upon said court and the members thereof and to determine the duties and fix and pay the compensation of all such officers and employees. All salaries and expenses incurred under the provisions of this section shall be paid from the funds appropriated for the use of said court when approved by the order or orders of said court and audited by the Board of Control. The State shall supply proper rooms in which to hold the court and for the accommodation of the officers thereof together with furniture, fuel, lights, and stationery suitable and sufficient for the transaction of business and if such things are not provided by the State the court, or any three justices thereof, may direct the clerk of the Court of Criminal Appeals to provide such rooms, furniture, fuel, lights, and stationery and the expenses thereof certified by any three justices to be correct shall be paid out of the State treasury for which expenses a sufficient sum shall be annually appropriated out of any funds in the State treasury not otherwise appropriated.

Eighth. Section 10 of Article VI is hereby amended to read as follows:

Sec. 10. Justices of the Supreme Court, and justices of the Court of Criminal Appeals, and of the District Courts of Appeal, and judges of the superior courts may be removed by concurrent resolution of both houses of the Legislature adopted by a two-thirds vote of each house. All other judicial officers, except justices of the peace, may be removed by the Senate on the recommendation of the Governor; but no removal shall be made by virtue of this section unless the cause thereof be entered on the Journal, nor unless the party complained of has been served with a copy of the complaint against him and shall have had an opportunity of being heard in his defense. On the question of removal the ayes and noes shall be entered on the Journal.

Ninth. Section 18 of Article VI is hereby amended to read as follows:

Sec. 18. The justices of the Supreme Court and of the Court of Criminal Appeals, and of the District Court of Appeal, and the judges of the superior courts and the municipal courts shall be ineligible to any other office or public employment than a judicial office or employment during the term for which they shall have been elected or appointed, and no justice or judge of a court of record shall practice law in or out of court during his continuance in office; provided, however, that a judge of the superior court or of a municipal court shall be eligible to election or appointment to a public office during the time for which he may be elected, and the acceptance of any other office shall be deemed to be a resignation from the office held by said judge.

Tenth. Section 19 of Article IV is hereby amended to read as follows:

Sec. 19. No Senator or member of Assembly shall, during the term for which he shall have been elected, hold or accept any office, trust, or employment under this State; provided, that this provision shall not apply to any elective office nor to any office which may be filled by election by the people.

Eleventh. Section 23 of Article VI is hereby amended to read as follows:

Sec. 23. No person shall be eligible to the office of a justice of the Supreme Court, or of the Court of Criminal Appeals, or of a District Court of Appeal, or of a judge of a superior court, or of a municipal court, unless he shall have been admitted to practice before the Supreme Court of the State for a period of at least five years immediately preceding his election or appointment to such office.

Twelfth. Section 24 of Article VI is hereby amended to read as follows:

Sec. 24. No justice of the Supreme Court, nor of the Court of Criminal Appeals, nor of a District Court of Appeal, nor any judge of a superior court nor of a municipal court shall draw or receive any monthly salary unless he shall make and subscribe an affidavit before an officer entitled to administer oaths, that no cause in his court remains pending and undetermined that has been submitted for decision for a period of ninety days. In the determination of causes all decisions of the Supreme Court, of the Court of Criminal Appeals and of the District Courts of Appeal shall be given in writing, and the grounds of the decision shall be stated.

Senate Bill No. 708—An act relating to the borrowing of money by the State in anticipation of taxes and revenues, and making an appropriation.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. McBride:

Amendment No. 1.

On page 1, line 12, of the printed bill, as amended, after the word "money", insert the following: "to meet such appropriations from the general fund in the State treasury".

Amendment No. 2.

On page 2, line 14, of the printed bill, as amended, after the word "notes", insert the following: "or other evidences of indebtedness".

Amendment No. 3.

On page 2, line 21, of the printed bill, as amended, after the second "or", insert the following: "other".

Amendments adopted.

Request for Unanimous Consent.

Mr. McBride asked for, and was granted, unanimous consent to take up Senate Bill No. 708, as amended, at this time, without reference to reprint or file.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Rosenthal:

Amendment No. 1.

On page 1, line 27, of the printed bill, strike out "five", and insert in lieu thereof "four".

Amendment adopted.

Request for Unanimous Consent.

Mr. McBride asked for, and was granted, unanimous consent to take up Senate Bill No. 708, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 708, as Amended.

Senate Bill No. 708, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 708, as amended, finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Frazier, Fulcher, Garibaldi, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Reaves, Redwine, Richie, Riley, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 793—An act to amend section 1094 of the Political Code, relating to elections.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. DeLap:

Amendment No. 1.

On page 2 of the printed bill, strike out lines 25 to 49, inclusive, and on page 3, strike out lines 1 to 3, inclusive.

Amendment adopted.

Request for Unanimous Consent.

Mr. DeLap asked for, and was granted, unanimous consent to take up Senate Bill No. 793, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 793, as Amended.

Senate Bill No. 793, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 793, as amended, finally passed by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Field, Fisher, Frazier, Fulcher, Garibaldi, Hornblower, Hunt, Johnson, Kallam, Latham, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Peyser, Phillips, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—44.

NOES—Anderson, Boyle, Clark, Crowley, Desmond, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Glover, Hawkins, Heisinger, Jones, Laughlin, Lore, McCarthy, McMurray, Meehan, O'Donnell, Pelletier, Peterson, Reaves, Richie, Voigt, and Wagner—27.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 1118—An act to call a special election to be held on the thirtieth day of July, 1935, for the purpose of submitting to the qualified electors of this State certain amendments to the Constitution

of this State proposed by the Legislature at its fifty-first regular session, and to provide that this act shall take effect immediately.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. McBride:

Amendment No. 1.

On page 1, lines 2 and 3, of the printed bill, strike out the words "thirtieth day of July", and insert in lieu thereof the following: "thirteenth day of August".

Amendment adopted.

Request for Unanimous Consent.

Mr. McBride asked for, and was granted, unanimous consent to take up Senate Bill No. 1118, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 1118, as Amended.

Senate Bill No 1118, as amended, read third time.

The question being on the passage of the bill.

The roll was called, Senate Bill No. 1118, as amended, passed, the title read and approved, and the bill ordered transmitted to the Senate.

Motion.

Mr. McBride moved that Senate Bill No. 1118 be recalled from the Senate for further consideration.

Motion carried.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, June 16, 1935

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day, pursuant to request, returns herewith Senate Bill No 1118—An act to call a special election to be held on the thirtieth day of July, 1935, for the purpose of submitting to the qualified electors of this State certain amendments to the Constitution of this State proposed by the Legislature at its fifty-first regular session, and to provide that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Motion to Expunge Record.

Mr. McBride moved that the vote whereby the Assembly passed Senate Bill No. 1118, be expunged from the record, and the action rescinded.

Roll Call.

The Speaker ordered a roll call taken on the motion to expunge record on Senate Bill No. 1118

The roll was called, and the motion was carried by the following vote:

AYES—Andreas, Breed, Brennan, Chatters, Clark, Corwin, Cronin, Crowley, Dawson, DeLap, Desmond, Donahue, Donnelly, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Miller, Minard, Nielsen, Patterson, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Turner, Utt, Voigt, Walker, Wallace, Waters, Welsh, and Mr Speaker—52

NOES—None.

Senate Bill No 1118 read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. McBride:

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, as amended, strike out the words "thirtieth day of July", and insert in lieu thereof the following: "thirteenth day of August".

Amendment No. 2.

On page 1, line 3, of the printed bill, as amended, after the word "August", insert the following: ", 1935".

Amendments adopted.

Request for Unanimous Consent.

Mr. McBride asked for, and was granted, unanimous consent to take up Senate Bill No. 1118, as amended, at this time, without reference to reprint or file

Third Reading of Senate Bill No. 1118, as Amended.

Senate Bill No. 1118, as amended, read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Stream, Turner, Wagner, Walker, Wallace, Waters, Weber, Welsh, and Mr. Speaker—58.

NOES—None.

Senate Bill No. 1118, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1118, as amended, finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Turner, Utt, Wagner, Walker Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 602—An act to amend section 30 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to the powers of said districts and the acquisition of utility property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 602 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, and Mr. Speaker—66.

NOES—Frazier—1.

Title read and approved

Bill ordered transmitted to the Senate.

Senate Bill No. 1112—An act to amend section 3627a of the Political Code, relating to the taxation of securities and solvent credits.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1112 finally passed by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Field, Frazier, Fulcher, Garibaldi, Glover, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—58.

NOES—Donnelly, Evans, Ralph W., Flint, Geyer, Gilbert, Hawkins, Lore, Mayo, McCarthy, O'Donnell, Pelletier, Reaves, Rosenthal, and Voigt—14.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 514—An act to add sections 136d to 136d12, inclusive, to the Bank Act, relating to the administration and liquidation of banks.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Evans, Ralph W.:

Amendment No. 1.

On page 2, line 23, of the printed bill, after the period, add the following: "If he rejects the plan or if he fails to apply to the court for approval within twenty days after the petition is submitted to him, any of said claimants may apply to the court for approval thereof."

The question being on the adoption of the amendment submitted by Mr. Evans, Ralph W., to Senate Bill No. 514.

Roll Call.

The Speaker ordered a roll call taken on the amendment submitted by Mr. Evans, Ralph W.

The roll was called, and the amendment was adopted by the following vote:

AYES—Anderson, Brennan, Burns, Cassidy, Clark, Crowley, Cunningham, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Geyer, Gilbert, Glover, Hawkins, Hornblower, Hunt, Jones, Laughlin, Lore, Martin, McCarthy, Meehan, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peyser, Reaves, Richie, Rosenthal, Voigt, Wagner, Waters, and Weber—37.

NOES—Andreas, Breed, Chatters, Corwin, Cottrell, Dawson, DeLap, Fisher, Fulcher, Garibaldi, Gilmore, Johnson, Kallam, Maloney, Mayo, Miller, Minard,

Phillips, Robertson, Scudder, Stream, Turner, Utt, Walker, Wallace, Williamson, Wright, and Mr. Speaker—28.

Senate Bill No. 514, as amended, read third time.

Motion to Re-refer Senate Bill No. 514.

Mr. Williamson moved that Senate Bill No. 514 be re-referred to Committee on Banking.

The question being on re-referring Senate Bill No. 514 to Committee on Banking.

Motion carried.

Senate Bill No. 514 ordered re-referred to Committee on Banking.

Senate Bill No. 398—An act to amend sections 4 and 5 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, relating to the extension of prospecting permits for oil and gas which were in effect October 1, 1933, and upon which has been expended fifty thousand dollars or more in the prospecting for oil and gas.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Frazier:

Amendment No. 1.

At the end of the printed bill, add the following: "The Department of Finance shall not permit any further wells to be drilled from the present island or piers, nor shall they permit any further piers or islands to be constructed on tidelands".

Amendment adopted.

Request for Unanimous Consent.

Mr. Jones asked for, and was granted, unanimous consent to take up Senate Bill No. 398, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 398, as Amended.

Senate Bill No. 398, as amended, read third time.

The question being on the passage of the bill.

The roll was called

Motion to Expunge Record.

Mr. Jones moved that the vote whereby Senate Bill No. 398 was this day passed be expunged from the record, and the action be rescinded.

The question being on the motion by Mr. Jones to expunge record on Senate Bill No. 398.

Roll Call.

The Speaker ordered a roll call taken on the motion to expunge record.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Laughlin, Lyon,

Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—70.

NOES—None.

Senate Bill No. 398, as amended, read third time.

Floor Amendments.

During third reading of the bill, amendments were submitted by Mr. Welsh.

Further Consideration Deferred.

Further consideration of Senate Bill No. 398, as amended, and amendments pending, deferred.

Senate Bill No. 49—An act to amend section 10 of "An act to provide for the indicating of the net quantity of foodstuffs and stuffs intended to be used or prepared for use as food for human beings, and medicine, and other commodities when sold or offered or exposed for sale in containers and providing for the indicating of quantity in the sale of commodities in respect to which there exists a definite trade custom, and providing penalties for the violation thereof," approved May 24, 1913, relating to false or raised bottoms of containers.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Desmond:

Amendment No. 1.

On page 1, line 11, of the printed bill, as amended, strike out the period, and insert in lieu thereof a comma and the following: "unless said raised bottom is exposed on two sides of the box or basket."

The question being on the amendment submitted by Mr. Desmond to Senate Bill No. 49.

Roll Call.

The Speaker ordered a roll call taken on the amendment submitted by Mr. Desmond.

The roll was called, and the amendment was adopted by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Johnson, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Minard, Nielsen, O'Donnell, Patterson, Peterson, Peyser, Reaves, Redwine, Scudder, Stream, Thorp, Utt, Wagner, Walker, Weber, Williamson, Wright, and Mr. Speaker—53.

NOES—Cunningham, Field, Gilbert, Hunt, McBride, Richie, Rosenthal, Wallace, and Waters—9.

Request for Unanimous Consent.

Mr. Desmond asked for, and was granted, unanimous consent to take up Senate Bill No. 49, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 49, as Amended.

Senate Bill No. 49, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 49, as amended, refused passage by the following vote:

AYES—Andreas, Breed, Chatters, Cottrell, Cunningham, DeLap, Field, Hawkins, Heisinger, Hornblower, Hunt, Kallam, Lore, Maloney, Martin, Mayo, McBride,

McCarthy, Meehan, Miller, Minard, Morgan, Pelletier, Peyser, Phillips, Redwine, Rosenthal, Stream, Utt, Walker, Wallace, Waters, and Mr. Speaker—33.

NOES—Anderson, Boyle, Brennan, Burns, Cassidy, Corwin, Cronin, Crowley, Dawson, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Johnson, Latham, Laughlin, McMurray, Nielsen, O'Donnell, Patterson, Peterson, Reaves, Richie, Riley, Robertson, Scudder, Thorp, Turner, Wagner, Weber, Williamson, and Wright—40.

Senate Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article II thereof a new section to be numbered section 7, relating to the registration of voters.

Senate Constitutional Amendment No 1 read.

Mr. DeLap moved the adoption of Senate Constitutional Amendment No. 1.

The question being on the adoption of Senate Constitutional Amendment No. 1.

The roll was called, and Senate Constitutional Amendment No. 1 adopted by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Heisinger, Hornblower, Johnson, Latham, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—56.

NOES—Anderson, Clark, Evans, Ralph W., Geyer, Gilbert, Glover, Hawkins, Hunt, Jones, Laughlin, Lore, McCarthy, O'Donnell, Pelletier, Peterson, Reaves, Richie, Rosenthal, Wagner, and Welsh—20.

Title read and approved.

Senate Constitutional Amendment No. 1 ordered transmitted to the Senate

Senate Constitutional Amendment No. 1.

A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article II thereof a new section to be numbered section 7, relating to the registration of voters.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its fifty-first regular session commencing on the seventh day of January, 1935, two-thirds of all the members elected to each of the two houses voting in favor thereof, hereby proposes to the people of the State of California that the Constitution of said State be amended by adding to Article II thereof a new section to be numbered section 7, to read as follows:

Sec. 7. The Legislature may provide for the registration of electors. The provisions of an act entitled "An act to amend sections 1083a, 1094, 1095a, 1097, 1103, 1105, 1106, 1115, 1120 and to repeal sections 1228 and 1229 of the Political Code, relating to registration of electors and conduct of elections," submitted by initiative and approved by electors November 4, 1930, as amended, are hereby confirmed and ratified, and may be amended, revised, supplemented, or repealed in any manner by the Legislature.

Further Consideration of Senate Bill No. 398.

Senate Bill No 398—An act to amend sections 4 and 5 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, relating

to the extension of prospecting permits for oil and gas which were in effect October 1, 1933, and upon which has been expended fifty thousand dollars or more in the prospecting for oil and gas.

Withdrawal of Amendments.

Mr. Welsh withdrew his amendments.

Senate Bill No. 398 read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Clark:

Amendment No. 1.

On page 4, line 52, of the printed bill, strike out "unfilled".

Amendment adopted.

Request for Unanimous Consent.

Mr. Jones asked for, and was granted, unanimous consent to take up Senate Bill No. 398, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 398, as Amended.

Senate Bill No. 398, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 398, as amended, finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, DeLap, Desmond, Donnelly, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Jones, Laughlin, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, O'Donnell, Pelletier, Peterson, Peyser, Reaves, Richie, Robertson, Rosenthal, Thorp, Turner, Utt, Wagner, Wallace, Waters, Weber, Welsh, and Williamson—54.

NOES—Brennan, Clark, Dawson, Donihue, Evans, Ralph W., Field, Johnson, Latham, Lyon, McBride, McCarthy, Morgan, Nielsen, Patterson, Phillips, Redwine, Riley, Scudder, Stream, Walker, Wright, and Mr. Speaker—22.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Senate Bills—(Resumed).

Motion to Strike Senate Bill No. 525 from File.

Mr. Turner moved that Senate Bill No. 525 be stricken from the file.

Motion carried.

Senate Bill No. 525 order stricken from the file.

Senate Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to section 2 of Article IV of the State Constitution, relating to the Introduction of legislative bills.

Senate Constitutional Amendment No. 27 read.

Floor Amendments.

During the reading of Senate Constitutional Amendment No. 27, the following amendments were submitted by Mr. Heisinger:

Amendment No. 1.

On page 1, line 18, of the printed measure, after the word "member", strike out the period, and insert in lieu thereof the following: "provided, that where two or more members names appear on a measure, such measure shall only be charged to the author whose name first appears on the measure."

Amendment No. 2.

On page 1, line 18, of the printed measure, after the period, insert the following: "Provided that the Legislative Counsel shall notify members proposing similar measures of such fact in an endeavor to induce such members to join in a joint sponsorship, of such proposed measures"

Amendment No. 3.

On page 1, line 20, of the printed measure, strike out the word "three-fourth", and insert "two-thirds".

Amendments adopted.

Request for Unanimous Consent.

Mr. Crowley asked for, and was granted, unanimus consent to take up Senate Constitutional Amendment No. 27, as amended, at this time, without reference to reprint or file.

Consideration of Senate Constitutional Amendment No. 27, as Amended.

Senate Constitutional Amendment No. 27, as amended, read.

Mr. Crowley moved the adoption of Senate Constitutional Amendment No. 27.

Demand for Previous Question.

Messrs. Martin, Fisher, Morgan, Lore and Wallace demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the adoption of Senate Constitutional Amendment No. 27.

The roll was called, and Senate Constitutional Amendment No. 27 refused adoption by the following vote:

AYES—Brennan, Burns, Crowley, Cunningham, Dawson, Desmond, Garibaldi, Geyer, Heisinger, Hornblower, Latham, Laughlin, Maloney, McCarthy, Meehan, Miller, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Robertson, Scudder, Thorp, Walker, Waters, Weber, Williamson, and Wright—32.

NOES—Anderson, Andreas, Boyle, Breed, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, DeLap, Domhue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Fulcher, Gilbert, Gilmore, Glover, Hawkins, Hunt, Johnson, Lore, Lyon, Martin, Mayo, McBride, McMurray, Minard, Morgan, Nielsen, Reaves, Riley, Rosenthal, Stream, Turner, Wagner, Wallace, Welsh, and Mr. Speaker—42.

Senate Bill No. 285—An act to amend sections 12, 13, and 16 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," relating to horse racing.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 285 finally passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Cronin, Crowley, Dawson, DeLap, Desmond, Domhue, Frazier, Fulcher, Garibaldi, Gilmore, Hawkins, Hornblower, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Robertson, Scudder, Thorp, Turner, Utt, Walker, Weber, Welsh, and Williamson—41.

NOES—Anderson, Chatters, Clark, Corwin, Cottrell, Cunningham, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Geyer, Gilbert, Glover, Heisinger, Hunt,

Johnson, Latham, Laughlin, Lore, Miller, Phillips, Reaves, Redwine, Riley, Rosenthal, Stream, Wagner, Wallace, Waters, Wright, and Mr. Speaker—32

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 984—An act to amend sections 4.52 and 4.942 of the School Code, relating to junior college districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 984 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—71.

NOES—Field and Redwine—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1038—An act to amend sections 1240 and 1241 of the Code of Civil Procedure, relating to condemnation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1038 finally passed by the following vote:

AYES—Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, DeLap, Desmond, Donihue, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peyser, Redwine, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Utt, Walker, Wallace, Weber, Welsh, Wright, and Mr. Speaker—54.

NOES—Dawson and Williamson—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No 20—An act to authorize the purchase of certain real property for the people of the State of California by the Director of Institutions and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 20 finally passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Reaves, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—67.

NOES—Flint, and Redwine—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 75—An act making an appropriation to meet a deficiency in the appropriation for the support of the California Nautical School for the eighty-fifth and eighty-sixth fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—60.

NOES—Breed, Flint, and O'Donnell—3.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 75 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Field, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Minard, Morgan, Nielsen, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—62.

NOES—Breed, Cottrell, Fisher, Flint, O'Donnell, and Redwine—6.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 120—An act making an appropriation to pay the claim of Pacific Transfer Van and Truck Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 120 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cronin, Crowley, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Hornblower, Hunt, Johnson, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Weber, Williamson, Wright, and Mr. Speaker—60.

NOES—Andreas, Flint, and Heisinger—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 258—An act to lease adequate facilities for the establishment and operation of a telephone-typewriter system of communication between certain cities, and to make an appropriation therefor.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Frazier:

Amendment No. 1.

On page 1, line 5, of the printed bill, as amended, after "Visalia", insert the following: ", Marysville, Oroville".

Amendment adopted.

Request for Unanimous Consent.

Mr. Turner asked for, and was granted, unanimous consent to take up Senate Bill No. 258, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 258, as Amended.

Senate Bill No. 258, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 258, as amended, finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Fisher, Frazier, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Pelletier, Peterson, Peyser, Phillips, Riley, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Williamson, and Mr. Speaker—57.

NOES—Field, Flint, Latham, O'Donnell, Patterson, Richie, Robertson, Wallace, and Wright—9.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 392—An act relating to the conduct of clinical laboratories and the licensing of clinical laboratory technologists and clinical laboratory technicians and the issuance of permits to physicians and surgeons conducting clinical laboratories for the purpose of protecting the public health and to provide penalties for the violation of the provisions of this act.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Phillips:

Amendment No. 1.

On page 3, line 23, of the printed bill, as amended in Senate June 11, 1935, after the word "by", insert the following: "the State of California or".

Amendment adopted.

Request for Unanimous Consent.

Mr. Peterson asked for, and was granted, unanimous consent to take up Senate Bill No. 392, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 392, as Amended.

Senate Bill No. 392, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 392, as amended, finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hawkins, Heisinger,

Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Maloney, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Riley, Rosenthal, Scudder, Stream, Thorp, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—60.
NOES—Flint, Geyer, Gilbert, Martin, Richie, and Robertson—6.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 576—An act to amend section 3773 of the Political Code, relating to lands sold for taxes, and making an appropriation in relation thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 576 finally passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Peyser, Phillips, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—64.
NOES—Flint, Lore, and Patterson—3.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 1130—An act to add a new article to the Agricultural Code, to be numbered Article 5, Chapter 1, Division 3, relating to horse, mule, burro and sheep marks and brands.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1130 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—66.
NOES—Flint and Hawkins—2.

Title read and approved.
Bill ordered transmitted to the Senate.

Resolutions.

The following resolutions were offered:

By Mr. Utt:

Assembly Resolution.

WHEREAS, During this fifty-first session of the California Legislature, the members have enjoyed the companionship of a great many of their wives, and their friends; and

WHEREAS, One of these wives, today, is enjoying her (?) birthday in this fair city of Sacramento; and

WHEREAS, This shining jewel with her winning smile, and her hospitable characteristics is loved by all of the members and their families; and

WHEREAS, It is a happy sight to the members of the Assembly to see associated with this good wife and mother on her (?) birthday, her loving husband and two children; now, therefore, be it

Resolved by the Assembly of the State of California That we extend to Mrs Margaret McBride, wife of Assemblyman Jimmy McBride, our congratulations on this her (?) birthday, and be it further

Resolved, That it is the wish of the members of the Assembly, that God spares Mrs. McBride and her family for many years to come, and that they enjoy all of the good things this life has in store for them: and be it further

Resolved, That a suitable copy of this resolution be presented to Mrs. Margaret McBride.

Resolution read, and adopted unanimously.

By Mr. Cunningham:

Assembly Resolution.

WHEREAS, Today, June 16, 1935, marks the wedding anniversary of one of our esteemed members of the Assembly; and

WHEREAS, This lovable couple, Mr. and Mrs Frank J. Waters, were joined together in holy wedlock 26 years ago today; and

WHEREAS, During these many years of their married life they have raised a splendid family and are respected and revered by all who know them, for the love and care, education and affection that they have rendered to their children, and for the loyalty and friendship to their many friends throughout the State of California; therefore, be it

Resolved, That it is the wish of the members of this Assembly, who have learned to enjoy them and to admire their status and comfort in life, that they be spared many more years of happiness together; and be it further

Resolved, That the best wishes and congratulations of this Assembly be extended to them and to each of their children, whom we feel are fortunate in having Mr. and Mrs. Frank J. Waters, as their mother and father; and be it further

Resolved, That a suitable engrossed copy of this resolution be transmitted by the Chief Clerk of this Assembly to Assemblyman Frank J. Waters and his wife, and each of their children, on this, their twenty-sixth wedding anniversary.

Resolution read, and adopted unanimously

Motion to Recess.

Mr. Boyle moved that the Assembly do now recess until the hour of eleven o'clock a.m. of this day.

Roll Call.

The Speaker ordered a roll call taken on the motion to recess.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, Donahue, Donnelly, Evans, Ralph W., Fisher, Garibaldi, Geyer, Gilbert, Gilmore Glover, Hawkins, Heisinger, Hunt, Kallam, Laughlin, Lore, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Waters, Weber, Wright, and Mr. Speaker—59.

NOES—Brennan, Cassidy, DeLap, Field, Flint, Frazier, Hornblower, Johnson, Latham, Minard, Peyser, and Wallace—12.

Recess.

At four o'clock a.m., on motion of Mr. Boyle, the Assembly was declared at recess until eleven o'clock a.m., of this day.

Reassembled.

At eleven o'clock a.m., the Assembly reconvened.

Speaker Craig in the chair.

Unfinished Business—(Resumed).

Consideration of Senate Amendments to Assembly Bill No. 2330.

Assembly Bill No. 2330—An act to amend section 618 of the "Fish and Game Code," approved April 11, 1933, relating to fish and game and other wild life.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2330?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "sections 62 and 93", and insert in lieu thereof the following: "section 618".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 1 to 25, inclusive, and on page 2, strike out lines 1 to 7, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 618 of the Fish and Game Code is hereby amended to read as follows:

618. Except as otherwise provided in this section, in any stream in district 23 flowing into the State of Nevada, not including its tributaries, nor any lake from which said stream may flow, all varieties of trout and whitefish may be taken from May 15 to October 31. In the Truckee River, its tributaries, and in Lake Tahoe and in Donner Lake, trout and whitefish may be taken between May 1 and October 15."

The roll was called, and Senate amendments to Assembly Bill No. 2330 were concurred in by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Chatters, Cunningham, Donahue, Donnelly, Frazier, Fulcher, Geyer, Gilbert, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Lore, Maloney, Martin, Mayo, McBride, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Reaves, Richie, Riley, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Welsh, Williamson, Wright, and Mr. Speaker—45.

NOES—None.

Assembly Bill No. 2330 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 86.

Assembly Bill No. 86—An act to establish a system of unemployment reserves for this State, and making an appropriation therefor.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 86?

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out lines 16 to 19, inclusive, and insert in lieu thereof the following: "act shall take effect only if and when there is enacted legislation by the United States Government providing for a tax upon the payment of wages by employers in this State, against which all or any part of the contributions required by this act may be credited.

Whenever such legislation enacted by the United States Government is repealed, amended, affected or otherwise changed in such manner that the contributions required by this act or some portion thereof can not be thus credited, then upon the date of such change, the provisions of this act requiring contributions and providing for payment of benefits shall cease to be operative and any assets in the unemployment fund or unemployment administration fund shall in the discretion of the State Treasurer be held in the then existing depositaries or otherwise in the State treasury. In the case of the unemployment administration fund, such moneys may thereafter be dealt with by the State Treasurer pursuant to the conditions of the grant thereof to the State by the United States Government or agency thereof."

Amendment No. 2.

On page 5, line 31, of the printed bill, as amended, strike out "18", and insert in lieu thereof the following: "19".

Amendment No. 3.

On page 5, line 39, of the printed bill, as amended, strike out "19", and insert in lieu thereof the following: "20".

Amendment No. 4.

On page 5, line 50 of the printed bill, as amended, strike out "20", and insert in lieu thereof the following: "21".

Amendment No. 5.

On page 6, line 8, of the printed bill, as amended, strike out "21. All taxes", and insert in lieu thereof the following: "22. All contributions".

Amendment No. 6.

On page 6, line 15, of the printed bill, as amended, strike out "22", and insert in lieu thereof the following: "23".

Amendment No. 7.

On page 6 of the printed bill, as amended, strike out lines 30 to 50, inclusive.

Amendment No. 8.

On page 8, line 47, of the printed bill, as amended, strike out "40", and insert in lieu thereof the following: "37".

Amendment No. 9.

On page 8, line 50, of the printed bill, as amended, after the period, insert the following: "Thereafter, contributions shall accrue and become payable by any employer on and after the date on which he becomes subject to this act.

SEC. 38. Every such employer shall pay into the fund the following amounts:

(a) During the year 1936, with respect to payments of wages made during that year, ninety one-hundredths per cent of all wages paid by him in employments subject to this act.

(b) During the year 1937, with respect to payments of wages made during that year, one and eighty one-hundredths per cent of all wages paid by him in employments subject to this act.

(c) During the year 1938 and thereafter, with respect to payments of wages made during that year and thereafter, two and seventy one-hundredths per cent of all wages paid by him in employments subject to this act."

Amendment No. 10.

On page 9 of the printed bill, as amended, strike out lines 12 to 49, inclusive, and insert in lieu thereof the following:

"SEC. 39. The commission shall, beginning in 1941, classify employers in accordance with the actual experience with regard to the contributions which they have paid in their own behalf and the benefits which the unemployment fund has paid to their employees, or to employees whose benefits are charged against such employers. If it appears in the accounts established and kept as provided below, that an employer shows an excess of contributions paid in his own behalf over benefits paid to his employees or chargeable to him, a reserve equal to eight per cent or more of the average of his total pay rolls for the three preceding years, or the five preceding years whichever is higher, his rate of contribution shall be reduced to two and one-half per cent; if the reserve is ten per cent but less than twelve per cent, the rate shall be reduced to two per cent; if the reserve is twelve per cent but less than fifteen per cent, the rate shall be one and one-half per cent; and if the reserve is fifteen per cent or more, the rate shall be one per cent. The minimum contribution thus payable to the fund by the employer in his own behalf shall in no case amount to less than one per cent.

SEC. 40. The commission shall keep separate records of the amounts paid into the fund by each employer in his own behalf, or chargeable to him as benefits; but nothing in this chapter shall be construed to grant any employer or his employees prior claims or rights to the amount contributed by him to the fund, either on his own account or on behalf of his employees. The amount of employer contributions together with the employee contributions shall be pooled and available to pay benefits to any employee entitled to benefits under the provisions of this chapter regardless of the source of such contributions.

SEC. 41. For the purpose of determining which employer shall be debited with the amount of benefits paid to an employee who, during the period of the effective operation of this act, prior to the receipt of benefits, has worked for more than one employer, the liability of the two or more accounts shall be in inverse order to the succession of the several employments of the employee.

SEC. 42. No employer shall have the advantage of a merit rating unless the reserve computed remains at a level justifying the lower rate of contributions, except that the commission may, for purposes of convenience, fix quarterly, half yearly, or other reasonable periods during which the lower contributions based on merit ratings shall remain unchanged.

SEC. 43. The commission shall investigate and report upon the degree of unemployment hazard in various industries and occupations and their cost to the unemployment fund. It shall recommend to employers in industries or occupations showing an excessive cost to the fund means for stabilizing employment. It shall also, if necessary, recommend to the Legislature a higher rate of contribution for any classification of industries or occupations in which unemployment is excessive or chronic.

SEC. 44. Beginning on January 1, 1936, each employee shall contribute to the fund one half of one per cent of his wages; and beginning on January 1, 1937, and thereafter he shall contribute one per cent; except that the rate of contributions required of employees shall not in any year exceed fifty per cent of the general rate required of employers. Each employer shall withhold such contribution from the

wages of his employees, shall show such deduction on his pay roll records, and shall transmit all such contributions to the fund, pursuant to general rules of the commission.

Amendment No. 11.

On page 10 of the printed bill, as amended, between lines 14 and 15, insert the following:

"SEC 47. The commission may exempt from the provisions of this act requiring contributions to the fund, and from such other provisions as the commission finds clearly inapplicable to guaranteed employment plans, any employer (and his employees) who guarantees, under a plan approved by the commission, to all employees in his employ at the time of putting such plan into effect (and to each employee who is thereafter employed and continued in employment after a total of eight weeks of employment), in advance for stated one-year periods, at least that number of weeks of work or wages, for at least that corresponding number of hours in each week set forth in the following table, provided the commission is satisfied that the employer can and will make good such promise under all circumstances.

Minimum number of weeks per year	Minimum hours in each such week
42	36
43	34
44	32
45	30
46	28
47	26
48	24
49	22
50	20

The employer's guaranty to an employee under such a plan shall specify the one-year period applicable to such employee, the total wage rate guaranteed the employee for all work done by him for the employer during such year period and guaranteed him as a deficiency wage for each hour short of the number of guaranteed hours in a guaranteed week, the manner of extending or removing such guaranty, and such other matters as the commission finds necessary to safeguard and carry out guaranteed employment plans submitted under this act. But an employer shall not be required to make good such guaranty in the case of any individual employee who loses his employment under any of the conditions enumerated in section 56 of this act.

SEC. 48. The commission may exempt from paying to an account in the fund, the contributions provided for in sections 38, 39, 40, 41, 42, 43 and 44, any employer and employee or group of employers or employees submitting a plan for unemployment benefits which the commission finds: (1) makes eligible for benefits at least the employees who would be eligible for benefits under the compulsory features of this act; (2) provides that the proportion of the benefits to be financed by the employer or employers will on the whole be equal to or greater than the benefits which would be provided under the compulsory features of this act; and (3) is on the whole as beneficial in all other respects to such employees as the compulsory plan provided in this act. If under such a plan any contributions are made by employees, the accounts of the plan shall be so kept as to make clear what proportion of the benefits is financed by the employer or employers, and what proportion by the employees If under such a plan any contributions are made by employees, the commission shall require that such employees be represented, by representatives of their own choosing, in the direct administration of such plan, and the commission may take any steps necessary and appropriate to assure such representation to contributing employees.

SEC. 49. As a condition of granting exemption, the commission may require the employer or group to furnish such security as the commission may deem sufficient to assure payment of all promised benefits or wages, including the setting up of proper reserves. Such reserves and other security and also the manner in which an exempted employer carries out his promises of benefits or employment shall be subject to inspection and investigation by the division at any reasonable time If the commission shall deem it necessary it may require an exempted employer to furnish additional security to assure fulfillment of his promises to his employees.

SEC. 50. If an exempted employer or groups of employers fails to furnish security satisfactory to the commission, or fails to fulfill the promises made to employees, or wilfully fails to furnish any reports that the commission may require under this act, or otherwise to comply with the applicable portions of this act and the rules, regulations and orders of the commission pertaining to the administration thereof, the commission may, upon ten days' notice and the opportunity to be heard, revoke the exemption of such employer or group. In such case or in case any exempted employer or group voluntarily terminates exemption, such employer and each of such group of employers shall at once pay into the fund an amount equal to the balance which would have been standing to his account had he been

making the contributions to the fund and paying out the benefits provided in this act; provided that, in any case where such balance can not reasonably and definitely be determined, and specifically in the case of an employer exempted under subsection (a) of this section, the commission may require such employer to meet his liability under the present subsection by paying into the fund a lump sum amount equal to the contributions he would, if not exempted, have paid into the fund under section 38 during the twelve months preceding termination of his exemption. The account of any employer whose exemption has been terminated shall thenceforth be liable to pay to his employees the benefits which may remain or thereafter become due them, as if such employer had not been exempted under this section; and such employer shall thenceforth pay all contributions regularly required under this act from nonexempted employers.

SEC. 51. (a) Each employer exempted under this article shall be liable to make all contributions, to pay directly to employees all benefits, to pay all penalties, and otherwise to comply with all the provisions of this act, except as specifically provided in this section and in suitable rules to be formulated by the commission consistent with the purposes and provisions of this act.

(b) Such plan for exemption shall provide that upon the going out of business in this State by any employer, or the legal abandonment of the plan, the funds which shall have been contributed under such plan shall be retained for a sufficient period to meet all liability for benefits which may thereafter accrue, and that at the end of such period the proportion then remaining of employer contributions shall be released to the employer or his assigns, and the proportion then remaining of employee contributions shall be distributed in such equitable manner as the commission may approve.

(c) The rules and regulations for the government of such plan must be submitted to and approved by the commission. A plan, so approved, shall when put into effect, constitute a contract between each employer and every other employer participating in that plan, and between the employer or employers on the one hand, and, on the other hand all employees who came under it; and shall not thereafter be abandoned or modified without the approval of the commission, but it is a condition of such contract that it may be so abandoned or modified with such approval."

Amendment No. 12.

On page 12, lines 27 and 28, of the printed bill, as amended, strike out "sixty-five", and insert in lieu thereof the following: "fifty".

Amendment No. 13.

On page 17, line 41, of the printed bill, as amended, strike out ", whether exempted or not,".

Amendment No. 14.

On page 19 of the printed bill, as amended, strike out lines 21 to 27, inclusive.

Amendment No. 15.

On page 19, line 29, of the printed bill, as amended, strike out "10", and insert in lieu thereof the following: "9".

Amendment No. 16.

On page 19, line 37, of the printed bill, as amended, strike out "removal", and insert in lieu thereof the following: "remainder".

Demand for Previous Question.

Messrs. DeLap, Scudder, Minard, Brennan and Kallam demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being put: Shall the Assembly concur in Senate amendments to Assembly Bill No. 86?

The roll was called, and Senate amendments to Assembly Bill No. 86 were concurred in by the following vote:

AYES—Andreas, Boyle, Brennan, Cassidy, Chatters, Corwin, Cottrell, DeLap, Desmond, Donihue, Donnelly, Fisher, Fulcher, Garibaldi, Hunt, Johnson, Jones, Kallam, Latham, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, Pelletier, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Turner, Utt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—46.

NOES—Anderson, Clark, Geyer, Heisinger, Lore, O'Donnell, Patterson, Reaves, Richie, Rosenthal, and Voigt—11.

Assembly Bill No. 86 ordered to enrollment.

Explanation of Vote.

MR. SPEAKER: I can not permit to go unexplained my vote against concurrence in the Senate's amendments to Assembly Bill No. 86 That unemployment insurance measure as it passed the Assembly was largely the result of an entire session's work of drafting and redrafting under my supervision. It provided the barest minimum of what was required to establish sufficient cash reserves to pay reasonable benefits to unemployed persons beginning in 1938. It further provided a common pooling of payments from industry and labor, recognizing that unemployment is a necessary concomitant of our entire industrial enterprise, and that its hazards must be overcome by a common acceptance of the burden.

The Senate saw fit to reduce the payments from industry to the bare minimums provided in the Federal act, which will make our State fund woefully insufficient to meet the needs of the unemployed That Federal plan is offered not for the guidance of a prosperous State such as ours, but as the minimum permitted to such poverty stricken States as Georgia. The amended bill is little more than a pretense, an idle gesture. Both political parties committed themselves to enacting at this session an adequate system of unemployment As a progressive Republican, I fully supported such a party plank. In its repudiation by the Senate, and the sustaining of that repudiation by the Assembly, I can not conscientiously have any part. Consequently, I can not concur in the Senate's amendments

H. DEWEY ANDERSON, Thirtieth District.
JOHN GEE CLARK, Seventieth District
ELLIS E. PATTERSON, Assemblyman, Thirty-fifth District.

Consideration of Senate Amendments to Assembly Bill No. 2499.

Assembly Bill No. 2499—An act to prohibit under certain conditions, sales under certain chattel mortgages, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale made in violation of the act, to prescribe the time within which an action to avoid such a sale may be brought, and to declare the urgency thereof, and to provide that this act take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2499?

Amendment No. 1.

On page 1, line 2, of the printed bill, strike out "or under any power of sale contained in", and insert in lieu thereof the following: "of, or under any power of sale contained in,".

Amendment No. 2.

On page 1, line 3, of the printed bill, after "executed", insert the following: "(a)".

Amendment No. 3.

On page 1, line 5, of the printed bill, between the comma and "sale", insert the following: "or (b) upon any personal property (excluding personal property under lease contract and excluding live stock) which is used in connection with the customary operation of agricultural real property.".

Amendment No. 4.

On page 1, line 20, of the printed bill, strike out "February", and insert in lieu thereof the following: "July".

Amendment No. 5.

On page 2, line 5, of the printed bill, after "SEC. 5.", insert the following: "If any section, subsection, sentence, clause, word or part of this act, or the application thereof to any person or circumstance, is finally determined by the courts to be unconstitutional, such section, subsection, sentence, clause, word or part shall no longer be effective or such application shall no longer control, but all other sections, subsections, sentences, clauses, words or parts or the application thereof to other persons and circumstances shall continue in full force and effect. It is the intent of the Legislature to make this act as effective as possible to relieve debtors in the manner herein provided.

SEC 6. This act shall be known and may be cited as the "Chattel Mortgage Moratorium of 1935"

SEC 7."

Amendment No. 6.

On page 2, line 15, of the printed bill, between "the", and "mortgage", insert the following. "real property".

The roll was called, and Senate amendments to Assembly Bill No. 2499 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, DeLap, Desmond, Donihue, Donnelly, Fisher, Fulcher, Garibaldi, Geyer, Gilmore, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 2499 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 1267.

Assembly Bill No 1267—An act to amend the title and to add two new sections, to be numbered 2a and 2b, to an act entitled "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the health of persons by whom the materials from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors; and providing for the punishment of the same," approved March 6, 1909, relating to the use of sealed containers and providing for the sterilization of used bottles, receptacles and containers used for foods, drugs and liquors.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1267?

Amendment No. 1.

On page 2, line 44, of the printed bill, as amended, strike out the word "five", and insert in lieu thereof "two and one-half".

The roll was called, and Senate amendment to Assembly Bill No. 1267 was concurred in by the following vote:

AYES—Anderson, Andreas, Chatters, Clark, Corwin, DeLap, Desmond, Donihue, Donnelly, Fisher, Fulcher, Garibaldi, Geyer, Gilmore, Hunt, Johnson, Jones, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, Meehan, Miller, Patterson, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Voigt, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—46.

NOES—Cassidy, and Heisinger—2.

Assembly Bill No. 1267 ordered to enrollment.

Motion to Strike Assembly Bill No. 1901 from File.

Mr. Lyon moved that Assembly Bill No. 1901 be stricken from the file.

Motion carried.

Assembly Bill No. 1901 ordered stricken from the file.

Motion to Strike Assembly Resolution from File.

Mr. Utt moved that the Assembly resolution regarding chain stores be stricken from the file.

Motion carried.

Resolution ordered stricken from the file.

Motion to Strike Assembly Bill No. 1097 from File.

Mr. Anderson moved that Assembly Bill No. 1097 be stricken from the file.

Motion carried.

Assembly Bill No. 1097 ordered stricken from the file.

Motion to Print Assembly Bill No. 1097.

Mr. Anderson moved that the Chief Clerk be instructed to have 500 copies of Assembly Bill No. 1097 printed.

Motion carried.

Motion to Strike Assembly Bill No. 627 from File.

Mr. Cottrell moved that Assembly Bill No 627 be stricken from the file.

Motion carried.

Assembly Bill No. 627 ordered stricken from the file.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 127—An act to regulate the conduct of election campaigns, to provide penalties for corrupt practices defined therein, to repeal an act entitled "An act to regulate the conduct of election campaigns, and repealing an act entitled 'An act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,' approved February 23, 1893," approved March 19, 1907, and to repeal an act entitled "An act providing for publicity of contributions and expenditures made for the purpose of influencing electors for or against any proposition voted upon throughout the State and providing penalties for violation of the provisions hereof," approved May 31, 1921.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Frazier:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out lines 40 to 52, inclusive, and on page 3, strike out lines 1 and 2.

Amendment No. 2.

On page 3, line 3, of the printed bill, as amended, strike out "5", and insert in lieu thereof the following: "4".

Amendment No. 3.

On page 3, line 13, of the printed bill, as amended, strike out "6", and insert in lieu thereof the following: "5".

Amendment No. 4.

On page 3, line 36, of the printed bill, as amended, strike out "7", and insert in lieu thereof the following: "6".

Amendment No. 5.

On page 3, line 46, of the printed bill, as amended, strike out "8", and insert in lieu thereof the following: "7".

Amendment No. 6.

On page 4, line 16, of the printed bill, as amended, strike out "9", and insert in lieu thereof the following: "8".

Amendment No. 7.

On page 4, line 19, of the printed bill, as amended, strike out "10", and insert in lieu thereof the following: "9".

Amendment No. 8.

On page 4, line 28, of the printed bill, as amended, strike out "11", and insert in lieu thereof the following: "10".

Amendment No. 9.

On page 4, line 50, of the printed bill, as amended, strike out "12", and insert in lieu thereof the following: "11".

Amendment No. 10.

On page 5, line 3, of the printed bill, as amended, strike out "13", and insert in lieu thereof the following: "12".

Amendment No. 11.

On page 5, line 6, of the printed bill, as amended, strike out "14", and insert in lieu thereof the following: "13".

Amendment No. 12.

On page 5, line 11, of the printed bill, as amended, strike out "15", and insert in lieu thereof the following: "14".

Amendment No. 13.

On page 5, line 20, of the printed bill, as amended, strike out "16", and insert in lieu thereof the following: "15".

Amendment No. 14.

On page 5, line 24, of the printed bill, as amended, strike out "17", and insert in lieu thereof the following: "16".

Amendment No. 15.

On page 5, line 35, of the printed bill, as amended, strike out "18", and insert in lieu thereof the following: "17".

Amendment No. 16.

On page 5, line 39, of the printed bill, as amended, strike out "19", and insert in lieu thereof the following: "18".

Amendment No. 17.

On page 5, line 43, of the printed bill, as amended, strike out "20", and insert in lieu thereof the following: "19".

Amendment No. 18.

On page 6, line 6, of the printed bill, as amended, strike out "21", and insert in lieu thereof the following: "20".

Amendment No. 19.

On page 6, line 13, of the printed bill, as amended, strike out "22", and insert in lieu thereof the following: "21".

Amendment No. 20.

On page 6, line 19, of the printed bill, as amended, strike out "23", and insert in lieu thereof the following: "22".

The question being on the amendments submitted by Mr. Frazier to Senate Bill No. 127.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Frazier.

The roll was called, and the amendments were adopted by the following vote:

AYES—Boyle, Brennan, Corwin, Cottrell, Cunningham, DeLap, Field, Fisher, Frazier, Fulcher, Garibaldi, Heisinger, Hunt, Johnson, Jones, Latham, Lyon, Maloney, Martin, McBride, Meehan, Miller, Minard, Morgan, Nielsen, Peterson, Phillips, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Wallace, Waters, Welsh, Wright, and Mr. Speaker—39.

NOES—Anderson, Cassidy, Chatters, Clark, Cronin, Desmond, Donihue, Donnelly, Geyer, Gilbert, Kallam, Lore, Mayo, O'Donnell, Patterson, Pelletier, Reaves, Rosenthal, Turner, Voigt, Wagner, and Walker—22.

Request for Unanimous Consent.

Mr. Donnelly asked for unanimous consent to take up Senate Bill No. 127, as amended, at this time, without reference to reprint or file.

Objection to Unanimous Consent.

Mr. Brennan objected to unanimous consent to the consideration of Senate Bill No. 127.

Motion to Suspend Rules.

Mr. Donnelly moved that the rules be suspended for purpose of considering Senate Bill No. 127, at this time.

Roll Call.

The Speaker ordered a roll call taken on the motion to suspend the rules.

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Cassidy, Chatters, Clark, Cronin, DeLap, Desmond, Donihue, Donnelly, Garibaldi, Geyer, Gilbert, Heisinger, Lore, Mayo, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Rosenthal, Turner, Voigt, Wagner, and Walker—28.

NOES—Andreas, Boyle, Brennan, Corwin, Cottrell, Field, Fisher, Frazier, Fulcher, Hunt, Johnson, Kallam, Latham, Martin, McBride, Meehan, Peterson, Phillips, Richie, Riley, Robertson, Scudder, Stream, Utt, Wallace, Welsh, Wright, and Mr. Speaker—28.

Senate Bill No. 127 ordered to reprint, re-engrossment, and on file for third reading.

Senate Bill No. 550—An act to provide for the cooperation of State officers and agencies, and stockmen's associations with the Federal Government in relation to grazing lands, and for the disposition of money received from the Federal Government in relation thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 550 finally passed by the following vote:

AYES—Anderson, Andreas, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, DeLap, Desmond, Donihue, Field, Fisher, Fulcher, Garibaldi, Heisinger, Hunt, Johnson, Jones, Latham, Laughlin, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 425—An act to add a new section to the Agricultural Code, to be numbered 1079, relating to the disposal of funds received under the provisions of Chapter 7 of Division V of said code, to declare the urgency thereof, and to provide that this act shall take effect immediately.

Bill read third time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Andreas, Brennan, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, DeLap, Desmond, Donihue, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Glover, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson,

Rosenthal, Scudder, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, Wright, and Mr. Speaker—58.
NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 425 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, DeLap, Desmond, Donihue, Field, Fisher, Fulcher, Garibaldi, Geyer, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Wallace, Welsh, Williamson, Wright, and Mr. Speaker—61.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1123—An act providing for the submission at the general election to be held in November, 1936, of a certain question herein provided, for the purpose of ascertaining the wish of the people of the State relative to the licensing of stores in this State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1123 was refused passage by the following vote:

AYES—Lyon, Martin, Minard, Richie, and Welsh—5.
NOES—Anderson, Andreas, Boyle, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, DeLap, Donihue, Donnelly, Field, Fisher, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Maloney, Mayo, McBride, Meehan, Miller, Morgan, Nielsen, O'Donnell, Pelletier, Peterson, Phillips, Reaves, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Wallace, Waters, Weber, Wright, and Mr. Speaker—56.

Motion to Rush Printing of Senate Bill No. 127.

Mr. Donnelly moved that the Chief Clerk instruct the State Printer to rush printing of Senate Bill No. 127, as amended.

Motion carried.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 1014—An act to add section 1412.5 to the Fish and Game Code, relating to the cost of keeping persons imprisoned for violating any provision of said code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1014 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, DeLap, Donihue, Fisher, Fulcher, Garibaldi, Geyer, Glover, Heisinger, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—59.
NOES—Field, Hornblower, Hunt, Lyon, and Redwine—5.

Title read and approved.

Bill ordered transmitted to the Senate.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Concurrent Resolution No. 45—Relative to adjournment, sine die—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

COTTRELL, Chairman.

Consideration of Senate Concurrent Resolution No. 45.

Senate Concurrent Resolution No. 45—Relative to adjourment sine die.

Committee Amendment.

During reading of Senate Concurrent Resolution No. 45, the following amendment was submitted by the committee:

Amendment No. 1.

At the end of the printed resolution strike out "Saturday, June 15, 1935", and insert in lieu thereof "Tuesday, June 18, 1935".

Amendment adopted.

Senate Concurrent Resolution No. 45, as amended, read.

Mr. Lyon moved the adoption of Senate Concurrent Resolution No. 45.

The question being on the adoption of Senate Concurrent Resolution No. 45.

The roll was called, Senate Concurrent Resolution No. 45, as amended, adopted, the title read and approved, and the resolution ordered transmitted to the Senate.

Motion to Recall Senate Concurrent Resolution No. 45.

Mr. Lyon moved that Senate Concurrent Resolution No. 45 be recalled from the Senate for further consideration.

Motion carried.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day, pursuant to your request, returns herewith Senate Concurrent Resolution No. 45—Relative to adjournment sine die.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Motion to Expunge Record on Senate Concurrent Resolution No. 45.

Mr. Lyon moved that the record of the vote whereby Senate Concurrent Resolution No. 45 was this day adopted be expunged, and the action rescinded.

Roll Call.

The Speaker ordered a roll call taken on the motion to expunge record on Senate Concurrent Resolution No. 45.

The roll was called, and the motion to expunge was carried by the following vote:

AYES—Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hawkins, Hornblower, Johnson, Kallam, Laughlin, Lyon, Maloney, Martin, McBride, McMurray, Miller, Minard, Patterson, Pelletier, Phillips,

Reaves, Redwine, Richie, Robertson, Rosenthal, Stream, Wagner, Walker, Waters, Weber, and Mr. Speaker—46.
NOES—Flint, Hunt, and Jones—3.

Senate Concurrent Resolution No. 45 read.

Floor Amendment.

During the reading of Senate Concurrent Resolution No. 45, the following amendment was submitted by Mr. Lyon:

Amendment No. 1.

In the printed resolution, as amended, strike out 'Tuesday, June 18, 1935, at 12 noon", and substitute in lieu thereof "at eleven fifty-five p m Sunday, June 16, 1935."

Amendment adopted.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 45, as amended, at this time, without reference to reprint or file.

Senate Concurrent Resolution No. 45 read.

Mr. Lyon moved the adoption of Senate Concurrent Resolution No. 45.

The question being on the adoption of Senate Concurrent Resolution No. 45.

The roll was called, and Senate Concurrent Resolution No. 45 adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Chatters, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Donihue, Donnelly, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hornblower, Johnson, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Stream, Walker, Waters, Weber, Welsh, Wright, and Mr. Speaker—49.
NOES—Evans, Ralph W., Flint, Hunt, Jones, McCarthy, Rosenthal, Turner, and Wagner—8.

Title read and approved.

Senate Concurrent Resolution No. 45 ordered transmitted to the Senate.

Senate Concurrent Resolution No. 45.

Relative to adjournment sine die.

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the fifty-first session of the Legislature of the State of California shall adjourn sine die at eleven o'clock and fifty-five minutes p.m., on Sunday, June 16, 1935.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 114—An act to amend section 737aaa of the Political Code, relating to the salary of the superior judge, in and for Trinity County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 114 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal,

Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—66.
NOES—Reaves and Wright—2.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 1133—An act to amend section 7377*l* of the Political Code, relating to salaries of the judges of the superior court of the City and County of San Francisco.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1133 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, DeLap, Donihue, Evans, Ralph W., Fisher, Frazier, Fulcher, Garibaldi, Glover, Hornblower, Johnson, Jones, Kallam, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Rosenthal, Scudder, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—54.
NOES—Donnelly, Geyer, Gilbert, Hunt, Latham, Laughlin, Reaves, and Wright—8.

Title read and approved.
Bill ordered transmitted to the Senate.

Consideration of Senate Bill No. 970.

Senate Bill No. 970—An act to amend the "State Civil Service Act."

Case of Urgency.

The following resolution was offered:
By Mr. Phillips:

Resolved, That Senate Bill No. 970 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

Mr Phillips moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Boyle, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, DeLap, Donihue, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—58
NOES—Anderson, Jones, Kallam, McCarthy, and Pelletier—5.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering at this time Senate Bill No. 970.

Second Reading of Senate Bill No. 970.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Boyle, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, DeLap, Donihue, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—58.

NOES—Anderson, Jones, Kallam, McCarthy, and Pelletier—5.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Jones:

Amendment No. 1.

On page 2, line 8, of the printed bill, strike out "December", and in line 9, strike out "20, 1934", and insert in lieu thereof "April 1, 1935".

The question being on the amendment submitted by Mr. Jones to Senate Bill No. 970.

Roll Call.

The Speaker ordered a roll call taken on the amendment submitted by Mr. Jones.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Anderson, Brennan, Cassidy, Chatters, Clark, Geyer, Gilbert, Glover, Heisinger, Hunt, Jones, Kallam, Laughlin, Lore, McMurray, Patterson, Pelletier, Reaves, Richie, Riley, Rosenthal, Stream, Turner, Voigt, Wagner, and Welsh—26.

NOES—Boyle, Corwin, Cottrell, Crowley, Cunningham, DeLap, Donihue, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Hornblower, Johnson, Latham, Lyon, Maloney, Martin, Mayo, McCarthy, Meehan, Miller, Minard, Morgan, Nielsen, Peterson, Phillips, Redwine, Robertson, Scudder, Thorp, Walker, Wallace, Waters, Weber, Williamson, Wright, and Mr. Speaker—39.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 970 finally passed by the following vote:

AYES—Cassidy, Chatters, Corwin, Cottrell, Crowley, Cunningham, DeLap, Donihue, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Hornblower, Hunt, Johnson, Kallam, Latham, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Peyser, Phillips, Reaves, Redwine, Riley, Scudder, Stream, Thorp, Turner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—50.

NOES—Anderson, Clark, Geyer, Gilbert, Glover, Heisinger, Jones, Laughlin, Lore, Pelletier, Richie, Rosenthal, and Wagner—13.

Title read and approved.

Bill ordered transmitted to the Senate.

Third Reading of Senate Bills—(Resumed).

Motion to Strike Senate Bill No. 1132 from File.

Mr. Johnson moved that Senate Bill No. 1132 be stricken from the file.

Motion carried.

Senate Bill No. 1132 ordered stricken from the file.

Senate Bill No. 1085—An act to amend sections 25 and 32 of the "Water Commission Act," approved June 16, 1913, relating to the adjudication of water rights.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1085 finally passed by the following vote:

AYES—Anderson, Boyle, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cunningham, DeLap, Desmond, Donnelly, Evans, Ralph W., Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—61.

NOES—Crowley—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1018—An act to amend sections 776, 777, 779 and 781 and to repeal section 778 of the Vehicle Code, relating to funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 1018 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Cunningham, DeLap, Desmond, Donihue, Evans, Ralph W., Fisher, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Miller, Minard, Morgan, Patterson, Pelletier, Peyser, Phillips, Redwine, Richie, Robertson, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1055—An act to appropriate the sum of twenty-four thousand dollars to be used in construction, renewal, and repair of works for restraining, impounding and control of debris resulting from mining operations and other causes along the Yuba River, to provide for the manner of expending such appropriation, to create the Yuba River debris control fund, and to provide for the deposit in said fund of any unexpended balances of previous appropriations made for this purpose.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 1055 finally passed by the following vote:

AYES—Andreas, Boyle, Cassidy, Clark, Corwin, Crowley, Cunningham, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hornblower, Hunt, Jones, Kallam, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, and Mr Speaker—59

NOES—Anderson, Dawson, Heisinger, and Wallace—4.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 1128—An act relating to the borrowing of money by the State in anticipation of taxes and revenues, and making an appropriation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 1128 finally passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Clark, Corwin, Cottrell, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Geyer, Gilmore, Glover, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 339—An act making an appropriation for the armed forces of the State when called on active service.

Bill read third time.

Demand for Previous Question.

Messrs. Fisher, Robertson, Brennan, Stream, and Frazier demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the passage of the bill.

Motion to Lay Senate Bill No. 339 on the Table.

Mr Patterson moved, seconded by Mr. Wagner, that Senate Bill No. 339 be laid on the table.

The question being on the motion to lay on the table.

Roll Call.

The Speaker ordered a roll call taken on the motion to lay Senate Bill No. 339 on the table.

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Brennan, Burns, Cassidy, Clark, Cronin, Crowley, Desmond, Donihue, Evans, Ralph W., Flint, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Laughlin, Lore, Maloney, McCarthy, Meehan, Minard, Patterson, Pelletier, Peyser, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, and Wallace—35.

NOES—Boyle, Breed, Chatters, Corwin, Cottrell, Cunningham, DeLap, Fisher, Frazier, Fulcher, Garibaldi, Johnson, Kallam, Latham, Lyon, Martin, Mayo, McBride, McMurray, Miller, Morgan, Nielsen, Peterson, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Weber, Welsh, Williamson, and Mr. Speaker—36.

Third Reading of Senate Bill No. 339.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 339 refused passage by the following vote:

AYES—Boyle, Breed, Chatters, Corwin, Cottrell, Cunningham, DeLap, Fisher, Frazier, Garibaldi, Johnson, Kallam, Latham, Lyon, Martin, Minard, Morgan, Nielsen, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Scudder, Stream, Thorp, Utt, Walker, Welsh, and Mr. Speaker—31.

NOES—Anderson, Brennan, Burns, Cassidy, Clark, Cronin, Crowley, Desmond, Donihue, Donnelly, Evans, Ralph W., Flint, Fulcher, Geyer, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Laughlin, Lore, Maloney, Mayo, McBride, McCarthy, McMurray, Patterson, Pelletier, Reaves, Richie, Rosenthal, Turner, Voigt, Wagner, Wallace, Weber, and Williamson—39.

Senate Bill No. 1003—An act making an appropriation to pay the claim of Mrs. G. Field against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

Motion to Expunge Record.

Mr. Scudder moved that the vote taken on Senate Bill No. 1003 be expunged from the record, and the action rescinded.

Roll Call.

The Speaker ordered a roll call taken on the motion to expunge the record.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Dawson, DeLap, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Weber, Welsh, Williamson, and Mr Speaker—64.

NOES—Rosenthal—1.

Senate Bill No. 1003 read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Hornblower:

Amendment No. 1.

On page 1, line 1, of the printed bill, strike out the word "fourteen", and insert in lieu thereof "twelve".

Amendment adopted.

Request for Unanimous Consent.

Mr. Scudder asked for, and was granted, unanimous consent to take up Senate Bill No. 1003, as amended, at this time, without reference to reprint or file.

Third Reading of Senate Bill No. 1003, as Amended.

Senate Bill No. 1003, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1003, as amended, finally passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Donihue, Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—66.

NOES—Anderson, and Kallam—2.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 105—An act to amend section 1092 of the Agricultural Code, relating to a tax upon commercial feeding stuffs.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 105 finally passed by the following vote:

AYES—Boyle, Brennan, Burns, Cassidy, Corwin, Cottrell, Cronin, Crowley, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Frazier, Fulcher, Geyer, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—61.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 355—An act relating to fees to be paid to the Railroad Commission by railroad corporations, express corporation, freight forwarders, persons or corporations operating vessels, and persons or corporations owning or operating motor vehicles in the transportation of property for hire upon the public highways under the jurisdiction of the Railroad Commission of the State of California, providing for the collection thereof by the Railroad Commission, and providing penalties for the violation of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 355 finally passed by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Fulcher, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—59.
NOES—Flint, Geyer, and Gilbert—3.

Title read and approved.
Bill ordered transmitted to the Senate.

Senate Bill No. 404—An act to add section 159a to the Agricultural Code, relating to the elimination of Austrian field cress, and to make an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 404 finally passed by the following vote:

AYES—Anderson, Andreas, Breed, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—64.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Further Consideration of Senate Bill No. 1126.

Senate Bill No. 1126—An act to amend sections 105, 109 and 111 of the Vehicle Code, relating to the Department of Motor Vehicles.

Case of Urgency.

The following resolution was offered:

Resolved, That Senate Bill No. 1126 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Dawson, DeLap, Field, Fisher, Frazier, Fulcher, Hawkins, Hornblower, Hunt, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Stream, Utt, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—57.

NOES—Anderson, Clark, Crowley, Donihue, Evans, Ralph W., Geyer, Glover, Heisinger, Johnson, Laughlin, McCarthy, Meehan, Pelletier, Reaves, Richie, Rosenthal, Thorp, Turner, Voigt, and Wagner—20.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering at this time Senate Bill No. 1126

Third Reading of Senate Bill No. 1126.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Johnson:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 7 to 9, inclusive, and insert in lieu thereof the following:

"The Governor shall appoint the Director of Finance as Director of Motor Vehicles. He shall receive no salary as Director of Motor Vehicles but".

Amendment No. 2.

On page 1, line 13, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: ", in addition to the bond executed by him as Director of Finance."

The question being on the amendments submitted by Mr. Johnson to Senate Bill No. 1126.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Johnson.

The roll was called, and the amendments were refused adoption by the following vote:

AYES—Anderson, Cronin, Crowley, DeLap, Donihue, Evans, Ralph W., Fisher, Geyer, Glover, Heisinger, Hunt, Johnson, Lyon, McCarthy, Meehan, Minard, Richie, Riley, Robertson, Thorp, Turner, and Williamson—22.

NOES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Dawson, Field, Fulcher, Hawkins, Hornblower, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Miller, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Rosenthal, Stream, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, and Mr. Speaker—43.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1126 finally passed by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Dawson, DeLap, Field, Fisher, Frazier, Fulcher, Hawkins, Hornblower,

Hunt, Kallam, Latham, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Peterson, Peyser, Phillips, Redwine, Riley, Robertson, Stream, Utt, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—57.

NOES—Anderson, Clark, Crowley, Donihue, Evans, Ralph W., Geyer, Glover, Heisinger, Johnson, Laughlin, McCarthy, Meehan, Pelletier, Reaves, Richie, Rosenthal, Thorp, Turner, Voigt, and Wagner—20.

Title read and approved.

Bill ordered transmitted to the Senate.

Further Consideration of Senate Bill No. 48.

Senate Bill No. 48—An act making an appropriation to pay the claim of Index Investment Corporation, a corporation, against the State of California.

Case of Urgency.

The following resolution was offered:

Resolved, That Senate Bill No. 48 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Dawson, DeLap, Donihue, Evans, Ralph W., Fisher, Frazier, Fulcher, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, and Mr. Speaker—64.

NOES—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering at this time Senate Bill No. 48.

Third Reading of Senate Bill No. 48.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 48 finally passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Dawson, DeLap, Donihue, Evans, Ralph W., Fisher, Frazier, Fulcher, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Voigt, Wagner, Walker, Waters, Weber, Welsh, Williamson, and Mr Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Further Consideration of Senate Bill No. 154.

Senate Bill No. 154—An act to amend section 14 of the State Medical Practice Act, approved June 2, 1913, as amended, relating to refusal to issue certificates, suspension and revocation of certificates and probation of certificate holders.

Case of Urgency.

The following resolution was offered:

Resolved, That Senate Bill No. 154 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Cottrell, Cronin, Crowley, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—66.

NOES—Pelletier—1.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering at this time Senate Bill No. 154.

Third Reading of Senate Bill No. 154.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 154 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Cottrell, Cronin, Crowley, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Geyer, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Patterson, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—66.

NOES—Pelletier—1.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 90—An act to add Chapter 3 to Division III of the Agricultural Code, to consist of sections 430 to 433, inclusive, relating to ownership or control of stockyards by packers.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Frazier:

Amendment No. 1.

On page 1, line 11, of the printed bill, as amended, after "commerce", insert the following: "whether interstate or intrastate,".

Amendment No. 2.

On page 1, line 12, of the printed bill, as amended, strike out the period, and insert a comma and the following: "whether interstate or intrastate."

Amendment No. 3.

On page 1, line 23, of the printed bill, as amended, strike out the period, and insert in lieu thereof the following: "as hereinbefore defined."

The question being on the amendments submitted by Mr. Frazier to Senate Bill No. 90.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Frazier:

The roll was called, and the amendments refused adoption by the following vote:

AYES—Brennan, Burns, Cassidy, Corwin, Dawson, Fisher, Frazier, Garibaldi, Gilbert, Heisinger, Hunt, Johnson, Latham, Martin, Minard, Morgan, Patterson, Peterson, Phillips, Redwine, Riley, Rosenthal, Scudder, Stream, Thorp, Walker, Wallace, Welsh, and Williamson—29.

NOES—Anderson, Andreas, Boyle, Breed, Chatters, Clark, Cottrell, Cronin, Crowley, DeLap, Donihue, Donnelly, Evans, Ralph W., Fulcher, Geyer, Glover, Hawkins, Hornblower, Jones, Kallam, Laughlin, Lore, Maloney, Mayo, McBride, McCarthy, McMurray, Miller, Nielsen, O'Donnell, Pelletier, Reaves, Richie, Turner, Voigt, Wagner, Weber, and Mr. Speaker—38.

Third Reading of Senate Bill No. 90.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 90 refused passage by the following vote:

AYES—Anderson, Cronin, DeLap, Heisinger, Jones, Kallam, Lore, Lyon, Maloney, Meehan, O'Donnell, Reaves, Turner, Voigt, and Weber—15.

NOES—Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Dawson, Donihue, Fisher, Frazier, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Hunt, Johnson, Latham, Laughlin, Martin, McCarthy, McMurray, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Wagner, Walker, Wallace, Waters, Welsh, Williamson, and Mr. Speaker—48.

Further Consideration of Senate Bill No. 1134.

Senate Bill No. 1134—An act to repeal sections 4a and 4b of an act entitled "An act to provide for the government of irrigation districts having an area of more than five hundred thousand acres and to enable such irrigation districts to construct levees and to protect the lands within such districts from damage resulting from floods and the overflow of rivers and for that purpose to provide additional powers for boards of directors within such irrigation districts," approved January 21, 1915, relating to elections and to qualification of electors, this act to take effect immediately.

Case of Urgency.

The following resolution was offered:

By Mr. Walker:

Resolved, That Senate Bill No. 1134 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Mr. Walker moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Donihue, Donnelly, Field, Fisher, Flint, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Wallace, Weber, Welsh, Williamson, and Mr. Speaker—64.

NOES—None.

Whereupon, the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 1134.

Second Reading of Senate Bill No. 1134.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Flint, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—66.

NOES—None.

Third Reading of Senate Bill No. 1134.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1134 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent.

Mr. Burns asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 22, as amended, at this time, without reference to committee or file.

Consideration of Senate Joint Resolution No. 22.

Senate Joint Resolution No. 22—Relative to the application to Congress to propose an amendment to the Constitution of the United States relating to tax exempt securities.

Senate Joint Resolution No. 22 read.

Mr. Burns moved the adoption of Senate Joint Resolution No. 22.

The question being on the adoption of Senate Joint Resolution No. 22.

The roll was called, and Senate Joint Resolution No. 22 adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McMurray, Miller, Minard, Morgan, Nielsen, Patterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosen-

thal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Williamson, and Mr. Speaker—65.
NOES—None.

Title read and approved.

Senate Joint Resolution No. 22 ordered transmitted to the Senate.

Senate Joint Resolution No. 22.

Relative to the application to Congress to propose an amendment to the Constitution of the United States relating to tax exempt securities.

WHEREAS, Article V of the Constitution of the United States provides that the Congress shall, on the application of the Legislature of two-thirds of the several States, call a convention for proposing amendments to the Constitution of the United States; and

WHEREAS, The Legislature of the State of California deems it necessary to the well-being of the Nation that no securities heretofore or hereafter issued by the Federal Government or any State or political subdivision be exempt from taxation; now, therefore, be it

Resolved by the Senate and the Assembly of the Legislature of the State of California, jointly, at its fifty-first regular session, commencing on the seventh day of January, 1935, a majority of all the members elected to each house of the Legislature voting in favor hereof, That the Congress of the United States be requested to call a convention upon the adoption by two-thirds of the several States of a resolution similar to this resolution, for the purpose of proposing an amendment to the Constitution providing that no securities heretofore or hereafter issued, either by the Federal Government or any State or political subdivision, shall be exempt from taxation; and, be it further

Resolved, That certified copies of this resolution be forwarded by the Governor of the State of California to the President of the United States, the Secretary of State of the United States, the President of the Senate of the United States, the Speaker of the House of Representatives of the United States, and the Governor of each of the several States.

Request for Unanimous Consent.

Mr. Clark asked for, and was granted, unanimous consent to take up Senate Joint Resolution No 23, at this time, without reference to committee or file.

Consideration of Senate Joint Resolution No. 23.

Senate Joint Resolution No. 23—Relative to the application to Congress to propose an amendment to the Constitution of the United States relating to the power of the Congress to regulate hours, wages, terms and conditions of employment of labor.

Senate Joint Resolution No. 23 read.

Mr. Clark moved the adoption of Senate Joint Resolution No. 23.

The question being on the adoption of Senate Joint Resolution No. 23.

The roll was called, and Senate Joint Resolution No. 23 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, Desmond, Donahue, Donnelly, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Morgan, Nielsen, Patterson, Pelletier, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—63.
NOES—DeLap, and Minard—2.

Title read and approved.

Senate Joint Resolution No 23 ordered transmitted to the Senate.

Senate Joint Resolution No. 23.

Relative to the application to Congress to propose an amendment to the Constitution of the United States relating to the power of the Congress to regulate hours, wages, terms and conditions of employment of labor

WHEREAS, Article V of the Constitution of the United States provides that the Congress shall, on the application of the Legislature of two-thirds of the several

States, call a convention for proposing amendments to the Constitution of the United States; now, therefore, be it

Resolved, by the Senate and the Assembly of the Legislature of the State of California, jointly, At its fifty-first regular session, commencing on the seventh day of January, 1935, a majority of all the members elected to each house of the Legislature voting in favor hereof, that the Congress of the United States be requested to call a convention upon the adoption by two-thirds of the several States of a resolution similar to this resolution, for the purpose of proposing an amendment to the Constitution providing that the Congress of the United States shall have the power to regulate hours of labor and prescribe minimum wages in any and all industries engaged in intrastate, as well as interstate, commerce; and, be it further

Resolved, That certified copies of this resolution be forwarded by the Governor of the State of California to the President of the United States, the Secretary of State of the United States, the President of the Senate of the United States, the Speaker of the House of Representatives of the United States, and the Governor of each of the several States.

Request for Unanimous Consent.

Mr. Patterson asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 24, at this time, without reference to committee or file.

Consideration of Senate Joint Resolution No. 24.

Senate Joint Resolution No. 24—Relative to memorializing Congress to permit State Emergency Relief Administration funds and Federal Emergency Relief Administration funds to be used in the restoration of California missions.

Senate Joint Resolution No. 24 read.

Mr. Patterson moved the adoption of Senate Joint Resolution No. 24.

The question being on the adoption of Senate Joint Resolution No. 24.

The roll was called, and Senate Joint Resolution No. 24 adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Dawson, DeLap, Desmond, Donihue, Evans, Ralph W., Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—69.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 24 ordered transmitted to the Senate.

Senate Joint Resolution No. 24.

Relative to memorializing Congress to permit State Emergency Relief Administration funds and Federal Emergency Relief Administration funds to be used in the restoration of California missions.

WHEREAS, The California missions are of great significance in the early history not only of California but of the United States; and

WHEREAS, Many of the missions of California are in a deplorable state of repair and sorely in need of restoration; and

WHEREAS, State Emergency Relief Administration funds and the Federal Emergency Relief Administration funds could be used in this worthwhile work to give employment to many needy citizens; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature of the State of California respectfully urges and memorializes the Congress of the United States to permit State Emergency Relief Administration funds and Federal Emergency Relief Administration funds to be used in the restoration of the California missions; and be it further

Resolved, That certified copies of this resolution be forwarded by the Secretary of the Senate of the State of California to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives of the United States, the Federal Relief Administrator, the State Relief Administrator, and to all the Senators and Representatives from California in the United States Congress.

Unfinished Business—(Resumed).

Consideration of Senate Amendments to Assembly Bill No. 1010.

Assembly Bill No 1010—An act to amend sections 1, 2, 3, 4 and 5 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulation, to provide rules regulating the proper sanitation of canneries, under the State Board of Health," approved May 23, 1925, as amended, relating to the inspection of canneries, the State Board of Public Health and to the power and duties thereof.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1010?

Amendment No. 1.

On page 3, line 32, of the printed bill, as amended, strike out "It shall be", and strike out all of lines 33 to 39, inclusive.

Amendment No. 2.

On page 3, line 40, of the printed bill, as amended, strike out "Board".

The roll was called, and Senate amendments to Assembly Bill No. 1010 were concurred in by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Field, Fisher, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Glover, Hawkins, Heisinger, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, Patterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Wagner, Walker, Wallace, Waters, Weber, Welsh, Williamson, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 1010 ordered to enrollment.

Report of Committee on Free Conference.

The following report of Committee on Free Conference was received and read:

Concerning Senate Bill No. 95.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Free Conference concerning Senate Bill No. 95—An act to amend sections 356, 401, 407, 448 and 422 of, and to add sections 601, 602, 602.5, 602.6, 602.7, 604, 610, 612, 615, 617, 618, 621, 623, 624, 625, 626, 627, 628, 632, 637, 639, 639.1, 639.2, 639.3, 644, 645, 646, 648, 649, 650, 650.5, 651, 652, 653, 654 and 655 to the Streets and Highways Code, establishing additional secondary State highways—reports that it has met a like committee of the Senate, consisting of Senators Seawell, Schottky and Pierovich, and reports that the Committee on Free Conference has agreed to recommend the following: That the Senate concur in the Assembly amendments of June 11 and 14, 1935; that the Assembly recede from the Assembly amendments of June 15, 1935, and that the bill as amended June 14, 1935, be further amended as follows:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 1 to 5, inclusive, of the title, and insert in lieu thereof the following:

"An act to amend section 356 of, and to add sections 601, 602, 604, 610, 612, 615, 617, 618, 621, 623, 624, 625, 626, 627, 628, 632, 637, 639, 644, 645, 646, 648, 649 and 650 to, the Streets".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 9 to 16, inclusive; also strike out all of pages 2 to 10, inclusive, and insert in lieu thereof the following:

"(c) State highway near southerly end of Marin Peninsula to Westport via Coast route.

(d) Petrolia to Route 1 near Fernbridge via Ferndale.

SEC. 2. Section 601 is hereby added to the Streets and Highways Code, to read as follows:

601. There is hereby added to the State highway system a new route or portion of route from Route 65 near Plymouth to Route 65 near Diamond Springs via Aukum and Somerset.

SEC. 3. Section 602 is hereby added to the Streets and Highways Code, to read as follows:

602. There is hereby added to the State highway system a new route or portion of route from Route 93 near Middle Fork bridge to Forest Hill.

SEC 4 Section 604 is hereby added to the Streets and Highways Code, to read as follows:

604. There is hereby added to the State highway system a new route or portion of route from Route 41 near Gustine to Route 4 near Merced via John C. Fremont Ford road.

SEC. 5. Section 610 is hereby added to the Streets and Highways Code, to read as follows:

610. There is hereby added to the State highway system a new route or portion of route from Route 56 near Colma to the Santa Clara-San Mateo County line near Stanford University.

SEC. 6. Section 612 is hereby added to the Streets and Highways Code, to read as follows:

612. There is hereby added to the State highway system a new route or portion of route from Route 116 near Felton to Route 5 near Scott's Valley.

SEC 7. Section 615 is hereby added to the Streets and Highways Code, to read as follows:

615. There is hereby added to the State highway system a new route or portion of route from Route 1 near Longvale to Dos Rios via Outlet Creek and Eel River.

SEC. 8. Section 617 is hereby added to the Streets and Highways Code, to read as follows:

617. There is hereby added to the State highway system a new route or portion of route from Route 23 near Olancha to Route 127 east of Owens Lake.

SEC. 9. Section 618 is hereby added to the Streets and Highways Code, to read as follows:

618. There is hereby added to the State highway system a new route or portion of route from Route 65 near Mokelumne Hill to Route 34 at Pioneer Station via Westpoint.

SEC. 10. Section 621 is hereby added to the Streets and Highways Code, to read as follows:

621. There is hereby added to the State highway system a new route or portion of route from Route 27 near Winterhaven to Pot Holes via Bard.

SEC. 11. Section 623 is hereby added to the Streets and Highways Code, to read as follows:

623 There is hereby added to the State highway system a new route or portion of route from Route 2 near Solana Beach to Route 77 near Escondido.

SEC. 12. Section 624 is hereby added to the Streets and Highways Code, to read as follows:

624. There is hereby added to the State highway system a new route or portion of route from Route 2 near National City to Route 200 via Otay Lake.

SEC. 13. Section 625 is hereby added to the Streets and Highways Code, to read as follows:

625. There is hereby added to the State highway system a new route or portion of route from Route 75 near Farmington to Route 13 near Knight's Ferry.

SEC. 14. Section 626 is hereby added to the Streets and Highways Code, to read as follows:

626. There is hereby added to the State highway system a new route or portion of route from Route 132 near Orosi to the Fresno-Tulare county line via Dinuba.

SEC. 15. Section 627 is hereby added to the Streets and Highways Code, to read as follows:

627. There is hereby added to the State highway system a new route or portion of route from Route 20 to Trinity Center.

SEC 16. Section 628 is hereby added to the Streets and Highways Code, to read as follows:

628. There is hereby added to the State highway system a new route or portion of route from Route 4 in Burbank to Route 165 via Riverside Drive.

SEC. 17. Section 632 is hereby added to the Streets and Highways Code, to read as follows:

632 There is hereby added to the State highway system a new route or portion of route from Route 163 at Windward Avenue to Playa del Rey.

SEC. 18. Section 637 is hereby added to the Streets and Highways Code, to read as follows:

637. There is hereby added to the State highway system a new route or portion of route from Route 167 to Route 168 via Carson Street.

SEC. 19. Section 639 is hereby added to the Streets and Highways Code, to read as follows:

639. There is hereby added to the State highway system a new route or portion of route from the east city limits of Los Angeles on Valley Boulevard to Route 26 near El Monte via Valley Boulevard and Pomona Boulevard.

SEC 20. Section 644 is hereby added to the Streets and Highways Code, to read as follows:

644. There is hereby added to the State highway system a new route or portion of route from Route 69 to Route 75 via Ashby Avenue.

SEC. 21. Section 645 is hereby added to the Streets and Highways Code, to read as follows:

645. There is hereby added to the State highway system a new route or portion of route from Route 2 near the County Hospital to Route 171 via Chapman Avenue.

SEC. 22. Section 646 is hereby added to the Streets and Highways Code, to read as follows:

646. There is hereby added to the State highway system a new route or portion of route from Route 43 south of Tustin to Route 182 near El Modena.

SEC. 23. Section 648 is hereby added to the Streets and Highways Code, to read as follows:

648. There is hereby added to the State highway system a new route or portion of route from Route 170 near Norwalk to Route 62 west of La Habra.

SEC. 24. Section 649 is hereby added to the Streets and Highways Code, to read as follows:

649. There is hereby added to the State highway system a new route or portion of route from Route 4 near Famosa to Route 142.

SEC. 25. Section 650 is hereby added to the Streets and Highways Code, to read as follows:

650. There is hereby added to the State highway system a new route or portion of route from Route 187 near Niland to Route 146 near Vidal via Desert Center."

KALLAM,
MAYO,
STREAM,
Assembly Committee on Free Conference.

SEAWELL,
SCHOTTKY,
Senate Committee on Free Conference.

Report of Committee on Free Conference read.

Mr. Mayo moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report refused adoption by the following vote:

AYES—Andreas, Burns, Chatters, Clark, DeLap, Evans, Ralph W., Garibaldi, Hawkins, Laughlin, Lore, Lyon, Mayo, McCarthy, Miller, Minard, Morgan, Nielsen, Pelletier, Redwine, Riley, Stream, Thorp, Voigt, Walker, Waters, Weber, and Mr. Speaker—27.

NOES—Anderson, Boyle, Breed, Brennan, Cassidy, Corwin, Cottrell, Cronin, Crowley, Dawson, Desmond, Donihue, Donnelly, Field, Fisher, Frazier, Geyer, Glover, Heisinger, Hornblower, Johnson, Jones, Kallam, Latham, Maloney, Martin, McBride, McMurray, Meehan, O'Donnell, Patterson, Peyser, Phillips, Reaves, Richie, Rosenthal, Wagner, Wallace, Welsh, and Williamson—40.

Third Reading of Assembly Bills—(Resumed).

Assembly Bill No. 2412—An act to provide for the regulation and licensing of establishments for wagering or betting upon the results of horse races; to provide penalties for the violation of the provisions of this act and making an appropriation for the enforcement thereof.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Turner:

Amendment No. 1.

On page 2 of the printed bill, as amended, strike out lines 3 to 6, inclusive, and insert in lieu thereof the following: "tracks, in any county or city and county in this State. The".

Amendment No. 2.

On page 3 of the printed bill, as amended, strike out line 11, and insert in lieu thereof the following: "hereby created, to be known as the "Wagering fund," which fund shall be used only in carrying out the provisions of the Old Age Security Act of the State of California."

Amendment No. 3.

On page 3 of the printed bill, as amended, after line 42, add the following:

"SEC. 8½. Any premises on which are conducted an establishment for wagering or betting on the results of horse races except as permitted by this act and pursuant thereto is hereby declared to be a public nuisance and subject to abatement as provided and in the manner provided in section 731 of the Code of Civil Procedure of this State."

Amendment No. 4.

On page 4, line 1, of the printed bill, as amended, strike out "S", and insert in lieu thereof the following: "9".

Amendments adopted.

Request for Unanimous Consent.

Mr. Turner asked for, and was granted, unanimous consent to take up Assembly Bill No 2412, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 2412, as Amended.

Assembly Bill No. 2412, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2412, as amended, was refused passage by the following vote:

AYES—Boyle, Burns, Crowley, Desmond, Flint, Frazier, Fulcher, Hornblower, Hunt, Jones, Kallam, Maloney, McMurray, Meehan, O'Donnell, Pelletier, Reaves, Turner, Wagner, Weber, Welsh, and Williamson—22

NOES—Anderson, Andreas, Breed, Brennan, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Field, Fisher, Geyer, Glover, Hawkins, Heisinger, Johnson, Latham, Laughlin, Lore, Lyon, Martin, McCarthy, Miller, Minard, Morgan, Nielsen, Patterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Utt, Walker, Wallace, Waters, and Mr. Speaker—47.

Communication.

The following communication was received and read:

By Mr. Speaker:

Resolution.

WHEREAS, June 16, 1935, has been set aside as Father's Day, and

WHEREAS, We, the children of the members of the California State Legislature on this day desire to pay honor and reverence to Dear Old Dad, who, through their efforts have given to us the opportunity to secure an education, and have reared us in the decent and honorable things, that have for their purposes good citizenship; now, therefore, be it

Resolved by the Pages of this Assembly, That we respectfully do ask the members of the Legislature in fifty-first session assembled, to express to our fathers this token of esteem and appreciation we have for them for everything they have done for us; be it further

Resolved, That we respectfully request the Assembly to print this resolution in the Journal of the proceedings of the day.

JAMES CLANCY.	JOHN O'DONNELL, JR.
TOM BOYLE.	BOB BOYLE.
PHILIP MARTON	WALTER I. LITTLE, JR.
RAY E. ZEIMANTZ.	JOHN J. GEYER
DEWEY S. BAKER.	LOUIS DESMOND.
BOB MILLINGTON.	RICHARD DESMOND.
WILLIAM J GUTHRIE.	DOMINGO CORREIA.
HAROLD CUTLIP.	DICK LITTLE.

Resolution.

The following resolution was offered:

By Miss Miller:

Assembly Resolution.

WHEREAS, The sixteenth of June is known throughout the length and breadth of our fair land as Father's Day, and

WHEREAS, The recognition of this day is a tribute well deserved and graciously given by grateful mothers, daughters and sons everywhere to strong, brave, kind

and loving men who work with diligence, who sacrifice with pleasure and who devote themselves assiduously in peace or war to the welfare of country, home and family even to the last supreme sacrifice, now, therefore, be it

Resolved, That we bow in reverence here in the Assembly of our State Legislature in blessed memory of our dear fathers whom we have "loved long since and lost a while" and to those fathers who carry on today through joy or sorrow, through victory or defeat with an unfailing devotion to duty, we offer our love and appreciation unstinted and our best wishes for all good things that come to men in any time or any land.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 15, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 916—An act to add sections 3a, 15a and 20a to "The California Agricultural Adjustment Act of 1935." relating to ways, means, and moneys, and providing and appropriating moneys, for the administration and enforcement thereof and of regulation of producers, packers, distributors, shippers, marketers, handlers, processors, and others dealing in agricultural, viticultural, horticultural, animal, and poultry products and of any competing commodity or product thereof thereunder, and under the legislative standards in relating to the rehabilitation of agriculture therein specified, and declaring the existence of a State and National agricultural emergency and the urgency of this act and that this act shall take effect immediately;

Also: Assembly Bill No. 2393—An act to be known and cited as the Yacht and Ship Brokers Act, to define yacht and ship brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create the office of Yacht and Ship Brokers Commissioner within the Department of Professional and Vocational Standards; and to provide for the enforcement of said act and penalties for the violation thereof;

Also: Assembly Bill No. 2502—An act to add a new section to the School Code, to be numbered 2.972, relating to city boards of education in cities in the first and one-half class.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 916, 2393, and 2502 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 633—An act to add section 3343 to the Civil Code, relating to damages in connection with fraud and deceit;

Also: Senate Bill No. 93—An act to amend section 7 of the "California Nautical School Act," approved June 3, 1929, as amended, relating to the payment by pupils enrolled in the California Nautical School of fees and other charges and the disposition thereof;

Also: Senate Bill No. 1120—An act to provide for certain major construction and improvements by the State, including the construction of a State prison, certain other construction and improvements and the issue of bonds therefor and making an appropriation.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Constitutional Amendment No 26—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XVI thereof a new section to be numbered 11, relating to a bond issue for certain major construction and improvements.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER SACRAMENTO, June 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 76—An act to amend section 2924½ of the Civil Code, relating to mortgages and trust deeds.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 76 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1117—An act to amend section 5.21 of the School Code, relating to the support of State teachers colleges;

Also: Assembly Bill No. 2376—An act making an appropriation for the support of the Legislative Counsel Bureau and declaring the urgency thereof, the act to take effect immediately;

Also: Assembly Bill No. 1663—An act to amend section 26 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations,'" approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities," relating to fees;

Also: Assembly Bill No. 379—An act to amend section 410 of the Political Code, relating to the publication and distribution of the laws, resolutions and Journals of the Legislature, and making an appropriation therefor;

Also: Assembly Bill No. 1181—An act to amend sections 4.222, 4.770, 4.771, 4.773, 4.785, 4.796, 4.797, 4.872, 4.883 and 4.886-1 of the School Code and to add thereto four new sections to be numbered 4.223, 4.774, 4.748, and 4.874-1, all relating to the apportionment of State funds for public school purposes.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1117, 2376, 1663, 379 and 1181 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1329—An act authorizing any irrigation district, reclamation district, municipal utility district, public utility district, municipalty, water district, water storage district, and any public or municipal corporation, political subdivision, district, State agency or authority, to enter into and execute appropriate contracts with the water project authority of the State of California, created in and by the Central Valley Project Act of 1933, under the provisions of Chapter 1042 of the Statutes of 1933, and authorizing any such agency or entity to comply with the provisions of any such contract; and authorizing any such agency or entity to segregate, allocate, devote and pledge revenues derived from the sale, use or distribution of facilities received from said water project authority under any such contract, for the purpose of securing payments under such contract; and authorizing any such agency or entity to establish a special account for the purposes of such contract, funds accruing to which shall be and constitute a trust fund for the purpose of making payments under such contract to said water project authority;

Also: Assembly Bill No. 1605—An act to amend sections 3.330, 3.331, 3.332, 3.333, 3.334, 3.335 and 3.337 of the School Code, relating to the attendance of pupils residing in California upon the public schools of adjoining States;

Also: Assembly Bill No. 997—An act to amend sections 18 and 21 of an act entitled "An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California, and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission, fixing the term of office of the members of said commission; prescribing the powers, duties and authority of said commission and the members thereof; providing for the institution of proration programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purposes of said act and providing for the collection thereof; and making an appropriation therefor," approved June 5, 1933, relating to fees.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1329, 1605 and 997 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on *this day passed Assembly Bill No. 1562—An act to amend* sections 1, 2, 5, 6, 7, 8, 9 and 14 of an act entitled "An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling or repairing upholstered furniture; and creating the upholstered furniture inspection fund," approved May 9, 1927, relating to the administration thereof by the Bureau of Furniture and Bedding Inspection of the Department of Professional and Vocational Standards;

Also: Assembly Bill No. 1561—An act to amend sections 3, 3a, 3b, 10, 13, 17, and 18 of an act entitled "An act defining mattresses; regulating the making, remaking, and sale thereof; prohibiting the use of unsanitary and unhealthy materials therein; requiring that materials used shall be accurately described, and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled; and making the violation of any of the provisions of this act a misdemeanor, and repealing legislation inconsistent with this act," approved June 7, 1915, and to add thereto a new section to be numbered section 21, all relating to the administration of said act by the Bureau of Furniture and Bedding Inspection and the powers and duties of the officers thereof.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1562 and 1561 ordered to enrollment.

Recess.

At two o'clock and twenty minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until three o'clock and thirty minutes p.m, this day.

Reassembled.

At three o'clock and thirty minutes p.m., the Assembly reconvened. Speaker Craig in the chair.

Reports of Standing Committees—(Resumed).

The following report of standing committees was received and read:

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 781—*An act to amend the title and* sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 14a, 15, 16, 17 and 18 of an act entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures, of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of the provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, as amended, and to provide for the succession to the duties, powers and funds thereunder of the Division of Weights and Measures of the Department of Agriculture by the State Board of Equalization—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

Consideration of Senate Bill No. 781.

Second Reading of Senate Bill No. 781.

Senate Bill No. 781—An act to amend the title and sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 14a, 15, 16, 17 and 18 of an act entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by

it, sealers of weights and measures, their deputies, and other officers; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; prescribing penalties for the violation of the provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, as amended, and to provide for the succession to the duties, powers and funds thereunder of the Division of Weights and Measures of the Department of Agriculture by the State Board of Equalization.

Bill read second time.

Case of Urgency.

The following resolution was offered:

By Mr. DeLap:

Resolved, That Senate Bill No. 781 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Mr. DeLap moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Clark, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donahue, Donnelly, Frazier, Fulcher, Garibaldi, Geyer, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hornblower, Hunt, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Weber, Wright, and Mr. Speaker—58.

NOES—Cassidy, and Flint—2

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 781.

Third Reading of Senate Bill No. 781.

Senate Bill No. 781 read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Weber:

Amendment No. 1.

On page 1 of the printed bill, as amended in Senate May 22, 1935, strike out all of lines 14, 15, 16 and 17 of the title, and insert in lieu thereof the following: "approved June 5, 1931, as amended, relating to gasoline and oil substitution."

Amendment No. 2.

On page 1 of the printed bill, as amended in Senate May 22, 1935, strike out all of lines 6 and 7, and insert in lieu thereof the following: "powers and duties in relation thereto of the State Department of Agriculture, and persons authorized by it; defining "gaso-".

Amendment No. 3.

On page 7, line 14, of the printed bill, as amended in Senate May 22, 1935, strike out "Board of Equalization", and insert in lieu thereof "Department of Agriculture".

Amendment No. 4.

On page 7 of the printed bill, as amended in Senate May 22, 1935, strike out all of lines 23 to 29, inclusive, and insert in lieu thereof the following. "engage in such retail business the State Department of Agriculture shall require the licensee to file an application with said department in such form as shall be prescribed by said department, which application shall be accompanied by the license fee due from the applicant, the amount thereof to be determined in the manner hereinabove set forth. All such applications shall be filed with said department on or before the first day in July of each".

Amendment No. 5.

On page 7 of the printed bill, as amended in Senate May 22, 1935, strike out all of lines 48 to 52, inclusive, and insert in lieu thereof the following: "tion shall be deposited in the State treasury to the credit of the Department of Agriculture fund, to be expended in accordance with law and in carrying out the provisions of this act. The Director of the Department of Agriculture shall, within thirty days prior to the regular session of the Legislature, submit to the Governor a full and true report of transactions under this law during the preceding biennium, including a complete statement of receipts and expenditures during the period"

Amendment No. 6.

On page 8, line 3, of the printed bill, as amended in Senate May 22, 1935, strike out "Board of Equalization" and insert in lieu thereof "Department of Agriculture".

Amendment No. 7.

On page 8, line 27, of the printed bill, as amended in Senate May 22, 1935, strike out "Board of Equalization", and insert in lieu thereof "Department of Agriculture".

Amendment No. 8.

On page 8 of the printed bill, as amended in Senate May 22, 1935, strike out all of lines 48 and 49, and insert in lieu thereof the following: "tacle, pump or storage tank has been sealed, to the State Department of Agriculture or its authorized representative, or the city".

Amendment No. 9.

On page 9, line 8, of the printed bill, as amended in Senate May 22, 1935, strike out "board", and insert in lieu thereof "department".

Amendment No. 10.

On page 9, line 17, of the printed bill, as amended in Senate May 22, 1935, strike out "board", and insert in lieu thereof "department".

Amendment No. 11.

On page 9, line 42, of the printed bill, as amended in Senate May 22, 1935, strike out "board", and insert in lieu thereof "department".

Amendment No. 12.

On page 10, line 11, of the printed bill, as amended in Senate May 22, 1935, strike out "board of", and insert in lieu thereof "department of".

Amendment No. 13.

On page 10, line 12, of the printed bill, as amended in Senate May 22, 1935, strike out "Equalization", and insert in lieu thereof "Agriculture".

Amendment No. 14.

On page 10 of the printed bill, as amended in Senate May 22, 1935, strike out all of lines 23 to 53, inclusive

The question being on the amendments submitted by Mr. Weber to Senate Bill No. 781.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Weber.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. DeLap moved a call of the House.

Roll Call.

The Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the motion was carried by the following vote:

AYES—Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Donihue, Evans, Ralph W., Flint, Frazier, Fulcher, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Peyser, Reaves, Redwine, Richie, Robertson, Rosenthal, Stream, Thorp,

Turner, Voigt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—53

NOES—Anderson, Donnelly, Lore, Pelletier, Phillips, and Utt—6.

Time, four o'clock and twenty-five minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Flint, Frazier, Fulcher, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr Speaker—59.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent. Motion to Recall Assembly Bill No. 1609.

Mr. Johnson moved that Assembly Bill No. 1609 be recalled from enrollment for further consideration.

Motion carried.

Further Proceedings Under Call of the House Dispensed With.

At four o'clock and thirty-five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. DeLap.

The roll of absentees was called, and the amendments submitted by Mr. Weber to Senate Bill No. 781 were refused adoption by the following vote:

AYES—Anderson, Cassidy, Clark, Corwin, Cottrell, Cunningham, Desmond, Donihue, Donnelly, Evans, Ralph W., Frazier, Heisinger, Hunt, Kallam, Lore, McCarthy, Morgan, Nielsen, O'Donnell, Pelletier, Phillips, Richie, Thorp, Utt, Voigt, Wagner, Waters, and Weber—28.

NOES—Andreas, Boyle, Breed, Brennan, Burns, Cronin, Crowley, Dawson, DeLap, Fisher, Flint, Fulcher, Garibaldi, Gilbert, Glover, Hawkins, Hornblower, Johnson, Latham, Laughlin, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Peterson, Peyser, Reaves, Redwine, Riley, Robertson, Rosenthal, Stream, Turner, Walker, Wallace, Wright, and Mr. Speaker—41.

Third Reading of Senate Bill No. 781.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. DeLap moved a call of the House.

Roll Call.

The Speaker ordered a roll call taken on the motion for call of the House

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Breed, Brennan, Burns, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Fisher, Fulcher, Gilbert, Glover, Hawkins, Hornblower, Johnson, Latham, Laughlin, Maloney, Martin, McMurray, Meehan, Miller, Minard, Morgan,

O'Donnell, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—43.
NOES—Boyle, Cassidy, Corwin, Donnelly, Evans, Ralph W., Hunt, Lore, Nielsen, Pelletier, and Phillips—10.

Time, four o'clock and forty minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Corwin, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Frazier, Fulcher, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Maloney, Martin, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—53.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Motion to Withdraw Assembly Bill No. 85.

Mr. Lyon moved that Assembly Bill No. 85 be withdrawn from Committee on Ways and Means, and placed on file.

The question being on the motion by Mr. Lyon to withdraw Assembly Bill No. 85 from Committee on Ways and Means, and place on file.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr. Lyon to withdraw Assembly Bill No. 85 from Committee on Ways and Means.

The roll was called, and the motion carried by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Frazier, Fulcher, Glover, Hawkins, Hornblower, Hunt, Johnson, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, McMurray, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Phillips, Redwine, Richie, Riley, Robertson, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Weber, and Mr. Speaker—52.
NOES—None.

Consideration of Assembly Bill No. 85.

Assembly Bill No. 85—An act making an appropriation to pay the claim of Arthur A. Ohnimus, and declaring the urgency thereof against the State of California.

Case of Urgency.

The following resolution was offered:

By Mr. Lyon:

Resolved, That Assembly Bill No. 85 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Mr. Lyon moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Fisher, Frazier, Fulcher, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal,

Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Wright, and Mr. Speaker—54.
NOES—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 85.

Second Reading of Assembly Bill No. 85.

Bill read second time.

Urgency clause read.

The question being: Shall this section, setting forth the urgency features of this bill, be passed?

The roll was called, and the urgency clause adopted by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Fisher, Frazier, Fulcher, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Wagner, Walker, Wallace, Waters, Wright, and Mr. Speaker—54.
NOES—None.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Lyon:

Amendment No. 1.

On page 1, in the title of the printed bill, strike out the words "Tony Siminoff", and insert in lieu thereof "Arthur A. Ohnimus, and declaring the urgency thereof".

Amendment No. 2.

On page 1, line 1, of the printed bill, strike out the words "four thousand seven hundred dol-", and insert in lieu thereof the words "seven hundred fifty dollars".

Amendment No. 3.

On page 1, line 2, of the printed bill, strike out the letters "lars", and the figures "($4,700)", and insert in lieu thereof the figures "($750)."

Amendment No. 4.

On page 1, line 4, of the printed bill, strike out the words "Tony Siminoff", and insert in lieu thereof the words "Arthur A. Ohnimus, and declaring the urgency thereof.

This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety, within the meaning of section 1 of Article IV of the Constitution and shall therefore take effect immediately."

Amendments adopted.

Request for Unanimous Consent.

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 85, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 85 passed by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Fisher, Frazier, Fulcher, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Kallam, Latham, Laughlin, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Miller, Minard, Morgan, Nielsen, O'Donnell, Pelletier, Phillips, Redwine, Richie,

Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Wright, and Mr. Speaker—59.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Senate.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 1090—An act to amend section 50 of the "State Housing Act," approved June 15, 1923, relating to the character and construction of fire escapes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1090 finally passed by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Cassidy, Cronin, Crowley, Dawson, DeLap, Field, Flint, Frazier, Garibaldi, Geyer, Gilbert, Glover, Hornblower, Jones, Kallam, Lore, Lyon, Maloney, Mayo, McBride, McMurray, Meehan, Minard, Morgan, O'Donnell, Pelletier, Peterson, Peyser, Reaves, Richie, Rosenthal, Scudder, Thorp, Turner, Wagner, Waters, and Weber—41.
NOES—Anderson, Clark, Corwin, Cottrell, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Fulcher, Gilmore, Hawkins, Johnson, Latham, Laughlin, Martin, McCarthy, Miller, Nielsen, Phillips, Redwine, Robertson, Stream, Utt, Voigt, Walker, Wallace, Welsh, Wright, and Mr. Speaker—30.

Title read and approved.
Bill ordered transmitted to the Senate.

Further Proceedings Under Call of the House Dispensed With.

At five o'clock and five minutes p.m., further proceedings under the call of the House were dispensed with, on motion of Mr. DeLap.

The roll of absentees was called, and Senate Bill No. 781 finally passed by the following vote:

AYES—Andreas, Boyle, Brennan, Burns, Cronin, Crowley, Dawson, DeLap, Field, Fisher, Flint, Frazier, Fulcher, Gilmore, Glover, Hornblower, Johnson, Jones, Kallam, Latham, Lyon, Maloney, Mayo, McCarthy, McMurray, Meehan, Miller, Minard, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Stream, Turner, Walker, Wallace, Welsh, Wright, and Mr. Speaker—42.
NOES—Anderson, Breed, Cassidy, Clark, Corwin, Cottrell, Desmond, Donihue, Donnelly, Evans, Ralph W., Gilbert, Hawkins, Heisinger, Hunt, Laughlin, Lore, Martin, Morgan, Nielsen, O'Donnell, Pelletier, Phillips, Rosenthal, Thorp, Utt, Voigt, Wagner, Waters, and Weber—29.

Title read and approved.
Bill ordered transmitted to the Senate.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 780—An act to amend the title and sections 2, 3, 4, 5, 6 and 7 of an act entitled "An act prohibiting the bringing in, sale and distribution in this State of crude petroleum oil illegally produced and of gasoline, distillate, kerosene, gas oil or other motor fuel extracted, manufactured, distilled or compounded in whole or in part, from crude petroleum oil or gas illegally produced; providing for certificates to be filed with the State Superintendent of Weights and Measures, Department of Agriculture, at the time of bringing into this State of any crude petroleum oil, gasoline, distillate, kerosene, gas oil or other motor fuel, certifying that such crude petroleum oil was not illegally produced or that such gasoline, distillate, kerosene, gas oil or other motor fuel was not extracted, manufactured, distilled or compounded from oil or gas illegally produced, and providing for a permit for taking

delivery of such crude petroleum oil, gasoline, distillate, kerosene, gas oil or other motor fuel, and the fee to be paid therefor, and prescribing penalties for violation of this act," approved June 5, 1933, and to provide for the succession to the duties, powers and funds thereunder of the Division of Weights and Measures of the State Department of Agriculture, by the State Board of Equalization.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 780 finally passed by the following vote:

AYES—Brennan, Burns, Cronin, Crowley, Dawson, DeLap, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hornblower, Johnson, Kallam, Latham, Laughlin, Maloney, Mayo, McMurray, Meehan, Miller, Minard, Morgan, Peterson, Peyser, Reaves, Redwine, Richie, Riley, Stream, Turner, Voigt, Wallace, Waters, Welsh, Wright, and Mr. Speaker—42.

NOES—Anderson, Breed, Cassidy, Clark, Corwin, Cottrell, Desmond, Donihue, Donnelly, Hawkins, Lore, Martin, McCarthy, Nielsen, O'Donnell, Pelletier, Phillips, Thorp, and Wagner—19.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 782—An act to repeal an act entitled "An act to prevent fraud or misrepresentation in the distribution or sale of gasoline, distillate and lubricating oil; regulating the distribution or sale of such products; defining the powers and duties of the Division of Weights and Measures, Superintendent of Weights and Measures, Department of Agriculture and officers and employees thereof in relation thereto; prescribing penalties for the violation of the provisions hereof; repealing acts and parts of acts inconsistent herewith and making an appropriation to carry out the provisions of this act," approved June 5, 1929.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 782 finally passed by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Fisher, Flint, Frazier, Garibaldi, Gilbert, Glover, Hawkins, Hornblower, Johnson, Jones, Kallam, Latham, Laughlin, Maloney, Mayo, Meehan, Miller, Minard, Morgan, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Turner, Voigt, Walker, Wallace, Welsh, Wright, and Mr. Speaker—53.

NOES—Donnelly, Lore, Martin, Nielsen, and Thorp—5.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 234—An act creating a commission for the coordination of State and local governments, defining its powers and duties, and making an appropriation therefor—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Consideration of Senate Amendment to Assembly Bill No. 234.

Assembly Bill No. 234—An act creating a commission for the coordination of State and local governments, defining its powers and duties, and making an appropriation therefor.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 234?

Amendment No. 1.

On page 1, lines 19 and 20, of the printed bill, as amended, strike out "The President pro tempore of the Senate and three Senators designated by him", and insert in lieu thereof the following "Four members of the Senate to be appointed by the President of the Senate".

The roll was called, and Senate amendment to Assembly Bill No. 234 was concurred in by the following vote:

AYES—Boyle, Breed, Brennan, Burns, Cassidy, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Fisher, Garibaldi, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 234 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, and as a case of urgency, Assembly Bill No. 1392—An act relating to the State civil service, including the adaptation thereof to Article XXIV of the State Constitution, and providing for the reporting of appointments and certification of estimates, pay rolls and accounts of other officers and employees of the State and declaring the urgency of this act and providing that it shall take effect immediately—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By CARL A SHIPKEY, Assistant Secretary.

Consideration of Senate Amendments to Assembly Bill No. 1392.

Assembly Bill No. 1392—An act relating to the State civil service, including the adaptation thereof to Article XXIV of the State Constitution, and providing for the reporting of appointments and certification of estimates, pay rolls and accounts of other officers and employees of the State and declaring the urgency of this act and providing that it shall take effect immediately.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1392?

Amendment No. 1.

On page 2, line 18, of the printed bill, as amended, after "(4),", insert the following: "(5), (6),".

Amendment No. 2.

On page 2, line 25, of the printed bill, as amended, after "office", and before the comma, insert the following: "and special agents and investigators appointed by the Attorney General".

Amendment No. 3.

On page 4, line 12, of the printed bill, as amended, after "tions", and before the period, insert the following: "and may designate one or more of its own members for such purpose".

Amendment No. 4.

On page 5, line 45, of the printed bill, as amended, after the semicolon, insert the following: "or who is addicted to the use of narcotic drugs;".

Amendment No. 5.

On page 5, line 46, of the printed bill, as amended, strike out "crime", and insert in lieu thereof the following: "felony or misdemeanor involving moral turpitude".

Amendment No. 6.

On page 6, lines 10 and 11, of the printed bill, as amended, strike out "The board may establish separate eligible lists for various sections of the State and", and insert in lieu thereof the following: "For the purpose of securing a fair and equitable distribution of employment among the residents of the various parts of the State, the board may divide the State into districts and establish rules and regulations governing eligible lists therefor and may establish a separate eligible list for each of such districts and may establish".

Amendment No. 7.

On page 6, line 18, of the printed bill, as amended, after "lists", insert the following: "in each district".

Amendment No. 8.

On page 6, line 52, of the printed bill, as amended, strike out "for reasons", and insert in lieu thereof a comma and the following: "the reasons therefor to be".

Amendment No. 9.

On page 7, line 36, of the printed bill, as amended, strike out the comma following "resignation", and insert in lieu thereof the following: "or".

Amendment No. 10.

On page 7, line 37, of the printed bill, as amended, strike out "or otherwise,".

Amendment No. 11.

On page 8, line 19, of the printed bill, as amended after "reports", where said word first occurs in said line, insert the following: "or ratings".

Amendment No. 12.

On page 8 of the printed bill, as amended, between lines 44 and 45, insert the following:

"The board shall have general power to ascertain the methods of operation of any State department, board, institution, commission, agency or office and the duties of each position therein, for the purpose of making recommendations concerning such changes as will result in economy and increased efficiency in the conduct of the business of the State."

Amendment No. 13.

On page 11, line 4, of the printed bill, as amended, after "physical", insert the following: "or mental".

Amendment No. 14.

On page 11, line 15, of the printed bill, as amended, strike out "or", and insert in lieu thereof the following: "the board, any member of the board or the executive officer of".

Amendment No. 15.

On page 11, line 28, of the printed bill, as amended, strike out "shall be suspended", and insert in lieu thereof the following: "may be suspended by the appointing power".

Amendment No. 16.

On page 11, line 51, of the printed bill, as amended, after "witnesses", insert the following: "for the accuser, and".

Amendment No. 17.

On page 12, line 31, of the printed bill, as amended, strike out "minor".

Amendment No. 18.

On page 13, line 35, of the printed bill, as amended, strike out "in", and insert in lieu thereof the following: "as between two or more such employees who have the same combined score, their respective efficiency ratings shall be considered and such employee or employees having the lowest efficiency rating or ratings shall be first laid off. In".

Amendment No. 19.

On page 18, line 10, of the printed bill, as amended, strike out "officer or employee (in the State civil service", also strike out line 11; and in line 12, strike out "service)", and insert in lieu thereof the following: "person aggrieved".

Amendment No. 20.

On page 19, line 14, of the printed bill, as amended, strike out "97.", and insert in lieu thereof the following: "3."

Amendment No. 21.

On page 1 of the printed bill, as amended in Senate May 16, 1935, strike out lines 1 to 6, inclusive, of the title, and insert in lieu thereof the following:

"An act relating to the State civil service, including the adaptation thereof to Article XXIV of the State Constitution, and providing for the reporting of appointments and certification of estimates, pay rolls and accounts of other officers and employees of the State and declar-".

Amendment No. 22.

On page 1 of the printed bill, as amended in Senate May 16, 1935, strike out lines 1 to 12, inclusive, and insert in lieu thereof the following:

"SECTION 1. It is the intent and purpose of this act:

(a) To provide a general system based upon investigation as to merit, efficiency, and fitness for appointment to and holding during good behavior of office and employment in the State civil service and in that behalf to carry out the provisions of Article XXIV of the Constitution

(b) To provide a comprehensive personnel system for the State civil service following scientific principles of".

Amendment No. 23.

On page 1, line 17, of the printed bill, as amended in Senate May 16, 1935, after "through", insert the following: "a practical and competitive".

Amendment No. 24.

On page 1, line 18, of the printed bill, as amended in Senate May 16, 1935, after "State", insert the following: "civil service".

Amendment No. 25.

On page 2, line 1, of the printed bill, as amended in Senate May 16, 1935, after "of the", insert the following: "State civil service".

Amendment No. 26.

On page 2, line 4, of the printed bill, as amended in Senate May 16, 1935, after "among", insert the following: "State civil service".

Amendment No. 27.

On page 2, line 6, of the printed bill, as amended in Senate May 16, 1935, after "of", insert the following: "said".

Amendment No. 28.

On page 2, line 7, of the printed bill, as amended in Senate May 16, 1935, after "of", insert the following: "civil service".

Amendment No. 29.

On page 2, line 10, of the printed bill, as amended in Senate May 16, 1935, strike out "(b)", and insert in lieu thereof the following: "(c)".

Amendment No. 30.

On page 2 of the printed bill, as amended in Senate May 16, 1935, strike out lines 13 to 28, inclusive, and insert in lieu thereof the following:

"SEC. 2. The provisions of this act, other than section 95 hereof, apply only to persons in the State civil service."

Amendment No. 31.

On page 2, line 39, of the printed bill, as amended in Senate May 16, 1935, strike out "under State authority", and insert in lieu thereof the following: "in the State civil service".

Amendment No. 32.

On page 3 of the printed bill, as amended in Senate May 16, 1935, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following: "an eligible list".

The provisions of this section shall have no application to any person mentioned in subdivision (e) of section 5 of Article XXIV of the Constitution nor to any person mentioned in section 71a hereof nor to any person mentioned in sections 91, 92 or 93 hereof."

Amendment No. 33.

On page 3, line 6, of the printed bill, as amended in Senate May 16, 1935, strike out "successfully passed", and insert in lieu thereof the following: "completed".

Amendment No. 34.

On page 3, line 7, of the printed bill, as amended in Senate May 16, 1935, after "period", add the following: "Also, persons mentioned in subdivision (e) of section 5 of Article XXIV of the Constitution and also persons mentioned in section 71a hereof have and since two months after the effective date of Article XXIV of the Constitution have had permanent status and persons mentioned in sections 91, 92, and 93 hereof likewise will have permanent status from the effective date hereof."

Amendment No. 35.

On page 3, lines 8 and 9, of the printed bill, as amended in Senate May 16, 1935, strike out "established by the board".

Amendment No. 36.

On page 3, line 19, of the printed bill, as amended in Senate May 16, 1935, strike out "are", and insert in lieu thereof the following: "have been lawfully".

Amendment No. 37.

On page 3, line 21, of the printed bill, as amended in Senate May 16, 1935, after "agency", strike out the comma, and insert in lieu thereof a period, and strike out the following: "under the provisions of this act."

Amendment No. 38.

On page 3, line 23, of the printed bill, as amended in Senate May 16, 1935, strike out "are", and insert in lieu thereof the following: "have been lawfully".

Amendment No. 39.

On page 3, lines 24 and 25, of the printed bill, as amended in Senate May 16, 1935, after "department", strike out the comma, and insert in lieu thereof a period; and strike out "under the provisions of this act"

Amendment No. 40.

On page 4 of the printed bill, as amended in Senate May 16, 1935, strike out lines 28 to 51, inclusive, and on page 5, strike out lines 1 to 9, inclusive, and in lieu thereof insert the following:

"SEC. 26. (a) The board shall classify positions to be held in the State civil service in accordance with the duties and responsibilities attached to such positions and may establish qualifications for each such class

(b) Classes of positions heretofore existing are hereby continued in force subject to change under subdivision (c) hereof.

(c) Classes of positions may from time to time be amended, added to, consolidated, or abolished by the board, in which event persons holding positions under the original classification shall be allocated to the appropriate new class with the same status and salary and substantially the same duties as possessed in the old class, save that the board by unanimous vote of all five members thereof in order to allocate individuals then serving in the State civil service to the new classification may reduce the salary or materially change the duties of any such individual. In the latter event, the employee shall also be placed on the departmental and general lay off lists for the old class or a comparable class in such new classification plan.

SEC. 27. (a) To the end that like salaries shall be paid for like and comparable duties and responsibilities, the board shall establish salary ranges consisting of minimum and maximum salary limits and intermediate steps for each class in its classification of positions, and shall provide by rule for advancement of salary within each such range.

(b) The board shall from time to time adjust the salary ranges to suit the needs of the service, current economic conditions, and to make salaries in the State civil service consistent with those paid for comparable work in industry or other governmental jurisdictions, but no such adjustment shall reduce the salary of any individual then serving in the State civil service unless such action be concurred in by unanimouse vote of all five members of the board.

SEC. 28. Every appointing power otherwise authorized by law to fix the compensation of any person in the State civil service must fix said compensation in accordance with the classification and salary range prescribed by the board and at a figure within such range as the board may approve."

Amendment No. 41.

On page 5, line 10, of the printed bill, as amended in Senate May 16, 1935, after "hold", insert the following: "entrance".

Amendment No. 42.

On page 5, line 12, of the printed bill, as amended in Senate May 16, 1935, strike out "under this act", and insert in lieu thereof the following: "in the State civil service".

Amendment No. 43.

On page 5, line 13, of the printed bill, as amended in Senate May 16, 1935, after "examined", add the following. "No person listed after any examination under this section shall be certified for appointment to a position until all persons on any list in section 37 hereof mentioned and existing at the time of the listing under this section and qualified by law for certification to such position have been exhausted or all such lists lawfully abolished, save that every person mentioned in subdivision (f) of section 5 of Article XXIV of the State Constitution shall be allowed to take an examination to determine eligibility for certification and appointment to the position held by such person on the effective date of said article The examination last mentioned shall be held as soon as practical after the effective date hereof, upon notice

to said persons mailed to the last known address of each such person as shown by the records of any State department or agency and upon tests not differing materially in character from heretofore existing practice, and successful candidates at such examination who held a position on the effective date of said article as aforesaid shall be placed on the appropriate eligible list for certificate and appointment to such position or any position of a like class above all other persons on any such list."

Amendment No. 44.

On page 5 of the printed bill, as amended in Senate May 16, 1935, strike out line 14, and insert in lieu thereof the following:

"SEC. 30. All such examinations shall be practical, open, and competitive in their char-".

Amendment No. 45.

On page 5 of the printed bill, as amended in Senate May 16, 1935, strike out lines 18 to 20, inclusive, and insert in lieu thereof the following:

"SEC. 31. The board shall give public notice that such examination will be held by posting a notice thereof in at least three public places in the city or township wherein the examination is to be held for at least ten days preceding the holding of such examination. Such notice shall include informa-".

Amendment No. 46.

On page 5, lines 31 and 32, of the printed bill, as amended in Senate May 16, 1935, strike out "in connection with applications", and insert in lieu thereof the following: "for the purpose of determining the fitness and qualifications of applicants".

Amendment No. 47.

On page 5 of the printed bill, as amended in Senate May 16, 1935, strike out lines 39 to 42, inclusive, and insert in lieu thereof the following:

"SEC. 34. (a) The grade or rating of candidates shall be based on such tests of qualifications as the board may determine.

(b) Where both oral and written examinations are to be given, and after candidates have taken one such examination, whichever is given first, the board in the interests of economy or by the needs of the service may limit the number of candidates taking such examination first given who will be permitted to take the second examination. urther, in all cases the board may limit by the needs of the service the number of candidates passing all tests who shall be placed on the eligible list."

Amendment No. 48.

On page 5, line 50, of the printed bill, as amended in Senate May 16, 1935, strike out "guilty", and insert in lieu thereof the following: "convicted".

Amendment No. 49.

On page 5, line 52, of the printed bill, as amended in Senate May 16, 1935, between "or", and "of", insert the following: "has been guilty".

Amendment No. 50.

On page 6, line 1, of the printed bill, as amended in Senate May 16, 1935, after "service", insert the following: "after reasonable notice and opportunity to the accused to be heard".

Amendment No. 51.

On page 6, line 24, of the printed bill, as amended in Senate May 16, 1935, after "employer.", strike out the period and add the following: "But whenever a district or male and female list be so established, all persons on then existing appropriate eligible lists shall be allocated to such separate lists preserving their respective priority, subject to the allocation, on such separate lists.

The provisions of this subdivision shall have no application to any class or class of position other than classes wherein the entrance or minimum salary is less than one hundred seventy-five dollars per month or from which eligibles after certification and appointment are paid only on a per diem basis.

(b) All eligible lists heretofore or hereafter established shall continue in force and effect for at least one year from the date established but may be abolished for cause by order of the board at any time thereafter.

(c) The lists for each class from which a person may be certified and appointed to a position shall be given preference in the following order: Departmental lay off list, promotional eligible list, general lay off list, and eligible list".

Amendment No. 52.

On page 6 of the printed bill, as amended in Senate May 16, 1935, strike out line 34, and insert in lieu thereof the following: "tions in the State civil service not otherwise filled by promotion, reinstatement under subdivision (a) of section 43 hereof, transfer".

Amendment No. 53.

On page 6, line 35, of the printed bill, as amended in Senate May 16, 1935, strike out "under the provisions of this act,".

Amendment No. 54.

On page 6, line 48, of the printed bill, as amended in Senate May 16, 1935, after "highest", add the following: "thereon".

Amendment No. 55.

On page 6, line 49, of the printed bill, as amended in Senate May 16, 1935, after "appointed", strike out the period, and insert in lieu thereof a semicolon, and add the following: "provided, further, that if there is no departmental lay off list for the class to which the position belongs but there be a general lay off list for the class to which the position belongs, only the names of the three persons standing highest on such general lay off list shall be certified but in case there shall be less than three persons on such general lay off list the board shall certify the number thereon."

Amendment No. 56.

On page 6, line 51, of the printed bill, as amended in Senate May 16, 1935, strike out "shall", and insert in lieu thereof the following: "may".

Amendment No. 57.

On page 7, line 11, of the printed bill, as amended in Senate May 16, 1935, after "employment.", add the following: "Appointments from the departmental lay off list or the general lay off list to a position comparable to the one held prior to the lay off wherein probation was completed shall require no additional probationary period, and in cases where probation was not completed the board may assign such probationary period, taking into consideration the former probation served, as it may deem just. As to appointments made from any list herein mentioned prior to the effective date hereof, where the probationary period has not been completed the probationary period of such persons shall be for such length of time and under such conditions as heretofore provided by law at the time of the appointment The probationary term of all persons mentioned in subdivision (e) of section 5 of Article XXIV of the Constitution is hereby fixed to facilitate the operation of said article at two months from the effective date of said article."

Amendment No. 58.

On page 7 of the printed bill, as amended in Senate May 16, 1935, strike out lines 13 and 14, and insert in lieu thereof the following: "during the probationary period for reasons relating to the employee's qualifications or the good of the service, truthful within the knowledge of the appointing power, stated by the appointing power in writing and filed with and approved or ratified by the board. Any person certified and appointed from a promotional eligible list, if dismissed under section 38 hereof while serving the probationary period in the promotional position, shall be placed on the departmental and general lay off list for the class from which promoted."

Amendment No. 59.

On page 7 of the printed bill, as amended in Senate May 16, 1935, strike out lines 16 to 18, inclusive, and insert in lieu thereof the following: "tionary period, he shall acquire permanent status. Dismissed probationers may be".

Amendment No. 60.

On page 7 of the printed bill, as amended in Senate May 16, 1935, between lines 33 and 34, add the following:

"SEC. 40.5. The board, under rules and regulations promulgated by it, may certify temporary employees from any list in section 37 hereof mentioned to a position for such period of time, not exceeding the probationary period for the class to which the position belongs, as the board may deem proper. Temporary employees shall be subject to such conditions affecting status and tenure during and after such employment as the board may determine."

Amendment No. 61.

On page 7, line 40, of the printed bill, as amended in Senate May 16, 1935, after "efficiency.", add the following: "Promotional eligible lists heretofore or hereafter established may be abolished by the board at any time. No person listed under this section shall be certified for appointment to a position until all persons on any such list at the time of the listing under this section and qualified by law for certification to such position have been exhausted or all such lists lawfully abolished."

Amendment No. 62.

On page 7, line 43, of the printed bill, as amended in Senate May 16, 1935, before "position", insert the following: "vacant".

Amendment No. 63.

On page 7, line 46, of the printed bill, as amended in Senate May 16, 1935, after "range.", add the following: "Transfer involving persons with permanent status shall not require probationary period, and where affecting a person on probation the previous term shall be counted"

Amendment No. 64.

On page 7, line 47, of the printed bill, as amended in Senate May 16, 1935, after "43.", add the following: "(a)".

Amendment No. 65.

On page 7, line 52, of the printed bill, as amended in Senate May 16, 1935, strike out "may be to a", and insert in lieu thereof the following: "must be to a vacant".

Amendment No. 66.

On page 8, line 1, of the printed bill, as amended in Senate May 16, 1935, before "position", insert the following "vacant".

Amendment No. 67.

On page 8, line 4, of the printed bill, as amended in Senate May 16, 1935, after "range.", insert the following.

"(b) Every person accepts and holds a civil service position subject to reinstatement of another person thereto by order of a court of competent jurisdiction in which case the status of the person displaced shall be determined by the board."

Amendment No. 68.

On page 8, line 5, of the printed bill, as amended in Senate May 16, 1935, after "44.", insert the following: "Upon request of the employee,".

Amendment No. 69.

On page 8, line 13, of the printed bill, as amended in Senate May 16, 1935, after the first "of", add the following: "heretofore or hereafter acquired".

Amendment No. 70.

On page 8, line 34, of the printed bill, as amended in Senate May 16, 1935, after "act", insert the following: "Employees shall have access to their own individual rating or efficiency record upon request."

Amendment No. 71.

On page 8, line 26, of the printed bill, as amended in Senate May 16, 1935, strike out "positions affected by this act", and insert in lieu thereof the following: "civil service positions".

Amendment No. 72.

On page 8, line 42, of the printed bill, as amended in Senate May 16, 1935, after "removals", strike out the period and add the following: "for cause under section 58 hereof."

Amendment No. 73.

On page 8, line 46, of the printed bill, as amended in Senate May 16, 1935, strike out "prescribed thereunder", and insert in lieu thereof the following. "of the board".

Amendment No. 74.

On page 9 of the printed bill, as amended in Senate May 16, 1935, strike out lines 5 to 10, inclusive.

Amendment No. 75.

On page 10, line 8, of the printed bill, as amended in Senate May 16, 1935, strike out "courts", and insert in lieu thereof the following: "court".

Amendment No. 76.

On page 10 of the printed bill, as amended in Senate May 16, 1935, strike out lines 11 to 25, inclusive, and insert in lieu thereof the following:

"SEC. 53 Witnesses before the board or its authorized agents shall be entitled to the same fees as are allowed witnesses in civil cases in courts of record An officer serving a subpena to secure the attendance of such a witness shall receive the same fees therefor as for the service by him of a subpena for the attendance of a witness before a court of record. Such fees save where the service is requested by the accused, need not be prepaid. The Controller shall draw his warrant for the payment of the amount thereof when the same shall have been certified by the board and duly proved by affidavit or otherwise to the satisfaction of the Controller."

Amendment No. 77.

On page 10, line 31, of the printed bill, as amended in Senate May 16, 1935, strike out the following "effects of this act", and insert in lieu thereof the following: "operation of this act and of Article XXIV of the Constitution".

Amendment No. 78.

On page 10 of the printed bill, as amended in Senate May 16, 1935, strike out lines 33 and 34, and insert in lieu thereof the following: "may deem practical for the improvement of the State civil service or administration thereof."

Amendment No. 79.

On page 10, line 44, of the printed bill, as amended in Senate May 16, 1935, strike out "prescribed from time to time thereunder", and insert in lieu thereof the following: "of the board".

Amendment No. 80.

On page 10, line 49, of the printed bill, as amended in Senate May 16, 1935, strike out "Every", and insert in lieu thereof the following: "Furthermore, to carry out said duty, every ".

Amendment No. 81.

On page 11, line 7, of the printed bill, as amended in Senate May 16, 1935, strike out "of this act", and insert in lieu thereof the following: "of all laws relating to the State civil service."

Amendment No. 82.

On page 11, line 17, of the printed bill, as amended in Senate May 16, 1935, strike out "person", and insert in lieu thereof the following: "permanent employee".

Amendment No. 83.

On page 11, line 32, of the printed bill, as amended in Senate May 16, 1935, after the period, add the following:

"No dismissal for physical or mental disability shall deprive any employee of any right he may have for retirement for disability under the State employees' retirement system."

Amendment No. 84.

On page 11 of the printed bill, as amended in Senate May 16, 1935, strike out lines 34 to 36, inclusive, and insert in lieu thereof the following: "by him to be in charge of the work of the employee or the board after an investigation and a concurrence of a majority of the members of the board may file charges against any person employed in the".

Amendment No. 85.

On page 11, line 37, of the printed bill, as amended, strike out "dismissal", and insert in lieu thereof the following: "removal".

Amendment No. 86.

On page 11, line 38, of the printed bill, as amended in Senate May 16, 1935, strike out "this act", and insert in lieu thereof the following: "section 58 hereof".

Amendment No. 87.

On page 12, line 2, of the printed bill, as amended in Senate May 16, 1935, strike out the second "the", and insert in lieu thereof the following: "such".

Amendment No. 88.

On page 12, line 4, of the printed bill, as amended in Senate May 16, 1935, strike out "and", and insert in lieu thereof the following: "or".

Amendment No. 89.

On page 12, line 8, of the printed bill, as amended in Senate May 16, 1935, after "answer", insert the following: "explanation or request".

Amendment No. 90.

On page 12, line 12, of the printed bill, as amended in Senate May 16, 1935, after "opportunity", add the following: "to appear in person or by counsel and".

Amendment No. 91.

On page 12, line 15, of the printed bill, as amended in Senate May 16, 1935, strike out "and", and insert in lieu thereof the following: "or".

Amendment No. 92.

On page 12 of the printed bill, as amended in Senate May 16, 1935, strike out lines 20 to 43, inclusive, and insert in lieu thereof the following:

'SEC. 62. (a) It shall be the duty of the board to subpena witnesses for the accuser and for the accused. Where the board is the accuser, and where any other person is the accuser, upan approval of the board, the cost of service of subpena and the fees of witnesses subpenaed for such accuser shall be a lawful charge against moneys appropriated for the support of the board. The cost of service of subpena and the fees of witnesses subpenaed for the accused shall be borne by said accused, but if the decision is favorable to the accused the board may authorize the payment thereof from moneys appropriated for the support of the board.

(b) Such hearings may be held by the board or any authorized agent thereof. The board shall furnish a competent shorthand reporter to report all evidence submitted and matters transpiring at such hearing. The board shall consider carefully the evidence submitted at the hearing and within thirty days after the completion thereof render a decision by concurrence of a majority of the members thereof which they may deem just and proper. If adverse to the accused, such decision shall provide that the punitive action therein taken shall date from and commence with the date of the service of charges upon the employee.

SEC. 63. (a) The board shall enter its decision upon the minutes of the board and the official roster of employees and serve a copy thereof on both the appointing power and the accused, either personally or by registered mail directed, in the case of

the accused, to his last known address. The service shall be deemed complete, in the case of mailing, when a copy of the decision is placed in a sealed envelope directed as aforesaid, and deposited in the United States registered mail.

(b) When the service is complete, each decision or order of the board is final and conclusive, save only that it is subject to review by a court of competent jurisdiction in a proceeding brought in accordance with the provisions of Chapter I of Title I of Part III of the Code of Civil Procedure, which proceeding must be commenced within sixty days from and after the date of the service of the decision. As to such a decision heretofore rendered, such proceeding may be commenced within sixty days from and after the effective date of this act unless the time otherwise prescribed therefor has expired prior to said date."

Amendment No. 93.

On page 12, line 46, of the printed bill, as amended in Senate May 16, 1935, after "employee", insert the following: "to a vacant position".

Amendment No. 94.

On page 13, line 19, of the printed bill, as amended in Senate May 16, 1935, strike out "thereunder", and insert in lieu thereof: "of the board".

Amendment No. 95.

On page 13, line 36, of the printed bill, as amended in Senate May 16, 1935, after "resulting", add: "Departmental".

Amendment No. 96.

On page 14 of the printed bill, as amended in Senate May 16, 1935, between lines 36 and 37, add the following:

"SEC. 71a. Any person mentioned in subdivision (e) of section 5 of Article XXIV of the Constitution who after holding for at least two months after the effective date of said article the position held on said date who heretofore has not been or hereafter is deprived of the right to serve therein or receive the emoluments thereof other than by voluntary separation or removal after charges filed, and hearing held in the manner prescribed in sections 58 to 63 hereof, or in section 14 of the State Civil Service Act heretofore in effect, are hereby constituted the first and highest ranking persons on the departmental lay off list and general lay off list for the class of position to which the position so held belongs. No appointment shall be made nor person permitted to hold or serve in or receive the emoluments of any said position save a person in said subdivision (e) of section 5 of Article XXIV of the Constitution mentioned and from a lay off list in this section mentioned and hereby established until such list is exhausted by voluntary refusal of persons thereon to serve or action taken in the manner prescribed in sections 58 to 63 hereof. No classification of position or fixing of salary or salary range by the board shall adversely affect the status, duties, function or salary of any person in this section mentioned save by unanimous vote of all members thereof."

Amendment No. 97.

On page 15 of the printed bill, as amended in Senate May 16, 1935, strike out lines 20 to 22, and insert: "against the political subdivision. The board".

Amendment No. 98.

On page 15 of the printed bill, as amended in Senate May 16, 1935, strike out lines 25 to 27, and insert "technique of personnel administration".

Amendment No. 99.

On page 15 of the printed bill, as amended in Senate May 16, 1935, strike out lines 28 to 39.

Amendment No. 100.

On page 15, line 45, of the printed bill, as amended in Senate May 16, 1935, strike out "prescribed thereunder", and insert: "of the board".

Amendment No. 101.

On page 16, line 8, of the printed bill, as amended in Senate May 16, 1935, strike out "prescribed thereunder", and insert: "of the board".

Amendment No. 102.

On page 16, lines 22 and 23, of the printed bill, as amended in Senate May 16, 1935, strike out "prescribed pursuant to the provisions of this act", and insert in lieu thereof "of the board".

Amendment No. 103.

On page 16, line 42, of the printed bill, as amended in Senate May 16, 1935, strike out "under the provisions of this act", and insert in lieu thereof "in the State civil service."

Amendment No. 104.

On page 17, line 11, of the printed bill, as amended in Senate May 16, 1935, strike out "under the provisions of this act", and insert in lieu thereof "in the State civil service".

Amendment No. 105.

On page 17, line 22, of the printed bill, as amended in Senate May 16, 1935, strike out "under the provisions of this act", and insert in lieu thereof "in the State civil service".

Amendment No. 106.

On page 17, line 26, of the printed bill, as amended in Senate May 16, 1935, strike out "under the provisions of this act", and insert in lieu thereof "in the State civil service".

Amendment No. 107.

On page 17, lines 27 and 28, of the printed bill, as amended in Senate May 16, 1935, strike out "under the authority of this act", and insert in lieu thereof the following: "addressed to any person in the State civil service by the board or any appointing power".

Amendment No. 108.

On page 17, lines 30 and 31, of the printed bill, as amended in Senate May 16, 1935, strike out "under the provisions of this act", and insert in lieu thereof the following: "in the State civil service".

Amendment No. 109.

On page 17, line 48, of the printed bill, as amended in Senate May 16, 1935, strike out "appointment", and insert in lieu thereof: "certification from an eligible list".

Amendment No. 110.

On page 18 of the printed bill, as amended in Senate May 16, 1935, strike out lines 31 to 51, and on page 19, strike out lines 1 to 19, and insert the following:

"SEC. 90.5. (a) No action or proceeding shall be brought by any person having or claiming to have a cause of action or complaint or ground for issuance of any writ or legal remedy for wrongs or grievances based under or related to any civil service law of this State or the administration thereof or action of any State officer, agency or employee with respect to any civil service officer or employee, against any appointing power, the State Controller, State Personnel Board or members thereof or any other State officer, agency or employee unless such action or proceeding be commenced within ninety days after such cause of action, or complaint or ground for issuance of any writ or legal remedy first arose or accured to or vested in such person.

(b) The provisions of this section have no application to charges filed, hearings held and decisions given under sections 58 to 63 hereof which decisions and all matters therein in issue are subject only to review by a court in the manner stated in section 63 hereof.

SEC. 90.8. In no action, proceeding or event shall any person recover or be allowed, awarded or paid any salary, money, compensation or emolument attached to any position in the State civil service for the performance of the duties thereof covering or for a longer period than six months after such person ceased to perform for the State the duties of such position even though such cessation be or be determined or adjudged to have been without fault of such person and unlawful or wrongful in character.

SEC. 91. No person mentioned in section 5, other than subdivision (f) thereof, of Article XXIV of the Constitution of this State and who has been in the employ of the State for not less than six months preceding December 20, 1934, shall after the effective date of this act be dismissed, removed, demoted, suspended, reprimanded, or in any manner disciplined (other than by suspension not exceeding thirty days without loss of position) except after charges filed, hearing held, and procedure taken, all in the way and manner prescribed in section 14 of the State Civil Service Act as said section existed on January 1, 1935, for any such action against the persons in said section 14 mentioned.

SEC. 92. Every person mentioned in section 5, other than subdivision (f) thereof, of Article XXIV of the Constitution of this State, and who has been in the employ of the State for not less than four years preceding December 20, 1934 (reasonable vacations not exceeding thirty days in any one of said years excepted) against whom any appointing power or other officer or person in charge of him, between the effective date hereof and a date two months after the effective date of Article XXIV of the Constitution, has taken or purported to take any action mentioned in section 91 of this act without charges filed, hearing held, and procedure taken, all in the way and manner prescribed in section 14 of the State Civil Service Act as the same existed on January 1, 1935, as aforesaid, shall upon compliance with section 93a hereof be reinstated without regard to such purported action as of the date of such purported action in and to the position he held on the effective date of said Article XXIV of the Constitution; provided, that such person is not entitled to any salary, compensation or emolument for the period during which he was separated from State employment.

SEC. 93. Every person mentioned in section 5, other than subdivision (f) thereof of Article XXIV of the Constitution of this State, and who has been in the employ of the State for not less than four years preceding December 20, 1934, against whom any appointing power or other officer or person in charge of him between

the effective date hereof and November 6, 1934, has taken or purported to take any action mentioned in section 91 of this act without charges filed, hearing held and procedure taken, all in the way and manner prescribed in section 14 of the Civil Service Act as the same existed on January 1, 1935, shall upon compliance with section 93a hereof be reinstated without regard to such purported action as of the date of such purported action in and to the position he held at the time of such purported action, provided that such person is not entitled to any salary, compensation or emolument for the period during which he was separated from State employment. However, this section 93 is separate and distinct from all other portions of this act and is not a consideration or inducement for the enactment of the whole or any other portion of this act. If any of the provisions of this section be for any reason declared invalid, the remainder of this act shall be in full force and effect and as completely operative as if this section had not been included therein.

SEC. 93a. Every person desiring to accept the benefits of sections 92 or 93 of this act must, within thirty days from the effective date of this act, file with the executive officer of the State Personnel Board a notice of his acceptance of reinstatement and a copy thereof with the appointing power or other officer or person theretofore in charge of him and a copy thereof with the State Controller and thereupon his reinstatement shall be complete. Any person failing to file the notice of acceptance provided for in this section shall be deemed to have waived the benefits of sections 92 or 93 of this act. Every such notice of acceptance of reinstatement must contain the name of the employee, the name of the appointing power, the date of the purported dismissal, removal, demotion, suspension, reprimand, or other disciplinary action, the position held, the rate of compensation paid, and the elapsed period of time since last paid. Such notice may be filed in person or by registered mail and the copy filed with the State Controller must contain proof of filing such notice with the other persons in this section mentioned."

Amendment No. 111.

On page 19 of the printed bill, as amended in Senate May 16, 1935, strike out lines 29 to 38, and insert the following:

"SEC. 95. (a) All appointments of officers and employees of the State, except those specified in paragraphs (3), (4), (7), (12) and (14) of subdivision (a) of section 4 of Article XXIV of the Constitution and except the employees of the Governor's office and special agents and investigators appointed by the Attorney General shall be reported immediately to the board, upon forms prescribed by the board.

(b) It shall be unlawful for the Controller or other fiscal officer of the State to draw, sign, issue, or authorize the drawing, signing, or issuing of any warrant on the Treasurer or other disbursing officer of the State for the payment of, or for the Treasurer or other disbursing officer to pay, any salary or compensation to any one holding any position under State authority unless the estimate, pay roll or account for such salary or compensation, containing the name of the person to be paid, shall bear the certificate of the board that the persons named in such estimate, pay roll or account are holding positions as provided by law.

The provisions of this subdivision shall have no application to any officer or employee of this State mentioned in paragraphs (3), (4), (7), (12) and (14) of subdivision (a) of section 4 of Article XXIV of the Constitution.

SEC. 95.3. Save only as provided in the last preceding section, no provision of this act is intended nor shall the same be construed to apply to or confer any authority over any officer or employee of this State not included in the State civil service by the provisions of Article XXIV of the Constitution of this State, and particularly does not apply to any of the following:

(1) State officers elected by the people.

(2) State officers directly appointed by the Governor with or without the consent or confirmation of the Senate and the employees of the Governor's office

(3) State officers and employees directly appointed or employed by the Attorney General or the Judicial Council; or by any court of record in this State or any justice, judge or clerk thereof.

(4) State officers and employees directly appointed or employed by the Legislature or either house thereof.

(5) One person holding a confidential position to any officer mentioned in paragraphs (1), (2) or (4) hereof except that there shall be but one such position to any board or commission composed in whole or in part of officers mentioned in said paragraphs, each such person to be selected by the officer, board or commission to be served.

(6) One deputy for the Legislative Counsel and for each State officer elected by the people, each such deputy to be selected by the officer to be served.

(7) Persons employed by the University of California.

(8) Persons employed by any State normal school or teachers college.

(9) The teaching staff of all schools under the direction or jurisdiction of the Superintendent of Public Instruction, the Department of Education or the director thereof or the State Board of Education who otherwise would be members of the State civil service.

(10) Employees of the Federal Government, or persons whose selection is subject to rules or requirements of the Federal Government, engaged in work done by cooperation between the State and Federal Government or engaged in work financed in whole or in part with Federal funds.

(11) Persons appointed or employed by or under the State Board of Prison Directors or any warden or a State prison.

(12) The officers and employees of the Railroad Commission.

(13) Member help in the Veterans' Home of California and inmate help in all State charitable or correctional institutions.

(14) The members of the militia of the State while engaged in military service.

SEC. 95 5 (a) The State Civil Service Act, approved June 16, 1913, as amended, and section 686 of the Political Code are hereby expressly repealed but the provisions of this act in so far as substantially the same as heretofore existing provisions of law shall be construed as continuations thereof and not as new enactments and in particular all rules, regulations, classes, grades, salary ranges, personnel lists, and action taken under either of said acts where not in conflict herewith shall continue in force hereunder with like effect as if done under the authority herein contained.

(b) Section 531 of the Political Code is hereby continued in force with like effect as if this act had not been passed.

(c) All acts and parts of acts not hereinbefore in this section mentioned inconsistent herewith are hereby repealed

SEC. 96. Notwithstanding any other provision of this act, all actions or proceedings heretofore instituted or commenced before the board or any court and the entire subject matter thereof shall be hereafter governed in all respects exclusively by the law in force at the time of the institution or commencement thereof.

SEC. 97. This act shall be known and may be cited as the "State Civil Service Act of 1935".

SEC. 98. This act is hereby declared to be an urgency".

Amendment No. 112.

On page 20, line 4, of the printed bill, as amended in Senate May 16, 1935, add the following.

"In addition Article XXIV of the Constitution granted rights thereunder to certain persons in the State service who became subject to its provisions. Existing laws do not adequately recognize or cover the status thus newly created nor do they adequately provide for disciplinary proceedings concerning such persons or the review of such proceedings by an appropriate administrative agency. One purpose of this act is to correct such defects, to avoid multiple suits in connection therewith, unwarranted salary claims against the State, and to facilitate the effective operation of the constitutional amendment and thereby improve the State service and the proper and adequate performance of State functions. It is therefore necessary that this act take effect immediately."

Amendment No. 113.

On page 1, line 2, of the title of the printed bill, as amended in Senate May 30, 1935, strike out "adaption", and insert in lieu thereof the following. "adaptation".

Amendment No. 114.

On page 3, lines 27 and 28, of the printed bill, as amended in Senate May 30, 1935, strike out "nor to any person mentioned in section 71a hereof".

Amendment No. 115.

On page 3, line 34, of the printed bill, as amended in Senate May 30, 1935, strike out "and also persons mentioned in section 71a hereof".

Amendment No. 116.

On page 5, line 51, of the printed bill, as amended in Senate May 30, 1935, strike out the words "and substantially the same duties".

Amendment No. 117.

On page 6 line 3, of the printed bill, as amended in Senate May 30, 1935, strike out "or materially change the duties"

Amendment No. 118.

On page 6, line 7, of the printed bill, as amended in Senate May 30, 1935, strike out the period, and add the following: "or shall be eligible for transfer to a vacant position allocated to the old or such comparable class, at a rate of pay to be determined by the board."

Amendment No. 119.

On page 7 of the printed bill, as amended in Senate May 30, 1935, strike out lines 10 to 14 inclusive, and add the following:

"SEC 31. The board shall advertise such examinations in such manner as the nature of the class of work to be examined for may require. Such advertisement shall include information con-".

Amendment No. 120.

On page 7, line 42, of the printed bill, as amended in Senate May 30, 1935, strike out "given", and insert in lieu thereof the following: "held for a given class".

Amendment No. 121.

On page 7, line 44, of the printed bill, as amended in Senate May 30, 1935, strike out the word "by", and insert in lieu thereof the following: "to suit".

Amendment No. 122.

On page 7, line 47, of the printed bill, as amended in Senate May 30, 1935, strike out "by", and insert in lieu thereof the following: "to suit".

Amendment No. 123.

On page 8, line 37, of the printed bill, as amended in Senate May 30, 1935, between the words "subdivision", and "shall", insert the following: "relating to districts".

Amendment No. 124.

On page 8, line 41, of the printed bill, as amended in Senate May 30, 1935, strike out "only", and insert in lieu thereof the following: "customarily".

Amendment No. 125.

On page 8, line 50, of the printed bill, as amended in Senate May 30, 1935, strike out "(b)", and insert in lieu thereof the following "(d)".

Amendment No. 126.

On page 9, line 3, of the printed bill, as amended in Senate May 30, 1935, strike out "(c)", and insert in lieu thereof the following: "(e)".

Amendment No. 127.

On page 9 of the printed bill, as amended in Senate May 30, 1935, between lines 31 and 32, insert the following:

"(c) The board, under rules and regulations promulgated by it, may certify temporary employees from any list in section 37 hereof mentioned to a position for such period of time not exceeding the probationary period for the class to which the position belongs as the board may deem proper. Temporary employees shall be subject to such conditions affecting status and tenure during and after such employment as the board may determine."

Amendment No. 128.

On page 9, line 32, of the printed bill, as amended in Senate May 30, 1935, strike out "(c)", and insert in lieu thereof the following: "(d)".

Amendment No. 129.

On page 9, line 36, of the printed bill, as amended in Senate May 30, 1935, strike out "(d)", and insert in lieu thereof the following: "(e)".

Amendment No. 130.

On page 9, line 40, of the printed bill, as amended in Senate May 30, 1935, strike out "(e)", and insert in lieu thereof the following: "(f)".

Amendment No. 131.

On page 10, line 8, of the printed bill, as amended in Senate May 30, 1935, strike out "(f)", and insert in lieu thereof the following: "(g)".

Amendment No. 132.

On page 10 of the printed bill, as amended in Senate May 30, 1935, strike out lines 35 to 42, inclusive.

Amendment No. 133.

On page 10 of the printed bill, as amended in Senate May 30, 1935, strike out line 50, and through the period in line 51, and insert in lieu thereof the following: "All promotional eligible lists heretofore or hereafter established shall continue in force and effect for at least one year from the time they are established, but may be abolished for cause by order of the board at any time thereafter."

Amendment No. 134.

On page 16, lines 49 and 50, of the printed bill, as amended in Senate May 30, 1935, strike out the following "and where any other person is the accuser upon approval of the board.".

Amendment No. 135.

On page 17, line 1, of the printed bill, as amended in Senate May 30, 1935, strike out the period and add the following: "and where any other person is the accuser such costs shall be a lawful charge against moneys appropriated for support of the department or other State agency represented by the accuser."

Amendment No. 136.

On page 17, line 5, of the printed bill, as amended in Senate May 30, 1935, strike out the period, and add the following: "or may require payment from moneys appropriated for the support of the department or other State agency represented by the accuser."

Amendment No. 137.

On page 17, line 7, of the printed bill, as amended in Senate May 30, 1935, strike out "The board shall furnish a competent short-", and strike out all of line 8, and in line 9, strike out the following: "transpiring at such hearing."

Amendment No. 138.

On page 19 of the printed bill, as amended in Senate May 30, 1935, strike out lines 28 to 50, inclusive.

Amendment No. 139.

On page 24 of the printed bill, as amended in Senate May 30, 1935, between lines 47 and 48, insert the following: "unless and until the person aggrieved shall have exhausted every administrative remedy accorded him by the provisions of this act and".

Amendment No. 140.

On page 25 of the printed bill, as amended in Senate May 30, 1935, strike out lines 6 to 14, inclusive.

Amendment No. 141.

On page 27, line 6, of the printed bill, as amended in Senate May 30, 1935, after "(7)," insert the following: "(11),".

Amendment No. 142.

On page 27, line 24, of the printed bill, as amended in Senate May 30, 1935, after "(7)," insert the following: "(11),".

Amendment No. 143.

On page 28, line 15, of the printed bill, as amended in Senate May 30, 1935, after "warden", strike out "or", and insert in lieu thereof the following: "of".

Amendment No. 144.

On page 5, line 21, of the printed bill, as amended in Senate June 6, 1935, strike out "shall be allowed to take an examination to deter-", and strike out all of lines 22 and 23, and insert in lieu thereof the following: "who, by reason of an eligible list theretofore established for the position held by him on December 20, 1934, has had no opportunity to take an examination to determine his eligibity for certification and appointment to such position, and if no such examination has been held subsequent to December 20, 1934, shall be allowed to take such an examination."

Amendment No. 145.

On page 5, line 29, of the printed bill, as amended in Senate June 6, 1935, strike out "successful candidates at", and insert in lieu thereof the following: "each successful candidate at any".

Amendment No. 146.

On page 5, line 32, of the printed bill, as amended in Senate June 6, 1935, strike out "or any position", and strike out all of line 33, and insert in lieu thereof the following: "and with such priority thereon as is determined by the rating attained by him upon such examination as compared with the respective ratings of other persons on said list"

Amendment No. 147.

On page 7, line 15, of the printed bill, as amended in Senate June 6, 1935, strike out "entrance or minimum salary", and insert in lieu thereof the following: "maximum salary or compensation for such class or class of position".

Amendment No. 148.

On page 7, of the printed bill, as amended in Senate June 6, 1935, strike out lines 16 to 18, inclusive, and insert in lieu thereof the following: "than one hundred twenty-five dollars per month."

Amendment No. 149.

On page 17, line 48, of the printed bill as amended in Senate June 6, 1935, strike out the period, and insert in lieu theerof the following: "and within thirty days after the completion thereof render a decision, by concurrence of a majority of the members thereof."

Amendment No. 150.

On page 21, line 29, of the printed bill, as amended in Senate June 6, 1935, strike out "ninety", and insert in lieu thereof the following: "sixty".

Amendment No. 151.

On page 21, line 31, of the printed bill, as amended in Senate June 6, 1935, strike out the period, and insert in lieu thereof the following: "or in the event an administrative remedy is accorded by this act, within sixty days after the exhaustion of such remedy.

Amendment No. 152.

On page 21, line 34 of the printed bill, as amended in Senate June 6, 1935, after the numbers "63", add the following: ", both inclusive,".

Amendment No. 153.

On page 5, line 27, of the printed bill, as amended in Senate June 13, 1935, after the period, insert the following: "In determining the rating of each candidate at such an examination, there shall be added to the mark attained by him upon the examination, one point for each month, or fraction thereof, of State service rendered by him subsequent to June 20, 1934."

Amendment No. 154.

On page 21 of the printed bill, as amended, strike out lines 11 to 52, inclusive; and on page 22, strike out lines 1 to 32, inclusive.

The roll was called, and Senate amendments to Assembly Bill No. 1392 were concurred in by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Ralph W., Fisher, Frazier, Garibaldi, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Walker, Wallace, Waters, Weber, Welsh, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 1392 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2080—An act to provide for the acquisition of the Muir Wood Toll Road by the State, and the inclusion thereof in the State highway system, and making an appropriation therefor;

Also: Assembly Bill No. 1363—An act to amend section 1530 of the Insurance Code and to add section 1281a to Article 1, Chapter 3, Part 2, Division 1 thereof, relating to reciprocal or interinsurance exchanges;

Also: Assembly Bill No. 605—An act providing for the acquisition of lands for, and the construction, maintenance and operation of a building at the Pacific Exposition to be held in the county of Los Angeles, State of California, providing for the exhibiting of products, resources of and other matters pertaining to the State of California at said Pacific Exposition, creating the California Pacific Exposition Commission and defining its powers and duties, and making an appropriation therefor;

Also: Assembly Bill No. 329—An act relating to codes of fair competition for certain trades and industries within this State;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Consideration of Senate Amendments to Assembly Bill No. 2080.

Assembly Bill No. 2080—An act to provide for the acquisition of the Muir Wood Toll Road by the State, and the inclusion thereof in the State highway system, and making an appropriation therefor.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2080?

Amendment No. 1.

On page 1, line 4, of the printed bill, as amended, strike out "extended", and insert in lieu thereof the following: "extending".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 16 to 19, inclusive, and insert in lieu thereof the following:

"SEC. 3. Said commission may by resolution authorize the Department of Public Works through proceedings in eminent domain to condemn such franchise rights and other property, real or personal, as may be necessary in order to acquire said toll road.

SEC. 4. The cost of acquiring said toll road shall be paid out of the State highway fund."

The roll was called, and Senate amendments to Assembly Bill No. 2080 were concurred in by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Fisher, Frazier, Garibaldi, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 2080 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 605.

Assembly Bill No. 605—An act providing for the acquisition of lands for, and the construction, maintenance and operation of a building at the Pacific Exposition to be held in the county of Los Angeles, State of California, providing for the exhibiting of products, resources of and other matters pertaining to the State of California at said Pacific Exposition, creating the California Pacific Exposition Commission and defining its powers and duties, and making an appropriation therefor.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 605?

Amendment No. 1.

On page 2, line 36, of the printed bill, strike out "twenty-five thousand dollars", and insert in lieu thereof the following: "one dollar".

The roll was called, and Senate amendment to Assembly Bill No. 605 was concurred in by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Fisher, Flint, Frazier, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 605 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 329.

Assembly Bill No. 329—An act relating to codes of fair competition for certain trades and industries within this State.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 329?

Amendment No. 1.

On page 1, line 17, of the printed bill, as amended, strike out the word "automotive,".

Amendment No. 2.

On page 2, line 3, of the printed bill, as amended, strike out the word "automotive,".

The roll was called, and Senate amendments to Assembly Bill No. 329 were concurred in by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peter-

son, Peyser, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Walker, Waters, Weber, Welsh, Wright, and Mr. Speaker—62.
NOES—None.

Assembly Bill No. 329 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1363.

Assembly Bill No. 1363—An act to amend section 1530 of the Insurance Code, relating to reciprocal or interinsurance exchanges.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1363?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "section".

Amendment No. 1-a.

On page 1, line 3 of the title of the printed bill, as amended, strike out "and to add"; also strike out lines 4 and 5, and insert in lieu thereof the following: "relating to reciprocal".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 1 to 7, inclusive, and in line 8, strike out "Sec. 2.", and insert in lieu thereof the following: "Section 1."

Amendment No. 3.

On page 2, line 1, of the printed bill, as amended, strike out "companies", and insert in lieu thereof the following: "insurers".

Amendment No. 4.

On page 2, line 2, of the printed bill, as amended, strike out the words "the gross premium", and all of line 3, and in line 4 the words "preceding calendar year", and insert in lieu thereof the following. "all sums paid in the preceding calendar year by subscribers in this State by reason of the insurance exchanged, whether termed premium deposit, membership fee, or otherwise."

Amendment No. 5.

On page 2, line 8, of the printed bill, as amended, strike out "companies", and insert in lieu thereof the following: "insurers".

The roll was called, and Senate amendments to Assembly Bill No. 1363 were concurred in by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Fisher, Frazier, Fulcher, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, Waters, Weber, Welsh, Wright, and Mr. Speaker—59.
NOES—None.

Assembly Bill No. 1363 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1037—An act to safeguard the public health, to regulate the diagnosis and treatment of human ailments by means of X-rays and the use, ownership and possession of X-ray appliances for said purposes; providing for the licensing of persons operating X-ray appliances and laboratories, declaring the treatment of human ailments by means of X-rays to constitute the practice of medicine; prescribing penalties for violation of the act; declaring the possession, maintenance or operation of X-ray appliances in violation of the provisions of the act to constitute a public nuisance, and otherwise providing for the enforcement of the act;

Also: Assembly Bill No. 2238—An act to amend sections 3 and 9 of, and to add sections 17 and 18 to "An act to provide for needy blind persons, not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, making appropriation therefor and prescribing penalties for the violation of the provisions of the act," approved May 28, 1929, relating to aid to the needy blind;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Consideration of Senate Amendments to Assembly Bill No. 1037.

Assembly Bill No. 1037—An act to safeguard the public health, to regulate the diagnosis and treatment of human ailments by means of X-rays and the use, ownership and possession of X-ray appliances for said purposes; providing for the licensing of persons operating X-ray appliances and laboratories, declaring the treatment of human ailments by means of X-rays to constitute the practice of medicine; prescribing penalties for violation of the act; declaring the possession of, maintenance or operation of X-ray appliances in violation of the provisions of the act to constitute a public nuisance, and otherwise providing for the enforcement of the act.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1037?

Amendment No. 1.

On page 7, line 52, of the printed bill, as amended, after "dealers", insert the following: "and manufacturers' representatives".

Amendment No. 2.

On page 8, line 7, of the printed bill, as amended, after "dealers", insert the following: "and manufacturers' representatives".

Amendment No. 3.

On page 8 of the printed bill, as amended, between lines 9 and 10, insert the following:

"Nothing herein shall be construed as prohibiting the use in retail shoe stores or department stores of special X-ray machines and devices which are designed and utilized to produce a fluoroscopic image of the human foot for the purpose of demonstrating whether or not the contour of the shoe is such as to properly fit the subject's foot."

The roll was called, and Senate amendments to Assembly Bill No. 1037 were concurred in by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Fisher, Frazier, Fulcher, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 1037 ordered to enrollment.

Consideration of Senate Amendment to Assembly Bill No. 2238.

Assembly Bill No. 2238—An act to amend sections 3 and 9 of, and to add sections 17 and 18 to "An act to provide for needy blind persons, not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, making appropriation therefor and prescribing penalties for the violation of the provisions of the act," approved May 28, 1929, relating to aid to the needy blind.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2238?

Amendment No. 1.

On page 2, line 43, of the printed bill, after the word "county", insert the words "or city and county"; and in line 45, after the word "county", insert the words "or city and county", and in line 51, after the word "county", insert the words "or city and county".

The roll was called, and Senate amendment to Assembly Bill No. 2238 was concurred in by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donahue, Donnelly, Fisher, Flint, Frazier, Garibaldi, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Walker, Wallace, Welsh, Wright, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 2238 ordered to enrollment.

Consideration of Senate Amendments to Assembly Bill No. 1989.

Assembly Bill No. 1989—An act to amend sections 677 and 689, and to repeal section 686a of, and to add sections 686.5 and 689.1 to, the Political Code, relating to State accounting.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1989?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, strike out "section 677 of", and insert in lieu thereof the following: "sections 677 and 689 of, and to add section 689.1 to,".

Amendment No. 2.

On page 1 of the printed bill, after line 12, add the following:

"SEC. 2. Section 689 of the Political Code is hereby amended to read as follows:

689. From any State department, officer, board or commission having any special fund in the State treasury made available by law for the use, support or maintenance of any part or all of the work and affairs of such department, office, board or commission, the Department of Finance may fix and collect:

(a) The pro rata share of the cost of insuring motor vehicles belonging to such department, officer, board or commission against liability for damages resulting from the negligent operation of motor vehicles and arising under the provisions of section 400 of the Vehicle Code, or, in the discretion of the director, an amount which he considers equivalent to such pro rata share, to be expended by him in accordance with law paying claims under section 400 of the Vehicle Code and paying for the investigation, adjustment, defense and administration of such claims;

(b) Rent for the use or occupancy of space in any building owned, managed or controlled by the State and used or occupied by such State department, officer, board or commission where such space is utilized in carrying out the work and affairs, or that portion of the work and affairs, of such department, officer, board or commission, for the carrying out of which said special fund was created;

(c) The actual cost of janitor and maintenance service rendered to such department, officer, board or commission to enable it to carry out the work and affairs, or that portion of its work and affairs, for the carrying out of which the special fund was created; and

(d) The pro rata cost of workmen's compensation insurance covering the officers and employees of such department, officer, board, or commission.

SEC. 3. A new section is hereby added to the Political Code to be numbered 689.1 and to read as follows:

689.1. The State Department of Finance may file a claim against any appropriations made from special funds for the support or maintenance of any part of all of the work and affairs of any State department, officer, board or commission for a pro rata share of the costs or services included in section 689 of this code, or included in section 695 of this code as added by Chapter 923 of the Statutes of 1933, when such department, officer, board, or commission refuses to pay for such costs of services, or for the pro rata share thereof, and the State Controller shall draw his warrant in accordance with law upon such claim in favor of the State Department of Finance.

All moneys received by the Department of Finance under the provisions hereof shall be accounted for and reported at the end of each month by said department to the State Controller. In the case of such moneys received by the department for services rendered or costs incurred under the provisions of section 689 of this Code, such moneys shall be credited as an abatement of the expenses of said department and at the same time shall be remitted to the State treasury to become a part of any appropriation made available by law for the use or support of the department from out of which said appropriation or the then corresponding current appropriation the expenses incurred were paid. In the case of moneys received by the department for services rendered or materials furnished under the provisions of section 695 of this code as added by Chapter 923 of the Statutes of 1933, such moneys shall be credited

to the general fund of the State and shall be remitted to the State treasury to become a part of the general fund."

Amendment No. 3.

On page 2, line 14, of the printed bill, as amended, following the word "part", strike out the word "of", and insert in lieu thereof the word "or".

Amendment No. 4.

On page 1, line 1 of the title of the printed bill, as amended, after "689", insert the following: "and to repeal section 686a".

Amendment No. 5.

On page 1, line 1 of the title of the printed bill, as amended, strike out "section", and insert in lieu thereof the following: "sections 686.5 and".

Amendment No. 6.

On page 1 of the printed bill, as amended, between lines 12 and 13, insert the following:

"SEC. 2. Section 686a of the Political Code is hereby repealed.

SEC. 3. Section 686.5 is hereby added to the Political Code, to read as follows:

686.5 For the purpose of administering the provisions of sections 658, 659, 660, 677, 677.5, 678, 679, 689, and 689.1 of this code, the Director of Finance shall have power to appoint, prescribe the duties, and fix the salaries of the superintendent of accounts, whose title is hereby changed to State Superintendent of Budgets and Accounts, and such number of skillful accountants and assistants as the director may deem necessary. Each such appointee shall be a civil executive officer and before entering upon the discharge of the duties of his office shall execute to the State of California an official bond conditioned upon the faithful performance of his duties in such penal sum not less than five thousand dollars, as the director shall prescribe."

Amendment No. 7.

On page 1, line 13, of the printed bill, as amended, strike out "2", and insert in lieu thereof the following: "4".

Amendment No. 8.

On page 2, line 20, of the printed bill, as amended, strike out "3", and insert in lieu thereof the following: "5".

The roll was called, and Senate amendments to Assembly Bill No. 1989 were concurred in by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Donahue, Donnelly, Fisher, Frazier, Garibaldi, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Reaves, Richie, Riley, Rosenthal, Scudder, Stream, Thorp, Wagner, Walker, Wallace, Welsh, Wright, and Mr. Speaker—53.

NOES—None.

Assembly Bill No. 1989 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1836—An act to amend section 622 of the Agricultural Code, relating to dairies and dairy products—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Consideration of Senate Amendment to Assembly Bill No. 1836.

Assembly Bill No. 1836—An act to amend section 622 of the Agricultural Code, relating to dairies and dairy products.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1836?

Amendment No. 1.

On page 1 of the printed bill, as amended, after line 29, add the following:

"(d) The director shall, within thirty days prior to each regular session of the Legislature, submit to the Governor a full and true report of transactions under this law during the current biennium, including a complete statement of receipts and expenditures during the period."

The roll was called, and Senate amendment to Assembly Bill No. 1836 was concurred in by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Domhue, Donnelly, Fisher, Frazier, Garibaldi, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Miller, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Weber, Welsh, Wright, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 1836 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day, pursuant to your request, returns herewith Assembly Bill No. 1609—An act to repeal section 645 of the Penal Code, relating to carnal abuse.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Motion to Strike Assembly Bill No. 1609 from File.

Mr. Johnson moved that Assembly Bill No. 1609 be stricken from the file.

Motion carried.

Assembly Bill No. 1609 ordered stricken from the file.

Also:

SENATE CHAMBER, SACRAMENTO, June 16, 1935

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to Senate Bill No. 258—An act to lease adequate facilities for the establishment and operation of a telephone-typewriter system of communication between certain cities, and to make an appropriation therefor—and requests that your honorable body recede therefrom.

J. A. BEEK, Secretary of Senate.
By CARL A SHIPKEY, Assistant Secretary.

Consideration of Assembly Amendments to Senate Bill No. 258.

The question being: Shall the Assembly recede from Assembly amendments to Senate Bill No. 258?

The roll was called, and the Assembly receded from Assembly amendments to Senate Bill No. 258 by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cottrell, Cronin, Cunningham, Dawson, DeLap, Domhue, Donnelly, Fisher, Frazier, Garibaldi, Gilbert, Glover, Hawkins, Hornblower, Hunt, Johnson, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peyser, Phillips, Reaves, Richie, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Wagner, Walker, Weber, Welsh, Wright, and Mr Speaker—53

NOES—None.

Senate Bill No. 258 ordered transmitted to the Senate.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1166—An act to add a new section to the Political Code to be numbered _____, relating to the Department of Agriculture—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

COTTRELL, Chairman.

Consideration of Assembly Bill No. 1166.

Second Reading of Assemby Bill No. 1166.

Assembly Bill No 1166—An act making an appropriation to the Department of Agriculture.

Bill read second time.

Case of Urgency.

The following resolution was offered:

By Mr. Scudder:

Resolved, That Assembly Bill No 1166 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Mr. Scudder moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Fisher, Frazier, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan Miller, Minard, Nielsen, Patterson, Pelletier Peterson, Peyser, Phillips, Reaves, Richie, Rosenthal, Scudder, Stream, Thorp, Turner, Voigt, Wagner, Walker, Wallace, Welsh, Wright, and Mr Speaker—59.

NOES—Cottrell, and O'Donnell—2.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bill No. 1166.

Third Reading of Assembly Bill No. 1166.

Assembly Bill No 1166 read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Scudder:

Amendment No. 1.

On page 1, lines 1 and 2 of the title of the printed bill, strike out "to add a new section to the Political Code to be numbered _____, relating", and insert in lieu thereof the following: 'making an appropriation"

Amendment No. 2.

On page 1, line 1, of the printed bill, after "SECTION 1", insert the following: "There is hereby appropriated out of any moneys in the State treasury not otherwise appropriated the sum of ten thousand dollars to be expended by the Department of Agriculture in accordance with law, for the enforcement of Article I and III of Chapter 8 of Division 5 of the Agricultural Code, relating to eggs."

Amendments adopted.

Request for Unanimous Consent.

Mr. Scudder asked for, and was granted, unanimous consent to take up Assembly Bill No 1166, as amended, at this time, without reference to reprint or file, and that same be considered re-engrossed.

Third Reading of Assembly Bill No. 1166, as Amended.

Assembly Bill No. 1166, as amended, read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1166, as amended, passed by the following vote:

AYES—Andreas, Boyle, Breed, Brennan, Burns, Cassidy, Chatters, Corwin, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Donnelly, Fisher, Frazier,

Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Latham, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McMurray, Meehan, Minard, Nielsen, Patterson, Pelletier, Peterson, Peyser, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Vogt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—63.

NOES—Cottrell, McCarthy, and O'Donnell—3.

Title read and approved.

Bill ordered transmitted to the Senate.

Appointment of Second Committee on Free Conference Concerning Senate Bill No. 95.

The Speaker announced the appointment of Messrs. Frazier, Desmond and Boyle, as a second Committee on Free Conference, to meet with a like committee from the Senate for the consideration of Senate Bill No. 95.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, June 14, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 47—Relating to a commission to secure for the State its fair portion of the revenue from the public domain.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Request for Unanimous Consent.

Mr. Scudder asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 47, at this time, without reference to committee or file.

Consideration of Senate Concurrent Resolution No. 47.

Senate Concurrent Resolution No. 47—Relating to a commission to secure for the State its fair portion of the revenue from the public domain.

Senate Concurrent Resolution No. 47 read.

Mr. Turner moved the adoption of Senate Concurrent Resolution No. 47.

The question being on the adoption of Senate Concurrent Resolution No. 47.

The roll was called, and Senate Concurrent Resolution No. 47 adopted by the following vote:

AYES—Boyle, Brennan, Burns, Cassidy, Chatters, Clark, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Fisher, Frazier, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Minard, Nielsen, Pelletier, Peterson, Peyser, Reaves, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 47 ordered transmitted to the Senate.

Introduction and Reference of Bills—(Resumed).

The following bills were introduced, and referred as indicated:

By Messrs. Fisher and Morgan: Assembly Concurrent Resolution No. 57—Relative to privileges of blind persons.

Introduced.

By Mr. McCarthy: Assembly Concurrent Resolution No. 58—Relative to the use of stop signs by certain persons.

Introduced.

Request for Unanimous Consent.

Mr. Fisher asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 57, at this time, without reference to printer, committee or file, and that same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 57.

Assembly Concurrent Resolution No. 57—Relative to privileges of blind persons.

Assembly Concurrent Resolution No. 57 read.

Mr. Fisher moved the adoption of Assembly Concurrent Resolution No. 57.

The question being on the adoption of Assembly Concurrent Resolution No. 57.

The roll was called, and Assembly Concurrent Resolution No. 57 adopted by the following vote:

AYES—Boyle, Breed, Brennan, Cassidy, Chatters, Clark, Cronin, Dawson, DeLap, Desmond, Donahue, Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Jones, Laughlin, Love, Maloney, Martin, McCarthy, Minard, Patterson, Pelletier, Peterson, Phillips, Reaves, Robertson, Rosenthal, Scudder, Stream, Thorp, Turner, Utt, Voigt, Walker, Wallace, Welsh, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 57 ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 57.

Relating to privileges of blind persons.

WHEREAS, The development of the training of dogs as leaders for blind persons has progressed to the point where it is highly advisable that further such training be encouraged to the end that the lot of the blind be made more easy and their opportunity to earn a living be increased, now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That it is the sense of the Legislature of the State of California that whenever any blind person is accompanied by a dog which is used as a leader or guide and which has been trained by a reputable accredited school for the training of this type of dog, and is equipped with the standard harness of such dogs including a semirigid handle or leash which the blind person may grasp for the purpose of being guided or led, such blind person and dog should receive the full and equal accommodations, advantages, facilities and privileges of all public conveyances, public amusements, and all places of public accommodation, subject only to the conditions and limitations applicable to all persons not so accompanied.

Request for Unanimous Consent.

Mr. McCarthy asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 58, at this time, without reference to printer, committee or file, and that same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 58.

Assembly Concurrent Resolution No. 58—Relative to the use of stop signs by certain persons.

Assembly Concurrent Resolution No. 58 read.

Mr. McCarthy moved the adoption of Assembly Concurrent Resolution No. 58.

The question being on the adoption of Assembly Concurrent Resolution No. 58.

The roll was called, and Assembly Concurrent Resolution No. 58 adopted by the following vote:

AYES—Breed, Brennan, Cassidy, Chatters, Cronin, Dawson, DeLap, Desmond, Donahue, Evans, Ralph W., Fisher, Frazier, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Laughlin, Lore, Lyon, Maloney, Martin, McCarthy, Minard, Patterson, Pelletier, Phillips, Reaves, Riley, Robertson, Rosenthal, Stream, Turner, Utt, Walker, Wallace, Waters, Welsh, Wright and Mr. Speaker—43.

NOES—None.

Title read and approved.

Assembly Concurrent Resolution No. 58 ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 58.

Relative to the use of stop signs by certain persons.

WHEREAS, There is an ever increasing number of Nations, States and counties seeking some means for preventing accidents and safeguarding the welfare of blind, crippled and aged people upon the roads and highways and in public places; and

WHEREAS, One of the most effective means of protecting such people is by the use of some form of stop sign to be displayed by such person when crossing roads and highways; and

WHEREAS, There has been perfected a system whereby a stop sign can be attached to a cane; and

WHEREAS, Such stop signs are of a convenient size, being 3½" x 12", to be used by such person; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the people of this State and the motoring public in particular be requested to exercise a special caution and to extend courtesy to all blind, crippled or aged persons carrying any cane on which the word "Stop" is printed in large, red letters, and be it further

Resolved, That any such person shall be entitled to have such caution exercised and such courtesy extended whenever he or she displays such stop sign by extending the cane to which it is attached at arm's length directly in front of such person and pointed in the direction in which such person is going; and be it further

Resolved, That such stop sign should be used by such persons only when crossing roads or highways at proper crossing points so that there shall be no abuse of such practice by the persons to whom the courtesy of the public is to be extended.

Motion.

Mr. Lyon moved that the Chief Clerk be instructed to send a letter to Mr Evans, Herbert J., wishing him a speedy recovery from his illness.

Motion carried unanimously.

Reports of Standing Committees—(Resumed).

The following report of standing committee was received and read:

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1935.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 787—An act to amend sections 1, 2, 10, 13a and 14 of the "Motor Vehicle Fuel License Tax Act," approved May 30, 1923, as amended, relating to definitions of terms and phrases, applications for licenses and fees required in connection therewith, nontaxable sales and exemption certificates in connection therewith, revolving funds, penalties for violation of said act, and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

RILEY, Chairman.

Consideration of Senate Bill No. 787.

Second Reading of Senate Bill No. 787.

Senate Bill No. 787—An act to amend sections 1, 2, 10, 13a and 14 of the "Motor Vehicle Fuel License Tax Act," approved May 30, 1923, as amended, relating to definitions of terms and phrases, applications for licenses and fees required in connection therewith, nontaxable

sales and exemption certificates in connection therewith, revolving funds, penalties for violation of said act, and providing that this act shall take effect immediately.

Bill read second time.

Case of Urgency.

The following resolution was offered:

By Mr. DeLap:

Resolved, That Senate Bill No. 787 presents a case of urgency, as that term is used in section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Mr. DeLap moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Ralph W., Fisher, Frazier, Fulcher, Garibaldi, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, Meehan, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Turner, Voigt, Wagner, Walker, Waters, Welsh, Wright, and Mr Speaker—57.

NOES—None.

Whereupon the Speaker declared the provisions of section 15 of Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 787.

Third Reading of Senate Bill No. 787.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 787 finally passed by the following vote:

AYES—Anderson, Andreas, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Cunningham, Dawson, DeLap, Desmond, Donihue, Evans, Ralph W., Fisher, Frazier, Garibaldi, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Meehan, Miller, Minard, Nielsen, Patterson, Peterson, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Turner, Utt, Wagner Walker, Wallace, Welsh, Wright, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Report of Select Committee.

The following report of Select Committee was received and read:

June 16, 1935.

Hon. Edward Craig,
Speaker, State Assembly,
Sacramento, California.

DEAR MR. CRAIG: Your committee appointed to study the subject of health insurance during the legislative interim, had a meeting this afternoon for the purposes of organization. Each of the five members of the committee were present. The following officers were elected: Thomas J. Cunningham, chairman; Dewey Anderson, vice chairman; Ralph W Wallace, secretary and treasurer.

For the purposes of the record, I request that this communication be printed in the Daily Journal for this day.

Very truly yours,

THOMAS J. CUNNINGHAM, Chairman.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Attaches.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Attaches desires to submit the following resolution:

Assembly Resolution.

Resolved, That the sum of $1,150 be, and the same is hereby appropriated out of the fund for pay of officers, clerks and other employees of the Assembly, to the order of Arthur A. Ohnimus, Chief Clerk, for services of self and clerks and officers in arranging and preparing the bills, books and all other records of the Assembly, in filing the same with the Secretary of State as provided by law, subsequent to adjournment of the fifty-first session of the Legislature

For the further purpose of indexing, correcting, comparing and proofreading, and otherwise preparing the Journal of the Assembly of the fifty-first session of the Legislature, and making the information therein contained readily available for the use of members of the Legislature, State officers and the general public, as a permanent record of the business transacted during the said fifty-first session.

And for the further purpose of compiling, preparing and having printed after the final adjournment a Final Calendar of the legislative business of the fifty-first session, said Calendar to comprise the history of all bills introduced, their authors, the number that shall have become laws, those that shall have been read a second time, and any and all such other information as will provide a perfect history of the session's business and a guide for the information of subsequent sessions of the Legislature; and further, a detailed statement of the expenses of both houses of the Legislature during the fifty-first session When said Final Calendar is prepared, the said Arthur A. Ohnimus, Chief Clerk, is directed to forward one copy of the Final History to each public library in the State, which may apply for same, and one copy to each member of the Assembly; and be it further

Resolved, That the State Controller is hereby authorized and directed to draw his warrant upon the unexpended balance of the fund provided for the pay of officers, clerks and all other employees of the Assembly, in favor of Arthur A Ohnimus, Chief Clerk, in the sum of $1,150, and the Treasurer is hereby directed to pay the same.

UTT, Chairman.

Report and resolution of Committee on Attaches read.

Mr. Utt moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Brennan, Burns, Chatters, Clark, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Donihue, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McCarthy, Miller, Minard, Patterson, Peterson, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Welsh, Wright, and Mr. Speaker—55.

NOES—None.

Also:

MR. SPEAKER: Your Committee on Attaches desires to submit the following resolution.

Assembly Resolution.

Resolved, That the following named persons be stricken from the list of Assembly attaches and their names be stricken from the pay roll of the Assembly, to take effect on completion of work June 16, 1935:

Arthur A. Ohnimus.
Fred J. Desch.
Charles H Erb.
Joseph Moloney.
William I. Gunlock.
Honore M. Janney
Viva Alexander.
Arthur Engler
Mona L Christensen, and be it further

Resolved, That the names of all of the other attaches of the Assembly be stricken from the pay roll, to take effect on completion of work, June 17, 1935

UTT, Chairman.

Report and resolution of Committee on Attaches read.

Mr. Utt moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Anderson, Boyle, Breed, Brennan, Burns, Chatters, Clark, Cottrell, Cronin, Crowley, Dawson, Desmond, Domhue, Flint, Frazier, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, Meehan, Miller, Patterson, Pelletier, Peterson, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Turner, Voigt, Wagner, Walker, Wallace, Welsh, Wright, and Mr. Speaker—51.

NOES—None.

On Contingent Expenses.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1935.

MR. SPEAKER: Your Committee on Contingent Expenses, to which was referred the following resolution by Mr. Walker:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the contingent fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

The C. C. Langevin Company (Rental public address system June 4th to June 18th, inclusive)	$80 00
Department of Finance (Prorate telephone service, June)	28 65
Hub Florists (Floral design to Mrs. Reindollar)	20 50
Bureau of Purchases (Supplies)	32 07
McNeil Taxi Service (Taxi service, Sergeant-at-Arms)	3 50
Hub Florists (Flowers, James Clancy)	10 25
McNeil Taxi Service (Taxi service, Sergeant-at-Arms)	3 25

Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted.

WALKER, Chairman.

Report of Committee on Contingent Expenses read.

Mr. Walker moved the adoption of the report and resolution.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Anderson, Breed, Brennan, Burns, Chatters, Clark, Cottrell, Cronin, Crowley, Dawson, DeLap, Desmond, Domhue, Flint, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Minard, Patterson, Pelletier, Phillips, Reaves, Redwine, Richie, Riley, Robertson, Rosenthal, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Welsh, Wright, and Mr. Speaker—56

NOES—None.

Resolution.

The following resolution was offered:

By Mr. Lyon:

Assembly Resolution.

WHEREAS, This has been the longest session in the history of the California Legislature, the members thereof having worked twenty-five (25) days without compensation; and

WHEREAS, The extraordinary length of this session may be in part attributed to the antiquated and obsolete rules and procedure, and unsatisfactory procedure regarding the handling of legislative printing; and

WHEREAS, The time of this Legislature could be materially conserved and the cost of printing be reduced by the adoption of a better method of procedure; and

WHEREAS, It is estimated that the cost of legislative printing for the session will exceed the cost of printing of previous legislative sessions by over one hundred thousand dollars ($100,000) which might have been saved by better methods of procedure; and

WHEREAS, A proper and scientific study of the rules and procedure would result in large savings in this, the largest single item of legislative expense; therefore, be it

Resolved, by the Assembly, That a committee of three members be appointed by the Speaker to study and report on this matter to assist the next Legislature to consider the changes proposed; and be it further

Resolved, That the sum of two thousand five hundred dollars ($2,500) is hereby appropriated out of the contingent expense fund of the Assembly for the purpose of paying the necessary expenses of this committee and the members thereof and such assistance as they may deem necessary to carry out the provisions of this resolution.

Resolution by Mr. Lyon read.

Mr. Lyon moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Boyle, Breed, Brennan, Chatters, Clark, Cottrell, Cronin, Dawson, DeLap, Donihue, Evans, Ralph W., Fisher, Frazier, Fulcher, Garibaldi, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Hunt, Johnson, Jones, Kallam, Laughlin, Love, Lyon, Maloney, Martin, McBride, McMurray, Miller, Minard, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Turner, Utt, Voigt, Wagner, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—52.

NOES—Anderson, Burns, Crowley, Flint, Mayo, McCarthy, Meehan, and Patterson—8.

Resolution.

The following resolution was offered:

By Mr. Dawson:

Assembly Resolution.

Authorizing the purchase and delivery of codes to Assemblyman Charles M. Weber

WHEREAS, Assemblyman Charles M. Weber was not a member of the Assembly at the time the 1931 edition of Deering's Codes and General Laws of the State of California, with the 1933 Supplement thereto and the Constitution, were purchased and delivered to the members of the Assembly pursuant to a resolution of the Assembly adopted Friday, January 18, 1935; now, therefore, be it

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be, and he is hereby authorized and directed, to purchase one complete set of the 1931 edition of Deering's Codes and General Laws of the State of California, with the 1933 Supplement thereto, and the Constitution; and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to deliver said set of said codes, General Laws, Supplement and Constitution to Assemblyman Weber. And the sum of not to exceed $45 be appropriated out of the contingent expense fund of the Assembly to pay the cost of the same.

Resolution by Mr. Dawson read.

Mr. Dawson moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Breed, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Cronin, Crowley, Dawson, Desmond, Donihue, Evans, Ralph W., Fisher, Flint, Frazier, Fulcher, Gilbert, Gilmore, Glover, Hawkins, Hornblower, Johnson, Jones, Kallam, Laughlin, Love, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Miller, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Turner, Utt, Voigt, Wagner, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—58.

NOES—None.

Resolution.

The following resolution was offered:

By Mr. Nielsen:

Assembly Resolution.

WHEREAS, Fox West Coast Theaters, Spyros P. Skouras, president; Charles P. Skouras, executive vice president; W. H. Lollier, manager, tax division and civic public relations; A. M. Bowles, division manager, and Blumenfeld Theater Circuit, Joseph Blumenfeld, manager, have contributed to the entertainment of the members of the Assembly and their families during their stay in Sacramento, by granting admission courtesies of their various places of amusement; now, therefore, be it

Resolved, That the members of the Assembly hereby express their appreciation of the thoughtful courtesy extended them by the aforesaid theaters and their officials; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit a copy of this resolution suitably engrossed to each of said parties.

Resolution read, and adopted unanimously.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 1112—An act to amend section 3627a of the Political Code, relating to the taxation of securities and solvent credits.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1001—An act to authorize the Division of Water Resources of the Department of Public Works to gather and correlate information and data pertinent to an annual forecast of seasonal water crop, including the making of snow surveys, and to cooperate with other agencies in such work, and making an appropriation therefor;

Also: Assembly Bill No. 2487—An act to appropriate the sum of one million dollars for flood control work by the Los Angeles County Flood Control District, and to provide for the manner of expending such appropriation.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1001 and 2487 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 1482—An act making appropriation for the elimination of camel's thorn out of certain moneys heretofore appropriated for that purpose declaring the urgency hereof, to take effect immediately.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 1482 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1091—An act making an appropriation for the enforcement of standards, quality and identity, covering the manufacture and sale of California wines and brandy;

Also: Assembly Bill No. 1735—An act to add a new section to the Political Code, to be numbered 689a, relating to use of the State's teletype system

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1091 and 1735 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 95—An act making an appropriation for the control and conservation of flood waters in San Diego County.

Also: Assembly Bill No. 2131—An act making an appropriation to pay the claim of the disbursing officer of the Fish and Game Commission against the State of California;

Also: Assembly Bill No. 2475—An act making an appropriation to pay the claim of Fred Froehlinger against the State of California.

Also: Assembly Bill No. 617—An act making an appropriation to pay the claim of the disbursing officer of the Department of Industrial Relations against the State of California;

Also: Assembly Bill No. 100—An act making an appropriation for the support of Napa State Farm, to take effect immediately;

Also: Assembly Bill No. 1747—An act to add section 3a to "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 26, 1913, relating to codification and compilation of county and city ordinances and resolutions.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 95, 2131, 2475, 617, 100 and 1747 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 285—An act to amend sections 12, 13, and 16 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions" relating to horse racing;

Also: Senate Bill No. 398—An act to amend sections 4 and 5 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, relating to the extension of prospecting permits for oil and gas which were in effect October 1, 1933, and upon which has been expended $50,000 or more in the prospecting for oil and gas;

Also: Senate Bill No. 793—An act to amend section 1094 of the Political Code, relating to elections;

Also: Senate Bill No. 1038—An act to amend sections 1240 and 1241 of the Code of Civil Procedure, relating to condemnation;

Also: Senate Bill No. 1118—An act to call a special election to be held on the thirtieth day of July, 1935, for the purpose of submitting to the qualified electors of this State certain amendments to the Constitution of this State proposed by the Legislature at its fifty-first regular session, and to provide that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 15, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1989—An act to amend sections 677 and 689, and to repeal section 686a of, and to add sections 686.5 and 689.1 to, the Political Code, relating to State accounting—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 1989 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2382—An act to regulate the practice of structural pest control; to create the Structural Pest Control Board; to provide for the registration and licensing of persons engaged in such practice, and for the protection of the public in the practice of structural pest control.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 2382 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 708—An act relating

to the borrowing of money by the State in anticipation of taxes and revenues, and making an appropriation.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending sections 1, 4, 4b, 4c, 10, 18, 23, and 24 of Article and amending section 19 of Article IV, and by adding sections 4d, 4e, and 4f to said Article VI of the Constitution, relating to the judicial power of the State.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1884—An act to amend section 13 of "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle, and providing that this act shall take effect immediately," approved May 15, 1933, relating to the disposition and control of moneys received under said act and to provide for certain appropriations in connection therewith;

Also: Assembly Bill No. 85—An act making an appropriation to pay the claim of Tony Siminoff against the State of California;

Also: Assembly Bill No. 327—An act making an appropriation for the control of Bang's disease in cattle under the provisions of Article 2, Chapter 3, Division II of the Agricultural Code, and declaring the urgency hereof.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 1884, 85, and 327 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 392—An act relating to the conduct of clinical laboratories and the licensing of clinical laboratory technologists and clinical laboratory technicians and the issuance of permits to physicians and surgeons conducting clinical laboratories for the purpose of protecting the public health and to provide penalties for the violation of the provisions of this act;

Also: Senate Bill No. 1003—An act making an appropriation to pay the claim of Mrs. G. Field against the State of California;

Also: Senate Bill No. 1085—An act to amend sections 25 and 32 of the "Water Commission Act," approved June 16, 1913, relating to the adjudication of water rights;

Also: Senate Bill No. 1018—An act to amend sections 776, 777, 779 and 781 and to repeal section 778 of the Vehicle Code, relating to funds

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed as a Committee on Free Conference on Senate Bill No. 95—An act to amend sections 356, 401, 407, 448, 461 and 422 of, and to add sections 601, 602, 602.5, 602.6, 602.7, 604, 610, 612, 615, 617, 618, 621, 623, 624, 625, 626, 627, 628, 632, 637, 639, 639.1, 639.2, 639.3, 644, 645, 646, 648, 649, 650, 650.5, 651, 652, 653, 654 and 654.5 and 655 to to the Streets and Highways Code, establishing additional secondary State highways—the following Senators: Biggar, Parkman, and Williams, to meet with a like committee from your honorable body.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to Assembly Bill No. 2474—An act relating to fees and taxes for and upon certain vehicles, providing for the collection thereof and the enforcement of this act, and providing for the repeal of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of Cali-

fornia by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Motion to Approve Journals.

Mr. Lyon moved that the Journals of May 31, 1935; June 1, 1935; June 3, 1935; June 4, 1935; June 5, 1935; June 6, 1935, be approved as corrected by the Minute Clerk.

Motion carried.

Recess.

At six o'clock and twenty-five minutes p.m., on motion of Mr. Lyon, the Assembly was declared at recess until eight o'clock p.m., of this day.

Reassembled.

At eight o'clock p m., the Assembly reconvened.

Speaker Craig in the chair.

Resolution.

The following resolution was offered:

By Mr. Wallace:

Assembly Resolution.

WHEREAS, The increasing population in California in recent years has caused an increase in the number and jurisdiction of the different courts of justice; and

WHEREAS, The increasing number of courts with different jurisdiction has tended to bring confusion into the court structure; and

WHEREAS, It is the belief of a great many citizens and members of the Legislature that the court structure in California may be simplified and the cost of courts decreased and the handling of court business expedited; now, therefore, be it

Resolved, by the Assembly, That a Special Committee on Courts consisting of three (3) members of the Assembly be appointed by the Speaker of the Assembly to gather information and conduct investigations concerning the subject of this resolution and on all matters incidental thereto with a view toward simplifying, and to report thereon together with its recommendations to the Assembly at its fifty-second session thereof; and be it further

Resolved, That the committee upon the appointment of its members shall organize by electing a chairman from its membership and may appoint a secretary and such other clerical and technical assistants as it may deem necessary, and be it further

Resolved, That all officers and employees of the State shall furnish to the committee such assistance, reports, information and evidence concerning any matter under consideration by the committee as the committee shall request; and be it further

Resolved, That the committee is authorized to do any and all things necessary to make a full and complete investigation of the matters herein referred to and to require the production of books, agreements, documents, reports, accounts and papers of every kind, to issue subpenas to compel the attendance of witnesses and to procure testimony. Each member of the committee is hereby authorized to administer oaths and all the provisions of Article VIII of Chapter II of Title I of Part III of the Political Code relating to the attendance and assemblage of witnesses before the Legislature and committees thereof shall apply to the committee created by this resolution, and said committee is hereby given leave to sit during the session of the Legislature and during the interval between sessions thereof, at any place or places within or outside the State as the committee shall from time to time determine; and be it further

Resolved, That for the purpose of paying the expenses of the committee and the members thereof and the cost of its investigation, the sum of $1,500, or so much thereof as may be necessary, is hereby set apart, reserved and appropriated out of the contingent fund of the Assembly, payments therefrom to be made from time to time by warrants of the State Controller drawn against said contingent fund for such expenses as the chairman of the committee shall certify to him from time to time, and which warrants the State Treasurer is hereby directed to pay.

Resolution by Mr. Wallace read.

Mr. Wallace moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Chatters, Corwin, Crowley, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Gilbert, Hornblower, Hunt, Johnson, Jones, Kallam, Lore, Lyon, Maloney, Mayo, McCarthy, Meehan, Nielsen, Pelletier, Peterson, Phillips, Reaves, Richie, Rosenthal, Scudder, Stream, Thorp, Turner, Wallace, Waters, Weber, Wright, and Mr. Speaker—44.

NOES—Martin—1.

Resolution.

The following resolution was offered:

By Mr. Rosenthal:

Assembly Resolution.

WHEREAS, Under the terms of Chapter 545, Statutes of 1927, the Chief of the Division of Labor Statistics and Law Enforcement is directed to collect statistics of the deaf, to ascertain what trades or occupations are most suitable for them and best adapted to promote their interests, to obtain through the State free employment service employment such as they may be fitted to engage in, to cooperate with other agencies as directed by the Governor in keeping a census of the deaf, including information and statistics as to their condition in life, with a view to the betterment of their lot; now, therefore, be it

Resolved by the Assembly of the State of California, That it be recommended to the Chief of the Division of Labor Statistics and Law Enforcement that, under the authority vested in him by Chapter 545 of the Statutes of 1927, he collect the aforesaid statistics, particularly those relating to the employment and education of the deaf, with a view to promoting their general welfare; and be it further

Resolved, That it is our belief that the interests and welfare of the deaf would be served best if deaf assistants were employed in the said Division of Labor Statistics and Law Enforcement to carry out the provisions of said act; and be it further

Resolved, That a copy of this resolution be forwarded by the Chief Clerk of the Assembly to the Chief of the Division of Labor Statistics and Law Enforcement.

Resolution by Mr. Rosenthal read.

Mr. Rosenthal moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Cassidy, Chatters, Corwin, Crowley, Dawson, DeLap, Donihue, Donnelly, Evans, Ralph W., Flint, Frazier, Fulcher, Gilbert, Hornblower, Hunt, Johnson, Jones, Kallam, Lore, Lyon, Maloney, Martin, McCarthy, Meehan, Nielsen, O'Donnell, Pelletier, Peterson, Reaves, Richie, Rosenthal, Scudder, Stream, Thorp, Turner, Wallace, Waters, Weber, Wright, and Mr. Speaker—44

NOES—None.

Resolution.

The following resolution was offered:

By Messrs. Johnson, Mayo, Burns, Gilmore, Morgan, Field, Wallace, DeLap, and Clark:

Assembly Resolution.

WHEREAS, At the general election held on November 6, 1934, the people of the State of California adopted by a vote of over three to one Initiative Constitutional Amendment No. 7, the provisions of which are intended to free employment in the State service from the vice of political preference by prohibiting the dismissal of State employees without just cause and by granting to State employees permanent status immediately upon the effective date thereof or after a reasonable probationary period; and

WHEREAS, The discharge of State employees without any hearing or the filing of any substantial charges will violate the spirit and intent of said amendment, and may serve to establish a low-caliber spoils system in disregard of the expressed mandate of the people of the State of California, as expressed by their vote; and

WHEREAS, The Legislature has passed various bills and adopted numerous resolutions for the purpose of carrying into effect the provisions of said amendment, and calling upon the respective State officials and agencies vested with authority under said amendment to cooperate to that end by promptly discharging the duties imposed upon them; now, therefore, be it

Resolved by the Assembly of the State of California, That there is hereby created an Assembly Investigating Committee to consist of five members of the Assembly to be appointed by the Speaker of the Assembly; and be it further

Resolved, That said Assembly Investigating Committee be vested with and it is hereby granted full power and authority to investigate and make a study of the action taken under and by virtue of all bills passed and resolutions adopted with reference to said amendment; and be it further

Resolved, That said Assembly Investigating Committee may investigate and make a thorough study of any matters relating to the dismissal of State employees since November 6, 1934, in order that the committee may recommend to the fifty-second session of the Legislature during the session beginning in January, 1937, or to any special session of the Legislature which shall be called and meet before then, such legislation as it may deem appropriate, necessary and proper as the result of its investigation and study; and be it further

Resolved, That as soon as it is appointed, the committee shall organize, select a chairman from its membership, and appoint a secretary; and be it further

Resolved, That the committee is hereby authorized to hold public hearings at any place in the State of California; and be it further

Resolved, That the committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters herein referred to, and is hereby authorized and empowered to require the production of books, agreements, documents and papers of every kind; to issue subpenas, and to compel the attendance of witnesses and the production of testimony. Each and every one of the members of said committee is hereby authorized to administer oaths, and all of the provisions of Article VIII of Chapter II, Title I, Part III of the Political Code, relative to the attendance and assembly of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution, and to any subcommittee of one or more members of said Assembly Investigating Committee. Said Assembly Investigating Committee shall report to the Assembly at any special session which may be called and which shall meet before January, 1937, or to the fifty-second session of the Legislature during the session commencing in January, 1937; and be it further

Resolved, That for the purpose of paying the expenses of the committee and the members thereof, the sum of $1,000, or so much thereof as may be necessary, is hereby set apart, reserved and appropriated out of the contingent fund of the Assembly, payments therefrom to be made from time to time by warrants of the State Controller drawn against said contingent fund for such expenses as the chairman of the committee shall certify to him from time to time, and which warrants the State Treasurer is hereby directed to pay.

Resolution by Messrs Johnson et al., read.

Mr. Johnson moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called.

Call of the House.

Pending the announcement of the vote, Mr. Johnson moved a call of the House.

Roll Call.

The Speaker ordered a roll call taken on the motion for call of the House.

The roll was called, and the motion was carried by the following vote:

AYES—Anderson, Cassidy, Chatters, Corwin, Crowley, Dawson, Desmond, Donahue, Fisher, Gilbert, Hunt, Johnson, Jones, Kallam, Lore, Maloney, Martin, Mayo, McMurray, Nielsen, Pelletier, Phillips, Reaves, Richie, Rosenthal, Stream, Thorp, Walker, Wallace, Weber, Wright, and Mr. Speaker—32.

NOES—Voigt—1.

Time, nine o'clock and twelve minutes p.m.

The Speaker directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Chief Clerk was directed to call the roll.

The roll was called, and the following answered to their names:

Anderson, Cassidy, Chatters, Corwin, Crowley, Dawson, Desmond, Donahue, Fisher, Hunt, Johnson, Jones, Kallam, Lore, Maloney, Martin, Mayo, McMurray, Nielsen, Pelletier, Phillips, Reaves, Richie, Stream, Thorp, Turner, Walker, Wallace, Weber, Wright, and Mr Speaker—31.

The Chief Clerk announced the absentees.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the House.

Proceedings Under Call of the House by Unanimous Consent.

Resolution.

The following resolution was offered:

By Mr. Hornblower:

Assembly Resolution.

WHEREAS, The Vehicle Code has been adopted, and the several bills amendatory thereof, considered and sponsored by the Advisory Committee on Motor Vehicle Legislation and by the Interim Legislative Committee on Motor Vehicle Legislation, have met with the approval of both houses of the Legislature at this session, and it is desirable that the Assembly Interim Committee on Motor Vehicle Laws created pursuant to the resolution adopted by the Assembly May 25, 1935, be enabled to continue to work on this subject; now, therefore, be it

Resolved by the Assembly of the State of California, That for the purpose of paying the expenses of the Assembly committee appointed pursuant to said resolution adopted by the Assembly on May 25, 1935, the sum of one thousand dollars, or so much thereof as may be necessary, is hereby set apart, reserved and appropriated out of the contingent fund of the Assembly, payments therefrom to be made from time to time by warrants of the State Controller, drawn against said contingent fund upon written orders of the chairman of the committee, which warrants the State Treasurer hereby is directed to pay.

Resolution by Mr. Hornblower read.

Mr. Hornblower moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Dawson, DeLap, Desmond, Donihue, Donnelly, Evans, Ralph W., Fisher, Flint, Fulcher, Gilbert, Hornblower, Hunt, Jones, Kallam, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Minard, Nielsen, Pelletier, Peterson, Reaves, Richie, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, and Mr. Speaker—49.

NOES—None.

Resolution.

The following resolution was offered:

By Messrs. Morgan, Garibaldi, O'Donnell, Turner and Flint:

Assembly Resolution.

WHEREAS, There has developed in the State of California a serious gasoline price war which will inevitably result in great and irreparable financial loss of both capital and labor in the oil industry; and

WHEREAS, The price of crude oil on the one hand and of gasoline on the other are at such great variance as will inevitably spell ruin to oil interests in California to the great financial detriment of the people of this State; and

WHEREAS, A Federal receiver has publicly stated in a Federal court in this State that his company is losing approximately $10,000 per day, because of the difference in the price of crude oil and gasoline and that action must be immediately taken by the court to relieve his receivership; and

WHEREAS, These products are now recognized as a public necessity; and

WHEREAS, The determining factor in the price of crude oil and of gasoline should be the economic relationship that a barrel of crude oil bears to the price the public pays for the products thereof, and not a fictitious price posted at will by any purchaser or purchasers thereof; and

WHEREAS, These price wars have the appearance of deliberate manipulation; and

WHEREAS, The public has the right to look to this Legislature for a guarantee of protection from monopoly and monopolistic control, and for a guarantee that they shall at all times now and in the future be free from the certain result of exorbitant prices for gasoline which the present manipulation of the prices of this industry is certain to bring about; now therefore,

This Assembly does herewith go on record, That the public welfare of this State necessitates its publicly asserting that the maintaining of the price of crude oil and the products thereof economically out of balance is inimical to the general good of this State. The welfare of our people, and the subsequent monopoly thus created is contrary to the expressed will of our citizens; be it therefore

Resolved, That any future continuance of such gasoline wars and such manipulations of crude oil prices be declared as opposed to the very fundamentals of good government of our people; also, be it further

Resolved, That this resolution be printed in the Journal and that copies of this resolution be printed and mailed to each and every oil company posting prices for crude oil within this State; likewise, that a copy be forwarded to every producer of crude oil in this State and to every refinery doing business in this State; that a copy be delivered to the Governor and to each and every State official and department head, so they may know of this expression of policy of this legislative body.

Resolution by Messrs. Flint et al. read.

Mr. Flint moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Chatters, Corwin, Crowley, Dawson, DeLap, Desmond, Donihue, Evans, Ralph W., Fisher, Flint, Fulcher, Gilbert, Hornblower, Hunt, Johnson, Jones, Lore, Lyon, Maloney, Mayo, McCarthy, McMurray, Meehan, Minard, Nielsen, O'Donnell, Patterson, Pelletier, Reaves, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Waters, Weber, and Mr. Speaker—46.

NOES—Martin and Richie—2.

Resolution.

The following resolution was offered:

By Mr. Kallam:

Assembly Resolution.

WHEREAS, It is highly desirable that the question of the imposition of a severance tax be thoroughly considered; and

WHEREAS, Certain authorities have recommended that such tax is an equitable means of securing revenue; and

WHEREAS, The question of imposition of such a tax has been before the Legislature at the present session; and

WHEREAS, It is probable that the advisability of such a tax will again be considered by the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, That a "Special Assembly Interim Committee on Severance Taxes" composed of three members of the Assembly be appointed by the Speaker of the Assembly to investigate the desirability and feasibility of a severance tax and all matters incidental thereto; and be it further

Resolved, That all officers and employees of the State shall furnish to the committee such assistance, reports, information and evidence concerning any matter under consideration by the committee as the committee shall request; and, be it further

Resolved, That the committee is authorized to do any and all things necessary to make a full and complete investigation of the matters herein referred to and to require the production of books, agreements, documents, reports, accounts, and papers of every kind, to issue subpenas to compel the attendance of witnesses and to procure testimony. Each member of the committee is hereby authorized to administer oaths and all the provisions of Article VIII of Chapter II of Title I of Part III of the Political Code, relating to the attendance and assemblage of witnesses before the Legislature and committees thereof, shall apply to the committee created by this resolution, and said committee is hereby given leave to sit during the session of the Legislature and during the interval between sessions thereof, at any place or places in the State as the committee shall from time to time determine; and be it further

Resolved, That said committee is hereby directed to report the result of its findings, together with its recommendations, to the Assembly at the next regular or special session, or both, of the Legislature; and be it further

Resolved, That the sum of $900, or so much thereof as may be necessary, is hereby appropriated out of the contingent fund of the Assembly to defray the necessary expenses of the committee in such investigation; and be it further

Resolved, That the Controller is hereby directed to draw his warrant for such expenses upon demand of the chairman of such committee, and the Treasurer is hereby directed to pay the same.

Resolution by Mr. Kallam read.

Mr. Kallam moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Cassidy, Chatters, Clark, Corwin, Cottrell, Dawson, DeLap, Desmond, Donihue, Fisher, Fulcher, Gilbert, Heisinger, Hunt, Johnson,

Jones, Kallam, Lore, Lyon, Maloney, Martin, Mayo, McCarthy, McMurray, Meehan, Minard, Nielsen, Patterson, Pelletier, Peterson Reaves, Richie, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Welsh, and Mr. Speaker—45.

NOES—Donnelly—1.

Resolution.

The following resolution was offered:

By Mr. Desmond:

Assembly Resolution.

WHEREAS, Mr. Paul Farrelle, amateur radio operator, operating Station W6AXM at Sacramento, performed services of great value to the State of California during the Long Beach earthquake disaster; and

WHEREAS, By reason of this faithful service the officers of the State of California were able to keep in touch with the city of Long Beach and to direct and superintend the rendering of aid to that stricken community; and

WHEREAS, Such public spirited and unselfish service as rendered by Mr. Paul Farrelle is worthy of special recognition; now, therefore, be it

Resolved, That the Assembly of the State of California do this day express to Mr. Paul Farrelle their appreciation of the services rendered by him to the State of California; and be it further

Resolved, That the Chief Clerk be and is hereby instructed to have prepared a suitable copy of this resolution, and that the same be presented to Mr. Paul Farrelle.

Mr. Desmond moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Brennan, Burns, Chatters, Clark, Corwin, Cottrell, Crowley, Dawson, DeLap, Desmond, Donahue, Fisher, Fulcher, Gilbert, Glover, Hornblower, Hunt, Jones, Kallam, Lore, Lyon, Maloney, Martin, McMurray, Miller, Minard, Nielsen, Patterson, Pelletier, Peterson, Reaves, Richie, Robertson, Rosenthal, Stream, Thorp, Utt, Wagner, Walker, Wallace, Weber, Welsh, Wright, and Mr. Speaker—45.

NOES—None.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1227—An act relating to the holding of the San Francisco Bay Exposition in the City and County of San Francisco, in the State of California, creating a commission to be known as the "San Francisco Bay Exposition Commission," and making an appropriation therefor;

Also Assembly Bill No 2239—An act to add section 2289a to the Political Code, relating to State aid to children;

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Consideration of Senate Amendment to Assembly Bill No. 1227.

Assembly Bill No. 1227—An act relating to the holding of the San Francisco Bay Exposition in the City and County of San Francisco, in the State of California, creating a commission to be known as the "San Francisco Bay Exposition Commission," and making an appropriation therefor.

The question being put: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1227?

Amendment No. 1.

On page 12, line 25, of the printed bill, strike out "$25,000", and insert in lieu thereof "$1 00".

The roll was called.

Motion to Expunge Record.

Mr. Hornblower moved that the vote whereby the Assembly this day concurred in Senate amendment to Assembly Bill No. 1227 be expunged and the action be rescinded.

Roll Call.

The Speaker ordered a roll call taken on the motion to expunge record whereby the Assembly concurred in Senate amendment to Assembly Bill No. 1227.

The roll was called, and the motion to expunge was carried by the following vote:

AYES—Anderson, Andreas, Brennan, Burns, Chatters, Clark, Cottrell, Crowley, Dawson, DeLap, Donihue, Donnelly, Flint, Fulcher, Glover, Hornblower, Hunt, Jones, Kallam, Lore, Lyon, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Minard, Nielsen, Patterson, Peterson, Robertson, Stream, Thorp, Turner, Utt, Voigt, Walker, Weber, Welsh, Wright, and Mr. Speaker—42.
NOES—Cassidy, and McCarthy—2.

The roll was called, and the Assembly refused to concur in Senate amendment to Assembly Bill No. 1227 by the following vote:

AYES—None.
NOES—Anderson, Brennan, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, Dawson, Desmond, Donihue, Donnelly, Fisher, Glover, Hornblower, Hunt, Jones, Kallam, Lore, Lyon, Maloney, Martin, McBride, McCarthy, McMurray, Meehan, Minard, Nielsen, Patterson, Pelletier, Peterson, Phillips, Riley, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Walker, Wallace, Weber, Welsh, Wright, and Mr. Speaker—48.

Consideration of Senate Amendments to Assembly Bill No. 2239.

Assembly Bill No. 2239—An act relating to aid to needy children prescribing rules of eligibility for aid empowering the State Department of Social Welfare to supervise the enforcement of this act, making an appropriation for the carrying out of the provisions of this act, and prescribing penalties for the violation hereof; and repealing Chapter 2a of Part 3, Title V, of the Political Code, comprising sections 2283 to 2290, inclusive; and to repeal Chapter 2a of Article 3, Part 3, Title V, of the Political Code.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2239?

Amendment No. 1.

On page 1 of the printed bill, in the title of the act, add, after the words "An act to add section 2289a to", the following: "and amend sections 2283 and 2290 of".

Amendment No. 2.

On page 1 of the printed bill, strike out lines 1 to 19, inclusive, and insert in lieu thereof the following.

"SECTION 1. Section 2283 of the Political Code is amended to read as follows:

2283. There is hereby appropriated out of any money in the State treasury not otherwise appropriated to each and every institution in this State conducted for the support and maintenance of needy minor orphans, half-orphans, abandoned children, or the child or children of a father who is incapacitated for gainful work by permanent physical disability, or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, and to each and every county, city and county, city, or town maintaining such orphans, half-orphans, abandoned children, or the child or children of a father who is incapacitated for gainful work by permanent physical disability, or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, or any or all of such classes of persons, aid not in excess of the sum of one hundred twenty dollars per annum for each such orphan, half-orphan, abandoned child, or child of a father who is incapacitated for gainful work by permanent physical disability, or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, supported and maintained in such institution or by such county, city and county, city, or town, but each abandoned child maintained by an institution must have been an inmate thereof for one year prior to such institution receiving aid therefor, as provided in this chapter, provided, however, that upon

receiving such aid such institution shall also be entitled to reimbursement from the State for said year in a sum not in excess of one hundred twenty dollars per annum for each such abandoned child where proof of abandonment sufficient to demonstrate the genuineness of the claim is presented to the State Board of Control; provided further, that in addition to the amount paid by the State for each orphan, half-orphan, abandoned child, or child of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, maintained in a private home or in an institution, the county, city and county, city, or town may pay for the support of such orphan, half-orphan, abandoned child, or child of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, an amount equal to the sum paid by the State; provided, however, if, when and during such time as grants in aid are provided by the United States Government for such aid in this State and accepted by this State, the State shall reimburse the counties, or city and county, in the manner provided in sections 2284, 2285, 2287 and 2288 of the Political Code, their proportionate share of the Federal aid, prorated according to the proportion which the county, or city and county, aid bears to the total amount of aid granted each eligible child or children; and provided further, that in any case where any such orphan, half-orphan, abandoned child, or child of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, is denied aid by the county or city and county, upon a petition setting forth the facts in full as to the necessity of aid, verified by five reputable citizens of the county, city and county, city, or town, the applicant in any such case shall have the right of appeal direct to the State Board of Control for aid for such child and should this appeal be sustained by said board, payment must be made for the child as above provided.

SEC. 2. Section 2289a, of the Political Code, is added, to read as follows:

2289a. Notwithstanding the provision in section 2289, relative to length of residence, if, when and during such time as grants in aid are provided by the United States Government for such aid in this State and accepted by this State, aid may be granted under this act to any child, otherwise eligible, who resides in the State of California and has so resided continuously for at least one year immediately preceding the date of application, or if such child was born in this State.

SEC. 3. Section 2290 of the Political Code is amended to read as follows:

2290 The provisions herein made for the support of orphans, half-orphans, abandoned children, or children of a father who is incapacitated for gainful work by permanent physical disability, or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, shall be held to include children of a parent who has been deprived of civil rights by reason of commitment to a State or Federal hospital or to any prison, whether of this or any other State or of the United States, and foundlings and other dependent illegitimate infants who may have been or shall become dependent upon any regularly established foundling asylum or county, without regard to the time in which such infants have been dependent on such institution or county; provided, however, if, when and during such time as grants in aid are provided by the United States Government for such aid in this State and accepted by the State, the provisions herein made for the support of orphans, half-orphans, abandoned children, or children of a father who is incapacitated for gainful work by permanent physical disability, or is suffering from tuberculosis in such a stage that he can not pursue a gainful occupation, shall be further held to include children, otherwise eligible, who have been deprived of parental support or care by reason of continued absence from the home, or mental incapacity of the parent, and who are living with their father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle, or aunt, in a place of residence maintained by one or more of such relatives, as his or their own home; and the relief herein provided shall be given for any fraction of a year, pro rata; and provided further, that for each abandoned or dependent illegitimate infant, who now is or shall become dependent upon such foundling asylum or county there shall be paid by the State the sum of fifteen dollars per month from the time it becomes dependent upon such institution or county until such infant's decease, or until it is adopted or reaches the age of two years after which age such institution or county shall receive the same sum for such infants as for full orphans."

The roll was called, and Senate amendments to Assembly Bill No 2239 were concurred in by the following vote:

AYES—Anderson, Burns, Cassidy, Chatters, Clark, Corwin, Cottrell, Crowley, DeLap, Desmond, Donihue, Donnelly, Field, Fisher, Flint, Fulcher, Gilbert, Glover, Hornblower, Hunt, Johnson, Jones, Kallam, Lore, Maloney, Martin, Mayo, McBride, McMurray, Meehan, Minard, Nielsen, Patterson, Pelletier, Peterson, Richie, Riley,

Stream, Thorp, Turner, Utt, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr Speaker—48.
NOES—None.

Assembly Bill No. 2239 ordered to enrollment.

Further Proceedings Under Call of the House Dispensed With.

At nine o'clock and forty minutes p m., further proceedings under the call of the House were dispensed with, on motion of Mr. Johnson.

The roll of absentees was called, and the resolution by Messrs. Johnson et al. was adopted by the following vote:

AYES—Anderson, Andreas, Burns, Cassidy, Chatters, Clark, Cottrell, Crowley, DeLap, Desmond, Donahue, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Gilbert, Glover, Hornblower, Hunt, Johnson, Lore, Lyon, Maloney, Mayo, McBride, McCarthy, McMurray, Meehan, Minard, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Redwine, Robertson, Rosenthal, Stream, Thorp, Turner, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, and Mr. Speaker—51.
NOES—Corwin, Dawson, Donnelly, Jones, Kallam, Martin, Richie, Riley, Voigt, and Wright—10.

Senate Message.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 1835—An act to amend sections 2 and 9 of, and to add sections 10 and 11 to, an act entitled "An act relating to the safety of design and construction of public school buildings, providing for regulation, inspection and supervision of the construction, reconstruction or alteration of or addition to public school buildings, and for the inspection of existing school buildings, defining the powers and duties of the State Division of Architecture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act, to take effect immediately," approved April 10, 1933, relating to the regulation and inspection of the construction of public school buildings—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Consideration of Senate Amendments to Assembly Bill No. 1835.

Assembly Bill No. 1835—An act to amend sections 2 and 9 of, and to add sections 10 and 11 to, an act entitled "An act relating to the safety of design and construction of public school buildings, providing for regulation, inspection and supervision of the construction, reconstruction or alteration of or addition to public school buildings, and for the inspection of existing school buildings, defining the powers and duties of the State Division of Architecture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act, to take effect immediately," approved April 10, 1933, relating to the regulation and inspection of the construction of public school buildings.

The question being put: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1835?

Amendment No. 1.

On page 1, line 1 of the title of the printed bill, as amended, strike out "sections 2 and 9", and insert in lieu thereof "section 2".

Amendment No. 2.

On page 3 of the printed bill, as amended, strike out lines 9 to 46, inclusive.

Amendment No. 3.

On page 4, line 19, of the printed bill, as amended, strike out the numeral "4", and insert in lieu thereof the numeral "2".

Amendment No. 4.

On page 4 of the printed bill, as amended, after line 29, add the following:

"SEC. 4 A new section, to be numbered section 11 is hereby added to the act cited in the title hereof and to read as follows:

Sec. 11. When, as the result of an examination of any existing school building or buildings by the Division of Architecture or any other person or agency, such building is either found to comply with the standards of structural safety prescribed therefor by the said division, or is repaired, altered, or reconstructed for the purpose of securing such compliance, only the written approval of the Division of Architecture as to such compliance shall be competent to prove the same."

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No 1835 by the following vote:

AYES—None.

NOES—Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Cronin, DeLap, Desmond, Donihue, Donnelly, Field, Fisher, Flint, Fulcher, Gilbert, Glover, Hornblower, Hunt, Johnson, Jones, Kallam, Lore, Lyon, Maloney, Martin, Mayo, McBride, McCarthy, McMurray, Minard, Nielsen, O'Donnell, Patterson, Peterson, Reaves, Richie, Robertson, Rosenthal, Stream, Turner, Voigt, Wagner, Walker, Wallace, Weber, Welsh, Wright, and Mr. Speaker—50.

Third Reading of Senate Bills—(Resumed).

Senate Bill No. 798—An act to amend section 2 of an act entitled "An act relating to the safety of design and construction of public school buildings, providing for regulation, inspection and supervision of the construction, reconstruction or alteration of or addition to public school buildings, and for the inspection of existing school buildings, defining the powers and duties of the State Division of Architecture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act, to take effect immediately," approved April 10, 1933, relating to the powers and duties of the State Division of Architecture in connection with the erection, reconstruction, alteration of, or addition to school buildings.

Bill read third time.

Floor Amendment.

During third reading of the bill, the following amendment was submitted by Mr. Weber:

Amendment No. 1.

On page 2, line 4, of the printed bill, strike out the period, and strike out lines 5 to 20, inclusive, and insert in lieu thereof the following: "; provided, that the Division of Architecture shall base its approval or disapproval of such plans upon the structural features only of such work, and that nothing in this act applies to repairs nor nonstructural alterations not altering, affecting, nor replacing the structural elements of the building, when done independently and not in connection with work affecting the structural condition of the building; provided also, that the Division of Architecture shall approve plans and specifications for any reconstruction or alteration of or addition to any existing building, when such plans and specifications in themselves comply with the requirements as to safety of design and construction fixed by the said division, if such reconstruction, alteration, or addition does not diminish or impair the structural safety or safety factor of the existing building or any portion thereof with respect to either vertical or horizontal forces, as shown by evidence required by the division, but such approval shall be deemed to apply only to the new work as described, and not to the safety of the building as a whole. In each case the application for approval of such plans must be accompanied by the complete plans for the building or portion thereof, including all permanent service installations therein, and full, complete and accurate specifications, and structural design computations, and estimates of cost, which must comply in every respect with any and all requirements therefor prescribed by the Division of Architecture. The application shall also be accompanied by a filing fee based on the estimated cost of the entire work covered by the said complete plans and specifications, and according to the following".

The question being on the amendment submitted by Mr. Weber to Senate Bill No. 798.

Roll Call.

The Speaker ordered a roll call taken on the amendment submitted by Mr. Weber.

Demand for Previous Question.

Messrs. Wright, Flint, Dawson, Fisher, and Martin demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the amendment submitted by Mr. Weber to Senate Bill No. 798.

The roll was called, and the amendment was adopted by the following vote:

AYES—Burns, Cassidy, Clark, Cronin, Dawson, DeLap, Field, Fisher, Frazier, Fulcher, Hornblower, Hunt, Kallam, Lyon, Martin, McMurray, Meehan, Minard, Nielsen, Peterson, Redwine, Riley, Stream, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—32.

NOES—Anderson, Andreas, Chatters, Corwin, Crowley, Donihue, Donnelly, Evans, Ralph W., Flint, Gilbert, Glover, Johnson, Lore, Maloney, Mayo, McCarthy, O'Donnell, Patterson, Pelletier, Phillips, Reaves, Richie, Robertson, Rosenthal, Turner, and Voigt—26.

Request for Unanimous Consent.

Mr. Weber asked for unanimous consent to take up Senate Bill No. 798, as amended, at this time, without reference to reprint or file.

Objection to Unanimous Consent.

Mr. Dawson objected to unanimous consent to the consideration of Senate Bill No. 798.

Senate Bill No. 798 read, ordered to reprint, re-engrossment, and on file for third reading.

Senate Bill No. 127—An act to regulate the conduct of election campaigns, to provide penalties for corrupt practices defined therein, to repeal an act entitled "An act to regulate the conduct of election campaigns, and repealing an act entitled 'An act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,' approved February 23, 1893," approved March 19, 1907, and to repeal an act entitled "An act providing for publicity of contributions and expenditures made for the purpose of influencing electors for or against any proposition voted upon throughout the State and providing penalties for violation of the provisions hereof," approved May 31, 1921.

Bill read third time.

Floor Amendments.

During third reading of the bill, the following amendments were submitted by Mr. Johnson:

Amendment No. 1.

On page 4, line 46, of the printed bill, as amended, strike out all of section 12.

Amendment No. 2.

On page 5, line 9, of the printed bill, as amended, strike out all of section 15.

Amendment No. 3.

On page 5, line 13, of the printed bill, as amended, strike out all of section 16.

Amendment No. 4.

On page 5, line 17, of the printed bill, as amended, strike out all of section 17.

Amendment No. 5.

On page 3, line 9, of the printed bill, as amended, strike out all of section 6, subdivisions (a) to (l), inclusive.

The question being on the amendments submitted by Mr. Johnson to Senate Bill No. 127.

Demand for Previous Question.

Messrs. Frazier, Fisher, DeLap, Dawson, and Brennan demanded the previous question.

The question being put: Shall the main question be now put?

Demand for previous question sustained.

The question being on the amendments submitted by Mr. Johnson to Senate Bill No. 127.

Roll Call.

The Speaker ordered a roll call taken on the amendments submitted by Mr. Johnson.

The roll was called, and the amendments were adopted by the following vote:

AYES—Anderson, Andreas, Burns, Corwin, Cronin, Dawson, DeLap, Fisher, Flint, Frazier, Fulcher, Hornblower, Hunt, Johnson, Jones, Kallam, Martin, McBride, McMurray, Meehan, Minard, Patterson, Peterson, Redwine, Richie, Riley, Robertson, Stream, Thorp, Walker, Wallace, Waters, Welsh, Wright, and Mr. Speaker—35.

NOES—Cassidy, Chatters, Clark, Donnelly, Evans, Ralph W., Gilbert, Glover, Lore, Mayo, Reaves, Rosenthal, Voigt, and Wagner—13.

Request for Unanimous Consent.

Mr. Donnelly asked for unanimous consent to take up Senate Bill No. 127, as amended, at this time, without reference to reprint or file.

Objection to Unanimous Consent.

Mr. Dawson objected to unanimous consent for consideration of Senate Bill No. 127.

Motion to Suspend Rules.

Mr. Donnelly moved that the rules be suspended for purpose of considering Senate Bill No. 127, at this time.

Roll Call.

The Speaker ordered a roll call taken on the motion to suspend the rules.

The roll was called, and the motion was lost by the following vote:

AYES—Anderson, Burns, Cassidy, Chatters, Clark, Cronin, Crowley, Desmond, Donihue, Donnelly, Evans, Ralph W., Gilbert, Glover, Lore, Martin, Mayo, McCarthy, Nielsen, Patterson, Pelletier, Reaves, Richie, Rosenthal, Voigt, Wagner, Walker, and Waters—27.

NOES—Corwin, Dawson, DeLap, Field, Fisher, Flint, Frazier, Fulcher, Heisinger, Hornblower, Johnson, Kallam, McBride, Minard, Peterson, Redwine, Riley, Robertson, Stream, Utt, Wallace, Welsh, Wright, and Mr. Speaker—24.

Senate Bill No. 127 read, ordered to reprint, re-engrossment, and on file for third reading.

Report of Second Committee on Free Conference.

The following report of second Committee on Free Conference was received and read:

Concerning Senate Bill No. 95.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR SPEAKER: Your second Committee on Free Conference concerning Senate Bill No. 95—An act to amend sections 356, 401, 407, 448, 461 and 422 of, and to add sections 601, 602, 602.5, 602.6, 602.7, 604, 610, 612, 615, 617, 618, 621, 623, 624, 625, 626, 627, 628, 632, 637, 639, 639.1, 639.2, 639.3, 644, 645, 646, 648, 649,

650, 650.5, 651, 652, 653, 654 and 654.5 and 655 to the Streets and Highways Code, establishing additional secondary State highways—reports that it has met a like committee of the Senate, consisting of Senators Biggar, Parkman, and Williams, and reports that the Committee on Free Conference has agreed to recommend the following:

That the Assembly recede from the Assembly amendments, and that the bill be further amended as follows:

Amendment No. 1.

On page 1 of the printed bill, as amended, strike out lines 1 to 5, inclusive, of the title, and insert in lieu thereof the following:

"An act to amend section 356 of, and to add sections 601, 602, 604, 610, 612, 615, 617, 618, 621, 623, 624, 625, 626, 627, 628, 632, 637, 639, 644, 645, 646, 648, 649 and 650 to, the Streets".

Amendment No. 2.

On page 1 of the printed bill, as amended, strike out lines 9 to 16, inclusive; also strike out all of pages 2 to 10, inclusive, and insert in lieu thereof the following.

"(c) State highway near southerly end of Marin Peninsula to Westport via Coast route.

(d) Petrolia to Route 1 near Fernbridge via Ferndale.

SEC. 2. Section 601 is hereby added to the Streets and Highways Code, to read as follows:

601. There is hereby added to the State highway system a new route or portion of route from Route 65 near Plymouth to Route 65 near Diamond Springs via Aukum and Somerset.

SEC. 3. Section 602 is hereby added to the Streets and Highways Code, to read as follows:

602. There is hereby added to the State highway system a new route or portion of route from Route 93 near Middle Fork bridge to Forest Hill.

SEC. 4. Section 604 is hereby added to the Streets and Highways Code, to read as follows:

604. There is hereby added to the State highway system a new route or portion of route from Route 41 near Gustine to Route 4 near Merced via John C. Fremont Ford road.

SEC. 5. Section 610 is hereby added to the Streets and Highways Code, to read as follows:

610. There is hereby added to the State highway system a new route or portion of route from Route 56 near Colma to the Santa Clara-San Mateo County line near Stanford University.

SEC. 6. Section 612 is hereby added to the Streets and Highways Code, to read as follows:

612. There is hereby added to the State highway system a new route or portion of route from Route 116 near Felton to Route 5 near Scott's Valley.

SEC. 7. Section 615 is hereby added to the Streets and Highways Code, to read as follows:

615. There is hereby added to the State highway system a new route or portion of route from Route 1 near Longvale to Dos Rios via Outlet Creek and Eel River.

SEC. 8. Section 617 is hereby added to the Streets and Highways Code, to read as follows:

617. There is hereby added to the State highway system a new route or portion of route from Route 23 near Olancha to Route 127 east of Owens Lake.

SEC. 9. Section 618 is hereby added to the Streets and Highways Code, to read as follows:

618. There is hereby added to the State highway system a new route or portion of route from Route 65 near Mokelumne Hill to Route 34 at Pioneer Station via Westpoint.

SEC. 10. Section 621 is hereby added to the Streets and Highways Code, to read as follows:

621. There is hereby added to the State highway system a new route or portion of route from Route 27 near Winterhaven to Pot Holes via Baird.

SEC. 11. Section 623 is hereby added to the Streets and Highways Code, to read as follows:

623. There is hereby added to the State highway system a new route or portion of route from Route 2 near Solana Beach to Route 77 near Escondido.

SEC. 12. Section 624 is hereby added to the Streets and Highways Code, to read as follows:

624. There is hereby added to the State highway system a new route or portion of route from Route 2 near National City to Route 200 via Otay Lake.

SEC. 13. Section 625 is hereby added to the Streets and Highways Code, to read as follows:

625. There is hereby added to the State highway system a new route or portion of route from Route 75 near Farmington to Route 13 near Knight's Ferry.

SEC. 14. Section 626 is hereby added to the Streets and Highways Code, to read as follows:

626. There is hereby added to the State highway system a new route or portion of route from Route 132 near Orosi to the Fresno-Tulare county line via Dinuba.

SEC. 15. Section 627 is hereby added to the Streets and Highways Code, to read as follows:

627. There is hereby added to the State highway system a new route or portion of route from Route 20 to Trinity Center.

SEC. 16. Section 628 is hereby added to the Streets and Highways Code, to read as follows:

628. There is hereby added to the State highway system a new route or portion of route from Route 4 in Burbank to Route 165 via Riverside Drive.

SEC. 17. Section 632 is hereby added to the Streets and Highways Code, to read as follows:

632. There is hereby added to the State highway system a new route or portion of route from Route 163 at Windward Avenue to Playa del Rey.

SEC. 18. Section 637 is hereby added to the Streets and Highways Code, to read as follows:

637. There is hereby added to the State highway system a new route or portion of route from Route 167 to Route 168 via Carson Street.

SEC. 19. Section 639 is hereby added to the Streets and Highways Code, to read as follows:

639. There is hereby added to the State highway system a new route or portion of route from the east city limits of Los Angeles on Valley Boulevard to Route 26 near El Monte via Valley Boulevard and Pomona Boulevard.

SEC. 20. Section 644 is hereby added to the Streets and Highways Code, to read as follows:

644. There is hereby added to the State highway system a new route or portion of route from Route 69 to Route 75 via Ashby Avenue.

SEC. 21. Section 645 is hereby added to the Streets and Highways Code, to read as follows:

645. There is hereby added to the State highway system a new route or portion of route from Route 2 near the County Hospital to Route 171 via Chapman Avenue

SEC 22. Section 646 is hereby added to the Streets and Highways Code, to read as follows:

646. There is hereby added to the State highway system a new route or portion of route from Route 43 south of Tustin to Route 182 near El Modena.

SEC. 23 Section 648 is hereby added to the Streets and Highways Code, to read as follows:

648. There is hereby added to the State highway system a new route or portion of route from Route 170 near Norwalk to Route 62 west of La Habra.

SEC. 24. Section 649 is hereby added to the Streets and Highways Code, to read as follows:

649. There is hereby added to the State highway system a new route or portion of route from Route 4 near Famosa to Route 142.

SEC. 25. Section 650 is hereby added to the Streets and Highways Code, to read as follows:

650. There is hereby added to the State highway system a new route or portion of route from Route 187 near Niland to Route 146 near Vidal via Desert Center

SEC. 26.

651. There is hereby added to the State highway system a new route or portion of route from Route 3 near Gridley easterly to Route 87.

SEC. 27.

652. (f) Divisional Highway commencing at the intersection of Waller Street and Divisadero Street, and running thence southerly to Duboce Avenue and Castro Street, thence southerly along Castro Street to Fifteenth Street; thence southwesterly on a curve to the right to Seventeenth and Eureka Streets; thence southerly along Eureka Street to Nineteenth Street, thence southeasterly on a curve to the left to Twentieth Street just east of Eureka Street; thence southerly parallel with Eureka Street to Twenty-second Street; thence southerly on a curve to the right to Twenty-third and Eureka Streets; thence continuing southerly along the center line of Eureka Street produced to Twenty-fifth Street; thence on a curve to the left to Army Street east of Diamond Street; thence southerly parallel with Diamond Street to Day Street; thence continuing southerly on a curve to the left to Thirtieth Street east of Diamond Street; thence in a general southerly direction to the intersection of Chenery and Diamond Streets; thence southerly along Diamond Street to the Southern Pacific Railroad Company's right of way; thence on a curve to a point at or near Alemany Boulevard opposite Theresa Street, in the City and County of San Francisco, California."

FRAZIER, Chairman,
Assembly Committee on Free Conference.

WILLIAMS,
PARKMAN,
BIGGAR,
Senate Committee on Free Conference.

Report of second Committee on Free Conference concerning Senate Bill No. 95 read.

Mr. Desmond moved the adoption of the report.

The question being on the adoption of the report.

The roll was called, and the report refused adoption by the following vote:

AYES—Burns, Cassidy, Chatters, Cronin, Crowley, Dawson, DeLap, Fisher, Frazier, Gilmore, Heisinger, Hornblower, Maloney, Martin, Mayo, McMurray, Meehan, Nielsen, Redwine, Stream, Thorp, Voigt, Walker, Wallace, Waters, and Mr. Speaker—26.

NOES—Anderson, Andreas, Clark, Corwin, Desmond, Donihue, Donnelly, Evans, Ralph W. Field, Flint, Fulcher, Gilbert, Hunt, Johnson, Jones, Kallam, Lyon, McBride, McCarthy, Minard, Patterson, Richie, Riley, Robertson, Rosenthal, Turner, Utt, Weber, Welsh, and Wright—30

Resolution.

The following resolution was offered:

By Mr. Cronin:

Assembly Resolution.

WHEREAS, The subject of small loans is one deeply affecting the welfare of this State; and

WHEREAS, There are divided opinions on legislation regulating the various types of small loans; now, therefore, be it

Resolved by the Assembly of the State of California, That a Special Assembly Committee on Small Loans, consisting of three members of the Assembly, be appointed by the Speaker of the Assembly to gather information and to conduct investigations concerning small loans including pawnbrokers, personal property brokers, credit unions and industrial loan companies, and to report thereon, together with its recommendations to the Assembly at the fifty-second session of the Legislature; and be it further

Resolved, That the committee upon the appointment of its members shall organize itself and may appoint a secretary and such other clerical and technical assistants as it may deem necessary; and be it further

Resolved, That all officers and employees of the State shall furnish to the committee such assistance, reports, information and evidence concerning any matter under consideration by the committee as the committee shall request; and be it further

Resolved, That the committee is authorized to cooperate with any university fostering a study of the subject of small loans and to take such material as they may desire and as may be offered to them by such university, relating to the subject of this resolution; and be it further

Resolved, That the committee is authorized to do all things necessary to make a complete investigation of the matters herein referred to and to require the production of books, documents, reports, accounts and papers of every kind, to issue subpenas to compel the attendance of witnesses and to procure testimony. Each member of the committee is hereby authorized to administer oaths and all the provisions of Article VIII of Chapter II of Title I of Part III of the Political Code, relating to the attendance of witnesses before the Legislature and committees thereof shall apply to the committee created by this resolution, and the committee is hereby given leave to sit during the session of the Legislature and during the interval between sessions at any place in the State as the committee shall from time to time determine; and be it further

Resolved, That for the purpose of paying the expenses of the committee and the members thereof, the sum of $1,000, or so much thereof as may be necessary, is hereby set apart, reserved and appropriated out of the contingent fund of the Assembly, payments therefrom to be made from time to time by warrants of the State Controller drawn against the contingent fund upon written orders of the chairman of the committee, which warrants the State Treasurer is hereby directed to pay.

Resolution by Mr. Cronin read.

Floor Amendment.

During reading of the resolution, the following amendment was submitted by Mr. Field:

Amendment No. 1.

In the resolution, strike out "3 persons", and insert in lieu thereof "7 persons", and strike out "$1,000", and insert in lieu thereof "$2,000".

The question being on the amendment submitted by Mr. Field.

Roll Call.

The speaker ordered a roll call taken on the amendment submitted by Mr. Field.

The roll was called, and the amendment was refused adoption by the following vote:

AYES—Anderson, Clark, DeLap, Donihue, Evans, Ralph W., Field, Flint, Johnson, Jones, Martin, Minard, Nielsen, Peterson, Redwine, Robertson, Rosenthal, Turner, Voigt, Wagner, Walker, Wallace, and Waters—22.

NOES—Andreas, Boyle, Burns, Chatters, Cronin, Crowley, Dawson, Desmond, Donnelly, Fisher, Fulcher, Gilbert, Gilmore, Glover, Heisinger, Hunt, Kallam, Lyon, Maloney, McBride, McMurray, Meehan, Patterson, Reaves, Richie, Riley, Stream, Thorp, Utt, Weber, Welsh, and Mr. Speaker—32.

Resolution by Mr. Cronin read.

Mr. Cronin moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Cassidy, Chatters, Cronin, Crowley, DeLap, Desmond, Donihue, Flint, Frazier, Fulcher, Gilmore, Glover, Heisinger, Hornblower, Hunt, Jones, Lore, Lyon, Maloney, McBride, McMurray, Meehan, Patterson, Pelletier, Peterson, Reaves, Redwine, Riley, Robertson, Rosenthal, Utt, Wagner, Walker, Wallace, Waters, Weber, Welsh, and Mr. Speaker—41

NOES—Burns, Clark, Dawson, Donnelly, Evans, Ralph W., Field, Fisher, Gilbert, Johnson, Kallam, Martin, McCarthy, Minard, Nielsen, Richie, Scudder, Stream, Thorp, Turner, Voigt, and Wright—21.

Resolution.

The following resolution was offered:

By Mr. Frazier:

Assembly Resolution.

WHEREAS, There has been submitted to the fifty-first session of the Legislature a great number of measures designed to provide for various forms of home owners tax exemptions; and

WHEREAS, Measures of this sort are of vital concern to the welfare of the people of the State of California and it is generally conceded that some measure should be worked out which will provide a satisfactory exemption; now, therefore, be it

Resolved by the Assembly of the State of California, That a committee of three members be created to be appointed by the Speaker of the Assembly, to thoroughly and exhaustively study and investigate the subject of home owners property tax exemptions and report thereon to the fifty-second session of the Legislature, including in this report such legislative measures as the committee may find appropriate to carry into effect its recommendations; and be it further

Resolved, That the committee shall proceed to organize by the election of one of its members as chairman, and the committee is authorized to hold hearings and to investigate all matters and things pertaining to the subject of this resolution; and be it further

Resolved, That the committee is hereby authorized and empowered to require the production of books, agreements, documents, records, accounts and papers of every kind; to issue subpenas, to compel the attendance of witnesses and to procure testimony and so far as practicable to have material testimony reported so that the same may be available for use by the Legislature; each member of the committee is authorized to administer oaths and all of the provisions of Article VIII of Chapter II of Title I of Part III of the Political Code, relating to the attendance and assemblage of witnesses before the Legislature and committees thereof shall apply to the committee appointed under this resolution and it shall be the duty of all officers and employees of the State or of any county, city, city and county, or political subdivision of the State to furnish such reports, information and evidence upon request of the committee as may be pursuant to the purposes herein stated; and be it further

Resolved, That the sum of two thousand five hundred dollars, or so much thereof as may be necessary for the purpose of defraying the expenses of the committee and

the cost of its investigation is hereby made available and appropriated for the use of the committee out of the contingent fund of the Assembly, and the State Controller is authorized and directed to draw his warrants in favor of the person or persons entitled thereto for such expenditures as may be certified to him from time to time by the chairman of the committee, and the State Treasurer is hereby directed and authorized to pay the same.

Resolution by Mr. Frazier read.

Mr. Frazier moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution refused adoption by the following vote:

AYES—Andreas, Burns, Donihue, Fisher, Fulcher, Johnson, Jones, McBride, McMurray, Reaves, Robertson, Utt, Wallace, Welsh, and Mr. Speaker—15.

NOES—Anderson, Cassidy, Chatters, Clark, Cronin, Crowley, Dawson, DeLap, Donnelly, Evans, Ralph W., Flint, Glover, Heisinger, Hunt, Kallam, Maloney, Martin, McCarthy, Meehan, Minard, Nielsen, Patterson, Phillips, Redwine, Richie, Rosenthal, Scudder, Stream, Thorp, Turner, Wagner, Walker, and Wright—33.

Resolution.

The following resolution was offered:

By Mr. Flint:

Assembly Resolution.

WHEREAS, This Legislature recently passed Assembly Bill No. 1684, relating to the state-owned oil pool at Huntington Beach; and

WHEREAS, This bill was likewise passed by the Senate and now reposes on the Governor's desk awaiting his signature; and

WHEREAS, This bill, if signed by the Governor, will turn over to the Standard Oil Company and all its assignees, the exclusive right and privilege to drain this pool; and

WHEREAS, Said Standard Oil Company has been ordered investigated by both this Assembly and the Senate for previous theft of oil from this pool and will be brought to judgment by a future session of the Legislature; and

WHEREAS, The royalty to be collected by the people of this State, under this bill, is less than the royalty the State could and would have collected, had this Legislature accepted other proposals placed before it; and

WHEREAS, This Assembly did pass a bill designed not only to obtain this increased royalty but to further protect the people's wealth by guaranteeing offset productions in this pool other than the Standard Oil; and

WHEREAS, After this Assembly had passed this bill with the amendment, the Senate did refuse to concur in this measure; and

WHEREAS, The public interest is not protected by the passage of this one bill, said Assembly Bill No. 1684; and

WHEREAS, The signing of this bill by the Governor is contrary to the public good and public welfare; and

WHEREAS, Both this Assembly and the Senate have deemed it necessary to appoint committees to investigate the whole matter of this Huntington Beach oil pool; now, therefore, be it

Resolved, That this Assembly herewith petition the Governor to veto said Assembly Bill No. 1684 on the grounds that until these said Senate and Assembly investigations are completed and all the facts reported back to the Legislature, no rights to drill or drain this oil pool should be granted to any company; and be it further

Resolved, That this Assembly herewith feels the best interests of this State will be served by the urging upon the Governor of said veto.

Resolution by Mr. Flint read.

Mr. Flint moved the adoption of the resolution.

The question being on the adoption of the resolution.

Motion to Refer Resolution.

Mr. Field moved that the resolution by Mr. Flint be referred to Committee on Oil Industries.

The question being on the motion by Mr. Field to refer the resolution to Committee on Oil Industries.

Roll Call.

The Speaker ordered a roll call taken on the motion by Mr Field.

The roll was called, and the motion was carried by the following vote:

AYES—Andreas, Burns, Cassidy, Chatters, Corwin, Crowley, Dawson, DeLap, Desmond, Donihue, Evans, Ralph W., Field, Fisher, Fulcher, Hunt, Jones, Kallam, Maloney, Martin, McBride, McCarthy, Minard, Patterson, Phillips, Riley, Robertson, Rosenthal, Scudder, Stream, Thorp, Utt, Walker, Waters, Welsh, Wright, and Mr. Speaker—36.

NOES—Anderson, Clark, Flint, Glover, Heisinger, and Voigt—6.

Resolution by Mr. Flint ordered referred to Committee on Oil Industries.

Resolution.

The following resolution was offered:

By Mr. Field:

Assembly Resolution.

WHEREAS, The fifty-first session of the Legislature of the State of California has been unusually protracted; and

WHEREAS, The present economic situation has given rise to a considerable amount of experimental legislation, resulting in an unusual number of amendments to bills and other measures introduced in the Legislature; and

WHEREAS, The result thereof has been to place an unusual burden upon the State Printer; and

WHEREAS, The service rendered by the State Printer and by the men and women under his supervision has, during the fifty-first session of the Legislature, been unsurpassed and unsurpassable; now, therefore, be it

Resolved by the Assembly of the State of California, That George H. Moore, State Printer, and all of his assistants, be and they hereby are highly and earnestly commended for very efficient service rendered to the Legislature of the State of California at the fifty-first session thereof; and be is further

Resolved, That the Chief Clerk of the Assembly be and he hereby is directed to transmit copies of this resolution to the said George H. Moore, with the request to him to communicate the contents thereof to all of the employees of the State of California under his supervision.

Resolution by Mr. Field read

Mr. Field moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Boyle, Brennan, Chatters, Clark, Corwin, Cronin, Crowley, Dawson, DeLap, Field, Fisher, Flint, Frazier, Fulcher, Glover, Heisinger, Hornblower, Hunt, Johnson, Lyon, Maloney, McBride, Minard, Peterson, Phillips, Reaves, Redwine, Riley, Rosenthal, Stream, Utt, Walker, Wallace, Welsh, Wright, and Mr. Speaker—37.

NOES—None.

Resolutions.

The following resolutions were offered:

By Mr. Jones:

Assembly Resolution.

WHEREAS, Hon Edward Craig, during the fifty-first session of the Legislature, the longest session in the history of the California Legislature, has been the Speaker of this Assembly; and

WHEREAS, Hon Edward Craig of Brea for the past four sessions as a member of this House, has evidenced his ability; and

WHEREAS, As Speaker he has demonstrated his ability and has presided with the utmost fairness, dignity and courtesy over the deliberations of this body; now, therefore, be it

Resolved, That the Assembly in this resolution expresses its appreciative recognition of his services and tenders to him its cordial thanks and best wishes; and be it further

Resolved, That the Chief Clerk be instructed to have a copy of this resolution suitably engrossed and presented to the Honorable Edward Craig.

Resolution read, and adopted unanimously.

By Mr. Kallam:

Assembly Resolution.

WHEREAS, Hon. John H. O'Donnell, during the fifty-first session of the Legislature, has been the Speaker pro tempore of the Assembly; and

WHEREAS, As Speaker pro tempore, he has presided over the Assembly and carried out the duties of his office with uniform courtesy and fairness; therefore, be it

Resolved, That the Assembly tenders to Hon. John H. O'Donnell its cordial appreciation and recognition of his ability as Speaker pro tempore; and be it further

Resolved, That the Chief Clerk be instructed to have a copy of this resolution suitably engrossed and presented to the Honorable John H. O'Donnell.

Resolution read, and adopted unanimously.

By Mr. Cottrell:

Assembly Resolution.

Resolved, That the thanks of the Assembly are hereby tendered to Arthur A. Ohnimus, Chief Clerk, for the competent, efficient and able manner in which he has conducted the business of his office, and the uniform courtesy he has shown to each and every member of the Assembly during this session; and be it further

Resolved, That a copy of this resolution be suitably engrossed and presented to Arthur A. Ohnimus, Chief Clerk.

Resolution read, and adopted unanimously.

By Mr. Lyon:

Assembly Resolution.

Resolved, That the members of the Assembly of the fifty-first session of the California Legislature extend herewith a vote of thanks to Fred J. Desch, Assistant Chief Clerk, for the efficient manner in which he has conducted the business at the desk, which has been of the greatest assistance to the members in their consideration of the tremendous volume of legislation before them; and be it further

Resolved, That a copy of this resolution be suitably engrossed and presented to Fred J. Desch, Assistant Chief Clerk.

Resolution read, and adopted unanimously.

By Mr. Martin:

Assembly Resolution.

WHEREAS, Eleanor K. Olbrich, in the preparation and editing of legislative publications during the fifty-first session and former sessions of the California Legislature, has rendered valuable service to the Speaker, officers and members of the Assembly; and

WHEREAS, In order to expedite the work of the session, she has cheerfully given of her own time; and

WHEREAS, Irrespective of the late night sessions and long hours of work, her genial disposition was ever in evidence, and her uniform courtesy unchanged; now, therefore, be it

Resolved, That the Assembly express to Eleanor K. Olbrich its appreciation for her services; and, be it further

Resolved, That a copy of this resolution be suitably engrossed and presented to Eleanor K. Olbrich.

Resolution read, and adopted unanimously.

By Mr. Scudder:

Assembly Resolution.

Resolved, That the thanks of the Assembly are extended to Charles H. Erb, for the painstaking care and constantly evidenced geniality with which he has performed the duties of Minute Clerk of the Assembly during the fifty-first session of the Legislature;

Resolved, further, That a copy of this resolution be suitably engrossed and presented to Charles H. Erb, Minute Clerk.

Resolution read, and adopted unanimously.

By Mr. Utt:

Assembly Resolution.

WHEREAS, Juanita Dependener, as Chief Stenographer, and her corps of efficient stenographers have at all times, and under all conditions, served each and every member of the Assembly with the greatest possible dispatch, efficiency and uniform courtesy; therefore, be it

Resolved, That we, the members of the Assembly, extend to them our sincere thanks and appreciation for the splendid services they have performed during the session.

Resolution read, and adopted unanimously.

By Mr. Utt:

Assembly Resolution.

Resolved, That the Assembly extends to Postmistress Mona L. Christenson, its thanks for the efficient and courteous manner in which she and her assistant have performed the duties of their office.

Resolution read and adopted unanimously.

By Mr. Frazier:

Assembly Resolution.

Resolved, That the Assembly extends to the Sergeant-at-Arms, Joseph Moloney, its thanks for the efficient and courteous manner in which he and his assistants have performed the duties of their office.

Resolved, further, That a copy of this resolution, suitably engrossed, be presented to Joseph Moloney, Sergeant-at-Arms.

Resolution read, and adopted unanimously.

Communication.

The following communication was received and read:

WHEREAS, The two daughters of Assemblymen, serving as attaches during this session of the Legislature had a wonderful time; and

WHEREAS, This wonderful time has been made possible by the kindness and consideration of the members of this Legislature as well as the members of the third house; and

WHEREAS, The time of adjournment has arrived and we must now part from our good friends of the past few months we therefore wish to take this means of thanking you one and all, wishing you luck, and hoping to see you all in the near future.

Sincerely,

MAY GILMORE.
MARY BURNS.

Resolutions.

The following resolutions were offered:

By Mr. McBride:

Assembly Resolution.

Resolved, That the Assembly extends to the entire desk force, namely, Ruth Dickey, Calendar Clerk; Beulah Van Wart, Assistant Clerk; Cristel Hastings, Secretary to the Chief Clerk; Arthur A. Ohnimus, Chief Clerk; Fred J. Desch, Assistant Chief Clerk; Charles H Erb, Minute Clerk; Andrew J. Kelly, Assistant Minute Clerk; Dave Oliver, Assistant Clerk; Glenn Coolidge, Assistant Clerk; Myron J. Bonham, History Clerk; and Chris Nelson, Assistant History Clerk; its thanks and appreciation for the faithful performance of their respective duties.

Resolution read, and adopted unanimously.

By Mr. Dawson:

Assembly Resolution.

Resolved, That the thanks of the Assembly of this Fifty-first Session are extended to the Honorable Frank N. Killam, Superintendent of the Capitol Building, for the efficient manner in which he has conducted the business of his office, and to the Capitol exchange operators for their prompt and courteous service accorded the members of the Assembly during this session of the Legislature; and be it further

Resolved, That a copy of this resolution be suitably engrossed.

Resolution read, and adopted unanimously.

By Mr. Rosenthal:

Assembly Resolution.

WHEREAS, The success of the electrical voting machine was almost wholly due to the efficient manner in which it was operated by Marshall F. Thompson; and

WHEREAS, Marshall F. Thompson was at all times uniformally courteous and cooperative with all of the members of this Assembly and with his fellow attaches; and

WHEREAS, Marshall F. Thompson, under all conditions exercised a degree of patience and dignity and assisted materially in expediting the work of this session; now, therefore, be it

Resolved, That the members of this Assembly appreciated the uniform courtesy and efficient manner in which Marshall F. Thompson performed his duties; and be it further

Resolved, That the Chief Clerk of the Assembly be authorized to have a suitable engrossed copy of this resolution transmitted to Marshall F. Thompson.

Resolution read, and adopted unanimously.

By Mr. Hornblower:

Assembly Resolution.

Resolved, That Arthur A. Ohnimus, Chief Clerk, be and he is hereby authorized and empowered to receipt for any warrants that may be due members, officers, or other attaches of the Assembly, after the close of the session, or that may be drawn upon the contingent fund of the Assembly.

Resolution read, and adopted unanimously.

By Mr. Nielsen:

Assembly Resolution.

Resolved, That the thanks of the Assembly are extended to Hon. George H. Moore, State Printer; Robert Alexander, Chief Clerk, and the entire force of the State Printing Office for the cooperation and efficient manner of handling the printing of this session of the Legislature.

Resolved, That a copy of this resolution be suitably engrossed.

Resolution read, and adopted unanimously.

By Mr. Wagner:

Assembly Resolution.

WHEREAS, The expedition and thoroughness with which the business of the Assembly has been conducted at the desk have been of the greatest assistance to the members of the Assembly in their consideration of the tremendous volume of legislation coming before them; and

WHEREAS, The officers at the desk have cheerfully devoted long hours every day to their work, in order that the bills, Calendars, Histories and Journals might be accurate and ready for examination by the members at the proper times; and

WHEREAS, The members of the Assembly are desirous of expressing their appreciation of the unfailing courtesy and unflagging loyalty and devotion to duty displayed by said officers; now, therefore, be it

Resolved, That the thanks and appreciation of the members of the Assembly be and they are hereby extended to the following named officers of the Assembly for the cheerful and efficient manner in which they have consistently performed their duties during this arduous fifty-first session of the Legislature: Arthur A. Ohnimus, Chief Clerk; Charles H. Erb, Minute Clerk; Fred J. Desch, Assistant Chief Clerk; Myron J. Bonham, History Clerk; Lee Day, Journal Clerk; Ruth Dickey, File Clerk; and Beulah Van Wart, Assistant Clerk; Chris Nelson, Assistant History Clerk; Dan McFeeley, Assistant Journal Clerk; and Andrew J. Kelly, Assistant Minute Clerk.

Resolution read, and adopted unanimously.

By Mr. Boyle:

Assembly Resolution.

WHEREAS, The repeal of the Eighteenth Amendment and the legalizing of the use of intoxicating liquor as a beverage has imposed upon the State the duty of providing reasonable and proper license fees and taxes for the manufacture and sale thereof and the adoption of proper laws, rules and regulations regulating the sale and use of such liquor in order that such privilege be not abused; and

WHEREAS, The sale and use of such liquor and the enforcement of the rules and regulations concerning the same has been in an unsatisfactory and chaotic condition; and

WHEREAS, Senate Bill No. 919 imposes new and additional license fees and taxes upon the manufacture and sale of such liquor and provides rules and regulations in connection therewith; and

WHEREAS, It is desirable that a study of such subject be made in order that this Legislature may be fully advised as to whether the provisions of said Senate Bill No. 919 are sufficient and the license fees and taxes imposed are reasonable and determine what new and additional legislation, if any, should be adopted in connection therewith; now, therefore, be it

Resolved, That a committee of five members of the Assembly be appointed by the Speaker with the duties hereinafter specified and said committee is empowered to adopt such rules as it shall deem necessary and advisable to enable it to properly carry out and perform the duties herein imposed upon it; and be it further

Resolved, That said committee be and it is hereby authorized and empowered to make a full and complete investigation of all of the matters and subjects hereinbefore referred to and relating thereto and to do any and all things necessary or proper in connection therewith and to do and perform each and all of the things necessary or convenient to enable said committee to prepare and submit at the next session of the Legislature such additional legislation and recommendations as said committee shall deem necessary for properly and satisfactorily regulating the manufacturing, use and sale of intoxicating liquors within the State of California; and be it further

Resolved, That the officers of this State and the heads of each and every department and the employees of such departments as have charge of the enforcement of such law and the levy and collection of the license fees and taxes imposed in and by said Senate bill, shall give and furnish to such committee, upon request, such information, records and documents as said committee shall deem necessary or proper for the purposes aforesaid. Said committee shall have power to engage such necessary assistance as it shall deem necessary or proper in connection with the aforesaid matters; and is authorized and empowered to summon and subpena witnesses, require the production of persons, books, accounts, reports, documents, records and papers of every kind; to issue subpenas and to take all necessary means to compel the attendance of witnesses and to procure testimony; the members of said committee are, and each of them is, hereby authorized to administer oaths; all of the provisions of Article VIII of Chapter II, Title I, Part III, of the Political Code of this State, relative to the attendance and examination of witnesses, before the Legislature and committees thereof, shall apply to the committee appointed under this resolution, and said committee shall have the power therein specified; the Sergeant-at-Arms of the Assembly is hereby authorized and directed to serve any and all subpenas and orders or other process that may be issued by said committee, when directed so to do by the chairman thereof, and do and perform any other service required of him by said committee; that said committee be and it is given leave to sit during the sessions of the Assembly between sessions of the Legislature and/or during recess, at such times, place or places as the committee may determine; such committee may, at its discretion, hold public or executive meetings, as it shall deem necessary or desirable; and be it further

Resolved, That said committee report to the Assembly at the next regular session of the Legislature its findings and recommendations concerning the matters which it is by this resolution authorized to consider; and be it further

Resolved, That the sum of $2,500 be and the same is hereby made available for the purpose of defraying the expenses of such committee, other than that required by law to be paid from the legislative help fund. Said sum to be paid from the contingent fund of the Assembly and the State Controller is hereby authorized and directed to draw his warrants in favor of the person or persons entitled thereto for such expenditures as may be certified to him from time to time by the chairman of said committee, and the State Treasurer is hereby authorized and directed to pay the same.

Resolution by Mr. Boyle read.

Mr. Boyle moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Andreas, Boyle, Cassidy, Chatters, Clark, Cronin, Crowley, Desmond, Donahue, Evans, Ralph W., Field, Fisher, Flint, Frazier, Fulcher, Gilmore, Glover, Hawkins, Hunt, Jones, Kallam, Laughlin, Lore, Lyon, Maloney, Martin, McBride, McMurray, Pelletier, Peterson, Phillips, Reaves, Redwine, Riley, Utt, Voigt, Wagner, Walker, Wallace, Weber, Welsh, Wright, and Mr. Speaker—43.

NOES—Anderson, Brennan, Burns, Dawson, DeLap, Donnelly, Gilbert, Heisinger, Hornblower, Johnson, McCarthy, Meehan, Minard, Nielsen, Patterson, Richie, Robertson, Rosenthal, Scudder, Stream, Thorp, and Turner—22.

By Mr. Reaves:

Assembly Resolution.

WHEREAS, There are about 1 million and a quarter persons on the relief rolls of the State of California; and

WHEREAS, The State Relief Administration is spending millions of dollars with which to care for the unemployed by paying them doles; and

WHEREAS, This method of taking care of those on relief is an endless proposition; and

WHEREAS, It should be the primary obligation and duty of the State to rehabilitate its unemployed; and

WHEREAS, The Federal Government has offered to help cooperative self-help groups and endeavors; now, therefore, be it

Resolved by the Assembly of the State of California, That a committee of five members be appointed by the Speaker of the Assembly to investigate the feasibility, and practicability of establishing cooperative self-help groups and endeavors on a state-wide basis and to report thereon to the fifty-second session of the Assembly, and to make such recommendations as the committee may find appropriate to carry into effect by proper legislation such recommendations; and be it further

Resolved, That the committee shall proceed to organize by the election of one of its members as chairman and thereupon proceed with the investigation in such manner as it shall determine; and be it further

Resolved, That the committee is authorized to hold hearings at any and all places and to investigate all matters and things pertinent to the subject of this resolution; and be it further

Resolved, That the committee is hereby authorized and empowered to require the production of books, agreements, documents, records, accounts and papers of every kind; to issue subpenas, to compel the attendance of witnesses and to procure testimony and so far as practicable to have material testimony reported so that the same may be available for use by the Legislature; each member of the committee is authorized to administer oaths and all of the provisions of Article VIII of Chapter II of Title I of Part III of the Political Code relating to the attendance and assemblage of witnesses before the Legislature and committees thereof shall apply to the committee appointed under this resolution and it shall be the duty of all officers and employees of the State or of any county, city and county, or political subdivision of the State to furnish such reports, information and evidence upon request of the committee as may be pursuant to the purposes herein stated; and be it further

Resolved, That the sum of $1,500, or so much thereof as may be necessary for the purpose of defraying the expenses of the committee and the cost of its investigation, is hereby made available and appropriated for the use of the committee out of the contingent fund of the Assembly, and the State Controller is authorized and directed to draw his warrants in favor of the person or persons entitled thereto for such expenditures as may be certified to him from time to time by the chairman of the committee and the State Treasurer is hereby authorized and directed to pay the same

Resolution by Mr. Reaves read.

Mr. Reaves moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Andreas, Boyle, Burns, Cassidy, Chatters, Clark, Corwin, Crowley, Desmond, Donahue, Evans, Ralph W., Flint, Fulcher, Gilbert, Gilmore, Glover, Hawkins, Heisinger, Hunt, Johnson, Jones, Lore, Lyon, Martin, McBride, McCarthy, McMurray, Meehan, Nielsen, Patterson, Pelletier, Peterson, Phillips, Reaves, Richie, Riley, Rosenthal, Stream, Thorp, Turner, Utt, Voigt, Wagner, Wallace, Waters, Weber, Welsh, Wright, and Mr. Speaker—50.

NOES—Dawson, DeLap, Field, Frazier, Hornblower, Kallam, Minard, Redwine, Robertson, and Scudder—10

Messages from the Governor.

The following messages from the Governor were received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, April 5, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 1735—An act to add a new section to the Political Code, to be numbered 689a, relating to use of the State's teletype system

In my opinion said Assembly Bill No. 1735 constitutes an emergency bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, April 23, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 479—An act to amend section 2179 of the Political Code, relating to guardianship and administration of estates of incompetents.

In my opinion said Assembly Bill No. 479 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, June 4, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 1273—An act to amend the title and sections 2, 9, 15, 17, 18, 20, 21, 22, 23, 24, 26, 27, 30 and 33 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933; to repeal section 19 of said act; to add sections 9½ and 19 to said act, all relating to the taxation of the privilege of selling renting or leasing tangible personal property; and to provide that this act shall take effect immediately.

In my opinion said Assembly Bill No. 1273 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, June 4, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 239—An act to amend the title and sections 4, 4a, 5 and 23 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, including the extension of the provisions of said act to the companies taxable hereunder and their franchises, other than insurance companies and their franchises, specified in section 14 of Article XIII of the Constitution of this State, and to provide that this act shall take effect immediately.

In my opinion said Assembly Bill No. 239 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, June 12, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 670—An act to establish a board to be known as the Rector Dam Authority; to prescribe its duties, powers, functions and jurisdiction; to authorize the authority to construct a dam in Rector Canyon to impound the waters of Rector Creek and to sell and distribute said waters; to authorize the authority to issue and sell revenue bonds to provide funds for the acquisition and construction of said dam and to provide for the redemption thereof from the revenues received from the sale and distribution of such waters; authorizing the Department of Public Works of the State of California to operate and maintain such dam and all property appurtenant thereto; authorizing the board to acquire and hold real

property necessary for its purposes, and to enter into agreements with State, Federal, and local officers and agencies, and political subdivisions, municipalities, and public districts.

In my opinion said Assembly Bill No. 670 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 1037—An act to safeguard the public health, to regulate the diagnosis and treatment of human ailments by means of X-rays and the use, ownership and possession of X-ray appliances for said purposes; providing for the licensing of persons operating X-ray appliances and laboratories, declaring the treatment of human ailments by means of X-rays to constitute the practice of medicine; prescribing penalties for violation of the act; declaring the possession, maintenance or operation of X-ray appliances in violation of the provisions of the act to constitute a public nuisance, and otherwise providing for the enforcement of the act.

In my opinion said Assembly Bill No. 1037 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, June 12, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 1363—An act to amend section 1530 of the Insurance Code and to add section 1281a to Article 1, Chapter 3, Part 2, Division 1 thereof, relating to reciprocal or interinsurance exchanges.

In my opinion said Assembly Bill No. 1363 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No 2102—An act providing for the formation of nonprofit membership corporations to be known as electric membership corporations; authorizing such corporations to acquire, sell and distribute energy to the inhabitants of the State at the lowest cost consistent with sound economy and the prudent management of the business of such corporations; authorizing such corporations to construct or otherwise acquire, own, operate, maintain, extend and improve works, plants and systems for the acquisition, production, transmission or distribution of energy; authorizing such corporation to exercise the right of eminent domain and otherwise providing for the rights, powers and duties of such corporations, authorizing and regulating the issuance of revenue obligations by such corporations and providing for the payment of such obligations and the rights of the holders thereof; and providing that this act shall take immediate effect.

In my opinion said Assembly Bill No. 2102 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 2173—An act relating to the escheat to the State of California unclaimed moneys deposited with public utilities, and providing for the collection, use and disposition thereof.

In my opinion said Assembly Bill No. 2173 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted

FRANK F. MERRIAM, Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 2195—An act to amend section 118 of the Vehicle Code, relating to the California Highway Patrol.

In my opinion said Assembly Bill No. 2195 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 2239—An act to add section 2289a to the Political Code, relating to State aid to children

In my opinion said Assembly Bill No 2239 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 2466—An act to define motor transportation broker; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof.

In my opinion said Assembly Bill No. 2466 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 14, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Assembly Bill No. 2475—An act making an appropriation to pay the claim of Fred Froehlinger against the State of California.

In my opinion said Assembly Bill No. 2475 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 4, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Senate Bill No. 727—An act requiring the licensing of certain vehicles used for the transportation of persons or property in this State, defining such vehicles, providing for the imposition, collection, and distribution of license taxes for the privilege of operating such vehicles in this State, making appropriations for the purpose of this act, prescribing penalties for the violation of this act, repealing an act entitled, "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle, and provided that this act shall take effect immediately," approved May 15, 1933, subject to certain conditions.

In my opinion said Senate Bill No. 727 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 4, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Senate Bill No. 1120—An act to provide for certain major construction and improvements by the State, including the construction of a State prison, certain other construction and improvements and the issue of bonds therefor and making an appropriation.

In my opinion said Senate Bill No. 1120 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 7, 1935,

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Senate Bill No. 1128—An act relating to the borrowing of money by the State in anticipation of taxes and revenues, and making an appropriation

In my opinion said Senate Bill No. 1128 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 10, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Senate Bill No. 285—An act to amend sections 12, 13 and 16 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying the provisions" relating to horse racing.

In my opinion said Senate Bill No. 285 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1935,

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Senate Bill No. 105—An act to amend section 1092 of the Agricultural Code, relating to a tax upon commercial feeding stuffs.

In my opinion said Senate Bill No 105 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, June 12, 1935,

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Senate Bill No. 398—An act to amend sections 4 and 5 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of act in conflict herewith, providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, relating to the extension of prospecting permits for oil and gas which were in effect October 1, 1933, and upon which has been expended fifty thousand dollars or more in the prospecting for oil and gas.

In my opinion said Senate Bill No. 398 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, June 12, 1935,

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Senate Bill No. 731—An act providing for an investigation of and report on the feasibility and desirability, from the standpoint of the public interest, of acquisition by the State of California of the existing facilities for the generation and distribution of electric power in California, whether now under private or public ownership, providing for a committee therefor, and the appointment of such committee, defining the powers, duties of such committee in respect thereto, and making an appropriation therefor.

In my opinion said Senate Bill No 731 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, June 13, 1935,

To the Honorable Members of the Assembly.
State of California, Sacramento, California.

GREETINGS: Senate Bill No. 1071—An act to provide for the inspection, quarantine and registration of aviaries and other places where shell parrakeets are sold, offered for sale, trade or barter, or otherwise distributed, and to provide for the inspection of all birds which may be kept in such places; to repeal an act entitled "An act to provide for the inspection, quarantine and registration of aviaries and other places where shell parrakeets are sold, offered for sale, trade or barter; and to provide for the inspection of all birds which may be kept in such places; to declare the urgency thereof and provide that this act shall take effect immediately,"

approved May 26, 1933; to declare the urgency thereof and provide that this act shall take effect immediately.

In my opinion Senate Bill No 1071 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, June 12, 1935.

To the Honorable Members of the Assembly,
State of California, Sacramento, California.

GREETINGS: Senate Bill No. 1130—An act to add a new article to the Agricultural Code, to be numbered Article 5, Chapter 1, Division 3, relating to horse, mule, burro and sheep marks and brands.

In my opinion said Senate Bill No. 1130 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, June 12, 1935.

To the Honorable Members of the Assembly,
State of California. Sacramento, California.

GREETINGS: Senate Bill No. 1131—An act to make an appropriation for emergency reclamation and flood control work on the San Joaquin River, declaring the urgency thereof and providing that this act shall take effect immediately.

In my opinion said Senate Bill No 1131 constitutes such a bill within the meaning of that term as used in section 34, Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I therefore authorize the consideration of this bill as such a measure.

Respectfully submitted.

FRANK F. MERRIAM, Governor of California.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No. 22—Relative to Pacific Exposition;

Also: Assembly Joint Resolution No 23—Relative to the Pacific Exposition;

Also: Assembly Joint Resolution No. 56—Relating to memorializing the President and the Congress to enact legislation proposed by H R. 6984, providing benefits to persons who served in the Quartermaster's Corps or under the Quartermaster General during certain wars;

Also: Assembly Joint Resolution No. 66—Relative to memorializing the President of the United States, the Federal Emergency Relief Administrator, and the State Relief Administrator, to lessen the burdens upon counties for unemployment relief; And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eleven o'clock p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 39—A resolution to propose to the people of the State of California, an amendment to Article IV of the Constitution of the State, by amending section 31 thereof, relating to paying the principal and interest on bonds issued by city, county, city and county, district or other political subdivision whose funds are in the custody of the treasurer of any city, county, or city and county;

Also: Assembly Constitutional Amendment No 62—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new section to be numbered section 16 of Article IX, relating to the management and control of museums and art galleries;

Also: Assembly Constitutional Amendment No. 90—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XVI thereof a new section to be numbered 12, relating to the Rector Canyon Dam project;
And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eleven o'clock p m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No. 50—Relative to the California Highway Patrol;

Also: Assembly Concurrent Resolution No. 52—Relative to the establishment of a free employment bureau in the city of Alameda;
And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eleven o'clock p m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 150—An act granting to the City and County of San Francisco certain lands of the State of California located in the City and County of San Francisco upon certain trusts and conditions;

Also Assembly Bill No 405—An act to add a new section to the Civil Code to be numbered 2934a, relating to substitution of trustees in trust deeds;

Also Assembly Bill No 437—An act to amend section 112 of, and to add section 112a to, the Code of Civil Procedure, relating to the jurisdiction of justices' courts;

Also Assembly Bill No. 767—An act to amend sections 2, 2½, 3, 4, 10, 13, 14, 15, 18½ and 21, to add section 24, and to repeal sections 5 and 9 of the Old Age Security Act of the State of California, relating to aid to the aged;

Also, Assembly Bill No 794—An act to amend sections 5 802, 5.804, 5 890, 5.891, 5 894, 5 900, 5 901, 5 904, 5 910, 5 911, 5 962, 5 970, 5 980, 5 990, 5 993, 5.1009, 5 1023, 5.1030, 5 1031, 5.1032, 5 1040, 5 1041, 5.1047, 5.1048, 5.1060, 5 1061, 5 1062, 5.1080 and 5.1083 of the School Code, to amend the titles of Chapter III, of Articles IV, V and VII of Chapter III, of Chapter VI, of Articles II, III and V of Chapter VI, all of Part IV of Division V of said code; to repeal sections 5 1042 to 5 1046, both inclusive, of said code and to repeal Article IV of Chapter VI of Part IV of Division V of said code; to add eight new sections to said code to be numbered 5.886, 5 971, 5 972, 5 981, 5.986, 5.10044, 5.1010 and 5.1011 and to add to Chapter III of Part IV of Division V of said code a new article to be known as Article VIII; to add to Chapter V of Part IV of Division V of said code a new article to be known as Article V; and to add to Chapter VI of Part IV of Division V of said code a new article to be known as Article IV, all relating to the payment of retirement salaries and retirement annuities to persons serving the State, counties and school districts in positions having to do with teaching or other employment in, and/or the superintending, administration and supervision of colleges, schools, and classes maintained by the State and/or the school districts thereof;

Also, Assembly Bill No. 819—An act to amend sections 2167, 2167a, 2169, 2172 and 2175 of, to repeal sections 2168, 2170, 2171 and 2185c of, and to add new sections numbered 2168, 2168.1, 2168 2, 2168 3, 2168 4, 2168 5, 2168 6, 2168.7, 2168 8, 2171, 2185 1, 2185 2, 2185 3, 2185 4, 2185 5, 2185 6 and 2185 7 to the Political Code, relating to persons mentally disordered or otherwise incompetent;
And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935 at eleven o'clock p m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 826—An act to add a new section to the Code of Civil Procedure to be numbered 336a and to amend section 337 thereof, relating to the periods prescribed for the commencement of actions.

Also Assembly Bill No 1309—An act to regulate the location, construction, occupancy and operation of hat cleaning and blocking establishments, or agencies thereof, *and private schools and colleges of hat cleaning and blocking*; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement; and providing penalties for violations;

Also: Assembly Bill No. 1606—An act to amend section 8 of and to add section 8a to the Sewer Revenue Bond Act, relating to acquisition and operation of sewerage disposal works;

Also: Assembly Bill No 1744—An act to add section 644.5 to the Military and Veterans Code, relating to military decorations;

Also: Assembly Bill No. 1837—An act to amend sections 269 and 271 of the Code of Civil Procedure, relating to the appointment, duties and compensation of phonographic reporters;

Also: Assembly Bill No. 1861—An act to add section 76 to the Agricultural Code and to repeal section 694da of the Political Code, relating to the State Agricultural Society contingent fund;

Also: Assembly Bill No. 1957—An act to amend the Public Utilities Act by adding two new sections numbered sections 13½ and 32½, relating to public utilities;

Also: Assembly Bill No. 2136—An act relating to the relief of debtors and guarantors; permitting postponement of sales conferred by mortgages, deeds of trust, or contracts of purchase of real property, or chattels attached to real property, or postponement of forfeitures and terminations under such contracts of purchase, or extensions of periods for redemption, or reduction of moneys to be paid on redemption; regulating the appointment of receivers in certain cases; repealing Chapter 1, Statutes of the Extra Session of 1934, and Chapter 7 of the Statutes of 1935; declaring the urgency hereof, and providing that it shall take effect immediately;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eleven o'clock p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2176—An act to amend section 1065 of the Fish and Game Code, relating to sardines;

Also: Assembly Bill No. 2264—An act to amend section 658 of the Fish and Game Code, relating to salmon;

Also: Assembly Bill No. 2365—An act requiring licenses for the operation, maintenance or establishment of stores in this State, prescribing the license and filing fees to be paid therefor; providing for penalties for the violation of this act, providing for the enforcement of this act;

Also: Assembly Bill No. 2403—An act to amend sections 737j and 737bbb of the Political Code, relating to salaries of superior court judges;

Also: Assembly Bill No. 2427—An act to amend sections 1, 8 and 9 of an act entitled "An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act; to provide for their appointment and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, and all other acts or parts of acts in conflict herewith," approved May 5, 1927, relating to practice of veterinary medicine;

Also: Assembly Bill No. 2465—An act to add section 1156 to the Agricultural Code, relating to the marketing of agricultural products;

Also: Assembly Bill No. 2467—An act to add to the Probate Code a new section, to be numbered 201.5, and amending sections 201 and 220 of the Probate Code, all relating to the laws of succession;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eleven o'clock p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2468—An act to amend sections 6 and 11 of, to repeal section 7 of, and to add section 33 to, an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 23, 1919, relating to sanitary districts—and reports that the same has been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eleven o'clock p.m.

WATERS, Chairman

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 641—An act to add a new section to be numbered 611, to an act entitled "An act to establish a Streets and Highways Code, thereby consolidating

and revising the law relating to public ways and all appurtenances thereto, and to repeal certain acts and parts of acts specified herein;

Also: Assembly Bill No. 653—An act to provide for the creation in counties and cities and counties of departments of rehabilitation declaring the urgency thereof and providing that this act shall take effect immediately;

Also: Assembly Bill No. 927—An act to provide for the further development of vocational education in California by accepting the provisions and benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled and approved May 21, 1934, entitled "An act to provide for the further development of vocational education in the several States and Territories"; and making an appropriation therefor; and declaring the urgency thereof and providing that this act shall take effect immediately;

Also: Assembly Bill No. 935—An act to amend section 5.350 of the School Code, relating to fees for credentials and certificates;

Also: Assembly Bill No. 1271—An act imposing an excise tax on the storage, use or other consumption in this State of tangible personal property, providing for the registration of retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administraton hereof, prescribing penalties for violations of the provisions hereof and providing that this act shall take effect immediately;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eleven o'clock p.m.

WATERS, Chairman

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 1273—An act to amend the title and sections 2, 9, 15, 17, 18, 20, 21, 22, 23, 24, 26, 27, 29, 30 and 33 of an act entitled "An act imposing a tax for the privilege of selling tangible personal property and for the privilege of furnishing, preparing or serving tangible personal property, providing for permits to retailers, providing for the levying, assessing, collecting, paying and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing this act shall take effect immediately," approved July 31, 1933; to repeal section 19 of said act; to add sections 9½ and 19 to said act; all relating to the taxation of the privilege of selling renting or leasing tangible personal property; and to provide that this act shall take effect immediately;

Also: Assembly Bill No. 1831—An act to add section 586 5 to the Vehicle Code, relating to the control of traffic upon the public highways of the State of California, whether situated within unincorporated or incorporated territory;

Also: Assembly Bill No. 1885—An act to amend section 91.5 of the Agricultural Code, relating to the sixth district agricultural association fund;

Also: Assembly Bill No 2013—An act to add section 379 5 to the Vehicle Code, relating to seizure and sale of vehicles;

Also: Assembly Bill No 2310—An act to add section 3462a to the Political Code, authorizing trustees of reclamation districts to make refunds where wrongful assessments have been made;

Also: Assembly Bill No. 2425—An act to add a new section to the Political Code, to be numbered 363m, relating to the Division of Water Resources revolving fund;

Also: Assembly Bill No. 2492—An act to amend section 38 of the "Alcoholic Beverage Control Act," relating to powers of the board and the persons employed by the board;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this fifteenth day of June, 1935, at eleven o'clock p m.

WATERS, Chairman.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 444—An act to amend section 13 of the Motor Vehicle Fuel License Tax Act, relating to apportionment of the tax fund;

Also: Assembly Bill No. 2129—An act amending section 111 of the Penal Code, relating to expense of trial of convicts;

Also: Assembly Bill No. 994—An act to add section 690 11 to the Political Code, relating to the disposition of fees received under the provisions of section 690.10 of the Political Code;

Also: Assembly Bill No. 1314—An act to amend sections 1a, 3, 4, 9, 10, 11 and 12 of, and to add new sections to be numbered 11.1, 11.2, 11 3, 11.4, 11 5 and 11.6 to an act entitled "An act to regulate land surveying and to define the duties of and to license land surveyors, to provide for the revocation of such licenses and the restoration thereof, to make certain acts misdemeanors and to provide penalties therefor,

and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 16, 1907," approved May 24, 1933, relating to land surveyors.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 444, 2129, 994 and 1314 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2483—An act making an appropriation to pay the claim of Harvey B. Whitten against the State of California;

Also: Assembly Bill No. 2493—An act to amend section 1 of, and to add section 1.5 to an act entitled "An act relating to the Department of Professional and Vocational Standards and defining its powers and duties in relation to and providing for the adoption and registration of names and marks or other devices on garments, towels, table linen and other linen supplies used in the rendition of a rental service as indicia of ownership and to protect the owners thereof," passed at the fifty-first session of the Legislature of the State of California, relating to registration of names and marks or other devices on garments, towels, table linen or other articles;

Also: Assembly Bill No. 922—An act to amend section 1300.2 of the Agricultural Code, relating to produce dealers.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bills Nos. 2483, 2493 and 922 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 15—An act to add a new section to the Penal Code to be numbered 159b, relating to the solicitation of law business.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1166—An act making an appropriation to the Department of Agriculture.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 1166 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 2496—An act to amend section 10 of the Political Code, relating to holidays.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 2496 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Concurrent Resolution No. 45—Relative to adjournment sine die;

Also: Senate Bill No. 1118—An act to call a special election to be held on the thirtieth day of July, 1935, for the purpose of submitting to the qualified electors of this State certain amendments to the Constitution of this State proposed by the Legislature at its fifty-first regular session, and to provide that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day receded from Senate amendments to Assembly Bill No. 1835—An act to amend sections 2 and 9 of, and to add sections 10 and 11 to, an act entitled "An

act relating to the safety of design and construction of public school buildings, providing for regulation, inspection and supervision of the construction, reconstruction or alteration of or addition to public school buildings, and for the inspection of existing school buildings, defining the powers and duties of the State Division of Architecture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act, to take effect immediately," approved April 10, 1933, relating to the regulation and inspection of the construction of public school buildings.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 1835 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1570—An act to add two new sections to the Public Utilities Act, to be numbered 2¾ and 50¾, defining highway common carriers and providing for the regulation thereof and requiring the issuance of certificates of public convenience and necessity therefor, and to repeal Chapter 213 of the Statutes of 1917, approved May 10, 1917, and amendments thereto.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 1570 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 273—An act to amend section 372 of the Vehicle Code, relating to registration of certain vehicles used for the transportation of persons or property in this State—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate
By CARL A. SHIPKEY, Assistant Secretary.

Assembly Bill No. 273 ordered on unfinished business file.

Also:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 2395—An act to provide for the compilation, printing, binding, publishing, and distribution of a Legislative Manual and State Blue Book, or Roster, repealing all conflicting acts and making an appropriation to carry out the provisions hereof—and respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of Senate.

Assembly Bill No. 2395 ordered on unfinished business file.

Reports of Standing Committees—(Resumed).

The following reports of standing committees were received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 76—An act to amend section 2924½ of the Civil Code, relating to mortgages and trust deeds;

Also: Assembly Bill No. 95—An act making an appropriation for the control and conservation of flood waters in San Diego County:

Also: Assembly Bill No 863—An act to amend the title and sections 1, 2, 3, 4, 6, 7, and 8 of an act entitled "An act to provide for the proper sanitary condition of factories and workshops, and the preservation of the health of employees," approved February 6, 1889 (Stats. 1889. Chap. 5), as amended, relative to the sanitation, lighting and ventilation of factories, workshops and other places of employment, providing for the enforcement thereof by the Chief of the Division of Labor Statistics and Law Enforcement and providing penalties for the violation thereof;

Also: Assembly Bill No. 916—An act to add sections 3a, 15a and 20a to "The California Agricultural Adjustment Act of 1935," relating to ways, means, and moneys, and providing and appropriating moneys, for the administration and enforcement thereof and of regulation of producers, packers, distributors, shippers, marketers,

handlers, processors, and others dealing in agricultural, viticultural, horticultural, animal, and poultry products and of any competing commodity or product thereof thereunder, and under the legislative standards in relating to the rehabilitation of agriculture therein specified, and declaring the existence of a State and National agricultural emergency and the urgency of this act and that this act shall take effect immediately;

Also: Assembly Bill No. 1117—An act to amend section 5.21 of the School Code, relating to the support of State teachers colleges;

Also: Assembly Bill No. 1267—An act to amend the title and to add three new sections, to be numbered 2a, 2b and 2c, to an act entitled "An act providing for the sanitation of food producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the health of persons by whom the materials from which food is prepared or the finished product is handled; providing for the inspection of such places, persons and things; declaring places and things in violation of this act to be nuisances, dangerous to health and providing for the abatement of the same; making violations of this act misdemeanors; and providing for the punishment of the same," approved March 6, 1909, relating to the use of closed containers and providing for the sterilization of used bottles and containers used for foods, drugs and liquors;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this sixteenth day of June, 1935, at eleven o'clock p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1329—An act authorizing any irrigation district, reclamation district, municipal utility district, public utility district, municipality, water district, water storage district, and any public or municipal corporation, political subdivision, district, State agency or authority, to enter into and execute appropriate contracts with the Water Project Authority of the State of California, created in and by the Central Valley Project Act of 1933, under the provisions of Chapter 1042 of the Statutes of 1933, and authorizing any such agency or entity to comply with the provisions of any such contract; and authorizing any such agency or entity to segregate, allocate, devote and pledge revenues derived from the sale, use or distribution of facilities received from said Water Project Authority under any such contract, for the purpose of securing payments under such contract; and authorizing any such agency or entity to establish a special account for the purposes of such contract, funds accruing to which shall be and constitute a trust fund for the purpose of making payments under such contract to said Water Project Authority;

Also: Assembly Bill No. 1561—An act to amend sections 3, 3a, 3b, 10, 13, 17, and 18 of an act entitled "An act defining mattresses; regulating the making, remaking, and sale thereof, prohibiting the use of unsanitary and unhealthy materials therein; requiring that materials used shall be accurately described, and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled; and making the violation of any of the provisions of this act a misdemeanor, and repealing legislation inconsistent with this act," approved June 7, 1915, and to add thereto a new section to be numbered section 21, all relating to the administration of said act by the Bureau of Furniture and Bedding Inspection and the powers and duties of the officers thereof;

Also: Assembly Bill No. 1562—An act to amend sections 1, 2, 5, 6, 7, 8, 9 and 14 of an act entitled "An act to regulate the manufacture and sale of upholstered furniture; providing for the labeling of the same, providing for the licensing of persons manufacturing, selling or repairing upholstered furniture; and creating the upholstered furniture inspection fund," approved May 9, 1927, relating to the administration thereof by the Bureau of Furniture and Bedding Inspection of the Department of Professional and Vocational Standards;

Also: Assembly Bill No. 1605—An act to amend sections 3.330, 3.331, 3.332, 3.333, 3.334, 3.335 and 3.337 of the School Code, relating to the attendance of pupils residing in California upon the public schools of adjoining States;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this sixteenth day of June, 1935, at eleven o'clock p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1663—An act to amend section 26 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations,' approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, invest-

ment counsel and sales of securities, and the prevention of fraud in the sale of securities," relating to fees;

Also: Assembly Bill No. 1747—An act to add section 3a to "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 26, 1913, relating to codification and compilation of county and city ordinances and resolutions;

Also: Assembly Bill No. 2330—An act to amend section 618 of the "Fish and Game Code," approved April 11, 1933, relating to fish and game and other wild life.

Also: Assembly Bill No. 2376—An act making an appropriation for the support of the Legislative Counsel Bureau and declaring the urgency thereof, the act to take effect immediately;

Also: Assembly Bill No. 2393—An act to be known and cited as the Yacht and Ship Brokers Act, to define yacht and ship brokers and salesmen; to provide for the regulation, supervision and licensing thereof; to create the office of Yacht and Ship Brokers Commissioner within the Department of Professional and Vocational Standards; and to provide for the enforcement of said act and penalties for the violation thereof;

Also: Assembly Bill No. 2466—An act to define motor transportation broker; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this sixteenth day of June, 1935, at eleven o'clock p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2499—An act to prohibit under certain conditions, sales under certain chattel mortgages, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale made in violation of the act, to prescribe the time within which an action to avoid such a sale may be brought, and to declare the urgency thereof, and to provide that this act take effect immediately.

Also: Assembly Bill No. 755—An act to amend section 1 of an act entitled "An act making an appropriation to the State Board of Control to pay claims against the State of California" approved June 16, 1933, relating to claims against the State;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this sixteenth day of June, 1935, at eleven o'clock p.m.

WATERS, Chairman

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 106—An act to amend section 6750 of the School Code, relating to the use of school buildings for activities of a seditious nature;

Also: Assembly Bill No. 213—An act to amend sections 137, 138, and 166 of, and to add sections 171 and 172 to the Fish and Game Code, relating to game refuges;

Also: Assembly Bill No. 422—An act to amend section 690 of the Code of Civil Procedure, and to add sections 690.1 to 690.4, inclusive, 690.6 to 690.24, inclusive, and 690.50, thereto, relating to property exempt from execution or attachment;

Also: Assembly Bill No. 669—An act to add section 3817½ to the Political Code, relating to taxation, declaring the urgency hereof and providing that this act shall take immediate effect;

Also: Assembly Bill No. 703—An act to establish the Southern California Prison under the management and control of the State Board of Prison Directors; to provide for purchase or acquirement of farm lands by unconditional gift or use of lands owned by the State therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor;

Also: Assembly Bill No. 754—An act to make an appropriation from money available for relief of hardship and destitution due to and caused by unemployment, for construction work by farms under State control;

Also: Assembly Bill No. 1281—An act to amend sections 4, 6, 13, 14, 20 and 21 of, and to add a new section to be numbered 8a to, an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties establishing a State laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, as amended, relating to adulteration, mislabeling, misbranding, false advertising and sale of food and the powers of the State Board of Health in relation thereto;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this sixteenth day of June, 1935, at eleven o'clock p.m.

WATERS, Chairman.

Also:

MR. SPEAKER. Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1346—An act to amend section 107 of the Penal Code, relating to punishment for escape of a prisoner;

Also: Assembly Bill No. 1540—An act to amend section 4 of and to add section 8 to an act entitled "An act creating a commission to codify, consolidate, revise or compile the statutes of California and to report thereon to the Legislature, and making an appropriation therefor, and authorizing State departments, boards, bureaus and commissions to contract for the revision of certain laws," approved June 10, 1929, relating to reports and making an appropriation to carry out the provisions of the act;

Also: Assembly Bill No. 2368—An act to amend sections 5, 13, 65, 78, 83, 85, 86, 100, 101 and 109 of, and to add sections 28a, 65a, 65b, 65c, 65d, 83a, 85a, 100a and 100b to an act entitled "An act to provide for the creation, establishment, and adjustment with other such systems, of a retirement system for employees of the State of California, and make an appropriation therefor," approved June 9, 1931, relating to retirement of members of the California Highway Patrol;

Also: Assembly Bill No. 2461—An act to amend section 71 of the Penal Code, relating to contracts, sales and purchases by public officers;

Also: Assembly Bill No. 2490—An act to amend section 526 of the Political Code, relating to State printing;

Also. Assembly Bill No. 2495—An act making an appropriation for the contingent expenses of the Assembly at its fifty-first session, and declaring that this act shall take effect immediately;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this sixteenth day of June, 1935, at eleven o'clock p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 206—An act to amend section 1 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to the construction of certain words and phrases used in said act;

Also: Assembly Bill No. 934—An act to amend section 5.63 of the School Code, relating to admission of nonresident students to State teachers colleges;

Also: Assembly Bill No. 1023—An act to amend section 6 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, relating to persons eligible to examination;

Also: Assembly Bill No. 1035—An act to amend sections 713, 715, 731, 733.5, 867 and 868 of, and to add section 717.5 to the Fish and Game Code, relating to the protection of fish;

Also: Assembly Bill No. 1188—An act to add a new article to Chapter I of Part III of Division IV of the School Code, to be known as Article XI, and to add a new chapter to Part III of Division IV of the School Code to be known as Chapter IV, all relating to school district funds;

Also: Assembly Bill No. 1212—An act to amend section 7 of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the regulation of the practice of optometry;

Also: Assembly Bill No. 1302—An act to amend sections 2, 3, 7, 12, 18 and 20 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, relating to pharmacy;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this sixteenth day of June, 1935, at eleven o'clock p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1925—An act to amend sections 1, 2, 4, 6 and 7 of "An act to prevent the unauthorized use and disposition of, and traffic in human bodies, to prescribe the keeping of proper records, to promote medical education and public health by regulating the disposition and utilization of the unclaimed dead, to provide penalties for the violation of this act and to repeal sections 3094 and 3095 of the Political Code and all other acts or portions of acts in conflict with this act," approved May 18, 1927, relating to the use of dead bodies;

Also: Assembly Bill No 2020—An act to add a new section to the Penal Code to be numbered 476b, relating to printing, duplicating or imitating blank checks;

Also Assembly Bill No 2040—An act making an appropriation to pay the claim of the chief accounting officer of the Department of Finance against the State of California;

Also; Assembly Bill No. 2292—An act to amend sections 18 and 23 of the California Barber Law, relating to restrictions upon barber shops or colleges in this State;

Also Assembly Bill No. 2359—An act to amend sections 804, 814, 815, 1010, 1018, 1020 and 1261 of, and to add section 395.5 to the Military and Veterans Code, relating to military and veterans' affairs;

Also: Assembly Bill No. 2449—An act creating the California Farm Debt Adjustment Commission, defining its powers and duties and making an appropriation therefor;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this sixteenth day of June, 1935, at eleven o'clock p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Constitutional Amendment No. 86—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 23a of Article IV thereof, relating to legislative printing—and reports that the same has been correctly enrolled, and presented the same to the Governor on this sixteenth day of June, 1935, at eleven o'clock p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Concurrent Resolution No 56—Approving a certain amendment to the charter of the city of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of June, 1935—and reports that the same has been correctly enrolled, and presented the same to the Governor on this sixteenth day of June, 1935, at eleven o'clock p m

WATERS, Chairman

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Joint Resolution No 65—Relative to memorializing the Public Works Administration to furnish aid in the construction of certain improvements in San Francisco Bay and the vicinity thereof—and reports that the same has been correctly enrolled, and presented the same to the Governor on this sixteenth day of June, 1935, at eleven o'clock p.m.

WATERS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 86—An act to establish a system of unemployment reserves for this State, and making an appropriation therefor;

Also: Assembly Bill No. 234—An act creating a commission for the coordination of State and local governments, defining its powers and duties;

Also: Assembly Bill No. 329—An act relating to codes of fair competition for certain trades and industries within this State:

Also: Assembly Bill No. 444—An act to amend section 13 of the Motor Vehicle Fuel License Tax Act, relating to apportionment of the tax fund;

Also: Assembly Bill No. 1010—An act to amend sections 1, 2, 3, 4 and 5 of an act entitled "An act to regulate the conduct of canneries, to create a Division of Cannery Inspection to carry on such regulation, to provide rules regulating the proper sanitation of canneries, under the State Board of Health," approved May 23, 1925, as amended, relating to the inspection of canneries, the State Board of Public Health and to the power and duties thereof,

Also Assembly Bill No. 1037—An act to safeguard the public health, to regulate the diagnosis and treatment of human ailments by means of X-rays and the use, ownership and possession of X-ray appliances for said purposes; providing for the licensing of persons operating X-ray appliances and laboratories, declaring the treatment of human ailments by means of X-rays to constitute the practice of medicine; prescribing penalties for violation of the act, declaring the possession, maintenance or operation of X-ray appliances in violation of the provisions of the act to constitute a public nuisance, and otherwise providing for the enforcement of the act;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this sixteenth day of June, 1935, at eleven o'clock p.m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1363—An act to amend section 1530 of the Insurance Code, relating to reciprocal or interinsurance exchanges,

Also: Assembly Bill No. 1392—An act relating to the State civil service, including the adaptation thereof to Article XXIV of the State Constitution, and providing for the reporting of appointments and certification of estimates, pay rolls and accounts of other officers and employees of the State and declaring the urgency of this act and providing that it shall take effect immediately;

Also: Assembly Bill No. 1735—An act to add a new section to the Political Code, to be numbered 689a, relating to use of the State's teletype system;

Also: Assembly Bill No. 2238—An act to amend sections 3 and 9 of, and to add sections 17 and 18 to "An act to provide for needy blind persons, not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, making appropriation therefor and prescribing penalties for the violation of the provisions of the act," approved May 28, 1929, relating to aid to the needy blind;

Also: Assembly Bill No. 2382—An act to regulate the practice of structural pest control, to create the Structural Pest Control Board; to provide for the registration and licensing of persons engaged in such practice, and for the protection of the public in the practice of structural pest control;

Also: Assembly Bill No. 2496—An act to amend section 10 of the Political Code, relating to holidays;

Also: Assembly Bill No. 2502—An act to add a new section to the School Code, to be numbered 2 972, relating to city boards of education in cities in the first and one-half class;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this sixteenth day of June, 1935, at eleven o'clock p m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 85—An act making an appropriation to pay the claim of Arthur A. Obnimus against the State of California, and declaring the urgency thereof;

Also Assembly Bill No. 605—An act providing for the acquisition of lands for, and the construction, maintenance and operation of a building at the Pacific Exposition to be held in the county of Los Angeles, State of California, providing for the exhibiting of products, resources of and other matters pertaining to the State of California at said Pacific Exposition, creating the California Pacific Exposition Commission and defining its powers and duties, and making an appropriation therefor;

Also: Assembly Bill No 1166—An act making an appropriation to the Department of Agriculture;

Also: Assembly Bill No 1181—An act to amend sections 4 222, 4.770, 4 771, 4.773, 4.785, 4.796, 4.797, 4.872, 4.883 and 4.886-1 of the School Code and to add thereto four new sections to be numbered 4 223, 4 774, 4.784, and 4 874-1, all relating to the apportionment of State funds for public school purposes;

Also: Assembly Bill No. 1314—An act to amend sections 1a, 3, 4, 9, 10, 11 and 12 of, and to add new sections to be numbered 11.1, 11 2, 11 3, 11 4, 11 5 and 11 6 to an act entitled "An act to regulate land surveying and to define the duties of and to license land surveyors, to provide for the revocation of such licenses and the restoration thereof, to make certain acts misdemeanors and to provide penalties therefor, and to repeal an act entitled 'An act to define the duties of and to license land surveyors,' approved March 16, 1907," approved May 24, 1933, relating to land surveyors;

Also: Assembly Bill No. 1570—An act to add two new sections to the Public Utilities Act, to be numbered 2¾ and 50¾, defining highway common carriers and providing for the regulation thereof and requiring the issuance of certificates of public convenience and necessity therefor, and to repeal Chapter 213 of the Statutes of 1917, approved May 10, 1917, and amendments thereto;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this sixteenth day of June, 1935, at eleven o'clock p m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No 2129—An act amending section 111 of the Penal Code, relating to expense of trial of convicts;

Also: Assembly Bill No. 2339—An act to add section 2289a to and amend sections 2283 and 2290 of the Political Code, relating to State aid to children;

Also: Assembly Bill No. 1835—An act to amend sections 2 and 9 of, and to add sections 10 and 11 to, an act entitled "An act relating to the safety of design and construction of public school buildings, providing for regulation, inspection and supervision of the construction, reconstruction or alteration of or addition to public

school buildings, and for the inspection of existing school buildings, defining the powers and duties of the State Division of Architecture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act, to take effect immediately," approved April 10, 1933, relating to the regulation and inspection of the construction of public school buildings,

And reports that the same have been correctly enrolled, and presented the same to the Governor on this sixteenth day of June, 1935, at eleven o'clock p m

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 100—An act making an appropriation for the support of Napa State Farm, to take effect immediately;

Also: Assembly Bill No 327—An act making an appropriation for the control of Bang's disease in cattle under the provisions of Article 2, Chapter 3, Division II of the Agricultural Code, and declaring the urgency hereof;

Also: Assembly Bill No. 379—An act to amend section 410 of the Political Code, relating to the publication and distribution of the laws, resolutions and Journals of the Legislature;

Also: Assembly Bill No 617—An act making an appropriation to pay the claim of the disbursing officer of the Department of Industrial Relations against the State of California;

Also: Assembly Bill No 922—An act to amend section 1300.2 of the Agricultural Code, relating to processors of agricultural products,

Also: Assembly Bill No 994—An act to add section 690 11 to the Political Code, relating to the disposition of fees received under the provisions of section 690.10 of the Political Code;

Also: Assembly Bill No. 997—An act to amend sections 18 and 21 of an act entitled "An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California and in that behalf creating an Agricultural Prorate Commission; providing for the appointment of members of said commission, fixing the term of office of the members of said commission, prescribing the powers, duties and authority of said commission and the members thereof, providing for the institution of proration programs with respect to agricultural crops; providing for the enforcement of such programs; providing penalties for violation of such programs; providing for the creation of funds for the purposes of said act and providing for the collection thereof; and making an appropriation therefor," approved June 5, 1933, relating to fees;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this sixteenth day of June, 1935, at eleven o'clock p.m.

WATERS, Chairman.

Also:

MR SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 1001—An act to authorize the Division of Water Resources of the Department of Public Works to gather and correlate information and data pertinent to an annual forecast of seasonal water crop, including the making of snow surveys, and to cooperate with other agencies in such work, and making an appropriation therefor;

Also: Assembly Bill No. 1091—An act making an appropriation for the enforcement of standards, quality and identity, in the manufacture and sale of California wines and brandy;

Also: Assembly Bill No. 1482—An act making appropriation for the elimination of camel's thorn out of certain moneys heretofore appropriated for that purpose, declaring the urgency hereof, to take effect immediately;

Also Assembly Bill No 1836—An act to amend section 622 of the Agricultural Code, relating to dairies and dairy products;

Also: Assembly Bill No. 1884—An act to amend section 13 of "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle, and providing that this act shall take effect immediately," approved May 15, 1933, relating to the disposition and control of moneys received under said act and to provide for certain appropriations in connection therewith;

Also: Assembly Bill No 1989—An act to amend sections 677 and 689, and to repeal section 686a of, and to add sections 686.5 and 689.1 to, the Political Code, relating to State accounting,

And reports that the same have been correctly enrolled, and presented the same to the Governor on this sixteenth day of June, 1935, at eleven o'clock p m.

WATERS, Chairman.

Also:

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined Assembly Bill No. 2080—An act to provide for the acquisition of the Muir Wood Toll Road by the State, and the inclusion thereof in the State highway system, and making an appropriation therefor;

Also: Assembly Bill No. 2131—An act making an appropriation to pay the claim of the disbursing officer of the Fish and Game Commission against the State of California;

Also: Assembly Bill No. 2475—An act making an appropriation to pay the claim of Fred Froehlinger against the State of California;

Also: Assembly Bill No. 2483—An act making an appropriation to pay the claim of Harvey B. Whitten against the State of California;

Also: Assembly Bill No. 2487—An act to appropriate the sum of one million dollars for flood control work by the Los Angeles County Flood Control District, and to provide for the manner of expending such appropriation;

Also: Assembly Bill No. 2493—An act to amend section 1 of, and to add section 1.5 to an act entitled "An act relating to the Department of Professional and Vocational Standards and defining its powers and duties in relation to and providing for the adoption and registration of names and marks or other devices on garments, towels, table linen and other linen supplies used in the rendition of a rental service as indicia of ownership and to protect the owners thereof," passed at the fifty-first session of the Legislature of the State of California, relating to registration of names and marks or other devices on garments, towels, table linen or other articles;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this sixteenth day of June, 1935, at eleven o'clock p m.

WATERS, Chairman.

On Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 178—An act to amend sections 1261 to 1273, inclusive, of the Agricultural Code, relating to produce dealers;

Also: Assembly Bill No. 529—An act to amend section 94 of the Agricultural Code, relating to citrus fruit fairs;

Also: Assembly Bill No. 921—An act to amend section 1268 of the Agricultural Code, relating to produce dealers;

Also: Assembly Bill No. 894—An act to amend section 893 of, and to add section 897.1 to the Agricultural Code, relating to field crops;

Has had the same under consideration, and respectfully reports the same back without recommendation.

PHILLIPS, Chairman.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 952—An act to amend section 1261 of the Agricultural Code, relating to produce dealers;

Also: Assembly Bill No. 1077—An act to amend section 951 of Article 3 of Chapter 5 of Division V of the Agricultural Code, relating to one variety cotton district, and declaring that this act shall take effect immediately;

Also: Assembly Bill No. 1107—An act to amend section 820 of the Agricultural Code, relative to tomatoes;

Also: Assembly Bill No. 1106—An act to amend section 820 of the Agricultural Code, relative to tomatoes;

Has had the same under consideration, and respectfully reports the same back without recommendation.

PHILLIPS, Chairman.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 1488—An act to amend sections 795, 796 and 797 of the Agricultural Code, relating to the transportation and care of citrus fruits;

Also: Assembly Bill No. 1168—An act to add a new section to the Political Code to be numbered _____, relating to the Department of Agriculture;

Also: Assembly Bill No. 2005—An act to amend the Agricultural Code by adding to Division VI thereof a new chapter numbered 8, embracing sections 1299 to 1299.6, inclusive, relating to the licensing and regulation of traveling merchants and providing penalties for the violation thereof;

Also: Assembly Bill No. 2046—An act relating to commissions charged by persons handling agricultural products;

Also: Assembly Bill No. 2150—An act to repeal Chapter 5 of Division VI embracing sections 1231 to 1258, inclusive, of the Agricultural Code, relating to agricultural warehouses;

Has had the same under consideration, and respectfully reports the same back without recommendation.

PHILLIPS, Chairman.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 2151—An act to repeal Chapter 4 of Division V of the Agricultural Code embracing sections 891 to 900 inclusive, relating to field crops;

Also: Assembly Bill No. 2152—An act to repeal Chapter 4 of Division 5 embracing sections 891 to 900, inclusive, of the Agricultural Code, relating to field crops;

Also: Assembly Bill No. 2168—An act for the preservation of certain lands in the State of California for agriculture purposes, and fixing penalties for violation of the provisions thereof;

Has had the same under consideration, and respectfully reports the same back without recommendation.

PHILLIPS, Chairman.

Also:

MR. SPEAKER: Your Committee on Agriculture, to which was referred Senate Bill No. 854—An act to amend sections 1261 and 1263 of the Agricultural Code, relating to produce dealers—has had the same under consideration, and respectfully reports the same back without recommendation.

PHILLIPS, Chairman.

On Aviation and Aircraft.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Aviation and Aircraft, to which was referred Assembly Bill No. 181—An act to add section 11b to an act known as "The Motor Vehicle Fuel License Tax Act," relating to the taxation of fuel used in aircraft, and the dispositions of the funds derived therefrom;

Also: Assembly Bill No. 249—An act relating to the use of the air and to make uniform the law with reference thereto; to provide for the licensing of aircraft, airmen and air navigation facilities; to provide for an Aviation Division as a part of and under the control of the Department of Public Works; to provide for the office of Chief of Aviation Division and its employees thereof; to provide for the revenue of the operation and maintenance of said Aviation Division and the manner of collecting same; to provide for the organization, powers and duties for the maintenance of the Aviation Division; to provide for the carrying out of the objects of this act; to provide for the time this act shall go into effect and to repeal all acts and parts of acts in conflict with this act; to provide for the enforcement of this act and the penalty for violations thereof;

Also: Assembly Bill No. 355—An act to amend sections 1 and 13 of the "Motor Vehicle Fuel License Tax Act," relating to aircraft fuel;

Also: Assembly Bill No. 356—An act to amend section 11 of "The California Air Navigation Act," relating to the Aeronautical Commission;

Also: Assembly Bill No. 1327—An act to add section 1a to the California Air Navigation Act, relating to aircraft;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MORGAN, Chairman.

On Banking.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Banking, to which was referred Assembly Bill No. 353—An act to amend section 28 of the Bank Act, relating to signs informing the public as to insurance on a bank's deposit;

Also: Assembly Bill No. 460—An act to amend section 4 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933, relating to securities;

Also: Assembly Bill No. 461—An act to amend section 1 of "An act to authorize and control the deposit in banks of moneys belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, relating to security for deposits;

Also: Assembly Bill No. 467—An act to amend sections 29 and 31, of the Bank and Corporation Franchise Tax Act as amended, relating to the lien of the bank and corporation franchise tax;

Also: Assembly Bill No. 1123—An act to amend section 2 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933, relating to the payment and disposition of interest on funds of any county, city and county, city, town, municipality or other public or municipal corporation deposited in banks;

Also: Assembly Bill No. 1209—An act to amend section 4a of an act entitled "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes"; Has had the same under consideration, and respectfully reports the same back without recommendation.

WILLIAMSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Banking, to which was referred Assembly Bill No. 1326—An act to add section 36 to the Bank Act, relating to legal investments;

Also: Assembly Bill No. 1379—An act to add section 92 to the Banking Act, relating to trustees;

Also: Assembly Bill No. 1380—An act to amend section 105 of the Bank Act, relating to deposit of trust funds by departmental banks;

Also: Assembly Bill No. 1597—An act to amend section 23 of "An act to carry into effect the provisions of section 16 of Article XIII of the Constitution of the State of California, relating to bank and corporation taxes," approved March 1, 1929, relating to the payment of taxes;

Also: Assembly Bill No. 1764—An act to add Article VI to the Bank Act, relating to the establishment and operation of banks by the State of California;

Also: Assembly Bill No. 1773—An act to amend the Bank Act;

Also: Assembly Bill No. 2084—An act relating to banks as defined in and operating under that certain act known as the "Bank Act," approved March 1, 1909, as amended, or any bank created and operating under and pursuant to any laws of this State and in that regard fixing, regulating and limiting the fees, bonus, commissions, discounts and other compensation which such banks may charge or receive from a borrower in connection with a loan or forbearance of money, goods or things in action all in the exercise of the powers vested in the Legislature by the provisions of section 22 of Article XX of the Constitution;

Has had the same under consideration, and respectfully reports the same back without recommendation.

WILLIAMSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Banking, to which was referred Assembly Bill No. 2276—An act to amend section 54 of the Bank Act, relating to real estate holdings of banks—has had the same under consideration, and respectfully reports the same back without recommendation.

WILLIAMSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Banking, to which was referred Senate Bill No. 514—An act to add sections 136d to 136d5, inclusive, to the Bank Act, relating to the reorganization of banks in liquidation—has had the same under consideration, and respectfully reports the same back without recommendation.

WILLIAMSON, Chairman.

On Building and Construction.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Building and Construction, to which was referred Assembly Bill No. 371—An act to amend "An act to regulate certain scaffolding or staging for the protection of workmen; requiring that in addition to the duties imposed by any law upon employers using or directing or permitting the use of scaffolding or staging swung or suspended from an overhead support such employers shall be subject to the provisions of this act; fixing penalties for a violation hereof to be the same as provided in section 402c of the Penal Code; and providing for the enforcement of this act by the Commissioner of the Bureau of Labor Statistics," approved April 22, 1913, by amending the title and section 1 thereof, relating to enforcement—has had the same under consideration, and respectfully reports the same back without recommendation.

PEYSER, Chairman.

Also:

MR. SPEAKER: Your Committee on Building and Construction, to which was referred Assembly Bill No. 526—An act amending an act providing for the registration of contractors, and defining the term contractor; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees of such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act, approved June 13, 1929—has had the same under consideration, and respectfully reports the same back without recommendation.

PEYSER, Chairman.

Also:

MR. SPEAKER: Your Committee on Building and Construction, to which was referred Assembly Bill No. 615—An act to amend section 2 of the Contractors License Law, relating to the application of the law to certain work—has had the same under consideration, and respectfully reports the same back without recommendation.

PEYSER, Chairman.

Also:

MR. SPEAKER: Your Committee on Building and Construction, to which was referred Assembly Bill No. 666—An act to authorize low cost housing projects organized under the Limited Dividend Housing Corporations Act to comply with and take advantage of the National Housing Act, and amending the Limited Dividend Housing Corporations Act—has had the same under consideration, and respectfully reports the same back without recommendation.

PEYSER, Chairman.

Also:

MR. SPEAKER: Your Committee on Building and Construction, to which was referred Assembly Bill No. 709—An act to amend section 1 of an act entitled "An act relating to the doing of public work by day's labor or force account, except emergency and maintenance work and work costing less than $10,000.00; requiring the State Highway Engineer, State Engineer, the State Architect, county engineers, county surveyor, city and county engineers, county highway engineers, road commissioners, city engineers, commissioners of public works, superintendents of streets, harbor engineers, flood control engineers, and the engineers of any reclamation, irrigation or other districts, political subdivisions, or agencies of the State directing, supervising or superintending such work, or in charge of the engineering for or in connection therewith, to keep the costs, prepare and file plans, specifications and estimates of cost, and, upon completion, prepare and file certificates of cost thereof; and providing for the keeping of such plans, specifications and certificates as public records" approved June 21, 1923 as amended, relating to the use of day's labor or force account on public work including maintenance, providing for sealed bids on such work where the cost exceeds $5,000.00 and providing penalties for violation of said act—has had the same under consideration, and respectfully reports the same back without recommendation.

PEYSER, Chairman.

Also:

MR SPEAKER Your Committee on Building and Construction, to which was referred Assembly Bill No 859—An act to amend the title and sections 1 and 2 of, and to add to a new section, to be numbered section 3, to an act entitled "An act requiring public bodies or officers withholding penalties or forfeitures from contractors for violations by contractors or subcontractors of any public works labor acts carrying penalties or forfeitures from the contract payments to transfer such penalties or forfeitures to the State Treasurer to become a part of the general fund of the State ninety days after completion of the contract, unless suit is brought and formal notice of suit is given, requiring any court collecting criminal penalties or fines under such acts to likewise transmit same to the State Treasurer to become a part of the general fund of the State, providing for the temporary retention of such penalties or forfeitures by the public awarding body or officer pending litigation in cases where suit is brought and formal notice of such suit is given within ninety days after completion of the contract, limiting the time for action by the contractor or his assignee for the recovery of the said penalties or forfeitures to the said ninety-day period, making such suit the exclusive remedy of the contractor or his assignee with reference to such penalties or forfeitures and providing that suit shall be brought without permission from any State or other authority and be limited to the recovery of such penalties of forfeitures without prejudice to the contractor's or assignee's rights in regard to other matters affecting the contract but with the burden on the plaintiff to establish his right to the penalties or forfeitures withheld," approved April 25, 1933 (Stats. 1933, Chap. 580), providing for the deposit of penalties, forfeitures and fines under the public works labor laws in a contingent fund of the Division of Labor Statistics and Law Enforcement and their use by said division for the administration of said laws in augmentation of its current appropriations—has had the same under consideration, and respectfully reports the same back without recommendation

PEYSER, Chairman.

Also:

MR. SPEAKER: Your Committee on Building and Construction, to which was referred Assembly Bill No. 1005—An act to amend section 402c of the Penal Code,

relating to safety—has had the same under consideration, and respectfully reports the same back without recommendation.

PEYSER, Chairman.

Also:

MR SPEAKER: Your Committee on Building and Construction, to which was referred Assembly Bill No. 1137—An act defining building loans, providing for the recording before beginning of construction of a detailed statement of the actual terms and conditions and true consideration thereof verified upon the oath of the borrower and forbidding the recording of a false statement or procuring the recording thereof, and providing for penalties and consequences of the violation of the terms of this act, and providing for clearing the record of abandoned building loans—has had the same under consideration, and respectfully reports the same back without recommendation.

PEYSER, Chairman.

On Building and Loan Associations.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Building and Loan Associations, to which was referred Assembly Bill No 54—An act to empower and authorize the institution of a suit and/or action against the people of the State of California by former depositors of the Guaranty Building and Loan Association of Los Angeles, a domestic corporation organized and existing under the laws of the State of California, for the recovery of such sum or sums of money as may be found due and owing from the State of California to such depositors, bringing or instituting the action, by reason of the defalcations of one Beesemeyer, and of men associated with him in the enterprise known and/or designated as the Guaranty Building and Loan Association, and/or waive the Statute of Limitations by the State of California;

Also: Assembly Bill No. 152—An act to amend section 6.07 of the Building and Loan Association Act, relating to building and loan associations, and providing for the urgency thereof;

Also: Assembly Bill No. 184—An act to amend section 6 07 of the "Building and Loan Association Act" approved May 5, 1931, relating to acceptance of investment certificates or shares in payment for loans on property, declaring the urgency hereof, to take effect immediately;

Has had the same under consideration, and respectfully reports the same back without recommendation.

SCUDDER, Chairman.

Also:

MR. SPEAKER: Your Committee on Building and Loan Associations, to which was referred Assembly Bill No 1144—An act to amend the act entitled "An act to define building and loan associations and to regulate them and their organization, business, operation, merger, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: To define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the office of Building and Loan Commissioner, provide for and define the rights, powers, remedies and duties of the commissioner and his associates and employees; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal Title XVI of Part IV of Division I of the Civil Code, Chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; Chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent therewith," approved May 5, 1931, as amended, by amending sections numbered 6 02 relating to withdrawals, 9 4 relating to purchases, sales and pledges of loans, and 13 16 relating to powers of commissioner upon liquidation, repealing section 6 07 relating to acceptance of investment certificates or shares in payment for loans or property; adding to said act new sections to be numbered 9.18 relating to insurance, loans, advances of credit and purchases of obligations pursuant to the National Housing Act, 10.03a relating to reserve or surplus accounts, 10.09 relating to reports, statements and analyses by the Building and Loan Commissioner and 12 11 relating to conversion of a building and loan association into a Federal Savings and Loan Association and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to vote for or approve such conversion, to exchange shares, stock, investment certificates or other rights or claims for shares issued by such Federal Savings and Loan Association, and to continue to hold as a legal investment any shares so

received; adding a new article to be numbered XVI to said act relating to the conservation and reorganization of one or more building and loan associations of the classes specified in such Article XVI, or of all or of any part of the business, properties and assets of such association or associations, or the readjustment, modification or reorganization of the rights or interests of any or all of the investors and creditors of and other persons interested in such association or associations, providing for the kinds of securities issuable in connection therewith and exempting such securities from certain provisions of the Corporate Securities Act, and authorizing executors, administrators, guardians, receivers, trustees, insurance companies and cemetery associations to consent to a plan as defined in said Article XVI, to exchange shares, stock, investment certificates or other rights or claims for securities issued pursuant to such plan and to continue to hold as a legal investment any securities so received; and declaring the urgency of this act and providing that it shall take effect immediately—has had the same under consideration, and respectfully reports the same back without recommendation.

SCUDDER, Chairman.

Also:

MR. SPEAKER: Your Committee on Building and Loan Associations, to which was referred Assembly Bill No. 1154—An act to authorize the Building and Loan Commissioner to liquidate building and loan associations whose capital or reserve is impaired and in certain cases to permit the depositors to incorporate a mutual building and loan association and for that purpose use the available assets for the working capital and to liquidate the remaining assets and to pay the proceeds thereof pro rata to said depositors until paid in full and the excess, if any, to the stockholders according to their several holdings;

Also: Assembly Bill No. 1553—An act to authorize the Building and Loan Commissioner to liquidate building and loan associations whose capital or reserve is impaired and in certain cases to permit the depositors to incorporate a mutual building and loan association and for that purpose use the available assets for the working capital and to liquidate the remaining assets and to pay the proceeds thereof prorata to said depositors until paid in full and the excess, if any, to the stockholders according to their several holdings;

Also: Assembly Bill No. 1938—An act to amend "The Building and Loan Association Act," approved May 5, 1931, as amended;

Also: Assembly Bill No. 1939—An act providing for the liquidation of building and loan associations and declaring the urgency thereof;

Also: Assembly Bill No. 1940—An act authorizing and allowing credit of certificates of building and loan associations against the _____ of borrower and declaring the urgency thereof;

Has had the same under consideration, and respectfully reports the same back without recommendation.

SCUDDER, Chairman.

Also:

MR. SPEAKER: Your Committee on Building and Loan Associations, to which was referred Assembly Bill No. 1941—An act prohibiting holding companies of building and loan associations to deal in certificates for deposit books of said associations;

Also: Assembly Bill No. 1942—An act to provide for the supervision of building and loan associations;

Also: Assembly Bill No. 2055—An act to amend the Building and Loan Association Act and the title thereof;

Also: Assembly Bill No. 2056—An act to amend the Building and Loan Association Act and the title thereof;

Also: Assembly Bill No. 2057—An act to amend the Building and Loan Association Act and the title thereof;

Also: Assembly Bill No. 2058—An act to amend the Building and Loan Association Act and the title thereof;

Has had the same under consideration, and respectfully reports the same back without recommendation.

SCUDDER, Chairman.

Also:

MR. SPEAKER: Your Committee on Building and Loan Associations, to which was referred Assembly Bill No. 2059—An act to amend the Building and Loan Association Act and the title thereof;

Also: Assembly Bill No. 2060—An act to amend the Building and Loan Association Act and the title thereof;

Also: Assembly Bill No. 2062—An act to amend the Building and Loan Association Act and the title thereof,

Also: Assembly Bill No. 2086—An act to amend the "Building and Loan Association Act" approved May 5, 1931, relating to the right of depositors to inspect the books and records of building and loan company or association;

Has had the same under consideration, and respectfully reports the same back without recommendation.

SCUDDER, Chairman.

Also:

MR. SPEAKER: Your Committee on Building and Loan Associations, to which was referred Senate Bill No. 228—*An act to add section 8.09b to the Building and Loan Association Act*, relating to building and loan associations—has had the same under consideration, and respectfully reports the same back without recommendation.

SCUDDER, Chairman.

On Civil Service.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Civil Service, to which was referred Assembly Bill No. 9—An act adding sections 28.5 and 28.6 to the State Civil Service Act, *relating to preference for heads of families in State employment*;

Also: Assembly Bill No. 410—An act to amend section 14a of the State Civil Service Act, relating to the abolition or discontinuance of positions;

Also: Assembly Bill No. 688—*An act to establish civil service in cities with a full paid fire department or with a fire department having paid members*;

Also: Assembly Bill No. 996—An act to amend sections 14 and 14(a) of an act entitled "*An act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor.*";

Also: Assembly Bill No. 1393—An act to add section 195.5 to the Military Code, relating to status of Civil Service employees in time of war;

Also: Assembly Bill No. 1490—*An act to amend section 27 of the State Civil Service Act*, relating to preference to veterans;

Has had the same under consideration, and respectfully reports the same back without recommendation.

NIELSEN, Chairman.

Also:

MR. SPEAKER: Your Committee on Civil Service, to which was referred Assembly Bill No. 1603—An act to carry into effect the provisions of Article XXIV of the Constitution of the State of California, approved and ratified at the election on November 6, 1934, relating to the merit system in Civil Service and State employment;

Also: Assembly Bill No. 1604—An act to amend the title and the provisions of an act entitled "State Civil Service Act," approved June 16, 1933, as amended, to carry into effect the provisions of Article XXIV of the Constitution of the State of California approved at the election held on November 6, 1934;

Also: Assembly Bill No. 2123—An act to amend section 9 of the State Civil Service Act, relating to appointments;

Also: Assembly Bill No. 2126—An act to regulate and supervise coaching schools which prepare applicants for civil service examinations;

Also: Assembly Bill No. 2128—An act to amend section 14a of the "State Civil Service Act," relating to the abolition or discontinuance of positions;

Has had the same under consideration, and respectfully reports the same back without recommendation.

NIELSEN, Chairman.

On Commerce and Navigation.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 549—An act granting certain submerged lands and tidelands of the State of California to the city of Oakland, including the management, use and control thereof;

Also: Assembly Bill No. 1296—An act granting certain State lands to the City and County of San Francisco;

Also: Assembly Bill No. 1477—An act to amend sections 3635, 2586, 2589, 2590 and 2610 of the Political Code, relating to the administration of certain bays, coasts and harbors;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MALONEY, Chairman.

Also:

MR. SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 1681—An act providing for the creation and organization of a port district, as an agency of the State of California, for the improvement, development, maintenance, control, government and operation of the harbor of San

Francisco, and its authorized facilities, and for the development of the commerce, navigation, and fisheries of that harbor, to be known as the Port of San Francisco, and to become the successor of the Board of State Harbor Commissioners; defining the powers, duties, and jurisdiction of said port district; providing for the qualifications, the selection, and certain powers and duties of the officers and employees of said port districts; abolishing the Board of State Harbor Commissioners and offices and positions thereunder; transferring certain State property to said port district, in trust for the State, for the uses and purposes of the act; providing for the acquisition, construction, maintenance, management and operation of property by said port district; authorizing said port district to levy taxes and incur indebtedness for certain purposes, and to fix, regulate, and collect for its own purposes all charges for the use or enjoyment of public property under the jurisdiction, possession and control of said port district or managed or operated by it; authorizing the City and County of San Francisco to make contributions to said port district for certain purposes, defining the obligations and privileges of the port district with regard to certain public moneys and certain State bonds, and certain harbor improvement funds and sinking funds connected therewith; providing a procedure for determining the validity of the bonds of said port district; and providing for the extension of said port district and the acquisition of certain State property in the event of any consolidation of the City and County of San Francisco with the county of San Mateo or any part thereof—has had the same under consideration, and repectfully reports the same back without recommendation.

MALONEY, Chairman.

Also:

MR SPEAKER: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 1697—An act providing for the creation and organization of a port district, as an agency of the State of California, for the improvement, development, maintenance, control, government and operation of the harbor of San Francisco, and its authorized facilities, and for the development of the commerce, navigation, and fisheries of that harbor, to be known as the Port of San Francisco, and to become the successor of the Board of State Harbor Commissioners; defining the powers, duties, and jurisdiction of said port district; providing for the qualifications, the selection, and certain powers and duties of the officers and employees of said port district; abolishing the Board of State Harbor Commissioners and offices and positions thereunder, transferring certain State property to said port district, in trust for the State, for the uses and purposes of the act; providing for the acquisition, construction, maintenance, management and operation of property by said port district; authorizing said port district to levy taxes and incur indebtedness for certain purposes, and to fix, regulate, and collect for its own purposes all charges for the use or enjoyment of public property under the jurisdiction, possession and control of said port district or managed or operated by it; authorizing the City and County of San Francisco to make contributions to said port district for certain purposes; defining the obligations and privileges of the port district with regard to certain public moneys and certain State bonds, and certain harbor improvement funds and sinking funds connected therewith; providing a procedure for determining the validity of the bonds of said port district; and providing for the extension of said port district and the acquisition of certain State property in the event of any consolidation of the City and County of San Francisco with the county of San Mateo or any part thereof;

Also: Assembly Bill No. 2245—An act to amend section 15 of the Port District Act, relating to port district taxation;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MALONEY, Chairman.

On Conservation.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR SPEAKER: Your Committee on Conservation, to which was referred Assembly Bill No. 901—An act to amend section 12 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, relating to the conservation of natural resources.

Also: Assembly Bill No 970—An act making an appropriation to acquire certain water rights and to purchase pipe lines and other appurtenances in connection with the installation and storage of water obtained thereby for use at Pacific Colony and at the State Narcotic Hospital;

Also: Assembly Bill No. 1169—An act to add a new section to the Political Code to be numbered ------, relating to the Department of Natural Resources;

Also: Assembly Bill No. 1772—An act providing for the purchase of timber lands in San Bernardino County and making an appropriation therefor and vesting authority and power in the State Park Commission to make said purchases in the name of the State of California from the moneys herein appropriated and to manage and control said lands and whenever necessary in their judgment to exercise a right of eminent domain in acquiring said lands by condemnation proceedings and empowering the State Park Commission to receive gifts and contributions towards the purchase, care or maintenance of said lands;
Has had the same under consideration, and respectfully reports the same back without recommendation.

REDWINE, Chairman

Also:

MR. SPEAKER: Your Committee on Conservation, to which was referred Assembly Bill No. 1790—An act whereby the Director of Finance is authorized and empowered to deed, quitclaim, or in any manner transfer Rector Canyon watershed and the water rights therewith connected and any rights of way or conduits required therefor to the Rector Canyon Dam Authority;

Also: Assembly Bill No. 1983—An act relating to the allocation of State subsidies to counties for forestation, reforestation, fire control, and rehabilitation of forest areas denuded by fire, providing a procedure for the allocation and distribution of such funds and accounting therefor;

Also: Assembly Bill No. 2163—An act to amend the act known and designated as the "Central Valley Project Act," approved August 5, 1933, relating to the conservation of water power and the development of electric energy;

Also: Assembly Bill No. 2175—An act relating to the Division of Forestry and providing for the allocation and distribution of certain funds administered by said Division of Forestry;
Has had the same under consideration, and respectfully reports the same back without recommendation.

REDWINE, Chairman.

Also:

MR. SPEAKER: Your Committee on Conservation, to which was referred Assembly Bill No. 2298—An act to amend the title and sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20, of an act entitled "An act to create a flood control district to be called 'Los Angeles County flood control district'; to provide for the control and conservation of flood and storm waters, and for the protection of harbors, waterways, public highways and property in said district from damage from such waters, and for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness, and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district; to provide for the government and control of said district, and to define the powers and duties of the officers thereof," approved June 12, 1915, as amended, and by adding three new sections to said act to be numbered sections 3a, 3b, and 3c, relating to and providing for the government and control of said district by a board of directors, defining the powers and duties of said board and for the appointment of certain officers by said board, and dividing said district into five divisions for the election of a director from each of such divisions, and providing for the performance of certain duties by Los Angeles County officers for said district—has had the same under consideration, and respectfully reports the same back without recommendation.

REDWINE, Chairman.

On Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Bill No. 1676—An act creating the commission of inquiry and information for the constitutional convention to be convened for the rewriting of the State Constitution;

Also: Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment of Article XI of the Constitution of the State, by adding section 4 thereto, relating to county consolidation;

Also: Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to section 3 of Article IX of the Constitution of the State of California, relating to county superintendents of schools;

Also: Assembly Constitutional Amendment No 4—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding two new sections to Article XIII thereof, to be numbered 1.1 and 1.2, relating to limitation of tax rates;

Also: Assembly Constitutional Amendment No. 5—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 2 of Article IV thereof, relating to sessions of the Legislature;

Also: Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State by amending section 1 of Article XIII thereof, relating to taxation;

Also: Assembly Constitutional Amendment No. 7—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State, by adding to Article XIII thereof, a new section to be numbered 5, relating to taxation;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LATHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 8—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding section 9 to Article XI thereof, relating to consolidation of counties, cities and counties, and cities;

Also: Assembly Constitutional Amendment No. 10—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article VI thereof a new section, to be numbered section 4.5, relating to opinions of Supreme Court;

Also: Assembly Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending section 34a of Article IV and section 15 of Article XIII thereof, relating to taxation of real and personal property;

Also: Assembly Constitutional Amendment No. 13—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 1 of Article II thereof, relating to electors;

Also: Assembly Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article IV thereof, a new section to be numbered 21½, relating to the qualifications for office;

Also: Assembly Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by repealing section 1¾ of Article XIII thereof, relating to and exempting from taxation all bonds issued by the State or any subdivision thereof;

Also: Assembly Constitutional Amendment No. 18—A resolution to propose to the people of the State of California, an amendment to section 4b of Article VI of the Constitution of the State of California, relating to district courts of appeal;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LATHAM, Chairman

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 19—A resolution to propose to the people of the State of California, an amendment to section 3 of Article IX of the Constitution of the State of California, relating to qualifications for office of county superintendent of schools;

Also: Assembly Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to section 1 of Article IV of the Constitution of said State, relating to the submission of drafts of initiative and referendum measures to the Attorney General, and to the filing of initiative or referendum petition;

Also: Assembly Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article XIII thereof, a new section to be numbered 4a, relating to the exemption of airports from taxation except for State purposes;

Also: Assembly Constitutional Amendment No. 23—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending sections 1 and 3 of Article XI thereof, relating to the consolidation of counties;

Also: Assembly Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to section 22 of Article XII of the Constitution of the State of California, relating to the Public Utilities Commission;

Also: Assembly Constitutional Amendment No. 27—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by repealing section 22 of Article XX, relating to the consumption, sale or disposition of intoxicating liquor;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LATHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 29—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article XIII thereof a new section to be numbered 5, relating to exemptions from taxation;

Also: Assembly Constitutional Amendment No. 30—A resolution to propose to the people of the State of California to amend the Constitution of said State by adding to Article XIII thereof a new section, to be numbered 10¼, relating to exemptions from taxation;

Also: Assembly Constitutional Amendment No. 31—A resolution to propose to the people of the State of California that the Constitution of said State be amended by adding to Article XVI thereof a new section to be numbered 10, validating the act of the Legislature of the State of California providing for the issuance of bonds to the amount of five million dollars for the purpose of providing a fund to be used and disbursed for the purpose of the Pacific Exposition to be held in California;

Also: Assembly Constitutional Amendment No 34—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding a new section to Article XI thereof, to be numbered section 9, relating to the general prevailing rate of wages on public works;

Also: Assembly Constitutional Amendment No 35—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State, adding Article XXV thereto, relating to taxation, and providing for property relief and a gross income tax;

Also: Assembly Constitutional Amendment No 36—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XIII thereof a new section to be numbered 5, relating to taxation;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LATHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 37—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article XIII thereof a new section to be numbered 5, relating to exemptions from taxation;

Also: Assembly Constitutional Amendment No. 38—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by adding to Article XIII thereof a new section to be numbered 4a, relating to taxation of property used by unemployed cooperative associations;

Also: Assembly Constitutional Amendment No 40—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State by adding to Article XIII thereof, a new section to be numbered 5, relating to exemptions from taxation;

Also: Assembly Constitutional Amendment No 41—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State by amending section 11 of Article VI thereof, relating to the appointment, number, classification and compensation of clerks and other attaches of the municipal court;

Also: Assembly Constitutional Amendment No 44—A resolution to propose to the people of the State of California, an amendment to section 25½ of Article IV of the Constitution of said State, relating to fish and game;

Also: Assembly Constitutional Amendment No. 45—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State by amending section 18 of Article XI thereof, relating to the incurring of indebtedness by political subdivisions;

Also: Assembly Constitutional Amendment No. 46—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State by adding a new section to Article IV thereof, to be numbered 25¼, relating to the practice of chiropractic;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LATHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 47—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Article X thereof, relating to prisons and paroles;

Also: Assembly Constitutional Amendment No. 48—A resolution to propose to the people of the State of California an amendment to Article X of the Constitution of the State of California, relating to the State Board of Prison Directors, and to convict labor, and an amendment to section 16 of Article XX of the Constitution of the State of California, relating to terms of office not fixed by the Constitution;

Also: Assembly Constitutional Amendment No. 49—A resolution to propose to the people of the State of California an amendment to section 21 of Article I of the Constitution of said State, relating to privileges and immunities;

Also: Assembly Constitutional Amendment No. 50—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding to Article IX thereto a new section to be numbered 9½, relating to the University of California;

Also: Assembly Constitutional Amendment No. 51—A resolution to propose to the people of the State of California an amendment to section 9 of Article I of the Constitution of said State, relating to freedom of speech and of the press;

Also: Assembly Constitutional Amendment No 52—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding thereto a new section to be numbered 9¾, relating to the University of California;

Also: Assembly Constitutional Amendment No. 53—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding section 11 to Article XVI thereof, relating to the issuance of bonds, debentures or other evidences of debt.

Has had the same under consideration, and respectfully reports the same back without recommendation.

LATHAM, Chairman

Also:

MR SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 54—A resolution to propose to the people of the State of California an amendment to section 22 of Article XII of the Constitution of the State of California, relating to the powers and duties of the Railroad Commission in prescribing hours of labor and compensation of employees and officers of public utilities and creating within the Railroad Commission an Hours and Wages Bureau;

Also: Assembly Constitutional Amendment No. 55—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 9 of Article IX thereof, relating to the election of the trustees of the University of California and to their terms;

Also: Assembly Constitutional Amendment No. 56—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 13 of Article I thereof, relating to appeals by the State in criminal trials;

Also: Assembly Constitutional Amendment No. 57—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding section 10 to Article XI thereof, relating to the performance by county officers of certain city and district functions;

Also: Assembly Constitutional Amendment No. 59—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 23 of Article VI of the Constitution of said State, relating to eligibility of person to be judge;

Also: Assembly Constitutional Amendment No. 61—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XX thereof, a new section to be numbered 23, relating to alcoholic liquor;

Also: Assembly Constitutional Amendment No. 64—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 22 of Article XX thereof, relating to intoxicating liquor;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LATHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 68—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 14 of Article XIII thereof, relating to taxation;

Also: Assembly Constitutional Amendment No 69—A resolution to propose to the people of the State of California an amendment to Article IV of the Constitution of said State, by amending sections 1 to 10, 12 to 17, 19, 23a and 34 thereof, relating to a single house Legislature;

Also: Assembly Constitutional Amendment No. 70—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding a new article thereto to be numbered XIIIa, and by repealing section 12 of Article XI, relating to taxation;

Also: Assembly Constitutional Amendment No. 71—A resolution to propose to the people of the State of California an amendment to section 19, Article VI of the Constitution of said State, relating to the power of the court;

Also: Assembly Constitutional Amendment No. 72—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding section 8a to Article IX thereof, relating to subversive activities in public educational institutions in this State;

Also: Assembly Constitutional Amendment No. 73—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 9 of Article IX thereof, relating to the Board of Regents of the University of California;

Also; Assembly Constitutional Amendment No. 74—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending sections 1 and 3 and repealing sections 7 and 8a, and subsections 5 and 6 of section 8½, of Article XI thereof, relating to county districts;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LATHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 75—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding a new article thereto to be numbered XIII, and by repealing section 12 of Article XI and Article XIII, relating to taxation;

Also: Assembly Constitutional Amendment No. 79—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article I thereof, a new section to be numbered 14¾, relating to the taking of property by eminent domain for the purpose of developing natural resources belonging to the State;

Also: Assembly Constitutional Amendment No. 80—A resolution to propose to the people of the State of California an amendment of Article VI of the Constitution of the State, by adding section 11c thereto, relating to courts of justice;

Also: Assembly Constitutional Amendment No. 81—A resolution to propose to the people of the State of California an amendment to section 5 of Article XII of the Constitution of said State, relating to the establishment, maintenance and operation of a bank by the State of California;

Also: Assembly Constitutional Amendment No. 83—A resolution to propose to the people of the State of California an amendment to section 11 of Article VI of the Constitution of the State of California, relating to municipal courts;

Also: Assembly Constitutional Amendment No. 84—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 1½ of Article XIII thereof, relating to exemptions of church property from taxation;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LATHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Constitutional Amendment No. 87—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XVIII thereof, a new section to be numbered 3, relating to a constitutional convention in said State;

Also: Assembly Constitutional Amendment No. 91—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by adding to Article XIII thereof a new section to be numbered 18, relating to revenues from taxes on motor vehicle fuel and motor vehicle registration and operation;

Also: Assembly Constitutional Amendment No. 92—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article XVI thereof a new section to be numbered 10c, relating to the bond issue for assistance to unemployed cooperative groups;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LATHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Assembly Concurrent Resolution No. 49—Relative to submission of propo-

sition for Constitutional Convention—has had the same under consideration, and respectfully reports the same back without recommendation.

LATHAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending section 18 of Article XI thereof, relating to the incurring of indebtedness by political subdivisions—has had the same under consideration, and respectfully reports the same back without recommendation.

LATHAM, Chairman.

On Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Corporations, to which was referred Assembly Bill No. 538—An act to amend section 341 of, and to add section 341a to, the Civil Code, relating to powers of corporations;

Also: Assembly Bill No. 591—An act to add section 605d½ to the Civil Code, relating to nonprofit, nonstock corporations;

Also: Assembly Bill No. 643—An act to amend section 320 of the Civil Code, relating to elections of corporation directors;

Also: Assembly Bill No. 676—An act relating to inspection by citizens of this State of books, records and minutes of corporations receiving appropriations from the State of California or any political subdivision thereof;

Also: Assembly Bill No. 1328—An act amending section 285 of the Civil Code, relating to the formation of corporations and the purposes for which corporations may be formed;

Also: Assembly Bill No. 1611—An act to prohibit corporations from holding or owning guarantee stock in building and loan associations;

Also: Assembly Bill No 1778—An act to amend section 290a of the Civil Code, relating to certificates approving articles of incorporation;

Has had the same under consideration, and respectfully reports the same back without recommendation.

BREED, Chairman.

Also:

MR. SPEAKER: Your Committee on Corporations, to which was referred Assembly Bill No. 1982—An act relating to the use of the word "company";

Also: Assembly Bill No. 2177—An act to amend section 3627 of the Political Code, relating to assessments;

Has had the same under consideration, and respectfully reports the same back without recommendation.

BREED, Chairman.

On County Government.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 160—An act to amend section 18 of the Juvenile Court Law, relating to the term of office of probation officers;

Also: Assembly Bill No 543—An act authorizing counties to contract with municipalities, and to assume and have jurisdiction of municipal functions thereof, providing for transfer of employees and adjustment of pensions and authorizing municipalities to transfer such functions to counties and to enter into obligations and contracts in relation thereto;

Also: Assembly Bill No. 584—An act to amend section 4307 of the Political Code, relating to the payment of the traveling expenses of certain county officers;

Also: Assembly Bill No 613—An act to amend an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933 (Statutes 1933, page 642), by adding thereto a new section to be numbered 14, exempting certain funds from the provisions of said act;

Also Assembly Bill No. 786—An act to amend section 4041.7 of the Political Code, defining the powers of the board of supervisors;

Also: Assembly Bill No. 964—An act declaring it the duty of the county sheriffs to coordinate the activities of all police departments within their respective counties in the enforcement of State and local laws dealing with felonies;

Has had the same under consideration, and respectfully reports the same back without recommendation.

DELAP, Chairman.

Also:

MR SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 967—An act to add a new section to be numbered 4135c to the Political Code, relating to records to be kept by the county recorders;

Also: Assembly Bill No. 1025—An act to amend section 4249 of the Political Code, relating to compensation of county officers in counties of the twentieth class;

Also: Assembly Bill No. 1050—An act to add a new section to the Political Code to be numbered section 4178a, relating to duties of county clerks;

Also: Assembly Bill No. 1068—An act to require written approval by the board of supervisors before the erection for dwelling or residence purposes of any structure situated in a canyon or wash and subject to the perils of flood waters;

Also: Assembly Bill No. 1088—An act to amend sections 1622 and 1623 of the Streets and Highways Code, relating to the disposition of funds by counties;

Also: Assembly Bill No. 1089—An act to amend sections 3727 and 3728 of the Political Code, relating to the entering of values and acreages in the assessment book and the preparation of duplicate statistical statements of assessments;

Has had the same under consideration, and respectfully reports the same back without recommendation.

DELAP, Chairman.

Also:

MR SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No. 1139—An act to add a new section to the Political Code, to be numbered 4041 27, relating to emergency aid to sick and injured;

Also: Assembly Bill No. 1151—An act to add a new section to the Political Code, to be numbered 3757, relating to installments of taxes;

Also: Assembly Bill No. 1241—An act to amend section 4234 of the Political Code, relating to Santa Clara County;

Also: Assembly Bill No. 1299—An act to amend section 4307 of the Political Code, relating to county charges;

Also: Assembly Bill No. 1361—An act to amend sections 4041.16, 4223, and 4307 of the Political Code, relating to county hospitals and to county charges for the support of indigent, sick, and dependent poor;

Also: Assembly Bill No. 1475—An act relating to the powers and duties of building inspectors of cities, cities and counties, or counties;

Also: Assembly Bill No. 1478—An act to amend section 4240 of the Political Code, relating to county officers and employees in counties of the eleventh class;

Has had the same under consideration, and respectfully reports the same back without recommendation.

DELAP, Chairman.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No 1514—An act to amend section 3 and to add section 5 to an act entitled "An act to authorize assessors and tax collectors to accept checks, bank drafts and money orders in payment of taxes, subject to due honor thereof and relating to the manner of making collection thereon and settlement with the county treasurer therefor," approved May 24, 1921, relating to assessors and tax collectors;

Also: Assembly Bill No. 1558—An act to amend section 2323x16 of the Political Code, relating to agricultural commissioners in counties of the sixteenth class;

Also: Assembly Bill No. 1623—An act to amend the Political Code of the State of California by adding thereto a new section to be known as section 3804c, relating to cancellation of tax assessments;

Also: Assembly Bill No. 1630—An act to amend section 3714 of the Political Code, relating to the publication of budgets;

Also: Assembly Bill No. 1643—An act to amend section 3236 of the Political Code, relating to acceptance of bids on public works and authorizing a preference to materials and supplies manufactured within the State of California;

Also: Assembly Bill No. 1798—An act to add section 3659a to the Political Code, relating to assessment rolls;

Has had the same under consideration, and respectfully reports the same back without recommendation.

DELAP, Chairman.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No 1820—An act to amend certain provisions of the County Water Districts Act, Statutes of 1913, page 1049, and other acts pertaining to water districts;

Also: Assembly Bill No. 1841—An act to amend sections 750 to 813, inclusive, of "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to peace officers;

Also: Assembly Bill No. 1842—An act to amend section 4290 of the Political Code, relating to fees of county officers;

Also: Assembly Bill No. 1864—An act to amend section 3746 of the Political Code, relating to taxation;

Also: Assembly Bill No. 1969—An act to amend section 752 of "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the election of officers in cities of the fifth class;

Also: Assembly Bill No. 1971—An act granting to the county of Orange certain state-owned lands lying within said county;

Also: Assembly Bill No. 2029—An act to amend section 4041.7 of the Political Code, defining the powers of the board of supervisors;

Has had the same under consideration, and respectfully reports the same back without recommendation.

DELAP, Chairman.

Also:

MR SPEAKER: Your Committee on County Government, to which was referred Assembly Bill No 2145—An act to amend section 4242a of the Political Code, relating to jurors' fees in counties of the thirteenth class;

Also: Assembly Bill No 2169—An act to amend section 4242 of the Political Code, relating to counties of the thirteenth class;

Also: Assembly Bill No. 2286—An act to amend section 4041.7 of the Political Code, relating to the powers of the board of supervisors;

Also: Assembly Bill No. 2341—An act giving county boards of supervisors the power to meet the requirements of the Federal Government in order to obtain money or appropriations for flood control or public work contracts;

Also: Assembly Bill No. 2397—An act to provide for the establishment of local hospital districts in any part of the State and defining their powers and duties;

Has had the same under consideration, and respecttully reports the same back with out recommendation.

DELAP, Chairman.

Also:

MR. SPEAKER: Your Committee on County Government, to which was referred Senate Bill No 156—An act to amend section 1202 of the Military and Veterans Code, relating to leasing and subleasing of veterans' buildings;

Also Senate Bill No 388—An act amending section 2 of an act entitled "An act to authorize and empower boards of supervisors to levy a tax for advertising, exploiting, promoting and aiding measures designed to preserve, aid or develop the agricultural, horticultural, viticultural and water resources and advantages of their several counties," approved April 17, 1929, relating to the period of time said act shall be in force and effect;

Also: Senate Bill No. 1058—An act to confirm, legalize, ratify, and validate the position of certain elected officers of counties;

Has had the same under consideration, and respectfully reports the same back without recommendation

DELAP, Chairman.

On Crime Problems.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1935.

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 293—An act to add section 90 to the Penal Code, relating to influencing the vote of members of the Legislature;

Also: Assembly Bill No. 41—An act to add sections 403.5 and 403.6 to the Penal Code, relating to activities of a seditious nature;

Also: Assembly Bill No. 945—An act to amend sections 405a and 405b of the Penal Code, relating to lynching, and providing penalties therefor;

Also: Assembly Bill No 2—An act to add section 403a to the Penal Code relating to the display of flags, banners or other devices in aid of activities of a seditious nature;

Also: Assembly Bill No. 1545—An act to add sections 974 to 974c inclusive to Title VI, Chapter 1, of Part II of the Penal Code, relating to the examination of persons charged with crime;

Also: Assembly Bill No. 1401—An act to add a new section to the Penal Code, to be numbered 18b, relating to the punishment of certain felonies;

Also: Assembly Bill No. 1006—An act to amend section 484 of the Penal Code, relating to theft;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MILLER, Chairman

Also:

MR. SPEAKER: Your Committee on Crime Problems, to which was referred Assembly Bill No. 1950—An act to add section 171a½ to the Penal Code, relating to fire arms;

Also: Assembly Bill No. 712—An act to amend section 19a of the Penal Code, relating to punishment of crime;

Also: Assembly Bill No. 1396—An act to amend section 644 of the Penal Code, relating to the punishment of habitual criminals;

Also: Assembly Bill No. 147—An act to add two new sections to the Penal Code, to be numbered 200 and 201, establishing a public offense of unlawfully causing death through operation of a motor vehicle and providing penalties therefor;

Also: Assembly Bill No. 218—An act to add section 86a to the Penal Code, relating to members of the Legislature;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MILLER, Chairman.

On Drainage, Swamp and Overflowed Lands.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 995—An act to amend section 3444 of the Political Code, relating to the use and occupancy for highway purposes of ungranted tide and submerged lands, beds of navigable channels, streams, rivers, lakes, bays and inlets of the State of California;

Also. Assembly Bill No. 1886—An act providing for relief of delinquent taxpayers of drainage and other districts;

Has had the same under consideration, and respectfully reports the same back without recommendation.

DESMOND, Chairman.

Also:

MR. SPEAKER: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 316—An act to amend an act entitled "An act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such districts," approved March 20, 1903, as amended, relating to the funds of such districts and taxes therefor—has had the same under consideration, and respectfully reports the same back without recommendation.

DESMOND, Chairman.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Education, to which was referred Assembly Bill No. 3—An act to add section 3 54 to the School Code, relating to prohibited instruction;

Also: Assembly Bill No. 4—An act to require the taking of an oath by persons connected with institutions of learning and to prescribe the forms thereof;

Also: Assembly Bill No 63—An act to amend section 6.750 of the School Code, relating to the use of schoolhouses,

Also: Assembly Bill No. 146—An act to amend section 6 36 of the School Code relative to the powers and duties of governing boards of school districts, declaring the urgency thereof, and providing that it shall take effect immediately;

Also: Assembly Bill No. 297—An act to amend section 5.161 of the School Code, relating to high school certificates;

Also: Assembly Bill No. 560—An act to amend sections 2.870, 2 871, 2 872, 2.885, 2.887, 2.890, 2 911, 2.917, 2.940, 2 941, 2 990, 2 1055, 2.1090, 2 1152 and 2.1199 of the School Code of the State of California, relating to school trustees;

Also: Assembly Bill No. 611—An act making an appropriation for the support of the California Polytechnic School;

Also. Assembly Bill No. 636—An act to add section 5.129 to the School Code, relating to exemptions from teacher's examinations;

Also: Assembly Bill No. 737—An act to repeal Article VIIIa of Chapter VI of Part I of Division II, embracing sections 2 440a to 2 454a, inclusive, of the School Code, relating to high school districts;

Also: Assembly Bill No. 752—An act making an appropriation for minor construction and improvements at the California Polytechnic School;

Also Assembly Bill No 821—An act to amend sections 2 440a, 2.441a, 3 260 and 3 263 of the School Code of the State of California.

Also. Assembly Bill No 832—An act to amend section 6 750 of the School Code, relating to the use of schoolhouses;

Also: Assembly Bill No 873—An act to add a new section to the School Code to be numbered 6 37, relating to information concerning bidders on work to be done for school districts;

Also: Assembly Bill No. 891—An act to repeal section 2 982 of the School Code, relating to duties of school trustees;

Also: Assembly Bill No. 910—An act to amend section 5.501 of the School Code, relating to the employment of persons in positions requiring certification qualifications in school districts having an average daily attendance of less than 850;

Also: Assembly Bill No. 929—An act to repeal Article V of Chapter I of Part III of Division IV, embracing sections 4.320 to 4 334, inclusive, of the School Code, and to repeal Article VI of Chapter I of Part III of Division IV, embracing sections 4.340 to 4 353 of the School Code, and to enact in lieu thereof a new article to be numbered V, embracing sections 4 320 to 4 331, inclusive, all relating to payments from district funds;

Also: Assembly Bill No 933—An act to amend section 5.750 of the School Code, relating to the compensation of persons employed in school districts in positions requiring certification qualifications while absent from duty because of illness;

Also: Assembly Bill No 938—An act to add two new sections and one new subsection to be numbered sections 5.143, 5.150(f), and 5.168, of the School Code, relating to the standards for the granting of credentials and certificates;

Also: Assembly Bill No. 977—An act to add a new article to Chapter I of Part I of Division II of the School Code embracing section 2 88, relating to school district advisory committees;

Also: Assembly Bill No. 1044—An act to amend sections 5.650, 5.653 and 5 661 of the School Code, relating to dismissal of permanent employees;

Also: Assembly Bill No 1079—An act to amend section 4.52 of the School Code, relating to the support of junior college districts;

Also: Assembly Bill No. 1080—An act to amend section 5.722 of the School Code, relating to leaves of absence;

Also: Assembly Bill No 1087—An act to amend section 5 150 of the School Code, relating to the issuance of certificates;

Also: Assembly Bill No 1108—An act to add section 377o to the Political Code, relating to the Division of Private Educational Institutions in the Department of Professional and Vocational Standards;

Also: Assembly Bill No. 1112—An act to validate bonds of school districts, high school districts, and junior college districts of every kind and class, and providing for the levy of a tax to pay the same, and declaring the urgency of said act;

Also: Assembly Bill No 1118—An act to amend an act entitled "An act to establish the California Polytechnic School in the county of San Luis Obispo, and making an appropriation therefor," approved March 8, 1901;

Also: Assembly Bill No. 1119—An act to amend sections 4 961, 4 963, 4 965, 4.970, 4 973, and 4 990 and to add a new section to be numbered 4 967 to the School Code, all relating to school district bonds;

Also: Assembly Bill No 1121—An act creating county commissions comprised of a county school superintendent and seven elective members, two thereof being certificated school employees, to formulate plan for reorganizing school systems. Creates State commission to formulate plan for reorganizing State system, including employees' tenure, to be based in so far as they apply on county commissions' reports. Directs submission of State plan, and county plans approved by State commission, to State and county voters respectively at general election in 1936; majority approving. State plan becomes law whereupon any defeated county plan may be revised, reapproved and resubmitted to voters, existing school laws applying in county until new plan passes;

Also: Assembly Bill No. 1142—An act to amend sections 5 640, 5 658, 5 710 and 5.720 of the School Code, relating to employees;

Also: Assembly Bill No. 1162—An act to repeal Article I, Chapter VI, Part II, Division VI, embracing sections 6 470 to 6 479, inclusive, of the School Code and to enact a new article in lieu thereof, all relating to purchasing of apparatus and supplies;

Also: Assembly Bill No. 1163—An act to add to Chapter I of Part IV of Division IV of the School Code a new article to be known as Article VII embracing sections 4 755, 4 756 and 4 757, relating to the computation of average daily attendance;

Also: Assembly Bill No. 1187—An act to add a new section to the School Code to be numbered 3.113, relating to the establishment of kindergartens;

Also: Assembly Bill No. 1206—An act to add a new part to Division II of the School Code to be known as Part VII, relating to the formation, government, support, control, functions, maintenance, and administration of unified school districts created from school districts not coterminous and not having governing boards of identical personnel;

Also: Assembly Bill No. 1369—An act to amend section 6 2 of the School Code, relating to powers of boards of school trustees and city boards of education;

Also: Assembly Bill No 1388—An act to add a new section to the School Code to be numbered section 5 662, relating to professional ethics committees;

Also: Assembly Bill No. 1520—An act to amend sections 4 50, 4 51, 4 52, 4.53 and 4.54 of the School Code, relating to the support of junior colleges;

Also: Assembly Bill No. 1524—An act to amend the School Code, relating to school cafeterias;

Also: Assembly Bill No 1525—An act to amend section 4.161 of the School Code, relating to county school budgets;

Also: Assembly Bill No 1638—An act to amend Article I of Chapter VI of Part II of Division VI of the School Code;

Also: Assembly Bill No. 1742—An act to amend section 3.738 and to add section 3.738a to the School Code, relating to interscholastic athletic activities under the supervision of the State Supervisor of Physical Education;

Also: Assembly Bill No 1750—An act to amend section 1.11 of the School Code, relating to the exclusion of pupils;

Also: Assembly Bill No. 1846—An act to add a new section to the Penal Code to be numbered 653h, relating to employment of certificated employees of school districts;

Also: Assembly Bill No. 2017—An act to repeal Part III of the School Code, consisting of sections 6.740 to 6.772, inclusive, and to add a new part to said code to be designated Part III, consisting of sections 6.740 to 6.745, inclusive;

Also: Assembly Bill No 2026—An act requiring public officials to exercise tolerance in their dealings with the public and prescribing instruction in the public schools as to the necessity of tolerance under the constitutional guarantees of equal privileges and immunities and equal protection of the laws and declaring a denial of such guarantees to be a misdemeanor,

Also: Assembly Bill No. 2210—An act to amend the School Code, relating to payments to members of the State Board of Education;

Also: Assembly Bill No 2251—An act to amend sections ------ of the School Code, relating to music teachers;

Also: Assembly Bill No. 2253—An act to amend section ------ of the School Code, relating to textbook material in respect to the subject of narcotic drugs;

Also: Assembly Bill No. 2254—An act to amend sections ---- of the School Code, relating to music teachers;

Also: Assembly Bill No 2274—An act to amend section 2.810 of the School Code, relating to contracts,

Also: Assembly Bill No. 2275—An act to add section 3.45 to Article I, Chapter IV, Part I, Division III, of the School Code, relating to compulsory instruction;

Also: Assembly Bill No 2405—An act to add new sections to the School Code, to be numbered 3.462 and 3.463, relating to evening high schools;

Has had the same under consideration, and respectfully reports the same back with out recommendation.

CHATTERS, Chairman.

Also:

MR SPEAKER: Your Committee on Education, to which was referred Senate Bill No. 427—An act to amend section 4.360 of the School Code, relating to school district budgets, declaring the urgency thereof and providing that this act shall take effect immediately;

Also: Senate Bill No. 761—An act to add section 3.44 to the School Code, relating to required instructions in the schools;

Has had the same under consideration, and respectfully reports the same back without recommendation.

CHATTERS, Chairman.

On Elections.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 470—An act to add section 4021b to the Political Code, relating to recall of elective officers of counties;

Also: Assembly Bill No. 471—An act to provide for the recall of elective officers of incorporated cities and towns;

Also: Assembly Bill No. 775—An act to amend section 1 of the Direct Primary Law, relating to qualification to participate in primary election;

Also: Assembly Bill No. 829—An act to add a new section to the Political Code to be numbered 1357a, relating to additional persons who may procure ballots of their precincts from the county clerk or registrar of the county or city and county and in case of a municipal election, from the city clerk of the municipality of their residence, and cast said ballots;

Also: Assembly Bill No. 1061—An act to amend section 12 of "An act to provide for the recall of elective officers of incorporated cities and towns, and to repeal Chapter 32, Statutes of 1911, extra session, entitled 'An act to provide for the recall of elective officers of incorporated cities and towns,' approved January 2, 1912," approved May 8, 1931, relating to recall;

Also: Assembly Bill No. 1146—An act to amend section 1197a of the Political Code, relating to initiative petitions;

Also: Assembly Bill No. 1183—An act to amend section 24 of the Direct Primary Law, relating to elections;

Also: Assembly Bill No. 1252—An act to amend sections 1257a, 1258 and 1261 of the Political Code and to add to said code a new section to be designated section

1174b to authorize the use of one tally book only in each election precinct in counties having a population of one million persons or more;

Also: Assembly Bill No. 1253—An act adding a new section to the Political Code of the State of California, to be designated section 1142b, to provide for the furnishing to county clerks and registrars of voters of the several counties of the State by the Secretary of State, a pamphlet of forms for use at elections;

Has had the same under consideration, and respectfully reports the same back without recommendation.

DAWSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 1518—An act defining "Sovereignty of Electors," prescribing certain acts and methods in connection therewith and in pursuance thereof and providing penalties, forfeitures and punishments therein and therefor;

Also: Assembly Bill No. 1523—An act to amend the Political Code, relating to primary election;

Also: Assembly Bill No. 1555—An act to amend section 1195b of the Political Code, relating to election pamphlets;

Also: Assembly Bill No. 2370—An act providing that the board of supervisors of each county shall appoint an equal number of election officers from each major party to serve on the election board in each precinct;

Also: Assembly Bill No. 42—An act to amend section 1 of the Direct Primary Law, relating to qualification to participate in primary election;

Also: Assembly Bill No. 90—An act to amend section 1 of the Direct Primary Law, approved June 16, 1913, relating to qualification of political parties for primary elections;

Also: Assembly Bill No. 198—An act to amend sections 1, 3, 4, 5, 10, 12, 13 and 23 of the Direct Primary Law, relating to the time of holding primary elections;

Also: Assembly Bill No. 2143—An act to add a new section to be numbered section 24a to the act known as the "Direct Primary Law," relating to the personnel of committees;

Also: Assembly Bill No. 1573—An act to amend section 1197a of the Political Code, for the purpose of making certain the payment of adequate compensation to persons soliciting signatures to initiative, referendum, and recall petitions, requiring the filing of bonds by the proponents of such petitions to insure the payment of such compensation and providing penalties for violation of the provisions thereof;

Has had the same under consideration, and respectfully reports the same back without recommendation.

DAWSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 1813—An act to amend certain sections of the Direct Primary Law;

Also: Assembly Bill No. 1814—An act to amend certain sections of the Direct Primary Law;

Also: Assembly Bill No. 1815—An act relating to elections and election boards and to repeal and amend certain provisions of the Political Code relating thereto;

Also: Assembly Bill No. 1843—An act to amend sections 29 and 30 of the Direct Primary Law, relating to campaign expenditures;

Also: Assembly Bill No. 1895—An act to amend section 1142 of the Political Code, relating to elections;

Also: Assembly Bill No. 2037—An act to add a new section to the Political Code to be numbered 1357a, relating to additional persons who may procure ballots of their precincts from the county clerk or registrar of the county or city and county and in case of a municipal election, from the city clerk of the municipality of their residence, and cast said ballots;

Has had the same under consideration, and respectfully reports the same back without recommendation.

DAWSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 2070—An act to amend section 13 of the Direct Primary Law, relating to sample ballots;

Also: Assembly Bill No. 2073—An act to amend section 1195b of the Political Code, relating to election pamphlets;

Also: Assembly Bill No. 2191—An act to amend sections 1, 5, 7, 10, 12, 13, 24, and 25 of the Direct Primary Law, approved June 16, 1913, as amended, relating to primary elections, providing for party conventions in the State and various political units thereof, and the powers and duties of the same, for the choosing of delegates to such conventions, method of choosing members of the party county central committee and State central committee and the powers and duties of the same;

Also: Assembly Bill No. 2201—An act providing for publicity of contributions and expenditures made for the purpose of influencing electors for or against any

candidate running for an elective office in the State of California and providing penalty for violation of the provisions hereof;

Also: Assembly Bill No. 2202—An act to add a new section to the Penal Code to be numbered section 59a, relating to intimidation of public employees to influence votes;

Also: Assembly Bill No. 452—An act to add section 90 to the Penal Code, relating to election campaign expenditures or subscriptions in excess of fifty dollars;

Also: Assembly Bill No. 453—An act to provide for the registration of ineligible aliens;

Has had the same under consideration, and respectfully reports the same back without recommendation.

DAWSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 2314—An act relating to elections;

Also: Assembly Bill No. 2348—An act to amend sections 5, 7, 23, 24 and 25 of the Direct Primary Law, relating to candidates on more than one party ticket;

Also: Assembly Bill No. 279—An act to amend sections 1, 10, 12, 21, 22, 23, 24 and 25 of an act entitled the "Direct Primary Law," relating to nonpartisan offices;

Also: Assembly Bill No. 221—An act to amend section 1 of an act entitled "An act to provide for direct legislation by cities and towns, including initiative and referendum," approved January 2, 1912, as amended, relating to the number of signatures required on petitions;

Also: Assembly Bill No. 222—An act to amend section 4058 of the Political Code, relating to the number of signatures required on petitions for initiative and referendum by electors of counties;

Also: Assembly Bill No. 288—An act to regulate the conduct of election campaigns, to provide penalties for corrupt practices defined therein, to repeal an act entitled "An act to regulate the conduct of election campaigns, and repealing an act entitled 'An act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,' approved February 23, 1893," approved March 19, 1907, and to repeal an act entitled "An act providing for publicity of contributions and expenditures made for the purpose of influencing electors for or against any proposition voted upon throughout the State and providing penalties for violation of the provisions hereof," approved May 31, 1921;

Has had the same under consideration, and respectfully reports the same back without recommendation.

DAWSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Elections, to which was referred Assembly Bill No. 2284—An act to amend sections 5, 7, 23, 24 and 25 of the Direct Primary Law, relating to candidates;

Also: Assembly Bill No. 2287—An act to amend section 1 of the Direct Primary Law, relating to qualification of new parties;

Also: Assembly Bill No. 2360—An act to amend section 1199 and to repeal section 1115 of the Political Code, relating to elections;

Also: Assembly Bill No. 2361—An act to amend section 1210 of the Political Code, relating to elections;

Also: Assembly Bill No. 2362—An act to amend section 1210 of the Political Code, relating to elections;

Also: Assembly Bill No. 2363—An act to amend section 13 of the Direct Primary Law, relating to elections;

Also: Assembly Bill No. 2312—An act to amend the Direct Primary Law;

Also: Assembly Bill No. 2313—An act to amend sections 1041, 1053, 1066, 1075, 1083, 1094 and 1097, of the Political Code, relating to elections;

Has had the same under consideration, and respectfully reports the same back without recommendation.

DAWSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Elections, to which was referred Senate Bill No. 1115—An act to add section 1106b to the Political Code, relating to registration of voters—has had the same under consideration, and respectfully reports the same back without recommendation.

DAWSON, Chairman.

On Exhibitions and Fairs.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Exhibitions and Fairs, to which was referred Assembly Bill No. 1226—An act adding a new section to the Political Code numbered ------, authorizing boards of supervisors to temporarily close any public

highways, roads, streets, avenues, alleys, lanes, or places necessary for exposition purposes;

Also: Assembly Bill No. 1897—An act to amend an "Act granting certain tidelands and submerged lands of the State of California to the City and County of San Francisco for development and use as a public airport, regulating the management, use, lease and control thereof, authorizing the reclamation and certain improvements of said lands and the construction and maintenance of a bridge or causeway connecting said lands with Yerba Buena Island," by adding a new section to be numbered section 4, permitting the temporary use of said lands for exposition purposes;

Has had the same under consideration, and respectfully reports the same back without recommendation.

FULCHER, Chairman.

On Federal Relations.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 3—Relative to memorializing and petitioning the President and the Congress of the United States to include the Central Valley project in the program of unemployment relief and public works construction;

Also: Assembly Joint Resolution No. 16—Relative to memorializing the President and Congress to take the necessary steps to institute a thorough investigation of the activities of the school textbooks concerns of the United States in order to determine whether such school textbooks concerns are operating in conformity to law or are conducting their operations and business in violation of existing laws and restraint of trade;

Also: Assembly Joint Resolution No. 30—Relative to memorializing the Senate of the United States to refrain from permitting entry of the United States into the World Court or the League of Nations;

Also: Assembly Joint Resolution No. 40—Relative to Townsend Old Age Pension Plan;

Also: Assembly Joint Resolution No. 44—Relative to memorializing Congress to aid the rubber industry in the United States and in California;

Has had the same under consideration, and respectfully reports the same back without recommendation.

TURNER, Chairman.

Also:

MR SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 47—Relating to memorializing Congress to incorporate in the Federal Employment Relief Act a provision allowing use of a portion of the funds for construction of State hospitals for the insane and State prisons;

Also: Assembly Joint Resolution No. 48—Relative to memorializing the President and the Congress of the United States to enact the Frazier-Lempke Farm Refinance Bill (S. 212 and H. R. 2066);

Has had the same under consideration, and respectfully reports the same back without recommendation.

TURNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 15—Relative to retirement of Federal employees who have been in the service from fifteen to thirty years or more and restoration of pay of said employees as of January 1, 1935;

Also: Assembly Joint Resolution No. 28—Relative to memorializing the Senate of the United States to conduct an investigation of vigilantism in California and throughout the United States;

Has had the same under consideration, and respectfully reports the same back without recommendation.

TURNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Assembly Bill No. 1085—An act relating to the memorialization of Congress to furnish aid in the construction of check dams in the Salinas River Valley;

Also: Assembly Bill No. 1086—An act relating to the memorialization of Congress to aid the rubber industry in the United States and in California;

Has had the same under consideration, and respectfully reports the same back without recommendation.

TURNER, Chairman.

Also:

MR. SPEAKER: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 2—Relative to memorializing the President and Con-

gress to adopt the Townsend Plan relating to old age security;

Also: Senate Joint Resolution No 13—Relative to memorializing the President and the Congress of the United States to adopt legislation to adjust SERA relief wages to establish employment agencies with lists of those eligible to seek private employment and take from relief rolls those who fail to accept reasonable offers of private employment;

Also: Senate Joint Resolution No. 18—Relative to the compact with Arizona for the use of waters from the Boulder Canyon Project;

Has had the same under consideration, and respectfully reports the same back without recommendation.

TURNER, Chairman.

On Financial Institutions.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Financial Institutions, to which was referred Assembly Bill No. 177—An act to add a new section to the Civil Code, to be numbered 453 7a, relating to mortgage insurance companies, and declaring the urgency thereof;

Also: Assembly Bill No. 224—An act to amend section 3627a of the Political Code, relating to taxation of securities and solvent credits;

Also: Assembly Bill No. 372—An act relating to mortgages and conditional sales of personal property;

Also: Assembly Bill No. 373—An act to amend sections 2955 to 2964, inclusive, of the Civil Code, relating to mortgages and conditional sales of personal property;

Also: Assembly Bill No. 374—An act to amend sections 2965 to 2973, inclusive, and section 2980 of the Civil Code, relating to mortgages and conditional sales of personal property;

Also: Assembly Bill No. 375—An act to amend sections 2986 to 3011, inclusive, of the Civil Code, relating to pledges of personal property;

Also: Assembly Bill No. 377—An act to amend sections 2920 to 2942, inclusive, of the Civil Code, relating to mortgages;

Has had the same under consideration, and respectfully reports the same back without recommendation.

UTT, Chairman

Also:

MR. SPEAKER: Your Committee on Financial Institutions, to which was referred Assembly Bill No. 381—An act to amend sections 3046 to 3065, inclusive, of the Civil Code, relating to liens;

Also: Assembly Bill No. 448—An act to amend section 2969 of the Civil Code, relating to attachments and executions upon mortgaged property;

Also: Assembly Bill No. 505—An act to provide emergency relief with respect to home mortgage indebtedness, to refinance home mortgages, to extend relief to the owners of homes occupied by them, who are unable to amortize their debt elsewhere, and to make an appropriation;

Also: Assembly Bill No 511—An act to impose a tax upon moneys deposited in banks and other financial institutions;

Also: Assembly Bill No. 515—An act to amend section 2924 of the Civil Code, relating to mortgages;

Also: Assembly Bill No 592—An act to provide for pledges of personal property unaccompanied by possession in the pledgee and the use of trust receipts in connection therewith;

Has had the same under consideration, and respectfully reports the same back without recommendation.

UTT, Chairman.

Also:

MR SPEAKER: Your Committee on Financial Institutions, to which was referred Assembly Bill No 742—An act to regulate the rate of interest on obligations;

Also: Assembly Bill No. 776—An act to amend section 1 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision" (approved March 31, 1927, Statutes 1927, page 51, in effect July 29, 1927, amendment approved June 15, 1931, in effect August 14, 1931; amended March 27, 1933, Statutes 1933, page 330), relating to "definition and incorporation";

Also: Assembly Bill No 777—An act to amend section 2 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," (approved March 31, 1927, Statutes 1927, page 51, in effect July 29, 1927, amendment approved June 15, 1931, in effect August 14, 1931; amended March 27, 1933, Statutes 1933, page 330), relating to by-law provisions;

Also: Assembly Bill No. 778—An act to amend section 3 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," (approved March 31, 1927, Statutes 1927, page 51, in effect July 29, 1927, amendment approved June 15, 1931, in effect August 14, 1931;

amended March 27, 1933, Statutes 1933, page 330), relating to powers;
Has had the same under consideration, and respectfully reports the same back without recommendation.

UTT, Chairman.

Also:

MR SPEAKER: Your Committee on Financial Institutions, to which was referred Assembly Bill No 779—An act to amend section 4 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," (approved March 31, 1927, Statutes 1927, page 51, in effect July 29, 1927, amendment approved June 15, 1931, in effect August 14, 1931; amended March 27, 1933, Statutes 1933, page 330), relating to prohibitions;

Also: Assembly Bill No. 780—An act to amend section 6 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," (approved March 31, 1927, Statutes 1927, page 51, in effect July 29, 1927, amendment approved June 15, 1931, in effect August 14, 1931; amended March 27, 1933, Statutes 1933, page 330), relating to deposits and investments;

Also: Assembly Bill No. 781—An act to amend section 19 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision" (approved March 31, 1927, Statutes 1927, page 51, in effect July 29, 1927, amendment approved June 15, 1931, in effect August 14, 1931: amended March 27, 1933, Statutes 1933, page 330), relating to supervisory committee;

Also Assembly Bill No 808—An act establishing the interest rate upon loan or forbearance of money, goods or things in action, accounts after demands and judgments.

Has had the same under consideration, and respectfully reports the same back without recommendation.

UTT, Chairman.

Also:

MR SPEAKER: Your Committee on Financial Institutions, to which was referred Assembly Bill No. 1180—An act to amend section 2 of an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended;

Also: Assembly Bill No 1495—An act to prohibit the solicitation of trust business in this State;

Also: Assembly Bill No. 1602—An act to amend an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended;

Also: Assembly Bill No. 1613—An act to require the acceptance of certificates or other evidences of investments secured by mortgages and/or deeds of trust, in payment of the obligations for which said security is given;

Also: Assembly Bill No. 1662—An act to amend sections 17, 20 and 22 of the Personal Property Brokers Act, relating to taxation and the disposition of moneys;

Also: Assembly Bill No 1791—An act to amend section 2 of "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, relating to personal property brokers;

Has had the same under consideration, and respectfully reports the same back without recommendation.

UTT, Chairman.

Also:

MR. SPEAKER: Your Committee on Financial Institutions, to which was referred Assembly Bill No 1807—An act to define, license and regulate the business of carrying goods and services on the installment plan or financing such sales;

Also Assembly Bill No. 1808—An act to regulate certain institutions and persons loaning money and providing interest and other charges that may be exacted from borrowers;

Also Assembly Bill No 1818—An act levying a tax upon certain persons engaged in the business of buying and selling securities and acting as brokers in any such transactions, or engaged in the business of marketing, selling or exchanging securities of all kinds, and to regulate such businesses;

Also: Assembly Bill No 1924—An act relating to the classification and regulation of the business of pawnbrokers, including the fixing and regulation of their charges and interest, and to repeal all acts and parts of acts inconsistent herewith;

Also: Assembly Bill No. 2203—An act regulating the fees and charges of an unsecured loan broker;

Also: Assembly Bill No. 2442—An act relating to rates of interest and charges which may be made in connection with loans in the business of industrial loan companies, pawnbrokers, and personal property brokers;
Has had the same under consideration, and respectfully reports the same back without recommendation.

UTT, Chairman.

Also:

MR. SPEAKER: Your Committee on Financial Institutions, to which was referred Senate Bill No. 374—An act to amend section 13 of, and to add new sections to be numbered 9a, 9b, 9c, 9d and 9e to an act entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, relating to collection agencies and the regulation, supervision and licensing thereof;

Also: Senate Bill No. 545—An act to amend section 26 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of "Commissioner of Corporations,'" approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities;
Has had the same under consideration, and respectfully reports the same back without recommendation.

UTT, Chairman.

Also:

MR. SPEAKER: Your Committee on Financial Institutions, to which was referred Assembly Bill No. 2443—An act to define, license and regulate the business of personal property brokers who are engaged in the business of making loans on vehicles of a type required to be registered with the Department of Motor Vehicles, to prescribe the maximum rate which may be charged, contracted for or received by all who are engaged in such business; and to provide for the administration and enforcement of this act and providing penalties for violation hereof—has had the same under consideration, and respectfully reports the same back without recommendation.

UTT, Chairman.

On Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 62—An act to amend sections 1273 and 1274 of the Fish and Game Code, relating to deer;

Also: Assembly Bill No. 117—An act to amend section 1182 of the Fish and Game Code, relating to birds;

Also: Assembly Bill No. 307—An act to amend section 990 of the Fish and Game Code, relating to commercial fishing licenses;

Also: Assembly Bill No. 317—An act to amend section 3 of an act entitled "An act to regulate the vocation of fishing and to provide therefrom revenue for the propagation, restoration and preservation of the fish in the waters of the State of California," relating to regulations of the Fish and Game Commission;

Also: Assembly Bill No. 304—An act to add section 990.5 to the Fish and Game Code, relating to commercial fishing licenses;

Also: Assembly Bill No. 423—An act to amend section 993 of the Fish and Game Code, relating to commercial fishing;

Also: Assembly Bill No. 481—An act to amend section 1200 of the Fish and Game Code, relating to doves;

Also: Assembly Bill No. 483—An act to amend section 1175 of the Fish and Game Code, relating to predatory birds;
Has had the same under consideration, and respectfully reports the same back without recommendation.

FISHER, Chairman.

Also:

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 625—An act to amend section 782 of the Fish and Game Code, relating to lobsters;

Also: Assembly Bill No. 648—An act to amend section 694 of the Fish and Game Code, relating to striped bass;

Also: Assembly Bill No. 672—An act to add section 496 to the Fish and Game Code, relating to commercial fishing in district 20;

Also: Assembly Bill No. 675—An act to repeal sections 10 and 1420 of, and to add a new section to be numbered 10 to, the Fish and Game Code, relating to the Fish and Game Commission;

Also: Assembly Bill No. 677—An act to add section 495 of the Fish and Game Code, relating to the taking of fish;

Also: Assembly Bill No. 684—An act to amend sections 1273 and 1274 of the Fish and Game Code, relating to deer;

Also: Assembly Bill No. 717—An act to amend sections 715, 736, and 867 of the Fish and Game Code and to add thereto section 869, relating to fish;

Has had the same under consideration, and respectfully reports the same back without recommendation.

FISHER, Chairman

Also:

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 718—An act to amend section 990 of the Fish and Game Code, and to add thereto section 990.4, relating to commercial fishing;

Also: Assembly Bill No. 719—An act to add section 957.5 to the Fish and Game Code, and to amend section 958 thereof, relating to nets;

Also: Assembly Bill No. 725—An act to amend sections 616, 617 and 618 of the Fish and Game Code, relating to trout;

Also: Assembly Bill No. 726—An act to amend section 611.5 of the Fish and Game Code, relating to golden trout;

Also: Assembly Bill No. 820—An act to amend section 741 of the Fish and Game Code, relating to fish;

Also: Assembly Bill No. 907—An act to amend sections 616, 617 and 618 of the Fish and Game Code, relating to trout.

Also: Assembly Bill No. 908—An act to amend section 611.5 of the Fish and Game Code, relating to golden trout;

Has had the same under consideration, and respectfully reports the same back without recommendation.

FISHER, Chairman.

Also:

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 909—An act to repeal section 611.6 of the Fish and Game Code, relating to steelhead trout;

Also: Assembly Bill No. 911—An act to amend section 611 of the Fish and Game Code, relating to trout and whitefish;

Also: Assembly Bill No. 939—An act to add to the Fish and Game Code sections 842.5, 842.6, and Article 1-A, embracing sections 1000 and 1001, relating to commercial fishing;

Also: Assembly Bill No. 940—An act to add section 25.5 to the Fish and Game Code, relating to the establishment and maintenance of hatcheries;

Also: Assembly Bill No. 953—An act to amend section 1031 of the Fish and Game Code, relating to propagation of fish in artificial bodies of water and private hatcheries;

Also: Assembly Bill No. 991—An act to repeal section 611.6 of the Fish and Game Code, relating to steelhead trout;

Has had the same under consideration, and respectfully reports the same back without recommendation.

FISHER, Chairman.

Also:

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1027—An act to add section 520.6 to the Fish and Game Code, relating to fish screens;

Also: Assembly Bill No. 1057—An act to amend section 786 of the Fish and Game Code, relating to lobsters;

Also: Assembly Bill No. 1155—An act to amend section 48 of the Fish and Game Code, by providing for the disposition of fines and forfeitures resulting from the enforcement by counties or county officers or employees of provisions of law relating to the illegal use or possession of nets;

Also: Assembly Bill No. 1284—An act to amend section 958 of the Fish and Game Code, relating to the use of trawl nets;

Also: Assembly Bill No. 1357—An act to amend sections 420, 422, 427, 431, 1176, and 1232 of the Fish and Game Code, and repeal section 421 thereof, relating to fish and game;

Also: Assembly Bill No. 1465—An act to amend section 744 of the Fish and Game Code, relating to swordfish;

Also: Assembly Bill No. 1575—An act to amend section 1415 of the Fish and Game Code, relating to the forfeiture and suspension of hunting licenses;

Has had the same under consideration, and respectfully reports the same back without recommendation.

FISHER, Chairman.

Also:

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1576—An act to amend section 21 of the Fish and Game Code, relating to the power and authority of deputies;

Also: Assembly Bill No. 1577—An act to amend section 1416 of the Fish and Game Code, relating to forfeiture and suspension of sporting fishing licenses;

Also: Assembly Bill No. 1628—An act to amend the Fish and Game Code by adding thereto a new section to be numbered 1064 5, relating to fish reduction plants;

Also: Assembly Bill No. 1691—An act to amend section 427 of the Fish and Game Code, relating to hunting licenses;

Also: Assembly Bill No. 1692—An act to amend sections 1060 and 1073 of the Fish and Game Code, and to add thereto section 1076 5, relating to fishery products

Also: Assembly Bill No. 1748—An act to amend sections 420 and 428 of the Fish and Game Code, relating to sporting, hunting and fishing licenses;

Also: Assembly Bill No. 1834—An act to amend section 48 of the Fish and Game Code, relating to fees and fines;

Has had the same under consideration, and respectfully reports the same back without recommendation.

FISHER, Chairman.

Also:

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1891—An act to amend section 482 of the Fish and Game Code, relating to the Trinity and Klamath River district;

Also: Assembly Bill No. 1908—An act to amend sections 1065 and 1068 of the Fish and Game Code, relating to fish;

Also: Assembly Bill No. 1954—An act to amend Fish and Game Code;

Also: Assembly Bill No. 2078—An act to amend sections 422 and 423, and to repeal sections 424 and 425 of the Fish and Game Code, relating to licenses;

Also: Assembly Bill No. 2182—An act to add a new Article 4a to Chapter 3 of Part 3 of Division IV of the Fish and Game Code, relating to taxidermy;

Also: Assembly Bill No. 2215—An act to amend section 21 of the Fish and Game Code, relating to bonds of employees;

Also: Assembly Bill No. 2229—An act to amend sections ____, ____, ____, ____, of the Fish and Game Code;

Has had the same under consideration, and respectfully reports the same back without recommendation.

FISHER, Chairman.

Also:

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 2230—An act to amend sections ____, ____, ____, ____, of the Fish and Game Code;

Also: Assembly Bill No. 2231—An act to amend sections ____, ____, ____, ____, of the Fish and Game Code;

Also: Assembly Bill No. 2267—An act to amend section 10 of the Fish and Game Code, relating to the Fish and Game Commission;

Also: Assembly Bill No. 2271—An act to amend section 692 of the Fish and Game Code, relating to striped bass;

Also: Assembly Bill No. 2319—An act to amend section 651 of the Fish and Game Code, relating to salmon;

Also: Assembly Bill No. 2320—An act to amend section 652 of the Fish and Game Code, relating to salmon;

Also: Assembly Bill No. 2321—An act to amend section 655 of the Fish and Game Code, relating to salmon;

Has had the same under consideration, and respectfully reports the same back without recommendation.

FISHER, Chairman.

Also:

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 2322—An act to amend section 653 of the Fish and Game Code, relating to salmon;

Also: Assembly Bill No 2323—An act to amend section 613 of the Fish and Game Code, relating to steelhead trout;

Also: Assembly Bill No. 2331—An act to amend the "Fish and Game Code," approved April 11, 1933, relating to fish and game and other wild life;

Also: Assembly Bill No 2332—An act to amend the "Fish and Game Code," approved April 11, 1933, relating to fish and game and other wild life;

Also: Assembly Bill No. 2333—An act to amend the "Fish and Game Code," approved April 11, 1933, relating to fish and game and other wild life;
Has had the same under consideration, and respectfully reports the same back without recommendation.

FISHER, Chairman.

Also:

MR SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 2345—An act to amend section 1586 of the Penal Code, relating to the propagation and care of game birds by prisoners;

Also: Assembly Bill No. 2355—An act to add section 691 5 to, to amend section 691 of, and to repeal section 691.6 of the Fish and Game Code, relating to striped bass;

Also: Assembly Bill No. 2358—An act to amend section 925 of the Fish and Game Code, and to repeal sections 923 and 924 thereof, relating to nets;

Also: Assembly Bill No. 2374—An act to amend sections 612 and 615 of the Fish and Game Code, relating to the protection of fish;

Also: Assembly Bill No. 1127—An act to amend sections 1271 and 1271.5 of the Fish and Game Code, relating to deer;
Has had the same under consideration, and respectfully reports the same back without recommendation.

FISHER, Chairman.

Also:

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Concurrent Resolution No. 40—Directing the Fish and Game Commission of the State of California to negotiate with like commissions of the States of Oregon and Washington for limitation of fish reduction permits in all of said States in the interest of conservation, and in case of the failure of such negotiations to place the California fish reduction business on a basis of equality with its Oregon and Washington competitors—has had the same under consideration, and respectfully reports the same back without recommendation.

FISHER, Chairman.

Also:

MR SPEAKER: Your Committee on Fish and Game, to which was referred Senate Bill No 29—An act to amend section 1151 of the Fish and Game Code, relating to hunting and fishing at night;

Also Senate Bill No. 34—An act to add section 903 to the Fish and Game Code, relating to nets;

Also: Senate Bill No. 267—An act to amend section 722 and to add sections 722 5 and 975 to the Fish and Game Code, relating to commercial catfishing;

Also: Senate Bill No. 435—An act to amend sections 611.6 and 613 of the Fish and Game Code, relating to trout;

Also: Senate Bill No. 521—An act to amend sections 83 and 883 of the Fish and Game Code, relating to fishing in District 15;

Also: Senate Bill No. 538—An act to amend sections 650.5, 661, 1064, 1151 and 1414 of the Fish and Game Code, relating to fish and game;

Also: Senate Bill No. 1047—An act to add sections 793.5 and 803.5, to the Fish and Game Code, relating to fish;
Has had the same under consideration, and respectfully reports the same back without recommendation.

FISHER, Chairman.

On Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1935.

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 53—An act relating to the purchase and use of motor vehicles by State agencies or officers or employees thereof;

Also: Assembly Bill No 66—An act to create a board, designated as California Surplus and Waste Products Authority, for the purpose of preventing waste and conserving and preserving and causing to be utilized all surplus products of the soil of the State, defining their duties and powers, fixing their compensation, and appropriating funds necessary for their operation;

Also: Assembly Bill No 73—An act to repeal an act entitled "An act creating the office of Chief of the Division of Narcotic Enforcement, providing for appointment to, powers and duties of such office, making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to provide for the establishment and maintenance of a Division of Narcotic Enforcement under the direction and control of the State Board of Pharmacy,' approved May 17, 1927," approved April 30, 1929, and to transfer to the State Board of Pharmacy all powers, duties and functions of the Chief of the Division of Narcotic Enforcement;

Also: Assembly Bill No. 145—An act to abate salaries of State officers and employees in cases where such party receives a pension or retirement allowance from a political subdivision or municipal corporation;

Also: Assembly Bill No. 156—An act to amend section 8 of an act entitled "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905." approved May 31, 1917, relating to fingerprinting persons arrested or convicted of criminal offenses:

Has had the same under consideration, and respectfully reports the same back without recommendation.

FIELD, Chairman

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 164—An act to amend section 737s of the Political Code, relating to the salaries of judges of the superior court in Los Angeles County;

Also: Assembly Bill No. 180—An act to provide for the creation of a State Commission Market and the organization thereof, to carry on the business of receiving from the producers thereof agricultural products of the State and disposing of such products on commission, creating the "State Commission Market fund" and making an appropriation;

Also: Assembly Bill No. 202—An act to be known as the Cooperative Industries Act, setting up machinery for the creation and regulation of cooperative industrial corporations and their financing, defining policy and declaring the existence of an economic emergency requiring the enactment of this legislation;

Also Assembly Bill No. 204—An act to amend section 452 of the Political Code, relating to treasurer's receipts;

Also: Assembly Bill No 253—An act to amend section 996 of the Political Code, relating to vacancies;

Also: Assembly Bill No. 281—An act to be known as the Auxiliary Legislature Act, providing for a State Bureau of Political and Social Science Research to study and discuss, report on and make recommendations concerning existing and proposed State and National legislation affecting the people of the State of California;

Has had the same under consideration, and respectfully reports the same back without recommendation.

FIELD, Chairman.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 303—An act to add section 696 to the Political Code, relating to a meeting place for members of the Legislature in the State Building in the city of Los Angeles;

Also: Assembly Bill No. 306—An act making an appropriation for the support and maintenance of a branch office of the Legislative Counsel at the State Building in the city of Los Angeles;

Also: Assembly Bill No. 350—An act to amend section 4041 5 and to repeal section 4056b of the Political Code, relating to the powers of board of supervisors;

Also: Assembly Bill No. 354—An act to add sections 363hh, 363ii and 363jj to the Political Code, creating a Division of Aviation in the Department of Public Works, defining its duties and providing for support therefor;

Also: Assembly Bill No. 454—An act to add section 360(c)1 to the Political Code, relating to the powers and duties of members of the California Highway Patrol;

Also: Assembly Bill No. 477—An act to add Article IIk to the Political Code, relating to the Department of Public Safety;

Also: Assembly Bill No. 619—An act to amend section 852 of, and to add sections 852a and 852b to, the Political Code, relating to the location of certain State offices and the residence of certain State officers in the city of Sacramento;

Also: Assembly Bill No. 744—An act to provide for the retirement on pension of State employees;

Has had the same under consideration, and respectfully reports the same back without recommendation.

FIELD, Chairman.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 745—An act to establish a system of planned economy in the State of California, to create a department of State to be known as the Prorate Department and creating the Prorate Board and setting forth the powers and duties thereof, and making an appropriation in support thereof;

Also: Assembly Bill No. 749—An act making an appropriation for installing toilet facilities in the building occupied by the Department of Motor Vehicles in Los Angeles;

Also: Assembly Bill No. 757—An act to authorize the creation and establishment of a public utilities commission within any city, county and other local governmental agency or political subdivision, and to authorize the issuance and sale of revenue bonds for the purpose of defraying costs of construction and/or acquisition of public utilities and extensions and additions to public utilities for the production, purchase, sale and distribution of products, commodities, energy and/or services of such public utilities, providing for the payment of such bonds and the interest thereon;

Also: Assembly Bill No. 811—An act to provide for a uniform method of foreclosing trust deeds in the State of California, creating the office of State Public Trustee and providing for public trustees in every county and city and county of the State; providing that deeds of trust given to secure indebtedness shall name such public trustee as the trustee thereof; and substituting said public trustee for all trustees now provided for in any trust deed; that deeds of trust hereafter executed which name other persons as trustee shall hereafter be deemed mortgages; providing for the duties of public trustees, sales, releases, fees and salaries and reports; providing for advertised sales, notices and recording of such sales; providing for certificates of sale by public trustees and the recording thereof; providing for redemption by holders of subsequent encumbrances, grantors and judgment creditors, and for succession and partial redemptions; providing for assignments of certificates, executions of deeds after lapse of redemption period and the charging of fees against grantors; providing for the issuance of duplicate certificates in case of loss of original; providing for the furnishing of supplies for the use of public trustees; and providing for the release of trust deeds, the effect of releases or partial releases before maturity of notes and that releases shall be valid as to recitals therein; and making provisions for the enforcement of this act;

Has had the same under consideration, and respectfully reports the same back without recommendation.

FIELD, Chairman.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 874—An act to amend sections 1, 9, 10, 13 and 17 of an act entitled "An act to create for the State of California a Department of Engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain acts a felony and repealing an act entitled 'An act creating a Commissioner of Public Works, defining his duties and powers and fixing his compensation,' approved February 9, 1900, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to create a Department of Highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897; also repealing an act entitled 'An act providing for the appointment of an Auditing Board to the Commissioner of Public Works, authorizing and directing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this act,' approved March 17, 1897, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to provide for the appointment, duties and compensation of a Debris Commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such commissioner,' approved March 24, 1893, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to create the office of Lake Tahoe Wagon Road Commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for

and authorized by this act,' approved April 1, 1897, and all acts or parts of acts amendatory thereof," approved March 11, 1907, Statutes 1907, as amended,

Also: Assembly Bill No. 888—An act to provide for supervision of manufacture and projection of motion pictures in this State, including inspection, classification and cataloging of such pictures, both silent and otherwise; the creation of a State Motion Picture Commission and the definition of its powers, functions and duties and other matters relating thereto;

Has had the same under consideration, and respectfully reports the same back without recommendation.

FIELD, Chairman.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 948—An act to amend section 677a of the Political Code, relating to departmental budgets,

Also: Assembly Bill No. 949—An act to amend section 535 of the Political Code, relating to purchase of machinery or equipment for the State printing plant;

Also: Assembly Bill No. 965—An act to amend sections 2, 3, 4, 5 and 6 of, and to add sections 6a, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26, to an act entitled "An act to create a State Board of Accountancy and prescribe its duties and powers, to provide for the examination of and issuance of certificates to qualify applicants with the designation of certified public accountant; and to provide the grade of penalty for violation of the provisions hereof," approved March 23, 1901, relating to the powers of the Board of Accountancy;

Also: Assembly Bill No. 971—An act to provide for the construction and operation of a State college to be located in the district between Pasadena and San Bernardino, and providing the sum of $750,000 for the construction and operation thereof;

Also: Assembly Bill No. 980—An act to add sections 717, 718, 719, and 720 to the Political Code, relating to State police;

Also: Assembly Bill No. 982—An act to amend section 67a of the Code of Civil Procedure, relating to the superior court in counties of the first class;

Also: Assembly Bill No. 985—An act to add section 6a to "An act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905," approved May 31, 1917, relating to furnishing information to the Prison and Parole Commission, and declaring when this act shall go into effect;

Has had the same under consideration, and respectfully reports the same back without recommendation.

FIELD, Chairman.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 986—An act to amend sections 3 and 12 and to repeal sections 7 and 8 of, and to add section 4a to, "An act to establish an institution for the confinement, care and reformation of women misdemeanants, and women convicted of a felony the punishment for which is less than death; to provide for its maintenance, conduct and government, and to make an appropriation therefor," approved May 9, 1929, relating to the board of trustees, and declaring when this act shall go into effect;

Also: Assembly Bill No. 993—An act to provide a procedure for the consolidation of counties;

Also: Assembly Bill No. 1026—An act to amend section 737ddd of the Political Code, relating to the salary of the judge of the superior court in and for the county of Ventura;

Also: Assembly Bill No. 1113—An act to amend an act entitled "An act to establish the California State Historical Association, providing for the appointment of a board of trustees for said association and making an appropriation for its support during the seventy-ninth and eightieth fiscal years." approved May 25, 1927;

Also: Assembly Bill No 1114—An act to amend Article VII of Chapter II of Part IV of Division II of the School Code, relating to the Division of Schoolhouse Planning;

Also: Assembly Bill No. 1115—An act to amend section 364a of the Political Code, relating to the Department of Industrial Relations;

Also: Assembly Bill No 1157—An act creating a special fund to be known as the "Judges' Retirement Fund." providing for disbursements therefrom, and to make appropriations therefor,

Also: Assembly Bill No. 1171—An act to add a new section to the Political Code to be numbered _____, relating to the Department of Investments;
Also: Assembly Bill No. 1172—An act to add a new section to the Political Code to be numbered _____, relating to the Department of Public Works;
Also: Assembly Bill No. 1174—An act to add a new section to the Political Code to be numbered _____, relating to the Department of Institutions;
Has had the same under consideration, and respectfully reports the same back without recommendation.

FIELD, Chairman.

Also:

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1184—An act authorizing and providing for preference of employment on all State jobs and positions now existing, or that may hereafter be created, within the area north of Bakersfield, to be given to all bona fide employees on the ferryboat systems operating on San Francisco Bay when such employees lose their present position, due to the introduction and opening of the various decks of the San Francisco-Oakland Bay Bridge and the Golden Gate Bridge, and further authorizing and providing that the California toll bridge authorities and other toll bridge authorities, in any contract between the toll bridge authorities and carriers or companies that may be granted permission to operate over the bridges there shall be provided in such contracts that preference of employment shall be given all bona fide employees on the ferryboat systems operating on the San Francisco Bay, when such employees lose their present positions due to the introduction and opening of the various decks and bridges; and be it further authorized and provided that this same provision with regard to preference of employment shall be granted on such jobs as may be controlled by the toll bridge authorities themselves, or by tenants or concessionaires of the toll bridge authorities;
Also: Assembly Bill No. 1238—An act to authorize the Governor of the State of California to grant an easement or title to state-owned land to the United States of America in aid of public work, relief or other projects aiding recovery;
Also: Assembly Bill No. 1245—An act to provide for the granting of assistance to school districts for the inspection, repair, reconstruction, replacement, alteration or erection of buildings;
Has had the same under consideration, and respectfully reports the same back without recommendation.

FIELD, Chairman.

Also:

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1333—An act to facilitate the enforcement of laws of the State of California concerning motor vehicles by the establishment of ports of entry upon highways entering this State; vesting authority to establish and conduct such ports of entry in the Department of Motor Vehicles; authorizing said Department of Motor Vehicles to employ the facilities and employees of any department of this State which may be convenient in the conduct of such ports of entry; and authorizing said State board to contract with private persons or corporations for the maintenance of port of entry service at such highways of lesser importance; and authorizing the Department of Motor Vehicles to cooperate with any other department, board or officer of this State having to do with the administration or enforcement of laws relating to the use of public highways; and providing penalties for violation of this act—has had the same under consideration, and respectfully reports the same back without recommendation.

FIELD, Chairman.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No 1358—An act to create a board or authority to be known as California State Capitol Park Extension Authority, and to provide for its membership and specifying its powers and duties; to authorize said California State Capitol Park Extension Authority to purchase, condemn or otherwise acquire for and in the name of the State of California certain real property situate in the city of Sacramento, State of California, to prepare or cause to be prepared plans and specifications and to execute the same, to make contracts, purchase material and employ labor for the purpose of an extension to the present State Capitol Park; also to authorize any city, county, city and county, incorporated city or town, to advance or contribute money, rights of way, labor, materials, or other property in aid of the acquisition of said property, or to close and abandon streets and alleys; also to authorize the said California State Capitol Park Extension Authority to enter into any agreement with any such political subdivisions for the repayment of contributions or advances; and providing the time and manner of making such repayments; also to authorize said California State Capitol Park Extension Authority to receive donations of money from the United States Government, or any department or instrumentality thereof, and also to make and enter

into such deeds, leases, agreements, contracts or stipulations with the United States Government, or with any agent or officer thereof, or any corporation, agency or instrumentality existing thereunder as it may deem proper, for assistance or contribution in the acquisition of said property; also to authorize said California State Capitol Park Extension Authority to make agreements with steam and electric or other railroad or transportation companies for the use of any portion of any street running through said extension or the property hereafter acquired under the provisions of this act; to authorize any portion of the ground to be created into a park for the erection hereon of buildings to be used for State purposes; also to provide for the closing and abandoning of any street or alley forming a part of said extension of Capitol Park; also to empower the Department of Public Works to designate roads or streets through said extension as State highways, and also to do any other act or thing that may be useful, convenient or proper in carrying out the provisions of this act;

Also: Assembly Bill No. 1359—An act to amend sections 365, 365a, 365b, 365c, 365d, 365e, 365f, 365g, and 365h of the Political Code of the State of California, relating to the California Highway Commission;

Has had the same under consideration, and respectfully reports the same back without recommendation.

FIELD, Chairman.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1384—An act to amend an act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the "Railroad Commission fund" and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act, relating to compensation for and expenses of members of the Hours and Wages Bureau of said Railroad Commission;

Also: Assembly Bill No. 1469—An act to amend an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, as amended, relating to public utility districts;

Also: Assembly Bill No. 1472—An act creating a Board of Review for the licensing of motion picture distributors and exhibitors and prescribing rules and regulations governing the production, distribution and exhibition of motion pictures;

Also: Assembly Bill No. 1473—An act to amend sections 11, 14, 15, 20, 26, 27, 29, 43 and 49 of an act entitled "An act providing for the incorporation of public utility districts in unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 31, 1921, relating to public utility districts in unincorporated territory;

Also: Assembly Bill No. 1476—An act to establish an Assessment Code, thereby consolidating and revising the law relating to the assessment of property for the purposes of taxation, and to repeal certain acts and parts of acts specified herein;

Has had the same under consideration, and respectfully reports the same back without recommendation.

FIELD, Chairman.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1544—An act to add sections 366h to 366m, inclusive, to the Political Code, relating to State psychiatrists and the establishment of a Division of Psychiatry in the Department of Institutions;

Also: Assembly Bill No. 1552—An act to establish a State Board of Qualifying Certificate Examiners in the Fundamental Sciences underlying the practice of the healing arts, to provide for its organization and powers, to provide that certification by such board be a prerequisite to eligibility for examination for a license to practice the healing arts and to define healing arts;

Also: Assembly Bill No. 1560—An act to amend section 737pp of the Political Code, relating to the compensation of the judges of the superior court, Santa Barbara County;

Also: Assembly Bill No. 1701—An act to add Article IIk to the Political Code, relating to the Department of Public Safety;
Has had the same under consideration, and respectfully reports the same back without recommendation.

FIELD, Chairman.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1716—An act to amend sections 1, 9, 10, 13 and 17 of an act entitled "An act to create for the State of California a Department of Engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain acts a felony and repealing an act entitled 'An act creating a Commissioner of Public Works, defining his duties and powers and fixing his compensation,' approved February 9, 1900, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to create a Department of Highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897; also repealing an act entitled 'An act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing and directing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this act,' approved March 17, 1897, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to provide for the appointment, duties and compensation of a Debris Commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such commissioner,' approved March 24, 1893, and all acts or parts of acts amendatory thereof; also repealing an act entitled 'An act to create the office of Lake Tahoe Wagon Road Commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this act,' approved April 1, 1897, and all acts or parts of acts amendatory thereof," approved March 11, 1907, Statutes 1907, page 215, as amended;

Also: Assembly Bill No. 1718—An act to create for the State of California a Tax Commission, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, its officers and employees, and empowering said commission to levy, collect and distribute all of the taxes for the State of California, the political subdivisions thereof, all municipalities and districts within said State, and making an appropriation for the purpose of carrying out the provisions hereof;
Has had the same under consideration, and respectfully reports the same back without recommendation.

FIELD, Chairman.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1736—An act to amend section 360c of the Political Code, relating to the California Highway Patrol;

Also: Assembly Bill No. 1783—An act to create a liquor control board, defining its powers and duties;

Also: Assembly Bill No. 1801—An act providing for the creation of power districts; prescribing the powers and duties of such districts; and authorizing such districts to conduct and operate utilities for the production, transmission or distribution of electric energy, and to issue bonds and providing for the payment of such bonds, and declaring the urgency hereof;

Also: Assembly Bill No. 1805—An act providing for the creation of power districts; prescribing the powers and duties of such districts; and authorizing such districts to conduct and operate utilities for the production, transmission or distribution of electric energy, and to issue bonds and providing for the payment of such bonds and declaring the urgency thereof;

Also: Assembly Bill No. 1809—An act to provide for the creation, organization and management of park and playground districts;

Also: Assembly Bill No. 1827—An act relating to the regulation and supervision of public utilities;

Also: Assembly Bill No. 1852—An act to create a tax revenue fund in the State treasury and for the payment of certain moneys into said fund to be expended for the relief of unemployment conditions;

Also: Assembly Bill No. 1912—An act to be known as "Tax Code"; providing for a complete system of taxation for the support of the State, county and municipal government; to provide for the property liable to taxation and assessment thereof; to provide for the equalization of assessment; to provide for the levy and collection of taxes and the duties of public officers in connection therewith; to provide for the license of banks and corporations doing business in the State; to provide for the taxing of motor vehicle fuel; and to provide for taxes upon natural resources; to provide for sale taxes; to provide for taxes on inheritance; to provide penalty for failure to comply with the provisions of this act and to repeal all acts inconsistent therewith;

Also: Assembly Bill No 1930—An act relating to the licensing, regulating and fixing rules covering motion picture and theatrical agents;

Has had the same under consideration, and respectfully reports the same back without recommendation.

FIELD, Chairman.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 1944—An act to provide for a general system of State Civil Service based upon merit, efficiency and fitness as ascertained by competitive examinations; providing the powers, duties, purposes and functions of the State Personnel Board; and to repeal all acts and parts of acts inconsistent herewith *in so far as they may be inconsistent with the provisions of this act and* with Article 24 ot the Constitution of this State;

Also: Assembly Bill No. 1965—An act relating to a legislative research committee, to encourage and utilize research by public and private agencies for legislative purposes, defining its powers and duties, and making an appropriation therefor;

Also: Assembly Bill No. 1973—An act to amend section 7 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to the number and salary of judges, officers and attaches of municipal courts in cities of the first and one-half class,

Also: Assembly Bill No 1978—An act relating to municipal corporations to be known as housing authorities to engage in slum clearance and housing projects; to provide for the creation of such housing authorities; to define the powers and duties of housing authorities and to provide for the exercise of such powers, including borrowing money, issuing bonds and other obligations, and giving security therefor; to provide for the making of grants and the lending of money to housing authorities by cities and by cities and counties of the first, second and third classes; and to declare the urgency thereof;

Also: Assembly Bill No. 1980—An act relating to employment in public service;

Also: Assembly Bill No. 2071—An act to add section 1586 5 to the Penal Code, relating to the manufacture of automobile license plates by prisoners in State prisons;

Also: Assembly Bill No. 2108—An act relating to unemployment reserves and compensation, providing penalties and making appropriations;

Also: Assembly Bill No. 2138—An act to amend the title and sections 3, 9, 12a, 15 and 19 of the California Real Estate Act, relating to powers, duties and functions of the Real Estate Commissioner;

Has had the same under consideration, and respectfully reports the same back without recommendation.

FIELD, Chairman.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 2148—An act to amend sections 1, 2, 3, 4, and 7 of an act entitled "An act relating to the safety of design and construction of public school buildings, providing for regulation, inspection and supervision of the construction, reconstruction or alteration of or addition to public school buildings, and for the inspection of existing school buildings, defining the powers and duties of the State Division of Architecture in respect thereto, providing for the collection and disposition of fees, prescribing penalties for violation thereof and declaring the urgency of the act, to take effect immediately," approved April 10, 1933, relating to the duties of the State Division of Architecture,

Also: Assembly Bill No. 2167—An act creating a Board of Review for the licensing of motion picture distributors and exhibitors and prescribing rules and regulations governing the production distribution and exhibition of motion pictures;

Also: Assembly Bill No. 2170—An act to amend section 737g of the Political Code, relating to the salary of the judge in Contra Costa County;

Also: Assembly Bill No. 2221—An act to amend section 4 of an act entitled "An act to regulate certain scaffolding or staging for the protection of workmen; requiring that in addition to the duties imposed by any law upon employers using or directing or permitting the use of scaffolding or staging sunk or suspended from overhead supports, such employers shall be subject to the provisions of this act; fixing penalties for a violation hereof to be the same as provided in section 402c of the Penal Code; and providing for the enforcement of this act by the commission of the Bureau of Labor Statistics," approved April 22, 1913, relating to the enforcement of this act;

Also: Assembly Bill No. 2343—An act to amend section 737s of the Political Code, relating to the salaries of judges of the superior court in counties of the first class;

Also: Assembly Bill No. 2407—An act to establish a State Board of Industrial Relations, to provide for the selection of members thereof and setting forth their powers and duties; to provide for the establishment of county industrial relations boards by the State Board of Industrial Relations, to provide for the selection of members of county industrial relations boards and to set forth their powers and duties;

Also: Assembly Bill No. 2424—An act to amend section 1 of "An act to establish free employment bureaus under the control and management of the Commissioner of the Bureau of Labor Statistics, and making an appropriation therefor," approved May 17, 1915, relating to the establishment of a bureau in the city of Alameda, and making an appropriation therefor;

Has had the same under consideration, and respectfully reports the same back without recommendation.

FIELD, Chairman.

Also:

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred Assembly Bill No. 2428—An act to add new sections to the Political Code to be numbered 446, 446a, 446b, 446c, 446d, and 447 and to repeal sections 658, 677, 678, 679, 680 and 686a, all relating to audit of State financial records and a modern accounting system—has had the same under consideration, and respectfully reports the same back without recommendation.

FIELD, Chairman.

On Governmental Revenues and Expenditures.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Governmental Revenues and Expenditures, to which was referred Assembly Bill No. 631—An act to amend section 3897 and to repeal section 3898 of the Political Code, relating to the sale of lands deeded to the State for delinquent taxes;

Also: Assembly Bill No. 633—An act to add section 3897½ to the Political Code, relating to the sale and deeding of lands deeded to the State for delinquent taxes;

Also: Assembly Bill No. 634—An act to repeal section 3774 of the Political Code, relating to the holding, leasing and sale of lands to which the State or any political subdivision or agency of the State holds title through sale and deed on account of delinquent taxes and assessments;

Also: Assembly Bill No. 635—An act to amend section 3787 of the Political Code, relating to certain deeds to the State;

Also: Assembly Bill No. 852—An act for the relief of purchasers of State lands where the price has not been fully paid and providing for an appraisement of said lands and a determination of value thereof; and providing further, for the payment by the purchaser of the amount duly appraised as the present value of said lands;

Also: Assembly Bill No. 1094—An act to add a new section to the Political Code to be numbered 3663c, relating to the correction of errors by the State Board of Equalization in assessments made by said board;

Also: Assembly Bill No. 1539—An act to amend sections 23 and 24 of, and to add section 18b to, that certain act entitled, "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act, and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to leasing of State lands, for the purpose of taking minerals from, and the leasing for the prospecting for, or extraction, mining, capture or acquisition of oil, gas and

other hydrocarbon substances on, in, within or from lands belonging to this State or over which this State has or claims or asserts any jurisdiction;
Has had the same under consideration, and respectfully reports the same back without recommendation.

JONES, Chairman.

Also:

MR. SPEAKER: Your Committee on Governmental Revenues and Expenditures, to which was referred Assembly Bill No. 1644—An act relating to the escheat to the State of unclaimed moneys deposited with public utilities and providing for the collection, use and disposition thereof;
Also: Assembly Bill No. 2255—An act to amend section 3764 of the Political Code, relating to sales of real property to the State for delinquent taxes, and declaring an urgency;
Has had the same under consideration, and respectfully reports the same back without recommendation.

JONES, Chairman.

Also:

MR. SPEAKER: Your Committee on Governmental Revenues and Expenditures, to which was referred Senate Bill No. 593—An act to amend sections 3897 and 3898 of the Political Code, and to repeal section 3774 of the Political Code, relating to lands sold for delinquent taxes;
Also: Senate Bill No. 594—An act to amend section 3817-d of the Political Code, relating to the sale of property for delinquent taxes to the State, and the sale of tax deeded property by the State;
Has had the same under consideration, and respectfully reports the same back without recommendation.

JONES, Chairman.

On Hospitals and Asylums.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Hospitals and Asylums, to which was referred Assembly Bill No. 1672—An act making an appropriation for major construction and equipment for Department of Institutions;
Also: Assembly Bill No. 1673—An act making an appropriation for major construction and equipment at Agnews State Hospital;
Also: Assembly Bill No. 1674—An act making an appropriation for the acquisition of land for private road purposes for the use of Agnews State Hospital and/or Department of Institutions;
Also: Assembly Bill No. 1788—An act making an appropriation for major construction and equipment at Napa State Hospital;
Also: Assembly Bill No. 2309—An act to provide for the regulation of the organization and operation of hospital associations;
Also: Assembly Bill No. 2304—An act to provide for the regulation of the organization and operation of hospital associations;
Also: Assembly Bill No. 1928—An act amending section 3 of "An act to amend sections 2 and 3 of an act entitled 'An act to provide for the establishment and maintenance of a Bureau of Tuberculosis under the direction of the State Board of Health; defining its powers and duties; providing for the granting of State aid to cities, counties, cities and counties and groups of counties for the support and care of persons affected with tuberculosis; making an appropriation therefor, and repealing certain acts of the Legislature of the State of California,' approved June 12, 1915, as amended," relating to subsidies;
Has had the same under consideration, and respectfully reports the same back without recommendation.

CORWIN, Chairman.

Also:

MR. SPEAKER: Your Committee on Hospitals and Asylums, to which was referred Assembly Bill No. 1927—An act amending section 1 of "An act to provide for the establishment and maintenance of preventoria for the treatment of persons susceptible to tuberculosis; providing for the granting of State aid to cities, counties, cities and counties, and groups of counties, for the care and treatment of such persons; defining the powers and duties of the Department of Public Health and Bureau of Tuberculosis in relation thereto, and making an appropriation therefor," relating to subsidies;
Also: Assembly Bill No. 1619—An act making an appropriation for major construction and equipment at Talmage State Hospital;
Also: Assembly Bill No. 1563—An act making an appropriation for major construction and equipment at Patton State Hospital;
Also: Assembly Bill No. 954—An act to amend section 4223 of the Political Code, and to add to Article I, Chapter 9, Title 2, Part 4 of the Political Code eleven new sections, to be numbered 3223a to 4223k, inclusive, all relating to defining and providing for county hospitals; defining indigent sick, dependent poor, and other

persons entitled to admission to and treatment at or by county hospitals or branches or departments or clinics thereof; prescribing conditions for admission to and treatment at or by county hospitals or branches or departments or clinics thereof; providing for the recovery of the reasonable cost of services rendered therein in certain cases, that books, records and accounts be kept for the determination of said and other costs, that periodic reports be made by the board of supervisors of admissions to and the conduct and operation of the county hospital and any branch or department or clinic thereof, and for the approval thereof by the auditor of the county or city and county; and prescribing the powers and duties of the board of supervisors; the auditor, and the district attorney in relation to the conduct and operation of county hospitals and any branch or department or clinic thereof, and penalties for the violation of this act; and repealing all laws in conflict herewith; Has had the same under consideration, and respectfully reports the same back without recommendation.

CORWIN, Chairman.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 8—An act to amend section 8 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to employees;

Also: Assembly Bill No. 316—An act to amend section 11822 of the Insurance Code, relating to expense of conducting the business of the Compensation Insurance Fund;

Also: Assembly Bill No. 394—An act making an appropriation to reimburse the owners of animals having bovine tuberculosis which have been slaughtered pursuant to the provisions of the Agricultural Code;

Also: Assembly Bill No. 503—An act to add section 1562 to the Insurance Code, relating to foreign insurers;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MINARD, Chairman.

Also:

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 507—An act to amend section 3664b of the Political Code, relating to taxation of insurance companies or associations;

Also: Assembly Bill No. 508—An act to add section 921a, and to add Article 3, comprising sections 10531 to 10534, inclusive, to Chapter 6 of Part 2 of Division 2 of the Insurance Code, relating to reserves of life insurers;

Also: Assembly Bill No. 518—An act to amend section 6 of the "Workmen's Compensation Insurance and Safety Act of 1917," as amended, relating to the workman's compensation;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MINARD, Chairman.

Also:

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 533—An act to add a new article, to be numbered Article 4 and comprising section 11615, to Chapter 1 of Part 3 of Division 2 of the Insurance Code; and to add a new chapter, to be numbered Chapter 3 and comprising section 12120, to Part 4 of Division 2 of the Insurance Code; all relating to accrual of insurance agents' rights and commissions under policies;

Also: Assembly Bill No. 536—An act to add section 785 to the Insurance Code, relating to statements made by agents in relation to insurance policies;

Also: Assembly Bill No. 537—An act to add sections 10155 and 10156 to the Insurance Code, relating to provisions and statements required in life policies;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MINARD, Chairman.

Also:

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 552—An act to add a new article, to be numbered Article 1a and comprising section 11725, to Chapter 31, Part 3 of Division 2 of the Insurance Code, relating to premium on compensation payments covering mining risks;

Also: Assembly Bill No. 561—An act to add section 488 to the Insurance Code, relating to the cancellation of policies;

Also: Assembly Bill No. 687—An act relating to fire insurance business, providing for the filing of rating schedules, the establishment of public rating bureaus, defining their powers and method of conducting their business, providing for the supervision of the Insurance Commissioner over such rating bureaus and rating

schedules, prohibiting deviation from such rating schedules and providing a penalty therefor;
Has had the same under consideration, and respectfully reports the same back without recommendation.

MINARD, Chairman.

Also:

MR SPEAKER. Your Committee on Insurance to which was referred Assembly Bill No. 689—An act to amend section 453e of the Civil Code, relating to corporations formed to carry on the business of mutual insurance upon the assessment plan;
Also: Assembly Bill No. 690—An act to define life and accident and health insurance on the assessment plan and to provide for the formation of corporations to conduct life and accident and health insurance on the assessment plan, for the government thereof, and for the licensing and regulation of their agents;
Also: Assembly Bill No. 691—An act to amend section 1 of the act entitled "An act to provide for a notice to be printed on the cover of the policies of all insurance companies, associations or societies, relating to future assessments,' approved June 6, 1913;
Has had the same under consideration, and respectfully reports the same back without recommendation.

MINARD, Chairman.

Also:

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 692—An act to amend section 1 of an act entitled "An act providing that any domestic society, organization or company, providing life insurance for its members or their beneficiaries upon the assessment plan, including any domestic fraternal benefit society organized or operating under the act entitled 'An act for the regulation and control of fraternal benefit societies,' approved May 1, 1911, as amended, may change into a corporation to transact a life insurance business as a legal reserve or level premium company, not affecting existing suits, rights or contracts, for the protection of which business may be transacted of the kind transacted before reorganization, and for the protection of which a fund is to be created under conditions set forth herein," approved May 22, 1919;
Also: Assembly Bill No 693—An act to amend Chapters IV and VI of Division I, Part IV, Title II, of the Civil Code for the following purposes: 1. To prevent the formation or licensing of any new associations or corporations under these chapters. 2. To subject associations or corporations formed under these chapters to the provisions of the general laws relative to insurance companies or corporations in so far as they are not in direct conflict with these chapters. 3. To require that any such association or corporation as shall promise any benefit not limited to the proceeds of one assessment or shall provide for the collection of stipulated premiums on definite dates shall hold such reserves as are found necessary to carry out the promises made. 4 To require separation of expense and benefit funds and prevent the use for expenses of funds collected to pay benefits. 5. To provide a reasonable standard of solvency, for the manner of liquidation of insolvent associations and corporations and for relative rights of officers and directors and other creditors. 6. To require such associations or corporations when denying liability for any claim on the ground of misrepresentation to show affirmatively that the agent taking the application had no knowledge of such misrepresentation. 7. To make failure to hold reserves called for by this act a cause for restraining such an association or corporation from doing business;
Also: Assembly Bill No. 860—An act to add Chapter 13 to Part 2 of Division 2 of the Insurance Code, relating to the State Life Insurance Fund;
Has had the same under consideration, and respectfully reports the same back without recommendation.

MINARD, Chairman.

Also:

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 867—An act relating to health insurance;
Also: Assembly Bill No. 876—An act to amend section 8 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to employees;
Also: Assembly Bill No 887—An act to add Article 4 to Chapter 5 of Part 2 of Division 2 of the Insurance Code, relating to life insurance policy proceeds;
Also: Assembly Bill No 1179—An act to amend sections 12391, 12392 and 12393 of the Insurance Code;
Has had the same under consideration, and respectfully reports the same back without recommendation.

MINARD, Chairman.

Also:

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1311—An act declaring title guarantee and title insurance policies to be contrary to public policy in certain cases;

Also Assembly Bill No. 1350—An act to amend sections 33, 34, and 1702 of the Insurance Code, all relating to insurance;

Also: Assembly Bill No. 1351—An act to amend section 755 and subsection (b) of section 763 of the Insurance Code, relating to insurance;

Also: Assembly Bill No. 1374—An act to amend sections 1500 and 1678 of the Insurance Code, relating to insurance;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MINARD, Chairman.

Also:

MR. SPEAKER Your Committee on Insurance, to which was referred Assembly Bill No. 1375—An act to add Chapter 1a to Part 2 of Division 1 of the Insurance Code, comprising sections 1109 to 1138, inclusive, to add Article 3 to Chapter 3, Part 3, Division 2 of said code comprising section 11760, to add Article 12 to Chapter 2, Part 6, Division 2 of said code comprising section 12640, and to amend sections 1282, 2010, 7060, 9060, 10190, 10395, and 12400 of said code, all relating to insurance;

Also: Assembly Bill No. 1389—An act to amend the Insurance Code, relating to insurance;

Also: Assembly Bill No. 1390—An act to amend the Insurance Code, relating to insurance;

Also: Assembly Bill No. 1557—An act to amend sections 1640 to 1680, both inclusive, and sections 1700 to 1714, both inclusive, of the Insurance Code, relating to agents, brokers, and solicitors;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MINARD, Chairman.

Also:

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1580—An act to amend the Insurance Code, relating to insurance principles, practice and business, and matters incidental thereto;

Also: Assembly Bill No. 1582—An act to amend the Insurance Code, relating to insurance principles practice and business, and matters incidental thereto;

Also: Assembly Bill No. 1584—An act to amend sections 10110 to 11524 of the Insurance Code, relating to life, disability, and life and disability insurance;

Also: Assembly Bill No. 1585—An act to amend sections 11550 to 12020 of the Insurance Code, relating to insurance against legal liability, including liability, workmen's compensation, and common carrier liability insurance;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MINARD, Chairman.

Also:

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1587—An act to amend sections 12140 to 12311 of the Insurance Code, relating to motor clubs;

Also: Assembly Bill No 1588—An act to amend sections 12340 to 12400 of the Insurance Code, relating to title insurance;

Also Assembly Bill No. 1590—An act to amend sections 12660 to 12741 of the Insurance Code, relating to land value insurance;

Also: Assembly Bill No. 1591—An act to amend sections 12900 to 12976 of the Insurance Code, relating to the powers, functions and duties of the Insurance Commissioner;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MINARD, Chairman.

Also:

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No 1595—An act to amend section 9 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to compensation;

Also: Assembly Bill No. 1661—An act to provide a system of unemployment insurance;

Also: Assembly Bill No 1686—An act to amend section 20 (d) of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to continuing jurisdiction of commission;

Also: Assembly Bill No. 1687—An act to amend section 14 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, relating to reassignment of death benefit;
Has had the same under consideration, and respectfully reports the same back without recommendation.

MINARD, Chairman.

Also:

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1689—An act to amend section 11 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended;
Also: Assembly Bill No. 1690—An act to amend section 9 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to medical treatment;
Also: Assembly Bill No. 1766—An act to add section 716 to the Insurance Code, relating to the filing of a bond with the commissioner as a prerequisite to carrying on the business of insurance;
Also: Assembly Bill No. 1822—An act relating to mutual assessment insurance companies and amending certain acts and code sections relating to such companies and associations;
Has had the same under consideration, and respectfully reports the same back without recommendation.

MINARD, Chairman.

Also:

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1866—An act to amend the Workmen's Compensation Act;
Also: Assembly Bill No. 1888—An act to amend the Insurance Code, relating to insurance;
Also: Assembly Bill No. 1889—An act to amend the Insurance Code, relating to insurance;
Also: Assembly Bill No. 1905—An act to amend section 11 of the Workmen's Compensation Act, approved May 23, 1917;
Also: Assembly Bill No. 1909—An act to be known as "Health Insurance Act"; defining health insurance; providing for the assessment, collection and disbursement of funds for the purpose of insuring health; creating a commission for the management of health insurance funds, and prescribing penalty for violation thereof;
Has had the same under consideration, and respectfully reports the same back without recommendation.

MINARD, Chairman.

Also:

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1923—An act to amend section 24 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to fees of attorneys in workmen's compensation causes;
Also: Assembly Bill No. 1945—An act to amend sections _____ of the Insurance Code, to add new sections thereto, and to repeal certain sections thereof relating to insurance principles, practice and matters incidental thereto;
Also: Assembly Bill No. 1949—An act to provide for the licensing and forming of insurance organizations, similar to Lloyd's organization of London, and prescribing rules and regulations governing the same;
Has had the same under consideration, and respectfully reports the same back without recommendation.

MINARD, Chairman.

Also:

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 1955—An act to amend Insurance Code;
Also: Assembly Bill No. 2083—An act to amend section 10920 of the Insurance Code, relating to life and disability insurers on the assessment plan;
Also: Assembly Bill No. 2113—An act to amend sections 26 and 26(a) of the "Workmen's Compensation, Insurance and Safety Act of 1917," as amended, relative to the subrogation of an employer;
Also: Assembly Bill No. 2198—An act requiring insurance companies doing business in this State to invest any and all surplus over and above legal reserve in securities and obligations of the State of California;
Has had the same under consideration, and respectfully reports the same back without recommendation.

MINARD, Chairman.

Also:

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 2199—An act requiring insurance companies doing business in this State

to invest their legal reserve in securities and obligations of the State of California, and providing penalty for the violation thereof;

Also: Assembly Bill No. 2200—An act to authorize the State of California to engage in the business of insurance to the same extent and for the same purposes allowed to private corporations or persons;

Also: Assembly Bill No. 2207—An act to add a new section to the Civil Code, to be numbered 453.7a, relating to mortgage insurance companies, and declaring the urgency thereof;

Also: Assembly Bill No. 2209—An act to amend the "Workmen's Compensation Insurance and Safety Act of 1917," approved May 23, 1917, relating to testimony by physicians;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MINARD, Chairman.

Also:

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 2262—An act to establish a system of unemployment reserves for this State, and making an appropriation therefor;

Also: Assembly Bill No. 2296—An act to amend section 633a of the Political Code, relating to insurance brokers;

Also: Assembly Bill No. 2315—An act to add sections 911, 1107, 1108, 1109 and 1110 to the Insurance Code, relating to reserves of insurers;

Also: Assembly Bill No. 2325—An act to amend section 8 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to employers;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MINARD, Chairman.

Also:

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 2347—An act to amend section 3664b of the Political Code, relating to taxation of insurance companies or associations;

Also: Assembly Bill No. 2366—An act to amend section 629b of the Political Code, relating to the definition of group life insurance;

Also: Assembly Bill No. 2418—An act to amend section 29 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to insurance by the employer thereunder;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MINARD, Chairman.

Also:

MR. SPEAKER: Your Committee on Insurance, to which was referred Assembly Bill No. 416—An act to amend section 9 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to compensation provided under said act;

Also: Assembly Bill No. 673—An act to add section 1681 to the Insurance Code, relating to insurance of property in which an agent, broker or solicitor has an interest;

Also: Assembly Bill No. 685—An act to amend section 30 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, relating to liability for workmen's compensation;

Also: Assembly Bill No. 1583—An act to add section 750a to the Insurance Code, relating to insurance practice in respect to payment or allowance of compensation to unlicensed persons;

Also: Assembly Bill No. 1688—An act to amend section 12 of the Workmen's Compensation, Insurance and Safety Act of 1917, relating to average earnings;

Also: Assembly Bill No. 1882—An act to amend section 10203 of the Insurance Code, relating to group life insurance;

Also: Assembly Bill No. 1887—An act to amend section 100 of the Insurance Code, to add section 106a thereto, and to add a new chapter to Part 2 of Division 2 of said code, to be numbered Chapter 13, comprising sections 11526 and 11545, inclusive, all relating to medical and hospital service insurers;

Also: Assembly Bill No. 1918—An act to add section 104 to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to records of persons receiving compensation thereunder;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MINARD, Chairman.

Also:

MR SPEAKER: Your Committee on Insurance, to which was referred Assembly Concurrent Resolution No. 17—Relative to appointing a committee to study insur-

ance policies and prepare uniform standard forms thereof—has had the same under consideration, and respectfully reports the same back without recommendation

MINARD, Chairman.

Also:

MR. SPEAKER: Your Committee on Insurance, to which was referred Senate Bill No. 471—An act to amend section 100 of the Insurance Code, to add section 106a thereto, and to add a new chapter to Part 2 of Division 2 of said code, to be numbered Chapter 13, comprising sections 11526 to 11545, inclusive, all relating to medical and hospital service insurers;

Also: Senate Bill No. 478—An act to repeal section 1700 of the Insurance Code, relating to life agents;

Also: Senate Bill No. 493—An act to provide for physical examinations of persons employed in certain industries;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MINARD, Chairman.

On Irrigation.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 132—An act to amend section 11 of the California District Securities Act, providing that said section shall remain in effect until November 1, 1937, and declaring this act an emergency measure enacted under the police power;

Also: Assembly Bill No. 628—An act to repeal section 113 of the California Irrigation District Act, relating to actions or proceedings against an irrigation district or the board of directors thereof, brought by the holders of bonds of the district;

Also: Assembly Bill No. 841—An act to amend sections 1 and 3 of an act entitled "An act relating to the redemption of property sold to irrigation districts for delinquent assessments, and declaring the urgency thereof," approved September 20, 1934, relating to redemptions and by adding a new section to be numbered section 4 validating payments heretofore made under said act, and declaring the urgency thereof;

Also: Assembly Bill No. 883—An act to amend sections 45, 47 and 48 of the California Irrigation District Act, all relating to delinquent assessments, declaring the urgency thereof and providing that this act shall take effect immediately;

Also: Assembly Bill No. 1110—An act to amend sections 3774, 3897, and 3897d of the Political Code, relating to taxation;

Also: Assembly Bill No. 1503—An act to amend the California Irrigation District Act, relating to irrigation districts;

Also: Assembly Bill No. 1777—An act to amend section 57 of the California Irrigation District Act, relating to salaries of directors;

Also: Assembly Bill No. 2100—An act to amend section 1 and to add a new section to be numbered _____ to the "Palo Verde Irrigation District Act," approved June 21, 1923, relating to the organization and government of the Palo Verde Irrigation District;

Also: Assembly Bill No. 2101—An act to amend section 1 and to add a new section to be numbered _____ to "An act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended, relating to the organization and government of irrigation districts;

Has had the same under consideration, and respectfully reports the same back without recommendation.

FRAZIER, Chairman

Also:

MR. SPEAKER: Your Committee on Irrigation, to which was referred Assembly Bill No. 1504—An act to amend the Central Valley Project Act of 1933—has had the same under consideration, and respectfully reports the same back without recommendation.

FRAZIER, Chairman

On Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 7—An act to amend sections 581 and 629 of the Code of Civil Procedure, relating to civil actions;

Also: Assembly Bill No. 11—An act to amend sections 420, 422, and 450 of the Probate Code, relating to the appointment of administrators;

Also: Assembly Bill No. 12—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment;

Also: Assembly Bill No. 26—An act to amend section 1200 of the Probate Code, relating to giving notice;

Also: Assembly Bill No. 30—An act to amend sections 726 and 580a of the Code of Civil Procedure, to amend section 2924½ of the Civil Code, and to add section 508d to the Code of Civil Procedure, relating to deficiency judgment;
Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 20—An act relating to the advocacy of the overthrow of the existing form of government by force or other unlawful means;

Also: Assembly Bill No. 35—An act to amend sections 128 and 132 of the Civil Code, relating to actions of divorce,

Also: Assembly Bill No. 38—An act to amend section 674 of the Code of Civil Procedure, relating to the priority of certain liens on real property;

Also: Assembly Bill No. 51—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment;

Also: Assembly Bill No. 52—An act to amend section 15a of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, relating to decrees of adoption;

Also: Assembly Bill No. 69—An act to amend section 117 of the Code of Civil Procedure, and to add thereto a new section to be numbered 117c½, relating to small claims courts
Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 79—An act to amend sections 2920, 2924, 2932, 2934 and 2935 of the Civil Code, to add sections 2920.1, 2924.2, 2924.3, 2924.4, 2924.5, 2949, 2949.1, 2953, 2953.1, 2953.2, 2953.3, 2954.4, 2953.5, 2953.6, 2953.7, 2953.8, 2953.9, 2954 and 2954.1 to said code, and to repeal sections 858, 2924a and 2931 of said code relating to liens or charges on land, including mortgages and trust deeds, the definition thereof, and form and contents, the method and manner of their foreclosure and the rights of the parties thereunder, and provision for and definition of the manner in which a power of sale may be exercised;

Also: Assembly Bill No. 80—An act to amend sections 692 and 694 of the Code of Civil Procedure, relating to sales of property under execution or under power of sale;

Also: Assembly Bill No. 82—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and to provide for the disposition of the revenues therefrom, and to provide that this act shall take effect immediately;

Also: Assembly Bill No. 91—An act to repeal an act entitled "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act; to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act," approved May 15, 1933, relating to advertising;

Also: Assembly Bill No. 101—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment;

Also: Assembly Bill No. 102—An act to add a new section to be numbered 716a to the Code of Civil Procedure, relating to proceedings supplemental to execution;
Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 103—An act to amend section 1240 of the Probate Code, relating to appeals.

Also: Assembly Bill No. 105—An act to prevent interference with the governing authorities of any public school or State university or of any educational institution supported in whole or in part by public funds; to prevent the teaching of and advocacy of resistance to control of any such educational institutions by the governing authorities thereof; to prevent the formation of organizations among the student body of any such educational institution for the purpose of resisting or interfering with the management and control of any such educational institution by the governing authorities thereof, and prescribing certain penalties for the violation thereof.

Also, Assembly Bill No. 107—An act to add sections 39 and 39a to the Penal Code, relating to advocating the overthrow of government by force, violence or other unlawful means;

Also: Assembly Bill No. 108—An act to add section 8a to an "Act creating a State Bureau of Criminal Identification and Investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the provisions hereof, and repealing an act entitled 'An act to create a State Bureau of Criminal Identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications, fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office,' approved March 20, 1905." approved May 31, 1917, relating to the duties of sheriffs, marshals, and chiefs of police in relation to activities of a seditious nature;

Also: Assembly Bill No. 109—An act to declare all buildings and property nuisances wherein or upon which meetings or assemblies for the purpose of advocating the overthrow of organized government by means of force or violence, or any unlawful means, are held or occur, and providing for the abatement and prevention of such nuisances by injunction and otherwise;

Also: Assembly Bill No. 110—*An act to amend section 1 of the Direct Primary* Law, relating to qualifications of policical parties for primary elections;

Also: Assembly Bill No. 111—An act to add section 4465a to the Political Code, relating to rates for legal advertising;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 114—An act to amend section 1 of an act entitled "An act relating to the liability in damages of municipalities, counties, cities and counties, and school districts, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property; *prescribing the duties of the officers thereof in such cases and authorizing such* public or quasi public corporations to take out and pay for insurance to protect them against such liability," approved June 19, 1931, relating to claims and the institution of suits;

Also, Assembly Bill No. 115—An act to amend the title and section 1 of "An act relating to the liability and damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property, and alleged to be due to the negligence or carelessness of such officers, prescribing the duties of claimants in such cases, and authorizing the State and such public or quasi public corporations to take out and pay for insurance to protect their officers against such liability," approved June 19, 1931, relating to liability for negligent and careless operation of motor vehicles, and to claims and the institution of suits,

Also: Assembly Bill No. 116—An act to amend section 692 of the Code of Civil Procedure, relating to notice of sales of real property under execution or under power of sale in deeds of trust,

Also: Assembly Bill No. 131—An act to add section 2924d to the Civil Code and sections 726a and 726b to the Code of Civil Procedure, relating to deficiency judgments and declaring the urgency thereof;

Also: Assembly Bill No. 133—An act to amend sections 117 and 117r of the Code of Civil Procedure, relating to the jurisdiction of small claims courts;

Also: Assembly Bill No. 134—An act to amend section 137 of the Civil Code, relating to alimony;

Also: Assembly Bill No. 135—An act to amend section 132 of the Civil Code, relating to final judgment of divorce,

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 136—An act to amend section 167 of the Civil Code, relating to community property;

Also: Assembly Bill No. 137—An act to amend section 284 of the Code of Civil Procedure, relating to change of attorney;

Also: Assembly Bill No. 138—An act to add section 580d to the Code of Civil Procedure, relating to deficiency judgments;

Also Assembly Bill No. 158—An act to amend sections 117 and 117r of the Code of Civil Procedure, relating to small claims courts;

Also Assembly Bill No 167—An act to add section 2924d to the Civil Code, and to amend sections 700a, 701, 702, 703, 704, and 705 of the Code of Civil Procedure, relating to redemption after sale under mortgage or deed of trust;

Also: Assembly Bill No. 169—An act to amend section 607 of the Code of Civil Procedure, relating to the order of trial;

Also: Assembly Bill No. 171—An act to amend sections 3051, 3051a and 3052 of the Civil Code, relating to liens on personal property for work, materials, supplies, feed, care, keep and services rendered;

Also. Assembly Bill No. 179—An act to amend section 953c of the Code of Civil Procedure, relating to appeals;

Also: Assembly Bill No. 220—An act to amend section 1033 of the Code of Civil Procedure, relating to cost bills in superior, municipal and justices' courts.

Also. Assembly Bill No. 225—An act to amend section 675 of the Code of Civil Procedure, relating to the satisfaction of judgments;

Also: Assembly Bill No. 227—An act to add a new section to the Civil Code to be numbered 137a, relating to costs and attorney's fees granted in actions for divorce or permanent support;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER. Your Committee on Judiciary, to which was referred Assembly Bill No. 230—An act to amend section 3897 of the Political Code, relating to the redemption of property sold for delinquent taxes;

Also: Assembly Bill No. 250—An act to amend section 2957, 2959, 2965 and 2966 of the Civil Code, relating to mortgages of personal property;

Also. Assembly Bill No. 254—An act to add a new section to the Code of Civil Procedure to be known as section 1871½, relating to reports of medical examinations and expert medical testimony in civil actions and proceedings;

Also Assembly Bill No. 255—An act to provide for the selection of impartial expert medical witnesses and impartial medical examiners appointed by the court under sections 1871, 1871½ of the Code of Civil Procedure or section 1027 of the Penal Code, from eligible lists or panels to be provided under the direction of the Civil Service Commission;

Also: Assembly Bill No 267—An act to amend section 1004 of the Penal Code, relating to grounds for demurrer;

Also: Assembly Bill No. 268—An act to amend section 921 of the Penal Code, relating to the finding of indictments;

Also: Assembly Bill No. 269—An act to amend section 927 of the Penal Code, relating to the questioning and liability of a grand juror;

Also· Assembly Bill No. 282—An act to be known as the Mortgage and Redemption Law, granting relief in certain cases from inequitable mortgage and trust deed sales of real property during the depression and economic emergency, relating to the instrumentality by which real property may be made security for the performance of an obligation, and providing the mode of foreclosure of such instrumentalities and for the right of redemption thereunder after foreclosure; providing for the judicial determination, under proper rules of evidence and within a limited time of the validity and effect of sales and conveyances made by mortgages and trustees under power of sale which have not been adjudicated; attaching the right of redemption after judgment to the right given of access to the courts of the State for the purpose of judicially determining the validity and effect of such sales and conveyances; providing that the right of redemption declared shall include the right of an accounting; declaring the provisions of this act to be severable; declaring the public policy of the people of this State touching the recent widespread foreclosures and the economic effects thereof; and declaring the present existence of a public emergency requiring the enactment of this legislation;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 290—An act to amend section 683 of the Civil Code, relating to joint tenancy;

Also: Assembly Bill No. 318—An act to amend section 128 of the Code of Civil Procedure, relating to powers and duties of courts;

Also: Assembly Bill No. 319—An act to add a new section to the Political Code, to be numbered 4469, relating to the common law writ of error coram nobis;

Also: Assembly Bill No. 320—An act to amend section 1182 of the Penal Code, and to add a new section thereto, to be numbered 1183, relating to new trials;

Also: Assembly Bill No. 321—An act to amend section 956a of the Code of Civil Procedure, relating to remedial powers of the appellate courts;

Also: Assembly Bill No. 324—An act to amend section 1781 of the Civil Code, relating to retaking of possession of personal property by seller;

Also: Assembly Bill No. 325—An act to add a new section to the Code of Civil Procedure, to be known as section 1021a, creating the lien of an attorney at law;

Also: Assembly Bill No. 343—An act adding section 4150a to the Political Code of the State of California, relating to the judicial conduct of judges;

Also: Assembly Bill No. 347—An act to amend sections 640, 641, 642, 645, and 646 of the Probate Code, relating to the setting aside of estates without administration;

Also: Assembly Bill No. 352—An act to amend section 112 of the Code of Civil Procedure, relating to justices' courts,

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 378—An act to amend sections 335 to 348, inclusive, of the Code of Civil Procedure, relating to statutes of limitation;

Also: Assembly Bill No. 380—An act to amend sections 4130, 4140 and 4300c of the Political Code, relating to county recorders;

Also: Assembly Bill No. 382—An act to amend section 943 of the Code of Civil Procedure, relating to appeals;

Also: Assembly Bill No. 388—An act to amend section 689 of the Code of Civil Procedure, relating to third-party claims,

Also: Assembly Bill No. 389—An act to amend section 690 of the Code of Civil Procedure, relating to the exemption of property from execution or attachment;

Also: Assembly Bill No. 391—An act to amend section 15a of an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of the same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, relating to adoptions;

Also: Assembly Bill No. 392—An act to amend section 227 of the Civil Code, relating to adoptions.

Also: Assembly Bill No. 399—An act to amend sections 919 and 926 of the Penal Code, relating to grand juries;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 404—An act to repeal an act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores and spotting, sponging, and/or pressing establishments or agencies thereof, and private schools and colleges of spotting, sponging and/or pressing; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violations," approved May 28, 1931;

Also: Assembly Bill No. 408—An act to amend section 1054 of the Code of Civil Procedure, relating to continuances, postponements and extensions of time;

Also: Assembly Bill No. 412—An act to amend section 132 of the Civil Code, relating to divorce;

Also: Assembly Bill No. 419—An act to repeal "An act defining criminal syndicalism and sabotage, prescribing certain acts and methods in connection therewith, and in pursuance thereof and providing penalties and punishments therefor,"

approved April 30, 1919, declaring the urgency of this act and providing that it shall take effect immediately;

Also: Assembly Bill No. 420—An act to amend section 422 of the Probate Code, relating to order of priority of right to letters;

Also: Assembly Bill No. 421—An act to amend section 1057 and to add sections 1057b and 1057c of the Code of Civil Procedure, relating to sureties;

Also: Assembly Bill No. 430—An act to amend section 2924 of the Civil Code, relating to mortgages and transfers of property in trust;

Also: Assembly Bill No. 431—An act to amend section 819 of the Civil Code, relating to rights of tenants;

Also: Assembly Bill No. 435—An act to add section 136 to the Code of Civil Procedure, relating to judges of municipal and superior courts;

Also: Assembly Bill No. 436—An act to amend sections 1, 15 and 17 of an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929, relating to civil engineers;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 447—An act to amend section 20 of the Probate Code, relating to limitations on the disposition of property by will;

Also: Assembly Bill No. 449—An act to amend section 689b of the Code of Civil Procedure, relating to attachments and executions;

Also: Assembly Bill No. 458—An act to amend section 1297 of the Penal Code, relating to deposits of money;

Also: Assembly Bill No. 469—An act to add section 383a to the Code of Civil Procedure, relating to proceedings against persons secondarily liable;

Also: Assembly Bill No. 476—An act to amend sections 204 and 241 of the Code of Civil Procedure, relating to juries;

Also: Assembly Bill No. 478—An act to amend section 595 of the Code of Civil Procedure, relating to continuances;

Also: Assembly Bill No. 484—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment;

Also: Assembly Bill No. 513—An act to amend section 395 of the Code of Civil Procedure, relating to venue;

Also: Assembly Bill No. 520—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 531—An act to amend section 2032 of the Code of Civil Procedure, relating to depositions;

Also: Assembly Bill No. 539—An act to amend section 2.801 of the School Code, relating to the liability of school districts for injury to persons or property;

Also: Assembly Bill No. 551—An act to add section 1a to an act entitled "An act to provide for the licensing and inspecting of maternity hospitals, lying-in asylums and homes for children; defining the duties of persons conducting the same; and the duties and powers of the county boards of health or county health officers and other health officers in relation thereto; and providing a penalty for the violations of its provisions," approved March 20, 1903, relating to penalties;

Also: Assembly Bill No. 556—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment;

Also: Assembly Bill No. 577—An act to amend section 1168 of the Penal Code, relating to the sentencing of prisoners, terms of imprisonment, credits to prisoners and paroles of prisoners;

Also: Assembly Bill No. 580—An act to amend section 760 of the Probate Code, relating to contracts with agents for the sale of property of estates of decedents;

Also: Assembly Bill No. 581—An act to amend section 755 of the Probate Code, relating to the confirmation of sales of the property of estates of decedents;

Also: Assembly Bill No. 582—An act to amend section 660 of the Probate Code, relating to the possession of certain exempt property and the setting aside of exempt property to the spouse or minor children of a decedent;

Also: Assembly Bill No. 590—An act to amend section 2309 of the Civil Code, relating to oral authorization;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 593—An act prohibiting any court or judge thereof in this State to issue any restraining order or temporary or permanent injunction, or to declare certain acts illegal, in cases involving or growing out of a labor dispute; defining terms used herein; repealing all acts or parts of acts in conflict with this act; and declaring invalid all local ordinances made by any city, county or city and county pursuant to the provisions of section 11 of Article II of the Constitution and purporting to regulate matters involved or growing out of a labor dispute;

Also: Assembly Bill No. 594—An act to amend section 2274 of the Civil Code, relating to compensation of trustee;

Also: Assembly Bill No. 595—An act to amend section 54 of the Probate Code, relating to nuncupative will;

Also: Assembly Bill No. 596—An act to amend section 929 of the Probate Code, relating to debts and claims against estate.

Also: Assembly Bill No. 597—An act to add section 3370 to the Civil Code, relating to recovery of attorney's fees;

Also: Assembly Bill No. 599—An act to amend section 1322 of the Penal Code and section 1881 of the Code of Civil Procedure, relating to the testimony of a husband or wife against the other and to communications made by either husband or wife to the other during the marriage;

Also: Assembly Bill No. 612—An act to amend section 1239 of the Code of Civil Procedure, relating to the classification of the estates and rights in lands subject to being taken for public use;

Also Assembly Bill No. 647—An act to amend section 1269a of the Civil Code, relating to exchange of homestead property when one spouse is incompetent;

Also: Assembly Bill No. 649—An act to repeal section 536 of the Civil Code;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 651—An act to amend an act entitled "An act providing for the sale of street railroad and other franchises in counties and municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting acts," approved March 22, 1905, as amended, by amending section 3 of said act, relating to franchises;

Also: Assembly Bill No. 681—An act to add a new section to the Civil Code to be numbered 2981, relating to conditional sales, conditional sales contracts and the recovery of property thereunder;

Also: Assembly Bill No. 701—An act to amend section 1374 of the Penal Code, relating to the expense of maintenance in State hospitals of persons charged with crime;

Also: Assembly Bill No. 705—An act to amend section 19 of the Penal Code, relating to place of imprisonment for misdemeanor;

Also: Assembly Bill No 711—An act to amend section 9 of the "General Cemetery Act," relative to property used for cemetery purposes;

Also: Assembly Bill No. 721—An act to amend section 4300f of the Political Code, relating to jurors' fees and mileage;

Also: Assembly Bill No 722—An act to add a new section to the Code of Civil Procedure, to be numbered 605 establishing the procedure for jury fees in civil cases, making such fees a revenue of the county, and repealing conflicting acts and parts of acts;

Also: Assembly Bill No 723—An act to amend section 1143 of the Penal Code, relating to fees and mileage of jurors in criminal cases;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 727—An act to amend the title of, and to add two new sections to be numbered 1a and 2a, respectively, to an act entitled "An act relating to the liability in damages of the officers of districts, towns, cities, cities and counties, counties and of the State of California for injuries to person or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, prescribing the duties of certain public officers with respect thereto, and repealing an act entitled 'An act relating to the liability of public officers for damages resulting from defects and dangers in streets, highways, public buildings, public work or property,' approved April 26, 1911," approved May 18, 1919, relating to the liability of public officers and employees;

Also: Assembly Bill No. 747—An act to provide for the registration of persons within this State;

Also: Assembly Bill No. 751—An act to add section 291½ to, and to amend section 292 of, the Code of Civil Procedure, relating to the filing of accusations against attorneys and counsellors at law and to the time for answering thereto;

Also: Assembly Bill No. 763—An act to prohibit until February 1, 1937, foreclosures and sales under certain mortgages and deeds of trust, and the forfeiture of the interest of the purchaser under certain contracts of purchase, for default in the payment of the principal sum of obligations secured thereby or contracted to be paid thereunder, to permit extension of time for payment of interest upon such obligation, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale or forfeiture made in violation of the act, to prescribe the time within which an action to avoid the same may be brought, to postpone sales for default in payment of installments due between effective date of act and February 1, 1937, to authorize waiver hereof, to prevent actions against guarantors' obligations the enforcement of the security for which is affected by the act, and to declare the urgency hereof;

Also: Assembly Bill No. 769—An act to amend section 18 of the Juvenile Court Law, relating to the term of office of probation officers;

Also: Assembly Bill No. 795—An act relating to conditional sale or lease contracts;

Also: Assembly Bill No. 809—An act to amend section 2261 of the Civil Code of California, relating to investment of money by trustee;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 813—An act to amend section 540 of the Code of Civil Procedure, relating to attachments;

Also: Assembly Bill No. 830—An act to add new sections to the Civil Code to be numbered 2981 and 2982, relating to conditional sales of personal property;

Also: Assembly Bill No. 831—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment;

Also: Assembly Bill No. 846—An act providing for the manner of renewal of a mortgage;

Also: Assembly Bill No. 853—An act to amend sections 3817c and 3817d and 3897 of the Political Code and to add to said code new sections numbered 3817b2, 3817c2, 3817f, 3817g, 3817h and 3817i, relating to taxation, including tax delinquencies, tax penalties and costs, tax redemptions and tax sales, and declaring the urgency thereof, to take effect immediately;

Also: Assembly Bill No. 855—An act to amend section 647 of the Penal Code, relating to vagrancy;

Also: Assembly Bill No. 861—An act to add a new section to the Civil Code to be numbered 3443, relating to fraud in bulk sales;

Also: Assembly Bill No. 881—An act to amend section 608 of the Code of Civil Procedure, relating to instructions and comment in civil cases;

Also: Assembly Bill No. 886—An act to provide for shortening of time for trial and appeal of causes arising out of injuries to persons;

Also: Assembly Bill No. 905—An act to amend section 1020.5 of the Probate Code, relating to necessary procedure in issuing decrees of distribution;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 932—An act to amend "An act to regulate and license persons engaged in the business of outdoor advertising and all persons erecting or maintaining or authorizing the erection or maintenance of outdoor advertising signs or structures outside of the limits of incorporated cities or towns; to provide for the securing and issuance of permits and fees therefor; to provide for the administration of this act by the Director of Public Works; to create a special fund to assist in the administration of this act; to provide for the disposition of fees and penalties collected hereunder; to provide for the enforcement of this act, to require the permission of the owner or lessee of property upon which such advertising structure or sign is located; to provide for penalties; and to repeal all acts or parts of acts in conflict with this act," approved May 15, 1933, relating to the business of outdoor advertising;

Also: Assembly Bill No. 937—An act to amend section 400 of the Vehicle Code, relating to liability of State and governmental agencies arising out of ownership of motor vehicles;

Also: Assembly Bill No. 957—An act to amend section 24 of the State Bar Act, approved March 31, 1927, as amended, relating to admission to practice law;

Also: Assembly Bill No. 960—An act to add a new section to the Political Code, to be numbered 832, relating to general referees, defining such referees and regulating their powers and remuneration;

Also: Assembly Bill No. 968—An act to amend sections 1, 1½, and 1¾ of an act entitled "An act to require employers to pay the cost of bonds and photographs required of and furnished by employees, or applicants for employment, and to protect cash bonds and other security put up by employees, or applicants for employment, pursuant to the contract of employment, prohibiting investments and the sale of stock or an interest in a business in connection with the securing of a position and advertisements to this effect, providing for the enforcement of the act by the Chief of the Division of Labor Statistics and Law Enforcement of the State Department of Industrial Relations and providing penalties for violation thereof," approved April 20, 1917, relating to costs of bonds and photographs for employees; Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 979—An act regulating the practice of engineering; providing for the creation and establishment of a State Board of Registration for Professional Engineers; granting certain powers to and prescribing the duties of said board; providing for the examination and registration of professional engineers, and providing penalties for the violation of this act; and repealing an act entitled "An act regulating the practice of civil engineering," approved June 14, 1929;

Also: Assembly Bill No. 981—An act to amend section 10 of an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holders to facilitate the enforcement of this act, prescribing penalties for the violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," approved November 2, 1920, relating to conspiracy to effect illegal transfer;

Also: Assembly Bill No. 1002—An act to amend an act entitled "An act relating to the rights, power, and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheat in certain cases, requiring the procedure therein, requiring reports of certain property holders to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," approved November 2, 1920, relating to aliens working on land;

Also: Assembly Bill No. 1003—An act to repeal sections 2948 and 2956 of the Civil Code, relating to forms of mortgages for real property and personal property;

Also: Assembly Bill No. 1011—An act to amend section 537 of the Code of Civil Procedure, relating to the grounds for issuance of attachments;

Also: Assembly Bill No. 1012—An act to add a new section to the Code of Civil Procedure to be numbered 2007, relating to depositions;

Also: Assembly Bill No. 1013—An act to add a new section to the Code of Civil Procedure, to be numbered 2009a, relating to the use of affidavits in all actions in the courts of this State;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1014—An act to add section 1876 to the Code of Civil Procedure, relating to rules of evidence;

Also: Assembly Bill No. 1015—An act to amend section 545 of the Code of Civil Procedure, relating to persons having property in their possession belonging to the judgment debtor;

Also: Assembly Bill No. 1016—An act to add a new section to the Code of Civil Procedure, to be numbered 467, relating to pleading compliance with a statute;

Also: Assembly Bill No. 1017—An act to add a new section to the Code of Civil Procedure, to be numbered 466, relating to pleading compliance with a statute;

Also: Assembly Bill No. 1018—An act to amend section 1211 of the Code of Civil Procedure, relating to contempt of court;

Also: Assembly Bill No. 1019—An act to amend section 1211 of the Code of Civil Procedure, relating to punishment of contempt of court;

Also: Assembly Bill No. 1020—An act to amend section 1212 of the Code of Civil Procedure, relating to when a warrant of attachment may issue;

Also: Assembly Bill No. 1021—An act to abolish the death penalty as a punishment for crime, except in certain cases, and to provide for the punishment for crimes in cases where the death penalty is abolished.

Also: Assembly Bill No. 1038—An act to add a new section to the Political Code of the State of California to be numbered 3810, relating to review of proposed assessments or assessments in counties of the first class alleged to be illegal or erroneous and providing procedure for such review;

Also: Assembly Bill No. 1039—An act to amend section 3617 of the Political Code, relating to definition of terms used for taxation purposes;

Also: Assembly Bill No. 1042—An act to add section 150 to the Civil Code, relating to property of a husband;

Also: Assembly Bill No. 1043—An act to amend section 1218 of the Code of Civil Procedure, relating to punishment of contempt;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1045—An act to add a new section to the Code of Civil Procedure, to be numbered 34a, relating to suits in pauper's form;

Also: Assembly Bill No. 1047—An act to repeal section 647 of the Penal Code, relating to the definition of vagrants;

Also: Assembly Bill No. 1048—An act to create an association to be known as the "California Bar Association for Attorneys," relating to the practice of law in California, and to repeal the State Bar Act;

Also: Assembly Bill No. 1049—An act to amend section 86 of the Code of Civil Procedure, relating to duties of municipal court clerk;

Also: Assembly Bill No. 1069—An act to amend section 3003 of the Civil Code, relating to waiver of demand of notice of sale of pledge;

Also: Assembly Bill No. 1070—An act to amend section 175 of the Civil Code, relating to liability of husband for support of wife;

Also: Assembly Bill No. 1071—An act to amend section 3440 of the Civil Code providing for the sale of stock of trade involved and providing for the liability of any auctioneer selling said stock;

Also: Assembly Bill No. 1072—An act to amend section 441 of the Probate Code, relating to notice of application for letters of administration;

Also: Assembly Bill No. 1073—An act to amend section 3005 of the Civil Code, relating to the manner of sale of pledged property;

Also: Assembly Bill No. 1081—An act to amend section 7 of the act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualifications and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts in cities of the first and one-half class;

Also: Assembly Bill No. 1098—An act to add section ___ to the Penal Code, relating to collective bargaining;

Also: Assembly Bill No. 1099—An act to add section 92a to the Civil Code, relating to grounds of divorce;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1103—An act to add section 43a to the Political Code, relating to constitutional, personal and civil rights;

Also: Assembly Bill No. 1104—An act to add section 151 to the Penal Code, relating to oppressive and discriminatory law enforcement;

Also: Assembly Bill No 1140—An act to amend sections 2168 and 2185c of the Political Code and amending section 259a of the Code of Civil Procedure by adding subdivision 8 thereto, relating to the apprehension of insane persons and the issuance of warrants therefor and relating to the duties of court commissioners;

Also: Assembly Bill No 1145—An act to amend section 3440 of the Civil Code, relating to bulk sales;

Also: Assembly Bill No. 1152—An act to amend section 1714 of the Civil Code, relating to responsibility for negligence;

Also: Assembly Bill No. 1159—An act to amend section 11 of an act known as the "Juvenile Court Law," approved June 5, 1915, as amended, relative to making juvenile court orders for reimbursement by parents and other persons and from estates of minors, liens upon real property of such parents or other persons or in the estates of such minors by the method of recording abstracts of such orders;

Also: Assembly Bill No. 1202—An act to amend section 1 of an act entitled "An act requiring the reporting of personal injuries and prescribing penalties for the violation of the provisions thereof," approved May 23, 1929, relating to the duty of hospitals, pharmacies, physicians and other persons to report cases of persons suffering from wounds or injuries;

Also: Assembly Bill No. 1207—An act to amend section 3664a-1 of the Political Code;

Also: Assembly Bill No. 1211—An act to amend section 3 of an act entitled: "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores and spotting, sponging, and/or pressing establishments, or agencies thereof, and private schools and colleges of spotting, sponging and/or pressing; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Division of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violation," approved May 28, 1931, as amended;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1278—An act to amend section 2 of and to add section 2a to "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof," approved May 14, 1927, relating to collection agencies and the regulation, supervision and licensing thereof—has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1229—An act to amend section 4460 of the Political Code, relating to newspapers of general circulation;

Also: Assembly Bill No. 1275—An act to amend sections 11, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 37, 38, 39, 43, 48, 49, of, to repeal sections 12, 13, 40, 41, 42, of, and to add sections 20a, 20b, 20c, 26a, 51, 52, 53, 54, 55, 56, 57, 58, 59 to the State Bar Act, relating to attorneys and the practice of law;

Also: Assembly Bill No. 1280—An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for the violation thereof;

Also: Assembly Bill No. 1310—An act to amend sections 1, 2 3, 4, 5 and 7, of the act entitled "An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores and spotting, sponging, and/or pressing establishments, or agencies thereof, and private schools and colleges of spotting, sponging and/or pressing, providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal as Chief of the Bureau of Fire Safety in the Department of Industrial Relations; providing ways and means for enforcement, and providing penalties for violations," approved May 28, 1931, relating to the cleaning and dyeing industry;

Also: Assembly Bill No. 1312—An act declaring a right of action for slander of title;

Also: Assembly Bill No. 1313—An act to amend section 2924 of the Civil Code, relating to transfers of property as security for the performance of another act;

Also: Assembly Bill No. 1315—An act to authorize the adoption and approval of State codes of fair competition for certain trades and industries, both for the entire State and for subdivisions thereof; to provide for the enforcement of National codes and of the provisions of State codes of fair competition approved as in this act provided; to provide penalties for the violation of the provisions hereof; to declare the urgency of this act; to repeal all acts or parts of acts in conflict herewith; and to provide that this act shall take effect immediately;

Also: Assembly Bill No 1331—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment;

Also: Assembly Bill No. 1334—An act to amend section 602 of the Penal Code, relating to trespass;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1335—An act to amend section 627 of the Penal Code, relating to trespass;

Also: Assembly Bill No. 1338—An act to amend section 668 of the Penal Code, relating to punishment and conviction of prior felons;

Also: Assembly Bill No. 1341—An act to amend section 1241 of the Civil Code and to add a new section thereto, to be numbered 1241a, relating to homesteads;

Also: Assembly Bill No. 1352—An act to add a new section to the Penal Code to be numbered section 1306a, relating to forfeiture of bail bond;

Also: Assembly Bill No. 1356—An act relating to the bargaining power of employer and employee, including the encouragement of the amicable settlement of disputes between employers and employees and the creation of a California Labor Board for these and other purposes;

Also: Assembly Bill No. 1366—An act to amend sections 1, 2, 3, 4, 5, 6, 7 and 9a of an act entitled "An act providing for the registration of contractors, and defining the term contractor; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, and as amended;

Also: Assembly Bill No. 1397—An act to amend section 168 of the Civil Code, respecting liability of wife's earnings for husband's debts;

Also: Assembly Bill No. 1399—An act to amend subdivision 6 of section 690 of the Code of Civil Procedure, relating to exemptions from execution;

Also: Assembly Bill No. 1402—An act to amend section 3756 of the Political Code, relating to delinquent dates fixed, penalties prescribed;

Also: Assembly Bill No. 1403—An act to amend section 3670c of the Political Code, relating to Controller to pay bond taxes to counties and cities on operative property enumerated in subdivisions a, b, and d, of section 14, Article XIII of the Constitution;

Also: Assembly Bill No. 1404—An act to amend section 3670 of the Political Code, relating to auditor to report bank real estate assessments to State board which may equalize them;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1406—An act to amend section 3666a of the Political Code, relating to Insurance Commissioner to make annual report to State Board of Equalization for tax purposes;

Also: Assembly Bill No. 1407—An act to amend section 3829 of the Political Code, relating to tax collector to be compensated for collecting personal property taxes as county government act may provide;

Also: Assembly Bill No. 1408—An act to amend section 3827 of the Political Code, relating to tax collector to note tax collections;

Also: Assembly Bill No. 1409—An act to amend section 3826 of the Political Code, relating to tax collector to make monthly settlement with auditor;

Also: Assembly Bill No. 1410—An act to amend section 3823 of the Political Code, relating to what rate of tax governs such collections;

Also: Assembly Bill No. 1411—An act to amend section 3793 of the Political Code, relating to fees fixed for selling personal property;

Also: Assembly Bill No. 1412—An act to amend section 3821 of the Political Code, relating to seizure and sale of personal property for tax payments authorized in certain cases;

Also: Assembly Bill No. 1413—An act to amend section 3668c of the Political Code, relating to lien of taxes extends to all property of companies subject to State taxation;

Also: Assembly Bill No. 1414—An act to amend section 3668b of the Political Code, relating to tax payment dates fixed; delinquency penalties provided; immediate payment of unsecured taxes required; sale of property for nonpayment of taxes provided; Controller to give notice concerning taxes;

Also: Assembly Bill No. 1415—An act to amend section 3732 of the Political Code, relating to auditor to deliver assessment book to tax collector with affidavit;

Also: Assembly Bill No. 1416—An act to amend section 3737 of the Political Code, relating to auditor must prepare financial statement of county;

Also: Assembly Bill No. 1417—An act to amend section 3738 of the Political Code, relating to personal property tax receipts to be furnished to assessor by auditor;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1418—An act to amend section 3669c of the Political Code, relating to suspension of corporate powers required on failure to pay taxes; revivor permitted; action for delinquent taxes prescribed;

Also: Assembly Bill No. 1419—An act to amend section 3758 of the Political Code, relating to delinquency penalties to be entered by auditor with aid of tax collector;
Also: Assembly Bill No. 1420—An act to amend section 3759 of the Political Code, relating to tax collector to deliver assessment book and delinquent list to auditor;
Also: Assembly Bill No. 1421—An act to amend section 3696 of the Political Code, relating to State tax rate to be fixed by board; notification prescribed;
Also: Assembly Bill No. 1422—An act to amend section 3764 of the Political Code, relating to annual publication of delinquent tax list and notices of sale required; form of notice prescribed;
Also: Assembly Bill No. 1423—An act to amend section 3713 of the Political Code, relating to ad valorem tax to be levied to meet deficiency;
Also: Assembly Bill No. 1424—An act to amend section 3714 of the Political Code, relating to county budget prescribed; supervisors to fix tax rate; bond taxes limited;
Also: Assembly Bill No. 1425—An act to amend section 3797 of the Political Code, relating to comparison of delinquent list with unpaid assessments to be made by tax collector and auditor;
Also: Assembly Bill No. 1427—An act to amend section 3717 of the Political Code, relating to personal property tax made lien on real property;
Also: Assembly Bill No. 1428—An act to amend section 3718 of the Political Code, relating to extent of tax liens on real property, improvements and possessory rights in real estate defined;
Also: Assembly Bill No. 1429—An act to amend section 3821 of the Political Code, relating to seizure and sale of personal property for tax payments authorized in certain cases;
Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1430—An act to amend section 3728 of the Political Code, relating to auditor to prepare duplicate statistical statement of assessments;
Also: Assembly Bill No. 1431—An act to amend section 3831 of the Political Code, relating to auditor to examine assessment book to ascertain amount of taxes collected by assessor;
Also: Assembly Bill No. 1432—An act to amend section 3652 of the Political Code, relating to assessor to complete assessment book by affidavit;
Also: Assembly Bill No. 1433—An act to amend section 4022 of the Political Code, relating to official bonds of county officers;
Also: Assembly Bill No. 1434—An act to amend section 3649 of the Political Code, relating to property escaping assessment to be assessed when discovered;
Also: Assembly Bill No. 1435—An act to amend section 3633 of the Political Code, relating to arbitrary assessment prescribed when taxpayer fails to make statement;
Also: Assembly Bill No. 1436—An act to amend section 2656 of the Political Code, relating to division of road funds at time of incorporation or annexation of territory;
Also: Assembly Bill No. 1437—An act to amend section 3693 of the Political Code, relating to reappraisal of property in county may be made by commission to further work of equalization;
Also: Assembly Bill No. 1438—An act to amend section 3659 of the Political Code, relating to Surveyor General to report to assessor all State lands sold;
Also: Assembly Bill No. 1439—An act to amend section 3817 of the Political Code, relating to redemption procedure prescribed for property sold to State;
Also: Assembly Bill No 1440—An act to amend section 3667 of the Political Code, relating to annual franchise reports required; contents prescribed;
Also: Assembly Bill No 1441—An act to amend section 3692 of the Political Code, relating to powers and duties of State Board of Equalization prescribed;
Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1442—An act to amend section 3666b of the Political Code, relating to banks to make annual statement of condition;
Also: Assembly Bill No. 1443—An act to amend section 3668a of the Political Code, relating to record of assessment for State taxes required; certification and delivery to Controller prescribed;
Also: Assembly Bill No. 1444—An act to amend section 3665c of the Political Code, relating to annual reports required from public utilities; contents prescribed;
Also: Assembly Bill No. 1445—An act to amend section 3663a of the Political Code, relating to State Board of Equalization to assess certain property;
Also: Assembly Bill No. 1446—An act to amend section 3665a of the Political Code, relating to "gross receipts from operation" defined; adjustments provided;

Also: Assembly Bill No. 1447—An act to amend section 3655 of the Political Code, relating to report of assessor to State Board of Equalization required;
Also: Assembly Bill No. 1448—An act to amend section 3664b-4 of the Political Code, relating to method of computing ocean marine insurance tax prescribed;
Also: Assembly Bill No. 1449—An act to amend section 3638a of the Political Code, relating to situs of property in transit fixed at owner's residence;
Also: Assembly Bill No. 1450—An act to amend section 3738 of the Political Code, relating to personal property tax receipts to be furnished to tax collector by auditor;
Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1451—An act to amend section 3653 of the Political Code, relating to copies of assessment book to be furnished cities, irrigation districts, etc., on request;
Also: Assembly Bill No. 1452—An act to amend section 3678 of the Political Code, relating to auditor to make statement concerning properties redeemed and unredeemed for delinquent taxes;
Also: Assembly Bill No. 1453—An act to amend section 3831 of the Political Code, relating to auditor to examine assessment book to ascertain amount of taxes collected by tax collector;
Also: Assembly Bill No 1454—An act to amend section 3671b of the Political Code, relating to counties to reimburse districts for revenue losses;
Also: Assembly Bill No. 1455—An act to amend section 3820 of the Political Code, relating to tax collector to collect taxes not secured by real property;
Also: Assembly Bill No. 1456—An act to amend section 3672 of the Political Code, relating to supervisors to equalize assessments in April;
Also: Assembly Bill No. 1457—An act to amend section 3629 of the Political Code, relating to taxpayer required to file statement with assessor;
Also: Assembly Bill No. 1458—An act to amend section 3663b of the Political Code, relating to procedure prescribed for assessment of property by State Board of Equalization;
Also: Assembly Bill No. 1459—An act to amend section 3670cc of the Political Code, relating to Controller to pay bond taxes to counties and cities on operative property enumerated in section 15, Article XIII of the Constitution;
Also: Assembly Bill No. 1460—An act to amend section 3753 of the Political Code, relating to tax collector must settle with auditor at monthly intervals;
Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1461—An act to amend section 3668 of the Political Code, relating to assessments to be made by State Board of Equalization; special procedure prescribed for levy on bank shares; board to give notice of completion of assessments; procedure for equalization provided;
Also: Assembly Bill No. 1471—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment;
Also: Assembly Bill No. 1479—An act to amend section 3479 of the Civil Code, relating to nuisances;
Also: Assembly Bill No 1494—An act to amend the "State Bar Act," approved March 31, 1927, relating to attorneys at law and the practice of law in the State of California;
Also: Assembly Bill No. 1496—An act to prohibit the rending of a deficiency judgment following the foreclosure of a mortgage or trust deed;
Also: Assembly Bill No. 1505—An act to amend the Central Valley Project Act of 1933;
Also: Assembly Bill No. 1506—An act to amend the Irrigation District Improvement Act, relating to irrigation districts;
Also: Assembly Bill No. 1507—An act to amend the California Irrigation District Act, relating to irrigation districts;
Also: Assembly Bill No. 1508—An act to amend the California Irrigation District Act, relating to irrigation districts;
Also: Assembly Bill No. 1509—An act to amend the Irrigation District Improvement Act, relating to irrigation districts;
Also: Assembly Bill No. 1510—An act to amend the Central Valley Project Act of 1933,
Also: Assembly Bill No 1511—An act to amend the California Irrigation District Act, relating to irrigation districts;
Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1512—An act to amend the Central Valley Project Act of 1933;

Also: Assembly Bill No. 1513—An act to amend the Irrigation District Improvement Act, relating to irrigation districts;

Also: Assembly Bill No. 1515—An act to amend section 3669a of the Political Code, relating to action for recovery of taxes claimed illegal provided;

Also: Assembly Bill No. 1517—An act to amend the Irrigation District Improvement Act, relating to irrigation districts;

Also: Assembly Bill No. 1522—An act to repeal section 9 of the Old Age Security Act, relating to transfers of property by a person securing aid;

Also: Assembly Bill No. 1541—An act to add section 1203b to the Penal Code, relating to probation;

Also: Assembly Bill No. 1542—An act relating to the examination of juvenile offenders, and providing for State aid and cooperation with county authorities;

Also: Assembly Bill No. 1543—An act to amend section 1027 of the Penal Code, relating to alienists in criminal cases;

Also: Assembly Bill No. 1547—An act to amend section 1 of an act entitled "An act relating to the liability in damages of municipalities, counties, cities and counties, and school districts, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property; prescribing the duties of the officers thereof in such cases and authorizing such public or quasi public corporations to take out and pay for insurance to protect them against such liability," approved June 19, 1931, relating to claims and the institution of suits;

Also: Assembly Bill No. 1556—An act to amend section 518 of the Penal Code, relating to extortion;

Also: Assembly Bill No. 1564—An act to amend section 164 of the Civil Code, relating to community property;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1567—An act to amend section 14 of the "Inheritance Tax Act," approved June 3, 1921, as amended, relating to the appointment of inheritance tax appraisers;

Also: Assembly Bill No. 1568—An act to amend sections 28, 43, 46 and 48 of the State Bar Act, as amended, relating to fees and the distribution thereof;

Also: Assembly Bill No. 1572—An act to amend section 125 of the Code of Civil Procedure, relating to sittings of court;

Also: Assembly Bill No. 1599—An act to amend sections 226 and 227 and to repeal section 227a of the Civil Code, relating to adoption;

Also: Assembly Bill No. 1600—An act to amend section 685 of the Code of Civil Procedure, relating to the enforcement of judgments after five years;

Also: Assembly Bill No. 1626—An act to amend section 2924 and to repeal section 2924b of the Civil Code, relating to notice of sale;

Also: Assembly Bill No. 1627—An act to amend section 1425 of the Penal Code, relating to the jurisdiction of justices' courts;

Also: Assembly Bill No. 1629—An act relating to fees for contracts and services to contracting parties and a penalty thereof;

Also: Assembly Bill No. 1632—An act to amend section 3617 of and to add sections 3640 and 3748a to the Political Code, relating to taxation of credits, claims, debts and demands due, owing or accruing for or on account of money deposited with certain institutions;

Also: Assembly Bill No. 1636—An act to add sections 275, 276, 277, 279, and 280 to the Code of Civil Procedure, relating to attorneys and counsellors at law;

Also: Assembly Bill No. 1637—An act to regulate and license the business of producing or distributing hydraulic cement, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1660—An act to limit the amount of taxes which may be imposed upon real or personal property according to the value thereof, for county and city and county purposes,

Also: Assembly Bill No. 1668—An act regulating the practice of architecture, civil engineering, and land surveying by officers, or employees, of the State of

California, or of any county, city and county, city, town, school district, road district, drainage district, levee district, bridge district, sanitary district, water district, irrigation district, utility district, or other improvement district of any kind thereof, or any other political division thereof, or of any public corporation thereof which has the right to levy taxes, or assessments which may be collected as taxes, or of any public corporation thereof whose revenue is derived either in whole or in part from public funds which have been collected as taxes;

Also: Assembly Bill No. 1669—An act to amend section 112 of the Code of Civil Procedure, relating to jurisdiction of justices' courts;

Also: Assembly Bill No. 1670—An act to amend section 82 of the Code of Civil Procedure, and to add section 111a thereto, relating to courts of justice;

Also: Assembly Bill No. 1671—An act to amend sections 392, 393, 395, 396, 396b and 398 of the Code of Civil Procedure, and to repeal section 396a thereof, relating to civil actions;

Also: Assembly Bill No. 1705—An act to amend sections 2955, 2956, 2957, 2958, 2960, 2962, 2963, 2965 and 2966; and to repeal sections 2959, 2961 and 2964 of the Civil Code; and to add to said code new sections numbered 2959a, 2974, 2975, 2976, 2977, 2978, 2979, 2979a and 2979b, relating to mortgages of personal property, and including provisions for the filing thereof, the continuity of the liens thereof, the securing of additional advances and obligations thereunder, mortgaging of natural increase of live stock and other animate chattels, and of after acquired and consumable property, and providing for the interpretation of laws relating to recording, the record, producing, exhibiting, presenting, executing, acknowledging, proving and certifying thereof and affidavits relating thereto;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1706—An act to amend sections 2922, 2933, 2934, 2935, 2938, 2939, 2939½, 2940 and 2941 of the Civil Code relating to mortgages in general and providing for the filing of mortgages of personal property and crops, and related instruments; eliminating requirements that mortgages of personal property and crops, and related instruments, including powers of attorney to execute the same, be acknowledged and executed with the formalities required in the case of a grant of real property; and prescribing the duty of the mortgagee on satisfaction of such a filed mortgage;

Also: Assembly Bill No. 1707—An act to amend section 2980 of the Civil Code, and to provide for the filing of conditional sales contracts and leases of live stock, animate chattels, mining equipment and machinery, and bailment or feeder agreements relating to live stock and other animate chattels, and prescribing rights and remedies in connection therewith;

Also: Assembly Bill No. 1708—An act to amend sections 1164, 1165, 1169, 1170, 1171 and 1172 of the Civil Code, relating to the recording and filing of transfers and mortgages of, and agreements relating to real and personal property;

Also: Assembly Bill No. 1709—An act to amend the headings of Chapter IV, Title IV, Part IV, Division II, of the Civil Code, and Articles I and II thereof, to make said hearings consistent with the contents of said chapter and articles;

Also: Assembly Bill No. 1710—An act to amend sections 658 and 660 of the Civil Code, relating to property in general; defining real property and fixtures thereto, and providing that for the purposes of mortgaging, crops, fruits, berries, emblements, and things attached to or forming a part of land which may be severed therefrom under the terms of a mortgage, shall be deemed personal property;

Also: Assembly Bill No. 1711—An act to amend section 2911 of the Civil Code, relating to the matter of the extinction of liens;

Also: Assembly Bill No. 1712—An act to amend sections 4130, 4131, 4131a, 4132, 4136, 4137, 4138 and 4140 of the Political Code, relating to county recorders, their duties and functions, and requirements relating thereto, and penalty for neglect thereof or for misconduct;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1720—An act to amend sections 13 and 47 of an act entitled "An act to provide for the organization of the Railroad Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund,' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," and designated in the act so

entitled as the "Public Utilities Act," approved April 23, 1915, as amended, relating to the determination of a reasonable return upon the value and the valuation of public utility property including computation of charges by public utilities and the valuation of public utility property;

Also: Assembly Bill No. 1621—An act to prohibit until February 1, 1937, sales under certain mortgages and deeds of trust, and the forfeiture of the interest of the purchaser under certain contracts of purchase, for default in the payment of the principal sum of obligations secured thereby or contracted to be paid thereunder, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale or forfeiture made in violation of the act, to prescribe the time within which an action to avoid the same may be brought, to postpone sales for default in payment of installments due between effective date of act and February 1, 1937, to authorize waiver hereof, to prevent actions against guarantors' obligations the enforcement of the security for which is affected by the act, and to declare the urgency hereof;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1713—An act to amend section 408 of the Political Code, relating to the duties of the Secretary of State;

Also: Assembly Bill No. 1724—An act relating to the solicitation of law business and the payment of compensation therefor, and providing a penalty for violation of the provisions hereof;

Also: Assembly Bill No. 1725—An act to amend sections 47 and 49 of the State Bar Act, relating to practice of law;

Also: Assembly Bill No. 1726—An act authorizing a suit against the State of California to quiet title against it to certain real property in county of Merced, State of California;

Also: Assembly Bill No. 1727—An act to amend section 409 of the Political Code, relating to the fees of the Secretary of State;

Also: Assembly Bill No. 1728—An act to amend section 4300c of the Political Code, relating to the fees of county recorders;

Also: Assembly Bill No. 1729—An act to amend section 113 of the Penal Code, relating to the larceny, destruction, etc., of records or files by officers, having them in custody;

Also: Assembly Bill No. 1730—An act to amend section 3440 of the Civil Code, relating to transfers presumed fraudulent, transfers of wines, bulk sales, public auctions and transfers under orders of court;

Also: Assembly Bill No. 1731—An act to amend section 470 of the Penal Code, relating to the forgery of wills, conveyances, etc.;

Also: Assembly Bill No. 1732—An act to amend section 471 of the Penal Code, relating to the making of false entries in records or returns;

Also: Assembly Bill No. 1733—An act to amend section 706 of the Probate Code, relating to the matter of claims founded on written instruments and/or secured by liens;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1734—An act to amend section 833 of the Probate Code, relating to the execution of instruments by executors and administrators;

Also: Assembly Bill No. 1740—An act to add sections 3676a, 3676b, 3676c, 3676d, 3676e, 3676f, 3676g, and 3676h to the Political Code, relating to taxation;

Also: Assembly Bill No. 1746—An act regulating the practice of mine engineering and assaying;

Also: Assembly Bill No. 1759—An act to amend section 814 of the Probate Code, relating to sale of mining property;

Also: Assembly Bill No. 1787—An act to add section 15c to an act entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits, and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, relating to legitimated children;

Also: Assembly Bill No. 1810—An act to amend section 690 of the Code of Civil Procedure, relating to exemptions on execution;
Also: Assembly Bill No. 1811—An act to amend the Torrens Title Act;
Also: Assembly Bill No. 1821—An act to add section 1473a to the Penal Code, relating to writs of habeas corpus;
Also: Assembly Bill No. 1832—An act adding section 157½ to the Code of Civil Procedure, relating to appointment of superior court judges;
Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1838—An act to define and regulate the practice of shorthand reporting; creating a State Board of Shorthand Reporting, and providing for its powers and duties; providing for the examination and certification of shorthand reporters, with the designation of "certified shorthand reporter"; and prescribing penalties for violations of this act and to repeal section 270 of the Code of Civil Procedure;
Also: Assembly Bill No. 1844—An act to amend section 1094 of the Political Code, relating to registrations;
Also: Assembly Bill No. 1847—An act to add section 3045 to the Civil Code, relating to liens of an attorney;
Also: Assembly Bill No. 1859—An act to authorize the Division of Water Resources of the Department of Public Works to enter into compromise settlements with judgment debtors under judgments heretofore rendered in proceedings under sections 25 to 36f, both inclusive, of the Water Commission Act, declaring a moratorium on the collection of such judgments and suspending the accrual of interest thereon, and making an appropriation into the cash revolving fund created by Chapter 854, Statutes of 1921, to reimburse said fund in the amounts by which such settlements shall be less than the amounts due from such judgment debtors;
Also: Assembly Bill No 1865—An act to add a new section to the general laws imposing a tax on billboards and outdoor advertising;
Also: Assembly Bill No. 1869—An act to amend section 1a of an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for action to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, relating to cost;
Also: Assembly Bill No 1872—An act to add section 405a to the Code of Civil Procedure, relating to bonds for costs in civil actions for malpractice;
Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1878—An act to add section 183 to the Code of Civil Procedure, relating to judges;
Also Assembly Bill No. 1893—An act to amend section 685 of the Code of Civil Procedure, relating to execution of judgments;
Also: Assembly Bill No. 1894—An act to add section 685a to the Code of Civil Procedure, relating to renewal of judgments;
Also: Assembly Bill No. 1902—An act to amend sections 1305, 1306 and 1307 of the Penal Code, relating to forfeiture of the undertaking of bail or of the deposit of money;
Also: Assembly Bill No. 1903—An act to amend section 690 of the Code of Civil Procedure, relating to exemptions from execution or attachment;
Also: Assembly Bill No 1907—An act to add section 238 to the Penal Code, relating to arresting;
Also: Assembly Bill No 1914—An act to amend section 1928 of the Code of Civil Procedure, relating to evidence;
Also: Assembly Bill No. 1916—An act to amend section 537 of the Code of Civil Procedure, relating to attachments;
Also: Assembly Bill No. 1931—An act to amend section 131 of the Civil Code, relating to the filing of decisions in divorce cases;
Also: Assembly Bill No. 1932—An act to amend section 91 of the Civil Code, relating to the effect of divorce;
Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1933—An act to amend section 61 of the Civil Code of the State of California, relating to the legality of subsequent marriages;

Also: Assembly Bill No. 1934—An act to amend section 90 of the Civil Code, relating to the dissolution of marriage;

Also: Assembly Bill No. 1935—An act to amend section 132 of the Civil Code, relating to final judgments;

Also: Assembly Bill No. 1936—An act to amend section 473 of the Code of Civil Procedure, relating to when pleadings can be amended;

Also: Assembly Bill No. 1958—An act to add section 10a to an act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holdings to facilitate the enforcement of this act, prescribing penalties for violations of the provisions hereof and repealing all acts or parts of acts inconsistent of or in conflict herewith," approved by the electors November 2, 1920, relating to control of land by aliens;

Also: Assembly Bill No. 1960—An act to add a new section to the Political Code, to be numbered section 3810, relating to judicial review of assessments and taxes alleged to be illegal or erroneous, and providing procedure for such review;

Also: Assembly Bill No. 1961—An act to amend section 3617 of the Political Code, relating to definitions;

Also: Assembly Bill No. 1964—An act to amend sections 3638a, 3717 and 3787 of, and to add section 3716a to, the Political Code, relating to the lien of taxes secured by real property;

Also: Assembly Bill No. 1972—An act to amend section 10 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 1975—An act to amend section 7 of "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts, in cities of the first and one-half class, governed by a freeholders' charter;

Also: Assembly Bill No. 1981—An act relating to conditional sales contracts;

Also: Assembly Bill No. 1988—An act to add a new section to the Penal Code to be known as section 537i, relating to the defrauding of garage keepers;

Also: Assembly Bill No. 2000—An act to add a new section to the Code of Civil Procedure, to be numbered 565a, relating to appointment of receivers;

Also: Assembly Bill No. 2001—An act to amend sections 975 and 978 and to repeal section 976 of the Code of Civil Procedure, relating to appeals from justices' court;

Also: Assembly Bill No. 2003—An act to add section 654 to the Code of Civil Procedure, relating to the method of appeal in civil actions;

Also: Assembly Bill No. 2014—An act to amend section 1239 of the Code of Civil Procedure, relating to eminent domain;

Also: Assembly Bill No. 2015—An act to amend section 1238 of the Code of Civil Procedure, relating to eminent domain;

Also: Assembly Bill No. 2041—An act to amend section 920 of the Political Code to prohibit any interest or benefit in public contracts to members of the Legislature, ministerial officers, employees or appointees of the State, political subdivision, city, city and county or township, and to provide for insertion of the prohibition in every public contract;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2075—An act to add section 142 5 to the Code of Civil Procedure, relating to sessions of the superior court;

Also: Assembly Bill No. 2082—An act to add a new section to the Code of Civil Procedure to be numbered section 1264a, relating to taking of property by eminent domain;

Also: Assembly Bill No. 2088—An act to amend section 3764 of the Political Code, relating to sales of real property to the State for delinquent taxes, and declaring an urgency;

Also: Assembly Bill No. 2089—An act to amend section 1928 of the Civil Code, relating to the liability of a hirer of personal property;

Also: Assembly Bill No. 2090—An act to amend section 41 of the Probate Code, relating to charitable dispositions;

Also: Assembly Bill No. 2096—An act amending the State Bar Act, relating to attorneys at law;

Also: Assembly Bill No. 2105—An act relating to the payment of taxes on account;

Also: Assembly Bill No. 2127—An act to amend section 2094 of the Code of Civil Procedure, relating to the form and method of oath of a witness;

Also: Assembly Bill No. 2132—An act to amend section 454 of the Code of Civil Procedure, relating to pleading accounts and bills of particulars;

Also: Assembly Bill No. 2137—An act to provide for pro tempore judges of trial courts and for compensation therefor to expedite the business of such courts;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR SPEAKER Your Committee on Judiciary, to which was referred Assembly Bill No. 2140—An act to add section 1738a to the Civil Code, relating to conditional sales of personal property;

Also: Assembly Bill No. 2141—An act to amend section 1120 of the Probate Code, relating to jurisdiction of court after final distribution;

Also: Assembly Bill No. 2158—An act making it unlawful for hospitals, clinics, sanitariums, physicians, surgeons or other persons to refuse inspection of records by attorneys;

Also: Assembly Bill No. 2159—An act to amend section 4300f of the Political Code, relating to jurors' fees;

Also: Assembly Bill No. 2184—An act to amend the title and sections 1 and ____ of an act entitled "____," relating to the cleaning and dyeing industry;

Also: Assembly Bill No. 2185—An act relating to a code and standard of fair competition for the cleaning and dyeing industry, repealing certain acts cited herein and declaring the urgency of this act and providing that it shall go into immediate effect;

Also: Assembly Bill No. 2190—An act to amend section 6 of, and to add a new section to be numbered section 17.5 to the "Corporate Securities Act," approved May 18, 1917, relating to requirements for certificates; fraudulent intrastate transactions and providing penalties for violation thereof;

Also: Assembly Bill No. 2196—An act to repeal section 241 of the Code of Civil Procedure and to amend sections 204, 204a, 204b, 204c, 204d, 209, and 211 thereof, and to add thereto new sections to be numbered 216, 242.1, 242.2, 242.3, 242.4, 242.5, 242.6, 242.7, 242.8, 242.9, 242.10, 242.11, 242.12, 242.13, 242.14, 242.15, 242.16, and 242.17, all relating to juries;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR SPEAKER Your Committee on Judiciary, to which was referred Assembly Bill No. 2206—An act to amend section 1a of an act entitled "An act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the Attorney General in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this act a misdemeanor and providing penalties," approved June 10, 1913, as amended, relating to unfair competition;

Also: Assembly Bill No. 2211—An act to add a new section to the Code of Civil Procedure to be numbered section 204aa, relating to the appointment of a jury commissioner in the county of San Diego;

Also: Assembly Bill No. 2213—An act to add section 687 to the Code of Civil Procedure, relating to the sales of real property by writ of execution;

Also: Assembly Bill No. 2220—An act to amend section 13 of an act entitled "An act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this act," approved May 26, 1913, relating to claims;

Also: Assembly Bill No. 2224—An act pertaining to cooperative organizations;

Also: Assembly Bill No. 2235—An act to add section 422 of the Penal Code, relating to the printing of blank checks;

Also: Assembly Bill No. 2242—An act to add section 3832 to the Political Code, to require the payment of personal property taxes by the insurer on property destroyed by fire after 12 o'clock meridian on the first Monday in March of each year;

Also: Assembly Bill No. 2243—An act relating to fair trade practices, providing for the issuances of licenses to persons engaged in certain branches of the automotive business, creating an automotive fair trade bureau in the Department of Professional and Vocational Standards, providing for a judicial hearing and determination of questions arising hereunder and for the enforcement of the provisions hereof;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER. Your Committee on Judiciary, to which was referred Assembly Bill No. 2246—An act to add a new section to the Civil Code to be numbered 1862.5, relating to the liens of the keeper of furnished apartment houses;

Also: Assembly Bill No. 2247—An act to amend the "Usury Law," approved November 5, 1918, relating to the rate of interest;

Also: Assembly Bill No. 2248—An act to amend section 242 of the Code of Civil Procedure, relating to grand juries;

Also: Assembly Bill No. 2249—An act to amend section 4307 of the Political Code, relating to county charges;

Also: Assembly Bill No. 2250—An act to amend sections 799, 894, 925, 927 and 928 of, to add sections 896 and 932 to, and to repeal section 895 of the Penal Code, relating to limitation of time and grand juries;

Also: Assembly Bill No. 2256—An act to add section 3438 to the Civil Code, relating to settlements;

Also: Assembly Bill No. 2289—An act to amend section 1 of "An act relating to the use and furnishing of stamps, coupons, tickets, can covers, bottle caps or other similar devices, for or with the sale of goods, wares or merchandise and the giving of gifts, premiums or bonuses in connection with or as part of the sale of goods, wares or merchandise and providing a penalty for violation thereof," approved June 15, 1933;

Also: Assembly Bill No. 2297—An act to amend sections 422 and 423 of the Probate Code, relating to the nomination and appointment of administrators;

Also: Assembly Bill No. 2307—An act to amend sections 714 and 715 of the Code of Civil Procedure, relating to proceedings supplemental to execution;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2317—An act to amend section 1553 of, and to add sections 925a and 1020a to the Probate Code, relating to accounts;

Also: Assembly Bill No. 2318—An act to amend section 710 of the Code of Civil Procedure, relating to the collection of moneys from judgment debtors;

Also: Assembly Bill No. 2324—An act to amend section 437c of the Code of Civil Procedure, relating to summary judgments;

Also: Assembly Bill No. 2327—An act to amend sections 1, 2 and 3 of an act entitled "An act defining criminal syndicalism and sabotage, prescribing certain acts and methods in connection therewith and in pursuance thereof and providing penalties and punishments therefor," approved April 30, 1919, relating to criminal syndicalism and to prescriptions, penalties and punishments therein and therefor;

Also: Assembly Bill No. 2328—An act to amend section 3817d of the Political Code, relating to taxation;

Also: Assembly Bill No. 2337—An act providing for the suspension of all laws or parts of laws relative to the enforcement of debts as defined herein, public or private, in order to provide relief of debtors who are unable to meet their obligations; providing for the enforcement hereof and declaring the urgency thereof;

Also: Assembly Bill No. 2342—An act to amend section 6 of and to add section 31 to an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualifications and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts;

Also: Assembly Bill No. 2349—An act to add section 33a to the Code of Civil Procedure, relating to courts of justice;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Bill No. 2353—An act providing for the collection rent and income from property on foreclosure or which is in default under a deed of trust or mortgage;

Also: Assembly Bill No. 2367—An act to amend sections 430, 473 and 1054 and to add section 429 to the Code of Civil Procedure;

Also: Assembly Bill No. 2377—An act to amend sections 925 and 927 of the Penal Code, relating to grand juries;

Also: Assembly Bill No 2398—An act adding to the Civil Code of the State of California a new section to be known as section 3321, relating to the rights of parties to a contract when performance is prevented by a cause other than an act of a party;

Also: Assembly Bill No. 2389—An act to amend section 19 of the Juvenile Court Law, relating to referees in counties of the third class;

Also: Assembly Bill No. 2402—An act to amend section 1460 of the Probate Code, relating to guardians of insane or incompetent persons;

Also: Assembly Bill No. 2413—An act to amend section 959 of the Political Code, relating to official bonds;

Also: Assembly Bill No. 2472—An act to amend section 2955 of the Civil Code, relating to mortgages on personal property;

Also: Assembly Bill No. 2478—An act to add a new section to the Code of Civil Procedure, to be numbered section 1255b, relating to the abandonment of condemnation proceedings by initiative or referendum measures adopted by the electors or legislative bodies of certain municipalities as defined herein, defining certain terms used herein, and for other purposes;

Also: Assembly Bill No. 2481—An act to amend section 1255a of the Code of Civil Procedure, relating to eminent domain;

Also: Assembly Bill No. 2497—An act to add section 4041 22a to the Political Code, relating to the payment of fees to private persons, firms and corporations.

Has had the same under consideration, and respectfully reports the same back without recommendation

LYON, Chairman.

Also:

MR. SPEAKER: Your Committee on Judiciary, to which was referred Assembly Constitutional Amendment No 10—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by adding to Article VI thereof a new section, to be numbered section 4.5, relating to opinions of Supreme Court;

Also: Assembly Constitutional Amendment No 28—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 8 of and adding section 8a to Article I thereof, relating to grand juries;

Also Assembly Constitutional Amendment No. 47—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Article X thereof, relating to prisons and paroles;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

Also:

MR SPEAKER Your Committee on Judiciary, to which was referred Senate Bill No. 158—An act to amend section 105 of the Code of Civil Procedure, relating to justices of the peace;

Also: Senate Bill No. 297—An act to add a new section to an act entitled, An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act, approved June 16, 1913, as amended, relating to persons seeking nomination;

Also: Senate Bill No. 389—An act to amend section 630 of the Probate Code, relating to summary probate proceedings;

Also: Senate Bill No 843—An act to amend section 1238 of the Civil Code, relating to the property from which a homestead may be selected;

Also: Senate Bill No. 1063—An act to provide for the revision of the Constitution of this State, including the election of delegates to the convention, the proceedings, powers, duties, and matters incidental to the convention, the submission of the

revised Constitution to the people and matters incidental thereto, and making an appropriation therefor;
Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

On Labor and Capital.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 186—An act to amend sections 11½ and 11 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, relative to limitations on fees charged, and to the provisions of receipts or contracts issued by such agencies;

Also: Assembly Bill No. 602—An act to regulate certain working conditions of operators of motion picture machines in theaters and motion picture houses; and providing a penalty for the violation thereof;

Also: Assembly Bill No. 857—An act to amend section 4 of an act entitled "An act to regulate the payment of wages or compensation for labor or service in private employments, establishing regular pay days, providing that notices as to pay days must be kept posted by the employer and making failure to keep such notices posted prima facie evidence of violation of the act, providing criminal penalties for the violation of its provisions, authorzing the Commissioner of the Bureau of Labor Statistics to enforce this act, defining the duties of district attorneys and prosecuting attorneys of cities relative to its enforcement, providing for the collection of certain penalties by civil action at the direction of said commissioner for failure to maintain regular pay days and the disposition of penalties so collected, providing a civil penalty for failure of the employer to pay discharged employees or employees who quit and permitting such employees to sue directly or through an assignee for such penalties as well as permitting the said commissioner to sue for same in such cases as he may deem proper; repealing an act entitled 'An act providing for the time of payment of wages,' approved May 1, 1911, as amended April 28, 1915, and repealing an act entitled 'An act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; providing a penalty for the violation thereof; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provision of this act' approved June 8, 1915," approved May 6, 1919 (Stats. 1919, Chap. 202), as amended, providing for the use of civil penalties collected for violation of the monthly and semimonthly pay day laws, and of fines for violation of the act, by the Division of Labor Statistics and Law Enforcement for the administration of the act in augmentation of its current appropriations;
Has had the same under consideration, and respectfully reports the same back without recommendation.

BURNS, Chairman.

Also:

MR SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 858—An act to amend the title, and sections 1 and 7 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, relating to the amount of license fees and bonds of employment agencies, providing for the enforcement of the act by the Chief of the Division of Labor Statistics and Law Enforcement and providing penalties for violation of its provisions;

Also: Assembly Bill No. 931—An act to amend section 3½ of an act entitled "An act to be known as the Child Labor Law, and regulating the employment, hours, kinds and conditions of labor of children; providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 10, 1919 (Stats 1919, Chap. 259), as amended, relative to the age of children employed in public places;

Also: Assembly Bill No. 1004—An act to amend section 13 of an act entitled "An act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including

a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this act," approved May 26, 1913, relating to employees;

Also: Assembly Bill No. 1197—An act to amend section 5 of an act entitled "An act to be known as the Child Labor Law, and regulating the employment, hours, kinds and conditions of labor of children; providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 10, 1919, as amended, relating to the employment of children;

Has had the same under consideration, and respectfully reports the same back without recommendation.

BURNS, Chairman.

Also:

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 1502—An act to amend section 9 of and to add section 23 5 to the Public Utilities Act, relating to public utilities;

Also: Assembly Bill No. 1717—An act to amend section 5 of an act entitled "An act to be known as the Child Labor Law, and regulating the employment, hours, kinds and conditions of labor of children; providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics, providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 10, 1919, as amended, relating to the employment of children;

Also: Assembly Bill No. 1757—An act to add section 50a to the Public Utilities Act to prevent the use of the dial system of obtaining telephone connections by any telephone company in California;

Also: Assembly Bill No. 1795—An act to amend sections 1, 3½, 5½ of "An act to be known as the Child Labor Law and regulating the employment, hours, kinds and conditions of labor of children; providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics; providing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith," approved May 10, 1919, as amended;

Also: Assembly Bill No. 1828—An act relating to regulating working conditions of labor on locomotives in this State;

Has had the same under consideration, and respectfully reports the same back without recommendation.

BURNS, Chairman.

Also:

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 1829—An act relating to the regulation of hours of labor;

Also: Assembly Bill No. 1890—An act to amend section 653c-1 of the Penal Code, relating to the hours of labor on public works;

Also: Assembly Bill No. 1926—An act to amend the title and section 1 of an act entitled "An act to secure native-born and naturalized citizens of the United States the exclusive right to be employed in any department of the State, county, city and county and city government in this State, except in certain schools, to validate certain acts, and to repeal all acts in conflict herewith," approved May 19, 1915, relating to the employment of aliens;

Also: Assembly Bill No 2244—An act to amend the title and section 6 of "An act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this act," approved May 26, 1913, relating to minimum wages;

Also: Assembly Bill No. 2263—An act to provide for a working week of not more than five days of six hours each, without any corresponding reduction in the present compensation or salary;

Has had the same under consideration, and respectfully reports the same back without recommendation.

BURNS, Chairman.

Also:

MR. SPEAKER: Your Committee on Labor and Capital, to which was referred Assembly Bill No 2259—An act regulating the employment of minors and establishing a commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this act;

Also: Assembly Bill No. 2450—An act to regulate the hours of labor of all persons employed in this State; providing for the enforcement of this act; and prescribing penalties for the violation of the provisions hereof;

Has had the same under consideration, and respectfully reports the same back without recommendation.

BURNS, Chairman.

On Libraries.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Libraries, to which was referred Assembly Bill No. 256—An act to amend section 4190 of the Political Code and to add thereto new sections to be numbered 4206, 4206a, 4207 and 4207a, relating to law libraries—has had the same under consideration, and respectfully reports the same back without recommendation.

HUNT, Chairman.

On Live Stock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 18—An act to levy an excise tax on the sale of all butter substitutes, providing for licensing dealers therein, fixing a penalty for a violation of the provisions of the act, and declaring that this act shall take effect immediately;

Also: Assembly Bill No. 376—An act to amend "An act to prevent combinations to obstruct the sale of live stock in the State of California," approved February 27, 1893, relating to live stock sales;

Also: Assembly Bill No. 914—An act to amend section 391 of the Agricultural Code, relating to estrays;

Also: Assembly Bill No. 809—An act to amend sections 473, 508, and 516 of the Agricultural Code, relating to dairy products;

Also: Assembly Bill No. 1105—An act to amend section 501 of the Agricultural Code, relating to dairies and dairy products;

Also. Assembly Bill No. 1371—An act to amend section 491 and section 492 of Chapter 2 of Division IV of the Agricultural Code, relative to the milk inspection service;

Has had the same under consideration, and respectfully reports the same back without recommendation.

THORP. Chairman.

Also:

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Assembly Bill No. 1372—An act to amend section 585 and section 586 of Chapter 3 of Division IV of the Agricultural Code, relating to the labeling of containers of market milk and cream,

Also: Assembly Bill No. 1530—An act to amend section 590 of the Agricultural Code, relating to the labeling of butter;

Also Assembly Bill No 1737—An act to amend section 471 of the Agricultural Code, relating to milk and milk products;

Also: Assembly Bill No 2099—An act to amend section 691 of the Agricultural Code, relating to animal industry;

Also: Assembly Bill No. 1937—An act to add a new section to the Agricultural Code to be numbered 477.1, relating to the advertising of percentage of fat in market milk;

Also. Assembly Bill No. 2157—An act to amend section 479 of the Agricultural Code, relating to dairies and dairy products;

Also. Assembly Bill No. 2153—A new section to be numbered 812 is hereby added to the Civil Code, relating to cattle guards;

Also. Assembly Bill No. 2334—An act prohibiting the use of drafts for payment of live stock or agricultural products;

Has had the same under consideration, and respectfully reports the same back without recommendation.

THORP, Chairman.

Also:

MR. SPEAKER: Your Committee on Live Stock and Dairies, to which was referred Senate Bill No. 874—An act to add a new article to the Agricultural Code, to be numbered Article 5, Chapter 1, Division 3, relating to horse, mule and burro marks and brands—has had the same under consideration, and respectfully reports the same back without recommendation.

THORP, Chairman.

On Manufactures.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Manufactures, to which was referred Assembly Bill No. 535—An act to add section 4a to the Net Container Act, relating to quality—has had the same under consideration, and respectfully reports the same back without recommendation.

DONIHUE, Chairman

On Medical and Dental Laws.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 188—An act to add section 654d to the Penal Code,

relating to advertising food, drink, drug, devices or cosmetic products by radio broadcasting and providing penalties for violation thereof;

Also: Assembly Bill No. 890—An act to amend sections 8 and 17 of the State Medical Practice Act, relating to certificates licensing the practice of medicine, drugless healing, and chiropody, and to penalties for violation of the provisions of the act;

Also: Assembly Bill No. 1046—An act to authorize and permit physicians, surgeons, medical doctors, osteopaths, chiropractors, and any other practitioners, who have been duly licensed to practice similar professions under the laws of California, to enter into any contracts or agreements with their patients for professional service or hospitalization without complying with the provisions of law applicable to insurance and insurance contracts; and to provide for the termination and cancellation of such contracts;

Also: Assembly Bill No. 1076—An act to amend sections 2, 6, 6a, 9, 12, and 13 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the Board of Dental Examiners;

Also: Assembly Bill No. 1160—An act to amend section 2 of an act entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to the Board of Dental Examiners;

Has had the same under consideration, and respectfully reports the same back without recommendation.

CRONIN, Chairman.

Also:

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 1214—An act to amend section 10½ of an act entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the regulation of the practice of optometry;

Also: Assembly Bill No. 1303—An act to amend sections 1½, 2, 3, 4, 7, 9, 11, 14, 17, and to repeal section 10 of an act entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, as amended, relating to pharmacy;

Also: Assembly Bill No. 1355—An act to amend the State Medical Practice Act;

Also: Assembly Bill No. 1839—An act to provide for the adoption of the Uniform Narcotic Drug Act;

Also: Assembly Bill No. 1840—An act to regulate the possession, sale, distribution in traffic in narcotics in the State of California by providing for the adoption by the State of certain regulations of the Federal Government and prescribing penalty for the violation thereof;

Has had the same under consideration, and respectfully reports the same back without recommendation.

CRONIN, Chairman.

Also:

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Assembly Bill No. 1943—An act to protect the public health; providing for the regulation and supervision of public laboratories performing chemical, bacteriological, pathological, physiological, serological and/or other scientific examinations, analyses, determinations, experiments or procedures to aid in the diagnosis and/or control of diseases of man, and public laboratories engaged in the preparation and/or propagation of any virus, serum, toxin, antitoxin or analogous products applicable to the prevention and/or cure of diseases of man, requiring permits for the conduct, maintenance and/or operation thereof, providing for the issuance and revocation of such permits by the State Board of Public Health, fixing the amount of and providing for the collection and disposition of annual fees for such permits, prescribing the powers and duties of the State Board of Public Health and the Director of Public Health in reference to such laboratories; and prescribing penalties for the violation of the provisions of this act;

Also: Assembly Bill No. 1946—An act to regulate the possession, sale, distribution in traffic in narcotics in the State of California by providing for the adoption by the State of certain regulations of the Federal Government and prescribing penalty for the violation thereof;

Also: Assembly Bill No. 1947—An act to amend an act entitled "An act to promote the better education of nurses in the better care of the sick in the State of California, to provide for and regulate examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled 'An act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of

certificates of registration as a registered nurse, to qualify applicants of the Board of Regents of the University of California, and to provide penalty for violation thereof." approved June 12, 1913, as amended;

Also: Assembly Bill No. 2371—An act to provide for the adoption of the Uniform Narcotic Drug Act;

Has had the same under consideration, and respectfully reports the same back without recommendation.

CRONIN, Chairman.

Also:

MR. SPEAKER: Your Committee on Medical and Dental Laws, to which was referred Senate Bill No. 814—An act to amend section 5.190 of the School Code, relating to health and development certificates—has had the same under consideration, and respectfully reports the same back without recommendation.

CRONIN, Chairman.

On Military Affairs.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Military Affairs, to which was referred Assembly Bill No. 1143—An act to add section 365 to the Military Code, relating to opportunity for military training of all citizens and membership in the National Guard—has had the same under consideration, and respectfully reports the same back without recommendation

BOYLE, Chairman.

On Mines and Mining.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Mines and Mining, to which was referred Assembly Bill No. 1749—An act to prohibit the pollution of streams in the State of California by filling said streams with debris from mining operations and dredging operations;

Also: Assembly Bill No. 572—An act to amend section 1 of "An act regulating the hours of employment in underground mines, underground workings, whether for the purpose of tunneling, making excavations or to accomplish any other purpose or design, or in smelting and reduction works," approved May 30, 1913, relating to hours of labor in subterranean or underground employment;

Also: Assembly Bill No. 2234—An act to establish the date of discovery of gold in the State of California as January 19, 1848, and to provide for the correction of all public records bearing any other date;

Also: Assembly Bill No. 445—An act providing for the exemption from taxation of the proceeds of the sale by the producer of gold and silver extracted from the soil of this State;

Also: Assembly Bill No. 443—An act relating to exemption of mining property from taxes;

Also: Assembly Bill No. 782—An act to amend section 373b of the Political Code, relating to the Department of Natural Resources;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MAYO, Chairman.

On Motor Vehicles.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 48—An act to amend section 1 of the Motor Vehicle Fuel License Tax Act, relating to Diesel fuel;

Also: Assembly Bill No. 140—An act to add section 411.5 to the Vehicle Code, relating to suspension and revocation of licenses;

Also: Assembly Bill No. 151—An act to amend section 370 of the Vehicle Code, relating to registration fees;

Also: Assembly Bill No. 207—An act to amend section 1 of, and to add section 3 to, the Motor Vehicle Fuel License Tax Act, relating to motor vehicle fuel;

Also: Assembly Bill No. 210—An act to amend section 106 of the California Vehicle Act, relating to rear lights on motor vehicles, trailers, and semitrailers;

Also: Assembly Bill No. 211—An act to amend section 621 of the Vehicle Code, relating to rear lights on motor vehicles, trailers, and semitrailers;

Also: Assembly Bill No. 345—An act to add section 148a to the Vehicle Code, relating to the registration of motor vehicles;

Also: Assembly Bill No. 359—An act to amend section 372 of the Vehicle Code, relating to registration of vehicles;

Has had the same under consideration, and respectfully reports the same back without recommendation.

HORNBLOWER, Chairman.

Also:

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No 396—An act to repeal sections 5 and 6 of an act entitled "An act to require tax clearance by assessors and the State Controller, as a prerequisite for the registration of vehicles by the Motor Vehicle Department," approved May 15, 1933, relating to taxes on motor vehicles;

Also: Assembly Bill No. 407—An act requiring the licensing of certain vehicles used for the transportation of persons or property in this State, defining such vehicles, providing for the imposition, collection, and distribution of license taxes for the privilege of operating such vehicles in this State, making appropriations for the purposes of this act, prescribing penalties for the violation of this act, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 426—An act to amend "An act regulating the hours of labor of the operators of certain motor vehicles," approved June 10, 1933, by amending section 1 thereof, relating to hours of labor;

Also: Assembly Bill No. 475—An act to amend section 272 of the Vehicle Code, relating to the licenses of operators of motor vehicles;

Also: Assembly Bill No. 499—An act to amend section 159 of the California Vehicle Act, relating to the disposition of moneys derived under said act;

Also: Assembly Bill No. 500—An act to amend section 13 of the "Motor Vehicle Fuel License Tax Act," relating to the disposition of moneys derived under said act;

Also: Assembly Bill No 504—An act to add section 127 to Chapter 1 of Division II of the Vehicle Code, relating to emergency first aid stations;

Has had the same under consideration, and respectfully reports the same back without recommendation.

HORNBLOWER, Chairman.

Also:

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 534—An act to add sections 2¾ and 50¾ to the Public Utilities Act, relating to petroleum production;

Also: Assembly Bill No. 546—An act to amend section 159 of the California Vehicle Act, relating to the disposition of moneys derived under said act;

Also: Assembly Bill No. 547—An act to amend section 13 of the "Motor Vehicle Fuel License Tax Act," relating to the disposition of moneys derived under said act;

Also: Assembly Bill No. 553—An act to add sections 762 5, 762 6, and 762.7 to the Vehicle Code, relating to traffic violations, and penalties therefor;

Also: Assembly Bill No. 646—An act to add sections 195.5 and 1623.5 to, the Streets and Highways Code, relating to expenditure of money allocated to counties, cities, and cities and counties;

Also: Assembly Bill No. 772—An act to amend section 115 of the Vehicle Code, relating to the California Highway Patrol;

Also: Assembly Bill No. 773—An act to amend section 122 of the Vehicle Code, relating to the California Highway Patrol;

Also: Assembly Bill No. 783—An act to amend section 410 of the Vehicle Code, relating to the financial responsibility of owners or drivers of motor vehicles;

Has had the same under consideration, and respectfully reports the same back without recommendation.

HORNBLOWER, Chairman.

Also:

MR. SPEAKER. Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 796—An act to amend the Vehicle Code, relating to vehicles;

Also: Assembly Bill No. 797—An act to amend the Vehicle Code, relating to vehicles;

Also: Assembly Bill No. 798—An act to amend the Vehicle Code, relating to vehicles;

Also: Assembly Bill No. 799—An act to amend the Vehicle Code, relating to vehicles;

Also: Assembly Bill No. 801—An act to amend the California Vehicle Act, relating to vehicles;

Also: Assembly Bill No. 802—An act to amend the California Vehicle Act, relating to vehicles;

Also: Assembly Bill No. 803—An act to amend the California Vehicle Act, relating to vehicles;

Also: Assembly Bill No. 804—An act to amend the California Vehicle Act, relating to vehicles;

Also: Assembly Bill No. 805—An act to amend the California Vehicle Act, relating to vehicles;

Also: Assembly Bill No. 815—An act to amend section 528 of the Vehicle Code and to repeal section 529 thereof, relating to overtaking and passing vehicles;

Also: Assembly Bill No. 817—An act to amend section 125 of the California Vehicle Act, relating to overtaking and passing vehicles;
Has had the same under consideration, and respectfully reports the same back without recommendation.

HORNBLOWER, Chairman.

Also:

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 966—An act to add a new section to be numbered 13b to the "Motor Vehicle fuel license tax act." approved May 30, 1923, as amended, relating to the expenditure of motor vehicle fuel tax funds;

Also: Assembly Bill No. 1173—An act to add a new section to the Political Code, to be numbered _____, relating to the Department of Motor Vehicles;

Also: Assembly Bill No. 1175—An act to add a new section to the Political Code to be numbered _____, relating to the Department of Motor Vehicles;

Also: Assembly Bill No. 1177—An act to amend section 13 of the "Motor Vehicle Fuel License Tax Act," Chapter 267, Statutes of 1923, approved May 30, 1923, as amended, relating to the allocation of motor vehicle fuel fund moneys to counties;

Also: Assembly Bill No. 1220—An act to repeal section 180 of the Vehicle Code, relating to transfers of vehicles to dealers;

Also: Assembly Bill No. 1266—An act to amend section 621 of the Vehicle Code, relating to reflex reflectors on commercial vehicles, trailers, and semitrailers;

Also: Assembly Bill No. 1290—An act to amend the Vehicle Code, relating to motor vehicles;

Also: Assembly Bill No. 1291—An act to amend the Vehicle Code, relating to motor vehicles;

Also: Assembly Bill No. 1292—An act to amend the Vehicle Code, relating to motor vehicles;
Has had the same under consideration, and respectfully reports the same back without recommendation.

HORNBLOWER, Chairman.

Also:

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1293—An act to amend the Vehicle Code, relating to motor vehicles—has had the same under consideration, and respectfully reports the same back without recommendation.

HORNBLOWER, Chairman.

Also:

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1297—An act adding a section to the Vehicle Code, relating to physical examinations of chauffeurs;

Also: Assembly Bill No. 1316—An act to amend an act to establish a Vehicle Code, thereby consolidating and revising the law relating to vehicles and vehicular traffic, and to repeal certain acts and parts of acts specified herein;

Also: Assembly Bill No. 1317—An act to amend an act to establish a Vehicle Code, thereby consolidating and revising the law relating to vehicles and vehicular traffic, and to repeal certain acts and parts of acts specified herein;

Also: Assembly Bill No. 1318—An act to amend an act to establish a Vehicle Code, thereby consolidating and revising the law relating to vehicles and vehicular traffic, and to repeal certain acts and parts of acts specified herein;

Also: Assembly Bill No. 1321—An act to repeal section 513 of the Vehicle Code, relating to speed limits;

Also: Assembly Bill No. 1463—An act to amend sections _____ of the Vehicle Code;

Also: Assembly Bill No. 1489—An act to amend section 135 of the Vehicle Code, relating to powers of the members of the California Highway Patrol;

Also: Assembly Bill No 1499—An act to add section 620 5 to the Vehicle Code, relating to vehicles;

Also: Assembly Bill No. 1574—An act to amend section 403 of the Vehicle Code, relating to liability for injury to or death of guests;
Has had the same under consideration, and respectfully reports the same back without recommendation.

HORNBLOWER, Chairman.

Also:

MR SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1598—An act to amend sections 13, 13a, and 13½ of the Motor Vehicle Fuel License Tax Act, relating to the distribution of money received from gasoline license taxes;

Also: Assembly Bill No. 1624—An act to amend section 265 of the Vehicle Code, requiring operators and chauffeurs licenses to contain the fingerprints and a description of each licensee;

Also: Assembly Bill No. 1635—An act to amend section 1 of an "Act to require tax clearance by assessors and the State Controller as a prerequisite for the registration of vehicles by the Motor Vehicle Department," approved May 15, 1933, relating to tax clearance by assessors prerequisite for registration;

Also: Assembly Bill No. 1642—An act to amend section 502 of the Vehicle Code, relating to punishment;

Also: Assembly Bill No. 1696—An act to amend section 410 of the Vehicle Code, relating to judgments;

Also: Assembly Bill No. 1745—An act to add sections 200 and 201 to the Penal Code, relating to the crime of unlawfully causing death through the operation of a motor vehicle;

Also: Assembly Bill No. 1767—An act to amend sections 159, 370 and 377 and to add section 187 to the Vehicle Code, relating to registration and transfer fees;

Has had the same under consideration, and respectfully reports the same back without recommendation.

HORNBLOWER, Chairman.

Also:

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1768—An act to provide for the bonding, licensing, regulation and supervision of all persons, firms or corporations engaged in the business of selling or wrecking new or used automobiles and to provide for the enforcement of the provisions of this act;

Also: Assembly Bill No. 1875—An act to amend section 3 of the Motor Vehicle Fuel License Tax Act, relating to license taxes;

Also: Assembly Bill No. 1879—An act to amend section 576 of the Vehicle Code, relating to special stops required of vehicles;

Also: Assembly Bill No. 1963—An act relating to licensing and taxing of vehicles, including certain license fees based upon value in lieu of taxation according to value, and providing for the administration and enforcement thereof;

Also: Assembly Bill No. 1996—An act to amend section 159 of the California Vehicle Act, relating to motor vehicle fund;

Also: Assembly Bill No. 1997—An act to amend section 777 of the Vehicle Code, relating to appropriation for maintenance of department;

Also: Assembly Bill No. 1998—An act to amend sections 770 and 771 of the Vehicle Code, relating to disposition of fines and forfeitures;

Has had the same under consideration, and respectfully reports the same back without recommendation.

HORNBLOWER, Chairman.

Also:

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 1999—An act to amend section 160, of the California Vehicle Act, relating to the disposition of fines and forfeitures;

Also: Assembly Bill No. 2024—An act regulating and restricting the use of trailers and other vehicles in the tow of motor vehicles upon the public highways of this State and providing penalties for the violation of this act;

Also: Assembly Bill No. 2031—An act to amend section 159 of an act entitled the "California Vehicle Act," approved May 30, 1923, as amended, to provide for the use of funds derived under that act as contribution to special assessment proceedings, or the purchase of the bonds issued in any ad valorem acquisition or improvement proceeding;

Also: Assembly Bill No. 2074—An act to amend section 13 of the Motor Vehicle Fuel Tax Act, approved May 30, 1923, as amended, relating to distribution of tax;

Has had the same under consideration, and respectfully reports the same back without recommendation.

HORNBLOWER, Chairman.

Also:

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 2079—An act to add section 410.5 to the Vehicle Code, relating to judgments on account of personal injury to or death of any person resulting from the operation of a motor vehicle;

Also: Assembly Bill No. 2097—An act to amend section 777 of the Vehicle Code, relating to the moneys received by the department;

Also: Assembly Bill No. 2110—An act to add section 1738a to the Civil Code, relating to Vehicle Fuel License Tax Act," approved May 30, 1923, relating to refunds;

Also: Assembly Bill No. 2155—An act to amend the Vehicle Code, relating to felonies and other offenses;

Also: Assembly Bill No. 2164—An act relating to the sale of used cars by used-car dealers;

Also: Assembly Bill No. 2165—An act to amend section 372 of the Vehicle Code, relating to registration fees;

Also: Assembly Bill No. 2181—An act to amend section 7 of the Motor Vehicle Fuel License Tax Act, relating to refunds;
Also: Assembly Bill No. 2189—An act to amend section 529 of the Vehicle Code, relating to overtaking and passing;
Also: Assembly Bill No. 2194—An act to amend section 135 of the Vehicle Code, relating to the California Highway Patrol;
Also: Assembly Bill No. 2195—An act to amend section 118 of the Vehicle Code, relating to the California Highway Patrol;
Has had the same under consideration, and respectfully reports the same back without recommendation.

HORNBLOWER, Chairman.

Also:

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 2197—An act to amend section 502 of the Vehicle Code, relating to driving while an habitual user of narcotic drugs or under the influence of narcotic drugs or intoxicating liquor;
Also: Assembly Bill No. 2204—An act to amend section 73¼ of the California Vehicle Act, relating to suspension of operators' and chauffeurs' licenses;
Also: Assembly Bill No 2214—An act to add section 416 to, and to repeal sections 410, 411, 412, and 413, of the Vehicle Code, relating to the insurance required for the operation of motor vehicles;
Also: Assembly Bill No 2228—An act to add section 506 to and to repeal section 502 of the Vehicle Code, relating to driving while under the influence of narcotics or intoxicating liquor;
Also: Assembly Bill No. 2241—An act to add section 679.5 to the Vehicle Code, relating to required equipment;
Also: Assembly Bill No 2257—An act to amend section 130 of the California Vehicle Act, relating to signals on turning and stopping;
Also: Assembly Bill No 2258—An act to amend section 545 of the Vehicle Code, relating to signs on turning and stopping;
Also: Assembly Bill No. 2266—An act to amend the Motor Vehicle Code, relating to the appointment of voluntary highway patrol officers;
Has had the same under consideration, and respectfully reports the same back without recommendation.

HORNBLOWER, Chairman.

Also:

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 2277—An act to add section 159a to the California Vehicle Act, relating to the uses and purposes for which funds derived under said act may be used.
Also: Assembly Bill No. 2278—An act to add section 13¾ to the "Motor Vehicle Fuel License Tax Act," relating to uses and purposes for which funds derived under said act may be used;
Also: Assembly Bill No. 2290—An act to amend section ------ of the Vehicle Code, relating to vehicles and vehicular traffic;
Also: Assembly Bill No 2291—An act to add sections 34.5, 50, 51, 52, 144, 154.5, 157.5, 179.5, 370.5, 595.5, 600.5, 603 and 681 to the Vehicle Code, and to amend sections 141, 148, 159, and 632 thereof, relating to the transportation of certain inflammable liquids over highways within the State of California;
Also: Assembly Bill No 2301—An act to amend section 148 of the Vehicle Code, relating to registration of vehicles;
Also: Assembly Bill No 2329—An act to repeal section 430 of the Vehicle Code, and add thereto a new section 430, relating to vehicles;
Also: Assembly Bill No. 2344—An act to amend section 402 of the Vehicle Code, relating to liability of owners of motor vehicles;
Has had the same under consideration, and respectfully reports the same back without recommendation

HORNBLOWER, Chairman.

Also:

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Assembly Bill No. 2378—An act providing a compensation, retirement and pension system for members of the California Highway Patrol;
Also: Assembly Bill No 2484—An act to amend sections 61, 62, 101, 102, 103, 105, 106, 108, 109 and 110 of the Vehicle Code, relating to the transfer of the Department of Motor Vehicles to the Department of Public Works and creating therein the Division of Motor Vehicles;
Has had the same under consideration, and respectfully reports the same back without recommendation.

HORNBLOWER, Chairman.

Also:

MR. SPEAKER: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 163—An act requiring the licensing of certain vehicles used for the

transportation of persons or property in this State, defining such vehicles, providing for the imposition, collection, and distribution of license taxes for the privilege of operating such vehicles in this State, making appropriations for the purposes of this act, prescribing penalties for the violation of this act, and providing that this act shall take effect immediately;

Also: Senate Bill No. 420—An act to amend section 44 of the Vehicle Code, relating to emergency vehicles;

Also: Senate Bill No. 452—An act to amend section 135 of the Vehicle Code, relating to the California Highway Patrol;

Has had the same under consideration, and respectfully reports the same back without recommendation.

HORNBLOWER, Chairman.

On Municipal Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 5—An act to make effective the provisions of "An act to provide a method for improving public streets, avenues, lanes, alleys, courts and places within municipalities of the sixth class, and for levying and collecting assessments upon property to pay for such improvements, and declaring the urgency hereof, to take effect immediately," approved May 25, 1933, and to amend section 20 thereof, relating to the time of operation of the provisions of said act;

Also: Assembly Bill No. 10—An act to provide for a preference in employment of heads of families in cities, cities and counties, and counties;

Also: Assembly Bill No. 72—An act relating to bond elections, providing for the manner of holding the same, defining the duties of certain persons in relation thereto, and other matters properly relating thereto;

Also: Assembly Bill No. 148—An act in relation to relief from special assessments and in relation to financial relief therefrom, and of taxing districts, as defined in Chapter 9 of the act of Congress entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, as amended, validating petitions and proceedings under or in contemplation of proceedings under, said Chapter 9, and authorizing contribution by cities, counties, cities and counties and the State toward the payment of such assessments, and declaring the urgency thereof, to take effect immediately;

Also: Assembly Bill No. 149—An act to add a new section to the Political Code, to be numbered 3756a, relating to the extension of time for the payment of property taxes for the fiscal year ending June 30, 1935, to take effect immediately;

Has had the same under consideration, and respectfully reports the same back without recommendation.

WRIGHT, Chairman.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 168—An act to amend section 852 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to election of city attorney of cities of the sixth class;

Also: Assembly Bill No. 243—An act to amend sections 5, 6, 7 and 8 of the "Metropolitan Water District Act," relating to metropolitan water districts;

Also: Assembly Bill No. 266—An act relating to special assessments and for the relief of property owners from unjust and burdensome assessments heretofore levied for the opening, widening and improving of highways, or for park purposes, providing for the payment of such assessments by the State of California, from the State highway fund, declaring the urgency hereof, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 278—An act for the relief of certain special assessment districts, and for that purpose authorizing any city or county, or city and county, upon consent of the holder of bonds, in connection with any refunding or liquidating plans to adjust, annul, pay, waive, cancel, settle, refund, liquidate or discharge any taxes or assessments, penalties, interest or costs accrued or accruing, or levied or to be levied, and making available to such city or county, or city and county, the provisions of Chapter IX of the act of Congress entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, as amended and any bankruptcy law or laws of the United States now or hereafter enacted, and to declare the urgency of this act, to take effect immediately.

Also: Assembly Bill No. 284—An act to amend sections 5 and 7 of "An act to provide for the recall of elective officers of incorporated cities and towns, and to repeal Chapter 32, Statutes of 1911, extra session, entitled 'An act to provide for

the recall of elective officers of incorporated cities and towns,' approved January 2, 1912," approved May 8, 1931, relating to recall;
Has had the same under consideration, and respectfully reports the same back without recommendation.

WRIGHT, *Chairman*

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 292—An act to add section 4088b to the Political Code, relating to the issuance of obligations by a county, city and county or city;

Also: Assembly Bill No. 342—An act amending section 1 of an act entitled "An act authorizing counties to construct, improve, maintain and repair streets lying in municipalities or to aid or assist by the appropriation of money and otherwise in establishing, laying out, opening, widening, extending, straightening, constructing, improving or altering streets or changing or separating the grades thereof within municipalities or in acquiring lands, rights of way or other property necessary therefor," approved April 30, 1923, relating to the granting of aid and assistance by counties in connection with public improvements;

Also: Assembly Bill No. 370—An act to amend section 40 of the "Improvement Act of 1911," relating to special assessment proceedings;

Also: Assembly Bill No. 383—An act to provide for the discharge, cancellation and retirement of the indebtedness represented by bonds of special assessment improvement districts issued under the Acquisition and Improvement Act of 1925 where said bonds were issued prior to January 1, 1932, and providing for the discharge, cancellation and retirement of said bonds or part thereof where such bonds have been purchased or redeemed by any city, county or city and county for the purpose of canceling, discharging or reducing special assessment levies against the property in such districts, and to provide for contribution of public funds to assist in such discharging, cancellation or retirement of said bonds;

Also: Assembly Bill No. 415—An act to validate proceedings for the annexation, incorporation, and inclusion of territory by municipal corporations;

Also: Assembly Bill No. 473—An act to amend sections 1, 5, 6, 7, and 11 of the Sewer Revenue Bond Act, relating to the sale of sewer revenue bonds;
Has had the same under consideration, and respectfully reports the same back without recommendation.

WRIGHT, Chairman.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 562—An act to amend "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, by amending section 871 thereof, relating to taxes;

Also: Assembly Bill No. 569—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such assessments, reassessments, to provide for the proceedings to test the validity of such refunding and reassessment, and to provide for contributions of public funds to assist in such refunding;

Also: Assembly Bill No. 570—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts organized under the Municipal Improvement District Act of 1915, to provide for the issue and sale or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of assessments and reassessments and to provide for the proceedings to test the validity of such refunding and reassessment;

Also: Assembly Bill No 571—An act amending that certain act entitled "Improvement Bond Act of 1915," approved June 11, 1915, as amended by adding section 15a thereto, providing for the purchase and cancellation of bonds by municipalities;

Also: Assembly Bill No. 589—An act relating to the making of real estate subdivisions and the making and recording of maps thereof, and empowering cities, cities and counties, and counties in connection therewith, and repealing all acts or portions of acts in conflict herewith;
Has had the same under consideration, and respectfully reports the same back without recommendation.

WRIGHT, Chairman.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 600—An act to amend section 3 of an act entitled "An act

authorizing counties to construct, improve, maintain and repair streets lying in municipalities or to aid or assist by the appropriation of money and otherwise in establishing, laying out, opening, widening, extending, straightening, constructing, improving or altering streets or changing or separating the grades thereof within municipalities or in acquiring lands, right of way, or other property necessary therefor," approved April 30, 1923;

Also: Assembly Bill No. 632—An act to amend sections 11 and 12 of Chapter 247, Statutes of 1913, entitled "An act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an act entitled 'An act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby,' approved March 21, 1905." approved June 6, 1913, relating to redemption of property sold for delinquent assessments, declaring the urgency of this act and providing that it shall take effect immediately;

Also: Assembly Bill No. 664—An act amending "An act in relation to relief from special assessments and in relation to financial relief therefrom, and of taxing districts, as defined in Chapter IX of the act of Congress entitled 'An act to establish a uniform system of bankruptcy throughout the United States,' approved July 1, 1898, as amended, validating petitions and proceedings under or in contemplation of proceedings under, said Chapter IX, and authorizing contribution by cities and counties toward the payment of such assessments, and declaring the urgency thereof, to take effect immediately," and declaring the urgency thereof, to take effect immediately;

Also: Assembly Bill No. 671—An act relating to the redemption of property sold to cities for delinquent taxes and assessments, and declaring the urgency thereof;

Has had the same under consideration, and respectfully reports the same back without recommendation.

WRIGHT, Chairman.

Also:

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 818—An act to amend an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended, by amending section 28 thereof, relating to exclusion of territory;

Also: Assembly Bill No. 824—An act to authorize sanitary and sanitation districts, cities and towns to acquire and construct works for the collection, treatment, purification and disposal of sewage, by issuing bonds payable solely from the revenues of such works, and to collect revenues, rates or charges for the use of such works;

Also: Assembly Bill No. 835—An act to provide for the refunding of the indebtedness represented by bonds of special improvement districts payable from special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the issue or exchange of refunding bonds and the retirement of unpaid bonds of such districts, to provide for the levy of refunding assessments and reassessments for the payment of such refunding bonds, to enforce the liens of such refunding assessments, reassessments and to provide for the proceedings to test the validity of such refunding and assessment, and to provide for contributions of public funds to assist in such refunding;

Also: Assembly Bill No. 847—An act to provide for the issuance of refunding bonds to represent and be secured by certain refunding assessments made for the purpose of refunding the outstanding indebtedness represented by bonds of special improvement districts payable from the special assessments levied wholly or partly in accordance with the assessed value of lands, to provide for the collection of such assessments, the sale of the property affected thereby, and for the payment of the bonds so issued;

Also: Assembly Bill No. 963—An act authorizing cities, city and county, counties and special districts to arrange for joint performance of functions with other cities, city and county, counties or special districts;

Has had the same under consideration, and respectfully reports the same back without recommendation.

WRIGHT, Chairman.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 969—An act providing for restrictions upon the use and the temporary closing of streets, alleys, ways, lanes, courts or places within municipalities, defining the duty of municipalities with relation thereto and the procedure therefor;

Also: Assembly Bill No. 1008—An act to amend the title and sections 1, 2, and 3 of "An act limiting the liability of supervisors, city trustees, city councils, boards of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances," relating to the liability of the State and its officers;

Also: Assembly Bill No. 1051—An act to amend an act entitled "An act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or control thereof," which became a law under constitutional provision without the Governor's approval February 25, 1901, by amending section 6 thereof, relating to the sale of municipal bonds;

Also: Assembly Bill No. 1052—An act to provide for the manner of payment of matured bonds and coupons of any issue of bonds of any county, city and county, municipal corporation, taxing district, political subdivision or other public corporation of this State in cases where the available money in the fund set apart for the payment of such bonds or coupons is insufficient to pay the same in full;

Also: Assembly Bill No. 1101—An act to add section 4452b to the Political Code, relating to responsibility of municipal corporations;

Also: Assembly Bill No. 1102—An act to add section 4452a to the Political Code, relating to responsibility of municipal corporations;

Has had the same under consideration, and respectfully reports the same back without recommendation.

WRIGHT, Chairman

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1136—An act to amend section 850 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 18, 1883, relating to the filling of vacancies in offices in cities of the sixth class;

Also: Assembly Bill No. 1176—An act to amend the "Streets and Highways Code," relating to streets and highways;

Also: Assembly Bill No. 1237—An act to provide for the adjudication of insolvency of certain special districts having indebtedness represented by outstanding bonds payable from special assessments levied wholly or in part, in accordance with the assessed value of lands, to provide for the liquidation of the indebtedness of such districts under the direction and control of the superior court, to provide for the fixing of limitation of liability of lands within such districts for the payment of such indebtedness, to provide for the collection, administration, control and distribution of the assets and income of such districts, and to provide for contributions of public funds to assist in such liquidation;

Also: Assembly Bill No. 1322—An act to amend an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933, relating to the deposit of public moneys;

Has had the same under consideration, and respectfully reports the same back without recommendation.

WRIGHT, Chairman.

Also:

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1325—An act to amend an act entitled "An act providing an additional and/or alternative method for financing the acquirement, construction, development, improvement, reconstruction, extension and repair of waterworks systems by any political subdivision or public agency of the State authorized by law to own and operate such waterworks systems by the issuance and sale to the United States Government or any agency of said government of revenue bonds payable solely out of the revenue derived or to be derived therefrom; providing for the operation of such systems in case of deficiencies in revenues, providing for a statutory lien on works acquired, constructed, improved, reconstructed, extended or repaired under the provisions of this act; providing for the use of the power of eminent domain by political subdivisions or public agency proceeding under this act; defining the terms political subdivisions and public agencies as included herein, and providing a time for the expiration of said act," approved May 27, 1933, relating to an additional or alternate method for financing waterworks systems in the State;

Also: Assembly Bill No. 1622—An act to amend the 1929 Statutes, approved by the Governor June 17, 1929, and in effect August 14, 1929, by repealing sections 13, 15, and 16 of Chapter 838, said act being entitled: "An act to provide for the establishment of official master plans and the appointment of planning commissions in cities, cities and counties, and counties; prescribing the manner of adoption of such plans, portions thereof, amendments thereto and composition thereof; prescribing the powers and duties of such commissions; providing for the transfer thereto of the powers and duties of other planning commissions; providing for the preparation, adoption and recordation of precise street plans; providing for the control of the construction of buildings within the lines of streets shown on such precise street plans; providing for the levy of a special tax for the support of a planning commission and other acts pursuant to this act and making certain expenditures legal charges against the funds of cities, cities and counties, and counties and regional planning commissions; providing for the establishment by cities, cities and counties, and counties and regional planning commissions, including two or more cities, cities and counties, or counties, or a portion or portions thereof, or both; making certain acts, misdemeanors; and repealing other acts in conflict herewith";
Has had the same under consideration, and respectfully reports the same back without recommendation.

WRIGHT, Chairman.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1799—An act authorizing any county, city and county, or city to credit on delinquent taxes due to such county, city and county, or city with the consent of the owner of the property on which such taxes are delinquent, sums due or which may become due to the owner of such property for the use or rental of such property by such county, city and county, or city or by any department or agency thereof or by any person or persons for whose rental or compensation for the use of such property such county, city and county or city, or any department or agency thereof shall be or shall become responsible and authorizing agreements between the counties, cities and counties or cities and departments or agencies thereof and persons for whom any such county, city and county, or city or department or agency thereof shall pay or advance funds for the payment of rent, providing for the repayment in installments by such persons of the amount credited on delinquent taxes on account of such rental;

Also: Assembly Bill No. 1800—An act to amend an act entitled "An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operative and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts," approved May 10, 1927, as amended, designated the "Metropolitan Water District Act," by amending sections 4, 5, 6 and 7, and by adding a new section, to be numbered 6¼, all relating to the formation, powers, government and management of metropolitan water districts, and the presentation of claims and demands thereto;
Has had the same under consideration, and respectfully reports the same back without recommendation.

WRIGHT, Chairman.

Also:

MR SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No 1802—An act providing for the acquisition, purchase, construction, reconstruction, improvement, betterment, extension, operation, and maintenance of revenue-producing undertakings by any municipality of this State; authorizing and regulating the issuance of revenue bonds for financing such undertakings; and providing for the payment of such bonds and the rights of holders thereof; and declaring the urgency of this act and providing that it shall take effect immediately;

Also: Assembly Bill No 1979—An act to amend sections 851, 852 and 855 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 18, 1883, relating to city officers;

Also: Assembly Bill No. 1985—An act to amend the Special Assessment Investigation, Limitation and Majority Protest Act of 1931;

Also: Assembly Bill No. 1986—An act for the relief of special assessment districts and to that end authorizing any county, city or city and county, upon the conditions and under the circumstances herein specified, to acquire bonds of or issued by such districts and making certain moneys and funds available therefor;

Also: Assembly Bill No. 2006—An act to amend "An act to provide for the formation, management and dissolution of park, recreation and parkway districts and annexations thereto and withdrawals therefrom, designating and setting forth

the process of the governing bodies of such districts and providing for the levying and collecting of taxes on property in such districts to defray the expenses thereof," approved May 23, 1927;
Has had the same under consideration, and respectfully reports the same back without recommendation.

WRIGHT, Chairman.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 2007—An act to provide for the formation, management and dissolution of recreation, park and playground districts within any city, city and county, or county, designating the powers of the governing bodies of such districts and providing for the levy and collection of taxes on property in such districts to defray the expenses thereof;

Also: Assembly Bill No. 2008—An act to provide for the formation, maintenance, and dissolution of playground and recreational park districts within counties;

Also: Assembly Bill No. 2009—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11 of an act entitled "An act to provide for the formation, management and dissolution of park, recreation and parkway districts and annexations thereto and withdrawals therefrom, designating and setting forth the process of the governing bodies of such districts and providing for the levying and collecting of taxes on property in such districts to defray the expenses thereof," approved May 23, 1927;

Also: Assembly Bill No. 2147—An act to amend section 14 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued," approved June 11, 1915 (Stats. 1915, page 1441), as amended, relating to prorating of assessments upon subdivisions of land;

Also: Assembly Bill No. 2188—An act to add sections 21 and 22 to and to amend section 23 of "An act to allow unincorporated towns and villages to establish, equip and maintain a police department, to provide for the formation, government and operation of said police districts, the assessment, collection and custody and disbursement of taxes, for such purpose, and to create a board of police commissioners," approved April 26, 1927, relating to the allowing of police commissioners to create ordinances governing local conditions and provide for the enforcement of such ordinances;
Has had the same under consideration, and respectfully reports the same back without recommendation.

WRIGHT, Chairman.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 2279—An act to amend the Improvement Act of 1911, relating to assessments and bonds;

Also: Assembly Bill No. 2280—An act to amend the Street Opening Act of 1903, relating to assessments;

Also: Assembly Bill No. 2281—An act for the relief of property assessed, pursuant to an act entitled "An act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885;

Also: Assembly Bill No. 2282—An act relating to relief from certain special assessments;
Has had the same under consideration, and respectfully reports the same back without recommendation.

WRIGHT, Chairman.

Also:

MR. SPEAKER: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 535—An act to amend the title and sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20, of an act entitled "An act to create a flood control district to be called 'Los Angeles County Flood Control District'; to provide for the control and conservation of flood and storm waters, and for the protection of harbors, waterways, public highways and property in said district from damage from such waters, and for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness, and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district; to provide for the government and control of said district, and to define the powers and duties of the officers thereof," approved June 12, 1915, as amended, and by adding nine new sections to said act to be numbered sections 3a, 3b, 3c, 5a, 5b, 5c, 5d, 5e and 15a, relating to and providing for the government and control of said district by a board of directors, relating to and providing for

a civil service system for said district, defining the powers and duties of said board and for the appointment of certain officers by said board, and dividing said district into five divisions for the election of a director from each of such divisions, and providing for the performance of certain duties by Los Angeles County officers for said district.

Has had the same under consideration, and respectfully reports the same back without recommendation.

WRIGHT, Chairman.

On Oil Industries.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 1265—An act providing for the regulation and control of production, sale and transportation of all oil, gas and other petroleum products in the State of California, and providing for the appointment of a commission of three members to exercise certain powers in connection therewith;

Also: Assembly Bill No. 1571—An act relating to rights, royalties, interests or estates in or to oil, gas, or other hydrocarbons in or under or to be extracted from real property, or in or to the proceeds derived from the sale of such oil, gas or other hydrocarbons, and relating to the rights and liabilities of the owners or holders of such rights, royalties, interests or estates and relating to instruments conveying the same and the recording thereof;

Also: Assembly Bill No. 1966—An act relating to royalties paid and to be paid to the State of California by producers of crude oil and prescribing the duties of the Director of Finance in connection therewith;

Also: Assembly Bill No. 2032—An act to amend section 13½ of an act entitled "An act to regulate the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, requiring the licensing of producers and manufacturers of casing-head gasoline, kerosene distillates or other petroleum products used in, or which may be used in the blending, compounding or manufacture of motor vehicle fuel, and of brokers, jobbers and wholesale merchants dealing in petroleum products requiring the execution and delivery by distributors of a surety bond upon application for license, providing for the collection and disposition of license taxes, declaring unlawful the withholding from export of motor vehicle fuel obtained for export, the diversion of motor vehicle fuel from interstate transit, or the improper return of motor vehicle fuel previously exported prescribing penalties for violation of the provisions of this act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, Statutes of 1923, page 571, as amended, providing for the uses and purposes to which the funds derived under said act may be used;

Has had the same under consideration, and respectfully reports the same back without recommendation.

McBRIDE, Chairman.

Also:

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 2091—An act to prohibit the sale of gasoline unless the gasoline is mixed with alcohol, and to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect immediately;

Also: Assembly Bill No. 2335—An act to provide for the protection of oil field workers by requiring an attendant at boilers and providing penalties for violation hereof;

Also: Assembly Bill No. 2446—An act to amend section 675 of the Political Code, relating to the Department of Finance;

Also: Assembly Bill No. 2491—An act to add section 24 to "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, relating to the taking of oil, gas and other hydrocarbons from State lands;

Has had the same under consideration, and respectfully reports the same back without recommendation.

McBRIDE, Chairman.

Also:

MR. SPEAKER: Your Committee on Oil Industries, to which was referred Assembly Bill No. 903—An act to amend section 4 of an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of

permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, relating to the extension of prospecting permits for oil and gas which were in effect June 1, 1933, and upon which has been expended $25,000.00 or more in the prospecting for oil and gas;

Also: Assembly Bill No. 1193—An act to amend section 14a of an act entitled "An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining "gasoline" and prescribing specifications for products sold or offered for sale as "gasoline"; prescribing penalties for the violation of provisions hereof; and repealing acts and parts of acts inconsistent herewith," approved June 5, 1931, relating to licensing of persons, firms, associations or corporations, installing and using motor vehicle fuel pumps, and to declare the urgency thereof;

Also: Assembly Concurrent Resolution No. 41—Relating to the drilling by the State of state-owned oil pools;

Has had the same under consideration, and respectfully reports the same back without recommendation.

McBRIDE, Chairman.

On Prisons and Reformatories.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 199—An act to establish the California State Reformatory; to provide for purchase of land therefor; and the construction of buildings and other improvements in connection therewith; to provide for the commitment and transfer of prisoners thereto and therefrom; to provide for the equipment, conduct and management thereof; and to make an appropriation therefor;

Also: Assembly Bill No. 216—An act to establish a State prison, providing for the selection and acquisition of a site and the construction and equipment of buildings and structures therefor, the management, conduct and use thereof, and making an appropriation therefor;

Also: Assembly Bill No. 227—An act to add a new section to the Civil Code to be numbered 137a, relating to costs and attorney's fees granted in actions for divorce or permanent support;

Also: Assembly Bill No. 787—An act to amend section 1168 of the Penal Code, relating to sentences, imprisonments and paroles of prisoners;

Also: Assembly Bill No. 984—An act to be known as the "Prisons and Paroles Act," relating to the State prisons and similar institutions, their government, and the imprisonment, parole, and release of the inmates thereof, repealing certain laws relating to the same subject and declaring when this act shall go into effect;

Also: Assembly Bill No. 987—An act to amend the Penal Code by amending sections 1192a, 1202a, 1217, 1572, 1574, 1581, 1583, 1584, 1585, 1587, 1590, 1591, 1592, 1593, and 1595 thereof, repealing sections 1168, 1573, 1575, 1576, 1577, 1578, 1580, 1582, 1586 1594 and 1596 thereof, and adding sections 1168.1 to 1168.11, inclusive, 1571.1 to 1571.5, inclusive, 1576, 1577.1 to 1577.5, inclusive, 1578, 1580, 1582.1, 1582.2, 1586, 1586.5, 1594, and 1596 thereto, all relating to State prisons and similar institutions, their government, and the imprisonment, parole, and discharge of the inmates thereof, repealing certain laws relating to the same subject, and declaring when this act shall go into effect;

Also: Assembly Bill No. 1040—An act to create a Department of Penal Affairs, to define its powers and duties, to provide for its organization, to create a Board of Pardons and Paroles, define its powers and duties and provide for its organization, and to repeal all acts and sections of acts inconsistent therewith, and to become effective, if and when, Assembly Constitutional Amendment No. __ is approved by the people;

Also: Assembly Bill No. 2326—An act to amend section 3 of an act entitled "An act creating in the State Department of Penology a Division of Prison Terms and Paroles under the control of a Board of Prison Terms and Paroles, defining the powers and duties of said division and of said board, and making an appropriation therefor," approved May 28, 1931, relating to paroles and the hearing thereon;

Has had the same under consideration, and respectfully reports the same back without recommendation.

MARTIN, Chairman.

Also:

MR. SPEAKER: Your Committee on Prisons and Reformatories, to which was referred Assembly Concurrent Resolution No. 19—Relative to a legislative investigation as to the advisability of establishing a State prison in the southern counties of the State of California—has had the same under consideration, and respectfully reports the same back without recommendation.

MARTIN, Chairman.

Also:

MR. SPEAKER: Your Committee on Prisons and Reformatories, to which was referred Senate Bill No. 619—An act to add section 3a to an act entitled "An act to authorize and regulate the employment of prisoners in the State prisons of this State and to provide for the disposition of the products of their skill and labor," approved February 23, 1911, relating to prison-made goods—has had the same under consideration, and respectfully reports the same back without recommendation.

MARTIN, Chairman.

On Public Charities and Corrections.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Public Charities and Corrections, to which was referred Assembly Bill No. 25—An act relating to liability for expense of burial of indigent persons;

Also: Assembly Bill No. 850—An act authorizing charitable and public welfare institutions receiving allocations of funds from the State to lease land and buildings from the United States Government,

Has had the same under consideration, and respectfully reports the same back without recommendation.

ANDREAS, Chairman.

On Public Health and Quarantine.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 67—An act to amend section 1134 of, and to add sections 1131, 1132 and 1133 to the Agricultural Code, relating to cold storage eggs;

Also: Assembly Bill No. 172—An act to add a new section to be numbered section 8a to an act entitled "An act to promote the development of the egg industry in California, to prohibit the sale of eggs unfit for human food, to provide standards of quality and weight for the sale of eggs, to provide for proper labeling of all eggs displayed for sale to the consumer, to protect the consuming public by preventing deception in the sale of eggs, providing penalties for the violation of the provisions of this act, and repealing all acts or parts of acts in conflict herewith," approved May 28, 1931, relating to cold storage eggs and shell treated eggs;

Also: Assembly Bill No. 173—An act to amend section 1132 of, and to add a new section to be numbered 1132.5 to, the Agricultural Code, relating to cold storage eggs and shell treated eggs;

Also: Assembly Bill No. 564—An act to amend sections 5, 6, 7, 7a and 8f and to repeal sections 8, 8a, 8b, 8c, 8d, 8e, 8g and 8¼ of an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, relating to habit forming, narcotic and other dangerous drugs;

Also: Assembly Bill No. 565—An act to amend an act entitled "An act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907, relating to habit-forming, narcotic and other dangerous drugs,

Also: Assembly Bill No. 760—An act to provide for the establishment of local health districts in any part of the State, and defining their powers and duties;

Has had the same under consideration, and respectfully reports the same back without recommendation.

KALLAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 784—An act relating to the sale, disposition of, advertising, and control through licensing, of prophylactics and contraceptives;

Also: Assembly Bill No. 893—An act to amend sections 1065 and 1071 of the Agricultural Code, relating to economic poisons;

Also: Assembly Bill No. 912—An act to amend sections 2, 3, 4, 6, 7, and 18 of the "Act Concerning Cosmetology," as amended;

Also: Assembly Bill No. 946—An act to amend sections 3, 4, 5, 9, 10, 12, and 17 of an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiro-

practic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by the electors November 7, 1922, relating to the Board of Chiropractic Examiners and the practice of chiropractic;

Also: Assembly Bill No 1222—An act for the prevention of the manufacture, advertising, sale or transportation of adulterated, mislabeled or misbranded cosmetics, regulating the traffic in cosmetics and providing penalties for the violation thereof;

Also: Assembly Bill No. 1272—An act to amend the "Act Concerning Cosmetology," approved May 31, 1927, as amended;

Also: Assembly Bill No 1305—An act to provide for the establishment of standards of sanitation for the laundry industry and providing for a sanitary inspection service of said industry, and fixing penalties for the violations thereof;

Has had the same under consideration, and respectfully reports the same back without recommendation.

KALLAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1308—An act to amend section 16 of the "Act Concerning Cosmetology," approved May 31, 1927;

Also: Assembly Bill No. 1347—An act to amend section 372 of the Political Code, relating to the members of the State Board of Public Health;

Also: Assembly Bill No. 1353—An act to amend sections 372, 2979, 2979a, 2979b, 2979c, 2979d, 2979e, 2980, 2981, 2982, 2982a, 2983 and 2984 of the Political Code, relating to the State Board of Health;

Also: Assembly Bill No. 1354—An act to amend sections 372, 372a, 372b, 372c, 372d, 372e, 372f and 372g of the Political Code, relating to the powers and duties of the State Board of Public Health;

Also: Assembly Bill No. 1615—An act to restrain aliens, who are or may become vagrants, paupers, mendicants, criminals or invalids inflicted with contagious or infectious diseases, and aliens otherwise dangerous or detrimental to the well-being or peace of the State from entering the State, and to impose conditions upon which such persons may reside in the State, and to provide the means and mode of their removal from the State, upon failure or refusal to comply with such conditions;

Also: Assembly Bill No. 1633—An act to add a new section to the Agricultural Code to be numbered section 830.6, requiring the sterilization of used containers of fruits, nuts, or vegetables, before such containers are again used or sold, for the purpose of containing, shipping, or transporting fruits, nuts, or vegetables, and requiring the sterilization of used containers before such containers are returned to, or taken upon, the premises of any grower, packer, or shipper of fruits, nuts or vegetables;

Has had the same under consideration, and respectfully reports the same back without recommendation.

KALLAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 2112—An act to regulate the manufacture and sale of sausage meat;

Also: Assembly Bill No. 2121—An act to amend sections 1104, 1108, 1143, 1144, 1146 and 1147 of Chapter 8 of Division V of the Agricultural Code, relating to the administration of standards for eggs and egg products, and to make an appropriation;

Also: Assembly Bill No. 2295—An act to provide for the inspection, quarantine and registration of aviaries and other places where shell parrakeets are sold, offered for sale, trade or barter, or otherwise distributed, and to provide for the inspection of all birds which may be kept in such places; to repeal an act entitled "An act to provide for the inspection, quarantine and registration of aviaries and other places where shell parrakeets are sold, offered for sale, trade or barter; and to provide for the inspection of all birds which may be kept in such places; to declare the urgency thereof and provide that this act shall take effect immediately," approved May 26, 1933; to declare the urgency thereof and provide that this act shall take effect immediately;

Also: Assembly Bill No. 2316—An act to add section 374c to the Penal Code, relating to plumbing fixtures and installations in public schools;

Has had the same under consideration, and respectfully reports the same back without recommendation.

KALLAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 2338—An act to amend "An act to regulate the occupations and practices of hairdressers and cosmeticians, cosmetologists, and the branches of cosmetology; to create the State Board of Cosmetology, and to provide for the issuance by said board of certificates of registration and licenses entitling the holders

thereof to engage in and to teach such occupations and practices; to insure the better education of hairdressers and cosmeticians; to provide for rules regulating the proper conduct and sanitation of cosmetological establishments, schools of cosmetology, and places where the occupations of hairdressers and cosmeticians are practiced; prescribing penalties for the violation of the provisions of this act," approved May 31, 1927, relating to cosmetology;

Also: Assembly Bill No. 2401—An act to regulate the conduct of pounds, prescribing the duties of persons in charge thereof or employed thereat, and regulating the disposition of animals impounded or sheltered therein;

Has had the same under consideration, and respectfully reports the same back without recommendation.

KALLAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 291—An act to add sections 309.5 and 311.5 to the Agricultural Code, relating to persons handling meat;

Also: Senate Bill No. 1071—An act to provide for the inspection, quarantine and registration of aviaries and other places where shell parrakeets are sold, offered for sale, trade or barter, or otherwise distributed, and to provide for the inspection of all birds which may be kept in such places; to repeal an act entitled "An act to provide for the inspection, quarantine and registration of aviaries and other places where shell parrakeets are sold, offered for sale, trade or barter; and to provide for the inspection of all birds which may be kept in such places; to declare the urgency thereof and provide that this act shall take effect immediately," approved May 26, 1933; to declare the urgency thereof and provide that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back without recommendation.

KALLAM, Chairman.

On Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 296—An act to amend section 34 of the State Liquor Control Act, approved June 3, 1933, relating to the sale of intoxicating liquor;

Also: Assembly Bill No. 311—An act to provide a system of State control of the manufacture, purchase, sale, importation, exportation, transportation, and use of alcohol and alcoholic liquors; including creation of State Alcohol Control Authority provision for the sale of alcohol and alcoholic liquors by such authority; making an appropriation therefor; and providing penalties for the violation of the provisions of this act;

Also: Assembly Bill No. 326—An act to amend section 172a of the Penal Code to provide that the selling of liquor within one mile of the administration building of a university is illegal;

Has had the same under consideration, and respectfully reports the same back without recommendation.

GARIBALDI, Chairman.

Also:

MR. SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 369—An act to amend sections 10 and 34 of an act entitled "An act to control, license and regulate the manufacture, transportation, sale, purchase, possession and disposition of wine, beer and intoxicating liquor; to make an appropriation therefor; and to provide penalties for the violation thereof," relating to the sale of liquor;

Also: Assembly Bill No. 446—An act to provide for the regulation and licensing of the sale of wine and beer, to provide for the purchase or manufacture of liquor by the State Board of Equalization, and the sale and distribution of such liquor by said board, to provide for the establishment of State retail liquor stores for the sale of liquor, and to provide that this act shall take effect upon the passage of a constitutional amendment permitting its enforcement;

Also: Assembly Bill No. 806—An act to amend sections 10, 12 and 14 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof, to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing;

Also: Assembly Bill No. 983—An act to amend an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misprinted foods or liquors and regulating the traffic therein, providing penalties, estab-

lishing a State laboratory for foods, liquors and drugs and make an appropriation therefor," approved March 11, 1907, relating to liquor;
Has had the same under consideration, and respectfully reports the same back without recommendation.

GARIBALDI, Chairman.

Also:

MR. SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 1000—An act to amend section 336 of the Penal Code of the State of California, prohibiting the sale or dispensing of intoxicating liquor by minors and providing a penalty therefor;

Also: Assembly Bill No. 1109—An act to amend section 330a of the Penal Code, relating to gambling;

Also: Assembly Bill No. 1250—An act to levy an excise tax on the manufacture, distribution and sale of alcoholic beverages; to provide for the licensing of the manufacture, distribution and sale; to prescribe penalties for the violation of this act; to make an appropriation for the enforcement of this act and to provide that this act shall take effect immediately;

Also: Assembly Bill No. 1251—An act to amend section 172 of the Penal Code, relating to selling, giving away, or exposing for sale, intoxicating, vinous or alcoholic liquors within or contiguous to certain Federal and State buildings and grounds;

Also: Assembly Bill No. 1307—An act to license, regulate and control the manufacture, transportation, sale, purchase, possession and disposition of alcoholic beverages; to make an appropriation for the enforcement of this act; and to prescribe penalties for the violation of this act;
Has had the same under consideration, and respectfully reports the same back without recommendation.

GARIBALDI, Chairman.

Also:

MR. SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 1336—An act to amend section 1 of and to add sections 3 5 and 6.5 to "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged and limiting such boxing contests to twelve rounds; to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," submitted by initiative and approved by electors November 4, 1924, relating to boxing and wrestling;

Also: Assembly Bill No. 1385—An act to amend section 4 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to races for horses foaled in California;

Also: Assembly Bill No. 1467—An act to amend sections 12 and 14 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing license fees;
Has had the same under consideration, and respectfully reports the same back without recommendation.

GARIBALDI, Chairman.

Also:

MR. SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 1592—An act to amend section 5 of an act entitled "An act to levy an excise tax and to regulate the manufacture, distribution and sale of certain beverages; to provide for the licensing of the manufacture, distribution and sale; to prescribe penalties for the violation of this act and to provide that this act shall take effect immediately," approved April 27, 1933;

Also: Assembly Bill No. 1781—An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, of and to add new sections to be numbered 17, 18, 19, 20 and 21 to an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or where an admission fee is charged, and limiting such boxing contests to twelve rounds; to create an athletic commission empowered to license such contests and the participants therein; to prescribe conditions under which

licenses shall be issued and contests held; to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contests," approved by electors November 4, 1924, relating to boxing and wrestling contests and the powers of the State Athletic Commission;

Also: Assembly Bill No. 1812—An act to amend section 16 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing; Has had the same under consideration, and respectfully reports the same back without recommendation.

GARIBALDI, Chairman.

Also:

MR. SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 1817—An act to amend the Liquor Control Act of 1933;

Also: Assembly Bill No. 1823—An act to provide for the creation and management of lotteries in the State of California and legalizing lottery transactions;

Also: Assembly Bill No 1873—An act to amend section 17 of an act entitled "An act to control, license, and regulate the manufacture, transportation, sale, purchase, possession, and disposition of wine, beer, and intoxicating liquor; to make an appropriation therefor; and to provide penalties for the violation hereof," approved June 3, 1933, relating to types of licenses to be issued;

Also: Assembly Bill No. 1948—An act to amend "An act to provide for the regulation and licensing of horse racing, horse race meeting and the wagering on the results thereon; to create the California Horse Race Board, for the regulation, licensing and supervision of said horse racing and wagering thereon, to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing;

Also: Assembly Bill No. 1951—An act to amend State Liquor Control Act; Has had the same under consideration, and respectfully reports the same back without recommendation.

GARIBALDI, Chairman.

Also:

MR. SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 1962—An act to amend the title and sections 1 and 5 of an act entitled "An act to levy an excise tax and to regulate the manufacture, distribution and sale of certain beverages; to provide for the licensing of the manufacture, distribution and sale; to prescribe penalties for the violation of this act and to provide that this act shall take effect immediately," approved April 27, 1933, extending the provisions thereof to cover all intoxicating liquors, and relating to the rate of tax—has had the same under consideration, and respectfully reports the same back without recommendation.

GARIBALDI, Chairman.

Also:

MR. SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 2027—An act to regulate greyhound racing in California;

Also: Assembly Bill No. 2044—An act to amend sections 12 and 14 of an act entitled "An act to provide for the regulation and licensing of horse races, horse ------ and the wagering on the results thereof; to create a California Horse Racing Board for the regulation, licensing, and supervision of said horse races and wagering thereon; to provide penalty for the violation of the provisions of this act and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying such provisions." approved June 5, 1933, relating to the division of commissions between State and licensees;

Also: Assembly Bill No. 2124—An act to amend "An act to provide for the regulation and licensing of horse racing, horse race meeting and the wagering on the results thereon; to create the California Horse Race Board, for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing;

Also: Assembly Bill No. 2125—An act to amend section 412 of the Penal Code, prohibiting prize fights and betting on any pugilistic contest, boxing contest or exhibition, but sanctioning amateur boxing contests, sparring matches and exhibitions not to exceed three rounds of duration, prescribing conditions in relation

thereto and the issuance of annual licenses to hold such amateur contests by the State Athletic Commission of California;
Has had the same under consideration, and respectfully reports the same back without recommendation.

GARIBALDI, Chairman.

Also:

MR. SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 2142—An act to amend section 13 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon, to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to the appropriation of the State's share of commissions;

Also: Assembly Bill No. 2166—An act to amend sections 12 and 14 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," approved June 5, 1933, relating to division between the State and licensees.

Also: Assembly Bill No. 2227—An act to amend "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering of the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a Constitutional amendment ratifying its provisions," approved June 5, 1933, relating to horse racing;
Has had the same under consideration, and respectfully reports the same back without recommendation.

GARIBALDI, Chairman.

Also:

MR. SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 2283—An act to add a new section to be numbered 17 to an act entitled "An act to authorize boxing and wrestling contests for prizes or purses, or when an admission fee is charged, and limiting such boxing contests to twelve rounds, to create an Athletic Commission empowered to license such contests and the participants therein; to prescribe conditions under which licenses shall be issued and contests held, to declare that amateur boxing contests conducted under section 412 of the Penal Code shall be subject to the provisions of this measure and under the sole jurisdiction of such commission in all cases wherein an admission fee is charged spectators to witness such amateur boxing contest," approved November 4, 1924, relating to the State Athletic Commission;

Also: Assembly Bill No. 2311—An act relating to alcoholic beverages;

Also: Assembly Bill No. 2356—An act to add sections 802a and 802b to the Agricultural Code, relating to the inspection of grapes used for wine purposes;

Also: Assembly Bill No. 2357—An act to appropriate $5,000 to enforce the provisions of the law relating to the standards of quality for the manufacture and sale of California wines and brandies, by the Department of Health;
Has had the same under consideration, and respectfully reports the same back without recommendation.

GARIBALDI, Chairman.

Also:

MR. SPEAKER: Your Committee on Public Morals, to which was referred Senate Bill No. 359—An act to amend section 2 of an act entitled "An act to levy an excise tax and to regulate the manufacture, distribution and sale of certain beverages; to provide for the licensing of the manufacture, distribution and sale; to prescribe penalties for the violation of this act and to provide that this act shall take effect immediately," and to provide that this act shall take effect immediately;

Also: Senate Bill No. 765—An act to amend section 397 of the Penal Code, relating to the sale of intoxicating liquors;

Also: Senate Bill No. 877—An act to add section 15a to an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amend-

ment ratifying its provisions," approved June 5, 1933, relating to evasions of license fees through wagers conducted on information furnished through news services;
Has had the same under consideration, and respectfully reports the same back without recommendation.

GARIBALDI, Chairman.

On Public Utilities.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 60—An act to amend section 2 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to applications for licenses;

Also: Assembly Bill No. 118—An act to add a new section to the Public Utilities Act to be numbered 194, relating to wharfingers;

Also: Assembly Bill No. 175—An act to amend section 28 of the "Weights and Measures Act," approved June 16, 1913, relating to inspection of meters or instruments for measurement of services sold by public utilities excepting municipally owned public utilities;

Also Assembly Bill No. 214—An act to repeal the Transportation District Act;

Also: Assembly Bill No. 215—An act to promote the safety of employees and the traveling public upon railroads by prohibiting persons, firms, and corporations operating railroads in this State from requiring or permitting certain employees to receive, deliver or transmit over telegraph or telephone lines any orders for the movement of trains, defining an emergency and repealing the act entitled "An act to promote the safety of employees and the traveling public upon railroads by prohibiting certain persons, firms and corporations operating railroads in this State from requiring or permitting certain employees to receive, deliver or transmit over telegraph or telephone lines any orders for the movement of trains except in such cases or classes of cases as may be permitted by the Railroad Commission," approved May 24, 1915;
Has had the same under consideration, and respectfully reports the same back without recommendation.

EVANS, HERBERT J., Chairman.

Also:

MR SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 302—An act to add two new sections, to be numbered 2¾ and 50¾ to the Public Utilities Act, relating to taxicab companies;

Also: Assembly Bill No. 459—An act to amend section 5 of "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933;

Also: Assembly Bill No. 540—An act to amend section 1 of an act entitled "An act limiting the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or telegraph or telephone establishment or office, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel or restaurant, or other establishment employing any female, to provide suitable seats for all female employees and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman or other agent of any such employer to violate the provisions of this act," approved March 22, 1911, as amended, relating to occupations to which the act applies;

Also: Assembly Bill No 575—An act to restrict the sale or other transfer of personal property by public utilities, to provide for investigation by the Railroad Commission, and to provide a penalty and prosecution for violation thereof;
Has had the same under consideration, and respectfully reports the same back without recommendation.

EVANS, HERBERT J., Chairman.

Also:

MR SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 586—An act relating to fees to be paid to the Railroad Commission by railroad corporations, express corporations, freight forwarders, persons or corporations operating vessels, and persons or corporations owning or operating motor vehicles in the transportation of property for hire upon the public highways under the jurisdiction of the Railroad Commission of the State of California, providing for the collection thereof by the Railroad Commission, and providing penalties for the violation of this act;

Also: Assembly Bill No. 587—An act regulating the use of public highways for commercial purposes by certain motor vehicles operated thereon for the transportation of property for compensation; preventing discriminations between various forms of transportation; creating the office of Truck Commissioner; conferring powers upon the Railroad Commission with respect to the transportation of property for compensation by said motor vehicles; providing penalties for the violation of this act, and repealing all acts inconsistent with the provisions of this act;

Also: Assembly Bill No. 644—An act to prohibit the use of less than two men upon street cars and busses operated in this State;

Also: Assembly Bill No. 680—An act to prohibit the use of less than two men upon street cars and buses operated in this State;

Has had the same under consideration, and respectfully reports the same back without recommendation.

EVANS, HERBERT J., Chairman.

Also:

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 885—An act to add section 28a to the Weights and Measures Act, relating to the inspection of taxicab meters;

Also: Assembly Bill No. 1075—An act to amend section 1 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to persons exempt from tax;

Also: Assembly Bill No. 1306—An act to add a new section to the Public Utilities Act to be numbered 25½, relating to the operation and ownership of wharves or dock facilities by railroad corporations;

Also: Assembly Bill No. 1320—An act regulating the use of public highways by motor carriers of passengers for hire, requiring the operators of such vehicles to secure permits from the Railroad Commission of California for the operation thereof, to foster a fair distribution of traffic between the several highway transportation agencies to the end that the public highways may be relieved of unnecessary commercial traffic and that necessary existing agencies of transportation shall be preserved, and providing penalties for violation of this act;

Also: Assembly Bill No. 1521—An act to amend section 14 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways, in the State of California, by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to the exemption of certain vehicles;

Has had the same under consideration, and respectfully reports the same back without recommendation.

EVANS, HERBERT J., Chairman.

Also:

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 1601—An act regulating the use and method of carrying electrical current for the purpose of furnishing motor power for railroads, street railways, and interurban trains, and prescribing penalties for the violation hereof;

Also: Assembly Bill No. 1610—An act adding a new section, to be numbered 4a, to an act entitled "An act regulating the making of openings or the placing of structures or the change or renewal of any structure and the planting or removal of trees or shrubs or the placing of obstructions in or on State roads and highways; providing for the issuance of permits by the State Department of Engineering relative thereto, and for the laying or placing pipes, conduits, sewers, poles, wires, railways, obstructions and other objects, and for the planting, trimming or removal of trees or shrubs in or on State roads and highways; providing for the requirement of bonds from applicants before the issuance of such permits; and prescribing the penalty for violations of the provisions of this act," approved April 23, 1915, as amended;

Also: Assembly Bill No. 1612—An act to amend sections 13 (a) and 47 (a) of an act entitled "An act to provide for the organization of the Railroad Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund,' and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," and designated in the act so entitled as the "Public Utilities Act," approved April 23, 1915, as amended;

Has had the same under consideration, and respectfully reports the same back without recommendation.

EVANS, HERBERT J., Chairman.

Also:

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 1646—An act to amend an act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the "Railroad Commission fund" and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act;

Also: Assembly Bill No. 1647—An act to amend an act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the "Railroad Commission fund" and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act;

Also: Assembly Bill No. 1648—An act to amend section 84 of an act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the "Railroad Commission fund" and appropriating the moneys therein to carry out the provisions of this act, and repealing Title XV of Part IV of Division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of the act as amended;

Has had the same under consideration, and respectfully reports the same back without recommendation.

EVANS, HERBERT J., Chairman.

Also:

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 1758—An act relating to taxation of public service companies; including the rates of taxation on railroads, including street railways, whether operated in one or more counties, sleeping-car, dining-car, drawing-room car and palace-car companies, refrigerator, oil, stock, fruit, and other car-loaning and other car companies operating upon railroads in this State, companies doing express business on any railroad, steamboat, vessel or stage line in this State, telegraph companies, telephone companies, companies engaged in the transportation or sale of gas or electricity, and companies owning, operating or managing any automobile, truck or auto-truck, jitney-bus, stage or auto-stage used in the business of transportation of persons or property as a common carrier for compensation over any public highway in this State between fixed termini, or over a regular route, other than buses used exclusively for the transportation of pupils to or from any public school, when owned or operated by the school or school district;

Also: Assembly Bill No. 1785—An act relating to fees to be paid to the Railroad Commission by passenger stage corporations as defined in the Public Utilities Act, and persons or corporations owning or operating motor vehicles in the transportation of property for hire upon the public highways under the jurisdiction of the Railroad Commission of the State of California, providing for the collection thereof by the Railroad Commission, and providing penalties for the violation of this act;

Also: Assembly Bill No. 1868—An act providing an additional and/or alternative method for financing the acquirement, construction, development, improvement, reconstruction, extension and repair of public utility services or systems including franchises or portions thereof by the State, any State authority or any political subdivision or public agency of the State by the issuance and sale of self-liquidating revenue bonds payable solely out of the revenue derived or to be derived therefrom; providing for the operation of such public utility services or systems in case of deficiencies in revenues providing for a statutory lien on works acquired, constructed, improved, reconstructed, extended or repaired under the provisions of this act; providing for the use of the power of eminent domain by the State, or its political subdivisions or public agency, State authority proceeding under this act; defining the terms and powers of political subdivisions or public agency as included herein, declaring the urgency hereof, to take effect immediately;

Has had the same under consideration, and respectfully reports the same back without recommendation.

EVANS, HERBERT J., Chairman.

Also:

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 1876—An act to regulate the transportation of certain inflammable liquids over highways within the State of California;

Also: Assembly Bill No. 1984—An act to regulate the rates of public utilities, to prevent discriminatory rates, between different parts of the same incorporated city and to provide for investigation and a supervision by the Railroad Commission;

Also: Assembly Bill No 2018—An act to amend section 4 of an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to the rate of tax;

Also: Assembly Bill No 2025—An act to amend the title and sections 1 and 2 of an act entitled "An act regulating the hours of labor of the operators of certain motor vehicles," approved June 10, 1933 (Stats. 1933, Chap. 801), relative to the hours of labor of truck drivers, requiring records of such hours available to peace officers or district attorneys and any other officers entitled to inspect same and providing penalties for violation of the provisions thereof;

Also: Assembly Bill No. 2106—An act to amend an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to transportation for hire;

Has had the same under consideration, and respectfully reports the same back without recommendation.

EVANS, HERBERT J, Chairman.

Also:

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 2364—An act to amend section 402, and to add a new section to be numbered 417, to the Vehicle Code, relating to the liability of lessors of vehicles for hire;

Also: Assembly Bill No. 2373—An act relating to telegraph companies and the telegraph business;

Also: Assembly Bill No. 1667—An act to amend an act to define motor carrier transportation agent; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof; and repealing an act entitled, "An act to define motor carrier transportation agent, to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof," approved June 5, 1931, and all acts or parts of acts inconsistent with the provisions of this act;

Has had the same under consideration, and respectfully reports the same back without recommendation.

EVANS, HERBERT J., Chairman.

Also:

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Assembly Bill No. 2109—An act to repeal section 15 of and to add a new section to be numbered 15 to "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to refunds;

Also: Assembly Bill No. 2272—An act regulating the distance which a locomotive may be operated in a backward direction;

Also: Assembly Bill No. 2273—An act prohibiting the operation of locomotives unless attended by employees;

Also: Assembly Bill No. 2293—An act relating to trailers;

Also: Assembly Bill No. 2340—An act declaring certain corporations, individuals or association of individuals engaged, directly or indirectly, in the transportation of crude oil or petroleum or the products thereof, for hire or otherwise, to be common carriers and public utilities and subject to the provisions of the Public Utilities Act;

Has had the same under consideration, and respectfully reports the same back without recommendation.

EVANS, HERBERT J., Chairman.

Also:

MR. SPEAKER: Your Committee on Public Utilities, to which was referred Senate Bill No. 731—An act providing for an investigation of and report on the feasibility and desirability, from the standpoint of the public interest, of acquisition by the State of California of the existing facilities for the generation and distribution of electric power in California, whether now under private or public ownership,

providing for a committee therefor, and the appointment of such committee, defining the powers, duties of such committee in respect thereto, and making an appropriation therefor;
Has had the same under consideration, and respectfully reports the same back without recommendation.

EVANS, HERBERT J., Chairman.

On Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1935.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No 16—An act relating to revenue and taxation, providing for an excise tax on the sale of all oleomargarine as therein defined, providing a penalty for a violation of the provisions thereof and declaring that this act shall take effect immediately;

Also: Assembly Bill No. 123—An act to preserve the natural resources of the State of California which may be severed from the earth or from the waters thereof, and to levy a tax upon such natural resources upon their severance from the soil or from the waters, and to levy a tax upon the manufacturers of such natural resources, levy a tax on natural resources severed from the earth and waters of the State of California;

Also: Assembly Bill No 124—An act to amend sections 4 and 5 of the Bank and Corporation Franchise Tax Act, relating to taxes of banks, corporations, and public service companies, including the rates thereof and the extension thereof to companies other than insurance companies specified in section 14 of Article XIII of the Constitution of this State;

Also: Assembly Bill No. 125—An act to amend sections 4, 5, 6, 6¼ of the Inheritance Tax Act, relating to exemptions and rates of taxes;

Also: Assembly Bill No 126—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and to provide for the disposition of the revenues therefrom;
Has had the same under consideration, and respectfully reports the same back without recommendation.

RILEY, Chairman.

Also:

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No 163—An act to prohibit and prevent the waste of crude petroleum oil in the State of California and defining such waste, and in that behalf creating an Oil Conservation Commission; providing for the appointment of the members of said commission; fixing the terms of office of the members of said commission; providing for the filling of vacancies in the membership of said commission; providing for the powers, duties and authority of said commission and the members thereof; requiring producers of crude petroleum oil and operators of wells and owners and operators of any storage facilities of crude petroleum oil and refiners of crude petroleum oil to file certain reports; providing for the fixing of grades of gasoline and of the fixing of prices therefor; providing for the filing and hearing of complaints concerning the waste of crude oil, gas, and other petroleum products, and for oaths, subpenas and depositions; providing for the fixing of allowable production of crude petroleum oil, gas and gasoline for the State and for the several fields thereof, respectively, and for the several zones, properties and wells in each such oil field, respectively, so as to stop such waste; providing for the enforcement of this act; providing penalties for refusing to permit the commission or its representatives to inspect any drilling or producing well or storage facilities and for failing, neglecting, or refusing to furnish any report or record or statement required by the commission and for wilfully rendering or furnishing a false or fraudulent report, statement or record; creating a fund for the purposes of said act; providing for the assessment and collection thereof and making an appropriation for the purposes of this act—has had the same under consideration, and respectfully reports the same back without recommendation.

RILEY, Chairman.

Also:

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No 187—An act providing for transfers from the State highway fund to the general fund in the State treasury of an amount equal to that paid or that necessary to be paid during the eighty-fifth, eighty-sixth, eighty-seventh and eighty-eighth fiscal years for the principal and interest upon certain State bonds for highway purposes to take effect immediately;

Also: Assembly Bill No 203—An act to be known as the Uniform Income, Transfer and Inheritance Tax Law, abolishing all taxes on real and personal property held out of use; providing for a uniform tax on all income, transfers, inheritances and receipts, except perishable fruits and farm products and certain basic necessities; providing for a State Tax Board to determine and collect the taxes

so levied and for their reapportionment; exempting homes from execution; declaring the public policy of the people of the State touching the recent widespread economic depression; and declaring the existence of a public emergency requiring the enactment of this legislation;
Has had the same under consideration, and respectfully reports the same back without recommendation.

RILEY, Chairman.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 209—An act to amend section 3746 of, and to add section 3746a to, the Political Code, relating to taxation;

Also: Assembly Bill No. 217—An act to amend section 3746 of the Political Code, relating to taxation;

Also: Assembly Bill No. 219—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, and to provide for the disposition of the revenues theretrom, and to provide that this act shall take effect immediately;

Also: Assembly Bill No. 226—An act to amend section 3746 of the Political Code, relating to taxation;

Also: Assembly Bill No. 237—An act to impose a tax on the privilege of severance of all forms of natural gas from the earth, to take effect immediately;

Also: Assembly Bill No. 247—An act requiring licenses for the operation, maintenance, opening or establishment of stores, prescribing the license and filing fees to be paid therefor, and the powers and duties of the State Board of Equalization in connection therewith, and prescribing penalties for the violation thereof;
Has had the same under consideration, and respectfully reports the same back without recommendation.

RILEY, Chairman.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 330—An act to add a new section to the Vehicle Code to be numbered 372.5, relating to registration and weight fees,

Also: Assembly Bill No. 331—An act to add a new section to the California Vehicle Act to be numbered 77½, relating to registration and weight fees, declaring the urgency thereof, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 339—An act imposing a license fee on the conducting of business by the system of chain stores for selling or otherwise disposing of goods, wares, articles, or commodities at retail, providing penalties for failure to pay such tax;

Also: Assembly Bill No. 501—An act to amend the title and sections 1 and 5 of an act entitled "An act to levy an excise tax and to regulate the manufacture, distribution and sale of certain beverages; to provide for the licensing of the manufacture, distribution and sale; to prescribe penalties for the violation of this act and to provide that this act shall take effect immediately," approved April 27, 1933, and to repeal Chapter 51, Statutes of 1933, relating to the taxation of beverages to take effect immediately;

Also: Assembly Bill No. 743—An act to levy a tax upon the registration of bonds;

Also: Assembly Bill No. 746—An act to levy a tax upon the privilege of engaging in all forms of commercial enterprise within the State of California, providing for exceptions thereto and providing for the collection thereof;
Has had the same under consideration, and respectfully reports the same back without recommendation.

RILEY, Chairman

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 750—An act to impose a tax on the transfer of shares or certificates of stock, certificates of rights to stock, or certificates of deposits of stock, or bonds, and to provide for the collection thereof, to take effect immediately;

Also: Assembly Bill No. 761—An act to amend section 5 of the "Retail Sales Tax Act of 1933," relating to taxation of the privilege of selling tangible personal property and of the privilege of furnishing, preparing or serving tangible personal property;

Also: Assembly Bill No. 810—An act to add section 3a to the Motor Vehicle Fuel License Tax Act, relating to the levy of an additional tax of one-half cent on motor vehicle fuel, and providing for the disposition of the money derived therefrom;

Also: Assembly Bill No. 822—An act to amend section 3714 of the Political Code, relating to budgets and taxes;

Also: Assembly Bill No. 862—An act to amend sections 3 and 5 of the "Retail Sales Tax Act of 1933," relating to taxation of the privilege of selling tangible per-

sonal property and the privilege of furnishing, preparing or serving tangible personal property;

Also: Assembly Bill No. 864—An act relating to revenue and taxation;

Also: Assembly Bill No. 868—An act relating to the taxation of inheritances;

Also: Assembly Bill No. 869—An act relating to a sales tax;

Has had the same under consideration, and respectfully reports the same back without recommendation.

RILEY, Chairman

Also:

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 870—An act relating to a tax on personal property;

Also: Assembly Bill No. 871—An act providing for a severance tax;

Also: Assembly Bill No. 872—An act relating to the taxation of incomes;

Also: Assembly Bill No. 1090—An act to add a new section to the Political Code to be numbered 3887, relating to the priority of the State of California for taxes;

Also: Assembly Bill No. 1095—An act providing for the levy and collection of a tax upon all natural resources, including fish and game, severed from the earth or removed from the waters of this State;

Also: Assembly Bill No. 1147—An act to provide for the enforcement and collection of the tax imposed by the Gift Tax Act;

Also: Assembly Bill No. 1148—An act to be known as the "Gift Tax Act" to establish a tax on gifts and legacies and to provide for its collection and to direct the disposition of its proceeds;

Also: Assembly Bill No. 1149—An act to be known as the "Gift Tax Act" to establish a tax on gifts, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and for suits to quiet title against claims or liens arising hereunder;

Has had the same under consideration, and respectfully reports the same back without recommendation.

RILEY, Chairman.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1153—An act to impose a tax and to regulate sales and distribution in this State of moving picture films sold or distributed for commercial exhibition by any person, firm, corporation or association in this State and to provide methods and penalties for the enforcement of such tax;

Also: Assembly Bill No. 1200—An act requiring the licensing of certain vehicles used for the transportation of persons or property in this State, defining such vehicles, providing for the imposition, collection, and distribution of license taxes for the privilege of operating such vehicles in this State, making appropriations for the purposes of this act, prescribing penalties for the violation of this act, repealing an act entitled, "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle, and provided that this act shall take effect immediately," approved May 15, 1933, subject to certain conditions;

Also: Assembly Bill No. 1210—An act to amend section 6¾ of an act entitled "An act to be known as the 'Inheritance Tax Act,' to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this act and by any act hereby repealed and for suits to quiet title against claims of liens arising hereunder, or under an act hereby repealed; to provide penalties for failure to comply with the provisions of this act; and to repeal Chapter 589 of the laws of the session of the Legislature of California of 1917, approved May 23, 1917, known as the 'Inheritance Tax Act' and to repeal all acts and parts of acts in conflict with this act";

Also: Assembly Bill No. 1221—An act to provide revenue for the State of California, specifying the methods of computing and collecting the same, providing penalties for the violation of the provisions hereof, and providing that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back without recommendation.

RILEY, Chairman.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1223—An act to levy a graduated ad valorem tax on all forms of property; providing for exemptions therefrom; and providing for the collection and administration of this act;

Also: Assembly Bill No. 1224—An act to levy an ad valorem tax on motor vehicles, providing for a graduated scale of assessment based upon the age of such motor vehicles; and making provisions for the collection thereof;

Also: Assembly Bill No. 1225—An act to amend section 5 of the Retail Sales Tax Act of 1933, relating to exemptions;

Also: Assembly Bill No. 1230—An act to amend section 32 of the Retail Sales Tax Act of 1933, approved July 31, 1933, relating to penalties;

Also: Assembly Bill No. 1231—An act to amend section 3 of the Retail Sales Tax Act of 1933, approved July 31, 1933, relating to the rate of tax;

Also: Assembly Bill No. 1240—An act to impose a tax upon gross receipts;

Also: Assembly Bill No. 1246—An act to amend section 3663a of the Political Code, relating to the assessment of property by the State Board of Equalization; and to provide that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back without recommendation.

RILEY, Chairman.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1249—An act to amend section 3663b of the Political Code, relating to the assessment of property by the State Board of Equalization and to provide that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back without recommendation.

RILEY, Chairman.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1247—An act to repeal sections 3664, 3664a, 3664d of the Political Code and other acts inconsistent with section 14 of Article XIII of the Constitution of the State of California, to amend sections 3664b and 3664b-1 of the Political Code, all relating to the carrying into effect of the provisions of section 14 of Article XIII of the Constitution of the State of California;

Also: Assembly Bill No. 1248—An act to add a new section to the Political Code to be known as section 3663d, relating to the assessment of property by the State Board of Equalization and the allocation of the assessed value of such property to the various taxing jurisdictions of the State;

Also: Assembly Bill No. 1288—An act to amend the title of and the entire act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933, relating to a fee or tax for the transportation of persons or property;

Also: Assembly Bill No. 1386—An act to further the purpose and to facilitate the operation of Article XXV of the Constitution of the State of California, providing for the levying, assessing, collecting, paying, and disposing of the tax imposed thereunder; making an appropriation for the administration hereof and prescribing penalties for violations of the provisions hereof;

Also: Assembly Bill No. 1405—An act to amend sections 3611, 3612, 3613, 3614, 3628, 3629, 3633, 3649, 3652, 3653, 3655, 3663a, 3663b, 3664b-4, 3670, 3672, 3693, 3696, 3713, 3714, 3728, 3732, 3737, 3746, 3758, and 3831 of, to add section 3746a to, and to repeal section 3756 of the Political Code, relating to times for payment of taxes;

Also: Assembly Bill No. 1527—An act to amend section 3617 and 3627 of the Political Code, relating to the method of appraisement for the purposes of taxation;

Has had the same under consideration, and respectfully reports the same back without recommendation.

RILEY, Chairman.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1593—An act to impose a tax on the conducting of business by the system of chain stores for selling or otherwise disposing of goods, wares, articles or commodities, providing penalties for failure to pay such tax, and defining certain crimes in connection with the enforcement of such tax;

Also: Assembly Bill No. 1649—An act to provide for the levy and collection of a tax upon the incomes of individuals, estates and trusts, to provide for the disposition of the revenues therefrom, to make an appropriation for the administration hereof, and to provide that this act shall take effect immediately;

Also: Assembly Bill No. 1659—An act to impose a special tax and regulate sales and distribution in this State of moving picture films sold or distributed by any person, firm, corporation or association in this State, and to provide methods and penalties for the enforcement of such tax;

Also: Assembly Bill No. 1714—An act providing for the levy and collection of a tax on the gross receipts of individuals, firms, corporations and associations and prescribing the duties of certain State officers in connection therewith;

Also: Assembly Bill No. 1715—An act to amend the Inheritance Tax Act, relating to appraisers;

Also: Assembly Bill No. 1719—An act to provide that the power to tax the trucks of wholesalers shall be exercised only by the State and shall not be exercised by any city, city and county, county, or public municipality;
Has had the same under consideration, and respectfully reports the same back without recommendation.

RILEY, Chairman.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1796—An act relating to the manufacture, sale, distribution and exhibition of motion picture films, imposing a tax upon moving picture films and providing for the collection thereof;

Also: Assembly Bill No. 1806—An act to provide for the levy of a tax of unoccupied or nonproductive lands;

Also: Assembly Bill No. 1845—An act to amend section 5 of the Retail Sales Tax Act of 1933, relating to exempt sales;

Also: Assembly Bill No. 1850—An act to impose a tax upon transfers of real property or of interests or estates therein;

Also: Assembly Bill No. 1851—An act to impose a tax upon bank balances of banks doing business in this State;

Also: Assembly Bill No. 1853—An act to amend sections 1 to 25 of the Inheritance Tax Act and to add ten new sections thereto to be numbered 1.1 to 1.10 inclusive, relating to taxation of gifts, legacies, inheritances, bequests, devises, successions and transfers;

Also: Assembly Bill No. 1854—An act to amend sections 1 to 38 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes;
Has had the same under consideration, and respectfully reports the same back without recommendation.

RILEY, Chairman.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1855—An act to impose a tax upon the income of individuals or income received on behalf of individuals in this State;

Also: Assembly Bill No. 1856—An act to impose a tax upon the compensation of employees employed in this State, for the purpose of financing a fund to relieve employees from hardship and suffering in times of unemployment;

Also: Assembly Bill No. 1857—An act imposing a tax upon the net income of business enterprises in this State;

Also: Assembly Bill No. 1858—An act to amend sections 3 and 29 of and to add a new section to be numbered section 4a to the Retail Sales Tax Act of 1933, relating to the taxation of the privilege of selling tangible personal property and of the privilege of furnishing, preparing or serving tangible personal property, including particularly the rates of tax and the extension of the tax to interstate sales;

Also: Assembly Bill No. 1900—An act to amend section 3664b of the Political Code, relating to taxation of insurance companies.

Also: Assembly Bill No. 1910—An act to provide for the levy and collection of a tax on the abstraction of natural resources; to provide for the administration thereof and to prescribe penalties for the violation thereof;

Also: Assembly Bill No. 1911—An act to amend an act known as "The Inheritance Tax Act," approved June 3, 1921;
Has had the same under consideration, and respectfully reports the same back without recommendation.

RILEY, Chairman.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1953—An act relating to taxation;

Also: Assembly Bill No. 2010—An act to amend section 7 of the "Retail Sales Tax Act of 1933," relating to the refunding of the sales tax paid on relief work foodstuff purchases;

Also: Assembly Bill No. 2011—An act to provide revenue by imposing a State tax upon the sale of tobacco products, providing permits for retail dealers, prescribing the method and manner of levying and collecting such tax, conferring powers and imposing duties on the Franchise Tax Commissioner, providing penalties for the enforcement of this act, allocating the revenue derived therefrom, and making an appropriation for the administration of this act;

Also: Assembly Bill No. 2022—An act levying a tax upon the privilege of severing, processing, or severing and processing any natural resource, providing for the collection and enforcement thereof and making an appropriation therefor.

Also: Assembly Bill No. 2049—An act relating to and providing for the levy and collection of a tax upon sales of tangible personal property and making provision for

the administration thereof and prescribing penalties for violations of its provisions, the act to take effect immediately;

Also: Assembly Bill No. 2076—An act to repeal an act entitled "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon the public streets, roads and highways in the State of California by motor vehicle and providing that this act shall take effect immediately," approved May 15, 1933:

Has had the same under consideration, and respectfully reports the same back without recommendation.

RILEY, Chairman.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 2093—An act imposing a tax on the privilege of consuming or enjoying the commodities or services of public utilities, publicly or privately owned, providing for the collection and disposition thereof, making an appropriation for the administration of this act, prescribing penalties for violations of the provisions hereof, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 2094—An act to add section 3a to the Motor Vehicle Fuel License Tax Act, relating to the levy of an additional tax of one cent on motor vehicle fuel, and providing for the disposition of the money derived therefrom;

Also: Assembly Bill No. 2095—An act imposing a tax upon admissions and providing for the collection and enforcement thereof;

Also: Assembly Bill No. 2114—An act imposing a tax on the conducting of business by the system of chain stores for selling or otherwise disposing of goods, wares, articles or commodities at retail, providing penalties for failure to pay such tax, and defining certain crimes in connection with the enforcement of such tax;

Also: Assembly Bill No. 2115—An act to add a new chapter to Title IX of Part III of the Political Code, to be numbered ____, embracing sections ___ to ___, relating to taxes and the collection thereof;

Also: Assembly Bill No. 2116—An act to further the purpose and to facilitate the operation of Article XXV of the Constitution of the State of California, providing for the levying, assessing, collecting, paying and disposing of the tax imposed thereunder; making an appropriation for the administration hereof, and prescribing penalties for the violation of the provisions of this act;

Has had the same under consideration, and respectfully reports the same back without recommendation.

RILEY, Chairman.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 2117—An act to add a new chapter to Title 9 of Part 3 of the Political Code, to be numbered 9a, embracing sections 3857 to 3863, relating to taxation and providing for the levying, assessing, collecting, paying, and disposing of taxes whenever such duties are imposed upon the State Board of Equalization, prescribing assessments and penalties or delinquencies or failure to pay such taxes; and prescribing penalties for the violation of the provisions of this chapter;

Also: Assembly Bill No. 2118—An act imposing an excise tax measured by gross receipts, providing for the registration of taxpayers, providing for the levying, assessing, collecting, paying, and disposing of such tax, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, repealing the Retail Sales Tax Act of 1933, and providing this act shall take effect immediately;

Also: Assembly Bill No. 2119—An act for the enforcement and collection of the 'Property Relief and Gross Income Tax Law";

Also: Assembly Bill No. 2192—An act imposing a tax on the privilege of consuming or enjoying the commodities or services of public utilities, publicly or privately owned, providing for the collection and disposition thereof, making an appropriation for the administration of this act, prescribing penalties for violations of the provisions hereof, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 2193—An act establishing a system of gift taxes in the State of California;

Also: Assembly Bill No. 2212—An act to amend the "Inheritance Tax Act," approved June 3, 1931, relating to inheritance taxes;

Also: Assembly Bill No. 2222—An act to provide for the taxation of incomes in this State;

Also: Assembly Bill No. 2223—An act providing for franchise taxes;

Has had the same under consideration, and respectfully reports the same back without recommendation.

RILEY, Chairman.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 2226—An act to carry into effect the provisions of section 15 of Article XIII of the Constitution of the State of California, relating to taxes on gross receipts;

Also: Assembly Bill No. 2270—An act to amend section 8½ of the Retail Bill Tax Act of 1933, approved July 1, 1933, relating to collection of tax by retailer from consumer;

Also: Assembly Bill No. 2346—An act to add section 3817j to the Political Code, relating to taxation;

Also: Assembly Bill No. 2384—An act relating to penalties on delinquent taxes and declaring the urgency thereof,

Also: Assembly Bill No. 2451—An act imposing a tax for the privilege of selling advertising or advertising space in newspapers, providing for permits to newspaper publishers, providing for the levying, assessing, collecting, paying and disposing of such taxes, making an appropriation for the administration hereof, prescribing penalties for violations of the provisions hereof, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 2462—An act to amend sections 3629 and 3633 of the Political Code, relating to revenue and taxation;

Has had the same under consideration, and respectfully reports the same back without recommendation.

RILEY, Chairman.

Also:

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 314—An act to amend sections 3817b, 3817d, 3817f, 3817g and 3817h of, and to add sections 3817c3 and 3817c2 to, the Political Code, relating to taxation, including tax delinquencies, tax penalties and costs, tax redemption for tax sales, and declaring the urgency thereof, to take effect immediately;

Also: Senate Bill 438—An act to carry into effect the provisions of section 20 of Article XI of the Constitution, relating to limitations upon the expenditures and tax levies of counties, cities and counties, municipalities, districts and other political subdivisions of this State and to repeal section 3714b of the Political Code,

Also: Senate Bill No. 486—An act to amend section 8 of the Inheritance Tax Act, relating to estates;

Also: Senate Bill No. 727—An act requiring the licensing of certain vehicles used for the transportation of persons or property in this State, defining such vehicles, providing for the imposition, collection, and distribution of license taxes for the privilege of operating such vehicles in this State, making appropriations for the purposes of this act, prescribing penalties for the violation of this act, repealing an act entitled, "An act imposing a license fee or tax for the transportation of persons or property for hire or compensation upon public streets, roads and highways in the State of California by motor vehicle, and provided that this act shall take effect immediately," approved May 15, 1933, subject to certain conditions;

Has had the same under consideration, and respectfully reports the same back without recommendation.

RILEY, Chairman.

On Roads and Highways.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 21—An act to amend section 356 of, and to add sections 614, 615 and 639 to, the Streets and Highways Code, relating to State highways;

Also: Assembly Bill No. 22—An act to establish a State highway from Westport in Mendocino County to Ferndale in Humboldt County, and classifying it as a secondary State highway;

Also: Assembly Bill No 176—An act to amend section 463 of the Streets and Highways Code, relating to State highways;

Also: Assembly Bill No. 190—An act to amend section 422 of the Streets and Highways Code, relating to State highways,

Also: Assembly Bill No. 191—An act to add section 600 to the Streets and Highways Code, relating to secondary State highways;

Also: Assembly Bill No 192—An act to amend section 7 of an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, relating to State highways;

Has had the same under consideration, and respectfully reports the same back without recommendation.

STREAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 193—An act to establish an additional State highway and classifying it as a secondary State highway;

Also: Assembly Bill No. 251—An act to amend section 7 of an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State Highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, relating to State highways;

Also: Assembly Bill No. 271—An act to amend section 463 of the Streets and Highways Code, relating to secondary State highways;

Also: Assembly Bill No. 272—An act to amend section 7 of an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, relating to State highways;

Also: Assembly Bill No. 332—An act to establish an additional State highway and classifying it as a secondary State highway;

Also: Assembly Bill No. 349—An act to add section 22¾ to the California Toll Bridge Authority Act, relating to the acquisition, construction, operation, and maintenance of interurban railway systems over toll bridges;

Has had the same under consideration, and respectfully reports the same back without recommendation.

STREAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 333—An act to add section 602 to the Streets and Highways Code, establishing a secondary State highway,

Has had the same under consideration, and respectfully reports the same back without recommendation.

STREAM, Chairman

Also:

MR SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 358—An act to amend sections 188, 193 and 1622 of the Streets and Highways Code, relating to highway lighting systems on State highways and county highways;

Also: Assembly Bill No. 402—An act to add section 137.5 to the Streets and Highway Code, requiring the use of human labor in the construction, improvement, and maintenance of State highways;

Also: Assembly Bill No. 502—An act to amend section 461 of the Streets and Highways Code, establishing and changing the route of an existing secondary State highway;

Also: Assembly Bill No. 517—An act to add section 605 to the Streets and Highways Code, establishing an additional secondary State highway;

Also: Assembly Bill No. 554—An act to amend section 463 of the Streets and Highways Code, relating to secondary State highways;

Also: Assembly Bill No. 555—An act to amend section 7 of an act entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways," approved May 26, 1927, relating to State highways;

Also: Assembly Bill No. 573—An act to amend section 653c of the Penal Code, relating to hours of labor on public works;

Also: Assembly Bill No. 623—An act to amend section 2653 of the Political Code, relating to road district tax rates;

Has had the same under consideration, and respectfully reports the same back without recommendation.

STREAM, Chairman.

Also:

MR SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 640—An act establishing and classifying an additional State highway in Alameda County;

Also: Assembly Bill No 683—An act extending Skyline Boulevard easterly along the Santa Clara-Santa Cruz County line to a junction with Hecker Highway at or near the summit, and declaring such extention to be a State highway;

Also: Assembly Bill No 706—An act to add section 606 to the Streets and Highways Code, relating to State highways;

Also: Assembly Bill No. 748—An act to provide for the elimination of grade crossings within this State;

Also: Assembly Bill No. 770—An act to add section 604 to the Streets and Highways Code, establishing an additional secondary State highway;

Also: Assembly Bill No. 807—An act relating to public highways, the laying out, construction, improvement, maintenance, administration and control thereof, the allocation and expenditure of moneys appropriated therefor, declaring certain highways State highways, amending and repealing certain provisions of the Streets and Highways Code and adding certain provisions thereto, and repealing certain acts relating to public highways;

Also: Assembly Bill No. 836—An act to amend sections 64, 712, 713, 714, 715, 771, and 778, and to repeal sections 779, 780, and 781 of the Vehicle Code;

Also: Assembly Bill No. 837—An act to amend section 70 of the Streets and Highways Code, relating to the California Highway Commission.

Has had the same under consideration, and respectfully reports the same back without recommendation.

STREAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 839—An act to amend section 13 of the Motor Vehicle Fuel License Tax Act, relating to the disposition of funds;

Also: Assembly Bill No. 1024—An act declaring and designating the Yerba Buena Road a State highway;

Also: Assembly Bill No 1065—An act to amend section 17 of an act entitled the "Joint Highway District Act," relating to construction work;

Also: Assembly Bill No. 1158—An act extending Skyline Boulevard easterly along the Santa Clara-Santa Cruz county line to a junction with Hecker Highway at or near the summit;

Also: Assembly Bill No. 1178—An act to amend sections 194, 195, 196, 197, 198, and 188 of, and to add new sections to be numbered 199, 200, 201, 202, 203, and 204 to, the Streets and Highways Code, relating to the allocation and expenditure of moneys from the State highway fund within cities, and providing a procedure therefor;

Also: Assembly Bill No. 1190—An act to amend section 365e½ of the Political Code, relating to high-type paving;

Also: Assembly Bill No. 1191—An act to amend section 133 of the Streets and Highways Code, relating to high-type paving;

Also: Assembly Bill No. 1217—An act to amend section 365e½ of the Political Code, relating to powers and duties of the California Highway Commission in respect to construction or repair of highways;

Has had the same under consideration, and respectfully reports the same back without recommendation.

STREAM, Chairman.

Also:

MR SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1218—An act to amend section 133 of the Streets and Highways Code, relating to high-type paving;

Also: Assembly Bill No. 1239—An act to add section 620 to the Streets and Highways Code, establishing a secondary State highway;

Also: Assembly Bill No. 1365—An act relating to the marking of State highways for the purpose of indicating route numbers and making readily available information of a cautionary, regulatory or directional nature pertaining to the use of such highways, and defining the powers and duties of the State Department of Public Works and the Division of Highways in relation thereto;

Also: Assembly Bill No. 1474—An act establishing a certain additional State highway and classifying it as a secondary highway;

Also: Assembly Bill No. 1484—An act establishing a certain additional State highway and classifying it as a secondary highway;

Also: Assembly Bill No. 1528—An act to add section 616 to the Streets and Highways Code, establishing a secondary State highway;

Also: Assembly Bill No. 1534—An act repealing section 365e½ of the Political Code, relating to roads and highways;

Also: Assembly Bill No 1535—An act to amend section 365e½ of the Political Code, relating to powers and duties of the California Highway Department in respect to construction or repair of highways;

Has had the same under consideration, and respectfully reports the same back without recommendation.

STREAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1536—An act amending sections 2 and 3 of an act entitled "An act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair, or improvement of any State structure, building, road, or other State improvement of any kind, and to repeal an act entitled 'An act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,'" relating to the construction of roads and highways;

Also: Assembly Bill No. 1537—An act repealing section 133 of the Streets and Highways Code, relating to construction of roads and highways;

Also: Assembly Bill No. 1538—An act amending section 133 of the Streets and Highways Code, relating to the construction of roads and highways;

Also: Assembly Bill No. 1616—An act to establish an additional State highway and classifying it as a secondary State highway;

Also: Assembly Bill No. 1617—An act to add to Division I of the Streets and Highways Code a new Chapter 3a, comprising sections 750 to 754, inclusive, to provide for the conservation, development and maintenance of the scenic value along State highways and important county highways;

Also: Assembly Bill No. 1683—An act to create extensions to certain State roads in the San Pedro area;

Has had the same under consideration, and respectfully reports the same back without recommendation.

STREAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1685—An act to amend sections 121 and 188 of the Streets and Highways Code, relating to the expenditure of State highway funds;

Also: Assembly Bill No. 1761—An act declaring to be a State highway and adding to the State highway system a road extending from Bieber via Lookout to a point near Malin;

Also: Assembly Bill No. 1762—An act declaring to be a State highway and adding to the State highway system a road extending from Canby to a point near Hackimore;

Also: Assembly Bill No. 1776—An act to add section 621 to the Streets and Highways Code, establishing a secondary State highway;

Also: Assembly Bill No. 1824—An act to require the Department of Public Works to construct, improve and maintain State highways, and to prohibit the letting of contracts for any such work;

Also: Assembly Bill No. 2004—An act relating to signs upon the roads and highways of this State;

Also: Assembly Bill No. 2072—An act to add section 638 to the Streets and Highways Code, declaring Wilshire Boulevard from Grand Avenue in the city of Los Angeles to Ocean Avenue in the city of Santa Monica, to be a secondary State highway and providing for the establishment and maintenance of a park along a portion of the length of said highway;

Also: Assembly Bill No. 2081—An act to add section 628 to the Streets and Highways Code, establishing secondary State highways;

Also: Assembly Bill No. 2085—An act to add section 631 to the Streets and Highways Code, establishing a secondary State highway;

Has had the same under consideration, and respectfully reports the same back without recommendation.

STREAM, Chairman.

Also:

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 2107—An act to add section 636 to the Streets and Highways Code, establishing an additional secondary State highway;

Also: Assembly Bill No. 2162—An act to add section 629 to the Streets and Highways Code, establishing a secondary State highway;

Also: Assembly Bill No. 2178—An act to add section 638 to the Streets and Highways Code, establishing a secondary State highway;

Also: Assembly Bill No. 2186—An act to require the Department of Public Works to improve that portion of the State highway route No. 26 between Banning and Whitewater;

Also: Assembly Bill No. 2187—An act to add section 622 to the Streets and Highways Code, establishing an additional secondary State highway;

Also: Assembly Bill No. 2233—An act to add section 189.5 to the Streets and Highways Code;

Also: Assembly Bill No. 2269—An act to add section 630 to the Streets and Highways Code, establishing a secondary State highway;

Also: Assembly Bill No. 2339—An act to amend section 195 of the Streets and Highways Code, relating to expenditure of State highway money;
Has had the same under consideration, and respectfully reports the same back without recommendation.

STREAM, Chairman.

Also:

MR SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Concurrent Resolution No. 7—Relative to the acquisition of privately owned toll bridges;

Also: Assembly Concurrent Resolution No. 21—Relative to the acquiring by the State, of rights of way to the beaches along our coast;
Has had the same under consideration, and respectfully reports the same back without recommendation.

STREAM, Chairman.

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1935.

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 351—An act making an appropriation for remodeling the Assembly Chamber in the State Capitol, including repairs, alterations, improvements, furnishings and equipment, declaring the urgency thereof, and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back without recommendation.

WALLACE, Chairman.

Also:

MR SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 1867—An act providing for the purchase, acquisition and installation of an electrical voting flash system—has had the same under consideration, and respectfully reports the same back without recommendation.

WALLACE, Chairman.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Concurrent Resolution No. 29—Relative to inviting Senator Huey P. Long to address a joint meeting of the Assembly and Senate of the State of California—has had the same under consideration, and respectfully reports the same back without recommendation.

WALLACE, Chairman.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Concurrent Resolution No. 45—Relative to adjournment for Memorial Day—has had the same under consideration, and respectfully reports the same back without recommendation.

WALLACE, Chairman.

Also:

MR. SPEAKER: Your Committee on Rules, to which was referred Senate Concurrent Resolution No. 32—Relative to adjournment sine die—has had the same under consideration, and respectfully reports the same back without recommendation.

WALLACE, Chairman.

On Social Service and Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred Assembly Bill No. 24—An act to amend sections 3, 4, 9, and 21 of the Old Age Security Act, relating to aid to the aged;

Also: Assembly Bill No. 228—An act to confer upon blind persons, accompanied by dogs, certain rights of public conveyance, accommodation or amusement,
Has had the same under consideration, and respectfully reports the same back without recommendation.

BRENNAN, Chairman.

Also:

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred Assembly Bill No. 32—An act to amend sections 3, 10, 13 and 21 and to repeal sections 4 and 9 of the Old Age Security Act of the State of California, relating to the protection, welfare and assistance of aged persons and the payment of pensions thereto;

Also: Assembly Bill No. 49—An act to amend sections 2, 2½, 3 and 13 and to repeal section 9 of the Old Age Security Act, relating to aid to aged persons;

Also: Assembly Bill No. 161—An act to amend section 10 of an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933;

Also: Assembly Bill No. 200—An act to amend sections 3, 4 and 21 and to repeal sections 5 and 9 of the Old Age Security Act of the State of California, relating to aid to the aged;

Also: Assembly Bill No. 235—An act to amend section 4041 16 of the Political Code, relating to the indigent sick and dependent poor;

Also: Assembly Bill No 323—An act to amend section 9 of an act entitled "An act to provide for the protection, welfare and assistance of aged persons in need and resident in the State of California, providing the method therefor, making an appropriation therefor and prescribing penalties for the violation of the provisions of this act," approved May 28, 1929, relating to transfers of property to county by applicants for aid;

Has had the same under consideration, and respectfully reports the same back without recommendation.

BRENNAN, Chairman.

Also:

MR. SPEAKER: Your Committee on Social Service and Welfare, to which was referred Assembly Bill No 849—An act authorizing counties receiving subsidies from the State for assistance in the maintenance of charitable, and public welfare institutions, to lease lands and buildings from the United States Government;

Also: Assembly Bill No 889—An act relating to pensioners of the State or of any county, city and county or other political subdivision thereof;

Also: Assembly Bill No. 1096—An act to provide for the establishment, regulation and supervision of systems of health service insurance in California;

Also: Assembly Bill No. 1261—An act to amend the title of and sections 1, 2, 3, 4, 5, 7, 8, and 9 of and to add sections 14 and 15 to an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933, as amended, relating to the aid and relief of indigents and for the recovery of reimbursement for their care;

Also Assembly Bill No. 1383—An act to provide for the protection, welfare, and assistance of aged and disabled persons in need and resident in the State of California, providing the method therefor, and payment thereof and prescribing penalties for the violation of the provisions of this act; and to repeal the Old Age Security Act of the State of California;

Has had the same under consideration, and respectfully reports the same back without recommendation.

BRENNAN, Chairman.

Also:

MR SPEAKER: Your Committee on Social Service and Welfare, to which was referred Assembly Bill No 1797—An act to provide a State Old Age Pension Plan;

Also: Assembly Bill No. 2016—An act repealing Article IIh of Chapter III of Title I of Part III of the Political Code, consisting of sections 367 to 367g, inclusive, and adding a new Article IIh to said chapter, title, and part, to consist of sections 367 to 367t, inclusive, relating to a Department of Public Welfare;

Also: Assembly Bill No 2038—An act to amend the title and section 12 of, and to add a new section, to be numbered section 14, to an act entitled "An act to provide for the aid and relief of indigents," approved June 5, 1933 (Stats 1933, Chap 761), relative to penalties for assisting, either directly or indirectly, in bringing indigents into this State;

Also: Assembly Bill No. 2236—An act relating to the licensing, regulating and supervising of boarding homes for children or aged persons; to provide for the enforcement of this act by the State Department of Social Welfare; prescribing rules and regulations concerning such boarding homes for children or aged persons; and prescribing penalties for the violation of the provisions of this act;

Also: Assembly Bill No 2237—An act to provide for the protection, welfare and assistance of aged persons in need and residents in the State of California, providing the method therefor, making an appropriation therefor, placing the enforcement of this act under the State Department of Social Welfare, and prescribing penalties for the violations of provisions of this act, and to repeal an act entitled "An act to provide for the protection, welfare and assistance of aged persons in need and residents of the State of California, providing the method therefor, making an appropriation therefor, and providing penalties for the violation of the provisions of this act," approved May 28, 1929;

Has had the same under consideration, and respectfully reports the same back without recommendation.

BRENNAN, Chairman

Also:

MR SPEAKER: Your Committee on Social Service and Welfare, to which was referred Assembly Bill No 2261—An act to amend sections 2½, 10, 14 and 18½ and to repeal section 5 of the "Old Age Security Act," relating to aid to the aged;

Also: Assembly Bill No 2352—An act to amend the "Old Age Securities Act of the State of California," approved May 28, 1929, relating to aged persons,

Also: Assembly Bill No. 2375—An act to amend section 2337 of the Political Code, relating to homes for the care of children and the licensing of persons conducting the same;
Has had the same under consideration, and respectfully reports the same back without recommendation.

BRENNAN, Chairman.

Also:

MR SPEAKER: Your Committee on Social Service and Welfare, to which was referred Senate Bill No 12—An act to amend sections 2, 3, 4, 5, 6, 7, 10, 14, 15 and 21 and to repeal sections 9 and 18½ of the Old Age Security Act of the State of California, relating to aid to the aged—has had the same under consideration, and respectfully reports the same back without recommendation.

BRENNAN, Chairman.

On Soldiers and Sailors Affairs.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Soldiers and Sailors Affairs, to which was referred Assembly Bill No. 19—An act to add a new section to the Political Code to be numbered 3612a, relating to veterans' tax exemptions;

Also: Assembly Bill No 348—An act authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of State bonds, for the single object of creating a fund to provide farm and home aid for residents in accordance with the provisions of the Farm and Home Purchase Act, defining the powers and duties of the Veterans' Welfare Board, the Veterans' Welfare Finance Committee, and other State officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of_____;
Has had the same under consideration, and respectfully reports the same back without recommendation.

PETERSON, Chairman.

On Teachers Colleges.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935

MR SPEAKER: Your Committee on Teachers Colleges, to which was referred Assembly Bill No. 519—An act to create and organize the State College of San Diego, its formation, government, curriculum and control;

Also: Assembly Bill No. 1549—An act to provide for the purchase of real property for the State Teachers College at Fresno, and to make an appropriation therefor;

Also: *Assembly Bill No. 1675—An act to prohibit until February 1, 1937, sales* under certain mortgages and deeds of trust, and the forfeiture of the interest of the purchaser under certain contracts of purchase, for default in the payment of the principal sum of obligations secured thereby or contracted to be paid thereunder, to extend the statute of limitations upon such obligations, to make voidable at the instance of the owner any sale or forfeiture made in violation of the act, to prescribe the time within which an action to avoid the same may be brought, to postpone sales for default in payment of installments due between effective date of act and February 1, 1937, to authorize waiver hereof, to prevent actions against guarantors' obligations the enforcement of the security for which is affected by the act, and to declare the urgency hereof;
Has had the same under consideration, and respectfully reports the same back without recommendation.

ROBERTSON, Chairman.

On Unemployment.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR SPEAKER: Your Committee on Unemployment, to which was referred Assembly Bill No. 47—An act providing for a system of unemployment reserves and compensation, making an appropriation therefor, and prescribing penalties in connection therewith;

Also: Assembly Bill No. 201—An act to establish a system of unemployment reserves for this State, and making an appropriation therefor;

Also: Assembly Bill No 418—An act providing for the spreading of work in the State service for the purpose of relieving unemployment, and to that end regulating the hours of service and rates of compensation of State officers and employees;

Also: Assembly Bill No. 424—An act to provide for the incorporation of unemployed persons as unemployed cooperative associations;

Also: Assembly Bill No. 566—An act to provide a system of unemployment reserves and unemployment compensation throughout the State of California, providing penalties and making an appropriation therefor;
Has had the same under consideration, and respectfully reports the same back without recommendation.

ANDERSON, Chairman.

Also:

MR. SPEAKER: Your Committee on Unemployment, to which was referred Assembly Bill No. 708—An act to aid in carrying into effect the provisions of section 10 of Article XVI of the Constitution, relating to relief from hardship and destitution due to and caused by unemployment, and to provide for and relating to the expenditure of moneys, authorized by said section 10, for the purpose of providing subsistence farms for persons entitled to relief under the provisions of said section, authorizing the expenditure of moneys for such purpose and prescribing the powers and duties of the Relief Administrator and the Relief Commission and repealing provisions of the Unemployment Relief Bond Act of 1933 in conflict herewith, declaring the urgency thereof and providing that it shall take effect immediately;

Also: Assembly Bill No. 1373—An act to create the California Homestead Rehabilitation Commission for the purpose of rehabilitating agricultural homesteads, enhancing unemployment relief and eliminating congestion in metropolitan and urban areas;

Also: Assembly Bill No. 2498—An act to provide for rehabilitation of unemployed persons through cooperative self-help groups to be administered by the State Relief Commission, the issue of bonds therefor, and making an appropriation;

Also: Assembly Bill No. 83—An act to authorize the Commemoration Commission to spend relief funds for the employment and operation of Self-help Artists' Cooperatives, and to make an appropriation;

Also: Assembly Bill No 144—An act to repeal an act entitled "An act to provide for the establishment, maintenance and operation of unemployment relief camps," approved June 15, 1933;

Also: Assembly Joint Resolution No. 37—Relative to memorializing the Senate of the United States to enact the President's $4,800,000,000 work relief program without further delay;
Has had the same under consideration, and respectfully reports the same back without recommendation.

ANDERSON, Chairman.

On Universities.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: Your Committee on Universities, to which was referred Assembly Bill No. 344—An act for the construction of two radio broadcast stations and the maintenance and operation thereof by the University of California, and making an appropriation therefor;

Also: Assembly Bill No. 789—An act relating to compulsory military training in the colleges and universities of the State of California;

Also: Assembly Bill No. 1116—An act to amend section 1393 and to repeal section 1394 of the Political Code, relating to the University of California;

Also: Assembly Bill No. 2225—An act pertaining to the governing authorities of colleges and universities supported in whole or in part by taxation;
Has had the same under consideration, and respectfully reports the same back without recommendation.

JOHNSON, Chairman.

On Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1935.

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No 15—An act relating to a county consolidation commission, to study and report on the subject of consolidation of counties and of county functions in this State, and making an appropriation therefor;

Also: Assembly Bill No. 77—An act making an appropriation to pay the claim of W. S. Clark against the State of California;

Also: Assembly Bill No. 87—An act making an appropriation to pay the claim of Henry G. Pfau against the State of California;
Has had the same under consideration, and respectfully reports the same back without recommendation.

COTTRELL, Chairman.

Also:

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No 143—An act making an appropriation to pay the claim of the Massachusetts Mutual Life Insurance Company against the State of California;

Also: Assembly Bill No. 159—An act making an appropriation to pay the claim of L. N. Vaughn, against the State of California;

Also: Assembly Bill No. 165—An act making an appropriation to pay the claim of Walter Pacheco against the State of California;

Also: Assembly Bill No. 233—An act appropriating the sum of fifty thousand three hundred ninety-five dollars out of the general fund of the State of California for the modernizing of the Assembly Chamber and committee rooms;

Also: Assembly Bill No. 245—An act making an appropriation to pay the claim of C. D. Plum against the State of California;

Also: Assembly Bill No. 257—An act to establish a Bureau for the Blind in the Department of Institutions, providing for the administration thereof, making an appropriation therefor, and repealing certain acts in conflict herewith;

Has had the same under consideration, and respectfully reports the same back without recommendation.

COTTRELL, Chairman.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 270—An act to amend sections 366, 366a and 366b of the Political Code, relating to the Department of Institutions;

Also: Assembly Bill No. 274—An act making an appropriation for the support of the Division of Ports, Eureka Harbor, Department of Public Works, declaring the urgency thereof and providing that this act shall take effect immediately;

Also: Assembly Bill No. 275—An act to establish a system of unemployment reserves for this State, and making an appropriation therefor;

Also: Assembly Bill No. 280—An act to be known as the Meritorious Service Act, providing monthly remittances to certain citizens in certain cases, repealing existing legislation, defining policy and declaring the existence of a public emergency requiring the passage of this legislation;

Also: Assembly Bill No. 300—An act to add section 443 to the Political Code, relating to emergency funds and emergencies;

Has had the same under consideration, and respectfully reports the same back without recommendation.

COTTRELL, Chairman.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 357—An act making an appropriation to pay the claim of Winnie Cowen, Lena E. Cowen, William H. Zundelowitz, Simon W. Zundelowitz, Estelle Cooper Dillon, Bessie Ann Cowan Meyer and Donald Seldon Cowen against the State of California;

Also: Assembly Bill No. 398—An act making an appropriation to pay the claim of Abraham Lyon against the State of California;

Also: Assembly Bill No. 432—An act making an appropriation to be used for the accumulation and dissemination of spray residue information and spray residue control work;

Also: Assembly Bill No. 433—An act making an appropriation to pay the claim of Oscar Samuelson against the State of California;

Also: Assembly Bill No. 468—An act making an appropriation to pay the claim of Herb Alleman against the State of California;

Also: Assembly Bill No. 506—An act to provide for home aid to resident citizens of this State, defining the powers and duties of the Veterans' Welfare Board in respect thereto and providing for the financing of such aid including the issuance of revenue bonds for the purpose.

Has had the same under consideration, and respectfully reports the same back without recommendation.

COTTRELL, Chairman.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 559—An act making an appropriation to pay the claim of A. C. Brunzell and E. S. Brunzell, copartners, against the State of California;

Also: Assembly Bill No. 609—An act to add section 1582a to the Penal Code of the State of California, relating to hours of labor of prison guards;

Also: Assembly Bill No. 616—An act making an appropriation for construction and equipment of new buildings at the State Narcotic Hospital;

Also: Assembly Bill No. 682—An act to provide for a Legislative-Executive Advisory Committee and the creation of a secretariat therefor, prescribing the powers and duties of such advisory committee and its secretariat, and making an appropriation for the support thereof;

Also: Assembly Bill No. 696—An act making appropriations to pay the claims of John Doe, Richard Roe, John Smith and John Smith against the State of California;

Has had the same under consideration, and respectfully reports the same back without recommendation.

COTTRELL, Chairman.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No 715—An act to amend sections 12, 13 and 16 of an act entitled "An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions," relating to the allocation and apportionment of balances in the "Fair and exposition fund";

Also: Assembly Bill No. 791—An act to provide for the establishment of unemployment and social insurance;

Also: Assembly Bill No. 892—An act making an appropriation to the Reclamation Board of the State of California to carry out the provisions of an act entitled, "An act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, as modified by the report of California Debris Commission, dated January 5, 1925, and providing the extent to which the State of California will contribute to the expense of executing the plan approved in said report, conditioned upon the United States assuming a corresponding obligation and further providing the purposes to which said expenditures made hereunder shall be applied," approved May 4, 1925;

Also: Assembly Bill No 917—An act making an appropriation for the support and maintenance of highway inspection stations by the State Department of Agriculture;

Has had the same under consideration, and respectfully reports the same back without recommendation.

COTTRELL, Chairman.

Also:

MR SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 866—An act providing for employment insurance—has had the same under consideration, and respectfully reports the same back without recommendation.

COTTRELL, Chairman.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 989—An act to amend section 1 of "An act making an appropriation to the State Board of Control to pay claims against the State of California," approved June 16, 1933, relating to claims eligible to examination;

Also: Assembly Bill No. 1058—An act making an appropriation to pay the claim of Bernard Sargen, against the State of California;

Also: Assembly Bill No. 1164—An act to provide for improvement of rivers, bank protection and clearing flood channels, in cooperation with county, State or Federal relief agencies, political subdivisions, districts, corporations or individuals, and making an appropriation therefor;

Also: Assembly Bill No. 1195—An act making an appropriation to pay the claim of Mrs W. R. Layne against the State of California;

Also: Assembly Bill 1196—An act to assist deaf students attending the Gallaudet College at Washington, D. C., and making an appropriation therefor;

Also: Assembly Bill No. 1228—An act providing for the acquisition of lands for, and the construction, maintenance and operation of a building at the San Francisco Bay Bridge Exposition to be held in the City and County of San Francisco, State of California, providing for the exhibition of products, resources of and other matters pertaining to the State of California at said San Francisco Bay Bridge Exposition, creating the San Francisco Bay Bridge Exposition, defining its purposes and duties and making an appropriation therefor;

Has had the same under consideration, and respectfully reports the same back without recommendation.

COTTRELL, Chairman

Also:

MR. SPEAKER Your Committee on Ways and Means, to which was referred Assembly Bill No. 1254—An act to amend section 2175a of the Political Code, to authorize counties to recover cost of care of harmless insane;

Also. Assembly Bill No. 1255—An act to amend section 2167b of the Political Code, known as the Psychopathic Parole Act, to authorize counties to recover cost of care of persons mentally disordered;

Also: Assembly Bill No. 1368—An act making an appropriation for the construction of an armory in the city of San Pedro, Los Angeles County, California;

Also: Assembly Bill No. 1391—An act making an appropriation for the State Agricultural Society out of any moneys made available by law for the construction of public works for or in behalf of unemployment relief;

Also: Assembly Bill No. 1466—An act making an appropriation to pay the claim of the county of Plumas against the State of California;

Also: Assembly Bill No. 1501—An act making an appropriation to build a chapel at San Quentin Prison;

Has had the same under consideration, and respectfully reports the same back without recommendation.

COTTRELL, Chairman.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1566—An act making an appropriation to pay the claim of Yeomen Mutual Life Insurance Company against the State of California;

Also: Assembly Bill No. 1578—An act making an appropriation to pay the claim of Piedmont Market, Inc., against the State of California;

Also: Assembly Bill No. 1620—An act making an appropriation for the establishment of a free employment agency in the city of Oakland;

Also: Assembly Bill No. 1665—An act providing for unemployment insurance;

Also: Assembly Bill No. 1703—An act making an appropriation to pay the claim of the Superintendent of Accounts of the Department of Finance against the State of California;

Also: Assembly Bill No. 1849—An act to create the Public Relations Commission; to prescribe the powers, duties, functions, and purposes thereof; to abolish certain public welfare agencies; to repeal all acts or portions of acts in conflict therewith; and to make an appropriation therefor;

Has had the same under consideration, and respectfully reports the same back without recommendation.

COTTRELL, Chairman.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 1892—An act appropriating the sum of $1,200 to pay the claim of Robert Francis Layne and Minna M. Layne against the State of California;

Also: Assembly Bill No. 1913—An act making appropriation for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of Article IV of the Constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 1917—An act making an appropriation to improve the State park at Alamitos Bay;

Also: Assembly Bill No. 2069—An act making an appropriation to pay the claim of the Superintendent of Accounts of the Department of Finance against the State of California;

Also: Assembly Bill No. 2154—An act to provide for the establishment and maintenance of a bureau in the State Board of Public Health for the suppression of noxious odors, prescribing its powers and duties and making an appropriation to carry out the provisions hereof;

Has had the same under consideration, and respectfully reports the same back without recommendation.

COTTRELL, Chairman.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2380—An act making an appropriation for the support of the Twenty-second District Agricultural Association, declaring the urgency thereof and providing that this act shall take effect immediately;

Also: Assembly Bill No. 2388—An act making an appropriation for the compensation of owners of birds of the psittacine family, declaring the urgency thereof, the act to take effect immediately;

Also: Assembly Bill No. 2394—An act to amend the Vehicle Code by adding thereto section 777.5, relating to support of the Department of Motor Vehicles;

Also: Assembly Bill No. 2410—An act to be known as the Home Loan Revenue Bond Act and to provide for State aid in the financing of the construction of homes for citizens; to aid in the financial and business recovery of the State and to promote legitimate building and construction; providing for the creation of a Home Loan Authority and bond financing committee and for the issuance of revenue bonds by the authority and for the application of such funds in the financing of the building of homes;

Also: Assembly Bill No. 2414—An act making an appropriation to pay the claim of R. S. Jay against the State of California;
Has had the same under consideration, and respectfully reports the same back without recommendation.

COTTRELL, Chairman.

Also:

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Concurrent Resolution No. 9—Relative to fixed charges—has had the same under consideration, and respectfully reports the same back without recommendation.

COTTRELL, Chairman.

Also:

MR SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 487—An act making an appropriation to pay the claims of the Western Union Telegraph Company against the State of California—has had the same under consideration, and respectfully reports the same back without recommendation

COTTRELL, Chairman.

Senate Messages.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate committees have reported back without recommendation for the reason that no committee action was taken, the following Assembly Bills Nos. 1, 27, 28, 40, 44, 50, 68, 71, 74, 96, 97, 112, 182, 183, 194, 241, 244, 265, 289, 294, 299, 308, 312, 328, 362, 403, 428, 434, 472, 567 588, 652, 661, 674, 694, 697, 702, 704, 714, 728, 732, 785, 788, 790, 792, 793, 854, 856, 875, 880, 926, 936, 942, 998, 1028, 1029, 1030, 1031, 1032, 1041, 1054, 1078, 1082, 1084, 1100, 1124, 1128, 1138, 1199, 1274, 1276, 1279, 1283, 1286, 1289, 1319, 1349, 1376, 1378, 1464, 1483, 1516, 1607, 1698, 1775, 1782, 1825, 1830, 1860, 1871, 1874, 1915, 1920, 1956, 1968, 2019, 2023, 2028, 2042, 2061, 2077, 2098, 2111, 2133, 2139, 2161, 2173, 2240, 2300, 2303, 2351, 2372, 2391, 2396, 2399, 2415, 2419, 2423, 2430, 2439, 2440, 2447, 2453, 2464, 2471, 2476, 2477, 2486, 2489, 2500, and 2501.

J. A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day laid on the table Assembly Bill No. 900—An act providing for the creation of and an investigation and report by the California Tax Research Commission on the subject of gross receipts taxes for the State of California and for any or all of its governmental units.

J. A BEEK, Secretary of Senate.
By CARL A SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR. SPEAKER: I am directed to inform your honorable body that the Senate took no action on File, on Assembly Bill No. 2208—An act requiring marine architects to be certified as such, specifying qualifications, rules and regulations therefor, creating a board, establishing a fund, and providing penalties.

J A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate committees have reported back without recommendation, for the reason that no committee action was taken, Assembly Constitutional Amendments Nos 9, 26, 28, 43, 66, and 89.

J. A BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate committees have reported back without recommendation, for the reason that no committee action was taken, Assembly Concurrent Resolutions Nos. 4, 14, 16, 34, 55, 57, and 58.

J A. BEEK, Secretary of Senate.
By CARL A. SHIPKEY, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 16, 1935.

MR SPEAKER: I am directed to inform your honorable body that the Senate committees have reported back without recommendation, for the reason that no committee action was taken, Assembly Joint Resolutions Nos. 2, 5, 11, 13, 19, 20, 25, 26 27, 41, 42, 54, 57, 60 and 67

J. A BEEK, Secretary of Senate.
By CARL A SHIPKEY, Assistant Secretary.

Appointment of Special Committees.

The Speaker announced the appointment of Messrs. Peyser, Chairman; Hunt, and McBride to serve as members of the Special Assembly Committee on Automobile Finance Companies, pursuant to the terms of Assembly resolution introduced by Mr Peyser.

The Speaker announced the appointment of Messrs Nielsen, Chairman; Cassidy, and Geyer to serve as members of the Joint Legislative Committee to consult with the Department of Finance and the State Building Commission, regarding the the remodeling and refurnishing of legislative committee rooms and offices for the members in the State Capitol, pursuant to the terms of Senate Concurrent Resolution No. 42.

The Speaker announced the appointment of Messrs. Wallace, Chairman; O'Donnell, and Williamson to serve as members of the Special Assembly Committee on Courts, pursuant to the terms of Assembly resolution introduced by Mr. Wallace.

The Speaker announced the appointment of Messrs. Reaves, Chairman; Crowley, Flint, McMurray, and Waters to serve as members of the Special Assembly Committee on Self-help Cooperatives, pursuant to the terms of Assembly resolution introduced by Mr. Reaves.

The Speaker announced the appointment of Mr. Fisher to serve as member of the Assembly to attend the Interstate Assembly of the American Legislators Association, pursuant to the terms of Assembly resolution introduced by Messrs Fisher, Craig, Lyon, Jones, and Cronin.

The Speaker announced the appointment of Messrs. Cottrell, Chairman; Hornblower, and McBride to serve as members of the Special Assembly Committee to Investigate and Report on the Dismissal from Service in the Motor Vehicle Department of Captain John Pacheco, pursuant to the terms of Assembly resolution introduced by Messrs. Cottrell and Anderson.

The Speaker announced the appointment of Messrs. Johnson, Chairman; Desmond, Latham, Stream and Turner to serve as members of the Special Assembly Committee to Investigate and Study the Dismissal of State Employees, pursuant to the terms of Assembly resolution introduced by Messrs. Johnson, Mayo, Burns, Gilmore, Morgan, Field, Wallace, DeLap, and Clark

The Speaker announced the appointment of Messrs. Fisher, Chairman; Dawson, and Herbert J. Evans to serve as members of the Special Assembly Committee to Study and Investigate the Klamath River Controversy, pursuant to the terms of Assembly resolution introduced by Messrs. Fisher and Burns.

The Speaker announced the appointment of Messrs. Lyon, Chairman; Gilmore and Nielsen to serve as members of the Special Assembly Committee to Study Legislative Rules, Procedure, and Printing, pursuant to the terms of Assembly resolution introduced by Mr. Lyon.

The Speaker announced the appointment of Messrs. Boyle, Chairman; Cronin, Lyon, Riley, and Scudder to serve as members of the Special Assembly Committee to Study Liquor Tax and License Fees, pursuant to the terms of Assembly resolution introduced by Mr. Boyle

The Speaker announced the appointment of Messrs. Phillips, Chairman; DeLap, Martin, Minard, Thorp, Utt, and Walker to serve as members of the Special Assembly Committee to Study Marketing of Agricultural Products, pursuant to the terms of Assembly resolution introduced by Mr. Phillips.

The Speaker announced the appointment of Messrs. Hornblower, Chairman; Breed, and Laughlin to serve as members of the Special Assembly Committee to Study Motor Vehicle Legislation, pursuant to the terms of Assembly resolution introduced by Mr. Hornblower.

The Speaker announced the appointment of Messrs. Fulcher, Chairman; Redwine, and Utt to serve as members of the Special Assembly Committee for the Investigation of National and State Lands, pursuant to the terms of Assembly resolution introduced by Mr. Fulcher.

The Speaker announced the appointment of Messrs. Martin, Chairman; Cottrell, Maloney, Voigt, and Weber to serve as members of the Special Assembly Interim Committee for the Study of Prison Methods, pursuant to the terms of Assembly resolution introduced by Mr. Martin.

The Speaker announced the appointment of Messrs. Anderson, Chairman; Clark, Meehan, Miller, and Wright to serve as members of the Special Assembly Committee to Study Real Property Assessment and Appraisal, pursuant to the terms of Assembly resolution introduced by Mr. Anderson.

The Speaker announced the appointment of Messrs. Kallam, Chairman; DeLap, and Mayo to serve as members of the Special Assembly Interim Committee on Severance Taxes, pursuant to the terms of Assembly resolution introduced by Mr. Kallam

The Speaker announced the appointment of Messrs. Maloney, Chairman; Andreas, Minard, Redwine, and Scudder to serve as members of the Special Assembly Committee to Study Silicosis, pursuant to the terms of Assembly resolution introduced by Messrs. Maloney and Mayo.

The Speaker announced the appointment of Messrs. Utt, Chairman; Corwin, and Garibaldi to serve as members of the Special Assembly Committee on Small Loans, pursuant to the terms of Assembly resolution introduced by Mr. Cronin.

The Speaker announced the appointment of Messrs. Donihue, Chairman; Chatters, Cottrell, Ralph W. Evans, and Field to serve as members of the Special Assembly Committee on State Auditing, pursuant to the terms of Assembly resolution introduced by Mr. Donihue.

The Speaker announced the appointment of Messrs. Brennan, Chairman; Burns, Donnelly, McCarthy, Pelletier, Wright, and Peterson to serve as members of the Special Assembly Committee on Unemployment Relief, pursuant to the terms of Assembly resolution introduced by Mr. Brennan.

The Speaker announced the appointment of Messrs. Hornblower, Chairman; Frazier, Minard, Phillips, and Robertson to serve as members of the Special Assembly Committee to Investigate Leasing of Tidelands at Huntington Beach, pursuant to the terms of Assembly resolution introduced by Mr. Hornblower.

Appointment of Members to Prepare Arguments.

The Speaker announced the appointment of the following members to prepare arguments for and against proposed constitutional amendments:

Special Election, Tuesday, August 13, 1935.

Assembly Constitutional Amendment No. 90—Affirmative, Ernest C Crowley and Edward Craig.

General Election, Tuesday, November 3, 1936.

Assembly Constitutional Amendment No. 3—Affirmative, Frederick Peterson and Hubert B. Scudder; negative, Henry P. Meehan.

Assembly Constitutional Amendment No. 20—Affirmative, C. Don Field and E. V. Latham.

Assembly Constitutional Amendment No. 32—Affirmative, Charles W. Lyon, William Moseley Jones, Herbert J. Evans, Charles A. Hunt, Augustus F. Hawkins, Frank G. Martin, James J. McBride, Thomas J Cunningham, Frank J. Waters, Kent H. Redwine, and James J. Boyle

Assembly Constitutional Amendment No. 33—Affirmative, Charles W. Lyon, William Moseley Jones, Herbert J. Evans, Charles A. Hunt, Augustus F. Hawkins, Frank G. Martin, James J. McBride, Thomas J Cunningham, Frank J. Waters, Kent H. Redwine, and James J. Boyle, negative, Lee E. Geyer.

Assembly Constitutional Amendment No. 39—Affirmative, Kent H. Redwine and Frank W. Wright.

Assembly Constitutional Amendment No. 42—Affirmative, Kent H. Redwine and Charles W. Stream.

Resolution.

The following resolution was offered:

By Mr. Lyon:

Assembly Resolution.

Resolved, That the Speaker appoint a committee of three to wait upon the Senate and inform it that the Assembly has concluded its labors and ask if it has any further message to deliver to this body.

Appointment of Select Committee.

The Speaker appointed Messrs. Pelletier, Richie and Wagner as such Select Committee.

Resolution.

The following resolution was offered:

By Mr. Wright:

Assembly Resolution.

Resolved, That the Speaker appoint a committee of three to wait upon His Excellency, Hon. Frank F. Merriam, Governor of the State of California, and inform him that the Assembly has concluded its labors and awaits his further pleasure.

Appointment of Select Committee.

The Speaker appointed Messrs. Wright, Lyon and Nielsen as such Select Committee.

Report of Select Committee.

The Select Committee appointed to wait upon the Senate appeared before the bar of the Assembly, and reported that the instructions of the Assembly had been carried out, and that the Senate had concluded its labors and was ready to adjourn.

Committee from the Senate.

Senators Metzger, Fletcher and Garrison appeared before the bar of the Assembly, and informed the Assembly that the Senate was ready to adjourn, and asked if the Assembly had any further message to convey to the Senate.

The Speaker informed the committee from the Senate that the Assembly had concluded its labors and was ready to adjourn, and had no further communication to make to the Senate.

Report of Select Committee.

The Select Committee appointed to wait upon the Governor, reported that such had been done, and that the Governor wished this committee to convey to the Assembly his appreciation of their splendid cooperation, his compliments and best wishes.

Assembly Bills Approved by Governor, Chaptered and Filed With the Secretary

The following Assembly Bills were approved by the Governor, chaptered and filed with th
Unless otherwise specified, all bills become effective 90 days after adjournment sine die of t
~~September 15, 1985~~.

Number	Chapter	Number	Chapter	Number	Chapter	Number	Chapter	Number	Chapter	Number	Chapter	Number	Chapter	Number	Chapter	Number	Chapter	Number	Chapter	Number
13	242	174	261	366	266	510	466	655	442	828	739	992	418	1213	445	1370	191	1651	765	1819
14	243	185	59	367	116	512	467	656	79	834	356	997	743	1216	446	1381	188	1652	154	1826
23	7	189	172	368	215	514	185	657	37	838	689	999	618	1232	194	1382	697	1653	155	1831
33	101	208	103	379	562	516	513	658	1.3	840	615	1001	692	1235	81	1398	753	1654	590	1833
34	55	213	625	384	351	521	76	660	505	843	616	1009	717	1236	774	1400	754	1655	156	1836
36	509	223	461	385	393	523	468	662	728	844	516	1010	659	1242	521	1126	398	1656	591	1862
37	35	229	138	390	608	524	45	663	729	845	740	1022	419	1243	553	1162	506	1657	570	1870
43	434	231	276	395	462	525	140	665	730	848	617	1023	568	1244	218	1168	33	1658	592	1880
46	502	236	411	401	174	527	311	667	731	878	658	1031	313	1256	18	1180	755	1663	766	1884
56	392	238	412	405	609	528	244	668	732	882	581	1035	619	1257	19	1181	756	1664	621	1885
57	169	239	353	411	11	532	724	670	413	884	106	1053	413	1258	1	1185	757	1666	665	1904
58	170	240	626	413	653	541	654	695	64	895	711	1056	583	1259	551	1186	448	1678	203	1919
59	459	242	139	414	175	542	725	698	177	897	565	1059	108	1260	555	1497	279	1679	109	1921
61	460	246	386	422	723	545	322	699	178	901	582	1061	134	1263	522	1498	758	1680	197	1925
64	557	252	387	425	75	550	612	700	341	906	305	1066	444	1264	523	1500	301	1682	83	1952
65	213	259	190	429	463	557	245	703	414	913	71	1067	519	1268	420	1526	270	1693	43	1957
75	15	260	559	439	439	558	246	707	515	915	471	1091	846	1269	447	1529	21	1694	17	1970
76	669	261	42	440	310	563	77	710	389	916	416	1111	337	1270	585	1531	759	1695	110	1976
78	721	262	16	441	200	568	655	713	733	919	566	1117	693	1271	361	1532	746	1699	111	1977
81	558	263	17	444	624	*578	51	724	469	920	556	1120	44	1273	357	1533	201	1700	86	1990
85	109	264	844	450	610	579	192	729	415	923	472	1122	258	1281	660	1540	698	1704	159	1991
86	352	283	510	451	504	583	176	731	143	924	549	1125	476	1285	195	1548	135	1721	141	1992
89	1	285	503	456	611	585	152	734	80	925	567	1129	396	1287	196	1550	375	1722	112	1993
92	56	286	651	457	277	601	110	735	734	927	361	1131	217	1294	586	1551	336	1723	198	1995
94	10	287	652	462	150	603	269	736	186	928	267	1132	718	1295	524	1559	760	1735	767	2012
100	385	291	716	463	216	601	411	753	65	930	184	1133	193	1298	569	1561	662	1741	768	2030
106	410	295	173	466	164	605	726	755	845	934	550	1135	278	1300	163	1562	663	1743	157	2033
113	70	310	438	479	627	606	656	758	632	944	312	1141	741	1301	695	1569	587	1751	777	2031
119	20	313	262	480	105	610	341	759	46	947	228	1150	584	1311	775	1570	664	1755	769	2040
120	3	315	560	482	60	614	629	761	470	951	473	1161	167	1323	776	1579	588	1763	268	2047

123	435	327	388	485	160	617	688	765	187	955	742	1166	520	1329	747	1589	761	1765	666	2048	786	2306	809	2465	830
129	57	334	52	486	151	621	727	767	633	956	107	1181	745	1332	661	1606	762	1769	319	2050	787	2308	810	2466	705
130	58	335	74	488	394	629	36	768	297	961	690	1182	329	1339	847	1608	818	1770	314	2051	788	2310	811	2467	831
139	102	336	722	491	179	630	514	771	735	962	691	1186	552	1340	696	1614	589	1774	421	2052	789	2330	596	2469	508
141	171	337	8	492	180	637	34	774	736	972	474	1192	321	1342	748	1631	280	1779	40	2053	790	2350	812	2470	832
142	436	338	511	493	181	638	657	794	613	973	475	1194	771	1344	328	1631	66	1780	699	2054	791	2354	527	2473	347
150	437	341	561	494	182	639	61	800	390	974	153	1201	397	1345	749	1639	763	1784	332	2063	792	2359	822	2485	428
153	323	346	101	495	465	641	630	812	563	975	517	1203	772	1346	750	1640	41	1786	67	2064	701	*2365	849	2488	403
154	281	361	148	496	628	642	78	816	561	976	518	1204	166	1362	620	1641	202	1792	422	2065	793	2368	850	2195	706
155	275	363	211	497	512	645	62	823	737	978	417	1205	773	1363	751	1645	82	1804	770	2066	794	2369	119	2499	450
166	284	364	149	498	183	650	631	826	614	988	551	1208	355	1364	525	1650	764	1816	320	2067	594	2376	359	2502	623
170	27	365	265	509	331	651	63	827	738	990	147	1212	694	1367	752										

Total ---------- 541

* Bills held up from going into effect on September 15, 1935, by referendum, and will be voted upon at the next general election, November 3, 1936.

Assembly Bills Vetoed by the Governor During Session

196, 298, 314, 756, 766, 851, 1165, 1739, 1771, 1793, 1863, 1994.

Total----------12

Assembly Bills Pocket Vetoed by the Governor

29, 70, 84, 88, 93, 95,
98, 99,
104,
205, 206, 212, 234, 248, 258,
301, 305, 322, 329, 340, 386,
397,
400, 427, 437, 438, 442, 455,
464, 487, 489, 490,
522, 576,
618, 620, 622, 624, 626, 653,
669,
720, 733, 739, 754, 762,
814, 819, 825, 842, 863, 865,
877, 879, 896, 898,
902, 918, 922, 935, 941, 943,
958, 959, 994.
1007, 1036, 1037, 1055, 1083, 1093,
1130, 1134, 1167, 1170, 1185, 1188,
1189, 1198,
1219, 1233, 1262, 1267, 1277, 1282,
1302, 1304, 1309, 1324, 1337, 1343,
1360, 1377, 1392, 1394, 1395,
1470, 1482, 1487, 1491, 1492,
1519, 1546, 1581, 1586,
1605, 1677, 1684,
1702, 1744, 1747, 1752, 1753, 1754,
1756, 1760, 1794,
1835, 1837, 1861, 1883, 1896,
1906, 1929, 1974, 1987, 1989,
2013, 2020, 2021, 2035, 2039, 2043,
2045, 2068, 2087,
2102, 2129, 2131, 2172,
2217, 2219, 2252, 2264, 2265,
2302, 2305, 2336,
2421, 2425, 2426, 2427, 2429, 2438,
2441, 2444, 2445, 2452, 2455, 2461,
2468, 2475, 2479, 2480, 2483, 2487,
2490, 2492, 2493, 2496.

Total----------170

Assembly Constitutional Amendments Chaptered, and Filed With the Secretary of State

The following Assembly Constitutional Amendments chaptered, and filed with the Secretary of State will be voted upon at the next general election to be held November 3, 1936:

Number	Chapter	Author	Subject of title	Date filed with Secretary of State
3	109	Peterson	Relating to local government	June 6
20	78	Field	Relief of assessment districts	May 3
32	115	Lyon et al	City of Los Angeles authorized to amend its charter	June 10
33	107	Lyon et al	Providing for issuance of bonds by county of Los Angeles for Pacific Exposition	June 4
39	134	Redwine	Paying principal and interest on bonds issued by city whose funds are in custody of treasurer of city	June 20
42	135	Redwine	Computation, refunding and collection of excess and deficiency taxes on unsecured real property	June 20
58	101	Johnson	Preparation and adoption of charters by cities and cities and counties	May 29
62	136	Lyon	Management and control of museums and art galleries	June 20
63	117	Fraser	Relating to creation and powers of Railroad Commission	June 12
77	116	Lyon	Rights of private property	June 10
86	137	Utt	Providing compilation of records following legislative sessions	June 20
*90	138	Crowley	Rector Canyon Dam project	June 20

Total 12

* Voted upon at a special State election held August 13, 1935 and defeated
Voted for amendment 191,623
Vote against amendment 256,449

Assembly Concurrent Resolutions Chaptered, and Filed With the Secretary of State

Number	Chapter	Author	Subject of title	Date filed with Secretary of State
1	8	Miller	Charter amendments, city of Pasadena	Jan. 17
2	9	Redwine et al	Charter amendments, city of Los Angeles	Jan. 17
3	4	Glover	Charter amendments, city of Compton	Jan 16
5	10	Stream et al	Charter amendments, city of San Diego	Jan 17
11	28	Johnson	Charter amendments, city of Albany	Jan. 26
12	88	Evans, Herbert J.	Relative to Governor proclaiming second week of October of each year "Old Glory Week"	May 14
13	26	Frazier et al.	Requesting Board of Equalization submit valuation utility properties	Jan 26
15	27	Brennan et al	Charter amendments, City and County of San Francisco	Jan 26
18	37	Evans, Ralph W.	Approving charter, city of Redondo Beach	Feb 2
20	34	Miller	Charter amendments, city of Pasadena	Jan. 28
22	35	Fisher	Charter amendments, city of Oakland	Jan. 28
23	38	Burns	Recognition by law enforcement officers of white cane by blind	Feb 2
24	49	Maloney et al	Adjournment out of respect to memory of Dana P. Eicke	Mar. 12
25	48	Cronin et al	Relative to death of Fremont Older	Mar 12
26	47	Miller	Relative to death of Emma D Jordan	Mar 12
27	52	Peyser et al.	Relative to retirement of Archbishop Edward J Hanna	Mar 20
28	53	Crowley	Adjournment out of respect to memory of Dr. T. H Stice	Mar 20
30	63	Mayo	Experimental winter feeding of deer	April 17
31	70	Morgan	Approving charter amendment, city of Santa Monica	April 26
32	71	Miller	Approving charter amendment, city of Pasadena	April 26
33	76	Riley	Approving charter amendments, city of Long Beach	April 29
35	75	Rosenthal et al	Relative to death of mother of Assemblyman Hawkins	April 29
36	81	Johnson	Approving charter amendments, city of Albany	May 8
37	86	Maloney et al.	Adjournment out of respect to memory of late Monsigno: John Rogers	May 10
38	93	Maloney	Approving charter amendments, city and county of San Francisco	May 17
39	94	Crowley, et al.	Will Rogers and Irvin S Cobb invited to attend the session of the Assembly	May 17
42	100	Patterson	Approving amendments to charter of the city of Monterey	May 24
44	124	Johnson	Termination of probationary period of employees of the various departments of the State	June 14
46	113	Maloney et al	Adjournment out of respect to memory of James Rolph, Jr	June 10
50	130	Mayo	California Highway Patrol	June 20
52	131	Wagner	Establishment of free employment bureau in City of Oakland	June 20
53	112	Riley	Charter amendments city of Long Beach	June 10
54	132	Frazier	Leave of absence of Richard E Collins, member State Board of Equalization	June 20
56	133	Riley	Charter amendments, City of Long Beach	June 20

Total 34

Assembly Joint Resolutions Chaptered, and Filed With the Secretary of State

Number	Chapter	Author	Subject of title	Date filed with Secretary of State
1	3	Latham, et al	Memorializing Congress to pay soldiers' bonus	Jan 16
4	5	Jones, et al	Memorializing the President and Congress to enact old age pension legislation	Jan. 16
6	30	Stream, et al	Memorializing Congress to consider Townsend Plan of Old Age Pensions	Jan. 26
7	59	Latham	Memorializing President and Congress to grant Federal suffrage to the residents of the District of Columbia	April 2
8	18	Lyon, et al	Memorializing Congress, consent to taxation by States of certain interstate sales	Jan 23
9	11	Burns	Memorializing President to enact six-hour day and five-day week	Jan 17
10	56	Voigt	Memorializing Public Works Administration to approve grant of $5,882 000 to Los Angeles County Flood Control District, for improvement of flood channel of Ballona Creek	Mar 25
12	17	Cronin	Memorializing Congress directing repeal of section 15, Black-McKellar Act	Jan 21
14	39	Field	Memorializing Public Works Administrator to approve application of Los Angeles County Flood Control District	Feb. 2
17	36	Walker, et al	Memorializing President and Congress to make no tariff arrangements reducing duty on flax	Jan 28
18	29	Scudder et al	Memorializing Congress to acquire Petrified Redwood Forest, Sonoma County, as National park and monument	Jan 26
21	33	Hawkins	Memorializing Congress to enact legislation relative to abolition of lynching	Jan 28
22	139	Lyon, et al	Pacific Exposition	June 20
23	140	Lyon, et al	Pacific Exposition	June 20
24	40	Riley	Relative to uniform taxation petroleum-producing property	Feb 2
29	41	Peyser, et al	Relative to fostering and protecting grape and wine industries	Feb 2
31	54	Chatters, et al	Memorializing Congress to provide plan for deporting undesirable aliens illegally in this Nation	Mar 25
32	55	Chatters, et al	Memorializing Congress regarding deportation of aliens dependent on public relief	Mar 25
33	42	Hornblower, et al	Memorializing Congress to invite people of the world to San Francisco Bay Bridge Exposition in 1938	Feb. 2
34	43	Hornblower, et al	Memorializing Governors, Lieutenant Governors and legislators of each State to invite residents to participate in San Francisco Bay Bridge Exposition in 1938	Feb 2
35	45	Phillips	Memorializing Congress to maintain existing tariff regulations affecting almond industry	Feb 2
36	44	Chatters, et al	Memorializing Congress to enact legislation known as "Universal Draft" in time of war	Feb. 2
38	60	Lyon	Memorializing Congress and President relative to awarding distinguished service medals to certain veterans of the Philippine Insurrection	April 10
39	57	Lyon	Memorializing Congress to adopt Townsend Plan of old age pension	Mar 25
43	97	Patterson	Memorializing Congress to furnish aid in construction of check dams in Salinas River Valley	May 22
45	58	Stream, Nielsen	Memorializing President and Congress, regarding adequate anti-aircraft equipment for Pacific Coast	April 1
46	61	Lyon	Memorializing Congress and President relative to transpacific air mail service	April 10
49	64	Breed	Memorializing United States Forest Service to lay out ski trails between Placerville and Auburn highways	April 23
50	87	Waters	Memorializing President and Congress to enact H R 5359, creating a National Civil Academy	May 13
51	69	Williamson	Memorializing President and Congress to declare Admission Day a holiday for employees of the United States whose headquarters are in California	April 26
52	74	Welsh	Relative to regulation of production of crude petroleum	April 29
53	89	Waters	Memorializing President and Congress to enact section 1952, relative extending civil service status to certain postal employees	May 14
55	103	Phillips	Memorializing Congress to erect a memorial to Mrs A Sherman Hoyt	May 31
56	141	Cronin	Benefits to persons who served in Quartermaster's Corps during certain wars	June 20
58	91	Dawson	Memorializing Congress to restore pensions to Spanish-American war veterans	May 17
59	92	Crowley, et al	Memorializing President and Congress to enact H R 6628 providing employment for blind citizens	May 17

ASSEMBLY JOINT RESOLUTIONS CHAPTERED, AND FILED WITH THE SECRETARY OF STATE—Continued

Number	Chapter	Author	Subject of title	Date filed with Secretary of State
61	122	Phillips	Memorializing Congress to repeal "An act to amend the Tariff Act of 1930"	June 14
62	114	Voigt et al	Memorializing Public Works Administration to construction of certain improvements in San Francisco Bay	June 10
63	123	Lyon	Memorializing Congress to make provision for encouragement of cultural phases of National life in the Federal works plan	June 14
64	106	Field, et al	Memorializing Congress to make amends to disabled war veterans who have been deprived of lawful compensation	June 4
65	142	Maloney, et al	Furnishing aid in construction of improvements in San Francisco Bay and vicinity	June 20
66	143	Lyon	Lessen burdens upon counties for unemployment relief	June 20

Total 42